



ST. LOUIS COUNTY BOARD OF ADJUSTMENT STAFF REPORT

Case: 6250

INSPECTION DATE: 3/23/21

REPORT DATE: 3/22/21

MEETING DATE: 4/8/21

APPLICANT INFORMATION

APPLICANT NAME: Thomas Burandt

APPLICANT ADDRESS: 1268 Walsh Road, Ely, MN 55731

OWNER NAME:
(IF DIFFERENT THAN ABOVE)

SITE ADDRESS: 1268 Walsh Road, Ely, MN 55731

LEGAL DESCRIPTION: LOT 18 INC PART OF VAC LOWER ROLAND RD ADJ, Sunshine Beach, S34, T62N, R14W
(Eagles Nest)

PARCEL IDENTIFICATION NUMBER (PIN): 317-0190-00180

VARIANCE REQUEST: The applicant is requesting relief from St. Louis County Zoning Ordinance 62, Article IV, Section 4.3, D., to allow an addition to a nonconforming principal structure that will exceed square footage allowed.

PROPOSAL DETAILS: The applicant is proposing to construct a 304 square foot addition to the side of a nonconforming dwelling. The existing dwelling is nonconforming to the shoreline setback at a distance of 45 feet where a 100 foot shoreline setback is required. The height of the structure may increase slightly from the existing height of approximately 22 feet.

PARCEL AND SITE INFORMATION

ROAD ACCESS NAME/NUMBER: Walsh Rd/989

ROAD FUNCTIONAL CLASS: Local

LAKE NAME: Eagles Nest Lake #3

LAKE CLASSIFICATION: RD

RIVER NAME: N/A

RIVER CLASSIFICATION: N/A

DESCRIPTION OF DEVELOPMENT ON PARCEL: There is currently a dwelling, garage, shed, and septic system on the parcel.

ZONE DISTRICT: SMU 7

PARCEL ACREAGE: 2 ACRES

LOT WIDTH AT BUILDING SITE: 185 FEET

FEET OF ROAD FRONTAGE: 450 FEET

FEET OF SHORELINE FRONTAGE: Approx. 133 FEET

PARCEL AND SITE INFORMATION

VEGETATIVE COVER/SCREENING: The parcel has good screening from the lake, road, and neighboring properties.

TOPOGRAPHY: The parcel has an approximate elevation change of 26 feet.

FLOODPLAIN ISSUES: N/A

WETLAND ISSUES: N/A

FACTS AND FINDINGS

A. Official Controls:

1. St. Louis County Zoning Ordinance 62 allows up to a 200 square foot addition for a nonconforming principal dwelling located between 25 feet and the shore impact zone. The applicant is requesting a 304 square foot addition.
2. Goal LU-3 of the St. Louis County Comprehensive Land Use Plan is to improve the integrity of the county's planning-related regulation by minimizing and improving management of nonconformities.
3. 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 applicants are treated equitably, that community health and safety is protected, and that the overall character of a given area is preserved.

B. Practical Difficulty:

1. In 2003 a variance was approved on the parcel to allow a third story addition to the existing two-story nonconforming structure with a total height of 32 feet.
2. There are alternatives that do not require a variance:
 - a. The structure would be allowed an addition up to 200 square feet through a performance standard permit.
 - b. Construct an addition that conforms to the approved 2003 variance.

C. Essential Character of the Locality:

1. There has been one variance already approved on the parcel in 2003.
2. The plat of Sunshine Beach was created in 1951.

D. Other Factor(s):

1. Due to the existing structure location on the parcel any additions will be limited to 200 square feet.

NOTE TO PLANNERS-Add as 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?**

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 an addition to a nonconforming principal structure that will exceed square footage allowed, the following conditions shall apply:

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.
3. The previous variance from 2003 shall be revoked or limited to a height of 25 feet as allowed within the shore impact zone for nonconforming principal structures.

Land Use Permit

APPLICATION St. Louis County, Minnesota

Permit #

Permit #

About: This application is used to apply for a Land Use Permit. Applicants will need to attach the appropriate worksheet(s) in order to process. For more information, see our website at: www.stlouiscountymn.gov/land-use

PROPERTY IDENTIFICATION NUMBER (PIN) *PIN is found on your Property Tax Statement*

[illegible]

E.g. 123-1234-12345. Primary PIN: Parcel where Structure/SSTS are located. Associated PIN: Additional and/or adjacent property that you own or that is related to the project.
County Land Explorer: <https://gis.stlouiscountymn.gov/landexplorer/> Property Lookup: <http://apps.stlouiscountymn.gov/auditor/parcelInfo20051frame/>

APPLICANT

*Applicant Name Thomas Burandt		I am a... <input checked="" type="checkbox"/> Contractor <input checked="" type="checkbox"/> Homeowner <input type="checkbox"/> Other		*Daytime # 612-251-0453		Date 3/2/2021	
*Applicant Address <i>Where to send permit.</i> 1268 Walsh Road				*City Ely		*State MN	
						*ZIP 55731	
Applicant Email tomallan123@yahoo.com							
Contact Person <i>If applicable.</i>				Contact Person #			
Mailing Address <i>If different than above.</i>				City		State	
						ZIP	
Email Address <i>Where to email permit. Providing an email address will expedite the time in which a permit is received by an applicant.</i> tomallan123@yahoo.com							

SITE INFORMATION

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> 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:		
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	*Is this leased property? If yes, leased from: <input type="checkbox"/> MN Power <input type="checkbox"/> MN DNR <input type="checkbox"/> US Forest Service <input type="checkbox"/> St Louis County <input type="checkbox"/> Other
<input type="checkbox"/> Yes	<input type="checkbox"/> No	*Do you have written authorization from the leased property owner? If yes, you must attach written authorization form.
*How is the property accessed? <input checked="" type="checkbox"/> Public Road <input type="checkbox"/> Private Road <input type="checkbox"/> Easement <input type="checkbox"/> Water <input type="checkbox"/> Other		

PROJECT INFORMATION

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	*Is this project on a parcel less than 2.5 acres?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	*Is this project within 300 feet of a stream/river or 1,000 feet of a lake?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	*Is this project adding a bedroom? Include home, garage, & accessory dwelling.
#	2	*Total # of bedrooms on property after project completion. Include home, garage, & accessory dwelling.
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	*Does this project include plumbing or pressurized water in proposed structure? If yes, please explain:
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	*Is the property connected to a municipal or sanitary district system?

RECEIVED

MAR 08 2021

BY: _____

If you answered "Yes" to any of the project information questions above, it is required that you submit a copy of a septic permit to construct or certificate of compliance approval or municipal/sanitary district approval when applying for a land use permit.

AGREEMENT

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 falsification 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 APPLYING FOR Check all that apply to the project. **PLEASE MAKE CHECKS TO: ST. LOUIS COUNTY AUDITOR**

#1 New Buildings Less than/equal to 1,200 square feet-\$160 Greater than 1,200 square feet-\$315

☐ Dwelling-Home, Mobile Home, Hunting Shack, or Cabin. (Includes attached deck, if applicable.)

☐ Replacement of Existing Dwelling-Home, Mobile Home, Hunting Shack, or Cabin. Will the old dwelling be removed from the property? ☐ Yes ☐ No

If yes, an affidavit must be filled out stating when the old dwelling will be removed.

If this dwelling is a mobile home, there is a special mobile home affidavit to be filled out.

☐ Accessory Dwelling-Guest cottage or bunkhouse. Must follow administrative standards.

☐ Accessory Structure- Garage, Pole Building, shed, sauna, screenhouse or gazebo that either meets lake or river setback or not located in a shoreland area.

☐ Water-oriented Accessory Structure-Boathouse, Sauna, Screenhouse/gazebo on a lake or river located at reduced shoreline setback. Must follow administrative standards.

☐ Commercial Structure
☐ Other Principal Structure

#2 Other Construction/Change in Use-\$80

☒ Addition(s) to Dwelling
Is the dwelling location on a lake or river? ☒ Yes ☐ No
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 permit or variance may be required. See box #4 or #7.

☐ Addition(s) to Accessory Structure
☐ New Deck Only or Deck Replacement
☐ Combination Addition(s) & Deck on the same structure
☐ Moving a Structure
☐ Sign
☐ Structure Alteration or Component Replacement
☐ Change in Use (i.e. converting an old cabin to storage)

What will the new use of the structure be?
Explain the current and proposed use.
Current: _____ Proposed: _____

Other-\$55

☐ Permit extension beyond 2 years

#3 Subdivisions/Parcel Reviews Additional Worksheets Required

☐ Plat-Minor Subdivision-\$630
☐ Conventional Plat-Less than or equal to 3 lots-\$630
☐ Conventional Plat-Greater than 3 Lots-\$1,260
☐ Conservation Plat-\$1,260
☐ Lot Line Adjustment-\$80
☐ Parcel Review-\$80
☐ Performance Standard Subdivision-\$370

#4 Performance Standard-\$370 Additional Worksheets Required

☐ Borrow/Gravel Pit
☐ Home Business
☐ Land Alteration
☐ Nonconforming Structure Replacement
☐ Addition to a structure that does not meet shoreline setback
☐ Other

#5 Site Evaluation Site Visit/Evaluation-\$160

#6 Wetland Reviews Additional Worksheets Required

☐ No Loss/Exemption/Replacement Plan-\$160
☐ Wetland Delineation Review-\$370
☐ Wetland Banking Plan Review-\$1,100

#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-\$630
☐ Interim Use Permit Rehearing-\$200
☐ General Purpose Borrow Pit-\$630
☐ Variance-\$630
☐ Variance Rehearing-\$200
☐ Multiple Hearing (Variance/conditional use)-\$950

TYPE OF PROPOSED STRUCTURES

Check all that apply to the project.

<input type="checkbox"/> New Structure(s)	*Structure Type (Same as box #1 or 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)
			Feet	Feet	Sq. ft.	Feet
			Feet	Feet	Sq. ft.	Feet
			Feet	Feet	Sq. ft.	Feet
<input checked="" type="checkbox"/> 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)
	Existing	Basement	36 Feet	22 Feet	792 Sq. ft.	22 Feet
	New		12 Feet	20 Feet	240 Sq. ft.	22 Feet
			Feet	Feet	Sq. ft.	Feet

*Indicates required field. Incomplete applications will be returned.

CONTACT: Planning and Community Development Department

Technical Assistance
Toll Free: 1-800-450-9777
Land Use Information
www.stlouiscountymn.gov/land-use

Duluth
Government Services Center
320 West 2nd Street, Suite 301
Duluth, MN 55802
(218) 725-5000

Virginia
Government Services Center
201 South 3rd Avenue West
Virginia, MN 55792
(218) 749-7103

Office Use Only

Receipt # _____
Receipt Date _____
Payment Amount _____
Paid By _____



Variance

Worksheet St. Louis County, Minnesota

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 properties.

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)

Burandt, Thomas

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?

Existing residential home is approximately 45 feet from water. Would like to add an addition of 304 sq. ft. because of existing set back max allowed is 200 sq. ft. Property already has a variance to add second floor but homeowners are 71 and 72 years old and would like to minimize the number of stairs if this variance is approved. Homeowners would be willing to vacate variance that was approved in 2003 and never built.

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

This will be homeowners year round single family residential home.

3. Describe the current use of your property.

Single family residential.

4. Describe other alternatives, if any.

Would be to comply with variance approved in 2003.

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

This would only add 12' x 16' to the lakeside of the property and would have minimal impact on neighbors. Lot is approximately 2 acres and 150' of shoreline.

6. Describe how neighboring properties and the use of those properties will be impacted by the proposed use with the variance .

There should be no impact on neighbors property.

7. Describe how negative impact to the local environment and landscape will be avoided.

Home shall have neutral siding and roof. Minimal vegetation will be removed.

8. Describe the expected benefits of a variance to use of this property.

Homeowners will have a second bathroom and not necessary to climb extra stairs by not having to add 2nd floor. The cost of addition will be much less.

9. Include additional comments that will clarify your request for the Planning and Community Development staff members and the Board of Adjustment.

