

# ST. JAMES PLANNING COMMISSION

**TO:** Planning Commission Members  
**FROM:** Brianna Sanders, Zoning Administrator  
**DATE:** March 31, 2025  
**RE:** Variance – 207 Tiell Dr

## **Applicant**

CITY OF ST. JAMES  
CONTACT: AMANDA KNOLL  
ADDRESS – 207 TIELL DR.

## **Request**

The applicant is requesting a variance to grant a 40 foot setback from the St. James Lake at the north property line. This property is located in the Shoreland Protection District.

## **Proposal**

Applicant desires to construct a splash pad on the property. The splash pad would be situated to the east of the existing municipal swimming pool. The proposed splash pad would be approximately 55 feet by 88 feet or 4,840 sq ft.

The property is being proposed as the location for the splash pad due to the proximity to the existing municipal swimming pool. There is infrastructure already in place to accommodate aquatic activities including a parking lot, bathrooms, and green space.

## **Location**

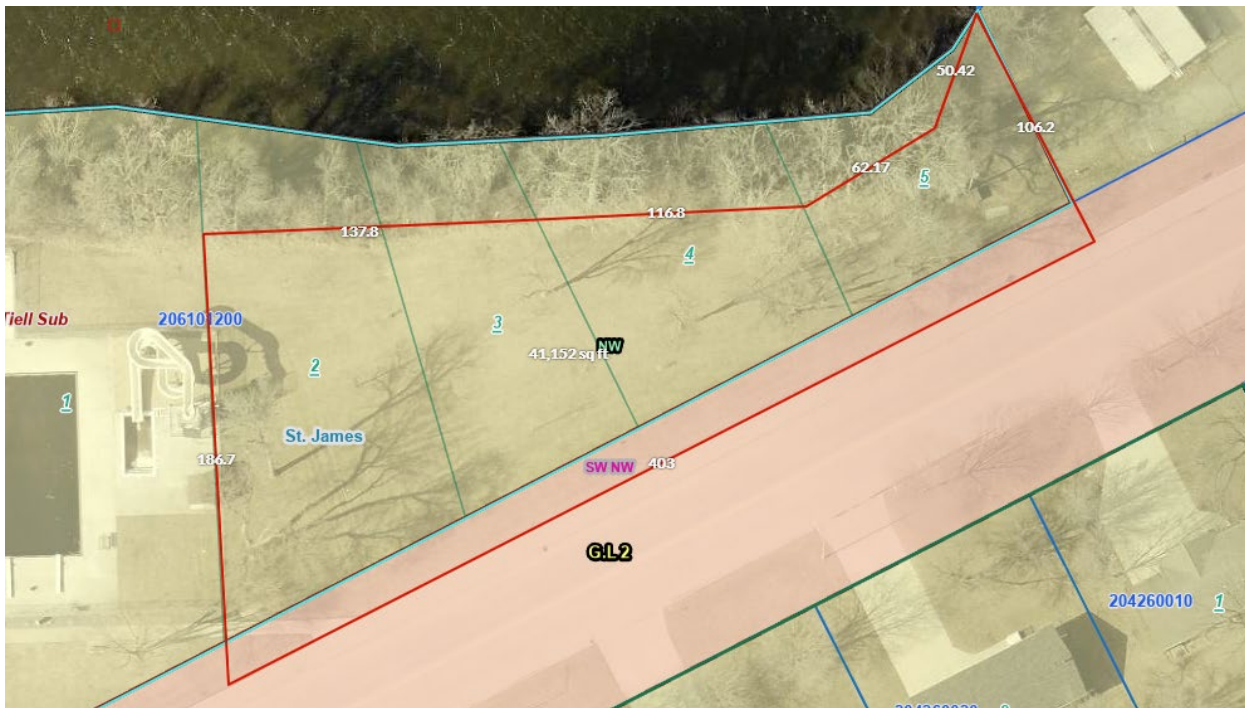
The property is located at 207 Tiell Dr and is legally described as Lot 1, 2, 3, 4 and 5 of Tiell Subdivision to the City of Saint James, Watonwan County.

## **Existing Land Use**

The property is the location of the municipal swimming pool. This parcel is owed by the City of St. James and is part of the city's park system.

