

CITY OF GRAND RAPIDS

*NOTICE OF MEETING
PLANNING COMMISSION*



CITY OF
GRAND RAPIDS
IT'S IN MINNESOTA'S NATURE

Meeting Agenda Full Detail

Thursday, September 22, 2016

2:00 PM

Council Chambers

Planning Commission

*COUNCIL CHAMBERS
CITY HALL - 420 N. Pokegama Ave.
Grand Rapids, MN 55744*

Call To Order**Call of Roll**

Setting of Agenda - This is an opportunity to approve the regular agenda as presented or add/delete an agenda item by a majority vote of the Commissioners present.

Approval of Minutes

16-0564 Approve the minutes of the August 4, 2016, 4:00 pm regular meeting.

Attachments: [August 4, 2016 Regular Meeting Minutes](#)

Public Hearings

16-0565 Conduct a Public Hearing to consider a variance petition submitted by the Colony Square Cooperative.

Attachments: [Colony Sq. Variance: Staff Report w/maps](#)
[Information to Planning Commission from Beacon Hill](#)
[Rules for P.H. & Planning Commission Variance Considerations](#)
[Colony Sq. Variance: Application](#)

General Business

16-0563 Consider a recommendation to the City Council regarding the vacation of a portion of platted Houghton Avenue right-of-way adjacent to Block 65, Town of Grand Rapids.

Attachments: [Pohl R-O-W Vacation: Staff Report w/staff review committee comments](#)
[Pohl R-O-W Vacation: Area Maps](#)
[R-O-W Vacation Planning Commission Considerations](#)
[Pohl R-O-W Vacation: Application/Petition](#)

Public Input

Individuals may address the Planning Commission about any non public hearing item or any item not included on the Regular Meeting Agenda. Speakers are requested to come to the podium, state their name and address for the record and limit their remarks to three (3) minutes.

Miscellaneous\Updates**Adjourn**

*NEXT REGULAR PLANNING COMMISSION MEETING IS SCHEDULED FOR:
Thursday, October 6, 2016*



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 16-0564 **Version:** 1 **Name:** Approve the minutes of the August 4, 2016, 4:00 pm regular meeting.

Type: Minutes **Status:** Approved

File created: 8/24/2016 **In control:** Planning Commission

On agenda: 9/22/2016 **Final action:**

Title: Approve the minutes of the August 4, 2016, 4:00 pm regular meeting.

Sponsors:

Indexes:

Code sections:

Attachments: [August 4, 2016 Regular Meeting Minutes](#)

Date	Ver.	Action By	Action	Result
9/22/2016	1	Planning Commission	Approved as Presented by Commission	

Approve the minutes of the August 4, 2016, 4:00 pm regular meeting.

Background Information:

See attached draft minutes.

Staff Recommendation:

Approve the minutes of the August 4, 2016, 4:00 pm regular meeting.



CITY OF GRAND RAPIDS

NOTICE OF MEETING
PLANNING COMMISSION

Minutes - Final Planning Commission

COUNCIL CHAMBERS
CITY HALL - 420 N. Pokegama Ave.
Grand Rapids, MN 55744

Thursday, August 4, 2016

4:00 PM

Council Chambers

Call To Order

Call of Roll

- Present** 5 - Commissioner Julie Fedje-Johnston, Commissioner Charles Burress, Chairperson Lester Kachinske, Commissioner Susan Lynch, and Commissioner Tasha Connelly
- Absent** 2 - Commissioner Mark Gothard, and Commissioner Paula Johnson

Setting of Agenda - This is an opportunity to approve the regular agenda as presented or add/delete an agenda item by a majority vote of the Commissioners present.

Approved As Presented

Approval of Minutes

Approve the minutes of the July 12, 2016, 4:00 pm special meeting.

Motion by Commissioner Connelly, second by Commissioner Burress to approve the minutes of the July 12, 2016 Special Meeting. The following voted in favor thereof: Burress, Connelly, Kachinske, Fedje-Johnston, Lynch. Opposed: None, passed unanimously.

General Business

Consider a recommendation to the City Council regarding the rezoning of .3 acres of land from R-1 (One-family Residential) to GB (General Business).

Tony Jerulle, d.b.a. Sammy's Pizza and Restaurant, and David Treat, property owner, have filed a petition for a Zoning Map Amendment with the City on July 14, 2016. The petition for rezoning requests the City's consideration of a Zoning Map amendment to the following described parcel; from its current R-1 (One-family Residential) to R-1 (One-family Residential):

Lot 2 LESS N 4 ft. & All of Lot 3, Blk. 7, Clover 1st and 2nd Addition to Grand Rapids, Itasca County, Minnesota

The Zoning Map Amendment, if approved, would facilitate the purchase of the subject property by Mr. Jerulle, and ultimately the development of an expanded parking lot which would service customers of both Sammy's Pizza and the property formerly occupied by Pizza Hut, also owned by Mr. Jerulle.

Motion by Commissioner Lynch, second by Commissioner Burress that, based on the findings of fact presented here today, and in the public's best interest, the Planning Commission does hereby forward to the City Council a recommendation to approve the Zoning Map Amendment, as petitioned by Tony Jerulle, d.b.a. Sammy's Pizza and Restaurant, and David Treat, property owner, described within the Staff Report and as shown in the maps presented here today, from R-1 (One-Family Residential) to GB (General Business);

With the following considerations:

1. Will the change affect the character of neighborhoods?
Why/Why not? Yes, it would no longer be residential and adding trees and landscaping will improve the look of the area.
2. Would the change foster economic growth in the community?
Why/Why not? Yes, it would.
3. Would the proposed change be in keeping with the spirit and intent of the ordinance?
Why/Why not? Yes it is, due to the required buffering and protecting sight lines.
4. Would the change be in the best interest of the general public?
Why/Why not? Yes, it would provide off street parking which will increase safety and will add greenspace as well.
5. Would the change be consistent with the Comprehensive Plan?
Why/Why not? Yes, it is consistent with the Comprehensive Plan.

The following voted in favor thereof: Burress, Connelly, Kachinske, Fedje-Johnston, Lynch. Opposed: None, passed unanimously.

Public Input

Miscellaneous\Updates

Adjourn

There being no further business the meeting adjourned at 4:32.



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #:	16-0565	Version:	1	Name:	Conduct a Public Hearing to consider a variance petition submitted by the Colony Square Cooperative.
Type:	Public Hearing	Status:			PC Public Hearing
File created:	8/25/2016	In control:			Planning Commission
On agenda:	9/22/2016	Final action:			
Title:	Conduct a Public Hearing to consider a variance petition submitted by the Colony Square Cooperative.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Colony Sq. Variance: Staff Report w/maps Information to Planning Commission from Beacon Hill Rules for P.H. & Planning Commission Variance Considerations Colony Sq. Variance: Application				

Date	Ver.	Action By	Action	Result
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9/22/2016	1	Planning Commission		
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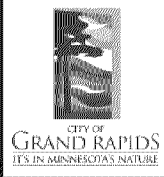
Conduct a Public Hearing to consider a variance petition submitted by the Colony Square Cooperative.

Background Information:

See attached Staff Report and Supporting Documents.

Staff Recommendation:

Conduct a Public Hearing to consider a variance petition submitted by the Colony Square Cooperative.



