INSPECTION DATE: 5-14-21 REPORT DATE: 5-21-21 MEETING DATE: 6-10-21

APPLICANT INFORMATION

APPLICANT NAME: David Carisch

APPLICANT ADDRESS: 133 Interlachen Road, Hopkins MN 55343

OWNER NAME:

(IF DIFFERENT THAN ABOVE)

SITE ADDRESS: 2860 Schmidts Island, Cook Mn

LEGAL DESCRIPTION: That part of Gov't lot 3 beg at the NE corner of Lot thence N 89 deg 38' 40" W 335 ft. along the N line thence S 0 deg 21' 20" W 200 ft to the PT of Beg thence N 89 Deg 38' 40" W 50 ft thence S 0 Deg 21' 20" W 211 ft. more or less to the shore of Lake Vermilion thence SE along shore 180 ft. more or less thence Ely along shore 205 ft. more or less thence Northerly along shore 305 ft. more or less thence N 89 Deg 38' 40" W 269 ft. more less to Pt of Beginning, S21, T63N, R18W (Beatty)

PARCEL IDENTIFICATION NUMBER (PIN): 250-0020-03015

VARIANCE REQUEST: The applicant is requesting relief from St. Louis County Zoning Ordinance 62, Article VI, Section 6.10 C, to allow a sauna as a water-oriented structure at a reduced shoreline setback where a minimum of 30 feet is required.

PROPOSAL DETAILS: The applicant is requesting to construct a sauna 10 feet from the shoreline where 30 feet is allowed.

PARCEL AND SITE INFORMATION

ROAD ACCESS NAME/NUMBER: N/A ROAD FUNCTIONAL CLASS: N/A

LAKE NAME: Vermilion LAKE CLASSIFICATION: GD

RIVER NAME: N/A RIVER CLASSIFICATION: N/A

DESCRIPTION OF DEVELOPMENT ON PARCEL: The property contains a cabin and permitted septic system.

ZONE DISTRCT: RES 8

PARCEL ACREAGE: 2.09 ACRES LOT WIDTH: Approx. 330 FEET

FEET OF ROAD FRONTAGE: N/A FEET OF SHORELINE FRONTAGE: Approx. 600 FEET

VARIANCE

1

PARCEL AND SITE INFORMATION

VEGETATIVE COVER/SCREENING: There is limited screening at the proposed location. If placed at the required setback, the structure would be well screened from public view.

TOPOGRAPHY: The property contains a steep slope (30%) within 40 feet of the shore. A structure placed at the minimum setback or greater would not be located within the steep slope.

FLOODPLAIN ISSUES: N/A

WETLAND ISSUES: N/A

ADDITIONAL COMMENTS ON PARCEL: The property contains over two acres of land with multiple areas for a sauna to meet minimum setbacks. In addition, a structure placed at the minimum setback would not be located within a steep slope thereby eliminating the potential for erosions and runoff from impacting the lake.

FACTS AND FINDINGS

A. Official Controls:

- 1. Zoning Ordinance 62 states that water oriented accessory structures shall be no closer than 30 feet to the shoreline. The applicant is requesting 10 feet.
- 2. Objective LU-3.1 of the St. Louis County Comprehensive Land Use Plan is to base variance decisions on uniform approval criterion to ensure all applications are treated equitably, that community health and safety is protected, and that the overall character of a given area is preserved.
- 3. Objective LU-3.3 the St. Louis County Comprehensive Land Use Plan is to acknowledge why nonconformities are a concern and that variances should be for exceptional circumstances as noted in Minnesota Statute 394.22. Subd.10.

B. Practical Difficulty:

- 1. The applicant has multiple suitable areas for development that meets all setback requirements eliminating the need for a variance.
- 2. The property has steep slope of up to 30% near the shoreline. Building at the minimum setback would move the structure out of the steep slope.

C. Essential Character of the Locality:

1. The neighborhood consists of seasonal island cabins. No similar variance requests have been approved in the area.

D. Other Factor(s):

- 1. The property has multiple building areas to meet minimum setbacks allowed by ordinance. Building within a steep slope has potential to cause erosion and increased runoff to the lake. A conforming structure would not be in the steep slope minimizing potential impacts to the lake.
- 2. The applicant has not met the burden of demonstrating practical difficulty to justify granting a variance when suitable area exists for a structure to meet ordinance requirements. Per St. Louis County Zoning Ordinance, Article VIII, Section 8.6 B. 4. (b.) iv, absent a showing of practical difficulty as provided in Minnesota Statutes and Ordinance 62, the Board of Adjustment shall not approve any variance.
- 3. Allowing a structure at a reduced setback when an applicant has not demonstrated a practical difficulty may set a precedent on future building requests.

