



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

Room 160  
 411 West First Street  
 Duluth, Minnesota 55802

218-730-5580

planning@duluthmn.gov

<b>File Number</b>	PLVAR-2406-0001	<b>Contact</b>	Chris Lee, clee@duluthmn.gov	
<b>Type</b>	Variance from front yard setback	<b>Planning Commission Date</b>	September 10, 2024	
<b>Deadline for Action</b>	<b>Application Date</b>	July 24, 2024	<b>60 Days</b>	September 22, 2024
	<b>Date Extension Letter Mailed</b>	August 18, 2024	<b>120 Days</b>	November 21, 2024
<b>Location of Subject</b>	501 N 57 <sup>th</sup> Ave West			
<b>Applicant</b>	Jesus is Life Ministries	<b>Contact</b>		
<b>Agent</b>	Bailey Hanson	<b>Contact</b>	CF Designs	
<b>Legal Description</b>	See Attached	<b>Sign Notice Date</b>	August 15, 2024	
<b>Site Visit Date</b>	August 29, 2024	<b>Number of Letters Sent</b>	60	

**Proposal**

The applicant is seeking a variance from the front yard setbacks to reconstruct a stair and deck at the principal entrance to the building. The stairs will extend 9’2” from the front wall reducing the setback to 11” from 57<sup>th</sup> Avenue West.

**Staff Recommendation**

Staff recommends that the Planning Commission approve the variance.

	<b>Current Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use Map Designation</b>
<b>Subject</b>	R-1	Church	Traditional Neighborhood
<b>North</b>	R-1	Residential	Traditional Neighborhood
<b>South</b>	R-2	Residential	Traditional Neighborhood
<b>East</b>	R-1	Residential	Traditional Neighborhood
<b>West</b>	R-1	Residential	Traditional Neighborhood

**Summary of Code Requirements**

Sec. 50-37.9.C – General Variance Criteria (paraphrased): Granting of variances of any kind is limited to situations where, due to characteristics of the applicant’s property, enforcement of the ordinance would cause the landowner exceptional practical difficulties or undue hardship. The Planning Commission must find the following for a variance to be granted: a) That the landowner is proposing to use the property in a reasonable manner, b) that the need for relief for from the normal regulations is due to circumstances unique to the property and not caused by the landowner, c) that granting the variance will not alter the essential character of the area, d) that granting the variance is consistent with the intent of the UDC and the Comprehensive Plan.

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

Governing Principle #5: Promote reinvestment in neighborhoods: this project allows the property owner to make critical safety improvements for the existing church.

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.

History

The structure is 3,800 square foot constructed in 1950.

**Review and Discussion Items:**

Staff finds that:

- 1) The applicant is seeking variance to reduce the front yard setback from 25 feet to 11 inches to reconstruct a building code complaint entry and staircase extending 9' 2" from the wall of the church.
- 2) *Variance Criteria #1 (exceptional narrowness, shallowness, or shape):* The structure occupies a significant portion of the parcel. The structure is 10.15 feet from the front property line.
- 3) *Variance Criteria #2 (circumstances unique to the property, not created by the property owner):* The church was not built by the current. A majority of the structure has been in place since 1950, with some parts dating back to the 1880's. The right of way for 57<sup>th</sup> Avenue is wider (80') than other right of way in residential areas found in other parts of Duluth.
- 4) *Variance Criteria #3 (circumstances are peculiar to this property and do not apply generally to other land or buildings):* The existing church occupies most of the parcel from lot line to lot line and predates existing zoning codes.
- 5) *Variance Criteria #4 (proposes to use in a reasonable manner not permitted by code):* Applicant's proposal to rebuild the deteriorated staircase for the church as a reasonable use for the properties.
- 6) *Variance Criteria #5 (not impair light/air, increase congestion, or impair public safety or property values):* The variance will not impair an adequate supply of light and air to adjacent properties as the area is a relatively dense neighborhood. The proposed use will not unreasonably increase the congestion in public streets or unreasonably diminish or impair established property values within the surrounding areas.
- 7) *Variance Criteria #6 (will not impair intent of this Chapter or alter the essential character of the locality):* The staircase will not alter the character of the neighborhood. There has traditionally been a staircase on this portion of the property.
- 8) Variance criteria #7-9 do not apply to this application.
- 9) One public comment was received in support for the staircase. No public, agency, or City comments were received.
- 10) Per UDC Section 50-37.1.N, approved variances lapse if the project or activity authorized by the permit or variance is not begun within one-year.

