

# Presenter

## Jared Ecklund-Senior Planner



# John Almeida

## Dwelling Replacement

3604 Fectos Road, Tower  
Greenwood Township



SAINT  
**LOUIS**  
**COUNTY**  
MINNESOTA

# Request

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- The applicant is requesting approval for a replacement dwelling to be located at a reduced shoreline setback where 75 feet is required.
- The applicant is also requesting approval for the height of the structure to be 25 feet where 20 feet is allowed.



# Proposal Details

- The current structure is located approximately 36 feet from the shoreline (measured by staff).
- The applicant indicated that the proposed structure would be at the same shoreline setback.
- The existing structure is 647 square feet and 20 feet in height
- The proposed new structure would be 1,536 square feet and 25 feet in height



# Development on the property

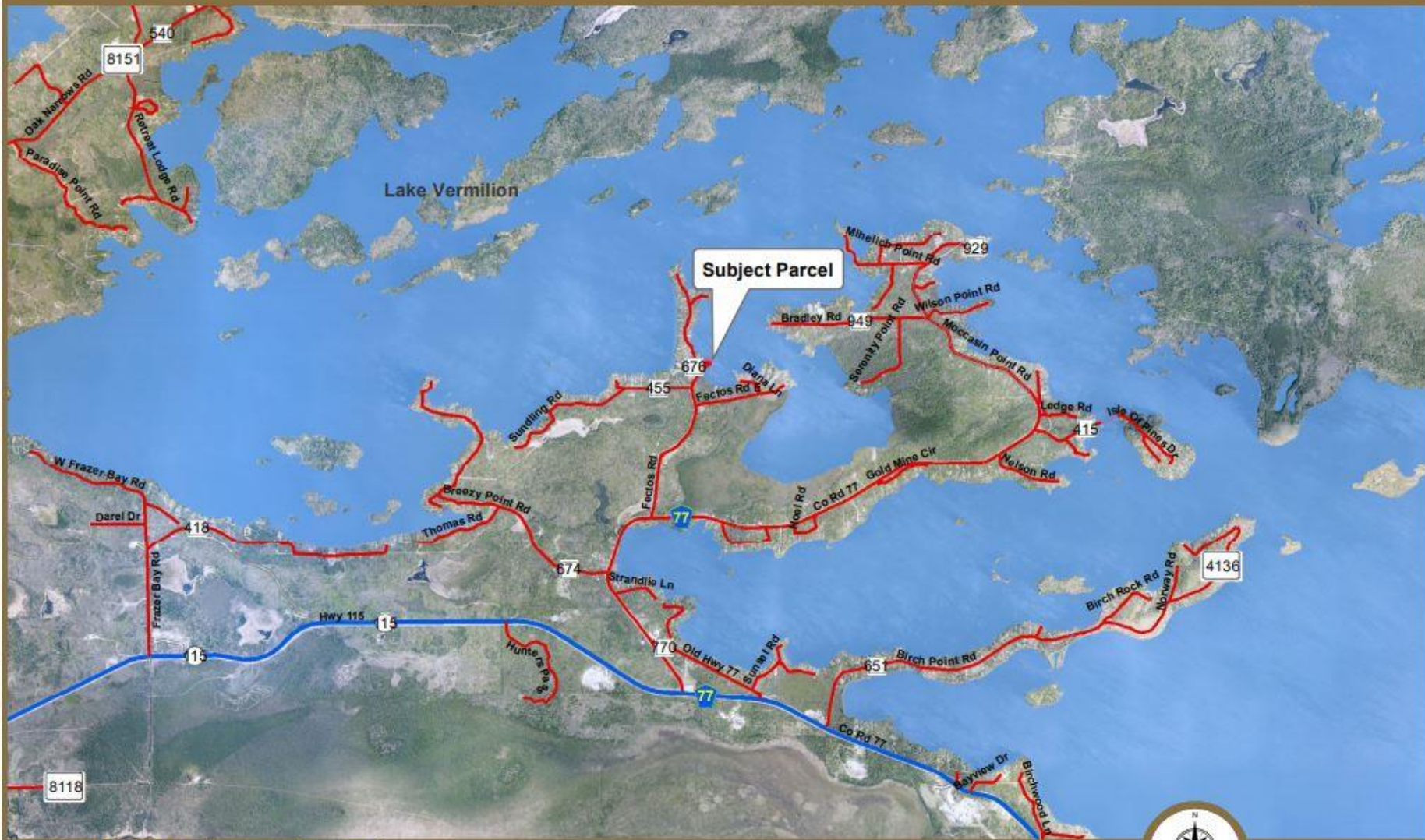
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- Existing Dwelling
- Septic Tank
- Well
- Several dilapidated accessory structures
  - Two “boathouses”
  - Three “bunk houses”
  - Shed
  - Sauna
  - Carport



