

# CITY OF PORTAGE PLANNING COMMISSION

## FINAL AGENDA

July 23, 2020  
(7:00 p.m.)

Portage City Hall Council Chambers

Public Phone Line: (844) 854-2222 Access Code 529853#  
(To voice a question or comment, press \*6 to enter the queue.)

### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### ROLL CALL

### APPROVAL OF MINUTES:

July 9, 2020

### PUBLIC HEARINGS:

1. Final Report: Rezoning Application #19/20-4, Redwood Planned Development, 7801 Garden Lane and 1203 East Centre Avenue

### SITE/FINAL PLANS:

### OLD BUSINESS:

1. Ordinance Amendment #19/20-C: Tree Preservation and Replacement Ordinance (REVISED DRAFT)

### NEW BUSINESS:

### STATEMENT OF CITIZENS:

- \* Email Communication from Christopher Morris (9830 East Shore Drive) – boat hoist/dock ordinance request

### ADJOURNMENT:

### MATERIALS TRANSMITTED

Star (\*) indicates printed material within the agenda packet.

## Michael West

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**From:** Christopher Morris <CMorris@lennonmiller.com>  
**Sent:** Wednesday, July 22, 2020 3:37 PM  
**To:** Michael West  
**Subject:** Portage Planning Commission // Request for Zoning on Boat Hoists // Public Comment July 23, 2020  
**Attachments:** doc03602920200721153544.pdf

CAUTION: THIS EMAIL IS FROM AN EXTERNAL SENDER Do not click on links or open attachments unless this is from a sender you know and trust.

Members of the Commission:

I appear with a request that the commission refer for zoning restrictions on the storage of boat hoists and docks over the winter months. I am a resident of the City of Portage and live at 9830 E. Shore Dr. on Austin Lake.

Unfortunately, thoughtless neighbors necessitate some type of zoning or other action to assist the administration in regulation of winter storage for boat lifts. Over the last several years boat lifts or boat hoists have become increasingly popular on all lakes. After the boating season is over the new and overwhelmingly large boat lifts require winter storage. Winter storage for boat lifts is available through several vendors in our area but rather than spend the money many residents have simply pushed the hoist onto the yard.

Attached are 3 photographs depicting my neighbors' storage from 2019 - 2020. This obstruction was present from September through May. You can judge the height of the canopy structure relative to the 3 1/2 foot high chain-link fence. The 3rd picture shows the unfortunate consequence of the gigantic hardware structure on our normal beautiful winter views of Austin Lake.

These devices are growing in number and have not been considered for zoning in the past as "Dock equipment". The exception for dock equipment currently in the zoning exempts structures when they are in the water but does not speak to winter storage. You can see my neighbors' huge dock actually created a wall 7 feet high and 10 feet long directly on the lot line. The boat lifts covered the entire remainder of the lake lot line from the edge of the dock wall to the waters edge.

I complained to the administration but they advised me there was nothing they could do to assist me with this problem. I've had personal meetings with the prior City manager and the new City manager but neither was willing to assist with this issue. At this time either a new zoning amendment needs to take place add a definition to the current zoning ordinance or a request can be made that the administration be advised to regulate structures under current zoning. After all, were talking about metal frameworks covering over 160 ft.<sup>2</sup> and almost 20 feet in height when out of the water.

More than de minimis storage would not be allowed for cars under repair, recreational vehicles or boats. Fences, satellite dishes, pergolas, chicken coops, handrails or antennas all are required to meet a 10 foot setback under our current zoning. The administration could be instructed to include boat lifts within the definition of structure for zoning purposes or to add boat lifts to the zoning ordinance subject to reasonable setback for winter storage requirements.

There is some seasonal expense for boatlift owners to haul out these hoists because the canopy structures are so tall when they are out of the water that in order to safely move them under the power lines the canopy structure sometimes must be removed. On the other hand I obtained quotes from local dock removal companies that even the largest lifts could be seasonally removed and stored for less than \$1000 per year.

Human nature being what it is owners before now have found it easier to store the lifts far to the edge of the property so it is out of the owners view and only interferes with the neighbors view.

If over winter storage is to be allowed for these devices they should be subject to regulation by setback. It would be reasonable to place a limit on the number of devices per lakefront footage. One reasonable option would be that the zoning be amended to allow no more than one full-sized boat lift over winter storage per 50 feet of lakefront and all storage subject to setback limitations. The nearest point of any boat lift out of the water for seasonal storage can be no more than 10 feet from the lot line and no closer than 50 feet from the lake's edge. Or if there is less than 50 feet to the water's edge that the storage must be within 3 feet of an existing structure and 10 feet from the lot line.

Unfortunately the administration has been extraordinarily reluctant to address this issue likely because the boat lifts are popular around our Portage lakes. Unfortunately the increasing popularity has only increased the problem and the failure to reasonably address storage has led to an ever increasing problem. It is the function of rational government to enforce reasonable restrictions through the zoning ordinance. It is the job of government to protect the property rights of the minority as well.

The boat lift storage also negatively impacts property values and neighborhood quality. Guests in my home last winter looked to the marina level storage next door aghast. Any homebuyer would likely have a similar reaction, "why would I buy a house where the Lakeview is interfered with by a giant hardware structure for 8 months out of the year?" Should property taxes be reduced by 75% to reflect the loss of value during the non-summer months?

The administration has recently announced a public goal to focus on the natural beauty of the City of Portage arising from our lakes and committed significant tax dollars for this purpose. Regulation of winter boat hoist storage would cost nothing and greatly contribute to the current public goal.

Most regrettably, the presence of these boat hoists out of the water negatively impacts the neighborhoods and significantly obstructs the natural beauty of the shoreline during non-summer months. I respectfully ask that this commission adopt a policy recommendation to regulate storage of boat hoists when not in the water.

Christopher Morris  
9830 East Shore Dr.





