Presenter

Mark Lindhorst – Senior Planner

Tom Hren

7583 Cummings Road

Side Lake Mn

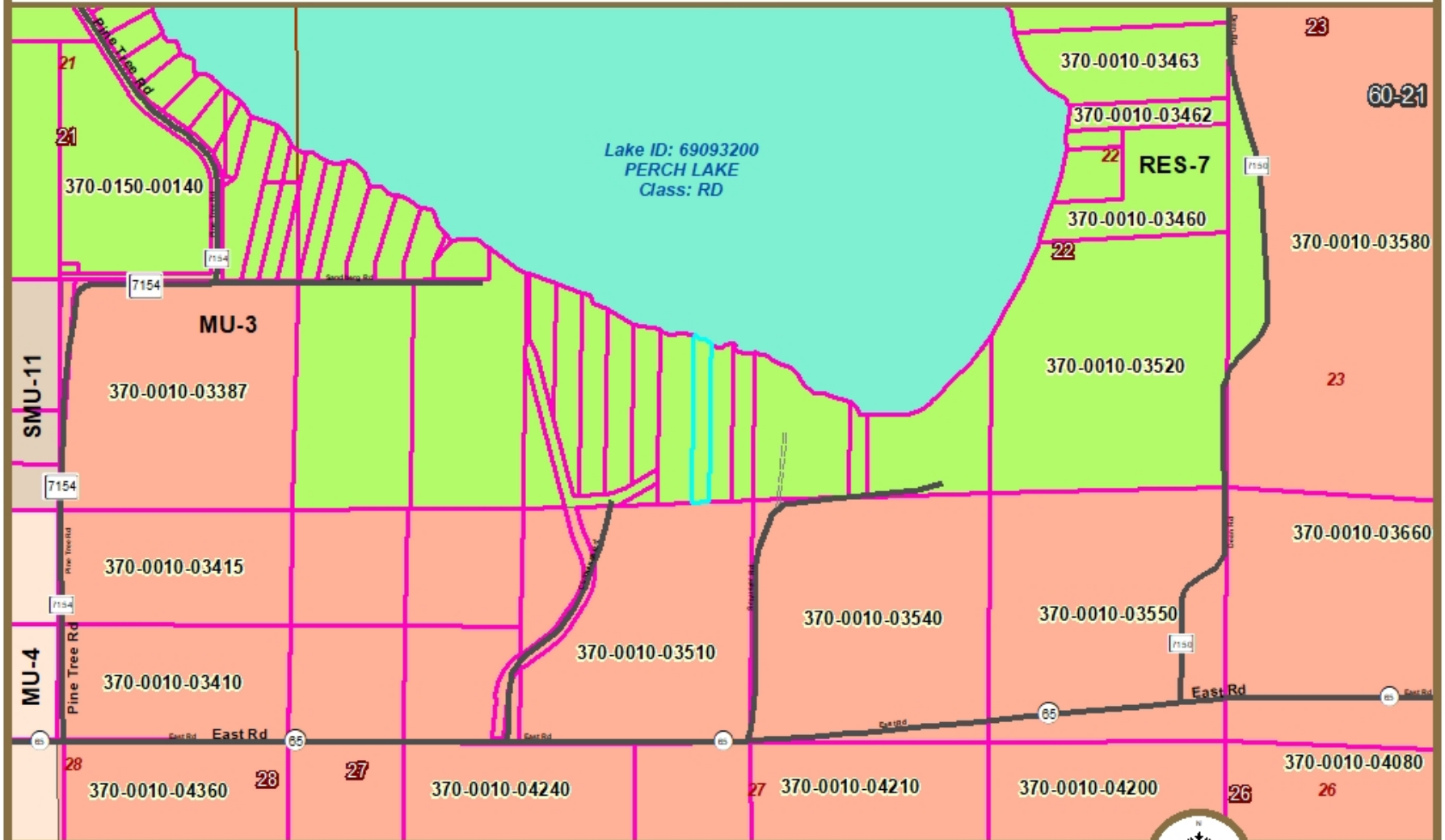
SAINT LOUIS COUNTY MINNESOTA

Request

- To allow the construction of a permanent foundation (basement) to a nonconforming cabin 58 feet from the shoreline where 100 feet is required on a Recreational Development Lake.

