

Date _____ Permit No. _____

Office use only

POND PERMIT APPLICATION

Name of Owner: _____
Mailing Address: _____
City, State, Zip: _____
Phone Number: _____ Email: _____

LOCATION OF PROPOSED POND:

Street Address: _____ City, zip: _____
Parcel ID: 16- _____ Zoning District: _____
Pond Size (in acres): _____ Cubic Yards of Earth to be Displaced: _____

Is this a new pond or an enlargement of an existing pond? ☐ New ☐ Enlargement
Is there a dwelling on the property? ☐ Yes ☐ No
Is the property at least three acres in size? ☐ Yes ☐ No
Is the proposed pond located within 500 feet of a lake, stream, or wetland? ☐ Yes ☐ No
Is the proposed pond for farming use? ☐ Yes ☐ No. If so, explain the farming use briefly:

FURTHER REQUIREMENTS:

No excavated material from the pond area may be removed from the property without a mining permit.
The pond has a required minimum setback of 50' from all property lines.
The pond has a required minimum setback of 50' from any structure, and 25' from any driveway.
The required minimum setback from any septic tank or septic field is 100'.
The pond must not cause overflow water to runoff onto adjacent properties.
The pond must comply with all requirements contained in section 12.16 of the zoning ordinance.
A Special Exception Use permit is required unless the property is zoned Rural Agricultural.
A cash performance guarantee shall be posted by the property owner in the amount of \$ _____.

The pond regulations are found in Sec. 12.16 of the zoning ordinance, available under the "public documents" tab of the Township website at yankeespringstwp.org

I agree to comply with the above requirements and with all requirements of the zoning ordinance:

Signature of Owner: _____ Date: _____

By signing above the applicant/owner consents to inspections of the property by Township officials and their agents.
Providing false information on this application shall result in revocation of the permit and a municipal civil infraction.

For Township Use Only

PERMIT GRANTED _____ DENIED _____. DATE _____

Zoning Administrator

PERFORMANCE BOND RECEIVED IN THE AMOUNT OF \$ _____

This permit expires six months after the date it was granted.

YANKEE SPRINGS TOWNSHIP

BARRY COUNTY, MICHIGAN

(Ordinance No. 06-12-2025)

Adopted: June 12, 2025

Effective: EIGHT DAYS FOLLOWING

PUBLICATION AFTER ADOPTION

An Ordinance to amend the Township of Yankee Springs Zoning Ordinance to add ponds as a permitted use in RA Zoning Districts and a special exception use in other zoning districts, and to set forth standards for the construction and maintenance of ponds in all zoning districts; to provide an effective date; and to repeal all ordinances or parts of ordinances in conflict herewith.

THE TOWNSHIP OF YANKEE SPRINGS

COUNTY OF BARRY, MICHIGAN

ORDAINS:

SECTION 1

AMENDMENT TO ARTICLE XII OF TOWNSHIP ZONING ORDINANCE

Article XII, General Regulations of the Yankee Springs Township Zoning Ordinance is hereby amended by adding a new subsection 12.17 Ponds, which shall read as follows:

Section 12.17 - Ponds

Ponds: Shall be allowed as a permitted use in RA zoning districts. They may be allowed as a special exception use in any other zoning district on a lot size of 3 acres or greater. Ponds shall be subject to the following requirements:

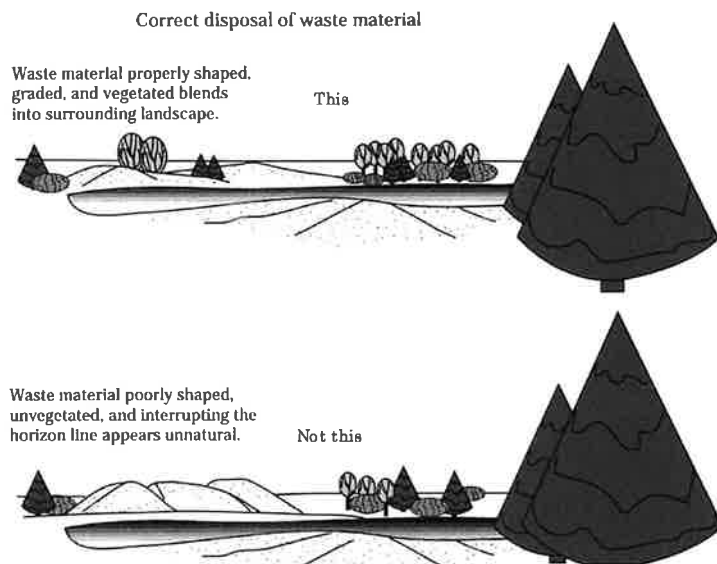
- A. The following terms and definitions shall apply to this section to supplement those listed in Article II of the Yankee Springs Township Zoning Ordinance:
- a. **Construction:** The digging of a new pond, the horizontal enlargement of an existing pond, and the cleaning or deepening of an existing pond that results in the removal of over five hundred (500) cubic yards of soil material.
 - b. **Cleaning (or deepening):** The removal of accumulated silt or other soil materials in order to restore an existing pond's original cross section (bottom contour) where five hundred (500) or less cubic yards will be removed.
 - c. **Enlargement:** A horizontal increase in surface area of the water or an increase in the depth of an existing pond where either activity results in the removal of more than five hundred (500) cubic yards of soil material.
 - d. **Pond:** For purposes of this section shall mean any natural or artificial body of water that, under normal circumstances, can hold water to a depth of 4 feet or more or has a surface area of more than 2,500 square feet.

