

AGENDA

THE **BOARD OF ADJUSTMENT** WILL ASSEMBLE FOR A HEARING OF APPEALS FROM THE AITKIN COUNTY ZONING ORDINANCE ON May 7, 2025 **AT 4:00 P.M.** IN THE **AITKIN COUNTY GOVERNMENT CENTER BOARD ROOM, 307 SECOND STREET NW, AITKIN, MN 56431**. THE FOLLOWING APPLICATIONS WILL BE REVIEWED.

1. Call the meeting to order.
2. Roll call.
3. Approve the agenda for the May 7, 2025 Board of Adjustment meeting.

Old Business:

4. WILLIAM L COOK TRUSTEE, 20379 529TH LANE, MCGREGOR, MN 55760, is requesting a variance from the maximum allowed 30 cubic yards of material to excavate and/or place 600 cubic yards of material in a bluff impact zone. S 400 OF LOT 2 & THE NE SW LESS APPROX 26 AC & LESS THE PT IN DOC 480415, Section Twenty-nine (29), Township Fifty (50), Range Twenty-three (23), Aitkin County, MN.

APP-2024-001279

New Business:

5. KELLY & WILLIAM PERSONS, 1056 NORTHVIEW DR, EAGEN, MN 55123, are requesting a variance from the required 100 foot ordinary high water level setback on a recreational development lake (Sunset) to a setback distance of 85 feet to construct a 196 square foot deck on an existing residence, in an area zoned shoreland. LOT 2 BLOCK 2 WOODMARK. Section Thirty-one (31), Township Forty-six (46), Range Twenty-seven (27), Aitkin County, MN.

APP-2025-000107

6. DANIEL & LINDA SCHMITZ, 335 3RD ST SW, PLAINVIEW, MN 55964, are requesting a variance from the required 100 foot ordinary high water level setback on a recreational development lake (Pine) to a setback distance of 74 feet; a variance from the required 30 foot township road right-of-way setback to a setback distance of 17 feet; a variance from the required 30 foot bluff setback to a setback distance of 11 feet; a variance from the maximum 15% building coverage to a building coverage of 24%, and a variance from the maximum 25% impervious surface coverage to a coverage of 34% to construct a 1442 square foot residence, in an area zoned shoreland. LOT 13 ECHO HILL TOWNSITE. Section Twenty-six (26), Township Forty-three (43), Range Twenty-two (22), Aitkin County, MN.

APP-2025-000051

7. JEANINE PIGNATELLO, PO BOX 1185, DRIGGS, ID 83422, is requesting a variance from the required 75 foot ordinary high water level setback on a general development lake (Big Sandy) to a setback distance of 50 feet to construct a 450 square foot residence addition on an existing non-conforming residence located 19 feet from the ordinary high water level and 2 feet from the property line, which is in the shore impact zone. NLY 26 FT LOT 4 & SLY 27 FT LOT 5. Section Twenty (20), Township Forty-nine (49), Range Twenty-three (23), Aitkin County, MN.

APP-2025-000154

8. DAVID & ELIZABETH HARVEY, 11571 SILVEROD STREET NW, COON RAPIDS, MN 55433, are requesting a variance from the required 100 foot ordinary high water level setback on a recreational development lake (Waukenabo) to a setback distance of 67 feet and a variance from the maximum 15% building coverage to a building coverage of 16% to construct a 8 foot by 10 foot accessory building, in an area zoned shoreland. LOT 8 APPELDORN BEACH. Section Fifteen (15), Township Forty-nine (49), Range Twenty-six (26), Aitkin County, MN.

APP-2025-000148

9. JEANETTE & STEPHA BOARD, 1747 HUMBOLDT AVE, WEST ST PAUL, MN 55118, are requesting a variance from the required 30 foot easement setback to a setback distance of 10 feet for a 1800 square foot residence, in an area zoned shoreland. LOT 1 PINE HEIGHTS. Section Eight (8), Township Forty-nine (49), Range Twenty-three (23), Aitkin County, MN.

APP-2025-000177

10. DANIEL & MOLLY PROKOTT, 1254 LAUREL AVE, ST PAUL, MN 55104, are requesting a variance from the required 30 foot bluff setback to a setback distance of 20 feet to construct a 1120 square foot second story residence addition on an existing nonconforming residence located 20 feet from the bluff, in an area zoned shoreland. 1 AC LOT 6 IN DOC 410689. Section Eight (8), Township Forty-nine (49), Range Twenty-three (23), Aitkin County, MN.

APP-2025-000179

11. Approval of minutes, April 2, 2025.

12. Adjourn.

AITKIN COUNTY ZONING

NOTICE OF HEARING

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APP-2025-000179

AITKIN COUNTY ZONING

Property Location

Property:



Property Location					Legal Description			Property Attributes	
Parcel Number	Property Address	Township or City Name	Owner Name(s)	Taxpayer Name(s)	Legal Description	Plat Name	Section-Township-Range	Lake Class	Lake Name
07-1-120100	45914 286th Ln AITKIN, MN 56431	FARM ISLAND TWP	PERSONS, WILLIAM & KELLY	PERSONS, WILLIAM & KELLY	LOT 2 BLK 2	WOODMARK	S:31 T:46 R:27	RD	SUNSET LAKE

Driving directions to the proposed project from Aitkin:

Hwy 210 W to Pioneer Ave turn left. Turn Right on Partridge Ave , continue Right on Partridge Ave to 459th Place turn Right. Follow to 286th Lane to Cabin.

Is the above parcel located in the Shoreland Zoning District?

Yes

Detailed Narrative

Enter a Detailed Narrative (If you have a prepared narrative please state "See attached" and attach the document below):

We are proposing to build a 14 x 14 deck with stairs and a 4 x 4 landing built by Northland Construction, a local construction company out of Merrifield. This deck will not be roofed.
 Installation of 12" x 60 sona tube footings (4)
 Framed with 2 x 10 treated joists
 Installation of brown treated decking.
 Installation of Westbury vertical railing system.

Provide the Ordinance(s) and the Section(s) of the Ordinance(s) from which you are requesting a variance:

Ordinary High Water Level setback of 100 Feet.

Are you requesting a variance to a road right-of-way setback in one of these Townships? Fleming, Glen, Lakeside, Pliny, Shamrock, Wagner

No

Supplemental Data

Attach completed form here:	File 1: Variance_Request.pdf
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A Scaled Drawing or Survey

Scaled Drawing or Survey Checklist:	<u>Location and dimensions for all lot lines.</u> <u>Location and dimensions of all existing and proposed structures/additions.</u> <u>Location and depth of all existing and proposed wells within 100 feet of the property.</u> <u>Location and dimensions of all existing and proposed septic system components (septic tank, septic drainfield).</u> <u>Location and dimensions of all existing and proposed driveways, road right-of-ways, and easements.</u> <u>Indicate all setback distances for items listed above: ordinary high water level of lakes or rivers, lot lines, road right-of-ways, etc.</u>
Attach a Scaled Drawing or Survey:	File 1: Lot_Drawing_Sunset_Lake.pdf

Side Profile Sketch of the Structure

Attach a side profile sketch of your proposed structure or addition here (if applicable):	File 1: Side_Profile_Top_Dimensions.pdf
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Certificate of Septic Compliance

Please attach a copy of one of the following: - A current compliance inspection on the existing septic system. - A design for a new/replacement septic system.	File 1: Septic_Compliance.pdf
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Shoreland Performance Worksheet

Complete the Shoreland Performance Worksheet and attach here:	File 1: REVISED_Shoreline_Performance_Worksheet.pdf
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Standard Erosion Control Plan

Attach the completed Standard Erosion Control Plan here:	File 1: Erosion_Control_Plan.pdf
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Property Deed

Attach the property deed(s):	File 1: PERSONS_DEED.pdf
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Terms

General Terms

The landowner or authorized agent hereby certifies that to the best of their knowledge the application and supporting documents are a factual representation of the proposed project. The landowner or authorized agent agrees that, in making application, the landowner grants permission to Aitkin County, at reasonable times, to enter the property to determine compliance of the application with applicable Local, County or State Ordinances or Statutes. It is the applicant's responsibility to contact other Local, County or State agencies to ensure the applicant has complied with all relevant Local, County or State Ordinances or Statutes.

Submittal of the above materials does not always constitute a complete application. Other information may be necessary to complete the application based on the type of request and onsite inspection.

I acknowledge that by submitting this application, the application and its attachments are public information.

Invoice #62425 (03/20/2025) Expected Payment Method: Pay Online - Card or ECheck

Charge	Cost	Quantity	Total
Recording Fee added 03/16/2025 7:57 PM \$46 Flat Fee	\$46.00	x 1	\$46.00
Variance added 03/16/2025 7:57 PM \$650 Flat Fee	\$650.00	x 1	\$650.00
Grand Total			
		Total	\$696.00
		Payment 03/20/2025	\$696.00
		Due	\$0.00

Approvals

Approval	Signature
Applicant	Kelly G. Persons - 03/21/2025 6:08 AM ec3fd047d44b44e37f2642915535c202 28faf9c3e6e37110fc5f9ba70f094d67
#1 Administrative Review	Kim Burton - 03/21/2025 8:04 AM feee43c40de31a556ce83e74a39fd669 f8bdd7151c12ecaf18c7925ae2b6c80e
#2 Board of Adjustment Approval	

[Public Notes](#)

Text:	
File(s):	<div style="border: 1px dashed black; height: 20px;"></div>

Admin Checklist

This review has been started by:	Kim Burton ▼
Zoning District of project location:	Shoreland ▼
Project located in the floodplain?	No ▼
Is the parcel a Lot of Record before 1-21-92 or have alternate sites been identified?	Yes ▼
Is this an after-the-fact application?	No ▼

Numbers

	Current Number	Next from Sequence
UID #	213344	<i>not applicable</i>
App. #	<input type="text" value="2025-000107"/>	«« 2025-000111
Permit #	<input type="text"/>	«« 2025-0073

Print View

PART I: SUPPLEMENTAL DATA TO VARIANCE APPLICATION

Aitkin County Environmental Services
307 Second St. NW, Room 219, Aitkin, MN 56431
Phone: 218.927.7342 Fax: 218.927.4372
www.co.aitkin.mn.us

Note: Place an "X" by each item below that applies to your variance request. Then, fill out **only** the applicable following section(s) that apply, as directed. **If a section does not apply to your request, leave it blank.**

What is the reason(s) for applying for the variance? Place an "X" by each applicable item.

- ☒ Setback issues for a proposed new structure: **Complete Section 1**
- ☐ Setback issues for an alteration to an existing nonconforming structure: **Complete Section 2**
- ☐ Setback issues for a septic system: **Complete Section 3**
- ☐ Land alteration: **Complete Section 4**
- ☐ Creating a lot not in conformance with the minimum Ordinance standards: **Complete Section 5**
- ☐ Other: attach separate sheet explaining variance request

Section 1 – New Structure(s)

Check all that apply and fill in requested information:

- | | |
|--|--|
| <input type="checkbox"/> Basement | <input type="checkbox"/> One Story Level |
| <input type="checkbox"/> Crawlspace | <input type="checkbox"/> Story-and-a-Half Level |
| <input type="checkbox"/> Walk-out Basement | <input type="checkbox"/> 2 nd Story Level |
- Proposed # of Bedrooms _____ Proposed Structure Height 12 ft.

Existing Total Building Coverage 14 % Proposed Total Building Coverage 15 %

Existing Total Impervious Surface Coverage 14 % Proposed Total Impervious Surface Coverage 15 %

"Building Coverage" means the ground surface covered by any building or appurtenance, including, but not limited to, decks, platforms, overhangs and projections therefrom, outdoor furnaces, fishhouses, sheds, carports, lean-to's, or any similar building. –as per the Aitkin County Shoreland Management Ordinance.

"Impervious surface coverage" means any structure, facility or surface that sheds water including structures and facilities, sewage treatment system absorption areas (equal to 190 sq.ft./bedroom), retaining walls, and roadway surfaces and parking areas. Impervious surface does not include eaves of two feet and less. – Per the Aitkin Count Shoreland Management Ordinance.

Itemized square footage of proposed structure(s):

1964

Persons

Check the item(s) from which you are requesting a variance and fill in the proposed setback distance. * Setbacks are measured to the nearest point on a structure which can be the eave overhang or an attached deck/platform.

Proposed Structure Type (indicate with or without living quarters) Deck

<input checked="" type="checkbox"/> Ordinary High Water Level (OHWL)	Proposed Setback <u>85</u> ft.
<input type="checkbox"/> Property Line	Proposed Setback _____ ft.
<input type="checkbox"/> Road Right-of way __ Twp __ Co. __ State	Proposed Setback _____ ft.
<input type="checkbox"/> Bluff	Proposed Setback _____ ft.
<input type="checkbox"/> Other: _____	Proposed Setback _____ ft.

Section 2 – Alteration(s) to Existing Nonconforming Structure(s)

Check all that apply and fill in requested information:

Existing Structure

☐ Basement
☐ Crawlspace
☐ Walk-out Basement
☐ One Story Level
☐ Story-and-a-Half Level
☐ 2nd Story Level

Existing Structure Height _____ ft.
Existing # of Bedrooms _____
Existing Building Coverage _____ %
Existing Total Impervious Surface Coverage _____ %

Proposed Addition(s)

☐ Basement
☐ Crawlspace
☐ Walk-out Basement
☐ One Story Level
☐ Story-and-a-Half Level
☐ 2nd Story Level

Proposed Addition(s) Height _____ ft.
Final # of bedrooms after remodel _____
Proposed Building Coverage _____ %
Proposed Total Impervious Surface Coverage _____ %

"Building Coverage" means the ground surface covered by any building or appurtenance, including, but not limited to, decks, platforms, overhangs and projections therefrom, outdoor furnaces, fishhouses, sheds, carports, lean-to's, or any similar building. –as per the Aitkin County Shoreland Management Ordinance.

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Itemized square footage of proposed structure(s):

Persons

Check the item(s) from which you are requesting a variance and fill in the proposed setback distance. * Setbacks are measured to the nearest point on a structure which can be the eave overhang or an attached deck/platform.

Proposed Alteration Type 14X14 Attached Deck

<input checked="" type="checkbox"/> Ordinary High Water Level (OHWL)	Existing Setback <u>100</u> ft.	Proposed Setback <u>85</u> ft.
<input type="checkbox"/> Property Line	Existing Setback _____ ft.	Proposed Setback _____ ft.
<input type="checkbox"/> Road Right-of way __ Twp __ Co. __ State	Existing Setback _____ ft.	Proposed Setback _____ ft.
<input type="checkbox"/> Bluff	Existing Setback _____ ft.	Proposed Setback _____ ft.
<input type="checkbox"/> Other: _____	Existing Setback _____ ft.	Proposed Setback _____ ft.

Section 3 – Septic System

Check the item(s) from which you are requesting a variance and fill in the proposed setback distance.

<input type="checkbox"/> Ordinary High Water Level (OHWL)	Proposed Setback _____ ft.
<input type="checkbox"/> Property Line	Proposed Setback _____ ft.
<input type="checkbox"/> Road Right-of way __ Twp __ Co. __ State	Proposed Setback _____ ft.
<input type="checkbox"/> Bluff	Proposed Setback _____ ft.
<input type="checkbox"/> Other: _____	Proposed Setback _____ ft.

Section 4 – Land Alteration

What is your land alteration? Check all categories that apply and indicate the total amount of excavation or placement of fill.

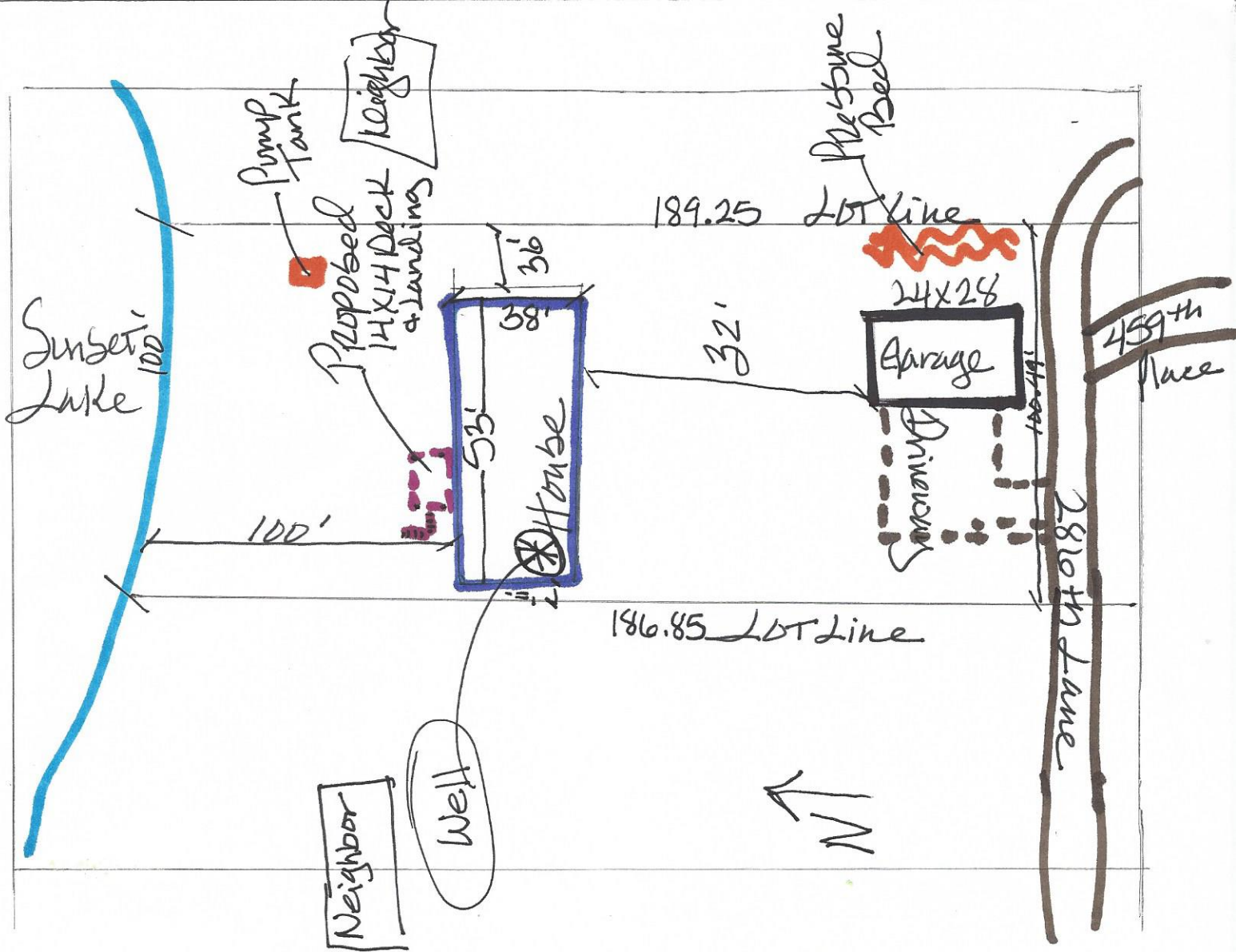
<input type="checkbox"/> More than 10 cubic yards on steep slopes and shore and bluff impact zones.	Total Cubic Yds. _____
<input type="checkbox"/> Other: _____	Total Cubic Yds. _____

Section 5 – Creating Nonconforming Lot(s)

Check the item(s) from which you are requesting a variance and fill in the proposed dimensions.

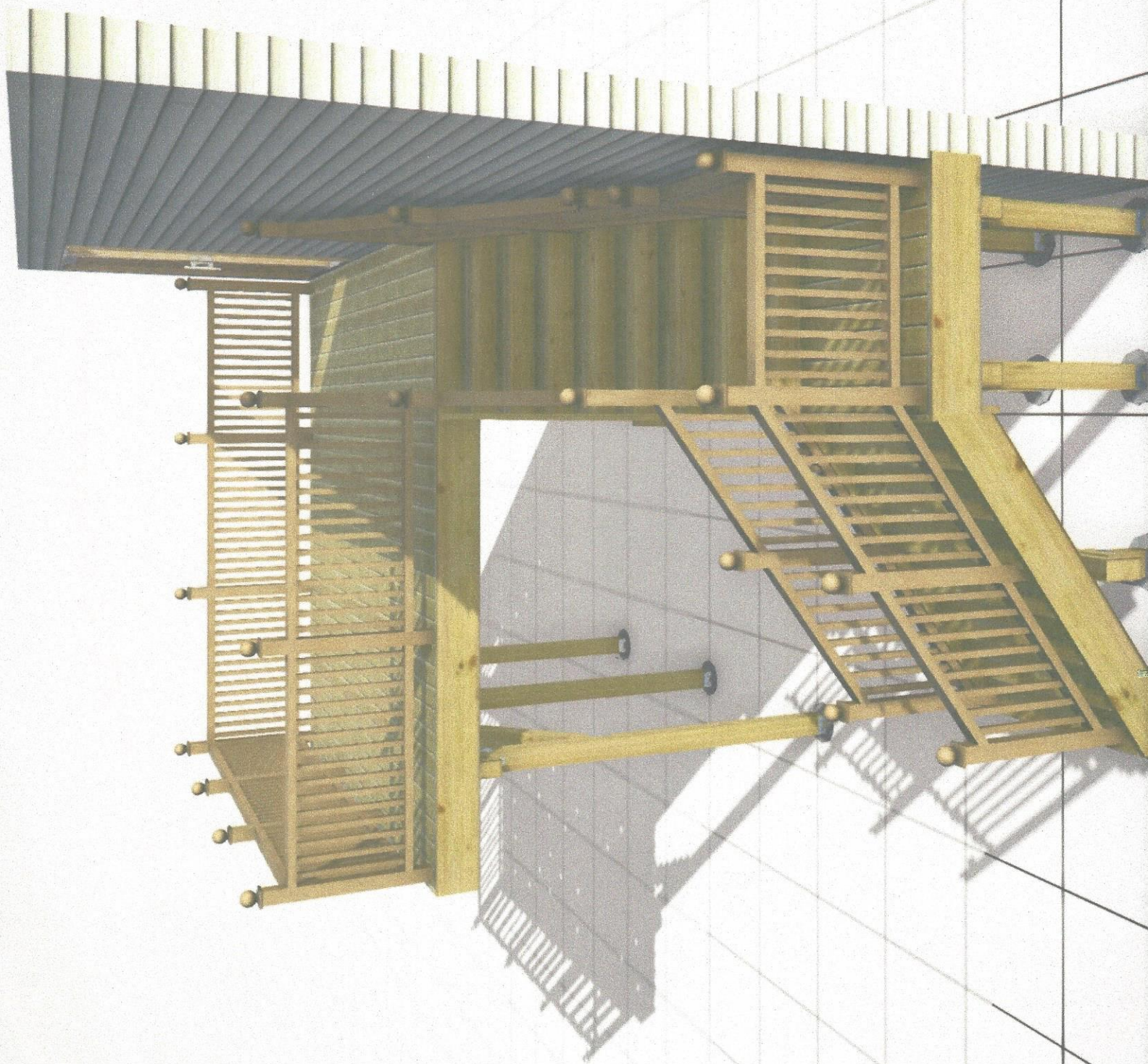
<input type="checkbox"/> Property Width	Proposed Property Width _____
<input type="checkbox"/> Property Area	Proposed Property Area _____
<input type="checkbox"/> (2) Standard Septic Sites	
<input type="checkbox"/> Legal Access	

Persons



Application
 # 2024-002192
 VID 212899

Comp#
 7763607255



Persons 45



14'-0"

14'-0"

10'-3"

3'-9"

14'-0"

6'-8"

3'-9"

3'-9"

4'-0"

4'-0"

7'-2"

4'-0"

SIMPSON

© 2025 Simpson Strong-Tie Company, Inc.



Septic System Compliance Inspection – Existing System

Date: 2/7/2025

Property Owner: PERSONS, WILLIAM & KELLY

Ordered By: William Persons

Address: 45914 286th Ln Aitkin, MN 56431

Property ID: 07-1-120100

Inspector: Tim Woodrow

A compliance inspection was performed at the above location. Previous evaluations were used to determine the level of seasonal saturated soil. The Soil Treatment Area (Drain field) was also inspected to ensure there was no ponding or leaking. The septic tank was previously pumped and inspected. This onsite system was found to be **Compliant.**

- **Impact On Public Health:**
System is Compliant
- **Tank Integrity:**
Tank(s) are compliant
- **Other Compliance Conditions:**
None
- **Soil Separation**
Soils are compliant
- **Operating Permit and Nitrogen BMP**
NA

I have included a copy of the compliance documents for your record. I have also sent a copy to Aitkin County for their records. If you have any questions, please do not hesitate to give us a call.

Thanks!

Tim Woodrow
Owner

218-927-6175

218-927-6175

1037 1st St. NW Aitkin, MN 56431

WWW.TIMBERLAKESSEPTIC.COM



DISCLAIMER:

The septic system inspection conducted for this property meets MPCA requirements for existing systems.

We recommend this system to be serviced and evaluated at least every 36 months by a septic professional.

Any additions to the home or increased use of the home may require an increase in system capacity.

1. Compliance Requirements evaluated as part of this inspection include the verification that the system tanks do not leak below the designed operating depth, the required separation between the bottom of the subsurface distribution medium and the seasonally saturated soils if applicable, no discharge of septage/effluent to the ground surface or surface water and no imminent safety hazards exist. Timber Lakes Septic Inc does not inspect interior pumps, plumbing, or associated components.
2. Certification of this system does not warranty future use beyond the date of inspection. Any system, new or old, can be hydraulically overloaded and discharge to ground surface as a result of increase use (more people in house, faulty plumbing fixtures, change in habits, groundwater infiltration etc), improper maintenance, tree roots, freezing conditions, surface drainage problems, etc. The system can also stop working simply due to its age. The life expectancy of a system is variable and dependent upon the items previously listed. Proper maintenance and water conservation will help contribute to a longer system life.
3. A compliance inspection is not meant to be a test or inspection of longevity of the system. A compliance inspection is for the purpose of verifying if the system is protective of public health and safety as well as protecting the ground water at the date and time the inspection was performed. This inspection is not intended to determine if the system was originally designed or installed to past or present MPCA/Local Government Unit Code requirements. This inspection is not intended to determine if the system was designed and/or installed to support the anticipated flow from buildings as the use of the buildings may have changed since the original design was completed. These changes may include additional bedrooms, occupants, increased use, etc. In addition, this inspection is not intended to determine the quality of the original system design, quality of the construction practices during installation, or quality of materials used.
4. Timber Lakes Septic Inc. has not been retained to warranty, guarantee, or certify the proper functioning of the ISTS system for any period of time beyond the date of inspection or into the future. There are numerous factors which may affect the proper operation of a ISTS System and the inability of Timber Lakes Septic to supervise or monitor the use or maintenance of the ISTS System, the Compliance Report shall not be construed as a warranty or guarantee of future system performance.
5. By accepting this report, the client understands that Timber Lakes Septic will not be responsible for any monetary damages exceeding the fee for services provided.
6. This Report is prepared for the person or rep of the person providing payment for the fees charged.

Compliance inspection report form

Existing Subsurface Sewage Treatment System (SSTS)

Doc Type: Compliance and Enforcement

Instructions: Inspector must submit completed form to Local Governmental Unit (LGU) and system owner within 15 days of final determination of compliance or noncompliance. Instructions for filling out this form are located on the Minnesota Pollution Control Agency (MPCA) website at <https://www.pca.state.mn.us/sites/default/files/wq-wwists4-31a.pdf>.

Property information

Local tracking number:

Parcel ID# or Sec/Twp/Range: 07-1-120100

Reason for Inspection Transfer

Local regulatory authority info: Aitkin County

Property address: 45914 286th Ln Aitkin, MN 56431

Owner/representative: William Person

Owner's phone: 952-484-3901

Brief system description: 1000/500 s/l combo, to 10 x 30 Pressure Bed, manhole surface, and has filter

System status

System status on date (mm/dd/yyyy): 2/7/2025

☒ **Compliant – Certificate of compliance***

(Valid for 3 years from report date unless evidence of an imminent threat to public health or safety requiring removal and abatement under section 145A.04, subdivision 8 is discovered or a shorter time frame exists in Local Ordinance.)

***Note: Compliance indicates conformance with Minn. R. 7080.1500 as of system status date above and does not guarantee future performance.**

☐ **Noncompliant – Notice of noncompliance**

Systems failing to protect ground water must be upgraded, replaced, or use discontinued within the time required by local ordinance.

An imminent threat to public health and safety (ITPHS) must be upgraded, replaced, or its use discontinued within ten months of receipt of this notice or within a shorter period if required by local ordinance or under section 145A.04 subdivision 8.

Reason(s) for noncompliance (check all applicable)

- ☐ Impact on public health (Compliance component #1) – Imminent threat to public health and safety
- ☐ Tank integrity (Compliance component #2) – Failing to protect groundwater
- ☐ Other Compliance Conditions (Compliance component #3) – Imminent threat to public health and safety
- ☐ Other Compliance Conditions (Compliance component #3) – Failing to protect groundwater
- ☐ System not abandoned according to Minn. R. 7080.2500 (Compliance component #3) – Failing to protect groundwater
- ☐ Soil separation (Compliance component #5) – Failing to protect groundwater
- ☐ Operating permit/monitoring plan requirements (Compliance component #4) – Noncompliant - local ordinance applies

Comments or recommendations

Certification

I hereby certify that all the necessary information has been gathered to determine the compliance status of this system. No determination of future system performance has been nor can be made due to unknown conditions during system construction, possible abuse of the system, inadequate maintenance, or future water usage.

By typing my name below, I certify the above statements to be true and correct, to the best of my knowledge, and that this information can be used for the purpose of processing this form.

Business name: Timber Lakes Septic Service

Certification number: C7644

Inspector signature: Tim Woodrow

License number: L455

(This document has been electronically signed)

Phone: 218-927-6175

Necessary or locally required supporting documentation (must be attached)

- ☒ Soil observation logs
- ☐ System/As-Built
- ☐ Locally required forms
- ☒ Tank Integrity Assessment
- ☐ Operating Permit
- ☐ Other information (list):

Property Address: 45914 286th Ln Aitkin, MN 56431

Business Name: Timber Lakes Septic Service

Date: 2/7/2025

1. Impact on public health – Compliance component #1 of 5

Compliance criteria:

System discharges sewage to the ground surface

☐ Yes* ☒ No

System discharges sewage to drain tile or surface waters.

☐ Yes* ☒ No

System causes sewage backup into dwelling or establishment.

☐ Yes* ☒ No

Any "yes" answer above indicates the system is an imminent threat to public health and safety.

Describe verification methods and results:

Attached supporting documentation:

☐ Other: _____

☐ Not applicable

2. Tank integrity – Compliance component #2 of 5

Compliance criteria:

System consists of a seepage pit, cesspool, drywell, leaching pit, or other pit?

☐ Yes* ☒ No

Sewage tank(s) leak below their designed operating depth?

☐ Yes* ☒ No

If yes, which sewage tank(s) leaks:

Any "yes" answer above indicates the system is failing to protect groundwater.

Describe verification methods and results:

Attached supporting documentation:

☐ Empty tank(s) viewed by inspector

Name of maintenance business: _____

License number of maintenance business: _____

Date of maintenance: _____

☒ Existing tank integrity assessment (Attach)

Date of maintenance 9/12/2024

(mm/dd/yyyy):

(must be within three years)

(See form instructions to ensure assessment complies with Minn. R. 7082.0700 subp. 4 B (1))

☐ Tank is Noncompliant (pumping not necessary – explain below)

☐ Other: _____

Property Address: 45914 286th Ln Aitkin, MN 56431

Business Name: Timber Lakes Septic Service

Date: 2/7/2025

3. Other compliance conditions – Compliance component #3 of 5

3a. Maintenance hole covers appear to be structurally unsound (damaged, cracked, etc.), or unsecured?

☐ Yes* ☒ No ☐ Unknown

3b. Other issues (*electrical hazards, etc.*) to immediately and adversely impact public health or safety? ☐ Yes* ☒ No ☐ Unknown

***Yes to 3a or 3b - System is an imminent threat to public health and safety.**

3c. System is non-protective of ground water for other conditions as determined by inspector?

☐ Yes* ☒ No

3d. System not abandoned in accordance with Minn. R. 7080.2500?

☐ Yes* ☒ No

***Yes to 3c or 3d - System is failing to protect groundwater.**

Describe verification methods and results:

Attached supporting documentation: ☐ Not applicable ☐

4. Operating permit and nitrogen BMP* – Compliance component #4 of 5 ☒ Not applicable

Is the system operated under an Operating Permit?

☐ Yes ☐ No If "yes", A below is required

Is the system required to employ a Nitrogen BMP specified in the system design? ☐ Yes ☐ No If "yes", B below is required

BMP = Best Management Practice(s) specified in the system design

If the answer to both questions is "no", this section does not need to be completed.

Compliance criteria:

a. Have the operating permit requirements been met?

☐ Yes ☐ No

b. Is the required nitrogen BMP in place and properly functioning?

☐ Yes ☐ No

Any "no" answer indicates noncompliance.

Describe verification methods and results:

Attached supporting documentation: ☐ Operating permit (Attach) ☐

Property Address: 45914 286th Ln Aitkin, MN 56431

Business Name: Timber Lakes Septic Service

Date: 2/7/2025

5. Soil separation – Compliance component #5 of 5

Date of installation

(mm/dd/yyyy)

☒ Unknown

Shoreland/Wellhead protection/Food beverage lodging?

☒ Yes ☐ No

Compliance criteria (select one):

5a. For systems built prior to April 1, 1996, and not located in Shoreland or Wellhead Protection Area or not serving a food, beverage or lodging establishment:

☐ Yes ☐ No*

Drainfield has at least a two-foot vertical separation distance from periodically saturated soil or bedrock.

5b. Non-performance systems built April 1, 1996, or later or for non-performance systems located in Shoreland or Wellhead Protection Areas or serving a food, beverage, or lodging establishment:

☒ Yes ☐ No*

Drainfield has a three-foot vertical separation distance from periodically saturated soil or bedrock.*

5c. "Experimental", "Other", or "Performance" systems built under pre-2008 Rules; Type IV or V systems built under 2008 Rules 7080.2350 or 7080.2400 (Intermediate Inspector License required ≤ 2,500 gallons per day; Advanced Inspector License required > 2,500 gallons per day)

☐ Yes ☐ No*

Drainfield meets the designed vertical separation distance from periodically saturated soil or bedrock.

*Any "no" answer above indicates the system is failing to protect groundwater.

Describe verification methods and results:

Attached supporting documentation:

- ☐ Soil observation logs completed for the report
- ☐ Two previous verifications of required vertical separation
- ☐ Not applicable (No soil treatment area)
- ☒ My borings from 2021 we used for soil verification.

Indicate depths or elevations

A. Bottom of distribution media	100
B. Periodically saturated soil/bedrock	Below 97.0'
C. System separation	>36"
D. Required compliance separation*	31"

*May be reduced up to 15 percent if allowed by Local Ordinance.

Upgrade requirements: (Minn. Stat. § 115.55) An imminent threat to public health and safety (ITPHS) must be upgraded, replaced, or its use discontinued within ten months of receipt of this notice or within a shorter period if required by local ordinance. If the system is failing to protect ground water, the system must be upgraded, replaced, or its use discontinued within the time required by local ordinance. If an existing system is not failing as defined in law, and has at least two feet of design soil separation, then the system need not be upgraded, repaired, replaced, or its use discontinued, notwithstanding any local ordinance that is more strict. This provision does not apply to systems in shoreland areas, Wellhead Protection Areas, or those used in connection with food, beverage, and lodging establishments as defined in law.

SKETCH SHEET AND SOIL BORING LOG

INSPECTOR: Tim Woodrow

DATE: 4/27/2021 / 2/5/2025

PID#: 07-1-120100

SITE ADDRESS: 45914 286th Ln., Aitkin, MN 56431

Benchmark (EL = 100'): Bottom of Rock in STA

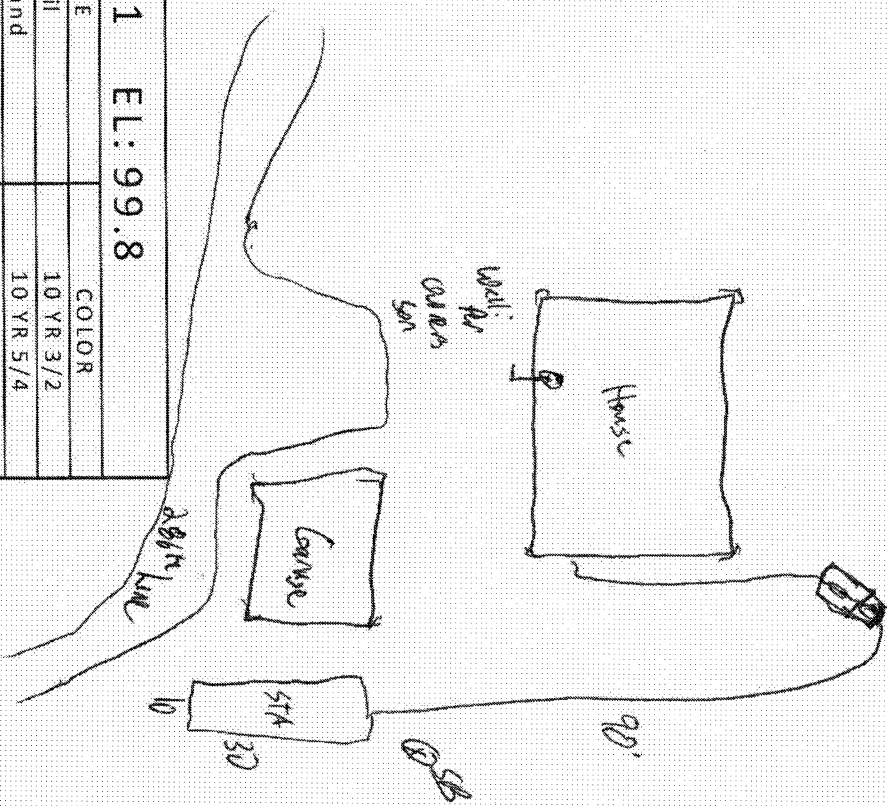
Equipment: Bucket Auger

Elevation of Limiting Layer: Below 97'

Vegetation: ~~Mowed Grass~~ Snow covered 2/5/25

Weather: Sunny & Clear

North



SOIL BORING #1 EL: 99.8

DEPTH	TEXTURE	COLOR
0 - 10"	Top Soil	10 YR 3/2
10" - 16"	Loamy Sand	10 YR 5/4
16" - 22"	Sandy Loam	10 YR 5/4
22" - 30"	Sand (Medium)	10 YR 4/4
30" - 60"	Sand (Medium)	7.5 YR 4/4
No Redox Observed		

Sewage tank integrity assessment form

Subsurface Sewage Treatment Systems (SSTS) Program

Doc Type: Compliance and Enforcement

Purpose: This form may be used to certify the compliance status of the sewage tank components of the SSTS. **This form is not a complete SSTS inspection report, only a tank integrity assessment, and may only certify sewage tank compliance status when entirely completed and signed by a qualified professional.** SSTS compliance inspection report forms can be found at: <https://www.pca.state.mn.us/water/inspections>.

Instructions: This form may be completed, and signed, by a Designated Certified Individual (DCI) of a licensed SSTS inspection, maintenance, installation, or service provider business who personally conducts the necessary procedures to assess the compliance status of each sewage tank in the system. Only a licensed maintenance business is authorized to pump the tank for assessment. A copy of this information should be submitted to the system owner and be maintained by the licensed SSTS business for a period of five (5) years from the assessment date.

When this form is signed by a qualified certified professional, it becomes *necessary supporting documentation* to an Existing System Compliance Inspection Report: *Compliance inspection form - Existing system (wg-wwists4-31b)*. This form can be found on the MPCA website at <https://www.pca.state.mn.us/water/inspections>.

The information and certified statement on this form is **required** when existing septic tank compliance status is determined by an individual other than the SSTS Inspector that submits an inspection report. This form represents a third party assessment of SSTS component compliance and is allowable under Minn. R. 7082.0700, subp. 4(B)(1). This form is valid for a period of three years beyond the signature date on this form unless a new evaluation is requested by the owner or owner's agent or is required according to local regulations. Additional Administrative Rule references for this activity can be found at Minn. R. 7082.0700, subp. 4(B),(C), and (D) and; Minn. R. 7083.0730(C).

Owner information

Owner/Representative William PersonsProperty address: 45914 286th Lane Aitkin MN 56431Local Regulatory Authority: Aitkin CountyParcel ID: 07-1-120100

System status

System status on date (mm/dd/yyyy): 9/12/2024☒ **Certificate of sewage tank compliance**☐ **Notice of sewage tank non-compliance**

Compliance criteria:

The SSTS has a seepage pit, cesspool, drywell, leaching pit, or other pit - "Failure to Protect Groundwater."

☐ Yes* ☒ No

The SSTS has a sewage tank that leaks below the designed operating depth - "Failure to Protect Groundwater."

☐ Yes* ☒ No

The SSTS presents a threat to public safety by reason of structurally unsound (damaged, cracked, or weak) maintenance hole cover(s) or lids or any other unsafe condition - "Imminent Threat to Public Health or Safety."

☐ Yes* ☒ No

Any "yes" answer above indicates sewage tank non-compliance.

Company information

Company name: Timber Lakes Septic Service IncBusiness license number: L455

Designated Certified Individual (DCI) information

Print name: Dave PoreeCertification number: C10184

I personally conducted the work described above as a Designated Certified Individual of a Minnesota-licensed SSTS inspection, maintenance, installation, or service provider Business. I personally conducted the necessary procedures to assess the compliance status of each sewage tank in this SSTS.

By typing/signing my name below, I certify the above statements to be true and correct, to the best of my knowledge, and that this information can be used for the purpose of processing this form.

