Elk Rapids Township Planning Commission

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

August 5, 2003

The Regular Monlthly meeting of the Elk Rapids Township Planning Commission was called to order by Chairman Renee Mischel, at 6:30 PM, Tuesday, August 5, 2003. Present: Don Glowicki, Jr., Tom Dame, Emile Sabty, Renee Mischel & Shen Smith. Absent: - Jim Lundy & Harry Potter. A quorum was established. Also present: Len Harrett, Zoning Administrator, Lukas Hill, Williams & Works, M. Bottares, Sylvia Brown, Allan Somers, CD Bialy, & Erin Kilpatrick (Williams & Works).

Public Hearing: Non-Conforming Structure Up-grade from Class "B" to Class "A." Chairman Mischel opened the hearing to the public. The purpose of this hearing is to consider a request from Margo Jonker, 4691 Cardinal Drive, Mt. Pleasant, Mi. 48858, for a Non-Conforming Structure Up-grade from Class "B" to Class "A" for property located at 7455 Terrace Avenue, Elk Rapids, Mi 49629, Lot #13 & 14 of Maple Harbor, situated on Lot 1 of Section 11 and the Northeast quarter of Section 10, Town 29 North, Range 6 West, Antrim County, Michigan. Property tax number: 05-06-475-010-00. Request for consideration in order to remodel the non-conforming structure located on the property . The official public notice was read into the minutes.

Cathleen Martelli, Martelli Homes, Inc., Midland, Michigan represented Margo Jonker at this hearing, explaining to the audience the request for upgrade in order to increase the residence located on the property in question by the addition of a 2nd floor, final roofline to be a gable roof, elevation of roof top to be at 26-27 feet, no trees to be removed from property, new addition to be no closer to the lake nor closer to the right of way than at present. There is currently a fence belonging to Ms. Jonkers that is located within the setback. Ms. Jonkers plan indicates a 5'x28' outside balcony with a set of stairs leading down to the ground. There will be no upgrading of the garage with the structure being yeararound. One letter of correspondence was received from Mary J. Johnston, 7411 Terrace, Elk Rapids, Mi 49629 in support of the proposed upgrade. The Elk Rapids Township Zoning Administrator's Field Report was read into the minutes and becomes part of the public hearing. A motion was made by Renee Mischel, 2nd by Emile Sabty to close the public hearing. **MOTION CARRIED: YES-5, NO-0.**

Planning Commission Discussion: Emile Sabty indicated that the addition of the balcony and stairs will in fact increase the non-conformity of the structure, and that the site plan shows the wood fence encroaching upon public property. Also, that the eaves overhang extends the non-conformities. Len Harrett indicated the site plan may not be accurate as the lot lines may be off, thus would wish to know exactly where the lot lines are by survey.

A motion was made by Renee Mischel, 2nd by Shen Smith, to table further review and decision on the Jonkers proposal until a Finding of Fact is created for review with the September 2, 2003 meeting. **MOTION CARRIED: YES-5, NO-0**. Lukas Hill was requested to create a finding of fact on the Jonkers proposal.

Minutes of the June 10, 2003 Meeting: A motion was made by Shen Smith, 2nd by Renee Mischel to approve the minutes with the following spelling corrections: Dame, Brady, too many, high water mark. **MOTION CARRIED: YES-4, NO-1**. Note – Emile Sabty objected to the minutes as he wished for the minutes to reflect the actual numerals of 581.5 in the original motion.

Minutes of the July 1, 2003 Meeting: A motion was made by Shen Smith, 2nd by Tom Dame, to approve the minutes as published. **MOTION CARRIED: YES-5, NO-0**.

Environmental Zone: Chairman Mishel has discussed the proposed text amend with the Elk Rapids Township Attorneys and has received their verbal approval for public hearing. The Environmental Zone text will be placed on the docket for public hearing with the September 2, 2003 meeting.

Fee Schedule: After discussion, a motion was made by Renee Mischel, 2nd by Don Glowicki, Jr. to able further discussion. **MOTION CARRIED: YES-5, NO-0**.

Closed Session: A motion was made by Don Glowicki, Jr., 2nd by Emile Sabty to enter into closed executive session for legal discussion. **MOTION CARRIED: By Roll Call Vote – YES-5, NO-0**. Closed Session – 8:14 PM – 8:30 PM (no closed session minutes were taken). Regular meeting resumed at 8:30 PM.

Non-Conforming Upgrades From Class "B" to Class "A": Discussion regarding proposed text amendments resulted in Emile Sabty having several areas of the proposed text which still need clarification and work. After further discussion, the Non-Conforming Upgrades From Class "B" to Class "A" was tabled to a work session meeting at 5:30 PM on September 2, 2003. Township Attorneys and Williams & Works representatives will be in attendance to help further clarify the section and procedures on handling Non-Conforming structures & uses.

Sportsman's Club: Don Glowicki, Jr. reported that the Township is currently working on the lease between the Twp and the Sportsman's Club.

Tabled: Policy Review, Accessory Building Standards, Lot Coverage & Site Plan Standards.

Antrim County Master Plan: A meeting is schedule for 8/27/2003 at the Elk Rapids Township Hall, Elk Rapids, MI for input and review on the County master plan.

As there was not other business at this time, a motion was made by Don Glowicki, Jr., 2nd by Emile Sabty, to adjourn the meeting. **MOTION CARRIED: YES-5, NO-0**.

Meeting was adjourned at 9:17 PM.

Respectfully submitted,

Shen Smith
Secretary