

Presenter

Ada Tse – Planner



Jerrold Vitek

9146 Aerie Lake Road

Aerie Lake



Request

- Requesting relief from St. Louis County Zoning Ordinance 62, Article III, Section 3.4
 - To allow a principal structure at a reduced shoreline setback.
- Requesting relief from St. Louis County Zoning Ordinance 62, Article IV, Section 4.3 D
 - To allow a nonconforming principal structure width facing the water to exceed 40 percent of the lot width.
- Requesting relief from St. Louis County Zoning Ordinance 62, Article IV, Section 4.4 A
 - To allow for construction on a lot that does not conform to minimum area standards to exceed the maximum allowed building footprint of 15 percent of lot area.



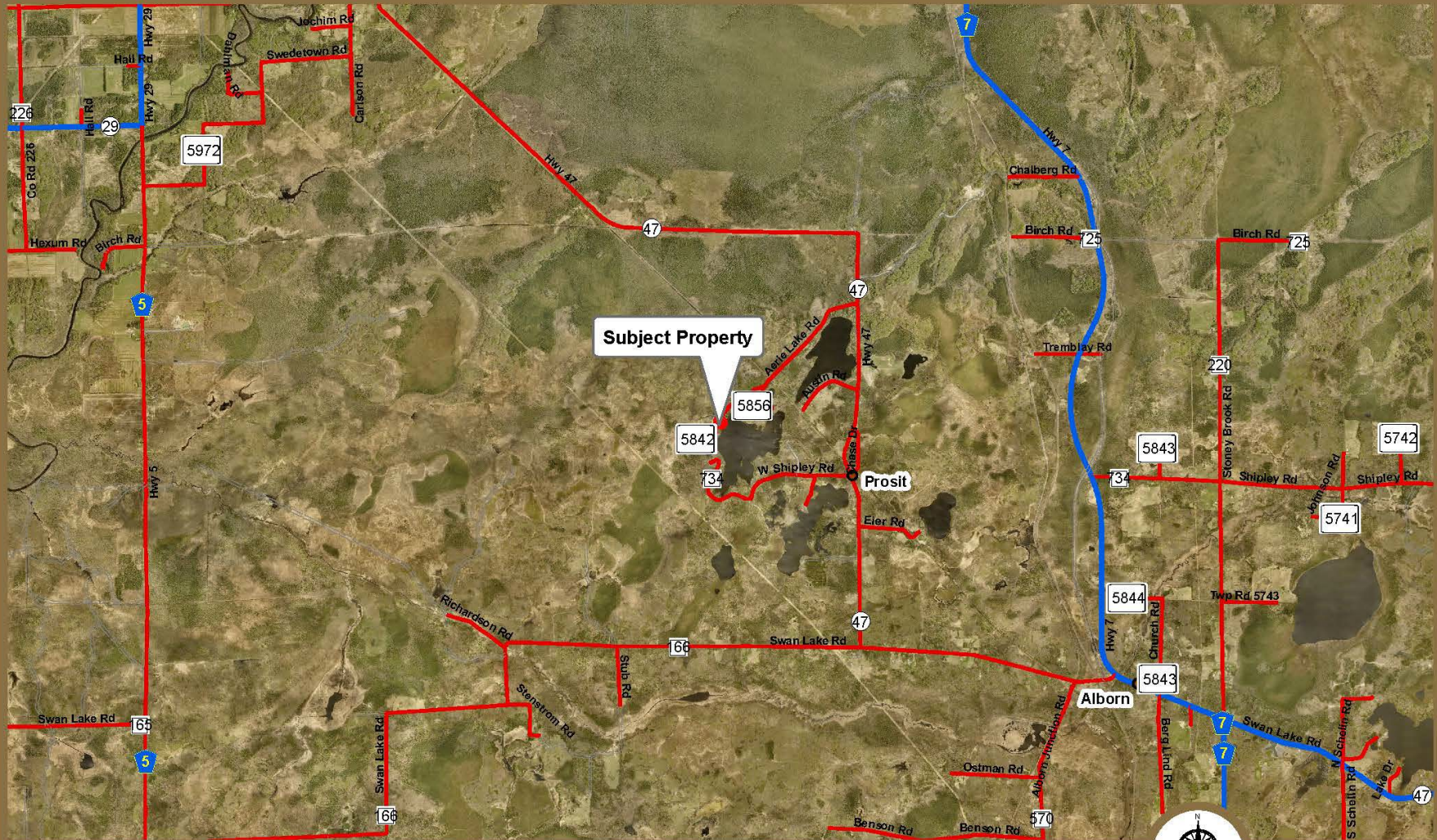
Proposal Details

- The applicant is proposing to replace a 56 foot by 28 foot dwelling located 88 feet from the shoreline (field measured) where 100 feet is required.
 - The proposed replacement dwelling is 66 foot by 84 foot and proposed to be located at 72 feet from the shore.
- The replacement dwelling is proposed to be 66 feet in width, 61 percent of the lot width.
 - The existing dwelling is currently 56 feet wide and 51 percent of the lot width.
- Then nonconforming parcel is comprised of two platted lots of 0.44 acres (19,167 square feet).
 - The applicant is proposing a structure of 3,372 square feet, 18 percent of the lot area.
 - Including two existing sheds, the total proposed building footprint would be 3,676 square feet and 19 percent of the lot area.



St. Louis County

May BOA Meeting



Prepared By: **Planning & Zoning Department**
 (218) 725-5000
www.stlouiscountymn.gov

Source: St. Louis County

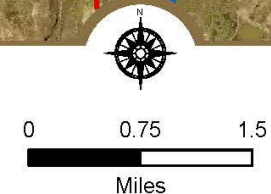
Map Created: 4/16/2024

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 Location Map
 205-0015-00170



St. Louis County

May BOA Meeting



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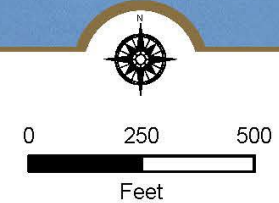
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Location Map
205-0015-00170



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Zoning Map
205-0015-00170



0 250 500
Feet



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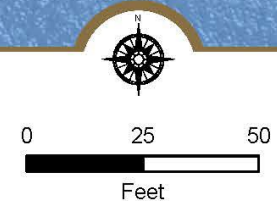
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Elevation Map
205-0015-00170



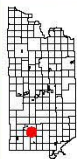
St. Louis County MN

St. Louis County

May BOA Meeting



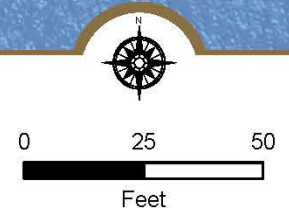
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Map Created: 4/16/2024



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Jerrold Vitek
Proposal Map
205-0015-00170



