



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 22-154	Contact	John Kelley, jkelley@duluthmn.gov	
Type	Minor Subdivision	Planning Commission Date		October 11, 2022
Deadline for Action	Application Date	August 30, 2022	60 Days	October 29, 2022
	Date Extension Letter Mailed	September 19, 2022	120 Days	December 28, 2022
Location of Subject		Elk Street – PID 010-2010-00550		
Applicant	Devon & Ebony Nelson	Contact		
Agent		Contact		
Legal Description		See Attached		
Site Visit Date		September 30, 2002	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 lot into two lots. The current parcel is approximately 4 acres and the division will create two lots. Both Parcel A and Parcel B will be 2 acres.

Recommended Action: Approval with conditions.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-1	Residential	Rural Residential
North	R-1	Residential	Rural Residential
South	R-1	Residential	Rural Residential
East	R-1	Residential	Rural Residential
West	R-1	Residential	Rural Residential

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 #5 Promote reinvestment in neighborhoods. Duluth is strongly defined by its neighborhoods. This system should be supported through land use and transportation that foster neighborhood reinvestment. New development or redevelopment should maximize public investment that strengthens neighborhood commercial centers or diversifies residential opportunities that fit the neighborhood's character.

Future Land Use: Rural Residential - Areas of single-family lots of at least five acres. Limits the extension of municipal utilities for new development. Includes existing rural density areas with lots as small as an acre now served by municipal utilities but not planned for further subdivision.

History: The current parcel contains approximately 4 acres and has an existing single-family home. The underlying plat is "Greysolon Farms 1st Division." The existing tax parcel consists of three previously platted lots with frontage on the platted Elk Street.

Review and Discussion Items

1. Applicant is requesting a Minor Subdivision to divide a single lot into two lots. Both parcels will have frontage on Elk Street.
2. Parcel A has an existing 841 square foot single family dwelling that would still meet all required setbacks and other regulations after the proposed subdivision.
3. Both parcels are zoned R-1, which has a minimum lot size of 4,000 square feet. Both parcels have the required street frontage along Elk Street. The proposed subdivision, if approved, would not make the parcels non-conforming due to lot frontage, lot area, or similar bulk standard.
4. No other public, agency, or 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 22-154
Minor Subdivision

Legend

Lots
Parcels

ROW
<all other values>

SUBTYPE_ROW_STATUS
Utility, Active
Railroad, Active
Access, Active - currently in use
Access, Vacated - vacated via recorded document
Road, Active - currently in use
Utility, Vacated - vacated via recorded document
Road, Vacated - vacated via recorded document
Conservation, Vacated - vacated via recorded document
Conservation, Active - currently in use
Railroad, Inactive - Dedicated, but not built

