

CITY OF HERMANTOWN
BOARD OF APPEALS & ADJUSTMENTS

Agenda
March 18, 2026
5:00 PM

1. ROLL CALL

2. APPROVAL OF AGENDA

3. APPROVAL OF MINUTES

3A. July 8, 2025 regular meeting.

4. PUBLIC DISCUSSION – Public comment on any item not otherwise listed on the agenda.

5. PUBLIC HEARING

5A. An application by RB Holdings, LLC for a Variance associated with the construction of a single home. The variance request is for a 20 foot reduction to the rear yard setback. The property is located at 5102 Hermantown Road and is located in an R-3 zoning district.

6. CONTINUING BUSINESS

7. NEW BUSINESS

8. COMMUNICATIONS

9. COMMISSION MEMBER REPORTS

Cyndy Reno –
Gerald Wallace –
Michael Boese –
James Nelson –
Chris Kibler –
Brian LeBlanc –

ADJOURN

CITY OF HERMANTOWN
BOARD OF APPEALS & ADJUSTMENTS
July 8, 2025 Meeting Summary
5:00 PM

1. ROLL CALL

Members Present: Gerald Wallace; James Nelson; Michael Boese; Chris Kibler (arrived late); and Councilor Brian LeBlanc

Members Absent: Cyndy Reno

Others Present: Joe Wicklund, Asst. City Admin/Comm. Engmt Dir.

2. APPROVAL OF AGENDA

Motion made by James Nelson to approve the July 8, 2025 agenda as presented. Seconded by Gerald Wallace. Motion carried 3-0.

3. APPROVAL OF MINUTES

Motion made by James Nelson to approve the November 12, 2024 minutes as presented. Seconded by Gerald Wallace. Motion carried 3-0.

4. PUBLIC DISCUSSION

None.

5. PUBLIC HEARING

5A. An application by Bryan Hanson for a 10-foot variance request from the front yard 50-foot building setback associated with a property is located at 4966 Thompson Road and is located in a R-3, Residential zoning district.

Joe Wicklund, Asst. City Admin/Comm. Engmt Dir., advised the board that the applicant, Bryan Hanson, purchased this property in 2013 and sought a variance in 2020 for the demolition of an existing accessory structure. The variance was approved at the time. The applicant is now seeking a variance for the demolition of an existing 8' x 11' porch and the reconstruction of a larger enclosed living space along the front of the house. The existing porch is currently setback 44 feet from the Thompson Road right of way, which is less than the required 50-foot front yard building setback.

The applicant is proposing to rebuild the porch along with additional enclosed living space, with the proposed addition being 10' x 28' in size. The proposed addition would result in the structure being 40 feet from the Thompson Road right of way and would necessitate a 10-foot variance from the 50-foot building setback requirement.

Motion made by Gerald Wallace to approve the application by Bryan Hanson for a 10-foot variance request from the front yard 50-foot building setback associated with a property is located at 4966 Thompson Road and is located in a R-3, Residential zoning district. Seconded by Michael Boese. Motion carried. 3-0.

6. CONTINUING BUSINESS

None.

7. NEW BUSINESS

7A. Appointment of a new chair for the Board of Appeals & Adjustments.

Michael Boese put his name forward as a candidate for the new chair for the Board of Appeals & Adjustments.

Motion made by James Nelson to approve Michael Boese as the new chair for the Board of Appeals & Adjustments. Seconded by Gerald Wallace. Motion carried. 3-0.

8. COMMUNICATIONS

None.

9. COMMISSION MEMBER REPORTS

- Cyndy Reno – Absent
- Michael Boese – None
- Gerald Wallace – None
- James Nelson – None
- Chris Kibler – Absent
- Brian LeBlanc – None

ADJOURN

Motion made by James Nelson to adjourn the meeting. Seconded by Gerald Wallace. Meeting adjourned at 5:08 pm.

Officiated by:

Transcribed by:

Chairman/Chairwoman/Chairperson

Mary Melde, Administrative Assistant



Hermantown Board of Appeals and Adjustments

Meeting Date: March 18, 2026

Agenda Item: 5A

5A. 5102 Hermantown Road– Variance Application for a 20 foot reduction of the 40 foot rear yard building setback in an R-3, Residential zoning district

<u>Applicant:</u>	RB Holdings, LLC
<u>Case No.:</u>	2026-04-VAR
<u>Staff Contact:</u>	Eric Johnson, Community Development Director
<u>Request:</u>	Request a 20 foot variance from the rear yard building setback in a R-3, Residential zoned property

RECOMMENDED ACTION:

Hear a variance request for a 20 foot varaince from the 40 foot rear yard setback in a R-3, Residential zoning district.

