



Planning & Development Division
Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802



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planning@duluthmn.gov

File Number	PL 20-009	Contact	John Kelley, jkelley@duluthmn.gov	
Type	Variance	Planning Commission Date		March 10, 2020
Deadline for Action	Application Date	January 27, 2020	60 Days	March 27, 2020
	Date Extension Letter Mailed	February 13, 2020	120 Days	May 26, 2020
Location of Subject		3912 West 6 th Street & 3910 W 6 th Street		
Applicant	Susan R. Hall	Contact	N/A	
Agent	N/A	Contact	N/A	
Legal Description		See attached		
Site Visit Date	March 6, 2020	Sign Notice Date		February 25, 2020
Neighbor Letter Date	February 13, 2020	Number of Letters Sent		84

Proposal

The applicant is requesting a variance from the following standards:
 Lot area variance for 3910 West 6th Street less than 4,000 square feet
 Lot frontage variance for 3910 and 3912 West 6th Street less than 40 feet
 Side yard setback variance for 3910 and 3912 West 6th Street less than 12 feet combined

Recommended Action:

Approve variances with conditions.

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

Summary of Municipal Planning Act & City Code Requirements

Sec. 50-37.9. B – Variance Procedures. “The Planning Commission shall...make a decision on the application based on the criteria in subsections 50-37.9. C – M...”

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

The variances are consistent with promoting reinvestment in neighborhoods by allowing existing single-family dwellings to continue, and through a subdivision allow for the creation of a second lot. The new lot has an existing dwelling unit on the property, which will provide additional housing for the City of Duluth.

Future Land Use:

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:

3910 West 6th Street (Parcel A) – The 560 square foot single-family dwelling was built in 1950.

3912 West 6th Street (Parcel B) – The 1,020 square foot single-family dwelling was built in 1911.

Review and Discussion Items

Staff finds that:

1. The applicant has submitted a companion application for a minor subdivision of the parent parcel into two separate lots each with single-family homes. The applicant is seeking a lot area variance for 3910 West 6th Street (Parcel A) as it would be less than 4,000 square feet, have lot frontage less than 40 feet and side yard setbacks less than 12 feet combined. The applicant is also seeking a variance for 3912 West 6th Street (Parcel B) as it would have lot frontage less than 40 feet and side yard setbacks less than 12 feet combined).
2. The property and adjacent lots were originally platted as 25-foot wide parcels. The applicant's lot was combined at some point and made up of two 25-foot wide lots and one 12.5-foot wide lot.
3. Parcel A is seeking a lot area reduction from 4,000 sq ft to 3,467 sq ft, minimum lot frontage from 40 feet to 25 feet, and a reduced side yard setbacks from a required 12 feet combined to 5.6 feet combined.
4. Parcel B is seeking a reduction in lot frontage from 40 feet to 36.3 feet and combined side yard setbacks from 12 feet to 10.3 feet.
5. The applicant is proposing a reasonable use of the parcels for residential purposes in an R-1 zone district. The existing side by side homes appear as two individual lots with frontage on West 6th Street. Relief is required from circumstances unique to the property with having the two homes on one parcel and was not created by the property owner.
6. The applicant has stated that by granting the minor subdivision and variances these actions will not change the current use of these homes. Additionally, the applicant has stated that the impact for the City will be a financial gain to the tax base, and will offer one more home to purchase for a family or individual.
7. Granting the variance will not alter the essential character of the area. Other lots with houses in the area are on 25-foot wide lots. This variance would not result in reductions of light and air to surrounding properties.
8. The variance, if granted, would not impair the intent of the UDC expressed in Sec. 50-2. The variance is consistent with the Comprehensive Plan designation of the property as Traditional Neighborhood.
9. No other 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

Based on the above findings, Staff recommends that Planning Commission approve the Variance, application PL 20-009, subject to the following conditions:

1. Variance is contingent upon approval of the minor subdivision application (PL 20-008).
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.