Homeowners are willing to vacate existing variance and would have less impact on shoreline view by not adding 2nd floor.

OFFICE USE ONLY

Principal Structures	Principal Structure Additions	Accessory Structures	Accessory Structures Additions	Other
<input type="checkbox"/> Shoreline Setback <input type="checkbox"/> Property Line Setback <input type="checkbox"/> Lot Width <input type="checkbox"/> Height Limit <input type="checkbox"/> 40% of Lot Width <input type="checkbox"/> 55% of Lot Width <input type="checkbox"/> Bluff <input type="checkbox"/> 2nd Principal Structure <input type="checkbox"/> % Lot Coverage <input type="checkbox"/> Road Centerline Setback <input type="checkbox"/> Road Right-of-Way Setback <input type="checkbox"/> Lot width and/or Area	<input type="checkbox"/> Shoreline Setback <input type="checkbox"/> Road Centerline Setback <input type="checkbox"/> Road Right-of-Way Setback <input type="checkbox"/> Property Line Setback <input type="checkbox"/> One Addition Allowed <input type="checkbox"/> Allowable Size Exceeded <input type="checkbox"/> 40% of Lot Width <input type="checkbox"/> 55% of Lot Width <input type="checkbox"/> Height Limit <input type="checkbox"/> Foundation from Lake <input type="checkbox"/> Lot width and/or Area	<input type="checkbox"/> Shoreline Setback <input type="checkbox"/> Road Centerline Setback <input type="checkbox"/> Road Right-of-Way Setback <input type="checkbox"/> Property Line Setback <input type="checkbox"/> Lot Width and/or Area <input type="checkbox"/> Height Limit <input type="checkbox"/> Allowable Size Exceeded <input type="checkbox"/> Bluff	<input type="checkbox"/> Shoreline Setback <input type="checkbox"/> Road Centerline Setback <input type="checkbox"/> Road Right-of-Way Setback <input type="checkbox"/> Property Line Setback <input type="checkbox"/> Allowable Size Exceeded <input type="checkbox"/> Height Limit <input type="checkbox"/> Lot width and/or Area	<input type="checkbox"/> Subdivision Plat <input type="checkbox"/> Exceeding Lot Coverage <input type="checkbox"/> Exceeding Maximum Buildable Area <input type="checkbox"/> Other Standard Not Listed (Explain below)

CONTACT: Planning and Community Development Department

Technical Assistance

Toll Free: 1-800-450-9777
Land Use Information
www.stlouiscountymn.gov/land-use

Duluth

Government Services Center
320 West 2nd Street,
Suite 301
Duluth, MN 55802
(218) 725-5000

Virginia

Government Services Center
201 South 3rd Avenue West
Virginia, MN 55792
(218) 749-7103

Office Use Only

Receipt # _____

Receipt Date _____

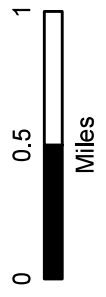
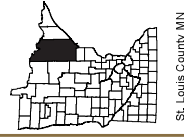
Payment Amount _____

Paid By _____



St. Louis County

April BOA Meeting



Thomas Burandt Location Map PIN:317-0190-00180



Prepared By: **Planning & Community Development**
(216) 723-5000
www.stlouiscountymn.gov

Source: St. Louis County

Map Created: 3/8/2021

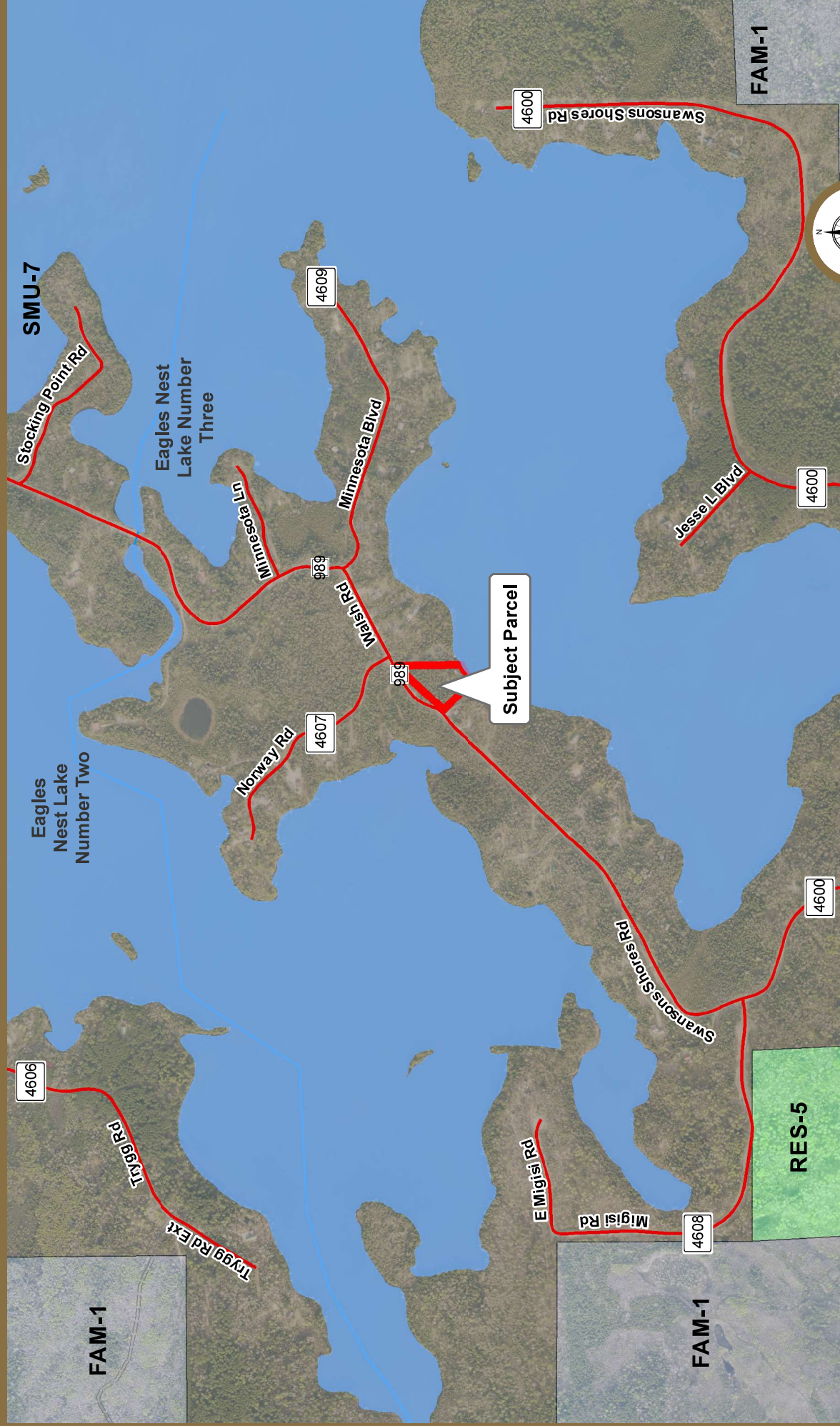
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St. Louis County

April BOA Meeting



Thomas Burandt
Zoning Map
PIN:317-0190-00180

RES-5

FAM-1

SMU-7

FAM-1

Subject Parcel

Swansons Shores Rd

Jesse L Blvd

Minnesota Blvd

Walsh Rd

Norway Rd

Minnesota Ln

Stocking Point Rd

Eagles Nest Lake Number Two

Eagles Nest Lake Number Three

Ty99 Rd Ext

Ty99 Rd

E Migisi Rd

Migisi Rd

4606

4607

4608

4609

4600

0 600 1,200 Feet

St. Louis County MN

Planning & Community Development
(218) 723-5000
www.stlouiscountymn.gov

Source: St. Louis County

Map Created: 3/8/2021

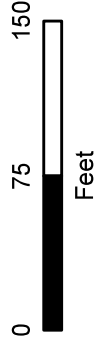
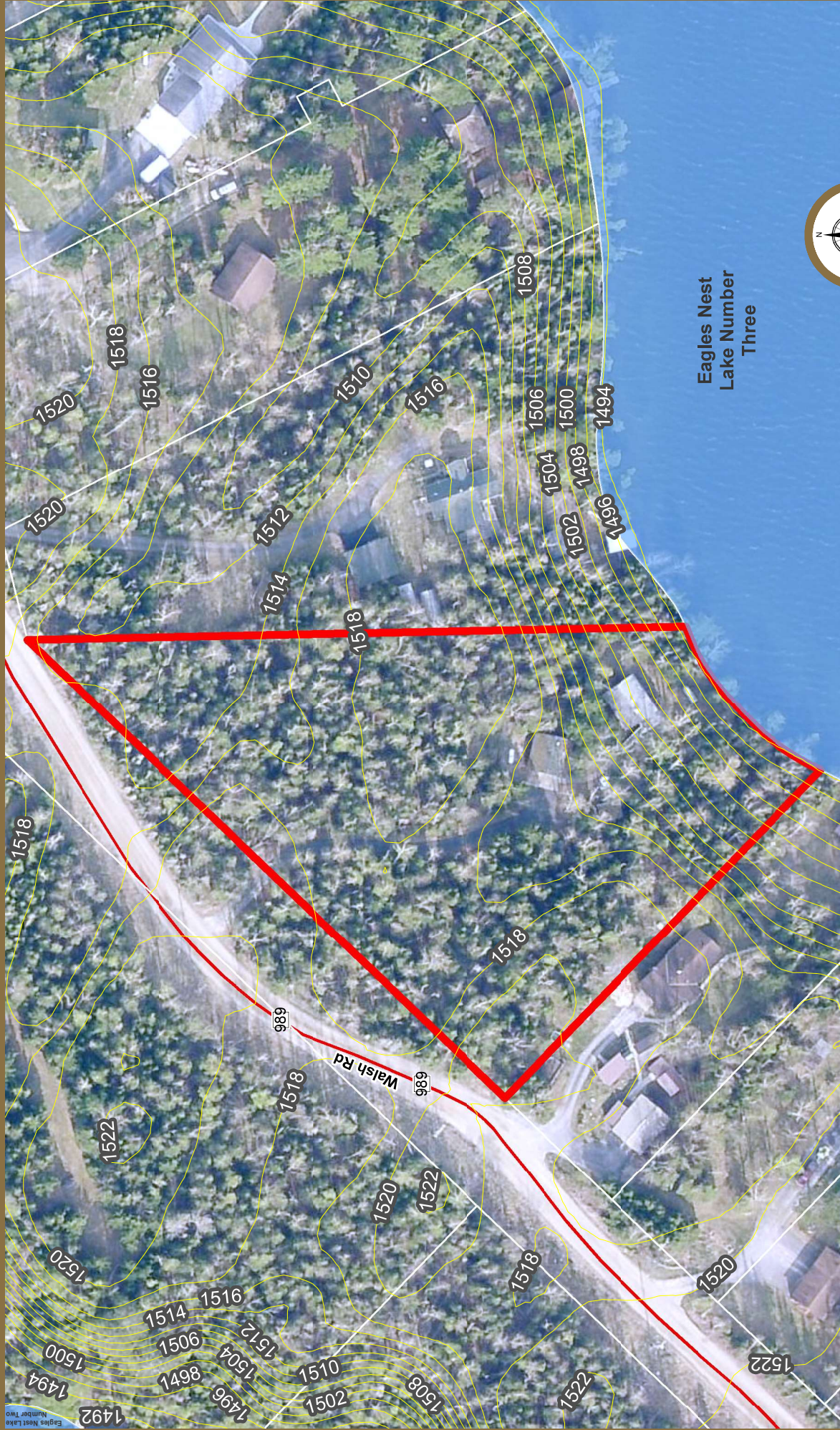
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St. Louis County

April BOA Meeting



Thomas Burandt

Site/Elevation Map
PIN:317-0190-00180



Prepared By: **Planning & Community Development**
(216) 723-8000
www.stlouiscountymn.gov

