



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 20-007	Contact	Theresa Bajda, 218-730-5303	
Type	Minor Subdivision – R1	Planning Commission Date		March 10, 2020
Deadline for Action	Application Date	January 22, 2020	60 Days	March 22, 2020
	Date Extension Letter Mailed	February 11, 2020	120 Days	May 21, 2020
Location of Subject		538 Rose Street		
Applicant	One Roof Community Housing	Contact		
Agent	Julie Petrusha – One Roof Housing	Contact		
Legal Description		Parcel ID Number 010-0100-00550		
Site Visit Date		February 13, 2020	Sign Notice Date	N/A
Neighbor Letter Date		N/A	Number of Letters Sent	N/A

Proposal: The applicant is requesting a Minor Subdivision to divide one platted lot into two lots. The current parcel is 41,434 square feet and the division will create two 20,717 square feet lots for future development of two single family homes.

Staff Recommendation: Staff is recommending that Planning Commission approve and adopt this Minor Subdivision.

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

Summary of Code Requirements:

UDC Section 50-37.5D. The Planning Commission shall review and approve the application if it is determined that:

1. The lot or lots to be subdivided or combined have frontage on an improved public street.
2. Each proposed lot meets the minimum zoning requirements of the district it is in.
3. 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
4. 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. The proposed subdivision directs investment to sites that have the potential to perform at a higher level than their current state.

Governing Principle #5 – Promote reinvestment in neighborhoods. The proposed minor subdivision will allow the applicant to develop two single family homes on a currently vacant parcel.

Future Land Use – Traditional Neighborhood: Characterized by grid or connected street pattern, houses orientated with shorter dimensions 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. Include many of Duluth's older neighborhoods, infill projects and neighborhood extensions, and new traditional neighborhood areas.

Recent History – The current lot is 41,434 square feet and does not contain an existing structure. On 6/27/18 the City of Duluth issued a BS Wrecking permit for demolition of a house foundation on this parcel. Demolition of the foundation was finalized 7/23/18.

Review and Discussion Items

Staff finds that:

- 1.) The applicant is requesting a Minor Subdivision to divide a single lot into two lots. The applicant intends to develop two single family homes on each divided lot. The proposed subdivision, if approved, would not make the parcels non-conforming due to lot frontage and lot area.
- 2.) No 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 lot frontage and lot area.
- 5.) Approval of this Minor Subdivision signifies that the City of Duluth UDC standards are met. St. Louis County may have additional requirements. This subdivision approval lapses if a legal survey and description 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:

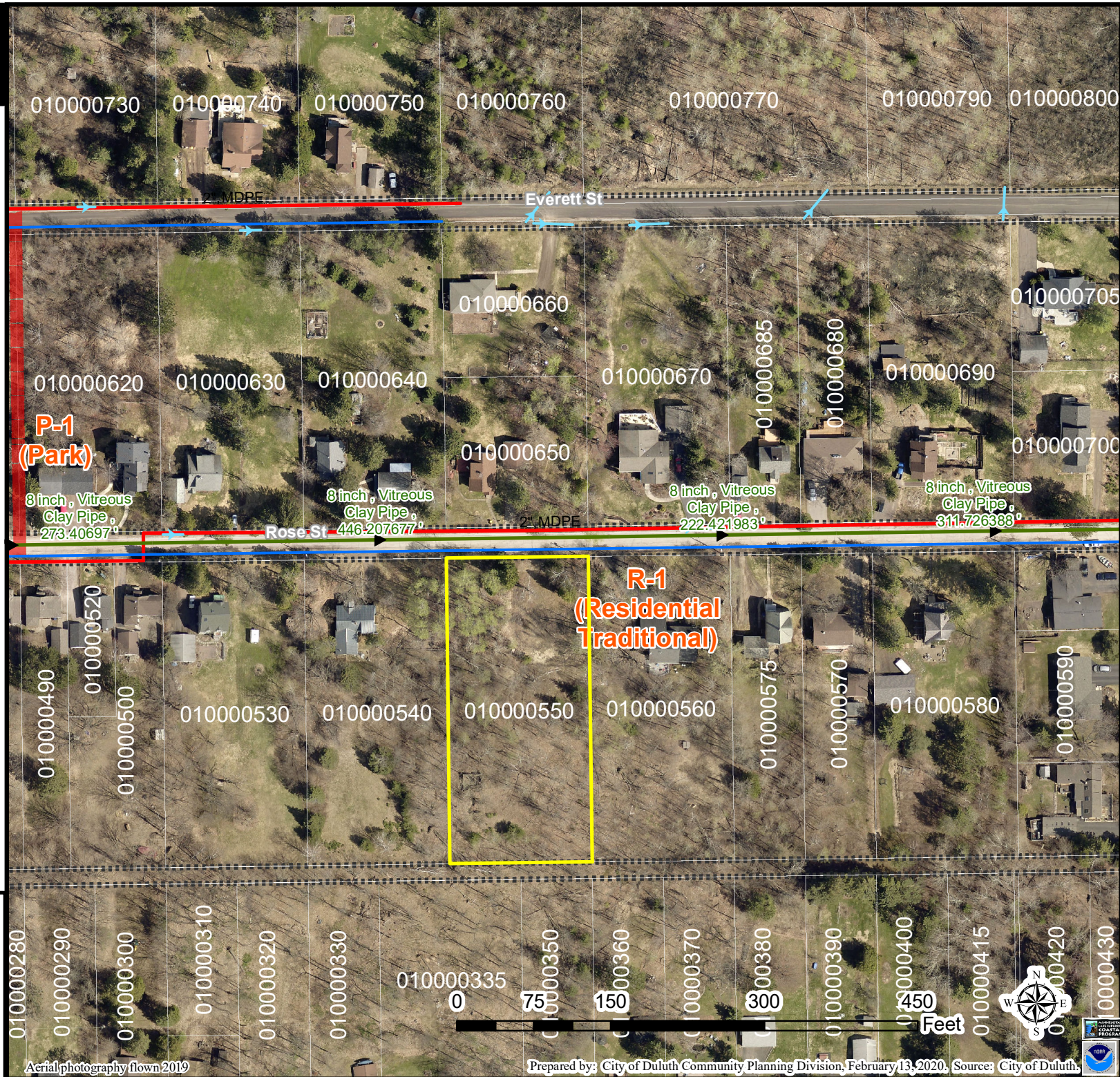
- 1.) Appropriate legal description and survey reflecting the relocated boundaries be obtained and filed with St. Louis County within 180 days. Prior to recording said survey resulting from this adjustment, the Planning Division will need to approve via signature, indicating compliance with local zoning code.



