
MEMORANDUM



TO: Mayor & City Council
FROM: Mary Lou DeWitt, Comm. Dev. Zoning Specialist
SUBJECT: **Lot Split at 706 7th Avenue South**
DATE: December 8th, 2023

Background:

Michael Ziegler Sr., applicant applied for a Lot Split at the property site of 706 7th Avenue South. The property is in the R-3, Multiple Family Residential District. The property is a vacant lot and the applicant has a proposed buyer that would like to build a single-family home, but not on the full lot. The applicant did have a survey prepared in 2003 with a lot split, but did not follow through with it because he had an interested party that wanted to build an apartment building on the site.

The Planning Commission on November 20th, 2023 held a public hearing for a Variance for this lot, prior to the Lot Split review for the minimum lot width being reduced from 80' feet for Parcel A of 73' feet and Parcel B to 70' feet. The Variance was approved with the condition of the Lot Split approval. There were no concerns from those that received the public hearing notice for either the Variance or Lot Split applications. The R-3, Multiple Family Residential District does state the same requirements are applicable to use as the R-2 District. In the R-2 District the minimum lot width is 66' feet.

Zoning:

	R-3 DISTRICT	One-family
a.	Lot area minimum sq. ft.	12,500 sq. ft.
b.	Lot width minimum ft.	80 feet
c.	Maximum lot coverage ¹	30%
d.	Front yard minimum	30 feet ²
e.	Side yard minimum	10 feet
f.	Street side yard minimum	20 feet
g.	Rear yard minimum	30 feet
h.	Maximum height	30 feet

Other Applicable Regulations

1. Single Family and Twinhomes – Same requirements as for R-2 District.

R-2 District	One Family
A. Lot area minimum square feet	9,800
B. Lot width minimum feet ¹	66

C. Maximum lot coverage	40%
E. Front yard minimum setback (front porch) ²	20
F. Side yard minimum setback (living area)	10
G. Side yard minimum setback (garage) ³	5
H. Street side yard minimum setback	20
I. Rear yard minimum setback ⁴	30
J. Rear yard minimum alley setback ¹¹	5
	10
K. Maximum height	30

For a single-family dwelling, the minimum finished ground level main floor area of the various kinds of dwellings shall be as follows: a. one story with basement – 1000 square feet
one story without basement – 1100 square feet.

Please note that the City mapping does show two separate water lines going into this lot. Years ago, there had been a residential home where the southern line is.



— Water Lateral Lines — Sanitary Sewer Lines

Proposal:

The applicant has a purchase agreement contingent that the lot will be split. The buyer would like to have a single-family home built on Parcel A and would meet the required R-3 Zoning Ordinance setbacks. Parcel B will have to meet the setbacks at the time of building and that would be a the condition of the Lot Split.

Quit Claim Deed:

The survey shows that the property pin in the front is located in 7th Avenue South. This creates

the lot without the required street frontage. To eliminate any issues the property owner will Deed to the City of Princeton for right-of-way, drainage, and utility purposes a Quit Claim Deed and the City Council will review that at their December 14th, 2023 meeting. If approved the document will be recorded along with the Variance Resolution, and Lot Split Resolution at Mille Lacs County.

Access:

The access to the lots will be from 7th Avenue South.

Water / Sewer:

The site has two water lines connections. There was a residential home on the site that had been torn down years ago which explains the southern line. The parcel is large so that could be the reasoning for the second line. Sewer connection would be from 7th Avenue South.

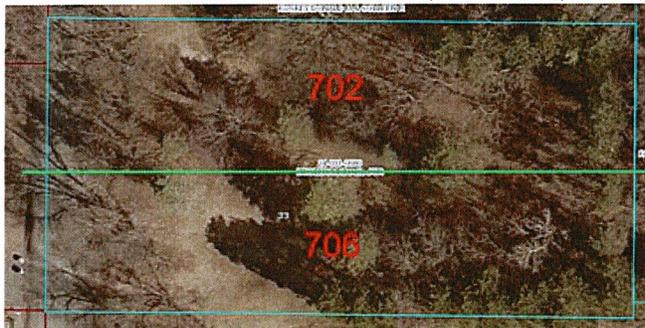
Electrical:

There is no electrical service to this site and the applicant will need to bring it to the lots. The applicant will have to contact Princeton Public Utilities for the separate electric connections and utility meters.