Source: St. Louis County

Map Created: 3/22/2021

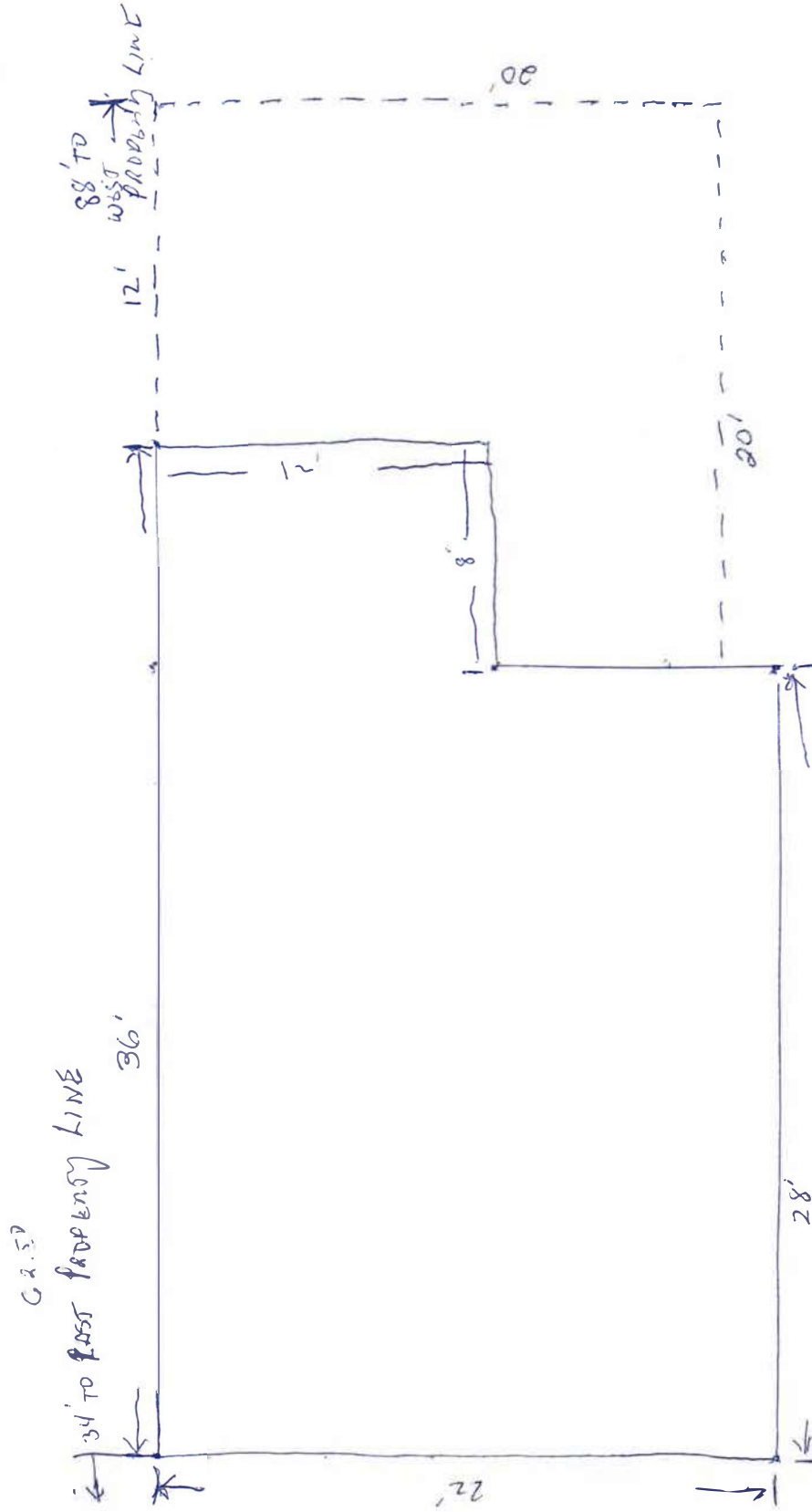
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1268 WALSH RD ELY
45' FROM LAKE

304 total ADDITION 6450 + 2400
712 SQ EXISTING 616 + 96

EXISTING STRUCTURE
--- ADDITION



753710

Office of the
Registrar of Titles
St. Louis County, Minnesota
Certified Filed on
Jul 08, 2003 at 11:49AM as
Document No. 753710.0
Affecting Certificate(s) of Title
269489.0
Mark A. Monacelli
Registrar of Titles
By D Ide Deputy
TFR 132535



DO NOT REMOVE

**ST. LOUIS COUNTY BOARD OF ADJUSTMENT
FINDINGS OF FACT, CONCLUSIONS AND DECISION**

Inspection Date: March 21, 2003

Report Date: March 28, 2003

Meeting Date: April 15, 2003

Report By: Jim Plummer

Case #4976

APPLICANT: Robert Schmiede
5025 - 12th Avenue South
Minneapolis, MN 55417

SITE ADDRESS: 1268 Walsh Road, Ely, MN

LEGAL DESCRIPTION: Lot 18, Sunshine Beach Plat, Section 34, Township 62, Range 14
(Eagles Nest Twp).

VARIANCE REQUEST: Mr. Schmiede is requesting a variance from Zoning Ordinance 46, Article IV, Section 3.02, to construct a third-story addition to an existing two-story nonconforming structure, where an increase in height is limited to 2 feet by ordinance. The proposed height increase is 8.5 feet.

PROPOSAL DETAILS:

GENERAL LAND USE:

Location of Property - 14 miles west of the City of Ely.

Road access and functional class - Walsh Road.

Watershed or Lake Name - Eagles Nest #3.

Shoreland Classification - Recreational Development

Zone District - SMU-7

Description of development in the area - Moderate density lakefront development.

Development trends, if any - None noted.

Return to
SLC Planning Dept
TFR # 132535
Cash Chg NC

SITE SPECIFICS:

Acres in development - Approximately 3 acres.

Frontage on road, lake etc. - Approximately 133 feet at the shore.

Topography - There is a 15% slope where the existing structure exists.

Vegetative cover - Well vegetated between structure and shore.

Wetland issues - None.

Flood plain issues - None.

Existing development on the property - 792 square foot dwelling, with a walk-out basement, garage and 2 sheds.

TESTIMONY AT APRIL 15, 2003, HEARING: Robert Schmiede was present.

James Plummer, Planner, presented the case to the Board. Stated the structure would be 45 feet from the lakeshore where 100 feet is required. By using dormers, applicant is really keeping the height down; it is an efficient design. Very good screening exists from the lake. Wants to see at least all existing vegetation maintained.

Tyler Lampella, Health Department, stated septic contractor checked the site. No issues with sewage treatment system.

Robert Schmiede stated he wants to improve the house with minimum impact. Of all the houses in the bay, his is the most concealed. The color will be earth tones.

David Goehring, Architect from Minneapolis, was also present to answer any questions.

CORRESPONDENCE: None.

CONCLUSIONS (based on St Louis Co. Zoning Ordinance 46 criteria for approving variances):

Is the variance in harmony with the general purposes and intent of the Ordinance? Only in the sense that they are not expanding the footprint, which is modest in size (792 square feet). They have also attempted to keep the overall height of the structure down by using dormers opposed to a full story with a roof on top.

Is there practical difficulty or particular hardship? - The practical difficulty is that the existing structure is a substantial building that is in good shape, and has a permanent foundation.

Are there alternatives that can be pursued to avoid the need for variance? - Yes, additions to the rear (i.e. 368 square feet) or side (i.e. 138 square feet) would be allowed.

Are the terms of the variance consistent with the comprehensive plan? - There is no plan for this area.

What is the degree to which the applicant seeks to vary from the ordinance? - The increase in height would be 8.5 feet, where 2 feet is allowed.

What is the degree of harm that will be imposed on the surrounding area if the variance is granted? - Greater visual impact from the lake.

Is the difficulty self-imposed? - Yes.

753710

RECOMMENDATION: Staff recommends approval of the variance with the following conditions:

1. Existing vegetation will be maintained or enhanced within 50 feet of the lake.
2. Earth-tone colors will be used for the siding, trim and roof.
3. A new septic system will be installed prior to the permit being issued.

DECISION:

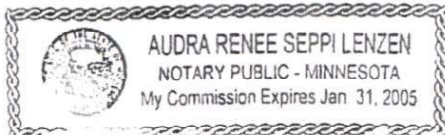
Motion by Harris/Rogich to approve a variance to construct a third-story addition to an existing two-story nonconforming structure resulting in an overall structure height of 32 feet. The structure is 45 feet from lakeshore where 100 feet is required. The following conditions apply:

1. Existing vegetation will be maintained or enhanced within 50 feet of the lake.
2. Earth-tone colors will be used for the siding, trim and roof.
3. A new septic system will be installed prior to the permit being issued.

In favor: Harris/Rogich/Hill/Grubich/Prinkkila/Mueller - 6

Opposed: None - 0 Carried 6-0.

BY ORDER OF THE ST. LOUIS COUNTY BOARD OF ADJUSTMENT



Donald M. Grubich
Chair

Mary McKay
Secretary

Subscribed to and sworn to before me on
this 13 day of May, 2003.

Audra Renee Seppi Lenzen
Notary Public

Recorded pursuant to MN Statutes 394.27, Subd. 8

Upon receipt of this Decision and prior to construction, a Land Use Permit must be obtained.



APPLICATION FOR VARIANCE

Permit #

Please carefully complete (PRINT) this application according to the instructions. Failure to fill in all of the required information may result in a delay of processing your application. A fee of \$450.00 made payable to St. Louis County Auditor must accompany this application.

Name of Applicant:

Schmieg
Goehring Architects LLC, David Goehring, AIA

Mailing Address:

275 Market Street Studio 565
Minneapolis, MN. 55450

Phone Number:

Work (612) 333-5600 Home —

Site Address:

1268 Walsh Road Ely, MN. 55731-8029

Primary
Access Road:

Walsh Road

PROPERTY DATA

Please print out the entire legal description, or attach a photocopy. The legal description can be found on the deed, abstract, or property tax statement.

Legal

Description: Lot 18 Sunshine Beach Platte

Parcel Code: 317-190-180

Section # 34 Township # 62 Range # 14

Shoreland Frontage? ☒ YES ☐ NO

Name of Lake/River/Stream: Eagles Nest Lake #3

What is your lot width at the shoreline? 150 ft.

Property size: Width at building site _____ ft. Depth 300 ft. 500 \pm 3 acres

Ownership: Private ☒ Public _____ Leased from: _____

List all existing structures and their dimensions: House 36'x22', Detached Garage 24'x22',
(2) Sheds at 12'x8', and (1) shed at 8'x8'

Has there been any construction on your property since 1972? YES ☒ NO ☐ If yes, list. _____

Number of existing bedrooms: 3

Goehring Architects LLC

Via Fax and US Mail

James B. Plummer, Saint Louis County Planning Department
Northland Office Center, East Wing
307 1st Street South
Virginia, MN 55792-2696

Re: Variance for Schmiede Residence, Ely, MN

May 5, 2003

Dear Jim:

The purpose of this letter is to clarify the discrepancy for our project's variance finding. During a telephone conversation we had on March 31st, as we discussed the particulars of the project, I stated the change in roof height would be approximately 8.5 feet. As it turns out, our information was not accurate, as at the time I was measuring an earlier preliminary drawing, not the actual drawing we had submitted. This was an unintentional error on my part and was not meant in anyway to misrepresent the intention of the project.

Fortunately, the balance of the project submittal, including all designs and drawings, written statements and data is in fact accurate and represented with a high degree of accuracy. We respectfully request that you again consider our same submission as originally approved, less the restriction of 8.5 feet roof height increase. It appears the actual required increase would be 10.5 feet, the minimum height necessary to build an appropriate second floor to the existing structure, short of a flat roof structure.

Again, I would like to apologize for any inconvenience this matter has caused you and the Board of Adjustment. Thank you in advance for your assistance and I look forward to seeing you next Tuesday. If you have any questions, comments or additional information you need prior to the meeting, please do not hesitate to contact me directly.

