

# Presenter

Paul Butler – Planner



# Peter and Anne Goldschmidt

4821 Datka Road.  
Fredenberg Township



SAINT  
**LOUIS**  
**COUNTY**  
MINNESOTA

# Variance Request

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Requesting relief from St. Louis County Zoning Ordinance 62,  
Article IV, Section 4.3 D.

- to allow an addition to a nonconforming principal structure outside the shore impact zone to exceed the 400 square feet allowed.



# Proposal Details

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- The applicant is proposing an addition to the rear of an existing nonconforming dwelling.
- The proposed addition is 50 feet by 15 feet (750 square feet). The existing nonconforming dwelling is 50 feet by 32 feet (1,600 square feet) located 56 feet from Flowage Lake where 100 feet is required.
- The addition is to the rear of the structure and will not decrease the shoreline setback. The proposed height of the addition is 12 feet.





# Location Map

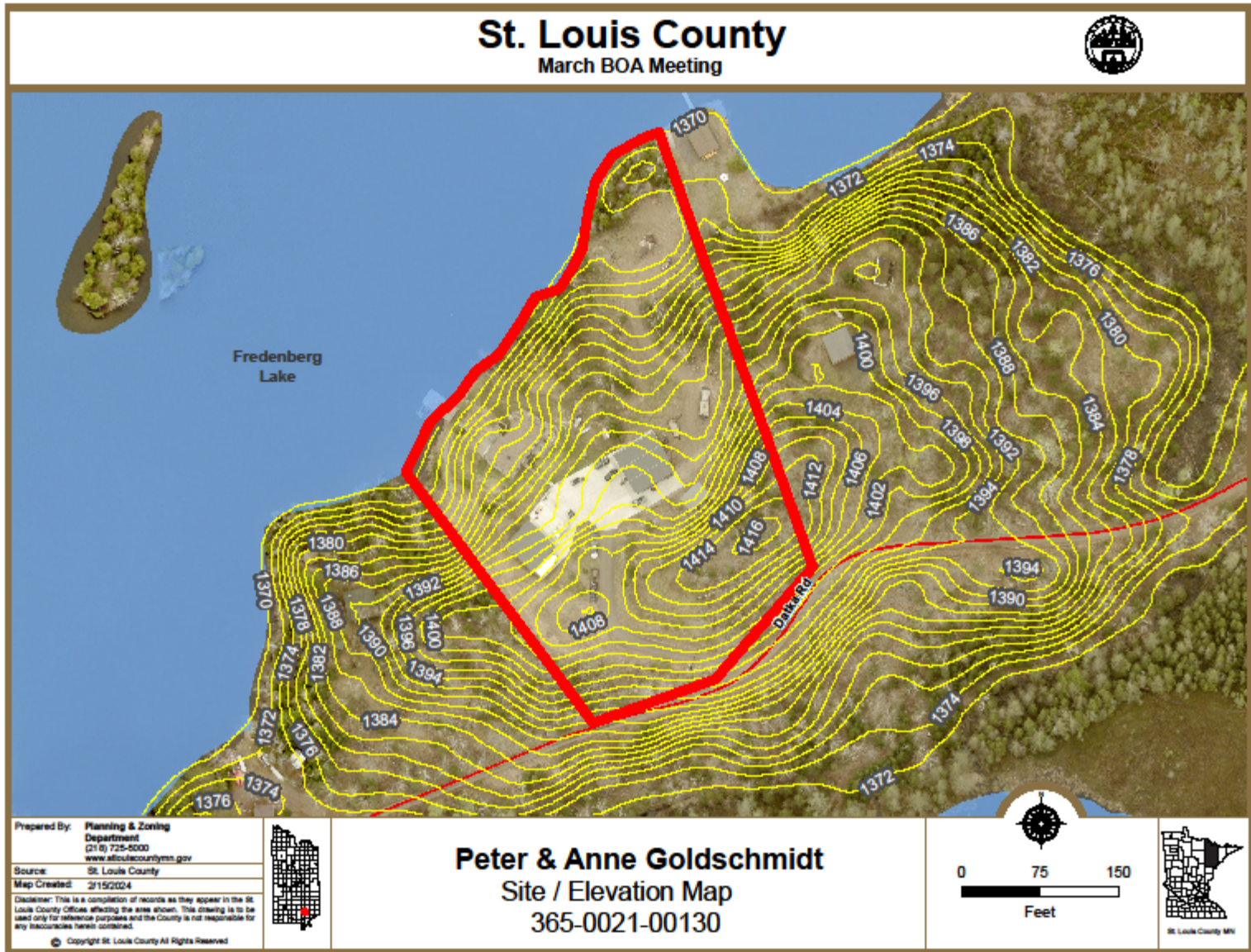




# Site Map

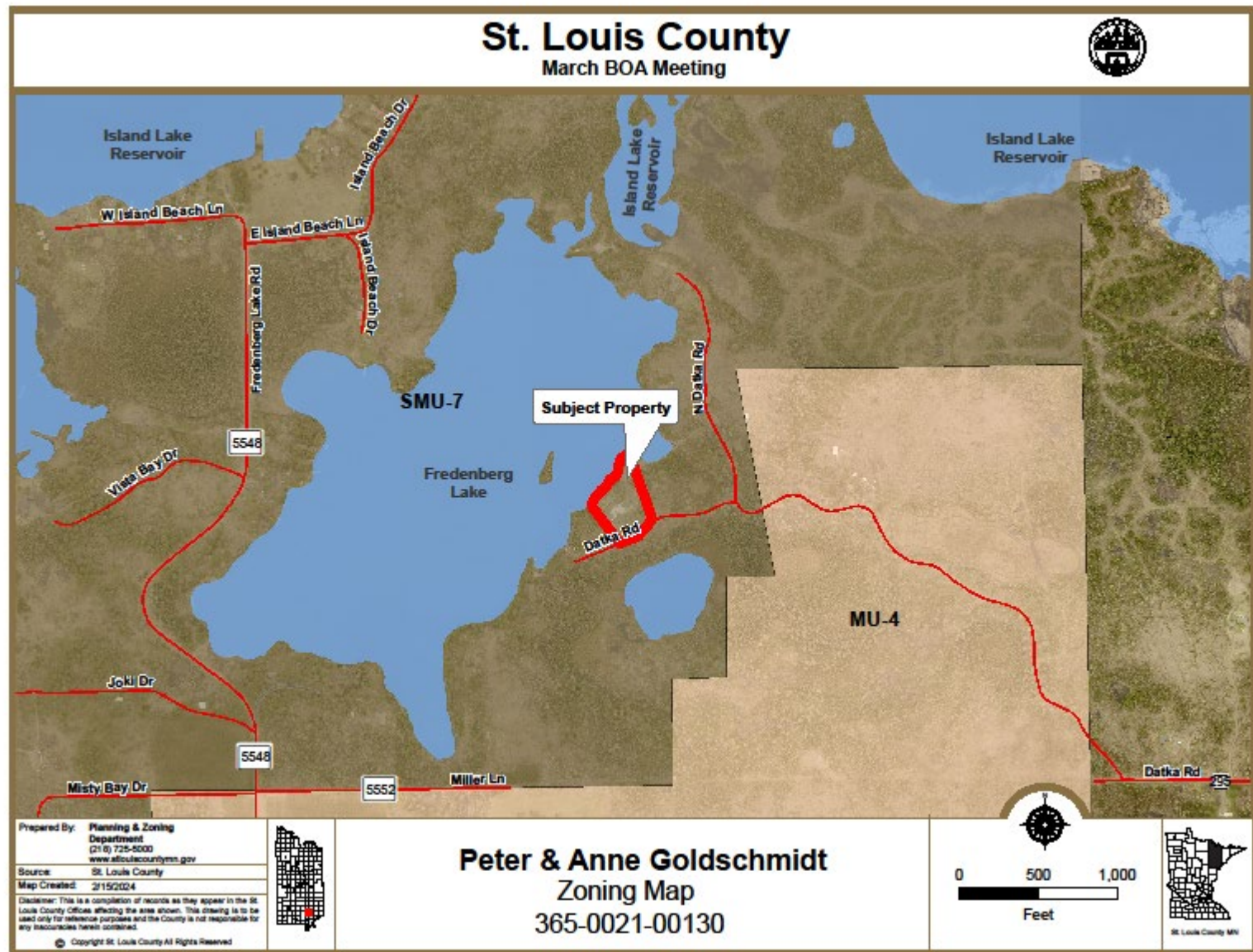


# Elevation Site Map

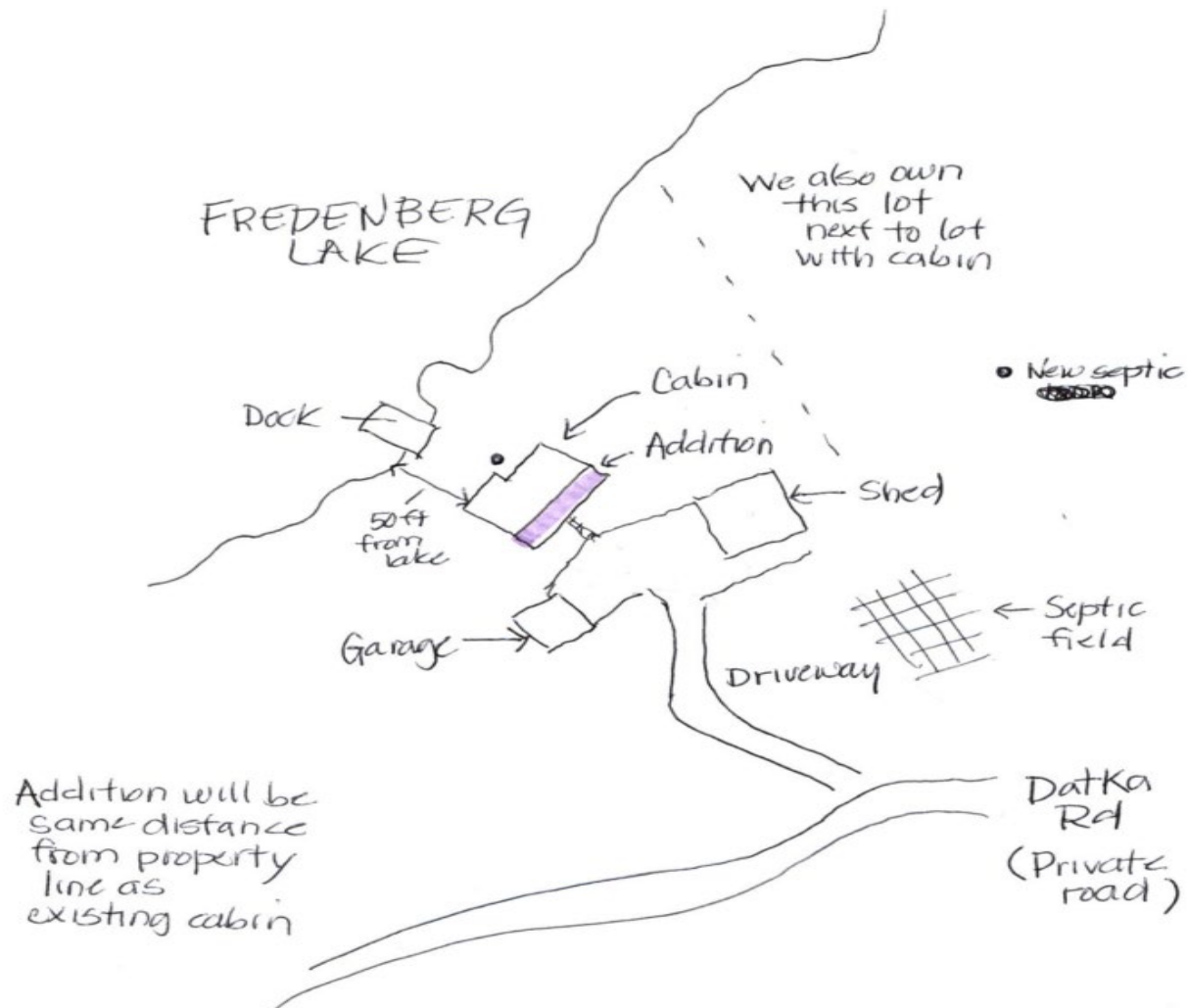




