

PRESQUE ISLE TOWNSHIP
Planning Commission Agenda
November 6, 2023, @ 6:00 p.m.

Call to Order

6:00 p.m.

Pledge of Allegiance

Roll Call:

Approval of Agenda:

Approval of Minutes: (October 2, 2023)

Audience:

Comments from the Audience: 3 minutes per audience member.

Correspondence:

New Business:

- Approval of Proposed Parks & Recreation Plan for the Township
- Holcim Lake Esau Rezoning Request
- DNR Target Practice Facility

Unfinished Business:

- Target Shooting on Brown Island
- Discussion of Ordinances for December Public Hearings – Docks, Accessory Buildings, C-1 Green Belt and Jake Brake

Reports:

Position

Time

Zoning Administrator

Steve Lang

5 min.

TWP Board

Cynthia Paavola

5 min.

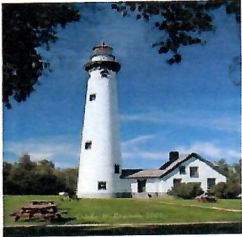
ZBA Liaison

Rick Kurkechian

5 min.

Adjournment:

Meeting Reminder: The Planning Commission will meet again on December 4, 2023 at 6:00 pm.



PRESQUE ISLE TOWNSHIP
Planning Commission Minutes
October 2, 2023,
@ 5:30 pm

Call to Order T. Guyer called the meeting to order at 5:30 p.m.

Pledge of Allegiance: The Pledge was recited.

Roll Call: C. Paavola, T. Guyer, T. Ludwig, L. Larkin - Absent: R. Kurkechian
Also in attendance was S. Lang, Zoning Administrator, J. Wiczorkowski, Treasurer & Chair Parks & Recreation Committee, Rusty Kauffman, Parks & Recreation Committee, B. Moran, Parks & Recreation Committee, J. Lefevre Parks & Recreation Committee and member of Master Plan Advisory Subcommittee and Eric Szymanski, NEMCOG

Approval of Agenda: T. Guyer requested the Approval of Minutes, Comments from the Audience and Correspondence to follow the Parks & Rec Master Plan. L. Larkin motioned to approve the agenda with the changes. C. Paavola seconded the motion. All ayes; motion carried.

Parks & Rec Master Plan – Presenter: Eric Szymanski, NEMCOG:

- The Goals and Objectives, additional opportunities and changes were identified. Additionally, a review of the "Introduction Section" under "Soils" was discussed regarding the monitoring of septic systems in coordination with the Health Department.
- E. Szymanski indicated the draft of the Township Parks & Recreation Plan must be done by October 31, 2023. J. Wiczorkowski will send out an email to invite the Planning Committee to the October 30, 2023 Parks & Rec Meeting for further review.
- Once the draft is approved, it must be sent to the County, posted on the Township website, the NEMCOG website, at the Township Hall, PI Association Clubhouse and PI Twp. Library for a 30-day review.
- On Monday, December 11, 2023, the Board of Trustees will hold a Public Hearing to finalize The Master Parks & Recreation Plan. If changes are to be made at this time, a Resolution or Special Board of Trustees meeting will be scheduled.

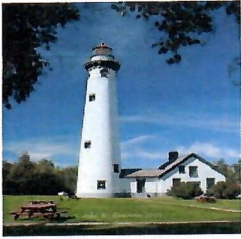
Approval of Minutes: (September 6, 2023) C. P motioned to approve the minutes as written. L. Larkin seconded the motion. All ayes; motion carried.

Audience: Nine residents and one Zoom attendee.

Comments from the Audience: N/A

Correspondence:

- T. Guyer received correspondence from M. McCoy regarding the firearms on Brown Island, which will be discussed under "Unfinished Business".
- M. Cermak letter asking whether Holcim has applied for zoning change yet.



PRESQUE ISLE TOWNSHIP
Planning Commission Minutes
October 2, 2023,
@ 5:30 pm

New Business:

- Site Plan Review – Charles and Bonnie Allen

Unfinished Business:

- Brown Island Issues –DNR Conservation Officer Paul Fox:

There is a Michigan statute that has a safety zone distance of 450' for shooting, but only applies to hunting. Automatic rifles need an ATF permit to shoot the firearm. Complaints of just target shooting aren't valid; however, if rounds hit the water or a residence, that is different. Martha Beach of Grand Lake questioned what restrictions could be made. Contact Lieutenant Gorno at the DNR office in Gaylord, as they oversee Presque Isle County. DNR Lieutenant Gorno, could, perhaps, prohibit firearms in certain areas in the Township.