Sincerely:

David Goehring, AIA
Principal Goehring Architects LLC

cc Robert and Lois Schmiede

Studio 565
International Market Square
275 Market Street
Minneapolis MN 55405
612.333.5600
612.333.5601 fax
www.GOMAstudio.com

FILE COPY

Goehring

Via Fax and US Mail

James B. Plummer, Saint Louis County Planning Department
Northland Office Center, East Wing
307 1st Street South
Virginia, MN 55792-2696

Re: Variance for Schmiede Residence, Ely, MN

May 5, 2003

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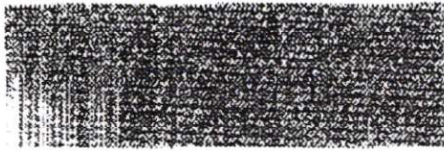
Sincerely:



David Goehring, AIA
Principal Goehring Architects LLC

cc Robert and Lois Schmiede

Studio 565
Intercontinental Market Square
275 Market Street
Minneapolis, MN 55405
612 333 5600
612 333 5601 fax
www.GOMAstudio.com



Goehring Architects LLC

F A X T R A N S M I T T A L

to: Jim Plummer
company: St. Louis Co. Planning Department
re: 1.218.749.0628 0623
subject: Schmiede Residence, Ely, MN

from: David Goehring, AIA
cc:
date: May 5, 2003
pages: 2 including cover

comments:

(1 of 1) Letter for variance modification, dated 5.05.03.

Jim:

Here is the letter we discussed for your use. Let me know, if you have any comments.

Thanks

David

**Individual Sewage Treatment System
Permit to Construct**

Site: ROBERT SCHMIEGE
Address: 1268 WALSH RD
ELY, MN 55731

SCHMIEGE ROBERT A & LOIS R
5025 12TH AVE S
MINNEAPOLIS MN 55417

Permit Number: 11472
Date of Permit: 04/18/2003
Permit expires on: 04/18/2005
Parcel Code: 317-190-180
Township: EAGLES NEST (6214)
Designer:
LOW IMPACT EXCAVATORS, INC.

Legal Description:

LOT 18 INC PART OF VAC LOWER ROLAND RD ADJ

Sewage Treatment System plans for the following system meet the minimum standards of St. Louis County Ordinance No: 55. All sewage treatment system construction must be done in accordance with St. Louis County Ordinance No: 55.

The system was sized for a Single Family Dwelling with 3 Bedrooms.

The permit was granted for:

A Replacement Standard System

ONE 1,000 Gallon Septic Tank(s) and ONE 1,000 Gallon Additional Tank(s)

ONE 500 Gallon Pump Chamber(s)

System consists of 56 Feet of 8 Foot wide Seepagebed with a total of 12 Inches of Rock

Comments:

IF YOU ENCOUNTER ANY UNFORSEEN PROBLEM SUCH AS HIGH WATER TABLE, LEDGE ROCK, CHANGE IN SOIL CONDITIONS, OR CHANGES TO THE SYSTEM OR ITS LOCATION, YOU MUST OBTAIN APPROVAL FROM THE HEALTH DEPARTMENT BEFORE CONTINUING WITH THE CONSTRUCTION OF THE SYSTEM.

FINAL INSPECTION: A final inspection must be made prior to backfilling and must be scheduled a minimum of 24 hours in advance, excluding weekends and holidays. Office hours are 8 a.m. to 4:30 p.m.

DISCLAIMER: St. Louis County issues sewage treatment system permits as part of its discretionary activities on behalf of the public. St. Louis County disavows and assumes no liability for damages to person or property in any manner or form resulting from the issuance of this permit or subsequent authorization to use the system. St. Louis County cannot and does not guarantee successful operation of the system.

****THIS PERMIT IS NOT TRANSFERABLE****

By: _____

JOHN LINDQUIST 218-365-8222

St. Louis County Department of Public Health
118 South 4th Avenue East
Ely, MN 55731



Goehring Architects LLC

LETTER OF TRANSMITTAL

to: Jim Plummer, Planner

from: David Goehring, AIA

company: St. Louis County, Minnesota

date: 2.28.03

cc: Robert and Lois Schmiede

via: Fed Ex Ground

subject: Schmiede Residence at 1268 Walsh Road, Ely, MN

description:

- (1 of 6) 24" x 36" Architectural drawings, dated 2.24.03.
- (1 of 6) 8 1/2" x 11" Architectural drawings, dated 2.24.03.
- (1 of 2) 8 1/2" x 11" Perspectives drawings, dated 2.24.03.
- (1 of 1) photos of existing cabin.
- (1 of 2) Application for Residential Individual Sewage Treatment System (ISTS), dated 2.24.03.
- (1 of 1) Check for \$285, for ISTS.
- (1 of 4) Application for Variance, dated 2.24.03.
- (1 of 1) Check for \$450, for Variance submittal.

Comments:

Dear Jim:

Enclosed are the required materials for our variance submittal. At our request, John Lindquist has agreed in concept to allowing the variance processing to proceed, conditional that the Owner provisionally agrees to an all new septic field system. It is the intention of the Owner to comply 100% with any requirements that will be discovered upon testing in the spring.

Please let me know if there are any additional information required prior to staff review. Thank you in advance for your assistance.

Regards:

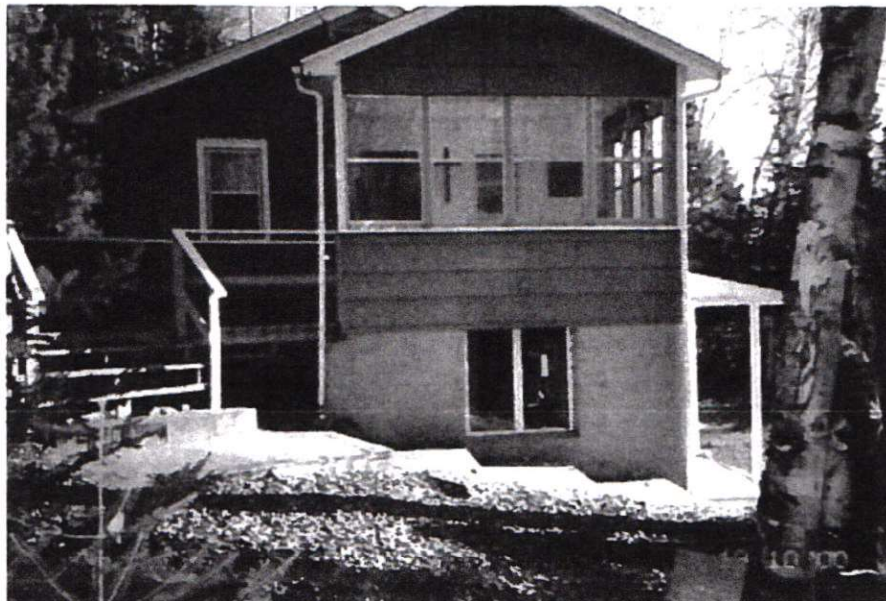
David Goehring

address:

Planning Department, St. Louis County

307 1st Street South

Virginia, MN 55792-2696



1268 WALSH RD.

Studio S&S
 International Marlboro Square
 275 Marlboro Street
 Marlborough, Massachusetts 01405
 Tel 612.333.5400
 Fax 612.333.5401

Robert & Lois Schmiege
5025 12th Avenue South
Minneapolis, MN. 55417

**Schmiege
Residence Remodel**
1268 Walsh Road
Elj, MN. 55731-8029

Preliminary - Plot Post Counts

FEB 24 2003

I should possibly like to take place, my authorisation as expert was granted by me or not as long as I was not involved and that I was a duly registered student not on that list known to the administration.

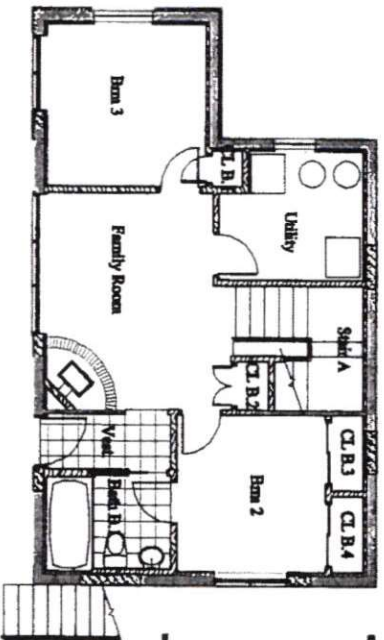
Final Operating Unit	Signature Number
4-100 AS	4-100 DG

Lower Level Floor plan & Demolition

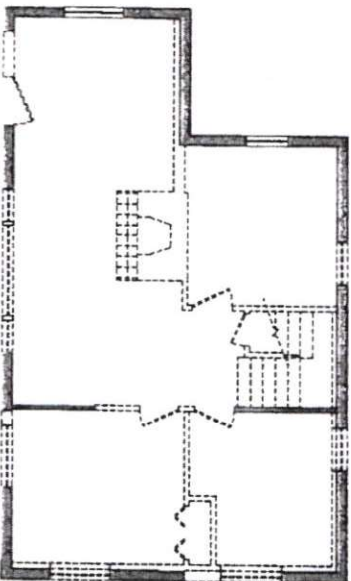
short number

A2.1

02.14
Schnitzger
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1 LOWER LEVEL FLOOR PLAN
1/4" = 1'-0"



2 LOWER LEVEL DEMOLITION PLAN
144" - 1' 6"

NOTE:

1. FOR EXTERIOR ADHESION CERTIFIED
SHOULDER REMOVAL, E.C. IS ALLOWED
TO REMOVE ADHESION BANDS
USING A LAMINATE PAPER POLYMER
SHEET WITH WATER TO REMOVE
FOR MORE INFORMATION CALL THE
POLLUTION CONTROL, 44-757-5445 FOR
REMOVAL GUIDELINES.

LEOBEND

FOR THE YEAR 1990

(U) TO BE DISCLOSED

(U) MAIL

(%) PERCENT

YEAR

11/11/2008

REMOVES CRACKS, HOLE, NITS
REMOVES CRACKS AND HOLE

NO LOSS OF DATA AND RECOVERY

Goehring Architects LLC

Studio M6
10000 Highway 101, Suite 100
7773 Main Street
Minneapolis, Minnesota 55405
Tel: 612.333.5600
Fax: 612.333.5601

Robert & Lisa Schmiege
5025 12th Avenue South
Minneapolis, MN 55417

**Schmiege
Residence Remodel**
1268 Wabash Road
Eliz, MN 55314-0029

Professional - Not For Construction

FEB 24 2003

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly registered professional architect in the State of Minnesota.

