

**CHARTER TOWNSHIP OF GARFIELD  
PLANNING COMMISSION MEETING**

Wednesday, December 9, 2015 @ 7:00 pm  
Garfield Township Hall  
3848 Veterans Drive  
Traverse City, MI 49684  
Ph: (231) 941-1620

**A G E N D A**

**Call Meeting to Order**

**Roll Call of Commission Members**

1. **Review and Approval of the Agenda - Conflict of Interest**
  
2. **Minutes**
  - a. October 28, 2015
  
3. **Correspondence**
  - a. Letters – Short Term Rentals
  
4. **Reports**
  - a. Township Board
  - b. Planning Commissioners
  
5. **Business to Come Before the Commission**
  - a. PD-2015-65 Adoption of 2016 Meeting Schedule
  - b. PD 2015-66 Reid Child Care (7-12 Children) – SUP - Introduction
  - c. PD 2015-67 Zoning Ordinance Amendment # 1
  - d. PD 2015-68 Vacation Home Rentals – Discussion
  - e. PD 2015-69 Grand Traverse Mall Site Plan Review - Dick's Sporting Goods
  
6. **Public Comment**
  
7. **Items for Next Agenda – January 13, 2016**
  - a. Election of Officers
  - b. Reid Child Care (7-12) – SUP – Public Hearing
  - c. Grand Traverse Mall Site Plan Review - Dick's Sporting Goods - Public Hearing
  - d. Vacation Rentals Discussion
  - e. 2015 Garfield Township Recognition update
  
8. **Adjournment**

**Joe Robertson, Secretary  
Garfield Township Planning Commission  
3848 Veterans Drive  
Traverse City, MI 49684**

Garfield Township will provide necessary reasonable auxiliary aids and services, such as signers for hearing impaired and audio tapes of printed materials being considered at the meeting to individuals with disabilities upon the provision of reasonable advance notice to Garfield Township. Individuals with disabilities requiring auxiliary aids or services should contact Garfield Township by writing or calling Lanie McManus, Clerk, Ph: (231) 941-1620, or TDD #922

**CHARTER TOWNSHIP OF GARFIELD  
PLANNING COMMISSION MEETING  
October 28, 2015**

**Call Meeting to Order:** Vice Chair Nelson called the meeting to order at 7:00pm at the Garfield Township Hall, 3848 Veterans Drive, Traverse City, MI 49684.

**Roll Call of Commission Members:**

Present: Pat Cline, Kit Wilson, John Nelson, Terry Clark, Gil Uithol,

Absent and Excused: Joe Robertson, John Racine

Staff Present: Rob Larrea

**1. Review and Approval of the Agenda – Conflict of Interest (7:00)**

*Clark moved and Cline seconded to approve the agenda as amended adding Item 5d – IMAX Signage for Buffalo Ridge.*

*Ayes: Wilson, Clark, Uithol, Cline, Nelson*

*Nays: None*

**2. Minutes (7:01)**

**a. October 14, 2015 Minutes**

*Clark moved and Wilson seconded to approve the minutes of October 14, 2015 as presented.*

*Ayes: Clark, Wilson, Uithol, Cline, Nelson*

*Nays: None*

**3. Correspondence (7:01)**

a. Letters – Short Term Rentals

**4. Reports (7:02)**

**Township Board Report**

Wilson said that the Silver Lake Rental group was at the Board meeting and are concerned with the timeliness of the process.

**Planning Commissioners**

None

**5. Business to Come Before the Commission**

**a. PD 2015-61 TC Medical Properties – Conceptual Review (7:03)**

The Planning Commission has previously heard a conceptual review for development of the two remaining commercial sites within the Lone Tree PUD. The general plan is to construct a medical office at the Lone Tree PUD. Dr. Richard Nielsen, Managing Physician for Crystal Lake Clinic is requesting to combine the two remaining building sites to construct one

larger more efficient building medical clinic building. It is important to join the lots so a building can be constructed large enough to hold a lab and a physical therapy section. Architect Robert Yvon discussed the project and said that the function is good for the building and the size of the one building is less than the overall allowed square footage of two buildings on the lots. They are working on making sure the stormwater containment is appropriate. The entrance was moved to Rosewood. Commissioners like the idea of one building and discussed landscaping and signage on the property.

**b. PD-2015-62 Child Care (7-12 Children) – Discussion (7:20)**

Commissioners continued to discuss the streamlining of the 7-12 childcare process. Staff drafted a proposed text change which will allow for the review of plans, notifying owners of property within 300 feet and holding a hearing. No SPU will be required.

*Clark moved and Uithol seconded THAT the proposed text changes to the 2015 Garfield Township Zoning Ordinance, as described in Planning Department Report No. 2015-62, be scheduled for a Planning Commission public hearing on December 9, 2015.*

*Yeas: Clark, Uithol, Cline, Wilson, Nelson  
Nays: None*

**c. PD 2015-63 Residential Uses in Commercial Zones – Discussion (7:25)**

Based on comments from the last meeting, Staff has brought forth a revised draft to allow residential dwellings in commercial zones. Density standards and parking will be consistent with the R-3 zoning district and site design is required to comply with PURD standards. Lighting will be low level and adequate.

*Uithol moved and Cline seconded THAT the proposed text changes to the 2015 Garfield Township Zoning Ordinance, as described in Planning Department Report No. 2015-63, be scheduled for a Planning Commission public hearing on December 9, 2015.*

*Yeas: Uithol, Cline, Wilson, Clark, Nelson  
Nays: None*

**d. IMAX Theatre Buffalo Ridge PUD Signage (7:28)**

Larrea said that the signage complies with commercial standards, but is in a PUD thus triggering a PC review. This is a formality.

*Clark moved and Cline seconded to approve the IMAX signage located at Buffalo Ridge provided they comply with the commercial standards as proposed.*

*Yeas: Clark, Cline, Wilson, Uithol, Nelson*

*Nays: None*

**6. Public Comment (7:31)**

Scott Ogden of the Silver Lake community commented on short term rentals.

Dave Cannon of 1315 Silver Lake Drive commented on the short term rentals.

Dennis Broder of Old Incochee Farm Trail commented on short terms rentals.

**7. Items for Next Agenda –November 4, 2015 (7:40)**

a. Signs – IMAX Theatre – Buffalo Ridge PUD

b. Short Term Rentals – Silver Lake

Larrea gave Commissioners the option to cancel the November 4<sup>th</sup> meeting since there was not sufficient time to gather any significant information on the short term rental matter. A meeting on December 9<sup>th</sup> would give Staff time to tally data from the surveys and gather as much information as possible on the subject.

*Clark moved and Cline seconded to cancel the Planning Commission meeting scheduled for November 4, 2015.*

*Yeas: Clark, Cline, Uithol, Wilson, Nelson*

*Nays: None*

**8. Adjournment**

Uithol moved to adjourn the meeting at 7:52.

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Joe Robertson, Secretary  
Garfield Township Planning  
Commission  
3848 Veterans Drive  
Traverse City, MI 49684



# WHAT IS A SHORT-TERM RENTAL?



*STRAC defines a short-term rental as a residential property that is rented to a visitor for less than 30 days.*

But the fastest growing markets are not in big cities. [[HomeAway, 2014](#)]

- Mexico Beach, FL
- Cap San Bias, FL
- Lavallette, NJ
- Cape Canaveral, FL
- Moonridge, CA
- Balboa Peninsula, CA
- Manteo, NC
- Cocoa Beach, FL
- Point Pleasant Beach, NJ
- Crested Butte, CO



In 2012, PhoCusWright found that 12% of American adults stayed in vacation rentals, spending \$23 billion. [[PhoCusWright, 2013](#)]

Short-term rentals created a \$24 million economic impact and supported 300 jobs in the small town of St. Joseph, MI in 2013. [[STRAC, March 2014](#)]

In the vacation hub of Myrtle Beach, SC, short-term rentals created over \$200 million in economic output while supporting over 2,500 jobs. [[STRAC, April 2014](#)]

Coachella Valley, CA benefits from over \$272 million in economic activity as well as over 2,500 jobs as a result of short-term rentals in the area. [[STRAC, March 2014](#)]

Over 52% of surveyed individuals plan to stay in a vacation rental in 2014, up from 44% in 2013.

[[TripAdvisor, 2014](#)]

Online bookings jumped from 12% of the vacation rental market in 2007 to 24% in 2012. [[PhoCusWright, 2013](#)]

Nearly three quarters of peak-summer vacation rental owners (72 percent) reported occupancy rates of 76 percent or higher, an increase of 8 percent over last year. Meanwhile, hotel occupancy rates increased just 5% over last year's rates. [[HomeAway, September 2012](#)]

Short-term renters are attracted to the extra living space, lower rates than hotels, and better amenities. [[TripAdvisor, 2014](#)]



Nine out of ten people (90%) believe that short-term rentals bring meaningful tourism and tax dollars to local communities. [[STRAC, 2013](#)]

Travelers surveyed said overwhelmingly (82%) that savings and last-minute deals sway them towards staying in vacation rentals instead of hotels. [[TripAdvisor, 2013](#)]

Owners generate an average of \$27,360 per year in rental income. [[HomeAway, 2014](#)]

A survey of Airbnb users showed that the money generated by short-term rentals was viewed by hosts as extra spending money (52%) or supplementary income that the host relies upon (41%). [Airbnb, Short-Term Rentals and Apartment Market 07-06-12]

The Airbnb market represents \$14 million of annual accommodation spending in San Francisco. [Airbnb Economic Impacts: Preliminary Findings, June 2012]

On average, vacation rentals are at least 50 percent less expensive per square foot than hotels. Travelers pay 80 percent more per square foot in some popular destinations including Orlando and Destin, Florida. [[HomeAway, September 2012](#)]

About 59 percent of STR owners say they use income from renting their property short-term to make improvements and upgrades to their home. [[HomeAway, September 2012](#)]



**LEARN MORE AT STRADVOCACY.ORG**

**Short Term Rental  
ADVOCACY CENTER**

*Promoting best practices in short term rental regulation*



## Best Practices for Rental Owners

- In-person or phone interview with potential tenants to allow for screening (most of this do this already)
- Provide neighbors with our local and/or personal contact information within 100 feet of our properties
- Names and ages of all renters must be listed in the contract
- On premise interview/property orientation in order to gain access and confirm occupants
- Include in contract "ground rules DO & DON'Ts" – see attached sample from Kazmierski Contract
- Post this same list in cottage in a visible location
- No smoking anywhere on premises
- Pets are negotiable but, must be on a leash
- No on street parking – limit parking spots to what property allows
- Quiet hours from 10 pm to 8 am
- Property borders and swim rafts are for their use and can be identified as  
to avoid confusion and trespassing
- No fireworks/fireworks ordinance
- 2 persons per bedroom not including young children (preschool age and below)
- All trash must be placed in proper receptacle at all times
- No day guests or overnight guests allowed on property

## Rental Issues Process

- Provide cell phones to all of our neighbors within 100 foot radius of our properties and respond to any calls 24 hours a day with a local person to handle any issues that may arise.
- If guests are in violation of laws or ordinances, police are called, just like a year round resident.
- Prior to "rental season" each year or by May 15 each year, share our rules with all neighbors. Address specific concerns if any. They are not expected to police our guests, but we want to make our practices and expectations known.
- Hold end of season meeting/picnic to invite feedback from year round residents.



## Financial Impact of Weekly Rentals

The following is a summary of the financial impact that weekly rentals have in Northwestern Michigan. Weekly rentals benefit many and contribute to the seasonal income of temporary employees for cleaning, lawn maintenance companies, boat rental companies, local restaurants, gas stations, grocery stores, downtown merchants, wineries, golf courses and many other businesses. Most weekly landlords introduce a lot of money to local business with upkeep of the rentals. Weekly rentals are some of the nicest, well kept properties because our clients pay top dollar per week and expect nice homes, yards and beachfronts.

There are over 14,500 weekly rentals listed in Michigan and Northwest Michigan has over 6,000 of them. Southwest Michigan is the next closest with less than 2000. These numbers are based only on information provided by Homeaway.com, Michigan Vacation Rentals and VRBO. Although there are many sites that list weekly rentals these are the three largest. Some landlords advertise in more than one listing and to make this a more accurate estimation the total number of weekly rentals in our area would more than likely be around 4000.

Weekly renters prepay for their week or two before they arrive so we find that they spend quite a bit of money each day they are here. It is estimated that they spend at least \$120 per person each week that they are here. Weekly rentals house between 4 and 10 persons and the average of 6 persons would be accurate for this report which means that each week renters spend at least \$720. Four Thousand rentals that average 12 weeks of rent equals 48,000 rental weeks and multiplied by \$720 per week (that is only \$20 per person each day) our weekly renters contribute to the economy of Northwest Michigan over \$34,000,000. Even though \$34,000,000 is a huge boost to our economy it is a very conservative number because we are only using three of the sites that list weekly rentals and we know most renters spend much more than \$20 per day.

If weekly renters are not allowed in Garfield Township we believe many other surrounding townships could follow the direction our Township has taken and it would be devastating for all of Northwest Michigan. The residual effect could result in many businesses cutting back on employees and even closing. Our hotels are completely filled the twelve weeks that weekly rentals operate so our weekly renters would have no option but to go to other areas or states that still allow weekly rentals.

Another issue that arises from eliminating weekly rental that would be devastating to our area is the fact that many weekly landlords would have to sell their investment or family properties because the cost of mortgages, taxes, upkeep and insurance would make it financially impossible to maintain these homes. The few that could keep these homes would have to rent monthly and would not be able to improve these properties and the SEV could become stagnant. Our schools and Garfield Township depend on Non-Homestead taxes for their annual budgets. According the Garfield Tax Assessment department Silver Lake properties that are Non-Homestead will generate \$572,000 this year of which \$225,000 goes to the

school funding. How will our Township and schools make up for these losses in tax revenues?

Realtors believe that weekly rentals are an introduction the Northwest way of life and after a "trial week" they get inquiries on waterfront homes for sale. Garfield Township and residents on and near the lake benefit from increased demand on waterfront as it keeps the property values and comps increasing.

