

TOWN OF SPIDER LAKE
ZONING AMENDMENTS
6/26/06

2.2 Words and Definitions

Create:

2.2(2) ADDITION: Any increase in the square footage of a structure or building. Including decks attached to dwellings and detached decks which serve an exit.

Create:

2.2(16) CAMPGROUND: A privately or municipally owned site designed, designated, maintained, intended, or used for the purpose of supplying a temporary location for major recreational equipment/vehicles, open to the public for free or paying camping purposes. See Page 46 (K)

Change to read:

2.2(25) DWELLING UNIT: A building or portion thereof with rooms arranged, designed, used or intended to be used for one family. Guesthouses with kitchen and bathroom facilities; and any accessory structures with a HABITABLE LIVING AREA are considered to be dwelling units. (ADD) Houseboats and watercraft on land shall not be used as DWELLINGS or DWELLING UNITS.

Create:

2.2(30) EXPANSION: See Addition

Change to read:

2.2(36) FOOTPRINT: The ground surface area of an existing structure or building measured at the perimeter of the outside wall or supports. Attached unroofed building elements, such as porches, decks, patios, steps and other similar structures are not included in such measurement. (Approved 5-4-04) (Add) Cantilevered portions of the Structure or building shall be considered to be part of the footprint.

Change to read:

2.2(89) STRUCTURE: Any construction, excluding fills, or any production or piece of work artificially built or composed of parts in some definite manner having form, shape and utility. (Approved 7-15-02) Examples of structures would include, but not limited to, concrete, flagstone and block patios; concrete slabs and retaining walls etc.

4.4 Shoreland Regulations

Change to read:

4.4(1)(4) Stairways, Walkways and Pathways: One pathway, elevated walkway or stairway will be allowed plus one additional powered lift if needed; may be constructed within seventy-five (75) feet of the ordinary highwater mark, providing:

- a) The structure shall be located in the use corridor.
- b) The structure is necessary to access the shoreline because of steep slopes or wet unstable soils.
- c) Stairs and walkways shall not exceed four (4) feet in width.
- d) Stairs and walkways shall be located so as to minimize earth disturbing activities and shoreline during construction. Stairs and walkways not be excavated from erodible soils, steep slopes or a bluff face.
- e) Stairs and walkways shall be visually inconspicuous and inconspicuously colored as viewed from the adjacent waterway.
- f) Rails and landings are permitted only where required for safety concerns. Landing shall not exceed four (4) feet by four (4) feet.
- g) Canopies, roofs or enclosing shall be prohibited on stairways, walkways, and landings.
- h) Decks and platforms are prohibited.
- i) Powered lifts shall not exceed 6 feet in width;
- j) The cumulative square footage of all landings located within 75' of the ordinary high-water mark of navigable waters shall not exceed 40 square feet. Attached benches, seats, tables, etc. are prohibited.

k) The length and width dimensions of landings located at each end of a powered lift shall not exceed the width dimension of the lift. For example, landings at each end of a 6 feet wide powered lift shall not exceed 6 feet by 6 feet.

Change to read:

4.4 I)6) Retaining walls shall not be allowed within 75' of the OHWM of navigable waters, within 75 feet of navigable wetlands or within 40 feet of nonnavigable wetlands.

(a) A need for retaining walls shall not be created by excavation activities.

(b) Existing retaining walls, at their point of replacement/major repair, shall be removed, or reduced in height **or rebuilt as deemed necessary by the Zoning Administrator.**

Change to read:

4.4 J) Shoreline Vegetation Protection Area

e) Removal of dead and diseased trees is allowed. **Revegetation of the removal area is required.**

f) Removal of noxious vegetation (i.e., poison ivy, poison oak, ragweed) which poses a threat to health or safety is allowed. Revegetation of the removal area is required.

j) Land disturbing activities in accordance with Section 4.4 T) STRUCTURES WITH NONCONFORMING SHORELINE SETBACKS are permitted.

k) Existing privately owned boat launch sites may be maintained with the use of fill material provided that:

(1) None of the fill material is allowed to migrate below the ordinary high-water mark,

(2) The fill material is immediately seeded/sodded after placement.

