



MARQUETTE CHARTER TOWNSHIP

1000 Commerce Drive
Marquette, Michigan 49855
Ph | 906.228.6220
Fx | 906.228.7337
www.marquettetownship.org

PLANNING COMMISSION MEETING

WEDNESDAY, DECEMBER 8, 2021 – 7 P.M.

The Planning Commission will be conducting this meeting in-person at the Township Hall Board Room.

NOTE: Pursuant to the Township Board adopted Code of Conduct, Planning Commission members are obligated to disclose any potential or actual conflict of interest with any item placed on this agenda.

1. Call Meeting to Order.
2. Roll Call.
3. Approval of the Agenda.
4. Minutes from Previous Meeting – October 27, 2021
5. Public Comment.
6. New Business.
 - a. **Special Use Permit Public Hearing #1210821-1** – Proposed Short-Term Rental Unit on a property located at 1818 Granite Avenue, Marquette MI 49855, within the Urban Residential (UR) zoning district, per the Marquette Township Zoning Ordinance (Article 15, Section 15.05). Applicant: Ted Grzelak, 180 Hidden Springs Drive, Marquette, MI 49855
 - b. **Special Use Permit Public Hearing #1120821-2** – Proposed Extraction of Earth Products development, pursuant to the Marquette Township Zoning Ordinance Article 16 – Detailed Use Regulations, Section 16.02 Extraction of Earth Products (I). Applicant: Marquette County Solid Waste Management Authority (MCSWMA), 600 Co Rd NP, Marquette, MI 49855
 - c. **Special Use Permit Public Hearing #120821-3** – Proposed Short-Term Rental Unit on a property located at 170 Eagles Nest Rd, Marquette MI 49855, within the Rural Residential (RR) zoning district, per the Marquette Township Zoning Ordinance (Article 15, Section 15.05). Applicant: Houses of Gort, LLC (Timothy & Regina Gort), 170 Eagles Nest Rd, Marquette, MI 49855
 - d. **Special Use Permit Public Hearing Request** – Proposed Short-Term Rental Unit on a property located at 2593 Norwood St, Marquette MI 49855, within the Urban Residential (UR) zoning district, per the Marquette Township Zoning Ordinance (Article 15, Section 15.05). Applicant, Samuel Dunlop, 2593 Norwood Street, Marquette, MI 49855
7. Unfinished Business. None at this time.



MARQUETTE CHARTER TOWNSHIP

1000 Commerce Drive
Marquette, Michigan 49855
Ph | 906.228.6220
Fx | 906.228.7337
www.marquettetownship.org

8. Correspondence.
 - a. Queen City Burger – Zoning Complaint Update
 - b. Marquette County Master Plan 2040 – Completion Notice
 - c. City of Marquette Master Plan Amendment – Intent to Plan Memo
9. Reports.
 - a. Township Board Report
 - b. Recreation Committee Report
 - c. Road Committee Report
 - d. Planning and Zoning Report
10. Announcements.
11. Public Comment.
12. Additional Comments by Planning Commissioners.
13. Adjournment.

****Next Meeting – January 12, 2022***

**Marquette Township Planning Commission – Regular Meeting
Wednesday, October 27, 2021 – 7 p.m.
This meeting was held in-person at the Marquette Township Hall.**

Chairperson Johnson called the meeting to order at 7:00 p.m.

MEMBERS PRESENT: Steve Heikkinen, Linda Winslow, Jim Johnson, Denny Ferraro, Bethany Cody

MEMBERS ABSENT: None

STAFF PRESENT: Jason McCarthy – Planning & Zoning Administrator

OTHERS PRESENT: Connor Wilkinson, Kevin Nancarrow, Steve Smith, Mike Hainstock, Megan Hornbogen, Brian Savolainen, Mick & Judy Vonck.

APPROVAL OF AGENDA:

MOTION: To APPROVE agenda as presented.

*Ferraro, Moved
Heikkinen, Supported*

Motion Carried: 5-0

MINUTES FROM PREVIOUS MEETING: September 22nd and October 13th 2021

MOTION: To APPROVE meeting minutes, as presented.

*Ferraro, Moved
Cody, Supported*

Motion Carried: 5-0

PUBLIC COMMENT: None at this time.

NEW BUSINESS:

Special Use Permit Public Hearing #102721-1 – Proposed Short-Term Rental Unit on a property located within the Rural Residential (RR) zoning district. per the Marquette Township Zoning Ordinance (Article 15. Section 15.05). Parcel Tax ID# 52-08-004-044-00. Subject property is located in Section 4. T48N R25W. Applicant: Connor Wilkinson. 354 Co Rd 550. Marquette. MI 49855.

Johnson opened the public hearing at 7:02 PM

McCarthy provided background information and explained Mr. Wilkinson’s application. McCarthy clarified that the property was located within the Rural Residential zoning District.

Ferraro asked if the property was Wilkinson’s residence.