## **Zoning Review**

	City Code	Proposed
Setback from Lake	75 feet	40 feet
Setback from County Road	50 feet	50 feet
Impervious Material	25%	12%



Lot area = 41,152 sq ft

Proposed structure area:

- Splash pad = 4,480 sq ft
- Sidewalk = 250 sq ft

## **Findings**

### 1) Is the variance in harmony with the purposes and intent of the ordinance?

The Shoreland Protection District states that any structure must be 75 feet from the St. James Lake. The purpose of the setback from the St. James lake is to manage the effects of shoreland crowding, prevent water pollution and maintain the natural characteristics of shoreland. The proposed variance is to lower the setback requirement from the St. James Lake to 40 feet. The position of the splash pad with the 75 feet setback from the OHWL would put the splash pad near Tiell Dr/County Road 57 and would be positioned over one buried utility line. It is suggested to lower the setback requirements to move the splashpad away from the county road to ensure the safety of the residents utilizing the splashpad. The existing municipal swimming pool is setback 40 feet from the St. James Lake. This variance is in harmony with the purpose and intent of the Shoreland Ordinance as it will maintain the characteristics of the existing area, ensures appropriate stormwater management, and ensures the safety of the users of the amenity. The discharge from the splashpad will be going through the sewer system and should not have any overland flow going to the lake.

### 2) Would granting the variance be consistent with the comprehensive plan?

The 2023 St. James Land Use Plan contains the following policies and goals regarding this request: Infrastructure policy 1.4 states that the city would *implement improvements to public facilities and utility according to the capital improvement plan. This may include upgrades to road, water and sewer systems, parks, public buildings, broadband, and other facilities.* Granting the variance is consistent with the comprehensive plan because this project would improve the existing city park to allow for additional amenities targeted towards the growing minor population. It has also been identified in the community survey and has been planned for in the city's comprehensive plan.

### 3) Are there any unique circumstances to the property not created by the landowner?

There are circumstances unique to the property that would prevent compliance with the Shoreland Ordinance

because the property for the proposed splash pad has unique lot dimensions, and steep slopes. The Shoreland Protection District states that any structure must be 50 feet from the right of way line of a county highway. The roadway to the south of the property is County Road 57. In order to position the splashpad 50 feet from the ROW, the structure would need to encroach onto the 75 feet setback from the lake. With a lower setback from the lake, the property could accommodate the 50 feet ROW setback and a 40 feet lake setback. The property has approximately 155 feet from the north property line abutting the St. James Lake to the south property line abutting County Road 57. With a design of 55 feet wide, the splash pad is able to be positioned on to this lot only with a 40 foot setback.

4) Would granting the variance allow the essential character of the locality to stay the same?

Granting the variance will not alter the essential character of the locality because the grading needed for the proposed project will maintain an appropriate distance from the OHWL. The proposed project will be below the 25% allowable impervious material coverage and will match the drainage activities of the neighboring municipal swimming pool. There is no anticipated vegetation alteration on the shoreline.

5) Does the proposal put property to use in a reasonable manner?

The proposed project does use the property in a reasonable manner not permitted by the ordinance, given the purpose of the protections because it is ensuring the safety of the users by maintaining a distance from a roadway and ensuring proper drainage. Due to the steep slope of the shoreland, the development will be keep away from the water's edge and will maintain the natural function of the shoreline.

### **Recommendations**

Staff recommendation is approval.

### **Exhibits**

Exhibit 1 – Zoning Request Application

Exhibit 2 – Notice of Public Hearing

Exhibit 3 – Property Map

Exhibit 4 – Comment from DNR Area Hydrologist

### **City Code**

## **§ 156.213 ADMINISTRATION.**

### **(B) Variances.**

(1) Variances may only be granted in accordance with M.S. Chapter 462, as it may be amended from time to time. A variance may not circumvent the general purposes, and intent, of this subchapter. **VARIANCE** means a provision for varying the literal provisions of this subchapter in instances where its strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration, and to grant the **VARIANCE** only when it is demonstrated that the actions will be in keeping with the spirit, and intent, of this subchapter. No **VARIANCE** may be granted that would allow any use that is prohibited in the zoning district in which the subject property is located. Conditions may be imposed in the granting of a **VARIANCE** to ensure compliance, and to protect adjacent properties and the public interest. In considering a **VARIANCE** request, the Board of Adjustment must also consider whether the property owner has reasonable use of the land without the variance, whether the property is used seasonally or year round, or whether the variance is being requested solely on the basis of economic considerations, and the characteristics of development on adjacent properties.

