



Presque Isle Township Planning Commission
Regular Monthly Meeting
January 4, 2021

Call to Order: The meeting was called to order at 7:00 pm by Chairman, T. Guyer

The Pledge of Allegiance was recited.

Roll Call: In attendance were: T. Guyer, T. Ludwig, R. Kurkechian, L. Larkin, C. Paavola, Howard Welsh

Audience Present: 2 guests.

Agenda Approval: L. Larkin motioned to approve the agenda. C. Paavola seconded. All ayes; agenda approved.

Approval of Minutes (November 2, 2020) C. Paavola moved to approve minutes as written. T. Ludwig seconded. All ayes; minutes approved.

Comments from the audience members were invited. N/A

Discussion of Review Article 4, District Regulations: T. Guyer said Denise Cline shared some tips to go faster through the District Regulations such as go through every one ahead of time, collapse sections (retail sales), she will email how to collapse industrial and commercial sections. Goal is to get ordinances tighter to avoid any legal action in the future.. It makes sense to have a special meeting to complete Article 4. T. Guyer will schedule a special meeting with Denise on ZOOM.

Correspondence: T. Ludwig received correspondence from a resident on Shubert Hwy, that lights across the lake from him are too bright. S. Lang looked at the property at night and it looked OK to him and T. Ludwig didn't think it was too bright.

Reports:

Township Board of Trustees(C. Paavola) Reports submitted. C. Paavola submitted two township meeting reports. One from December 14, 2020 and the other from November 9, 2020. (Please see attached reports.

ZBA Liaison (R. Kurkechian). No meeting; no report.

Zoning Administrator: (S. Lang) S. Lang gave a brief synopsis of activity indicating it was a little slower in December but has been working on a rezoning request for February, 2021. Public Hearing is necessary and residents within 300' of property will be notified.

New Business:

- Commercial Event Facilities – postponed until February 1, 2021 meeting.
- Short-term Rentals: A committee was formed to address short-term rentals and to draft an ordinance. Committee members were: M. Bedard, T. Guyer, S. Lang, L. Larkin and S. Potts. The committee voted to regulate short-term rentals rather than banning them outright. They used the NEMCOG suggested short-term rental ordinance and input their own ideas and new language. The short-term rental ordinance was presented at the meeting.
S. Potts described the rental nuisances she experiences at her home such as too many people in the cabin, noise, dogs barking, children crying, garbage, fireworks, tying boats to trees and near misses when boat gets loose, etc.
T. Guyer indicated there are other complaints about short-term rentals within the Township which makes the ordinance necessary. A lengthy discussion was held regarding enforcement and what penalties/fines would occur. C. Paavola motioned to recommend passage of the draft ordinance as a Stand Alone Ordinance and not a Zoning Ordinance. L. Larkin seconded the motion. Roll call vote; five ayes; one nay. Motion approved. Public Hearing for Short-term rentals is necessary.
- Fireworks Ordinance: The PITWP Fire Board and E. Grand Lake Fire Department to review the current fireworks ordinance and bring their recommendations to the Board of Trustees on January 11, 2021. Additional prohibitions are expected.

T. Guyer requested the Planning Commission to review the current Planning Commission Bylaws for a meeting with Denise Cline of NEMCOG. Indicate to T. Guyer what day and time is good.

Distribution of the current big zoning maps is necessary to complete review of Article 4 of the zoning ordinance and commission members may pick up their map at the Township Hall.

Unfinished Business: None

Adjournment: Tom Guyer adjourned the meeting at 8:05 p.m.

Meeting Reminder: The Planning Commission will meet again on February 1, 2021 at 7:00 pm

Respectfully submitted, Bev Huard, Administrative Assistant



Presque Isle Township Planning Commission
Regular Monthly Meeting
February 1, 2021

Call to Order: The meeting was called to order at 7:00 pm by Chairman, T. Guyer

Roll Call: In attendance were: T. Guyer, T. Ludwig, R. Kurkechian, L. Larkin, C. Paavola, Howard Welsh.

Audience Present: 4 guests.

Agenda Approval: T. Guyer indicated he is adding the Fireworks Ordinance under Unfinished Business to the agenda. T. Ludwig motioned to approve the agenda. L. Larkin seconded. All ayes; agenda approved.

Approval of Minutes (January 4, 2021) L. Larkin moved to approve minutes with corrections. H. Walsh seconded. All ayes; minutes approved.

Comments from the Audience: (Three minutes per audience member) Not pertaining to the Public Hearing. N/A

Correspondence: T. Guyer received K. Compeau letter. The letter will be addressed in the Public Hearing section of this meeting.

Reports:

Township Board of Trustees (C. Paavola) Report submitted. C. Paavola gave a brief synopsis of January activities of the Board of Trustees. She indicated the Presque Isle Township Museum Society was signed and will be on their website soon. The BOT also approved Omega to get the electric panel to the top of the 1870 lighthouse tower for NOAA weather. Overview of request, S. Lang
(Please see attached report).

ZBA Liaison (R. Kurkechian). Report submitted. R. Kurkechian gave a brief synopsis of January ZBA activities. The ZBA will continue 7:00 pm meetings on May 4, July 6 and September 7, 2021. Also the ZBA Chair did a review of the hearing appeals for 2020. Lessons learned and what may need improvement.

Zoning Administrator: (S. Lang) S. Lang gave a brief synopsis of January activity indicating it was a little slow but has been working on a Public Hearing March 2, 2021 for a resident on White Ash Street. He only approved one permit in January.

Public Hearing Started

Public Hearing Procedure:

1. Overview of request by S. Lang, Zoning Administrator
2. Resident to present information
3. Close Meeting for deliberations.

Dege Public Hearing:

S. Lang presented the request for David Dege to build a 40' x 50' pole barn which exceeds the 30' x 40' maximum size per the Presque Isle Township Zoning Ordinance. Letters were sent to residents within a 300' range of the Dege property and the Public Hearing Meeting was published in the Alpena News.

D. Dege presented his request and referenced the drawing of the proposed pole barn. He indicated the building will be used for storage of his boats, RV, tractor, etc to improve the look of the area. Will use bin blocks to avoid erosion at the street and gravel around the pole barn. It will be sided with metal and have a metal roof in colors of gray and red to match his home. Mr. Dege claimed he will not use the pole barn for any business, but to work on his own belongings. As far as noise, he has a compressor which he runs as necessary.

Comments from Audience: Mr. Kirk Compeau, 5247 Bay Shore Drive sent a letter to the Planning Commission indicating his concerns. All PC members received the letter and it is attached to the minutes. Mr. Compeau participated in the ZOOM meeting from Oklahoma and voiced his concern over the proposed pole barn regarding the aesthetics of the neighborhood, size of the pole barn compared to the lot size and the adverse effects to his property value.

Mr. Kirk Barkel of 17230 Bay Shore Drive, also joined the ZOOM meeting and concurred with Mr. Compeau's comments about noise, possible diesel fumes, the size of the structure compared to the lot size and the degradation of neighboring property values. After many questions and replies from Mr. Dege and hearing the objections from two neighboring residents, the Planning Commission began Deliberations.

Correspondence: K. Compeau letter of objection and concern written and voiced at the Zoom meeting.

Comments: K. Compeau and K. Barkel voiced their concerns at the Zoom February 1, 2021 meeting.

Dege Public Hearing Closed.

T. Guyer closed the public hearing. Deliberations: T. Guyer asked for the initial reaction of the Planning Commission members. Following comments from each commission member, the Planning Commission began deliberations on the proposed site plan to build a 40' x 50' pole barn structure in the residential neighborhood. Findings of Fact were completed.

H. Welsh motioned to deny the request for the Dege 40' x 50' pole barn. C. Paavola seconded the motion. Roll call: All ayes to deny. Motion approved.

Kendziorski Rezoning Public Hearing

Public Hearing Procedure:

1. Overview of request by S. Lang, Zoning Administrator
2. Resident to present information
3. Close Public Hearing for deliberations.

S. Lang presented the request for rezoning for a 5,800 sq. ft. office and workshop building to be constructed on Quarry View Road, which is an R-1 zoned road. This road is off E. Grand Lake Road and will not be seen from E. Grand Lake Road. The only other business on this road is a landscaping company. This is a zoning change only from R1 to C1. This request was published in the newspaper and letters were sent to residents within 300'.

The resident was not on the ZOOM Meeting and is a well-known and valued builder in the area. Questions were directed to S. Lang. R. Kurkechian requested to be recused from vote. T. Guyer accepted the recusal.

Correspondence: None

Public Comments: No one

Kendziorski Public Hearing Closed.

T. Guyer closed the Public Hearing. T. Guyer asked for initial reactions from the Planning Commission members. After a discussion and thorough analysis of the zoning request and other comments from the Planning Commission were voiced and considered. Quarry View Road (the old Dump Road) is an excellent place for a C1 zoning which follows the Presque Isle Township Zoning Master Plan.

H. Welsh motioned to approve the zoning request from R1 to C1. T. Ludwig seconded. Five ayes, 1 recused. Motion approved.

New Business: Commercial Building Facility. Initial response to the Commercial Event Facility ordinance was good but a little restrictive on parking. After further discussion, H. Welsh motioned to approve the Commercial Event Facility Ordinance as written. T. Ludwig seconded. Roll call Vote: All ayes; motion passed.

Public Hearing Notice to be sent 15 days prior to March 1, 2021 PC Meeting. Voices will be heard at the public hearing.

Unfinished Business:

Short Term Rentals: Public Hearing on February 22, 21 at 6:00 p.m. H. Walsh commented the Noise Ordinance will assist in the short-term rental issues.

Fireworks Ordinance: R. Nowak from the Presque Isle Fire Department indicated the unanimously opposed to the ordinance. The question is, "Who will enforce the ordinance?" It was discussed if we don't have an ordinance, we don't have any rules at all. Review Alpena Fireworks Ordinance again. Options are: Adopt Alpena Fireworks Ordinance, nothing, or something in between. Take up at next Planning Commission Meeting on 3/1/21..

Adjournment: Tom Guyer adjourned the meeting at 8:20 p.m.

Meeting Reminder: The Planning Commission will meet again on March 1, 2021 at 7:00 pm

Respectfully submitted, Bev Huard, Administrative Assistant

**PRESQUE ISLE TOWNSHIP
APPLICATION FOR:**

<u>Check One</u>	<u>Cost</u>
<input type="checkbox"/> Rezoning	\$250.00
<input checked="" type="checkbox"/> Site Plan Review	\$50.00 Simple - At cost if professional service needed
<input type="checkbox"/> Planned Unit Development	\$100.00 app. - \$200.00 Prelim Review - \$200.00 Final
<input type="checkbox"/> Special Use Permit	\$25.00
<input type="checkbox"/> Variance & Appeals	\$800.00 - Special Variance Meeting (Outside a Quarterly Meeting) \$150.00 quarterly meeting (Any additional professional fees to be paid by the applicant)
<input type="checkbox"/> Lot Split	See Lot Split Division Form

Applicant:

Name David Dege
Address 5261 Bay Shore Dr. Presque Isle Mi. 49777
Phone 989-595-3888
Owner:

Name David Dege
Address 5261 Bay Shore Dr. Presque Isle Mi. 49777
Phone 989-595-3888
Property:

Address 5261 Bay Shore Dr. Presque Isle Mi. 49777
Location From Back of house to Rd.
Parcel # 4

Current Zoning District R 2

Requested Zoning 40 x 50 pole Barn

Property Size 235.90' x 80' x 273.73' x 88.5'

Legal Description North Bay Shores Lot #4

I hereby grant permission for members of the Presque Isle Township (Planning Commission), (Board of Appeals), (Township Board) to enter above described property for the purpose of gathering information related to this application. (This is optional and will not affect any decisions on your application).

David M. Dege
Signature

11/14/2021
Date

NOTE: Fees cover Publications, Mailings, Legal Costs and Committee Costs.

VARIANCE

PLEASE NOTE: ALL QUESTIONS MUST BE ANSWERED COMPLETELY. IF ADDITIONAL SPACE IS NEEDED, NUMBER AND ATTACH ADDITIONAL SHEETS. THE TOTAL NUMBER OF SHEETS IS: _____.

A PREVIOUS APPLICATION HAS HAS NOT (CIRCLE ONE) BEEN MADE WITH RESPECT TO THESE PREMISES IN THE LAST 1 YEARS. (IF A PREVIOUS APPEAL, REZONING OR SPECIAL USE PERMIT APPLICATION HAS BEEN MADE, STATE THE DATE, NATURE OF ACTION REQUESTED AND THE DECISION) DATE: _____ ACTION REQUESTED: _____

DECISION: APPROVED _____ DENIED _____.

I. PROPERTY INFORMATION:

A. LIST ALL DEED RESTRICTIONS, ATTACH ADDITIONAL SHEETS IF NECESSARY

None

B. NAMES AND ADDRESSES OF ALL OTHER PERSONS, FIRMS OR CORPORATIONS HAVING A LEGAL OR EQUITABLE INTEREST IN THE LAND:

Mary E. Dege

C. PRESENT USE OF PROPERTY: Home

D. PROPOSED USE OF THE PROPERTY, PROVIDE A DETAILED STATEMENT AS TO HOW THE PROPERTY WILL BE USED. INCLUDE WHO WILL USE THE PROPERTY, FOR WHAT PURPOSE, HOURS OF OPERATION, INDOOR AND OUTDOOR ACTIVITIES, PARKING NEEDS.

E. ATTACH A SITE PLAN, DRAWN TO THE SCALE SPECIFIED AND ALL OTHER INFORMATION REQUIRED BY ARTICLE 17 SECTIONS 17.3 OF THE PRESQUE ISLE TOWNSHIP ZONING ORDINANCE. (Copy attached for your reference). The site plan must be complete for your application to be considered.

F. PROVIDE A WRITTEN DETAILED STATEMENT OF THE IMPROVEMENTS TO BE PLACED ON THE PROPERTY. INCLUDE SUCH DETAILS AS THE MATERIALS TO BE USED, THE NAME OF THE CONTRACTOR, SIGNAGE, PARKING, LANDSCAPING, UTILITIES, SEPTIC (SIZE & LOCATION) DRAINAGE, GRADING OF THE SITE, FIRE SUPPRESSION PLANS AND COLOR SCHEME.

G. ESTIMATED DATE CONSTRUCTION WILL BEGIN: 5-1-2021

H. ESTIMATED COMPLETION DATE OF CONSTRUCTION: 11-1-2021

I. NEEDED SERVICES, INDICATE THE SERVICES NEEDED FOR THIS USE SUCH AS FIRE SUPPRESSION, GARBAGE PICK-UP, POLICE.

J. STATE THE VARIANCE NEEDED:

None

K. STATEMENT OF JUSTIFICATION FOR REQUESTED ACTION:

II. STATE SPECIFICALLY THE REASONS WHY THIS VARIANCE REQUEST SHOULD BE APPROVED:

III. IMPACTS ON ADJACENT PROPERTIES AND THE NEIGHBORHOOD:

1. WHAT IMPACTS ON ADJACENT PROPERTY ARE ANTICIPATED? _____

The building will be seen by the neighbors, but will provide storage for many items that are now stored outside

2. WHAT STEPS WILL BE TAKEN TO MITIGATE ANY NEGATIVE IMPACTS? _____

The aesthetics of the outside of the building will coincide with the existing home. There will be concrete barriers on 3 sides for erosion control.

3. WILL THE PROPOSED USE ADVERSELY AFFECT THE HEALTH, SAFETY OR ENJOYMENT OF PROPERTY OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD? _____

No

4. WILL THE PROPOSED USE BE DETRIMENTAL TO THE PUBLIC WELFARE OR INJURIOUS TO PROPERTY OR IMPROVEMENTS IN THE NEIGHBORHOOD? _____

No

IV. AFFIDAVIT:

THE UNDERSIGNED AFFIRMS THAT HE/SHE OR WE IS/ARE THE OWNER OF THE PROPERTY INVOLVED IN THE APPLICATION AND THAT IF THIS REQUEST IS GRANTED, THAT IN ACCORDANCE WITH THE PRESQUE ISLE TOWNSHIP ZONING ORDINANCE, ACTUAL CONSTRUCTION IN ACCORDANCE WITH THE PLANS HEREWITH SUBMITTED WILL BE BEGUN WITHIN SIX (6) MONTHS FROM THE DATE OF THE GRANTING OF THE SPECIAL USE PERMIT AND WILL BE COMPLETED WITHIN EIGHTEEN (18) MONTHS FROM SAID DATE. THAT I OR WE, AM (ARE) ABLE FROM A LEGAL, FINANCIAL AND PHYSICAL BASIS TO DO/SAY; AND THAT THE ANSWERS AND STATEMENTS HEREIN CONTAINED AND THE INFORMATION HEREWITH SUBMITTED ARE IN ALL RESPECTS TRUE AND CORRECT TO THE BEST OF HIS/HER OR OUR KNOWLEDGE AND BELIEF.

