

Elk Rapids Township Zoning Board of Appeals

Meeting Minutes – Tuesday, March 8, 2022 - Approved

The meeting of the Elk Rapids Township Zoning Board of Appeals was called to order at 1:32 PM at the Government Center, 315 Bridge St., Elk Rapids MI 49629.

Roll Call/Present: Bob McCririe, Julia Pollister Amos, Zach Amos, Lisa Lundy.
(Quorum Established)

Absent: John Conrad, Vince Cooper, Dick Hults.

Also Present: Larry Nix, Township Zoning Administrator

Audience: Larry DeVergilio, Grant Blesma, Steve Gallagher

Statement of any conflicts of interest: None.

Adoption of Agenda: Motion to adopt the March 8, 2022 meeting agenda.
Motion - Pollister Amos
Support - Z. Amos

MOTION CARRIED

Approval of Minutes: Motion to approve the September 14, 2021 meeting minutes.
Motion - Pollister Amos
Support - McCririe

MOTION CARRIED

Public Forum: None

Public Hearing on ZBA-139: Lawrence Dragan Tax Parcel #05-06-425-047-00.

Zoning Administrator Larry Nix reported that he had been in communication with Mr. Dragan and informed him that only 4 ZBA members were able to attend this March 8th public hearing. Four members is a bare quorum; therefore, all 4 members would have to agree on a motion to approve or deny his variance request. If even one member was not in agreement, there would be no action and the motion would fail. Mr. Dragan was given two choices – to move forward with today’s public hearing or request the Zoning Board of Appeals postpone action on his request until the April 12th meeting.

Mr. Dragan responded that he respectfully requests this public hearing be moved to April 12, 2022 – 3:00 PM.

Motion to Postpone: **Motion to adjourn today's Public Hearing on ZBA 139**
Motion - Pollister Amos **and move it to April 12, 2022 - 3:00 PM.**
Support - McCririe

MOTION CARRIED

Audience Questions/Discussion:

- Zoning Administrator Nix provided the audience with an explanation on the process of postponing this public hearing until next month.
- The April public hearing will not need to be published or reposted because the audience in attendance today, have been notified.
- Steve Gallagher asked about how the Township handles properties that bump up to a state road - US-31. Zoning Administrator Nix responded that property owners do not have direct access to US-31. The Township granted all property owners adjacent to US-31 a blanket variance with a 35' setback. The Dragan property and all other property owners on the east side of East Harbor Drive have a setback of 35' from the US-31 right-a-way.
- There were questions and some discussion on the County drain easement located on the southern tip of the Dragan property. Residents reported that this stream of water stops around the end of summer and starts flowing again around February. It was also noted the road culvert running underneath East Harbor Drive is in bad shape and oftentimes caves in and has to be repaired.
- The ZBA members assured the audience this drainage easement will be addressed and discussed at the upcoming April meeting.
- It was also noted it is the responsibility of a property owner to know what the Township setbacks are before purchasing a property.

Old Business: None

New Business:

- Julia Amos reported several members of the ZBA attended the Zoning Board of Appeals Training offered by MAP and hosted at Torch Lake Township on Saturday, March 5th. The training was excellent, conveniently located and well attended. She encouraged other Board members to attend this type of training whenever it is offered.
- Zoning Administrator Nix noted there is another application on deck for the April 12th Meeting. The applicant is Darryl Antcliff who lives on Birchwood Drive. Mr. Antcliff is requesting some modifications to his home. Mr. Nix reported he has been in communication with the applicant and will provide the Board with the necessary information in the near future.

Motion to Adjourn:
Motion - Pollister Amos
Support - Lundy

Meeting Adjourned at 1:55 PM

(Meeting Minutes Approved 4/12/2022)