

# Planning & Development Division

Planning & Economic Development Department



Room 160 411 West First Street Duluth, Minnesota 55802

File Number	PLVAR-2	508-0009	Contact		Chris Lee, clee@duluthmn.gov		
Туре	Variance	to structure height	Planning Commission Date			September 9, 2025	
Deadline	Applicat	ion Date	August 8, 2025 6		60 Days	October 4, 2025	
for Action	Date Ext	ension Letter Mailed	August 12, 2025		120 Days	December 3, 2025	
Location of Sub	ject	103 N 40TH AVE W					
Applicant	Geoff Vu	kelich	Contact	City of D	uluth		
Agent	Adam He	nkensiefken	Contact	Greyston	ystone Construction		
Legal Description	n	010-3598-00030					
Site Visit Date		August 26, 2025	Sign Notice Date			August 26, 2025	
Neighbor Letter	Date	August 18, 2025	Number of Letters Sent			16	

### **Proposal**

The applicant is seeking a variance from the maximum height of an accessory structure.

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

	Current Zoning	Existing Land Use	Future Land Use Map Designation		
Subject	MU-B	City Public Works	General Mixed Use		
North	MU-B	City Impound Lot	General Mixed Use		
South	MU-B	Commercial/Mini-Storage	General Mixed Use		
East	MU-B	Residential	General Mixed Use		
West MU-B		Gas Station	General Mixed Use		

### **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 exceptional practical difficulties or undue hardship. The Planning Commission must find the following for a variance to be granted: a) That the landowner is proposing to use the property in a reasonable manner, b) that the need for relief from the normal regulations is due to circumstances unique to the property and not caused by the landowner, c) that granting the variance will not alter the essential character of the area, d) that granting the variance is consistent with the intent of the UDC and the Comprehensive Plan.

Sec. 50-21.D – Accessory structure dimensional standards: Accessory dwelling units shall not exceed the height of the principal residential structure or 20 feet, whichever is greater. All other accessory structures shall not exceed 20 feet in height.

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

Governing Principle #1 – Reuse previously developed lands

Future Land Use – General Mixed Use: The broadest mix of uses, including light industrial, office, commercial, and residential use, with performance standards to ensure compatibility. Includes areas that are in transition from industrial uses and large redevelopments that require master plans and phased development. General or heavy industrial can be included when a large site is master planned to allow appropriate separation of uses.

History: The property has been serving as the City Street Maintenance Facility for several decades.

### **Review and Discussion Items:**

### Staff finds that:

- 1) The applicant is seeking a variance for a 53' by 80' salt storage barn that will be 28.25' tall on the southeast property line.
- 2) The maximum height of an accessory structure is 20'.
- 3) Variance Criteria #1 (exceptional narrowness, shallowness, or shape): The subject property is not exceptionally shallow or narrow. The lot and the physical features of the lot are not restrictive to the height. The height is necessary for the loading and unloading or material.
- 4) Variance Criteria #2 (circumstances unique to the property, not created by the property owner): The existing structure are the principle structures on the property. Due to having a principle structure on the parcel, the proposed salt barn is an accessory use and cannot be considered a principle structure to have a taller height.
- 5) Variance Criteria #3 (circumstances are peculiar to this property and do not apply generally to other land or buildings): The proposed structure is necessary for critical City services. Other properties in the area are not used in a similar commercial use.
- 6) Variance Criteria #4 (proposes to use in a reasonable manner not permitted by code): Applicant's proposal to build a salt barn is reasonable and is essential for the efficiency of City services.
- 7) Variance Criteria #5 (not impair light/air, increase congestion, or impair public safety or property values). The variance will not impair an adequate supply of light and air to adjacent properties.
- 8) Variance Criteria #6 (will not impair intent of this Chapter or alter the essential character of the locality). The salt barn will not alter the character of the neighborhood as there are several industrial users in the area.
- 9) No public, agency, or City comments were received.
- 10) 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 variance with the following conditions:

- 1) The project be constructed and limited to the plans submitted with the application, allowing a maximum height of 28.25'.
- 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; however, no such administration approval shall constitute a variance from the provisions of Chapter 50.

