



## Property Owners Association

11281 Hewitt Rd., Brooklyn, MI 49230

Hours: Mon. Wed. Fri. 9-5, Tue. Thu. 9-Noon

517-592-2361 - LCPOA@comcast.net - LakeColumbia.net

### COVER LETTER FOR LAND, DOCK & WATER CONSTRUCTION DOCUMENTS

#### **For any construction project, the FIRST STOP is the Lake Columbia Property Owners' Association (LCPOA)**

NO Land or Waterfront Construction of any type on any LCPOA property can begin without first completing all requirements of the Deeded Restrictions, By-laws, Policies and Procedures and receiving approval by the Building Control Committee (BCC) in order to proceed with your permit request to either Columbia Township, Jackson County Department of Transportation (JCDOT) or State of Michigan agencies (EGLE, DNR, etc.).

The LCPOA Deeded Restrictions **DOES NOT** have a variance approval option. A variance received from Columbia Township will only apply if you have already received approval from LCPOA BCC for your construction project, prior to your permit request to Columbia Township and the Township Ordinances require a variance that does not violate the LCPOA Deeded Restrictions.

The Office, BCC, and Policies and Procedure Committee have created a set of Instructions for Land and Waterfront Construction that is available in the LCPOA Office for all existing and new LCPOA members and on the LCPOA Website. Copies of the Instructions are also available at the LCPOA Office for realtors, builders, architects, Columbia Township Office, or anyone who can assist a member with LCPOA Deeded Restrictions construction compliance.

#### **BEFORE APPLYING TO COLUMBIA TOWNSHIP FOR A PERMIT REQUEST**

- A. Land Construction (includes dock):** Before you begin building a new home, addition, garage, deck, fence, dock, or other (ex. carport) the following is required by the LCPOA:
1. Completion of BCC Land & Dock Construction Evaluation Form including a completed survey, past or current, to determine legal property lines and setbacks.
  2. Approval by the LCPOA BCC before you can proceed with your permit request to Columbia Township.

#### **BEFORE APPLYING TO THE STATE OF MICHIGAN (EGLE, DNR ETC.) FOR A PERMIT REQUEST**

- B. Waterfront Construction:** Before installing, replacing, or repairing a seawall, dredging, or any other construction (project) touching the lake bottom or the shoreline, the following is required by LCPOA:
1. Copy of BCC Waterfront Construction, Plans, Requirements, Park Use and Evaluation Form Instructions.
  2. Completion of BCC Water Construction Evaluation Form (including a completed survey, past or current, to determine legal property lines and setbacks).
  3. Completion of BCC Dredging Agreement (If necessary for the project).
  4. Signed BCC (Bottomland) Letter of Authorization for EGLE.
  5. Copy of LCPOA Park Use Policy if using the park for construction equipment, storage and/or transport of supplies via land or water for a land or water construction project.
  6. Completion of BCC Fee and Security Deposit Agreement for park use for construction equipment, storage and/or transport of supplies via land or water for a land or water construction project.
  7. If park use is for Land Construction, you must also complete Section A of this document, and BCC Water Construction Evaluation Form.
  8. If park use is for Waterfront Construction, you must also complete Section B of this document, and BCC Water Construction Evaluation Form.
  9. All Evaluation forms must be approved by the LCPOA BCC before proceeding with request for permit from the appropriate State of Michigan Agency: EGLE, DNR, etc.
  10. A copy of the approved appropriate State of Michigan Agency (EGLE, DNR, etc.) permit must be received by the LCPOA Office or provided by the Member before construction begins.



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### BCC WATERFRONT

## CONSTRUCTION PLANS, REQUIREMENTS, PARK USE AND EVALUATION FORM INSTRUCTIONS

### BEFORE APPLYING TO THE STATE OF MICHIGAN (EGLE, DNR, etc.) FOR A PERMIT

#### **WHAT YOU NEED TO KNOW ABOUT US**

Lake Columbia Property Owners Association (LCPOA) is an engineered Property Owners Association community with building and property covenants documented in the Deeded Restrictions and further supported with By-laws. You should have a copy of both provided by your Title Company when you purchased your property. You can also download copies from the LCPOA website (lcpoa@comcast.net) or visit the Lake Columbia Property Owners Association Office, 11281 Hewitt Road, Brooklyn, Michigan for copies. Please, familiarize yourself with the requirements and Deeded Restrictions setbacks before beginning Plans or Blueprints to assure they will conform.

