

Presenter: Jared Ecklund-
Senior Planner

Sue Warfield

3081 BEEL. RD.

ELY, MN

CEDAR LAKE

A solid orange horizontal bar at the bottom of the page.

Request

The applicant is requesting approval to allow a lot that does not meet the definition of a lot of record to be permitted as buildable.

- The parcel was created in 1983. The property would have had to have been re-platted and met official controls in 1983 to be permitted as buildable.

The applicant is requesting approval to replace a nonconforming dwelling at a reduced shoreline setback.

- The existing structure is located approximately 14 feet from Cedar Lake
- The proposed new structure would be located approximately 60 feet from the shoreline where 100 feet is required.

Request Continued

The applicant is also requesting approval for the structure to be located at a reduced property line setback.

- The proposed structure is located 19 feet from both property lines where 20 feet is required.

The last part of the request is for approval for the structure width to exceed 40 percent of the lot width.

- The lot width at the building site is approximately 65 feet. 40 percent in this location is 34 feet.
- The applicant is proposing a structure width of 42 feet where 34 feet is allowed.

St. Louis County

October BOA Meeting



Prepared By: Planning & Community Development
(218) 725-5000
www.slocountyymn.gov

Source: St. Louis County

Map Created: 9/14/2020

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Sue Warfield Location Map

PIN:465-0072-00025



0 0.3 0.6 0.9



Miles



St. Louis County MN

St. Louis County

October BOA Meeting



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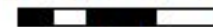
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Sue Warfield Zoning Map

PIN:465-0072-00025



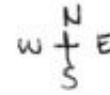
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Feet