Planning Commission Staff Report

Agenda Item #2	Community Development Department	Date: 9/1/2016
Statement of Issue:	Conduct a Public Hearing to consider a variance petition submitted by the Colony Square Cooperative.	
Background:	<p>The members of Colony Square Cooperative have applied for one variance, which if approved, would allow for an unpermitted, 8 ft. high security fence, to remain in its current state and location on the Cooperative's property at: 1850 SE 2nd Avenue and legally described as:</p> <p style="text-align: center;"><i>S. 325 ft. of Outlot A, Plat of Roy's Acres, Grand Rapids, Minnesota</i></p> <p>It was brought to the City's attention that a large chain-link "security" fence was erected in the rear yard area of the subject property without prior zoning compliance review and approval.</p> <p>The subject property is 3.1 acres in area, is currently zoned R-4 (Multi-Family Residential- <i>high density</i>) and is occupied by a 37-unit independent living facility for residents with an age of 55+.</p> <p>The applicants, within the variance petition, cite the potential foot traffic from an adjacent development, as a perceived security risk to the Cooperative's residents, as need/justification for the security fence on the property. Additionally, the application references miscommunication as the reason a permit was not obtained prior to the fence being erected.</p> <p>The City requires either a "zoning permit" or in certain instances, a "*building permit", to be issued prior to the erection or placement of a fence on a property in town. <i>*2015 MN State Building Code applies to all fences 7 ft. and greater in height. A building permit is issued by the City's Building Official, and would consist of review of the structural integrity of the fence (as well as zoning compliance review).</i></p> <p>Generally, review of a fence permit application consists of: verification of fence height in relation to proposed location on property, and review of proposed fence setbacks in relation to property lines. The majority of fence permits issued, are to properties with single family residential uses. Most common are: 4 ft. chain link or picket fences and 6 ft. privacy fences (<i>6 ft. is the maximum fence height permitted in 1 & 2 family res. zoning districts</i>).</p> <p>Section 30-592 <i>Supplementary height regulations</i>, Subpart (3) provides height exceptions for "security fences or walls" within R-3, R-4, GB, CBD, BP, and Industrial zoning districts, provided greater setbacks are met for fences (and</p>	

walls) exceeding 6 ft. in height. These increased setbacks, are the minimum setbacks (in all yard areas), for principal structures in the applicable zoning district.

The below table outlines the required minimum setbacks for the subject R-4 property for fences 4 ft., 6 ft., and 6 ft. + in height. Additionally, attached Map #2 graphically depicts the minimum setbacks for a security fence on the subject property, in relation to the approximate location the 8 ft. fence was erected.

R-4 Zoning Dist.	4 ft. or less (min. setbacks)	6 ft. fence (min. setbacks)	6 ft. + security fence (min. setbacks)
Front yard	2 ft.	35 ft.	35 ft.
Interior Side yards	6" or 2 ft. +	6" or 2 ft. +	20 ft.
Street Side yard	2 ft.	30 ft.	30 ft.
Rear yard	6" or 2 ft. +	6" or 2 ft. +	35 ft.

The allowance of the 8 ft. high security fence to remain in its current location, as described within the variance application, would require the Planning Commission's approval of one variance;

1. Section 30-592(a)3 of the Municipal Code which addresses supplementary height regulations or more specifically, permitted exceptions:

3) Security fences or walls in the R-3, SR-3, R-4, SR-4, GB, SGB, CBD, BP, SBP and I zones, shall be permitted to a height of 12 feet provided that any fence or wall over six feet in height meets the setback requirements for buildings. No barbed wire shall be permitted on any fence at a height of less than seven feet from the finished grade level. Within BP and I zones, security fences or walls up to six feet in height shall not be located nearer than two feet from any property line.

Considerations:

When reviewing a request for a variance, the Planning Commission must make findings based on the attached list of considerations.

Recommendation:

Staff recommends that the Planning Commissioners visit the site and look at the situation.

Prior to making a motion to approve or deny the request, the Planning Commission should make specific findings to support its recommendation and reference those specific findings in their motion to either approve or deny the variance(s).

<p>Required Action:</p>	<p>Approve a motion to either: approve, approve with additional conditions, or deny the petitioned variance(s).</p> <p><u>Example Motion:</u></p> <p>Motion by _____, second by _____ that, based on the findings of fact presented here today, and in the public’s best interest, the Planning Commission does hereby (grant)(deny) the following variance to the Colony Square Cooperative for the property legally described as: <i>S. 325 ft. of Outlot A, Plat of Roy’s Acres, Grand Rapids, Minnesota;</i></p> <ul style="list-style-type: none"> • to allow a one time waiver of the requirements of Section 30-592(a)3 of the Municipal Code which would allow the 8 ft. high security fence, to remain in its current location on property at: 1850 SE 2nd Avenue, encroaching 29 to 33 ft. into the required 35 ft. rear yard setback and encroaching 14 to 18 ft. into the required 20 ft. interior side yard setback for security fences in excess of 6 ft. in height, as proposed on the petitioners site plan. <p><i>(If the Planning Commission wishes to place conditions upon their approval, the following should be added to the motion:)</i></p> <p>and that the following condition(s) shall apply:</p> <ul style="list-style-type: none"> • _____
<p>Attachments:</p>	<ul style="list-style-type: none"> • Site Map • Copy of the variance petition and associated documentation • List of the Planning Commissions Variance Considerations

Colony Square Cooperative Variance Request



140 70 0 140 Feet



Colony Square Cooperative Variance Request



Minimum setback req. for 6 ft. + security fence: 20 ft. sides & 35 ft. rear yard. (yellow dashed-line)

Approximate security fence from property (white line)



September 9, 2016

Grand Rapids Planning Commission
Attn: Mr. Lester Kachinske, Chair
420 N. Pokegama Ave.
Grand Rapids, MN 55744

Dear Mr. Kachinske and Members of the Planning Commission:

As owners of the neighboring property, Beacon Hill, we have been informed of the Petition for Variance submitted by Mr. Bruce Aiton on behalf of Colony Square. In review of the Petition, Beacon Hill is specifically mentioned and, as such, we feel it important to provide the Commission with accurate information regarding Beacon Hill.

- Beacon Hill includes 28 two and three-bedroom townhome units for families with children. It also includes a 20-unit apartment building for adults with disabilities and some who may have been formerly homeless.
- All residents who apply to live at Beacon Hill must go through a thorough screening process that includes rental history, credit history, and criminal background checks. All residents are selected based on pre-established Tenant Selection Policies in compliance with fair housing laws.
- We have contracted with a very reputable property management company to manage the property and have a resident caretaker living on site in one of the townhome units.
- Beacon Hill does not discriminate based upon protected classes i.e. race, ethnicity, color, religion etc. In Minnesota there are 11 protected classes and housing discrimination is illegal.
- Beacon Hill is not housing for refugees; nor is it for "recently released prisoners". Those statements are false.
- Beacon Hill is a safe decent housing option for our community and our friends and neighbors.

We are neighbors of Mr. Aiton and the residents of Colony Square and have been and will continue to be *good* neighbors. In fact, we met with residents of Colony Square prior to construction to explain the project and answer questions. This letter is intended to clear up any misconceptions and to provide accurate information. It is not intended to either promote or oppose the Petition for Variance. We simply want the Planning Commission members to have correct information from which to make a decision. Planning Commission members are welcome to drive through Beacon Hill at any time and if you would like a tour, we would be very happy to arrange one at your convenience.

Questions regarding this correspondence should be directed to Diane Larson, Executive Director, Itasca County HRA at 218-326-7978 ext. 111 or Greg Walker, CEO, Northland Counseling Center, Inc. at 218-326-0099

Sincerely,



Diane R. Larson
Executive Director
Itasca County HRA

Sincerely,



Greg Walker
CEO
Northland Counseling Center, Inc.



CITY OF
GRAND RAPIDS
IT'S IN MINNESOTA'S NATURE

Grand Rapids Planning Commission

Grand Rapids, MN – City Hall

RULES FOR A PUBLIC HEARING

1. After the Chairperson opens the Public Hearing, background on the issue at hand will be given by our Community Development Department Staff and by other presenters.
2. Anyone who wishes to address the Commission about the issue may do so, and all who wish to speak will be heard. Please step to the lectern to use the microphone, and state your name and address for the public record. **These Proceedings are recorded.** Please keep your comments relative to the issue. Please keep in mind that you are addressing the Planning Commission, not debating others in the audience who may have conflicting viewpoints. At all times, be courteous and refrain from interrupting any other speaker present on the floor.
3. After everyone has spoken, the Public Hearing will be closed. At this point, Planning Commissioners may ask clarifying questions from citizens and presenters.
4. The Chairperson will go through the legal Considerations for the Issue of the Public Hearing, after which the Commissioners will vote on the issue.