Minor Subdivision PL20-007
438 Rose Street

Legend

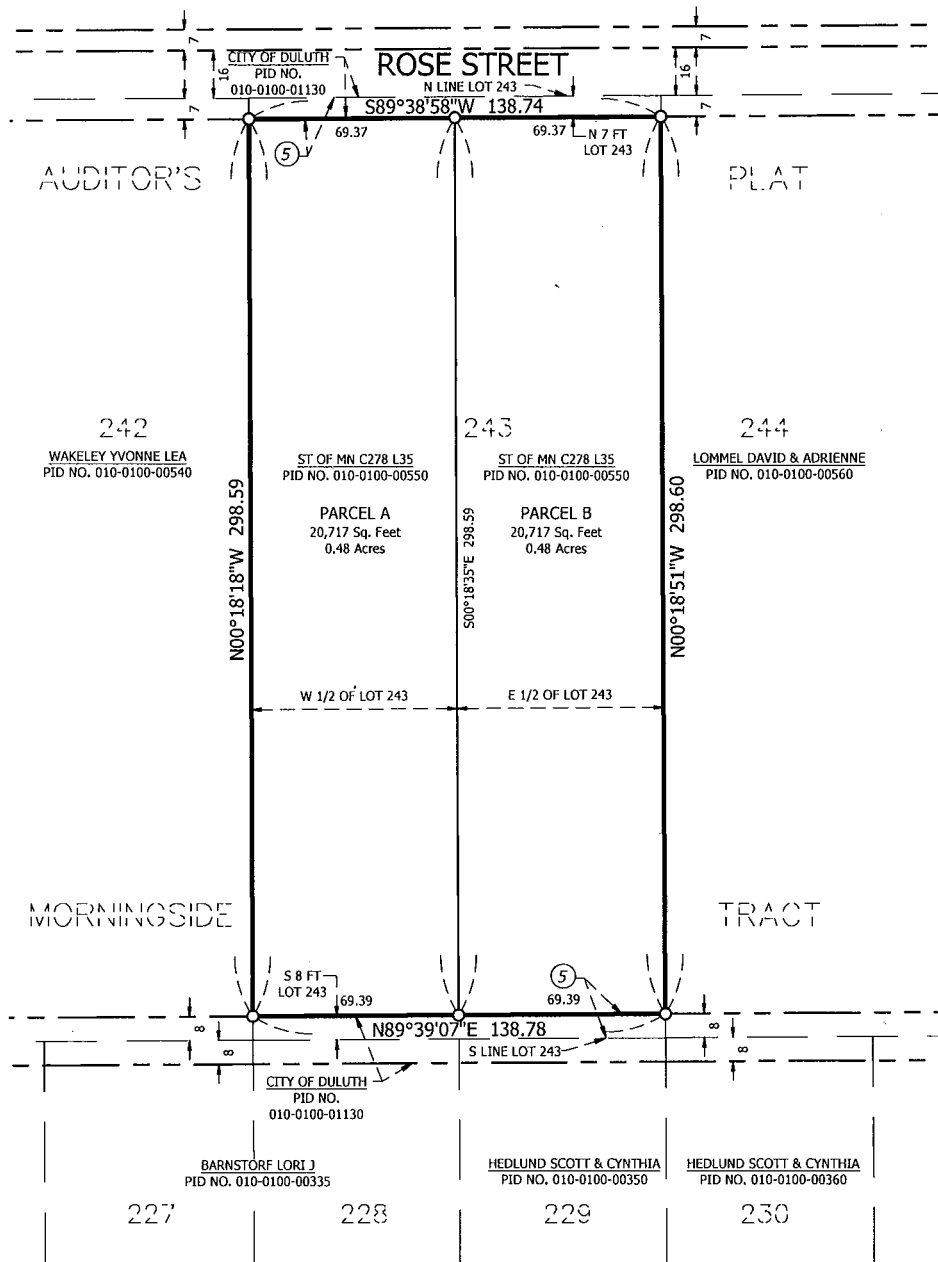
- Gas Main
- Water Main
- Hydrant
- Sanitary Sewer Mains**
- CITY OF DULUTH
- WLSSD; PRIVATE
- Sanitary Sewer Forced Main
- Storage Basin
- Pump Station
- Storm Sewer Mains**
- Storm Sewer Pipe
- Storm Sewer Catch Basin
- Municipal Boundary
- Road or Alley ROW
- Vacated ROW
- Easement Type**
- Utility Easement
- Other Easement
- 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.

