

## Pattern of Development – Reduced Setback

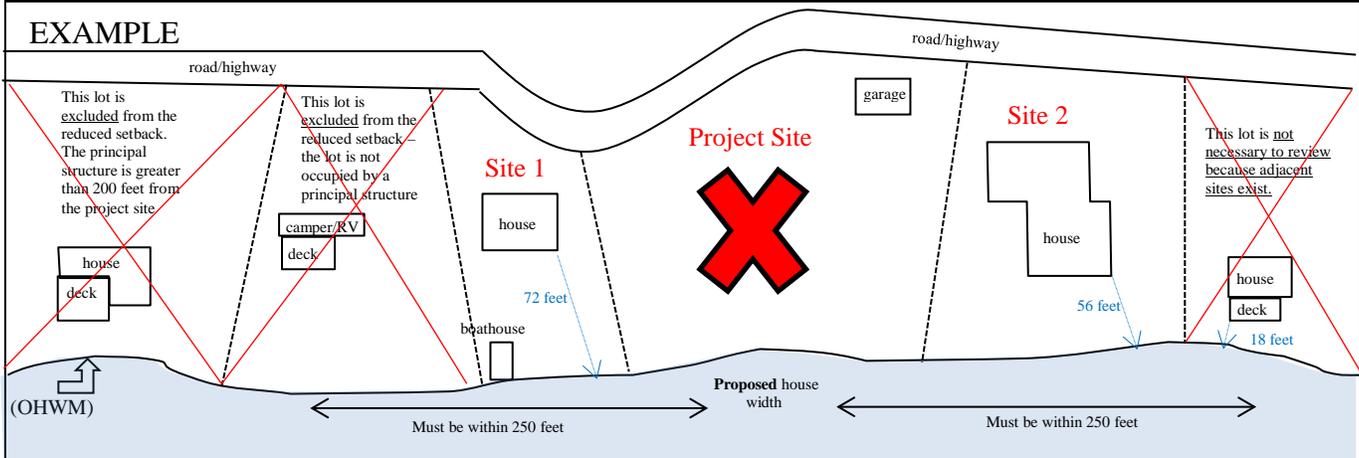
(pattern of development inspection fee - \$100.00)

Structures that are located closer than the 75 foot ordinary high water mark setback are typically considered nonconforming and expansion of those structures is limited. In situations where a **Pattern of Development** exists, a setback of less than 75 feet from the ordinary high-water mark may be allowed if the following standards are met:

**Pattern of Development** means (2) principal structures within 250 feet of the proposed or existing principal structure. Principal structures must be on separate, individual lots, adjacent to each other, and cannot be separated by road, waterway, or rail-road. The (2) structures must be located within 75 feet of the OHWM.

- Only legal principal structures (i.e. home, dwelling) on adjoining buildable lots and those within 250 feet of the proposed addition or structure may be used for averaging.
- The average setback shall not be less than 35 feet nor more than 75 feet from the ordinary high-water mark.
- Illegal principal structures cannot be used for setback averaging.
- Only one application for a reduced setback may be granted per lot.

### EXAMPLE



Step #1 – Verify that adjoining principal structures exist within 250 feet laterally of the proposed principal structure. Principal structures on adjoining sites 1 and 2 are less than 250 feet from the project site.

**Step # 1 is confirmed!**

Step # 2 – Measure the setbacks between the principal structures on sites 1 and 2 and the OHWM. The measurements are taken at the wall of the structure or support poles of deck / pergola unless greater than a 2 foot overhang exists. Site 1 = 72 feet, Site 2 = 56 feet.

**Step # 2 is completed!**

Step # 3 – Take the average of the setbacks from step # 2.  $72 \text{ feet} + 56 \text{ feet} = 128 \text{ feet} / 2 \text{ total sites} = \mathbf{64 \text{ foot reduced setback}}$

**Additional notes:** The boathouse on site #1 cannot be utilized because it is not a principal structure. Only the proposed home and an attached deck would qualify for the 64 foot reduced setback on the project site. Retaining walls and accessory structures do not qualify for reduced setbacks.