


# MEMORANDUM

**TO:** Elk Rapids Township Planning Commission  
**FROM:** Larry Nix, PCP Consulting   
**DATE:** June 4, 2019  
**RE:** Site Plan Review for Shoreline Modification  
Julia Pollister Amos, 8443 Cairn Hwy., 05-06-015-047-20

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Mr. Brad Muma of Performance Engineers, Inc., on behalf of Julia Pollister Amos, has submitted a site plan application to modify the shoreline at 8443 Cairn Highway. The property is situated on Elk Lake north of the Village of Elk Rapids. The purpose of the proposed shoreline change and the overall project relate to providing access to the water level for persons who are unable to use the steep steps. This area of the shoreline adjacent to Elk Lake is very steep. Overall, the project will create an 8' wide walking path at a 10% grade from near the house down to the lake/beach area. The overall width of the cut into the hill slope is approximately 51' within the 25' shoreline protection zone. Stabilization of the side slope is proposed with seeding and a mulch blanket. The applicant has meet with the Antrim Soil Erosion Officer, Heidi Shaffer, on the site and her report is pending. This report should be received prior to the meeting on June 11, 2019. It is noted that two existing trees (6" and 10") will be impacted/removed by this project. The applicant will either be relocating these two trees or planting replacements as illustrated on the site plan. The material excavated for this project will be used to construct another driveway on this property. This is illustrated on Sheet C1 and C3 of the engineering drawings.

As defined in the Zoning Ordinance, the regulated shoreline is a strip of natural vegetation paralleling the shoreline or streambed and traversing the property in question for a depth of twenty-five (25) feet beginning at the edge of surface loam soil or a contiguous root system, whichever occurs nearest to the shoreline. The regulated shoreline for this lot corresponds with the steep bank down to the water's edge.

This memorandum provides our review and recommendation of the application pursuant to the standards of Section 2.11 of the Township Zoning Ordinance.

Section 2.11, D. The Zoning Ordinance provisions permitting shoreline modification but subject to several standards. Following are the standards and our comments on each:

1. The applicant shall submit a site plan in accordance with Chapter 17. The submission requirements for the site plan shall include items 17.04-A 1-14, and 17.04-B 1-7 and 22. The site plan shall be prepared by a Natural Shoreline Professional certified by the Michigan Natural Shoreline Partnership or a qualified professional and shall detail the proposed

modifications to the property to enable the Planning Commission to determine the extent and potential impacts of proposed changes. In addition to the review process outlined in Chapter 17, prior to Planning Commission action on the request, the applicant shall submit the site plan to the Antrim County Soil Erosion Control Officer for review.

**Comment: The applicant has submitted illustrations prepared by Performance Engineers, Inc. The drawings are professional and meet the intent of the requirement that a qualified professional prepare the site plan. The plan was also submitted to the Antrim County Soil Erosion Control Officer and comments are pending. A MDEQ or USACOE permit is not required since the project is above the OHWM and this is not a High Risk Erosion Area.**

2. The shoreline erosion design shall make every effort possible to maintain a forested/wooded shoreline character by maintaining existing trees and shrubs in the design and construction of the new shoreline protection system.

**Comment: The existing regulated shoreline area primarily consists of grasses, rocks and other natural material. As can be noted in the photos provided by the applicant, the existing stairs and hill are steep and the shoreline is natural. The trees on the lot beyond the 25' regulation area provide a wooded and filtered view of the land side of the lot as viewed from the water. The curve in the path to the lake will work to minimize a tunnel view from the water of this walking path.**

3. The Planning Commission may require a performance guarantee as outlined in Section 17.08 to insure completion of any restoration, native landscaping or other features of the proposed modifications. An inspection coordinated with the Township Zoning Administrator, conducted by the Antrim County Soil Erosion Control Officer shall take place after the modifications have been completed to determine whether stipulations have been met and whether Township permits can be issued. A second inspection coordinated with the Township Zoning Administrator, shall be conducted by the Antrim County Soil Erosion Control Officer one year after Township permits have been issued to determine whether any required performance guarantee can be relinquished to the applicant. If the condition of the site is in compliance with approved plans, any such performance guarantee shall be returned to the applicant.

