

## **PLAN COMMISSION MEETING June 6, 2022, at 6:00 p.m.**

**Call to Order:** The meeting was called to order in person and via ZOOM by Chairman Tim Tishler at 6PM.

**Pledge of Allegiance.**

**In Attendance to Establish Quorum:** Chairman Tim Tishler, Jane Pluff, Paul Salm and Bruce Smith. Deputy Clerk Katie Virlee, Clerk Haley Adams and 13 visitors. Carrie Baldwin-Smith and Bill Nelson were absent.

**Accept Agenda:** Haley Adams verified the agenda was posted properly. Motion made/second Paul Salm/Jane Pluff to accept the agenda. Carried.

**Accept Minutes:** Motion made/second by Bruce Smith/Jane Pluff to accept the minutes. Motion Carried.

**Citizen Input:** Matthew Horton inquired about the regulations for food truck setbacks. The Barbeque food truck located at the Florian is in violation. Haley confirmed that they have been notified to move per the County regulations.

**Discuss/Take Action:**

**Petition for variance for 2007 Ridges Road, Parcel ID 002-03-16302834A-**Chris Renier, was present, on behalf of the Fae Revocable Trust, is requesting a variance from section 4.3(1)(a) of the Door County Floodplain Zoning Ordinance which states that fill shall be placed one foot or more above the regional flood elevation and extend at least 15 feet beyond the limits of the residence, and from Section 5.10(2) of the Door County Comprehensive Zoning Ordinance which states that buildings and structures shall maintain a 10' setback from wetlands in the SF-20 zoning district. The architect explained the proposed build will remove the existing 1-story residence with a carport and a detached garage, and to construct a 3-story residence with an attached garage. The applicant is requesting a variance from the extent of fill, such that no fill (0') will extend beyond the footprint of the residence. The applicant is also requesting a variance from the wetland setback, such that the NE corner of the residence will be as close as 2.4' from the wetland. The concern the Commission had at the May 2<sup>nd</sup> meeting was the unnecessary hardship. Chris thanked the Commission for the chance to revisit the variance. Chris explained his job is to flood proof the property and feels there is no hardship on the public. Chris needs the relief to fill in the 15 feet surrounding. Chris explained they cannot save the current house as it is in disrepair. Bruce pointed out the owner could build within the current footprint and avoid this need for 2 variances. Chris explained this is a smaller square footage than desired. The parcel was purchased and joined in 2010, with intent to build in the future. The Commission feels the owner purchased with the understanding that the building had existing setback limitations. Chris explained that the shoreline setback from FEMA is proposed to change and will affect the County zoning. The Commission feels this would be in the owner's best interest to wait for this to be adopted. Paul feels this would set a precedence if the Commission would grant approval for a variance that does not meet the three criteria. Motion made/second Bruce Smith/Tim Tishler to reaffirm the motion from May 2<sup>nd</sup> meeting to not recommend approval. Carried.

Short term rental ordinance- This was placed on the agenda, due to the large amount of calls the office has been receiving, whether they are complaints and/or support to implement an ordinance. In 2020, an STR ordinance was first discussed and recommended to the Town Board. At that time the ordinance took a back seat due to the pandemic and economic uncertainty. The Town Board received a lot of push back from residents, not necessarily STR owners. Complaints were consisting of garbage pickup, business conduct in a residential district, capacity, and sanitary and infrastructure impacts. The goal is to place accountability and uniformity in our municipality. Bryan Nelson provided an email to the Commission with his knowledge of a STR owner as well as a member of the Tourism Zone Commission for 14 years. "I find it hard to deny that the explosion of STRs in recent years has affected the nature of our neighborhoods, contributed to the lack of affordable housing and created an entire economy in which most players work in good faith but a significant minority do not - essentially running commercial businesses in residential areas and flaunting the rules. For those who don't believe this, I can talk about the 14-1/2 years that I represented our Township on the Tourism Zone Commission (for room tax). Close to half of all new STR's attempt to run under-the-radar and have to be "caught" and brought into compliance."

Michael Servais was present on behalf of the Home Host Association as well as an STR owner. Home Host has been an advocate to implementing ordinances and have worked closely with Sevastopol, Sister Bay, and Liberty Groves. The goal is to work together with the municipalities. Paul mentioned Bryan Nelson's comment regarding "requirement for an annual State of Wisconsin health inspection, which means that every STR is competing on a level playing field and that we, as a community, are concerned about the well-being of our out-of-town visitors (the Tourism Zone Commission does not require a health certificate before issuing a Room Tax Permit). I'd also like to have a discussion about maximum occupancy, particularly for properties on holding tanks or septic systems. Maximum occupancy also affects those properties on our sewer system because those parcels probably have close neighbors who might suffer from the kinds of rental parties who "overload" a home. There should also be discussion about a number of smaller issues such as parking, signage, garbage pick-up, minimum rental period (4 days?), maximum number of rental days per year, etc."

The proposed ordinance from Home Host does address all these concerns. Paul also mentioned he was in favor of the 3-strike rule in the proposed ordinance. Paul recommends defining a complaint and how that will be handled. The Commission feels it is too restrictive to regulate the length of rental. The Commission feels this proposed Home Host ordinance is a great starting point. Please contact the Town office or Home Host for a copy of the document.

Fees can be discussed later. Fees will need to include the cost of administrative work, renewal, complaints, and infrastructure impacts. Owners in the audience feel nothing over \$50 is necessary.

The Commission needs to move forward, and this process has been in motion for 2 years. We encourage the public to reach out to their Commission members. The plan is to revisit the 8/3/2020 drafted ordinance and combine it with the proposed Home Host ordinance at the July 7<sup>th</sup> meeting.

Motion made/second Carrie Bruce Smith/Jane Pluff to adjourn at 7:18PM. Carried. These minutes are subject to corrections at the next regularly scheduled Plan Commission meeting.

Haley Adams, Town Clerk

