

Elk Rapids Township, Antrim County, Michigan
Planning Commission APPLICATION

1

Applicant Renate Daniels Agent _____
(Property Owner)
Address P.O. Box 2, Alto, NM 88312 Address _____
TRAVELING, PLEASE EMAIL if possible
City - State - Zip Code Alto, NM 88312 City - State - Zip Code _____
Phone / Cell 847-946-6756 Phone / Cell _____
Fax Number _____ Fax Number _____
Email ZORSE55@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

Modifications to Previously Approved Site Plan

Approval Date of Previous Site Plan 04-06-2018

File 8217
Fd BK 249, Pg 73

Other Boulders on Water Edge

Add gravel soil Behind Rocks. DEQ-WRD
Will not remove cattails & natural vegetation at water edge

B. Property Information

1. Present Zoning Classification Residential Property Tax # 050601601260

2. Present Use _____ Physical Address 05-8615 Partridge trail

3. If property is platted, name of Plat and Lot #: Parcel L2" see attached"

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. see attached

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

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? AVAILABLE electric sewer. does not affect area requested to be charged

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.)

DEQ permit # WRP010901 v.1 Approved
ISSUED 4-6-2018
See attached

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

Level the Ground Sloping to Water
 total Sq ft 2400 50x48 1ft slope
 Add Large to medium rocks at water level
 Add sand/gravel then top soil 50' back
 from water & 48' wide.
 Will not Remove ANY water front Vegetation
 Will Add NATURAL plants to the area
 4-yds rock 65yds back fill material 2249 top soil

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

Will Reinforce Lake front Shore line
 Will Add NATURAL wild plants
 Will not Remove NATURAL CATTAIL Bushes
 & Vegetation
 We want to provide habitat for
 existing wild life & plants.
 FYI city sewer hookup. NATURAL gas & electric

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:

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.

Benate Daniels 8-23-2021
(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.

Benate Daniels _____ 08-23-2021
(Signature) (Title) (Date)

(Signature) (Title) (Date)

H. ATTACHMENTS:

Property Description

_____ Assignment of Agent

Plat or Deed restrictions

Hearing Fee

Site Plan

Other

*Survey
DEQ-WRD-*

Site Plan

This is your soil erosion control plan – show control measures

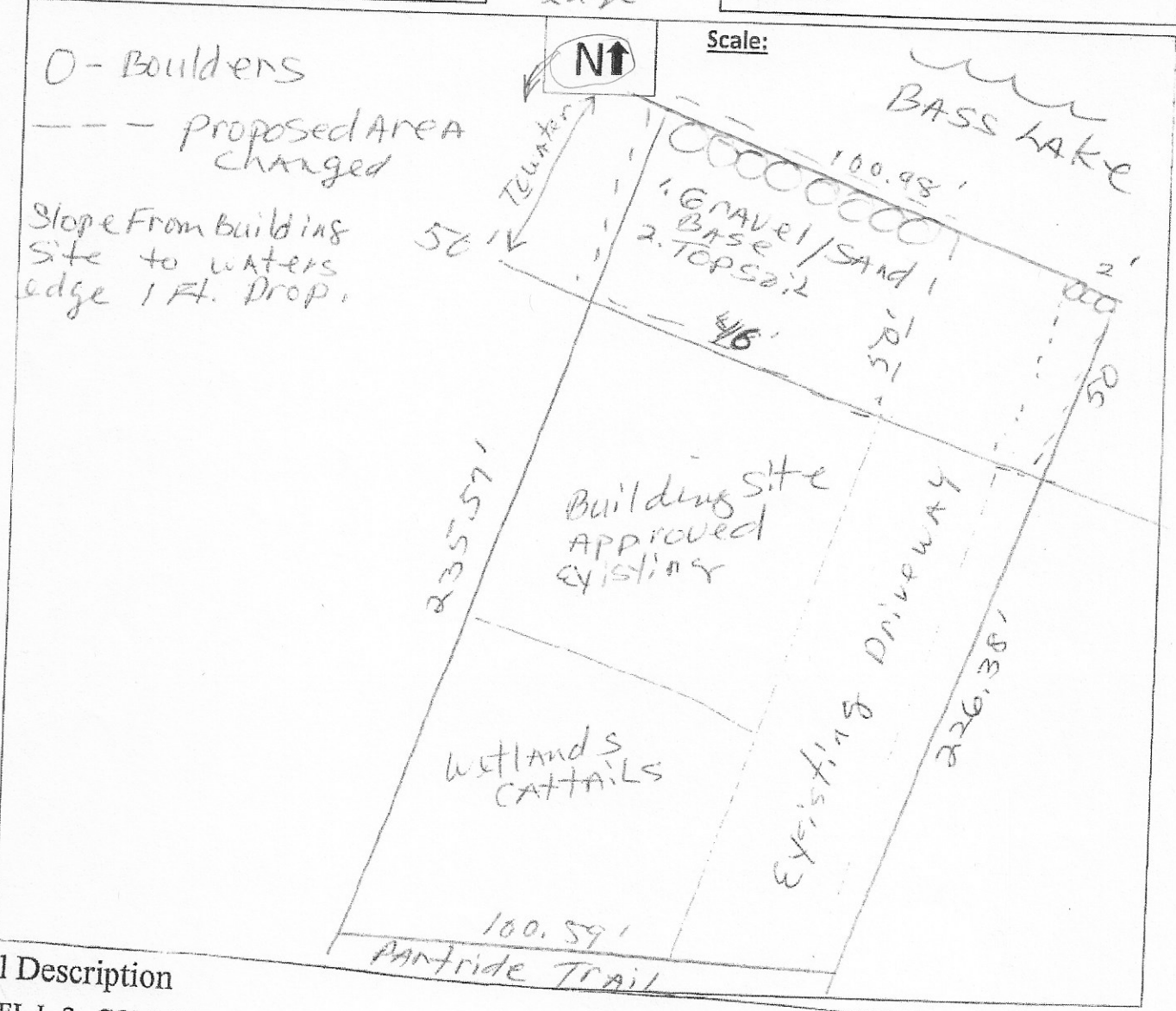
Required by law (DEQ rule R323.1703 and Antrim County Soil Erosion and Sediment Control ordinance: Section 6-200)