PLANNING COMMISSION

Considerations

VARIANCE

1. Is this an "Area" variance rather than a "Use" variance?
2. Does the proposal put property to use in a *reasonable manner*?
Why/Why not-
3. Is the owner's plight due to circumstances which are unique to the property and which are not self-created by the owner?
Why/Why not-
4. Is the variance in *harmony with* the purposes and intent of the *ordinance*?
Why/Why not-
5. Will the variance, if granted, alter the *essential character* of the locality?
Why/Why not-
6. Is the variance *consistent with* the *comprehensive plan*?
Why/Why not-



CITY OF GRAND RAPIDS
IN MINNESOTA'S NATURE

Petition for Variance

Community Development Department
420 North Pokegama Ave.
Grand Rapids, MN 55744
Tel. (218) 326-7601 Fax (218) 326-7621
Web Site: www.grandrapidsmn.org

The undersigned do hereby respectfully request the following be granted by support of the following facts herein shown:

BRUCE AITON, PRESIDENT
Name of Applicant*¹
1850 SE 2ND AVE # 212
Address
GRAND RAPIDS, MN 55744
City State Zip
795984 bston@yahoo.com
Business Telephone/e-mail address

COLONY SQUARE COOPERATIVE
Name of Owner (If other than applicant)
1850 SE 2ND AVE
Address
GRAND RAPIDS MN 55744
City State Zip
999-7598 cscorp@grandrapidsmn.net
Business Telephone/e-mail address

*¹ If applicant is not the owner, please describe the applicant's interest in the subject property. PRESIDENT / CEO OF COOPERATIVE

Parcel Information:

Tax Parcel # 91-683-0201 Property Size: 3.5 ACRES
Existing Zoning: R-4
Existing Use: SENIOR COOPERATIVE HOUSING
Property Address/Location: 1850 SE 2ND AVE
Legal Description: S. 325', OUTLOT A, ROYS ACRES, GRAND RAPIDS, ITASCA, MN
(attach additional sheet if necessary)

I(we) certify that, to the best of my(our) knowledge, information, and belief, all of the information presented in this application is accurate and complete and includes all required information and submittals, and that I consent to entry upon the subject property by public officers, employees, and agents of the City of Grand Rapids wishing to view the site for purposes of processing, evaluating, and deciding upon this application.

[Signature]
Signature(s) of Applicant(s)

8-15-2014
Date

Signature of Owner (If other than the Applicant)

Date

Office Use Only

Date Received _____ Certified Complete 8/15/14 Fee Paid _____

Planning Commission Recommendation: _____ Approved _____ Denied _____ Meeting Date 8/15/14

Summary of Special Conditions of Approval: _____

Required Submittals:

Application Fee - \$252.50 *2

Site Map- Drawn to scale, showing the property dimensions, existing and proposed, building(s)/addition(s) and their size(s) including: square footage, curb cuts, driveways, access roads, parking spaces, sidewalks and wells & septic systems.

**2The application fees charged are used for postage to mail the required notices to adjacent properties, publication of the public hearing notice in the Grand Rapids Herald Review, and for a small portion of staff time for case review and preparation of documents. It is the policy of the City of Grand Rapids to require applicants for land use approvals to reimburse the City for costs incurred by the City in reviewing and acting upon applications, so that these costs are not borne by the taxpayers of the City.*

Proposed Variance:

A. Please describe in detail the proposed or requested variance:

THIS REQUEST IS FOR A VARIANCE FROM 30-592 TO ALLOW THE SETBACK FOR AN 8' HIGH SECURITY FENCE AT APPROXIMATE 2-6 FEET FROM THE REAR PROPERTY LINE AND THE SE 1/4 OF THE SOUTH PROPERTY LINE.

B. Provide an itemization of the required regulations pertaining to this variance (i.e., setback lines, lot coverage ratios, parking requirements).

RELEVANT PARAGRAPHS OF THE ZONING ORDINANCE ARE: 30-592 AND 30-593

Justification of Requested Variance: Provide adequate evidence indicating compliance with the following provisions of the ordinance concerning variances (Section 30-453(e) "Findings for Variances"). Detailed answers are needed because the Planning Commission shall grant a variation only when they have determined, and recorded in writing, that all of the following provisions have been met.

A. That the requested variance does not allow a use that is otherwise excluded from the particular zoning district in which it is requested.

Applicant justification (refer to Table of Uses in City Code Section 30-512):

FENCES ARE NOT EXCLUDED BUT ARE PERMITTED WITH VARYING HEIGHTS AND SETBACKS.

B. Does the proposal put property to use in a reasonable manner?

Applicant justification - Describe how your situation applies to the above statement:

COLONY SQUARE RESIDENTS DEEM THIS FENCE NECESSARY IN ORDER TO PREVENT OR DIVERT FOOT TRAFFIC ORIGINATING FROM THE BEACON HILL PROJECTS FROM CROSSING COLONY SQUARE PROPERTY.

C. The plight of the landowner is due to circumstances unique to the property in question, and not created by the landowner subsequent to the adoption of this ordinance.

Applicant justification - Describe how your situation applies to the above statement:

THE PROBLEM WAS CREATED BY THE DEVELOPMENT OF BEACON HILL AND THE PERCEPTION BY RESIDENTS THAT FOOT TRAFFIC FROM BEACON HILL THRU COLONY SQUARE PROPERTY IS UNDESIRABLE.

D. That the variance, if granted, shall be in harmony with purposes and intent of the ordinance, and will not be detrimental to the public welfare or the property or improvements in the neighborhood, and will not alter the essential character of the locality.

Applicant justification - Describe how your situation applies to the above statement:

THE FENCE/PROPERTY LINE IS ROUGHLY CENTERED IN A VERY ROUGH TERRAIN WOODEN BUFFER BETWEEN ADJACENT PROPERTIES TO THE EAST & SOUTH. THERE WOULD BE NO EFFECT ON THE NEIGHBORHOOD OTHER THAN TO SERVE THE PURPOSE OF ENHANCING THE SECURITY OF COLONY SQUARE RESIDENTS.

E. That the variance, if granted, shall be consistent with the comprehensive plan.

Applicant justification - Describe how your situation applies to the above statement:

THERE IS NO EFFECT ON THE COMPREHENSIVE PLAN.

What this request is about, and how we got to this point:

Colony Square Cooperative is an age 55+, 37-unit independent living facility, financed, built, owned and managed by the cooperative members, possibly the only multifamily housing developed in recent years without local government subsidies. First occupied in 2002, Colony Square has been very successful in providing a safe and secure home to seniors leaving the burden of maintaining their single family homes. We presently have 55 residents including 15 widows. The average resident is 82+ years of age. There is a waiting list of fifteen prospective members. The cooperative is governed by a five-member board of directors elected by the members in compliance with Minnesota Statutes and HUD Regulations.

In recent years, we have had security breaches of concern to the members including one burglary we know of and several trespass incidents such as strangers found sleeping in our sun porch and photographed in our back yard at 2-4 AM by a trail cam.

The announcement of the Beacon Hill Project accompanied by a public statement attributed to a city council member, that **Beacon Hill will be a nice place for recently released prisoners to live**, has caused the residents of Colony Square and the surrounding neighborhood considerable concern for their safety and security.

The Grand Rapids chapter of ACTforAmerica.org has published a statement that Beacon Hill will soon house Muslim Refugees and that "a number of covered women were seen getting off unmarked busses inspecting the Beacon Hill residential project. The indication is that these were Muslim women inspecting the project."

The cooperative holds a member forum monthly, prior to board meetings. As a result of the security concerns brought on by the above public statements discussed at those meetings, several actions to improve building security have been taken. The last of a series of enhancements was to install a security fence the length of our 325' East or rear property line. There was discussion with Red Willow to extend the fence all the way South to 21st Street which they eventually chose not to do. We then determined that to be effective, we will extend the fence westward from the SE corner about 130' along our Southeast property line.

I then went to the City Building Department, I asked if we could go higher than 6' with the fence. I was told, that if it is a security fence, we could build 12' high. There was no mention of a changed setback when going higher than 6'. Relying on this information, I took it to the cooperative members and the consensus was that an 8' fence was most desirable. The board of directors then approved the installation of an 8' fence and accepted a proposal from Keller Fence to install same. A representative of Keller Fence had a discussion with building officials and I assumed it was to get a permit for installation of the fence. I should not have assumed. The fence was installed and a few days later the building department called to tell me we built the fence without first getting a permit. I went to the building department to get the permit and was told I couldn't have one because the fence was too high and would have to be set back 35 feet from the property line, shorten the fence, or we would have to apply for a variance.

