

REGISTERED LAND SURVEY STAFF REPORT

1. **FILE NAME:** Adeline Murtaugh / Paul and Charlotte Mason **FILE #** 17-068-162
 2. **APPLICANT:** Charlie Braman **HEARING DATE:** October 18, 2017
 3. **TYPE OF APPLICATION:** Adjustment of common boundary by Registered Land Survey
 4. **LOCATION:** 692 Woodlawn Avenue and 695 Mount Curve Boulevard
 5. **PIN & LEGAL DESCRIPTION:** 08.28.23.43.0027 (692 Woodlawn) & 08.28.23.43.0018 (695 Mount Curve) See subdivision documents for existing and proposed legal description.
 6. **PLANNING DISTRICT:** 15 **PRESENT ZONING:** R2
 7. **ZONING CODE REFERENCE:** § 69.304
 8. **STAFF REPORT DATE:** September 27, 2017 **BY:** Kady Dadlez
 9. **DATE RECEIVED:** August 3, 2017 **DEADLINE FOR ACTION:** November 30, 2017
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- A. **PURPOSE:** Registered Land Survey to adjust the common boundary between 692 Woodlawn Avenue and 695 Mount Curve Boulevard.
- B. **PARCEL SIZE:** The parcel at 692 Woodlawn is approximately 9,000 square feet and the parcel at 695 Mount Curve is approximately 8,300 square feet.
- C. **EXISTING LAND USE:** The subject parcels are occupied by single family homes.
- D. **SURROUNDING LAND USE:** Single family residential uses in R2 and R4 zoning districts. To the south and west are multi-family residential and institutional uses in an RM2 zone.
- E. **ZONING CODE CITATION:** § 69.304 provides standards for approval of adjustments of common boundaries.
- F. **HISTORY/DISCUSSION:** A Registered Land Survey is required for the proposed adjustment of common boundary because the land for one of the parcels involved (695 Mount Curve Boulevard) is unplatted.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The Highland District Council does not intend to take a position on this case.
- H. **REQUIRED FINDINGS:** Zoning Code § 69.304 permits adjustments of common boundaries without platting, provided the following conditions are met:
 - (1) *The lot or lots have frontage on an existing improved street and access to municipal services.* This finding is met. The parcels have frontage on Woodlawn Avenue and Mount Curve Boulevard. These are existing improved streets with access to municipal services.
 - (2) *The lot or lots to be divided are previously platted land.* This finding is met. The parcels are not proposed to be divided. Rather, the common boundary between the two parcels is being adjusted slightly.
 - (3) *The lot or lots meet the minimum standards for lot width and area for the zoning district in which they are located.* Both properties are existing parcels of record and developed with single family homes. They meet the minimum lot area of 7,000 square feet. The parcel at 692 Woodlawn Avenue which is 59.43 wide, and the one at 695 Mount Curve Boulevard which is 55 feet wide, have legal nonconforming status as to lot width in the R2 district which requires a minimum width of 60 feet. The proposed adjustment of common boundary does not affect parcel width, just parcel depth.

- (4) *The division of the lots shall not cause a remaining part of a lot to become a separately described tract which does not meet the minimum standards of the zoning district in which it is located or which does not have street frontage and access to municipal services. This finding is met. The existing parcels are not proposed to be divided.*
 - (5) *The division does not result in a split zoning classification on a single lot. This finding is met. Both parcels are zoned R2 and will remain R2 after the adjustment.*
 - (6) *The division does not result in the creation of a nonconforming structure or use. This finding is met.*
 - (7) *No lot shall be created where the building pad area for the principal structure has an existing slope steeper than eighteen (18) percent or where a driveway steeper than twenty (20) percent is required to reach the building site. However, the planning administrator may approve the creation of a steeper lot, as an exception to this regulation, where the steeper lot is specifically consistent with a city-approved neighborhood plan or redevelopment project. This finding is met. The site is in a fully-developed part of St. Paul. There are no slopes steeper than 18 percent on the parcels in question.*
- I. **STAFF RECOMMENDATION:** Based on required findings 1 through 7, staff recommends approval of the Registered Land Survey to adjust the common boundary between 692 Woodlawn Avenue (PIN 08.28.23.43.0027) and 695 Mount Curve Boulevard (PIN 08.28.23.43.0018) subject to the condition that the applicant shall file a copy of the Council Resolution approving the Registered Land Survey with the Ramsey County Recorder's Office.

