

LEASEHOLD & PARKLAND MODIFICATIONS

Updated: Rough Draft May 1, 2025

OVERVIEW

SBRC owns all 32 acres of its land, including Parkland (common property) and Leaseholds (individual cottage sites). All modifications, construction, or use of this land fall under the authority of the SBRC Board and the Modifications Committee.

SBRC lies atop a Critical Dune area. Any ground disturbance may require permits from:

- EGLE (Department of Environment, Great Lakes, and Energy)
- Muskegon County (Soil Erosion Control, Public Health for septic systems)
- Fruitland Township

ROLES OF THOSE INVOLVED

The Applicant submits a proposal for modification, ensuring it aligns with the guidelines outlined in this document. It is the Applicant's responsibility to resolve all reasonable concerns with immediate neighbors before requesting their completion of the Project Review form. If a neighbor identifies unresolved concerns on their form, the Applicant must respond to those concerns on the Leasehold Modification Application before submitting it to the Modifications Committee.

The Immediate Neighbor provides feedback based on personal considerations regarding the proposed alteration to a neighboring leasehold or adjacent Parkland property. Once the Applicant formally requests completion of the form, the neighbor will return the form in the agreed upon return date. While neighbors may express concerns, they may not impose conditions beyond the scope of the proposal.

The Modifications Committee is responsible for reviewing proposed modifications to ensure alignment with SBRC standards and Bylaws. Its role includes:

- Assisting the Board by carefully reviewing applicants' detailed plans for compliance.
- Helping applicants understand SBRC guidelines and navigate the approval process.
- Supporting the improvement of family leaseholds.
- Providing a forum for reasonable discussion on modification-related topics.
- Periodically reviewing SBRC design guidelines and Fruitland Township regulations to ensure alignment with SBRC Bylaws, long-range planning, and zoning district standards.
- The Modifications Committee shall determine an approval or rejection of an application by a vote of the majority, although a unanimous vote is preferred.

The Board of Directors conducts the final evaluation of the proposal, based on its responsibility to operate, maintain, and manage the real property, buildings, infrastructure, and other assets of our historical beachside community.

If the proposed modification involves use of the Community's Parkland, **Shareholders will vote on the Board-approved proposal at the next Annual Meeting**. A two-thirds (2/3) majority vote of Shareholders is required to approve the modification.

GENERAL MODIFICATION GUIDELINES

Consistency with Character:

Modifications must align with the style, quality, and scale of surrounding structures, as outlined in SBRC

Bylaws (Article VII, Section 4). Exterior changes impacting size, shape, height, roofline, or footprint must be approved through the Modifications application process.

Permit Compliance:

Approval from SBRC does not guarantee local, state, or federal approval. The shareholder is responsible for obtaining all necessary permits from regulatory bodies such as EGLE.

Leasehold Boundaries:

Shareholders must confirm their Leasehold boundaries. Unauthorized use or modification of Parkland is not permitted.

Interior/Minor Exterior Work:

No SBRC approval is needed for non-structural changes (e.g., painting, re-roofing with similar materials, interior remodeling). However, work should align with community aesthetics, and neighbors should be notified as a courtesy, even if the work is conducted off-season.

GENERAL CONSTRUCTION GUIDELINES

- Construction shall only occur between Labor Day and June 30th, except in emergency cases as determined by the Board of Directors.
- Applications for construction on Association Parkland require Shareholder approval at the next Annual Meeting, before construction may begin.

LEASEHOLD RELATED MODIFICATIONS

Permanent Structures and Additions:

All new permanent structures or modifications on Leaseholds—including garages, decks, sheds, pergolas, fences, wood boxes, boat racks, and similar items—require review by the Modifications Committee and approval by the SBRC Board. (Bylaws Article X)

Only one residence is permitted per Leasehold under SBRC Bylaws and Fruitland Township zoning codes.

Utilities and Systems:

Installation of wells, waste disposal systems, or permanent in-ground watering systems must be reviewed by the Modifications Committee and approved by the Board.