(3) The site shall not be used for launching activities until completely vegetated.

Change to read:

4.4 K) FILLING, GRADING, LAGOONING, DREDGING, DITCHING, EXCAVATING and LAND DISTURBING ACTIVITIES WITHIN THE SHORELANDS AREA

INTRODUCTION: Land disturbing activities may require notification, or County, State or Federal permits. Improper land disturbing activities can result in increased shoreline erosion and waterway sedimentation.

1) General standards: Filling, grading, lagooning, dredging, ditching or excavating which does not require a permit under Section 4.4 K) 2) may be permitted in the shoreland area provided the following conditions are met:

a) It is done in a manner designed to minimize erosion, sedimentation, and impairment of fish and wildlife habitat.

b) Filling, grading, lagooning, dredging, ditching, or excavating in a wetland/shoreland district *shall* meet the requirements of Section 15.8 of this Ordinance.

c) All applicable federal, state, and local authority must be obtained ~~in addition~~ **prior** to a permit under this ordinance.

d) Any fill placed in the shoreland area must be protected against erosion by the use of rip-rap, vegetative cover, or a bulkhead.

2) Permit required: Except as provided in Section 4.4 K) 3), a Conditional Use Permit is required.

a) For any construction or dredging commenced on any artificial waterway, canal, ditch, lagoon, pond, lake, or similar waterway which is within three hundred (300) feet of the ordinary highwater mark of a navigable body of water or which connects with a navigable body of water.

3) Soil conservation practices: Soil conservation practices such as terraces, runoff diversions and grassed waterways which are used for erosion control shall not require a permit under Section 4.4 K) 2) when designed and constructed Wisconsin Department of Natural Resources Conservation Practice Standard technical standards.

4) Permit required: Except as provided in Section 4.4 K) 3), a Land Use Permit is required.

a) For any filling or grading of any area which is within three hundred (300) feet of the ordinary high-water mark of navigable water, that exceeds ten thousand (10,000) square feet in area, or which has surface drainage toward the water, and on which there is any of the following:

(1) Any filling or grading on slopes of more than twenty (20%) percent.

(2) Filling or grading of more than one thousand (1,000) square feet on slopes of twelve (12%) percent to twenty (20%) percent.

- (3) Filling or grading of more than two thousand (2,000) square feet on slopes of less of than twelve (12%) percent.
- 5) Permit conditions: In granting a **Conditional Land Use Permit** under 4.4 K) **4)**, the **Planning Committee Zoning Administrator** shall attach the following conditions, where appropriate, in addition to those provisions specified in Section 8.0.
- The smallest amount of bare ground shall be exposed for as short a time as feasible.
 - Temporary ground cover, such as mulch or jute netting, shall be used and permanent vegetative cover shall be established.
 - Diversion berms or bales, silting basins, terraces, filter fabric fencing and other methods shall be used to prevent erosion.
 - Lagoons shall be constructed to avoid fish trap conditions.
 - Fill shall be stabilized according to accepted engineering standards.
 - Filling shall comply with any local flood plain zoning ordinance and shall not restrict a floodway or destroy the flood storage capacity of a flood plain.
 - Channels or artificial watercourses shall be constructed with side slopes of at least two(2) units horizontal distance to one (1) unit vertical distance, which shall be promptly vegetated, unless bulkheads or rip-rap are provided.
- 6) Excavation/grading/soil disturbance shall not take place within 25' of the crest of steep/erodible slopes as determined by the Zoning Administrator, unless Storm Water Retention Plan and a Slope Stability Analysis is approved by the Zoning Administrator. The Storm Water Retention Plan shall contain the same information required in Section 4.4 U) 2) a & b**

Change to read:

- 4.4 L)2) The number of lots or parcels utilizing said access shall be limited to two (2). Each lot to have a maximum of one single family dwelling.

Create:

4.4 L)8) Shoreline LOTS not having access per this Section or Section 4.4(M) (Island Development) shall have a dry land access.