By allowing weekly rentals Garfield Township could be a leader in creating a positive atmosphere for all residents on Silver Lake and creating guidelines for other townships in the aspect of weekly rentals. By requiring permits and enforcing quiet time, firework, campfire, sewer quality, occupancy per bedroom, parking allotments, noise complaints and fire codes these weekly rentals would be controlled even more so than any monthly or permanent residence could be. These could be self-controlled by a rental association with a representative from the township and a representative from the SLIA giving input. Normal avenues of policing would enforce laws and fines could be levied by the township for rules broken. By requiring permits Garfield would confirm that landlords knew the rules and by signing these permits they would be liable for the weekly renters actions.

Using this model the residents of the lake would benefit, Garfield Township would benefit, schools would benefit and the local economy would continue to enjoy the revenues from our weekly renters and Garfield Township would be serving both the permanent residents and landlords alike.





Tom and Marian Brady-294 N. West Silver Lake Rd, Traverse City MI 49685 [tbrady294@charter.net](mailto:tbrady294@charter.net)  
231.590.2190 or 231.590.4548

## **RENTAL AGREEMENT for the following cottage and dates**

Based on over 26 years of experience, the first five policies deal with issues that we address up front to ensure a peaceful, enjoyable experience for all of our guests and to continue our good relationships within our lakeside neighborhood.

1. **Pets\***: Pets are NOT permitted on the property (including keeping them in a vehicle) under any circumstances even for a visit.
2. **Smoking\***: Smoking is NOT allowed in the cottage or in any common area.
3. **Extra Guests\***: We require a list of all people that will be in your group. Day guests/overnight guests are included in the total maximum number of people allowed. We actively enforce the maximum numbers in order to avoid excessive people using the property and facilities during all and any length of time. We strive to provide a peaceful, enjoyable experience for all of our guests and part of our responsibility is to ensure the maximum number of people do not exceed the number that we have established. In addition, our septic system was designed for the maximum number of people that are allowed in each cottage. We also have a responsibility to be good neighbors.
4. **Excessive Noise\***: Vacations are filled with fun especially on the lake; we know noise is a part of that. Our neighbors have been supportive of our cottage rentals; we need to keep this good will. You will become part of our neighborhood for the short time that you are here. Please be aware that noise travels on the lake. Please keep voices down before 8:00 AM and once the sun sets. We do not allow outside music playing/talk show radio broadcasts etc. as not everyone has the same taste/interest etc. **Fireworks and airborne lanterns are not permitted on our property.**

### **5. Guests staying in the Willow and Maple Grove cottages :**

Great family fun and memories are made with yard games. We provide an area dedicated to those activities in our open area in the back of the cottages. A diagram of this area is posted in the cottages. The **common lake-side yard is not** to be used for soccer, Frisbee, darts, bean bag toss, football, softball etc as it is located too close to our neighbor's home and there is excessive noise naturally generated by yard games.

\* Violations of the above 5 items will result in the automatic relinquishment of your damage deposit as well as requiring the extra people and/or any pets to leave immediately and the activity to cease.

6. **Check-in/Check-out**: Check in time is after 4:00 PM on the day of your arrival.

Check out time is by 10:00AM on the day of your departure. There is no early check-in or late check-out times.

7. **Payment**: An advance payment equal to 50% of the rental rate is due within 7 days of the taken reservation. The payment is paid in 2 installments: First is a 50% installment within 7 days of the taken reservation. If we don't receive a signed copy of the rental agreement along with a check for the reservation deposit within the 7 days of the date of the email in which I attach the rental agreement the reservation will be cancelled and the property will be made available to rent by others. The second installment is the remaining 50% plus a 6% MI Use tax which is due 45 days prior to arrival. Also due at that time is a refundable Damage and Excessive Cleaning Deposit. Property must be left as found in order for this amount to be returned which means: no damage, no missing items, no excessive cleaning needs to be done and no violation of the rental agreement. Payment in the form of money orders, cashier's checks or personal checks **PAYABLE TO**

8. **Cancellations**: There is a \$100 charge for all reservations that are cancelled. Reservations are subject to forfeiture of the entire deposit unless the property is re-rented at the full rental rate, minus the \$100 charge. Once the second installment is made (45 days prior to arrival), the stay cannot be cancelled and the total rate will be forfeited. We recommend travel insurance if this is a concern.

Late arrivals or early departures do not warrant any refund of rent. You may choose to purchase travel insurance separately.

9. **Permission to Enter the Premises**: We reserves the right to enter the premises for repairs and or maintenance or to prevent injury to property or person. We do our best to keep appliances, mechanicals and fixtures in working order and we do not offer discounted rates for situations beyond our control.

10. **Damages/Malfunctions**: Tenant will report immediately any malfunctioning and/or damage that may occur. Tenant will be held responsible for any damages to the rental unit during their period of occupancy. See above regarding the refundable Damage and Excessive Cleaning Deposit policy.

11. **Use of Equipment**: The Tenant acknowledges that if it uses the appliances, fire pit, grills, paddle board row boat, etc. that they are responsible for any damages caused by their usage to either the item or persons. Tenant further acknowledges that they are experienced in the usage of above items.

12. **Violation of Law**: Tenant agrees not to violate any laws during the term of this Lease. If Tenant does violate any law, this lease can be terminated immediately at the discretion of Tom and Marian Brady or its Agent with no refund of any unused payments and forfeiture of the damage deposit.

14. **Assumption of Risk**: Tom and Marian Brady are not responsible for any accidents, injuries or illness that occurs while on the premises or its facilities. The owners are not responsible for

the loss of personal belongings or valuables of the Tenants or their guests. By accepting this reservation, it is agreed that all guests are expressly assuming the risk of any harm arising from their use of the premises or others whom they invite to use the premises.

14. Tom and Marian Brady reserve the right to cancel this reservation at any time with no refund if the Tenant or anyone in the Tenant's party refuses to abide by this agreement.

\_\_\_\_\_ / \_\_\_\_\_

Print Name

Tenant Signature (Must be 18 years old or over)

Date

Names of renters- Please include ages of children under the age of 18.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please mail signed/completed rental agreement along with payment to:

Thank you for renting with us.

*Thank you for choosing our home for your vacation. We hope that you have a pleasant stay.  
The total cost for your rental includes the cleaning fee, sales tax and damage insurance.*

The property is located at:  
722 NW Silver Lake Rd., Traverse City, MI 49685

Your confirmation is as follows:

Check-In Date: \_\_\_\_\_ After 4:00 pm

Check-Out Date: \_\_\_\_\_ By 10:00 am

Number of Adults: \_\_\_\_\_

Number of Children: \_\_\_\_\_

## SHORT TERM RENTAL AGREEMENT

This Short Term Rental Agreement (the "Agreement") is made by and between Michael Kazmierski ("Homeowner") and \_\_\_\_\_ ("Guest") as of the date last set forth on the signature page of this Agreement. For good and valuable consideration, the sufficiency of which is acknowledged, the parties hereby agree as follows:

**Property:** The property is located at 722 NW Silver Lake Rd., Traverse City, MI 49685.

The property is furnished and includes a full kitchen with utensils, dishware and cookware. An oven/stove top, dishwasher, refrigerator, microwave, coffee pot, and toaster are available for use. Linens and towels are included for use inside the cottage only, and there is a washer and dryer in the unit. There is a basic supply of napkins, paper towel, and toilet paper; however, you will need to provide replacements. The bedrooms are as follows: (upstairs, main bedroom) - 2 full beds; (downstairs, north bedroom) - 1 full bed; (downstairs, south bedroom) - 1 full bed; plus (main level living room) - 1 pull-out queen couch. There are 2 full bathrooms.

**Occupancy:** The amount of people that a unit will accommodate is listed as 10. Additional "lodging" such as campers or tents are not permitted.

**Check in and Check out:** Check out is at 10:00am promptly; no additional time can be given in the months of July and August; those not out by 10:00am will be assessed \$50.00. Check in is between 4:00-5:00pm. During the shoulder season (not summer) exceptions can be made. Please contact us for further information. **NO EXCEPTIONS IN EITHER JULY OR AUGUST.** Our cleaning service is often there upon check out time to get the condo ready for the next guest. We ask that you honor the check-out time to the best of your ability.

Guest initials \_\_\_\_\_

**Rental Rules:** Guest agrees to abide by the **Rental Rules** attached as **Exhibit A** at all times while at the property and shall cause all members of the rental party and anyone else Guest permits on the property to abide by the following rules at all times while at the property. There are specific rules that pertain to the lake and hot tub. Please see **Exhibit B**, attached.

**Cancellation Policy:** There will be a charge of **\$100.00 for all reservations canceled**. 7 days after booking a reservation, summer season reservations are subject to forfeiture of the entire deposit amount unless the property is re-rented at the full rental rate; a refund will then be made less the cancellation charge. Reservations that total more than 7 nights will be charged **\$100 per week**. Once the final payment is made 15 days prior to arrival the stay cannot be canceled and the total rental rate for the week will be forfeited. For multiple weeks booked, final payment is due 30 days before arrival prior to the stay cannot be canceled, and the total rental rate for the week will be forfeited.

**Pets:** Pets are not permitted.

**Air Conditioning:** This home has three air conditioners, one on each level with separate controls.

**Housekeeping:** Your unit will be clean prior to arrival and we will clean upon departure. You will receive one set of towels for each guest your unit will accommodate. No daily maid service is provided unless you specify before you arrive that you would like extra housekeeping or towels and you will be assessed an additional fee. If there are any housekeeping issues with your unit when you check in please make us aware of them immediately, not at the end of the stay, so we can remedy the situation (no discounts will be given). **Prior to your departure, please wash all dishes and leave the premises in a respectable order.**

**When You Depart:** Prior to your departure, please wash all dishes, close windows, and turn off fans) and leave the premises in a respectable order. We also ask that bed are NOT stripped and towels left in bathrooms.

**Payment of Nights Reserved:** The guest is responsible for payment of all nights reserved, regardless of the guest's actual arrival or departure.

**Entry of Premises:** An authorized employee or repairman may enter the premises during customary business hours for any purpose connected with the repair, improvement, care and management of the premises. You will be notified by phone if this becomes necessary.

**Rental Rate:** The standard rate displayed on each property's main page on the web site is the Prime Summer Weekly Rent. Sales tax and damage insurance are also added to that cost prior to booking. Other seasons' rates can be viewed by getting an online quote for the appropriate dates.

Guest initials \_\_\_\_\_

The parties agree to the terms of this Short Term Rental Agreement,  
as evidenced by the signatures set forth below.

**Homeowner:**

Michael Kazmierski  
722 NW Silver Lake Rd.  
Traverse City, MI 49685  
231.357.2064  
mike@kazcreative.net

Electronic Signature: *Michael Kazmierski, homeowner*

**Guest**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

Please list all guests and occupants with names and ages:

Name	Age
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____
7. _____	_____
8. _____	_____
9. _____	_____
10. _____	_____

Guest Signature: \_\_\_\_\_

Guest initials \_\_\_\_\_

## Exhibit A

### RENTAL RULES

- Smoking is **NOT** allowed on any of the premises.
- People other than those in the Guest party set forth above may not stay overnight in the property. Any other person in the property is the sole responsibility of Guest.
- This unit is privately owned; the owners are not responsible for any accidents, injuries or illness that occurs while on the premises or its facilities. The Homeowners are not responsible for the loss of personal belongings or valuables of the guest. By accepting this reservation, it is agreed that all guests are expressly assuming the risk of any harm arising from their use of the premises or others whom they invite to use the premise.
- Keep the property and all furnishings in good order.
- Only use appliances for their intended uses.
- Parking: Parking is limited to 3 vehicles. Please note: parking may be cramped and difficult to maneuver within. Please use extreme caution when entering/exiting the parking area. Parking on the road is not permitted. Any illegally parked cars are subject to towing; applicable fines/towing fees are the sole responsibility of the vehicle owner.
- Housekeeping: There is no daily housekeeping service. While linens and bath towels are included in the cottage, daily maid service is not included in the rental rate. We do not permit towels or linens to be taken from the premises.
- Storms: No refunds will be given for storms or bad weather.
- This is a private home. Therefore there are areas of the home that are not allowed to be accessed by guests. These areas are locked and secured. Any attempt to access these areas or tamper with the locks of these areas will result in a loss of deposit.
- No rentals to STUDENTS OR SINGLES UNDER 25 unless accompanied by an adult guardian or parent.
- No Loud noise, loud music, firearms, fireworks, house parties nor obnoxious, dangerous, or unlawful behavior will be tolerated.

Guest initials \_\_\_\_\_

## Exhibit B

### SILVER LAKE AND HOT TUB ADDENDUM

- This Lake and Hot Tub Addendum is attached to and becomes a part of the Rental and Lease Agreement on the property referenced above. The subject property has a lake and hot tub located thereon. The guests will use the lake and hot tub at the guest's own risk. Also, other amenities such as kayaks are provided. The homeowners will not be held responsible for the injuries sustained by the guests or the guest's occupants when using the lake, hot tub, or any amenities provided with the house; and the guests will indemnify the landlord for any actions resulting from injuries to guests and the guest's occupants or visitors.
- The guest is responsible for the general maintenance of the hot tub. This includes, but is not limited to, keeping the hot tub clean of debris, checking/cleaning the skimmers and keeping the lakefront/hot tub areas clean, neat and organized.
- The guest understands and agrees to allow the owner access at regular times to maintain the equipment. The guest agrees to refrain from attempting to make any repairs or adjustments to the equipment or to any of the electrical wiring for the equipment.
- The guest must immediately notify the landlord of any repair that the hot tub may require. The guest is responsible for the full cost that may be due for repair and/or replacement of the hot tub that is required as a result of negligence by the guest or the guest's occupants or guests. The guest must operate the hot tub in accordance with the owner's instructions and in a safe, responsible manner.
- There is absolutely no glass allowed in the hot tub or the lakefront area.
- The guest understands that the hot tub is strictly an amenity and that the use of this amenity is not guaranteed under the terms of the lease. Any interruption or non-availability of the use of the hot tub will not violate any terms of the lease.
- If any guest violates any part of this Addendum, the guest will then be in default of rental agreement. In the event of a default, the owner may initiate legal proceedings in accordance with local and state regulations to seek judgment against the guest for any monies owed to the homeowner as a result of the guest's default.