In conversations with T. Guyer, Officer Brewbaker from the Sheriff's Department reported it is not illegal to target shoot and is difficult to enforce. Officer Brewbaker also said the DNR process at the Gaylord Office is the best way to address target shooting. The complaints about target shooting are a legitimate concern.

- Dock Ordinance

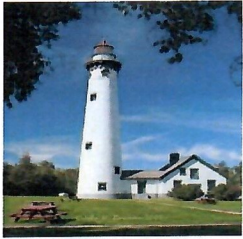
This ordinance will be addressed at the November meeting.

- Septic Systems and Well Water Tests – Presenter: Kevin Prevost, Director of Northeast Michigan Department of Health.

Mr. Prevost favors property transfer ordinances. This was done about 15 – 20 years ago but not now. An Existing System Evaluation is now in effect, as follows. If a resident adds bedrooms or changes the use of their structure that would impact sewage or the water supply, then the Health Department does an inspection. Hillman Township inspects septic systems every ten years for efficiency. Time of owner transfer is not feasible for the Health Department, as at this time resources are not available. Mr. Prevost suggested to involve a colleague of his who is involved in this type of transfer. He may be helpful and could ZOOM into a future Planning Commission meeting. Ms. Holman commented via ZOOM that Northwest Michigan is developing a plan to use an Evaluator or septic companies to inspect septic systems to try and preserve sanitation. The next PC meeting will discuss creating a new ordinance on this topic.

Site Plan Review – Charles and Bonnie Allen

- S. Lang presented the details of this request for an accessory structure on a very long, narrow lot. The owners also have a 1,720 square foot garage and shed on



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the property. The height of the house is 14 feet. The height of the requested accessory structure will be approximately 15' – 16' to the highest ridge.

- Mr. Allen presented his site plan request for his 30' x 40' accessory structure for boat storage. It would have power for lights and won't be visible from the roadway. A minimum amount of small and diseased trees will be cut down and additional fill is not planned. Mr. Allen said the shed on the property will be removed.
- Planning Commission deliberations discussed the details of this request and completed the Findings of Fact. All questions and answers are in compliance with the Master Plan. T. Ludwig motioned to approve the site plan. L. Larkin seconded the motion. Roll call vote. All ayes; motion passed.

Position		Time
Zoning Administrator	Steve Lang	5 min.

S. Lang gave a synopsis that he is in the middle of a lawsuit. He is being sued in Federal Court by a resident that claims their constitutional rights were denied when a stop-work order was posted for their building project. The Township insurance company and the Township attorney are involved.

Permits have slowed down. Short-Term Rental Application fees are coming in.

TWP Board (See attached report)	Cynthia Paavola	5 min.
ZBA Liaison (See attached report)	Rick Kurkechian	5 min.

Adjournment: T. Guyer adjourned the meeting at 6:45 p.m.

Meeting Reminder: The Planning Commission will meet again on November 6, 2023 at 6:00 pm.

**Presque Isle Township
Ordinance No. _____ of 2023**

USE OF ENGINE COMPRESSION BRAKES (JAKE BRAKE) ORDINANCE

An ordinance regulating the use of vehicle engine compression braking in designated areas within Presque Isle Township and to provide penalties for the violation of said ordinance.

Presque Isle Township, Presque Isle County, Michigan ordains:

SECTION 1. Title

This Ordinance shall be known and cited as the "Presque Isle Township Use of Engine Compression Brakes (Jake Brake) Ordinance".

SECTION 2. Purpose

It is the purpose of this Ordinance to secure the public health, safety and welfare of the residents and property owners by restricting the use vehicle compression brakes within designed areas of Presque Isle Township; and to provide penalties for the violation of said Ordinance, and to repeal all Ordinances and parts of Ordinances in conflict therewith.