(2) The Board of Adjustment shall hear, and decide, requests for variances in accordance with the rules that is has adopted for the conduct of business. When a variance is approved after the Department of Natural Resources has formally recommended denial in the hearing

record, the notification of the approved variance required herein shall also include the Board of Adjustment's summary of the public record/testimony, and the findings of facts and conclusions that supported the issuance of variances.

(3) For existing developments, the application for variance must clearly demonstrate whether a conforming sewage treatment system is present for the intended use of the property. The variance, if issued, must require reconstruction of a non-conforming sewage treatment system.

(C) *Notifications to the Department of Natural Resources.*

(1) Copies of all notices of any public hearings to consider variances, amendments, or special uses under local shoreland management controls must be sent to the Commissioner, or the Commissioner's designated representatives, and postmarked at least ten days before the hearings. Notices of hearings to consider proposed subdivisions/plats must include copies of the subdivision/plat.

(2) A copy of approved amendments and subdivisions/plats, and final decisions granting variances, or special uses, under local shoreland management controls, must be sent to the Commissioner, or the Commissioner's designated representative, and postmarked within ten days of final action.

(D) *Fee schedule.* A copy of the fee schedule shall be available in the office of the Zoning Administrator.

**§ 156.215 ZONING AND WATER SUPPLY, SANITARY PROVISIONS.**

(E) *Placement, design, and height of structures.*

(1) *Placement of structures on lots.* When more than one setback applies to a site, structures and facilities must be located to meet all setbacks. Where structures exist on the adjoining lots on both sides of a proposed building site, structure setbacks may be altered without a variance to conform to the adjoining setbacks from the ordinary high water level; provided, the proposed building site is not located in a shore impact zone. Structures shall be located as follows:

(a) Structure and on-site sewage system setback (in feet) from ordinary high water level requirements are listed below:

<b><i>Class of Public Waters</i></b>	<b><i>Unsewered</i></b>	<b><i>Sewered</i></b>	<b><i>Sewage Treatment System</i></b>
St. James Creek	Not allowed	50	Not allowed
St. James Lake	Not allowed	75	Not allowed
<b><i>Notes to Table:</i></b> One water-oriented accessory structure designed, in accordance with division (E)(1)(b) below, may be set back a minimum distance of ten feet from the ordinary high water level.			

(b) The following additional structure setbacks apply, regardless of the classification of the waterbody:

<b><i>Setback From</i></b>	<b><i>Setback (in feet)</i></b>
Right-of-way line of city road, public street, or other roads or streets not classified	25 feet
Right-of-way line of federal, state, or county highway	50 feet
Unplatted cemetery	50 feet

(H) *Stormwater management.* The following general, and specific, standards shall apply:

(1) *General standards.*

(a) When possible, existing natural drainage ways, wetlands, and vegetated soil surfaces must be used to convey, store, filter, and retain stormwater runoff before discharge to public waters;

(b) Development must be planned, and conducted, in a manner that will minimize the extent of disturbed areas, runoff velocities, erosion potential, and reduce, and delay, runoff volumes. Disturbed areas must be stabilized, and protected, as soon as possible, and facilities, or methods used, to retain sediment on the site; and

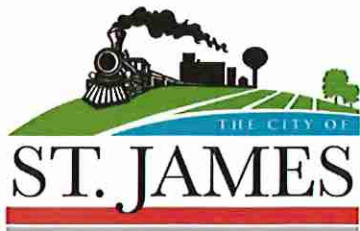
(c) When development density, topographic features, and soil, and vegetation, conditions are not sufficient to adequately handle stormwater runoff using natural features and vegetation, various types of constructed facilities, such as diversions, settling basins, skimming devices, dikes, waterways, and ponds may be used. Preference must be given to designs using surface drainage, vegetation, and infiltration rather than buried pipes, and human-made materials and facilities.

