

AITKIN COUNTY ENVIRONMENTAL SERVICES

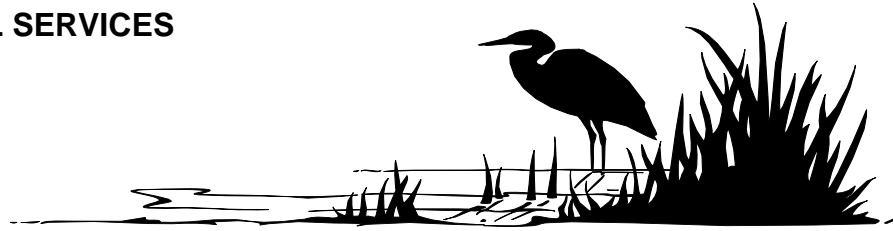
307 2nd St NW, Room 219

Aitkin, MN 56431

TELEPHONE: (218) 927-7342

FAX: (218) 927-4372

aitkinpz@co.aitkin.mn.us



Christopher & Jessica Gruska
63949 199th Place
Jacobson, MN 55752

December 8th, 2022
RE: Parcel # 06-0-006403

Dear Mr. & Mrs. Gruska,

This letter is to confirm the receipt of your application for the proposed accessory structure. Upon reviewing your permit application, it was brought to my attention that the required setback distances would not be met where your proposed structure placement is. The ordinary high water level (OHWL) setback for Little Ball Bluff Lake is 150 feet. There is also a setback of 10 feet from any neighboring property lines. When I looked at our aerial map and your site plan, I got a measurement of about 50 feet from the OHWL. I could not confirm the property line setback, but looking at your site plan, I do not believe it would meet the 10 foot setback. Due to these required setbacks not being met, I will have to unfortunately **deny** your permit application.

Moving forward, there are a couple of other options available if you wish to place to place a new structure on the property.

1. Obtain an approved variance from the Board of Adjustment. I noticed that there have been multiple variances granted on this property because setbacks are difficult to meet.
2. Instead of replacing the structure, you could repair it. No volume expansion would be allowed without a permit so the building footprint and height would have to remain the same. The structure would also have to remain in the same location. This can be found in our Shoreland Management Ordinance Section 6.

If you have any questions concerning your application request, please call the Aitkin County Planning and Zoning Department at 218-927-7342. Our office is open Monday through Friday from 8:00 am – 4:30 pm.

Sincerely,

Connor Plagge
Zoning Officer
Aitkin County Planning & Zoning

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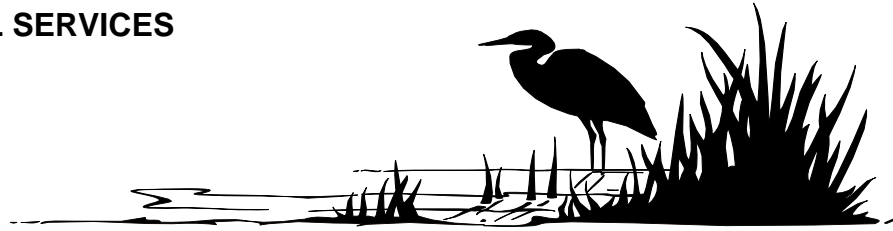
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SECTION 6.0 – NONCONFORMITIES

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.