Designated Certified Individual's signature: Dave Poree*(This document has been electronically signed.)*Date (mm/dd/yyyy): 9/12/2024

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: Rec. Dev. Lake
- 2) Determine the required "Structure Setback" to that classification of water (SMO 5.2)..... 2: 100
- 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: 85
- 4) Enter the corresponding 'Score Multiplier' 4: 1.000
- 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: 85

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

Protected Waters Type (DNR Classification; SMO 4.13-4.14)	Required Structure Setback	Score Multiplier Structures	Required Septic Setback	Score Multiplier Septic	Score Multiplier Bluff	Score Multiplier Sidelot
General Development Lake	75'	1.333	75'	1.333	(30' setback)	(10' setback)
Recreational Development Lake	100'	1.000	75'	1.333	3.33	10.000
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

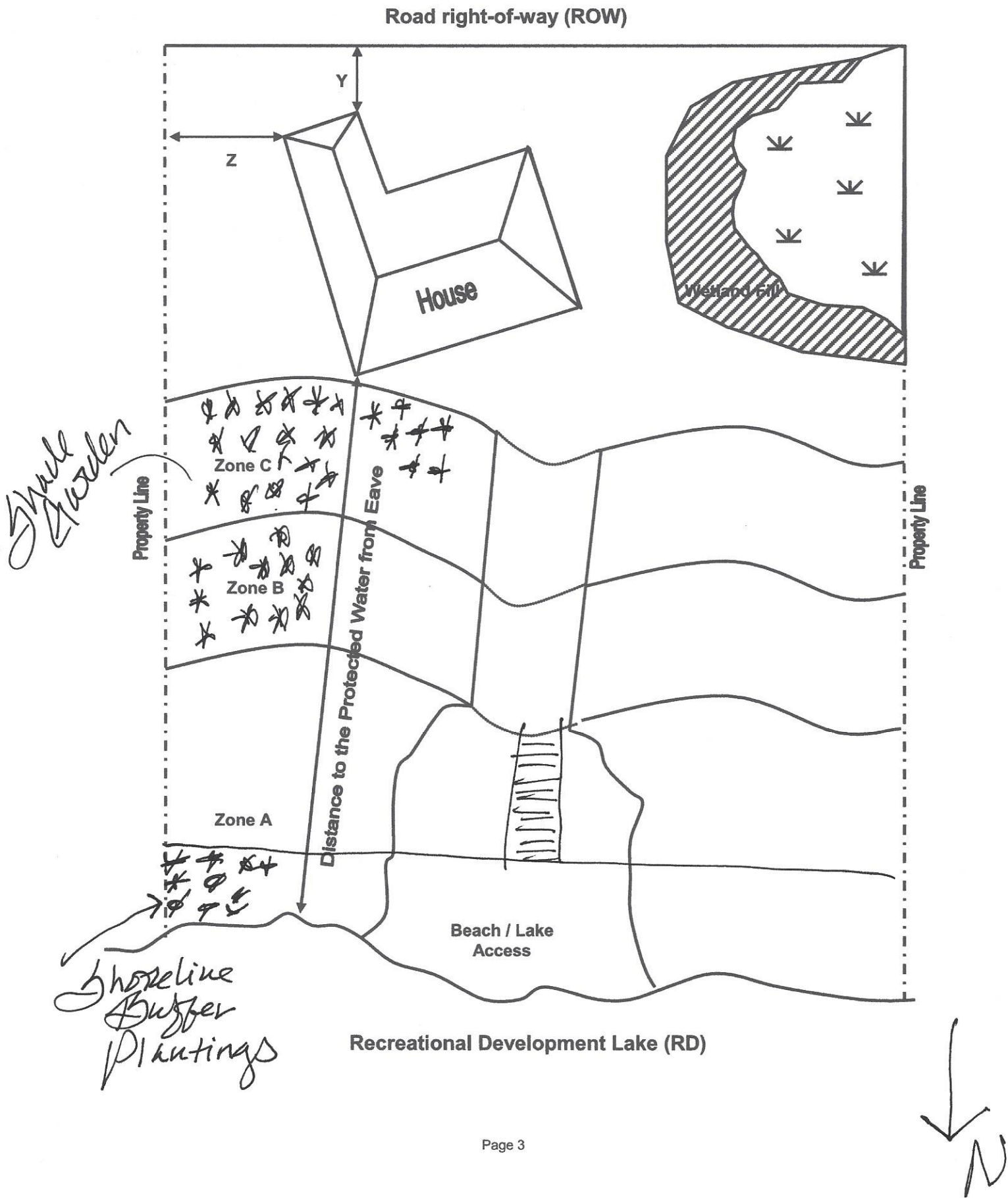
Final Score = Pre-mitigation Lot Score (Line 5) 85 + Mitigation Totals (Lines A-I) 20 = 105

*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

Board of Adjustment Chairperson


Applicant

AITKIN COUNTY SHORELAND PERFORMANCE
(Example)



Contact Information

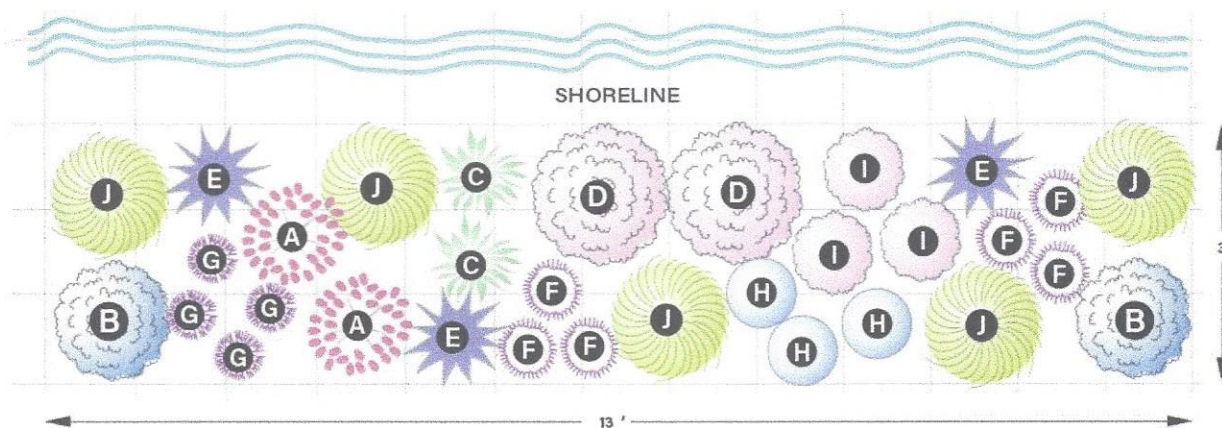
Prairie Nursery, Inc.

P.O. Box 306

Westfield, WI 53964

PLANTING PLAN

32 Plant Shoreline Buffer Garden for medium to moist soils in full sun
Item #50053



PRAIRIE NURSERY

- | | | | |
|--------------------------|---------------------------|--------------------------|-----------------|
| A Red Milkweed (2) | D Joe Pye Weed (2) | G Dense Blazingstar (4) | SEDGES |
| B Crooked Stem Aster (2) | E Wild Iris (3) | H Great Blue Lobelia (3) | J Fox Sedge (5) |
| C White Turtlehead (2) | F Prairie Blazingstar (6) | I Culver's Root (3) | |



Contact Information

Prairie Nursery, Inc.

P.O. Box 306

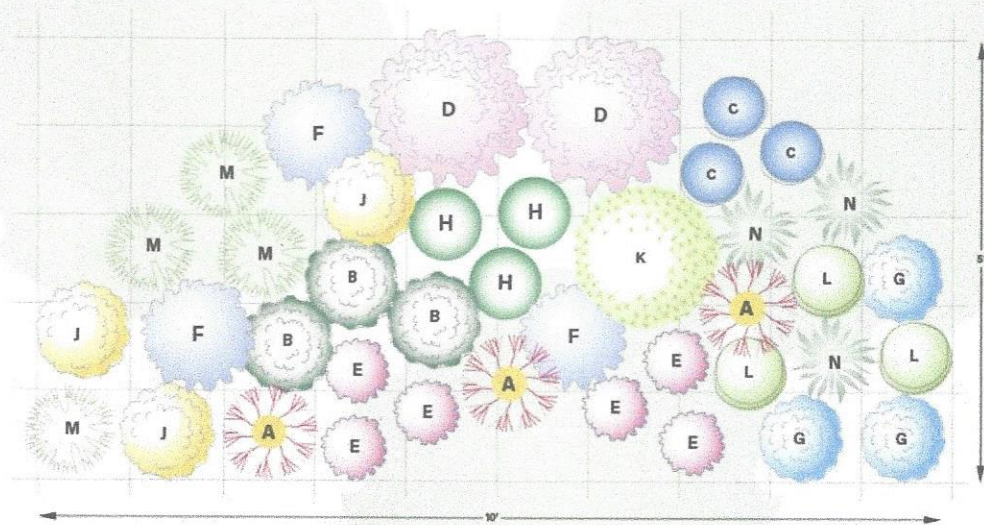
Westfield, WI 53964

Toll Free Customer Service

1-800-476-9453

PLANTING PLAN

40-Plant Woodland Shade Garden for well-drained medium soils in partial or full shade
Item #50035



PRAIRIE NURSERY

A Columbine (3)

B White Woodland Aster (3)

C Tall Bellflower (3)

D Sweet Joe Pye Weed (2)

E Wild Geranium (6)

F Virginia Bluebells (3)

G Jacobs Ladder (3)

H Solomon's Seal (3)

J Blue Stemmed Goldenrod (3)

K Early Meadowrue (1)

L Large Flowered Trillium (3)

N Northern Sea Oats (3)

GRASSES & SEDGES

M Palm Sedge (4)

N Northern Sea Oats (3)

EROSION CONTROL PLAN CHECKLIST

Check the box if completed (leave empty if not applicable).
All items checked must be included on the site diagram.

Site Characteristics

- ☒ North arrow, scale, and site boundary. Indicate and name adjacent streets or roadways.
- ☒ Location of existing drainageways, streams, rivers, lakes, wetlands or wells.
- ☐ Location of storm sewer inlets.
- ☒ Location of existing and proposed buildings and paved areas.
- ☐ The disturbed area on the lot.
- ☐ Approximate gradient and direction of slopes before grading operations.
- ☐ Approximate gradient and direction of slopes after grading operations.
- ☐ Overland runoff (sheet flow) coming onto the site from adjacent areas.

Erosion Control Practices

- ☐ Location of temporary soil storage piles.
Note: Soil storage piles should be placed behind a sediment fence, a 10 foot wide vegetative strip, or should be covered with a tarp or more than 25 feet from any downslope road or drainageway.

- ☒ Location of access drive(s) (driveways, turnarounds, approaches, etc.)
- ☒ Location of sediment controls (filter fabric fence, straw bale fence or 10-foot wide vegetative strip) that will prevent eroded soil from leaving the site.

- ☐ Location of sediment barriers around on-site storm sewer inlets.

- ☐ Location of diversions.

Note: Although not specifically required by code, it is recommended that concentrated flow (drainageways) be diverted (re-directed) around disturbed areas. Overland runoff (sheet flow) from adjacent areas greater than 10,000 sq. ft. should also be diverted around disturbed areas.

- ☐ Location of practices that will be applied to control erosion on steep slopes (greater than 12% grade).

Note: Such practices include maintaining existing vegetation, placement of additional sediment fences, diversions, and re-vegetation by sodding or seeding with use of erosion control mats.

- ☐ Location of practices that will control erosion on areas of concentrated runoff flow.

Note: Unstabilized drainageways, ditches, diversions, and inlets should be protected from erosion through use of such practices as in-channel fabric or straw bale barriers, erosion control mats, staked sod, and rock rip-rap. When used, a given in-channel barrier should not receive drainage from more than two acres of unpaved area, or one acre of paved area. In-channel practices should not be installed in perennial streams (streams with year round flow).

- ☐ Location of other planned practices not already noted.

Check the box if completed (leave empty if not applicable).
All items checked must be included on the site diagram.

PART VII: STANDARD EROSION CONTROL PLAN

According to Aitkin County's Shoreland Management Ordinance, soil erosion control information needs to be included on the site plan which is submitted and approved prior to the issuance of zoning permits. The Standard Erosion Control Plan is provided to assist in meeting this requirement.

Instructions:

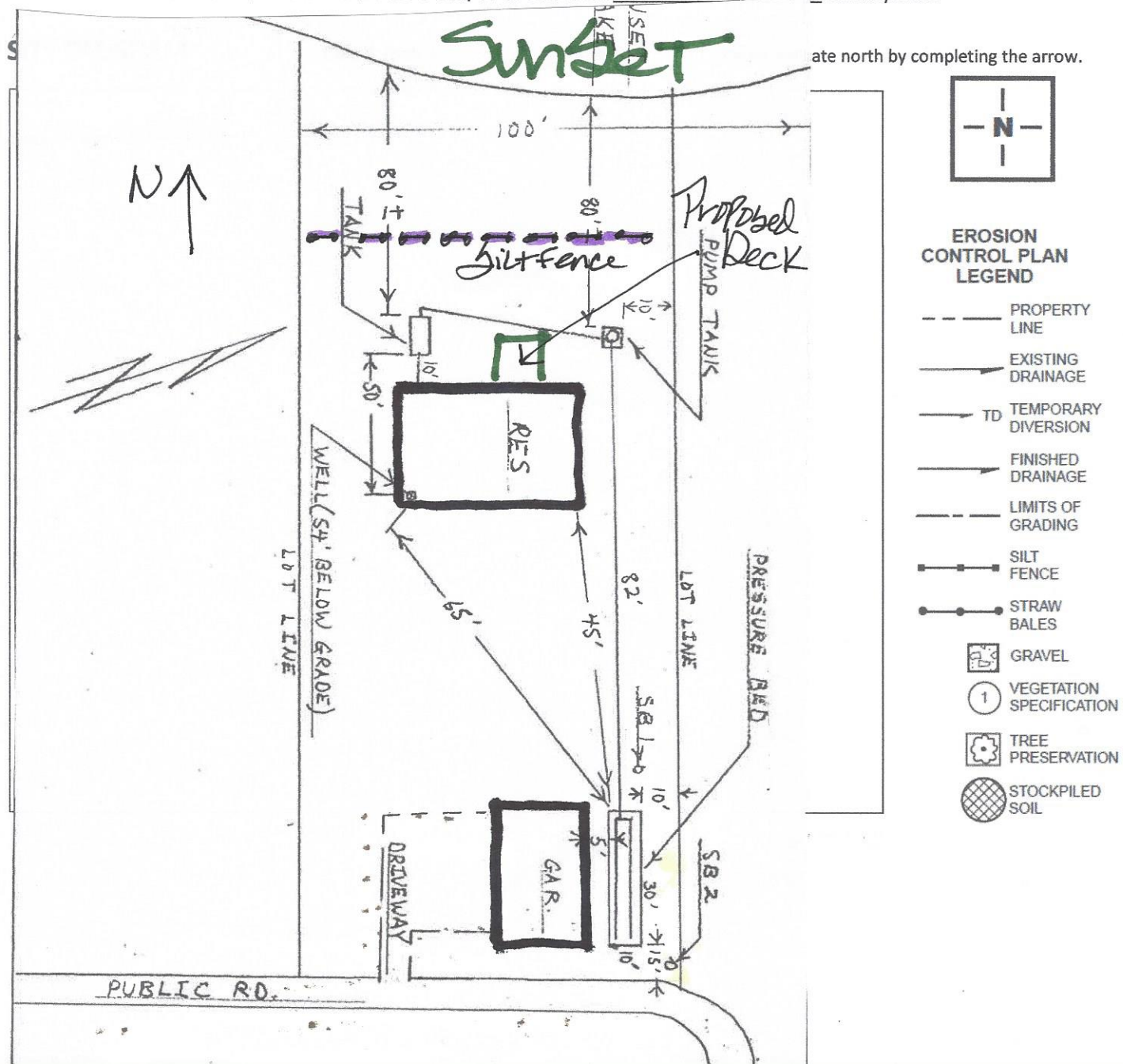
1. Complete this plan by filling in requested information, completing the site diagram and marking appropriate boxes on the inside of this form.
2. In completing the site diagram, give consideration to potential erosion that may occur before, during and after grading. Water runoff patterns can change significantly as a site is reshaped.
3. A cross section sheet is required for walkout basements and excavations into hillsides for determining volume of fill to be excavated.

Project Location 45914-286th Lane Aitkin

Builder Northland Const Owner Bill & Kelly Persons

Worksheet Completed By Kelly Persons Date 3.19.25

Amount of earthen material to be excavated and/or used for fill _____ cubic yards.



Management Strategies

- ☒ Temporary stabilization of disturbed areas.
Note: It is recommended that disturbed areas and soil piles left inactive for extended periods of time be stabilized by seeding (between April 1 and September 15), or by other cover, such as tarping or mulching.
- ☒ Permanent stabilization of site by re-vegetation or other means as soon as possible (lawn establishment).
• Indicate re-vegetation method: (Circle one of the following) Seed Sod
Other _____
• Expected date of permanent re-vegetation: July 2025
• Re-vegetation responsibility of: (Circle one of the following)
Builder Owner/Buyer
• Is temporary seeding or mulching planned if site is not seeded by Sept. 15 or sodded by Nov. 15? (Circle one of the following) Yes No
- ☐ Use of downspout and/or sump pump outlet extensions.
Note: It is recommended that flow from downspouts and sump pump outlets be routed through plastic drainage pipe to stable areas such as established sod or pavement.
- ☐ Trapping sediment during de-watering operations.
Note: Sediment-laden discharge water from pumping operations should be ponded behind a sediment barrier until most of the sediment settles out.
- ☒ Proper disposal of building material waste so that pollutants and debris are not carried off-site by wind or water.
- ☒ Maintenance of erosion control practices.
• Sediment will be removed from behind sediment fences and barriers before it reaches a depth that is equal to half the height of the barrier.
• Breaks and gaps in sediment fences and barriers will be repaired immediately. Decomposing straw bales will be replaced (typical bale life is three months).
• All sediment that moves off-site due to construction activity will be cleaned up before the end of the same workday.
• All sediment that moves off-site due to storm events will be cleaned up before the end of the next workday.
• Access drives will be maintained throughout construction.
• All installed erosion control practices will be maintained until the disturbed areas they protect are stabilized.

CRV Filed
No Delinquent Taxes and Transfer Entered
Kirk Peysar, County Auditor
State Deed Tax Paid
Lori Grams, County Treasurer

Doc No: **A477110**
Certified Filed and/or Recorded on
6/6/2023 10:31 AM

Office of the County Recorder
Aitkin County, Minnesota
Tara Snyder, County Recorder

Package: **82929** Mick

WAD 1/1

REC FEE	\$46.00
SDT	\$1649.67
eCRV #	1542235

This cover sheet was added by the Aitkin County Recorder's Office to allow space for the recording information of this document. It is not intended to alter the document/certified copy.

This cover sheet is now a permanent part of the recorded document.

(Top 3 inches reserved for recording data)

WARRANTY DEED
Individual(s) to Individual(s)

Minnesota Uniform Conveyancing Blanks
Form 10.1.1 (2018)

eCRV number: 1542235

DEED TAX DUE: \$ 1,649.67

DATE: June 5, 2023
(month/day/year)

FOR VALUABLE CONSIDERATION, Glenn Thier and Connie Thier, spouses married to each other
(insert name and marital status of each Grantor)

("Grantor"),

hereby conveys and warrants to William Leroy Persons and Kelly Grenell Persons
(insert name of each Grantee)

("Grantee"), as

(Check only one box.)

☐ tenants in common,
☐ joint tenants,

(If more than one Grantee is named above and either no box is checked or both boxes are checked,
this conveyance is made to the named Grantees as tenants in common.)

real property in Aitkin County, Minnesota, legally described as follows:

→ Lot Two (2) of Block Two (2) of the Plat of "Woodmark", according to the filed plat thereof.

Check here if all or part of the described real property is Registered (Torrens) ☐

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

reservations, restrictions and easements of record, if any.

☐ The Seller certifies that the Seller does not know of any wells on the described real property.

☐ A well disclosure certificate accompanies this document or has been electronically filed. (If electronically filed, insert WDC number: [REDACTED].)

☒ I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

(signature)

Glenn Thier


(signature)

Connie Thier

(signature)

(signature)

This instrument was acknowledged before me on June 5, 2023, by Glenn Thier and Connie Thier, spouses
(month/day/year)
married to each other
(insert name and marital status of each Grantor)

 **KATIE D CLINE**
Notary Public
State of Minnesota
My commission expires
1/31/2025

(signature of notarial officer)

Title (and Rank):

My commission expires:


(month/day/year)

1056 Northview Drive
Eagan, MN 55123

Property Location

Property:	Property Location					Legal Description			Property Attributes	
	Parcel Number	Property Address	Township or City Name	Owner Name(s)	Taxpayer Name(s)	Legal Description	Plat Name	Section-Township-Range	Lake Class	Lake Name
	34-1-071900	11557 117th St FINLAYSON, MN 55735	WAGNER TWP	SCHMITZ, DANIEL & LINDA	SCHMITZ, DANIEL & LINDA	LOT 13	ECHO HILL TOWNSITE	S:26 T:43 R:22	RD	PINE LAKE (WAGNER TWP)
Driving directions to the proposed project from Aitkin:	From Aitkin take 47 s to MN 18 E for 18 miles. Turn right on 130th Ave and go 2 miles. Turn left on Alder St, go 1.6 miles. Turn Right on 111th Ave, then turn right on 117th St going .6 miles to the top of the hill.									
Is the above parcel located in the Shoreland Zoning District?	<u>Yes</u>									

Detailed Narrative

Enter a Detailed Narrative (If you have a prepared narrative please state "See attached" and attach the document below):	See Exhibit A
Attach prepared narrative here:	File 1:  Variance_Application_Exhibit_A.docx
Provide the Ordinance(s) and the Section(s) of the Ordinance(s) from which you are requesting a variance:	5.21 B & C, 6.2 B
Are you requesting a variance to a road right-of-way setback in one of these Townships? Fleming, Glen, Lakeside, Pliny, Shamrock, Wagner	<u>Yes</u>

Supplemental Data

Attach completed form here:	File 1:  Scan.pdf
-----------------------------	--

A Scaled Drawing or Survey

Scaled Drawing or Survey Checklist:	<u>Location and dimensions for all lot lines.</u> <u>Location and dimensions of all existing and proposed structures/additions.</u> <u>Location and depth of all existing and proposed wells within 100 feet of the property.</u> <u>Location and dimensions of all existing and proposed septic system components (septic tank, septic drainfield).</u> <u>Indicate all setback distances for items listed above: ordinary high water level of lakes or rivers, lot lines, road right-of-ways, etc.</u>
Attach a Scaled Drawing or Survey:	<div style="border: 1px dashed black; padding: 10px;"> File 1: Schmitz_NEW_-_Bluff_Shift.pdf File 2: Survey_May_29_2024.pdf </div>

Side Profile Sketch of the Structure


Attach a side profile sketch of your proposed structure or addition here (if applicable):	<div style="border: 1px dashed black; padding: 10px;"> File 1: Scan_0001.pdf </div>
---	---

Certificate of Septic Compliance

Please attach a copy of one of the following: - A current compliance inspection on the existing septic system. - A design for a new/replacement septic system.	<div style="border: 1px dashed black; padding: 10px;"> File 1: AITKIN_COUNTY_-_PZ-PERMITS_-_34-1-071900.pdf </div>
--	--

Shoreland Performance Worksheet

Complete the Shoreland Performance Worksheet and attach here:

File 1:  [0804_001.pdf](#)

Standard Erosion Control Plan

Attach the completed Standard Erosion Control Plan here:

File 1:  [Erosion_Control_Plan.pdf](#)

Written Township Recommendation

Attach the written Township recommendation letter here:

File 1:  [2283_001.pdf](#)

File 2:  [Township_RROW_approval_.pdf](#)

Property Deed

Attach the property deed(s):

File 1:  [Warranty_Deed.pdf](#)

Terms

General Terms

The landowner or authorized agent hereby certifies that to the best of their knowledge the application and supporting documents are a factual representation of the proposed project. The landowner or authorized agent agrees that, in making application, the landowner grants permission to Aitkin County, at reasonable times, to enter the property to determine compliance of the application with applicable Local, County or State Ordinances or Statutes. It is the applicant's responsibility to contact other Local, County or State agencies to ensure the applicant has complied with all relevant Local, County or State Ordinances or Statutes.

Submittal of the above materials does not always constitute a complete application. Other information may be necessary to complete the application based on the type of request and onsite inspection.

I acknowledge that by submitting this application, the application and its attachments are public information.

Invoice #62215 (02/13/2025) Expected Payment Method: Pay Online - Card or ECheck

Charge	Cost	Quantity	Total
Recording Fee added 02/07/2025 4:44 PM \$46 Flat Fee	\$46.00	x 1	\$46.00
Variance added 02/07/2025 4:44 PM \$650 Flat Fee	\$650.00	x 1	\$650.00
Grand Total			
Total			\$696.00
Payment 02/13/2025			\$696.00
Due			\$0.00

Results ([Go to top](#))

Signature accepted

Failed to send [Variance Ready for Action](#) notification to:**Approvals**

Approval	Signature
----------	-----------

Applicant	<p>online submittal - 03/28/2025 11:52 AM - witnessed by Kim Burton</p> <p>105688fddd0c8a3917106c0007057b91</p> <p>015c5158e010a1aec1f3a7609e498f06</p>
#1 Administrative Review	<p>Kim Burton - 03/31/2025 9:35 AM</p> <p>4951c244b0a57f5526717002cfd67d59</p> <p>3d0c87c567dc2f9fdc88e17c363866d6</p>
#2 Board of Adjustment Approval	

Public Notes

Text:	
File(s):	<div style="border: 1px dashed black; height: 20px; width: 100%;"></div>

Admin Checklist

This review has been started by:	<div>Kim Burton ▼</div>
Zoning District of project location:	<div>Shoreland ▼</div>
Project located in the floodplain?	<div>No ▼</div>

Is the parcel a Lot of Record before 1-21-92 or have alternate sites been identified?	<div>Yes</div>
Is this an after-the-fact application?	<div>No</div>

Numbers

	Current Number	Next from Sequence
UID #	213105	<i>not applicable</i>
App. #	<div>2025-000051</div>	<div>««</div> 2025-000133
Permit #	<div></div>	<div>««</div> 2025-0086

[Print View](#)

Exhibit A

Remove existing structures. Construct a 34' X 26' single story cabin with a walk out basement, a 23' X 18' attached garage, and a 6' X 12' deck. The build-able area on this lot is extremely small due to the Bluff area, and the width of the lot. The existing Cabin does not meet the current 30' required setback from the bluff. A variance from the required setback of 30' from a Bluff was approved in 1996 for an 8' X 18' residential addition. This project was completed. A variance from the required setback of 30' from the road right of way to a setback of 12.5 feet was also approved for an 18' X 22' garage. This garage was not constructed. The proposed garage will now increase the road right of way setback to 17.74 feet. The proposed cabin will maintain the septic system setback of 20 feet, as well as all 10 foot boarder setbacks.

The proposed cabin would be 172 sq ft larger, but the deck will be 426 sq ft smaller. It will allow a more functional living area.

PART I: SUPPLEMENTAL DATA TO VARIANCE APPLICATION

Aitkin County Environmental Services

307 Second St. NW, Room 219, Aitkin, MN 56431

Phone: 218.927.7342 Fax: 218.927.4372

www.co.aitkin.mn.us

Note: Place an "X" by each item below that applies to your variance request. Then, fill out **only** the applicable following section(s) that apply, as directed. **If a section does not apply to your request, leave it blank.**

What is the reason(s) for applying for the variance? Place an "X" by each applicable item.

- ☒ Setback issues for a proposed new structure: **Complete Section 1**
- ☐ Setback issues for an alteration to an existing nonconforming structure: **Complete Section 2**
- ☐ Setback issues for a septic system: **Complete Section 3**
- ☐ Land alteration: **Complete Section 4**
- ☐ Creating a lot not in conformance with the minimum Ordinance standards: **Complete Section 5**
- ☐ Other: attach separate sheet explaining variance request

Section 1 – New Structure(s)

Check all that apply and fill in requested information:

- ☐ Basement
- ☐ Crawlspace
- ☒ Walk-out Basement

- ☒ One Story Level
- ☐ Story-and-a-Half Level
- ☐ 2nd Story Level

Proposed # of Bedrooms 2

Proposed Structure Height 25 ft.

Existing Total Building Coverage 23 %

Proposed Total Building Coverage 24 %

Existing Total Impervious Surface Coverage 32 % Proposed Total Impervious Surface Coverage 34 %

"Building Coverage" means the ground surface covered by any building or appurtenance, including, but not limited to, decks, platforms, overhangs and projections therefrom, outdoor furnaces, fishhouses, sheds, carports, lean-to's, or any similar building. –as per the Aitkin County Shoreland Management Ordinance.

"Impervious surface coverage" means any structure, facility or surface that sheds water including structures and facilities, sewage treatment system absorption areas (equal to 190 sq.ft./bedroom), retaining walls, and roadway surfaces and parking areas. Impervious surface does not include eaves of two feet and less. – Per the Aitkin Count Shoreland Management Ordinance.

Itemized square footage of proposed structure(s):

See Document "Site Area Analysis"

Check the item(s) from which you are requesting a variance and fill in the proposed setback distance. * Setbacks are measured to the nearest point on a structure which can be the eave overhang or an attached deck/platform.

Proposed Structure Type (indicate with or without living quarters) 1 Story w/Living quarters, 2 bedroom, w/walkout basement, 6x27 Deck, and attached garage.

☒ Ordinary High Water Level (OHWL)
☒ Property Line
☒ Road Right-of way ☒ Twp ___ Co. ___ State
☒ Bluff
 Other: _____

Proposed Setback 74 ft.
 Proposed Setback 10 ft.
 Proposed Setback 17.74 ft.
 Proposed Setback 11 ft.
 Proposed Setback _____ ft.

Section 2 – Alteration(s) to Existing Nonconforming Structure(s)

Check all that apply and fill in requested information:

Existing Structure

☐ Basement
☐ Crawlspace
☐ Walk-out Basement
☐ One Story Level
☐ Story-and-a-Half Level
☐ 2nd Story Level

Proposed Addition(s)

☐ Basement
☐ Crawlspace
☐ Walk-out Basement
☐ One Story Level
☐ Story-and-a-Half Level
☐ 2nd Story Level

Existing Structure Height _____ ft.

Existing # of Bedrooms _____

Existing Building Coverage _____%

Existing Total Impervious Surface Coverage _____%

Proposed Addition(s) Height _____ ft.

Final # of bedrooms after remodel _____

Proposed Building Coverage _____%

Proposed Total Impervious Surface Coverage _____%

"Building Coverage" means the ground surface covered by any building or appurtenance, including, but not limited to, decks, platforms, overhangs and projections therefrom, outdoor furnaces, fishhouses, sheds, carports, lean-to's, or any similar building. –as per the Aitkin County Shoreland Management Ordinance.

"Impervious surface coverage" means any structure, facility or surface that sheds water including structures and facilities, sewage treatment system absorption areas (equal to 190 sq.ft./bedroom), retaining walls, and roadway surfaces and parking areas. Impervious surface does not include eaves of two feet and less. – Per the Aitkin Count Shoreland Management Ordinance.

Itemized square footage of proposed structure(s):

Check the item(s) from which you are requesting a variance and fill in the proposed setback distance. * Setbacks are measured to the nearest point on a structure which can be the eave overhang or an attached deck/platform.

Proposed Alteration Type _____

_____ Ordinary High Water Level (OHWL)	Existing Setback _____ ft.	Proposed Setback _____ ft.
_____ Property Line	Existing Setback _____ ft.	Proposed Setback _____ ft.
<input checked="" type="checkbox"/> Road Right-of way <input checked="" type="checkbox"/> Twp ____ Co. ____ State	Existing Setback <u>12.5</u> ft.	Proposed Setback <u>12.74</u> ft.
<input checked="" type="checkbox"/> Bluff	Existing Setback <u>8</u> ft.	Proposed Setback <u>11</u> ft.
_____ Other: _____	Existing Setback _____ ft.	Proposed Setback _____ ft.

Section 3 – Septic System

Check the item(s) from which you are requesting a variance and fill in the proposed setback distance.

_____ Ordinary High Water Level (OHWL)	Proposed Setback _____ ft.
_____ Property Line	Proposed Setback _____ ft.
_____ Road Right-of way ____ Twp ____ Co. ____ State	Proposed Setback _____ ft.
_____ Bluff	Proposed Setback _____ ft.
_____ Other: _____	Proposed Setback _____ ft.

Section 4 – Land Alteration

What is your land alteration? Check all categories that apply and indicate the total amount of excavation or placement of fill.

_____ More than 10 cubic yards on steep slopes and shore and bluff impact zones.	Total Cubic Yds. _____
_____ Other: _____	Total Cubic Yds. _____

Section 5 – Creating Nonconforming Lot(s)

Check the item(s) from which you are requesting a variance and fill in the proposed dimensions.

_____ Property Width	Proposed Property Width _____
_____ Property Area	Proposed Property Area _____
_____ (2) Standard Septic Sites	
_____ Legal Access	



© COUSIN'S CONSTRUCTION, LLC

117th St.

- Property Area - 10,778 ft² area
- Build-able Area - ~1,226 ft² (per Set-backs)



○ Zoning Coverage - Property Only
1 : 20

SHEET TITLE

Property Only

NAME: SCHMITZ, Dan & Linda

SITE

11557 117th St

FINLAYSON, MN 55735

Cousin's Construction, LLC

4388 County Line Rd

Moose Lake, MN 55767

BC-638-108

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117th St.

S30°21'

Property Line

S30°21'00" W

70.00

0.00

Property Area - 10,778 ft² area

Build-able Area - ~1,226 ft² (per Set-backs)

SHED

build-able area

CABIN

bluff setback line

bluff setback area

bluff
setback
line

BLUFF LINE

BLUFF LINE

63'±

65.08

6.00

68.48

160'±

S39°29'12" E

82.34

92.24

Property Line

S30°21'00" E

63'±

65.08

6.00

Zoning Coverage - Property w-Survey
1 : 20

SHEET TITLE

Property w-Survey

NAME: SCHMITZ, Dan & Linda

SITE

11557 117th St

FINLAYSON, MN 55735

Cousin's Construction, LLC

4388 County Line Rd

Moose Lake, MN 55767

BC-638-108

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117th St.

© COUSIN'S CONSTRUCTION, LLC

SHEET TITLE

Coverage - Existing

NAME: SCHMITZ, Dan & Linda

SITE
11557 117th St

FINLAYSON, MN 55735

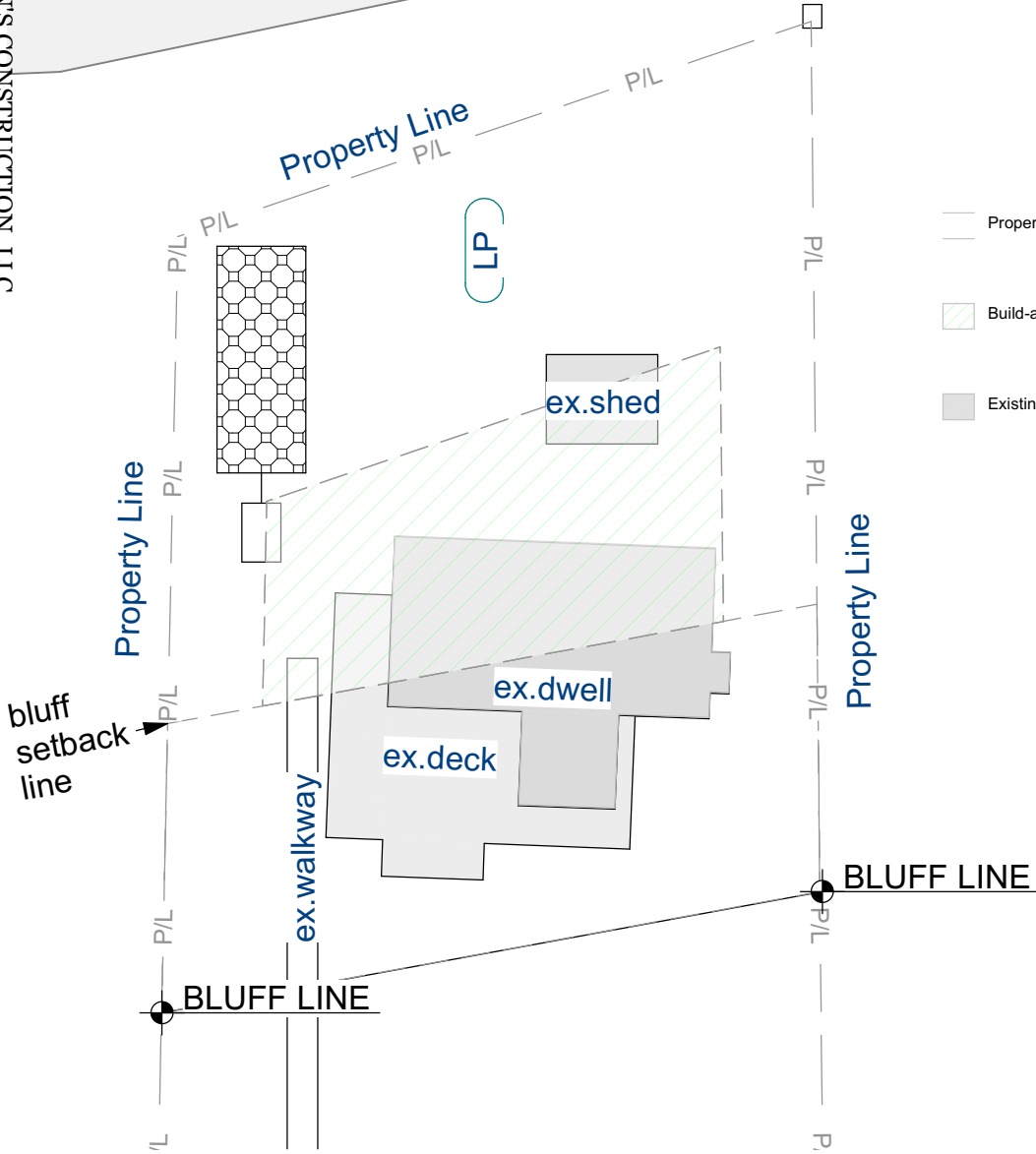
Cousin's Construction, LLC

4388 County Line Rd

Moose Lake, MN 55767

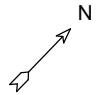
BC-638-108

- Property Area - 10,778 ft² area
- Build-able Area - ~1,226 ft² (per Set-backs)
- Existing - 1,702 ft² area



○ Zoning Coverage - Existing
1 : 20

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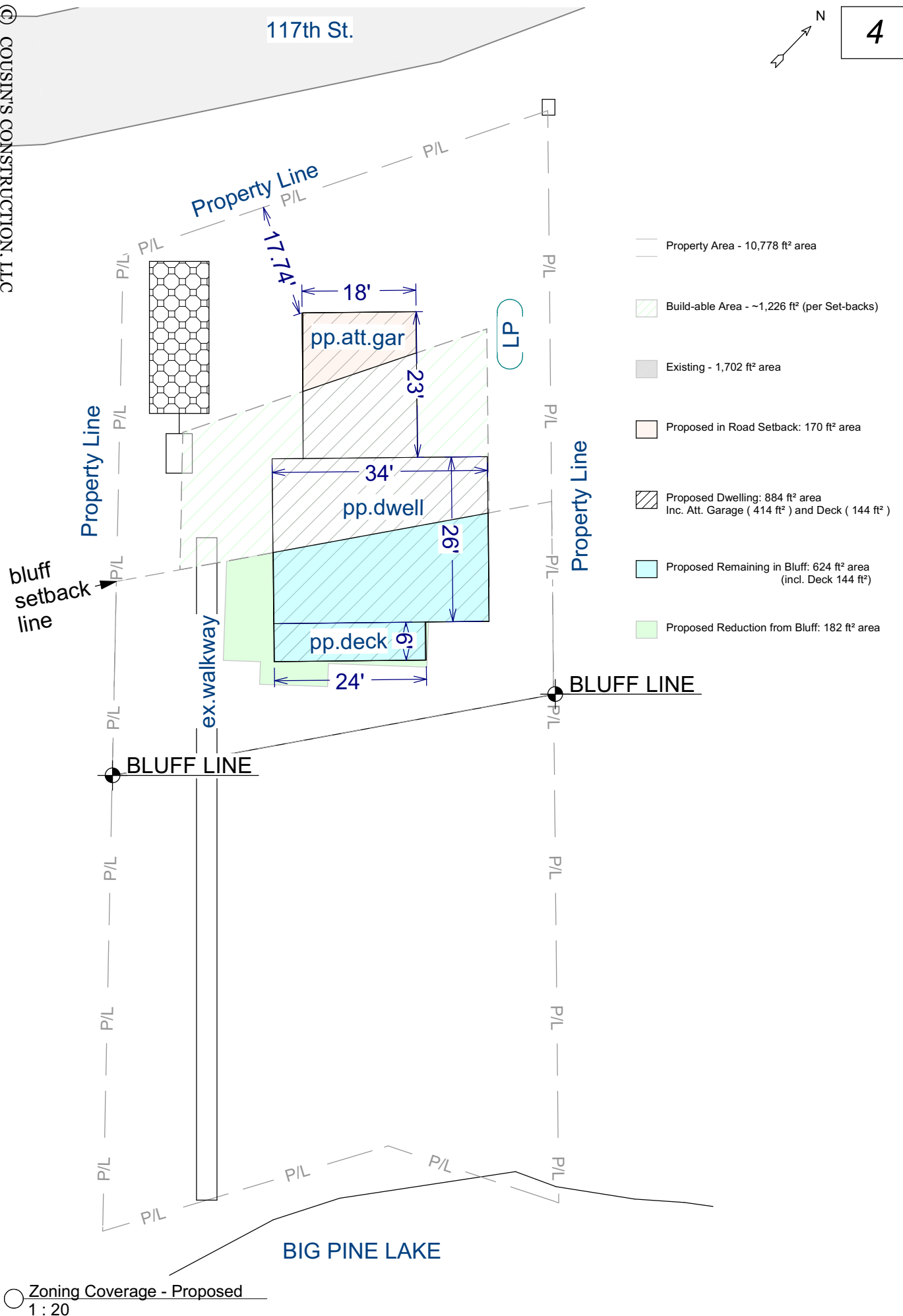
SHEET TITLE

Coverage - Proposed

NAME: SCHMITZ, Dan & Linda
SITE
11557 117th St
FINLAYSON, MN 55735

Cousin's Construction, LLC
4388 County Line Rd
Moose Lake, MN 55767
BC-638-108

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117th St.

S30°21'

P/L 70.00

Property Line

S30°21'00" W

18'

pp.att.gar

23'

(D1)

92.24

Property Line

Property Area - 10,778 ft² area

Build-able Area - ~1,226 ft² (per Set-backs)

Existing - 1,702 ft² area

Proposed in Road Setback: 170 ft² area

Proposed Dwelling: 884 ft² area
Inc. Att. Garage (414 ft²) and Deck (144 ft²)Proposed Remaining in Bluff: 624 ft² area
(incl. Deck 144 ft²)

Proposed Reduction from Bluff: 182 ft² area

Property Line

82.34

bluff
setback
line

S39°29'12" E

BLUFF LINE

160 ±

68.48

ex. walkway

34'

pp.dwell

26'

pp.deck

24'

BLUFF LINE

63' ±

65.08

6.00

BIG PINE LAKE

N K F

© COUSIN'S CONSTRUCTION, LLC

SHEET TITLE

Coverage - Proposed w-
Survey

NAME: SCHMITZ, Dan & Linda

SITE
11557 117th St

FINLAYSON, MN 55735

Cousin's Construction, LLC

4388 County Line Rd

Moose Lake, MN 55767

BC-638-108

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○ Zoning Coverage - Proposed w-Survey
1:20

SURVEY FOR:

DAN SCHMITZ
335 THIRD STREET SW
PLAINVIEW, MN 55964

SURVEY OF:

LOT 13 OF THE RECORDED PLAT
OF "ECHO HILL TOWNSITE" LOCATED
IN SECTION 26, TOWNSHIP 43,
RANGE 22, AITKIN COUNTY,
MINNESOTA.

STRAIGHTLINE SURVEYING, INC.

P.O. Box 510, 500 Folz Blvd
Moose Lake, MN 55767
Telephone: (218)-485-4811
Fax: (218)-485-4811

E-MAIL: banderson@straightlinesurveying.com

- ⊙ DENOTES FOUND IRON MONUMENT
- ⊙ DENOTES 1" IRON REBAR MONUMENT
SET AND CAPPED "ANDERSON 45498"
- ⊙ DENOTES WELL
- ⊙ DENOTES SEPTIC TANK COVER
- ⊕ DENOTES SEPTIC PVC STAND PIPE



EDGE OF
GRAVEL
SURFACE

117TH STREET

S30°21'00"W 70.00

S30°21'00"W 70.00

S30°21'00"W 70.00

S30°21'00"W 70.00

S39°29'12"E 160.91

68.48

65.08

S41°04'55"E 163.1

92.24

82.34

SHED

CABIN

6.00

9'±

PINE LAKE

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision
and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Benjamin H. Anderson

45498

License No.

05-29-2024

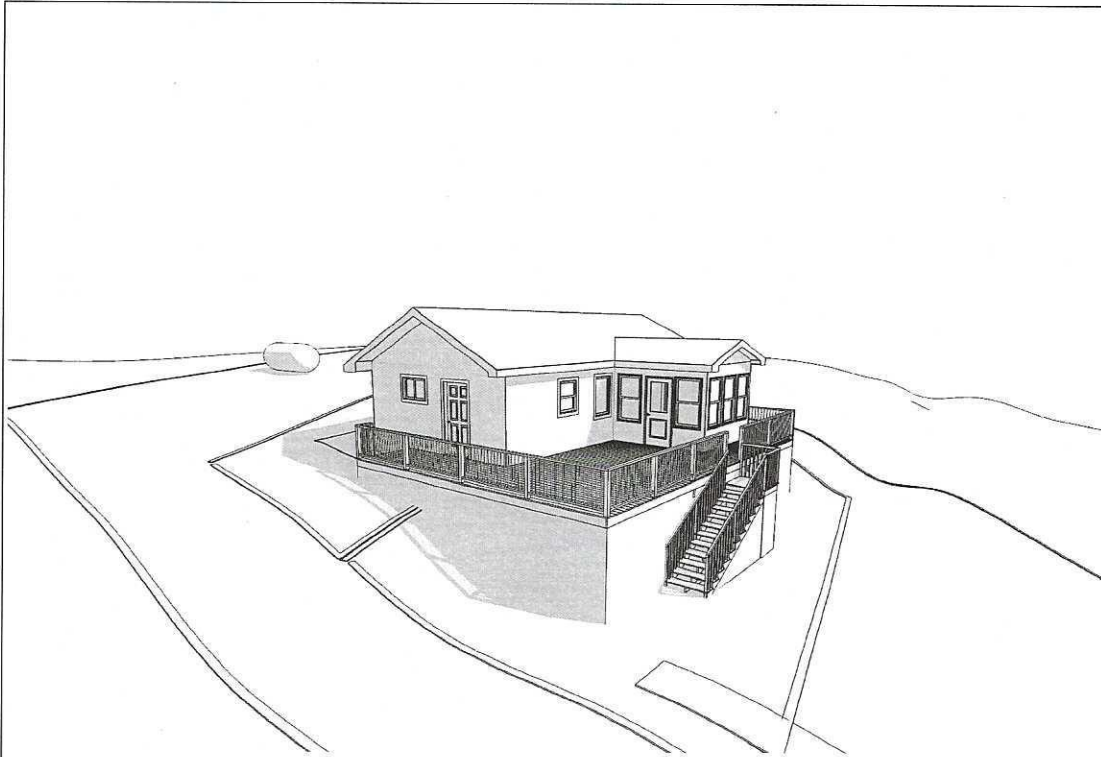
Date

2024-158

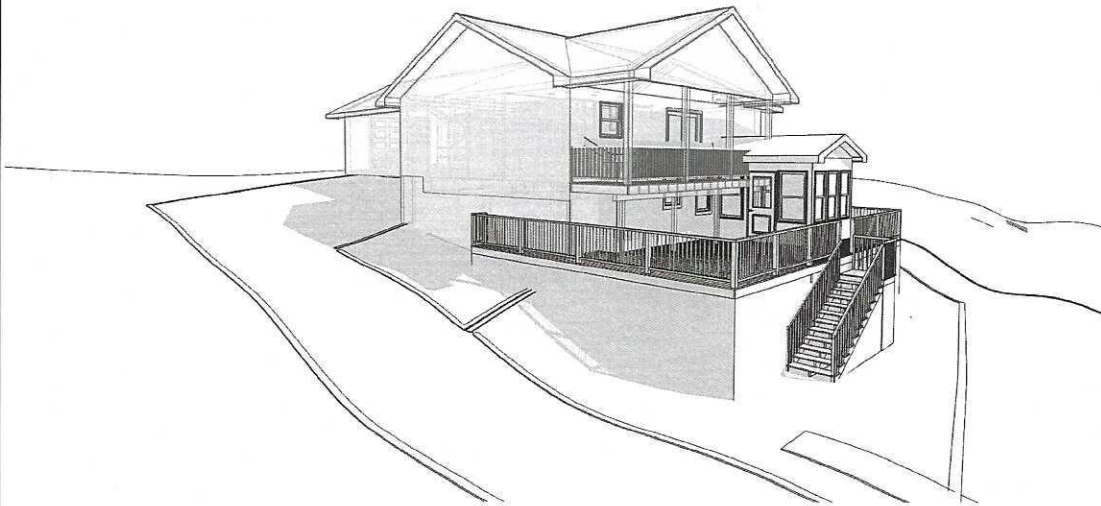
Job No.

