

CHAPTER 5 WO - WATERFRONT OVERLAY DISTRICT

SECTION 5.10 DESCRIPTION AND PURPOSE

- A. The Waterfront Overlay District is a supplementary District which applies to designated lands, as shown on the Zoning Map and described in this Chapter, simultaneously with one of the other District established in this Ordinance, hereafter referred to as the “underlying” District. Lands included in the Waterfront Overlay District are characterized by uses which are strongly oriented toward the residential and recreational experience and enjoyment of the waterways and shorelines of Croton Township.
- B. It is the intent of the Waterfront Overlay District to provide regulations in addition to those contained in the underlying District pertaining to lands located along the waterfront and shoreline areas of the township. The purpose of these regulations is to recognize the unique physical, economic and social attributes of waterfront and shoreline properties and to ensure that the structure and uses in this District are compatible with and protect these unique attributes.

SECTION 5.20 USES PERMITTED BY RIGHT

Land and/or building in the WO Water Overlay District may be used for the following purposes as Permitted Uses:

- A. Permitted Uses in the underlying District in which the land is located.
- B. Private boat docks, accessory to residential uses, subject to the following provisions:
1. Two (2) private boat dock per dwelling shall be permitted for a single family dwelling unit. Two (2) private boat dock shall be permitted for a two family dwelling.
 2. In addition to the allowances of Section 5.20, B, 1 and 2, an additional private boat dock shall permitted for each full fifty (50') feet of lot width along the lake or other body of water.
 3. Boat docks and boat slips shall be used only by person residing on the premises or their guests and shall not be leased, rented or otherwise made available for compensation, except in conjunction with the lease or rental of the dwelling unit on the same lot, unless approved as a marina, subject to the requirements of Section 5.30.

SECTION 5.30 SPECIAL LAND USES

Land and/or buildings in the WO Overlay District may be used for the following purposes following approval by the Planning Commission as a Special Land Use as regulated by Chapter 15:

- A. Special Land Uses in the underlying District in which the land is located.
- B. Public or private boat launches.
- C. Marinas.

SECTION 5.40 DISTRICT REGULATIONS

- A. These regulations apply to all parcels or lots having frontage on a waterway and as indicated on the Zoning Map.
- B. No building or structures, nor the enlargement of any building or structure, shall be hereafter erected unless the requirements of the underlying District are met and maintained in connection with such building, structure or enlargement, except as noted below:
 - 1. No main building shall be placed closer than thirty (30') feet from the break of the bank or not closer than thirty (30') feet from the shoreline if no break of the bank exists.
 - 2. Accessory buildings may be permitted, subject to the requirements of Section 2.110 and the underlying District.
 - 3. Vegetative Strip:
 - a. A strip twenty five (25') feet bordering each bank of the waterways of this District, as measured from break in the bank or the ordinary high water mark, whichever is furthest inland, shall be maintained in its natural vegetative state, except for the clearing of dead or obnoxious plants.
 - b. Within this strip a space of no greater than fifty (50') feet in width may be selectively trimmed and pruned to allow for the placement of private boat docks (subject to the requirements of Section 5.20) and/or for a view of the waterway, with the approval of the Zoning Administrator

- c. The Zoning Administrator may allowed limited clearing of the vegetative strip, only when required for construction of a permitted building or structure, provided that the land cleared is returned to a vegetative state which is approximately the same quality and extent as that which existed prior to the clearing.
4. Developments within the Waterfront Overlay District shall maintain, to a reasonable extent open and unobstructed view to the waterway from adjacent properties, roadways and pedestrian ways.
5. An open, unenclosed and uncovered porch, paved terrace or deck may not project into the required setback from the break of the bank or from the shoreline if no break of the bank exists or into any other setbacks, except as expressly otherwise allowed by this Ordinance. A balcony or window awning not connected to or resting on the ground may project no further than five (5') feet into the required front or rear yard and shall not project into a required side yard.
6. No permanent wharf, dock, structure or building shall be built, or erected within or above a lake or other body of water. Notwithstanding this provision, a retaining wall may be built if a permit is obtained from the Michigan Department of Natural Resources.
7. All other applicable District regulations shall be as provided in the underlying District except that where more than one (1) limitation applies, the more stringent of the limitations shall apply. Also, where any provisions of the Waterfront Overlay District conflicts with any requirement of the underling District, the stricter requirement or limitation shall apply.
8. The regulations of Section 2.250 shall be fully applicable.