



PLANNING & ZONING COMMISSION

Agenda
September 15, 2026
7:00 PM

1. ROLL CALL

2. APPROVAL OF AGENDA

3. APPROVAL OF MINUTES

3A. August 18, 2026 regular meeting.

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

5. PUBLIC HEARINGS

5A. An application for a Special Use Permit by Dan and Holly Elnes for the purpose of constructing a 1,632 square foot accessory structure. The property is located at 4218 Ugstad Road and is located in a R-3, Residential zoning district.

5B. Zoning Ordinance text amendments by the City of Hermantown amending Chapter 5, Section 555 SH, Shoreland, of the Hermantown Zoning Ordinance.

6. CONTINUING BUSINESS

7. NEW BUSINESS

8. COMMUNICATIONS

Correspondence: 2026-407 – 2026-430; 2026-432 – 2026-571; 2026-573 – 2026-576; 2026-579 – 2026-580; 2026-585 – 2026-596; 2026-598 – 2026-601; 2026-606 – 2026-636; 2026-638 – 2026-642; 2026-644 – 2026-654; and 2026-656 – 2026-657.

9. COMMISSION MEMBER REPORTS

Joe Peterson
Corey Kolquist
Beth Wentzlaff
Kevin Hagen
Matthew Fournier
John Stauber
Amanda Radzak
Ryan Johnson

ADJOURN



PLANNING & ZONING COMMISSION

August 18, 2026 Meeting Summary

7:00 PM

1. ROLL CALL

Members Present: Joe Peterson; Corey Kolquist; Beth Wentzlaff; John Stauber; Matthew Fournier; Kevin Hagen; and Ryan Johnson

Members Absent: Amanda Radzak

Others Present: Eric Johnson, Community Development Director and David Bolf, City Engineer; Dawson Wojciuk, Hermantown; Paul Pedersen, Hermantown; Ross Bjorlin, Hermantown, Jeffrey Donohue, Duluth; and Tom Johnson, Hermantown.

2. APPROVAL OF AGENDA

Motion made by Corey Kolquist to approve the August 18, 2026 agenda as presented. Seconded by Kevin Hagen. Motion carried 6-0.

3. APPROVAL OF MINUTES

Motion made by Matthew Fournier to approve the July 21, 2026 minutes as presented. Seconded by John Stauber. Motion carried 6-0.

4. PUBLIC DISCUSSION

5. PUBLIC HEARING

5A. An application for a Special Use Permit by Dawson and Jessica Wojciuk for the purpose of constructing a 2,400 square foot accessory structure. The property is located at 3879 Kenroy Road and is located in a R-3, Residential zoning district.

Eric Johnson, Community Development Director, presented an application from Dawson and Jessica Wojciuk to construct a 2,400-square-foot accessory structure at 3879 Kenroy Road. Structures over 1,200 square feet require a Special Use Permit under Section 535.06.5 of the Zoning Ordinance. The applicants are requesting approval for the proposed structure.

The National Wetland Inventory indicates potential wetlands on the property. A wetland delineation and proposed impact assessment must be approved by the Hermantown Technical Evaluation Panel before building or land disturbance permits are issued.

Motion made by Corey Kolquist to approve the application for a Special Use Permit by Dawson and Jessica Wojciuk for the purpose of constructing a 2,400 square foot accessory structure. The property is

located at 3879 Kenroy Road and is located in a R-3, Residential zoning district. Seconded by Beth Wentzlaff. Motion carried. 6-0.

5B. An application for a Special Use Permit by Ross Bjorlin for the purpose of constructing a 2,688 square foot accessory structure. The property is located at 5801 W. Arrowhead Road and is located in a S-1, Suburban zoning district.

Eric presented to the commission members, that Applicant, Ross Bjorlin, desires to build a 2,688 square foot accessory structure on a property at 5801 W Arrowhead Road. Construction of an accessory structure over 2,400 square feet in size is permitted with a Special Use Permit per Section 500.06.5 of the Zoning Ordinance. The applicant is requesting approval for construction of a 2,688 square foot accessory structure.

The Applicant is requesting approval to construct a 2,688 square foot accessory building. The accessory building would be 42 feet by 64 feet in size, with 16-foot sidewalls. The overall height of the proposed building is approximately 22 feet. The construction type would be slab-on-grade, with metal siding and roof. The building will be used to house the applicant's personal belongings and storage of his RV. No business activity is proposed as part of this use.

Motion made by Ryan Johnson to approve the application for a Special Use Permit by Ross Bjorlin for the purpose of constructing a 2,688 square foot accessory structure. The property is located at 5801 W. Arrowhead Road and is located in a S-1, Suburban zoning district. Seconded by John Stauber. Motion carried. 6-0.

5C. An application for a Special Use Permit by Paul Pedersen for the purpose of constructing a 3,200 square foot accessory structure. The property is located at 4041 Sangstrom Road and is located in a S-1, Suburban zoning district.

