

**SPECIAL MEETING and STR Public Hearing
CASCO TOWNSHIP PLANNING COMMISSION
January 24, 2018
6 PM**

Members Present: Chairperson Liepe, Dan Fleming, Greg Knisley, Judy Graff and Dave Hughes

Absent: None

Also Present: Nathan Mehmed from Williams & Works, Attorney Ron Bultje, Clerk Brenner, Supervisor Overhiser, Trustee Macyauski, and approximately 35 interested citizens (sign-in sheet Attachment #1).

Staff Present: Janet Chambers, Recording Secretary

1. **Review of agenda:**
2. **Approval of minutes of Special December 20 meeting:** A motion by Fleming, supported by Hughes to approve minutes of the December 20th meeting. All in favor. Minutes approved as printed.
3. **Reading of Notice of Public Hearing & call to order:** Chairperson Liepe read the Notice of the Public Hearing.
4. **Review of Proposed Zoning changes:** (Attachment #2)

Chairperson Liepe read through the proposed zoning amendment.

Discussion ensued about the definition of “overnight guests”. After discussion the Planning Commissioners determined they did not need to include “overnight guests”, in the definitions because “overnight guests” is not referred to in the ordinance.

Knisley questioned why a portable fireplace should be allowed closer than a fire pit. After discussion, the 2nd sentence was stricken from Section 3.39 #7. Fire pit: A fire pit shall not be less than 25 feet from any structure or combustible materials. A portable outdoor fireplace shall not be less than 15 feet from any structure or combustible materials. The maximum size shall be three (3) feet wide by two (2) feet high, per the regulations set forth by SHAES as of 11.1.17, or as amended.

5. **Questions/comments from Planning Commissioners / Zoning Administrator:**
None
6. **Public comment/correspondence:** The following read statements concerning STRs
John Barkley (Attachment #3)
Larry Scott from Glenn Shores (Attachment #4)

Laura Toweson (Attachment #5)

Donald & Carolyn Sappanos and Norm Fouts (Attachment #6).

Greg Hass, Glenn Shores said if fire pits must be 25' away from neighboring building, why not greasy grills be required to be 25' back also.

Jen Chata said statements of vision in the community were petty and not related to the community as it is now. Should not be based on history.

Chairperson Liepe and commissioners read the following letters from citizens. To give letter authors equal time as present citizens comments, they read each letter for up to two minutes maximum.

Read letters from public:

Brian Hoffman (Attachment #7)

Carl Schwartz (Attachment #8)

Lois Schwartz (Attachment #9)

Priscilla Massey (Attachment #10)

Maureen Perideaux (Attachment #11)

Kristen Barczyk (Attachment #12)

Chris Barczyk (Attachment #13)

Chairperson Liepe invited more public comment.

Walter Harry, Miami Park resident for 40 years, has rentals on both sides of his home, he has no complaints and is not in opposition to STRs

Terry Masterson, Glenn Shores, stated he is in favor of STRs and thanked the Planning Commission for all their work.

7. Close public hearing, Planning Commission deliberates and votes:

Fleming said STR is illegal because we say so. Remember, it became illegal because a judge said so. This is not how we zone, not by a judge. As far as character of a community, it is a fleeting thing. There is no way to preserve it. We can slow changes down, but not ultimately preserve them. STRs are changing character, causing some problems for some people. Casco cannot quantify the problems or take the problems from neighbors to preserve what they want to preserve.

Chairperson Liepe asked for a motion to send the STR Ordinance Amendment on to the board. Fleming made the motion, Hughes 2nd the motion. In favor: Liepe, Fleming, Knisley, Hughes. No votes: Graff.

Knisley said it has been a long year and they have covered a lot of topics, but once they streamlined what the PC was tasked to do, definitions and where to allow STRs, they got it done. The scope became limited, but the process is not done. The board will take care of the rest. The board can change the regulations on a

month to month basis. It is up to the Township Board for rules and regulations. If it is not working, they can make changes. The PC is proceeding with something, now it moves on to a different board.

Fleming said he wanted to address the idea Mr. Barkley had about reinforcing look that happens. We need to realize the loop we are in already with zoning. We started zoning to help neighbors decide what they can do with their own houses. Now we are telling them how many people we can have in their house.

Chairperson Liepe thanked the public for all their input. Everyone has the right to speak their voice. We all have the right to be respected for our opinions. She wanted the public to know she appreciated their comments. She thanked commissioners for all their work.

Nathan Mehmed, Williams & Works, said Wells apologize for not being able to attend tonight's meeting.

Chairperson Liepe invited all to attend the Annual Meeting on Saturday, March 24th 9 AM to Noon

- 8. Closing comments and adjournment of Special meeting:** A motion by Fleming to adjourn, supported by Knisley. All in favor. Meeting adjourned at 7:10 PM.

Minutes prepared by Janet Chambers, Recording Secretary

Upcoming meetings:

Wed February 7; 7 PM – Regular Meeting

Wed March 7; 6 PM – Public Hearing and Meeting

Wed March 24; 9 AM – Noon with Board

Attachment #1 Sign-in Sheet

Attachment #2 Proposed Zoning Changes

Attachment #3 John Barkley's statement

Attachment #4 Larry Scott

Attachment #5 Laura Toweson

Attachment #6 Don Sappanos

Attachment #7 Brian & Connie Hoffman

Attachment #8 Carl Schwartz

Attachment #9 Lois Schwartz

Attachment #10 Priscilla Massey

Attachment #11 Maureen Perideaux

Attachment #12 Kristen Barczyk

Attachment #13 Chris Barczyk

Pete's home #

Date 24 Jan 2012

Planning Commission Meeting - Please sign in

Name	Address
John & Susan Barkley	640 Water Edge
Paul & Mary Ann	7174 Fulwood Ave.
Pete & Nancy	8 Columbine Drive
Pete & Dorothy Denton	16 Columbine Drive
Dexter Harris	2297 Orchard Rd
Gregory W. Harris	7151 Ferndell Ave.
Randy Stanton	6697 120th Ave
Bill Gaffney	1188 Cherry Dr
Susan Coffer	8688 Silvercreek Dr
Julie Workema	7256 Lakeside Ave.
Jan Chada/Milca-Toti	7238 Pacific Ave.
Laura Townsend	1188 Hickory
Nancy Kayse	70 Columbine
Theresa Kayse	40 Columbine
Paul Gravelle	7653 Lakeside Dr
Jim Simpson / Nancy & Peggy Simpson	1490 Lakeside Dr / 107362 SE
Tom / Jo Peterson	7250 Oblique Lake Dr
Kristin Barczyk	4762 High Shore Ln
Chris Barczyk	4762 High Shore Ln
Ilyse & Scott	7152 Grandview Dr
Rory Seiter	567-71st St.
Loren Fouts	89200 68th S. Hwy 1
DeWitt Campbell Sr.	P.O. Box 563 S. Hwy 1
Dolly Campbell	6124 Beech Lane S.W.
Jim Hart	619 Tappan