Attachments:

Application

Registered Land Survey documents

Site Location Maps



SUBDIVISION REVIEW APPLICATION
 Department of Planning and Economic Development
 Zoning Section
 1400 City Hall Annex
 25 West Fourth Street
 Saint Paul, MN 55102-1634
 (651) 266-6589

Zoning Office Use Only
 File #: 17-068162
 Fee: 866.00
 Tentative Hearing Date: TO BE Scheduled

PD=15

#082823430027

APPLICANT

Name Charlie Braman
 Address 4841 France Ave. S.
 City MPLS St. MN Zip 55410 Daytime Phone 612-702-8388
 Name of Owner (if different) Adeline Murtaugh - 692 Woodlawn
 Contact Person (if different) Charlotte + Paul Mason - 695 Mt. Curve Phone 082823430027

PROPERTY LOCATION

Address/Location 692 Woodlawn, 55116; 695 Mt. Curve, 55116
 Legal Description _____
 Current Zoning R-2
 (attach additional sheet if necessary)

TYPE OF SUBDIVISION:

- Lot Split
- Lot Split with Variance
- Reg. Land Survey
- Preliminary Plat
- Final Plat
- Combined Plat

STAFF USE ONLY

Planning District _____ Land Use Map _____ Tax Map _____ Zoning _____
 Plans Distributed _____ Return by _____ Reviewed by _____

Comments:



(attach additional sheets if necessary)

1-78051100-46115

Applicant's Signature Charlotte Mason Date 7/30/17 City Agent add
Paula
Adeline Murtaugh
18-3-17

Ch 8/3/17

REGISTERED LAND SURVEY NO. _____

I, Allen C. Schlopp, Licensed Land Surveyor, do hereby certify that, in accordance with the provisions of Minnesota Statutes, Section 367.07, now retroactively amended to Minnesota Statutes, Section 367.07, the following is a true and correct copy of the plat of the following described property situated in the County of Ramsey, State of Minnesota:

Lot 9, Block 2, RIVERWOOD ADDITION; and Lot 8, Block 2, RIVERWOOD ADDITION, except the South 26 feet thereof;

AND West 65 feet of the West half of the East one-third (1/3) of the South half of the Southwest quarter of the East 40 acres in Tract A form of Government Lot 4, Section 8, Township 28, Range 23, the said 40 acres being described as follows:
 The Southeast quarter of the Southwest quarter of the Southwest quarter of Section 8, Township 28, Range 23, Tract A, minus 20 chains West; thence 20 chains South; thence 20 chains East; thence 20 chains North to the point of beginning.

I hereby certify that this registered land survey is a correct representation of said parcel(s) of land.
 Dated this _____ day of _____ 20____

STATE OF MINNESOTA
 COUNTY OF _____

The foregoing Surveyors' Certificate was submitted before me this _____ day of _____ 20____ by Allen C. Schlopp, a Licensed Land Surveyor.

Allen Irwin
 Notary Public, Minnesota
 My commission expires January 31, 2020

City of Saint Paul

I do hereby certify that on the _____ day of _____ 20____ the City Council of the City of Saint Paul, Minnesota, approved this registered land survey.

