



Department of Natural Resources Fact Sheet



2009 POLICY FACT SHEET Non-conforming Lots in Shoreland Areas

OVERVIEW

The purpose of this legislation is to provide an improved framework for cities, counties and townships to deal with non-conforming lots of record in shoreland areas and to deal with non-conforming structures in shore impact zones. It affects a small number of lakeshore property owners that own multiple contiguous lots that wish to sell off or subdivide a portion of their lakeshore property and property owners with structures located within the shore impact zone.

- ◆ This proposal revises the minimum statewide standards implemented by cities, counties, and townships for dealing with contiguous substandard lots under one ownership and related issues.
- ◆ It allows for single non-conforming lots if they can meet septic system and impervious surface standards.
- ◆ It requires that in a group of 2 or more contiguous lots of record under the same ownership, an individual lot can not be considered as a separate parcel unless it can meet minimum lot sizes of 66% and other standards similar to those above.
- ◆ It allows for contiguous lots of record under one ownership with residential structures on each lot to be separated if they can meet septic system standards or are connected to sewer.
- ◆ It allows zoning authorities to require mitigation of impacts when considering changes to non-conforming lots and structures.
- ◆ It allows the owner of a conforming lot to sell off part of a lot to an adjacent non-conforming lot owner as long as the rest of the conforming lot meets lot size and sewage system requirements.
- ◆ It encourages that structures located in the shore impact zone not be repaired or replaced in their

current locations if they are damaged in excess of 50% of their value.

IT IS NEEDED BECAUSE

The Department feels that this legislation is needed because some owners of contiguous non-conforming lots are bringing their problems to the legislature in spite of the findings of local zoning authorities or instead of addressing the problem through the local zoning authorities. This legislation establishes minimum statewide standards that will address many but not all of these problems in an orderly fashion while still providing adequate protection to our lakes and rivers.

PROJECT LOCATIONS

Contiguous non-conforming lots under a single ownership in shoreland areas can be a problem anywhere in the state where there is lakeshore property.

IMPACT ON OPERATING BUDGET

There will be no budgetary impact from this legislation. (May impose mandates on local government units which do not currently administer shoreland ordinances).

FOR FURTHER INFORMATION CONTACT:

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