CASCO TOWNSHIP
ALLEGAN COUNTY, MICHIGAN

Ordinance # _____

AN ORDINANCE TO AMEND THE CASCO TOWNSHIP ZONING ORDINANCE; TO AMEND SECTION 2.05, DEFINITIONS – D TO ADD DEFINITION 'DAYTIME GUEST'; TO AMEND SECTION 2.13, DEFINITIONS – L TO ADD DEFINITION 'LONG TERM RENTAL'; TO AMEND SECTION 2.15, DEFINITIONS – N TO ADD DEFINITION 'NEIGHBOR'; TO AMEND SECTION 2.16, DEFINITIONS – O TO ADD DEFINITIONS 'OWNER', 'OWNER'S AGENT', AND 'OVERNIGHT GUEST'; TO AMEND SECTION 2.18, DEFINITIONS – R TO ADD DEFINITION OF 'RENT OR RENTAL'; TO AMEND 2.19, DEFINITIONS – S TO ADD DEFINITION 'SHORT TERM RENTAL'; TO AMEND CHAPTER 3 TO INCLUDE A NEW SECTION 3.39 PERTAINING TO RENTAL OF SINGLE-FAMILY DWELLINGS; TO AMEND SECTION 5.02, PERMITTED USES AND SPECIAL USES TO INCLUDE NEW PERMITTED USES CALLED 'LONG TERM RENTAL' AND 'SHORT TERM RENTAL'; TO AMEND SECTION 6.02, PERMITTED USES AND SPECIAL USES TO INCLUDE NEW PERMITTED USES CALLED 'LONG TERM RENTAL' AND 'SHORT TERM RENTAL'; TO AMEND SECTION 7.02A, PERMITTED USES AND SPECIAL USES TO INCLUDE NEW PERMITTED USES CALLED 'LONG TERM RENTAL' AND 'SHORT TERM RENTAL'; TO AMEND SECTION 7.02B, PERMITTED USES AND SPECIAL USES TO INCLUDE NEW PERMITTED USES CALLED 'LONG TERM RENTAL' AND 'SHORT TERM RENTAL'; TO AMEND SECTION 8.02, PERMITTED USES AND SPECIAL USES TO INCLUDE NEW PERMITTED USES CALLED 'LONG TERM RENTAL' AND 'SHORT TERM RENTAL'; TO AMEND SECTION 9.02, PERMITTED USES AND SPECIAL USES TO INCLUDE NEW PERMITTED USES CALLED 'LONG TERM RENTAL' AND 'SHORT TERM RENTAL'; TO AMEND SECTION 11.02, PERMITTED USES AND SPECIAL USES TO INCLUDE NEW PERMITTED USES CALLED 'LONG TERM RENTAL' AND 'SHORT TERM RENTAL'; TO AMEND SECTION 12.02, PERMITTED USES AND SPECIAL USES TO INCLUDE NEW PERMITTED USES CALLED 'LONG TERM RENTAL' AND 'SHORT TERM RENTAL'; AND TO AMEND SECTION 13.02, PERMITTED USES AND SPECIAL USES TO INCLUDE NEW PERMITTED USES CALLED 'LONG TERM RENTAL' AND 'SHORT TERM RENTAL'.

CASCO TOWNSHIP, ALLEGAN COUNTY, MICHIGAN HEREBY ORDAINS:

Section 1. Amendment of Section 2.05. Section 2 05 – Definitions – D is amended to add the following defined term in alphabetical order.

DAYTIME GUEST

Individuals who are not listed on a lease agreement, but stay at a Short Term or Long Term Rental from sunrise to sunset.

Section 2. Amendment of Section 2.13. Section 2 13 – Definitions – L is amended to add the following defined term in alphabetical order:

LONG TERM RENTAL

The rental of any Single-Family Dwelling for a term of twenty-eight (28) consecutive days or more in any calendar year

Section 3. Amendment of Section 2.15. Section 2.15 – Definitions – N is amended to add the following defined term in alphabetical order:

NEIGHBOR

A property owner or tenant that owns or occupies a lot or building located adjacent, abutting, or within three-hundred (300) feet of any lot line of the lot to which the property owner or tenant is considered a Neighbor.

Section 4. Amendment of Section 2.16. Section 2.16 – Definitions – O is amended to add the following defined terms in alphabetical order

OWNER

A person holding legal or equitable title to a Single-Family Dwelling. An Owner may designate an agent to perform duties or receive notice under this Ordinance.

OWNER'S AGENT

An individual designated by the Owner to oversee the rental of a Single-Family Dwelling and to respond to calls from renters, Neighbors, concerned citizens, and representatives from the Township.

OVERNIGHT GUEST

Individuals who are not listed on a lease agreement or are not members of the single family with a verbal agreement to rent a Single-Family Dwelling, but who stay at a Short Term or Long Term Rental for the duration of a night.

Section 5. Amendment of Section 2.18. Section 2.18 – Definitions – R is amended to add the following defined term in alphabetical order:

RENT OR RENTAL

The permission, provision, or offering of possession or occupancy of a Single-Family Dwelling with some type of remuneration paid to the Owner for a period of time by a person who is not the Owner, pursuant to a written or verbal agreement.

Section 6. Amendment of Section 2.19. Section 2.19 – Definitions – S is amended to add the following defined term in alphabetical order

SHORT TERM RENTAL

The rental of any Single-Family Dwelling for a term of less than twenty-eight (28) days in any calendar year, the definition does not include the use of campgrounds, hotel rooms transitional housing operated by a non-profit entity, group homes such as nursing homes and adult foster care homes, hospitals, or housing provided by a substance-abuse rehabilitation clinic, mental-health facility, or other health-care related clinic.

Section 7. Amendment of Chapter 3. Chapter 3 – General Provisions is amended to include a new Section 3.39 which reads as follows:

SECTION 3.39 RENTAL OF SINGLE-FAMILY DWELLINGS

All Short Term and Long Term Rentals as defined in Chapter 2 shall be subject to the following regulations and performance standards:

A. Regulations applicable to Short Term and Long Term Rentals

1. **Lighting:** All lighting on the lot shall be fully cut-off, downward-facing, dark-sky compliant, and shall not cast glare or light beyond any lot line.
2. **Parking:** Parking shall comply with the standards of Chapter 18 and Section 3.24.
3. **Signage:** Signage, if permitted, shall comply with the standards of Section 19.07.
4. **Fire pit:** A fire pit shall not be less than twenty-five (25) feet from any structure or building or combustible materials. A portable outdoor fireplace shall not be less than fifteen (15) feet from any structure or building of combustible materials. The maximum size shall be three (3) feet wide by two (2) feet high, per the regulations set forth by SHAES (South Haven Area Emergency Services or any successor organization) as of November 1, 2017, or as amended.
5. **Tents:** Beach tents or camping tents shall not be permitted between sunset and sunrise.
6. **Accessory uses:** Accessory uses shall be regulated by applicable Township ordinances, including all requirements of this Ordinance.

Section 8. Amendment of Section 5.02. Section 5.02 – Permitted Uses and Special Uses is amended such that the following land uses are added in alphabetical order:

USES	AG
Long Term Rental	P
Short Term Rental	P

Section 9. Amendment of Section 6.02. Section 6.02 – Permitted Uses and Special Uses is amended such that the following land uses are added in alphabetical order:

USES	RR
Long Term Rental	P
Short Term Rental	P

Section 10. Amendment of Section 7.02A. Section 7.02A – Permitted Uses and Special Uses is amended such that the following land uses are added in alphabetical order:

USES	LR-A
Long Term Rental	P
Short Term Rental	P

Section 11. Amendment of Section 7.02B. Section 7.02B – Permitted Uses and Special Uses is amended such that the following land uses are added in alphabetical order:

USES	LR-B
Long Term Rental	P
Short Term Rental	P

Section 12. Amendment of Section 8.02. Section 8.02 – Permitted Uses and Special Uses is amended such that the following land uses are added in alphabetical order:

USES	LDR
Long Term Rental	P
Short Term Rental	P

Section 13. Amendment of Section 9.02. Section 9.02 – Permitted Uses and Special Uses is amended such that the following land uses are added in alphabetical order:

USES	MDR
Long Term Rental	P
Short Term Rental	P

Section 14. Amendment of Section 11.02. Section 11.02 – Permitted Uses and Special Uses is amended such that the following land uses are added in alphabetical order:

USES	C-1
Long Term Rental	P
Short Term Rental	P

Section 15. Amendment of Section 12.02. Section 12.02 – Permitted Uses and Special Uses is amended such that the following land uses are added in alphabetical order:

USES	C-2
Long Term Rental	P
Short Term Rental	P

Section 16. Amendment of Section 13.02. Section 13.02 – Permitted Uses and Special Uses is amended such that the following land uses are added in alphabetical order:

USES	I
Long Term rental	P
Short Term Rental	P

Section 17. Effective Date. The foregoing amendment to the Casco Township Zoning Ordinance was approved and adopted by the Township Board of Casco Township, Allegan County, Michigan on _____, 2018, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended. This Ordinance shall be effective on _____, 2018, which date is eight days after publication of the Ordinance as is required by Section 401 of Act 110, as amended, provided that this effective date shall be extended as necessary to comply with the requirements of Section 402 of Act 110, as amended.

