Elk Rapids Township Planning Commission

Shen B. Smith - Secretary
PO Box 175, Elk Rapids, Michigan 49629
(231) 264-6665 Email - shen@bokhara.com

October 5, 1999

The Regular Monthly meeting of the Elk Rapids Township Planning Commission was called to order by Acting Chairman, Renee Mischel at 7:00 PM on Tuesday, October 5, 1999. All members were in attendance except Harry Potter. A quorum was established.

Minutes of 9/7/99 were not available at this time for review.

Public Hearing – Non-Conforming Use Upgrade from Class "B" to Class "A". Mr & Mrs Gordon Haviland, for property located at 7276 Williams Court, Elk Rapids, Michigan 49629. Property tax number – 05-06-600-015-00 and 05-06-600-012-00, Plat of Wequagamaw Park. The hearing was opened to the public. Mr. Haviland explained his site plan and future plans for the property. As there was no input from the public. A motion was made by Shen Smith, 2nd by Dorance Amos to close the public hearing.

A motion was made by Dorance Amos, 2nd by Shen Smith to approve the upgrade from Class "B" to Class "A" for this property conditioned upon Lots 14 and 19 being combined on one tax number and not be allowed to be split off in the future; and that no decks would be allowed to increase in size toward the lake or side yards. MOTION CARRIED. The Haviland's were instructed to contact the Township Attorneys to start proceedings to combine the two lots.

Garrow Project – Williams Road & Cairn Highway. Dorance Amos reported on a recent meeting to discuss a new plan by the Garrow's for their property. Dorance indicated there were several violations currently with the property and that the sewer issue should remain the first and foremost issue with the Planning Commisison. Dorance also indicated he felt the Planning Commission should be performing site plan review for any revisions to this project. With a consensus of the Planning Commission, Renee Mischel authorized Larry Sullivan to discuss the Garrow Project with the Twp Attorney and report back his findings.

Michigan Lake Products – Jack McAvoy. Mr. McAvoy and Doug Strang presented a revised site plan for review depicting their proposed display locations and a landscape plan for the property. Discussion of the revised site plan indicated that previously approve conditions of March/98 were not reflected on the revised site plan. Shore Stations have not been located in the approved locations next to the structure, and displays required to be behind the fence displays are still located to the roadside of the fence display.

The revised site plan shows great improvement with the proposed landscape plan, which incorporates the fence displays into the landscaping scheme. The Planning Commission was extremely pleased with the landscaping plans but would like the plan again revised to show the displays moved at least 15-20' closer to the structure and the shore stations relocated to the side and ends of the structure.

A motion was made by Renee Mischel, 2nd by Shen Smith to table further consideration on Michigan Lake Products plan until a redesign is presented which is inconformance with the minutes of the March 3, 1998 board meeting. MOTION CARRIED.

Site Condo Ordinance. Text was presented by Larry Sullivan for review by the Planning Commission. The following text has been proposed:

Additions to Section 1.03 – Definitions

Condominium Act – Michigan Public Act 59 of 1978 as amended.
Condominium Project – Any land developed under the provisions of the Condominium Act.

Condominium Unit – That portion of a condominium project designed and intended for separate ownership interest and use, as described in the Master Deed regardless of type of use.
Master Deed – the legal document prepared and recorded pursuant to the Condominium Act, within which are, or to which are attached as exhibits and incorporated by reference, the approved by-laws for the project and the approved condominium subdivision plan for the project.
Site Condominium Unit – Individual Principal Building with associated accessory structures not physically attached to other principal or accessory structures.

Add the following to the Lot Definition:
5. A portion of a site condominium development consisting of the property upone which a principal and accessory structures may be constructed along with any limited common areas necessary to insure an area containing the dimensions necessary to comply with the requirements of the district in which the property is located.

Amendments to other sections.

Add a second sentence to the Definition of Yards to read as follows:

In the case of a site condominium development, the borders of adjoining building sites shall contain a minimum of twice the distance of the yard requirement for the district in which the property is located.

Retitle Section 2.19 to read as follows:
Lot Splits, Land Divisions and Condominium Development.

Change the last sentence of A. to read as follows:

Subdivisions, site condominiums, or plats may be made only in accordance with the Michigan Subdivision Control\Land Division Act or the Michigan Condominium Act as amended and in accordance with the conditions of the Elk Rapids Twoning Subdivision Control Ordinance and the Elk Rapids Township Zoning Ordinance.

Change B. to read "Lot Creation" as opposed to Lot Split.

A motion was made by Shen Smith, 2nd by Dorance Amos to approve this text and place it on the agenda for public hearing to amend the zoning ordinance. MOTION CARRIED. A copy of the proposed text will be faxed to the Twp Attorneys for their review.

Planned Residential Zone & Cluster Housing. After discussion, Larry Sullivan was authorized to provide text for review to amend the zoning ordinance to include these two important issues.

US-31 Corridor Zone and Shoreline Protection/Environmental Zones. After discussion regarding meeting dates for the ad hoc committees, it was decided to have a dinner meeting with Larry Sullivan on Thursday, October 28th at the Hacienda. Meeting will begin at 5:30 PM and Secretary will post a notice of an official meeting. Drafts of US-31 Corridor Study will be copied and provided to all members prior to this meeting along with copies of Shoreline Protection material received to date.

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 10:00 PM.

Respectfully submitted,

Shen Smith
Secretary