

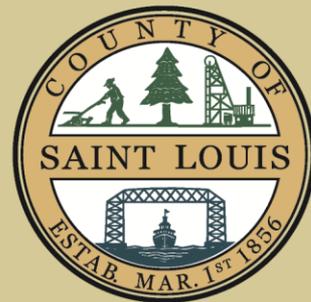
Presenter

Skyler Webb - Planner



Joseph Cybert

2515 Soderholm Beach Road South
Cook, MN



S A I N T
LOUIS ♦
COUNTY
M I N N E S O T A

Variance Request

Requesting relief from St. Louis County Zoning Ordinance 62,
Article II, Section 3.4 and Article IV, Section 4.3 D

- To allow a dwelling at a reduced shoreline setback, to exceed allowed structure width facing the water and to exceed allowed height for a structure located between the shore impact zone and the required shoreline setback.



Proposal Details

- The applicant is proposing to construct a new 1,920 square foot dwelling at a reduced shoreline setback, that will exceed the allowed structure width of 40% lot width and exceed the maximum height allowed.
- The new dwelling will be setback at 50 feet from the shoreline where 75 feet is required. The applicant is proposing to create a new dwelling with 50 feet of the structure facing the shoreline where 40 feet is allowed and a structure height of 30 feet where 25 feet is allowed.



St. Louis County

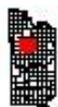
August PC Meeting



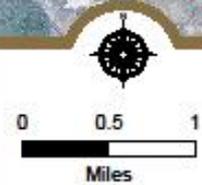
LOCATION MAP

Subject Property

Prepared By: Planning & Community Development
 (218) 725-5000
 www.stlouiscountymn.gov
 Source: St. Louis County
 Map Created: 7/18/2023
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 Location Map
 250-0082-00900



