CITY OF DULUTH
Planning Division

411 W 1st St, Rm 208 * Duluth, Minnesota 55802-1197
Phone: 218/730.5580 Fax: 218/723-3559

STAFF REPORT

File Number	PL 14-094		**Contact**	Kyle Deming; kdeming@duluthmn.gov	
Application Type	Quick Plat		**Planning Commission Date**	August 12, 2014	
Deadline for Action	**Application Date**	July 14, 2014	**60 Days**	N/A	
	Date Extension Letter Mailed	N/A	**120 Days**	N/A	
Location of Subject	Corner of Lochaire St. and Elk St. (Greysolon Farms)				
Applicant	Dennis M. Moran & Judy A. Moran		**Contact**	218-525-5617	
Agent	Mark Pilon, Esq. - Hanft Fride P.A.		**Contact**	218-722-4766; mdp@hanftlaw.com	
Legal Description	Lots 9-11, 13, 14, and N 1/2 of Lot 15, Block 7, Greysolon Farms Div.				
Site Visit Date	July 31, 2014		**Sign Notice Date**	N/A	
Neighbor Letter Date	N/A		**Number of Letters Sent**	N/A	

Proposal

Rearrange 6 acres of property split among 6 parcels into three 2 acre parcels, one parcel to contain an existing home.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-1	Dwelling	Rural Residential
North	R-1	Vacant	Rural Residential
South	R-1	Homes	Rural Residential
East	R-1	Homes	Rural Residential
West	R-1	Vacant	Rural Residential

Summary of Code Requirements (reference section with a brief description):

50-33.1 General: All subdivisions, plats, and replats, shall create lots consistent with the requirements of the zone district within which the zone is located.

50-33.4 General Lot Design and Layout- A. All lots shall have frontage on a public street.

50-37.5, E, 3. The planning commission shall approve the application, or approve it with modifications, if it determines that the application:

(a) Is consistent with all provisions of MSA 462.358 and 505 or 508, as applicable;

(b) Each resulting lot or parcel meets all of the dimensional requirements for the zone district in which the property is located;

(c) Each resulting lot or parcel has access to a public street.

F1

Comprehensive Plan Findings (Governing Principle and/or Policies) and Current History (if applicable):

Rural Residential - Areas of single-family lots of at least five acres. Limits the extension of municipal utilities for new development. Includes existing rural density areas with lots as small as an acre now 1u served by municipal utilities, but not planned for further subdivision. 1 unit/5 acres (may vary depending on soils); conservation development encouraged or required; undeveloped areas of large lots are used to complement open space patterns (viewsheds, buffers).

Discussion (use numbered or bullet points; summarize and attach department, agency and citizen comments):

Staff finds that:

1.) The proposed lots have street frontage and are sufficiently sized to allow for development of each lot for residential or non-residential uses permitted in R-1. (Required street frontage is 40' and required lot area per family is 2 acres for one-family dwellings)
Parcel A is 2 ac. with 174' of frontage on Elk St.
Parcel B is 2 ac. with 322' of frontage on Elk St. and 62' of frontage on Lochaire St.
Parcel C is 2 ac. with 153' of frontage on Lochaire St.

2.) Though Parcel B and Parcel C have long extension to the west of the main parcel area, they are not considered flag lots because the portion of the parcel with the building site is near the improved street versus being set back from the street. The definition of flag lot refers to a parcel where the building site is set back from the street by a narrow strip of land.

3.) The attached exhibit demonstrates compliance with Minnesota statutes 462.358 and 505 or 508, as applicable.

4.) Approval of this quick plat signifies that City of Duluth UDC standards are met. St. Louis County may have additional requirements. Note that recently passed subdivision regulations have not gone into effect, so this application still follows guidelines for a "quick plat."

5.) This subdivision approval lapses if not recorded with St. Louis County within 90 days. Applicant must provide the City with proof of recording.

6.) No additional public, agency, or City comments were received.

Staff Recommendation (include Planning Commission findings, i.e., recommend to approve):

Based on the above findings, Staff recommends that Planning Commission approve the Quick Plat, subject to the following conditions:

1.) This subdivision be filed with St. Louis County within 90 days.

