



ST. LOUIS COUNTY BOARD OF ADJUSTMENT STAFF REPORT

Case: 6291

INSPECTION DATE: 12-17-21

REPORT DATE: 12-27-21

MEETING DATE: 1-19-22

APPLICANT INFORMATION

APPLICANT NAME: Jeff Wagner

APPLICANT ADDRESS: 12985 Ridge Dr. McCordsville, IN 46055

OWNER NAME: Jeffrey & June Wagner

SITE ADDRESS: 2619 Wakely Rd. Cook, MN 55723

LEGAL DESCRIPTION: Lot 16 of the Plat of Soderholm Beach, S25, T63N, R18W (Beatty)

PARCEL IDENTIFICATION NUMBER (PIN): 250-0082-00160

VARIANCE REQUEST: The applicant is requesting relief from St. Louis County Zoning Ordinance 62, Article IV, Section 4.4 D, to allow 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.

PROPOSAL DETAILS: The applicant owns a platted lot in the Plat of Soderholm Beach that is approximately 0.41 acres in size. This lot has not previously been developed with a principal structure. Since the lot has not been previously developed with a principal structure, and the lot is less than one-half acre in size, a variance is required for a dwelling to be permitted.

A previous landowner had applied for a variance to allow development of a dwelling on the lot in the early 2000s. That request was denied without prejudice because the Board of Adjustment was unsure if there was enough area on the property for a septic system to accommodate a dwelling. The current landowner has elected to go with a holding tank rather than a full septic system. The design for the holding tank has already been approved by the On-Site Wastewater Division. Since the landowner now has a plan for wastewater on the site, they may move forward with a variance request for the dwelling.

PARCEL AND SITE INFORMATION

ROAD ACCESS NAME/NUMBER: Wakely Rd.

ROAD FUNCTIONAL CLASS: Private

LAKE NAME: Lake Vermilion

LAKE CLASSIFICATION: GD

RIVER NAME: N/A

RIVER CLASSIFICATION: N/A

DESCRIPTION OF DEVELOPMENT ON PARCEL: Currently there is not any development on the property. There was previously a garage structure on the property that was removed several years ago. The slab for that garage remains on the site.

ZONE DISTRICT: RES 9

PARCEL AND SITE INFORMATION

PARCEL ACREAGE: 0.41 ACRES

LOT WIDTH: 100 FEET

FEET OF ROAD FRONTAGE: 100 FEET

FEET OF SHORELINE FRONTAGE: 118 FEET

VEGETATIVE COVER/SCREENING: The property appears to be well vegetated with good screening from the shoreline.

TOPOGRAPHY: The property slopes toward the shoreline at approximately 8 percent. The area within the shoreline setback is slightly steeper at approximately 12 percent.

FLOODPLAIN ISSUES: The proposed development would be approximately four feet above the base flood elevation.

WETLAND ISSUES: It does not appear that there are wetland issues on the property.

ADDITIONAL COMMENTS ON PARCEL: The parcel appears to have been previously used as a lake access parcel. There is a dock on the property and there was a garage on the site that has been removed.

FACTS AND FINDINGS

A. Official Controls:

1. Zoning Ordinance 62 states that a single lot of record may be allowed 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 only structure located on the lot was an old garage, replacement of the garage would be allowed without variance.~~
 - b. 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.

B. Practical Difficulty:

1. The lot is 0.09 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.

C. 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.

D. Other Factor(s):

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 foot by 30 foot 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 in 2000.
 - 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.

See 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 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.

ST. LOUIS COUNTY, MN PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

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

VARIANCE REQUEST PERMIT APPLICATION

General - This application is used to apply for a Land Use Permit. Applicants will need to attach the appropriate worksheet(s) in order to process. Incomplete applications will be returned. Note that the 'clock' does not begin until after payment has been processed for the application. For more information, see our website at:

www.stlouiscountymn.gov/BuildingStructures

Enter the Primary PIN and Associated PIN (if applicable) of the property to be reviewed.

PIN is found on your Property Tax Statement. For example, 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://www.stlouiscountymn.gov/explorer>

Property Lookup: <http://apps.stlouiscountymn.gov/auditor/parcelInfo2005Iframe>

Primary PIN **250-0082-00160**

Associated PINs

Is this application being submitted for a Rehearing?

If this application is being submitted because a previous Variance Permit application was denied or disapproved, please select Yes.