Wilkinson explained that it is not his residence and that he resides further North along Co Rd 550.

McCarthy indicated that he did make Wilkinson aware of potential property tax implications if it were to

be his primary residence at some point in the future and if he decided to rent it out.

Heikkinen asked whether a special use permit could be granted on a nonconforming parcel (approximately ½ acre).

McCarthy responded that he did not believe there was an issue due to the lot being a lot of record and that there wasn't an increase in the land use intensity (i.e., multi-family, etc.).

Heikkinen questioned the condition and capability of the septic system.

McCarthy stated to Wilkinson that if something were to happen to the septic system, a new system would need to be approved by the Marquette County Health Department.

MOTION: *To approve the Short-Term Rental for Wilkinson 354 Co Rd 550, as presented.*

Ferraro, Moved
Heikkinen, Supported

Roll call vote passed 5-0

(Roll call vote: Yay – Ferraro, Heikkinen, Cody, Johnson, Winslow, Nay – None)

Site Plan Review 122721-2. Site Plan Review #102721-2. Proposed construction of an 8,704 SF TruNorth Credit Union (Banking Institution) to be located on a property located within the General Business (GB) zoning district at 2680, 2702, & 2712 US-41 West, Marquette, Michigan. Applicant: TruNorth Federal Credit Union, 1419 N. 2nd Street, Ishpeming, MI 49849

McCarthy welcomed the TruNorth Credit Union representatives, provided background on the proposed project, and detailed the staff report. McCarthy noted a portion of 22' wide alley right-of-way that is proposed to be abandoned. That effort was in-process at the time of the meeting with a Marquette County Road Commission Public Hearing set for December 16, 2021.

Heikkinen asked if the site was going to be lowered, as proposed.

Nancarrow responded affirmatively that it would be in order to improve fire apparatus access. He also went on to detail proposed stormwater plans and utility connections.

Johnson asked about the shown parking in the rear of the building.

Nancarrow responded that they are the drive through lanes but that owner would also like to have afterhours events and the drive through lanes could provide additional parking, if needed.

MOTION: *To APPROVE Site Plan Review #102721-2, contingent upon the items listed in the staff report being submitted and approved by staff.*

Ferraro, Moved
Winslow, Supported

Roll call vote passed 5-0

Final Planned Unit Development (PUD) Application #102721-3, Heritage Silos, LLC – Final Planned Unit Development (PUD) Application Review, within the Rural Residential (RR) zoning district, per the Marquette Township Zoning Ordinance (Article 13, Section 13.06 (B)). Applicant: Heritage Silos, LLC, 397 Bishop Woods Rd, Marquette, MI 49855

McCarthy noted that the Final PUD application did not require a public hearing. He indicated that this is the final stage of the PUD review process. He reminded the Planning Commission of previous actions taken including the approved Preliminary PUD as a result of the public hearing in September of 2021.

McCarthy indicated that Sections 13.06 (B) and 13.07 listed the Final PUD review criteria. He also indicated the as a result of the public hearing in September, and the comments that were made, the developer amended the plan to be more in line with views shared at that meeting. These changes were detailed in the revised site plan.

Ferraro inquired about the ownership plan for the rental cabins.

Vonck replied that it would be under a single Home Owner's Association.

Johnson asked who would be responsible for snow plowing.

Vonck replied that it would be taken care of with a private contract.

MOTION: To APPROVE Final Planned Unit Development (PUD) Application #102721-3, contingent upon compliance with Sections 13.08, 13.09, 13.10 and 13.11 of the Marquette Township Zoning Ordinance.

***Heikkinen, Moved
Winslow, Supported***

Roll call vote passed 5-0

Special Use Permit Public Hearing Request. Proposed Short-Term Rental Unit on a property located at 170 Eagles Nest Rd, Marquette MI 49855, within the Rural Residential (RR) zoning district, per the Marquette Township Zoning Ordinance (Article 15, Section 15.05), Applicant: Houses of Gort, LLC, (Tim & Regina Gort), 170 Eagles Nest Road, Marquette, MI 49855

McCarthy detailed the Gort's application and recommended that the Planning Commission schedule a public hearing on the matter for Wednesday, December 8, 2021 at 7 PM.

MOTION: To schedule a public hearing for the proposed Special Use Permit at 170 Eagles Nest Rd, Marquette MI 49855, within the Rural Residential (RR) zoning district, per the Marquette Township Zoning Ordinance (Article 15, Section 15.05), Applicant: Houses of Gort, LLC, (Tim & Regina Gort), 170 Eagles Nest Road, Marquette, MI 49855, for December 8, 2021 at 7 PM.

***Winslow, Moved
Ferraro, Supported***

Roll call vote passed 5-0

UNFINISHED BUSINESS: None.

CORRESPONDENCE: None.

REPORTS:

Township Board Report

Winslow emphasized the Strategic Planning event later in the week. She also indicated that the Township Board discussed the enforcement of commercial addressing being visible on businesses.

