TOWNSHIP OF ELK RAPIDS
ANTRIM COUNTY, MICHIGAN
ELK RAPIDS TOWNSHIP PLANNING COMMISSION
Shen B. Smith, Secretary
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May 8, 1996

A Special Meeting of the Elk Rapids Township Planning Commission was called to order by the vice chairman, John Ferrari, at 7:00 PM on May 8, 1996, at the Elk Rapids Township Hall. Present: Dorance Amos, Brian Martineau, John Ferrari, and Shen Smith
Absent: Ned VerHage, Felix Casillas & Dick Jobe. A quorum was established. Also present was Len Harrett, Zoning Administrator, Mr. & Mrs. Ed Hammer and Bonnie Rice.

PUBLIC HEARING - WOODEN HAMMER, LTD. Site Plan Review for Wooden Hammer, Ltd., a business to be established on property tax number 05-06-032-009-15, parcel H-1, US 31, Williamsburg, Mi. Proposed business location does not currently have a physical mailing address, but is located on the immediate lot South of the business known as Village Car Care. Business owners and prospective land purchasers are Ed and Martha Hammer, 7686 Elk Lake Road, Williamsburg, Mi 49690. Current owners of property are Mr. & Mrs. Charles Dietrich.

The public hearing was opened to the public. One letter was received from Mrs. Rice who was also in attendance. Mrs. Rice had some questions which she wished to receive answers. Mr. & Mrs. Hammer answered these questions to Mrs. Rice's satisfaction. Public Hearing was closed.

Discussion regarding the diam. size of the hardwood trees to be installed on the property resulted in a decision that the minimum size would be 2-2-1/2" with a minimum height when planted of 3'. Building setback shall be 158' from the centerline of US-31 and the sign setback will be 45 or more feet from the centerline of US-31. A motion was made to approve the site plan with the above conditions modifying the site plan blueprint. MOTION CARRIED. Modifications were made to the site plan and three copies were jointly signed and delivered.

Adult Entertainment Ordinance was discussed. Bill Derman will be sending the Planning Commission a copy of guidelines he has received. A six month ban is currently in place within the Township.

Minutes of the 3/26/96 Meeting. A motion was made by Dorance Amos, 2nd by Brian Martineau to approve the minutes of 3/26/96 with the following additions and corrections:
to page one, 6.02 A - Add "At all points" in front of front to back; page 2, 8.03 C - add "at all points" in front of front to back; Page 2, 8.04 C - add "at all points" in front of front to back; Page 2 8.05 A - add "at all points from front to back" in front of and shall.... Page 3, 8.06 A - add "at all points" in front of from front to back; Page 3, 9.02 D/2 - add "at all points" in front of from front to back; Page 3 - six paragraph - replace the word "intersections" with "parallel streets" and Page 4 - #2 Maps, correct 1st to read "Existing Land Cover Map to be deleted from the list". MOTION CARRIED

Minutes of 4/2/96. A motion was made by Dorance Amos, 2nd by Brian Martineau to approve these minutes as printed. MOTION CARRIED.

Minutes of 4/24/96. A motion was made by Brian Martineau, 2nd by John Ferrari to approve these minutes as printed. MOTION CARRIED.
Zoning Ordinance Amendments.

Amendments currently approved this date for Public Hearing (with corrections and additions added from this meeting):

Amend 1.03
1.03 H.Building. Any enclosed rigid structure having a roof supported by columns, walls, or other support used for the purpose of housing or storing of persons, animals or chattels or carrying on business activities

or other similar uses.

1.03 N.Family An individual or two (2) or more persons related by blood or marriage, or a group of not more than five (5) persons who need not ~~by~~ be related by blood or marriage, living together as a single housekeeping unit in a dwelling.

1.03 R (Insert High Water Mark definition between existing 1.03 R and 1.03 S (renumbering will take place).

High Water Mark

1.For Inland Lakes. The line between upland and bottomland which persists through successive changes in water levels below which the presence and action of the water is so common or recurrent that the character of the land is marked distinctly from the upland, and is apparent in the soil itself, the configuration of the surface of the soil and the vegetation. On an inland lake which has a level established by law it means the high established level. Where water returns to its natural level as the result of the permanent removal or abandonment of a dam, it means the natural ordinary high water mark.

2.High Water Mark For East Arm of the Grand Traverse Bay (To be included)

1.03 S.Home Occupation. An occupation clearly incidental to a residential use~~, such as dressmaking, real estate sales, bookkeeping and accounting services, and professional offices, but not including musical instruments or dancing instruction, beauty and barber shops, when engaged in only~~ by a resident entirely within his dwelling, and not in an accessory building or structure and with the assistance of not more than one (1) non resident employee. Such use shall not occupy more than twenty-five (25) percent of the floor area of the dwelling.

1.03 GG1.Front Yard. The minimum distance between the front line of the principal building, excluding steps and unenclosed porches, and the front lot line. In the case of any principal building which fronts on a lake, the front yard shall be that area which lies between the front line of the principal building, excluding steps and unenclosed porches, and the high water mark of the inland lake. In the case of any principal building which fronts on a lake the front yard and rear yard shall each have a minimum setback from the lake and from the road side of fifty (50) feet.

1.03 GG3.Side Yard. The minimum distance between the side lot line and the side line of the nearest building or structure, unoccupied and extending for the full length of the lot.

