



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 20-047	Contact	Theresa Bajda, 218-730-5303	
Type	Minor Subdivision – R1	Planning Commission Date		June 9, 2020
Deadline for Action	Application Date	May 15, 2020	60 Days	July 14, 2020
	Date Extension Letter Mailed	May 20, 2020	120 Days	September 12, 2020
Location of Subject		54xx Tioga Street		
Applicant	Jay Isenberg	Contact		
Agent	N/A	Contact		
Legal Description		Parcel ID Number 010-2840-01060		
Site Visit Date		May 20, 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 13,844 square feet and the division will create two lots, proposed lot A to equal 7,262 square feet, and lot B to equal 6,582 square feet.

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	Vacant Lot	Traditional Neighborhood
North	R-1	Residential Single Family Home	Traditional Neighborhood
South	R-1	Residential Single Family Home	Traditional Neighborhood/Open Space
East	R-1	Residential Single Family Home	Traditional Neighborhood
West	R-1	Former Lester Park Library	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 minor subdivision directs future investment to a site that has potential to perform at a higher level than its current state. The subdivision would allow construction of two single-family structures on a currently vacant lot.

Governing Principle #5 – Promote reinvestment in neighborhoods. The proposed minor subdivision will allow the applicant to construct two single-family structures and put a vacant lot back in the tax base.

Housing Policy #4 – Improve the quality of the city’s overall housing stock and neighborhoods. The minor subdivision would allow new construction of two single-family homes in a desirable neighborhood in Duluth.

Future Land Use – Traditional Neighborhood: Characterized by grid or connected street pattern houses orientated with shorter dimension to the street and detached garages, some with alleys. Limited commercial, schools, churches, and home businesses. Parks and open space area are scattered through or adjacent to the neighborhood. Includes many of Duluth’s older neighborhoods, infill projects, neighborhood extensions, and new traditional neighborhood areas.

Recent History – This site was selected by the City of Duluth and DEDA for use in the Rebuild Duluth Program. The lot will be conveyed to a new owner at no cost once their land sale agreement is finalized via the Rebuild Duluth Program. No record of a previous structure on this site found. On February 20, 2020, Duluth City Council approved releasing designation of this property as a Duluth heritage preservation landmark via ordinance 20-005-O. The former Lester Park library to the west of this lot remains under said designation. The southern portion of the lot has an existing utility easement that will not interfere with proposed home construction.

Review and Discussion Items

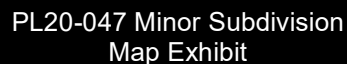
Staff finds that:

- 1.) The applicant is requesting a Minor Subdivision to divide a single lot into two lots. The applicant intends to construct one single family home with attached garage on each subdivided lot. The proposed subdivision, if approved, would not make the parcels non-conforming due to lot frontage and lot area. Lot area on proposed parcel A to equal 7,262 square feet with 40 feet of street frontage on Otsego Street. Lot area on proposed parcel B to equal 6,582 square feet with 40 feet of street frontage on Otsego Street.
- 2.) The attached survey exhibit demonstrates compliance with lot frontage and lot area. The proposed design for single-family homes meets required setbacks of R-1 zoned districts; no nonconformity created.
- 3.) Both parcels have right of way on a developed street. No existing platted right of way is being proposed to be vacated with this proposal.
- 4.) No public, agency, or City Comments were received.
- 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.



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 PARCEL OWNED BY THE CITY OF DULUTH PID 010-2840-01060

Lot 2, Block 14, LESTER PARK 2ND DIVISION, according to the recorded plat thereof, St. Louis County, Minnesota.

