

Charter Township of
West Bloomfield
Code Enforcement Division
(248) 451-4880

October 24, 2011

RE: Boat and Watercraft Storage

Dear Property Owner,

West Bloomfield Township recognizes that many of our residents enjoy boating within our lake community. As such, the township allows boat owners to keep their boats located on their property during the boating season, from April 1st through October 31st of each year. We would also like to take this time to remind boat and watercraft owners of the "special outdoor storage of lake-related items" ordinance.


During the off season, which is from November 1st through March 31st, waterfront property owners are allowed to have up to two boats or watercraft stored on their property. In addition, Twin Beach subdivision, which contains lots that have lake access, but are not waterfront properties, has received approval from the planning commission to store their boats or watercraft during the off season. In This case, lots with lake access are also allowed up to two boats or watercraft stored on their property.

The township encourages the storage of boats and watercraft off site or in fully enclosed buildings to reduce the potential of creating a blighting effect in our neighborhoods. Starting November 1st, your assistance is requested in kindly storing your boats or watercraft off site or inside a building if you do not live on a waterfront property or live in Twin Beach subdivision.

West Bloomfield Township is committed to maintaining the health, beauty, safety and welfare of our residential neighborhoods. Please know that we will be working with our valued residents during these difficult economic times.

All boat or watercraft storage is subject to the provisions of the "special regulations for outdoor storage of lake-related items" ordinance, which is attached for your convenience. Please contact the Code Enforcement Division at 248-451-4880 with any questions or concerns.

Sincerely,


Erik Beauchamp
Code Enforcement Supervisor
West Bloomfield Township

C: Tom Walsh, Community Development Director
Sara Roediger, Senior Planning Advisor
File



**ARTICLE IV.
SPECIAL OUTDOOR STORAGE OF LAKE-RELATED ITEMS**

Sec. 10-101. Special regulations for outdoor storage.

Taking into consideration the impact upon community development, and the potential for the creation of a blighting effect upon surrounding areas, the township encourages storage of boats and watercraft off site. Residential lots having frontage on, and/or subdivisions having township approval or officially recognized access to, a navigable watercourse for boating purposes and special outdoor storage of items used for recreational purposes in connection with the watercourse shall be governed by this article. Special outdoor storage means off season storage. Vacant single family lots shall not be eligible for approval under this article.

(Ord. No. C-483-A, § 1, 6-18-01; Ord. No. C-483-B, § 1, 7-1-02)

Sec. 10-102. Administration and definitions.

(a) This article shall be administered by the township planning commission, as it may be modified from time-to-time.

(b) In the interpretation of this article items used for recreational purposes in connection with a watercourse shall mean and include:

- (1) Boats and watercraft;
- (2) Swimming rafts or other non-inflatable floatation devices;
- (3) Watercraft trailers; and
- (4) Docks, boat lifts and boat hoists.

(Ord. No. C-483-A, § 1, 6-18-01)

Sec. 10-103. Owners of riparian lots.

(a) The owners of riparian lots that are developed with a single family residence shall, without the necessity of petition, be allowed to store not more than two (2) boats and/or watercraft together with their trailers subject to the following regulations:

- (1) Boat and watercraft storage may be in the lake yard and must be entirely within the lot.
- (2) Where storage is not possible under subsection 1, boat and watercraft storage may be in the side yard, but not within the minimum side yard setback as prescribed in the zoning ordinance, as amended, for the district in which the property is situated.
- (3) Where storage is not possible under subsections (1) or (2), boat and watercraft storage may be in the street yard and must be entirely within the lot, and, at least ten (10) feet from the edge of the right-of-way on the road side of the premises.
- (b) Docks, boat lifts and boat hoists may be stored only in the lake yard.

(Ord. No. C-483-A, § 1, 6-18-01; Ord. No. C-483-B, § 1, 7-1-02)

Sec. 10-104. Owners of non-riparian subdivision lots.