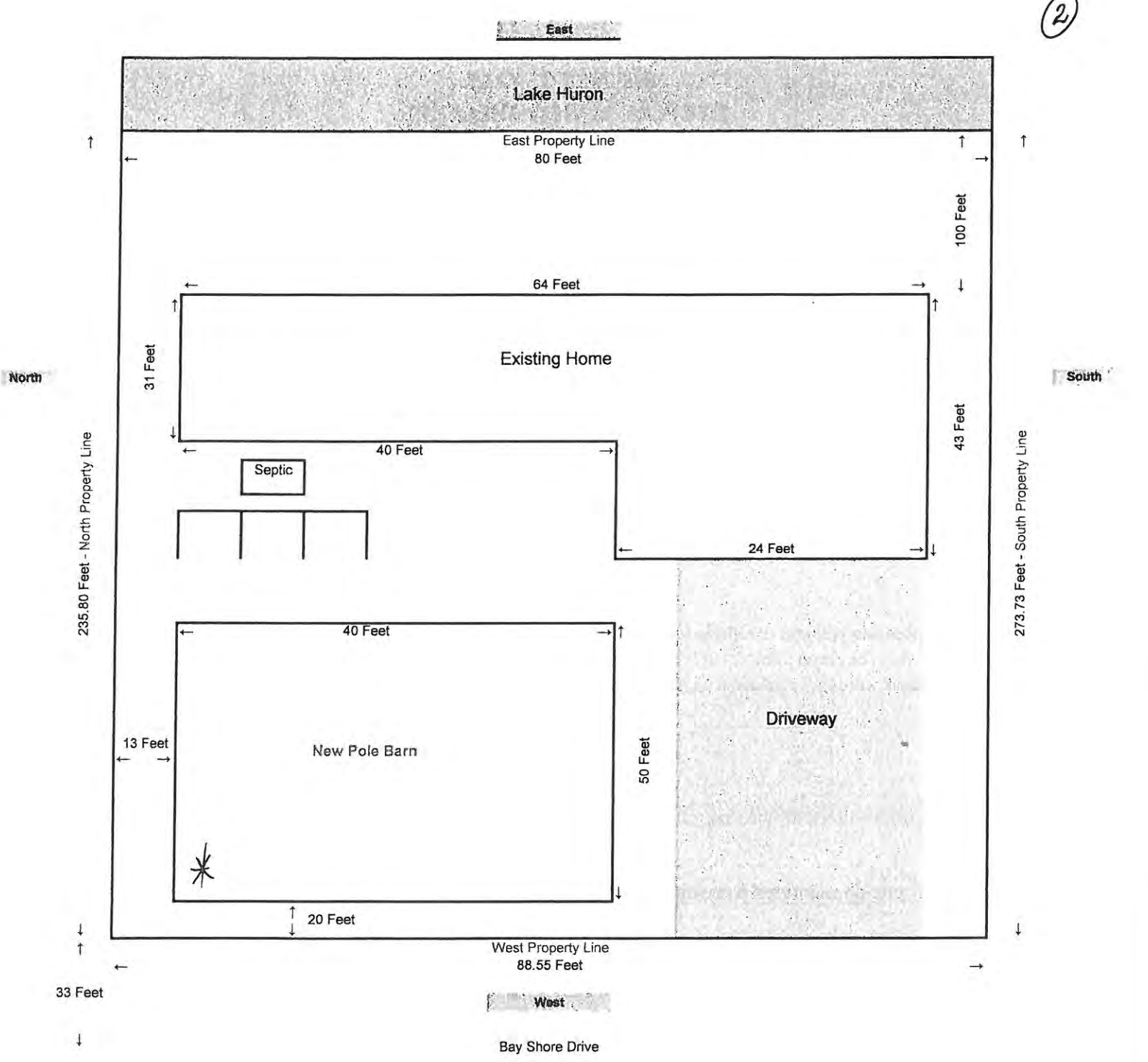
APPLICANTS SIGNATURE(S) _____

Dawn M. Depl

Mary E. Depl

DATE: _____

1-14-2021



Notes: Drawing is not to scale
Driveway in green
Center line of Bay Shore Drive to property line, 33 feet
Peak of existing home is 16 feet 6" tall

Dave Dege
5261 Bay Shore Dr
Presque Isle Mi.

* Better drawing to scale to be sent before meeting.

**PRESQUE ISLE TOWNSHIP
APPLICATION FOR:**

Check One

Cost

<input checked="" type="checkbox"/> Rezoning	\$250.00
<input type="checkbox"/> Site Plan Review	\$50.00 Simple - At cost if professional service needed
<input type="checkbox"/> Planned Unit Development	\$100.00 app. - \$200.00 Prelim Review - \$200.00 Final
<input type="checkbox"/> Special Use Permit	\$25.00
<input type="checkbox"/> Variance & Appeals	\$800.00 - Special Variance Meeting (Outside a Quarterly Meeting) <input checked="" type="checkbox"/> \$150.00 quarterly meeting (Any additional professional fees to be paid by the applicant)
<input type="checkbox"/> Lot Split	See Lot Split Division Form

Applicant:

Name MICHAEL (MIKE) KENDZIORSKI

Address 18037 GRAND LAKE BLVD

Phone 595-3233

Owner:

Name TIM WIECZORKOWSKI

Address 6616 Black Bass Bay RD

Phone 595-3198

Property:

Address DUMP RD

Location Dump RD

Parcel # 120-004-000-012-02

Current Zoning District R-1

Requested Zoning C-1

Property Size 375' X 325'

Legal Description ATTACHED

I hereby grant permission for members of the Presque Isle Township (Planning Commission), (Board of Appeals), (Township Board) to enter above described property for the purpose of gathering information related to this application. (This is optional and will not affect any decisions on your application)

Signature [Signature]

Date 1, 20, 21

NOTE: Fees cover Publications, Mailings, Legal Costs and Committee Costs.

VARIANCE

PLEASE NOTE: ALL QUESTIONS MUST BE ANSWERED COMPLETELY. IF ADDITIONAL SPACE IS NEEDED, NUMBER AND ATTACH ADDITIONAL SHEETS. THE TOTAL NUMBER OF SHEETS IS: _____.

A PREVIOUS APPLICATION HAS HAS NOT (CIRCLE ONE) BEEN MADE WITH RESPECT TO THESE PREMISES IN THE LAST _____ YEARS. (IF A PREVIOUS APPEAL, REZONING OR SPECIAL USE PERMIT APPLICATION HAS BEEN MADE, STATE THE DATE, NATURE OF ACTION REQUESTED AND THE DECISION) DATE: _____ ACTION REQUESTED: _____

DECISION: APPROVED _____ DENIED _____.

I. PROPERTY INFORMATION:

A. LIST ALL DEED RESTRICTIONS, ATTACH ADDITIONAL SHEETS IF NECESSARY

None

B. NAMES AND ADDRESSES OF ALL OTHER PERSONS, FIRMS OR CORPORATIONS HAVING A LEGAL OR EQUITABLE INTEREST IN THE LAND:

SEE 1st PAGE

C. PRESENT USE OF PROPERTY: R-1

D. PROPOSED USE OF THE PROPERTY, PROVIDE A DETAILED STATEMENT AS TO HOW THE PROPERTY WILL BE USED. INCLUDE WHO WILL USE THE PROPERTY, FOR WHAT PURPOSE, HOURS OF OPERATION, INDOOR AND OUTDOOR ACTIVITIES, PARKING NEEDS.

E. ATTACH A SITE PLAN, DRAWN TO THE SCALE SPECIFIED AND ALL OTHER INFORMATION REQUIRED BY ARTICLE 17 SECTIONS 17.3 OF THE PRESQUE ISLE TOWNSHIP ZONING ORDINANCE. (Copy attached for your reference). The site plan must be complete for your application to be considered.

F. PROVIDE A WRITTEN DETAILED STATEMENT OF THE IMPROVEMENTS TO BE PLACED ON THE PROPERTY. INCLUDE SUCH DETAILS AS THE MATERIALS TO BE USED, THE NAME OF THE CONTRACTOR, SIGNAGE, PARKING, LANDSCAPING, UTILITIES, SEPTIC (SIZE & LOCATION) DRAINAGE, GRADING OF THE SITE, FIRE SUPPRESSION PLANS AND COLOR SCHEME.

G. ESTIMATED DATE CONSTRUCTION WILL BEGIN: ASAP

H. ESTIMATED COMPLETION DATE OF CONSTRUCTION: ASAP

I. NEEDED SERVICES, INDICATE THE SERVICES NEEDED FOR THIS USE SUCH AS FIRE SUPPRESSION, GARBAGE PICK-UP, POLICE.

J. STATE THE VARIANCE NEEDED:

zoning change from R-1 to C1

K. STATEMENT OF JUSTIFICATION FOR REQUESTED ACTION:

II. STATE SPECIFICALLY THE REASONS WHY THIS VARIANCE REQUEST SHOULD BE APPROVED:

III. IMPACTS ON ADJACENT PROPERTIES AND THE NEIGHBORHOOD:

1. WHAT IMPACTS ON ADJACENT PROPERTY ARE ANTICIPATED? none

2. WHAT STEPS WILL BE TAKEN TO MITIGATE ANY NEGATIVE IMPACTS? N/A

3. WILL THE PROPOSED USE ADVERSELY AFFECT THE HEALTH, SAFETY OR ENJOYMENT OF PROPERTY OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD? NO

4. WILL THE PROPOSED USE BE DETRIMENTAL TO THE PUBLIC WELFARE OR INJURIOUS TO PROPERTY OR IMPROVEMENTS IN THE NEIGHBORHOOD? N/A

IV. AFFIDAVIT:

THE UNDERSIGNED AFFIRMS THAT HE/SHE OR WE IS/ARE THE OWNER OF THE PROPERTY INVOLVED IN THE APPLICATION AND THAT IF THIS REQUEST IS GRANTED, THAT IN ACCORDANCE WITH THE PRESQUE ISLE TOWNSHIP ZONING ORDINANCE, ACTUAL CONSTRUCTION IN ACCORDANCE WITH THE PLANS HEREWITH SUBMITTED WILL BE BEGUN WITHIN SIX (6) MONTHS FROM THE DATE OF THE GRANTING OF THE SPECIAL USE PERMIT AND WILL BE COMPLETED WITHIN EIGHTEEN (18) MONTHS FROM SAID DATE. THAT I OR WE, AM (ARE) ABLE FROM A LEGAL, FINANCIAL AND PHYSICAL BASIS TO DO/SAY; AND THAT THE ANSWERS AND STATEMENTS HEREIN CONTAINED AND THE INFORMATION HEREWITH SUBMITTED ARE IN ALL RESPECTS TRUE AND CORRECT TO THE BEST OF HIS/HER OR OUR KNOWLEDGE AND BELIEF.

APPLICANTS SIGNATURE(S) _____

M. L. Kim

DATE: _____

1/20/21

Report to the Planning Commission from the Township Board

Cynthia Paavola

January 11, 2021

The Presque Isle Museum Society met with some township members about the contract between the Township and the Museum Society. They will present the revised contract soon.

Our Web Site is still in the process of getting on line very soon. This has been a process.

The Township as approved Omega to get GFCI outlet dedicated 120 volt. 20 amp circuit from electric panel to NOAA weather equipment on top of the 1870 tower.

The PITWPFDD will be acquiring a new to them watercraft and trailer.

We are getting our own license for Zoom meetings that will show reports for review on screen.

This concludes my report.

 Cynthia Paavola Liaison to PC

Commercial Event Facility: A location where events are held including, but not limited to, weddings, parties, meetings, family reunions, and corporate events. The event locations can include, but not be limited to, tents, gazebos, barns, open areas, and residential structures as well as other structures specifically designed to host events. Events for which the owner or operator of the venue receives no fee or other remuneration in connection with the event and no fees are charged to attendees shall not be considered commercial events.

Commercial Event Facilities

(Example is from West Traverse Township in Emmet County)

- A. Restaurants with banquet facilities where commercial event facilities are accessory to the restaurant shall not be subject to this Section.
- B. **Parking.** No vehicles associated with the event shall be permitted to be parked on public roadways. All vehicle parking shall be maintained "on site." "On site" is defined as at least one hundred (100) feet from the property boundaries of the parcel on which the event is permitted. Adequate parking shall be provided for the guests of the event and those employed in support of the event. At a minimum, at least one (1) parking space for every four (4) persons attending the event shall be provided for on-site parking. The Planning Commission is authorized to take into account, to the extent it deems practicable, the joint use of parking spaces that may exist for a golf course, public restaurant or other operations on the property during the time of events. The Planning Commission may approve, in its discretion, the use of off-site parking as an alternative with transportation provided to the site by attendees through a commercial transportation service.
- C. **Minimum Size of Parcel.** Commercial Event Facilities shall only be located on parcels which are at least twenty (20) acres in size.
- D. **Setbacks.** The general event area (the actual location(s) in which the gathering is to occur) shall be located three hundred (300) feet from adjacent owners' property lines. All activities associated with the use are to be included within the general event area, the only exception being the parking as allowed by Subsection B above.
- E. **Hours of Operation.** Year-round operations may be authorized. Events shall commence no earlier than 10 AM and shall terminate no later than 10 PM. However, the Planning Commission shall have the power to modify the commencement and termination times for a particular site based upon the specifics of the application. For purposes of this Section, "termination" shall mean the termination of food, drinks, service and entertainment, with the understanding that attendees and servers will need a reasonable amount of time after termination to exit the premises.
- F. **Amplified Sound.** Outdoor speakers, outdoor public address systems, or similar sound devices shall not be operated without written consent of the Planning Commission as part of site plan review. The Planning Commission shall determine that no public nuisance will be established. Sources of amplified sound, including but not limited to recorded music, live musical performances, and spoken word, shall commence no earlier than 12:00 PM, shall be terminated by 10:00 PM. Enclosed buildings, tents, pavilions and other open/non-enclosed structures shall be considered an acceptable location for the source of amplified sound as referenced in this Section. Strict consideration shall be afforded to the maintenance of ambient outdoor noise levels at the property boundaries. Sources of amplified sound

(such as speakers) shall be located no less than one thousand (1,000) feet from the property boundary.

- G. **Overnight Accommodations.** No overnight accommodations shall be provided in temporary structures such as tents or recreational vehicles. Any Commercial Event Facility which provides overnight accommodations must comply with all applicable codes and laws related to the provision of said accommodations.
- H. **Capacity.** The number of persons allowed at each proposed Commercial Event Facility shall be compatible with the proposed facilities and infrastructure for each site.
- I. **Sanitary Facilities.** Adequate permanent and/or temporary sanitary restroom facilities shall be provided on site, and the type and location of such facilities shall be subject to the approval of the Planning Commission and the Health Department of Northwest Michigan.
- J. **Number of Events.** The Planning Commission may limit the number of events allowed per year.
- K. **Ingress/Egress.** The site of the Commercial Event Facility shall have at least two (2) means of egress, at least one (1) of which is adequate for emergency vehicles, as determined by the Planning Commission in consultation with emergency responders and the Emmet County Road Commission, based on its width, length, surface and ability to support the gross vehicle axle weight of emergency vehicles.
- L. **Buffers.** The Planning Commission may require appropriate buffers between the Commercial Event Facility and adjoining properties given the size of parcel, the natural topography, and vegetative cover.
- M. **Outdoor Seating.** Seating for events may occur outdoors, under a fabric structure temporarily constructed on the property, or in an event barn or other structure.
- N. **Submittal Requirements.**
 - 1. In addition to the requirements in **Section 504**, the site plan must show the area of event, parking, temporary structures, and sanitary restroom facilities.
 - 2. **Event Management Plan.** An event management plan shall be prepared and submitted to the Planning Commission for review and approval. The plan shall include provisions for traffic and parking management, hours of operation, noise abatement, sanitary restroom facilities and maximum number of guests. The plan shall also include a list of contacts for emergency situations.
 - a. Hours of operation must include setup and takedown times.
 - b. The event plan must provide expected maximum number of persons intended to use the property at one time and collectively, including organizers, employees, vendors, exhibitors and spectators/participants.
 - c. The event plan must provide the expected number of automobiles and other vehicles intended to use the property at one time and collectively.

- d. The event plan must provide certification that the property where the event is to take place is not subject to any covenant or restriction limiting its use, or if the use is restricted by easement or otherwise, a copy of a survey or diagram depicting the easement area and any reserved area where development rights are intact.

If a change to the approved event management plan is requested by the applicant at any time after the approval of the special use permit, a new special use permit process shall be required.

- O. The Planning Commission may grant a deviation from any of the Subsections A through M above upon the following findings:

1. Granting the deviation will not cause a substantially adverse effect on neighboring properties and will not produce nuisance conditions to occupants of nearby properties.
2. Granting the deviation will not otherwise impair the public health, safety and general welfare of the residents.
3. Granting the deviation will uphold the spirit and intent of this Ordinance.

A request for deviation shall be considered as part of the special use permit process. The need/reason for the deviation shall be provided, in writing, by the applicant. If a deviation is requested at a later date, a new special use permit process shall be required.



Presque Isle Township Planning Commission
Special Meeting – Short Term Rental Ordinance and
Article 4 review with Denise Cline
February 22, 2021
OPEN MEETING/PUBLIC HEARING

Call to Order: The meeting was called to order at 7:00 pm by Chairman, T. Guyer

Roll Call: In attendance were: T. Guyer, T. Ludwig, R. Kurkechian, L. Larkin, C. Paavola, Howard Welsh and NEMCOG guest, Denise Cline

Audience Present: 11 guests.

Agenda Approval: L. Larkin motioned to approve the Agenda. H. Welsh seconded the motion. All ayes; motion passed. T. Ludwig motioned to approve the agenda. L. Larkin seconded. All ayes; agenda approved.

Approval of Minutes: N/A

Comments from the Audience: (Three minutes per audience member) Not pertaining to the Public Hearing. N/A

Correspondence: T. Guyer received Dr. Dombroski letter. The letter will be addressed in the Public Hearing section of this meeting.

Public Hearing Started

Public Hearing Procedure:

1. Overview of request
2. Present information
3. Close Meeting for deliberations.

Short-Term Rental Ordinance Public Hearing:

T. Guyer opened the public hearing at 6:10 pm and presented why a Short-Term Rental Ordinance was created. A Short-Term Rental Subcommittee was formed to resolve the complaints of residents living in proximity to the rentals and to address the issues. There are three options for the subcommittee to consider: 1. Do Nothing, 2. Ban Outright and 3. Take middle ground/regulate. This Public Hearing Meeting was published in the February 5, 2021 edition of the Alpena News.

Open Hearing for Public Comments:

Comments from Audience:

J. Schefke, 17689 Grand Lake Blvd., Presque Isle. Commented a few of the rules are extreme in the ordinance. For example, the seven-day occupancy rule.

Gayle Bruski, 125 Channel Road, #2, Alpena, MI 49707. Ms. Bruski had lengthy comments, as she has a rental property and feels the ordinance is restrictive on the number of occupants for their rentals. She also discussed citation issues, investments on property, and the 45 min response time is too restrictive for rental home owners to reply to violations or problems at the rental, etc.

Doug Bruski, 125 Channel Road, #2, Alpena, MI 49707. Mr. Bruski concurs with the above comments and he thanked the Township for what they are doing to address the issues.

John Burtch, 10189 Golden Trail, Ocqueoc, MI. Commented he doesn't live in the Township but has appeared before boards with rental property. He feels the ordinance is a liberal draft. He feels short-term rentals are going to get worse in the future.