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- B. The property owner shall submit an application to the Zoning Administrator. The application shall be accompanied by a site plan that demonstrates compliance with all requirements below.
- C. The total surface area of all ponds on one property shall not exceed 25% of the area of the property. No pond shall exceed 5 acres of surface area.
- D. There shall be a setback of at least fifty (50) feet from the edge of the excavation to all property lines.
- E. A minimum setback of fifty (50) feet shall be maintained from the edge of excavation to the nearest point of any single-family home, or accessory building and twenty-five (25) feet from any driveway.
- F. There shall be a minimum setback from any septic tank and/or tile disposal field of at least one hundred (100) feet.
- G. No pond shall be constructed, enlarged, cleaned or otherwise altered in a manner that causes pond overflow water to run off onto adjacent lots or parcels. Discharge of water from a natural or artificial pond shall be controlled through the engineering of an outlet to an appropriate natural waterway or county drain. A detailed drainage plan, prepared by a professional registered civil engineer, may be requested if deemed necessary to insure that the proposed pond and associated placement of spoils on-site will not negatively impact drainage patterns both on and off the site.
- H. No pond shall be located directly beneath an overhead electrical line, wire or conductor, nor within ten (10) feet horizontally of any overhead electrical line.
- I. There shall be no slope in excess of 4:1 (four feet horizontal to one foot vertical) until the water reaches a depth of five (5) feet, at the low water mark, on all sides of the pond. This requirement shall be clearly demonstrated on the applicant's sketch plan.
- J. Excavated materials may not be hauled off the site unless a mining permit is obtained pursuant to Section 4.5.J of this ordinance. All applications for a pond permit shall include a calculation of the number of cubic yards of material to be excavated, the cubic yards to be used on-site, and, if a mining permit is obtained, the number of cubic yards to be hauled off-site.
- K. All applications for pond approval shall be accompanied by a permit fee in an amount established by resolution of the Township Board of Directors.
- L. A cash performance guarantee, in an amount established by resolution of the Township Board of Trustees, shall be posted by the applicant prior to issuance of a permit to ensure completion of all required improvements. Failure to comply with the standards of this section shall result in forfeiture of the cash performance guarantee.
- M. All approved ponds shall be complete within six (6) months of issuance of a permit. The Zoning Administrator may grant a six (6) month extension of the permit for just cause.
- N. Commercial use of any residential, agricultural or farm pond by the public for swimming, fishing or the like shall be prohibited.
- O. Dangerous Conditions: The property owner shall take every precaution to ensure the safety of the public. Where conditions, during construction, may be deemed to pose a hazard to people and animals, the zoning

administrator may require the installation of temporary barriers until the pond water is filled to an acceptable level where a person or animal could exit the pond without being trapped.

- P. Warning signs shall be placed and maintained near the pond. Coast Guard approved life ring shall be attached to a fifty (50) foot rope and placed in an easily accessible location for use during an emergency.
- Q. Excavated material or overburden from private residential pond construction shall be placed in a manner so that its weight will not endanger the stability of the pond's side slopes, and in a manner that is aesthetically pleasing. There shall not be less than twelve (12) feet between the toe of the fill and the edge of the pond. The overburden shall be properly sloped (max slope 1:3 not to exceed 36 inches in height), graded, planted, and landscaped with vegetation to blend into the surrounding landscape. (See the accompanying sketch).



SECTION 3 **SEVERABILITY**

The provisions of this Ordinance are declared to be severable. If any court of law shall hold that any section or provision hereof is invalid, such holding shall not affect or impair the validity of any other section or provision of this Ordinance.

SECTION 4 **REPEAL OF CONFLICTING ORDINANCES/EFFECTIVE DATE**

All ordinances or parts of ordinances in conflict herewith are hereby repealed. This Ordinance shall take effect eight (8) days following publication after adoption.

YANKEE SPRINGS TOWNSHIP

Tom Hopkins, Clerk

284 N Briggs Rd.

Middleville, MI 49333

269-795-9091

www.yankeespringstwp.org