Allan Overhiser,
Township Supervisor

Cheryl Brenner,
Township Clerk

Casco 25 Short Term Rental Zoning Text Amendment Ordinance RAB 01022018

CERTIFICATE

I, Cheryl Brenner, the Clerk for the Township of Casco, Allegan County, Michigan, certify that the foregoing Casco Township Zoning Text Amendment Ordinance was adopted at a regular meeting of the Township Board held on _____, 2018. The following members of the Township Board were present at that meeting _____
_____. The following members of the Township Board were absent: _____. The Ordinance was adopted by the Township Board with members of the Board _____ voting in favor and members of the Board _____ voting in opposition. A copy of the Ordinance or a summary was published in the _____ on _____, 2018.

Cheryl Brenner Clerk
Casco Township

Casco 25 Short Term Rental Zoning Text Amendment Ordinance RAR 01/02/2018
GRAPIDS 90580-25 482689v1

Planning Commission members,

Reversing the entire township planning process, by starting with a Regulatory Ordinance to drive PC changes to Zoning and then using Zoning to drive revisions to the Master Plan, has created inefficiency and more than a little frustration for all involved. That may explain in part why we are still not ready to approve a Township STR Zoning Ordinance that addresses public health, safety, and general welfare concerns expressed many times by residents. Please first, prior to approving a STR related Zoning Ordinance, establish:

- a more restrictive STR maximum number of rental nights and occurrences per year to minimize lake shore STR related disturbances,
- meaningful restrictions on construction of commercial "hotels".
- a limit on STR density/saturation/percent so that full time residents can have a sense of community with their neighbors and are not forced out of their neighborhoods,
- both a plan and budget to insure monitoring and policing/enforcement costs are supported by STR activity and will not tax property owners who do not rent, (Host Compliance may help with creating data but cannot do the actual hands on enforcement)
- a plan that does not discriminate against local B&Bs or other commercial area hoteling businesses, currently restricted by distance and need to collect additional commercial taxes,
- a proactive plan to monitor and minimize property devaluation since "no one wants to live next to a STR property" by establishing strong limits, restrictions and enforcement as well as a plan to track values over time, to protect all property owners,

Since these issues have not yet been addressed, please do not approve the STR related Zoning Ordinance until these concerns are addressed.

At some point in the near future, the PC may also want to consider using a master plan and a top down planning process to start creating a thoughtfully planned four season community for Casco Township residents.

It is never too late to do the right thing,

John and Susan Barkley

Pittschner #4

Dear Casco Township Trustee and Planning Commission Members;

As I read the January 22 approved Casco STR Ordinance, I note the second sentence on page 2:

"Only one Rental term may begin for a Single-Family Dwelling during any calendar week of Sunday through Saturday."

This sentence appears to state that STR is allowed in all of Casco Township including Low Density Residential regions for an unlimited number of weeks per year. However, the September 2017 Appeals Court ruling supporting the Sunset Shores earlier ruling defines commercial activity as

"any type of business or activity that is carried for a profit".

I therefore interpret the sentence on page 2 of the new Casco STR Ordinance as allowing commercial activity anywhere in Casco Township with only ~~renter's registration~~ and "good neighbor" regulations. This seems to me to undermine the very nature of Low Density Residential regions. I am not totally against STR in my neighborhood (Glenn Shores) but I believe stronger limitations on the number of rentals per year are needed to protect the integrity and quality of life for regular residents in LDR neighborhoods. In my opinion if stronger limitations on STR are not to be applied in our Township, then the Township is not in compliance with the Appeals Court Ruling and with the current Casco Zoning Ordinances, especially for LDR regions, as defined in Part 7. Upon reading the 12/21/2017 draft of revisions for the Casco Zoning Ordinance, I do not see where this issue has been addressed either.

I therefore want to add my strong disapproval of the newly approved STR Ordinance and my concern about planned changes in the Casco Zoning Ordinance, that I and many other residents of this township have voiced strong concerns about.

Thank you

Larry Scott
7812 Orchard Lake Drive, Glenn Shores

From: Chris Barczyk <chrisb@quavatech.com>
 Subject: Re: Position Statement (For Casco Township Board Meeting on Dec. 19, 2016)
 Date: December 17, 2016 at 6:25 PM
 To: Laurie Honor <l.honor@comcast.net>
 Cc: valerie baas <baasvalerie@gmail.com>, Sharon Curtis <scurtis7243@gmail.com>, Mark Coddington <whytre@ignite-ny.com>, Norma Cohen <eddieeng@msa.net>, Skidmore, Ruth A. <HAR@mslaw.com>, Kathy Watt <kwatt26@yahoo.com>, Priscilla Masse <priscillamasse@gmail.com>, Ralph Ellis <ralphell@msa.com>, carl carl@yodan.com, Dave <dave@rich@yahoo.com>, William Watt <wwatt7267@gmail.com>, Larry Scott <mscom153@gmail.com>, Gary Greenspan <greenspan412@aol.com>, estetzel@comcast.net, Marci Hayes <purple214@cox.net>, Lois Schwartz <carlovestes@gmail.com>, Bill Jackson <billjackson@comcast.net>, Kristin Barczyk <kristinb@quavatech.com>, Turbox Victoria <valturbox@ops.cdu>

If there are names of spouses/significant-others it would be good to have those as well.

On Dec 17, 2016, at 5:53 PM, Laurie Honor <l.honor@comcast.net> wrote:

Thanks Please add Vicky Turbox

vatubov@cps.edu

On December 16, 2016 at 6:15 PM Chns Barczyk <chrisb@quavatech.com> wrote:

Rebuilt the e-mail thread (placed Laurie's below in-line) so it is contiguous and all correspondence on the thread showing names being added and flow of ideas

From: Laurie Honor [<mailto:l.honor@comcast.net>]
 Sent: Friday, December 16, 2016 5:52 PM
 To: Sharon Curtis; Mark Coddington; Norma Cohen; Chris Barczyk; Skidmore, Ruth A.; Kathy Watt; Priscilla Masse; Ralph Ellis; carl; Dave; William Watt; Larry Scott; Gary Greenspan;
estetzel@comcast.net; valerie baas; Marci Hayes; Lois Schwartz; Bill Jackson; Kristin Barczyk
 Subject: Re: Position Statement (For Casco Township Board Meeting on Dec. 19, 2016)

Ah, never mind my previous email There it is Thank you Ruth. Please add my name

Laurie Honor

From: valerie baas [<mailto:baasvalerie@gmail.com>]
 Sent: Friday, December 16, 2016 5:11 PM
 To: Chris Barczyk
 Cc: Gary Greenspan; Skidmore, Ruth A.; Marci Hayes; Priscilla Masse; Kathy Watt; Kristin Barczyk; William Watt; Lois Schwartz; carl; Dave; Norma Cohen; Laurie Honor; Larry Scott; Bill Jackson; Ralph Ellis; Sharon Curtis; Mark Coddington; estetzel@comcast.net

Subject: Re: Position Statement (For Casco Township Board Meeting on Dec. 19, 2016)

Whatever looks the most impressive...(intimidating?)