The goal of LCPOA is to help streamline your experience, whether you are installing/repairing a dock, seawall, dredging the lake bottomland in front of your property, or any other project that touches the lake bottomland and park uses for construction equipment and/or staging supplies that are transported via land or waterway.

#### **DEEDED RESTRICTIONS**

Definition of a Deeded Restriction: A provision placed in a deed restricting or limiting the use of the property in some manner. It may include subdivision or similar restrictions common to many properties in the neighborhood, or it may be something personal to the grantor such as a requirement that the purchaser resell to the seller before offering to anyone else.

#### **WHAT IS REQUIRED**

Below is a process that can be used as a checklist of what you need to do to get your project approval and permitting started. There are project requirements for docks, seawalls, dredging, other projects, and park uses. A copy of the approved permit must be received by the LCPOA Office from the appropriate State of Michigan Agency (EGLE, DNR, etc.) or provided by the Member before construction begins.

- 1. Docks** – Any LCPOA member seeking to install a dock, must submit a drawing of the project and a completed BCC Land & Dock Construction Evaluation Form to the LCPOA Building Control Committee (BCC). Once approved, the project can proceed.
- 2. Seawall install or repair** – Please review project requirements with LCPOA, Michigan Energy, Great Lakes, and Environment (EGLE), your contractor, or any other agencies or person(s) contributing to the project before proceeding with building plans. EGLE and your contractor will be instrumental in defining requirements and assisting with obtaining all required permits. Any LCPOA member seeking seawall repair or install, must submit two preliminary drawings of the project with a Waterfront Construction, Plans, Requirements, and Park Use Evaluation Form to the LCPOA BCC. Upon approval of the BCC, a BCC Bottomland Letter of Authorization is issued, prior to applying for the EGLE permit. Once permit is approved by EGLE, submit approved permit, and approved two drawing plans to LCPOA BCC for final approval to proceed with the seawall repair or install.
- 3. Dredging** – Please review project requirements with LCPOA, Michigan Energy, Great Lakes, and Environment (EGLE), your contractor, or any other agencies or person(s) contributing to the project before proceeding with dredging. EGLE and your contractor will be instrumental in defining requirements and assisting with obtaining all required permits. Any LCPOA member seeking dredging project must submit two preliminary drawings of the project, a completed BCC Dredging Agreement, and a Water Construction Evaluation Form to the LCPOA BCC. Upon approval of the BCC, an LCPOA Bottomland Letter of Authorization is issued, prior to applying for the EGLE permit. Once permit is approved by EGLE, submit approved permit, and two approved drawing plans to LCPOA BCC for final approval to proceed with the dredging project.

- 4. Other projects touching the lake bottom lands** – Please review project requirements with LCPOA, Michigan Energy, Great Lakes, and Environment (EGLE), your contractor, or any other agencies or person(s) contributing to the project before proceeding with your project, as they can be instrumental in defining requirements and assisting with obtaining required permits. Any LCPOA Member seeking a Water Construction project must submit two preliminary drawings of the project and a Water Construction Evaluation Form to the BCC. Upon approval of the BCC, a BCC Bottomland Letter of Authorization is issued, prior to applying for the EGLE permit. Once permit is approved by EGLE, submit approved permit, and approved two drawing plans to LCPOA BCC for final approval to proceed with the project.
- 5. Park uses for Construction Equipment and/or staging supplies that are transported via land or water for build, repair, install, or any other use.** Please review project requirements with LCPOA.

**LAND CONSTRUCTION PROJECT:**

Any LCPOA member seeking use of a park for Construction Equipment and/or staging supplies that are transported via land or water for a Land Construction project, must submit a Land & Dock Construction Evaluation Form and the Waterfront Parks Use section of the Evaluation Form associated with the project to the BCC, and both forms must be approved by BCC prior to park use.

**WATERFRONT CONSTRUCTION PROJECT:**

Any LCPOA Member seeking use of a park for Construction Equipment and/or staging supplies that are transported via land or water for a Waterfront Construction project, must submit a Water Construction Evaluation Form for both the Waterfront Construction and Park Use sections of the Evaluation Form associated with the project to the BCC, and both sections must be approved by BCC prior to park use.

