Planning & Economic Development Division
218-730-5580 | planning@duluthmn.gov
Room 160 | 411 West First Street | Duluth, Minnesota 55802
www.duluthmn.gov

Staff Report for PLVAC-2607-0005

Application Information:

Application Type: Vacation of Easement
Location of Subject: 4931 Wyoming St
Legal Description: LOTS 712 AND 713 INC PT OF VAC AVE ADJ LOT 712 OF BLOCK 57 OF THE CROSLEY PARK ADDITION TO DULUTH

Applicant: Laurie and Mathew Gilderman
Applicant Contact: n/a
Agent: n/a
Agent Contact: n/a

Staff Contact: Chris Lee, clee@duluthmn.gov

Deadline for Action:
Application Date: August 19, 2026
Date Extension Letter Mailed: August 24, 2026
60 Days: N/A
120 Days: N/A

Site Visit Date: August 25, 2026
Sign Notice Date: August 25, 2026

Neighbor Letter Date: August 24, 2026
Number of Letters Sent: 35

Proposal:

Applicant is requesting to vacate a utility easement adjacent to their property.

Recommended Action:

Staff recommends Planning Commission recommend approval.

Zoning and Land Use:

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

Summary of Code Requirements:

General: Vacation of public rights of way and/or easements require a Planning Commission public hearing with a Recommendation to City Council. City Council action is to approve or deny by resolution. Resolutions approving either a full or partial vacation require a 6/9's vote of the council.

UCD Sec. 50-37.6.C – The Planning Commission shall review the proposed vacation, and Council shall approve the proposed vacation, or approve it with modifications, if it determines that the street, highway, or easement proposed for vacation:

1. Is not and will not be needed for the safe and efficient circulation of automobiles, trucks, bicycles, or pedestrians or the efficient supply of utilities or public services in the city;
2. Where the street terminates at a waterfront or shoreline, the street is not and will not be needed to provide pedestrian or recreational access to the water;
3. Is not otherwise needed to promote the public health, safety, or welfare of the citizens of Duluth

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

Principle #5 – Promote reinvestment in neighborhoods – vacating this portion of the utility easement will allow the property owner to make improvements to their home.

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. Includes many of Duluth 's older neighborhoods, infill projects, neighborhood extensions, and new traditional neighborhood areas.

History: This utility and pedestrian easement was retained in the vacation of part of North 50th Ave East to protect the underground utilities. A portion of North 50th Ave E was vacated in 1975.

Review and Discussion Items:

Staff finds:

1. The applicant is requesting to vacate an 8-foot wide portion of a utility and pedestrian easement retained in vacated 50th Avenue East, as described in the attached exhibit. The vacation includes 140 lineal feet lying between Wyoming Street and Avondale Street Alley.
2. The City Engineering office has reviewed the proposed vacation and has indicated it does not expect to need the area for future pedestrian, utilities, or drainage purposes.
3. The proposed vacation will allow the property owner to consolidate all their property into a single parcel.
4. The portion of the retained easement proposed to be vacated is no longer needed for utility or pedestrian purposes and the City has determined it will not be needed by the City for the promotion of public health, safety, or welfare of the citizens of Duluth and is not needed for the efficient supply of utilities or public services in the City.
5. A Petition to Vacate Street, Alley, or Easement was requested by the applicant and an adjacent owner.
6. Vacating the easement will not impact or deny access to other property owners.
7. No city, public or agency comments were received.
8. Vacations of rights of way and easements lapse unless the vacation is recorded with the county recorder within 90 days after final approval. The vacation recording is facilitated by the City of Duluth.

Staff Recommendation:

Based on the above findings, Staff recommends that Planning Commission recommend approval of the vacation with the following conditions:

1. The vacation must be recorded within 90 days of final approval by City Council or such approval will lapse.
2. The vacation must be approved with a 6/9 vote from City Council.

Map for PLVAC-2607-0005:

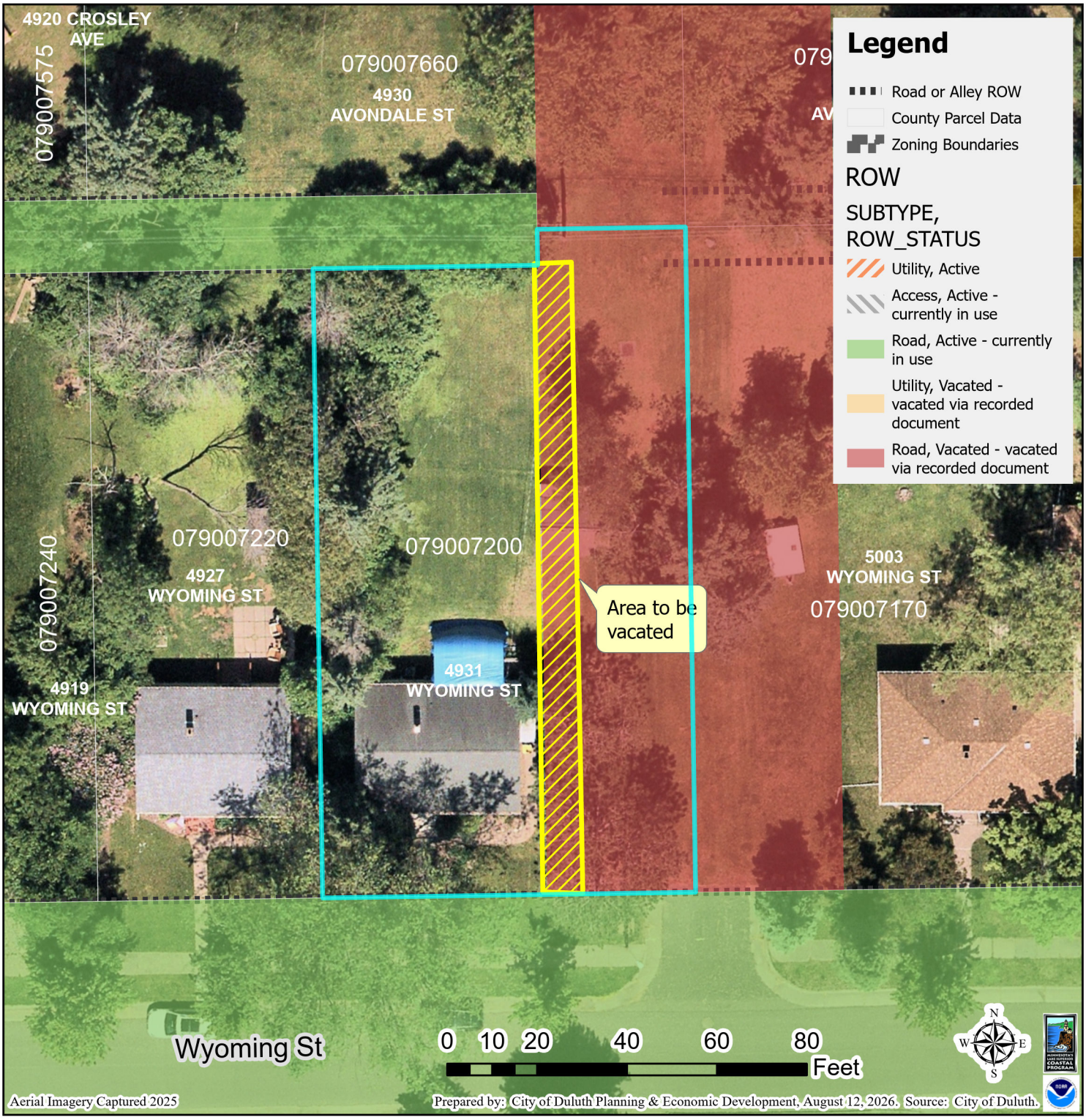
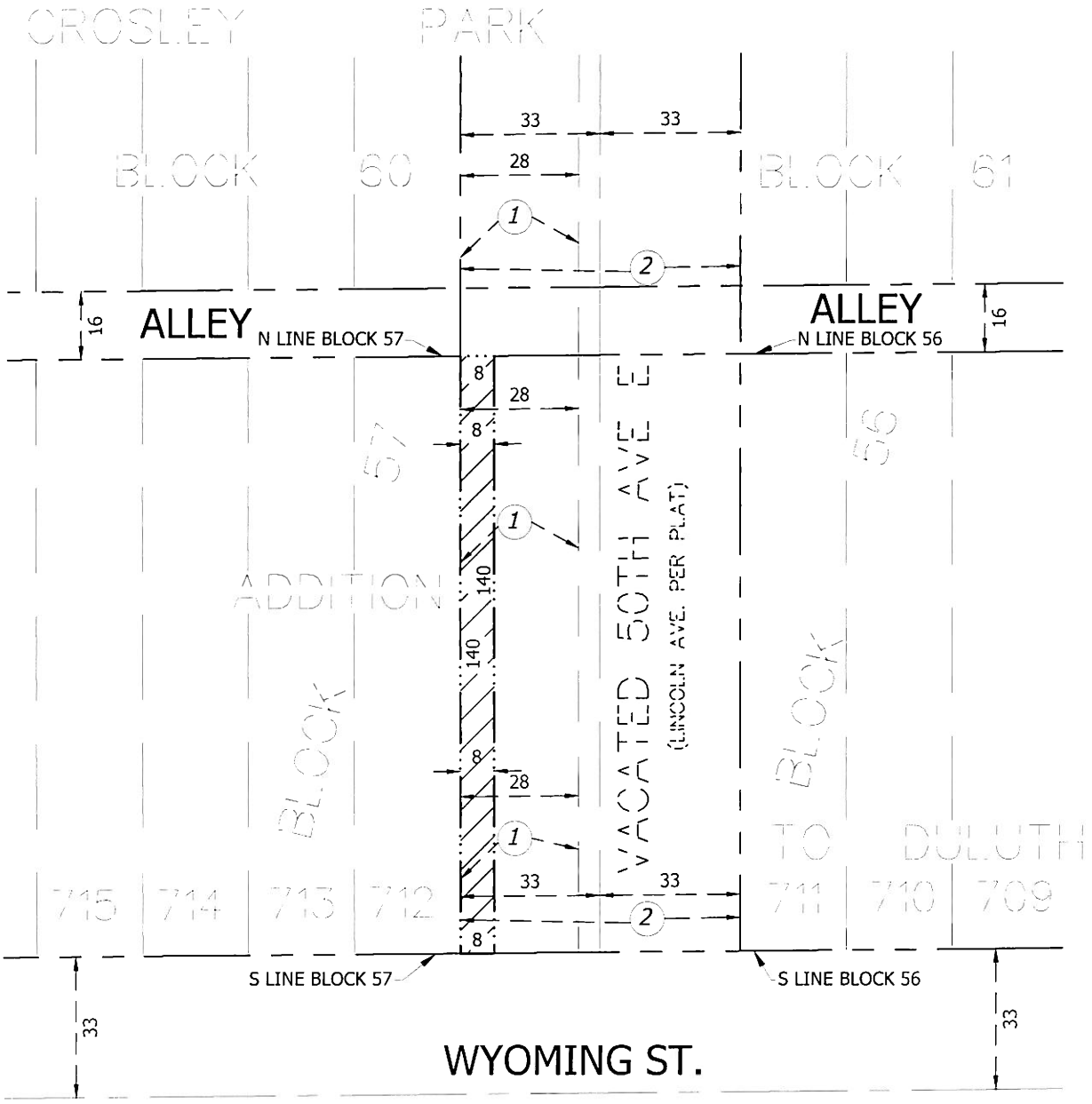


