



WAUPACA COUNTY PLANNING & ZONING OFFICE

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2024 SHORELAND PROTECTION ORDINANCE, CHAPTER 32

LEGEND:

Highlighted Term = Additional language proposed

~~Red Font Strikethrough~~ = Language proposed to be stricken

*All formatting changes, including subsets and internal references, are not shown and will be updated accordingly. *

Section 2.6

2.6 INTERPRETATION.

In their interpretation and application, the provisions of this ordinance shall be liberally construed in favor of Waupaca County and shall not be deemed a limitation or repeal of any other powers granted by Wisconsin Statute. Where a provision of this ordinance is required by statute and a standard in ch. NR 115, Wis. Adm. Code, and where the ordinance provision is unclear, the provision shall be interpreted in light of the statute and ch. NR 115, Wis. Adm. Code, standards in effect on the date of the adoption of this ordinance or in effect on the date of the most recent text amendment to this ordinance. **Words used in this Zoning Ordinance shall be defined first by referring to this Ordinance. If this Ordinance does not contain a definition for the word or words, then the word or words shall be as defined in a common English dictionary used by the Zoning Administrator.**

Section 5.3

(1) Sewered lots. The minimum lot area of a sewered lot shall be ten thousand (10,000) square feet and the minimum average lot width shall be sixty-five (65) feet.

- a. The average width shall be calculated by averaging the measurements at the following locations, provided that the minimum width at the ordinary high-water mark and the building setback line is sixty-five (65) feet:

- (1) The ordinary high-water mark,
- (2) The building setback line,

(3) ~~The rear lot line.~~ Lot line(s) opposite any ordinary high water mark providing the frontage for the parcel.

(2) Unsewered lots. The minimum lot area of an unsewered lot shall be twenty thousand (20,000) square feet and the minimum average lot width shall be one hundred (100) feet with at least one hundred (100) feet of frontage at the ordinary high-water mark.

a. The average width shall be calculated by averaging the measurements at the following locations, provided that the minimum width at the ordinary high-water mark and the building setback line is one hundred (100) feet:

(1) The ordinary high-water mark,

(2) The building setback line,

(3) ~~The rear lot line.~~ Lot line(s) opposite any ordinary high water mark providing the frontage for the parcel.

Section 6.1.1

(1) EXEMPT STRUCTURES All of the following structures are exempt from the shoreland setback standards in Section 6.1 and wetland and drainageway setback in Section 6.54:

a. Boathouses located entirely above the ordinary high-water mark and entirely within the access and viewing corridor that do not contain plumbing and are not used for human habitation. The following standards shall apply for the placement of boathouses:

(1) The construction or placement of boathouses below the ordinary high-water mark of any navigable waters shall be prohibited.

(2) The boathouse shall be located at least ten (10) feet landward from the ordinary high-water mark.

(3) Boathouses shall be designed and constructed solely for the storage of boats and related equipment.

(4) One boathouse is permitted on a lot as an accessory structure.

(5) Proper erosion control methods shall be implemented during and after construction of the boathouse.

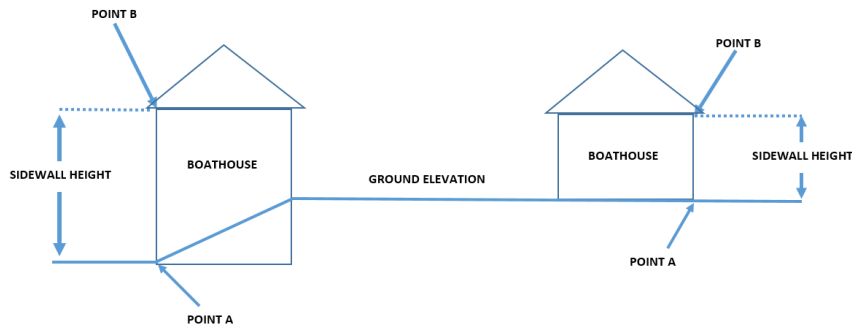
(6) Boathouses shall be constructed in conformity with local floodplain zoning standards and any other ordinance standards applicable to the placement of structures.

(7) Boathouses shall not exceed four hundred (400) square feet in floor area.

(8) Boathouse sidewall height may not exceed ten (10) feet.

a) Sidewall height is the measurement of the vertical line segment starting at the lowest point of any exterior exposed wall and its intersect with the ground to a line horizontal to where the lowest point of the roof

structure intersects with the vertical wall of the boathouse. (The measurement from Point A to Point B in the diagrams below)



(9) Boathouse roofs shall have a pitch that is no flatter than 4/12 pitch.

(10) Boathouses must be open trussed, as viewed from the floor of the structure and may not include a second floor or loft.

(11) Boathouses must be a single story and may not have multiple stories, floors, or levels.

(12) Boathouses may not have lofts, attics, basements, or similar ancillary spaces.

~~(11)~~ (13) Existing legal nonconforming flat boathouse roofs may be used as a deck provided that the roof has no sidewalls or screens.

(a) A railing may be installed around a flat boathouse roof provided that it is consistent with the standards promulgated by the Department of Safety and Professional Services enacted under ch. DSPS 101 Wis. Ad, Code.

~~(12)~~ (14) The main door of the boathouse shall face the water and have a minimum width of six (6) feet.

~~(13)~~ (15) Patio doors, fireplaces, decks (not specifically allowed above), porches, walkways that are not necessary to provide access to the shoreline, overhangs exceeding three (3) feet, approaches to entrances and other features inconsistent with the use of the structure exclusively as a boathouse are not permitted.

Section 6.3

~~6.3 INCREASED PRINCIPAL STRUCTURE SETBACK:~~

~~A setback greater than the required seventy five (75) feet from the ordinary high water mark may be required for a proposed principal structure and determined as follows:~~

~~a. Where there are existing principal structures in both directions along the shoreline, the setback shall equal the average distance of the setbacks from the ordinary high water mark required at the time each structure was built provided all of the following are met:~~

~~(1) Both of the existing principal structures are located on an adjacent lot to the proposed principal structure.~~

~~(2) Both of the existing principal structures are located within two hundred (200) feet of the proposed principal structure.~~

~~(3) Both of the existing principal structures are located greater than seventy five (75) feet from the ordinary high water mark.~~

~~(4) Both of the existing principal structures were required to be located at a setback greater than seventy five (75) feet from the ordinary high water mark.~~

~~(5) The increased setback does not apply if the setback limits the placement to an area on which the structure cannot be built.~~

~~(1) Measurement: For the application of Section 6.3 the measurement for determining the average shoreland setback shall be taken from the existing principal structures identified in Section 6.3, excluding any decks, patios, or overhang that extends three (3) feet or less from the principal structure.~~