

**Au Train Township, Planning Commission
Special Meeting**

Thursday, June 20, 2024 – 6:00pm

Au Train Township Hall - N7569 Spruce St – Au Train, MI 49806

MINUTES

- **CALL TO ORDER** - The meeting was called to order by Chair Cain at 6:00pm, followed by the Pledge of Allegiance.

- **ROLL CALL** – Members present: Chair Jason Cain, Vice Chair Bill Weisinger, Secretary Donna Shields, Member Billy Gramm, Township Board Liaison Jake Miller

Others present: Zoning Administrator Kathleen Lindquist, Ben & Carol Rosten, Steve & Kathy Barr

- **APPROVAL OF AGENDA** – Motion by Shields, second by Gramm to approve agenda as presented. Motion Carried

- **APPROVAL OF MINUTES** – Motion by Gramm, second by Cain to approve minutes of the June 6, 2024 Planning Commission Special Meeting. Motion Carried

- **PUBLIC COMMENT** – None

- **BOARD COMMENTS** – Gramm commented on the dust control on 16 Mile Lake Rd being excellent coverage this year.

- **ZONING ADMINISTRATOR COMMENTS** – Zoning Admin Lindquist gave her monthly zoning report. One new CUP application has arrived for STR. Hearing date to be determined.

- **PUBLIC HEARINGS**

- a **Conditional Use Permit – Parcel 001-366-005-00 – Ben & Carol Rosten requesting a Short-term Rental at N7548 Arbutus St, Au Train**

Chair Cain opened the hearing at 6:07pm.

Mr. Rosten presented for himself. They would like to offer the home for short term rentals during summer months. They live at Joe’s Lake in summer months and bought the house on Arbutus to live in during winter months as snow removal is too difficult at the Joe’s Lake residence.

Chair Cain opened the public comment period at 6:13pm

There were no comments from the public.

Chair Cain closed the public comment period at 6:13pm

The Board reviewed the General Standards from Section 802A and the short-term rental

regulations of the Au Train Township Zoning Ordinance. See *Statement of Facts and Findings Attachments A1 & A2*.

Motion by Shields, second by Gramm to approve a short-term rental for Ben & Carol Rosten at N7548 Arbutus St, Au Train.

Shields: yes, Cain: yes, Gramm: yes, Weisinger: yes, Miller: yes. Motion carried 5-0

Chair Cain closed the public hearing at 6:23pm

b Conditional Use Permit – Parcel 001-256-015-00 – Steve Barr requesting a Short-term Rental at N7023 Au Train Forest Lake Rd, Au Train

Chair Cain opened the hearing at 6:24pm.

Miller declared himself a conflict of interest as the Barrs will have his business, Northwoods Resort, manage the rental if approved.

Mr. Barr Presented for himself. They purchased the parcel and began renovating in 2020. They live nearby on North Shore Dr. and use the home for family and friends but would like to begin doing short-term rentals as well.

Chair Cain opened the public comment period at 6:26pm

Public comments received in email from James Stephen Maynard, Sherri Syers, Jack Luukkonen Jr. were read aloud. No comments from the public in attendance were received.

Chair Cain closed the public comment period at 6:32pm

The Board reviewed the General Standards from Section 802A and the Short-term rental regulations of the Au Train Township Zoning Ordinance. See *Statement of Facts and Findings Attachments B1 & B2*.

Motion by Cain, second by Weisinger to approve the application for Mr. Barr for a short-term rental at N7023 Au Train Forest Lake Rd, Au Train.

Cain: yes, Weisinger: yes, Shields: yes, Gramm: yes Motion carried 4-0

Chair Cain closed the public hearing at 6:39pm

• OLD BUSINESS –

a Master Plan Edits – Chair Cain reminded all that the survey seeking public comment on the Master Plan runs through the end of June.

b Zoning Ordinance Review & Edits

i Process for Zoning Violations: Zoning Administrator Lindquist outlined her current process for handling complaints of violations to the Ordinance. Discussion was had regarding adding further language to the ordinance on this process. Also discussed was the use of a State of Michigan

recognized violation form. This item was tabled until the next meeting so more research can be completed.

ii **Article VII Review – Section 701 – Intent** was discussed and amended to remove the reference to signs as the regulation of which is fully covered under *Article V*. Zoning Admin Lindquist described how in Munising Township, the link on their website to the CUP Application also contains the Zoning Compliance application so both are completed together. It was agreed that this was something we would like to implement. Shields will work on combining the two forms so that they can be uploaded to our website under the link for the CUP application. Revision of fees are being considered.

