

Appendix 1
Recommendations for Minimum Lot Sizes and Setbacks for
LD-2 Low Density Single Family Residential

CURRENT REGULATIONS

The minimum lot width is 200 feet, front yard (street side) setbacks are 200 feet; rear (lake side) setbacks are 300 feet from the waterline and side yard setbacks are 30'. (This illustrated in the plan to the right.)

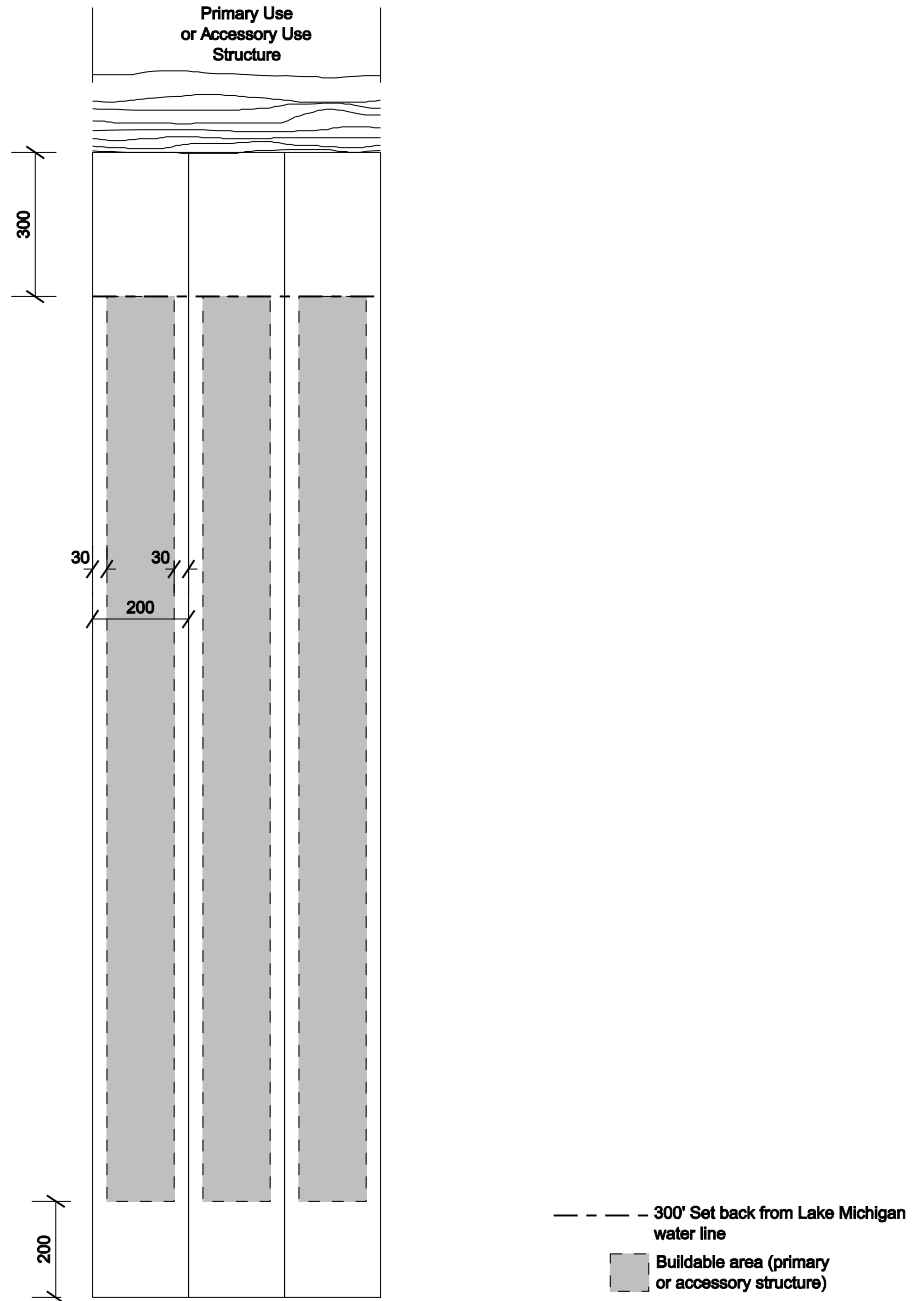
Existing Lot Sizes

Some of the lots in the fire lanes are only 100 feet wide. The 30 foot setback leaves 40 feet of width for building. When a lot has steep slopes on one side, a hardship may result and a variance is justified to reduce setbacks.

