REPORT DATE: 04/22/2024 MEETING DATE: 05/09/2024

### APPLICANT INFORMATION

**APPLICANT NAME: Patrick Cramer** 

APPLICANT ADDRESS: 3277 166th Ln NW, Andover, MN 55304

**OWNER NAME:** Patrick and Sharon Cramer

SITE ADDRESS: N/A

**LEGAL DESCRIPTION:** Lot 5, S35, T69N, R17W (Unorganized)

PARCEL IDENTIFICATION NUMBER (PIN): 704-0010-00830

**VARIANCE REQUEST:** The applicant is requesting relief from St. Louis County Zoning Ordinance 62, Article IV, Section 4.3 D, to allow an addition to a principal dwelling located between the shore impact zone and the required setback that will exceed the 400 square feet allowed.

**PROPOSAL DETAILS:** The applicant is requesting to construct an addition to a nonconforming principal dwelling located 85 feet from the shoreline of Sand Point Lake where 100 feet is required. The addition will be to the rear of the existing structure, totaling 770 square feet. The proposed height will be 17 feet.

### PARCEL AND SITE INFORMATION

ROAD ACCESS NAME/NUMBER: Water Access Only ROAD FUNCTIONAL CLASS: N/A

LAKE NAME: Sand Point Lake

LAKE CLASSIFICATION: RD

RIVER NAME: N/A RIVER CLASSIFICATION: N/A

**DESCRIPTION OF DEVELOPMENT ON PARCEL:** Parcel contains and principal dwelling, screen porch, accessory

structures, and privy.

**ZONE DISTRICT:** SMU 7

PARCEL ACREAGE: 2 ACRES LOT WIDTH: 337 FEET

FEET OF ROAD FRONTAGE: N/A FEET OF SHORELINE FRONTAGE: 1,423 FEET

VARIANCE 1

**VEGETATIVE COVER/SCREENING:** There is adequate vegetative screening from neighboring properties and from the shoreline.

**TOPOGRAPHY:** The north side of the island is bluff, while the areas to the south may only be considered steep slope. The proposal will not be affected.

**FLOODPLAIN ISSUES:** The parcel is located within the floodplain. The proposal will not be affected.

WETLAND ISSUES: N/A

**ADDITIONAL COMMENTS ON PARCEL:** This parcel is water access only.

### **FACTS AND FINDINGS**

### A. Official Controls:

- 1. St. Louis County Zoning Ordinance 62, Article IV, Section 4.3 D allows a maximum addition of 400 square feet to a nonconforming principal structure located between the shore impact zone and required setback.
  - a. The existing dwelling is located 85 feet from the shore and the applicant is requesting an addition totaling 770 square feet to the rear.
- 2. St. Louis County Zoning Ordinance 62, Article III, Section 3.4, requires a shoreline setback of 100 feet from Recreational Development Lakes.
  - a. The current dwelling has a shoreline setback of 85 feet where 100 feet is required.
  - b. The proposed additions will not increase the current shoreline nonconformity.
- 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.
- 5. Objective LU-3.3 of 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 Statue 394.22 Subd. 10.

### **B. Practical Difficulty:**

- 1. A variance is not the only option as there is conforming area for a new Accessory Dwelling to be placed.
  - a. An Accessory Dwelling up to 700 square feet may be allowed with an approved land use permit.
- 2. Reducing the size and configuration of the structure could eliminate the request for a variance.
  - a. An addition of 400 square feet may be allowed with an approved performance standard permit.

### C. Essential Character of the Locality:

- 1. The neighborhood consists of developed and undeveloped islands.
- 2. The applicant is not proposing a new use to the area.
- 3. There have been no similar variance requests in the area.

### D. Other Factor(s):

- 1. The applicant is currently working with Crane Lake Water & Sanitary District and St. Louis County Onsite Wastewater Division to obtain a septic permit.
  - a. If the variance is approved, the applicant will need to obtain the appropriate septic permit before the issuance of a land use permit.
- 2. The applicant spoke to the Land Use team regarding alternatives to avoid a variance request and chose to move forward with the variance request.
- 3. Ordinance 62 states that it shall be the burden of the applicant to demonstrate sufficient practical difficulty to sustain the need for a variance. Absent a showing of practical difficulty as provided in Minnesota Statutes and this ordinance, the Board of Adjustment shall not approve any variance.
- 4. Ordinance 62 states that "practical difficulties" as used in connection with granting a variance means that the property in question cannot be put to a reasonable use under the conditions allowed by this ordinance.