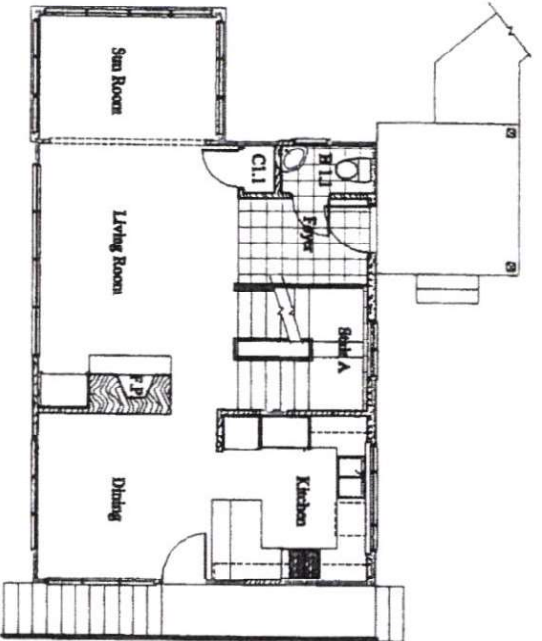
Small Building, All
Area DG
2003

**Main Level
Floor plan &
Demolition**

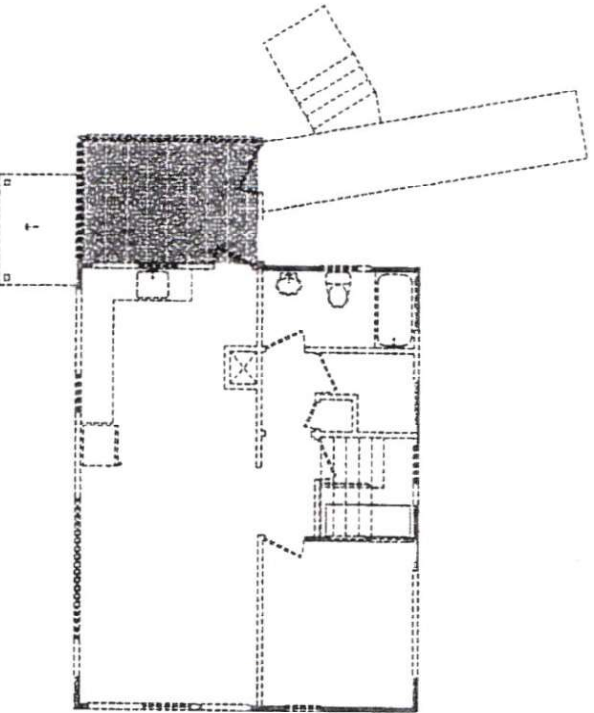


A2.2

02.14
Schmiege
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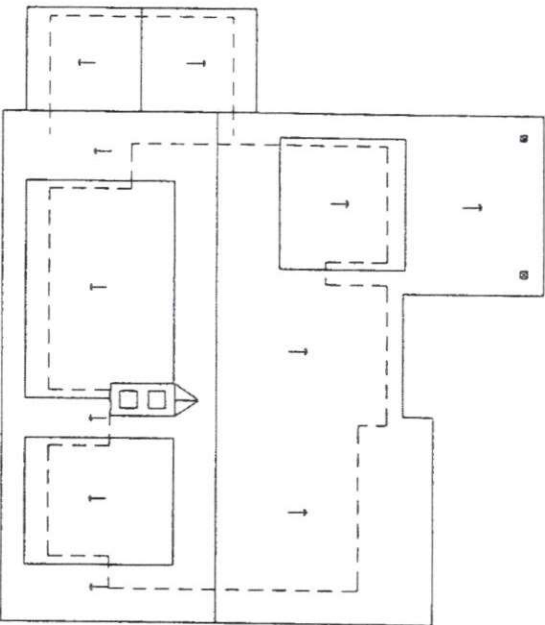
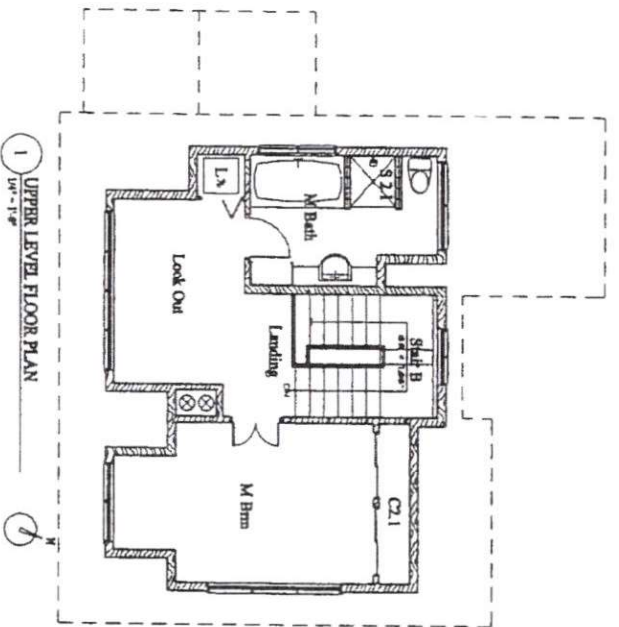


1 MAIN LEVEL FLOOR PLAN
1/8" = 1'-0"



2 MAIN LEVEL DEMOLITION PLAN
1/8" = 1'-0"

SEE SHEET A2.1 FOR
KEYNOTES LEGEND



Goehring
Architects LLC

1000 West 10th Street
Minneapolis, Minnesota 55403
Tel: 612 333 5600
Fax: 612 333 5601

Robert & Lois Schniege
5025 12th Avenue South
Minneapolis, MN 55417

Schniege
Residence Remodel
1268 W 10th Road
Ely, MN 55731-8129

Prepared by: Alan P. C. Construction

FEB 24 2003

1. This drawing is the property of the architect and is not to be reproduced or used in any way without the written consent of the architect.

Scale: 1/8" = 1'-0"
1/4" = 1'-0"
1/2" = 1'-0"
3/4" = 1'-0"
1" = 1'-0"

Upper Level
& Roof Plan



A2.3

02.14
Schniege
Robert & Lois Schniege
1268 W 10th Road
Ely, MN 55731-8129
Tel: 612 333 5600
Fax: 612 333 5601

STRUCTURAL DATA

Proposed structure and/or use: Two story with basement used for
year round living

Total number of bedrooms after construction: 3 Height (ground level to roof peak): 32'

Number of stories in structure: 2 If more than one, please explain (i.e. Loft, walkout, etc.):

Upper level is a master suite.

Proposed structure dimensions (Exterior Footprint): Width 22' Length 36' Square ft. 792'

Type of foundation (slab, crawlspace, basement, etc.): Basement

Structural setbacks:
(horizontal distance)

Sidyard Near	<u>—</u>	Sidyard Far	<u>—</u>
Road Right of Way	<u>—</u>	Road Centerline	<u>—</u>
Shoreline Setback	<u>Approx. 46'</u>	Rearyard	<u>—</u>

Will the proposed structure contain pressurized water? ☒ YES ☐ NO

Have there been any Variances or Conditional Uses applied for on this parcel? YES ☒ NO

Is there or will there be any commercial use of this property? YES ☒ NO If yes, explain:

Estimated construction cost: \$ 200,000

Contractor name: Not Determined Contractor registration number: —

SHORELAND DATA

Elevation of unaltered building site above lake/river or stream: Approx. 40 ft.

Elevation of lowest floor or basement above lake/river or stream: Approx. 20 ft.

What is the slope of your property? (See instructions for how to calculate) < 12 %

Are you planning to remove any vegetation? YES ☒ NO If yes, explain:

Are you planning to do any grading or filling? YES ☒ NO If yes, explain

EXPLANATION OF REQUEST

What specific standard(s) are you requesting variance from? (i.e. lot size, road setback, etc.)

Height of building structure.

What standard(s) or measurement(s) are you requesting? To increase roof height.

What construction options or alternatives do you have that may eliminate the need for a variance?

None

Are there unavoidable physical features on your property such as ledgerrock, wetlands, bluffs or steep slopes, that severely limit your construction site options? YES ☒ NO If yes, explain.

Does the architectural design or floor plan of your building (i.e. location of kitchen or bathroom facilities, roof lines or fireplace) severely limit your construction options?

Yes, because non-conforming can not expand horizontally.

If your proposal is for an addition, what modifications to the existing structure are intended or required?

To expand roof height to add Master Suite on upper Floor.

Is there any other information that would help us determine if you should be granted a variance to the rules other property owners must follow?

Because of existing foliage the structure is not clearly visible from the lake.

There are good land use management reasons for the rules in the ordinance. Granting variances can decrease the effectiveness of land use controls and have a negative impact on shorelands, adjacent properties, real estate values, and the environment. There are ways a property owner can minimize the impact of a variance such as:

- A. Retaining or adding vegetative buffers adjacent to property lines and shorelines.
- B. Minimizing the size and height of structures.
- C. Selecting building materials that have a natural appearance and color.
- D. Decreasing the number of other structures on your property, and building them away from the shoreline and property lines.

Assuming that a hardship has been demonstrated, and a variance is justified, what measures are you willing to take to decrease the impact of development on your property?

We plan on executing all areas noted above (A-D).

ENVIRONMENTAL DATA

Does your property contain low areas, wetlands, or areas with standing water for more than two weeks between May 1 and September 15? Yes No If yes, do you intend to drain, fill, or otherwise alter this area for any reason?
YES NO If yes, explain:

Type of septic system: Septic Tank and Drainfield Permit number: _____
(see instructions)
Year installed Approx. 1976

ALL APPLICANTS MUST SIGN BELOW

I hereby certify that I am the owner or authorized agent of the owner of the above property and that all uses will conform to the provisions of the St. Louis County official controls. I further certify that I will comply with all conditions placed upon this permit should this application be approved. Intentional or unintentional falsification of this application or any attachments thereto will serve to make this application and any resultant permit invalid. I also authorize County staff to inspect the property during review of the application during a reasonable time of day.

APPLICANT

DATE

2/24/03

OFFICE USE ONLY

Land use district

SMU-7

Floodplain

YES NO

Lake #

Bluff impact zone

YES NO

Shoreland district

Wetlands present

YES NO

Revenue code

1329

Field check

YES NO

Date approved

Approved by

Receipt #

67950

Receipt date

3-7-03

Required standard

Requested standard

Article/Section from Ord. 46

Health Dept. authorization required

YES NO

Performance standards attached

YES NO

Comments:

LUP Rev 1-02

RETURN THIS APPLICATION TO:

St. Louis County Planning Department
Northland Office Center - East Wing
307 First Street South
Virginia, MN 55792

or

St. Louis County Planning Department
Missabe Building, Suite 100
227 West First Street
Duluth, MN 55802

Goetting Architects LLC

Studio 365
Lanternwood Market Square
275 Main Street
Minneapolis, Minnesota 55405
Tel. 612.333.5600
Fax 612.333.5601

Owner
Robert & Lois Schniege
5025 12th Avenue South
Minneapolis, MN 55417

Project
**Schniege
Residence Remodel**
1268 Walsh Road
Bly, MN 55731-8029

Architect
Goetting Architects
Preliminary - Not For Construction

Scale
1" = 10'-0"

Legend
1" = 10'-0"