Change to read:

4.4 M) Island Development

Islands and mainland accesses that were in the same ownership as of June 15, 1995, even though substandard in size, and remain in the same ownership after that date, do not have to comply with this section. Same ownership means that both an island and its mainland access must have the same owner. An island with its access may be transferred to a different owner. However, should the island and its access be separated (i.e., different owners) the provisions of this section shall apply.

Islands that are subdivided or developed shall meet the following requirements.

- The owner or developer of island lots shall provide a private lake access parcel on the mainland for ingress and egress to the island and for the storage of vehicles and boat trailers. The mainland lake access easement or outlot shall **meet the minimum lot and parcel size requirements of the Lake Class Development Standards. The minimum required lot area shall exclude any wetlands.** A contiguous buffer area of fifty (50) feet wide along each lot line running the full depth of the lot shall remain in its natural state. The cutting of vegetation or trees or the construction/placement of buildings within the buffer area is prohibited.
- The number of single family lots, parcels, building sites, single family units, or single family condominium units on the island utilizing said access shall be limited to **not more than** two (2).
- The construction or placement of any structure on the mainland access is prohibited.
- The creation or use of mainland land for a lake access for island development shall be by conditional use only in the RR-1 and RR-2 zone districts in accordance with Section 8.0. The **Planning Committee Plan and Review Commission** shall consider the size, shape, depth, present and potential use of and the effect of the mainland lake access on public rights in navigable waters.

Change to read:

- 4.4 N) Town of Spider Lake, Lake Class Development Standards and Lists of Lakes by Classification After adoption of this section, or an amendment thereto, no lot shall be so reduced that the

dimensional and yard requirements required by this Ordinance cannot be met. ~~Lots Parcels of land~~ existing and of record shall meet the minimum requirements of Section 4.2 E) and lots existing and of records, i.e., documented by recording of a metes and bounds description; or a Certified Survey Map; or a recorded platted subdivision, but of substandard size to the Town of Spider Lake, Lake Class Development Standards ~~are hereby not nonconforming~~ to the ~~parcel~~ Lot size requirements but may be nonconforming for dwelling unit construction. The construction of new dwellings or replacement dwellings; additions to existing structures and the construction of accessory buildings when a principal structure exists on the premises may be permitted by permit provided all other requirements, regulations, and setbacks can be met. Dwelling(s) construction must meet the minimum setback requirements stated in Section 16.0 DIMENSIONAL REQUIREMENTS, regardless of when the LOT was created.

1) A LOT created prior to April 4, 1967 or as later amended, but substandard in size, may have a single family dwelling unit constructed on the LOT provided that all minimum setback requirements can be met and a wastewater treatment system is installed. Additional dwelling units shall be constructed only in accordance with Lake Class Development Standards.

Change to read:

4.4R) Mitigation Requirements

Mitigation is the requirement to restore (or create) shoreline buffer functions on all waterfront properties that do not meet Shoreline Vegetation Protection Area requirements (see Section 4.4(J) Shoreline Vegetation Protection Area). Mitigation shall apply only to the LOT for which a Land Use Permit is issued.

- 1) Waterfront properties with an existing intact shoreline vegetative protection area. The application for a land use permit will require property owner certification on a form provided by the Zoning ~~Department~~ Administrator and photographic evidence of an intact shoreline vegetative protection area.
- 2) Waterfront properties without an intact shoreline vegetative protection area. The application for a land use permit will require a Mitigation Plan and Implementation Schedule to be approved by the Zoning ~~Department~~ Administrator prior to the issuance of the land use permit.
- 3) Mitigation responsibilities for condominiums.
 - a) Mitigation is the responsibility of the condominium association and shall be in accordance with a mitigation plan and Implementation Schedule approved by the Zoning Administrator
 - b) Once approved, a plan can only be amended with the approval of the SCLWD Zoning Administrator.
 - c) Land Use Permits shall not be issued until a copy of the approved plan has been submitted to the Zoning Department Administrator and the president of the association has submitted a letter to the Zoning Department Administrator stating that the association accepts responsibility for the mitigation.

4) Mitigation responsibilities for mobile home parks with shoreline frontage.

