



Planning & Development Division
Planning & Economic Development Department
Room 160
411 West First Street
Duluth, Minnesota 55802

 218-730-5580
 planning@duluthmn.gov

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

Staff Recommendation

Staff recommends that the Planning Commission approve the variance.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-1	Church	Traditional Neighborhood
North	R-1	Residential	Traditional Neighborhood
South	R-2	Residential	Traditional Neighborhood
East	R-1	Residential	Traditional Neighborhood
West	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 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 57th 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 is 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

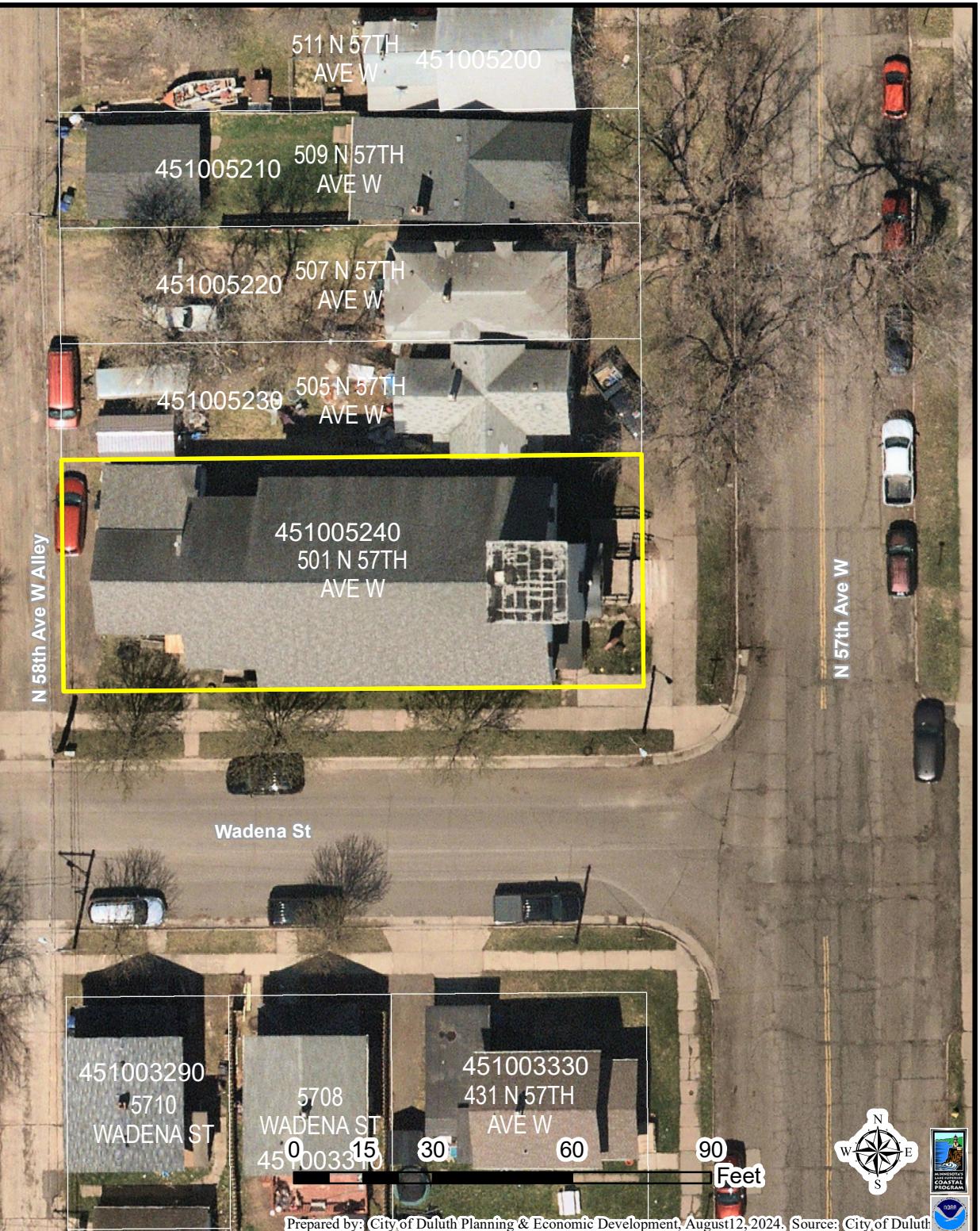
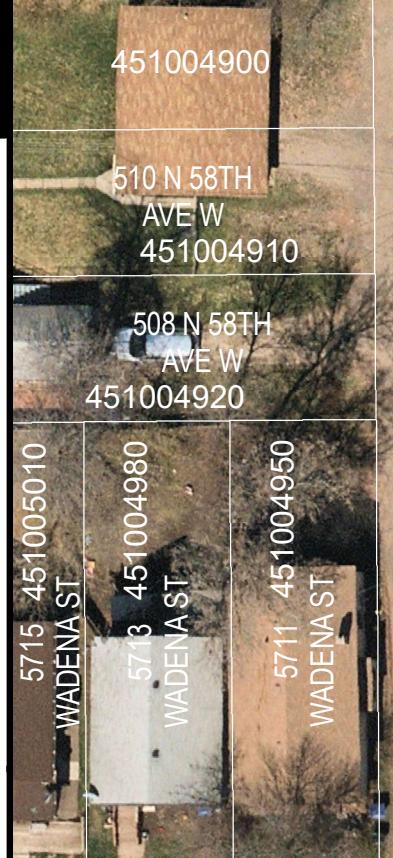
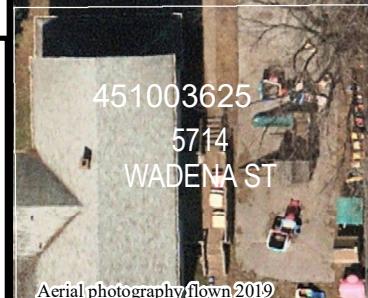
Staff recommends Planning Commission approve the variance with the following conditions:

- 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



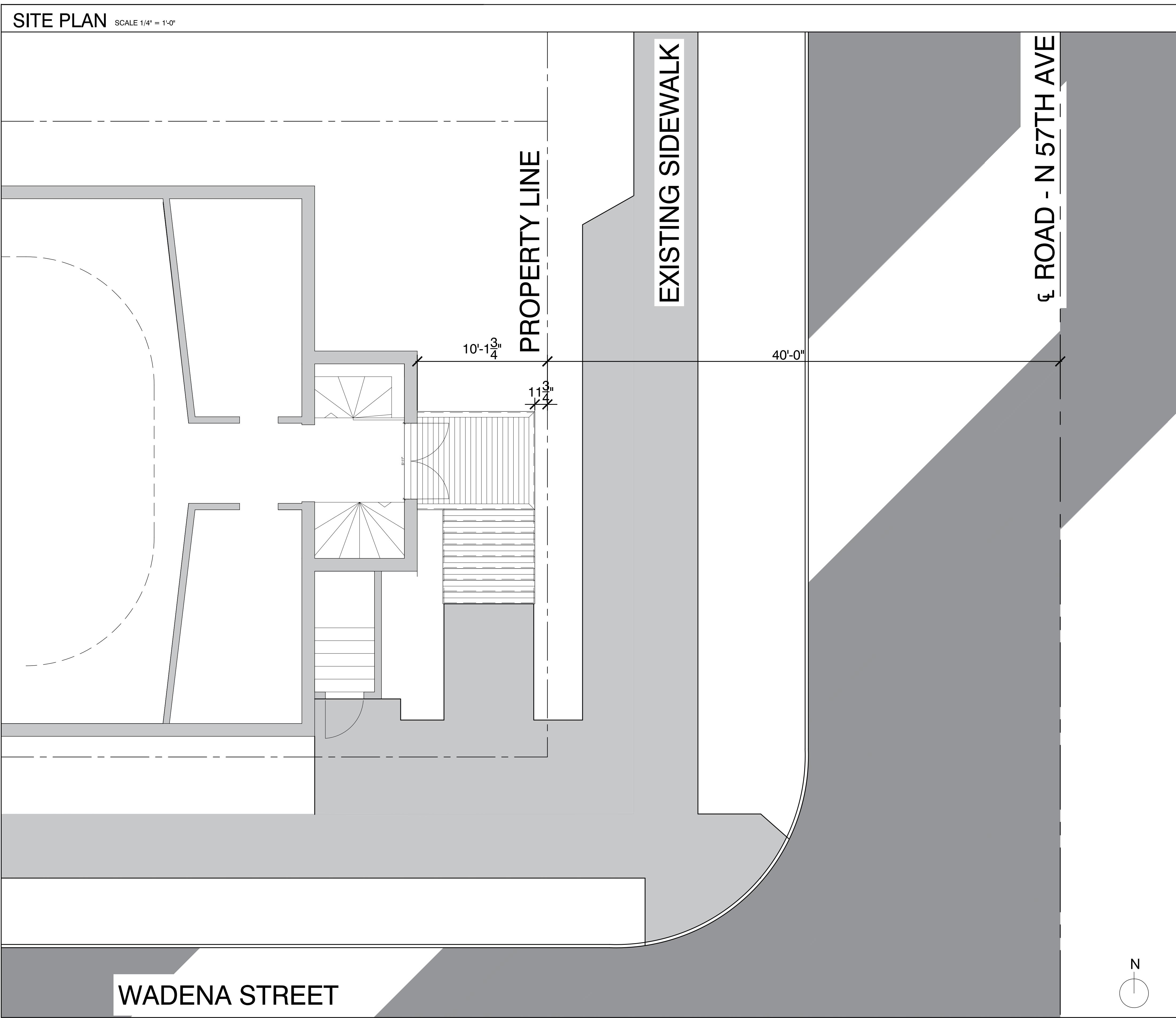
JESUS IS LIFE - EXTERIOR STAIR

501 N 57TH AVE W, DULUTH MN 55807

PARCEL NO.: 010-4510-05240

SITE PLAN

SCALE 1/4" = 1'-0"



