



Planning & Development Division
Planning & Economic Development Department

Room 160
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 Duluth, Minnesota 55802



218-730-5580



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File Number	PLVAR-2510-0013		Contact	Christian Huelsman, chuelsman@duluthmn.gov	
Type	Variance from Shoreland Setbacks		Planning Commission Date		November 12, 2025
Deadline for Action	Application Date		October 8, 2025	60 Days	December 7, 2025
	Date Extension Letter Mailed		October 30, 2025	120 Days	February 5, 2026
Location of Subject		800 Railroad St			
Applicant	Donald Holm Construction		Contact	Max Holm	
Agent			Contact		
Legal Description		010-0200-01100			
Site Visit Date		October 29, 2025	Sign Notice Date		October 28, 2025
Neighbor Letter Date		October 22, 2025	Number of Letters Sent		3

Proposal

The applicant proposes to construct an exterior spa deck, attached to the interior pool area, 17.5 feet off the existing building. Because the building face is 25' from the seawall, this would be 12.5 feet from the Ordinary High Water Level (OHWL).

Recommended Action: Staff recommends that Planning Commission deny the variance.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	MU-W	Hotel and Resort	Tourism/Entertainment District
North	MU-W	Hotel and Resort	Tourism/Entertainment District
South	-	Duluth Harbor Basin	-
East	MU-W	Slip 2	-
West	MU-W	Hotel and Resort	Tourism/Entertainment District

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. 50-37.9.L – Standards for variances in shorelands: No variance shall be granted that compromises the general purposes or intent of Section 50-18.1.D or results in adverse consequences to the environment. Variances shall include a requirement for the applicant to mitigate the impacts of the variance on shoreland areas.

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

Governing Principle #4 – Emerging and growing economic sectors add economic, cultural, and social diversity, including commercial outdoor recreation. Encourage and foster locally owned and entrepreneurial ventures to enhance the economic base: The project is proposed on property that is currently contributing to entertainment and tourism sectors as the Pier B Resort Hotel.

Future Land Use – Tourism/Entertainment District: Characterized by retail, entertainment and lodging facilities, meeting facilities, waterfront-related uses, and open space uses. Medium densities and building heights. Design standards and design review.

History: The property is currently occupied by Pier B Resort Hotel, built between 2015 and 2017. This section of Pier B has previously been occupied by vacant land, a warehouse, and railroad spurs, serving as a dock for ships. All three sides of the seawall were updated at the time of hotel construction.

Review and Discussion Items:

Staff finds that:

- 1) The applicant proposes to construct an exterior spa deck, attached to the interior pool area, 12.5 feet off the existing, southern seawall abutting the Duluth Harbor Basin. The subject property area is currently 5' in elevation below the existing main floor grade. The exterior spa deck is designed at grade with the main floor area to conform to flood elevation.
- 2) Because this site is in the Harbor area shown in UDC Section 50-18.1, the setback from the OHWL is 25'. This area is also within the shore impact zone.
- 3) When Pier B was construction between 2015 and 2017, owners chose to put the building at the existing setback.
- 4) Staff finds the applicant has not demonstrated practical difficulty due to the exceptional narrowness or shallowness of the property. The property is reasonably sized for a hotel including other spaces to add an exterior spa deck. For example, while the applicants state the area is the least obtrusive location, the existing hot tub to the east already has access to the indoor pool area via key card and does not require a variance.
- 5) The plight of the property owner is created by the property owner with construction of the existing buildings. In siting the hotel at the setback line, the owner created fewer locations to place an outdoor hot tub or other outdoor structures such as decks.
- 6) The variance will not alter the essential character of the entertainment district, and an exterior spa deck is a reasonable use of the property where many tourism amenities have been constructed north of the seawall.
- 7) The variance allowing a reduction of a setback will not impair an adequate supply of light and air to adjacent properties.
- 8) The proposal will not increase congestion in public streets or unreasonably diminish or impair established property values within the surrounding areas.
- 9) *Standards for variances in shorelands*
The applicant has submitted details to mitigate the impacts to shorelands from the addition of impervious. Runoff from this site runs downhill away from the exterior spa deck, into drain tile and daylights, through the elevated wall to infiltrate to the planting area to the east and west. Staff recommend that any approval of this variance be conditioned such that a mitigation plan with native plantings in the rain gardens, designated to infiltrate water from the proposed deck, is submitted to the Land Use Supervisor prior to approval of a building permit.
- 10) The Minnesota Department of Natural Resources has noted limited vegetation on the lot, particularly in the shore impact zone, and the exterior spa deck will reduce it further. The DNR asked additional questions related to demonstration of practical difficulty. No other comments from the public, agencies or other City departments were received.
- 11) 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 deny the permit based on the following factors:

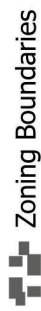
- 1) The property is reasonably sized for a hotel including other spaces to add an exterior spa deck.
- 2) The plight of the property owner is created by construction of the existing buildings under the same ownership, resulting in fewer locations to place an outdoor structure oriented towards the Duluth Harbor Basin.
- 3) The construction of the existing structures created a nonconformity that may not be increased or extended horizontally or vertically, per UDC 50-38.3.
- 4) The applicant has not demonstrated practical difficulty based on the General Variance Criteria in UDC 50-37.9.C.