- a) Mitigation is the responsibility of the owner of the mobile park and shall be in accordance with a mitigation plan approved by the Zoning Administrator.
- b) Once approved, a plan can only be amended with the approval of the Zoning Administrator.
- c) Land Use Permits shall not be issued until a copy of the approved plan has been submitted to the Zoning Administrator.

Change to read:

4.4T) Structures With Nonconforming Shoreline Setbacks

WDNR Administrative Rule NR 115 (3)(e) addresses nonconforming uses. Alterations or additions are regulated. A conforming structure shall not be converted to a nonconforming structure by use of this section. Dwellings constructed based on an average setback from navigable waters are considered to be conforming to that setback.

Expansion/additions/construction activities begins at the closest point of new construction to the OHWM.

Structures nonconforming to both shoreline and non shoreline setbacks (e.g. lot line set backs, road setbacks etc) may be expanded in accordance with the shoreline setback provisions of this section provided that the non-shoreline setback(s) nonconformance is not made more severe.

1) General:

a) Attached uninhabitable structures (i.e., attached garage) may be converted to habitable area with the issue of a land use permit.

b) Additions/alterations begin at the closest point of construction/alteration to the OHWM (i.e., point where new roof ties into an existing roof etc.).

2) Nonconforming principal structures (includes all dwellings any portion of which is less than 75 feet from the OHWM of navigable waters).

a) A nonconforming principal structure any portion of which is less than 40 feet from the OHWM is permitted ORDINARY MAINTENANCE AND REPAIR and INTERNAL IMPROVEMENT. Expansion is not allowed except by variance.

(1) New basements, additional stories, lofts, lateral expansion or accessory construction outside of the perimeter of existing enclosed dwelling space are not allowed except by variance.

(2) Replacement of foundation **and**/or roof support systems is allowed only per 4.4 T)(3) and shall meet the requirements of Section 4.4 R) MITIGATION.

b) A nonconforming principal structure no portion of which is less than 40 feet from the OHWM is permitted ORDINARY MAINTENANCE AND REPAIR and INTERNAL IMPROVEMENT. Replacement of foundation or roof support systems is allowed only per 4.4T)(3) and the issue of a land use permit. Such structures may also be expanded provided a land use permit is obtained and:

(1) The existing structure includes at least 500 square feet of enclosed, habitable living space.

(2) Additions are located on the landward side of the structure.

(3) If an addition extends beyond the 75-foot setback, only that portion which is 75 feet or more from the OHWM may extend toward the side yard.

(4) The total footprint, including the existing structure and proposed addition, does not exceed 1500 square feet and the habitable living area does not exceed 3000 square feet, nor violate the impervious surface limitations of Section 4.4U). IMPERVIOUS SURFACE LIMITATIONS.

(5) A maximum height of 26 feet from the lowest grade to the highest peak of the building is not exceeded.

(6) Basements may be converted to walkout basements only on the landward side.

(7) Standard erosion and storm water runoff control measures must be implemented.

(8) Mitigation shall meet the requirements of Section 4.4R) MITIGATION. details.

3) Nonconforming accessory structures. All nonconforming accessory structures are limited to ORDINARY MAINTENANCE AND REPAIR. Replacement of foundation or roof support systems is allowed only per 4.4T)(3) below and may require mitigation. See Section 4.4R) MITIGATION.

4) Replacement of Foundations and Roof Support Systems.

a) A land use permit is required for replacement of all structure foundations (i.e. basements, crawl spaces, piers, posts, slabs, etc.) and roof support systems (i.e. rafters, trusses, beams, purlins, etc.).

b) Exterior walls must remain in place.

c) Foundation support components may be replaced to existing footprint dimensions only. Footings may be extended below the generally accepted frostline of the locality.

Habitable area requiring exterior ingress/egress (i.e. walkouts, doors, windows etc.) shall not be created.

c) Roof pitch may be increased for ventilation, snow-load or aesthetic purposes but may not create additional habitable area.

d) Mitigation may be required. See Section 4.4R) MITIGATION for details.

e) Standard erosion and storm water runoff control measures must be implemented.