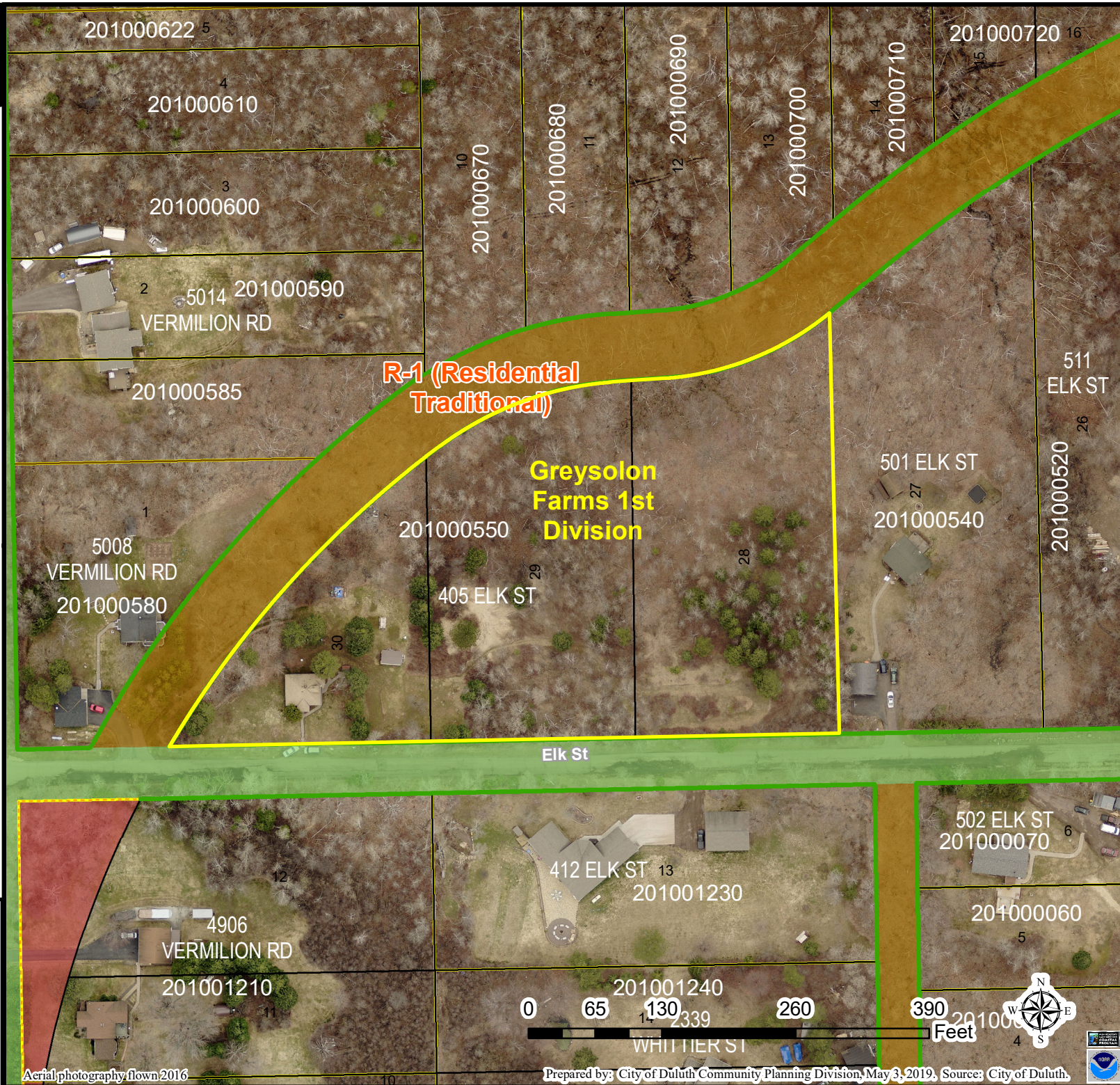
Subdivision Boundaries

Boundary Lines
<all other values>

Subtype_ROW_TYPE
Lot Line
Parcel Line
ROW (Road)
ROW (Not Road)
Subdivision Line
Water Line
Survey Line
Municipal Boundary

