

# Elk Rapids Township Zoning Board of Appeals

## Meeting Minutes – Tuesday, March 14, 2023 - **APPROVED**

The meeting of the Elk Rapids Township Zoning Board of Appeals was called to order at 3:00 PM at the Government Center, 315 Bridge St., Elk Rapids MI 49629.

**Roll Call/Present:** Julia Pollister Amos, Bob McCririe, Vince Cooper, John Conrad, Zach Amos, and Dick Hults.

*(Quorum Established)*

**Absent:** Lisa Lundy.

**Also Present:** Larry Nix, Township Zoning Administrator.

**Audience:** Ryan Hill - D.L.H. Builders.

**Statement of any conflicts of interest:** None.

**Adoption of Agenda:** Motion to adopt the March 14, 2023 meeting agenda.

**Motion:** Pollister Amos

**Support:** Hults

**MOTION CARRIED**

**Approval of Minutes:** Motion to approve the December 13, 2022 meeting minutes.

**Motion:** McCririe

**Support:** Pollister Amos

**MOTION CARRIED**

**Public Forum:** None

**Public Hearing on ZBA-143:** Ryan Hill of 11382 US-31 S., Williamsburg, MI 49690. Tax Parcel No. 05-06-032-012-00 is requesting a 10.0' variance from the front yard setback adjacent to the US-31 property line for the construction of a new sign. The property line is a front yard, and required setback is 50'. The request would provide the applicant with a 40.0' front yard.

**The applicant/representative speaks on this request.** Applicant Ryan Hill approached the microphone to explain why he is requesting this variance. A summary of his comments and the Board discussion is outlined below:

- Mr. Hill reported that the goal for the placement of this sign is to keep the sign at the edge of the existing parking lot. This placement will allow a clear sight line as well as an easy and safe access for trucks and trailers.
- The sign placement is also in line with the existing Blackmore Property Maintenance sign.

**Committee Members ask applicant/representative questions:**

- Mr. Hults asked Mr. Hill when he plans to install the sign?

- Mr. Hill stated they are having an open house in early June and would like to have the sign installed by then.

**Members of the public in attendance who want to speak in favor of this request. None.**

**Members of the public who want to speak in opposition to this request. None.**

**Written Communications from the public on this request. None.**

**Committee members make their decision on this request.**

- The Board all agreed it is a good-looking sign and believe the proposed sign will be an attractive structure that will enhance the look of the US-31 corridor.

**Motion to Approve Variance Request:**

**Motion: Pollister Amos**

**Support: McCririe**

**I move to approve this variance based on the following reasons:**

- 1. The existing lot has a natural wooded area adjacent to the north property line Providing an excellent buffer to the adjacent property to the north and provides an obstruction to a sign if constructed in compliance with the 50-foot setback.**
- 2. The literal interpretation of the provisions of this Ordinance would deprive the Applicant of property rights commonly enjoyed by other properties in the same zone under the terms of this Ordinance if the variances were not granted and Would impact the parking standards with the reduction of a required parking space.**
- 3. There are no special conditions or circumstances that result from the actions of the applicant.**
- 4. There will be no negative impact to the neighborhood or adjacent property owners with the granting of the north property line variance.**

**Therefore, I move that we grant approval of a front yard variance to construct a sign by Ryan Hill, Tax Parcel 05-06-032-012-00. The front yard variance of 10' will only apply to the east property line based on the site plan submitted in the application for a 28-foot sign. This will result in a front yard setback for the east property line of 40 feet.**

**Roll Call Vote: Pollister Amos YES; McCririe YES; Cooper YES; Conrad YES;  
Amos YES; Hults YES. (6 VOTING YES - 0 VOTING NO)  
(Lundy is absent)**

**MOTION TO APPROVE VARIANCE REQUEST CARRIED.**

- Zoning Administrator Nix will issue a sign permit to Mr. Hill sometime next week.

**Old Business: None.**

**New Business:**

- Larry reported he has had requests for a number of different types of variances. However, he has been working with residents offering them alternatives and so far, it appears they are looking into other ways to work out their issues.
- Update on the Trenkle variance request on Williams Drive from last year: Mr. Trenkle went to the State DEQ and requested a fill permit so he could build his house back into the wetlands. The State granted him a large fill permit (*probably about 300 yards of fill*). Therefore, Mr. Trenkle will now be able to build his house and garage 50' back from his property line.

**Communications:**

- Zoning Administrator Larry Nix noted there are no variance requests on deck for next month.

**Member Discussion of topics not on the agenda:** None.

**Motion to Adjourn:**            **Meeting Adjourned at 3:14 PM**  
**Motion:** Cooper  
**Support:** McCririe

*(Approved May 9, 2023 – 3:05 PM)*