

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

10-0436R

RESOLUTION GRANTING A SPECIAL USE PERMIT TO SCOTT AND CHRISTINE SCHAFER FOR A BEAUTY SALON IN AN R-DISTRICT AT 2915 NIGHTHAWK LANE.

CITY PROPOSAL:

RESOLVED, that:

(a) The city council grants the request submitted by Scott and Christine Schafer for a Section 50-35 (c) special use permit for a beauty salon in an R-district to be located at 2915 Nighthawk Lane and legally described as Lot 4, Block 2, Hidden Estates; and

(b) Pursuant to Section 50-32 of the Duluth City Code, 1959, as amended, such request was duly referred to the city planning commission and such commission gave due notice of public hearing and did consider same in public hearing; and

(c) The planning commission, at its August 10, 2010, regular meeting, recommended approval of the request with conditions; and

(d) The approval was made because of the city planning commission findings that appropriate safeguards will exist to protect the comprehensive plan and to conserve and to protect property values in the neighborhood if conditions are observed (FN 10078).

FURTHER RESOLVED, that the city council of the city of Duluth approves the special use permit, subject to the following conditions:

(a) That the project be constructed and maintained according to the documents provided by the applicant titled Schafer Residence, Site Plan dated 3-4-10, including salon details and parking locations, and shown on Public Document No. _____;

(b) That Christine Schafer, licensed cosmetologist salon manager, shall be the only worker at the salon and must remain living on the premises;

(c) That the applicant secure and maintain all permits required by Federal, State, County or City laws and regulations;

(d) Any alterations to the approved plans that do not alter major elements of the plan may be approved by the Land Use Supervisor without further Planning Commission or City Council action; however, no such administrative approval shall constitute a variance from the provisions of Chapter 50, Article IV.

Approved as to form:

Attorney

PC:PLNG KD/eu 8/13/2010

STATEMENT OF PURPOSE: This resolution grants a special use permit to Scott and Christine Schafer to operate a beauty salon in an R-district at 2915 Nighthawk Lane. The home and salon are located in the new Hidden Estates subdivision located across 52nd Avenue East from Hawk Ridge Estates.

On August 10, 2010, the planning commission held a public hearing on the proposal and voted 11-0 to recommend that the city council approve the special use permit with conditions.

Application date: June 29, 2010
Action deadline: October 27, 2010