

Presenter

Jared Ecklund-Senior Planner



TERESA KOCHAR

4424 Cedar Island Dr.
Eveleth, MN
Ely Lake

Variance Request

- The applicant is requesting approval to allow the lot coverage to exceed 25 percent of the lot area
 - The proposed lot coverage would be approximately 6,320 square feet where 4,247 square feet is allowed.

- The applicant is also requesting approval to allow the building footprint on the property to exceed 15 percent of the lot area.
 - The proposed building footprint is 3,096 square feet where 2,196 square feet is allowed.

Proposal Details

- The applicant is proposing to add a new accessory structure to the property.
 - The proposed structure is a garage that is 30' x 30' (900 square feet).
 - The proposed structure brings the building footprint up to 2,548 square feet with 2,196 square feet is allowed.
- The applicant is also proposing to pave the driveway and parking area on the property.
 - Adding the pavement and the new garage will bring the lot coverage on the property to 6,320 square feet where 4,247 square feet is allowed.
 - The proposed pavement includes a roadside entrance to the current garage, an entrance to the proposed new garage, and a driveway nearly up to the house.

August BOA Meeting



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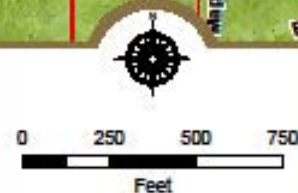
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Zoning Map

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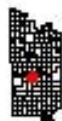
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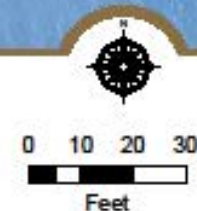
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Site/Elevation Map
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0 12.5 25 50

Feet

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Existing nonconforming dwelling



Existing garage
& driveway



Approximate location of proposed garage between existing garage & house



Approximate location of proposed garage between existing garage & house



Facts and Findings

Official Controls

1. Zoning Ordinance 62 states that the maximum allowed lot coverage in a Residential (RES)-11 zone district is 25 percent.
 - a. The applicant is requesting lot coverage of approximately 37 percent, due in part to paving the driveway and associated apron/parking area to the proposed garage.
 - b. The applicant has stated there are drainage issues associated with the current gravel driveway.
2. Zoning Ordinance 62 states that the maximum building footprint allowed on a nonconforming lot of record is 15 percent.
 - a. The applicant is requesting a building footprint of approximately 16.5 percent.
 - b. Existing structures, including one other detached garage, contribute to the building footprint as well as the small platted lot size.
 - c. The subject lot is 0.38 acre in size where a 0.5 acre would meet both zone district standards and nonconforming building footprint allowances.

Official Controls

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 applications are treated equitably, that community health and safety is protected, and that the overall character of a given area is preserved.

Official Controls

5. Through the Land Use Goals, Objectives and Implementation sections, the Land Use Plan is meant to provide ways of improving the variance process and encourages adherence to existing criteria to ultimately reduce the volume of variance applications received by the county.
6. While the reason behind the ordinance restriction and zoning classification make sense for the area where the property is located, this particular lot was platted slightly smaller than many other lots in the plat of Cedar Island Park. The subject property was platted in 1946 and at such time it may not have been intended that properties within the plat would be used for year-round development.

Practical Difficulty

1. Other than the property being a small platted nonconforming lot of record, there is not much unique physical circumstance of the property.
 - a. One unique physical circumstance of lot 49, as platted, is slightly smaller than other lots in the plat.
 - b. The lot also tapers back towards the road and is located at a slight bend in the road, which both limits area and lot width of the property.
2. The property is developed with a dwelling, accessory structure, sauna and is served by a municipal sewer and water system. Fayal public utilities will not be impacted by this proposal and the interim operating director has signed off on the proposal as such.

Practical Difficulty

3. Alternatives that exist that either do not require variance or minimize the degree of variance, such as:
 - a. The applicant could reduce the size of the proposed structure.
 - b. The applicant could remove the existing garage and replace it with a slightly larger structure.
 - c. The applicant could add an additional 352 square feet to the existing structure.
 - d. The applicant could reduce the size proposed impervious surface area or leave the driveway and parking areas unpaved.

Essential Character of the Locality

1. The existing neighborhood consists of small platted lots of record.
2. There have been some other variance approvals in the area similar to this request due to the small size of the lots in the area.
3. The applicant is not proposing a new use to the neighborhood/area.
4. Most lots within Cedar Island Park plat have one or more accessory structures.
5. Most lots also have paved driveways, but the lots themselves may be larger in size, allowing increase lot coverage and building footprint area.

Other Factors

1. The proposed and existing accessory structure cannot be seen from the lake.

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?

Recommended Conditions, if Approved

In the event that the Board of Adjustment determines that the proposal meets the criteria for granting a variance to allow maximum lot coverage to exceed 25 percent and to allow maximum building footprint on a nonconforming lot of record to exceed 15 percent, the following condition(s) shall apply:

1. The stormwater runoff from the proposed structure shall not directly discharge onto the road or on adjacent lots.
2. The maximum lot coverage shall be minimized to the greatest extent possible.

Correspondence

Board of Adjustment

Questions?

Public

Questions?