Property Info
 Name: RENATE DANIELS
 Address: _____
 Tax ID: 05-06016-012-60

Site Characteristics
 Soil Type: Gravel/Sand/Topsoil
 Slope: 1 foot Building Site to water edge

Checklist

- Scale drawing or measurements included
- Distance to water
- Distance to property lines
- Dimensions of proposed earth change
- Stockpile location
- Soil erosion control measures (temporary and permanent)



Legal Description

PARCEL L-2...COM AT THE E 1/4 COR OF SEC 16; TH N 89 DEG 27'53" E 400.00 FT ALG E-W 1/4 LINE; TH S 43 DEG 37'59" W 600.67 FT TO E LINE OF GOV LOT 5; TH CONT S 43 DEG 37'59" W 569.23 FT TO C/L OF RD; TH S 54 DEG 05'29" W 269.82 FT TO SHORE OF BASS LAKE; TH N 37 DEG 05'23" W 101.00 FT TO POB; TH CONT N 37 DEG 05'23" W 101.00 FT; TH N 31 DEG 26'55" E 226.26 FT TO C/L OF RD; TH S 52 DEG 32'11" E 100.61 FT; TH S 31 DEG 25'28" E/235.74; TH S 51 DEG 26'10" W 18.02 FT TO POB; BEING PART OF GOV LOT 5 SEC 16 T29N R9W 0.60 A M/L

05-06-016-012-60

PARCEL L-2

DEQ

Site Plan
10/6/17

Lot L-2

modified
2/02/18 MK

18" equalization
tubes

C/L PATRIDGE TRAIL
(66' WIDE- PRIVATE EASEMENT
FOR UTILITIES, INGRESS, & EGRESS)

EDGE OF
ASPHALT

PARCEL "L-2"