NONE

Book No.



C4 Camera Existing



C5 Camera Glass Proposed

© COUSIN'S CONSTRUCTION, LLC

SHEET TITLE

REVISION

1 x/xx/xxxx

NAME: SCHMITZ, Dan & Linda

SITE

11557 117th St

FINLAYSON, MN 55735

Cousin's Construction, LLC

4388 County Line Rd

Moose Lake, MN 55767

BC-638-108

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**Compliance inspection report form
Existing Subsurface Sewage Treatment System (SSTS)**

Doc Type: Compliance and Enforcement

Instructions: Inspector must submit completed form to Local Governmental Unit (LGU) and system owner within 15 days of final determination of compliance or noncompliance. Instructions for filling out this form are located on the Minnesota Pollution Control Agency (MPCA) website at <https://www.pca.state.mn.us/sites/default/files/wq-wwists4-31a.pdf>.

Property information

Local tracking number:

Parcel ID# or Sec/Twp/Range: 34-1-071900 Reason for Inspection: PERMIT
Local regulatory authority info: Aitkin Zoning
Property address: 11557 117th St. Fridley, MN.
Owner/representative: Dan Schmitz Owner's phone:
Brief system description: gravity to Conso Tank / Pump to Gravity bed.

System statusSystem status on date (mm/dd/yyyy): 06/20/2021☒ **Compliant – Certificate of compliance***

(Valid for 3 years from report date unless evidence of an imminent threat to public health or safety requiring removal and abatement under section 145A.04, subdivision 8 is discovered or a shorter time frame exists in Local Ordinance.)

***Note: Compliance indicates conformance with Minn. R. 7080.1500 as of system status date above and does not guarantee future performance.**

☐ **Noncompliant – Notice of noncompliance**

Systems failing to protect ground water must be upgraded, replaced, or use discontinued within the time required by local ordinance.

An imminent threat to public health and safety (ITPHS) must be upgraded, replaced, or its use discontinued within ten months of receipt of this notice or within a shorter period if required by local ordinance or under section 145A.04 subdivision 8.

Reason(s) for noncompliance (check all applicable)

- ☐ Impact on public health (Compliance component #1) – Imminent threat to public health and safety
- ☐ Tank integrity (Compliance component #2) – Failing to protect groundwater
- ☐ Other Compliance Conditions (Compliance component #3) – Imminent threat to public health and safety
- ☐ Other Compliance Conditions (Compliance component #3) – Failing to protect groundwater
- ☐ System not abandoned according to Minn. R. 7080.2500 (Compliance component #3) – Failing to protect groundwater
- ☐ Soil separation (Compliance component #5) – Failing to protect groundwater
- ☐ Operating permit/monitoring plan requirements (Compliance component #4) – Noncompliant - local ordinance applies

Comments or recommendations**Certification**

I hereby certify that all the necessary information has been gathered to determine the compliance status of this system. No determination of future system performance has been nor can be made due to unknown conditions during system construction, possible abuse of the system, inadequate maintenance, or future water usage.

By typing my name below, I certify the above statements to be true and correct, to the best of my knowledge, and that this information can be used for the purpose of processing this form.

Business name: Dave's DIRT WORKCertification number: 64869Inspector signature: Dave Engel
(This document has been electronically signed)License number: 62006Phone: 594-3606**Necessary or locally required supporting documentation (must be attached)**

- ☒ Soil observation logs
- ☒ System/As-Built
- ☐ Locally required forms
- ☐ Tank Integrity Assessment
- ☐ Operating Permit
- ☐ Other information (list):

Property Address: 11557 117th St
Business Name: Ones Dirt work

Date: 6/20/2024

1. Impact on public health – Compliance component #1 of 5

Compliance criteria:

System discharges sewage to the ground surface

☐ Yes* ☒ No

System discharges sewage to drain tile or surface waters.

☐ Yes* ☒ No

System causes sewage backup into dwelling or establishment.

☐ Yes* ☒ No

Any "yes" answer above indicates the system is an imminent threat to public health and safety.

Describe verification methods and results:

Attached supporting documentation:

☐ Other: _____

☐ Not applicable

2. Tank integrity – Compliance component #2 of 5

Compliance criteria:

System consists of a seepage pit, cesspool, drywell, leaching pit, or other pit?

☐ Yes* ☒ No

Sewage tank(s) leak below their designed operating depth?

☐ Yes* ☒ No

If yes, which sewage tank(s) leaks:

Any "yes" answer above indicates the system is failing to protect groundwater.

Describe verification methods and results:

Attached supporting documentation:

☒ Empty tank(s) viewed by inspector

Name of maintenance business: MS Pumpers

License number of maintenance business: 64131

Date of maintenance: 6/20/2024

☐ Existing tank integrity assessment (Attach)

Date of maintenance

(mm/dd/yyyy):

(must be within three years)

(See form instructions to ensure assessment complies with Minn. R. 7082.0700 subp. 4 B (1))

☐ Tank is Noncompliant (pumping not necessary – explain below)

☐ Other: _____

Property Address: 11557 117th St. Finlayson
Business Name: Onias Diet Work

Date: 06/20/2024

3. Other compliance conditions – Compliance component #3 of 5

3a. Maintenance hole covers appear to be structurally unsound (damaged, cracked, etc.), or unsecured?

☐ Yes* ☒ No ☐ Unknown

3b. Other issues (electrical hazards, etc.) to immediately and adversely impact public health or safety? ☐ Yes* ☒ No ☐ Unknown

***Yes to 3a or 3b - System is an imminent threat to public health and safety.**

3c. System is non-protective of ground water for other conditions as determined by inspector?

☐ Yes* ☒ No

3d. System not abandoned in accordance with Minn. R. 7080.2500?

☐ Yes* ☒ No

***Yes to 3c or 3d - System is failing to protect groundwater.**

Describe verification methods and results:

Attached supporting documentation: ☐ Not applicable ☐

4. Operating permit and nitrogen BMP* – Compliance component #4 of 5 ☒ Not applicable

Is the system operated under an Operating Permit?

☐ Yes ☐ No **If "yes", A below is required**

Is the system required to employ a Nitrogen BMP specified in the system design?

☐ Yes ☐ No **If "yes", B below is required**

BMP = Best Management Practice(s) specified in the system design

If the answer to both questions is "no", this section does not need to be completed.

Compliance criteria:

a. Have the operating permit requirements been met?

☐ Yes ☐ No

b. Is the required nitrogen BMP in place and properly functioning?

☐ Yes ☐ No

Any "no" answer indicates noncompliance.

Describe verification methods and results:

Attached supporting documentation: ☐ Operating permit (Attach) ☐

Property Address: 11557 117th ST 5104500
Business Name: ADDS DARTWORK Date: 06/20/2024

5. Soil separation – Compliance component #5 of 5

Date of installation 05/10/1987? ☐ Unknown
(mm/dd/yyyy)

Shoreland/Wellhead protection/Food
beverage lodging? ☒ Yes ☐ No

Compliance criteria (select one):

5a. For systems built prior to April 1, 1996, and
not located in Shoreland or Wellhead
Protection Area or not serving a food,
beverage or lodging establishment: ☐ Yes ☐ No*

Drainfield has at least a two-foot vertical
separation distance from periodically
saturated soil or bedrock.

5b. Non-performance systems built
April 1, 1996, or later or for non-
performance systems located in Shoreland
or Wellhead Protection Areas or serving a
food, beverage, or lodging establishment: ☒ Yes ☐ No*

Drainfield has a three-foot vertical
separation distance from periodically
saturated soil or bedrock.*

5c. "Experimental", "Other", or "Performance"
systems built under pre-2008 Rules;
Type IV or V systems built under 2008
Rules 7080. 2350 or 7080.2400
(Intermediate Inspector License required ≤
2,500 gallons per day; Advanced Inspector
License required > 2,500 gallons per day) ☐ Yes ☐ No*

Drainfield meets the designed vertical
separation distance from periodically
saturated soil or bedrock.

***Any "no" answer above indicates the system is
failing to protect groundwater.**

Describe verification methods and results:

Attached supporting documentation:

- ☒ Soil observation logs completed for the report
☐ Two previous verifications of required vertical separation
☐ Not applicable (No soil treatment area)
☐

Indicate depths or elevations

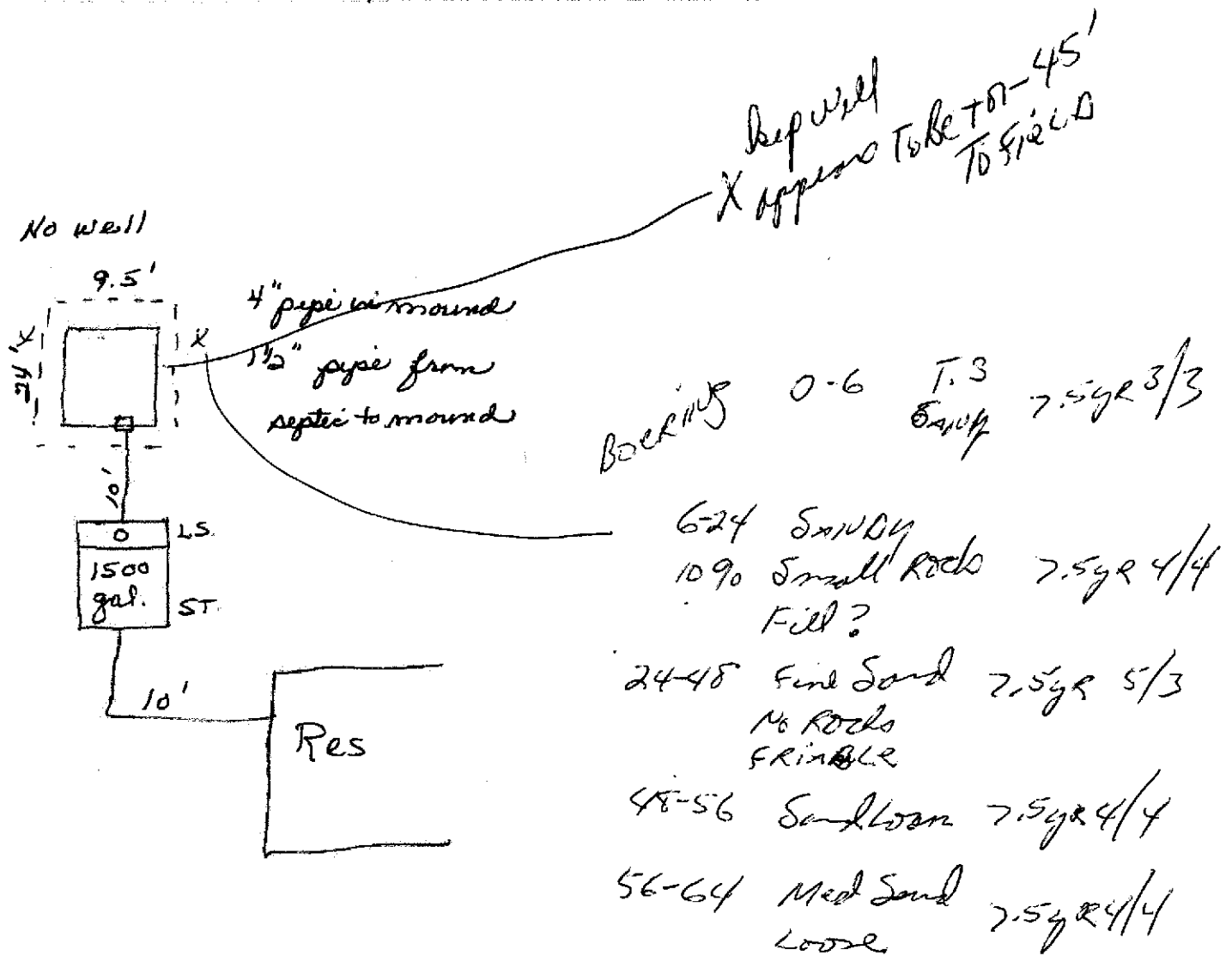
A. Bottom of distribution media	<u>98'</u>
B. Periodically saturated soil/bedrock	<u>95'</u>
C. System separation	<u>3'</u>
D. Required compliance separation*	<u>3'</u>

*May be reduced up to 15 percent if allowed by Local
Ordinance.

Upgrade requirements: (Minn. Stat. § 115.55) An imminent threat to public health and safety (ITPHS) must be upgraded, replaced, or its use discontinued within ten months of receipt of this notice or within a shorter period if required by local ordinance. If the system is failing to protect ground water, the system must be upgraded, replaced, or its use discontinued within the time required by local ordinance. If an existing system is not failing as defined in law, and has at least two feet of design soil separation, then the system need not be upgraded, repaired, replaced, or its use discontinued, notwithstanding any local ordinance that is more strict. This provision does not apply to systems in shoreland areas, Wellhead Protection Areas, or those used in connection with food, beverage, and lodging establishments as defined in law.

11557 117th St. Fenley Sw.

117th



NOTE - No Redox found at any layer all well drilled to wet low DITONSE found and being similar THIS is very high elo. and sandy as far as I can bare.

Barry L. Lohr
2006 6/20/2024

PART VII: STANDARD EROSION CONTROL PLAN

According to Aitkin County's Shoreland Management Ordinance, soil erosion control information needs to be included on the site plan which is submitted and approved prior to the issuance of zoning permits. The Standard Erosion Control Plan is provided to assist in meeting this requirement.

Instructions:

1. Complete this plan by filling in requested information, completing the site diagram and marking appropriate boxes on the inside of this form.
2. In completing the site diagram, give consideration to potential erosion that may occur before, during and after grading. Water runoff patterns can change significantly as a site is reshaped.
3. A cross section sheet is required for walkout basements and excavations into hillsides for determining volume of fill to be excavated.

Project Location 11557 117th St

Builder Cousins Construction, LLC Owner Daniel Schmitz

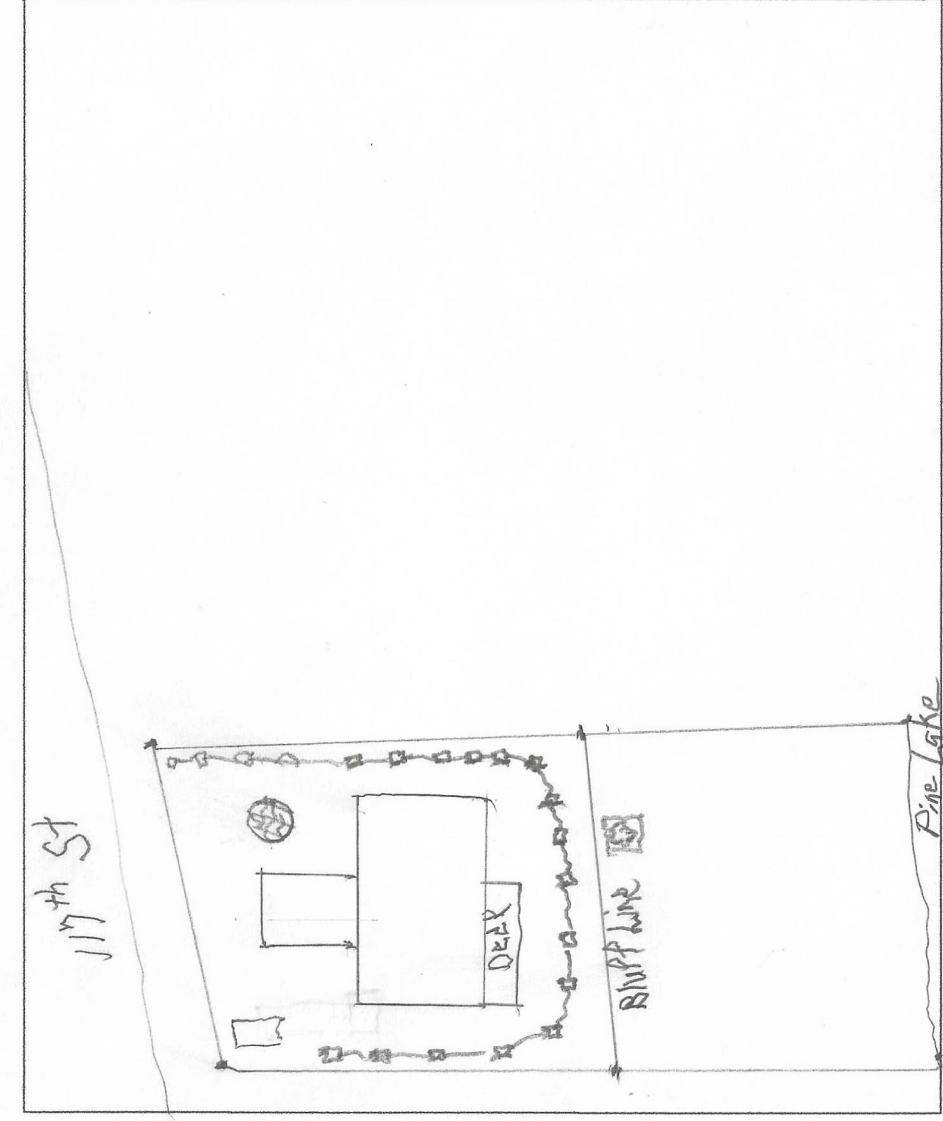
Worksheet Completed By Daniel Schmitz Date 2-12-25

Amount of earthen material to be excavated and/or used for fill 100 cubic yards.

SITE DIAGRAM

Scale 1 inch = 40 feet

Please indicate north by completing the arrow.



EROSION CONTROL PLAN LEGEND

- PROPERTY LINE
- EXISTING DRAINAGE
- TEMPORARY DIVERSION
- FINISHED DRAINAGE
- LIMITS OF GRADING
- SILT FENCE
- STRAW BALES
- GRAVEL
- VEGETATION SPECIFICATION
- TREE PRESERVATION
- STOCKPILED SOIL

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: 1-1
- 2) Determine the required "Structure Setback" to that classification of water (SMO 5.2) 2: 100
- 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: 11
- 4) Enter the corresponding 'Score Multiplier' 4: 3.33
- 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: 36.63

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

Protected Waters Type (DNR Classification; SMO 4.13-4.14)	Required Structure Setback	Score Multiplier Structures	Required Septic Setback	Score Multiplier Septic	Score Multiplier Bluff	Score Multiplier Sidelot
General Development Lake	75'	1.333	75'	1.333	(30' setback)	(10' setback)
Recreational Development Lake	100'	1.000	75'	1.333	3.33	10.000
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) 36.63 + Mitigation Totals (Lines A-I) 65 = 101.63

*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

Board of Adjustment Chairperson

Applicant

Kimberly Burton

From: Sonia Fales <wagnertownship20@gmail.com>
Sent: Friday, March 28, 2025 11:45 AM
To: Kimberly Burton
Subject: Daniel Schmitz Set Back Request

[NOTICE: This message originated outside of the Aitkin County Mail System -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

March 24, 2025

Aitkin County Planning & Zoning Commission
209 2nd St. N.W., Room 100
Aitkin, MN 56431

Re: Dan Schmitz Property, 11557\ 117th St. Finlayson, MN 55735

The Wagner Township Board of Supervisors met on Wednesday, March 12, 2025. One of the concerns discussed was the request for setback received from Dan Schmitz. The board discussed the matter at length. The supervisors are concerned that the building would be built less than required by code at only 17.75 ft from the township road.

The supervisors voted unanimously against the proposed setback.

Terry Karsky, Deputy Clerk
Wagner Township
P.O. Box 243
Finlayson, MN 55735

RECEIVED OCT 07 1996

NOTICE OF HEARING AND DECISION

NOTICE OF HEARING AND DECISION ON APPLICATION FOR VARIANCE FROM
REQUIREMENTS OF THE AITKIN COUNTY ZONING ORDINANCE.

TO WHOM IT MAY CONCERN:

ROBERT BROSE, 3001 KYLE AVENUE NORTH, GOLDEN VALLEY, MN 55422
NAME ADDRESS CITY, STATE & ZIP

Has made appeal to the Aitkin County Board of Adjustment for a
variance from the requirements of the Aitkin County Zoning
Ordinance. A public hearing will be held by the Board of
Adjustment on Wednesday, October 16, 1996 at 4:00 P.M. in the
Aitkin County Courthouse, Aitkin, Minnesota 56431; at which time
you may submit your views on the matter in person, by mail, or by
representative.

THE PROPERTY CONCERNED IN THE APPLICATION IS LEGALLY DESCRIBED AS:

Echo Hill Townsite, Lot 13, Section 26, Township 43, Ranger 22,
Aitkin County, Minnesota. PERMIT #22400V

THE PURPOSE OF THE APPLICATION IS:

requesting a Variance from the required setback of 30 feet from a
Bluff to construct an 8 foot by 18 foot Residential addition, and
a Variance from the required setback of 30 feet from the road right
of way to a setback of 12.5 feet from the road right of way to
construct an 18 foot by 22 foot garage.

If you know of any interested property owner who, for any reason
has not received a copy of this notification, it would be greatly
appreciated if you would inform them of the time and place of the
hearing.

DATED: September 27, 1996

AITKIN COUNTY BOARD OF ADJUSTMENT

TERRY NEFF
ASSISTANT PLANNING & ZONING ADMINISTRATOR
COURTHOUSE
AITKIN, MINNESOTA 56431

TELEPHONE: (218) 927-7342

NOTE: DECISIONS ARE USUALLY MADE AT THE SAME TIME AS THE
HEARING UNLESS THE MATTER IS TABLED BY THE BOARD OF
ADJUSTMENT.

Wagner Township has no objection.
10-3-96 Shirlene McVenes, Clerk

388935

FILED JUL 14 '08

9
ALAM

Diane M. Lafferty, County Recorder

NO DELINQUENT TAXES
AND TRANSFER ENTERED

This 14 Day July 2008

Kurt Petersen
County Auditor

Elizabeth Harmon
Deputy

CERTIFICATE OF REAL ESTATE
VALUE (☒) FILED () NOT
REQUIRED CERTIFICATE OF REAL
ESTATE VALUE NO. 388935

Form No. 5-M - WARRANTY DEED (Top 3 inches Reserved for Recording Data) Minnesota Uniform Conveyancing Blanks

Individual(s) to Joint Tenants

STATE DEED TAX DUE HEREON: \$ 594.00

Date: June 20, 2008

FOR VALUABLE CONSIDERATION, Robert C. Scheuble and Patricia L. Scheuble,
husband and wife

(marital status)

hereby convey(s) and warrant(s) to Daniel J. Schmitz and Linda M. Schmitz, Grantor(s),

tenants, real property in Aitkin County, Minnesota, described as follows:
Grantees, as joint

→ Lot Thirteen (13), Echo Hill Townsite, Aitkin County, Minnesota.

AITKIN COUNTY DEED TAX
No 57 Date 7-14-08
594.00 Dollars Paid
Patricia L. Scheuble
County Treasurer

By Patricia L. Scheuble Deputy

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

Covenants, conditions, restrictions and easements of record, if any.

Check box if applicable:

☐ The Seller certifies that the seller does not know of any wells on the described real property.

☒ A well disclosure certificate accompanies this document.

☐ I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

Affix Deed Tax Stamp Here

Robert C. Scheuble

Patricia L. Scheuble

STATE OF Minnesota

COUNTY OF Hennepin

} ss.

The foregoing instrument was acknowledged before me this 20 day of June, 2008,
by Robert C. Scheuble and Patricia L. Scheuble, husband and wife, Grantor(s).

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)



Renée Bachman
SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT

Check here if part or all of the land is Registered (Torrens) ☐

Tax Statements for the real property described in this instrument should be sent to (Include name and address of Grantee):

Daniel J. Schmitz

Linda M. Schmitz

335 Triad St SW
Plainview, MN 55964

THIS INSTRUMENT WAS DRAFTED BY (NAME AND ADDRESS):

Anchor Title Services, LLC
5125 County Road 101, Suite 102
Minnetonka, MN 55345

File #11065

Property Location

Property:	Property Location					Legal Description			Property Attributes	
	Parcel Number	Property Address	Township or City Name	Owner Name(s)	Taxpayer Name(s)	Legal Description	Plat Name	Section-Township-Range	Lake Class	Lake Name
	29-1-462302	20561 480th Ln MCGREGOR, MN 55760	SHAMROCK TWP	PIGNATELLO, JEANINE M	PIGNATELLO, JEANINE M	Nly 26 FT LOT 4 & Sly 27 FT LOT 5	PINEHURST	S:20 T:49 R:23	GD	MINNEWAWA LAKE
Driving directions to the proposed project from Aitkin:	East on Hwy 210 to North on Hwy 65 Turn Right onto County Rd 14 (Lake Avenue) at Sather's Gateway Turn right onto 480th Lane (across from Darlow). Go 1/4 mile to 20561 480th lane									
Is the above parcel located in the Shoreland Zoning District?	<u>Yes</u>									

Detailed Narrative

Enter a Detailed Narrative (If you have a prepared narrative please state "See attached" and attach the document below):

PURPOSE OF REQUEST

Practical Difficulty: Variances are necessary because strict adherence to the Shoreland Management Ordinance would not otherwise allow an Addition without a Variance. The property Owner/Applicant is seeking variances for: 1) Setback from OHWL 2) Setback from south property line.

PROPERTY HISTORY

The Property is Second Generation Family Owned. The Family purchased the Property in 1960. The Bunkhouse was built in 1961. The Cabin was built Circa 1963-1967. To the Applicant's knowledge, the Structures were built to conform to existing Ordinances, if any, in force at the time.

VARIANCE LOGIC

The Property is currently in Conformance relative to Use, Zoning, and the Comprehensive Plan. Increased family enthusiasm and use necessitates additional dwelling space and a higher level of Modern Living. The Cabin and the Lot are Nonconforming relative the Shoreland Management Ordinance.

MASTER CONSTRUCTION SUMMARY

An addition to the Cabin of approximately 450 square foot (footprint). Pertinent Information:

- *Reasonable in Size, Function and Location on the Property
- *Will not reduce existing Setbacks of the Cabin
- *Is outside of the Shore Impact Zone
- *Is in Character with the Area with other cabins in the Area relative to use, size and location on the lot.
- *Will be Architecturally Correct with other Structures on the Property
- *Is typical rectangular in shape with Simple Shed Style roofs.
- * The existing Cabin consists of a Great Room, Kitchen, 2 Bedrooms and 1 Bath.
- * With the Proposed Addition, the existing Bedrooms and Bathroom will be vacated and shifted to the Addition.
- * The Vacated Space in the Cabin will be blended to make a larger Great Room (family room/dining area) and Entryway.
- * The Addition will consist of 2 Bedrooms, 2 Bathrooms, a loft and a second Entryway.

OWNER'S DILIGENCE

- * The existing Cabin and Bunkhouse are well maintained and structurally sound.
 - * In recent years the Owner/Applicant has made significant Environmental and Capital Improvements to the Property:
 - *A massive Shoreline Restoration/Stabilization Project. The Project was administered, designed, and supervised by Aitkin County SWCD, TSA3, MNDNR.
- (Fall ?24, Spring?25)

	<ul style="list-style-type: none">* New roofing, energy efficient Windows, low maintenance Siding, energy efficient appliances.* A new 4? cased well* A new Type II ISTS scheduled for May 2025* Broadband service* The Owner/Applicant?s Estate Plan includes passing the Property title to the Third Generation.
Provide the Ordinance(s) and the Section(s) of the Ordinance(s) from which you are requesting a variance:	SECTION 5: 5.21 The Placement of Structures on Lots. 5.21.A. and 5.21.B5
Are you requesting a variance to a road right-of-way setback in one of these Townships? Fleming, Glen, Lakeside, Pliny, Shamrock, Wagner	<u>No</u>

Supplemental Data

Attach completed form here:	File 1:  supplemental-data.pdf
-----------------------------	---

A Scaled Drawing or Survey

Scaled Drawing or Survey
Checklist:

Location and dimensions for all lot lines.

Location and dimensions of all existing and proposed structures/additions.

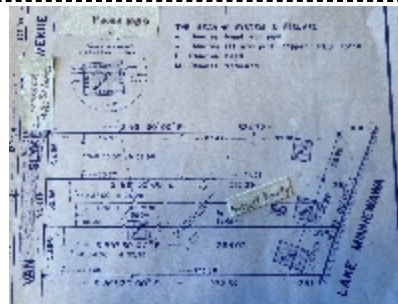
Location and depth of all existing and proposed wells within 100 feet of the property.

Location and dimensions of all existing and proposed septic system components (septic tank, septic drainfield).

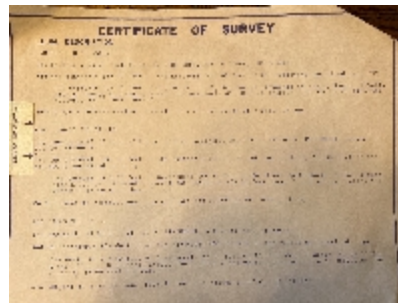
If topography is unusual, show elevations and location of bluffs, steep slopes, wetlands, etc.

Indicate all setback distances for items listed above: ordinary high water level of lakes or rivers, lot lines, road right-of-ways, etc.

Attach a Scaled Drawing or
Survey:



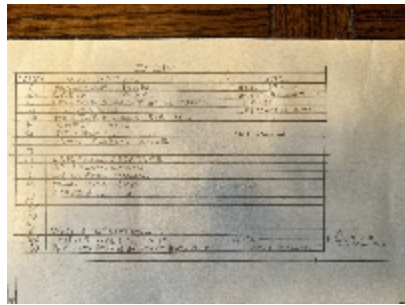
File 1: [IMG_1393.jpeg](#)



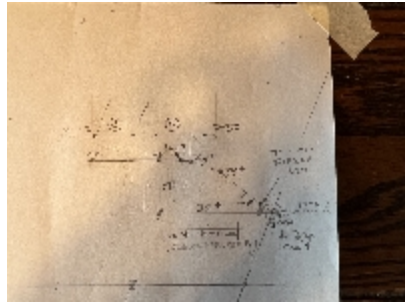
File 2: [IMG_1395.jpeg](#)

Side Profile Sketch of the Structure

Attach a side profile sketch of your proposed structure or addition here (if applicable):



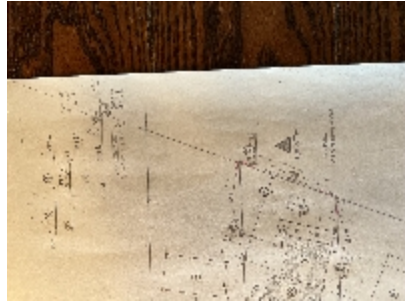
File 1: [IMG_1398.jpeg](#)



File 2: [IMG_1399.jpeg](#)



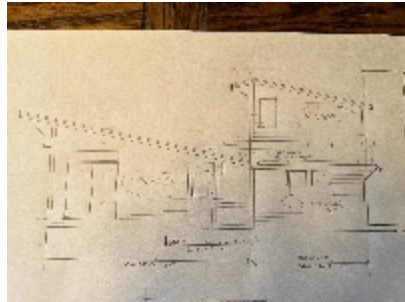
File 3: [IMG_1400.jpeg](#)



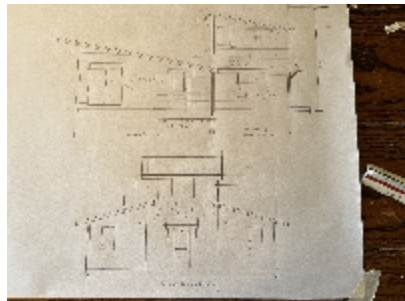
File 4: [IMG_1401.jpeg](#)



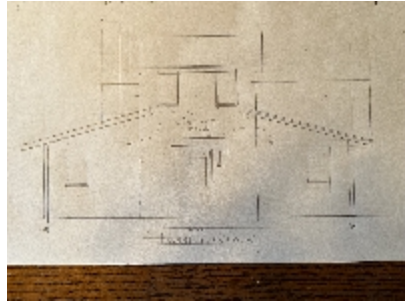
File 5: [IMG_1402.jpeg](#)



File 6: [IMG_1404.jpeg](#)



File 7: [IMG_1406.jpeg](#)

File 8: [IMG_1407.jpeg](#)**Certificate of Septic Compliance**

Please attach a copy of one of the following:

- A current compliance inspection on the existing septic system.
- A design for a new/replacement septic system.

File 1: [IMG_1408.jpeg](#)File 2: [IMG_1409.jpeg](#)

Shoreland Performance Worksheet

Complete the Shoreland Performance Worksheet and attach here:

File 1:  [shoreland-performance_copy.pdf](#)

Standard Erosion Control Plan

Attach the completed Standard Erosion Control Plan here:

File 1:  [erosion-control-plan.pdf](#)

File 2:  [Erosion_Site_Plan.pdf](#)

Property Deed

Attach the property deed(s):

File 1:  [AITKIN_COUNTY_-_REC-REAL_EST_-_435119.pdf](#)

Terms**General Terms**

The landowner or authorized agent hereby certifies that to the best of their knowledge the application and supporting documents are a factual representation of the proposed project. The landowner or authorized agent agrees that, in making application, the landowner grants permission to Aitkin County, at reasonable times, to enter the property to determine compliance of the application with applicable Local, County or State Ordinances or Statutes. It is the applicant's responsibility to contact other Local, County or State agencies to ensure the applicant has complied with all relevant Local, County or State Ordinances or Statutes.

Submittal of the above materials does not always constitute a complete application. Other information may be necessary to complete the application based on the type of request and onsite inspection.

I acknowledge that by submitting this application, the application and its attachments are public information.

Invoice #62542 (04/05/2025) Expected Payment Method: Pay Online - Card or ECheck

Charge	Cost	Quantity	Total
Recording Fee added 04/05/2025 1:44 PM \$46 Flat Fee	\$46.00	x 1	\$46.00
Variance added 04/05/2025 1:44 PM \$650 Flat Fee	\$650.00	x 1	\$650.00
Grand Total			
Total			\$696.00
Payment 04/05/2025			\$696.00
Due			\$0.00

Results ([Go to top](#))

Signature accepted

Failed to send [Variance Ready for Action](#) notification to:**Approvals**

Approval	Signature
Applicant	Jeanine M. Pignatello - 04/05/2025 3:25 PM 105524a366b229fcbd963ee320d35fad 23d0e5a20ba21a3835e4e83f89831cab
#1 Administrative Review	Kim Burton - 04/07/2025 11:34 AM 8fc92e67519065a404686e28fe53a8e4 6f70898b87c900319fc6527815a1bd64
#2 Board of Adjustment Approval	

Public Notes

Text:	<div style="border: 1px solid black; height: 250px; width: 100%;"></div>
File(s):	<div style="border: 1px dashed black; height: 20px; width: 100%;"></div>

Admin Checklist

This review has been started by:	<div>Kim Burton ▼</div>
Zoning District of project location:	<div>Shoreland ▼</div>
Project located in the floodplain?	<div>No ▼</div>
Is the parcel a Lot of Record before 1-21-92 or have alternate sites been identified?	<div>Yes ▼</div>
Is this an after-the-fact application?	<div>No ▼</div>

Numbers

	Current Number	Next from Sequence
UID #	213471	<i>not applicable</i>
App. #	<input type="text" value="2025-000154"/>	<input type="button" value="««"/> 2025-000158
Permit #	<input type="text"/>	<input type="button" value="««"/> 2025-0102

Print View

PART I: SUPPLEMENTAL DATA TO VARIANCE APPLICATION

Aitkin County Environmental Services

307 Second St. NW, Room 219, Aitkin, MN 56431

Phone: 218.927.7342 Fax: 218.927.4372

www.co.aitkin.mn.us

Note: Place an "X" by each item below that applies to your variance request. Then, fill out **only** the applicable following section(s) that apply, as directed. **If a section does not apply to your request, leave it blank.**

What is the reason(s) for applying for the variance? Place an "X" by each applicable item.

☐ Setback issues for a proposed new structure: **Complete Section 1**

☒ Setback issues for an alteration to an existing nonconforming structure: **Complete Section 2**

☐ Setback issues for a septic system: **Complete Section 3**

☐ Land alteration: **Complete Section 4**

☐ Creating a lot not in conformance with the minimum Ordinance standards: **Complete Section 5**

☐ Other: attach separate sheet explaining variance request

Section 1 – New Structure(s)

Check all that apply and fill in requested information:

☐ Basement

☐ One Story Level

☐ Crawlspace

☐ Story-and-a-Half Level

☐ Walk-out Basement

☐ 2nd Story Level

Proposed # of Bedrooms

Proposed Structure Height ft.

Existing Total Building Coverage %

Proposed Total Building Coverage %

Existing Total Impervious Surface Coverage % Proposed Total Impervious Surface Coverage %

"Building Coverage" means the ground surface covered by any building or appurtenance, including, but not limited to, decks, platforms, overhangs and projections therefrom, outdoor furnaces, fishhouses, sheds, carports, lean-to's, or any similar building. –as per the Aitkin County Shoreland Management Ordinance.

"Impervious surface coverage" means any structure, facility or surface that sheds water including structures and facilities, sewage treatment system absorption areas (equal to 190 sq.ft./bedroom), retaining walls, and roadway surfaces and parking areas. Impervious surface does not include eaves of two feet and less. – Per the Aitkin Count Shoreland Management Ordinance.

Itemized square footage of proposed structure(s):

Check the item(s) from which you are requesting a variance and fill in the proposed setback distance. * Setbacks are measured to the nearest point on a structure which can be the eave overhang or an attached deck/platform.

Proposed Structure Type (indicate with or without living quarters) _____

_____ Ordinary High Water Level (OHWL)	Proposed Setback _____ ft.
_____ Property Line	Proposed Setback _____ ft.
_____ Road Right-of way ____ Twp ____ Co. ____ State	Proposed Setback _____ ft.
_____ Bluff	Proposed Setback _____ ft.
_____ Other: _____	Proposed Setback _____ ft.

Section 2 – Alteration(s) to Existing Nonconforming Structure(s)

Check all that apply and fill in requested information:

Existing Structure

_____ Basement
☒ Crawlspace
_____ Walk-out Basement
☒ One Story Level
_____ Story-and-a-Half Level
_____ 2nd Story Level

Existing Structure Height 12 ft.
Existing # of Bedrooms 2
Existing Building Coverage 8 %
Existing Total Impervious Surface Coverage 8 %

Proposed Addition(s)

_____ Basement
☒ Crawlspace
_____ Walk-out Basement
_____ One Story Level
☒ Story-and-a-Half Level
_____ 2nd Story Level

Proposed Addition(s) Height 20 ft.
Final # of bedrooms after remodel 2
Proposed Building Coverage 11 %
Proposed Total Impervious Surface Coverage 11 %

“Building Coverage” means the ground surface covered by any building or appurtenance, including, but not limited to, decks, platforms, overhangs and projections therefrom, outdoor furnaces, fishhouses, sheds, carports, lean-to’s, or any similar building. –as per the Aitkin County Shoreland Management Ordinance.

“Impervious surface coverage” means any structure, facility or surface that sheds water including structures and facilities, sewage treatment system absorption areas (equal to 190 sq.ft./bedroom), retaining walls, and roadway surfaces and parking areas. Impervious surface does not include eaves of two feet and less. – Per the Aitkin Count Shoreland Management Ordinance.

Itemized square footage of proposed structure(s):

Main Footprint: 2 bedrooms @140 square feet each, 2 bath @50 square feet each, entry @ 70

Check the item(s) from which you are requesting a variance and fill in the proposed setback distance. * Setbacks are measured to the nearest point on a structure which can be the eave overhang or an attached deck/platform.

Proposed Alteration Type _____

<input checked="" type="checkbox"/> Ordinary High Water Level (OHWL)	Existing Setback <u>19</u> ft.	Proposed Setback _____ ft.
<input checked="" type="checkbox"/> Property Line	Existing Setback <u>2</u> ft.	Proposed Setback _____ ft.
_____ Road Right-of way ___ Twp ___ Co. ___ State	Existing Setback _____ ft.	Proposed Setback _____ ft.
_____ Bluff	Existing Setback _____ ft.	Proposed Setback _____ ft.
_____ Other: _____	Existing Setback _____ ft.	Proposed Setback _____ ft.

Section 3 – Septic System

Check the item(s) from which you are requesting a variance and fill in the proposed setback distance.

_____ Ordinary High Water Level (OHWL)	Proposed Setback _____ ft.
_____ Property Line	Proposed Setback _____ ft.
_____ Road Right-of way ___ Twp ___ Co. ___ State	Proposed Setback _____ ft.
_____ Bluff	Proposed Setback _____ ft.
_____ Other: _____	Proposed Setback _____ ft.

Section 4 – Land Alteration

What is your land alteration? Check all categories that apply and indicate the total amount of excavation or placement of fill.

_____ More than 10 cubic yards on steep slopes and shore and bluff impact zones.	Total Cubic Yds. _____
_____ Other: _____	Total Cubic Yds. _____

Section 5 – Creating Nonconforming Lot(s)

Check the item(s) from which you are requesting a variance and fill in the proposed dimensions.

_____ Property Width	Proposed Property Width _____
_____ Property Area	Proposed Property Area _____
_____ (2) Standard Septic Sites	
_____ Legal Access	

AITKIN COUNTY ENVIRONMENTAL SERVICES-PLANNING & ZONING

307 Second Street NW, Room 219
Aitkin, Minnesota 56431

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



PART VI: VARIANCE APPLICATION

“Aitkin County Shoreland Performance” Worksheet **Instructions:**

Are you applying for a variance from the Aitkin County Shoreland Management Ordinance? If so, you must complete the “Aitkin County Shoreland Performance” sheet. This is used as an attempt to evaluate your property and project as it relates to the required setbacks and the intent of the Ordinance to protect water quality, habitat and aesthetics. 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.

STEP 1: Determine the level of non-conformance and score by completing 1-5 on the worksheet. The actual setback will be multiplied by the corresponding ‘score multiplier’ to determine your “Pre-mitigation Lot Score”.

STEP 2: Review the mitigation options and circle those that you would be willing to implement as a condition of your variance. See letters A-J.

*As a note, if you will be creating a buffer zone or other landscape project as part of your mitigation plan, please be prepared to present an approved plan to the Board of Adjustment. Although not familiar with specifics of the “Aitkin County Shoreland Performance” worksheet, the Aitkin County Soil & Water Conservation District [SWCD] (218-927-7284) and the University of Minnesota Extension Master Gardeners (218-927-2538) may be resources that would be able to provide you with planting suggestions and landscaping ideas.

STEP 3: A final score is determined by adding your “Pre-mitigation Lot Score” with your “Mitigation Total”. *Please note, the property should obtain a score of 100 or more to meet performance standard requirements.*

After a practical difficulty has been determined, the Board of Adjustment may use the “Aitkin County Shoreland Performance” sheet submitted with your application and/or use their own completed sheet to attempt to mitigate impacts to the water-body and/or adjoining properties.

If you have any questions, please contact Aitkin County Environmental Services – Planning & Zoning at (218) 927-7342.