# St. Louis County

June BOA Meeting



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

Source: St. Louis County

Map Created: 5/19/2021

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**John Almeida**

Location Map

PIN:387-0360-00280



0 0.5 1  
Miles

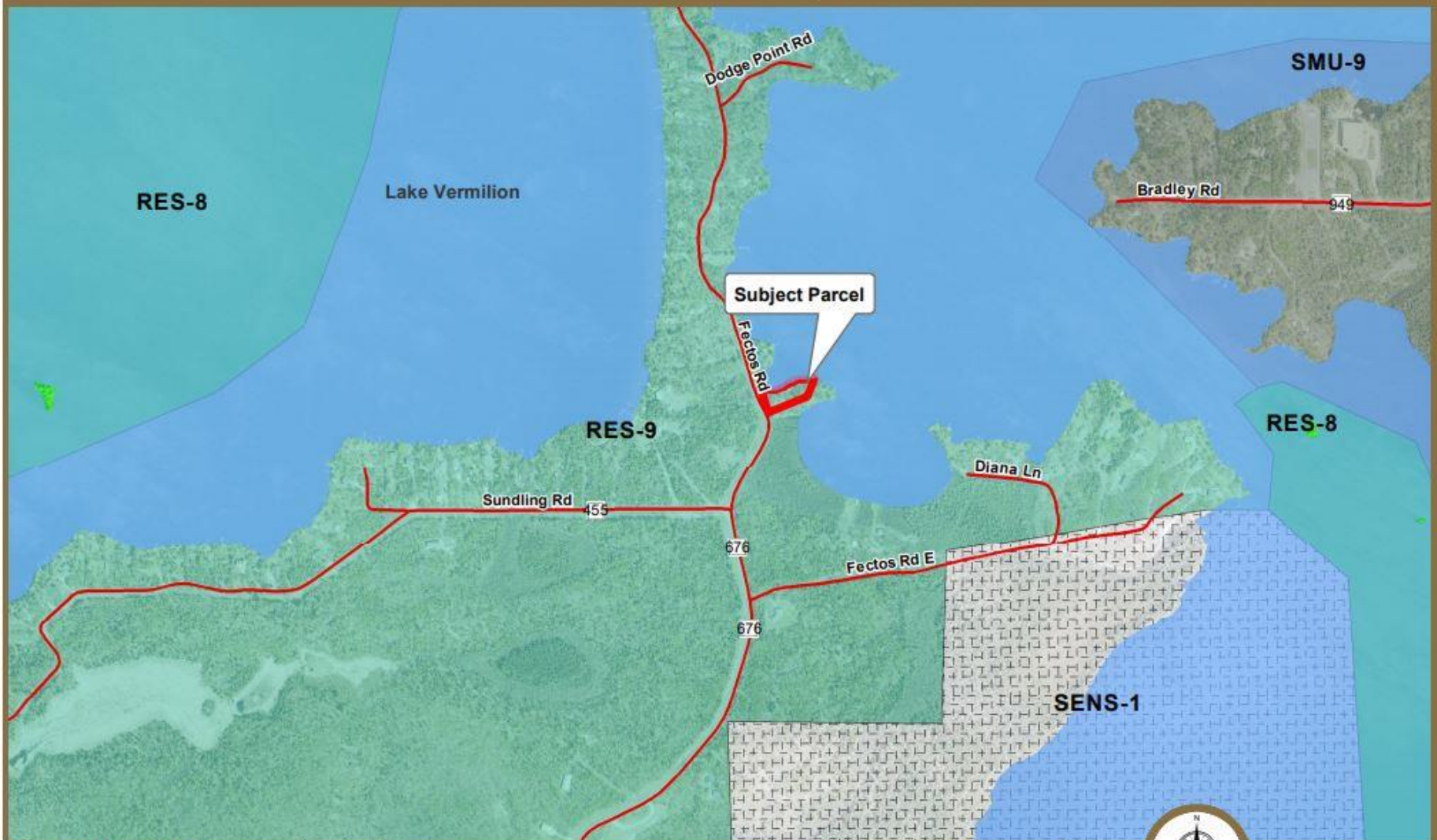


St. Louis County MN



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June BOA Meeting



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**John Almeida**

**Zoning Map**

**PIN:387-0360-00280**



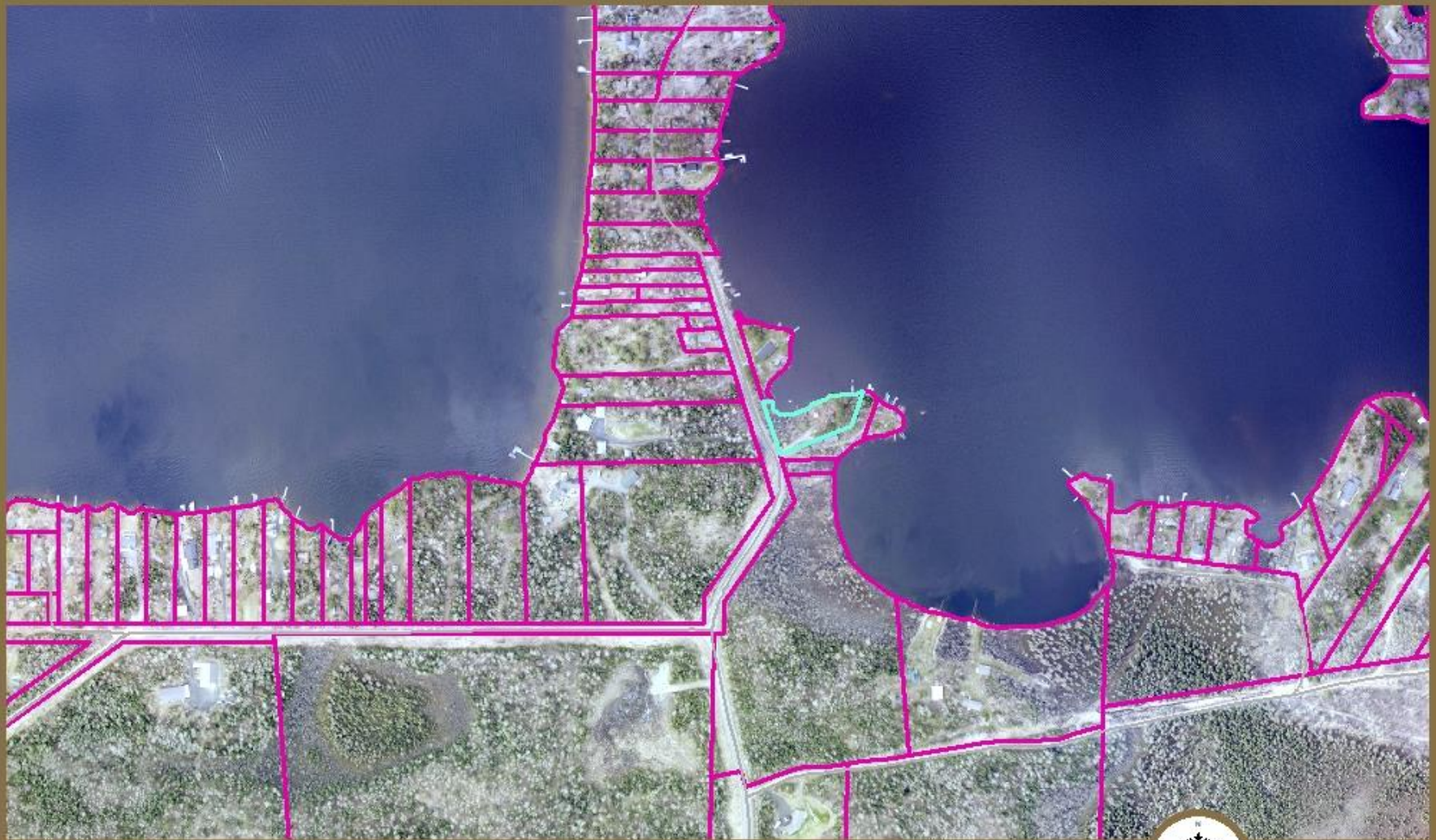