Attachments: 1. Zoning/location map 2. Air photo 3. Site sketch 4. Project picture (if applicable) 5. Other pertinent pictures or maps

BOARD OF ADJUSTMENT CRITERIA FOR APPROVAL OF A VARIANCE

- 1. Is the variance request in harmony with the general purpose and intent of official controls?
- 2. Has a practical difficulty been demonstrated in complying with the official controls?
- 3. Will the variance alter the essential character of the locality?
- 4. What, if any, other factors should be taken into consideration on this case?

CONDITIONS

Conditions that may mitigate a variance for a 120 square foot sauna located 10 feet from the shoreline as proposed include but are not limited to:

- 1. The structure shall be unobtrusive (earth-tone) colors, including siding, trim, and roof.
- 2. The stormwater runoff from the proposed structure shall not directly discharge into the lake or on adjacent lots.

Land Use Permit APPLICATION St. Louis County, Minnes About: This application is used to apply for a Land Use Permit, Applicants will need to process. For more information, see our website at: www.stlouiscountymn.gov/land-use PROPERTY IDENTIFICATION NUMBER (PIN) PIN is found on your Propers *Primary PIN 250 0 0 20 0 3 0 1 5 Associated PIN Associated PIN Associated PIN E.g. 123-1234-12345. Primary PIN: Parcel where Structure/SSTS are located. Associated PIN: Additional and/County Land Explorer: https://gis.stlouiscountymn.gov/landexplorer/ Property Lookup: http://apps.stlouiscountymn.gov/landexplorer/ Property Lookup: http://apps.stlouiscountymn.	o attach the appropriate worksheet(s) in order to se the Tax Statement or adjacent property that you own or that is related to the project. untymn.gov/auditor/parcellnfo2005Iframe/ *Daytime # 612-805-4275 Date 3/15/21				
*Applicant Address Where to send permit. 133 Interluchen Rd	*City *State *ZIP Hopkins MN 55343				
Applicant Email	The partition of the pa				
Applicant Email Alcarisch a gnail com Contact Person If applicable. Contact Person #					
	,				
Mailing Address If different than above.	City State ZIP				
Email Address Where to email permit. Providing an email address will expedite the time in which a permit	it is received by an applicant.				
SITE INFORMATION	CONTRACTOR STATE OF THE STATE O				
☐ Yes ☐ No *Is there a site address for this property? (If no, the application will	be forwarded to 911/Communications to assign one.)				
If yes above, please list site address: 2860 Schmidts Island	1/cook				
☐ Yes No *Is this leased property? If yes, leased from: ☐ MN Power ☐ MN DNI	*Is this leased property? If yes, leased from: MN Power MN DNR US Forest Service St Louis County Other				
☐ Yes ☐ No *Do you have written authorization from the leased property own	er? If yes, you must attach written authorization form.				
*How is the property accessed? ☐ Public Road ☐ Private Road ☐ Easement Water ☐ O	ther				
PROJECT INFORMATION					
Yes No *Is this project on a parcel less than 2.5 acres? 2.250-0					
	*Is this project within 300 feet of a stream/river or 1,000 feet of a lake?				
Yes No *Is this project adding a bedroom? Include home, garage, & accessory dwelling.					
*Total # of bedrooms on property after project completion. Include home, garage, & accessory dwelling.					
Yes No *Does this project include plumbing or pressurized water in propo	*Does this project include plumbing or pressurized water in proposed structure? If yes, please explain:				
Yes No *Is the property connected to a municipal or sanitary district system?					
If you answered "Yes" to any of the project information questions above, it is required that you submit a copy of a septic partie to construct or certificate of compliance approval or municipal/sanitary district approval when applying for a land use permit.					
By submitting this application, I certify and agree that I am the owner or the authorized agent of the owner of the above property, and that all uses will conform to the provisions of St. Louis County. I further certify and agree that I will comply with all conditions imposed in connection with the approval of the application. Applicants may be required to submit additional property descriptions, property surveys, site plans, building plans and other information before the application is accepted or approved. Intentional or unintentional fastification of this application or any attachments thereto will make the application, any approval of the application and any resulting permit invalid. I authorize St. Louis County staff to inspect the property to review the application and for compliance inspections. Furthermore, by submitting this application, I release St. Louis County and its employees from any and all liability and claims for damages to person or property in any manner or form that may arise from the approval of the application or any related plans, the issuance of any resulting permit or the subsequent location, construction, alteration, repair, extension, operation or maintenance of the subject matter of the application. *Indicates required field. Incomplete applications will be returned.					



