

**ARTICLE IV**  
**ZONING DISTRICT REGULATIONS**

Article IV contains the requirements for each of the zoning districts in Manitowish Waters. The requirements include listing permitted uses, conditionally permitted uses, yard and building height requirements. Readers are referred to the official zoning map which is on file at the town's office for descriptions of district boundaries. Any change in the zoning map requires approval of the Manitowish Waters Board following the procedures specified in Article 10.6 of this Ordinance. In all zoning districts, any use not specifically listed as a permitted use shall require a conditional use permit before the use is permitted.

**4.1 Single Family Residential District (1).**

- A. The purpose of the Single Family Residential District is to create areas for exclusive low density residential use and prohibit the intrusion of uses incompatible with quiet and comfort of such areas.
- B. Permitted Uses:
  - 1. Single family detached dwelling units which meet the yard requirements of the district
  - 2. One guest house which may be occupied on a temporary basis, rent-free basis for no more than six months of any one year.
  - 3. Home occupations as defined in Article XIII of this Ordinance and which meet the following requirements A through G. All home occupations started after June 18, 1996 shall require a home occupation permit issued by the Zoning Committee.
    - A. The total space used for the home occupation shall not exceed 50% of the gross floor area of the principal building.
    - B. Other than immediate family, there shall be no more than one full time or two part time employees.
    - C. There shall not be any outside storage associated with the home occupation.
    - D. All work shall be conducted entirely within one building.
    - E. If the home occupation involves students, there shall be no more than four students present at any one time with a maximum of eight students per day.
    - F. There shall be no rooming provided to anyone outside of the immediate family except for one employee or one student.
    - G. No activity shall be permitted which is noxious, offensive or hazardous by reason of pedestrian or vehicular traffic, or by the creation of noise, odor, refuse, heat, vibration, smoke, radiation or any other objectable emissions, or by interference with television, radio, or similar reception.
    - H. Rear Yard Requirements: Principal building is 45 feet as measured from the edge of the property line or in each instance where the property is bounded by a public road, the setback shall be from the right of way. Accessory building; 18 feet.
  - 4. Metal clad or pole building not exceeding 26 x 30 shall be permitted in this district. These structures shall not be used as a principal residence.
- C. Building Height Limits and Livable Minimum Area:
  - 1. Principle building may not exceed 30 feet.
  - 2. Accessory building may not exceed 15 feet, except farm buildings.
  - 3. The minimum livable square foot area for any one living unit must be 960 square feet with minimum seven foot ceiling height which may include finished exposed basement.
- D. Minimum Lot Areas:
  - 1. Unsewered backlot: 2. acres. Length shall not be greater than three time lot width, 200 feet minimum, to attain the necessary square feet.
  - 2. Unsewered lake lots; 50,000 square feet. Length no greater than four times it's width, 200 feet minimum, at building line, to attain necessary square footage.

- E. Minimum lot width:
  - 1. Unsewered back lots: (see D-1 this section).
  - 2. Unsewered lake lots: 200' minimum at building setback line (building setback line is 75' from the Ordinary High Water Mark) and 200' at the shoreline, measured between the two points where the side lot lines intersect the OHWM.
- F. Building setback Requirements: Highway setbacks for principal and accessory building shall be in accord with section 3.2 E of this Ordinance. The minimum setback for all structures shall be 75 feet from the high water mark of all navigable waters, except for boathouses.
- G. Sideyard Requirements: Principal building is 25 feet. Accessory building 15 feet.
- H. Rear yard Requirements: Principal building is 45 feet as measured from the edge of "right-of-way" or easement. Accessory building; 18 feet.
- I. Timber Cutting: Timber cutting on any land in this district is prohibited except as provided in Article III 3.5 & 3.10.
- J. Any additions of bedrooms to structures in this district shall first require sanitary form 11-81 be secured from a licensed sanitary engineer before permit application.

