



Construction on NonConforming Lots of Record

A **nonconforming** lot of record is a lot or parcel of land that was lawfully created **prior to the current zoning ordinance**. There are many issues to consider when planning construction on a nonconforming lot of record.

Construction on Nonconforming Shoreland *Contiguous* Lots of Record

Construction on shoreland riparian nonconforming lots shall meet the following **additional** standards:

1. Lots that do not conform to the minimum area standard are allowed a maximum building footprint of **15% of lot area**.
2. Additions to principal or accessory structures located on **nonconforming lots** may be allowed provided all the **minimum requirements** of ordinance can be met.
3. In as group of **two or more contiguous lots** of record under a **common ownership**, an individual lot must be considered as a separate parcel of land for the purpose of sale or development, if it meets the **following additional standard**:
 - i. The lot meets the following requirements for **lot size and lot width** listed in the following table, or unless a more restrictive requirement is required as part of an adopted river or land use plan.

Lake or River Classification	Lot Size (Acres)	Lot Size (Square Feet)	Lot Width (Feet)
Natural Environment (NE)	1.2	52,800	150
General Development (GD)	0.5	21,780	100
Recreational Development (RD)	0.6	26,136	100
Remote	0.5	21,780	150
Forested	0.5	21,780	150
Recreational	0.5	21,780	150
Agricultural	0.5	21,780	100
Tributary	0.5	21,780	100

- ii. The lot must be **connected to a public sewer**, if available, or St. Louis County **sewage treatment standards** shall be followed.
 - iii. **Impervious** coverage of lots must **not exceed 25 %** of lot area.
4. If in a group of **two or more contiguous lots** under the **same ownership**, any individual lot **does not meet** the **minimum** lot size requirements of the ordinance, the **lot must not** be considered as a **separate** parcel of land for the purpose of sale or development.

Construction on Nonconforming Shoreland & Nonshoreland *Single* Lots of Record

A **single** lot of record **may be** permitted as a **buildable** lot if all of the following criteria can be met:

1. The lot is a minimum of **one-half acre** in size with **no** public sewer or water.
2. The lot is a minimum of **0.33 acre** in size **with** public **sewer** only.
3. The lot is a minimum of **0.16 acre** in size **with** public **sewer** and **water**.
4. The lot **shall** meet the definition of a **lot of record**.
5. The **impervious** surface coverage **does not exceed** that which is allowed under ordinance.
6. The lot, when created, **complied** with **official controls** in effect at the time.
7. All structure and septic system **setback** requirements are **met**.
8. St. Louis county **sewage treatment** standards are **met**.

Construction on Lots of Record Less Than One Half Acre (Principal Structures)

A **principal structure** located on a **lot less than one-half acre** in size with no public sewer or water **may be replaced**, without variance, if the following criteria can be met:

1. The **principal structure** was **located** on the lot **prior to** the enactment of the zoning **ordinance**.
2. The **impervious surface** coverage does **not exceed** that which is allowed under ordinance.
3. The **lot**, when created, **complied** with official controls in effect at the time.
4. **All** structure and septic system **setback** requirements are **met**.
5. St. Louis County **sewage** treatment **standards** are **met**.

St Louis County Planning and Community Development

DULUTH OFFICE

Government Services Center
320 West 2nd Street, Suite 301
Duluth, MN 55802
Phone: (218) 725-5000
Fax: (218) 725-5029
Toll Free MN: 1-800-450-9777

VIRGINIA OFFICE

Government Services Center
201 South 3rd Avenue West
Virginia, MN 55792
Phone: (218) 749-7103
Fax: (218) 749-7194
Toll Free MN: 1-800-450-9777