5) Nonconforming structures within the shorelands which are damaged or destroyed by violent wind, **ice, snow**, vandalism, fire or flood may be reconstructed provided:

- a) Damage which is due to an intentional act of the owner may only be repaired in conformity with the ordinance.
- b) The owner must establish by competent evidence the specific extent of damage to a structure and its improvements.
- c) Repair and reconstruction are limited to that part of a structure and its specific improvements which were actually damaged and similar building materials are employed.
- d) Repair and reconstruction are in compliance with all other provisions of applicable ordinances.
- e) MITIGATION may be required. See Section 4.4R) MITIGATION.
- f) A land use permit is required.
- g) Standard erosion and storm water runoff control measures must be implemented.
- 6)** Existing nonconforming boathouses. The ORDINARY MAINTENANCE AND REPAIR of nonconforming boathouses that extend waterward beyond the OHWM of any navigable waters shall comply with the requirements of s.30.121, Wisc Stats (Overwater Boathouses).
- 7)** Owners of condominium units shall provide a letter of approval signed by an officer of the condominium association stating
 - a) That the proposed expansion or construction activities has the approval of the condominium association, and
 - b) Who specifically (i.e., either the owner of the condominium unit or the condominium association) shall accept the responsibility for the completion of any required mitigation or other conditions required for the issue of any permit.

Change to read:

5.4 ON PREMISE SIGNS

ON PREMISE **ADVERTISING SIGNS WITHIN THE SHORELAND DISTRICT**

On premise signs are defined as those signs located on the principal site where the business activity specified on the sign is normally conducted.

(A) Signs shall not be located within the SHORELINE VEGETATION PROTECTION AREA.

(B) A Conditional Use Permit is required.

(C) Only one sign is allowed.

(D) Such signs shall:

(1) Not exceed 24 square feet in area.

(2) Not exceed 12 feet in height

(3) Be located on the same premises as the business.

(4) If lighted, be lighted only with down focused lighting`.

(5) If lighted, the lights shall be turned off at close of business.

(E) Mitigation may be required. See Section 4.4 R) MITIGATION for details

Change to read:

5.5 ON PREMISE ADVERTISING SIGNS NOT WITHIN THE SHORELAND DISTRICT

On premise signs are defined as those signs located on the principal site where the business activity specified on the sign is normally conducted. ~~Two on-premise signs are allowed per business property.~~

A) Sign permits for on-premise exterior advertising signs are required but shall be issued free of charge.

1) Exception: "Occupational Signs" denoting only the name and profession of an occupant in a dwelling, commercial building, or institutional building and "Business Directory" signs that only list the services, hours of operation, or menus offered within a building shall not be required to obtain a permit provided that they are no more than 2 square feet in size and located in such a manner to be visible from the nearest public right-of-way.

B) A maximum of two (2) on premise signs within the Town of Spider Lake, advertising products or services are permitted for each business establishment that are visible from a public road or waterway.

C) Each on premise advertising sign may have an advertising space no greater than 32 sq. feet in aggregate, including the border and trim, but exclusive of supports. Only two sign faces are permitted per sign structure.

D) Floodlighting a building or sign, where floodlights are used to up-light the exterior is not permitted.

