

# **Private Dock Administration**

## **4-001 Discussion**

Among the earliest properties transferred to the state park system were the canal feeder lakes at Indian, Buckeye, Portage, Grand Lakes St. Mary's, Loramie, and Guilford state parks. These areas are characterized by large, shallow lakes with limited public land holdings and large numbers of private contiguous property owners.

Due to the complexities of administering this program, lack of direction, historic precedents, and other problems, major inconsistencies exist in this area. Numerous controversies have erupted on a myriad of issues and it clear the best interest of the public are not being served. It is estimated over 10,000 private docks exist over Division waters at canal lakes and at a limited number of other parks.

It is the intention of the division to establish a long range, comprehensive program concerning private docks to maximize public service and equity.

## **4-002 Standardized Dock Plan for Private Docks**

On state park waters construction of superaqueous structures are permitted through 1501:41-12-12. The Chief determines several conditions before a construction permit will be approved. Conditions include:

1. The proposed dock, tie-up space, or other superaqueous structures meets standard plans and specifications of the Division.
2. The proposed structure is located in an area having adequate drinking water and sanitary facilities and other health rules or laws resulting from additional construction of docks in the proposed location.
3. The proposed structure does not interfere with navigation; facility management or development on state owned or controlled lands or waters.
4. The proposed dock, tie-up space, or other superaqueous structures comply with the standard dock plan (dated 5-10-88) specifications and does not exceed the maximum width of four (4) feet.

In the past standard dock plans have not been uniformly applied statewide or on individual areas. The purpose of the standardized dock plan is to limit the amount of public land and water being converted to exclusive use by individuals, to permit the maximum number of the public to use the waters and shorelines, and maximize area aesthetics. Docks must be used for personal use and must extend from land owned or leased by the dock owner. Those who are leasing the property must provide proof the owner has given permission for the dock.

Boathouse eliminates the public use of that portion of public water where the structure is located. Therefore, boathouse from state or privately owned shoreline extending over the water of the Division will be phased out. Only plans for boathouses that are proposed for construction over existing or planned basins extending into private land will be reviewed for approval.

Area managers shall enforce the application of the standard dock or seawall design. If an individual wants to construct a structure contrary to the design, the proposed plan shall be

reviewed but questioned as to the benefit to the park operation. (as stated in Dock Management Plan), loss of public access on use of the site, and if the individual can show a need of being unable to construct in accordance with the standard design. Variances may be approved on a case by case basis by the Chief, if the above criteria are met. Plans for a boat lift or boat hoist may be approved only if the structure is commercially manufactured.

Any major construction, to include, but not limited to cantilevered docks, covered boat docks, and sea walls must be certified by a licensed engineer before any consideration for approval is initiated.

Standardized dock plans are included as Appendix A of this manual.

Standardized sea wall plans are included as Appendix B of this manual.

#### **4-003 Application to Construct a Dock or Superaqueous Structure**

The application form shall be used by all areas in all occasions to standardize the procedure for reviewing private dock or sea wall construction requests and aid on keeping records of those persons owning private docks.

Any proposed structure that meets standards and is located in an approved area designed in the Dock Management Plan shall be approved at the park manager level. Proposed structures that are variances from the standardized plans should be reviewed at the park level with a final decision being made by the Chief or his designee.

The State or local political subdivisions of the State will be required to obtain a Division construction permit as outlined in 1501:41-12-12 as it relates to bridges they may construct.

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