

May 24, 2024

Duluth City Council
City Hall, Room 330
411 West First Street
Duluth, MN 55802

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CITY OF DULUTH
CITY CLERK'S OFFICE

Dear City Councilors:

My husband and I, Kevin Farnum and Katherine Mueller, are seeking a side yard variance to reduce the setback from the required 15' setback to 3.9' setback to construct a garage of modest size directly behind our house. The Planning Commission denied our application at the May 14th Planning Commission meeting for the following (findings of fact):

1. The request is not due to exceptional narrowness, shallowness, or shape of the applicant's property.
2. Circumstances are not peculiar to this property as a number of properties in the vicinity have similar topography, solar access and grade.

While this is true, this was not the basis for my application for a variance to the setback requirement. As noted in my application, the request was because placing the garage in an area that would be reasonably accessible to the house and in compliance with the UDC setback requirement, would partially block access to the sun to the garage roof. We plan to install a solar array on the roof of the garage to power the house and garage. Documentation of this was submitted to the Planning staff and Planning Commission.

The state of Minnesota has recognized the desirability of promoting use of solar energy by adopting policy in the variance statute that specifically establishes the lack of adequate access to "direct sunlight" as a practical difficulty that would justify this variance request. The request meets all other criteria in city code and state statute to grant this variance application.

Because of these facts, and others which will be made available to the Council, I urge you to reverse the Planning Commission's decision and grant this variance request. Thank you for your consideration.

Sincerely,



Katherine Mueller
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