



ST. LOUIS COUNTY PLANNING COMMISSION STAFF REPORT

REPORT DATE: 6/21/2024

MEETING DATE: 7/11/2024

APPLICANT INFORMATION

APPLICANT NAME: Cindy Pride

APPLICANT ADDRESS: 95308 Pine Island, Tower, MN 55790

OWNER NAME: Same as above

SITE ADDRESS: N/A

LEGAL DESCRIPTION: Part of Govt Lot 8, S7, T62N R16W (Greenwood)

PARCEL IDENTIFICATION NUMBER (PIN): 387-0010-00870

NATURE OF REQUEST: A preliminary subdivision plat consisting of 5 lots for development.

PROPOSAL DETAILS: The property is registered land. The applicant is proposing to create 5 residential platted lots ranging in size from 1 to 2.6 acres. There is also one lot to encompass County Road 77 right-of-way. The septic suitability report indicates that there are two septic sites identified for each lot. Each lot will have direct driveway access to County Road 77.

PARCEL AND SITE INFORMATION

ROAD ACCESS NAME/NUMBER: CSAH 77

ROAD FUNCTIONAL CLASS: Local

LAKE NAME: Vermilion

LAKE CLASSIFICATION: GD

RIVER NAME: N/A

RIVER CLASSIFICATION: N/A

DESCRIPTION OF DEVELOPMENT ON PARCEL: Most of the lot is undeveloped. There is a house, boathouse, garage, storage building and screenhouse located on the eastern portion of the property.

ZONE DISTRICT: RES 8

PARCEL ACREAGE: 17.4

LOT WIDTH: N/A

FEET OF ROAD FRONTAGE: Approx. 1,300 ft.

FEET OF SHORELINE FRONTAGE: 1,300 ft.

PARCEL AND SITE INFORMATION

VEGETATIVE COVER/SCREENING: The parcel is mostly undeveloped, wooded and has excellent screening throughout the property.

TOPOGRAPHY: The property has steep slope (40%) near the shoreline specifically on the western portion of the property.

FLOODPLAIN ISSUES: N/A

WETLAND ISSUES: Wetlands have been delineated and approved. No wetland impacts are anticipated.

ADDITIONAL COMMENTS ON PARCEL: The septic suitability report has been approved by the St. Louis County Onsite Wastewater Division. Public Works has reviewed the direct access to CSAH 77 and reached an agreement with the applicant that lots 3 and 4 would have a shared driveway and strongly advised against a driveway access from lot 5 in the by-pass lane.

DESCRIPTION OF ADJACENT NEIGHBORHOOD: The property is adjacent to the Clover Point Plat which has established residential shoreland development.

PLAT DESIGN INFORMATION

NUMBER OF LOTS: 5 residential lots ranging from 1 to 2.6 acres and 1 lot encompassing the right of way of CSAH 77.

LOT DESIGN ISSUES: N/A

PROPOSED ROAD DESIGN: N/A

PROPOSED ROAD WAIVER (If applicable): N/A

ROAD EXTENTION TO ADJACENT PROPERTY (If applicable): N/A

SEWAGE TREATMENT INFORMATION: Two sites per residential lot have been identified for onsite sewage treatment.

WELL INFORMATION: N/A

HISTORICAL OR CULTURAL ARTIFACTS INFORMATION: No known issues.

FACTS AND FINDINGS

A. Plans and Official Controls:

1. St. Louis County Subdivision Ordinance 60 Article VIII, Section 8.1 requires a public hearing for conventional subdivision plats.
2. The property is within the Lakeshore Development Area of the St. Louis County Comprehensive Land Use Plan. These areas are intended for rural development adjacent to lakes, including infill, new development or redevelopment of existing residential, commercial, or mixed-use areas.
3. The St. Louis County Comprehensive Plan Goal LU-4 states that development shall proceed in an orderly, efficient and fiscally responsible manner and ensure that development opportunities in isolated areas are self-supporting.

B. Neighborhood Compatibility:

1. The neighboring land along the shoreline is zoned Residential – 8, which allows for residential development. The Clover Point Plat with established residential development is located to the east.

C. Orderly Development:

- 1. The proposed subdivision’s intended purpose is to provide suitable residential development that addresses road access, lot coverage, septic, stormwater, etc. As proposed, the lots are suitable for residential development.

D. Desired Pattern of Development:

- 1. The pattern of development consists of shoreline residential lots. There are multiple developed platted lots to the east of the proposal.

