File

ELK RAPIDS TOWNSHIP PLANNING COMMISSION
TOWNSHIP OF ELK RAPIDS - ANTRIM COUNTY, MICHIGAN
SHEN B. SMITH, SECRETARY
P.O. BOX 175 - ELK RAPIDS, MICHIGAN 49629
(616) 264-5855

5/17/90 CORRECTED 6/4/90

SPECIAL MEETING OF THE ELK RAPIDS PLANNING COMMISSION

THE SPECIAL MEETING OF THE ER TOWNSHIP PLANNING COMMISSION WAS CALLED TO ORDER AT 7:35 P.M. ON MAY 17, 1990.

ROLL CALL: PRESENT -
BILL WHITE
TODD PARENT
DEAN VELIQUETTE
BUD TOWNSEND
BOB BRUGGER
DICK JOBE
SHEN SMITH

A QUORUM WAS ESTABLISHED

ALSO PRESENT IN ADDITION TO APPROX. 120-150 LOCAL RESIDENTS, WERE BRUCE ORTENBURGER, KEN SMITH, BILL DERMAN & MIKE TURKELSON. REPRESENTATIVES FOR PORT OF ELK, INC. (A MICHIGAN CORPORATION) WERE ALSO PRESENT.

READING OF MINUTES

THE MINUTES OF THE MAY 7, 1990, REGULAR MEETING OF THE ER PLANNING COMMISSION WERE TABLED UNTIL THE JUNE 4, 1990 REGULAR MEETING.

PUBLIC HEARING - PLANNED DEVELOPMENT (P/D) REZONING HEARING

THE SECRETARY READ THE NOTICE OF PUBLIC HEARING TO THE PUBLIC AT LARGE WITH THE PURPOSE OF THIS HEARING BEING TO CONSIDER A REQUEST FOR REZONING OF R-1 AND R-3 PROPERTIES TO P/D (PLANNED DEVELOPMENT) FOR THE CONSTRUCTION OF A THIRTY (30) UNIT CONDOMINIUM HOUSING PROJECT. APPLICATION HAS BEEN RECEIVED FROM PROPERTY OWNER'S -MR. NATHAN HARRIS & MR. LEONARD HERMAN (TAX NUMBER 05-06-029-015-00), PROPERTY IS CURRENTLY KNOWN AS "THE MERSKIN PROPERTY" AND IS ZONED IN PART "R-1" - SINGLE FAMILY RESIDENTIAL ZONE AND "R-3" MULIPLE FAMILY APARTMENT ZONE. AND PROPERTY OWNER PORT OF ELK, INC. - A MICHIGAN CORPORATION, (TAX NUMBER 05-06-029-011-00) PROPERTY IS CURRENTLY KNOWN AS "THE PINE HOLLOW PROPERTY" AND IS ZONED IN PART "R-1" - SINGLE FAMILY RESIDENTIAL ZONE AND "R-3" - MULTIPLE FAMILY RESIDENTIAL ZONE.

IT WAS NOTED THAT THIS MEETING WAS BEING TAPED AS ONE OF THE OFFICIAL RECORDS OF THE PUBLIC HEARING.

BILL DERMAN ADDRESSED THE HEARING TO READ A STATEMENT REGARDING PLANNED UNIT DEVELOPMENT. HE STATED THAT NO VOTE WOULD BE HELD AT THIS MEETING BUT DEFERRED TO THE JUNE 4, 1990 REGULAR MEETING OF THE ER PLANNING COMMISSION.

BUD TOWNSEND SPOKE INDICATING THAT THE MEETING OF JUNE 4, 1990 PROCEDURE WOULD BE ONE SIDED WITH NO PUBLIC COMMENTS ALLOWED ON THE DECISION STAGE.

