



ST. LOUIS COUNTY BOARD OF ADJUSTMENT STAFF REPORT

INSPECTION DATE: 9/22/2023

REPORT DATE: 8/28/2023

MEETING DATE: 9/14/2023

APPLICANT INFORMATION

APPLICANT NAME: Jack La Mar

APPLICANT ADDRESS: 7273 Palo Tia Rd, Embarrass, MN 55732

OWNER NAME: Jack & Ericka La Mar

SITE ADDRESS: 7273 PALO TIA RD, EMBARRASS, MN 55732

LEGAL DESCRIPTION: The east 800.00 feet of the North 800.00 feet of the Northeast Quarter of the Northeast of Quarter, S34, T60N, R15W (Embarrass)

PARCEL IDENTIFICATION NUMBER (PIN): 330-0010-05330

VARIANCE REQUEST: The applicant is requesting after-the-fact relief from St. Louis County Zoning Ordinance 62, Article VI, Section 6.2 B, to allow a second detached principal structure not properly placed on a parcel so the property can be divided at a later date into conforming lots, without variance.

PROPOSAL DETAILS: The applicant is proposing an after-the-fact variance for the construction of a second principal structure that was originally permitted as an accessory structure. The parcel is zoned FAM – 3 which requires that all principal dwellings have a property line setback of 50 feet. To conform with the ordinance requirements the applicant's two principal dwellings would need to be 100 feet apart, so that the property can be divided at a later date into conforming lots, without variance.

PARCEL AND SITE INFORMATION

ROAD ACCESS NAME/NUMBER: Palo Tia Rd/C 558

ROAD FUNCTIONAL CLASS: Local

LAKE NAME: N/A

LAKE CLASSIFICATION: N/A

RIVER NAME: N/A

RIVER CLASSIFICATION: N/A

DESCRIPTION OF DEVELOPMENT ON PARCEL: The parcel currently contains 2 dwellings, barn, and various other outbuildings. The parcel is used for farming and has areas that are forested, unforested, and contain wetlands. Records indicate that the parcel has a well and its own private septic system.

ZONE DISTRICT: FAM 3

PARCEL ACREAGE: 16.69 ACRES

LOT WIDTH: 779 FEET

FEET OF ROAD FRONTAGE: 798 FEET

FEET OF SHORELINE FRONTAGE: N/A

PARCEL AND SITE INFORMATION

VEGETATIVE COVER/SCREENING: There is sufficient vegetative screening from the roadway and neighboring properties.

TOPOGRAPHY: The total elevation change of the property is 12 feet.

FLOODPLAIN ISSUES: N/A

WETLAND ISSUES: There are wetlands on the parcel, however, they will not be impacted by the proposal.

ADDITIONAL COMMENTS ON PARCEL: N/A

FACTS AND FINDINGS

A. Official Controls:

1. St. Louis County Zoning Ordinance 62, Article VI, Section 6.2 B, states that there shall be sufficient lot area per structure to equal the dimensional standards required and the structures be placed so that the property can be divided at a later date into conforming lots without variance.
 - a. The property is zoned FAM – 3 which requires 9 acres and 300 feet in lot width.
 - i. The property has sufficient area and width for 2 dwellings.
 - b. FAM – 3 requires a principal structure property line setback of 50 feet.
 - i. The current dwellings are 70 feet apart where 100 feet would be required to meet principal structure setbacks if property were to be divided.
2. 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.
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 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 Statute 394.22. Subd.10.

B. Practical Difficulty:

1. There are no unique physical circumstances of the property.
2. The subject property conforms to the minimum zoning requirements for lot size.
3. The request is self-created. The applicant applied for and received a permit for an accessory structure with no added bedrooms per the permit number LU-002679
4. Zoning Ordinance 62, Article VIII, Section 8.6 B(4)b.ii states:
 - a. "The plight of the landowner is due to circumstances unique to the property not created by the landowner." Changing use of the structure without permit and not meeting ordinance requirements is self-created.
 - b. "Economic considerations alone shall not constitute practical difficulties if a reasonable use for the property exists under the terms of this ordinance." The structure was permitted as an accessory structure giving the applicant reasonable use.
5. Zoning Ordinance 62, Article VIII, Section 8.6 B(4)b.vi states:
 - When an applicant seeks a variance for additions or alterations to a lot or structure that have already commenced, it shall be presumed that the changes to the lot or structure were intentional and the plight of the landowner was self-created, as per MN Statutes, section 394.27 subdivision 7 and all acts amendatory thereof.

