

LLPOA - Dock Committee Status

Orig. Report out - 4/23/2019

Update – 6/25/2019

Original Charter of Team

Ordinance Violations (Excerpt's of Minutes from the 2/22/19 LLPOA Minutes)

Wayne Hodges stated that a number of residents had received violation notices from the Township related to their docks and indicated that individuals receiving the violations needed to handle it.

Any changes to the current ordinance would need to go through the Planning Commission. Chuck Sargent suggested a position letter be sent to the Township Board and Planning Commission.

Paul Carthew asked about the background for the violations and was told that the Township had received a number of complaints from residents related to the number of docks at some parcels.

The ordinance officer plans to revisit all violations in the spring to determine compliance. **Bob Schram proposed establishing a committee to develop a new dock ordinance proposal.**

Paul Hosner offered to chair a committee to recommend a change to the dock ordinance.

Chuck Sargent stated that with 208 parcels allowing 2 boats per dock, the marinas contributing 78 additional boats and the DNR launch having space for 29, the total was approximately 525 boats. That number matches the recommended maximum capacity for a 460 acre lake.

The newly formed committee was asked to report on their progress at the April meeting

Dock Sub-committee Members

- Chair – Paul Hosner
- Supporting work team:
 - Chris Tanana
 - Pete Hovland
 - Robert Schram
 - John Barczyk
 - Mike Bartlett

Topics to be discussed tonight:

- Items – “In Scope” of team assignment.
- Overview of Current Ordinance
- Clarification from Addison Twp. – Enforcement Officer (Update from the April Mtg. to clarify allowable “Dock” configurations).
- Reasons to consider modifying Dock Policy, Section 13.03.1
- Proposed “In Scope” minor amendments for discussion and possible Membership Vote
- If approved – team will work with Addison Township for consideration to amend affected ordinance(s).

In Scope

- ✓ **Recommend a change to the dock ordinance to if warranted to resolve violations issues.**

Out of Scope

- Enforcement protocol by Addison Township
 - Policies and procedures currently exist for enforcement.
- 2 Boat Limit
 - Not part of original team charter.

Addison Township Dock Guidelines – **Blue Text**

Section 13.03 – Lake Lot District (An Overlay District)

1. *Lake lots zoned for single-family residential use may include as an accessory use a single private dock which shall not exceed thirty-five (35) feet in length or six (6) feet in width, provided that not more than two (2) boats shall be moored at such dock and boats which are not owned by residents of the lake lot shall not be permitted to be moored at such dock.*
2. Boathouses or permanent hoists may be permitted on lake lots zoned for single-family use only after special approval is granted by the planning commission in accordance with the procedures, requirements and standards set forth in Article 30, subject to any conditions imposed by the planning commission, and in accordance with the following minimum standards:
 - a) A maximum of one (1) single boathouse or one (1) permanent boat hoist larger than five (5) feet in height or capable of hoisting more than one (1) boat at a time may be permitted per single-family lot.
 - b) The boathouse or hoist shall not be more than one (1) story high and shall not be greater than twelve (12) feet in height at the peak of its roof. Height is measured as the distance above the ordinary high-water mark.
 - c) No plumbing facilities shall be installed, except one cold water hose bib for boat washing purposes.
 - d) The boathouse or hoist shall not be used for either a temporary or permanent sleeping or living quarters or as a commercial boat shelter.
 - e) Maximum area permitted shall be three hundred thirty (330) square feet.
 - f) Minimum setback from the side lot line shall be five (5) feet.
 - g) The structure shall be determined compatible with the surrounding district and land uses and shall not impair the view or use of the lake by neighboring property owners.
 - h) Such boathouse or hoist shall be constructed in compliance with local, state, and federal permit requirements, including, but not limited to, those administered pursuant to the Inland Lakes and Streams Act, P.A. 346 of 1972 [Part 301 of Public Act No. 451 of 1994 (MCL 324.30101 et seq.)], as amended.

Section 13.03 – Lake Lot District (An Overlay District)

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Township Enforcement Officer Clarification to Dock Definition

Mr. Bartlett,

Below, please find the Planner's interpretation of ordinance Sec. 13.03-1 for your information...emphasis added:

"The intent of the zoning ordinance is a single dock limited to no more than six feet in width and thirty-five feet in length. No extensions (e.g. T, L, Y or any other letter).

The intent of the zoning ordinance is to minimize the interface between the dock and shoreline. Furthermore, the intent is to limit interference with the approach to the shoreline.

The length of the top of the "T" or "L" limits (disrupts) the approach to the shoreline.

Property owners should choose a boat with a draft that can be utilized based upon the depth of the water. I note that a dock definition that was given to Doug was for "ships". It is not the intent of the Addison Township Zoning Ordinance to meet the needs of "ships" given the depth of our lakes."

"The one dock does not include a second dock, regardless of the duration of its existence, nor can one have multiple docks as long as the total length of all docks does not exceed thirty-five feet"

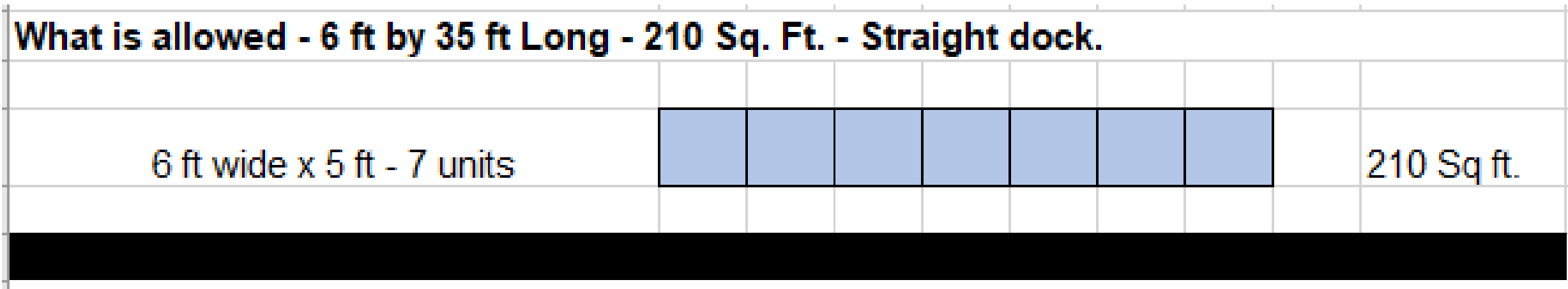
This is the interpretation that I am compelled to enforce. Please feel free to contact me if you require further information or clarification.

