

Contact Dawn Schmidt, VC Zoning Administrator, (715) 479-3620 for assistance and/or to meet with a district zoning manager.



## VILAS COUNTY SHORELAND ZONING CHANGES



### Five Major Areas of Change

- ▶ NONCONFORMING STRUCTURES & AVERAGING
- ▶ BOATHOUSES
- ▶ REMOVAL OF TREES & LAND DISTURBANCE ACTIVITIES
- ▶ MITIGATION
- ▶ MINIMUM LOT SIZE FOR SHORELAND LOTS

# Nonconforming Structures

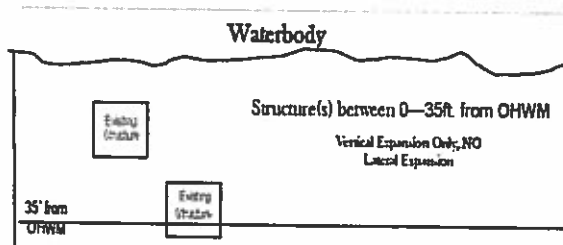
## BASICS

- Nonconforming structures can be a principal or an accessory structure.
- An existing structure that was lawfully placed when constructed but does not comply with the required building setback of (75 feet from OHWM).
- Some existing structures are illegal built structures that are nonconforming, please check the records do not assume.

## Nonconforming (Principal Structure)

- Repair and Maintenance
- Voluntarily Demolition & Rebuilding within Existing Footprint
- Size, shape & location
- 100% Vertical Expansion
- 35 foot mean height
- No lateral expansion

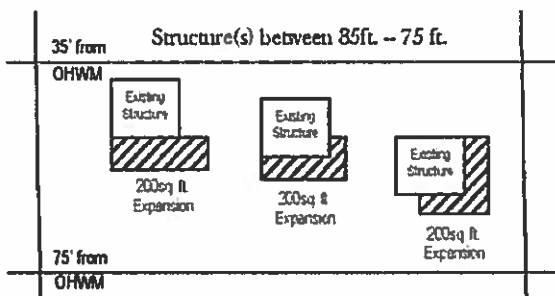
### Existing Structures Located 35 Feet or Less from OHWM



## Nonconforming (Principal Structure)

- Repair & Maintenance
- Voluntary Demolition & Rebuilding within Existing Footprint
- Size, shape & location prior
- 100% vertical expansion
- 35 foot mean height
- 200 square foot lateral expansion within setback
- Sideways or rearward
- Over life of structure

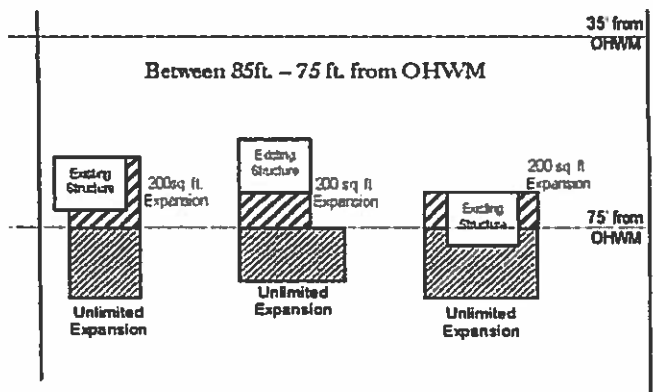
### Existing Structures Located 35-75 Feet from OHWM



## Nonconforming (Principal Structure)

- Unlimited expansion
- Must comply with other ordinance requirements
  - Setbacks
  - Impervious surface standards
  - Height requirements

### Existing Structures Located 75 Feet or Greater from OHWM



## Nonconforming (Accessory Structure)

- Repair and Maintenance
- Voluntarily Demolition & Rebuilding Within Existing Footprint
  - Size, shape & location
- No lateral expansion
- Examples: existing garages, existing storage sheds, decks, patios etc.

