TOWNSHIP OF ELK RAPIDS
ANTRIM COUNTY, MICHIGAN
ELK RAPIDS TOWNSHIP PLANNING COMMISSION
Shen B. Smith, Secretary
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April 2, 1996

The Regular Monthly Meeting of The Elk Rapids Township Planning Commission was called to order by chairman, Ned VerHage, at 7:00 PM on Tuesday, April 2, 1996, at the Elk Rapids Township Hall. Present: Ned VerHage, Shen Smith, Dorance Amos, Brian Martineau and John Ferrari. Absent: Felix Casillas and Dick Jobe. A quorum was established. Also present was John Shockley and Len Harrett.

Minutes of 3/26/96 Meeting. Minutes are currently waiting for a copy of letter sent to ZBA regarding R-1, R-2 & R-3 proposed zoning ordinance amendments per request from John Shockley.

Altonen Proposed Rezoning. John Ferrari presented the following conditions regarding the development of the proposed lots if the project receives final approval. The conditions are as follows:

PROPOSALS FOR COMMERCIAL P/D AGREEMENT

1. The Green Zone shall be landscaped with informal clusters of large trees, shrubs and ground cover in the first 50 feet from the Highway ROW. Trees and shrubs shall also be planted in Highway ROW, but 30 feet from the Highway. These shall be installed in front of each lot when sold.

2. Parking shall be as follows:
   A minimum of 40% shall be in the rear behind the building line.
   A maximum of 40% can be on the side of the buildings.
   A Maximum of 20% can be in front of the building line but behind the Green Zone (1 above).

3. A rear access drive, connecting all lots, paved 20 feet wide, shall be constructed behind all buildings when each lot is sold. A service drive in front of the buildings but behind the landscaped area is optional.

4. The Buildings on each lot shall:
   Set back a minimum of 90 feet from the Highway ROW.
   Occupy a maximum of 50% of the lot width.
   Architecturally blend with all other P/D buildings. No plain Pole Barns.

5. There shall be 35 feet of greenbelt between the Commercial and Residential areas.

6. A maximum of 2 access driveways shall be provided to the P/D commercial area.

7. Each lot shall be a minimum of 150 feet wide. The maximum number of lots is 5.

8. There shall be an acceleration and deceleration lane at the primary North entrance to the commercial P/D.

A motion was made by Shen Smith, 2nd by John Ferrari to incorporate these conditions into any final agreement regarding the rezoning of the P/D.

MOTION CARRIED

It was pointed out that other conditions may also be applied to this project. A letter will be sent to Mr. & Mrs. Altonen and Doug Strang outlining these requirements and a copy of "Access Controls" and the "US-31 Corridor Study" will also be sent.

Ancient Mariner Drydocks - East. This project is currently not ready to untable at this time. Discussion regarding Mobile Mariner possible modification to approved site plan regarding condominium boat storage.

Ordinance Amendments. A motion was made by John Ferrari, 2nd by Dorance Amos to approve the following proposed amendments for public hearing:

Proposed Amendments to the Elk Rapids Township Zoning Ordinance - 4/2/96

Amend 1.03

1.03 H.Building. Any enclosed rigid structure having a roof supported by columns, walls, or other support used for the purpose of housing or storing of persons, animals or chattels or carrying on business activities or other similar uses."

1.03 S.Home Occupation. An occupation clearly incidental to a residential use~~, such as dressmaking, real estate sales, bookkeeping and accounting services, and professional offices, but not including musical instruments or dancing instruction, beauty and barber shops, when engaged in only~~ by a resident entirely within his dwelling, and not in an accessory building or structure and with the assistance of not more than one (1) non resident employee. Such use shall not occupy more than twenty-five (25) percent of the floor area of the dwelling.

1.03 GG 1.Front Yard. The minimum distance between the front line of the principal building, excluding steps and unenclosed porches, and the front lot line. In the case of any principal building which fronts on a lake, the front yard shall be that area which lies between the front line of the principal building, excluding steps and unenclosed porches, and the high water mark of the Inland Lakes.

1.03 R-1/2 (Inserted between 1.03 R and 1.03 S (renumbering will take place)

High Water Mark

1.For Inland Lakes. The line between upland and bottomland which persists through successive changes in water levels below which the presence and action of the water is so common or recurrent that the character of the land is marked distinctly from the upland, and is apparent in the soil itself, the configuration of the surface of the soil and the vegetation. On an inland lake which has a level established by law it means the high established level. Where water returns to its natural level as the result of the permanent removal or abandonment of a dam, it means the natural ordinary high water mark.

2.High Water Mark For East Arm of the Grand Traverse Bay (To be included)

Amend 2.12

2.12 C.A strip of natural vegetation shall be maintained to a depth of twenty-five (25) feet from the high water mark for inland lakes ~~of the Township lakes~~ (Elk Lake, Birch Lake, Bass Lake ~~and the shoreline of Grand Traverse Bay~~), rivers or streams abutting or traversing the property in question. Within such area, no more than thirty (30) percent of all living

trees and shrubs shall be removed by cutting them to grade level. The remaining trees and shrubberies may be trimmed and pruned for a view of the water from the property. No land alterations including the removal of tree stumps shall be allowed within the native protection strip, except as follows:

1.A boat ramp may be installed within an approved Private Access Area.
2.A road, pass or walk may be constructed to the water's edge to a width of twelve (12) feet.
~~3. Boat storage as provided in Section 7.04.~~

Amend 6.02

6.02 A. Every lot in this zone shall have:

1. An area of 1.5 acres and a width ~~at the building line~~ from front to back of at least two hundred (200) feet.

6.02 D.Every dwelling shall have a minimum usable floor area of nine hundred and sixty (960) square feet. The ~~minimum width~~ dwelling shall not be made up of additions of a dissimilar type or quality of construction or materials. No dimension shall be less than twenty (20) feet.