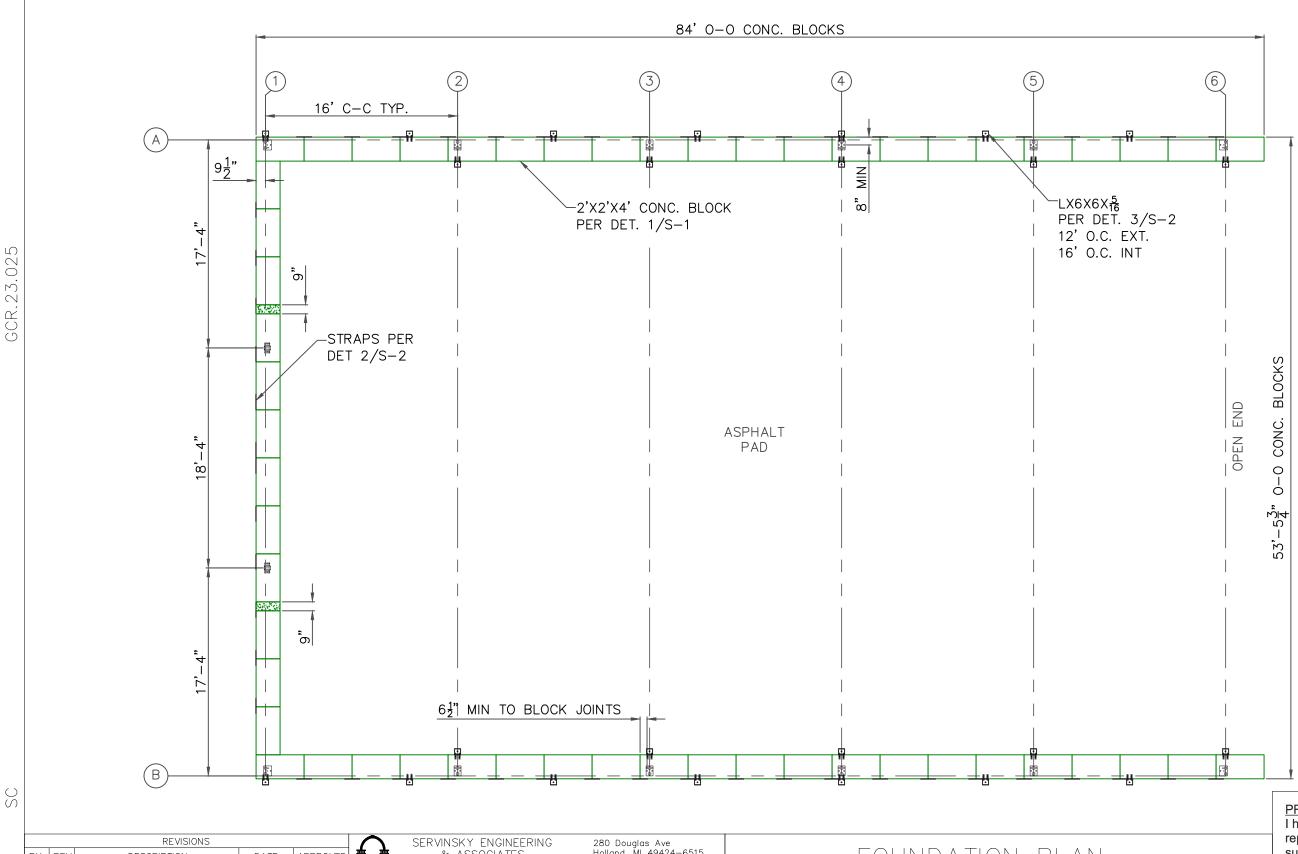


PLVAR-2508-0009

Variance to Structure Height 010-3598-00030

28 N 40TH 4016 W 1ST S IN SUPPRIORS 4025 W SUPERIOR ST 105 W RIOR ST 100 50 150 25 Prepared by: City of Duluth Planning & Economic Development, August 13, 2025, Source: City of Duluth. Aerial Imagery Captured 2025

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.



DULUTH Armella Bijold 07/07/2025

		REVISIONS			<i>'</i>
BY	REV	DESCRIPTION	DATE	APPROVED	肃
SC	0	ISSUED FOR CONSTRUCTION	12/10/24	MSS	Ш

& ASSOCIATES Consulting Structural Engineers marks@servinskyeng.com

GREYSTONE CONSTRUCTION, INC.

