



**HIBBING BOARD OF ADJUSTMENTS &
APPEALS**

**Regular Meeting
Monday, April 6, 2026
5:00 PM**

Chairperson Gordon Smith
Commissioner Corey Lubovich
Commissioner Joseph Jump
Commissioner Jared Lubben
Commissioner Darlene Majkich

Ex. Officio Pat Green
Ex. Officio Tina Glad
City Administrator Greg Pruszinske
Community Development Director Betsy Olivanti

I. CALL TO ORDER:

II. APPROVAL OF THE AGENDA:

1. Acceptance of the agenda for recording purposes. Note additions, deletions or changes, if any.

III. APPROVAL OF MINUTES:

2. Approval of the Board of Adjustment & Appeals minutes for February 2, 2026. Note corrections, additions or deletions, if any.

IV. NEW BUSINESS:

3. Convene the public hearing scheduled for this time to consider a Variance request of John Marshall, 3936 8th Ave. East, Hibbing, MN 55746 to allow 162 sq. ft. more than the maximum sq. ft. permitted for accessory structures for the construction of a new 22 ft. by 27 ft. detached garage in the R-2, One to Four Family Residence District, and the Hibbing City Code of Ordinances, on the subject property 3936 8th Ave. East, Hibbing, MN 55746 (Lots 12 & 13 Block 1 Except Highway Right of Way Stensland Addition to Village of Hibbing).
4. Convene the public hearing scheduled for this time to consider a Variance request of John White, 1840 9th Ave. East, Hibbing, MN 55746 to vary the minimum front yard setback required from 25 feet to 15 feet to allow for the construction of a new 26 ft. by 30 ft. detached garage in the R-2, One to Four Family Residence District, and the Hibbing City Code of Ordinances, on the subject property 1840 9th Ave. East, Hibbing, MN 55746 (Lots 1, 2 & Sly ½ of Lot 3 Block 13 Sargent Addition to Hibbing).

V. DISCUSSION ITEMS:

VI. ADJOURNMENT:

February 2, 2026

The Hibbing Board of Adjustments and Appeals held a meeting on Monday, February 2, 2026 at 5:00 p.m. in the City Hall Council Chambers. Chairperson G. Smith, Commissioners J. Jump, J. Lubben, C. Lubovich, D. Majkich, Ex. Officio Members P. Green and T. Glad, City Administrator G. Pruszinske and Community Development Director B. Olivanti were present.

ACCEPTANCE OF AGENDA:

Commissioner J. Jump made a motion to accept the agenda as presented. Commissioner D. Majkich seconded the motion. The motion carried unanimously.

APPROVAL OF MINUTES:

Chairperson G. Smith made a motion to approve the Board of Adjustments and Appeals Minutes of October 20, 2025. Commissioner J. Jump seconded the motion. The motion carried unanimously.

REORGANIZATION OF BOARD OF ADJUSTMENTS AND APPEALS:

Commissioner C. Lubovich nominated Commissioner G. Smith for the Chairperson for the Board of Adjustments and Appeals for 2026. Commissioner J. Jump seconded the motion. Commissioner G. Smith accepted the nomination. There were no other nominations. Commissioner G. Smith was unanimously elected Chairperson for the Board of Adjustments and Appeals for 2026. Commissioner D. Majkich nominated Commissioner C. Lubovich for the Acting Chairperson for the Board of Adjustments and Appeals for 2026. Commissioner J. Jump seconded the motion. Commissioner C. Lubovich accepted the nomination. There were no other nominations. Commissioner C. Lubovich was unanimously elected Acting Chairperson for the Board of Adjustments and Appeals for 2026.

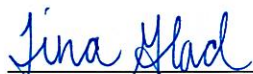
ADJOURNMENT:

Due to no further discussion, it was moved by Chairperson G. Smith, seconded by Commissioner D. Majkich, to adjourn until the next meeting. The motion carried unanimously.



G. Smith, Acting Chairman
Hibbing Board of Adjustments and Appeals

ATTEST:



Tina Glad, Secretary



PLANNING COMMISSION

PHONE: 218.262.3486

BOARD OF ADJUSTMENTS & APPEALS: APPLICATION FOR VARIANCE/APPEAL OR *ZONING AMENDMENT

Please carefully read the following and the instructions & information on the reverse side before filling out this application. NOTICE: APPLICANT IS URGED TO ARRANGE A MEETING WITH ZONING STAFF TO DISCUSS YOUR APPLICATION PRIOR TO SUBMITTING IT FOR ACCEPTANCE. THE APPLICANT IS ALSO URGED TO ATTEND THE PUBLIC HEARING TO AVOID POSSIBLE HEARING DELAYS OR DISAPPROVAL DUE TO YOUR ABSENCE. Zoning code information may be accessed on the City of Hibbing website www.hibbing.mn.us, (see City Ordinances, Chapters 11 and 16) - such information is subject to change and may be out-of-date.

