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Comments/Questions from Public Forum Meeting

June 1, 2026 6:30 PM

1. Short-Term Rentals

Comments

- STRs help owners offset the cost of owning a second home.
- Many owners only rent occasionally and do not view themselves as running a business.
- Renters often become future property owners.
- Most rental owners feel they screen guests carefully and address problems quickly.
- Several speakers felt renters are not causing significant issues compared to owners or guests of owners.
- STRs are viewed by many as increasing property values and encouraging investment in homes.
- STRs are considered a commercial use under current legal interpretations.
- Some full-time residents worry about losing the residential character of the community.
- Concern about investor-owned or corporate-owned rental properties.
- Concern that unrestricted growth could lead to oversaturation.
- Questions about whether the association can legally continue allowing STRs under the current restrictions.

Questions Asked

- Why are STRs being targeted if there have been few complaints?
 - Under current Michigan law, short-term rentals are considered a form of commercial use, which is not permitted in residential neighborhoods under our existing deed restrictions.

That said, the proposed amendment includes a specific section on STRs because the board recognizes that some have operated in the past. The goal is not to penalize current property owners, but to acknowledge existing use while establishing clearer expectations moving forward.

The intent is to find a reasonable compromise—one that respects those currently operating STRs, while also setting a consistent standard that aligns with residential zoning principles and helps protect the character of the neighborhood long-term.

- Should occasional rentals be treated differently than investor-owned rentals?
 - The intent is to keep things consistent and avoid grey areas. From a legal standpoint, a commercial use is still considered commercial use—regardless of how often it occurs. Whether a property is rented occasionally or frequently, it falls into the same category under current interpretations.

Because of that, the committee’s goal was to apply the standard evenly across the board rather than create distinctions that could be difficult to define or enforce.

That said, we understand the concern and are open to taking another look at it. The committee is willing to revisit this question and, if needed, seek further legal guidance to see whether there is a clear and workable way to differentiate between occasional use and more frequent rental activity.

- Why was the proposed permit fee set at \$1,000?
 - The permit fee was developed to help offset the added administrative responsibilities that come with allowing STRs. If STRs are permitted, they effectively create a new layer of oversight for the association—things like tracking permits, managing communication with owners, and supporting enforcement when issues arise. The fee is intended to help cover those additional costs so they aren’t shifted onto the broader membership.

There was also general consensus that, if allowed, STRs function similarly to other lodging uses that often include additional fees (such as taxes in the hotel industry), so applying a fee felt like a reasonable approach.

That said, the permit fee is just one part of a broader conversation. The board is also looking at overall enforcement tools and considering whether additional fees or penalties should apply more broadly for violations of deed restrictions, bylaws, and other governing documents—so expectations are clear and applied consistently across the community.

- Should there be a cap?
 - The cap was developed as part of finding a balanced approach, given the uncertainty around how many STRs currently operate in the community. Early estimates varied widely, with some suggesting around 15–20 properties and others estimating significantly more. Because there isn’t a confirmed number, the board wanted to be thoughtful and cautious in setting a limit.

The committee initially discussed a percentage-based or sliding scale approach tied to the total number of homes. However, after further discussion, the board felt that establishing a fixed cap would be simpler to administer, easier to understand, and more predictable for the community.

A cap of 15 was ultimately identified as a reasonable starting point. In general, the majority of the board was more comfortable leaning toward a lower number to help maintain the residential character of the neighborhood, while still allowing for some flexibility.

That said, this is an area the board is open to discussing further. Feedback from the community will help inform whether this number feels appropriate or should be adjusted.

- Should permits transfer on sale?

- The idea of requiring transfer upon sale was discussed at both the committee and board level, but it received limited support. There are both potential benefits and drawbacks to this approach.

On one hand, it could support property values and provide a clean transition point when ownership changes. On the other hand, there was concern that it could unintentionally limit opportunities for people who want to purchase a home to live in, while making it easier for investors with greater financial resources to acquire properties.

There was also discussion about the potential for this to concentrate ownership among a smaller group of investors over time, which could reduce opportunities for others in the community to participate—especially if caps or limits are in place.

Given these considerations, the general consensus was that the downsides could outweigh the benefits, which is why this option is not currently being pursued. However, like other aspects of the proposal, it could be revisited if community feedback suggests a different approach.

- Should owners be limited to one rental property?

- The two-property limit was included as another way to help prevent concentration of STR ownership. With a cap in place, the board felt it was important to also limit how many permits any one owner could hold. This helps reduce the risk of a small

number of individuals controlling a large share of the allowed STRs and supports broader participation within the community.