Guest initials \_\_\_\_\_





September 23, 2015

Garfield Township Board of Trustees  
3848 Veterans Drive  
Traverse City, Mi. 49864

Ken and Teri Burritt  
1412 N. West Silver Lake  
Traverse City, Mi. 49685 231-499-5852

I want to confirm that I did receive a letter to discontinue my weekly rentals on Silver Lake. I own 4 properties in Garfield Township and 2 of them are weekly rentals. When I purchased them there were no concerns on my part or my realtors that we were in any violation of any zoning. The township and the schools have benefited from my tax payments as non-homestead properties all of these years. The township knew that these were weekly rentals and there were no concerns on their behalf until recently when one rental owner did a poor job of maintaining a good relationship with their neighbor and a lawsuit ensued. Because of one complaint many families, businesses and schools will suffer.

**I believe that Garfield Township should reconsider this attempt to ban weekly rentals (just as Suttons Bay did) for the following reasons:**

- 1. Weekly rentals will allow many families to keep their cottages that have been in the family for many years.** Current permanent residents should consider this option when they want to pass their home on to their children or grand children.
- 2. Loss of non-homestead taxes** will put more stress on an already financially tight school district and Garfield Township also benefits from these taxes.
- 3. Businesses in the area will lose income from these renters.** As an owner of a local business I depend on customers who are here on a temporary basis. Weekly renters spend a lot of money during the week that they stay in Northwest Michigan. Weekly rental are a very important part of our tourism and local economy.
- 4. Homes that rent weekly in the summer are very well taken care of because our renters are very demanding.** Most rentals charge \$1500 - \$4000 per week so we are bringing in people who are upper income and many look to buy homes in the area after staying on our lake. This helps keep the average home sale on the lake increasing. Because of the discontinuation of weekly rentals many of these homes will go on the market (some already have) and this glut of sales will decrease the average sale price.
- 5. I personally donate some weeks for fundraisers.** These non-profits depend on our donation. Will this now not be allowed?
- 6. The persons renting our home and other homes are doing so to get that up north feeling.** They are also looking for a relaxing stay on a peaceful lake and able to cook their own meals and have family time in a dream location. They do not want to stay in a hotel and live out of a suitcase. I had a family bring up their mother who has cancer to stay at the lake because past stays were so nice. She passed away recently but was able to join us on the lake in June one last time.
- 7. There are very few owners who have any complaints from neighbors.** For the most part we are responsible in who we let stay in our homes because they are not businesses but part of our lives and many will end up retiring in these cottages and homes.
- 8. I believe that most homeowners that rent weekly would be willing to have restrictions** put on how many they could rent to, putting into the weekly contracts quiet time at 10 PM, limited camp fires to Friday and Saturday nights, limited amount

of cars at rental and any other issues that you have come to your attention. We already do this and if I ever had a complaint from a neighbor the renter would have one warning and they would be evicted with no refund on the second complaint. Because this is in the contract I have never had a complaint. I also give my neighbors a bottle of wine with my phone number on it ☺.

9. **Garfield Township could be a leader in responsible rentals by issuing a permit.** This permit would confirm the weekly rental and rules that must be followed. Charging a fee for this permit would cover any costs to the Township and if there are any violations a stiff fine could be issued. These fines alone would show the other owners on the lake that Garfield Township is serious about tourism but in a responsible way to its residents.

**I have 2 rentals on the lake that are part of my retirement.** If weekly rental is not allowed for the 12 weeks of summer then I will have to sell both of them and reinvest in another township to keep my retirement plans in line. I also live on the lake where I can see both of my rentals and have a weekly rental next door to me so I understand both sides of the issue. I have contacted the owner of the rental next to me whenever there is an issue and they have always been polite and taken care of it. I believe that this type of relationship is the norm on our lake and it is sad that so many families will be affected by the decision to stop our summer renters from joining us each year. As a business owner for almost 30 years in the area (Burritts Fresh Markets) it concerns me greatly that the Up North experience may be gone if other Townships follow your lead on this ban.

**My brother Kurt Burritt also owns a weekly rental on the lake.** He is hoping to move back to Michigan and Silver Lake in a couple of years when he retires but now is contemplating selling his cottage because he can't afford to pay taxes and insurance on what a monthly renter would pay. I have been looking forward to he and his wife Emily joining us back on the lake ever since he left for a job out of state. My daughters and their families join us each summer for a couple of weeks and the cottage is a great way for them to visit because there is not enough room at our house for their families to stay. We also let other families use the cottage when there is an event in our area.

**So as you can see this is a very personal issue for my family.** We ask you to please consider the very viable solutions to an almost nonexistent problem on our lake. There are much bigger issues like huge parties and bands at multiple locations on the lake by year round owners. There are large boats and noisy jet skis running late at night. There are fireworks many weekends by homes that are not rented. There are run down homes and cottages with un-mowed yards. Weekly rentals for the most part are a very positive venue for our community and if you ask persons living on and around the lake if a weekly rental has ever been a problem you will find very few that have ever complained about a family owned/managed cottage or home. Most Landlords of weekly rentals are extremely responsible because these weekly rental are their homes and have been in the family for many years. A limited number of irresponsible landlords should not cause all weekly rentals to be banned. Would you fire all teachers at a school if one did a poor job?

Thank you for reading my (very long) letter and please contact me for more ideas on how weekly rentals can benefit our area.

Regards, Ken and Teri Burritt

October 9, 2015

Dear Board Members,

Recently it has come to light that weekly rentals are not allowed in Garfield Township anymore, and apparently haven't been prior. It's just that the Township has not enforced it until most recently.

I am writing this letter to you as a resident & tax payer in Garfield Township, and asking that you take a serious look at this zoning issue. In my opinion, they are a very good thing for our community, and the surrounding communities. I do not own a rental property, but I have for the past two years been the caretaker for one. These guests that come to our community to spend a week or two at a time are spending money, which is benefiting the business owners & everyone in this township. They are buying pizzas, ice cream, groceries, gas & eating out at restaurants. These businesses have to hire more people in the summer time because of this increase in business. And, those employees are mostly local taxpayers like myself. Our economy in Grand Traverse County is primarily based on these guests coming here to enjoy themselves, and enjoying the beauty of our area.

These weekly rentals also need upkeep. So, the owners are spending money at places like Gil Roy's for repairs or propane. They are hiring lawn maintenance companies & landscapers to keep the yards up. There are local sports rental companies that rely on these guests to rent pontoons, jet skis, kayaks, paddle boards, etc.... Again, that is money flowing into Garfield Township & its' residences are benefiting from it.

Some of these rental properties were bought at a premium because of the income potential that they have for 3 or 4 months out of the year. This has increased the property values of all & increased the tax base for the Township. If they are forced to sell because you do not allow weekly rentals any more (whether written or not, you have knowingly allowed this for decades & decades), they will likely have to sell at a loss or reduced value, which is going to affect everyone & your tax base.

Again, as a resident and tax payer, I am asking that you please take a look at the real value that the weekly rentals bring to our Township & community! With decades of great success & virtually few problems, there is no reason to not change the ordinance. Remember, you can't choose your neighbors either & unfortunately there are more issues between permanent neighbors than there are with a guest that is enjoying a beautiful week in our paradise.

Thank you,

Wade Mariage  
4589 Buckhorn Drive  
Traverse City, MI 49684


October 4, 2015

Garfield Township Board of Trustees  
3848 Veterans Drive  
Traverse City, MI 49684

Dear Garfield Township Board of Trustees and interested parties,

Our family cottage is directly south of the Kazmierski's rental cottage on NW Silver Lake Rd. Since they have purchased it and are doing a great job of managing it and their guests, we have not had one issue with their renters. I know the Kazmierski's depend on this income in order to own the cottage. They are responsible rental owners and bring value to our lake. Please reconsider this decision and work closely with Mike and Kelly Kazmierski to come up with a mutually agreeable solution that works for everyone and protects the values of the properties in that area.

Regards,

*Dan Machuta*  


231-499-6556

718 N. west Silver Lake RD,

## Kelly Kaz

---

**From:** kurtburritt@gmail.com on behalf of The Artisan Gourmet Market <info@theartisangourmetmarket.com>  
**Sent:** Sunday, October 11, 2015 8:47 PM  
**To:** Dave Cannon  
**Cc:** Tom Brady; Kelly Kaz; Wade Mariage; Stu Saints; Len Classens; Thomas Cronin; Sara Edwards; Nancy Weller; Kristee Mariage; Julie Schafer; Jessica T.; Dave Cannon; <roberts@mieye.com>; <kenburritt@burrittmarket.com>; Jack Nowland; Dennis Brodeur; <beltinck@yahoo.com>  
**Subject:** Re: Processes, etc.

Thank-you for including us in your email group. We have owned and rented our property on Silver Lake for nearly 15 years. We have been recognized as a rental in that we pay increased taxes (non homestead) pay state sales tax and personal property tax that has been gladly received by all governmental entities. We have met all required regulations to operate as a weekly rental and.....we have made improvements along with a mortgage that can only be supported by weekly rentals as accepted by entities we have complied with.

Prior to owning our property, it was in disrepair, offered low tax revenue to the county and schools and unless rented would continue as such. Because of our investment, we have increased property value (higher taxes) provided more revenue (non homestead) and provided a much nicer property for families wanting a true up north experience (not available in a hotel).

Our ownership has brought increased revenue for businesses, county and State and truly we can say our renters are of highest caliber because of the rates we charge.

Should we be forced to rent at a lower rate (monthly or longer) we may not attract the quality of renters and certainly would deal with greater problems as it relates to noise etc.

Emily and I appreciate the Grand Traverse Area, as she is a native and we have been long lived residents, hope to pass our log home on to our children and the ability to maintain and improve our property is based on what the State and County has allowed us in the past. Any changes to this may infringe on our constitutional rights of use as established by acceptable terms the county requested of us.

We gladly support the actions of this group and ask our opinions and comments be entered to the minutes of the meeting you might represent property owners at.

Sincerely,

Kurt & Emily Burritt  
5134 Silver Lake Shores Road

September 27, 2015

Garfield Township Board of Trustees  
3848 Veterans Drive  
Traverse City, MI 49684

Dear Garfield Township Board of Trustees and interested parties,

We are merchants in a close vicinity to the Silver Lake area and tax payers in Garfield Township. As we all know, being Traverse City businesses, we depend on our summer income to sustain us. Our success is largely affected and dependent on the influx of vacationers we see each year.

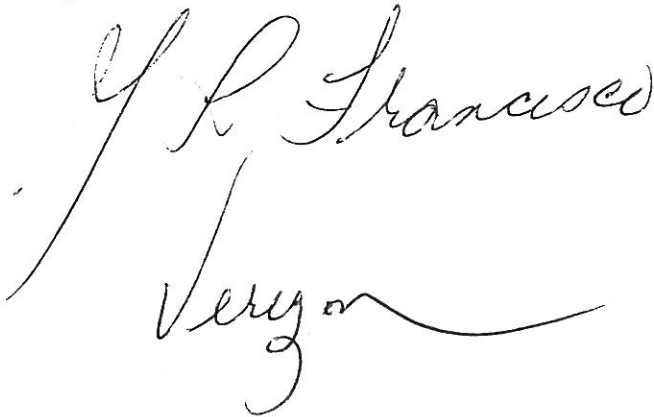
It has come to our attention that the township is now enforcing a no vacation rental ordinance in our township. This will affect our business in a very real and tangible way.

We are so disheartened to see and disappointed to realize this change in protocol. We do not feel that allowing vacationers here has a negative impact in our community at all. We are also concerned that this swift move on the part of the township has lacked the time needed to consider the affect it would have on merchants and businesses.

Revenues generated via visitors whether they are campers, hotel occupants, house renters or just day visitors are imperative to our existence. It is simple, vacationers spend money here. That is what we all want.

Please reconsider this enforcement and look at what negative impacts this will have on all not just a concerned few.

Regards,



*J. P. Francisco*  
*Veryon*

September 27, 2015

Garfield Township Board of Trustees  
3848 Veterans Drive  
Traverse City, MI 49684

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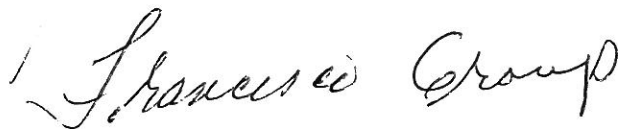
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Please reconsider this enforcement and look at what negative impacts this will have on all not just a concerned few.

Regards,

A handwritten signature in cursive script that reads "James Francis".A handwritten signature in cursive script that reads "The Francisco Group".



September 27, 2015

Garfield Township Board of Trustees  
3848 Veterans Drive  
Traverse City, MI 49684

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Please reconsider this enforcement and look at what negative impacts this will have on all not just a concerned few.

Regards,

A handwritten signature in cursive script that reads "Jason Francisco".Handwritten text in cursive script that reads "Francisco Mkt & Deli".

September 27, 2015

Garfield Township Board of Trustees  
3848 Veterans Drive  
Traverse City, MI 49684

Dear Garfield Township Board of Trustees and interested parties,

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Please reconsider this enforcement and look at what negative impacts this will have on all not just a concerned few.

Regards,

**HWI - Gill-Roy's Hometown  
Hardware #6739  
2701 Zimmerman  
Traverse City, MI 49684**

Per Bob Morgan (President + CEO)  
810.659.2291 (main office)

October 1, 2015

Garfield Township Board of Trustees  
3848 Veterans Drive  
Traverse City, MI 49684

Dear Garfield Township Board of Trustees and interested parties,

As a property owner, my rights have been violated by your zoning administration by restricting the use of our land and buildings on Silver Lake. In addition, my property values are in jeopardy because of the zoning administration.

Reconsider this decision by your zoning administration and work closely with land owners to come up with a mutually agreeable solution that works for everyone and protects the values of the properties in that area. **Significant tax reductions on Silver Lake properties should follow such a poor zoning administration decision.**

Regards,

A handwritten signature in black ink, appearing to read 'Ron Lints', with a long horizontal flourish extending to the right.

