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

8/6/90

AUGUST MEETING OF PLANNING COMMISSION

THE AUGUST MEETING OF THE ELK RAPIDS PLANNING COMMISSION WAS CALLED TO ORDER AUGUST 6, 1990, 7:30 P.M. BY RICHARD JOBE, VICE CHAIRMAN, IN THE ABSENCE OF THE CHAIRMAN, TODD PARENT.

ROLL CALL: PRESENT: DICK JOBE
SHEN SMITH
FELIX CASILLAS
BILL WHITE

ABSENT: BOB BRUGGER
DEAN VELIQUETTE
TODD PARENT

A QUORUM WAS ESTABLISHED

DICK JOBE INTRODUCED MR. FELIX CASILLAS, THE NEWLY APPOINTED MEMBER OF THE PLANNING COMMISSION. MR. CASILLAS WILL SERVE OUT THE UNEXPIRED TWO YEAR TERMS WHICH BECAME VACANT IN JULY.

READING OF THE MINUTES
A MOTION WAS MADE BY BILL WHITE, SECONDED BY FELIX CASILLAS, TO DISPENSE WITH THE READING AND APPROVE THE MINUTES OF THE LAST MEETING.
MOTION CARRIED

PUBLIC HEARING - JUNIPER HILLS SUBDIVISION/BAYSHORE DRIVE APPLICATION FOR REZONING FROM R-3 TO R-1.

THE PURPOSE OF THIS HEARING IS TO CONSIDER A REQUEST FOR THE REZONING OF THE CURRENTLY R-3 ZONED PORTIONS OF THE BELOW LISTED PROPERTIES TO AN R-1 ZONING CLASSIFICATION.

LOT 1 - JUNIPER HILL SUBDIVISION - CARL SAFFRONOFF
TAX #05-06-450-001-00

LOT 2 - JUNIPER HILLS SUBDIVISION - EDWARD WALSH
TAX #05-06-450-002-00

LOT 3 - JUNIPER HILLS SUBDIVISION - RICHARD & JANET HULTS
TAX #05-06-450-003-00

LOT 4 - JUNIPER HILLS SUBDIVISION - JOHN FREDERIXON
TAX #05-06-450-004-00

LOT 5 - JUNIPER HILLS SUBDIVISION - MRS. ROBERT BRUCE
LOT 5 EXC COM AT INT OF N. LINE OF LOT 5 AND SHORE OF GRAND TRAVERSE BAY, TL N 30 DEG 39' E 205.8', SD DEG 24' W 177' TO N. LINE OF LOT 5 103.77' M/L TO POB.
TAX #05-06-450-005-00

TAX #05-06-029-009-00 BAY SHORE DRIVE - ROBERT STREIT
TAX #05-06-029-010-00 BAY SHORE DRIVE - ROBERT BRAMBLETT
TAX #05-06-029-014-10 LAKE SHORE DRIVE - ELAINE LEHTOLA
TAX #05-06-029-013-00 LAKE SHORE DRIVE - THOMAS SCHLUENTZ
TAX #05-06-029-013-10 LAKE SHORE DRIVE - THOMAS DAME

THOSE INTERESTED MEMBERS OF THE HEARING WERE ASKED IF THEY WISHED TO COMMENT ON THE PROPOSED REZONING APPLICATION. TOM SCHLUENTZ EXPLAINED THE CURRENT USE OF THESE PROPERTIES ARE STRICTLY R-1, AND THE OWNERS PETITIONING FOR A CHANGE OF ZONING WISH THEIR PROPERTIES ZONED R-1 IN TOTAL NOT IN PART. DISCUSSION ON THE QUESTION OF OTHER R-3 EXISTING IN THE TOWNSHIP REFLECTED THAT THE DICK LAMPHIER PROPERTY IS MOST LIKELY ZONED R-3 WITH A NONCONFORMING COMMERCIAL USE. BAYVIEW COTTAGES WAS DISCUSSED WHICH MOST LIKELY WOULD BE E WITH A NONCONFORMING R-3 USE. BOTH OF THESE PROPERTIES ARE CURRENTLY UNDER DISCUSSION AT THE TOWNSHIP BOARD LEVEL.

R-3 ZONING WAS DISCUSSED WITH A CONSENSUS THAT THERE WILL BE ADDITIONAL R-3 ZONING CLASSIFICATIONS OFFERED AS THE MASTER PLAN IS DEVELOPED. THE PLANNING COMMISSION WILL BE MEETING TO DETERMINING BETTER AND ADDITIONAL LOCATIONS FOR ALL OF THE ZONING CLASSIFICATIONS IN THE TOWNSHIP.