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: GDL |
| 2) Determine the required "Structure Setback" to that classification of water (SMO 5.2) | 2: 75 feet |
| 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: 19 feet |
| 4) Enter the corresponding 'Score Multiplier' | 4: 1.33 |
| 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: 25.27 |

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

Protected Waters Type (DNR Classification; SMO 4.13-4.14)	Required Structure Setback	Score Multiplier Structures	Required Septic Setback	Score Multiplier Septic	Score Multiplier Bluff	Score Multiplier Sidelot
General Development Lake	75'	1.333	75'	1.333	(30' setback) 3.33	(10' setback) 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 <u>additional</u> 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 <u>additional</u> 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 <u>all</u> 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* <u>and</u> 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..... | <i>To be determined by P&Z</i> |

Final Score = Pre-mitigation Lot Score (Line 5) 25.27 + Mitigation Totals (Lines A-I) 75 = 100.27

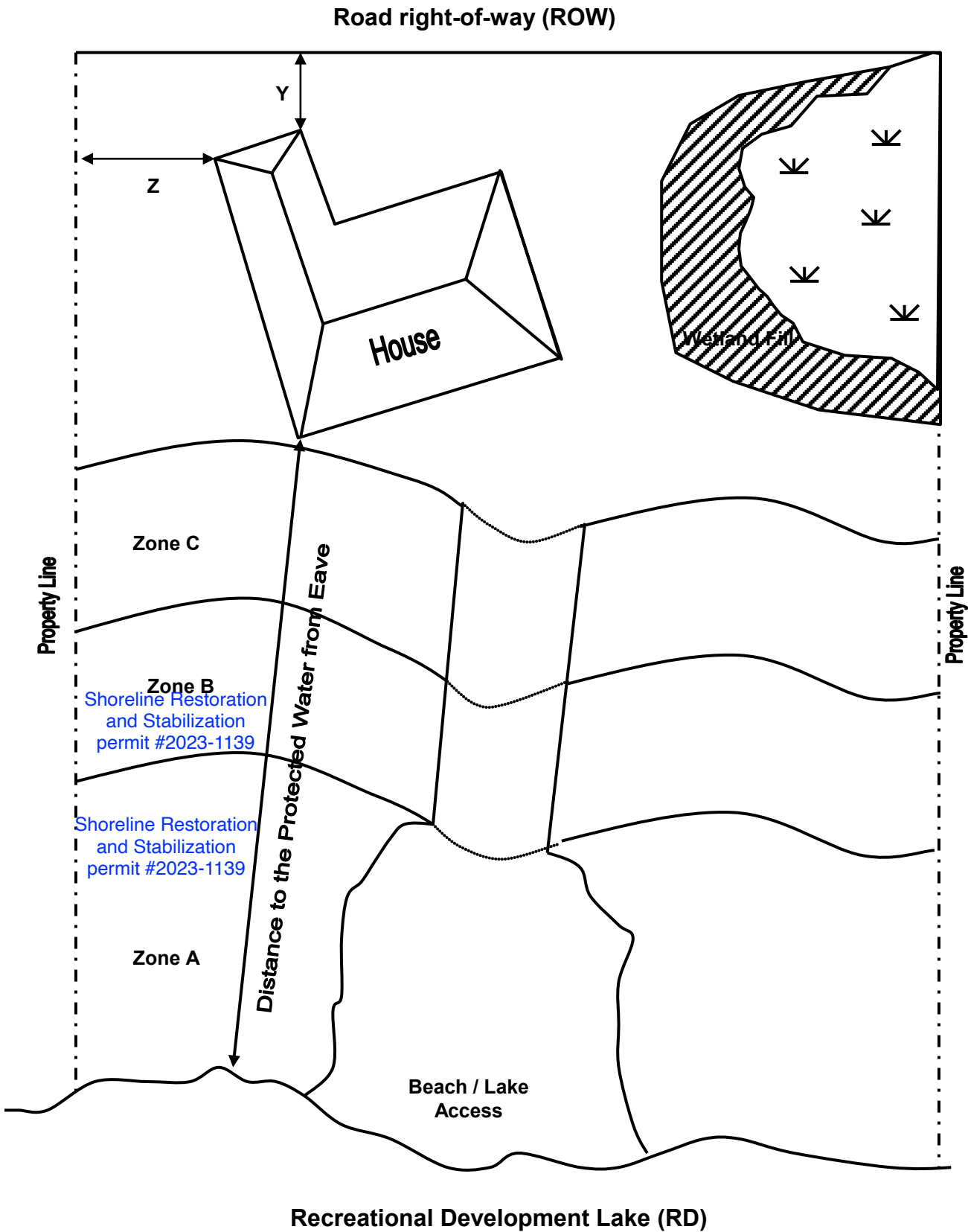
*Note: Plant materials for vegetative buffers shall be native to northern Minnesota. For every 5,000 square feet of buffer area, there shall be a minimum of four types of trees, six types of shrubs, seven forbs, and three grasses planted to achieve a one plant per square foot minimum coverage. Survival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

Jessie M. Pignatello

Applicant

Board of Adjustment Chairperson

AITKIN COUNTY SHORELAND PERFORMANCE
(Example)



EROSION CONTROL PLAN CHECKLIST

Check the box if completed (leave empty if not applicable).
All items checked must be included on the site diagram.

Site Characteristics

- ☒ North arrow, scale, and site boundary. Indicate and name adjacent streets or roadways.
- ☒ Location of existing drainageways, streams, rivers, lakes, wetlands or wells.
- NA ☐ Location of storm sewer inlets.
- ☒ Location of existing and proposed buildings and paved areas.
- ☒ The disturbed area on the lot.
- ☒ Approximate gradient and direction of slopes before grading operations.
- ☒ Approximate gradient and direction of slopes after grading operations.
- ☒ Overland runoff (sheet flow) coming onto the site from adjacent areas.

Erosion Control Practices

- ☒ Location of temporary soil storage piles.
Note: Soil storage piles should be placed behind a sediment fence, a 10 foot wide vegetative strip, or should be covered with a tarp or more than 25 feet from any downslope road or drainageway.
- ☒ Location of access drive(s) (driveways, turnarounds, approaches, etc.)
- NA ☐ Location of sediment controls (filter fabric fence, straw bale fence or 10-foot wide vegetative strip) that will prevent eroded soil from leaving the site.
- NA ☐ Location of sediment barriers around on-site storm sewer inlets.
- NA ☐ Location of diversions.
Note: Although not specifically required by code, it is recommended that concentrated flow (drainageways) be diverted (re-directed) around disturbed areas. Overland runoff (sheet flow) from adjacent areas greater than 10,000 sq. ft. should also be diverted around disturbed areas.
- NA ☐ Location of practices that will be applied to control erosion on steep slopes (greater than 12% grade).
Note: Such practices include maintaining existing vegetation, placement of additional sediment fences, diversions, and re-vegetation by sodding or seeding with use of erosion control mats.
- NA ☐ Location of practices that will control erosion on areas of concentrated runoff flow.
Note: Unstabilized drainageways, ditches, diversions, and inlets should be protected from erosion through use of such practices as in-channel fabric or straw bale barriers, erosion control mats, staked sod, and rock rip-rap. When used, a given in-channel barrier should not receive drainage from more than two acres of unpaved area, or one acre of paved area. In-channel practices should not be installed in perennial streams (streams with year round flow).
- NA ☐ Location of other planned practices not already noted.

Check the box if completed (leave empty if not applicable).
All items checked must be included on the site diagram.

Management Strategies

NA ☐ Temporary stabilization of disturbed areas.

Note: It is recommended that disturbed areas and soil piles left inactive for extended periods of time be stabilized by seeding (between April 1 and September 15), or by other cover, such as tarping or mulching.

☒ Permanent stabilization of site by re-vegetation or other means as soon as possible (lawn establishment).

• Indicate re-vegetation method: (Circle one of the following) Seed Sod
Other _____

• Expected date of permanent re-vegetation: _____

• Re-vegetation responsibility of: (Circle one of the following)

Builder Owner/Buyer

• Is temporary seeding or mulching planned if site is not seeded by
Sept. 15 or sodded by Nov. 15? (Circle one of the following) Yes No

☒ Use of downspout and/or sump pump outlet extensions.

Note: It is recommended that flow from downspouts and sump pump outlets be routed through plastic drainage pipe to stable areas such as established sod or pavement.

NA ☐ Trapping sediment during de-watering operations.

Note: Sediment-laden discharge water from pumping operations should be ponded behind a sediment barrier until most of the sediment settles out.

☐ Proper disposal of building material waste so that pollutants and debris are not carried off-site by wind or water.

☒ Maintenance of erosion control practices.

• Sediment will be removed from behind sediment fences and barriers before it reaches a depth that is equal to half the height of the barrier.

• Breaks and gaps in sediment fences and barriers will be repaired immediately. Decomposing straw bales will be replaced (typical bale life is three months).

• All sediment that moves off-site due to construction activity will be cleaned up before the end of the same workday.

• All sediment that moves off-site due to storm events will be cleaned up before the end of the next workday.

• Access drives will be maintained throughout construction.

• All installed erosion control practices will be maintained until the disturbed areas they protect are stabilized.

PART VII: STANDARD EROSION CONTROL PLAN

According to Aitkin County's Shoreland Management Ordinance, soil erosion control information needs to be included on the site plan which is submitted and approved prior to the issuance of zoning permits. The Standard Erosion Control Plan is provided to assist in meeting this requirement.

Instructions:

1. Complete this plan by filling in requested information, completing the site diagram and marking appropriate boxes on the inside of this form.
2. In completing the site diagram, give consideration to potential erosion that may occur before, during and after grading. Water runoff patterns can change significantly as a site is reshaped.
3. A cross section sheet is required for walkout basements and excavations into hillsides for determining volume of fill to be excavated.

Project Location 20561 480th Lane McGregor MN 55760

Builder Owner Owner Jeanine M Pignatello

Worksheet Completed By Owner Date April 5, 2025

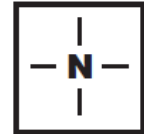
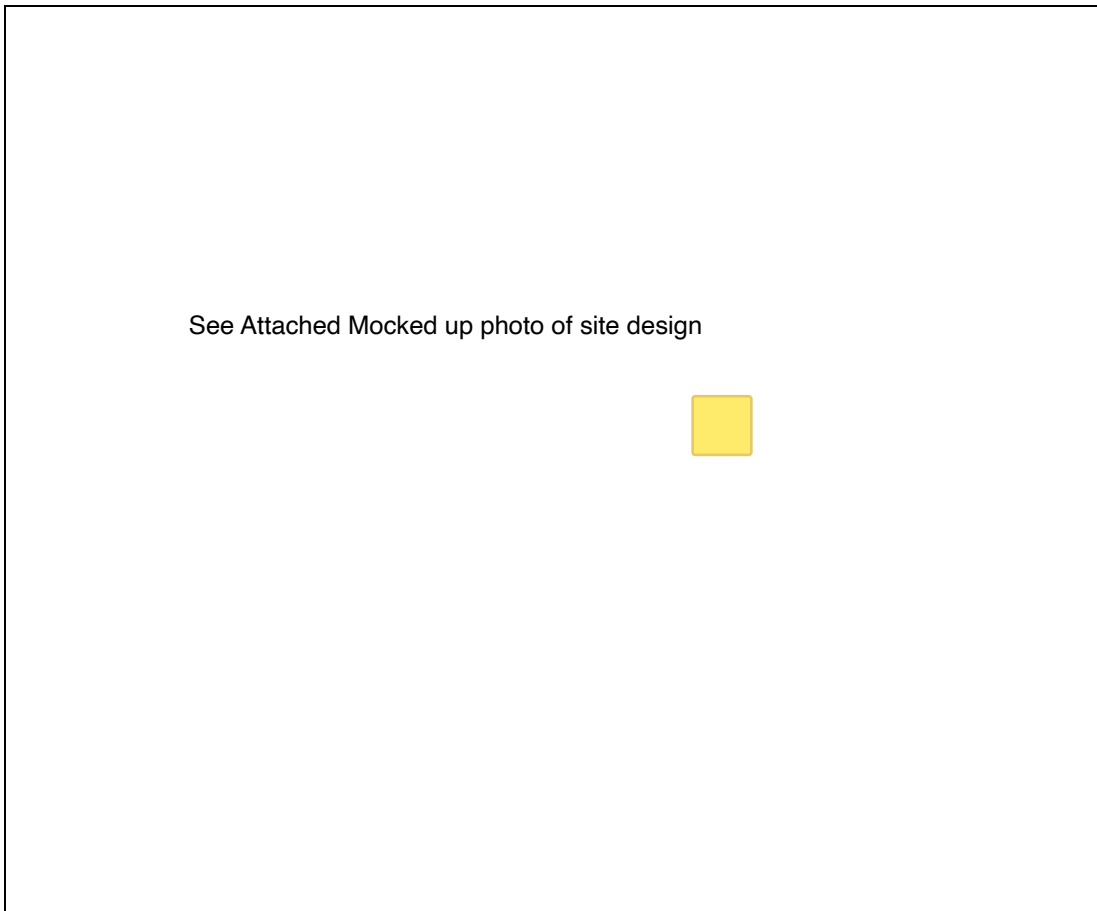
Amount of earthen material to be excavated and/or used for fill 20 yards or less cubic yards.

SITE DIAGRAM





Scale 1 inch = _____ feet

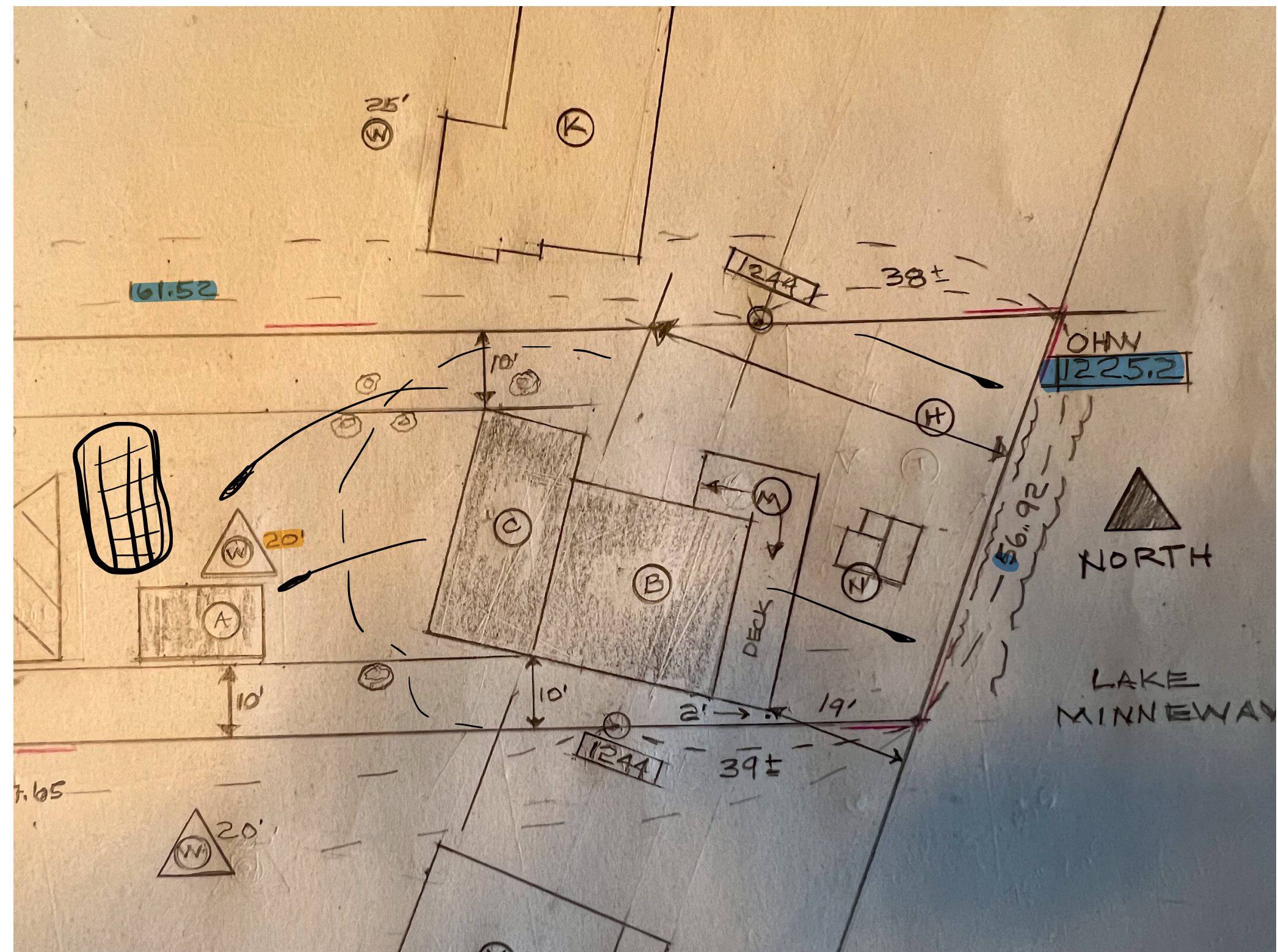
Please indicate north by completing the arrow.

See Attached Mocked up photo of site design



EROSION CONTROL PLAN LEGEND

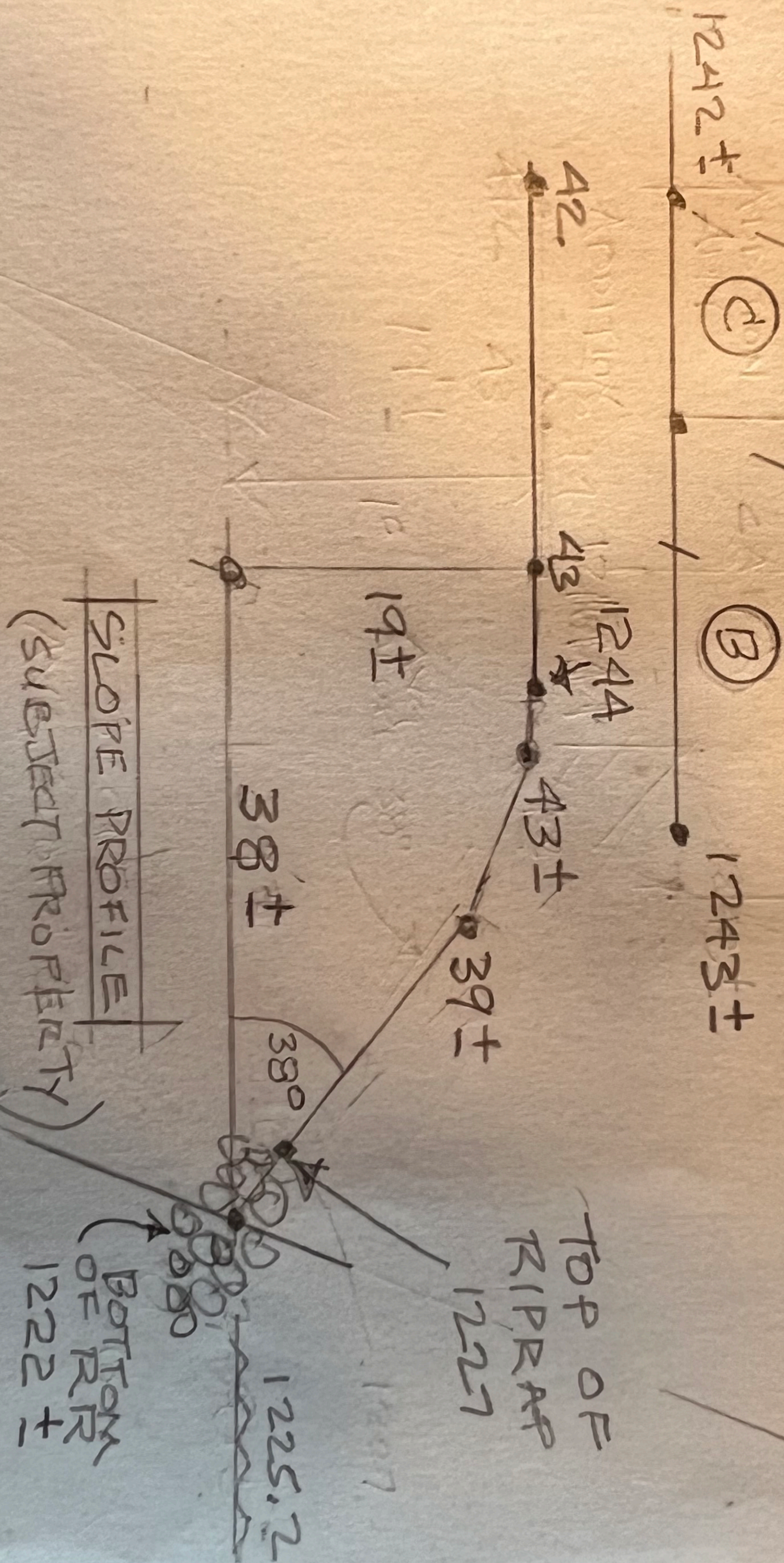
- PROPERTY LINE
- > EXISTING DRAINAGE
- > TD TEMPORARY DIVERSION
- > FINISHED DRAINAGE
- - - LIMITS OF GRADING
- ■ ■ SILT FENCE
- ● ● STRAW BALES
-  GRAVEL
-  VEGETATION SPECIFICATION
-  TREE PRESERVATION
-  STOCKPILED SOIL



INDEX

LETTER	DESCRIPTION	NOTE
A	BUNKHOUSE 10X16	BUILT 1961 10X16
B	CABIN 24X24	BUILT 1963-67 8X20
C	PROPOSED ADDITION TO CABIN	14X32
D	TESTS TYPE II	DEDICATED SITE
E	HOT TUB # DECK 8X8 7X12	
F	SHED 8X10	
G	DRIVEWAY CONCRETE	NOT PAVED
H	SHORE IMPACT ZONE	
I		
J	NEIGHBORS TESTS TYPE II	
K	NEIGHBORS CABIN	
L	NEIGHBORS GARAGE	
M	DECK 8X24 8X16	
N	STEPS PLANDING	
O		
P		
Q		
R		
S	WELL SITE (PROPOSED)	
T	WELLS (SEE NOTE) # DEPTH	NOTE —
U	PROPERTY LITRONS IN PLACE & VISIBLE	PINK STAKES

TO BE SEALED



CERTIFICATE OF SURVEY

LEGAL DESCRIPTION:

FOR KENNETH JOHNSON:

The southerly 54.00 feet of Lot 4, PINEHURST, Aitkin County, Minnesota.

And the southerly 133.00 feet of the northerly 400.00 feet of the following described property:

The westerly 514.50 feet of Government Lot 7, Section 20, Township 49 North, Range 23 West, Aitkin County, Minnesota, except the northerly 688.00 feet thereof, and also excepting the westerly 33.00 feet thereof.

Both subject to reservations, restrictions and easements of record, if any.

FOR LEONARD PIGNATELLO:

The southerly 27.00 feet of Lot 5, and the northerly 26.00 feet of Lot 4, PINEHURST, Aitkin County, Minnesota.

And the southerly 133.00 feet of the northerly 267.00 feet of the northerly 400.00 feet of the following described property:

The westerly 514.50 feet of Government Lot 7, Section 20, Township 49 North, Range 23 West, Aitkin County, Minnesota, except the northerly 688.00 feet thereof, and also excepting the westerly 33.00 feet thereof.

Both subject to reservations, restrictions and easements of record, if any.

FOR JAMES MURPHY:

The northerly 53.00 feet of Lot 5, PINEHURST, Aitkin County, Minnesota.

And the northerly 134.00 feet of the northerly 400.00 feet of the following described property:

The westerly 514.50 feet of Government Lot 7, Section 20, Township 49 North, Range 23 West, Aitkin County, Minnesota, except the northerly 688.00 feet thereof and also excepting the westerly 33.00 feet thereof.

Both subject to reservations, restrictions and easements of record, if any.

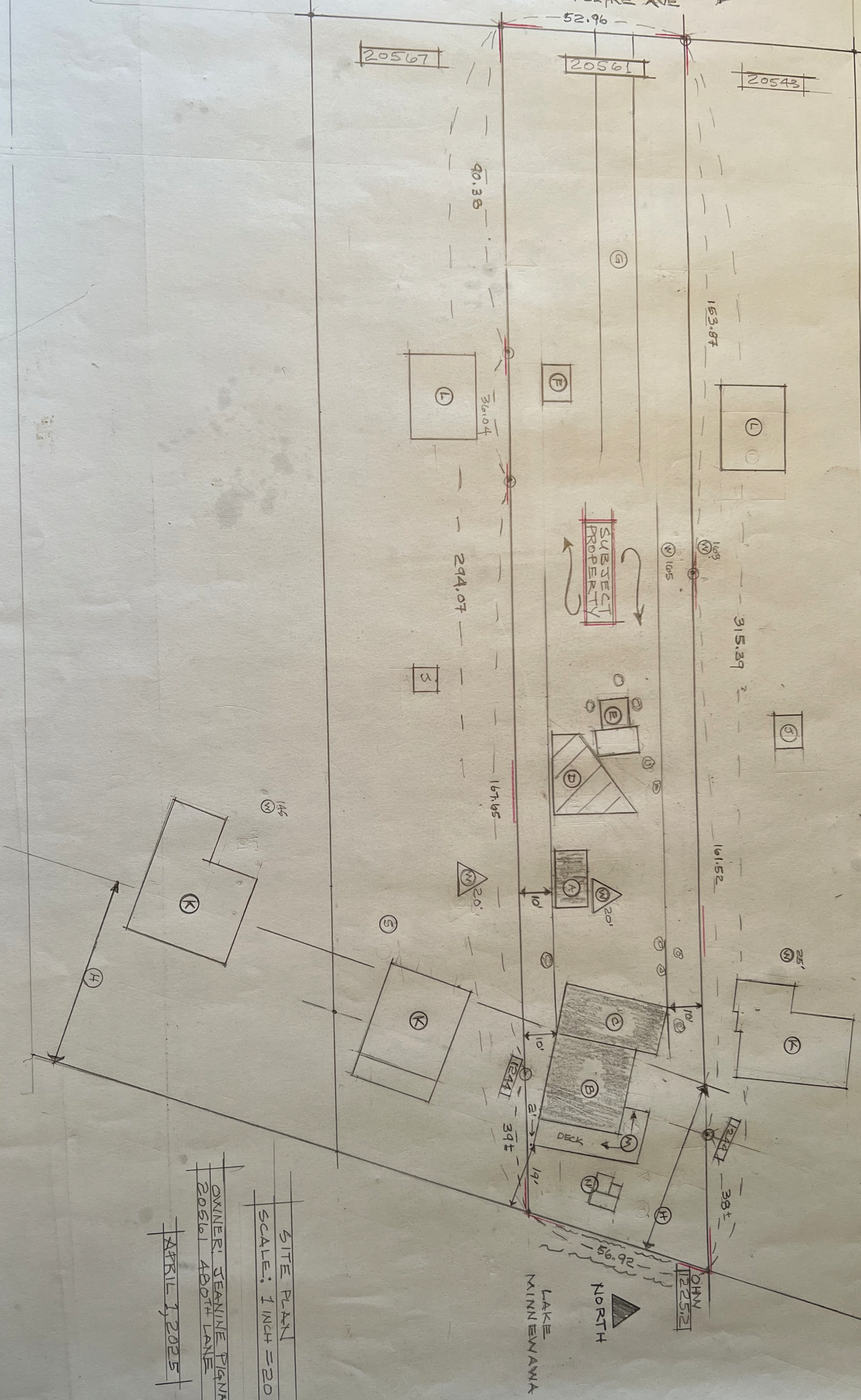
LEGAL DESCRIPTION

20567	20561	20543
WELL SITE (PROPOSED)	WELLS (SEE NOTE) # DEPTH	NOTE
PROPERTY LINES IN PLACE & VISIBLE	PINK STAKES	

TO BE
SEALED

OLD GROWTH
PINE TREES

SCOPE PROFILE
(SUBJECT PROPERTY)
1222 ±



SITE PLAN
SCALE: 1 INCH = 20 FEET

OWNER: JEANINE PIGNATELLI
20561 480TH LANE

APRIL 1, 2025

INDEX

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M	DECK 8X24 8X16	
N	STEPS & LANDING	
O		
P		
Q		
R		
S	WELL SITE (PROPOSED)	
T	WELLS (SEE NOTE) & DEPTH	NOTE —
U	PROPERTY LINES IN PLACE & VISIBLE	PINK STAKES

PERMIT #
49252

⚠ TO BE
SEALED

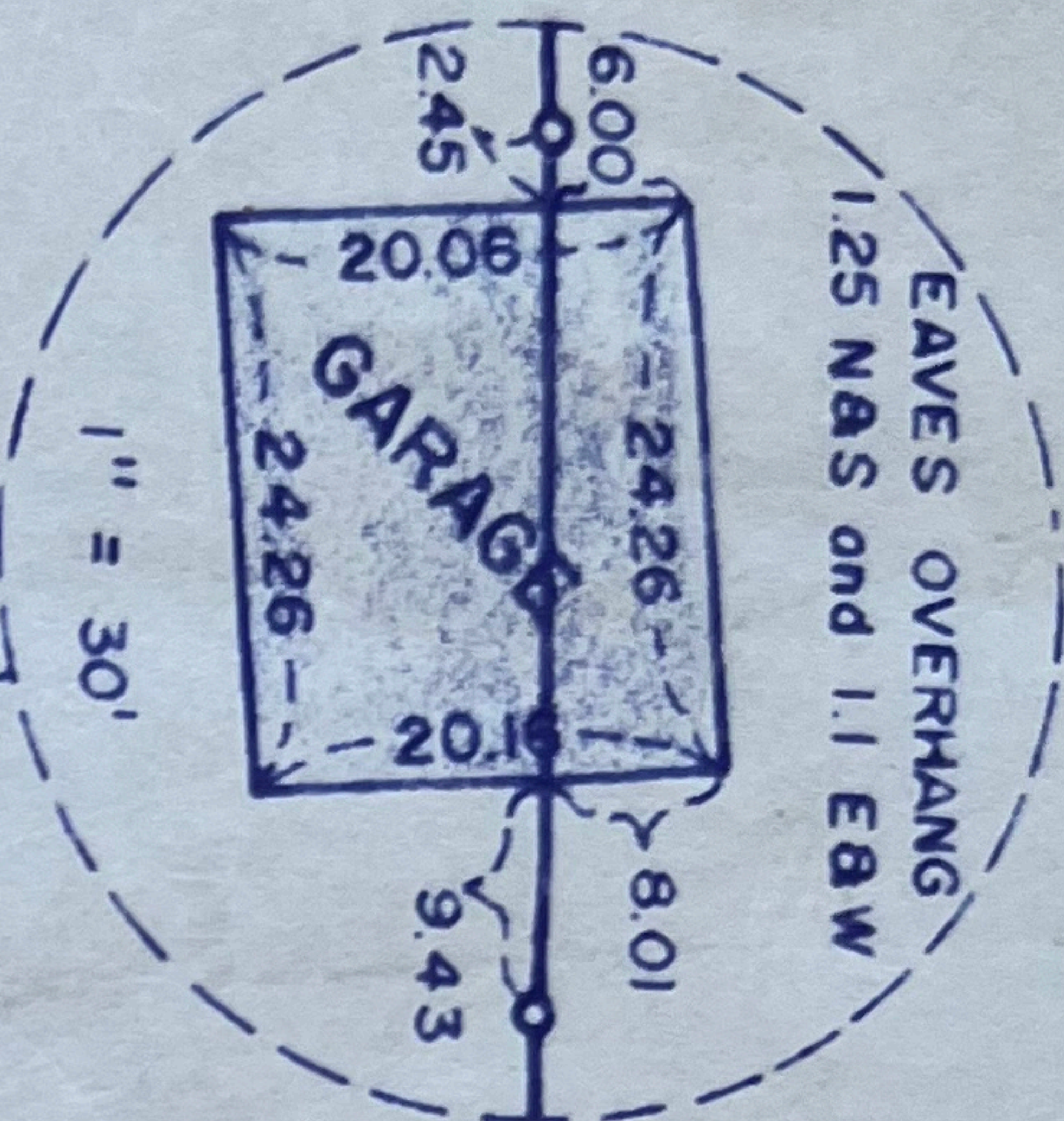
VAN

NORTH
SLYKE

VENUE

Renamed
480th Lane

Moved 1989



THE BEARING SYSTEM IS ASSUMED

- - Denotes found iron pipe
- o - Denotes set iron pipe capped RLS 13591
- D - Denotes Deed
- M - Denotes Measured



SUBJECT
PROPERTY

315.39

109

105

294.07

PERMIT #
49252

3

5

101.52

20'

20'

25'

5

K

K

C

B

3

Z

F

1244

39±

1244

38±

DECK

56.92

1242± (C) (B) 1243±

42 43 43± 39±

TOP OF
RIPRAP
1227

19±

38±

38°

1225.2

SLOPE PROFILE
(SUBJECT PROPERTY)

BOTTOM
OF R.R.
1222±

1244

38±

OHW
1225.2

NORTH

LAKE
MINNEWAWA

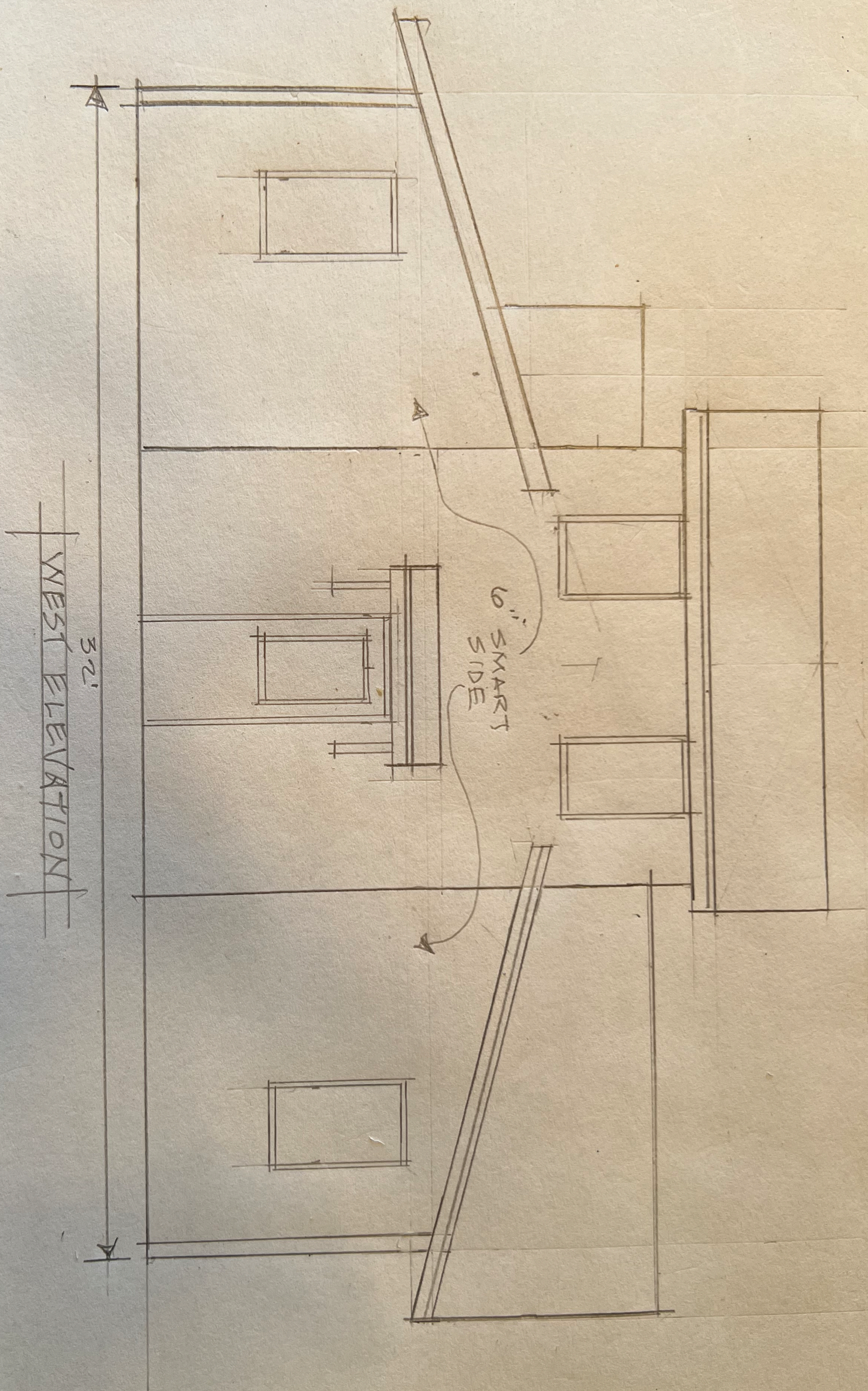
56.92

DECK

39±

1244

EXIST 4 24

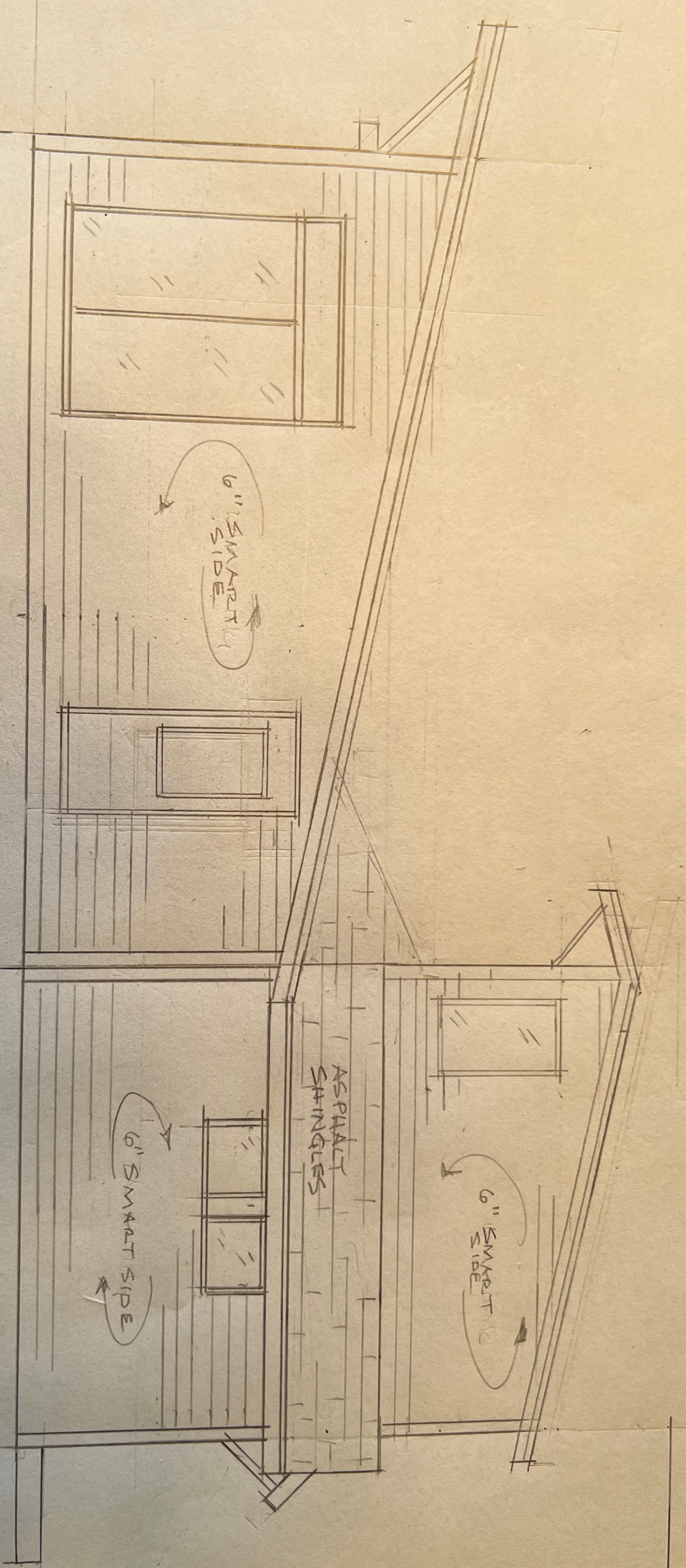


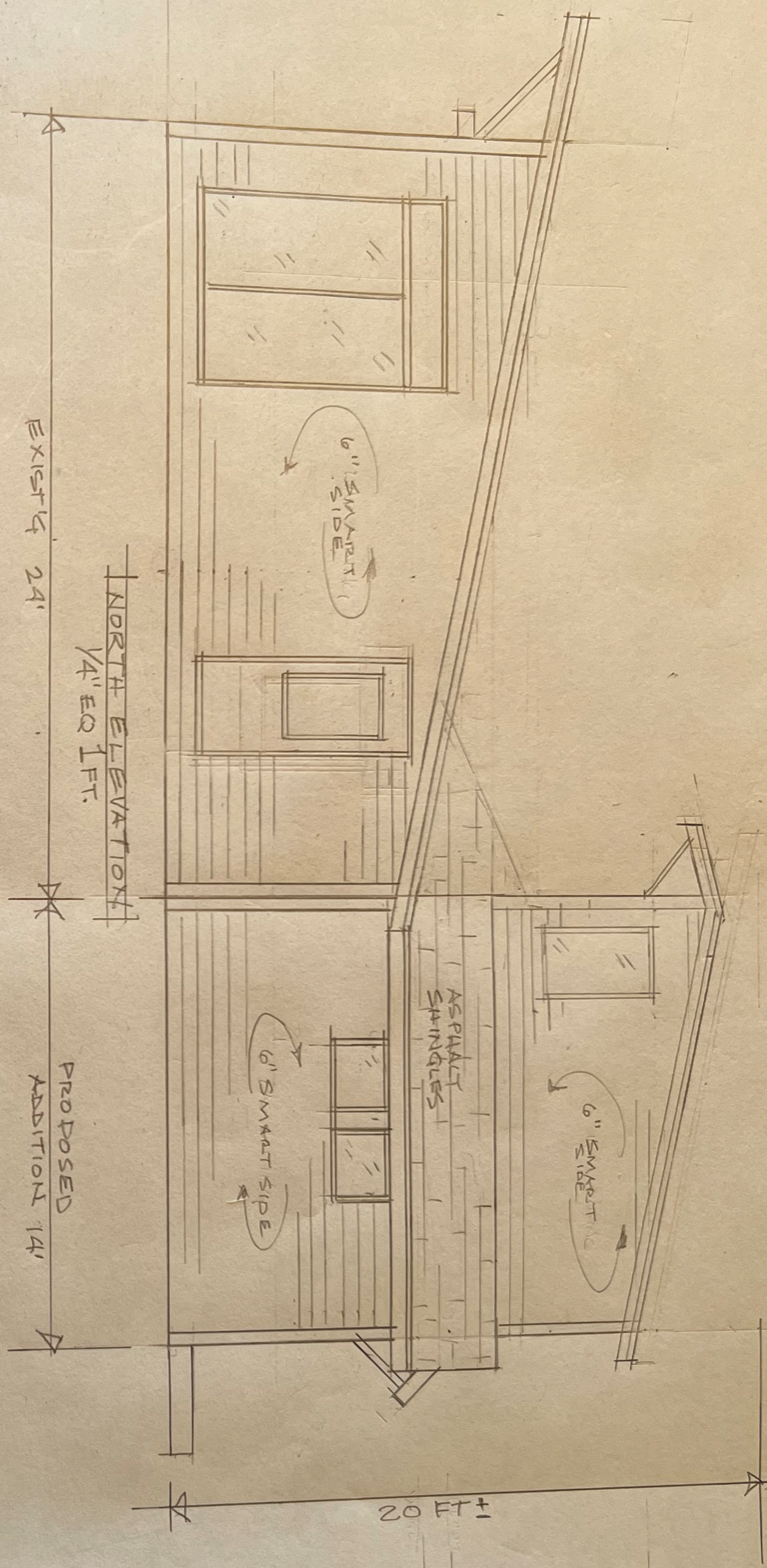
3'2"
WEST ELEVATION

EXIST'G 24'

NORTH ELEVATION
1/4" EQ 1 FT.

