



ST. LOUIS COUNTY PLANNING COMMISSION STAFF REPORT

REPORT DATE: 10-21-22

MEETING DATE: 11-10-22

APPLICANT INFORMATION

APPLICANT NAME: Allan Reini

APPLICANT ADDRESS: 12882 N Bay Trail, Side Lake MN 55781

OWNER NAME: Same as above

SITE ADDRESS: Same as above

LEGAL DESCRIPTION: WLY 80 FT OF ELY 448FT OF LOT 1, S18, T60N, R21W (French)

PARCEL IDENTIFICATION NUMBER (PIN): 370-0010-02974

NATURE OF REQUEST: A conditional use permit for a Short Term Rental as a Residential Use - Class II.

PROPOSAL DETAILS: The applicant is proposing to use the property as a short term rental. This proposal requires a conditional use permit due to the lot being zoned Residential (RES) and not meeting zoning minimums. Zoning minimums for the subject parcel require 0.5 acre and 100 feet of lot width and the subject parcel has approximately 0.94 acres and 80 feet in lot width. The proposed intended days for rental are 139, which does not constitute a commercial use.

PARCEL AND SITE INFORMATION

ROAD ACCESS NAME/NUMBER: North Bay Trail

ROAD FUNCTIONAL CLASS: Private

LAKE NAME: Sturgeon

LAKE CLASSIFICATION: GD

RIVER NAME: N/A

RIVER CLASSIFICATION: N/A

DESCRIPTION OF DEVELOPMENT ON PARCEL: Development on the property induces the residential dwelling, bunkhouse, accessory structure, and a septic system.

ZONE DISTRICT: RES 11

PARCEL ACREAGE: 0.94

LOT WIDTH: 80 FEET

FEET OF ROAD FRONTAGE: N/A

FEET OF SHORELINE FRONTAGE: 80 FEET

PARCEL AND SITE INFORMATION

VEGETATIVE COVER/SCREENING: The property has good vegetative screening from neighboring parcels.

TOPOGRAPHY: The cabin is located on a small hill that has a gradual slope to the shoreline.

FLOODPLAIN ISSUES: N/A

WETLAND ISSUES: N/A

FACTS AND FINDINGS

A. Plans and Official Controls:

1. St. Louis County Zoning Ordinance 62 Article VI, Section 6.32 states that a Residential Use – Class II requires a performance standard permit or a conditional use permit within the RES zone district.
 - a. Additional standards are required for properties located in residentially zoned areas. If the standards cannot be met, a conditional use permit is required.
 - b. In this case, the subject parcel does not meet the additional standard that states the use must be located on a parcel that meets current minimum zoning requirements.
2. St. Louis County Zoning Ordinance Article III, Section 3.2 states minimum lot dimensions for each zone district.
 - a. The subject parcel is zoned RES-11 which requires a minimum of 0.5 acre and 100 feet in width.
 - b. The subject parcel has approximately 0.94 acres and 80 feet of lot width.
3. The property is located in the Lakeshore Development Areas of the Future Land Use Map in the Comprehensive Land Use Plan.
4. Objective ED-2.1 of the St. Louis County Comprehensive Land Use Plan is to recognize and ensure regulatory fairness across a thriving lodging industry that includes hotels, bed and breakfasts, and vacation rentals.

B. Neighborhood Compatibility:

1. The existing neighborhood consists of seasonal and year-round residential uses.
2. The subject parcel is zoned RES.
 - a. A short term rental is an allowed use in a residential zone district provided all standards are met or a conditional use permit is granted.

C. Orderly Development:

1. A majority of the parcels in the immediate lakeside area are zoned residential.
 - a. Due to the underlying zoning, future development is expected to consist of primarily residential use, which may include other short term rentals.
2. A short term rental use can benefit the County with supplying additional lodging options for tourists/residents, as well as contributing to the County lodging tax base.

