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 14-083		**Contact**	Kyle Deming; kdeming@duluthmn.gov	
Application Type	Quick Plat		**Planning Commission Date**	August 12, 2014	
Deadline for Action	**Application Date**	July 8, 2014	**60 Days**	N/A	
	Date Extension Letter Mailed	N/A	**120 Days**	N/A	
Location of Subject	1/3 acre at northwest corner of Dodge St. and N 47th Ave. E. (Lakeside-Lester Park)				
Applicant	Ray & Charlotte Antiel		**Contact**	218-525-2534	
Agent	Dave Evanson - Alta Land Survey Co.		**Contact**	218-727-5211; davee@altasurveyduluth.com	
Legal Description	Lots 9 and 10, Block 111, London Addition				
Site Visit Date	July 31, 2014		**Sign Notice Date**	N/A	
Neighbor Letter Date	N/A		**Number of Letters Sent**	N/A	

Proposal

Subdivide 14,000 sq. ft. parcel with two individual one-family dwellings into a 10,000 sq. ft. parcel and a 4,000 sq. ft. parcel each containing a one-family dwelling in order to be able to sell one of the homes and retain the other.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-1	2 one-family dwellings	Traditional Neighborhood
North	R-1	Homes	Traditional Neighborhood
South	R-1	Homes	Traditional Neighborhood
East	R-1	Homes	Traditional Neighborhood
West	R-1	Homes	Traditional Neighborhood

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.

E-1

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

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-based businesses. Parks and open space areas are scattered through or adjacent to the neighborhood. 4-8 units per acre.

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 4,000 sq. ft. for one-family dwellings.
Parcel A is 4,000 sq. ft. with 40' of frontage N. 47th Ave. E.
Parcel B is 10,000 sq. ft. with 100' of frontage on Dodge St. and 100' of frontage on N. 47th Ave. E.

2.) The dwelling on Parcel A is nonconforming with respect to setback from the street before the quick plat and will be nonconforming after approval of the quick plat. The nonconformity won't be increasing as a result of the quick plat. Any expansion of this dwelling will need to comply with setbacks. The dwelling on Parcel B conforms to setbacks both before and after the quick plat.

3.) The proposed lots are within the General Development Shoreland of 50th Ave. E. Creek that enters a pipe west of the lots and flows in a pipe in Dodge St. past the lots. This has no effect on the subdivision of the lots.

4.) A portion of the newly created Parcel B is in the Floodway for 50th Ave. E. Creek, however, this has no effect on the quick plat.

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

6.) 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."

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

8.) 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.