A BCC Fee and Security Deposit Agreement must be completed including collection of the Fee and Security Deposit before the project may proceed.

NOTE: Fee and Security Agreement: A Fee of \$500 on site use and storage for Construction Equipment and/or staging supplies and Security Deposit of \$2,000 to ensure the park property, any structures, parking areas, paving, fencing, playground equipment, lighting, flag poles and landscape are returned to pre-project condition.

Upon completion of the project and the park is restored, the Member must advise the LCPOA and request a final inspection of the park and refund of the security deposit. A joint inspection will take place by the Member, General Manager (GM) and BCC Representative. The Member may have the contractor representative present, however, the contractor has no authority to negotiated a final settlement on behalf of the Member. The amount of refund will be determined by negotiation between the GM, BCC Representative and LCPOA Member, following completion of the project. The Security Deposit is to ensure the park property any structures, parking areas, paving, fencing, playground equipment, lighting, flag poles, and landscape are returned to pre-project condition.

**REFERENCES**

- A.** Deeded Restrictions
- B.** Bylaws
- C.** Water Construction Evaluation Form
- D.** BCC Bottomland Letter of Authorization
- E.** BCC Dredging Agreement
- F.** Land Construction project, must submit a Land & Dock Construction Evaluation Form
- G.** BCC Fee and Security Deposit Agreement

# BCC WATER CONSTRUCTION EVALUATION FORM

Date plan submitted: \_\_\_\_\_

LCPOA Dues Paid in Full ☐

LCPOA Address: \_\_\_\_\_ Shore: \_\_\_\_\_ Lot(s) #: \_\_\_\_\_

Owner Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Builder Name (if applies): \_\_\_\_\_ Phone #: \_\_\_\_\_

TYPE OF CONSTRUCTION: Seawall \_\_\_\_\_ Dredging \_\_\_\_\_ Construction Staging at park \_\_\_\_\_

PAID: Date \_\_\_\_\_ Amount \$ \_\_\_\_\_ Cash \_\_\_\_\_ Cr Card \_\_\_\_\_ Check# \_\_\_\_\_ Emp. Initial \_\_\_\_\_ BCC Contacted \_\_\_\_\_

## FOR BCC / OFFICE USE ONLY (BELOW)

### SEAWALL INSTALL OR REPAIR (\$50)

- Contractor Insurance Information \_\_\_\_\_
- LCPOA Bottomland Letter of Authorization to obtain EGLE permit \_\_\_\_\_
- Two Construction drawings of the placement of the Seawall submitted to the Building Control Committee and approved prior to receiving a LCPOA Bottomland Letter of Authorization to obtain EGLE permit. \_\_\_\_\_
- EGLE Application Permit Approval copy provided to LCPOA prior to completing install or repair. \_\_\_\_\_

### DREDGING (\$100)

- Contractor Insurance Information \_\_\_\_\_
- LCPOA Bottomland Letter of Authorization to obtain EGLE Permit \_\_\_\_\_
- Dredging Agreement \_\_\_\_\_
- EGLE Application approval received by Building Control Committee prior to dredging starting. \_\_\_\_\_

### OTHER PROJECTS TOUCHING THE LAKE BOTTOM LANDS OR ALTERATION OF SHORELINE (\$100)

- Contractor Insurance Information \_\_\_\_\_
- LCPOA Bottomland Letter of Authorization to obtain EGLE permit, if required. \_\_\_\_\_
- Waterfront Construction Plans, Requirements, Park Use, and Evaluation Form associated with the project submitted to the Building Control Committee and approved prior to park use. \_\_\_\_\_
- EGLE Application Permit Approval copy provided to LCPOA BCC before beginning install, repair or alteration \_\_\_\_\_

### USING LCPOA KELLEY RD PARK TO STAGE CONSTRUCTION PROJECT (\$100)

- Contractor Insurance Information \_\_\_\_\_
- Land Construction Plans, Requirements, and Blueprint Construction Evaluation Form and/or a Waterfront Construction Plans, Requirements, Park Use, and Evaluation Form \_\_\_\_\_
- Requirements associated with the project submitted to the Building Control Committee and approved prior to park use. \_\_\_\_\_
- Pictures of park taken prior to park use \_\_\_\_\_
- Pictures of park taken after project was completed \_\_\_\_\_
- Fee \$500 and Security Deposit \$2,000 Agreement completed, and funds collected prior to park use \_\_\_\_\_

(LCPOA Approval is limited ONLY to the attached Construction Plans and Requirements Form associated with the use of the park which were submitted by the LCPOA Member at the time LCPOA Building Control Committee reviewed.)