### Existing Accessory Structures Located Less than 75 Feet from OHWM



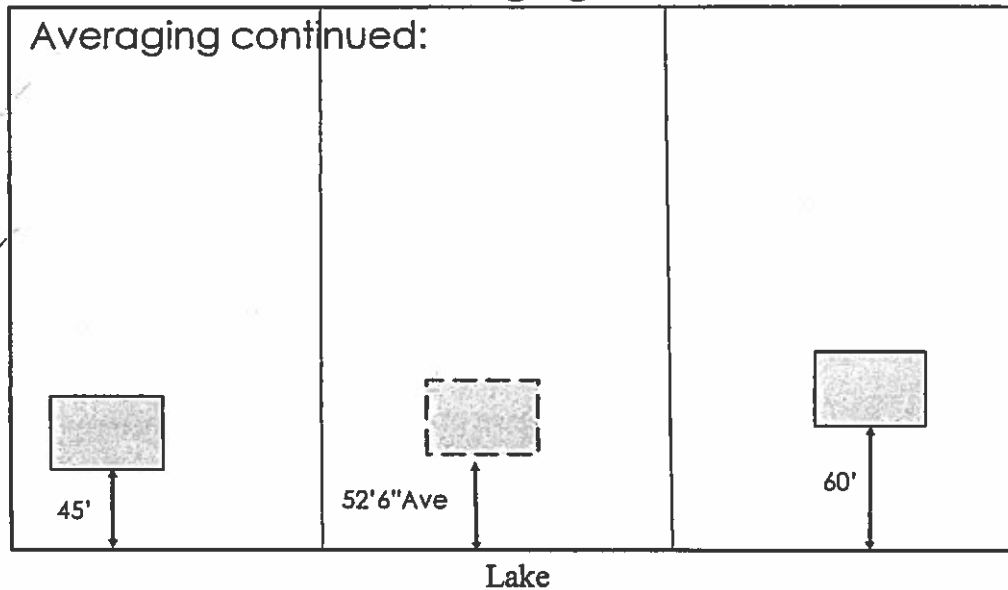
## Averaging

### A setback less than the 75 feet

- There is an existing pattern of development less than 75'
- Setback shall equal the average setback of the two existing principal structures less than 75' from the ordinary high water mark within 250 ft. on each side on adjoining lots
- Accessory structures are not allowed within 75 feet of OHWM through averaging, this includes attached accessory structures.
- The average setback shall not be reduced to less than 35 feet from the ordinary high water

## Averaging

Averaging continued:



## Boathouse

### BASICS

- **Boathouse**: a permanent structure used for the storage of watercraft and associated materials and includes all structures which are totally enclosed, have roofs or walls or any combination of these structural parts.
- Boathouses are considered exempt structures and not "accessory structures".
- Existing exempt structures may be maintained, repaired, replaced, restored, rebuilt and remodeled provided the activity does not expand the footprint and does not go beyond the three-dimensional building envelope of the existing structure.

## Boathouse

### New Construction Requirements:

- 5 feet inland from OHWM
- Located within the viewing corridor, no closer than fifteen (15) feet from any side property lot line.
- Lakes less than 100 acres, new boathouses, shall not exceed a maximum footprint of 100 square feet except at licensed resorts;
- Lakes of 100 acres or more, new boathouses shall not exceed a maximum footprint of 300 square feet;
- Maximum width of a boathouse parallel to the OHWM is 15 feet.
- New boathouses at licensed resorts are permitted if the cumulative footprint new and existing boathouses does not exceed 300 square feet.

## Boathouse

New Construction Requirements: (continued)

- New boathouses can only be one story
- Footprint shall be of rectangular configuration
- Shall be constructed with solid walls, not opaque, glass or screened sidewalls or doors
- Vegetation removal shall be minimized when locating any new boathouse
- Retaining walls are not exempt structures and cannot be authorized within 75 feet of the OHWM
- When Necessary shall be constructed in accordance with the Vilas County Floodplain Ordinance.

## Boathouse New Construction Requirements: (continued)

- **Height and Roof Requirements.**
  - Maximum side wall height for new boat houses shall be ten (10) feet.
  - Minimum side wall height for new boat houses shall be six (6) feet
  - Overhangs for roofs shall not exceed 18 inches.
  - Flat roofs on new boathouses are permitted.
  - The roof of a boathouse may be used as a deck provided that:
    - The roof has a railing meeting State of Wisconsin Uniform Dwelling Code
    - The roof has no sidewalls or screens.

Please Note: 3' wide access stairs are also included in requirements.

## Boathouse New Construction Requirements: (continued)

- **Boathouse Use, Restrictions and Prohibitions**
  - The use of any new or existing boathouse for any purposes other than storage of watercraft and water related equipment is prohibited.
  - Boathouses shall not be used in any way for human habitation or not contain any plumbing or kitchen facilities
  - Boathouses shall not support any type, shape or form of antenna or other appurtenance unless specifically allowed by Wis. Stats. 59.69(4d) and NR115.05(1)(b) d.
- **Boathouse Limitations**
  - Only one (1) boathouse is permitted per lot. Up to three boathouses are permitted in resort developments, if the total footprint area of all boathouses does not exceed the maximum footprint area allowed for resorts and are built within the viewing corridor.

## REMOVAL OF TREES & LAND DISTURBANCE ACTIVITIES

### No Cut Zone.

- 1. Land extending from the ordinary high water mark to 35 feet inland is a vegetative buffer zone.
- 2. No removal of trees, shrubs or undergrowth is permitted within the vegetative buffer zone except as follows:
  - a. Creation of a shoreline recreational area, (viewing corridor).

### Creation of a Shoreline Recreational Area, (Viewing Corridor).

- May be at least 35 feet wide for every 100 feet of shoreline frontage. May run contiguously for the entire maximum width of shoreline frontage owned. Extending from the OHWM. Select cutting of trees and shrubbery in this area is permitted to create a shoreline recreational area, if one does not exist naturally.