St. Louis County

Zoning Map



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

Source: St. Louis County

Map Created: 5/10/2021

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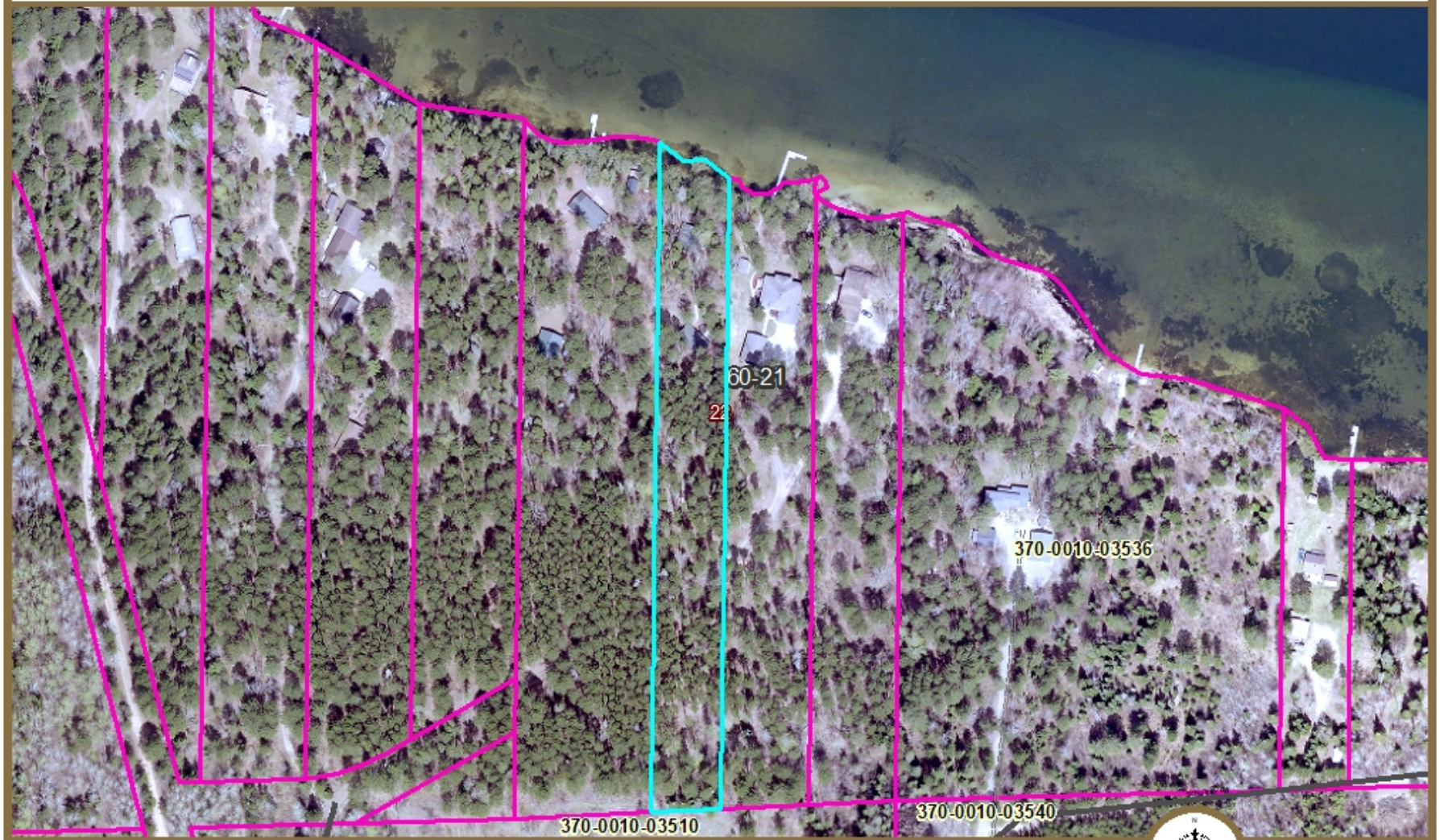
370-0010-03475

