

DESCRIPTION

In Minnesota “shoreland” refers to any land within 1,000 feet of the ordinary high water level (OHWL) of a lake; and 300 feet from the OWHL of a river or stream. Shoreland rules were established to preserve and enhance water quality, conserve the economic and environmental values of shorelands, and provide for wise resource use. Mille Lacs County contains a significant amount of shoreland development, and is home to a large number of parcels subject to shoreland rules.

LAND USE

Land use standards in shoreland are regulated by zoning district. The shoreland zoning districts in Mille Lacs County include: S-1 Shoreland Special Protection, S-2 High Density Residential/Surface Water Commercial Shoreland, and S-3 Residential Subdivision Recreational Shoreland. Maps of each district are available for viewing on the Mille Lacs County GIS Mapping Application.

The allowed and conditional uses in each district are shown on Table 501 of the Mille Lacs County Development ordinance.

The minimum lot areas for sewered and non-sewered areas are found on Table 305 of the Mille Lacs County Development Ordinance.

NON-CONFORMITIES

A non-conforming lot is one whose width, area, or other dimension does not conform to current standards. Lots recorded in the office of the County Recorder on August 1, 1972 that do not meet the requirements of the Development Ordinance are allowed as building sites without a variance to lot size, provided:

- All structure and septic system setbacks can be met; and
- A Type I septic system can be installed, or the property is connected to a public sewer.

A non-conforming structure is a structure that was legally existing under previous rules, but no longer conforms to current structure standards, such as setbacks and height restrictions.

- Non-conforming structures are allowed to be reconstructed or modified to any extent amounting to 50% or less of the market value.
- Residential structures that have sustained damage of 50% or more of the market value may be restored, provided a permit is applied for within 180 days.
- The expansion or enlargement of a non-conforming structure shall be prohibited, unless a variance is approved by the Board of Adjustment.

STRUCTURES

Development in shoreland areas is subject to unique regulations, including but not limited to: impervious surface limitations, elevation standards, and shoreland specific setbacks.

Structures must be placed in accordance with any floodplain regulations at the site; the lowest floor of the structure must be at or above the regulatory flood elevation.

Decks, driveways, and parking areas must meet structure setback standards and must not be placed within bluff and shore impacts zones; however water access-related roads and parking areas may be allowed within the shore impact zone.

Zoning Districts

Setbacks	S-1	S-2	S-3
Side Yard	10'	10'	10'
Rear yard	20'	20'	20'
Maximum Height	45'	45'	45'
Structure - OHWL	150'	75'	75' non-sewered 50' sewered
Structure - Top of Bluff	30'	30'	30'

WATER –ORIENTED STRUCTURES & STAIRWAYS

Each lot in shoreland may have on water-oriented accessory structure, provided the following requirements are met:

- Structure is setback from the OHWL 10 feet
- Maximum height of the structure is 10 feet
- Roof may be used as a deck, but must not be enclosed
- The structure shall be no larger than 400 square feet on general development and recreational lakes, and no more than 250 square feet on all other water bodies.

Stairways in shoreland are generally permissible provided the following requirements are met:

- Stairways must not exceed four (4) feet in width.
- Landings must not exceed 32 feet in area.
- Stairways, lifts, and landings should be located in the most visually inconspicuous portion of the lot as is practical.
- Ramps, lifts, and mobility paths for the physically handicapped are allowed, provided they comply with the Development Ordinance and Minnesota Rules Chapter 1340.
- Canopies and roofs are not allowed.

VEGETATION & TOPOGRAPHY ALTERATIONS

- Grading and filling necessary for the construction of structures, sewage systems, and driveways under validly issued permits do not require a separate Shoreland Alteration Permit.
- The movement of more than 10 cubic yards on steep slopes or within the shore and bluff impact zones, or the movement of more than 50 cubic yards anywhere else within shoreland, requires a Shoreland Alteration Permit.
- All filling and grading activities in shoreland must utilize erosion control as necessary and stabilize any bare material.
- Filling and grading is only allowed if it is accessory to an allowed or conditional use.
- Intensive vegetation clearing within the shore and bluff impact zones and on steep slopes is not allowed.
- Limited clearing and pruning is allowed in shore and bluff impact zones, and on steep slopes, to accommodate permitted structures and provide a view of the water, provided that the screening of structures as viewed from the water isn't substantially reduced.

This fact sheet outlines regulations established by Minnesota Administrative Rules Chapter 6120 and the Mille Lacs County Development Ordinance. Work taking place below the OHWL is regulated by the Minnesota Department of Natural Resources (MN DNR). Homeowners seeking to conduct work below the OHWL should contact the MN DNR.

Interested in buying property in shoreland? Or simply looking for more information regarding management of your shoreland property? Refer to the MN DNR publication [“A Guide for Buying and Managing Shoreland”](#) to learn more about shoreland management in Minnesota.