

**VERGENNES TOWNSHIP, KENT COUNTY, MICHIGAN**

**ZONING ORDINANCE AMENDMENT**

**Ordinance 2004-5  
Adopted April 19, 2004**

**Keyhole development and lake access regulations; lot width on Murray Lake**

**An ordinance to amend portions of Chapter 4 General and Special Regulations.**

**The Township of Vergennes hereby ordains:**

**Section 1.** Amend Chapter 4, Section 201.436, of the Township Zoning Ordinance, to add the following new section and text language:

**201.436 Keyhole development and lake access regulations; lot width on Murray Lake.**

4.36. The following restrictions apply in all zoning districts and to Murray Lake, and are intended to limit the number of users of lake frontage in order to preserve the quality of the waters, to promote safety, and to preserve the quality of recreational use of Murray Lake waters within the Township.

- A. Where public sanitary sewer is available for the property involved, there shall be at least fifty (50) feet of lake frontage as measured along the normal high water mark of the lake for each single-family home, dwelling unit, cottage, condominium unit, site condominium unit, or apartment unit utilizing or accessing the lake frontage. Where public sanitary sewer is not available for the property involved, the above frontage requirement shall be increased to one hundred sixty-five (165) feet.
- B. Where public sanitary sewer is available for the property involved, any multiple-unit residential development in any zoning district that shares a common lakefront area or frontage may not permit lake use or access to more than one (1) single-family home, dwelling unit, cottage, condominium unit, site condominium unit, or apartment unit for each fifty (50) feet of lake frontage in such common lake front area, as measured along the normal high water mark line of the lake. Where public sanitary sewer is not available for the property involved, the above frontage requirement shall be increased to one hundred sixty-five (165) feet.
- C. Where public sanitary sewer is available for the property involved, any multiple-unit residential development shall have not more than one (1) dock for each fifty (50) feet of lake frontage, as measured along the normal high water mark of the lake in any zoning district in the township. All such docks and docking or mooring shall also comply with all other applicable township ordinances. Where public sanitary sewer is not available for the property involved, the above frontage requirement shall be increased to one hundred sixty-five (165) feet.
- D. The above restrictions shall apply to all lots, site condominiums, and parcels on or abutting Murray Lake in all zoning districts, regardless of whether access to the lake or stream

waters shall be by easement, park, common-fee ownership, single-fee ownership, condominium arrangement, license, or lease.

- E. The access and use regulations contained in this section shall be fully applicable to all planned unit development (PUD), open space development community, plats and special exception use projects or developments.
- F. In addition to the above limitations, no easement, private park, common area, lot or access property abutting or adjoining Murray Lake shall be used to permit access to the lake for more than one (1) single-family home, dwelling unit, condominium unit, site condominium unit, apartment unit or any other use unless such additional access use is approved as a special exception use (if authorized in the zoning district involved).
- G. If a property is located within a zoning district where the minimum lot width requirement is greater than fifty (50) feet for the particular property involved, the minimum water frontage requirements of subsections A, B and C hereof shall be increased so as to equal the minimum lot width requirement of the zoning district in which the property is located which is applicable to that property.
- H. No channel, canal, or similar waterway or device shall be dug, constructed, dredged, enlarged, or created out of or that connects to Murray Lake in the Township. Nor shall the size or surface area of Murray Lake be increased by digging, dredging or excavation upland from the ordinary high water mark of the lake; provided, however, that this subsection H shall not apply to the following:
  - 1. Any lawful dredging occurring on the existing lake bottom lands which are lakeward of the ordinary high water mark of Murray Lake.
  - 2. Lawful dredging upland from the ordinary high water mark of Murray Lake so as to create not more than two boat wells (i.e., a mooring area for boats) so long as the water surface area dredged, excavated or otherwise created does not exceed 25 feet in width along the lake frontage and 20 feet of depth from the ordinary high water mark of the lake.
  - 3. The lawful creation or enlargement of a pond which does not abut or connect into Murray Lake.
  - 4. The lawful dredging of an existing canal or channel pursuant to applicable state laws and permit requirements, so long as such channel or canal is not enlarged or expanded.
- I. *Lot Width.* For all lots, site condominium units, or parcels abutting or having frontage on Murray Lake, each such lot, site condominium, or parcel shall have frontage on the lake, as measured at the normal high water mark, equal to or greater than the minimum lot width requirement of the zoning district within which the property is located.

**Section 2. Conflicts.** If any provision of the Vergennes Township Zoning Ordinance conflicts with this amendment to the Zoning Ordinance, the most restrictive provision shall be applied.

**Section 3. Severability.** Should any section or part of this Ordinance be declared unconstitutional, null or void by a court of competent jurisdiction, such declaration shall not have any effect on the validity of the remaining sections or parts of this Ordinance.

**Section 4. Effective Date.** This Ordinance shall become effective seven (7) days after its publication in a newspaper of general circulation in the Township, unless, within such period of time, a notice of intent to file a referendum is filed and, if so, then this ordinance shall take effect as provided by MCLA 125.282.

---

Mari Stone, Clerk

Certification

I, Mari C. Stone, Township Clerk of the Township of Vergennes, hereby certify that Ordinance 2004-5 was adopted at a regular meeting of the Vergennes Township Board on April 19, 2004, and the Ordinance or a summary of the ordinance was published in the Lowell Ledger, a newspaper of general circulation in the Township of Vergennes, on April 28, 2004.

---

Mari Stone  
Vergennes Township Clerk