

Presenter

Jared Ecklund— Senior Planner



Jeff Wagner-Landowner
Chris Gunderson-Contractor

2619 Wakely Rd.
Cook, MN
Lake Vermilion



SAINT
LOUIS
COUNTY
MINNESOTA

Request

- The applicant is requesting approval for a nonconforming legal lot of record that is less than $\frac{1}{2}$ acre to be permitted as buildable.
 - The parcel is an undeveloped lot on Lake Vermilion with approximately 0.41 acres.
 - Since the property is undeveloped, a minimum of $\frac{1}{2}$ acre is required to be considered buildable.



St. Louis County

January BOA Meeting



St. Louis County MN

Gunderson-Wagner

Location Map

PIN: 250-0082-00160



Prepared By: Planning & Community Development
(218) 725-5000
www.stlouiscountymn.gov
Source: St. Louis County
Map Created: 12/16/2021

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St. Louis County

January BOA Meeting



Lake Vermilion

Subject Parcel

Wakely Rd

Solderholm Beach Rd
S Solderholm Beach Rd

Center Island Rd

4516

Co Rd 997

478

Pederson Rd



0 400 800
Feet



St. Louis County MN

Gunderson-Wagner

Location Map

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St. Louis County

January BOA Meeting



RES-8

RES-4

Lake Vermilion

RES-9

Subject Parcel

Wakely Rd

478

RES-5

Solderholm Beach Rd
S Solderholm Beach Rd

Center Island Rd

4516

4515



0 400 800
Feet



St. Louis County MN

Gunderson-Wagner
Zoning Map
PIN: 250-0082-00160



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Site Map



0 10 20 30
Feet



St. Louis County MN

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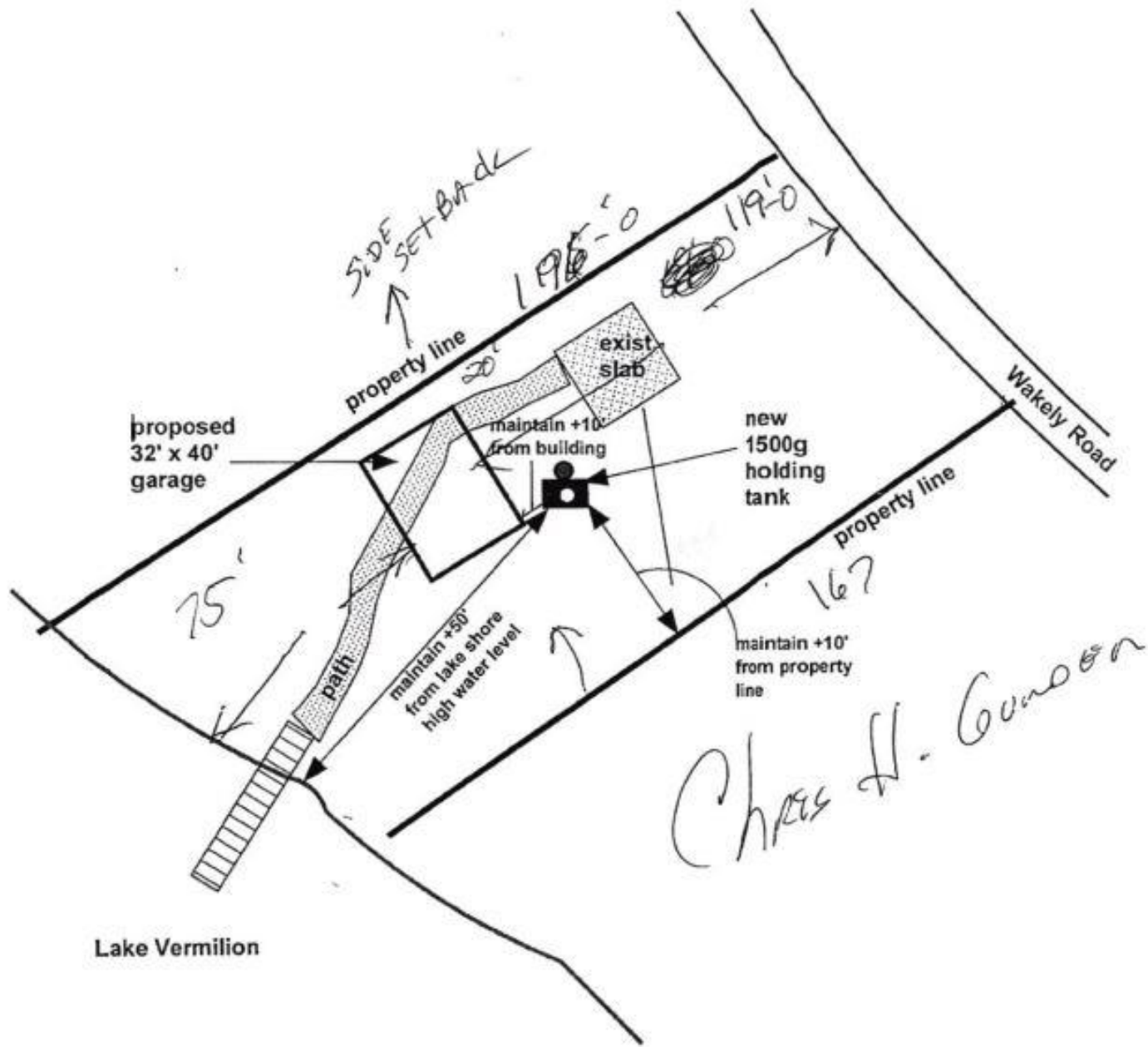
Site Map



