



## CITY OF DULUTH

Community Planning Division

411 W 1<sup>st</sup> St, Rm 208 \* Duluth, Minnesota 55802-1197

Phone: 218/730.5580 Fax: 218/723-3559

File Number	PL 19-003	Contact	Chris Lee, 720-5304	
Type	Minor Subdivision-RLS	Planning Commission Date		March 12, 2019
Deadline for Action	Application Date	January 15, 2019	60 Days	March 16, 2019
	Date Extension Letter Mailed	February 21, 2019	120 Days	May 15, 2019
Location of Subject	2906 W 15 <sup>th</sup> St			
Applicant	Gregg Anderson	Contact		
Agent		Contact		
Legal Description	See attached			
Site Visit Date	February 22, 2019	Sign Notice Date		February 26, 2019
Neighbor Letter Date	N/A	Number of Letters Sent		N/A

### Proposal

Applicant is requesting a Minor Subdivision to divide one platted lot into two lots. The current parcel is 57,342 square feet and the division will create a 15,658 square foot parcel (A) and a 41,713 square foot parcel (B).

	<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	Open Space	Open Space
<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 the application:

- (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.

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

Governing Principle #1 - Reuse previously developed lands. Directs investment to sites which have the potential to perform at a higher level than their current state.

Governing Principle #8 – Encourage a mix of activities, uses, and densities.

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 and neighborhood extensions, and new traditional neighborhood areas.

The current lot is 57,342 square feet and contains a 3,986 square foot single-family residence built in 1994. In 2010, RLS No. 93 was created for the property.

**Review and Discussion Items**

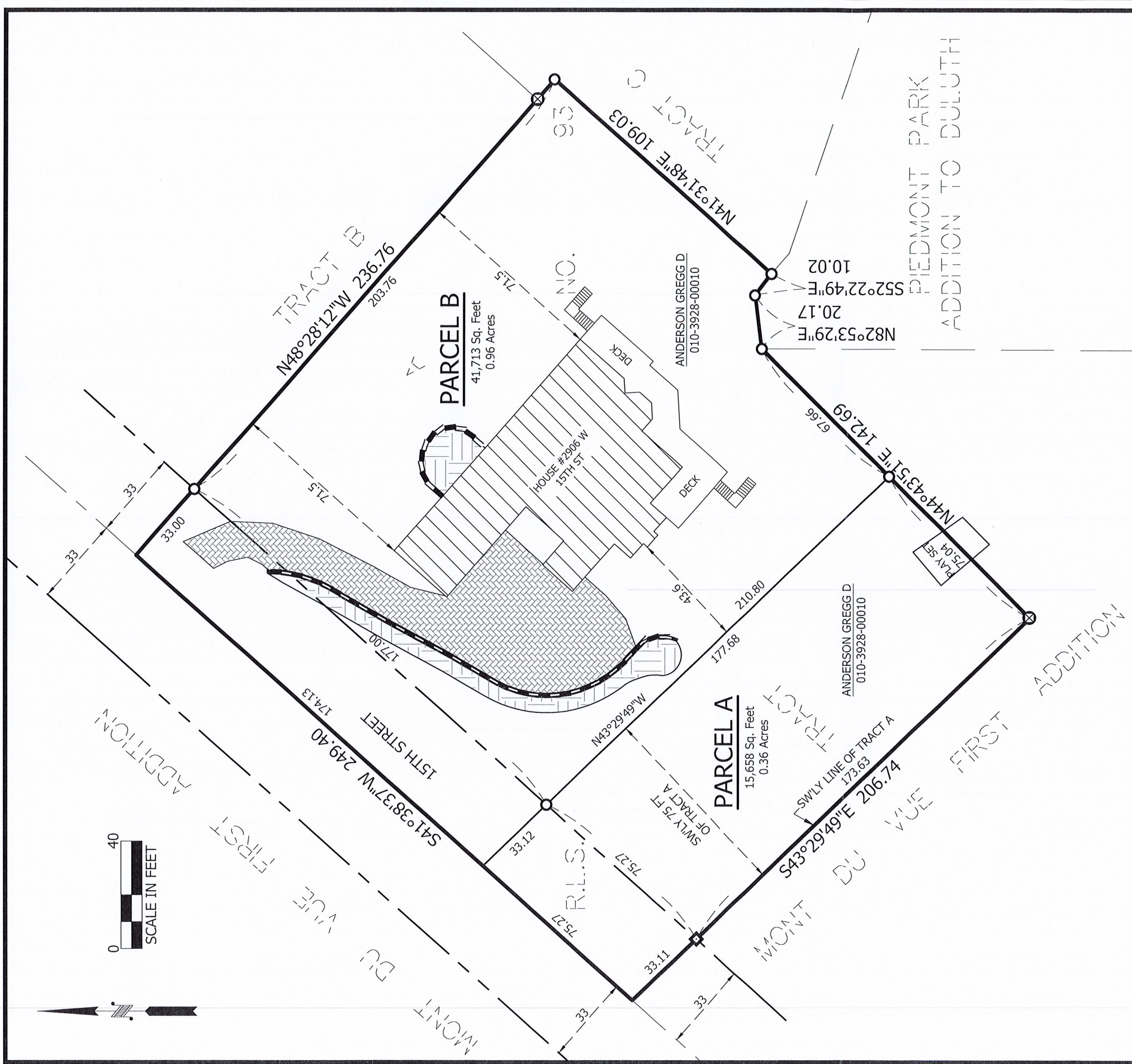
1. Applicant is requesting a Minor Subdivision to divide a single lot into two lots. One lot will contain the existing home and the other will remain building for a future home on the property. The proposed subdivision, if approved, would not make the parcels non-conforming due to lot frontage, lot area, or similar bulk standard.
2. One comment was received regarding a private covenant on the property, but has no bearing on staff recommendation for this minor subdivision. No additional public, agency, or City comments were received.
3. No existing platted right of way is being proposed to be vacated with this proposal.
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 subject to 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.