1. ADDRESS OF PROPERTY: 3936 8th AVE EAST, Hibbing, MN

2. LEGAL DESCRIPTION OF PROPERTY. ATTACH COPY OF DEED RECORDED FOR SUBJECT PROPERTY AT THE TIME ACQUIRED BY CURRENT PROPERTY OWNER/S. NOTICE: Application may not be accepted by the City of Hibbing or processed to be heard by the Board or Commission (or approved by said City) until Deed as required is attached. [See Attached:]

3. NAME OF OWNERS: John + Rachelle Marshall ADDRESS: 3936 8th AVE. EAST

CITY: Hibbing STATE & ZIP: MN 55746 PHONE: 218-262-3087

[NOTE: If the subject property has more than two (2) land owners attach a list with their names, addresses and phone numbers.]

4. NAME OF APPLICANT: John Marshall ADDRESS: 3936 8th AVE EAST

CITY: Hibbing STATE & ZIP: MN 55746 PHONE: 218-262-3087

5. PETITION REQUESTED: Is your request (circle only one) - A. VARIANCE, B. APPEAL or C. ZONING AMENDMENT. If request is A. Variance, or B. Appeal continue to, and complete Lines D thru F. Or, if it is C. Zoning Amendment then skip to Line G.

D. List Zoning District Classification: ; E. Circle any of the following "Setback Regulations" 1) thru 4) that applies to your request: 1) FRONT, 2) CORNER, 3) SIDE, or 4) REAR YARD, and list current Regulation (in feet):, then list Your Request (in feet):, and describe the Proposed Project for your request (include it's structural dimensions):

F. If request is not a variance to setback regulations [i.e. 1) thru 4)] then

explain: to allow 162 sq ft more than allowed for accessory structure. (Variance procedure applies only to those uses listed as a permitted use, conditional or interim use in the zoning district in question).

G. ZONING AMENDMENT (fill-in the blanks): Rezone property per attached legal description from current zoning district

classification of: To: ; For purpose of:

*ATTENTION: Planning Commission Hears All Zoning Amendment Requests, And City Council Provides Final Decision Authority.

I, the undersigned hereby attest, the information herein and attachments hereto that I have provided for this application/petition are accurate and true, and that I also understand the City of Hibbing may approve or disapprove, or request revisions to this application/petition, and further upon any such approval (of variances/appeals only) may also attach conditions that will require full compliance to remain in good standing for such approval:

Application Fee Is Non-Refundable. Variances/Appeals, Zoning Amendments are not a substitute for any required permit application.

6. John S Marshall Date: 2-23-2026 Applicant(s) Signature (Submit application, all attachments and filing fee no less than 3 weeks prior to public hearing)

7. John S Marshall Rachelle Marshall Date: 2-23-2026 Owner(s) Signature (granting applicant permission to apply for above petition)

(OFFICE USE ONLY) Fee: Variance/Appeal: \$ 175.00 Zoning Amendment: \$ Current Zoning District: R-2 Date: 2-23-20 Initials: JRM (revised: 10/24/14)

INSTRUCTIONS FOR VARIANCE/APPEAL OR ZONING AMENDMENT APPLICATION (Page Two)

APPLICANT: Be sure you have carefully read through both pages of this application before starting. *Print clearly in blue or black ink, or type to complete* application; provide required attachments, signatures and appropriate filing fee (Staff may not accept an incomplete application, or process it for public hearing). **ATTENTION:** *Attachment Of The Deed Recorded For The Subject Property At The Time Acquired By Current Owner/s Is Required – City of Hibbing may not accept your application or process it to be heard without it.* Provide the name(s) of all the property owners (i.e. spouse, co-owners). **OWNERSHIP:** Applicant *must* have permission of subject property's owner/s to apply and *must* have him/her sign the application, or sign (and attach) a letter of permission. Applicant *shall* include a **SITE PLAN** drawn-to-scale showing all lot dimensions, all existing and proposed buildings/additions, all building dimensions and setbacks (distances from buildings to property lines). Additional information may be required. **Complete both pages of application as instructed and submit original with one copy!** *Please feel free to ask Staff for help if you are having difficulties with completing application.*

The completed application, all required attachments and filing fee must be received by the Zoning Administrator's office no less than (3) three weeks prior to the regular public hearing dates (which are the **SECOND MONDAY** of the month, or **FOURTH MONDAY** if scheduled). The process from acceptance of application to public hearing may take 4 weeks or more. Zoning amendments are heard by the Hibbing City Planning Commission. Legal Notices must be published no less than 10 days before the public hearing.

