



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

Room 160  
411 West First Street  
Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

File Number	PL 22-113	Contact	Chris Lee, cleee@duluthmn.gov	
Type	Minor Subdivision	Planning Commission Date		August 9, 2022
Deadline for Action	Application Date	June 30, 2022	60 Days	August 29, 2022
	Date Extension Letter Mailed	July 15, 2022	120 Days	October 28, 2022
Location of Subject		140 W Mankato Street		
Applicant	Alex Bruckelmyer	Contact		
Agent		Contact		
Legal Description		See Attached		
Site Visit Date		July 28, 2022	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 one parcel into 2 parcels in the Woodland neighborhood. The current parcel has a single family structure with detached accessory structure. Parcel A will be 9,500 square feet, Parcel B will be 6,100 square feet. Both parcels will retain frontage on improved streets.

**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

**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):**

Governing Principle #12 – Create efficiencies in delivery of public services. Existing utility and transportation infrastructure in this area supports additional development on these previously platted lots.

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 underlying plat is "Colmans Addition to Duluth." The parcels contain a 970 square foot residence, a 720 square foot garage, and a 240 square foot storage building.

**Review and Discussion Items**

Staff finds that:

1. Applicant is requesting a Minor Subdivision to divide one parcel into two parcels.
2. The proposed minor subdivision parcels are currently a single developed parcel. The proposed subdivision divides the parcel into two that meet the zoning requirements of the R-1 district.
3. The parcels have the required street frontage along Mankato Street with Parcel A having additional frontage on Elysian Avenue. The proposed subdivision, if approved, would not make the parcels non-conforming due to lot frontage, lot area, or similar bulk standard. The division will create a non-conforming accessory structure that will need to be removed prior to recording the title work.
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. The accessory structure will need to be removed or brought into compliance prior to Planning approving the deeds.
3. 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.