**Comment: This standard relates to an enforcement action and can be incorporated into Planning Commission action on the request, if desired. Consideration of a performance guarantee is at the discretion of the Planning Commission.**

4. The Planning Commission shall consider the recommendation of the Soil Erosion Control Officer, the extent of proposed vegetation removal or land alteration, proposed restoration,

existing and proposed topography, and the location of any nearby structures. The application shall be approved where it is shown that the proposed modifications will not be injurious to shoreline on adjacent properties, and where the plan demonstrates an intent to improve a situation that is dangerous to the general public or harmful to water quality because of unchecked or potential shoreline erosion, sediment runoff or water pollution.

**Comment: The Soil Erosion Officer has visited the site and the owner has submitted a permit application. Given this is a very busy time of the year for construction, all are hoping for comments from Heidi Shaffer prior to the meeting.**

**Recommendation.** This appears to be a project that meets in intent and purpose of Section 2.11 of the Elk Rapids Township Zoning Ordinance with one exception: comments from the Soil Erosion Officer. Without this recommendation from the County, a final decision is difficult. The Planning Commission could approve the site plan subject to comments and a permit from the Soil Erosion Officer. Public comments should always be taken into consideration prior to a final action. A positive motion should consider the following conditions:

1. The applicant shall comply with the requirements of the Antrim County Soil Erosion permit, if issued.
2. Inspections as noted in Section 2.11, D, 3 of the Zoning Ordinance shall be conducted and compliance with the Zoning Ordinance and all other applicable regulations shall be maintained at all times.
3. Others as appropriate.











Elk Rapids Township, Antrim County, Michigan  
Planning Commission APPLICATION

1

Applicant Julia Pollister Amos Agent \_\_\_\_\_  
(Property Owner)  
Address 8443 Carn Hwy Address \_\_\_\_\_  
PO Box 536  
City - State - Zip Code Elk Rapids Mi 49629 City - State - Zip Code \_\_\_\_\_  
Phone / Cell 231-620-4300 Phone / Cell \_\_\_\_\_  
Fax Number 231-264-9885 Fax Number \_\_\_\_\_  
Email pollisteramos1c@hotmail.com Email \_\_\_\_\_

**INSTRUCTIONS**

For your reference, the Elk Rapids Township Zoning Ordinance is on-line at <http://www.elkrapids.com/Township>

The Planning Commission regularly meets on the second Tuesday evening of the month as scheduled at the Government Center, 315 Bridge St. in Elk Rapids. Applicants desiring a public hearing must submit this completed Application accompanied by any other required documentation and the Hearing Fee no later than 33 days prior to a Planning Commission meeting.

**Applications should be delivered to either:**

Elk Rapids Township Zoning Administrator  
315 Bridge St., P.O. Box 365  
Elk Rapids, MI 49629-0365

or

Elk Rapids Township Clerk  
315 Bridge St., P.O. Box 365  
Elk Rapids, MI 49629-0365

The fees as established in the Elk Rapids Township Fee Resolution Schedule must accompany the complete application. (Ordinance Section 17.04)

**Site Plan Review**

Applicants seeking a formal Site Plan Review Hearing are advised to study the complete Site Plan submission requirements found in Chapter 17 of the Elk Rapids Township Zoning Ordinance, and that applicable section where a Site Plan is required for specific use.

**Time Limitation of a Site Plan Review**

Any approval of a Site Plan becomes null and void twelve months from the date of approval unless the owner or agent shall have taken substantial steps toward effecting the Site Plan as approved by the Planning Commission. (Ordinance Section 17.07)

Except for plans in the Single and Two Family Zones, a copy of the proposed Site Plan must be provided to the Elk Rapids Township Emergency Services Departments as listed on the Elk Rapids Township Web Site for review.