Clerk

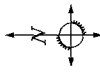
Property Tax, Records and Election Services Department

Pursuant to Minnesota Statutes, Section 363A.42, this registered land survey is approved this _____ day of _____ 20____

Craig W. Hinman, L.S.
 Ramsey County Surveyor

Register of Titles, County of Ramsey, State of Minnesota
 I hereby certify that this Registered Land Survey No. _____ was filed in this office this _____ day of _____ 20____ at _____ o'clock _____ M., on Document No. _____

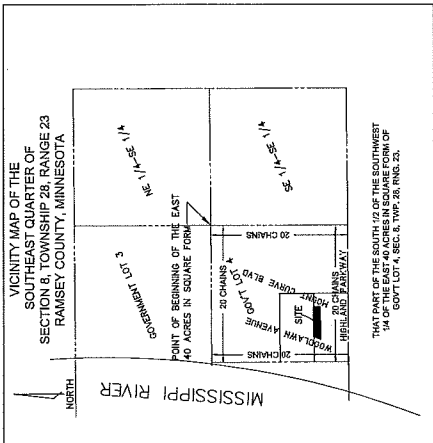
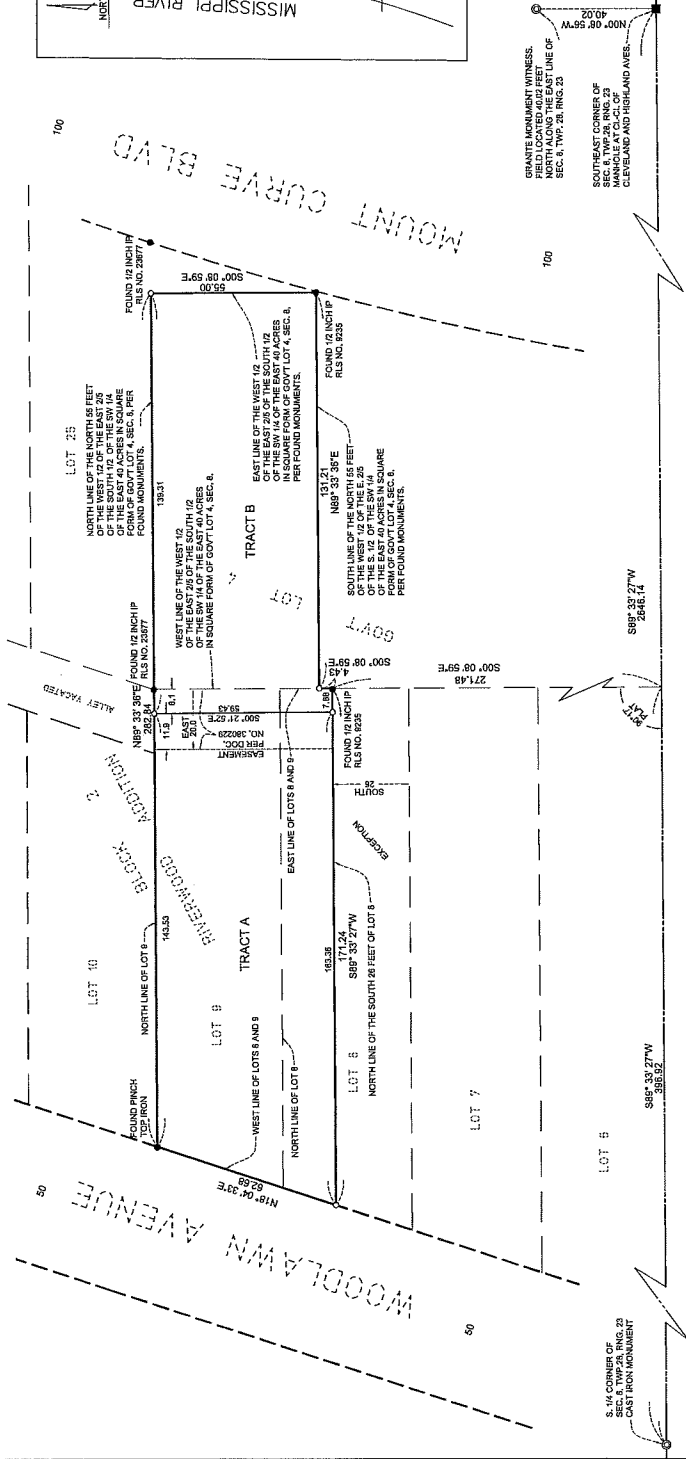
Deputy Registrar of Titles



