Elk Rapids Township Planning Commission

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JUNE 5, 2001

The Regular Monthly Meeting of the Elk Rapids Township Planning Commission was called to order by Co-Chairman, Renee Mischel, at 6:30 PM on Tuesday, June 5, 2001. Present: Emile Sabty, Don Glowicki, Jr., Shen Smith, Tom Dame, Harry Potter and Renee Mischel. Absent: Jim Lundy. A quorum was established. Also present: Len Harrett & Daisy Pollister.

HEARING #1: Elk Rapids Township Zoning Ordinance Amendment

Hearing #1 was opened to the public - **A correction to the text was made for a typographical error. The word "decks was omitted from the originals text and is being corrected with this public hearing.**

Amend - Section 2.07 - ACCESSORY ~~BUILDING~~ *STRUCTURES* & DECKS. The front, side and rear yard setback requirements of each zone shall apply to the location of accessory ~~buildings~~ ***structures and decks*** within each zone.

Section 17.01 - ZONING PERMIT REQUIRED. **It shall be unlawful for any person to commence excavation for, or construction of any building, structure or parking area, or to make structural change, alteration or addition in any existing building or structure or relocate any building or structure without first obtaining a zoning permit from the Zoning Administrator. No permit shall be issued for the construction, alteration, addition or relocation of any building or structure until an application has been submitted showing that the construction proposed is in compliance with the provisions of this Ordinance and any required zoning permit fees paid. No plumbing, building, health, electrical or drainage permit shall be issued until the Zoning Administrator has determined that the plans and designated use indicate that the structure and premises, if constructed as planned and proposed, will conform with the provisions of this Ordinance, and paying the permit fee therefore as established by the Township ard.** Board

Exception to the above requirement of a zoning permit for construction or relocation:
~~Storage shed, or similar type building~~ ***Accessory structures*** not exceeding one hundred (100) square feet and having no permanent foundation, provided however that such building shall be placed in accordance with Section 2.07.

No correspondence or public input was received. A motion was made to close Hearing #1 by Shen Smith, 2nd by Tom Dame. **MOTION CARRIED. – Y-6.** A motion was made by Shen Smith, 2nd by Tom Dame to approve the proposed amendment text as corrected. **MOTION CARRIED. Y-5, N-1**

Hearing #2: Mini Storage Addition to Ordinance

Public Hearing #2 was opened to the public.

Amend Chapter 1, Section 1.03 **being the Definition Section to include the following definitions:**

- **Warehousing** – Uses which feature any of the following, indoor or outdoor storage, wholesale sales, or the distribution of bulk materials, supplies, manufactured products or uses which are characterized by frequent heavy truck traffic, but which does not include production or manufacturing on the property.

- **Residential Mini-Storage** – A parcel of property containing a building or series of buildings each divided into two or more independently accessed storage spaces for use in the long term storage of an individual or family's personal and household property (as opposed to the storage of commercial or industrial material which would be considered warehousing for the purpose of this ordinance) with no commercial activities permitted on the property other than the renting out of individual storage units.

Amend Chapter 11, to include a Section 11.05 – PERMITTED USES BY SPECIAL USE PERMIT (SPECIAL EXCEPTION).

Uses permitted when authorized by special use permit (special exception). The following use of land and structures may be permitted by 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 section and section 17 are complied with:

1. Residential Mini-Storage **provided they comply with the following standards:**

   a. **Locations** - Location on a State Highway or County Primary Route.

   b. **Lot Coverage & Lot Minimum Width** - The parcel of property upon which the facility is proposed shall have no more than 60 percent of the lot area covered by buildings and be a minimum of 150 feet (150') wide at the front yard setback line.

   c. **Buffering** - Neighboring properties shall be buffered from the residential mini-storage facility. The buffering shall be accomplished by one or more of the following as deemed necessary by the Planning Commission to secure the objectives of this section and the general purpose and intent of this ordinance:

      1. Solid board fences with wood posts must not be less than four inches by four inches (4" x 4") and solid board cover not less than one inch (1") thick. Masonry piers may be substituted for wood posts. Post or piers shall be spaced not more than eight feet (8') on center. The finished side of the wood shall face abutting properties.
      2. Wrought iron, open mesh or slatted fencing, must not exceed the ratio of one part open to six-parts of solid fencing.
      3. Masonry walls must be designed and constructed to facilitate maintenance and not to modify natural drainage in such a way as to endanger adjacent property. The outer face of such wall (the face away from the use, which is to be screened) must be made of clay, brick, stone, embossed or pierced concrete block, or other decorative masonry material. Fences containing barbed wire, electric charges or sharp materials are prohibited.

   d. **Screening** shall be include to insure that neighboring properties re unable to view the structures, associated security fencing, and exterior lighting. A vegetative planting shall be established and maintained, outside the fencing in such a manner as to blend in with the surrounding area. The vegetative planting shall consist of a mixture of coniferous trees of differing types.

