

MEMORANDUM

TO: Elk Rapids Township Planning Commission
FROM: Larry Nix, PCP Consulting 
DATE: June 4, 2019
RE: Site Plan Review for Morrison Farm Market
Mark and Tracy Morrison, 11575 S. Elk Lake Road, 05-06-033-026-10

Tracy Morrison has submitted a modified site plan for consideration to establish a farm market/roadside stand at 11575 S. Elk Lake Road. This type of use is permitted in the Agricultural District but requires site plan review and approval by the Planning Commission due to the parking standard noted below.

Section 6.01 Permitted Uses

B. Farms for both general and specialized farming, together with farm dwellings and buildings, and other installations usual to such farms, including roadside stands, provided that such stands sell products grown on the premises and are situated so as to provide adequate off-highway parking for customers.

A site plan is required as per Section 17.02 except for a single family home, accessory buildings and subdivisions. See below:

Section 17.02 - SCOPE

Except as hereinafter set forth, the zoning administrator shall not issue a permit for any construction or uses until a site plan, submitted in accordance with this section, shall have been reviewed and approved by the Planning Commission.

- A. Single or two-family homes under separate ownership on an individual lot for each one.
- B. Interior, accessory and subordinate buildings requiring no new or additional means access thereto from adjoining public roads or highways and complying with all zoning ordinance requirements.
- C. Subdivisions, Site Condominiums and Land Divisions, however these applications are subject to Section 2.18 of Elk Rapids Township Zoning Ordinance and other applicable Township Ordinances.

Given the nature of the proposed use, and the minimal improvements proposed, it did not seem reasonable to require a commercial grade site plan. In Section 17.04 C, the submission requirements of a site plan can be modified by the Planning Commission. It is my opinion this would be appropriate in this situation.

C. Waiving of Requirements - The intent of this section is to allow an applicant to request that specific site plan requirements listed herein under Section 17.04-B be waived by the Planning

Commission and not required on the site plan due to only minor improvements proposed on the site. The Planning Commission shall only be able to waive the specific requirements listed below if the proposed development is not:

1. Creating any new parking lots.
2. Creating more than 1000 square feet of impervious surface, including buildings.
3. Changing or modifying the existing elevation or grade of the site.

The Planning Commission may waive the following requirements if it is determined that they do not have any significant review applicability:

Section 17.04-B (2) – Topography; (3) – Soils; (13) – Water Supply; (14) – Other Utilities; and (26) – Building Elevations

If the Planning Commission determines that the previous waiving of any requirement impedes performing an appropriate review, the Planning Commission may require the applicant to provide such information prior to taking any official action.

Given the nature of the proposed use coupled with the limited improvements proposed, the Planning Commission should look favorably on waiving the standard site plan submission requirements.

Tracy Morrison would like to place a small building on the northwest corner of the property for the roadside stand. She intends to sell fruits and vegetables grown or made on the farm(s) owned by the Morrison family. Her long-term goal is to expand this seasonal stand into a farmer's market selling more than locally grown fruits and vegetables but to also include antiques, household items and other products normally associated with a farm market. She recognizes this is not possible today but encourages the Planning Commission to review the Zoning Ordinance to address a modern farmers market operation.

Improvements are basic at this time. The site plan illustrates a 14'x32' building placed in the middle of the existing circle drive. The location meets the setback requirements of the Zoning Ordinance and adequate seasonal parking areas have been provided. The proposed building will have no plumbing facilities but the applicant does plan on installing electricity in the proposed building. This will be a seasonal operation during the warm months.

