



Staff Report for PLVAR-2606-0017

Application Information:

Application Type: Variance from Side Yard Setbacks

Location of Subject: 2517 Minnesota Ave

Legal Description: 010-3110-00680 and 010-3120-02780

Applicant: Monique Forcier and Jason Davis

Applicant Contact:

Agent:

Agent Contact:

Staff Contact: Jason Mozol, jmozol@duluthmn.gov

Deadline for Action:

Application Date: June 8, 2026

Date Extension Letter Mailed: June 26, 2026

60 Days: August 7, 2026

120 Days: October 6, 2026

Site Visit Date: May 26, 2026

Sign Notice Date: June 29, 2026

Neighbor Letter Date: June 23, 2026

Number of Letters Sent: 28

Proposal:

Applicant is requesting to construct a home on an existing foundation.

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 | Residential | Traditional Neighborhood |
| East | R-1 | Residential | Traditional Neighborhood |
| West | N/A | Estuary | N/A |

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. 50-14.5. Residential Traditional (R-1) Standards: Front yard setback: 14 feet (average of adjacent developed lots), rear yard setback: 15 feet, side yard setback: 6 feet.

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

Governing Principle #1- Reuse previously developed lands and #5 – Promote Reinvestment in neighborhoods – This application allows a property owner to invest in an underutilized lot and reuse the existing foundation, minimizing impacts to the land and the materials necessary to construct a home.

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: The property was initially developed as a single-family home. In 2019 it was partially demolished leaving a small dwelling within the basement area of the previous home.

Review and Discussion Items:

Staff finds:

1. Applicants are requesting a variance from the side yard setback to allow for construction of a single-family home on the existing foundation. While nonconforming structures are allowed to be rebuilt, the applicants wish to expand the nonconformity vertically, building within this space on the second floor as well. The applicant is requesting a setback of 4.5' instead of the required 6'. Note that the UDC updates proposed to take effect August 31, 2026 reduce this setback to 3'.
2. *Variance Criteria #1 (exceptional narrowness, shallowness, or shape):* The placement of the existing foundation 4.5' from the side property line results in a unique configuration for this lot. Removing the existing foundation and rebuilding a new foundation would be a practical difficulty.
3. *Variance Criteria #2 (circumstances unique to the property, not created by the property owner):* The original home on the property was built close to the shared property line with 2521 Minnesota Ave and included a bump out that crossed the property line. This created a difficult situation for future development or redevelopment of the property.
4. *Variance Criteria #3 (circumstances are peculiar to this property and do not apply generally to other land or buildings):* Few other properties in the area are occupied by single bedroom dwellings and offer a similar potential for redevelopment.
5. *Variance Criteria #4 (proposes to use in a reasonable manner not permitted by code):* Single family homes are an allowed use in the R-1 district and the predominate use in this neighborhood.
6. *Variance Criteria #5 (will not impair light/air, increase congestion, or impair public safety or property values):* This request will not impair access to light or air, will not substantially impact traffic volumes or congestion in the area, and will not negatively impact public safety.
7. *Variance Criteria #6 (will not impair intent of this Chapter or alter the essential character of the locality):* The proposed home after the addition will remain aligned with the character of the neighborhood where there are a number of nearby properties occupied by homes of similar scale.
8. No public, agency, or City comments were received.
9. Per UDC Section 50-37.1.N, approved variances lapse if the project or activity authorized by the permit has 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 must 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 review; however, no such administration approval shall constitute a variance from the provisions of Chapter 50.