PLVAR-2510-0013

Variance to Shoreland Regulations
800 Railroad St

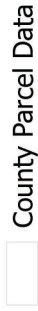
Legend



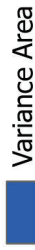
Zoning Boundaries



Road or Alley ROW



County Parcel Data



Variance Area

Zoning

UDC Zoning



MU-W (Mixed Use
Waterfront)



MU-N (Mixed Use
Neighborhood)



I-G (Industrial General)

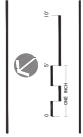


The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used 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.

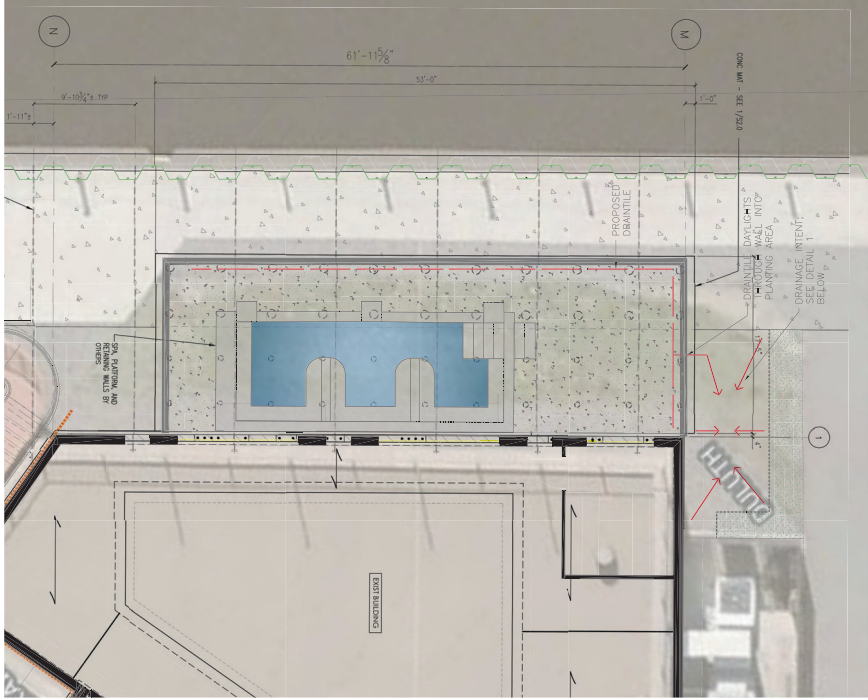
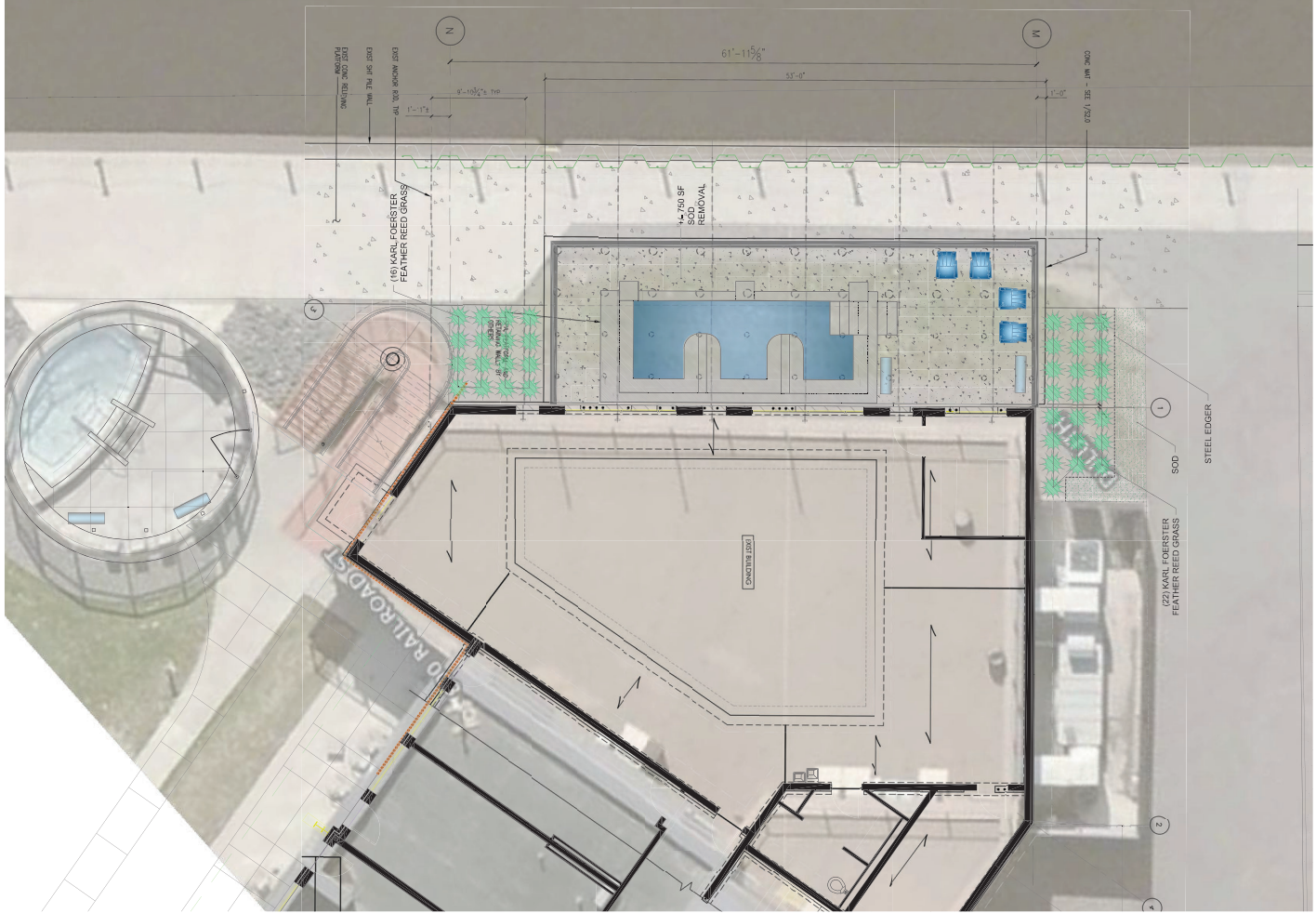
REVISION	DATE