(2) *Specific standards.*

(a) Impervious surface coverage of lots must not exceed 25% of the lot area;

(b) When constructed facilities are used for stormwater management, documentation must be provided by a qualified individual that they are designed, and installed, consistent with the field office technical guide of the local soil and water conservation districts; and

(c) New constructed stormwater outfalls to public waters must provide for filtering, or settling, of suspended solids, and skimming of surface debris before discharge.



## CITY OF ST. JAMES PLANNING COMMISSION REQUEST

Application for: X Variance \$150.00 plus 2.00 per notice

       Rezoning \$150.00 plus 2.00 per notice

       Ordinance Change \$150.00 plus 2.00 per notice

       Special Use Permit \$150.00 plus 2.00 per notice

       Annexation Petition \$5.00/acre (min \$150 – max \$600)

       Lot Division/Property Split \$150.00 plus 2.00 per notice

       Plat Subdivision – Prelim \$75 plus 2.00 per notice

       Plat Subdivision – Final \$75 plus 2.00 per notice

       Vacation initiated by citizen petitioner \$150.00 plus 2.00 per notice

       Notification billing \$2.00 for each required notice

*fee waived for city project*

Applicant: Name: City of St. James

Mailing Address: PO Box 70

Phone Number: \_\_\_\_\_

Email: \_\_\_\_\_

Property Address (if different from Applicant's address):

207 Tiell Dr

Parcel ID: 206101200

Description of area affected: proposed setback for new construction

Present Zone city

Present Set-back 75' from lake

Present Use Swimming pool

Proposed Zone (if different) \_\_\_\_\_

Proposed Set-back (if different) 40' from lake

Proposed Use (if different) \_\_\_\_\_

Request

Construction of 3,800 sq ft splash pad to east of swimming pool. splashpad does not fit in current setback requirements.

☐ Attached drawing of request

The above information and attached drawing of request are true and correct to the best of my knowledge.

2/25/25  
Date

Amanda Kroll  
Signature of Person Filing Application

HEARING: The Commission will not render a decision unless applicant or a designated representative is present at the hearing. Commission meetings are scheduled on the last Monday of each month. A completed application must be submitted by the second Tuesday of each month to be considered at that month's meeting.

DRAWING: A drawing of the affected area must be attached showing present lot lines and existing buildings and the requested change. Applications will not be accepted without all information. The Zoning Administrator will notify the applicant within 10 business days if the application is incomplete.

FEE: SEE ABOVE. The fee for request is due at the time of this application submittal. The notice fee will be due on or before the public hearing. If the notice fee is not submitted, the public hearing will be cancelled at the applicants cost.





City of St. James

1205 6<sup>th</sup> Ave S. | PO Box 70 | St. James, MN 56081

P. 507 -375 -3241 | F. 507 -375 -4376 | [www.ci.stjames.mn.us](http://www.ci.stjames.mn.us)

## NOTICE OF PUBLIC HEARING ST. JAMES PLANNING COMMISSION

NOTICE IS HEREBY GIVEN, that the St. James Planning Commission will meet on Monday, March 31, 2025 at 5:15 p.m. at the Saint James City Hall located at 1205 6<sup>th</sup> Ave South, Saint James, Minnesota, to hold a public hearing for the following purposes:

- 1) To consider a variance request from the City of St. James for property located at 207 Tiell Dr. legally described as Lot 1, 2, 3, 4 and 5 of Tiell Subdivision to the City of Saint James, Watonwan County. The variance request is to grant a 40-foot setback from the St. James Lake at the north property line.
- 2) To consider and recommend Zoning Regulations of Cannabis Businesses for the City of St. James.

All persons are invited to attend the March 31, 2025 public hearing and to present their views relating to these requests either orally or in writing.

Dated this 6<sup>th</sup> Day of March, 2025.