- 1) General Requirements: All lighting shall be controlled in such a way as to not shine up into the sky or onto any neighboring properties. Examples of ways in which this shall be accomplished are:
 - a) Use of fully shielded cut-off fixtures.
 - b) Directing light fixtures downward rather than upward.
- 2) Specific Requirements
 - a) Where used for security purposes or to illuminate walkways, roadways, equipment yards and parking lots, only fully shielded cut-off style light fixtures shall be utilized.
 - b) Where used for signs or for decorative effects or recreational facilities, such as for building, landscape or ball field illumination, the outdoor light fixtures shall be equipped with automatic timing devices and shielded and focused to minimize light pollution.
 - c) All outdoor lighted signs installed and maintained upon private property within all zoning districts shall be turned off between 11:00 P.M. and sunrise, EXCEPT when used for security purposes or to illuminate walkways, roadways, equipment yards and parking lots.
 - d) All illuminated signs for commercial purposes shall be turned off between 11:00 P.M. and sunrise, EXCEPT that signs may be illuminated while the business facility is open to the public. All forms of flashing, rotating, moving or digital lights shall be prohibited.
 - e) All outdoor light pole fixtures shall not exceed a maximum height of thirty (30) feet.
- 3) Exemptions:
 - a) All outdoor light fixtures producing light directly by the combustion of fossil fuels, such as kerosene lanterns or gas lamps are exempt from the requirements of this section.
 - b) Holiday lighting shall be exempt from the requirements of this section.
- E)** Fluorescent colors, blaze orange, glitter, sparkles, flashing lights, or beacons are not permitted. Reflective materials for sign letters or trim are permitted.
 - 1) The use of earth toned colors for on-premise signs is strongly encouraged
- F)** Internally Illuminated Signs
 - 1) A maximum of two internally illuminated sign faces are allowed per business and must be located on the business's primary premise.
- G)** Internally illuminated vending machines, arcade machines, mechanical rides, and mechanical amusement devices shall not be viewable from the public right-of-way or a navigable waterway.
- H)** Neon Signs: Are encouraged as on-premise advertising signs as long as the neon sign complies with requirements of this ordinance.
 - 1) Exception: Neon, externally illuminated, or non-illuminated signs that state the following messages: "No Vacancy", "Vacancy", "Closed", "Open" and "Immediate Seating", are not considered an advertising sign and are not subject to on-premise advertising sign requirements as long as the sign does not exceed 3 square feet.

6.5 Mobile/Manufactured Home Park

Add

Q) Any action that results in a change in use of a mobile home park as defined in Section 2.0 Definitions (MOBILE/MANUFACTURED HOME PARK), shall not result in the creation of lots/sites/parcels that are substandard in size based on the most restrictive requirements of either the lakes Classification or the property's zone district.

Examples of such changes in uses would be, but are not limited to, the conversion of a mobile/Manufactured home park from sites that are leased, rented or open to the public for nonpermanent use, to sites that are intended to be offered to the public for purchase.

6.5 Trailer Camps and Camping Grounds

Add

L) Any action that results in a change in use of either campgrounds or RV parks as defined in Section 2.0 Definitions (CAMPGROUND), shall not result in the creation of lots/sites/parcels that are substandard in size based on the most restrictive requirements of either the lakes Classification or the property's zone district.

Examples of such changes in uses would be, but are not limited to, the conversion of a campground/RV park from sites that are leased, rented or open to the public for nonpermanent use, to sites that are intended to be offered to the public for purchase.

Change to read:

6.9 Resorts

The special uses in this subsection shall be considered as conditional uses and the procedure and requirements of Section 8.0 governing Conditional Use Permits shall apply.

A) New Resorts. The development and construction of new resorts shall comply with all requirements of this Ordinance as they pertain to the issue of land use permits for residential dwelling construction. Each dwelling unit within such new resort must meet the minimum lot size, width and depth requirements of the Lake Class Development Standards, and shall require immediate contiguous lakeshore frontage.

B) Existing Resorts.

Introduction: Recognizing the historical and economic significance of resorts in The Town of Spider Lake, certain special consideration is given to help assure their continued survival and viability. Except for the items contained below, all resorts must meet the criteria specified elsewhere in this ordinance.

1) A resort existing at the time this ordinance is put in effect, but does not meet the minimum LOT size for the number of existing principal buildings, is “grandfathered” for the number of those principal buildings. Existing principal buildings may be replaced with the issue of a Land Use Permit and:

a) Compliance with 6.9 (5) a-d

b) The resort owner agrees to provide mitigation to the shoreline in an area between the building and the shoreline for the width of the building (See Section 4.4 R) MITIGATION.

2) The minimum lot size shall consist of a minimum lot width of one hundred (100) feet, a minimum lot depth of two hundred (200) feet and a minimum lot area of twenty thousand (20,000) square feet. Notwithstanding this provision, a resort cabin shall not be sold individually at any point in time unless it meets the requirements for the minimum two hundred (200) feet of frontage under other provisions of Ordinance No.17-88

3) Yard Setback Required: As indicated for RR-2 District in the Zoning Schedule - Dimensional Requirements as stated in Section 16.0

4) Minimum Floor Area Residence: As indicated for RR-2 District in the Zoning Schedule Dimensional Requirements as stated in Section 16.0.