0 600 1,200  
Feet



St. Louis County MN



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## Site Map



0 200 400 600  
Feet



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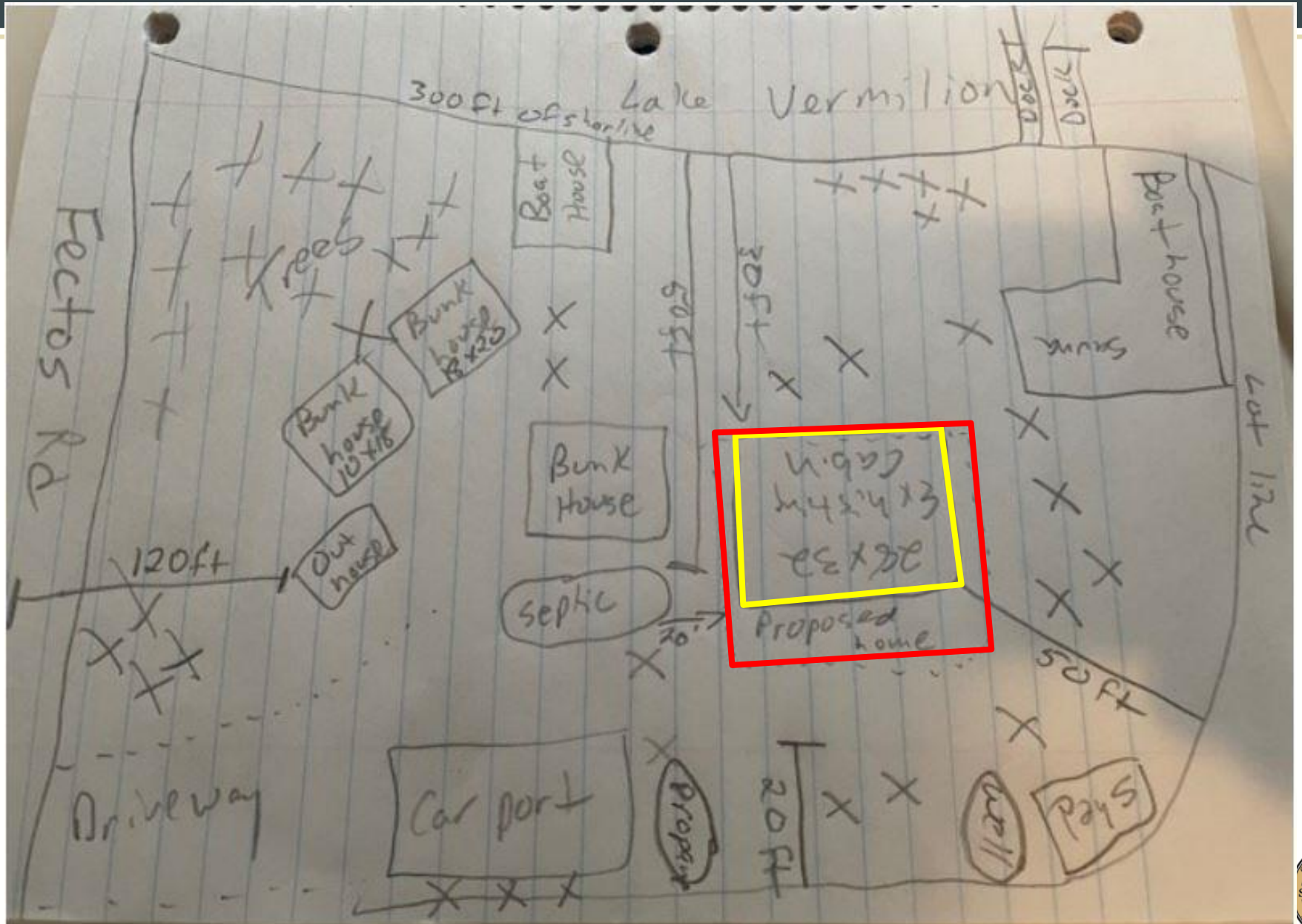
## Site Map