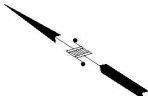
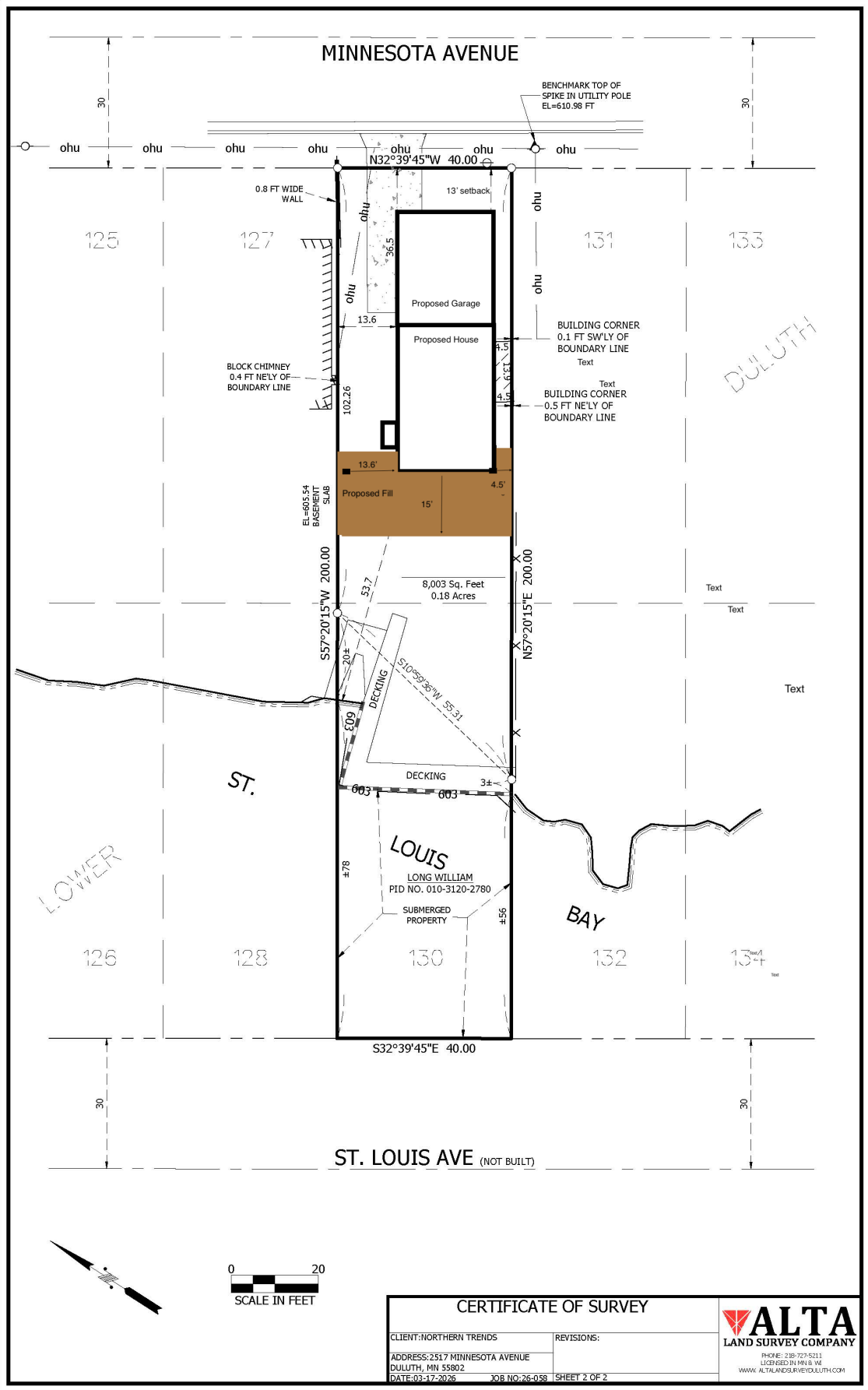
Map for PLVAR-2606-0016 and PLVAR-2606-0017:



Figure 1.

Aerial imagery captured in 2025, highlighting parcel number 010-3110-00680 located in the R-1 (Residential-1) zone district.

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.



| CERTIFICATE OF SURVEY | |
|--|-----------------------------|
| CLIENT: NORTHERN TRENDS | REVISIONS: |
| ADDRESS: 2517 MINNESOTA AVENUE DULUTH, MN 55802 | |
| DATE: 03-17-2026 | JOB NO: 26-058 SHEET 2 OF 2 |

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Planning & Development Division
Planning & Economic Development Department

Room 160 • 411 West First Street • Duluth, Minnesota 55802
218-730-5580 • www.duluthmn.gov



Variance Application Supplemental Form

In order to submit a complete variance application, please explain how your request meets all of the below variance criteria. This is information that is required by the zoning code and will be shared with the Planning Commission during their review. You may fill out this form, or attach your information in a separate letter. This information will be shared with the Planning Commission in order to help them determine the appropriateness of the variance application and request.

