Planning & Economic Development Division
218-730-5580 | planning@duluthmn.gov
Room 160 | 411 West First Street | Duluth, Minnesota 55802
www.duluthmn.gov

Staff Report for PLVAR-2607-0021

Application Information:

Application Type: Variance from Dimensional Standards
Location of Subject: 228 W Lewis St
Legal Description: 010-1860-00080

Applicant: Michael Pothast
Applicant Contact: n/a
Agent: n/a
Agent Contact: n/a

Staff Contact: Christian Huelsman, chuelsman@duluthmn.gov

Deadline for Action:
Application Date: July 22, 2026
Date Extension Letter Mailed: August 3, 2026
60 Days: September 20, 2026
120 Days: November 19, 2026

Site Visit Date: August 24, 2026
Sign Notice Date: August 21, 2026

Neighbor Letter Date: August 20, 2026
Number of Letters Sent: 28

Proposal:

The applicant is seeking a variance from dimensional standards, prohibiting an accessory structure from being located between a street and a primary building, for new construction of a detached garage.

Recommended Action:

Staff recommends approval with conditions.

Zoning and Land Use:

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-1	Residential	Traditional Neighborhood
North	R-1	Residential	Traditional Neighborhood
South	R-1	Open Space	Traditional Neighborhood
East	R-1	Residential	Traditional Neighborhood
West	R-1	Residential	Traditional Neighborhood

Summary of Code Requirements:

50-37.9.C – General Variance Criteria (paraphrased): The granting of variances of any kind is limited to situations where, due to characteristics of the applicant's property, enforcement of the ordinance would impose practical difficulties.

50-21.3. – Exceptions and Encroachments (paraphrased): No accessory structure may be located: (a) between a street and any façade of a primary building facing that street, or (b) closer than 10 ft to any principal structure on an adjoining property, or (c) closer than 5 ft to any rear lot line, or (d) closer than 3 ft to any side lot line.

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

Principle #4 – Reuse previously developed lands – This subdivision provides the opportunity for infill residential development within an existing neighborhood on land that has been impacted by surrounding residential development.

Principle #5 – Promote reinvestment in neighborhoods – This subdivision will allow the applicant to replace a garage in the neighborhood.

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. Includes many of Duluth 's older neighborhoods, infill projects, neighborhood extensions, and new traditional neighborhood areas.

History: A one-story residence built in 1926, as well as a detached garage of an unknown age, currently stands on the site within the Glen Avon 4th Division of Duluth, platted in 1891. The current garage is located at the rear of the property along Catherine Street, a public street functioning as an alley but, under code regulations, serving as a double frontage for the lot. A residential building permit is currently pending approval of a variance to allow construction of a new accessory structure along Catherine Street.

Review and Discussion Items:

Staff finds:

1. The applicant is seeking a variance from dimensional standards to construct a 24 ft by 30 ft garage. The plan proposes demolition of the existing 24 ft by 24 ft garage.
2. The applicant requests zoning relief from the condition that no accessory structure may be located between a street and any façade of a primary building facing that street, per Section 50-21.3, to allow for the construction of the proposed garage.
3. *Variance Criteria #1 (exceptional narrowness, shallowness, or shape):* The subject property exhibits unique constraints due to its narrowness and having frontage at its front and rear. Under current zoning regulations, due to narrowness of the lot in relation to the primary structure, it is not feasible to locate the garage on another portion of the lot. The property has frontage upon West Lewis Street to the north and Catherine Street to the south, the latter of which is designated as a public street. Catherine Street functions as an alley and provides access to detached garages.
4. *Variance Criteria #2 (circumstances unique to the property, not created by the property owner):* Circumstances necessitating a variance from dimensional standards are unique to the property and were not created by the applicant or the City. The garage was likely constructed when current standards for accessory structures did not apply. The current limits for exceptions and encroachments do not allow accessory structures to be located between a street and a primary building. The applicant is proposing a new structure that is located between the primary structure and the public street at the rear of the property.
5. *Variance Criteria #3 (circumstances are peculiar to this property and do not apply generally to other land or buildings):* The circumstances prompting this request are unique to this area of the Hunters Park neighborhood, specifically Catherine Street and nearby Anna Street, which function as alleys but serve as legal street frontage. This circumstance is neither common in the rest of the neighborhood nor elsewhere in Duluth. The existing residence and garage were constructed during the early Twentieth Century, predating the current dimensional standards for accessory structures. An accessory structure cannot be reasonably located elsewhere on the property.
6. *Variance Criteria #4 (proposes to use in a reasonable manner not permitted by code):* The proposed project represents a reasonable use of the property that is consistent with its long-standing and historic function as a