Ron Lints  
Owner of multiple properties in Garfield Township

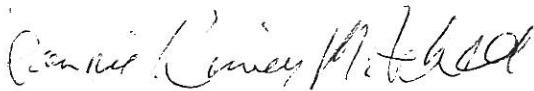
September 24<sup>th</sup>, 2015

Dear Garfield Township Board of Trustees,

I was born on Silver Lake in 1950 and my father was on the Garfield Township Board for 25+ years—one of his proudest accomplishments. My family had a couple small cottages on the Lake that we used as vacation rentals and I can still remember my mother out cleaning between guests and the value of hard work we learned from watching her. I have seen over the decades the population of Silver Lake grow, and understand firsthand the passion of the people that still own cottages there and want to share them responsibly with the people that flock here to enjoy this beautiful area!

My hope is that there will be some resolution to this issue that can work for both sides and bring them together for the good of all.

Thank you for your time,

  
Jeannie (Kinney) Mitchell

4615 Black Bear Dr.

Traverse City, MI 49685

October 1, 2015

Garfield Township Board of Trustees  
3848 Veterans Drive  
Traverse City, MI 49684

Dear Garfield Township Board of Trustees and interested parties,

As a property owner, my rights have been violated by your zoning administration by restricting the use of our land and buildings on Silver Lake. In addition, my property values are in jeopardy because of the zoning administration.

Reconsider this decision by your zoning administration and work closely with land owners to come up with a mutually agreeable solution that works for everyone and protects the values of the properties in that area. **Significant tax reductions on Silver Lake properties should follow such a poor zoning administration decision.**

Regards,

A handwritten signature in black ink, appearing to read 'Ron Lints', with a large, stylized flourish at the end.

Ron Lints  
Owner of multiple properties in Garfield Township

September 28<sup>th</sup>, 2015

Dear Garfield Township Board of Trustees,

As a Garfield Township resident whose family has been in the Silver Lake area for over a century, it has been brought to my attention there has been a recent change in the enforcement in how vacation rentals are being treated in our township.

I would like to express my support for those individuals exercising their land use rights by offering their homes as short term rentals to tourists. I have friends and business associates involved in short term rentals, and know firsthand the responsible and conscientious way they handle their properties. As added tax revenue for our Township I only see this as a positive, not to mention the added economic impact boost to our local tourism industry they are supporting as well.

I personally use short term rental properties when our family goes on vacation out of town and find them very valuable and an asset to other communities we visit. I find myself going specifically to areas that have available rental cottages and homes that best fit my family.

As a member of our community and Garfield Township I personally do not offer my home or other properties for rent but I ask you to please consider their point of view and also the potential negative economic impact this will pose on our area if these tax paying residents are not allowed to continue with vacation rentals.

I appreciate your attention to this matter and your time in reading this letter.

Warmest Regards,

A handwritten signature in black ink, appearing to read 'Arthur R. Canfield III', written in a cursive style.

Arthur R. Canfield III  
5067 Village Lane Ct.  
Traverse City, MI 49685

September 28<sup>th</sup>, 2015

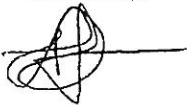
Dear Garfield Township Board of Trustees,

I have recently become aware of the ban on short term rentals in Garfield Township and would like to speak up on behalf of the property owners that are being affected by this new enforcement. I personally know several people involved in short term rentals, and they have conducted themselves in a professional and responsible manner when dealing with guests and neighbors.

As a local businessman for 30+ years, I have seen our local economy grow and that is in no small part to tourism. This group is providing housing to many families that would not come to our area if the properties were not offered—because they could not afford to stay in a hotel, or because they would choose not to.

I would encourage the board to consider the property owners' point of view and come to a mutually beneficial resolution. Thanks for your time.

Sincerely,

A handwritten signature in black ink, appearing to be 'Larry Flynn', written over a horizontal line.

Larry Flynn

September 24<sup>th</sup>, 2015

Dear Garfield Township Board of Trustees,

My name is Jessica Torbet and my husband, Jon, and I have multiple rentals in Grand Traverse County. Jon is a Traverse City born native and my mother's family is from, and still resides, in Garfield Township on Silver Lake. We love this area and have chosen to raise our family consisting of 3 children five years old and under here. My husband is a financial advisor at Centennial Wealth Advisory and I am a stay at home mom that runs the rental properties. We are not a corporation, we are not absentee landlords, we live right across Silver Lake from our rentals.

To our knowledge, we have never received a complaint and have given our neighbors our phone numbers and email addresses to contact us immediately if there was ever an issue with a guest. We only book a guest if there is email or phone communication—we never “book now” on the vacation website. Our bedrooms are not packed with beds to squeeze people in, no more than two people to a bedroom so our rentals sleep 6-8. We provide a list of rules stating the quiet time ordinances, property boundaries, and respect for the residents. We are located next to vacation rentals, and have never heard a complaint about them from our guests either. To be frank, the only people my guests have occasionally commented about are the residents in the neighborhood.

The marketing campaigns of Pure Michigan and Visit Traverse City have really helped in putting us on the map, and there are many people who do not have the means or the desire to stay in a hotel. I believe the absolute beauty of our area should be available to everyone, and we are now shutting out a significant number of tourists that will not bring their money here to help our businesses or our residents achieve economic growth.

I truly hope that we can reach an agreement that will allow us to continue offering our homes to responsible families, while assuring the public that we are absolutely taking their security and comfort seriously.

Thank you for your time,

Jessica Torbet

707 N. West Silver Lake Rd.

Traverse City, MI 49685

A handwritten signature in black ink, appearing to read 'Jessica Torbet', written over the printed name.



September 24<sup>th</sup>, 2015

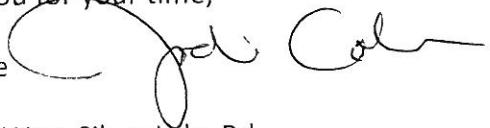
Dear Garfield Township Board of Trustees,

I have been a resident of Garfield Township for 6 years and have witnessed the many positive effects of people opening up their rental homes for short term visits from out of town guests in our Silver Lake area. It promotes economic growth for our local and national businesses and our residents alike.

I hope you will be able to come to a mutually beneficial agreement with the property owners that allows them to continue with the responsible renting of their properties.

Thank you for your time,

Jodi Cole

A handwritten signature in black ink, appearing to read "Jodi Cole". The signature is written in a cursive style with a large loop for the letter "J".

2157 N. West Silver Lake Rd.

Traverse City, MI 49685

Patty and Nick Schmerge  
337 N. East Silver Lake Road  
Traverse City, MI 49685

October 13, 2015

Garfield Township Board of Trustees  
3848 Veterans Drive  
Traverse City MI 49684

Dear Garfield Township Board of Trustees,

As residents of Garfield Township, my husband and I are appalled and extremely disappointed by the actions taken by the township to shut down all weekly rentals. As the daughter of owners of vacation home rentals in Garfield Township, allow me to share with you my experience growing up with weekly rentals literally in my backyard.

Traverse City - the land of the nostalgic Norman Rockwell-like summers; where the best of family memories are made; where kids learn to fish and family stories are told over a campfire under an unbelievably gorgeous star filled sky. Traverse City - where generations of families can spend days together soaking in all that Northern Michigan has to offer and first time visitors fall in love at first glance like a summertime romance. Who wouldn't want to visit this magical place? As a daughter of the owners of vacation home rentals, I was able to see all of this first hand while growing up on Silver Lake. What an experience it was! My parents' house shared a large open yard and beach with the rentals and every week my 4 siblings and I had the opportunity to meet families from all over the country and different parts of the world. We invited the guest children to be a part of our games of tag, cops and robbers, etc. with the neighborhood kids and the guest children invited us to join in their games. We made friendships and even became pen pals with some of those families. We met families of different cultures, religions, and ethnicities. Traverse City (residents and administration) are frequently bringing up the fact that we need more culture; what better way than to befriend our visitors from near and far? My parents have had guests that come back year after year with multi-generations to relax and spend time together in Traverse City. Like so many families in America, our visitors are spread out over the country but for that 1 week, they are all together in one place. Grandparents sharing family history, parents teaching their children how to swim, adult siblings sharing stories about their childhood around the campfire, families sharing meals at the dining room table, cousins playing tag in the yard at dusk; the list goes on and on. We were witnesses to these memories being made and it was wonderful.

There is talk that weekly rentals bring in the "riffraff" of society to Traverse City. That could not be more ridiculous and incorrect. Having grown up in the vacation rental atmosphere, I would say that my 31 years of experience are very telling of what kind of clientele weekly summer rentals bring in. My parents' guests consist of families, newlyweds on their honeymoon, adult couples from all stages of life ready to bask in a Traverse City summer for the week; all of them come from professional backgrounds and are contributing members of society. Visitors to our area who rent out cottages from a weekly rental are looking for a better alternative to cramped hotel rooms. They want their own kitchen, more space for their kids to run around, and are looking for a more genuine summertime experience - a cottage on a lake. A week at the lake is the highlight of their summer. The cottages are their home away from home. Isn't that what you would want for your out-of-town relatives? When my in-laws want to visit from Ohio with family friends, they look for a cottage rental right away for that home away from home experience. They can't wait to book their house on Silver Lake for the summer of 2016 and I truly hope they are able to do so.

Over the years, my parents worked incredibly hard and invested so much of their time and hard earned money after they purchased the pre-existing cottage resort when I was 5 years old (26 years ago) to improve them to what they are today. The cottages are beautiful and modern with lovely gardens and a great open lawn tucked in right into the beach. The cottages are a family affair and have been since the beginning. Growing up, I used to

help my mom clean the cottages every Saturday. Now, as an adult with a professional career, I still grab the opportunity to clean the cottages in the spring and fall to earn some extra money and this extra money goes towards paying off my student loans. I was planning on earning enough extra money this fall alone to pay off one of those loans but that has now been cut short as my parents had to close shop on Garfield Township's order.

I implore you to see the value that weekly rentals bring to our community and allow them to continue indefinitely. Allow the opportunity for our visitors to have the choice of staying at a more comfortable and inviting place to call home for a week. Allow the best of summer memories – a blissful cottage vacation on Silver Lake - to continue for generations of visitors to come.

Sincerely,

Patty Schmerge

CC:

Chuck Korn

Lanie McManus

Jeane Blood Law

Molly Agostinelli

Robert Featherstone

Denise Schmuckal

Kit Wilson

Kelly Kaz

---

Subject:

FW: Short term rental ban

Garfield Township Board of Trustees  
3848 Veterans Drive  
Traverse City, MI 49684

Dear Board of Trustees,

We are writing to you today, on behalf of our neighbors, Tom and Marian Brady. It has been brought to our attention that the Brady's have been told they may no longer operate their cottages as short term rentals, as it is in violation of Garfield Township zoning laws. We have lived at our present address since 1976, and previous to that lived next door to our present address. So we have been Silver Lake residents for 40 years. We were here when all the lakefront property in front of us was operated under the name "Baker's Silver Lake Cottages. The Brady portion was also a weekly rental consisting of 2 cottages, and a trailer, also at one time operating under the same name. If zoning allows grandfather clauses, this is one property that should be zoned as such.

The Bradys live on the cottage property, and their renters are expected to be respectful of the land, and those of us who live here year-round. We have never had a problem with their cottagers in any way.

It is sad to think that their livelihood is at risk. They didn't just buy a place yesterday, turn it into a rental, and let renters do as they please. This has been a source of income for them for many years, and I'm sure they have looked for the cottages to provide income for them as they age.

We hope you will consider how the outcome of your decision will affect this family, and others who earn income from these properties that have existed as rentals for many, many years. It will be a shame to deny people the opportunity to enjoy our beautiful lake, and all of the surrounding area.

Sincerely,

John and Sandra Barsheff  
100 N. West Silver Lake Rd  
Traverse City, MI 49685  
johnbarsheff@yahoo.com>

**Kelly Kaz**

---

Subject:

FW: Maple Grove Cottage Rental

From: "Courtney Mann"

To: "[tbrady294@charter.net](mailto:tbrady294@charter.net)"

Cc:

Sent: Wed, 30 Sep 2015 15:21:39 +0000

Subject: Maple Grove Cottage Rental

Hi Marian:

I wanted to send you a note to let you know how much our family enjoyed staying at your cottage over the Holiday weekend. It was so great to have our own private beach access and activities to keep us busy during the day to enjoy the beautiful weather. We much prefer this over booking a hotel room for the weekend as it gave our family more bonding time in a relaxed atmosphere, more like a home away from home where we could all forget our busy lives and come together for some good times! Our family would love to start a tradition of staying at your rental each year, but unfortunately we wouldn't ever have the occasion to rent the cottage for an entire month, so this will not be possible if the ordinance is upheld. It's heartbreaking since we had such a good time and created some great memories there. Best of luck to you.

Thanks!  
Courtney Mann

**Kelly Kaz**

---

**Subject:**

FW: Silver Lake weekly rentals

Dear Molly and all,

I am writing in regard to the new zoning taking place regarding weekly rentals on Silver Lake for all owners who provide this service, and especially in regard to Tom and Marian Brady, who have been providing this service to hundreds of families through the years. I know personally that Tom and Marian provide this service in an honorable and courteous way for families and neighbors. They have the support of their immediate neighbors on both sides of their property and have always worked with them to ensure their summers are not compromised by their renting families.

Providing weekly rentals gives families an alternative to expensive hotels in the area. They provide a different type of experience as well. Those families who prefer a cottage over a hotel room will go to another area to find available cottages. They will not choose a hotel room instead. They are looking for proximity to water, a fire pit, outdoor space to relax, and a possible place to keep a small boat. These people specifically choose a cottage for the ambiance it provides. Most of these families would have to reserve two hotel rooms at a rate that would prohibit them from coming to this area. They simply couldn't afford it. Weekly rentals are a viable alternative for many families to enjoy this beautiful area of ours. To shut these down would help destroy the historical fabric of cottage rentals that has existed for many years for many families in this area.