Land Use Permit

WORKSHEET St. Louis County, Minnesota

About: Land Use Permits are required for most building construction activities. They are also required for a variety of other uses. For more information, check out our website at: www.stlouiscountymn.gov/land-use

WHAT ARE YOU APPL	YING FOR Chec	k all that apply to th	he project. PLEAS	E MAKE CHECKS T	O: ST. LOUIS COUNTY	AUDITOR	
#1 New Buildings Less tha 1,200 square feet-\$160	n/equal to	#2 Other Constru	ction/Change in U		#4 Performance Standar Additional Workshee	d-\$370	
Greater than 1,200 square	feet-\$315	☐ Addition(s) to Dwelling Is the dwelling location on a lake or river? ☐ Yes ☐ No		☐ Borrow/Gravel Pit ☐ Home Business			
Dwelling-Home, Mobile Home Cabin. (Includes attached deck	e, Hunting Shack, or s, if applicable.)	If Yes above, does the structure meet the required shoreline setback? Yes No If No, structure does not meet the shoreline setback, a performance standard			☐ Land Alteration ☐ Nonconforming Structure Replacement ☐ Addition to a structure that does not meet		
Replacement of Existing Dwelling-Home, Mobile Home, Hunting Shack, or Cabin. Will the old dwelling be removed from the		permit or variance may be required. See box #4 or #7.			shoreline setback		
property? Yes No		☐ New Deck Only or Deck Replacement ☐ Combination Addition(s) & Deck on the same structure ☐ Moving a Structure ☐ Sign		#5 Site Evaluation Site Visit/Evaluation-\$160 #6 Wetland Reviews Additional Worksheets Required No Loss/Exemption/Replacement Plan-\$160			
If yes, an affidavit must be fi when the old dwelling will be	illed out stating removed.						
If this dwelling is a mobile his special mobile home affidavit	ome, there is a to be filled out.	Structure Alteration or Component Replacement Change in Use (i.e. converting an old cabin to storage)					
Accessory Dwelling-Guest cottage or bunkhouse. Must follow administrative standards.		What will the new use of the structure be? Explain the current and proposed use. Current: Proposed:			☐ Wetland Delineation Review-\$370 ☐ Wetland Banking Plan Review-\$1,100		
Accessory Structure- Gara shed, sauna, screenhouse or	ge, Pole Building, gazebo that either	Other-\$55 Permit extension to	peyond 2 years				
meets lake or river setback of shoreland area.	not located in a	#3 Subdivisions/Parcel Reviews Additional Worksheets Required			#7 Public Hearings Additional Worksheets Required Administrative Appeal-\$1,100 Environmental Assessment-\$1,100 Conditional Use Permit-\$630 Conditional Use Permit Rehearing-\$200 Interim Use Permit Rehearing-\$200 General Purpose Borrow Pit-\$630 Variance-\$630 Variance Rehearing-\$200 Multiple Hearing (Variance/conditional use)-\$950		
Water-oriented Accessory Boathouse, Sauna, Screenhot or river located at reduced sh Must follow administrative sta Commercial Structure Other Principal Structure	use/gazebo on a lake noreline setback.	C Plat-Minor Subdivision-\$630					
TYPE OF PROPOSED S	TRUCTURES	Check all that app	ly to the project.				
New Structure(s)	*Structure Type (Same as box #1 or	*Foundation Type (Basement, Slab, Pier, etc)	*Maximum Length (Exterior Footprint Only)	*Maximum Width (Exterior Footprint Only)	*Maximum Sq. ft (Exterior footprint only)	*Maximum Height (Ground Level to Roof Peak)	
and the same of th	2 above)		12 Feet	10 Feet	1200 Sq. ft.	12 Feet	
35 V	Sauna	Pier	Feet	Feet	Sq. ft.	Feet	
S. LAND H. A.			Feet	Feet	Sq. ft.	Feet	
☐ Structure Additions	*Structure Type (Same as box #2 above)	*Foundation Type (Basement, Slab, Pier, etc)	*Maximum Length (Exterior Footprint Only)	*Maximum Width (Exterior Footprint Only)	*Maximum Sq. ft (Exterior footprint only)	*Maximum Height (Ground Level to Roof Peak)	
	200107		Feet	Feet	Sq. ft.	Feet	
			Feet	Feet	Sq. ft.	Feet	
1.0			Feet	Feet	Sq. ft.	Feet	
	*Ind	icates required fie	ld. Incomplete ap	plications will be reti	urned.		
CONTACT: Planning a	nd Community [Development Dep	partment		AND THE RESERVE OF THE PARTY OF		
Technical Assistance Toll Free: 1-800-450-9777 Land Use Information www.stlouiscountymn.gov/land-	320 West 2		Virginia Government S 201 South 3 rd Virginia, MN 5 (218) 749-710	5792	Office Use Only Receipt # Receipt Date		

