

CITY OF HERMANTOWN  
BOARD OF APPEALS & ADJUSTMENTS

*Agenda*  
May 12, 2026  
5:00 PM

**1. ROLL CALL**

**2. APPROVAL OF AGENDA**

**3. APPROVAL OF MINUTES**

3A. March 18, 2026 regular meeting.

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

**5. PUBLIC HEARING**

5A. An application by Dan and Jeff Miller for a Variance associated with the construction of a 16,200 square foot office/contractor shop. The variance request is for a 66,000 square foot gravel parking lot for storage of outdoor equipment and vehicles. The property is located at 5400 Miller Trunk Highway and is located in a C-1, Office/Light Industrial 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  
March 18, 2026 Meeting Summary  
5:00 PM

**1. ROLL CALL**

Members Present: Cyndy Reno; Gerald Wallace; Michael Boese; Chris Kibler; and Councilor Brian LeBlanc

Members Absent: James Nelson

Others Present: Eric Johnson, Community Development Director

**2. APPROVAL OF AGENDA**

Motion made by Gerald Wallace to approve the March 18, 2026 agenda as presented. Seconded by Cyndy Reno. Motion carried 4-0.

**3. APPROVAL OF MINUTES**

Motion made by Gerald Wallace to approve the July 8, 2025 minutes as presented. Seconded by Chris Kibler. Motion carried 4-0.

**4. PUBLIC DISCUSSION**

None.

**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.

Eric Johnson, Community Development Director, presented an application from RB Holdings, LLC requesting a 20-foot rear yard setback variance to construct a single-family home at 5102 Hermantown Road.

The R-3 zoned property was originally 5.29 acres with a home and two outbuildings and has been subdivided three times, leaving a triangular parcel at Hermantown and Lavaque Roads.

A buyer proposes a 1,350 sq. ft. home. While buildable under current setbacks, the variance would allow a larger footprint and better placement on flatter terrain to the south.

The lot has about 188 feet of frontage and ranges from 70 to 180 feet deep, with west-to-east slope making the western portion most suitable for building.

The applicant (Russ Bradley) explained his discussions with the future home buyer and the need for the variance which allowed the house to be sited on a flatter piece of property, which would reduce the amount of site grading.

Motion made by Gerald Wallace to approve the 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. Seconded by Chris Kibler. Motion carried. 4-0.

**6. CONTINUING BUSINESS**

None.

**7. NEW BUSINESS**

None.

**8. COMMUNICATIONS**

None.

**9. COMMISSION MEMBER REPORTS**

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

**ADJOURN**

Motion made by Gerald Wallace to adjourn the meeting. Seconded by Cyndy Reno. Motion carried 4-0. Meeting adjourned at 5:19 pm.

Officiated by:

Transcribed by:

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Michael Boese, Chair

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Mary Melde, Administrative Assistant



## Hermantown Board of Appeals and Adjustments

Meeting Date: May 12, 2026

Agenda Item: 5A

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### 5A. 5440 Miller Trunk Highway – Variance

**Applicant:** Dan and Jeff Miller

**Case No.:** 2025-25-VAR

**Staff Contact:** Eric Johnson, Community Development Director

**Request:** Request from exemption of the paving requirements of Section 525.04.6 of the Hermantown Zoning Ordinance in a C-1, Office/Light Industrial zoning district

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#### **RECOMMENDED ACTION:**

Consideration of a variance request from exemption of the paving requirements of Section 525.04.6 of the Hermantown Zoning Ordinance in a C-1, Office/Light Industrial zoning district in association with the construction of a 16,200 square foot multi-tenant, office/contractor shop building and associated site improvements.

#### **BACKGROUND:**

Dan and Jeff Miller (Applicant) own multiple parcels associated with Sunbelt Rentals along Miller Trunk Highway. The Applicant was approved in April 2025 for a CIDP and Variance associated with the construction of a 32,580 square foot multi-tenant, office/contractor shop building and associated parking lot and site improvements.