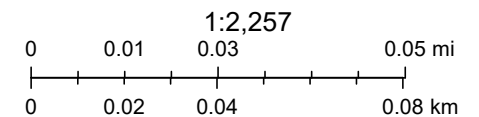
Brianna Sanders  
Zoning Administrator

Publish March 13, 2025: St. James Plaindealer

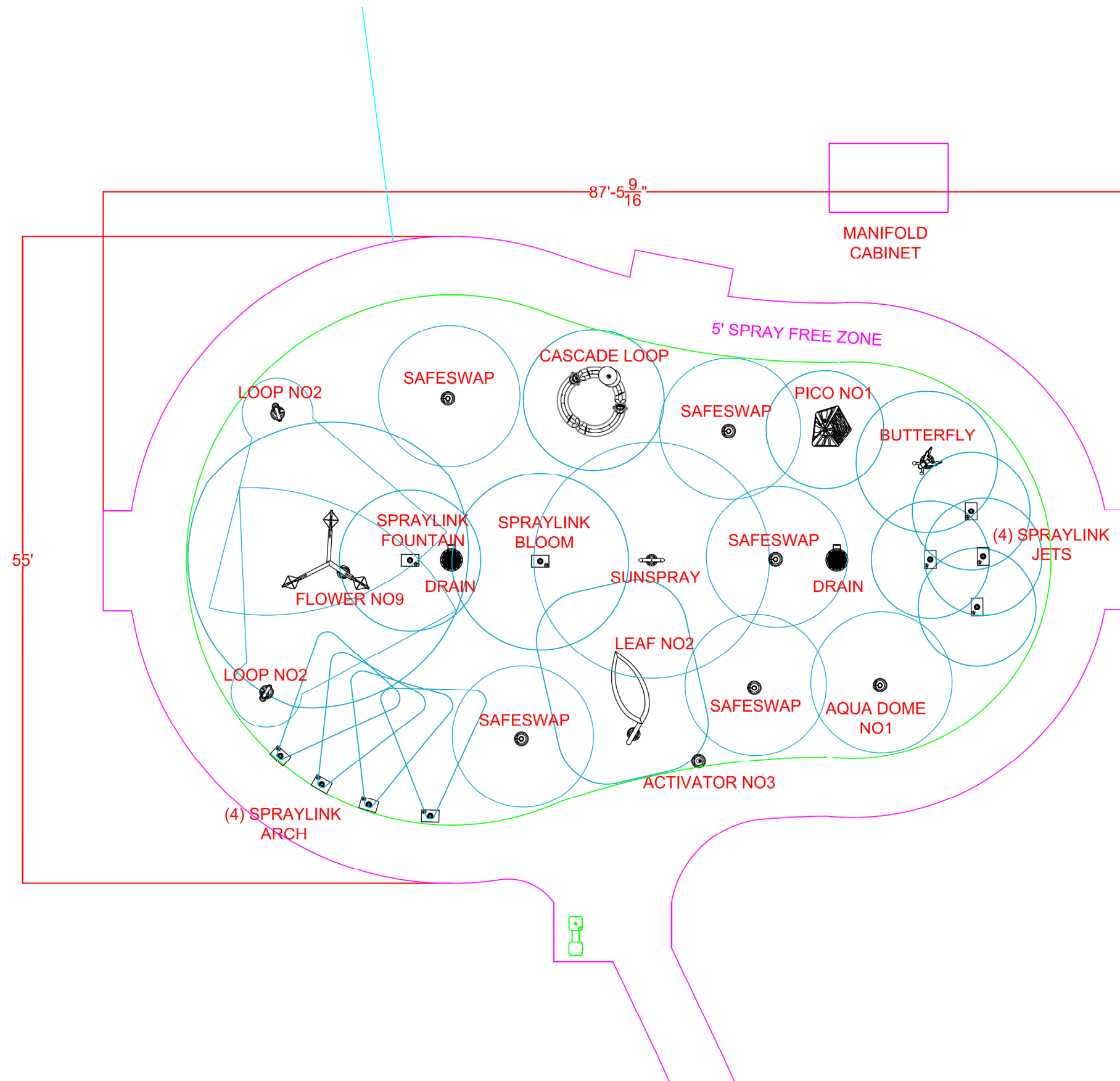


3/6/2025, 3:53:13 PM

 Parcels