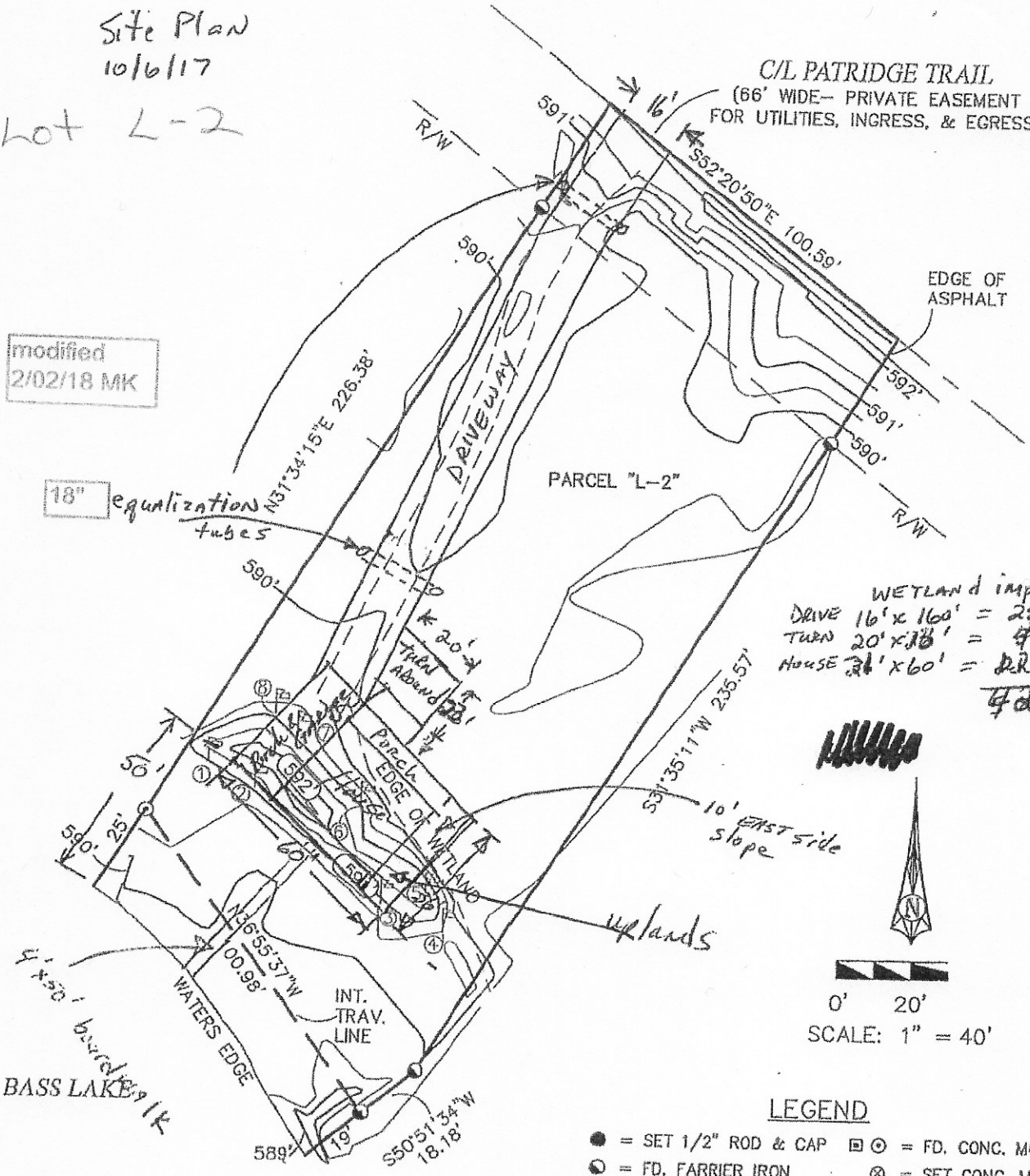
WETLAND impacts:
DRIVE 16' x 160' = 2560
TURN 20' x 18' = 360
HOUSE 36' x 60' = 2160
5080



0' 20'
SCALE: 1" = 40'

LEGEND

- = SET 1/2" ROD & CAP
- ⊙ = FD. CONC. MON.
- ⊙ = FD. FARRIER IRON
- ⊙ = SET CONC. MON.
- = FD. IRON
- R = RECORD
- ▲ = SET NAIL
- M = MEASURED
- △ = FD. NAIL
- PR = PRORATED
- ⊥ = SAMPLE POINT



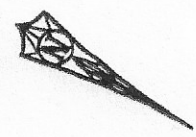
APPROVED
By DEQ-WRD at 9:53 am, Apr 06, 2018