At the same time, the proposal recognizes that some owners currently operate more than one STR. To avoid penalizing those who are already in place, the current draft includes a grandfathering provision for existing owners.

Overall, the goal is to balance fairness to current operators with longer-term limits that help prevent monopolization and maintain a more even distribution of opportunities going forward.

2. Enforcement vs. Non-Enforcement

Comments

- Restrictions have not been consistently enforced for decades.
- Owners questioned whether the Association can suddenly begin enforcing rules that were previously ignored.
- Several speakers referenced abandonment, waiver, laches, and selective enforcement concerns.
- Fear of expensive lawsuits regardless of which path the Board takes.

Questions Asked

- Why is enforcement becoming an issue now?
 - Because we have had people come to the board seeking permission to have businesses out of their home (non-traffic generating) because they see that other commercial businesses have been allowed to exist even though the current deed restrictions PLAINLY state that “No business, trade or enterprise of any kind or nature whatsoever shall be conducted or carried on any lot or lots in said subdivision.” We have had complaints about camping on private lots. We have had complaints about signs on properties and other items in the deed restrictions and rules. As a Board we can not deal with any of these individual issues because various violations have been left to occur over the years by prior boards. The goal was to create a new document that still maintained the intent of the original restrictions, while updating it to meet the needs of our community now and going forward. At this point inaction is not an option. We have moved beyond that point. The Board needs to be able to enforce the deed restrictions (in whatever form they take), bylaws and rules that govern this association.
 - It's not selective enforcement to enforce one restriction clause but not another per the attorney, it would potentially be selective enforcement to

target airbnbs for commercial business but not apply the same restriction to other businesses in violation of that same section/clause.

- If restrictions have not been enforced for 60+ years, can they still be enforced?
 - Per our attorney we can begin enforcing the restrictions. However, the board chose to instead attempt to update the current deed restrictions making them less restrictive than the current deed restrictions while maintaining the character of our neighborhoods going forward recognizing that the community has changed since the original restrictions were written.
- Does attempting to amend the restrictions strengthen or weaken the Association's legal position?
 - We do not believe it weakens the legal position of the Association. By attempting to update the Deed Restrictions we have acted in good faith to protect the membership as a whole. If these updated restrictions (which are less restrictive than the current restrictions) are rejected, it would suggest that the community is accepting the current deed restrictions and enforcement of them can begin.
- What happens if the amended restrictions fail? Does the Board have to enforce the old ones?
 - The board would not be required to enforce the deed restrictions but then we have solved nothing. You will still have those who follow the rules and restrictions as written and those who will not. The intent would be to enforce them going forward.

3. Pole Barns & Accessory Building

Comments

- Many lots are too small to realistically accommodate homes and storage buildings.
- Owners want flexibility to build garages or pole barns on separate lots.
- Concern about “pole barn flipping” (building and selling storage-only lots).
- Concern about people owning lots solely for storage and recreation equipment.

Questions Asked

- Can a pole barn be rented as storage?
 - Seeking attorney guidance
- Can a pole barn be sold separately?
 - Seeking attorney guidance
- What happens when a pole barn property is transferred?
 - The goal isn't to limit reasonable use of your property—it's to make sure accessory buildings remain what they were intended to be: part of a residential property. Setting a cap and tying structures to a home helps prevent situations where lots become

storage-only properties or are bought, sold or rented solely for that purpose. That kind of use changes the overall character of the neighborhood and moves away from the original intent of the association.

4. Property Rights vs. Community Standards

- “It’s my property.”
- Owners should have flexibility to use their property.
- Restrictions should be modernized to reflect today’s realities.
- County zoning should govern where possible.
- The Association was founded as a residential community.
- Restrictions exist to preserve neighborhood character.
- Some limits are necessary to prevent unintended consequences.
- Community interests should outweigh individual business interests.

You’re absolutely right that it’s your property. At the same time, when purchasing within a property owners association, the property is subject to recorded deed restrictions that were put in place by the original developer. Those restrictions run with the land, meaning they apply to all properties within the association.

Over the last six months, we’ve worked to update them to better reflect how people live today, while still honoring the original intent. Without those shared standards, the community wouldn’t function as an association.

5. Survey Process & Member Input

Comments

- The survey only presented two STR options.
- Some felt there should have been a “leave things as they are” option.
- Some felt the survey language was leading.
- Not all owners received the survey.
- Owners wanted more opportunities for input.