Maxar, Microsoft, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community



# CITY POOL SPLASHPAD

SPLASHPAD LAYOUT

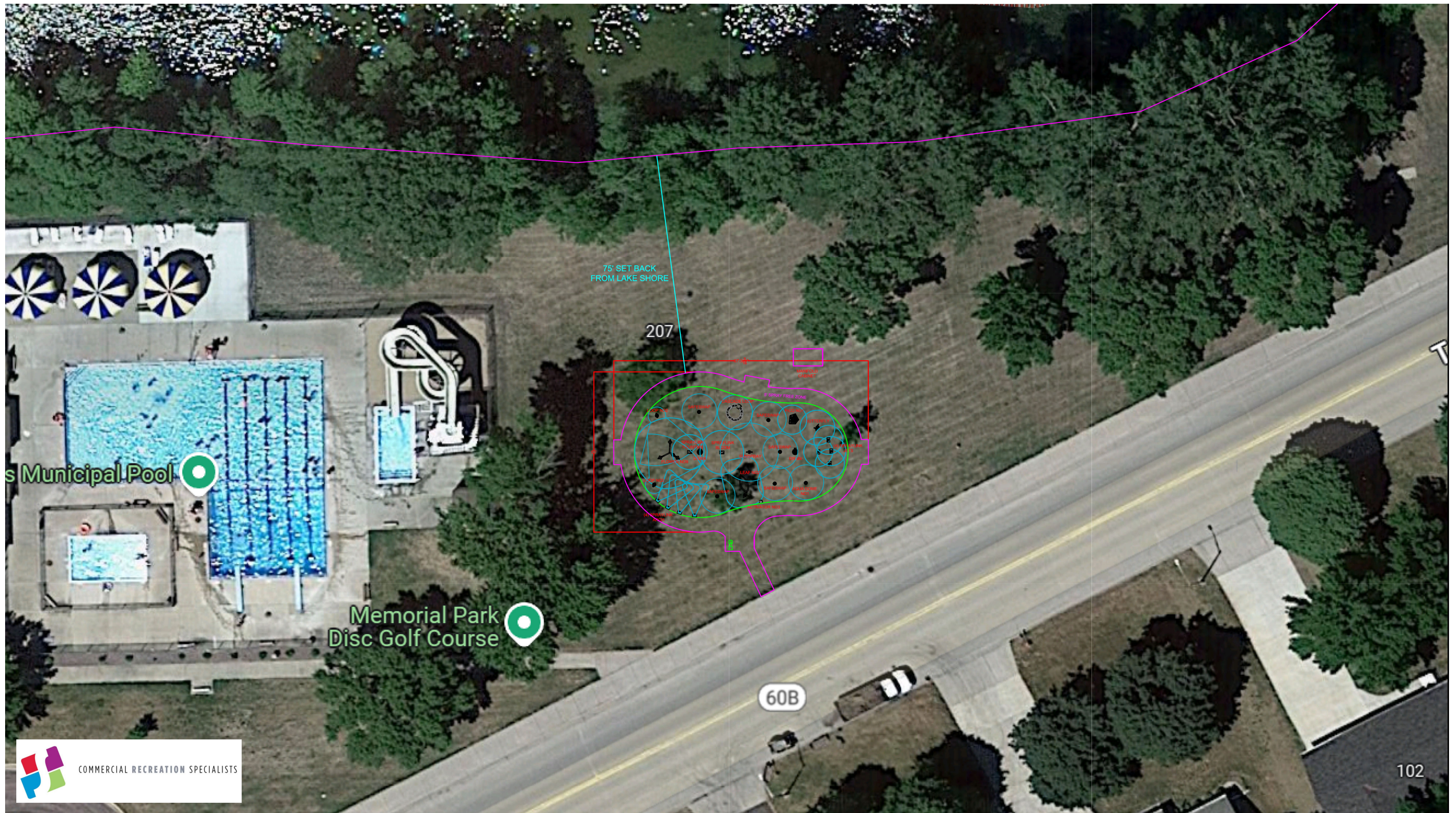
CITY POOL PARK • ST. JAMES, MN • JANUARY 2025