NOTICE TO VARIANCE APPLICANT: City of Hibbing Code of Ordinances, Chapter 11, Sec. 11.72, Variances – the Board of Adjustments is authorized to grant variances when strict enforcement of the zoning ordinances would cause "practical difficulties" as per Sec. 2. Minnesota Statutes, section 462.357, subdivision 6. Per said Sec. 11.72, Subd. 2, Conditions for variances are as follows:

Subd. 2, A – the Board of Adjustments may grant variances from the requirements of Chapters 11, 13, and 16 of this Ordinance **ONLY** when they are in harmony with the general purposes and intent of the ordinance, **AND** when the variances are consistent with the comprehensive plan.

Subd. 2, B – variances may be granted when the applicant for the variance establishes there are practical difficulties in complying with applicable zoning ordinance per practical difficulties as defined in 1 – 3 below. To establish practical difficulties applicant is responsible to provide evidence to the Board of Adjustments for all three as follows (attach additional pages if needed):

1. "The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance" – Evidence (that is explain how): WANT TO BUILD GARAGE, LARGER THAN PERMID.

* "The plight of the landowner is due to circumstances unique to the property not created by the landowner" – Evidence (that is explain why): LOT SIZE NOT DETERM BY ME

3. "The variance, if granted, will not alter the essential character of the locality" – Evidence (that is explain how): WILL NOT ALTER

FURTHER NOTICE TO APPLICANT [Conditions for variances are continued as follows]:

Subd. 2, C. "Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems."

Subd. 2, D. "Variances shall be granted for earth sheltered construction as defined in Minnesota Statute Section 216C.06, Subdivision 14, when in harmony with the official controls."

Subd. 2, E. "No variance may be granted that would allow any use that is not allowed in the zoning district in which the subject property is located." [Note: Underlined by Staff. In such cases variances cannot be requested, and applications may not be accepted.]

Subd. 2, F. "The board of adjustment may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality impact created by the variance."

Subd. 2, G. "A variance may be granted for the temporary use of a one-family dwelling as a two-family dwelling."

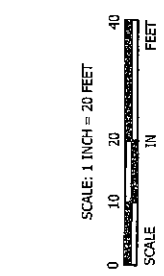
Subd. 2, H. "No variances permitting the erection or alteration of a building shall be valid for a period longer than six (6) months unless a building permit is issued and construction actually begun within that period, and is thereafter diligently pursued to completion."

If terms, revisions and/or conditions under which the variance is approved are violated the applicable permit can be held invalid and the City of Hibbing may order work stopped and/or corrected to suit said permit and variance issuance and/or have a citation filed against applicant/owner for possible prosecution. *Variance/Appeal decisions of the Board are final, subject to formal appeal to the City Council by the aggrieved party. [Submit both pages if this form is copied as two separate pages.]*

Applicant's Signature: John P Marshall

(revised 10/24/14)

PROPERTY DESCRIPTION:
 Lots 12 and 13, Block 1, EXCEPT Highway Right-of-Way, STENSLAND ADDITION TO HIBBING, according to the recorded plat thereof, St. Louis County, Minnesota.



- LEGEND:**
- Iron monument found
 - 1/2 inch iron monument set, marked "JPI ENG 62293"
 - ⊘ power pole
 - X — fence
 - OE — overhead power line
 - ▭ concrete surface
 - ▭ bituminous surface
 - ▭ brick surface

SURVEYOR NOTES:
 Orientation of the bearing system is based on the north line of Lot 13, Block 1, STENSLAND ADDITION TO HIBBING, to have an assumed bearing of S83°16'29"E.

