Elk Rapids Township Planning Commission
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December 6, 2005

The Regular Monthly Meeting of the Elk Rapids Township Planning Commission was called to order by Chairman, Emil Sabty, on Tuesday, December 6, 2005, at 6:30 PM, at the Government Center, 315 Bridge Street, Elk Rapids, MI. Present: Emile Sabty, Renee Mischel, Don Glowicki, Jr, Shen Smith, Wm. Larson, & Jim Lundy. Absent: Brian Altonen. A quorum was established. Also Present: Len Harrett, Brian Wegener, Lukas Hill, Patty O'Donnell, Ron Shoal, Mr. Sheppe, and Carol Brady.

Public Forum: Patty O'Donnell discussed the project – "Finding Common Grounds" exploring opportunities for joint municipal planning around the Grand Traverse Bay. She thanked the Planning Commission for appointing Len Harrett to represent Elk Rapids Township. Chairman Sabty announced that Lukas Hill would be leaving as the Elk Rapids Township Planner. Lukas introduced Brian Wegener (Williams & Works) who will be replacing Mr. Hill as the planner. Mr. Hill gave a brief summary of what the Planning Commission had accomplished in 1005 and that which was remaining on the agenda. Chairman Sabty indicated that the Sheppe Mini-Storage public hearing would be noticed for the January 3, 2006 regular meeting.

Minutes of the October 4th and November 1st Meetings: A motion was made by Renee Mischel, 2nd by Jim Lundy to approve the minutes of both meetings as published. **MOTION CARRIED: Y-6, N-0**.

PUBLIC HEARING – Proposed Zoning Ordinance Text Amendments: A motion was made by Shen Smith, 2nd by Jim Lundy to open the public hearing. **MOTION CARRIED: Y/6 N/0**.

Miscellaneous Zoning Ordinance text changes (Bold text is added. Strikethrough text is deleted.)

Section 3.02-B -- Farm Market Signs - All signs identifying such markets not to exceed sixteen (16) square feet each sign, are permitted seasonally **May through November in agricultural Zones.** ~~on the premises upon which such markets are conducted.~~

Section 6.02-A-3 -- Two (2) side yards totaling at least seventy (70) feet; the minimum of ~~one (1)~~ **each** side yard shall be thirty five (35) feet.

Section 7.02-B -- Two (2) side yards totaling **at least** twenty (20) feet; the minimum of ~~one (1)~~ **each** side yard shall be ten (10) feet.

Section 8.03-B-2 -- Two (2) side yards totaling **at least** twenty (20) feet; the minimum of ~~one (1)~~ **each** side yard shall be ten (10) feet.

Section 8.04-B-2 -- Two (2) side yards totaling **at least** twenty five (25) feet; the minimum of one (1) side yard shall be ten (10) feet **and the other side yard shall be fifteen (15) feet.**

Section 10.03 A-3 -- Side Yard – ~~Ten (10) feet for each side, totaling at least twenty (20) feet~~. **Two (2)** side yards totaling (20) feet; the minimum of each side yard shall be ten (10) feet.

Section 16.11-C -- Proposed signage shall not include animated or flashing illumination of any type and otherwise conforms with the requirements of Township Zoning Ordinance ~~Chapter 14~~. **Chapter 3**.

Section 1.03-OO -- Structure - A structure is any production or piece of material artificially built up or composed of parts joined together in some definite manner, and any construction, including dwellings, garages, building, mobile homes, **decks,** signs and sign boards, tower, poles, antennas, stand pipes or other like objects, but not including fences.

Table Of Contents, Chapter 2, Section 2.06 Accessory ~~Building & Decks~~ **Structures**

Section 1.03-A should be revised to include the following definitions:

A. Accessory Structures

1. Agricultural Structure – A structure designed, constructed and used for agricultural purposes and/or for the stora maintenance of agricultural equipment.

2. Accessory Structure – A structure on the same lot with and of a nature customarily incidental and subordinat principal structure.

3. Attached Accessory Structure – An accessory structure attached by a common wall(s), foundation and under th roofline of the principle structure.

