Elk Rapids Township Planning Commission
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September 14, 2000

Co-chairman, Renee Mischel, called a special meeting of the Elk Rapids Township Planning Commission to order at 6:00 PM on Thursday, September 14, 2000. Present: Jim Lundy, Tom Dame, Shen Smith, Renee Mischel, Harry Potter, and Dorance Amos. Don Glowicki, Jr. arriving later. A quorum was established. Also present: Bill Derman, Len Harrett, Deanna Arnston, Kathy Snedeker, Marshall Wright, Linda Rennie, Mr. & Mrs. Hintz, Darlene Dufort, and Brenda Oldebekking.

Public Hearing #1: To consider a request by Dr. Kathryn S. Snedeker and Rev Haldon D. Ferris, 4674 Village Drive, Saginaw, Mi. 48603, for reconsideration and/or modification of conditions assigned for a previously approved upgrade from Non-Conforming Structure Up-Grade from Class "B" to Class "A" for structure located at 7364 Williams Court, Elk Rapids, Michigan 49629. Property tax numbers – 05-06-600-022-00 & 05-06-600-004-00 (Lots 26 & 27 and parts of Lots 6,7 & 8, Plat of Weguagamaw Park).

A motion was made by Tom Dame, 2nd by Jim Lundy to open the hearing to the public. MOTION CARRIED. Speaking from the public was Deanna Arnston indicating her displeasure with the location of dock & boatlift on the Snedeker / Ferris property which blocks her view of the lake. No other input was received from the public. A motion was made by Shen Smith, 2nd by Dorance Amos to close the public hearing. MOTION CARRIED.

After discussion, a motion was made by Renee Mischel, 2nd by Shen Smith, to amend the conditions of the 8/1/00 Upgrade for this structure to reflect the following conditions:

1. The merger of Lots 6, 7, 8, 26 and 27,
2. All decks on the lakeside of the structure will not carry an upgrade
3. Prior condition "b" "Enlargement of structure not to exceed 900 sf on the foot print" and "c" "and structure will not exceed 1800 sf total with the addition of a 2nd story" will be removed from previously approved conditions.

MOTION CARRIED 6 YES

Dr. Snedeker questioned a time limit on merging the lots, with Len Harrett indicating there was no time limit to merge the lots.

Public Hearing #2: To consider a request by Darlene M. Dufort, PO Box 355, Elk Rapids, Mi. 49629, for a Non-Conforming Structure Up-Grade from Class "B" to Class "A" for structure located at 14343 Birch Pt. Drive, Elk Rapids, Mi. 49629. Property Tax Number – 05-06-375-006-00. The purpose of the proposed upgrade would allow the structure to be rebuild if damaged by fire or other casualty, and possible expansion in the future of a 13' addition to the existing house with decking.

A motion was made by Shen Smith, 2nd by Renee Mischel to open the public hearing. MOTION CARRIED YES – 7.
A question was raised as to which sketch was correct – one showing a garage on the property line and one showing the garage setback from the property line. A determination was made that the garage did sit on the property line. As there was no input from the public, a motion was made by Renee Mischel, 2nd by Dorance Amos to close the public hearing. MOTION CARRIED – YES – 7.

After discussion, a motion was made by Dorance Amos, 2nd by Jim Lundy to approve the Non-Conforming Structure Upgrade from Class "B" to Class 'A" with all front decks not to exceed the existing front deck, and the side decks not to exceed the side yard setback, and with no upgrade for the existing garage. MOTION CARRIED YES-7.

Pubic Hearing #3: To consider a request by Orin & Brenda Oldebekking, 9062 Gay Rd., Williamsburg, Mi 49690, for a Site Plan Review Hearing for the redevelopment of property known as "O-J's Storage", located at 10405 US 31 S, Elk Rapids, Mi 49629 – Property Tax Number – 05-06-029-006-00. The proposal for self storage (mini storage) includes the addition of three (3) new inside storage buildings to be located on the property.

A motion was made by Shen Smith, 2nd by Renee Mischel to open the hearing to the public. MOTION CARRIED. No input was received from the public. Brenda Oldebekking indicated that a fence currently on the site plan was optional and not mandatory. Additional photos were presented indicating the type of "down lighting" and color of the proposed buildings. As there was no input from the public, a motion was made by Renee Mischel, 2nd by Shen Smith, to close the public hearing. MOTION CARRIED.

Input was received from Township Attorney, Bill Derman regarding the zoning for the storage buildings, indicating that the Elk Rapids Township Ordinance doesn't include "mini-storage" as an allowed use in the Commercial zone. Discussion regarding a possible "spot zoning" problem with the County. Discussion regarding the creation of a "special mini-storage zone", or a possible amendment and definition for mini-storage as an allowed use in the Commercial zone. Renee Mischel made a motion, 2nd by Dorance Amos, to request Larry Sullivan to input briefly, a proposal for the creation of a "Mini-Storage District" for the Zoning Ordinance. MOTION CARRIED YES-7.

