

1502 DESIGN CRITERION FOR STRUCTURES

1502.1 General Design Standards

All dwelling units shall be a minimum of 20 feet wide, 400 square feet in area and shall be placed on a permanent foundation. No building shall be placed closer than 10 feet from any other structure, unless designed to meet the fire separation requirements of the state codes. The maximum height of structures shall not exceed 30 feet.

1502.2 Flood Prevention

The elevation at which the lowest floor, including basement, is placed must be determined as follows:

- A. By placing the lowest floor at a level three feet above the ordinary high water level or three feet above the highest evidence of water table, whichever is higher.
- B. Water-Oriented Accessory Structures or facilities may have the lowest floor placed lower than the elevation determined in A. above, if the structure is constructed of flood-proof materials up to that elevation, electrical and mechanical equipment is placed above that elevation. If long duration flooding is anticipated, the structure must be built to withstand ice action and wind-driven waves and debris.

1502.3 Significant Historic Sites

No structure may be placed on a significant historic site in a manner that affects the values of the site.

1502.4 Water-Oriented Accessory Structures or Facilities

- A. Water-Oriented Commercial Accessory Structures. New water oriented accessory structures are not allowed within the City of Chickamaw Beach.
- B. Maintenance of Existing Water-Oriented Accessory Structures. Structures constructed before 1991 may be maintained with a permit on the same site provided that:
 - 1. there is no increase in size or aerial coverage;
 - 2. the structure does not exceed ten feet in height, including a minimum 4:12 pitch roof;
 - 3. the structure is treated to reduce visibility as viewed from Protected Waters and adjacent shorelands by vegetation, topography, or color, assuming summer, leaf-on conditions.
 - 4. the structure must not be converted for use as human habitation.

1502.5 Stairways, Lifts and Landings

Stairways and lifts are the preferred alternative to major topographic alterations for achieving access up and down bluffs and steep slopes to shore areas. Stairways and lifts must meet the following design requirements:

- A. Stairways and lifts must not exceed four feet in width.

- B. Landings for stairways and lifts on residential lots must not exceed 32 square feet in area and be an integral part of the stairway.
- C. Canopies or roofs are not allowed on stairways, lifts or landings;
- D. Stairways, lifts and landings may be either constructed above the ground on posts or pilings, or placed into the ground, provided they are designed and built in a manner that ensures control of soil erosion;
- E. No mechanized earth moving equipment shall be used in bluff zones.
- F. Stairways, lifts, and landings must be located in the most visually inconspicuous portions of lots, as viewed from the surface of the public water assuming summer, leaf-on conditions.
- G. Facilities such as ramps, lifts, or mobility paths for physically handicapped persons are also allowed for achieving access to shore areas, provided that the dimensional and performance standards of sub-items (A) to (F) of this section are complied with in addition to the requirements of Minnesota Rules, Chapter 1340.

1502.6 Platforms

Platforms must:

- A. be free standing;
- B. has no railings;
- C. be a maximum of one hundred fifty (150) square feet in size;
- D. not be more than one foot (1') below or above natural ground level; and;
- E. be placed in the building setback area at least ten (10) feet landward of the OHW.

1502.7 Decks

- A. All new decks must meet the structure setback standards.
- B. On residential structures existing before 1972, decks that do not meet setback requirements from Protected Waters may be permitted. No variance would be required if all of the following conditions can be met:
 - 1 The deck encroachment toward the ordinary high water mark does not exceed sixteen (16) feet or fifteen (15) percent of the existing lake or river setback, whichever is less; and
 - 2. The deck does not encroach closer than forty (40') from the ordinary high water level; and
 - 3. The deck is not roofed, screened, or enclosed.
 - 4. A deck may be placed on the end of a residential structure, no closer to the lake or river than the existing structure and not exceed two hundred fifty (250) square feet, provided that intensive vegetative removal is not necessary to accommodate its construction.

5. Existing nonconforming decks shall not be expanded more than 25% of their original square footage, and not closer to the lake than the existing deck.

1502.8 Retaining Walls

- A. Retaining walls are allowed in the setback area provided:
 1. The Planning Commission, with the advice of the Cass Soil and Water Conservation District determines that there is no other alternative to control erosion.
 2. No tier of a retaining wall shall exceed four feet in height without a plan signed by a registered professional engineer.
 3. A design plan, showing elevations, stormwater drainage patterns, soil erodibility factors, and critical area seeding recommendation is submitted.
 4. One (1) tier of retaining wall may be permitted adjacent to a lake or river to retain a slope of other than a bluff to create area within a fourteen (14) foot shoreland alteration area for dock storage or other recreational purposes. Erosion control measures shall be employed.
- B. Retaining walls behind the structure setback are permitted provided they do not significantly alter the character of the property or do not create runoff or erosion problems.

1502.9 Boundary Fences

- A. A 4 inch lot line and right-of-way setback for residential and commercial fence is permitted.
- B. A fence may be constructed jointly between two property owners on a lot line by securing a joint permit signed by both owners.
- C. All fences must meet structure setbacks from protected waters.
- D. Fences shall not exceed 6 feet in height
- E. No fence or wall shall be constructed so as to obstruct the view for drivers exiting a driveway.
- F. Construction design plans must be included with the permit application and approved by the City.
- G. If one side of a fence is unfinished; the finished side of the fence shall face away from the applicant's property.

1502.10 Docks

- A. The landward end of all docks must meet a 10 foot setback from the nearest lot line.
- B. Docks must be placed so that no portion extends across the projection of the setback from the lot line into the lake, and so as not to block access from an adjacent property to open water.