No

Enter Applicant Information

I am a: **Landowner**
 Applicant Name: **Jeff Wagner**
 Address Line 1: **12985 Ridge Dr**
 Address Line 2: **--**
 City: **McCordsville**
 State: **IN**
 Zip: **46055**
 Primary Phone: **(218)742-6072**
 Cell Phone: **--**
 Fax: **--**
 Email: **jdwanermd@me.com**
 Contact Person Name: **--**
 Contact Person Phone: **--**

Mailing Address Information.

This address can default from the address you selected. If the values defaulted are not correct, please enter the correct information.

Same as Applicant address? **No**
 Name: **Jeff Wagner**
 Address: **12985 Ridge Dr**

City: **McCordsville**
 State/Province: **IN**
 Zip: **46055**
 Primary Phone: **--**
 Cell Phone: **--**
 Fax: **--**
 Email: **jdwardnermd@me.com**

Site Information

If there is no site address, the application will be forwarded to 911/Communications to assign one.

Is there a site address for this property? **Yes**

Site Address: **2619 Wakely Road**

Is this leased property? **No**

Leased From? **--**

US Forest Service

US Forest Service
 Superior National Forest
 8901 Grand Avenue Place
 Duluth, MN 55808

MN Power

MN Power
 Shore Land Traditions
 30 West Superior Street
 Duluth, MN 55802

MN DNR, Area Hydrologist

MN DNR, Area Hydrologist
 7979 Highway 37
 Eveleth, MN 55734

MN DNR Land and Minerals

MN DNR Land and Minerals
 1201 East Highway 2
 Grand Rapids, MN 55744

St. Louis County - Duluth

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

St. Louis County - Virginia

St. Louis County - Virginia
 Land and Minerals
 7820 Highway 135
 Virginia, MN 55792
 (218) 749-7103

Do you have written authorization from the leased property owner?

If Yes, you must attach written authorization form.

--

How is the property accessed?

Public Road

No

No

No

No

Enter Project Information.

If you answered 'Yes' to any of the questions below, 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.

Is this project on a parcel less than 2.5 acres?

Yes

Is this project within 300 feet of a stream/river or 1,000 feet of a lake?

Yes

Is this project adding a bedroom?

Include home, garage, and accessory dwelling.

Yes

Total # of bedrooms on property after project completion.

2

Does this project include plumbing or pressurized water in proposed structure?

Yes

If Yes, please explain:

Future lake water system or well TBD with holding tank

Is this project connected to a municipal or sanitary district system?

No

VARIANCE REQUEST WORKSHEET

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, please check our website at: www.stlouiscountymn.gov/VarianceRequired

VARIANCE REQUEST INFORMATION

Complete this form along with the Land Use Permit Application

What kind of variance request is this?

If this is a Variance After the Fact, you must answer additional questions below.

Variance Request

Describe what you are varying from and the situation that makes it difficult to comply with county ordinances.

If your proposal includes a structure, please also list the length, width and height of the structure.

The size of the lot is less than .5 acres, so it is a nonconforming lot of record. Variance required to build

structure

Describe the intended/planned use of the property.

Plan for construction of a two story hybrid structure. The ground level will be a 4 stall garage for storage of vehicles, workshop, etc. The second story will be an apartment-type cabin dwelling with 2 bedrooms, a bathroom and kitchenette. Plan is a seasonal use, single family, intermittent occupancy. There are no plans for commercial use.

Describe the current use of your property.

Lot is currently used for parking vehicles and shore access to Lake Vermilion; the owners of this property also own a seasonal cabin on Treasure Island. The lot has a cement slab that is used for parking vehicles. Note: this slab had a prior garage structure, which had to be torn down in 2014 due to damage/unusable condition. The owners have always planned to rebuild, but the current slab location is too close to road setback. Therefore, need to build/relocate the new structure to conform to setback requirements.

Describe other alternatives, if any.

None

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

The proposed structure wo;; be constructed in a manner generally consistent with style and size of other rustic cabin dwellings in this area of the lake and many are also on nonconforming or small lots.

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

The use of neighboring properties will be unaffected by the proposed structure. Necessary setbacks from neighbors, roads, and shoreline will be adhered to. The proposed construction will adhere to lot area and other building restrictions.

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

We plan to maintain necessary setback from Lake Vermilion shoreline.. We will preserve shoreline and as many natural contours and existing native trees as possible. We will use approved septic system (permit 21-S-02289) in order t minimize impact on this lane. We will adhere to lot area restrictions for the footprint of this structure.

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

Construction of the proposed structure will improve the lot by removing dead and dying trees, which will diminish fire hazard to neighboring properties. Property value and associated county tax revenue will increase. Structure will improve property and facilitate a generally more aesthetic usage.

