



ST. LOUIS COUNTY PLANNING COMMISSION STAFF REPORT

REPORT DATE: 3-19-21

MEETING DATE: 4-08-21

APPLICANT INFORMATION

APPLICANT NAME: Keith Johnson

APPLICANT ADDRESS: 5489 Hwy 100, Aurora MN 55705

OWNER NAME:

SITE ADDRESS: N/A

LEGAL DESCRIPTION: Gardendale 1st Addition, Block 1, Lots 4-6, S15, T58N, R15W (White)

PARCEL IDENTIFICATION NUMBER (PIN): 570-0060-00040, 00050, 00060

NATURE OF REQUEST: A conditional use permit to allow residential use in a Commercial zone district.

PROPOSAL DETAILS: The applicant is proposing to build individual homes on three platted lots. The parcels are part of a large subdivision plat that was established in the 1920's. The lots have frontage on a public road and are serviced by municipal sewer.

PARCEL AND SITE INFORMATION

ROAD ACCESS NAME/NUMBER: South 1st St. W

ROAD FUNCTIONAL CLASS: local

LAKE NAME: or N/A

LAKE CLASSIFICATION: N/A

RIVER NAME: or N/A

RIVER CLASSIFICATION: N/A

DESCRIPTION OF DEVELOPMENT ON PARCEL: Undeveloped

ZONE DISTRICT: COM 11

PARCEL ACREAGE: Approximately 1.4 acres

LOT WIDTH: Each lot has 100 feet.

FEET OF ROAD FRONTAGE: 300 Feet

FEET OF SHORELINE FRONTAGE: N/A

PARCEL AND SITE INFORMATION

VEGETATIVE COVER/SCREENING: The parcels are currently undeveloped with tree cover.

TOPOGRAPHY: Level

FLOODPLAIN ISSUES: N/A

FACTS AND FINDINGS

A. Plans and Official Controls:

1. St. Louis County Ordinance 62, Article V, Section 5.5 E, allows a residential use in a commercial district with a conditional use permit.
2. The property is located within the Community Growth area identified in the St. Louis County Comprehensive Land Use Plan. These are preferred areas for the expansion of communities that have potential growth in the next 20 years. The intent of this land use category is to help communities guide future growth that would be most advantageous given environmental constraints, and various development opportunities (such as road access or proximity to existing development). This property consist of 3 platted lots that are located adjacent to existing residential properties with public road frontage and municipal sewer.

B. Neighborhood Compatibility:

1. The majority of the neighborhood is zoned Residential and is part of a large subdivision approved in the 1920's.
2. The use should be allowed because it is part of the platted property that was intended for residential development. The current zoning is most likely due to adjacent parcels with established commercial activity.

C. Orderly Development:

1. The neighborhood consist of residential development to the north, south and west. The property to the east is also owned by the applicant.
2. As stated in the Comprehensive plan, this is an area that is intended for community growth. The new homes will provide additional housing and tax base for both local and county governments.

D. Desired Pattern of Development:

1. Pattern of development is residential which is consistent with the proposed request.
2. Falls under the community grown area of the Comprehensive Land Use Plan which is intended for residential growth.

E. Other Factor(s):

1. The parcels are platted lots that are part of a large subdivision plat. The majority of the lots within this plat are zoned Residential 7 which would allow residential use with a standard land use permit if all ordinance requirements are met. Each lot is considered a lot of record per St. Louis County Ordinance 62, Article IV, section 4.4 D2. It is recommended that the township considered a zoning map amendment for the area zoned commercial. This entire are is within a subdivision plat intended for residential development.

PLANNING COMMISSION CRITERIA FOR APPROVAL OF A CONDITIONAL USE PERMIT

- 1. Does the use conform to the land use plan?**
- 2. Is the use compatible with the existing neighborhood?**
- 3. Will the use impede the normal and orderly development and improvement of the surrounding area?**
- 4. Is the location and character of the proposed use considered consistent with a desirable pattern of development?**
- 5. What, if any, other factors should be taken into consideration on this case?**

RECOMMENDED CONDITIONS , IF APPROVED

In the event that the Planning Commission determines that the proposal meets the criteria for granting a conditional use permit to allow residential use in a commercial zone district the following conditions shall apply.