FARRIER SURVEYING INC. P.O. BOX 998 244 S.CEDAR STREET KALKASKA, MI 49646 TEL(231)258-8162 FAX(231)258-3249 office@farriersurveying.com	CLIENT HARRY SWYSTUN	DRAWN: WJH	FILE No. 8217
	DESCRIPTION PART OF THE GOVERNMENT LOT 5, SECTION 16, T29N-R9W, ELK RAPIDS TOWNSHIP, ANTRIM COUNTY, MICHIGAN	CHECK: DRF	Fd. Bk. 249, Pg. 73
		REVISED:	DATE: 7/24/2017
			SHEET: 1 of 1

Survey

Instrument
201400006333 OR

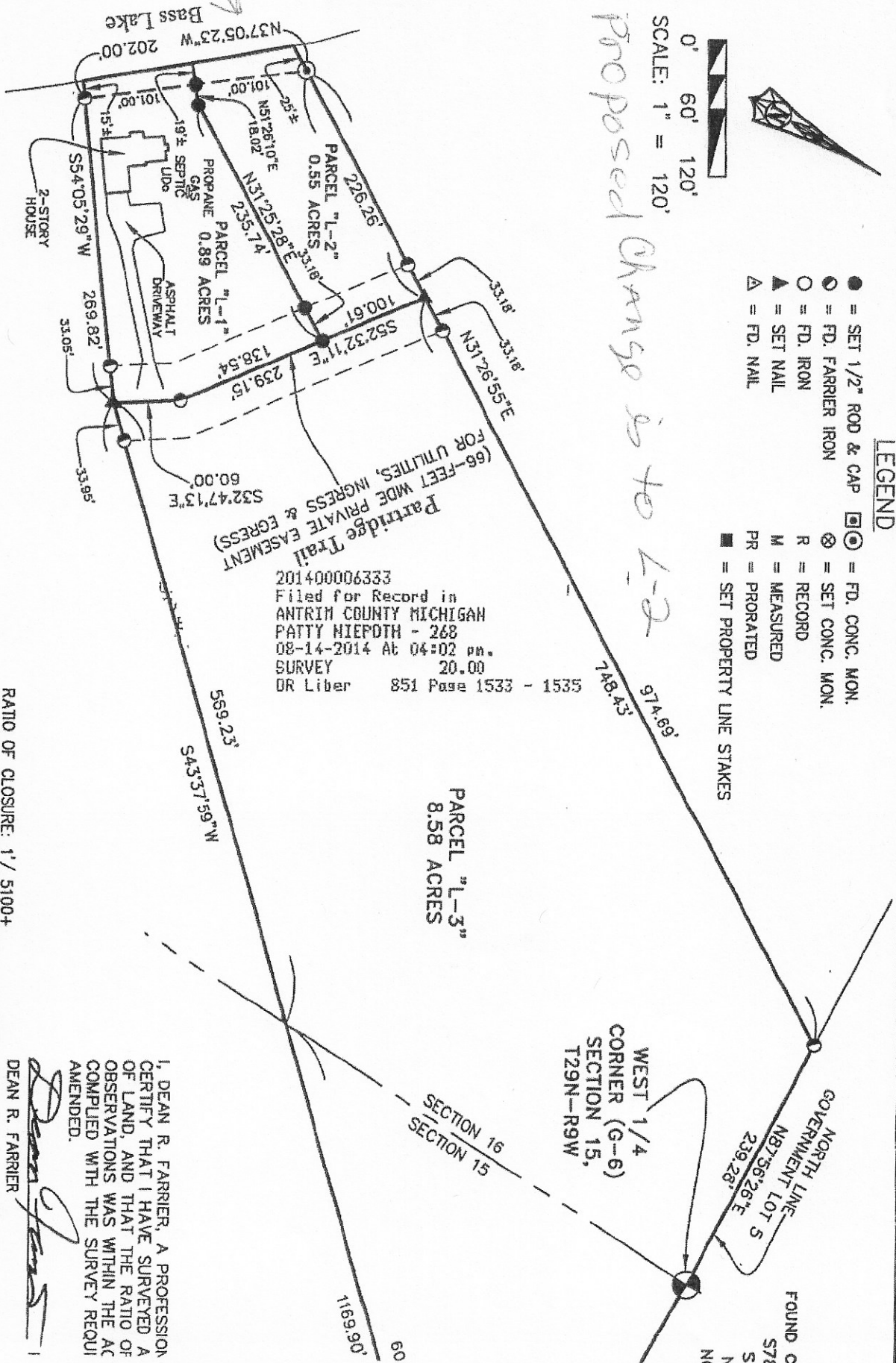
Liber Page
851 1533



0' 60' 120'
SCALE: 1" = 120'