LEGEND

- O MARKETS BY LOTS WITH THE SURVEYOR'S NAME AND LICENSE NO. THEREAFTER.
- DENOTES FOUND IRON MONUMENT
- DENOTES FOUND IRON MONUMENT
- DENOTES PLASS MONUMENT
- DENOTES IRON PIPE
- P DENOTES IRON PIPE
- RLS DENOTES REGISTERED LAND SURVEYOR

For the purposes of this survey, the North line of Lot 10 is a bearing of North 89 degrees 33 minutes 36 seconds East.



S. 1/4 CORNER OF SEC. 8, TWP. 28, RNG. 23 EAST IRON MONUMENT

GRANITE MONUMENT WITNESS FIELD LOCATED 4022 FEET NORTH 89° 33' 36" E. OF THE S. 1/4 CORNER OF SEC. 8, TWP. 28, RNG. 23

SOUTHEAST CORNER OF MANHOLE AT C.C.I. OF CLEVELAND AND HIGHLAND AVENUES

4401 Avenida S. Suite 250
 Saint Paul, MN 55106
 Phone: 651.785.0112
 Fax: 651.785.0086
 Email: info@mpsurveyors.com

PRELIMINARY REGISTERED LAND SURVEY

LEGAL DESCRIPTION PER CERTIFICATE OF TITLE NO. 551697

Lot 9 Block 2, RIVERWOOD ADDITION and Lot 9 RIVERWOOD ADDITION, except the South 26 feet thereof. Subject to the easements and rights therein shown on Record No. 360223, as set forth in Document No. 3594, as set forth in Document No. 360223, as to the East 20 feet of said land.

AND

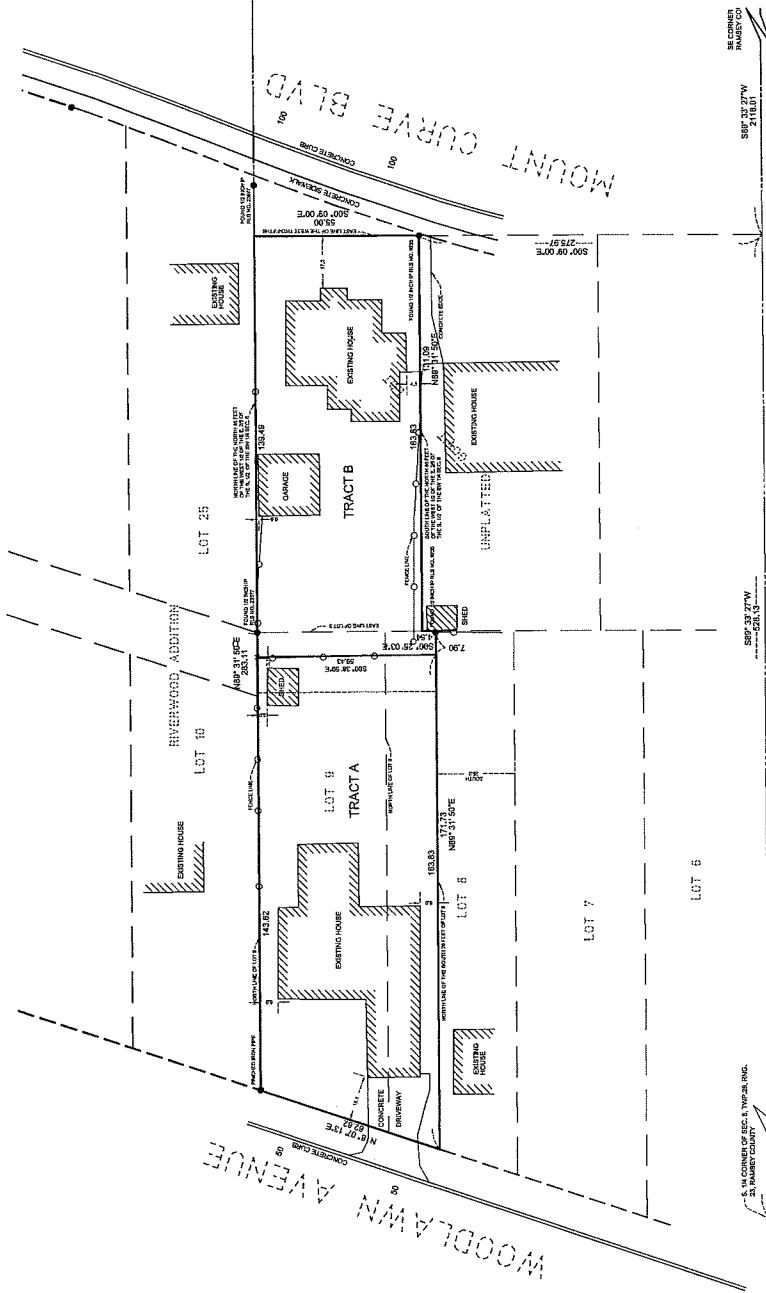
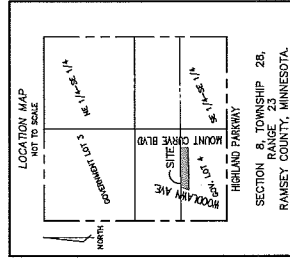
LEGAL DESCRIPTION PER CERTIFICATE OF TITLE NO. 342290

