Elk Rapids Township Planning Commission
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October 7, 2003

The regular meeting of the Elk Rapids Township Planning Commission was called to order by Chairman Renee Mischel on Tuesday, October 7, 2003, at 6:30 PM, at the Elk Rapids Township Hall, corner of Spruce & River Streets, Elk Rapids, MI. Present: Renee Mischel, Tom Dame, Emile Sabty, Shen Smith, Don Glowicki, Jr. Harry Potter & Jim Lundy. A quorum was. Also Present: Len Harrett the Township Zoning Administrator, Lukas Hill the Planning Advisor. Also, Norbert Rook, Mike MIndesdtra andPat Brady.

Minutes of September 2nd Meeting: A question was raised by Shen Smith regarding 10.05 "B" specifically the "100 foot setback". She indicated a feeling that 100 feet was an excessive setback to be required and could contribute to more variances than necessary being requested. After discussion, a motion was made by Renee Mischel, 2nd by Emile Sabty to approve the minutes as published. MOTION CARRIED: Y-5. The chairman requested the secretary to not send the proposed amendment to Antrim County Planning until further study on this question has been reviewed.

Minutes of September 16 Meeting: Correction to Kodiak Site Plan Review section – delete "8-12" and replace with "12-15 with 3-5 units in the center". A motion was made by Tom Dame, 2nd by Jim Lundy to approve the 9/16/03 minutes as corrected. MOTION CARRIED: Y-4, N-1

Kodiak Equipment Site Plan Review

A motion was made by Shen Smith, 2nd by Tom Dame to consider "Golf Cart Sales & Service" a like use in the Commercial Zone as they have "four wheels and four tires" similar to other uses within the zone. MOTION CARRIED: Y-6

Kodiak Equipment Site Plan: indicated the following items still needed to be placed on the site plan: Zoning on adjacent parcels, title of business on plan, define "loading area", add right of way lines, width of curb cuts, septic lines, power lines, etc., define what is being "stored" in outside areas.

A motion was made by Tom Dame, 2nd by Jim Lundy to approve the site plan pending the addition of the above omissions. MOTION CARRIED: Y-6

Kodiak Equipment Special Use Permit: The special use permit needs illustrated on the site plan: how many units and where they will be displayed, that there will be no evening outside display of merchandise allowed on the site. A motion was made by Renee Mischel, 2nd by Shen Smith to approve the Special Use Permit with the two above conditions being part of the approval. MOTION CARRIED: Y-6

Sheppe Mini-Storage: Emil Sabty reported that Sheppe Mini-Storage is in violation of the conditions of approval granted by this commission. He reported that : every door is blue and not the earth tones (grey on grey) as required, the lighting is incorrect, an un-permitted sign is on the building and not in the location approved, asphalt was being put down, there is no fencing in place on the project, and the building already has tenants with out the issuance of an occupancy permit. Len Harrett indicated that blue is an earth tone. The Planning Commission instructed Len Harrett to cite Sheppe Mini-Storage as in violation to the approved site plan with 3 times the fee schedule to be assessed.

Non-Conforming Structures & Uses: Following review of the study draft from Lukas Hill, several comments were made regarding the Non-Conforming section. Shen Smith indicated that she agreed that non-conforming structures should be reviewed by the ZBA, but non-conforming uses should be left under for review and/or approval with the Planning Commission. She indicated that there were

seven-nine uses currently upgraded from "B" to "A" for non-conforming uses in the Township all of which have previously received site plan review and Planning Commission approval. These currently approved uses should be allowed to seek future site plan review from the Planning Commission if they might wish to make modifications to their approved site plans. All of these uses have spent considerable amounts of money to create site plans and follow through with the site plan review/special use process. The current draft as written does not provide for any future review process and unfair to those uses which have taken the time to seek out upgrades and site plan review approvals.

There also being several non-conforming "B" uses in the Township that have not upgraded at this time: Grammer & Sons Construction on Birch Lk Rd, The school bus garage on Birch Lk Rd. and the Sportsmen's Club on Williams Rd.

It was of the opinion that the "B" to "A" process (or something similar to it) should be retained so the Planning Commission can conduct additional use reviews or site plan reviews as may be needed. A poll was conducted regarding Non-Conforming "B" to "A" Structures asking specifically to remove the "B" to "A" upgrade process on Structures/Lots and send these straight to the ZBA for review and approval. YES-6. Non-Conforming Uses will be discussed on 11/4/03 at 5:00 PM in a special study work session.

As there was no further business at this time, a motion was made by Shen Smith, 2nd by Don Glowicki, Jr. to adjourn. MOTION CARRIED: Y-6

Meeting was adjourned at 9:10 PM.

Respectfully submitted,

Shen Smith
Secretary