TOWNSHIP OF ELK RAPIDS
ANTRIM COUNTY, MICHIGAN
Elk Rapids Township Planning Commission
P. O. Box 175
Elk Rapids, MI 49619
(616) 264-5855

Shen B. Smith, Secretary
October 1, 1996

The October Regular Meeting of t Elk Rapids Township Planning Commission was called to order by Chairperson Ned VerHage at 7:07 pm on October 1, 1996.

PRESENT: Dorance Amos, Felix I. Casillas, John Ferrari, Ned VerHage

ABSENT: Dick Jobe, Shen B. Smith

ALSO PRESENT: Len Harrett, Zoning Administrator.

MEMBERS OF THE PUBLIC: Daisy Pollister, Member of Zoning Board of Appeals

A quorum was established.

The hearing was opened to public.

The first appeal on the agenda is by appellants Mr. David Palmer and Ms. Carolyn Shah. The property known as Wandawood Resort, located at 7779 Cairn Highway, Elk Rapids, MI 49629, Property Tax Nos. 05-06-010-014-00 and 05-06-010-021-00.

They are requesting a Non-Conforming Use Upgrade from Class "B" to Class "A" including renovation to cottages proposed for the future.

Ms. Shah distributed to the commission members the resort layout (Attachment No. 1) with all dimensions from all cottages and buildings to water, road right-of-way and between buildings. After a review of the detailed layout of the resort, the Commissioners asked the following questions:

No correspondence was received from the public.

Mr. VerHage asked the reason for the request.

Ms. Carolyn Shah responded that Mrs. Shen Smith had recommended she apply for the upgrade because of the concern for any structure changes and possible additions. This year Ms. Shah would like to add space to the Vagabond Cottage which is shown on the layout and is used by the family during the summer season. The addition does not add to the number of occupants, but just living space for the grandchildren.

Mr. VerHage then asked about the condition of the septic system. The appellant then noted on the layout the approximate location of the system. The septic system was completely renovated and updated this year.

Messrs. Ferrari and Amos asked a number of questions for clarification on dimensions from the top of the bank, the staircase drop to the beach and the width of the beach. Ms. Shah explained the difference at each cottage both to the beach and road right-of-way.

Mr. Ferrari asked if there was any plans for immediate expansion. The appellant replied only the Vagabond as shown on the layout, at this tiime, and that is for her immediate family. The addition would not increase the number of occupants.

Mr. Ferrari then asked if the Vagabond Cottage was to be used as a year around home. The response was "No" by the appellant and that the interior is not finished but stud walls.

The Commission then reviewed Chapter IV of the Township Ordinance. Commissioners then discussed the public sewer district and its future along Cairn Highway.

Messrs. Amos and Ferrari asked the appellant if in the future would there be any changes such as condo development and the size of the property. The appellant responded they have no thoughts of changing the business and the size of the property which is approximately thirty (30) acres.

MOTION: Felix I. Casillas made the motion and it was seconded by Dorance Amos to close the public hearing.

MOTION CARRIED.

MOTION: Felix I. Casillas made the motion and it was seconded by Dorance Amos to approve the upgrade of Wandawood Resort, Property Tax Nos. 05-06-010-014-00 and 05-06-010-021-00 from a Non-Conforming Class "B" to Class "A".

MOTION CARRIED.

The second appeal on the agenda was by Mr. and Mrs. Robert Garrow, 1141 S. State Road, Davison, MI 48423. They are requesting an upgrade from Non-Conforming "B" to "A" for Property Tax No. 05-06-600-050-00 located at 7433 Cairn Highway, Kewadin, MI 49648.

MOTION: A motion was made by Ned VerHage and seconded by Felix I. Casillas to untable the Mr. and Mrs. Garrow proposal for public comment and discussion.

No comment from the public.

The Commission read the conditions of the upgrade from Non-Conforming use upgrade from Class "B" to Class "A" for Mr. and Mrs. R. Garrow.

The conditions were then given to Mr. and Mrs. Garrow for review, comment, and changes if required and agreed by the Commission.

Mr. Garrow requested the Commission change Item #4, Line 4 from one (1) year to eighteen (18) months and cross out the word "miscellaneous" in Item #9. The Commission agreed with no comment.

MOTION: A motion was made by Dorance Amos and seconded by Felix I. Casillas to approve the upgrade of Property Tax No. 05-06-600-050-00, address 7433 Cairn Highway, Kewadin, MI 49648 from Non-Conforming "B" to "A" and that the conditions Elk Rapids Township dated October 1, 1996 attached be signed by both Mr. Robert Garrow and the Chairperson Ned VerHage.

MOTION CARRIED.

MOTION: A motion was made by John Ferrari and seconded by Ned VerHage to approve the Minutes of September 5, 1996.

MOTION CARRIED.

MOTION: As there was no further business at that time, a motion was made by John Ferrari and seconded by Ned VerHage to adjourn.

MOTION CARRIED.

Meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Felix T. Casillas
Acting Secretary

Attachments: Wandawood Resort Layout

10/1/96

ELK RAPIDS TOWNSHIP

NON-CONFORMING USE UPGRADE

(CLASS B TO CLASS A)

RE: GARROW

Conditions of Upgrade:

1. The upgrade is subject to the terms and conditions of a Subdivision Lot Split Agreement dated September 23, 1996, between Elk Rapids Township and Mr. & Mrs. Garrow, recorded in Liber 451, Pages 1338-1348, Antrim County Records;

2. The upgrade concerns only Parcel F and the main living structure contained thereon;

3. That specifically excluded from the upgrade is the garage with studio above which shall remain a non-conforming B status;

4. That the property owners, Mr. & Mrs. Garrow, shall install a public sewer line from Birch Lake Sewer to the premises and hook both the house and studio into the same within one year from date hereof. Failing the same, the property owners must vacate the premises and hereby consent to the entry of an injunction and/or Court order removing parties from the premises (house and studio) until the sewer lines are so installed.

5. That the studio above the garage, which is not included in the upgrade, shall not be expanded in any manner, and the garage must remain on the first floor level of said building. No living quarters shall be installed on the first floor level. If destroyed, the structure, if rebuilt, must conform in all aspects with the current Township Zoning, which at present would not allow the rebuilding of the studio.

6. That the present house footprint cannot be expanded in any manner and/or the second floor of the home cannot be expanded for living quarters;

7. That there shall be no year around use of the studio contained above the garage.

8. That the property owners must obtain all other necessary permits mandated by any Federal, State or local unit of Government (County Building, electrical, mechanical, plumbing, etc.)

~~9. Miscellaneous others...~~

Robert G. Garrow

garrow.usc/township#5