Tom and Marian Brady are professionals at finding decent, great families to rent their property. They simply do not allow people who may disrupt their own family and their neighbors enjoyment of Silver Lake. It seems totally unreasonable to disallow this choice for people who are law abiding and decent who simply want to enjoy this area in a family way.

Please reconsider this new zoning decision. The lives of many will be affected needlessly.

Thank you,  
Mona and Terry Paquet  
102 Bloomfield Rd.  
TC 49686

**Kelly Kaz**

---

**Subject:**

FW: Silver Lake

286 Neuman Street

Traverse City, MI 49685

October 3, 2015

Board of Trustees

Garfield Township

As a resident of Silver Lake, I am writing about my concerns relating to your decision to forbid weekly rentals on the lake.

I have owned my property since 1985 because I thought my family would be moving to Florida. When that didn't happen, I used it in the summer as a weekly rental and later lived in it year round while renting my house in Traverse City. This allowed me to put my daughter through college. When I bought my cottage it was one of a semicircle of six cottages which had been part of Baker's Cottages which were weekly rentals since the 1950s.

What I don't understand is why this restriction is happening now, and who benefits from it. I was told that the issue is noise although I don't see how monthly renters would be considered quieter than weekly ones. In my 30 years here, Silver Lake has never been quiet, although the noise has not come from weekly renters, but from power boats (not owned by renters) and the teenage children whose parents (year round residents) who foolishly trust their teenager to behave themselves for a few days when their parents are away.

Sincerely,

Ann Krantz

**Kelly Kaz**

---

Subject:

FW: Short Term Rentals in Garfield Township

Hello Garfield Township Board of Trustees,

I am writing you to tell you of my support for short term rentals in Garfield Township. I have known and worked for the Brady Family (Marian & Tom) for over 7 years. I have been cleaning their cottages over the summer months and have truly appreciated the income opportunity. I am a teacher during the school year and it is always a challenge to find supplemental income in the summer months. Cleaning cottages has fit the bill and the Brady's are great people to work for! Their entire family is out there working hard every Saturday getting ready for the next week's guests. They have very high standards for their guests and if there is ever any problem (anything from nuisance noise to a very messy cabin) they will not be allowed to rent there again.

There are many of us who rely on this summer income. I would appreciate if you would allow them to continue with their weekly rentals. I think if you asked any of their neighbors, they would all say positive things about the Brady's rentals.

I would be happy to answer any questions you may have and can be reached via email or by phone at 313-9896. Thank you for your time and consideration of this matter.

Sincerely,

Margaret L. Wilson

CC: Chuck Korn Lanie McManus Jeane Blood Law Molly Agostinelli Robert Featherstone Denise Schmuckal Kit Wilson



Thomas and Kathleen Rodes  
567 N East Silver Lake Rd  
Traverse City, MI 49685  
(231) 218-7763

November, 2015

Garfield Township Board & Planning Director  
3848 Veterans Drive  
Traverse City, MI 49684

RE: Silver Lake Rentals

I am writing this letter to make you aware of the situations my family and many others in the surrounding Silver Lake neighborhoods are experiencing with rental properties on Silver Lake. First of all let me set the stage...my wife Kathy and I own the property immediately adjacent to an active rental property and we have witnessed firsthand the inappropriate behaviors and nuisance of transient renters. Every weekend there is a different group (not a single family) moving in. They're having loud and obnoxious parties every day, every evening and lasting until early into the next day. The use of profanity is overwhelming with no consideration for who is next door. There's multiple cars, have seen up to 15 at any one time, traveling through our neighborhood private drive at high rate of speed, parking on neighboring property and basically doing whatever they damn feel like doing. Why not, it's their vacation and they are here to have a Good Time regardless of local laws or respect for neighbors they don't even know, they'll be gone before anyone responds to a complaint.

Problem is this is not a resort it's my neighborhood and my home. The constant influx of transient renters has degraded the environment to the point we are no longer safe, we can no longer enjoy our water front and decks without the constant next door disruption, we do not know our transient renters or care too, this has diminished the property value and ruined the quiet peaceful neighborhood we have once enjoyed. Unless you have lived next door to a rental property you would not understand the full impact of this situation.

It is unfortunate the township is considering a change for the sole benefit of a few property owners. Typically these rental property owners do not live in the area and have no real personal responsibility to ensure their rentals are in compliance, their only interest is to rent for the highest dollar possible for personal gain. From our perspective the current zoning ordinance needs to be retained and enforced. I would think the majority of property owners on Silver Lake as well as off-lake owners desire to maintain a peaceful environment and preserve the residential neighborhood we have loved to enjoy.

Regards,

Tom & Kathy Rodes



Roger and Linda Wood  
527 N East Silver Lake Road  
Traverse City, MI 49685  
231-342-1827/231-342-4641

Garfield Township Offices  
Rob Larrea, Planning Director  
3848 Veterans' Drive  
Traverse City, MI 49684

To whom it may concern:

We are writing this letter to express our deep concerns over the possibility of changing the zoning on Silver Lake to allow for weekly rentals. We are a neighborhood of family homes, with children, grandchildren, working adults and retirees. This neighborhood has always been a safe area for children to ride bikes, and has been a quiet place to live. Two years ago, the house next door to us was purchased by a couple in Grand Rapids, and turned over to a rental agency to rent out by the week, even though our zoning states that is not allowed. The new owner stressed that anyone renting would be screened, and informed of the "quiet after 9:00" rule (as stated to us by the rental agency). We were told that only families would be renting. Well, that just isn't the case. The first renters this June were a group of young men that were loud and obnoxious until 3:00 a.m. for several nights. During the day they were drinking and using foul language (f--- this, f---that). The next group was equally as bad – passing around a joint while playing yard games, and one man dropped his swim trunks and urinated in front of everyone in the yard. There is never just one family at-a-time, as rent is around \$3000 per week, and the house sleeps 12. So, we find that several families join together to afford the cost. Understandably, they are there to have a good time. It is their vacation, and they aren't concerned with having to get up and go to work in the morning. Unfortunately, many of the neighbors do, after a night of not being able to get to sleep because of the noise.

We are not only concerned by the noise and vulgarities, but neighbors have expressed concerns over the number of cars at the rental, coming and going all the time, with no concern for speed around our children. There will sometimes be as many as 6-7 cars parked there. And another huge concern is what this will do to our property values if we should want to sell. What family will want to live next door to this situation?

11/18/15

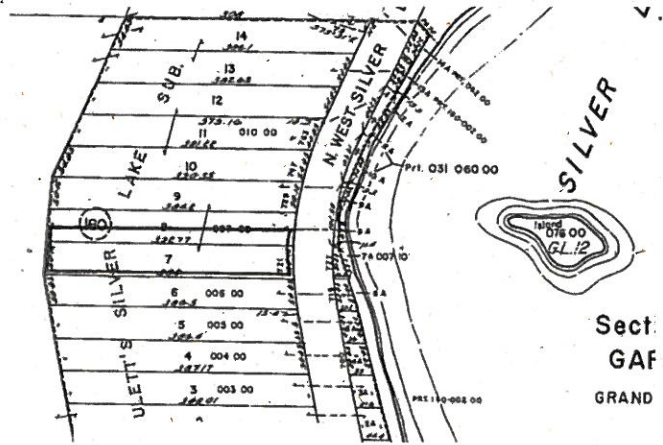
Mr. Rod Larrea  
Director of Planning  
Charter Township of Garfield  
3848 Veterans Drive  
Traverse City MI 49684

Dear Mr. Larrea,

This letter is to ask that Garfield Township continue to uphold the 1974 ordinance that disallows any home rentals for less than 30 days.

We have lived at 721 N.W. Silver Lake since 2002. Directly across from us is 722, a three story home that sits right on/in Silver Lake and has limited parking availability on a busy section of the roadway.

We have an open floor plan, our bedroom is at the front of the house and we use the deck that overlooks the lake from May through October. Because of how the homes are sited, we see all the outside activities of the neighboring property.



The property has had four owners in thirteen years and is currently listed for sale. Two of the owners were absentee, one from California and the other from Ann Arbor. It has served as a rental income property for most of the thirteen years we have lived here.

During that time we have been subjected to or had to do the following

- Called the police for drunken fighting; this while we had our children and grandchildren over for dinner. The grandkids had to be ushered to the back yard during the melee.
- Called child protective services for fear of child endangerment when the adults appeared under the influence while caring for a toddler.
- Called the health department several times when raw sewage was bubbling up in a crack in the asphalt and flowing into the lake, possibly attributed to high rental frequencies and overloading residential septic system.
- Called Vacation Up North (rental management service) several times on the above concern when the matter went on for several weeks without repair.
- Have cleaned up the following several times per month during peak season; this includes the lake front of adjacent property address #729 which we have been assisting in property maintenance for neighbors during adverse health events. Items include; cleaning up solo cups, beer and pop cans, water bottles, used diapers, dog feces, pizza boxes, fan boxes, endless cigarette butts and other garbage, spilling over to adjacent properties and across the county road.



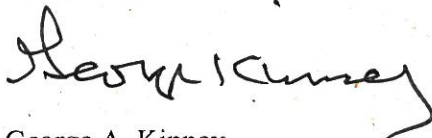
- The garbage bins regularly overflow due to the volume of trash generated by the large number of renters.
- Groups are oversized as they do self-check in and are not monitored. There have been parties exceeding ten people on at least three occasions.
- Multiple instances of excessive party noise and music.
- Bachelor and bachelorette parties with drinking and excessive noise.
- Idling tour vans and buses waiting for parties to embark or disembark.
- Late arriving guests with all the noise associated with unloading, car doors opening, closing and locks chirping. Additionally, they use their headlights as spot lights and our bedroom is bathed in light.
- There have been as many as four cars parked in the small parking area with two more on the opposite side of the county road.
- A group of ten plus twenty-something guys were down on the beach intoxicated and roasting a lamb or a goat.
- One party lit Chinese lanterns during one of the dry summers we had. One bumped up to their house (cedar shakes) and one got caught in a power line. Alcohol was a factor.
- Neighboring property at address #729 will go on the market in the spring. Without enforcement we could be right next door to a similar situation without recourse, negatively affecting our property values..

We feel strongly that the behaviors and situations noted above are directly attributable to the nature of the weekly rentals that have been unlawfully offered by the various owners and management companies. As longtime residents of the township, we feel it important that the existing ordinance be upheld and enforced to the best of the township's ability. These behaviors and situations negatively affect how the township is perceived and is a problem for year round residents. It is like living across from a hotel. We again appeal to the township board to do right by your residents.

Thank you  
Sincerely,



Michelle J. Courval



George A. Kinney

Cc:  
Garfield Township Planning Board Members  
Garfield Township Board Members  
Agenda Packet for 12/9/15 Meeting

This past spring, after having gone through one summer with this rental in our neighborhood, we went to the township office and got a copy of the zoning restrictions. We tried to present a copy to our neighbor, who told us the matter was "out of his control" because it was in the hands of the rental agency. So, we then went to the office of the rental agency and presented them with a copy. They said that it was in the hands of their attorneys. So we then went to the township office to find out what recourse we had, and were told they would send a letter, followed by a fine. Long story short; rentals continued every week for the duration of the summer.

In October of this year, we received the survey about this matter from the township office, filled it out, and sent it back. Three days later, we found a propaganda sheet in our newspaper box, unsigned (we do not know who it came from). This sheet was well done, stating all the reasons residents on the lake should be happy to have the zoning changed to allow weekly rentals. And, encouraged Silver Lake residents to let the township know they are for the change!! Obviously, a group owning rentals has banded together. I am assuming the rental agency has a part, as they stand to lose a lot of money. The propaganda sheet painted a rosy picture. Families would be renting and be in full compliance with quiet hours and all local and state laws as well as township ordinances. Property values would increase as a result of the weekly rentals being allowed. It even went so far as to suggest that not allowing weekly rentals was an example of government overreach. If you have not lived next to a rental you really do not have a clue. We came to dread every Saturday because we never knew what we were going to get. I will tell you that a pattern did evolve. Saturday and Sunday nights were the worst, they were party nights. Friday nights were usually the same; it was the last night for the renters.

We want to live in a residential neighborhood. Changing the zoning effectively makes our neighborhood commercial. For those of us that must live next to these rentals, we might as well live next to a vacation resort.

Respectfully submitted,

Roger & Linda Wood

1139 N. West Silver Lake Road  
Traverse City, MI 49685  
November 19, 2015

Charter Township of Garfield  
Garfield Township Board  
3848 Veterans Drive  
Traverse City, MI 49684

SUBJECT: Opinion survey of allowing vacation home rentals in Silver Lake area

Dear Members of the Garfield Township Board:

The Opinion Survey in the matter referenced above asks for additional comments regarding said matter. My comments come in the form of questions for you and I am requesting a written response to them.

1. Why wasn't there any history, background, or other information sent with this survey? It is challenging to respond to something so vague.
2. What issue(s) has/have prompted the Board to seek opinions regarding this matter?
3. What is the Board's consensus regarding this matter? How does the Board plan to use this information? Will the findings be made public? What is the rationale for making it "anonymous"?
4. Have short-term rentals on Silver Lake been a part of the fabric of the Silver Lake community from the 1890's until the last few years? If this is true, please explain why it is currently not permitted? How would the "new" regulations differ from the past practices followed?
5. How many inland lakes are there in Grand Traverse County? On how many of these inland lakes are short-term rentals allowed? These short-term rentals have been in place for how many years? What have been, if any, the major complaints and/or concerns for these?
6. Assuming short-term rentals had been done on Silver Lake prior to 2014, how many of these parties
  - a. paid non-homestead taxes?
  - b. were delinquent on paying the property taxes?
  - c. had complaints filed against them – prior to the stoppage of short term rentals?

Because no history, background, or other information was included with this survey, I do not consider it to be something that would, could, or should be used as an accurate representation of residences' opinions.

Respectfully,



Judith Danford  
1139 N. West Silver Lake Road

To: Garfield Township Planning Commission  
Attn: Rob Larrea, Director of Planning

From : Donald R. and Suzanne L. Pahl  
5275 Highland Drive  
Traverse City, MI 49685  
November 23, 2015

RE: Zoning for Rentals

Dear Mr. Larrea,

Sue and I have lived at the above address for over sixteen years. We live close to at least three rentals. Over the years I have personally owned two rentals, one a residential home and one a cottage on Green Lake. I rented my cottage on a weekly basis at the start, but later converted it into a year around rental.