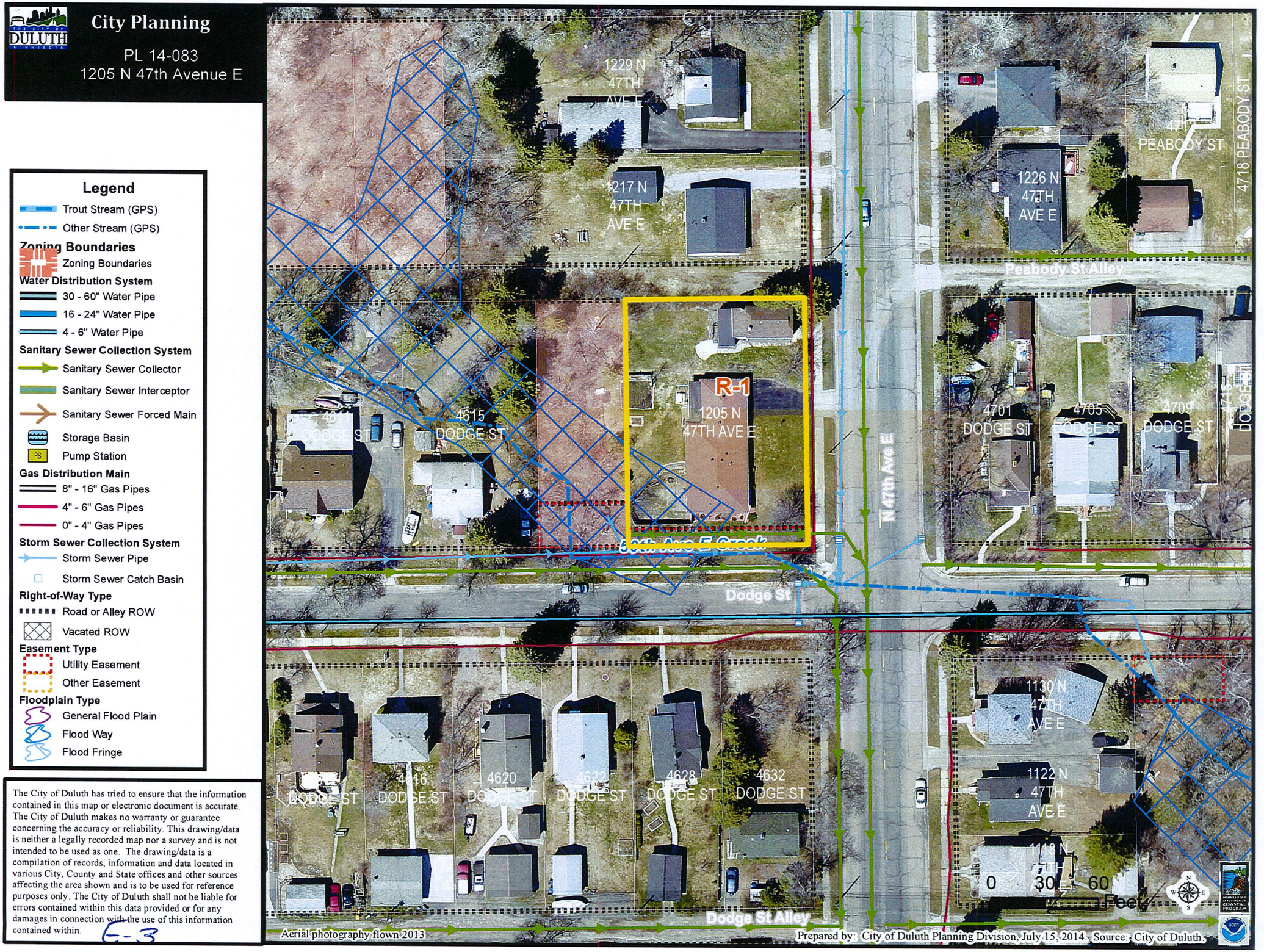
2.) Any alterations to the approved plans that do not alter major elements of the plan may be approved by the Land Use Supervisor without further Planning Commission; however, no such administrative approval shall constitute a variance from the provisions of Chapter 50.

6-13

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

City Planning