Proposed Address:

702 7th Avenue South – Parcel B (northern parcel)

706 7th Avenue South – Parcel A (southern parcel)



Conclusion / Recommendation:

The proposed Lot Split will meet all standards of the Zoning Ordinance with the Variance for the lot width minimum. The Planning Commission recommends approval of Resolution #23-91 for the Lot Split at 706 7th Avenue South, PID #24-033-0680, and forward to the City Council for final approval subject to the following conditions:

1. The Variance Resolution #23-12 application for the reductions of the minimum lot width be approved.
2. The R-3, Multiple Family Residential Zoning Ordinance requirements be followed.
3. The applicant will need to contact Princeton Public Utilities and Public Works for individual connection for each lot for sewer and water hookup from 7th Avenue South.
4. The applicant will obtain a Digging Permit from the City prior to digging in the street.
5. Separate building permits and SAC/WAC permits must be applied for and approved prior to

construction of the single-family homes.

6. When the work on the site begins, the work shall be carried on with minimum of interference with traffic.
7. All front yards and side yards to the rear of the dwelling and garage of a new single-family dwelling be sodded over a minimum of four (4) inches of topsoil. The back yard needs to be sod or seed. The sodding and seeding must be completed prior to issuing a Certificate of Occupancy. If unadvisable, a temporary Certificate of Occupancy may be issued subject to an escrow deposit to assure compliance by no later than July 1st of the following year.
8. Each single-family home will have a two-car garage with two off-street parking driveway spaces with hard surfaced material (asphalt or cement). The driveway be completed prior to issuing a Certificate of Occupancy. If unadvisable, a temporary Certificate of Occupancy may be issued subject to an escrow deposit to assure compliance by no later than July 1st of the following year.
9. The Quit Claim Deed be approved by the City Council for the 37.13 feet of 7th Avenue South street frontage that will be Deeded to the City of Princeton.
10. Where the water curb stop is in a paved area (usually driveway) there needs to be a mini-manhole.
11. The applicant shall replace in-kind or better all streets disturbed by this operation.
12. The applicant will contact Princeton Public Utilities to bring electrical service to the sites.

RESOLUTION #23-91

**A RESOLUTION GRANTING A LOT SPLIT AT 706 7TH AVENUE SOUTH IN AN
R-3, MULTIPLE RESIDENTIAL DISTRICT, PID #24-033-0680**

WHEREAS, Michael Ziegler Sr. is the owner of the property site located at 706 7th Avenue South, described as:

EXISTING PROPERTY DESCRIPTION: (0.94 Acres)

(PID NO. 24-033-0680) - Per DOC. NO. 342549

That part of the Southwest Quarter of the Southeast Quarter of Section 33, Township 36, Range 26, Mille Lacs County, Minnesota, which lies Westerly of the West line and its Southerly extension of HOLIDAY VILLAGE ADDITION, according to said plat on file and of record in the office of the County Recorder, said Mille Lacs County, and which lies Northerly of the South line of the North 456.33 feet of said Southwest Quarter of the Southeast Quarter, as measured at right angles to said North line of the Southwest Quarter of the Southeast Quarter, and which lies Southerly of the South line of the North 313.33 feet of said Southwest Quarter of the Southeast Quarter, as measured along the West line of said Southwest Quarter of the Southeast Quarter.

For the purpose of this description, the North line of the Southwest Quarter of the Southeast Quarter is held to be the same as the South line of the duly recorded plat of Rossmere Addition, said Mille Lacs County; and the West line of said Southwest Quarter of the Southeast Quarter is defined to be formed by a cast iron monument marking the South Quarter corner of said Section 33 for which a "Certificate of Location of a Government Corner" is on file and of record in the Office of the County Recorder in and for said Mille Lacs County, and a found cast iron monument on the Westerly extension of said South line of Rossmere Addition a distance of 4.94 feet east of the point of intersection of said South line of Rossmere Addition extended Westerly with the North-South Quarter line of said Section 33, said North-South Quarter line being a straight line connecting said South Quarter corner with the North Quarter corner of said Section 33 also being a cast iron monument for which a "Certificate of Location of a Government Corner" is on file and of record in said Office of the County Recorder.