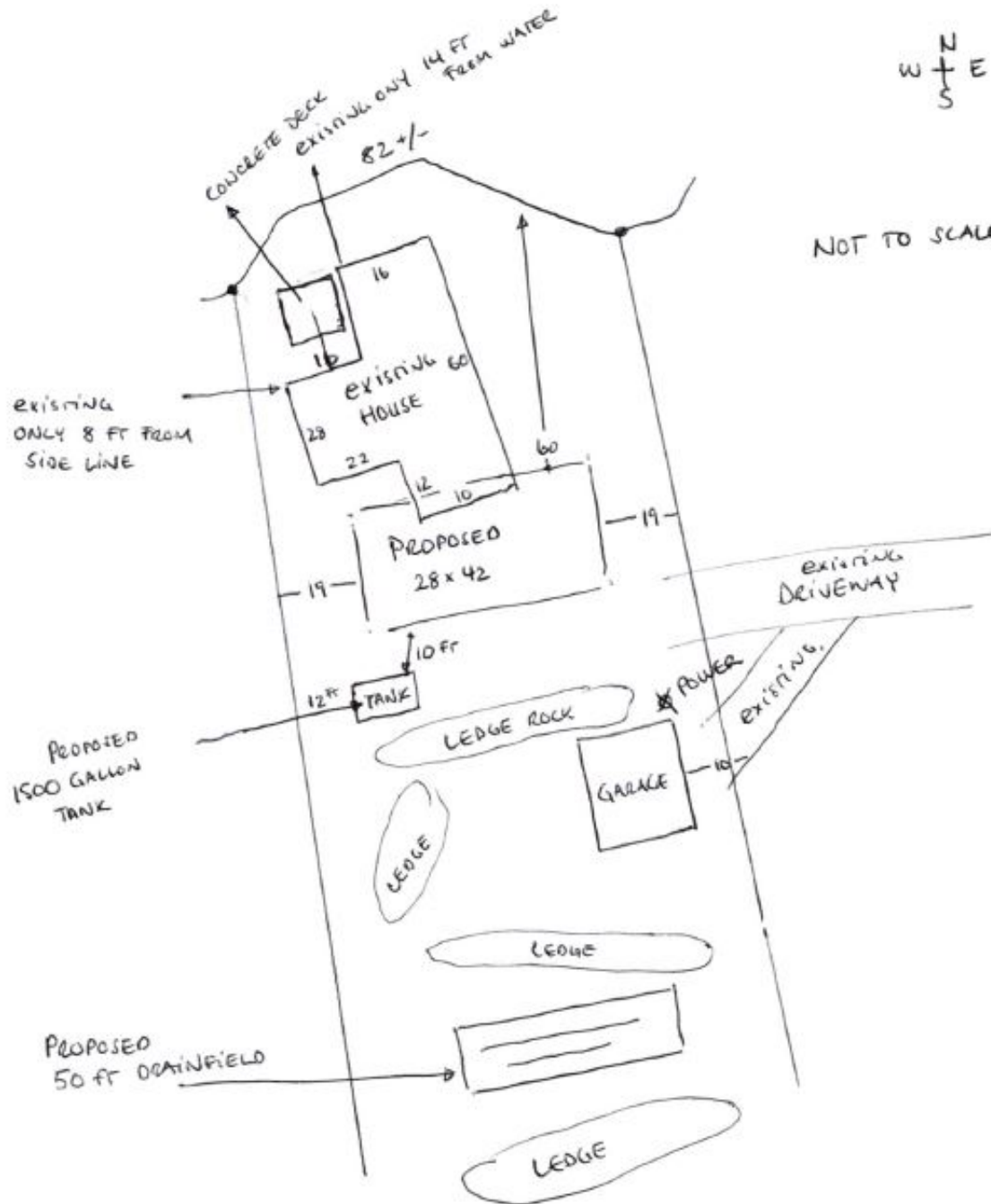


St. Louis County MN



NOT TO SCALE

Applicant sketch



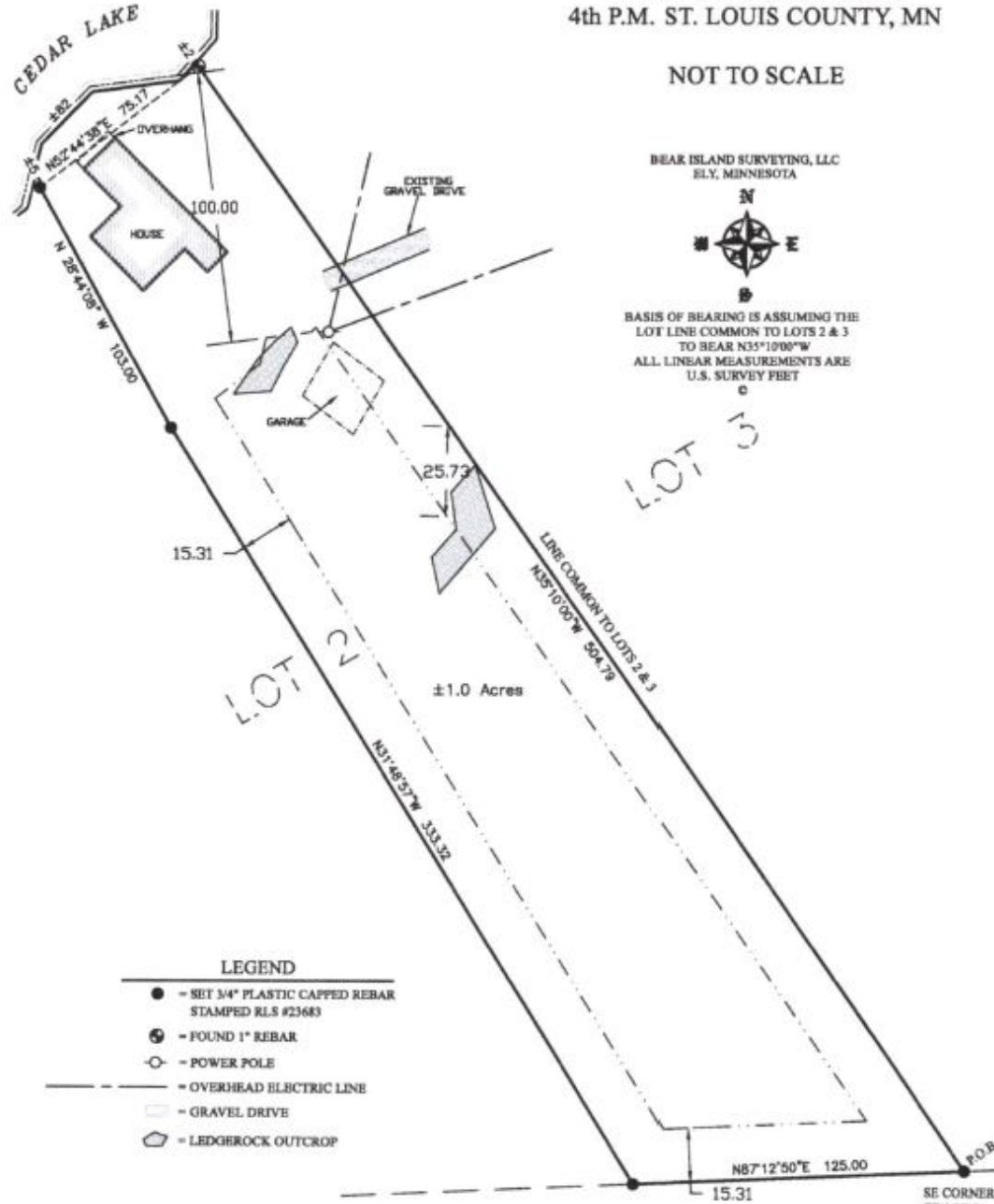
CERTIFICATE OF SURVEY
 BOUNDARY SURVEY OF PART OF
 LOT 2 OF "THE CEDARS" IN
 SECTION 13, T63N, R12W,
 4th P.M. ST. LOUIS COUNTY, MN