- 1. The applicant shall comply with all county, state and federal regulations.**
- 2. If the zoning district remains Commercial, no additional Conditional Use Permits shall be required for future Residential Uses.**



Conditional Use Permit (CUP)

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

| | | | |
|----------------|--------------------|----------------|--|
| *Primary PIN | 570 - 0060 - 00060 | Associated PIN | |
| Associated PIN | | Associated PIN | |

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/parcelInfo2005Iframe/>

APPLICANT

| | | | |
|--|--|--------------|------------|
| *Applicant Name | I am a... <input checked="" type="checkbox"/> Contractor <input type="checkbox"/> Homeowner <input type="checkbox"/> Other | *Daytime # | Date |
| KEITH A. JOHNSON | | 218-750-0396 | 02-24-2021 |
| *Applicant Address | *City | *State | *ZIP |
| 5489 HWY 100 | AURORA | MN | 55205 |
| Applicant Email masonk@frontiernet.net | | | |
| Contact Person <small>If applicable.</small> | Contact Person # | | |
| Mailing Address <small>If different than above.</small> | City | State | ZIP |
| Email Address <small>Where to email permit. Providing an email address will expedite the time in which a permit is received by an applicant.</small> masonk@frontiernet.net | | | |

SITE INFORMATION

| | |
|--|--|
| <input type="checkbox"/> Yes <input checked="" 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 type="checkbox"/> Yes <input checked="" 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: KITCHEN, BATHROOM |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | *Is the property connected to a municipal or sanitary district system? |

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.**



Conditional Use Permit (CUP)

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-\$150
☐ 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 checked="" 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) |
|--|--|---|--|---|--|--|
| | HOME | SLAB | 40 Feet | 30 Feet | 1200 Sq. ft. | 22 Feet |
| | GARAGE | SLAB | 24 Feet | 24 Feet | 576 Sq. ft. | 16 Feet |
| | | | Feet | Feet | Sq. ft. | Feet |
| <input 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) |
| | | | Feet | Feet | Sq. ft. | Feet |
| | | | Feet | Feet | Sq. ft. | 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 _____



Conditional Use Permit (CUP)

WORKSHEET St. Louis County, Minnesota

About: Conditional use permits are typically required on property where the owner does not reside and/or has employees and customer traffic. A CUP needs additional controls or restrictions to assure that it is in harmony with the neighborhood. They are also required for a variety of other uses.

County Land Explorer: <https://gis.stlouiscountymn.gov/landexplorer/> Property Lookup: <http://apps.stlouiscountymn.gov/auditor/parcelInfo2005Iframe/>

WHAT ARE YOU APPLYING FOR? *Check all that apply to the project.*

- | | |
|---|---|
| <input type="checkbox"/> New business <input type="checkbox"/> Expansion of existing business <input type="checkbox"/> Replace existing business <input type="checkbox"/> Extractive Use-General Purpose Borrow (Gravel) Pit* <small>*Additional worksheet required. It is not necessary to continue filling out the CUP worksheet form. Please see Extractive Use- General Purpose Borrow (Gravel) Pit Worksheet (attached).</small> | <input checked="" type="checkbox"/> Other If Other, please explain: New Home |
|---|---|

ABOUT THE BUSINESS

TYPE OF BUSINESS

How is the property currently being used?

VACANT LAND

What type of business/use is being applied for? (List all uses that will take place)

RESIDENTIAL

HOURS OF OPERATION

(Proposed)

Monday through Friday

Saturday

Sunday

Comments

Start:
End:

N.A.

Start:
End:

Start:
End:

TRAFFIC, PARKING, AND/OR DOCKAGE

☒ Yes ☐ No Will the proposal generate an increase in traffic? (Boat, snowmobile, truck, bus, car, etc.)

If Yes, estimated increase: ☒ 10 vehicles or less ☐ 11-25 vehicles ☐ Greater than 25 vehicles

☐ Yes ☒ No Does the proposal require parking? (Please include employees, visitors, and other parking)

NA

If Yes, how many parking spaces are available on the property?

APPROVAL FROM LOCAL ROAD AUTHORITY REQUIRED

☐ Yes (Please attach approval letter)
☒ No

SIGNAGE AND LIGHTING

☐ Yes ☒ No Does your proposal include signage? (Include any off-site signs)

If Yes, please list number of signs, size, location, and illumination of each sign:

☒ Yes ☐ No Will there be lighting (including security lighting) that may be visible from roads, waterways, and adjacent properties?

If Yes, please explain: RESIDENTIAL EXTERIOR LIGHTING

TYPE OF PROPOSED STRUCTURES Check all that apply to the project.

☐ No New Structures

| <input checked="" type="checkbox"/> New Structure(s) | Structure Type | 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) |
|--|----------------|--|---|--|---|---|
| | HOUSE | SLAB | 40 Feet | 30 Feet | 1200 Sq. ft. | 22 Feet |
| | GARAGE | SLAB | 24 Feet | 24 Feet | 576 Sq. ft. | 16 Feet |
| | | | Feet | Feet | Sq. ft. | Feet |
| | | | Feet | Feet | Sq. ft. | Feet |
| | | | Feet | Feet | Sq. ft. | Feet |
| | | | Feet | Feet | Sq. ft. | Feet |

Other

| <input type="checkbox"/> Structure Additions | Structure Type | 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 |
| | | | Feet | Feet | Sq. ft. | Feet |

Other

OUTDOOR BUSINESS ACTIVITY Check all that apply to the project.