C. Essential Character of the Locality:

1. The property is located in a rural area consisting of large tracks of land with limited residential development.
2. No similar request has been made in the area.

D. Other Factor(s):

1. 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.
2. A record review of the septic system was completed by On-Site Wastewater and it did not pass. The septic system will need to be upgraded to handle 2 principal dwellings.

E. Was the construction completed prior to applying for the variance? If not, what extent of the construction has been completed?

1. Construction was completed prior to applying for variance.
2. The applicant was notified when it was determined the property was operating a short term rental without a permit.
3. The applicant was made aware of and discussed the alternatives that do not require a variance with staff and elected to pursue a variance instead of bringing the property into compliance.

F. How would the county benefit by enforcement of the ordinance if compliance were required?

1. The county would benefit by enforcement of the Ordinance because it would promote the regulation in accordance with the St. Louis County Comprehensive Land Use Plan and Zoning Ordinance 62.
2. Approval of an after-the-fact variance for a second principal structure is not keeping with the intent of the St. Louis County Zoning Ordinance or St. Louis County Comprehensive Land Use Plan.

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 after-the-fact variance to allow a second detached principal structure as proposed, include but are not limited to:

1. St. Louis County On-site Wastewater SSTS standards shall be followed.
2. Short term rental activities are not allowed until a permit is authorized.
3. All local, state and federal requirements shall be met.



Land Use Permit

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	3	3	0	-	0	0	1	0	-	0	5	3	3	0	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 Jack La Mar		I am a... <input type="checkbox"/> Contractor <input type="checkbox"/> Homeowner <input type="checkbox"/> Other		*Daytime # 218-208-7725	Date 7/25/2023
*Applicant Address <small>Where to send permit.</small> 7273 Palo Tia Road				*City Embarrass	*State MN
Applicant Email jdlamar@gmail.com				*ZIP 55732	
Contact Person <small>If applicable.</small> Kathleen Goerke				Contact Person # 218-235-2447	
Mailing Address <small>If different than above.</small> 1 East Chapman Street P.O. Box 240				City Ely,	State MN
				ZIP 55731	
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> Katy.goerke@klunlaw.com					

SITE INFORMATION

<input checked="" type="checkbox"/> Yes <input 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: 7273 Palo Tia Road	
<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

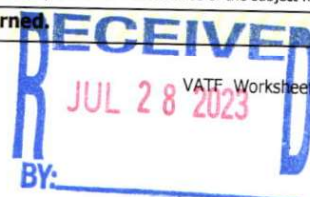
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	*Is this project on a parcel less than 2.5 acres?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	*Is this project within 300 feet of a stream/river or 1,000 feet of a lake?
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	*Is this project adding a bedroom? Include home, garage, & accessory dwelling.
# 1	*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: It includes a full bathroom and kitchen sink, with a hand washing sink in the garage
<input type="checkbox"/> Yes <input checked="" 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

***Indicates required field. Incomplete applications will be returned.**





Land Use Permit 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-\$165 Greater than 1,200 square feet-\$325

☒ 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-\$85

☐ 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-\$60

☐ Permit extension beyond 2 years

#3 Subdivisions/Parcel Reviews

Additional Worksheets Required

☐ Plat-Minor Subdivision-\$650

☐ Conventional or Conservation Plat-Less than or equal to 3 lots-\$650

☐ Conventional or Conservation Plat-Greater than 3 Lots-

\$1,300

☐ Lot Line Adjustment-\$85

☐ Parcel Review-\$85

☐ Performance Standard Subdivision-\$385

#4 Performance Standard-\$385

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-\$165

#6 Wetland Reviews

Additional Worksheets Required

☐ No Loss/Exemption/Replacement Plan-\$165

☐ Wetland Delineation Review-\$385

☐ Wetland Banking Plan Review-\$1,140

#7 Public Hearings

Additional Worksheets Required

☐ Administrative Appeal-\$1,275

☐ Environmental Assessment-\$1,140

☐ Conditional Use Permit-\$650

☐ Conditional Use Permit Rehearing-\$210

☐ Interim Use Permit-\$650

☐ Interim Use Permit Rehearing-\$210

☐ General Purpose Borrow Pit-\$650

☒ Variance-\$650

☐ Variance Rehearing-\$210

☐ Multiple Hearing (Variance/conditional use)-\$980

☐ Rezoning-\$650

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)
	Dwelling	slab	40	Feet	32	Feet
				Feet		Feet
				Feet		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
				Feet		Feet
				Feet		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 _____



Variance After-the-Fact

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.