PIER B HOTEL

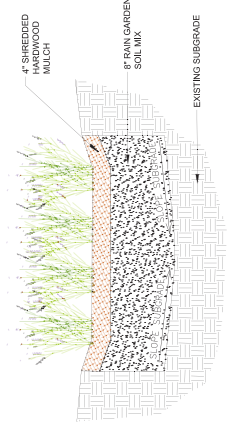
800 W. RAILROAD ST.
DULUTH, MINNESOTA



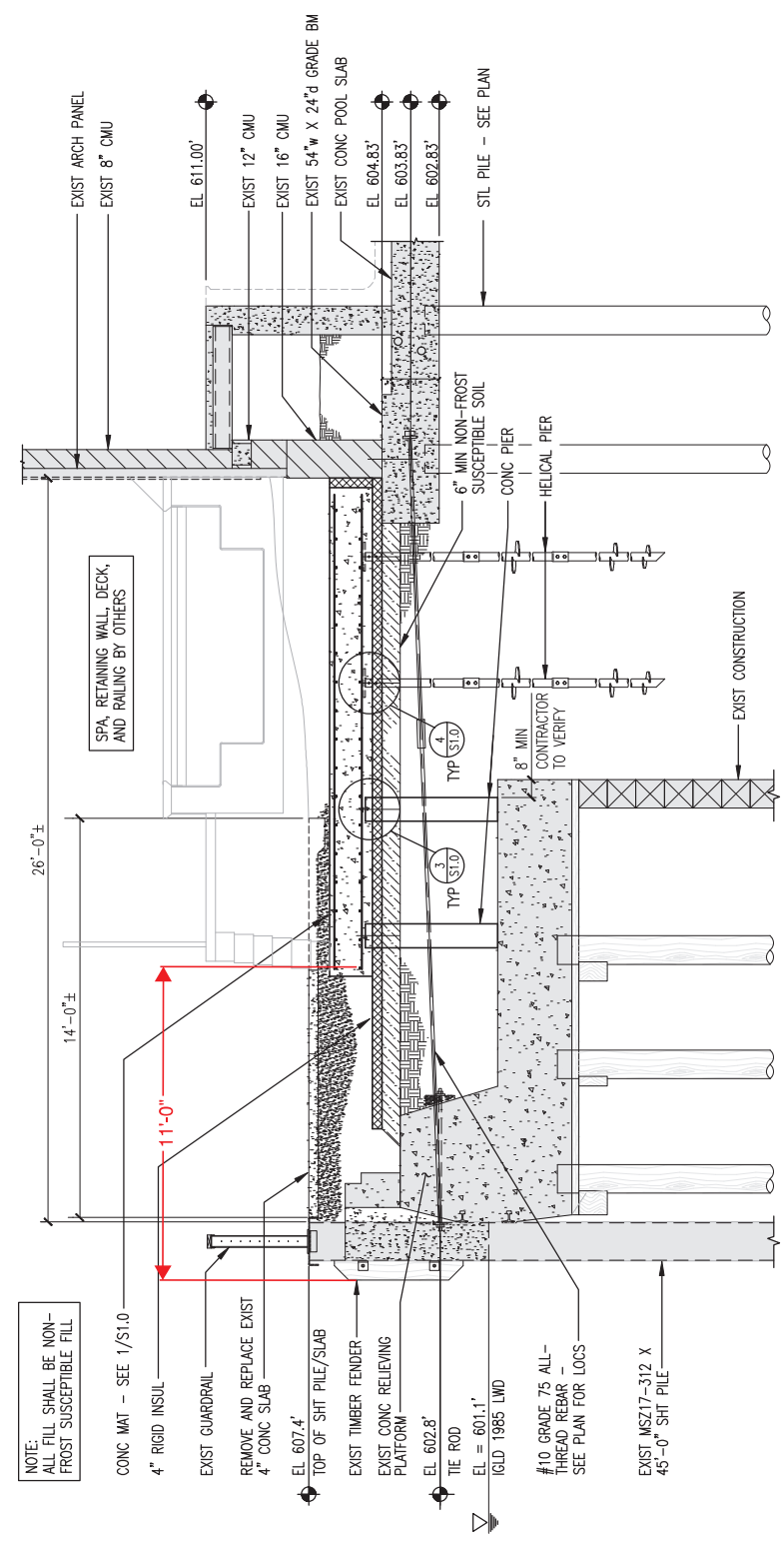
SHEET TITLE	SPA EXPANSION
LANDSCAPE PLAN	
DATE	10/23/2025
DRAWN BY	AMA
CHECKED BY	LWS
PROJECT NUMBER	21001
SHEET NUMBER	11.0



