



# ST. LOUIS COUNTY BOARD OF ADJUSTMENT STAFF REPORT

Case: 6290

**INSPECTION DATE:**

**REPORT DATE:**12/27/2021

**MEETING DATE:** 1/19/2021

## APPLICANT INFORMATION

**APPLICANT NAME:** Rick Viita / Robert Koch

**APPLICANT ADDRESS:** 12985 Eveleth Ave, Apple Valley MN 55124

**OWNER NAME:** Robert Koch  
(IF DIFFERENT THAN ABOVE)

**SITE ADDRESS:** 2610 Vermilion Camp Rd, Cook MN 55723

**LEGAL DESCRIPTION:** Lot 09, Block 000, Wakemup Shores Plat, S27, T63N, R18W (Beatty)

**PARCEL IDENTIFICATION NUMBER (PIN):** 250-0103-00090

**VARIANCE REQUEST:** The applicant is requesting relief from St. Louis County SSTS Ordinance 61 adopted Technical Standards 7080.2150, Subpart 2, Section F, Table VII, to allow a subsurface sewage treatment system installation at a reduced shoreline setback.

**PROPOSAL DETAILS:** The proposed ISTS replacement design would consist of a grinder/lift station proposed 20 feet from the lake, where 50 feet is required, to a holding tank that would meet setbacks. The property has a dwelling / boathouse with no ISTS records and a garage.

## PARCEL AND SITE INFORMATION

**ROAD ACCESS NAME/NUMBER:** Vermilion Camp Rd

**ROAD FUNCTIONAL CLASS:** N/A

**LAKE NAME:** Vermilion

**LAKE CLASSIFICATION:** GD

**RIVER NAME:** N/A

**RIVER CLASSIFICATION:** N/A

**DESCRIPTION OF DEVELOPMENT ON PARCEL:** Dwelling / boathouse and garage.

**ZONE DISTRICT:** SMU 5

**PARCEL ACREAGE:** 0.8 ACRE

**LOT WIDTH:** 100 FEET

**FEET OF ROAD FRONTAGE:** NA

**FEET OF SHORELINE FRONTAGE:** 100 FEET

## PARCEL AND SITE INFORMATION

**VEGETATIVE COVER/SCREENING:** Shoreline to trees

**TOPOGRAPHY:** Sloping to lake

**FLOODPLAIN ISSUES:** N/A

**WETLAND ISSUES:** N/A

**ADDITIONAL COMMENTS ON PARCEL:**

## FACTS AND FINDINGS

### A. Official Controls:

1. Ordinance 61 states that all SSTS components must be setback in accordance with Table VII of the SSTS Technical standards and the setback requirements on the MN Shoreland Rules. The required setback is 50 feet from the shoreline for this General Development classification.
2. The applicant is requesting a reduced setback at 20 feet to lake.

### B. Practical Difficulty:

1. The existing cabin / boathouse was built at the lake shore. No ISTS permits on file.

### C. Essential Character of the Locality:

1. The area is characterized by development.

### D. Other Factor(s):

None.

**See attachments: 1. Zoning/location map 2. Air photo 3. Site sketch 4. Project picture (if applicable) 5. Other pertinent pictures or maps**

## 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 for relief from St. Louis County SSTS Ordinance 61 adopted Technical Standards 7080.2150, Subpart 2, Section F, Table VII, to allow a subsurface sewage treatment system installation at a reduced shoreline as proposed, include but are not limited to:

1. All other Onsite Wastewater SSTS standards shall be met.

2. Following system install, the final inspection by Qualified Inspector of St. Louis County Onsite Wastewater Division of Planning and Community Development Department shall ensure the setback of 20 feet from the lake to grinder/lift station and all other setbacks are met prior to issuing Certificate of Compliance.
3. All other local, county, state and federal regulations shall be met.

**ST. LOUIS COUNTY, MN  
PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT  
(On-Site Wastewater Division)**

**Duluth**

Government Services Center

320 West 2nd Street, Suite 301

Duluth, MN 55802

Phone (218) 725-5200

Toll Free (800) 450-9278

**Virginia**Government Services  
Center

201 South 3rd Avenue West

Virginia, MN 55792

Phone (218) 749-0625

Toll Free (800) 450-9278

**Permit Construction Application Subsurface Sewage Treatment System**

## General

- This permit application form is used to apply for a Permit to Construct. Additional information:

[www.stlouiscountymn.gov/septic](http://www.stlouiscountymn.gov/septic)

**Enter the Primary PIN and Associated PIN (if applicable) of the property to be reviewed.**

PIN is found on your Property Tax Statement. For example, 123-1234-12345. Primary PIN: Parcel where Structure/SSTS are located. Associated PIN: Additional and/or adjacent property that you own or that is related to the project.