PROPOSED
ADDITION 14'



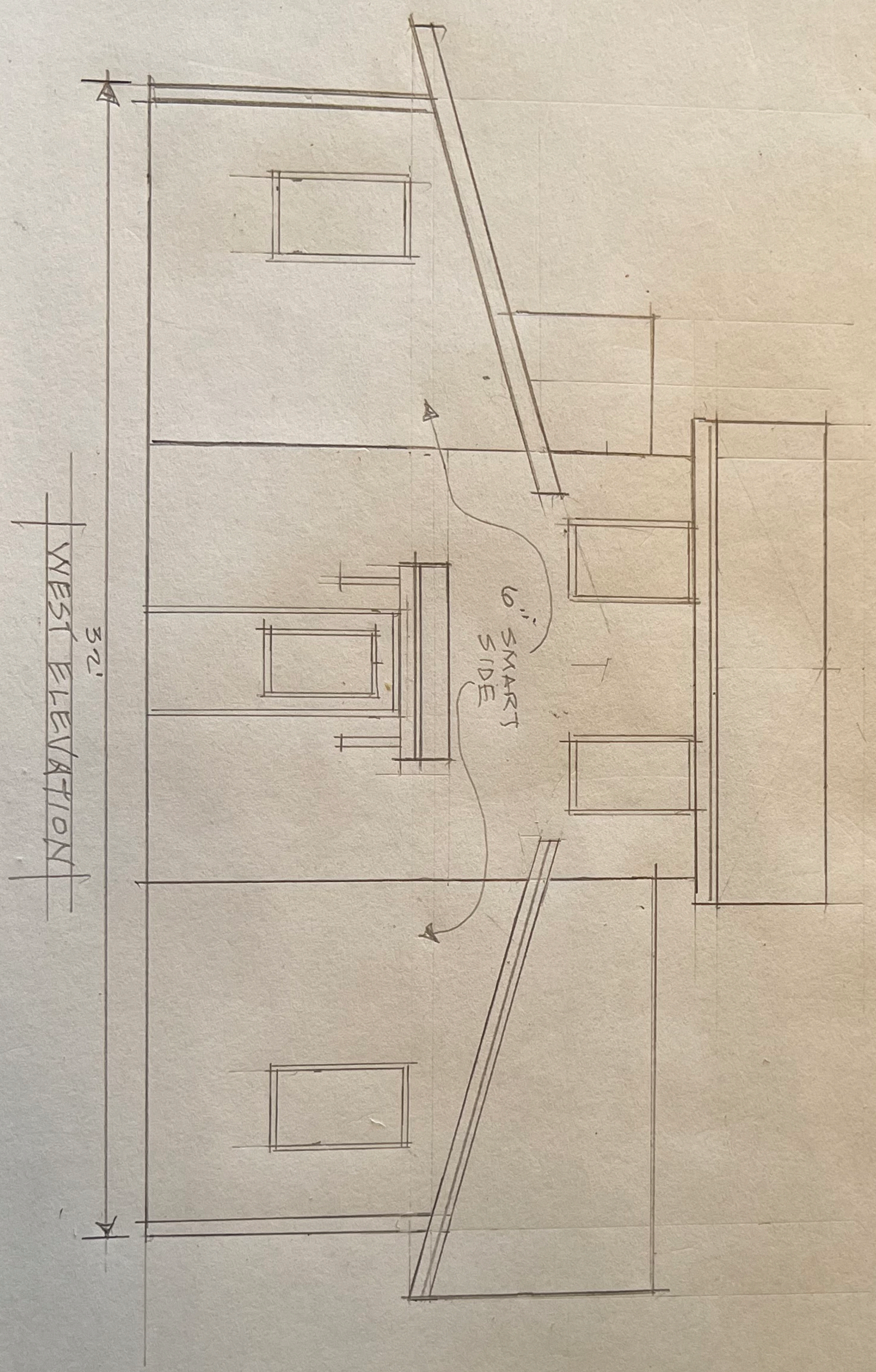


NORTH ELEVATION
1/4\"/>

EXIST'G 24'

PROPOSED
ADDITION 14'

20 FT ±



WEST ELEVATION
32'



A435119

Office of the County Recorder
Aitkin County, Minnesota

I HEREBY CERTIFY THE WITHIN INSTRUMENT WAS
FILED, AND/OR RECORDED ON 8/8/2016 9:00 AM

PACKAGE: 51673

REC FEE: \$46.00

TRANSFER ENTERED

THIS 8 DAY OF Aug 2010
Kirk Byers by Elizabeth Harmon
COUNTY AUDITOR Deputy

Michael T. Moriarty, Aitkin County Recorder

(Top 3 inches reserved for recording data)

AFFIDAVIT OF IDENTITY AND SURVIVORSHIP

State of Minnesota, County of Anoka

Name of Decedent: Eugenia M. Pignatello

I, Jeanine M. Pignatello formerly known as Jeanine M. Slattery, 4131 Woodland Cove Parkway, Minnetrista, MN. 55331,
, being first duly sworn, on oath state from personal knowledge:

1. That Decedent is the person named in the certified copy of the Certificate of Death attached hereto and made a part hereof.
2. That the name of the survivor is: Jeanine M. Pignatello formerly known as Jeanine M. Slattery
3. That on the date of death, Decedent was an owner as a life tenant in land in Aitkin County, MN legally described as follows:

→ See Exhibit A

Check here if all or part of the described real property is Registered (Torrens) ☐

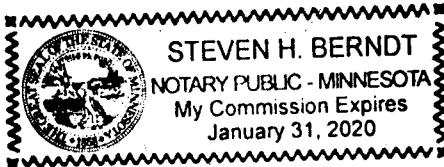
as shown by instrument recorded on June 28, 1999, as Document Number 317977, in the Office of the ☒ County Recorder ☐ Registrar of
Titles of Aitkin County, Minnesota. (If filed with the Registrar of Titles, insert the Certificate of Title number [...].)

Affiant

Jeanine M Pignatello
Jeanine M. Pignatello formerly known as Jeanine M. Slattery

Signed and sworn to before me on Aug 2, 2016, by Jeanine M. Pignatello.

(Stamp)



THIS INSTRUMENT WAS DRAFTED BY:

Steven H. Berndt #7730
Zappia & LeVahn
941 Hillwind Rd. NE Ste 301
Minneapolis, MN 55432

Steven H. Berndt
(signature of notarial officer)

Title (and Rank): _____

My commission expires: _____
(month/day/year)

TAX STATEMENTS FOR THE REAL PROPERTY DESCRIBED IN THIS INSTRUMENT SHOULD BE SENT TO:

Jeanine M. Pignatello
4131 Woodland Cove,
Minnetrista, Mn. 55331



→ The South One Hundred Thirty-three (133) feet of the North Two Hundred Sixty-seven (267) feet of the North Four Hundred (400) feet of the following described property: the West Five Hundred Fourteen and one-half (514½) feet of Government Lot Seven (7), Section Twenty (20), Township Forty-nine (49), Range Twenty-three (23), EXCEPT the North Six Hundred Eighty-eight (688) feet thereof, and also excepting the West Thirty-three (33) feet thereof.

AND

→ The South Twenty-seven (27) feet of Lot Five (5), and the North Twenty-six (26) feet of Lot Four (4), of the plat of "Pinehurst", according to the filed plat thereof.

together with all hereditaments and appurtenances belonging thereto.

STATE OF MINNESOTA
CERTIFICATION OF VITAL RECORD

CERTIFICATE OF DEATH

STATE FILE NUMBER

2016-MN-021539

DECEDENT
LAST NAME BEFORE FIRST MARRIAGE
ALSO KNOWN AS
SOCIAL SECURITY NUMBER
SEX
BORN
PLACE OF BIRTH

EUGENIA MARY PIGNATELLO
STIFTER
471 - 24 - 6135
FEMALE
MARCH 01, 1925
WINSTEAD MINNESOTA

DATE OF DEATH
PLACE OF DEATH

JUNE 30, 2016
VILLA PARK
ROSEVILLE RAMSEY MINNESOTA

MARITAL STATUS
SPOUSE
LAST NAME BEFORE FIRST MARRIAGE

WIDOWED (AND NOT REMARRIED)

RESIDENCE
PARENT
PARENT
FUNERAL HOME
DISPOSITION

MINNEAPOLIS HENNEPIN MINNESOTA
MARY HOEKENKAMP
JOSEPH STIFTER
SUNSET FUNERAL HOME AND CEMETERY
BURIAL

CAUSE OF DEATH
IMMEDIATE
UNDERLYING

NATURAL CAUSES
CAD WITH REDUCED LV FUNCTION
CEREBRAVASCULAR DISEASE

OTHER CONTRIBUTING
CONDITIONS

MANNER
MEDICAL EXAMINER,
CORONER OR PHYSICIAN

NATURAL
BARBARA L BUTCHER, M.D.
2500 COMO AVE, SAINT PAUL, MINNESOTA, 55108

THIS RECORD HAS NOT BEEN AMENDED

THIS IS A TRUE AND CORRECT RECORD OF DEATH REGISTERED IN THE MINNESOTA OFFICE OF VITAL RECORDS.

MR&C Certificate ID
10091376



02A-000211609

FILED: JULY 01, 2016

Molly Mulcahy Crawford

Molly Mulcahy Crawford
STATE REGISTRAR

ISSUED: JULY 06, 2016

ANOKA COUNTY - VITAL STATISTICS

THIS CERTIFICATE IS VALID ONLY WHEN PRINTED ON OFFICIAL WATERMARKED
SECURITY PAPER WITH A SECURITY THREAD AND STATE SEAL OF MINNESOTA.

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE



Property Location

Property:	Property Location					Legal Description			Property Attributes	
	Parcel Number	Property Address	Township or City Name	Owner Name(s)	Taxpayer Name(s)	Legal Description	Plat Name	Section-Township-Range	Lake Class	Lake Name
	35-1-062900	36052 492nd Ln PALISADE, MN 56469	WAUKENABO TWP	HARVEY, DAVID & ELIZABETH	HARVEY, DAVID & ELIZABETH	LOT 8	APPELDORN BEACH	S:15 T:49 R:26	RD	WAUKENABO LAKE
Driving directions to the proposed project from Aitkin:	<p>North on 169 for approximately 16 miles.</p> <p>Turn left onto 490th Lane for .4 mile.</p> <p>Turn first right onto 359th Place for .1 mile.</p> <p>Continue straight onto 492nd Lane and then turn left to 36052.</p>									
Is the above parcel located in the Shoreland Zoning District?	<u>Yes</u>									

Detailed Narrative

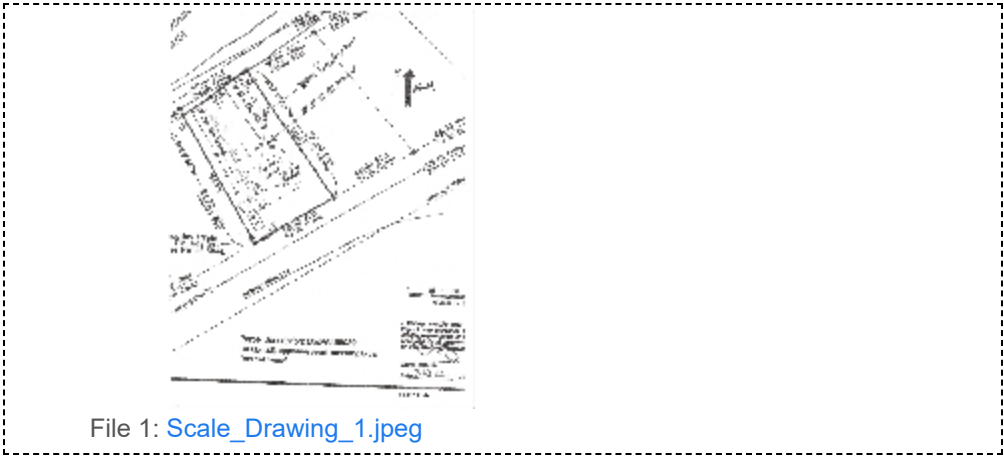
<p>Enter a Detailed Narrative (If you have a prepared narrative please state "See attached" and attach the document below):</p>	<p>We are asking to build an 8 X 10 storage shed.</p> <p>Our limited lot size is proving to be of hardship and makes it impossible to comply with setbacks and impervious regulations. We are asking for a 65' setback and 16.3% total building impervious.</p> <p>We had a cabin built on the lot which was granted through a variance in 2022. The cabin was granted a 50' setback. The original storage shed was removed from the property to comply with that variance.</p> <p>The proposed shed would be located on the west side of the cabin and 10' from the property line with a 65' setback and will still meet the setback from the septic holding tank of 10'.</p> <p>Please consider that the storage shed would benefit our property as well as our lake community.</p> <p>A storage shed on the property would provide:</p> <p>SAFETY- for our children and neighboring children from equipment that is now being stored outside such as a lawn mower, trimmer, wheelbarrow, gas and propane tanks, rakes, garden tools, lawn chairs, grill etc.</p> <p>PROTECTION- from theft of our lake belongings to include: kayaks, paddleboard, lily pad and other recreational beach toys.</p> <p>RESPECT- for our shoreline community neighbors. We prefer a well cared for property and want to respect our neighbors by keeping our property clean and safe.</p>
<p>Provide the Ordinance(s) and the Section(s) of the Ordinance(s) from which you are requesting a variance:</p>	<p>Shoreland Management Ordinance 5.2</p>
<p>Are you requesting a variance to a road right-of-way setback in one of these Townships? Fleming, Glen, Lakeside, Pliny, Shamrock, Wagner</p>	<p><u>No</u></p>

Supplemental Data

Attach completed form here:

File 1: [Supplemental_Data_p1.jpeg](#)File 2: [Supplemental_Data_p2.jpeg](#)

A Scaled Drawing or Survey

<p>Scaled Drawing or Survey Checklist:</p>	<p><u>Location and dimensions for all lot lines.</u></p> <p><u>Location and dimensions of all existing and proposed structures/additions.</u></p> <p><u>Location and depth of all existing and proposed wells within 100 feet of the property.</u></p> <p><u>Location and dimensions of all existing and proposed septic system components (septic tank, septic drainfield).</u></p> <p><u>Location and dimensions of all existing and proposed driveways, road right-of-ways, and easements.</u></p> <p><u>If topography is unusual, show elevations and location of bluffs, steep slopes, wetlands, etc.</u></p> <p><u>Indicate all setback distances for items listed above: ordinary high water level of lakes or rivers, lot lines, road right-of-ways, etc.</u></p>
<p>Attach a Scaled Drawing or Survey:</p>	<div data-bbox="489 483 1486 938">  <p>File 1: Scale_Drawing_1.jpeg</p> </div>

Side Profile Sketch of the Structure

Attach a side profile sketch of your proposed structure or addition here (if applicable):

**Certificate of Septic Compliance**

Please attach a copy of one of the following:

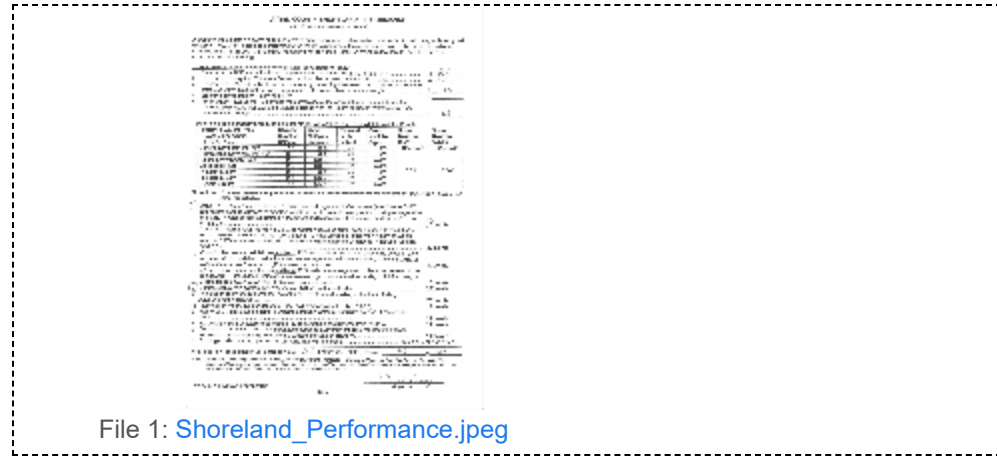
- A current compliance inspection on the existing septic system.
- A design for a new/replacement septic system.

File 1: [35-1-062900_Harvey_septic_Cert.pdf](#)

Shoreland Performance Worksheet

Complete the Shoreland Performance Worksheet and attach here:

File 1: [Shoreland_Performance.jpeg](#)



Standard Erosion Control Plan

Attach the completed
Standard Erosion Control
Plan here:

File 1: [Erosion_Control_p1.jpeg](#)

File 2: [Erosion_Control_p2.jpeg](#)

Property Deed

Attach the property deed(s):

File 1: [35-1-062900_HARVEY_DEED.pdf](#)

Terms

General Terms

The landowner or authorized agent hereby certifies that to the best of their knowledge the application and supporting documents are a factual representation of the proposed project. The landowner or authorized agent agrees that, in making application, the landowner grants permission to Aitkin County, at reasonable times, to enter the property to determine compliance of the application with applicable Local, County or State Ordinances or Statutes. It is the applicant's responsibility to contact other Local, County or State agencies to ensure the applicant has complied with all relevant Local, County or State Ordinances or Statutes.

Submittal of the above materials does not always constitute a complete application. Other information may be necessary to complete the application based on the type of request and onsite inspection.

I acknowledge that by submitting this application, the application and its attachments are public information.

Invoice #62489 (04/02/2025) Expected Payment Method: Check to be mailed

Charge	Cost	Quantity	Total
Recording Fee added 04/02/2025 4:28 PM \$46 Flat Fee	\$46.00	x 1	\$46.00
Variance added 04/02/2025 4:28 PM \$650 Flat Fee	\$650.00	x 1	\$650.00
Grand Total			
Total			\$696.00
Due			\$696.00

Approvals

Approval	Signature
Applicant	David J. Harvey - 04/02/2025 4:33 PM 7ecaa3c6f8d86251263fd379e11563c3 30eed412292b294a6a60c36f2604c807
#1 Administrative Review	

#2 Board of Adjustment Approval

Public Notes

Text:	<div></div>
File(s):	<div></div>

Admin Checklist

This review has been started by:	Kim Burton ▼
Zoning District of project location:	Shoreland ▼
Project located in the floodplain?	No ▼
Is the parcel a Lot of Record before 1-21-92 or have alternate sites been identified?	Yes ▼
Is this an after-the-fact application?	No ▼

Numbers

	Current Number	Next from Sequence
UID #	213415	<i>not applicable</i>
App. #	<input type="text" value="2025-000148"/>	<input type="button" value="««"/> 2025-000151
Permit #	<input type="text"/>	<input type="button" value="««"/> 2025-0100

[Print View](#)

AITKIN COUNTY
CERTIFICATE OF INSTALLATION/~~NOTICE OF NONCOMPLIANCE~~

This certificate of installation/~~notice of noncompliance~~ has been issued this 10th day of July, 2023 to certify compliance/~~noncompliance~~ with Aitkin County's Subsurface Sewage Treatment System Ordinance.

The premises covered by this certificate are legally described as: _____
Lot 8

Section 15 Township 49 Range 26 Lake Waukenebo
PERMIT NO. 47530 Owner Name David Harvey
Address 36052 492nd Ln, Palisade
Installer Name _____ Kern Exc
Type of System Inspected _____ Type 2 Holding Tank
Parcel Number 35-1-062900

The certificate of installation/~~notice of noncompliance~~ was based on No 2 of the following:

- 1) Inspection of the installation or construction as in accordance with the above referenced permit and application design.
- 2) Review of as-built plans submitted in accordance with Subdivision 9.2 D of Aitkin County's Subsurface Sewage Treatment System Ordinance.

If the above permitted subsurface sewage treatment system is in noncompliance with Aitkin County's Subsurface Sewage Treatment System Ordinance, then the following shall serve as a Notice of Violation:

- 1) Statement of the findings of fact through inspections or investigations:

- 2) List of specific violations of Ordinance: _____

- 3) Requirements for correction or removal of violations: _____

- 4) Time schedule for compliance: _____

Failure to correct or remove the above violation(s) will result in this matter being turned over to the Aitkin County Attorney's Office for further legal action, which may result in revocation of licenses or registrations, fines and/or imprisonment.

INSPECTOR SIGNATURE Jody Grund

AITKIN COUNTY AS-BUILT FORM FOR AN ISTS

OWNER David Harvey
 INSTALLER Kern

PERMIT NUMBER 47530
 DATE OF INSTALLATION 7/10/2023

SETBACKS:

Buildings to tank(s) 10'
 Building to drainfield NA
 Well(s) 50' or 100' 50'
 Lake/Creek/Wetland 70'
 Property lines (drainfield/tanks) 5'

SEPTIC TANKS:

Liquid Capacity 1650
 Manufacturer & Type JAC
 Type of baffle(s) Plastic
 Inspection pipes (#, size & height) _____
 Manhole access (size) 2-24" 1-20"
 # and height of risers on manhole _____

MOUNDS:

Percent slope _____
 Upslope dike width _____
 Downslope dike width _____
 Sideslope dike width _____
 Drainfield rock below pipe _____
 Depth of sand below rock _____
 Perforation size & spacing _____
 Pipe size & spacing _____
 Dimensions of rockbed _____
 Dimensions of sandbase _____
 Depth of final cover _____

TRENCHES, BEDS OR AT-GRADE SYSTEMS:

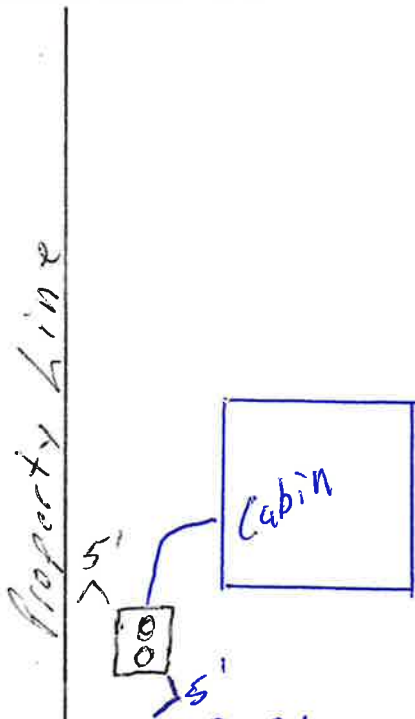
Drop box or Dist. Box and Type _____
 Trench depth(s) _____
 Trench length(s) _____
 Trench bottom width _____
 trench spacing _____
 Drainfield rock below pipe _____
 Size of graveless pipe _____
 Depth of backfill _____
 Absorption area: square feet _____
 lineal feet _____

NUMBER OF PICTURES TAKEN:

PUMPS:

Tank capacity _____
 Tank manufacturer & type _____
 # and height of risers _____
 Pump manufacturer and model # _____
 Horsepower and GPM _____
 Feet of head _____
 Cycles/day & Gallons/cycle _____
 Size of discharge line _____
 Type of electrical hookup _____
 Type and location of alarm _____
 Cycle counter type & location _____

DRAWING OF SYSTEM – use back of this sheet if more room is needed.



I Redt (installer signature) certify that the above work was installed in accordance with the submitted design and permit conditions and the system is free from defects.

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: RV
- 2) Determine the required "Structure Setback" to that classification of water (SMO 5.2) 2: 100
- 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: 65
- 4) Enter the corresponding 'Score Multiplier' 4: 1
- 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: 65

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

Protected Waters Type (DNR Classification; SMO 4.13-4.14)	Required Structure Setback	Score Multiplier Structures	Required Septic Setback	Score Multiplier Septic	Score Multiplier Bluff	Score Multiplier Sidelot
General Development Lake	75'	1.333	75'	1.333	(30' setback) 3.33	(10' setback) 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:

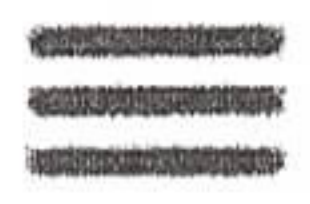
- (A) Zone A(1): Plant and/or maintain a 12.5' wide natural vegetated buffer zone adjacent to the OHW and record deed restrictions to maintain vegetation in its natural state, prohibit mowing or vegetation removal.* Water access as defined in the Shoreland Management Ordinance is allowed (Section 5.31.B.2.c) **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) 65 + Mitigation Totals (Lines A-I) 35 = 100

*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

Board of Adjustment Chairperson

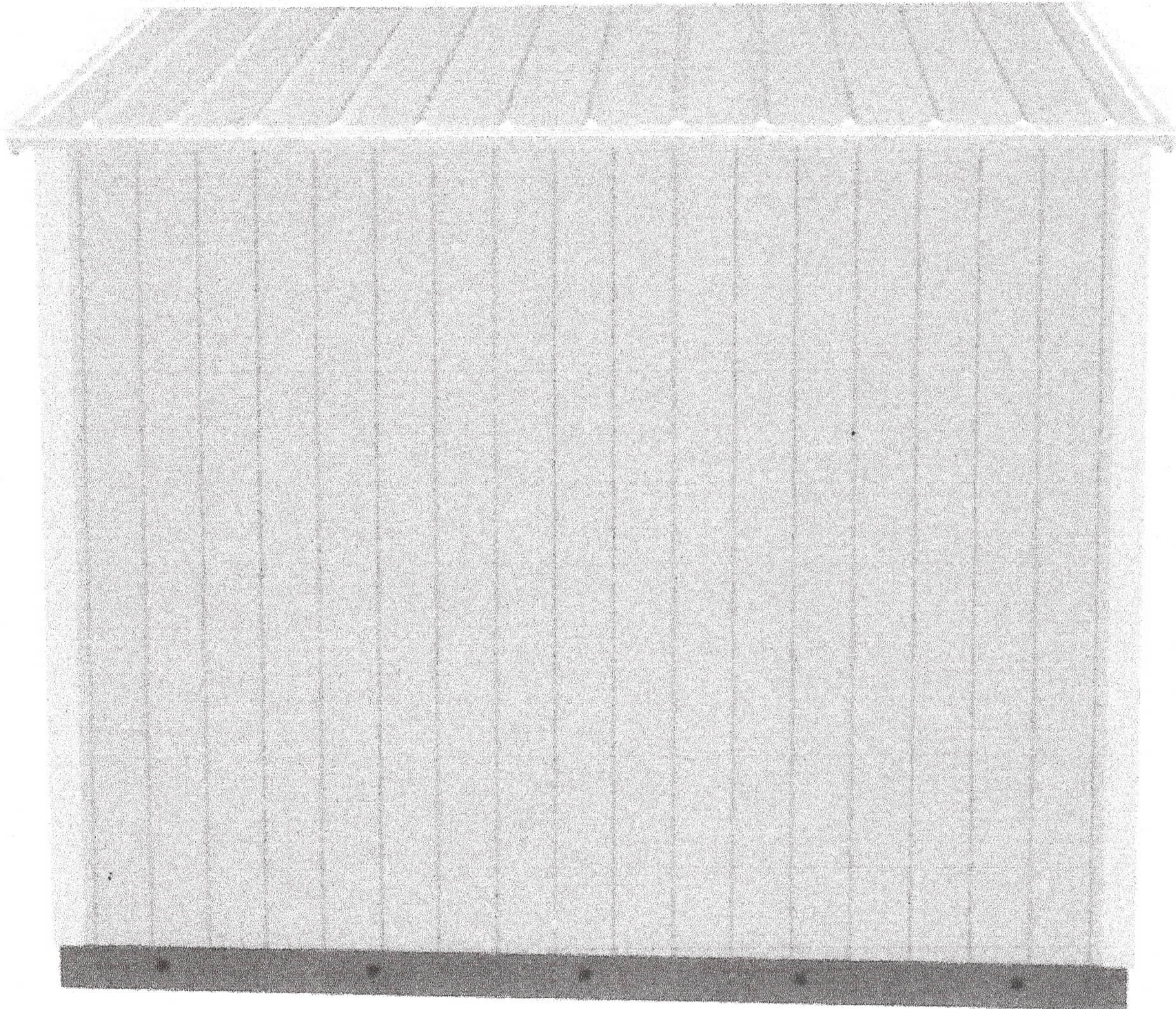
David Haney
Applicant



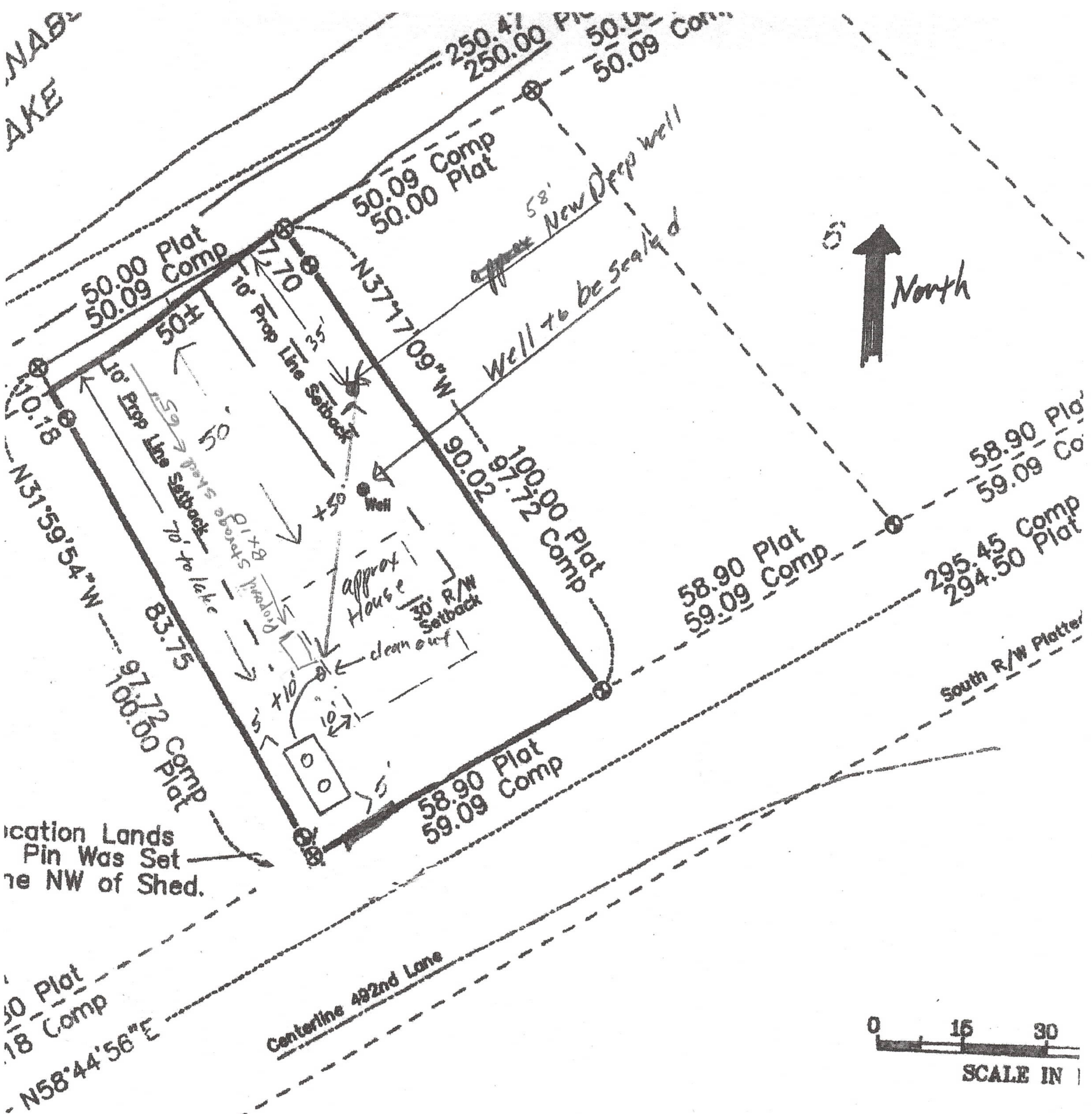
TUFF SHED

[Click details to see your savings](#)

TR-800 - 8' wide by 10' long



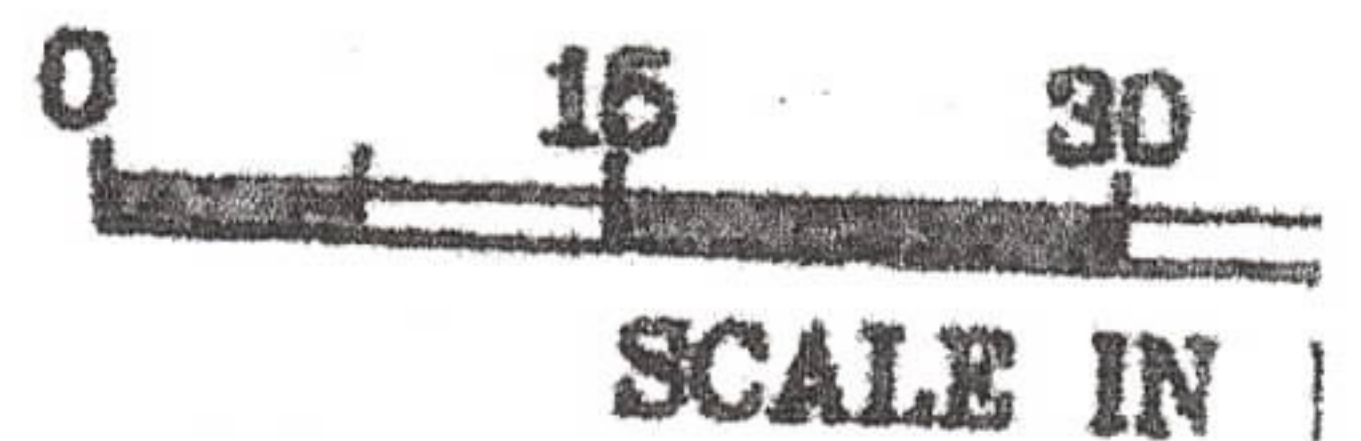
NAB
AKE



Location Lands
Pin Was Set
NW of Shed.

50 Plot
18 Comp
N58°44'56"E

Centerline 492nd Lane



Parcel Description: Doc#A465939
Lot Eight (8), Appledorn Beach, according to the
filled plat thereof.

I hereby certify that
report was prepared in
direct supervision and
Licensed Land Surveyor
of the State of Minnesota

Chris Mattila
Date: 7-10-22

PART I: SUPPLEMENTAL DATA TO VARIANCE APPLICATION

Aitkin County Environmental Services

307 Second St. NW, Room 219, Aitkin, MN 56431

Phone: 218.927.7342 Fax: 218.927.4372

www.co.aitkin.mn.us

Note: Place an "X" by each item below that applies to your variance request. Then, fill out **only** the applicable following section(s) that apply, as directed. **If a section does not apply to your request, leave it blank.**

What is the reason(s) for applying for the variance? Place an "X" by each applicable item.

- ☒ Setback issues for a proposed new structure: **Complete Section 1**
- ☐ Setback issues for an alteration to an existing nonconforming structure: **Complete Section 2**
- ☐ Setback issues for a septic system: **Complete Section 3**
- ☐ Land alteration: **Complete Section 4**
- ☐ Creating a lot not in conformance with the minimum Ordinance standards: **Complete Section 5**
- ☐ Other: attach separate sheet explaining variance request

Section 1 – New Structure(s)

Check all that apply and fill in requested information:

- ☐ Basement
- ☐ Crawlspace
- ☐ Walk-out Basement

- ☒ One Story Level
- ☐ Story-and-a-Half Level
- ☐ 2nd Story Level

Proposed # of Bedrooms 0

Proposed Structure Height 9 ft.

Existing Total Building Coverage 15 %

Proposed Total Building Coverage 16 %

Existing Total Impervious Surface Coverage 15 % Proposed Total Impervious Surface Coverage 16 %

"Building Coverage" means the ground surface covered by any building or appurtenance, including, but not limited to, decks, platforms, overhangs and projections therefrom, outdoor furnaces, fishhouses, sheds, carports, lean-to's, or any similar building. –as per the Aitkin County Shoreland Management Ordinance.

"Impervious surface coverage" means any structure, facility or surface that sheds water including structures and facilities, sewage treatment system absorption areas (equal to 190 sq.ft./bedroom), retaining walls, and roadway surfaces and parking areas. Impervious surface does not include eaves of two feet and less. – Per the Aitkin Count Shoreland Management Ordinance.

Itemized square footage of proposed structure(s):

Storage Shed 8 x 10 = 80 sq. ft.

Check the item(s) from which you are requesting a variance and fill in the proposed setback distance. * Setbacks are measured to the nearest point on a structure which can be the eave overhang or an attached deck/platform.

Proposed Structure Type (indicate with or without living quarters) Storage Shed - without
living quarters

<input checked="" type="checkbox"/> Ordinary High Water Level (OHWL)	Proposed Setback <u>67</u> ft.
<input type="checkbox"/> Property Line	Proposed Setback _____ ft.
<input type="checkbox"/> Road Right-of way ___ Twp ___ Co. ___ State	Proposed Setback _____ ft.
<input type="checkbox"/> Bluff	Proposed Setback _____ ft.
<input type="checkbox"/> Other: _____	Proposed Setback _____ ft.

Section 2 – Alteration(s) to Existing Nonconforming Structure(s)

Check all that apply and fill in requested information:

Existing Structure

☐ Basement
☐ Crawlspace
☐ Walk-out Basement
☐ One Story Level
☐ Story-and-a-Half Level
☐ 2nd Story Level

Proposed Addition(s)

☐ Basement
☐ Crawlspace
☐ Walk-out Basement
☐ One Story Level
☐ Story-and-a-Half Level
☐ 2nd Story Level

Existing Structure Height _____ ft.

Proposed Addition(s) Height _____ ft.

Existing # of Bedrooms _____

Final # of bedrooms after remodel _____

Existing Building Coverage _____%

Proposed Building Coverage _____%

Existing Total Impervious Surface Coverage _____%

Proposed Total Impervious Surface Coverage _____%

“Building Coverage” means the ground surface covered by any building or appurtenance, including, but not limited to, decks, platforms, overhangs and projections therefrom, outdoor furnaces, fishhouses, sheds, carports, lean-to’s, or any similar building. –as per the Aitkin County Shoreland Management Ordinance.

“Impervious surface coverage” means any structure, facility or surface that sheds water including structures and facilities, sewage treatment system absorption areas (equal to 190 sq.ft./bedroom), retaining walls, and roadway surfaces and parking areas. Impervious surface does not include eaves of two feet and less. – Per the Aitkin Count Shoreland Management Ordinance.

Itemized square footage of proposed structure(s):

PART VII: STANDARD EROSION CONTROL PLAN

According to Aitkin County's Shoreland Management Ordinance, soil erosion control information needs to be included on the site plan which is submitted and approved prior to the issuance of zoning permits. The Standard Erosion Control Plan is provided to assist in meeting this requirement.

Instructions:

1. Complete this plan by filling in requested information, completing the site diagram and marking appropriate boxes on the inside of this form.
2. In completing the site diagram, give consideration to potential erosion that may occur before, during and after grading. Water runoff patterns can change significantly as a site is reshaped.
3. A cross section sheet is required for walkout basements and excavations into hillsides for determining volume of fill to be excavated.

Project Location 36052 492nd Lane, Palisade

Builder Tuff Shed Owner DAVID + ELIZABETH HARVEY

Worksheet Completed By self Date 3-27-25

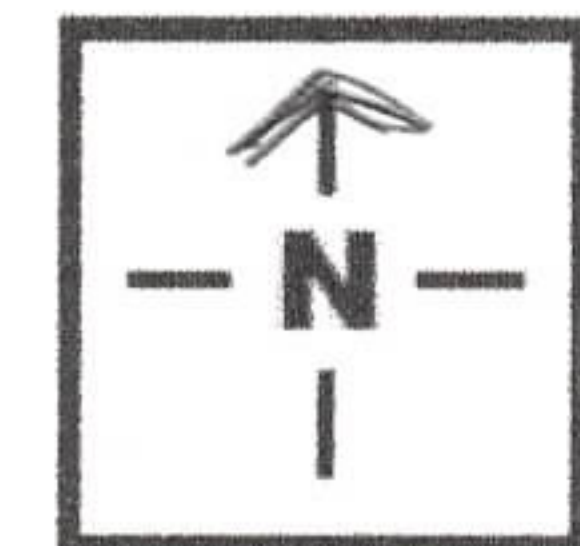
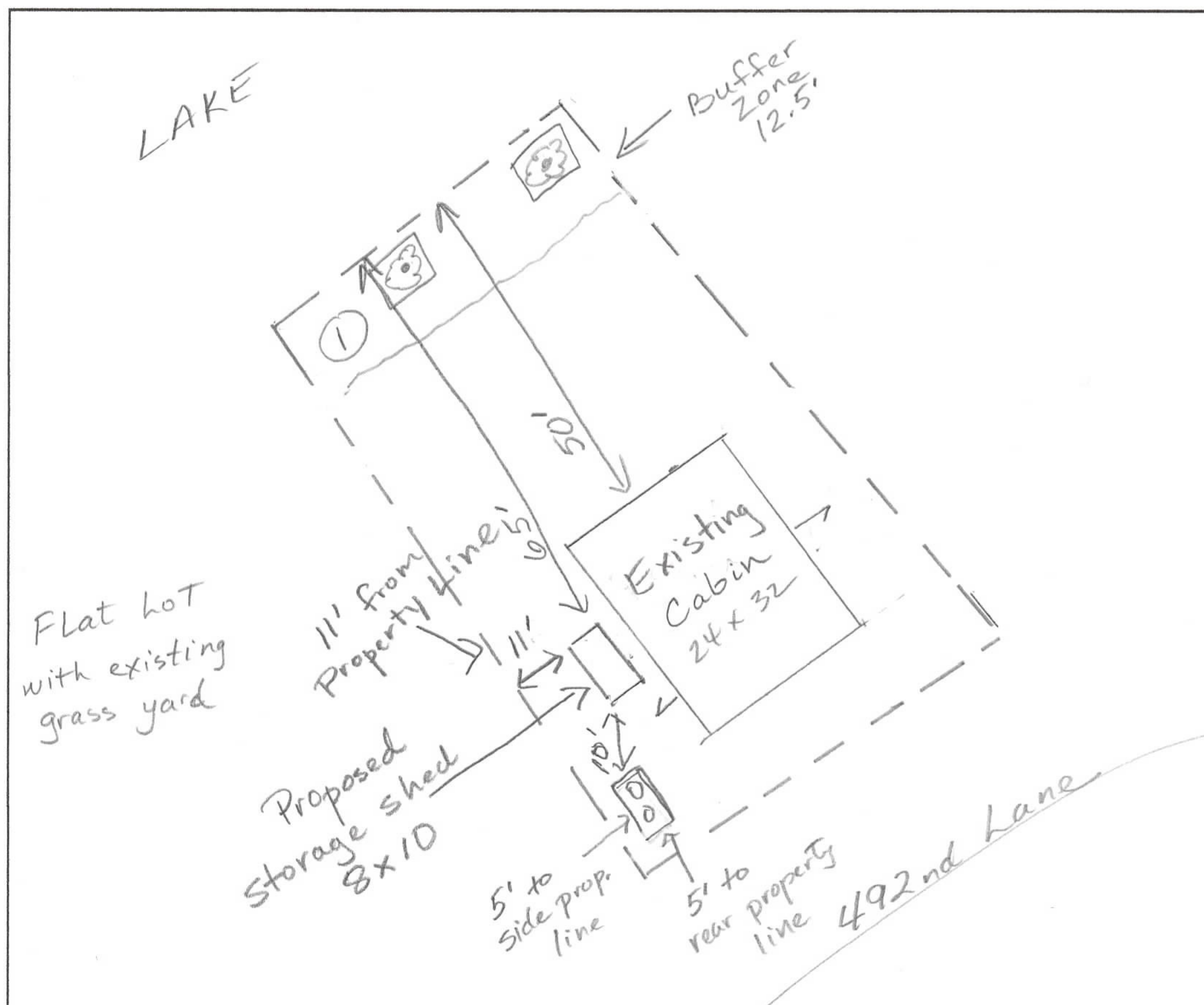
Amount of earthen material to be excavated and/or used for fill N/A cubic yards.

Placed on existing lawn

SITE DIAGRAM

Scale 1 inch = 30 feet

Please indicate north by completing the arrow.



EROSION CONTROL PLAN LEGEND

- PROPERTY LINE
- EXISTING DRAINAGE
- TD TEMPORARY DIVERSION
- FINISHED DRAINAGE
- LIMITS OF GRADING
- SILT FENCE
- STRAW BALES
- GRAVEL
- 1 VEGETATION SPECIFICATION
- TREE PRESERVATION
- STOCKPILED SOIL

* Mulching Bed/Rain garden (to be completed immediately after construction) will match that around cabin and will be created around shed for rain run-off to increase absorption.

CRV Filed
Auditor's CRV # 48878
No Delinquent Taxes and Transfer Entered
Kirk Peysar, County Auditor
State Deed Tax Paid
Lori Grams, County Treasurer

Doc No: **A465939**
Certified Filed and/or Recorded on
8/17/2021 9:00 AM
Office of the County Recorder
Aitkin County, Minnesota
Michael T. Moriarty, County Recorder
Package: **73495** Tara

WAD 1/1

REC FEE	\$46.00
SDT	\$389.40
eCRV #	1300490
WC RCVD	\$50.00

This cover sheet was added by the Aitkin County Recorder's Office to allow space for the recording information of this document. It is not intended to alter the document/certified copy.

This cover sheet is now a permanent part of the recorded document.

