

**2014 ANNUAL SHORELAND ORDINANCE  
ADMINISTRATIVE ACTIVITIES REPORT**

2014 Shoreland Block Grant Amount: \$\_\_3,024.00\_\_

**Directions:** Please answer the following questions for your county’s 2014 activities within the shoreland area (1000 feet from lakes & 300 feet from rivers or the extent of the floodplain, whichever is greater).

**Variations**

1. List the number of shoreland variations you issued in 2014:

Variance Type	# Approved with Conditions	# Approved without Conditions	# Denied
OHWL setback	2	-----	-----
Bluff setback	-----	-----	-----
Expansion of nonconforming structure	3	-----	-----
Combination of contiguous nonconforming lots of record in common ownership for sale or development as provided under MS Chapter 394.36, Subd. 5, item (d)	-----	-----	-----
Impervious surface	-----	-----	-----
Subdivision of land not meeting lot area/width standards	-----	-----	-----
Building height	-----	-----	-----
Mooring spaces	-----	-----	-----
Other (please specify): Side yard ~ Road right of way ~ Rear yard ~	3 1 1		

2. For all variance requests, did your Board of Adjustment develop findings of fact for each of the five variance criteria in MS Chapter 394.27, Subd. 7? yes (yes or no). If yes, do the findings include detailed explanation or rationale for how the criteria were/were not met?
- Each Board of Adjustment member fills out form with criteria set by statute using “practical difficulty” and findings are established.
3. If variations are approved with conditions, what are some examples of typical conditions?
- Approval is only for what was applied for (septic system, structure, etc.)
  - Sunset date
  - Survey to be done by registered land surveyor
  - Tree plantings
4. If variations are approved without conditions, why not?
- All have conditions
5. For approximately what percent of variance inquiries in 2014 were alternative solutions found (thus reducing the actual number of variance applications)? 2-3%
6. If alternative solutions are found, what are some typical examples?
- Another location
  - Purchased more land
  - Chose not to do it at all

## Lots & Land Subdivisions

7. List the number of lots created in 2014:

Type of subdivision or conversion:	Total # of Lots Created	How many of these lots were part of Conservation Subdivisions?	How many of these lots were part of Resort Conversions?
PUD Plats	-----	-----	-----
Non-PUD Plats	-----	-----	-----
Lot Splits (administrative subdivision)	-----	-----	-----

8. Does your county ordinance contain shoreland PUD provisions? \_\_yes\_\_(yes or no)

9. Has your county updated its ordinance to comply with 2009 legislative changes regarding existing nonconforming lots in shoreland areas in Minnesota Statutes, chapter 394.36, Subd. 5?  
 \_\_\_\_\_(yes or no)

- Although not specific in our ordinance, it is a law that Martin County abides by.

## Permits

10. How many land use permits were issued in shoreland areas in 2014?

- New construction on previously undeveloped lots: 4 (total # of permits)
- Redevelopment (e.g., expansion of structures, substantial improvements, new structures added to developed lots): 18 (total # of permits)

11. How many permits for grading, excavation, filling, or soil disturbance within the shore impact zone were issued in 2014? 0

Do you generally inspect the work? \_\_\_\_\_yes\_\_\_\_\_ (yes or no)

## Planning and Enforcement

12. Did your county update or amend its comprehensive plan in 2014? No (yes or no)

13. Did your county update or amend its shoreland ordinance in 2014? No (yes or no)  
 If yes, describe the nature of the change:

14. Does your county have any plans to update, amend, or adopt a comprehensive plan or shoreland ordinance in 2015? No (yes/no, and if yes, plan or ordinance)

15. Does your county notify the DNR at least 10 days prior to public hearings for variances, CUPs, and ordinance amendments, and within 10 days after final decisions? Yes (yes or no) If yes:

- Who do you notify? Daniel Giralomo (name of DNR staff person)
- How do you notify them? Email (mail, e-mail, other)
- What information do you provide? (notice, application, site plans, etc.):
  - Entire packet

## Shoreland Buffers

16. Please describe your efforts to achieve and maintain 50 foot buffers around streams and water bodies on agricultural land in 2014. Please check and describe ALL that apply (feel free to attach additional materials):