Proposed Change is to L-2

- LEGEND**
- = SET 1/2" ROD & CAP
 - = FD. FARRIER IRON
 - = FD. IRON
 - △ = SET NAIL
 - △ = FD. NAIL
 - ⊙ = FD. CONC. MON.
 - ⊗ = SET CONC. MON.
 - R = RECORD
 - M = MEASURED
 - PR = PRORATED
 - = SET PROPERTY LINE STAKES



201400006333
Filed for Record in
ANTRIM COUNTY MICHIGAN
PATTY NIEPOTH - 268
08-14-2014 At 04:02 pm.
SURVEY 20.00
OR Liber 851 Page 1533 - 1535

CERTIFICATE OF SURVEY

... A CERTIFIED COPY ... SHALL BE RECORDED AT THE TIME OF RECORDING THE CONVEYANCE OF TITLE ... THE PART OF (SEC. 1.(2), ACT 132 OF 1970 AS AMENDED.)

RATIO OF CLOSURE: 1' / 5100+
BEARING BASIS: PREVIOUS FARRIER SURVEYING, INC. FILE NO. 1285.

FARRIER SURVEYING INC.
P.O. BOX 998
244 S. CEDAR STREET
KALKASKA, MI 49646
TEL (231) 258-8162 FAX (231) 258-3249
office@farriersurveying.com

CLIENT: **LOUIS TULF**

DESCRIPTION: **PARCEL "L-1"**
PART OF GOVERNMENT LOT 5, SECTION 1 OF THE NW 1/4 OF THE SW 1/4 OF S 129N-R9W, ELK RAPIDS TOWNSHIP ANTRIM COUNTY, MICHIGAN

DEAN R. FARRIER

Dean R. Farrier

I, DEAN R. FARRIER, A PROFESSIONAL SURVEYOR, CERTIFY THAT I HAVE SURVEYED A PART OF LAND, AND THAT THE RATIO OF OBSERVATIONS WAS WITHIN THE ACCURACY COMPLIED WITH THE SURVEY REQUIREMENTS.