Road Committee Report

McCarthy indicated that the Road Committee did not meet in October.

Recreation Committee Report

McCarthy replied that the Recreation Committee also did not meet in October.

Planning and Zoning Report

McCarthy provided a brief update on current and planned developments in the township and discussed his virtual attendance at the Michigan Planning Association's Conference.

ANNOUNCEMENTS: None.

PUBLIC COMMENT: None.

ADDITIONAL COMMENTS PLANNING COMMISSIONERS WISH TO MAKE:

Heikkinen thanked the developers for their revisions to the Heritage Silos, LLC PUD.

Winslow and Johnson expressed concerns about short-term rentals and the pending legislation.

ADJOURNMENT: Meeting adjourned at 8:26 PM

Linda Winslow – Planning Commission Secretary



MARQUETTE CHARTER TOWNSHIP

1000 Commerce Drive
Marquette, Michigan 49855
Ph | 906.228.6220
Fx | 906.228.7337
www.marquettetownship.org

STAFF REPORT

PLANNING COMMISSION – December 8, 2021

Agenda Item # 6a: Special Use Permit Public Hearing #120821-1 – Proposed Short-Term Rental Unit on a property located within the Urban Residential (UR) zoning district, per the Marquette Township Zoning Ordinance (Article 15, Section 15.05).

Applicant: Ted Grzelak
Property Owner: Ted Grzelak
Parcel ID#: 52-08-300-018-00
Staff Contact: Jason McCarthy/Erik Powers

Background:

Staff has received a Special Use Application in order to construct the special land use of *Short-Term Rental* on a property located in the zoned Urban Residential (UR) district.

Proposed Finding of Fact:

- The subject parcel is located in the zoned Urban Residential (UR) District.
- The subject parcel is located in Section 16, T48N, R25W
- Surrounding zoning districts to the subject parcel are Urban Residential (UR) to the South, East, and West. The City of Marquette lies North of the Wright Street right-of-way.
- Neighbors within 300' feet of the subject property have been notified of the proposal.
- Fee(s) for the special use permit application have been paid by the applicant.
- Additional information regarding the project is attached.

Per the Marquette Township Ordinance:

“Article 2 – Definitions:

Short-Term Rental – A residential dwelling, not owner-occupied, which is rented, all or in part, on a daily, weekly, or monthly basis, for ninety (90) days or less.”



MARQUETTE CHARTER TOWNSHIP

1000 Commerce Drive
Marquette, Michigan 49855
Ph | 906.228.6220
Fx | 906.228.7337
www.marquettetownship.org

SECTION 15.05: Use Vs. District Nomograph:

Short-Term rental is Special Use in the Urban Residential (UR) Zoning District

"SECTION 16.13: SHORT-TERM RENTALS:

1. *In addition to complying with other relevant sections of this Ordinance, petitioners desiring to conduct a short-term rental unit (as defined in Article 2), the petitioner shall also provide the following information in order to be considered for a special use permit:*
 - a. *Fire code review by the Marquette Township Fire/Rescue Department every two (2) years.*
 - b. *A Marquette Township Business License.*
 - c. *Off-street parking conforming to residential single-family dwelling units under Article 21.*

Planning Commission Review Criteria for Special Land Uses:

SECTION 16.04: REVIEW AND FINDING PROCESS

A. PLANNING COMMISSION PUBLIC HEARING

The Planning Commission shall review the complete application for a Special Use Permit at its next regular scheduled meeting following filing by the Zoning Administrator and, if required, shall set a date for the public hearing within forty-five (45) days thereafter. A public hearing shall be required for a Special Land Use to be located in the Development District (DD), if the proposed Special Land Use is located adjacent with existing Residential Land Use and/ or adjacent with a designated Residential Zoning District; i.e. Scenic Resource (SR), Rural Residential (RR), or Urban Residential (UR). The Township Clerk shall publish one (1) notice of public hearing, not less than fifteen (15) days in advance of such hearing (Amend. 08-02-10) and shall notify by regular mail or personal delivery the parties of interest and all property owners and occupants of all structures within three hundred (300) feet of the boundaries of the subject property.

In situations where a single structure contains four (4) or more dwelling units, businesses, or organizations, notice must be given to the manager or owner of the structure who shall be requested to post notice at the primary entrance of the structure. The notice shall describe the special nature of the land use request; the legal description, and a location map of the property; specify the date, time, and place of the hearing; indicate when and where written comments will be received concerning the request.

B. PLANNING COMMISSION DECISION



MARQUETTE CHARTER TOWNSHIP

1000 Commerce Drive
Marquette, Michigan 49855
Ph | 906.228.6220
Fx | 906.228.7337
www.marquettetownship.org

The Planning Commission may deny, approve, or approve with conditions, a request for a Special Land Use approval. The decision on a Special Land Use shall be incorporated in a statement containing the conclusions relative to the Special Land Use under consideration which specifies the basis for the decision, and any conditions imposed.