PL 20-009
Variance
Zoning Map

Legend

- Gas Main
- Water Main
- Hydrant

Sanitary Sewer Mains

- CITY OF DULUTH
- WLSSD; PRIVATE
- Sanitary Sewer Forced Main

- Storage Basin
- Pump Station

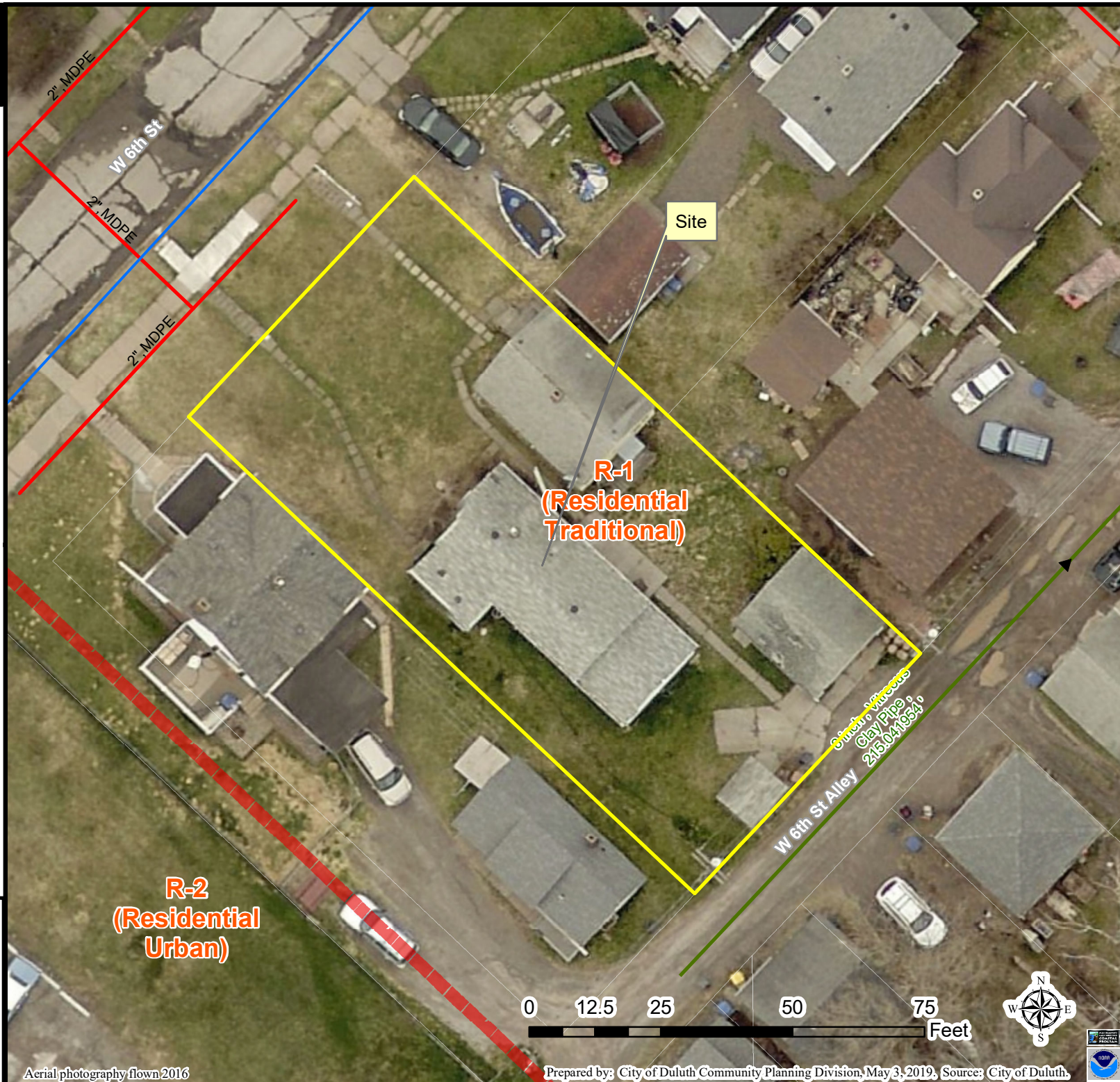
Storm Sewer Mains

- Storm Sewer Pipe
- Storm Sewer Catch Basin

Zoning Boundaries

- Trout Stream (GPS)
- Other Stream (GPS)

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 2016

Prepared by: City of Duluth Community Planning Division, May 3, 2019. Source: City of Duluth.

SURVEY FOR: SUE HALL
3912 WEST 6TH STREET
DULUTH, MN 55807

SURVEY OF: LOTS 5, 6 AND EAST HALF LOT 7,
BLOCK 9, "CHANDLER PARK
ADDITION" AND LOT 11 AND 12,
BLOCK 8, "HAZELWOOD PARK
DIVISION" CITY OF DULUTH, ST.
LOUIS COUNTY, MINNESOTA.

STRAIGHTLINE SURVEYING, INC.