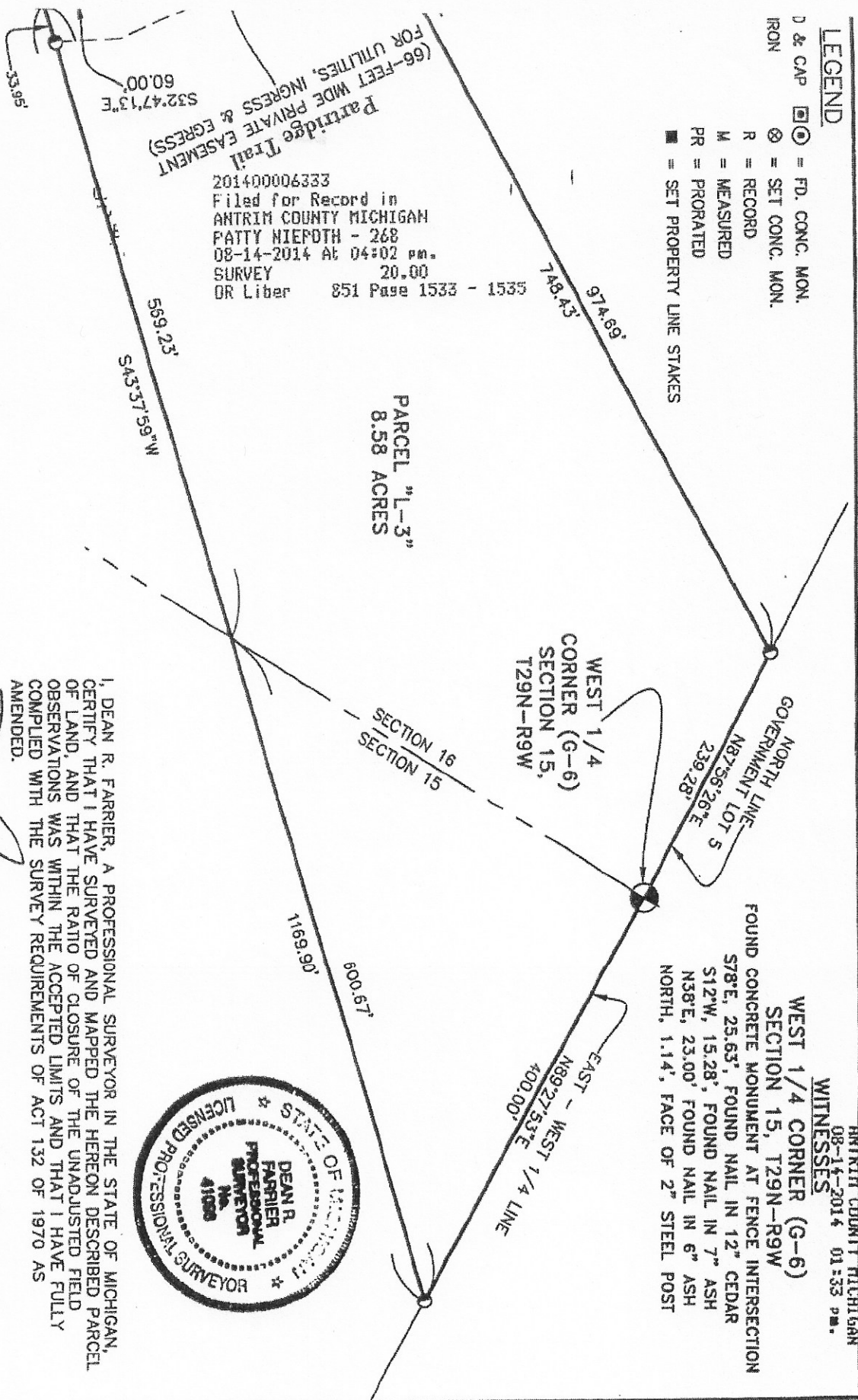
C:\Projects\16712 - LOUIS TULPA\dwg\16712 LOUIS TULPA.dwg 2/4/2013 4:47

LEGEND

- FD & CAP = FD. CONC. MON.
- IRON = SET CONC. MON.
- R = RECORD
- M = MEASURED
- PR = PRORATED
- = SET PROPERTY LINE STAKES

ANTRIM COUNTY MICHIGAN
08-14-2014 01:33 PM
WITNESSES

201400006333
Filed for Record in
ANTRIM COUNTY MICHIGAN
PATTY NIEPOTH - 268
08-14-2014 At 04:02 PM.
SURVEY 20.00
OR Liber 851 Page 1533 - 1533



I, DEAN R. FARRIER, A PROFESSIONAL SURVEYOR IN THE STATE OF MICHIGAN, CERTIFY THAT I HAVE SURVEYED AND MAPPED THE HERON DESCRIBED PARCEL OF LAND, AND THAT THE RATIO OF CLOSURE OF THE UNADJUSTED FIELD OBSERVATIONS WAS WITHIN THE ACCEPTED LIMITS AND THAT I HAVE FULLY COMPLIED WITH THE SURVEY REQUIREMENTS OF ACT 132 OF 1970 AS AMENDED.

DEAN R. FARRIER
Dean R. Farrier
PS# 41098 DATE 2-6-13

RATIO OF CLOSURE: 1' / 5100+
BEARING BASIS: PREVIOUS FARRIER SURVEYING, INC. FILE NO: 1285.

FARRIER SURVEYING INC.
P.O. BOX 998
244 S. CEDAR STREET
KALKASKA, MI 49646
TEL (231) 258-8162 FAX (231) 258-3249
office@farriersurveying.com

CLIENT LOUIS TULPA
DESCRIPTION PARCEL "L"
PART OF GOVERNMENT LOT 5, SECTION 16 AND PART OF THE NW 1/4 OF THE SW 1/4 OF SECTION 15, T29N-R9W, ELK RAPIDS TOWNSHIP, ANTRIM COUNTY, MICHIGAN

DRAWN: WWA **FILE NO.** 16712
CHECK: DRF **FD. BK.** 238, **Pg.** 16
REMSD: **DATE:** 01/08/2013
2-5-13 **SHEET:** 1 of 3