Check applicable box:

- ☐ The Seller certifies that the Seller does not know of any wells on the described real property.
- ☒ A well disclosure certificate accompanies this document or has been electronically filed. (If electronically filed, insert WDC number: .)
- ☐ I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

Grantor

Jonah Paul Smith
 (signature) Jonah Paul Smith

(signature)

(signature)

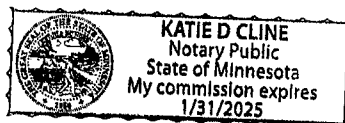
(signature)

State of Minnesota, County of Aitkin

This instrument was acknowledged before me on August 12, 2021, by Jonah Paul Smith, a single person
 (month/day/year)

(insert name and marital status of each Grantor)

(Stamp)



Katie Cline
 (signature of notarial officer)

Title (and Rank): Notary Public

My commission expires: 1-31-25
 (month/day/year)

THIS INSTRUMENT WAS DRAFTED BY:
 (insert name and address)

Aitkin County Abstract Company
 112 3rd Street NW
 Aitkin, MN 56431

File No. 21-0078

TAX STATEMENTS FOR THE REAL PROPERTY DESCRIBED IN THIS INSTRUMENT SHOULD BE SENT TO:


(insert legal name and residential or business address of Grantee)

David and Elizabeth Harvey
 11571 Silverod Street NW
 Coon Rapids, MN 55433

Property Location

Property:	Property Location					Legal Description			Property Attributes	
	Parcel Number	Property Address	Township or City Name	Owner Name(s)	Taxpayer Name(s)	Legal Description	Plat Name	Section-Township-Range	Lake Class	Lake Name
	29-1-458100	49794 202nd PI MCGREGOR, MN 55760	SHAMROCK TWP	ORDONEZ, JEANETTE L & BOARD, STEPHA	ORDONEZ, JEANETTE L & BOARD, STEPHA	LOT 1	PINE HEIGHTS	S:8 T:49 R:23	GD	BIG SANDY LAKE
Driving directions to the proposed project from Aitkin:	MN 210 towards McGregor. Turn left onto MN-65 7.1 miles turn right onto Lake Ave (County 14) (Sathers) go down 2.1 miles turn left onto 202nd Place. Our place is .08 miles down on the right side. 49794 202nd Place. Has a sign for Board. When you get there if you turn left you go down the road to the Hillcrest, if you turn right you go into our driveway.									
Is the above parcel located in the Shoreland Zoning District?	<u>Yes</u>									

Detailed Narrative

Enter a Detailed Narrative (If you have a prepared narrative please state "See attached" and attach the document below):	<p>Asking for a varaince to build closer to a platted road that runs between us and the property to the south of us. See attached : Board Variance 2025</p> <p>Our property borders the Borson's to the North and the Dame's to the south.</p>
Attach prepared narrative here:	<div>File 1:  Board_Variance_2025_doc.doc</div>
Provide the Ordinance(s) and the Section(s) of the Ordinance(s) from which you are requesting a variance:	<p>Aitkin County Zoning Ordinance</p> <p>Section 8, 8.33 Right of way town Rd #4</p>
Are you requesting a variance to a road right-of-way setback in one of these Townships? Fleming, Glen, Lakeside, Pliny, Shamrock, Wagner	<p><u>Yes</u></p>

Supplemental Data

Attach completed form here:	<div>File 1:  supplemental-data_Board_4-25_Sheet.pdf</div>
-----------------------------	---

A Scaled Drawing or Survey

<p>Scaled Drawing or Survey Checklist:</p>	<p><u>Location and dimensions for all lot lines.</u></p> <p><u>Location and dimensions of all existing and proposed structures/additions.</u></p> <p><u>Location and depth of all existing and proposed wells within 100 feet of the property.</u></p> <p><u>Location and dimensions of all existing and proposed septic system components (septic tank, septic drainfield).</u></p> <p><u>Location and dimensions of all existing and proposed driveways, road right-of-ways, and easements.</u></p> <p><u>If topography is unusual, show elevations and location of bluffs, steep slopes, wetlands, etc.</u></p> <p><u>Indicate all setback distances for items listed above: ordinary high water level of lakes or rivers, lot lines, road right-of-ways, etc.</u></p>
<p>Attach a Scaled Drawing or Survey:</p>	<div style="border: 1px dashed black; padding: 10px;"> <p>File 1: Prior_Survey_Board_425.pdf</p> <p>File 2: Proposed_Site_Plan_Board_425.pdf</p> <p>File 3: Well_Placement_Board_Vari.pdf</p> </div>

Side Profile Sketch of the Structure

<p>Attach a side profile sketch of your proposed structure or addition here (if applicable):</p>	<div style="border: 1px dashed black; padding: 10px;"> <p>File 1: Side_profile_Board_Vari.pdf</p> </div>
--	--

Certificate of Septic Compliance

<p>Please attach a copy of one of the following:</p> <ul style="list-style-type: none"> - A current compliance inspection on the existing septic system. - A design for a new/replacement septic system. 	<div style="border: 1px dashed black; padding: 10px;"> <p>File 1: scan0031.pdf</p> </div>
--	---

Shoreland Performance Worksheet

Complete the Shoreland Performance Worksheet and attach here:	File 1: shoreland-performance_Board_2025.pdf
---	--

Standard Erosion Control Plan

Attach the completed Standard Erosion Control Plan here:	File 1: Board_Erosion_Plan_425.pdf
--	--

Written Township Recommendation

Attach the written Township recommendation letter here:	File 1: Boards_-_ROW_Variance_Request_Signed.pdf
---	--

Property Deed

Attach the property deed(s):	File 1: Warrenty_Deed_Board_29-1-458100.pdf
------------------------------	---

Other

Attach "Other" information (if necessary):	File 1: Other_Board_Variance.docx File 2: Well_Placement_Board_Vari.pdf
Other Information (if necessary):	I also included information about our well.

Terms**General Terms**

The landowner or authorized agent hereby certifies that to the best of their knowledge the application and supporting documents are a factual representation of the proposed project. The landowner or authorized agent agrees that, in making application, the landowner grants permission to Aitkin County, at reasonable times, to enter the property to determine compliance of the application with applicable Local, County or State Ordinances or Statutes. It is the applicant's responsibility to contact other Local, County or State agencies to ensure the applicant has complied with all relevant Local, County or State Ordinances or Statutes.

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Invoice #62546 (04/11/2025) Expected Payment Method: Pay Online - Card or ECheck

Charge	Cost	Quantity	Total
Recording Fee added 03/31/2025 2:18 PM \$46 Flat Fee	\$46.00	x 1	\$46.00
Variance added 03/31/2025 2:18 PM \$650 Flat Fee	\$650.00	x 1	\$650.00
Grand Total			
Total			\$696.00
Payment 04/11/2025			\$696.00
Due			\$0.00

Results ([Go to top](#))

Signature accepted

Failed to send [Variance Ready for Action](#) notification to:**Approvals**

Approval	Signature
Applicant	Jeanette L. Board - 04/11/2025 2:20 PM 70f7cf13a2d076a5376ec8425b236242 ecfb7b5c577567bed505fa0d224ab3e6
#1 Administrative Review	Kim Burton - 04/14/2025 10:02 AM 1d25e48bb8185a3613679fc30ea2e818 d2624ed1433ce19032f55b02afd9572f
#2 Board of Adjustment Approval	

Public Notes

Text:	
File(s):	<div style="border: 1px dashed black; height: 20px; width: 100%;"></div>

Admin Checklist

This review has been started by:	<div>Kim Burton ▼</div>
Zoning District of project location:	<div>Shoreland ▼</div>

Project located in the floodplain?	No ▼
Is the parcel a Lot of Record before 1-21-92 or have alternate sites been identified?	Yes ▼
Is this an after-the-fact application?	No ▼

Numbers

	Current Number	Next from Sequence
UID #	213475	<i>not applicable</i>
App. #	<input type="text" value="2025-000177"/>	«« 2025-000181
Permit #	<input type="text"/>	«« 2025-0118

Print View

Board Variance 2025

We are seeking a variance from the platted road setback that separates our property from our neighbor's property to the south of us. The platted road (Kenneth Ave) runs the length approximately 342ft from 202nd Place down the steep unbuildable bluff to the shore.

We have a setback to the east because we sit on a high bluff that leads down to the lake (Big Sandy Lake) 30ft.

We have a setback to the west because it is 202nd Place an established road 30ft.

We have an existing septic and drain field where indicated. To the east of the main parking area.

PART I: SUPPLEMENTAL DATA TO VARIANCE APPLICATION

Aitkin County Environmental Services

307 Second St. NW, Room 219, Aitkin, MN 56431

Phone: 218.927.7342 Fax: 218.927.4372

www.co.aitkin.mn.us

Note: Place an "X" by each item below that applies to your variance request. Then, fill out **only** the applicable following section(s) that apply, as directed. **If a section does not apply to your request, leave it blank.**

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- ☐ Setback issues for an alteration to an existing nonconforming structure: **Complete Section 2**
- ☐ Setback issues for a septic system: **Complete Section 3**
- ☐ Land alteration: **Complete Section 4**
- ☐ Creating a lot not in conformance with the minimum Ordinance standards: **Complete Section 5**
- ☐ Other: attach separate sheet explaining variance request

Section 1 – New Structure(s)

Check all that apply and fill in requested information:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Basement | <input type="checkbox"/> One Story Level |
| <input type="checkbox"/> Crawlspace | <input type="checkbox"/> Story-and-a-Half Level |
| <input type="checkbox"/> Walk-out Basement | <input checked="" type="checkbox"/> 2 nd Story Level |

Proposed # of Bedrooms 2

Proposed Structure Height 29 ft.

Existing Total Building Coverage 6.2 %

Proposed Total Building Coverage 11 %

Existing Total Impervious Surface Coverage 20 % Proposed Total Impervious Surface Coverage 21 %

"Building Coverage" means the ground surface covered by any building or appurtenance, including, but not limited to, decks, platforms, overhangs and projections therefrom, outdoor furnaces, fishhouses, sheds, carports, lean-to's, or any similar building. –as per the Aitkin County Shoreland Management Ordinance.

"Impervious surface coverage" means any structure, facility or surface that sheds water including structures and facilities, sewage treatment system absorption areas (equal to 190 sq.ft./bedroom), retaining walls, and roadway surfaces and parking areas. Impervious surface does not include eaves of two feet and less. – Per the Aitkin Count Shoreland Management Ordinance.

Itemized square footage of proposed structure(s):

40ft x 45ft cabin 1,800sq ft foot print

Check the item(s) from which you are requesting a variance and fill in the proposed setback distance. * Setbacks are measured to the nearest point on a structure which can be the eave overhang or an attached deck/platform.

Proposed Structure Type (indicate with or without living quarters) _____

_____ Ordinary High Water Level (OHWL)	Proposed Setback _____ ft.
_____ Property Line	Proposed Setback _____ ft.
_____ x _____ Road Right-of way _____ Twp _____ Co. _____ MN State	Proposed Setback _____ 10 _____ ft.
_____ Bluff	Proposed Setback _____ ft.
_____ Other: _____	Proposed Setback _____ ft.

Section 2 – Alteration(s) to Existing Nonconforming Structure(s)

Check all that apply and fill in requested information:

Existing Structure

_____ Basement
_____ Crawlspace
_____ Walk-out Basement
_____ One Story Level
_____ Story-and-a-Half Level
_____ 2nd Story Level

Existing Structure Height _____ ft.
Existing # of Bedrooms _____
Existing Building Coverage _____%
Existing Total Impervious Surface Coverage _____%

Proposed Addition(s)

_____ Basement
_____ Crawlspace
_____ Walk-out Basement
_____ One Story Level
_____ Story-and-a-Half Level
_____ 2nd Story Level

Proposed Addition(s) Height _____ ft.
Final # of bedrooms after remodel _____
Proposed Building Coverage _____%
Proposed Total Impervious Surface Coverage _____%

“Building Coverage” means the ground surface covered by any building or appurtenance, including, but not limited to, decks, platforms, overhangs and projections therefrom, outdoor furnaces, fishhouses, sheds, carports, lean-to’s, or any similar building. –as per the Aitkin County Shoreland Management Ordinance.

“Impervious surface coverage” means any structure, facility or surface that sheds water including structures and facilities, sewage treatment system absorption areas (equal to 190 sq.ft./bedroom), retaining walls, and roadway surfaces and parking areas. Impervious surface does not include eaves of two feet and less. – Per the Aitkin Count Shoreland Management Ordinance.

Itemized square footage of proposed structure(s):

Check the item(s) from which you are requesting a variance and fill in the proposed setback distance. * Setbacks are measured to the nearest point on a structure which can be the eave overhang or an attached deck/platform.

Proposed Alteration Type _____

_____ Ordinary High Water Level (OHWL)	Existing Setback _____ ft.	Proposed Setback _____ ft.
_____ Property Line	Existing Setback _____ ft.	Proposed Setback _____ ft.
_____ Road Right-of way __ Twp __ Co. __ State	Existing Setback _____ ft.	Proposed Setback _____ ft.
_____ Bluff	Existing Setback _____ ft.	Proposed Setback _____ ft.
_____ Other: _____	Existing Setback _____ ft.	Proposed Setback _____ ft.

Section 3 – Septic System

Check the item(s) from which you are requesting a variance and fill in the proposed setback distance.

_____ Ordinary High Water Level (OHWL)	Proposed Setback _____ ft.
_____ Property Line	Proposed Setback _____ ft.
_____ Road Right-of way __ Twp __ Co. __ State	Proposed Setback _____ ft.
_____ Bluff	Proposed Setback _____ ft.
_____ Other: _____	Proposed Setback _____ ft.

Section 4 – Land Alteration

What is your land alteration? Check all categories that apply and indicate the total amount of excavation or placement of fill.

_____ More than 10 cubic yards on steep slopes and shore and bluff impact zones.	Total Cubic Yds. _____
_____ Other: _____	Total Cubic Yds. _____

Section 5 – Creating Nonconforming Lot(s)

Check the item(s) from which you are requesting a variance and fill in the proposed dimensions.

_____ Property Width	Proposed Property Width _____
_____ Property Area	Proposed Property Area _____
_____ (2) Standard Septic Sites	
_____ Legal Access	

CERTIFICATE OF SURVEY

LOT 1, PINE HEIGHTS AND PART OF KENNETH AVENUE,
REITER'S ORIGINAL PLAT ON SANDY LAKE,
SECTIONS 8 AND 17 ALL IN TOWNSHIP 49 NORTH, RANGE 23 WEST,
AITKIN COUNTY, MINNESOTA

EXISTING LEGAL DESCRIPTION PROVIDED BY CLIENT

Lot One (1), Pine Heights, according to the filed plat thereof,

EXCEPT that part of said Lot 1 and that part of Kenneth Avenue, Reiter's Original Plat on Sandy Lake, according to the filed plat thereof, described as follows: Commencing at the northwesterly corner of said Lot 1; thence South 02 degrees 34 minutes 25 seconds West, on an assigned bearing, along the westerly line of said Lot 1, a distance of 81.46 feet, to the point of beginning; thence continuing South 02 degrees 34 minutes 25 seconds West, a distance of 18.94 feet, to the southwesterly corner of said Lot 1; thence South 86 degrees 08 minutes 14 seconds East, a distance of 347 feet, more or less, to the shoreline of Big Sandy Lake; thence Northerly, along said shoreline to its Intersection with a line bearing South 87 degrees 10 minutes 14 seconds East, from the point of beginning; thence North 87 degrees 10 minutes 14 seconds West, along the northerly line of said Kenneth Avenue a distance of 339 feet, more or less to the point of beginning.

Aitkin County, Minnesota
(Abstract Property)

and

That part of Lot One (1), Pine Heights, according to the filed plat thereof, AND that part of Kenneth Avenue, Reiter's Original Plat on Sandy Lake, according to the filed plat thereof, described as follows:

Commencing at the northwesterly corner of said Lot 1; thence South 02 degrees 34 minutes 25 seconds West, on an assigned bearing, along the westerly line of said Lot 1, a distance of 81.46 feet, to the point of beginning; thence continuing South 02 degrees 34 minutes 25 seconds West, a distance of 18.94 feet, to the southwesterly corner of said Lot 1; thence South 86 degrees 08 minutes 14 seconds East, a distance of 347 feet, more or less, to the shoreline of Big Sandy Lake; thence Northerly, along said shoreline to its Intersection with a line bearing South 87 degrees 10 minutes 14 seconds East, from the point of beginning; thence North 87 degrees 10 minutes 14 seconds West, along the northerly line of said Kenneth Avenue a distance of 339 feet, more or less to the point of beginning.

Aitkin County, Minnesota
(Abstract Property)

EXISTING	IMPERVIOUS AREA (sq. ft.)
Building #1	458
Building #2	130
Building #3	53
Building #4	49
Pavers	26
Decks	601
Gravel	3,494
Total	4,811

Combined Area = 34,993 sq. ft. ± / 0.8 Acre ±

SURVEYOR'S NOTE:

PINE HEIGHTS, according to the recorded plat thereof, Aitkin County, Minnesota makes a call to the south line of Government Lot 4, Section 8 being the south line of said plat. REITER'S ORIGINAL PLAT ON SANDY LAKE, according to the recorded plat thereof, Aitkin County, Minnesota makes a call to the north line of Government Lot 1, Section 17 being the north line of said plat. The north line of said Government Lot 1 and south line of said Government are to be coincidental. REITER'S ORIGINAL PLAT ON SANDY LAKE dedicates Kenneth Avenue to the public, but does not indicate its width. Adjacent plats and private surveys have shown the width of Kenneth Avenue to be 33 feet wide. Markers onsite show Lot 1 of PINE HEIGHTS overlap into Kenneth Avenue. The existing legal description initially makes an exception removing the overlap area out of Lot 1, then adds back the same description into the deed. The owners of said Lot 1 have a boat house, ramp and decking system on the overlap area. For purposes of this survey we are showing the overlap area as a separate boundary. The setbacks are shown off the overlap area using the right-of-way setback. Legal counsel is recommended to resolve the apparent overlap between Lot 1, PINE HEIGHTS and the public right of way of Kenneth Avenue.

BIG SANDY LAKE

GENERAL DEVELOPMENT CLASSIFICATION

LAKE ELEVATION = 1215.45 ON 11-26-2019

ORDINARY HIGH WATER ELEVATION = 1216.56

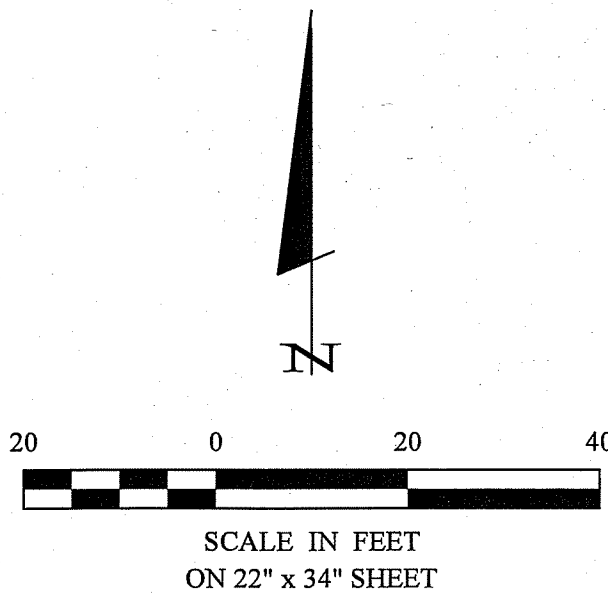
BASED ON NGVD 29 DATUM

INFORMATION OBTAINED FROM MNDNR

LEGEND

- DENOTES EDGE OF EXISTING BITUMINOUS
- DENOTES EDGE OF EXISTING GRAVEL
- DENOTES EDGE OF EXISTING PAVING STONES
- DENOTES BLUFF AREA
- DENOTES EXISTING INTERMEDIATE CONTOURS
- DENOTES EXISTING INDEX CONTOURS
- DENOTES EXISTING UTILITY POLE W/ GUY WIRE
- DENOTES EXISTING LP TANK
- DENOTES EXISTING PHONE PEDESTAL & PHONE BOX
- DENOTES EXISTING WELL
- DENOTES EXISTING SEPTIC VENT, SEPTIC CLEANOUT, & SEPTIC TANK LID
- DENOTES EXISTING STORM SEWER MANHOLE
- DENOTES EXISTING HIGH POINT OF WELL
- DENOTES PLAT AND/OR DEEDED MEASURE
- DENOTES CALCULATED POSITION
- DENOTES MONUMENT FOUND

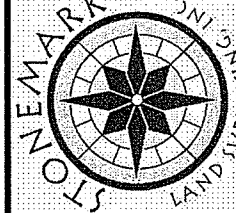
ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE WESTERLY LINE OF LOT 1 TO HAVE AN ASSUMED BEARING OF S 02°34'25" W.



NOTES:

- Contour interval as shown = 2 foot. Based on NGVD 29 datum. Contours shown have been obtained using standard survey topographic methodologies. Field located on 11-26-2019.
- Zoning for subject tract = "Shoreland".
- There are no wet lands within surveyed property.
- Parcel ID of subject parcel: 29-1-458100.
- The property address of subject parcel: 49794 202nd Pl.

30206 Rasmussen Road
Suite 1
P. O. Box 874
Pequot Lakes, MN 56472
218-568-0940
www.stonemarksurvey.com



I HEREBY CERTIFY THAT THIS SURVEY PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA
Cynthia M. Stolle
CYNTHIA M. STOLLE
DATE 12/17/2019 LIC. NO. 44881

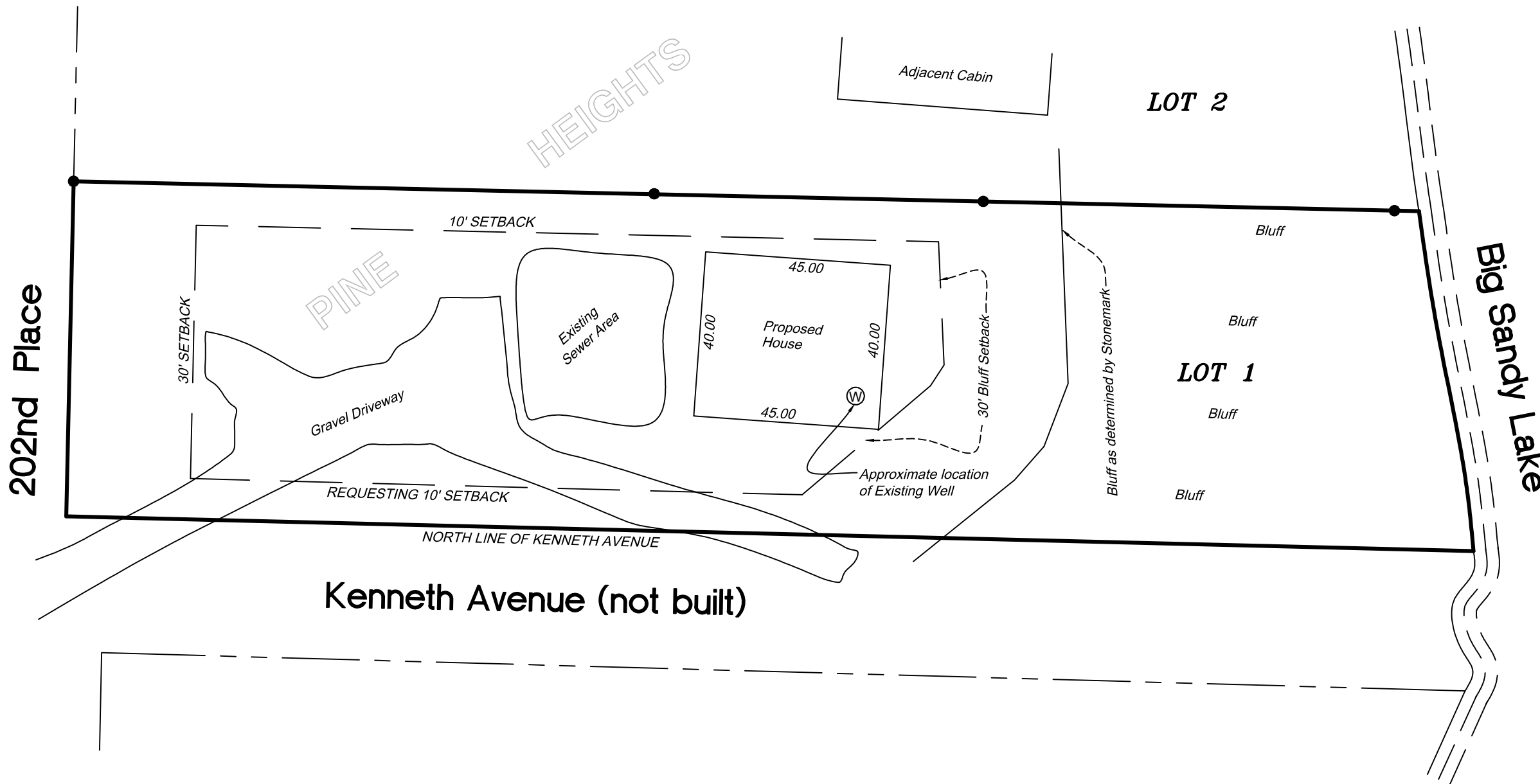
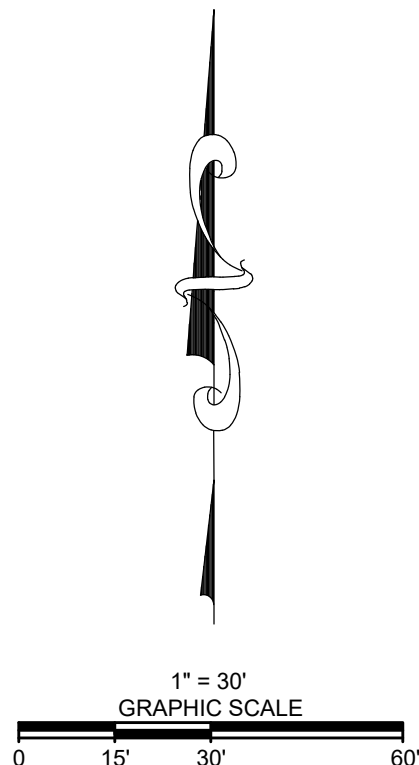
REVISIONS	DATE	DESCRIPTION
BY		

DATE:	12-17-2019
SCALE:	1"=20'
HORZ.	
VERT.	NONE

PROJECT NO.:	19340
FILE NAME:	C:\19340.dwg
FIELD BOOK:	BOOK 456 PG. 33
PROJECT MANAGER:	CMH
CHECKED:	CMH
DRAWN BY:	RJF

CERTIFICATE OF SURVEY
Jeanette L. Ordonez and Stephanie Board
1747 Humbolt Avenue
West St. Paul, MN 55118

SITE PLAN
LOT 1, PINE HEIGHTS, AITKIN COUNTY, MINNESOTA



SURVEYORS CERTIFICATION:

I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA


KALEB J. KADELBACH (LICENSE NO. 57070)

4/10/2025
DATE

SURVEYOR NOTES:

THE PURPOSE OF THIS SITE PLAN IS TO SHOW APPROXIMATE LOCATION OF PROPOSED NEW HOME AND TO REQUEST A VARIANCE OF 10' FROM KENNETH AVENUE (NOT BUILT); PLEASE SEE THE SURVEY PREPARED BY STONEMARK LAND SURVEYING, INC. DATED 12/17/2019. PROVIDED TO US BY OUR CLIENT AND INCLUDED IN THIS APPLICATION.

CLIENT INFORMATION:

JEANNIE BOARD
49794 202ND PLACE,
MCGREGOR, MN 55760

FIELD DATE: 12/11/24
APEX JOB NO. 24277



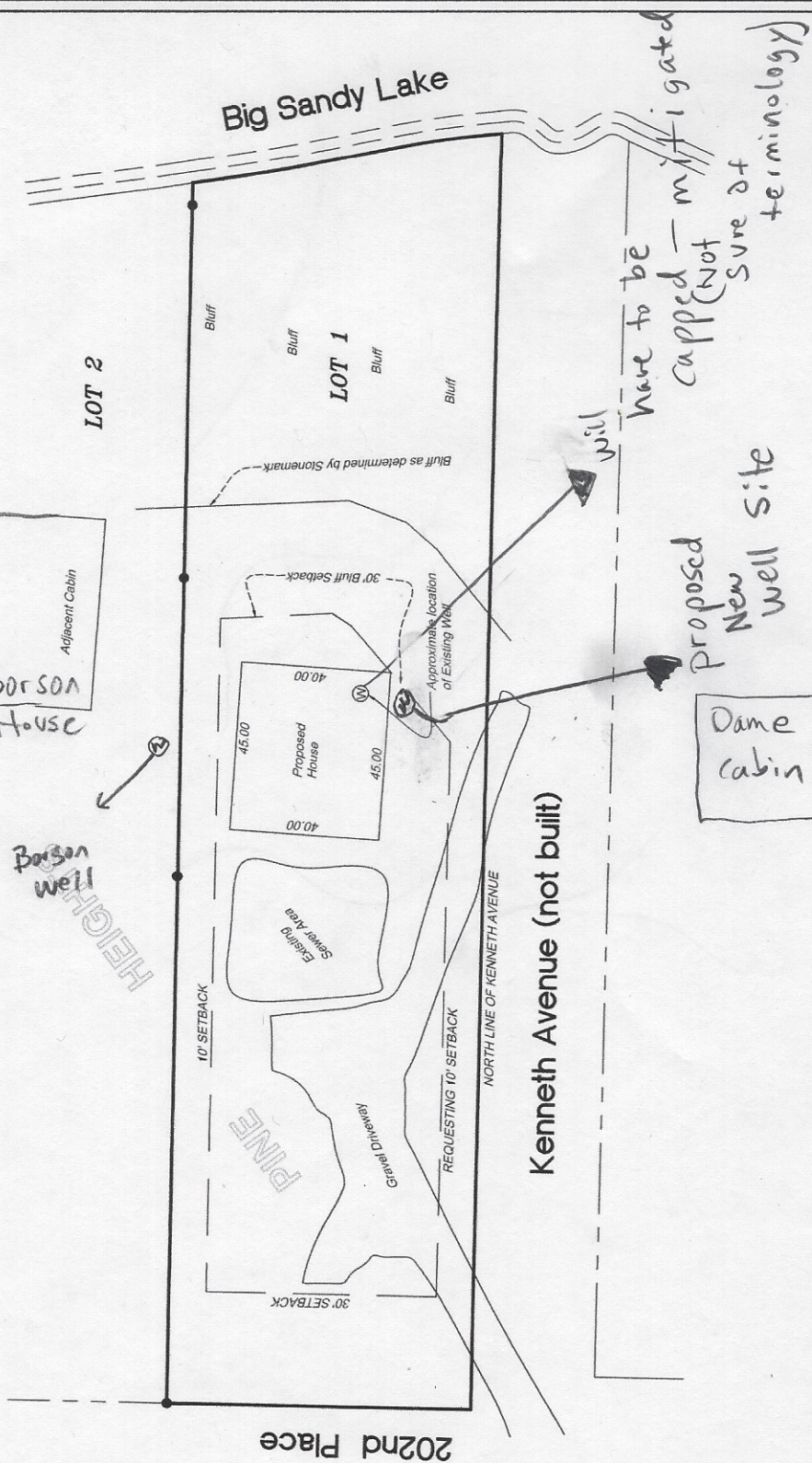
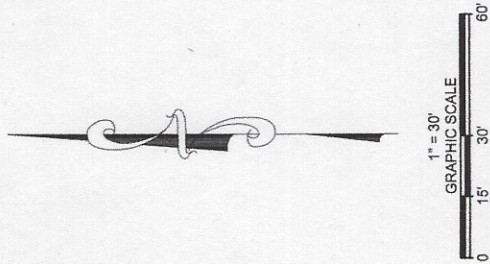
APEX
LAND SURVEYING

kaleb.kadelbach@apex-landsurveying.com

PH: (763) 388-0056

SITE PLAN

LOT 1, PINE HEIGHTS, AITKIN COUNTY, MINNESOTA



SURVEYORS CERTIFICATION:

I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA

[Signature]
KALEB J. KADELBACH (LICENSE NO. 57070)

4/10/2025
DATE

SURVEYOR NOTES:

THE PURPOSE OF THIS SITE PLAN IS TO SHOW APPROXIMATE LOCATION OF PROPOSED NEW HOME AND TO REQUEST A VARIANCE OF 10' FROM KENNETH AVENUE (NOT BUILT). PLEASE SEE THE SURVEY PREPARED BY STONEMARK LAND SURVEYING, INC. DATED 12/17/2019. PROVIDED TO US BY OUR CLIENT AND INCLUDED IN THIS APPLICATION.

CLIENT INFORMATION:

JEANNIE BOARD
49794 202ND PLACE,
MCGREGOR, MN 55760

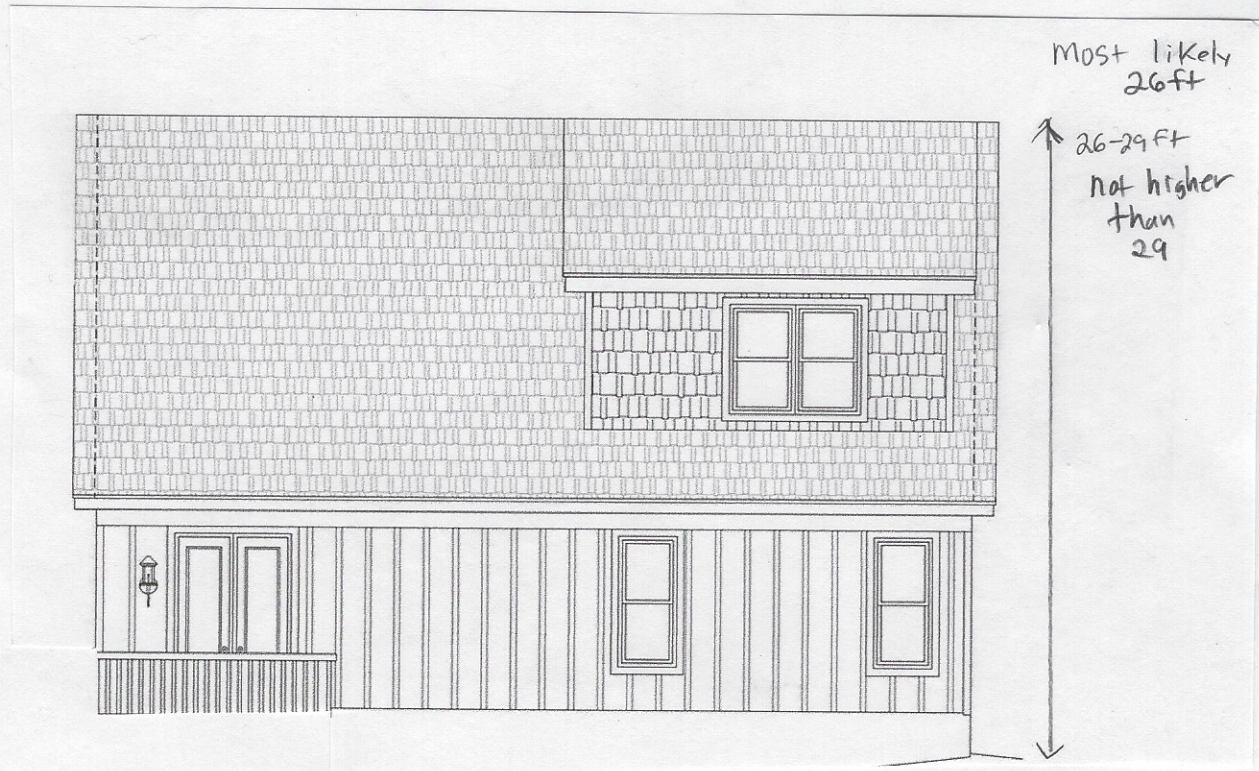
FIELD DATE: 12/11/24
APEX JOB NO. 24277



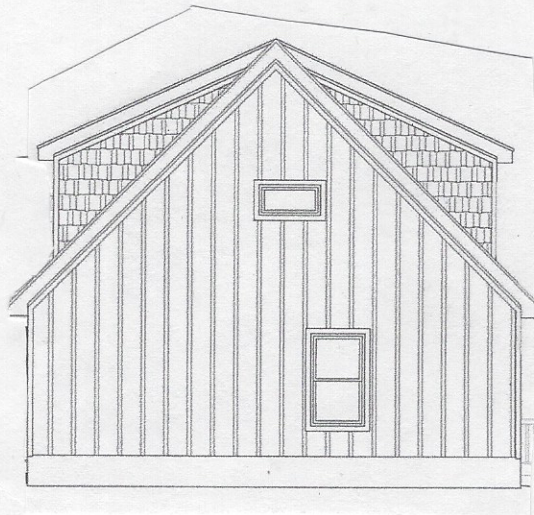
APEX
LAND SURVEYING

kaleb.kadelbach@apex-landsurveying.com
PH: (763) 388-0056

Side Profile Board Variance



We are planning on having a basement.



AITKIN COUNTY ENVIRONMENTAL SERVICES-PLANNING & ZONING

307 Second Street NW, Room 219
Aitkin, Minnesota 56431

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



PART VI: VARIANCE APPLICATION

“Aitkin County Shoreland Performance” Worksheet **Instructions:**

Are you applying for a variance from the Aitkin County Shoreland Management Ordinance? If so, you must complete the “Aitkin County Shoreland Performance” sheet. This is used as an attempt to evaluate your property and project as it relates to the required setbacks and the intent of the Ordinance to protect water quality, habitat and aesthetics. 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.

STEP 1: Determine the level of non-conformance and score by completing 1-5 on the worksheet. The actual setback will be multiplied by the corresponding ‘score multiplier’ to determine your “Pre-mitigation Lot Score”.

STEP 2: Review the mitigation options and circle those that you would be willing to implement as a condition of your variance. See letters A-J.

*As a note, if you will be creating a buffer zone or other landscape project as part of your mitigation plan, please be prepared to present an approved plan to the Board of Adjustment. Although not familiar with specifics of the “Aitkin County Shoreland Performance” worksheet, the Aitkin County Soil & Water Conservation District [SWCD] (218-927-7284) and the University of Minnesota Extension Master Gardeners (218-927-2538) may be resources that would be able to provide you with planting suggestions and landscaping ideas.

STEP 3: A final score is determined by adding your “Pre-mitigation Lot Score” with your “Mitigation Total”. *Please note, the property should obtain a score of 100 or more to meet performance standard requirements.*

After a practical difficulty has been determined, the Board of Adjustment may use the “Aitkin County Shoreland Performance” sheet submitted with your application and/or use their own completed sheet to attempt to mitigate impacts to the water-body and/or adjoining properties.

If you have any questions, please contact Aitkin County Environmental Services – Planning & Zoning at (218) 927-7342.

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: N/A
- 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 (DNR Classification; SMO 4.13-4.14)	Required Structure Setback	Score Multiplier Structures	Required Septic Setback	Score Multiplier Septic	Score Multiplier Bluff	Score Multiplier Sidelot
General Development Lake	75'	1.333	75'	1.333	(30' setback) 3.33	(10' setback) 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*

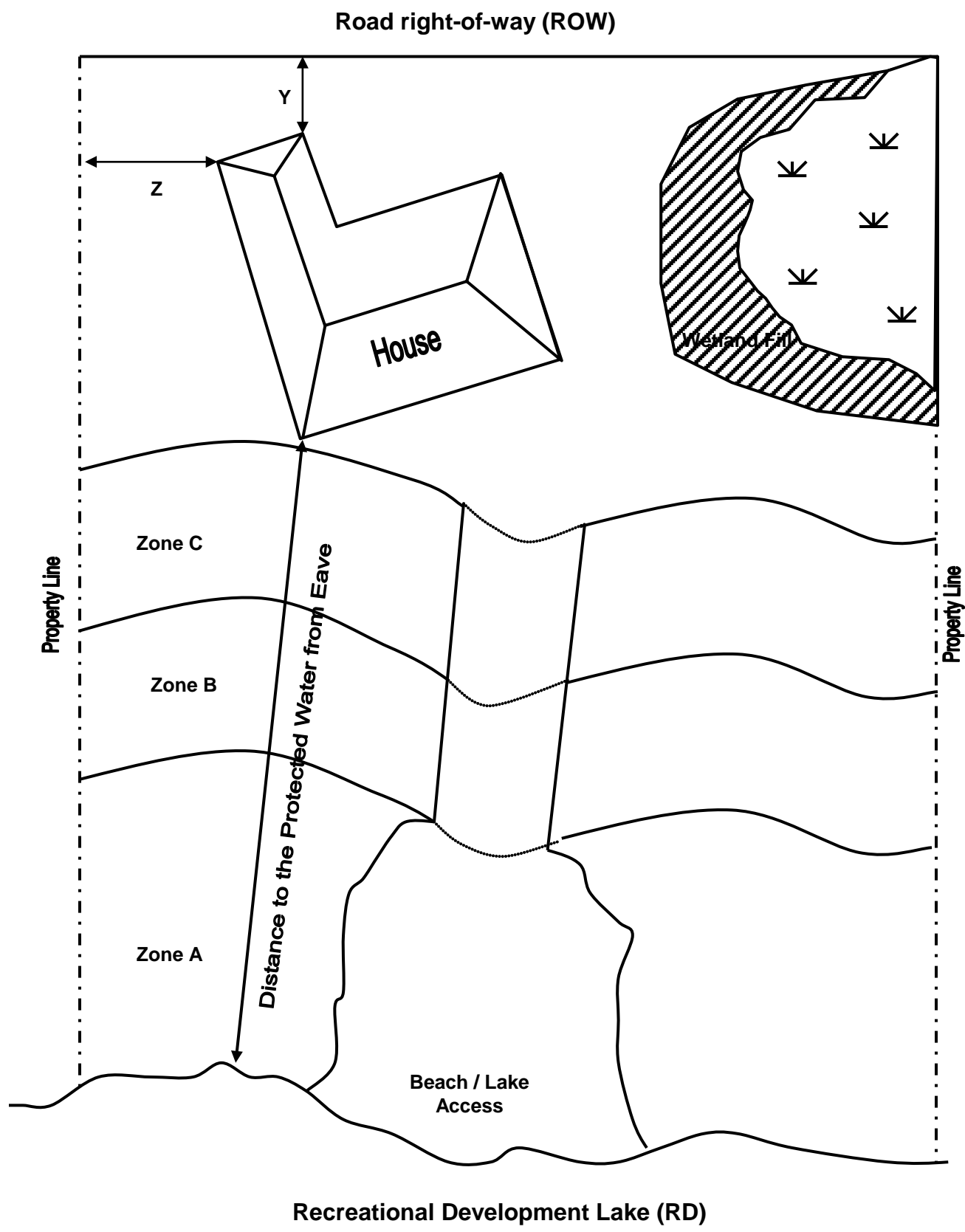
Final Score = Pre-mitigation Lot Score (Line 5) _____ + Mitigation Totals (Lines A-I) _____ = _____

**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*

Board of Adjustment Chairperson

Applicant

AITKIN COUNTY SHORELAND PERFORMANCE
(Example)



Compliance inspection report form Existing Subsurface Sewage Treatment System (SSTS)

Doc Type: Compliance and Enforcement

Instructions: Inspector must submit completed form to Local Governmental Unit (LGU) and system owner within 15 days of final determination of compliance or noncompliance. Instructions for filling out this form are located on the Minnesota Pollution Control Agency (MPCA) website at <https://www.pca.state.mn.us/sites/default/files/wq-wwists4-31a.pdf>.

Property information

Local tracking number:

Parcel ID# or Sec/Twp/Range: 29-1-458100 Reason for Inspection: Building permit
Local regulatory authority info: Aitkin County
Property address: 49794 202nd Place McGregor, MN 55760
Owner/representative: Jeannie Board Owner's phone: 651-332-0766
Brief system description: Gravity line from cabin to a 1350 gallon tank. Gravity 4" to a 10' x 38' bed.

System status

System status on date (mm/dd/yyyy): 04-10-2025

☒ **Compliant – Certificate of compliance***

(Valid for 3 years from report date unless evidence of an imminent threat to public health or safety requiring removal and abatement under section 145A.04, subdivision 8 is discovered or a shorter time frame exists in Local Ordinance.)

*Note: Compliance indicates conformance with Minn. R. 7080.1500 as of system status date above and does not guarantee future performance.

☐ **Noncompliant – Notice of noncompliance**

Systems failing to protect ground water must be upgraded, replaced, or use discontinued within the time required by local ordinance.

An imminent threat to public health and safety (ITPHS) must be upgraded, replaced, or its use discontinued within ten months of receipt of this notice or within a shorter period if required by local ordinance or under section 145A.04 subdivision 8.

Reason(s) for noncompliance (check all applicable)

- ☐ Impact on public health (Compliance component #1) – Imminent threat to public health and safety
- ☐ Tank integrity (Compliance component #2) – Failing to protect groundwater
- ☐ Other Compliance Conditions (Compliance component #3) – Imminent threat to public health and safety
- ☐ Other Compliance Conditions (Compliance component #3) – Failing to protect groundwater
- ☐ System not abandoned according to Minn. R. 7080.2500 (Compliance component #3) – Failing to protect groundwater
- ☐ Soil separation (Compliance component #5) – Failing to protect groundwater
- ☐ Operating permit/monitoring plan requirements (Compliance component #4) – Noncompliant - local ordinance applies

Comments or recommendations

End of septic tank could use some dirt on it.

Certification

I hereby certify that all the necessary information has been gathered to determine the compliance status of this system. No determination of future system performance has been nor can be made due to unknown conditions during system construction, possible abuse of the system, inadequate maintenance, or future water usage.

By typing my name below, I certify the above statements to be true and correct, to the best of my knowledge, and that this information can be used for the purpose of processing this form.

