



Planning & Development Division
Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802

218-730-5580

planning@duluthmn.gov

File Number	PLSUB-2502-0003		Contact	Natalie Lavenstein, nlavenstein@duluthmn.gov	
Type	Minor Subdivision		Planning Commission Date	March 11, 2025	
Deadline for Action	Application Date		February 2, 2025	60 Days	April 3, 2025
	Date Extension Letter Mailed		February 14, 2025	120 Days	June 2, 2025
Location of Subject		2125 Abbotsford Ave			
Applicant	Christopher Davies		Contact		
Agent			Contact		
Legal Description		010-1850-01420			
Site Visit Date		February 27, 2025	Sign Notice Date		N/A
Neighbor Letter Date		N/A	Number of Letters Sent		N/A

Proposal

Applicant is requesting a Minor Subdivision to divide a parcel into 2 parcels.

Recommended Action: Staff recommends approval.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-1	Residential	Traditional Neighborhood
North	R-1	Residential	Traditional Neighborhood, Open Space
South	R-1	Residential	Traditional Neighborhood
East	R-1	Residential	Traditional Neighborhood
West	R-1	Residential	Traditional Neighborhood

Summary of Code Requirements

50-33.1 General: All subdivision plats and replats, and all registered land surveys, shall create lots, streets and walkways and open spaces consistent with the requirements of the zone district within which the land is located.

50-37.5, D 1: The planning commission shall approve the application if it determines that: (a) The lot or lots to be subdivided or combined have frontage on an improved public street; (b) Each proposed lot meets the minimum zoning requirements of the district that it is in; (c) If an existing structure on a lot complies with the requirements of this Chapter, then after the minor subdivision structures on each of the resulting lots will still comply with the requirements of this Chapter; and (d) If one or more of the existing lots, or a structure on one or more of those lots, does not comply with the requirements of this Chapter, the proposed relocation will not create any new nonconformity or increase any existing nonconformity between the requirements of this Chapter.

Comprehensive Plan Governing Principle and/or Policies and Current History (if applicable):

Principle #5. Promote Reinvestment in neighborhoods. Support neighborhood scale commercial areas, neighborhood parks with links to larger parks and trails systems, a variety of housing, and a street pattern that contributes to the neighborhood identity.

Principle #8 Encourage mix of activities, uses, and densities. Accommodating choice while protecting investment is a balance to strike in land use regulation. Mixed uses provide opportunities for a diversity of activities that segregated, uniform uses do not provide.

Future Land Uses: Traditional Neighborhood and Open Space - The T-N district is characterized by grid or connected street pattern, houses oriented with shorter dimensions to the street and detached garages, some with alleys. Limited commercial, schools, churches, and home businesses. Parks and open space areas are scattered through or adjacent to the neighborhood. Includes many of Duluth 's older neighborhoods, infill projects, neighborhood extensions, and new traditional neighborhood areas. The O-S district is characterized by high natural resources or scenic value, with substantial restrictions and development limitations.

History:

The subject property consists of three structures. Proposed parcel A contains one existing residential structure and one accessory structure. The proposed parcel B contains one existing residential structure. Both residential structures were built in 1914. The underlying plat is "Glen Avon 3rd Division of Duluth." The property had various uses including a dormitory, group home, and renewal center.

Review and Discussion Items

Staff finds that:

1. Proposed Parcel A contains one residential structure and one accessory structure. Proposed Parcel B contains one residential structure.
2. Proposed Parcel A has frontage along Harvard Avenue. Proposed Parcel B has frontage along Abbotsford Avenue and West Lewis Street. Both parcels meet the frontage requirements for the R-1 district.
3. The proposed subdivision, if approved, would not make the parcels non-conforming due to lot frontage, lot area, or similar bulk standard.
4. The proposed subdivision, if approved, would create a nonconforming building due to the accessory structure in the front yard of proposed Parcel A. This structure will need to be removed to avoid creating a greater nonconformity.
5. Proposed Parcel A does not have its own water or sewer utilities; sewer utilities will need to be provided per City Engineering guidelines.
6. Proposed Parcel B does have its own water and sewer utilities.
7. No public or agency comments were received. City comments were received regarding the lack of water and sewer utilities on proposed Parcel A.
8. The attached exhibit demonstrates compliance with Minnesota statutes 462.358 and 505 or 508, as applicable.
9. The application and attached exhibit demonstrate compliance with the City of Duluth's UDC minor subdivision standards. This report does not address St. Louis County requirements that may govern the applicant's subdivision plan and should not be construed as County approval. If applicable, the Applicant is separately responsible for complying with any additional St. Louis County standards and application review/approval processes. This subdivision approval lapses if deeds are not recorded with St. Louis County within 180 days and the Applicant must provide the City with proof of recording.