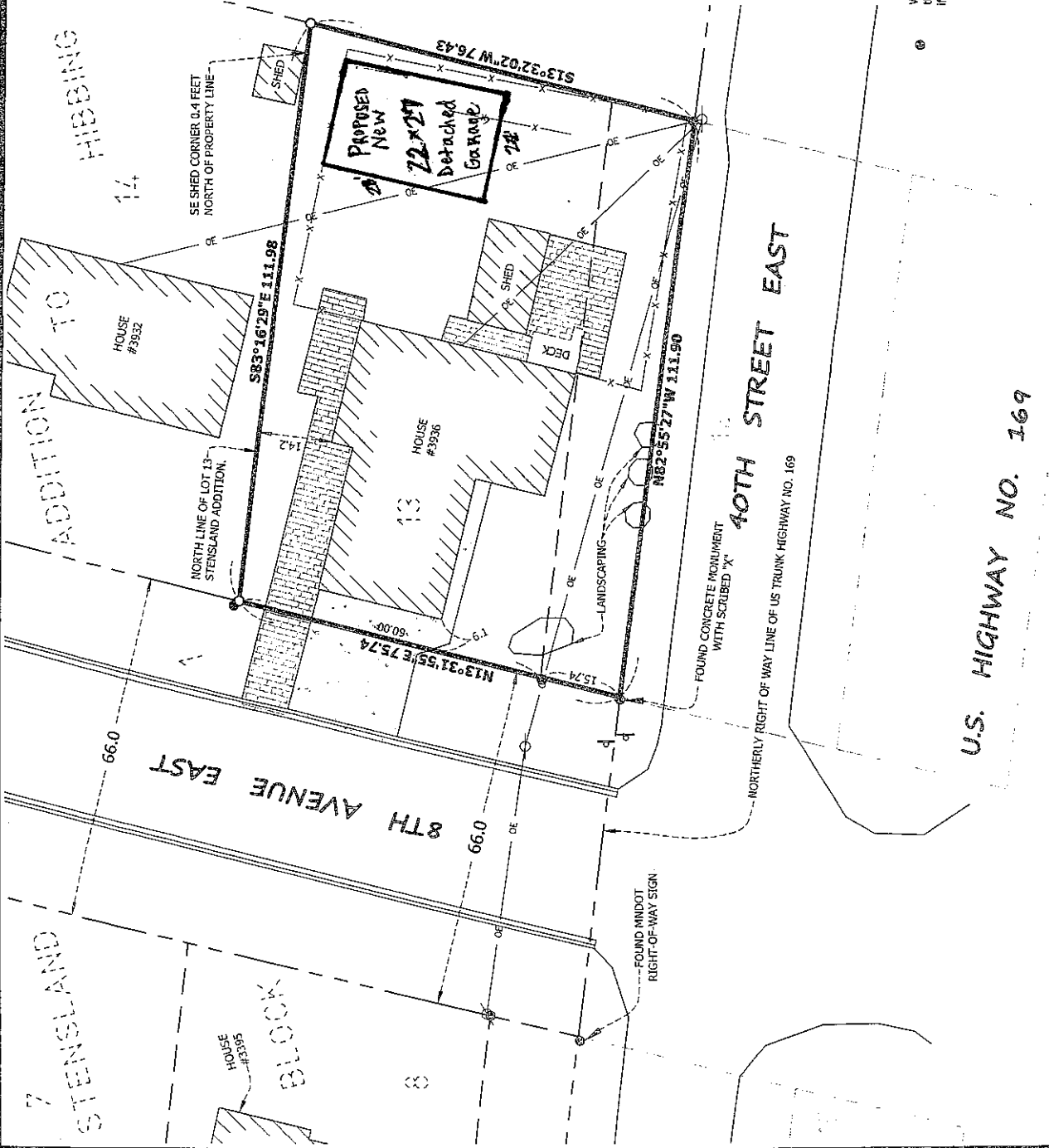
JPI Engineering has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.

Area of this property is 8,460 square feet or 0.1942 acres ±.
 Address of the property is 3936 8th Avenue East, Hibbing, Minnesota 55746.
 Parcel Identification Number is 140-0235-00120.

CERTIFICATION:

We hereby certify that this is a true and correct representation of a survey of the boundaries of the land above described and of the location of all buildings, if any, thereon, and all visible encroachments, if any, from or on said land.

Signed this 1st day of July, 2025 for JPI Engineering, Inc.
Austin J. Gotting
 Austin J. Gotting, PLS License Number 62293



Hibbing Board of Adjustments & Appeals Meeting Date: April 6, 2020

RE: Variance Petition of: John Marshall; Resolution Ref. #

Findings of Fact Guide Sheet for Board of Adjustments to resolve above noted petition.

VERIFY: Is requested variance for a permitted use, or a conditional use, or an interim use in the subject property's zoning district? YES: X; or NO: . If NO, variance request is invalid [see Subd. 2, E. below].