Will there be any outdoor work or storage areas such as: rock piles, assembly sites, tank storage, equipment parking, etc?

☐ Yes ☒ No

If Yes, please explain:

WASTEWATER TREATMENT

Will wastewater will be generated?

☒ Yes ☐ No

If Yes, what type of system will be used to handle wastewater treatment?

☐ Private Septic System

☒ Municipal

☐ Other, please explain:

SOLID WASTE Check all types of waste generated and describe how you will collect and store waste generated from the business below:

- | | | | |
|---|---------------------------------------|---|--------------------------------------|
| <input checked="" type="checkbox"/> Household Garbage | <input type="checkbox"/> Animal Waste | <input type="checkbox"/> Hazardous | <input type="checkbox"/> Radioactive |
| <input type="checkbox"/> Oil and Grease | <input type="checkbox"/> Chemicals | <input type="checkbox"/> Demolition Waste | <input type="checkbox"/> Other |
| <input type="checkbox"/> Other Automotive Fluids | <input type="checkbox"/> Medical | <input type="checkbox"/> Wood and Sawdust | |

If Other, please explain:

Please describe collection and disposal:

*Additional information may be required based on the scope of the project.

STORMWATER MANAGEMENT

- | | | |
|------------------------------|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Will there be more than one (1) acre of altered surface? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | If Yes, do you have an MPCA NPDES permit? (Please attach permit) |