Bruce Aiton

259 5984

325

326

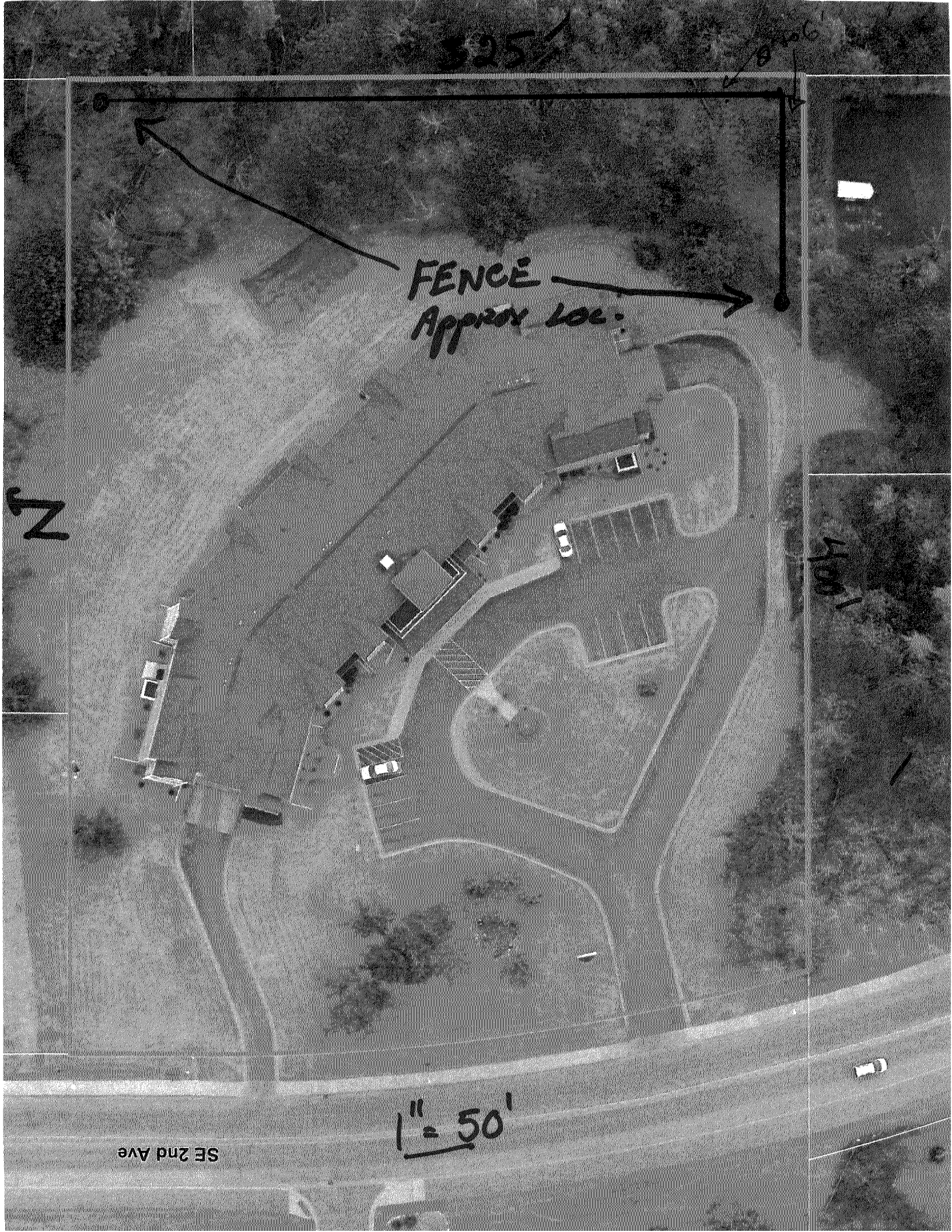
FENCE
Approx Loc.

N

400'

1" = 50'

SE 2nd Ave





CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #:	16-0563	Version:	1	Name:	Consider a recommendation to the City Council regarding the vacation of a portion of platted Houghton Avenue right-of-way adjacent to Block 65, Town of Grand Rapids.
Type:	Agenda Item	Status:			General Business
File created:	8/24/2016	In control:			Planning Commission
On agenda:	9/22/2016	Final action:			
Title:	Consider a recommendation to the City Council regarding the vacation of a portion of platted Houghton Avenue right-of-way adjacent to Block 65, Town of Grand Rapids.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Pohl R-O-W Vacation: Staff Report w/staff review committee comments Pohl R-O-W Vacation: Area Maps R-O-W Vacation Planning Commission Considerations Pohl R-O-W Vacation: Application/Petition				

Date	Ver.	Action By	Action	Result
9/22/2016	1	Planning Commission		

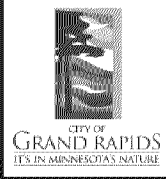
Consider a recommendation to the City Council regarding the vacation of a portion of platted Houghton Avenue right-of-way adjacent to Block 65, Town of Grand Rapids.

Background Information:

See attached Staff Report and Supporting Documents.

Staff Recommendation:

Consider a recommendation to the City Council regarding the vacation of a portion of platted Houghton Avenue right-of-way adjacent to Block 65, Town of Grand Rapids.



Planning Commission Staff Report

Agenda Item #3	Community Development Department	Date: 9/1/2016
Statement of Issue:	Consider a recommendation to the City Council regarding the vacation of a portion of platted Houghton Avenue right-of-way adjacent to Block 65, Town of Grand Rapids.	
Background:	<p>Ms. Lola Pohl submitted a valid petition on August 17, 2016 requesting the vacation of the following described portion of public right-of-way (<i>and outlined in the attached maps</i>):</p> <p style="text-align: center;"><i>That part of Houghton Avenue LYG westerly and ADJ to Lots 13-19, Block 65, as dedicated in the Plat of Town of Grand Rapids, Itasca County, Minnesota</i></p> <p>The right-of-way vacation request, if approved, would be another step in the process of providing clear access to the property/single family dwelling located at 318 SW 3rd Avenue for future sale. The dwelling, purchased by the current owner in 1976, was completely located within the platted (but, unimproved) right-of-way which was Houghton Avenue, within the Plat of Town of Grand Rapids.</p> <p>As you may recall, in April of this year the Planning Commission reviewed a right-of-way vacation petitioned by Ms. Pohl, and provided a recommendation to the City Council, for portions of right-of-way (Houghton Avenue & 3rd Street S.) adjacent to, and north of, the current request. At the time of Ms. Pohl's first vacation request (approved in June of 2016), she did not have agreements in place with property owners to the south and east of her property, to acquire the additional right-of-way of an expanded vacation area, thus the current vacation request.</p> <p>Pursuant to Minnesota Statute 412.851; as the requested vacation abuts upon a public body of water, the Commission of the Minnesota DNR was provided notice 60-days prior to the public hearing, which is scheduled to be conducted by the City Council on October 24, 2016 (<i>with hopes of moving up the public hearing date, depending on the DNR's response time</i>).</p> <p>There were no concerns or objections expressed, regarding the petitioned partial right-of-way vacation, from the staff review committee which consists of: Public Works Department, Engineering Department, Community Development Department, Fire Department, Police Department, and the Grand Rapids Public Utilities Commission.</p> <p>Minnesota Statutes 412.851 governs the procedures for vacating right-of-</p>	

