

City of Duluth

Building Safety

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SITE PLANS

WHAT ARE THEY, AND WHY ARE THEY IMPORTANT?

A site plan is basically a “birds-eye view” drawing of your site, matching the legal description of your property and documenting by dimensions, the location of all structures on your site in relation to the property boundary lines (lot lines) and distances between such structures.

When we are dealing with the Duluth Zoning Code and State Building Code requirements the placement of structures from lot boundary lines and to other structures on the site becomes an important issue. Not only for providing open space for natural light and ventilation, but also to lessen the risk of fire spreading from one structure to another. Setbacks are measured to wall lines with the Zoning Code allowing an 18" maximum eave overhang into the “minimum” required yard.

Purchasing, constructing or altering a home or commercial building may very well be the largest investment you will ever make. By making sure that your structure is lawfully situated on your site, you are ensuring compliance with codes and protecting property rights for yourself and future owners, as well as the rights of the adjacent land owners.

NEW STRUCTURES - COMMERCIAL AND MULTI-FAMILY

In most cases State Licensing laws will require that plans and specifications for new commercial or multi-family residential construction be prepared by licensed architects or engineers. Under Minnesota Rules 1300.0130 Subp. 4, it is required that all site plans be prepared according to an accurate boundary line survey. This will always be the case for commercial and multi-family, but the building official is given authority to waive or modify requirements for site plans, if warranted.

NEW DWELLINGS

In the instance of new residential developments, the area would have had to have been surveyed in order to register the plat. In this case, the applicant should be able to obtain a copy of that survey, locate the pins on the site and complete a site plan based on that survey. The site plan must show the reference points of the survey....those being the pins and monuments place by a licensed surveyor and must show the distances from each lot line to the closest points of the proposed construction. For new dwellings in older neighborhoods, a survey would need to be obtained, unless old plat survey pins can be located and the property lines re-established in order to develop an accurate site plan.

RESIDENTIAL MODIFICATIONS

It has been past history of the Building Safety Division to accept residential site plans from

applicants when the site plan demonstrates a reasonable attempt to provide accurate information, based on documented reference points. In most cases, we are finding that the re-use of old site plans from our micro-film files are not always reliable and thus, not acceptable for resubmittal. It is not our intention to require that every applicant for a residential addition, deck or garage obtain a new registered boundary line survey. However, please keep in mind that we have to enforce the codes set before us, and that every submittal must be legible, accurate and complete.

The best scenario would be if owners could locate existing corner survey pins on their site - but we know that is not always possible. Applicants can visit City Engineering to see if they have any helpful information in their records. Perhaps reference points can be found on plat or road construction survey maps that might enable the applicant to take some measurements from documented reference points to determine lot lines.

The most accurate procedure would be if Building Safety required surveys for all building expansions, but we would rather be flexible if an applicant is willing to take responsibility for researching their site history to gain vital information with which to prepare an accurate and acceptable site plan. Remember, this is protecting the investment you are making in your property.

Our staff will use reasonable judgement when determining if it appears that the applicant has an understanding of what it is we are looking for and if the resulting site plan appears correct and complete. It is not as critical an issue when the site is large enough to absorb a margin for error, which is another point that will be taken into consideration by our staff. Unfortunately, most older homes in Duluth are situated on lots that are narrow and are probably very close to already meeting minimum setbacks, if not already in violation. So, when an applicant submits, for example, a site plan proposing a kitchen addition to the side of the existing home and indicates a new side yard setback of 6'-6", where the minimum yard setback is 6' and the plan indicates the property line or setback to a "fence" or "lilac bush", counter staff have to be concerned as to "how" the applicant arrived at the placement of the existing dwelling and subsequent new side yard determination.

If we can rely on applicants to understand why an accurate site plan is required, and they are able to provide us with correct information we will not have to enforce compliance with MS 1300.0130 Subp. 4, by requiring boundary line surveys in all instances.

ITEMS TO KEEP IN MIND WHILE PREPARING YOUR SITE PLAN

- Plan must be drawn to scale (indicate scale) and document located reference points. (how did you arrive at the information you are providing?)
- Include a title block containing the address and complete legal description of the property, date and signature.
- Dimension the lot and show all streets, alleyways and easements, indicate square footage of the site, show north directional arrow - make sure dimensions "add up" correctly to match lot size!
- Show dimensions from all structures to lot lines and dimensions between structures on the same site; indicate uses of structures, ie: dwelling / garage / shed, etc.
- Show parking areas, driveways, curb-cuts....also helpful to show where utilities enter the site.