



Presenter:
Stephen Erickson - Planner



Gary Drilling

8373 1st Ave, Babbitt, MN



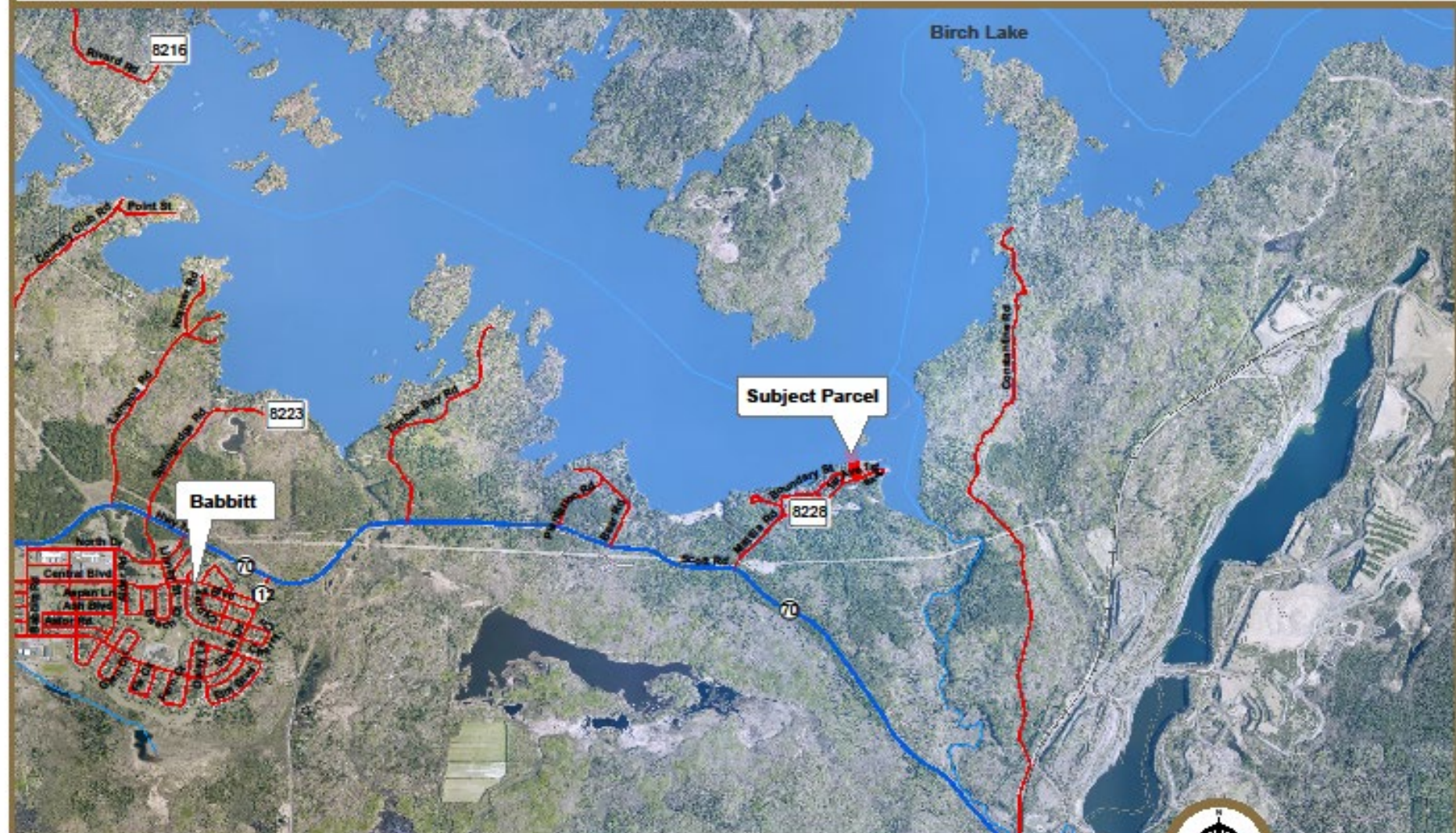
Request



- ▶ Zoning Ordinance 62, Article III, Section 3.2, to allow a principal structure replacement to be located at a reduced property line setback.
- ▶ Zoning Ordinance 62, Article II, Section 2.4, F, to exceed 55 percent lot width facing the lake.