Eric presented that applicant, Paul Pedersen, desires to build a 3,200 square foot accessory structure on a property at 4041 Sangstrom Road. Construction of an accessory structure over 2,400 square feet in size is permitted with a Special Use Permit per Section 500.06.5 of the Zoning Ordinance. The applicant is requesting approval for construction of a 3,200 square foot accessory structure.

Motion made by John Stauber to approve the application for a Special Use Permit by Paul Pedersen for the purpose of constructing a 3,200 square foot accessory structure. The property is located at 4041 Sangstrom Road and is located in a S-1, Suburban zoning district. Seconded by Corey Kolquist. Motion carried. 6-0.

5D. Zoning Ordinance text amendments by the City of Hermantown amending Chapter 10, Section 1010.04 Flag Lots, of the Hermantown Zoning Ordinance to allow for the administrative review and approval of flag lot subdivision applications.

Eric presented the zoning amendments to the commission members. Staff is proposing to streamline flag lot approvals by removing the Planning & Zoning Commission's required review.

Since 2020, 17 flag lot applications have been submitted and none denied, while P&Z review adds about four weeks to the process. Under the proposal, adjacent property owners would receive notice and have 15 days to comment, after which City staff could approve the application.

Motion made by Corey Kolquist to approve the text amendments by the City of Hermantown amending Chapter 10, Section 1010.04 Flag Lots, of the Hermantown Zoning Ordinance to allow for the administrative review and approval of flag lot subdivision applications. Seconded by Matthew Fournier. Motion carried. 6-0.

5F. The City of Hermantown will be conducting a work session to discuss the proposed Google Data Center. The purpose of the work session is for the Planning and Zoning Commission to ask questions of the developer in preparation of a potential land use application(s).

6. CONTINUING BUSINESS

Correspondence 2026-407 – 2026-430; 2026-433 – 2026-487; 2026-489 – 2026-528; 2026-530 – 2026-571; 2026-574 – 2026-576; 2026-579 – 2026-580.

7. NEW BUSINESS

Eric introduced to the commission that representatives from Google will be making a presentation this evening. Some items to be covered will be the introduction of a Special Use Permit, a Preliminary and Final Plat and a Wetland Replacement Plan.

Tyler Huebner, Manager for the Central Region Energy Marketing Dev. Team of Google, introduced himself and handed the presentation over to Brian Wurdeman professional Engineer with Kimly Horn and his team. Information presented included the following:

- Site selection
- Development process
- Additional land use reviews
- Proposed development/site plan
- Plat
- Building elevations
- Landscaping/screening
- Visualizations
- Grading and stormwater management
- Wetland impacts and mitigation
- Groundwater, water use and wastewater
- Public utilities and road improvements
- Lighting/photometrics
- Noise and noise abatement
- Back-up generators
- Electromagnetic fields
- Traffic and traffic mitigation plan
- Construction phases
- Project comparisons to the AUAR

8. COMMUNICATIONS

None

9. COMMISSION MEMBER REPORTS

Joe Peterson – None

Beth Wentzlaff – None

Kevin Hagen – None

Matthew Fournier – None

John Stauber – None

Amanda Radzak – Absent

Ryan Johnson – stated he would be absent for the September 15, 2026 meeting but expressed his support for the proposed data center project

ADJOURN

Motion made by John Stauber to adjourn the meeting. Seconded by Kevin Hagen. Meeting adjourned at 10:36 pm.

Officiated by:

Transcribed by:

Joe Peterson, Chairman

Mary Melde, Administrative Assistant

5A. 4218 Ugstad Road – Special Use Permit to construct an 1,632 square foot accessory structure in an R-3 zoning district

Applicant: Dan and Holly Elnes

Case No.: 2026-48 SUP

Staff Contact: Eric Johnson, Community Development Director

Request: Issue a special use permit for construction of an 1,768 square foot accessory structure and associated driveway in a R-3 zoning district

RECOMMENDED ACTION:

Staff recommends that the Planning Commission recommend approval of the proposed Special Use Permit for the construction of a 1,768 square foot accessory building for City Council consideration subject to the attached conditions.

DESCRIPTION OF REQUEST:

The applicants (Dan and Holly Elnes) desire to demolish their existing 790 square foot garage and then build an 1,768 square foot accessory structure on a property at 4218 Ugstad Road. Construction of an accessory structure over 1,200 square feet in size is permitted with a Special Use Permit per Section 535.06.5 of the Zoning Ordinance. The applicant is requesting approval for construction of a 1,768 square foot accessory structure.