C:\Projects\16712 - LOUIS TULPA.dwg\16712 - LOUIS TULPA.dwg 2/4/2013 4:47:05 PM EST

Y
E TIME
FD)
161-12

DECLARATION OF RESTRICTIONS

THE UNDERSIGNED, fee owner of the lands described in Survey # 79744 recorded at Liber 245, pages 409-417, hereby makes the following declarations as to limitation, restrictions and uses to which said property may be put, and hereby specifies that such declarations shall constitute covenants to run with all the land, as provided by law, and shall be binding on all parties and all persons claiming under them, and for the benefit of and limitations on all future owners of such parcels:

1. All lots shall be used for residential purposes only, and no business, commercial or manufacturing enterprise shall be conducted thereon. No building shall be erected, altered, placed or permitted to remain on any portion thereof, other than one single family dwelling not exceeding two and one-half stories in height, and one private garage or boathouse, or combination garage and boathouse for family automobiles and boats, in keeping with the dwellings so erected.
2. No trailer, mobile home or similar type structure, basement, tent, shack, garage, barn or other buildings shall at any time be used as a residence, temporarily or permanently, nor shall any structure of a temporary character or any building in the process of construction, be used as a residence.
3. No animals, livestock, or poultry of any kind shall be raised, bred or kept on any part thereof, except that dogs, cats or household pets may be kept provided that they are not kept, bred or maintained for any commercial purposes.
4. No part shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept except in a sanitary container. All incinerators shall be kept in a clean and sanitary condition.

5. The outside finish of all buildings must be completed within one year after construction has started, and no asphalt shingles, imitation brick, building paper, insulation board or sheathing or similar non-exterior materials shall be used for the exterior finish of any such building; exterior finish shall be wood, aluminum or asbestos shingles or siding, logs, brick, stone or concrete.

6. No fence of over five (5) feet in height shall be erected or placed on any part and all fences shall be constructed of steel, wood, brick, or natural stone materials only. No part of any fence shall be placed nearer than the edge of the high bank to shore of Bass Lake.

7. Every dwelling shall have not less than 1200 square feet of enclosed living space.

8. Each residence shall connect to a sanitary sewer system, meeting the requirements of Elk Rapids Township, Antrim County, Michigan.

9. No building intended or used for residential occupancy shall be erected within the flood plain except in conformity with the following restrictions imposed by the State Water Resources Commission and contained in Administrative Rule 304, to wit:

- a. The lower floor of any such building, excluding the basement, shall be no less than one foot above the elevation of the contour defining the flood plain limits;
- b. Openings into the basement of any such building shall be no lower than the elevation of the contour defining the flood plain limits;
- c. The basement walls and floor of any such building, when located below the elevation of the contour defining the flood plain limits shall be constructed so as to be water-tight and reinforced to withstand hydrostatic pressures from a water level equal to the elevation of the contour defining the

flood plain limits;

- d. The sewer lines and drains of any building located within the flood plain shall be constructed and equipped with a positive means of preventing back-up from said lines and drains; and
- e. Any building located within the flood plain shall be constructed so as to be properly anchored to prevent flotation.

10. Partridge Trail Road is hereby declared a private road for adjoining property owners only, and as such will not be maintained by the Antrim County Road Commission. Said road shall be maintained and graded by Partridge Trail Properties until June 1, 1985, at which time said maintenance and grading shall become the responsibility of adjoining property owners with each property owner paying his pro-rata share of the cost. The cost of snow plowing and/or removal shall be the responsibility of adjoining property owners with each property owner paying his pro-rata share of the cost.

11. Any owner of land within said survey shall have the right to enforce these restrictions by an proceedings of law against any person violating or attempting to violate the same. The invalidation of any restriction by any court shall not affect the other restrictions, which shall remain in force and effect.

Signed in the Presence of:

PARTRIDGE TRAIL PROPERTIES

Wally Spink

Louis R. Tulpa
Louis R. Tulpa

Wally Spink

Sharon Tulpa
Sharon Tulpa

Mifford Hulstander

Alfred T. Weber
Alfred T. Weber

Mifford Hulstander

Carol J. Weber
Carol Weber

this 14 day of SEPT
 19 79, a Notary Public in and for the
 (county) (state) of ANTRIM
 Macek
 Macek