SURVEYORS NOTES

1. 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.
2. BEARINGS ARE BASED ON THE ST. LOUIS COUNTY TRANSVERSE MERCATOR COORDINATE SYSTEM OF 1996. (NAD 83 2011)
3. BUILDING DIMENSIONS SHOWN ARE FOR HORIZONTAL & VERTICAL PLACEMENT OF STRUCTURE ONLY. SEE ARCHITECTURAL PLAN FOR BUILDING FOUNDATION DIMENSIONS.

LEGEND

- |  |                    |  |                                   |
|--|--------------------|--|-----------------------------------|
|  | LANDSCAPED SURFACE |  | CENTER LINE                       |
|  | PAVER SURFACE      |  | RIGHT OF WAY LINE                 |
|  | EXISTING BUILDINGS |  | PROPOSED PARCEL LINE              |
|  |                    |  | BOUNDARY LINE AS SURVEYED         |
|  |                    |  | FOUND CAPPED REBAR RLS. NO. 15294 |
|  |                    |  | FOUND CAPPED REBAR RLS. NO. 14374 |
|  |                    |  | SET CAPPED REBAR RLS. NO. 49505   |

PARENT LEGAL DESCRIPTION PER CERTIFICATE OF TITLE 320876

Tract A, REGISTERED LAND SURVEY NO. 93, St. Louis County, Minnesota.

LEGAL DESCRIPTION FOR PARCEL A

The Southwesterly 75.00 feet of Tract A, REGISTERED LAND SURVEY NO. 93, according to the recorded survey thereof, St. Louis County, Minnesota, Except: the Southwesterly 75.00 feet thereof.

Said parcel contains 15,658 Sq. Feet or 0.36 Acres.

LEGAL DESCRIPTION FOR PARCEL B

Tract A, REGISTERED LAND SURVEY NO. 93, according to the recorded survey thereof, St. Louis County, Minnesota, Except: the Southwesterly 75.00 feet thereof.

Said parcel contains 41,713 Sq. Feet or 0.96 Acres.

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: January 7, 2019

MN Lic. No. 49505

CERTIFICATE OF SURVEY

REVISIONS: XXX

CLIENT: GREGG ANDERSON

DATE: 1-7-2019

ADDRESS: 2906 W 15TH ST  
DULUTH, MN 55806

JOB NUMBER: 18-360



LAND SURVEY COMPANY

PHONE: 218-727-5211  
\* LAND SURVEYING  
\* LAND DEVELOPMENT  
\* PLATTING  
\* LEGAL DESCRIPTIONS  
\* CONSTRUCTION STAKING