2.) 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; however, no such administrative approval shall constitute a variance from the provisions of Chapter 50.

F-2

Attachments (aerial photo with zoning; future land use map; site plan; copies of correspondence)

City Planning

PL 14-094
4333 Lochaire Avenue

Legend

- Trout Stream (GPS)
- Other Stream (GPS)

Zoning Boundaries
- Zoning Boundaries

Water Distribution System
- 30 - 60" Water Pipe
- 16 - 24" Water Pipe
- 4 - 6" Water Pipe

Sanitary Sewer Collection System
- Sanitary Sewer Collector
- Sanitary Sewer Interceptor
- Sanitary Sewer Forced Main
- Storage Basin
- PS Pump Station

Gas Distribution Main
- 8" - 16" Gas Pipes
- 4" - 6" Gas Pipes
- 0" - 4" Gas Pipes

Storm Sewer Collection System
- Storm Sewer Pipe
- Storm Sewer Catch Basin
- Wetlands (NRRI)

Right-of-Way Type
- Road or Alley ROW
- Vacated ROW

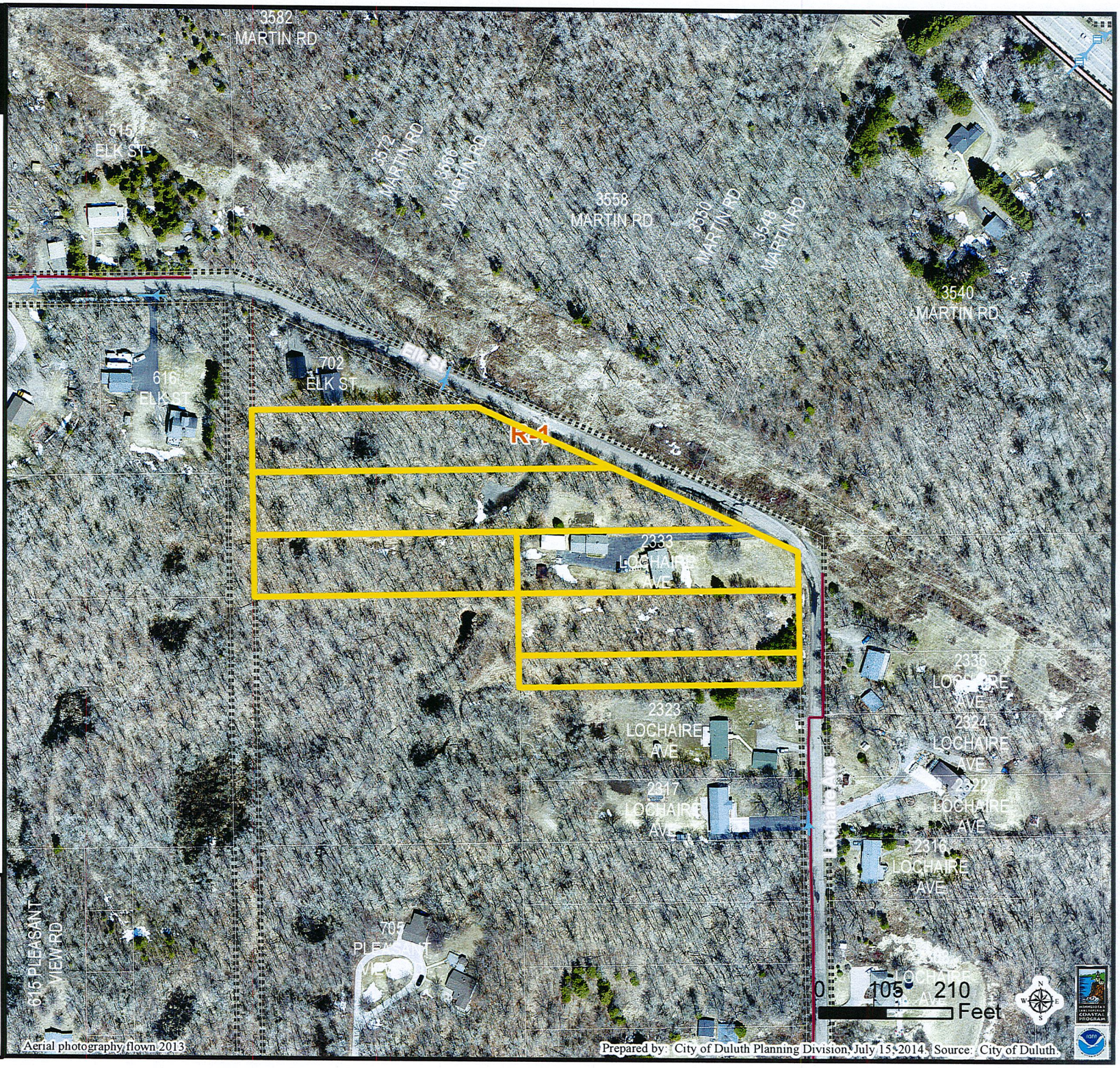
Easement Type
- Utility Easement
- Other Easement