D. Desired Pattern of Development:

1. The underlying zoning of residential limits certain uses and is intended for areas in the county with extensive residential development or potential for extensive residential development.
2. Development patterns in the subject area are expected to be primarily residential.

- a. Proposed short term rentals are also expected to be part of development patterns.
- 3. The conditional use permit process allows other landowners in the area to provide feedback on the proposed short term rental.
- 4. The proposed intended rental days of 139 does not constitute a commercial use.

E. Other Factor(s):

- 1. The existing system is designed for two bedrooms.
 - a. The proposed number of 8 guests may not be allowed as the maximum occupancy of the short term rental would be limited to 4, unless the septic system is upgraded in the future.
- 2. If the proposed short term rental ordinance amendments are approved, the request would be allowed with a performance standard permit if all ordinance requirements are met.

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

If the Planning Commission determines that the proposal meets the criteria for granting a conditional use permit to allow Short Term Rental as a Residential Use – Class II on property that does not meet the minimum zoning requirements, the following conditions shall apply:

- 1. All other short term rental standards shall be met.
- 2. St. Louis County Onsite Wastewater SSTS standards shall be followed.
- 3. All other local, state, and federal standards shall be met.
- 4. Permitted short term rental use shall not be transferrable upon a change in ownership of the subject property.

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

CONDITIONAL USE PERMIT APPLICATION

General - This application is used to apply for a Conditional 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

370-0010-02974

Associated PINs

Type of Application

Does this application apply to a Short Term Rental?

Yes

Is this application being submitted for a Rehearing?

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

No

Enter Applicant Information

I am a: **Landowner**
 Applicant Name: **Allan & Michael Reini**
 Address Line 1: **12882 N Bay Trl**
 Address Line 2: **--**
 City: **Side Lake MN**
 State: **MN**
 Zip: **55781**
 Primary Phone: **(281)969-9917**
 Cell Phone: **--**
 Fax: **--**
 Email: **gango4@yahoo.com**
 Contact Person Name: **Allan Reini**
 Contact Person Phone: **(218)969-9917**

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? ☐ Yes

Name: **Allan Reini**

Address: **12882 N Bay Trl**

City: **Side Lake MN**

State/Province: **MN**

Zip: **55781**

Primary Phone: **2819699917**

Cell Phone: **--**

Fax: **--**

Email: **gango4@yahoo.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: **12882 N Bay Trl Side Lake MN 55781**

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.

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How is the property accessed?

- ☐ Public Road
- ☒ Private Road
- ☐ Easement
-
- ☐ Water
- ☐ Other
-

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.

No

Total # of bedrooms on property after project completion.

3

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

No

If Yes, please explain:

--

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

No

TRAFFIC, PARKING, AND/OR DOCKAGE

Will the proposal generate an increase in traffic?

Boat, snowmobile, truck, bus, car, etc.

Yes

If Yes, what is the estimated increase

< 10 vehicles

Does the proposal require parking?

Please include employees, visitors, and other parking.

Yes

How many parking spaces are available on the property?

6

SIGNAGE AND LIGHTING

Does your proposal include signage?

Include any off-site signs.

No

Please list number of signs, size, location,
and illumination of each sign

--

Will there be lighting (including security lighting) that may be visible from roads, waterways, and adjacent properties?

No

If Yes, please explain

--

WASTEWATER TREATMENT

Will wastewater be generated?

Yes

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

Private Septic System

☒ **Yes**

Municipal

☐ **Yes****SOLID WASTE**

Check all types of waste generated and describe how you will collect and store waste generated from the business below. Additional information may be required based on the scope of the project.

Household Garbage

☒ **Yes**

Oil and Grease

☐ **Yes**

Other Automotive Fluids

☐ **Yes**

Animal Waste

☐ **Yes**

Chemicals

☐ **Yes**

Medical

☐ **Yes**

Hazardous

☐ **Yes**

Demolition Waste

☐ **Yes**

Wood and Sawdust

☐ **Yes**

Radioactive

☐ **Yes**

Other

☐ **Yes**

If Other, please explain

--

Please describe
collection and disposal:

Personal collection and brought to French Township Canister Site**SHORT TERM RENTAL WORKSHEET**

Please complete the following questions required for Short Term Rentals.