0 330 660 990
Feet

St. Louis County MN

St. Louis County

Location Map



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370-0010-03475

0 80 160 240
Feet

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Site Map

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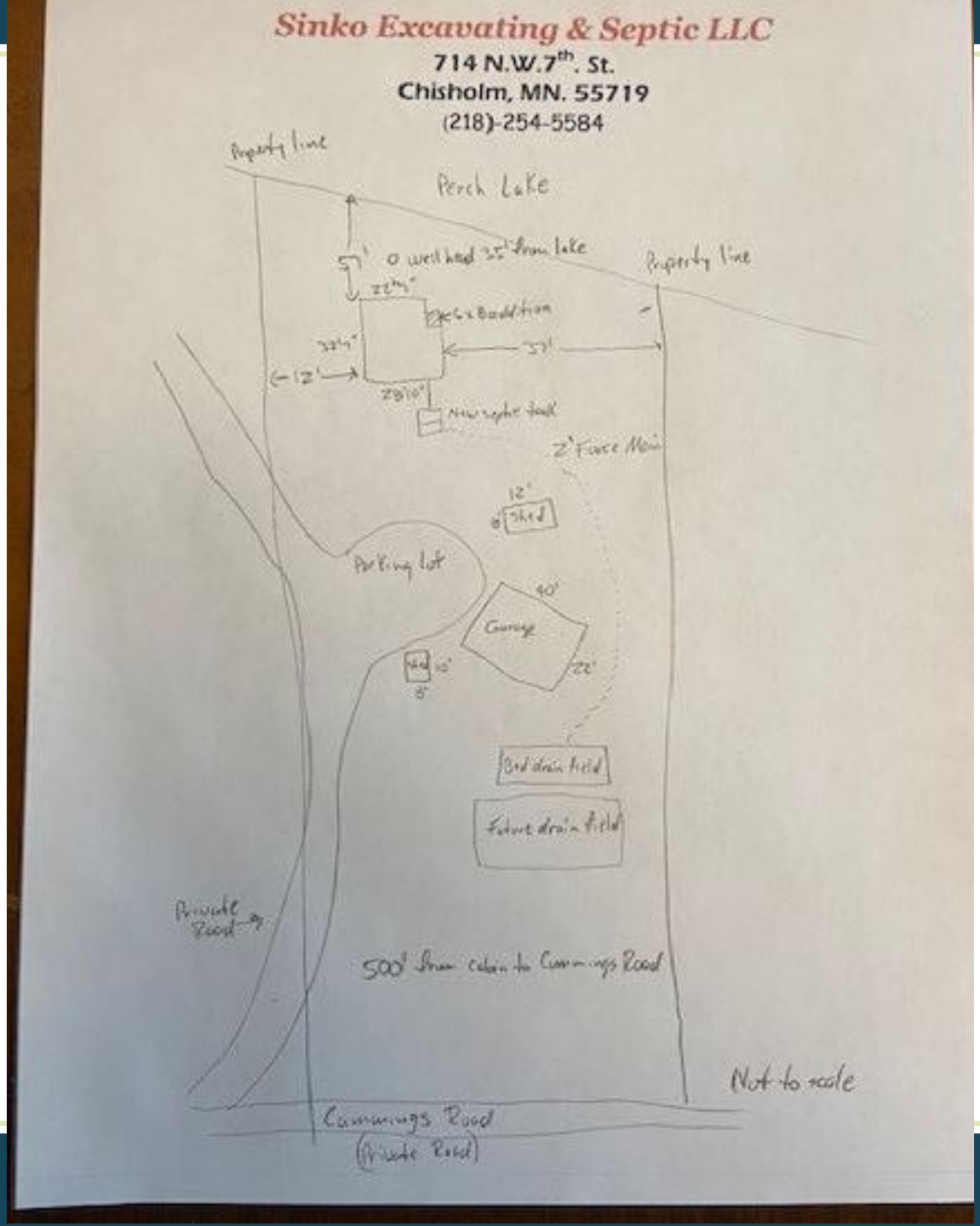
370-0010-03475

Conforming building area

0 20 40 60
Feet

St. Louis County MN


Sinko Excavating & Septic LLC
714 N.W.7th. St.
Chisholm, MN. 55719
(218)-254-5584
Property line
Perch Lake
5'
o well head 35' from lake
Property line
22'4"
Exc. Addition
32'4"
37'
12'
28'10"
New septic tank
2" Force Main
12'
Shed
Parking lot
40'
Garage
22'
Bed drain field
Future drain field
Private Road
500' from cabin to Cummings Road
Not to scale
Cummings Road
(Private Road)

Plans and Official Controls

1. Zoning Ordinance 62, Article III, Section 3.4 requires a 100-foot shoreline setback on DNR Recreational Development Lakes. The application is proposing 58 feet.
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. The applicant has suitable area for development that meets all setback requirements eliminating the need for a variance.
2. There is suitable area for the proposed cabin to be placed that would meet the required shoreline setback and not interfere with the power line. The applicant has already removed trees where a conforming structure can be placed.

Essential Character

1. The neighborhood consists of lakeshore parcels that are developed with seasonal and year-round homes. No similar request for variance has been approved in the neighborhood. Most of the structures in the area meet shoreline setback eliminating the use of shoreland averaging.

Other Factors

1. The applicant has not met the burden of demonstrating practical difficulty to justify granting a variance when suitable area exists for a structure to meet ordinance requirements. Per St. Louis County Zoning Ordinance, Article VIII, Section 8.6 B. 4. (b.) iv, absent a showing of practical difficulty as provided in Minnesota Statutes and Ordinance 62, the Board of Adjustment shall not approve any variance.
2. Allowing a permanent foundation to a structure at a reduced setback when an applicant has not demonstrated a practical difficulty may set a precedent on future building requests.

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 could mitigate a variance for a dwelling 58 feet from the shoreline:

1. The structure shall be unobtrusive (earth-tone) colors, including siding, trim, and roof.
2. The stormwater runoff from the proposed structure shall not directly discharge into the lake or on adjacent lots.
3. St. Louis County On-Site Wastewater SSTS standards shall be followed.
4. The shore protection zone shall be preserved in a natural state and screening shall be retained.

Correspondence

SAINT LOUIS COUNTY
MINNESOTA

Board of Adjustment

Questions?

Public

Questions?

SAINT LOUIS COUNTY
MINNESOTA