

**AN ORDINANCE AMENDING ASHLAND COUNTY
SHORELAND AMENDATORY ORDINANCE**

WHEREAS, when the matter of proposed amendments to the Ashland County Shoreland Amendatory Ordinance, as set forth below, were to be considered, the Zoning and Land Committee of the Ashland County Board of Supervisors scheduled a public hearing on such proposals to be held at the Ashland County Courthouse on June 5, 2001, and

WHEREAS, on May 4, 2001, notice of such public hearing was given as provided by law along with publication of such notice as a class 2 notice in the Daily Press newspaper on May 11 and 18, 2001, and

WHEREAS, the Zoning and Land Committee of the Ashland County Board of Supervisors held a public hearing on such proposed amendments on June 5, 2001, and

WHEREAS, following such public hearing, on June 5, 2001 the Zoning and Land Committee met and approved such proposed amendments and recommended that the Ashland County Board of Supervisors enact the same,

NOW, THEREFORE,

The County Board of Supervisors of Ashland County does ordain as follows:

1. The following new provision is enacted as Section 5.3 of the Ashland County Shoreland Amendatory Ordinance:

5.3 Setback from Navigable Water

1) Open structures within the shoreland setback area (59.692(1v) permits). As required by s.59.692(1v), Wis Stats., the construction or placement of certain structures within the shoreland setback area shall be permitted if all the following conditions are met:

a) the structure that is the subject of the request for a 59.692(1v) permit has no sides or has open or screened sides. Knee walls of 32 inches or less will be considered open construction.

b) that part of a structure that is nearest to the water shall be located at least 35 feet landward from the ordinary highwater mark.

c) the structure shall not be constructed on slopes in excess of 20 percent.

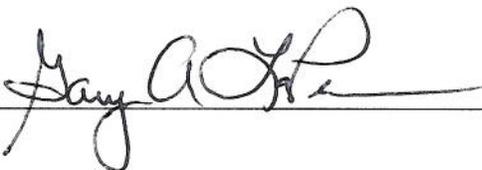
d) The total combined floor area of all of the structures within the shoreland setback area of the property will not exceed 200 square feet. Walkways, stairways, and boathouses without decks shall be excluded in calculating this square footage.

- e. The structure shall be visually inconspicuous (earthtones) and shall blend with native or restored vegetation at the site during the growing season.
- f) The eave overhang shall not exceed one foot.
- g) The side yard setback shall be a minimum of 30 feet.
- h) The structure height shall not exceed 12 feet above the existing grade within the structure footprint.
- i) Roofs of existing structures shall not be converted to decks/seating areas.
- j) Utilities except for electricity shall not be connected to the structure.
- k) The Ashland County land Conservation Department shall approve a plan that will be implemented by the owner of the property to preserve or establish a vegetative protection area that covers at least 70 percent of the half of the shoreland setback area that is nearest ~~to the~~ water.
to the
- l) Vegetative protection area restoration shall be committed to by the property owner through the recording of a county approved deed restriction with the Ashland County Register of Deeds, prior to the issue of a 59.692(1v) permit.
- m) the issue of a 59.692(1v) permit may be delayed for up to twelve months to ensure that the vegetative protection area restoration plan is implemented by the owner of the property and that the vegetative protection area has been established for at least one growing season.
- n) Destruction or removal of any portion of the restored vegetative protection area shall cause the Zoning Office to issue an order for the removal of the structure allowed by the 59.692(1v).

2. Section 5.2 of the Ashland County Shoreland Amendatory Ordinance entitled "Reduced Building Setbacks" is hereby repealed in its entirety.

The Clerk shall immediately publish this as a class 1 notice under Chapter 985, Wisconsin Statutes, and shall procure and distribute copies of this ordinance to the several town clerks, who shall file the same in their respective offices.

Dated at the City of Ashland, Wisconsin, this 14th day of June, 2001.



Peg Kurla

Helen Croteau

Bud Holt

Ken Lundquist

Don Gentry

Mark Miller

Alvin Zach

David Ho

Paul M. ...

Gene Kijer

Carol Ant

George M. ...

B/B

Clarence L. Campbell