Stephen Bagne, Clark Hill Law Firm, 151 S. Old Woodward, Avenue, Birmingham, MI 48009 representing Dr. Dombroski at 24662 US 23 S, Presque Isle, MI 49777. Mr. Bagne voiced concerns on behalf of Dr. Dombroski and suggested a 14 – day minimum stay for rentals. He indicated there is a big difference between a 5 – 6 guys gathering for a weekend event than a family rental for a longer period of time. He pointed out some vague statements in the ordinance draft need to be made clear i.e. special events. There shouldn't be any parties at all. He offered other restrictions for the draft and his suggestions will be considered.

Dr. Jeff Dombroski, 24662 U.S. 23 S, Presque Isle, MI 49777. He stated he was troubled by the lack of compassion for the families of Presque Isle Township. He is glad for the regulations; however, would like an outright ban altogether. He has four to six units next door to him and wants to protect his family, himself and the value of his home.

Kirk Barkel, 17230 Bay View Drive, Presque Isle, MI 49777. He agrees with the Dombroski letter. He commented on the excessive trash in the township's recycling center due to short-term rentals and agreed events should not occur at the property of the short-term rental. He also supports banning the short-term rentals.

B. Rapson, 9325 Blue Horizon Road, Presque Isle, MI 49777. She commented she appreciates the work the subcommittee has done. She asked, "How can residential-zoned property have a business rental?"

S. Potts, 9345 Blue Horizon Road, Presque Isle, MI 49777. She stated she is a member of the subcommittee but supports a total ban of short-term rentals. She is next door to one and experiences, loud parties, new people every two to three days, disruption, noise, and strangers near her property. S. Potts commented this issue needs to be addressed now.

W. Moulds, 14253 Orchard Point Road, Presque Isle, MI 49777. He owns a cottage next to his home and rents by the week. Has rented this for 30 years and never had a problem.

Public Hearing Closed.

T. Guyer closed the public hearing. Deliberations: T. Guyer asked for the initial reaction from Planning Commission members. Following comments from each commission member, the Planning Commission began deliberations on the proposed Short-Term Rental Ordinance and the restrictions therein. Consensus to regulate not ban. Consensus only two persons per bedroom in rental and rent for seven (7) days only and quiet times 11:00 a.m. to 8:00 a.m.. Findings of Fact were completed.

L. Larkin motioned to approve the Short-Term Rental Ordinance as corrected with final two occupants per bedroom in the rental and quiet hours 11:00 pm to 7:00 a.m. R. Kurkechian seconded the motion. Roll call vote: 5 ayes, 1 nay. Motion approved.

Article #4 – District Regulations with Denise Cline from NEMCOG

More review was conducted by Denise Cline and Article #4 has been reviewed and changes made up to page 4-15. A special Meeting is scheduled for March 15, 2021 at 6:00 pm to 8:00 pm to complete Article #4 - District Regulations.

Adjournment: Tom Guyer adjourned the meeting at 8:25 p.m.

Meeting Reminder: The Planning Commission will meet again on March 1, 2021 at 7:00 pm

Respectfully submitted, Bev Huard, Administrative Assistant



Presque Isle Township Planning Commission
Regular Monthly Meeting
March 1, 2021

Call to Order: The meeting was called to order at 7:00 pm by Chairman, T. Guyer

Roll Call: In attendance were: T. Guyer, T. Ludwig, R. Kurkechian, L. Larkin, C. Paavola, Howard Welsh.

Audience Present: 3 guests.

Agenda Approval: T. Guyer indicated he is adding Short-Term Rental Ordinance to the agenda. L. Larkin motioned to approve the agenda. C. Paavola seconded. All ayes; agenda approved.

Approval of Minutes (February 1, 2021) C. Paavola moved to approve minutes as written. H. Walsh seconded. All ayes; minutes approved.

Correspondence: T. Guyer received an e-mail from David & Annette Henze voicing their concern about the oversized nature of the Dege pole barn. This issue was addressed at the February 1, 2021 meeting. The Dege pole barn was not passed. The letter is moot.

Reports:

Township Board of Trustees (C. Paavola) Report submitted. C. Paavola gave a brief synopsis of February activities of the Board of Trustees. The Board of Trustees approved the rezoning of 18037 Dump Lake Road from R-1 to C-1 and indicated the agreement between Presque Isle Township and the Presque Isle Museum Society has been signed effective February 8, 2021. (Please see attached report).

ZBA Liaison (R. Kurkechian). No meeting – no report.

Zoning Administrator: (S. Lang) S. Lang gave a brief synopsis of February activity indicating he has been working on a ZBA Public Hearing for March 2, 2021 for a resident on White Ash Street. Tom Sobeck, President & CEO, from PIE & G will be attending the March 8, 2021 Board of Trustee Meeting to discuss fiber optic lines for internet service in Presque Isle Township. S. Lang also mentioned Tim Maylone isn't doing more work in Presque Isle Twp. He received a \$5,000,000. Grant from the State of Michigan and is putting in internet connection in Cheboygan. R. Kurkechian stated Cherry Capital is continuing wireless service to the PIHA clubhouse. T. Guyer stated Cherry Capital is providing wireless service to the PIHA clubhouse and LaFarge, but not to any residence.

New Business: N/A

Unfinished Business:

Short Term Rentals: D. Cline's correspondence mentioned short-term rentals have been stalled in other townships. T. Guyer responded the Short-Term Rental Ordinance will not be sent to the Board of Trustees until Presque Isle Township's attorney, T. Gulden, reviews and sends his remarks to the Planning Commission.

Fireworks Ordinance: The question remains on the Fireworks Ordinance – who will enforce it? The Fire Department doesn't want to enforce and the State no longer regulates fireworks. T. Guyer questioned if S. Lang, Zoning Administrator, could enforce? S. Lang said he would, but if he runs into trouble would have to contact the Sheriff's Department and the violation would be \$1,000. If fireworks are within the state limits of Class C fireworks and set off on the specified holidays – should be OK. After much discussion, the commission concurred the Fireworks Ordinance is a good thing and much better controlled than nothing. H. Welsh motioned to approve the Fireworks Ordinance. T. Ludwig seconded the motion. Roll call vote: All ayes; motion approved.

A Public Hearing Notice will be sent 15 days prior to the April 5, 2021 Planning Commission Meeting on both the Fireworks Ordinance and Facilities Event Ordinance. Comments will be heard at the public hearing on April 5, 2021.

Comments from the Audience: (three minute limit) An audience member commented she only sees photos on the new website and no information. She will be instructed how to view the Presque Isle Township's new website.

Adjournment: Tom Guyer adjourned the meeting at 7:50 p.m.

Meeting Reminder: The Planning Commission will meet again on April 5, 2021 at 7:00 pm

Respectfully submitted, Bev Huard, Administrative Assistant



Presque Isle Township Planning Commission
April 5, 2021
PUBLIC HEARING

Call to Order: The meeting was called to order at 7:00 pm by Chairman, T. Guyer

Roll Call: In attendance were: T. Guyer, T. Ludwig, R. Kurkechian, L. Larkin, C. Paavola, and Howard Welsh. S. Lang was absent due to illness.

Audience Present: 6 guests.

Agenda Approval: C. Paavola motioned to approve the Agenda. T. Ludwig seconded the motion. All ayes; motion passed

Approval of Minutes: (February, 22, 2021, March 1, 2021 & March 15, 2021) R. Kurkechian motioned to approve all the minutes as written. L. Larkin seconded the motion. Roll call vote: All Ayes; motion carried.

Comments from the Audience: Mr. Bruski commented we are already in the summer renting season. Reservations and deposits are being received for 2021. He felt the draft of the short-term rental ordinance was too restrictive and would like to attend another public hearing when all the residents are back from their winter homes. T. Guyer said when the ordinance gets back to the Board of Trustees for a vote, a Public Hearing will be scheduled so residents can voice their concerns. A notice will be in the papers, see the website www.presqueisletwp.org and/or the LED sign in front of the Township Hall for meeting details.

No further comments from anyone else in the audience.

Correspondence: None

****The internet connection provided by Charter was lost for three residents participating in the meeting by ZOOM technology.**** The balance of the Planning Commission Meeting will be discussed at the next Planning Commission Meeting on May 3, 2021.****

Public Hearing Opened

Public Hearing Procedure:

1. Overview of request
2. Present information
3. Close Meeting for deliberations.

S. Ison Request

- T. Guyer opened the public hearing at 7:08 p.m. and presented the Ison request to build a 1,350 square foot pole barn on his property on Grand Lake, which is in violation of the Presque Isle Township Zoning Ordinance.
- S. Ison indicated he has a pilot's license and requests to build a 30' x 45' pole barn on his property to house an airplane, which he plans to purchase in the future. The aircraft hangar door is 10' x 40' so he needs the extra footage to frame in the door.
- A discussion was held about the noise of the airplane starting up and going out to the lake. S. Ison said his plane won't have a large engine like a Cessna that has 160 horsepower engine. His plane will be a 100 horsepower engine and won't be noisy and he doesn't have a neighbor on either side of his property. As requested by the Board, he will try and have the decibels measured on the engine 50' away from the boat once it is purchased.
- S. Ison was told he cannot build a pole barn on his property unless there is a house. S. Ison said he would build the house first and build a pole barn later, but just wants to know and get approved for what he can do and can't do with his property. He will meet with S. Lang soon for a Land Use Permit for his house.

Public Hearing Closed for Deliberations

- T. Guyer closed the public hearing. Following comments from commission members, the Planning Commission began deliberations on the proposed site plan to build a 30' x 45' pole barn structure.
- R. Kurkechian asked the Board if they ever approved more than a 1,200 square foot pole barn in the past. Yes, they had, so this isn't setting a precedent.
- After discussion about the proposed pole barn and the lot, the Findings of Fact Site Plan Review Checklist was completed. All answers were yes. However, #10 "Uses, activities, processes, materials and equipment, or conditions of operation that would be hazardous or detrimental to the natural environment"..... Prompted the idling decibel count from the boat as a condition before the pole barn is built.
- H. Welsh motioned to approve the home built first then a pole barn measuring 30' x 45' or 1,350 square feet, with the condition no living quarters in the pole barn and the condition of a 50' range decibel count from the boat engine at idle speed. R. Kurkechian seconded the motion. Roll call vote: All ayes; motion approved.

Public Hearing Opened

Presque Isle Township Commercial Event Facility Ordinance

- T. Guyer asked the members if there were any comments about this ordinance. He was referred to Subsection K where it should be Presque Isle Township rather than Emmett County. The correction was made. No further questions or comments.

Public Public Hearing Closed for Deliberations:

- H. Welsh questioned parking 100' from property boundaries and he felt that is too excessive, but would be happy with 50'. T. Guyer responded these facilities are on 20 acre parcels, which provide plenty of room for parking.
- C. Paavola motion to approve the Commercial Events Ordinance with the correction made to Presque Isle County. H. Welsh seconded the motion. Roll call vote: All ayes: motion approved.

Public Hearing Opened

Presque Isle Township Fireworks Ordinance

- T. Guyer stated in conjunction with State and Federal regulations, it is OK to shoot off fireworks from 11:00 a.m. to 11:45 p.m. Any other day, a permit is required.

Closed Public Hearing for Deliberations

- T. Ludwig commented he read there is a window of days to shoot off fireworks around the holidays. On page 2 of the Ordinance, it states the days it is ok to shoot fireworks as follows:
 - Memorial Day: Saturday, Sunday and Monday immediately preceding Memorial Day.
 - Independence Day: June 29 through July 4
 - Labor Day: Saturday, Sunday and Monday preceding Labor Day.
 - New Year's Eve: Until 1:00 a.m. January 1st.
- It was also discovered page 2 references "City" when it should be township. The correction was made.
- T. Ludwig motioned to approve the Fireworks Ordinance with the correction of city to township. L. Larkin seconded the motion. Roll Call Vote: All ayes; motion approved.
- T. Guyer indicated this is a Police Power. No need to send to County; however send to Board of Trustees.

Reports:

Twp Board (Cynthia Paavola): Report submitted. C. Paavola also gave a brief synopsis that B. Forbush is the interim Fire Chief for 60 days. An ad was placed in the paper for a permanent Fire Chief to ensure the public is notified of this position opening. Any interested, qualified applicants were encouraged to apply. The Township also put out to bid for all the Township insurance needs. Lappan Insurance Agency was awarded the bid as they proved to provide great coverage for less cost.

ZBA Liaison (R. Kurkechian): Report submitted. R. Kurkechian gave a brief synopsis on a recent hearing. A property owner and his builder built a 12' x 18' shed in the greenbelt without a permit. It was decided he had to move the shed out of the greenbelt.

Zoning Administrator (S. Lang): No report due to illness.

New Business: None

Unfinished Business:

Update on Short-Term Rentals: Much discussion has been had on short-term rentals. The Planning Commission approved an ordinance for short-term rentals. When T. Gulden reviewed the ordinance, he put a stop to further activity because the township cannot enact a short-term rental ordinance while short-term rentals are currently banned. A string of e-mails discussing this issue was had by T. Gulden, T. Guyer and D. Cline. It could not be shared because it would violate the Open Meeting Act. T. Guyer asked T. Gulden if he could call each individual member and update them but that would also violate the Open Meeting Act. T. Guyer apologized for surprising the Planning Committee with this information.

History: The Planning Commission did have a Public Hearing on the Short-Term Rental Ordinance. It was approved at that meeting. The next step was to send it to the County, then to the Board of Trustees for approvals. The Township Attorney, Tim Gulden, reviewed the ordinance and said to stop further activity. T. Gulden said under the current ordinance, as written, short-term rentals are not permitted. If we want to regulate short-term rentals, we first must amend the ordinance to permit them. Then, simultaneously, we permit short-term rentals and have an ordinance to govern them. This needs to be done quickly as follows:

- May 3, 2021 Public Hearing to approve an Ordinance to Amend the Presque Isle Township Zoning Ordinance Amendment to permit short-term rentals.
- This ordinance will go to County Planning Commission, then to the Board of Trustees meeting on May 10, which will consider both the amendment to permit and the governing ordinance at the same time. If both are turned down, we can't have a short-term rental ordinance. If both the County Planning Commission and the Board of Trustees approve, we can have a short-term rental ordinance that will be regulated by the Planning Commission. This will allow the public to attend so they can hear everything and have an opportunity to voice their opinion.

R. Kurkechian added multiple complaints about activity of short-term rentals were received. The Planning Commission took it up and made a committee to make recommendations to regulate this issue. That's why we went down the road we did.

Adjournment: Tom Guyer adjourned the meeting at 8:25 p.m.

Meeting Reminder: The Planning Commission will meet again on May 3, 2021 at 7:00 pm

Respectfully submitted, Bev Huard, Administrative Assistant



**Presque Isle Township Planning Commission
April 19, 2021 Special Meeting
Article #7- Supplemental Regulations**

Call to Order: The meeting was called to order at 6:00 pm by Chairman, T. Guyer

Roll Call: In attendance were: T. Guyer, T. Ludwig, R. Kurkechian, L. Larkin, C. Paavola, and Howard Welsh. Also attending: S. Lang, Zoning Administrator and D. Cline, Deputy Director/Chief Planner NEMCOG

Audience Present: 0

Agenda Approval: L. Larkin motioned to approve the Agenda as written. T. Ludwig seconded the motion. All ayes; motion passed

Correspondence: None

Comments from the Audience: None. T. Guyer invited residents to offer comment; however, no one was present to do so.

New Business:

- Review of Article #7 with Denise Cline, Deputy Director/Chief Planner from NEMCOG D. Cline, along with the Planning Commission members and Steve Lang reviewed, questioned and discussed Article #7 and made changes where necessary. A follow-up special meeting to complete Article #7 is Monday, May 17, 2021, at 6:00 p.m.
- Fireworks Ordinance: The Planning Commission reviewed the fireworks ordinance submitted by Interim Presque Isle Township Fire Chief, Bill Forbush. The members agreed to adopt the ordinance submitted by B. Forbush. Once the Board of Trustees approves the revised Fireworks Ordinance, a Notice of Adoption will be published in the Alpena News.

Adjournment: Tom Guyer adjourned the meeting at 8:22 p.m.

Meeting Reminder: The Planning Commission will meet again on May 3, 2021 at 7:00 pm

Respectfully submitted, Bev Huard, Administrative Assistant

WHITE WOJDA AND CURTIS

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July 1, 2021

Mr. Tom Guyer, Chairman
Presque Isle Township Planning Commission
12653 E. Grand Lake Road
Presque Isle, MI 49777
VIA EMAIL to tguyer409@gmail.com

RE: 24688 US-23 North Rezoning Request

Dear Mr. Guyer,

I understand that the Presque Isle Township Planning Commission, which you chair, is set to consider a rezoning request made by Lyn Loheed, who owns the property at 24688 US-23 North in Presque Isle Township. This office has been retained by Jeff and Candie Dombroski, owners of the neighboring property to the north. My clients oppose Loheed's rezoning request and submit this letter to you with their reasoning as to why the Planning Commission should reject the rezoning request. While we also intend to speak at the hearing on Loheed's rezoning application, it is our hope that this letter will be included in the Planning Commission's packet of materials for review prior to the July 6 public hearing.

According to Loheed's rezoning application, she is requesting that the Township reclassify her property to a "light commercial classification." Per the letter from the Township to neighboring property owners, the request is to rezone the property from its current R-2 (high density residential) designation to C-1 (Neighborhood Commercial) so that Loheed can operate a resort. "Resort" is defined in the Ordinance as:

"A parcel of land which contains cabins and/or rooms with or without kitchen facilities, used primarily for vacation and/or recreational activity, and which may or may not contain a small commercial grocery, sporting goods, gasoline service outlet, and/or food service facility."

Resorts are not permitted, either by right or as a special use, in the R-2 District. They are allowed only by special permit in the C-1 District

As you may know, Michigan's Zoning Enabling Act does not contain comprehensive standards for public bodies to follow in considering a rezoning request. Rather, the factors the Planning Commission should contemplate have been set forth by Michigan courts. Generally speaking, courts have identified factors relevant to a rezoning request, but have noted that zoning cases are, by their nature, unique. Thus, they must be analyzed in light of the facts applicable to the particular property in question.¹ However, in assessing a rezoning request, the Planning Commission should review all possible uses allowed within the proposed new zoning district and not simply the use that the property owner proposes at the time of application. That is, once a property is rezoned, all uses allowed within the new zoning district are permitted on that property and the owner (or any subsequent owner) would not be limited to the use suggested in the application.