# CITY POOL SPLASHPAD

SPLASHPAD SATELLITE OVERLAY

CITY POOL PARK • ST. JAMES, MN • JANUARY 2025



# CITY POOL SPLASHPAD

SPLASHPAD SATELLITE OVERLAY

CITY POOL PARK • ST. JAMES, MN • JANUARY 2025

**Brianna Sanders**

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**From:** Wigen, Katie (DNR) <katie.wigen@state.mn.us>  
**Sent:** Friday, March 21, 2025 1:32 PM  
**To:** Brianna Sanders  
**Subject:** RE: St. James Splashpad

Brianna,

Thank you for providing the opportunity to comment on the variance request for the proposed splash pad development. After reviewing the project, I have noted that discharge from the splashpad will not be discharged directly to the lake, no shoreline vegetation alterations are proposed, and overland flow to the lake will not be altered. I do not have any concerns with the project.

Thank you,  
Katie

**Katie Wigen**

Area Hydrologist | Ecological & Water Resources

**Minnesota Department of Natural Resources**

117 Rogers Street

Mankato, MN, 56001

Phone: 507-389-8807

Cell: 507-766-4527

Email: [katie.wigen@state.mn.us](mailto:katie.wigen@state.mn.us)  
[mndnr.gov](http://mndnr.gov)



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**From:** Brianna Sanders <Brianna.Sanders@ci.stjames.mn.us>  
**Sent:** Friday, March 21, 2025 12:46 PM  
**To:** Wigen, Katie (DNR) <katie.wigen@state.mn.us>  
**Subject:** RE: St. James Splashpad

Hi Katie,

The discharge from the splashpad will be going through the sewer system. I don't believe it is anticipated that there will be any overland flow going to the lake and there is no vegetation alteration on the shoreline.

Thanks,  
Brianna

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**From:** Wigen, Katie (DNR) <[katie.wigen@state.mn.us](mailto:katie.wigen@state.mn.us)>  
**Sent:** Friday, March 21, 2025 12:31 PM  
**To:** Brianna Sanders <[Brianna.Sanders@ci.stjames.mn.us](mailto:Brianna.Sanders@ci.stjames.mn.us)>  
**Subject:** RE: St. James Splashpad

Hi Brianna – thank you. I think that we had discussed this in the past, however I just wanted to clarify – is the discharge from the splashpad going directly to the lake, or through the sewer system? Is there any overland flow going to the lake? And lastly – there will not be any vegetation alteration on the shoreline, correct?

Thank you!  
Katie

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**From:** Brianna Sanders <[Brianna.Sanders@ci.stjames.mn.us](mailto:Brianna.Sanders@ci.stjames.mn.us)>  
**Sent:** Friday, March 21, 2025 12:16 PM  
**To:** Wigen, Katie (DNR) <[katie.wigen@state.mn.us](mailto:katie.wigen@state.mn.us)>  
**Cc:** Chad Stradtman <[Chad.Stradtman@ci.stjames.mn.us](mailto:Chad.Stradtman@ci.stjames.mn.us)>; Amanda Knoll <[Amanda.Knoll@ci.stjames.mn.us](mailto:Amanda.Knoll@ci.stjames.mn.us)>  
**Subject:** RE: St. James Splashpad

Hi Katie,

Attached is the zoning report and findings on the variance request for the proposed splash pad development. The public hearing is scheduled for March 31<sup>st</sup> at 5:15pm at the St. James City Hall. Please let me know if you have any questions or comments in the meantime.

Thank you!

**Brianna Sanders**  
**City of St. James | Economic Development Director**  
1205 6<sup>th</sup> Ave S | PO Box 70 | St. James, MN 56081  
**O:** (507) 375-3241 | **F:** (507) 375-4376



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**From:** Brianna Sanders  
**Sent:** Thursday, March 6, 2025 3:11 PM  
**To:** Wigen, Katie (DNR) <[katie.wigen@state.mn.us](mailto:katie.wigen@state.mn.us)>  
**Cc:** Chad Stradtman <[Chad.Stradtman@ci.stjames.mn.us](mailto:Chad.Stradtman@ci.stjames.mn.us)>  
**Subject:** RE: St. James Splashpad

Katie –

Attached is the notice of public hearing. I will send over the report and findings sometime next week.

Let me know if you have any questions in the meantime. Thank you!

**Brianna Sanders**