

Elk Rapids Township Zoning Board of Appeals

Meeting Minutes – Monday, March 10, 2025 – APPROVED

The meeting of the Elk Rapids Township Zoning Board of Appeals was called to order at 2:00 PM by Chairperson Bob McCririe at the Government Center, 315 Bridge St., Elk Rapids, MI 49629.

Roll Call/Present: Bob McCririe, John Conrad, Zach Amos, Vince Cooper, Lisa Lundy, and Dick Hults.

(Quorum Established)

Absent: Brennen Hitchcock.

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

Audience: Applicant Pat Dowling and Agent Scott Ferguson, Marshall Wright, and Jim Smith.

Approval of Agenda: Motion to Approve Meeting Agenda.

Motion: Amos

Support: Lundy

MOTION CARRIED

Approval of Minutes: Motion to Approve December 9, 2024 Minutes.

Motion: Amos

Support: Conrad

MOTION CARRIED

Public Forum: None.

Public Hearing – Variance Request for ZBA-156:

Applicant: Pat Dowling (Owner), Scott Ferguson (Agent)

Property Address: 14554 Williams Drive, Elk Rapids, M 49629

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

Variance Requests: The applicant is requesting consideration of several variances to accommodate a new house and a shed at the subject location. The new house and shed will require the following variances:

House: Front yard setback variance of 25’ (Required: 50’, Proposed: 25’)

House: Water side yard setback variance of 15’ (Required: 50’, Proposed 35’)

Shed: Front yard setback variance of 38’-8.5’ (Required: 50’, Proposed 11’-3.5”)

Discussion: A summary of comments and discussion regarding ZBA 156 is listed below:

Scott Ferguson, Agent for applicant, approached the microphone and noted the following;

- 1) He has been working with Owner, Pat Dowling and Zoning Administrator Larry Nix on this project.
- 2) This house is the same relationship to other homes on Williams Drive and Birch Lake.
- 3) There was discussion on where the shed should be placed on the property. The owner would prefer to have it placed where it aligns better with his neighbor's view from across the way.
- 4) The building is compliant with the 25' shoreline protection zone.
- 5) The alignment of the house is square with the lot line – not tipped to the northwest.

Motion for Approval of Variance Request – ZBA 156:

Motion: Conrad

Support: Amos

Based on the following reasons, I, John Conrad move to grant approval of variances to Pat Dowling for the property located at 14554 Williams Drive, Elk Rapids, Michigan, Tax Parcel 05-06-175-003-00. The variances are as follows:

- House: Front yard (Willaims Dr) proposed setback: 25'-0" required setback: 50'-0' Variance of: 25'-0".**
- House: Water side yard proposed setback: 35'-0" required setback 50'-0" Variance of: 15'-0".**
- Shed: Front yard (Williams Dr) proposed setback: 11'-3.5" required setback: 50'-0" Variance of: 38'-8.5".**

Findings of Fact Supporting Approval:

1. The existing lot is an undersized non-conforming lot, which creates practical difficulties in adhering to setback requirements.
2. Multiple front and side yard variances have been granted along Williams Drive due to the prevalence of small, non-confirming lots in the Birch Lake area.
3. The need for the variance has not been created by the applicant, as the lot was platted prior to the establishment of current zoning regulations.
4. The proposed house and shed will not negatively impact the character of the neighborhood or the enjoyment of adjacent property owners.
5. Granting the variances will not be contrary to the spirit and intent of the Zoning Ordinance and will allow for reasonable use of the property in a manner consistent with neighboring properties.

Roll Call Vote:

- J. Conrad - YES**
- V. Cooper - YES**
- Z. Amos - YES**
- L. Lundy - YES**
- B. McCririe - YES**

**5 VOTING YES - 0 VOTING NO
(B. Hitchcock is Absent)**

MOTION TO APPROVE VARIANCE REQUESTS CARRIED.

Old Business: None.

Other Business:

Member Dick Hults asked what was the final decision from the Planning Commission to address the possibility of rezoning these non-conforming lots in the Birch Lake area.

Representative Zach Amos reported that the Planning Commission had a public hearing to discuss the possibility of rezoning this area, however, many Birch Lake residents in attendance did not see a need to take this action. Therefore, the Planning Commission made the decision to leave the zoning as is and have the Zoning Board of Appeals addresses variance requests individually.

Motion to Adjourn: Meeting Adjourned at 2:20 PM

Motion: Amos

Support: Lundy

(Meeting Minutes APPROVED as of 8-11-25 – 3:00 PM)