DESCRIPTION OF REQUEST:

The applicant (RB Holdings, LLC) requests a variance for a 20 foot varaince from the 40 foot rear yard setback in a R-3, Residential zoning district.

SITE INFORMATION:

Parcel Size:	0.82 acres total (includes right of way)
Legal Access:	5102 Hermantown Road
Wetlands:	None per the National Wetland Inventory
Existing Zoning:	R-3, Residential
Airport Overlay:	None
Shoreland Overlay:	No
Comprehensive Plan:	Residential

BACKGROUND

The applicant owns the property located at 5102 Hermantown Road which is zoned R-3, Residential. The original property was approximately 5.29 acres with a single family home on it along with two outbuildings. The original parcel has been subdivided three times with the subject parcel at the intersection of Hermantown Road and Lavaque Road remaining.

The applicant has been approached by a potential buyer who is looking to construct a single family home of the property. It appears that there is sufficient room to construct a single family home of the property with the existing setbakcs, however, the applicant is requesting a 20 foot reduction to the rear yard setback in order to have a slightly larger buildable footprint for a 1,350 square foot home. The applicant states that by decreasing the rear yard setback by 20, it allows for the proposed home to be located more to the south in order to utilize flatter topography in order to construct the slab on grade home.

The subject parcel is a triangle shaped lot with frontage on Hermantown Road and Lavaque Road. The proposed parcel has approximately 188 feet of frontage along Hermantown Road with the parcel ranging in depth from 70 feet to 180 feet. In addition, due to the sloping of the topography from west to east, a building footprint generally located on the western portion of the property appears to work best with the site topography.

R-3, District Requirements

The site is in the R-3, Residential Zoning District. The project is an allowed use under Section 515.02.4 Requirements for dwelling, single family. The District has the following lot requirements:

Dimensional Requirements	R-3, Residential	Proposed Project
Area	21,780 SF (0.5 acres)	35,719 SF includes ROW (0.82 acres)
Lot width/frontage	100'	188' +/-
Front yard setback	50'	50'
Rear yard setback	40'	20'
Side yard setback	40'	40'

General Variance Requirements

Variance applications are considered by the Board of Appeals and can be appealed to the City Council by either an aggrieved applicant or by other citizens of the City who may be in opposition to the Board of Appeals action.

A variance is requested from Section 515.04 Requirements for site dimensions associated with single family dwelling construction. The section states that the minimum depth of rear yard for the principal structure 40' from the property line.

Justification and Mitigation

1. (Justification) The applicant is proposing the future home to be located to the west portion of the lot. The applicant is requesting a 20' variance from the rear yard building setback. Due to the sloping of the topography from west to east, a building footprint within the existing setback areas would require additional site grading in order to accommodate a slab on grade home.

(Mitigation) By constructing the home with a reduced rear setback, it allows for the use of a less steep portion of the property in order to construct a slab on grade home.

Per Section 615 – Governing Criteria, Variances of the Hermantown Zoning Regulations variances may only be permitted when all of the following criteria are satisfied:

1. The variance is in harmony with the general purposes and intent of the Hermantown zoning code. *The purpose of the building setbacks is to provide a standard for housing construction within each zoning district. Other than the adjacent existing home, which is located 50 feet away from the proposed structure, the next nearest home is located to the south and is approximately 360 feet away. The property on the south side, where the variance is requested, has an existing stand of trees which will provide screening of the home from the adjacent property owner to the south.*

2. The variance is consistent with the Comprehensive Plan.
The variance is consistent with the Goals of the Comprehensive Plan by creating residential home development within the City.
3. There are practical difficulties in complying with the Hermantown zoning code.
 - a. Property owner proposes to use the property in a reasonable manner permitted by the Hermantown Zoning Code.
The proposed use is similar in use and intensity to other existing uses in the zoning district.
 - b. The plight of the landowner is due to circumstances unique to the property and not created by the landowner.
The triangular shape of the parcel with varying lot depths as well as the site topography makes it difficult to locate the home without a variance.
 - c. The variance, if granted will not alter the essential character of the locality.
The proposed use is similar in use and intensity to other existing uses in the zoning district.