### **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 an addition to a principal dwelling located between the shore impact zone and the required setback to exceed the allowed 400 square feet 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 discharge directly into the lake.
- 3. Crane Lake Water & Sanitary District and St. Louis County Onsite Wastewater septic standards shall be followed.

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APPLI											The same	75 4 77 1							Harris .	
*Applica	*Applicant Name I am a ☐ Contractor ☒ Homeowner ☐ Other									*Daytime # Date 3/29/202					024					
*Applicant Address Where to send permit.  3277 - 166th Lane NW									*City *State				*ZIP 55304							
Applican					mail															
Contact	Person	If a		_	man	.001	"					Contact Person #	ŧ							
Mailing Address If different than above.									City State		9	ZIP								
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SITE I	NFOR	M	ATIO	N							V.	TO SECTION								
☐ Yes	X No		*Is there a site address for this property? (If no, the application will be forwarded to 911/Communications to assign one.)																	
If yes at	oove, ple	eas	e list	site a	ddress															
☐ Yes	⊠ No		*Is this leased property? If yes, leased from:   MN Power   MN DNR   US Forest Service   St Louis County  Other																	
☐ Yes	☐ No		*Do you have written authorization from the leased property owner? If yes, you must attach written authorization form.																	
*How is	the pro	per	ty acc	esse	d? □ P(	ıblic R	oad [	Privat	e Road	☐ Ea	asen	nent 🗶 Water 🗆 0	other							
PROJE	CT IN	FC	RMA	ATIC	N															
ĭ Yes	☐ No		*Is this project on a parcel less than 2.5 acres? (property is 2.311 acres)																	
X Yes	☐ No		*Is this project within 300 feet of a stream/river or 1,000 feet of a lake?																	
X Yes	☐ No		*Is this project adding a bedroom? Include home, garage, & accessory dwelling.																	
# 3 *Total # of bedrooms on property after project completion. Include home, garage, & accessory dwelling.																				
X Yes	□ No		*Does this project include plumbing or pressurized water in proposed structure? If yes, please explain:  Currently there is no plumbing. We will add a lake water pump system and septic system.																	
Yes	₩ 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 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.

**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: <a href="https://www.stlouiscountymn.gov/land-use">www.stlouiscountymn.gov/land-use</a>

