CITY OF HERMANTOWN
BOARD OF APPEALS & ADJUSTMENTS

*Agenda*
September 9, 2026
5:00 PM

**1. ROLL CALL**

**2. APPROVAL OF AGENDA**

**3. APPROVAL OF MINUTES**
3A. September 9, 2026 regular meeting.

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

**5. PUBLIC HEARING**
5A. An application by John and Mary Korzendorfer for a Variance associated with the construction of an entry porch to their residential structure. The variance request is for a 10 foot reduction to the 50 foot wide minimum front yard setback. The property is located at 5180 Country Road and is located in a R-3, Residential 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
September 9, 2026 Meeting Summary
5:00 PM

## 1. ROLL CALL

Members Present: Cyndy Reno; Michael Boese; James Nelson; and Chris Kibler

Members Absent: Gerald Wallace and Brian LeBlanc

Others Present: Joe Wicklund, Asst. City Administrator; Darlene Haedrich, 5079 Benson Rd.; Gary Lucia, 5061 Benson Rd.; and Loren Johnston, 2327 E Flynn Rd., Duluth.

## 2. APPROVAL OF AGENDA

Motion made by Cyndy Reno to approve the September 9, 2026 agenda as presented. Seconded by James Nelson. Motion carried 4-0.

## 3. APPROVAL OF MINUTES

Motion made by Cyndy Reno to approve the August 10, 2026 minutes as presented. Seconded by James Nelson. Motion carried 4-0.

## 4. PUBLIC DISCUSSION

None.

## 5. PUBLIC HEARING

5A. An application by Loren Johnston for a Variance associated with the minimum lot size for a parcel requiring private water and/or sewer. The variance request is for a 4,356 square foot. (0.1 acre) reduction to the 1 acre minimum lot size. The property is located at 508x Benson Road and is located in a R-3, Residential zoning district.

Joe Wicklund, Assistant City Administrator, advised the members that Applicant Loren Johnston owns a 0.9-acre property, Lot 17, Bengus Acres, which is a legal lot of record created as part of the Bengus Acres plat. The Applicant is in the process of selling the property and requested a variance to allow the lot to remain below the required 1.0-acre minimum for properties without City utility services.

Staff recommends approval of the variance to reduce the minimum lot size requirement for the R-3, Residential-zoned property, subject to the following conditions:

1. Prior to issuance of a building permit, the Applicant/owner shall submit an approved St. Louis County permit for installation of a mound septic system and well.

2. Erosion control measures shall be maintained throughout construction and until vegetation is established.

3. All necessary permits shall be obtained prior to issuance of a building permit.

4. The Applicant shall sign a consent form agreeing to all conditions of approval.

5. The Applicant shall pay an administrative fine of $750 for each violation of any condition of approval.

Motion made by Chris Kibler to approve the application of Loren Johnston for a Variance associated with the minimum lot size for a parcel requiring private water and/or sewer. The variance request is for a 4,356 square foot. (0.1 acre) reduction to the 1 acre minimum lot size. The property is located at 508x Benson Road and is located in a R-3, Residential zoning district. Seconded by Michael Boese. Motion carried. 4-0.

**6. CONTINUING BUSINESS**

None.

**7. NEW BUSINESS**

None.

**8. COMMUNICATIONS**

None.

**9. COMMISSION MEMBER REPORTS**

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

**ADJOURN**

Motion made by Michael Boese to adjourn the meeting. Seconded by James Nelson. Motion carried 4-0. Meeting adjourned at 5:11pm.

| Officiated by: | Transcribed by: |
| --- | --- |
| Michael Boese, Chair | Mary Melde, Administrative Assistant |

## 5A. 5180 Country Road – Variance from front yard setback

| | |
|---|---|
| **Applicant:** | John and Mary Korzendorfer |
| **Case No.:** | 2026-56 VAR |
| **Staff Contact:** | Eric Johnson, Community Development Director |
| **Request:** | Request for a reduction of the front yard setback requirements of Section 515.04 of the Hermantown Zoning Ordinance in a R-3, Residential zoning district |

**RECOMMENDED ACTION:**

Consideration of a variance request for a reduction of the front yard setback associated with Section 515.04 of the Hermantown Zoning Ordinance in a R-3, Residential zoning district

**DESCRIPTION OF REQUEST:**

John and Mary Korzendorfer (Applicants) requests a variance for the front yard setback associated with an addition to an existing residential structure in an R-3 Residential zone.