SECTION 16.05: CONDITIONS ON SPECIAL LAND USE APPROVALS

Every special land use permit shall be conditioned upon the proposed development fully complying with all requirements of this Ordinance and, where applicable, the Township Subdivisions Regulations and any other pertinent federal, state, county, or local statutes or ordinances. The violation of any condition contained in a special land use permit shall be a violation of this Ordinance.

SECTION 16.06: GENERAL USE STANDARDS

An application for a Special Land Use permit shall not be approved unless the Planning Commission specifically finds the proposed Special Land Use to be appropriate in the location for which it is proposed. This finding shall be based on the following criteria:

- A. The proposed use shall be in harmony with the general purpose, goals, objectives, and standards of the Comprehensive Plan of the Charter Township of Marquette, this Ordinance, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the Township.
- B. There shall be a community need for the proposed use at the proposed location; in the light of existing and proposed uses of a similar nature in the area and of the need to provide or maintain a proper mix of uses both within the Township and also within the immediate area of the proposed use:
 1. The proposed use in the proposed location shall not result in either a detrimental over concentration of a particular use within the Township or within the immediate area of the proposed use.
 2. The area for which the use is proposed is not better suited for or likely to be needed for uses which are permitted as a matter of right within that district, in light of policies or provisions of the Comprehensive Plan, this Ordinance, or other plans or programs of the Township.
- C. The proposed use at the proposed location shall not result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or rights-of-way, or other matters of welfare, either as they now exist or as they may in the future be developed as a result of the implementation of provisions and policies of the Comprehensive Plan, this Ordinance, or any other plan, program, map, or



MARQUETTE CHARTER TOWNSHIP

1000 Commerce Drive
Marquette, Michigan 49855
Ph | 906.228.6220
Fx | 906.228.7337
www.marquettetownship.org

ordinance adopted, or under consideration pursuant to official notice, by the Township to guide growth and development.

- D. The proposed use in the area under consideration shall be adequately serviced by and will not impose an undue burden on any of the improvements, facilities, utilities, and services specified in this subsection. Where improvements, facilities, utilities, or services are not available or adequate to service the proposed use in the proposed location, the applicant shall, as part of the application and as a condition to approval of the proposed Special Land Use permit, be responsible for establishing the ability, willingness, and a binding commitment to provide the improvements, facilities, utilities, and services in sufficient time and in a manner consistent with the Comprehensive Plan, this Ordinance, and other plans, programs, maps, and ordinances adopted by the Township to guide its growth and development. The approval of the Special Land Use permit shall be conditional upon the improvements, facilities, utilities, and services being provided and guaranteed by the applicant.
- E. The proposed use in the proposed location shall fully comply with the requirements set forth in this Ordinance and shall be consistent with the intent and purpose of *Article XIV, Principal Uses Permitted in Districts*, and *Article XVIII, Performance Requirements*.

SECTION 16.07: CONDITIONS AND SAFEGUARDS

- A. Prior to granting any Special Use Permit, the Planning Commission may impose any additional conditions or limitations upon the establishment, location, construction, maintenance, or operation of the use authorized by the Special Use Permit which may be necessary for the protection of the public interest. Conditions imposed shall further be designed to protect natural resources, the health, safety, and welfare, as well as the social and economic wellbeing of those who will utilize the land use, or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole. The conditions shall be consistent with the general standards as established in this Ordinance.
- B. Conditions and requirements stated as part of the Special Use Permit authorization shall be a continuing obligation of Special Use Permit holders. The Zoning Administrator shall make periodic investigations of developments authorized by Special Use Permit to determine compliance with all requirements.
- C. Special Use Permits may be issued for time periods as determined by the Planning Commission. Special Use Permits may be renewed in the same manner as originally applied for.
- D. In authorizing a Special Use Permit, the Planning Commission may require that a cash deposit, certified check, bond, letter of credit, or other financial guarantee acceptable to the Township, of adequate sum be provided by the developer prior



MARQUETTE CHARTER TOWNSHIP

1000 Commerce Drive
Marquette, Michigan 49855
Ph | 906.228.6220
Fx | 906.228.7337
www.marquettetownship.org

to the issuance of the Special Use Permit to ensure installation of such necessary improvements including but not limited to drives, walks, utilities, parking, landscaping, etc. The financial guarantee shall be deposited with the Township Clerk at the time of issuance of the permit authorizing the use or activity. Upon completion of significant phases of the scheduled improvements, the Planning Commission shall authorize a proportional rebate of the financial guarantee.