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

APPLICANT

Applicant Name (Last, First)

La Mar, Jack Dennis

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?

In 2020, Applicant constructed a combination garage and mother-in-law suite on his property, believing it fell within the category of accessory building. In 2022, St. Louis County informed Applicant that the building must be classified as a principal dwelling due to its square footage, and current use as a short-term rental.

Applicant is seeking a variance to St. Louis County Ordinance 62, Article VI, Section 6.2 B's requirement that two principal dwellings on a single parcel "are placed so the property can be divided later into conforming lots." Due to the land use type of Applicant's parcel, all dwellings require a setback of 50 from a property line. Thus to conform with the Ordinance, Applicant's two principal dwellings would have to be 100 feet apart. The distance between the two principal dwellings on Applicant's parcel is approximately 70 feet.

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

Applicant intends to use his second principal dwelling as a short term rental for guests looking to live in an authentic farm experience at the Early Frost Farm, a hobby farm Applicant operates on the premises. The farm advertises its two high tunnel hoop houses, laying hens, an apiary, and is developing a U-Pick for Sour Cherries and Honeyberries. Also, the farm provides quality vegetables and fruit to Natural Harvest Coop in Virginia, Mesabi East's Farm to School initiative and a few local businesses. Applicant's property is situated between Giant's Ridge, the BWCA, and the Mesabi Bike Trail. His property acts as a way stop for bikers, offering rest rooms, cold refreshments, seating, a DIY bike repair station, with emergency parts. The farm also offers a small self-serve general store, and is the official weather station for Embarrass. By adding a short term rental to his farm operations, Applicant seeks to provide guests with a quiet and beautiful atmosphere in rural Minnesota.

3. Describe the current use of your property.

Applicant currently uses the garage portion of the building to house his farming equipment. He currently uses the habitable space as a mother-in-law suite for visiting relatives in the off-season. Applicant continues to operate Early Frost Farm on the premises. In addition to the above listed activities, Early Frost Farm will be hosting Opera at the farm, by hosting Mixed Precipitation's Pickup Truck Opera which brings a festive theatrical event that inspire social engagement. The farm also hosts gatherings for non-profit groups who advocate for social justice.

4. Describe other alternatives, if any.

Even if Applicant were to permanently cease leasing the dwelling unit as a short-term rental, its total square footage, including the garage, would preclude it from being classified as a secondary dwelling. Thus without a variance, Applicant would have to demolish the dwelling unit part of the garage, and reconstruct it as a third building on his property. This further construction would disrupt the natural and aesthetic farm setting that Applicant seeks to cultivate on Early Frost Farm.

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

Applicant's neighborhood has a distinctive country character. The lots are large with multiple buildings on them. Had Applicant built his second principal dwelling forty feet further from his first principal dwelling, no variance would be needed. His lot largely remains a working farm even with a short term rental operating in the second principal dwelling. Applicant's intent is to provide an educational and authentic farm experience for those who want a quiet farm experience. Applicant will offer tours and nature walks to their guests, which informs visitors about the farm's sustainable living and organic vegetable production. The farm serves as a community resource of gardening in USDA Zone 3. The Farm already educates its followers on its social media feeds which fully display their commitment to keeping the country atmosphere. With Northern Comfort Bed and Breakfast operating two miles away and Giants Ridge operating the area is already a mix of rural and hospitality services.

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

Applicant's neighbors live on large plots, with their dwellings separated by acres from Applicant's land. Applicant's dwellings are situated near the middle of his parcel, and do not abut any neighbor property. This property lies within a relatively high traffic and highly valued rural area, through which visitors to Giant's Ridge, the BWCA, and the Mesabi Bike Trail already travel. This variance will not add to the housing crisis within the community by taking inventory off the market. Rather it creates an opportunity for Applicant to be an ambassador to visitors who are interested in the region. If the variance is approved, the slight increase traffic is a benefit to the neighborhood as it brings awareness to the farm life style.