residential lot. Catherine Street functions as the access point for garages on the block. The proposed improvements do not introduce intensified uses beyond what has existed for decades; rather, they replace an aging and deteriorated accessory structure. The existing garage is to be eliminated while the proposed garage is to retreat from the south and east property lines.

7. *Variance Criteria #5 (not impair light/air, increase congestion, or impair public safety or property values).* The proposed variance will not impair light or air, increase congestion, or negatively affect public safety or property values. The proposed replacement of the existing garage for a new detached garage will maintain adequate distance from adjacent properties, increasing the distance of the garage from Catherine Street and the property to the east. The project proposal will incorporate current building code standards that will enhance overall public safety. This reinvestment in a residential zone district is expected to maintain or improve the value of the property without adverse impacts on surrounding properties.
8. *Variance Criteria #6 (will not impair intent of this Chapter or alter the essential character of the locality).* The requested variance will not impair the intent of the dimensional standards or alter the essential character of the locality. The property will continue to be used as a single-family residence, and the proposed detached garage is a residential accessory structure consistent with the established pattern of detached garages along Catherine Street. As a result, the proposal upholds the Chapter's intent to protect community character, resulting in a better site than previously existed.
9. No public, agency, or other City comments were received.
10. Staff find the applicant has demonstrated practical difficulty due to the necessity for replacing the existing garage in its longstanding location with a new garage that maintains safe conditions, meets accessibility and code requirements, and continues to provide an active residential use on the property. Strict compliance with dimensional standards would prevent reasonable use of the residential property.
11. 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:

Based on the above findings, Staff recommends that Planning Commission approve the Planning Review with the following conditions:

1. The project shall be constructed and limited to the plans submitted with the 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 approval; however, no such administrative approval shall constitute a variance from the provisions of Chapter 50.

Map for PLVAR-2607-0021:

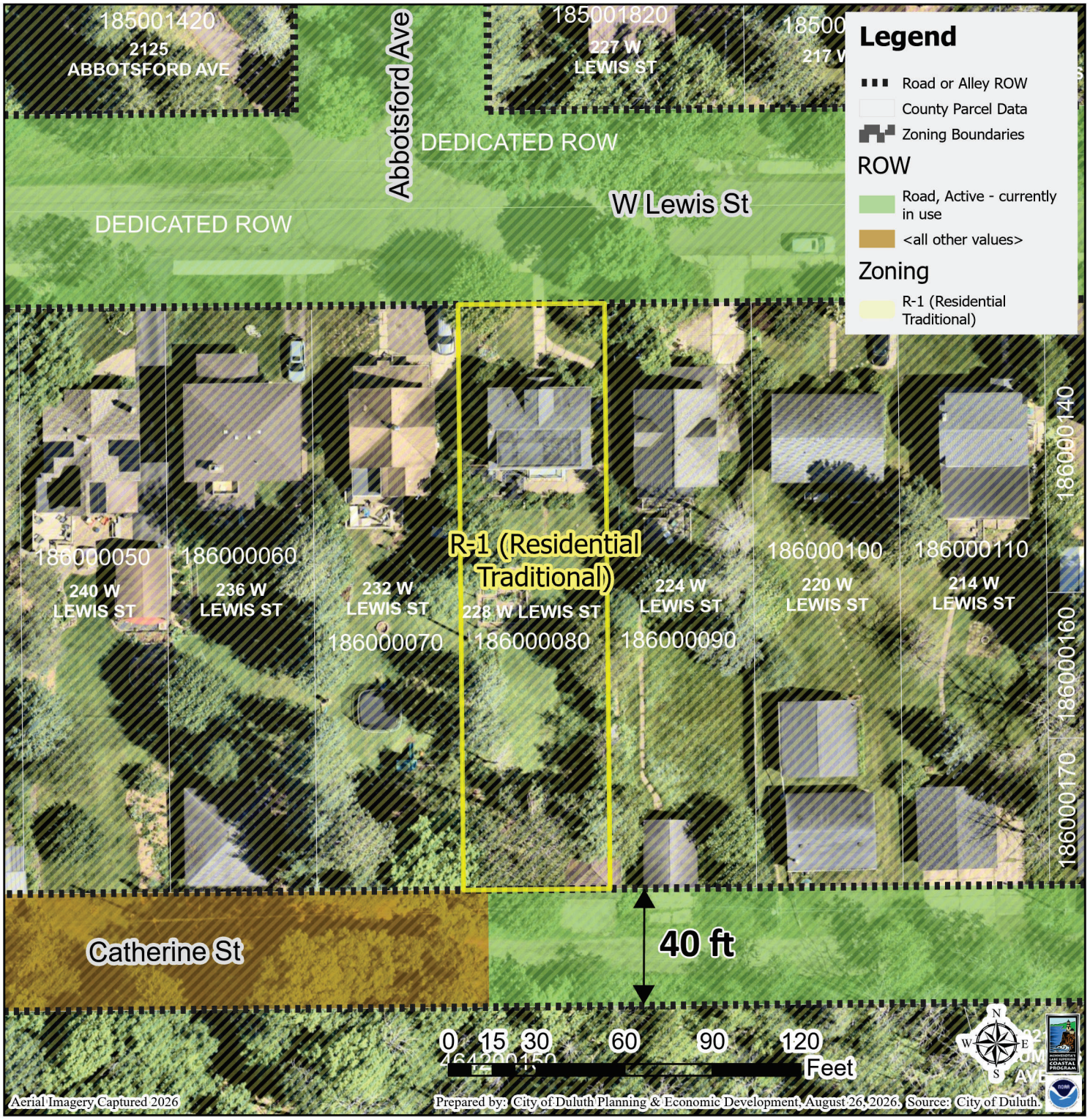
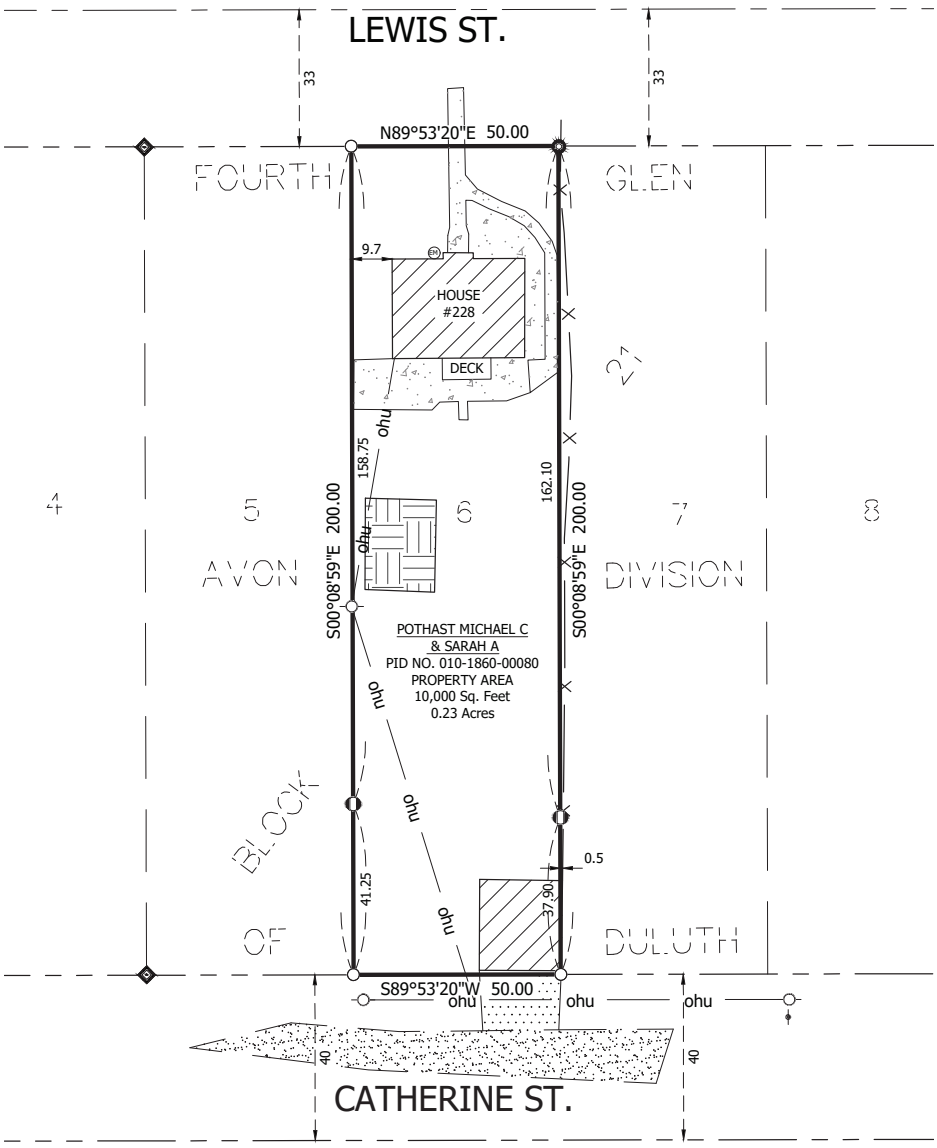