St. Louis County MN

St. Louis County

May BOA Meeting



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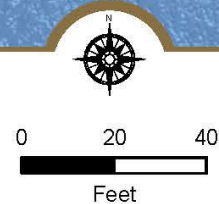
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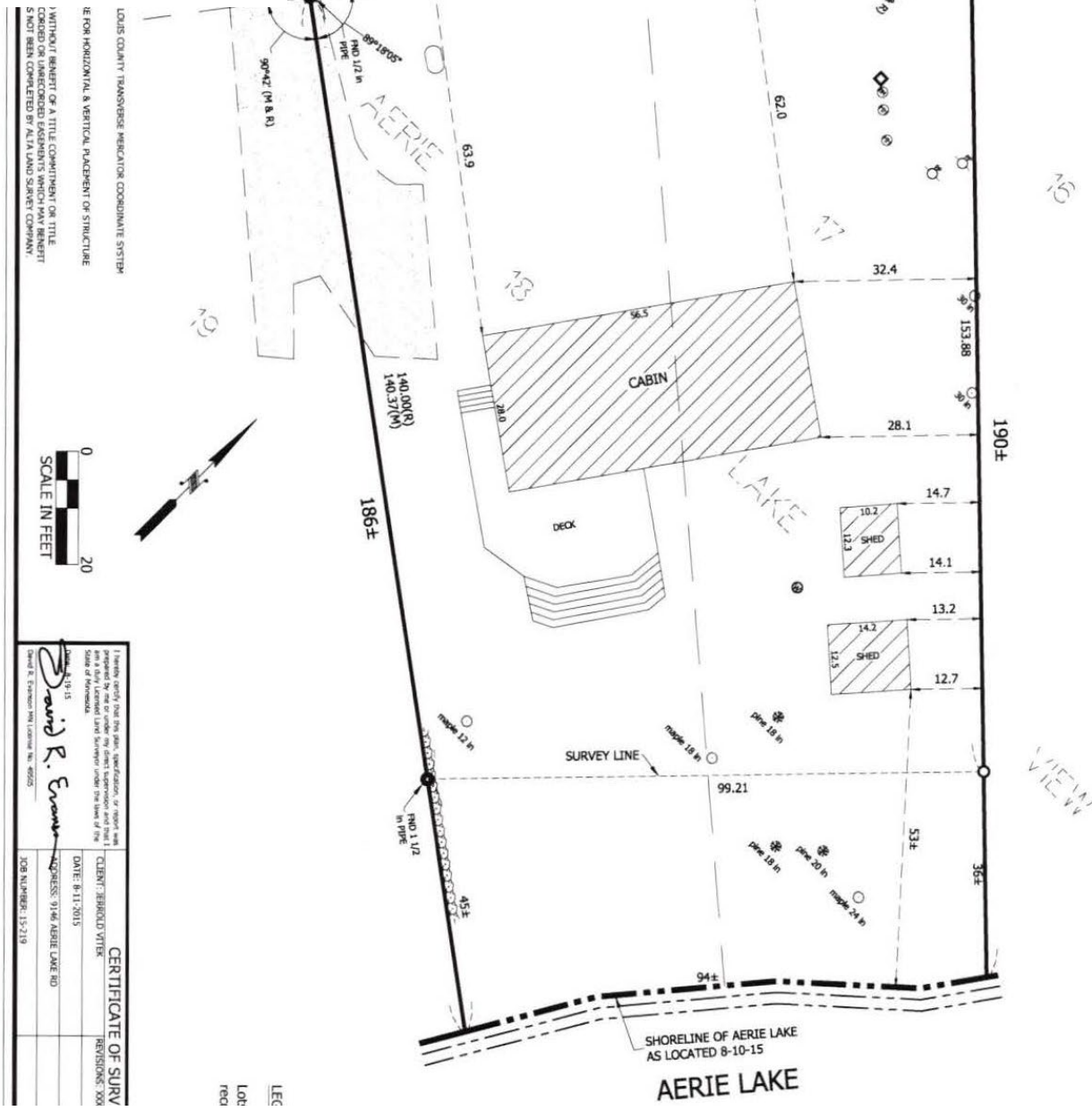


