

Access Regulations Yankee Springs Township

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ARTICLE XVIII RIPARIAN LOT USE REGULATIONS

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Sec. 18.1. Purpose.

- A. It is the purpose of this article to promote the integrity of the lakes within Yankee springs township while preserving the quality of recreational use of the inland water; to protect the quality of the lakes by discouraging excessive use; to promote the ecological balance of the waters by limiting incompatible land use of the wetlands associated with the lakes; and to maintain the natural beauty of the lakes by minimizing man-made adjustments to the established shorelines.
- B. Nothing within this ordinance shall be construed to limit access to the lakes or waterways by the general public by way of a public park, or public access site provided or maintained by any unit of state, county or local government.

Sec. 18.2. Definitions.

[The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

1. *Access property*: Shall mean a property, parcel, or lot abutting a lake or pond, either natural or man-made, and used or intended to be used, for the purpose of providing access to a lake or pond by pedestrian or vehicular traffic to and from offshore land regardless of whether said access to the water is gained by easement, common fee ownership, single fee ownership, lease, license, gift, business invitation or any other form or dedication or conveyance.
2. *Public easement or access*: Public easement or access shall mean any right of way or access across any parcel of land from a public or private road, to any lake within Yankee Springs Township, dedicated by a developer. All easements created after July 14, 1994, shall meet the requirements of sections 14.1 through 14.3

Sec. 18.3. Regulations.

In any zoning district where a parcel of land is contiguous to a lake or other waterway, either natural or man-made, such parcel of land may be used as access property or as common open space held in common by a subdivision, association or similar agency; or held in common by virtue of the terms of a plat of record; or provided for common use under deed restrictions of record; or owned by two (2) or more dwelling units located away from the water front only if the following conditions are met:

1. That said parcel of land shall contain at least seventy (70) feet of water frontage and a lot depth of at least one hundred (100) feet for each dwelling unit or each single family unit to

which such privileges are extended or dedicated. In the Gun Lake Residential Lake Front zoning district, the access parcel shall contain at least one hundred (100) feet of water frontage for each dwelling unit or each single family unit to which such privileges are extended or dedicated in order to maintain consistency with the standards of the other communities surrounding Gun Lake. Frontage shall be measured by a straight line which intersects each side lot line at the water's edge.

2. That in no event shall water frontage of such parcel of land consist of swamp, marsh, or bog as shown on the most recent U.S. Geological Survey maps, or the Michigan Department of Natural Resources Miris Map, or have otherwise been determined to be wetland by the Michigan DNR; and that in no event shall a swamp, marsh, or bog be altered by the addition of earth or fill material or by drainage of water for the purpose of increasing the water frontage required by this article.
3. That in no event shall such parcel of land abut a man-made canal or channel, and no canal or channel shall be excavated for the purpose of increasing the water frontage required by this article.
4. That access property, as provided for in and meeting the conditions of this ordinance, regardless of total area, shall not be used as a residential lot for the purpose of constructing a dwelling and/or accessory structure(s), or for any commercial or business use.

(Ord. No. 10-01-10, § IV, 10-14-2010)

Sec. 18.4. Use of Public Easements.

Use of public easements between public or private roads and any lake in Yankee Springs Township. These rules shall not apply to any easement within Yankee Springs Township where a court of law as previously set up operating regulations.

1. The use of any easement dedicated to the public shall not be limited to any group of residents of the state, county or township except as follows:
 - a. *Use shall be by pedestrian traffic only:*
 - (1) No person shall place anything on any easement that would prevent another person from using any part of the easement.
 - (2) No person shall be prevented from crossing any easement to gain access to any lake within the township.
 - (3) Ingress and egress shall not be denied to any privately owned property.
 - b. *Use of docks, boats, pontoons, jet skis and all other watercraft:*
 - (1) No dock, raft or similar equipment shall be placed in any lake within the boundaries of any easement. This section shall apply to those living adjacent to an easement as well as to those using the easement.
 - (2) No watercraft shall be moored at the end of any easement. This section shall apply to those living adjacent to an easement as well as to those using the easement.
 - c. *Limited hours of use of any public access:* No one shall use any public access between the hours of 10:00 p.m. and 7:00 a.m.
 - d. *Use of alcoholic beverages, drugs and/or controlled substances:* The use of alcoholic beverages, drugs and/or controlled substances shall be prohibited at all times.
 - e. *Nudity:* Full or partial nudity shall be prohibited at all times on any public easement.
 - f. *Trash, garbage and/or other refuse:* Every person using a public easement shall be required to pick up after themselves. Anyone caught littering will be prosecuted to the full extent of the law.