On Fri, Dec 16, 2016 at 5:36 PM, Chris Barczyk <chrisb@quayatech.com> wrote:

Gary et al.,

In discussion with Ruth, we could list all the owners that we can. Additionally/alternatively, we could have the association representing XX property owners that are in support of our cause. In our association, we could consider an example of "owners of 42 properties" where we have 52 units but are confident the support is 42 (need to verify the exact amount). In our association, we have more than one owner owning several units. Thus, 42 would be all units that are in support of regardless of the number of owners.

Group,

If you would like, I can be available this weekend to discuss. I worked with Ruth on the position paper and might be able to provide detail if requested.

I recommend you review the link in the previous e-mail thread for the process of the Zoning Enabling Act to see how the Planning Commission should assist with many of the open questions the Board has, regardless if any changes are implemented or not.

Chris

From: Gary Greenspan [mailto:ggreens412@aol.com]

Sent: Friday, December 16, 2016 3:15 PM

To: Skidmore, Ruth A.

Cc: Chris Barczyk; valerie baas; Marri Hayes; Priscilla Massie; Kathy Watt; Kristen Barczyk; William Watt; Lois Schwartz; Carl; Dave; Norma Cohen; Laurie Honor; Larry Scott; Bill Jackson; Ralph Ellis; Sharon Curtis; Mark Coddington; estetzel@comcast.net

Subject: Re: Position Statement (For Casco Township Board Meeting on Dec 19, 2016)

Ruth,

Thank you for drafting this excellent Position Statement on behalf of the Consortium (or the "Alliance" as you have named it)

Please add Gary Greenspan to the list of homeowners. And if appropriate, Gary Greenspan, President, on behalf of Mt. Pleasant Community Circle, Inc

Thanks again.

Gary

Sent from my iPhone

On Dec 16, 2016, at 12:03 PM, Skidmore, Ruth A. <RAS@msblaw.com> wrote:

Good afternoon:

Please find attached a Position Statement drafted for presentment at the upcoming Casco Township Board meeting. In addition to defining the position of the Alliance, the purpose of the Statement is to force the Board to recognize that its effort to circumvent current zoning and the master plan through a regulatory ordinance (that is not subject to referendum) is an unlawful exercise of power. The idea is that we can (1) slow them down by demanding that the matter must first be addressed at the planning commission level and (2) ensure that if the Board does adopt changes to open up residential districts for transient lodging (which they appear bent on doing), that the change occurs in the form of a zoning amendment that will allow the Alliance to pursue a referendum.

The Statement is not intended to be a full articulation of the arguments in support of our position. There are many important points that remain to be articulated. However, the bulk of those arguments are appropriately addressed in the context of a planning commission hearing. I believe it is prudent to keep the content of the Statement as simple and clear as possible in order to better the chance that we achieve the first goal, slow them down and force them to follow proper procedure.

If you concur in having your name added to the list at the end of the Statement, just provide your names by email so they can be typed in. I don't need signatures.

I believe Judy should be provided with the Statement this weekend. Then, I would suggest that the Statement be supplied to the Board just far enough in advance of the hearing that they have read it before they sit down, but not far enough in advance to have had their legal counsel provide them with a response.

Ruth A Skidmore
McShane & Bowie, P.L.C.
99 Monroe NW, Suite 1100
Grand Rapids, MI 49503
Direct Dial: 616-732-5015
Fax: 616-732-5039
Email: ras@msblaw.com

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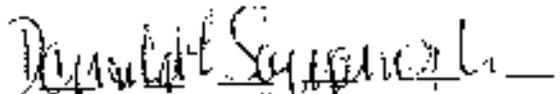
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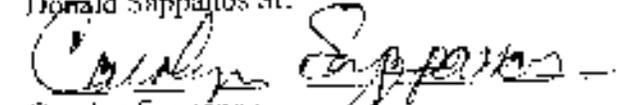
Valene Baas Conservation of Art on Paper
& Photographs LLC
baasvalerie@gmail.com
734-972-1289

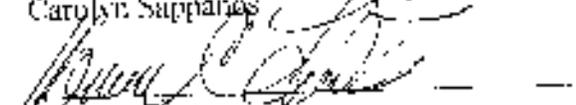
TO: Casco Township
RE: Published Notice 12/21/2017
FROM: Donald Sappanos Sr., Carolyn Sappanos and Norman Fouts
DATE: 1/18/2018

The undersigned owners are fee simple title holders of properties owned in land zoned MDR (medium density residential district). These holdings are served by public sewer and water. We hereby object to any clouding of the fee simple titles by the Township of Casco, Allegan County, Michigan, or diminishing their rights in any way regarding same. Your proposed amendment described as Section 9.02 by inclusion of their holdings in the MDR district, Section 9.02, with your proposed amendments as published, dated December 21, 2017. This district was established for the building of rental homes, multi-family homes, duplex homes, townhomes, etc. This was written after eight (8) grueling years of tireless negotiations by the Township, their attorneys, and owners' attorneys. The Township being represented by professional planners the whole time spent an ungodly amount of money on its creation. Also, as part of the grueling years was the establishment of non-conforming lots of razed section owned by the undersigned and their rights as fee simple title holders in said lots.

In consideration of the above, we feel that Section 9.02 does not apply to us as we consider we already have the right to rent.


Donald Sappanos Sr.


Carolyn Sappanos


Norman Fouts

other uses of a nature which would be prohibited generally in the district involved.

3. To avoid undue hardship, nothing in this Ordinance shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this Ordinance and upon which actual building construction has been carried on diligently. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner. Where excavation or demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such excavation or demolition or removal shall be deemed to be actual construction, provided that work shall be carried on diligently.

B. Nonconforming Lots of Record

1. A single lot of record is not contiguous with another lot or lots under the same ownership. Where a single lot of record in a platted subdivision (in existence at the time of the adoption or amendment of this Ordinance) does not meet the minimum requirements for lot width, depth or lot area, that single platted lot of record may be used for any purposes permitted by the district in which the lot is located, provided that:

- a. the minimum lot width shall be fifty (50) feet;
- b. the minimum lot depth shall be one hundred (100) feet;
- c. the maximum lot coverage for all buildings shall be twenty-five percent (25%), and;
- d. the setbacks for the main building shall be a minimum of:
 - (1) Twenty five (25) feet for the front setback
 - (2) Twenty (20) feet for the rear setback
 - (3) Ten (10) feet for each side setback

2. Where the setbacks cannot be met on the nonconforming lot, the owner may request a variance from the Zoning Board of Appeals under Chapter 20.

3. Contiguous Nonconforming Lots in Common Ownership

- a. For any two (2) or more nonconforming lots of record or combination of lots and portions of lots of record, in existence at the time of the passage of this Ordinance, or an amendment thereto, the lands involved shall be considered to be an undivided parcel for the purposes of this Ordinance if they meet the following:

- (1) Are in the same or similar ownership
- (2) Are adjacent to each other or have continuous frontage.

NOTICE OF PUBLIC HEARING
ON A PROPOSED AMENDMENT TO THE
CASCO TOWNSHIP ZONING ORDINANCE

TO: CITIZENS AND RESIDENTS OF THE
TOWNSHIP OF CASCO, ALLEGAN
COUNTY, MICHIGAN

PLEASE TAKE NOTICE that on the 24th of January, 2018, a public hearing will be held by the Casco Township Planning Commission in the Township Hall of Casco Township, 7104 - 107th Avenue, South Haven, Michigan 49090, at 5:00 p.m., local time, to hear and consider proposed amendments to the text of the Casco Township Zoning Ordinance. The amendments pertain generally to definitions regarding the rental of dwelling units; regulations regarding the rental of dwelling units; and descriptions of the zoning districts where the rental of dwelling units is allowed.