**A. Action Requested**

I/We the undersigned request a hearing before the Elk Rapids Township Planning Commission for the purpose indicated below:

~~No~~  Special Exception - Special Use Permit

Rezoning Request

*ew*  Site Plan Review for: AS PER SECTION 2.11 OF ZONING ORD.

- Commercial Zone
- Manufacturing Zone
- Environmental Zone
- Planned Development Zone
- Multiple Family (R-3) Zone
- Agricultural Zone

Modifications to Previously Approved Site Plan

Approval Date of Previous Site Plan \_\_\_\_\_

Other \_\_\_\_\_

**B. Property Information**

1. Present Zoning Classification Residential Property Tax # 05 06015 04720

2. Present Use Residential Physical Address 9443 Cairn Hwy

3. If property is platted, name of Plat and Lot #: NA

4. If unplatted, Legal Description of property affected by this request. Attach a complete property description with this application. ✓

5. Are there any deed or plat restrictions affecting this parcel of property? \_\_\_ Yes  No. If Yes, attach a copy of these restrictions with this application.

6. Names and addresses of all persons and/or firms other than yourself having a legal interest in the business and/or land. DORANCE ANOS

7. Attach ten (10) copies of the Site Plan including dimensioned location and size of existing and proposed buildings, property size, and all other pertinent information per Zoning Ordinance Chapter 17, Sections 17.01 - 17.11.

8. What public utilities are available or in use at this property? Consumers Tower  
DTE Energy

9. List any other Authorities which may have jurisdiction or overlapping interest in this proposed project: (i.e. Elk Rapids Village or adjacent Township, MDEQ, Antrim County Health Department or Soil Erosion Department, U.S. Corps of Engineers, etc.)

none

C. Describe the proposed Use or Structural changes that make Planning Commission Review necessary:

We want to provide access to the water for persons unable to use the current steps and will grade part of the current lawn down to the beach level.

D. Possible positive impacts of this proposal on the surrounding properties and the Township:

both north and south neighbors have made improvements to their lake access and they will likely appreciate us improving ours.

E. Possible negative impacts of this proposal on the surrounding properties:

I can't think of any



F. AFFIDAVIT

The undersigned acknowledges that if a change is granted or other decisions affecting the property represented by the undersigned are reached by the Planning Commission, the said decision does not relieve the applicant from compliance with all other provisions of the Township Zoning Ordinance. The undersigned further affirms that he/she is or they are the:

owner(s) \_\_\_\_\_ authorized agent of the owner of the property involved in the appeal, (owners MUST sign) and that the answers and statements herein contained and the information herewith submitted are in all respects true and correct to the best of the knowledge and belief of the undersigned.

[Signature] \_\_\_\_\_ 5-10-19 \_\_\_\_\_  
(owner) (date) (Authorized agent) (date)

\_\_\_\_\_  
(owner) (date)

\_\_\_\_\_  
(owner) (date)

G. PERMISSION TO ENTER PROPERTY

I / We herewith grant permission for members of the Elk Rapids Township Planning Commission and the Zoning Administrator to enter my lot(s) / property for the purpose of investigating the scope and effect of this request.

[Signature] \_\_\_\_\_ Owner \_\_\_\_\_ 5-10-19 \_\_\_\_\_  
(Signature) (Title) (Date)

\_\_\_\_\_  
(Signature) (Title) (Date)

H. ATTACHMENTS:

- |                                 |                   |
|---------------------------------|-------------------|
| _____ Property Description      | _____ Hearing Fee |
| _____ Assignment of Agent       | _____ Site Plan   |
| _____ Plat or Deed restrictions | _____ Other       |



Michigan Department of Treasury,  
STC 7019 (Rev. 10-18)

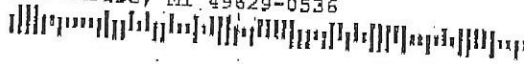
# THIS IS NOT A TAX BILL

749

L-4400

## Notice of Assessment, Taxable Valuation, and Property Classification

This form is issued under the authority of P.A. 206 of 1989, Sec. 211.24(c) and Sec. 211.34c, as amended. This is a model assessment notice to be used by the local assessor.