County Land Explorer: <https://www.stlouiscountymn.gov/explorer>

Property Lookup: <http://apps.stlouiscountymn.gov/auditor/parcelInfo2005Iframe>

Primary PIN **250-0103-00090**

Associated PINs

---

## Enter Applicant Information

I am a:	<b>Contractor</b>
Are you an LLC Business?	<b>No</b>
Applicant Name:	<b>Rick Viita</b>
Address:	<b>10520 Buboltz Rd.</b>
	<b>--</b>
City:	<b>COOK</b>
State:	<b>MN</b>
Zip:	<b>55723</b>
Primary Phone:	<b>12186662916</b>
Mobile Phone:	<b>2187803765</b>
Email:	<b>info@viitaexcavating.com</b>
Preferred Contact Method:	<b>Any</b>
Contact Person Name:	<b>--</b>
Contact Person Phone:	<b>--</b>

---

## Property Owner Name and Contact Information.

If the property owner information we have on file is not correct, please enter the current owner information.

Property Owner Name: **KOCH ROBERT N**

Site Address: **2610 Vermilion Camp ROAD**  
--  
City: **Cook**  
State/Province: **MN**  
Zip: **55723**  
Primary Phone: **(612)202-8715**  
Mobile Phone: **--**  
Email: **kochrobert@gmail.com**  
Preferred Contact Method: **Any**  
Contact Person Name: **--**  
Contact Person Phone: **--**

---

## Mailing Address Information

This address can default from the address you selected. If the values defaulted are not correct, please enter the correct information.

Same as Property address? **No**  
Same as Applicant address? **No**  
Name: **Robert Koch**  
Address: **12985 Eveleth Ave**  
--  
City: **Apple Valley**  
State/Province: **MN**  
Zip: **55124**  
Primary Phone: **(612)202-8715**  
Mobile Phone: **--**  
Email: **kochrobert@gmail.com**

---

## SITE INFORMATION

Enter Site information

Do you need to request a 911 address number and sign? **No**

Is this a leased property? **No**

**Is this for Residential or Commercial?**  
**Residential**

**Is the property used year round or used seasonally?**  
**Seasonal Use**

**Is this project within 300 feet of a river/stream or 1,000 feet of a lake?**  
**Yes**

River/Lake Name **Lake Vermilion**

**Is this property connected to a Common Interest Community?**

**No**

**Is this serving multiple dwellings sharing a SSTS component?**

**No**

**Is this related to a Point of Sale Requirement?**

**No**

**Is the SSTS located in a floodplain?**

**No**

## **APPLICATION REASON**

What are you applying for?

**Replacing the existing SSTS**

Explain why:

**Replacing failing system with a holding tank.**

Permit Number (being replaced, if known):

--

---

## **RESIDENTIAL WORKSHEET**

**Select the System Type**

### **Type I System**

"Type I System" means an ISTS that follows a standard trench, bed, at-grade, mound, or graywater system design in accordance with MPCA rules, Minnesota Rules, Chapter 7080.2200 through 7080.2240.

**No**

### **Type II System**

"Type II System" means an ISTS with acceptable modifications or sewage containment system that may be permitted for use on a site not meeting the conditions acceptable for a standard Type I system. These include systems on lots with rapidly permeable soils or lots in floodplains and privies or holding tanks.

**Yes**

System Type

**Holding Tank**

### **Type III System**

"Type III System" means a custom designed ISTS having acceptable flow restriction devices to allow its use on a lot that cannot accommodate a standard Type I soil treatment and dispersal system.

**No**

### **Type IV System**

"Type IV System" means an ISTS, having an MPCA registered pretreatment device and incorporating pressure distribution and dosing, that is capable of providing suitable treatment for use where the separation distance to a shallow saturated zone is less than the minimum allowed.

**No**

### **Type V System**

"Type V System" means an ISTS, which is a custom engineered design to accommodate the site taking into account pretreatment effluent quality, loading rates, loading methods, groundwater mounding, and other soil and other relevant soil, site, and wastewater characteristics such that groundwater contamination by viable fecal coliforms is prevented.

