



**Planning & Development Division**  
*Planning & Economic Development Department*

Room 160  
411 West First Street  
Duluth, Minnesota 55802



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<b>File Number</b>	PL 20-092	<b>Contact</b>	Jenn Reed Moses
<b>Type</b>	Minor Subdivision	<b>Planning Commission Date</b>	July 14, 2020
<b>Deadline for Action</b>	<b>Application Date</b>	June 30, 2020	<b>60 Days</b> August 29, 2020
	<b>Date Extension Letter Mailed</b>	July 2, 2020	<b>120 Days</b> October 28, 2020
<b>Location of Subject</b>	1136 S Lake Avenue		
<b>Applicant</b>	Larry McGough	<b>Contact</b>	On file
<b>Agent</b>	NA	<b>Contact</b>	On file
<b>Legal Description</b>	PID 010-4380-00720, see attached for legal description		
<b>Site Visit Date</b>	July 2, 2020	<b>Sign Notice Date</b>	N/A
<b>Neighbor Letter Date</b>	N/A	<b>Number of Letters Sent</b>	N/A

**Proposal**

Applicant is requesting a Minor Subdivision to divide one parcel (consisting of three platted lots) into two lots. Each lot will have 50' of frontage on S Lake Avenue. Parcel A would be 5,872 square feet, and Parcel B would be 6,131 square feet.

**Recommendation**

Approval with conditions.

	<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	Beach/Lake	Open Space
<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. Housing on this undeveloped infill site will make efficient use of streets, utilities, and other infrastructure and services.

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 one parcel (consisting of three platted lots) into two lots. Each lot will have 50' of frontage on S Lake Avenue. Parcel A would be 5,872 square feet, and Parcel B would be 6,131 square feet.
2. The parcel is zoned R-1, which has a minimum lot size of 4,000 square feet and minimum lot frontage of 40 feet. The proposed subdivision of previously platted lands meets these R-1 requirements.
3. Parcel B contains an existing house and garage. The proposed property line jogs to the northwest to accommodate the garage. These structures will continue to comply with the UDC requirements and no nonconformities would be created.
4. A driveway turnaround currently exists across the proposed lot line. According to the applicant, this turnaround will be removed and each property will have its own driveway.
5. No public, agency, or City comments were received.
6. The attached exhibit demonstrates compliance with Minnesota statutes 462.358 and 505 or 508, as applicable.
7. 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) Prior to recording, the portion of the driveway turnaround to be located on the new parcel will be removed.
- 3p) 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.