Shoreland Overlay Zone
- Cold Water
- Natural Environment
- General Development

Floodplain Type
- General Flood Plain
- Flood Way
- Flood Fringe

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.

F-3



QUICK PLAT FOR: DENNY & MARK MORAN

PARCEL A:
Lot 9, Block 7, Greysolon Farms First Division, Saint Louis County, Minnesota.

Subject to and together with any valid easements, restrictions and reservations, if any.

PARCEL B:
Lot 10, Block 7, Greysolon Farms First Division, Saint Louis County, Minnesota.

Subject to and together with any valid easements, restrictions and reservations, if any.

PARCEL C:
Lot 11, Block 7, Greysolon Farms First Division, Saint Louis County, Minnesota.

Subject to and together with any valid easements, restrictions and reservations, if any.

PARCEL D:
Lot 13, Block 7, Greysolon Farms First Division, Saint Louis County, Minnesota.

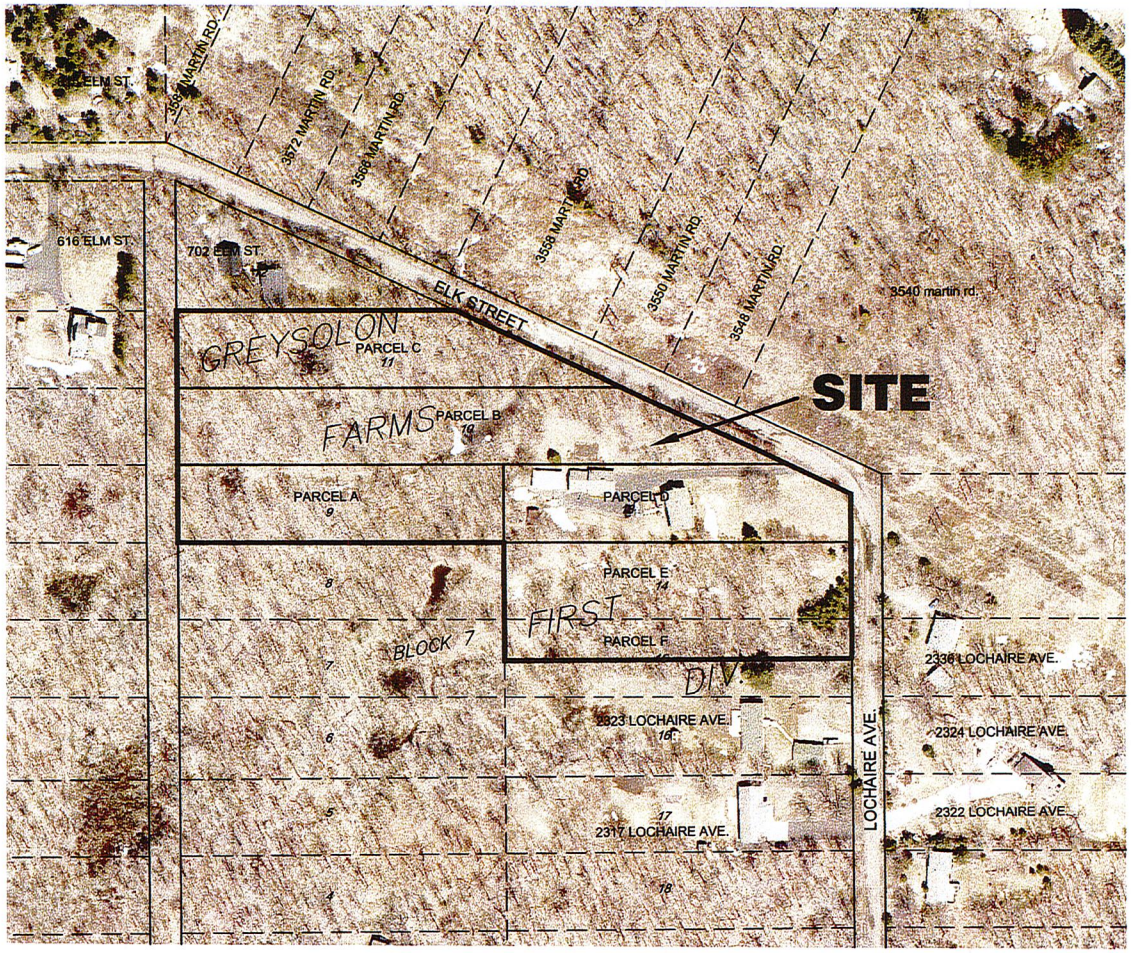
Subject to and together with any valid easements, restrictions and reservations, if any.