MR. TOM PHILLIPS, REPRESENTATIVE FOR PORT OF ELK, INC. AND LEONARD HERMAN RECAPPED THE PROPOSED PLANS:

1. 30 UNITS
2. TWO STORIES W/ONE STORY ON END BUILDINGS
3. GARAGE & SHEDS ONE STORY
4. TWO & THREE BEDROOM UNITS
5. SQUARE FOOTAGE - 2 BEDROOM - APPROX. 1270/1315 SQ 3 BEDROOM - APPROX. 1747 SQ
6. 25' APPROX. SETBACK ON SIDE YARDS
7. 85' APPROX. SETBACK FROM HIGH WATER LINES (WILL READJUST SOUTH BUILDING BACK FURTHER FROM LAKE)
8. INTERPRETED DENSITY TO BE 32 APPROX. UNITS ON PROPERTY WHICH THEY FEEL COULD BE BUILT WITHOUT PLANNING COMMISSION APPROVAL. PRESENTED A DIAGRAM SKETCH OF FIVE (5) SINGLE FAMILY HOMES IN THE R-1 PORTION OF THE PROPERTY AND APPROX 27 APARTMENT/CONDOS BUILT ON THE R-3 PORTION OF THE PROPERTY.
9. 35' APPROX. BUILDING HEIGHT TO RIDGE OF ROOF LINE
10. 26' APPROX. BUILDING HEIGHT TO RIDGE OF ONE STORY BUILDINGS
11. STATED THAT THERE ARE APPROX. TEN FAMILIES IN RESIDENCE ON THE PROPERTY
12. INDICATED THAT OUTSIDE STORAGE OF BOATS, ETC. WOULD NOT BE ALLOWED PER THE CONDO ASSOCIATION RULES.

BRUCE ORTENBURGER READ HIS REPORT ON THE PROJECT TO THE PUBLIC HEARING. A COPY OF THIS REPORT IS ATTACHED.

KEN SMITH SPOKE REGARDING INTERPRETATION OF ZONING MAP IN REFERENCE TO THE NUMBER OF FEET IN THE R-1 ZONE. KEN INDICATED THAT BY MAP MEASUREMENT AND EXTENSION OF THE LAKESHORE ROAD, HE DETERMINES THE R-1 ZONED PARCELS TO BE APPROX. 250' IN DEPTH.

TOM SCHLUENTZ, A PROPERTY OWNER WITHIN 300' OF THE PROPOSED PROPERTY SPOKE WITH THE FOLLOWING CONCERNS:

1. THAT ALL LETTERS RECEIVED BY THE PLANNING COMMISSION BE ADMITTED INTO THE PUBLIC RECORD FOR THIS HEARING. NOTED THAT 52 LETTERS HAD BEEN RECEIVED BY PLANNING COMMISSION REQUESTING THE REZONING OF THE R-3 PROPERTIES IN THIS AREA TO R-1.

2. OBJECTED TO MR. TOWNSEND'S STATEMENT THAT NO PUBLIC COMMENTS OR INPUT WOULD BE HEARD AT THE JUNE 4, 1990 CONTINUATION OF THIS PUBLIC HEARING. STATED THAT ALL PEOPLE MUST BE ALLOWED TO SPEAK AT ALL PUBLIC MEETINGS.

3. INDICATED THAT DEVELOPERS HAVE STATED NUMEROUS APPROXIMATES IN THEIR PRESENTATION REGARDING SETBACKS, SIDE YARDS, NUMBER OF UNITS, AND ELEVATIONS OF BUILDINGS. HE REQUESTED THAT DEFINITES BE DETERMINED PRIOR TO ANY VOTING.

4. INDICATED THAT THE NO OUTSIDE STORAGE OF BOATS, DOCKS, LIFTS, ETC. WAS ONLY A RULE OF THE CONDO ASSOCIATION AND SUBJECT TO CHANGE BY A 2/3 MAJORITY VOTE OF THE CONDO OWNERS THEMSELVES. REQUESTED THAT DENIAL OF OUTSIDE STORAGE BE MADE PART OF THE CONDITIONS OF THE PLANNING COMMISSION IF PROJECT WERE TO BE APPROVED.