A STORMWATER INTENTION PLAN
SCALE: 1" = 5'



1 PLANTING AREA CROSS-SECTION
SCALE: NOT TO SCALE



NOTE:
 ALL FILL SHALL BE NON-FROST SUSCEPTIBLE FILL

2 SECTION
 S1.0
 1/4" = 1'-0"

GENERAL STRUCTURAL NOTES

DESIGN CRITERIA

- DESIGNED IN ACCORDANCE WITH THE 2020 MINNESOTA STATE/2018 WISCONSIN COMMERCIAL BUILDING CODE
- DESIGN CODE
- DESIGN LOADS
- BUILDING RISK CATEGORY: II
- SOILS
- ALLOWABLE SOIL BEARING PRESSURE: 2000 PSF
- ASSUMED FILL SOIL DENSITY 120 PCF
- GROUND SNOW LOAD: $P_g = 60$ PSF

120 PCT
Pa = 60

120 PCT
Pa = 60

120 PCT
Pa = 60

GENERAL
THE CTOL

- [illegible]

FOUNDATION

- CONTRACTOR SHALL REMOVE ALL ORGANIC AND UNCOMPACTED FILL AND REPLACE WITH ENGINEERING FILL COMPACTED TO 95% MODIFIED PROCTOR.
- CONTRACTOR SHALL LOCATE ALL EXISTING UNDERGROUND UTILITIES BEFORE BEGINNING FOUNDATION WORK.
- NON-FRUIT SUSCEPTIBLE SOIL SHALL BE A SOIL THAT DOES NOT DISPLAY SIGNIFICANT DETRIMENTAL SOIL SEVERGATION DURING FREEZING. GENERALLY SOILS WITH LESS THAN 6% BY MASS PASSING A #200 SIEVE.
- CONCRETE SHALL NOT BE PLACED INTO OR AGAINST SOIL CONTAINING FREE WATER, FROST OR ICE. SHOULD WATER ENTER OR ICE FORM IN A STRUCTURAL EXCAVATION AFTER BEING APPROVED, THE CONTRACTOR SHALL REMOVE AND REPLACE WITH COMPACTED FILL OF WATER OR ICE AND RECOMPACT TO COMPLY WITH GEOTECHNICAL REPORT LOG.
- ROAD INSULATION SHALL COMPLY WITH ASTM C578 AND SHALL BE TYPE X.

HELICAL PILES

- HELICAL PILES SHALL HAVE A MIN. 3.175" DIAMETER SHANK AND BE INSTALLED TO AN ALLOWABLE AXIAL CAPACITY OF 25 TONS SPECIFIC TO SOILS (LTMATE).
- THE AVERAGE INSTALLATION TORQUE FOR THE FINAL FOUR FEET OF INSTALLATION SHALL BE EQUAL TO OR GREATER THAN THAT REQUIRED BY THE FINAL MANUFACTURER FOR THE SPECIFIED AXIAL CAPACITY.
- HELICAL PILES SHALL BE WANGIEN INSTALLED LOGS FOR EACH PILE INDICATING FINAL INSTALLATION LENGTH AND HYDRAULIC PRESSURE WITH CORRESPONDING INSTALLATION TORQUE FOR EACH FOOT OF THE FINAL TEN FEET OF INSTALLATION.
- CONTRACTOR SHALL HIRE A SPECIALTY STRUCTURAL ENGINEER (SSE) FOR THE DESIGN AND ANALYSIS OF THE HELICAL PILE SYSTEM INCLUDING ALL COMPONENTS.