**No**

## WELL INFORMATION

Enter information about the well.

**Do you have a proposed water source?**

**No**

**Enter # of existing water sources on the property**

**1**

After completing the following information for the 1st water source, please use the Add Another Water Source button to add the additional water source(s) information.

Water Source Type **Surface/Lake Water**

Well # --

Well Depth (Feet) --

Case Depth (Feet) --

Well Type --

## DESIGNER & INSTALLER INFORMATION

### Select the Designer

Licensed Business **Viita's Excavating, Inc.**

Name or Designer

Name

License # **L1724**

Certification # **C4633**

Designer's Comments **Grinder station to a 1500 gallon, two**  
(To On-Site Wastewater **compartment holding tank to be used for**  
Staff) **potential cabin.**

### Select the Installer (if known)

Licensed Business **Viita's Excavating, Inc.**

Name or Installer Name

License # **L1724**

Certification # **C4633**

Installer's Comments --

(To On-Site Wastewater  
Staff)

## STRUCTURE - RESIDENTIAL

Enter Building Type and Water Uses

Home, mobile home, hunting shack, cabin, RV

Dwelling **No**

Multi-Family **No**

Accessory Dwelling **Yes**

# of Bedrooms **1**

Plumbing	<b>No</b>
Basement Plumbing	<b>No</b>
Garbage Disposal	<b>No</b>
Clothes Washer	<b>No</b>
Dishwasher	<b>No</b>
Water Conditioning Unit	<b>No</b>
Furnace w/Humidifier	<b>No</b>
Bathtub > 40 gal.	<b>No</b>
Sewer Grinder Pump	<b>No</b>
Accessory Structure w/water	--
Other	<b>No</b>

**Other information to be considered for this application**

**Structure is a boat house/bunk house  
with 1 bedroom**

**Will this project require a Septic Variance?**

**Yes**

**VARIANCE WORKSHEET**

Enter Variance information. About SSTS Variances Pursuant to Ordinance 61, Article V, Section 3.0 A property owner may request a variance from the standards specified in the Ordinance pursuant to county policies and procedures. Variances shall only be permitted when they are in harmony with the general purposes and intent of this Ordinance where there are practical difficulties or particular hardship in meeting the strict letter of this Ordinance, excluding the technical standards. Certain deviations may require the approval of the MPCA or the MN Department of Health.

Describe the specific provision(s) in the ordinance from which the variance is requested.

**Grinder/ lift station is less than 50 feet from lake shore.**

Describe the practical difficulty that prevents compliance with the rule.

**There is currently plumbing in the boathouse going to a tank on the back side of the building.**

Describe the alternative measures that will be taken to achieve a comparable degree of compliance with the purposes and intent of the applicable provisions.

**Instead of being pumped into a failing drainfield, waste water will be pumped to a holding tank**

Identify cost considerations preventing reasonable use of the property under the terms of this ordinance

**It would cost a minimum of \$10,000 to re-plumb the boathouse so that the grinder station would be inside the structure**

**OFFICE USE ONLY**

ES Area	<b>EA</b>
Office	<b>Virginia</b>
Section	<b>27</b>
Township	<b>63</b>
Range	<b>18</b>
Variance Department	--
Recommendation	



**Specify reasons for recommendation:**

Hint: (Reference pertinent sections of the Ordinance and ISTS Construction Standards)

	--
Hearing Info. and Outcome	--
Board of Adjustment Hearing Date	--
Permit #	--
Variance Granted	--
Case #	--