As discussed below, the factors identified by Michigan Courts do not support Loheed's request to rezone her property.

Factor One: Consistency with the Master Plan

The Township's master plan serves as a guide to future development within the Township and "is a factor in determining the reasonableness of a particular zoning classification."² Caselaw suggests that the consistency of a zoning classification with the Township's master plan is likely the most significant factor in deciding a rezoning request.

Presque Isle Township's Master Plan serves an overarching goal: "maintain a low-density residential environment, contained to areas that are already populated." (Page 26). To that end, any commercial expansion should be focused to meet "identified local needs." There is an identified goal to "[e]ncourage commerce and services that complement the residential and recreational character of Township." (Page 26).

From a residential perspective, the Master Plan emphasizes the need for high residential standards. The primary objective for the residential district is to "require adherence to zoning and building regulations." (Page 31). The second objective is to "[s]upport, through zoning regulations, a high-quality residential environment." (Page 31).

And while the Master Plan lists as a commercial goal that the Township "identify sites for waterfront restaurants, lodging, and other entertainment businesses," that objective is secondary to the desire to promote commercial development while preserving the natural environment. (Page 32). The Master Plan specifically contemplates commercial development in waterfront areas, emphasizing caution with regard to neighboring residential properties:

¹ See *Brandau v Grosse Pointe Park*, 383 Mich 471 (1970).

² *Inverness Mobile Home Cmty v Bedford Twp*, 263 Mich.App 241, 248-249 (2004).

"Waterfront Commercial

Waterfront Commercial is a Future Land Use category designed for marinas, waterfront lodging, and other high-intensity water-based recreational activities. The areas designated for this category are all existing uses, although additional areas could be added to this category in the future, and development of this type is encouraged in other categories **if steps are taken to protect residential neighbors and the natural environment.**" (Page 55, emphasis added).

The Master Plan reflects a desire to implement new commercial ventures within the Township, but that desire clearly takes a back seat to maintaining high residential standards and ensuring that the residential districts are not negatively impacted by any commercial development. Here, as set forth in other factors below, extending the C-1 District to Loheed's property would have a negative impact on neighboring residential property and would not, therefore, be in harmony with the Township's Master Plan.

Factor Two: Consistency with Zoning Classifications in the General Area

Next, the Planning Commission should consider the purposes for which nearby property is zoned. Courts have consistently looked for consistency between a proposed rezoned district and its neighboring properties in determining whether the reclassification was appropriate.³

This application involves a lakefront lot which is zoned R-2—Single Family Residential. The overwhelming majority of nearby properties are residential in nature—single-family homes and cottages on or near Long Lake. Indeed, the only similarly situated nearby property operating in a commercial capacity is Loheed's neighbor to the south—the Parker House. The Parker House operates as a restaurant, ice cream shop, and resort, but it has been doing so since before the Township enacted a zoning ordinance. The Parker House's commercial use is the exception, rather than the rule, in the surrounding area.

Factor Three: Consistency and Compatibility with General Land Use Patterns in the Area

While similar in nature to the second factor, this factor looks beyond zoning classifications to developmental trends in the area. Thus, under this factor, the question becomes whether the applicant is making a request that conforms to the general direction the locality is experiencing.

³ See, e.g. *Hillsdale v Hillsdale Iron & Metal Co*, 358 Mich. 377 (1960); *Frendo v Southfield*, 349 Mich. 693 (1957);

Presque Isle Township is primarily a residential area. And, while there are several smaller resorts of the sort proposed here, those properties were constructed prior to the enactment of a zoning ordinance. Indeed, in recent years there appears to be increased local demand for residential lakefront property in the Township and the surrounding area. Loheed's request works against that trend by proposing to take a residential lakefront lot and transforming it into a commercial lot.

Factor Four: Suitability of the Proposed Use in the Zoning District

The operation of a resort is not permitted in the R-2 District. It is allowed only by special use permit in the C-1 District. Thus, following this Rezoning request, if granted, Loheed would have to separately seek a special use permit to operate as a resort in the newly-rezoned property.

Factor Five: Adequacy of Public Services

This planning commission must consider the impact of a rezoning decision on the available public services. While the water and septic are likely both privately maintained, the operation of a resort upon the property will undoubtedly have a greater public burden than a residential use. If the property is used as a resort, there will be additional foot traffic, greater accumulation of waste, increased noise, and a greater environmental strain upon Long Lake. The increased capacity will place a greater likelihood of need on Township services, including potential fire and EMS needs.

It is also worth noting that, if the property's zoning is changed to commercial, additional uses not currently proposed by Loheed may eventually occur on the property. Almost any of these uses will have a significant impact on the need for Township services which will be far greater than any residential use of the property.

Factor Six: Traffic

Similarly, if the proposed rezoning could result in additional traffic, the adequacy of existing streets and roads to handle current and additional traffic must be assessed. This property sits directly on US-23, a highway capable of handling significant traffic. However, from a practical standpoint, the property is in the middle of a long gradual curve. Additional traffic into the property and from the property onto US-23 will create extra hazards for drivers traveling on US-23.

Factor Seven: Reasonable Use under Current Zoning Classification

Another factor courts have identified is whether the property may be put to a reasonable use with its current zoning classification. Here, there is no question that the property can be used in its current residential zoning classification. Indeed, the property

has been used in a residential fashion for decades and could continue to be used that way indefinitely.

Factor Eight: Identifiable Public Need

Where an applicant demonstrates an identifiable public need, the evaluating public body should determine whether there is already adequate land zoned to accommodate that need. Loheed has failed, in her application, to identify a public need. The proposed use as a AirBnB rental is, at least by her claims, already adequately represented on Long Lake. Indeed, she notes that the property to the South, the Parker House, already operates a resort, and she claims that "this lake has traditionally been 85% vacation rentals." While we dispute this assertion, accepting it as true means that there are more than an adequate number of properties to accommodate any need for resorts or vacation rentals.

Factor Nine: Spot Zoning

Spot zoning is "a zoning ordinance or amendment...creating a small zone of inconsistent use within a larger zone."⁴ Generally, courts have opposed spot zoning determinations. Here, the property is located within a sizable expanse of residentially-zoned properties. Loheed suggests creating an island of commercial zoning within that residential area which would amount to the sort of spot zoning frowned upon by the courts.

Factor Ten: Effect on Surrounding Property

My clients own the property directly to the north of Loheed's property. They built their dream home there starting in 2017 and moved in around the same time Loheed acquired her property. Since purchasing the property in the fall of 2020, Loheed has, in direct violation of the Ordinance, operated her property as a resort. It is our understanding that she has been repeatedly cited for her disregard and defiance of the Ordinance.

In the short time she has illegally operated her property as a resort, Loheed has had a massive negative impact on my clients. Because of the large number of people on the Loheed property, my clients have been subjected to regular trespassing on their property and on their beach by "resort" guests, pervasive dog barking and dog-related troubles (including dogs routinely wandering onto their property and digging holes on their property, pulling up irrigation and MissDig flagging, stealing Dr. Dombroski's shoe, pulling towels off of the Dombroski children). The Dombroskis have also been subjected to significant marijuana smoke drifting across their property line while their children played in the yard. In short, the increased number of people on the Loheed property and their nature as temporary visitors has exponentially increased the troubles my clients have faced.

⁴ *Penning v Owens*, 340 Mich. 355, 367 (1954).

My clients understand that Loheed also intends to expand the commercial uses of the property if the rezoning is approved, including housing RVs and campers and adding rental storage units. If the rezoning application is approved, matters will only get worse for the Dombroskis. As it is, the Dombroskis have experienced traffic through their property, noise and smells floating across their property lines, and stress and aggravation that would not be present if the Loheed property were used residentially, as its zoning status would dictate.

Factor Eleven: Mistake or Change of Condition

Some Michigan courts have held that, because purchasers of property and developers reasonably and inherently rely upon the stability of existing zoning schemes, an applicant for rezoning needs to demonstrate a mistake or change in conditions in order to succeed in their application. Certainly, the Dombroskis relied upon the residential nature of their neighborhood when they purchased their lot in 2016 and proceeded to build a home there.

To the extent the Township relies upon the need for mistake or change in condition, neither is present here. The Loheed property is and has been zoned for residential purposes for a very long time. There is no indication that the zoning classification is based upon a typographical error, a scrivener's error, or any other sort of innocent mistake. Rather, the classification is consistent with the Township's zoning around Long Lake. In fact, a review of the Township's Zoning Map demonstrates that all waterfront lots within the Township on Long Lake are zoned for residential purposes. Moreover, almost all of the waterfront lots on other bodies of water within the Township (Lake Huron, Lake Esau, and Grand Lake) are residentially zoned.

Further, there has been no change in conditions that would justify a rezoning of this property. The Township's waterfront lots have been residentially based for as long as a zoning ordinance has been in existence. The essential purpose of the Township has remained constant. There is simply no basis to change the zoning classification based on either mistake or change in conditions.

Factor Twelve: Diminution in Value

A municipality is not required to zone property for its most profitable use.⁵ And certainly, a municipality may rezone a property even if it reduces property values so long as the result does not constitute a "taking." However, it is worth noting that the presence of a resort immediately adjacent to the Dombroskis' property will not have a positive impact upon their property values. We suspect, in fact, that other neighboring properties will also be negatively impacted.

⁵ See, e.g., *Dorman v Township of Clinton*, 269 Mich.App 638 (2006).

Factor Thirteen: Citizen Opposition

It is anticipated that the Township will hear from many citizens and neighbors who oppose Loheed's rezoning application.

Other Factors

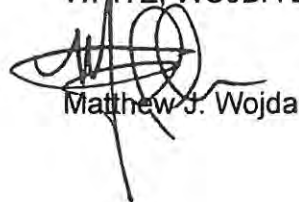
Loheed has adopted a policy of asking forgiveness rather than permission in the use of her property. She has ignored existing zoning restrictions and regulations and has operated a business from her residential property to the Township and my clients' detriment. Now, she asks the Township to rezone her property and trust that she will follow the new guidelines and operate her business in a manner that is respectful to her neighbors. Nothing in her actions, application, or demonstrated attitude suggest this will be the case.

If the Loheed property is rezoned into the C-1 District, she would be permitted by right to install, among other things, a convenience store or deli, a music studio, or a laundromat. With a special use permit, she could open a medical marijuana caregiver operation, multiple family housing, a nursing home or various other business ventures. In short, Loheed would be free to fundamentally change the character of her entire waterfront stretch in a manner that would offend the residential nature of that area and would significantly harm the Dombroskis.

For these reasons, Jeff and Candie Dombroski respectfully ask that this Planning Commission deny Lyn Loheed's application for rezoning and take a step to preserve the unique residential nature of this Township.

Sincerely,

WHITE, WOJDA and CURTIS



Matthew J. Wojda

Sharon and Randy Potts
Blue Horizon Rd
Presque Isle, Michigan

We are writing to express our opinion on the proposed zoning change for the property next to the home of Dr. Jeff Dombroski. My husband and I both oppose changing the property from residential to commercial.

Dr. Dombroski followed proper procedure when he was looking at the property to build his home for his family. He was concerned with the property next to him and he contacted the township zoning department prior to his decision to build. He was told that the property was residential and the cottages next door could only be used for family use. After this assurance he chose to build his home.

The woman next door with the cottages was also told when she took over the property that it was not a commercial property, could not be used as a resort and was only for family use. She is currently running an unlicensed resort even after being told it is not allowed. She also has slandered Dr. Dombroski on her personal Facebook page and her Facebook page where she advertises her illegal resort.

A person that can not follow the laws regarding zoning or obtaining a license for a resort, which is required, obviously would not be a person who should be given the privilege of a zoning change. If she isn't following rules now she certainly wouldn't if the zoning would change. Most people would be on their best behavior when seeking a zoning change to show they could be a good neighbor.

Given that Dr. Dombroski took the township at it's word that a resort would not be his neighbor prior to his decision to build his home, I would hope that the township would stand by their word. If not, then why even bother to pretend to have zoning rules and regulations.

If the township does not allow the change of zoning I also hope that they uphold the current zoning and make sure that the illegal, unlicensed resort is shut down involving the State of Michigan if need be.

Sharon and Randy Potts

Bev Huard

From: Thomas Guyer <tguyer409@gmail.com>
Sent: Thursday, June 10, 2021 5:49 PM
To: Bev Huard
Cc: Steve Lang; Cynthia Paavola; Tom Ludwig; Howard Welsh; Rick Kurkechian; Lisa Larkin
Subject: Fwd: RE Zoning

Bev
Another email for the hearing-on the Long Lake rezoning request.
Tom

Sent from my iPad

Begin forwarded message:

From: Bradley Boehm <bradley_boehm@hotmail.com>
Date: June 10, 2021 at 5:42:59 PM EDT
To: tguyer409@gmail.com
Subject: RE Zoning

I am writing this letter to you Tom Guyer and Stephen Lang in regard to the rezoning request put in by Lyn Lohead, My husband Dr Boehm and I have a home on long lake and absolutely love to spend time there, we are totally AGAINST Ms Lohead's request for rezoning. We believe this will be a nightmare for the people that live near her. She has already expressed that her patrons are uncontrollable on social Media it was reposted by Kevin Nowak. We believe the request should be denied, if we start rezoning who is to say many other people from out of town and state will buy property and bring herds of people to our beautiful lake, we all know that out- of- towners do not respect our lakes and leave with no remorse. So please deny her request, Thank you, Dr Bradley Boehm and Susan Boehm

From: angie deshane <jean_brauk@yahoo.com>
Sent: Sunday, June 13, 2021 12:42 PM
To: Steve Lang
Subject: No support for zoning change

No support for Lyn Loheed zoning change. Renting to a small family is very reasonable, becoming a resort unfair to all parties involved around the property and owners on the lake. She says she will be a great landlord and neighbor and yet is already breaking the rules of her zoning. To me sounds like she isn't a rule follower or good neighbor. No home owner should have to worry about what is happening next to their house let alone in their own yard. Thank you for your time. I support no zoning change!

[Sent from Yahoo Mail on Android](#)

Steve Lang

From: Krista Dziesinski <kmdzies@gmail.com>
Sent: Wednesday, June 09, 2021 7:43 PM
To: Steve Lang
Subject: Against the Zoning Change

To whom it may concern,

I am writing this email tonight to voice my opinion that I am against the zoning change on Long Lake that Lyn Loheed is proposing. It is my strongest belief that her property should remain a residentially zoned area when you take into consideration those who have purchased properties/built homes fully expecting the area to remain residential as it is right now. I have grown up on long lake and I can't begin to imagine how un peaceful and distracting it would be to enjoy family time with cottages being rented out to multiple people right next door. Thank you for your time.

Krista Dziesinski

Steve Lang

From: Thomas Guyer <tguyer409@gmail.com>
Sent: Wednesday, June 09, 2021 9:07 PM
To: Bev Huard; Cynthia Paavola; Tom Ludwig; Lisa Larkin; Rick Kurkechian; Howard Welsh
Cc: Steve Lang
Subject: Fwd: opposing rezoning

Bev
Please attach this email to the agenda for the July PC meeting.
Thanks
Tom

Sent from my iPad

Begin forwarded message:

From: Linda Flannigan <lindamaryflannigan@gmail.com>
Date: June 9, 2021 at 6:14:25 PM EDT
To: tguyer409@gmail.com
Subject: opposing rezoning

Hello,

I am sending this email opposing the rezoning of residential property to commercial at the location of property 24688 US 23 south, Presque Isle, MI. 49777 for property under review 71-120-033-000-053-00. I am providing support in an endeavor to keep this area residential. The property was sold as residential but currently utilized as a resort prior to establishing a formal hearing to even consider a request for rezoning. This is a violation and has infringed on the privacy of neighboring residences with resort renters trespassing on private property. I just wanted to voice an opinion. I thank you for your time.

Sincerely,
Linda Flannigan

Steve Lang

From: Matthew.Frantz@midmichigan.org
Sent: Tuesday, June 08, 2021 12:15 PM
To: Steve Lang
Subject: No on zoning change

Hi, my name is Matt Frantz and have been a lifelong Long Lake resident, minus 9 years away for college. However, after being away for 9 years I couldn't wait to move back and live on long lake and enjoy the rest of my life here. It has brought to my attention that the person who purchased Red Crittenden's cottage on long lake is applying to rezone to allow multiple families to rent the place all at once. This is a mistake and should not happen, there is no reason that this person can't use it as a rental but not for multiple families at one time. The place is not designed well for that and I grew up being there numerous times with Red's grandkids to know that. It was designed to be one large compound for a larger family to enjoy together, which should be continued. I would hope you think long and hard about the problems you will cause by granting this zone change to the affecting lake and the residents. Please keep this property at residential as it was intended for. Thanks

Matt Frantz

Please note that this email message and any attachments may contain privileged and confidential information that is protected against use or disclosure under federal and state law. The information is intended only for the personal and confidential use of the intended recipient. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this information in error and that any review, dissemination, distribution, copying or action taken in reliance on the contents of this communication is strictly prohibited. If you have received this email in error, please advise by immediate reply.

Steve Lang

From: Jeff Gilmet <jeffgilmet@yahoo.com>
Sent: Tuesday, June 08, 2021 11:07 AM
To: Steve Lang
Subject: Zoning issue near Parker House

Personally I don't think the lake needs another resort, it's not fair to the neighbors.

A single family at a time air BNB is a much better idea.

Thanks
Jeff Gilmet

Steve Lang

From: Mike Johnson <gunnarjmike@gmail.com>
Sent: Wednesday, June 09, 2021 10:33 PM
To: Steve Lang
Subject: Re: Lyn Loheed

As a property owner in Presque Isle. I do not support any rezoning that would allow an additional resort on Long Lake.

Thank you

Michael Johnson

Steve Lang

From: tiffany333s@gmail.com
Sent: Wednesday, June 09, 2021 11:44 AM
To: Steve Lang
Subject: We do not support the zoning change for Long Lake Cabins and Resort

We do not support the zoning change for Long Lake Cabins and Resort.

