Elk Rapid Township Planning Commission
Regular Monthly Meeting – June 8, 1999

The Elk Rapids Township Planning Commission Regular Monthly meeting was called to order by the chairman, Ned VerHage, at 6:30 PM on Tuesday, June 8, 1999, at the Elk Rapids Township Hall, Corner of Spruce and River Streets, Elk Rapids, Michigan. Present: Don Glowicki, Dorance Amos, Renee Mischel, Shen Smith, Ned VerHage, Harry Potter & Tom Dame. Absent: none. A quorum was established. Also present: Len Harrett, Jack McAvoy, Alex Misico, Duane Misico & Sandy Rennie.

Minutes – A motion was made by Dorance Amos, 2nd by Renee Mischel to approve the May minutes. MOTION CARRIED.

Michigan Lake Products – Jack McAvoy, owner of Michigan Lake Products presented a new sketch indicating the placement of eight display units on the property which include: swim raft, paddle boat, jet ski lift, 2 boat lifts, small dock section, arbor w/fence display and one deck section. Planning Commission reviewed a report of the ad hoc committee (Harry Potter & Don Glowicki) regarding finding on the referenced property concerning the placement of the outside displays. Referenced in the report was the idea to move some of the items back behind the fence to the north and south corners of the building, the berms would be landscaped and prepared in an attractive manner, and to remove the sign over the entrance to the business and hang it in a window or do away with altogether. Mr. McAvoy agreed to remove the dead trees and accepted a 60 day time frame for removal and re-landscaping of the property. Mr. McAvoy will place the display locations as agreed upon with the ad hoc committee on the original site plan currently on file with the Zoning Administrator and bring it back for final approval with the next meeting. A motion was made by Dorance Amos, 2nd by Tom Dame to table approval of the site plan modifications until review of the revised original plan. MOTION CARRIED

PUBLIC HEARING #1: Amendments to Zoning Ordinance

Chapter Seventeen, Section 17.08. amend 17.08 to read:

"Section 17.08 - REQUIRED FEES. Any fee required by this Ordinance shall be paid to the Township Treasurer before any action shall be taken on the application. Said amount so received shall be retained whether the requested relief or action is granted or not and shall be used as provided by law. ***All expenses incurred by the Township through the review of, and in the course of carrying out a public hearing for a Special Use/Special Exception, Non-Conforming Use Upgrade, Site Plan Review, Site Plan Modification, or Rezoning, shall be at the expense of the applicant.*** Fees may be changed by the Township Board at any regular meeting, which change shall be effective thirty (30) days from the date of publication of such change"

Chapter Three, Signs, Section 3.03 A. amend this section to read:

Section 3.03 - AUTHORIZED SIGNS (with a permit required): The following signs are permitted in any zone specified and may be erected and maintained, as provided for herein, after having obtained all necessary permit(s).
A. BUSINESS IDENTIFICATION SIGNS: On premise sign***age*** that identifies a business or other commercial enterprise. A permanently fixed changeable copy sign may be used in combination as an integral part with a business identification sign. **~~Such changeable copy sign shall not exceed fifty (50) square feet~~**.

Number Limitation: **~~One (1)~~** ***Two (2)***
Size Limitation: Fifty (50) square feet ***total signage***
Time Limitation: Permanent
Zones Allowed: C & M Zones

The public hearing was opened by the chairman, Ned VerHage. No input was received from the public. A motion was made by Dorance Amos, 2nd by Tom Dame, to close the public hearing. MOTION CARRIED. After discussion, a motion was made by Shen Smith, 2nd by Dorance Amos, to approve the referenced amendments to the Elk Rapids Township Zoning Ordinance. MOTION CARRIED.

Public Hearing #2: Non-Conforming Use Upgrade from Class "B" to Class "A" - Alex Misico, owner for property located at 14129 Williams Road, Elk Rapids, Michigan 49629 (tax number 05-06-175-027-00). Request for upgrade for future expansion and relocation of driveway.

The pubic hearing was opened by the chairman, Ned VerHage. Alex Misico presented his proposal for this property. A motion was made by Shen Smith, 2nd by Renee Mischel to close the public hearing. MOTION CARRIED. Discussion regarding proposed upgrade resulted in questions regarding the retention of the shed located on Lot 38. Planning Commission received assurance from property owner that this shed would be re-sided and modernized and if not it would be torn down. A motion was made by Shen Smith, 2nd by Renee Mischel, to approve the upgrade conditional upon Lots 37, 38, and the part lot of 39 be legally combined into one lot with no expansion permitted to the North or West on the lot, unless the ZBA were to determine otherwise. MOTION CARRIED.

Public Hearing #3: Non-Conforming Use Upgrade from Class "B" to Class "A": - Alex Misico, owner for property located at 14111 Williams Road, Elk Rapids, Michigan 49629 (tax number 05-06-475-004-00). Request for upgrade for future expansion to the South. The public hearing was opened to the public. No input was received. A motion was made by Tom Dame, 2nd by Dorance Amos to close the public hearing. MOTION CARRIED. Discussion resulted in several concerns with this property with the setback from the roadway of under 15' and a side yard set back of under 5'. This property would need several variances in order for any additions to the structure which would be determined by the ZBA. The property contains 100' of width. A motion was made by Renee Mischel, 2nd by Dorance Amos, to allow the upgrade conditional upon there being no splitting of the lot at any time, no expansion allowed in any direction except toward the rear of the lot, and all conditional upon a ZBA determination that a variances might be granted. MOTION CARRIED.

Howard & Caroline Klausmeier – Birch Lake Property. A letter was received from Mr. & Mrs. Klausmeier requesting a clarification of the minutes of the April meeting in reference to what would be allowed for an upgrade on their property. After discussion, it was concluded the minutes of the April meeting were correct and that the only expansion allowed for the property would be a 2nd story with no expansion toward the lakeside or the street side. All members present at this meeting indicated the April minutes were correct. The current structure is inline with all the other homes on the street and expansion toward the street would bring the home out of alignment with the existing homes and set a precedent for the area. The structure is seriously close to the lake already and no construction would be allowed on the lakeside.

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

Meeting was adjourned at 7:20 PM

Respectfully submitted,

Shen Smith
Secretary