

CITY OF LAKESHORE ZONING BULLETIN 2009

This bulletin is not intended to be a comprehensive summary of our laws and ordinance nor is it a substitute for them. In all questions regarding our regulations, the ordinances themselves will be referred to and interpreted as published. For more information, please call the Planning & Zoning Office at (218) 963-2148 or email at thastings@cityoflakeshore.com.

SUBMITTAL REQUIREMENTS:

- **Site plan showing all proposed and existing structures, including all dimensions and setbacks. Site plan must be drawn to scale and show lot dimensions.**
- **Floor Plans.**
- **Structure Elevation drawings.**
- **Septic site evaluation and design or a compliance inspection.**
- **Impervious Surface Calculation**
- **Drainage Plan**

PERMITS REQUIRED

A zoning permit is always required before you build or place any structure on your property. A zoning permit is also required before you add to, move, or tear down any structure. Storage sheds and patios (includes pavers) are considered structures.

SEPTIC SYSTEMS

You need a permit to install, enlarge or modify a septic system. All septic installations must be done by MPCA certified installers. Zoning permits will not be issued for any purpose unless the septic system is in conformance or a permit is requested for updating the system. Septic systems need to be located 3' above the water table, 50' from deep wells and 100' from shallow wells. **Well setbacks also apply to wells on neighboring properties.** If a septic system is older than 5 years old, it will need to be re-inspected for compliance before a zoning permit is issued. Compliance inspections are good for 3 years.

GRADING AND VEGETATION REMOVAL

There are limits on the amount of dirt that may be moved (including removal, filling and moving) within the Shore Impact Zone (37 ½ feet from the lake). Any work done in the water will require a permit from the DNR and possibly the Corps of Engineers. **Beach Sand Blankets are prohibited.**

Vegetation Removal:

- Removal of dead, diseased or damaged trees or shrubs, or removal of trees for placement of structures and drives, and further removal of only individual trees to uniformly thin up to 25% of the trees and brush prior to development is allowed.
- Up to 50% of the under-story and brush may be removed outside of the shore impact or bluff impact zone.

- Removal of understory and brush within the bluff or shore impact zone is prohibited except to accommodate stairways, lifts, landings, and footpaths for access to the lake or stream.
- Diseased or dead trees within the shore impact zone that pose a hazard may be removed provided the following:
 - i. The property owner documents that the trees are diseased and/or dead and provide said documentation to the City,
 - ii. The removed tree is properly disposed of,
 - iii. Within 180 days, the tree is replaced with a native tree species, which is maintained to maturity.

Selective pruning and limbing of trees is allowed for a view to the lake. Open and clear cutting are prohibited on shoreline property.

RECREATIONAL VEHICLES AND TEMPORARY STRUCTURES

Zoning permits are also needed for temporary recreational vehicles/structures. Temporary structure (campers, etc.) will be allowed a one-time permit for a maximum of six months. Storage of RV's and campers are allowed provided they are licensed and there is a principal structure on the property. All types of storage sheds are considered permanent structures. Storage sheds need to meet setbacks and require a permit.

SETBACKS

Generally all structures must be 75' from the ordinary high water (OHW) mark of a general development lake, 100' from the OHW for a recreational development lake and 150' from the OHW for a natural environmental lake. Structures must be 15' from the sideyard, and 30' from the rear property line or 30' from the road right-of-way.

DECKS/PATIOS

All decks must adhere to the required setback from the lake and require a permit. Patios up to 250 square feet can be at a setback of 50 feet from the lake. Permits are required for new decks and patios and replacing existing decks and patios.

GUEST CABINS/QUARTERS

In order to expand or build any type of guest quarters you will need to have a lot area of 40,000 square feet and a minimum of 180' of frontage on a general development lake. Recreational and Natural Environment lakes have a greater requirement. Second stories above detached or attached garages used for living space are not considered guest quarters. All guest cabin/quarters require a conditional use permit.

ACCESSORY STRUCTURES (GARAGES & POLE BARN)

In residential shoreline districts, detached accessory structures are limited to 1200 square feet cumulative unless a conditional use permit is granted. In most residential districts the principal use (dwelling) must first be established prior to obtaining a permit for an accessory structure.

NONCONFORMING STRUCTURES

Normal maintenance is allowed which includes new siding or shingles, replacement windows. The structure may not be enlarged without a variance. Permits are required for

rebuilding portions of a building or changing the roof pitch or type. Permits are not required for **replacing** existing decks and patios of the same dimensions.

WETLANDS

Any alteration or filling of a wetland is prohibited without required approvals. There is a structure setback of 30 feet from a wetland.

NO PERMITS

Zoning permits are not required for replacing windows, residing or reshingling a home.

SUBDIVIDING PROPERTY (includes lot splits).

If subdividing property, you must receive approval from the Lake Shore Planning Commission, a Certificate of Survey and legal descriptions are required.

OTHER REQUIREMENTS

- A maximum of 20% of impervious surface is allowed for all property. Impervious surface includes: sidewalks, driveways (including gravel), buildings, and patios.
- Maximum building height is 25 feet to the midpeak of the average gable, measured from the highest ground.
- **Riprap.** The City of Lake Shore considers the use of riprap only as a last resort to control shoreline erosion. Other methods should be used, including the planting of native, deep rooted vegetation. If riprap has been found to be the only tool available, riprap installation shall have the standards as outlined in the zoning ordinance. Copies of the specific standards are available.

LAKE MARGARET OVERLAY DISTRICT:

The Lake Margaret Overlay district was created due to the listing of Lake Margaret as an impaired water in 2006. The purpose of the district is to promote, preserve, improve and enhance the environmental quality of the natural resources within the Lake Margaret Watershed without preventing the reasonable use and development of land. The overlay district is approximately the land west of Lake Margaret to the city boundary, the land to the south of Lake Margaret to the city limits, the land north of Lake Margaret to County 29 and the lane east of Lake Margaret to Interlachen Road. Properties within this district will be required to address stormwater and erosion when building and be required to establish buffers along the lake, wetlands and ditches. A complete copy of the overlay district is available at the planning and zoning office.

SEWER INSPECTIONS

As of January 2006 the City has begun a mandatory sewer inspection program. Every property utilizing an onsite septic system is required to have a valid certified compliance inspection. Compliance inspections are valid for three years and new system sewer installation inspections are valid for five years.