Per Subd. 2, A, Sec. 11.72 of the City Code of Ordinances. A variance may be granted ONLY when it is:

- 1. "In harmony with the general purposes and intent of the zoning ordinance". YES, or NO; Finding of Fact Statement:

- 2. "Consistent with the comprehensive plan". YES, or NO; Finding of Fact Statement:

Per Subd. 2, B of said Sec. 11.72. Applicant's Responsibility – the burden of proof rests with applicant. Variances may be granted when the applicant for the variance establishes there are practical difficulties in complying with said zoning ordinance. Practical difficulties as used in connection with the granting of a variance means (all three must be affirmed) as follows:

- 1. "The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance";

The Board agrees applicant's evidence affirms the above: YES, or NO; Finding of Fact Statement:

Want to build a garage larger than is permitted.

- 2. "The plight of the landowner is due to circumstances unique to the property not created by the landowner";

The Board agrees applicant's evidence affirms the above: YES, or NO; Finding of Fact Statement:

Lot size was not determined by me.

- 3. "The variance, if granted, will not alter the essential character of the locality";

The Board agrees applicant's evidence affirms the above: YES, or NO; Finding of Fact Statement:

Will not alter.

Subd. 2, C. "Economic considerations alone will not constitute practical difficulties. Practical difficulties include, but are not limited to inadequate access to direct sunlight for solar energy systems".

Subd. 2, D. "Variances shall be granted for earth sheltered construction as defined in Minnesota Statute Section 216C.06, Subdivision 14, when in harmony with the official controls".

Subd. 2, E. "No variance may be granted that would allow any use that is not allowed in the zoning district in which the subject property is located".

Subd. 2, F. "The board of adjustment may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality impact created by the variance".

Subd. 2, G. "A variance may be granted for the temporary use of a one-family dwelling for a two-family dwelling".

Subd. 2, H. "No variances permitting the erection or alteration of a building shall be valid for a period longer than six (6) months unless a building permit is issued and construction actually begun within that period, and is thereafter diligently pursued to completion".

Motion: _____

Moved by: _____ Supported by: _____; YES; NO:

DECISION: Variance Request – Approved: ; Disapproved: . Condition(s) if any: _____

Staff Report by Pat Green for the Hibbing Board of Adjustments
April 6th, 2026

RE: John and Rachelle Marshall 3936 8th Avenue East, Hibbing MN

The applicant in this case is requesting a variance to the accessory size limit of 1200 square feet for accessory buildings. They want to build a garage 22 feet by 27 feet; this will put them over the maximum square footage by 162 square feet. The garage would be located to the rear of the property and away from the intersection and will meet the minimum setbacks from property lines. The garage would be used for storage of items that won't have to be stored outside since their attached garage is used for vehicles. It appears that this location for the garage will fit the character of the neighborhood and is not that large.

Conditions required: None at this time.

Notice: Approved variances are valid for six months unless a Building Permit is issued and construction begun within that period, and is thereafter diligently pursued to completion, per City Code Section 11.72, Subd.2H

BOARD OF ADJUSTMENTS & APPEALS: APPLICATION FOR VARIANCE/APPEAL OR ZONING AMENDMENT

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1. ADDRESS OF PROPERTY: 1840 9th Ave E

2. LEGAL DESCRIPTION OF PROPERTY. ATTACH COPY OF DEED RECORDED FOR SUBJECT PROPERTY AT THE TIME ACQUIRED BY CURRENT PROPERTY OWNER/S. **NOTICE:** Application may not be accepted by the City of Hibbing or processed to be heard by the Board or Commission (or approved by said City) until Deed as required is attached. [See Attached: _____]

3. NAME OF OWNER/S: JOHN & REBECCA WHITE ADDRESS: 1840 9th Ave E

CITY: HIBBING STATE & ZIP: MN 55746 PHONE: 612-703-8525

[NOTE: If the subject property has more than two (2) land owners attach a list with their names, addresses and phone numbers.]

4. NAME OF APPLICANT: JOHN WHITE ADDRESS: 1840 9th Ave E

CITY: HIBBING STATE & ZIP: MN 55746 PHONE: 612-703-8525

5. PETITION REQUESTED: Is your request (circle only one) – A. VARIANCE, B. APPEAL or C. ZONING AMENDMENT. If request is A. Variance, or B. Appeal continue to, and complete Lines D thru F. Or, if it is C. Zoning Amendment then skip to Line G.

D. List Zoning District Classification: _____; E. Circle any of the following "Setback Regulations" 1) thru 4) that applies to your request: 1) FRONT 2) CORNER, 3) SIDE, or 4) REAR YARD, and list current Regulation (in feet): 25 ft, then list Your Request (in feet): 15 ft, and describe the Proposed Project for your request (include it's structural dimensions):

to build a detached 26' x 30' garage F. If request is not a variance to setback regulations [i.e. 1) thru 4)] then

explain: _____
(Variance procedure applies only to those uses listed as a permitted use, conditional or interim use in the zoning district in question).

