

MILLINGTON TOWNSHIP PLANNING COMMISSION

Monday, February 5, 2024 at 6:00 PM

8553 State Road, Millington, MI 48746

Regular Board Meeting Minutes

Meeting called to order at 6:00 PM by A. Zavitz. Roll called showed Ed Maschke, Alvin Zavitz, Doyle Pletcher and Luanne Jaruzel, ordinance enforcement officer Tammy Daenzer & 14 guests present.

Minutes from previous meeting approved with correction by roll call vote.

Public comment – Allen Green, 5638 Millington, commented on adjusting short term rental agreement. Against long term rentals being included and use of SUP & use regulation agreement being considered instead.

Peggy Maschke, 7951 Huston, requests rental agreement being discussed be made final tonight. She is against starting over, asks the board make amendments if needed in the future.

Paul Dudley from Murphy Lake agrees with Peggy. Feels requiring registration protects landlords of long term rentals. Requests the new ordinances be voted in.

Sherry Morris wanted to clarify single family dwelling meaning, thinks ordinance wording does not mention "residence", and feels the wording is too vague.

Sharon Keinath, 4427 Arbela Rd mentioned the township's lawyers description of the term "residential" in the ordinance. She stressed that Short Term Rentals are not considered residential, they are considered a "transient" use. She wants the ordinance approval done correctly, and does not need to include long term rentals as per the township attorney. Stated that the "grandfather clause" is non-compliance per the current ordinance. A use can't be grandfathered in if it wasn't a legal use before an ordinance allows it. She would like approval of the Short Term Rentals too be done with a special use permit.

Mark Morris, Murphy Lake, feels that the 15% allowed is too high, thinks 10% is better. Does not want the special use permits, only registration to a rental.

Public comment closed.

OLD BUSINESS

Discussed the current Zoning Ordinance Draft by going through section by section. All agreed to remove red highlighted phrase "not to include busses, tents or RV's as a Rental" from Bed and Breakfast, Short-term rental -property owner occupied and Short Term Rental -non-property owner occupied sections in Section 23.01. All agreed to leave the phrase "not to include busses, tents or RV's as a rental" in the Long-Term Rental sections owner occupied and non-property owner occupied. The reason to leave it in is to allow short term rentals of busses, tents or RV in that zone. It was clarified and all agreed that long term rentals are allowed in all areas. Short term rentals and Bed & Breakfast Establishments must comply with all other applicable ordinances as stated in Section 10.01 a. That section will read as follows: "Rentals must meet all residential building, health department and safety codes." The rest of that paragraph highlighted in yellow will be deleted. All agreed to remove section "e" that is highlighted

in red. All agreed to remove paragraph 7 as it is a repeat of what is written in Section 6, paragraph e. All agreed to remove the last two lines highlighted in red on the last page.

Motion made by Maschke, seconded by Jaruzel to accept the changes to the draft of the ordinance listed above. Motion passed unanimously.

Discussion on how to allow or permit the rentals, using a Special Use Permit or Rental Agreement.

Motion made by Maschke, second by Doyle to send #9 under section MILLINGTON TOWNSHIP ORDINANCE REQUIREMENTS FOR RENTAL(S) to the township lawyer for his opinion on if it is enforceable and the board will act on that point after the lawyer's advice. Motion passed unanimously.

Discussion held on the wording for the Rental Agreement for Short Term Rentals. All agreed to remove the part of the second paragraph highlighted in yellow. Local contact designee's information and a line for the property owner's email will be added. Tammy Daenzer will send electronic copy to Maschke to use for continuity in information between the forms. Motion made by Alvin, second by Doyle to make the changes agreed to and resubmit the whole document to the Township Board after review by the lawyer. Unanimously approved.

NEW BUSINESS - Sherry Morris handed out a document and voiced concerns about the new lawyer and the new enforcement officer. Also voiced concerns and asked questions regarding current ordinance and definitions of "hotel", "motel" and "single family dwelling." She feels her short term rental should be "grandfathered" in as she disagrees with the townships definition. She voiced her opinion against special use permits being needed for rentals.

Mark Morris wanted to know more information about the special use permits and if there would be a time limit on them, He asked if his rental was the only one shut down.

After discussion, Pletcher moved to move the next meeting to March 4th, in case there are any changes to be done after the lawyer answers the questions sent from the board. Seconded by Maschke. Approved unanimously.

Motion by Jaruzel, second by Pletcher to adjourn. Motion passed unanimously.

Meeting adjourned at 8:18.

Respectfully submitted,

Luanne Jaruzel, Secretary

Handwritten signature of Luanne Jaruzel in cursive script.