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August PC Meeting



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Location Map
250-0082-00900



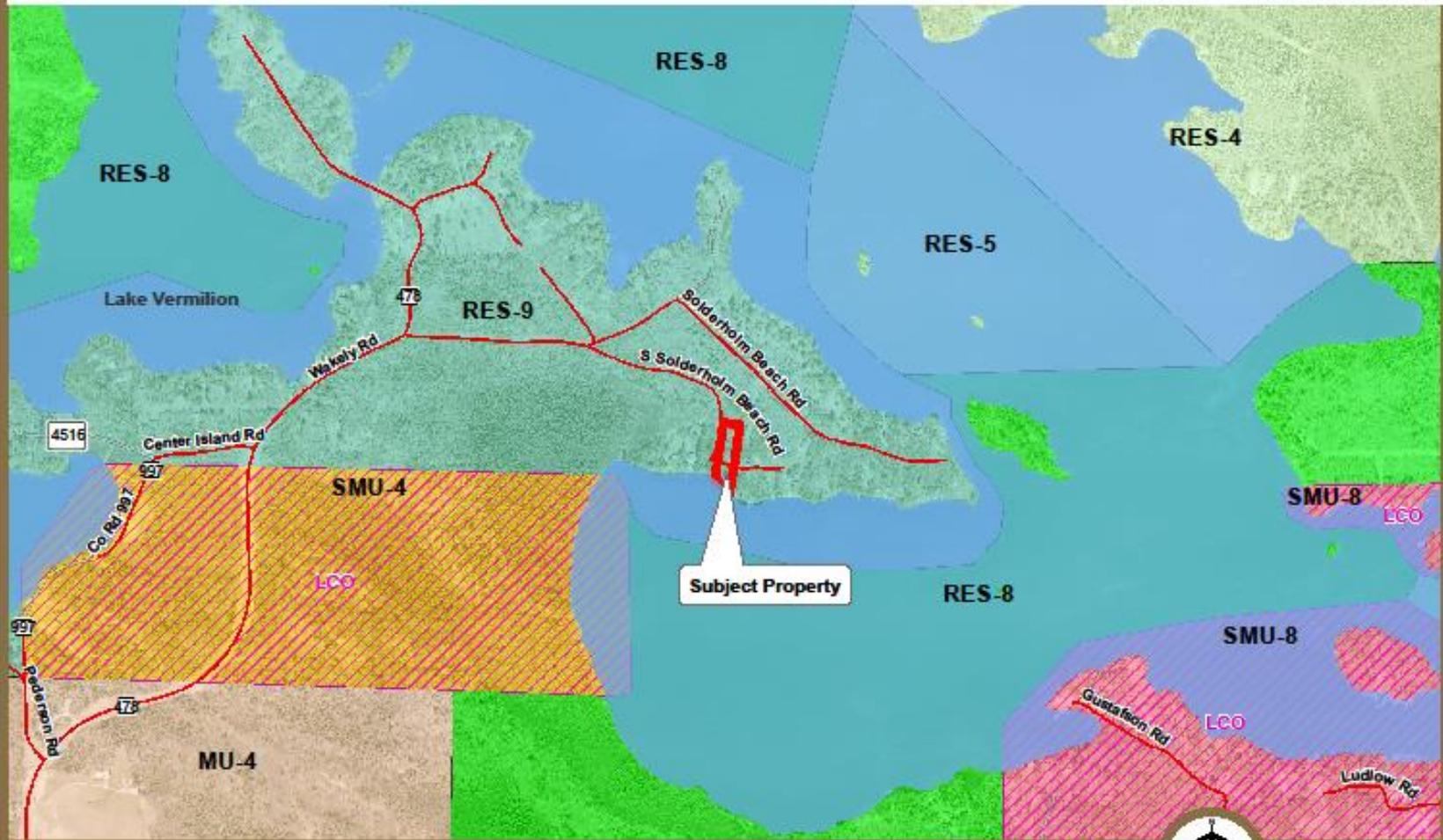
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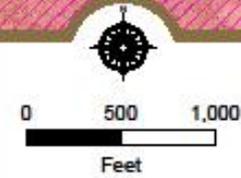
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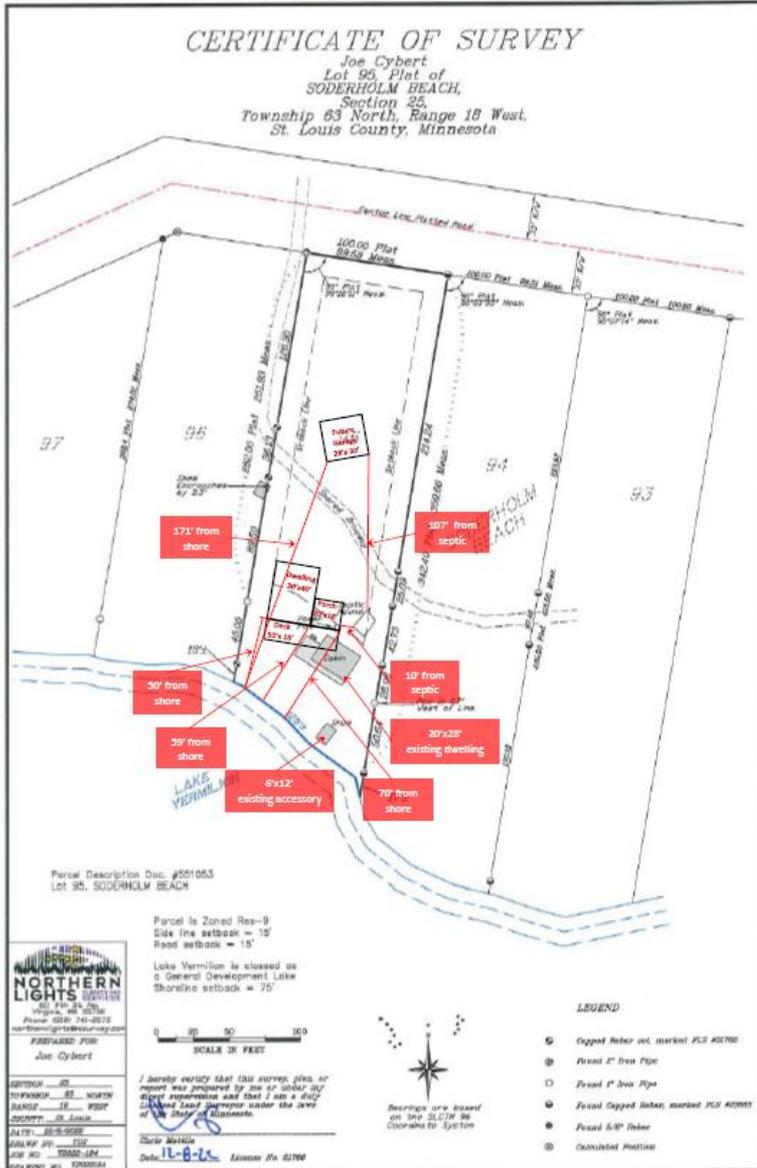