The tentative text of the proposed amendment to the Casco Township Zoning Ordinance may be examined by any person at the Township Hall of Casco, 7104 - 107th Avenue, South Haven, Michigan 49090 (telephone: 269-337-4441), on Tuesdays between 9:30 a.m. and 4:00 p.m., ~~Wednesdays between 9:30 a.m. and 1:00 p.m., and Thursdays between 9:00 a.m. and 1:00 p.m., except holidays.~~ The tentative text will also be available for viewing on the Township's website, which is: <http://www.cascotownship.info/>.

The Township will provide necessary and reasonable auxiliary aids and services at this hearing, such as signers for hearing impaired persons and audio tapes of printed materials for visually-impaired persons, upon receipt of seven days prior notice. Disabled persons requiring such auxiliary aids or services should so notify the Township by contacting the Township Clerk.

Dated, December 21, 2017

Cheryl Bronna, Clerk
Casco Township

**CHAPTER 9
MDR, MEDIUM DENSITY RESIDENTIAL DISTRICT**

SECTION 9.01 DESCRIPTION AND PURPOSE

The purpose of this District is to provide areas for higher density residential uses such as duplexes, townhouses or multiple family dwellings. This district is intended primarily for non single family residential uses, or a mix of single and multiple-family uses, only with public water and sewer available.

SECTION 9.02 PERMITTED USES AND SPECIAL LAND USES

The following uses are permitted in this district:

USES	MDR
P = Permitted by right SLU = Special Land Use	
Accessory buildings and uses, customarily incidental	P
Adult Foster Care, Family Homes	P
Adult Foster Care, Group Homes	SLU
Bed and breakfast establishments	SLU
Churches	SLU
Day care group homes	SLU
Day care, family homes	P
Elderly housing	P
Home occupations	P
Hospitals, clinics, convalescent homes	SLU
Libraries and museums	SLU
Multiple family dwellings, including townhouses, and row houses	P
Ponds in compliance with Section 3.2.1	P
Public and private K-12 schools	SLU
Public parks, playgrounds, play fields, and similar public open space recreation uses, not including campgrounds	P
Residential supportive uses such as lawns, gardens, driveways or play areas	P
Single-family detached dwellings	P
Two-family dwellings, or duplexes	P
Utility and public service buildings	SLU

SECTION 9.03 DISTRICT REGULATIONS

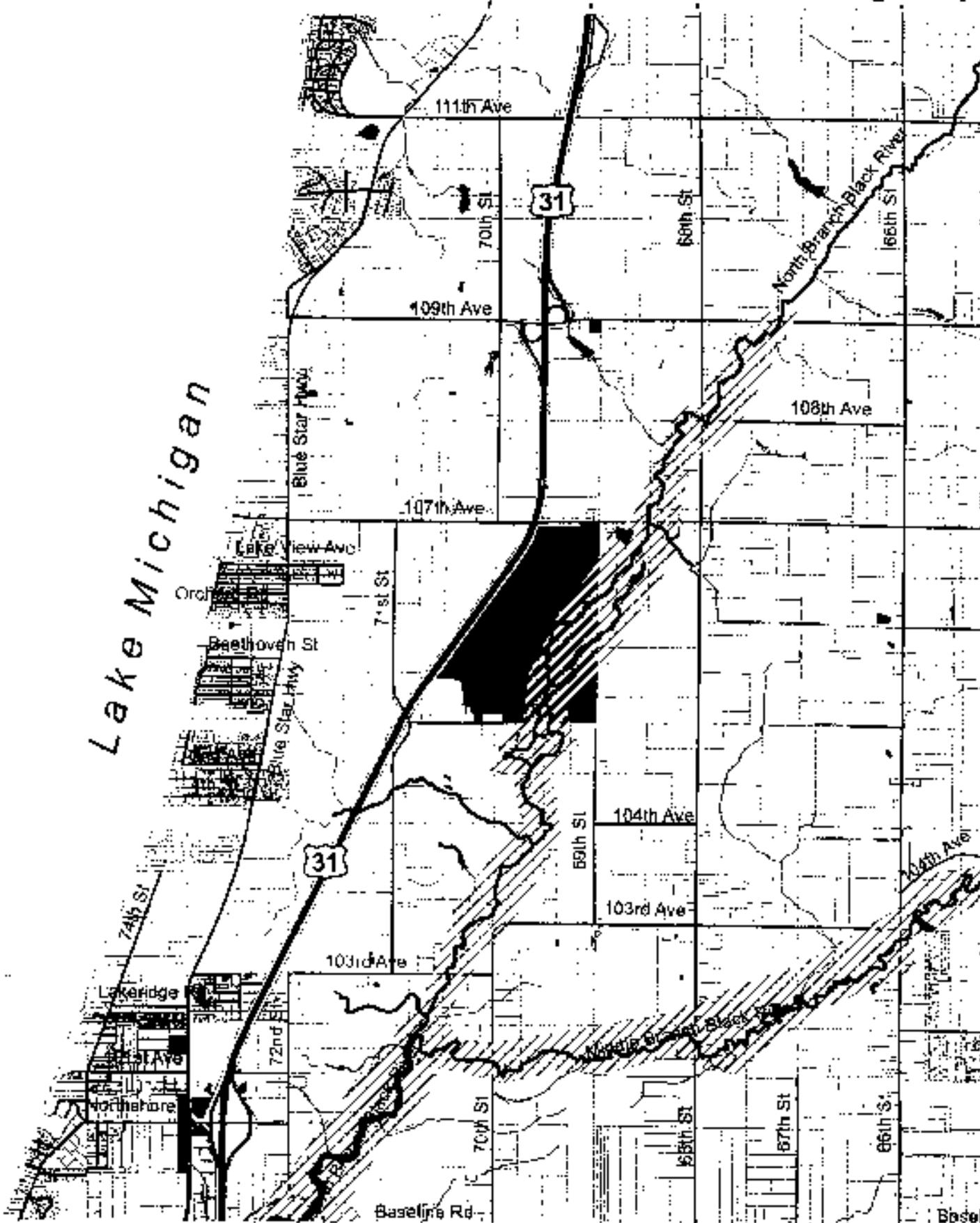
No building or structure, nor the enlargement of any building or structure, shall be thereafter erected unless the following yards, lot area, and building coverage requirements are provided and maintained in connection with such building or structure, or enlargement. (See also Section 4.07 - Schedule of Regulations) All uses in the MDR District shall be served by public sanitary sewer.

Medium Density Residential (MDR) District		
Minimum Lot Size	Single-family	7,500 sq. ft.
	Two-family	15,000 sq. ft.
	Multi-family	2 acres, maximum density on any parcel shall not exceed 6 dwelling units per gross acre
Minimum Lot Width	Single-family	75
	Two-family	125
	Multi-family	150
Front Yard Setback		50 feet*
Side Yard Setback		15 feet
Width to Depth Ratio		1:2
Rear Yard Setback**		30 feet
Maximum Height of all buildings		75 feet or 2 1/2 stories
Maximum Lot Coverage		25% for single family, 35% for multi-family
Minimum dwelling unit size	Single-family dwellings	1,000 square feet, with a minimum of 720 square feet on the ground floor for two story dwellings
	Two-family dwellings	900 square feet
	Multi-family dwellings	1 bedroom, 650 square feet per unit; 2 bedroom, 750 square feet per unit; 3-bedroom, 900 square feet per unit; additional bedrooms require an additional 100 square feet per unit

*Also see Section 3.10- Additional Setbacks for Structures Adjacent to Major Roads.