Staff Recommendation

Based on the above findings, staff recommends that Planning Commission approve the Minor Subdivision with the following conditions:

1. Prior to recording the deeds, applicant must provide evidence that the accessory structure located on proposed Parcel A was removed or relocated.
2. Prior to recording the deeds, proposed Parcel A and Proposed parcel B must have separate sewer utilities up to the main per the City Chief Utility Engineer.
3. Appropriate deeds to accomplish the land subdivision must be recorded with St. Louis County within 180 days. Prior to recording the deeds that result from these adjustments, the applicant must provide deeds for each parcel to the Planning Division to certify compliance with the local zoning code.
4. 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 approval; however, no such administrative approval shall constitute a variance from the provisions of Chapter 50.



PLSUB-2502-0003
 Minor Subdivision
 2125 Abbotsford Ave



The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing/data is a compilation of records, information and data located in various City, County and State offices and other sources affecting the area shown and is to be used for reference purposes only. The City of Duluth shall not be liable for errors contained within this data provided or for any damages in connection with the use of this information contained within.

LEGAL DESCRIPTION OF PARCEL A

Those parts of Lots 6, 7, and 8, Block 13, THIRD GLEN AVON DIVISION OF DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota described as follows:

Beginning at the Southwest corner of said Lot 8; thence on an assumed bearing of North 89 degrees 53 minutes 50 seconds East, along the South line of said Lot 8 for a distance of 105.00 feet; thence North 28 degrees 44 minutes 16 seconds East 165.54 feet to a line parallel with and distant 5.00 feet South of the North line of said Lot 6; thence South 89 degrees 53 minutes 20 seconds West, along said parallel line 185.00 feet to the West line of said Lot 6; thence South 00 degrees 09 minutes 37 seconds East, along the West lines of said Lots 6, 7 and 8 for a distance of 145.00 feet to the point of beginning. Said parcel contains 21,025 square feet or 0.48 acres.

LEGAL DESCRIPTION OF PARCEL B

Lots 9 through 21, Block 13, THIRD GLEN AVON DIVISION OF DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota.

AND

Those parts of Lots 6, 7, and 8, Block 13, THIRD GLEN AVON DIVISION OF DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota lying Southeasterly of the following described line:

Commencing at the Southwest corner of said Lot 8; thence on an assumed bearing of North 89 degrees 53 minutes 50 seconds East, along the South line of said Lot 8 for a distance of 105.00 feet to the point of beginning of said line; thence North 28 degrees 44 minutes 16 seconds East 165.54 feet to a line parallel with and distant 5.00 feet South of the North line of said Lot 6 and said line there terminating.

Said parcel contains 126,050 square feet or 2.89 acres.

PARENT LEGAL PER CERTIFICATE OF TITLE NO. 171694

Lot 6, EXCEPT the Northerly 5 feet thereof, Block 13, THIRD GLEN AVON DIVISION OF DULUTH
 Lot 7 Block 13 THIRD GLEN AVON DIVISION OF DULUTH
 Lot 8 Block 13 THIRD GLEN AVON DIVISION OF DULUTH
 Lot 9 Block 13 THIRD GLEN AVON DIVISION OF DULUTH
 Lot 10 Block 13 THIRD GLEN AVON DIVISION OF DULUTH
 Lot 11 Block 13 THIRD GLEN AVON DIVISION OF DULUTH
 Lot 12 Block 13 THIRD GLEN AVON DIVISION OF DULUTH
 Lot 13 Block 13 THIRD GLEN AVON DIVISION OF DULUTH
 Lot 14 Block 13 THIRD GLEN AVON DIVISION OF DULUTH
 Lot 15 Block 13 THIRD GLEN AVON DIVISION OF DULUTH
 Lot 16 Block 13 THIRD GLEN AVON DIVISION OF DULUTH
 Lot 17 Block 13 THIRD GLEN AVON DIVISION OF DULUTH
 Lot 18 Block 13 THIRD GLEN AVON DIVISION OF DULUTH
 Lot 19 Block 13 THIRD GLEN AVON DIVISION OF DULUTH
 Lot 20 Block 13 THIRD GLEN AVON DIVISION OF DULUTH
 Lot 21 Block 13 THIRD GLEN AVON DIVISION OF DULUTH
 Lot 22 Block 13 THIRD GLEN AVON DIVISION OF DULUTH
 Lot 23 Block 13 THIRD GLEN AVON DIVISION OF DULUTH
 Lot 24 Block 13 THIRD GLEN AVON DIVISION OF DULUTH
 Lot 25 Block 13 THIRD GLEN AVON DIVISION OF DULUTH
 Lot 26 Block 13 THIRD GLEN AVON DIVISION OF DULUTH

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LEGAL DESCRIPTION OF PARCEL B

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AND

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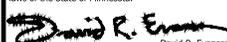
Said parcel contains 126,050 square feet or 2.89 acres.