E. Other Factor(s):

- 1. The septic suitability report has been approved by the St. Louis County Onsite Wastewater Division.
- 2. The St. Louis County Public Works Department has reviewed the direct access to CSAH 77 and reached an agreement with the applicant that lots 3 and 4 would have a shared driveway and strongly advised against a driveway access off lot 5 in the by-pass lane.
- 3. Final plat application is required by the St. Louis County Public Works Department and requires County Board approval prior to recording.

PLANNING COMMISSION CRITERIA FOR APPROVAL OF A PRELIMINARY PLAT

- 1. Does the use conform to the land use plan?**
- 2. Is the use compatible with the existing neighborhood?**
- 3. Will the use impede the normal and orderly development and improvement of the surrounding area?**
- 4. Is the location and character of the proposed use considered consistent with a desirable pattern of development?**
- 5. What, if any, other factors should be taken into consideration on this case?**

RECOMMENDED CONDITIONS, IF APPROVED

If the Planning Commission determines that the proposal meets the criteria for preliminary plat approval, the following conditions shall apply:

- 1. The requirements of the Minnesota Wetland Conservation Act shall be followed.
- 2. All other local, county, state, and federal requirements shall be followed.

**ST. LOUIS COUNTY, MN
PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT**

Duluth
Government Services Center
320 West 2nd Street, Suite 301

Duluth, MN 55802
(218) 725-5000

Virginia
Northland Office Center
307 First Street South, Suite
117
Virginia, MN 55792
(218) 749-7103

SUBDIVISION REVIEW APPLICATION

General - This application is used to apply for a Subdivision Review. Applicants will need to attach the appropriate worksheet(s) in order to process. Incomplete applications will be returned. Note that the 'clock' does not begin until after payment has been processed for the application. For more information, see our website at:
www.stlouiscountymn.gov/BuildingStructures

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 **387-0010-00870**

Associated PINs

Enter Applicant Information.

I am a: **Landowner**
Applicant Name: **Cindy Pride**
Address Line 1: **95308 Pine Island**
Address Line 2: **--**
City: **Tower**
State: **MN**
Zip: **55790**
Primary Phone: **(952)215-5443**
Cell Phone: **--**
Fax: **--**
Email: **cindy.pride@gmail.com**

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 Applicant **Yes**
address?
Name: **Cindy Pride**
Address: **95308 Pine Island**
City: **Tower**
State/Province: **MN**
Zip: **55790**
Primary Phone: **(952)215-5443**
Cell Phone: **--**
Fax: **--**
Email: **cindy.pride@gmail.com**

Enter surveyor information.

Only complete this section if applying for subdivision plat.

Surveyor Name **Chris Mattila**
Surveyor Address 1 **611 9th St. North**
Surveyor Address 2 **--**
City **Virginia**
State **MN**
Zip **55792**
Primary Phone **(218)741-2575**
Cell Phone **--**
Fax **--**
E-mail **northernlights@nlsurvey.com**

Enter septic system designer information.

Only complete this section if applying for subdivision plat.

Septic Designer Name **Sheri Sawatzky**
Septic Designer Address **2750 W Wakemup Village Rd**
1
Septic Designer Address **--**
2
City **Cook**
State **MN**
Zip **55723**
Primary Phone **(218)780-8178**
Cell Phone **--**
Fax **--**
E-mail **sherisawatzky@gmail.com**

Site Information.

Does this property have frontage along a public road?

Yes

Does the property have legally demonstrated access to a public road?

Yes

Is there an easement to access the property?

No

If Yes, you must attach easement documentation

Private easement **Yes**

State/federal/county easement **Yes**

What are you applying for?

Permit Type **Conventional or Conservation Subdivision Plat (greater than 3 lots)**

By submitting this application, I certify and agree that I am the owner or the authorized agent of the owner of the above property, and that all uses will conform to the provisions of St. Louis County. I further certify and agree that I will comply with all conditions imposed in connection with the approval of the application. Applicants may be required to submit additional property descriptions, property surveys, site plans, building plans, and other information before the application is accepted or approved. ***Intentional or unintentional falsification of this application or any attachments thereto will make the application, any approval of the application and any result invalid.*** I authorize St. Louis County staff to inspect the property to review the application and for compliance inspections. Furthermore, by submitting this application, I release St. Louis County and its employees from any and all liability and claims for damages to person or

property in any manner or form that may arise from the approval of the application or any related plans, the issuance of any resulting permit or the subsequent location, construction, alteration, repair, extension, operation or maintenance of the subject matter of the application.