CONTACT: Planning and Community Development Department**Technical Assistance**

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

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

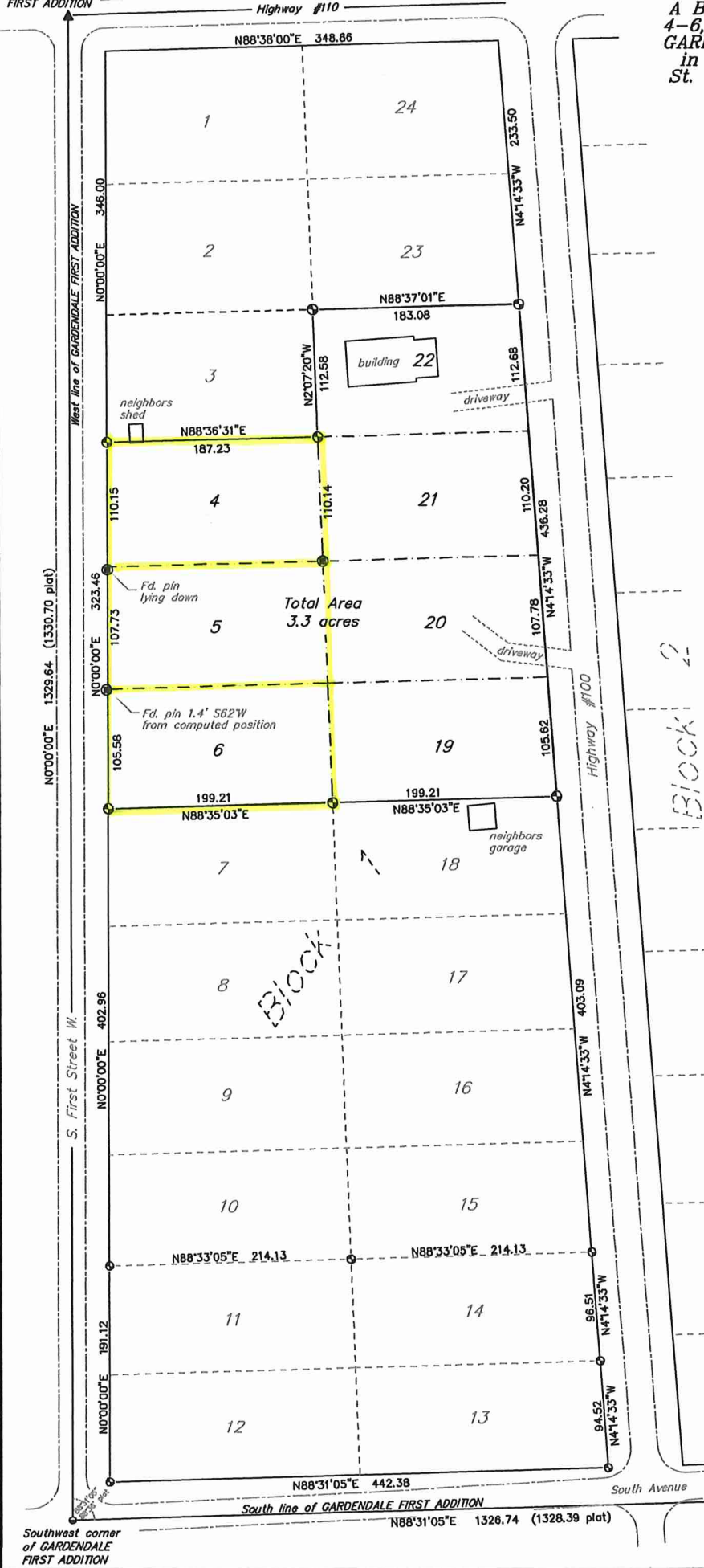
Office Use Only

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

Northwest corner
of GARDENDALE
FIRST ADDITION

CERTIFICATE OF SURVEY

A Boundary Survey of Lots
4-6, and Lots 19-22, Block 1
GARDENDALE FIRST ADDITION
in Section 15, T58N, R15W
St. Louis County, Minnesota



LEGEND

- ⊕ Capped Rebar, marked PLS #48557
- ⊙ Found Iron Pin
- ▲ Found Mason (PK) Nail
- ⊖ Found 5/8" Rebar, marked RLS #16089
- Found Iron Pipe
- Found Rebar
- ⊗ Calculated Position



Bearings are based on
Project Coordinates.

0 40 80 160
SCALE IN FEET

I hereby certify that this survey, plan, or
report was prepared by me or under my
direct supervision and that I am a duly
Licensed Land Surveyor under the laws
of the State of Minnesota.

Mike Smith

Date: License No. 48557



1518 6th St. So.
Virginia, MN 55792
Phone: (218) 741-2575
northernlights@nlsurvey.com

PREPARED FOR:

Keith Johnson

SECTION: 15

TOWNSHIP: 58 NORTH

RANGE: 15 WEST

COUNTY: St. Louis

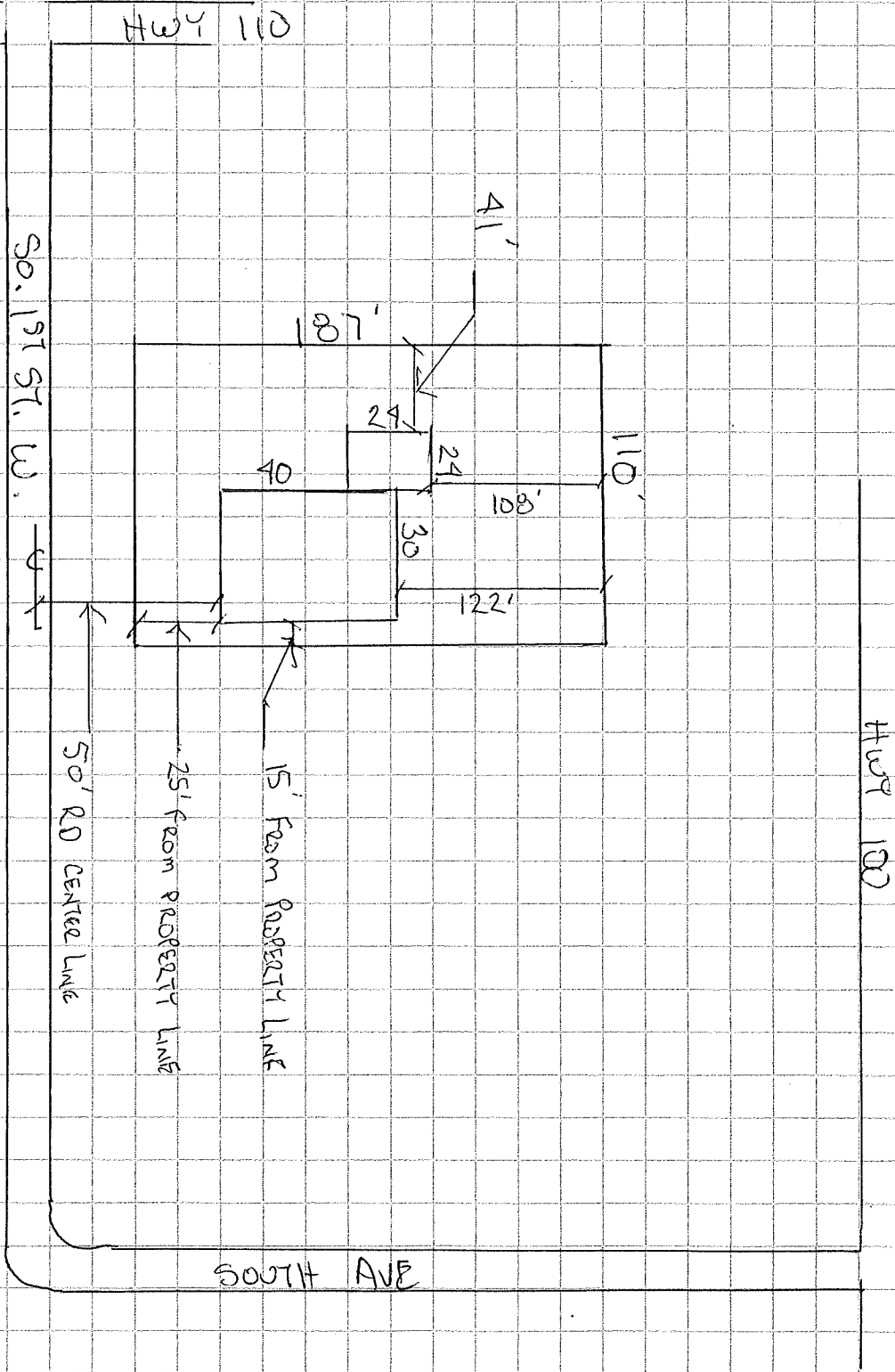
DATE: 4/16/2016

DRAWN BY: MNS

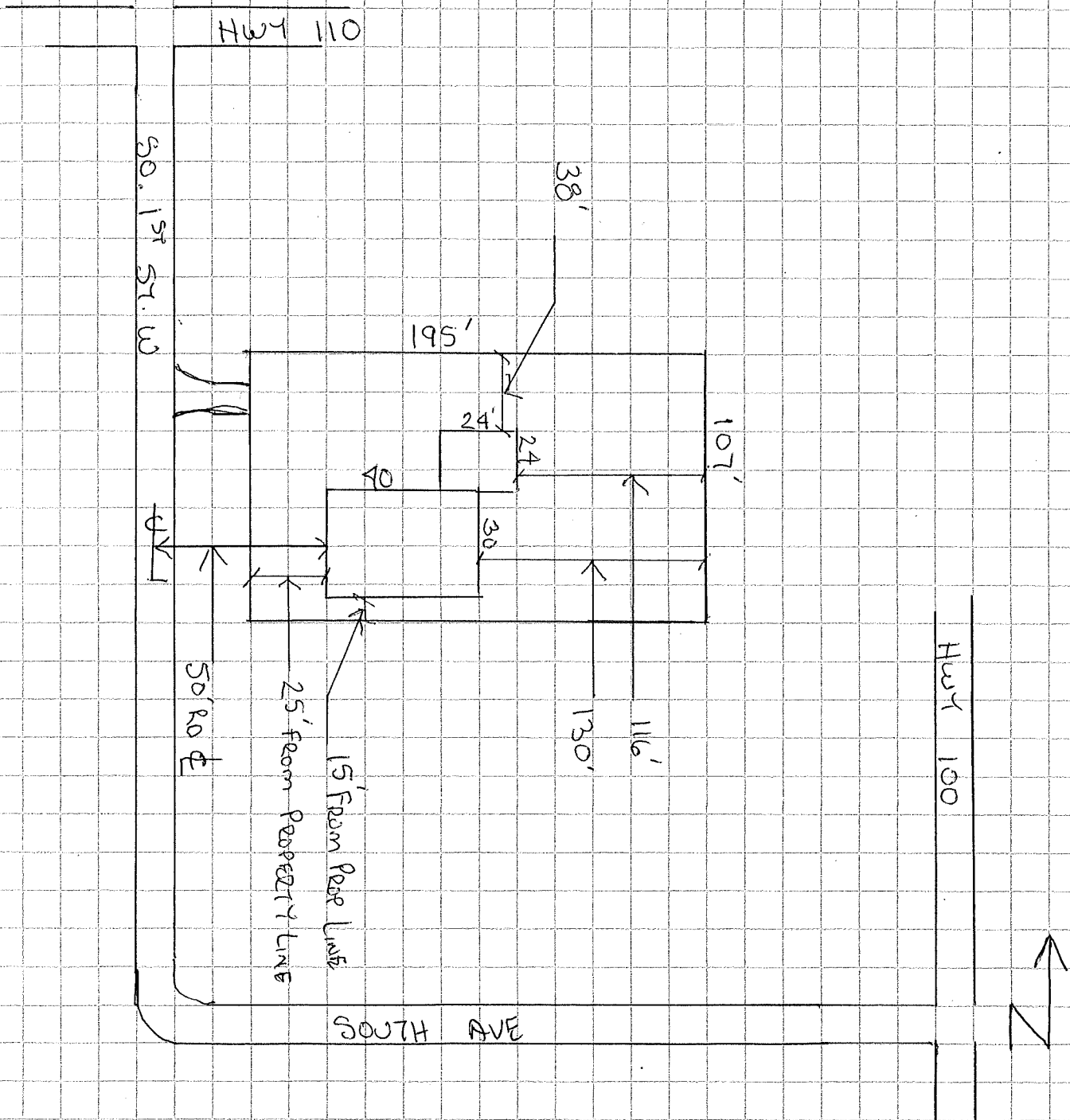
JOB NO: 12015-022

DRAWING NO: 12015022

KEITH JOHNSON
SO. 1ST ST. W. AURORA
570-0060-00040



KEITH JOHNSON
SO. 1ST ST. W. AURORA
570-0060-00050



Site Sketch Form

The sketch is to graphically illustrate your proposed project(s)