LEGAL DESCRIPTION FOR PARCEL A

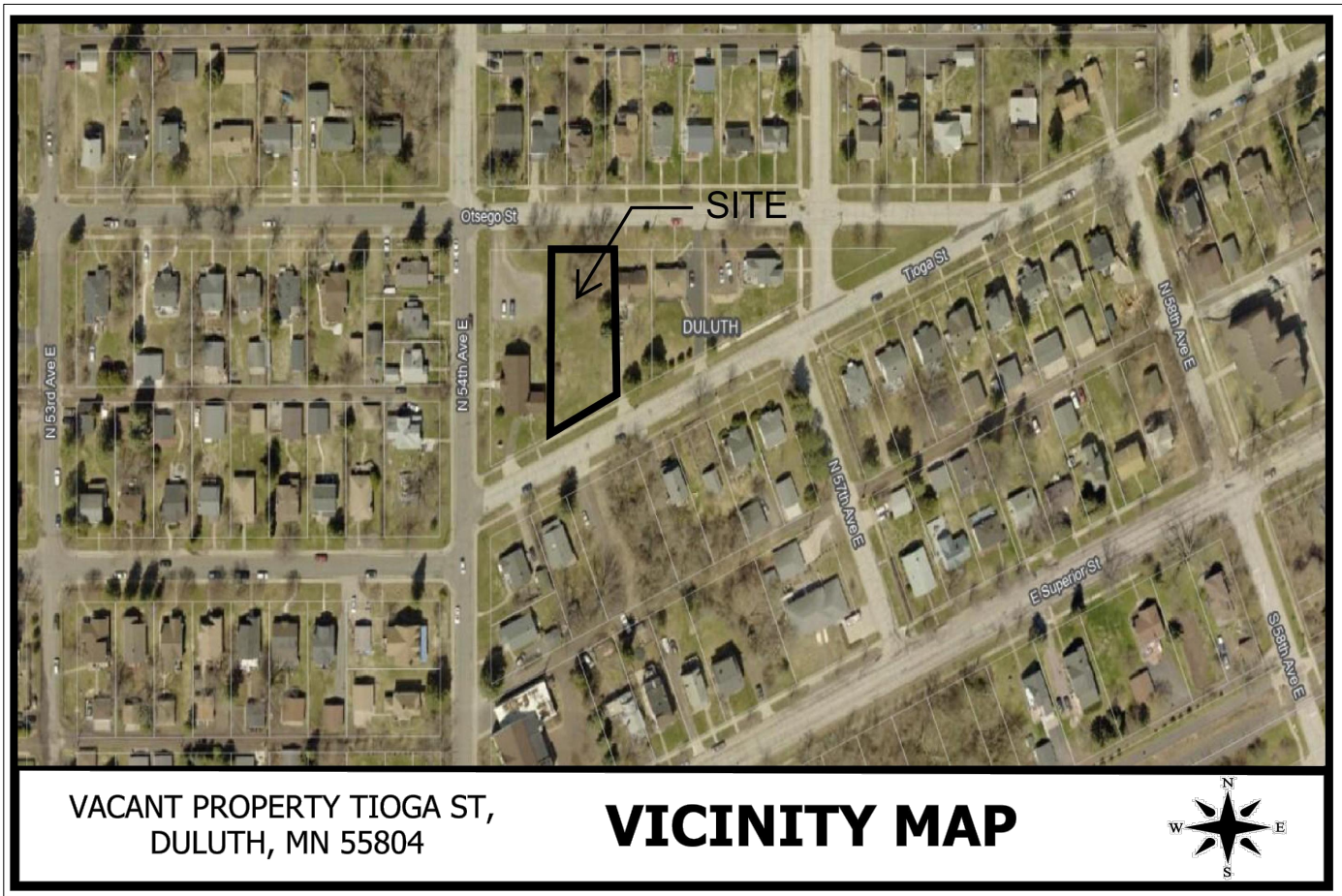
The West Half of Lot 2, Block 14, LESTER PARK 2ND DIVISION, according to the recorded plat thereof, St. Louis County, Minnesota.

Said Parcel contains 7,262 Sq. Feet or 0.14 Acres.

LEGAL DESCRIPTION FOR PARCEL B

The East Half of Lot 2, Block 14, LESTER PARK 2ND DIVISION, according to the recorded plat thereof, St. Louis County, Minnesota.

Said Parcel contains 6,582 Sq. Feet or 0.15 Acres.



