

Elk Rapids Township Zoning Board of Appeals

Meeting Minutes – Tuesday, November 10, 2020 - DRAFT

The meeting of the Elk Rapids Township Zoning Board of Appeals was called to order at 3:00 PM at the Government Center, 315 Bridge St., Elk Rapids MI 49629.

Roll Call/Present: Julia Pollister Amos, Bob McCririe, John Conrad, Marshall Wright, Zach Amos, and Dick Hults.
(Quorum Established)

Absent: Vincent Cooper

Also Present: Larry Nix, Township Zoning Administrator

Audience: Steven Puuri, Pam Coleman and Ken Kohlman.

Statement of any conflicts of interest: None.

Adoption of Agenda: Motion to adopt the November 10, 2020 meeting agenda.
Motion/S – McCririe/Hults **MOTION CARRIED**

Approval of Minutes: Motion to approve the August 11, 2020 meeting minutes.
Motion/S – Wright/Hults **MOTION CARRIED**

Public Forum: None

Public Hearing on ZBA-137: Steven & Jamie Puuri, owners of parcel 05-06-200-011-00 zoned R-1 residential located at 14788 Williams Drive (between 14804 & 14766 Williams Drive). Elk Rapids, MI have requested two variances to construct a new home on this property adjacent to Birch Lake. One variance is for a front yard setback of 22 feet vs the required 50-foot setback which is a variance of 28 feet. The second variance is for a rear yard setback (lake side) of 30 feet vs the required 50 feet setback which is a variance of 20 feet.

The applicant/representative speaks on this request: Steven Puuri residing at 6480 Zeeb Road, Dexter, Michigan addressed the Zoning Board of Appeals. A summary of the discussion follows:

- Mr. Puuri stated he bought the above property with a lot of challenges but has been able to obtain all the required permits and now has a full-size set of plans available for viewing.
- Mr. Puuri noted he tried to ask for the smallest variance possible. The variances requested are consistent with the homes on each side of him and he designed his house to fit in comfortably with the variances requested.
- Mr. Puuri discovered his property was actually 10' shorter than what was quoted on the original survey given to him at time of purchase. Therefore, adjustments had to be made to his variance request.

- Mr. Rodger Peck of Cedar Rapids Custom Homes is the builder of this home and hopes to get the slab footings in this fall.

Board members ask applicant/representative questions:

- It was noted that the applicant will not be increasing his variance request; in fact, he most likely will be utilizing less than requested.
- It was also noted that the applicant knew this property was not buildable when he purchased it. However, because neighbors were able to build on their lots, he took a chance that he would also be able to build something. In addition, he kept in communication with the Zoning Administrator regarding other variances granted in that area and tried to request as little variance as possible.

Members of the public in attendance who want to speak in favor this this request. None.

Members of the public in attendance who want to speak in opposition to this request.

- Mr. Ken Kohlman residing at 14868 Williams Drive, Elk Rapids, MI noted he was not in opposition to Mr. Puuri's request, however, did have some concerns regarding the setback from the water.
- Mr. Kohlman questioned the footprint size of the house.
- Mr. Kohlman expressed concern regarding the larger impervious surface, water runoff, filtration and high-water levels because of the swamp across the street.
- Mr. Puuri responded the first floor of his house is 1552 square feet and the second floor will be smaller.
- It was noted that the ice dam on the water side is not going to be altered.
- 6" wide x 20' long PVC pipes as well as rocks will be installed along the property line on both sides of the house to protect, manage and control water filtration and flow down to the lake.
- Permits for water run off management have been submitted to Antrim County Soil Erosion and EGLE Soil Erosion.
- The Road Commission did not require a driveway culvert.

Written communications from the public on this request. None.

MOTION TO APPROVE:

M/S McCrie/Wright

Motion to approve the two variances requested by Steven Puuri of Lot 11 of Birch Lake Shores subdivision, Elk Rapids, MI, 49629, Tax Parcel 05-06-200-011-00. First variance is for 28 feet from the Williams Road property line resulting in a front yard setback of 22 feet; and a variance for 20 feet from the north (water) property line resulting in a rear (water) yard of 30 feet, based on the following reasons:

- 1. The existing lot is an undersized non-conforming lot due to its depth.**
- 2. There has been other front, and rear (water) yard variances granted**

- for similar lots adjacent to Birch Lake that are existing non-conforming lots.
3. The applicant did not create the lot in question that is causing the desire for these two variances and there are similar sited dwellings on adjacent and nearby lots.
 4. There will be no negative impact to the neighborhood or adjacent property owners.
 5. The granting of the variances will provide the owner with the opportunity to construct a reasonable home on the subject property like other homes in the neighborhood and the authorizing of such variance will not be of substantial detriment to the neighboring property and will not be contrary to the spirit and purpose of this ordinance.

Roll Call Vote: Conrad, McCririe, Pollister Amos, Z. Amos, Wright and Hults
All Voting YES (6) V. Cooper is Absent.

MOTION APPROVED

Old Business: None.

New Business: Approval of 2021 Meeting Schedule
Election of Officers

Motion to approve Zoning Board of Appeals 2021 Meeting Schedule.
M/S Conrad/Hults

MOTION APPROVED

Motion to nominate John Conrad as Chairman, Bob McCririe as Vice Chairman and Vincent Cooper as Secretary.
M/S Wright/Hults

MOTION APPROVED

Communications: None.

Zoning Administrator Larry Nix:

- Zoning Administrator Nix reported he has not received any applications. Therefore, there will not be a ZBA Meeting in December.

Motion to Adjourn: Meeting Adjourned at 3:27 PM
M/S Conrad/Wright

(Meeting Minutes as of 12/11/20 12:30 PM)