Landscaping, Lighting, and Mechanical Installations:

Additions should align with the general character of Sylvan Beach and not hinder others' enjoyment of the community.

1. Above-grade landscaping (e.g., hedges, boulders, terracing) must preserve sightlines.
2. Items producing constant noise or light (e.g., A/C units, generators, fountains, bright lights) must not disrupt the community's quality of life.
3. At-grade improvements fully within Leasehold boundaries do not require approval, provided they comply with general guidelines.
4. Area lighting, fences, pet containment systems, or similar permanent fixtures require Modifications Committee and Board approval.

BOATHOUSES

Emergency Repairs:

Summer-season construction (June 30–Labor Day) requires written permission from the Grounds Chair and the Board.

New Boathouses:

Fruitland Township prohibits new boathouses on White Lake. No Sylvan Beach properties have grandfathered exceptions.

Permanent Shoreline Construction:

Requires EGLE and Army Corps of Engineers review.

STAIRS, DECKS, LANDINGS, LIFTS ON PARKLAND**Association-Provided Beach Access:**

SBRC owns and maintains shared stairways and footpaths to ensure equitable beach access to Lake Michigan and White Lake's boathouse row. SBRC is responsible for their upkeep.

Structures for Personal Use:

Approval: All new permanent structures to be built on Parkland require Modifications Committee, Board approval, and Stockholder approval at the Annual Meeting or via Special Meeting.

Permits: EGLE and Muskegon County permits may be required.

- Stairways under 5 ft wide, elevated, uncovered, with hand-dug holes, may be EGLE-exempt.
- Structures within 500 ft of water may require Muskegon County Soil Erosion permits.

Safety, Liability & Maintenance:

- Shareholders must maintain personal structures in safe, sound condition and carry liability insurance.
- The Association may inspect structures for safety, and the required repairs must be made promptly at the Leaseholder's expense.
- Ownership and maintenance responsibility of the personal structure transfers with a Leasehold sale.

PARKLAND INFRASTRUCTURE MAINTENANCE & MODIFICATIONS**Ownership and Access:**

All driveways are owned by SBRC—even if they serve a single Leasehold. Associates access their properties via SBRC pathways by permission of the Association.

No driveway easements exist other than a 1974 agreement (Block 3, Lots 9 & 10).

Maintenance:

SBRC maintains all roads, footpaths, and shared beach stairs and paths. If Shareholder construction damages Parkland infrastructure, they must cover repair costs.

Modifications:

- Driveways on Parkland: Require approval from two-thirds of all SBRC Stockholders.
- Driveways on Leaseholds: If other properties' access is affected, broader approval may be required.

EVALUATION CRITERIA

Requests are evaluated based on:

- Dune and vegetation impact
- Necessity (e.g., disability access)
- Design harmony and safety
- Topography and visual impact
- Neighbor considerations

FINAL NOTES

All Shareholders are expected to:

- Understand and comply with SBRC guidelines and all relevant laws
- Respect shared community values and neighbors
- Obtain all required approvals before beginning any work

SYLVAN BEACH



RESORT COMPANY

LEASEHOLD MODIFICATION APPLICATION

Submit completed applications to the Modifications Committee at least 30 days prior to intended work. Attach supporting documents as required.

SECTION 1:

APPLICANT INFORMATION

Shareholder Name(s): _____

Leasehold Address (Block & Lot): _____

Mailing Address (if different): _____

Phone Number: _____ **Email Address:** _____

CONTRACTOR INFORMATION

☐ I am doing the work myself.

Name(s): _____

Address _____

Phone Number: _____ **Email Address:** _____

SECTION 2: MODIFICATION SUMMARY

Describe the proposed modification(s):

Permanent Structure Type (check all that apply):

- ☐ Garage
 - ☐ Deck / Landing
 - ☐ Shed / Wood Box / Pergola
 - ☐ Fence / Gate
 - ☐ Lighting / Mechanical (A/C, Generator, etc.)
 - ☐ Landscaping / Above-grade planting
 - ☐ Driveway (on Leasehold)
 - ☐ Other: _____

SECTION 3: LOCATION & DIMENSIONS

Will the modification be fully within Leasehold boundaries?