Jerrold Vitek
Setback Map
205-0015-00170

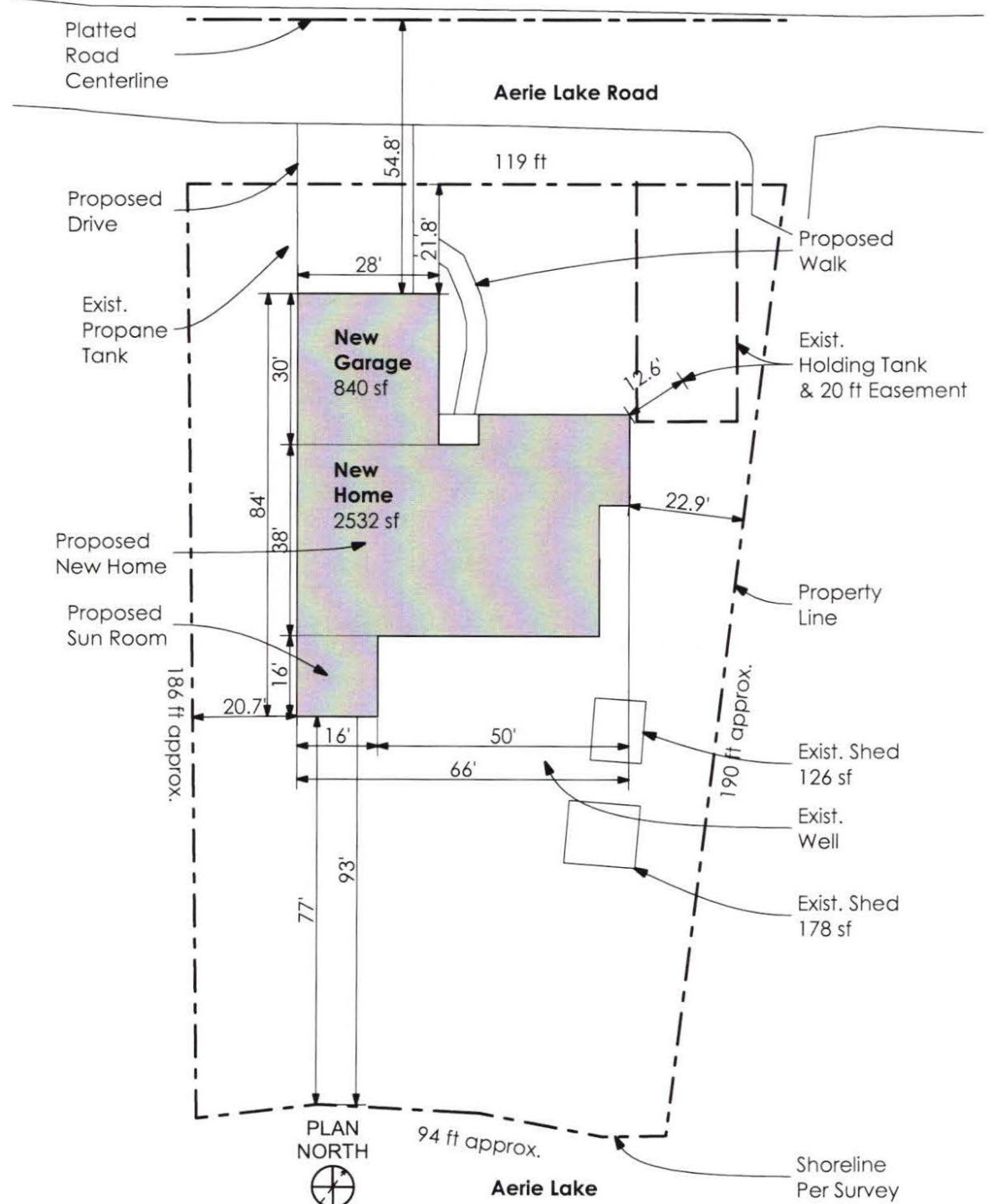