SECTION 3. Definitions

As used in this Chapter:

1. "Engine Compression Brakes" means a "Dynamic Brake," "Jake Brake," "Jacobs Brake," "C-Brake," "Paccar Brake," transmission brake or any other engine retarding brake system that alters the normal compression of the engine and subsequently releases that compression and produces any noise in addition to the normal operating engine noise.
2. "Emergency Situation" means, for the purposes of this ordinance, shall mean one in which there is imminent danger of collision with property, persons or animals.

SECTION 4. Regulations

Use of compression braking:

1. Shall not be operated within the populated areas of Presque Isle Township.
2. Shall not be operated in areas with signage stating "ENGINE BRAKE ORDINANCE ENFORCED"
3. May be operated within restricted areas in an emergency situation.

SECTION 5. Penalty

1. A violation of this ordinance shall constitute a nuisance per se, and, in addition to any remedies available at law or under this ordinance, the Township may bring an action for an injunction or other process against a defendant to restrain, prevent, or abate any violation of this ordinance.

2. For the first violation of this ordinance within any calendar year, the penalty shall be the issuance by the Township Zoning Administrator of a written warning notice of violation.
3. For a second violation of this ordinance within any calendar year, any person or organization who violates any of the provisions of this ordinance shall be responsible for a municipal civil infraction, as defined by Section 113 of the Revised Judicature Act of 1961, being Michigan Public Act 236 of 1961, as amended ("Public Act 236").
4. For a third violation and subsequent violations of this ordinance within any calendar year, any person or organization who violates any of the provisions of this ordinance shall be responsible for a municipal civil infraction, as defined by Section 113 of Public Act 236.
5. The Presque Isle Township Zoning Administrator, the Presque Isle Township Supervisor, and other Township officials and employees as may be authorized by the Presque Isle Township Board of Trustees are authorized to administer and enforce this ordinance and issue municipal civil infraction citations.
6. A municipal civil infraction action may be commenced upon the issuance by an authorized local official of a citation directing the defendant to appear in court.
7. Failure of the defendant to appear within the time specified on a citation or at the time scheduled for a hearing or appearance is a misdemeanor punishable by up to ninety (90) days in jail and/or up to a \$500.00 fine, plus costs of prosecution, and can result in the entry of a default judgment against the defendant on the municipal civil infraction.
8. A defendant found responsible by the judge or magistrate for a violation of this ordinance shall pay a fine not to exceed \$500.00, plus costs not to exceed \$500.00, which are not limited to the costs taxable in ordinary civil actions and may include all expenses, direct and indirect, to which the Township has been put in connection with the municipal civil infraction, up to the entry of judgment. Except as otherwise provided by law, costs shall be payable to the general fund of the Township.
9. In addition to ordering a defendant to pay a civil fine and costs, the court may issue and enforce any judgment, writ, or order (including but not limited to injunctive relief) necessary to enforce this ordinance, in accordance with Section 8302 of Public Act 236.
10. If a defendant fails to comply with an order or judgment issued pursuant to Section 8727 of Public Act 236 within the time prescribed by the court, the court may proceed under Sections 8302, 8729, and 8731 of Public Act 236, as applicable.
11. Each day on which any violation of this ordinance continues constitutes a separate offense, and the offender shall be subject to the applicable fine, costs, penalties, and sanctions for each separate offense.

Section 6: Severability

If any clause, sentence, paragraph, or part of this Ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Ordinance but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment is rendered.

Section 7: Publication

This ordinance shall be published once, in full, in a newspaper of general circulation within the boundaries of Presque Isle Township, and qualified under state law to publish legal notices, within thirty (30) days after its adoption; this ordinance shall be recorded in the record of ordinances book of the Township; and the Township Clerk shall authenticate this ordinance by placing her official signature upon the ordinance.

Section 8: Effective Date

This Ordinance shall take effect thirty (30) days following publication after adoption by the Township Board.

This Ordinance was offered for adoption by Township Board Member _____ and was seconded by Township Board Member _____, the vote being as follows:

YEAS:

NAYS:

ABSENT/ABSTAIN:

ORDINANCE DECLARED ADOPTED.

CERTIFICATION

I hereby certify that the above is a true copy of an ordinance adopted by the Presque Isle Township Board at a regular meeting held at the Presque Isle Township Hall on _____, 2023 pursuant to the required statutory notice and procedures.