PARCEL E:
Lot 14, Block 7, Greysolon Farms First Division, Saint Louis County, Minnesota.

Subject to and together with any valid easements, restrictions and reservations, if any.

PARCEL F:
North Half of Lot 15, Block 7, Greysolon Farms First Division, Saint Louis County, Minnesota.

Subject to and together with any valid easements, restrictions and reservations, if any.



(NO SCALE)

SHEET 1 OF 2

Norman B. Livgard
Registered Land Surveyor
6115 Wilderness Ridge
Saginaw, MN 55779
Tele: 218-729-6785
Cell: 218-390-6787

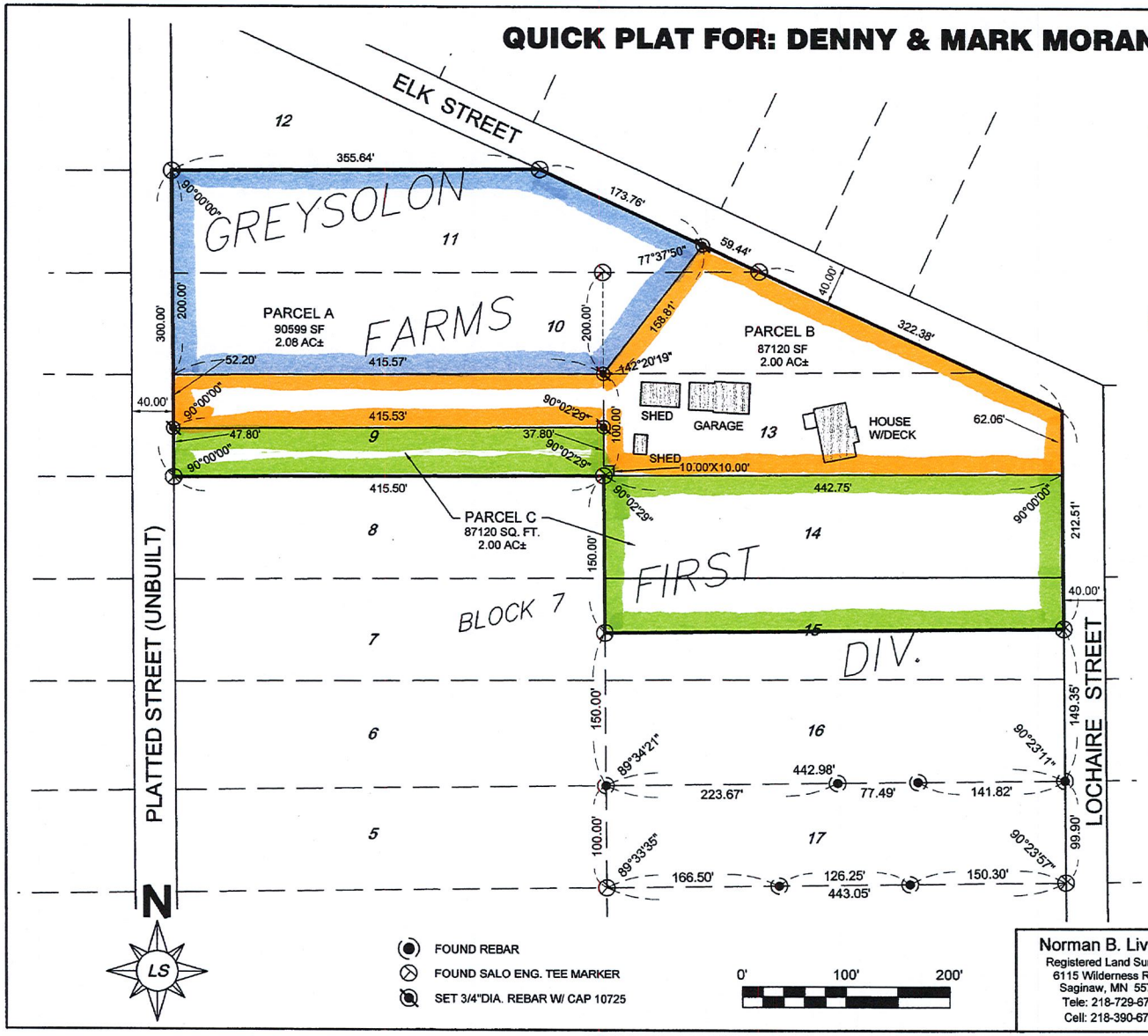
I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.
Norman B. Livgard, MN License Number 10725