The Applicant has since had discussions with possible tenants and is in the process of signing a lease with a truck and equipment sales, service and repair related business. This business only requires 16,200 square feet of building space, so the Applicant is requesting a modification to the variance approval to increase the previous approved gravel surface from 33,000 to 66,000 square feet. This expanded gravel surface accounts for the future phase 2 area of the development (16,200 square feet of building and approximately 16,000 drive/parking surface).

The project keeps proposes the same stormwater treatment and detention pond in the southern portion of the property adjacent to the outdoor storage area associated with the project. The building is now comprised of a 2,250 square foot office area with a 90' x 155' (13,950 square foot) shop/service bay area.

The expanded outdoor storage is approximately 66,000 square foot in size with a gravel surface. The applicant is requesting a variance for the gravel surface due to the nature of the vehicles that will be operating in the area. The outdoor storage area will also be fenced.

**SITE INFORMATION:**

**Parcel Size:** 5.8 acres  
**Legal Access:** 5440 Miller Trunk Highway  
**Wetlands:** Yes, delineated in 2025  
**Zoning:** C-1, Office/Light Industrial  
**Airport Overlay:** Zone 2 – height and occupancy restrictions  
**Shoreland Overlay:** None

**ZONING ANALYSIS:**

Zoning District: C-1, Office/Light Industrial		
Type	Required	Proposed
Min Lot Area	2.5 acres	+/- 5.8 acres
Lot Width	200 feet	+/- 250 feet
Front Yard	35 feet	+/- 100 feet
Rear Yard	40 feet	+/- 480 feet
Side Yard	15 feet	+/- 90 feet
Lot coverage	50%	6.4%
Maximum Building Height	45 feet	35 feet
Parking	1 per 250 square feet of office floor space 1 per employee/shift – industrial/wholesaling = 16 spaces total	18 spaces

**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. In the case where there are other zoning related requests, the Planning and Zoning Commission hears and acts on variance requests.

A variance is requested from Section 525 – C-1, Office/Light Industrial of the Hermantown Zoning Regulations. Subsection 525.04.6 requires that all parking areas drive aisles, and outdoor storage areas shall be paved.

Justification and Mitigation

1. (Justification) The Hermantown zoning ordinance requires that all parking area, drive aisles and outdoor storage areas shall be paved.
2. (Mitigation) City staff has discussed the possibility of the applicant paving the public parking area of the site and leaving the outdoor storage area as gravel. This would allow for the storage areas, which receive heavy traffic to remain in a state which can be easily maintained rather than having to replace pavement due to heavy use.

The project is anticipated to have a second phase with the future building pad area and parking/drive aisle being surfaced in gravel as opposed to pavement.

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 parking and storage area paving is to control stormwater and runoff from the site. This property has wetlands to the south which have been delineated. In addition, Section 1080 of the City’s Ordinance requires that projects which disturb 5,000 square feet or more of land area are required to control post construction stormwater runoff. The applicant is proposing a stormwater pond on the south side of the site for the treatment of stormwater. Stormwater would be directed to the pond via roof drains and storm pipes within the parking lot and a drainage swale along the east and west portions of the site which lead to the stormwater pond.*
  
2. The variance is consistent with the Comprehensive Plan.  
*The existing use of the property is consistent with the Comprehensive Plan in that it ‘Develops New Compatible Commercial with Adequate Public Utilities and Facilities, Develop Frontage/Backage Road System, Preserve Wetlands and Natural Features’.*
  
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 applicant is proposing to pave the public parking area of the site and leaving the outdoor storage/future expansion area as gravel. This would allow for this area, which receive heavy traffic to remain in a state which can be easily maintained rather than having to replace pavement due to heavy use.*
  
  - b. The plight of the landowner is due to circumstances unique to the property and not created by the landowner.  
*The outdoor storage area/future expansion area is in the rear of the building and generally not see from the Miller Trunk Highway right of way.*
  