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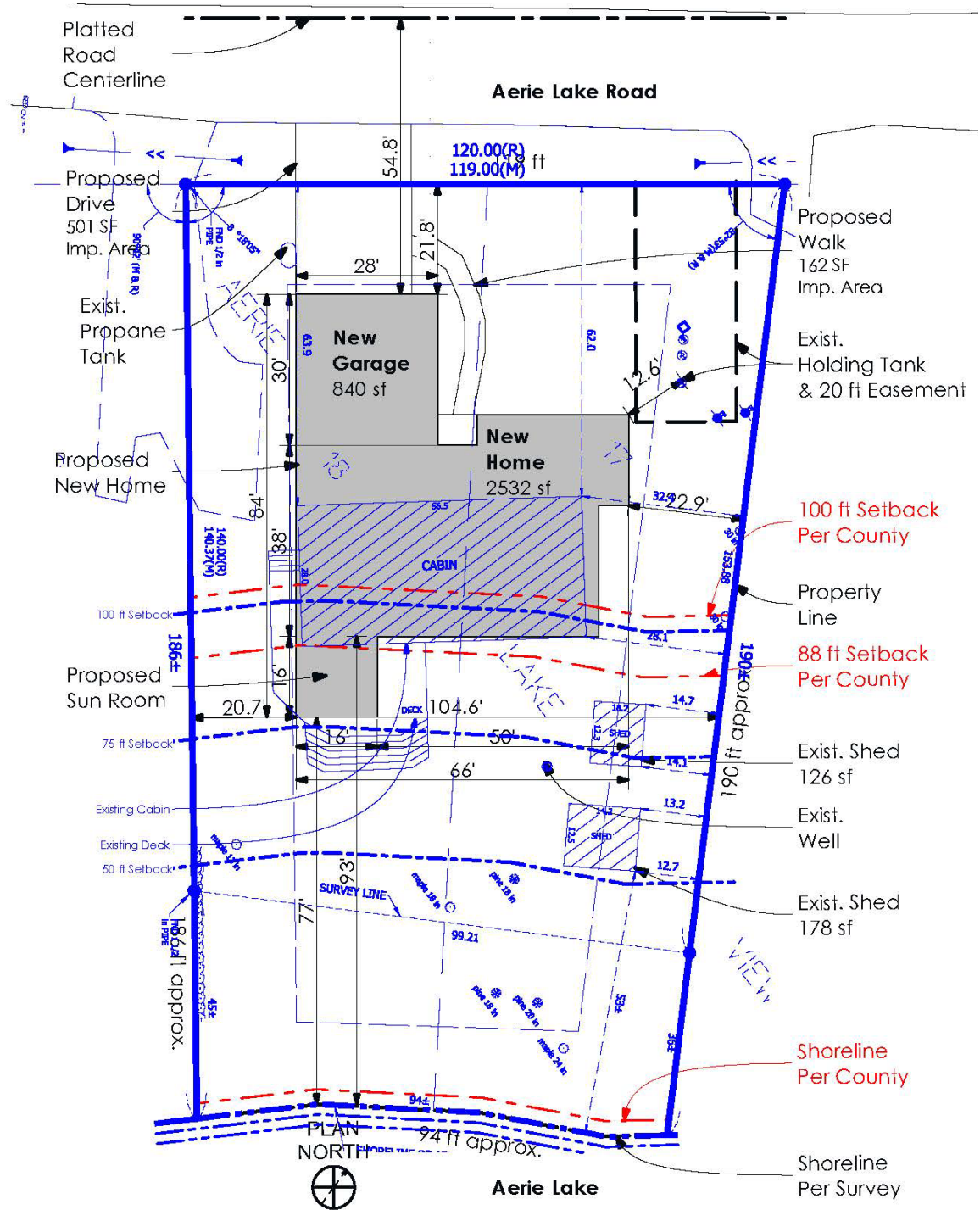
LEC
Lot:
rec:



Applicant Site Sketch – Proposed Dwelling



Applicant Site Sketch – Proposed Dwelling



**PRELIMINARY -
NOT FOR
CONSTRUCTION**

Vitek Lake Home
9146 Aerie Lake Road Albion MN
55702

ISSUED:

Exterior Perspectives

Vitek.pjn

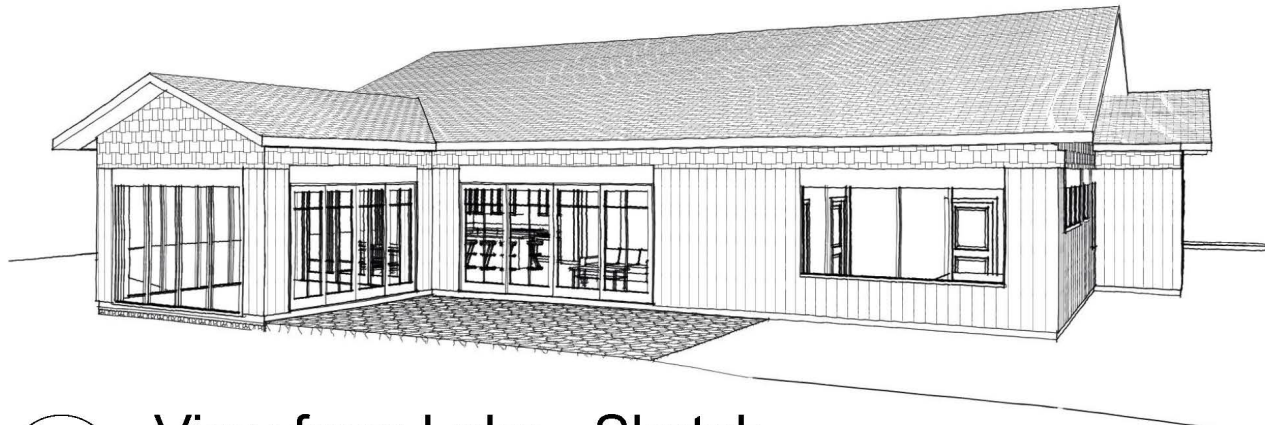
A005

ID: 2023009

Printed: 5/2/24



1
A005 **View from Street - Sketch**
NOT TO SCALE



2
A005 **View from Lake - Sketch**
NOT TO SCALE

**PRELIMINARY -
NOT FOR
CONSTRUCTION**

Vitek Lake Home
9146 Aerie Lake Road Albion MN
55702

ISSUED:

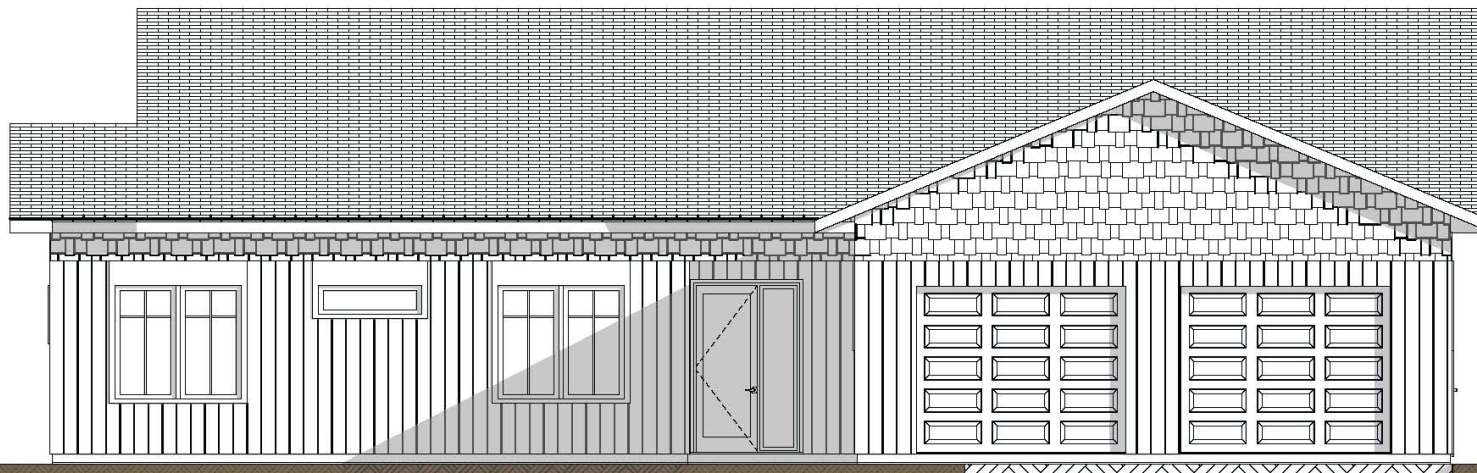
Exterior Elevation

Vitek pin

A006

ID: 2023009

Printed: 5/2/24

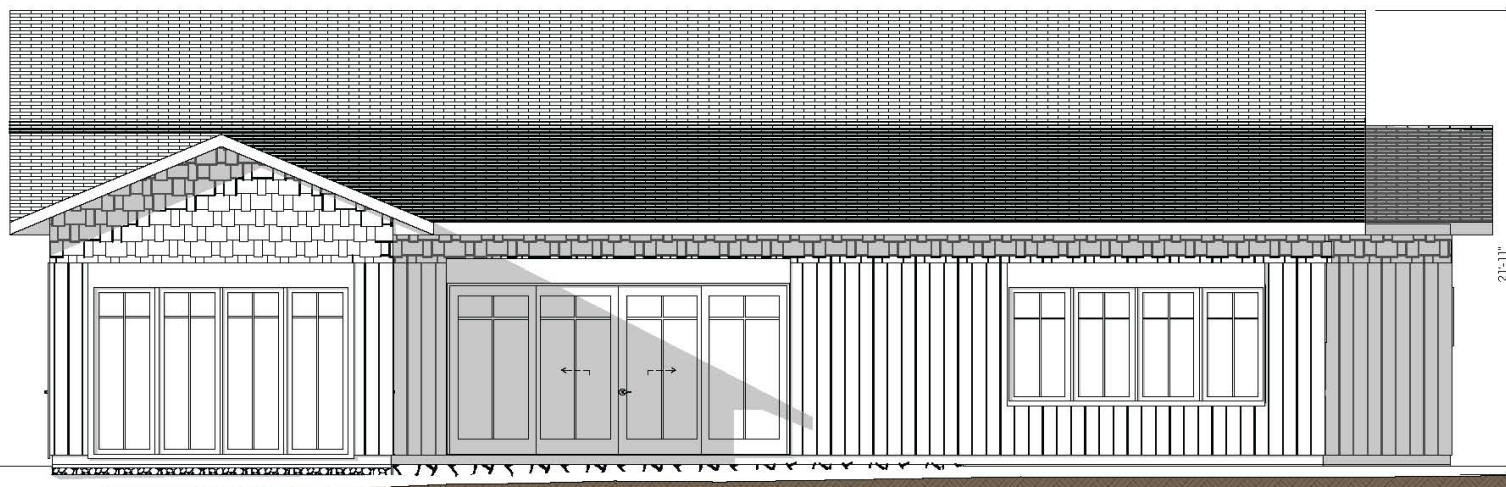


1
A006

North Elevation

SCALE: 1/8" = 1'-0"