Short Term Rental Use Information

Is the property located in one of the following zone districts: Commercial or Sensitive?

No

Is the property located in a Residential zone district?

If yes, additional standards apply. (See fact sheet for additional standards)

Yes

Is there more than one rental dwelling unit on the same parcel or single units on contiguous parcels under common ownership?

No

Do you currently reside at this property?

Yes

Is the property used primarily for rental purposes?

If yes, shall be deemed a Commercial Use-Class II and subject to ordinance requirements regarding commercial use.

No

Current Use of Property

How is the property currently being used? Describe the proposed use. (List all structures included)

Primary Residence of Michael Reini

Continue as primary residence. Use as short term rental when Michael is out of the area. All other buildings (Garage, Pole Building, Storage Buildings) are for primary resident's use only.

Occupancy Information

Total # of Bedrooms on Property? **3**
Total # of Allowed Guests? **8**

Description of Yearly Use

(Total number of days must equal 365)

Intended # of days for personal use: **226**
Intended # of days for rental use: **139**
Intended # of days unused: **0**

***Primary use of the property for short term rental purposes may affect your property tax classification. Please contact your County Assessor for more information. <https://www.stlouiscountymn.gov/departments-a-z/assessor>**

Required Postings

Have applicable licenses, rules and regulations and emergency contact information for police, fire, hospital, septic tank pumper, and permittee/owner/operator been posted in a prominent location within the rental unit?

Yes

Have Aquatic Invasive Species (AIS) prevention guidelines been posted for watercraft use?

(Please attach copy)

Yes

Screening

What type of visual screening will be used?

From Roads:

- ☒ **Vegetative**
☐ **Fence**
☐ **Other**

From Adjacent Properties

- ☒ **Vegetative**
☐ **Fence**
☐ **Other**

From Lakeshore

- ☒ **Vegetative**
☐ **Fence**
☐ **Other**

- ☐ **Not Applicable**

Please describe:

--

Authorizing Agencies

Have you received a Lodging License from the Minnesota Department of Health for this Short Term Rental?

(Please attach copy)

If No, your application will be returned.

No

Have you received a Minnesota Tax Identification Number from the Minnesota Department of Revenue for this Short Term Rental? (Please attach copy)

If No, your application will be returned.

Yes

ADDITIONAL REQUIRED INFORMATION & ATTACHMENTS**1. Electronic Map or Sketch:**

- Boundary lines with parcel dimensions.
- Existing Buildings. (see site sketch form for required information)

If located in a RES zone district, property lines shall be located by a licensed land surveyor OR a written agreement between the adjoining property owners and the short term rental permittee/owner/operator may be submitted and filed with the Department.

2. Documents:

- Copy of a septic permit to construct or certificate of compliance approval or municipal/sanitary district approval.
- Copy of current Minnesota Department of Health Lodging License and other applicable licenses.
 - Minnesota tax identification number and other applicable identification numbers.
 - Proof of appropriate liability insurance.
 - On-site parking plan.
- Current contact information for person(s) responsible for property management.
 - Photo documentation of visual demarcation of the property lines.
 - Evidence of ownership.
- Other information as deemed necessary by the Director.

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: **Allan Reini**
Address: **714 Michigan St**
City: **Hibbing**
State: **MN**
Postal Code: **55746**
Email Address: **gango4@yahoo.com**

I have read and agree to the statement above.