Amend 2.12

2.12 C.A strip of natural vegetation shall be maintained to a depth of twenty-five (25) feet from the high water mark for inland lakes ~~of the Township lakes~~ (Elk Lake, Birch Lake, Bass Lake ~~and the shoreline of Grand Traverse Bay~~), 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 alterations 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.~~

Amend 6.02

6.02 A. Every lot in this zone shall have:

1. An area of 1.5 acres and a width ~~at the building line~~ at all points from front to back of at least two hundred (200) feet.

6.02 D.Every dwelling shall have a minimum usable floor area of nine hundred and sixty (960) square feet. The ~~minimum width~~ dwelling shall not be made up of additions of a dissimilar type or quality of construction or materials. No dimension shall be less than twenty (20) feet.

Amend 7.02.

7.02 D.A minimum width of one hundred (100) feet at all points front to back.

7.02 GEach dwelling unit shall have a minimum usable floor area of nine hundred and sixty (960) square feet. The ~~minimum width~~ dwelling shall not be made up of additions of a dissimilar type or quality of construction or materials. No dimension shall be less than twenty (20) feet.

7.02 H.Lot Area - All lots in this zone shall have minimum ~~width of one hundred (100) feet at the front yard setback line and shall have a minimum~~ lot area of twenty thousand (20,000) square feet.

Amend 8.03

8.03 C.Lot Area - Every lot shall have a minimum width ~~at the front yard setback line~~ at all points from front to back of at least one hundred fifty (150) feet and a minimum area of thirty thousand (30,000) square feet.

8.03 D.The dwelling unit shall have a minimum usable floor area of nine hundred and sixty (960) square feet. The ~~minimum width~~ dwelling shall not be made up of additions of a dissimilar type or quality of construction or materials. No dimension shall be less than twenty (20) feet.

Amend 8.04

8.04 C.Lot Area - Every lot shall have a minimum width ~~at the front yard setback line~~ at all points from front to back of at least one hundred fifty (150) feet and a minimum area of fifteen thousand (15,000) square feet per unit.

8.04 D.Each dwelling unit shall have a minimum usable floor area of six hundred (600) square feet. The ~~minimum width~~ dwelling shall not be made up of additions of a dissimilar type or quality of construction or materials. No dimension shall be less than twenty (20) feet.

Amend 8.05

8.05 A.Lot Area - all unplatted single-family lots within this zone shall have a minimum width at all points from front to back of one hundred fifty (150) feet ~~at the front yard setback line~~ and shall have a minimum lot area of thirty-five thousand (35,000) square feet.

8.05 B.The dwelling unit shall have a minimum usable floor area of nine hundred and sixty (960) square feet. The ~~minimum width~~ dwelling shall not be made up of additions of a dissimilar type or quality of construction or materials. No dimension shall be less than twenty (20) feet.

Amend 8.06

8.06 A.Lot Area - All unplatted lots upon which two-family dwellings shall be located shall have a minimum width at all points from front to back of one hundred fifty (150) feet ~~at the front yard setback line~~ and shall have a minimum lot area of seventeen thousand five hundred (17,500) square feet per unit.

8.06 B.Each dwelling unit shall have a minimum usable floor area of six hundred (600) square feet. The ~~minimum width~~ dwellings shall not be made up of additions of a dissimilar type or quality of construction or materials. No dimension shall be less than twenty (2) feet.

Amend 9.02

9.02 D. 2.A minimum area of forty thousand (40,000) square feet with a minimum width ~~as measured at the building line~~ at all points from front to back of one hundred fifty (150) feet.

9.02 E.The average usable floor space per dwelling unit per building shall be at least six hundred (600) square feet. The ~~minimum width~~ dwellings shall not be made up of additions of a dissimilar type or quality of construction or materials. No dimension shall be less than twenty (20) feet.

Amend 12.04

Uses permitted when authorized by special use permit (special exception)

The following use of land and structures may be permitted by the application to the Planning Commission for the issuance of a special use permit (special exception Chapter XVII, Section 17.07) when specified procedures and requirements, as outlined in the article and section cited, are complied with:

(1)Marine Repair Facility

Amend 13.02

(Fix typographical error)

1st paragraph, 9th line: should be "for" not "fore"

Amend 13.02 B.

(Fix typographical error)

1st word, should be "At" not "An"

Amend 13.03

~~13.03 B.If, as a result of voluntary sale or conveyance, or any other transfer of ownership whatsoever, the area shall cease to be held, in its entirety, in single or common ownership.~~

A motion was made by Shen Smith, 2nd by John Ferrari to approve the above proposed amendments as written. MOTION CARRIED.

Gretel Non-Conforming Use Upgrade. Dennis Gretel's request for a non-conforming use upgrade was untabled at this time. After discussion, a motion was made by Shen Smith, 2nd by Dorance Amos to refer this request along with the fees submitted to the ZBA for possible lot size correction. MOTION CARRIED.

Elk Rapids Village Planning Commission. After discussion, a motion was made by Shen Smith, 2nd by Brian Martineau to send a letter of commendation to the Village Planning Commission in appreciation of their caution and concern regarding the Harbor Commission proposal for a boat launch at the Rotary Park site. MOTION CARRIED.

As there was no other business at this time, a motion was made by Dorance Amos, 2nd by Shen Smith to adjourn. MOTION CARRIED.

Meeting was adjourned at 9:35 PM.

Respectfully submitted,

Shen Smith
Secretary