Suggestions

- Conduct another survey.
- Include additional options.

- Add a “no changes” option.
- Better explain the reasons behind the proposed changes before asking for feedback.

We heard you! We are actively working on a new more comprehensive survey to send out to the membership.

6. Cost & Spending Concerns

Comments

- Spending funds we don't have on Attorney fees.
- Cost of drafting and recording amendments.
- Cost of obtaining signatures and notarization.
- Concern that money is being spent on a problem that some members don't believe exists.
- Concern that litigation could become extremely expensive.

Questions Asked

- How much has been spent so far?
 - \$5058.74
- How much will recording cost?
 - Less than \$50 total
- How much will it cost to mail out signature documents?
 - The same if not less than the cost to mail out the newsletter, under \$500
- How much will future legal work cost?
 - This is dependent on legal clarity needed, the lawyer is only consulted when needed.
- Is this the best use of Association funds?
 - We understand the concern about spending Association funds, and the Board takes that responsibility seriously. At the same time, the Board is charged with enforcing the governing documents for the benefit of all property owners, and it's important that this is done correctly and consistently.

For that reason, we engaged legal counsel to help guide the process. Doing so helps ensure we are following the proper procedures and reduces the risk of larger, more costly issues or disputes in the future.

While there has been an expense, the total cost to date is relatively modest in the context of the Association's overall operations—less than what we typically spend on

routine items such as a brine application, tree maintenance around the lake, or seasonal propane for the pool. The intent is to address concerns thoughtfully now, rather than face greater uncertainty or expense later.

7. Businesses Beyond STRs

Questions Asked

- Can owners have Etsy businesses?
- Can owners work remotely?
- Can owners run non-traffic-generating businesses?
- Where should the line be drawn between a business and normal residential activity?
 - Directly from the Proposed Amended and restated declaration restrictions -

COMMERCIAL ACTIVITY. No business, trade, or enterprise of any kind or nature whatsoever shall be conducted or carried on upon any lot or lots in the Subdivisions, except for the specific Authorized Exceptions defined below.

- Permitted Home Occupations (Non-Traffic Generating). To support the modern residential needs of owners, "Home Occupations" are permitted provided they are incidental and subordinate to the principal residential use of the dwelling. A Home Occupation is defined as professional work (e.g., remote office work, consulting, online sales) that meets the following strict criteria: (1) No Exterior Evidence: There shall be no exterior evidence of the business, including signage, and no outdoor storage of goods or materials. (2) No Traffic Generation: The activity must not generate traffic, parking demand, or delivery volume in excess of that normally created by a standard single-family residential use. (3) No On-Site Employees or Clients: The business shall be conducted solely by the occupants of the dwelling, with no on-site employees, and no clients or patrons visiting the premises.
- Off-Site Service Businesses (Non-Traffic Generating). To support the modern residential needs of owners, "Off-Site Service Businesses" are permitted provided they are incidental and subordinate to the principal residential use of the dwelling. An Off-Site Service Business is defined as services performed off-site (e.g., snowplowing, landscaping) that meet the following strict criteria: (1) No Exterior Evidence: There shall be no exterior evidence of the business, including signage, and no outdoor storage of goods or materials. (2) No Traffic Generation: The activity must not generate traffic, parking demand, or delivery volume in excess of that normally created by a standard single-family residential use. (3) No On-Site Employees or Clients: The business shall be conducted solely by

the occupants of the dwelling, with no on-site employees, and no clients or patrons visiting the premises. (4) Registration: Property owners conducting Off-Site Service Businesses must register with the Board (at no cost) to ensure a record of compliance.

8. “Why Are We Doing This?”

- What actual problem is being solved?
- What complaints triggered this process?
- Are these widespread issues or isolated concerns?
- Why now?
- Is the community asking for these changes, or is the Board?
 - We understand these questions and the desire to better understand why this work is being done.

The Board’s role is to manage the Association and uphold the governing documents on behalf of all property owners. That includes making sure those documents are clear, enforceable, and applied consistently across the membership.

Over time, we’ve seen situations where the current language is unclear or open to interpretation—particularly around accessory structures and property use. In some cases, concerns have been raised directly; in others, the lack of clarity itself creates inconsistency in how rules are applied.

This effort is not about responding to a single complaint or creating new problems—it’s about addressing gaps and making sure expectations are understood by everyone. Clear documents help prevent confusion, reduce conflict, and support fair decision-making moving forward.