The North 55 feet of the West half of the East two-fifths (2/5) of the South half of the Southwest quarter of the East 40 acres in square form of Government Lot 4, Section 8, Township 28, Range 23, the said 40 acres being described as follows:
Commencing at the Northwest corner of the Southwest quarter of the Southwest quarter of Section 8, Township 28, Range 23, thence 20 chains West, thence 20 chains East, thence 20 chains North to the point of beginning.

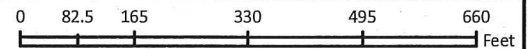


LEGEND

- DIMENSIONS OF THE PROPERTY SHOWN ON THIS SURVEY THAT ARE NOT SHOWN ON THE PREVIOUS RECORDS WILL BE SET FORTH TO PLAT RECORDING.
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M&P
 1400 Ananda St. Suite 230
 Saint Paul, MN 55106
 Phone: 651-778-9112
 Fax: 651-778-0066
 E-mail: info@mpsurvey.com



FILE NAME: Adleline Murtaugh

Aerial

APPLICATION TYPE: RLS

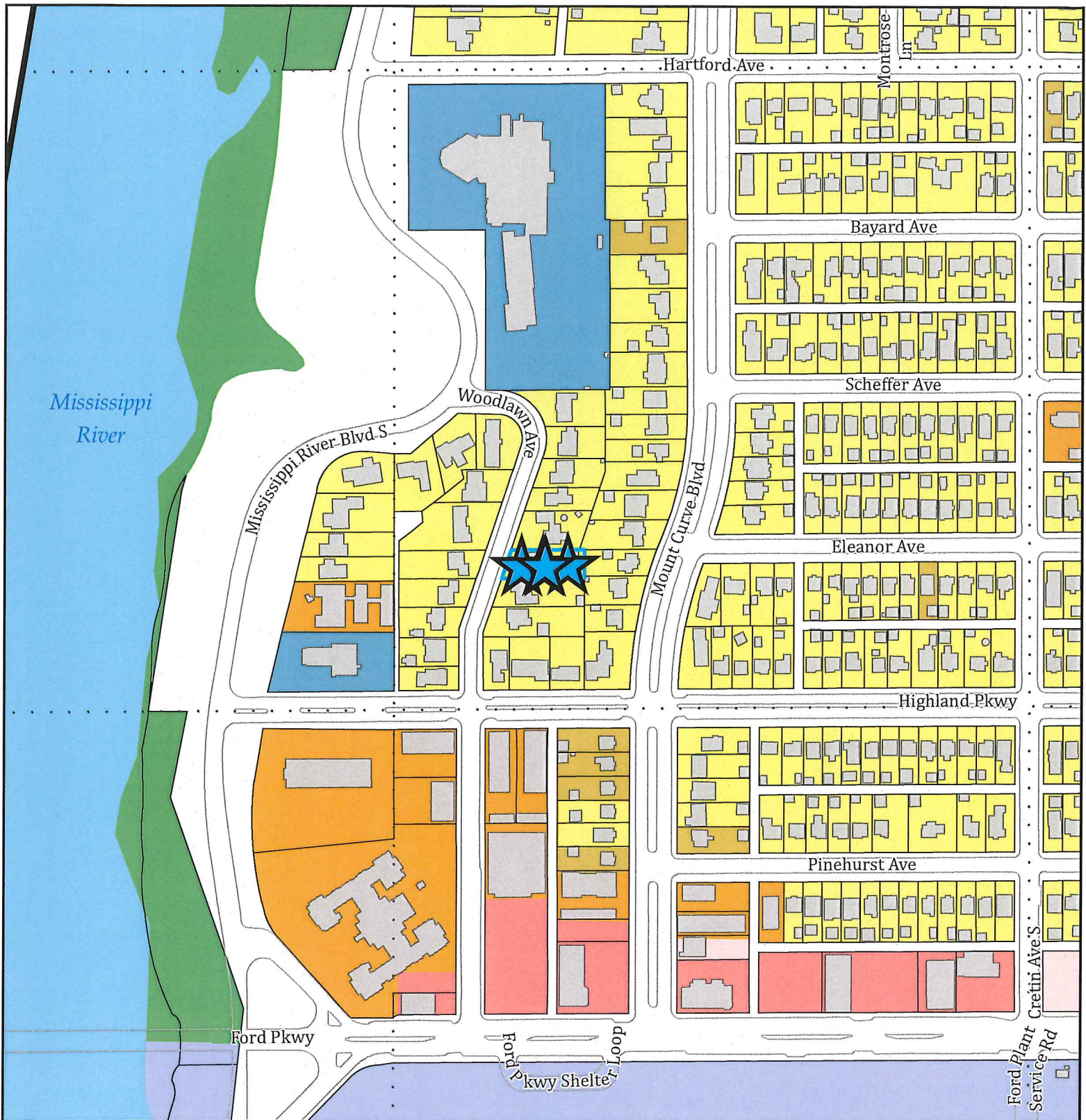
 Subject Parcels

FILE #: 17-068162 DATE: 8/9/2017

PLANNING DISTRICT: 15

ZONING PANEL: 19





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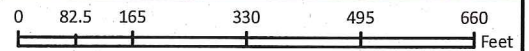
PLANNING DISTRICT: 15