List the UDC Section you are seeking relief from (example: "50-14.5 - front yard setback in an R-1"):

Section 50-37.9 subsection H. Reduced setbacks

Please explain how the exceptional narrowness, shallowness or shape of the property, or exceptional topographic or other conditions related to the property, would result in practical difficulties under strict application of the requirements of the UDC:

- 1)The lot is narrow and the existing foundation is not set back 5' from the adjacent property (2521/2519 MN Ave). Part of the foundation that is slightly over the property line - which we will remove. Our plan is to remove that bump out so that no remaining portion of the foundation is over the line. The remaining foundation and new garage foundation will be 4'4" back from the property line and roof eaves will be 3'4" back from the line. We will add a garage on the street side of the property that will be on the same line as the existing foundation and need the same setback variance.
- 2)The useable space for a garage is not conforming to the required setback from the street (and can't be put anywhere else on the lot due to shoreland setback requirements. The proposed plan is to have a garage setback from the street of 13' which is the average of adjacent properties.

Please explain how the special circumstances or conditions that create the need for relief is due to circumstances unique to the property, and were NOT created by the property owner or the property owners' predecessors-in-interest:

Many properties on Park Point were built too close or slightly over property lines including adjacent properties on both sides. Additionally many properties are not set back from the street as required. This foundation was built by the original builders prior to current owners. Additionally many properties are not set back from the street as required. We will remedy the issue from original builders having built over the property line.

Please explain the special circumstances or conditions applying to the building or land in question are peculiar to this property or immediately adjoining properties, and do not apply generally to other land or buildings in the vicinity:

Many properties on Park Point were built too close or slightly over property lines including adjacent properties on

both sides and several other properties on Minnesota Avenue. Both of the adjacent properties are out of compliance with usual setbacks from both the adjacent property lines and the street. The narrow lots on Park Point are unique and were generally determined prior to modern building codes. The issue is entirely unique to the physical geometry of this narrow lot and the placement of the existing foundation.

Please explain how the application proposes to use the property in a reasonable manner, which would not be permitted by this code except for a variance:

Using the existing foundation footprint is both the most viable financially and in terms of developing a single family home that meets basic space and functional requirements. Off-street parking and storage are not feasible without this variance. By eliminating the bump out that encroaches on the current property line, we are bringing the property closer to conforming with regulation.

The request to maintain a residential home and garage on a historically established foundation line seems reasonable and standard for Minnesota Avenue.

Please explain how that if the variance is granted it will not impair an adequate supply of light and air to adjacent property, or unreasonably increase the congestion in public streets or the danger of fire or imperil the public safety, or unreasonably diminish or impair established property values within the surrounding areas, or in any other respect impair the health, safety or public welfare of the inhabitants of the city:

The wall that is out of compliance will have a fire rated wall with no openings. The property will include off street parking.

The garage setback will be at the same average distance as adjacent and nearby properties.

By removing the part of the foundation encroaching on the property line this project will improve the value of properties and reasonable use of land for both parties.

This project re-develops a currently uninhabitable property and adds a single family home back to Duluth housing stock and the tax base, while conforming to the surrounding neighborhood aesthetic.