2995 WINNERS CIRCLE DRIVE, SUITE 200

SHAKOPEE, MN 55379

280 Douglas Ave Holland, MI 49424-6515 (616) 738-1281 Fax (616) 738-6281

FOUNDATION PLAN

DULUTH, MN. 55807

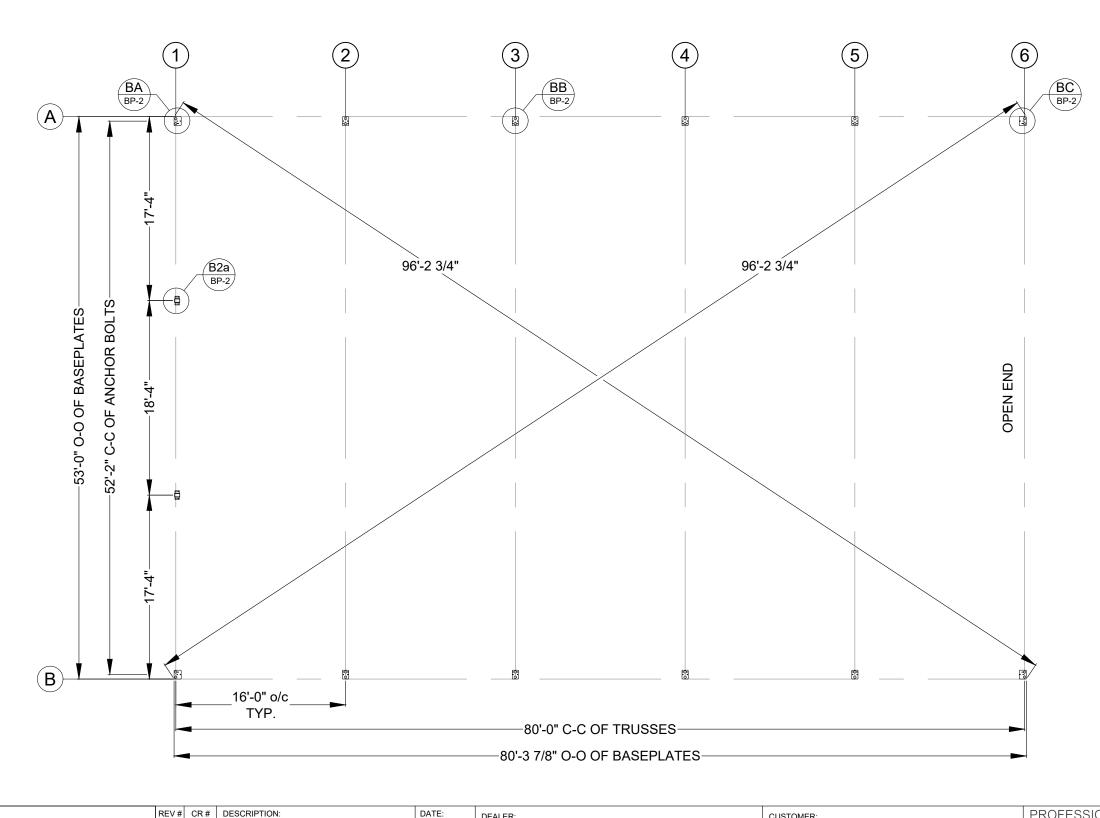
CITY OF DULUTH

SCALE:  $1/8" = 1'-0" \frac{DWG}{NO:} GCR.23.025 \frac{SHEET}{NO:} S-1$ SHEET B

# **PROFESSIONAL ENGINEER**

I hereby certify that this plan, specification, or report 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.

Print Name: BALJEET SINGH JONJUA
Signature: 12/10/21 License # 60924



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DRAWN BY: NLW CHECKED BY: RDR

ISSUED FOR CONSTRUCTION

**GREYSTONE CONSTRUCTION** 2995 WINNERS CIRCLE DRIVE SHAKOPEE, MN. 55379

ORDER ID:

SO# 11620

53-L10-220

APEX 2.1 53L10 x 80' 16' oc

25.NOV.2024

CUSTOMER: CITY OF DULUTH 105 N 40TH AVE W **DULUTH, MN. 55807** 

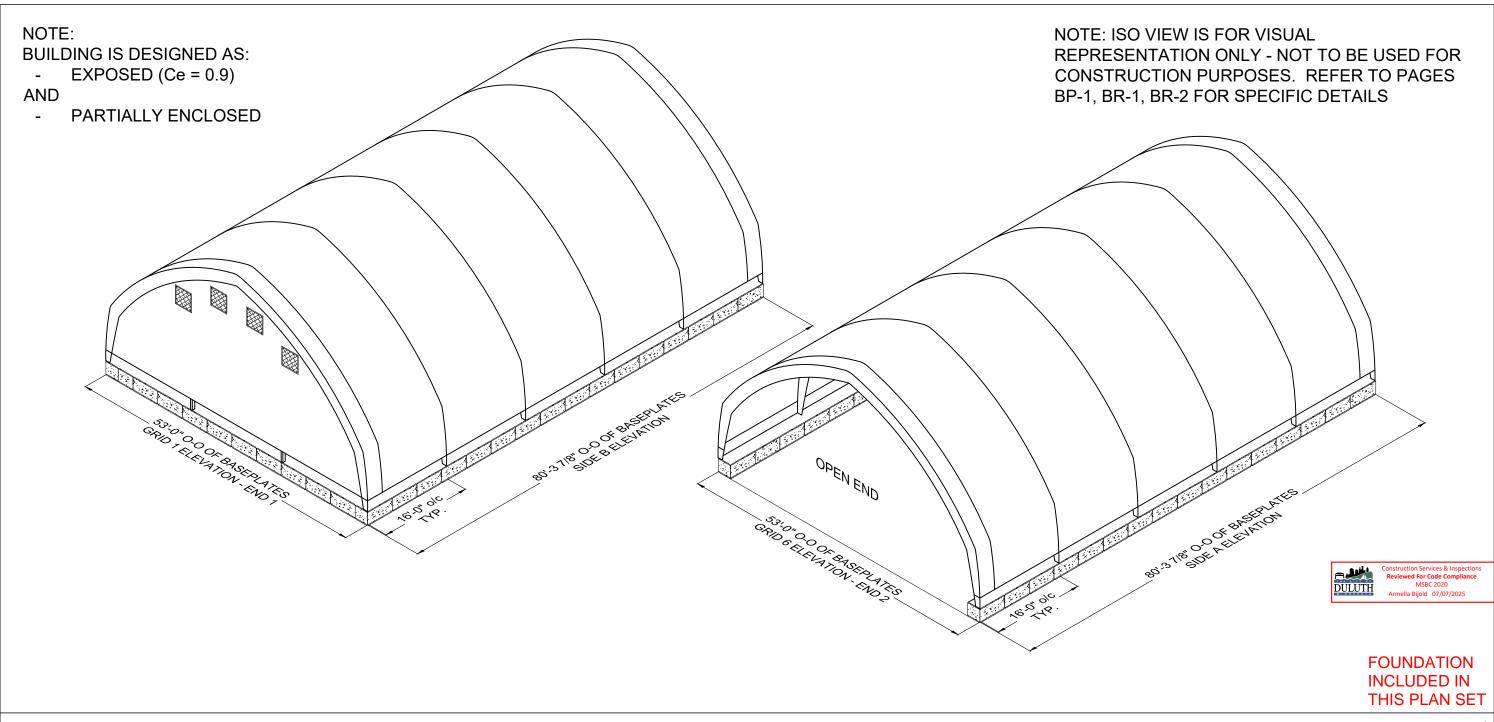
DRAWING TITLE: **BASEPLATE LAYOUT** WIDTH-MOUNT-FABRIC SHEET NUMBER:

PAGE NUMBER: BP-1 02 /13

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Print Name: BALJEET SINGH JONJUA
Signature: Date: License #



MAIN COVER: WHITE PE NON-FR END FLAPS: WHITE PE NON-FR EENDWALL #1: WHITE PE NON-FR

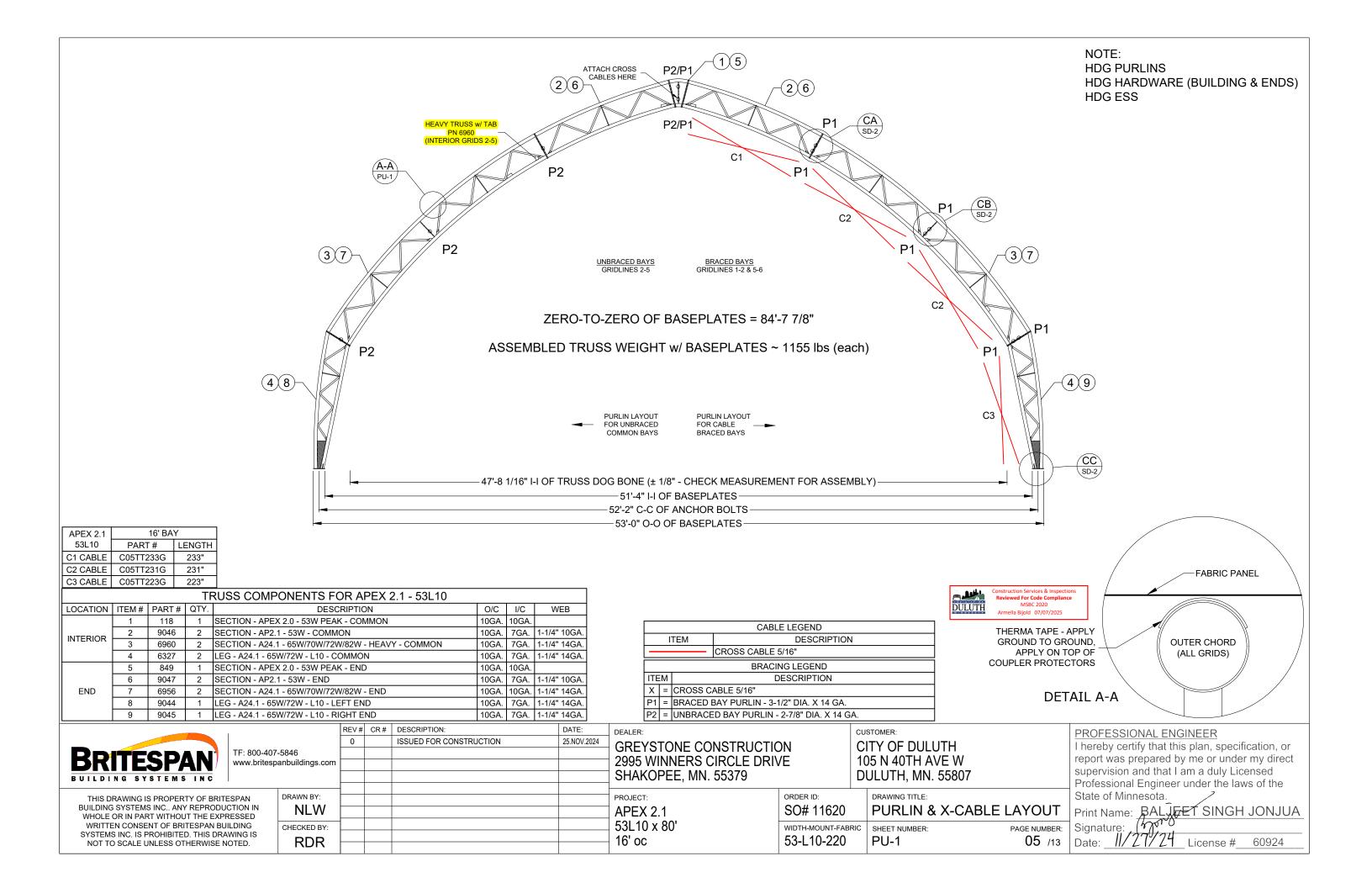
MESH VENTS: BLACK

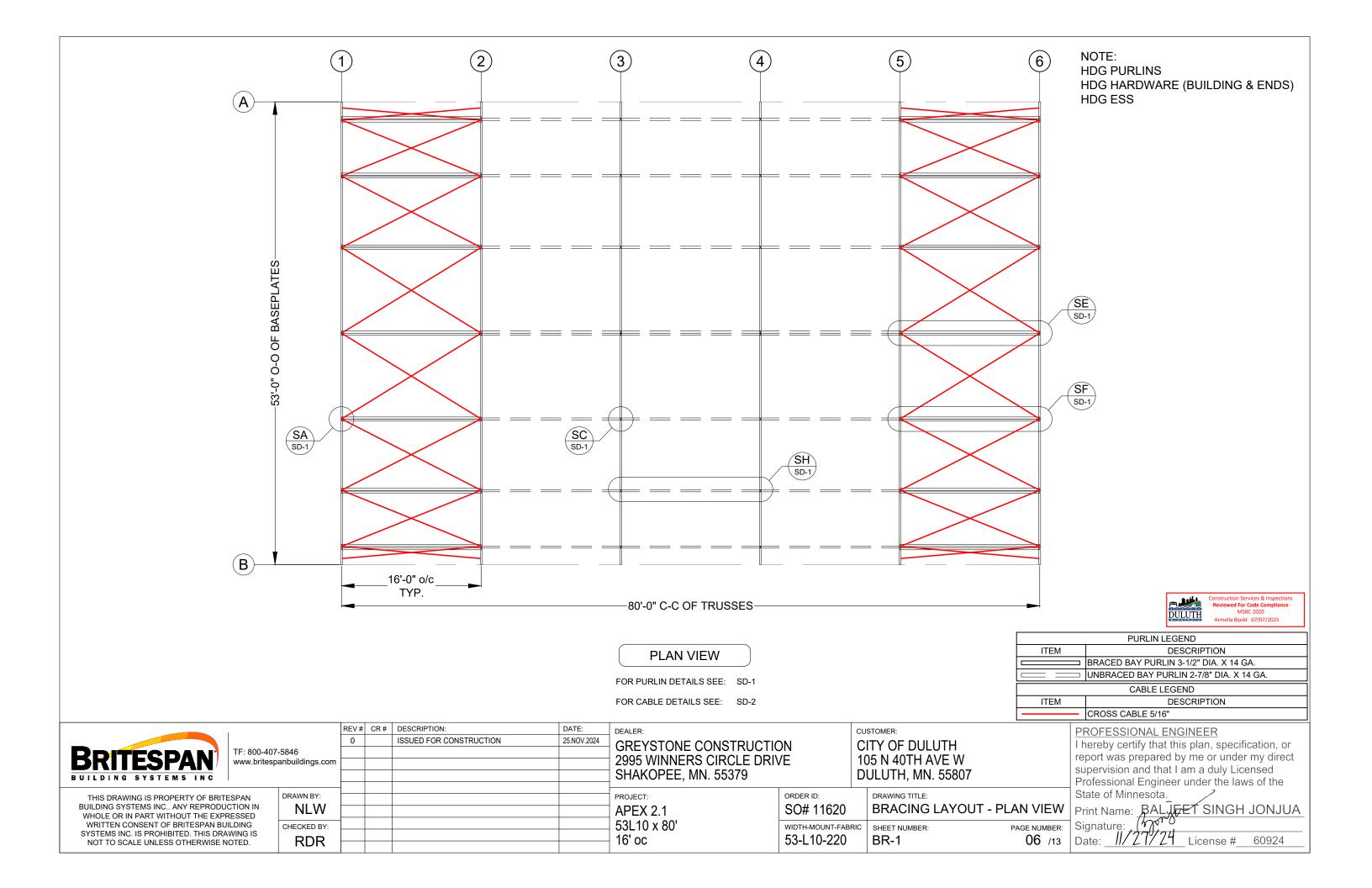
NOTE:

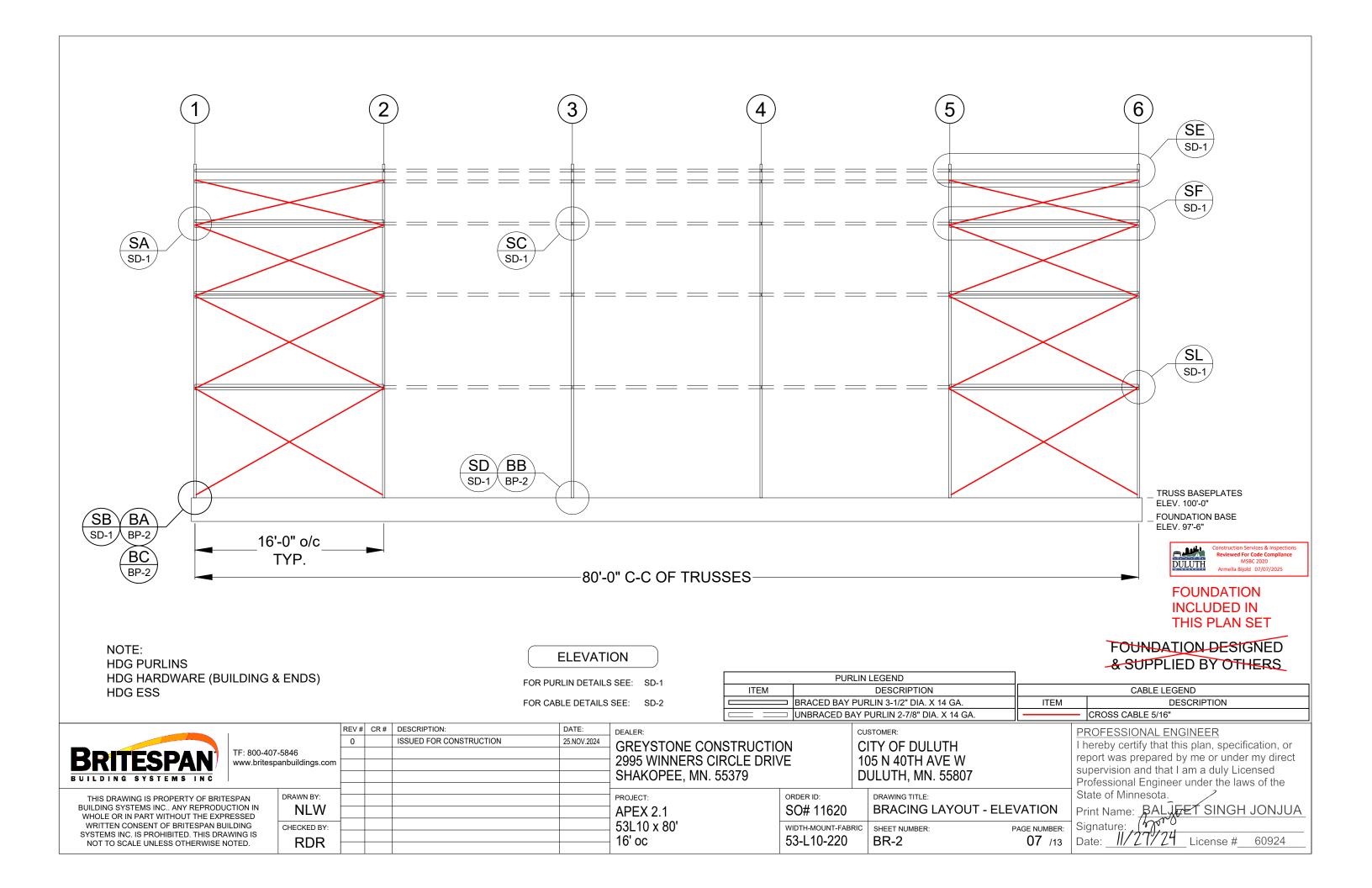
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OTHERS