This is clearly an overreach and creating encroachment on the properties of the surrounding neighbors. The surrounding neighbors have had to experience people on their property, dogs running around , people at their beach, and people walking through their property. Not to mention, some guests of Long Lake Cabins and Resort have gone so far as to smoke marijuana in front of the surrounding neighbors small children.

Instead, we ask that Long Lake Cabins and Resort still be allowed to operate as an Air BNB, allowing for one family at a time versus upwards of 20 or 30 people. This seems to be the best way to align the interests of both parties for the benefit of all.

Thank you for your time and consideration.

Tiffany Keller

Sent from my iPhone

Cynthia Paavola

From: Thomas Guyer <tguyer409@gmail.com>
Sent: Friday, June 11, 2021 6:12 PM
To: Bev Huard; Lisa Larkin; Rick Kurkechian; Howard Welsh; Tom Ludwig; Cynthia Paavola; Steve Lang
Subject: Fwd: LONG LAKE ZONING CHANGE REQUEST - 24688 US 23N., PRESQUE, MI 49777

Bev
Another email for the rezoning request.
Tom
Tom

Sent from my iPad

Begin forwarded message:

From: Mike Kelly <mikekellyapn@hotmail.com>
Date: June 11, 2021 at 12:54:41 PM EDT
To: tguyer409@gmail.com
Subject: LONG LAKE ZONING CHANGE REQUEST - 24688 US 23N., PRESQUE, MI 49777

Planning Commision,

While I do not currently own any property in Presque Isle Township, I did own three parcels near the Silo for decades. I grew up in there and spent countless summers with three generations of family on beautiful Long Lake. It is unfortunate that this has become such a "hot topic" on Facebook where emotion, misinformation and insults are freely traded!

I don't understand why a developer with 30 years' experience would not have checked into the current Zoning status before purchasing the property, investing dollars and opening a "Resort" ?! Unfortunate, but a self-inflicted scenario that shouldn't result in the requested change being approved to the detriment of all the neighbors! I understand the principal of "Forgiveness instead of Permission", but this certainly should not apply to this request.

Thanks for your consideration and please - do the right thing!

Mike Kelly

Steve Lang

From: Cynthia.Lamb@midmichigan.org
Sent: Tuesday, June 08, 2021 10:37 AM
To: Steve Lang
Subject: zoning long lake resort

Dear Supervisor,

As a resident of long lake, close to Long Lake Resort and Cabins (Maple Dr), I **do not** agree with zoning change for this residence.

Thank you,
Cynthia Lamb

Please note that this email message and any attachments may contain privileged and confidential information that is protected against use or disclosure under federal and state law. The information is intended only for the personal and confidential use of the intended recipient. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this information in error and that any review, dissemination, distribution, copying or action taken in reliance on the contents of this communication is strictly prohibited. If you have received this email in error, please advise by immediate reply.

Steve Lang

From: Mickel, Jorden <mickelj@northwood.edu>
Sent: Wednesday, June 09, 2021 9:43 PM
To: Steve Lang
Subject: Zoning on Long Lake

Hello,

I do not know who I am writing to exactly, but I will say my opinion. The zoning on this lake should remain residential. I am the girlfriend of the "neighbors to the north's" son. I have been over to their house numerous of times. I have several pictures of either dog's or people walking on their property. The people who come to stay do not know common lake rules. I am from the lower part of Michigan and I live across Cass Lake on a private lake. Cass Lake has many houses that allow AirBnb to have different sites on the lake. It has brought people who do not know any of the lake rules and has caused much danger to the residents who live on the lake. Keeping the zone as residential will keep these people from harming others. There are several other lodging places that are around Alpena. Yes, it does bring tourist however, it will be the wrong tourist. It will be the ones looking to get on the lake to drink and party. Anyway, this lake and area is supposed to be safe and family friendly. With the two toddlers they have and a twelve year old they cannot take their eyes off of them at any given moment in their own home. They created this house and area for a safe place for their children to grow up in. With this being said it cannot simply be safe with all these strangers living next door for only a week maximum and crossing over onto their property. If you guys have any questions or want the pictures please do not hesitate to ask! Thank you for your time.



Jorden Mickel
Northwood University
Communications
Manager, NU Auto
BBA/MBA Automotive
MRK&MNGT

248-670-
3678 | Mickelj@northwood.edu

From: Thomas Guyer <tguyer409@gmail.com>
Sent: Tuesday, June 29, 2021 10:01 AM
To: Lisa Larkin; Rick Kurkechian; Howard Welsh; Tom Ludwig; Cynthia Paavola; Steve Lang; Bev Huard
Subject: Fwd: Lyn Loheed's zoning request

Fellow PC Members

Attached is an email I recently received regarding the Loheed rezoning request. We have. Ow received more than 35 communications on this issue. I believe you have previously received the other emails, but if not you can review them on the Township website.

Bev-please be sure this email is added to the website.

Thanks

Tom

Sent from my iPad

Begin forwarded message:

From: Heather Montie <montiehkm@hotmail.com>
Date: June 29, 2021 at 9:03:31 AM EDT
To: tguyer409@gmail.com
Subject: Lyn Loheed's zoning request

Mr. Guyer, I am writing to address Lyn Loheed's zoning request for Long Lake Resorts and Cabins. I do NOT support the request to change it from "Residential" to "Commercial or Light Industrial." My family has owned two properties on Long Lake during my lifetime, our current cottage now for the past ten years. My Grandma also has a cottage on the lake along with several friends, so I've spent my entire life enjoying this beautiful lake. I am expressing my concern and putting myself and family in Lyn's neighbor's situation. My family would be beyond upset if our quaint little getaway was all of a sudden neighbors to a resort housing 30 strangers every week in the summer having to deal with the noise at all hours of the day/night, pets freely roaming about, excessive boat traffic when you have kids, not to mention the devaluing of one's property if you ever try to sell your property. Try to put yourself in their shoes. You wouldn't feel comfortable on your own property having to constantly worry about the chaos next door.

Lyn knowingly bought a "Residential Zoned" property and has been operating it as a resort even though she hasn't been authorized to do so. So, she apparently doesn't think the laws pertain to her. I understand her wanting to turn her cabins into a resort, however she needs to go about things the proper way and follow the laws like everyone else. The main issue is that unfortunately, Lyn didn't buy a resort. If her plan was to operate a resort, she should've bought a zoned property that allows that. When the Dombroski's bought land and built their home, they weren't worried about their "residential" neighbors. If it was zoned differently or was an operating resort, they wouldn't have built there. Most people that buy a home/cottage on the lake want to enjoy the lake, enjoy family time and the tranquility that comes with it. Living next to a resort is not desirable for anyone unless one is knowingly buying a place next to one. Most people that spend their hard earned money on lake property don't want to live next to a place with rotating visitors, animals, noise, etc. that offers nothing but a nuisance! Please take this letter into consideration when making your decision and deny Lyn's request for her zoning change. Thank you for your time.

Steve Lang

From: Danielle Muszynski <muszynskidanielle@gmail.com>
Sent: Tuesday, June 08, 2021 5:35 PM
To: Steve Lang
Subject: Long Lake Resort and Cabins

To Whom It May Concern,

In regards to Long Lake Resort and Cabins I have concerns I would like to express. Lyn from Long Lake Resorts and Cabins made a post today on the We Love Long Lake Facebook page related to rezoning. Long Lake Resort and Cabins should be shut down. I am a current full time resident on Long Lake. I was raised on Long Lake. I have been on Long Lake 30+ years. On my waterfront property (zoned residential) I have two homes on it. I do not use the second house as a rental. My second house on my property was used by the previous owners to care for their mom and dad when they became elderly. I do not rent it out because it is very disrespectful to those who live around me in a residential area. People who buy homes in a residential area buy them to raise their families and work in the community. Long Lake currently has rental places that are available. The Parker House is in the same neighborhood as Long Lake Resorts and Cabins. There does not need to be two rentals that close together. Down the road there is a campground.

My big concern with Long Lake Resort and Cabins is having another rental place that is that close to one that has been established for years. The residents that live in that area did not move there to be in a daily/weekly rental area. I would not want to live/pay property taxes in that area. Sound travels far on the lake. I also have concerns that Long Lake Resorts and Cabins is not to code (septic/drain field/well) to have that many people all the time.

Any questions or concerns please feel free to contact me at any time.
Cell: 989-351-0162

Thank you for your time,

Danielle Muszynski

Bev Huard

From: Mary O'Neil <mary_o_neil@hotmail.com>
Sent: Thursday, June 10, 2021 4:18 PM
To: Steve Lang
Subject: Zoning changes

To whom it may concern,

It has come to our attention that there has been a request to change a long-standing residential area on Long Lake to a commercial area. We are just voicing our displeasure in this happening. The person requesting the change purchased this property knowing full well it was residential. She has disregarded that knowledge and opened the property to multiple tenants who feel free to walk through and allow their pets to run about the neighboring properties. Such disrespect for the ordinance and your neighbors should not be rewarded with a zoning change in their favor.

Mike Wurtsmith

Mary O'Neil

Sent from my iPhone

Steve Lang

From: Alecia Ratiu-king <aratiuking@gmail.com>
Sent: Tuesday, June 08, 2021 2:28 PM
To: Steve Lang
Subject: Zoning change

I do NOT support the zoning change for lyn loheed. She is allowing people to trespass and litter on other long Lake residents' properties.

Alecia Ratiu-King

Steve Lang

From: Leigh A R <leighashleyrobertson@gmail.com>
Sent: Wednesday, June 09, 2021 11:54 AM
To: Steve Lang
Subject: Zoning request

Dear Mr. Lang,

I am writing to express my concern for any consideration of a zoning change from residential to commercial or industrial use proposed by Lyn Loheed. Our family has owned a cottage on Long Lake for many years and I cannot help but consider how frustrated and upset I would be by such a change in my neighborhood. I would guess that most of you on the zoning board would be equally dismayed by such a change next to your home.

I'm sure you are aware of the facts of this case, but please also consider how Ms. Loheed has conducted herself up to this point. Many residents, including me, are disappointed in the manipulative and dishonest approach this person has taken to try to influence support for a business that has already been running against regulation; it is ill gotten. That alone speaks volumes about what you can expect in the future from Ms. Loheed.

The zoning should stay as is and Ms. Loheed should be issued enforcement to deal with her ongoing and consistent disregard for the planning of this township.

Respectfully,
Leigh Robertson

Steve Lang

From: Amber Sáenz <lesteram8@gmail.com>
Sent: Thursday, June 10, 2021 3:37 AM
To: Steve Lang
Subject: Zoning for Long Lake Resort and Cabins

To Whom It May Concern,

I am writing today to express my concern about the zoning application for Long Lake Resort and Cabins. While I do believe it is great we have more people wanting to bring tourists to the area and share our love of Long Lake with others outside of the community, I am against changing to rezoning from residential to light industrial on this property. I believe the owner has good intentions but I am concerned with their ability to operate a resort this size with their current staff. They have had past incidents that were not handled properly and I see it becoming more of an issue if they are allowed to operate legally with more guests.

Thank you for your time,

Amber Saenz

Steve Lang

From: Mandy <manny75@chartermi.net>
Sent: Wednesday, June 09, 2021 4:51 PM
To: Steve Lang
Subject: Zoning issue

I am writing in regards to a zoning issue that has been raised in the area heading north on Long Lake just past Parker House.

My understanding is a New resident to Long Lake, Lyn Loheed is currently using her property inappropriately as a resort which it is not zoned for.

I was there when her neighbor to the north researched and purchased the property next to Miss Loheed, understanding that it was zoned as residential so to their pleasure they built their beautiful forever home.

It wasn't long after the issues began and it seem to all stem from guests at Ms. Loheeds place. Everything from children to adults to dogs venturing over to the Dombrowski property uninvited and clearly misinformed that this was an acceptable practice.

This in my opinion is reckless behavior on behalf of Miss loheed ... not to mention it's unpleasant.

I personally have been at Long Lake since I was born. I was fortunate enough to have a family cottage built by my grandfather not far from Parker House In Owens just before it turns from Alpena County to Presque Isle county.

As a lifelong visitor there I can say with 100% honesty I would not want this type of resort next-door to me especially with a reckless owner.

She clearly does not have the ability to maintain and control her guests in an appropriate manner so as not to disrupt neighbors on either side.

Therefore I am against changing the zoning from residential to light industrial.

Thank you.
Mandy Smith

Steve Lang

From: Adam Szydlowski <akszydlowski@gmail.com>
Sent: Tuesday, June 08, 2021 7:47 PM
To: Steve Lang
Subject: Long lake resort and cabins

Hello Presque Isle Township Board,

This is in regards to the request from Long Lake Resort and Cabins to have their property rezoned to commercial property. As a fellow property owner and full time resident on a lake in Presque Isle County I do not want to see this property rezoned as commercial for resort purposes. It is unfair to any neighbors that have bought property knowing they did not have to deal with having a resort next door and it could drastically decrease the value of neighboring properties. It would be devastating for me to have a resort open up next to my house and I know if you allow this rezone to happen there will be many other properties that make the same request.

Thank you for what you do,

Adam Szydlowski

Steve Lang

From: Donna Wells <donnawells83@yahoo.com>
Sent: Tuesday, June 08, 2021 12:33 PM
To: Steve Lang
Subject: I do NOT support zoning change for Long Lake Resorts and Cabins!

Please do not grant this establishment a light industrial zoning permit. It's not right and is destroying things for neighbors!

Respectfully,
Donna Wells

[Sent from Yahoo Mail for iPhone](#)

Steve Lang

From: Sarah Wurtsmith <sarahwurtsmith@yahoo.com>
Sent: Tuesday, June 08, 2021 11:20 AM
To: Steve Lang
Subject: Opposed to zoning change

To whom it may concern,

I do NOT support the zoning change requested by lyn loheed.

Sent from my iPhone

Steve Lang

From: Liz Zann <liz.zann@yahoo.com>
Sent: Tuesday, July 06, 2021 2:21 PM
To: Steve Lang; tguyer@gmail.com
Subject: Re: Rezoning of Long Lake Resort and Cabins

Sent from Yahoo Mail for iPhone

On Friday, July 2, 2021, 10:35 AM, Liz Zann <liz.zann@yahoo.com> wrote:

Mr. Steve Lang,

I am writing to express my strong opposition to the zoning change of the Long Lake Resort and Cabins. This property was intended to be used as a large single family getaway where 1 large family had their own cabins. This property is not zoned as cabin rentals. The neighbor to the north just finally finished their dream house and are a well respected family & doctor in the community. They should be able to enjoy their beach and yard without incident. It is concerning that we would allow cabins to be that close to a family residence that potentially could be loud, obnoxious, and not play by the rules. We need to lead by example for our young kids.

I also live on the lake, Grand Lake, I would be pretty disappointed if either of my neighbors had a Resort business, it is one thing if you move to a location knowing that you are moving into that neighborhood, but it is another thing if you move to that location and there isn't that going on.

I urge you to disapprove the proposed rezoning by Long Lake Resort & Cabins

Thank you,
Elizabeth Zann
21445 US 23 S
Presque, Isle
989-255-3009

Sharon and Randy Potts
Blue Horizon Rd
Presque Isle, Michigan

We are writing to express our opinion on the proposed zoning change for the property next to the home of Dr. Jeff Dombroski. My husband and I both oppose changing the property from residential to commercial.

Dr. Dombroski followed proper procedure when he was looking at the property to build his home for his family. He was concerned with the property next to him and he contacted the township zoning department prior to his decision to build. He was told that the property was residential and the cottages next door could only be used for family use. After this assurance he chose to build his home.

The woman next door with the cottages was also told when she took over the property that it was not a commercial property, could not be used as a resort and was only for family use. She is currently running an unlicensed resort even after being told it is not allowed. She also has slandered Dr. Dombroski on her personal Facebook page and her Facebook page where she advertises her illegal resort.

A person that can not follow the laws regarding zoning or obtaining a license for a resort, which is required, obviously would not be a person who should be given the privilege of a zoning change. If she isn't following rules now she certainly wouldn't if the zoning would change. Most people would be on their best behavior when seeking a zoning change to show they could be a good neighbor.

Given that Dr. Dombroski took the township at it's word that a resort would not be his neighbor prior to his decision to build his home, I would hope that the township would stand by their word. If not, then why even bother to pretend to have zoning rules and regulations.

If the township does not allow the change of zoning I also hope that they uphold the current zoning and make sure that the illegal, unlicensed resort is shut down involving the State of Michigan if need be.

Sharon and Randy Potts

Steve Lang

From: Wurtsmith, Samuel C - Presque Isle, MI <Samuel.C.Wurtsmith@usps.gov>
Sent: Tuesday, July 06, 2021 3:59 PM
To: Steve Lang
Subject: Mr and Mrs. Dombroski

Good afternoon, first I must say that this has no correlation with the Post Office and anything I say is not the opinions of the Post Office, I just happen to be emailing from work because my cell signal as you may know is not the greatest out this way. I am the Clerk at the Presque Isle Post Office and I know we have met a few times but a pal of mine said start your conversation off by telling him Michael Rehling says Hi. As you know there is a meeting regarding Candie and Jeff Dombrowski at 24662 US 23 S and their neighbor about the property being rezoned. Candie is my sister and I go to their house on a regular basis. I just wanted to stress that both Jeff and Candie have put in more work and effort to get where they are than most people can dream about. They sacrificed a significant portion of their lives working while most were at home, to be able to save for the house they have now. I know the reason why they are so stressed about this and its because something that most of us dream about in our lives is to have the family, job, and the house that we want to raise the family in. So after years of construction and waiting they finally got in their dream house and the first days of summer come and we all have a family get together and at the neighbors resort her customers are walking passed there property smoking pot, swearing, alcohol bottles left on the beach, all while our kids are trying to play on the beach. These behaviors are happening all of the time and the owner could care less when asked if she could help. Random dogs came running up to the house with no one around and sure enough they belonged to the neighbors customers. The lady has been most unpleasant and for no reason. She says the nastiest things about anyone who is visiting my sisters and she says it loud enough for all of us to hear it. She seems very unprofessional and in my opinion someone who disregards not only the ethical rules but also rules of actual legal consequences should not be given the option to keep doing what she is doing. I've been working out in Presque Isle for just over two years and the Clerk who was here before "Delynn", said this is the nicest community she has ever been around and I've heard a lot of people say things like that but from the bottom of my heart she was right. Presque Isle is filled with acts of kindness everyday and in my opinion this woman who disrespects everyone who I know and love, should not be a business owner in this amazing community. Every entrepreneur I have spoke with out here makes me see why my colleague says these are the nicest people you will ever meet. Thank you for your time and I just wanted to give you my perspective.

