

**LAKE MINNETONKA CONSERVATION DISTRICT
STATE OF MINNESOTA**

ORDINANCE NO. 231

**AN ORDINANCE AMENDING THE LAKE MINNETONKA
CONSERVATION DISTRICT CODE OF ORDINANCES
REGARDING SETBACKS AND DOCK USE AREA**

THE BOARD OF DIRECTORS OF THE LAKE MINNETONKA CONSERVATION DISTRICT ORDAINS:

Article I. Authorized Dock Use Area. Chapter II, Section 2.01, subd. 3 of the Lake Minnetonka Code of Ordinances is hereby amended by adding the double underlined material as follows:

d) Notwithstanding anything to the contrary in this Code, the Board may approve, as part of a new multiple dock license, adjustments to side setbacks and dock use areas between a commercial multiple dock site and one or more adjoining residential (noncommercial) sites that are under common ownership as follows:

1) Adjustments to the side setbacks may be allowed if all of the following conditions are met:

(a) side setbacks at the outer site lines of such adjoining sites are maintained;

(b) the residential site may maintain dockage and watercraft density as allowed by the Code; however, no more watercraft may be stored at the commercial multiple dock or at the adjacent residential site as a result of the adjustment that is otherwise allowed by the Code;

(c) the property ownership is verified and the setback adjustment is indicated on each license application submittal; and

(d) if the ownership of the properties change so that they are no longer under common ownership, the dock use area must be reconfigured to meet the setbacks as otherwise indicated in section 2.01.

2) Shoreline measurement, for the purpose of calculating watercraft density, may be transferred from an adjoining residential (noncommercial) site to a commercial multiple dock site if all of the following conditions are met:

(a) dock structures, watercraft, or similar may extend up to, but not across, the extended property line between the different properties;

- (b) no docking, mooring, or storage of watercraft shall occur on the residential property;
- (c) the residential property has a minimum 50 feet of shoreline;
- (d) the property ownership is verified and the setback adjustment is indicated on each license application submittal; and
- (e) if the ownership of the properties changes so that they are no longer under common ownership, the dock use area must be reconfigured to meet the setbacks as otherwise indicated in 2.01.

Article IV. Effective Date. This ordinance shall be effective the day following its publication or a summary thereof.

Adopted this 8th day of February, 2017.

BY THE BOARD OF DIRECTORS

/s/ James Jay Green

James Jay Green, Chair

ATTEST:

/s/ Gregory J. Thomas

Gregory J. Thomas, Secretary

Date of Publication: 2/16/17

Effective Date: 2/17/17