

Elk Rapids Township Zoning Board of Appeals

Meeting Minutes – Tuesday, April 14, 2020

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 and Zach Amos.
(Quorum Established)

Absent: Vincent Cooper, Dick Hults.

Via Speaker Phone: Larry Nix, Township Zoning Administrator

Audience: Darryl and Margaret Antcliff, Brent Spicer, and Nicole Marchanel.

Statement of any conflicts of interest: None.

Adoption of Agenda: Motion to adopt the April 14, 2020 meeting agenda.
Motion/S – Wright/McCririe **MOTION CARRIED**

Approval of Minutes: Motion to approve the November 12, 2019 meeting minutes.
Motion/S – McCririe/Z. Amos **MOTION CARRIED**

Public Forum: None

Public Hearing on ZBA No. 134: Darryl and Margaret Antcliff, owners of tax parcel 05-06-250-013-00 located at 6756 Birchwood Drive, Kewadin, MI, have submitted a variance request to remodel the interior of their home and square up the rectangle shape of the home and attached garage for easier handicap accessibility. The basic rectangle shape of the home and expansion setbacks approved by the ZBA April 2008. The 3-foot variance granted April 2008 for the south side of the house was not used, so this request is for an additional 2 feet which would give a total 5-foot variance on the south property line. Additionally, a 25-foot variance for the east side was also granted December 2009. The current request is for an additional 5-foot variance which would give a total of 30 feet from the required 50 foot on the east side.

The applicant/representative speaks on this request: Brent Spicer, Brent's Construction, and Darryl and Margaret Antcliff addressed the Zoning Board of Appeals. A summary of the discussion follows:

- Mr. Spicer noted that Mr. Antcliff is a paraplegic and it is becoming increasingly difficult for him to safely get in and out of his van to access his home especially in bad weather.
- Mr. Antcliff has fallen a number of times requiring medical assistance and help from neighbors.

- Mr. Spicer referenced and reviewed the renovation plans and drawings previously submitted to the Zoning Administrator and members of the Zoning Board of Appeals that would make Mr. Antcliff's home more accessible and safer.
- The interior renovations will provide a faster and easier access in case of a fire.
- The roof extensions with covered walkways will provide weather protection as well as an easier, safer access from vehicle to the garage and house.
- Mr. Antcliff also approached the microphone noting he has lived in Elk Rapids since 2007, is involved in the community, and plans to stay in this home. He further noted these modifications are needed for him to live safely in his home.
- Mr. Antcliff stated they have worked very hard carefully preparing and planning the submitted modifications, and tried to keep their requests to a minimum.
- Margaret Antcliff also approached the microphone and stated due to changing schedules, her husband is often left alone. She is especially concerned during the winter months. She is worried Darryl could fall outside and be exposed to snow, wind and freezing temperatures with no one around to help him.

Committee Members ask applicant/representative questions:

- Mr. Wright noted that the property immediately to the south is a road end and is therefore, unbuildable. Anything the applicant would do, does not encroach on the neighbor.
- Zoning Administrator Nix asked for clarification that the overhangs on the home would not be enclosed. Mr. Spicer confirmed they are not enclosed.
- The ZBA also confirmed that the south wall of the house from the living room all the way east to the garage would be one straight wall.

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

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

Written communications from the public on this request. Chairperson Julia Amos read 4 letters (listed below) supporting the Antcliff variance request:

- 1) Bernard & Daralinea Walters – 6732 Hickory Drive, Kewadin, MI.
- 2) Jim Witte – 6774 Birchwood Drive, Kewadin, MI.
- 3) Karen L. Meyer, DO – Northshore Rehab PLLC, Traverse City, MI.
- 4) Michael J. Travis – 11055 Wood Special Drive, Kewadin MI.

Response from board member Dick Hults: Chair Julia Amos reported she had received communication from Mr. Hults stating, although he was unable to attend or vote at this meeting; he has reviewed the variance request documents and is in favor of granting this variance request.

MOTION/S Conrad/Wright

Motion to grant approval of two variances to Mr. Antcliff, 6756 Birchwood Drive, Kewadin, MI, 49648, Tax Parcel 05-06-250-013-00. First variance is for 2 feet from the south property line resulting in a side yard setback of 5 feet from the south property line; and variance two is for 5 feet from the east property line resulting in a

front yard setback of 20 feet from the east property line. This approval is based on the following reasons:

1. The existing lot is an undersized non-conforming lot.
2. The existing house will be maintained within the original dimensions of the variance granted in April 2008.
3. The new variance request only involves a roof overhang to shelter the pedestrian walkways to the home entries.
4. The roof overhang will be an open structure and not enclosed.
5. There will be no negative impact to the neighborhood or adjacent property owners.

**Roll Call Vote: Conrad, McCririe, Zach Amos, Wright, Julia Pollister Amos all voting YES. (Hults and Cooper are absent)
(5 Voting YES; 0 Voting NO; 2 Absent)**

MOTION APPROVED.

Zoning Administrator Nix noted he will prepare and send a letter to Darryl and Margaret Antcliff confirming their variance has been granted as submitted.

Old Business: The ZBA training set for April 15th at East Bay Township has been rescheduled for June 11, 2020. *(Woody, John, Bob, Zach and Julia were scheduled to attend). Julia has a conflict with the new date and will not be able to attend. (Dick has the same conflict). If Vince Cooper cannot attend in Julia's place, Karen will inquire if a refund can be granted.*

New Business: In light of the recent safe distancing restrictions, Chair Julia Amos asked the board members to consider a possible amendment to the bylaws that would allow ZBA members to attend and vote at meetings remotely. *(i.e., video conferencing, virtual mtg., webinar, Zoom, speaker phone, etc.)*

Motion/S: McCririe/Conrad

Motion of support for Chairperson Julia Amos to contact Township Attorney Bill Derman, to discuss a possible amendment to the bylaws that would allow board members to remotely attend and vote at ZBA meetings.

Communications:

Zoning Administrator Nix reported he has not received any requests or applications. Therefore, no meeting will be held in May.

Adjourn:

**MOTION/S: Conrad/McCririe MOTION TO ADJOURN
Meeting Adjourned at 3:27 PM**

(Approved 6/9/2020)