

PL 18-086

**From:** scott kylander-johnson  
**To:** Adam Fulton  
**Subject:** Zoning Notice for Ed and Candy Barbo Property on 10013 West Skyline Parkway Duluth, MN 55810  
**Date:** Tuesday, July 03, 2018 1:51:25 PM

Mr. Fulton,

My family lives on 4110 99th Ave West in Duluth, right beneath Mr. and Mrs. Ed and Candy Barbo. For the second time in about a year, I see there is another notice regarding the variance the Barbo family is applying for once again. It is my understanding that they were denied the first time around and it is our hope that you will stick with the City's current legislative code and not make an exception for this time around either.

As you are probably aware, Mr. and Mrs. Barbo already own a house on 100th Ave West and have access to the pole barn in the area your letter references. My family moved to this part of town to get away from people, knowing that one needed 5 acres before building, ensuring fewer people. Furthermore, we basically have one inlet/outlet, Skyline Road, which is already quite busy, extremely rough and certainly in no shape to accommodate the excess traffic a home building project will require.

In addition, our fragile ecosystem in this part of Duluth cannot handle an influx in horse traffic and another new home since Stewart Creek, a dumping ground for all kinds of trash already, borders the property.

Once rules are tinkered with, a slippery slope can follow, opening up a new can of worms.

Please keep the zoning code as it is and do not allow this variance.

Sincerely,

Scott and Sara Kylander-Johnson

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**From:** Lori Sparkly  
**To:** [Adam Fulton](#)  
**Subject:** Variance for 10013 West Skyline  
**Date:** Tuesday, July 03, 2018 1:17:32 PM

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Hello Adam,

Thank you for notifying us of the variance request regarding Barbo's permit process.

As the party most directly affected by the variance (besides Barbos) we have a vested interest in the outcome.

We are awaiting the 2018 report from the Planning Commission.

Respectfully,  
Lori and Mychal Franklin

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**From:** Mike Grindahl  
**To:** Adam Fulton; Keith Hamre  
**Subject:** 10013 W Skyline Pkwy (Barbo residents)  
**Date:** Sunday, July 08, 2018 7:42:59 PM

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July 8th, 2018

To Whom It May Concern:

We are writing this in regards to the proposal for a variance for property at 10013 W. Skyline Parkway (Barbo Residence).

We have received notification on July 3rd, 2018 of a proposed variance. We currently have connected property adjoining the above property at 4134 North 100 Avenue West Duluth MN.

There are a multitude of concerns regarding this proposal.

We have lived at this residence for over 13 years. From our understanding, the Barbo family has been raising and boarding horses on their property, and the property they own upon the hill, above multiple family dwellings. There are significant concerns to water quality and contamination from run off, from horse manure that is potentially contaminating streams, creeks, and those who have water wells for consumption.

It should also be noted that we requested a alley vacate to place a small garage on our property, but was denied immediately due to a potential "development 50 to 100 years from now" that was quoted from the planning department.

We have been notified that there is a possibility of future development on Spirit Mountain. There are considerable concerns as to future contamination to wells.

We are firmly opposed to this approval, as it creates many health concerns for not only residents of Spirit Mountain, but others in the Duluth Area!

If you would like any further information, please do not hesitate to contact me at 218-370-0904.

Sincerely,

Angie Browning and Mike Grindahl

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**From:** Eve Graves [REDACTED]  
**Sent:** Monday, July 9, 2018 9:40 PM  
**Subject:** Opposed to Barabo building  
**Attachments:** houseletter-1-2.docx

Hello,

We wanted to reiterate our opposition to the proposed building of a house by Ed and Candy Barabo.

I have attached the original letter we submitted which outlines just some of the reasons we are against this structure being erected.

There is significant confusion as to why the issue is even being addressed let alone approved just a year after it was clearly turned down and absolutely nothing has changed.

If anything, the Barabo's are presenting an incomplete picture to all of you. They have temporarily "fixed" the easement, which is typically in disrepair and very eroded, the Franklin's can show you pictures. More than ten to fifteen of the horses they have been boarding for years at the barn where they want to build have mysteriously disappeared in the past few weeks, again the Franklin's can speak about this. Lastly, the 30 foot pile of horse manure that is the sole cause of the E Coli in Stewart creek has partially vanished.

In addition, the 7 potential building sites it opens up will further disturb the Natural area and conflict with Imagine35's vision.