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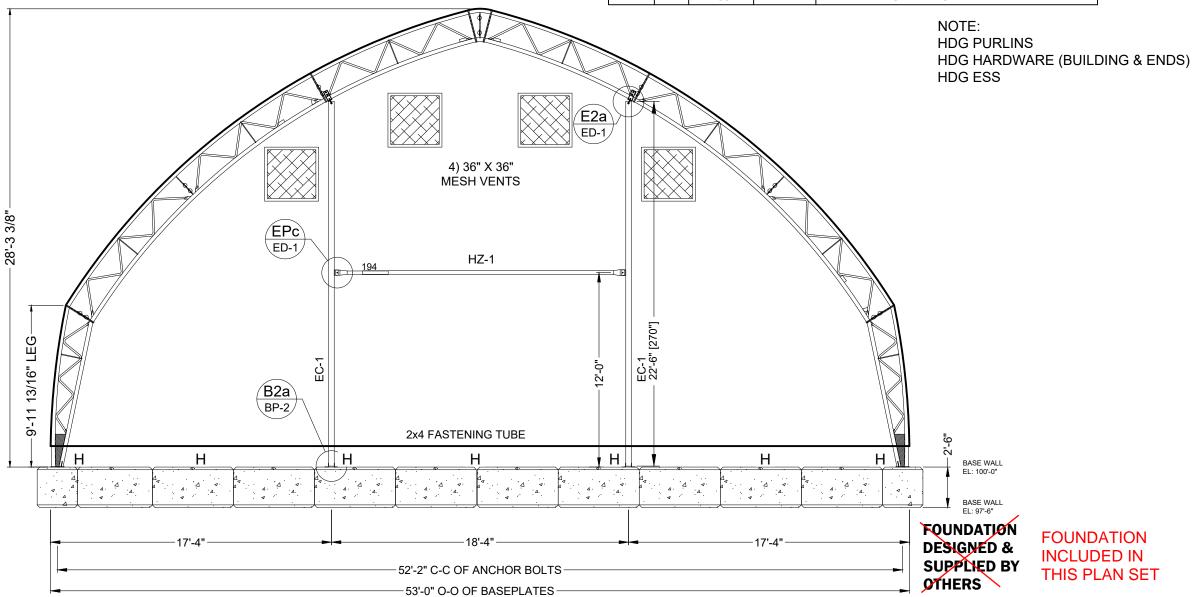




### NOTES:

- 1. ENDWALL AS VIEWED FROM OUTSIDE
- 2. "H" DENOTES BLOCK WINCH & STRAP FOR FASTENING TUBE
- 3. EC VERTICAL LOCATION DIMENSIONS ARE TO THE CENTRELINE OF MEMBERS
- 4. FIELD DRILL HSS AS REQUIRED