Payment Amount

Paid By_

About A variance allows the use of property in a manner otherwise forbidden by a zoning ordinance by varying one or more of the performance standards such as lot size, setbacks, etc.

Variances from official zoning controls are defined under Minnesota Statutes 394.27 and require the landowner to prove that the property could not otherwise be used or enjoyed in the proposed way by complying with ordinance requirements and that there will be no negative impact on surrounding

It is advisable that you discuss your request with Planning and Community Development staff prior to submitting the application. Approval or denial of your request is dependent on the justification you provide in answering the questions on this application. For more information, check out our website at: www.stlouiscountymn.gov/VarianceRequired

APPLICANT

Applicant Name (Last, First)

CARISCH. DAVID &

VARIANCE REQUEST Complete this form along with the Land Use Permit Application

1. Describe what you are varying from and the situation that makes it difficult to comply with county ordinances? We are requesting a variance to build a loft x 12ft Sauna loft from the shoreline in lieu of a boathouse. We will give up our to build a bouthouse on our property to rever our property has a fairly severe slope from the shore line to level grund, except for this one area we are requesting to build sauna.

2. Describe the intended/planned use of the property.

A 10ft x 12ft sauna (dry sauna)

3. Describe the current use of your property.

Natural

4. Describe other alternatives, if any.

If built further back a significant set of stairs would be required, create a safety issue going from sauna to the Take. We are over 60 yrs old and it would be safer for us to be closer to lake.

5. If approved, how will the proposed use, with the variance, fit into the character of the neighborhood/area?

If the materials used to build the sauna will be natural in culor to fit into the natural Surroundings.

6. Describe how neighboring	properties and the use of thos	se properties will be impacte	d by the proposed use with t	he variance.
Minimal	impact to	neighbor		
7. Describe how negative im Hend by natural	pact to the local environment of the law materials	and landscape will be avoided rate equipment and color	ent. Built i	vith
It improve improve the value	family and health. I propertents that will clarify your reque	would greatly slightly	d increase t	shown to mprove exces to star ity etc. embers and the Board
OFFICE USE ONLY				
Principal Structures	Principal Structure Additions	Accessory Structures	Accessory Structures Additions	Other
Shoreline Setback Property Line Setback Lot Width Height Limit 40% of Lot Width S5% of Lot Width Bluff 2nd Principal Structure % Lot Coverage Road Centerline Setback Road Right-of-Way Setback Lot width and/or Area	Shoreline Setback Road Centerline Setback Road Right-of-Way Setback Property Line Setback One Addition Allowed Allowable Size Exceeded 40% of Lot Width 55% of Lot Width Height Limit Foundation from Lake Lot width and/or Area	☐ Shoreline Setback ☐ Road Centerline Setback ☐ Road Right-of-Way Setback ☐ Property Line Setback ☐ Lot Width and/or Area ☐ Height Limit ☐ Allowable Size Exceeded ☐ Bluff	☐ Shoreline Setback ☐ Road Centerline Setback ☐ Road Right-of-Way Setback ☐ Property Line Setback ☐ Allowable Size Exceeded ☐ Height Limit ☐ Lot width and/or Area	Subdivision Plat Exceeding Lot Coverage Exceeding Maximum Buildable Area Other Standard Not Listed (Explain below)
CONTACT: Planning and Technical Assistance Toll Free: 1-800-450-9777 Land Use Information www.stlouiscountymn.gov/land	Duluth Government Services Center -use 320 West 2 nd Street, Suite 301 Duluth, MN 55802 (218) 725-5000	Virginia Government Services Center 201 South 3 rd Avenue West Virginia, MN 55792 (218) 749-7103	Receipt Date Payment Am	Only ount