4. Detached Accessory Structure – An accessory structure not attached and not made a part of the principle structure.

Section 2.06 should be revised to include the following text:

Section 2.06 – ACCESSORY STRUCTURES

A. Purpose – The purpose of this section is to provide standards for land that is primarily residential with regard to attached ar detached accessory structures, including, but not limited to, attached and detached garages, pole buildings, sheds and other structure as defined in Section 1.03-OO. Accessory structures are intended to be subordinate to the principal structure.

B. Definitions – Refer to Section 1.03-A.

C. Detached Accessory Structures

1. May only be built on a lot upon which there is a principal structure.

2. Are prohibited in the front yard, as defined in Section 1.03-SS-1, or in either of the front yards on a corner lot, unless th following conditions apply:

On a waterfront lot, one (1) detached accessory structure may be located on that Portion of the lot between the water ar the principal dwelling provided the following criteria are met:

a. It shall not exceed one hundred (100) square feet in area and ten (10) feet in height to the peak.

b. Shall meet all setback requirements of the zone district in which it is to be located.

c. The area of such accessory structure shall be counted as part of the overall lot coverage on the lot.

3. Shall not be used for dwelling purposes.

4. Shall maintain a minimum of ten (10) feet of separation from each other and from the principal structure.

5. Shall comply with all yard, setback and lot coverage requirements applicable to the permitted principal structure, exce for accessory structures on lots less than or equal to 20,000 square feet, the following shall apply:

a. The accessory structure shall not exceed eighteen (18) feet in height to the peak.

b. Within any zone district that permits a residential use, a maximum of two (2) detached accessory structures a permitted, one of which shall not exceed one hundred (100) square feet in area and ten (10) feet in height to the peak.

c. When a lot is less than or equal to 20,000 square feet, the total ground level gross square footage of all detache accessory structures shall not exceed the gross square footage of the first floor of the principal structure, exclusive of a attaché accessory structures.

6. Lots under common ownership that are adjacent to one another or separated only by a public road (e.g. lots are direct across from one another) may be legally combined to form one lot. Once combined, an accessory structure may be erected across th street from the principal building lot provided all yard requirements for a principal structure are maintained.

D. Attached Accessory Structures

1. Shall comply in all respects with the requirements of this Ordinance applicable to the permitted principal structure.

2. An attached accessory structure may include second floor living space provided that such living space is a contiguou extension of the living space within the primary structure.

3. Attached accessory structures shall comply with all yard, setback, height and lot coverage requirements applicable to th permitted principal structure, except accessory structures on lots less than or equal to 20,000 square feet, the followin shall apply:

An attached accessory structure, including a garage. Shall not exceed sixty percent (60%) of the ground floor area the attached single family dwelling. Notwithstanding the above, an existing single family dwelling less than 960 square feet permitted an attached garage up to five hundred and seventy six (576) square feet, or 24'x24', in area regardless of the ground flo area, subject to standards within the applicable zone district.

As no correspondence was received, and no public comment was received a motion was made by Shen Smith, 2nd by Emile Sabty to close the public hearing. **MOTION CARRIED: Y/6, N/0** After further discussion, a motion was made by Emile Sabty, 2nd by Renee Mischel to approve the proposed text amendments and send them to the County and Township attorneys following the January public hearing. **MOTION CARRIED: Y/6, N/0.**

Old Business:

Sheppe Mini-Storage Preliminary Plan Review: After a preliminary plan review the plan looks to contain many discrepancies which will need to be cleared up prior to the site plan review hearing on January 3, 2006.

Ordinance Text Review:
Grade Level – Section 2.02: Lukas Hill explained the suggested text for revising Section 2.02. A motion was made by Shen Smith, 2nd by Jim Lundy to approve the proposed text for public hearing with the next scheduled public hearing. **MOTION CARRIED: Y/6 N/0**. **Section 2.11 – Restrictions:** A typo correction in (A) the word "no" is missing from sentence.

New Business:

Master Plan Review. The Planning Commission will start reviewing the text of the master plan with the January 2006 meeting. Members are asked to read Chapter 1 prior to the January meeting.

As there was no additional business at this time, a motion was made by Shen Smith 2nd by Don Glowicki, Jr. to adjourn. **Motion Carried: Y-6, N-0**. Meeting was adjourned at 8:20 PM

Respectfully Submitted,

Shen Smith, Secretary