5) A resort in existence at the time this ordinance is put in effect shall have its landmass treated in its entirety and be exempt from lot size and frontage requirements of the Lake Class Development Standards. Calculations of landmass for purposes of this section relating to existing resorts shall not include that portion of a resort that has been converted to a condominium type of ownership in which the dwelling units (resort cabins) are privately owned and such unit owner is entitled to the exclusive ownership and possession of that unit. The land mass to be deducted shall be the minimum parcel area per condominium unit based on the most restrictive of either Lake Class Development Standards or zone district requirements. Existing resort regulations shall be based on density and land mass as follows:

a) The cumulative square footage of all impervious surfaces within 300 feet of the OHWM shall not exceed 15% of the total square footage of the resort land area that is located within 300 feet of the OHWM.

b) The cumulative square footage of all impervious surfaces more than 300 feet from the OHWM but within the Shoreland District shall not exceed 30% of the total square footage of the resort land area located more than 300 feet from the OHWM but within the Shoreland District.

c) A conditional use permit shall be required to exceed these impervious surface requirements. An application for a conditional use permit shall be submitted per Section 8.0 **IMPERVIOUS SURFACE LIMITATIONS.**

d) All standards for setbacks from septic systems, wells, roadways, side yards, and wetlands apply.

6) Construction of additional principal buildings within an existing resort shall meet the following density/setback criteria:

a) All of item B(4)(a), above.

b) Be at least 75 feet from the OHWM.

c) Be at least 20 feet from any other building.

d) Conditional Use Permit requirements for MULTI- DWELLING DEVELOPMENT shall apply.

e) Have a minimum frontage of 100 feet adjacent to any lake, pond, flowage, river, stream or public roadway maintained by a government entity for each existing and proposed resort cabin.

1) To determine lakeshore frontage per dwelling unit, divide the total lake shore frontage by the total number of existing and additional dwelling units.

7) An existing ~~resort~~ dwelling unit, any part of which is less than 75 feet from the OHWM, may be expanded by up to 50% of its footprint so long as:

a) The total footprint, including the existing structure and proposed additions, shall not exceed:

1) 1000 square feet for those structures, any part of which is located less than 40 feet from the OHWM, or

2) 1500 square feet for those structures located between 40' and 75' from the OHWM

b) The maximum height shall not exceed 26 feet from the lowest grade of the existing building.

c) It does not cause a violation of item B(5)(a), above.

d) The expansion ~~is~~ of the footprint shall be landward and does not move the ~~cabin~~ dwelling unit closer to the OHWM.

e) No portion of the addition will be less than 20 feet from any other ~~building~~ Dwelling Unit.

f) Expansion of an existing Dwelling Unit located closer than 20 feet to another Dwelling Unit. Expansion shall not increase the setback nonconformity to an existing Dwelling Unit.

g) The resort owner agrees to provide mitigation to the shoreline in an area between the cabin and the shoreline for the width of the cottage (see Section 4.4 R) MITIGATION).

h) Expansion of an existing principal building with shoreline on two or more sides. Expansion shall not increase the shoreline setback non-conformity.

8) Any use corridor shall not exceed 30 feet in width and the cumulative width of all use corridors within the resort shall not exceed 30% of the total shoreline frontage except as provided in Section 4.4 J) 2) c).

Change to read:

9.2 Land Use Permits

A) Permit Required: No structure shall be built, moved or structurally altered and no land use shall be substantially altered until a Land Use Permit has been issued by the Town Zoning Administrator. The Town Zoning Administrator shall not issue said permit for a structure or a land use not in conformity with the requirements of this Ordinance, nor shall he issue a permit for a structure designed or intended for human use or occupancy until a Certified Soil Test is filed in the office of the Sawyer County Zoning Administrator and said test is approved by said office.

1) **Accessory Structures** meeting **all** requirements of this ordinance under 100 sq feet will not require a permit