SITE INFORMATION:

Parcel Size: +/- 4.75 acres
Legal Access: 4218 Ugstad Road
Wetlands: Yes, per the National Wetland Inventory
Existing Zoning: R-3, Residential
Airport Overlay: N/A
Shoreland Overlay: No
Comprehensive Plan: Residential

BACKGROUND

Accessory structures over 1,200 square feet in size are permitted only with a Special Use Permit in the R-3, Residential Zoning District. The applicant is requesting approval to construct a 1,768 square foot accessory building which consists of a 768 garage area and an attached 1000 square feet living area. The living area shows a recreation room, an exercise room, a bathroom, kitchenette area and a sauna. The applicant has indicated that the living area is for their use only and not intended as an accessory dwelling unit (ADU), however, should the living space eventually be turned into an ADU, it is within the maximum allowed living area space of 1,000 square feet. The accessory building would be 32 feet

by 55'-3" in size, with 9-foot sidewalls. The overall height of the proposed building is approximately 22'-4". The construction type would be slab-on-grade, with LP/maintenance free siding and asphalt shingle roof. The building will be used to house the applicant's personal belongings and vehicles as well as provide a recreation area for the family. No business activity is proposed as part of this use.

The proposed property is located at 4218 Ugstad Road, and is approximately +/- 4.75 acres in size. The proposed accessory structure is approximately 160 feet from the nearest neighboring structure and approximately 52 feet from Ugstad Road.

Section 535.06.5 of the Zoning Ordinance lists the dimensional requirements for accessory structures in excess of 1,200 square feet. They are:

Table 1. Dimensional requirements for accessory structures in excess of 1,200 square feet	R-3 Requirement	Provided
Minimum depth of front yard from R.O.W.	Equal to or greater than the building line of the primary structure	+/- 52 feet
Minimum side yard setback	Equal to the height of the accessory structure	+/- 100 feet from north property line
Minimum rear yard setback	Equal to the height of the accessory structure	+/- 870 feet
Minimum setback from primary structure	10 feet	+/- 12 feet
Maximum building height	35 feet	22'-4"
Maximum sidewall height	14 feet	9 feet

There are several requirements that must be satisfied in order to qualify for a Special Use Permit, from Section 725 "Governing Criteria" of the Zoning Ordinance.

1. *Is the development compatible with development permitted under the general provisions of the Zoning Ordinance for lands in its vicinity?*
There are no significant accessory structures in the vicinity of the property. However, the Zoning Ordinance allows for 35% lot coverage for structures on a property. With the addition of a 1,768 square foot structure, the property would be at approximately 1.5%.
2. *Is the proposed use injurious to the use and enjoyment of the environment, or detrimental to the rightful use and enjoyment of other property in its vicinity?*
The proposed accessory structure will not impact adjacent properties or the community in general. The accessory structure will allow the owner to improve their property by providing storage for personal property and vehicles as well as have a recreational room for their family.
3. *Is the use consistent with the Comprehensive Plan and the spirit and intent of the Zoning Ordinance?*

The proposed accessory structure is consistent with Comprehensive Plan recommendations for residential areas of the City. The Zoning Ordinance allows for up to 35% lot coverage for structures with the proposed property being at 1.5% coverage after the construction of the proposed accessory structure. The proposed use meets the performance standards set in Section 535.06.5 regulating accessory structures in excess of 1,200 square feet.

4. *Will the use result in a random pattern of development, or cause negative fiscal and environmental effects upon the community?*

The Zoning Ordinance allows for 35% lot coverage for structures on a property. With the addition of a 1,768 square foot structure, the property would be at approximately 1.5%

5. *Are there other criteria of the Zoning Ordinance that should be considered?*

The proposed accessory structure shall only be utilized for personal use with no business related activities permitted.

Wetlands

The National Wetland Inventory shows the potential presence of wetlands on the property at the eastern portion of the property. The proposed work is within the area of an existing garage, which will be demolished, so no wetland impacts are anticipated as part of the proposed project.

Summary

The applicant meets the requirements for a Special Use Permit. Staff recommends a motion to recommend approval of the application to the City Council, subject to included conditions.