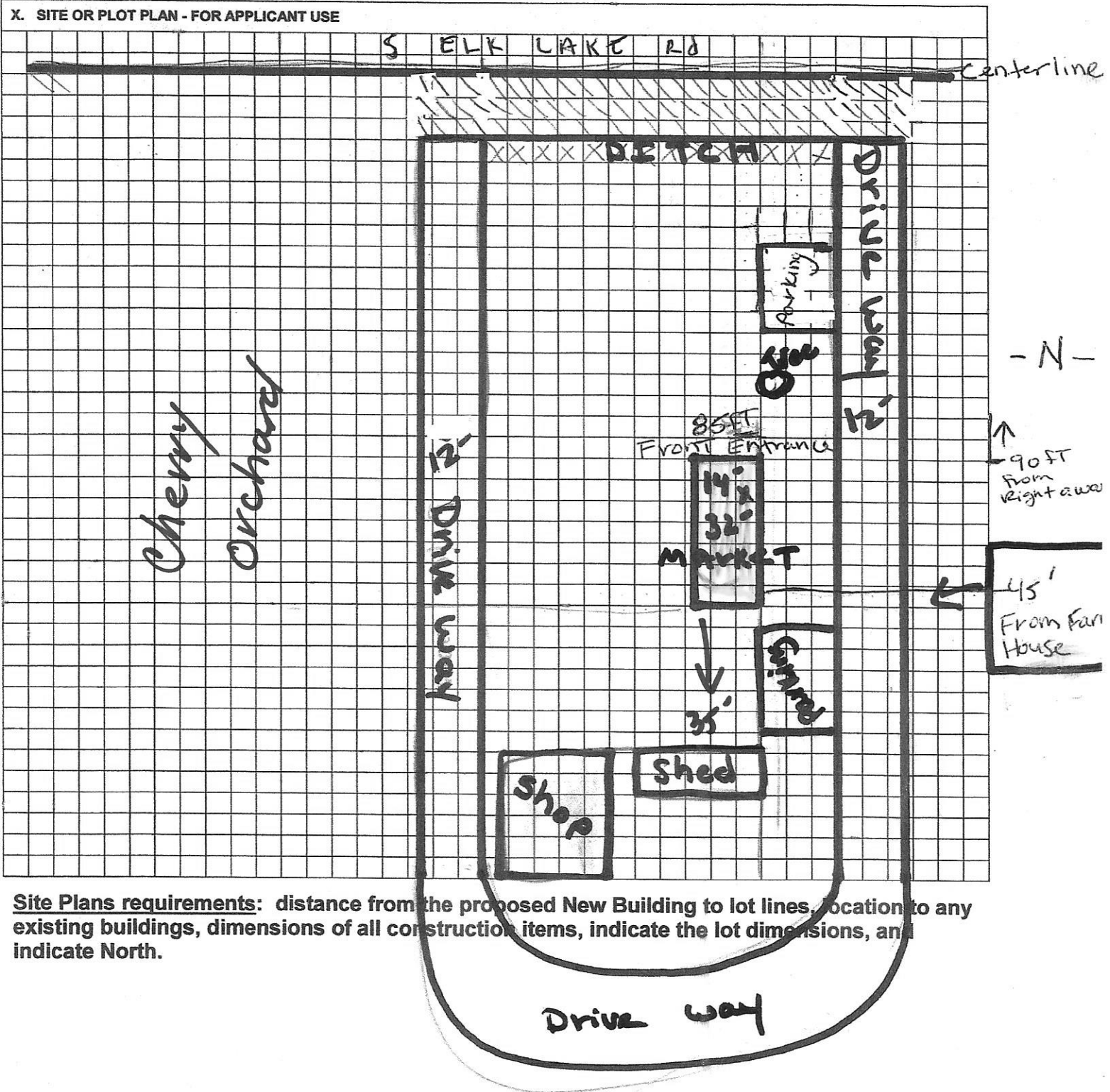
Based on the information provided, it is found the proposed roadside stand as illustrated on the site plan presented is consistent with the standards of the Elk Rapids Township Zoning Ordinance. It is recommended the Planning Commission waive the standard site plan submission requirements and approve the roadside stand site plan as presented by Tracy Morrison with the following conditions.

1. All site signage will meet the standards of the Elk Rapids Township Zoning Ordinance.
2. Others as determined by the Planning Commission.

Each square = 5'

- W -

X. SITE OR PLOT PLAN - FOR APPLICANT USE



Site Plans requirements: distance from the proposed New Building to lot lines, location to any existing buildings, dimensions of all construction items, indicate the lot dimensions, and indicate North.

FAXED COPIES NOT ACCEPTED.

**Elk Rapids Township, Antrim County, Michigan
Planning Commission APPLICATION**

1

Applicant Mark & Tracy Morrison Agent _____
(Property Owner)
Address 11575 Elk Lake Rd Address _____
City - State - Zip Code Williamsburg, MI 49690 City - State - Zip Code _____
Phone / Cell 231-883-3280 - 231-342-8941 Phone / Cell _____
Fax Number N/A Fax Number _____
Email mark.morrisonfarms@gmail.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:

Special Exception - Special Use Permit

Rezoning Request

Site Plan Review for:

Commercial Zone

Planned Development Zone

Manufacturing Zone

Multiple Family (R-3) Zone

Environmental Zone

Agricultural Zone

*only as per
T. MORRISON.
05.14.19*

Modifications to Previously Approved Site Plan

Approval Date of Previous Site Plan _____

Other _____

B. Property Information

1. Present Zoning Classification Agriculture

Property Tax # 05-06-033-026-10

2. Present Use Cherry Farm Agriculture

Physical Address 11575 Elk Lake Rd Williamsburg, MI 49690

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

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.

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? Natural gas

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.)

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

Farm Market for family farm.