CONCRETE

- ALL CONCRETE WORK SHALL CONFORM TO ALL SPECIFICATIONS FOR STRUCTURAL CONCRETE. ALL CONCRETE SHALL BE PLACED WITH A MINIMUM COMPRESSIVE STRENGTH AT 28 DAYS OF 4000 PSI.
- CONCRETE USED FOR MAINTAINING FLOORING AND THINNING SHALL CONTAIN 6.5% - 1.5% AIR.
- CONCRETE EXPOSED TO A MAINTAINED FREEZING AND THAWING SHALL CONTAIN 6.5% - 1.5% AIR.
- ENVIRONMENT AND HAVE A MAXIMUM W/C RATIO OF 0.45.
- PORTLAND CEMENT SHALL BE PORTLAND CEMENT TO ASTM C 150.
- REINFORCING STEEL SHALL BE ASTM A615 GRADE 60.
- NO WEAVING OR REINFORCING SHALL BE PERFORMED WITHOUT PRIOR APPROVAL FROM ENGINEER.
- ALL REINFORCING SHALL BE PLACED WITH THE REQUIRED MINIMUM COVER.
- CONTRACTOR SHALL COMPLY WITH THE REQUIREMENTS OF ALL 305.1 AND ALL 306.1. LATEST EDITION FOR HOT AND COLD WEATHER CONSTRUCTION WHEN APPLICABLE.
- ALL REINFORCING SHALL BE PLACED WITH THE REQUIRED MINIMUM COVER. OTHERS
- REFER TO ARCHITECTURAL, MECHANICAL, ELECTRICAL AND PLUMBING DRAWINGS FOR FLOOR FINISHES, SLOPES, RAIRS, EXPANSIONS, ETC., EQUIPMENT, ETC.
- CONCRETE SHALL BE DESIGNED FOR CONCRETE PER FEET INCH-BARSOUT AMOUNTING AND TO USE 6"

SUBMITTALS

- SHOP AND PLACEMENT DRAWINGS (INCLUDING CONNECTIONS) SHALL BE SUBMITTED TO THE ENGINEER FOR REVIEW AND APPROVAL. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PREPARATION OF RECORD FOR APPROVAL PRIOR TO COMMENCING FABRICATION FOR THE FOLLOWING ITEMS:
 - CONCRETE REINFORCING STEEL
 - HELICAL PILES
- THE FOLLOWING ITEMS SHALL BE SUBMITTED TO THE ENGINEER OF RECORD:
 - HELICAL INSTALLATION EQUIPMENT INCLUDING:
 - DRIVE HEAD TORQUE CHART RELATING HYDRAULIC PRESSURE TO INSTALLATION TORQUE
 - PILE MANUFACTURER CAPACITY CHART RELATING TORQUE TO AXIAL CAPACITY

1

- INSTALLATION TORQUE PER FOOT FOR FINAL FOUR FEET OF EMBEDMENT
—FINAL CALCULATED ULTIMATE AXIAL CAPACITY
- CONCRETE MIX DESIGNS
- HOT/COLD WEATHER CONSTRUCTION PROCEDURES (CONCRETE & CMU)
SPECIAL INSPECTION REPORTS & MATERIALS TESTING RESULTS

CONCRETE MIX DESIGNS
HOT/COLD WEATHER CONSTRUCTION PROCEDURES (CONCRETE & CMU)

- ## SPECIAL INSPECTION REPORTS & MATERIALS TESTING RESULTS

CONCRETE REINFORCEMENT PROTECTION

EXPOSURE	STRUCTURAL ELEMENTS	BAR SIZE	MIN. COVER
CONCRETE CAST AGAINST AND PERMANENTLY EXPOSED TO EARTH	ALL	ALL	3"
CONCRETE EXPOSED TO EARTH OR WEATHER	ALL	NO. 5 THRU NO. 18 BARS NO. 2 BARS, W/O OR D31 W/EP, W/EP OR D31	2" 1 1/2"
CONCRETE CAST AGAINST AND PERMANENTLY EXPOSED TO WEATHER OR IN CONTACT WITH GROUND	BEAMS, WALLS, JOISTS	NO. 5 THRU NO. 18 BARS NO. 2 BARS, W/O OR D31 W/EP, W/EP OR D31	1 1/2" 3/4"
	BEAMS, COLUMNS	NO. 11 BARS AND SMALLER PRIMARY REINFORCEMENT, TIES, SHORTS, SPALLS	1 1/2"

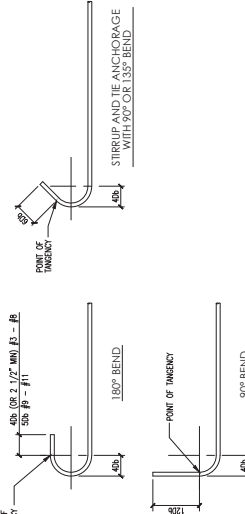
CONCRETE REINFORCEMENT TENSION DEVELOPMENT AND LAP SPlice LENGTHS