- E. Continuance of a Special Use Permit shall be withheld by the Planning Commission only upon its determination that:
1. The required conditions, as prescribed in conjunction with the issuance of the original permit, required the use to be discontinued after a specified time period.
 2. Violations of the conditions pertaining to the granting of the Special Use Permit continue to exist more than thirty (30) days after written order to correct the violation has been issued by the Zoning Administrator.
- F. All plans, specifications, and statements submitted with the application for a Special Use Permit shall become, along with any changes ordered by the Planning Commission, a part of the conditions of any Special Use Permit issued.
- G. An application for a Special Use Permit which has been denied wholly or in part by the Planning Commission shall not be resubmitted until one (1) year or more has expired from the date of such denial, except on grounds of newly discovered evidence or proof of changed conditions sufficient to justify reconsideration by the Township.

SECTION 16.08: DECISION RECORD

A. WRITTEN RECORD

The Zoning Administrator shall maintain a written record of Special Use Permits issued in accordance with the requirements of this Ordinance. The record shall contain:

1. All written materials produced as a result of the proceedings.
2. All written statements received regarding the proposed special use.
3. A written statement of findings of fact together with the final decision and supporting reasons. The decision must include a statement of facts, the decision, the basis for the decision, and any conditions imposed on the Special Land Use.



MARQUETTE CHARTER TOWNSHIP

1000 Commerce Drive
Marquette, Michigan 49855
Ph | 906.228.6220
Fx | 906.228.7337
www.marquettetownship.org

SECTION 16.09: AMENDMENTS TO PERMITS FOR SPECIAL LAND USES

Following the issuance of a Special Land Use permit pursuant to the provisions of this Ordinance, such permit may be amended, varied, or altered only in accordance with the standards and procedures established by this Article for its original approval.

Review Recommendation

Staff recommends APPROVAL of the proposed Special Land Use but recommends that that the Planning Commission hears all comments from the public on the matter prior to deciding on the land use.



Charter Township of Marquette
 1000 Commerce Drive Marquette, Michigan 49855
 Phone: 906-228-6220 • Fax: 906-228-7337



Application for Special Use Permit

**NOTE: This Application must be completed and submitted to the Marquette Township Offices.
 *Be sure to complete ALL sections of this form. Please Print or type.
 The application is not considered complete until all items have been submitted and the application fee paid.

The following information/ materials are required by the Zoning Ordinance (Sec.16.03) as part of this application.
 Your application requires approval by the Planning Commission. As required by Ordinance, Special Use Permit applications normally involve a minimum of two Planning Commission meetings. The first meeting is to review the completed application and schedule the required public hearing; the second meeting consists of the public hearing, after which the Planning Commission will deliberate on the proposed special use approving it, approving it with conditions or disapproving it.

Application Type

New Application Renewal

Applicant Information

Name: TED GRZELAK		Address: 180 HIDDEN SPRINGS DR. MARQUETTE	
Business Name:			
Phone: 906-869-4052	Fax:	Name of Contact Person: TED GRZELAK	Contact Phone: 906-869-4052
If Applicant is not the Owner, state the Applicant's relationship to the Owner (i.e. purchaser, land contract vendee, owner's designated agent, etc.):			
E-Mail Address: TMG60@HOTMAIL.COM			

Property Owner (if different from applicant)

Name:		Address:	
Phone:	Fax:	Name of Contact Person:	Contact Phone:
E-Mail Address:			

Property Information

Address: 1818 GRANITE MARQUETTE, MI 49855		Parcel I.D. Number(s): 52-08-300-018-00
Zoning District: TWP	Legal Description(s) (attach pages as necessary): LOTS 31, 32, 33 OF TROW BRIDGE PARK	
Size (acreage or square footage): 135' X 186' (.6 Acre)	Name of any existing businesses on property: OLD MEISTERS PROPERTY	
Proposed Use of Property: Short Term Rental		
Present Use of Property: New build		

Permission

If Applicant is not the Property Owner, does the Applicant have the Owner's permission? Yes No

Please include with this permit the following items:

- A letter or signed narrative describing in detail the proposed special use and detailing why the location selected is appropriate.
 Attached
- Applicant's statement of the expected effect of the special use (where applicable) on emergency services, schools, sanitary sewer facilities, and local traffic volumes.
 Attached
- Property Boundary Survey / Map and Legal Description with the seal of the registered surveyor who prepared them.
 Attached
- Existing uses and structures on the land – attach any available site map or drawing locating uses and structures on the land
 Attached
- Existing zoning of the subject property or parcel along with the zoning district of all adjacent properties (may be superimposed on the survey or site map).
 Attached
- Site Plan or Plot Plan for Proposed Development (see Article XVII, Site Plan Review, Section 17.03 & 17.06).
 Attached
- Preliminary Building Plans / Outline Specifications.
 Attached
- Supporting Documents from Relevant Public Agencies.
 Attached

Applicant:

I certify that the information I have provided is true to the best of my knowledge.

Signature of Applicant: Ted Grzelak Date: 9/29/21

Applicant's Name (print): TED GRZELAK

Property Owner:

I certify that the information I have provided is true to the best of my knowledge.