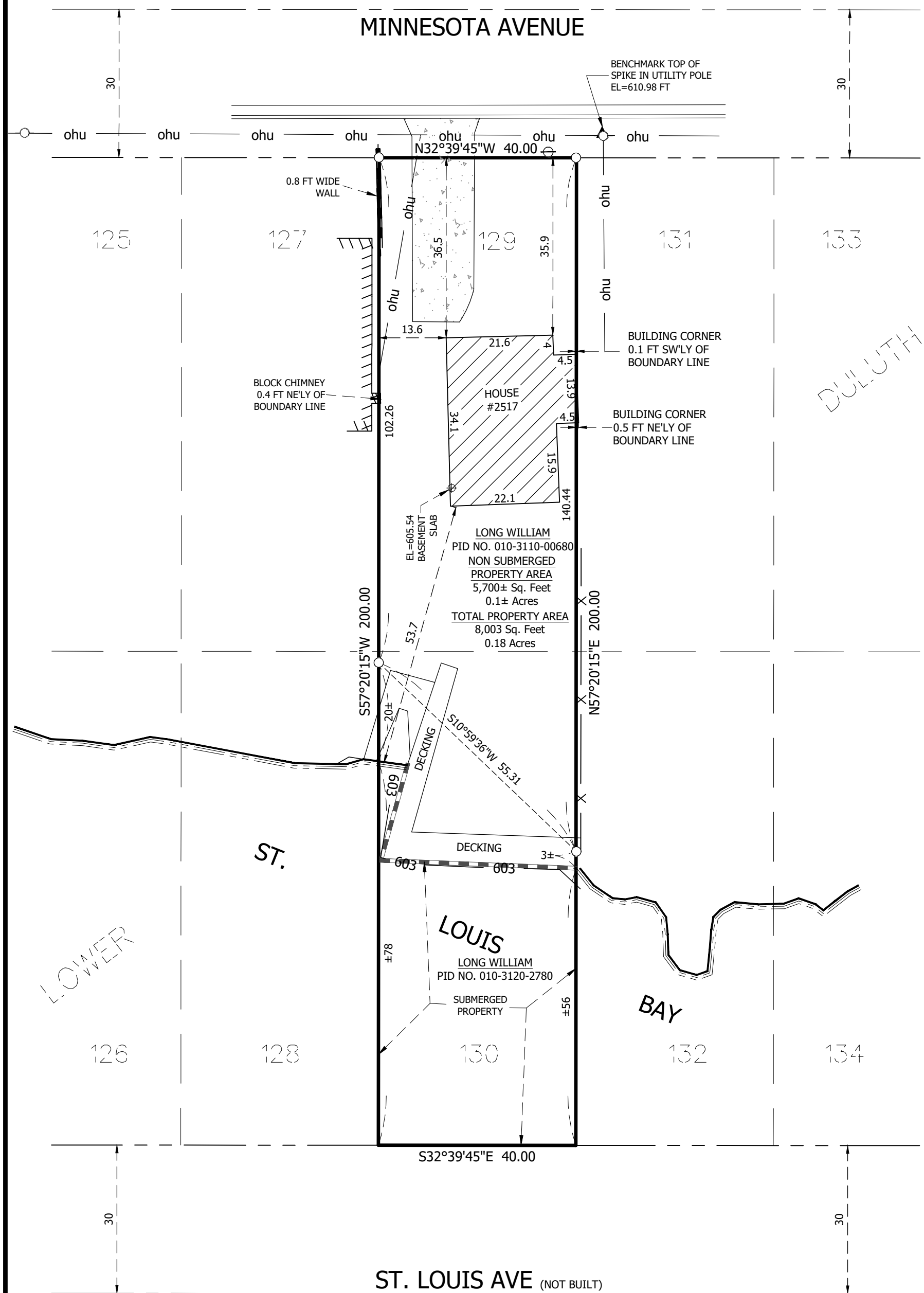
Please explain how, if the variance is granted, it will not substantially impair the intent of zoning code and the official zoning map, and will not alter the essential character of the neighborhood:

The house will be a single family residence with similar design and appearance to other houses in the neighborhood. The variance will not alter the essential character of the locality. In fact, by removing the encroaching foundation bump out, it improves neighbor relations, safety, and orderly land use.

Does your variance request need to meet any of the specific criteria in UDC Section 50-37.9, subsections D through M (E. Unsewered Areas, F. Two Family Dwellings in R-1, G. Parking Regulations, H. Reduce Setbacks, I. MU-C District, J. Airport Overlay, K. Flood Plain Regulations, L. Shorelands, or M. Non-Conforming Buildings)?

Yes, it will have a fire grade rating on the wall that does not meet Section 50-37.9 subsection H. Reduced setbacks.

MINNESOTA AVENUE

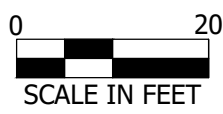
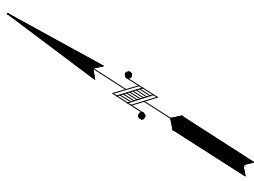


LONG WILLIAM
PID NO. 010-3110-00680
NON SUBMERGED
PROPERTY AREA
5,700± Sq. Feet
0.1± Acres
TOTAL PROPERTY AREA
8,003 Sq. Feet
0.18 Acres

LONG WILLIAM
PID NO. 010-3120-2780
SUBMERGED
PROPERTY

DULUTH

LOWER LOWER



CERTIFICATE OF SURVEY

CLIENT: NORTHERN TRENDS
ADDRESS: 2517 MINNESOTA AVENUE
DULUTH, MN 55802
DATE: 03-17-2026

REVISIONS:
JOB NO: 26-058
SHEET 2 OF 2

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