  - c. The variance, if granted will not alter the essential character of the locality.  
*The proposed use is similar in use (commercial business) and intensity to other existing uses in the zoning district. The following business locations have either paved or unpaved parking lots:*  
  
*5249 Miller Trunk Highway: Unpaved*  
*5285 Miller Trunk Highway: Unpaved*  
*5320 Miller Trunk Highway: Unpaved (Variance Issued 2023)*  
*5330 Miller Trunk Highway: Unpaved*  
*5340 Miller Trunk Highway: Partially – drive aisle and rear of lot*  
*5393 Miller Trunk Highway: Unpaved*

**SUMMARY AND RECOMMENDATION:**

Staff recommends approval of the Special Use Permit based on the findings set forth in the Staff report, subject to the following conditions:

1. The applicant is seeking to construct a 16,200 square foot multi-tenant, office/contractor shop building and associated site improvements. The applicant will need to supply final site engineering and architectural plans prior to the issuance of the Special Use Permit (SUP) and Commercial Industrial Development Permit (CIDP).
2. The proposal meets the requirements of Section 525, C-1 Office/Light Industrial of the Hermantown Zoning Ordinance.
3. The existing and proposed conditions of the site paved public parking area and gravel storage/future expansion area is similar to the majority of the existing businesses in its close proximity and thus does not change the essential character of the locality.
4. The proposal meets the requirements of Chapter 6, “Variances” of the Hermantown Zoning Ordinance.
5. The applicant shall sign a consent form assenting to all conditions of this approval.
6. The applicant shall pay an administrative fine of \$750 per violation of any condition of this approval.

**ATTACHMENTS:**

- Location Map
- Proposed Site Plan
- Proposed Floor Plan
- Proposed Building Elevation

**Location Map**



Call 48 Hours before digging  
**GOPHER STATE ONE CALL**  
 Twin Cities Area 651-454-0002  
 MN. Toll Free 1-800-252-1166