Recommendation

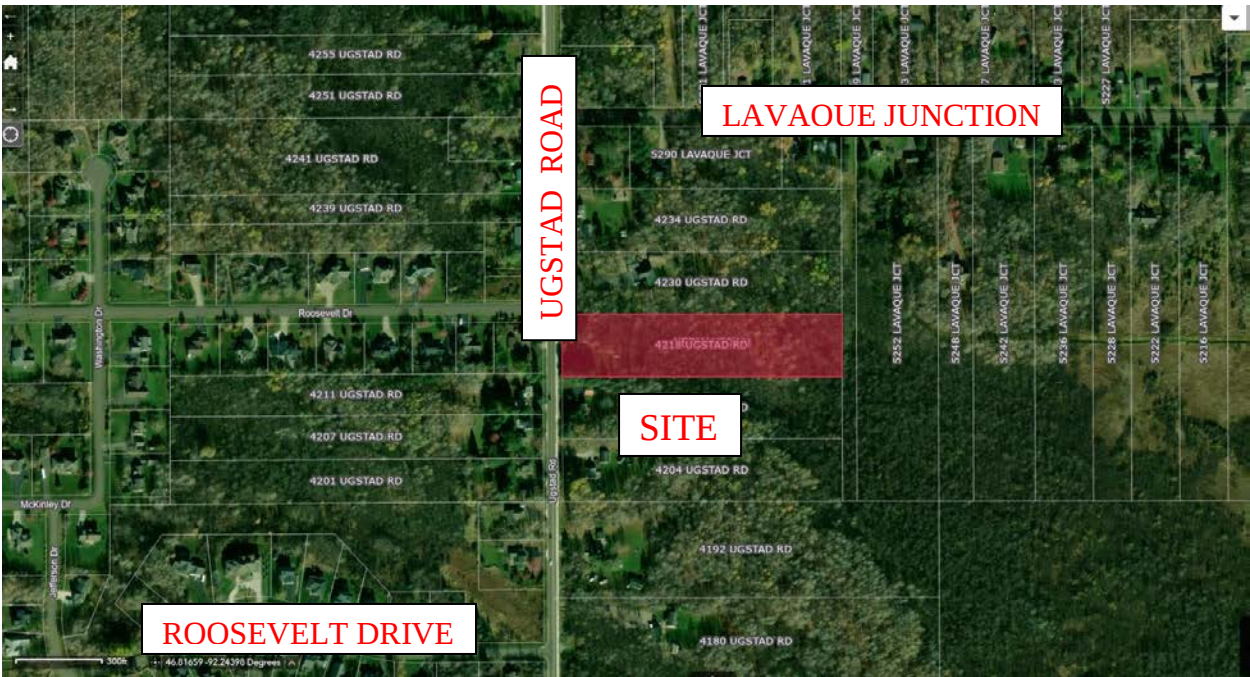
Staff recommends approval of the Special Use Permit, subject to the following conditions:

1. The approval is for a 1,768 square foot accessory structure on the property at 4218 Ugstad Road (395-0070-00665)
2. The proposed accessory structure shall meet all setback requirements for setbacks for Accessory Structures in the R-3 Zoning District.
3. The proposed accessory structure location is depicted on the approved site plan. If approved by the Community Development Director, the accessory structure may be placed in other locations on the site, however the 1,768 square foot accessory building will need to meet the minimum setback requirements and/or obtain a variance per Section 535.06.5 of the Zoning Ordinance.
4. 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.
5. Accessory structures shall not be utilized for any use or activity not otherwise allowed in the zone district in which such accessory building is to be located.
6. No business activity is allowed in association with the accessory structure approval.
7. The applicant shall sign a consent form assenting to all conditions of this approval.
8. The applicant shall pay an administrative fine of \$750 per violation of any condition of this approval.

