



NEW BUSINESS – ORDINANCE AMENDMENT DISCUSSION

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**Subject: Ordinance Amendment Discussion –  
Water Oriented Accessory Structures**

**Agenda Item: 6.2**

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In September the Planning Commission discussed amending the ordinance regarding Water Oriented Accessory Structures and the following amendments were discussed:

**Section 17-5.8 SHORELINE RESIDENTIAL (SR)**

- K. Water Oriented Accessory Structures. One water oriented accessory structure not meeting the structure setbacks in ~~Table 8.02.01~~ of Section 17-5.8 (3) of this ordinance may be placed with a permit on a riparian residential lot provided the following standards are met:
1. The structure or facility must not exceed 12 feet in height measured at the peak of roofline of the building from the low point of the natural grade around the building.
  2. The structure cannot occupy an area greater than 120 square feet.
  3. The structure may not be located in Shore Impact Zone 1 (SIZ1) and must be at least 20 feet from side property lines.
  4. The structure must be treated to reduce visibility as viewed from public waters and adjacent shorelands by vegetation, topography, increased setbacks, color, or other means acceptable to the Zoning Administrator, assuming summer, leaf-on conditions.
  5. Construction must comply with the following architectural standards:
    - a. All structures shall be constructed of wood with finished wood siding. Metal or vinyl siding shall not be allowed;
    - b. Asphalt or fiberglass shingles shall be utilized. Metal roofing materials shall not be allowed;
    - c. The roof pitch shall be 4:12 or greater;
    - d. Roof type?
    - e. The exterior color of the accessory structure shall match the exterior color of the principal structure;
    - f. ????
  6. The maximum impervious surface limits for the lot are not exceeded.
  7. The structure shall not be located within a bluff impact zone.
  8. The structure shall not be designed and/or used for human habitation.
  9. The structure shall not include bathroom facilities.
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**Applicable Regulations:**

**Section 17-3.2. DEFINITIONS**

266. **Water Oriented Accessory Structure or Facility**. A small above ground building or other improvement, except stairways, fences, docks and retaining walls, which because of the relationship of its use to a surface water feature is located closer to public waters than the normal structure

setback. Examples of such structures and facilities include boat houses, gazebos, screen houses, fish cleaning houses and detached decks.

**Section 17-5.17 LAND USE MATRIX**

A – allowed w/o a permit; P – permitted, C – conditional use; I – interim use; AC - accessory use, E – excluded.

<u>USE</u>	<u>O</u> <u>S</u>	<u>FM</u>	<u>AG</u>	<u>WR</u>	<u>SR</u>	<u>TR</u>	<u>RR</u>	<u>DMU</u>	<u>C</u>	<u>SC</u>	<u>R</u>	<u>UR</u>	<u>LI</u>	<u>P</u>	<u>PD</u>
<u>Water</u> <u>Oriented</u> <u>Accessory</u> <u>Structure</u> <u>or Facility</u>	<u>E</u>	<u>E</u>	<u>E</u>	<u>E</u>	<u>P</u>	<u>E</u>	<u>E</u>	<u>E</u>	<u>E</u>	<u>E</u>	<u>E</u>	<u>E</u>	<u>E</u>	<u>E</u>	<u>E</u>

## Dawn Bittner

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**From:** Thomas Adams <tom@adamsfamily.us>  
**Sent:** Monday, October 5, 2020 4:56 PM  
**To:** Hallan Mark; Dawn Bittner  
**Subject:** Shoreline Accessory Structures

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

Mark and Dawn

The East Twin Lake Association Board met last week to discuss the idea of changing current ordinance rules to begin permitting an accessory structure on lake front properties.

It is our understanding that the discussion does not include the first 37.5 feet from the ordinary high water line. There would be no changes in that area. We strongly agree with that decision.

We are then talking about the area between 37.5 and 75 feet from the ordinary high water line. Following discussion among our board, we do not support allowing structures to added in this area. Our decision was based on the following:

There is no hardship created by not allowing structures in this area.

Current residents followed the rules regarding structures once they were put into effect. To change now would be unfair.

Since we are talking about an area which already starts at 37.5 feet behind the ordinary high water line, we are looking at an area of only another 37.5 feet. It does not seem to create any hardship to maintain this space as structure free. With permits, structures can be added beyond the 75 foot line.

Allowing structures in this area would block neighbor site lines which they have enjoyed for many years.

Based on the above, the ETLA strongly recommends that no change be made to the current rules

Thanks for giving us an opportunity to respond.

Tom Adams