From personal experience, I found that it was much easier to rent to a year around resident. For me, the year around resident caused me fewer headaches (trash, things coming up missing, loud noises, neighbor problems, beach partying, etc.). I never really appreciated these problems until I began living close to rentals in our Beacon Hills Subdivision. As someone who has been on both sides of this issue (rentals vs residential owner), I completely understand the competing viewpoints. However, my opinion on this issue has completely changed since my wife and I have had the opportunity to live close to the rentals on our street. As a result of this experience, neither my wife nor I would EVER purchase a home next to ANY rental. It was our understanding that the local authorities were handling the rental issue and so we never contacted them with our complaints. With this push by the Silver Lake Rental Group to expand the rentals requirement to less than 30 days, my wife and I want to express our position to stand against further reduction in the current 30 day rental rule. Please put yourself in the shoes of a residential property owner who has to live next to, or close by these rentals. As year around taxpaying residential residents, we ask that you continue to enforce current zoning laws that favor the majority of local residents and our beautiful Silver Lake.

Presently we do not live on Silver Lake, but own a vacant lot on Silver Lake which we utilize to do activities on our beautiful lake. I have occasionally been asked to rent our vacant lot. While this would generate some easy retirement income, our relationships with our neighbors are more important to us. Yes, this lake lot is a NON HOMESTEAD property and we pay the extra school operating property tax of 18 mills, just like all rentals should be paying. As we all know, the State of Michigan allows only one homestead at a time and all cottages, second homes and property that one owns and rents/ leases to others are subject to this additional 18 mills property tax. While it is true that this additional millage generates many dollars for our school system, there is more financial gain for our school system when a longer term residences is a family with school aged children.

Our home is located within 1,000 ft of 3 rentals. Our experience with these rentals is far less than perfect. We have experienced the normal problems (loud music, fireworks at crazy hours, animals getting into trash, kids walking on roofs, parking, lawn maintenance and renters coming home drunk



and everything that entails). Thus, we have a serious problem with the Silver Lake Rental Groups statement that their rentals are "under strict control regarding the number of people, number of cars, quiet hours, and contract information left with close by neighbors".

Parking is a big problem. A rental house located at the corner of Harbor Ct & Highland Drive is a small house on a small lot. Yet on some weekends, one can find 6, 8, 10 or more cars parked in the driveway, on its lawn and on the street which has resulted in at least one accident. This brings to mind the sand bar festivities that happen every year on the 4th of July weekend in Clearwater Township on Torch Lake. I will be happy to supply you with some of the names of residents on Torch Lake if this would be helpful .

We are aware of one lawsuit on Duck Lake Peninsula (Steve & Lois Bates @ 4233 East Shore Drive, Grawn, MI & other property owners) where the year around resident took a home owner to court because of the same issues we have with rentals. In their case, the house next door to the Bates' property was purchased by a Dentist from Grand Rapids and rented on a weekly basis. Apparently the financial benefits were so significant that a second house was purchased and rented on the same weekly basis. Residents took the issue to court and the judge issued his ruling in favor of the year around residents (Land owners with rentals cannot rent out their residence for less than 30 days) . We are unsure if his decision was based upon the Michigan Supreme Court Decision in the case of O'Conner v. Resort Custom Builder, Inc. or some other case. After the Judge's ruling, all three residences were sold.

We certainly understand the financial benefits of being able to rent out a residence especially when trying to buy or sell a residence. With most of our residents willing to go along with the 30 day minimum time frame, this reasonable compromise allows the rental unit owners to continue with their business operation. Yes, we understand that the owners of these rentals can get large rental fees for weekly rentals, but do not understand why they seem to have no respect for those residents who live next door to their rentals.

As I stated before, we have been on both sides of this issue and can assure you that with our current knowledge, we would never want to live next to rentals of less than 30 days, especially on any lake. In fact, we believe the restriction should be more than 30 days. To us, we think the 30 day limit is a reasonable compromise, especially when everyone knows that rentals are a business and as with any business, they have a responsibility to all residents, not just a few. We urge you to continue with your current policy.

We thank you for your time and allowing us to give you our feedback.

Sincerely Yours,

Donald R. Pahl

Suzanne L. Pahl



## Judith Battle

---

From: Roberto Larrea  
Sent: Tuesday, November 24, 2015 8:39 AM  
To: Judith Battle  
Subject: FW: Planning Garfield

Please print for packet....

Thanks,

Rob Larrea, AICP  
Director of Planning  
Garfield Charter Township  
3848 Veterans Drive  
Traverse City, MI 49684  
(231) 941-1620 Ext. 223  
[rlarrea@garfield-twp.com](mailto:rlarrea@garfield-twp.com)

-----Original Message-----

From: Chris [<mailto:olsonce@charter.net>]  
Sent: Monday, November 23, 2015 11:03 PM  
To: Roberto Larrea  
Subject: Planning Garfield

Hello,

Please consider the quality of life affected by short term rentals in neighborhoods such as  
s- The rentals near me consume all the parking spots for the home plus additional parking  
the street.

Driving thru the neighborhood is more difficult with all the parking from rentals.

I question the safety of kids in the neighborhood even though mine are grown.

Renters are in "party mode" and stay up late shooting off fireworks while I am working daily  
and need to get up early. This affects my ability to sleep and rest properly.

I purchased this home 6 yrs ago partly due to the nice quiet neighborhood, which has been  
eroding since then. My residential rights are not respected by these business ventures.

My quality of life decreases while landlord profits increase due to illegal activity. That is  
not justice.

Thank you for considering my views.

Christine Olson  
5289 Highland Dr  
Traverse City, 49685

Chris

November 24, 2015

Garfield Township  
Attn: Rob Larrea, Director of Planning  
3848 Veterans Dr.  
Traverse City, 49684

RE: Short Term Rentals (STR)  
CC: Planning Commission

Dear Mr. Larrea:

The Planning Commission will soon be meeting to discuss the possibility of changing the existing Residential R-1B zoning district around Silver Lake to allow the use of Short Term Rentals. Please be advised that I am against this proposal.

In the summer when I boat around the lake I notice there are no gas stations, restaurants, motels, convenience stores and other commercial businesses around the shores of Silver Lake. I ask myself why that is. The answer is simple in that zoning clusters similar property uses into a common area and segregates uses that are thought to be incompatible. Silver Lake is currently zoned Residential R-1B. Short Term Rentals are in essence a commercial enterprise, one in which the owner of that house plans to profit from their renters. Commercial enterprises should not be part of a residential neighborhood.

I witness many occupants of the STR's who are disruptive to the adjacent residents and to the lake as a whole. The occupants are on vacation and want to utilize the house and water to the fullest extent possible as they have paid a hefty price to their landlord for their week of paradise! You see them gathered on the beach most of the day and gathered around the campfire late at night as they party the week away and could care less that the residents in the house next door have to get up and go to work the next day. Regrettably many of them aren't aware of or don't care about being good neighbors. Many of them also aren't aware of boating laws and common courtesy when on the water. They operate their wave runners in an unsafe manner and perform numerous noisy donuts in front of the STR. They can also disrupt the normal flow of boating traffic as they go the wrong way around the lake (Michigan law defines improper direction as the failure to operate in a counter-clockwise direction except in areas marked by well-defined channels or rivers). Silver Lake is a long and narrow lake and with its irregular shape it is prone to numerous close calls when someone going the wrong way at a higher rate of speed pulling a skier or tuber pops out from around the end of a point or from behind an island. I've had several occasions when maintaining more than the required 100' distance from docks and swim rafts and have come around an island or point only to find someone pulling a skier going the wrong way who travels between us and the shore. Dangerous not only to themselves but also to me and my passengers or anyone swimming close to shore.

We are blessed in that we haven't had a STR right next door to us in the 15 years we have lived on Silver Lake. However, I do worry about when the house next door goes up for sale. If the wrong person purchases it will I be living next door to a summer filled with endless parties and noise? Will our house lose value due to an adjacent STR? It seems inconceivable and appalling to me that a minority of individuals who want to operate a for profit STR can ruin the peace and quiet for a majority of permanent residents.

STR's do not conform to the use and definition of a residence according to the current zoning ordinance. Therefore they should be segregated from and not allowed in the Silver Lake Area. Please, don't change the zoning to allow the use of STR's. Keep the zoning we have and enforce the rules as they are. Thank you for listening to our concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Barry Andrews", with a long, sweeping underline that extends to the right.

Barry Andrews  
477 Roman Drive  
Traverse City, MI 49685

November 23, 2015

Rob Larrea  
Planning Director  
Charter Township of Garfield  
3848 Veterans Drive  
Traverse City, MI 49684

Dear Mr. Larrea,

On behalf of myself and my wife Anne, I am writing to express opposition to the proposal being brought before the Planning Commission which would change township zoning to allow short term rentals on Silver Lake. We first learned of this proposed change via the Township's survey, and we were dismayed when we received the subsequent flier by a pro-rental group seeking to sway public opinion. However, we are very glad that the Township is reaching out to residents to solicit their feedback before considering this important issue.

We have lived on Silver Lake for several years now, and have truly enjoyed the "neighborhood" feel of the lake. Throughout the summer, we stop and talk with others walking down our street, and our children are able to play and ride their bikes around the area in safety. We see friends out on the lake, some who are residents, and some from the surrounding area who are using the lake respectfully. We have an active association that cares for the lake and keeps members in touch, with photos of happenings around the lake, and with an annual fishing contest for the kids. Topping this off is the July 4<sup>th</sup> parade of boats around the lake, where we celebrate the holiday, cheer on our neighbors, and enjoy a good round of fun-filled drenching with water balloons and super soakers.

Recently, that sense of neighborhood began to be marred when a house down the street began weekly rentals, in violation of Township zoning. Over the summer we experienced many large groups who, with little concern for the surrounding homeowners, created excessive noise late into the night, shouted loud obscenities, exhibited public drunken behavior, and sped down the street. Our neighbors on either side of this property bore the brunt of this, and reported at least one instance of public urination, and another instance where the smell of marijuana drifted over from a rowdy group.

Certainly not all of the renters behaved in this fashion, but I was surprised by the number who did. The cost of a weekly rental on the lake is high, apparently prompting many renters to come in large groups to share the cost. These groups are understandably there to let loose, and I can certainly understand why they want to party, but this is done at the expense of the surrounding neighborhood, ***and is not compatible with the Residential zoning of our neighborhood.***

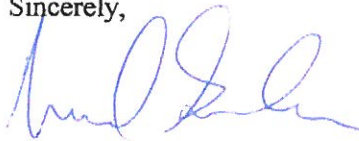
When we first moved here, I would not have objected to short term rentals. I would have understood the desire of homeowners to supplement their income, and would have pictured individual families like ours coming to the lake and using it in the same respectful manner that we ourselves would provide if we were in their place. I can understand how others who have not experienced a short term rental on their own street would similarly be ambivalent to the concept. However, having seen the true impact of a rental up close and personal, I now am deeply concerned by the proposition of having more of these around the lake. *What will become of the neighborhood atmosphere we cherish? How will we address problem renters when they are present?* Certainly we could call the police, but it seems to me that *we should not be putting law enforcement in this position in the first place.*

My deepest concern is this: If short term rentals are allowed, *how many homes will be purchased with the primary intent of renting?* My next door neighbor is getting ready to put his house on the market, *and if short term rentals are allowed, who will buy it, a family or an investor?* If we end up with two rentals on our street, *what will that do to the neighborhood that we currently cherish?* Down the street, the couple next to the existing rental, wonderful people who have lived there for nearly 30 years, are debating whether to move as a result of what they are having to put up with. If we lose them, *who will take their place? What family would want to move in next door to what is currently going on there?*

I urge the Planning Commission and the Township Board to carefully consider the potential impact of allowing this zoning change to take place. On the surface it may seem harmless enough, but having personally seen the negative impact of a weekly rental on our own street, I strongly urge the Township to reject the requested change to the zoning ordinance.

Once again, thank you for reaching out to the community to make us aware of the proposed change and to solicit our opinions.

Sincerely,



Michael Groleau



Gregory and Susan Worsnick  
513 N East Silver Lake Road  
Traverse City, MI 49685

November 24, 2015

Mr Robert Larrea, Planning Director  
Charter Township of Garfield Board Members  
3848 Veterans Drive  
Traverse City, MI 49684

Dear Mr Larrea and Garfield Township Board Members:

As homeowners on Silver Lake, we are very concerned and dismayed with the possibility that the zoning of our residential neighborhood might be changed to allow weekly rentals. Our understanding is that weekly rentals are NOT currently allowed, yet this has been happening for the last two years in our neighborhood despite the existing zoning law that already prohibits this. Living just two houses away from such a property has been a very negative experience, to say the least. Please consider the perspective and experiences of the existing residents regarding this situation.

Our experience: The property that is being illegally rented weekly in our single family home residential neighborhood has been occupied by large groups of people who have likely pooled their resources to afford the steep cost of the rental property. The renters are there to have a good time, and get their money's worth from their vacation experience. We would expect this, since the renters are, after all, on vacation. What we would not expect is the frequent and very loud music, vulgar language, and intoxicated behavior, which has not been limited to the weekend nor prior to nine PM. Such behavior shouldn't have to be tolerated on any day or at any time, let alone on a continual weekly basis as each new group of renters arrives.

We understand that you have received many letters and complaints from current residents that have detailed some of the more obnoxious behaviors and incidents that the homeowners have endured. We will not belabor this already well-covered point except to detail one specific incident where I actually became fearful. A noisy week-night party had been going on for hours, with loud music, swearing, intoxicated behavior, etc. Still unable to sleep due to the noise at one AM, I called out to the occupants of the rental to "please be quiet." I was rudely told to "f\_\_\_ off, b\_\_\_\_)." Being a female home alone at the time, I chose not to pursue the matter with the occupants further, but actually did consider calling the police. I eventually chose not call the police, thinking that the police probably had more important matters to attend to. In retrospect, I should have called if only to document the incident. For the remainder of the summer there were multiple events which caused us to consider making that call.