	<p>way in a statutory city. Generally speaking, under this statute the City Council has the authority to vacate public right-of-way on its own motion or through a petition of the majority of the land owners. The petition presented by Ms. Pohl represents 50% of the maximum level of participation of adjacent land owners, and therefore is valid.</p>
<p>Considerations:</p>	<p>When considering the vacation of public right-of-way, the Planning Commission must make findings based on the attached list of considerations.</p>
<p>Recommendation:</p>	<p>Staff recommends that the Planning Commissioners visit the site, review the comments submitted by the Review Committee, and review the relevant sections of the Comprehensive Plan.</p> <p>Prior to making a recommendation to the City Council to approve/not approve the vacation request, the Planning Commission should make specific findings to support its recommendation and reference those specific findings in their motion to either approve or not approve the partial right-of-way vacation.</p>
<p>Required Action:</p>	<p>Pass a motion forwarding a recommendation to the City Council for approval or non-approval of the proposed partial public right-of-way vacation.</p> <p><u>Example Motion:</u></p> <p>Motion by _____, second by _____ that, based on the findings of fact presented here today, and in the public’s best interest, the Planning Commission does hereby forward to the City Council a recommendation to (approve) (not approve) the vacation of public right-of-way described as;</p> <p style="text-align: center;"><i>That part of Houghton Avenue LYG westerly and ADJ to Lots 13-19, Block 65, as dedicated in the Plat of Town of Grand Rapids, Itasca County, Minnesota</i></p> <p style="text-align: center;"><u>Contingent on the following stipulation:</u></p> <ul style="list-style-type: none"> • _____
<p>Attachments:</p>	<ul style="list-style-type: none"> • Site Maps • Public Vacation Application/Petition • Staff Review Committee Comments • List of the Planning Commissions Vacation Considerations

Eric Trast

From: Anthony Ward <atward@grpuc.org>
Sent: Wednesday, August 24, 2016 11:13 AM
To: Eric Trast
Cc: Julie Kennedy; Jeremy Goodell; Denny Doyle
Subject: RE: Right-of-way Vacation Review - Lola Pohl

Eric,

GRPU has reviewed the above referenced plat vacation request and GRPU does not object to the request.

Thank you for the opportunity to review the request.

Anthony T. Ward | General Manager
Grand Rapids Public Utilities Commission
P. O. Box 658 | 500 SE 4th St. | Grand Rapids, MN 55744
218-326-7188 direct | 218-349-0658 cell | 218-326-7698 fax
www.grpuc.org | GRPUC - Service Is Our Nature

Important Notice - Confidential Material- Private Communication

The information contained in or attached to this e-mail may be confidential information subject to protection by law or terms of applicable confidentiality agreements, and is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you are not the addressee indicated in this message (or responsible for delivery of the message to such person), you should destroy this message, any attachments and notify the sender by reply email.

From: Eric Trast [<mailto:ETrast@ci.grand-rapids.mn.us>]
Sent: Wednesday, August 17, 2016 2:51 PM
To: Tom Pagel <tpagel@ci.grand-rapids.mn.us>; Matthew Wegwerth <mwegwerth@sehinc.com>; Scott A Johnson <sajohnson@ci.grand-rapids.mn.us>; Jeff Davies <jdavies@ci.grand-rapids.mn.us>; Anthony Ward <atward@grpuc.org>; Michael Liebel <mliebel@ci.grand-rapids.mn.us>
Subject: Right-of-way Vacation Review

To All-

Attached is a request for Staff review and comment pertaining to a petition to vacate platted right-of-way. This vacation request will look familiar to you, as in May of this year Ms. Lola Pohl petitioned to vacate portions of right-of-way (Houghton Avenue) adjacent to, and north of, the attached request. At the time of Ms. Pohl's first vacation (May 2016), she did not have options or agreements in place with property owners to the south of her property, to acquire the additional right-of-way if that vacation area was expanded, thus the current vacation request.

Please contact Rob, or myself, with any questions.

Thank you,

Eric

Eric Trast

From: Jeff Davies
Sent: Thursday, August 18, 2016 6:53 AM
To: Eric Trast; Tom Pagel; Matthew Wegwerth; Scott A Johnson; Tony Ward; Michael Liebel
Subject: RE: Right-of-way Vacation Review

Eric,

Public Works has no issue with the petition to vacate the platted ROW. It certainly makes sense to me .

Jeff Davies

Director of Public Works
City of Grand Rapids
420 North Pokegama Avenue
Grand Rapids, MN 55744-2662
Office: 218-326-7480
Mobile: 218-259-8688
Fax: 218-326-7688

From: Eric Trast
Sent: Wednesday, August 17, 2016 2:51 PM
To: Tom Pagel; Matthew Wegwerth; Scott A Johnson; Jeff Davies; Tony Ward; Michael Liebel
Subject: Right-of-way Vacation Review

To All-

Attached is a request for Staff review and comment pertaining to a petition to vacate platted right-of-way. This vacation request will look familiar to you, as in May of this year Ms. Lola Pohl petitioned to vacate portions of right-of-way (Houghton Avenue) adjacent to, and north of, the attached request. At the time of Ms. Pohl's first vacation (May 2016), she did not have options or agreements in place with property owners to the south of her property, to acquire the additional right-of-way if that vacation area was expanded, thus the current vacation request.

Please contact Rob, or myself, with any questions.

Thank you,

Eric

Eric Trast

Community Development Specialist
City of Grand Rapids
420 North Pokegama Avenue
Grand Rapids, MN 55744-2662
Office: 218-326-7650
Fax: 218-326-7621

Eric Trast

From: Matt Wegwerth <mwegwerth@sehinc.com>
Sent: Thursday, August 18, 2016 7:58 AM
To: Eric Trast
Cc: Tony Ward; Jeff Davies; Michael Liebel; Scott A Johnson; Tom Pagel
Subject: Re: Right-of-way Vacation Review

Engineering has no issue with the vacation request.

Matt Wegwerth, PE | Associate | Senior Project Manager
SEH | 21 NE 5th Street, Suite 200 | Grand Rapids, MN 55744
218.322.4509 direct | 218.244.1987 cell | 888.908.8166 fax
www.sehinc.com
Building a Better World for All of Us®

From: Eric Trast <ETrast@ci.grand-rapids.mn.us>
To: Tom Pagel <tpagel@ci.grand-rapids.mn.us>, Matthew Wegwerth <mwegwerth@sehinc.com>, Scott A Johnson <sajohnson@ci.grand-rapids.mn.us>, Jeff Davies <jdavies@ci.grand-rapids.mn.us>, Tony Ward <atward@grpuc.org>, Michael Liebel <mliebel@ci.grand-rapids.mn.us>
Date: 08/17/2016 02:52 PM
Subject: Right-of-way Vacation Review

To All-

Attached is a request for Staff review and comment pertaining to a petition to vacate platted right-of-way. This vacation request will look familiar to you, as in May of this year Ms. Lola Pohl petitioned to vacate portions of right-of-way (Houghton Avenue) adjacent to, and north of, the attached request. At the time of Ms. Pohl's first vacation (May 2016), she did not have options or agreements in place with property owners to the south of her property, to acquire the additional right-of-way if that vacation area was expanded, thus the current vacation request.

Please contact Rob, or myself, with any questions.

Thank you,

Eric

Eric Trast
Community Development Specialist
City of Grand Rapids
420 North Pokegama Avenue
Grand Rapids, MN 55744-2662
Office: 218-326-7650
Fax: 218-326-7621

NOTICE: The information contained in this email and any documents attached hereto is intended only for the named recipient(s). If you are not the intended recipient, nor the employee or agent responsible for delivering this message in accordance to the intended recipient(s), you are hereby notified that you have received this transmittal in error, and any review, dissemination, distribution or copying of this transmittal or its attachments is strictly prohibited. If you have

Eric Trast

From: Scott A Johnson
Sent: Wednesday, August 17, 2016 3:10 PM
To: Eric Trast
Subject: RE: Right-of-way Vacation Review

Of course, the PD has no concerns that you wouldn't have.

Scott A Johnson

Chief of Police
Grand Rapids Police Department
420 North Pokegama Avenue
Grand Rapids, MN 55744-2662
Office: 218-326-3464
Fax: 218-326-7610

From: Eric Trast
Sent: Wednesday, August 17, 2016 2:51 PM
To: Tom Pagel <tpagel@ci.grand-rapids.mn.us>; Matthew Wegwerth <mwegwerth@sehinc.com>; Scott A Johnson <sajohnson@ci.grand-rapids.mn.us>; Jeff Davies <jdavies@ci.grand-rapids.mn.us>; Tony Ward <atward@grpuc.org>; Michael Liebel <mliebel@ci.grand-rapids.mn.us>
Subject: Right-of-way Vacation Review

To All-

Attached is a request for Staff review and comment pertaining to a petition to vacate platted right-of-way. This vacation request will look familiar to you, as in May of this year Ms. Lola Pohl petitioned to vacate portions of right-of-way (Houghton Avenue) adjacent to, and north of, the attached request. At the time of Ms. Pohl's first vacation (May 2016), she did not have options or agreements in place with property owners to the south of her property, to acquire the additional right-of-way if that vacation area was expanded, thus the current vacation request.