WHAT ARE YOU APP	LYING FOR Che	eck all that apply to	the project. PLE	ASE MAKE CHECKS	TO: ST. LOUIS COUNTY	AUDITOR			
#1 New Buildings Less th	han/equal to	#2 Other Consti	ruction/Change in	use-\$90	#4 Performance Standard-\$410				
1,200 square feet-\$175 Greater than 1,200 square  Dwelling-Home, Mobile Ho Cabin. (Includes attached de Replacement of Existing Mobile Home, Hunting Shac Will the old dwelling be re property? Yes No  If yes, an affidavit must be when the old dwelling will be If this dwelling is a mobile special mobile home affidav  Accessory Dwelling-Gues bunkhouse. Must follow admi	Dwelling-Home, k, or Cabin. Emoved from the  filled out stating the removed.  home, there is a wit to be filled out.  t cottage or	If Yes above, do shoreline setbac not meet the shipermit or varian  Addition(s) to New Deck Only Combination A Moving a Structure Alter Change in Use storage)  What will the new Explain the courrent:	ocation on a lake of the structure mink? Yes No If oreline setback, a processory Structure or Deck Replacem ddition(s) & Deck of ture ation or Componen (i.e. converting and worse of the structurent and propose	No, structure does performance standard . See box #4 or #7.	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-\$175  #6 Wetland Reviews Additional Worksheets Required No Loss/Exemption/Replacement Plan-\$175 Wetland Delineation Review-\$410 Wetland Banking Plan Review-\$1,340				
☐ Accessory Structure- Gar shed, sauna, screenhouse of		Other-\$65  Permit extension	beyond 2 years						
meets lake or river setback shoreland area.  Water-oriented Accessor Boathouse, Sauna, Screenth or river located at reduced s Must follow administrative s:  Commercial Structure  Other Principal Structure	or not located in a  y Structure- puse/gazebo on a lake shoreline setback. tandards.	#3 Subdivisions Additional W Plat-Minor Sub Conventional ot 3 lots-\$685 Conventional of \$1,375 Lot Line Adjust Parcel Review-	/Parcel Reviews orksheets Requir division-\$685 r Conservation Plater Conservation Plat	-Less than or equal -Greater than 3 Lots-	#7 Public Hearings Additional Worksheets Required  Administrative Appeal-\$1,350 Environmental Assessment-\$1,200 Conditional Use Permit-\$685 Conditional Use Permit Rehearing-\$220 Interim Use Permit Rehearing-\$220 General Purpose Borrow Pit-\$685 Variance-\$685 Variance-\$685 Variance Rehearing-\$220 Multiple Hearing (Variance/conditional use)-\$1,020 Rezoning-\$685				
TYPE OF PROPOSED S	TRUCTURES	Check all that app	ply to the project.						
☐ New Structure(s)	*Structure Type (Same as box #1 or 2 above)	*Foundation Type (Basement, Slab, Pier, etc)	*Maximum Length (Exterior Footprint Only)  Feet  Feet  Feet	*Maximum Width (Exterior Footprint Only)  Feet Feet Feet	*Maximum Sq. ft (Exterior footprint only)  Sq. ft.  Sq. ft.	*Maximum Height (Ground Level to Roof Peak)  Feet Feet			
F	*Structure	*Foundation			Sq. ft.	Feet			
Structure Additions	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)			
	Addition to dwelling	Pier	38' Feet	24' Feet	770 Sq. ft.	17 Feet			
			Feet	Feet	Sq. ft.	Feet			
			Feet	Feet	Sq. ft.	Feet			
CONTACT: Planning a	nd Zoning Dona	ates required fiel	d. Incomplete ap	plications will be ret	urned.				
	nd Zoning Depart	ment	STATISTA		在15世纪中的15年				
Technical Assistance Toll Free: 1-800-450-9777 Land Use Information www.stlouiscountymn.gov/land-t	320 West 2nd	Services Center Street, Suite 301 5802	Virginia Government S 201 South 3 <sup>rd</sup> Virginia, MN 5		Office Use Only Receipt #	IVEN			

(218) 749-7103

(218) 725-5000

Receipt Date

Payment Amo Paid By

BY:

**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.

It is advisable that you discuss your request with Planning and Zoning 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, check out our website at: <a href="https://www.stlouiscountymn.gov/departments-a-z/planning-zoning/land-use/apply-for-a-land-use-permit#la-101571440-variance">www.stlouiscountymn.gov/departments-a-z/planning-zoning/land-use/apply-for-a-land-use-permit#la-101571440-variance</a>.

### APPLICANT

Applicant Name (Last, First)

Cramer, Patrick & Sharon

### 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?

We are asking for a variance to increase the allowable square footage for an addition to our existing cabin. The SE corner of the existing cabin, built in 1973, is less than 100' from the lake (approx. 85') and does not meet setback requirements. We are asking to increase the maximum allowable size of the addition from 400 square feet to 770 square feet to make necessary and needed additions and upgrades. The existing cabin is 624 sq. ft. with two small bedrooms and an open living area (see drawing). Currently there is no electric or plumbing. With the additional square footage, we would add the space needed like an extra bedroom/bathroom for family, laundry, storage, and room for all new mechanicals (solar batteries/inverters, electrical panels, plumbing equipment). We would also like to make upgrades to the existing cabin like adding electric and plumbing, a kitchen, bathroom, and storage. We will be living on the island full-time during the summer and we would like to provide enough space to build in modern conveniences for long-term usage and believe 770 sq. ft. will be required.

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

The intended use of the property is for recreational family use. We plan to reside at the island full-time in the summer - up to 5 months per year as lake access and weather allows.

Our goal is to build a cabin that is functional and usable, but also convenient for us as we age and more compatible for less physically abled family members to use as well.

We have a signed agreement with the Crane Lake Water District to install a septic system, and we will be installing a solar system to provide 100% of the power for the island.

