Township of Elk Rapids
Antrim County, Michigan
Elk Rapids Township Planning Commission
Shen B. Smith, Secretary
PO Box 175, Elk Rapids, Mi 49629 (616) 264-5855

February ~~2~~ 3, 1998

The Regular Monthly Meeting of the Elk Rapids Township Planning Commission was called to order by vice-chairman, John Ferrari at 7:00 PM on February ~~2~~ 3, 1998, at the Elk Rapids Township Hall, Elk Rapids, Mi. Present: Renee Mischel, Shen Smith, John Ferrari, Tom Dame and Dorance Amos. Absent: Ned VerHage and Don Glowicki. A quorum was established. Also present: Len Harrett, John Shockley, Felix Casillas, and one member of the public.

Minutes of the Last Meeting. A motion was made by John Ferrari, 2nd by Dorance Amos to approve the minutes of the January meeting as published. MOTION CARRIED.

S.O.B. Public Hearing: The public hearing to discuss the proposed S.O.B. Ordinance was opened to the public. No comments were received from the public on this proposed ordinance. A motion was made by Shen Smith, 2nd by Dorance Amos to close the public hearing. MOTION CARRIED. As there was no further discussion, a motion was made by Shen Smith, 2nd by Tom Dame to approve the S.O.B. Ordinance. MOTION CARRIED. Ordinance will be sent to the County Planning Commission for their review.

Site Condo Ordinance. After review, decision was made to refer the ordinance to the Township Attorneys for their review and revision.

Planning Commission Regular Meetings. After discussion, a motion was made by Shen Smith, 2nd by Dorance Amos to limit Planning Commission meetings to two hours, unless a public hearing would extent the length of the meeting. MOTION CARRIED.

Private Road Ordinance & ZBA. Letter from Antrim County Planning Commission was reviewed with a motion made by Shen Smith, 2nd by Dorance Amos to incorporate the suggestions of the County into the Elk Rapids Township Zoning Ordinance regarding private roads and the ZBA. MOTION CARRIED. Suggestions will be incorporated into the text and prepared for public hearing in the near future.

Michigan Lake Products. A request to be placed on the March agenda has been received from Jack McAvoy regarding the proposed addition to the building Michigan Lake Products currently resides in. Property owned by Don Westveld. Len Harrett will bring all previous site plans on this property for review at the March Meeting.

Shoreline Protection Ordinance. After review of letter from Carolyn Shah and report from Shen Smith regarding discussion with Carolyn regarding the creating of a Shoreline Protection Ordinance. It was decided to look for someone with a background in the coastal management/shoreline protection areas of zoning as Carolyn indicated that this was not one of her areas of expertise. Discussion regarding Elk-Skegemog Association photographing the shoreline of Elk Lake. Planning Commission is very interested in this project and would wish to obtain a copy of this film for Township files.

US 31 Corridor Zone - Renee Mischel reported that she hasn't had time to touch base with Whitewater Township officials regarding planners. Dorance Amos suggested contacting Acme Township regarding planners used for the US31 Corridor in that township.

N.P.I. Wireless. Len Harrett reported that he has not discussed the landscape plans with N.P.I. at this time. As spring is coming soon he will discuss the landscape plan as discussed by the Planning Commission in the near future.

Non-Conforming Lots (Bir-Pines, Maple Harbor).

Planning Commission review of Non-Conforming Structures on Undersized Lots: 1. Two letters from Township Attorneys were discussed which addressed concerns about creating "special exceptions" on Non-Conforming structures, lots, etc.; 2. Discussion regarding 780 sf x two = 1,560 sf being excessively large structures for lots of approx. 4,000 sf in total area.; 3. Legal problems of creating a separate zone in the ordinance as suggested by the ad hoc committee outweigh any gain or solution to be reached; and 4. Planning Commission feels the ZBA would be able to make reasonable variances (600 sf on a single floor footprint/1,200 sf on two stories) based on the existing ordinance without the granting of excessive relief to the existing setbacks. Ideally, the Planning Commission would wish for these Non-Conforming lots to be merged to create one more conforming lot, which would mean that the ZBA would grant no variances of any kind on these Non-Conforming structures to achieve the goal. On the other hand, it has been determined that there is a need for "*cottage type*" dwellings in the Township, which the undersize lots lend themselves to. Thus, the Planning Commission needs to determine if they will allow construction and reconstruction on the Non-Conforming Structures/Lots and if to grant Upgrades - to what footprint limitation. More input from the public regarding their input might be helpful to base any decision for these properties and further discussion with the Township Attorneys would be helpful.

Ad Hoc Committee. A committee report was received from John Shockley regarding recommendations for handling construction on the referenced Non-Conforming lots in question which do not meet the setback requirement and lot size for the Ordinance. The recommendations of the committee are as follows: Setbacks of 38' on the front and 30' on the rear with 10' on each side. The committee recommends limiting the footprint of all such structures to 780 square feet. (If more living space is desired the owner may build a second story). These standards would apply to both new dwellings and the enlargement of old dwelling. A motion was made by Shen Smith, 2nd by John Ferrari to accept the report and dissolve the committee. MOTION CARRIED. John Ferrari thanked the committee for their work and the report presented.

John Shockley reported that the first of these decisions would be presented for the Planning Commisison review at the next meeting.

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

Meeting was adjourned at 9:45 PM

Respectfully submitted,

Shen Smith
Secretary