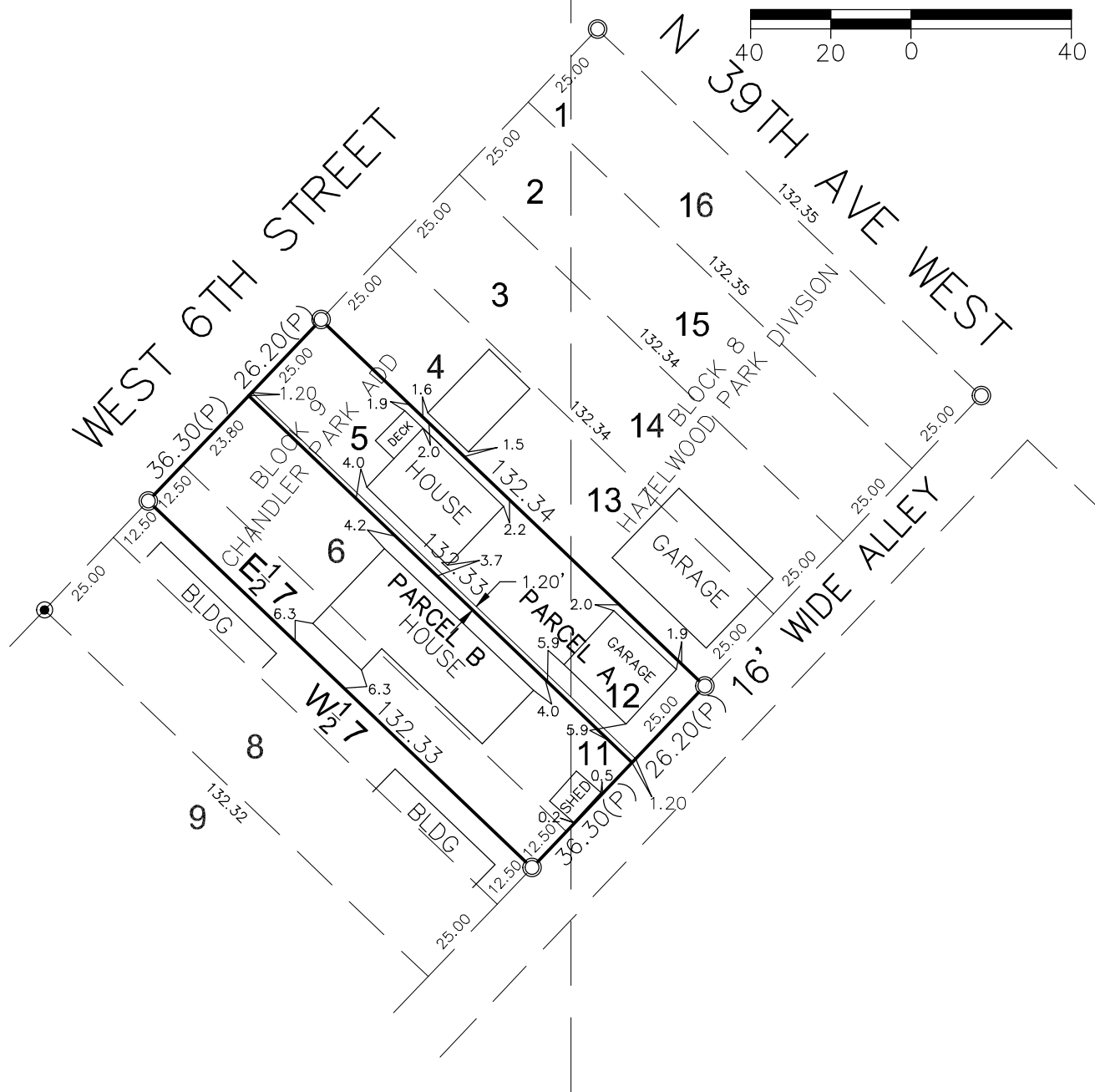
P.O. Box 510, 500 Folz Blvd
Moose Lake, MN 55767

Telephone: (218)-485-4811
Fax: (218)-485-4811

E-MAIL: banderson@straightlinesurveying.com

- DENOTES FOUND IRON MONUMENT
- ⊙ DENOTES 1/2" IRON REBAR MONUMENT
SET AND CAPPED "ANDERSON 45498"
- △ DENOTES COTTON SPINDLE SET
- (P) DENOTES PROPOSED LOT DIMENSION

SCALE 1"=40'



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.

<u>Benjamin H. Anderson</u>	45498	01-22-2020	2019-322	ST LOUIS 6 P.11
Benjamin H. Anderson	License No.	Date	Job No.	Book No.