**Buildings and structures proposed on property adjacent to Lake Michigan shall have the minimum setback required by the Michigan Department of Natural Resources. Structures on lots adjacent to Lake Michigan *without* MDNR regulation shall be setback from the Ordinary High Water Mark at the average distance of five (5) houses in either direction 1/7/08.

Lake Michigan



Zoning Map

Casco Township
Allegan County, MI

Zoning Districts

- AG - Agricultural District
- RR - Rural Residential District (Existing R-1)
- LDR - Low Density Residential District
- MDR - Medium Density Residential District
- LR - Lakeshore Residential District
- C 1 - Neighborhood Commercial District
- C 2 - Community Business District
- PUD - Planned Unit Development District
- I-1 - Industrial District
- FP - Floodplain Overlay District

September 26, 2006

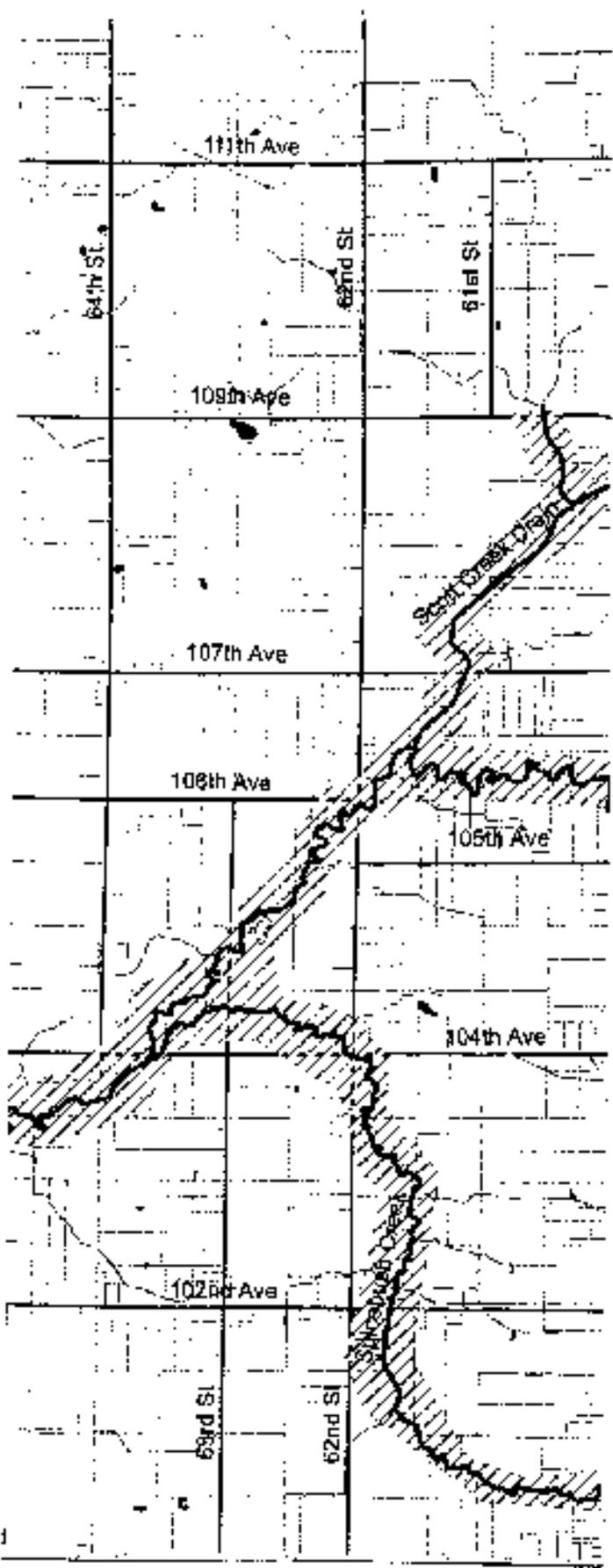


LSI Planning, Inc.



Data Sources
Allegan County Land Information Services
Michigan Center for Geographic Information

0 1,200 2,400 5,000 7,600 Feet



Lee Twp.

Attachment #7

Liepe, Dian

From: Brian Hoffman <Brian.Hoffman@perrigo.com>
Sent: Wednesday, January 24, 2018 11:03 AM
To: Liepe, Dian; securingtheblessings@gmail.com; dlughes@SHPS.org; gknisley@comcast.net; graffj@i2k.com; janetchambers.casco@yahoo.com
Subject: FW: Rental Ordinance

Read during public comment time 1/24/18

To Casco Planning Board:

I am unable to be present at the public hearing on the rental ordinance proposed by you. I wish to communicate my opposition by letter and request that this be read in public on Jan. 24 as part of the public record.

Several years ago we were looking for where we wanted to spend the next 30 years of our lives. We looked at every lakeshore area from St Joe to Grand Haven, and ultimately decided on the South Haven area. We choose to live in Casco Township instead of South Haven mainly because of the quiet, more stable environment the township provided VS. South Haven. We strongly feel the short term rental issue will negatively change that. While it appears there are regulations to help control the conduct and behavior of renters, I do not feel the township will be able to enforce those regulations. In regards to short-term rentals, of particular interest to us would be the potential impact on the Consumer's property as well as the South Haven Golf Club property. As stated earlier, if we wanted to deal with these issues we would have located in the city of South Haven.

Regards,

Brian & Connie Hoffman
7166 Windcliff Drive

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Attachment #2

Liepe, Dian

From: Lois Schwartz <carloveslois@gmail.com>
Sent: Wednesday, January 24, 2018 1:36 PM
To: Alan Overhiser; Judy Graff; cascoclerk@gmail.com; paulmacyauski@yahoo.com; Treasurer@cascotownship.org; Liepe, Dian; dhughes@shps.org; greg knisley; securingtheblessings@gmail.com
Subject: Casco Rental Public Hearing

Handwritten signature/initials

To Casco Township Planning Commission & Board of Trustees.

Please include this statement in the Public Record. As I am traveling away from Michigan, I request that it be read by you in my absence.

I object to the proposed changes to the ZO & Ordinances for two reasons.

First, the process is upside down. Second, you simply rename commercial renting as residential renting, thereby declaring it legal because you say so.

At the foundation level, a township's rules begin with a Master Plan. The first floor above that foundation level is the ZO. To enact that ZO, the township then creates the third floor above that - local ordinances.

Your problem is that your plan starts on the third floor and pointedly never even makes it down to the foundation of the Master Plan. Not only are you in violation of the Master Plan, but you recently notified the State of Michigan that your Master Plan was still relevant and did not need updating. This whole thing is upside down and illegal.

Your creation of a rental ordinance is based on your notion that if you control the noise and other negative factors of commercial renting ...all problems will be solved.

A flawed premise and not legal.

--
Carl Schwartz

**7275 B. St.
South Haven, MI 49090**

**H - 269-637-6668
C - 312-848-4200**

Attachment #1

Liebe, Dian

From: Lois Schwartz <carloveslois@gmail.com>
Sent: Wednesday, January 24, 2018 2:07 PM
To: Liebe, Dian; Judy Graff; dhughes@shps.org; greg knisley, securingthoblessings@gmail.com

To Casco Planning Commission:

As I am traveling away from Michigan and unable to be present at the public hearing on the rental ordinance proposed by you, I wish to communicate my opposition by letter and request that this be read in public as part of the public record.

The opposition to unlimited short term rental in Casco has arisen due to the assault on residential neighborhoods by the frequent turnover caused by these rentals. The solution you have proposed, to create rules to govern lighting, noise, and fire pits and to require registration of rentals is likely unenforceable, and in no way addresses the problem itself. Residents have repeated to you on numerous occasions that it is the lack of a limitation on this turnover that is problematic, and yet you have chosen to ignore the root of the problem.