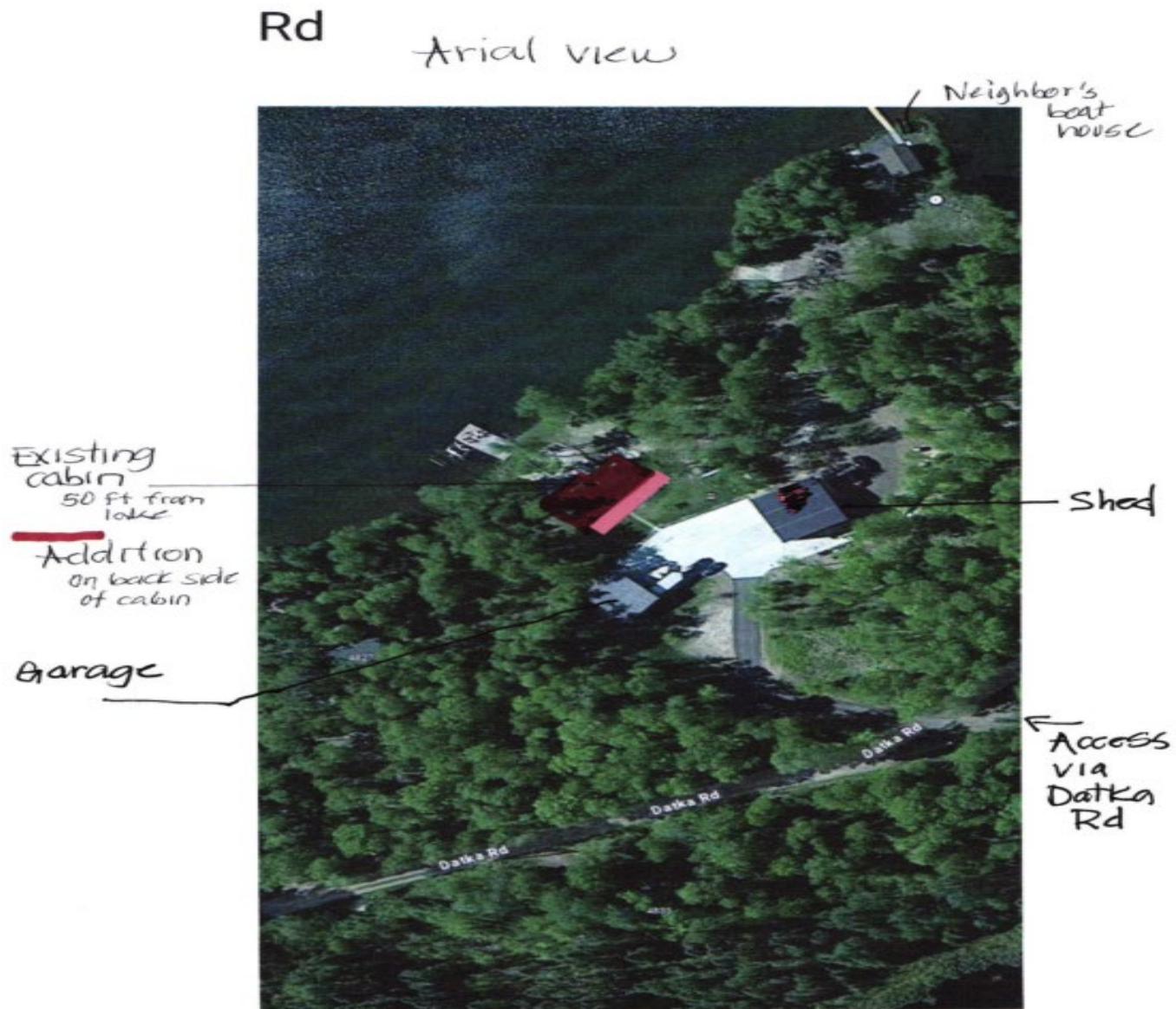
# Zoning Map




# Applicant Site Sketch



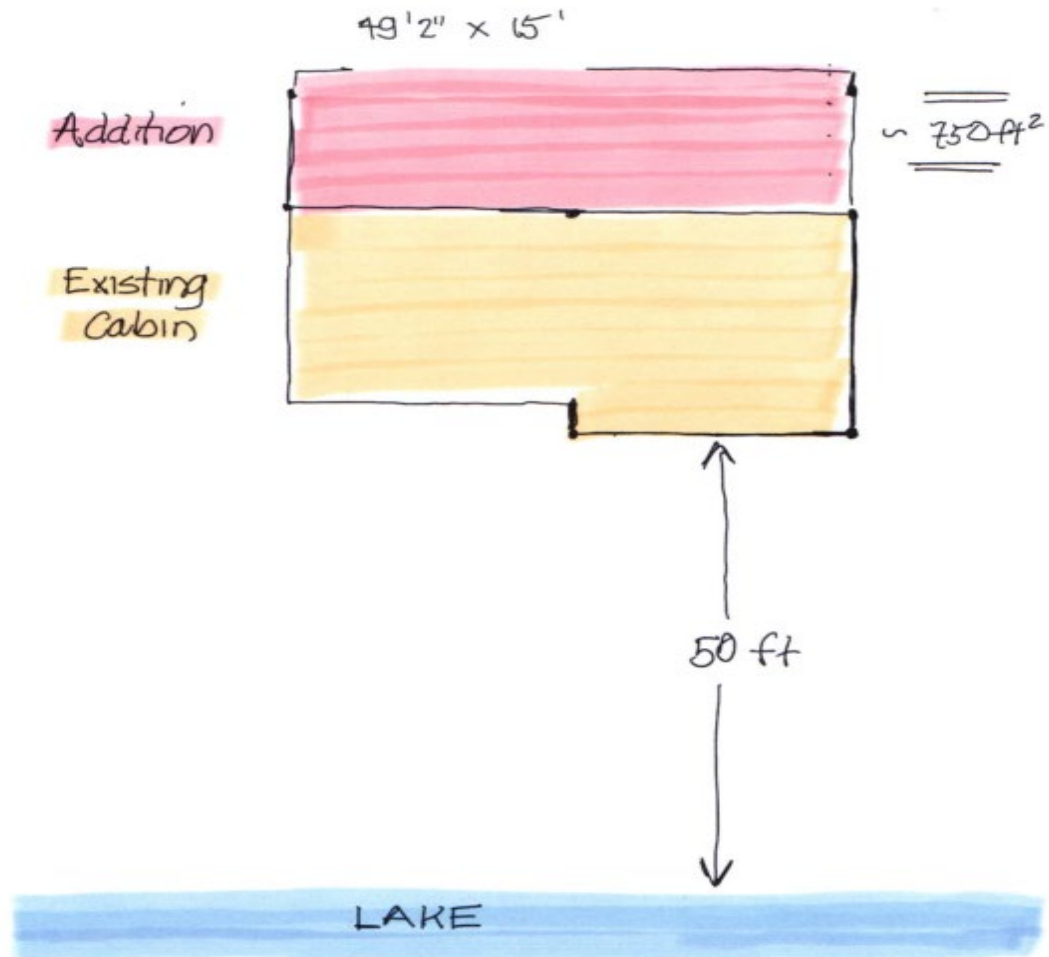
# Applicant Site Sketch



# Applicant Site Sketch


1 SQ = 4 ft 

This is the  
addition we want  
to add

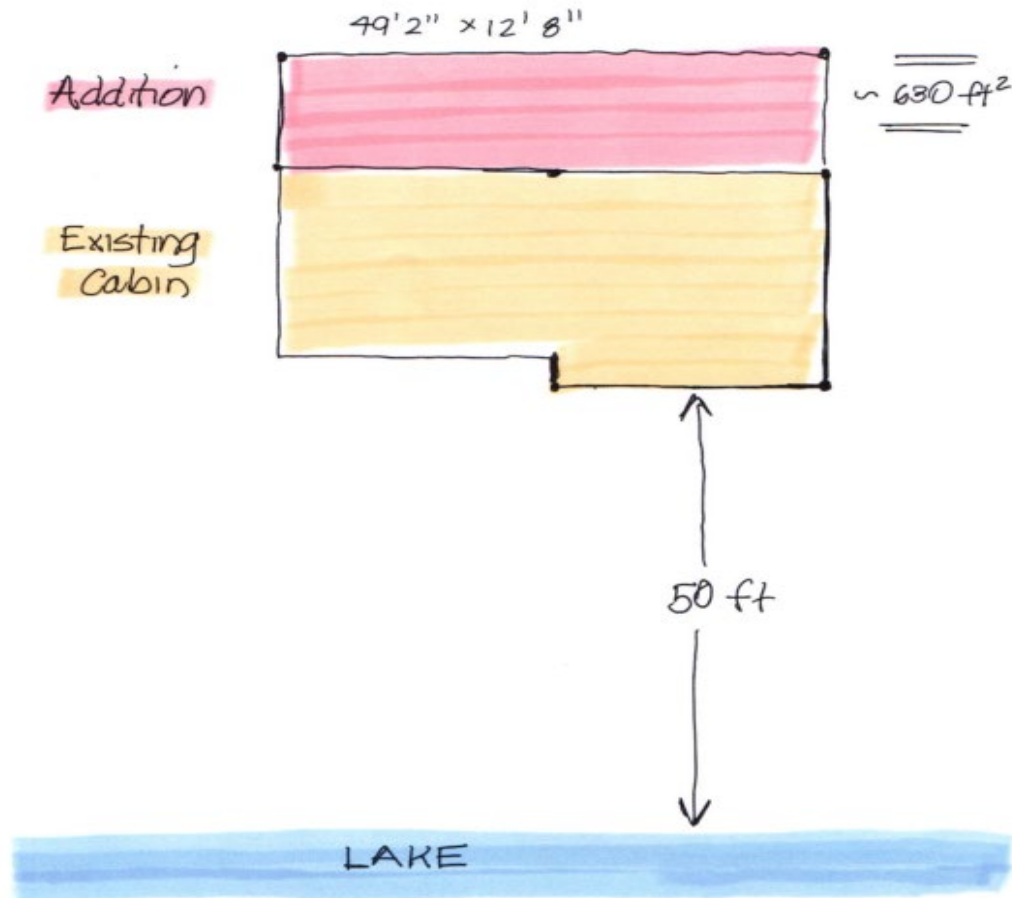




