

# Village of Lake Isabella - Codified Ordinances

## Article XII – Planning & Zoning

### Chapter 1294 – Regulation of Funnelling

Adopted August 4, 1998 – Ordinance 1998-01

Last Amended September 22, 2009 – Ordinance 2009-03

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Chapter 1294.01	Purpose
Chapter 1294.03	Funnelling Regulated

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#### **1294.01 PURPOSE**

The Following restrictions are intended to limit the number of users of properties adjacent to Lake Isabella and/or the Chippewa River in order to preserve the quality of the waters, to promote safety, and to preserve the quality of recreational use of all waters within the Village of Lake Isabella.

#### **1294.03 FUNNELING REGULATED**

1. The below restrictions shall apply to all new parcels/lots on or abutting any lake, river, or stream in all zoning districts, regardless of whether access to the lake, river, or stream waters shall be by easement, park, common-fee ownership, single-fee ownership, condominium arrangement, license, or lease. The lake, river, and stream access and use regulations contained in this section shall be fully applicable to all new planned unit development (PUD), site condominium, condominium, plats and special use projects or developments from the effective date of this chapter.
2. In all zoning districts, there shall be at least one hundred (100) feet of lake, river, or stream frontage as measured along the normal high water mark of the lake, river, or stream for each single-family home, dwelling unit, cottage, condominium unit, site condominium unit, or apartment unit utilizing or accessing the lake or stream frontage.
3. Any multiple-unit residential development in any zoning district that shares a common lake, river, or stream front area or frontage shall not permit lake, river, or stream use or access to more than one (1) single-family home, dwelling unit, cottage, condominium unit, site condominium unit, or apartment unit for each one hundred (100) feet of lake or stream frontage in such common lake or stream front area, as measured along the normal high water mark line of the lake, river, or stream.
4. In all zoning districts, no lake access, boat ramp, shore station, dock, boat launch, or shoreline abutting a lake shall be utilized for commercial, business, outdoor

recreational or entertainment facilities, institutional or nonresidential or nonagricultural uses or purposes unless such use is allowed in the zoning district where the property is located and is also authorized pursuant to a special use approval or a planned unit development (PUD) approval by the Planning Commission of the Village of Lake Isabella.

5. In addition to the above limitations, no easement, private park, common area, lot or access property abutting or adjoining a lake, river, or stream shall be used to permit access to the lake, river, or stream for more than one (1) single-family home, dwelling unit, cottage, condominium unit, site condominium unit, or apartment unit or any other use or structure unless such additional access is approved as a special land use permit (and meet the requirements of the zoning district involved), or as a planned unit development (PUD).
6. The minimum water frontage requirements of this Section shall be doubled if more than fifty percent (50%) of the water frontage of the property involved is comprised of, or adjoins, a wetland as defined by Michigan law.
7. If a property is located within a zoning district where the minimum lot width requirement is greater than one hundred (100) feet, the minimum water frontage requirements of subsections 2, and 3 hereof shall be increased so as to equal the minimum lot width requirement of the zoning district in which the property is located.
8. The regulations contained in this section do not apply to any of the existing and recorded plats within the Village of Lake Isabella that have frontage along Lake Isabella and/or the Chippewa River with common areas, parks, and/or out-lots which are utilized to provide lake access and/or boat mooring to non waterfront parcels. Specifically, these plats are as follows: Lake Isabella Forest 1, Lake Isabella Plat 4, Lake Isabella Plat 3, Lake Isabella Plat 2, Lake Isabella Plat 1, Lake Isabella North, Lake Isabella Golf Estates I, Lake Isabella Golf Estates II, Lake Isabella South, and Lake Isabella Airpark. Nothing contained herein shall be deemed to exempt the plats listed in this sub-section from any other applicable regulation or ordinance of the Village of Lake Isabella.