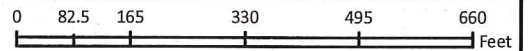
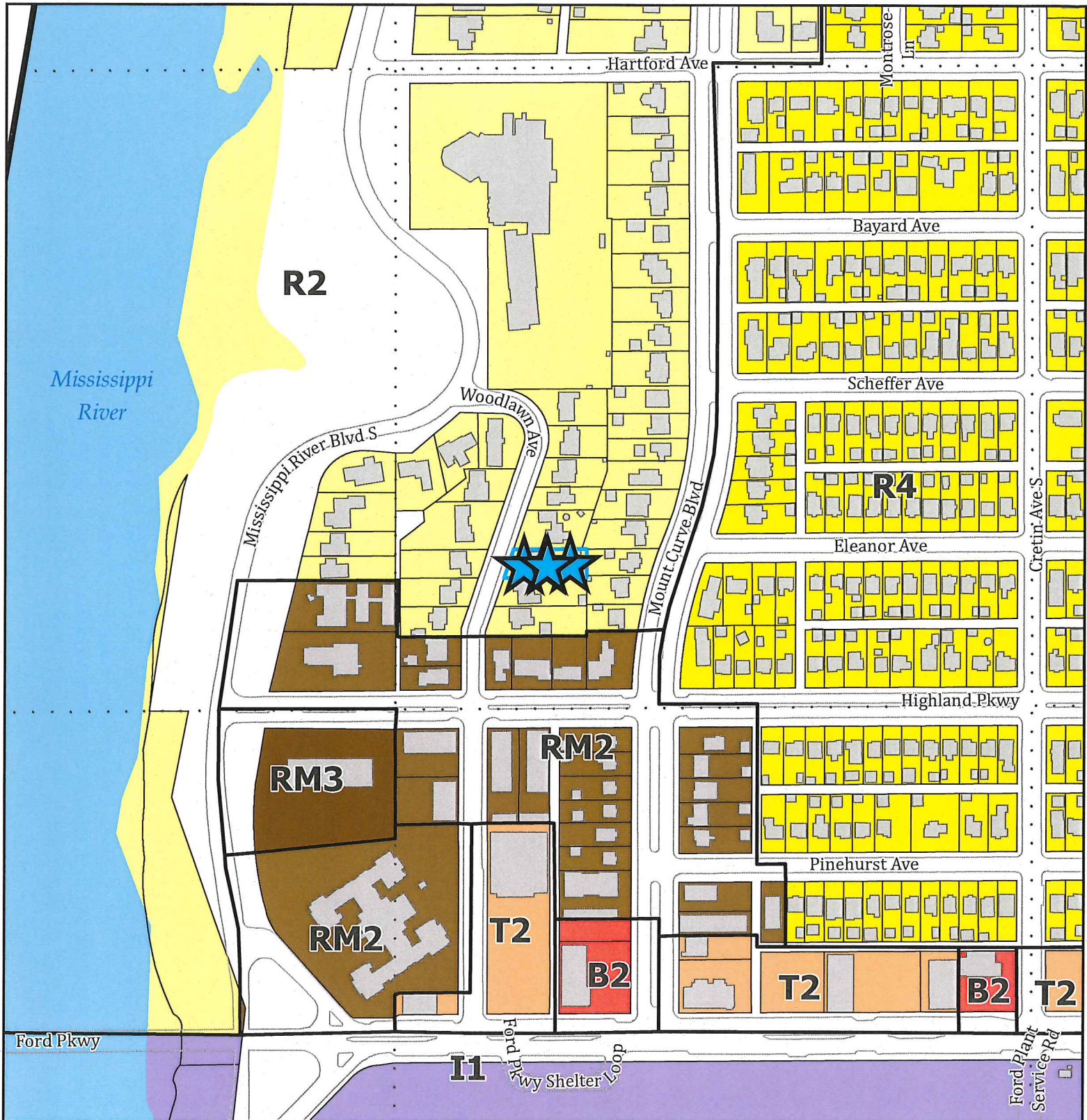
ZONING PANEL: 19

Land Use

- Single Family Detached
- Single Family Attached
- Multifamily
- Office
- Retail and Other Commercial
- Industrial and Utility
- Institutional

- Park, Recreational or Preserve
- Water
- Subject Parcels
- Section Lines





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PLANNING DISTRICT: 15

ZONING PANEL: 19

Zoning

- Subject Parcels
- Section Lines
- R2 One-Family
- R4 One-Family
- RM2 Multiple-Family
- RM3 Multiple-Family
- T2 Traditional Neighborhood
- B2 Community Business
- I1 Light Industrial