Business name: Darlow Excavating

Inspector signature: Ernie Darlow Jr.
(This document has been electronically signed)

Certification number: C4866

License number: 910

Phone: 218-426-4320

Necessary or locally required supporting documentation (must be attached)

- ☒ Soil observation logs
- ☒ System/As-Built
- ☐ Locally required forms
- ☒ Tank Integrity Assessment
- ☐ Operating Permit
- ☐ Other information (list):

Property Address: 49794 202nd Place
Business Name: Darlow Excavating

Date: 04-10-2025

1. Impact on public health – Compliance component #1 of 5

Compliance criteria:

System discharges sewage to the ground surface

☐ Yes* ☒ No

System discharges sewage to drain tile or surface waters.

☐ Yes* ☒ No

System causes sewage backup into dwelling or establishment.

☐ Yes* ☒ No

Any "yes" answer above indicates the system is an imminent threat to public health and safety.

Describe verification methods and results:

Attached supporting documentation:

☐ Other: _____

☐ Not applicable

2. Tank integrity – Compliance component #2 of 5

Compliance criteria:

System consists of a seepage pit, cesspool, drywell, leaching pit, or other pit?

☐ Yes* ☒ No

Sewage tank(s) leak below their designed operating depth?

☐ Yes* ☒ No

If yes, which sewage tank(s) leaks:

Any "yes" answer above indicates the system is failing to protect groundwater.

Describe verification methods and results:

Attached supporting documentation:

☒ Empty tank(s) viewed by inspector

Name of maintenance business: Kangas

License number of maintenance business: _____

Date of maintenance: 04-10-2025

☐ Existing tank integrity assessment (Attach)

Date of maintenance
(mm/dd/yyyy): _____

(must be within three years)

(See form instructions to ensure assessment complies with Minn. R. 7082.0700 subp. 4 B (1))

☐ Tank is Noncompliant (pumping not necessary – explain below)

☐ Other: _____

Property Address: 49794 202 nd Place
Business Name: Darlow Excavating

Date: 04-10-2025

3. Other compliance conditions – Compliance component #3 of 5

3a. Maintenance hole covers appear to be structurally unsound (damaged, cracked, etc.), or unsecured?

☐ Yes* ☒ No ☐ Unknown

3b. Other issues (electrical hazards, etc.) to immediately and adversely impact public health or safety? ☐ Yes* ☒ No ☐ Unknown

***Yes to 3a or 3b - System is an imminent threat to public health and safety.**

3c. System is non-protective of ground water for other conditions as determined by inspector?

☐ Yes* ☒ No

3d. System not abandoned in accordance with Minn. R. 7080.2500?

☐ Yes* ☒ No

***Yes to 3c or 3d - System is failing to protect groundwater.**

Describe verification methods and results:

Attached supporting documentation: ☒ Not applicable ☐

4. Operating permit and nitrogen BMP* – Compliance component #4 of 5 ☒ Not applicable

Is the system operated under an Operating Permit?

☐ Yes ☐ No If "yes", A below is required

Is the system required to employ a Nitrogen BMP specified in the system design? ☐ Yes ☐ No If "yes", B below is required

BMP = Best Management Practice(s) specified in the system design

If the answer to both questions is "no", this section does not need to be completed.

Compliance criteria:

a. Have the operating permit requirements been met?

☐ Yes ☐ No

b. Is the required nitrogen BMP in place and properly functioning?

☐ Yes ☐ No

Any "no" answer indicates noncompliance.

Describe verification methods and results:

Attached supporting documentation: ☐ Operating permit (Attach) ☐

Property Address: 49794 202nd Place
Business Name: Darlow Excavating

Date: 04-10-2025

5. Soil separation – Compliance component #5 of 5

Date of installation 05-04-1994 ☐ Unknown
(mm/dd/yyyy)

Shoreland/Wellhead protection/Food beverage lodging? ☒ Yes ☐ No

Compliance criteria (select one):

5a. For systems built prior to April 1, 1996, and not located in Shoreland or Wellhead Protection Area or not serving a food, beverage or lodging establishment: ☐ Yes ☐ No*

Drainfield has at least a two-foot vertical separation distance from periodically saturated soil or bedrock.

5b. Non-performance systems built April 1, 1996, or later or for non-performance systems located in Shoreland or Wellhead Protection Areas or serving a food, beverage, or lodging establishment: ☒ Yes ☐ No*

Drainfield has a three-foot vertical separation distance from periodically saturated soil or bedrock.*

5c. "Experimental", "Other", or "Performance" systems built under pre-2008 Rules; Type IV or V systems built under 2008 Rules 7080.2350 or 7080.2400 (Intermediate Inspector License required ≤ 2,500 gallons per day; Advanced Inspector License required > 2,500 gallons per day) ☐ Yes ☐ No*

Drainfield meets the designed vertical separation distance from periodically saturated soil or bedrock.

***Any "no" answer above indicates the system is failing to protect groundwater.**

Describe verification methods and results:

Attached supporting documentation:

- ☒ Soil observation logs completed for the report
☐ Two previous verifications of required vertical separation
☐ Not applicable (No soil treatment area)
☐

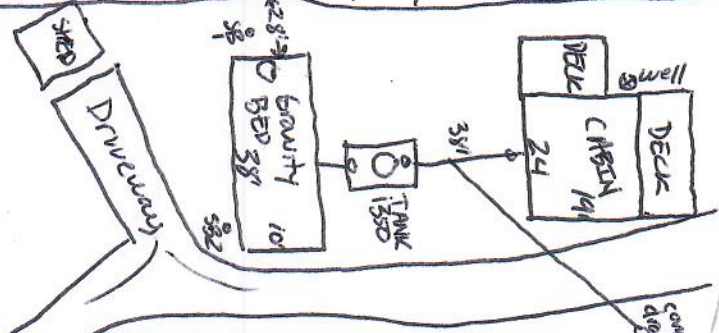
Indicate depths or elevations

A. Bottom of distribution media	104.5
B. Periodically saturated soil/bedrock	108.0
C. System separation	36"
D. Required compliance separation*	36"

*May be reduced up to 15 percent if allowed by Local Ordinance.

SB1
0-7" Top Soil 10yr 3/1
7"-24" Sandy Loam 10yr 5/4
24"-26" Loam 10yr 4/4
26"-68" Sand 10yr 4/6

SB2
0-10" Top Soil 10yr 3/1
10"-28" Sand 10yr 4/4
28"-42" Sandy Loam 10yr 5/4
42"-60" Sand 7.5yr 4/6



Upgrade requirements: (Minn. Stat. § 115.55) An imminent threat to public health and safety (ITPHS) must be upgraded, replaced, or its use discontinued within ten months of receipt of this notice or within a shorter period if required by local ordinance. If the system is failing to protect ground water, the system must be upgraded, replaced, or its use discontinued within the time required by local ordinance. If an existing system is not failing as defined in law, and has at least two feet of design soil separation, then the system need not be upgraded, repaired, replaced, or its use discontinued, notwithstanding any local ordinance that is more strict. This provision does not apply to systems in shoreland areas, Wellhead Protection Areas, or those used in connection with food, beverage, and lodging establishments as defined in law.

AITKIN COUNTY ENVIRONMENTAL SERVICES-PLANNING & ZONING

307 Second Street NW, Room 219
Aitkin, Minnesota 56431

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



PART VI: VARIANCE APPLICATION

“Aitkin County Shoreland Performance” Worksheet **Instructions:**

Are you applying for a variance from the Aitkin County Shoreland Management Ordinance? If so, you must complete the “Aitkin County Shoreland Performance” sheet. This is used as an attempt to evaluate your property and project as it relates to the required setbacks and the intent of the Ordinance to protect water quality, habitat and aesthetics. 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.

STEP 1: Determine the level of non-conformance and score by completing 1-5 on the worksheet. The actual setback will be multiplied by the corresponding ‘score multiplier’ to determine your “Pre-mitigation Lot Score”.

STEP 2: Review the mitigation options and circle those that you would be willing to implement as a condition of your variance. See letters A-J.

*As a note, if you will be creating a buffer zone or other landscape project as part of your mitigation plan, please be prepared to present an approved plan to the Board of Adjustment. Although not familiar with specifics of the “Aitkin County Shoreland Performance” worksheet, the Aitkin County Soil & Water Conservation District [SWCD] (218-927-7284) and the University of Minnesota Extension Master Gardeners (218-927-2538) may be resources that would be able to provide you with planting suggestions and landscaping ideas.

STEP 3: A final score is determined by adding your “Pre-mitigation Lot Score” with your “Mitigation Total”. *Please note, the property should obtain a score of 100 or more to meet performance standard requirements.*

After a practical difficulty has been determined, the Board of Adjustment may use the “Aitkin County Shoreland Performance” sheet submitted with your application and/or use their own completed sheet to attempt to mitigate impacts to the water-body and/or adjoining properties.

If you have any questions, please contact Aitkin County Environmental Services – Planning & Zoning at (218) 927-7342.

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: N/A
- 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 (DNR Classification; SMO 4.13-4.14)	Required Structure Setback	Score Multiplier Structures	Required Septic Setback	Score Multiplier Septic	Score Multiplier Bluff	Score Multiplier Sidelot
General Development Lake	75'	1.333	75'	1.333	(30' setback) 3.33	(10' setback) 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*

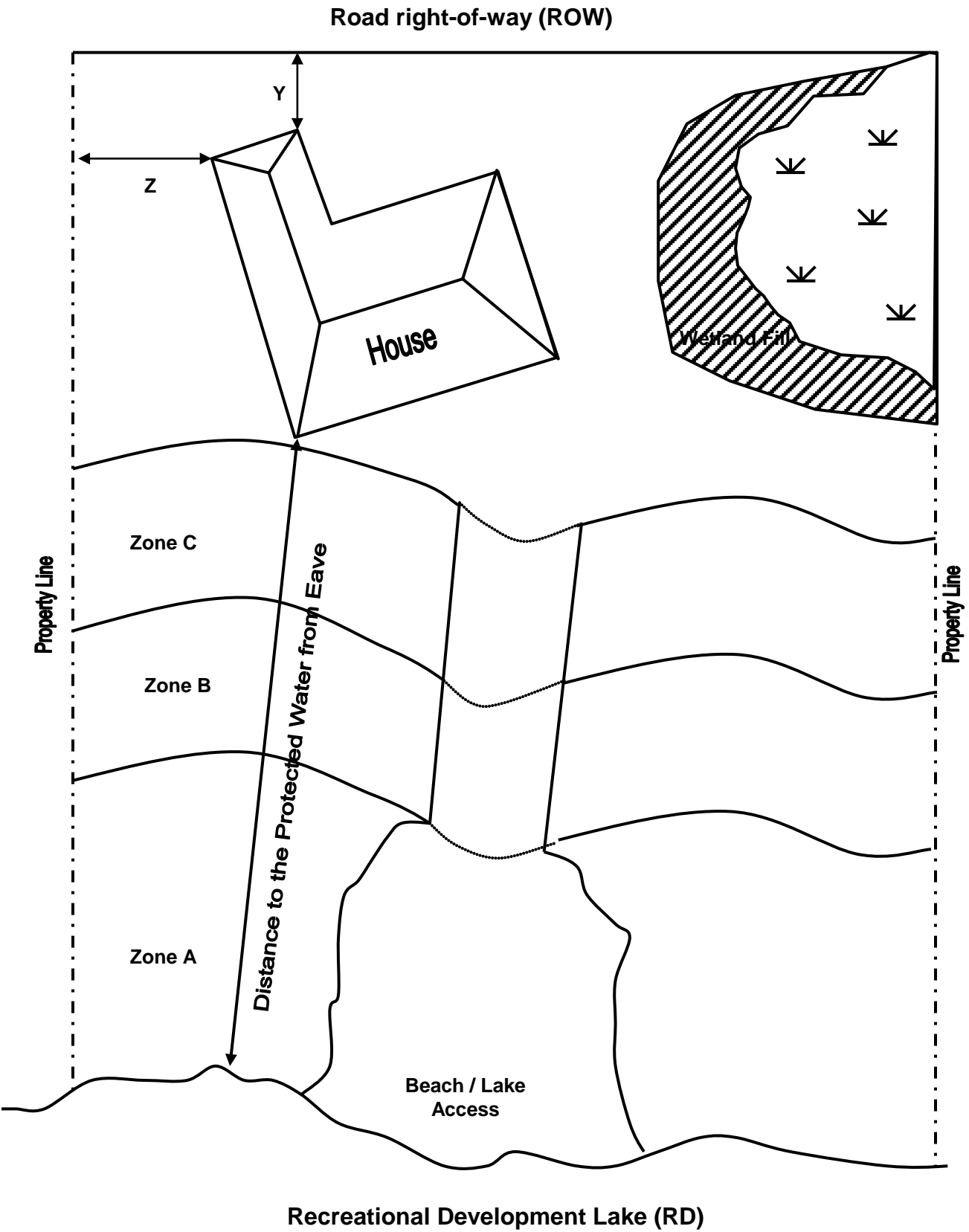
Final Score = Pre-mitigation Lot Score (Line 5) _____ + Mitigation Totals (Lines A-I) _____ = _____

**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*

Board of Adjustment Chairperson

Applicant

AITKIN COUNTY SHORELAND PERFORMANCE
(Example)



Shamrock Township

49954 Lake Avenue
McGregor MN 55760
218-426-3736

April 10, 2025

Aitkin County Planning & Zoning
307 2nd Street NW, Rm 219
Aitkin MN 56431

Re: Jeanie Board
49794 202nd Place

Dear Board Members,

As scheduled, the Shamrock Township Board conducted a site visit of your cabin property located at 49794 202nd Place on March 17, following discussion at the regular board meeting held on March 6. Supervisors Tom Meyer, Ron Flatten, and Ernie Darlow, along with Clerk Candace Kral and Lead Maintenance Tim Turner, arrived at the property at approximately 2:40 PM.

During the inspection, the board observed what appears to be a seasonal camper site situated on Kenneth Avenue, adjacent to township property, with a camper sewer drop line installed. The board reviewed your request for a variance to allow a 10-foot setback from Kenneth Avenue in place of the required 30-foot setback. While onsite, board members also noted the presence of stakes, which may indicate either construction markers or the proposed 10-foot setback line.

Additionally, the board reviewed a site plan for the proposed construction project, provided by Jeanne Board at the regular board meeting on April 10.

After careful consideration, the board has no objections to the requested setback reduction to 10 feet, as presented, provided that the camper site and associated drainage drop line are removed from Kenneth Avenue and fully relocated within your property boundaries.

Therefore, the Shamrock Township Board of Supervisors supports the requested variance, contingent upon the removal and relocation of the camper and drop line as described, and recommends full compliance with all applicable county rules and regulations.

Sincerely,



Candace
Shamrock Township Election

PART VII: STANDARD EROSION CONTROL PLAN

According to Aitkin County's Shoreland Management Ordinance, soil erosion control information needs to be included on the site plan which is submitted and approved prior to the issuance of zoning permits. The Standard Erosion Control Plan is provided to assist in meeting this requirement.

Instructions:

1. Complete this plan by filling in requested information, completing the site diagram and marking appropriate boxes on the inside of this form.
2. In completing the site diagram, give consideration to potential erosion that may occur before, during and after grading. Water runoff patterns can change significantly as a site is reshaped.
3. A cross section sheet is required for walkout basements and excavations into hillsides for determining volume of fill to be excavated.

Project Location 49794 202nd Place McGregor, MN 55760

Builder Bill Dean / Kris Rinta Owner Jeanette Board + Stephanie Board

Worksheet Completed By Jeanette Board Date 4/3/2024

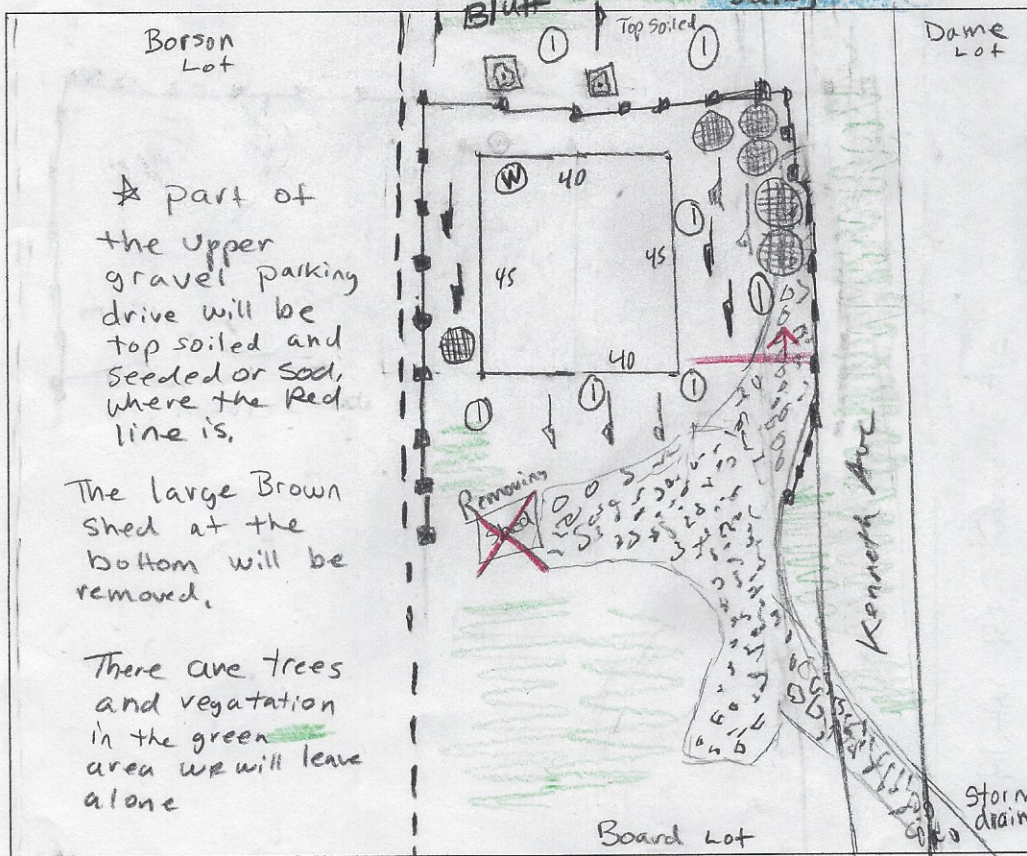
Amount of earthen material to be excavated and/or used for fill 300-500 cubic yards.

SITE DIAGRAM

Scale 1 inch = 40 feet

Please indicate north by completing the arrow.

N



EROSION CONTROL PLAN LEGEND

- PROPERTY LINE
- EXISTING DRAINAGE
- TD TEMPORARY DIVERSION
- FINISHED DRAINAGE
- LIMITS OF GRADING
- SILT FENCE
- STRAW BALES
- ① GRAVEL
- ① VEGETATION SPECIFICATION
- ① TREE PRESERVATION
- ① STOCKPILED SOIL

202nd Place

Hillcrest

EROSION CONTROL PLAN CHECKLIST

Check the box if completed (leave empty if not applicable).
All items checked must be included on the site diagram.

Site Characteristics

- ☒ North arrow, scale, and site boundary. Indicate and name adjacent streets or roadways.
- ☒ Location of existing drainageways, streams, rivers, lakes, wetlands or wells.
- ☒ Location of storm sewer inlets.
- ☒ Location of existing and proposed buildings and paved areas.
- ☐ The disturbed area on the lot.
- ☐ Approximate gradient and direction of slopes before grading operations.
- ☐ Approximate gradient and direction of slopes after grading operations.
- ☐ Overland runoff (sheet flow) coming onto the site from adjacent areas.

Erosion Control Practices

- ☒ Location of temporary soil storage piles.
Note: Soil storage piles should be placed behind a sediment fence, a 10 foot wide vegetative strip, or should be covered with a tarp or more than 25 feet from any downslope road or drainageway.
- ☒ Location of access drive(s) (driveways, turnarounds, approaches, etc.)
- ☒ Location of sediment controls (filter fabric fence, straw bale fence or 10-foot wide vegetative strip) that will prevent eroded soil from leaving the site.
- ☐ Location of sediment barriers around on-site storm sewer inlets.
- ☐ Location of diversions.
Note: Although not specifically required by code, it is recommended that concentrated flow (drainageways) be diverted (re-directed) around disturbed areas. Overland runoff (sheet flow) from adjacent areas greater than 10,000 sq. ft. should also be diverted around disturbed areas.
- ☐ Location of practices that will be applied to control erosion on steep slopes (greater than 12% grade).
Note: Such practices include maintaining existing vegetation, placement of additional sediment fences, diversions, and re-vegetation by sodding or seeding with use of erosion control mats.
- ☐ Location of practices that will control erosion on areas of concentrated runoff flow.
Note: Unstabilized drainageways, ditches, diversions, and inlets should be protected from erosion through use of such practices as in-channel fabric or straw bale barriers, erosion control mats, staked sod, and rock rip-rap. When used, a given in-channel barrier should not receive drainage from more than two acres of unpaved area, or one acre of paved area. In-channel practices should not be installed in perennial streams (streams with year round flow).
- ☐ Location of other planned practices not already noted.

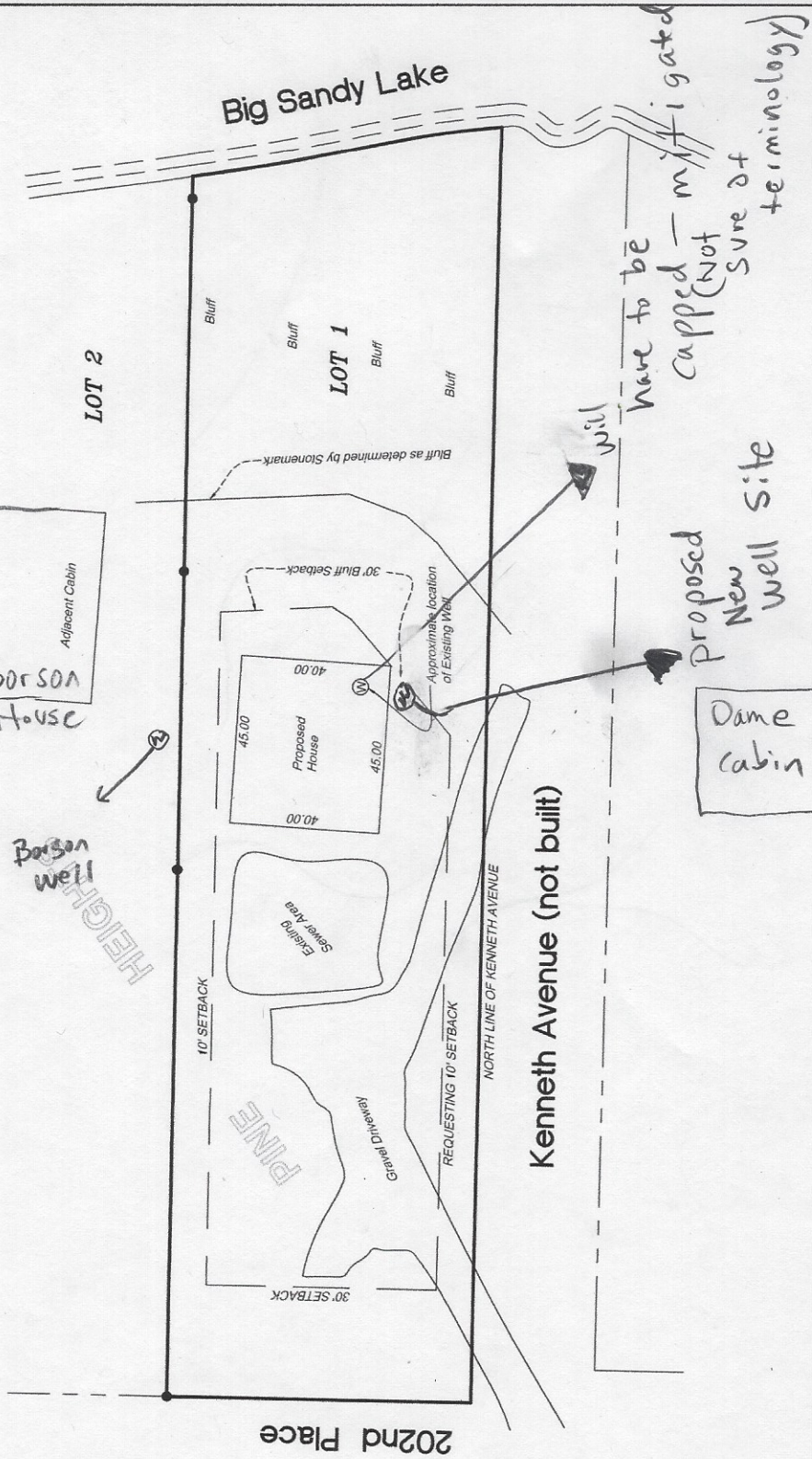
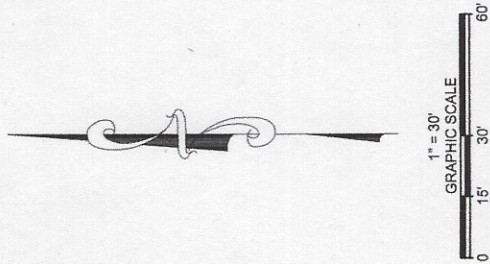
Check the box if completed (leave empty if not applicable).
All items checked must be included on the site diagram.

Management Strategies

- ☒ Temporary stabilization of disturbed areas.
Note: It is recommended that disturbed areas and soil piles left inactive for extended periods of time be stabilized by seeding (between April 1 and September 15), or by other cover, such as tarping or mulching.
- ☒ Permanent stabilization of site by re-vegetation or other means as soon as possible (lawn establishment).
• Indicate re-vegetation method: (Circle one of the following) Seed Sod
Other _____ Both up by the Cabin Sod around the bottom Seeding
• Expected date of permanent re-vegetation: _____
• Re-vegetation responsibility of: (Circle one of the following)
Builder Owner Buyer
• Is temporary seeding or mulching planned if site is not seeded by Sept. 15 or sodded by Nov. 15? (Circle one of the following) Yes No
- ☒ Use of downspout and/or sump pump outlet extensions.
Note: It is recommended that flow from downspouts and sump pump outlets be routed through plastic drainage pipe to stable areas such as established sod or pavement.
- ☐ Trapping sediment during de-watering operations.
Note: Sediment-laden discharge water from pumping operations should be ponded behind a sediment barrier until most of the sediment settles out.
- ☒ Proper disposal of building material waste so that pollutants and debris are not carried off-site by wind or water.
- ☒ Maintenance of erosion control practices.
• Sediment will be removed from behind sediment fences and barriers before it reaches a depth that is equal to half the height of the barrier.
• Breaks and gaps in sediment fences and barriers will be repaired immediately. Decomposing straw bales will be replaced (typical bale life is three months).
• All sediment that moves off-site due to construction activity will be cleaned up before the end of the same workday.
• All sediment that moves off-site due to storm events will be cleaned up before the end of the next workday.
• Access drives will be maintained throughout construction.
• All installed erosion control practices will be maintained until the disturbed areas they protect are stabilized.

SITE PLAN

LOT 1, PINE HEIGHTS, AITKIN COUNTY, MINNESOTA



SURVEYORS CERTIFICATION:

I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA

KALEB J. KADELBACH (LICENSE NO. 57070)

4/10/2025
DATE

SURVEYOR NOTES:

THE PURPOSE OF THIS SITE PLAN IS TO SHOW APPROXIMATE LOCATION OF PROPOSED NEW HOME AND TO REQUEST A VARIANCE OF 10' FROM KENNETH AVENUE (NOT BUILT). PLEASE SEE THE SURVEY PREPARED BY STONEMARK LAND SURVEYING, INC. DATED 12/17/2019. PROVIDED TO US BY OUR CLIENT AND INCLUDED IN THIS APPLICATION.

CLIENT INFORMATION:

JEANNIE BOARD
49794 202ND PLACE,
MCGREGOR, MN 55760

FIELD DATE: 12/11/24
APEX JOB NO. 24277



APEX
LAND SURVEYING

kaleb.kadelbach@apex-landsurveying.com
PH: (763) 388-0056

Other

We plan on fixing the top part of the gravel driveway and about halfway down along with the parking spot at the top and bringing it back to grass and vegetation. We will remove the drop line in that area as requested by the township as well. We will plant some more trees after landscaping and construction is completed. We will not take down any trees in the bluff unless they are diseased/dead or have fallen in a storm. We understand the need to help maintain the bluffs integrity.

The larger brown shed when you first pull into the property will be removed from the property.

381296

FILED MAY 18 '07 AT 9A M

Diane M. Lafferty, County Recorder

NO DELINQUENT TAXES
AND TRANSFER ENTEREDThis 18th Day May, 20075-M WARRANTY DEED
Individual(s) to Joint TenantsSTATE DEED TAX DUE HEREON: \$ 528.00
Date: May 15, 2007

\$528.00

Deputy

CERTIFICATE OF REAL ESTATE
VALUE (X) FILED () NOT
REQUIRED CERTIFICATE OF REAL
ESTATE VALUE NO. 37278

FOR VALUABLE CONSIDERATION, Sharon Fay DeMarais, a/k/a Sharon Faye DeMarais, a single person, Grantor, hereby conveys and warrants to Jeanette L. Ordonez and Stephanie M. Board, Grantees, as joint tenants, real property in Aitkin County, Minnesota, described as follows:

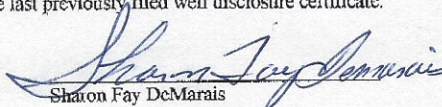
→ See attached Exhibit A for legal description

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

Covenants, Easements and Restrictions of Record, if any.

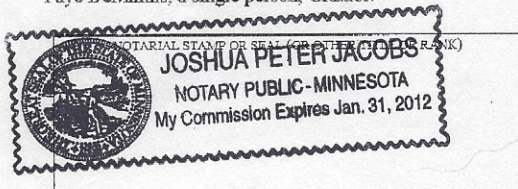
Check Box if Applicable:

- ☐ The Seller certifies that the seller does not know of any wells on the described real property.
- ☐ A well disclosure certificate accompanies this document.
- ☒ I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.


 Sharon Fay DeMarais

 STATE OF MINNESOTA)
) ss.
 COUNTY OF ANOKA)

The foregoing instrument was acknowledged before me on this 15th day of May, 2007, by Sharon Fay DeMarais, a/k/a Sharon Faye DeMarais, a single person, Grantor.



THIS INSTRUMENT WAS DRAFTED BY (NAME AND ADDRESS)

 Standard Title
 301 West Hwy. 210, Suite 300
 McGregor, MN 55760
 Order No.: 0704-0886C

SIGNATURE OF PERSON TAKING ACKNOWLEDGEMENT

Check here if part or all of the land is Registered (Torrens) ☐Tax Statements for the real property described in this instrument should be sent to
(include name and address of Grantee):
 Jeanette L. Ordonez
 Stephanie M. Board
 1747 Humboldt Ave.
 West St. Paul, MN 55118

 AITKIN COUNTY DEED TAX
 No 125 Date 5/18/07
 528.00 Dollars Paid
 Tara Grams
 County Treasurer
 By Deland Deputy

Property Location

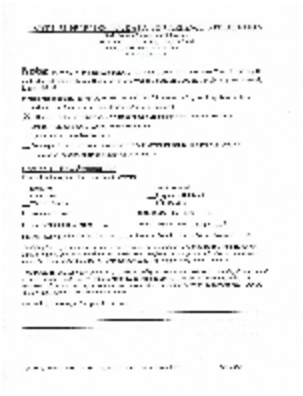
Property:	Property Location					Legal Description			Property Attributes	
	Parcel Number	Property Address	Township or City Name	Owner Name(s)	Taxpayer Name(s)	Legal Description	Plat Name	Section-Township-Range	Lake Class	Lake Name
	29-0-017301	50539 202nd Pl MCGREGOR, MN 55760	SHAMROCK TWP	PROKOTT, DANIEL & MOLLY	PROKOTT, DANIEL & MOLLY	1 AC LOT 6 IN DOC 410689		S:8 T:49 R:23	GD	BIG SANDY LAKE
Driving directions to the proposed project from Aitkin:	MN-210 East to McGregor. Then MN-65 North to Lake Ave. Lake Ave East to 202nd Place, left onto 202nd Place and then 202nd Place north to 50539 202nd Place.									
Is the above parcel located in the Shoreland Zoning District?	<u>Yes</u>									

Detailed Narrative

Enter a Detailed Narrative (If you have a prepared narrative please state "See attached" and attach the document below):	Proposing to remodel existing house by adding a second story and remodeling interior and exterior of the existing 40' x 28' footprint, without constructing anything closer to the lake/bluff than the current footprint of the house.
Provide the Ordinance(s) and the Section(s) of the Ordinance(s) from which you are requesting a variance:	Shoreland Management Ordinance Section 5.21 - setback from top of bluff.
Are you requesting a variance to a road right-of-way setback in one of these Townships? Fleming, Glen, Lakeside, Pliny, Shamrock, Wagner	<u>No</u>

Supplemental Data

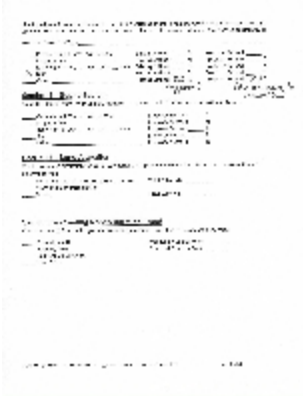
Attach completed form here:



File 1: [D_Prokott_Supplemental_Date_Page_1.jpeg](#)

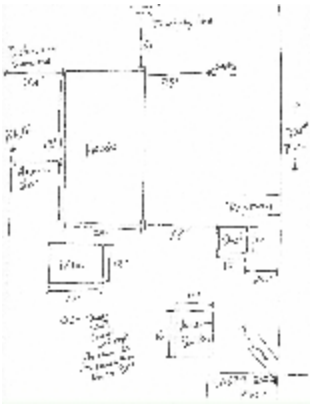


File 2: [D_Prokott_Supplemental_Date_Page_2.jpeg](#)



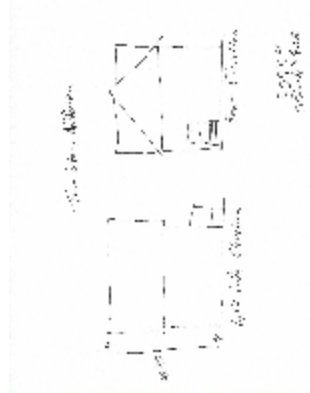
File 3: [D_Prokott_Supplemental_Date_Page_3.jpeg](#)

A Scaled Drawing or Survey

<p>Scaled Drawing or Survey Checklist:</p>	<p><u>Location and dimensions for all lot lines.</u></p> <p><u>Location and dimensions of all existing and proposed structures/additions.</u></p> <p><u>Location and depth of all existing and proposed wells within 100 feet of the property.</u></p> <p><u>Location and dimensions of all existing and proposed septic system components (septic tank, septic drainfield).</u></p> <p><u>Location and dimensions of all existing and proposed driveways, road right-of-ways, and easements.</u></p> <p><u>If topography is unusual, show elevations and location of bluffs, steep slopes, wetlands, etc.</u></p> <p><u>Indicate all setback distances for items listed above: ordinary high water level of lakes or rivers, lot lines, road right-of-ways, etc.</u></p>
<p>Attach a Scaled Drawing or Survey:</p>	<div data-bbox="489 483 1486 938">  <p>File 1: 50539_202nd_Place_Site_Plan.jpeg</p> </div>

Side Profile Sketch of the Structure

Attach a side profile sketch of your proposed structure or addition here (if applicable):



File 1: [D._Prokott_Side_Profile_50539_202nd_Place.jpeg](#)

Certificate of Septic Compliance

Please attach a copy of one of the following:

- A current compliance inspection on the existing septic system.
- A design for a new/replacement septic system.

File 1: [29-0-](#)

[01730150539_202nd_Place_Septic_Compliance_Inspection_Report.pdf](#)

Shoreland Performance Worksheet

Complete the Shoreland Performance Worksheet and attach here:

File 1: [Shoreland_Performance_50539_202nd_Place.pdf](#)

Standard Erosion Control Plan

Attach the completed
Standard Erosion Control
Plan here:

File 1: [erosion-control-plan_50539_202nd_Place.pdf](#)

Property Deed

Attach the property deed(s):

File 1: [AITKIN_COUNTY_-_REC-REAL_EST_-_410689.pdf](#)

Terms**General Terms**

The landowner or authorized agent hereby certifies that to the best of their knowledge the application and supporting documents are a factual representation of the proposed project. The landowner or authorized agent agrees that, in making application, the landowner grants permission to Aitkin County, at reasonable times, to enter the property to determine compliance of the application with applicable Local, County or State Ordinances or Statutes. It is the applicant's responsibility to contact other Local, County or State agencies to ensure the applicant has complied with all relevant Local, County or State Ordinances or Statutes.

Submittal of the above materials does not always constitute a complete application. Other information may be necessary to complete the application based on the type of request and onsite inspection.

I acknowledge that by submitting this application, the application and its attachments are public information.

Invoice #62649 (04/11/2025) Expected Payment Method: Pay Online - Card or ECheck

Charge	Cost	Quantity	Total
Recording Fee added 04/11/2025 4:04 PM \$46 Flat Fee	\$46.00	x 1	\$46.00
Variance added 04/11/2025 4:04 PM \$650 Flat Fee	\$650.00	x 1	\$650.00
Grand Total			
Total			\$696.00
Payment 04/11/2025			\$696.00
Due			\$0.00

Results ([Go to top](#))

Signature accepted

Failed to send [Variance Ready for Action](#) notification to:**Approvals**

Approval	Signature
Applicant	Daniel G. Prokott - 04/11/2025 4:04 PM 38f9e6a2495dfdd95f330f3eabbad475 86476eda1585ed86e01f4f4bf1d4d34e
#1 Administrative Review	Kim Burton - 04/14/2025 11:32 AM 0ddfecc49664b961d2344d041f1f8b08 18b80b44dc652ebfda3dad2f5ae1359a
#2 Board of Adjustment Approval	

Public Notes

Text:	<div></div>
File(s):	<div></div>

Admin Checklist

This review has been started by:	Kim Burton ▼
Zoning District of project location:	Shoreland ▼
Project located in the floodplain?	No ▼
Is the parcel a Lot of Record before 1-21-92 or have alternate sites been identified?	Yes ▼
Is this an after-the-fact application?	No ▼

Numbers

	Current Number	Next from Sequence
UID #	213581	<i>not applicable</i>
App. #	<input type="text" value="2025-000179"/>	<input type="button" value="««"/> 2025-000181
Permit #	<input type="text"/>	<input type="button" value="««"/> 2025-0118

[Print View](#)

PART I: SUPPLEMENTAL DATA TO VARIANCE APPLICATION

Aitkin County Environmental Services

307 Second St. NW, Room 219, Aitkin, MN 56431

Phone: 218.927.7342 Fax: 218.927.4372

www.co.aitkin.mn.us

Note: Place an "X" by each item below that applies to your variance request. Then, fill out **only** the applicable following section(s) that apply, as directed. **If a section does not apply to your request, leave it blank.**

What is the reason(s) for applying for the variance? Place an "X" by each applicable item.

☐ Setback issues for a proposed new structure: **Complete Section 1**

☒ Setback issues for an alteration to an existing nonconforming structure: **Complete Section 2**

☐ Setback issues for a septic system: **Complete Section 3**

☐ Land alteration: **Complete Section 4**

☐ Creating a lot not in conformance with the minimum Ordinance standards: **Complete Section 5**

☐ Other: attach separate sheet explaining variance request

Section 1 – New Structure(s)

Check all that apply and fill in requested information:

☐ Basement

☐ Crawlspace

☐ Walk-out Basement

☐ One Story Level

☐ Story-and-a-Half Level

☐ 2nd Story Level

Proposed # of Bedrooms

Proposed Structure Height ft.

Existing Total Building Coverage %

Proposed Total Building Coverage %

Existing Total Impervious Surface Coverage % Proposed Total Impervious Surface Coverage %

"Building Coverage" means the ground surface covered by any building or appurtenance, including, but not limited to, decks, platforms, overhangs and projections therefrom, outdoor furnaces, fishhouses, sheds, carports, lean-to's, or any similar building. –as per the Aitkin County Shoreland Management Ordinance.

"Impervious surface coverage" means any structure, facility or surface that sheds water including structures and facilities, sewage treatment system absorption areas (equal to 190 sq.ft./bedroom), retaining walls, and roadway surfaces and parking areas. Impervious surface does not include eaves of two feet and less. – Per the Aitkin Count Shoreland Management Ordinance.

Itemized square footage of proposed structure(s):

Check the item(s) from which you are requesting a variance and fill in the proposed setback distance. * Setbacks are measured to the nearest point on a structure which can be the eave overhang or an attached deck/platform.

Proposed Structure Type (indicate with or without living quarters) _____

_____ Ordinary High Water Level (OHWL)	Proposed Setback _____ ft.
_____ Property Line	Proposed Setback _____ ft.
_____ Road Right-of way __ Twp __ Co. __ State	Proposed Setback _____ ft.
_____ Bluff	Proposed Setback _____ ft.
_____ Other: _____	Proposed Setback _____ ft.

Section 2 – Alteration(s) to Existing Nonconforming Structure(s)

Check all that apply and fill in requested information:

Existing Structure

_____ Basement
☒ CrawlSpace
_____ Walk-out Basement
☒ One Story Level
_____ Story-and-a-Half Level
_____ 2nd Story Level

Existing Structure Height 15 ft.
Existing # of Bedrooms 2
Existing Building Coverage ~~2.2~~ 3.2%
Existing Total Impervious Surface Coverage 3.5%

Proposed Addition(s)

_____ Basement
_____ CrawlSpace
_____ Walk-out Basement
_____ One Story Level
_____ Story-and-a-Half Level
☒ 2nd Story Level

Proposed Addition(s) Height 30 ft.
Final # of bedrooms after remodel 4
Proposed Building Coverage ~~3.2~~ 3.2%
Proposed Total Impervious Surface Coverage 3.5%

"Building Coverage" means the ground surface covered by any building or appurtenance, including, but not limited to, decks, platforms, overhangs and projections therefrom, outdoor furnaces, fishhouses, sheds, carports, lean-to's, or any similar building. –as per the Aitkin County Shoreland Management Ordinance.

"Impervious surface coverage" means any structure, facility or surface that sheds water including structures and facilities, sewage treatment system absorption areas (equal to 190 sq.ft./bedroom), retaining walls, and roadway surfaces and parking areas. Impervious surface does not include eaves of two feet and less. – Per the Aitkin Count Shoreland Management Ordinance.

Itemized square footage of proposed structure(s):

Two-story house. Current one-story house is 1120 square feet, so the total estimated square footage of the proposed structure is 2240 square feet.

Check the item(s) from which you are requesting a variance and fill in the proposed setback distance. * Setbacks are measured to the nearest point on a structure which can be the eave overhang or an attached deck/platform.

Proposed Alteration Type _____

_____ Ordinary High Water Level (OHWL)	Existing Setback _____ ft.	Proposed Setback _____ ft.
_____ Property Line	Existing Setback _____ ft.	Proposed Setback _____ ft.
_____ Road Right-of way __ Twp __ Co. __ State	Existing Setback _____ ft.	Proposed Setback _____ ft.
<input checked="" type="checkbox"/> Bluff	Existing Setback _____ ft.	Proposed Setback _____ ft.
_____ Other: _____	Existing Setback <u>20</u> ft.	Proposed Setback <u>20</u> ft.

(Approx.)

(No change to existing)

Section 3 – Septic System

Check the item(s) from which you are requesting a variance and fill in the proposed setback distance.

_____ Ordinary High Water Level (OHWL)	Proposed Setback _____ ft.
_____ Property Line	Proposed Setback _____ ft.
_____ Road Right-of way __ Twp __ Co. __ State	Proposed Setback _____ ft.
_____ Bluff	Proposed Setback _____ ft.
_____ Other: _____	Proposed Setback _____ ft.