**Staff Recommendation**

Staff recommends Planning Commission approve the variance with the following conditions:

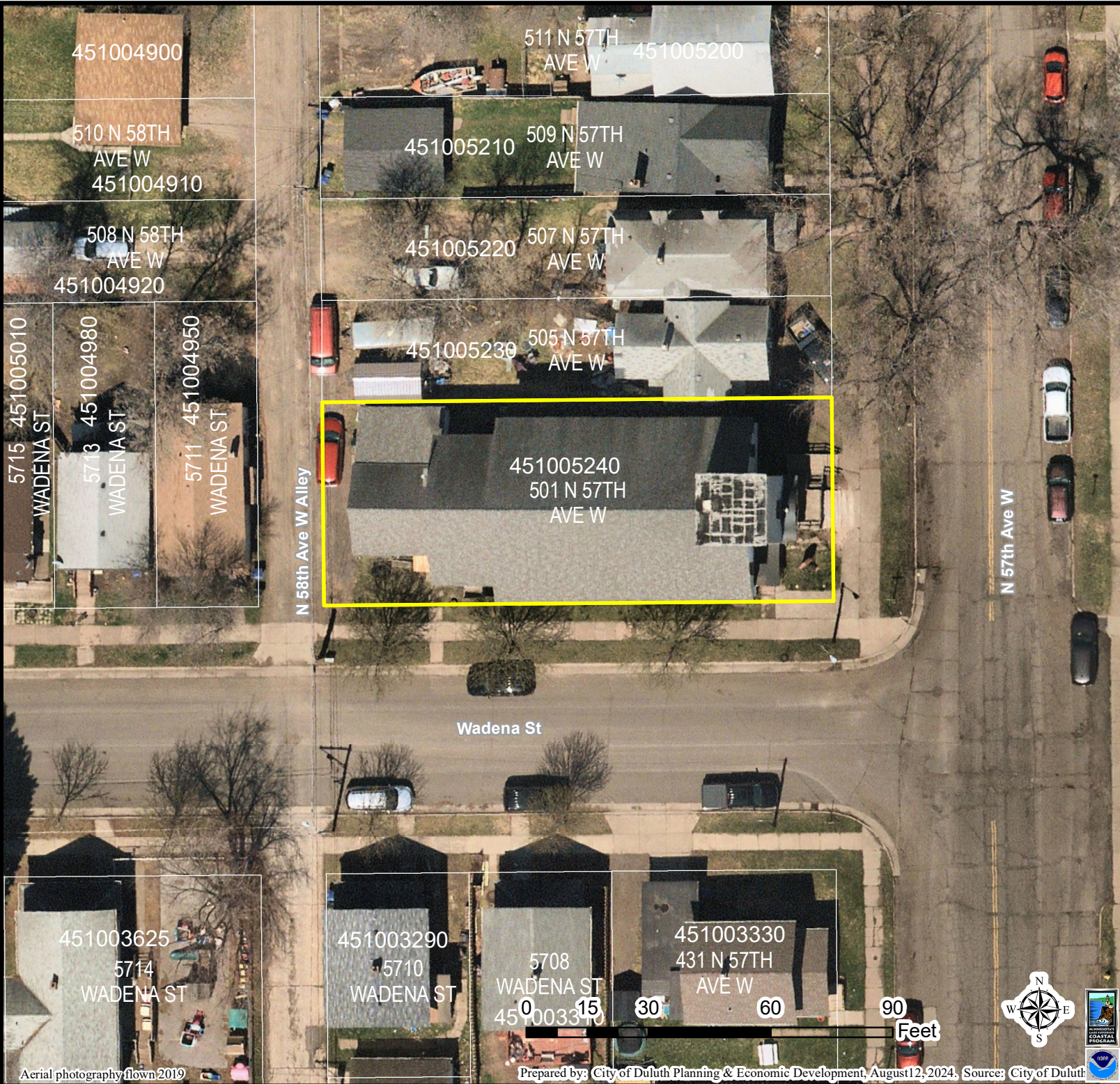
- 1) The project be constructed according to the site plan submitted with this application.
- 2) Any alterations to the approved plans that do not alter major elements of the plan may be approved by the Land Use Supervisor without further Planning Commission action; however, no such administration approval shall constitute a variance from the provisions of Chapter 50.