That a planner was hired, whether under the auspices of the Planning Commission or this board, demonstrates that a decision had already been made to officially endorse and promote short term rental despite the show of supposedly listening to residents' concerns. It is problematic to accept that my township board does not recognize its duty to protect the interests of its residents, both full-time and seasonal, but instead, elevates the interests of a small minority of property owners who would take financial advantage of an environment created by those very full-time and seasonal residents. I have hoped that the Planning Commission will show independence and strength in recommending that the Board not pass the rental ordinance that has been created.

You have heard a real-estate professional attest to the negative affect short term rental has on property values. You have been exposed to the careful and specific statistics that are evidence of this fact. Yet you persist against reason.

You have heard residents who have painful experience with the annoyances and disturbances of their lives and the destructive changes to the character of their communities. You have within your power the ability to minimize this downward spiral by enacting reasonable limitations on the amount of time for which a home may be rented - the suggested minimum of one week - and the number of rental occurrences. Yet you have used your power against residents. Your proposed ordinance will accelerate the negative effects of the short term rental practice.

You began by recognizing that there was a difference between the city of South Haven and Casco Township and claimed that you did not want to duplicate the rental situation in South Haven. Yet you used their rental ordinance as a template. Your proposed ordinance encourages rampant short term rental.

I hope, despite my low expectations, that there would be more than only one Trustee who would exert some independence and take seriously the concerns of the great majority of residents who do not rent their homes. In recognition of historical precedent and current lifestyle changes, I urge a reasonable compromise. I urge you to adopt an ordinance which limits the period of rentals so that weekend turnover is eliminated and also limits the number of times a house's transient tenants would turn

over. The current proposal offers no redress to concerns of residents. The regulations on lighting, noise, and fire pits are frosting on an inedible cake.



--

Lois Schwartz

7275 B. St.
South Haven, MI 49090

H - 269-637-6668

C - 312-848-1148

Attachment #10

Liepe, Dian

From: Priscilla Massie <mihistory.massie@gmail.com>
Sent: Wednesday, January 24, 2018 2:21 PM
To: Liepe@msu.edu; securingtheblessings@gmail.com; dhughes@shps.org; greg knisley; Judy, Janet Chambers
Cc: Allegan County News copy editor; Rebecca Burkert
Subject: Please read Planning Commission Members Meeting tonight

Dear Planning Commission Members:

We had hoped to attend the meeting this evening about the STR's, but Larry is suffering from injuries he received when he served in Viet Nam as a paratrooper/ranger, and had to go to Ann Arbor today, so I write you from the AA Veterans Hospital.

We hope you will consider what we have to say:

We have lived in the Casco area for nearly 35 years. (Larry all his life in Allegan County). He has written many of his best-selling Michigan history books at our cottage in Casco Township, which, sadly, he cannot do now, because of the excessive noise, traffic and people in our neighborhood in the summer.

We do hope you will consider limiting the amount of rentals allowed in Miami Park or stop anymore renting all together, because on any given day in the summer when all the rentals are full we have 350 to 400 transients/strangers (and their dogs) in our Miami Park neighborhood and on our beach... we can't even imagine more people/cars on the narrow dirt roads of our little neighborhood filled up with say 600 or perhaps 1,000 strangers... When will it stop we ask you? When does a neighborhood become a hotel? Or do we move away from our cottage, our retirement home....?

The renters keep saying there is a "history" of renting in Casco Township and the boards agree with them.... Larry (who has a **Lifetime Achievement Award** from the State of Michigan for his Michigan history research and writing) and I have done an enormous amount of research on this subject of renting STR's in Casco and found there is NO EVIDENCE of STR's in these 90 year-year-old neighborhoods until the internet came in to being 10 years ago... remember we have been property owners in Sunset Shores and Miami Park for nearly 35 years. I also edited and published the most recent histories of the area by Bea Kraus, (*A Time to Remember*, etc.) whose books talk about Casco Township's Mt. Pleasant and Miami Park neighborhoods, no mention of STR's in either of her extensive histories of the South Haven area. Where is the proof! Please let us see it. Show it to the public! As historians we would be delighted to see the research and proof on the history of STR's not just hearsay.

Both the Planning Commission and Township Boards have seemed all along this process to outwardly to want to support the renters from China, Illinois, Indiana, Ohio etc... and not the folks that are your year round neighbors, and who support our community in so many ways.

Casco Township officials are the ones that let this STR's - renting get out of hand, the laws and ordinances are on the books all along, the township never enforced the laws, and now your going to allow this, with all of our local objections, many of us would not have bought in Casco if there were STR's allowed, including us!

There is plenty of proof that property values do go down when STR's are allowed in neighborhoods. If this passes, our first call will be to the assessor, to have our property taxes lowered along with all our neighbors.

These owners/developers of the rentals have been abusive through this whole SFR process, by verbally threatening many of us in Miami Park and throwing a huge piece of cement thru our front window, trying to scare us from speaking out at the meetings. It is not a way to make friends in our neighborhood, but then they go back home to Ohio, Indiana, Illinois or China and don't care, do they?

Lastly, Larry and I have served on many boards in Allegan County over the years, and know first hand how hard your job is. We so appreciate you listening to us, weighing the options and hopefully your fairness to the people that live here in this situation.

Best regards,
Priscilla & Larry Massie
Miami Park

Attachment #11

Liepe, Dian

From: Maureen Perideaux <maureen@brilliantsparks.com>
Sent: Wednesday, January 24, 2018 3:21 PM
To: Liepe, Dian; securingtheblessings@gmail.com; dhughes@SHPS.org
gknisley@comcast.net; Judy, Janet Chambers
Cc: Chris Barczyk
Subject: Short-term Rental Comments/Request to be read at public meeting

Dear Planning Commission Members:

Ordinarily, I would address you in person, however, I am recovering from the flu. I request that my comments below be read at tonight's public hearing and be entered on the record.

I am writing in regard to this portion of the amendments to the Short Term Rental Ordinance

One of the reasons residents requested rules for fire pits is because of smoke that travels over property lines and into homes. Allowing portable fireplaces to be just 15 feet away from a structure means that some fires will be closer than ever to both rental homes and neighboring homes. This close proximity means smoke is in closer proximity creating both a nuisance and health hazard.

As a homeowner whose smoke alarm inside my home has been triggered multiple times by smoke generated by neighboring fire pits, I urge you to revise this amendment. My preference is to keep fire pits and portable fireplaces at least 100' feet from any structure because of the nature of smoke to move through the air. At the very least, Casco Township should ensure that fire pits AND portable fireplaces are no less than 25 feet from any structure or combustible materials.

Thank you for this opportunity to provide comment.
Maureen Perideaux
7258 E Beach Drive
South Haven, MI 49090

Maureen Perideaux
Content Optimization Copywriter & Speaker

616.822.0888

Twitter: @perideaux

Highfield Beach #12

Liepe, Dian

From: Kristin Barczyk [Highfield Beach]; <kristinb@highfieldbeach.org>
Sent: Wednesday, January 24, 2018 5:10 PM
To: Liepe, Dian; securingtheblessings@gmail.com; dhughes@SHPS.org;
gknisley@comcast.net; graffj@i2k.com; janetchambers.casco@yahoo.com
Cc: Kristin Barczyk [Highfield Beach]
Subject: Casco - STR Zoning Ordinance

Planning Commission members,

I wish to communicate my opposition by letter and request that this be read in public on Jan. 24 as part of the public record.

I strongly **OPPOSE** the proposed Rental Amendment.

The current proposed STR ZO amendment does NOT 'strike a balance'. It is unfair, unbalanced and disrespectful to the residents.

This proposed ZO amendment inflicts harm upon the well being and general welfare of Casco residents.