While it is true that not all of the renters have behaved in this obnoxious manner, it seems that the majority do. Before this property was rented out on a weekly basis, we probably would not have been opposed to the idea of weekly rentals. However, our experiences with this situation have been so negative that we would now never be in favor of these short term rentals in any of the residential neighborhoods on Silver Lake. Should the current zoning laws change, what will become of the existing

neighborhood(s) where these rentals occur? Who will regulate the noise, traffic, and behavior of the offenders? We think a clear distinction needs to be made and maintained between single family residential homes and rental properties due to the vast differences in life styles and behaviors of the occupants; i.e. home and family life versus vacation. Our experience is that unfortunately, the two do not seem to be compatible in close proximity.

Other issues to consider in this matter are increased volume and excessive speed of traffic on the (in our case private) roads that provide access to the property, and also on the lake itself. We have experienced negative issues in both areas, and the safety of the neighboring residents is compromised in this situation. Speed plus alcohol means that the potential for an accident is greatly increased on land and water, and not something anyone would want to see happen to either a resident or a renter.

The potential for both negative environmental and economic impacts should also be of prime consideration in any decisions the board makes in the future. Several items to consider are the impact on wildlife, water quality, septic issues, infrastructure, and real estate value of neighboring properties. The recent flyer painting a positive picture of weekly rentals is frankly very misleading, and until you have experienced living in close proximity to one, you truly don't realize what the problems are.

For all of the reasons stated above, we are most strongly opposed to the proposal to change the township zoning to allow short-term rentals. Those that favor this proposal are doing so strictly for personal financial gain, but do not have to endure the negative impact of the issues detailed above. We would like to thank you for considering the opinion of the Silver Lake community and making us aware of the proposed potential change to the current zoning law. Furthermore, we urge you to consider the potential negative impact that changing the current zoning would have on the existing residents, and thank you for the opportunity to express our opinion.

Sincerely,

Gregory Worsnick  
gworsnick@gmail.com  
Susan Worsnick  
suzimillen@gmail.com

To: Garfield Township Planning Commission  
Attn: Rob Larrea, Dir. Of Planning

From: James W. and Suzanne M. Bock  
5284 Highland Dr.  
Traverse City, MI 49685

Date: November 19, 2015

Dear Rob:

Several years ago (in August of 2013) David and Lisa Green and my wife Suzanne and I requested that the Garfield Township Zoning administrator interpret the legality of weekly vacation rentals in a community of homes that are designated to be in a R-1B district. (See attachment 1). On September 9, 2013 we received a response from the then Zoning Administrator, Jim Reardon. (See attachment 2). Per the information that Jim supplied to us, on October 16, 2013 we formally applied to the Township's Zoning Board of Appeals for their interpretation of the provisions of the ordinance and followed the procedures provided to us. We had supplied a packet of information and comments from area residents which was placed on the agenda for a November 19, 2013 meeting. (See attachment 3)

On or about December 11, 2013 an "Interpretation of Short Term/Weekly Rentals" document was received having been sent by Sara Kopriva, Zoning Administrator. (See attachment 4). She laid out a clear, concise and well documented decision. I was very impressed how well the matter was researched and the attention to detail was outstanding. It was obvious, without a doubt, the Board made the correct and proper decision! They indeed "got it right". Weekly rentals, NOT ALLOWED!

On March 24, 2014 I was looking on line at the "Visit Up North Vacation Rentals" web site and found the home next door to me, at 5302 Highland Dr., was again listed for weekly rentals for the 2014 season. I decided to write a letter to the absentee owners and appeal to their sense of citizenship, compliance with the law of the land, etc. (See attachment 5). Several weeks later I learned they had canceled all of the short term rental contracts made as of that date and went on to 30 day or more contracting. The summer of 2014 was actually very nice. One gets to know people, they are indeed small groups and a level of mutual respect develops for each other and for the properties of others when longer visits of 30 days or more are the rule.

Beacon Hills is an R-1B district and is a community of working people and retirees. We all saved, worked hard and achieved our goal of living on a beautiful lake. We did it for the summers and all of the family activities that lake front living provides. We did it for the enjoyment of a pristine lake, quiet evenings and the beautiful sunsets, fishing quietly in the early morning hours, enjoying neighbors of like interests and seeing their families grow and develop into good citizens with community ties and having developed a respect for and love of nature and its creatures. We look forward to passing our places on to our kids and their kids. We try hard to protect the quality of our lake so that more generations can enjoy it as we do.

Weekly rentals can tax the septic systems every week when 12 folks occupy a house with a septic system designed for 6 residents. Weekly rentals promote a resort atmosphere and a feeling of self-



indulgence 24/7 by groups that pay up to \$5000.00 per week to be here and they feel they must get their money's worth. After all who cares, by the time neighbors complain, they are long gone. Weekly renters often aren't experienced boaters and do many dangerous things and certainly may not be aware of the delicate nature of our wildlife on the lake. Loons are a seasonal visitors at lakes where they feel safe and can raise their young. Most lake residents avoid their nesting areas or go at a no wake speed when near such creatures of beauty. Most weekly renters aren't aware or some may not care. Weekly renters don't know our fireworks ordinances and so, many don't follow any restrictions if they are inclined to use fireworks. Weekly renters are, it is said, provided with rules to follow, strict guidelines to follow and penalties to pay if they don't. So don't worry. Hmmmm? I guess everyone always obeys the rules and laws. No need for courts or jails with that mentality eh? Let's get back down to earth. The majority of owners live out of town and the rental management company doesn't have any on site supervision. Well, who is responsible to enforce the rules and properly report the infractions? Oh, let me guess, the neighbors get to play the role of watch dog. If that is a roll a neighbor is uncomfortable fulfilling, who knows if rules are followed or not? Who reports them to the DNR when they carelessly fill their rented boat with gas and spill a portion of it in the lake? To allow an atmosphere where hard working individuals must continually put up with these dynamics instead of being able to enjoy their right to peace and quiet is wrong and that is why Garfield Township is correct, in an R-1B district, short term rentals are forbidden.


Some have said that weekly rentals help our economy. I feel that is a large stretch of the truth. Renters do support the local service industries which are the lower paying jobs in the area, but if local residents were in the house, they too support those service industries. Short term rentals take away from our local hotel and motel operators of which many are franchise owners and local families. They don't buy boats, cars, trucks, snowmobiles, ATV's when they are here for 1 week. They don't buy durable goods at all. Home owners do all of that at various intervals throughout their lives. When you replace permanent residents with weekly renters, it is the local business owners that suffer and don't therefore pay as much in taxes, employ as many local people and financially give back to their community in so many ways, etc. There is no validity to the argument that weekly rentals help create future demand for lake front property. Waterfront properties sell quickly when priced correctly because GOD doesn't make any more lake frontage and homes next door to weekly rentals tend to have their values depressed. The reality is that when the supply side is static, the demand has and will always outpace the supply when the product is highly desirable.

I appreciate you taking the time to understand my feelings on this matter and I know many, many lake front and subdivision home owners who feel exactly the same.

Sincerely,



James W. Bock



Suzanne M. Bock

ATT: 1

August 13, 2013

The Charter Township of Garfield  
3848 Veterans Drive  
Traverse City, MI. 49685  
Attn: Zoning Administrator

RE: Weekly Vacation Rentals of Properties in R1-B, One-Family Residential Districts

Dear Jim,

Please consider this letter a formal request for you to determine if an arrangement whereby either the owner of a single family dwelling or someone acting on behalf of the owner rents to persons who are vacationing in the Traverse City area on a weekly basis where the owner does not occupy the premises is a legal and conforming use in the R1-B district.

It is our belief that weekly rentals do not act as a place where someone lives and has a permanent presence as a resident. The transient guests don't have the ability to come whenever they want or to leave their belongings there if desired. There is no permanence to the presence, either psychologically or physically at that location. We feel that weekly rentals in this district lack the essence of the plain meaning of "residential"; they are almost entirely a commercial use of the property.

Thank you for your consideration of this important issue and for your dedication and service to The Charter Township of Garfield. We look forward to hearing from you and your decision as it impacts the quality of life for us and many other residents in Garfield Township.

Sincerely,



Dave and Lisa Green  
5324 Highland Drive  
Traverse City, MI. 49685

Jim and Sue Bock  
5284 Highland Drive  
Traverse City, MI. 49585





# Charter Township of Garfield

## Grand Traverse County

3848 VETERANS DRIVE  
TRAVERSE CITY, MICHIGAN 49684  
PH: (231) 941-1620 • FAX: (231) 941-1588

ATT - 2

September 9, 2013

Jim and Sue Bock  
5284 Highland Drive  
Traverse City, MI 49685

Dear Mr. and Mrs. Bock,

Thank you for expressing your concerns regarding weekly rentals within Garfield Township. I have thoroughly reviewed the Township's Zoning Ordinance at your request to determine whether a home that is rented on a weekly basis is a legal and conforming use in the R-1B District. While I serve as the Zoning Administrator for the Township, the Zoning Board of Appeals is ultimately the body that interprets the zoning ordinance text and should be making this determination. I however can provide the facts that would help in making their determination regarding this matter and have done so below.

Per Section 6.3.1, the intent and purpose of the R-1B One-Family Residential District is designed to accommodate the development of low-medium residential uses. The uses permitted, relative to this case, are single-family detached or semi-detached dwellings. If you refer to the definitions in Article III of the Zoning Ordinance, a "single-family dwelling" is defined as:

"a dwelling unit designed for exclusive occupancy by a single family which may be detached or semi-detached."

Further, Article III defines a "dwelling unit" as:

"a building or portion thereof designed exclusively for residential occupancy by one (1) family, and having cooking facilities".

Furthermore, Article III defines a "family" as:

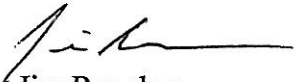
"(1) An individual, or two (2) or more persons related by blood, marriage or adoption, together with foster children and servants of the principal occupants, with not more than one additional unrelated persons, who are domiciled together as a single, domestic, housekeeping unit in a dwelling unit, or (2) a collective number of individuals domiciled together in one dwelling unit whose relationship is of a continuing non-transient domestic character and who are cooking and living as a single non-profit housekeeping unit. This definition shall not include any society, club, fraternity, sorority, association, lodge, coterie, organization or group of students or other

individual whose domestic relationship is of a transitory or seasonable nature of for an anticipated limited duration of a school term or other similar determinable period.”

Based on this information, it appears that as long as a single family detached or semi detached dwelling is being occupied by one family, as defined, such use is permitted no matter the length of time a (one) family occupies the dwelling.

I hope this information was beneficial to you. Please do not hesitate to contact me if you have any further questions. I encourage you to review our zoning ordinance online, especially the provisions mentioned previously, available at: <http://www.garfield-twp.com/zoningord.asp>.

Sincerely,



Jim Reardon  
Zoning Administrator

ATT - 3

October 16, 2013

The Charter Township of Garfield  
3848 Veterans Drive  
Traverse City, MI. 49685  
Attn: Zoning Administrator

RE: Zoning Board of Appeals Interpretation Request

Dear Jim,

Enclosed, please find a completed Zoning Board of Appeals Application along with the \$250.00 check to The Charter Township of Garfield to cover the fee required to request a Zoning Board of Appeals Interpretation of the Township's Zoning Ordinance.

Our request is for The Board to determine if an arrangement whereby either the owner of a single family dwelling or someone acting on behalf of the owner rents to persons who are vacationing in the Traverse City area on a weekly basis where the owner does not occupy the premises is a legal and conforming use in the R1-B district. It is our belief that weekly rentals do not act as a place where someone lives and has a permanent presence as a resident. The transient guests don't have the ability to come whenever they want or to leave their belongings there if desired. There is no permanence to the presence, either psychologically or physically at that location. We feel that weekly rentals in this district lack the essence of the plain meaning of "residential"; they are almost entirely a commercial use of the property, which is not a permitted use. (See attached copy of on line advertisement) In fact, the ordinance already prohibits Bed and Breakfast Establishments because of their underlying commercial tendencies, and they are owner occupied! The main purposes of our Zoning Ordinance are to protect the public health, safety, morals and general welfare of the inhabitants of Garfield Township. Numerous court cases have determined that weekly rentals for commercial gain is not a permitted use for a typical R1-B, single family zoned property.

Please request the Board to use their power as a Board under Section 5.3(1) to interpret the provisions of the Ordinance in such a way as to carry out the intent and purpose of the Ordinance, and second under Section 5.3(3), classify the use of a parcel zoned R1-B for weekly vacation rentals so that it conforms to a comparable prohibited use in accordance with the intent of the R1-B district.

ZBA Letter  
 Page 2  
 October 16, 2013

Please place our request on the agenda for the November 19, 2013 Zoning Board of Appeals regular meeting. Please call us before the October 21, 2013 deadline if additional information is required to make our application package complete.

Sincerely,



Dave and Lisa Green  
 5324 Highland Drive  
 Traverse City, MI. 49685  
 231-943-9829



Jim and Sue Bock  
 5284 Highland Drive  
 Traverse City, MI. 49685  
 231-943-4808

We the undersigned, agree with this request and encourage the Board to determine that weekly vacation rentals in the R1-B should not be allowed.

NAME	ADDRESS	TELEPHONE
Donna R. Pahl	5275 Highland, T.C. MI.	943-8664
Suzanne L. Pahl	5275 HIGHLAND, T.C. MI	943-8664
Christine Olson	5289 Highland, T.C. MI	941-3421
Flairie Sylvain-Ridde	5346 Highland Dr T.C	943-9232
Donna L. Ridde	5346 Highland Dr TC	943-9232
Robert J. Hall	5361 HIGHLAND DR/TC	943-3623

AT - 4



## Charter Township of Garfield

Grand Traverse County

3848 VETERANS DRIVE

TRAVERSE CITY, MICHIGAN 49684

PH: (231) 941-1620 • FAX: (231) 941-1588

From: Sara Kopriva, Zoning Administrator

Date: December 11, 2013

Subject: Interpretation of Short Term/Weekly Rentals

I have been asked to provide my interpretation of the Zoning Ordinance regarding short term or weekly rentals in the Residential R-1B zoning district. Zoning is exclusionary, meaning that if the use is not listed as permitted use in the Zoning Ordinance than that use is not allowed. To determine if short term rentals were permitted in the current Zoning Ordinance, I reviewed the Zoning Ordinance to see if there were any uses listed that would apply to short term rentals.