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 Zoning Map
 250-0082-00900

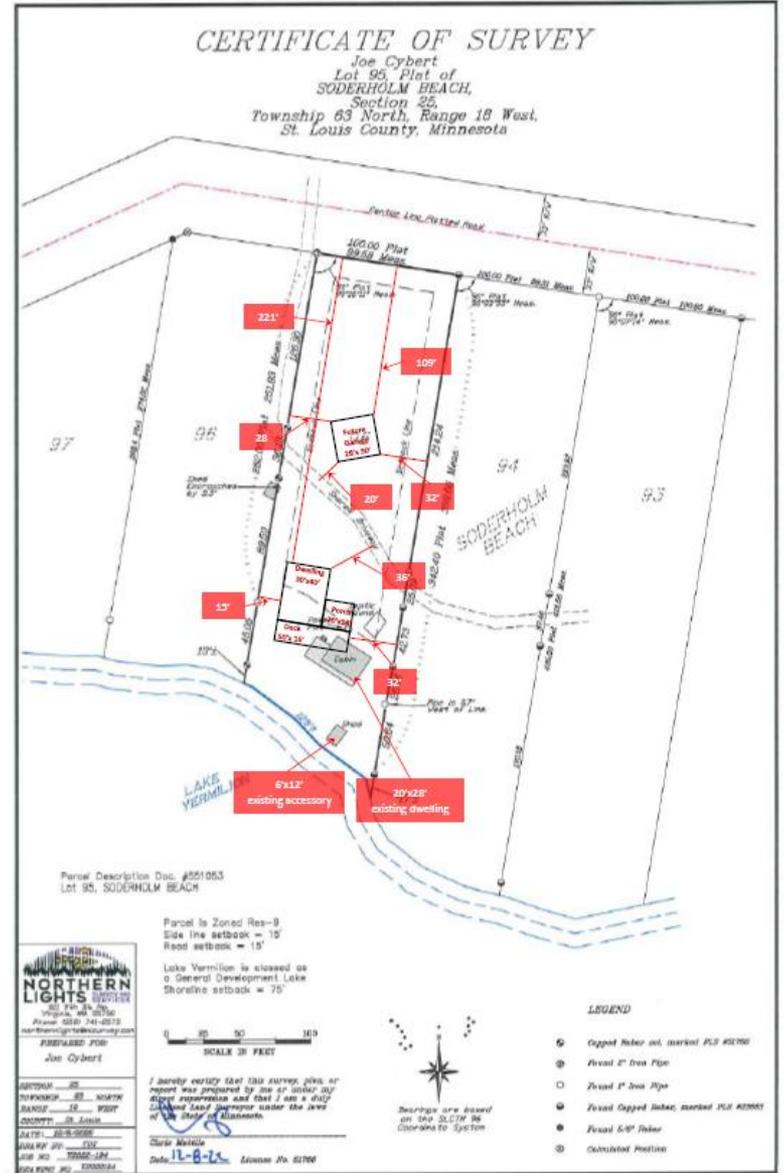


Applicant Site Sketch

SITE OPTION 2 | 2515 Soderholm Beach Road South | Septic and Shore Setbacks

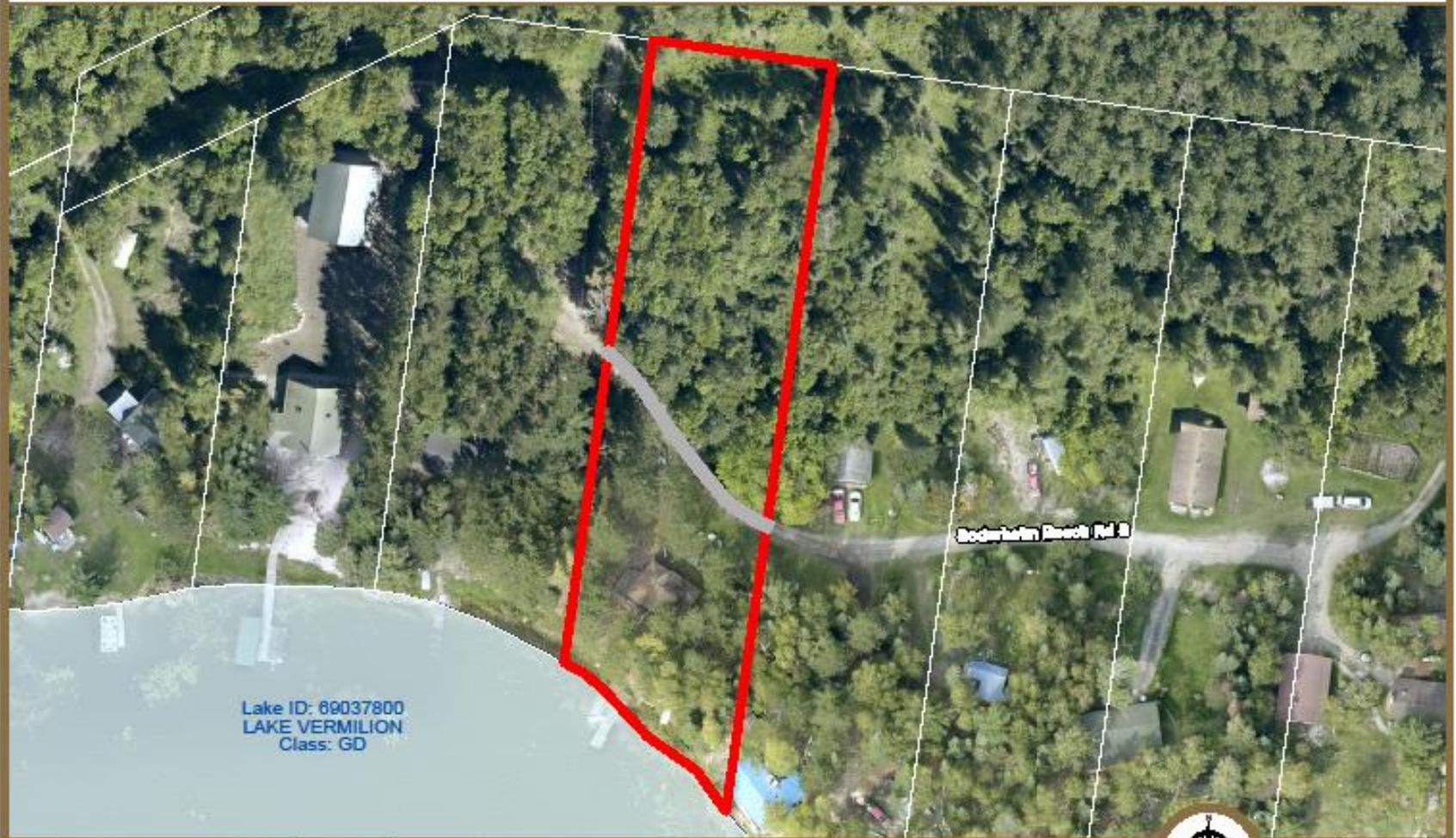