(a) The owners of all developed residential lots within a subdivision having township approved or officially recognized access to, a navigable watercourse for boating purposes may petition the planning commission to apply the following outdoor storage provisions throughout the subdivision, provided, however, such petition may not be filed with the township until a meeting of subdivision residents, convened by advanced written notice, and attended and facilitated by an independent person trained in conflict resolution, who is not a resident of or a property owner in the petitioning subdivision, has been conducted. The petition must be signed by at least (60) percent of the homeowners within the subdivision. The circulator(s) of the petition shall attempt to secure, and maintain a record of, the affirmative and negative response from the owner of each property within the subdivision. The affirmative responses shall be represented as signatures on the petition filed with the township. The negative responses shall be shown on a list filed with the township along with the petitions. The owners of properties who could not be contacted following at least two (2) attempts made during reasonable hours, an affidavit shall be filed with the petitions identifying those properties for which neither a negative nor positive response has been received, and indicating at least two (2) dates and times on which efforts were made to achieve personal contact with the owners of each of such properties.

(b) Following receipt of a petition and the additional required materials, all as specified above, the planning commission shall hold a public hearing after providing notice of the hearing to owners of record within the subdivision, to those owners of record adjacent to the subdivision and those subdivision associations that are also riparian to the same body of water. The request may be approved, denied or approved with conditions. Approval of the special outdoor storage provisions shall require a finding by the planning commission that by granting the request for special outdoor storage it satisfies a demonstrated need within the subdivision, taking into consideration the area and/or width of lot(s), and the lack of reasonably available alternatives to outdoor storage of items used for recreational purposes in connection with a watercourse. Improved lots shall be limited to not more than two (2) boats and/or watercraft together with their trailers. In the event that the planning commission determines subdivision relief is warranted, the planning commission, together with any conditions that it may impose as part of the approval, shall apply the following regulations in the listed order of preference:

- (1) Boat and watercraft storage in the rear yard subject to the provisions in section 26-33(3) of the zoning ordinance.
- (2) If a demonstrated need is shown as described in 10-104(b) above, then boat and watercraft storage may be in the side yard as close to the house as possible, but not within the minimum side yard setback as prescribed in the zoning ordinance, as amended, for the district in which the property is situated. However, if a demonstrated need is shown for the owners of non-riparian subdivision lots that storage within the side yard setback is necessary, the planning commission may grant some specific relief from this regulation providing that such relief assures that a minimum five (5) foot setback is maintained for properties with a width of seventy-five (75) feet or less and that a minimum ten (10) feet setback is maintained for properties with a width of greater than seventy-five (75) feet.
- (3) If a further demonstrated need is shown such that rear and side yard storage is unavailable as described in (b)(1) and (2) of this section, then boat and watercraft storage may be in the street yard and must be entirely within the lot, and at least ten (10) feet from the edge of the right-of-way on the road side of the premises.

(c) Docks, boat lifts and boat hoists may be stored in the subdivision owned lake yard; however, in the event that subdivision rules prohibit such storage then only provisions (b)(1) and (2) of this section, shall apply to the storage of docks, boat lifts and boat hoists.

(d) The determination of the planning commission on a petition submitted by a subdivision may be appealed to the township board. A written request for appeal shall be submitted to the township clerk within twenty-one (21) days of the date of the meeting at which the determination was made, and shall recite the reasons for the appeal. Notice of the hearing date and time for consideration of the appeal shall be sent to owners of township record within the subdivision to those owners of record adjacent to the subdivision and those subdivision associations that are also riparian to the same body of water. The township board shall review the appeal based upon the record made at the planning commission, and shall only reverse the decision if the determination was not lawful, or amounted to an abuse of discretion taking into consideration the record as a whole.

(Ord. No. C-483-A, § 1, 6-18-01; Ord. No. C-483-B, § 1, 7-1-02)

Sec. 10-105. Penalties for violation.

(a) Any person found to have violated a provision of this article shall be responsible for a municipal infraction.

(b) Each provision violated, and each day on which a violation is found to have occurred, shall constitute a separate offense.

(c) The penalty for a first violation of this article shall be the payment of one hundred dollars (\$100.00), and the penalty for a second and each subsequent violation within any two (2) year period shall be the payment of two hundred dollars (\$200.00).

(d) Nothing in this section shall preclude the township from seeking any other and further relief in law or equity in any court.

(Ord. No. C-483-A, § 1, 6-18-01)