

**From:** Michael Sherman <[Michael@socksconstruction.com](mailto:Michael@socksconstruction.com)>  
**Date:** December 5, 2021 at 5:28:04 PM EST  
**To:** Kerri Janisse <[kesterley@elkrapids.org](mailto:kesterley@elkrapids.org)>  
**Subject:** updated enviromental letter / answer to ownership and use

Kerri,

Please find the attached updated letter with the correct address. Also, the following are specific structures and facts that pertain to the elk lake inn use.

### **Elk Lake Inn**

Ownership....Condos owned individually and common areas by management company...all common areas, lobby front desk, game room, banquet room, meeting room, roof deck etc. owned by management company.

Condo docs, bylaws define use...condo/hotel, building operated as hotel for nightly stays managed by management company.

Management Company: Elk Lake Inn Management Group LLC

Owners do not rent their units....the management company will take reservations and run the inn.

Owners do not have keys to their unit except after making a reservation and checking in with the management company at the front desk. 24/7 front desk operation like any hotel.

All rooms use furniture and decor designed, supplied and maintained by the management company. No owner private property in rooms.

All utilities paid by the management company and not separately metered for each unit.

All marketing, branding and promotion done by the management company.

This condo hotel structure is not new and used by several projects. I owned a condo hotel and sold it and will be using the same boilerplate legal documents that define all these type properties. At the beginning of this process I was transparent about this structure and my understanding was the village consulted their attorney about this structure. I was told it was not a problem and that the attorney was familiar with the condo/ hotel structure. The most important point to be understood by the commission is that the property could be owned by one person, an entity or 100 people but the ownership does not define the use. The use is defined specifically by the by laws and condo documents that are consistent with the inn use in the village zoning and with the spirit of a building being run as an inn. No one that drives up to this building or stays at it will think that the elk lake inn is anything other than a small boutique hotel. Below, are specific properties that are run as hotels and utilize this same structure.

Examples of condo / hotels.....Inn at Bay Harbor , Grand Mountain Lodge, Boyne Mountain. Each unit owned by investors as a deeded condo and run by a management company with use specifically defined by the by laws and run by the management company.

Let me know of any other questions and maybe another conversation with your attorney would be helpful to further clarify and or discuss with our team.

Thanks,

Michael

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