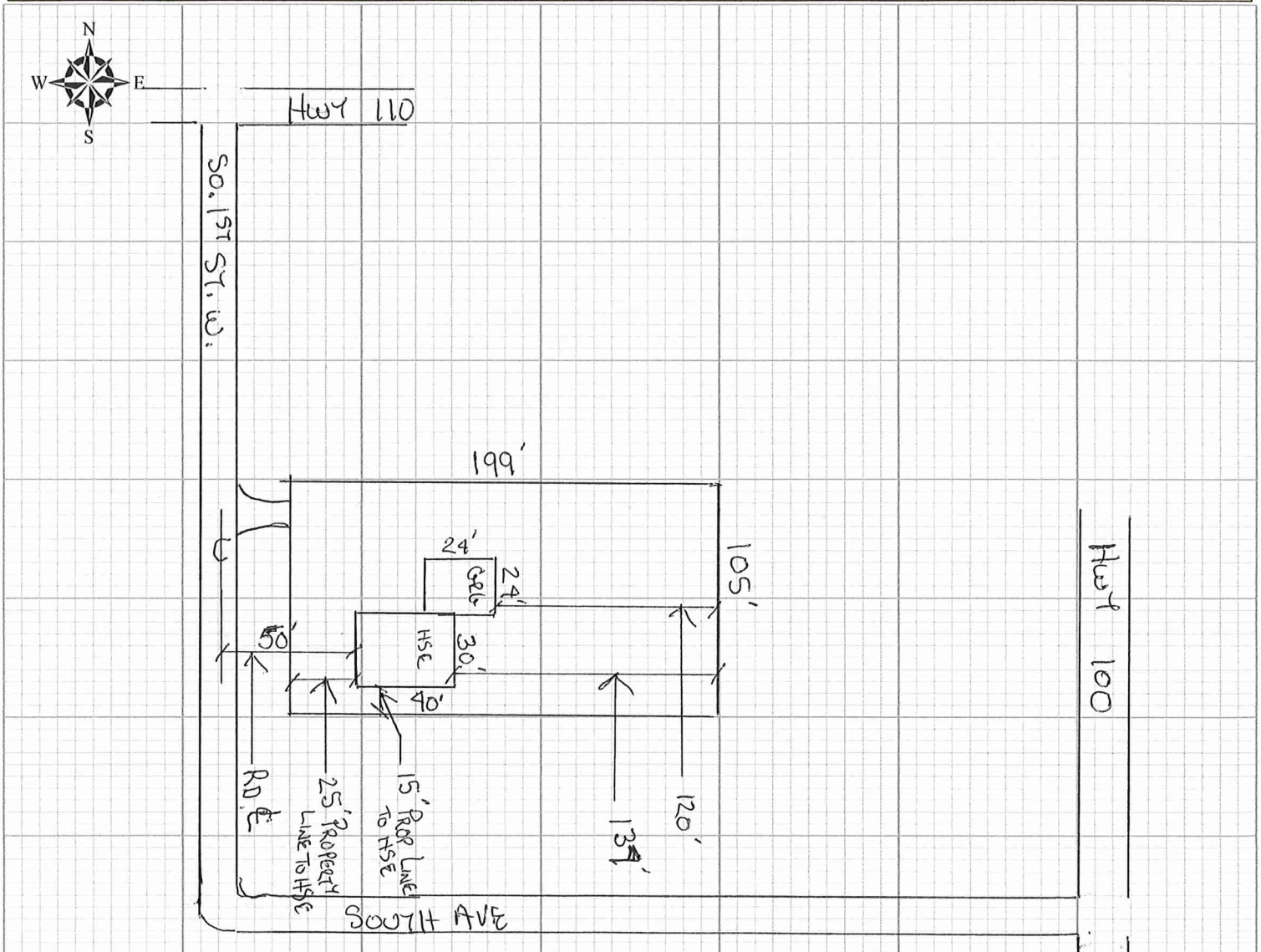
Draw and Label on Sketch (in feet)

- ☐ *All Structures on the Property and Dimensions
- ☐ *All Driveways, Access Roads, and Wetlands
- ☐ *All Proposed Structures and Dimensions

- ☐ *Distance of Proposed Structures to Shoreline (Closest Point)
- ☐ *Distance of Proposed Structures to Septic System and Tank
- ☐ *Distance of Proposed Structures to Property Lines
- ☐ *Distance of Proposed Structures to Road Centerline and Right-of Ways

You may submit your own site sketch **IF it has the required information indicated above.**

*Applicant Name: KEITH JOHNSON
 *Site Address: SO. 1ST ST. W. AURORA, MN
 *PIN: 570-0060-00060



Sanitary Authority Use Only

Sanitary Review: (To be determined by appropriate sanitary authority.)

