

Shannon Westerlund

From: Shannon Westerlund
Sent: Wednesday, July 15, 2020 12:24 PM
To: petersen1891@msn.com
Cc: Peter P. Gansen; Kimberly Burton
Subject: App# 2020-006068

Denied App# 2020-006068

Ron,

Your permit request to have your current cabin structure lifted and temporarily moved forward 30 feet in order to pour a concrete slab to set the cabin structure back down on has been denied for the following reason:

SECTION 6.0 – NONCONFORMITIES

It is the intent of Section 6.0 to not encourage the continuation of nonconformities but to encourage, over time, compliance with Section 5.0 of this Ordinance.

All legally established nonconformities as of the date of adoption of this ordinance and respective amendments may continue, but they will be managed according to applicable state statutes and other regulations of this county for the subjects of alterations and additions, repair after damage, discontinuance of use, and intensification of use; except that the following standards will also apply in shoreland areas:

- A. **Change of Use.** Such use shall not be expanded, intensified or changed to another nonconforming use, or be re-established if discontinued for a continuous twelve (12) month period or more.

Destruction of Structure If a nonconforming structure is destroyed or altered by any cause, including neglect, to an extent exceeding fifty percent of its estimated market value as indicated by the records of the County Assessor, a future structure or use of the site shall conform to this ordinance. Replacement of nonconforming structures under validly issued variances are considered to be in compliance with this ordinance.

- B. **Setback** Bluff and Shore Impact Zone setback requirements must be addressed.

- C. **Moving of structure** – If a nonconforming structure is moved from its location, in any direction horizontally, the future location shall conform to this Ordinance.

In the application you stated the cabin is currently 73 feet from the OHW of Fleming Lake. If moving the structure horizontally, the new location must meet all current required setbacks.

A full refund will be credited back to your card. If you have any questions please contact Planning & Zoning at 218-927-7342.

Best regards,

Shannon Westerlund
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