5. FEELS R-1 ZONING IS APPROPRIATE FOR AREA. POINTED OUT THAT DEVELOPER CURRENTLY IS PROPOSING 18 UNITS IN THE R-1 WHICH SHOULD ONLY CONTAIN FIVE BUILDING SITES.

6. NO MENTION OF GREENBELTS BY DEVELOPER. DRIVES PLACED AS TO CAUSE NUISANCE TO ADJOINING PROPERTIES.

7. FEELS REZONING IS INAPPROPRIATE FOR AREA, ALSO ILLEGAL AS YOU CAN'T ZONE PROPERTY R-1 ALLOWING PEOPLE TO ESTABLISH HOMES, THEN MOVE R-3 DEVELOPMENT NEXT TO THEM.

ROBERT STREIT, ADJACENT PROPERTY OWNER, SPOKE IN OPPOSITION TO DENSITY AND HEIGHT OF BUILDINGS. ALSO OBJECTED TO STATEMENT THAT NO PUBLIC COMMENT WOULD BE HEARD AT THE JUNE 4TH MEETING.

ROBERT BRAMBLETT, PROPERTY OWNER WITHIN 300' SPOKE IN OPPOSITION OF THE PROJECT. RESENTS ABSENCE OF ANY GREENBELTS, NUMBER OF TREES TO BE CUT DOWN. STATED THAT THE AVERAGE R-1 RESIDENCE IN THIS AREA IS CURRENTLY ON A LOT SIZE OF 120 - 130' WITH THE DEVELOPER PROPOSING ONE UNIT FOR EVERY SEVENTEEN FEET OF FRONTAGE.

BRUCE BARE, PROPERTY OWNER SPOKE IN OPPOSITION ASKING FOR PROTECTION OF PROPERTY VALUES FOR R-1 OWNERS.

LOUISE DANE, PROPERTY OWNER, AND CLOSEST YEAR ROUND RESIDENT SPOKE IN OPPOSITION TO THE PROJECT. ASKED THE PLANNING COMMISSION TO CONSIDER THE PEOPLE WHO LIVE IN THE AREA.

HALCETIA BRUCE, ADJACENT PROPERTY OWNER, SPOKE IN OPPOSITION TO PROJECT. STATED THAT PROJECT BLOCKS HER VIEW OF THE BAY.

TOM DANE, PROPERTY OWNER, SPOKE IN OPPOSITION TO THE PROJECT. STATED THAT THE SITE INSPECTION ORIGINALLY SCHEDULED FOR 4:00 PM ON 5/10 WAS CHANGED BY MR. TOWNSEND TO 6:00 P.M.. HE STATED THAT THEY WERE ALL AT THE SITE AT 4:00 P.M. AND NO ONE WAS THERE. REQUESTS ANOTHER SITE INSPECTION BE SCHEDULED.

PAUL WHITE, PROPERTY OWNER, SPOKE IN OPPOSITION TO PROJECT. STATED THE PROJECT IS A "GREEDY PROJECT" WITH NO THOUGHT TO THE ECOLOGY OF THE AREA.

RICHARD HULTS, PROPERTY OWNER WITHIN 300', SPOKE IN OPPOSITION TO PROJECT. REQUESTED THAT THE PROPERTY REMAIN ZONED R-1 & R-3.

JANET HULTS, PROPERTY OWNER WITHIN 300', SPOKE IN OPPOSITION TO PROJECT. REQUESTED THAT PLANNING COMMISSION SERIOUSLY CONSIDER THE NUMBER OF LETTERS SUBMITTED IN OPPOSITION TO THIS PROJECT.

RAY FRITZ, BUSINESS PERSON, SPOKE IN FAVOR OF PROJECT. INDICATED THAT CHAMBER OF COMMERCE (DEBBIE GEORGE) FEELS THIS CONDO PROJECT WILL BE A GOOD PRECEDENT FOR FUTURE CONDO PROJECTS IN THE ER AREA.

ED WALSCH, PROPERTY OWNER, SPOKE IN OPPOSITION.

