

Ishpeming Zoning Board of Appeals
Meeting Minutes for June 15, 2021
(Agenda items are in bold text)
4:30 P.M. @ Ishpeming City Hall

Meeting Called to order for the Ishpeming Zoning Board of Appeals by Chairperson Elyse Bertucci at 4:43 P.M.

Roll Call – Present Elyse Bertucci, David Johnson and Dick Burke.
Absent: Gabe Seelen and Evelyn Valente-Heikkila.

Public present: None, and Al Pierce, Zoning Administrator, who stated a quorum of Commissioners was present.

Public Comment – None.

**SIDE YARD SETBACK VARIANCE FOR LOT 24 OF BLOCK 7 OF CLIFFS EIGHTH ADDITION
(575 JOPLING ST.), CITY OF ISHPEMING, MARQUETTE COUNTY, MI.**

**APPLICANT: MR. BRETT NAULT
CASE NO. ZV 2021- 01**

Public Hearing ZV 2021-01: Al provided background information on the applicants request. Mr. Nault will be moving his existing attached garage to a concrete pad near the NW corner of his lot. In its place, he proposes to attach a proposed 28' x 23' garage / mudroom to the existing home. This structure is positioned to be 3' from the lot line (10' required). Future construction, probably next year, would involve a Master Bedroom on top of the garage / mudroom.

FINDINGS OF FACT

1. All notification and publication requirements of the Zoning Ordinance have been met.
2. The applicant is the current owner of Lot 24 of Block 7 of Cliffs Eighth Addition (575 Jopling St.) Ishpeming, MI. The subject parcel is located in the SR (Single Residential) District. There is an existing home on the parcel presently and a garage that is now moved, detached and placed near the NW corner of the lot.
3. The applicant, Mr. Brett Nault, is proposing to attach a 28' x 23' addition to the existing home consisting of a garage and mud room entryway. A garage attached to a home must meet the same side yard setback requirement as a home. In the SR Zoning District this setback is ten (10) feet. The applicant is proposing 3 feet and this is where the variance is necessary.
4. In the future, Mr. Nault proposes to put a Master Bedroom above the garage. The maximum structure height in the SR District is 35'. In order to comply with County Building Codes and proposed future use, the garage ceiling will consist of 2 x 10 joists with the trusses on top and ¾" drywall for the garage ceiling. The trusses are proposed to be re-utilized when the future master bedroom is constructed above the garage.

CITY OF ISHPEMING ORDINANCE CONSIDERATIONS

Zoning Ordinance: Section 10.0 (SR) Single Family Residential District
Zoning Ordinance: Section 19.0 Size, Height, and Placement Regulations
Zoning Ordinance: Section 19.1 G. 1. Footnotes

ZONING ADMINISTRATOR'S RECCOMENDATION:

A. If the requested side yard setback of 3' is granted for the garage addition, it would be appropriate to require any future fence on the West side of the parcel to start at the NW corner of the house and run Westerly and Northerly to permit sufficient space for fire personnel access to this side. The ordinance requires 5 feet between buildings and no fence on this side would benefit any required firefighting effort.

A motion by Dick Burke, supported by Dave Johnson, that the 3' West side lot line variance be approved, along with the above stated fence requirement that any future fence on the West side of the parcel to start at the NW corner of the house and run Westerly and Northerly, passed unanimously.

**VARIANCE FOR AN ACCESSORY STRUCTURE LARGER THAN THE PRINCIPAL STRUCTURE
LOCATED ON A PARCEL NEXT TO LOT 68 OF U.S. STEEL CORPORATION ASSESSOR PLAT
NO. 1 OF THE HARD ORE EXTENSION
(361 W. JOHNSON ST.), CITY OF ISHPEMING, MARQUETTE COUNTY, MICHIGAN**

APPLICANT: MR. STEPHEN FISCHER

CASE NO. ZV 2021- 02

Public Hearing ZV 2021-02: Al presented the facts to Board members. Mr. Fischer had a platted lot with a home, garage and other small accessory structures. He purchased an adjoining parcel from Marquette Lands in 2006 and is requesting to place a garage on it that is larger in square footage (1080 Sq. Ft.) than his home (928 Sq. Ft.). The proposed garage meets all setback requirements of the zoning ordinance. The zoning ordinance requires Accessory Structures (i.e. garage) to be smaller than the Principal Structure. This is the requirement for the variance

PROPOSED FINDINGS OF FACT

1. All notification and publication requirements of the Zoning Ordinance have been met.
2. The applicant is the current owner of Lot 68 of U.S. Steel Corporation Assessor Plat No. 1 of The Hard Ore Extension (575 Jopling St.) and that part of SW 1/4 of NW ¼ of Sec 10 T47N R27W described as: Beg at SE cor of Lot 68 of US Steel Corp Assessor Plat #1 of the Hard Ore Ext.; Th S 50'; Th W 149.29'; Th S 16.8'; Th N76deg.W 72.11'; Th N 124.72'; Th S73deg E 74.51'; Th S 49.82'; Th E 216.61' to POB. The subject parcel is located in the MR (Multiple Residential) District. There is an existing home on the platted parcel and a garage and shed. The proposed garage is to be constructed on an adjoining parcel to the South and West.
3. The applicant, Mr. Stephan Fischer, is proposing to build a 30' x 36' garage which is larger in square footage (1080 sq. ft.) than his home (928 sq. ft.). An accessory structure is to be smaller than the principal structure (Sec. 19.1 G.4). This is the reason for the variance request.
4. The proposed garage complies with all dimensional setback requirements of the Zoning Ordinance.

CITY OF ISHPEMING ORDINANCE CONSIDERATIONS

Zoning Ordinance: Section 12.0 (MR) Multiple Residential District

Zoning Ordinance: Section 19.1 G. 4. Accessory Buildings Regulations

A motion by Dick Burke supported by Dave Johnson that the size variance for the garage be approved, subject to the condition that, upon future sale, the garage be sold together with the platted lot and the home, passed unanimously.

Approval of Previous Meeting Minutes – Upon a motion by Dick Burke, supported by Elyse Bertucci, the meeting minutes of January 20, 2021 were unanimously approved.

Meeting Adjournment was passed unanimously, upon a motion by Dick Burke supported by Elyse Bertucci, at 5:00 P.M.

By: _____

Alan K. Pierce, Zoning Administrator