

Kalea Suihkonen

From: Kalea Suihkonen [kalea.suihkonen@co.aitkin.mn.us]
Sent: Thursday, June 16, 2016 9:03 AM
To: 'KEVIN'
Subject: RE: Updated Permit Application

Hi Kevin,

I had a chance to speak with our Director this morning. Because you are not meeting the property line setback of 10 feet, you would not be able to use deck encroachment to expand your deck. I will have to deny your application.

If you would like to pursue expanding your deck, your next step would be to apply for a variance which requires approval from the Board of Adjustment. You can find more information about variances here:
<https://www.co.aitkin.mn.us/departments/enviro-svcs/variance-applicants.html>

I will let my counterpart know that your application is being denied so that a refund can be issued. Let me know if you have any questions.

Thank you,

Kalea Suihkonen
Aitkin County Planning & Zoning
209 2nd St NW Rm 100
Aitkin, MN 56431
218-927-7342

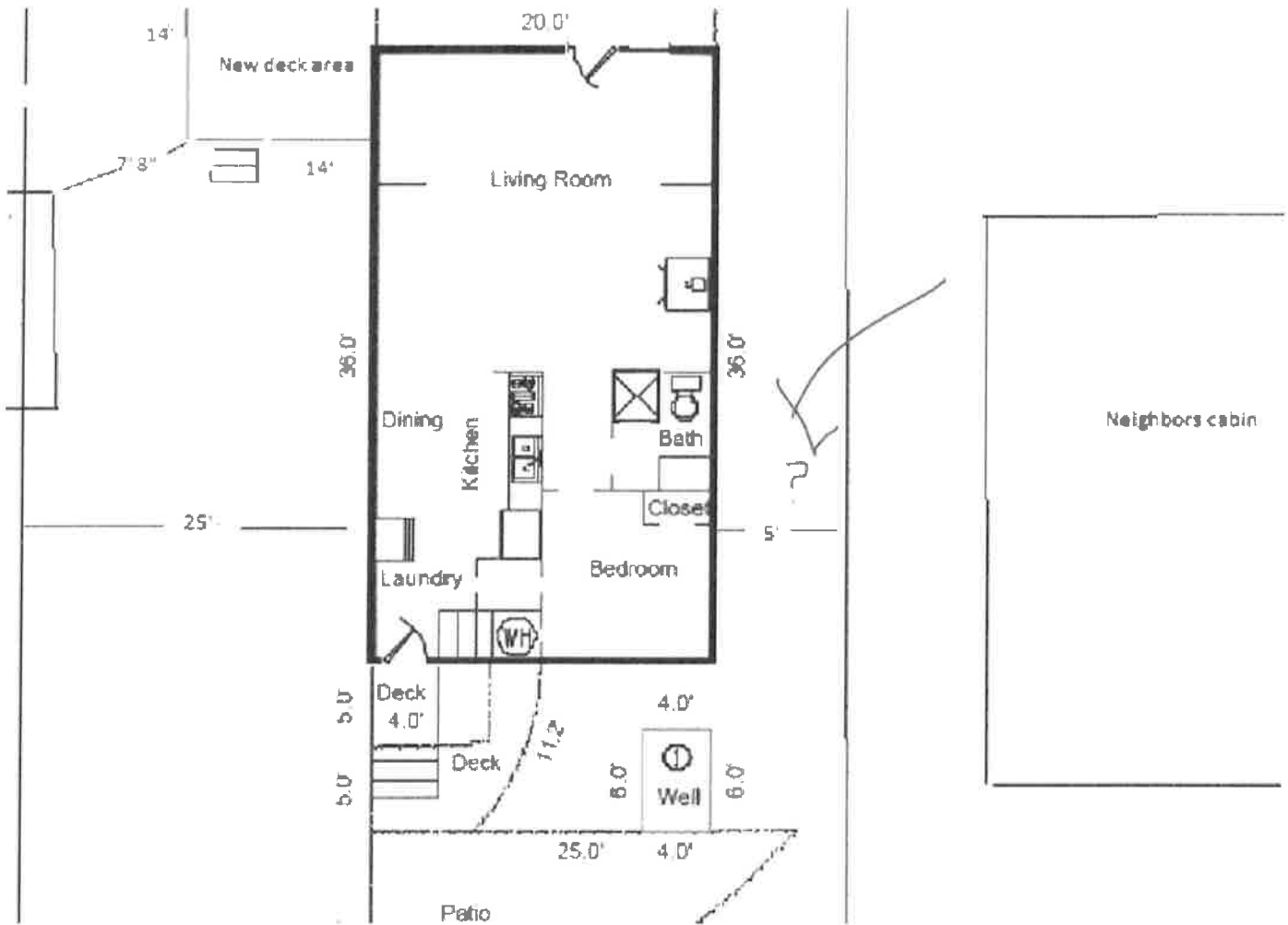
From: KEVIN [mailto:k.fiddler@comcast.net]
Sent: Wednesday, June 15, 2016 3:01 PM
To: Kalea Suihkonen
Subject: Re: Updated Permit Application

That is where the existing structures footprint is located and has been since its construction in 1972. I would assume set back allowances were possibly different back then?

From: "Kalea Suihkonen" <kalea.suihkonen@co.aitkin.mn.us>
To: "KEVIN" <k.fiddler@comcast.net>
Sent: Wednesday, June 15, 2016 2:51:38 PM
Subject: RE: Updated Permit Application

Kevin,

The property line at 11 feet looks OK. What about the other property line which you have noted at 5 feet?



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From: KEVIN [mailto:k.fiddler@comcast.net]
Sent: Wednesday, June 15, 2016 2:20 PM
To: Kalea Suihkonen
Subject: Re: Updated Permit Application

Good afternoon Kalea,

According to my measurements the deck structure is actually 11" from the property line. The discrepancy that you may be seeing is that the neighbors cabin is actually built around 4" over the property line. What impact does the neighbors structural encroachment have on my ability to build this deck within the approved setbacks from the property lines? Please advise.

Regards,
 Kevin

From: "Kalea Suihkonen" <kalea.suihkonen@co.aitkin.mn.us>
To: "k fiddler" <k.fiddler@comcast.net>

Sent: Wednesday, June 15, 2016 8:46:07 AM
Subject: Updated Permit Application

Hi Kevin,

I am reviewing your updated site plan. Noted on the site plan is that your residence is located 5 feet from the property line. The required setback from a property line is 10 feet. To allow a deck encroachment, the structure must be meeting all setbacks. See the excerpt from the Shoreland Management Ordinance below:

Deck additions shall be allowed without a variance to a structure not meeting the required setback from the ordinary high water level if all of the following criteria and standards are met:

- (1) a thorough evaluation of the property and structure reveals no reasonable location for a deck meeting or exceeding the existing ordinary high water level setback of the structure;
- (2) the deck encroachment toward the ordinary high water level does not exceed 15 percent of the existing setback of the structure from the ordinary high water level or does not encroach closer than 30 feet, whichever is more restrictive;
- (3) The deck is not roofed or screened; and
- (4) All other setback distance requirements of this Ordinance must be met.

If you are not meeting the 10 foot property line setback, you would be allowed to repair the existing deck without expanding it. The proposed addition to it would not be allowed under deck encroachment.

Please let me know if this is the case or an oversight.

Thank you,

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