0 110 220 330
Feet



St. Louis County MN



● SB1







Staff Facts & Findings



Official Controls

1. Zoning Ordinance 62 states that a single lot of record may be permitted as buildable if the lot is a minimum of one-half acre in size with no public sewer or water; the applicant is proposing to develop the lot that is approximately 0.41 acres in size.
2. Zoning Ordinance 62 also states that a principal structure that is located on a lot less than one-half acre in size may be replaced if the structure was located on the property prior to the enactment of this ordinance.
 - a. Since the proposed new structure is a dwelling, a variance is required.
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 applications are treated equitably, that community health and safety is protected, and that the overall character of a given area is preserved.
4. 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.



Practical Difficulty

1. The lot is only 0.9 acres shy of what is required to be considered buildable for the proposed structure.
2. The lot is larger than several lots in the County that have existing development and would allow replacement dwellings.
3. The only alternative is to gain additional property or lots from an adjoining landowner in order to meet the minimum required area to be developed.



Essential Character of the Locality

1. This lot is one of the smaller lots in this area.
 - a. There are a couple of lots that are smaller, but most of them in this local area meet the minimum area required to be developed, even if they were currently undeveloped.



Other Factors

1. The previous landowner had applied for a variance on the property in 2000.
 - a. That request included a Health Department variance for a septic system for year-round use and a Land Use variance for a 40 x 30 home.
 - b. The Health Department variance was denied without prejudice to allow the applicant to work with the Health Department for a workable system.
 - i. A Holding tank was not an option for year-round use at that time.
 - c. The Land Use Variance was denied without prejudice because the Health Department standards could not be met.
 - d. In 2000, a holding tank was not an option to meet Health Department Standards.
 - e. A holding tank is now an option for a year-round use
 - i. A holding tank application has already been approved by the On-Site Wastewater Division.
 - f. The applicant's contractor submitted a land use permit application for a dwelling on the property that appears to meet all land use standards, except for the lot size requirements.



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 the variance for a single lot of record that is less than one-half acre in size with no public sewer or water to be allowed as a buildable lot as proposed, include but are not limited to:

1. All local, county, state and federal regulations shall be met.



Correspondence



Board of Adjustment

Questions?



Public

Questions?



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