The timing reflects the Board’s responsibility to periodically review and, when needed, update governing documents so they continue to function as intended. While not every issue affects every property owner, the goal is to ensure that the rules work consistently for the community as a whole.

Ultimately, this is about creating a clear and workable framework that can be enforced fairly and uniformly, rather than relying on interpretation or handling issues case by case.

Parking Lot: Questions the Committee didn't have answers to and will look into:

- Cost of recording documents
- Renting Pole Barns for Storage?
- Build one pole barn, sell, build another
 - Limit?
- Campground Exception
 - Pole Barn?
- Get Rid of Deed Restrictions?
- Another Survey?
 - Actively working on this
- Part-Time Occupancy Rentals vs. Commercial Use

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- **The "Problem Doesn't Exist" Camp:** Several speakers feel that the board is "chasing a problem that doesn't exist". They share stories of proactive, highly responsible rental hosts who actively manage their properties, share phone numbers, and vet their renters to ensure they are just regular families on vacation.
 - **The Financial Lifeline Argument:** Second-home owners express that they are not trying to run major commercial operations; they are simply trying to cover their basic property costs because the homes sit empty frequently. They note that their children will likely need to rent the properties out in the future just to afford keeping them in the family.
 - **The Pro-Ban / Anti-STR Fear:** Permanent year-round residents express being "scared to death" that their neighbors will sell to investors, leaving them stuck next to a rotating door of strangers. They argue that the community is already "over-saturated" with STRs and that under Michigan state definitions, these are commercial businesses that do not belong in a residential zone.
 - **Real Estate Appreciation:** A local real estate perspective suggests that short-term rentals are actually driving up home values because the owners actively invest in "beautifying" their properties, making them look better than some full-time residences.
 - **The Lot Size Limitation:** Members point out that the original developer did the community a disservice by making the lots so small (60 by 120 feet). Because a house and a garage cannot fit on a single lot, it has been a historical necessity for residents to buy an empty lot across or down the street to build a pole barn for their "toys" (boats, side-by-sides).
 - **Board Clarification on "Flipping":** The board clarified that they are *not* banning pole barns (allowing up to three accessory buildings per homeowner). Instead, they are trying to stop outside investors from buying up empty lots, putting up standalone pole barns, and flipping them to non-residents, which creates a "pole barn alley".
 - **The Exploitation Clause:** One member candidly admitted that under the old rules, an owner could technically buy six contiguous lots and build six different-colored pole barns

just because they could, proving that the old restrictions are flawed. Another member noted that if the rules remain unchanged, he plans to build a 3,000 sq ft pole barn because the county will allow it and the board can't stop him.

- **The 61-Year Precedent:** A resident read a letter from an attorney warning that trying to enforce deed restrictions after 61 years of non-enforcement is legally highly problematic. They argued that doctrines like "waiver," "abandonment," and "laches" mean courts will likely view these rules as legally dead.
- **Selective Enforcement and Hypocrisy:** Members complain that the board is focusing on STRs, pole barns, and chickens while ignoring other blatant violations. Examples were brought up of people leaving boats in front of houses or running down properties, with one resident asking why the association-operated campground gets to bring "anonymous" transient users into the community to use amenities when STR guests are targeted.
- **"Hands Off My Property":** A strong sentiment was voiced that the board should get out of the business of telling people what to do with their private land. They argue that if an activity complies with County Zoning, the board should step aside and stick to managing the pool, the roads, and the campground.
- **Wasteful Legal Fees:** Multiple members were upset that the board spent thousands of dollars on attorneys (\$4,300 to \$5,000 was cited) to rewrite restrictions before even knowing if the community would support them. They argued this money should have been spent on fixing the roads.
- **The 51% Impossibility:** Former board members and residents pointed out that a similar attempt to change the deed restrictions failed in the 1990s because getting 51% of all deeded owners to provide a notarized signature is nearly impossible. They argue that by adding highly divisive issues like rental caps and pole barn bans, the board has made the document completely "unpassable".
- **The Rock and a Hard Place:** Board members defended themselves by stating they are caught in the middle of a legal crossfire—being threatened with lawsuits from anti-STR groups for *not* enforcing the rules, and threatened with lawsuits from pro-STR groups if they *do* enforce them.
- A resident apologized for unintentionally sparking a neighborhood war three years prior when simply asking for a waiver to keep backyard chickens for school purposes. They noted it exploded into massive controversy despite the neighborhood already being overrun by wild turkeys, geese, and ducks.