<b>FROM</b> KARLEEN HELMREICH ELK RAPIDS TOWNSHIP ASSESSOR PO BOX 365 ELK RAPIDS, MI 49629	<b>PARCEL IDENTIFICATION</b> PARCEL CODE NUMBER: 05-06-015-047-20 PROPERTY ADDRESS: 8443 CAIRN HWY ELK RAPIDS, MI 49629
<b>NAME AND ADDRESS OF OWNER OR PERSON NAMED ON ASSESSMENT ROLL:</b>  *****AUTO**5-DIGIT 49610 AMOS DORANCE M & JULIA POLLISTER PO BOX 536 ELK RAPIDS, MI 49629-0536 	<b>PRINCIPAL RESIDENCE EXEMPTION</b> % Exempt As "Homeowners Principal Residence": 100.00% % Exempt As "Qualified Agricultural Property": .00% % Exempt As "MBT Industrial Personal": .00% % Exempt As "MBT Commercial Personal": .00% Exempt As "Qualified Forest Property": <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Exempt As "Development Property": <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

*Elk Rapids House of Service 25*  
*Parcels B + B2 (owned)*

ACCORDING TO MCL 211.34c THIS PROPERTY IS CLASSIFIED AS: 401 (RESIDENTIAL - IMPROVED)  
PRIOR YEAR'S CLASSIFICATION: 401 (RESIDENTIAL - IMPROVED)

The change in taxable value will increase/decrease your tax bill for this year by approximately: \$441

	PRIOR AMOUNT YEAR: 2018	CURRENT TENTATIVE AMOUNT YEAR: 2019	CHANGE FROM PRIOR YEAR TO CURRENT YEAR
1. TAXABLE VALUE (Current amount is tentative):			
2. ASSESSED VALUE:	308,529	328,933	20,404
3. TENTATIVE EQUALIZATION FACTOR: 1.000	450,500	481,300	30,800
4. STATE EQUALIZED VALUE (Current amount is tentative):			
5. There WAS/WAS NOT a transfer of ownership on this property in 2018. WAS NOT	450,500	481,300	30,800

The 2019 Inflation rate Multiplier is: 1.024

**Legal Description:** COM AT THE N 1/4 COR OF SD SEC 15, TH S 2 DEG W ALG THE NS 1/4 LINE OF SD SEC 15 2633.58 FT, TH S 88 DEG E 642.32 FT TO THE ELY R/W OF CAIRN HWY, TH S 8 DEG W 201.98 FT, ALG THE ELY R/W OF CAIRN HWY TO THE POB, TH CONT S 8 DEG W 100.90 FT, TH S 89 DEG E 280.11 FT, TH N 53 DEG E 186.70 FT, TH N 89 DEG W 399.4 FT TO THE POB, ALSO COM AT THE N 1/4 COR, TH S 02 DEG W ALG NS 1/4 LINE 2633.58 FT, TH S 88 DEG E 642.32 FT TO ELY R/W

**March Board of Review Appeal Information:**  
The Taxable Value, the Assessed Value, the State Equalized Value, the Property Classification, or the Transfer of Ownership may be appealed by filing a protest with the Local Board of Review. Protests are made to the Board of Review by completing a Board of Review Petition Form. A Petition Form may be obtained directly from the local unit or from the State Tax Commission at [www.michigan.gov/taxes](http://www.michigan.gov/taxes). Click on Property Taxes Box, then click on Forms and Instructions, then Board of Review to obtain Form 619 (L-4035), Petition to the Board of Review

**March Board of Review Information:**  
2019 MARCH BOARD OF REVIEW DATES AND TIMES. ELK RAPIDS COMMUNITY GOVERNMENT CENTER 315 BRIDGE STREET ELK RAPIDS, MI 49629; MAILING ADDRESS: PO BOX 365 ELK RAPIDS, MI 49629; PHONE 231-264-9333  
WEDNESDAY MARCH 13TH, FROM 9AM - 3PM  
THURSDAY MARCH 14TH, FROM 3PM - 9PM