Published _____, 2023

Recorded _____, 2023 Recorded ordinance in Ordinance Book within one week of publication along with name and how each member voted.

Township Clerk

**Presque Isle Township
Ordinance No. _____ of 2023**

An ordinance to amend the Presque Isle Township Zoning Ordinance Article 4.

Presque Isle Township, Presque Isle County, Michigan ordains:

Section 1: Amendment to the Presque Isle Township Zoning Ordinance

That the Presque Isle Township Zoning Ordinance, Section 4.10 (C-1 Neighborhood Commercial District) is hereby amended to read as follows:

C. Development Standards for C-1.

Principal buildings within this district shall adhere to the following standards unless specifically stated otherwise in this Ordinance:

3. Additional Development Standards	
a. Accessory Buildings	Regulated by §3.14
b. Decks & Patios	Decks and patios shall meet the setbacks of the principal building. On a waterfront lot line, structures less than 30 inches in height with no railing may be built up to the greenbelt (30 ft from the water).
c. Lots with Water Frontage	Greenbelts §3.21 Common Lake Access Lots §3.22 Undeveloped Lakefront Lots §3.23
d. Docks	Regulated by §3.24
e. Fences	Regulated by §3.17 (1) When non-residential abuts residential, screening is required per §3.20 (2) A vegetative buffer of 100 ft between the road and the building, parking lot, or any portion of the use is required. If a natural vegetative buffer exists, then no clearing of this buffer shall occur until the Planning Commission has determined that such area may be cleared.
f. Screening/Buffering	(a) The Planning Commission may waive the 100-foot required buffer upon finding that granting the waiver will not cause an adverse effect on neighboring properties and that granting the waiver will not change the character and visual appeal of the neighborhood. (b) No waiver shall be granted for storage uses and couriers/packing/shipping/delivery establishments.
g. Parking & Loading	Regulated by §3.43
h. Exterior Lighting	Presque Isle Township Outdoor Lighting Ordinance
i. Signs	Regulated by §3.44

Section 2: Severability

If any clause, sentence, paragraph, or part of this Ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Ordinance but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment is rendered.

Section 3: Saving Clause

The Presque Isle Township Zoning Ordinance, except as herein or heretofore amended, shall remain in full force and effect. The amendments provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

Section 4: Effective Date

The ordinance changes shall take effect upon the expiration of seven days after the publication of the notice of adoption.

Township Supervisor

Township Clerk

I, _____, Clerk for Presque Isle Township, hereby certify that the foregoing is a true and correct copy of Ordinance No. ____ of 2023 of Presque Isle Township, adopted by at a meeting of the Township Board of Trustees held on _____.

A copy of the complete ordinance text may be inspected or purchased at the Presque Isle Township Hall, at 12653 E. Grand Lake Road, Presque Isle, MI 49777.

Adopted: _____ Published: _____ Effective: _____, subject to PA 110 of 2006 as amended.

**Presque Isle Township
Ordinance No. _____ of 2023**

An ordinance to amend the Presque Isle Township Zoning Ordinance Article 3.

Presque Isle Township, Presque Isle County, Michigan ordains:

Section 1: Amendment to the Presque Isle Township Zoning Ordinance

That the Presque Isle Township Zoning Ordinance, Section 3.14 (Accessory Buildings) is hereby amended to read as follows:

Section 3.14 Accessory Buildings & Accessory Structures

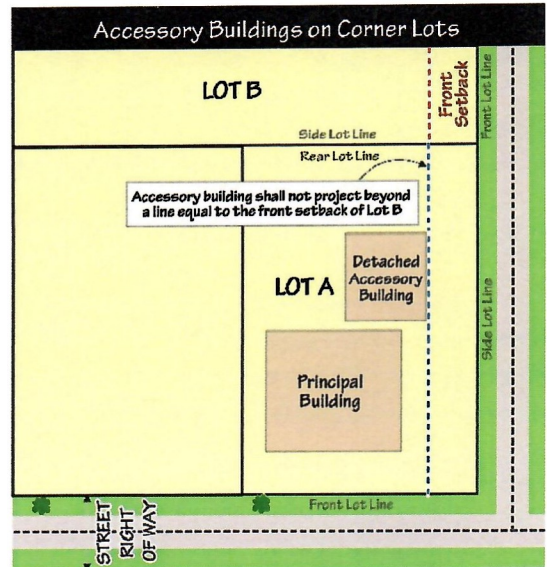
A. Attached Accessory Buildings and Accessory Structures – ALL DISTRICTS.

