



**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 20-056	Contact	John Kelley	
Type	Minor Subdivision	Planning Commission Date		June 9, 2020
Deadline for Action	Application Date	May 4, 2020	60 Days	July 3, 2020
	Date Extension Letter Mailed	May 22, 2020	120 Days	September 1, 2020
Location of Subject		010-4720-00070, 010-4720-00075, 010-4720-00080		
Applicant	James Gruba	Contact		
Agent		Contact		
Legal Description		See Attached		
Site Visit Date		May 29, 2020	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 three separate parcels into two lots. The current parcels consist of a large lot at 17,204 square feet and two smaller lot each at 598 square feet. The division will create two lots. Parcel A will be 9,200 sq ft and Parcel B will be 9,200 sq ft.

	<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	Residential	Traditional Neighborhood
<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. The applicant is proposing to create two new buildable lots to contribute to the housing needs of Duluth.

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.

**Review and Discussion Items**

1. Applicant is requesting a Minor Subdivision to divide a three separate tax parcels into two lots. The parcels will and frontage along Bellis Street in the Woodland Neighborhood.
2. All parcels are zoned R-1, which has a minimum lot size of 4,000 square feet and have the required Street frontage along Bellis Street. The proposed subdivision, if approved, would not make the parcels non-conforming due to lot frontage, lot area, or similar bulk standard.
3. Parcel A appears to have a small accessory structure. To avoid creation of any nonconformities, this structure will need to be removed prior to the subdivision being recorded.
4. No 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 recommend approval of 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 accessory structures on Parcel A must be removed prior to recording to avoid creation of any nonconforming structures.
- 3) Applicant must provide evidence of recording of "shared access easement" with the office of St. Louis County Recorder within 180 days of approval by Planning Commission or the approval shall lapse.
- 4) 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 20-056  
Minor Subdivision

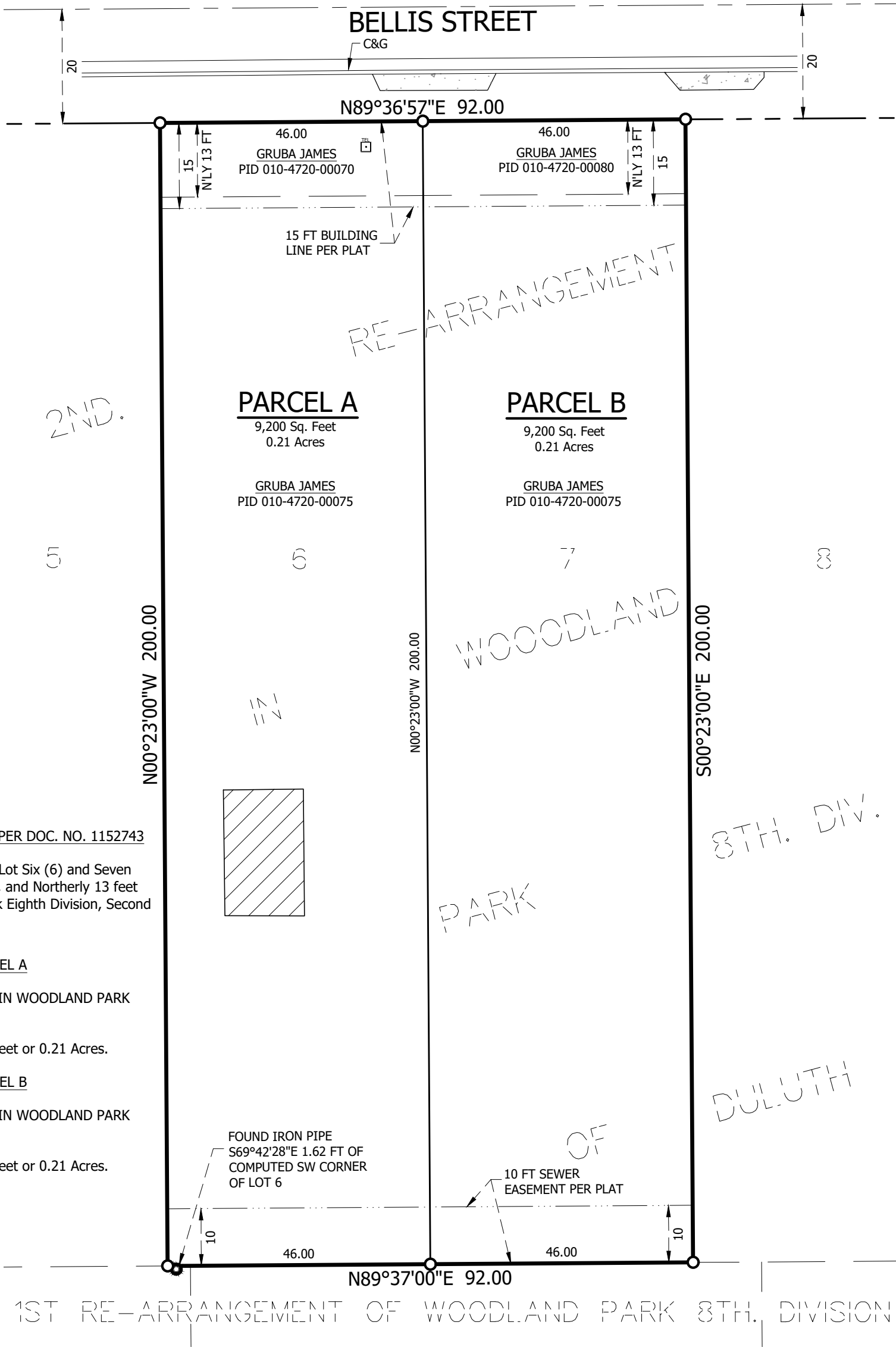
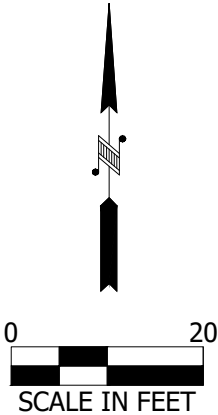
### Legend