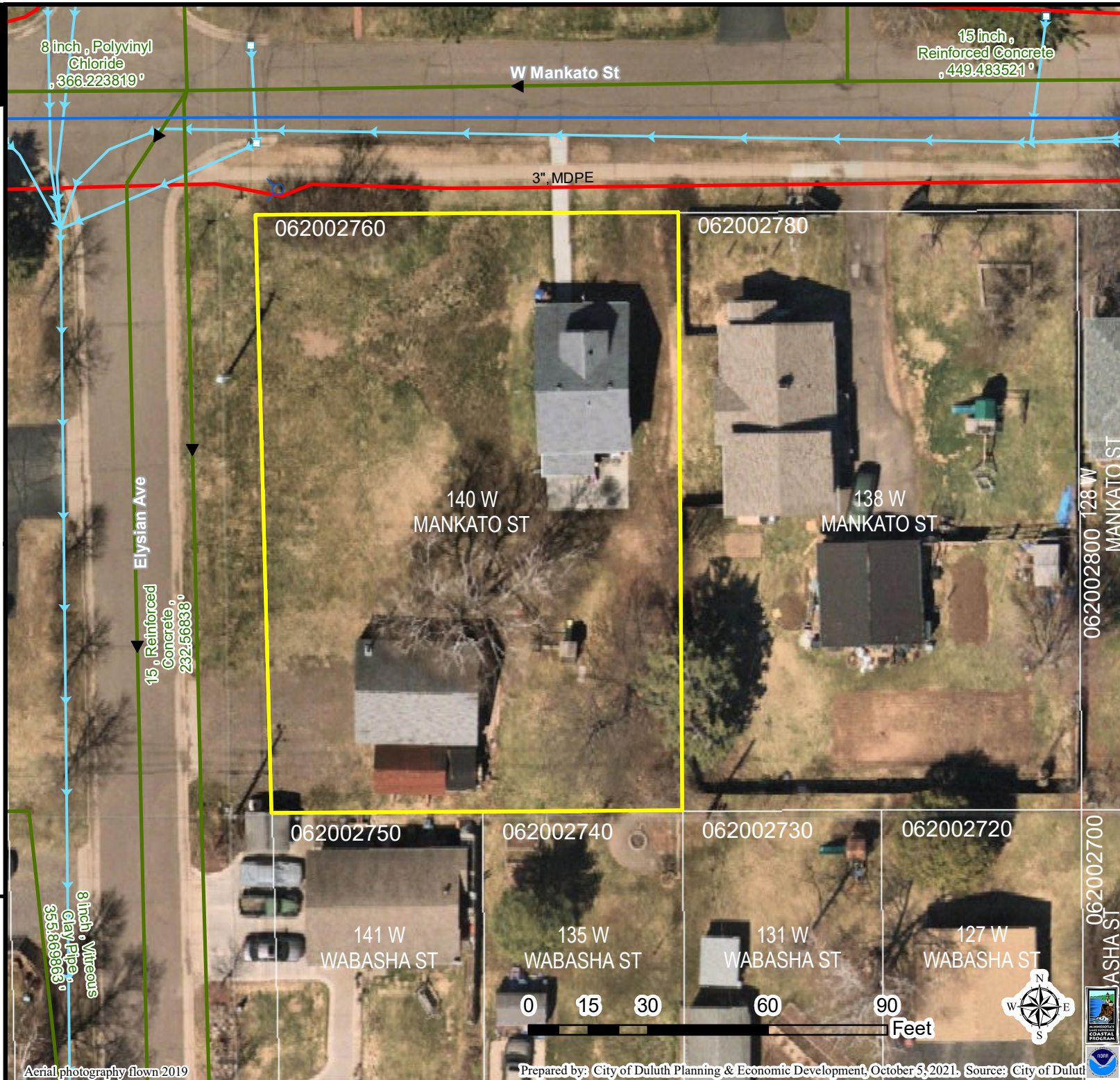


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140 W Mankato St

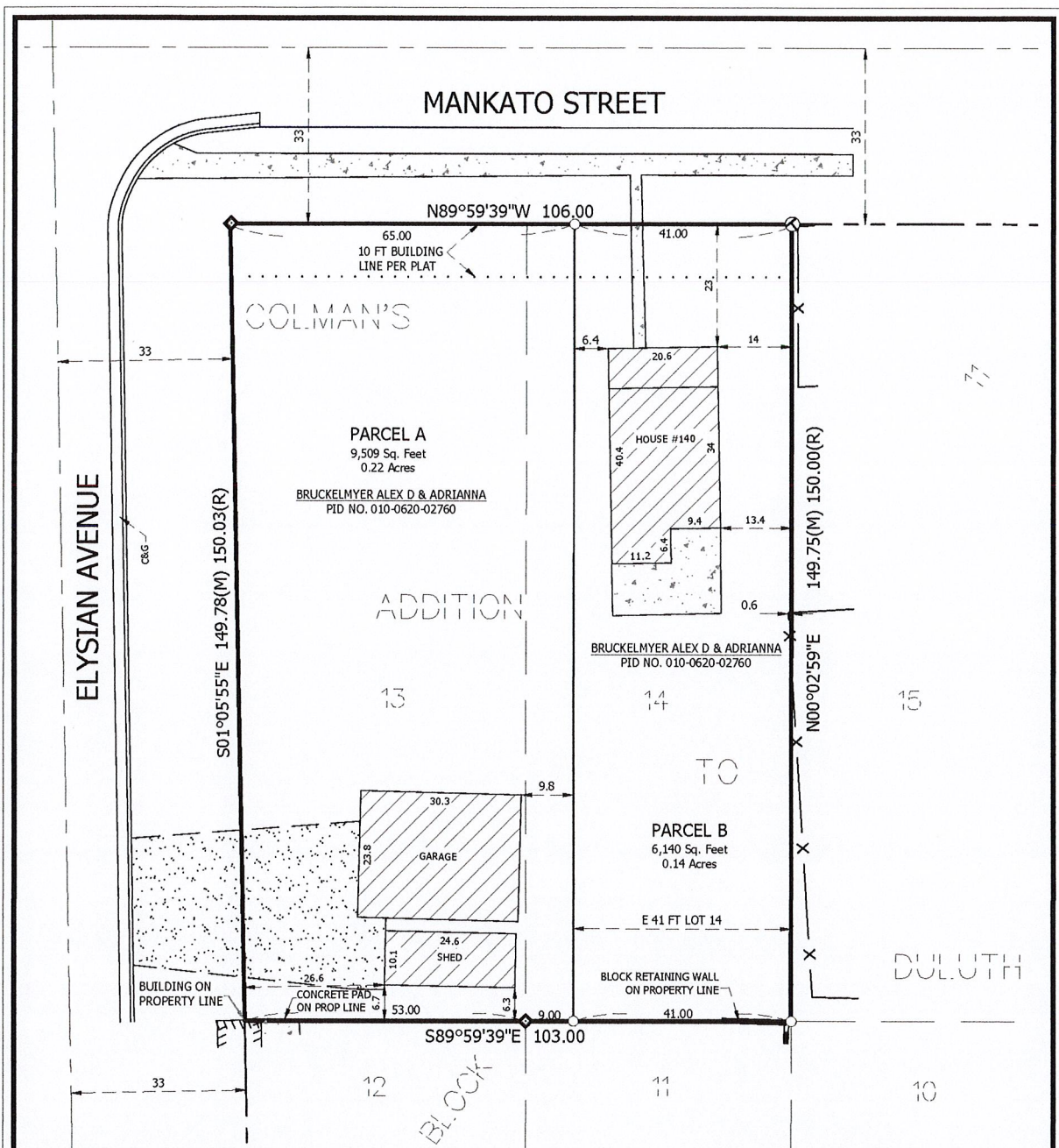
**Legend**

- Gas Main
- Water Main
- Hydrant
- Sanitary Sewer Mains**
- CITY OF DULUTH
- WLSSD; PRIVATE
- Sanitary Sewer Forced Main
- Storage Basin
- PS Pump Station
- Storm Sewer Mains**
- Storm Sewer Pipe
- Storm Sewer Catch Basin

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.







# PARENT LEGAL DESCRIPTION PER CERTIFICATE OF TITLE NO. 343775

Lot 13 Block 1 COLMAN'S ADDITION TO DULUTH  
 Lot 14 Block 1 COLMAN'S ADDITION TO DULUTH

## LEGAL DESCRIPTION OF PARCEL A

Lot 13, Block 11, COLMAN'S ADDITION TO DULUTH  
 AND  
 Lot 14, Block 11, COLMAN'S ADDITION TO DULUTH, EXCEPT the East 41.00 feet thereof.  
 Said Parcel A contains 9,509 square feet or 0.22 acres.

## LEGAL DESCRIPTION OF PARCEL B

The East 41.00 feet of Lot 14, Block 11, COLMAN'S ADDITION TO DULUTH.  
 Said Parcel B contains 6,140 square feet or 0.14 acres.

## LEGEND

	CONCRETE SURFACE	(M)-FIELD MEASURED DIMENSION
	GRAVEL SURFACE	(R)-RECORD DIMENSION