# Applicant Site Sketch

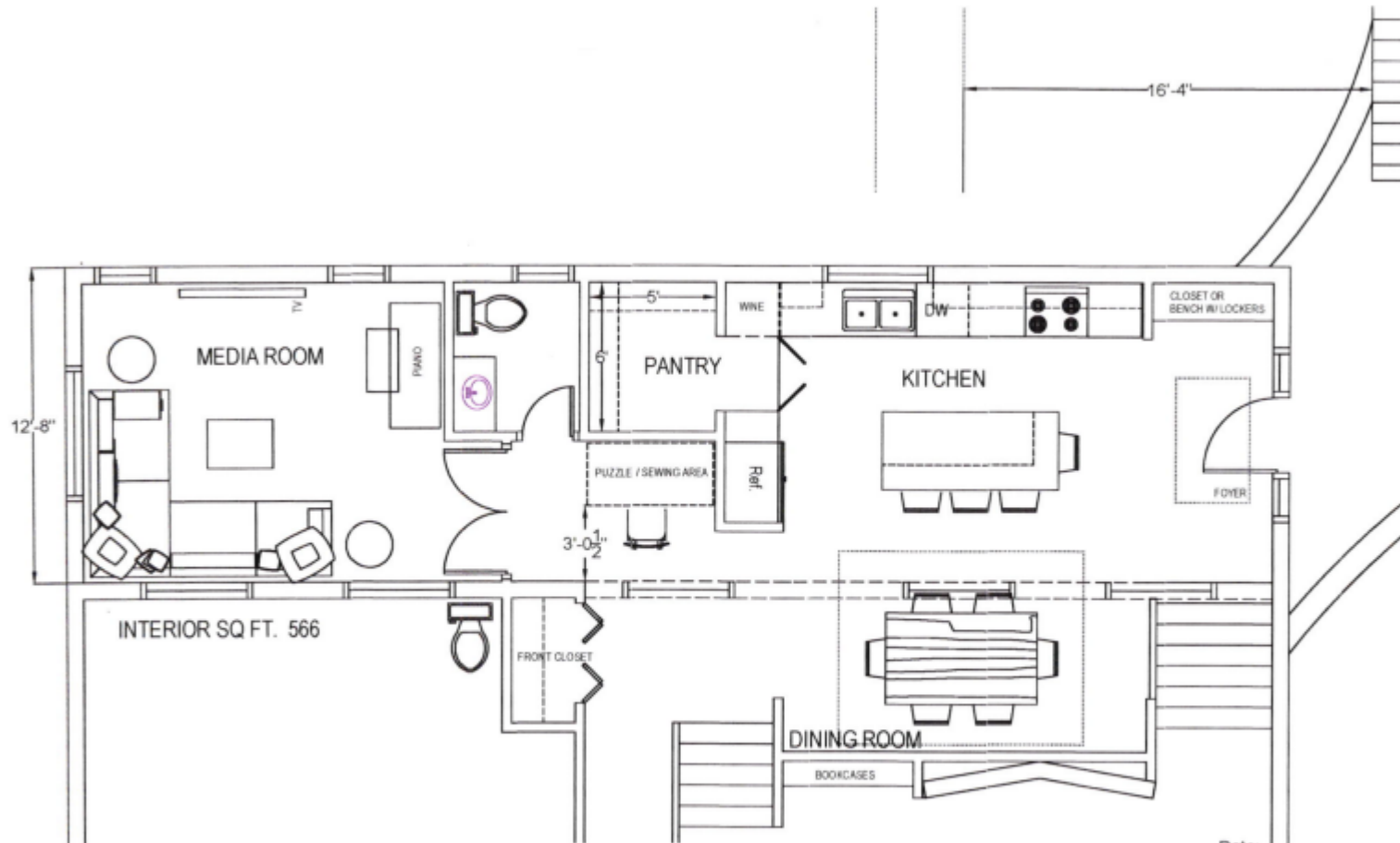
1 SQ = 4 ft 

Alternate with less  
square footage





# Design Sketch



## Concept Plan Goldschmidt Cabin #8

4821 Datka Road Duluth, Minnesota

Date:  
1 January 2024

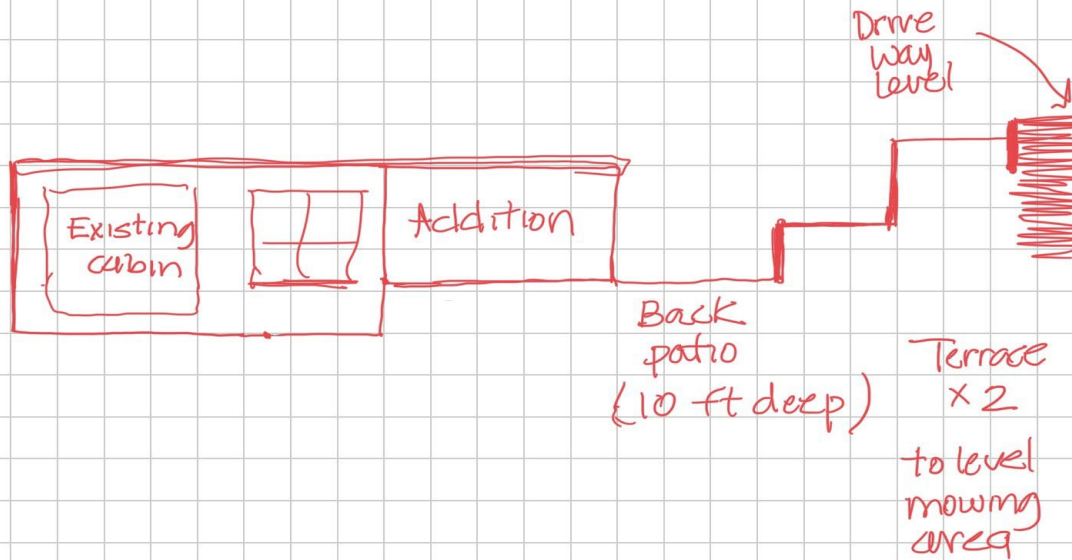
Page:  
**1/1**

Scale:  
3/16" = 1'-0"