1. Attached accessory buildings and structures including garages, enclosed porches, open unenclosed porches, decks, breezeways, and carports shall be considered part of the principal building for purposes of determining or complying with yard areas and setbacks.
2. Where an accessory building is attached to a principal building it shall be considered part of the principal building and subject to all codes and ordinances applicable to the principal building, except that it shall not be included in the calculation of the required floor area for the principal building.

B. Detached Accessory Buildings and Accessory Structures – R-1, R-2, R-M, FR, and EC Districts.

1. Location in Yard/Setbacks.

- a. Detached accessory buildings and accessory structures shall not be permitted or erected in any front yard.
- b. Detached accessory buildings and accessory structures shall comply with all applicable setback requirements for the principal building.
- c. When an accessory building or accessory structure is located on a corner lot, the side lot line of which is substantially a continuation of the front lot line of the lot to its rear, said accessory building shall not project beyond the front yard setback line required on the lot in the rear of such corner lot. The accessory building/structure on **lot A** shall not exceed the minimum front setback requirement for **lot B** (see Diagram).



- d. Structures designed and used only for school bus pickup sheds or pump houses shall be exempt from this subsection B.1.

2. Floor Area and Number of Accessory Buildings.

a. General.

- (1) No accessory building or accessory structure shall occupy more than twenty (20%) percent of the unoccupied space of the total lot area. *(Is this intended to mean no single accessory building or does this refer to the total of all accessory buildings?)*
- (2) The approval of an accessory building or accessory structure in excess of twenty-four hundred (2,400) square feet in an R-1 District or of an accessory building or accessory structure in excess of twelve hundred (1,200) square feet in an R-2 District shall be subject to the following conditions:
 - (a) The structure may not obscure the view of a dwelling on an adjoining lot.
 - (b) The structure may not change the character of the neighborhood.
 - (c) The structure may not be of a height which casts a shadow onto adjoining property.
 - (d) If the grade of the property, slope of the roof, total impervious surface created by the proposed structure or any other factor raises an issue of stormwater runoff, the applicant shall obtain a report from a civil or environmental engineer showing the proposed structure will not cause stormwater runoff onto adjoining properties.
 - (e) Before construction of the accessory structure the applicant must establish a greenbelt which blocks the view of the accessory structure, to the greatest extent possible, from the road or from any principal dwelling on adjoining property within one hundred (100) feet of the proposed structure. The greenbelt must be completed to the satisfaction of the Zoning Administrator before construction of the accessory structure commences.
 - (f) For a lot which has no principal dwelling on which an accessory structure is permitted (Article 3.14.B.6 and B.7.), the accessory structure may not exceed fifteen (15%) percent of the lot size, subject to the conditions set forth above. *The notes refer only to B.7 which addresses lakefront lots, but B.6 is the section that addresses accessory buildings on lots without a principal. I think referencing both makes sense? I actually think that B.7 is specifically referring to only lots without a principal – so we should probably renumber that to be B.6.c rather than B.7?*

b. Without a Site Plan Review – R-1 (lots less than 5 acres), R-2, and R-M Districts.

- (1) The total floor area of the principal building and all accessory buildings shall not occupy more than thirty (30%) percent of the lot area.