LICENSED IN MN & WI  
CERTIFIED FEDERAL SURVEYOR  
WWW.ALTAANDSURVEYDULUTH.COM



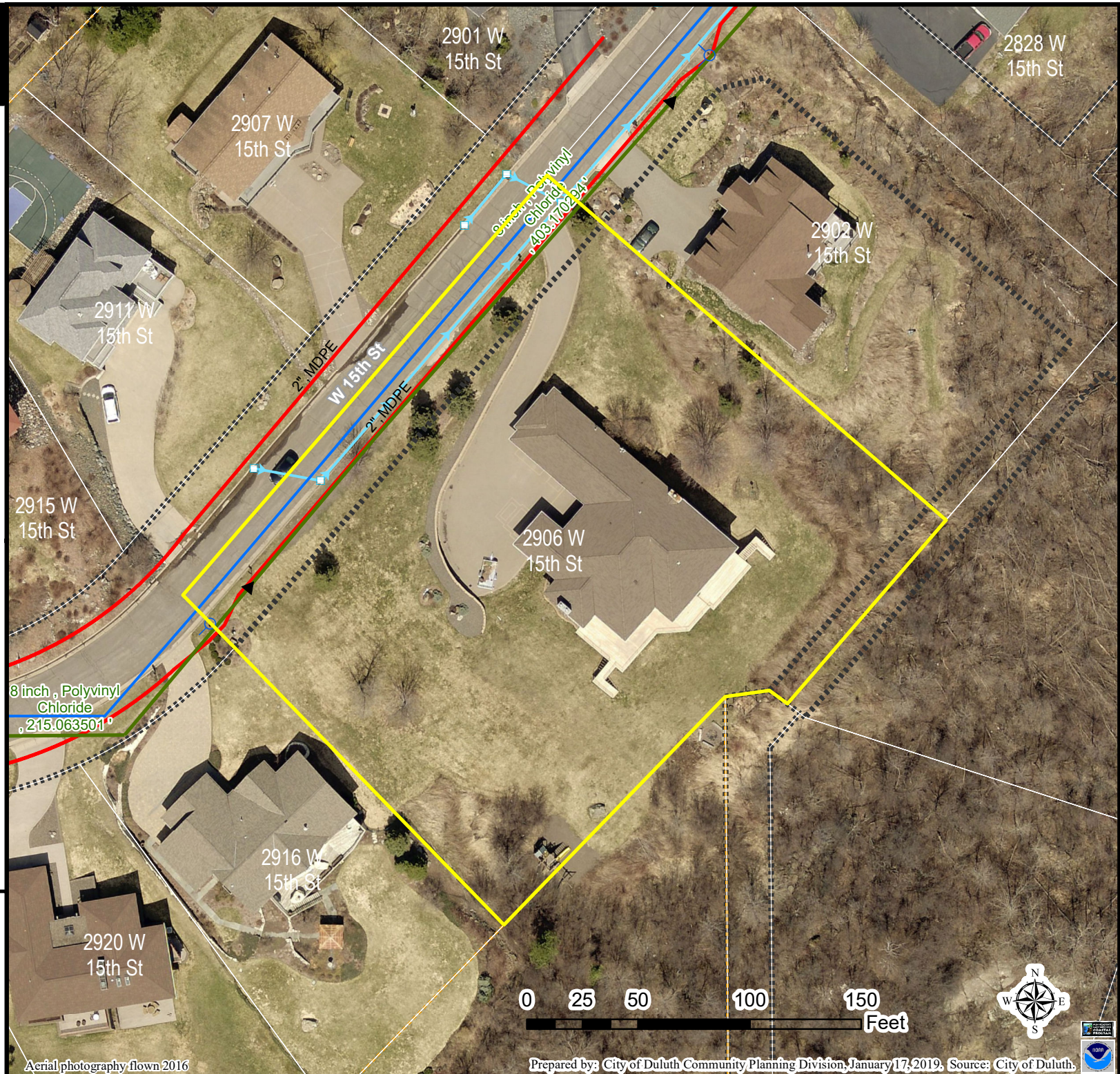


PL 19-003: Minor Sub.  
2906 W 15th St

**Legend**

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

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.