# Design Sketch

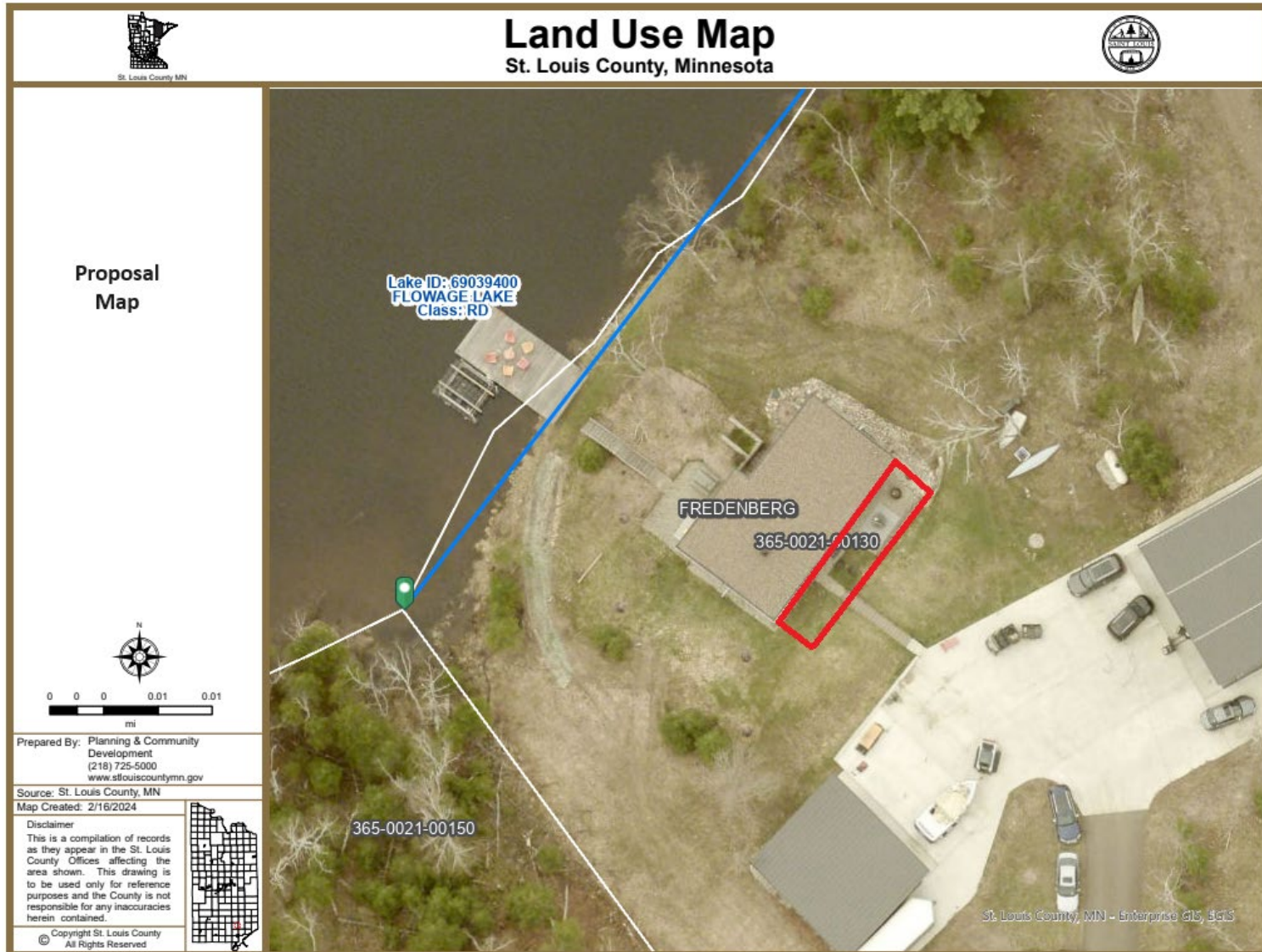
1 SQ = 3 feet

SIDE VIEW from South



GOLDSAMT CABIN

# Proposed Addition Location





Facing northwest towards the dwelling





Facing west near addition





Facing west





Facing southwest on the northeast corner of the dwelling.





# Facing east near shoreline





Facing north near shoreline





Facing north on the south side of the dwelling.





Facing north on the southwest side of the dwelling.





Facing northeast





Facing northeast













Driveway, garage facing west.





Driveway, garage facing west.







Facing northeast towards garage.

# Official Controls

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1. Zoning Ordinance 63, Article IV, Section 4.3, states addition requirements for nonconforming principal structures.
  - a. The applicant is requesting an addition of 750 square feet where a 400 square foot addition may be allowed through a performance standard permit.



# Official Controls

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## 3. St. Louis County Comprehensive Land Use Plan:

- a. Goal LU-3 is to improve the integrity of the county's planning-related regulation by minimizing and improving management of nonconformities.
- b. Objective LU-3.1 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.
- c. Objective LU-3.3 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.



# Practical Difficulty

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1. A variance is not the only option, as there are alternatives.
  - a. A 400 square foot addition may be allowed to the existing nonconforming dwelling through a performance standard permit.
  - b. If the existing dwelling is relocated to the conforming shoreline setback, an addition may be allowed with a land use permit.