Date: 7-31-14

REV.: 7-31-14

F-4

QUICK PLAT FOR: DENNY & MARK MORAN



PARCEL A:
That part of Lots 10 and 11, Block 7, Greysolon Farms First Division, Saint Louis County, Minnesota, lying westerly and northwesterly of the following described line:

Beginning at the northeast corner of Lot 9, Block 7; thence northeasterly, to a point on the northeasterly line of said Lot 11 distant 173.76 feet southeasterly from the northeast corner of said Lot 11.

Subject to and together with any valid easements, restrictions and reservations, if any.

PARCEL B:
That part of Lot 13 and that part of Lot 9, both in Block 7, Greysolon Farms First Division, Saint Louis County, Minnesota, described jointly as follows:

Beginning at the southeast corner of said Lot 13; thence westerly, along the south line of said Lot 13 a distance of 432.75 feet to the southeast corner of the West 10.00 feet of said Lot 13; thence northerly, along the east line of said West 10.00 feet a distance of 10.00 feet to the north line of the South 10.00 feet of said Lot 13; thence westerly, along said north line a distance of 10.00 feet to the west line of said Lot 13; thence northerly, along the west line of said Lot 13 a distance of 37.80 feet; thence westerly, parallel with the south line of said Lot 9 a distance of 415.53 feet to the west line of said Lot 9; thence northerly, along the west line of said Lot 9 a distance of 52.20 feet to the northwest corner of said Lot 9; thence easterly, along the north line of said Lot 9 a distance of 415.57 feet to the northeast corner of said Lot 9; thence northeasterly, to a point on the northeasterly line of said Lot 11 distant 173.76 feet southeasterly from the northeast corner of said Lot 11; thence southeasterly, along said northeasterly line of said Lot 11, 10 and 13 a distance of 381.82 feet to an angle point in the east line of said Lot 13; thence southerly, along the east line of said Lot 13 a distance of 62.06 feet to the point of beginning..

Subject to and together with any valid easements, restrictions and reservations, if any.

PARCEL C:
Lot 14, North Half of Lot 15, South 10.00 feet of the West 10.00 feet of Lot 13 and the South 47.80 feet of Lot 9, all in Block 7, Greysolon Farms First Division, Saint Louis County, Minnesota.

Subject to and together with any valid easements, restrictions and reservations, if any.

SHEET 2 OF 2

Norman B. Livgard
Registered Land Surveyor
6115 Wilderness Ridge
Saginaw, MN 55779
Tele: 218-729-6785
Cell: 218-390-6787

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.
Norman B. Livgard, MN License Number 10725

Date: 7-31-14

REV.: 7-31-14

F-5

F-6