A motion was made by Renee Mischel, 2nd by Tom Dame, to table and further action on the Oldebekking request until receiving further input from Larry Sullivan. MOTION CARRIED YES-7. Bill Derman will coordinate proposal with Larry Sullivan.

Minutes of 8/1/00 Meeting: A motion was made by Renee Mischel, 2nd by Dorance Amos to approve the minutes as corrected with the typographical error in lots = "8". MOTION CARRIED – 6 YES

December 21, 1999 Minutes: After discussion, a motion was made by Dorance Amos, 2nd by Tom Dame to approve the 12/21/99 minutes as published. MOTION CARRIED YES-4, NO-1, ABSTAIN-2

Proposed Ordinance Text Amendments:

A motion was made by Shen Smith, 2nd by Dorance Amos, to rescind the previously approved text for an amendment to Section 14.03 A regarding a required number of parkings spaces behind the setback line. MOTION CARRIED 6 YES

US 31 Corridor Zone: A motion was made by Shen Smith, 2nd by Renee Mischel, to downgraded further work on the US 31 Corridor Zone to a very low priority on the Planning Commission agenda. MOTION CARRIED YES-6, NO-1

PREVIOUSLY APPROVED ORDINANCE TEXT AMENDMENTS: A motion was made by Shen Smith, 2nd by Dorance Amos, to place the previously published, hearinged, and County approved amendments back on the agenda for additional public hearings. MOTION CARRIED YES-7

BUILDINGS & STRUCTURES – 17.01 AND 2.07: A motion was made by Renee Mischel, 2nd by Dorance Amos to table indefinitely. MOTION CARRIED YES-7

Driveways with 10' setback from property lines: A motion was made by Shen Smith, 2nd by Dorance Amos to table indefinitely. MOTION CARRIED YES-7.

Funneling: After discussion, it was determined funneling to be an important issue to be looked into by the Planning Commission. A request for the most current legislation will be given to Larry Sullivan so the Planning Commission can be brought up to date on funneling issues. A motion was made by Renee Mischel, 2nd by Shen Smith to place this issue on the agenda for the next meeting. MOTION CARRIED YES-7.

AMENDMENT TO SECTION 17.08 – "Fees & Escrow": A motion was made by Dorance Amos, 2nd by Renee Mischel to place for public hearing the "Fees & Escrow" text for Section 17.08. MOTION CARRIED YES - 7

Enviormental Zoning Text Amendments: Tabled

Garrow Project: After discussion with Township Attorney regarding the redefining of a Planning Commisison "condition", it was decided to prepare for a public hearing to redefine Condition #7 of the original Non-Conforming Upgrade in reference to "seasonal use" for the studio located on Lot E/F for the Garrow Project.

Altonen PUD: Bill Derman reported that the Altonen PUD has expired. Len Harrett indicated that the Altonen's have contacted him every year regarding extending their PUD. Renee Mischel reported that the Altonen extentions have not been presented to the Planning Commission for review and approval as indicated in Section 13.03 A. After discussion, Len Harrett was requested to bring his file with all correspondence between himself and the Altonen's to the next meeting for Planning Commission review.

Wandawood Rezone: A rezoning proposal will be prepared to rezone a strip of Agricultural land to R-1. The proposed strip is located between the newly defined Cairn Highway and the eastern edge of the old Cairn Highway roadbed & right of way. Bill Derman will pull the tax numbers from the Department of Equalization and provide them to the Planning Commission. A question was raised as to why resort activities were being undertaken on the west side of the new Cairn Highway when this use was strictly prohibited under the conditions of the Site Plan Review. Also in question was a 2nd access to the property also in violation to the conditions of Site Plan approval.

Township Planner: Discussion regarding billing indicated a need for a quarterly report from Larry Sullivan on his expense and fees. Services will be on an on call basis with the chairs contacting Larry Sullivan when we need service and/or projects.

Check List for Non-Conforming Structure Upgrades was discussed. Tom Dame questioned why the Zoning Administrator was not providing more detailed suggestions and advice for the Planning Commission. Len Harrett indicated that it was not his job to make the decisions of the Planning Commission easier with his pointing out problems which exist with a property or a plan. A question then arose as to what exactly were the duties of the Zoning Administrator in reference to the Township and the Planning Commission.

As there was no further business, a motion was made by Don Glowicki, Jr., 2nd by Tom Dame to adjourn. MOTION CARRIED YES-7.

Meeting was adjourned at 9:37 PM.

Respectfully submitted,

Shen B. Smith
Secretary