

# Elk Rapids Township Zoning Board of Appeals

## Meeting Minutes – Tuesday, May 10, 2022 - Approved

The meeting of the Elk Rapids Township Zoning Board of Appeals was called to order at 3:01 PM at the Government Center, 315 Bridge St., Elk Rapids MI 49629.

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

**Absent:** Vince Cooper.

**Also Present:** Larry Nix, Township Zoning Administrator.

**Audience:** Matt Black, Pine Grove Homes and Conrad Reiter.

**Statement of any conflicts of interest:** None.

**Adoption of Agenda:** Motion to adopt the May 10, 2022 meeting agenda.

**Motion:** Pollister Amos

**Support:** McCririe

**MOTION CARRIED**

**Approval of Minutes:** Motion to approve the April 12, 2022 meeting minutes.

**Motion:** Lundy

**Support:** Hults

**MOTION CARRIED**

**Public Forum:** None

**Public Hearing on ZBA-141:** Mark & Stephanie Liebrecht of 6965 W. Harbor Drive, Elk Rapids, MI 49629, Tax Parcel No. 05-06-400-030-00 have requested a 11.7" variance from the front yard setback adjacent to the south property line for the construction of a house and attached garage. The south property line is a front yard, and the required setback is 50'. The request would provide a 38.3' front yard.

**The applicant/representative speaks on this request:** Matt Black, Pine Grove Homes and representative for Mark & Stephanie Liebrecht noted he is available to answer any questions the Board might have regarding this variance request.

**Committee Members ask applicant/representative questions:**

- Mr. Nix referenced his Zoning Administrators Report as well as the site plan drawing submitted with the Liebrecht application.
- The house and attached 24' x 24' garage are nicely placed on the existing lot.
- The house is not an overly sized home. It will be a two-story home as noted on the application.
- This parcel has a lot of trees that will need to be removed to build the structure.

- Trees in the 25' protected area from the water cannot be removed unless the applicant works with the Township Zoning Administrator.
- The Commission was impressed with the way the builder is able to accommodate the house, garage, well, and drain field on this lot.
- Zoning Administrator Nix noted there are no restrictions around the west side drain easement.

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

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

**Written communications from the public on this request.** None.

**Public Hearing Closed.**

**Committee members make their decision on this request.**

**Motion to Approve Variance Request:**

**Motion:** Pollister Amos

**Support:** Hults

Based on the following reasons, Julia Pollister Amos moves and Dick Hults supports to grant approval of a front yard variance to Mark & Stephanie Liebrecht, Tax Parcel 05-06-400-030-00. The front yard variance of 11.7' will only apply to the south property line based on the site plan submitted in the application. This will result in a front yard setback for the south property line of 38.3'.

**Reasons:**

1. The existing corner lot is an undersized lot when all 50' setbacks are considered.
2. The literal interpretation of the provisions of this Ordinance would deprive the applicant of property rights commonly enjoyed by other properties in the same zone under the terms of this Ordinance if the variances were not granted.
3. There are no special conditions or circumstances that result from the actions of the applicant.
4. There will be no negative impact to the neighborhood or adjacent property owners with the granting of the south property line variance.

**Roll Call Vote:** Pollister Amos **YES**, McCririe **YES**, Conrad **YES**, Z. Amos **YES**, Lundy **YES** and Hults **YES**. **(6 Voting YES; 0 Voting NO)**.  
*(Vince Cooper is Absent)*

**MOTION UNANIMOUSLY CARRIED**

**Old Business:** None.

**New Business:** John Conrad reported he has committed to another 3-year term on the Township Zoning Board of Appeals.

**Communications:** Zoning Administrator Nix reported there are no variance requests on deck for next month – No June ZBA meeting.

**Member Discussion of topics not on the agenda:** None.

**Motion to Adjourn:** Meeting Adjourned at 3:15 PM.

**Motion:** Pollister Amos

**Support:** Lundy

*(Approved 11/14/2022)*