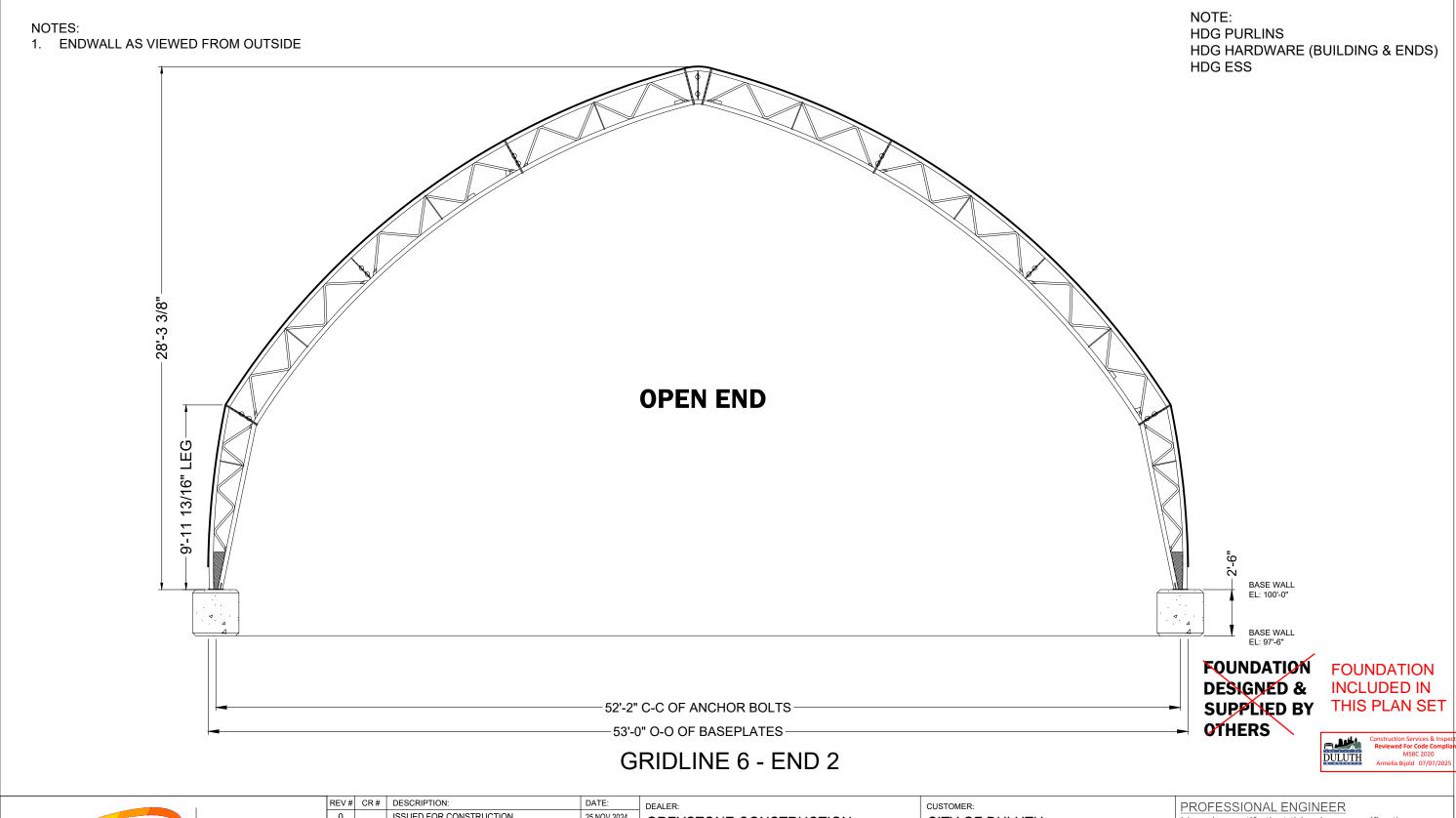
ITEM#	QTY.	PART#	LENGTH	DESCRIPTION
EC-1	2	2408	270"	HSS- VERTICAL- 4" X 6" X 3/16"- 3" CENTRES
-	2	162	-	BRKT- 6" DEEP HSS TOP SADDLE- 2-7/8" CHORD
-	4	2407	-	HEADER/ BASE ANGLE- 4" X 6" HSS - 3" CENTRES
HZ-1	1	1528 / 1530	39 & 194	1528-39 (2 1/2 - 14GA) + 1530-194 (2 7/8" 14GA) HDG
-	2	195	-	BRKT - ESS HORIZ. ANGLE

