



SELLER GUIDE

Dock and Shoreline Management



Revised Lake Addendum

The Roanoke Valley Association of Realtors' Standard Forms Committee worked for over a year to update the Lake Addendum. Standard Forms Chairman Tim Garrison led the efforts, assisted by a subcommittee comprised of Doyle Cockram, Bitsy Davis, Lori Shultz-Moore and Ron Willard II. RVAR thanks them for their valuable input and time.

This group learned two important facts in doing their research which all lake REALTORS should know.

1. The Shoreline Management Plan (SMP) was designed to protect the quality of the water in Smith Mountain and Leesville lakes. The reason the SMP does not allow docks/storage space to be built in the “flood level” is to make sure gasoline, oil etc. does not wash into the Lake.
2. A dock permit issued by American Power Company (APCO) is different than the permits issued by the municipality to build a permanent structure on a homeowner’s land. The permit issued by APCO is a “revocable permit” that is issued to the present homeowner to put a dock on APCO’s property.



Smith Mountain Lake Dock Information

Source: Appalachian Power

The Shoreline Management Plan was designed to protect the environment of the lake areas. One of the areas that greatly affect the environment is the land flooded by APCO during the generating of electricity.

The land area that is flooded at Smith Mountain Lake is the land between the 795' ("full pond") and 800' ("floodlevel"). APCO can flood up to 5' to generate electricity.

The holding lake below Smith Mountain Lake that is used to store water to be pumped back through the generators is Leesville Lake. The area of land that is protected is the land between 600' ("full pond) and 620' ("flood level").

The Shoreline Management Plan does not allow any new structures to be built in the land between the full pond and flood level. There are sound environmental reasons for these restrictions. They do not want structures that have gasoline and oil products, for example, to accidentally spill in the lake during the flooding of the lake.



CATEGORIES OF DOCKS

1. Request to put in a New Dock
2. Existing Docks installed before August 29, 2003
3. Non-Conforming Docks that have registered with APCO with Existing Non-Conforming Structure Documentation (ENCSD)
4. Non-Conforming Docks without Existing Non-Conforming Structure Documentation

NOTE: *The following information only addresses the different categories of docks. It does not address all of the detailed guidelines for docks in the Shoreline Management Plan. We recommend you consult with the Shoreline Management Plan, the APCO personnel who administer the Plan, the County officials, surveyors and dock contractors who are knowledgeable about the details.*





REQUEST FOR A NEW DOCK PERMIT

Steps involved to obtain a New Dock Permit:

- Request for Dock Permit must be submitted by Owner
- All New Dock Permits must meet the guidelines and restrictions of the Shoreline Management Plan
- An application must be filled out
- A survey drawing must be submitted showing the lot, lot lines, location of the 800' and 795' base elevations for Smith Mountain Lake and 620' and 600' base elevations for Leesville Lake
- Location and dimensions (length, width and height) of the proposed structure
- Location of and distance to adjacent structures
- The completed application, drawings and \$21 must be submitted to APCO
- Once the Dock Permit is approved by APCO, it is recorded in the County Clerk's office
- Once you have an approved Dock Permit, then you can apply for a Building Permit from the County

APCO offers the following suggestions regarding obtaining a New Dock:

- The Owner should consult with a company that installs docks for their input and suggestions
- The drawings submitted for the permit should be drawn by a professional (e.g., civil engineer, surveyor, contractor etc.) to make sure the lot lines, base line elevations and dimensions of the proposed dock structure are accurate.
- In situations where a Buyer has written a contract that is subject to the Owner providing verification that a dock could be put on the lot, APCO urges the Buyer to work with the Seller and the Dock Contractor to make sure the Dock Permit that is issued by APCO is what the Buyer thought they were getting approved. APCO has had problems with Buyers finding out after closing that the dock they were thinking was approved and what was actually approved are different. This would eliminate a number of problems for everyone.
- The Dock Permit issued to the Owner/Seller of the property may be assigned by the Owner to the Buyer by submitting a transfer application to APCO.



EXISTING NON-CONFORMING DOCKS **WITH DOCUMENTATION**

Docks built prior to **August 29, 2003** (the date the Shoreline Management Plan became effective) may not have been built according to the guidelines of the Shoreline Management Plan managed by APCO.

APCO allowed Owners of property at Smith Mountain Lake and Leesville Lake who had docks built prior to August 29, 2003 to submit Existing Non-Conforming Structure Documentation. This program allowed Owners to file with APCO on or before August 31, 2005 Existing Non-Conforming Structure Documentation (ENCSD) that would allow the Owner to re-build within the footprint of the Existing Non-Conforming dock in the future if the dock was destroyed.

There are two exceptions to rebuilding a Non-Conforming dock:

1. The Owner will not be allowed to rebuild any structure that was originally built on the land between the 795' and 800' contours at Smith Mountain Lake and between 600' and 620' contours at Leesville Lake. The structure can be built above the 800' and 620' contours.
2. The Owner can not rebuild any enclosure on the dock greater than 72 square feet nor may the enclosure be used for human habitation nor contain sinks, showers, toilets etc.



The public can call to find out whether an Owner submitted a request and the status of the approval of the Existing Non-Conforming Structure Documentation by calling APCO at 540-489-2556.

The approved Existing Non-Conforming Structure Documentation is issued in the present Owner's name and is attached to the property.

If the Seller has filed the necessary Existing Non-Conforming Structure Documentation and did not receive acknowledgement from APCO, REALTORS should have the Seller/Owner prepare a letter, signed and addressed to APCO requesting APCO to issue the letter of acknowledgement to the Purchasers. REALTORS should also provide the mailing address of the Purchasers.



EXISTING NON-CONFORMING DOCKS **WITHOUT DOCUMENTATION**

Docks built prior to August 29, 2003 whose owners did NOT make application to APCO on or before August 31, 2005, may NOT be rebuilt if destroyed. Instead, owners would be required to apply for a new dock permit.

**To read a complete copy of the Shoreline Management Plan,
visit www.smithmtn.com.**