

Appeal Number: _____

ID: _____

Received by: _____

(above is for City staff use only)

RECORD OF APPEAL TO CITY OF DULUTH LOCAL BOARD OF APPEAL & EQUALIZATION

This form will be accepted as a written appeal by City Staff, and you will be given equal consideration by the Board. This form must be received by the City of Duluth Clerk's Office by **4:00 PM on Friday, May 10, 2024.**

Parcel Code(s): 010-2010-00990 and 010-2010-01000

Property Address (if applicable): NON-BUILDABLE Vacant Land with No Utilities

Name: Michael Bergh Daytime Phone: _____

E-mail Address: _____

The purpose of this meeting is to review your appeal of one or both of the following:

- 1. The **ESTIMATED MARKET VALUE** (what your property would sell for if offered for sale on the open market).
- 2. The **PROPERTY CLASSIFICATION** (residential, rural vacant land, seasonal, commercial, etc.).

If you refuse to allow an assessor to inspect your property, the Board cannot adjust the market value or classification in a way that would benefit the property owner.

This Board of appeal and equalization is to hear your appeal regarding the above issues **ONLY**, and cannot make any changes for previous years.

Please give a brief explanation of what you are appealing; please support your appeal with facts to demonstrate property value. Include any supporting documentation, such as a recent appraisal prepared by a licensed real estate appraiser. You may attach additional documentation or typed appeal.

**** SEE 3 ATTACHMENTS: Letter to the Local Board, City Engineering Letter, City Planning Letter ****



See 3 Letters Included

-over-

Parcel ID: 010-2010-00990
010-2010-01000

My 2024 appraised valuation for my 2 **NON-BUILDABLE** vacant lots with **no utilities and shallow bedrock** is \$18,100 each. My lots are worth around \$5000 each. I use the land solely for the City Bow Hunt. I have no intention to build on them ever.

St. Louis County building requirements deems the land **NON-BUILDABLE**. **I DO NOT have the minimum 2 acres the County requires to build in UNSEWERED areas. Additional land is required because I have shallow bedrock (See City Planning Letter)**. My neighbors on both sides of me have shallow bedrock. My land is 1.8 acres. To bring city water and sewer to my land is \$1,450,000 **(See City Engineering Letter)**. St. Louis County is **illegally** assigning buildable land valuations on my NON-BUILDABLE lots.

With special variances, creative plans, it may be buildable, but as of now it is NON-BUILDABLE. The expense of Septic, Well, Home, Garage, and Backup Septic Site on little land with shallow bedrock is **not cost effective and maybe impossible. (See City Planning Letter)**.

I have asked realtors to list the property for sale as a building site. They can not legally list my land as buildable because St. Louis County Regulations states it is NON-BUILDABLE. They advised asking the neighbors if they are interested in the land to expand their backyards.

I asked the neighbors if they were interested in buying the land at \$18,100 per lot. The neighbor on the left laughed at the price and said no way. The neighbor on the right, who had built on the same amount of land in 2008 said he would pay \$4000 for 1 lot to expand his backyard.

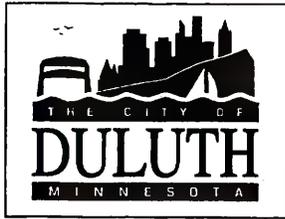
He said that building on the same 1.8 acres as he did with shallow bedrock, was extremely tight to make everything work with no margin for error. Anything unplanned comes up, you end up with a very expensive build or a home you don't want in the end. He said it's gambling and he would never do it again. They were very restricted and had to make concessions to build.

One problem he did not account for when building was water quality. This was farmland years ago resulting in his well water having a high concentration of NITRATES which is toxic for children and not good for adults. They don't drink/cook with their well water, they buy water.

In 2017, Real Estate Attorney **Charles "Huck" Andresen** was on the Local Board, he said "The county cannot continue this practice of assessing NON-BUILDABLE land the same as buildable land, it is ILLEGAL and has to stop". The Board then assessed my valuation at **\$4500 per lot**. **In 2019**, County Assessor **Frank Carver** reconfirmed - reduced my valuation to **\$5400 per lot**.

St. Louis County Assessor's office defines ESTIMATED MARKET VALUE - "This value is what the assessor estimates what your property would likely sell for on the open market".
If realtors will not list it for sale as a building site, and the County Regulations say it is NON-BUILDABLE, then how can I be taxed at building site prices?

In closing, please reduce my valuation to around \$5000 per lot. Thank you for your time.
Mike Bergh



City of Duluth

DEPARTMENT OF PUBLIC WORKS/UTILITIES
Engineering Division
211 City Hall • Duluth MN 55802
(218) 730-5200 Fax: (218) 730-5907

Parcel ID:

010-2010-00990

010-2010-01000

May 9, 2019

Mike Bergh
4227 Cooke St.
Duluth, MN 55804

Mike:

I am writing about the parcels you own in the area of Vermillion Rd and Elk St. (plat parcels 010-2010-01000 and 010-2010-00990).

Presently, there is no utility access to water or sewer. The closest city sewer is located approximately 3750' away on Woodland Ave., which would give an estimated cost of \$750,000.00 for an extension to serve the property. Likewise, watermain is 3500' away on Frederick St. An extension to serve the property would be estimated at \$700,000.00.

If you have any questions regarding this matter, or need additional information, please give me a call.

Sincerely,

Bill Bergstrom
Senior Engineering Specialist
218-730-5078
bbergstrom@duluthmn.gov



City of Duluth
Planning Division

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Parcel ID:
010-2010-00990
010-2010-01000

May 10, 2019

Mike Bergh
Sent Via Email: mikebergh71@hotmail.com

RE: Parcels on Vermillion Road, 010-2010-00990 and 010-2010-01000.

This letter is in regards to two tax parcels you own on Vermillion Road. The parcels have a Future Land Use Designation of Rural Residential, and Zoning Designation of R-1 (Residential Traditional). The minimum lot size in R-1 is 4,000 square feet, and the minimum lot frontage is 40 feet.

There is a 3-inch natural gas line that is in the Vermillion Road right of way, but this immediate area is not serviced by any public water or public sewer infrastructure. There is a section of our zoning code that has special standards for lots without municipal sewer:

50-21.2 Special dimensional standards.

A. Lot without municipal sewer.

Lot areas for properties not provided with municipal sewer shall be at least two acres in size or the minimum lot area for the zone district, whichever is larger, and shall be subject to county ordinances and standards regulating individual sewage treatment systems. Lots with large wetlands or shallow bedrock may be required to be larger than two acres, and shall be determined on a case-by-case basis based on the area needed to fit a sewage treatment system on the site. Lots smaller than two acres may be allowed in areas zoned R-P based on soil and site conditions



The two parcels meet the minimum standards in the R-1 zone district, but we would not permit a new building permit for a new home unless an individual sewage treatment system was reviewed and approved by St. Louis County Environmental Services. I have not personally been to this site, but I am aware that in adjacent parcels at 3730 Martin Road (Old Apostolic Lutheran Church), wetlands and shallow bedrock are present. If also present on your site, these may cause additional challenges that will need to be resolved first prior to any development of these parcels.

Please let me know if you have any questions, you may call me at 218 730 5295.

Sincerely,


Steven Robertson, Senior Planner

Attachments: Map