

ASK THE EXPERTS

If you have a question about water related issues, riparian rights, and/or lakes and streams, etc., let us know by email or snail mail.

Email: info@mi-riparian.org
Mail: The Michigan Riparian
300 N. State St., Suite A,
Stanton, MI 48888

Question: Is it legal for someone to build a cottage so that it interferes with my view of the lake?

Answer: Generally, yes. Some states have a so-called “right of view.” In those states, there are limits regarding structures and buildings that can be built on one property that would obstruct the view from another property of a significant feature, such as a lake, mountain range or forest, or diminish light from shining onto a property. In Michigan, there is no common law right to a view. See *Hasselbring v Koepke*, 263 Mich 466 (1933); *Desai v Rabbani*, (unpublished decision of the Michigan Court of Appeals dated January 5, 2001, Case No. 216333; 2001 WL 792195). Nor is there any Michigan statute according such a right. However, local zoning regulations in some municipalities can indirectly protect views (although very few, if any, directly regulate views). For example, some municipalities have height regulations on buildings, fences, and other structures located within a certain distance of a lake, river or other body of water. Such regulations can indirectly protect the views from adjoining properties.

- Clifford H. Bloom
Attorney at Law

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Our experts include our riparian attorney, a biologist, a limnologist, an engineer, a college professor and a state agency official. They look forward to responding to your question.



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