WHEREAS, a public hearing was held on November 20th, 2023 by the Princeton Planning Commission after published and posted notice had been given, and a reasonable attempt was made to give personal notice to all affected property owners, and all persons interested were given an opportunity to be heard; and

WHEREAS, the splitting of this property will not conflict with the City of Princeton's Subdivision Development Ordinance; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Princeton does hereby approve the splitting of the above described property, and the new legal description for the newly split portion will be as follows:

PROPOSED PARCEL A DESCRIPTION: (0.42 Acres)

That part of the South 73.00 feet of the following described property which lies East of the West 37.125 feet thereof:

That part of the Southwest Quarter of the Southeast Quarter of Section 33, Township 36, Range 26, Mille Lacs County, Minnesota, which lies Westerly of the West line and its Southerly extension of HOLIDAY VILLAGE ADDITION, according to said plat on file and of record in the office of the County Recorder, said Mille Lacs County, and which lies Northerly of the South line of the North 456.33 feet of said Southwest Quarter of the Southeast Quarter, as measured at right angles to said North line of the Southwest Quarter of the Southeast Quarter, and which lies Southerly of the South line of the North 313.33 feet of said Southwest Quarter of the Southeast Quarter, as measured along the West line of said Southwest Quarter of the Southeast Quarter.

For the purpose of this description, the North line of the Southwest Quarter of the Southeast Quarter is held to be the same as the South line of the duly recorded plat of Rossmere Addition, said Mille Lacs County; and the West line of said Southwest Quarter of the Southeast Quarter is defined to be formed by a cast iron monument marking the South Quarter corner of said Section 33 for which a "Certificate of Location of a Government Corner" is on file and of record in the Office of the County Recorder in and for said Mille Lacs County, and a found cast iron monument on the Westerly extension of said South line of Rossmere Addition a distance of 4.94 feet east of the point of intersection of said South line of Rossmere Addition extended Westerly with the North-South Quarter line of said Section 33, said North-South Quarter line being a straight line connecting said South Quarter corner with the North Quarter corner of said Section 33 also being a cast iron monument for which a "Certificate of Location of a Government Corner" is on file and of record in said Office of the County Recorder.

PROPOSED PARCEL B DESCRIPTION: (0.40 Acres)

That part of the following described property which lies North of the South 73.00 feet thereof, and which lies East of the West 37.125 feet thereof:

That part of the Southwest Quarter of the Southeast Quarter of Section 33, Township 36, Range 26, Mille Lacs County, Minnesota, which lies Westerly of the West line and its Southerly extension of HOLIDAY VILLAGE ADDITION, according to said plat on file and of record in the office of the County Recorder, said Mille Lacs County, and which lies Northerly of the South line of the North 456.33 feet of said Southwest Quarter of the Southeast Quarter, as measured at right angles to said North line of the Southwest Quarter of the Southeast Quarter, and which lies Southerly of the South line of the North 313.33 feet of said Southwest Quarter of the Southeast Quarter, as measured along the West line of said Southwest Quarter of the Southeast Quarter.

For the purpose of this description, the North line of the Southwest Quarter of the Southeast Quarter is held to be the same as the South line of the duly recorded plat of Rossmere Addition, said Mille Lacs County; and the West line of said Southwest Quarter of the Southeast Quarter is defined to be formed by a cast iron monument marking the South Quarter corner of said Section 33 for which a "Certificate of Location of a Government Corner" is on file and of record in the Office of the County Recorder in and for said Mille Lacs County, and a found cast iron monument on the Westerly extension of said South line of Rossmere Addition a distance of 4.94 feet east of the point of intersection of said South line of Rossmere Addition extended Westerly with the North-South Quarter line of said Section 33, said North-South Quarter line being a straight line connecting said South Quarter corner with the North Quarter corner of said Section 33 also being a cast iron monument for which a "Certificate of Location of a Government Corner" is on file and of record in said Office of the County Recorder.

PROPOSED PARCEL C DESCRIPTION: (0.12 Acres)
(TO BE DEEDED TO THE CITY OF PRINCETON FOR RIGHT OF WAY, DRAINAGE, AND UTILITY PURPOSES)

The West 37.125 feet of the following described property:

That part of the Southwest Quarter of the Southeast Quarter of Section 33, Township 36, Range 26, Mille Lacs County, Minnesota, which lies Westerly of the West line and its Southerly extension of HOLIDAY VILLAGE ADDITION, according to said plat on file and of record in the office of the County Recorder, said Mille Lacs County, and which lies Northerly of the South line of the North 456.33 feet of said Southwest Quarter of the Southeast Quarter, as measured at right angles to said North line of the Southwest Quarter of the Southeast Quarter, and which lies Southerly of the South line of the North 313.33 feet of said Southwest Quarter of the Southeast Quarter, as measured along the West line of said Southwest Quarter of the Southeast Quarter.