AS THERE WAS NO FURTHER DISCUSSION, A MOTION WAS MADE BY BILL WHITE, SECONDED BY FELIX CASILLAS, THAT WE RECOMMEND THE REZONING OF THESE PROPERTIES FROM R-3/R-1 IN PART TO TOTALLY R-1. MOTION CARRIED

KEN SMITH ADDRESSED THE AUDIENCE TO EXPLAIN THE REZONING PROCESS FROM PLANNING COMMISSION TO COUNTY TO TOWNSHIP BOARD. MR. TOM DAME REQUESTED THAT HE BE NOTIFIED WITH THE DATE OF THE COUNTY PLANNING COMMISSION MEETING WHERE THEIR REZONING ISSUE WILL BE DISCUSSED. KEN SMITH WILL ADVISE HIM OF THE DATE OF THE MEETING.

CRAIG BROWN WOODWORKING

KEN SMITH UPDATED THE PLANNING COMMISSION ON THE CRAIG BROWN WOODWORKING ISSUE WITH REGARD TO MR. BROWN'S LACK OF COMPLIANCE WITH THE TERMS OF HIS ORIGINAL SPECIAL USE PERMIT. K. SMITH STATED THAT NO PERMITS HAVE BEEN APPLIED FOR ON THIS BUSINESS, AND THAT MR. BROWN HAS BEEN CONDUCTING BUSINESS WITHOUT AN OCCUPANCY PERMIT, DRIVEWAY PERMIT, CURB & GUTTER, ETC. CRAIG BROWN STATED THAT HE HAS NOT APPLIED FOR ANY OF THE PERMITS AS HE HAS BEEN TO BUSY TO DO SO, BUT HE HAS PLANTED SOME SCRUBS AND DIRT W/GRASS WILL BE STARTED IMMEDIATELY.

AFTER DISCUSSION A MOTION WAS MADE BY SHEN SMITH, SECONDED BY FELIX CASILLAS, THAT ANY CONSTRUCTION PLANNED AFTER THIS DATE ON MR. BROWN'S PROJECT OR THE "PHASE II" PROJECT AT THIS LOCATION SHALL REQUIRE THE REVIEW AND APPROVAL OF THIS COMMISSION.

A MOTION WAS MADE BY FELIX CASILLAS, SECONDED BY SHEN SMITH, THAT MR. BROWN BE GIVEN 90 DAYS TO APPLY FOR AND SECURE THOSE PERMITS NECESSARY TO CONDUCT BUSINESS IN THAT LOCATION AND IF FAILING TO FULFILL THIS OBLIGATION THE ORIGINAL PHASE I PROJECT SPECIAL USE PERMIT BE WITHDRAWN.
MOTION CARRIED

DICK JOBE INSTRUCTED MR. BROWN TO ATTEND THE NOVEMBER MEETING OF THE PLANNING COMMISSION WITH A REPORT ON HIS PERMIT PROGRESS AND A NEW SCHEDULE FOR COMPLETION OF THE UNFINISHED PORTIONS OF THE "PHASE I" PROJECT.

WORDING CHANGE FOR ZONING ORDINANCE TEXT

A MOTION WAS MADE BY SHEN SMITH, SECONDED BY DICK JOBE, TO AMEND THE WORD TEXT IN CHAPTER II (GENERAL PROVISIONS), SECTION 2.12, PARAGRAPH C. OF THE ELK RAPIDS ZONING ORDINANCE TO READ AS FOLLOWS:

C: A STRIP OF NATURAL VEGETATION SHALL BE MAINTAINED TO A DEPTH OF TWENTY-FIVE (25) FEET FROM THE HIGH WATER MARK OF ALL LAKES (TO INCLUDE THE EAST ARM OF GRAND TRAVERSE BAY, BIRCH LAKE, BASS LAKE AND ELK LAKE), RIVERS OR STREAMS ABUTTING OR TRAVERSING THE PROPERTY IN QUESTION. WITHIN SUCH AREA, NO MORE THAN THIRTY (30) PERCENT OF ALL LIVING TREES AND SHRUBS SHALL BE REMOVED BY CUTTING THEM TO GRADE LEVEL. THE REMAINING TREES AND SHRUBBERIES MAY BE TRIMMED AND PRUNED FOR A VIEW OF THE WATER FROM THE PROPERTY. NO LAND ALTERATION INCLUDING THE REMOVAL OF TREE STUMPS SHALL BE ALLOWED WITHIN THE NATIVE PROTECTION STRIP, EXCEPT AS FOLLOWS:

1. A BOAT RAMP MAY BE INSTALLED WITHIN AN APPROVED PRIVATE ACCESS AREA.

2. A ROAD, PASS OR WALK MAY BE CONSTRUCTED TO THE WATER'S EDGE TO A WIDTH OF TWELVE (12) FEET.

3. BOAT STORAGE AS PROVIDED IN SECTION 7.04.

MOTION CARRIED

A CONSENSUS OF THIS COMMISSION DETERMINED THAT THE ZONING APPLICATION FORM FOR THIS TOWNSHIP SHOULD CLEARLY INDICATE THE NATIVE PROTECTION STRIP REQUIREMENTS OF THE TOWNSHIP REGARDING WATER FRONT PROPERTIES. SHEN SMITH ASKED KEN SMITH TO STRICTLY ENFORCE THE NATIVE PROTECTION STRIP REQUIREMENT OF THE ORDINANCE. IT WAS REQUESTED OF KEN SMITH TO OBTAIN A BETTER AND MORE PRECISE DEFINITION OF "HIGH WATER MARK" FROM THE DNR.

MASTER PLAN BID PROPOSAL

TABLED TO SEPTEMBER MEETING

PLANNING COMMISSION APPLICATION FORM

AFTER REVIEW OF THE PROPOSED APPLICATION FORM, A MOTION WAS MADE BY BILL WHITE, SECONDED BY DICK JOBE, TO APPROVE THE FORM. MOTION CARRIED

UPDATE ON ZONING ADOPTION PROBLEMS FROM TOWNSHIP

BILL WHITE REPORTED THE TOWNSHIP BOARD IS RE-ADOPTING THOSE ORDINANCE THAT WERE NOT PREVIOUSLY ADOPTED. THE BOARD IS LOOKING FOR ALL ORDINANCE TO BE RE-ADOPTED BY MID-SEPTEMBER.

BILL WHITE REPORTED THAT BOB BRUGGER DOES NOT WANT TO REMAIN ON THE PLANNING COMMISSION WHEN HIS TERM EXPIRES AT THE END OF AUGUST. BILL HAS REAPPOINTED SHEN SMITH TO ANOTHER TERM ON THE PLANNING COMMISSION, AND HE WILL MAKE THE NEW APPOINTMENT TO FILL BOB BRUGGER'S POSITION SHORTLY GIVING THE PLANNING COMMISSION A FULL BOARD BY SEPTEMBER.

BILL DERMAN WILL ADVISE THE PLANNING COMMISSION WHEN THEY MAY PROCEED WITH THE SCHEDULING OF THE PINE HOLLOW/MERSKIN PROPERTY PROPOSAL.

BILLBOARD ORDINANCE

A LETTER WAS READ FROM BILL DERMAN REGARDING A BILLBOARD ORDINANCE THAT THE COUNTY CAN ADOPT. WE WILL BE ADVISED WHEN ELK RAPIDS TOWNSHIP MAY ACT ON THIS ORDINANCE.

SUBDIVISION REVIEW ORDINANCE

KEN SMITH REPORTED THAT HE HAS YET TO RECEIVE THE REQUESTED INFORMATION FROM THE TOWNSHIPS CONTACTED. DICK JOBE TABLED REVIEW OF THIS MATTER UNTIL KEN HAS THE INFORMATION FOR THE PLANNING COMMISSION.

NEW BUSINESS

KEN SMITH REPORTED THAT THE BOYER FAMILY HAS A CAMPSITE ON LOTS 48, 50, 51, 52, 53, 53-1/2 & 54. AFTER DISCUSSION WITH THE BOYER FAMILY, KEN REPORTED THAT THEY CLAIM TO HAVE CAMPED ON THIS PROPERTY SINCE 1969. KEN INDICATED THAT IN 1983 THEY PURCHASED 14 LOTS. THERE IS NO SANITARY FACILITIES ON THESE LOTS OTHER THAN OPEN/OUTSIDE TOILETS. KEN WILL INVESTIGATE FURTHER ON THIS VIOLATION OF THE ZONING ORDINANCE AND REPORT BACK AT THE SEPTEMBER MEETING. KEN ASKED THAT ALL MEMBERS OF THE PLANNING COMMISSION VISIT THIS CAMPSITE PRIOR TO THE NEXT MEETING.

AS THERE WAS NOT FURTHER BUSINESS AT THIS TIME, A MOTION WAS MADE BY BILL WHITE, SECONDED BY FELIX CASILLAS, TO ADJOURN. MOTION CARRIED

MEETING WAS ADJOURNED AT 9:40 P.M.

RESPECTFULLY SUBMITTED,

Shen B. Smith

SHEN B. SMITH
SECRETARY