

AITKIN COUNTY ENVIRONMENTAL SERVICES-PLANNING & ZONING

209 Second Street, NW
Aitkin, Minnesota 56431

PH: (218) 927-7342
FX: (218) 927-4372



RE: Shoreland Performance and Your
Variance Request

To Whom It May Concern:

The following material is to assist you in your application for a variance from the Aitkin County Shoreland Management Ordinance. As you prepare for your public hearing before the Board of Adjustment, please take time to review the enclosed materials, where you will find a copy of the Aitkin County Shoreland Performance Standards. The standards attempt to evaluate your property and building project as it relates to the required setbacks and the intent of the ordinance to protect water quality, habitat and aesthetics. If the Board of Adjustment grants your variance request, the standards may be used to mitigate potential impacts of implementing your project.

Please fill out the form. Your project will receive a ranking/score that relates to a “percentage” of compliance with the Department of Natural Resources guidelines and Aitkin County Ordinances. Next, review the mitigation options and evaluate those that you would be willing to implement as a condition of your variance. By opting to make permanent mitigating conditions on your property (deed restrictions), it may be possible to achieve the same objectives of the required setbacks from which you are seeking a variance. Please note that the Board of Adjustment must determine a practical difficulty and then approve of your variance before evaluating your mitigation proposal.

As a note, if you will be creating a buffer zone or other landscape project as part of your mitigation plan, you will want to be prepared to present a reviewed plan to the Board of Adjustment. I have enclosed some materials that may help you. You may wish to contact the Aitkin County Soil and Water Conservation District to review your proposal (218-927-6565). Although not familiar with specifics of the Performance Standards, the University of Minnesota’s Master Gardeners may be another resource that would be able to provide you with planting suggestions and landscaping ideas. You may contact the University Extension Service at 218-927-7321.

If you have questions, please contact us at the number above.

Attachments

AITKIN COUNTY SHORELAND PERFORMANCE

(Structure Placement Guidance)

A property should obtain a score of 100 or more to meet performance standard requirements. A conforming lot is assigned a score of 100. A lot is deemed conforming when the structure meets the required setbacks to the protected water as specified in the Aitkin County Shoreland Management Ordinance (SMO). A structure that fails to meet this definition is considered non-conforming.

To determine the level of non-conformance and score (See Reference Table):

- 1) Determine the DNR classification of the protected water on the lot (SMO-4.13 & 4.14) 1: _____
- 2) Determine the required "Structure Setback" to that classification of water (SMO 5.2) 2: _____
- 3) Determine the "Actual Setback" of the structure by measuring the closest part of the structure to the protected water, bluff, right-of-way, property line, etc. for which a variance is sought..... 3: _____
- 4) Enter the corresponding 'Score Multiplier' 4: _____
- 5) Pre-mitigation 'Lot Score': Determine the percentage of the encroachment as it relates to the standard setback by multiplying the Actual Setback with the 'Score Multiplier' (Note: round to the nearest whole number) 5: _____

Reference Table: Performance Multipliers for structures, septic, bluff, and sidelots in Aitkin County.

Protected Waters Type <i>(DNR Classification; SMO 4.13-4.14)</i>	Required Structure Setback	Score Multiplier Structures	Required Septic Setback	Score Multiplier Septic	Score Multiplier Bluff (30' setback)	Score Multiplier Sidelot (10' setback)
General Development Lake	75'	1.333	75'	1.333	3.33	10.000
Recreational Development Lake	100'	1.000	75'	1.333		
Natural Environment Lake	150'	0.667	150'	0.667		
Mississippi River	150'	0.667	125'	0.800		
Tributary Stream	100'	1.000	75'	1.333		
Forested Stream	150'	0.667	100'	1.000		
Remote Stream	200'	0.500	150'	0.667		

Mitigation: *To bring a non-conforming structure to a score of 100 the landowner conducts and maintains one or more of the below listed mitigating activities:*