Site Sketch Form The sketch is to graphically illustrate your proposed project(s) Draw and Label on Sketch (in feet) X *All Structures on the Property and Dimensions All Driveways, Access Roads, and Wetlands X *All Proposed Structures and Dimensions X *All Proposed Structures and Dimensions X *Distance of Proposed Structures to Shoreline (Closest Point) X *Distance of Proposed Structures to Septic System and Tank X *Distance of Proposed Structures to Property Lines X *Distance of Proposed Structures to Property Lines X *Distance of Proposed Structures to Property Lines X *Distance of Proposed Structures to Road Centerline and Right-of Ways							
You may submit yo	our own site sketch I	F it has the requi	red informa	ation indica	ted above.		
*Applicant Name *Site Address: *PIN:	e: David C 2860 Schm Property	idts Island	1 /cook	IN = 24	30-0020	0-03015	
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	and Figure 30	***San	itary Autho	rity Use On	ly***		
	: (<u>To be determined</u> as shown above, neg				acement area?	□ Yes □ No	

Site Sketc	N FORM The sketch is to	graphically illustrate your proposed project(s)	
Draw and Label on Sket X *All Structures on the Prope → *All Driveways, Access Road X *All Proposed Structures and	rty and Dimensions	■ *Distance of Proposed St ■ *Distance of Proposed St	ructures to Shoreline (Closest Point) ructures to Septic System and Tank ructures to Property Lines ructures to Road Centerline and
	ketch <u>IF</u> it has the required inf	ormation indicated above.	
*Site Address: 1860 5 *PIN: 250 - 0020 -	d Curisch Schmidts Island	Cook	NAME OF THE PERSON OF THE PERS
N 89° 38′ 40″ W 50.00′)	\$ 89° 38′ 40″	E 262.71'	6'± Ver
3	Davic Caris Legal Desc That part of the Government Lo Range 18, of the Fourth Prince follows:	cription ot 3, Section 21, Township 63	proposed
S 00° 21′ 20″ 190.93′	of said Government Lot 3; there bearing along the north line thence S 00°21′20′W, 200.00 fethence N 89°38′40′W, 50.00 fethence S 00°21′20′W, 21.00 fethence S 00°21′V, 21.00 fethe	thereof, 335.00 feet; set to the point of beginning; st; set more or less to the shore of asterly along said shoreline easterly along said shoreline northerly along said shoreline int that bears 5 89° 38′ 40″ E from thence N 89° 38′ 40″ W, 269 feet beginning.	299.86' 299.86' Surveyed
Surveyed:	Day	erty to be sold to" id Carisch acres & 690' ± of oveline.	
inship 63	"Lake	N 86° 31' 28" E 196.74' Shore line	
The Company of the Section of the Se		uthority Use Only***	
	rmined by appropriate sanitary au ove, negatively impact the SSTS/sa	하는 이 경기를 가고 있는데 되면 되었다. 전기를 되고 있는데 그는 사람들이 되었다. 그는 사람들이 되었다.] Yes □ No