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

Applicant placed the second dwelling and garage building within a natural break in the tree line. Building the structure 100' away would have required removal of a grove of pines. The structure was built in a sustainable and energy efficient manner. Applicant blew in sustainable insulation at maximum depth, efficient windows, and utilizes an electric off peak boiler system that is 100% efficient. Applicant will work with St. Louis County to ensure that the environmental impact of the second principal dwelling will be minimal. Applicant will have the septic inspected to ensure that it is able to support the additional bedroom. Early Frost Farm practices sustainable farming practices and will ensure that their guests support the farm's mission to foster the local environment.

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

Allowing the two structures to remain as they are will prevent Applicant from undertaking extensive construction to attain effectively the same result with buildings that follow the letter of the law. Applicant's short term rental helps to support their farm operations which provides quality vegetables and fruit to Natural Harvest Coop in Virginia, Mesabi East's Farm to School initiative and a few local businesses. It also serves as a rest stop for bikers on the Mesabi Trail, and hosts educational and cultural experiences for the community such as Opera on the Farm. Applicant's farm is a benefit to the community and will continue to provide these services, as long as it is financially viable and ecologically sound to continue doing so.

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

Applicant reached out to Gary Collyard from the Minnesota Department of Health in April of 2022. Mr. Collyard informed us the process for getting a license for a short term rental starts with a pre-approval from the MN Dept. of Health. Mr. Collyard had no opposition to the farm's application for a short term rental and was very complimentary of the farm's operation.

While the farm pursued a permit for a short term rental, it submitted appropriate lodging fees to the state and county and began taking on guests. The farm's guest list included internationally recognized concert pianists, writers, actors, musicians, 4 different professors from the U of M, ecologists, biologists, birders, bikers, outdoor enthusiasts, and city dwellers looking for some peace and solitude.

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

10. Describe your reasons county zoning ordinance requirements were not followed.

Applicant acquired a permit to build a garage in 2020. Once he finished, he believed he could add a mother-in-law suite on one side of the existing garage structure without further applying for a permit because it would not change the footprint of the building. He also relied on the County's Fact sheet which stated that an accessory dwellings' "Maximum size shall be limited to 700 square feet in floor area" and "An accessory dwelling may be combined with garage, provided the standards above are met." Applicant did not realize that taken together the 700 feet had to include the garage floor space as well. He believed dividing a permissible 1280 sqft. garage into a 833 sqft. garage and a 366 sqft. dwelling would comply with the county's requirements because 366 sqft. is less than 700. At the time, Applicant intended to use the suite exclusively for relatives to stay at the farm.

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

As explained above, Applicant built the second principal dwelling believing he had build an accessory dwelling which complied with the county's requirements. When he sought to get the dwelling licensed for short term rental, is when the county informed him of this error. Once the county refused to grant the farm a license for a short term rental since the building was not compliant, Applicant has ceased renting the property, until both the variance and the license is granted.

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

Applicant has invested \$18,000 into renovating the dwelling space within the garage structure.

13. If there was construction or repair, on what date did it begin?

Applicant built the garage in the summer of 2020, and began renovating the dwelling studio within the garage that fall.

14. If there was construction or repair, on what date did it end?

Applicant finished renovating the studio in June of 2021.

15. Who performed the construction or repair work?

The garage was a built by Economy Garage of Duluth. Jerry Holmes Excavating and Rod Long, another local contractor, subcontracted the excavation and concrete work. The interior of the dwelling including sheet rocking, flooring, cabinet installation, painting and fixtures were completed by Jack and Ericka La Mar.

16. Was a survey of your property boundaries obtained?

No

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

Applicant worked with the Planning and Community Development Department while building the garage. However due to an honest misunderstanding of the current FAQ sheet, Applicant was unaware that he needed to speak to the department prior to adding the dwelling within the garage.

