

Elk Rapids Township Zoning Board of Appeals

Meeting Minutes – Monday, September 8th, 2025 – **First Draft**

The meeting of the Elk Rapids Township Zoning Board of Appeals was called to order at 4:35 PM by Chairperson Bob McCririe at the Government Center, 315 Bridge St., Elk Rapids, MI 49629.

Roll Call/Present: Zach Amos, Dietrich Heyde, Dick Hults, Bob McCririe

(Quorum Established)

Absent: Vince Cooper, Brennen Hitchcock, and Lisa Lundy.

Also Present: Creston Scheel, Assistant Township Zoning Administrator/Planner.

Audience: Applicant Randy Merchant and Applicant Robert Trenkle.

Approval of Agenda: Motion to Approve Meeting Agenda.

Motion: Hults

Support: Amos

MOTION CARRIED

Approval of Minutes: Motion to Approve August 11th, 2025 Meeting Minutes.

Motion: Amos

Support: Hults

MOTION CARRIED

Public Forum: None.

Public Hearing- Variance Request for ZBA-158:

Applicant: Randy and Amanda Merchant

Property Address: 6747 E Harbor Dr, Elk Rapids, MI 49629

Parcel Number: 05-06-175-003-00

Variance Requests: The applicants are requesting a dimensional variance from the side yard setback requirements in the R-1 Residential District to allow construction of a 9 ft x 12 ft accessory shed on an existing concrete slab, approximately 10 ft x ~20.5 ft. Based on the provided survey, the pad appears to be under a foot from the side and rear lot lines, where a minimum 35-foot rear and 10-foot side yard setbacks are required under Section 7.02 and 2.06(C)(5) of the Elk Rapids Township Zoning Ordinance.

No Discussion.

Motion for Approval of Variance Request- ZBA 158:

Motion: Amos
Support: Hults

Based on the following reasons, "I move to approve the dimensional variance requested by Randy and Amanda Merchant for the placement of a 9' x 12' accessory shed at 6747 E Harbor Drive, Tax Parcel No. 05-06-425-045-00, with the condition that the shed be installed with a minimum 1-foot setback from the side property line and a minimum 8-foot setback from the rear property line, as verified by site measurement. These setbacks result in variances of 9 feet from the required 10-foot side yard setback and 27 feet from the required 35-foot rear yard setback.

The Zoning Board of Appeals finds that the request satisfies the criteria of Section 18.06 for the granting of a variance:

- 1. The lot's narrow shape and existing improvements create a practical difficulty not caused by the applicant.**
- 2. The variance is the minimum necessary to allow reasonable use of the property and existing concrete slab.**
- 3. The proposed location maintains a buffer from neighboring properties, is not injurious to public health or safety, and does not alter the essential character of the neighborhood.**
- 4. Approval is contingent on the structure conforming to all other applicable zoning and construction codes, and the variance shall expire within 12 months if substantial progress toward installation has not occurred, in accordance with Section 18.08.**

Roll Call Vote:

Z. Amos- YES

D. Heyde- YES

D. Hults- YES

B. McCririe- YES

4 Voting YES – 0 Voting NO

(V. Cooper, B. Hitchcock, & L. Lundy are Absent)

MOTION TO APPROVE VARIANCE REQUESTS CARRIED.

Public Hearing- Variance Request for ZBA-159:

Applicant: Robert J. Trenkle

Property Address: 14485 Williams Dr, Elk Rapids, MI 49629

Parcel Number: 05-06-175-031-00

Variance Requests: The applicant requests a dimensional variance from side and/or rear yard setbacks to allow construction of a detached garage.

No Discussion.

Motion to Approval of Variance Request ZBA-159:

Motion: Heyde

Support: Amos

Based on the following reasons, "I move to approve the dimensional variance requested by Robert J. Trenkle for the construction of a 16' x 24' detached garage at 14485 Williams Drive (Tax Parcel No. 05-06-175-031-00), with encroachments into the required front and side yard setbacks as shown on the submitted site plan.

The Zoning Board of Appeals finds that the request satisfies the standards for practical difficulty under Section 18.06 of the Elk Rapids Township Zoning Ordinance:

1. The banner flag-shaped lot presents unique site constraints not self-created by the applicant.
2. The applicant previously demonstrated good faith by bringing the principal residence into compliance following a prior ZBA denial.
3. The proposed garage location is aligned with existing legal nonconforming garages on adjacent lots and will not alter neighborhood character.
4. The variance requested is the minimum necessary to afford reasonable use of the property and to allow placement in the most logical and least intrusive location.

This approval is conditioned upon:

- The garage maintaining a minimum 2-foot side yard variance and 15-foot front yard buffer (unless otherwise modified by this Board),
- Compliance with all other applicable building and zoning regulations, and
- Expiration of the variance if not utilized within 12 months in accordance with Section 18.08.
- 5-foot structure closeness variance

Roll Call Vote: Z. Amos- YES

D. Heyde- YES

D. Hults- YES

B. McCririe- YES

4 Voting YES – 0 Voting NO

(V. Cooper, B. Hitchcock, & L. Lundy are Absent)

MOTION TO APPROVE VARIANCE REQUESTS CARRIED.

Old Business: None.

Other Business: None currently; no opened applications

Motion to Adjourn: Meeting Adjourned at 4:57pm

Motion: Amos

Support: Hults

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

(Meeting Minutes as of 9/9/2025 – 9:33am)