



# Section 25A

## Boat Garage Standards and Requirements

### 1. Purpose

This document provides guidance to Idaho Department of Lands (IDL) Operations Staff in processing encroachment permit applications for boat garages on navigable lakes pursuant to the Idaho Lake Protection Act (Idaho Code Title 58, Chapter 13) and the corresponding administrative rules (IDAPA 20.03.04) ("Rules"). This document replaces the boat garage guidance under a portion of Section 25 of the Procedures Manual (rev. 12/24/2013).

Boat garage standards first appeared in the 2008 printing of IDAPA 20.03.04. A boat garage is a structure with one or more slips that is completely enclosed with walls, roof, and doors, but no temporary or permanent residential area (Rule 010.06). Boat garages are nonnavigational encroachments (Rule 015.05.a).

### 2. Encroachment Permit Application

Encroachment permit applications to reconstruct existing permitted boat garages or to construct new boat garages for local emergency services are processed pursuant to I.C. § 58-1306 and Rule 030. A permit is not required to clean, maintain, or repair an existing permitted boat garage (Rule 020.04). Since the majority of plants, fish, and wildlife are found in the shore and near-shore areas of a lake, IDL will not accept permit applications for construction of new boat garages or expansion of the footprint of existing boat garages (except in support of local emergency services) because of their impact on these biologically important areas.

### 3. Encroachment Standards

#### a. Footprint

Except to support local emergency services, the footprint of a boat garage may not be expanded (Rule 015.05.b). The footprint is the area the encroachment covers, measured in square feet. In order to ensure the footprint of a boat garage is not expanded, the following must be identified in the application and permit:

- i. Boat garage footprint: Area enclosed by the walls and roof.
- ii. Float footprint: Area covered by the float(s) supporting the boat garage.

Surface decking area beyond the walls of the boat garage is regulated by the corresponding rules (e.g. the decking area beyond the walls of a non-commercial boat garage that serves one waterfront owner must meet the requirements of a single-family dock). If the decking area shares the float(s) with the boat garage, this area is counted in both the footprint of the boat garage and the dock.

#### b. Size

Except to support local emergency services, the size of a boat garage may not be increased (Rule 015.05.c). The size of a boat garage is made up of its physical dimensions (length, width, and height). Each dimension must be identified on the application and permit.

c. Residential Area

A boat garage may not have a temporary or permanent residential area (Rule 010.06). Residential areas are regulated under the rules related to float homes (Rule 015.10).

d. Littoral Rights

Under the Rules, it is presumed (subject to rebuttal) that a boat garage located closer than twenty-five (25) feet to adjacent littoral right lines has an adverse effect upon adjacent littoral rights.

The approach and boat garage must be constructed to lessen the potential for infringement on littoral rights. This is typically done by constructing the encroachment to protrude as nearly as possible at right angles to the general shoreline (Rule 015.13.c).

e. Weather Conditions

A boat garage and its building materials must be designed and installed to withstand normally anticipated weather conditions in the area. A boat garage must be adequately secured to pilings or anchors to prevent displacement due to ice, wind, and waves (Rule 015.13.f).

f. Flotation Devices

Flotation devices for a boat garage must be reasonably resistant to puncture and other damage (Rule 015.13.f). Any beaded foam flotation must be completely encased in a manner that will maintain the structural integrity of the foam and be resistant to the entry of rodents (Rule 015.13.i).

#### 4. Inspection

An on-site inspection is required as part of processing an application to rebuild or relocate an existing permitted boat garage prior to relocation, demolition, and/or construction. The inspector compares the size and footprint of the existing boat garage with the figures identified in the permit and provided in the application.

#### 5. Description

a. In the encroachment permit, a boat garage is described as follows:

A boat garage footprint-square foot, number of slips-slip boat garage (width parallel to the shore' x length perpendicular to the shore' x height') with a float footprint-square foot float (width parallel to the shore' x length perpendicular to the shore').

b. For example, the boat garage drawn in Figure 1 would be described as:

A 528-square foot, single-slip boat garage (33' x 16' x 15') with a 700-square foot float (35' x 20') including 172 square feet of decking.

**Figure 1: Sample Boat Garage Drawing**