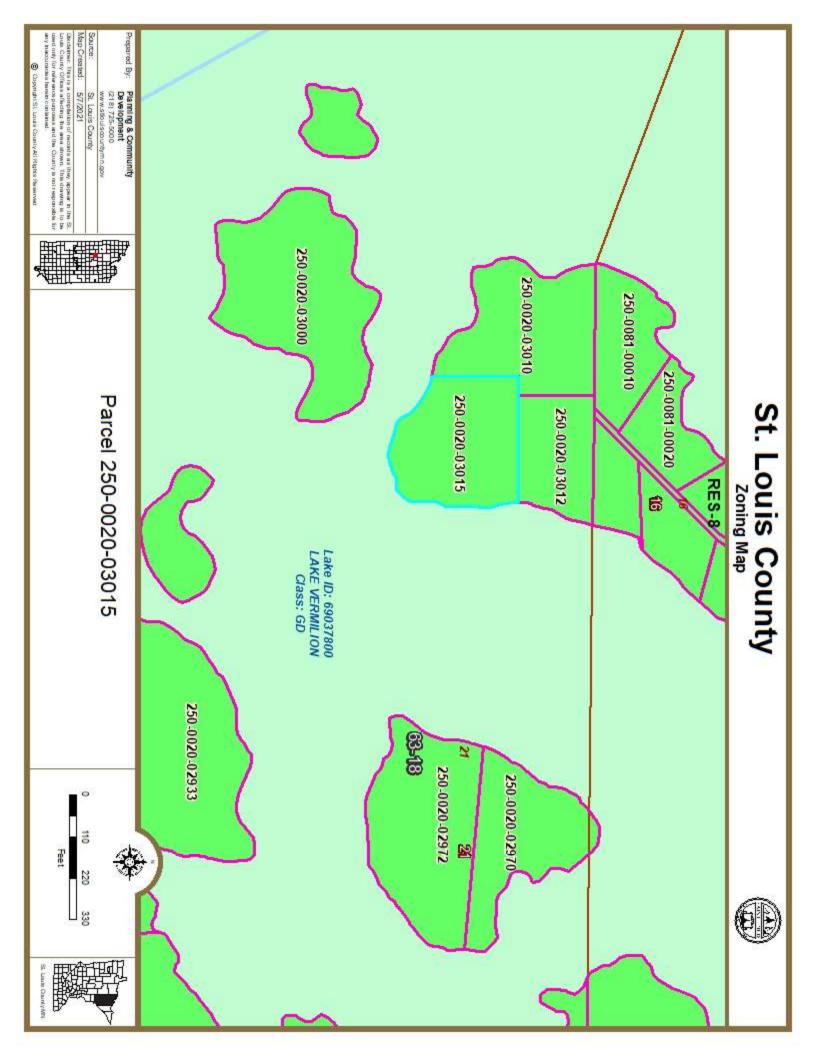
SSTS Record Review

On-site Wastewater Division

2080

Rev. 3-2021

DATE 5/7/2021	HEARING DATE 6/10/2021			
GENERAL				
✓ Variance ☐ CUP or PC Case ☐ LUP ☐ STR				
То	From Land Use Permit			
Applicant David Carisch				
Site Address 2860 Schmidts Island, Cook MN 5	5723			
Primary Pin 2 5 0 - 0 0 2 0 - 0 3	0 1 5 Associated Pin			
Assoc. Pin	Associated Pin			
Section/Township/Range 21-63-18	Township Name Beatty			
LAND USE REVIEW	COMMENTS			
Are SSTS records included with the proposal? \square	Yes 🗌 No			
Is subject parcel currently developed? $oximes$	Yes 🗌 No			
Is subject parcel located in shoreland? \square	Yes 🗌 No			
Is subject parcel located in flood plain? \square	Yes 🗌 No			
Are bedrooms being added?	Yes ⊠ No Current # Proposed #			
Is livable area being increased?	Yes 🗵 No			
Does the project include a change of use? \Box	Yes 🛮 No			
Was the lot created after February 22, 1979?	Yes 🗌 No			
SSTS FILE INFORMATION	COMMENTS			
Is there a SSTS record on file? \square	Yes No Permit # 714 Date Issued 2/13/1997			
Was a final inspection completed?	Yes No Date of Final 6/1/1998			
Is the certificate current?	Yes 🛮 No Date Issued			
Is SSTS expansion area required?	Yes 🗌 No			
Does adequate SSTS expansion area exist?	Yes 🗌 No			
Potentially impacts SSTS / expansion area?	Yes 🗌 No			
LAND USE COMMENTS				
SSTS REVIEW COMMENTS				
Identified concerns/issues (system sizing, setbacks, water use, vertical separation, most recent status, etc.)				
Note - sauna must be hand carried water and no pressurized water in the building is allowed. Please contact onsite wastewater if you have any questions.				
onotic muscemater in you must amy questions:				
	Yes No			
SIGN AND DATE (ON-SITE WASTEWATER S	STAFF)			
Signature EA	Date 5/12/2021			



Parcel 250-0020-03015 St. Louis County 21 250-0020-03015 250-0020-030A2 Feet