Section 4 – Land Alteration

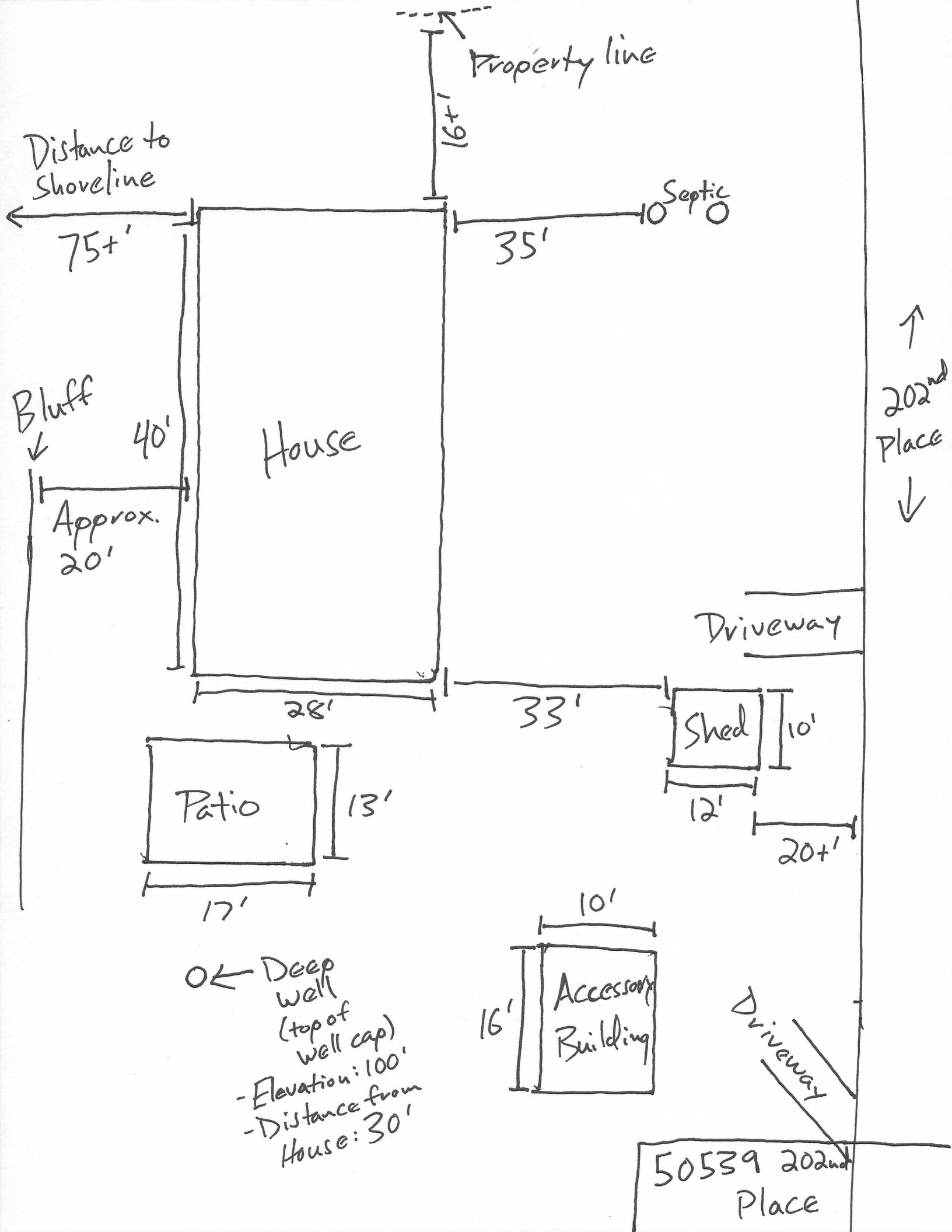
What is your land alteration? Check all categories that apply and indicate the total amount of excavation or placement of fill.

_____ More than 10 cubic yards on steep slopes and shore and bluff impact zones.	Total Cubic Yds. _____
_____ Other: _____	Total Cubic Yds. _____

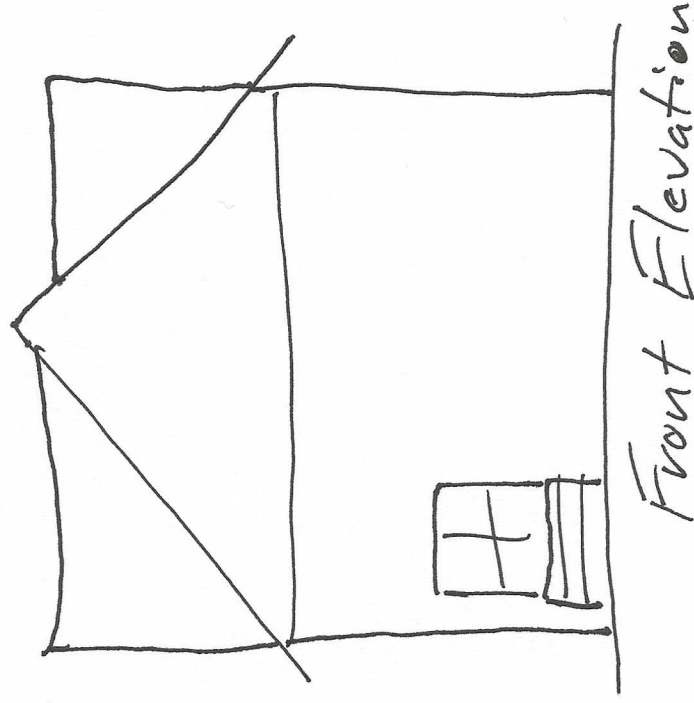
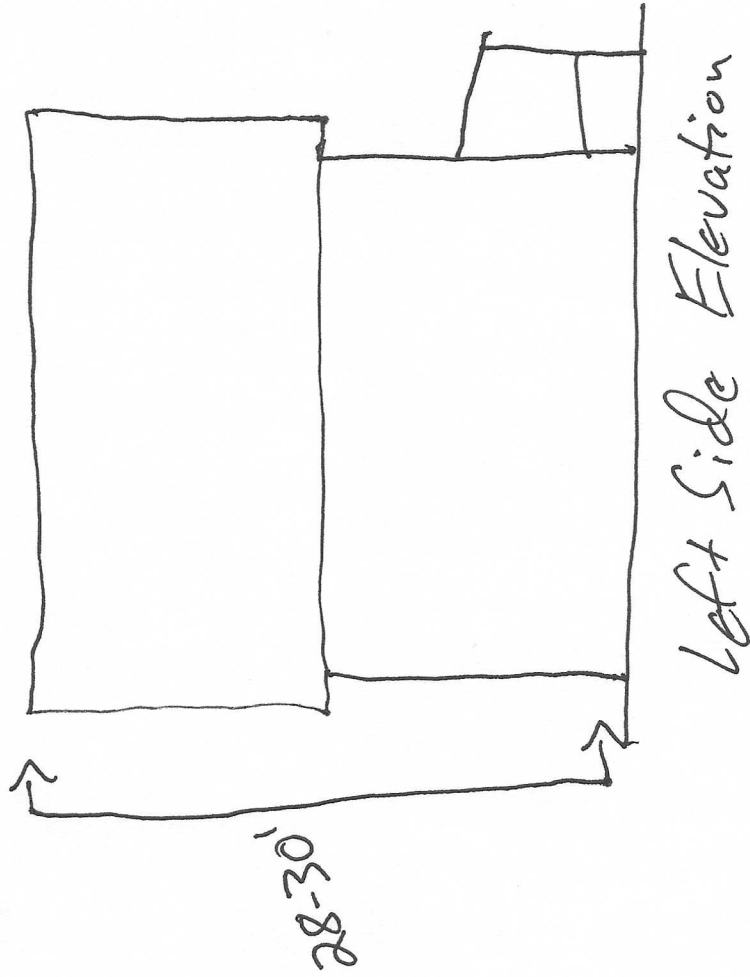
Section 5 – Creating Nonconforming Lot(s)

Check the item(s) from which you are requesting a variance and fill in the proposed dimensions.

_____ Property Width	Proposed Property Width _____
_____ Property Area	Proposed Property Area _____
_____ (2) Standard Septic Sites	
_____ Legal Access	



Two-Story Addition



50539
202nd Place

Compliance inspection report form

Existing Subsurface Sewage Treatment System (SSTS)

Doc Type: Compliance and Enforcement

Instructions: Inspector must submit completed form to Local Governmental Unit (LGU) and system owner within 15 days of final determination of compliance or noncompliance. Instructions for filling out this form are located on the Minnesota Pollution Control Agency (MPCA) website at <https://www.pca.state.mn.us/sites/default/files/wq-wwists4-31a.pdf>.

Property information

Local tracking number:

Parcel ID# or Sec/Twp/Range: 29-0-017301 Reason for Inspection Permit
Local regulatory authority info: Aitkin Co 218-927-7342
Property address: 50539 202nd Pl. McGregor MN 55760
Owner/representative: Daniel Prokott Owner's phone: 651-246-7400
Brief system description: Gravity flow from house to tank, 1860 2/Compartment Septic/Pump tank Pumped to a 15' x 50' pressure bed.

System status

System status on date (mm/dd/yyyy): 10/19/2023☒ **Compliant – Certificate of compliance***

(Valid for 3 years from report date unless evidence of an imminent threat to public health or safety requiring removal and abatement under section 145A.04, subdivision 8 is discovered or a shorter time frame exists in Local Ordinance.)

***Note: Compliance indicates conformance with Minn. R. 7080.1500 as of system status date above and does not guarantee future performance.**

☐ **Noncompliant – Notice of noncompliance**

Systems failing to protect ground water must be upgraded, replaced, or use discontinued within the time required by local ordinance.

An imminent threat to public health and safety (ITPHS) must be upgraded, replaced, or its use discontinued within ten months of receipt of this notice or within a shorter period if required by local ordinance or under section 145A.04 subdivision 8.

Reason(s) for noncompliance (check all applicable)

- ☐ Impact on public health (Compliance component #1) – *Imminent threat to public health and safety*
- ☐ Tank integrity (Compliance component #2) – *Failing to protect groundwater*
- ☐ Other Compliance Conditions (Compliance component #3) – *Imminent threat to public health and safety*
- ☐ Other Compliance Conditions (Compliance component #3) – *Failing to protect groundwater*
- ☐ System not abandoned according to Minn. R. 7080.2500 (Compliance component #3) – *Failing to protect groundwater*
- ☐ Soil separation (Compliance component #5) – *Failing to protect groundwater*
- ☐ Operating permit/monitoring plan requirements (Compliance component #4) – *Noncompliant - local ordinance applies*

Comments or recommendations

Certification

I hereby certify that all the necessary information has been gathered to determine the compliance status of this system. No determination of future system performance has been nor can be made due to unknown conditions during system construction, possible abuse of the system, inadequate maintenance, or future water usage.

By typing my name below, I certify the above statements to be true and correct, to the best of my knowledge, and that this information can be used for the purpose of processing this form.

Business name: Brummer Septic LLCCertification number: C- 3589Inspector signature: License number: L-1347

(This document has been electronically signed)

Phone: 218-821-0704

Necessary or locally required supporting documentation (must be attached)

- ☒ Soil observation logs
- ☒ System/As-Built
- ☐ Locally required forms
- ☒ Tank Integrity Assessment
- ☐ Operating Permit
- ☐ Other information (list): MN Well Index Sheet

Property Address: 50539 202nd Pl. McGregor MN 55760

Business Name: Brummer Septic LLC.

Date: 10/19/2023

1. Impact on public health – Compliance component #1 of 5

Compliance criteria:

System discharges sewage to the ground surface

☐ Yes* ☒ No

System discharges sewage to drain tile or surface waters.

☐ Yes* ☒ No

System causes sewage backup into dwelling or establishment.

☐ Yes* ☒ No

Any "yes" answer above indicates the system is an imminent threat to public health and safety.

Describe verification methods and results:

☒ Checked Drainfield / Mound Area For surfacing

☒ Checked Drainfield / Mound Area for Seepage

☒ Checked For Ponding in Existing Inspection Pipes No evidence of Ponding in Pressure bed inspection pipe.

Attached supporting documentation:

☐ Other: _____

☐ Not applicable

2. Tank integrity – Compliance component #2 of 5

Compliance criteria:

System consists of a seepage pit, cesspool, drywell, leaching pit, or other pit?

☐ Yes* ☒ No

Sewage tank(s) leak below their designed operating depth?

☐ Yes* ☒ No

If yes, which sewage tank(s) leaks:

Any "yes" answer above indicates the system is failing to protect groundwater.

Attached supporting documentation:

☐ Empty tank(s) viewed by inspector

Name of maintenance business: _____

License number of maintenance business: _____

Date of maintenance: _____

☒ Existing tank integrity assessment (Attach)

Date of maintenance 10/18/2023
(mm/dd/yyyy): (must be within three years)

(See form instructions to ensure assessment complies with Minn. R. 7082.0700 subp. 4 B (1))

☐ Tank is Noncompliant (pumping not necessary – explain below)

☐ Other: _____

Describe verification methods and results:

Inspected tanks through manholes, both manholes raised to the surface, baffles in-place, working level Ok. Pump cycles.

Property Address: 50539 202nd Pl. McGregor MN 55760

Business Name: Brummer Septic LLC.

Date: 10/19/2023

3. Other compliance conditions – Compliance component #3 of 5

3a. Maintenance hole covers appear to be structurally unsound (damaged, cracked, etc.), or unsecured?

☐ Yes* ☒ No ☐ Unknown

3b. Other issues (electrical hazards, etc.) to immediately and adversely impact public health or safety? ☐ Yes* ☒ No ☐ Unknown

**Yes to 3a or 3b - System is an imminent threat to public health and safety.*

3c. System is non-protective of ground water for other conditions as determined by inspector? ☐ Yes* ☒ No

3d. System not abandoned in accordance with Minn. R. 7080.2500? ☐ Yes* ☐ No

**Yes to 3c or 3d - System is failing to protect groundwater.*

Describe verification methods and results:

Attached supporting documentation: ☐ Not applicable ☐

4. Operating permit and nitrogen BMP* – Compliance component #4 of 5 ☒ Not applicable

Is the system operated under an Operating Permit? ☐ Yes ☐ No If "yes", A below is required

Is the system required to employ a Nitrogen BMP specified in the system design? ☐ Yes ☐ No If "yes", B below is required

BMP = Best Management Practice(s) specified in the system design

If the answer to both questions is "no", this section does not need to be completed.

Compliance criteria:

a. Have the operating permit requirements been met? ☐ Yes ☐ No

b. Is the required nitrogen BMP in place and properly functioning? ☐ Yes ☐ No

Any "no" answer indicates noncompliance.

Describe verification methods and results:

Attached supporting documentation: ☐ Operating permit (Attach) ☐

5. Soil separation – Compliance component #5 of 5Date of installation 8/15/2012 ☐ Unknown
(mm/dd/yyyy)Shoreland/Wellhead protection/Food beverage lodging? ☒ Yes ☐ No**Compliance criteria (select one):**5a. For systems built prior to April 1, 1996, and not located in Shoreland or Wellhead Protection Area or not serving a food, beverage or lodging establishment: ☐ Yes ☐ No*

Drainfield has at least a two-foot vertical separation distance from periodically saturated soil or bedrock.

5b. Non-performance systems built April 1, 1996, or later or for non-performance systems located in Shoreland or Wellhead Protection Areas or serving a food, beverage, or lodging establishment: ☐ Yes ☐ No*

Drainfield has a three-foot vertical separation distance from periodically saturated soil or bedrock.*

5c. "Experimental", "Other", or "Performance" systems built under pre-2008 Rules; Type IV or V systems built under 2008 Rules 7080. 2350 or 7080.2400 (Intermediate Inspector License required ≤ 2,500 gallons per day; Advanced Inspector License required > 2,500 gallons per day) ☐ Yes ☐ No*

Drainfield meets the designed vertical separation distance from periodically saturated soil or bedrock.

Any "no" answer above indicates the system is failing to protect groundwater.*Describe verification methods and results:**

Conducted soil boring Off NW corner of pressure bed in original soils.

Attached supporting documentation:

- ☒ Soil observation logs completed for the report
- ☐ Two previous verifications of required vertical separation
- ☐ Not applicable (No soil treatment area)
- ☐ _____

Indicate depths or elevations

A. Bottom of distribution media	Elv. = 104.7'
B. Periodically saturated soil/bedrock	Elv. = 101.5'
C. System separation	36"
D. Required compliance separation*	36"

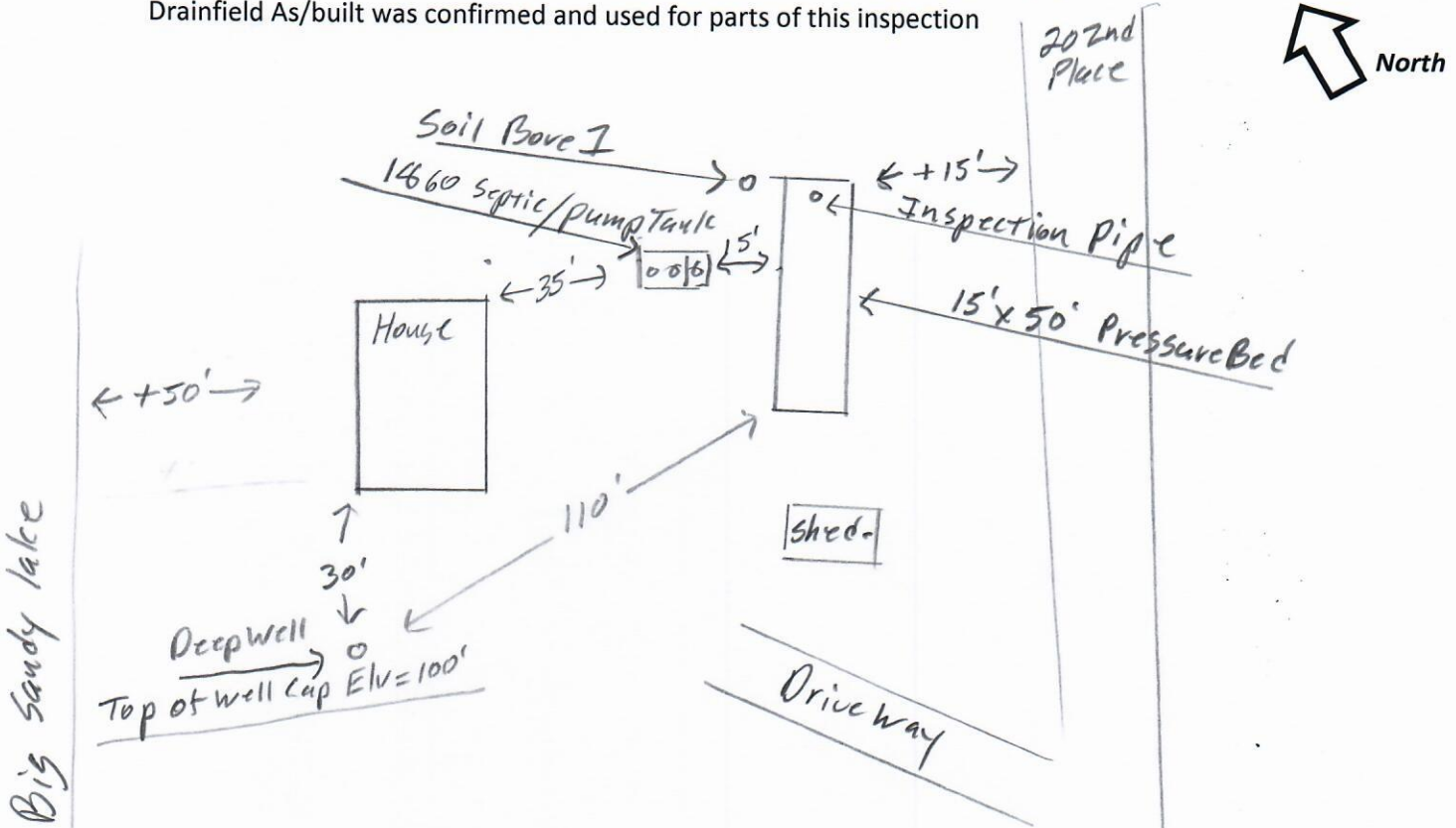
*May be reduced up to 15 percent if allowed by Local Ordinance.

Upgrade requirements: (Minn. Stat. § 115.55) An imminent threat to public health and safety (ITPHS) must be upgraded, replaced, or its use discontinued within ten months of receipt of this notice or within a shorter period if required by local ordinance. If the system is failing to protect ground water, the system must be upgraded, replaced, or its use discontinued within the time required by local ordinance. If an existing system is not failing as defined in law, and has at least two feet of design soil separation, then the system need not be upgraded, repaired, replaced, or its use discontinued, notwithstanding any local ordinance that is more strict. This provision does not apply to systems in shoreland areas, Wellhead Protection Areas, or those used in connection with food, beverage, and lodging establishments as defined in law.

{ Inspection Drawing }

Property Owner: Daniel Prokott Date: 10/13/2023 Designer's Initials : JB
 Parcel ID. Number : 29-0-017301 Address : 50539 202nd Pl. McGregor MN 55760
 Aitkin Co. One Inch = 40ft.'

Drainfield As/built was confirmed and used for parts of this inspection



Elv. Of grade at Septic Tank = 105.2'

Inlet Septic Tank Elv. = 99.9'

Elv. Of ground at Pump Tank = 105.2'

Inlet Pump Tank Elv. = 99.7'

Pump Elv. = 97.2'

Bench Mark Elv. = 100' Top of Deep Well Cap

Ground at well Elv. = 97.9'

Grade at SE corner of house Elv. = 101.4'

grade near Inspection pipe of Pressure Bed Elv. = 107'

Elv. Of bottom of rock bed Elv. = 104.7'

16" of Cover + 12" rock = 2.3ft.

SB - 1 Top of Ground Soil Boring Elv. = 107'

Depth (in.)	Texture	Color
0 - 6	Top Soil	10YR3/2
6 - 27	Sandy Loam	10YR4/4
27 - 40	Med Sand	10YR4/4
40 - 66	Med sand	10YR5/4

Elv. = 101.5'

SB -	Top of Ground	Elv.
Depth (in.)	Texture	Color

Sewage tank integrity assessment form

Subsurface Sewage Treatment Systems (SSTS) Program

Doc Type: Compliance and Enforcement

Purpose: This form may be used to certify the compliance status of the sewage tank components of the SSTS. **This form is not a complete SSTS inspection report, only a tank integrity assessment, and may only certify sewage tank compliance status when entirely completed and signed by a qualified professional.** SSTS compliance inspection report forms can be found at: <https://www.pca.state.mn.us/water/inspections>.

Instructions: This form may be completed, and signed, by a Designated Certified Individual (DCI) of a licensed SSTS inspection, maintenance, installation, or service provider business who personally conducts the necessary procedures to assess the compliance status of each sewage tank in the system. Only a licensed maintenance business is authorized to pump the tank for assessment. A copy of this information should be submitted to the system owner and be maintained by the licensed SSTS business for a period of five (5) years from the assessment date.

When this form is signed by a qualified certified professional, it becomes *necessary supporting documentation* to an Existing System Compliance Inspection Report: [Compliance inspection form - Existing system \(wq-wwists4-31b\)](https://www.pca.state.mn.us/water/inspections). This form can be found on the MPCA website at <https://www.pca.state.mn.us/water/inspections>.

The information and certified statement on this form is **required** when existing septic tank compliance status is determined by an individual other than the SSTS Inspector that submits an inspection report. This form represents a third party assessment of SSTS component compliance and is allowable under Minn. R. 7082.0700, subp. 4(B)(1). This form is valid for a period of three years beyond the signature date on this form unless a new evaluation is requested by the owner or owner's agent or is required according to local regulations. Additional Administrative Rule references for this activity can be found at Minn. R. 7082.0700, subp. 4(B),(C), and (D) and; Minn. R. 7083.0730(C).

Owner information

Owner/Representative Cal - RepProperty address: 50539 202nd Pl, McGregor, MN 55760Local Regulatory Authority: Aitkin CountyParcel ID: 29-0-017301

System status

System status on date (mm/dd/yyyy): 10/18/2023☒ **Certificate of sewage tank compliance**☐ **Notice of sewage tank non-compliance**

Compliance criteria:

The SSTS has a seepage pit, cesspool, drywell, leaching pit, or other pit - "Failure to Protect Groundwater."

☐ Yes* ☒ No

The SSTS has a sewage tank that leaks below the designed operating depth - "Failure to Protect Groundwater."

☐ Yes* ☒ No

The SSTS presents a threat to public safety by reason of structurally unsound (damaged, cracked, or weak) maintenance hole cover(s) or lids or any other unsafe condition - "Imminent Threat to Public Health or Safety."

☐ Yes* ☒ No**Any "yes" answer above indicates sewage tank non-compliance.**

Company information

Company name: Timber Lakes Septic Service IncBusiness license number: L455

Designated Certified Individual (DCI) information

Print name: Dan SwansonCertification number: C6023

I personally conducted the work described above as a Designated Certified Individual of a Minnesota-licensed SSTS inspection, maintenance, installation, or service provider Business. I personally conducted the necessary procedures to assess the compliance status of each sewage tank in this SSTS.

By typing/signing my name below, I certify the above statements to be true and correct, to the best of my knowledge, and that this information can be used for the purpose of processing this form.

Designated Certified Individual's signature: Dan Swanson*(This document has been electronically signed)*Date (mm/dd/yyyy): 10/18/2023



Minnesota Well Index

General Information

Unique Well ID:	532877	Well Name:	LARSON, MARION	County:	Aitkin	Aquifer:	Quat. Water Table Aquifer
Well Elevation (msl in feet):	1279	Drilled Depth (ft):	108	Well Completed (ft):	108	Date Drilled:	07/14/1993
Township:	49	Range:	23	Dir:	W	Section:	8
Subsection:	DCDDAA	Use:	domestic	Well Status:	Active	Depth To Bedrock:	
Driller:	Northland Well Co.	Entry Date:	08/31/1993	Update Date:	12/14/2017		

Related Resources:

[Go to MN Well Index Map](#) [Well Log Report](#) [Scanned Record\(s\)](#) [Stratigraphy Report](#)

More Details

Stratigraphy

Address

Chemical Data

Construction

Pump Test

Static Water

Comments

Location Changes

Overview Map

Description	From(ft)	To(ft)	Color	Hardness	Lith Primary	Lith Secondary	Interpretation
SAND	0	75	BROWN	MEDIUM	SAND		sand-brown
MUDDY SAND	75	90	GRAY	MEDIUM	SAND		cl/snd/slt-no peb.-gry
FINE SAND	90	108	GRAY	SOFT	SAND		sand-gray



Detailed Parcel Report

Parcel Number: 29-0-017301

General Information

Township/City: SHAMROCK TWP
Taxpayer Name: PROKOTT, DANIEL & MOLLY
Taxpayer Address: 1017 RAVINE TRL
GOLDEN VALLEY MN 55416
Property Address: 50539 202nd PI
Township: 49 Lake Number: 1006200
Range: 23 Lake Name: BIG SANDY LAKE
Section: 8 Acres: 1.00
Green Acres: No School District: 4.00
Plat:
Brief Legal Description: 1 AC LOT 6 IN DOC 410689

Tax Information

Class Code 1: Non-Comm Seasonal Residential Recreational
Class Code 2: Unclassified
Class Code 3: Unclassified
Homestead: Non Homestead
Assessment Year: 2023

Estimated Land Value:	\$442,300.00
Estimated Building Value:	\$114,100.00
Estimated Total Value:	<u>\$556,400.00</u>
Prior Year Total Taxable Value:	\$418,300.00
Current Year Net Tax (Specials Not Included):	\$2,784.00
Total Special Assessments:	\$0.00
**Current Year Balance Not Including Penalty:	\$1,392.00
Delinquent Taxes:	No

* For more information on delinquent taxes, please call the Aitkin County Treasurer's Office at 218-927-7325.

** Balance Due on a parcel does not include late payment penalties.

AITKIN COUNTY ENVIRONMENTAL SERVICES-PLANNING & ZONING

307 Second Street NW, Room 219
Aitkin, Minnesota 56431

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



PART VI: VARIANCE APPLICATION

“Aitkin County Shoreland Performance” Worksheet **Instructions:**

Are you applying for a variance from the Aitkin County Shoreland Management Ordinance? If so, you must complete the “Aitkin County Shoreland Performance” sheet. This is used as an attempt to evaluate your property and project as it relates to the required setbacks and the intent of the Ordinance to protect water quality, habitat and aesthetics. 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.

STEP 1: Determine the level of non-conformance and score by completing 1-5 on the worksheet. The actual setback will be multiplied by the corresponding ‘score multiplier’ to determine your “Pre-mitigation Lot Score”.

STEP 2: Review the mitigation options and circle those that you would be willing to implement as a condition of your variance. See letters A-J.

*As a note, if you will be creating a buffer zone or other landscape project as part of your mitigation plan, please be prepared to present an approved plan to the Board of Adjustment. Although not familiar with specifics of the “Aitkin County Shoreland Performance” worksheet, the Aitkin County Soil & Water Conservation District [SWCD] (218-927-7284) and the University of Minnesota Extension Master Gardeners (218-927-2538) may be resources that would be able to provide you with planting suggestions and landscaping ideas.

STEP 3: A final score is determined by adding your “Pre-mitigation Lot Score” with your “Mitigation Total”. *Please note, the property should obtain a score of 100 or more to meet performance standard requirements.*

After a practical difficulty has been determined, the Board of Adjustment may use the “Aitkin County Shoreland Performance” sheet submitted with your application and/or use their own completed sheet to attempt to mitigate impacts to the water-body and/or adjoining properties.

If you have any questions, please contact Aitkin County Environmental Services – Planning & Zoning at (218) 927-7342.

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: <u>1-62</u> |
| 2) Determine the required "Structure Setback" to that classification of water (SMO 5.2) | 2: <u>30 feet</u> |
| 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: <u>20 feet</u> |
| 4) Enter the corresponding 'Score Multiplier' | 4: <u>3.33</u> |
| 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: <u>66.6</u> |

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

Protected Waters Type (DNR Classification; SMO 4.13-4.14)	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 <u>additional</u> 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 <u>additional</u> 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 <u>all</u> 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* <u>and</u> 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) 66.6 + Mitigation Totals (Lines A-I) 35 = 106.6

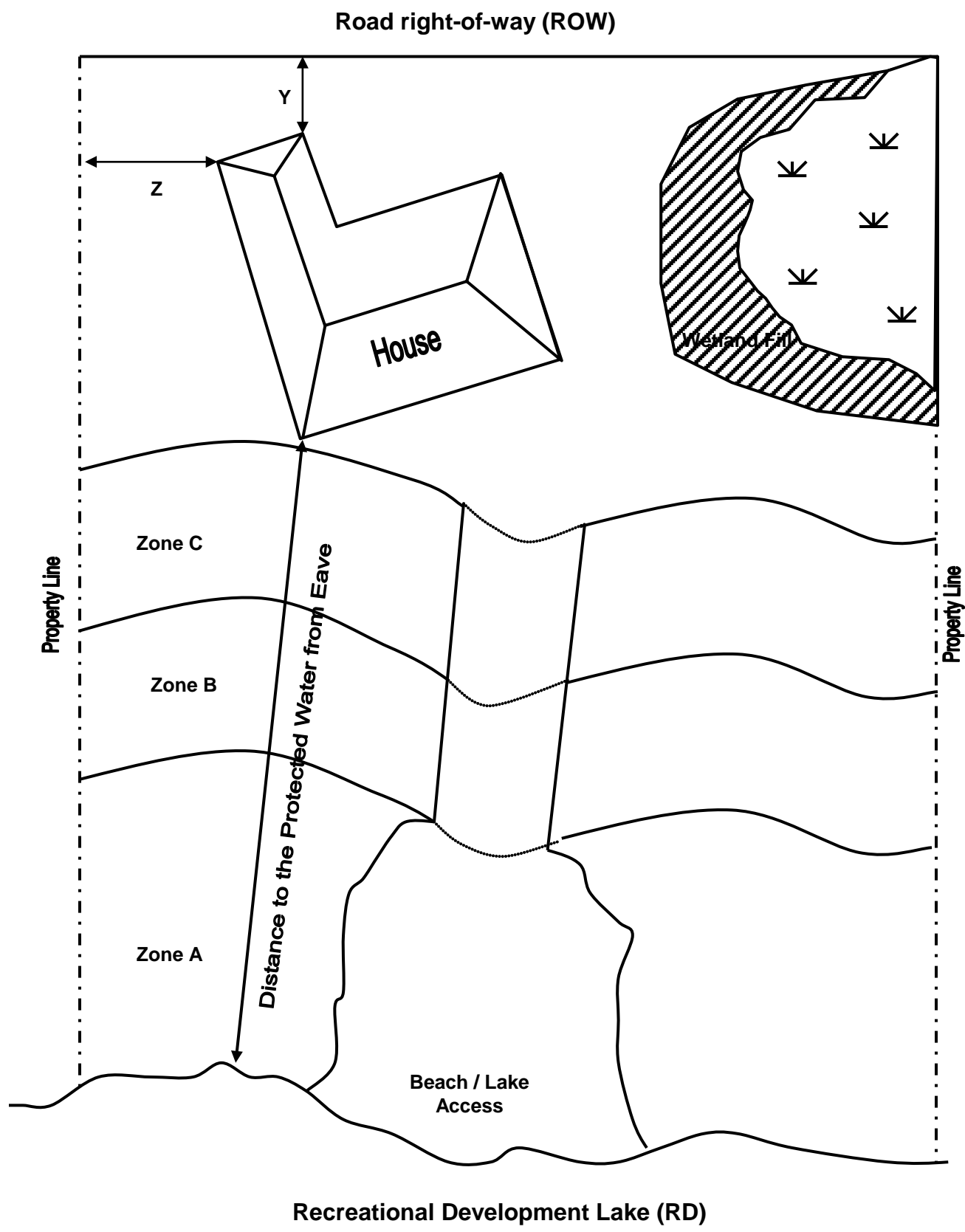
*Note: Plant materials for vegetative buffers shall be native to northern Minnesota. For every 5,000 square feet of buffer area, there shall be a minimum of four types of trees, six types of shrubs, seven forbs, and three grasses planted to achieve a one plant per square foot minimum coverage. Survival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

Daniel Prokott

Board of Adjustment Chairperson

Applicant

AITKIN COUNTY SHORELAND PERFORMANCE
(Example)



EROSION CONTROL PLAN CHECKLIST

**Check the box if completed (leave empty if not applicable).
All items checked must be included on the site diagram.**

Site Characteristics

- ☐ North arrow, scale, and site boundary. Indicate and name adjacent streets or roadways.
- ☐ Location of existing drainageways, streams, rivers, lakes, wetlands or wells.
- ☐ Location of storm sewer inlets.
- ☒ Location of existing and proposed buildings and paved areas.
- ☐ The disturbed area on the lot.
- ☐ Approximate gradient and direction of slopes before grading operations.
- ☐ Approximate gradient and direction of slopes after grading operations.
- ☐ Overland runoff (sheet flow) coming onto the site from adjacent areas.

Erosion Control Practices

- ☐ Location of temporary soil storage piles.
Note: Soil storage piles should be placed behind a sediment fence, a 10 foot wide vegetative strip, or should be covered with a tarp or more than 25 feet from any downslope road or drainageway.
- ☐ Location of access drive(s) (driveways, turnarounds, approaches, etc.)
- ☐ Location of sediment controls (filter fabric fence, straw bale fence or 10-foot wide vegetative strip) that will prevent eroded soil from leaving the site.
- ☐ Location of sediment barriers around on-site storm sewer inlets.
- ☐ Location of diversions.
Note: Although not specifically required by code, it is recommended that concentrated flow (drainageways) be diverted (re-directed) around disturbed areas. Overland runoff (sheet flow) from adjacent areas greater than 10,000 sq. ft. should also be diverted around disturbed areas.
- ☒ Location of practices that will be applied to control erosion on steep slopes (greater than 12% grade).
Note: Such practices include maintaining existing vegetation, placement of additional sediment fences, diversions, and re-vegetation by sodding or seeding with use of erosion control mats.
- ☐ Location of practices that will control erosion on areas of concentrated runoff flow.
Note: Unstabilized drainageways, ditches, diversions, and inlets should be protected from erosion through use of such practices as in-channel fabric or straw bale barriers, erosion control mats, staked sod, and rock rip-rap. When used, a given in-channel barrier should not receive drainage from more than two acres of unpaved area, or one acre of paved area. In-channel practices should not be installed in perennial streams (streams with year round flow).
- ☐ Location of other planned practices not already noted.

**Check the box if completed (leave empty if not applicable).
All items checked must be included on the site diagram.**

Management Strategies

- ☒ Temporary stabilization of disturbed areas.

Note: It is recommended that disturbed areas and soil piles left inactive for extended periods of time be stabilized by seeding (between April 1 and September 15), or by other cover, such as tarping or mulching.

- ☐ Permanent stabilization of site by re-vegetation or other means as soon as possible (lawn establishment).

• Indicate re-vegetation method: (Circle one of the following) Seed Sod
Other _____

• Expected date of permanent re-vegetation: _____

• Re-vegetation responsibility of: (Circle one of the following)

Builder Owner/Buyer

• Is temporary seeding or mulching planned if site is not seeded by
Sept. 15 or sodded by Nov. 15? (Circle one of the following) Yes No

- ☐ Use of downspout and/or sump pump outlet extensions.

Note: It is recommended that flow from downspouts and sump pump outlets be routed through plastic drainage pipe to stable areas such as established sod or pavement.

- ☐ Trapping sediment during de-watering operations.

Note: Sediment-laden discharge water from pumping operations should be ponded behind a sediment barrier until most of the sediment settles out.

- ☒ Proper disposal of building material waste so that pollutants and debris are not carried off-site by wind or water.

- ☐ Maintenance of erosion control practices.

• Sediment will be removed from behind sediment fences and barriers before it reaches a depth that is equal to half the height of the barrier.

• Breaks and gaps in sediment fences and barriers will be repaired immediately. Decomposing straw bales will be replaced (typical bale life is three months).

• All sediment that moves off-site due to construction activity will be cleaned up before the end of the same workday.

• All sediment that moves off-site due to storm events will be cleaned up before the end of the next workday.

• Access drives will be maintained throughout construction.

• All installed erosion control practices will be maintained until the disturbed areas they protect are stabilized.

PART VII: STANDARD EROSION CONTROL PLAN

According to Aitkin County's Shoreland Management Ordinance, soil erosion control information needs to be included on the site plan which is submitted and approved prior to the issuance of zoning permits. The Standard Erosion Control Plan is provided to assist in meeting this requirement.

Instructions:

1. Complete this plan by filling in requested information, completing the site diagram and marking appropriate boxes on the inside of this form.
2. In completing the site diagram, give consideration to potential erosion that may occur before, during and after grading. Water runoff patterns can change significantly as a site is reshaped.
3. A cross section sheet is required for walkout basements and excavations into hillsides for determining volume of fill to be excavated.

Project Location 50539 202nd Place, McGregor MN, 55760

Builder TBD Owner Daniel & Molly Prokott

Worksheet Completed By Daniel Prokott Date April 11, 2025

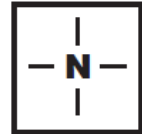
Amount of earthen material to be excavated and/or used for fill 0 cubic yards.

SITE DIAGRAM

Scale 1 inch = _____ feet

Please indicate north by completing the arrow.

See site plan document. No excavation is anticipated as we are requesting to build a second story on the existing structure.



EROSION CONTROL PLAN LEGEND

- PROPERTY LINE
- > EXISTING DRAINAGE
- > TD TEMPORARY DIVERSION
- > FINISHED DRAINAGE
- - - LIMITS OF GRADING
- SILT FENCE
- STRAW BALES
- GRAVEL
- VEGETATION SPECIFICATION
- TREE PRESERVATION
- STOCKPILED SOIL

5-M WARRANTY DEED
Individual(s) to Joint Tenants

STATE DEED TAX DUE HEREON: \$ 693.00

Date: April 2, 2012

FOR VALUABLE CONSIDERATION, Daniel L. Larson and Toni K. Larson, husband and wife; Thomas H. Larson, a single person; and William J. Larson and Teri Ann Larson, husband and wife, Grantors, hereby convey and warrant to Daniel Prokott and Molly Prokott, Grantees, as joint tenants, real property in Aitkin County, Minnesota, described as follows:

—> See attached Exhibit A for legal description

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

Covenants, Easements and Restrictions of Record, if any.

Check Box if Applicable:

- ☐ The Seller certifies that the seller does not know of any wells on the described real property.
☐ A well disclosure certificate accompanies this document.
☒ I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

AITKIN COUNTY DEED TAX
NO 3299 Date 4-4-2012
69300 Dollars Paid
Sori Grams
County Recorder
By Julie Hughes Deputy

William J. Larson as Attorney in Fact for Daniel L. Larson
William J. Larson, as Attorney in Fact for Daniel L. Larson

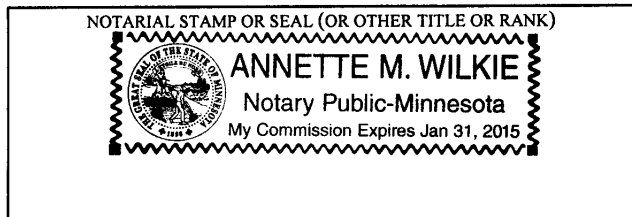
William J. Larson as Attorney in Fact for Toni K. Larson
William J. Larson, as Attorney in Fact for Toni K. Larson

William J. Larson
William J. Larson

William J. Larson as Attorney in Fact for Teri Ann Larson
William J. Larson, as Attorney in Fact for Teri Ann Larson

STATE OF MINNESOTA)
COUNTY OF AITKIN) ss.

The foregoing instrument was acknowledged before me on this 2nd day of April, 2012, by William J. Larson, as Attorney in Fact for Daniel L. Larson and Toni K. Larson, husband and wife, and Teri Ann Larson, wife of William J. Larson, and William J. Larson, husband of Teri Ann Larson, Grantors.



Annette M. Wilkie
SIGNATURE OF PERSON TAKING ACKNOWLEDGEMENT

Check here if part or all of the land is Registered (Torrens) ☐

Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee):

THIS INSTRUMENT WAS DRAFTED BY (NAME AND ADDRESS)

McGregor Title, Inc.
15 Country House Lane, PO Box 309
McGregor, MN 55760
Order No.: 1202-2311

Daniel Prokott
Molly Prokott
1254 Laurel Ave.
St. Paul, MN 55104

Thomas H. Larson
Thomas H. Larson

STATE OF MINNESOTA)
) SS
COUNTY OF AITKIN)

The foregoing instrument was acknowledged before me on this 31 day of
March, 2012, by Thomas H. Larson, a single person, Grantor.



Annette M. Wilkie
Signature of Notary Public

(Notary Stamp)

LEGAL DESCRIPTION
EXHIBIT A

→ Approximately one acre in Lot Six (6), of Section Eight (8), Township Forty-nine (49), Range Twenty-three (23) described as follows:

Beginning at a point on the east line of said Lot 6 a distance of two hundred feet north of the southeast corner thereof, thence running North, along the east line of said Lot 6, a distance of one hundred eighty-five (185) feet, thence west, parallel with the south line of said Lot 6, a distance of two hundred (200) feet, more or less, to the shore of Sandy Lake, thence in a southwesterly direction along the shore of said lake, to a point west of the point of beginning, thence east, parallel with the south line of said Lot 6, a distance of two hundred fifty-six (256) feet, more or less, to the point of beginning.

ALSO:

A parcel of land in Government Lot 6, Section 8, Township 49 North, Range 23 West of the Fourth Principal Meridian according to the United States Government Survey thereof, more particularly described as follows:

Assuming the East line of said Government Lot 6 (also East line of said Section 8) to have a bearing of North and South and starting at the Southeast corner of said Government Lot 6 (East quarter corner of said Section 8); thence North along said East line for a distance of 385.00 feet to a point hereinafter called the reference point; thence North 87 degrees 22 minutes 11 seconds West along a line parallel with the South line of said Government Lot 6 for a distance of 93 feet to the point of beginning; thence continuing North 87 degrees 22 minutes 11 seconds West along a line parallel with the South line of said Government Lot 6 for a distance of 118 feet, more or less, to the shoreline of Big Sandy Lake; thence Northeasterly along said shoreline for a distance of 14 feet more or less to a point which lies on a line having a bearing of North 83 degrees 34 minutes 54 seconds West from the reference point; thence in a straight line in a southeasterly direction to the point of beginning.

EXCEPTING THEREFROM:

A parcel of land in Government Lot 6, Section 8, Township 49 North, Range 23 West of the Fourth Principal Meridian according to the United States Government Survey thereof, more particularly described as follows:

Assuming the East line of said Government Lot 6 (Also East line of said Section 8) to have a bearing of North and South and starting at the Southeast corner of said Government Lot 6 (East quarter corner of said Section 8); thence North along said East line for a distance of 200.00 feet to a point; thence North 87 degrees 22 minutes 11 seconds West for a distance of 88.50 feet to a point hereinafter called the reference point; thence continuing North 87 degrees 22 minutes 11 seconds West for a distance of 61.5 feet to the point of beginning; thence North 87 degrees 22 minutes 11 seconds West for a distance of 122.5 feet more or less to the shoreline of Big Sandy Lake; thence Northeasterly along said shoreline for a distance of 14 feet more or less to a point which lies on a line having a bearing of North 83 degrees 17 minutes 37 seconds West from the reference point; thence in a straight line in a southeasterly direction to the point of beginning, Aitkin County, Minnesota.

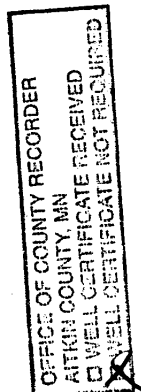
7/16/08
McDuga Title
Box 309
McDuga, MN 55760

RECORDED
TRACT INDEX
GRANTOR
GRANTEE
COMPARED

4-4-9

2

⑨



COUNTY RECORDER
AITKIN COUNTY, MINNESOTA
FILED

APR 04 2012 AM

As Doc No.
Bianca J. Coffey

410689