SITE OPTION 2 | 2515 Soderholm Beach Road South | Property Line and Road Centerline Setbacks



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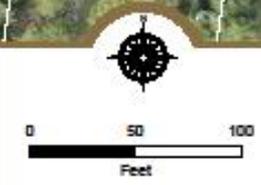
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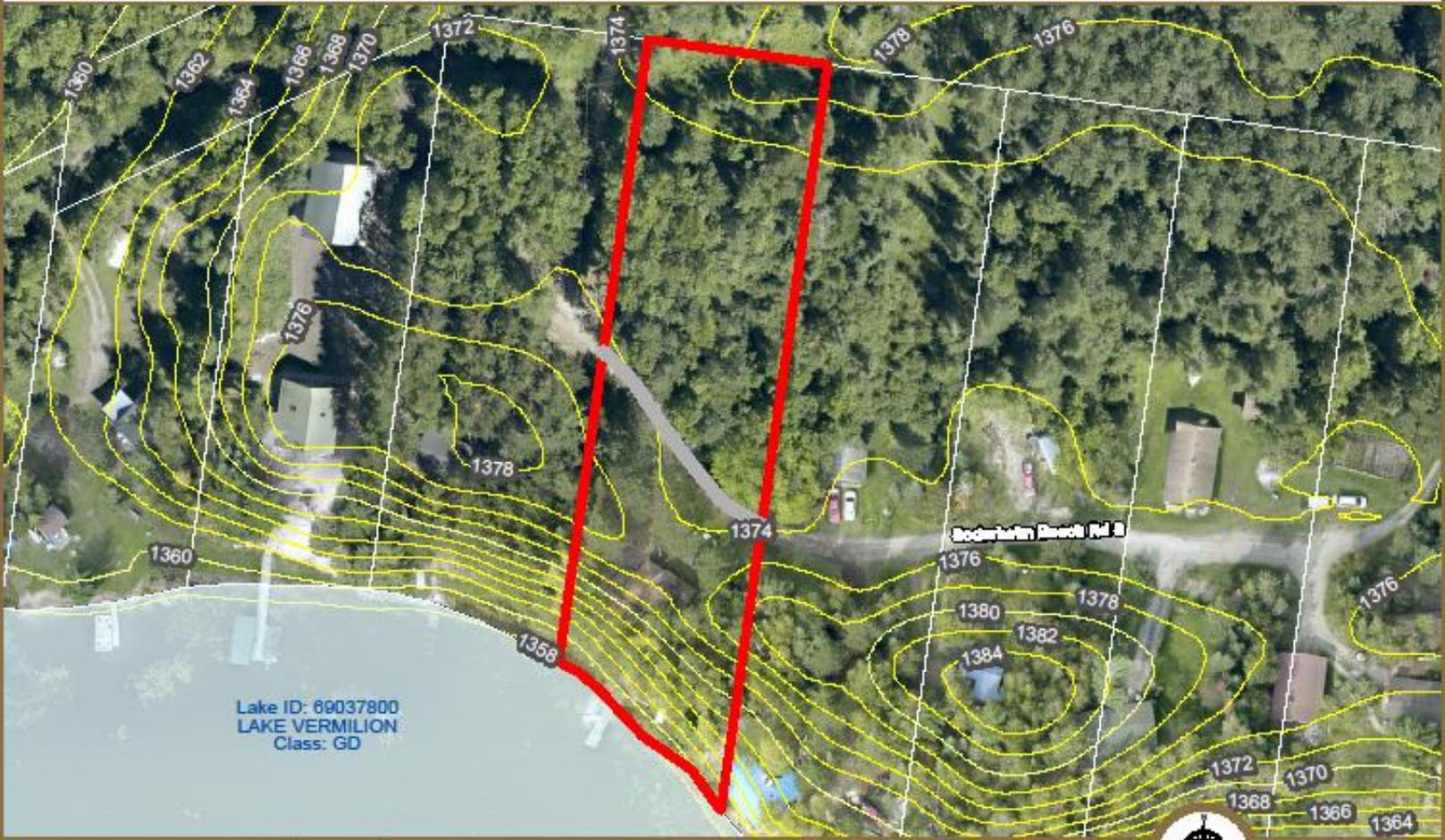
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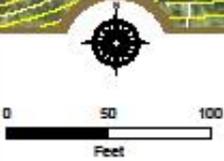
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 Site & Elevation Map
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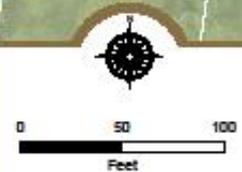
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Setbacks Map