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% 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/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

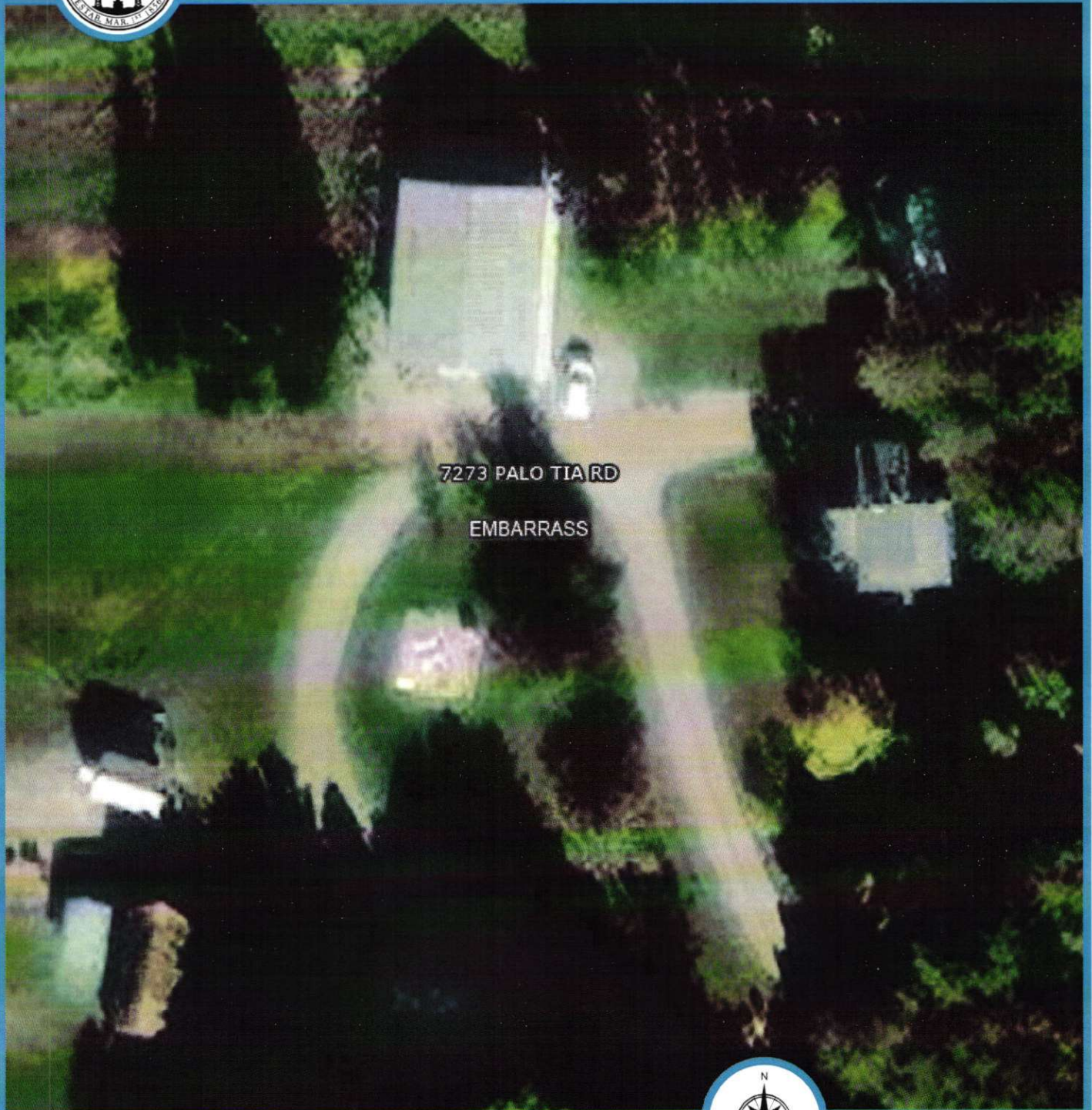
Office Use Only

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



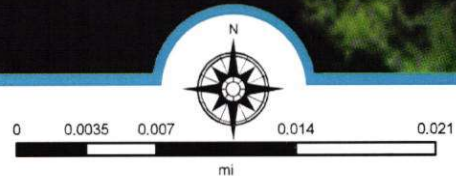
County Land Explorer

St. Louis County, Minnesota



Site Layout

Map created using County Land Explorer
www.stlouiscountymn.gov/explorer



County Land Explorer

St. Louis County

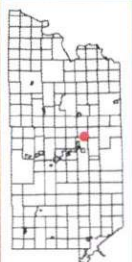
www.stlouiscountymn.gov/explorer

Minnesota

Disclaimer

This is a compilation of records as they appear in the Saint 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

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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

Northland Office Center
307 First Street South, Suite
117

Virginia, MN 55792
(218) 749-7103

LAND USE 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: http://gis.stlouiscountymn.gov/planningflexviewers/County_Explorer