- (2) Except for farm buildings, no accessory building shall have a total floor area in excess of the ground floor area of the principal building.
 - (3) The total floor area of all detached residential accessory buildings combined shall not exceed one thousand two hundred (1,200) square feet.
 - (4) No more than two (2) accessory buildings shall be allowed on one (1) parcel.
- c. **Without a Site Plan Review – R-1 (lots 5 acres or larger) EC, and FR Districts.**
- (1) The total floor area of the principal building and all accessory buildings shall not occupy more than thirty (30%) percent of the lot area.
 - (2) The total floor area of all detached residential accessory buildings combined shall not exceed two thousand four hundred (2,400) square feet.
 - (3) No more than two (2) accessory buildings shall be allowed on one (1) parcel.
- d. **With a Site Plan Review – R-1 (lots less than 5 acres), R-2, and R-M Districts.** The following may be approved by the Planning Commission by means of a Site Plan Review provided the property meets all the minimum requirements of the zoning district, and the property owners within three hundred (300') feet of the subject property receive notice of such request a minimum of seven (7) days prior to the meeting in which the request is to be considered:
- (1) Detached accessory buildings larger than the floor area of one thousand two hundred (1,200) square feet.
 - (2) Detached accessory buildings larger than the floor area of the principal building.
3. **Height – All Districts.** Detached accessory buildings may be of a height no greater than the maximum height allowable in the district.
4. **Gazebos.** A detached gazebo shall be allowed as a Permitted Use in any district with site plan review by the Planning Commission. The gazebo shall not exceed fifteen (15') feet in height and one hundred fifty (150) square feet in area. The gazebo shall not be erected in the required greenbelt and shall meet all required setbacks of the principal building. A gazebo may be located in any yard.
5. **Boat Houses.** Boat houses shall not be allowed on any waterfront lot in the Township.
6. **Accessory Building without a Principal Dwelling.**
- a. **R-2 and R-M Districts.** In the R-2 and R-M Districts, an accessory building may be constructed only when there is an existing principal dwelling except as noted in **Section 3.23.F (Undeveloped Lakefront Lots)**.
 - b. **R-1, FR, and EC Districts.** In the R-1, FR, and EC Districts, an accessory building may be constructed without a principal dwelling. Zoning Administrator approval is required. The standards

in subsections (1) and (2) below shall apply. A standard site plan meeting the requirements of **Section 5.3.C** shall be submitted to the Zoning Administrator for consideration. The Zoning Administrator may request Planning Commission review and approval on any application for an accessory building without a principal dwelling. If a deviation from the accessory building square footage requirement below is needed, the Planning Commission has the authority to approve such deviation. In the case of a request for deviation, the Township shall transmit notice of the request to property owners within three hundred (300) feet of the subject property a minimum of seven (7) days prior to the meeting in which the deviation request is to be considered.

(1) FR District and EC District.

- (a) The lot or parcel shall be a minimum of five (5) acres in size in the FR District and ten (10) acres in size in the EC District.
- (b) The accessory building shall not exceed two thousand four hundred (2,400) square feet in size.
- (c) The accessory building shall not contain living quarters (i.e.: bathroom, bedroom(s), or kitchen).
- (d) The accessory building shall have a permanent greenbelt that protects the accessory building from view from adjacent property owners and the road.
- (e) The accessory building shall never be used for commercial purposes.
- (f) The accessory building shall meet required principal building setbacks.

(2) R-1 District.

- (a) The lot or parcel shall be a minimum of (1) acre in size and shall meet the width requirements of the R-1 District.
- (b) The accessory building shall not exceed two thousand four hundred (2,400) square feet in size.
- (c) The accessory building shall have a maximum of fourteen (14') foot side walls.
- (d) The accessory building shall not contain living quarters (ie: bathroom, bedroom(s), or kitchen).
- (e) The accessory building shall not be used for commercial purposes.
- (f) Minimum side and rear setbacks shall be twenty (20') feet.
- (g) A front setback shall be maintained so as to permit a dwelling which meets the minimum dwelling unit size and setbacks.

(h) The accessory building shall have a permanent greenbelt that protects the accessory building from view from adjacent property owners and the road.

(i) An accessory building is not allowed on lakefront property without a dwelling.

7. **Lakefront Lots.** Where lakefront lots are shallow in depth or of substandard area, or where other special circumstances warrant, an accessory building may be permitted on a lot across the road from the principal building. Planning Commission review and approval is required. A standard site plan meeting the requirements **Section 5.3.C** shall be submitted to the Planning Commission for consideration. In this case, accessory buildings shall not be regulated by subsection 6 (above).

8. **Design of Accessory Buildings.** Accessory buildings shall be located in an area so as to blend in with the surroundings. The design of the building shall use materials, colors, textures, screening, and landscaping that will blend them into the natural setting and surrounding buildings. Existing mature tree growth and natural landforms on the site shall be preserved to the maximum extent possible.

C. Detached Accessory Buildings – C-1, C-2, C-M, C-F, I-1, and I-2 Districts.

Accessory Buildings in the C-1, C-2, C-M, C-F, I-1, and I-2 Districts shall be approved using the same site plan review procedure and standards as the principal building(s) as specified in **Article 5**.