### **Garfield Township Zoning Ordinance:**

Short term rentals are not defined in the Zoning Ordinance and are not a permitted use listed specifically in any zoning district. Since short term rentals are not listed, we have to look at the allowable uses and if this use works within those parameters.

The Ordinance states:

- Dwelling, Single Family: “A dwelling unit designed for exclusive occupancy by a single family which may be detached or semi-detached.”
- Dwelling: “any building or structure or part thereof occupies as the home, residence or sleeping place of one or more persons either permanently or transiently including an attached garage, but except mobile homes and trailer coaches, whether or not mounted on wheels.”
- Family: “ (1) An individual, or two (2) or more persons related by blood, marriage or adoption.... who are domiciled together as a single, domestic, housekeeping unit in a dwelling unit, or (2) a collective number of individuals domiciled together in one dwelling unit whose relationship is of a continuing non-transient domestic character... This definition shall not include any society, club, fraternity,....or other individuals whose domestic relationship is of a transitory or seasonable nature...”
  - Definition of “domicile,” according to Merriam-Webster Dictionary, “a person’s fixed, permanent, and principal home for legal purposes”



Short term rentals cannot be considered a single family dwelling because it appears that a single family dwelling is that of a non-transient nature. That is determined by the exclusion of the word “transient” in the definition of “Dwelling, Single Family” and specifically stated in the definition for “Dwelling”. In addition, short term rentals do not meet the definition of “Family” because short term rentals do not meet the definition of “domicile”.

We should also review a Bed & Breakfast since this allows for a more transient occupied use. This use allows for transients in an owner occupied dwelling, which is viewed as a less intrusive use than a non-owner occupied structure.

According to the Ordinance a “Bed and Breakfast” is “a private residence that offers sleeping accommodations to transient tenants, is the innkeeper’s residence in which the innkeeper resides while renting the rooms to transient tenants...”

Bed and breakfasts are a permitted use in the Residential (R-1) District but specifically listed as a prohibited use in the Residential R-1B District. Based on this finding, the Ordinance specifically prohibits any type of transient lodging in the Residential R-1B District.

### **Michigan Courts:**

In addition to looking at the Zoning Ordinance, court decisions can provide guidance on how to treat a use not listed in the Zoning Ordinance.

- O’Conner v. Resort Custom Builder, Inc.
  - Michigan Supreme Court Decision
    - “The weekly owner has no right to be at the residence at anytime other than during their one week that they have purchased. That is not a residence. That is too temporary. There is no permanence to the presence, either psychologically or physically at that location, and so I deem that the division of the home into one-week timeshare intervals as not being for residential purposes...”

The Michigan Supreme Court has determined that weekly rentals are not of “residential purpose” which would make it commercial in nature.

### **Decision:**

Based on the process of reviewing the zoning district and not finding a comparable use to short term rentals, finding that the definition of dwelling, single family and definition of family does not apply, as well as, the court decision that the Michigan Supreme Court finds that one-week rentals are not for residential purposes, I find that short term rentals or other transient uses are prohibited in the R-1B Zoning District.



ATT - 5

James W. Bock  
5284 Highland Dr.  
Traverse City, Michigan 49684

Mr. & Mrs. Bill Schmidt  
537 Kedzie Street  
East Lansing, Michigan 48823

March 24, 2014

Bill and Judy Schmidt:

Last summer we had several discussions concerning the use of your new property at 5302 Highland Dr. Traverse City, Michigan. We talked about how disruptive the weekly rental use of the property was to me, my family and the proximate neighborhood. We discussed the size of the parties, generally from 10 to more than 50 people on one weekend with several tents pitched down on the lower lawn and encroaching onto my lawn. The parking of vehicles routinely on my lawn at the street level, the playing of softball and other lawn games on my lower lawn well into late evening hours, hide and seek with children running throughout my property after dark and how very dangerous that was as I have nine foot high retention walls in a terraced lakeside environment. I soon felt as if I were now a policeman and often had to explain to the people renting your property that they needed to stay on that property and not encroach upon mine. On numerous evenings I had to ask people to quiet down after 10pm as I had to work in the morning. I was often forced to close up all the windows and doors to help keep the noise out so that I could get to sleep. I also told you that with one group, I was forced to call the police at 12:30am to come over and ask that the 10pm "quiet time" regulation, as spelled out in the Beacon Hills bylaws, be enforced. Mind you, this was on a Tuesday evening and not a week end night. I could go on and on, but you acknowledged the problem and seemed concerned. I also had told you that you were in violation of Township zoning ordinances and also the bylaws of the Beacon Hills Subdivision. You didn't really respond to that.

Now again, I noticed that you have placed your property in the hands of a company, "Visit Up North Vacation Rentals". They contractually represent you as a property management company that specializes in short term property rental for absentee investors, such as yourselves. You also use a commercial name for the property at 5302 Highland Dr., "Trypton Fell". I believe these decisions on your part are unfortunate as they clearly indicate your intent is to use the property for a non-conforming purpose. In this case, that is specifically for "commercial use". If one goes on line and searches for "Trypton Fell", one sees that prime summer rentals are weekly only and then shorter stays are available in the off season.

Enclosed is a letter that was a response to a request for an official interpretation of the Garfield Township zoning ordinance as it relates to short term rental of property designated as R-1B. As you can see, you are in violation of that ordinance. When you purchased the property it is required that you are

furnished a copy of the Beacon Hills Subdivision bylaws which include land use requirements, restrictions and the specific zoning designation. (That zoning designation being R-1B). Please note in the response from the township a quote from the Michigan Supreme Court. The court clearly indicates that weekly rentals are not of "residential purpose" and are therefore "commercial in nature".

I bring these things to your attention in the spirit of good citizenship, considerate and appropriate neighborly behavior and as a request for you to revisit your position in this matter. An orderly and just society lives by laws and rules in order to protect the rights of all the folks and that fact helps to ensure consistency and the sustainability of that society. I do not desire to take a confrontational posture and would find it unnecessary if only we live within the accepted rules that we ourselves have adopted. That being said, I hope and trust that any further action on my part to insure a proper outcome will not be needed.

Sincerely,



James W. Bock

November 30th, 2015

Garfield Township  
Planning Department  
Rob Larrea:

Dear Planning Commission,

Recently it has come to light that weekly rentals are not allowed in Garfield Township anymore, and apparently haven't been prior. It's just that the Township has not enforced it until most recently.

I am writing this letter to you as a resident & tax payer in Garfield Township, and asking that you take a serious look at this zoning issue. In my opinion, they are a very good thing for our community, and the surrounding communities. I do not own a rental property, but I have for the past two years been the caretaker for one. These guests that come to our community to spend a week or two at a time are spending money, which is benefiting the business owners & everyone in this township. They are buying pizzas, ice cream, groceries, gas & eating out at restaurants. These businesses have to hire more people in the summer time because of this increase in business. And, those employees are mostly local taxpayers like myself. Our economy in Grand Traverse County is primarily based on these guests coming here to enjoy themselves, and enjoying the beauty of our area.

These weekly rentals also need upkeep. So, the owners are spending money at places like Gil Roy's for repairs or propane. They are hiring lawn maintenance companies & landscapers to keep the yards up. There are local sports rental companies that rely on these guests to rent pontoons, jet skis, kayaks, paddle boards, etc.... Again, that is money flowing into Garfield Township & its' residences are benefiting from it.

Some of these rental properties were bought at a premium because of the income potential that they have for 3 or 4 months out of the year. This has increased the property values of all & increased the tax base for the Township. If they are forced to sell because you do not allow weekly rentals any more (whether written or not, you have knowingly allowed this for decades & decades), they will likely have to sell at a loss or reduced value, which is going to affect everyone & your tax base.

Again, as a resident and tax payer, I am asking that you please take a look at the real value that the weekly rentals bring to our Township & community! With decades of great success & virtually few problems, there is no reason to not change the ordinance. Remember, you can't choose your neighbors either & unfortunately there are more issues between permanent neighbors than there are with a guest that is enjoying a beautiful week in our paradise.

Thank you,

Wade Mariage  
4589 Buckhorn Drive  
Traverse City, MI 49684

## Kelly Kaz

---

m: tbrady294@charter.net  
nt: Monday, November 30, 2015 7:37 PM  
To: 'kelly@kazcreative.net'  
Subject: Marian's letter to board

Tom and Marian Brady  
294 N. West Silver Lake Road  
Traverse City, MI 49685

September 24, 2015

Garfield Township Board of Trustees

3848 Veterans Drive

Traverse City, MI 49684

Dear Garfield Township Board of Trustees,

I am writing to you to thank you for your willingness to discuss vacation rentals on Silver Lake with the people who own the cottages and are facing enormous financial devastation. Please let me introduce ourselves to you: We have owned Baker's Silver Lake Cottages since 1989. We purchased them from local families owners who operated the cottages continuously as short term vacation rentals pre- 1955. We put so much time and effort in improving the cottages and the grounds. We have put our entire selves into them. It is our way of life.

We live on the property and have raised our 5 children here. Our family has met wonderful guests that have come to the area. We always said that we couldn't afford to take our kids anywhere, so we brought people to us. We have met and have welcomed wonderful families by inviting them to stay in our cottages.

Our neighbors have never had an issue with our guests. We personally screen all of our families before we allow them to reserve a cottage. We limit the number of people including all children, no day guests, no pets, are allowed, no fireworks even on legal days. Quiet time is between 11:00 PM to 8:00 AM. We do not allow any yard games in the cottage yard or on the beach. All of these policies are guaranteed by a \$500 noise/nuisance deposit and the fact that we live right there and take care of any issues right away. We never have had to do that as our guests know before they stay with us, that these are the policies and they will be monitored and enforced. What we find is our guests are just as concerned about peace and quiet as anyone. They ask us about our neighbors. They come here to see the area, relax and reconnect as a family. We have noticed over that last 26 years that the make-up of our guests has changed as do their activities on the lake. We no longer get families with multiple children and boats. We get families with one or two children and if any adults other than a mom/dad it is a set of grandparents. Our families spend little time at the beach compared to 15-20 years ago. This change occurred when we put in central air conditioning, WiFi and cable TV into our cottages, the Pure Michigan Campaign with promoting the Sleeping Bear Dunes, wine tours, the TART trails. Our guests are from areas all over the U.S. and do own a boat. For most, this is the first time staying on a lake. We do notice is that most guests will bring bicycles as they want to he trails.

We depend on our income from the cottages to live on. We do not have a pension; our cottages were our pension plan. We have 3 of our 5 children living at home, one is at Northwestern Michigan College, one is at the Traverse City University Center/Ferris, the other

just graduated from a down-state cosmetology school and found work in Traverse City, trying to pay off student loans and getting on her feet. Our married daughter came back to the area bringing her husband who lived in Ohio. They live across the lake. One more daughter lives in Grand Rapids and would love to come back to Traverse City.

Our children not only grew up here, but they learned how to clean, do yard work, home maintenance, how to be social to new people, and how to help them feel comfortable in our town. As they have gotten older and got "real" jobs, we have had to turn to the community for help. We have teachers/school secretaries/ and a school librarian clean our cottages in the summer. I pay them well as I need their help and truly appreciate the work they do.

My 78 year-old neighbor has talked about selling her cottage. We had thought about doing that but now will not even consider due to the new interpretation and enforcement of the zoning ordinance. The value of her home was based on it being a part-time vacation rental. She will have a difficult time selling it even at a much reduced price as it is a cottage without a garage and never will be able to have a garage due to her lot. There are many cottages on the lake for sale as well due to the zoning issue.

The implementation of the cease and desist orders has affected so many people. Some have had their long-term plans dashed, others who are financially just hanging on will experience financial devastation, and others will lose their source of income. On the other end, guests to our area will no longer experience Silver Lake and move on to other communities. Our off-season renters will no longer have an option to stay in a fully furnished home that is kept up to the extreme on a month to month basis. There is a need for people to find housing on this basis due to a family situation (divorce), a new move to our area (not sure where to buy a home), building a new home/remodeling their current home. The people who clean our cottages will no longer be able to have that source of income.

We appreciate your time and consideration in this matter.

Sincerely,

Tom and Marian Brady

CC:

Chuck Korn

Lanie McManus

Jean Blood Law

Molly Agostinelli

Robert Featherstone

Denise Schmuckal

Kit Wilson

December 3, 2016

Garfield Township Board of Trustees  
3848 Veterans Drive  
Traverse City, Michigan, 49684

Dear Board,

My parents bought a home in Silver Pines resort in 1954. I grew up and played on Silver Lake my entire youth until I graduated from high school and went away to college and the military. My sister still lives in the Family homestead. In 2011 my sister from California and I bought a home on Silver Lake to use when we are able to get back home. When we were looking for vacation homes; most were offered as rental properties with rental histories.

We are not able to live year round in Traverse City but love to have a place to call home when we visit. We do rent our home to offset the taxes and mortgage, and are definitely not making a profit from these rentals. The weekly rental window is about 8-10 weeks at best. We use the cottage about 3-4 weeks ourselves during the summer, leaving a handful of weeks left for renters. Most of our rentals are to families looking for a relaxing week on the lake. While I'm sure there may be problems with some renters, as well as residents having parties, there are existing ordinances to handle these complaints. It is totally unfair to punish a whole class of homeowners, based upon a few problems. Banning weekly rentals does not address the supposed problems as, residents are free to have parties, use the lake and have increased traffic.

We also allow friends and family to use the cottage if we are not there. Free of charge. How would the township make a determination between a renter and a guest?

I am definitely in favor of allowing rentals; as they are not specifically outlawed. Secondly, enforcement has been arbitrary, if at all, over the decades that rentals have existed on Silver Lake.

Sincerely,

Thomas L. Edwards