PL 14-083
1205 N 47th Avenue E



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
- Pump Station (PS)

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

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

Easement Type
- Utility Easement
- Other Easement

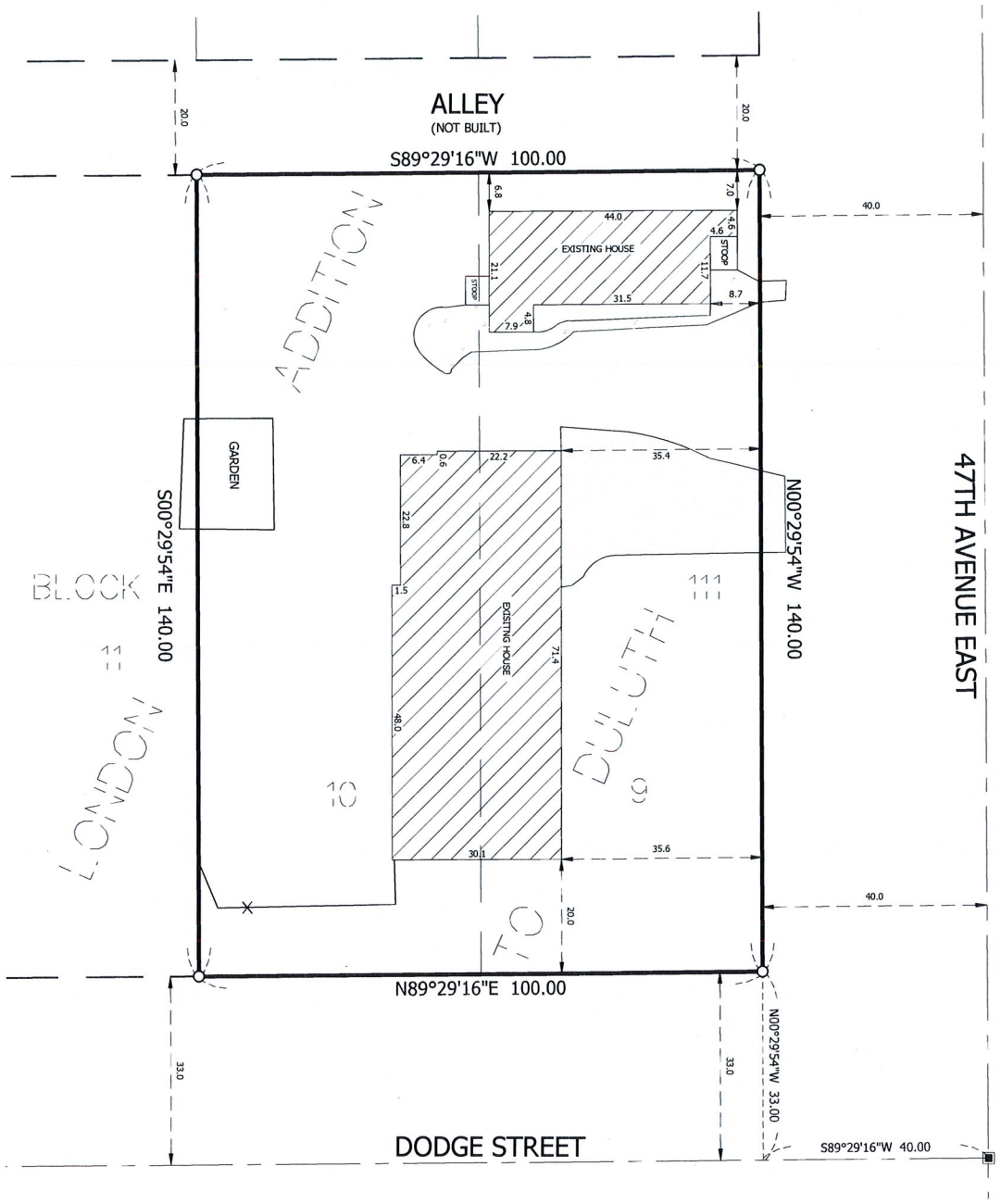
Floodplain Type
- General Flood Plain
- Flood Way
- Flood Fringe