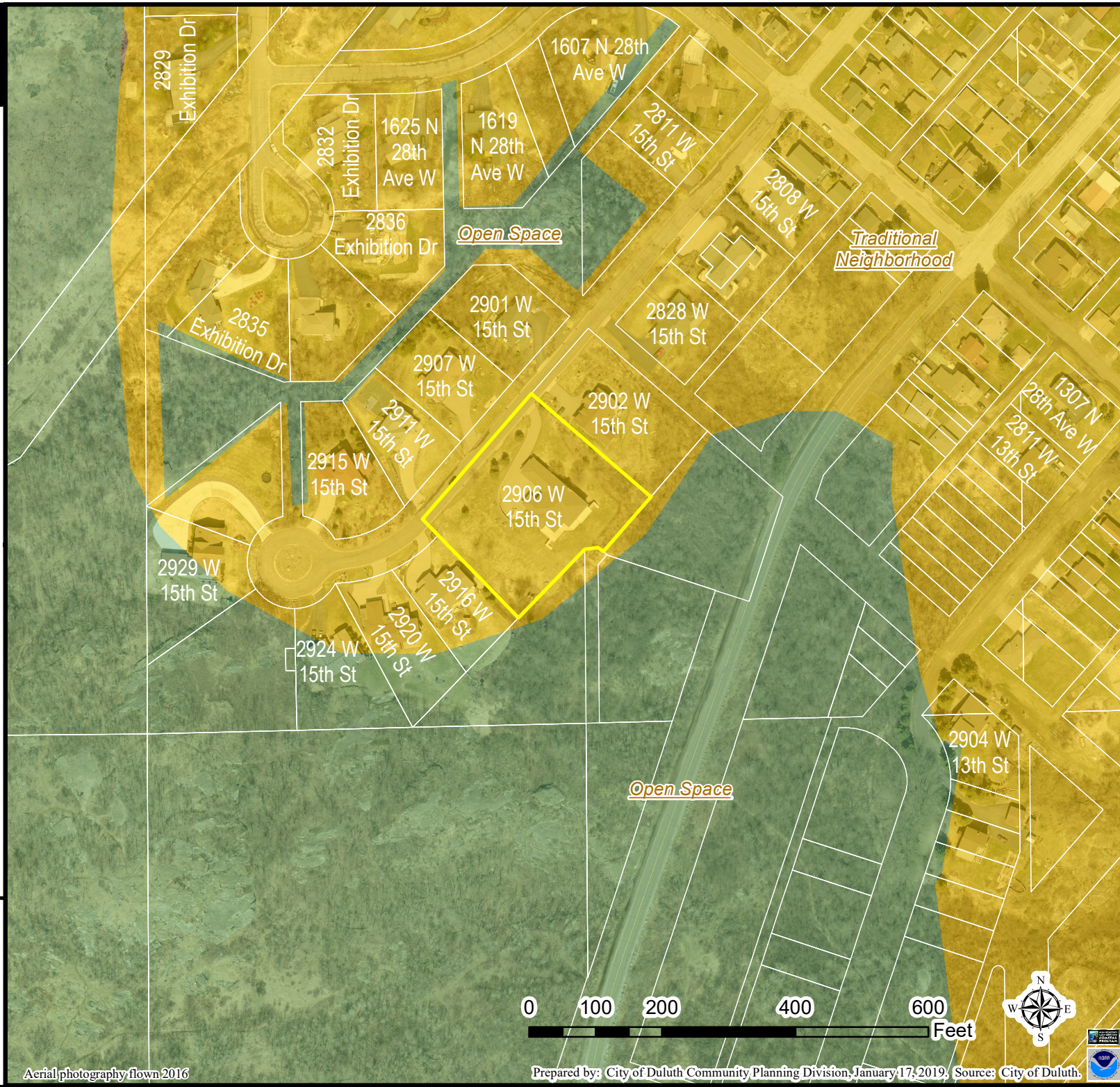
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### Legend

- Open Space
- Open Space/Outside Duluth
- Rural Residential
- Low-density Neighborhood
- Traditional Neighborhood
- Urban Residential
- Neighborhood Commercial
- Central Business Secondary
- Central Business Primary
- Large-scale commercial
- Tourism/Entertainment District
- Commercial Waterfront
- General Mixed Use
- Neighborhood Mixed Use
- Light Industrial
- General Industrial
- Industrial Waterfront
- Business Park
- Transportation and Utilities
- Transportation and Utilities/Outside Duluth
- Medical District
- Institutional

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Aerial photography flown 2016



0 100 200 400 600 Feet



Prepared by: City of Duluth Community Planning Division, January 17, 2019. Source: City of Duluth.