If your name, contact information or email address have changed, you should update your contact information in the portal by selecting 'Maintain Contact Information' at the top of this page.

Submitted By: **Chris Mattila**
Address: **611 9th St. N.**
City: **Virginia**
State: **MN**
Postal Code: **55792**
Email Address: **northernlights@nlsurvey.com**

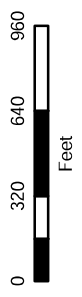
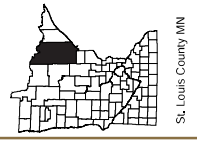
I have read and agree to the statement above.

I agree

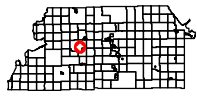


St. Louis County

July PC



Cindy Pride Location Map



Prepared By: **Planning & Community Development**
 (218) 723-3000
www.stlouiscountyminn.gov

Source: **St. Louis County**

Map Created: **6/4/2024**

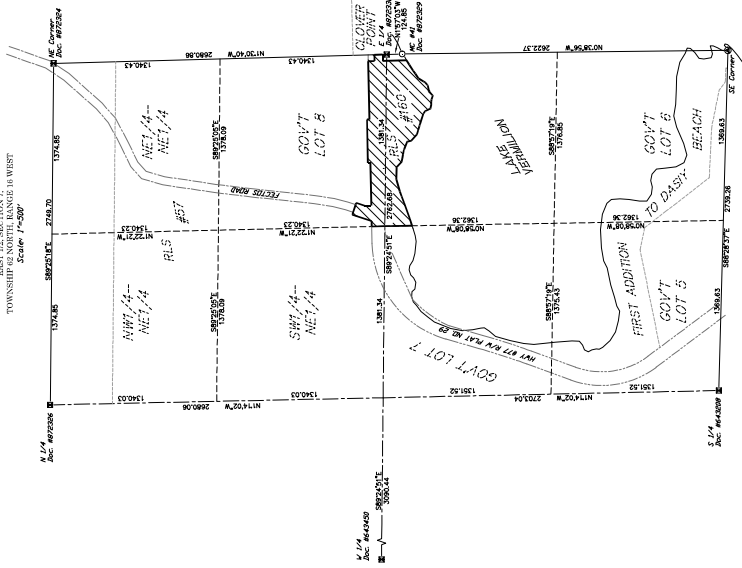
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Preliminary

REGISTERED LAND SURVEY NO. 160

located in Part of Govt Lot 8, Section 7, Township 62 North, Range 16 West, Fourth Principal Meridian, St. Louis County, Minnesota



I, Chris Mattila, do hereby certify that in accordance with the provisions of Minnesota Statute, Section 508.47, I have surveyed the following described tracts of land in the County of St. Louis, State of Minnesota, to wit:

right-of-way of St. Louis County, Minnesota, to wit:

Certificate of Title No. 368218

That part of Government Lot 8, Section 7, Township 62 North, Range 16 West of the Fourth Principal Meridian, St. Louis County, Minnesota, lying southerly of the north right-of-way of St. Louis County Right of Way Plot Number 29.

EXCEPT

A parcel of land lying in Government Lot 8, in Section 7, Township 62 North, Range 16 West of the Fourth Principal Meridian and more particularly described as follows: Assuming the section line between Sections 7 & 8 of the above described township and range to run due north and south and beginning as a point on said line which is 270.00 feet north of the quarter corner between the two sections, thence run due west for a distance of 30.00 feet; thence run due south for a distance of 430.00 feet more or less to the shore of Vermilion Lake; thence run due east for a distance of 500.00 feet more or less to the intersection with a line running due south from the point of beginning; thence run due north for a distance of 398 feet more or less to the point of beginning; EXCEPT a 66 foot wide strip running Ely and Wly which is used as road right-of-way for Highway No. 77.

I hereby certify that this REGISTERED LAND SURVEY NO. 160 was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota and that this REGISTERED LAND SURVEY NO. 160 is a correct representation of said parcel of land.

Dated this _____ day of _____, 20____.

Chris Mattila, Minnesota License No. 51766
 STATE OF MINNESOTA
 COUNTY OF ST. LOUIS

This instrument was acknowledged before me this _____ day of _____, Minnesota License Number 51766.

Notary Public, _____ County, Minnesota
 My Commission Expires: _____

ST. LOUIS COUNTY BOARD OF COMMISSIONERS
 We do hereby certify that on this _____ day of _____, 20____, the Board of Commissioners of St. Louis County, Minnesota has approved this REGISTERED LAND SURVEY NO. 160.