0 4' 8' 16'



2
A006

South Elevation

SCALE: 1/8" = 1'-0"

0 4' 8' 16'

Dwelling – lake side



Dwelling – rear



Proposed Dwelling - rear







Staff Facts & Findings



Official Controls

1. Zoning Ordinance 62, Article III, Section 3.4, states that the required shoreline setback on a Recreational Development lake is 100 feet.
 - a. The existing structure is nonconforming at 88 feet from the shore (field measured) and the applicant is proposing to reduce the setback to 72 feet from the shore.
2. Zoning Ordinance 62, Article IV, Section 4.3, states that the structure width facing the water of a nonconforming principal structure shall not exceed 40 percent of the lot width, if located within the shoreline setback.
 - a. The current dwelling is 56 feet wide and 51 percent of the lot width. The proposed dwelling is 66 feet wide and 61 percent of the lot width.
3. Zoning Ordinance 62, Article IV, Section 4.4 A., states that lots that do not conform to the minimum area standard are allowed a maximum building footprint of 15 percent of lot area.
 - a. At 0.44 acres (19,167 square feet), the lot does not meet the one acre requirement of Zone District 7.
 - b. The applicant is proposing a structure of 3,372 square feet, 18 percent of the lot area. Including the existing two sheds, building footprint is proposed to be 19 percent.



Official Controls

1. St. Louis County Comprehensive Land Use Plan:
 - a. Goal LU-3 is to improve the integrity of the county's planning-related regulation by minimizing and improving management of nonconformities.
 - b. Objective LU-3.1 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.
 - c. Objective LU-3.3 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.



Practical Difficulty

1. The plat of Aerie Lake View was created in 1955 with many small and narrow lots.
2. There are alternatives that exist that do not require or would minimize the degree of variance:
 - a. A smaller dwelling may be allowed at a conforming location with a land use permit.
 - b. A different configuration and size of dwelling may be proposed to maximize setbacks, minimize width, and minimize building footprint.



Essential Character of the Locality

1. The area consist of year-round lake and seasonal residential homes.
2. The area consists of developed lakeshore lots with many nonconforming structures.
3. The approved variances within Aerie Lake View plat include:
 - a. One to allow for an addition to exceed lot width standards.
 - b. Two to allow for additions at a reduced shoreline setback.
 - c. One recent variance to allow for a replacement dwelling at a reduced shoreline setback.



Other Factors

1. The existing attached deck was built within the past 12 years without benefit of a permit and does not meet ordinance standards.
2. The calculated shoreline averaging setback is greater than the required 100 foot shoreline setback.



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 to allow a replacement dwelling at a reduced shoreline setback, to exceed the maximum allowed lot width, and to exceed the maximum allowed building footprint as proposed include, but are not limited to:

1. The structure shall be unobstructive earth-toned colors, including siding, trim, and roof.
2. Aerie Lake Sanitary District standards shall be followed.
3. Stormwater runoff from the proposed structure shall not discharge directly into the lake or on adjacent lots.



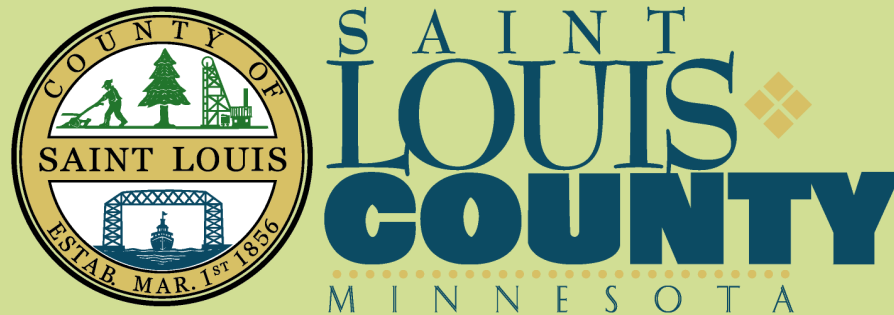
Correspondence



SAINT
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MINNESOTA

Board of Adjustment

Questions?



Public

Questions?



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