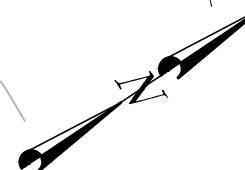


Engineering  
 Land Surveying  
 Site Development

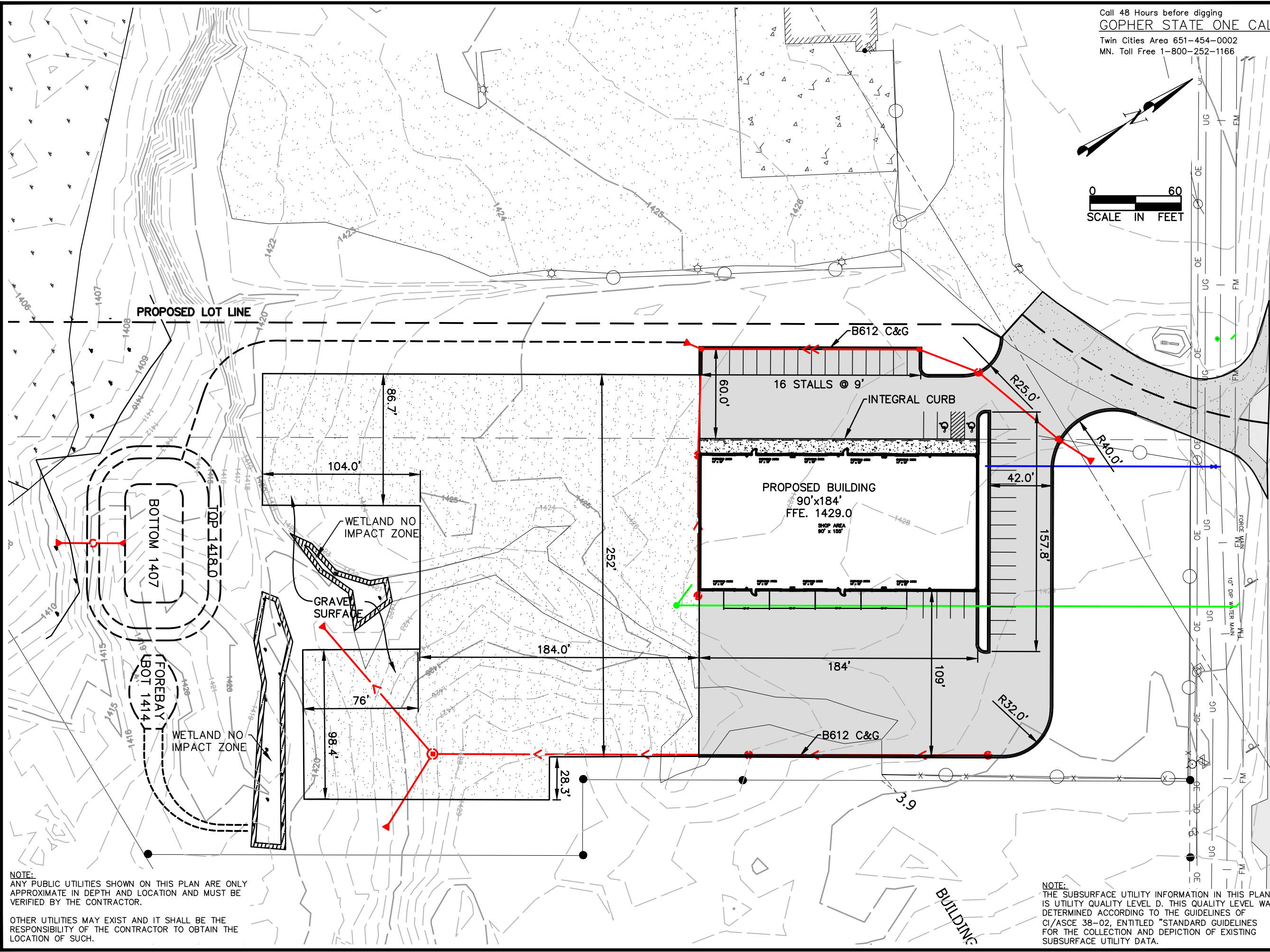
JPJ ENGINEERING, INC  
 425 Grant Street  
 Hibbing, MN 55746  
 (218) 262-5528

5670 Miller Trunk Hwy  
 Duluth, MN 55811  
 (218) 720-6219

www.jpjeng.com



0 60  
 SCALE IN FEET



MILLER BUSINESS PARK  
 5400 MILLER TRUNK HIGHWAY  
 HERMANTOWN, MN 55811

SITE PLAN

REVISION DATE:	DESCRIPTION:

SURVEYED  
 DESIGNED  
 DRAWN  
 CHECKED

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the State of Minnesota.  
**PRELIMINARY**  
 JOHN P. JAMNICK, P.E.