✓ Plan approved only as submitted \_\_\_\_\_

✓ Return of the Deposit for Park Use \_\_\_\_\_

APPROVED \_\_\_\_\_ APPROVED WITH COMMENTS (See below) \_\_\_\_\_ DENIED \_\_\_\_\_

Comments: \_\_\_\_\_

Additional comments on back ☐

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

LCPOA Building Control Committee (BCC) Representative

(LCPOA Approval is limited ONLY to the attached Plans, which were submitted by the Homeowner at the time LCPOA BCC reviewed.)



**Property Owners Association**

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**BCC DREDGING AGREEMENT**

This Modification and Alteration Agreement ("Agreement") dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, is by and between Lake Columbia Property Owners Association (the "Association"), and \_\_\_\_\_, ("Owner"), with an address of \_\_\_\_\_.

- A. The Owner is the owner of record of Lot \_\_\_\_ (the "Lot"), which Lot is located in \_\_\_\_\_ Shores, a Subdivision located in Jackson County, Michigan (the "Subdivision").
- B. The Owner has requested permission from the Board of Directors to dredge the bottom lands of Lake Columbia adjacent to the Lot in the following manner and in accordance with all conditions of a validly issued EGLE permit (the "Alteration"):
- \_\_\_\_\_
- C. Based upon information submitted by the Owner, the Board has determined that the Alteration does not impair the soundness, safety, utility or appearance of the Subdivision, and therefore desires to grant permission to the Owner for installation and maintenance of the Alteration, but only upon the conditions set forth in this Agreement.
- D. This Agreement, when executed by the Association, shall constitute written authorization by the Association for Owner to seek an EGLE permit for the work described in paragraph B. This Agreement on its own does not authorize an Owner to make any alteration to the Subdivision. Owner must obtain an EGLE permit before proceeding with the Alteration.

In consideration of the mutual covenants and promises contained in this Agreement, the Board of Directors grants approval for the Alteration, but only upon the following conditions, restrictions and agreements:

1. If applicable, the Owner shall supply the Board of Directors with detailed plans, including all required engineering structural calculations if required, indicating any destruction, change to or connection with any existing Common Elements (the "Plans and Specifications"). The Board of Directors' approval is conditioned upon the Owner's compliance with the Plans and Specifications.
2. The Owner shall provide the Board of Directors with a copy of his/her EGLE permit within seven (7) days of approval by the EGLE. THIS AGREEMENT IS EXPLICITLY CONDITIONED UPON OWNER OBTAINING AN EGLE PERMIT FOR THE ALTERATION. Failure of Owner to comply with this provision shall void this Agreement, except for the provisions in paragraphs 3 and 5 below which shall remain in full force and effect.
3. The Owner shall be solely responsible for, and shall fully indemnify and hold the Association harmless from, any and all maintenance, repair and replacement of the Alteration, damages or costs resulting from the Alteration and the costs of any repair, replacement or maintenance of any Common Areas necessitated or caused by the Alteration, for so long as the Alteration is in existence. Depending on the specific type of Alteration, it is expressly understood that such responsibility shall include, but not be limited to, responsibility for damages from flooding or water infiltration to any other Lot or Common Area caused by the Alteration, personal injury caused by or during installation of the Alteration, and any damages to the Lot, any other lot or Common Areas by way of settlement, failure of support, water or otherwise resulting from the Alteration. Should the Association need to access any Common Areas that necessitates the removal of all, or part, of the Alteration, the Owner shall remove and replace that portion of the Alteration required by the Board of Directors at the Owner's sole expense. In the case of emergencies, the Association shall be entitled to remove those portions of the Alteration as the Board of Directors deems necessary, and to charge any expense incurred to the assessment account of the Owner. Similarly, should the Board of Directors determine, in its sole discretion, that the alteration is not being properly maintained, repaired or otherwise cared for by the Owner, or that the alteration is causing damage to the Common Areas, the Association shall have the right to perform the required repair or maintenance and to charge the costs incurred in so doing to the assessment account of the Owner. Any such sums assessed shall be due and payable immediately upon assessment, and shall constitute an assessment under the provisions of the Declaration for the Subdivision, and shall be secured by a lien against the Lot, to be collected in any manner authorized by the Declaration for collection of assessments. This provision shall survive the voiding of this Agreement for failure to satisfy paragraph 2 above.