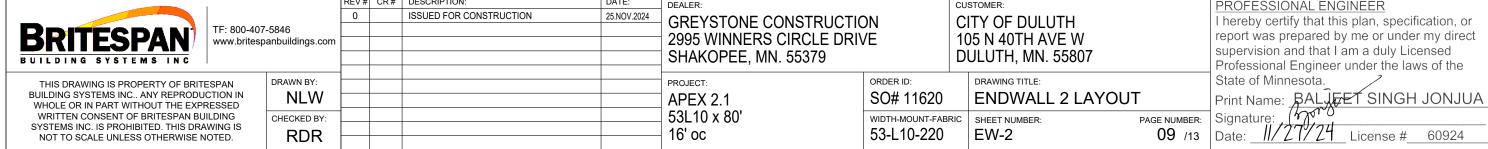


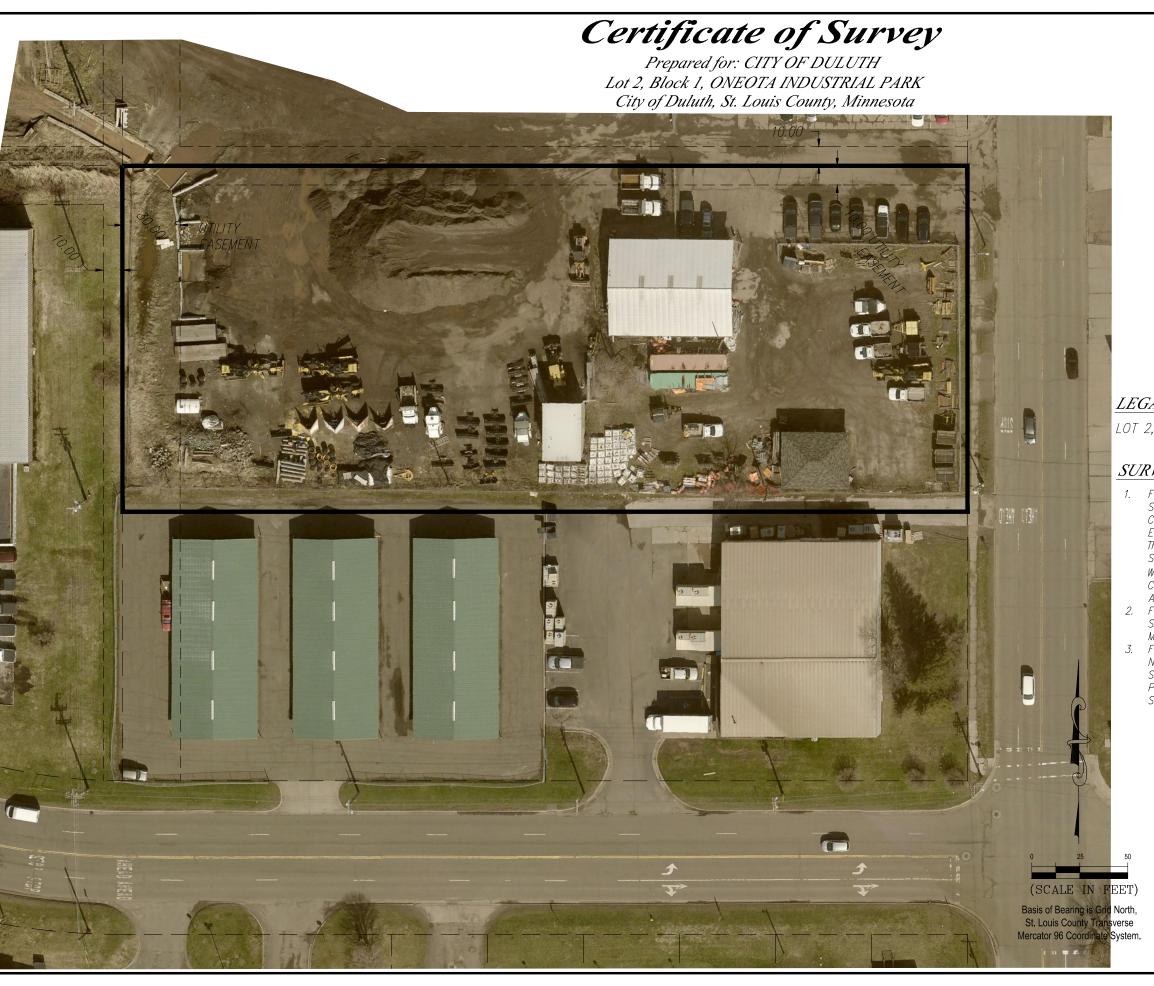
# **GRIDLINE 1 - END 1**



TF: 800-407-5846		REV#	CR#	DESCRIPTION: ISSUED FOR CONSTRUCTION	DATE: 25.NOV.2024	DEALER: GREYSTONE CONSTRUCTION	ON	CUSTOMER: CITY OF DULUTH	PROFESSIONAL ENGINEER I hereby certify that this plan, specification, or
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WRITTEN CONSENT OF BRITESPAN BUILDING SYSTEMS INC. IS PROHIBITED. THIS DRAWING IS NOT TO SCALE UNLESS OTHERWISE NOTED.	CHECKED BY:					53L10 x 80' 16' oc	width-mount-fabri	SHEET NUMBER: PAGE NUMBER: EW-1 08 /13	Signature: (1701-0   Date:     / 27/24   License # 60924







# LEGEND

LOT LINE

BOUNDARY LINE, THIS SURVEY

····· VACATED PLAT LINE

( FOUND REBAR

⊠ SET CHISELED "x"

SET REBAR WITH CAP 44075

(P) PLAT DATA

(R) RECORD DATA

# LEGAL DESCRIPTION :

LOT 2, BLOCK 1 , ONEOTA INDUSTRIAL PARK

# SURVEYORS NOTES

- 1. FOUND 2 REBAR WITH CAP 62289 0.52 FEET APART ALONG SUPERIOR STREET. PLAT OF ONEOTA INDUSTRIAL PARK INDICATES IRONS SET AT LOT CORNER AND PC OF CURVE. BASED UPON INTERPRETATION OF OLD EVIDENCE IN PLAT AND PC ACROSS SUPERIOR STREET FROM THIS POSITION, THE WESTERLY FOUND CAPPED REBAR IS HELD FOR DIRECTION ALONG SUPERIOR STREET FOR THE SOUTH LINE OF BLOCK 1 AND IS 0.05 FEET WESTERLY (AS MEASURED ALONG SUPERIOR STREET) OF THE SOUTHWEST CORNER OF LOT 2. THE EASTERLY OF THE 2 IRONS NOT BEING HELD. IT APPEARS THIS WAS AN ATTEMPT TO SET BOTH LOT CORNER AND PC.
- FOUND REBAR AT BLOCK CORNER IS HELD FOR DIRECTION ALONG SUPERIOR STREET AND IS 0.17 FEET NORTHEASTERLY OF BLOCK CORNER AS MEASURED ALONG SUPERIOR STREET EXTENDED.
- 3. FOUND REBAR WITH CAP 62289 0.05 FEET SOUTHEASTERLY OF NORTHWESTERLY LINE LOT 2 AND 0.49 FEET NORTHEASTERLY OF SOUTHWESTERLY LINE LOT 2. THIS APPEARS TO BE IN A SIMILAR RELATIVE POSITION RELATED TO THE EASTERLY IRON FOUND AND DISCUSSED IN SURVEYORS NOTE 1.

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DATE PREPARED: 6/12/25

PROJ NO: 250370

FILE: 250370vSURV.

70vSURV.

SHEET 1 of 1 SHEETS 21 W. Superior St., Ste. 500 | Duluth, MN 55802 | 218.727.8446

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Print Name: Paul A. Vogel

License # 44075

Signature:

Date: 6/12/2025