Signature of Property Owner: Ted Grzelak Date: 9/29/21

Property Owner's Name (print): TED GRZELAK

Optional: I hereby grant permission for the members of the Marquette Township Commission, Zoning Administrator, Planner and the Fire Marshall to enter the above described property for the purposes of gathering information related to this application. *Note to applicant: This permission is optional and failure to grant permission will not affect any decision on your application.*

Signature of Applicant: _____ Date: _____

OFFICIAL USE ONLY	
Official Receiving Application (please print): <u>JASON McCLARTY</u>	Date: <u>9/29/21</u>
Fee Paid: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Amount Paid: <u>\$ 255.00</u>	
Application: <input type="checkbox"/> Approved <input type="checkbox"/> Not Approved	
Reason: <input type="checkbox"/> Incomplete Application <input type="checkbox"/> Other	Date: _____
Condition(s) of Approval: _____	
Signature of Zoning Administrator: _____	Date: _____

OUR PLAN FOR 1818 GRANITE AVE. IS TO USE IT AS A SHORT-TERM RENTAL FOR THE NEXT COUPLE OF YEARS. THEN POSSIBLY RE-LOCATE THERE. THIS LOCATION IS IDEAL AS A SHORT-TERM RENTAL DUE TO ITS PRIVACY. - VERY FEW NEARBY HOMES AND THE HOUSE IS SECLUDED/HIDDEN FROM GRANITE AVE DUE TO THE LARGE OUBUILDING (FORMER GREENHOUSE).

I SEE LITTLE EFFECT ON THE USE OF THIS PERMIT WITHIN THE SURROUNDING AREA. I HAVE CONSTRUCTED AN EXTRA LARGE DRIVEWAY TO PROHIBIT ANY PARKING LIMITATIONS. THE PARCEL IS LARGE AND PRIVATE. THE MOST POPULAR FEATURE OF THE HOME / PROPERTY IS THE BACK-SIDE OF THE HOME - WHERE MOST PEOPLE (RENTERS) WOULD SPEND THEIR TIME. THIS AREA OF THE HOME IS ENTIRELY PRIVATE WITH NO NEIGHBORS IN SIGHT.

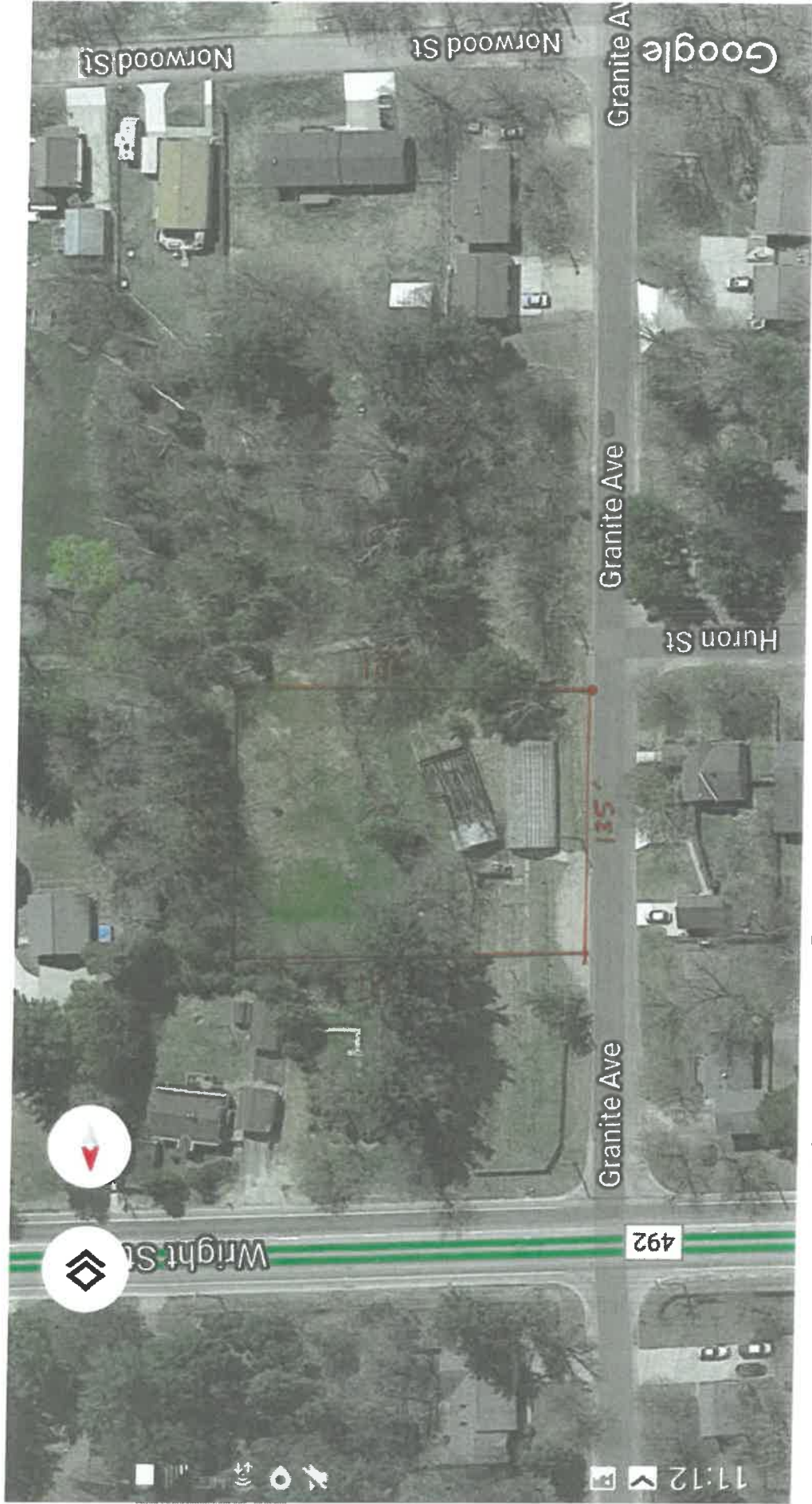
SOUTH PARCEL - ADDITION PLANS, 185 X 135 PARCEL