0 10 20 30  
Feet



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## Site Map



0 10 20 30  
Feet



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## Site Map



0 10 20 30  
Feet



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## Site Map



0 10 20 30  
Feet



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Photos of the  
existing structure



















Photos of other development on the property







Structures  
Labeled as  
Bunkhouses  
on site sketch





## Other Accessory structures on the property





# Facts and Findings

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# Plans and Official Controls

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1. Zoning Ordinance 62 states that the required shoreline setback on a general development lake is 75 feet; the applicant is requesting approval to replace a dwelling located approximately 30-40 feet from the shoreline.
2. Zoning Ordinance 62 states that the maximum height allowed for a structure located within the shore impact zone is 20 feet; the applicant is requesting a height of 25 feet.
3. 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.
4. 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.



# Practical Difficulty

1. There is limited area between the shoreline and the rear property line. This makes it difficult for a dwelling to meet both setbacks.
  - a. There is approximately 105 feet between the shoreline and the rear property line. This leaves an area that is approximately 15 feet in width where both setbacks could be met.
2. The proposed new structure is significantly larger than the existing dwelling.
3. There are alternatives to the variance request.
  - a. The structure could be replaced with a performance standard permit if the shoreline setback is maximized to the greatest extent possible and the size of the structure is not increased.
  - b. Even with a significant increase in size, the proposed structure could meet a greater shoreline setback than what is being requested.
  - c. Maximizing or meeting the shoreline setback may require some tree removal behind the existing dwelling.
  - d. Replacing the structure at a shoreline setback of 50 feet (outside of the shore impact zone), the proposed height of the structure would not require variance.
4. The applicant has not provided sufficient evidence as to why a greater setback could not be achieved. As stated in the St. Louis County Comprehensive Land Use Plan, nonconformities are a concern and that variances should be for exceptional circumstances as noted in Minnesota Statutes.



# Essential Character of the Locality

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1. This property is located in a highly developed area on Lake Vermilion.
2. There are several nonconforming structures in this general area.
3. There were many variances for new SSTS systems on lots that did not meet the minimum area and/or width requirements.
4. There was a dwelling replacement at a reduced shoreline setback that was allowed by Greenwood Township on the adjacent parcel to the east.





# Other Factors

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1. The shoreline setback of the existing structure was measured by staff to be 36 feet.
  - a. The applicant indicated that the setback is 30 feet.
  - b. Based on staff's measurement, placing the new structure at 30 feet would be reducing the shoreline setback.
2. The applicant has been in contact with planning department staff over the last several months and is aware of the alternatives to the request.
3. The structures that are labeled as bunk houses on the applicant's sketch are not classified by the assessor's office as bunk houses. One of them could be considered a screen house, but the others are dilapidated storage structures.
4. If shoreline averaging applied to this proposal, the setback allowed with the shoreline averaging formula would be approximately 55 feet.



# BOARD OF ADJUSTMETN CRITERIA FOR APPROVAL OF A VARIACNE

- 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 a variance for a 1,536 square foot replacement dwelling 25 feet in height located at a 36 foot shoreline setback as proposed include but are not limited to:

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 setback for the proposed structure shall be maximized to the greatest extent possible.
4. Waste shall be disposed of in a manner acceptable to St. Louis County Solid Waste Ordinance 45.
5. St. Louis County On-Site Wastewater SSTS standards shall be followed.
6. The shore protection zone shall be preserved in a natural state and screening shall be retained.
7. The applicant shall have the property surveyed and an as-built certificate shall be provided to document that all minimum allowed setbacks have been met.



# Correspondence



SAINT  
**LOUIS**  
**COUNTY**  
MINNESOTA

# Planning Commission

Questions?





# Public Questions?

