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**HAYES TOWNSHIP BOARD  
PUBLIC HEARING MINUTES  
January 21, 2013**

The Short Term Rental Ordinance public hearing of the Hayes Township Board was called to order by Supervisor Ethel Knepp at 7:30 p.m.

Board members present were Marlene Golovich, Ethel Knepp, Rich Burnett, Douglas Kuebler and Robbin Kraft. Audience members were Jonathan Scheel, Dave Zipp, Murray Kilgour, Mark Snyder, Kim Engstrom, Ed Engstrom and Chris Narten

Supervisor Knepp asked to be joined in repeating the Pledge of Allegiance.

The purpose of this meeting is to take public comment on a proposed Short Term Rental (STR) Ordinance.

Mark Snyder asked if it was inevitable that this ordinance would be adopted. Ethel stated "I believe so" Mark asked if the ordinance adoption could be put on the ballot. Ethel stated that she did not believe it could. As elected officials we have been entrusted to make these decisions based on the best interest of the majority. Mark Snyder asked if this ordinance was in the best interest of the majority. Per our Township attorney the proposed STR Ordinance will be a stand- alone ordinance not an amendment to the Zoning Ordinance. Ethel asked the audience members what the big deal was with this ordinance. If you are currently renting your property you will only need to apply for the license and continue renting. Our current zoning ordinance does not allow short term rentals and the proposed ordinance does. Mark replied that the big deal was continued government intervention.

Mark said that this could create a ripple effect in the economy because of the way future home owner perceive the use of their homes. He also stated that it may cause reduced property values. Murray Kilgour replied that short term rental homes may decrease the value of neighboring homes.

Murray Kilgour stated that the proposed ordinance seems to give anyone and everyone a license to rent their homes out on a short term basis and denies the adjoining neighbors a chance for input such as is allowed in the current special use process. He further stated that STR is commercial in nature and would be better handled as a special use under the current zoning. Ethel stated that if the Township were to amend the current zoning ordinance to allow short term rentals then everyone who is currently renting would be grandfathered in and would not have to apply for a special use permit.

Dave Zipp stated that he thought STR's would be better handled as a special use.

Chris Narten asked if an overlay in the R1 zone district could be used in regards to the STR's.

Dave Zipp asked if a cost for the license had been determined. No

Ed Engstrom asked if this is the final draft or could Section 4 (6) be amended to 45 minutes rather than 30 minute respond time. Jonathan Scheel stated that respond time does not mean on site response but could mean a phone call. Kim Engstrom also stated she did not think 30 minutes was a reasonable response time.

Ed Engstrom stated that in Section 4 (10) (a) nuisance should not be in there. Marlene Golovich stated that Township Attorney, Bryan Graham, said we had to have a definition of nuisance.

Chris Narten stated in Section 4 (6) it should read "resolve" not "respond".

Mark Snyder stated neighbors can currently call 911 to have issues with renters resolved.

Chris Narten stated that the owners receive money for their rentals making them responsible.

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Ethel Knepp stated that 911 would always take more than 30 minutes. Jonathan Scheel stated that the Sheriff's department has less & less officers available and should be responding to life and death issues. Jonathan also stated that we have over lapping rules with other licensing entities and we all have different goals.

Mark Snyder asked how long rentals have been going on. Ethel stated she had no idea. Doug Kuebler stated at least 60 years and asked what has changed that makes this license necessary. Jonathan Scheel stated that the type of rentals have changed, the homes are larger, there are more homes closer together, there are more boats and jet skis than there were 60 years ago.

Ed Engstrom asked if the appeals process in Section 8 means that the rental can continue until the ZBA makes a decision. Ethel stated that it can continue.

Kim Engstrom asked what will happen to the rentals that are already booked. Ethel replied they will just need to apply for the license.

Written comments were received from Murray Kilgour, Jim & Diane McMahon and ACK Realtors (see attached).

Public comments closed.

Rich Burnett asked why STR couldn't be handled as a cottage industry. The reason the Board decided to adopt a licensing ordinance rather than amend the zoning ordinance is because the license treated everyone the same and no one would be grandfathered in. It will also eliminate the need for everyone wanting to do STR to appear before the Planning Commission.

Clerk Golovich asked if the Board would consider tabling the decision to adopt the license to give the Board more time to review the public comments. Robbin stated she would like the extra time too.

Doug Kuebler asked why this can't be a use allowed. He does not like the license and stated we have too many ordinances.

Ethel Knepp made a motion, supported by Marlene Golovich to add the adoption of the Short Term Rental License Ordinance to the February 11, 2013 agenda.

Roll Call

Doug Kuebler	No
Rich Burnett	No
Ethel Knepp	Yes
Robbin Kraft	Yes
Marlene Golovich	Yes

Motion Carried.

## **OTHER BUSINESS**

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Clerk Golovich presented the new survey of Eastern Avenue Beach depicting the new boundaries.

Clerk Golovich asked the Board how often they wanted the Township maintenance man to check Camp Sea-Gull over the winter. Doug Kuebler stated once a month was often enough and the Board agreed. Rich Burnett stated he thinks the Township should have the Sheriff Department post no trespass signs at Camp Sea-Gull. Clerk Golovich stated she was not sure the Township could do that with public land but would ask the Township Attorney. She also stated she was not sure it was even necessary as the Township allows access to all its other properties and has not experienced any problems.

Ethel Knepp made a motion, supported by Marlene Golovich to adjourn at 8:35 p.m. Motion carried unanimously.

Respectively submitted

Marlene Golovich  
Hayes Township Clerk

Minutes approved as written February 11, 2013