

#2-2016

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT THE Oneida County Planning & Development Committee will hold a public hearing on Wednesday, June 15, 2016 at 2:00 p.m. in County Board Room, Oneida County Courthouse, Rhinelander, WI 54501 on the following:

Conditional Use Permit Application by Alec and Christine Stenli, owner d/b/a Northern Pines Greenery to construct a storage building for business use with outdoor storage on property described as Hill Lake Pines Lot 6, Section 9, T39N, R6E, Hill Lake Drive, PIN MI 5744, Town of Minocqua.

Ordinance Amendment #2-2016 authored by the Planning and Development Committee to amend Section 9.94, OHWM Setbacks and Special Zoning Permission for Structures in Shoreland Setback, of the Oneida County Zoning and Shoreland Protection Ordinance as follows:

9.94 OHWM SETBACKS AND SPECIAL ZONING PERMISSION FOR STRUCTURES IN SHORELAND SETBACK (Amend. #08-2000, 29-2001, 71-2002, 87-2003, 14-2005, 02-2006, 12-2006, 13-2007, 14-2008)

A. OHWM Setbacks

There shall be setbacks from the ordinary high water mark (OHWM) on lots that abut or are within 75 feet of a navigable waterbody.

1. To remain unchanged.
2. Exceptions to the 75-foot setback from the OHWM of a navigable water body. See Appendices C through G for illustrative purposes only. The text in this section shall be controlling and will supersede the appendices if there are any conflicting interpretations.

a through c to remain unchanged.

d. Boathouse. A riparian owner may construct a boathouse subject to the following restrictions:

- (1) No part of any boathouse shall extend into the lake or stream beyond the OHWM.
- (2) The construction of a boathouse is confined to the viewing area and shall be at least 10 feet from the side yard lot line.
- (3) With the exception of 9.94(A) (2) (d) (10) below, boathouses shall be designed and constructed solely for the storage of boats and related equipment. Patio doors, fireplaces, plumbing, living facilities and other features inconsistent with the use of the structure exclusively as a boathouse are not permitted.
- (4) The main door shall face the water.
- (5) One boathouse is permitted in the first 100 feet of shoreline. In any additional increment of 100 feet of shoreline, a boathouse may be permitted only upon the issuance of a conditional use permit.
- (6) A boathouse shall not exceed a total height of twelve (12) feet.

- (7) A boathouse shall not be constructed on slopes 20% or greater.
- (8) Boathouses shall be constructed in conformity with local floodplain zoning standards.
- (9) The maximum width of a boathouse parallel to the OHWM shall not exceed the lesser of 75 percent of the viewing area(s) or 36ft. The overhang and eaves are not included in the maximum width and shall not exceed two feet. The maximum length of a boathouse landward and away from the OHWM shall not exceed 36 feet.
- (10) A boathouse shall have a pitched roof with a minimum pitch of 2.3 to 12.
- (11) Decks, platforms, & other construction not essential for berthing of boats is prohibited.
- (12) A boathouse shall contain no plumbing.
- (13) A boathouse shall contain no living facilities.
- (14) A boathouse cannot be constructed if the riparian landowner has a permanent boat shelter.
- (15) A boathouse cannot be constructed if the riparian landowner has an existing "wet" boathouse extending over a navigable waterway.
- (1) The construction or placement of boathouses below the ordinary high water mark of any navigable waters shall be prohibited.
- (2) The construction of a boathouse is confined to the viewing area and shall be at least 10 feet from the side yard lot line.
- (3) With the exception of 9.94(A) (2) (d) (10) below, boathouses shall be designed and constructed solely for the storage of boats and related equipment. Patio doors, fireplaces, plumbing, living facilities and other features inconsistent with the use of the structure exclusively as a boathouse are not permitted.
- (4) The main door shall face the water.
- (5) One boathouse is permitted on a lot as an accessory structure.
- (6) Any boathouse which may be permitted within the setback area shall be of one story only. The basement definition does not apply to a boathouse and therefore constitutes a story. The sidewalls of a boathouse shall not exceed 12 feet in height as measured from the top of wall to the floor.
- (7) Boathouse construction is subject to the requirements of Section 9.97.
- (8) Boathouses shall be constructed in conformity with local floodplain zoning standards.
- (9) The maximum width of a boathouse parallel to the OHWM shall not exceed the lesser of 75 percent of the viewing area(s) or 36ft. The overhang and eaves are not included in the maximum width and shall not exceed two feet. The maximum length of a boathouse landward and away from the OHWM shall not exceed 36 feet.
- (10) The maximum total footprint shall not exceed 1008 square feet.
- (11) Flat roofs that shed water away from the OHWM are permitted.
- (12) The roof of a boathouse may be used as a deck provided that:

- (a) The boathouse has a flat roof.
 - (b) The roof has no side walls or screens.
 - (c) The roof may have a railing that meets the State of Wisconsin Uniform Dwelling Code.
- (13) The number of berths within a boathouse shall be subject to the provisions of section 9.98(D).

9.96 SHORELAND MITIGATION PLAN (#08-2000, 30-2001, 02-2006, 14-2008, 21-2008)

The opening paragraph and A through E remain unchanged.

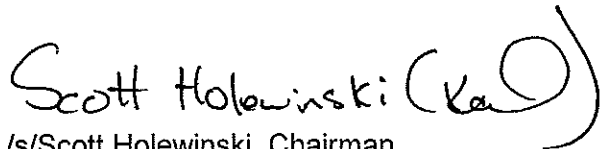
Mitigation requirements A-E above shall be implemented for the following:

1. Properties requiring a permit under sections 9.32(E) and 9.33(B) and meet the requirements of section 9.99.
2. ~~New boathouse construction on properties with existing dwellings or principal buildings.~~

Copies of the foregoing documents are available for public inspection during normal business hours at the Planning & Zoning Office, Oneida County Courthouse, 2nd Floor, Rhinelander Wisconsin 54501 or phone 715-369-6130. The Oneida County Zoning and Shoreland Protection Ordinance is available online at www.oneida.wi.gov.

Anyone having interest may attend and be heard. Interested parties who are unable to attend may send written comments to the undersigned.

Dated this 26th day of May, 2016.



/s/Scott Holewinski, Chairman
Oneida County Planning & Development Committee
PO Box 400
Rhinelander WI 54501