Site Plan

FEB 24 2003

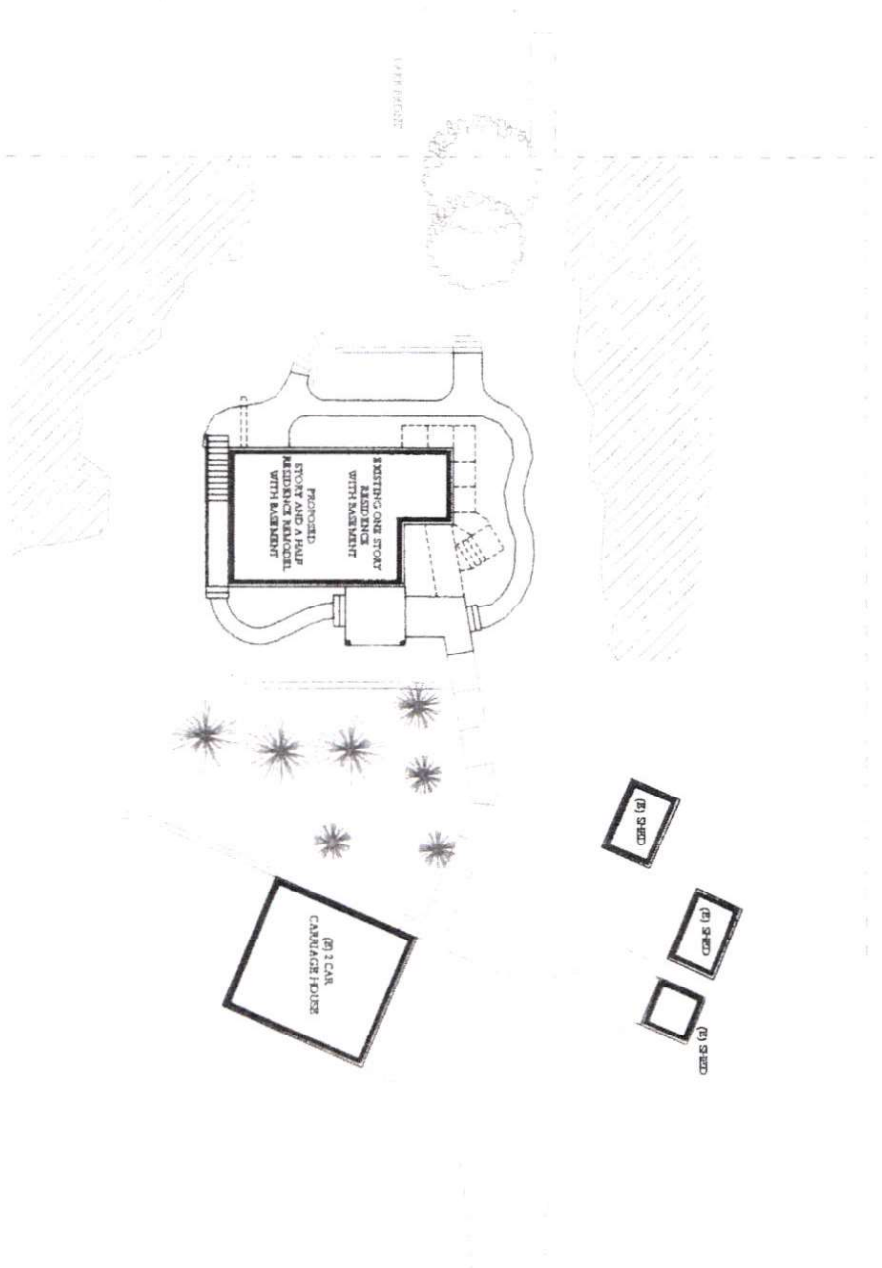
A1.1

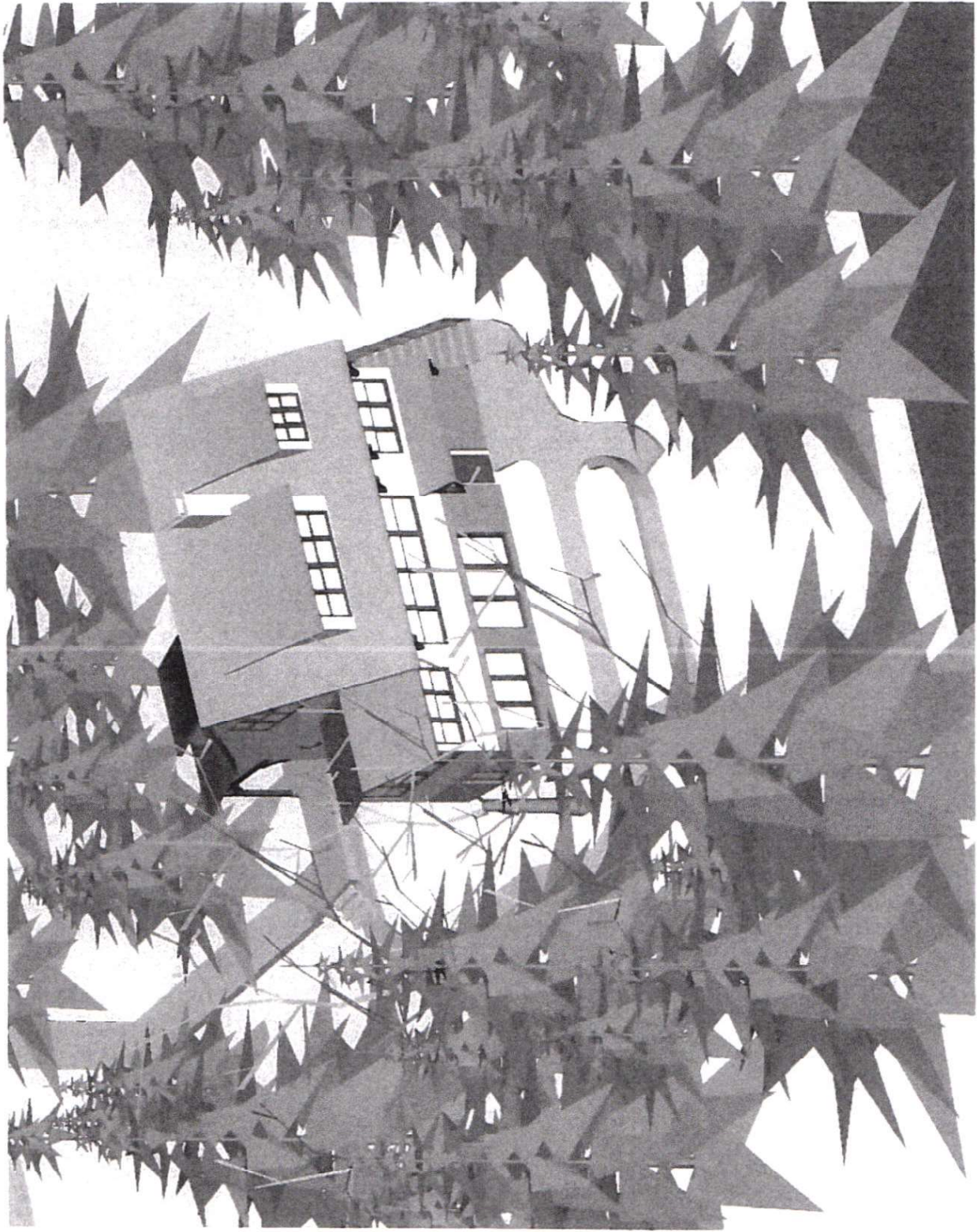
LEGEND
FOR SHEET A1.001
1" = 10'-0"

1" = 10'-0"

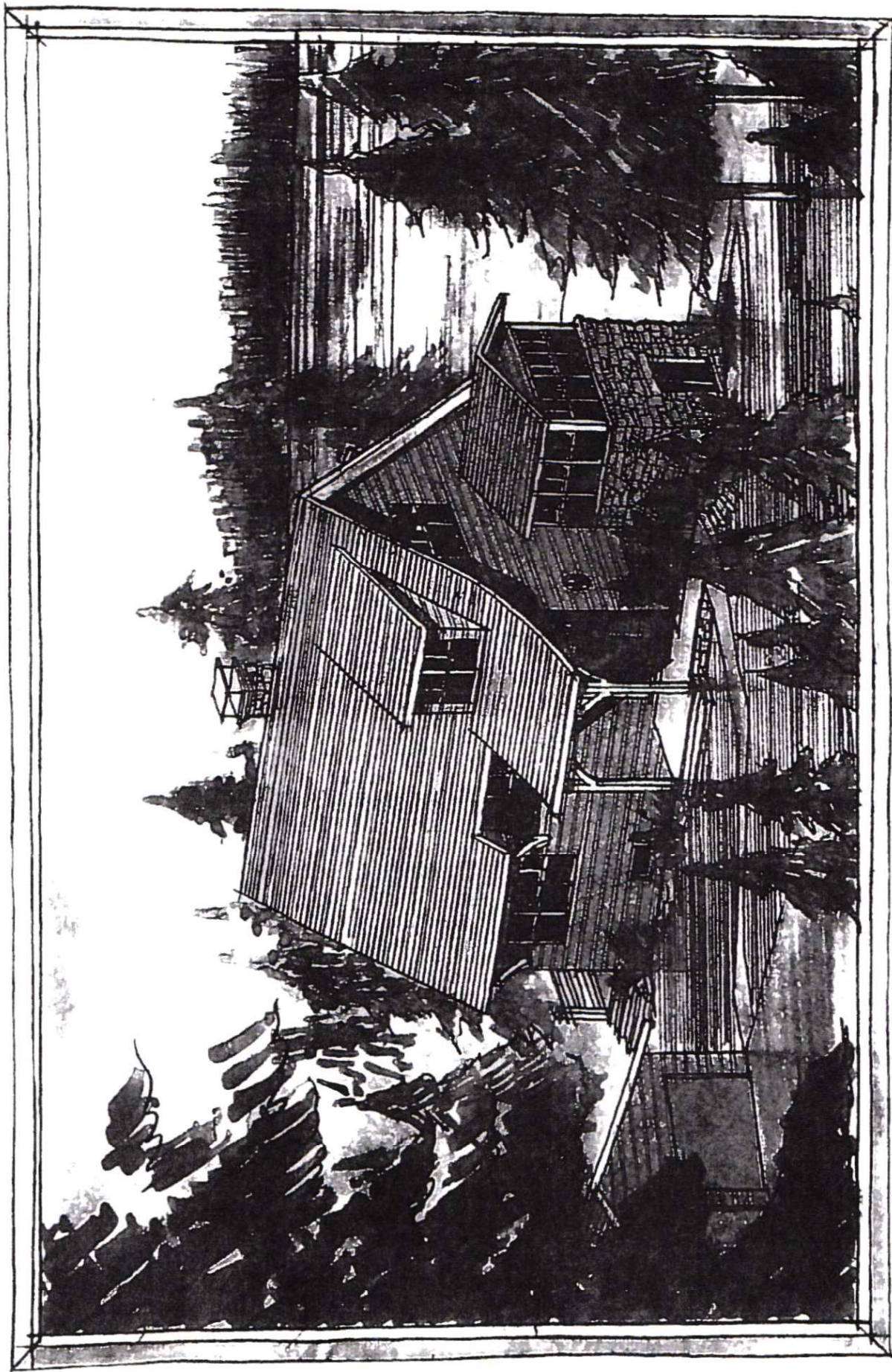
1 SITE PLAN
1" = 10'-0"

N

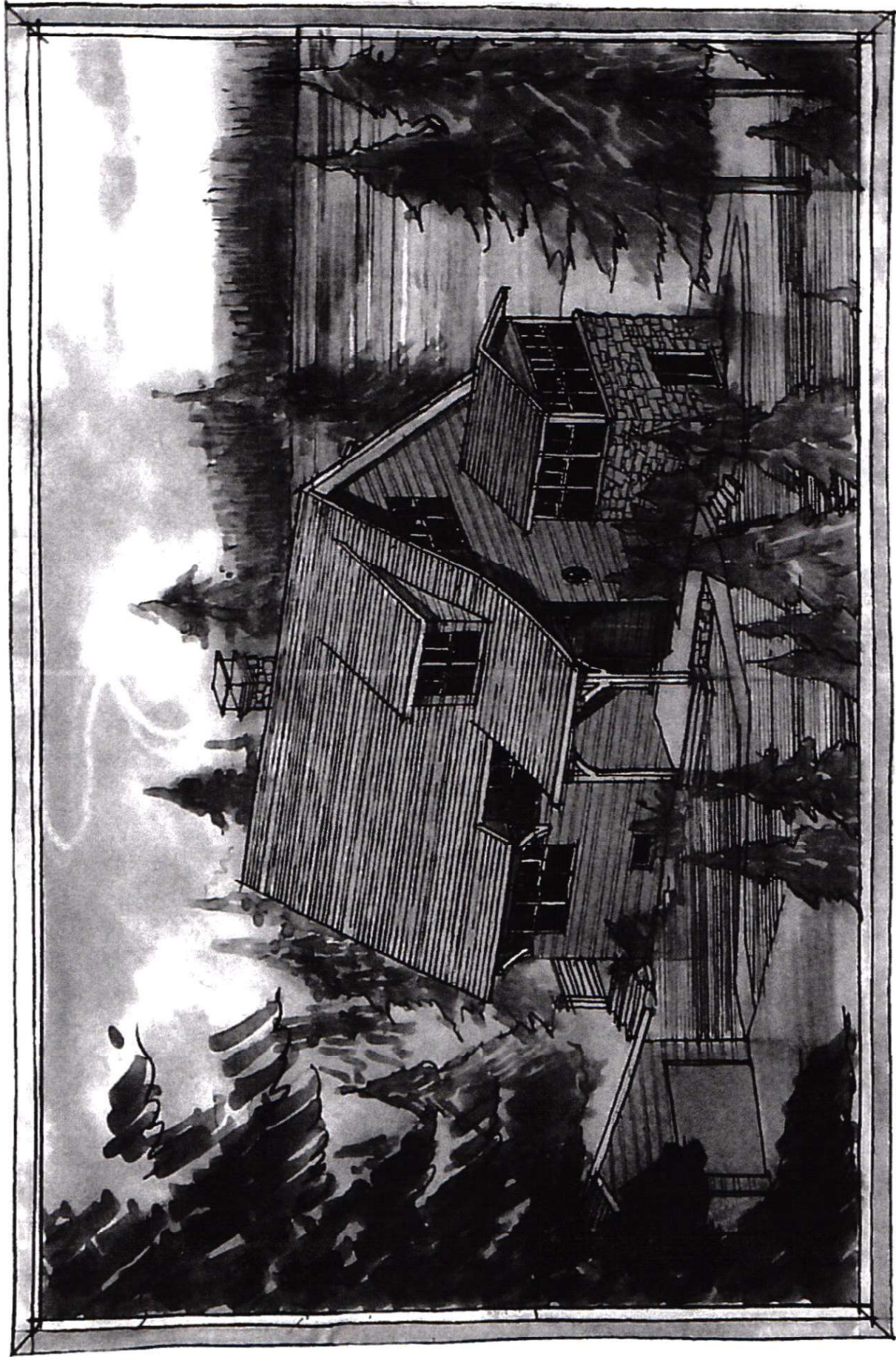




1268 WALSH ROAD, ELY
Eagles Nest Lake #3
AFRIAN VIEW FROM LAKE



1268 Walsh Road, Ely, MN
Eagles Nest Lake #3



1268 Walsh Road, Ely, MN
Eagles Nest Lake #3

**Gochring
Architects LLC**

Studio 505
Intermountain Medical Center
275 Market Street
Salt Lake City, Utah 84143
Tel: 801.333.1601
Fax: 801.333.1601

