



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

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<b>File Number</b>	PLSUB-2407-0004		<b>Contact</b>	Chris Lee, clee@duluthmn.gov	
<b>Type</b>	Minor Subdivision		<b>Planning Commission Date</b>		September 10, 2024
<b>Deadline for Action</b>	<b>Application Date</b>		July 24, 2024	<b>60 Days</b>	September 21, 2024
	<b>Date Extension Letter Mailed</b>		August 19, 2024	<b>120 Days</b>	November 20, 2024
<b>Location of Subject</b>		4918 Peabody St.			
<b>Applicant</b>	Daniel Howe		<b>Contact</b>		
<b>Agent</b>			<b>Contact</b>		
<b>Legal Description</b>		See Attached			
<b>Site Visit Date</b>		August 26, 2024	<b>Sign Notice Date</b>		N/A
<b>Neighbor Letter Date</b>		N/A	<b>Number of Letters Sent</b>		N/A

**Proposal**

Applicant is requesting a Minor Subdivision to divide a parcel into 2 parcels in the Lakeside neighborhood.

**Recommended Action:** Staff recommends approval.

	<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):**

Principle #5- Promote Reinvestment in Neighborhoods.

**Future Land Use: Traditional Neighborhood** – Characterized by grid or connected street pattern, houses oriented with shorter dimension 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.

**History:** The proposed parcel B contains a single-family home and garage that was built in 1992. The proposed parcel A is vacant and appears to not have any development history. The parcel is located in the Lakeside neighborhood. The underlying plat is “London Addition to Duluth.”

**Review and Discussion Items**

Staff finds that:

1. Applicant is requesting a Minor Subdivision to divide one parcel into two parcels. The land is owned by the applicant. Parcel B contains a single-family home and a garage. Parcel A of the minor subdivision is undeveloped.
2. The subdivision will create lots that meet the zoning requirements of the R-1 district. Dimensional standards for each lot meet minimum frontage and lot area requirements.
3. Both parcels have the required street frontage along Peabody Street.
4. Both parcels have access to utilities in the Peabody Street right-of-way.
5. The existing single-family home on Parcel B is an allowed use in the R-1 district. The structure is conforming with current standards for the R-1 zone and will continue to be conforming after this subdivision. A private easement is proposed for access across parcel A to the garage on parcel B.
6. The proposed subdivision, if approved, would not make the parcels non-conforming due to lot frontage, lot area, or similar bulk standard.
7. No public, agency, or other City comments were received.
8. The attached exhibit demonstrates compliance with Minnesota statutes 462.358 and 505 or 508, as applicable.
9. 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. Applicant will provide proof of private easement across parcel A. After recording this easement, applicant shall provide proof of easement to the City.
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.





PLSUB-2407-0004  
Minor Subdivision  
4918 Peabody St

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Aerial photography flown 2019

Prepared by: City of Duluth Planning & Economic Development, October 23, 2023; Source: City of Duluth