Will the proposal, as shown above, negatively impact the SSTS/sanitary line or replacement area? ☐ Yes ☐ No

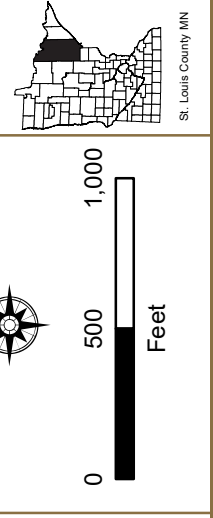
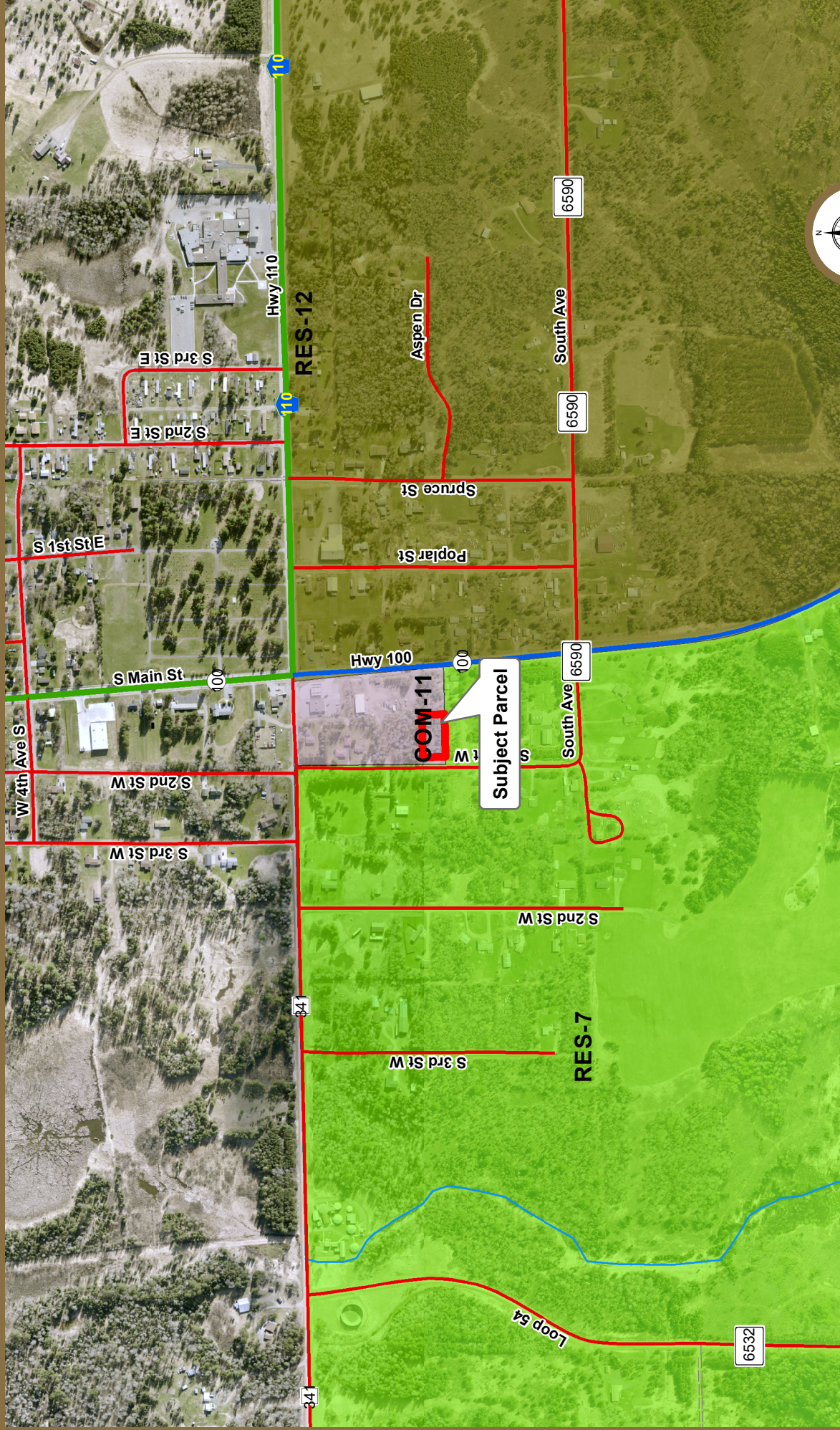
Sign off:

Signature _____ Title _____



St. Louis County

April PC Meeting



Keith Johnson
Zoning Map
PIN:570-0060-00060

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

Source: St. Louis County

Map Created: 3/16/2021

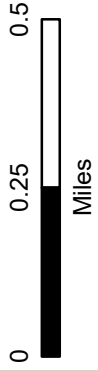
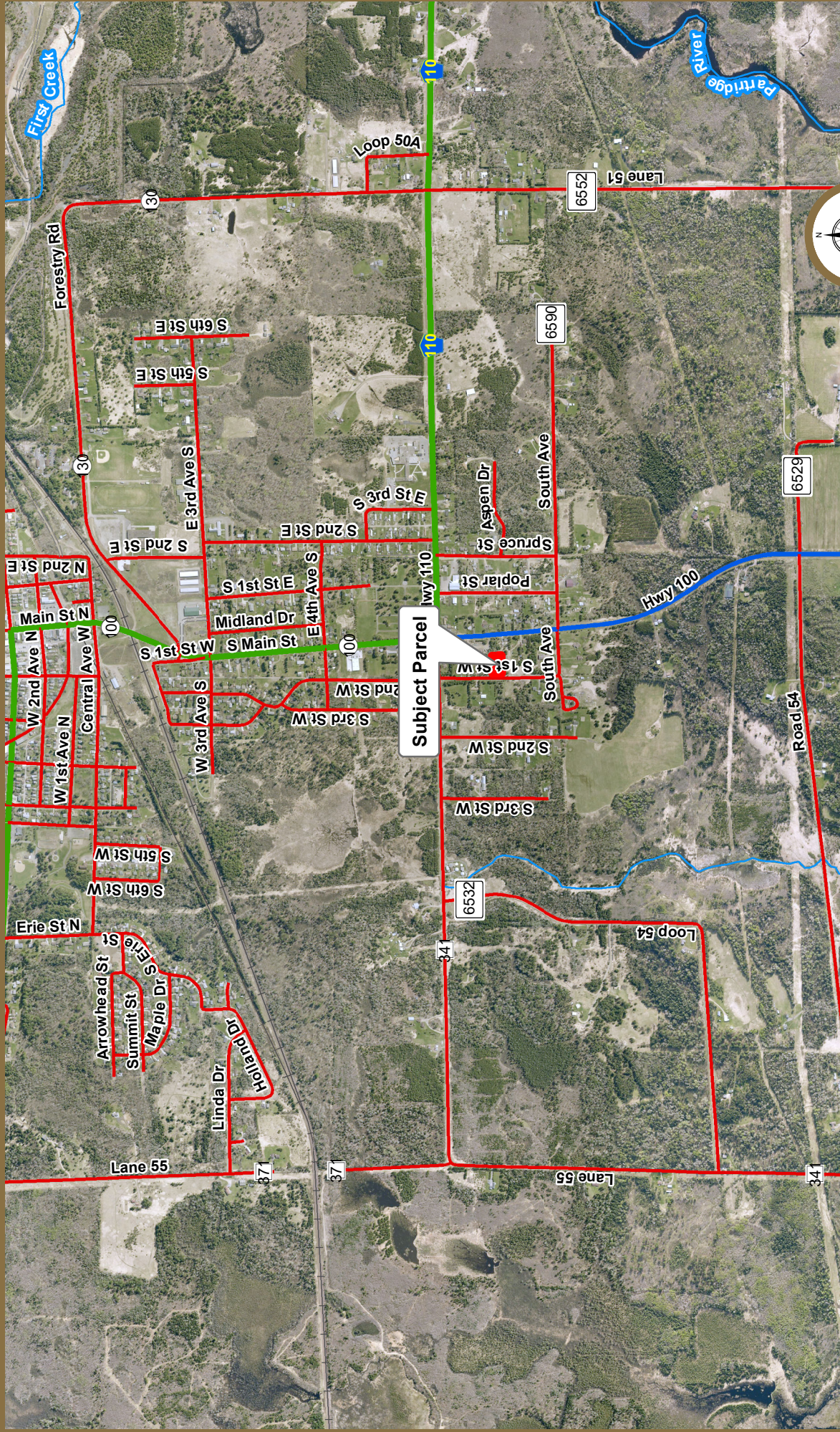
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St. Louis County

April PC Meeting



Keith Johnson
Location Map
PIN:570-0060-00060



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

Source: St. Louis County

Map Created: 3/16/2021

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St. Louis County Site Map



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

Source: **St. Louis County**

Map Created: **3/8/2021**

Disclaimer: This is a compilation of records as they appear in the St. Louis County Office's records. This drawing is to be used only for reference purposes and the County is not responsible for any inaccuracies herein contained.

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0 25 50 75
Feet

St. Louis County MO