3. Describe the current use of your property.

Our property is an island located at the NW end of Sand Point Lake, in the Namakan Narrows. The previous owners used it as a weekend getaway because of a lack of space, power and plumbing. We are a 14-mile boat ride from the Crane Lake marinas and the long trips and lack of space and any conveniences made it difficult for them to stay more than a few days at a time. We face the same challenges and logistical concerns, which is what led us down the path of asking for a variance to increase our square footage to make the island more functional for long-term family stays.

4. Describe other alternatives, if any.

In order to fit the improvements, upgrades, and room spaces, we believe we need the 770 square foot addition we are applying for.

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

The island is heavily wooded with mature pine, birch and poplar trees (see photos). The existing cabin is not visible to neighbors or boaters on the lake. We would build our addition to the north of the existing cabin, which would put the new addition even further away from the non-compliant 85' setback on the SE corner of the existing cabin, and we would maintain more than a 100' setback on the remaining sides. The addition would be built to the same look, style, and design as the existing cabin.

Our nearest neighbors are wooded the island is, we are	approximately 1/2 mile to the new approx	orth of us, on the Canadian s boaters or campers on the la	side of Sand Point Lake. Beca lke. Like our existing cabin, o	use of how heavily ur addition would be	
The area where we would be Environmental impact would scrub overgrowth clearing. T footing pads. We would use	mpact to the local environment uild the addition is to the north of be minimized as much as poss he addition would be built on "p straw and straw bales and/or to I. We would adopt any other ero	of the existing cabin. The are sible. One larger tree would cost and piers" like the existing ubes to cover any disturbed s	a is flat and is partially cleared need to be removed, in additi- ng cabin so digging would be soil areas to prevent runoff un	on to some brush and minimal other than for	
8. Describe the expected b	enefits of a variance to use of	this property.			
By allowing us to increase to comfortably with our family have a kitchen and indoor be	he square footage of our addition long-term in the summer. We wathrooms.	on, we would have the room would also have the space fo	needed for modern convenier r upgrades like electric and pl	nces and living umbing so we could	
We purchased the island kr areas. It's our responsibility We know from experience t from those that could do ha members that understand the make the best decisions for We would never ask for a ver-	ents that will clarify your requestions of the important it will be found to be good stewards of the islate importance of having strict zorn when building. We also respond to the complexities of working with everyone involved.  Agriance if we thought there was sary to make sure our addition	or us to preserve and protect nd moving forward, just like it coning ordinances put in place sect and value having a Plant all types of individuals, with a a chance it could threaten or	t the pristine nature of the isla it was for the previous owners e to protect the environment, ning and Zoning staff and Boa all types of situations and sce r harm any of the above. If we	and, and the surrounding in the surrounding in the surrounding properties, and neighbors and of Adjustment in the surrounding i	
Principal Structures	Principal Structure	Accessory Structures	Accessory Structures	Other	
Shoreline Setback Property Line Setback Lot Width Height Limit 40% of Lot Width 55% of Lot Width Bluff 2nd Principal Structure % Lot Coverage Road Centerline Setback Road Right-of-Way Setback Lot width and/or Area	Additions  Shoreline Setback Road Centerline Setback Road Right-of-Way Setback Property Line Setback One Addition Allowed Allowable Size Exceeded 40% of Lot Width 55% of Lot Width Height Limit Foundation from Lake Lot width and/or Area	Shoreline Setback Road Centerline Setback Road Right-of-Way Setback Property Line Setback Lot Width and/or Area Height Limit Allowable Size Exceeded Bluff	Additions  Shoreline Setback Road Centerline Setback Road Right-of-Way Setback Property Line Setback Allowable Size Exceeded Height Limit Lot width and/or Area	Subdivision Plat Exceeding Lot Coverage Exceeding Maximum Buildable Area Other Standard Not Listed (Explain below)	
CONTACT: Planning and Technical Assistance Toll Free: 1-800-450-9777 Land Use Information www.stlouiscountymn.gov/land	<b>Duluth</b> Government Services Center	Virginia Government Services Center 201 South 3 <sup>rd</sup> Avenue West Virginia, MN 55792 (218) 749-7103	Receipt Pate Payment And Paid By	CEIVE	

