

**APPLICATION FOR APPEAL**

Department of Planning and Economic Development  
Zoning Section  
1400 City Hall Annex  
25 West Fourth Street  
Saint Paul, MN 55102-1634  
(651) 266-6589

Zoning Office Use Only

File #:

Fee:

Tentative Hearing Date:

440.00  
To Be Scheduled

**APPELLANT**

Name Pergola Management, LLC  
Address 201 Western Avenue North  
City St. Paul St. MN Zip 55102 Daytime Phone 651-602-9150

**PROPERTY LOCATION**

Zoning File Name Saint Paul Domestic Abuse Intervention Project  
Address / Location 390-394 Dayton Avenue between Western and Arundel

# 14-293-465

TYPE OF APPEAL: Application is hereby made for an appeal to the:

☐ Planning Commission, under provision of Chapter 61, Section 701, Paragraph c of the Zoning Code, of a decision made by the Planning Administrator or Zoning Administrator

OR

☒ City Council, under provision of Chapter 61, Section 702, Paragraph a of the Zoning Code, of a decision made by the Planning Commission

Date of decision: July 11, 20 14 File Number: 14-293-465

GROUND FORS APPEAL: Explain why you feel there has been an error in any requirement, permit, decision or refusal made by an administrative official, or an error in fact, procedure or finding made by the Planning Commission.

See Attached

CK16648

Attach additional sheets if necessary

Pergola Management, LLC  
Appellant's Signature By: [Signature] Date 7/18/14 City Agent pdd  
Brian Pergament 7-18-14

Pergola Management, LLC  
201 Western Avenue North  
St. Paul, Minnesota 55102  
651-602-9150

July 18, 2014

**Hand Delivered**

Mr. Paul Dubruiel  
Department of Planning and Economic Development  
1400 City Hall Annex  
25 West Fourth Street  
St. Paul, Minnesota 55102

**RE: Notice of Appeal**

**Appellant: Pergola Management, LLC**

**Zoning File Name: Saint Paul Domestic Abuse Intervention Project**

**File No. 14-293-465**

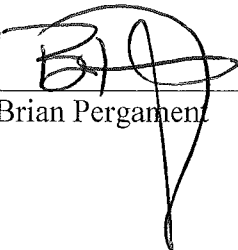
Dear Mr. Dubruiel:

Enclosed herewith for filing in the above matter please find Application For Appeal to the City Council of Pergola Management, LLC, together with a check in the amount of \$440.00 in payment of the filing fee.

Please send all notices regarding the date, time and place of the hearing on the appeal to the undersigned at the address listed above, together with any other correspondence regarding the appeal hearing.

Very truly yours,

Pergola Management, LLC

By:   
Brian Pergament

APPLICATION FOR APPEAL

PERGOLA MANAGEMENT, LLC

GROUND'S FOR APPEAL

The decision of the Planning Commission to approve the application of the Saint Paul Abuse Intervention Project violates Section 65.132 (e) of the Code of Ordinances which states:

"Applications for conversion or reuse shall include a notarized petition of two-thirds (2/3) of the property owners within one hundred (100) feet of the property proposed for the reuse, site plans, building elevations, and landscaping plans, and other information which the planning commission may request"

The decision of the Planning Commission to approve the application of the Saint Paul Abuse Intervention Project unlawfully applies and violates Section 61.502 of the Code of Ordinances which states:

"The planning commission, after public hearing, may modify any or all special conditions, when strict application of such special conditions would unreasonably limit or prevent otherwise lawful use of a piece of property or an existing structure and would result in exceptional undue hardship to the owner of such property or structure; provided, that such modification will not impair the intent and purpose of such special condition and is consistent with health, morals, and general welfare of the community and is consistent with reasonable enjoyment of adjacent property."