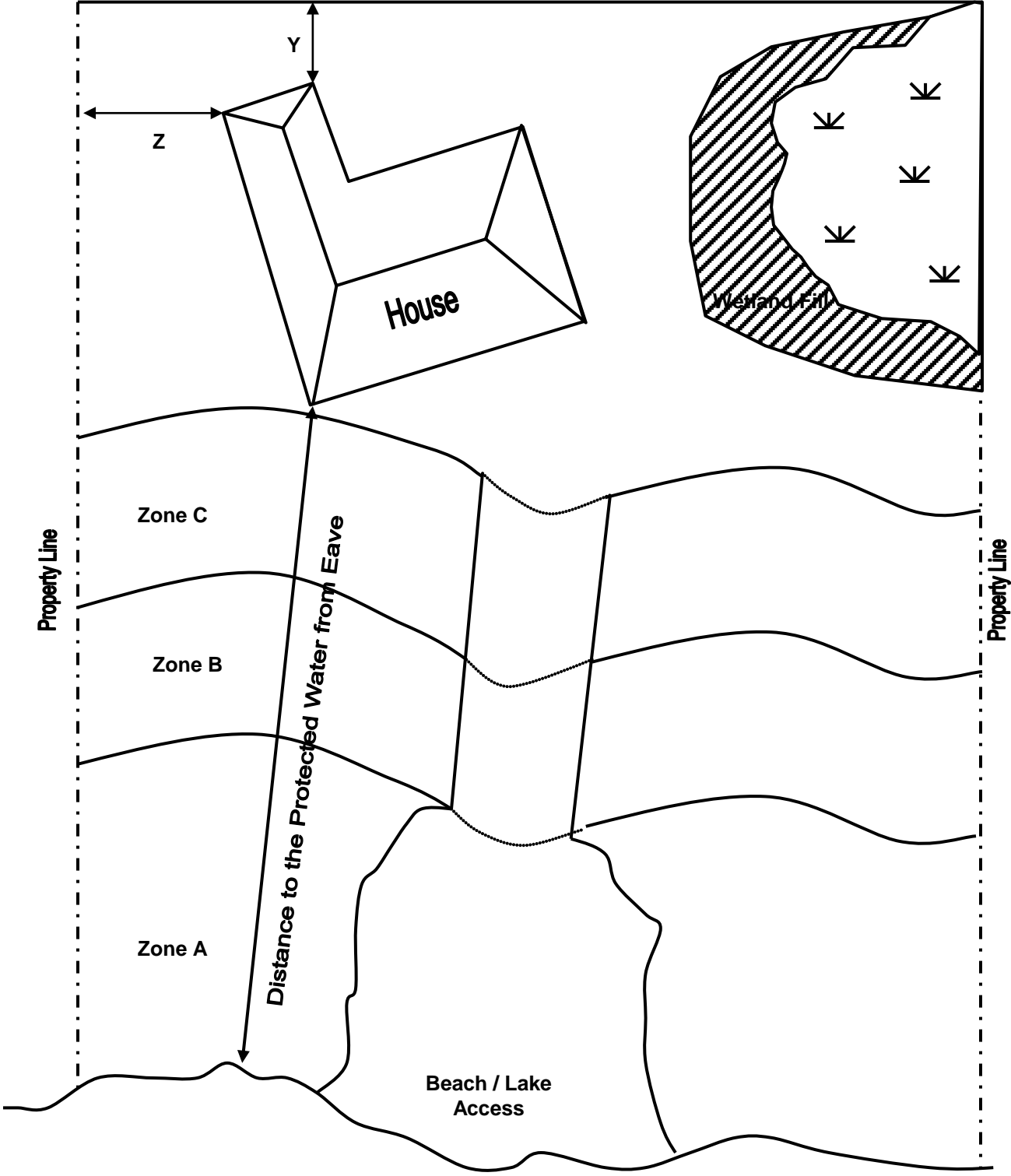
- A) Zone A(1): Plant and/or maintain a 12.5' wide natural vegetated buffer zone adjacent to the OHW and record deed restrictions to maintain vegetation in its natural state, prohibit mowing or vegetation removal.* Water access as defined in the Shoreland Management Ordinance is allowed (Section 5.31.B.2.c)..... **15 points**
- Zone A(2): Plant and/or maintain a 25' wide natural vegetated buffer zone adjacent to the OHW and record deed restrictions to maintain vegetation in its natural state, prohibit mowing or vegetation removal.* Water access as defined in the Shoreland Management Ordinance is allowed (Section 5.31.B.2.c)..... **30 points**
- B) Zone B: Plant and/or maintain an additional 12.5' wide natural vegetated buffer zone between Zone A landward. Record deed restrictions to maintain vegetation in its natural state, prohibit mowing or vegetation removal.* A ten-foot (10') access path is allowed. **20 points**
- C) Zone C: Plant and/or maintain an additional 12.5' wide natural vegetated buffer zone between Zone B landward. Record deed restrictions to maintain vegetation in its natural state, prohibit mowing or vegetation removal.* A ten-foot (10') access path is allowed. **10 points**
- D) Construction of rain garden(s) to Wisconsin DNR Manual specifications..... **20 points**
- E) Removal of all other structures that do not meet the standard building setbacks, including water oriented structures..... **20 points**
- F) Removal of impervious surfaces to at least half ordinance limits (SMO 5.52.A) **10 points**
- G) Removal of fill all placed in historic wetlands and guarantee of no future wetland fill recorded on deed **10 points**
- H) Re-vegetate bluff or steep slopes* and provide screening of structures from the lake. **10 points**
- I) Diversion of all water runoff from impervious surfaces away from the lake into retention ponds, subsurface drains, wetlands, etc. with no outlet to the lake or tributary **10 points**
- J) Existing conditions may apply on the property that warrant credit..... *To be determined by P&Z*

Final Score = Pre-mitigation Lot Score (Line 5) _____ + Mitigation Totals (Lines A-I) _____ = _____

**Note: Plant materials for vegetative buffers shall be native to northern Minnesota. For every 5,000 square feet of buffer area, there shall be a minimum of four types of trees, six types of shrubs, seven forbs, and three grasses planted to achieve a one plant per square foot minimum coverage. Survival of all plants must be guaranteed for a minimum of 5 years*

AITKIN COUNTY SHORELAND PERFORMANCE
(Example)

Road right-of-way (ROW)



Recreational Development Lake (RD)

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