Figure 1.
Aerial imagery captured in 2026, showing Parcel #010-1860-00080 outlined along the south side of W Lewis St within the R-1 district, abutting Catherine Street to the south.

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.



LEGEND

- CONCRETE SURFACE
- BITUMINOUS SURFACE
- GRAVEL SURFACE
- LANDSCAPED SURFACE
- EXISTING BUILDINGS
- FENCE LINE
- OVERHEAD UTILITIES (ohu)
- CENTER LINE
- RIGHT OF WAY LINE
- BOUNDARY LINE AS SURVEYED
- EXISTING PLAT LINE
- FOUND IRON PIPE
- SET SPIKE
- SET CAPPED REBAR RLS. NO. 49505
- ELEC METER
- GUY ANCHOR
- UTILITY POLE
- FOUND CAPPED REBAR

LEGAL DESCRIPTION PER DOCUMENT NO. 1261302
LOT 6, BLOCK 21, FOURTH GLEN AVON DIVISION OF DULUTH

0 20
SCALE IN FEET

SURVEYOR'S NOTES

1. 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 LAND SURVEY COMPANY. THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR SHOWING THE LOCATION OF RECORDED OR UNRECORDED EASEMENTS OR OTHER ENCUMBRANCES NOT PROVIDED TO THE SURVEYOR AS OF THE DATE OF THE SURVEY.
2. BEARINGS ARE BASED ON THE ST. LOUIS COUNTY TRANSVERSE MERCATOR COORDINATE SYSTEM OF 1996. (NAD 83 2011)
3. BUILDING DIMENSIONS SHOWN ARE FOR HORIZONTAL & VERTICAL PLACEMENT OF STRUCTURE ONLY. SEE ARCHITECTURAL PLAN FOR BUILDING FOUNDATION DIMENSIONS.
4. NO SPECIFIC SOILS INVESTIGATION HAS BEEN COMPLETED ON THIS LOT BY ALTA LAND SURVEY COMPANY. THE SUITABILITY OF SOILS TO SUPPORT THE SPECIFIC STRUCTURE PROPOSED IS NOT THE RESPONSIBILITY OF ALTA LAND SURVEY COMPANY OR THE SURVEYOR.