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

The proposed structure will be used to store vehicles, trailers and equipment that are currently otherwise stored outside. The apartment will be used seasonally by owners and occasional guest for late arrivals, overflow, late seasonal access and when the owners island property may be inaccessible. Intermittent occupancy of dwelling is anticipated, predicted to be less than 30 days per year.

IF YOU ARE RESPONDING TO A PERMIT VIOLATION, PLEASE ANSWER THESE ADDITIONAL QUESTIONS

Describe your reasons county zoning ordinance requirements were not followed.

--

Describe your effort to comply with the ordinance and to obtain a land use permit and/or other required permits.

--

Describe any substantial investments, construction and/or repairs made to the property before you discovered you needed a variance.

--

If there was construction or repair, on what date did it begin? What date did it end?

Start Date --

End Date --

Who performed the construction or repair work?

--

Was a survey of your property boundaries obtained?

--

Prior to the construction or repair work, did you speak with anyone from the Planning and Community Development Department?

--

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 result 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.

If your name, contact information or email address have changed, you should update your contact information in the portal by selecting 'Maintain Contact Information' at the top of this page.

Submitted By: --

Address: --

City: --

State: --

Postal Code: --

Email Address: --

I have read and agree to the statement above.

No



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.

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APPLICANT

Applicant Name (Last, First)

Wagner, Jeffrey and Wagner, June

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?

The size of the lot is less than 0.5 acres, so it is a nonconforming lot of record. Variance required to build structure.

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

Plan for construction of a two story hybrid structure. The ground level will be a 4 stall garage for storage of vehicles, workshop, etc. The second story will be an apartment-type cabin dwelling with 2 bedrooms, a bathroom and kitchenette. Plan is for seasonal use, single family, intermittent occupancy. There are no plans for commercial use.

3. Describe the current use of your property.

Lot is currently used for parking vehicles and shore access to Lake Vermilion; the owners of this property also own a seasonal cabin property on Treasure Island.

The lot has a cement slab that is used for parking vehicles. Note: This slab had a prior garage structure, which had to be torn down in 2014 due to damage/unusable condition. The owners have always planned to rebuild, but the current slab location is too close to road setback. Therefore, need to build/relocated the new structure to conform to setback requirements.

4. Describe other alternatives, if any.

None.

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

The proposed structure will be constructed in a manner generally consistent with style and size of other rustic cabin dwellings in this area of the lake, specifically, Wakely Road. There are many such cabin dwellings in this area of the lake, and many are also on nonconforming or small lots.

6. Describe how neighboring properties and the use of those properties will be impacted by the proposed use with the variance. The use of neighboring properties will be unaffected by the proposed structure. Necessary setbacks from neighbors, roads, and shoreline will be adhered to. The proposed construction will adhere to lot area and other building restrictions.

7. Describe how negative impact to the local environment and landscape will be avoided.
We plan to maintain necessary setback from Lake Vermilion shoreline. We will preserve shoreline and as many natural contours and existing native trees as possible. We will use approved septic system (permit 21-S-02289) in order to minimize impact on this land. We will adhere to lot area restrictions for the footprint of this structure.

8. Describe the expected benefits of a variance to use of this property.
Construction of the proposed structure will improve the lot by removing dead and dying trees, which will diminish fire hazard to neighboring properties. Property value and associated county tax revenue will increase. Structure will improve property and facilitate a generally more aesthetic usage.

