

**Burtchville Township
Planning Commission**

**4000 Burtch Road
Lakeport, Michigan 48059**

Minutes of April 4, 2023 Planning Commission Special Meeting;

The Chair Dave Klinesteker, called the meeting of the Burtchville Township Planning Commission to order at 7:01 pm.; Pledge of Allegiance Recited

Members Present: Klinesteker, Light, Minnie, Richards, Vargo and Wollenweber.

Excused: Schmitt.

Citizens present: Pam Patterson, Zoning Administrator; David Schmitt; Linda Leuch; Maxine Wood; Bill Wood; Dane Swartz; Jonathan Gniatczyk

Minutes: Motion by **Richards** second by **Light** to approve minutes of March 7, 2023. Motion was unanimously approved by voice vote.

Close Regular meeting at 7:03 p.m. and open Public Hearing: **Special Land Use Applications for Short Term Rental at 8158 Lakeshore Road and 7961 Lakeshore Road.**

Public Hearing:

1. **8158 Lakeshore Road – Short Term Rental.** Chairman Klinesteker entered into the record a letter received from Jonathan Gniatczyk. Linda Leuch is the Successor Trustee of the Marie J. Loy Irrevocable Trust owner of the property. She explained that the majority of people at the property are family or relatives. Rent out once in a while. If rent usually to a couple or very small family, we don't want it destroyed because it is our family legacy. Zoning Administrator stated that no more than 10 people should be at location. There are 5 bedrooms, 1 and ½ bathrooms and parking for 6 cars at property. Dave Schwartz had question – how long is permit good for, is it reviewed; how define a bedroom; also, how make complaints. Zoning Administrator explained process. Maxine Wood expressed concern about traffic – call the party house, many times in summer month whole front lawn filled with camper tents and use neighbor lot across the street for parking to point other people put caution tape on property. Speeding down the road with ATV's. Ms. Leuch asked that contact us, 90% of the time it is our family, call the police if they are speeding down the road.

Close public hearing on 8158 Lakeshore Road at 7:24 p.m.

Open public hearing on 7961 Lakeshore Road:

2. **7961 Lakeshore Road – Short Term Rental.** David Schmitt, only comment going to list with Airbnb online. Zoning Administrator indicated 3 bedrooms allow 6 people to sleep overnight had couple issues that were corrected. No issues at all. No comments from the public.

Close public hearing on 7961 Lakeshore Road. 7:26 p.m.

Reopen Regular meeting at 7:26 p.m.

New Business:

1. Short term rental application – 8158 Lakeshore Road. Richards question if short term rental conditions apply when family using the property. Zoning Administrator explained only when property being rented. **Vargo** move to approve the special land use short term rental, second by Minnie. Roll call vote. Yes – six; No – zero. Motion carries with unanimous approval.
2. Short term rental application – 7961 Lakeshore Road. No questions. **Wollenweber** motion, **Minnie** second to approve special land use short term rental. Roll call vote – Yes – five; Abstain – one, No- Zero. Motion carries with unanimous approval.

Break at 7:35 p.m.

Resume at 7:39 p.m.

Old Business:

1. Ordinance regarding Nuisances: Zoning Administrator gave final draft to attorney. Put with Chapter 93, Nuisances. Definition of nuisance include fire, ash, smoke, odor, fly ash. Clarifies things receiving a lot of complaints on. Also have separate animal nuisance. Discussion regarding difference of two ordinances and placement in ordinances. **Wollenweber motion** to approve Nuisance (definition of nuisance) and Animal Nuisance to be put in Chapter 93 to be considered a misdemeanor as presented with changes of tonight be approved for public hearing and then forward to the full board for their approval. **Second by Light**. Roll call vote. Unanimous approval.
2. Editing Ordinance regarding paving of commercial driveways: Background Mini-Warehouses indicates driveways, parking shall be surfaced with concrete, asphalt or asphaltic concrete. Wollenweber agree that need to have separate maintenance provision that maintain property, of conditions required for approval and be maintained in general fashion. Further review needed.
3. Ordinance review requested by Zoning Administrator
 - a. A/R Agricultural/Residential Property – 154.055. Animal – Richards propose that add this to 154.063T which is general regulations. **Light** made motion to add the section “Animal A and B” to section 154.063T with reference to 154.055. **Richards** seconds. Roll call vote passed unanimous.
 - b. Short Term Rental section 154.135 - to add General Business and Office to approved areas as a permitted special land use. **Wollenweber** made motion, **Minnie** Second, to add General Business and Office districts. Roll call vote unanimous passed.
4. Solar Ordinance: Minnie advised of Marion Township news report – problem regarding tiled fields that drain pipes drilled into and have water standing. Going to Traverse City for conference with 2 classes on solar ordinance she will be attending. Klinesteker advised that this is something that need a planning consultant for. Wollenweber is contacting John Jackson for quotes and also mentioned that with Township as a member of SEMCOG can possibly get help from their planners. Klinesteker mentioned that may go to the County for use of one of County planners.

Richards also mentioned that wind problems also with running wires wherever the company wants. Light confirmed that can't do anything until get a planner in to give advice. Richards mentioned that if need to bring consultant for engineering, etc. the solar company pays the costs.

Citizen Comments: None.


ZBA Report. No meetings since last regular meeting.

Board Liaison report: Going to conference in Traverse City.

Correspondence: Letter Jonathan Gniatczyk regarding short term rental application for 8158 Lakeshore Road.

Next Regular Meeting: June 6, 2023 @ 7:00 p.m.

Adjournment: Motion by Wollenweber, second by Light to adjourn 9:13 p.m. Motion passes unanimously on voice vote.


JoAnn E. Vargo

5-2-2023
Approved