

Mason County Planning & Zoning Department

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January 21, 2020

Minutes of the Mason County Planning Commission meeting held at 5300 W. US 10, Ludington, January 21, 2020 at 7:00 p.m.

MEMBERS PRESENT: Michael Shaw, Doug Robidoux, Janet Andersen, Jim Wincek, Alan Neushwander

MEMBERS ABSENT: Dennis Dunlap

OTHERS PRESENT: Steve Hull, Brady Selner, Cayla Christmas

The meeting was called to order at 7:00 p.m. by Chairman Jim Wincek.

Mike Shaw made a motion to approve the minutes from the November 19, 2019 meeting as written. Second by Janet Andersen. Motion carried, 5 yes 0 no.

Mike Shaw made a motion to approve the minutes from the December 17, 2019 meeting as amended. Second by Janet Andersen. Motion carried, 5 yes 0 no.

Janet Andersen made a motion to approve the minutes from the January 7, 2020 meeting as written. Second by Doug Robidoux. Motion carried, 5 yes 0 no.

Addition or deletions to the agenda: None

Conflict of Interest: None

Public Comment: None

Correspondence: None

Jim Wincek opened the public hearing for application PZ19253, a special land use request by Rachel Deters to operate commercial cabin rentals. The subject property is located in the Recreational Residential (RR) zoning district in Summit Township, parcel 014-114-002-33, access 4465 S. Lakeshore Dr. Brady Selner presented the staff report, site plan, and site photos. A portion of the staff report is below:

FINDINGS OF FACT:

1. Six (6) 160 sf cabins to be built.
2. All cabins will have complete facilities (bathroom, kitchen area, and sleeping loft).
3. The property to the north is for sale and includes a portion of the storm water retention area.
4. The stairs going down the bluff stop half way. They are to remain with limited access.
5. Main parking area will include 6 parking spaces with 1 space being handicap accessible. There will be an additional trap rock overflow parking area (two cars).
6. Existing 12'x20 deck at the top of the bluff, proposed 16' x 20' addition to existing deck.

1 7. One light proposed at the center of parking lot.

2
3 UNIQUE PHYSICAL CHARACTERISTICS

4 The parcel is heavily wooded and has varying topography. There is a steep bluff to Lake Michigan. There
5 is an existing storm water retention area located on both the subject property and adjacent northern
6 property.

7
8 Brady Selner read aloud nine letters of correspondence, all opposing the project, to the
9 Planning Commission. The letters were received from Molly Buursma, Kurt Buursma,
10 Scott McRee, William Frauenheim, Jerry and Vickie Meyer, Mark and Kathryn Niemeyer,
11 Gloria Taylor, Gerald Taylor, and a second from Gerald Taylor on behalf of Summit
12 Township landowners.

13
14 Janet Andersen made a motion to accept the staff report as presented. Second by Alan
15 Nueshwander. Motion carried, 5 yes 0 no.

16
17 Mike Shaw asked Brady Selner how close the site was to the 30 and 60 year erosion
18 plans. Mr. Selner stated he had called EGLE but did not receive a response prior to the
19 meeting.

20
21 Jim Wincek asked Brady Selner if the deck and stairs going down the bluff appeared to
22 be in good structural condition. Mr. Selner stated he was not qualified to make that
23 determination.

24
25 Alan Neushwander asked if the distance was known between the stairs and the beach.

26
27 Brady Selner stated he did not go down the stairs to measure.

28
29 Doug Robidoux asked if there was a minimum square footage requirement for commercial
30 cabins.

31
32 Brady Selner stated there was not a minimum listed so there was no standard to hold the
33 commercial cabins to.

34
35 Doug Robidoux noted the property to the north of the subject parcel was for sale which
36 included a portion of the storm water retention area.

37
38 Janet Andersen asked if a recorded drainage easement existed on the parcel.

39
40 Brady Selner stated the site plan would have to meet Drain Commission standards. Mr.
41 Selner stated Dennis Dunlap had indicated he would look further into the site plan after
42 the Planning Commission addressed the parking requirements.

43
44 Jim Wincek opened the floor for the applicant(s) to speak.

45
46 Rachel Deters began a power point presentation.

1 Ryan Deters stated the tiny cabins were a “new and emerging thing.” Mr. Deters
2 commended the Mason County Zoning Ordinance for being “open-minded” and “forward
3 thinking.”
4

5 Ryan Deters stated the cabins would have a minimal impact on the property by working
6 around the property without clearing many trees. Mr. Deters stated there were not many
7 options in the area for lodging other than hotels or large Airbnb rental houses. Mr. Deters
8 stated he and his wife, Rachel Deters, would be willing to mitigate any concerns the
9 Planning Commission or neighbors had including, but not limited to, the stairway to the
10 bluff and fire concerns.
11

12 Ryan Deters stated they had been in contact with EGLE and were honoring the 30 year
13 erosion setback.
14

15 Mike Shaw asked why one cabin was set at the required setback line.
16

17 Ryan Deters stated that was due to the contour of the property. Mr. Deters stated there
18 was a hill they did not want to remove, and the opposite side of the hill housed the septic
19 drain field. Mr. Deters added the chosen location kept the cabin more secluded from the
20 other cabins.
21

22 Jim Wincek asked if there would be a manager onsite.
23

24 Ryan Deters stated guests would be able to check-in with an app-based key system. Mr.
25 Deters stated Rachel Deters would transition to being the onsite manager full-time, but
26 for the time being, the property would be managed from Grand Rapids. Mr. Deters stated
27 a local person would be hired to clean the cabins, and they could look into hiring a local
28 property management company to handle emergent concerns.
29

30 Jim Wincek asked how guests would be informed of rules.
31

32 Ryan Deters stated the rules could be posted in each cabin as well as instructions of how
33 to do things safely such as build and contain a fire.
34

35 Rachel Deters stated there would be a required quiet time. Ms. Deters added they were
36 not opposed to having security cameras on the property to keep track of what occurs.
37

38 Alan Neushwander asked who would enforce rules if supervision was not on site.
39

40 Ryan Deters stated there were several hundred properties doing short-term rentals in the
41 Ludington area and agreed it was not a perfect scenario.
42

43 Alan Neushwander stated people come to the area to enjoy the outdoor recreational
44 opportunities that are offered. Mr. Neushwander asked where people would be parking
45 the boats, trailers, snowmobiles, etc. that they bring.
46

47 Ryan Deters stated they would have to tell people there would be no accommodations

1 for boats or larger trailers.