Zoning Boundaries

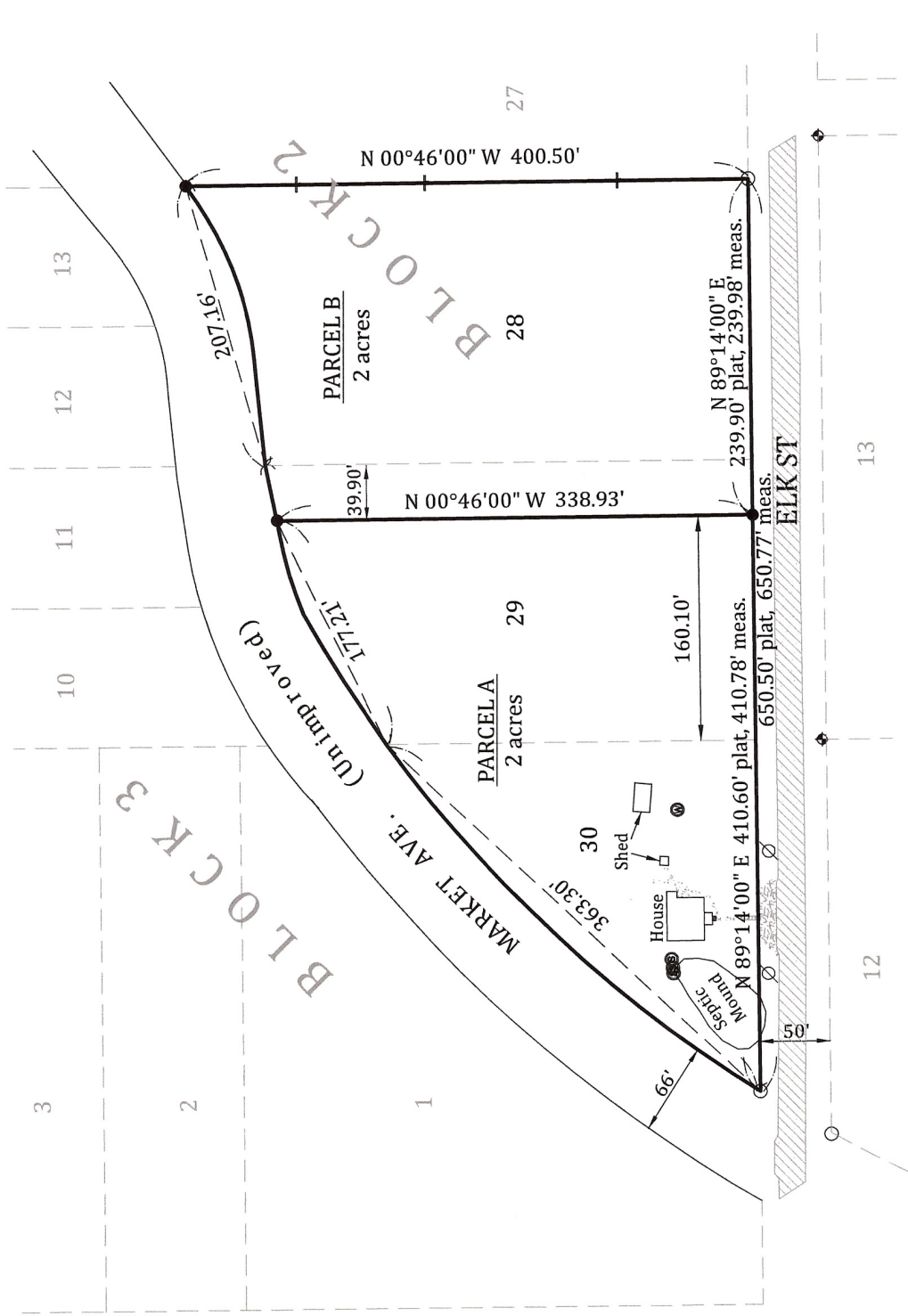
The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used 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.



CERTIFICATE OF SURVEY

PROPOSED SUBDIVISION OF
LOTS 28, 29, AND 30, BLOCK 2
GREYSOLON FARMS 1ST DIVISION OF DULUTH
CITY OF DULUTH, ST. LOUIS COUNTY, MINNESOTA
PARCEL I.D. NO.: 010-2010-00550

Bearings Referenced to
St. Louis County Transverse
Mercator 96 Coordinate System.



LEGEND

- SET 3/4 IN. DIA. REBAR WITH ALUM. CAP STAMPED "NELSON LS 49578
- ┐ SET 4 FT. WOOD LATH
- ⊕ FOUND REBAR WITH CAP #40077
- FOUND 2 IN. IRON PIPE
- ⊗ POWER POLE
- ⊙ WELL CAP
- ⊕ SEPTIC TANK COVER
- TREE LINE
- ▨ ASPHALT
- ▩ CONCRETE
- ▩ GRAVEL



1 IN. = 120 FT.



PARCEL "A" LEGAL DESCRIPTION
LOT 30 AND THE WEST 160.10 FEET OF LOT 29, BLOCK 2
GREYSOLON FARMS 1ST DIVISION OF DULUTH
CITY OF DULUTH, ST. LOUIS COUNTY, MINNESOTA

PARCEL "B" LEGAL DESCRIPTION
LOTS 28 AND THE EAST 39.90 FEET OF LOT 29, BLOCK 2
GREYSOLON FARMS 1ST DIVISION OF DULUTH
CITY OF DULUTH, ST. LOUIS COUNTY, MINNESOTA

Survey address: 405 Elk St
Duluth, MN

SurveyScience Land Surveying, LLC
Duluth, Minnesota
(218) 428-4327

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.

James T. Nelson
James T. Nelson
Date: Sept. 16th, 2022
License Number: 49578