Elk Rapids Township Planning Commission

June 10, 2003

The regular monthly meeting of the Elk Rapids Township Planning Commission was called to order by Chairwoman Renee Mischel on Tuesday, June 10, 2003, at 6:30 PM, at Elk Rapids Township Hall. Present: Renee Mischel, Jim Lundy, Emile Sabty, Don Glowicki, Tom Dame and Harry Potter. Absent: Shen Smith. A quorum was established. Also present: Len Harrett (Township Zoning Administrator), Michael and Cynthia Keilen, Marshall Wright and Nancy Wright, George and Shirley Landon, Patrecia Pioszak, and Pat and Carol Brady.

Public Hearing – from Michael and Cynthia Keilen, 7306 Williams Court, Elk Rapids, Michigan 49629, for a nonconforming structure upgrade from class "B" to class "A" for property located at the same address, (Tax No. 05-06-600-009-00) a.k.a. Lot #11, Wequagemaw Subdivision. Request for consideration in order to seek a variance to extend the length of the existing nonconforming house by 6 feet towards the rear.

Renee Mischel opened the public hearing. No correspondence received. The request was briefed as stated above. Zoning Ordinance Section 4.01, A-D was detailed to guide the members in deliberating the request.

Mr. Keilen stated that he have no other information to add to his request. Mr. George Landon stated that he have no objections to the granting of the request, that it will contribute to improving the neighborhood. Ms. Pat Pioscak stated the she have no objection too, and welcomes the improvement.

Renee Mischel seconded by Emile Sabty moved to close the public hearing. **MOTION CARRIED 6-0-0**.

Emile Sabty commented that considering the narrow lot width and the existing front and side setbacks, there isn't much that can be done reasonably to reduce the nonconformity. On the other hand, increasing the house living area to meet the 960 sq. ft minimum requirement can be accomplished and would contribute to reducing the nonconformity. Extending the rear of the house 14 feet in place of the requested 6 feet would accomplish that.

Renee Mischel inquired about the creation of the crawl space under the house and how much would the house be raised. Mr. Keilen responded that it would be raised an additional foot over the present. Tom Dame inquired about moving the house rearward. Mr. Keilen stated that the brick fireplace would become a problem, but can be accommodated if the house is raised on location and is set on permanent foundation. He also stated that the 6-ft rear expansion would be the most he can expand before he has to cut three large trees. He will be willing to expand 6-ft to the rear and create an upstairs to meet the 960 sq. ft minimum living area standard. In response to lot merge question he stated that he would agree to merge lots 11 and 22, which he also owns.

Motion – Sabty/Lundy. Move to grant the request to upgrade the nonconforming structure on lot #11 of Wequagemaw Park Subdivision from class "B" to class "A" with the following conditions: (1) - That the dwelling area shall have a minimum of 960 sq. ft. (2) – That lots 11 and 22 be merged into one. **MOTION CRRIED 6-0-0.**

MINUTES OF 5-6-2003 REGULAR MEETING: After review Jim Lundy seconded by Renee Mischel moved to approve the minutes. **MOTION CARRIED 5-0-0.**

ALTONEN PUD RENEWAL: Motion made by Renee Mischel seconded by Emile Sabty to renew the Altonen PUD permit for one year. **MOTION CARRIED 5-0-0.**

HIGH WATER MARK: Reviewed on 5-6-03 and awaiting report. Len Harrett, Township Zoning Administrator presented a detailed report on the IGLD 1985 being 581.5 feet. The Zoning Ordinance Sec 1.03, V and Sec 2.19 were to be amended to change the ordinary high water IGLD from the 1955 reading of 579.8 feet to the 1985 reading of 581.5 feet. The Corps of Engineers adopted the policy of showing the year of change but they do not show the feet reading. It is reasoned that the feet change requires too many text changes. This was seen as a good idea to dopt in the Zoning Ordinance. Motion made by Renee Mischel seconded by Jim Lundy to approve proposed amendments #1 and #2 as updated and deleting the "581.5 feet" from the text. **MOTION CARRIED 5-0-0**.

ENVIRONMENTAL ZONE REVIEW: The draft for the "E" Environmental Zone was reviewed. Two corrections were made. (1) Sec. 10.02, A, 2, g – reference to sec 10.06 should read 10.05. (2) Sec. 10.02, F – Change text to read, *Accessory Structures, that comply with Section10.02, A, 1 and 2, and Section 1.03, A.* Motion made by Renee Mischel seconded by Emile Sabty to finalize the draft with the corrections and send it to the Township Attorney for review. **MOTION CARRIED 5-0-0**.

"B" TO "A" NONCONGORMING USES AND STRUCTURES: Planning Consultant Lukas Hill is working on a report encompassing previous discussions and recommendations.

FEE SCHEDULE: Preliminary memo on Fee Schedule was presented for review. Planning Consultant to further research the neighboring areas for their procedures and fees and report on the findings.

POLICY REVIEW, FARMLAND PRESERVATION AND SPORTSMAN'S CLUB UPDATE: No reports were made at this time on these items.

The next meeting of the Planning Commission will be on July 1, 2003.

Having no further business, at 8:10 PM Tom Dame seconded by Jim Lundy moved to adjourn. **MOTION CARRIED 5-0-0**.

Emile S. Sabty
6-10-2003