- Gas Main
- Water Main
- ⊕ Hydrant
- Sanitary Sewer Mains
  - CITY OF DULUTH
  - WLSSD; PRIVATE
- Sanitary Sewer Forced Main
- ⊞ Storage Basin
- PS Pump Station
- Storm Sewer Mains
  - Storm Sewer Pipe
  - ⊞ Storm Sewer Catch Basin
- Road or Alley ROW
- ⊞ Vacated ROW
- Easement Type
  - ⊞ Utility Easement
  - ⊞ Other Easement
- Zoning Boundaries
  - ⊞
- Shoreland (UDC)
  - ⊞ Cold Water
  - ⊞ Natural Environment
  - ⊞ General Development
- Trout Stream (GPS)
- Other Stream (GPS)

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.







PARENT LEGAL DESCRIPTION PER DOC. NO. 1152743

Northerly 13 feet of Lot Six (6), Lot Six (6) and Seven (7) except the Northerly 13 feet, and Northerly 13 feet of Lot Seven (7), Woodland Park Eighth Division, Second Rearrangement.

LEGAL DESCRIPTION FOR PARCEL A

Lot 6, 2ND. RE-ARRANGEMENT IN WOODLAND PARK 8TH. DIV. OF DULUTH.

Said parcel contains 9,200 Sq. Feet or 0.21 Acres.

LEGAL DESCRIPTION FOR PARCEL B

Lot 7, 2ND. RE-ARRANGEMENT IN WOODLAND PARK 8TH. DIV. OF DULUTH.

Said parcel contains 9,200 Sq. Feet or 0.21 Acres.

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)

LEGEND

- |  |                                 |  |                            |
|--|---------------------------------|--|----------------------------|
|  | EXISTING BUILDINGS              |  | C&G-CONCRETE CURB & GUTTER |
|  | CONCRETE                        |  | CENTER LINE                |
|  | TELECOM PEDESTAL                |  | RIGHT OF WAY LINE          |
|  | FOUND IRON PIPE                 |  | EXISTING EASEMENT LINE     |
|  | SET CAPPED REBAR RLS. NO. 49505 |  | BOUNDARY LINE AS SURVEYED  |
|  |                                 |  | PROPOSED PARCEL LINE       |

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 Mn Lic. No. 49505		CERTIFICATE OF SURVEY		 ALTA LAND SURVEY COMPANY PHONE: 218-727-5211 LICENSED IN MN & WI WWW. ALTALANDSURVEYDULUTH.COM
DATE:5-7-2020		CLIENT:JAMES GRUBA	REVISIONS:	
DATE:5-7-2020		ADDRESS:VACANT PROPERTY BELLIS ST, DULUTH, MN 55803	JOB NO:20-101	