---

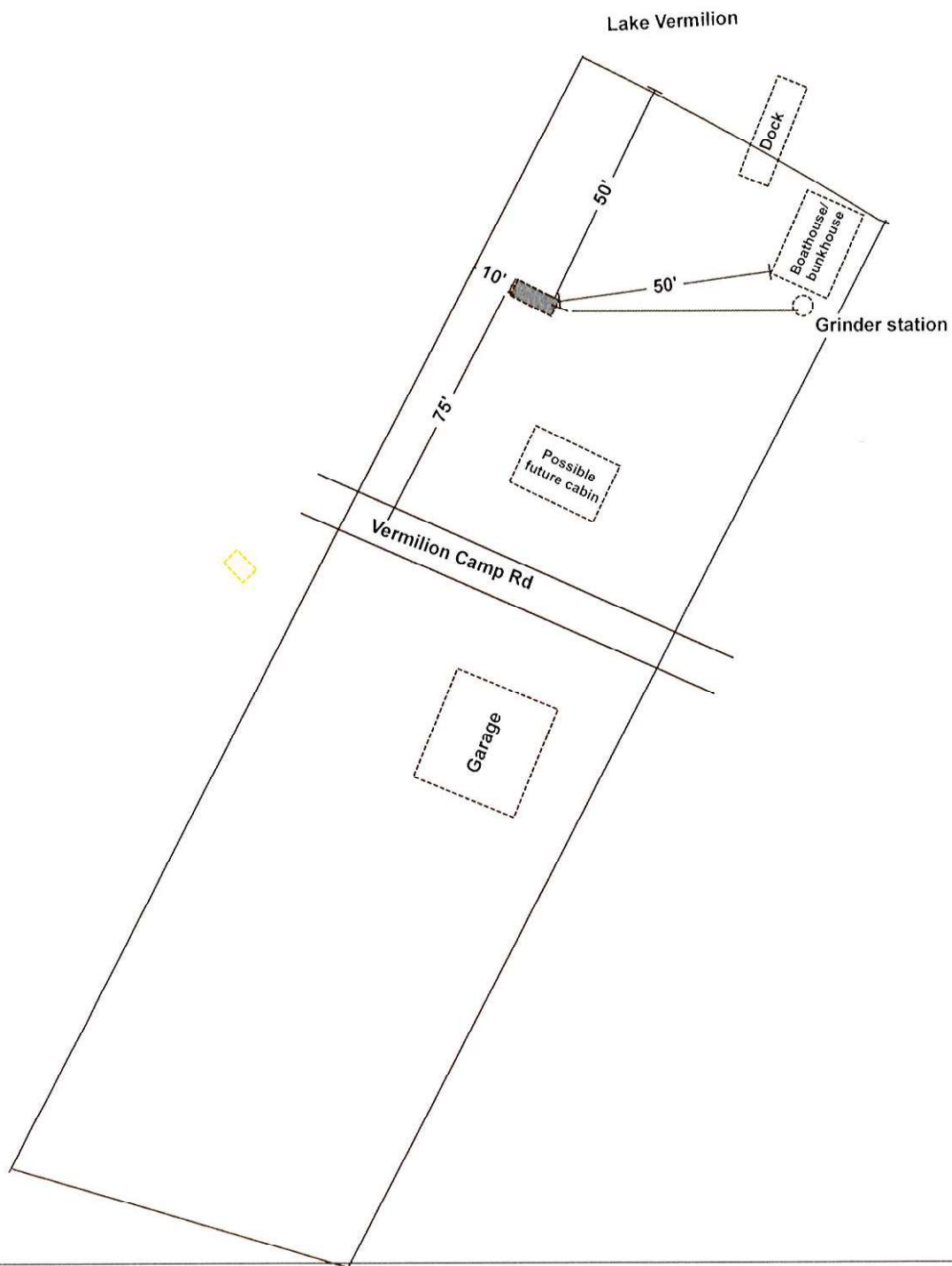
**VARIANCE AGREEMENT**

By submitting this request for variance from the Ordinance and the Construction Standards, I certify and agree that no substantial health hazard is likely to occur therefrom and an unnecessary hardship might result in strict compliance with the Ordinance and Standards.

I further agree to install a sewage treatment system in accordance with the permit application, plans, and specification that are made as part of this variance request, in addition to paying the Variance Fee associated with this request.

---

1" = 48'