**SITE INFORMATION:**

| | |
|---|---|
| **Parcel Size:** | +/- 1.48 acres |
| **Legal Access:** | 5180 Country Road |
| **Wetlands:** | None per wetland delineation |
| **Existing Zoning:** | R-3, Residential |
| **Airport Overlay:** | N/A |
| **Shoreland Overlay:** | N/A |
| **Comprehensive Plan:** | Residential |

**BACKGROUND**

The Applcants are seeking to construct a front entry porch to the existing residential structure on the property. The proposed porch addition is parallel to the front of the house and is approximately 12’ x 27’ feet in size. Due to the arc of the existing property line along Country Road, the proposed porch would require a 6 foot variance from the 50 foot front yard setback requirement.

Typically, setbacks are measured from the building face of a structure. Due to the ‘liveable’ space associated with the proposed porch, the setback is measured from the face of the porch to the right of way/property line.

**ZONING ANALYSIS**

Single-family dwellings are permitted in the R-3 – Residential Zoning District. There are specific requirements regarding lot size, setbacks and lot coverage in the zoning district. The proposed project will require a variance from the minimum front yard setback dimension associated with the construction of a 12' x 27' front entry porch addition.

| Table 1. R-3 Requirements | Requirement | Provided |
|---|---|---|
| Minimum lot area | 0.5 acre | +/-1.48 acres |
| Minimum lot width | 100 feet | +/-253 feet |
| Minimum depth of front yard | 50 feet | +/- 44 feet |
| Minimum side yard | 10 feet | +/-191 feet |
| Minimum rear yard | 40 feet | +/- 150 feet |
| Maximum lot coverage | 35% | 3.6% |

**Utilities**

There are existing water and sanitary sewer services in the Country Road right of way. The existing home is attached to City services.

**Lot Size and Setbacks**

The Applicant is proposing a front yard setback which is less than the minimum associated with a single-family structure in a R-3, Residential zoning district. The Applicant is required to obtain a variance from the minimum standards in order to construct an addition on the property.

**Wetlands**

A wetland delineation was conducted as part of the original County Acres 3rd Addition plat and did not identify any wetlands on the subject property.

**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 residents of the City who may be in opposition to the Board of Appeals action.

A variance is requested from Section 515.04 – R-3, Residential of the Hermantown Zoning Regulations. Section 515.04 of the Hermantown Zoning Ordinance addresses minimum lot size and building setbacks in a R-3, Residential zoning district for a single- family structure.

<u>Justification and Mitigation</u>

1. (Justification) The Hermantown zoning ordinance requires that single-family structures meet minimum lot size and setbacks.

   *(Mitigation) The proposed front entry porch addition is parallel to the house. The original home construction generally parallels the property line and has a front yard setback varying from 50 to 57 feet. Since the proposed front entry porch parallels the home, the proposed addition proposes a setback of approximately 44 feet. The average setback associated with the proposed addition would be approximately 50 feet.*

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 lot size and setback is to provide adequate buffers from adjacent single-family residential structures. The proposed front entry porch addition faces the public right of way and does not directly face a home.*

   *The minimum front yard setbacks for single-family structures is 50 feet total. The proposed plan is for a reduction of 6 feet, which is 12% smaller than the required for single-family homes.*

2. The variance is consistent with the Comprehensive Plan.
   *The proposed use of the property is consistent with the Comprehensive Plan in that it 'Land guided for single-unit detached dwellings, two-unit dwellings and accessory dwelling units connected to urban services with a maximum density of four units per net acre (minimum lot size of ¼ acre).*

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 addition to a single-family dwelling is similar to other existing uses in the zoning district and vicinity.*

   b. The plight of the landowner is due to circumstances unique to the property and not created by the landowner.
      *The arc of the road right of way associated with County Road creates difficulty in locating a home parallel to the property line. The original home construction generally parallels the property line and has a front yard setback varying from 50 to 57 feet. Since the proposed front entry porch parallels the home, the proposed addition proposes a setback of approximately 44 feet.*

   c. The variance, if granted will not alter the essential character of the locality.
      *The proposed use is similar in use (residential) and intensity to other existing uses in the zoning district.*

**Findings of Fact and Recommendations**

Staff recommends approval of the variance application to reduce the front yard setback associated with a single-family dwelling in a R-3, Residential zoned property, subject to the following:

1. Prior to issuance of a building permit, the applicant will submit a site plan showing the lot dimensions and location of the building addition relative to the side lot line.

2. 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.