Sam Wurtsmith

Steve Lang

From: jwbarrett <jwbarrett@q.com>
Sent: Tuesday, June 08, 2021 11:15 AM
To: Steve Lang
Subject: Long Lake Resort and Cabins Rezoning

To whom it may concern,

Lyn Loheed is a very responsible and dedicated property owner and individual. She has spent much of her adult life rehabbing and remodeling two Victorian homes in Des Moines Iowa prior to her relocation to your community. She is very invested in making this property her home and her business a successful and well kept one. Given time she will return this property into a jewel in the Long Lake crown. Please grant the rezoning for this property. You won't regret it.

Wende Barrett
1514 Clinton Avenue
Des Moines, Iowa 50313
515-210-1514

Sent from my U.S.Cellular© Smartphone

Steve Lang

From: etta3216@aol.com
Sent: Tuesday, June 08, 2021 1:10 PM
To: Steve Lang

Hello Supervisor,

I am writing to give you some important background knowledge regarding Lynn Loheed as you make decisions about her property in your jurisdiction. I have known her for decades and have been extremely favorably impressed with her expertise and dedication to enhancing, restoring and value building in the Sherman Hill neighborhood of Des Moines, Iowa. I have lived in Des Moines most of my 75 years and seen that area change from a disintegrating slum into a thriving area full of beautifully restored historical homes. Lynn has been a community leader in that transformation as a resident, property and business owner, and advocate for her community. Her integrity and work ethic are outstanding, as is her ability to do the actual restoration work herself. Her Sherman Hill home has been a star in the annual home show walking tours and I have every confidence her lakeside resort will be a positive enhancement to your community as well.

Respectfully,

Etta Berkowitz
3216 4th St
Des Moines, IA 40313

Steve Lang

From: Kathy B <bowerka@gmail.com>
Sent: Tuesday, June 08, 2021 10:57 AM
To: Steve Lang
Subject: Long Lake Resort and Cabins Zoning

Dear Supervisor,

I wholeheartedly support the rezoning of Long Lake Resort and Cabins to the same zone as Parker House. This lake is in need of quality places for people to stay when visiting in the summer.

I understand that the neighbor to the north opposes this zoning. I oppose building monster homes on a lake with a history of cabins and cottages. If this owner wanted a "gated community" he should have built in that kind of area or purchased acres of land. He can't buy a lake lot then change the rules.

Kathleen Bower
Long Lake resident

Bev Huard

From: Dave Distler <dave.distler@gmail.com>
Sent: Thursday, June 10, 2021 8:26 AM
To: Steve Lang
Subject: Lyn Loheed resort
Attachments: 20210422_233120.jpg

I am writing in support of a hospitality business at Lyn Loheed's property at Long Lake.

I own property on the lake in Presque Isle County on Shubert Highway. I am also the author of the book The Lost Resorts and Cottages of Long Lake and have researched the local community to a great extent.

I'll give you the highlights; Long Lake has a 140 year old reputation as a Hospitality destination with a wide variety resorts and cottages. Unfortunately, private development by wealthy land owners have removed most of the remnants of the lake's true heritage.

Nearly all of the hospitality businesses are now gone and the community has lost its sense of identity. While I am a private property owner myself, I also see the value in hosting visitors at our little slice of heaven; long lake.

I would ask you to consider a balance of private and commercial property, as moving fully towards either one would not be desirable.

I would be happy to answer any questions.

Best Regards,
Dave Distler
317.385.6310

Steve Lang

From: Nick Gabara <nick.gabara@gmail.com>
Sent: Tuesday, June 08, 2021 9:58 AM
To: Steve Lang
Subject: Long Lake Resort & Cabins

Good Morning

I would just like to take a quick minute to write to you in support of Long Lake Resort & Cabins receiving the proper zoning approval to continue as a resort on Long Lake. As my family was the previous owners of the property, I along with a multitude of friends & family had the pleasure of experiencing many years of enjoyment at the property, I believe it's great that the new owner is returning the property back to a resort, so that many other people are able to enjoy all the property has to offer.

I feel the property being adjacent to "The Parker House Resort" fits the intentions of the zoning in this area and would be a valuable asset to Presque Isle bringing in tax revenue and revenue supporting other local establishments ranging from marinas, bars, restaurants, etc..

Thank You

Nick Gabara
Presque Isle Resident on Long Lake

Steve Lang

From: Virginia Gieseke <vgieseke@mediacombb.net>
Sent: Wednesday, June 09, 2021 6:20 PM
To: Steve Lang
Subject: Long Lake Resort and Cabins

I encourage you to approve the rezoning request made by Lynn Loheed, who owns and operates Long Lake Resort and Cabins.

I have known Lynn since the 1980s. I know her to be a responsible and active citizen, a terrific rehabber, works hard at being environmentally friendly, and a great landlord. She will keep the resort in wonderful condition, and be a good neighbor.

The Long Lake Resort and Cabins will positively affect the local economy. The guests will spend money in bars, restaurants, local shops, and attractions.

Thank you for your consideration and time.

Virginia Gieseke
1030 59th St.
Des Moines, IA 50311

Bev Huard

From: Bradford Harvey <bradfordw@dwx.com>
Sent: Thursday, June 10, 2021 1:00 PM
To: Steve Lang
Subject: Re. Lyn Loheed

I have known Lyn Loheed since the 1970s and have rented two different properties from her during that time. In both cases, the property was well maintained and she has quickly responded to all requests for all necessary improvements and repairs. She has also been an active participant in the neighborhood association and annual tours. The only negative I can cite is that after doing a beautiful rehab on her two-story house, she sold it and moved to Michigan where I anticipate that she will do the same beautiful work there. There is no question in my mind that she would be a valuable asset to any neighborhood she re-locates to.

Steve Lang

From: Bob Krafft <krafftbob@yahoo.com>
Sent: Tuesday, June 08, 2021 9:47 AM
To: Steve Lang
Subject: Crittenden property

I understand that there is a zoning issue with the new vacation opportunities being offered on the former Crittenden property.

I have lived on Long Lake, 23 N near Rockport for 36 years and have watched the development around the lake change and grow. The biggest thing missing on our lake has been short term rental opportunities which brings visitors to NE Michigan. These visitors bring significant financial opportunities with them. Not only Long Lake, but Rogers City, Alpena and the areas in between all benefit from vacationers in our area. We have a large number of people who come up to their summer cottages but not a lot of daily or weekly rental opportunities.

Please support whatever zoning is available to make these rental cottages succeed.

Thank You

Bob Krafft

[Sent from Yahoo Mail on Android](#)

Steve Lang

From: Lyn L <lynloheed@gmail.com>
Sent: Tuesday, June 08, 2021 10:10 AM
To: Steve Lang
Subject: Rezoning of 24688 US 23 S., Presque Isle

Good day,

In advance of the meeting where this application will be discussed, I would like to share my story with all of you on the board.

I grew up in Detroit and spent all summer, every summer of my childhood on Long Lake on Rensberry Road at a cabin my grandfather, Fred Hildebrandt, bought for the family in approx. 1951. My first trip up here was when I was 5 weeks old. This cabin is still in the family, owned by my cousin, Jeff Rains. I have come back every summer during the 4th of July to see my oldest friends and family. I remember all the grandmothers, including mine, and now we are the grandmothers. I remember as a kid vast stretches of the lake were undeveloped and there were very few people who lived year-round on the lake. That has greatly changed over the years, and I watched that happen.

My career was in television production and I retired in 2019 after 40 years at 5 different stations. Besides my career, I was also a landlord in Des Moines, IA, for 40 years. Most of our properties were in an up and coming former worst neighborhood in town that has been reborn by our collective efforts into a local and nationally recognized historic district that is now the most desirable neighborhood in Des Moines. Many neighbors with the same vision to save those beautiful old houses worked for years on their homes as well. We bought and restored or at the minimum stabilized or improved 8 different fragile at risk buildings and made sure they ended up in the right hands for the next phase. So taking on the renovation of a place built 30 years ago does not scare me. My house there was 130 years old! I am very hands on and have a lot of restoration skills and experience.

This property was the Crittenden Retreat for those years, Before that it was a resort called Murray's Cabins. I have one original cabin left that I have been extensively upgrading and restoring. The other cabins were torn down and rebuilt. and a large addition to the house and 8 garage bays were added in the yard. Dave Distler wants to include this in the next edition of his book "The Lost Resorts of Long Lake".

The cabins, at least two of them, will only be seasonal rentals as they are built on slabs and do not have a heat source. The large cabin does have a gas furnace/fireplace that heats the cabin very nicely. It remains to be seen how far into the winter months that alone will be sufficient for heating. I may opt to put in a small wall-mounted heater to make it rentable year-round. But that is a plan for another day. The eight garage bays will be rented out for winter boat storage. This will create very little additional traffic. I have also been approached to use the grounds and house as a venue for small weddings. The Common Room in the house and the main kitchen was literally designed and built by Red Crittenden to host his legendary parties. I don't think I can be "legendary" but I can and will be a gracious, respectful and responsible host.

The property sat empty for over two years while Red Crittenden's family waited for the right buyer to come along who was willing and able to take on this project. I and they believe that person is me. I have already spent over \$40,000 over my initial purchase price getting the house and cabins furnished, plumbing and electric systems fixed and ready for my AirBnB guests. Currently all of my guests are booked through AirBnB which is handy as a screening tool to weed out bad actors. I hope over time to build up a clientele that I know and have rented from me before and the cabins will convert to weekly rentals only, rather than the two day minimum I

currently have while using AirBnB. This is marketed as a place for families to have a fun and safe vacation. One of my next projects will be to enclose the property with a secure fence from the garages to the lake, so guests with dogs can let their dogs romp and run and stay safely on the property. Another project will be to plant a hedge tree line along my property line to screen my property from my neighbor to the north. I live permanently on the property and am here to supervise my guests. I feel that is an important aspect to running a good resort with very few shenanigans. People who want to come up here to "tear it up" won't rent from me. They will go where they can be unsupervised. If there are occasions where I will be gone, like to visit my new grandchild, I will have a trusted on-site manager in place.

I do not allow camping on the property, and will only allow one 5th Wheel or RV if the party has also rented a cabin and they have extra family. Once that spot is filled, during that time frame, no other RV's will be allowed to book. I am cautious about making sure this property does not get too crowded. If every bed is filled in every space in the cabins and house, the maximum capacity for the entire property is 28 adults. I will not exceed that, but that count does not include infants and children under 6.

I have had a great deal of interest from people who have some connection to the lake and are thrilled to have a new place to rent open up on the lake. As you may know, people not only come up here and rent the same cabin for the same week every year, but they have been doing so for decades, if not generations. Many are excited about getting in on the ground floor to reserve their spot and their week for years to come. This is exactly what I wanted when I saw this place for the first time. This may sound odd, but this place spoke to me the first time I walked into it and I knew it was meant for me, meant to use all my life experience and skills as a landlord and restorationist to preserve, maintain and improve this property. I have done a thousand projects and improvements so far. There are a thousand more on the list, and probably another thousand that haven't even made the list yet. I will be improving this property for the rest of my life, and then will pass it along to my two daughters and my grandchildren.

Long Lake is a special place. (Apologies to those members of the board from Grand Lake, but I was assured you wouldn't hold it against me!) It is my happy place. It is a life-long dream of mine fulfilled to be able to live here permanently. I know I am lucky to be here. I will always strive to be a good neighbor to those close by and to the community at large. It is a particular joy to be able to share this property with my guests so their families can build years' worth of memories as they return each year for their summer vacations. Not everyone is lucky enough to own their own cabin here, but all should get an opportunity to enjoy this piece of heaven.

Thank you for your consideration of my application, and I will be at the July 7 meeting to personally answer any questions or address any concerns you may have.

Respectfully submitted,

Lyn Loheed
Long Lake Resort and Cabins

Steve Lang

From: Family <gmadill240110MI@comcast.net>
Sent: Tuesday, June 08, 2021 3:33 PM
To: Steve Lang
Subject: Long lake cabins resort rezoning

We, as homeowners on Long Lake, are writing in SUPPORT of the zoning change required For the Long Lake Cabins and Resorts. Tourism, new money brought in by it, is a welcome thing, in our opinion.

Thank you,
The Madill Family

Steve Lang

From: aliciamanning79@gmail.com
Sent: Tuesday, June 08, 2021 10:10 AM
To: Steve Lang
Subject: Zoning change

To whom it may concern,

Since I am unable to attend the meeting on July 7th, I would like to voice my support of the change in zoning for the Long Lake Cabins property. It is my understanding that the owner wishes to have her property changed to light industrial the same as her neighbor The Parker House. I wholeheartedly support this change. Small businesses are essential to our small community, and the lake should be shared with visitors and tourists that will in turn bring more revenue to the area.

Thank you for your consideration,

Alicia Manning
13874 Parallel Ave
Alpena Mi 49707

Steve Lang

From: Jean nardi <blondezila76053@yahoo.com>
Sent: Tuesday, June 08, 2021 10:25 AM
To: Steve Lang
Subject: Zoning

Steve,

I am writing to you to request the approval of the zoning change proposed by Lyn Loheed (The Long Lake Resort and Cabins). This property has a rich history on our lake and is included in a book recently published about the history of resorts and cottages on Long Lake. Fortunately, we are seeing an increase in tourism and with it comes increased demand for lodging. Tourists spend money and our businesses rely on that income.

Your mission statement speaks of "expanding opportunities for our community " as well as being a "destination of choice for tourists". I am hopeful that your decision will reflect your mission. This would be a change that will benefit many of us.

Thank you for your time.

Jean Nardi

Steve Lang

From: Rusty Tedrow <rustypoehner@gmail.com>
Sent: Tuesday, June 08, 2021 3:56 PM
To: Steve Lang
Subject: Long Lake Resort and Cabins

Please accept this as an open letter of support for Lyn Loheed, current owner/operator of Long Lake Resort and Cabins, in her request for rezoning to allow her continued operation of the business.

I have known Lyn for over forty years, and can attest to her having spent a lifetime as a responsible member of the Des Moines community as a landlord, rehabber, and highly active member of her neighborhood association. She has devoted herself to responsible practices in the revitalization of the Sherman Hill neighborhood in Des Moines, and has implemented equally responsible procedures at Long Lake, booking only AirBnB approved renters, and being proactively involved in monitoring the behavior of her visitors. She is actively planning to minimize the impact of her rental operation on neighbors, and will continue to build bridges within the community if her rezoning is approved.

In addition, Long Lake is her childhood stomping ground, and she holds the area in deep reverence - taking on this resort and returning to Michigan is the fulfillment of a lifelong dream for her. Had she been made aware of the current zoning by the family when she purchased the resort, she would assuredly have done due diligence in advance to make her case and show her plans to improve the property and, consequently, the neighborhood at large. I urge you to consider Lyn's exemplary character and successful history in Iowa as this zoning request is examined, and the long-term value she brings to your community.

Thank you for your consideration.

Rusty Tedrow
Portland, OR

Steve Lang

From: Mary Tolan <mtolan@chartermi.net>
Sent: Tuesday, June 08, 2021 3:48 PM
To: Steve Lang
Subject: Long Lake Resort and Cabins

Hello,

I am sure you are being slammed with emails from Long Lake residents regarding the zoning issue with Long Lake Resort and Cabins on U.S. 23 South, but, it really is important to hear all opinions before making any decision.

I am hoping you will give Lynn Loheed the zoning she needs to continue to do her business the way she planned... the same as other resorts on Long Lake.

I do not know her personally, but I have viewed her business page on Facebook and can see how much work she has already put into the property. Not to mention she is doing all that herself! I am sure she will put any protocols in place with regard to boundaries (fencing) and pet policies.

A business is a GOOD thing for our area. Her business will bring in tourists who will spend money to support other small area businesses.

I do understand the concerns of the Dombroski family (that live next door), however, they do not "own the lake" nor should they have "special rights" just because of who they are. I get that they built a beautiful home and do not want any "undesirable people" close by... but that is the nature of living where they do and not in the middle of 40 acres.

We need to become less reactive and more proactive as a community. It would be so sad to see that woman not be able to do business as a resort, and I am sure she is depending on that income. Read her reviews on her Airbnb site:
<https://www.airbnb.com/users/show/295844630> It does not look like a bunch of undesirable people have been staying there, and it sounds like she is doing a great job so far!

Thank you for your time,

Mary Tolan
25245 U.S. 23 South
Presque Isle, MI 49707

Steve Lang

From: Robert Yapp <yapperman@msn.com>
Sent: Tuesday, June 08, 2021 6:22 PM
To: Steve Lang
Subject: Zoning Issue at Long Lake Resort & Cabins

I am writing you in regard to the zoning hearing about Long Lake Resort & Cabins owned by Lyn Loheed. I have know Lyn for 40 years. We worked together to take a derelict, Des Moines, Iowa neighborhood and turn it into one of the best historic districts in the Midwest.

Lyn was a tireless community oriented person who rehabbed many historic properties in the afore mentioned neighborhood. In order to protect her investment, she bought derelict slumlord houses and meticulously restored them. She was an outstanding landlord and very, very picky about her tenants.

Lyn has worked very hard to rehab this wonderful little resort and done amazing work. As the former host of the national PBS show, About Your House with Bob Yapp, I had the opportunity to see many rehabbed structures from coast to coast. My wife and I run a boutique Bed & Breakfast in Hannibal, Missouri. I could only hope to have a neighbor here in Hannibal that would even come close to the quality person Lyn has proven herself to be, over and over again. I can say without hesitation, Lyn is doing amazing work and will be the responsible citizen she has always been.