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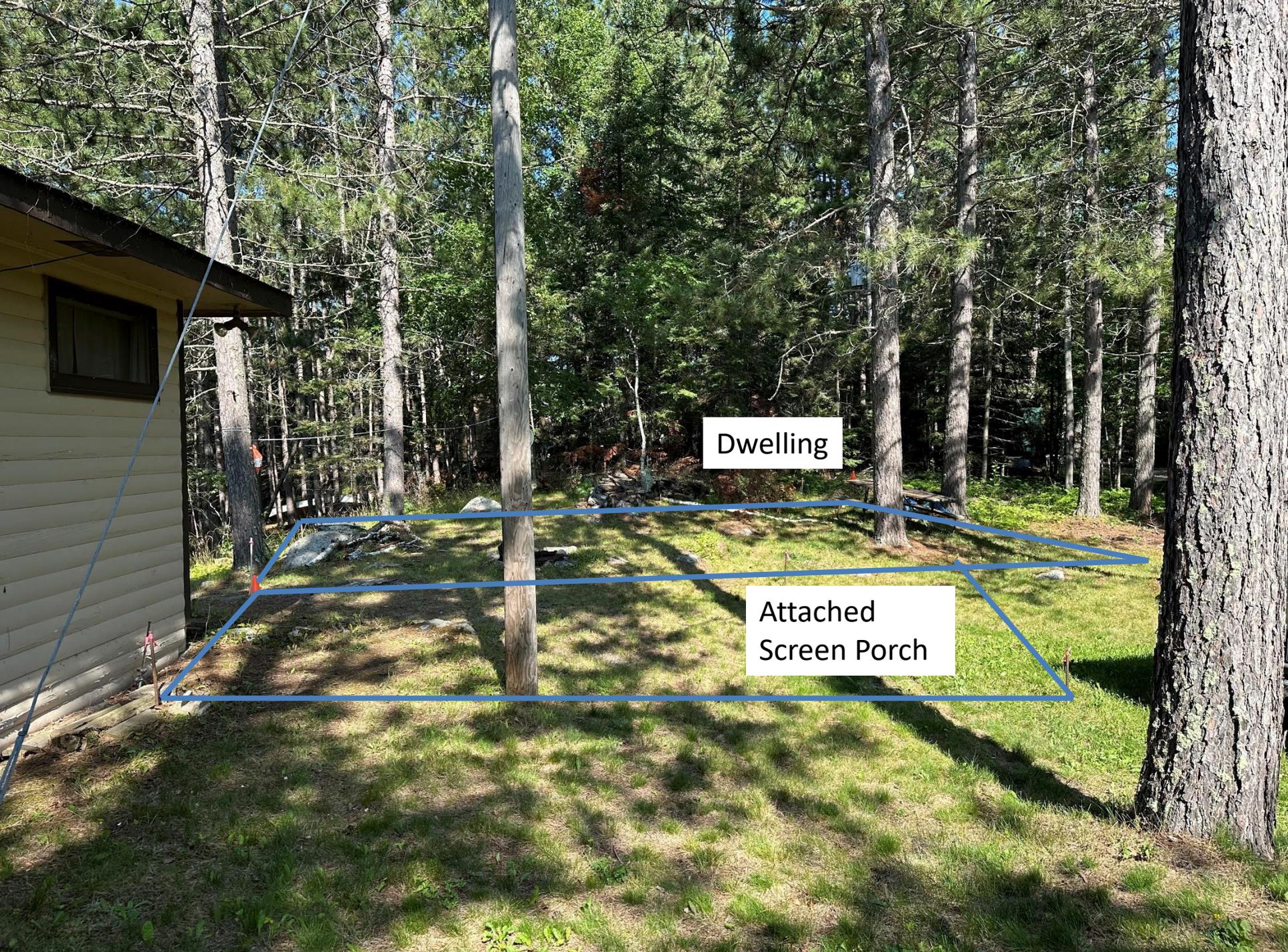