PATRICK DUGAN, PROPERTY OWNER WITHIN 300', SPOKE IN OPPOSITION TO PROJECT. INDICATED THAT LOTS IN HIS AREA ARE APPROX. 200'. HE STATED HE HAS LIVED IN THE AREA FOR 30 YEARS IN GOOD FAITH WITH THE R-1 ZONING.

MARK CHAISSON, PROPERTY OWNER, SPOKE THAT THERE WAS NOTHING WRONG WITH THE PROJECT AS THE NORTH BAY SHORE PROJECT WAS APPROVED IN SPITE OF THE AREA RESIDENTS DISAPPROVAL.

SAM MARLETT, PROPERTY OWNER, SPOKE THAT HE IS NOT A WATER RESIDENT, BUT WAS IN FAVOR OF THE PROJECT.

GORDON CONVERSE, PROPERTY OWNER & BUILDER OF PROJECT, SPOKE IN FAVOR OF PROJECT.

RICK PATTERSON, PROPERTY OWNER, SPOKE IN OPPOSITION. REQUESTED NO CHANGE OF ZONING. REMAIN IN R-1.

DENNY IRELAN, PROPERTY OWNER & REALTOR FOR PROJECT, SPOKE IN FAVOR.

GARY HARSH, REPRESENTATIVE OF PORT OF ELK, INC. SPOKE. QUESTIONS ASKED REGARDING STEEP HILL WITH SIGHT IMPAIRMENT TO DRIVE OF PROJECT. NO STUDY DONE ON SPEED OF VEHICLES.

JOE FISHER, PROPERTY OWNER & REPRESENTATIVE OF PORT OF ELK, INC. SPOKE IN FAVOR OF THE PROJECT. INDICATED A PLUS FOR TAX GENERATION OF SCHOOLS.

DR. RICHARD HOADLEY, BUSINESS OWNER, SPOKE IN OPPOSITION OF PROJECT. STATED THIS PROJECT WOULD EXPLOIT THE WATER FRONT.

NORM VELIQUETTE, PROPERTY OWNER, SPOKE IN FAVOR OF PROJECT. SPOKE ABOUT HIS HERITAGE.

DIANE FISHER, PROPERTY OWNER, SPOKE IN FAVOR. INDICATED SHE DIDN'T FEEL THERE WOULD BE A TRAFFIC PROBLEM AS THE OTHER CONDO PROJECT HARDLY EVER HAD ANY TRAFFIC AS SHE DRIVES BY IT TWICE DAILY.

BOB BRAMBLETT SPOKE INDICATING THAT ONLY TWO OF THE PEOPLE WHO SPOKE IN FAVOR OF THE PROJECT WERE NOT DIRECTLY CONNECTED TO THE PROJECT.

LINDA SMITH, PROPERTY OWNER, SPOKE ABOUT CONCERNS WITH TAXES.

GEORGE PERLICK, BUSINESS OWNER, SPOKE IN FAVOR OF NEW DEVELOPMENT.

DAN RICKER, PROPERTY OWNER, STATED THAT HE AND HIS WIFE WERE NOT IN FAVOR OF PROPOSED PROJECT.

MR. CROWLEY, VISITOR TO AREA, SPOKE IN FAVOR OF PROJECT.

JOANNE BRAUN, PROPERTY OWNER, SPOKE IN OPPOSITION. INDICATED THAT PROJECT APPROVED LAST YEAR ON NORTH BAY SHORE WAS EMPTYING THEIR SWIMMING POOL INTO THE BAY AND CAUSING EROSION WITH THEIR PARKING LOT RUNOFF.

ANN WHITE, PROPERTY OWNER, SPOKE IN OPPOSITION.

BOB BRUGGER, PROPERTY OWNER & PLANNING COMMISSION MEMBER, SPOKE IN FAVOR OF THE PROJECT.

AS THERE WERE NO FURTHER COMMENTS AT THIS TIME, MEETING WAS ADJOURNED TO RECONVENE AT 7:30 P.M. ON JUNE 4, 1990.

RESPECTFULLY SUBMITTED,

Shen B. Smith

SHEN B. SMITH
SECRETARY