Please contact Rob, or myself, with any questions.

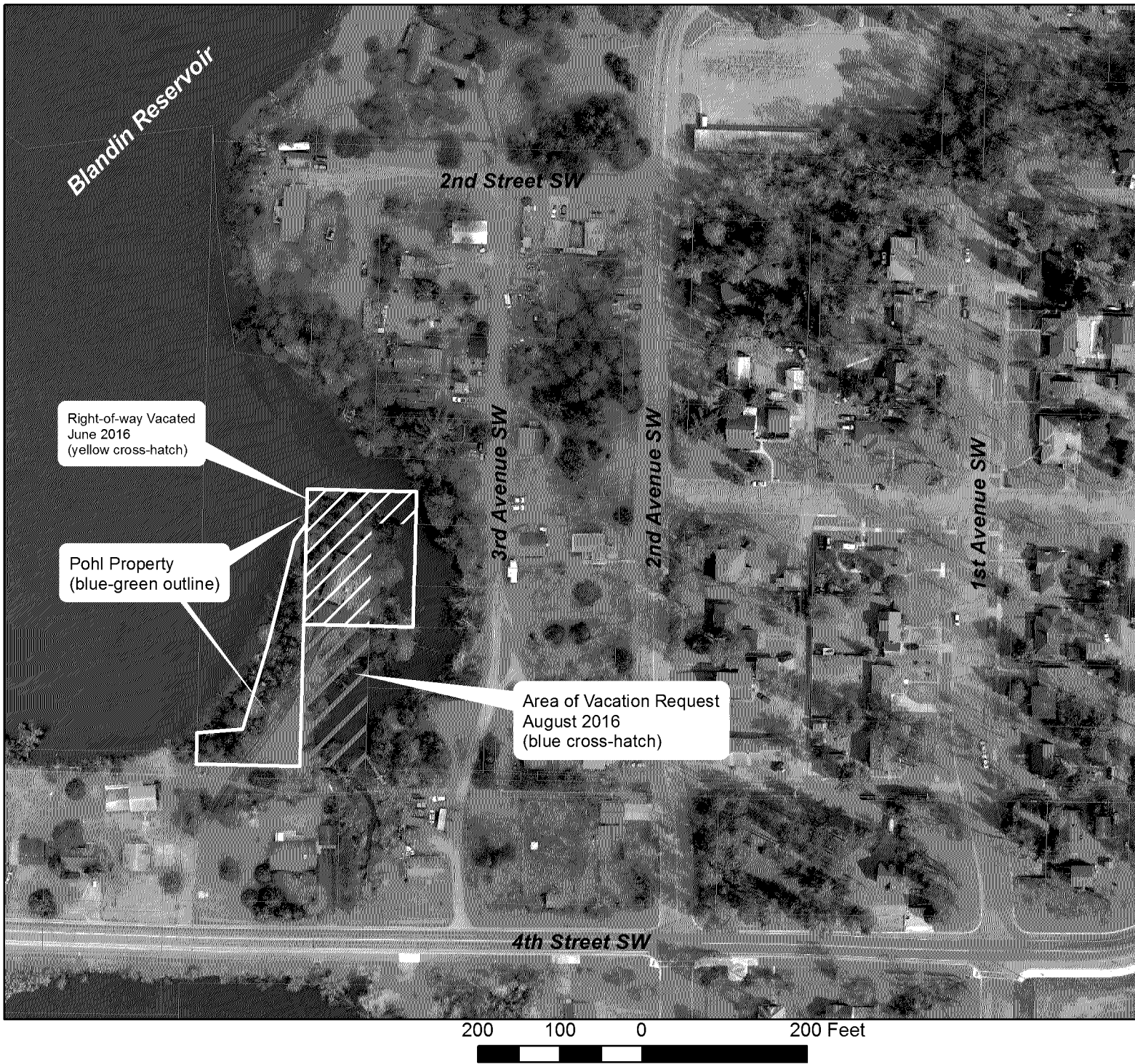
Thank you,

Eric

Eric Trast

Community Development Specialist
City of Grand Rapids
420 North Pokegama Avenue
Grand Rapids, MN 55744-2662
Office: 218-326-7650
Fax: 218-326-7621

Pohl Vacation Request (Platted Right-of-Way)



Pohl Vacation Request (Platted Right-of-Way)



Right-of-way Vacated
June 2016
(yellow cross-hatch)

Pohl Property
(blue-green outline)

Area of Vacation Request
August 2016
(blue cross-hatch)

4th Street SW

3rd Avenue SW

110 55 0 110 Feet

We, G.G. Hartley and Carrie E. his wife, B.F.H. wife, N. McFadden and Julia K his wife, F.B. Thompson, and all of Brainerd, Minn., and D.J. Knox and Jessie C his wife and proprietors of the following described property, viz. Section 21, (and lot 7 in Section 20), Township 55, Range 25 to be surveyed and platted as the Town of Grand Rapids by dedicate the Streets and Alleys to the public.

Witness our hands and seals this 22nd day of

G.G. Hartley (seal)
 B.F. Hartley (seal)
 N. McFadden (seal)
 D. J. Knox (seal)
 F. B. Thompson (seal)

Carrie E. Hartley
 Susie A. Hartley
 Julia K. McFadden
 Jessie C. Knox
 Jennie Thompson

State of Minnesota } ss
 ✓ County of Itasca }

Be it known that on this 22nd day of Sept. appeared before me G.G. Hartley and Carrie E. his wife and Susie A. his wife, N. McFadden and Julia K his wife and Jennie, his wife, and D.J. Knox and Jessie C. his ally known to be the identical individuals who signed to and acknowledged the same to be their free act and d

Milton
 Registrar
 Crow Wing Co

I, G.W. Sturtevant, of the firm of Pike and here by certify that I have surveyed Lots 3, 4, 5, and 6 in Section 21, Township 55, Range 25, and

PLANNING COMMISSION

Considerations

RIGHT-OF-WAY VACATIONS

1. Is the right-of-way needed for traffic purposes?

Why/Why not?

2. Is the right-of-way needed for pedestrian purposes?

Why/Why not?

3. Is the right-of-way needed for utility purposes?

Why/Why not?

4. Would vacating the right-of-way place additional land on the tax rolls?

Why/Why not?

5. Would vacating the right-of-way facilitate economic development in the City?

Why/Why not?



CITY OF GRAND RAPIDS
IT'S IN MINNESOTA'S NATURE

Public Vacation Application
Community Development Department
420 North Pokegama Ave.
Grand Rapids, MN 55744
Tel. (218) 326-7601 Fax (218) 326-7621
Web Site: www.cityofgrandrapidsmn.com

General Information:

LOLA POHL

Name of Applicant
718 SW 3RD AVE

Address
GRAND RAPIDS MN 55744

City State Zip
(218) 326-3917

Business Telephone/e-mail address

Name of Owner (If other than applicant)

Address

City State Zip

Business Telephone/e-mail address

Please check which of the following you are applying for:

Street Vacation

Alley Vacation

Easement Vacation

Provide a legal description of the property to be vacated (for example, the North-South alley adjacent to lots 8-12, block 5, Grand Rapids 5th Division). Attach an exhibit and/or electronic file if the legal description is lengthy.

THAT PART OF HOUGHTON AVENUE AS DEDICATED IN THE TOWN OF GRAND RAPIDS, MINNESOTA, ACCORDING TO THE RECORDED PLAT THEREOF, ITAGCA COUNTY, MINNESOTA, WHICH LIES WESTERLY AND ADJACENT TO LOTS 13-19, BLOCK 65, OF SAID PLAT.

I(we) certify that, to the best of my(our) knowledge, information, and belief, all of the information presented in this application is accurate and complete and includes all required information and submittals, and that I consent to entry upon the subject property by public officers, employees, and agents of the City of Grand Rapids wishing to view the site for purposes of processing, evaluating, and deciding upon this application.