Robert & Lou Schmiege
5025 12th Avenue South
Minneapolis, MN 55417

**Schmiege
Residence Remodel**
1268 Walsh Road
Ely, MN 55731-8029

Project: Preliminary - Not For Construction

FEB 24 2003

Working: 10:00 AM - 5:00 PM
10:00 AM - 5:00 PM
10:00 AM - 5:00 PM

Scale: 1/8" = 1'-0"
Date: 02/24/03
Author: DG

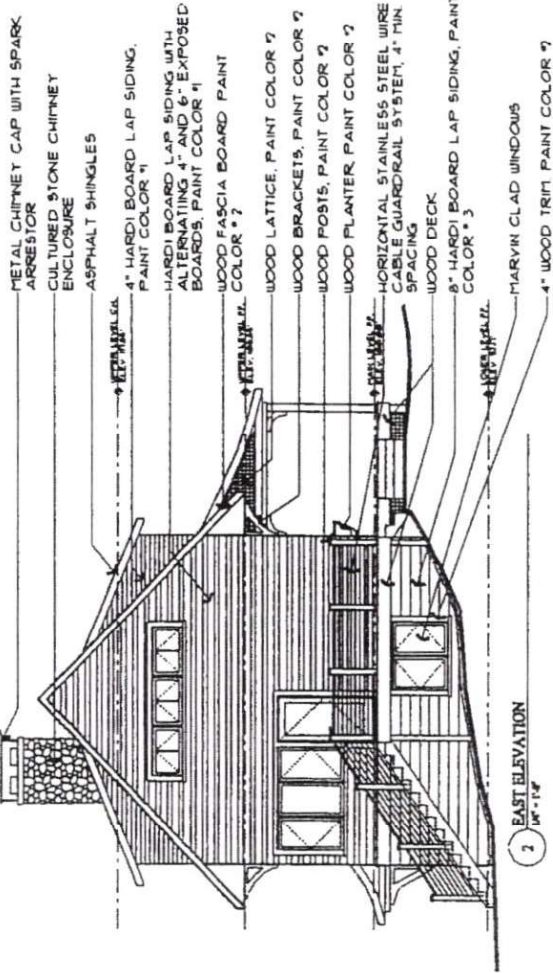
**Exterior
Elevations**



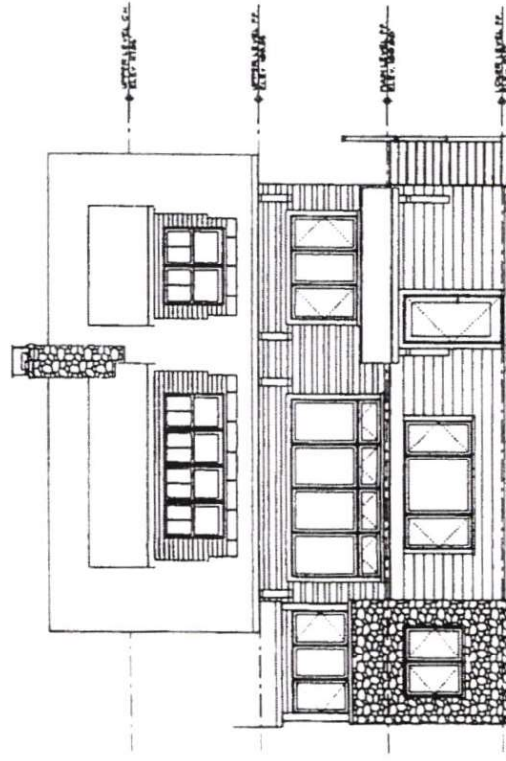
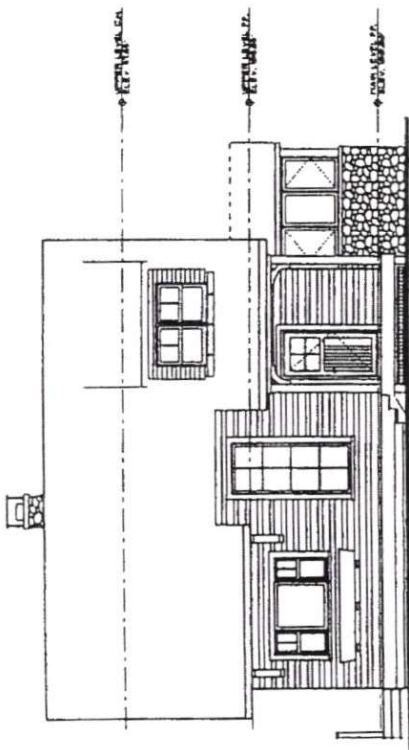
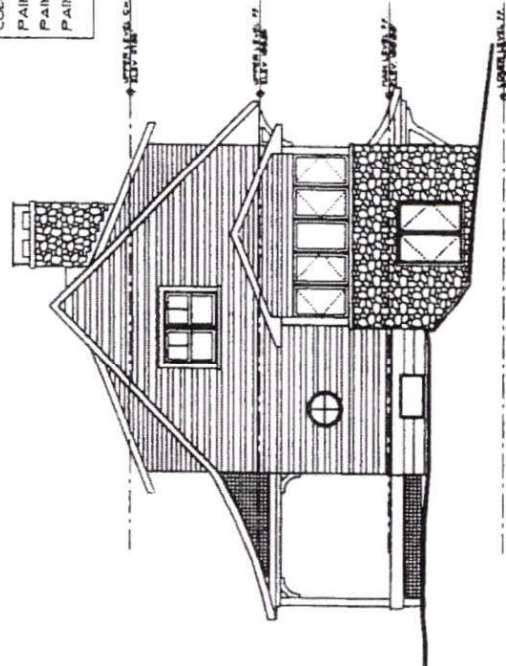
A3.1

Sheet: 02.14
Schmiege
Residence Remodel
1268 Walsh Road
Ely, MN 55731-8029

NOTE:
ALL MATERIALS TYPICAL FOR ALL
ELEVATIONS



COLOR KEY
PAINT 1
PAINT 2
PAINT 3



**Goehring
Architects LLC**

Studio: MN
International Market Square
275 Market Street
Minneapolis, Minnesota 55405
tel. 612.333.5608
fax 612.333.5601

owner
Robert & Lois Schmiege
5025 12th Avenue South
Minneapolis, MN 55417

project
**Schmiege
Residence Remodel**
1288 Walsh Road
Ely, MN 55731-8029

lead architect
Preliminary - Not For Construction

FEB 24 2003

I hereby certify that this is a true and correct copy of the original drawing as prepared by me or under my direct supervision and that I am a duly registered architect in the State of Minnesota.

Scale: Drawing: 1/8" = 1'-0"
AS: 1/8" = 1'-0"
DG: 1/8" = 1'-0"

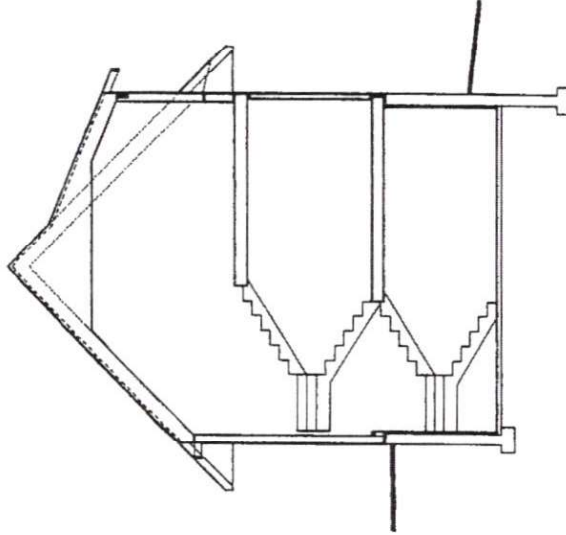
Sections



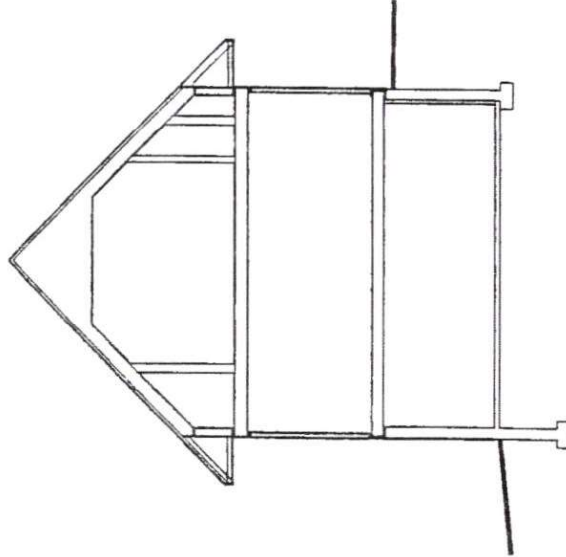
A4.1

sheet #
02.14
Schmiege

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storage and retrieval system, without prior written permission of Goehring Architects LLC.



2 BUILDING SECTION
1/8" = 1'-0"



1 BUILDING SECTION
1/8" = 1'-0"

Return to McKay by Schmiede

St. Louis County Planning Department Record Review Request for Land Use Application Approval

Property Owner: Robert Schmiede Parcel Code: 317-0190-00180
Site Address: 1248 Walsh Road
Legal Description: Lot 18 Sunshine Beach Plat Section 34 Township 62 Range 14

Pursuant to Minnesota Statute 105.485, a review of the sanitary sewage treatment system record is required prior to the issuance of a land use permit. The purpose of this form is to assist the St. Louis County Planning Department in administering its land use permit requirements.

- Is there an individual sewage treatment system record for the above mentioned parcel?
☒ Yes ☐ No 62-14-11 Dry well/Trench 1975
Permit # Type of System Year Installed
New Permit To Construct is being processed
- How many bedrooms is the system sized to accommodate? _____
- Please attach a sketch showing the location of the sewage treatment area and expansion area, if noted.

