

# Elk Rapids Township Zoning Board of Appeals

## Meeting Minutes – Monday, April 13th, 2026 – **DRAFT**

The meeting of the Elk Rapids Township Zoning Board of Appeals was called to order at 4:00 PM at the Government Center, 315 Bridge St., Elk Rapids MI 49629.

**Roll Call/Present:** Zach Amos, Vince Cooper, Brennen Hitchcock, Dick Hults, Lisa Lundy, Bob McCririe

*(Quorum Established)*

**Absent:** Dietrich Heyde

**Also Present:** Creston Scheel, Township Zoning Administrator.

**Audience:** Joseph Mosey, Damion Frasier, Jacqueline Thiel, & Cyril Thiel Jr

**Approval of Agenda:**

**Motion:** Amos

**Support:** Hitchcock

**MOTION CARRIED**

**Approval of Minutes:**

Motion to approve the December 8th, 2025 minutes.

**Motion:** Amos

**Support:** Lundy

**MOTION CARRIED**

**Conflict of Interest:**

None.

**Public Comments:**

None.

**Motion to Open Public Hearing: Variance Request for ZBA Case #161 (Frasier Residence Addition)**

**Motion:** McCririe

**Support:** Amos

**MOTION CARRIED**

### **Public Hearing of ZBA-161**

Applicant: Damion Frasier, Esq. (Owner)

Property Address: 8118 N. Bayshore Dr, Elk Rapids, MI 49629

Parcel Number: 05-06-150-001-00

Variance Request:

Residential Addition: Confirmation of approved 1993 rear yard (roadside) setback variance of 10' (Required: 35'. Approved / Proposed: 25'); proposed single-story addition on southern side of existing residence in conformance with approved setback.

Public Comment: Jacqueline & Cyril Theil, next door neighbors, both shared their support for the addition.

**Motion to Close Public Hearing**

**Motion:** Lundy

**Support: Cooper/ Amos**

**MOTION CARRIED**

**Board Discussion:** Previously approved by the February 17, 1993 ZBA, re-approving those terms. None of the facts of finding have changed since then.

**Motion to Approve**

**Motion: Amos**

**Support: Hitchcock**

**Based on the following reasons, “I move that ZBA Case 161, the application of Damion Frasier, Esq., requesting confirmation of the 1993 variance (ZA Case #50) and its application to the proposed addition at 8118 N. Bayshore Dr, Elk Rapids, Tax Parcel 05-06-150-001-00, be APPROVED, based upon the following findings:”**

**Grounds for Approval:**

- 1. The Board finds that the variance granted in ZA Case #50 on February 17, 1993, was exercised by the prior owner within the 12-month period required by Ordinance Section 18.08, as evidenced by the existence of the current residence constructed in conformance with the plans approved in that case. The approved 25-foot rear yard (roadside) setback is therefore a vested, legally established nonconforming condition of the property.**
- 2. The Board finds that the subject property exhibits unique physical characteristics – specifically its shallow buildable depth resulting from the configuration of the lot as platted prior to the adoption of the Township's Zoning Ordinance – that constitute a special condition peculiar to this land within the meaning of the variance criteria.**
- 3. The Board finds that the proposed addition is designed in conformance with the 1993 approved setback of 25 feet from the rear (roadside) lot line, does not create any new or greater nonconformity, maintains the required 10-foot side yard setbacks on both sides, and results in approximately 15% lot coverage, well within the 30% maximum allowed.**
- 4. The Board finds that the proposed addition – a modest, single-story structure with a maximum roof height of approximately 15 feet incorporating barrier-free design features – will not be of substantial detriment to neighboring properties and is not contrary to the spirit and purpose of the Zoning Ordinance.**
- 5. The Board finds that the hardship is not self-created, as the lot's shallow configuration predates the adoption of the current Zoning Ordinance.**

**"This approval is subject to the following conditions:"**

**Condition 1: All construction shall conform to the site plan and architectural drawings submitted with this application (Joseph Mosey Architecture, Inc., Sheets S-1, A-1, A-2, RD-1, RD-2), and any subsequent revisions approved by the Zoning Administrator.**

**Condition 2: No portion of the proposed addition shall be constructed closer than 25 feet to the rear (roadside) lot line, as established by ZA Case #50.**

**Condition 3: A minimum 10-foot side yard setback shall be maintained on both the north and south sides of the property.**

**Condition 4: Total impervious lot coverage shall not exceed 30% of the total lot area.**

**Condition 5: All work shall comply with applicable county, state, and federal requirements.**

**Roll Call Vote:**

<b>Z. Amos-</b>	<b>YES</b>
<b>V. Cooper-</b>	<b>YES</b>
<b>B. Hitchcock-</b>	<b>YES</b>
<b>D. Hults-</b>	<b>YES</b>
<b>L. Lundy-</b>	<b>YES</b>
<b>B. McCririe-</b>	<b>YES</b>

**6 Voting YES – 0 Voting NO**

**(D. Heyde Absent)**

**MOTION TO APPROVE VARIANCE REQUEST CARRIED.**

**Old Business:** None.

**New Business:** None.

**Other Business:** Creston Scheel’s last ZBA for the time being- Jonathan Scheel, his business partner and father, will be taking over for him.

**Communications:** None.

**Motion to Adjourn:** Meeting Adjourned at 4:20 PM  
**Motion:** Hitchcock  
**Support:** Amos

*(An audio file of this Zoning Board of Appeals Meeting is available on the Township Website)*

*(Meeting Minutes as of April 24, 2026 pm – 10:55 AM)*