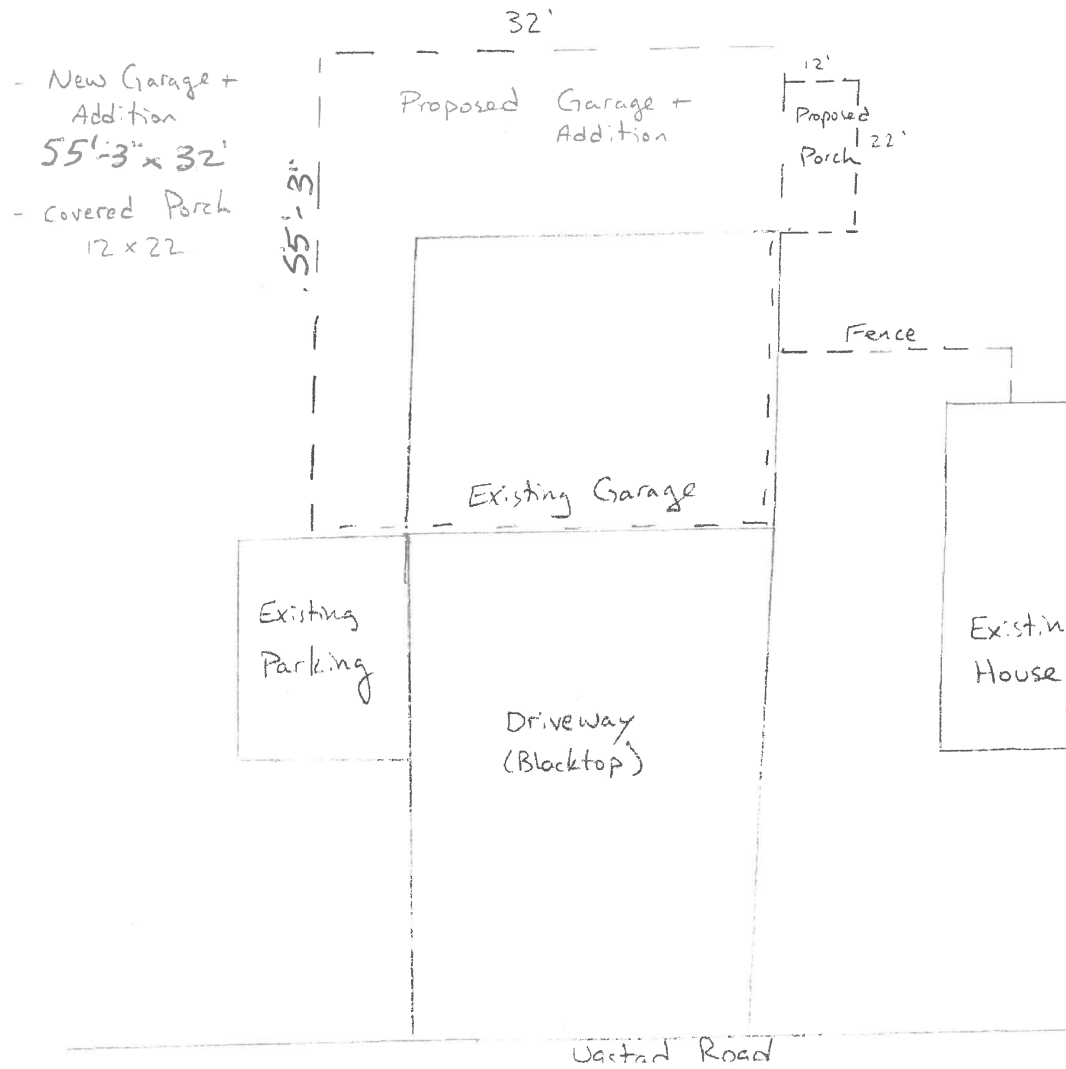
ATTACHMENTS

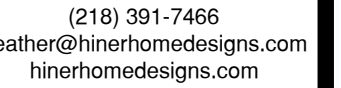
- Location Map
- Proposed Site Plan
- Proposed Structure Image
- Proposed Floor Plan

Location Map



Site Plan





work in accordance with state and local building codes and ordinances. 2. Obtain all required building permits prior to construction. 3. Provide any necessary engineering work. Beams, columns, and structural members shown on drawings are for bid purposes only and shall be sized by the manufacturer or a qualified structural engineer to insure the structural integrity of the building. 4. Verify all plan dimensions prior to the start of the project and before ordering supplies. 5. Verify all window and door rough openings and types as specified before ordering units and before the start of construction. Hermit Home Designs, LLC has made every effort in preparing and checking these drawings for accuracy and is not responsible for any discrepancies that result in error or omission from these drawings. These drawings have been reviewed and approved by the (owner/s) or (licensed general contractor).

**Ugstad Road
Hermantown, MN**

review set	4/11/23
construction set	8/14/26
revision 1	9/08/26

Exterior
Elevations/
Wall Section

A2



$$1/4'' = 1'-0''$$



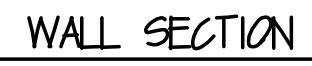
$$1/4'' = 1'-0''$$



$$1/4'' = 1'-0''$$



$$\frac{1}{4}'' = 1'-0''$$



$$1/2'' = 1'-0''$$

SEE EXTERIOR ELEVATIONS FOR ROOF SLOPE

RIDGE VENT - SEE VENTILATION WORKSHEET BY CONTRACTOR

FOUNDATION TO ADHERE TO 2010 MINNESOTA STATE BUILDING CODE

ALL REINFORCING STEEL 60 KSI MIN (GRADE 60)

