



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 22-228	Contact	Chris Lee
Type	Minor Subdivision	Planning Commission Date	January 10, 2023
Deadline for Action	Application Date	December 12, 2022	60 Days February 12, 2023
	Date Extension Letter Mailed	December 16, 2022	120 Days April 12, 2023
Location of Subject	PID 010-0890-00540 adjacent to N Basswood Ave in Duluth Heights		
Applicant	Alvin Berg	Contact	
Agent		Contact	
Legal Description	See Attached		
Site Visit Date	December 22, 2022	Sign Notice Date	N/A
Neighbor Letter Date	N/A	Number of Letters Sent	N/A

Proposal

Requested is a Minor Subdivision to divide one parcel into 3 parcels. The current parcel is undeveloped land that was previously platted. Parcel A will be 9,375 square feet, Parcel B will be 9,375 square feet, and Parcel 3 will be 43,470. Parcel A and B will have frontage on N Basswood Ave with 75 feet of improved frontage, meeting the requirements of the R-1 district. Parcel C will frontage on Swan Lake Road and N Basswood Ave.

Recommended Action: Approval with conditions.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-1	Undeveloped	Traditional Neighborhood
North	R-1	Undeveloped	Traditional Neighborhood
South	R-1	Residential	Traditional Neighborhood
East	P-1	Park	Open Space
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.

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.

Review and Discussion Items

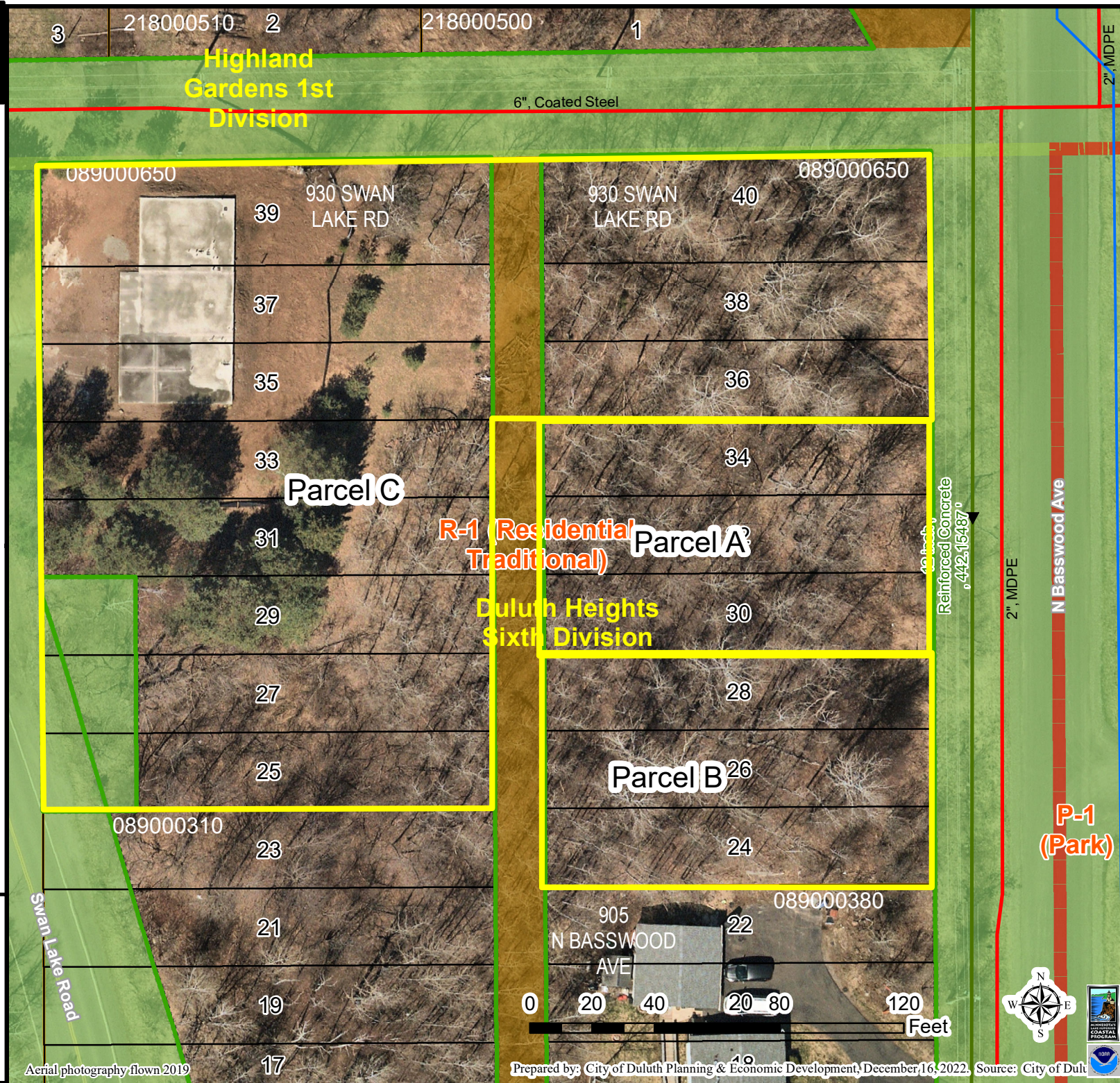
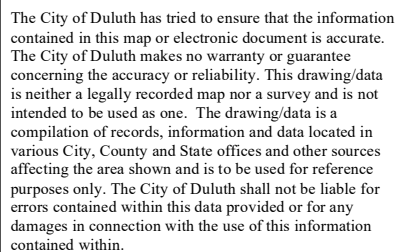
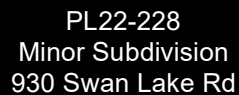
Staff finds that:

1. Applicant is requesting a Minor Subdivision to divide one 59,648.74 square foot parcel into three parcels. Parcel A will be 9,375 square feet, Parcel B will be 9,375 square feet, and Parcel C will be 43,470. Parcel A and B will have frontage on N Basswood Ave with 75 feet of improved frontage, meeting the requirements of the R-1 district. Parcel C will have frontage on Swan Lake Road and N Basswood Ave. The proposed minor subdivision parcel is currently undeveloped land. The proposed subdivision creates two lots that meet the zoning requirements of the R-1 district.
2. The parcels have the required street frontage along North Basswood Avenue and Swan Lake Road. The proposed subdivision, if approved, would not make the parcels non-conforming due to lot frontage, lot area, or similar bulk standard.
3. No public, agency, or other City comments were received.
4. The attached exhibit demonstrates compliance with Minnesota statutes 462.358 and 505 or 508, as applicable.
5. 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.



DULUTH

HEIGHTS

39

40

37

38

35

36

40

33

34

31

32

29

30

27

28

25

26

23

24

21

22

19 SIXTH

20

DIVISION

ALLEY (NOT BUILT)

N00°04'20"E 150.00

1/4 Acre

BLOCK

PARCEL A
9,375 Sq. Feet
0.22 Acres

S89°55'40"E 125.00

ST OF MN C278 L35
PID NO. 010-0890-00540

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ST OF MN C278 L35
PID NO. 010-0890-00540

S89°55'40"E 125.00

S00°04'20"W 150.00

N BASSWOOD AVE

16

75.00

75.00

75.00

75.00

16

40