 Chair

ST. LOUIS COUNTY SURVEYOR
 Pursuant to Minnesota Statutes, Section 389.09, this REGISTERED LAND SURVEY NO. 160 is approved
 this _____ day of _____, 20____.

Nick C. Stewart
 County Surveyor

ST. LOUIS COUNTY AUDITOR
 Pursuant to Minnesota Statutes, Section 508.47, Subd. 4 and Section 272.12, taxes payable in the year 20____ on the land hereinafter described have been paid; there are no delinquent taxes and transfer entered this _____ day of _____, 20____.

 County Auditor

Nancy Nelson
 Deputy

ST. LOUIS COUNTY REGISTRAR OF TITLES
 I hereby certify that this REGISTERED LAND SURVEY NO. 160 was filed in this office on _____ day of _____, 20____, as a block _____, as Document No. _____, affecting Certificate(s) of Title No. _____.

 Registrar of Titles

 Deputy



Ada Tse

From: Victor Lund
Sent: Friday, March 1, 2024 12:12 PM
To: Cindy Pride
Cc: Tanja Mattonen; Jon Bodovinitz; Patrick Erchul
Subject: RE: 4010 Cty Rd 77, Tower MN
Attachments: 4010 Co Rd 77 Driveways_St. Louis County Review.pdf

Good Afternoon, Cindy,

I spoke yesterday with Rick Hasbrook regarding the proposed platted properties at 4010 Co Rd 77. I've attached a map that summarizes my understanding of our conversation.

I'd like to provide some background on this issue to close out our conversation...During our internal review of access for these platted lots, it was my position that a driveway serving Lot 5 should not be allowed within the bypass lane or taper on Co Rd 77. The reason for this position is because of the likely conflicts, regardless of frequency, that will inevitably occur between eastbound vehicles utilizing the bypass lane and a vehicle exiting/entering the driveway for Lot 5 or even with the postal delivery vehicle stopped at the mailbox at this driveway. Drivers utilizing the bypass lane likely will not expect a conflicting vehicle due to this driveway because driveways or other intersecting roads are not typically constructed/allowed within bypass lanes. Because of this concern of violating driver expectations and the associated risks, St. Louis County was advocating to place the driveway serving Lot 5 further east and outside of the bypass lane and taper even considering there is a hill that would limit sight distance as the driveway is moved further east. Considering the tradeoff between placement of the driveway serving Lot 5 within bypass lane or taper versus placement further east with limited sight distance due to the hill, St. Louis County's opinion is there is more risk associated with placement of the driveway within the bypass lane or taper.

One final point...St. Louis County is thinking about that future property owner that will have to live with the potential consequences of placement of a driveway within the bypass lane or taper.

At the end of the day, each parcel within this plat does have allowance to have a direct driveway onto Co Rd 77 given this is not a restricted access county road. Therefore, St. Louis County will allow a driveway to be placed within the bypass lane or taper to serve Lot 5. However, St. Louis County strongly advises you to consider two options...

1. Install the driveway serving Lot 5 on or near the east lot line of Lot 5.
2. Install the driveway serving Lot 5 within Lot 4 and include a dedicated easement within Lot 4 for the sake of the future owner(s) of Lot 5. This driveway could serve as an opportunity to serve those using Lot 4 for lake access.

If you are leading the construction of the driveways, you will need to submit a St. Louis County Driveway Permit at <https://www.stlouiscountymn.gov/departments-a-z/public-works/permits-applications#6292860-driveway>.

Let me know if you have any questions.

Thank you.

Vic

Victor Lund, PE, PTOE | Traffic Engineer

St. Louis County Public Works Department
[4787 Midway Rd | Duluth, MN 55811](https://www.stlouiscountymn.gov)
Direct: 218-625-3873 | Main: 218-625-3830
lundy@stlouiscountymn.gov
www.stlouiscountymn.gov
[St. Louis County Traffic Engineering](#)



From: Cindy Pride <cindy.pride@gmail.com>
Sent: Tuesday, January 16, 2024 2:05 PM
To: Tanja Mattonen <MattonenT@StLouisCountyMN.gov>
Cc: Victor Lund <LundV@StLouisCountyMN.gov>
Subject: Re: 4010 Cty Rd 77, Tower MN

WARNING: External email. Please verify sender before opening attachments or clicking on links.

Sounds good, thank you!!!

