

**Approved as Presented  
January 3, 2023**

**SUTTONS BAY TOWNSHIP PLANNING COMMISSION  
REGULR MEETING - NOVEMBER 1, 2022**

The public may participate in person or by remote access through Zoom by computer or smart phone - Meeting ID 812 4028 1772 Passcode 503799

**Call to Order and Notation of Quorum**

Dennis Rathnaw, Chair, called the Regular Meeting of the Suttons Bay Township Planning Commission to order on Tuesday, November 1, 2022, at 6:00 p.m. at the Suttons Bay Township Office, 95 W. 4th St., Suttons Bay, MI.

Present: Dennis Rathnaw, Rhoda Johnson, Patti Miller, Doug Periard, Tom Koernke,  
Andy Brandt

Absent and excused: John Clark, Dee McClure, Don Gregory

Staff Present: Marge Johnson, Matthew Cooke

**Approval of Agenda - *Andy Brandt/moved, Rhoda Johnson/supported, to approve the Agenda, motion carried.***

**Public Comment**

Larry Mawby, Peninsula Housing, commented on the zoning ordinance and master plan.

**Conflict of Interest**

None stated.

**Approval of Minutes - October 4, 2022**

The Minutes were reviewed, amendments and corrections were made.

***Patti Miller/moved, Doug Periard/supported to approve the October 4, 2022 Minutes as amended and corrected, motion carried.***

**Items of Discussion/Consideration**

**1. Pre-Application Sketch Plan & Review-Hugge Supply-Sean Karcher**

Applicant: Hugge Supply, Sean Karcher

Existing Zoning: Agricultural

Project Location: S. Richter Road - 45-011-022-025-20, 6.56 acres

Attachments from Applicant

•Pre-Application Sketch Plan Package - 12 pages

Background:

•The Zoning Ordinance provides for a voluntary pre-application sketch plan and review. No public notice or hearing is required. No formal action or deliberation can be taken at the pre-application

review.

- The Applicant requested a pre-application sketch plan review with the Planning Commission.
- Zoning Comments are included.
- The PC cannot take formal action during a pre-application review, and should refrain from deliberation or determinations in the absence of a Public Hearing. The PC may ask questions of the applicant.

Sean Karcher, Applicant, said the objective of the proposed development is preservation, goal is to concentrate vehicles to the Richter Road entrance and set this up as a walking campus, needs access road for emergency vehicles. Concentration for parking lot provides electric car charging. Proposing single story flat roof homes, proposing as mid term rentals (30 day) and long term rentals, to provide some work force housing. Three duplexes on the property could be for work force housing. (Total of 14 units and 11 buildings) Not focusing on short term rentals. No rental pods proposed. Two maintenance units at the end of the parking structures. All separate houses have separate office space. No basements. Sean Karcher said Hygge Supply is a kit owned company. He designed and supplied the full kit for these homes. He does not provide construction services. A survey of the property will be done.

Dennis Rathnaw pointed out that the planning commissioners had a field trip to the view the property in the past.

#### Pre-Application Zoning Comments - Steve Patmore

##### The Site Plan Shows:

1. Three units on property along M-22 - this property is located within the Village of Suttons Bay - and is not subject to township zoning.
2. 14 units in 11 buildings on the Richter Road property in Suttons Bay Township.
  - 8 single units
  - 3 duplex units
  - 3 rental pods
  - Units are indicated as short-term rental units.
  - Units would be accessed by paths, with parking at the entrance.

##### Zoning Comments on the Richter Road Parcel:

1. The subject property is currently zoned Agricultural.
2. The township Master Plan delineates this parcel as Rural Residential with a Conservation Overlay.
3. A draft zoning ordinance overhead map being discussed by the Planning Commission shows this area as Neighborhood Residential.
4. There are currently provisions in the Agricultural Zoning District for duplex and multi-family residential developments.
5. Duplex and single units do not meet the definition of multi-family.
6. In my opinion, a group of duplexes and single units that are being rented out on a short term basis constitutes a motel.
7. The rental pods constitute a campsite. Campgrounds/campsites are covered as a Special Land Use in the Agricultural Zoning District. There are currently no provisions for campsites in the residential zoning districts.
8. The current Suttons Bay Township Short-Term Rental Ordinance, which only applies to Residential Zoning Districts, does not allow for more than one short term rental unit per

parcel.

9. The township Fire Chief will need to determine if the accessibility to the units is acceptable for emergency vehicles.
10. The units are shown relatively close to Leo Creek - the township during any Site Plan Review, will likely require a setback from Leo Creek.
11. The Applicant may need to determine if there is a Flood Plain associated with Leo Creek.
12. If the project is dependent on service by municipal sewer and water, the applicant should check on the availability with the Village of Suttons Bay.

In conclusion, the current zoning ordinance does not support the proposed use as a group of short-term rental units. This use would be more appropriate for a Commercial District, or would require changes to the existing zoning ordinance. It should be noted that Leelanau Township approved a very similar project in their Commercial Resort Zoning District.

Matthew Cooke said there is more work that needs to be done.

Dennis Rathnaw said this application needs to go back to Steve Patmore for adjustments.

Dennis Rathnaw said the Planning Commission is interested in affordable housing.

2. Zoning Ordinance Overhaul Project-Networks Northwest - Mathew Cooke  
Articles 17, 18, 19, 23, and 25 were reviewed. Comments were made by staff and Planning Commissioners.

#### **Reports**

Zon Admin - Report in the packet.

Planner - Working on Zoning Ordinance Overhaul Project.

Township Board - Doug Periard - Discussion held as to whether the Planning Commission finds that zoom meetings are useful. Response - Keep zoom meetings going because of Covid, enables the public to be involved.

Chair Comments - Text received from Sharon Livingston - Leelanau Watersports cutting down trees in wetlands. Dennis Rathnaw will call and ask some questions.

Commissioner Comments - Patti Miller - Should we have a conversation about short term rentals.

Dorothy Petroskey said the Short Term Rental Ordinance is being reviewed at the Township Board level.

**Public Comment** - None.

#### **Next Meeting - December 6, 2022**

**Adjournment:** The meeting was adjourned at 7:53 p.m.

Marge Johnson, Recording Secretary

Dee McClure, Secretary

