

East Bay Charter Township

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East Bay Charter Township
Grand Traverse County
Ordinance #10-09

AN ORDINANCE TO AMEND SECTION 231, FOREST LAKES OVERLAY DISTRICT OF
THE EAST BAY CHARTER TOWNSHIP ZONING ORDINANCE.

EAST BAY CHARTER TOWNSHIP HEREBY ORDAINS:

1. Section 231, 6, f, is hereby amended to read as follows:
 - f. Shoreline Structures. Any ~~permitted~~ new accessory structure, such as accessory buildings, stairways, docks, decks or other man-made structure as permitted under this section, shall be constructed of wood, or if constructed of metal or composite material, shall be finished with a non-glossy or non-reflective surface, paint or powder coat material to prevent glare and to blend well with the natural surroundings. Docks, boathouses, boat lifts and similar structures shall be located in conformance with the sideyard setback requirements and such sideyard setback lines shall be extended to include bottom lands on any waterfront lot, as provided by Michigan law.
2. Section 231, 6, is hereby amended to add the following subparagraph g:
 - g. Subject to the terms of subparagraph 6, c, of this Section, stairways, stairway landings, deck paths and similar accessory structures may be located between the ordinary high water mark and the required 50-foot waterside setback line. The total width of such structures shall be not more than five (5) feet measured generally perpendicular to the path of travel. Stairways shall be constructed in accordance with the requirements of the Michigan Building Code for exterior stairways. Such structures shall be located in conformance with all required side yard dimensions.
3. Section 231, 6, is hereby amended to add the following subparagraph h:
 - h. Waterside decks may be permitted to be located less than fifty (50) feet from the ordinary high water mark, under the following conditions:
 - 1) Such waterside deck shall be mounted on pillars or posts with the deck surface placed at an elevation of at least six (6) inches and not more than sixty (60) inches above the mean grade beneath such deck.
 - 2) Such waterside deck shall be located not less than ten (10) feet from any side lot line.
 - 3) The maximum area of a waterside deck shall be two hundred (200) square feet and any such waterside deck shall not reduce the percentage of native vegetation required to be established and maintained pursuant to subparagraph 6, c, of this Section.

4) Waterside decks and stairs shall not have a roof or other permanent impervious surface. This section shall not be interpreted to prohibit roll-up canopies, umbrellas or other temporary shade-providing furnishings.

5) A proposed waterside deck shall not be constructed until a site plan meeting the requirements of Section 820, has been submitted and a land use permit has been issued therefor by the Zoning Administrator, subject to Section 803.

4. Severability.

If any section, clause, or provision of this Ordinance be declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the remainder of the Ordinance. The Township Board hereby declares that it would have passed this Ordinance and each part, section, subsection, phrase, sentence and clause irrespective of the fact that any one or more parts, sections, subsections, phrases, sentences or clauses be declared invalid.

5. Effective Date.

This Ordinance shall become effective eight (8) days after publication.

CHARTER TOWNSHIP OF EAST BAY

Date: _____

By: _____
Glen Lile, Supervisor

Date: _____

By: _____
Susanne M. Courtade, Clerk

Published Date: _____, 2009

Effective Date: _____, 2009