Sincerely,

Bob Yapp
President
Preservation Resources, Inc.
Belvedere School for Hands-On Preservation
Belvedere Inn B&B
521 Bird Street
Hannibal, Missouri 63401
217-474-6052
yapperman@msn.com
www.bobyapp.com
www.belvedereinnhannibal.com

Bev Huard

From: Thomas Guyer <tguyer409@gmail.com>
Sent: Tuesday, July 06, 2021 3:34 PM
To: Bev Huard; Cynthia Paavola; Tom Ludwig; Howard Welsh; Lisa Larkin; Rick Kurkechian
Cc: Steve Lang
Subject: Fwd: Re-Zone Lyn LoHeed

Another email regarding tonight's rezoning hearing.

Bev

Please put this on the website.

Thanks

Tom

Sent from my iPad

Begin forwarded message:

From: nowaka_1222@frontier.com
Date: July 6, 2021 at 2:49:41 PM EDT
To: tguyer409@gmail.com
Subject: Re-Zone Lyn LoHeed

Dear Mr. Guyer:

We have lived across from this property for 40 years. Our driveway is right across from theirs. We have no problem with letting this property be run as cabin rental and bed and breakfast. Murrays rented out the cabins when they lived there and there were no problems. No problems with Crittendents either. Even when they had large gatherings.

Will all cabin rentals need to be rezoned in this area?

I would like to see Lyn get the new zoning she needs.

We will be attending the meeting tonight.

We all need to get along. Let the person complaining put up a fence. I guess they should have bought an island in Grand Lake and built. Then they would not be bothered by anyone.

Thanks for listening.

Mike and Ann Nowak



Presque Isle Township Planning Commission

May 3, 2021

PUBLIC HEARING

Call to Order: The meeting was called to order at 7:00 pm by Chairman, T. Guyer

Roll Call: In attendance were: T. Guyer, T. Ludwig, R. Kurkechian, L. Larkin, C. Paavola, and Howard Welsh. S. Lang, Zoning Administrator also attended.

Audience Present: 16 guests.

Agenda Approval: L. Larkin motioned to approve the Agenda with the movement of Open Meetings Act to follow minutes approval. C. Paavola seconded the motion. All ayes; motion passed.

Approval of Minutes: (April 5, 2021 & April 19, 2021) H. Welsh motioned to approve all the minutes as written. T. Ludwig seconded the motion. Roll call vote: All Ayes; motion carried.

Open Meetings Act to Discuss April 5, 2021 Planning Commission Meeting following the Spectrum internet failure that disconnected participants on the Zoom meeting.

T. Guyer described the technology problem that occurred during the April 5, 2021 Planning Commission meeting, which resulted in three Zoom participants to be disconnected. He provided a thorough summary of the meeting and recapped highlights from the point the internet failed. Four letters from residents regarding the short-term rental issue were received and given to the commission members. T. Guyer invited questions/comments from the public but there were none on this issue. The approved minutes from the April 5, 2021, along with copies of the letters, are on the website under the "Local Government" title and "Planning Commission" tab.

Comments from the Audience from May 3, 2021 Meeting:

- L. Taylor asked if the Master Plan is on the website. It was put on the website 5/4/21.
- K. Barkel thanked the township for providing Zoom meeting participation for all to attend. He hopes this continues.
- M. McCoy inquired where minutes are found on the internet. This was addressed by B. Huard.

Public Hearing Opened Regarding a Zoning Ordinance Change to Permit Short-term Rentals.

Public Hearing Procedure:

1. Overview of request
2. Review Correspondence
3. Comments from the Public
4. Close Meeting for deliberations.

Ordinance to Amend the Presque Isle Township Zoning Ordinance to Allow Short-Term Rental Facilities:

T. Guyer opened the Public Hearing and read the Presque Isle Township Ordinance No. 1 of 2021. This is an ordinance to amend the Presque Isle Township Zoning Ordinance Sections 3.1, 6.2, 7.2, 8.2, 9.2, 10.2, 11.2 and 16.2 and Article 4 to allow Short-Term Rental Facilities.

Section 1: Amendment to the Presque Isle Township Zoning Ordinance.

T. Guyer read Section 1: Amendment to the Presque Isle Township Zoning Ordinance, Section 3 .1 (Definitions) is hereby amended to read as follows:

Short-Term Rental – a Single-family dwelling which furnishes transient accommodations for compensation for periods of twenty-eight (28) consecutive calendar days or less and which is unoccupied by the owner during the time in which transient accommodation are furnished. A short-term rental does not include a bed and breakfast facility or a tourist home.

Correspondence:

- Mr. Chris Cooper of Grand Lake Hotel, called R. Kurkechian and was advised to come to the meeting.
- Ms. J. Smigelski called T. Guyer.
- Letter from Ron & Laurie Scudder was summarized.
- Letter from Mike & Lauron Feuerstein was summarized.
- Letter from Denise Tryban, Wonderland Realtors was summarized.
- Letter from Linda Taylor was summarized.

Comments:

- Linda Taylor, 6152 E. Grand Lake Road, commented she supports the amendment to allow short-term rentals as tourism has been the heart of the community for 50 years. Tourism is a priority. This township does not have enough full-time residents.
- Chris Cooper, 9258 Leavitt Drive, in addition to giving T. Guyer his letter, he commented he has a rental for many years since 1913. His rental supports the community, as it helps people looking for homes and vacations. The visitors spend money in the community and he would like to operate his property like he has in the past.
- B. Forbush, Presque Isle Township Fire Chief, supports new amendment to the ordinance. Regulations are far and above for fire protection on short-term rentals. He will put comments in writing to address the Board of Trustees at the May 10, 2021 meeting.
- Mike Fuerenstein, 1962 Evergreen, Supports short-term rental. He commented long-term renters are hard to get out then some renters damage the property.
- S. Potts, Blue Horizon Road, has lived at her home almost four years and has a short-term rental close to her. Why is there a business in a residential neighborhood? If let one in, this is setting a precedent. She has experienced drinking, yelling, trash and too many people in the rental. She is now selling her home due to the short-term-rental next

door.

- J. Dombroski, 24662 U.S. 23, commented his big investment in his home is at stake, as who would want it to live next door to short-term rentals? He committed his life to his home and Presque Isle Township. He has experienced strangers on his beach front, smoking and leaving cigarette butts. The short-term rentals next door are on residential property and constitute a commercial business. This affects real people – new party every day. Should be like Mackinaw Island that has 30 day rentals.
- K. Barkel, 17230 Bay View Drive, He is a full-time resident and commented he is not in favor of short-term rentals. The community is for full-time residents.
- J. Burtch indicated he is not a resident. He addressed the Dombroski/Potts emotional issues and economics, if keep short-term rentals. Last summer he experienced a short-term rental next door. It was a bad summer the rental averaged 11 people. Should invite people that live next door to short-term rentals to the meetings.
- Lauron Feuerstein, 1962 Evergreen, supports single term rentals – one house, one family.
- Doug Bruski: Supports the proposal to amend ordinance to allow short-term rentals because they bring visitors to the area. His renters provide an economic impact as they go to restaurants and other businesses and spend money in the community. The timing of this is poor – the rental season is already here.

T. Guyer closed Public Hearing for Deliberations 8:00 p.m.

- House Bill 4722, which prohibits local townships from regulating short-term rentals, was discussed. The Planning Commission voted, 4 – 2, to not put short-term rental revisions on hold because of the pending legislation.
- A long discussion was held whether or not to allow or not allow the amendment to the ordinance to allow short-term rentals. The Planning Commission took into consideration comments regarding short-term rentals. The commission tried to find a lawful balance with short-term rental owners and those who want them banned.
- H. Welsh motioned to approve the amendment to the ordinance to allow short-term ordinance as so written. C. Paavola seconded. Roll call vote; all ayes. Motion carried.

Reports:

Twp Board (Cynthia Paavola): Report submitted. See attached report.

ZBA Liaison (R. Kurkechian): No report. Next ZBA May 4, 2021

Zoning Administrator (S. Lang): S. Lang gave a brief synopsis and said Birch Hill was sold and will open approximately in 9 months. S. Lang gave a violation to the camper on Rivendell and the camper promised to be gone in a week. If he does not leave, \$500 fine. Busy getting ready for the meetings and ordinances.

New Business: None

Unfinished Business:

Fireworks Ordinance: See attached. The Fireworks Ordinance is a stand-alone police power ordinance. The Board of Trustees will review at the meeting on May 10, 2021 at 6:00 p.m.

Adjournment: Tom Guyer adjourned the meeting at 8:30p.m.

Meeting Reminder: The Planning Commission will meet again on May 17, 2021 at 6:00 pm to conclude Article #7 changes with Denise Cline from NEMCOG.

Respectfully submitted, Bev Huard, Administrative Assistant

Minutes from the Planning Commission meeting

May 17, 2021

6.00 p.m.

Roll Call: R. Guyer, T. Ludwig, H. Welsh, L. Larkin, C. Paavola, R. Kurkechian
excused.

Also Steve Lang Zoning Admin.

Agenda: Approved as written.

No Comments from the Audience.

New Business: opened at 6:01 pm. Closed at 6:02 pm.

Zoomed in Denise Cline and Eric Szymanski, guest from NEMOC

Review the proposed new zoning map.

Finished reviewing Article #7

In the July 6th meeting we will be reviewing District Regulations #8

Talked about separating the Rec Plan from the Master to have it separate, but still
within the Master Plan. Denise Cline recommended that this be done. .

No meeting in June, 2021.

Meeting adjourned 7:27 pm

Respectfully,


Cynthia Paavola



Presque Isle Township Planning Commission

July 6, 2021 at 7:00 p.m.

PUBLIC HEARING

Call to Order: The meeting was called to order at 7:00 pm by Chairman, T. Guyer

Roll Call: In attendance were: T. Guyer, R. Kurkechian, T. Ludwig, L. Larkin, C. Paavola, and Howard Welsh. S. Lang, Zoning Administrator, Tim Gulden, Attorney and B. Huard, Admin. Assistant also attended.

Audience Present: 24 guests.

Agenda Approval: C. Paavola motioned to approve the Agenda with the movement of Lynn Loheed's Public Hearing to follow New Business. H. Welsh seconded the motion. All ayes; motion passed.

Approval of Minutes: (May 3, 2021 & May 17, 2021) L. Larkin motioned to approve all the minutes as written. C. Paavola seconded the motion. Roll call vote: All Ayes; motion carried.

Comments from the Audience: T. Guyer invited comments from the audience. No one commented.

Correspondence: No additional correspondence was received. A plethora of correspondence has been received regarding the rezoning issue. Those letters will be addressed during the Loheed Public Hearing.

Dennis Norton's Public Hearing Opened at 7:05:

Public Hearing Procedure:

1. Overview of Request
2. Review Correspondence
3. Comments from the Public
4. Close Meeting for Deliberations.

Overview of Request: S. Lang addressed the Planning Commission for Dennis Norton's request for a zoning variance to build a garage across the street from his residence without a dwelling on the property. D. Norton provided an excellent site plan for the garage and does not have room on his property with the house to build the garage. The zoning ordinance states no accessory structure without a dwelling.

D. Norton indicated the need for an accessory structure on his property across the street from his house to store his boats, trailers, etc. to make the area look neater. His lot across the street is 309' deep and his garage will be 100' off the road. The garage will not be seen from the road, as there are trees blocking the view.

Review of Correspondence: No correspondence was received on this matter.

Comments from the Public:

1. K. Wolf of 4764 Presque Isle Park Drive, is against the garage being built on the interior lot, as a precedent is set for more variances. It is not fair for others who built homes and this will ruin their historic environment. D. Norton replied his lot is secluded and feels the garage is a proper use of the property.
2. M. Beaulac of 4764 Presque Isle Park Drive, reiterated K. Wolf's comments. The interior area referenced is now a draw for homes, as it is not lakefront. Others may want the variance too and may not be secluded with trees. Doesn't want an industrial park. D. Norton replied residents will not see his garage from the street.
3. Kristen Hart of 4770 Presque Isle Park Drive. The Covenant was made to not obstruct the view of the lighthouses. The lighthouses cannot be seen from that street. Thanks to D. Norton to clean up his property and showing responsibility to build a garage to store his boats, trailers, etc.
4. Jan Lefevre, 4812 Presque Isle Park Drive, said she bought her property with the covenant. Prefers to do that with the rules to secure the value of her property. If the property is sold, maybe others won't have trees or Mr. Norton's setback. The next owner could take the trees down. Building homes in the interior has a questionable future and is afraid nothing to provide garage to be hidden from view. Again, D. Norton said he is 100' back from road, treed, not visible. He once tried to get the interior lots zoned as a natural area.

Dennis Norton Public Hearing Closed for Deliberations at 7:20 p.m.

A thorough discussion was had by all the commission members that was inclusive of the greenbelt around the future building, a garage instead of a pole barn, possible future home on the property attached to the garage, and a building to house trailers and boats is better than out in the open.

H. Welsh motioned to approve the site plan for the garage with the stipulation a minimum 20' greenbelt would be all around the property to protect future neighbors. T. Ludwig seconded the motion. Roll call vote; All ayes; motion passed.

New Business:

Rodney Castaldi is requesting to erect a Ham radio antenna to a new height of 130' from 50'. S. Lang asked the Planning Commission if they are willing to identify and waive a few standards and then at the August Planning Commission meeting Steve and Rodney will have an official site plan to discuss. A discussion was held to verify height, if consent from neighbors, damage if the tower falls, etc.

T. Guyer indicated sections to waive and exempt for height. Sections to waive in the Wireless Communications Ordinance: A, B, C, G, H, I, J, K, L, M, All commission members agreed. S. Lang said he has enough information to complete the site plan with R. Castaldi.

Open L. Loheed Public Hearing at 7:35 p.m.

Overview of Request:

Chairman, T. Guyer indicated L. Loheed requests to rezone her property from R2, single family residential, to C1 neighborhood commercial. He noted that if the property is rezoned, many possible uses would be allowed in this zoning district, such as a dance studio, barber/beauty shop, pharmacy, accessory structure, etc. He also noted that if the property is rezoned, L. Loheed would need a special use permit to operate a resort in this zoning district.

Zoning Administrator, S. Lang reported resorts are not allowed in an R2 zoned district. C1 allows dance studios, medical marijuana, convenience stores, furniture repair/restoration, etc. Single family residential zoning runs on US 23 South to the Alpena County line. S. Lang issued citations to L. Loheed for operating a resort in an R2 area. The guidelines under Michigan Township Association indicate the Township should eliminate C1 zoning in this area and make all R2. Parker House is OK as a historic, lawful non-conforming use.

L. Loheed's attorney, Robert Kane, addressed the commission that the property historically was a family compound with 150' of frontage and 2.5 acres. If the rezoning is turned down, his client cannot use all that property and the property has lost value.

L. Loheed, 24688 U.S. 23, indicated she grew up on Long Lake and her life-long dream was to return to the lake in her retirement. She has invested \$50,000 so far rescuing the property from further damage. She wants to share her cabins with folks who need a place to stay at a reasonable price. Countless families want to rent her cabins for weddings, reunions, etc and enjoy the Long Lake experience. L. Loheed said she has three cabins that will sleep 18 people plus 28 people in the house. She passed a book around to the commission members to highlight a dilapidated house she rescued in Des Moines Iowa into an attractive Victorian home.

L. Loheed stated that she failed to check zoning requirements when she purchased her property. She learned of the R2 zoning requirements in February 2021 and rented out her house to ice fishermen and also continued to rent out the cabins until now, knowing she was in violation of the zoning ordinance.

Correspondence:

T. Guyer received a plethora of emails both pro and con regarding the rezoning request. He read the names of who wrote the 17 support letters and the 25 names who wrote the letters that were against changing the zoning. T. Guyer reviewed all the correspondence and, according to T. Guyer, the commission takes this very seriously. Every commission member read each letter from residents for both pros and cons.

8:15 p.m. Open for Public Comments:

1. Catherine McLogan, 10830 Rensbury Road, supports Lynn Loheed. It is important for families to enjoy the lake at a reasonable rate and boosts tourism. Need a balance between homeowners and rentals.
2. F. Schmanski, 18142 Sunset Drive, Long Lake: He worked for Red Crittenden, a former owner of the subject property, many years and said there were often 18 people at the property. They were all his family and friends and never any trouble.
3. Ann Nowak, 24689, U.S. 23 (across from Loheed property). No problem with Red's compound and we need more rentals in the area. We haven't had any problem with L. Loheed's resort either.
4. Kevin Konieczny, 24775 U.S. 23 S. No issues and no complaints about noise. Why change zoning - instead apply a variance for use variance. (The Township Attorney then explained that a use variance is not available under the Zoning Ordinance.)
5. Jeff Dombroski, 24662 U.S. 23 S. He resides on the adjacent property. He has experienced loss of safety for his family, noise, and loss of privacy. He has people trespassing on his property, dogs barking, dogs in his yard and people smoking pot. He built his home in accordance with and in reliance upon the property being zoned R2. He has been slandered on social media by Ms. Loheed as a bully. He expected neighbors – not tenants.
6. Attorney, Matthew J. Wojda represented Jeff and Candy Dombroski. He was perplexed by Ms. Loheed's comment that there is a housing shortage, so why take a residential lot and change to commercial? He stated this is a personal issue for the Dombroski family, as resorts change the dynamics of the neighborhood. He stated more people equals more trouble, plus with the high turnover renters have less individual investment in the area, as they are soon gone. L. Loheed continued to rent out the resort knowing she was in violation. If the property is rezoned, what would happen then? It doesn't make sense to rezone the property. He requested that this application be denied.
7. Candy Dombroski, 24662 U.S. 23, resides with Jeff Dombroski on the adjacent property. She indicated they did due diligence in reviewing the zoning of their property and surrounding properties as R2, single family residential before they built their home. The resort next door has created problems with strangers every day, trespassers, and there is no accountability. They have invested here, will raise their kids here, retire here, and their investment is long-term. This is not a business but a family. There are plenty of short-term rentals around. This transient environment is not what we signed up for!
8. Robin Lalonde, 19591 Rayburn Hwy. She stated she would be horrified if she lived next to a resort. There aren't any problems with the Parker House. Seems L. Loheed doesn't follow the rules. Don't ruin Long Lake.

9. Mrs. Boehm, 16915 Shubert Road. Don't allow L. Loheed's resort, it opens a can of worms. Dogs were barking all day while renters at the subject property went to Mackinac Island. Rules are there for a reason.