St. Louis County

April BOA Meeting



Prepared By: Planning & Community Development
(218) 725-5000
www.stlouiscountymn.gov

Source: St. Louis County

Map Created: 3/15/2021

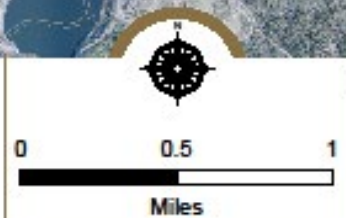
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Gary Drilling Location Map

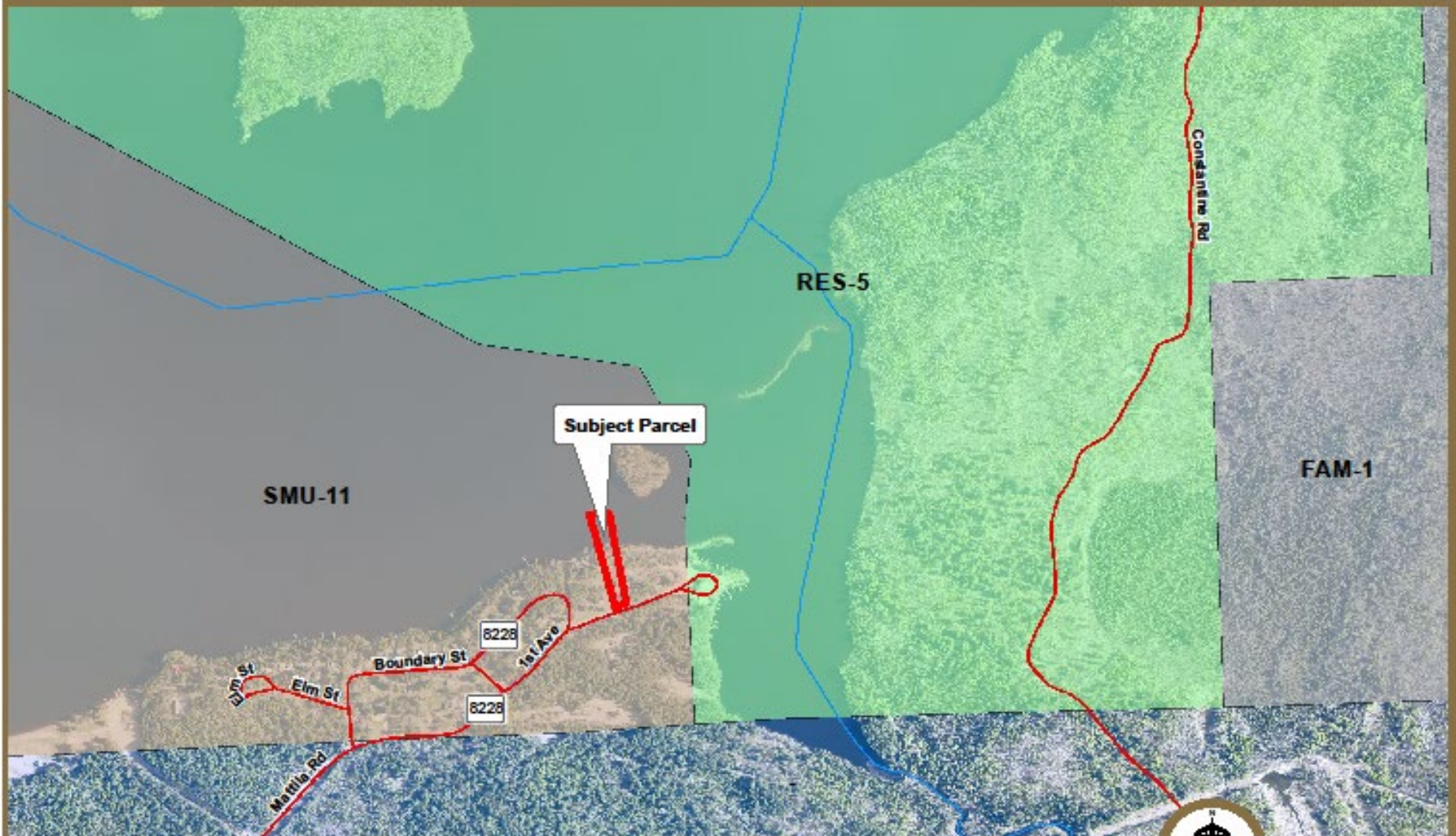
PIN:610-0021-00030



St. Louis County MN

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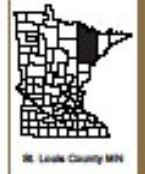
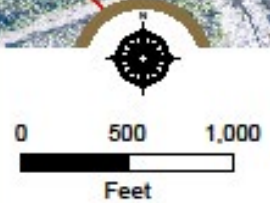
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Gary Drilling

Zoning Map

PIN:610-0021-00030



St. Louis County MN

Lake ID: 69000300
BIRCH LAKE RESERVOIR
Class: RD



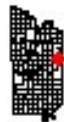