	EXISTING BUILDINGS	C&G-CONCRETE CURB & GUTTER
		RETAINING WALL
		EXISTING BUILDING LINE
		FENCE LINE
		BUILDING LINE PER PLAT
		CENTER LINE
		RIGHT OF WAY LINE
		BOUNDARY LINE AS SURVEYED
		EXISTING PLAT LINE
		PROPOSED PARCEL LINE
		FOUND T-STAKE MONUMENT
		FOUND CAPPED REBAR
		SET CAPPED REBAR RLS. NO. 49505

## SURVEYOR'S NOTES

- 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)
- BUILDING DIMENSIONS SHOWN ARE FOR HORIZONTAL & VERTICAL PLACEMENT OF STRUCTURE ONLY. SEE ARCHITECTURAL PLAN FOR BUILDING FOUNDATION DIMENSIONS.
- NO SPECIFIC SOILS INVESTIGATION HAS BEEN COMPLETED ON THIS LOT BY ALTA LAND SURVEY COMPANY. THE SUITABILITY OF SOILS TO SUPPORT THE SPECIFIC STRUCTURE PROPOSED IS NOT THE RESPONSIBILITY OF ALTA LAND SURVEY COMPANY OR THE SURVEYOR.

## CERTIFICATE OF 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. Evans**  
 David R. Evans  
 DATE: 06-28-2022 MN License #49505

CLIENT: ALEX BRUCKELMYER  
 ADDRESS: 140 WEST MANKATO STREET  
 DULUTH, MN 55803  
 DATE: 06-28-2022

REVISIONS:

JOB NO: 22-175 SHEET 1 OF 1

**ALTA**  
 LAND SURVEY COMPANY  
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