BAY SIZE	LAP SPICE CLASS	CONCRETE COVER = 0.75"		CONCRETE COVER = 1.00"		CONCRETE COVER = 1.50"		CONCRETE COVER $\geq 2.00"$	
		TOP	OTHER	TOP	OTHER	TOP	OTHER	TOP	OTHER
#1	A	16	16	16	16	16	16	16	16
	B	16	16	16	16	16	16	16	16
	#3	16	16	16	16	16	16	16	16
#2	A	18	15	15	12	15	12	15	12
	B	18	15	15	12	15	12	15	12
	#4	A	20	17	17	13	15	13	15
#3	A	20	17	17	13	15	13	15	13
	B	20	17	17	13	15	13	15	13
	#6	A	22	19	19	15	15	15	15
#4	A	22	19	19	15	15	15	15	15
	B	22	19	19	15	15	15	15	15
	#8	A	24	21	21	17	17	17	17
#5	A	24	21	21	17	17	17	17	17
	B	24	21	21	17	17	17	17	17
	#9	A	26	23	23	19	19	19	19
#6	A	26	23	23	19	19	19	19	19
	B	26	23	23	19	19	19	19	19
	#10	A	28	25	25	21	21	21	21
#7	A	28	25	25	21	21	21	21	21
	B	28	25	25	21	21	21	21	21
	#11	A	30	27	27	23	23	23	23
#8	A	30	27	27	23	23	23	23	23
	B	30	27	27	23	23	23	23	23
	#12	A	32	29	29	25	25	25	25
#9	A	32	29	29	25	25	25	25	25
	B	32	29	29	25	25	25	25	25
	#13	A	34	31	31	27	27	27	27
#10	A	34	31	31	27	27	27	27	27
	B	34	31	31	27	27	27	27	27
	#14	A	36	33	33	29	29	29	29
#11	A	36	33	33	29	29	29	29	29
	B	36	33	33	29	29	29	29	29
	#15	A	38	35	35	31	31	31	31
#12	A	38	35	35	31	31	31	31	31
	B	38	35	35	31	31	31	31	31
	#16	A	40	37	37	33	33	33	33
#13	A	40	37	37	33	33	33	33	33
	B	40	37	37	33	33	33	33	33
	#17	A	42	39	39	35	35	35	35
#14	A	42	39	39	35	35	35	35	35
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	#18	A	44	41	41	37	37	37	37
#15	A	44	41	41	37	37	37	37	37
	B	44	41	41	37	37	37	37	37
	#19	A	46	43	43	39	39	39	39
#16	A	46	43	43	39	39	39	39	39
	B	46	43	43	39	39	39	39	39
	#20	A	48	45	45	41	41	41	41
#17	A	48	45	45	41	41	41	41	41
	B	48	45	45	41	41	41	41	41
	#21	A	50	47	47	43	43	43	43
#18	A	50	47	47	43	43	43	43	43
	B	50	47	47	43	43	43	43	43
	#22	A	52	49	49	45	45	45	45
#19	A	52	49	49	45	45	45	45	45
	B	52	49	49	45	45	45	45	45
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	B	54	51	51	47	47	47	47	47
	#24	A	56	53	53	49	49	49	49
#21	A	56	53	53	49	49	49	49	49
	B	56	53	53	49	49	49	49	49
	#25	A	58	55	55	51	51	51	51
#22	A	58	55	55	51	51	51	51	51
	B	58	55	55	51	51	51	51	51
	#26	A	60	57	57	53	53	53	53
#23	A	60	57	57	53	53	53	53	53
	B	60	57	57	53	53	53	53	53
	#27	A	62	59	59	55	55	55	55
#24	A	62	59	59	55	55	55	55	55
	B	62	59	59	55	55	55	55	55
	#28	A	64	61	61	57	57	57	57
#25	A	64	61	61	57	57	57	57	57
	B	64	61	61	57	57	57	57	57
	#29	A	66	63	63	59	59	59	59
#26	A	66	63	63	59	59	59	59	59
	B	66	63	63	59	59	59	59	59
	#30	A	68	65	65	61	61	61	61
#27	A	68	65	65	61	61	61	61	61
	B	68	65	65	61	61	61	61	61
	#31	A	70	67	67	63	63	63	63
#28	A	70	67	67	63	63	63	63	63
	B	70	67	67	63	63	63	63	63
	#32	A	72	69	69	65	65	65	65
#29	A	72	69	69	65	65	65	65	65
	B	72	69	69	65	65	65	65	65
	#33	A	74	71	71	67	67	67	67
#30	A	74	71	71	67	67	67	67	67
	B	74	71	71	67	67	67	67	67
