

Keweenaw County Planning Commission
Regular Meeting
Minutes April 26, 2016

The Chair called the meeting to order at 6:33 PM.

Roll Call: Jon Soper, Chair John Parsons Vice Chair
 Richard Schaefer, Member Tom Hall, Member
 Steve Siira, Member Ned Huwatschek, Member
 Ray Chase, Commissioner
 Ann Gasperich Zoning Administrator

5 Member quorum is present, meeting was appropriately posted and all members were in attendance.

The Pledge of Allegiance was recited.

M/S Ray/Ned to approve the agenda, passed

M/S Tom/Steve to approve the minutes of the regular meeting on March 29, 2016 meeting, passed.

The Chairman called for public comment. There was none.

Ann read correspondence from

Bud Cole, Michelle Halley, James Rovano, and Gary and Audrey Erickson. Ann stated that she neglected to include Jim on the agenda as he requested. Jon asked Jim if he would like to be placed on the agenda or if he could comment under public comments at the end of the meeting. Jim affirmed at the end would be fine. (Attached to the minutes)

Guests: Pat Coleman of North of 45, Proposal, Kurt Hauglie, Jim Rovano, James M. Martin, Mary Long, Carol and Jack Treganowan, Mel and Carol Jones, Kathy and Mark McEvers, Victor Betterly, Joel Erickson, Michelle Halley, and Jan Cole.

Pat Coleman introduced himself. He is willing to assist the Planning Commission and County Board to update the plan. 'Many things have changed since this ordinance was adopted, VBRO has changed rental property. From the Judges decision, the ordinance is unclear; I am surprised the Land Use Plan was not mentioned in his decision. I am available to do with updates with you. I can help to set the course and guide you through the process. Terms need to be updated, boarding house, and as the Judge wrote, tourist homes and rental homes.'

Jon thanked Pat and there will be further discussion under new business.

Unfinished Business

Ann gave an update on the County Land Use Plan meeting of April 14th. She has another Grant Township meeting in Copper Harbor set for 6:00 PM on May 12th, Ahmeek and Allouez at the Ahmeek Village Hall on May 3rd at 6:00 PM and the next County Wide meeting on June 9th at 1:00 PM here at the Courthouse.

The recommendations provided for garages, not adjacent to homes were reviewed. There was significant discussion; percent of lot coverage; need to own a home in the neighborhood, not just R-1 but all residential areas for consistency, must maintain enough room to build a house in the future, elimination of minimum square feet for tiny homes already under way.

The Commission agreed to a work session. A starting point was defined. All are in basic agreement that yes, it should be allowed. Determination as to size of garage, lot coverage and relative location to the home must be determined.

New Business

Jon thought that we could use Pats help for sure, and asked about the budget.

Ann stated the Board of Commissioners approved the budget for the Planning Commission with the amounts for training and contract work.

Pat recognized the budget constraints. "The current issue and the garage items you recently discussed are topics I can help with. How does the future land use plan relate to the ordinance, it all comes down to words. The definitions, creating standards for the ordinance are items that should be considered. I would love to have a relationship with Keweenaw County; I could save you time and angst."

Richard said, 'We are still in the getting to know each other stage, Pat should consider joining us for our work session free of charge so we can get a feel for what we can do together. He does have knowledge of other ordinances, which would be a benefit.'

Jon presented the **ordinance definitions** he drafted for tourist home and rental property. John said. 'It is a good first try but let's look to the ordinance for already defined words like dwelling and dwelling unit. A tourist home is a dwelling.' Much discussion followed such as maybe we should remove all terms regarding rentals, short term, long term, less than 30 days, defining a family.

Jon reiterated we need a work session.

The Zoning Administrator's Report Ann answered questions regarding the report.

Public Comments –

Jack Treganowan was concerned about garages. He referenced Lake Gogebic where garages turned into homes. He said, 'The reason for not allowing them in the past is the same reason for not allowing them now. People build a garage and it turns into a home and they remain on the tax roll as a garage.'

Mary Long said, "The garage without the dwelling attached went to the ZBA already and was approved."

Jim Rovano then spoke to his documents submitted with the correspondence. He explained the attachments. "We do not have a problem with rentals. The zoning ordinance already addresses this. We have a problem concerning 'entertainment'. We have all been entertaining for years, we invite people over for drinks, dinner, and to play games. The pictures show this was not an ad-hoc event. Tents with tables and chairs were set up; an entertainment schedule was posted along with available alcoholic beverages. Lights were strung for dancing after dark and games were played well into the night. This mini-resort is acceptable in many parts of the county, just not in RR. The zoning ordinance explicitly prohibits resorts for the RR zoning districts. No form of entertainment can be advertised or sold in RR. Finally, in Bud's email saying his rentals are just like the other rentals, the EDOCHI invoice shows rental for three different properties at \$4,000 for two days. I repeat \$4,000 for two days. This is not what is done at normal rental units. This is not allowed in RR. I have spoken to a number of Eagle River residents; I cannot find any contrary opinion. The last pages of my documents are articles that have appeared all over the country. This is not a local issue. Communities are fighting this problem everywhere. We need to stand behind our Ordinance now."

Richard, "Rentals in itself is OK, it's the activity that goes on . It's the use. Maybe that is where we need to focus."

Jon, "Zoning is all land use. The Zoning Ordinance is very legal. My thoughts, its purpose is so that people who live in that district know what you can and cannot do. It defines property use well enough, so people know what they can and can't do. We don't drive around looking for violations. We are notified of them. We are on the verge of reconciling this. Let's see where it goes from here. We need to make the definitions."

Mark McEvers, "Short term and long term rentals, they are not all similar. By the month, are renters paying utilities, maintaining the property? The board needs to define short term. The board seems to be ignoring the words. Lodging in the residential area is fine. It's bringing in other activities. We are asking the board to uphold the ordinance.'

Kathy McEvers, "I don't like the changes in myself over the last three years. I have become mean and hostile. I may have been a bit harsh in my email. I have heard untruthful things. When the Coles first purchased the jail, I asked Jan what they were going to do with it. Jan told me that Bud didn't like sharing his house and this one is for family. It is now a VBRO. I have experienced things that fly in the face of truth. Mary Long sat here at a meeting and explained accurately the history of the pub. It is a stretch to ever believe; the building next to the big house has been a pub in recent years. Three years, this has been going on for three years."

Jon Soper, "This discussion has been going on for quite a while. We need to fix it."

Michelle, "Regarding my request to strike Kathy's defamatory statements about me and my client from the record, would the Board please answer?"

Kathy, "I agree to have the last two sentences of the March 29, 2016 email stricken from the record."

Jon Soper, "The defamatory statements by Kathy McEvers in her email of March 29 regarding the Coles and Attorney Michelle Halley will be stricken."

Commission Final Comments

Next regular meeting May 24, 2016 6:30 PM – **NOT THE 31st**

M/S Ray/John to adjourn at 8:16