

Minutes

Watersmeet Township Planning Commission

Public Hearing of February 13th, 2013

Meeting called to order by Chairman Dennis Snyder at 6:36 PM.

Members Present: Dennis Snyder, Fred Reimer, Greg Garlock, Pete Peterson, Jeff Wasson, Larry Potter, Roy D' Antonio and Rich Henriksen were in attendance. Alan Shively was excused.

Members of the community present: Mike Rogers-Township Supervisor and Dave Neumann-Township Zoning Administrator were present. Several members of the community were present including Jack Earhart, Helen Habers, Julie Mathiesen, Craig Hessie, Jason Elder, Bob Majeske, Dave Pomquist, Dianna Mehlhop, Judy Hilgard, and Mrs. Dennis Snyder.

Agenda Changes / Additions:

New Business:

1. Chairman's Public Hearing overview: Chairman Snyder explained the purpose of the public hearing and the primary uses that are allowed in accordance with zoning ordinance. Explained the purpose of "use by special approval" and what the planning commission consideration guidelines consist of for granting or refusing a request.
2. Presentation from Jason Elder regarding his request for "Use by Special Approval" to permit "short term rental" of his property at E19510 Clearwater Lake Road. Mr. Elder purchased and built on property in 2001 for use by family and friends. Currently has three young children and has not used the property as intended for the past 2 years due to business and family commitments. Has been allowing short rental of the property for past two years with no known issues of any improprieties from his renters. In the fall of 2012 he received a letter from the Zoning Administrator explaining that short term is not allowed without a "Special Use Permit". Mr. Elder uses the income generated from renting to offset the property expenses of taxes, upkeep of home and property, and maintaining the road. His closest neighbor, George Peterson, does not object to the short term rental of the property. Renters must follow a list of comprehensive written rules as part of the renter's contract. He thanked the commission for our time and consideration of his request.
3. Public comments were heard regarding Mr. Elder request.
 - a. Jack Earhart of Clearwater Lake request postponement until the spring of the year when a greater number of those affected would be able to attend.
 - b. Helen Habers of Clearwater Lake stated that during the summer picnic for the lake owners she asked her neighbors if anyone knew of any issues with

- the renters of Jason Elders property, the only issue that was expressed was the discharge of a bottle rocket or firecracker on the fourth of July of 2012. She also stated that she had no other issues of the rental of the property.
- c. Dave Neumann wrote a letter as the Zoning Administer due to a couple of complaints from residents received at the aforementioned picnic.
 - d. Julie Mathiesen of Cisco Lake asked 3 questions, Is there a minimum stay requirement for renters, are renters allowed to dock their boats at the property, and is there a density ratio of homes verses commercial entities on the Cisco Chain?
 - e. Craig Hessie of Vacationland Resort on Thousand Island Lake brought up the issue of taxation for these type entities. He is required to pay a 6% use tax, a 3% lodging tax and feels that his business is unfairly punished due to these type rentals will be undercutting his business.
4. Presentation by Bob Majeske on behalf of Terry Sonnevil's request regarding "Use by Special Approval" to operate a "Bed and Breakfast" out of her home located at E19960 Thousand Island Lake Road. Mr. Majeske is the Builder/Caretaker for Ms. Sonnevil. Due to some unforeseen circumstances she currently cannot frequent the property as she planned and would like recoup some her expenses by operating a Bed and Breakfast. The property is set-up and ready to operate as a Bed and Breakfast. Use as a Bed and Breakfast would not put any more stress on the Chain than when she has family and friends visiting.
 5. Public Comments were heard regarding Ms. Sonnevil's request.
 - a. Dave Pomquist of Cisco Lake stated concerns regarding operating commercial entities on lake. He posed the following question, does the Planning Commission investigate deed restrictions on properties prior to rendering a decision? He also stated that allowing the zoning change from a residential to a commercial property can change the character of the neighborhood and the lake. There is a big difference between the longer term rentals and operation of a Bed and Breakfast which is more like a Hotel. He provided photos of the Sonneville residence and likened as more of hotel than a residence. He is also concerned that changing of residential properties into commercial entities could affect the value of surrounding properties negatively.
 - b. Dianna Mehlhop of Thousand Island Lake Road is concerned about an old boat launch near the property and its use by guest, she brought up the problem of Eurasian milfoil on Thousand Island Lake and the initiatives to eradicate the problem through boat cleaning at the public launces. Use of a private launce would not be included in these cleaning activities and could allow continued exposure to invasive species undermining the initiatives that are planned for the lake.

- c. Julie Mathiesen of Cisco Lake asked the same general questions about length of stay, allowing boats to dock at the residence, and the density ratio of residential versus commercial on the Cisco Chain of Lakes? She feels that the commission needs the answer to these questions prior to rendering a decision on the "Use by Special Approval" request. The basis of her questions was explained that about 20 yrs. Ago an attempt was made to build condominiums on Cisco lake and allow keyhole access through a non-perkable lake lot to residents of the condominium, this is prohibited by the ordinance and the request was denied based on preserving the nature of the chain and only allowing use by the riparian owners. She asked at what point does allowing rentals and Bed and Breakfast impose on riparian rights due to the changes in the overall nature of the area?

The Public Hearing was closed by the Chairman at 7:15PM.

Respectfully submitted by,

Greg Garlock- Planning Commission Secretary

Approved: xx/xx/xx