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Team Credits: Planning, Land, Public Works, 911

Source: St. Louis County, DNR

Map Created: 8/15/2019

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Site/Elevation

610-0021-00030



0 40 80 120
Feet



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Proposal



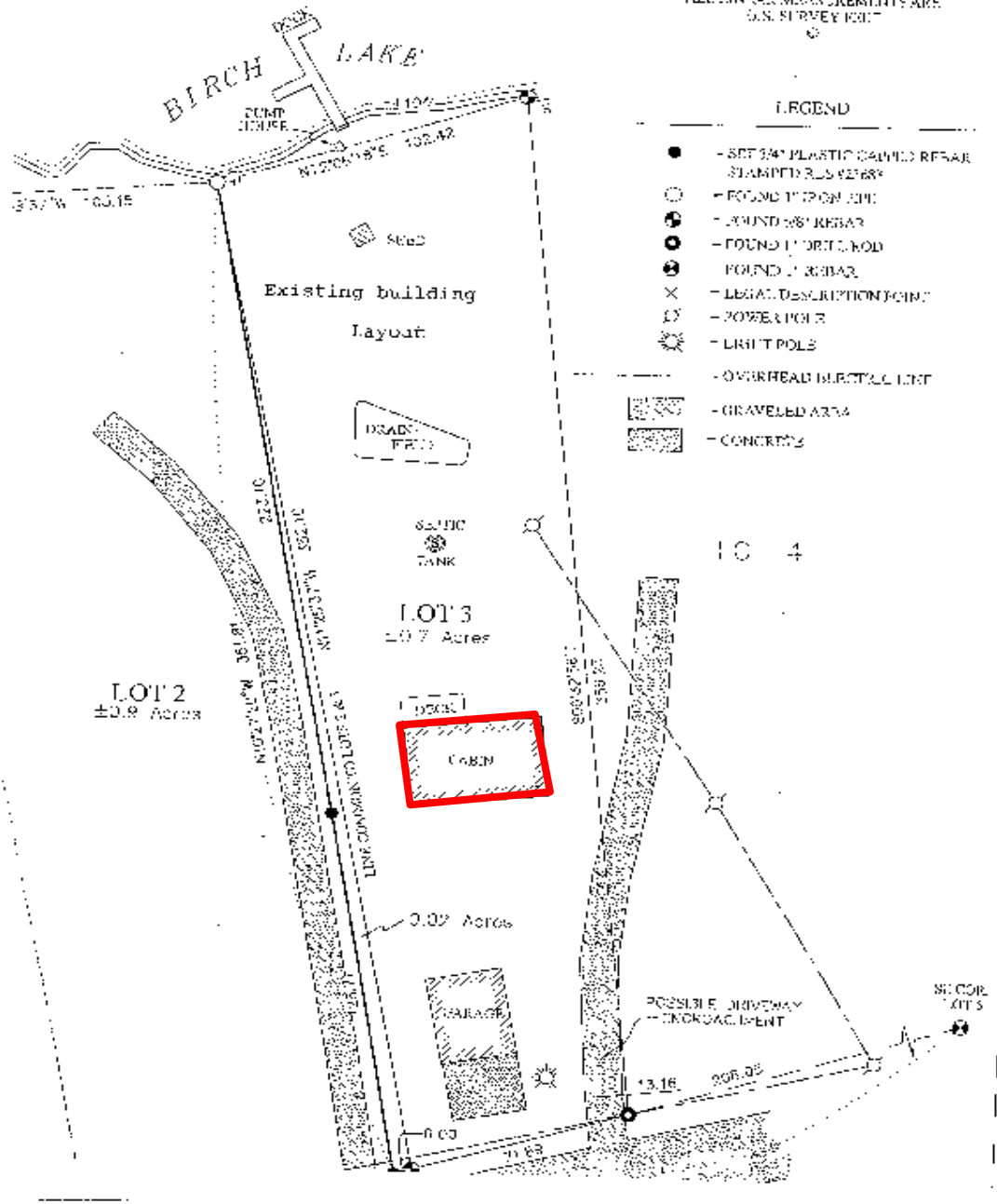
- ▶ The applicant is proposing to replace an existing 1,232 square foot dwelling with a 2,444 square foot dwelling.
- ▶ The proposed dwelling will be located 10 feet from property lines where a 15 foot setback is required and will exceed 55 percent lot width facing the lake.
- ▶ The existing dwelling conforms to both setback and lot width requirements.