**NON-RESIDENT LETTER APPEALS MUST BE RECEIVED BY 9PM THURSDAY MARCH 14TH.**

Not less than 14 days before the meeting of the Board of Review, the assessment notice shall be mailed to the property owner.  
Property taxes were calculated on the Taxable Value (see line 1 above). The Taxable Value number entered in the "Change from Prior Year to Current Year" column, does not indicate a change in your taxes. This number indicates the change in Taxable Value.  
State Equalized Value is the Assessed Value multiplied by the Equalized Factor, if any. State Equalized Value must approximate 50% of the market value.

IF THERE WAS A TRANSFER OF OWNERSHIP on your property in 2018, your 2019 Taxable Value will be the same as your 2019 State Equalized Value.  
IF THERE WAS NOT A TRANSFER OF OWNERSHIP on your property in 2018, your 2019 Taxable Value is calculated by multiplying your 2018 Taxable Value by 1.024 (Inflation Rate Multiplier for the current year). Physical changes in your property may also increase or decrease your Taxable Value. Your 2019 Taxable Value cannot be higher than your 2019 State Equalized Value.

The denial of an exemption from the local school operating tax for "qualified agricultural properties" may be appealed to the local Board of Review. The denial of an exemption from the local school operating tax for a "homeowner's principal residence" may be appealed to the Michigan Tax Tribunal by the filing of a petition within 35 days of issuance of this notice. The petition must be a Michigan Tax Tribunal form or a form approved by the Michigan Tax Tribunal. Michigan Tax Tribunal forms are available at [www.michigan.gov/taxtrib](http://www.michigan.gov/taxtrib).

Filing a protest at the Board of Review is necessary to protect your right to further appeal valuation and exemption disputes to the Michigan Tax Tribunal and classification appeals to the State Tax Commission. Properties classified Commercial Real, Industrial Real or Developmental Real may be appealed to the regular March Board of Review or to the Michigan Tax Tribunal by filing a petition by May 31. Commercial Personal, Industrial Personal, or Utility Personal Property may be appealed to the regular March Board of Review or to the Michigan Tax Tribunal by filing a petition by May 31 if a personal property statement was filed with the local unit prior to the commencement of the Board of Review as provided by MCL 211.19, except as otherwise provided by MCL 211.9m, 211.9n and 211.9o. The petition must be a Michigan Tax Tribunal form or a form approved by the Michigan Tax Tribunal. Michigan Tax Tribunal forms are available at [www.michigan.gov/taxtrib](http://www.michigan.gov/taxtrib).

**HOMEOWNER'S PRINCIPAL RESIDENCE AFFIDAVIT INFORMATION REQUIRED BY P.A. 114 OF 2012.** If you purchased your principal residence after May 1 last year, to claim the principal residence exemption, if you have not already done so, you are required to file an affidavit by June 1 for the immediately succeeding summer tax year levy and all subsequent tax levies or by November 1 for the immediately succeeding winter tax levy and all subsequent tax levies.