To permit STRs in residential districts is not in the best interest of the residents.

To believe the recently approved Regulatory/Police ordinance will solve the associated behavior problems of STRs is inappropriate.

The core problem is the transient nature of the STR business (turnover/frequency), not behavior. Behavior is merely a symptom of the core problem. Furthermore, the township has admitted their regulation is not enforceable, and instead are 'counting on compliance.'

There are a multitude of reasons to NOT permit STRs in residential districts; very few reasons to permit them.

Negative impact of this proposed STR ZO amendment...to name just a few...

- violates the Master Plan
- creates a nuisance activity in residential neighborhoods
- incompatible to the uses in residential neighborhoods
- STRs are not a single-family use
- changes the character of residential neighborhoods in a negative manner
- de-stabilizes residential neighborhoods
- devalues property
- discriminates against B&Bs and other managed commercial rental businesses (resorts, Inns, etc.,)
- changes the character of the township from rural and residential to commercial
- creates an unsafe environment for residents
- increases noise, traffic, garbage
- increases environmental abuse
- increases cost to taxpayers
- increases cost for bigger government and regulation
- increases cost for more police
- core problems not addressed... transient turnover, frequency, saturation

Several solutions were presented that would allow balance and compromise, but were ignored.

To approve this STR ZD amendment is NOT in the best interest of the residents; our voices have been dismissed

It is not too late to do the right thing; to do right by the people.

Do NOT approve this ZD amendment.

Kristin Barczyk

Attachment # 13

Chris Barczyk [Highfield Beach]

From: Chris Barczyk [Highfield Beach] <chrisb@highfieldbeach.org>
Sent: Wednesday, January 24, 2018 5:37 PM
To: 'Liepe, Dian'; securingtheblessings@gmail.com; dhughes@shps.org; gknisley@comcast.net; graffj@i2k.com; 'Janet Chambers'
Subject: Casco PC: PLEASE READ CHAPTER 16 of ZO before approving the amendment tonight

Please read this during the public comment time – I speak fast so this should be within a two minute allotment

Dear PC STR Members,

The majority of the PC members voting on this ZO agreed that saturation should be addressed. But then appeared to be forced to allow unrestricted STRs in all residential districts with no time limits, duration, etc. Many municipalities provide for these protections within the ZO and supplement with a RO. Once you let the cat out of the bag, there is no turning back. The big developers will buy land and be grandfathered...period. Noting you can do to reverse that!!!

Many solutions were proposed. But the clear high water mark is in your own ZO. Just look at the Planned Urban Development (PUD).

A clear purpose of the PUD is to allow a mixed use residential and commercial in a structured planned design.

The limit is clear – NO MORE than 15% commercial.

Requires Greenbelts, Buffers, Landscape to protect the residential surrounding areas with setbacks for commercial to protect residential.

There are several pages of very well thought through ideas that were clearly spelled out on how to achieve commercial and residential together.

The 15% is a high watermark for a Planned Development. Clearly, one that is defined in the ZO and Master Plan as single family in the heading of LDR: ...to provide areas for stable and sound family residential environment.

Please answer the question if you are following your own ZO that requires you to follow (Section 21.07 Ordinance Amendments):

- In the event the amendment will add a use to a zoning district, that use shall be fully consistent with the character of the range of uses provided for within that district.
- The amendment SHALL NOT create incompatible land uses within a zoning district, or between adjacent zoning districts.
- As applicable, the proposed change SHALL be consistent with Township's ability to provide adequate public facilities and services.

The Township denied the apartment complex for public safety concerns. The Township attorney stated that RO enforcement is not realistic because it is not cost effective to take to court. The only hope is that the ZO protects the people and not the RO. You need to revisit the residential protection ideas you as a majority agreed to and then were removed while no meetings were occurring.

And now, the PC is considering allowing restaurants and event centers across the street from my house, in a residential district...where does the commercialization end of our quaint residential neighborhoods? The Master Plan is clear and clearly not being followed if you allow the proposed amendment for STRs.

Prior to approving the proposed ZO amendment, you MUST review ZO Chapter 16 where all the concepts to protect residential is CLEARLY defined.

Please do right by the residents - protect our public welfare and safety...we want to feel safe in Casco as we all know it to once be...

Chris

Lifelong Casco resident for over 50 years

comply with this Section shall render the Zoning Compliance Permit null and void.

SECTION 21.07 ORDINANCE AMENDMENTS

- A. Amendments: The Township Board may, from time to time by ordinance, amend, supplement or change the boundaries of districts, designation of districts, or regulations herein established, in accordance with the State law.
- B. Notice: Upon receipt of an application for a rezoning, the Planning Commission shall call a public hearing for the purpose of receiving comments relative to the application. A notice shall be published in a newspaper which circulates in the Township, and sent by mail or personal delivery as required by the Zoning Act. The notice shall be given not less than fifteen (15) days before the date the application will be considered. The notice shall:
1. Describe the nature of the request.
 2. Indicate the property which is the subject of the request (with a street address if possible).
 3. State when and where the application will be considered.
 4. Indicate when and where written comments will be received concerning the application.
- C. Information Required: Any petition for amendment of this Ordinance should include a complete description of any property proposed for rezoning, and an explanation of reasons for the request. Where an amendment to the text of this Ordinance is requested, the applicant should include the proposed new language, and reasons to support the change.
- D. The following guidelines shall be used by the Planning Commission, and may be used by the Township Board in consideration of amendments to the Zoning Ordinance:
1. Text Amendment:
 - a. The proposed text amendment would clarify the intent of the Ordinance.
 - b. The proposed text amendment would correct an error in the Ordinance.
 - c. The proposed text amendment would address changes to the State legislation, recent case law or opinions from the Attorney General of the State of Michigan.
 - d. The proposed text amendment would promote compliance with changes in other County, State or Federal regulations.



- e. In the event the amendment will add a use to a zoning district, that use shall be fully consistent with the character of the range of uses provided for within the zoning district.
- f. The amendment shall not create incompatible land uses within a zoning district, or between adjacent zoning districts.
- g. The proposed text amendment is supported by the findings of reports, studies, or other documentation on functional requirements, contemporary building practices, environmental requirements and similar technical items.
- h. As applicable, the proposed change shall be consistent with the Township's ability to provide adequate public facilities and services.
- i. The proposed change shall be consistent with the Township's desire to protect the public health, safety, and welfare of the community.

SECTION 21.08 RIGHTS AND REMEDIES

The rights and remedies provided herein are cumulative, and in addition to other remedies provided by law.

SECTION 21.09 CONDITIONAL REZONING

- A. The Township Board recognizes that there are certain instances where it would be in the best interest of the Township, as well as advantageous to property owners seeking a change in zoning boundaries, if certain conditions and limitations could be proposed by an applicant as part of an application for a rezoning. Therefore, it is the intent of this Section to provide a process by which an applicant seeking a change in zoning boundaries may propose a Zoning Agreement, with conditions and commitments attached thereto, as part of the application for the requested rezoning. These provisions shall be in accordance with the provisions of the Zoning Act.
- B. In addition to the requirements of Section 21.07 above, an applicant requesting a change in zoning district boundaries may propose a Zoning Agreement, as defined in this Section. The required application and process shall be the same for rezoning requests except as modified by the requirements of this Section.
- C. The following definitions shall apply to this Section:
 - 1. Rezoning Offer shall mean conditions proposed by the applicant and approved by the Township Board processed as part of an approval under this Section. These conditions shall constitute requirements for and in connection with the development or use of the property approved with a Zoning Agreement.
 - 2. Zoning Agreement shall mean a written agreement offered by the applicant and approved and executed by the applicant and the Township Board and recorded with the Allegan County Register of Deeds, incorporating the Rezoning Offer