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

Increase tourism and revenue
Jobs for locals

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

None.

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:

2 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.

<u>Mark Mallon</u> (owner)	<u>4/29/19</u> (date)	_____	_____
		(Authorized agent)	(date)
<u>Tracy Mallon</u> (owner)	<u>4/29/19</u> (date)		
_____	_____		
(owner)	(date)		

G. PERMISSION TO ENTER PROPERTY

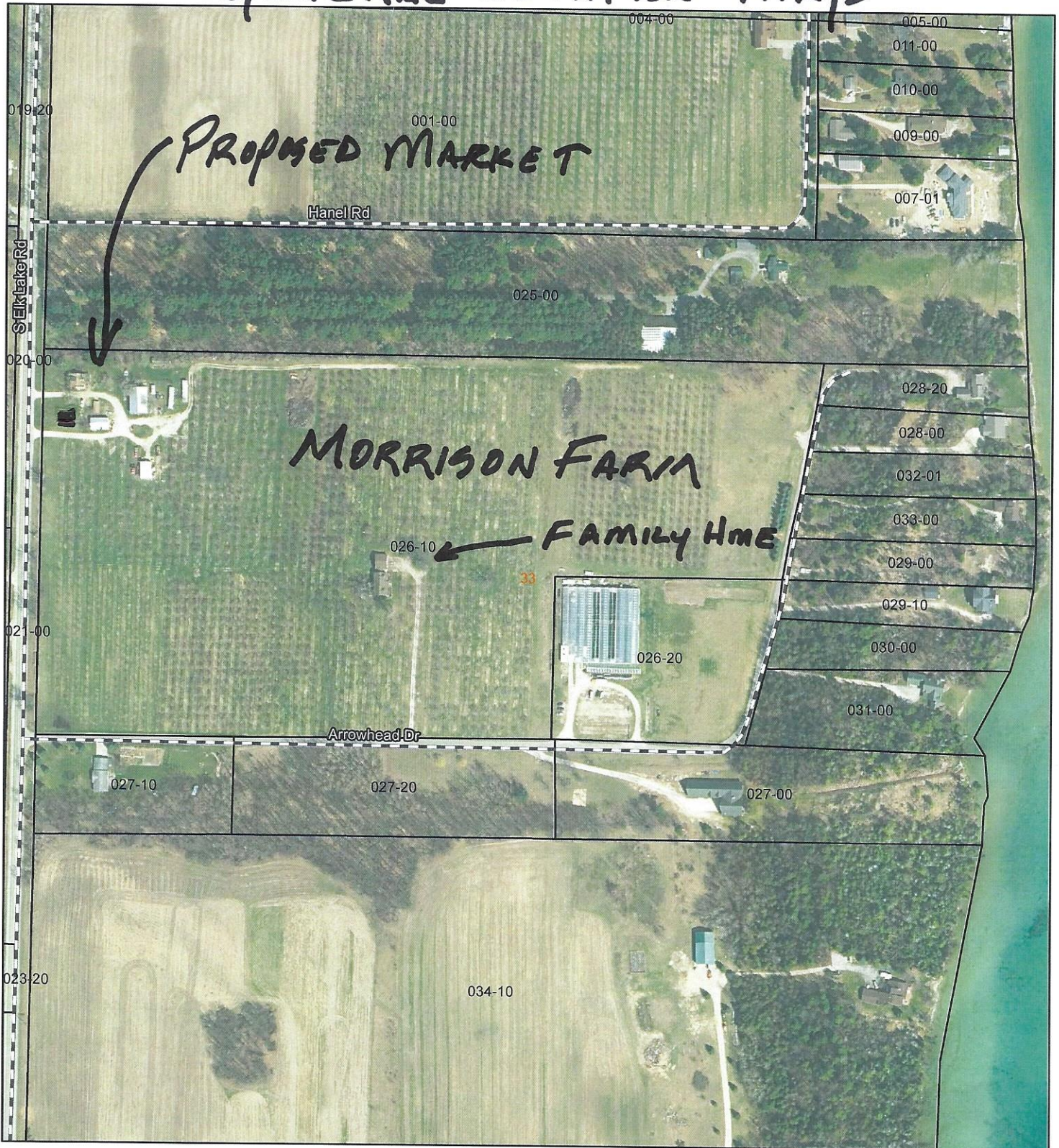
I / We herewith grant permission for members of the Elk Rapids Township Planning Commission and the Zoning Administrator to enter my lot(s) / property for the purpose of investigating the scope and effect of this request.

