



## OFFICE OF PLANNING, ZONING & SOLID WASTE

A Division of

### Land & Water Resources Department

Oconto County Courthouse, 301 Washington Street, Oconto, WI 54153

920-834-6827 [www.co.oconto.wi.us](http://www.co.oconto.wi.us)

## Shoreland Nonconforming Structures

Chapter 26.1100 Oconto County Shoreland Protection Ordinance

A **Nonconforming structure** is a lawfully placed structure which does not meet the required shoreland setback. The required shoreland setback is 75 feet from the Ordinary High Water Mark (OHWM), unless setback averaging applies to the principal structure. Additions and expansions to a principal structure beyond the 75 ft setback to OHWM are allowed, provided all other ordinance requirements are met.

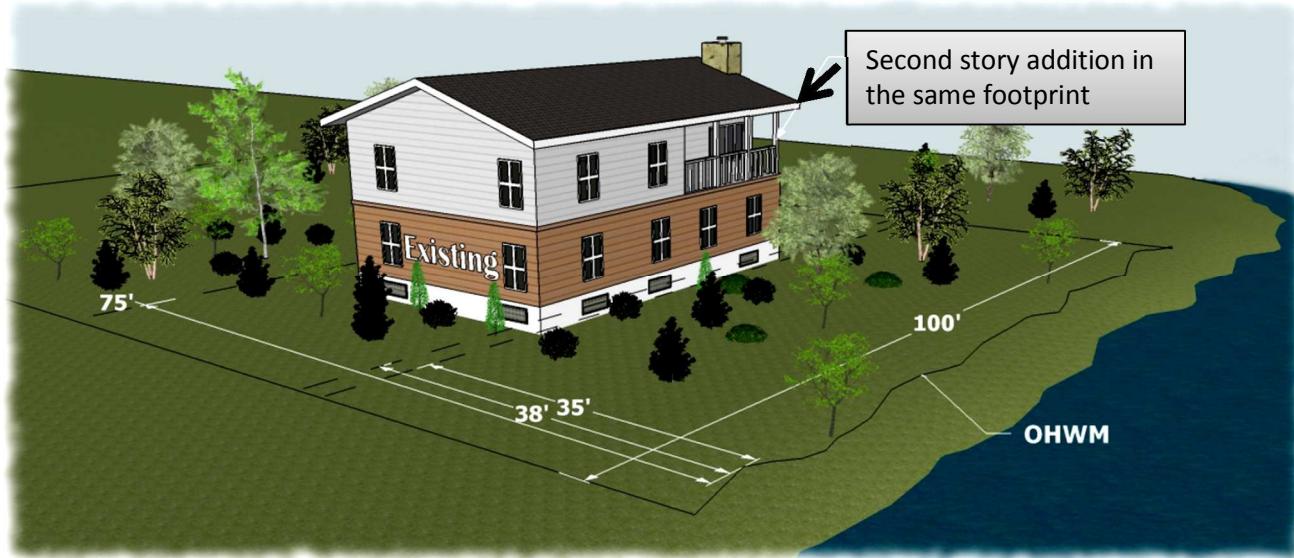


### Maintenance, Repair & Replacement

An existing nonconforming principal or accessory structure may be maintained, repaired, replaced, rebuilt or remodeled in the same location. The activity may not expand the footprint of the nonconforming structure, unless the expansion is necessary to comply with other applicable state or federal requirements. (Example- UDC). These activities do not require mitigation. Please contact our office to determine what permits are necessary.

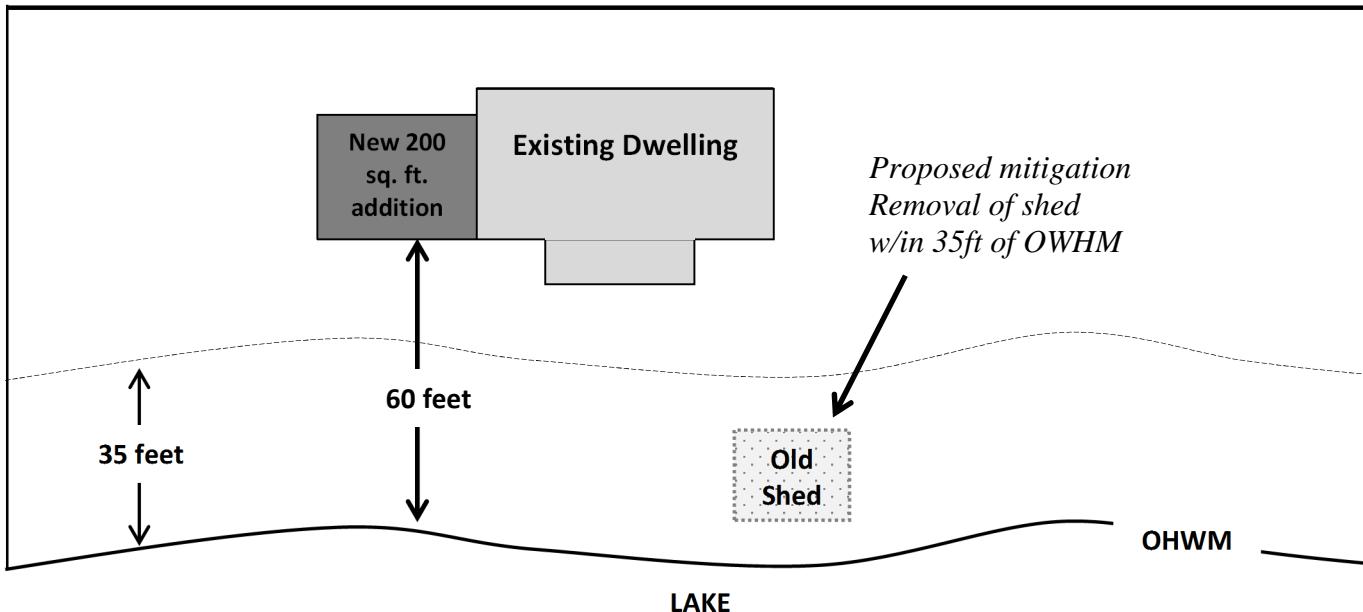
### Vertical Expansion

An existing nonconforming principal or accessory structure may be vertically expanded in the same location to a maximum height of 35 feet above grade level. The activity may not expand the footprint of the nonconforming structure, unless necessary to comply with other applicable state or federal requirements. (Example- UDC). Please contact our office to determine what permits are necessary for the vertical expansion of a nonconforming structure.



## Lateral Expansion of a Principal Structure within the Shoreland Setback

To permit lateral expansion, the existing principal structure must be located at least 35 feet from the OHWM. The structure may be expanded laterally within the required shoreland setback provided the addition does not exceed 200 square feet in size and it is no closer to the waterway than the existing structure. A one-time lateral expansion is allowed over the life of the structure. (3) Mitigation points are required. Mitigation measures are required to offset the impacts from development close to a waterway. Refer to the Oconto County Mitigation Guidebook for more information on how these mitigation points can be earned. All other setbacks and ordinance provisions must be met. See example below.



## Relocation of a Principal Structure within the Shoreland Setback

The existing principal structure must be located at least 35 from the OHWM. The structure may be relocated on the property as long as no portion is closer to the OHWM than the existing structure and the County determines that no other location is available on the property to build a principal structure of equal size that would conform to setbacks. (1) mitigation point is required for this activity. Mitigation measures are required to offset the impacts from development close to a waterway. Refer to the Oconto County Mitigation Guidebook for more information on how these mitigation points can be earned. All other setbacks and ordinance provisions must be met. See example below.

