

June 4, 2021

To: Planning Commission

From: Community Development Department

RE: Application No. V-1448, by Mary Hitzeman, a request to allow a Multi-Family dwelling on a 12,340 square foot lot where a 13,000 square foot lot is required for a Multi-Family dwelling in the R-5, Medium Density Residential District.

Application Review:

Applicant/Owner: Mary Hitzeman

Location of Property: 109 School Street East

Zoning Map: R-5, Medium Density Residential District

Zoning Ordinance: Section 157.028 states the minimum lot size requirements for the residential zoning districts.

Report Attachments:

1. Location Map
2. Aerial Photo
3. Site Plan
4. Application Letter
5. Other Materials

Proposed Development:

- ◆ Application No. V-1448, by Mary Hitzeman, a request to allow a Multi-Family dwelling on a 12,340 square foot lot where a 13,000 square foot lot is required for a Multi-Family dwelling in the R-5, Medium Density Residential District for the property located at 109 School Street East.
- ◆ The zoning ordinance defines a multi family dwelling as containing three or more units in a structure that do not share kitchen or restroom facilities.
- ◆ Once defined as a multi family lot then you need to have a 13,000 square foot lot. The next step requires a minimum lot size of 1700 square foot of total lot size per unit as well as 500 square feet of usable open space per unit. The 500 square feet can come out of the 1700 square feet though.
- ◆ Based on these numbers this structure would be allowed to have 7 units in it if the total lot size was over 13,000 square feet.
- ◆ Zoning ordinance requires that a use that has not been there for more than 180 days be brought into full compliance with the ordinance.
- ◆ A 2010 inspection by the Fire Department stated that they noted 5 units and how they were being used. The owner occupied one, used one for piano lessons, and leased another unit. The other two were not used. The license was issued for two units.
- ◆ The applicant has installed a large driveway over the years and it is capable of holding more than 5 vehicles.

- ◆ Steele County property records show 5 units as well.
- ◆ Staff has not heard from any neighbors regarding this request as of the date of this report.
- ◆ State Statute requires that the applicant show a practical difficulty in order to be granted a variance. You also need to show that the variance requested is the minimum amount necessary to accomplish what is needed.
- ◆ A variance must stand on its own merits and may not be compared to other situations in which variances were granted.
- ◆ According to the ordinance, the Planning Commission shall make findings of fact base on the following.
 - ❖ That particular physical surroundings, shape, or topographical conditions of the specified parcel of land involved.
 - ❖ That the condition involved is unique to the particular parcel of land involved.
 - ❖ That the alleged difficulty or hardship is caused by this Ordinance and has not been created by any persons presently having an interest in the parcel.
 - ❖ That the granting of the variation will not be detrimental to the public welfare or injurious to other land or improvements to the neighborhood.
 - ❖ That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or interfere with the function of the Police and Fire Departments of the City.

Staff Review:

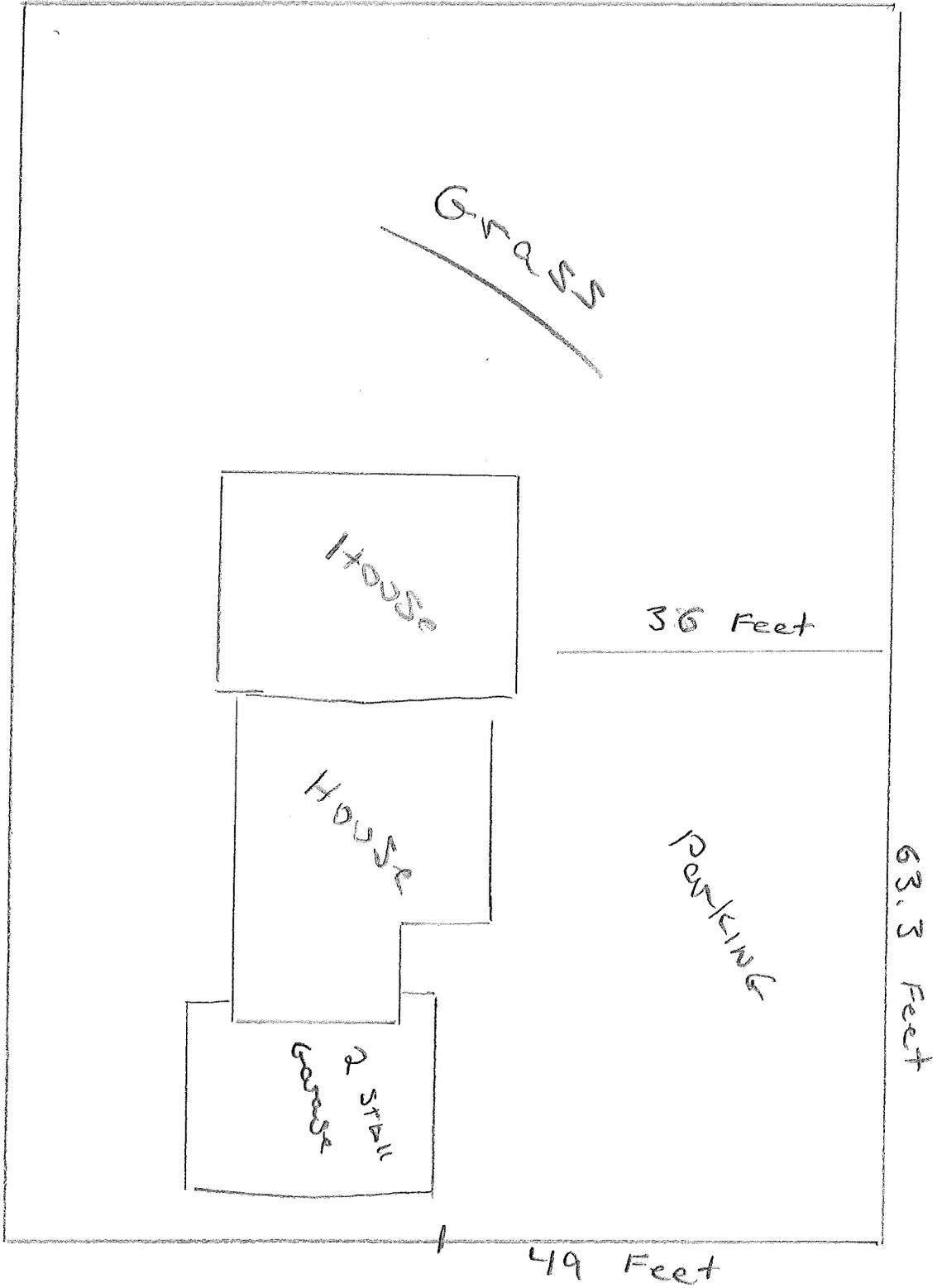
Based on the information provided Staff is recommending approval of the variance request with the following provisions:

- 1) All 5 units shall be registered with the Rental Registration program.
- 2) The property shall not contain more than 5 units at any one time.



V-1448 Multi-Family Lot Size Variance
109 School Street East

1 inch = 50 feet
Date: 5/24/2021



63.3 Feet

36 Feet

49 Feet

North
↓

City of Owatonna
Planning & Zoning
540 West Hills Drive
Owatonna MN 55060

Re: Property at 109 E School St, Owatonna MN

Dear Planning Commission,

I purchased this property in August of 1996. At that time, it was configured as a 5-plex rental building. Both the building and grounds were in rough shape but I saw great potential. Over the last 25 years, I have invested a lot of money updating the entire property to its current condition. Improvements have included total renovation of the 3 upstairs apartments, adding a driveway and a garage, putting on a new roof with soffits & fascia, replacing the windows, painting the exterior, updating the landscaping, and adding fencing.

Over the years, there has always been adequate parking for the renters; none of them have ever needed to park on the street.

Having recently turned 80, I am now retiring from being a landlord, and have sold my property. I was just recently told it has been only zoned as a duplex, instead of as the 5-plex I have always known it to be.

I am requesting that you approve the variance I am requesting, so I can continue with the sale and move into my new home in my retirement. I very much appreciate your assistance.

Sincerely,



Mary Hitzeman
(507) 363-9034

Parcel Number: 17-101-0102
Deed Holder: HITZEMAN/MARY E
Property Address: 109 SCHOOL ST E
 OWATONNA, MN 55060-0000 [MAP THIS ADDRESS](#)
Mailing Address: 109 E SCHOOL ST
 OWATONNA, MN 55060-0000 USA
PDF Name: OWATONNA
Class: RESIDENTIAL
Tax District: 0761
Zoning: MEDIUM DENSITY RESIDENTIAL
Sec-Twp-Rng: 00-000-00
Lot-Block: 00-00
Deeded Acres: 0.0000
Tax Description BLK 1 N93 1/4' OF LOT 1 PHELPS || || || || || || || || ||



Prior Year Value Information

Year	Land Value	Dwelling Value	Improvement Value	Total Value
2021	\$31,900	\$94,400	\$0	\$126,300
2020	\$31,900	\$86,300	\$0	\$118,200

More Years...

Land Front Foot Information

Lot	Front	Rear
Main Lot	93.00	93.00
Total SF 12,276		
Total Acres 0.280		

Residential Building Information

Occupancy	Style	Year Built	Total Living Area
Five-Family Conversion	2 Story Brick	1878	2,511

Building		Room Count	
Occupancy:	Five-Family Conversion	Bedroom Count:	5
Year Built:	1878		
Style:	2 Story Brick		
Area:	1,088		
TLA:	2,511		
Basement:	Full		

Heating		Building Descriptions	
Heating:	HW - Radiant	Foundation:	Stn
AC:	No	Exterior Walls:	Brick (Solid)
Attic:	None	Roof:	Gable/Asph
		Architectural Design:	Georgian

Plumbing

Style	Count	Description	Quantity	Units
Standard Bath	3	RENT - UNIT 1 (OWNER LIVES)	1.00	NV
Shower Stall Bath	2	RENT - UNIT 2 (PIANO STUDIO)	1.00	NV
		RENT - UNIT 3	1.00	NV
		RENT - UNIT 4	1.00	NV
		RENT - UNIT 5 (EFFICIENCY)	1.00	NV

Porches

SF Area	Style	Bsmt SF	Qtrs SF	Qtrs Style	Qtrs AC
165	1S Frame Open	0	165	Frame	No
83	1S Frame Open	0	0	Frame	No