Regards,

Doug Lowe
Building Official/Inspector
Ordinance Enforcement

To be in compliance we are allowed this.

What is allowed - 6 ft by 35 ft Long - 210 Sq. Ft. - Straight dock.									
6 ft wide x 5 ft - 7 units									210 Sq ft.



5 ft length was used for ease of examples (most dock sections are 3 x10 or 4 x 10).

Real world images = needs of lake owners?

2002 examples – Smiths Marina View

PROPERTY GATEWAY

Print the Map!



Standard Detailed Hybrid More...

- 2008 BW Aerial Imagery
- 2005 Aerial Imagery
- 2002 Aerial Imagery
- 2002 BW Aerial Imagery
- 2000 Aerial Imagery

Dynamic Layers

- Municipal Boundaries
- Roads
- Railroads
- 2 Foot Contours
- 5 Foot Contours

A vertical scale bar is visible on the left side of the map.

2002 examples by public launch

COUNTY OF HENRIETTA
PROPERTY GATEWAY

Change Password

Print the Map!

Standard Detailed Hybrid More

- 2006 BW Aerial Imagery
- 2005 Aerial Imagery
- 2002 Aerial Imagery
- 2002 BW Aerial Imagery
- 2000 Aerial Imagery

Dynamic Layers

- Municipal Boundaries
- Roads
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- 2 Foot Contours
- 5 Foot Contours

Lake life today..... actual lake residents.



Reasons to consider modifying Dock Policy, Section 13.03.1

- Lakeville Property Owners needs have changed since the ordinance was implemented in 1988.
- Original ordinance did not allow any dock variations for “practical use configurations”.
- Boats and needs are different now from the 80’s, i.e. Wake Boats, Tri-toons and Jet Ski’s have created increased wave action, compelling owners to install hoists and additional walkways to maintain safe mooring and boat boarding.
- Docks now provide a social setting – fishing, sitting, watching sunsets, Kayak and Paddle board storage, etc.
- The need for fairness and consistency, without sacrificing safety is needed that is in tune with the needs of the Lake Property Owners.
- Owners with more that 75 feet of frontage have adequate space to allow an additional dock / walkway, current provisions do not permit this option.

Reasons to consider modifying Dock Policy, Section 13.03.1

- More configurations, allows space for another boater to stop and visit and have a place to tie up.
- Existing Ordinance is unmanageable for both the township and the Lake Property Owners, as displayed by widespread non-compliance.
- Inconsistent enforcement over the 30 years since adopted has added to Lake owner confusion as to what is allowed.
- “Grandfathering” is an enforcement nightmare for the township and unfair to those not grandfathered in.
- The ordinance, as written, failed to achieve its goal as evidenced by the degree of non compliance and the fact that as many as 80% by some estimates may be noncompliant in some way, many due to dock configurations.
- Minor suggested edits to the existing dock policy can resolve likely 90% of existing compliance issues with minimal impact to intent of original ordinance.

Suggested Modification to existing Dock Policy (**changes noted and deletions**)

Section 13.03.1 - Required regulations and conditions.

*Lake lots zoned for single-family residential use may include as an accessory use a single private dock **for lot sizes up to 75 feet wide at the shoreline or two single private docks for lot sizes greater than 75 feet wide at the shoreline.***

***Such docks may** ~~which shall~~ not exceed thirty-five (35) feet in length **and two-hundred and twenty feet (220) in total area regardless of configurations.** ~~or six (6) feet in width, provided that not~~*

No** more than two **(2) motorized** boats **per lot** shall be moored at such dock **(s)** and boats which are not owned by residents of the lake lot shall not be permitted to be moored at such dock **overnight.

No boat shall be moored at such dock (s) of a size and configuration that extends into a neighbor's property. As of the date of approval of this ordinance change, _____, no new docks or hoist shall be installed that are within nine (9) feet of any adjoining lot line.

Suggested Modification to existing Dock Policy – Proposed final verbiage

Section 13.03.1 - Required regulations and conditions.

Lake lots zoned for single-family residential use may include as an accessory use a single private dock for lot sizes up to 75 feet wide at the shoreline or two single private docks for lot sizes greater than 75 feet wide at the shoreline.

Such docks may not exceed thirty-five (35) feet in length and two-hundred and twenty feet (220) in total area regardless of configurations.

No more than two (2) motorized boats per lot shall be moored at such dock (s) and boats which are not owned by residents of the lake lot shall not be permitted to be moored at such dock overnight.

No boat shall be moored at such dock (s) of a size and configuration that extends into a neighbor's property. As of the date of approval of this ordinance change, _____, no new docks or hoist shall be installed that are within nine (9) feet of any adjoining lot line.

Next steps

1. This Proposal gets us 95% of what we need,
 1. Lets Vote on it
 2. If approved have committee work with Addison Township to implement
 3. If fails, next steps?
2. Send back to Committee – Don't take a vote today.
3. ?