Aerial photography flown 2019

Prepared by: City of Duluth Community Planning Division, February 13, 2020, Source: City of Duluth



PARENT LEGAL DESCRIPTION PER CERTIFICATE OF TITLE NO. 243793

Lot 243 AUDITOR'S PLAT OF MORNINGSIDE TRACT

LEGAL DESCRIPTION OF PARCEL A

West Half of Lot 243, AUDITOR'S PLAT OF MORNINGSIDE TRACT, according to the recorded plat thereof, St. Louis County, Minnesota, EXCEPT the North 7.00 feet and the South 8.00 feet thereof. Said parcel contains 20,717 square feet or 0.48 acres.

LEGAL DESCRIPTION OF PARCEL B

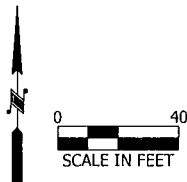
East Half of Lot 243, AUDITOR'S PLAT OF MORNINGSIDE TRACT, according to the recorded plat thereof, St. Louis County, Minnesota, EXCEPT the North 7.00 feet and the South 8.00 feet thereof. Said parcel contains 20,717 square feet or 0.48 acres.

LEGEND

	BITUMINOUS SURFACE		OVERHEAD UTILITIES
	GRAVEL SURFACE		RIGHT OF WAY LINE
	EXISTING BUILDINGS		PLAT LINE
			BOUNDARY LINE AS SURVEYED
			SET CAPPED REBAR RLS. NO. 49505
			UTILITY POLE
			REFER TO SURVEYOR'S NOTES

SURVEYOR'S NOTES

- 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.
- BEARINGS ARE BASED ON THE ST. LOUIS COUNTY TRANSVERSE MERCATOR COORDINATE SYSTEM OF 1996. (NAD 83 2011)
- BUILDING DIMENSIONS SHOWN ARE FOR HORIZONTAL & VERTICAL PLACEMENT OF STRUCTURE ONLY. SEE ARCHITECTURAL PLAN FOR BUILDING FOUNDATION DIMENSIONS.
- NO SPECIFIC SOILS INVESTIGATION HAS BEEN COMPLETED ON THIS LOT BY ALTA LAND SURVEY COMPANY. THE SUITABILITY OF SOILS TO SUPPORT THE SPECIFIC STRUCTURE PROPOSED IS NOT THE RESPONSIBILITY OF ALTA LAND SURVEY COMPANY OR THE SURVEYOR.
- NORTHERLY 7 FEET AND SOUTHERLY 8 FEET OF LOT 243 TAKEN IN FEE OWNERSHIP BY THE CITY OF DULUTH FOR PUBLIC HIGHWAY PURPOSES PER TORRENS DOCUMENT NO. 123685.



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
DATE: 09-26-2019 MIN Lic. No. 49505

CERTIFICATE OF SURVEY

CLIENT: 1 ROOF COMMUNITY HOUSING REVISIONS:
ADDRESS: 538 ROSE STREET
DULUTH, MN 55803
DATE: 09-26-2019 JOB NO: 19-276 SHEET 1 OF 1

ALTA
LAND SURVEY COMPANY
PHONE: 218-727-3211
LICENSED IN MN & WI
WWW.ALTAANDSURVEYDULUTH.COM



PL20-007 Minor Subdivision—Site Visit February 13, 2020: Parcel 010-0100-00550