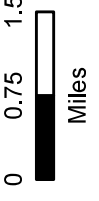
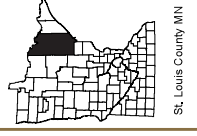
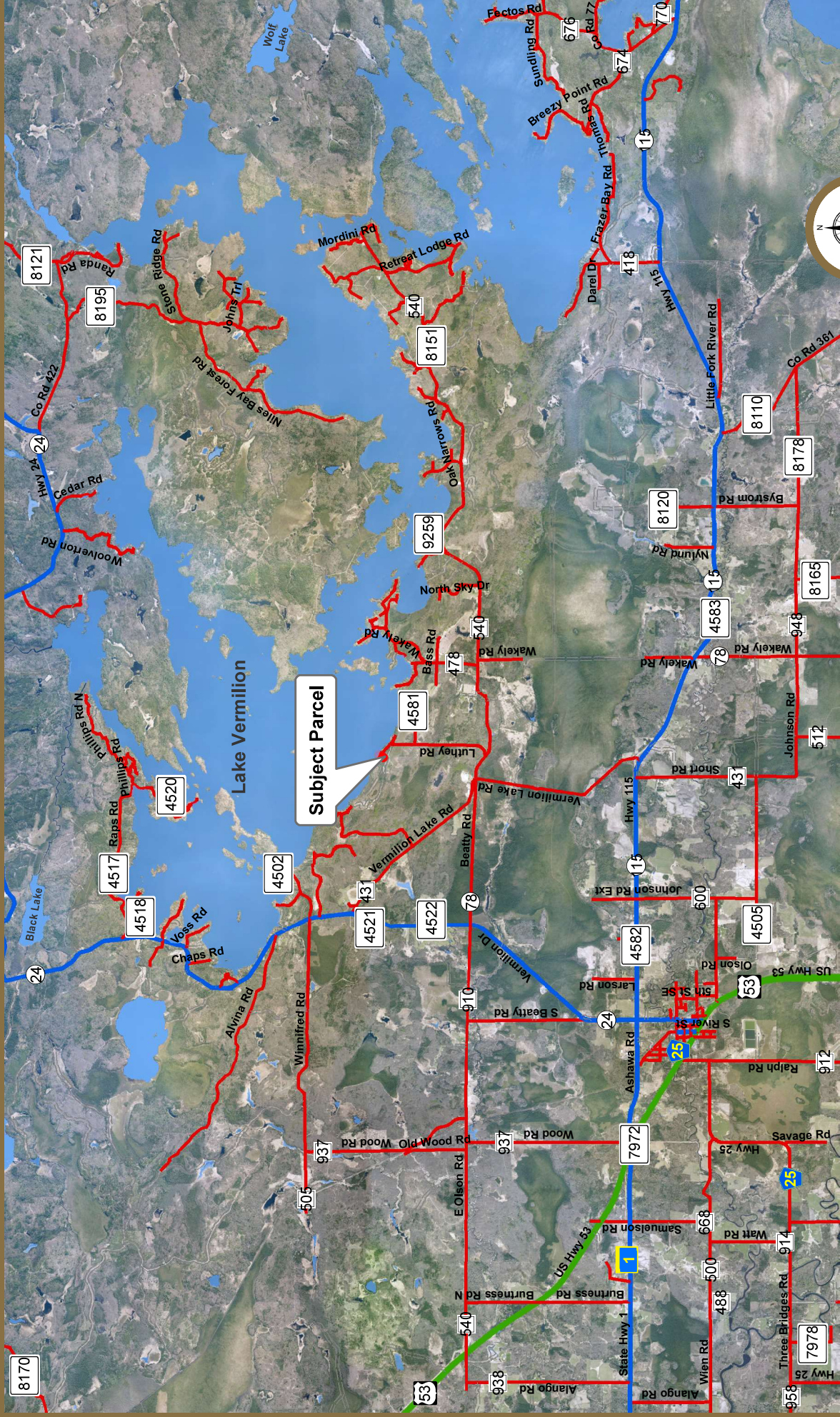
**Viita's Excavating Inc.**  
10520 Buboltz Rd.  
Cook Mn. 55723  
(218) 666-2916

Project Designer:	
Viita's Excavating Inc.	
Project Contact:	
Rick Viita	
Project #	WO#
Site map	
Date:	Rev. Date:
8-26-21	