Lola A Pohl
Signature(s) of Applicant(s)

8/17/16
Date

Signature(s) of Owner(s)-(If other than applicant)

Date

AUG 17 2016

Date Received _____ Certified Complete 8/17/16 Office Use Only Fee Paid \$505.00

Does the boundary of the requested vacation terminate at or abut a public water body: Yes No

Planning Commission Recommendation Approved _____ Denied _____ Meeting Date 9/1/2016

City Council Action Approved _____ Denied _____ Meeting Date _____

Summary of Special Conditions of Approval: _____

Petition for Vacation

PETITION FOR VACATION OF (PART OF) HOUGHTON AVE (STREET/ALLEY/EASEMENT) IN THE CITY OF GRAND RAPIDS.

To the City Council of Grand Rapids, Minnesota:

The undersigned, a majority of the owners of property as set forth opposite their respective names, abutting on HOUGHTON AVE (Street/Alley/Easement), respectfully petition the City Council to vacate the aforesaid (part of) HOUGHTON AVE (Street/Alley/Easement).

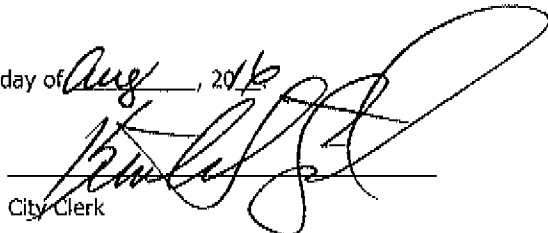
Names (If not owner, describe nature of the interest in this property)

Description of Property

LOLA POHL

PI# 91-410-7210

Received on the 17 day of Aug, 2016



City Clerk

*This petition must be signed by at least **FIFTY PERCENT (50%)** of the property owners, or those with property interests abutting the property (street, alley or easement) to be vacated. Please provide the appropriate number of names and addresses and signatures, as needed to meet this requirement (attach additional sheet if necessary).*

Required Submittals:

- Application Fee - \$505.00 *1
- Location Map
- Petition for Vacation
- Proof of Ownership – (a copy of a property tax statement or deed will suffice)

**1 The application fees charged are used for postage to mail the required notices to adjacent properties, publication of the public hearing notice in the Grand Rapids Herald Review, and for a small portion of staff time for case review and preparation of documents. It is the policy of the City of Grand Rapids to require applicants for land use approvals to reimburse the City for costs incurred by the City in reviewing and acting upon applications, so that these costs are not borne by the taxpayers of the City.*

Justification of Proposed Vacation: Please answer the following question (attach additional pages if needed). The Planning Commission and City Council will consider these questions and responses, and other issues (see attached list) in making their findings of fact and recommendation on the proposed rezoning.

1. Explain why the proposed vacation would be in the public's best interest. Please refer to the factors being considered by the Planning Commission and City Council that are listed on the final page of this application.

SEE ATTACHED LETTER

Additional Instructions:

Prior to submitting your Petition for Vacation, you will need to arrange for one or more preliminary meetings with the Community Development Director. This meeting is intended to ensure that the proposed application is complete, to answer any questions the applicant may have, discuss meeting schedules and, if applicable, the scope of the required submittals.

Findings for Approval:

The Planning Commission, in formulating its recommendation, and the City Council, in support of its action will make findings of fact based on their responses to the following list of considerations:

- Is the street right-of-way needed for traffic purposes?
- Is the street right-of-way needed for pedestrian purposes?
- Is the street right-of-way needed for utility purposes?
- Would vacating the street right-of-way place additional land on the tax rolls?
- Would vacating the street right-of-way facilitate economic development in the City?

In cases where a street/alley or public right-of-way is adjacent to a public water (lake or river), the City will also give consideration to comments submitted by the Minnesota Department of Natural Resources.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Complete applications shall be submitted to the Community Development Department one month prior to the Planning Commission's review of the vacation. More information may be requested by the City of Grand Rapids Planning Commission or City Council, if deemed necessary to properly evaluate your request. The lack of information requested may be in itself sufficient cause to deny an application.

August 17, 2016

Community Development Department
City of Grand Rapids
420 North Pokegama Avenue
Grand Rapids, MN 5574

RE: Public Vacation Application

Dear Mr. Mattei

As you are aware, in the process of selling my property I discovered title issues that prohibited me from selling what I thought I purchased in September 1976. The home that I purchased and lived in for 40 years was located within a platted street (Houghton Avenue). Thankfully the City of Grand Rapids has been helpful to me in working through this issue and ultimately sold a portion of city property and vacated a portion of Houghton Avenue that has helped to provide clear title to the property my house is located on. Prior to the time of my initial request to vacate a portion of Houghton Avenue, I was unsuccessful in negotiating an agreement with an adjacent landowner to acquire any portion of Houghton Avenue westerly of PID #91-410-6530 Lots 17-19, Block 65, if vacated. I proceeded with my Public Vacation Application dated 4/7/2016 as I had an offer that was contingent on that successful vacation. Due to the time to work through that process, I was not able to meet the terms of the purchase agreement and lost that potential buyer.

Recently, I have been able to acquire Quick Claim Deeds from land owners Julie Goos Corely and Timothy Ferraro for portions of Houghton Avenue adjacent to their properties. If vacated, it would be one more step to providing access to my property.

I apologize for the need to have to submit a second Public Vacation Application as it is a cost to both the City of Grand Rapids and myself but unfortunately the timing of events have dictated the need. I appreciate your efforts thus far and would be thankful if the planning commission and city council approve my request to vacate the portion of Houghton Avenue described in my application.

Below are responses to the Justification of Proposed Vacation as requested in the Public Vacation Application.

Is the street right-of-way needed for traffic purposes?

No. The street right-of-way doesn't appear to have ever been used for traffic purposes. It seems apparent that at one time the city determined that Houghton Avenue would never be a street and thus named the alley to the east as "Third Street". The proposed area requested to be vacated is not currently accessible by a vehicle without crossing private property.

Is the street right-of-way needed for pedestrian purposes?

No. The proposed area requested to be vacated is not easily accessible by land without crossing private property.

Is the street right-of-way needed for utility purposes?

No. The subject property is already served by utility service from 4th Street.

Would vacating the street right-of-way place additional land on the tax rolls?

Yes. It was projected that if the entire land peninsula was private, it may add approximately \$24,000.00 to the tax rolls.

Would vacating the street right-of-way facilitate economic development within the City?

It could provide space to improve adjacent properties.

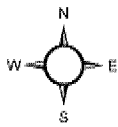
Thank you for your consideration. I greatly appreciate your efforts in assisting me through this issue.

Sincerely,



for

Lola Pohl



0 70 140 280 Feet

BENTON,
WILLIAM J &
PATRICIA A
UNDESIGNATED
PART OF GOV LOT
5 SEC 21 56-25

BROWN,
DENNIS A
E 495 FT
OF LOT 8

Vacated
June 13, 2016
Resolution # 16-18

Proposed
Vacation

Lola Pohl

BURLEY,
BRIAN L &
CATHERINE M
LOTS 24-29
BLK 62

SWANSON,
MICHAEL R
LOTS 19-20
BLK 62

SWANSON,
MICHAEL R
N 10' OF LOT
16 ALL OF LOTS
17-18 BLK 62

GANJE,
FRANK M
ALL OF LOT 15
S 15' OF LOT
16 BLK 62

NICHOLS,
STEPHANIE L
LOTS 13-14 BLK
62 LESS PART
OVERFLOWED

DEGUISEPI,
GINO & LARA
LOTS 1-2
BLK 62

SMITH,
STEPHEN R
& CHERYL J
ALL OF LOT 3
LOTS 4-6 LESS
W 60' BLK 62

HAIG,
WILLIAM
F III
LOTS 7-12 BLK
62 & N 1/2 OF
VAC 3RD ST SW

MADISON,
CHRISTOPHER E
LOTS 1-2 BLK
65 & S 1/2 OF
VAC 3RD ST SW

GOOS
CORLEY,
JULIE L
LOTS 3-8 &
LOTS 17-19
BLK 65

CITY OF
GRAND
RAPIDS
E 90' OF LOTS 22-24
BLK 65

TAX
FORFEIT
E 90' OF LOTS
20 & 21 BLK 65

GOOS CORLEY,
JULIE L
LOTS 3-8 &
LOTS 17-19
BLK 65

FERRARO,
TIMOTHY A &
ELIZABETH F
W 1/2 OF LOTS
9-12 & ALL LOTS
13-16 BLK 65

FERRARO,
TIMOTHY A &
ELIZABETH F
W 1/2 OF LOTS
9-12 & ALL LOTS
13-16 BLK 65

BREWER,
DUANNE
E 1/2 OF
LOT 9, 12
BLK 65

CITY OF GRAND RAPIDS BLKS 1-7 INCL

CITY OF GRAND RAPIDS BLKS 1-7 INCL

THOMPSON
WADE
LOTS 3-5 &
1/2 OF LOTS
3-7 BLK 11

CITY OF
GRAND
RAPIDS
LOTS 2-3
BLK 11

LARSON,
MICHAELA
LOTS 4-8
BLK 11

WELLS
FARGO
BANK NA
LOTS 9-13
BLK 10

HITES,
DONALD E &
JANICE
LOT 4, 12
BLK 10

REGULATORY
SUPPORTS
GRAND RAPIDS

SW 4th St

SW 2nd St

SW 3rd St

SW 2nd Ave

QUIT CLAIM DEED
Individual(s) to Individual(s)