An owner or buyer and the architect or building designer should be aware of the limitations of these lots. A narrower lot will not accommodate as large a house as a 200 foot or wider lot.

Environmentally Sensitive Areas

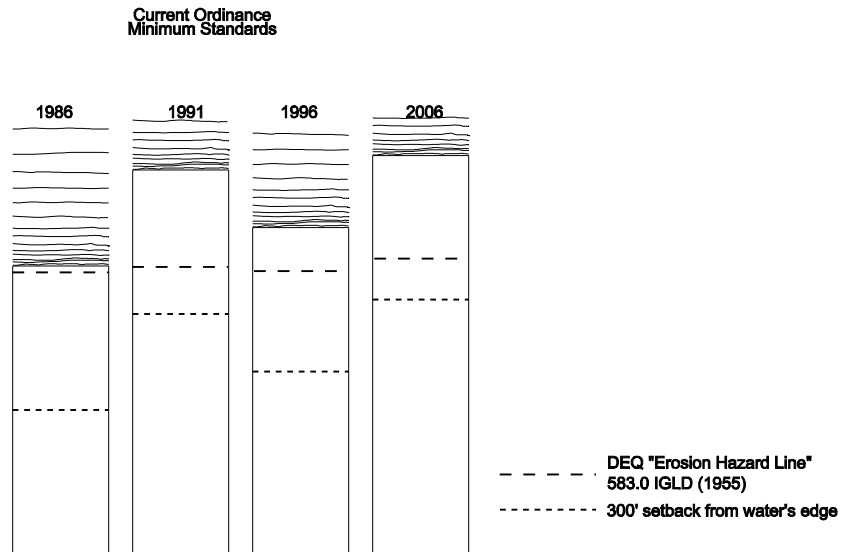
If a lot is located in the Environmentally Sensitive Area, only 7,500 square feet per 5 acres can be disturbed and/or cleared.



Changing Shoreline

One of the problems with the existing ordinance is the extent of variation from year to year in the location of the water line. The plans to the right show the location of the lake edge for different years. Depending on the year in which one builds, the setback line can vary 250 feet.

The DEQ's erosion hazard line is much less changeable and provides a more consistent basis for establishing a setback.



REVISED REGULATIONS

The regulations in the current draft of the zoning ordinance reduce the setbacks and the minimum lot width. These are illustrated in the plans to the right.

Minimum Lot Width

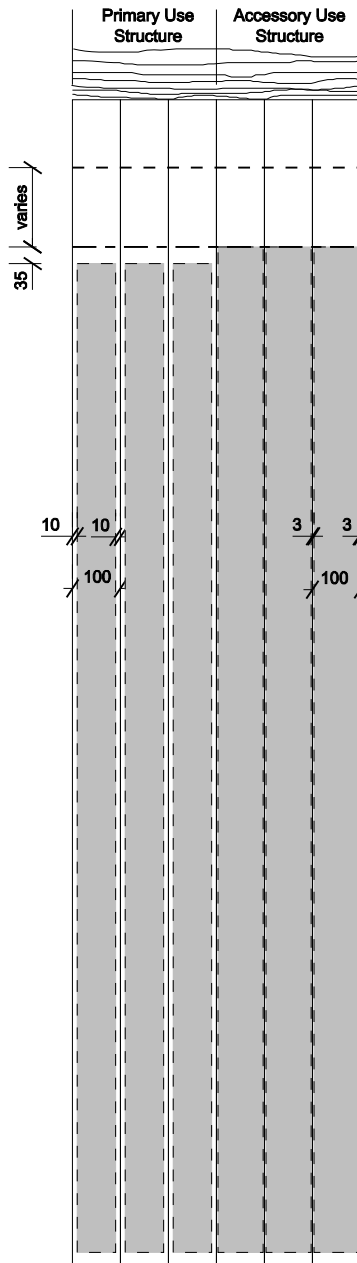
The lot width is cut in half, from 200 feet to 100 feet.

