

**Whitefish Township Planning Commission Minutes - unapproved  
Special Meeting & Public Hearing - February 23 2022**

**Attendance:** Scott Erickson, Bill West, Richard Gratopp, Jack Grimes, Jon Jasinski

**Absent: None**

Zoning Administrator Miller

**Public Attendees:** Approximately 11 public attendees present.

**The Special Meeting was called to order by Chair Scott Erickson at 6:45 p.m.**

**Roll call:** Gratopp **Present**, West **Present**, Jasinski **Present**, Erickson **Present**

**Absent**, Grimes. (Joined Meeting at 6:50pm, added to Roll Call).

**Review of 2/17/2022 Special Meeting Minutes:** Gratopp moved to accept the Special Meeting Minutes of **2/17/2022** as presented, Jasinski supported. Discussion: none. All in favor, four yes, no nays **Motion passed.**

**Review and Approve Agenda.** West moved to accept and Approve the Agenda. Erickson supported. Discussion: none. All in favor, four yes, no nays **Motion passed.**

**Statement of the only two purposes of this Special Meeting and Public Hearing.**

Erickson read aloud the Public Hearing Notices and the Special Meeting Notice.

**Public Comment:** None.

**Recess of Special Meeting Until Close of Public Hearing:** Erickson moved to recess, Grimes supported. Discussion: None. All in favor, five yes, no nays **Motion passed.**  
Special Meeting Recessed 7:50pm

**Open / Call to Order Public Hearing #1.** Erickson called the Public Hearing to order at 7:00pm.

**Roll call:** Gratopp **Present**, West **Present**, Jasinski **Present**, Erickson **Present**, Grimes **Present. Absent:** none.

ZA Administrator Miller, **Present.**

**Public Attendees:** Approximately 11 public attendees present.

Erickson stated some guidelines and suggestions regarding Public Comment then read aloud the Proposed Zoning Ordinance Amendment - "Changes in Language to align with the Michigan Zoning Enabling Act – Act 110 of 2006"

**Written communication received by the Planning Commission regarding this matter:**

None.

**Public Comment:** None.

**Close of Public Hearing #1.** Erickson moved to close, West supported. Discussion: None. All in favor, five yes, no nays **Motion passed. Public Hearing #1 Closed 7:04pm.**

**Open / Call to Order Public Hearing #2:** Erickson called the Public Hearing to order at 7:04pm.

**Roll call:** Gratopp **Present**, West **Present**, Jasinski **Present**, Erickson **Present**, Grimes **Present. Absent:** none.

ZA Administrator Miller, **Present.**

**Public Attendees:** Approximately 11 public attendees present.

**Statement of the Proposed Zoning Ordinance Amendment - "Proposed Short Term Moratorium Zoning Ordinance Amendment":** Erickson read aloud the Proposed Zoning Ordinance Amendment in its entirety.

**Read aloud into the record any written communication received by the Planning Commission regarding this matter:** Erickson read aloud four written communications received by the Planning Commission regarding this matter. Three were from residents in support of a Moratorium, detailing their experiences as residents in proximity to operating STRs. One was from a resident referencing case law and Statutes citing the rights of landowners.

**Public Comment:** Many attendees commented on the subject of Short term Rentals and queried the Commission about the particulars of the Proposed Zoning Ordinance Amendment proposing a Moratorium on The Issuance of Permits for Short Term Rentals. Four public attendees spoke of personal experience as residents with STRs operating in proximity to their homes, detailing negative impacts on their neighborhoods, and pointing out that several are operating without Approvals and Permits. Two public attendees spoke of their experiences and practices as operators of Short Term Rental properties. Several comments included calls for the Township to use the one year period of the Moratorium (if it's Approved by the Board of Trustees) to address issues including enforcement, budget, stricter limitations, or an outright ban on any new STRs. Several attendees spoke of concerns how some homes have been bought by absentee owners for the sole purpose of operating an STR, noting the impacts that has on the local housing market, and other local markets. As well, several comments pointed out many advertised STRs are operating without ever having been Approved much less paying any fees.

**Close of Public Hearing #2.** Erickson moved to close, West supported. Discussion: None. All in favor, five yes, no nays **Motion passed. Public Hearing #2 Closed 7:28pm.**

**Reopen WTPC Special Meeting:** The Special Meeting was called back to order by Chair Scott Erickson at 7:28 p.m.

**Roll call:** Gratopp **Present**, Grimes **Present**, West **Present**, Jasinski **Present**, Erickson **Present. Zoning Administrator Miller Present.**

**Review and discuss Public Comment received:** Commissioners discussed the Public Comments received, noting pros and cons expressed regarding the proposed STR Moratorium.

**Put up for vote whether the Planning Commission Approves or Disapproves the Proposed Zoning Ordinance Amendments:** West Moved to Approve and recommend to the Board of Trustees the first proposed Zoning Ordinance Amendment regarding the ZO wording change as presented – (Public Hearing #1.) Gratopp supported. Discussion: None. Roll call vote: Gratopp yes, Grimes yes, Jasinski yes, West yes, Erickson yes. **Motion passed.**

West Moved to Approve and recommend to the Board of Trustees the second proposed Zoning Ordinance Amendment imposing a Short Term Rental Moratorium as presented – (Public hearing #2.) Gratopp supported. Discussion: Jasinski spoke about Short Term Rental Renewals, and the issue of processing any existing or new Short Term Rental Applications received prior to any effective date of the proposed Moratorium. Erickson expressed concerns that Renewing or Approving any Short Term Rental before or after a Moratorium effective date is problematic and stated that the Township legal counsel advised that the Township is not required by law to act on any pending STR Application. Grimes spoke of the stated purpose of the proposed STR Moratorium - "...to provide sufficient time for Whitefish Township to fully explore, analyze, research, and make informed decisions regarding Short Term Rentals..." West pointed out that the Township is bound by and operates in accordance with the Zoning Ordinance as it stands today, and that the issue of Renewals was dealt with in the February 17<sup>th</sup> Special Meeting, with the Planning Commission Approving the added language specifically addressing STR Renewals.

West also expressed reservations as to how the Township will deal with any Special Land Use / Short Term Rental Applications now pending, and others that might be received prior to any effective date of the Proposed STR Moratorium, stating that he believes the Township has an obligation to treat any such Application in accordance with the existing Zoning Ordinance and past practices. Roll Call vote: Grimes yes, Gratopp yes, Jasinski yes, West yes, Erickson yes. **Motion Passed.**

**Discuss and vote on directing the Chair, Per Section 13.02 of the Zoning Ordinance “Following the public hearing, the Planning Commission shall transmit their recommendation and a summary of the comments received at the public hearing to the Township Board.”** West moved to direct the Chair to transmit the Commission's recommendation and a summary of the comments received at the Public Hearing to the Township Board. Jasinski supported. Discussion: None. All in favor, five yes, no nays Motion passed.

**Special Meeting Adjournment:** Gratopp moved to adjourn, Jasinski supported. Discussion: None. All in favor, five yes, no nays Motion passed. **Special Meeting adjourned 7:53pm.**