iii **Article X -- Site Plans – Tabled**

- **NEW BUSINESS** – The date for the Kuivanen CUP hearing was set as July 15, 2024.
- **CORRESPONDENCE/ANNOUNCEMENTS** - None
- **PUBLIC COMMENT** – None
- **BOARD COMMENT** -- None
- **NEXT MEETING** – There will be a special meeting of the Planning Commission on Monday, July 15, 2024.
- **ADJOURN** – Motion by Shields second by Cain to adjourn at 8:06pm. Motion Carried

Minutes submitted by: Donna Shields, Secretary, Au Train Township Planning Commission

Approved: July 15, 2024

Signed: 
Donna Shields

STATEMENT OF FINDINGS AND CONCLUSIONS - CUP HEARING

Date of Hearing: June 20, 2024

Hearing opened: 6:07pm

Hearing Closed: 6:23pm

Applicant: Ben & Carol Rosten

Parcel ID:001-366-005-00 Zone: TD
N7548 Arbutus St. Au Train

Request: Short-term rental

Section 802 – Basis of Determination / General Standards

- A. The Planning Commission shall review the particular circumstances of the conditional use request under consideration in terms of the following standards and shall approve a conditional use only upon a finding of compliance with each of the following standards as well as applicable standards established elsewhere in this Ordinance:
- 1. The conditional use shall be designed, constructed, operated, and maintained in a manner harmonious with the character of adjacent property and surrounding area.**
Cain: Yes, Gramm: Yes, Shields: Yes, Weisinger: Yes, Miller: Yes
Discussion: Is situated in mixed neighborhood with business and residential.
 - 2. The conditional use shall not change the essential character of the surrounding area.**
Cain: Yes, Gramm: Yes, Shields: Yes, Weisinger: Yes, Miller: Yes
Discussion: Compatible with neighboring parcels.
 - 3. The conditional use shall not interfere with the general enjoyment of adjacent property.**
Cain: Yes, Gramm: Yes, Shields: Yes, Weisinger: Yes, Miller: Yes
Discussion: Compatible with neighboring parcels.
 - 4. The conditional use shall represent an improvement to the property under consideration and the surrounding area in general.**
Cain: Yes, Gramm: Yes, Shields: Yes, Weisinger: Yes, Miller: Yes
Discussion: Home will be used year-round now instead of sitting vacant part year.
 - 5. The conditional use shall not be hazardous to adjacent property, or involve uses, activities, materials, or excessive production of traffic, noise, smoke, odor, fumes, or glare.**
Cain: Yes, Gramm: Yes, Shields: Yes, Weisinger: Yes, Miller: Yes
Discussion: No more than a residence.

- 6. The conditional use shall be adequately served by essential public facilities and services, or it shall be demonstrated that the person responsible for the proposed conditional use shall be able to adequately provide for the services and facilities deemed essential to the conditional use under consideration.**

Cain: Yes, Gramm: Yes, Shields: Yes, Weisinger: Yes, Miller: Yes

Discussion: Located on a county road for easy access. Curbside garbage collection weekly.

- 7. The conditional use shall not place demands on public services and facilities in excess of current or immediately planned capacity.**

Cain: Yes, Gramm: Yes, Shields: Yes, Weisinger: Yes, Miller: Yes

Discussion: No more than a residence.

- 8. The conditional use shall be consistent with the intent and purpose of this Ordinance, and the objectives of any adopted county or township development plan.**

Cain: Yes, Gramm: Yes, Shields: Yes, Weisinger: Yes, Miller: Yes

Discussion: Is an allowed conditional use within district.

Motion: Motion by Shields, second by Cain to approve short-term rental for Ben & Carol Rosten at N7548 Arbutus St, Au Train.

Shields: Yes, Cain: Yes, Gramm: Yes, Weisinger: Yes, Miller: Yes Motion carried 5-0

Approved: X_

Denied: ____

Approved with Conditions: ____ (List):

Conditional Sign Requirements: None

Public Comments: None

CUP HEARING
SHORT TERM RENTALS

Date of Hearing: June 20, 2024

Applicant: Ben & Carol Rosten

Parcel ID: 001-366-005-00. Zone: TD
N7548 Arbutus St, Au Train

Section 802F – Basis of Determination / Short Term Rentals

F. The following standards shall be used by the Planning Commission when considering Short Term Rentals

1. The name, address, telephone number, and email address of at least one local contact person responsible for handling any problems that arise with the rental property shall be prominently displayed in the rental
2. Adequate off-street parking shall exist for tenants' vehicles and trailers (e.g. boat, ATV, snowmobile, RV.)
3. The Au Train Township Noise Ordinance shall be prominently displayed in the rental property.
4. Occupancy of the rental shall be limited to not more than 2 persons per bedroom plus 2 persons per occupied finished floor. Example: 4 bedrooms and 2 floors = 8+4 = 12 persons.