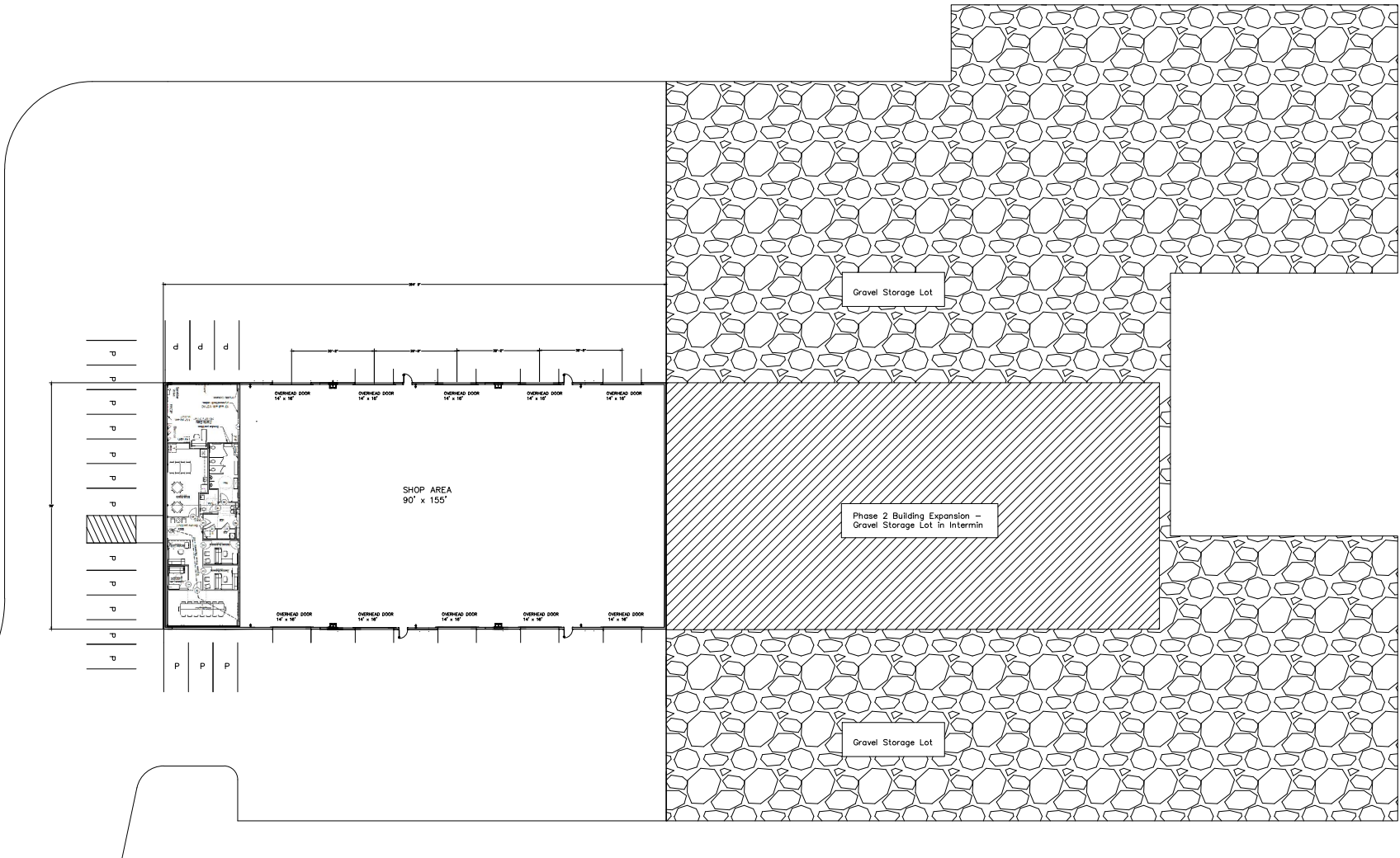
DATE 12/5/25 LIC. NO. 19907

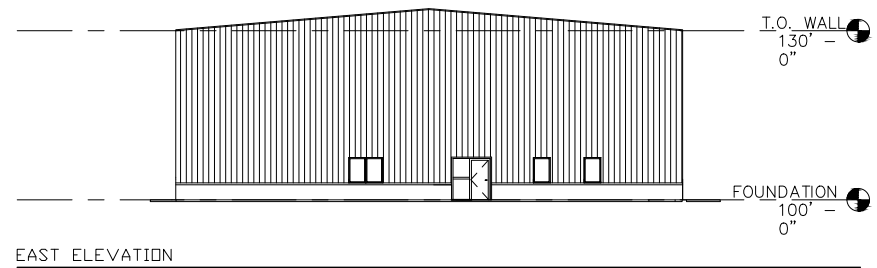
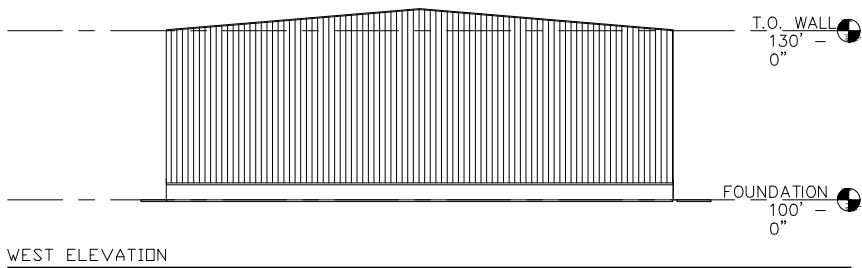
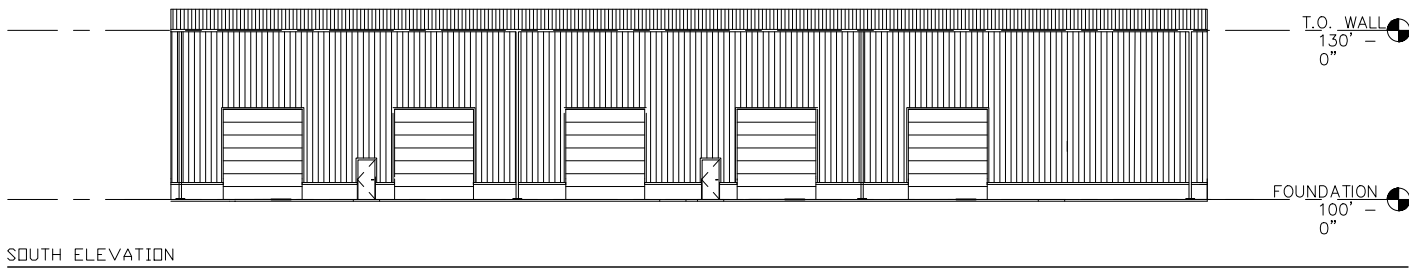
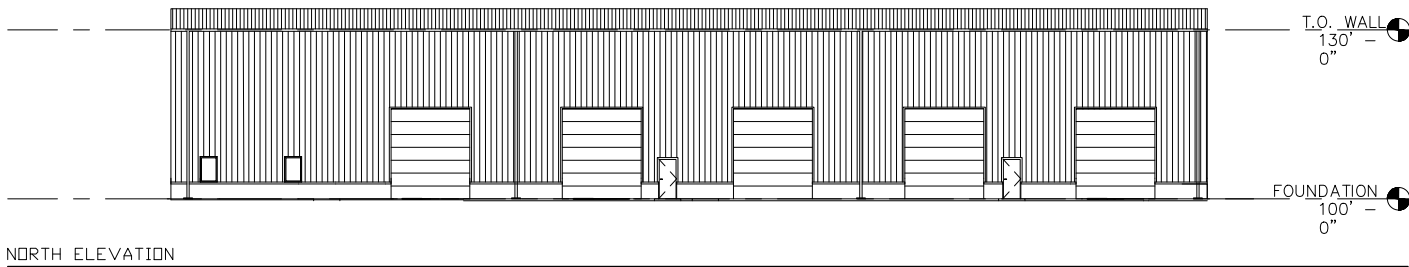
24-386  
 PROJECT NO. C1.0

Apr. 27, 2026 4:39pm  
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NOTE:  
 ANY PUBLIC UTILITIES SHOWN ON THIS PLAN ARE ONLY APPROXIMATE IN DEPTH AND LOCATION AND MUST BE VERIFIED BY THE CONTRACTOR.  
 OTHER UTILITIES MAY EXIST AND IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN THE LOCATION OF SUCH.

NOTE:  
 THE SUBSURFACE UTILITY INFORMATION IN THIS PLAN IS UTILITY QUALITY LEVEL D. THIS QUALITY LEVEL WAS DETERMINED ACCORDING TO THE GUIDELINES OF CI/ASCE 38-02, ENTITLED "STANDARD GUIDELINES FOR THE COLLECTION AND DEPICTION OF EXISTING SUBSURFACE UTILITY DATA."





MILLER BUSINESS PARK