

# Existing Structures Located Closer Than 75' From OHWM

**Background:** Structures that are located closer than the 75 feet ordinary high water mark setback have the greatest potential impact on water quality for a lake or river. Runoff from those structures quickly carries nutrients and sediments into the water body, with very little shoreland buffer area to help filter contaminants out. Because expansion of those structures increases the extent of impacts, the ordinance provides for a one-time 50% expansion of the portions of the structures located closer than 75 feet from the OHWM. For portions of structures beyond 50 feet to the OHWM, rear, side, and vertical expansions are permitted. For portions of structures closer than 50 feet to the OHWM, only rearward expansions are permitted. Rearward expansion still increases the impervious surface area and generates increased runoff, but minimizes land disturbance to the sides of the existing structure.

The one-time 50% expansion formula is calculated by figuring **50% of the principal structure, of that portion of the principal structure that is located between 0 – 75 feet from the OHWM.**

No new basements are allowed closer than 50 feet in order to avoid major land disturbances close to the water. No new stories are allowed closer than 50 feet, as new stories close to the water provide greater aesthetic intrusion and often require increased foundation support for the additional weight load. For those seeking to convert small, seasonal cottages close to the water into larger, year-round homes, this provides incentive to first move the structures back to the OHWM setback.

## Unlimited maintenance for portions of structures closer than 75 feet from the OHWM

Includes new roofing, new windows, new siding, repairing foundations, and all interior repairs.

- Crawlspace less than or equal to 6 feet in depth are permitted closer than 50 feet from OHWM  
(crawlspaces are considered maintenance and repair: not habitable space, not part of the one-time expansion - Shoreland permit only)

## One-time 50% expansion of structures or portions of structures closer than 75 feet from the OHWM

For portions of structures located closer than 50 feet from the OHWM:

- Rearward expansion only
- No new basements or new stories

For portions of structures located between 50 feet and 75 feet from the OHWM:

- Rear, side, or vertical expansions are permitted
- New basements and new stories are permitted

## Unlimited expansion beyond 75 feet from the OHWM, provided all other Ordinance requirements are met

### Assign Mitigation points according to the density and sensitivity of lake (see Zoning Standards for Lakes Summary)

- Structures located 0 - 40 feet - ADD 2 POINTS
- Structures located 40 - 75 feet - ADD 1 POINT

**Impervious Surface Areas may not exceed 15% of lot area or 4,000 sq. ft., whichever is greater, without an approved Stormwater Management Plan.**