**4.2 Multiple Family Residential District (2):**

- A. The purpose of multi-family residential districts is created to provide areas for apartments, townhouses, and condominiums with the necessary supporting uses but free from incompatible uses.
- B. Permitted uses: All uses permitted in District 1; multi-family dwelling units; apartments; townhouses; condominiums; resorts which do not serve food or alcoholic beverages. Conditional uses: motels, resorts which serve either food or alcoholic beverages.
- C. Building height limits: Principal building; 30 feet, Accessory; 15 feet.
- D. Minimum Lot Areas; Unsewered Backlots: 2 acres plus 15,000 square feet for each additional contiguous dwelling unit. Lot area not to include more than 10% wetlands.  
Unsewered Lake Lots: 3 acres with a minimum 300' width at the shoreline, measured between the two points where the side lot lines intersect the Ordinary High Water Mark and 300' minimum width at the building line (building line is 75' from the OHWM). Lot length may not exceed 3 times lot width. Six living units maximum. Lot area not to include more than 10% wetlands.
- E. Minimum Lot Width: See Paragraph "D" just preceding.
- F. Building Setback Requirements: Highway setbacks shall be in accord with section 3.2 E of this Ordinance. The minimum setbacks for all structures shall be 75 feet from the high water mark of all navigable waters, except boat houses.
- G. Side Yard requirements: Principal building; 25 feet, Accessory-buildings; 18 feet.
- H. Rear Yard requirements: Principal building; 45 feet, Accessory buildings; 18 feet, as measured from the property line or in each instance where the property is bounded by a public road, the setback shall be from the right of way.
- I. Tree Cutting: on any land in this district is prohibited except as provided for in Article III 3.5 & 3.10.

**4.3 Community Business District (3)**

- A. Purpose: This district established to create and preserve and protect unincorporated villages which historically been places where retail stores and services have located. Lot area and dimension requirements in this district are lower than in other districts in order to promote compact business district environments.
- B. Permitted uses: (refer to Paragraph J for additional restrictions). Retail stores and services under 8,000 square feet; professional offices; eating and drinking establishments; financial institutions; indoor theaters; bowling; indoor recreation; hotels; motels; resorts; single-family residence attached to commercial uses; auto service centers; marines and marinas; uses of district #1 & # 2; automotive and R.V. sales and services; utility facilities such as telephone, electric substations where no transformers or bulk tanks or storage required; storage buildings and warehouses. Conditional Uses: Any structure 8,000

square feet and over; any franchise store.

- C. Building Height Limits: Buildings may not exceed 30 feet.
- D. Minimum Lot Areas: Unsewered backlots; 40,000 square feet. Unsewered lake lots; 40,000 square feet.
- E. Minimum Lot Widths: Backlots unsewered; 100 feet  
Unsewered Lake Lots: 200' minimum at the building setback line (building setback line is 75' from the Ordinary High Water Mark) and 200' at the shoreline, measured between the two points where the side lot lines intersect the OHWM.
- F. Building Setback Requirements: Unsewered backlots; sufficient setback to accommodate car parking requirements. Lake lots; 75 feet from highwater mark.
- G. Side Yard Requirements: No side yard requirements where abutting established business structures, except where it adjoins a different zoning district, in which case it must conform to the district to which it abuts.
- H. Rear Yard Requirements: 25 feet.
- I. Timber Cutting: Timber cutting on any land in this district is prohibited except as provided in Article III 3.5 & 3.10.
- J. Accessory (Storage) Buildings: associated with businesses in this district larger than 30 x 40 feet shall not be located closer than 50 feet from zoning district I & II and shall be reasonably screened with natural materials defined in Article XII. No metals clad pole buildings shall be allowed for a principal place of business.