Proposal



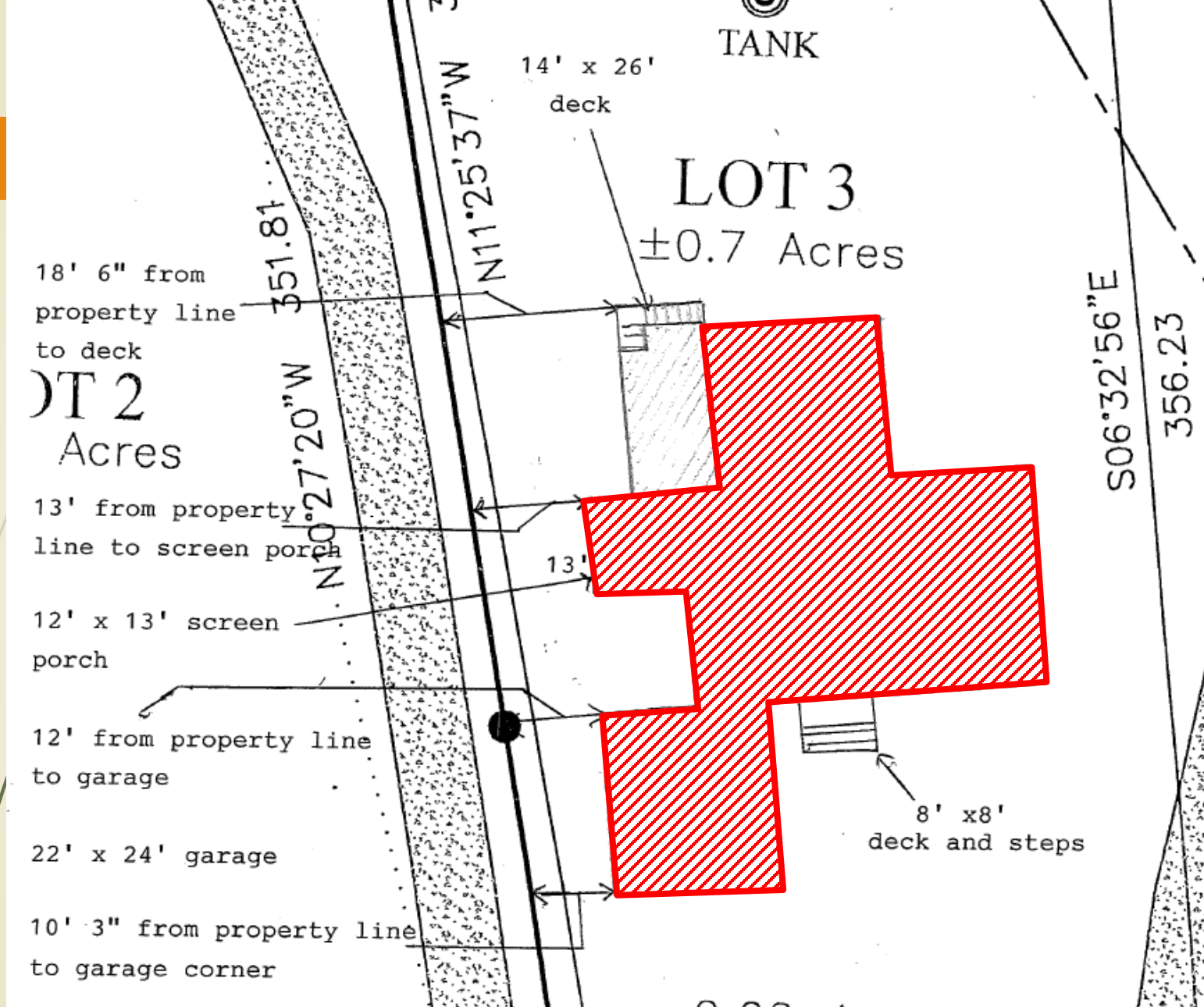
- ▶ In 2019, the applicant was granted a variance to allow additions to the existing dwelling and to exceed 55 percent lot width facing the lake.
- ▶ The applicant is now requesting to remove and replace the existing dwelling with a configuration similar to the approved 2019 variance.



