

Whitefish Township Planning Commission

General Meeting Minutes

May 1, 2018, 7 PM, Whitefish Township Community Center

Attendance: Richard Jarnagin, Patricia Dignum, Terry Humphrey, Nikki Craig

Absent: Richard Gratopp

General Public 13

The meeting was called to order at 7:01 PM by Richard Jarnagin, Chairman. The chairman expressed sincere appreciation to the audience for the attendance in this meeting. The planning commission members introduced themselves to the audience; the meeting was then recessed to convene the Public Hearing.

At 7:54 PM Nikki Craig, Vice-Chairman, reconvened the general meeting.

Attendance: Richard Jarnagin, Patricia Dignum, Terry Humphrey, Nikki Craig

Absent: Richard Gratopp

General Public 13

There were no amendments to the agenda.

Pat Dignum moved to accept the January 3, 2018 minutes as presented. Terry Humphrey's supported. Motion carried.

Public Comments There were no public comments received at this time.

Old Business: the commission members agreed to discuss concerns and issues with each of the four Special Land Use Applications before approving or denying any one application. Specific applications concerns were expressed along with general concerns.

Application 1: Rebekah Dallman, (016-210-037-50) located at 10202 North Whitefish Point Road, Paradise, MI 49768. Pat commented that Ms. Dallman's application was the most complete and well written application submitted. Both Pat and Terry expressed concerns about the response time of a contact person located in Hulbert. Richard confirmed the applicant does not meet Section 6.10 item a, "a local point of contact available to address rental issues and concerns on site." Pat expressed concerns regarding past management of noise issues, and multiple rentals during the past year. Terry wondered if the owner had been informed. Is there a record of complaint? In general the last paragraph of Article 6.10 is to address this concern in property management. Pat shared in general that any future bookings of a short-term-rental permitted is not a concern of the commission members.

Application 2: Carol Headrich & Raan McLean (016-760-031-00) located at 17772 North Sandy Lane, Paradise, MI 49768. Terry and Pat expressed concerns regarding the subdivision's 1973 Declaration of Restrictions. Nikki expressed concerns regarding the private road as an appropriate access to the property. Richard reiterated that the restrictions are perpetual. Nikki shared her conversation with Mike Selden, Michigan Township Association Membership Information Director regarding the subdivision's restrictions. In summary the commission is not responsible for the subdivision restrictions

or for their enforcement. The commission members are to work specifically with the Whitefish Township ordinances. Pat commended the receipt of the Law Blog handout during the public hearing and reminded commission members that state legislation may rule on short-term rentals voiding any local ordinances.

Application 3: Brien Hanna (016-700-142-00) located at 8168 North Tahqua Trail, Paradise, MI 49768. Richard expressed concerns that Mr. Hanna had not specified the name of a local contact. The application identified the property manager as The Falls Building Center manager. The building center is located west of the private property. The current building center manager is Rev. Dave Holden, residing at 7481 N M-123, Paradise, MI. Nikki reported the building is well maintained, and suitable for inhabitants. The private drive to the property is accessible behind the building center.

Application 4: Richard Shapero, (016-700-109-00) located at 7884 North Chippewa Trail, Paradise, MI 49768. Richard reported that the buildings for rent on this property are need of a good deal of repair. The applicant references the deterioration of the buildings and that they need to be “fixed up”.

The discussion regarding these applications and future applications continued. Pat asked questions, what does it take for every property owner to be viable? How does the commission control the number of nights the property may be rented? How does our community balance the quiet serenity of the township with the flurry of additional visitors or potential future residents? The intent of the short – term rental was to establish a brief means for the property owner to raise funds to cover property taxes, or to invest in updates to the property. Nikki stressed the need for neighboring property owners with concerns to follow the recommendations of the last paragraph, Article 6.10.

Terry Humphrey moved to deny the application for 7884 North Chippewa Trail (Application #4) based on Article 6.10 item C. Pat Dignum supported. There was no further discussion.

Richard Jarnagin Yes Pat Dignum Yes Terry Humphrey Yes Nikki Craig Yes

Motion carried.

Terry Humphrey moved to approve the 8168 N. Tahqua Trail application, #3. Nikki Craig supported. There was no further discussion.

Richard Jarnagin Abstain Pat Dignum Yes Terry Humphrey Yes Nikki Craig Yes

Motion carried. Note: Richard abstained as he felt he had insufficient information to make a decision.

Terry Humphrey moved to approve the 17772 North Sandy Lane (Application #2) with the condition that there would be no rentals from December 1 to April 1. Pat Dignum supported. In the discussion, Nikki noted that Headrich and McLean had specified in their application that would rent their guest house during the spring, summer, and fall seasons.

Richard Jarnagin No Pat Dignum Yes Terry Humphrey Yes Nikki Craig Yes

Motion carried.

Terry Humphrey moved to approve the 10202 North Whitefish Point Road, Application #4 with the following conditions: the point of contact is to be a Whitefish Township resident and that with evidence of a violation of Article 6.10 regulations the permit shall be removed prior to the end of the 12 months. Pat Dignum supported. The discussion included a differentiation between a caretaker and a point of contact. Whitefish Township Trustee, Edson Forrester provided clarification of the responsibilities of the point of contact person specifically in the case of an emergency. The local contact should have the names of the tenants, the caretaker, and the property owner in case medical assistance is needed or the county sheriff is involved. Linda Miller, applicant's aunt shared with commission members that Rebekah did have problems with close friends that had vacationed on the premises the previous summer. They were loud raucous and did damage to the property. The offenders requested to return to the cabin in 2018 but were denied. Linda reported that Rebekah was unaware of any issues with the tenants. This clarified the concerns when dealing with an absent property owner, the value of a local contact, and the need for a record of complaints.

Richard Jarnagin Yes Pat Dignum Yes Terry Humphrey Yes Nikki Craig Abstain

Motion carried. Note: Nikki abstained as she felt she had a conflict of interest.

New Business: The commission reviewed a short term rental special land use application for 32104 Vermillion Road. The commission members had concerns in reading the information on the application. The zoning administrator had not completed the verification of the zoning of the property nor listed the property owners within 300 feet of the property. Nikki reported that Zoning Administrator Bill Mangham stated he would have it completed by Thursday. Nikki recommended that this application's Public Hearing be scheduled for the next regularly scheduled meeting, June 5, 2018. She would also call the applicant to clarify the content of the application.

Pat Dignum moved to adjourn the meeting at 9:02. Richard Jarnagin supported.

Minutes prepared by Nikki Craig, 5/2/2018

Minutes Approved _____
(Signature) (Date)