For the purpose of this description, the North line of the Southwest Quarter of the Southeast Quarter is held to be the same as the South line of the duly recorded plat of Rossmere Addition, said Mille Lacs County; and the West line of said Southwest Quarter of the Southeast Quarter is defined to be formed by a cast iron monument marking the South Quarter corner of said Section

33 for which a "Certificate of Location of a Government Corner" is on file and of record in the Office of the County Recorder in and for said Mille Lacs County, and a found cast iron monument on the Westerly extension of said South line of Rossmere Addition a distance of 4.94 feet east of the point of intersection of said South line of Rossmere Addition extended Westerly with the North-South Quarter line of said Section 33, said North-South Quarter line being a straight line connecting said South Quarter corner with the North Quarter corner of said Section 33 also being a cast iron monument for which a "Certificate of Location of a Government Corner" is on file and of record in said Office of the County Recorder.

ADOPTED by the Princeton City Council this 14th day of December, 2023.

This instrument was drafted by:

City of Princeton
705 2nd Street No.
Princeton, MN 55371

Thom Walker, Mayor

Attest:

Shawna Jenkins Tadych, City Clerk

Form No. 10.3.2 — QUIT CLAIM DEED

Individual(s) to Business Entity

eCRV: _____

DEED TAX DUE: \$1.65

Date:

FOR VALUABLE CONSIDERATION, Michael J. Ziegler, Sr. and LaDonna V. Ziegler, husband and wife Grantor(s), hereby conveys and quit claims to The City of Princeton, a Minnesota Municipal Corporation, Grantee, real property in Mille Lacs County, Minnesota, described as follows:

See Legal Description attached hereto

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions: conditions, easements, reservations, restrictions and covenants of record, if any.

Total Consideration less than \$3,000.00

Check box if applicable:

The Seller certifies that the seller does not know of any wells on the described real property

A well disclosure certificate accompanies this document OR has been electronically filed. WDC No.:

I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

Michael J. Ziegler, Sr.

Affix Deed Tax Stamp Here

LaDonna V. Ziegler

STATE OF Minnesota

COUNTY OF Sherburne

} ss.

The instrument was acknowledged before me on _____, by Michael J. Ziegler, Sr. and LaDonna V. Ziegler, husband and wife.

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK):

SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL

Check here if part or all of the land is Registered (Torrens)

Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee):

The City of Princeton

THIS INSTRUMENT WAS DRAFTED BY:

Home Security Abstract & Title Company
900 S. Rum River Dr.
Princeton, MN 55371

File Number: P-17379

AN EASEMENT FOR RIGHT OF WAY, DRAINAGE, AND UTILITY PURPOSES

The West 37.125 feet of the following described property:

That part of the Southwest Quarter of the Southeast Quarter of Section 33, Township 36, Range 26, Mille Lacs County, Minnesota, which lies Westerly of the West line and its Southerly extension of HOLIDAY VILLAGE ADDITION, according to said plat on file and of record in the office of the County Recorder, said Mille Lacs County, and which lies Northerly of the South line of the North 456.33 feet of said Southwest Quarter of the Southeast Quarter, as measured at right angles to said North line of the Southwest Quarter of the Southeast Quarter, and which lies Southerly of the South line of the North 313.33 feet of said Southwest Quarter of the Southeast Quarter, as measured along the West line of said Southwest Quarter of the Southeast Quarter.

For the purpose of this description, the North line of the Southwest Quarter of the Southeast Quarter is held to be the same as the South line of the duly recorded plat of Rossmere Addition, said Mille Lacs County; and the West line of said Southwest Quarter of the Southeast Quarter is defined to be formed by a cast iron monument marking the South Quarter corner of said Section 33 for which a "Certificate of Location of a Government Corner" is on file and of record in the Office of the County Recorder in and for said Mille Lacs County, and a found cast iron monument on the Westerly extension of said South line of Rossmere Addition a distance of 4.94 feet east of the point of intersection of said South line of Rossmere Addition extended Westerly with the North-South Quarter line of said Section 33, said North-South Quarter line being a straight line connecting said South Quarter corner with the North Quarter corner of said Section 33 also being a cast iron monument for which a "Certificate of Location of a Government Corner" is on file and of record in said Office of the County Recorder.