Elk Rapids Township Planning Commission

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May 7, 2002

The regular monthly meeting of the Elk Rapids Township Planning Commission was called to order by the Chairman, Renee Mischel, at 6:40 PM on Tuesday, May 7, 2002, Elk Rapids Town Hall, Corner of Spruce & River Streets, Elk Rapids, Michigan. Present: Shen Smith, Renee Mischel, Emile Sabty, Tom Dame, Jim Lundy, Don Glowicki, Jr. & Harry Potter. A quorum was established. Also present: Len Harrett, Wm Derman, M. Turkelson, Pamela Shaw, Dean Veliquette, Christopher Finnie, Ken Smith, T. Jay Merchie and Pat Brady.

.PUBLIC **HEARING – Non-Conforming Structure Upgrade from Class "B" to Class "A".** The purpose of this hearing is to consider a request from Pam Shaw, 210 Beechmont, Dearborn, Michigan 48124, for a Non-Conforming Structure Up-grade from Class "B" to Class "A" for property located at 8167 Cairn Highway, Elk Rapids, Michigan 49629. Property tax number 05-06-015-012-00. Request for consideration in order to seek a variance to expand size of existing non-conforming garage.

Chairman Mischel opened the public hearing for input from the community. Don Glowicki, Jr recused himself from the public hearing. Pamela Shaw spoke regarding the merits of granting her request for an upgrade and indicated that she planned no guest quarters in or above the proposed addition. She also indicated that she would be unable to build an additional storage facility on the property as there was a culvert on the south end of her property. Renee Mischel pointed out an error in the site plan presented for this public hearing which noted the Shaw property as being two separate lots. The lot in question is only a single lot, not a lot A & lot B. A letter was read from neighbor Dewey Dame opposed to the granting of the upgrade based on the structure being to close to the property line already and his being worried about a precedent being set if proposed expansion were approved. Dean Veliquette spoke indicating that he didn't feel a precedent would be set with an approval. Township attorney, Mike Turkelson indicated that indeed a precedent would be set with the approval of this non-conforming structure upgrade opening doors for future such approvals.

A motion was made by Shen Smith, 2nd by Jim Lundy to close the public hearing. **MOTION CARRIED.** A motion was made by Harry Potter, 2nd by Emile Sabty to approve the Non-Conforming Structure Upgrade from Class "B" to Class "A" with no living quarter allowed within the structure. Discussion indicated a concern of many of the PC members that an approval would set a precedent in the handling of other similar upgrades **Y-2, N-4 MOTION DENIED**.

.**Minutes of the April Meeting**. A motion to approve was made by Renee Mischel, 2nd by Emile Sabty with a correction – strike out "she also indicated". **MOTION CARRIED**

Consideration of Removal of Section 4.00 regarding Non-Conforming Upgrades. Ken Smith spoke regarding amending the Elk Rapids Township Zoning Ordinance to remove Section 4.00. Attorney's opinion was received. Discussion regarding pro/con of issues indicated that even though the PC would be happy to not have the upgrade duties there is a need to have two separate boards reviewing non-conformance issues.. As there was no consensus regarding the question, a motion was made by Shen Smith, 2nd by Tom Dame to continue to table the discussion until a later date. **MOTION CARRIED**.

Zoning Application. Upgrade has been completed. A motion was made by Shen Smith, 2nd by Renee Mischel to approve the amended zoning application form. MOTION CARRIED.

Open Space – tabled until June meeting.

Minutes Sharing – Sharon Hood (Acme Twp) requested a minutes sharing process. Shen Smith indicated that ER Twp minutes could be posted on the Elk Rapids web site starting as soon as June.

Altonen Planned Development. A letter was received requesting a extention of the Altonen Planned Development. A motion was made by Shen Smith, 2nd by Jim Lundy to grant the Altonen request for an additional year. MOTION CARRIED.

Ordinance Update. Shen Smith indicated that she is almost done inserting and updating the Elk Rapids Twp Zoning Ordinance. Emile Sabty volunteered to proof the final version for assistance in the update. A master copy should be completed shortly for the printing of new books and for the website.

Joint Twp / Village Building. Tom Dame indicated his concerns regarding the proposed joint building between the Twp and the Village. Don Glowicki, Jr. who is a member of the ER Twp Board and a member of the Joint Committee indicated that several public meetings have been held already, and the Twp board meetings have held discussions. He indicated that Tom should address his concerns to the Twp Board.

Cabana Shores. Shen Smith indicated that after discussion with area land owners there is no interest in the area for the Twp to create new zones within the Cabana Shores Sub. Shen indicated that the project should be dropped at this time.

As there was no further business, a motion was made by Shen Smith, 2nd by Jim Lundy to adjourn. MOTION CARRIED. Meeting was adjourned at 9:12 PM.

Respectfully submitted,
Shen Smith
Secretary