<u>Mark Mallon</u> (Signature)	<u>owner</u> (Title)	<u>4/29/19</u> (Date)
<u>Tracy Mallon</u> (Signature)	<u>owner</u> (Title)	<u>4/29/19</u> (Date)

H. ATTACHMENTS:

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

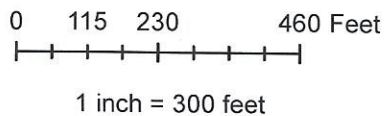
GENERAL LOCATION MAP



Part of Elk Rapids Twp

THIS IS NOT A SURVEY
This map is to assist on property location and NOT GUARANTEED for accurate survey and boundary measurements.

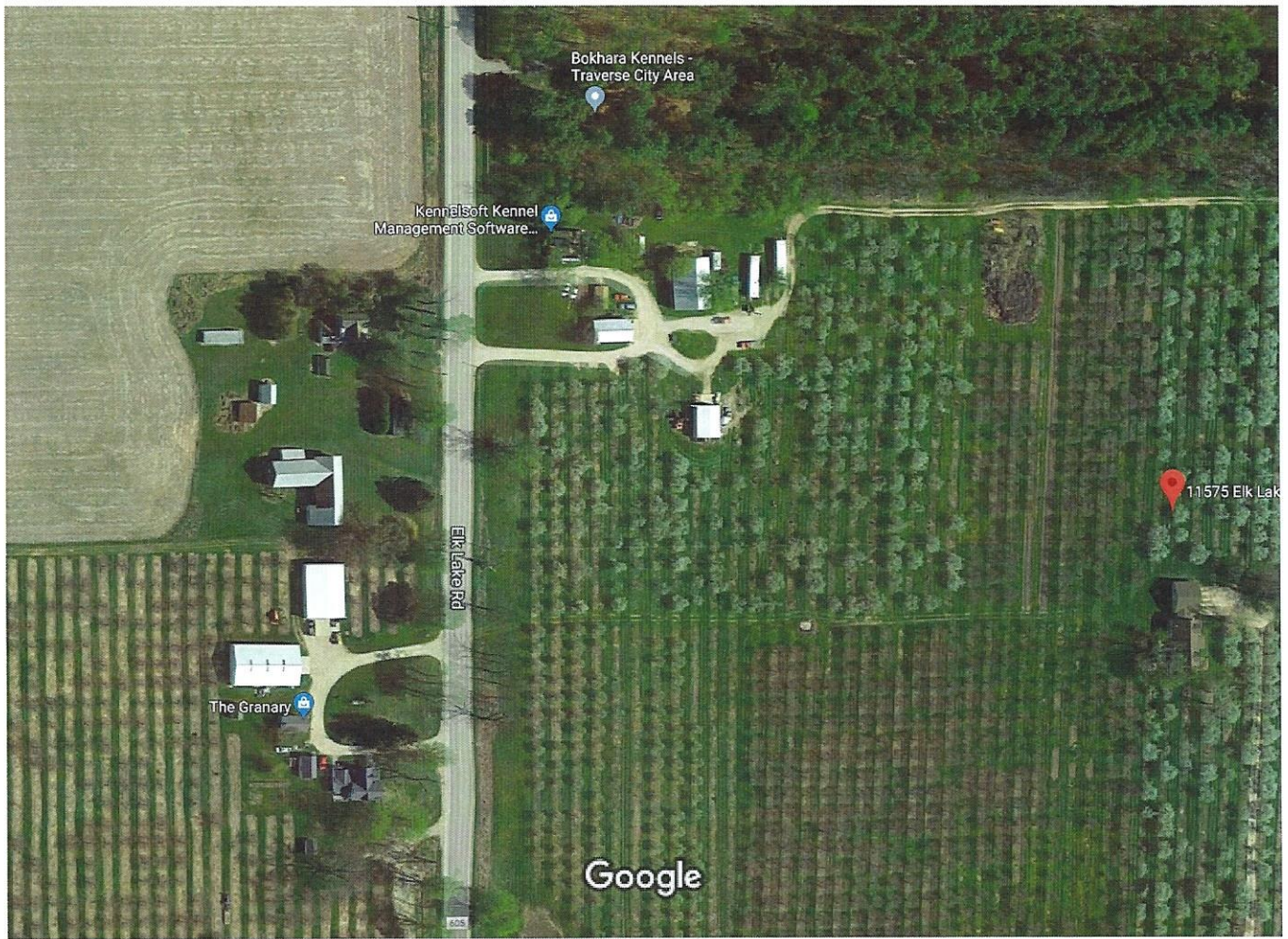
Map Produced by
Antrim County Equalization
Date: May. 14, 2019



- Road
- Section Line
- Parcel



Google Maps 11575 Elk Lake Rd



Imagery ©2019 Google, Map data ©2019 Google 100 ft



11575 Elk Lake Rd

Williamsburg, MI 49690