NOT TO SCALE

BEAR ISLAND SURVEYING, LLC
 ELY, MINNESOTA



BASIS OF BEARING IS ASSUMING THE
 LOT LINE COMMON TO LOTS 2 & 3
 TO BEAR N35°10'00"W
 ALL LINEAR MEASUREMENTS ARE
 U.S. SURVEY FEET



Survey and
 potential
 buildable area

St. Louis County



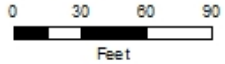
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Site Map



St. Louis County MN

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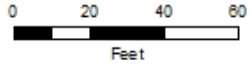
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Site Map



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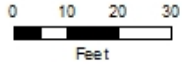
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Site Map



St. Louis County MN

Images of the
existing dwelling
structure





Shoreline

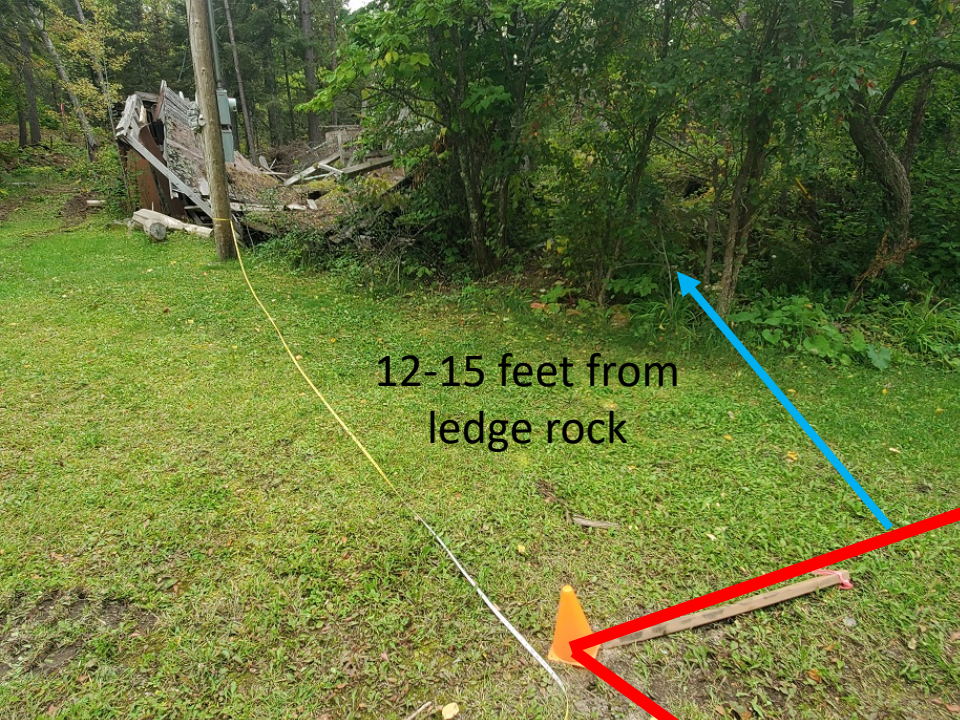
Existing structure
with proposed
structure location