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

Primary PIN **330-0010-05330**

Associated PINs

Enter Applicant Information

I am a: **Landowner**
 Applicant Name: **Jack La Mar**
 Address Line 1: **7273 Palo Tia Road**
 Address Line 2: **--**
 City: **Embarrass**
 State: **MN**
 Zip: **55732**
 Primary Phone: **(218)208-7725**
 Cell Phone: **--**
 Fax: **--**
 Email: **jdlamar@gmail.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: **Jack La Mar**
 Address: **7273 Palo Tia Road**
 City: **Embarrass**
 State/Province: **MN**
 Zip: **55732**
 Primary Phone: **--**
 Cell Phone: **--**
 Fax: **--**
 Email: **jdlamar@gmail.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: **7273 Palo Tia 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
Northland Office Center
307 First Street South, Suite 117
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?

No

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?

No

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

No

Is this project adding a bedroom?

Include home, garage, and accessory dwelling.

No

Total # of bedrooms on property after project completion.

0

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

Yes

If Yes, please explain:

Proposed garage will have wash facility

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

No

What are you applying for? Check all that apply to this project.

Are there New Buildings?

Less than 1,200 square feet - \$150.00

Greater than or equal to 1,200 square feet - \$300.00

Yes

How many New
Buildings that are 1-
1200 Sq. Ft.?

1

How many New
Buildings that are 1201
Sq. Ft. or greater?

1

Is this a New Dwelling?

Home, Mobile Home, Hunting Shack, or Cabin (includes attached deck, if applicable). Select No if this is a Replacement of Existing Dwelling.

No

Is this a Replacement of Existing Dwelling?

Home, Mobile Home, Hunting Shack, or Cabin. 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.

No

Accessory Dwelling?

Guest cottage or bunkhouse. Must follow administrative standards.

No

Accessory Structure?

Garage, Pole Building, Shed, Sauna, Screenhouse or Gazebo that either meets lake or river setback or not located in a shoreland area.

Yes

Water-oriented Accessory Structure?

Boathouse, Sauna, Screenhouse or Gazebo on a lake or river located at reduced shoreline setback. Must follow administrative standards.

No

Commercial Structure? **No**

Other Principal Structure? **No**

Is the dwelling location on a lake or river? **No**

Does the structure meet the required shoreline setback?

If this property is not located on a lake or river, check Yes. If the structure does not meet the shoreline setback, a performance standard permit or variance may be required.

Yes

Is this an addition to an existing dwelling?

No

Check no if adding a new deck and new dwelling was checked above.

Is this an addition to an existing accessory structure? **No**

New Deck Only or Deck Replacement? **No**

Combination Addition(s) & Deck on the same structure? **No**

Moving a structure? **No**

Is this a sign request? **No**

Structure Alteration or Component Replacement? **No**

Change in Use? (e.g. converting an old cabin to storage)?

No

What will the new use of the structure be? Explain the current and proposed structure.

--

Will a permit extension be required beyond 2 years?

\$50.00 fee

No

Is this a site visit/evaluation request?

Site Visit/Evaluation - \$150.00

No

Is this a new structure?

Yes

New Structures Information

Foundation Type **Slab**

Maximum Length **40**
(exterior footprint only
in feet)

Maximum Width **32**
(exterior footprint only
in feet)

Maximum Sq. Ft **1,280**
(exterior footprint only)

Maximum Height **18**
(ground level to roof
peak in feet)

Foundation Type **Other**

Maximum Length **40**
(exterior footprint only
in feet)

Maximum Width **30**
(exterior footprint only
in feet)

Maximum Sq. Ft **1,200**
(exterior footprint only)

Maximum Height **20**
(ground level to roof
peak in feet)

Is this a structure addition?

No

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.*** 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 pop by selecting 'Maintain Contact Information' at the top of this page.