LEGEND

- - SET 3/4" PLASTIC GALVANIZED REBAR STAMPTED RLS 42689
- - FOUND 1" 20# REBAR
- ⊙ - FOUND 1/2" 10# REBAR
- ⊙ - FOUND 1" 10# REBAR
- ⊙ - FOUND 1" 8# REBAR
- ⊙ - FOUND 1" 6# REBAR
- ⊙ - FOUND 1" 4# REBAR
- ⊙ - LEGAL DESCRIPTION POINT
- ⊙ - POWER POLE
- ⊙ - LIGHT POLE
- ⊙ - OVERHEAD BURIED LIGHT
- ▨ - GRAVELED AREA
- ▨ - CONCRETE

Applicant submitted sketch- Existing layout



Proposed replacement dwelling

Existing Dwelling



Roadside of Dwelling



Lakeside of Dwelling




Official Controls

- ▶ Zoning Ordinance 62 requires a 15 foot property line setback within a SMU-11 zone district. The applicant is requesting a 10 foot property line setback.
- ▶ Zoning Ordinance 62 states that structure width facing the lake shall not exceed 55 percent of the lot width when located at a conforming shoreline setback.
- ▶ St. Louis County Comprehensive Land Use Plan states Goal LU-3: Improve the integrity of the county's planning-related regulation by minimizing and improving management of nonconformities.
- ▶ Objective LU-3.1 of the St. Louis County Comprehensive Land Use 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.



Practical Difficulty

- ▶ The existing dwelling conforms to the required property line setback of 15 feet and 55 percent lot width.
- ▶ The parcel is approximately 87 feet wide at the building site; a structure 48 feet wide would be allowed.
- ▶ There are alternatives that would not require a variance:
 - A conforming structure could be re-constructed on the parcel.
 - Additions could be constructed in accordance to the 2019 approved variance.



Essential Character of the Locality

- ▶ The parcel was granted a variance in 1974 from minimum lot width in a W-3 (SMU-11) zone district. The 1974 variance does not indicate the reasoning or approval criteria.
- ▶ The parcel was granted a variance in 2019 to allow additions to the existing dwelling at reduced property line setbacks and to exceed 55 percent lot width facing the lake.



Other Factors

- ▶ The existing dwelling conforms to Ordinance requirements.
- ▶ There is space on the parcel to construct a conforming dwelling since the applicant is now requesting a replacement structure.
- ▶ This is an opportunity to bring the parcel into compliance.





Other Factors

- ▶ 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.
- ▶ The applicant has not met the burden of demonstrating a practical difficulty as proposed due to the fact that there is suitable area for a structure to meet ordinance requirements.
- ▶ The applicant was approved a Land Use Permit in 2019 to construct a 60 foot by 32 foot accessory structure on a nearby parcel.



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?
- 



RECOMMENDED CONDITIONS, IF APPROVED

- ▶ In the event that the Board of Adjustment determines that the proposal meets the criteria for granting a variance to allow a principal structure replacement to be located at a reduced property line setback and to exceed 55 percent lot width facing the lake, the following conditions shall apply:
 1. The stormwater runoff from the proposed structure shall not directly discharge into the lake or on adjacent lots.
 2. The 2019 variance shall be revoked.



Correspondence






Questions?



BOA





Questions?



Public

