

Department of Community Planning and Economic Development – Planning Division
Minor Subdivision Application
MS-167

Date: March 5, 2007

Applicant: Duane Arens

Address of Property: 600 4th Street NE

Project Name: Not applicable.

Contact Person and Phone: Duane Arens 612-379-3327

Planning Staff and Phone: Jim Voll 612-673-3887

Date Application Deemed Complete: January 18, 2007

End of 120 Day Decision Period: May 18, 2007

Ward: 3 **Neighborhood Organization:** St. Anthony West

Existing Zoning: R2B Two-family District

Proposed Zoning: Not applicable for this application.

Zoning Plate Number: 14

Legal Description: See survey.

Existing/Proposed Use: Parcel A (easterly parcel) will be 5,867 square feet and contains a two-family home that will be converted to a single-family home. Parcel B (westerly parcel) will be 5,003 square feet and is proposed for a new single-family home.

Concurrent Review:

Minor Subdivision: To create two parcels out of one lot.

Applicable Code Provisions: Chapter 598 Subdivisions.

Development Plan: Please see attached survey and site plan. A two-family home exists on the lot.

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Background: At its meeting of March 26, 2006, the City Planning Commission approved a minor subdivision (MS-151) and a variance (BZZ-3019) to reduce the required lot area for the proposed westerly parcel from 5,000 to 4,257 square feet. This approval was overturned on appeal by the City Council at its meeting of August 18, 2006.

The applicant now proposes a subdivision that would create two parcels out of one lot, but that would not require a lot area variance. The current lot is 66 feet wide and 165 feet deep. There is a duplex on the lot. The applicant would like to create separate parcels; one for the duplex that he will convert to a single-family home and one for a new single-family home.

If the existing duplex is converted to a single-family home, then both parcels will meet all of the requirements of the zoning code and the subdivision ordinance. The R2B district requires 5,000 square feet of lot area for single-family homes. Parcel A will have 5,887 square feet of lot area. Parcel B will have 5,003 square feet of lot area. The lot is currently a reverse corner lot, so this split will not create a reverse corner lot or reverse frontage lot. The existing duplex will need to complete the conversion to a single-family home before staff will release the resolution for the split to be recorded with the County to allow the actual division to take place.

The new single-family home is subject to administrative site plan review for 1-4 unit dwellings. It appears that the home will definitely meet 11 of the required 15 points, receiving points for the following: 5 for a basement, 4 for materials, and 2 for roof pitch. The applicant should be able to receive 3 points if the windows on the side and rear elevations are 10 percent, or if the front is increased to 20 percent, and 1 point for a deciduous tree in the front yard. This would provide the required 15 points. The part of the enclosed porch that is in the front yard setback will have to be moved out of the setback.

As of the writing of this staff report, staff has not received any comments from the neighborhood group. Staff will forward comments, if any are received, at the Planning Commission meeting.

Required Findings for a minor subdivision:

1. The subdivision is in conformance with the land subdivision regulations and the applicable regulations of the zoning ordinance and policies of the comprehensive plan.

Both parcels are in conformance with the requirements of the subdivision ordinance and zoning code, if the existing duplex is converted to a single-family home. The R2B district requires 5,000 square feet of lot area for single-family homes. Parcel A will have 5,887 square feet of lot area. Parcel B will have 5,003 square feet of lot area. The lot is currently a reverse corner lot, so this split will not create a reverse corner lot or reverse frontage lot. The comprehensive plan shows the area as appropriate for low-density residential.

2. The subdivision will not be injurious to the use and enjoyment of other property in the immediate vicinity, nor be detrimental to present and potential surrounding land uses, nor add substantially to congestion in the public streets.

The proposed subdivision will create two parcels out of one lot with an existing two-family home that will be converted to a single-family home. There are four smaller lots to the west that front on 6th Avenue NE, but there are larger homes and lots fronting on 4th Street NE. The new structure should not be out of character with the homes on 6th Street NE, but may be out of character with the larger homes on 4th Street NE. The subdivision should have no effect on congestion, as it will not significantly increase traffic demand at the site. The duplex already exist at the site.

3. All land intended for building sites can be used safely without endangering the residents or users of the subdivision and the surrounding area because of flooding, erosion, high water table, severe soil conditions, improper drainage, steep slopes, rock formations, utility easements, or other hazard.

The site does not present the above noted hazards.

4. The lot arrangement is such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits and in providing driveway access to buildings on such lots from an approved street. Each lot created through subdivision is suitable in its natural state for the proposed use with minimal alteration.

No change to the grading is proposed. Access is currently off of 6th Avenue NE and this will not change. The applicant proposes a shared drive for the two parcels.

5. The subdivision makes adequate provision for storm or surface water runoff, and temporary and permanent erosion control in accordance with the rules, regulations and standards of the city engineer and the requirements of these land subdivision regulations. To the extent practicable, the amount of stormwater runoff from the site after development does not exceed the amount occurring prior to development.

Existing utility and drainage provisions are adequate for the structures.

RECOMMENDATIONS:

Recommendation of the Community Planning and Economic Development Department – Planning Division for the minor subdivision:

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the minor subdivision application for property located at 600 4th Street NE subject to the following condition:

1) Staff will not release the minor subdivision resolution for recording until after a building permit is obtained to convert the existing duplex to a single-family home and the work to convert the duplex to a single-family home is completed. The applicant has until March 5, 2008, to complete the work on the duplex conversion and record the resolution or the minor subdivision approval will expire.

Attachments:

- 1) Statement from applicant.
- 2) Zoning map.
- 3) Survey.
- 4) Site plan and elevations.
- 5) Photos.