Amend 7.02.

7.02 D.A minimum width of one hundred (100) feet at all points front to back.

7.02 GEach dwelling unit shall have a minimum usable floor area of nine hundred and sixty (960) square feet. The ~~minimum width~~ dwelling shall not be made up of additions of a dissimilar type or quality of construction or materials. No dimension shall be less than twenty (20) feet.

7.02 H.Lot Area - All lots in this zone shall have minimum ~~width of one hundred (100) feet at the front yard setback line and shall have a minimum~~ lot area of twenty thousand (20,000) square feet.

Amend 8.03

8.03 C.Lot Area - Every lot shall have a minimum width ~~at the front yard setback line~~ from front to back of at least one hundred fifty (150) feet and a minimum area of thirty thousand (30,000) square feet.

8.03 D.The dwelling unit shall have a minimum usable floor area of nine hundred and sixty (960) square feet. The ~~minimum width~~ dwelling shall not be made up of additions of a dissimilar type or quality of construction or materials. No dimension shall be less than twenty (20) feet.

Amend 8.04

8.04 C.Lot Area - Every lot shall have a minimum width ~~at the front yard setback line~~ from front to back of at least one hundred fifty (150) feet and a minimum area of fifteen thousand (15,000) square feet per unit.

8.04 D.Each dwelling unit shall have a minimum usable floor area of six hundred (600) square feet. The ~~minimum width~~ dwelling shall not be made up of additions of a dissimilar type or quality of construction or materials. No dimension shall be less than twenty (20) feet.

Amend 8.05

8.05 A.Lot Area - all unplatted single-family lots within this zone shall have a minimum width ~~from front to back~~ of one hundred fifty (150) feet ~~at the front yard setback line~~ and shall have a minimum lot area of thirty-five thousand (35,000) square feet.

8.05 B.The dwelling unit shall have a minimum usable floor area of nine hundred and sixty (960) square feet. The ~~minimum width~~ dwelling shall not be made up of additions of a dissimilar type or quality of construction or materials. No dimension shall be less than twenty (20) feet.

Amend 8.06

8.06 A.Lot Area - All unplatted lots upon which two-family dwellings shall be located shall have a minimum width from front to back of one hundred fifty (150) feet ~~at the front yard setback line~~ and shall have a minimum lot area of seventeen thousand five hundred (17,500) square feet per unit.

8.06 B.Each dwelling unit shall have a minimum usable floor area of six hundred (600) square feet. The ~~minimum width~~ dwellings shall not be made up of additions of a dissimilar type or quality of construction or materials. No dimension shall be less than twenty (2) feet.

Amend 9.02

9.02 D. 2.A minimum area of forty thousand (40,000) square feet with a minimum width ~~as measured at the building line~~ from front to back of one hundred fifty (150) feet.

9.02 E.The average usable floor space per dwelling unit per building shall be at least six hundred (600) square feet. The ~~minimum width~~ dwellings shall not be made up of additions of a dissimilar type or quality of construction or materials. No dimension shall be less than twenty (20) feet.

Amend 12.04

Uses permitted when authorized by special use permit (special exception)

The following use of land and structures may be permitted by the application to the Planning Commission for the issuance of a special use permit (special exception Chapter XVII, Section 17.07) when specified procedures and requirements, as outlined in the article and section cited, are complied with:

(1)Marine Repair Facility

Amend 13.02

(Fix typographical error)

1st paragraph, 9th line: should be "for" not "fore"

Amend 13.02 B.

(Fix typographical error)

1st work, should be "At" not "An"

Amend 13.03

~~13.03 B.If, as a result of voluntary sale or conveyance, or any other transfer of ownership whatsoever, the area shall cease to be held, in its entirety, in single or common ownership.~~

MOTION CARRIED

Additional items discussed regarding ordinance: knowledge that "high water mark for East Arm of Grand Traverse Bay" is not written at this time. John Shockley will work on the wording for this section and present the text for the next scheduled meeting. Milton Twp Open Space Ordinance still has not been received at this time. "Lot of Record" was discussed with an interpretation needed from attorneys or MTA.

Planning and Zoning News booklet published by the MTA was discussed. A motion was made by Shen Smith, 2nd by John Ferrari to subscribe to four copies of this publication for the use of the Planning Commission and the ZBA.

MOTION CARRIED

Workbook was compiled of all previous "work in progress" so planning commission can clear these items off

the agenda during the spring of 1996.

As there was no other business at this time, a motion was made by Dorance Amos, 2nd by Shen Smith to adjourn. MOTION CARRIED

Meeting was adjourned at 10:25 PM.

Respectfully submitted,

Shen Smith
Secretary