   e. **Building Design and Construction Standards** – To assist in insuring that any buildings constructed for residential mini-storage are not used for other than the permitted purpose, no structures shall be permitted which exceed the following dimensions (including eaves):

      1. No building shall exceed thirty two feet (32') in width by one hundred fifty two feet (152') in length.
      2. No building shall exceed twenty feet (20') in height.
      3. No exterior walk in or garage door shall exceed seven and one half feet (7-1/2') in height. All garage doors shall open overhead and none shall exceed nine nine feet (9') in width.
      4. On a rectangular building, the height of the plate on top of the walls on the two sides of the building having the longest walls (measured horizontally) shall not exceed nine feet (9') in height above floor level. For structures having a shape other than a rectangular, the Planning Commission shall determine which wall or walls shall comply with the nine foot height, taking into consideration the intent of minimize the height of the walls.
      5. The roof pitch shall not exceed a dimension greater than four inches (4") of vertical rise to every twelve inches (12") of horizontal run.
      6. No side of any building containing doorways to the storage areas shall be located within twenty-five feet (25') of a property line or road right-of-way.
      7. All lights shall be shielded to direct light onto the uses established and away from adjacent property, but it may be of sufficient intensity to discourage vandalism and theft.

f. **Use and Operational Standards** – to insure that all mini-storage units blend in with other uses in this zone, the following operational standards shall be met during the life of this use:

1. All items stored on the property shall be located within buildings.
2. Garage sales and similar activities are prohibited.
3. The servicing or repair of motor vehicles, boats, trailers, lawn mowers and other similar equipment shall not be conducted on the premises.
4. No hazardous or flammable materials may be stored in any of the mini-storage units.
5. The area shall be properly policed by the owner or operator for removal of trash and debris.
6. The operation of such a facility shall in no way be deemed to include a transfer and storage business where the use of vehicles is part of such business.
7. If a portion of the building is to be used for office space, parking requirements are subject to Chapter 14 of the Township Zoning Ordinance.

g. **Site Plan Review** - Mini-Storage facilities are subject to Site Plan Review (Chapter 15).

No correspondence or public input was received. A motion was made to close Hearing #1 by Shen Smith, 2nd by Tom Dame. **MOTION CARRIED. – Y-6.** A motion was made by Shen Smith, 2nd by Tom Dame to approve the proposed amendment text as corrected – typo correction "ration" to "ratio". **MOTION CARRIED. 6-Y**

Public Hearing #3: Wandawood Resort – Rezone approx. One Acre "A" Agricultural section of property to "R-1"

Pubic Hearing #3 was opened to the public.

With the relocation of Cairn Highway to the West on the Wandawood Resort property, approximately one acre of land currently zoned "A" Agricultural has been added to the currently zoned "R-1" portion of the Wandawood property through the road relocation.. Cairn Highway being the marker for the division of the "A" zoned and the "R-1" zoned property in question, the Planning Commission desires to correct the zoning division boundaries . The purpose of this public hearing for Wandawood Resort, Cairn Highway, Elk Rapids, Michigan 49629, Property Tax number 05-06-010-014-00, is to rezone the small portion of "A" Agricultural property located East of the new Cairn Highway to "R-1" Residential.

As there was on correspondence or public input, a motion was made by Shen Smith, 2nd by Don Glowicki, Jr. to close the public hearing. MOTION CARRIED Y-6 After discussion, a motion was made by Tom Dame, 2nd by Renee Mischel to approve rezoning the above strip of land from "A" to "R-1". **MOTION CARRIED Y-6**

Minutes of May Meeting. A motion was made by Tom Dame, 2nd by Harry Potter to approve the May minutes. **MOTION CARRIED Y-5 N-0 A-1**

Unfinished Business:

Funneling: Renee Mischel reported there are three separate issues in the funneling discussions: Boats & Docks, Funneling, and Rental Issues. After discussion a motion was made by Emile Sabty, 2nd by Renee Mischel to recind the motion of 3/6/01 regarding controls on funneling Section 2.14 "Private Access". **MOTION CARRIED Y-6 N-0**

Commercial Zones – Birch Lake Road: Len Harrett volunteered to create a map of existing non-conforming commercial activities along Birch Lake Road for the Planning Commission.

New Business:

Boating – R-1/Rentals in R-1 Districts:. Discussion regarding the need to create new restrictions pertaining to home rentals in R-1 zones. Decision to follow closely the Milton Township ordinance on the same subject.

Environmental Zone: Discussion regarding the Elk Rapids Sportsmen's Club and zoning issues they may be facing. After discussion the Environmental revamping will be placed back on the Planning Commission agenda.

As there was no further business at this time, a motion was made by Tom Dame, 2nd by Harry Potter to adjourn. MOTION CARRIED Y-6.

Meeting was adjourned at 8:25 PM.

Respectfully submitted,
Shen Smith
Secretary