FOOTING & FOUNDATION WALL CONCRETE 5000 PSI MIN

ALL ORGANICS TO BE REMOVED. SOIL BEARING IS ASSUMED TO BE 1000 PSF, UNLESS CERTIFIED SOIL TEST IS PROVIDED

SEE EXTERIOR ELEVATIONS FOR ROOF SLOPE

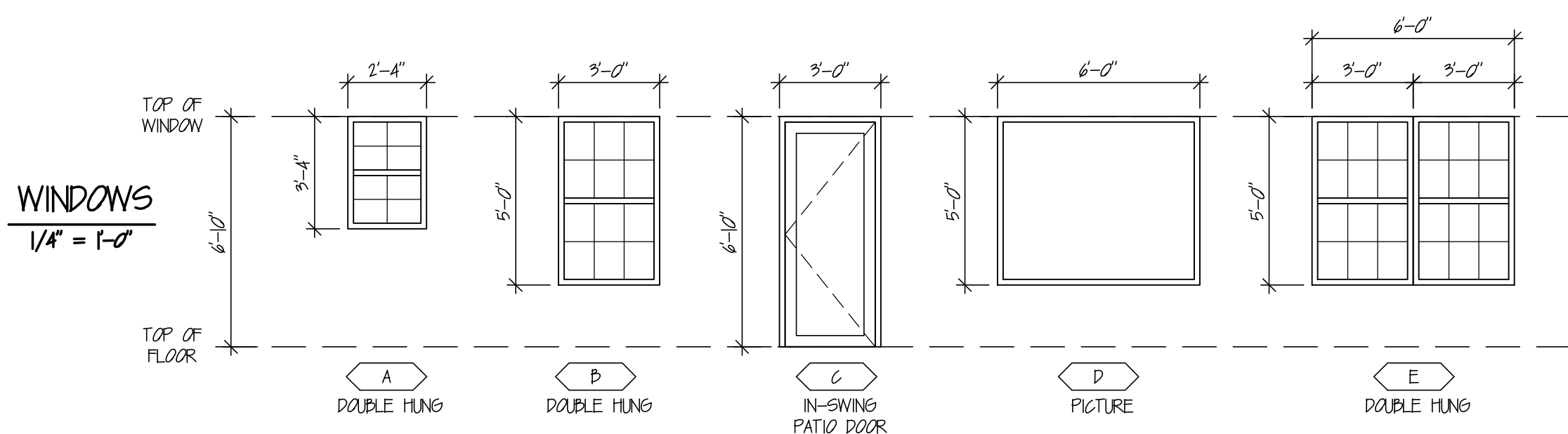
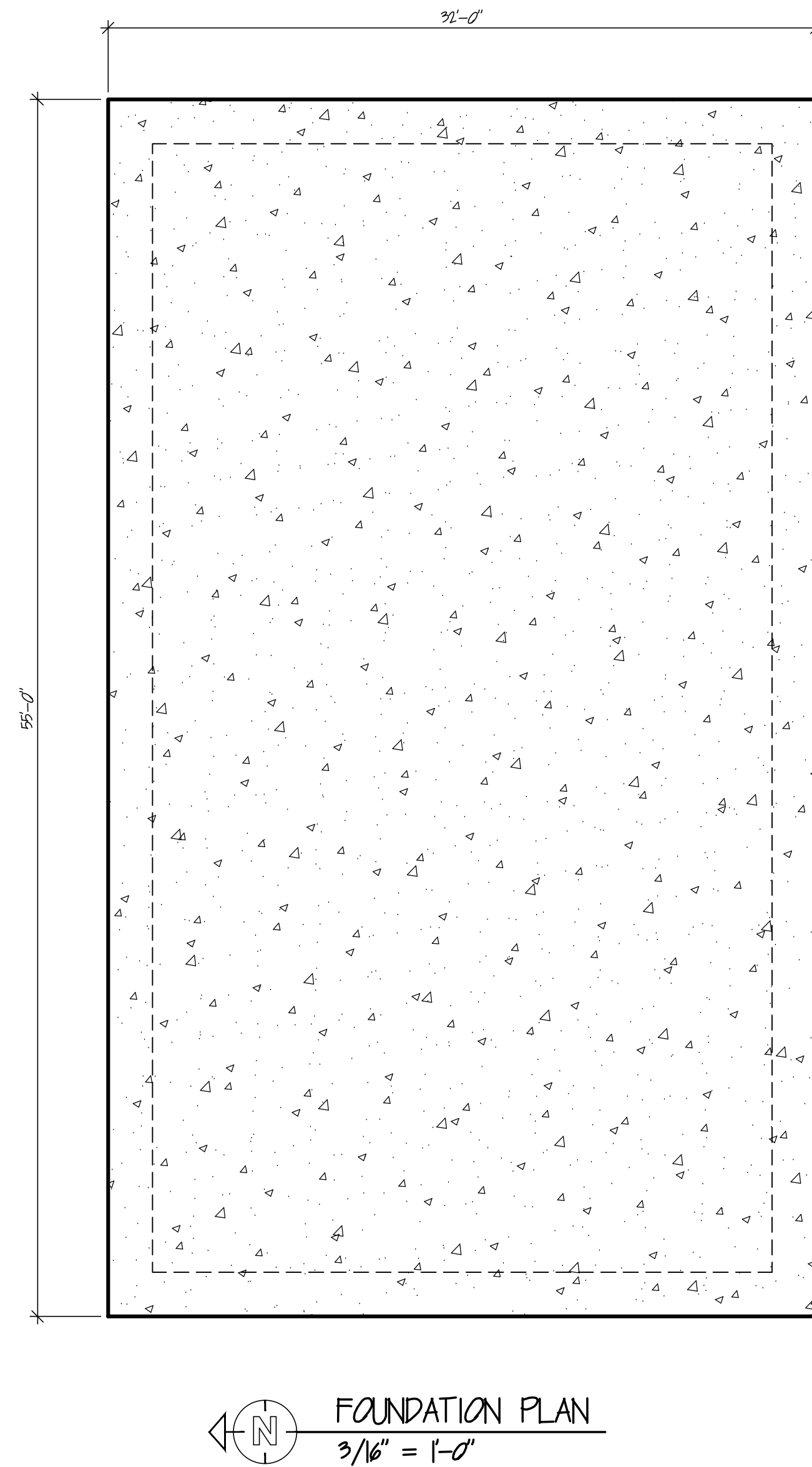
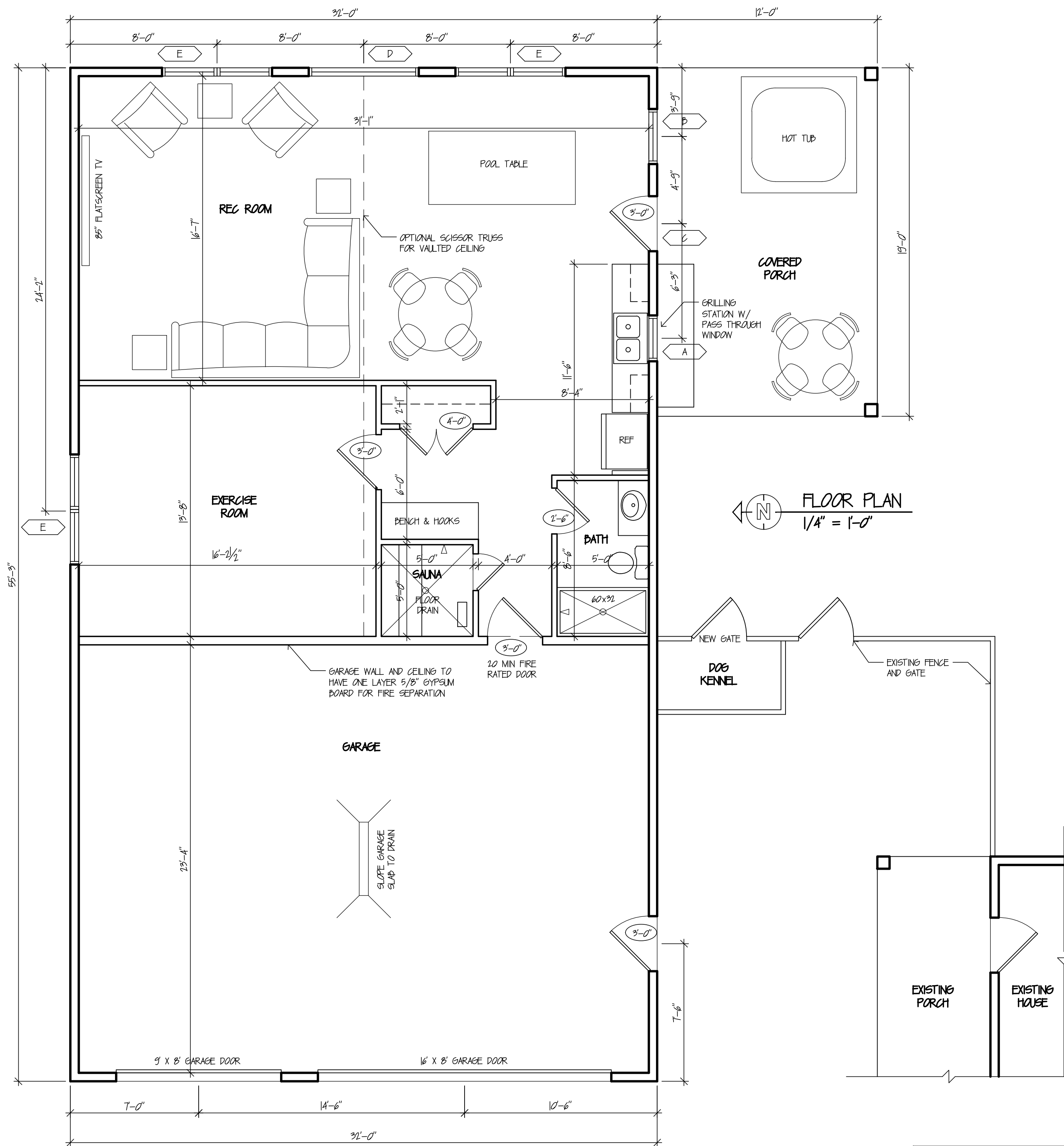
RIDGE VENT - SEE VENTILATION WORKSHEET BY CONTRACTOR