Figure 1.

Aerial imagery captured in 2025, showing Parcel #010-0790-07200.

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.



LEGEND

- CENTER LINE
- RIGHT OF WAY LINE
- EXISTING EASEMENT LINE
- EASEMENT VACATION LINE
- EXISTING PLAT LINE
- (#) REFER TO SURVEYOR'S NOTES
- EASEMENT VACATION AREA

0 40

SCALE IN FEET

VACATION EXHIBIT

CLIENT:MAT GILDERMAN	REVISIONS:
ADDRESS:4931 WYOMING STREET DULUTH, MN 55804	
DATE:07-30-2026 JOB NO:26-102	SHEET 2 OF 2

ALTA
LAND SURVEY COMPANY
PHONE: 218-727-5211
LICENSED IN MN & WI
WWW. ALTALANDSURVEYDULUTH.COM

LEGAL DESCRIPTION OF UTILITY AND PEDESTRIAN EASEMENT VACATION

The West 8 feet of the utility and pedestrian easement retained in vacated 50th Avenue East, platted as Lincoln Avenue, CROSLEY PARK ADDITION TO DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota, lying adjacent to and abutting Lot 712, Block 57, said CROSLEY PARK ADDITION TO DULUTH, said portion to be vacated lying South of the Easterly extension of the North line of said Block 57 across said 50th Avenue East and lying North of the Easterly extension of the South line of said Block 57 across said 50th Avenue East. Said vacation contains 1,120 square feet.

Approved by the City Engineer of the City of Duluth, MN this 19th day of AUG 2026

By _____

SURVEYOR'S NOTES

1. 28 FOOT UTILITY AND PEDESTRIAN EASEMENT PER DOCUMENT NO. 388224(T)/224756(A).
2. VACATED 50TH AVENUE EAST (LINCOLN AVE. PER PLAT) PER DOCUMENT NO. 388224(T)/224756(A).
3. THIS IS NOT A BOUNDARY 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. Evanson

David R. Evanson
MN License #49505

DATE:07-30-2026

VACATION EXHIBIT

CLIENT:MAT GILDERMAN

REVISIONS:

ADDRESS:4931 WYOMING STREET
DULUTH, MN 55804

DATE:07-30-2026 JOB NO:26-102 SHEET 1 OF 2

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