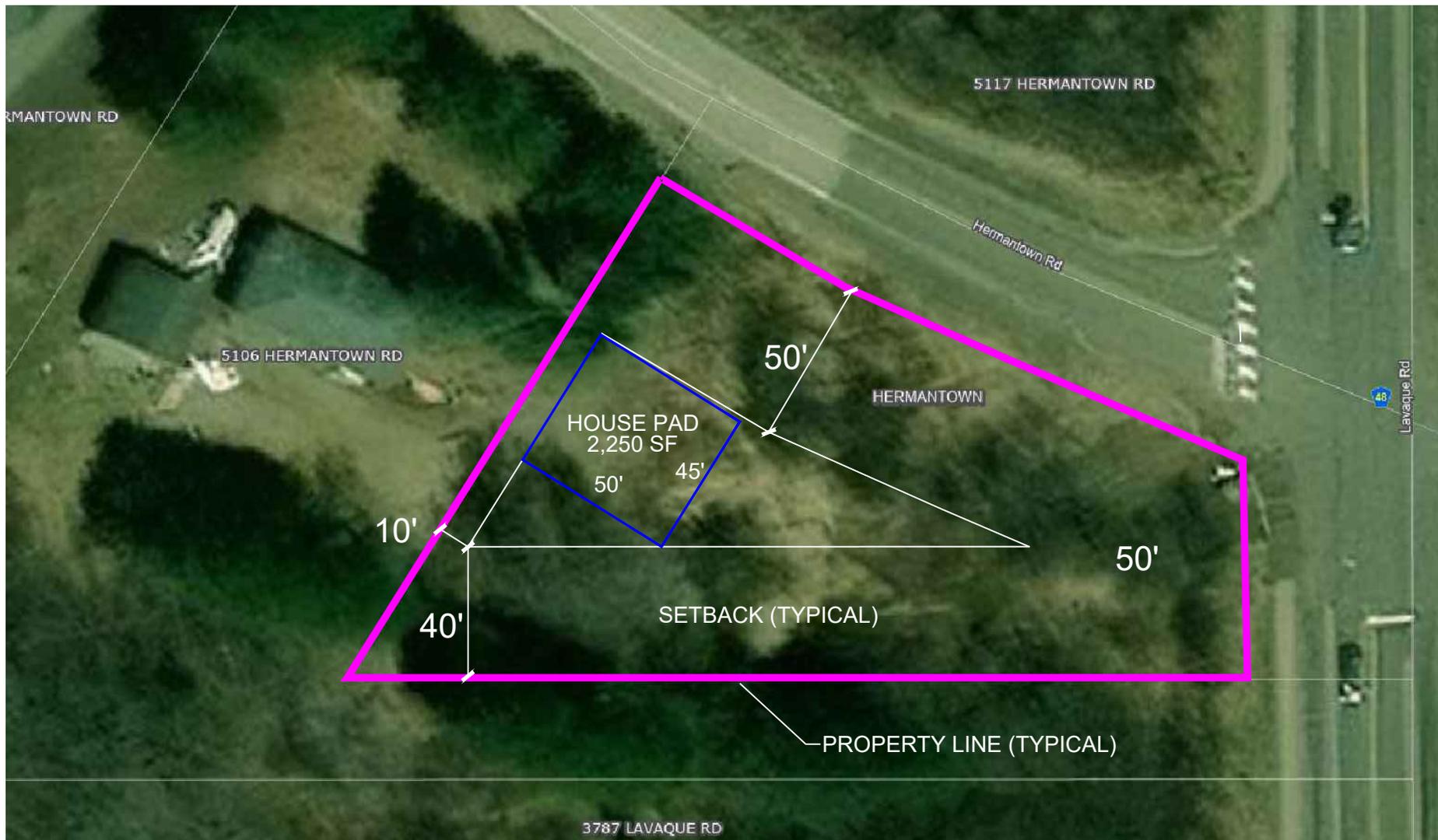
Findings of Fact and Recommendations

Staff finds the application meets the requirements for a Variance and recommends approval of the Variance, subject to the findings of the Staff Report and the following conditions:

1. No wetland impacts are allowed in the building of the house nor for the creation of yard space.
2. The applicant shall connect to public sewer and water services at their own cost and be responsible for any connection or availability fees.
3. Erosion control measures shall be utilized and remain in place throughout the construction period, and shall not be removed until vegetation is established on the site.
4. Prior to issuance of a building permit, all necessary permits shall be obtained.
5. The proposal meets the requirements of Section 515, “R-3, Residential” of the Hermantown Zoning Ordinance.
6. The proposal meets the requirements of Chapter 6, “Variances” of the Hermantown Zoning Ordinance.
7. The applicant shall sign a consent form assenting to all conditions of this approval.
8. The applicant shall pay an administrative fine of \$750 per violation of any condition of this approval.

ATTACHMENTS:

- Location Map
- Certificate of Survey
- Proposed Site Plan



HERMANTOWN RD

5117 HERMANTOWN RD

5106 HERMANTOWN RD

Hermantown Rd

Lavaque Rd

48

HERMANTOWN

HOUSE PAD
2,250 SF

50' 45'

50'

10'

50'

40'

SETBACK (TYPICAL)

PROPERTY LINE (TYPICAL)

3787 LAVAQUE RD