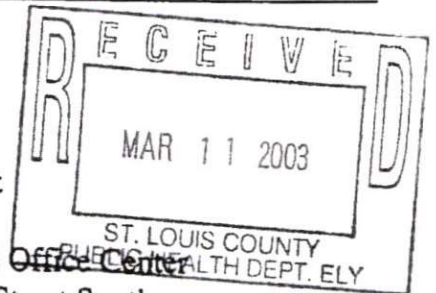
[Signature]
Signature of Qualified Professional

3-12-03
Date of Review

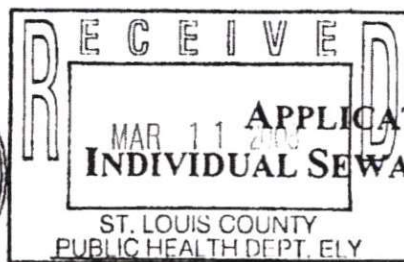
St. Louis County Planning Department

Suite 100 Missabe Building
227 West First Street
Duluth, MN 55802
(218) 725-5000

Northland Office Center
307 First Street South
Virginia, MN 55792
(218) 749-7103



Toll Free in Minnesota: 1-800-450-9777



APPLICATION FOR RESIDENTIAL
INDIVIDUAL SEWAGE TREATMENT SYSTEM (ISTS)

ST. LOUIS COUNTY
PUBLIC HEALTH DEPT. ELY

~~Schmaringe~~ (Schmaringe)

Order 911 sign Y / N

Revenue Code(s) 1160

FOR OFFICE USE ONLY

Amount Rcv'd 285.00

Receipt No. 24460

Permit No. _____

Received by PIR Date Received 3/11/03

ID # 8502

*** THE FOLLOWING INFORMATION IS TO BE COMPLETED ***
BY THE OWNER OR THE OWNER'S AGENT

Applicant Name David Goehring, AIA (Please Print) Robert
Goehring Architects LLC - Schmaringe Home Phone () _____
5025 - 12th Ave S. Work Phone (612) 333.5600
Mailing Address 275 Market Street Studio 565 E-Mail 612-525-1895
City Minneapolis State MN. Zip 55405
Does the site have an address? (Y) N
If not, please call (218)726-2920 or 1-800-450-9777 (911 Communications) and one will be assigned.
Site Address 1268 (Road name) Walsh Road
City Ely Zip 55731-8029 Site Ph () _____

Property Information

Property Tax Parcel Code 317-190-180 Township Name Eagles Nest Township

Please print out the entire legal description or attach a photocopy. The legal description can be found on the deed, abstract, or property tax statement.

Legal description of property Lot 18 Sunshine Beach Platte

Section — Township Eagles Nest Range — Block — Lot 18
Plat Name Sunshine Beach Platte

Lot Width 150 ft. Depth 300 ft. Area 500 sq. ft. Acres ± 3 Acres

Is there Shoreland frontage? (Y) N Is the property located within 1,000 ft of a Lake or 300 ft of a River? (Y) N

Name of River, Stream or Lake Eagles Nest Lake #3

Property Water Supply

Type of water supply: [drilled well ☐] [sand point well ☒] [dug well ☐] [surface (lake) water ☐
Municipal water ☐] [Hand carried ☐

Well Depth 25 ft. Cased Depth — ft. Unique Well # (If applicable) —

Building Type and Use

Type: [Single Family House ☒] [Multi Family House ☐] [Recreational Cabin ☐] [Sauna ☐
Other(specify) — Square feet of structure — sq.ft.

Use: year round ☒ seasonal ☐ (specify dates) —

Flows: # of bedrooms 3 # of people using system 2 Garbage disposal Y ☒/N ☐
Bathtub >75 gal? ☒/N ☐ gallons Other —

Basement ☒/N ☐ Plumbing in basement ☒/N ☐ Grinder sewage sump Y ☒/N ☐

Is this an application for a: — new sewage treatment system ☒ replacement of an existing system

Comments / Reason for application —

Checklist of required attachments:

- ☒ Site Map*
- ☐ Soils worksheet*
- ☐ System design (may be on site map)*
- ☐ Applicable design worksheets*

*These are generally prepared by
licensed site evaluator/designers,
however the applicant is
responsible for the contents.

I, the undersigned, as owner or agent of the owner, of the above described property do hereby 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 accrue from the approval of plans, issuance of a permit and the subsequent location, construction, alterations, repair, extension, operation or maintenance of the Individual Sewage Treatment System for which this permit application has been made. An approved permit does not guarantee construction practices, or that the system will continue to function properly when built.

Enclosed is the Permit fee of \$ 285.00 (Make checks and/or money orders payable to St. Louis County Auditor). See attached fee schedule.

Applicant's Signature [Signature]

Date 2/24/03

1268 WA/SH RJ

PERMIT TO CONSTRUCT A SEWAGE DISPOSAL SYSTEM

NO. 08602

62-14-77

Date of issue June 11, 1975

Plans and specifications submitted on May 30, 1975 19

by (Name) Erick H. Schmiede

(Address) 832 E Harvey Street, Ely, Mn 55731

for the construction of a sewage disposal system at (legal description of property) Sunshine Beach Plat,
of Breitung, Government Lot 4, Lot 18, Section 34, Township 62N,
Range 14 W.

are hereby approved and permission is granted for the construction of this system in accordance with these approved plans.

ST. LOUIS COUNTY HEALTH DEPARTMENT

By Robert E. Sharp, R.S.

Sanitarian II

NOTICE: Unless construction is under way this permit expires one year after the date of issue. It is not transferable.

Final OK
9-19-75 RCL.

Commercial or industrial

DSPPRCL1

Display Parcel Description

3/13/03 11:30:03

Notes: No

Parcel number/Tax year: 317-0190-00180 2004 Reference parcel:

Owner(s): 725366 +

Parcel type : RE

Hold tax stmt:

SCHMIEGE ROBERT A

Com district: 4 Misc1/2: 12400684

Escrow agent:

Mortgage hld:

UTA: Twp/City School SCHL WORS SAND ****
317 2142 02 00 00 00

Taxpayer: 727473 FALCO: 4 C.D.

TIF district: 000 000

SCHMIEGE ROBERT A & LOIS R

Lake#/name : 69-0285 EAGLES NEST

5025 12TH AVE S

Property adr: 1268 WALSH RD

MINNEAPOLIS MN 55417

ELY MN

Emergency# : 55731 -

Alternate taxpayer:

Twp/City Plt: TOWN OF EAGLES NEST 190

Sec/twp/rge : .0 Acres:

Plat: SUNSHINE BEACH PLAT T OF EAGLES NEST

Description: Lot/Block : 0018

LOT 18 INC PART OF VAC LOWER ROLAND RD ADJ

Press Enter to continue or enter new parcel/tax year. 17-0190-00180 2004

F1=Full desc F2=Trans hist F3=Exit F6=Prcl hist F7=Backward F9=Escrow hist

F10=More owners F12=Cancel F14=Phy Addr F17=Dsply Note



Saint Louis County

FILE COPY

Planning Department • Northland Office Center, 307 First Street So. Virginia, MN 55792
Phone: (218) 749-7103 • Fax: (218) 749-0620

April 1, 2003

NOTICE IS HEREBY GIVEN THAT THE ST. LOUIS COUNTY BOARD OF ADJUSTMENT WILL HOLD A PUBLIC HEARING ON **TUESDAY, APRIL 15, AT 10:40 AM, AT THE BIWABIK CITY HALL, 321 MAIN STREET (3RD FLOOR), BIWABIK, MINNESOTA.**

(The hearing time is approximate – the case may begin later than the stated time, however, it will **never** begin earlier than the time shown above).

THE APPLICANT IS: Robert Schmiede
5025 - 12th Avenue South
Minneapolis, MN 55417

SITE ADDRESS OF VARIANCE: 1268 Walsh Road, Ely, MN

Mr. Schmiede is requesting a variance from Zoning Ordinance 46, Article IV, Section 3.02, to construct a third-story addition to an existing two-story nonconforming structure, where an increase in height is limited to 2 feet by ordinance.

The property in question is legally described as: Lot 18, Sunshine Beach Plat, Section 34, Township 62, Range 14 (Eagles Nest Twp).

As a property owner located within approximately 500 feet of the variance request, you are being notified. There is no need to appear at the hearing or answer this notice if you have no interest in this case. If you wish to express your opinion regarding the case, all correspondence must be received by **Monday noon** before the meeting date. Please send correspondence to this letterhead address, or e-mail to: **mallaroc@co.st-louis.mn.us** All correspondence will be read at the meeting and entered into the minutes.



Saint Louis County

FILE COPY

Planning Department • Northland Office Center, 307 First Street So. Virginia, MN 55792
Phone: (218) 749-7103 • Fax: (218) 749-0620

April 1, 2003

Robert Schmiede
5025 - 12th Avenue South
Minneapolis, MN 55417

Please be advised that the St. Louis County Board of Adjustment will hear your appeal for a variance on **TUESDAY, APRIL 15, 2003, AT 10:40 AM**, at the **Biwabik City Hall, 321 Main Street (3rd Floor), Biwabik, Minnesota.**
(This hearing time is approximate – your case may begin later than the stated time, however, it will never begin earlier than the time shown above).

Cases will be heard in the order they appear on the agenda, which will be posted at the door.

You, or your authorized representative, should be present so that your best interest may be represented.

A copy of the Staff Report is enclosed.

Sincerely,

Carol Mallaro
Recording Clerk

Enc.

Chrome

SNYDER CHARLES E & CATHLEEN A
5501 WOODDALE AVE
EDINA MN 55424

FLOYD RICHARD & TONI
1264 WALSH RD
ELY MN 55731

DAVIS LAWRENCE E
1266 WALSH RD
ELY MN 55731

LAITINEN EDWARD
RT 2 BOX 441C
STURGEON LAKE MN 55783

WHEELER PATRICIA M
4046 NORWAY RD
ELY MN 55731

MONTANA JAMES & JULIE
4069 NORWAY RD
ELY MN 55731

NORTH LARRY J & SHERYL
1340 E HARVEY ST
ELY MN 55731

CARLSON HENRY W & JANICE L
377 JOE MARTIN RD
LOWELL IN 46356

ANDERSON BYRON J
37 ASH BLVD
BABBITT MN 55706

MADDERN CAROL JEAN
1280 WALSH RD
ELY MN 55731

WHITE JAMES L
1278 WALSH RD
ELY MN 55731

LEENHOUTS KEITH
830 NORMANDY
ROYAL OAK MI 48073

LAMPPA H ROGER & JOAN E
1272 WALSH RD
ELY MN 55731

BOARD OF ADJUSTMENT CHECKLIST

4-15-03 mtg

Action	Person responsible	Date	Status	✓
Enter in AS400 as pending applications	Support Staff	4-3-03		✓
Copy of application sent to Twp clerk	Support Staff	3-10-03		✓
Send legal notice to newspaper and DNR	Support Staff	3-31-03		✓
Notices to adjacent property owners/applicant	Board planners will draft letter and support staff will finalize and send out	3-18-03		✓
Copy of staff report sent to applicant//BOA members/case file	Board Clerks	4-1-03		✓
Meeting summary	Board clerks/Mark/Mary	4-16-03		✓
Copy of Minutes (Findings) sent to Board Members for review	Board Clerks Mark/Mary oversee	4-28-03		✓
Copy of notarized Facts in file and sent to Twp Clerks & applicant	Board Clerks	5-13-03		✓
Enter in AS 400 as approved or denied	support staff	4-23-03		✓
Issue permit	Board planners			

Via Email

James B. Plummer
Saint Louis County Planning Department
Northland Office Center, East Wing
307 1st Street South
Virginia, MN 55792-2696

Re: Follow up for Variance for Schmiede Residence, Ely, MN

May 15, 2003

Dear Jim:

This letter is to confirm our conversation today. In the correspondence we received today, verifying the findings from the Board of Adjustment on Tuesday, May 13, the only reference to the roof height issue was that it identified a maximum permitted overall roof height of 32 ft, consistent with the original approved variance.

It did not however address changing the 8.5 ft roof increase, which is part of the public record, to the necessary 10.5 ft. This matter was the central issue for the second hearing and it was acknowledged both in the variance hearing on the record and again in conversation today that 10.5 ft is in fact permitted.

Please respond to our office within one week if you this information is incorrect, otherwise we will proceed with the above assumptions.

I would like to thank you and your colleagues for your assistance on this matter.

Sincerely:

David Goehring, AIA
Principal Goehring *Architects LLC*

cc Robert and Lois Schmiede