Minnesota Uniform Conveyancing Blanks
Form 10.3.1 (2011)

DEED TAX DUE: \$ _____

DATE: 8-16-16
(month/day/year)

FOR VALUABLE CONSIDERATION, Timothy A Ferraro (M) Elizabeth F. Ferraro (M)
(insert name and marital status of each Grantor)

("Grantor"),

heraby conveys and quitclaims to Loia A. Pohl
(insert name of each Grantee)

("Grantee"), real property

in ITASCA County, Minnesota, legally described as follows:

THAT PART OF HOUGHTON AVENUE AS DECICATED IN TOWN OF GRAND RAPIDS, MINNESOTA, ACCORDING TO THE RECORDED PLAT THEREOF, ITASCA COUNTY, MINNESOTA, WHICH LIES WESTERLY AND ADJACENT TO LOTS 13 THROUGH 16, BLOCK 65, OF SAID PLAT, INCLUDING THE UNDERLYING FEE AND REVERSIONARY RIGHTS TO ANY PORTION THAT HAS NOT YET BEEN VACATED.

Check here if all or part of the described real property is Registered (Torrens)

together with all hereditaments and appurtenances belonging thereto.

Check applicable box:

- 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. (If electronically filed, insert WDC number: _____)
- 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.

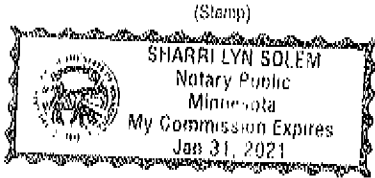
Grantor

Timothy A Ferraro
(signature)

Elizabeth F Ferraro
(signature)

State of Minnesota, County of ITASCA

This instrument was acknowledged before me on 3-17-16 by Sharri Solem
Coln. Pull
(month/day/year)
(insert name and marital status of each Grantor)



Sharri Lynn Solem
(signature of notary public)
Title (and Rank): Notary
My commission expires: Jan 31, 2021
(month/day/year)

THIS INSTRUMENT WAS DRAFTED BY:
(insert name and address)

Ryan Sutherland
39076 Sissebakwet Shores Road
Cohasset, MN 56721

TAX STATEMENTS FOR THE REAL PROPERTY DESCRIBED IN THIS INSTRUMENT SHOULD BE SENT TO:
(insert legal name and residential or business address of Grantor)

ITASCA COUNTY

Itasca County
Auditor/Treasurer
123 NE 4th Street
Grand Rapids, MN
55744

210-327-2650
www.co.itasca.mn.us

Property ID: 91-410-7210
CHANDSUTHERLAND, URBIN

Taxpayer(s):

TAXPAYER # 101292
PHIL, LOLA A
310 SW 3RD AVE
GRAND RAPIDS MN 55744

Property Description:

GRAND RAPIDS CITY
SECTION: 20P; 151.0 RD; 25 LOT; BLK; ACRES: .31
TOTAL OF GRAND RAPIDS CITY
THAT PART OF THE UN-DEVELOPED PART OF COV
LVS 5 SEC 21-55-25 LVS 5 OF 3RD ST SW

2016 Property Tax Statement

VALUES & CLASSIFICATION		
Taxes Payable Year: 2015		
	2015	2016
STEP 1	Estimated Market Value:	161,500
1	Homestead Exclusion:	23,700
	Taxable Market Value:	138,000
	New Improvements/ Expend Exclusions:	
	Property Classification:	RES UNSTD RES UNSTD
Sent to March 2015		
STEP 2	PROPOSED TAX	
2	Proposed Tax (excluding special assessments) sent in November 2015	2,040.00
PROPERTY TAX STATEMENT		
STEP 3	First-half Taxes: May 16	1,040.00
	Second-half Taxes: October 17	1,040.00
	Total Taxes Due in 2016	2,080.00

\$\$\$ REFUNDS You may be eligible for one or even two refunds to reduce your property tax.
Read the back of this statement to find out how to apply.

	Taxes Payable Year: 2015	2016
1. Use this amount on Form M191 to see if you're eligible for a property tax refund. File by August 15. If box is checked, you owe delinquent taxes and are not eligible.	<input type="checkbox"/>	2,016.00
2. Use third amount on Form M191 to see if you are eligible for a special refund.	<input type="checkbox"/>	1,999.00
PROPERTY TAX AND CREDITS		
3. Property tax before credits	2,286.00	2,324.00
4. Credits that reduce property taxes:		
A. Agricultural market value credit		
B. Taxable tax relief		
C. Other credits	249.00	249.00
5. Property tax after credits	1,997.00	2,035.00
PROPERTY TAX BY JURISDICTION		
6. County	650.54	690.23
7. City or Town	950.91	951.77
8. State General Tax		
9. School District: A. Voter approved taxes	79.77	77.91
B. Other local levies	304.17	303.84
10A. Special taxing district	3.51	4.99
B. Tax increment		
C. Fiscal equality		
11. Non-school voter approved referendum levies		
12. Total property tax before special assessments	1,997.00	2,035.00
SPECIAL ASSESSMENTS		
13A. SOLID WASTE ASSEMT (RESIDENTIAL)		
B. SOLID WASTE ASSEMT (RESIDENTIAL)	45.00	45.00
C.		
14. Total property tax and special assessments	2,042.00	2,080.00

2 ND HALF PAYMENT STUD

TAXPAYER # 101292
PHIL, LOLA A

REC# 73962 ACCT# 73962
Property ID Number: 91-410-7210

Full Tax for Year	2,080.00
Balance Due	1,040.00
Penalty	
Total Paid	

ISSUED: 04/01/2016

Pay on or before October 17 to avoid penalty
Real Estate ITASCA COUNTY

Payable in **2016**

Note: When you provide a check as payment you authorize the County to use information from your check to make a 6% late charge against any amount due your account the same day. You will not receive your check back from your County's facilities.

Make checks payable to:
Jeffrey T. Walker
County Auditor/Treasurer

CASH
CHECK
COUNTER
MAIL

Mail to: Itasca County
Auditor/Treasurer
123 NE 4th Street
Grand Rapids, MN
55744

Check if delinquent amount on back
If box is checked you owe delinquent taxes
Balance due and include with second half payment

1.000000414107210202016073962 00000104000000002040005

1 ST HALF OR FULL PAYMENT STUD

TAXPAYER # 101292
PHIL, LOLA A

REC# 73962 ACCT# 73962
Property ID Number: 91-410-7210

Full Tax for Year	2,080.00
Balance Due	1,040.00
Penalty	
Total Paid	

ISSUED: 04/01/2016

Pay on or before May 10 to avoid penalty
Real Estate ITASCA COUNTY

Payable in **2016**

Note: When you provide a check as payment you authorize the County to use information from your check to make a 6% late charge against any amount due your account the same day. You will not receive your check back from your County's facilities.

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County Auditor/Treasurer

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MAIL

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Auditor/Treasurer
123 NE 4th Street
Grand Rapids, MN
55744

Check if delinquent amount on back
If box is checked you owe delinquent taxes
Balance due and include with first half or full payment

1.000000414107210202016073962 00000104000000002040005