L. Loheed replied to the above comments that she is accountable, rents to wonderful/amazing people, has made mistakes but will clean up what to expect from her tenants and said her resort will only get better. She said she has been bullied and threatened and keeps refining her procedures as she goes. She wants to rent her resort to lovely families who need a place to stay.

T. Guyer closed Public Hearing for Deliberations at 8:50 p.m.

- After closing the public hearing, T. Guyer indicated that the tenor of some of the emails and public comments seemed to indicate that the rezoning issue is whether Ms. Loheed or the neighboring Dombroski family was more popular or sympathetic. According to T. Guyer, this is not a popularity or sympathy contest; rather, the Planning Commission has a singular task – to determine whether it is in the best interest for the health, safety and welfare of Presque Isle residents and property to rezone the subject property from R2 to C1. He added that in making this decision, the Planning Commission should consider the legal standards supplied by the Township Attorney. Each Planning Commission member was invited to share his or her preliminary comments regarding Ms. Loheed's application. A thorough discussion was had by the Planning Commission inclusive of the current zoning ordinances and requirements; existing residential zoning uses along U.S. 23; following the Master Plan for the Township; and focusing on the best interest of the community, using legal, health, safety and welfare standards. **Following this discussion, the Planning Commission members discussed each of the following standards and made the following findings of fact:**

1. Is rezoning consistent with the Master Plan?

T. Guyer read aloud several relevant sections of the Master Plan, including bullet points 1 and 4 under "Priority Action Items" on page 10; bullet points 1 and 9 under "Overall Goals" on page 26; bullet points 1.1 and 1.2 under "Residential Goals" on page 31; Letter 1 and number 2 under "Commercial Goals" on page 32; the section on Waterfront Commercial under "Commercial Categories" on page 55; and bullet point 4 under "Recommended Changes to the Zoning Ordinance" on page 60. The Planning Commission found that while there were sections in the Master Plan that could be read to support both sides of the rezoning request, on balance the main thrust of the Master Plan was the preservation of residential neighborhoods, which mitigates against the requested rezoning.

2. Consistency with zoning classifications in the general area.

The majority of lots on U.S. 23 that have frontage on Long Lake are zoned residential.

3. Consistency and compatibility with general land use patterns in the area.

Despite the fact that several lots south of the Parker House are zoned C1, all of those lots except for the Parker House are used for residences and not commercial activities.

4. Suitability of the proposed use in the zoning district.

The character of the zoning district is residential, not commercial.

5. Adequacy of public services.

Public services should be adequate, although rezoning to commercial and permitting a resort to operate on the property could strain the area's public safety resources.

6. Traffic

U.S. 23 can handle a significant amount of traffic. However, it was noted that the lot in question is on a curve and that permitting two commercial uses (this resort and the Parker House) could create a traffic hazard with cars entering and exiting the two resorts on a frequent basis.

7. Consistency with planning recommendations.

The crafters of the Master Plan submitted a map with the lots nearby presently zoned C1 being rezoned to residential, with the Parker House being a "grandfathered" lawful nonconforming use.

8. Reasonable use under current zoning classification.

It was found that the subject property has been used for residential purposes for decades.

9. Identifiable public need.

While there were public comments indicating a need for additional resort property on Long Lake, none of the lots currently zoned C1 have been converted from a residential use to a commercial use, which does not support the theory of an identifiable public need.

10. Spot Zoning.

The general character of the entire neighborhood has not changed, and rezoning a single lot to C1 is not supported by any showing of a valid need in the name of public health, safety, or welfare.

11. Effect on surrounding property.

Rezoning the lot to permit a resort would be very detrimental to the nearby residential properties, as noted by many public comments and correspondence, and as evidenced by the fact that some or all of the permitted uses and special permit uses listed in the C1 zoning district could potentially arise on the subject property in the future.

12. Mistake or change in conditions.

There has been no mistake or change in conditions, and persons living nearby purchased property in reliance on the current R2 zoning.

13. Diminution in value.

While operating the property as a resort possibly creates the greatest monetary value for the property in question, it could also diminish the value of nearby residences.

14. Citizen opposition.

While there was a slight majority of correspondence objecting to rezoning, and while the Planning Commission members reviewed everything that was submitted by the public, this

this was not seen as a major factor either way.

H. Welsh then motioned to the Township Board of Trustees that the request to change zoning from R2 to C1 be denied at this time. C. Paavola seconded the motion. Roll call vote: All ayes. Motion approved.

Unfinished Business: N/A

Adjournment: Tom Guyer adjourned the meeting at 9:25 p.m.

Meeting Reminder: The Planning Commission will meet again on July 19, 2021 at 6:00 pm to review Article #8 Regulations with Denise Cline from NEMCOG.

Respectfully submitted, Bev Huard, Administrative Assistant

Report to the Township Board from Planning Commission

July 19, 2021

Special Meeting

6:00 pm

Call to Order: R. Kurkechian, Lisa Larkin, H. Welsh, T. Guyer, T. Ludwig, C. Paavola, Steve Lang Zoning Administrator. Zoomed in Denise Cline, Deputy Director/Chief Planner from NEMCOG.

Agenda approved:

New Business: Reviewed all Articles 4 with Denise Cline Denise will be sending us the changes made. We started Article 3, will continue going through it in the August 11th meeting.

The September 6th Planning Commission meeting Denise will have a full draft available.

Adjourned" 8:10 pm

This concludes my report.

A handwritten signature in black ink, appearing to be 'Cynthia Paavola', written in a cursive style.

Cynthia Paavola Liaison to PC



Presque Isle Township Planning Commission

August 2, 2021 at 7:00 p.m.

Call to Order: The meeting was called to order at 7:00 pm by Chairman, T. Guyer

Roll Call: In attendance were: T. Guyer, R. Kurkechian, T. Ludwig, L. Larkin, C. Paavola, and Howard Welsh. S. Lang, Zoning Administrator, Tim Gulden, Attorney and B. Huard, Admin. Assistant also attended.

Audience Present: 6 with 2 Zoom guests

Agenda Approval: L. Larkin motioned to approve the Agenda with the addition of Howard Welsh to follow Approval of Minutes. T. Ludwig seconded the motion. All Ayes; motion passed.

Approval of Minutes: (July 6, 2021) T. Ludwig motioned to approve the minutes as written. H. Welsh seconded the motion. Roll call vote: All Ayes; motion carried.

Howard Welsh: H. Welsh submitted his letter of resignation to the Planning Commission, effective immediately. He indicated it has been his honor and pleasure to be on the Planning Commission for the last ten years and treasured to be involved and give back to the community. T. Guyer commended H. Walsh on his professionalism and dedication to the people of this community. Through it all, LaFarge and other difficult decisions, he thanked H. Walsh for his valuable input and years of service to the Planning Commission.

Comments from the Audience: T. Guyer invited comments from the audience. No one commented.

Correspondence: None

Presentation: Bill Bolyard

R. Kurkechian recused himself for this presentation.

S. Lang introduced Bill Bolyard as a PITWP resident to discuss a restaurant/condo complex before placing a bid to purchase the property.

Bill Bolyard said with the loss of a restaurant at Presque Isle Harbor the boat capacity is approximately 40% where Rogers City marina has 85+%. We have the

best harbor in Michigan but are not experiencing full capacity. The boaters remember when there wasn't any gas a few years ago and are passing us by due to not having a restaurant. The Portage restaurant was mismanaged by the State for many years and now has been vacant for three years. Now the State wants to sell. To afford to have a new restaurant, must have multi floor villas/condos and possibly office space for the DNR. The goal is to have a nice restaurant with great food at a reasonable price with living quarters on the second and third floors to make it financially manageable. The land is already zoned CM (Commercial Marine).

Reports:

TWP Board: (Cynthia Paavola) Report Submitted. (Please see attached report.)

ZBA Liaison: (R. Kurkechian) Report Submitted. (Please see attached report.)

Zoning Administrator: (S. Lang) S. Lang gave a brief synopsis and said the next special ZBA meeting will be to state his plot plan was in error and the Beaulac/Wolf family want to revoke the land-use permit. S. Lang followed front set-back limits, height limit, and followed the survey from the neighboring new construction. S. Lang followed the Zoning Ordinance requirements.

New Business: None

Unfinished Business:

- Complete reviewing the Sign Article 3.48 and Article 2 Sign Ordinance Article 2 Sign Definitions and Article 3.48, Article were completed.

Additionally, a memo was received from Denise Cline to discuss the RM District minimum lot width of 80' for non-waterfront lots and 100' for waterfront lots. With a 50' side setback, it is not possible to build on an 80' wide lot and still meet the side setbacks. This was discussed and corrected.

Without any further subjects to discuss, the meeting was adjourned 9:05 pm.

Respectfully submitted, Bev Huard



**Presque Isle Township Planning Commission
Public Hearing
September 7, 2021 at 7:00 p.m.**

Call to Order: The meeting was called to order at 7:00 pm by Chairman, T. Guyer

Roll Call: In attendance were: T. Guyer, R. Kurkechian (via ZOOM), T. Ludwig, L. Larkin, C. Paavola, S. Lang, Zoning Administrator, Tim Gulden, Attorney and B. Huard, Admin. Assistant

Audience Present: 4 with 3 Zoom guests

Agenda Approval: T. Ludwig motioned to approve the Agenda with the addition of the fee for the Short-Term Rental Permit Application. L. Larkin seconded the motion. Roll call; all ayes; motion passed.

Approval of Minutes: (August 2, 2021) C. Paavola motioned to approve the minutes as written. T. Ludwig seconded the motion. Roll call vote: All Ayes; motion carried.

Comments from the Audience: T. Guyer invited comments from the audience. No one commented.

Correspondence: None

Reports:

TWP Board: (Cynthia Paavola) Report Submitted. (Please see attached report.)

ZBA Liaison: (R. Kurkechian) R. Kurkechian gave a brief summary of the August 11, 2021 ZBA meeting regarding the residential dispute between two neighbors about a newly constructed house, which has ended up in an Appeal to Circuit Court. The ZBA determined the Hart zoning permit was insufficient. S. Lang issued a stop work order on the Hart home due to lack of information on zoning permit. The original permit was voided and the Township received a new permit application one and a half weeks later. S. Lang denied that application due

to lack of information. The Hart's lawyer appealed the ZBA decision to Presque Isle County Circuit Court.

Zoning Administrator: (S. Lang) S. Lang gave a brief synopsis that included L. Loheed suing the Zoning Administrator due to not getting her property rezoned to commercial from residential. She is to go in front of District Court Judge Barton at 11:00 a.m. on Thursday, September 28, 2021 for civil infractions. S. Lang commented he has issued additional building permits, the Lake Street project has been dropped, and the Warren Creek project is still ongoing.

New Business:

Ulrich "Up North Storage" Public Hearing Opened 7:10:pm

Public Hearing Procedure:

1. Overview of Request by Zoning Administrator
 2. Presentation by Applicant
 3. Review Correspondence
 4. Comments from the Public
 5. Final Comments by Applicant
 6. Close Meeting for Deliberations
-
1. Overview of Request: S. Lang presented the overview that the original application was sent back, as no contours were presented. New application added contours for a special use permit for future buildings on this property.
 2. Mr. Ulrich indicated he has operated storage units for years. His first site plan had a fence.
T. Guyer indicated he doesn't want outdoor storage on the property and asked where the contractor building would be located and if the new buildings would hide the current buildings.
 3. Correspondence – None.
 4. Comments from the Public:

Laurie Gould, 17366 Grand Lake Blvd, PI 49777. She is hoping the building site will be made to look as natural as possible.

Karsten Boerger, 10410 White Birch, PI, 49777. The trees have been cut down and the look doesn't fit within the township. A fence will make it look worse. RVs, vans, should not be seen. Plant trees and a berm to hide. Original

signage is better than the sign now.

Brad Mathis, 5038 Bayshore Drive, PI ,49777. Agrees with the Karsten Boerger comments above.

Dick Spencer, 17293 Grand Lake Blvd, PI. 49777. The entire input from the community is concerned with what we see at the storage buildings. Should hold owner to original agreement and appearance. Mr. Ulrich, please fix this site up.

5. Mr. Ulrich was given an opportunity to respond to public comments.

Public Hearing Closed at 7:45 p.m. for Deliberations:

The Planning Commission commented on the importance of finishing the original site plan, installation of a berm with pine trees, shrubbery to hide the buildings, no outside storage (trailers, RVs) and please no chain-link fencing.

Every Planning Commission member voiced their opinion and agreed storage is a good thing but concerned about the fact the buildings don't fit in with the historic setting of the area. A berm with evergreen trees, and shrubbery, that is pleasing to the eye, is necessary and the items in the original site plan, except installation of a fence, need to be completed before any construction of new buildings.

Fact Findings were addressed and agreed upon. Please see attached.

T. Guyer motioned the application to build 30 x 80 and 20 x 80 buildings is approved, subject to the following conditions:

1. No Fence
2. No outdoor storage
3. Applicant will provide a berm or landscaping with trees and shrubs or both of sufficient size to block the view of the storage buildings from the street to the greatest extent possible.
4. The berm or landscaping must be in place before construction of the buildings begins.

C. Paavola seconded the motion. Roll call vote: All ayes; motion approved.

Unfinished Business

- **Set fee for Short-Term Rental Permit**
A discussion was held to decide what would be a fair and reasonable fee for this permit. A \$500. fee was in place already but some wanted a lower fee. This was tabled until the October 5th, 2021 Planning Commission meeting.
- **Master Plan**
The Master Plan for Presque Isle Township expired two years ago. The planning commission will update the Master Plan themselves with the assistance of Denise Cline, Deputy Director/Chief Planner, NEMCOG, provided there are sufficient funds in the budget for NEMCOG'S fee.

Without any further subjects to discuss, the meeting was adjourned 8:10 pm.

Respectfully submitted, Bev Huard

Report from Planning Commission to the Township Board

September 20, 2021

Special Meeting

Meeting was opened at 6:00 pm

In person and Zoom

Call to Order:

Roll Call: R. Kurkechian, L. Larkin, T. Guyer, T. Ludwig, C. Paavola also S. Lang

Denise Cline from NEMCOG on Zoom:

Jennifer Bidwell, and Drew Matuszak from ZBA were in attendance.

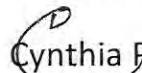
Definitions and General Notes were discussed in detail by Denise Cline NEMCOG.

Some changes are to be made. Denise Cline told us that the entire New Ordinances would be available possibly in December for approval.

The Master Plan Goals/Future Land Use with Draft Zoning Ordinance was discussed.

Meeting was Adjourned 7:55 pm.

This concludes my report.

 Cynthia Paavola Liaison to PC



**Presque Isle Township Planning Commission
December 9, 2021 at 600 p.m.**

Call to Order: The meeting was called to order at 6:00 pm by Chairman, T. Guyer

Roll Call: In attendance were: T. Guyer, R. Kurkechian T. Ludwig, L. Larkin, C. Paavola, S. Lang, Zoning Administrator, and Denise Cline, Deputy Director and Chief Council CEMCOG

Audience Present: Zero in audience and one Zoom guest, Mr. Rich Inger

Agenda Approval: L. Larkin motioned to approve the Agenda with the addition of two items under New Business. (1) Linda Taylor requested to split and rezone one acre of the Olson property to R1 from Forest Rec and (2) Letter from Linda Taylor regarding new zoning proposal to rezone property from R1 to C1. T. Ludwig seconded the motion. Roll call; all ayes; motion passed.

Approval of Minutes: (September 7, 2021) L. Larkin motioned to approve the minutes as written. R. Kurkechian seconded the motion. Roll call vote: All Ayes; motion carried

Comments from the Audience: T. Guyer invited comments from the audience. No one in audience. Mr. Rich Inger was on ZOOM regarding the lot split offered by L. Taylor. The discussion on this is forthcoming.

Correspondence: R. Kurkechian asked if under “Correspondence” if it has to be written or emailed to address blight and non-completion of construction projects. His correspondence has been verbal. A discussion was held on how to handle violations and penalties, especially blight and non-completion of construction projects. D. Cline will talk to Tim Gulden if he has a different way to handle. If so, she will rephrase Ordinance 9.9. in the proposed zoning changes. More discussion to follow on this subject.

Reports:

TWP Board: (Cynthia Paavola) Report Submitted. (Please see attached report.)

ZBA Liaison: (R. Kurkechian) Report Submitted. (Please see attached report.)

Zoning Administrator: (S. Lang) S. Lang issued one permit in November. He also was in court regarding the Hart's lawsuit against the Zoning Board of Appeals to determine if S. Lang's land use permit was inaccurate. Contours were added to the new permit. The court case decision determined it's a moot point.

New Business:

- Clarification of Ulrich "Up North Storage" landscaping to obscure the requirements from his public hearing. T. Guyer read Mr. Ulrich's landscaping requirements.
 1. No fence.
 2. No outdoor storage
 3. Applicant will provide a berm or landscaping with trees and shrubs or both of sufficient size to block the view of the storage buildings from the street to the greatest extent possible.
 4. The berm or landscaping must be in place before construction of the buildings begins.

Mr. Ulrich asked T. Guyer if his landscaping was now appropriate. After discussing with members, it was decided the landscaping is far from what was discussed. Perhaps have Mr. Ulrich present a professional landscaping plan for the approval of the Planning Commission or enact Article 5, 9B to revise the site plan instead of approval of landscaping.

- L. Taylor requested to split one acre from Olson property to R1 and leave the rest FR. Mr. Inger described why he wants to split one acre to R1 where a house sits on the property. He could fix up the house and sell it and would keep the rest of the property FR for hiking trails, hunting, etc. The commission is collecting information only on this endeavor and will discuss at the next meeting..
- L. Taylor requested to have her letter read at the meeting regarding proposed zoning change from R1 to C1 near her former office. There are homes in this area that would now be nonconforming, if this change occurs. L. Taylor will be invited to the next Planning Commission meeting to discuss the matter.

- The Planning Commission worked on the zoning revisions and L. Larkin volunteered to assist with cleaning up the document. D. Cline headed up the discussion on points of zoning and went over definitions, etc.

The meeting was adjourned 8:20 pm.

Respectfully submitted, Bev Huard