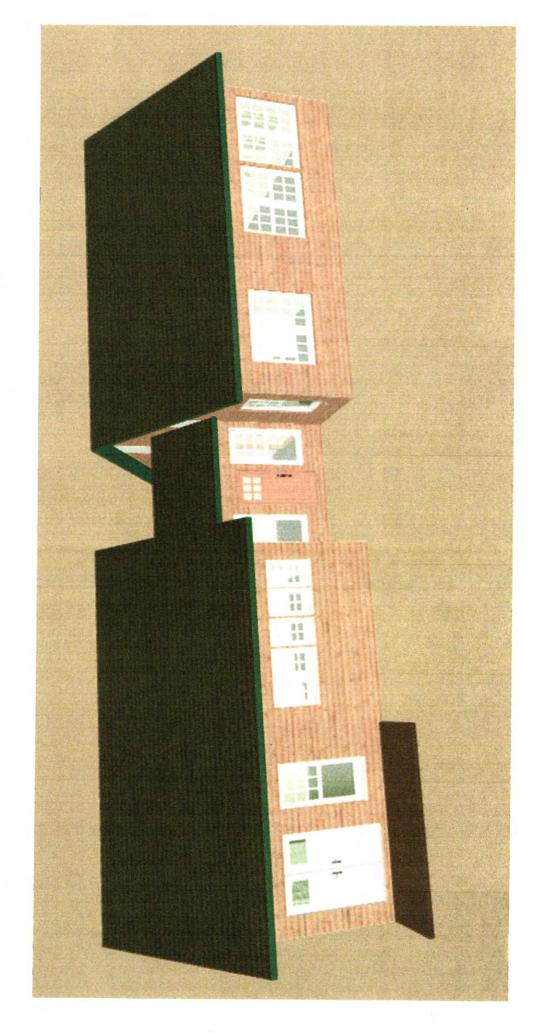
Site Sketch Form The Sketch is to graphic.	ally illustrate your proposed project(s)
Draw and Label on Sketch (in feet)  ■ *All Structures on the Property and Dimensions ■ *All Driveways, Access Roads, and Wetlands ■ *All Proposed Structures and Dimensions	*Distance of Proposed Structures to Shoreline (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 informat	ion indicated above.
*Applicant Name: Patrick Cramer *Site Address: *PIN: 704-0010-00830	
SEPTIC  HO'-50' Z'  FROM STRUCTURES  200' FROM LAKE  14X16  EXISTINGSCREEN PORCH  ALT. S  40'-5  175' FR  ISLAND	ADDITION  26  24  26  24  EXISTING CABIN  85' SETBACK FROM LAKE  EPTIC  0' FROM STRUCTURES  1001  1201
***Sanitary Authori	ty Use Only***
Sanitary Review: (To be determined by appropriate sanitary authority.  Will the proposal, as shown above, negatively impact the SSTS/sanitary I  Sign off:  Signature Title	

# Pat & Sharon Cramer, Sand Point Lake Island

# Cabin Addition & Remodel: Front/East facing elevation

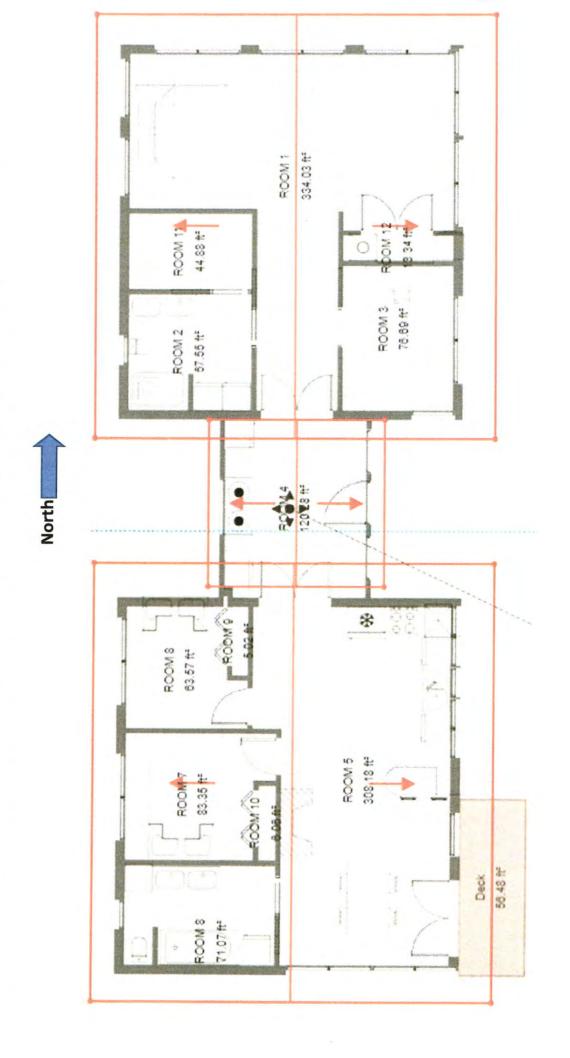
Existing cabin to the left: Proposed remodel includes adding a kitchen and bathroom, new windows and doors, electrical, plumbing, larger bedrooms w/closets.