Existing dwelling
and collapsed
garage



Collapsed garage



12-15 feet from
ledge rock





Facts and Findings

Official Controls

Zoning Ordinance 62 states that a single lot of record may be permitted as buildable if it meets the definition of a lot of record and the lot, when created, complied with official controls in effect at that time; the lot was created in 1983 and did not conform to the minimum requirements when it was created.

- If the lot were re-platted and met official controls in 1983, it would have been considered buildable.

Zoning Ordinance 62 states that the required shoreline setback for this lake is 100 feet; the applicant is requesting approval for a replacement dwelling to be located 60 feet from the shoreline.

Zoning Ordinance 62 states that the required property line setback for a principal structure in this zone district is 20 feet; the applicant is requesting approval for a property line setback of 19 feet from both side property lines.

Official Controls

Zoning Ordinance 62 states that the maximum lot width allowed for a principal structure located within the shoreline setback is 40 percent of the lot width (34 feet on this lot); the applicant is requesting approval for a structure width of 42 feet where 34 feet is allowed.

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.

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.

Practical Difficulty

There are some areas of exposed bedrock or ledge rock on the property that may somewhat limit the ability to meet all ordinance standards.

There is a collapsed accessory structure on the property located between areas of ledge rock.

- Building a dwelling in this area may allow the structure to meet all setbacks and avoid the ledge rock areas.
- The proposed structure is larger than the garage was and some of this area between ledge rock areas is planned for a septic system.
- The applicants are proposing a new accessory structure in this location that does not require variance.

Practical Difficulty

There is approximately 12-15 feet between the proposed dwelling and the first piece of ledge rock on the property.

- The setback of the structure could be increased slightly before the ledge rock starts.

It appears there may be enough width on the property at the proposed building site for the structure to meet the property line setbacks.

- The width of the property at the proposed building site is approximately 84 feet.
- The proposed structure of 42 feet in width should be able to meet the property line setbacks, if centered on the property.

Essential Character of the Locality

The property adjacent to the east has a nonconforming dwelling that is located approximately 62 feet from the shoreline.

The property adjacent to the west has a conforming dwelling that is located beyond 100 feet from the shoreline.

There have not been any similar variance requests in this plat.

Other Factors

The property is part of a platted lot that was split from the original platted lot in 1983.

- At the time, this would have required the property to be re-platted.
- This split was recorded, even though it was done improperly.
- The property has changed hands since the lot was split in 1983.

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 a lot that does not meet the definition of a lot of record to be permitted as buildable, to allow a replacement dwelling at a reduced shoreline setback where 100 feet is required, to allow a replacement dwelling at a reduced property line setback where 20 feet is required, and to allow the structure width facing the water to exceed 40 percent of the lot width, the following conditions shall apply:

1. The structure shall be unobtrusive (earth-tone) colors, including siding, trim and roof.
2. The shoreline setback for the proposed structure shall be maximized to the greatest extent possible, and shall be no closer than 60 feet from the shore.
3. The stormwater runoff from the proposed structure shall not discharge directly into the lake or on adjacent lots.

Correspondence

Board of Adjustment

Questions?

Public

Questions?