D. Non-Traditional Storage Facilities/Shipping Containers.

1. Truck bodies, school bus bodies, manufactured homes, recreational vehicles, or other items built and intended for other uses shall not be used as permanent accessory buildings. Semi-trailers and shipping containers may be used as temporary storage for commercial and industrial uses in the commercial and industrial districts in the rear or side yard only for no more than ninety (90) consecutive days.

2. **Shipping Containers on Residential Lots.** Shipping containers shall be allowed to be used as accessory buildings for storage purposes only in the FR District. Shipping containers shall not be utilized for any accessory dwelling purposes. The shipping container shall not be visible from a public right-of-way or neighboring property at all times of the year.

Section 2: Severability

If any clause, sentence, paragraph, or part of this Ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Ordinance but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment is rendered.

Section 3: Saving Clause

The Presque Isle Township Zoning Ordinance, except as herein or heretofore amended, shall remain in full force and effect. The amendments provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

Section 4: Effective Date

The ordinance changes shall take effect upon the expiration of seven days after the publication of the notice of adoption.

Township Supervisor

Township Clerk

I, _____, Clerk for Presque Isle Township, hereby certify that the foregoing is a true and correct copy of Ordinance No. ____ of 2023 of Presque Isle Township, adopted by at a meeting of the Township Board of Trustees held on _____.

A copy of the complete ordinance text may be inspected or purchased at the Presque Isle Township Hall, at 12653 E. Grand Lake Road, Presque Isle, MI 49777.

Adopted:_____Published:_____Effective:_____, subject to PA 110 of 2006 as amended.

**Presque Isle Township
Ordinance No. _____ of 2023**

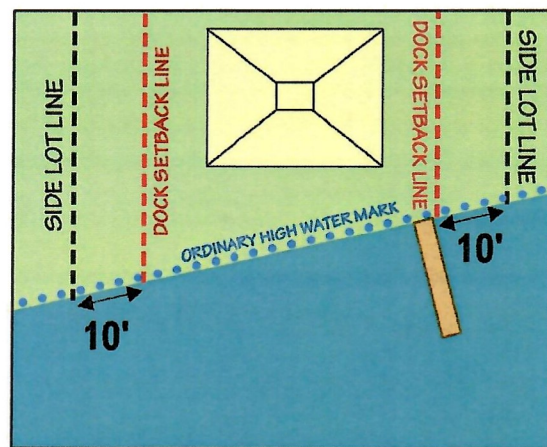
An ordinance to amend the Presque Isle Township Zoning Ordinance Article 3.

Presque Isle Township, Presque Isle County, Michigan ordains:

Section 1: Amendment to the Presque Isle Township Zoning Ordinance

That the Presque Isle Township Zoning Ordinance, Section 3.24 (Docks) is hereby amended to read as follows:

- A. All docks shall be placed far enough away from the side property lines such that no boat, hoist, or other attachment to the dock crosses the property line or the imaginary extension of the property line out into the water. For lots with at least forty (40) feet of water frontage, docks shall be set back at least ten (10) feet from the point of intersection of the side lot line and the ordinary high water mark. The Township only regulates dock placement at the ordinary high water mark and does not regulate the placement of docks on submerged bottomlands.



- B. Docks which do not conform to the ten (10) foot setback in subsection A and which are removed at the end of the summer season shall be set back ten (10) feet, as stated in subsection A, when they are reinstalled the next season.
- C. Owners of developed lakefront property are automatically allowed one (1) dock. Additional docks shall be permitted only after the property owner acquires a permit, at no cost, from the Zoning Administrator.
- D. The **Michigan Department of Natural Resources (DNR)** determines what is a navigational hazard and the DNR requires a permit for anything placed in the lake that is not a dock or swimming platform.

Section 2: Severability

If any clause, sentence, paragraph, or part of this Ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Ordinance but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment is rendered.

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or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

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Township Clerk

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A copy of the complete ordinance text may be inspected or purchased at the Presque Isle Township Hall, at 12653 E. Grand Lake Road, Presque Isle, MI 49777.

Adopted: _____ Published: _____ Effective: _____, subject to PA 110 of 2006 as amended.