

CASCO TOWNSHIP BOARD OF TRUSTEES
WORKSHOP MINUTES
SEPTEMBER 19, 2016 @ 5:00PM

Approved 10/17/16

Call to order: Allan called meeting to order at 5:00pm and led in the Pledge of Allegiance.

Present: Macyauski, Overhiser, Winfrey, Graff, Brenner, Ron Bultje, Township Attorney, and 17 other interested people.

Absent: None

Allan explained that this is a workshop for the board but is a public meeting, we will take some public comment.

Public Comment: None

Ron Bultje reviewed the Sunset Shore Litigation which Casco Township was not a part of. Judge Cronin, in his decision, stated that renting is a commercial activity and that Casco Township's Zoning Ordinance does not allow commercial activity in this residential zone.

The short term rentals were a commercial use even though the township wasn't involved.

Rentals of dwellings constituted a commercial use and the judge allowed the activity to continue until 9/4/16 and at that point for ever more cease.

Because of this Ron stated the question to the township is whether to allow rentals and if so where to allow them.

Ron recommended a regulatory ordinance as opposed to a zoning ordinance to eliminate any grandfathered uses.

Paul asked if a rental home is commercial will the taxes change? Ron Bultje explained that valuations would develop over time as properties are sold.

Paul mentioned a home with 15 bedrooms was issued a residential permit. In a residential district this home should be a single family unit and limit the amount of people.

Ron Bultje stated that given this decision renting in residential areas is not permitted in our zoning ordinance and If people have issues they can come to the township and file a complaint with the zoning administrator.

There was a discussion about how to go down that road without policies from the board.

Al Ellingsen stated if someone complains he addresses it and if there is a complaint we have to prove there is actually rental going on.

Judy asked for more information on the process of filing and administering a complaint.

Allan mentioned that the Sunset Shore Litigation doesn't say the difference between long term and short term rentals. Ron Bultje stated that is true and went on to state that even given this decision one has to wonder what was really meant.

Greg Knisley asked if there are any state laws that the township could use? Ron Bultje stated that there are various court decisions that pertain to renting and that there will be more to come.

Ron suggests that the township should look at Five Top things to regulate:

1. Where in the township do we want to allow rentals and in what districts?
2. If we are going to have specific regulations for short term rentals.
3. Will these short term rentals be for all districts?
4. How many people in a dwelling.
5. Parking, noise, disorderly conduct from renters.

There was discussion about a Registration/Program to regulate this ordinance and to set a fee for the Zoning Administrator to inspect

Judy made motion to adjourn, Lu seconded.

Meeting adjourned at 6:55pm

Minutes Respectively Submitted,
Cheryl Brenner, Township Clerk