LEGEND

	CONCRETE SURFACE	(M)-FIELD MEASURED DIMENSION (R)-RECORD DIMENSION		CONCRETE CURB & GUTTER		LIGHT POLE
	BITUMINOUS SURFACE		RETAINING WALL		#	REFER TO SURVEYOR'S NOTES
	EXISTING BUILDINGS		OVERHEAD UTILITIES		⊗	FOUND IRON PIPE
			PLAT DIVISION LINE		⊗	FOUND T-STAKE MONUMENT
			CENTER LINE		⊗	FOUND IRON ROD
			RIGHT OF WAY LINE		⊙	SET MAG NAIL
			EXISTING EASEMENT LINE		⊙	SET CAPPED REBAR RLS. NO. 49505
			SURVEY LINE		⊙	UTILITY POLE
			BOUNDARY LINE AS SURVEYED		⊙	POB-POINT OF BEGINNING
			EXISTING PLAT LINE		⊙	POT-POINT OF TERMINATION
			PROPOSED PARCEL LINE		⊙	POC-POINT OF COMMENCEMENT

SURVEYOR'S NOTES

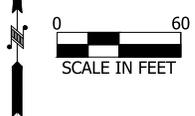
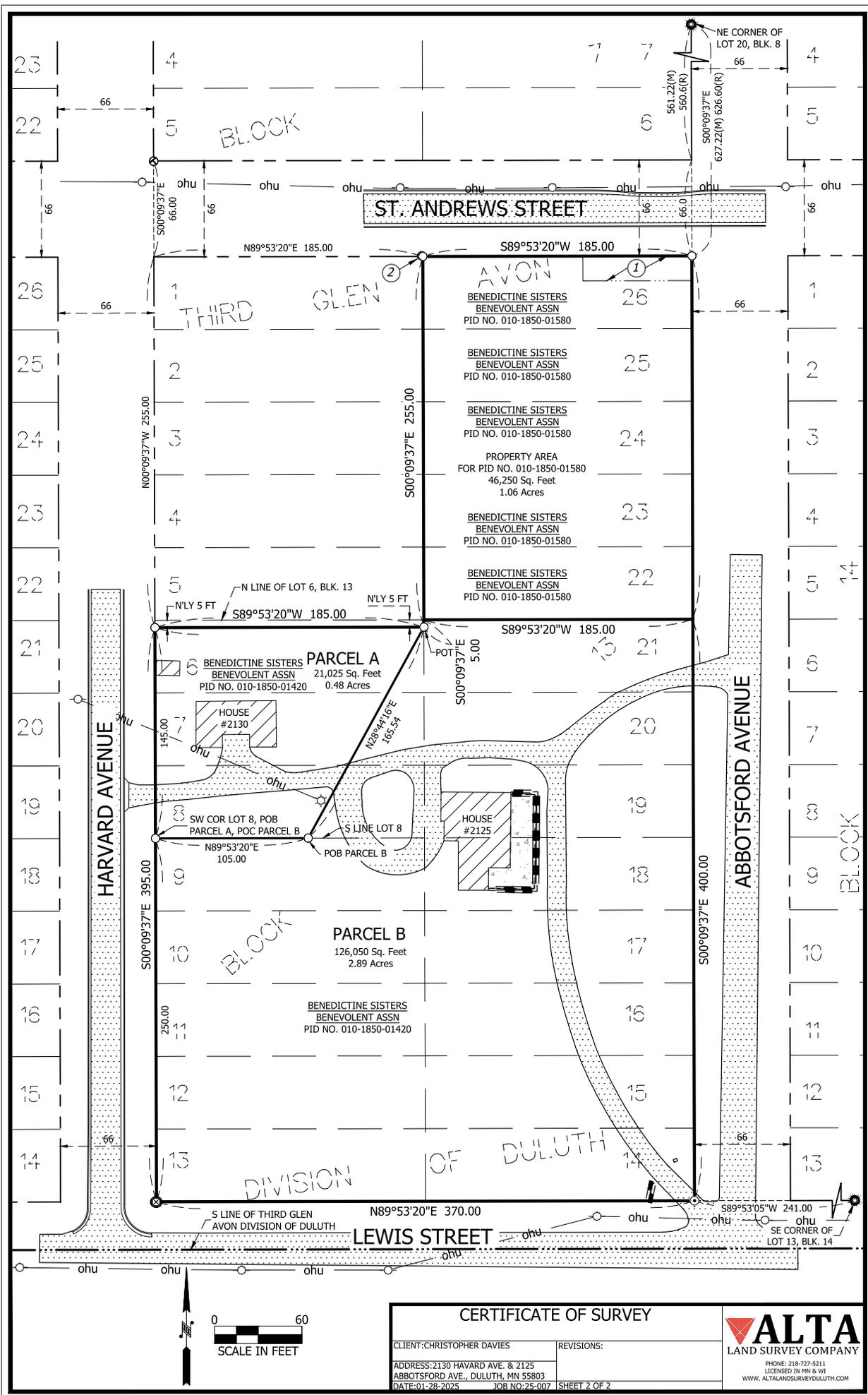
- 17 FOOT WIDE UTILITY EASEMENT PER DOCUMENT NO. 701016.
- FOUND T STAKE MONUMENT NEAR THE NORTHWEST CORNER OF LOT 26, BLOCK 13. THIS CORNER LIES 0.8 FEET WESTERLY OF THE COMPUTED NORTHWEST CORNER OF LOT 26, BLOCK 13 AND DOES NOT FIT WITH OTHER FOUND MONUMENTATION IN THE AREA. A NEW CORNER WAS SET AT THE COMPUTED POSITION FOR THE NORTHWEST CORNER OF LOT 26, BLOCK 13.
- THIS SURVEY HAS BEEN PREPARED WITHOUT BENEFIT OF A TITLE COMMITMENT OR TITLE OPINION. A TITLE SEARCH FOR RECORDED OR UNRECORDED EASEMENTS WHICH MAY BENEFIT OR ENCUMBER THIS PROPERTY HAS NOT BEEN COMPLETED BY ALTA LAND SURVEY COMPANY. THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR SHOWING THE LOCATION OF RECORDED OR UNRECORDED EASEMENTS OR OTHER ENCUMBRANCES NOT PROVIDED TO THE SURVEYOR AS OF THE DATE OF THE SURVEY.
- BEARINGS ARE BASED ON THE ST. LOUIS COUNTY TRANSVERSE MERCATOR COORDINATE SYSTEM OF 1996. (NAD 83 2011)
- DUE TO SNOW AND ICE COVERAGE, SOME FEATURES MAY NOT HAVE BEEN VISIBLE DURING THE COURSE OF THIS SURVEY.

