MINUTES OF THE QUARTERLY
MEETING OF THE ELK RAPIDS
TOWNSHIP ZONING BOARD
ANTRIM COUNTY, MICHIGAN

September 27, 1979, 7:00 p.m.
Held at the Township Hall, Elk Rapids, Michigan

MEMBERS PRESENT: James Morrison, Judith Azzano, Richard Gribi
MEMBERS ABSENT: Diana Forster, Kenneth Dechow

The chairperson, James Morrison, called the meeting to order at 7:40 p.m.

The only matter on the agenda of the Zoning Board was the petition of property owners James Gunn, Eleanor Byrne, and William and Linda Hutchcraft. A copy of said petition is attached hereto, with descriptions of the property subject to the petition, set forth therein. As may be set forth more specifically in said petition, the petitioners requested an amendment to the Interim Zoning Ordinance of Elk Rapids Township, rezoning their respective properties from "R-2" to "C".

The Secretary noted that the affidavit of proof of meeting had been filed prior to the meeting, that notice had been mailed to all property owners within three hundred feet of the premises in question. Further the Secretary noted that the September 6, 1979, and September 13, 1979, issues of the Elk Rapids Progress contained the statutorily and ordinance mandated notice.

The chairman then opened the meeting for public discussion. It was noted by the Secretary that no written comments had been received by the board.

Comments from the open discussion were offered by Pierre Belmoor, James Zerafa, attorney for the petitioners, Mrs. Bruce, and Mr. Versil White.

Belmoor offered no objection to the proposed change, but suggested to the Zoning Board that additional time, thought and effort be given to our earlier plan for commercial development along US-31, cautioning against "spot" zoning.

Zerafa offered that the best and highest use for the property was commercial for the reason that property on the West Side of US-31 was zoned commercial, that in the case of petitioner Hutchcraft, a commercial enterprise had already been in existence.

Bruce offered no objection but evidenced concern that the West Side of the subject premises facing Bay Shore Road may create an unwanted expansion of commercial development.

White offered that adjacent property owner John Dulay had informed White of no objection to the proposed use.

There was no further discussion and a motion was made by Gribi and seconded by Morrison that the Interim Zoning Ordinance of Elk Rapids Township be amended by changing the zoning classification of the premises of Gunn, Byrne, and Hutchcraft as specifically described in their petition be changed from "R-2" to "C".

Voting in favor of the motion were Members Gribi and Morrison, voting against the motion was member Azzano.

Gribi supported his vote by stating that a portion of the property had been used for commercial property, that the property is in such a location as to have as its most reasonable use commercial development, and that the initial classification by the Zoning Board was unreasonable.

Morrison supported his vote by stating that no objection had been made by adjacent property owners, and that the change to a commercial classification was consistent with reasonable use.

Azzano supported her vote by stating that a change was inconsistent with adjacent residential classifications, that there was already abundant commercial property.

The meeting was then adjourned by the Chairman at 8:20 p.m.

Respectfully submitted,

Judith Azzano

Judith Azzano, Secretary