PLVAR-2406-0001  
 Variance to Setbacks  
 501 N 57th Ave W

### Legend

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.



Aerial photography flown 2019

Prepared by: City of Duluth Planning & Economic Development, August 12, 2024. Source: City of Duluth



# JESUS IS LIFE - EXTERIOR STAIR

501 N 57TH AVE W, DULUTH MN 55807

PARCEL NO.: 010-4510-05240

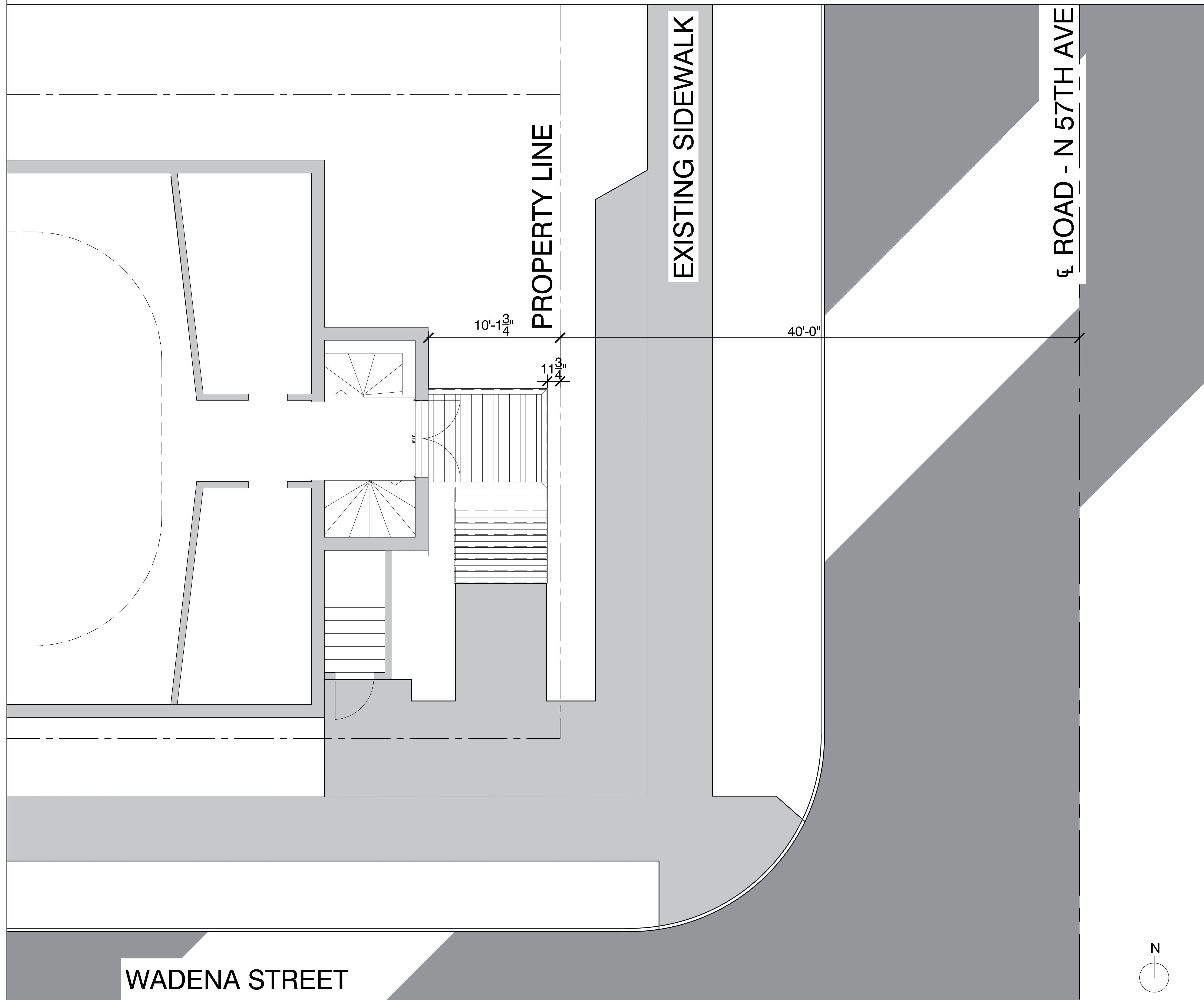


cf design ltd

230 East Superior Street  
Suite 102  
Duluth, MN 55802  
Phone: 218.722.1060  
Fax: 218.722.1086

www.cfdesignltd.com

SITE PLAN SCALE 1/4" = 1'-0"



NOT FOR  
CONSTRUCTION

JESUS IS LIFE - EXTERIOR STAIR  
501 N 57TH AVE N, DULUTH MN 55807

SITE PLAN

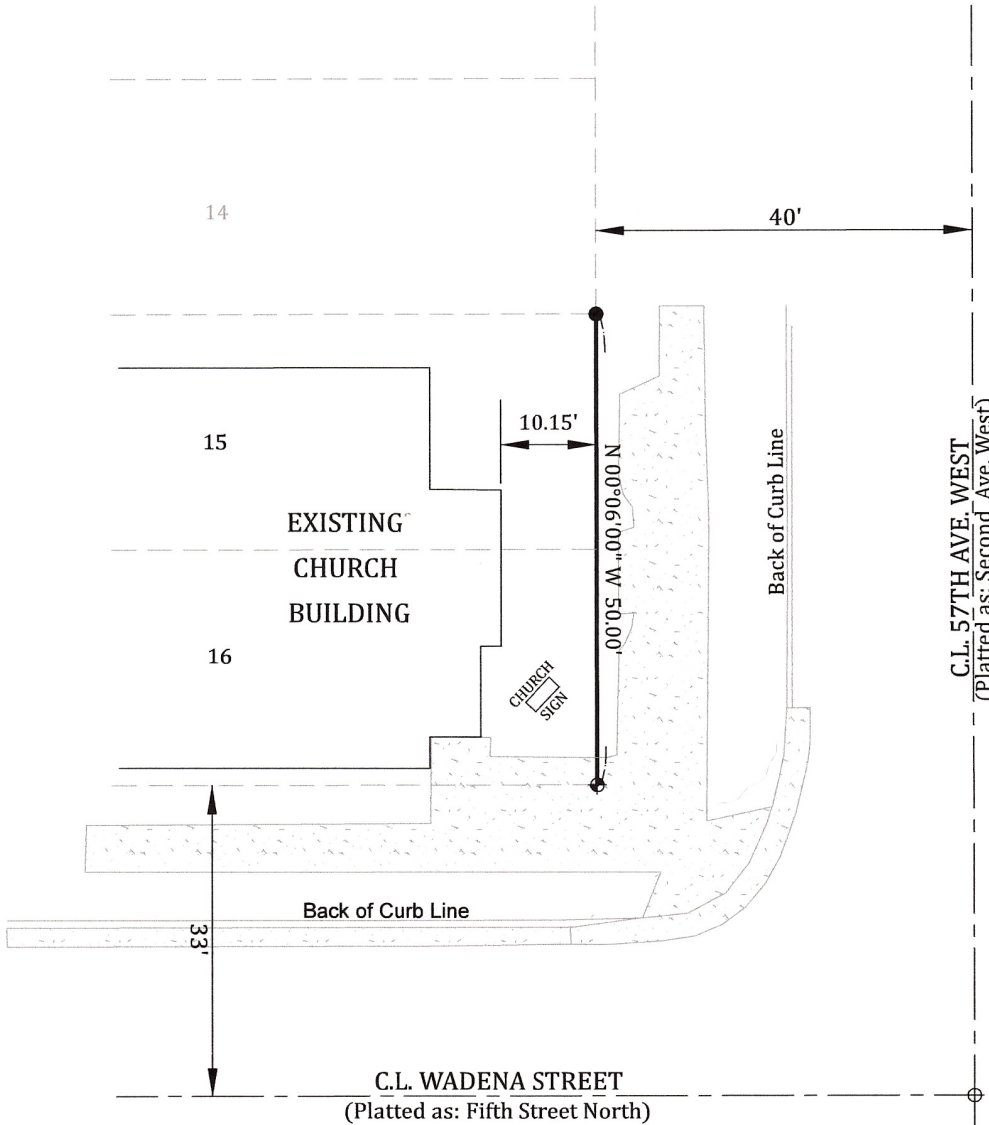
#	DESCRIPTION	DATE
1	SITE PLAN	06.27.2024