#### **4.4 Recreational District (4):**

- A. The recreational district is created to provide areas for mixture of residential and business uses which oriented towards recreation. Permitted use are: District I & II, motels, resorts, taverns, clubs, sporting goods, and bait shops. Special Uses: mobile home parks, campgrounds, kennels, stables, radio and television transmitters.
- B. Building Heights: Principal building; 30 feet, Accessory buildings; 20 feet.
- C. Minimum Lot Sizes Depending on proposed use, see previously described regulations covering specific lot sizes and minimum areas. Minimum lot area for hotels and motels shall be 60,000 square feet. These lots shall have a minimum width of 300', at the shoreline, measured between the two points where the side lot lines intersect the Ordinary High Water Mark and 300' minimum width at the building line (building line is 75' from the OHWM), and a minimum depth of 200'. The square foot area base of a single story building and parking area shall not exceed 50% of the minimum lot area.
- D. Building Highway Setback Requirements: Setbacks for principal and accessory buildings shall be in accord with section 3.2 E of this Ordinance. The minimum setback for all structures shall be 75 feet from the ordinary high water mark of all navigable waters, except for boathouses.
- E. Side Yard Requirements: Principal buildings; 25 feet, Accessory buildings; 15 feet.
- F. Rear Yard Requirements: Principal buildings; 45 feet, Accessory buildings; 18 feet.
- G. Timber Cuttings Timber cutting on any land in this district is prohibited except as provided in Article 3.5 & 3.10.

#### **4.5 Light Manufacturing District (5):**

- A. Purpose: The Light Manufacturing District is created to provide areas for light manufacturing and commercial activities which may not be compatible with residential uses. While the district does permit residential and general commercial uses, such uses enter the district aware that incompatibilities may affect their property.
- B. Permitted uses: All uses permitted in the 1, 2, 3, and 4 Districts. Also wholesale business, warehousing, indoor recreation, parks, cemetery, public housing, golf courses, and utilities.
- C. Conditional Uses: Airport and landing fields.
- D. Building Height Limits: Buildings may be erected to a height not exceeding 30 feet.
- E. Building Setback Requirements: Highway setbacks for principal and accessory buildings shall be in

accord with Section 3.2 E. of this Ordinance. The minimum setback for all structures shall be 75 feet from the ordinary high water mark of all navigable waters, except for boathouses.

- F. Side Yard Requirements: Principal buildings; 25 feet, Accessory buildings; 20 feet.
- G. Rear Yard Requirements: Principal buildings; 45 feet, Accessory buildings; 18 feet.
- H. Minimum Lot Width:
  - 1. Unsewered back lots: 100 feet at building setback limits
  - 2. Unsewered lake lots: 200' minimum at the building setback line (building setback line is 75' from the Ordinary High Water Mark) and 200' at the shoreline, measured between the two points where the side lot lines intersect the OHWM.

#### **4.6 Agriculture District (6):**

- A. Purpose: The purposes of the Agriculture District are to preserve land and water resources for food and fiber production, and preserve productive farms by preventing land use conflicts between incompatible uses. The District is generally intended to apply to lands in productive farm operations including lands historically exhibiting good crop yields or capable of such yields; lands which have been demonstrated to be productive for dairying, livestock raising, and grazing; land suitable for specialty crops such as cranberry production, sod farms, Christmas trees, and other types of food and fiber products. Wood lots and forest land which are part of commercial farm operations may be included in the district.
- B. Permitted Uses: Agricultural, animal husbandry and forestry uses; residential use; essential services; roadside stands selling products produced on the farm; structures and improvements that are consistent with and contributing to agricultural use.
- C. Building Height Limits: Buildings may not exceed 30 feet.
- D. Minimum Lot Areas: 35 acres.
- E. Minimum Lot width:
  - 1. Unsewered back lots: 100 feet at building setback limits.
  - 2. Unsewered lake lots: 200' minimum at the building setback line (building setback line is 75' from the Ordinary High Water Mark) and 200' at the shoreline, measured between the two points where the side lines intersect the OHWM.
- F. Building Highway Setback Requirements: Highway setbacks for principal and accessory buildings shall be in accord with section 3.2 E. of this Ordinance. The minimum setback for all structures shall be 75 feet from the ordinary high water mark of all navigable waters, except for boathouses.
- G. Side Yard Requirements: Principal buildings; 25 feet, Accessory buildings; 20 feet.
- H. Rear Yard Requirements: Principal buildings; 45 feet, Accessory buildings; 18 feet.

#### **4.7 Governmental District (6):**

Minimum lot sizes and building setbacks depending on proposed use, see previously described regulations covering specific lot sizes and minimum areas.

**NOTE:** The minimum setback for all structures in the above listed districts shall be 75 feet from the ordinary high water mark of all navigable waterways, with the exception of boathouses (see Ordinance 5.9(3)).