CF
design
Cf design ltd
230 East Superior Street
Suite 102
Duluth, MN 55802
Phone: 218.722.1060
Fax: 218.722.1086
www.cfdesignltd.com

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

SITE PLAN

DESCRIPTION DATE

SITE PLAN 06.27.2024

A0.1

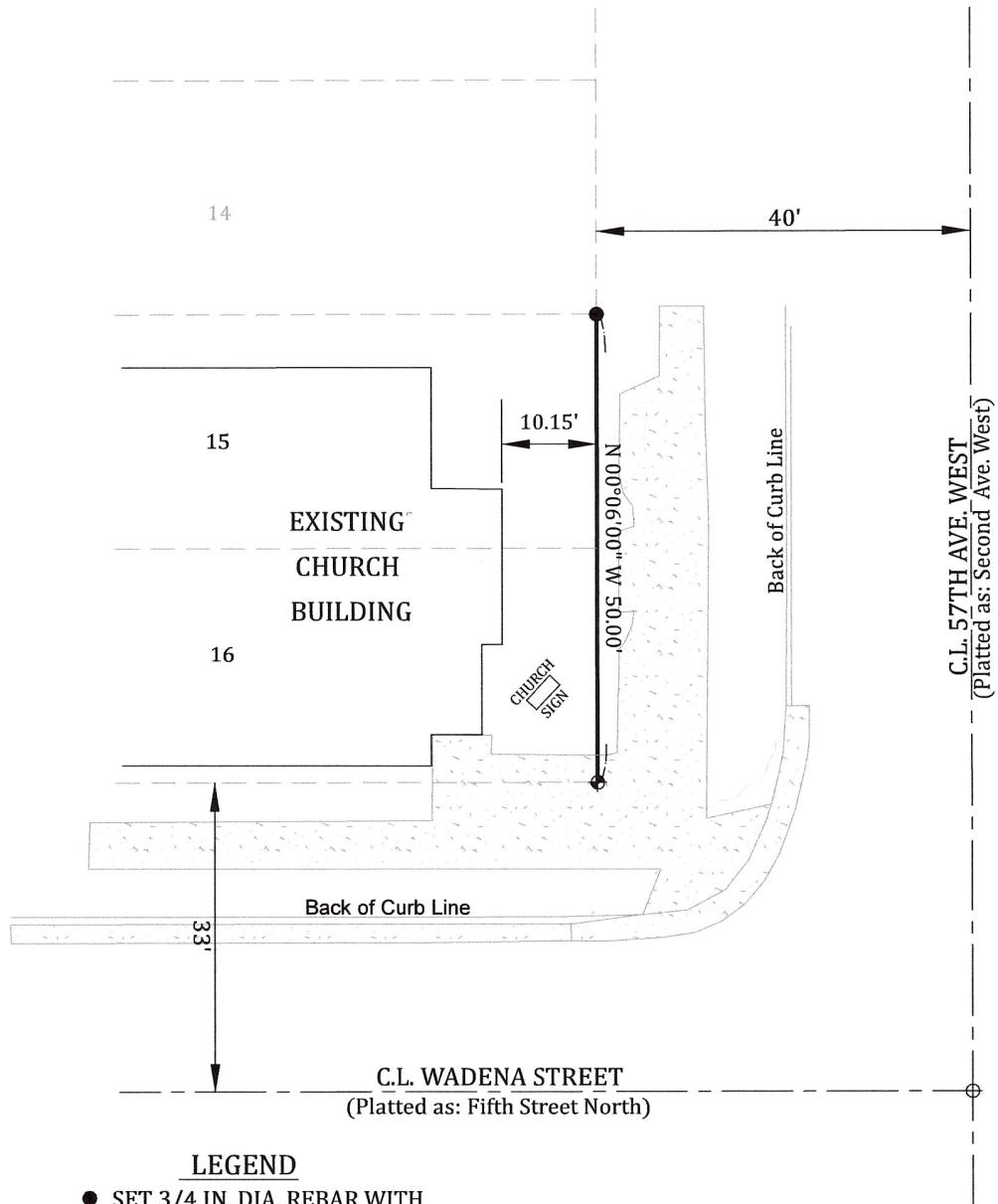
CF (C) 2024

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.



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

Comments regarding PLVAR-2406-0001.

Thanks!

Sam

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.