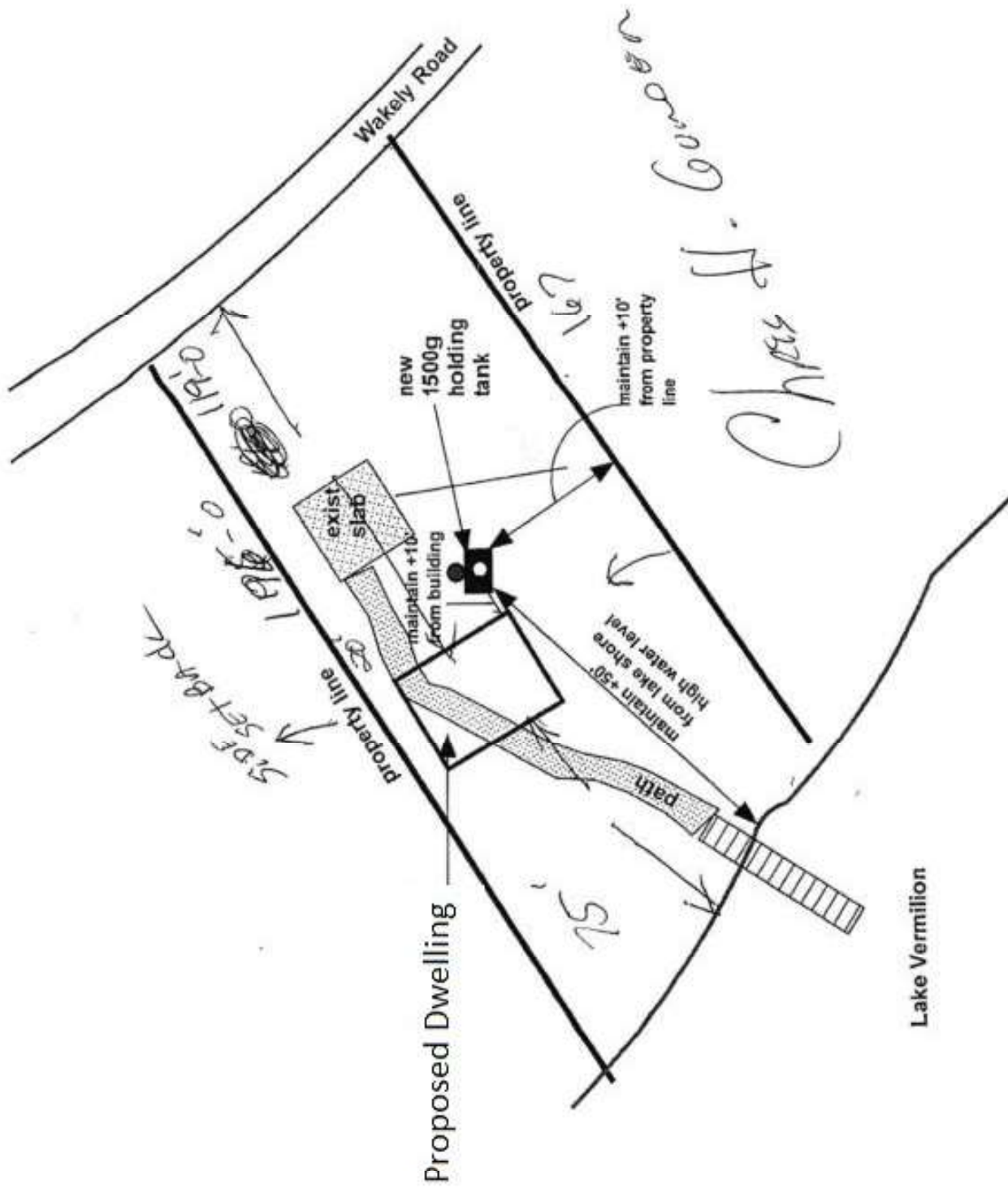
9. Include additional comments that will clarify your request for the Planning and Community Development staff members and the Board of Adjustment.
The proposed structure will be used to store vehicles, trailers and equipment that are currently otherwise stored outside. The apartment will be used seasonally by owners and occasional guests for late arrivals, overflow, late seasonal access, and when the owners' island property may be inaccessible. Intermittent occupancy of dwelling is anticipated, predicted to be less than 30 days per year.

