

Ishpeming Planning Commission
Meeting Minutes for April 04, 2016 (**Agenda items** are in **bold** text)
7:00 P.M. @ Ishpeming Senior Center

A. Call to Order for the Ishpeming Planning Commission was by Chairperson Gabe Seelen at 7:00 P.M.

B. Roll Call – Present: Planning Commissioners Mike Tonkin, Gabe Seelen, Harry Weikel, Glen Lerlie and Bruce Houghton.

Absent: Larry Bussone, Angelo Bosio, and Jim Bertucci. Lauren Luce was also absent but excused.

Public present: Richard Smith of CUPPAD, Mark Slown and Al Pierce.

C. Public Comment – None, Public Comments were closed at 7:01 P.M.

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 January 04, 2016 were approved unanimously as presented upon a motion by Mike Tonkin supported by Bruce Houghton.

F. Presentations – none.

G. Public Hearings - none

H. New Business

1. CUPPAD – Richard Smith Zoning Ordinance Update 5

Richard presented proposed Section 28.0 Site Plan Review and Section 30.0 Board of Zoning Appeals. Sections 28.1, 28.2 and 28.3 are very similar to the present ordinance. Section 28.4, involving larger Commercial / Industrial developments requires the submission of more information than present and appears to be appropriate for the intensity of the developments. Section 28.5 is new and establishes time frames and processes for Site Plan approval and approval or denial of Site Plans within specified dates. Also new is the ability of the Zoning Administrator or the Applicant to request in writing that a Site Plan review be conducted by the Planning Commission. Concerns were expressed regarding intentional delay on the part of the Zoning Administrator or the potential for the City to be an obstructionist. This aspect will have a 7 day time frame added to it. Richard will cross reference Site Plan requirements to other Sections of the Ordinance. An amendment process and review standards have also been added along with mandatory Site Plan Completion Guarantees. The proposed additions will significantly change the present Site Plan review / approval process.

Proposed Section 30.0 Board of Zoning Appeals added alternate members to the Board as required by Act 110 of 2006. Richard ended his presentation about 7:50 P.M.

2. Review Old Section 3.0 Definitions, Discuss / Comment on Proposed Definition Revisions

Al presented his review and comments of the proposed Definition section of the Ordinance to the Commissioners. It involved shifting some definitions to conform to similar groupings within the Ordinance to address topics all in one area, proposed deletions, comments on specific areas where the new definition added clarity, suggestions in certain definitions where reliance upon the adopted Public Acts would shorten the extent of the text, and discussions regarding the State of Michigan's expansive and evolving views of implementation of the Right to Farm Act as it impacts cities. Planning Commissioners and Richard provided input throughout the review. Upon completing the discussion and review, Richard was provided with a copy of the proposed changes.

I. Old Business

1. All fee, notification and publication requirements of the Zoning Ordinance have been met.
2. The applicant is the owner of record of Nelson's Addition, Lot 75 & the S ½ of Lot 76 and Excelsior Iron Co.'s 2nd Addition, the West 10' of Lot 6, Block 12, A.K.A. 401 E. High St, Ishpeming, MI.
3. This vacant parcel is located in the GR (General Residential) zoning district and the applicant proposes to use the lot for a garden and secure fenced exterior storage purposes.
4. The applicant proposes to place a Six (6) foot high chain link fence on 3 sides of the parcel with a 16' gate on Second Street. The East (rear) side of the fence will abut an existing garage and wood fence. The applicant seeks a Variance for this height and placement.
5. Ishpeming's Fence Ordinance No. 8-600 requires that on street sides of corner lots a fence may not exceed Four (4) feet in height and that a fence in a front yard shall not exceed four feet in height. Variances are sought from these conditions.
6. An assessment of clear-vision requirements for South-bound Second St. and West-bound High St. vehicles was reviewed.
7. The adjacent garage on the East side of the parcel in question may encroach into the subject parcel.

Dick Burke made a motion, supported by David Johnson to approve a variance from Section 8-605 of the Fence Ordinance to permit construction of a 6' high chain link fence 1' off the sidewalks.

The motion passed unanimously, variance request approved.

2. ZV 2015-04

At 4:25 P.M., Elyse read the legal notice from the Mining Journal. The applicant, Erwin Holliday, requires a variance to convert a home adjacent to his house into a garage as the peak height is 6' higher than the permitted height of accessory structures.

Elyse asked if the access for the garage conversion would be from Superior St. or the public alley behind the house. Erwin stated that the only access would be from the alley. He also indicated that the remaining trees in the backyard would be removed and that the house was essentially stripped with a sink and bathroom upstairs remaining. An 8' x 8' shed at the rear of the house would be removed. His home on Lot 44 is 1312 sq. ft. and the converted garage will be 760 sq. ft. The garage will be accessed by an 8' x 10' door facing the alley with a concrete slab poured on the ground floor and having a 10' ceiling and a 24' depth. The porch at the front of the structure on Superior St. will remain in place. The present height of the structure is 24'. Municipal water and sewer to the structure will be eliminated.

The following Findings of Fact were noted;

1. All fee, notification and publication requirements of the Zoning Ordinance have been met. The ad in the paper incorrectly stated the Zoning District as General Residential. This parcel is zoned Multiple Residential.
2. The applicant is the owner of record of U.S. Steel Corporation Assessor's Plat of the Hard Ore Extension, Lots 44 & 45, A.K.A. respectively as 153 and 149 W. Superior St.
3. Lot 44 (153 W. Superior) contains the applicant's home and an existing garage.
4. Lot 45 (149 W. Superior) contains only a vacant home, also owned by the applicant, which he proposes to convert into a private garage for maintenance/ repair of his vehicles. He has indicated that no commercial work would be done in either garage. This structure is approximately 24' in height and garages are limited to 18' per the Zoning Ordinance. This is why the Variance is required.
5. The applicant has stated that his existing home is larger than the proposed garage conversion, which would also have an 8' x 8' shed attached at the rear removed. Additionally, an 8' x 10' door would be placed at the rear of the garage conversion.

Evelyn Valente-Heikkila made a motion, supported by Dick Burke that a variance for a converted garage with a 24' peak height be granted **subject to 5 conditions**:

- A. Lot 45, with the converted garage, is not to be sold separately and must be joined with Lot 44 in the event of sale.
- B. No Commercial Use of either the garage on Lot 44 or 45 is to be permitted.
- C. The entryway for the former home (now a converted garage) on Superior Street is to remain intact and is not to be removed.
- D. All vehicular traffic for Lot 45 is to have ingress and egress only from the public alley South of Superior Street.
- E. No habitation or residential use of the converted garage is to be permitted until the structure complies with then current Marquette County Residential Building Codes.

The motion passed unanimously, variance request approved.

Approval of Previous Meeting Minutes – Upon a motion by David Johnson, supported by Evelyn Valente-Heikkila, the meeting minutes of May 19, 2015 were unanimously approved.

Old Business -- none.

Public Discussion – none.

Meeting Adjournment was passed unanimously, upon a motion by Dick Burke supported by Dave Johnson, at 4:35 P.M.

By:



Alan K. Pierce, Zoning Administrator