We strongly hope you will reconsider your decision and disallow any building of any structures on Barabo's property.

Thank you for your time  
Eve and Wayne Graves

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This is the new email for Eve Graves (Stein)

Life is Journey, LIVE IT!

June 7, 2017 and again on July 1, 2018

To Whom it may concern,

I received a letter from the city stating that the owners of a home on our block intend to build a second home on their property and we are not in favor of it.

At the present time 100<sup>th</sup> Avenue West is a non-paved road that suffers from extreme erosion during rainfalls at times making it almost impassable. The City "fixes" it but it deteriorates as soon as it rains again.

Those who are indicating their intention to build already create an excessive amount of traffic on the road stemming from the large horse boarding business they currently operate on their property. In addition, traffic on the road from snowmobiles and 4wheelers frequently visiting their home uses the deteriorating passageway.

Unless the road is paved and ditches are made, we have great concerns that the additional usage by the large equipment needed to build the home along with the addition of more traffic by allowing an additional family to move into the existing home will create too much damage to N 100<sup>th</sup> Avenue West and make it unsafe and unusable.

We are also concerned that building in that location will create even more run off of debris, horse feces, and whatever else may flow down from that area into Stewart Creek and the roads and water areas below than the current barn and horses already does.

In addition, if this variance request is approved it will set a precedent for future requests and that the current 20' easement does not allow for proper emergency services to the property.

Below you will find photos of the road just after it was "fixed" by the city from erosion after a rain. As you can see, it continues to erode, and this is minimal compared to what it was last week.

***We do not want any contact from the Barabos at any time regarding this.*** Our neighbors and we have been harassed by them enough already over this or other matters.

Thank you

Wayne and Eve Graves

4109 N 100<sup>th</sup> Ave West



Judy Gibbs

"Unless someone like you cares a whole awful lot, nothing is going to get better - it's not." ~Dr. Seuss

Sent: Tue, Jul 10, 2018 3:16 pm

Subject: Three emails about Barbo property variance

Hi

**Three residents in the Magney area contacted me. I just wanted to pass this along since it is on your agenda tonight**

**Thanks**

**Judy**

here's the first:

"Hi

We are very concerned about the Ecoli in Stewart creek and the Manure from an over crowded Horse boarding business that is the direct cause of it.

Candy and Ed Barabo own property on N 100th Ave West with some horses and have had up to 20 or more at their boarding business that is in the woods above Stewart Creek and the Nopeming water line.

They have no manure management system in place and with a pile that is 20 to 30 feet high at times, it runs directly into Stewart Creek below it, the Magney Snively Monument, and whatever other waterways are below that including Lake Superior.

We are hoping someone will be able to address this issue because Stewart Creek is a Trout stream and impaired by E coli as a direct result of the Barabo's horse business.

We would like this to be an anonymous report if possible."

here's the second email:

"Ed Barbo is pushing for a variance to build a house by his upper horse barn. We're asking planning/zoning to not allow the variance. We are concerned about the possibility of 7 additional houses and the additional horse waste running into Stewart creek and the entire eco system in our area Meeting this coming Tuesday at 5:00 at Duluth City Hall if you're interested in opposing the variance."

Judy and Glen,

My family is deeply concerned about the number of horses in our neighborhood in relationship to Stewart and Gogebic Creeks.

We live on 99th Ave West in Duluth, MN and we have a neighbor above us on 100th Ave West that has had up to 17 horses on their properties. Even though the City currently does not have an ordinance on horses, it certainly needs to, but that's a separate issue.



The watershed from the properties these folks, Ed and Candy Barbo, own runs into Stewart and Gogebic Creeks. I've noticed on the Minnesota Pollution Control Agency website that they've listed Stewart Creek as impaired for E.coli. I cannot help but wonder how their property, with a number of horses and a horse barn on it, contributes to the problem since they do not have a horse manure management system in place.

I've included pictures of the horse manure, piled up on a steep hill that leads directly down into Stewart Creek. In addition, I've included pictures that show how they have run their fence line outside of their property, across Stewart Creek, allowing the horses direct access into the creek water.

This is deeply concerning to my family since we have already been sickened by our water, forcing us to dig a new well ten years ago.

I've sent an email to the MPCA as well, but I'm wondering what my family and the other neighbors that are also troubled by this can do to help keep the creek water and the water running into our yards after a pounding rain, clean.

Thanks,