Based on our findings you are allowed a maximum of 8 total occupants (including children.)

Be it further known as stated in the Zoning Ordinance Section 421 Short-term Rentals:

- A. Short-term rentals are subject to the following conditions and limitations:
1. Pets shall be secured on the premises or on a leash at all times.
 2. All occupants must practice courtesy to neighbors in regard to noise and activities.

STATEMENT OF FINDINGS AND CONCLUSIONS - CUP HEARING

Date of Hearing: June 20, 2024

Hearing opened: 6:24pm

Hearing Closed: 6:39pm

Applicant: Steve Barr

Parcel ID:001-256-015-00 Zone: LS/R1
N7023 Forest Lake Rd, Au Train

Request: Short-term Rental

Section 802 – Basis of Determination / General Standards

- A. The Planning Commission shall review the particular circumstances of the conditional use request under consideration in terms of the following standards and shall approve a conditional use only upon a finding of compliance with each of the following standards as well as applicable standards established elsewhere in this Ordinance:
- 1. The conditional use shall be designed, constructed, operated, and maintained in a manner harmonious with the character of adjacent property and surrounding area.**
Cain: Yes, Gramm: Yes, Shields: Yes, Weisinger: Yes
Discussion: Nature of the area is lake homes, summer homes, and resorts.
 - 2. The conditional use shall not change the essential character of the surrounding area.**
Cain: Yes, Gramm: Yes, Shields: Yes, Weisinger: Yes
Discussion: Property is surrounded by other business and resorts.
 - 3. The conditional use shall not interfere with the general enjoyment of adjacent property.**
Cain: Yes, Gramm: Yes, Shields: Yes, Weisinger: Yes
Discussion: Compatible with adjacent properties
 - 4. The conditional use shall represent an improvement to the property under consideration and the surrounding area in general.**
Cain: Yes, Gramm: Yes, Shields: Yes, Weisinger: Yes
Discussion: Much work has gone into restoration of the property and home since purchased in 2020
 - 5. The conditional use shall not be hazardous to adjacent property, or involve uses, activities, materials, or excessive production of traffic, noise, smoke, odor, fumes, or glare.**
Cain: Yes, Gramm: Yes, Shields: Yes, Weisinger: Yes
Discussion: None noted

- 6. The conditional use shall be adequately served by essential public facilities and services, or it shall be demonstrated that the person responsible for the proposed conditional use shall be able to adequately provide for the services and facilities deemed essential to the conditional use under consideration.**

Cain: Yes, Gramm: Yes, Shields: Yes, Weisinger: Yes

Discussion: Is located on County Highway for easy access, has weekly garbage pickup

- 7. The conditional use shall not place demands on public services and facilities in excess of current or immediately planned capacity.**

Cain: Yes, Gramm: Yes, Shields: Yes, Weisinger: Yes

Discussion: No more so than if were used as residence

- 8. The conditional use shall be consistent with the intent and purpose of this Ordinance, and the objectives of any adopted county or township development plan.**

Cain: Yes, Gramm: Yes, Shields: Yes, Weisinger: Yes

Discussion: is an allowed conditional use within district.

Motion: Motion by Cain, second by Weisinger to approve the application for Mr. Barr's short-term rental at the stated address.

Cain: Yes, Gramm: Yes, Shields: Yes, Weisinger: Yes Motion carried 4-0

Approved: X

Denied:

Approved with Conditions: (List):

Conditional Sign Requirements:

Public Comments: None received from those in attendance. E-mailed comments from Syers, Luukkonen, and Maynard were shared with the Commission and read aloud.

CUP HEARING
SHORT TERM RENTALS

Date of Hearing: June 20, 2024

Applicant: Steve Barr

Parcel ID: 001-256-015-00 Zone: LS/R1
N7023 Forest Lake Rd, Au Train

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4. Occupancy of the rental shall be limited to not more than 2 persons per bedroom plus 2 persons per occupied finished floor. Example: 4 bedrooms and 2 floors = 8+4 = 12 persons.

Based on our findings you are allowed a maximum of 12 total occupants (including children.)

Be it further known as stated in the Zoning Ordinance Section 421 Short-term Rentals:

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