Elk Rapids Township Planning Commission

PO Box 175, Elk Rapids, Mi. 49629
(616) 264-5855

Regular Monthly Meeting
March 4, 1997

The March Regular Monthly Meeting was called to order by the chairman, Ned VerHage at 7:00 PM on Tuesday, March 4, 1997. Present: Felix Casillas, Shen Smith, Ned VerHage & Dorance Amos. Absent: Don Glowicki, John Ferrari and Dick Jobe. A quorum was established. Also present: Len Harrett and two guests representing the Noverr Tower Project

Minutes: The minutes of February 12, 1997 were approved by a motion from Felix Casillas, 2nd by Ned VerHage. MOTION CARRIED.

Noverr Tower Project was discussed. Proposed plan for a tower to be located on the back portion of the Village Car Care property was also discussed with an opinion of the Planning Commission that this location would not received approval if presented for Site Plan Review. Additional discussion regarding appropriate locations within the Township indicated that Noverr should try to combine with the C-Tec Cable group to locate any additional towers in the Township within the property currently allowing towers. Recommendation to Noverr representatives to contact Township Supervisor, Bill White regarding his property adjacent to the C-Tec property if the Noverr would be unable to negotiate with C-Tec.

S.O.B. (Sexually Oriented Business) – Tabled ~~until John Ferrari can present recommendations and report~~.

Ancient Mariner Dry Docks East, Theodore Veliquette, Jr. – Special Use Permit Request. A motion was made by Shen Smith, 2nd by Felix Casillas to untable the previously tabled request. MOTION CARRIED.
This is a request for the issuance of a Special Use Permit in order to maintain a single apartment to be utilized for living quarters in a manufacturing zone. The proposal was discussed outlining the following facts:

1. The application was filed by Ted Veliquette, Sr., Ancient Mariner Dry Docs East on or about August 3, 1995.
2. The application requests a Special Use Permit in order to maintain a single apartment on the property to be utilized as living quarters.
3. The property address is 8275 Herrman Road (Tax ID# 05-06-015-002-00)
4. The present zoning classification is "manufacturing".
5. The property is currently being used as a boat/RV condo storage facility (warehouse).
6. A public hearing was noticed for August 29, 1995.
7. At the August 29, 1995 Public Hearing, the matter was tabled pending receipt of a completed updated Site Plan and acceptance of same by the Township.
8. On September 19, 1995 the matter was revisited upon receipt of the Site Plan.
9. At the September 19, 1995 hearing the Planning Commission approved the revised updated Site Plan subject to minor adjustments.
10. At the September 19, 1995 hearing, the Special Use/Special Exception request was again tabled for further study by the Planning Commission.
11. The accepted Site Plan does not provide for "living quarters".
12. No prior request and/or approvals for "living quarters" have been received or authorized by the Elk Rapids Township or the County of Antrim.
13. Mr. Veliquette is presently occupying the "sales office" depicted on the Site Plan as a "living quarters".
14. Mr. Veliquette has been cited by the Elk Rapids Township Zoning Administrator for violations of the zoning ordinance.
15. Elk Rapids Township Zoning Ordinance Chapter XII "M" Manufacturing Zone, Section 12.01 – Permitted Uses states:

    > "Any area within the "M" Zone will be considered for such uses as light manufacturing or processing operations, warehouses, research and office buildings, subject to the following conditions".

16. There are no provisions within Section 12.01 wherein "living quarters" (Residential Use) are allowed.

17. The Michigan Township Rural Zoning Act states:

Sec. 16b. (1) A township may provide in a zoning ordinance for special land uses which shall be permitted in a zoning district only after review and approval by either the zoning board, an official charged with administering the ordinance, or the township board, as specified in the ordinance. The ordinance shall specify:

(a) The special land uses and activities eligible for approval consideration and the body or official charged with reviewing special land uses and granting approval.

(b) The requirements and standards upon which decisions on requests for special land use approval shall be based.

(c) The procedures and supporting materials required for application, review and approval.

18. Chapter XII "M" Manufacturing Zone of the Elk Rapids Township Zoning Ordinance does not provide for any Special Uses/Special Exceptions.

Following review of the facts, the following conclusions were reached:

1. Mr. Veliquette's present use of the property constitutes a Residential Use of the property.
2. Residential Uses or "Single Family Living Quarters" are not provided for in the Manufacturing Zone.
3. There are no Special Uses/Special Exceptions listed and/or allowed within the Manufacturing Zone except for th repair of boats.
4. The Elk Rapids Township Planning Commission is without authority to review the remaining requirements of Section 12.01 (A) – (H) and or Section 17.07 due to the above.

Based on the review of the facts and the conclusions, a motion was made by Shen Smith, 2nd by Dorance Amos to deny the request for a Special Use/Special Exception permit for the Ancient Mariner Dry Docks East proposal. MOTION CARRIED.

As there was no additional business at this time, a motion was made by Dorance Amos, 2nd by Felix Casillas to adjourn. MOTION CARRIED.

Meeting was adjourned at 9:05 P.M.

Respectfully submitted,

Shen B. Smith
Secretary