3. Prior to issuance of a building permit, all necessary permits shall be obtained.

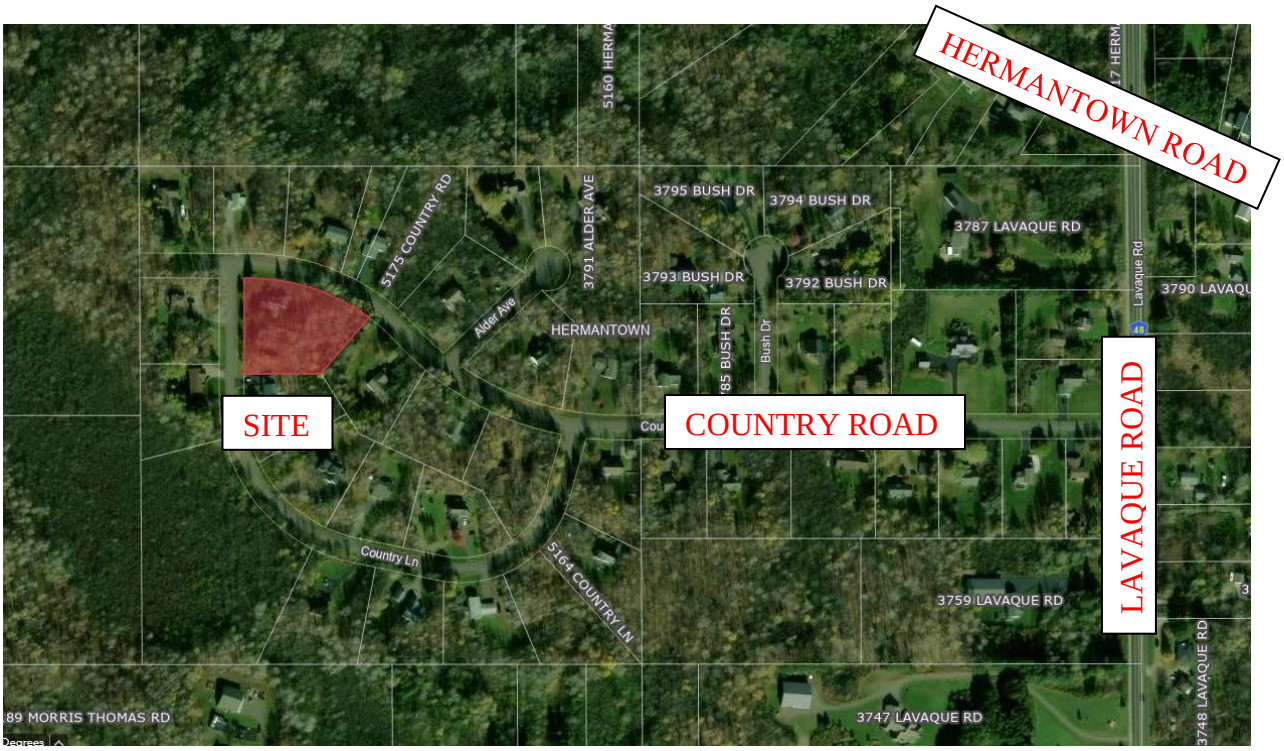
4. The applicant shall sign a consent form assenting to all conditions of this approval.