## REMOVAL OF TREES & LAND DISTURBANCE ACTIVITIES LAND DISTURBANCE ACTIVITIES

### Activities Requiring a Shoreland Alteration Permit

1. No land disturbance is allowed within 35 feet of the OHWM (few exceptions, contact the zoning office, eg: boathouse.)
2. Filling or grading
3. Construction of a boathouse or other structures within the OHWM setback
4. Construction of walkout lower levels
5. Paths and Access roads
6. Any activity, which requires an erosion control plan, a stormwater mitigation plan, or a cutting plan.
7. Deposit and spreading of materials on-site

## MITIGATION

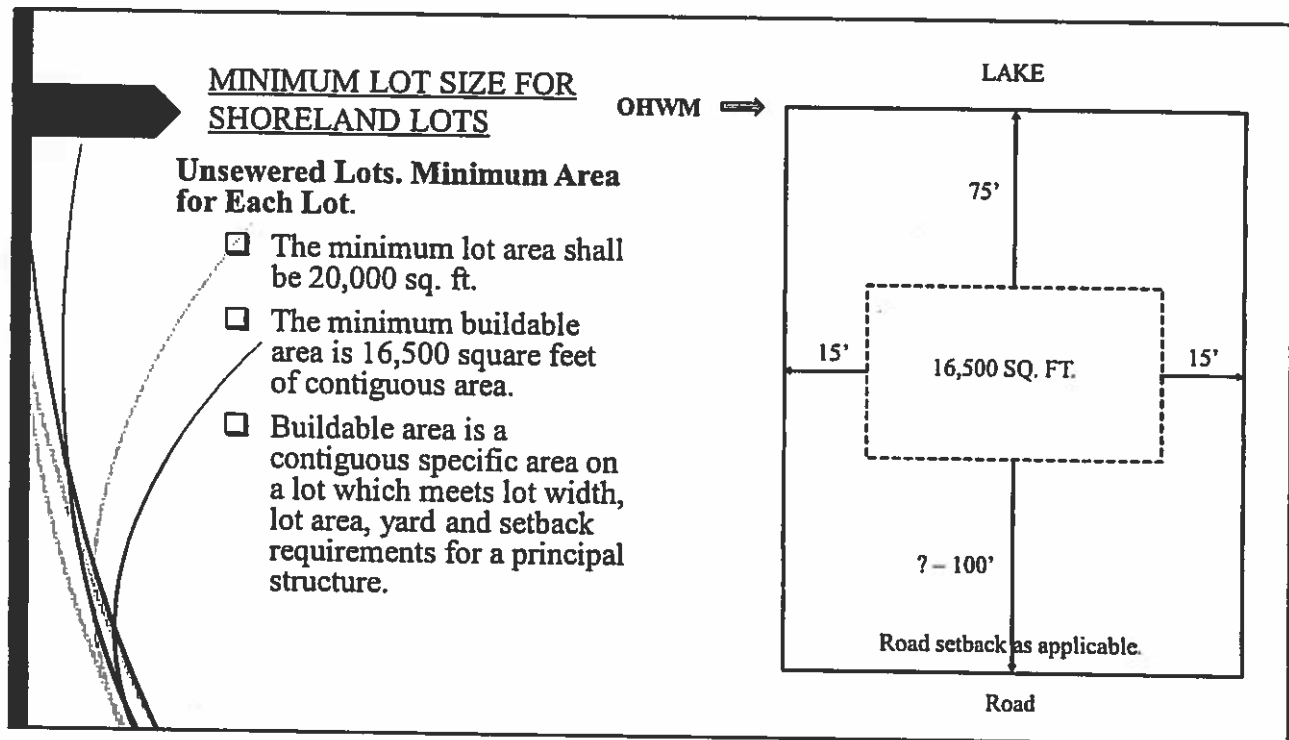
**Mitigation is required whenever a property owner requests a zoning permit for the following:**

- 200 sq. ft. of lateral expansion of a nonconforming principal structure.
- Relocation of nonconforming principal structure.
- Greater than 15% impervious surface area but less than 30%.
- Open sided structures that qualify in the setback area have a vegetative buffer requirement. (example Article XII, gazebo 35ft. – 75')
- An additional permit fee may be required by, the Zoning Office for administration of the mitigation requirements.
- The number of mitigation points can still be found on the Lakes Class Chart at our office and is based on the Lakes Classification.

## MINIMUM LOT SIZE FOR SHORELAND LOTS

**Minimum Area and Width Requirements for New Waterfront Lots**

- **Unsewered Lots. Minimum Area for Each Lot.**
  - The minimum lot area shall be 20,000 sq. ft.
  - The minimum buildable area is 16,500 square feet of contiguous area.
  - Buildable area is a contiguous specific area on a lot which meets lot width, lot area, yard and setback requirements for a principal structure.



If there are questions or assistance needed, please contact Vilas County Zoning to have an on-site visit or to speak with one of the district zoning officers at (715) 479-3620. The zoning office wants to help people enjoy their property within the guidelines set forth under the Shoreland Zoning Regulations. The Village of Presque Isle is the only village in the county to have zoning regulations in place prior to 1963 and prior to Vilas County Zoning.

View lanes are now 35' per 100' of shore and the county needs to be contacted prior to cutting as the view lanes are "select cut" and not "clear cut".

Shoreland Zoning is in effect from the OHWM to 1000' back.

VC Zoning will be happy to work with buyers on where to build a boathouse at the most level point and with the least erosion potential, rather than as stated under Shoreland Zoning