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.

E-3

Aerial photography flown 2013

Prepared by: City of Duluth Planning Division, July 15, 2014. Source: City of Duluth



LEGAL DESCRIPTION

Lots 9 and 10, Block 111, LONDON ADDITION TO DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota.

LEGEND

These standard symbols will be found in the drawing.

- X—X FENCE LINE
- ▣ FOUND CITY MONUMENT
- ○ SET REBAR CAPPED WITH RLS. NO. 49505

0 20
SCALE IN FEET

NOTES

BEARINGS ARE BASED ON THE ST. LOUIS COUNTY TRANSVERSE MERCATOR COORDINATE SYSTEM OF 1996.

BUILDING DIMENSIONS SHOWN ARE FOR HORIZONTAL & VERTICAL PLACEMENT OF STRUCTURE ONLY.

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 SURVEY COMPANY, INC.

I hereby certify that this plan, specification, 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.

Date: 7-2-14

David R. Evanson

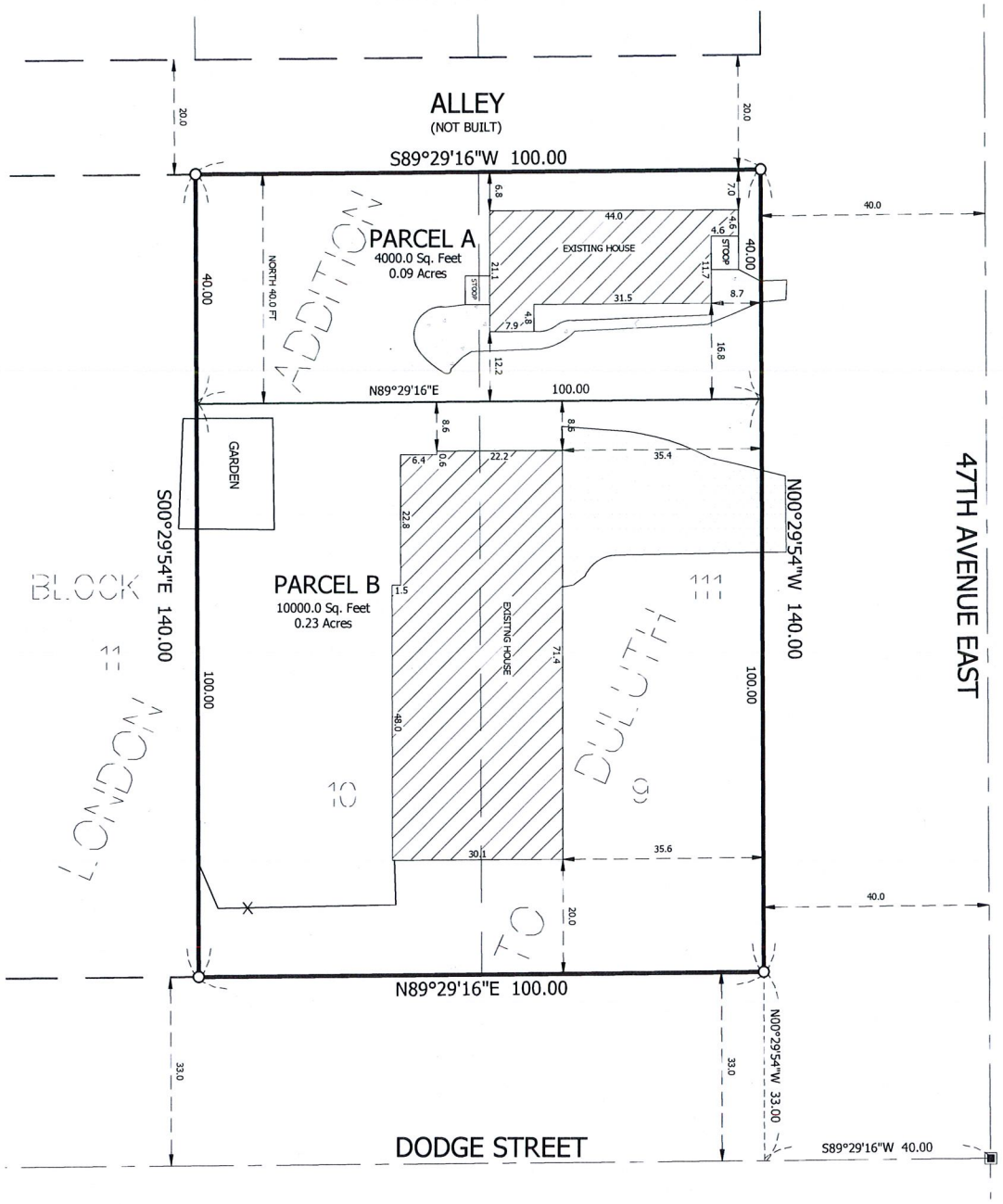
David R. Evanson MN License No. 49505

CERTIFICATE OF SURVEY

CLIENT: RAYMOND ANTIEL	REVISIONS: XXX
DATE: 7-2-14	
ADDRESS: 1205 N 47TH AVE E	
JOB NUMBER: 14-137	

ALTA
LAND SURVEY COMPANY
* LAND SURVEYING
* LAND DEVELOPMENT
* PLATTING
* LEGAL DESCRIPTIONS
* CONSTRUCTION STAKING
PHONE: 218-727-5211
FAX: 218-727-3798
LICENSED IN MN & WI
CERTIFIED FEDERAL SURVEYOR
WWW. ALTASURVEYDULUTH.COM

C-4



LEGAL DESCRIPTION PARCEL A

The North 40.00 feet of Lots 9 and 10, Block 111, LONDON ADDITION TO DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota.

said parcel containing 4,000 sq. ft. or 0.09 acres

LEGAL DESCRIPTION PARCEL B

Lots 9 and 10, Block 111, LONDON ADDITION TO DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota. Except: The North 40.00 feet thereof.

said parcel containing 10,000 sq. ft. or 0.23 acres

LEGEND

These standard symbols will be found in the drawing.

-X-X- FENCE LINE

■ FOUND CITY MONUMENT

○ SET REBAR CAPPED WITH RLS. NO. 49505

N

0 20

SCALE IN FEET

NOTES

BEARINGS ARE BASED ON THE ST. LOUIS COUNTY TRANSVERSE MERCATOR COORDINATE SYSTEM OF 1996.

BUILDING DIMENSIONS SHOWN ARE FOR HORIZONTAL & VERTICAL PLACEMENT OF STRUCTURE ONLY.

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 SURVEY COMPANY, INC.

I hereby certify that this plan, specification, 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.

Date: 7-2-14

David R. Evanson

David R. Evanson MN License No. 49505

CERTIFICATE OF SURVEY

CLIENT: RAYMOND ANTIEL

REVISIONS: XXX

DATE: 7-2-14

ADDRESS: 1205 N 47TH AVE E

JOB NUMBER: 14-137

ALTA
LAND SURVEY COMPANY
* LAND SURVEYING
* LAND DEVELOPMENT
* PLATTING
* LEGAL DESCRIPTIONS
* CONSTRUCTION STAKING
PHONE: 218-727-5211
FAX: 218-727-3798
LICENSED IN MN & WI
CERTIFIED FEDERAL SURVEYOR
WWW. ALTASURVEYDULUTH.COM

E-5