

Department of Community Planning and Economic Development – Planning Division
Minor Subdivision Application
MS-185

Date: December 17, 2007

Applicant: Habitat for Humanity

Address of Property: 1213-15 11th Avenue North

Project Name: 1213-15 11th Avenue North Minor Subdivision

Contact Person and Phone: Chad Dipman (612) 331-4090

Planning Staff and Phone: Shanna Sether (612) 673-2307

Date Application Deemed Complete: November 16, 2007

End of 120-Day Decision Period: March 15, 2008

Ward: 5 Neighborhood Organization: Northside Residents Redevelopment Council

Existing Zoning: R4 Multiple family District

Proposed Zoning: Not applicable for this application.

Zoning Plate Number: 13

Legal Description: See survey.

Existing Use: Duplex

Concurrent Review:

Minor subdivision: to allow for a party-wall split of a newly constructed duplex for the property located at 1213-15 11th Avenue North. The purpose of this subdivision is to allow separate ownership of both sides of the duplex.

Applicable Code Provisions: Chapter 598 Subdivisions.

Development Plan: Please see attached survey.

Background: The proposed minor subdivision is to allow separate ownership of both sides of a recently constructed duplex. The subdivision ordinance allows a split, on lots with an existing side-by-

side two-family dwelling, along the party wall to allow separate ownership of each side of the building, provided that covenants are recorded that state that the parcels may be used separately as long as the existing building is continued. If the building is destroyed, then the parcels shall be combined to make a single parcel that conforms to the requirements of the subdivision regulations. This prevents the creation of substandard lots.

As of the writing of this report, staff has not received any comments from the Northside Residents Redevelopment Council.

MINOR SUBDIVISION

Required Findings:

- 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.**

The subdivision is in conformance with the design requirements of the zoning code and the land subdivision regulations. The comprehensive plan shows this area as appropriate for residential development. If the building is destroyed, then the parcels shall be combined to make a single parcel that conforms to the requirements of the subdivision regulations. This prevents the creation of substandard lots.

- 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 site contains a side by side duplex with two detached garages. No new units will be added.

- 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 hazards. No building sites are being created. The duplex has recently been constructed.

- 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 existing access or grading is proposed.

- 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.**

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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 to allow for a party-wall split of a newly constructed duplex for the property located at 1213-15 11th Avenue North, subject to the following condition of approval:

1. If the building is destroyed, then the parcels shall be combined to make a single parcel that conforms to the requirements of the subdivision regulations.

Attachments:

1. Statement of use and Findings
2. Copy of an e-mail sent November 13, 2007, to CM Samuels and Northside Residents Redevelopment Council
3. Covenants
4. Zoning map
5. Survey
6. Photos