✓	Effort	Please describe:
<input type="checkbox"/>	No special effort	
<input type="checkbox"/>	Some action taken	
<input type="checkbox"/>	Condition variance and/or permit approvals with measures to establish/restore buffers	
<input type="checkbox"/>	Condition financial or other assistance with	

	measures to establish/restore buffers	
X	Specific program to achieve voluntary compliance including some/all of the following strategies (check all that apply): <input checked="" type="checkbox"/> Aerial mapping/inventory of buffers <input checked="" type="checkbox"/> Evaluation/assessment of compliance <input type="checkbox"/> Outreach to property owners (letters, literature, site visits, inspections, etc.) <input type="checkbox"/> Technical and financial assistance (with SWCDs and other resource agencies)	
<input type="checkbox"/>	Code enforcement (penalties and/or legal action to achieve compliance/restoration)	
<input type="checkbox"/>	Other:	

17. What has your county found to be effective in achieving and maintaining 50 foot buffers?

- Conservation has always been a high priority with landowners/farmers/producers in Martin County therefore when reviewing our aerials have found majority of landowners/farmers/producers meeting the 50' buffer.

18. What challenges and barriers has your county encountered in achieving and maintaining 50 foot buffers? Please check and describe ALL that apply (feel free to submit additional materials):

✓	Challenges/Barriers	Please describe:
<input type="checkbox"/>	Too controversial	
X	Lack of staffing/funding/resources	
X	Lack of data/technical expertise	
X	Lack of clarity on what's required by law	
<input type="checkbox"/>	Lack of interaction/opportunity to interface with ag producers	
X	Level of financial assistance for landowners/ag producers	
<input type="checkbox"/>	Other:	

19. What could DNR do to help your county with efforts to achieve and maintain 50 foot buffers?

- What I have heard from other counties is the DNR could help support the counties with technical assistance with the landowners and enforcement if needed. Difficult when it affects landowners financially.

20. Do you require compliance with vegetation management standards for non-agricultural properties?  
 \_\_\_yes\_\_\_(yes or no) If yes, describe 2014 activities in the space below:

- Continual education for not clear cutting, etc. with the local nurseries and landowners.

### Resources/Training

21. What shoreland-related training, guidance, or tools do your staff or Board of Adjustment need?  
 Please describe below:

- It has been some time since the last major rule revisions to shoreland and a lot of new staff in the counties and DNR, so I would like to see the DNR host meetings around the state discussing interpretation regarding shoreland rules/setbacks/buffers. With Counties delegated to administer the shoreland rules with little dollars, DNR should host meetings

that would help the DNR/Counties to work better together (team) and for the DNR to support counties through interpretation and enforcement which I think would also soften the DNR approach by citizens.

Do you feel that DNR staff is available for assistance when needed? Yes. Please describe below:

- Martin County has been very fortunate with our DNR staff with Leo Getsfried for many years and now Dan Giralomo.

**Other**

22. Does your shoreland ordinance contain “higher standards” that exceed the statewide minimums in Minnesota Rules, Chapter 6120? Please check and describe ALL that apply (feel free to attach additional information):

✓	Higher Standard Type	Please describe:
X	Use of a special protection district or lake classification for which higher standards apply	SL-1 Special Protection Lakes which is the majority of lakes in Martin County.
X	Lot size & width	5 acre minimum / 500' @ shoreline and building line
X	Structure setback from OHWL	200' from OHWL
<input type="checkbox"/>	Structure setback from bluff	
X	Septic system setback from OHWL	150' from OHWL
<input type="checkbox"/>	Impervious surface coverage limits	
<input type="checkbox"/>	Special standards applied to nonconforming structures or lots	
<input type="checkbox"/>	Vegetation assessment/restoration	
<input type="checkbox"/>	Stormwater/land alteration	
<input type="checkbox"/>	Shoreland PUD (i.e. conservation design)	
<input type="checkbox"/>	Mitigation for variances	
<input type="checkbox"/>	50-foot vegetative buffer on public ditches	
<input type="checkbox"/>	Other:	

5 Has your county pursued or considered pursuing any special initiatives or outreach efforts to protect shorelands in 2014? Please describe below:

- Continue to maintain higher standards in the SL-1 Special Protection District which is the majority of the lakes in Martin County.

**Contact Information**

County:    Martin County     
 Contact Person:    Pam Flitter    Title:    Zoning Administrator     
 E-Mail Address:    pam.flitter@co.martin.mn.us     
 Phone Number:    507.238.3242   

**To receive a shoreland grant in 2015, this form must be completed by March 2, 2015.**

Any questions, please contact: Kathleen Metzker, DNR Land Use Hydrologist, 500 Lafayette Road, St. Paul, MN 55155-4032. Tel. 651-259-5694. Please e-mail the completed form to [Kathleen.metzker@state.mn.us](mailto:Kathleen.metzker@state.mn.us). Alternatively, you may fax it to 651-296-1811 or mail it to the above address. E-mail is preferred.