



**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-2512-0016	<b>Contact</b>	Christian Huelsman, chuelsman@duluthmn.gov	
<b>Type</b>	Variance from Side Yard Setbacks	<b>Planning Commission Date</b>		January 13, 2016
<b>Deadline for Action</b>	<b>Application Date</b>	December 14, 2025	<b>60 Days</b>	February 12, 2026
	<b>Date Extension Letter Mailed</b>	December 22, 2025	<b>120 Days</b>	April 13, 2026
<b>Location of Subject</b>		702 S 63 <sup>rd</sup> Ave W		
<b>Applicant</b>	Theresa Corey	<b>Contact</b>		
<b>Agent</b>	Armella Bijold	<b>Contact</b>		
<b>Legal Description</b>		010-2360-00290		
<b>Site Visit Date</b>		December 30, 2025	<b>Sign Notice Date</b>	December 29, 2025
<b>Neighbor Letter Date</b>		December 19, 2025	<b>Number of Letters Sent</b>	22

**Proposal**

The applicant proposes to construct a 26' x 32.2' garage in the side yard area on the property.

**Recommended Action:** Staff recommends that Planning Commission approve the variance with conditions.

	<b>Current Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use Map Designation</b>
<b>Subject</b>	R-1	Residential	Traditional Neighborhood/Open Space
<b>North</b>	R-1	Residential	Traditional Neighborhood/Open Space
<b>South</b>	R-1	Residential	Traditional Neighborhood/Open Space
<b>East</b>	R-1	Park/Trail	Open Space
<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 practical difficulties.

Sec. 50-37.9.H – When the application is for the reduction of a required front, rear or side yard setback, the commission may require the submission of a landscaping and buffering plan, and may require that all required landscaping or buffering, or landscaping and buffering of equal effectiveness, be installed within the reduced setback area. Decorative fencing and decorative wall structures may be proposed where more intense vegetated landscaping will not provide adequate mitigation of impacts on adjacent properties. The commission shall only approve the variance if the landscaping and buffering will mitigate impacts on adjacent properties as effectively as those required by Sections 50-25 and 50-26.

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

Governing Principle #1- Reuse previously developed land- The project is proposed on property that is previously impacted by the surrounding residential development.

**Future Land Use – Traditional Neighborhood (front yard area):** 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;

**Open Space (side and rear yard areas):** Lands with substantial restrictions. Primarily public lands but limited private use is anticipated subject to use and design controls. Includes low-intensity private or public uses, recreation areas with single use and destination, and land with a high natural resource and scenic values.

**History:** The property is currently occupied by a single-family home, built in 2006 on vacant land. It was previously developed earlier in the 20<sup>th</sup> Century.

**Review and Discussion Items:**

Staff finds that:

- 1) The applicant proposes to construct an attached 26' x 32.2' garage off the north wall of the house within the corner side yard structure setback of the unimproved portion of Natchez Street.
- 2) The applicant is requesting to reduce the required corner side yard structure setback from 15' to 3.3'.
- 3) The subject property is located downhill, 1'-15' in elevation below from S 63<sup>rd</sup> Ave W. Construction of a garage in the rear yard area would be impractical, where the property slopes toward the Western Waterfront Trail and St. Louis River.
- 4) Staff finds the applicant has demonstrated practical difficulty due to a majority of the north corner side yard area falling within the structure setback. Further, the south side yard falls within area that runs downhill toward the neighboring residential property. Existing city wastewater facilities within the Natchez Street right-of-way are to be retained for replacement. Neither Planning nor Engineering support vacation of street right-of-way that terminates at a waterfront or shoreline.
- 5) The applicant's practical difficulty was not created by the landowner but is due to the location of the existing home that was developed within 29.2' of the unimproved Natchez Street right-of-way.
- 6) The variance will not alter the essential character of the neighborhood, and an attached, two-car garage is a reasonable use of the property where many homes have attached, two-car garages at similar scale. Construction of an attached garage to the north wall of the house reduces its distance from St Louis River. There is no other reasonable location to place the garage on the property.
- 7) The variance allowing a reduction of a setback will not impair an adequate supply of light and air to adjacent properties.
- 8) The proposal will not increase congestion in public streets or unreasonably diminish or impair established property values within the surrounding areas.
- 9) *Standards for variances to reduce setbacks.* The provision of a landscaping/buffering plan is an optional requirement per Sec. 50-39.7.H, which is not deemed necessary due to the unimproved Natchez Street right-of-way to the north and the Western Waterfront Trail linear park to the east. Staff recommends that approval of this variance be conditioned that a Shoreland Permit be approved prior to issuance of a building permit.
- 10) No comments from the public, agencies or other City departments were received.
- 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 permit subject to the following conditions:

- 1) The project must be constructed and limited to the plans submitted with the application, allowing a garage that extends no more than 26' from the north wall of the home.
- 2) Prior to building permit approval, a Shoreland Permit must be approved before construction may begin.
- 3) Prior to completed construction of the proposed garage, the existing driveway must be surfaced in a dust free, hard surface material such as concrete or bituminous, or pervious paving materials, in order to meet parking design standards for residential district parking areas required by Section 50-24.5.A.
- 4) 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 review; however, no such administration approval shall constitute a variance from the provisions of Chapter 50.