	#34	A	76	73	73	69	69	69	69
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	B	76	73	73	69	69	69	69	69
	#35	A	78	75	75	71	71	71	71
#32	A	78	75	75	71	71	71	71	71
	B	78	75	75	71	71	71	71	71
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	B	82	79	79	75	75	75	75	75
	#38	A	84	81	81	77	77	77	77
#35	A	84	81	81	77	77	77	77	77
	B	84	81	81	77	77	77	77	77
	#39	A	86	83	83	79	79	79	79
#36	A	86	83	83	79	79	79	79	79
	B	86	83	83	79	79	79	79	79
	#40	A	88	85	85	81	81	81	81
#37	A	88	85	85	81	81	81	81	81
	B	88	85	85	81	81	81	81	81
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#38	A	90	87	87	83	83	83	83	83
	B	90	87	87	83	83	83	83	83
	#42	A	92	89	89	85	85	85	85
#39	A	92	89	89	85	85	85	85	85
	B	92	89	89	85	85	85	85	85
	#43	A	94	91	91	87	87	87	87
#40	A	94	91	91	87	87	87	87	87
	B	94	91	91	87	87	87	87	87
	#44	A	96	93	93	89	89	89	89
#41	A	96	93	93	89	89	89	89	89
	B	96	93	93	89	89	89	89	89
	#45	A	98	95	95	91	91	91	91
#42	A	98	95	95	91	91	91	91	91
	B	98	95	95	91	91	91	91	91
	#46	A	100	97	97	93	93	93	93
#43	A	100	97	97	93	93	93	93	93
	B	100	97	97	93	93	93	93	93
	#47	A	102	99	99	95	95	95	95
#44	A	102	99	99	95	95	95	95	95
	B	102	99	99	95	95	95	95	95
	#48	A	104	101	101	97	97	97	97
#45	A	104	101	101	97	97	97	97	97
	B	104	101	101	97	97	97	97	97
	#49	A	106	103	103	99	99	99	99
#46	A	106	103	103	99	99	99	99	99
	B	106	103	103	99	99	99	99	99
	#50	A	108	105	105	101	101	101	101
#47	A	108	105	105	101	101	101	101	101
	B	108	105	105	101	101	101	101	101
	#51	A	110	107	107	103	103	103	103
#48	A	110	107	107	103	103	103	103	103
	B	110	107	107	103	103	103	103	103
	#52	A	112	109	109	105	105	105	105
#49	A	112	109	109	105	105	105	105	105
	B	112	109	109	105	105	105	105	105
	#53	A	114	111	111	107	107	107	107
#50	A	114	111	111	107	107	107	107	107
	B	114	111	111	107	107	107	107	107
	#54	A	116	113	113	109	109	109	109
#51	A	116	113	113	109	109	109	109	109
	B	116	113	113	109	109	109	109	109
	#55	A	118	115	115	111	111	111	111
#52	A	118	115	115	111	111	111	111	111
	B	118	115	115	111	111	111	111	111
	#56	A	120	117	117	113	113	113	113
#53	A	120	117	117	113	113	113	113	113
	B	120	117	117	113	113	113	113	113
	#57	A	122	119	119	115	115	115	115
#54	A	122	119	119	115	115	115	115	115
	B	122	119	119	115	115	115	115	115
	#58	A	124	121	121	117	117	117	117
#55	A	124	121	121	117	117	117	117	117
	B	124	121	121	117	117	117	117	117
	#59	A	126	123	123	119	119	119	119
#56	A	126	123	123	119	119	119	119	119
	B	126	123	123	119	119	119	119	119
	#60	A	128	125	125	121	121	121	121
#57	A	128	125	125	121	121	121	121	121
	B	128	125	125	121	121	121	121	121
	#61	A	130	127	127	123	123	123	123
#58	A	130	127	127	123	123	123	123	123
	B	130	127	127	123	123	123	123	123
	#62	A	132	129	129	125	125	125	125
#59	A	132	129	129</					

