



**Planning & Development Division**  
Planning & Economic Development Department

Room 160  
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|                      |                              |  |                        |                |
|----------------------|------------------------------|--|------------------------|----------------|
| File Number          | PL 23-024                    | Contact  | John Kelley            |                |
| Type                 | Minor Subdivision            | Planning Commission Date   |                        | March 14, 2023 |
| Deadline for Action  | Application Date             | February 3, 2023   | 60 Days                | April 4, 2023  |
|                      | Date Extension Letter Mailed | February 16, 2023  | 120 Days               | June 3, 2023   |
| Location of Subject  |                              | PID #'s 010-0315-00060, 010-0315-00070, 010-0315-00080, & 010-0315-00085 |                        |                |
| Applicant            | Frank Messina                | Contact  |                        |                |
| Agent                |                              | Contact  |                        |                |
| Legal Description    |                              | See Attached   |                        |                |
| Site Visit Date      |                              | March 3, 2023  | 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 two undeveloped parcels and rearrange two parcels to increase the size of their lot and the adjacent lot to the north in the Kenwood neighborhood. All parcels will have frontage on Sockeye Drive.

**Recommended Action:** Approval with conditions.

|                | <b>Current Zoning</b> | <b>Existing Land Use</b> | <b>Future Land Use Map Designation</b> |
|----------------|-----------------------|--------------------------|--|
| <b>Subject</b> | R-1                   | Residential              | Traditional Neighborhood               |
| <b>North</b>   | R-1                   | Residential              | Traditional Neighborhood               |
| <b>South</b>   | R-1                   | Residential              | Traditional Neighborhood               |
| <b>East</b>    | R-1                   | Residential              | Traditional Neighborhood               |
| <b>West</b>    | R-1                   | Residential              | Traditional Neighborhood/Open Space    |

**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.

50-14.5.A. R-1 minimum lot area: 4,000 square feet; minimum lot frontage: 40 feet.

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

**Future Land Use: Traditional Neighborhood** - Characterized by grid or connected street pattern... Limited commercial, schools, churches, and home businesses... Includes many of Duluth's older neighborhoods, infill projects, neighborhood extensions, and new traditional neighborhood areas.

**History:** The site is made up of four parcels with two of the parcels being undeveloped land in the Kenwood neighborhood. The underlying plat is "Bristolwood" platted in 1996.

**Review and Discussion Items**

Staff finds that:

1. Applicant is requesting a Minor Subdivision to divide two parcels and rearrange two other parcels to increase the lot size of the applicants parcel and their neighbor's lot to the north. The two lots to be split are undeveloped lots between the applicant's lot and their neighbor.
2. The proposed minor subdivision parcels are currently undeveloped land owned by the applicant with the adjacent lots to the north and south having single family homes on them. The subdivision will create lots that meet the zoning requirements of the R-1 district.
3. The parcels have the required street frontage along Sockeye Drive. The proposed subdivision, if approved, would not make the parcels non-conforming due to lot frontage, lot area, or similar bulk standard.
4. No public, agency, or other City comments were received.
5. The attached exhibit demonstrates compliance with Minnesota statutes 462.358 and 505 or 508, as applicable.
6. Approval of this Minor Subdivision signifies that City of Duluth UDC standards are met. St. Louis County may have additional requirements. This subdivision approval lapses if deeds are not recorded with St. Louis County within 180 days. 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. Appropriate deeds be filed with St. Louis County within 180 days. Prior to recording the deed that results from this adjustment, the Planning Division will need to stamp the deed, indicating compliance with the local zoning code.
2. 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.





PL 23-024  
Minor Subdivision  
Site Map



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.