G. ZONING AMENDMENT (fill-in the blanks): Rezone property per attached legal description from current zoning district

classification of: _____ To: _____; For purpose of: _____

*ATTENTION: Planning Commission Hears All Zoning Amendment Requests, And City Council Provides Final Decision Authority.

I, the undersigned hereby attest, the information herein and attachments hereto that I have provided for this application/petition are accurate and true, and that I also understand the City of Hibbing may approve or disapprove, or request revisions to this application/petition, and further upon any such approval (of variances/appeals only) may also attach conditions that will require full compliance to remain in good standing for such approval:

Application Fee Is Non-Refundable. Variances/Appeals, Zoning Amendments are not a substitute for any required permit application.

6. [Signature] Date: 3-6-26
Applicant(s) Signature
(Submit application, all attachments and filing fee no less than 3 weeks prior to public hearing)

(OFFICE USE ONLY)
Fee: Variance/Appeal: \$ 175.00
Zoning Amendment: \$ _____

7. [Signature] Date: 3-6-26
Owner(s) Signature (granting applicant permission to apply for above petition)

Current Zoning District: R-2
Date: 3-6-26 Initials: TB
(revised: 10/24/14)

INSTRUCTIONS FOR VARIANCE/APPEAL OR ZONING AMENDMENT APPLICATION (Page Two)

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OWNERSHIP: Applicant *must* have permission of subject property's owner/s to apply and *must* have him/her sign the application, or sign (and attach) a letter of permission. Applicant *shall* include a **SITE PLAN** drawn-to-scale showing all lot dimensions, all existing and proposed buildings/additions, all building dimensions and setbacks (distances from buildings to property lines). Additional information may be required. **Complete both pages of application as instructed and submit original with one copy!** *Please feel free to ask Staff for help if you are having difficulties with completing application.*

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Subd. 2, B – variances may be granted when the applicant for the variance establishes there are practical difficulties in complying with applicable zoning ordinance per practical difficulties as defined in 1 – 3 below. To establish practical difficulties applicant is responsible to provide evidence to the Board of Adjustments for all three as follows (attach additional pages if needed):

1. "The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance" – Evidence (that is explain how): THE GARAGE WILL BE USE FOR PARKING BUT WILL NEED A SET-BACK;

2. "The plight of the landowner is due to circumstances unique to the property not created by the landowner" – Evidence (that is explain why): SEE ATTACHED LETTER;

3. "The variance, if granted, will not alter the essential character of the locality" – Evidence (that is explain how): _____

THERE ARE SEVERAL OTHER GARAGES W/ SET-BACK AND OTHER PROPERTIES W/MULTI
FURTHER NOTICE TO APPLICANT [Conditions for variances are continued as follows]: GROWERS

Subd. 2, C. "Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems."

Subd. 2, D. "Variances shall be granted for earth sheltered construction as defined in Minnesota Statute Section 216C.06, Subdivision 14, when in harmony with the official controls."

Subd. 2, E. "No variance may be granted that would allow any use that is not allowed in the zoning district in which the subject property is located." [Note: Underlined by Staff. In such cases variances cannot be requested, and applications may not be accepted.]

Subd. 2, F. "The board of adjustment may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality impact created by the variance."

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If terms, revisions and/or conditions under which the variance is approved are violated the applicable permit can be held invalid and the City of Hibbing may order work stopped and/or corrected to suit said permit and variance issuance and/or have a citation filed against applicant/owner for possible prosecution. *Variance/Appeal decisions of the Board are final, subject to formal appeal to the City Council by the aggrieved party. [Submit both pages if this form is copied as two separate pages.]*

Applicant's Signature: [Signature]

(revised 10/24/14)