Setbacks

The street side setback has been reduced from 200 feet to 25 feet, and side yard setbacks are reduced to 10 feet for principal use structures (shown to right on the left three lots) and 3 feet for accessory structures (shown on the three right lots).

The water side (rear yard) setback for principal structures is set at 35 feet beyond the DEQ's 60-year erosion setback line or the top of the bluff (assume which ever is further landward).

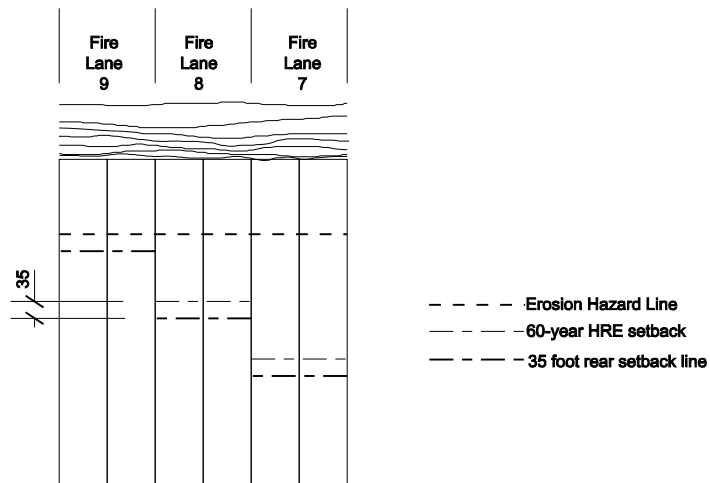
Accessory structures are permitted in the rear yard (between the principal structure and the 60-year setback line).



Proposed Ordinance

Water Side Setback Variations

Along the shoreline of the township, the 60-year setback varies from 0 feet behind the erosion hazard line to 260 feet. (This is illustrated in the plan to the right.)



CONSEQUENCES

There are a number of negative consequences that can result from the proposed changes.

1. Reducing the lot width will encourage subdivision of 200 foot wide or wider lots that are larger than ten acres. This will increase the *actual* density along the lake.

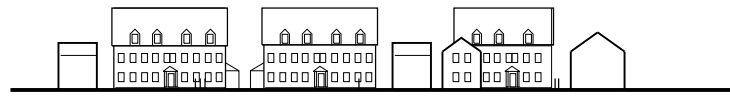
2. Reducing the side yard setback to 10 feet (3 feet for accessory structures) will result in a significant change in character of the area. See the illustration to the right.

The resulting development has an almost suburban or urban scale; and is a dramatic change from current development.