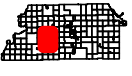


# St. Louis County

## January BOA Meeting



**Rick Viita**  
 Location Map  
 PIN: 250-0103-00090

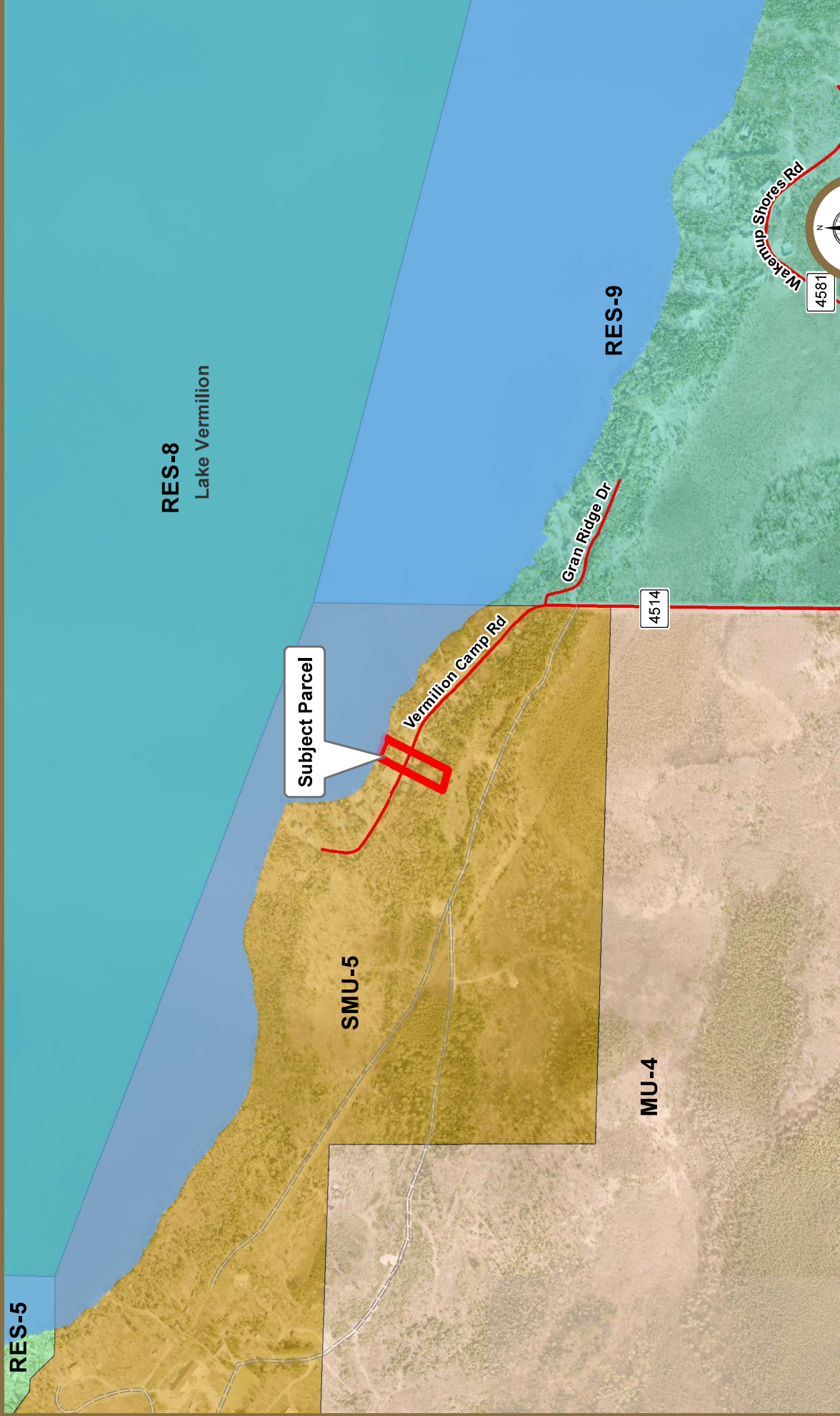


Prepared By: **Planning & Community Development**  
 (218) 728-3000  
[www.stlouiscountymn.gov](http://www.stlouiscountymn.gov)  
 Source: St. Louis County  
 Map Created: 12/16/2021  
 Disclaimer: This is a compilation of records as they appear in the St. Louis County Offices affecting the area shown. This drawing is to be used only for reference purposes and the County is not responsible for any inaccuracies herein contained.  
 © Copyright St. Louis County All Rights Reserved



# St. Louis County

January BOA Meeting



Prepared By: **Planning & Community Development**  
 (218) 728-3000  
[www.stlouiscountymn.gov](http://www.stlouiscountymn.gov)  
 Source: St. Louis County  
 Map Created: 12/16/2021

Disclaimer: This is a compilation of records as they appear in the St. Louis County Offices affecting the area shown. This drawing is to be used only for reference purposes and the County is not responsible for any inaccuracies herein contained.

© Copyright St. Louis County All Rights Reserved



**Rick Viita**  
 Zoning Map  
 PIN: 250-0103-00090



0 300 600  
 Feet