OFFICE USE ONLY

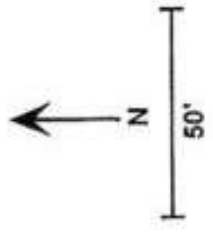
Principal Structures	Principal Structure Additions	Accessory Structures	Accessory Structures Additions	Other
<input type="checkbox"/> Shoreline Setback <input type="checkbox"/> Property Line Setback <input type="checkbox"/> Lot Width <input type="checkbox"/> Height Limit <input type="checkbox"/> 40% 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 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	Office Use Only Receipt # _____ Receipt Date _____ Payment Amount _____ Paid By _____
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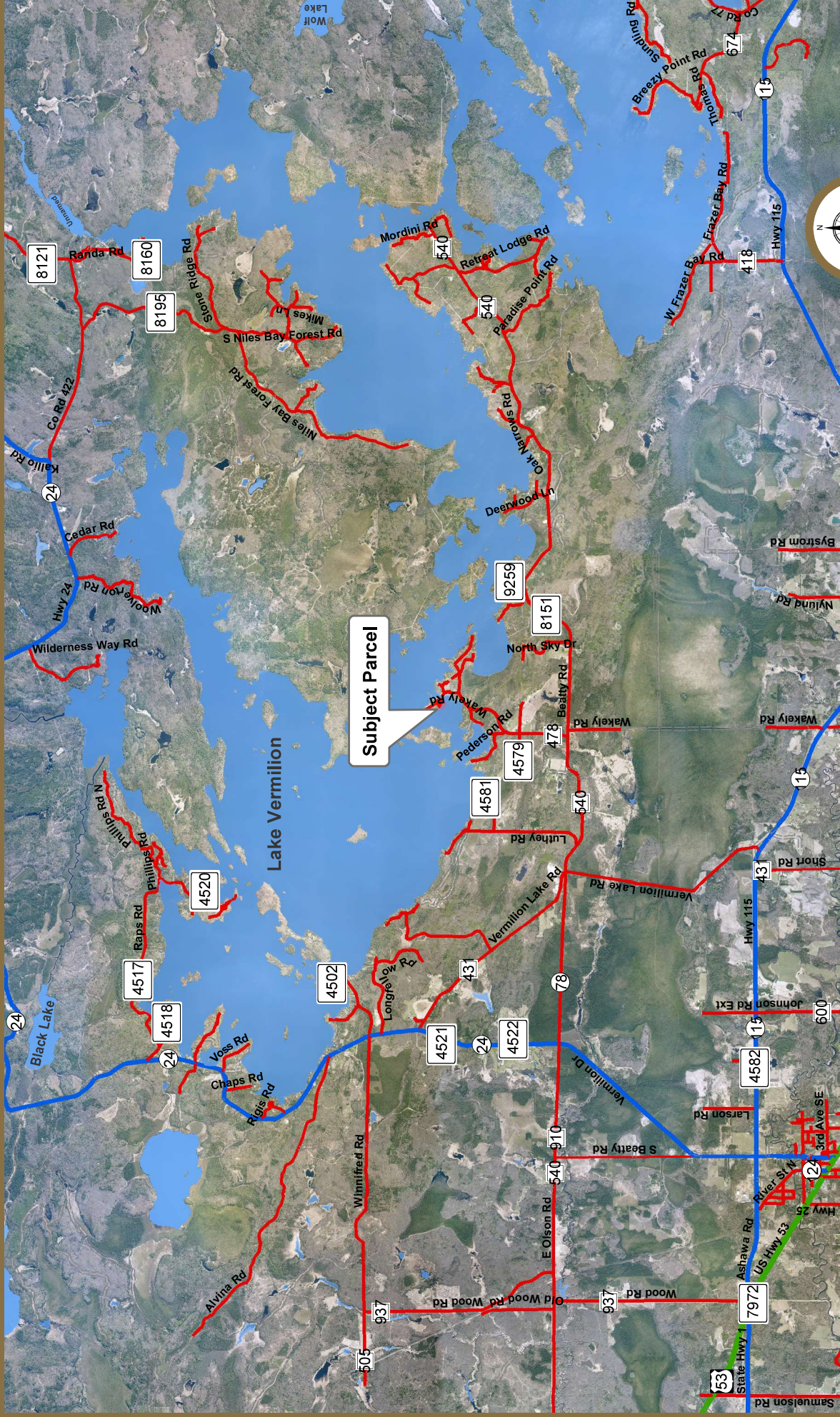


● SB1



St. Louis County

January BOA Meeting



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



0 1 2
Miles

Prepared By: **Planning & Community Development**
(218) 728-5000
www.stlouiscountymn.gov

