



**HIBBING BOARD OF ADJUSTMENTS &  
APPEALS**

**Regular Meeting  
Monday, May 4, 2026  
5:00 PM**

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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

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**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 Adjustments minutes for April 6, 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 Don Brunette, 3430 2nd Ave. West, Hibbing, MN 55746 to allow 180 sq. ft. more than the maximum sq. ft. permitted for accessory structures for the construction of a new 20 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 3430 2nd Ave. West, Hibbing, MN 55746 (Lots 9 & 10 Block 1 Boulevard Grove Addition).

**V. DISCUSSION ITEMS:**

**VI. ADJOURNMENT:**

April 6, 2026

The Hibbing Board of Adjustments and Appeals held a meeting on Monday, April 6, 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 C. Lubovich 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. Lubben seconded the motion. The motion carried unanimously.

NEW BUSINESS:

At this time Chairperson G. Smith convened 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. P. Green presented the staff report. John Marshall, 3936 8th Ave. East, Hibbing, MN 55746 was present. Chairperson G. Smith asked Mr. Marshall to explain what he is looking to do. Mr. Marshall explained that he is looking to build a second garage to store stuff in so that it does not have to be stored outside. Chairperson G. Smith asked Mr. Marshall how he will access this garage; Mr. Marshall stated that he will access it from 40<sup>th</sup> St. Chairperson G. Smith explained that the Board received a letter from a neighboring property owner, Charlotte Hanegmon, in support of Mr. Marshall's Variance request. There was no one in the audience wishing to speak. Chairperson G. Smith closed the Public Hearing. The Board went through the findings of fact statements and agreed with them all. Chairperson G. Smith made a motion, seconded by Commissioner J. Jump, to approve the Variance request. The motion carried unanimously.

At this time Chairperson G. Smith convened the public hearing scheduled for this time to consider a Variance request of John White, 1840 9<sup>th</sup> 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). P. Green presented the staff report. John White, 1840 9<sup>th</sup> Ave. East, Hibbing, MN 55746 was present. Chairperson G. Smith asked Mr. White to explain what he is looking to do. Mr. White explained that he is looking to build a detached garage utilizing the existing driveway; the garage is being designed with a flat roof to match the house design. There was no one in the audience wishing to speak. Chairperson G. Smith closed the Public Hearing. The Board went through the findings of fact statements and agreed with them all. Commissioner C. Lubovich made a motion, seconded by Commissioner J. Lubben, to approve the Variance request. The motion carried unanimously.

ADJOURNMENT:

Due to no further discussion, it was moved by Chairperson G. Smith, seconded by Commissioner J. Jump, 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.ci.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: 3430 2 Ave. W., Hibbing MN 55746

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: Don + Julie Brunette ADDRESS: 3430 2 Ave. W

CITY: Hibbing STATE & ZIP: MN 55746 PHONE: 701-730-3296

[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: Don Brunette ADDRESS: 3430 2 Ave. W.

CITY: Hibbing STATE & ZIP: MN 55746 PHONE: 701-730-3296

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):

build a 20'x30' detached garage. F. If request is not a variance to setback regulations [i.e. 1) thru 4)] then explain: maximum allowed sq. ft. for accessory structure 180 sq. ft. over maximum allowed (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: 3/31/26  
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: \$ \_\_\_\_\_

Current Zoning District: R-2

Date: 3-30-26 Initials: TG

(revised: 10/24/14)

7. [Signature] Date: 3/31/26  
Owner(s) Signature (granting applicant permission to apply for above petition)

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): The new garage will be used to store boat + Side x Side, etc.:

2. "The plight of the landowner is due to circumstances unique to the property not created by the landowner" – Evidence (that is explain why): Additional storage space is needed to properly store boat, SXS + mower inside.

3. "The variance, if granted, will not alter the essential character of the locality" – Evidence (that is explain how): This structure will not alter the neighborhood + will fit in nicely, very common.

**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: 

(revised 10/24/14)



Search Address or Tax PIN

KBH [dropdown] [dropdown] [dropdown] [dropdown] [dropdown]  
140 [dropdown] [dropdown] [dropdown] [dropdown] [dropdown]  
3425 2ND AVE W

LUTZ, DYLAN M  
140-0040-00240  
3429 2ND AVE W

ZINELLI, JULIE A  
140-0040-00890  
3501 2ND AVE W

MOBERG, THOMAS K  
140-0040-00110  
3422 2ND AVE W

BRUNETTE, DONALD P  
140-0040-00090  
3430 2ND AVE W

New  
Garage  
20'x30'

DROPP, NATHANIEL  
140-0040-01200  
3502 2ND AVE W

3421 1ST A

NEWMAN SA  
140-0040-0  
3425 1ST A

MCGUIRE THO  
140-0040-0  
3429 1ST A

MCGUIRE TH  
140-0040-0  
3501 1ST A

2nd Ave W

ROW data is an  
approximation

W 35th St

30ft

47.40980, -92.94277 Degrees



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Hibbing Board of Adjustments & Appeals Meeting Date: May 4, 2026

RE: Variance Petition of: Don Brunetti; 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: ; 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 new garage will be used to store boat and side by side etc.**

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:

**Additional storage space is needed to properly store boat, side by side and mower inside.**

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:

**This structure will not alter the neighborhood and will fit in nicely; it is very common.**

**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  
May 4<sup>th</sup>, 2026

RE: Don and Julie Brunette 3430 2<sup>nd</sup> Avenue West, Hibbing MN

The applicant in this case is requesting a Variance to the accessory size limit of 1,200 square feet for accessory buildings with a lot size that is 12,500 square feet. They want to build a garage 20 feet by 30 feet this will put them over the maximum square footage by 180 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 existing garage is used for vehicles. It appears that this location for the garage will fit the character of the neighborhood. All minimum setbacks from property lines will be met.

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