FOUNDATION TO ADHERE TO 2020 MINNESOTA
STATE BUILDING CODE

ALL REINFORCING STEEL 60 KSI MIN (GRADE 60)

FOOTING & FOUNDATION WALL CONCRETE 3000
PSI MIN.

ALL ORGANICS TO BE REMOVED. SOIL BEARING IS ASSUMED TO BE 1500 PSF, UNLESS CERTIFIED SOIL TEST IS PROVIDED



GENERAL NOTES:

BUILDING MATERIALS, CONSTRUCTION METHODS, HEATING, VENTILATION, AND OTHER MECHANICAL SYSTEMS SHALL CONFORM TO OR EXCEED 2020 MIN STATE RESIDENTIAL CODE.

ANY ENGINEERED LUMBER LAYOUTS, SIZES, SPECS, AND CONNECTION DETAILS TO BE PROVIDED BY MANUFACTURER.

ELECTRICAL, PLUMBING, AND MECHANICAL SUB-CONTRACTORS TO PROVIDE LAYOUTS PER CODE TO BE FINALIZED AND APPROVED BY HOMEOWNER AND CONTRACTOR.

EXTERIOR STUD WALLS TO BE 2X6 STUDS AND ARE DIMENSIONED TO THE FACE OF EXTERIOR SHEATHING.