- ☐ Yes
- ☐ No (If No, see “Parkland Infrastructure Modification” – additional approval required)

Provide dimensions, materials, and location relative to Leasehold boundaries. (Attach a site plan or sketch showing the location and scale of the proposed modification.)

SECTION 4: PERMITS & AGENCY APPROVALS

Will you need any of the following? (Check all that apply)

- ☐ EGLE Permit (e.g., Critical Dune, Shoreline)
- ☐ Muskegon County Soil Erosion Permit
- ☐ Fruitland Township Zoning / Building Permit / Compliance

Have you already applied or obtained these permits? (Attach copies if already obtained)

- ☐ Yes ☐ Applied for _____ ☐ Obtained _____
☐ No
☐ Not Required (Attach explanation)

SECTION 5: NEIGHBOR NOTIFICATION & ACCEPTANCE

Have you notified immediate neighbors?

- ☐
- Yes
- ☐
- No

Have neighbors provided written input?

- ☐
- Yes (Attach relevant letters/emails)
- ☐
- No

All reasonable neighbor concerns should be addressed prior to Board review. The Modifications Committee can assist in resolving any concerns.

Have neighbors provided written response?

- ☐
- Yes.

SECTION 7: ACKNOWLEDGEMENT & AGREEMENT

By signing below, I/we affirm:

- I/we have reviewed the SBRC Modifications Guidelines and understand the requirements.
- The proposed modification complies with applicable SBRC policies and local/state/national regulations.
- I/we accept responsibility for maintenance, safety, and liability of any approved structure.
- I/we understand that no work may begin until formal written approval is received from the SBRC Board.

Applicant Signature(s): _____ **Date:** _____

Applicant Signature(s): _____ **Date:** _____

SECTION 7: COMMITTEE USE ONLY

Date Received: _____ **Committee Review Date:** _____

Will granting this request create a positive precedent that supports the best interests of the greater Association?

☐ Recommendation to Approve

☐ Requires Additional Information

☐ Recommendation to Deny

☐ Forwarded for Shareholder Vote

Notes:

Modifications Committee Signature: _____

Board Approval Date: _____ **Board Signature:** _____

☐ Approved

☐ Denied

SYLVAN BEACH



RESORT COMPANY

PROJECT REVIEW BY IMMEDIATE NEIGHBOR

To be attached to LEASEHOLD MODIFICATION APPLICATION

Date: _____

Please return to the applicant ASAP or upon the agreed upon Date: _____

To support a smooth and respectful process, applicants must obtain a completed Project Review Form from each immediate neighbor regarding any proposed modifications or construction. When neighboring leaseholds are owned by an entity (such as an LLC or trust), the signature of the designated representative will serve on behalf of all owners.

SECTION 1: To be completed by the Applicant

Name(s) of Applicant(s):

Sylvan Beach Address:

Brief Description of Proposed Modification or Construction: (Attach plans or use the back of this form if needed)

Proposed Start Date: _____ Proposed Finish Date: _____

☐ I acknowledge that I have made a good faith effort to propose a permanent structure that is consistent with the style, quality, and scale of surrounding structures to the best of my ability.

Applicant's Signature: _____ Date: _____

SECTION 2: To be completed by the Immediate Neighbor

Immediate Neighbor's Name/Address:

Best Way to Contact (phone/email):

I have reviewed the applicant's drawings and/or written description of the proposed modification or construction. (Check all that apply):

- ☐ I have spoken with the applicant about the proposed work.
- ☐ I accept the proposed modification or construction as submitted.
- ☐ I do not accept the proposal and have minor / major reservation. Modifications Committee, please review the following respectful submission of my concerns concisely listed for your consideration / ruling. (List below or attach document to this document)

Neighbor's Signature: _____ Date: _____