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

 David R. Evanson
 DATE: 01-28-2025
 MN License #49505

CERTIFICATE OF SURVEY

CLIENT: CHRISTOPHER DAVIES
 ADDRESS: 2130 HAVARD AVE & 2125 ABBOTSFORD AVE, DULUTH, MN 55803
 DATE: 01-28-2025
 REVISIONS:
 JOB NO: 25-007
 SHEET 1 OF 2

ALTA
 LAND SURVEY COMPANY
 PHONE: 218-727-5211
 LICENSED IN MN & WI
 WWW.ALTAANDSURVEYDULUTH.COM



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Outlook

RE: PLSUB-2502-0003_Minor Subdivision at 2125 Abbotsford Ave for Christopher Michael

From Howard Smith <hsmith@DuluthMN.gov>

Date Mon 3/3/2025 5:50 PM

To Peggy Billings <pbillings@DuluthMN.gov>; Natalie Lavenstein <nlavenstein@DuluthMN.gov>

Cc Bill Bergstrom <bbergstrom@DuluthMN.gov>

Natalie,

We talked about this a fair amount in our office and I want to be clear that I would like to see the City require upon the current owner splitting the property to separate the sewers all the way to the main. If there was a problem with this sewer the day after they closed on the carriage house I will not let them repair an old sewer which can not pass an air test. And any work on a shared sewer is prohibited, as it currently triggers the requirements for separation. With the age, I'm sure this is a clay tile sewer, which means someday it's going to have a problem and both owners are going to argue about it the ramifications of my "no repair" rules. If we enforce this now, it places that financial burden on the owner splitting the parcel which is where it should be to make the new lot complaint with current standards. Now is the time to solve this problem.

I'm not as adamant about the water because water spot repairs are allowed, costs are much less, and two homeowners can figure out how to split that up. Plus the City can always turn a valve and shut them off, can't do that with a sewer.

Howard Smith, P.E. | Chief Utility Engineer| MN licensed PE | **City of Duluth** | 411 West 1st Street, Duluth, MN 55802 | 218-730-5092 | hsmith@duluthmn.gov