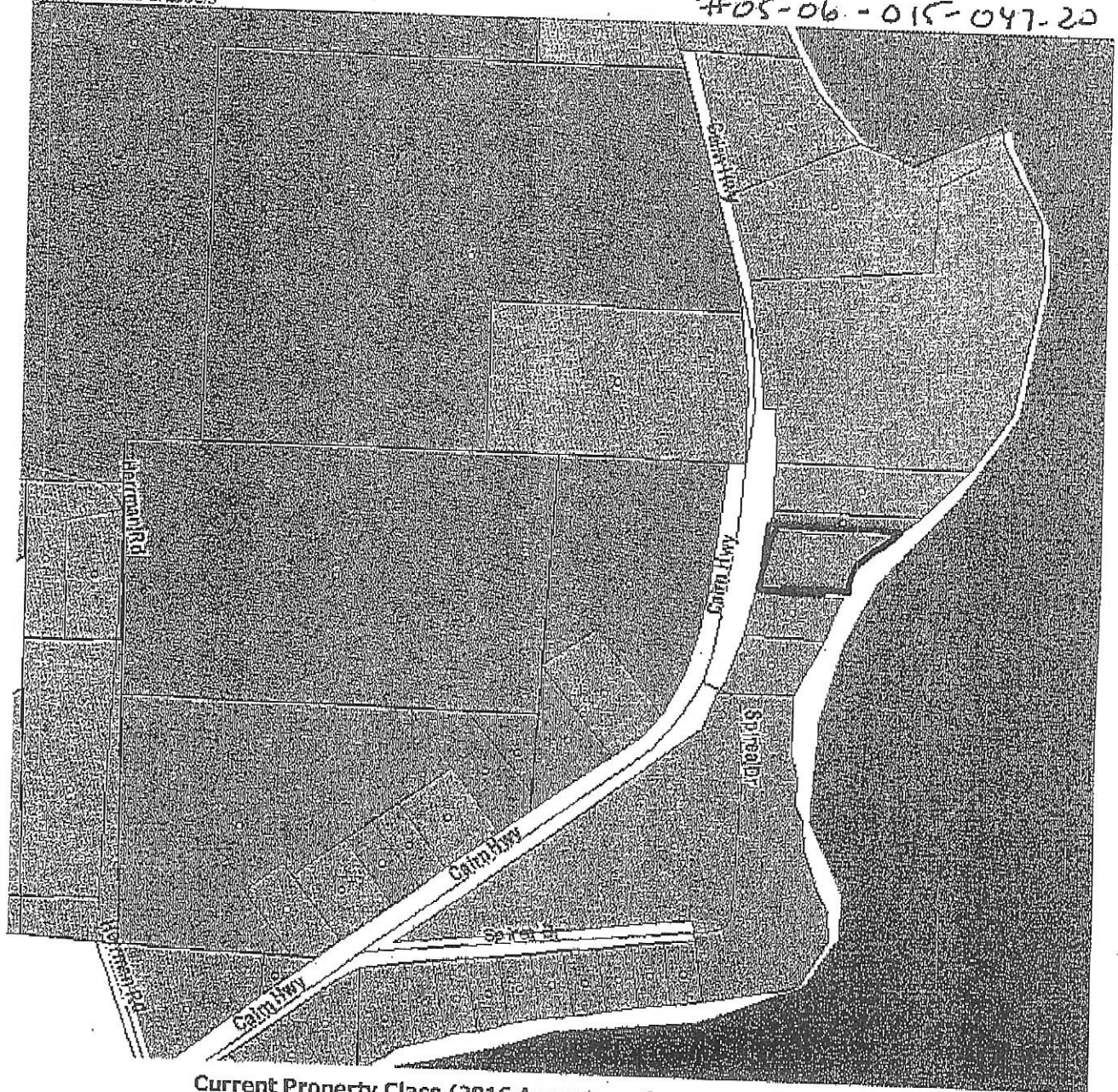
1/30/2017

Map Print

# Current Property Class

Showing Parcel Lines & Labels

#05-06-015-047-20



## Current Property Class (2016 Assessment)

The Current Property Class obtained from the tax parcel database provided by the Antrim County Equalization Department.

The property line data for Antrim County was provided by the Equalization Department. The parcel areas shown are meant to represent ownership parcels as described by the TAX ID number (each parcel area should correspond to a single TAX ID number, except where a road or other area splits the parcel into multiple areas). Where possible, the parcel map was adjusted to "fit" the database. However, there remains parcels on the map for which no data is attached, and database records for which no mapped parcel could be identified.

The computerized version of the tax parcel map seen here has NOT been VERIFIED as being correct and accurate, and inconsistencies between the parcel data and data sets provided by other agencies (e.g., the MDNR) do exist. This parcel information is included for general reference purposes only and should only be used to identify the general vicinity of a particular piece of property.