135



N.I.

1010 Granite St,
135' X 186' Lot



NOTE THE PRIVACY ELEMENT OF THIS PROPERTY

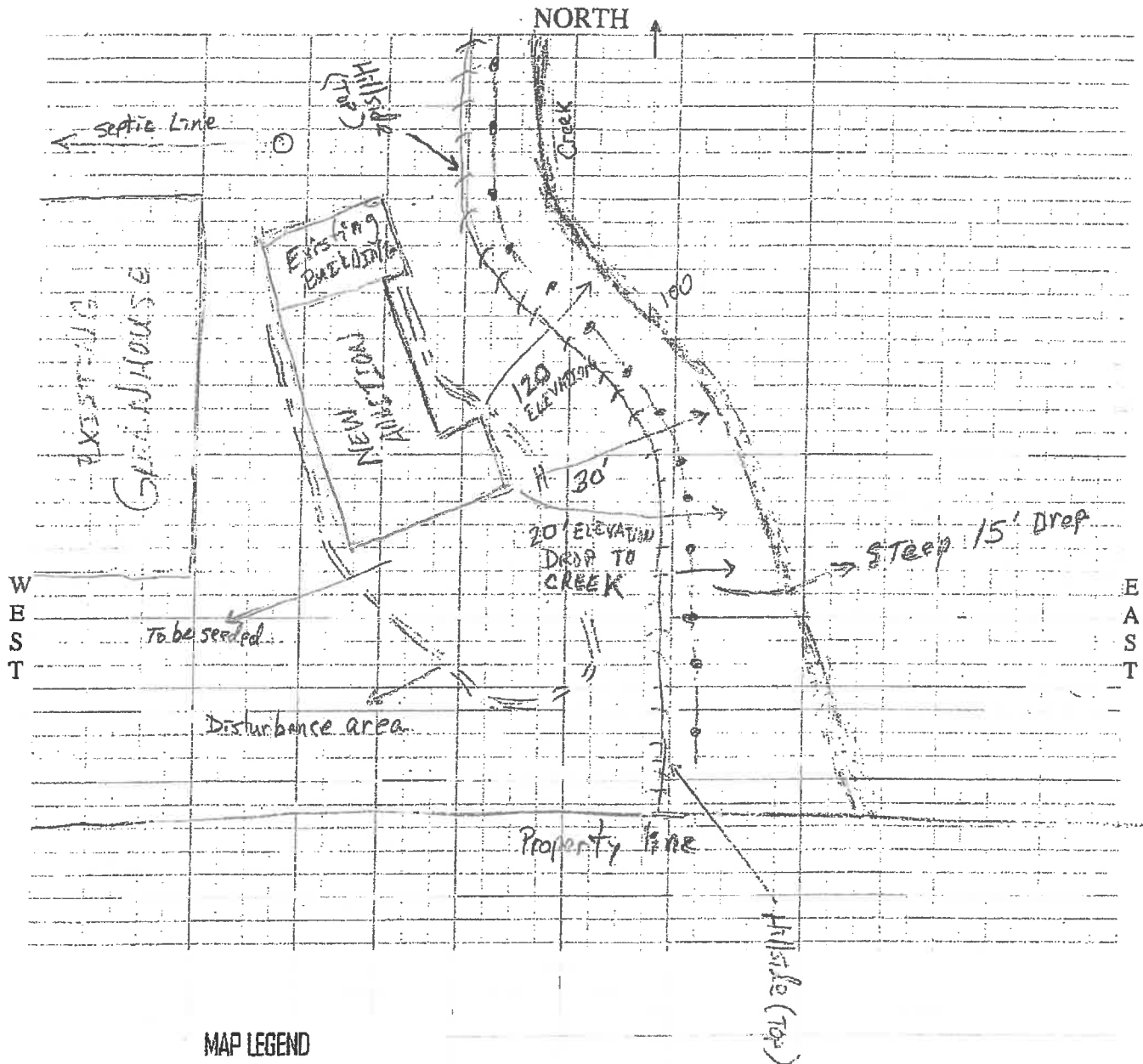
PARCEL 52-08-300-018-00

~~1880~~ GRANITE ST.