5. The applicant shall pay an administrative fine of $750 per violation of any condition of this approval.

**ATTACHMENTS**

- Location Map
- Proposed Site Plan
- Proposed Building Plan

## Location Map






PROPERTY LINE
SETBACK LINE
10' DIMENSION LINE
ADDITION

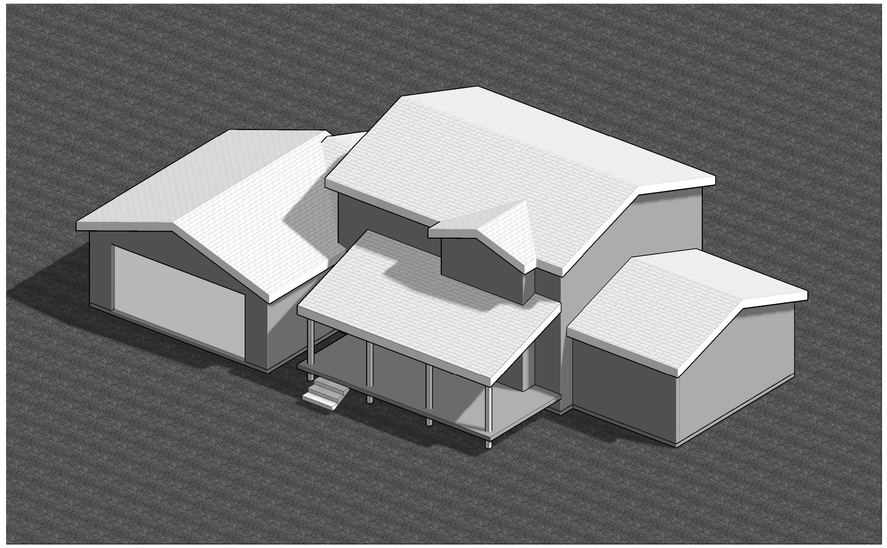
# 5180 COUNTRY RD

SITE PLAN

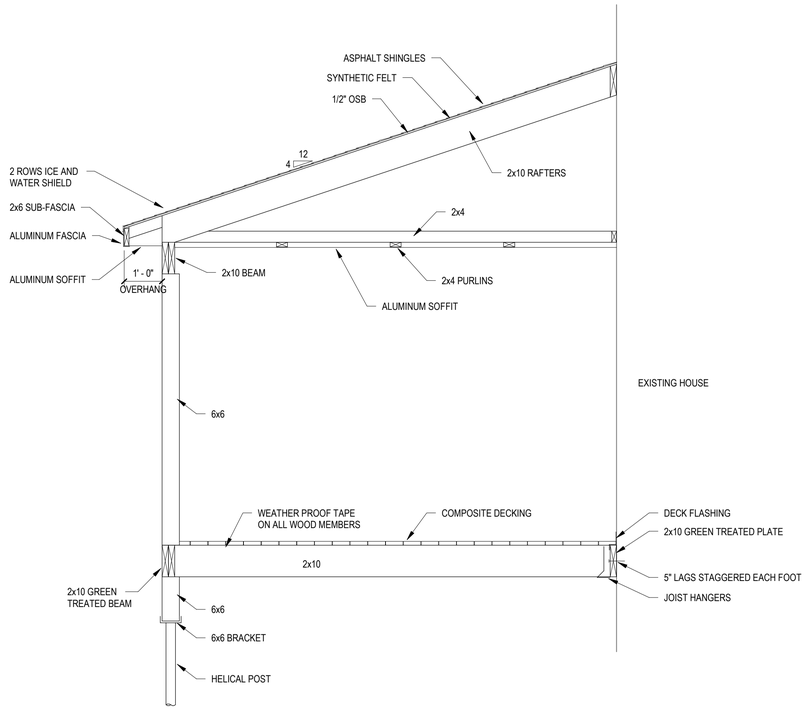
SEPTEMBER 25, 2026

0' 15' 30'

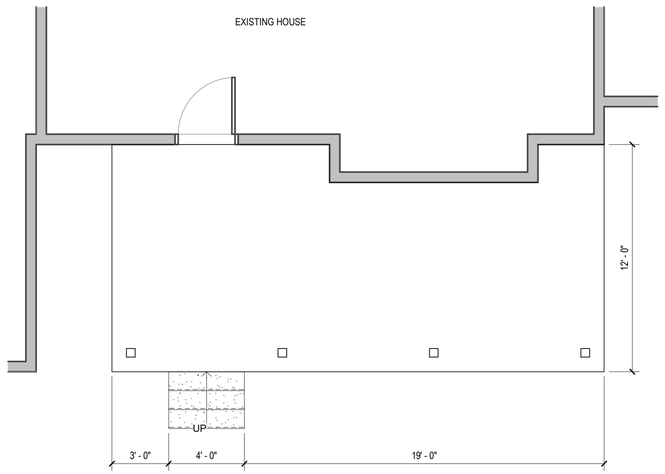
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## 3 BUILDING ISOMETRIC




## 2 CROSS SECTION
1/2" = 1'-0"




## 1 LEVEL 1 FLOOR PLAN
1/4" = 1'-0"

THIS SQUARE APPEARS 1/2"x1/2" ON FULL SIZE SHEETS

| NO | DATE | ISSUED FOR |
|---|---|---|
| | 09/17/2026 | BIDDING |

PROJECT NAME:

# PORCH ADDITION

5180 COUNTRY ROAD
HERMANTOWN, MN 55811

DRAWING TITLE:

# PLAN AND SECTION

FILE: 5180 Country Road.rvt
DRAWN BY: AWL

DRAWING NO: **A101**

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