Source: St. Louis County

Map Created: 12/16/2021

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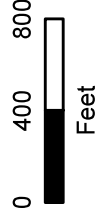
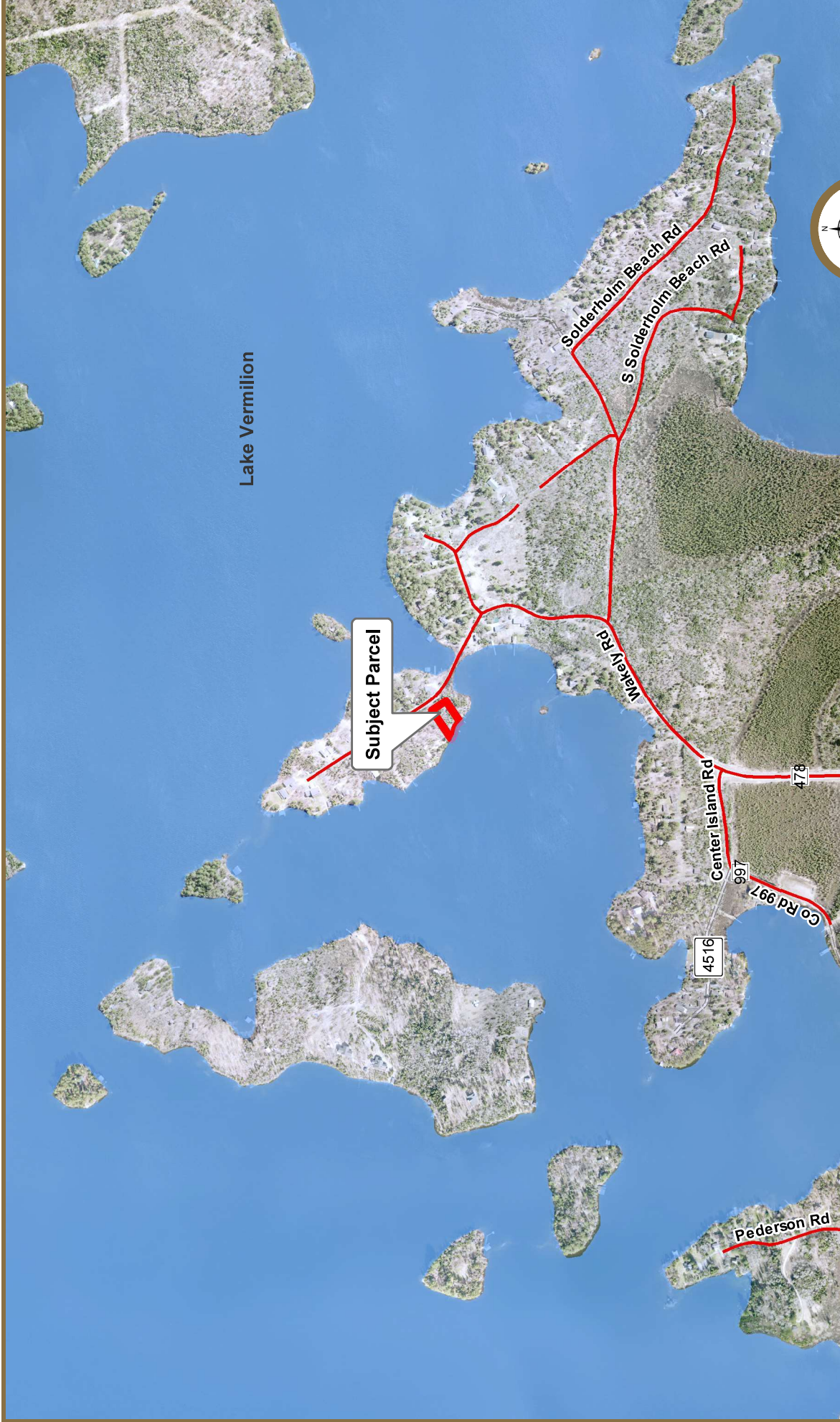
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St. Louis County