New addition to the right: Proposed addition includes a bedroom/bathroom/closet w/small office and entry/laundry room and mechanical room.



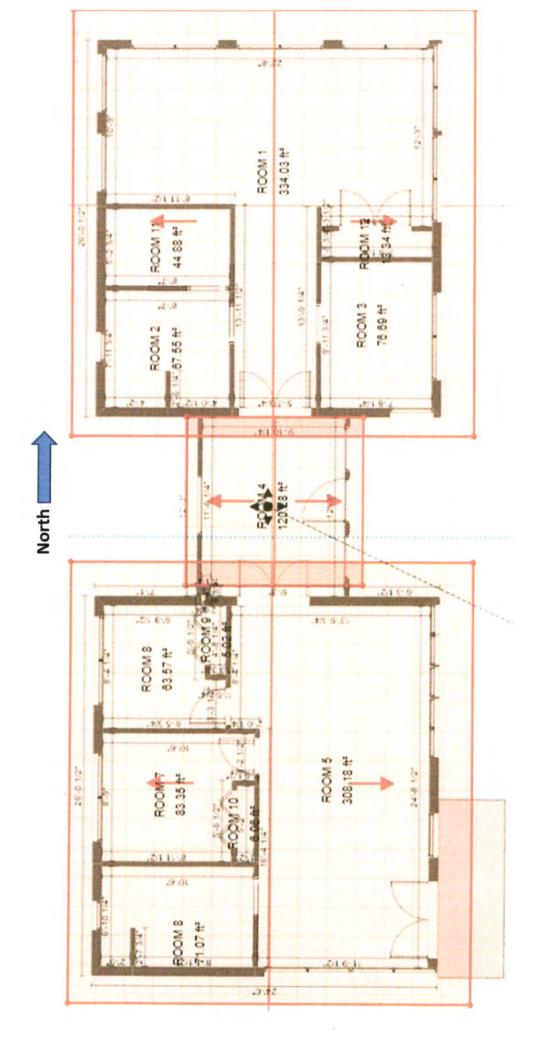
Pat & Sharon Cramer, Sand Point Lake Island

Cabin Addition & Remodel of Existing Cabin: Floorplan for new addition and remodel of existing cabin.



Pat & Sharon Cramer, Sand Point Lake Island

Cabin Addition & Remodel of Existing Cabin: Exterior dimensions & approximate interior dimensions



## SAINT LOUIS SAINT LOUIS Sand Point Lake **Subject Property** St. Louis County May BOA Meeting **Patrick Cramer** Location Map 704-0010-00830

## 200 Feet St. Louis County May BOA Meeting **Patrick Cramer** Location Map 704-0010-00830

### Feet 500 St. Louis County May BOA Meeting **Patrick Cramer** Zoning Map 704-0010-00830 Sand Point Lake Planning & Zoning Department (218) 725-5000 www.stlouiscountymn.gov St. Louis County Prepared By:

## Feet Sand Point Lake St. Louis County May BOA Meeting Patrick Cramer Site Map 704-0010-00830 Planning & Zoning Department (218) 725-5000 www.stlouiscountymn.gov St. Louis County Prepared By:

## Feet Sand Point Lake St. Louis County May BOA Meeting Patrick Cramer Elevation Map 704-0010-00830 Planning & Zoning Department (218) 725-5000 www.stlouiscountymn.gov St. Louis County Prepared By:

## Sand Point Lake St. Louis County May BOA Meeting Patrick Cramer Site Map 704-0010-00830

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