



Legislation Text

File #: 18-050-O, **Version:** 1

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DULUTH TO RECLASSIFY PROPERTY AT 515 NORTH LAKE AVENUE FROM RESIDENTIAL-TRADITIONAL (R-1) TO URBAN-RESIDENTIAL (R-2).

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. That the property located at 515 North Lake Avenue, currently zoned primarily R-1 and shown on the attached exhibit, be rezoned from Residential-Traditional (R-1) to Residential-Urban (R-2), and that the official zoning map of the city of Duluth as referenced in Chapter 50 of the Duluth City Code, 1959, is amended to read as shown in the attached exhibit.

Section 2. That this ordinance shall take effect and be in force 30 days from and after its passage and publication.

STATEMENT OF PURPOSE: This ordinance provides a zoning change for one lot from Residential Traditional (R-1) to Urban-Residential (R-2).

The property proposed to be rezoned has currently two zoning designations; it has a split of approximately 90% R-1 and 10% R-2. By rezoning it to R-2, the property owner can reuse the existing structure as a triplex, which is considered a 3-unit apartment. Apartments are not allowed in R-1, but are permitted uses in the R-2 zone district.

The city applied a condemnation order on this structure in October 2017, against the former owner. The applicant for the rezoning purchased the property in December 2017, with the intent of repairing and rehabbing it for occupation, and signed a restoration agreement with the city.

The lot is 60 by 140 feet, 8,400 square feet in area. The structure was constructed in 1906 and is approximately 1,700 square feet in total. Prior to the adoption of the UDC in November 2010, the property was zoned R-2, Two Family Residential District.

On September 11, 2018, the Duluth city planning commission held a public hearing on the proposal and voted 6 yeas, 3 nays, and 0 abstentions to recommend that the city council approve the rezoning requested for the following reasons:

1) R-2 is the zone most reasonably able to implement the objectives of the Comprehensive Plan related to the proposed land use for this general area.

2) Material adverse impacts on nearby properties are not anticipated.

As the rezoning is from one residential zone district to another residential zone district, a simple majority by the city council is required to approve the affirmative vote (per 50-37.3.B.3).

Petition Received: August 17, 2018

Action Deadline: December 15, 2018

Petitioner:

Sven and Kelsy Berg

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Duluth, MN 55806

PL 18-121