



## Frequently Asked Questions: Building a Structure or Constructing a Driveway in the Town of Duluth

### What is a Structure and when is a Structure Land Use Permit required?

A structure is a construction that is more than 30 inches high with a fixed location on the ground. Structures include, but are not limited to, dwellings, accessory structures, portable buildings, mobile homes, swimming pools, solar energy structures, greenhouses, hoop houses, and wind energy structures.

Any structure that is constructed, reconstructed, moved, or structurally altered, including the addition of a basement, requires a **Structure Land Use Permit** from the Town of Duluth.

**Shoreland Areas:** The following structures are considered structures and require a **Structure Land Use Permit** if they are constructed within the shoreland setback area for principal structures: fences, utility poles, lawn lights, non-commercial communication towers not containing dish antennas, and unattached decks regardless of height.

Structure Land Use Permits are not required for non-dwelling accessory structures that are 144 sq ft or less and that meet all setbacks.

### When do I need a Sewage Treatment System and what does the Town require?

A St. Louis County Subsurface Sewage Treatment System permit number or a Duluth North Shore Sanitary District permit number is required for any proposed structure that will have human habitation.

- If your proposed structure is north of the Highway 61 Expressway, you will need to apply to St. Louis County for a Subsurface Treatment System permit.
- If your proposed structure is south of the Highway 61 Expressway, a sewer connection permit from DNSSD is required. Any construction occurring in the area south of the Expressway requires approval from DNSSD regarding the proposed location of the structure.

### What do I need to construct a driveway into my property?

- **A Driveway Land Use Permit** from the Township which permits the placement of a driveway on your property.
- **A Site Entry Permit** which permits access to a public road.
  - If you are entering onto a County Road, apply to St. Louis County ([www.stlouiscountymn.gov](http://www.stlouiscountymn.gov)).
  - If you are entering onto a Township Road you need to apply to the Township for a **Site Entry Permit / Driveway Land Use Permit** ([www.duluthtownship.org](http://www.duluthtownship.org)).

### When do I need a Land Disturbance Permit?

Land disturbing activity is defined as any removal of vegetation, excavating, grading, clearing, filling, or stockpiling, hauling, or other earth change related to or associated with construction or reconstruction which may result in movement of soil particles of earth.

- If your construction, including, but not limited to, areas for building, driveway and septic construction, disturbs more than 5,000 sq ft and less than 1 acre, a **Land Disturbance Permit from the Town of Duluth** is required.
- If your construction, including, but not limited to, areas for building, driveway and septic construction, disturbs 1 acre or more, a **permit from the Minnesota Pollution Control Agency** is required.

**You must submit the appropriate fee for each type of permit you apply for.**

**Permits will be processed when all fees are received.**