A0.1


**CERTIFICATE OF SURVEY**  
 EAST LINE OF LOT'S 15 AND 16, BLOCK 148  
 WEST DULUTH 5TH DIVISION  
 CITY OF DULUTH, ST. LOUIS COUNTY, MINNESOTA  
 For Site Plan of Proposed Church Stairway Entrance.  
 Jesus is Life Church  
 501 N. 57th. Ave. West

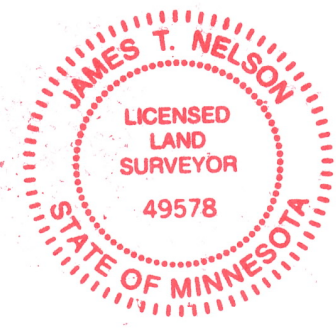
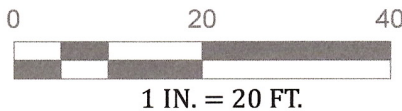


BEARINGS REFERENCED TO  
 ST. LOUIS COUNTY TRANSVERSE  
 MERCATOR 96 COORDINATE SYSTEM.



**LEGEND**

- SET 3/4 IN. DIA. REBAR WITH ALUMINUM CAP - "NELSON LS 49578"
- ⊕ SET MAG NAIL IN CONCRETE.
- ⊕ FOUND P.K. NAIL.
-  EXISTING CONCRETE.



SurveyScience Land Surveying, LLC  
 Duluth, Minnesota  
 (218) 428 - 4327

I hereby certify that this survey, plan or report was prepared by me and that I am a duly Licensed Land Surveyor under the laws of the state of Minnesota.

*James T. Nelson*  
 James T. Nelson

Date: 6/17/2024  
 License No.: 49578

**From:** [planning](#)  
**To:** [Chris Lee](#)  
**Subject:** FW: 501 N 57th Ave W Duluth 55807  
**Date:** Thursday, August 22, 2024 8:34:44 AM

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Comments regarding PLVAR-2406-0001.  
Thanks!

Sam

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**From:** Jodi H <6nn6ro@gmail.com>  
**Sent:** Thursday, August 22, 2024 7:05 AM  
**To:** planning <planning@DuluthMN.gov>  
**Subject:** 501 N 57th Ave W Duluth 55807

I the owner of 502 N 57th Ave W, would vert much like 501 to have the stairs that they are requesting. I think it will look nice. It will give my cats people to watch out the window.  
Sincerely Jodi H of 502.