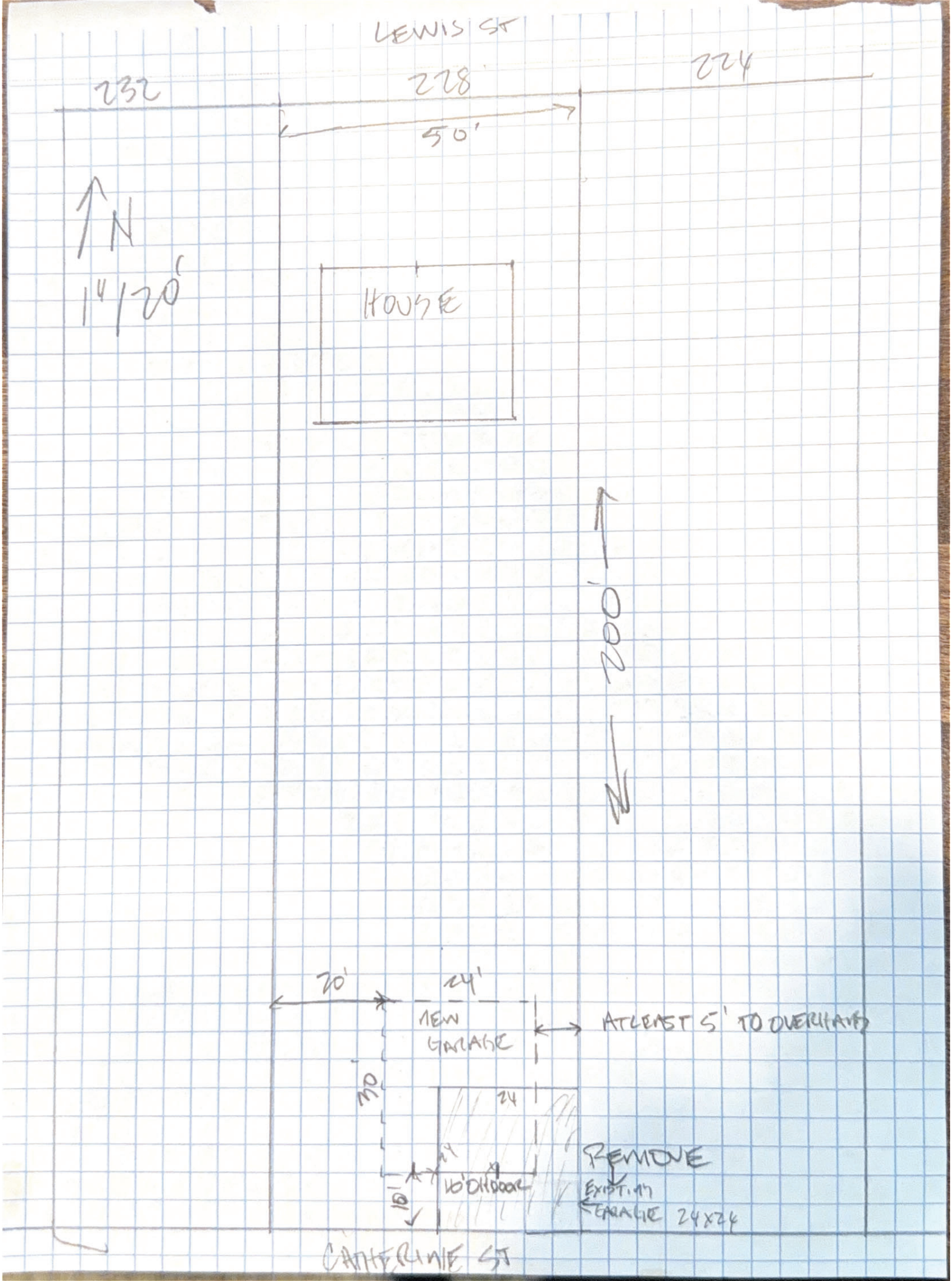
I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

David R. Evanson
MN License #49505
DATE:06-12-2026

CERTIFICATE OF SURVEY

CLIENT:SARAH AND MIKE POTHAST
REVISIONS:
ADDRESS:228 WEST LEWIS STREET
DULUTH, MN 55803
DATE:06-12-2026 JOB NO:26-162 SHEET 1 OF 1

ALTA LAND SURVEY COMPANY
PHONE: 218-727-5211
LICENSED IN MN & WI
WWW. ALTALANDSURVEYDULUTH.COM


LEWIS ST
232
228
224
50'
N
14/20'
HOUSE
100'
20'
24'
NEW GARAGE
AT LEAST 5' TO OVERHANG
30'
24
16' DRIVEWAY
10'
REMOVE
EXIST. 1 CAR GARAGE 24x24
CAMERON ST