January BOA Meeting



Gunderson-Wagner

Location Map
PIN: 250-0082-00160



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Source: St. Louis County

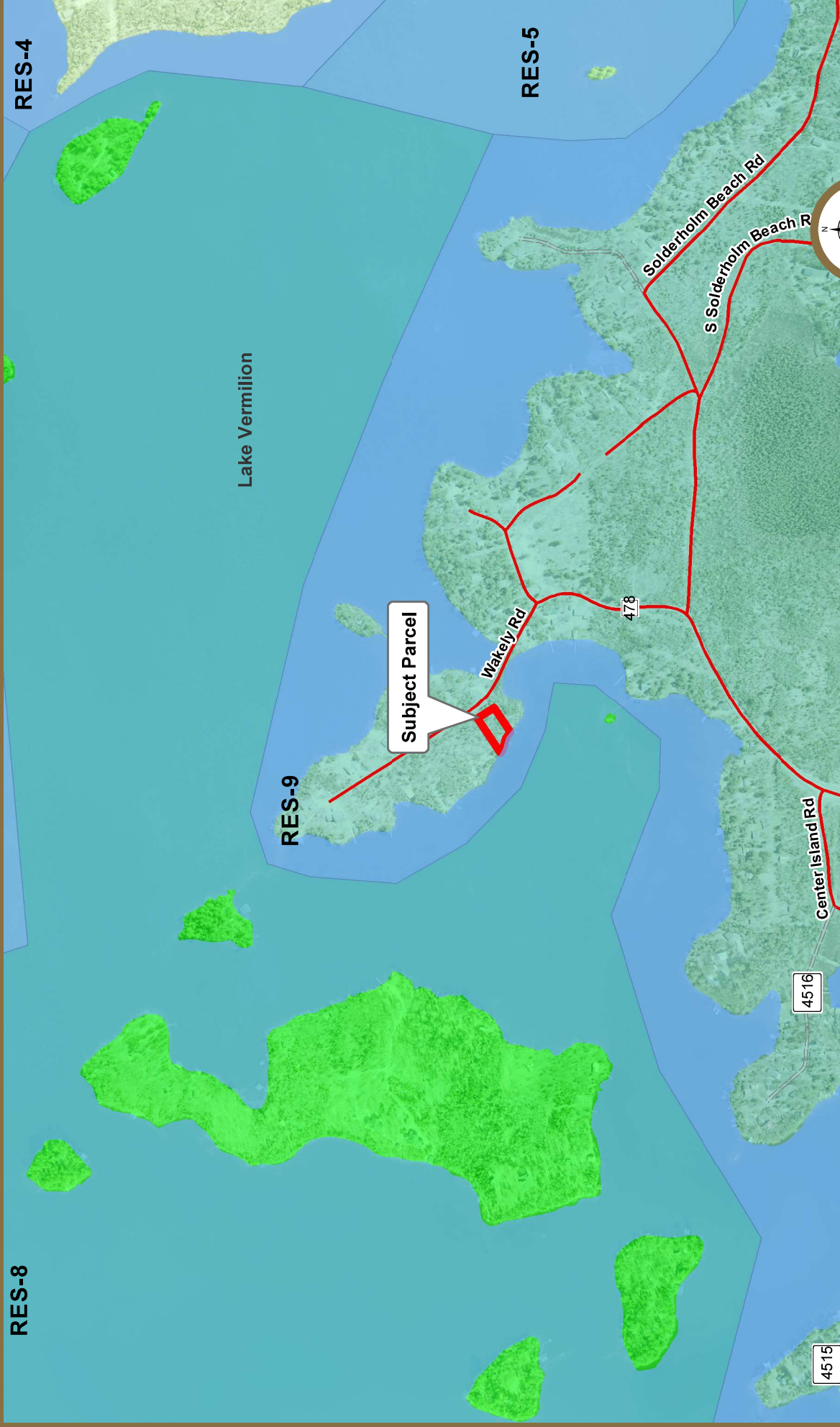
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St. Louis County

January BOA Meeting

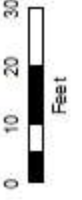


Gunderson-Wagner
Zoning Map
PIN: 250-0082-00160



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St. Louis County



Site Map



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 (216) 725-3000
www.stlouiscountytn.gov
 Source: St. Louis County

Map Created: 12/22/2021

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Office of the County Recorder

St. Louis County, Minnesota

Recorded on 11/16/2000

at 08:16AM

Document No. 00801492

Mark A. Monacelli

County Recorder

By TERESA HIRSCH DEPUTY

AFR 23641



00801492

DO NOT REMOVE

SLC Planning
AFR # 23641
Cash No Chg

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

Staff Inspection Date: September 1, 2000

Staff Report Date: September 12, 2000

Staff Report Prepared by: James Plummer

Board of Adjustment Hearing Date: September 19, 2000

Applicant for a variance: Gregory Kuchan
 8600 Burr St.
 Crown Point Indiana 46307

A Legal Description: Lot 16, Soderholm Beach, Section 25, Township 63, Range 18
 (Beatty Township).

Variance Request: Article III, Section 2 - Allow construction on a lot .46 acres in size, where
 .5 acres is required.

FINDINGS

GENERAL LAND USE:

Location of Property - Ten miles north of Cook on Lake Vermilion.

Road Access and functional class - Platted road that dead ends 1,000 feet beyond property at end on peninsula.

Watershed or Lake Name - Lake Vermilion

Shoreland Classification - General Development

Description of development in the area - Soderholm Beach is an older plat of 100 foot wide lots. Some owners have more than one lot, and most properties appear to be seasonal in nature.

Physical features of the area - Lot is on small bay that contains numerous residential lots, a public landing and public campground.

Development trends if any

SITE SPECIFICS:

Acres in development - .46 acres.

Frontage on road, lake etc.- 100 feet of width.

Topography - Gentle to moderate slope to lake from road.

Vegetative cover - Fully vegetate except for garage area near road.

Wetland issues - None

Existing development on the property - Garage (24 x 30)

ZONING AND LAND USE:

Name of Zone District - SMU-11

Appropriate Land Use Policies

DISCUSSION:

Jim Plummer stated that many of the half-acre lots in the plat are developed, however, this is a new structure and the structure should be downsized if a variance is allowed.