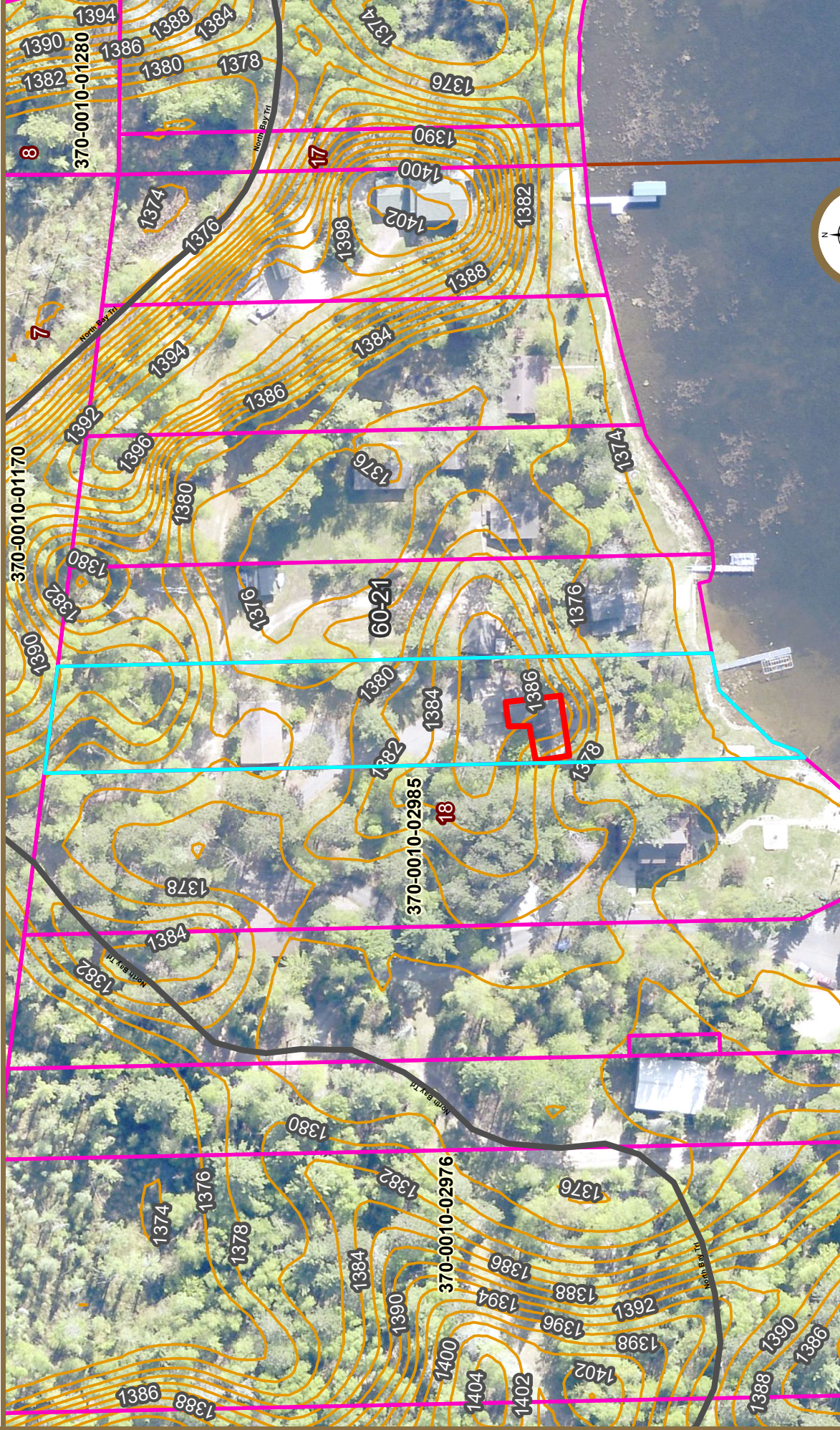
☒ **I agree**





St. Louis County

November PC Meeting



Allan Reini

Site Map

Prepared By: **Planning & Community Development**
(218) 725-3000
www.stlouiscountymn.gov

Source: St. Louis County

Map Created: 10/6/2022

Disclaimer: This is a compilation of records as they appear in the St. Louis County Offices affecting the area shown. 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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