TOWNSHIP OF ELK RAPIDS
ANTRIM COUNTY, MICHIGAN
ELK RAPIDS TOWNSHIP PLANNING COMMISSION
JOHN A FERRARI, ACTING SECRETARY

8/22/96

A special meeting of the Elk Rapids Township Planning Commission was called to order by the chairman, Ned Verhage at 7:00 P.M. on Thursday, August 22, 1996, at the Elk Rapids Township Hall, Elk Rapids MI. Present: Dorance Amos, Felix Casillas, John Ferrari, Dick Jobe, Brian Martineau, and Ned VerHage. A quorum was present.

Public Hearing for Garrow Non-conforming Upgrade Proposal. Ned VerHage opened the Public Hearing. Robert Garrow was present. Ned VerHage said that proper notices of this meeting were printed in the newspaper but that letters to adjacent property owners within 300 feet were not sent because their names and addresses were not available. He apologized to Mr. Garrow for the error and said that legally this public hearing could not proceed. Ned VerHage closed the public hearing. The $100 special meeting fee will be returned to Robert Garrow who expressed grave disappointment that his building plans would be delayed until after the September 5, 1996 Meeting.

Questions and Answers Regarding the Garrow Properties. All present, including Robert Garrow, had previously received Len Harrett's Zoning Administrators Report on Robert & Sharron Garrow Non-Conforming Property Upgrade Hearing. This report states that a Zoning Permit could not be issued because:

- The structure is 59' from the centerline of Cairn Highway which has a 66' Right-of-Way. This makes the front structure's front setback 26'. Section 7.02A requires 50'.

- The structure is 44' from the centerline of Williams Drive which has a 66' Right-of-Way. This makes the structure's side setback 11'. Section 2.01B requires 50'.

- The structure is one of **two structures** on Parcel F, which is in a R-1 zone. The second structure (440 sq. ft.) is currently in use as a dwelling. Section 7.01A allows only one dwelling unit per parcel in the R-1 zone. (In the ZBA minutes of 4/25/96, Mr. Strang called the two structures "the white house and garage".)

- This project includes the extension of and hook-up to the Birch Lake sewer, which was part of Garrow's original presentation. The sewer is not extended and this structure is not hooked up.

•No permits could be issued until the Lot Split Agreement was signed by the principal parties.

Mr. Garrow's reply to the above was as follows:

• It was always his intent to remodel the existing white house contrary to what his agent Mr. Strang had said at the Lot Split And Rezone Hearing. Mr. Strang is no longer his agent. When the remodeling involved changing the roof, his builder, Gene Lalone, said that a permit would be required. He then discovered that a building upgrade from "B" to "A" was also required. The building remodeling he has currently done is all within the footprint of the original enclosed house.

• The second structure on lot F is being occupied by his son and daughter-in-law until the house is reconstructed. This second structure will be used in the future as a garage with a studio.

• The sewers will not be hooked up until next summer due to delays by his contractor.

•The Lot Split agreement with the Township for upgrading the property to six (6) R-1 lots has not been signed because he never intended to tear down the yellow pole barn in 40 months as Mr. Strang had indicated and as the agreement states.

Felix Casillas pointed out that the ZBA minutes of 4/25/96 states: "The yellow pole barn belongs to the former owner of the property. There is an agreement between him and the Garrows that he may leave it there for three years, storing antique autos. It straddles the line between B and the property to the north, which Garrow says he does not own but which the equalization board says he does!" Mr. Garrow replied that he is trying to add property to the north of the barn. (The Planning Commission minutes of 8/22/95 includes lots 108,109, 126, & 127, which are north of the barn, in the rezoning from R-2 to R-1. These lots were not included in the 18 lot merger into larger lots B, C, D, E, F, and G.)

Meeting was adjourned.

Respectfully Submitted,

John A. Ferrari

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