Existing Dwelling –
Facing Shoreline



75 Foot
Setback

Existing Dwelling
– Rear



Dwelling

Attached
Screen Porch

Staff Facts & Findings



Official Controls

1. Zoning Ordinance 62, Article III, Section 3.4 states that the shoreline setback on a General Development lake is 75 feet. The applicant is requesting a dwelling setback of 50 feet from the lake.
2. St. Louis County Zoning Ordinance 62, Article IV, Section 4.3 D allows a nonconforming structure to have a width facing the shoreline of 40 percent of the lot width if located within the shoreline setback. The applicant is proposing 50 feet of the structure to face the shoreline where 40 feet is allowed.
3. St. Louis County Zoning Ordinance 62 Article IV, Section 4.3 D allows a nonconforming structure up to 25 feet in height maximum if all or any part of the structure is between the shore impact zone and the required setback. The applicant is proposing a structure height of 30 feet.



Official Controls

1. 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.
2. 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.
3. Objective LU-3.3 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.



Practical Difficulty

1. With a right of way setback of 15 feet and shoreline setback of 75 feet, there is limited area on the riparian portion of the property where the proposed structure could meet both setbacks.
2. Reducing the size and configuration of the structure could eliminate and reduce the request for variances.
3. A variance is not the only option, as there are alternatives:
 1. A 400 square foot addition up to 25 feet in height would be allowed through a Performance Standard Permit.
 2. Relocate the proposed dwelling to a location that conforms to all required setbacks on the non-riparian area of the parcel. The proposal would then be allowed with a land use permit



Essential Character of the Locality

1. The neighborhood consists of nonconforming parcels with dwellings at reduced shoreline setbacks.
2. The applicant is not proposing a new use to the area.
3. There have been no similar variance requests within the plat.



Other Factors

- The structure will conform to property line, roadway, and septic tank setbacks.
- St. Louis County On-Site Wastewater Division did not pass the record review of the proposal.
 - If the variance request is approved, the applicant will need to work with St. Louis County On-Site Wastewater Division to obtain a septic permit prior to the issuance of a land use permit.
- 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.



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 dwelling at a shoreline setback of 50 feet where 75 feet is required, a structure width facing the water of 50 feet parallel to the shoreline where 40 feet is allowed, and a height of 30 feet where 25 feet is allowed 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 or on adjacent lots.
3. St. Louis County On-site Wastewater SSTS standards shall be followed.
4. The structure shall be placed at a shoreline setback of 50 feet or greater to maximize setbacks to the greatest extent possible.



Correspondence



Board of Adjustment

Questions?



Public

Questions?