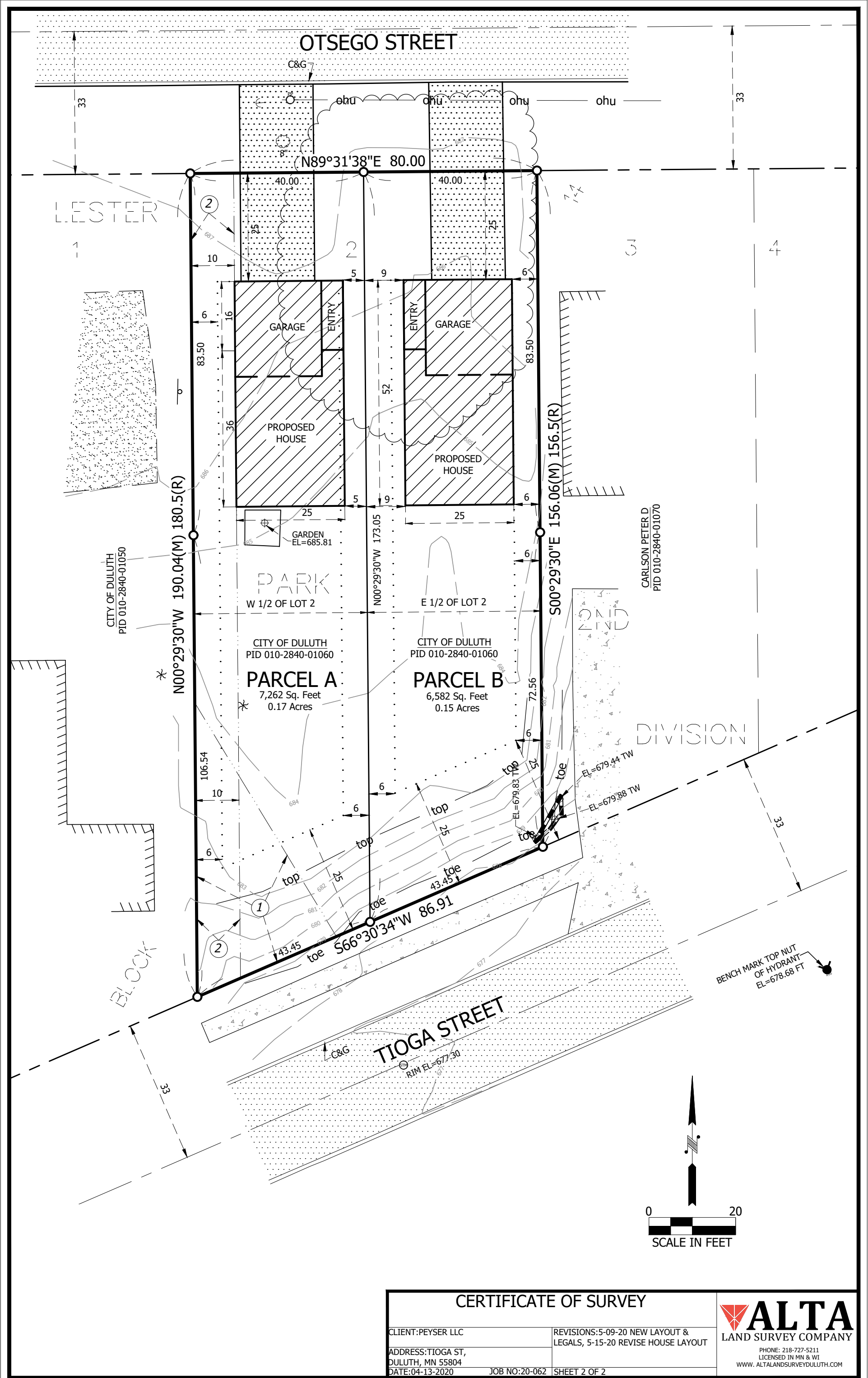
LEGEND

	CONCRETE SURFACE	(M)-FIELD MEASURED DIMENSION		HYDRANT
	BITUMINOUS SURFACE	(R)-RECORD DIMENSION		SIGN
	GRAVEL SURFACE	TW-TOP OF WALL ELEVATION		BUSH/SHRUB
	PROPOSED BUILDING	C&G-CONCRETE CURB & GUTTER		DECIDUOUS TREE
	PROPOSED DRIVEWAY	toe	#	REFER TO SURVEYOR'S NOTES
		top	○	SET CAPPED REBAR RLS. NO. 49505
			—	GUY ANCHOR
		ohu	—	UTILITY POLE
			—	STORM MANHOLE

SURVEYOR'S NOTES

- UTILITY EASEMENT PER DOCUMENT NO. 1376057.
- A 10 FOOT WIDE UTILITY EASEMENT SHOWN ON LOT SKETCH PROVIDED BY CLIENT. NO RECORDED DOCUMENTATION FOUND FOR THIS EASEMENT.
- NO DOCUMENTATION FOUND FOR THE LEGAL DESCRIPTION OF THE PARENT PARCEL. PARCEL IS OWNED BY THE CITY OF DULUTH.
- 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. (NAD83 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.
- BENCHMARK SHOWN ON 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 MN Lic. No. 49505		CERTIFICATE OF SURVEY		 ALTA LAND SURVEY COMPANY PHONE: 218-727-5211 LICENSED IN MN & WI WWW. ALTALANDSURVEYDULUTH.COM
DATE:04-13-2020		CLIENT:PEYSER LLC	REVISIONS:5-09-20 NEW LAYOUT & LEGALS, 5-15-20 REVISE HOUSE LAYOUT	
		ADDRESS:TIOGA ST, DULUTH, MN 55804		
		DATE:04-13-2020	JOB NO:20-062	SHEET 1 OF 2



CERTIFICATE OF SURVEY		
CLIENT: PEYSER LLC	REVISIONS: 5-09-20 NEW LAYOUT & LEGALS, 5-15-20 REVISE HOUSE LAYOUT	
ADDRESS: TIOGA ST, DULUTH, MN 55804		
DATE: 04-13-2020	JOB NO: 20-062	SHEET 2 OF 2

**ALTA**
LAND SURVEY COMPANY

PHONE: 218-727-5211
LICENSED IN MN & WI
WWW.ALTALANDSURVEYDULUTH.COM

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