On Tue, Jan 16, 2024, 1:55 PM Tanja Mattonen <MattonenT@stlouiscountymn.gov> wrote:

As far to the east as you can get it is great, if that is 40 feet, that will be better than what we had discussed before.

-Tanja

From: Cindy Pride <cindy.pride@gmail.com>
Sent: Tuesday, January 16, 2024 9:45 AM
To: Tanja Mattonen <MattonenT@StLouisCountyMN.gov>
Subject: Re: 4010 Cty Rd 77, Tower MN

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Thank you Tanja!!! For lot 4, would moving the driveway 40 feet to the East be enough? If we go any further, we are putting the driveway right at the only buildable area on that lot, and being that it is going to be a shared access, we are hoping to not have it be right at the house.

Thanks for your assistance!

Cindy

On Tue, Jan 16, 2024 at 9:00 AM Tanja Mattonen <MattonenT@stlouiscountymn.gov> wrote:

Hi Cindy,

The driveways for lots 1 and 3 are good where they are shown. If you can move the entrance for Lot 4 to the east at all that would be our preferred location, this is in order to give the future property owners the best sight distance when leaving their driveway.

On the question of putting a driveway in the middle of the bypass lane for Lot 5, that is still a no. I can see that the sight distance for both directions is good but the concern with having the driveway in the middle of the bypass lane has more to do with varying driver behaviors when using a bypass lane with not a set driver behavior you would usually expect with a turn lane or a shoulder.

And just to make sure you are aware, before the driveways can be built a driveway permit will need to be acquired for each proposed driveway. [St. Louis County OneGov \(stlouiscountymn.gov\)](https://stlouiscountymn.gov)

I am going to be out of the office until Friday. I will be checking my email occasionally but I may not be available to respond until Friday.

Thank you,

Tanja

From: Cindy Pride <cindy.pride@gmail.com>

Sent: Monday, January 15, 2024 8:53 AM

To: Tanja Mattonen <MattonenT@StLouisCountyMN.gov>

Subject: 4010 Cty Rd 77, Tower MN

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Hi Tanja,

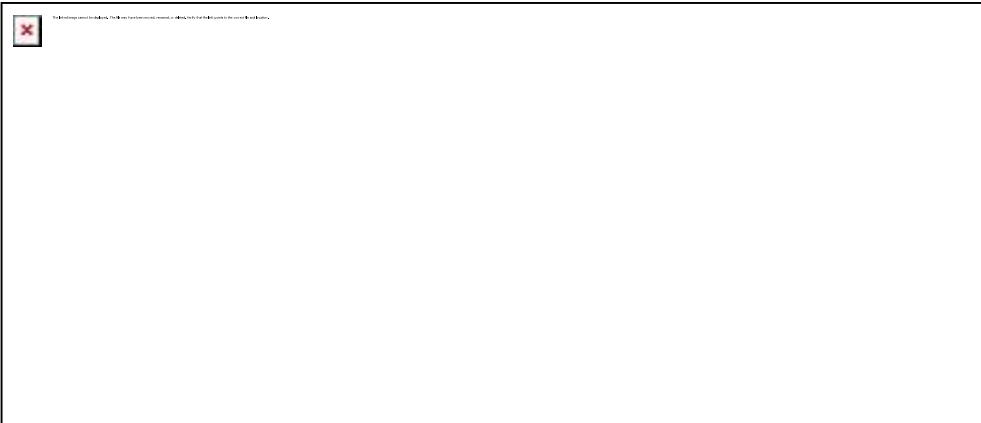
Rick Hasbrook spoke with you last week about the property division we are doing on County Rd 77/Fectos Rd.

You had asked that he do some measurements on the road from the point on the hill where you can see the potential driveways, to the potential driveways (Lot 1, Lot 3 & Lot 4)

We have marked the point on the hill that you can fully see the driveways, and also several measurements showing the distances to the potential driveways. All potential driveways are past the by-pass lane. The closest one, on Lot 4, will have to provide the access road to lot 5.

Rick is asking if there is any chance that we could put a driveway to lot 5 at the top of the hill, only because that is the best place to see both directions. We know you said that a driveway needs to avoid the by-pass, but the view is great from both directions. It would be similar to Fectos traffic turning left onto Cty Rd 77.

We are hoping to get approval to put in 3-4 driveways, as the current driveway in Lot 2 has wetlands around it and would not be a great place to put any kind of access road.



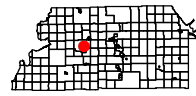
If you have any questions, please call Rick Hasbrook at 763-232-1010, or myself at 952-215-5443.