NOTES:

1. TABULATED VALUES ARE BASED ON GRADE 60 UNCOATED REINFORCING BARS WITH A TENSILE STRENGTH OF 60,000 PSI. THE TENSILE STRENGTH OF THE REINFORCING BARS USED IN THE PROJECTS ARE IN THE RANGE OF 60,000 TO 70,000 PSI. THE TENSILE STRENGTH OF THE REINFORCING BARS USED IN THE PROJECTS ARE IN THE RANGE OF 60,000 TO 70,000 PSI.
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STANDARD CONCRETE REINFORCING HOOKS



STRUCTURAL SHEET INDEX

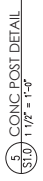
S0.0	GENERAL STRUCTURAL NOTES, ABBREVIATIONS
S1.0	SPA / EXISTING BUILDING PLAN
S2.0	CONCRETE MAT PLAN, SECTION AND DETAILS

SHEET:

0.0

[illegible]





1 CONC MAT PLAN
S1.0 1/4" = 1'-0"



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"):

UDC Section 50-18.1.D. Setback in a shoreland area

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:

The proposed Exterior Spa ideally needs to be attached to the interior pool area for both secure access for paying customers and access to the necessary mechanical equipment

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:

With the way that the building is laid out in its current footprint the logical option for the Proposed new exterior spa would need to be in the place we are proposing. For both secure access from the interior pool for customers and the access to necessary mechanical equipment needed to add this spa

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:

This piece of property is unique in the fact that it has water on 3 sides of the property as it was a former dock slip for ships, all 3 sides of the seawall have been updated at the time of the Hotel Construction

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:

The proposed spa deck would need to be installed in the proposed location due to the immediate access to the

already existing interior pool area along with necessary pool equipment. Other areas on the property are not suitable for this

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 proposed spa deck would not impair any light or air to any adjacent properties as this would be added onto an existing building with a finished height of less than 6' above grade. It also does not impair any streets, sidewalks, or right of ways

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 proposed spa deck will not impair the intent of the zoning code or map as we are adding onto an already commercially zoned Mixed Use Waterfront. This would not impair the view or the access to Lake superior

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. UDC Section 50-37.9 L. Shorelands. The proposed Spa deck would impede the required setback. The edge of the new Proposed spa deck would be approximately 15' off of the existing seawall

Letter of Authorization to Represent Property Owner for Land Use Application

Date:

To whom it may concern, I, the undersigned, am the legal owner of the property located at,

(Property Address or Parcel ID) 800 Railroad St. Duluth, MN.

Hereby authorize, (Business or Organization), Donaco Home Construction, LLC

and any employees or agents acting on their behalf, to act as my authorized representative in all matters relating to the application for a,

(Application type), Variance and or Building Permit.

This letter shall remain effective until the conclusion of the above referenced application unless revoked by the undersigned.

Property Owner(s)

PAUL LASKOWSKI
Pier B
Exc. Board Member/Owner

Owner Signature(s)

[Signature]

Date 10/8/25

Date _____

Date _____

*All persons with ownership stake in the property must sign.

Phone Number 218-590-2417

Email Address

Paul@twinportspaper.com

RE: PIN for November 2025 Duluth Planning Commission Meeting (PLVAR-2510-0013)

From Speldrich, Bri (DNR) <Brianna.Speldrich@state.mn.us>

Date Fri 10/31/2025 10:45 AM

To Christian Huelsman <chuelsman@DuluthMN.gov>

Cc Jason Mozol <jmozol@DuluthMN.gov>

Hi Christian,

Have they justified why they need a new deck area? There already is a large elevated seating area on the 2nd floor above the pool... Additionally, they could use key cards for secure access. I believe this is what is done with the hot tub.

Based on the information I have reviewed, it appears this is driven by a design preference and they do not meet practical difficulties. If they do not meet practical difficulties the variance should be denied regardless of the mitigation they have proposed.

Bri Speldrich

Area Hydrologist | Carlton County & Duluth Metro
Ecological and Water Resources

Minnesota Department of Natural Resources

525 Lake Ave S, Suite 415

Duluth, MN, 55802

Phone: 218-302-3246

Email: brianna.speldrich@state.mn.us

she/her/hers

mndnr.gov



From: Speldrich, Bri (DNR) <Brianna.Speldrich@state.mn.us>
Sent: Wednesday, October 22, 2025 9:58 AM
To: Christian Huelsman <chuelsman@DuluthMN.gov>
Cc: Jason Mozol <jmozol@DuluthMN.gov>
Subject: RE: Pending Items for November 2025 Duluth Planning Commission Meeting

Ok thank you.

While there is existing seawall, there is already very limited vegetation on this lot and this deck will reduce that. Have they proposed mitigation for adding additional impervious surface within the shore impact zone?

Also, have they justified why they need a new deck area? There already is a large elevated seating area on the 2nd floor above the pool... Additionally, they could use key cards for secure access. I believe this is what is done with the hot tub.

If it is easier to chat over the phone let me know and I can give you a call.

Thanks!

Bri Speldrich

Area Hydrologist | Carlton County & Duluth Metro

Ecological and Water Resources

Minnesota Department of Natural Resources

525 Lake Ave S, Suite 415

Duluth, MN, 55802

Phone: 218-302-3246

Email: brianna.speldrich@state.mn.us

From: Speldrich, Bri (DNR) <Brianna.Speldrich@state.mn.us>
Sent: Tuesday, October 21, 2025 3:49 PM
To: Christian Huelsman <chuelsman@DuluthMN.gov>
Cc: Jason Mozol <jmozol@DuluthMN.gov>
Subject: RE: Pending Items for November 2025 Duluth Planning Commission Meeting

Thanks Christian,

Did they provide a narrative that establishes practical difficulties, and have they proposed any mitigation for the variance?

Bri Speldrich

Area Hydrologist | Carlton County & Duluth Metro

Ecological and Water Resources

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