2
3 Alan Neushwander asked why the stairs going down the bluff could not be removed.

4
5 Ryan Deters stated the stairs could be removed. Mr. Deters stated they had hoped to be
6 able to use the stairs one day when, or if, the lake levels go back down.

7
8 Janet Andersen stated she had concerns regarding emergency services being able to
9 access the property as well as the inability to get cell phone signal in the area.

10
11 Ryan Deters stated they could look into getting landline services. Mr. Deters stated the
12 hope was to get WiFi or satellite based services.

13
14 Jim Wincek opened the floor to interested property owners.

15
16 Joan Clair stated she lived next door to a seasonal rental. Ms. Clair stated the owner
17 leaves notes with rules for use of the property and claimed most guests ignore the rules.
18 Ms. Clair stated she was concerned with trespassing onto neighboring properties if 24/7
19 supervision was lacking. She added the stairs remaining as well as a lack of cell phone
20 signal were concerns as well.

21
22 Gerald Taylor stated the neighboring property owners unanimously agreed the
23 commercial cabins and single-family dwellings could not “exist in harmony.” Mr. Taylor
24 stated property owners would not build houses next to a campground, and the cabins
25 would lower the surrounding properties’ values. Mr. Taylor stated there would be an
26 increase in traffic, noise, and trespass. He stated the building of the cabins would involve
27 the removal of trees, so the property could not remain in its natural state.

28
29 Kurt Buursma stated he was concerned with guests overindulging in alcohol and drugs
30 and getting hurt on the bluff. Mr. Buursma stated he was also concerned with the
31 proposed fire pits and wind. Mr. Buursma added his concerns with guests climbing the
32 bluff and increasing the speed of the erosion currently caused by Lake Michigan.

33
34 Jim Evans stated he would rather see a house built on the location than the commercial
35 cabins. Mr. Evans also expressed concern over the fire pits.

36
37 Jerry Meyer stated the applicants were naïve in their thinking guests would not attempt
38 to use the stairs if they were blocked off. Mr. Meyer was also concerned with fires.

39
40 Chuck Lund expressed concern with safety on the bluffs as well as the lack of cell phone
41 signal and emergency response time.

42
43 Ryan Deters stated the concerns were valid. Mr. Deters stated they could consider
44 banning fires as it was not critical but something that would be nice to have. He stated
45 the special land use deals more with the uniqueness of a concept while the concerns
46 raised could be applied to any home in the area and were not directly related to the
47 proposed project. He stated the stairs could be removed if that was a strong concern. Mr.

1 Deters added they had anticipated people traveling into Ludington to enjoy the area and
2 access Lake Michigan but to sleep at the cabins.

3
4 Jim Wincek closed the public hearing.

5
6 Janet Andersen stated she was concerned with safety at the location. Ms. Andersen
7 stated the project would change the character of the neighborhood and had an impact.
8 Ms. Andersen stated the presence of the deck and stairs were a temptation to use them
9 to access Lake Michigan.

10
11 Mike Shaw agreed with Janet Andersen. Mr. Shaw added the project was nice and well-
12 intended, but he agreed people would have visitors. Mr. Shaw shared concerns with
13 emergency response time as well.

14
15 Alan Neushwander stated he was "pro-business" but stated the area was a residential
16 area. Mr. Neushwander stated it was the duty of the Planning Commission to look at
17 neighboring property owners and protect their investments.

18
19 Doug Robidoux stated the idea was great and the use was supported as a special land
20 use in the ordinance. Mr. Robidoux stated the commercial cabins were not fit for that
21 specific area due to safety concerns.

22
23 Jim Wincek stated the project was a great idea but for the wrong place. Mr. Wincek noted
24 the project would be surrounded by much hostility as presented by the neighboring
25 property owners.

26
27 Mike Shaw made a motion to disapprove Section 16.05 in the Mason County Zoning
28 Ordinance based on not meeting standards 2, 6, and 8. Second by Doug Robidoux.
29 Motion carried, 5 yes 0 no.

30
31 Janet Andersen made a motion to deny Special Land Use application PZ19253. Second
32 by Alan Neushwander. Motion carried, 5 yes 0 no.

33
34 New Business: None

35
36 Unfinished Business: Brady Selner stated the Planning Commission needed to confirm
37 the proposed changes to the future land use map based on discussion and
38 recommendations made at the last meeting.

39
40 The Planning Commission confirmed the changes.

41
42 Zoning Directors Report: Brady Selner stated the Mason County Reformed Church
43 applied for a site plan amendment for an addition to a pavilion. Mr. Selner stated the
44 application would be brought before the Planning Commission at the first meeting in
45 February.

46
47 Zoning Board of Appeals: Doug Robidoux stated the ZBA would be holding their first

1 meeting February 5, 2020.
2
3 Jim Wincek opened public comment.
4
5 There was no public comment.
6
7 Meeting adjourned at 9:08 P.M.
8



Alan Neushwander, Secretary
Mason County Planning Commission