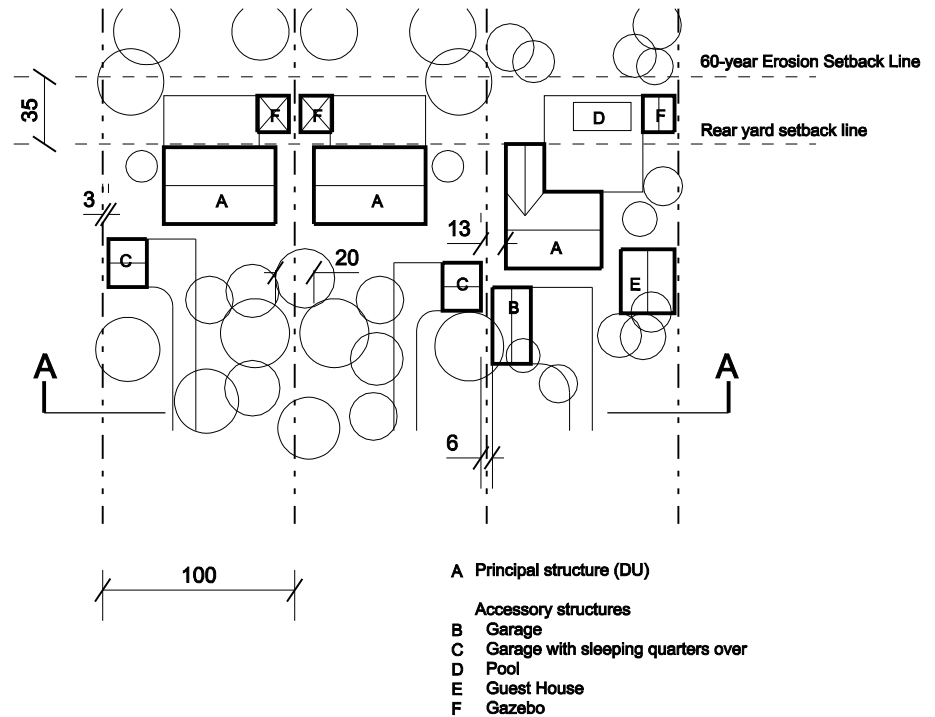
This may also create life safety issues because of the close proximity of accessory structures, which can include sleeping quarters, and the remoteness of the fire lanes from the fire department.

3. Reducing the front yard setback will change the character of the Blue Star Highway. It is now a scenic drive with a large portion of the east side between CR376 and Covert Road owned and protected by the Southwest Michigan Land Conservancy. Development on the west side is not visible from the highway.

4. Houses and accessory structures on the fire lanes are generally 60 feet apart. Reducing this to 20 feet for principal structures and 6 feet for accessory structures is counter to the intent of the LD-1 and ESO districts: "where fragile dunes and other environmentally sensitive lands require a larger lot size" [LD-1] and "to retain ... the open and natu-



Section/Elevation A-A



ral character of this land ..." [ESO].

5. Defining the rear yard as starting from the 60-year erosion setback line is defensible, but it is highly variable across the township. It only responds to one issue, erosion risk. It does not maintain the character of the lake front or protect views from existing homes. At Wilderness Dunes it would allow houses to be replaced with new ones very close to the lake (35 feet back) and in front of existing houses.
6. The elevation/section (A-A) across the three lots shown in

the plan above illustrates the potential end result of reduced setbacks and increased allowable height of principal and accessory structures. It is clearly different from the existing development on the fire lanes, where during the summer, one cannot see from one house to the next.

A PROPOSAL

For the past 18 years, the existing setbacks and lot widths have served the township and its residents well, and when enforced, have protected the ESO district.

Keep the existing regulations except as needed to fix specific problems.

Issues Needing Correction

The only problems with the existing regulations are the use of the water line to define the rear (lake-side) yard, and the large number of variances that are justified in Thunder Mountain, Linden Hills and Palisades Park.

Lakeside Setback

We suggest that the rear setback be established as 200 feet landward of the erosion hazard line (the DEQ will continue to enforce its erosion setback according to its rules).

Accessory structures can be allowed between the principal structure and setback line. No structure should be allowed within the minimum setback distances.

Areas with Smaller Lots

We further suggest that a new LD (low Density Detached Single Family Residential) District be created for the three areas listed above. The needs for these areas are not the same as for the fire lanes. There is too much difference for one set of regulations to serve both. A new district will eliminate the need for variances in most cases.

Consideration might be given to including Wilderness Dunes in this new district. Lots there are bigger than those of Thunder Mountain, Linden Hills and Palisades Park (generally 100 feet or 200 feet wide and vary in area from 0.8 acres to 3 acres). However, in the more open areas, the minimum setbacks are closer to 15 to 20 feet, less than the fire lanes.