4. The Owner shall be solely responsible for insuring the Alteration both as to casualty and general liability. The Owner shall provide evidence of such coverage to the Association upon request.
5. The Owner completely and fully indemnifies and agrees to hold harmless the Association, including its members, directors, officers, managers, agents, successors and assigns, from any liability, damages, claims, actions, judgments or responsibility whatsoever, now or in the future, known or unknown, foreseeable or unforeseeable, by any party whatsoever, for any actions, conduct or decisions in any way related to the Alteration and the permission given by this Agreement. This indemnification shall include any and all costs or expenses incurred by the Association including, without limitation, attorneys' fees, defense costs, and other expenses. This provision shall survive the voiding of this Agreement for failure to satisfy paragraph 2 above.
6. Owner understands and acknowledges that by entering into this agreement, (s)he has been approved for a single dredging project as described in Recital B above. All future dredging projects require an additional approval from EGLE, and Dredging Agreement.
7. The terms of this Agreement shall run with and bind the Lot, and the rights and responsibilities under this Agreement shall pass to the respective party's successors, assigns, heirs, legal representatives and all those who may subsequently acquire an interest in the Lot. It is expressly understood that the permission and approval granted herein shall extend only to the Alteration.
8. Owner agrees that unpaid costs, fees, and expenses related to the Alteration, including any costs, fees, or expenses that arise through operation of paragraphs 3, 4, and 5 above, constitute a lien on their Lot securing payment of those amounts. Each Owner, and every other person who from time to time has any interest in a Lot, shall be deemed to have granted to the Association the unqualified right to elect to foreclose the lien securing payment of the costs, fees, and expenses, either by judicial action or by advertisement. The provisions of Michigan law pertaining to foreclosure of mortgages by judicial action and by advertisement, as the same may be amended from time to time, are incorporated by reference for the purposes of establishing the alternative procedures to be followed in lien foreclosure actions and the rights and obligation of the parties to such actions. Further, each Owner and every other person who from time to time has any interest in the Property, shall be deemed to have authorized and empowered the Association to sell or to cause to be sold the Lot and improvements thereon with respect to which costs, fees, and expenses are delinquent and to receive, hold and distribute the proceeds of such sale in accordance with the priorities established by applicable law.

The parties have executed this Agreement of their own free will, after consultation with legal advisors of their choice, with knowledge of its contents, on the day and year appearing above.

**OWNER**

**OWNER**

\_\_\_\_\_  
[sign]

\_\_\_\_\_  
[sign]

\_\_\_\_\_  
[print name]

\_\_\_\_\_  
[print name]

**ASSOCIATION**

Lake Columbia Property Owners Association, a Michigan Nonprofit Corporation

By: \_\_\_\_\_  
[sign]

Print Name: \_\_\_\_\_, President



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**BCC (BOTTOMLAND) LETTER OF AUTHORIZATION**

To Whom It May Concern  
Environment, Great Lakes and Energy (EGLE) formerly DEQ  
Water Resources Division, Jackson District Office  
301 E. Louis Glick Highway, Jackson, Michigan 49201

Re: Use of Bottomland of Lake Columbia

\_\_\_\_\_ Shore Name/# \_\_\_\_\_ Lot # \_\_\_\_\_

Owner of Property – Name

\_\_\_\_\_  
Owner LCPOA Address

\_\_\_\_\_  
Owner Mailing Address (Street, City, State, Zip)

\_\_\_\_\_  
Owner/Contact Phone #

The Lake Columbia Property Owners Association, as owners of the bottomlands of Lake Columbia, gives \_\_\_\_\_ (Contractor/Owner) permission to obtain a permit for seawall construction along the shoreline at the above address. This permission is given with the knowledge that EGLE (Environment, Great Lakes and Energy) requirements will be fulfilled. This does NOT authorize any work to begin until EGLE issues permits and plans are submitted to LCPOA for approval.

By: \_\_\_\_\_  
Lake Columbia Property Owners Association Representative

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_  
BCC, President, GM

Dated: \_\_\_\_\_