NAME JOAN WHITE

ADDRESS OF PROPERTY 1840 9th Ave E

-INSTRUCTIONS-

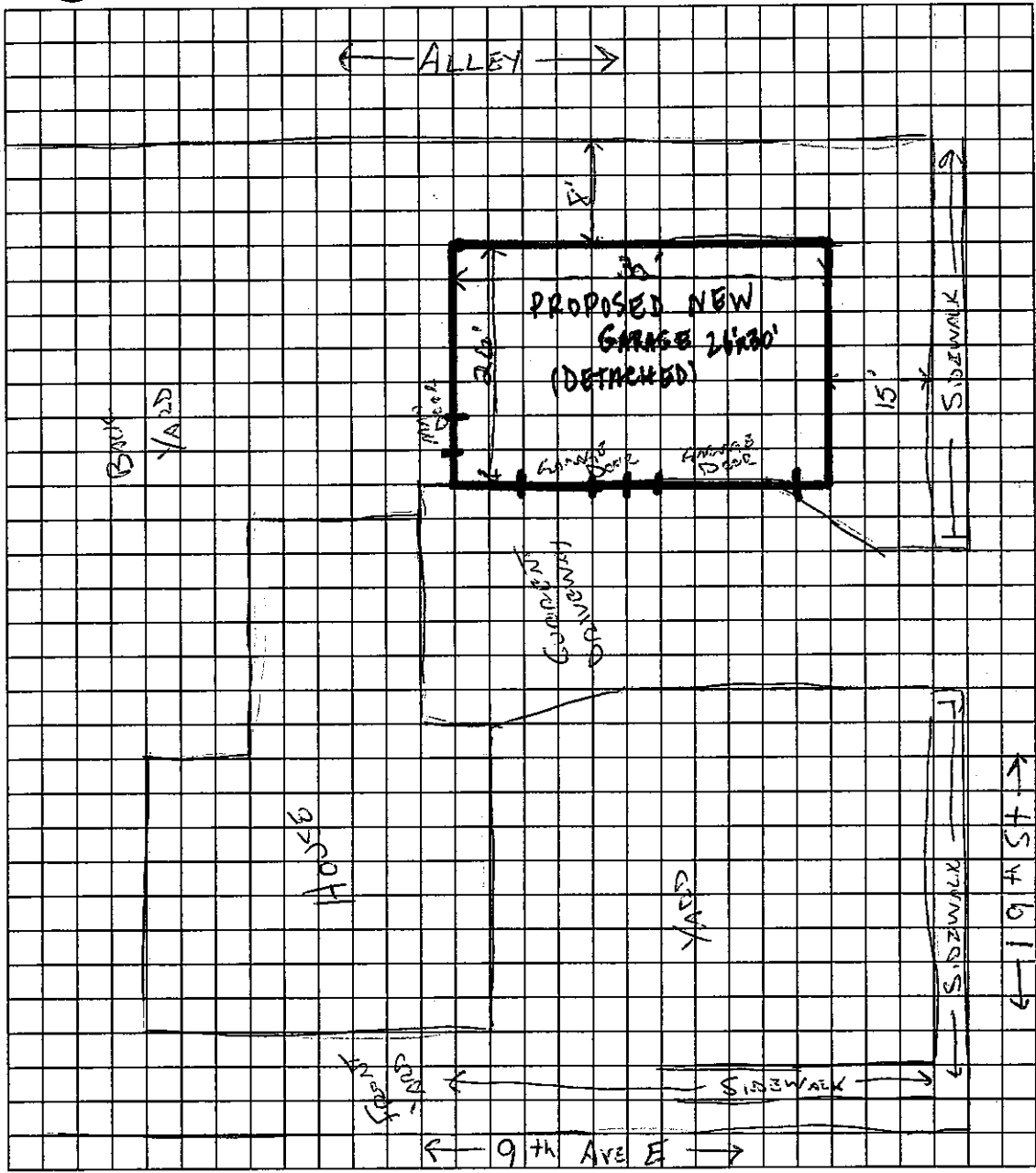
SITE PLAN DRAWN TO SCALE - SHOW DIMENSIONS OF LOT AND ALL EXISTING AND PROPOSED STRUCTURES. SHOW DISTANCES FROM FRONT, SIDE AND REAR PROPERTY LINES TO ALL EXISTING AND PROPOSED STRUCTURES. SHOW ALLEY AND LIST STREET NAMES ABUTTING LOT. SITE PLANS DRAWN BY FREE-HAND WILL NOT BE ACCEPTABLE.

IT IS THE OWNER'S AND/OR APPLICANT'S RESPONSIBILITY TO KNOW THE SUBJECT PROPERTY LINES IN ORDER TO FILE FOR THIS PERMIT.



PLACE AN ARROW IN THE CIRCLE TO INDICATE THE DIRECTION OF NORTH

GRAPH SQUARES ARE 5'X5' OR 1"=20', OTHERWISE NOTE SCALE AS FOLLOWS:



I/we as applicant certify that the proposed construction will conform to the dimensions and uses shown above, and that no changes will be made without first obtaining approval.