Thank you,

Cindy Pride

St. Louis County

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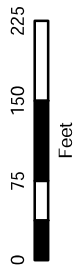
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(218) 725-5000
www.stlouiscountymn.gov

Source: St. Louis County
Map Created: 6/4/2024

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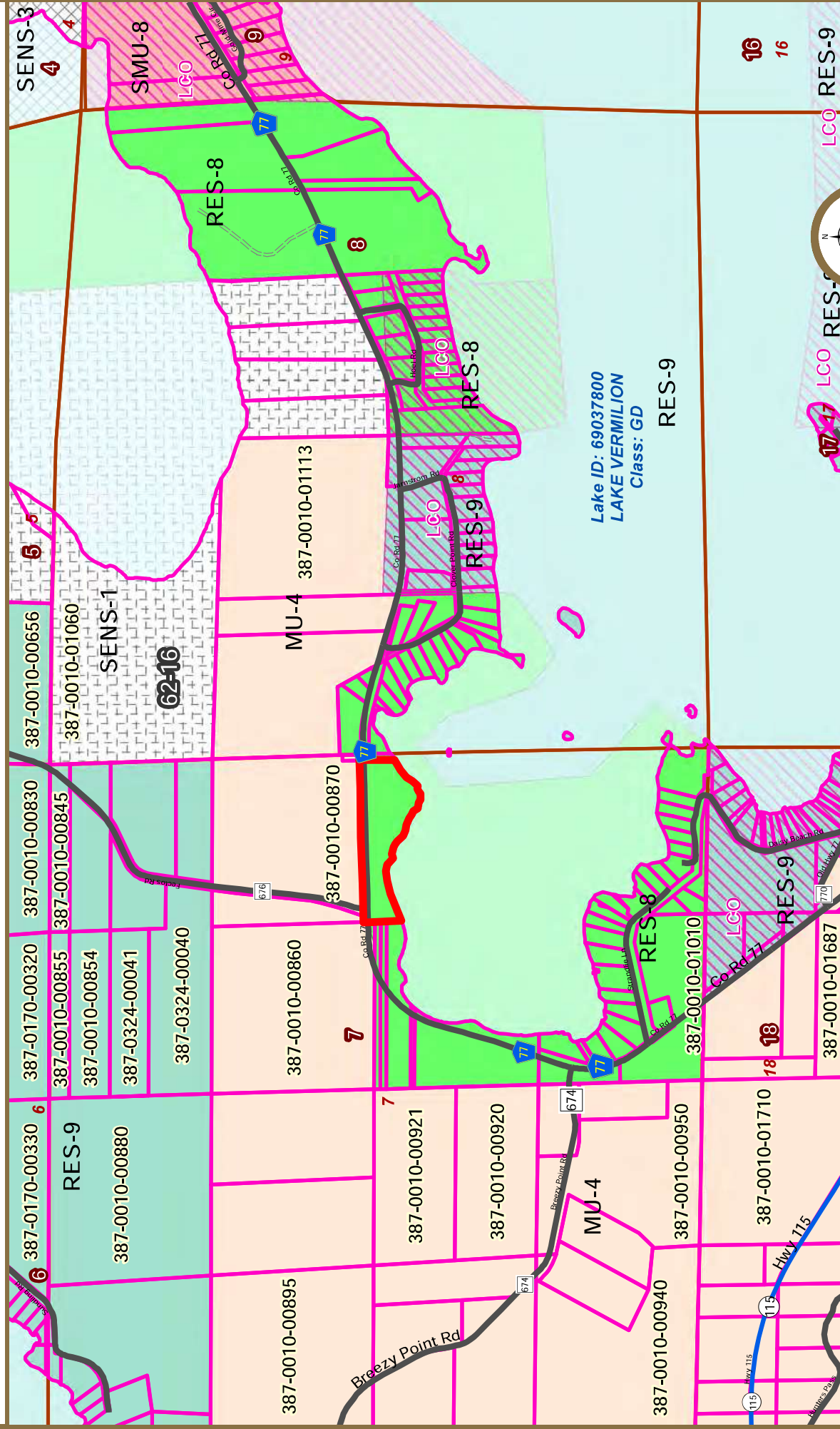
Cindy Pride Site Map



St. Louis County MN

St. Louis County

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Cindy Pride Zoning Map

Prepared By: Planning & Community Development (218) 723-3000 www.stlouiscountyminn.gov

Source: St. Louis County

Map Created: 6/4/2024

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