# Essential Character of the Locality

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1. The applicant is not proposing a new use to the area. Most of the parcels on Flowage Lake are utilized for seasonal or year-round residential use.
2. There has been no past variance requests within proximity of the proposed project.



# Other Factors

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1. Zoning Ordinance 62 states that it shall be the burden of the applicant to demonstrate sufficient practical difficulty to sustain the need for a variance. Absent a showing of practical difficulty as provided in Minnesota Statutes and this ordinance, the Board of Adjustment shall not approve any variance.





# BOARD OF ADJUSTMENT CRITERIA FOR APPROVAL OF A VARIANCE

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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

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Conditions that may mitigate the variance to allow an addition to a nonconforming principal structure outside the shore impact zone to exceed the 400 square feet allowed as proposed include, but are not limited to:

1. The structure shall be unobtrusive earth-toned colors, including siding, trim, and roof.
2. Stormwater runoff from the proposed structure shall not discharge directly into the lake or on adjacent parcels.
3. St. Louis County Onsite Wastewater SSTS standards shall be followed.
4. Excavation shall meet all land alteration standards in St. Louis County Zoning Ordinance 62 Article VI, Section 6.16.
5. The shore impact zone shall be preserved in a natural state and screening shall be retained.



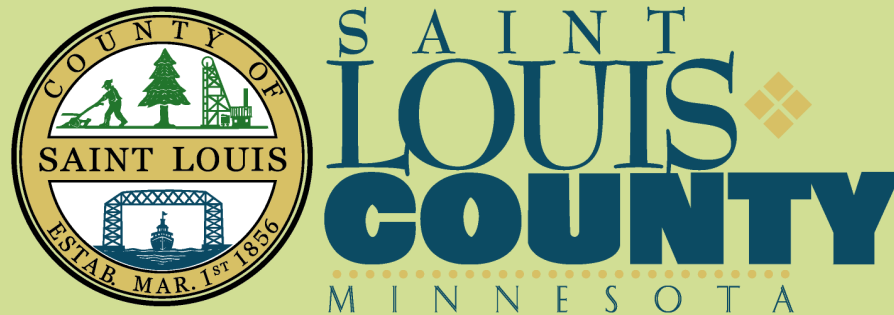
# Correspondence



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# Board of Adjustment

Questions?



# Public

## Questions?