Applicant's Signature [Signature]

Date 3-6-26

Plan Review by _____

OFFICE USE ONLY:
 This Is An Application For:

Building Permit
 Zoning Permit
 Moving Permit
 Demolition Permit
 Sign Permit

Official's Comments: _____

Variance Request

Date: 3/6/2025

Planning and Zoning Committee(s)

Property Address:
1840 9th Ave E
Hibbing 55746

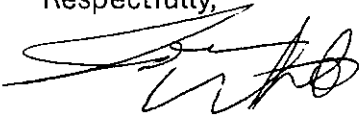
Owners: John and Rebecca White

We are currently requesting a variance of zoning to build a detached garage located on 19th Street at the above address (corner lot) for the following reasons:

- 1) Our current attached garage and driveway enters/exits onto 19th Street
- 2) There is no other location on the property to build
- 3) The set back from the alley would be 8 feet
- 4) The set back would be 15 feet from the sidewalk on the west
- 5) Numerous properties on 19th Street are not in current zoning compliance, such as
 - a. Our east neighbors' fence and hedge sit closer on the same sidewalk.
 - b. Our neighbor's garage across 19th street (southside) sits closer to the same street.
- 6) The garage doors will utilize our current driveway with no extra traffic into the alley
- 7) There is no space between houses to the north of our property for a garage

Thank you for your time and consideration.

Respectfully,



John & Rebecca White
1840 9th Ave E
612-703-8525

Hibbing Board of Adjustments & Appeals Meeting Date: April 6, 2026

RE: Variance Petition of: John White; Resolution Ref. #

Findings of Fact Guide Sheet for Board of Adjustments to resolve above noted petition.

VERIFY: Is requested variance for a permitted use, or a conditional use, or an interim use in the subject property's zoning district? YES: X; or NO: . If NO, variance request is invalid [see Subd. 2, E. below].

Per Subd. 2, A, Sec. 11.72 of the City Code of Ordinances. A variance may be granted ONLY when it is:

- 1. "In harmony with the general purposes and intent of the zoning ordinance". YES, or NO; Finding of Fact Statement:
- 2. "Consistent with the comprehensive plan". YES, or NO; Finding of Fact Statement:

Per Subd. 2, B of said Sec. 11.72. Applicant's Responsibility – the burden of proof rests with applicant. Variances may be granted when the applicant for the variance establishes there are practical difficulties in complying with said zoning ordinance. Practical difficulties as used in connection with the granting of a variance means (all three must be affirmed) as follows:

- 1. "The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance";

The Board agrees applicant's evidence affirms the above: YES, or NO; Finding of Fact Statement:

The garage will be used for parking but will need a setback.

- 2. "The plight of the landowner is due to circumstances unique to the property not created by the landowner";

The Board agrees applicant's evidence affirms the above: YES, or NO; Finding of Fact Statement:

See attached letter.

- 3. "The variance, if granted, will not alter the essential character of the locality";

The Board agrees applicant's evidence affirms the above: YES, or NO; Finding of Fact Statement:

There are several other garages w/out setback and other properties w/multi garages.

Subd. 2, C. "Economic considerations alone will not constitute practical difficulties. Practical difficulties include, but are not limited to inadequate access to direct sunlight for solar energy systems".

Subd. 2, D. "Variances shall be granted for earth sheltered construction as defined in Minnesota Statute Section 216C.06, Subdivision 14, when in harmony with the official controls".

Subd. 2, E. "No variance may be granted that would allow any use that is not allowed in the zoning district in which the subject property is located".

Subd. 2, F. "The board of adjustment may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality impact created by the variance".

Subd. 2, G. "A variance may be granted for the temporary use of a one-family dwelling for a two-family dwelling".

Subd. 2, H. "No variances permitting the erection or alteration of a building shall be valid for a period longer than six (6) months unless a building permit is issued and construction actually begun within that period, and is thereafter diligently pursued to completion".

Motion: _____

Moved by: _____ Supported by: _____; YES; NO:

DECISION: Variance Request – Approved: ; Disapproved: . Condition(s) if any: _____

Staff Report by Pat Green for the Hibbing Board of Adjustments
April 6th, 2026

RE: John and Rebecca White 1840 9th Avenue East, Hibbing Mn 55746

The applicant in this case is requesting a variance to the front yard setback of 25 feet from the property line to 15 feet to the property line. This setback will be near the alley and not the street intersection and will not block the clear viewing area of the street intersection. The practical difficulty is that the existing driveway would not be able to be used to enter both doors if the garage was moved back to the north ten more feet. The entry from the existing driveway appears to be less of a hazard than entering from the alley and then having to back into the alley. It appears that this setback of 15 feet will not change the character of this neighborhood.

Conditions required: None at this time.

Notice: Approved variances are valid for six months unless a Building Permit is issued and construction begun within that period, and is thereafter diligently pursued to completion, per City Code Section 11.72, Subd.2H