Submitted By: --

Address: --

City: --

State: --

Postal Code: --

Email Address: --

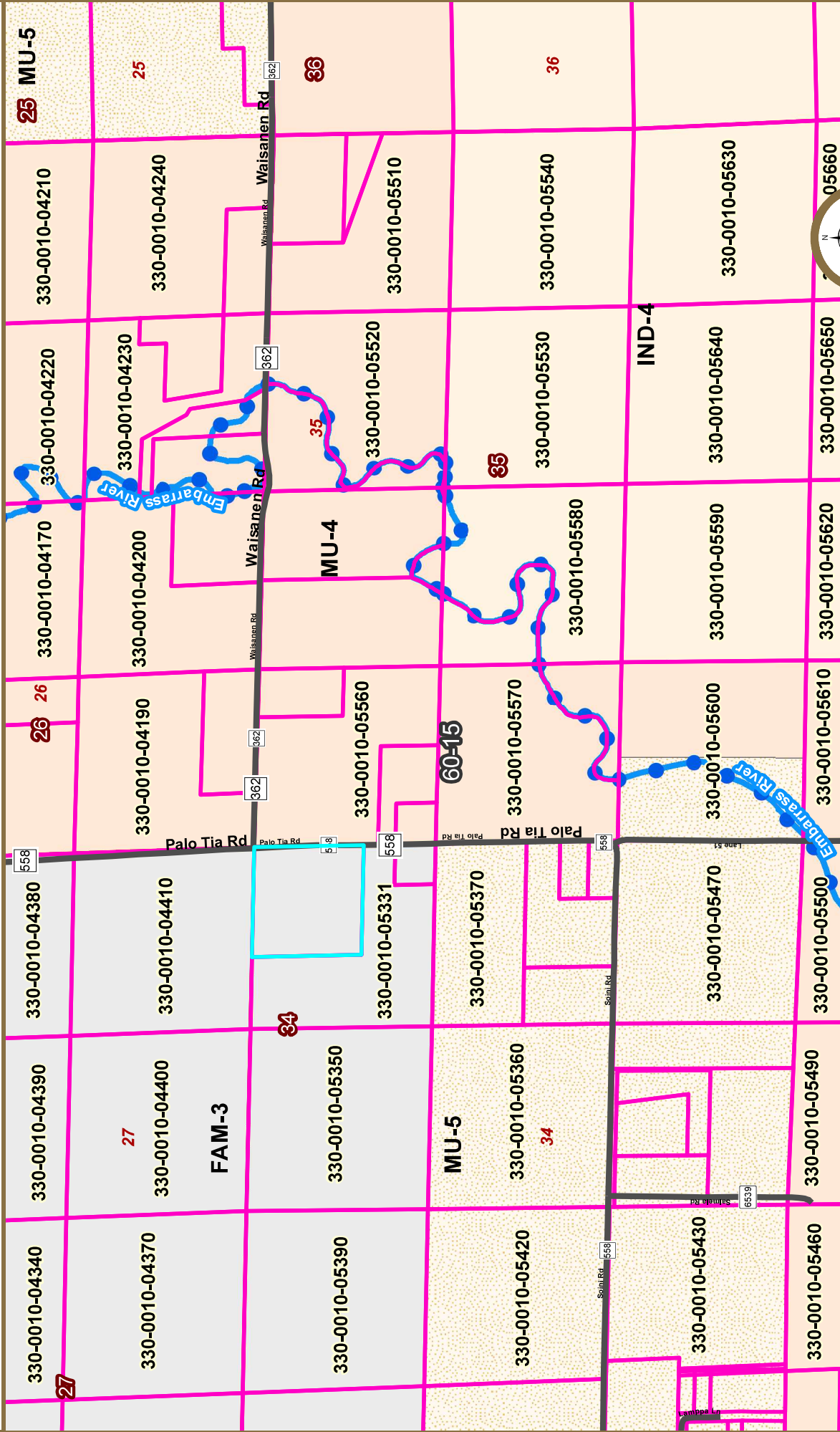
I have read and agree to the statement
above.

No



September BOA

330-0010-05330



Prepared By: **Planning & Community Development**
(216) 725-3000
www.stlouiscountrymn.gov

Source: **St. Louis County**

Map Created: **8/7/2023**

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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Jack LaMar
Zoning Map

0 430 860 1,290
Feet

St. Louis County MN

September BOA

330-0010-05330

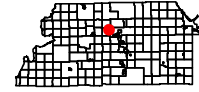


Prepared By: **Planning & Community Development**
(216) 723-3000
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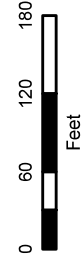
Source: St. Louis County
Map Created: 8/9/2023

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Jack LaMar Site Map



St. Louis County MN





