Funneling: A Threat to Indiana's Lakes

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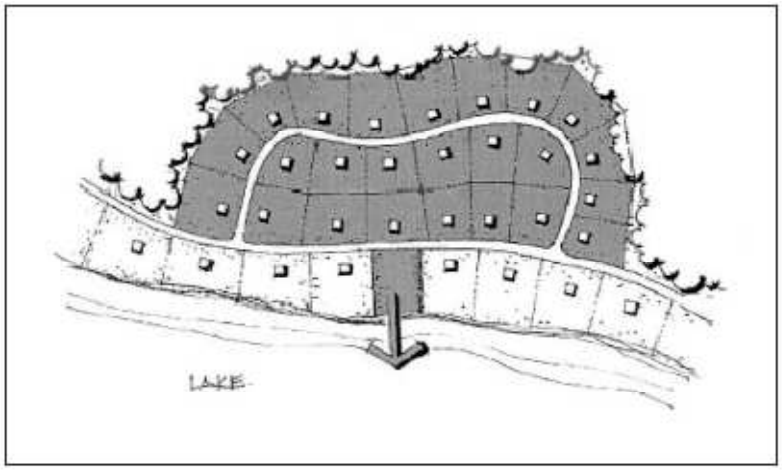
By Emily Kara

As the shorelines of inland lakes continue to be developed, many more empty lots now have houses, and small houses are growing into big ones! Some lots now no longer have houses, but instead serve as an access point for a nearby neighborhood or the general public. Many of us may remember the good old days when "we had the lake to ourselves". Increasing popularity of watercraft and water sports has affected most lakes in this region. Funneling issues, in particular, have received increasing attention in Midwestern states including Michigan and Wisconsin, where townships have adopted anti-keyhole ordinances.

Funneling—also known as "keyhole development"—is the use of a single waterfront lot by multiple users. Through this type of development, direct lake access is made possible to non-adjacent lake users. Typical users of one waterfront lot do not exceed the number of inhabitants of the household situated on a lot; funneling allows access to numerous users of a lot designed for a single household. Examples of funneling include waterfront access to non-waterfront subdivision dwellers, campers, travel trailers, or possibly boat users (if the keyhole lot contains a boat launch).



Lake access to remote dwellers through a "keyhole" lot.

Funneling may extend use of lakes and waterfront properties beyond the desired carrying capacity. Carrying capacity is the maximum amount of use that an environment can sustain over time without degradation in overall quality. Negative effects from funneling include increased boat and vehicle traffic, increased user conflicts, overcrowding, increased pollution, ecological damage, and decrease in natural beauty.

"According to Mark Sanborn, director of the Steuben County Plan Commission, the cost of lakefront property is $6,000 to $10,000 per foot of shoreline on any of the larger lakes in Steuben County. The more shore frontage a property has, the more valuable it is. Landlocked back lots that come with deeded easements make properties exponentially more valuable. If a developer can build a multiple-family building and purchase a relatively small lot to provide lake access, it is a guaranteed money-maker for the developer and tax income for the community" (Stacey Stumpf, *The Journal Gazette*).

"The development 'Coves of Lake James' is a classic example of lake funneling, and it had neighboring lakeshore property owners fuming. The Coves are landlocked condominiums 500 yards from the lakeshore with lake access through residentially zoned waterfront property. The developers built two 150-foot piers with 38 perpendicular boat slips. Lakefront neighbors were concerned that the large dock would bring too many boats and endanger people swimming in front of the adjacent properties. The DNR's administrative hearing judge ruled against the Cove's piers because they were longer and wider than piers of neighboring property owners" (Stacey Stumpf, *The JournalGazette*).

Decisions by the Michigan Supreme Court in 1991 ruled that townships do have the authority to regulate development on lakes for the protection of health, safety, and welfare of community members. This ruling included the regulation of boat launching and docking. Townships in Michigan also have some control over state agency-controlled access sites. For example, although the Michigan Department of Natural Resources (MDNR) has jurisdiction over public-access boat launches, the launch and its use are still subject to local ordinances. In this way, local township ordinances may be implemented to protect a lake from detrimental over use.

In Wisconsin, counties have implemented several strategies to manage funneling. These principal modes include:

1. Prohibited or conditional use of waterfront lots. Keyhole developments may be prohibited except as permitted under special use or recreational use permits.
2. Minimum water frontage and area. Depending on the sensitivity of a lake riparian zone (boundary of land and water at lake edge), additional frontage may be required for lake use by more than one dwelling.
3. Design requirements for water access lots. Rules may be implemented upon access lots. These rules may address piers and moorings, noise limits, hours of use, parking controls, and land storage of boats.
4. Vegetative buffer along lot edge. Sawyer County, Wisconsin, requires a 25-foot vegetated zone along side lot lines of the access lot, thereby decreasing nuisance to adjacent waterfront landowners.

Here in Indiana, the Indiana Lakes Preservation Act (IC 14-26- 2-5) places power and control of public freshwater lakes in trust by the state for the use of its citizens. The state does not have jurisdiction over adjacent land use, but as in Michigan and Wisconsin, county and local ordinances may be implemented to protect the ecological and economic resources of a lake. Planning and zoning ordinances must first be accepted locally, but may be necessary to protect a lake from degradation.

Balancing recreational demand and the aesthetic and environmental quality of a lake may be a delicate issue. However, it is important to consider proactive management of some form before the ground is broken and new development occurs. According to the Planning and Zoning Center, Inc., of Lansing, Michigan, an essential step in the adoption of a lake access ordinance is the preparation of a carrying capacity analysis. Such an evaluation might include maximum use levels for a particular lake. A carrying capacity analysis would address questions such as: What is the maximum number of boats or piers per waterfront lot that a healthy lake can sustain? How many boats can a lake safely contain at peak usage? Should capacities be different on lakes that are already heavily used or environmentally polluted?

To find out more about keyhole development and ordinances some communities have adopted related to this issue check out the following Web sites:

- Planning and Zoning Center, Inc.: www.pzcenter.com/pub2.cfm
- Wisconsin DNR: www.dnr.state.wi.us/org/water/fhp/lakes/fs14.htm
- Michigan Carrying Capacity Analysis: www.kbs.msu.edu/ftwrc/publications/Carryingcapacity.pdf

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