

Ishpeming Planning Commission  
Meeting Minutes for September 10, 2018  
(**Agenda items** are in **bold text**)  
6:30 P.M. @ Ishpeming City Hall

**A. Call to Order** for the Ishpeming Planning Commission was by Chairperson Gabe Seelen at 6:30 P.M.

**B. Roll Call**

Present: Planning Commissioners Gabe Seelen, Jim Bertucci, Mike Tonkin, Brooke Routhier, Angelo Bosio, Larry Bussone, Harry Weikel and Bruce Houghton.

Absent: Diane Gauthier.

Public present: Cid Ley, City Manager Mark Slown and Al Pierce, Zoning Administrator.

**C. Public Comment:** Mark provided information regarding the upcoming Ishpeming Community Assessment scheduled for September 19<sup>th</sup> at Bell Memorial Hospital sponsored by the Marquette County Community Foundation. There will be separate meetings during the day for City/ County staff, Service Providers, Business Owners and Youth and Education Groups. There will be an evening Townhall Meeting to present the feedback, community vision, Ishpeming assets and short/ mid-term projects that can assist in moving the community towards the shared vision. Mark, Al, Brooke and two council members will attend.

**D. Approval of Agenda** – The Agenda was approved unanimously as presented upon a motion by Bruce Houghton supported by Harry Weikel.

**E. Approval of Previous Meeting Minutes** –The meeting minutes of August 06, 2018 were unanimously approved, with the addition to Findings of Fact involving the alley vacation that addressed the unsuitability of access West and North to Division Street for Lot 107, upon a motion by Jim Bertucci supported by Brooke Routhier.

**F. Presentations** – none.

**G. Public Hearings** – none.

**H. New Business**

**1. Addition of “Bed and breakfasts establishments (721191)” as a Conditional Use in the SR, GR and MR zoning districts.**

Al informed Commissioners that he had a meeting with the current owners of the former Masonic building on Zoberline St. on August 28 to review and discuss their efforts to re-habilitate the building. They have it listed with a real estate company and desired to explore the potential for a Bed and Breakfast. After a tour of their work and the building layout, Al felt that there was definitely potential for a “B & B” with 2 large sitting rooms and a large off-street parking area. Upon reviewing the proposed new Zoning Ordinance, the only place where B & B’s were permitted was in the Neighborhood Commercial as a Conditional Use. This is a change from the present ordinance in which they are listed as a Conditional Use in all residential districts. Al proposed that “Bed and breakfasts establishments (721191)” be added as a Conditional Use in the SR (Single Residential), GR (General Residential) and MR (Multiple Residential) zoning districts to correct this omission. Upon discussion, Jim Bertucci made that motion, which was supported by Harry Weikel, and unanimously approved by Commissioners. Al will add this wording to the proposed revised zoning ordinance.

## **2. Consideration of rezoning the West 100' of PIN 52-51-703-003-00 from DD (Deferred Development) to GC (General Commercial).**

Gauthier Enterprises, LLC furnished correspondence to the City on their pending purchase of 1400 N. Third St. (Lot 1 of the Assessor's Plat of Bessemer Street) and has requested a lease on the adjacent land North of the property line and West of Lake Bacon which is owned by the City. On August 22, 2018 Ishpeming's City Council approved action to move forward with a lease agreement. This parcel is presently zoned DD (Deferred Development) and in order to be used commercially should be rezoned to GC (General Commercial). Larry had questions on the Land Bank cleanup and grant status which were addressed. Al questioned the requested width of the proposed lease (matching the current parcel width of +/- 73') as significant fill would be required due to steep slopes and suggested the lease parcel be 100' wide. He indicated that Tyler Gauthier had been encouraged to check on the potential location of regulated wetlands with the MDEQ in advance and suggested the proposed rezoning extend to the Southerly R.R. ROW. In order to avoid the appearance of "spot zoning" Brooke recommended that the ROW of Third St., owned by MDOT, also be included in the rezoning. Al will proceed with the rezoning and place it on the October agenda.

## **3. Request for a Conditional Use Permit at 315 S. First Street, PIN 52-51-556-153-00, by Ms. Tamara Lee Niemi.**

This request, dated August 6<sup>th</sup>, 2018, for a Conditional Use Permit in the GR (General Residential) zoning district to operate an Art and Photography Gallery in a home not serviced by City water or sewer, and apparently without electric service, was denied by the Zoning Administrator on August 13<sup>th</sup>, 2018 due to lack of a Site Plan and limited provisions for the general public. All furnished information, including her check, were returned to her. Mark stated that the City is investigating the legality of owning a home without any utilities in Ishpeming and desiring to be open to the Public commercially. Several commissioners shared their feeling on this situation as well. Brooke also questioned utilities and how they or are not addressed in the City Charter. Marquette County Building Codes require a "Certificate of Occupancy" but that is generally associated with new construction. It was questioned if the City perhaps could be overstepping their permitting role and was this requested use a business or a home? A spirited discussion ensued over the proper response with this situation.

A motion by Jim Bertucci supported by Angelo Bosio that Ishpeming's response in this situation was correct as the applicant did not meet zoning requirements passed on a 6 -2 vote, with Brooke and Mike casting the nay votes. Al will call and discuss this situation with the applicant.

## **4. Informational-Regarding ZCP 2018-23 issued to Ms. Angelical Konkel**

Al furnished Commissioners with several pieces of correspondence that started with a violation letter, involved alternative construction methods, Marquette County code issues and eventually migrated to issuance of a Zoning Permit as the County can't require agricultural structures (greenhouse) to comply with building code requirements. While Al eventually issued the permit, alternative style construction methods are not necessarily compatible with older residential neighborhoods. In a situation of this nature, construction standards would have been beneficial and helped to maintain structure continuity in the neighborhood.

## **5. Zoning Analysis at 1837 Hewitt Street- Proposed Non-conforming Lot**

Al provided commissioners with a zoning analysis of structures and proposed revised parcels for Lots 9 & 10, Block 4 of Cliffs Eighth Addition in response to the owners' request. As it exists presently, the lots contain a house with an attached garage and a detached garage and, as combined, are conforming lots and structures of record. The owner proposes to separate the structures onto revised (split) lots with the home and the attached garage remaining a conforming lot and structure of record. This action requires a lot split approved by the Zoning Board of Appeals (Parcel B).

If the split is approved, the remainder (Parcel A) would be a non-conforming lot (too small), the accessory structure would be the only thing on the lot (a violation in itself) and the structure would be non-conforming (inadequate North side yard setback). This potentially can be addressed by: 1 - a lot split approved by the Zoning Board of Appeals (Parcel A) in conjunction with a with a Class A non-conforming status for the lot remainder and also a Class A non-conforming status for the garage) both approved by the Planning Commission; 2 – The accessory structure status can be addressed by the addition of living space to the garage (main floor or attic) and water / sanitary sewer utilities.

Al indicated that the ordinance in the SR district requires a minimum lot width of 80'. The largest portion of lots in the Eighth Addition are less than 80' in width and the vast majority are subsequently considered non-conforming. A motion by Angelo Bosio supported by Larry Bussone that the minimum lot width in the SR district be changed to 75' passed unanimously.

## **I. Old Business**

**1. Updated Zoning Ordinance** - Al has not had the opportunity to perform the final review and provide his comments to Cathy due to the work schedule. It is a priority however.

**J. Correspondence** – none.

**K. Meeting Adjournment** was unanimous upon a motion by Angelo Bosio supported by Larry Bussone at 7:55 P.M.

By: \_\_\_\_\_  
Alan K. Pierce, Zoning Administrator