INTERIOR WALLS TO BE 2X4 STUDS UNLESS NOTED OTHERWISE AND ARE DIMENSIONED TO THE FACE OF STUD.

PROTECTION OF WOOD AND WOOD BASED PRODUCTS AT SILL PLATES AND STUDS PER R307.1.

WALL BRACING AS REQUIRED PER R602.10.

ATTIC ACCESS REQUIRED PER R507.1.

ENERGY EFFICIENCY PER TABLE 1202.4.02.1.1
PENETRATION U-FACTOR: 0.32 MAXIMUM
SKYLIGHT U-FACTOR: 0.55 MAXIMUM
WOOD FRAME WALL, R-VALUE: 11 MINIMUM
CEILING INSULATION, R-VALUE: 49 MINIMUM
SLAB, R-VALUE: 10 MINIMUM
BASEMENT & CRAWLSPACE WALL, R-VALUE: 15 MINIMUM
FLOOR, R-VALUE: 30 MINIMUM

PIER AND POST DIMENSIONS ARE DIMENSIONED TO THE CENTER OF PIER OR POST.

WINDOWS ARE DIMENSIONED TO THE CENTER LINE OF ROUGH OPENING. VERIFY ROUGH OPENING WITH WINDOW MANUFACTURER AND INSTALL PER MANUFACTURER'S SPECS.

SAFETY GLAZING PER SECTION R302. EGRESS WINDOWS PER SECTION R302.2, AND WINDOW FALL PROTECTION PER R302.2.

MOISTURE RESISTANT BACKING BOARD REQUIRED AT TUBS AND SHOWERS PER R102.3.5.

SMOKE AND CARBON MONOXIDE ALARMS PROVIDED PER R304.3.1 & R305.1. INSTALLED IN EACH SLEEPING ROOM AND OUTSIDE SLEEPING AREAS IN THE IMMEDIATE VICINITY OF THE BEDROOMS ON EACH STORY OF THE DWELLING.

FLASHING AT EXTERIOR WALL ENVELOPE, WINDOWS, DOORS & LEDGER BOARDS PER R102.3.5.

BLOWER DOOR TEST REQUIRED PER 1922.4.02.4 TO VERIFY COMPLIANCE WITH ENERGY CODE.

HOMEOWNER:

Dan & Holly Elnes
218-591-3883
hollyelnes@yahoo.com

DESIGN & DRAFTING:

Hiner Home Designs
Heather Hiner
(218) 391-7466
heather@hinerhomedesigns.com

SHEET INDEX:

- A1 MAIN LEVEL FLOOR PLAN
WINDOWS
FOUNDATION PLAN
- A2 EXTERIOR ELEVATIONS
WALL SECTION

review set	4/11/23
construction set	8/14/26
revision 1	9/08/26

5B. Amendments to the City Ordinance regarding Chapter 5, Section 555 – SH, Shoreland

Applicant: City of Hermantown

Case No.: 2026-42-ZT

Staff Contact: Eric Johnson, Community Development Director

Request: Amendments to the City Ordinance regarding Chapter 5, Section 555 – SH, Shoreland

BACKGROUND

City Staff has worked with the City Attorney to prepare a revised Chapter 5, Section 555 – SH, Shoreland Ordinance for the City. This work commenced in 2020 per a request from the MN DNR. Due to a change in MN DNR staff, the revised ordinance work stalled until late 2025 when the MN DNR contacted the City requiring the updated shoreland ordinance be completed and adopted in 2026. This ordinance is consistent with the model ordinance provided by the MN DNR and reflects multiple meetings and conversation with MN DNR staff.

The new model ordinance from the MN DNR follows the same general regulatory model but is more robust. A comparison showing the changes from the current Shoreland Ordinance to the model ordinance follows:

- It has more definitions;
- It includes diagrams and figures;
- Includes a section on permit types and when they are required;
- Requires notification to the MN DNR for specific work within a shoreland area;
- Classification of lakes and streams within the City;
- Adds Subdivision platting provisions;
- Adds section pertaining to Planned Unit Developments

A key discussion point with the MN DNR has been the adoption of building setbacks associated with rivers and streams. Currently, the existing ordinance utilizes building setbacks associated with lakes and lakeshore which are more restrictive than setbacks associated with rivers and streams.

For instance, as currently defined building setbacks for parcels within a Natural Environment Shoreland area are 200 feet for properties with on-site sewage treatment and 150 for properties with public sewer. The MN DNR has continued to urge the City to continue with the existing setbacks as identified within the existing ordinance and utilize their classification system once they have completed it. Per the MN DNR, other communities in the state including Duluth, have the same or in some cases even more restrictive setbacks for rivers and streams, especially for identified trout streams.

The attached Chapter 5, Section 555 shows the existing language in struck-through red font, with the new proposed language being shown in red.

ATTACHMENTS

- Amended Chapter 5, Section 555 – SH, Shoreland with text changes
- Amended Chapter 5, Section 555 – SH, Shoreland – clean version