Rich Hyrkas, Environmental Health Specialist, stated that Mike Kolb, Sanitarian for the area, visited the site and determined that there is no septic system area on the lot for year round use. There is a minimum of setback of 50 feet from the lake and 20 feet from a building. The only option is a holding tank. The recommendation of the Health Department is denial for year round use.

TESTIMONY:

Vicki Woolverton, Realtor, was present as the authorized representative. She stated that the garage is in the northwest corner of the property. The applicant would do whatever is needed to get room for a septic system. She stated that most of the lot is more than 2 feet above lake level. The applicant would do whatever is needed to conserve water. Ms. Woolverton stated that the location of the home is not firm and if the house was placed on the northwest side of the lot there may be more room for the septic system.

There were no comments from the audience.

COMMUNICATIONS:

Correspondence against the proposal was received from Bill Skorseth (copy on file for review).

CONCLUSIONS (based on criteria for approval):

- **Is the variance in harmony with the general purposes and intent of the Zoning Ordinance?** Yes, this is a typically sized lot in this plat. The issues are the size of the structure (40 x 30) and septic potential.
- **Is there practical difficulty or particular hardship?** The lot is a stand-alone lot.
- **Are there alternatives that can be pursued to avoid the need for variance?**
- **Are the terms of the variance consistent with the comprehensive plan?**
- **What is the degree to which the applicant seeks to vary from the ordinance?**
- **What is the degree of harm that will be imposed on the surrounding area if the variance is granted?**
- **Is the difficulty self-imposed?**

DECISION:

Motion by Harris, supported by Hill, carried 6:0, to deny without prejudice the Health Department Variance to allow a septic system on the lot for year round use. Denied without prejudice to allow the applicant to work with the Health Department for a workable system.
Vote: Harris/Hill/Hakala/Bujarski/Grubich/Rogich

Motion by Harris, supported by Hill, carried 6:0, to deny without prejudice the variance to construct a 40 X 30 home. Denied without prejudice because the applicant cannot meet the Health Department standards.

Vote: Harris/Hill/Hakala/Bujarski/Grubich/Rogich

BY ORDER OF THE ST. LOUIS COUNTY BOARD OF ADJUSTMENT

Donald N. Grubich

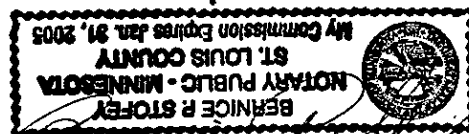
Chairman

Mary McKay

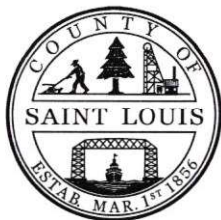
Secretary

Subscribed to and sworn to
before me on this 17th day of
October, 2000.

Recorded pursuant to MN. Statutes 394.27, Subd. 8



Bernice R. Stofey



Saint Louis County

Planning and Community Development Department
On-Site Wastewater Division
www.stlouiscountymn.gov
Matthew Johnson · Director

Permit to Construct a Subsurface Sewage Treatment System Operating Permit System

Jeffery & June Wagner
12985 Waterridge Dr
McCordsville, IN 46055

Permit # : 21-S-02289
Review Date : 10/20/2021
Permit Expires : 10/20/2023
Parcel Code : 250-0082-00160
Township : TOWN OF BEATTY
Designer : Jeff Schanche

Site Jeffrey Wagner
Address: 2619 Wakely Rd
Cook, MN 55723

Permission is granted to execute the work specified according to this permit with attached sewage treatment plans which meet the minimum standards of St Louis County. Construction must be done in accordance with these standards. This permit may be revoked at any time upon violation of any of the provision of the existing ordinance.

MPCA System Type: MPCA II - Holding Tank

Residential - Dwelling

Design Flow Rate: 225

Dwelling: Class II

Bedrooms: 2

Tank Type	# of Tank	Gallons
Holding Tank	1	1500

Comments to Installer and property owner:

High level alarm and water measuring device required, per Ordinance 61.

FINAL INSPECTION: The system installer must contact On-Site Wastewater Division prior to construction. A final inspection must be scheduled prior to backfilling and must be scheduled a minimum of 48 hours in advance (excluding weekends and holidays).

Disclaimer: St. Louis County issues a sewage treatment system permits as a 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.

Emily Anderson
218-749-0639
OSW Environmental Specialist

Government Services Center
201 South 3rd Avenue West
Virginia, MN 55792