1818

THIS PAGE MUST BE FULLY COMPLETED AND RETURNED

GRANITE ST.



MAP LEGEND

- Existing Contour
- Proposed Contour
- Disturbance Boundary
- Berm
- Silt Fence
- Steel pile

SOUTH

SCALE: 1 inch = 20 feet

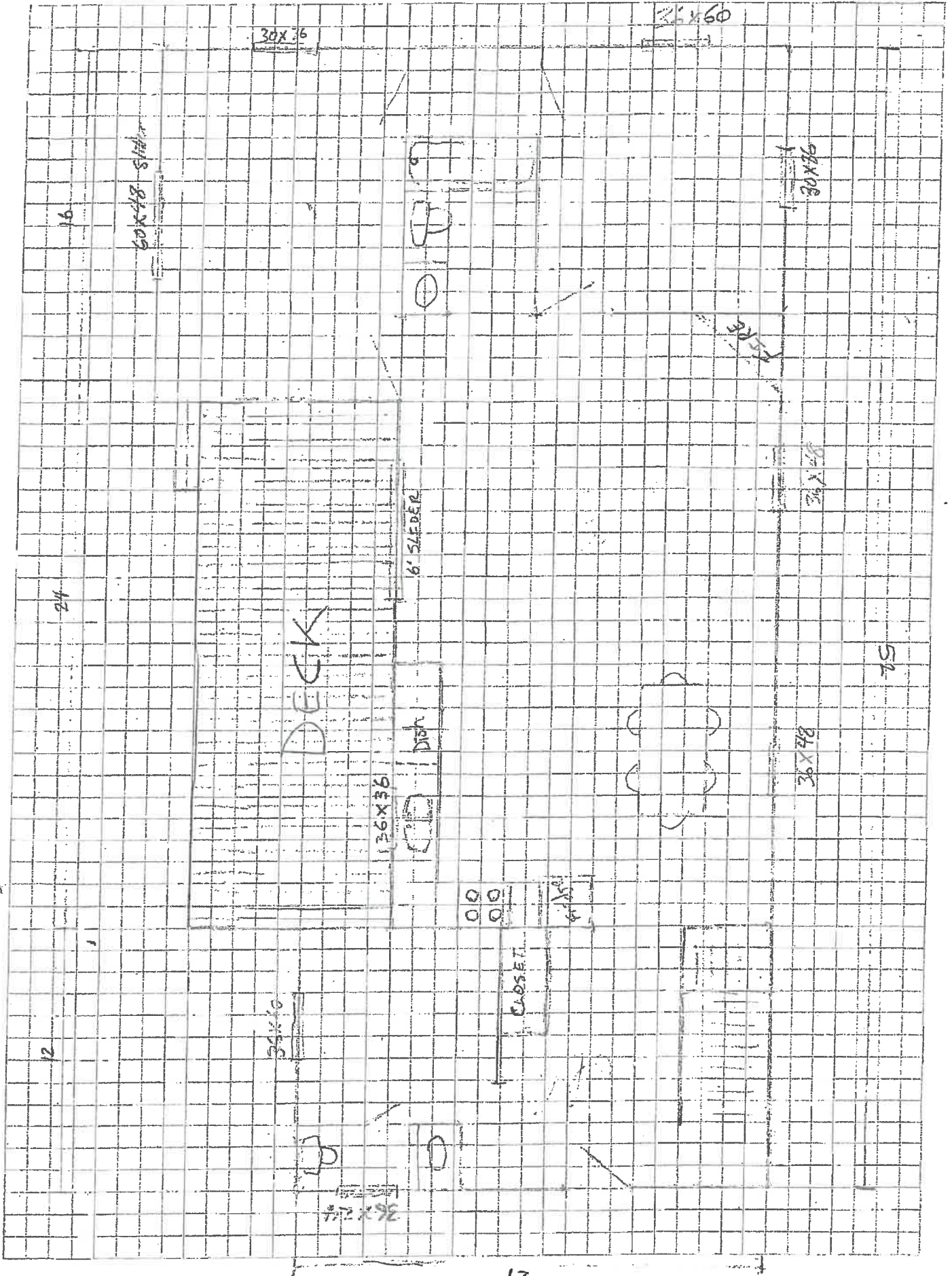
(no more than 100 feet for Residential & Commercial)

(no more than 200 feet if Sand & Gravel Pit)

Ridge of Hill

2

)





MARQUETTE COUNTY

Marquette County GIS
Parcel Report: 52-08-300-018-00

10/8/2021
9:50:28 AM



Property Address

1993 WRIGHT ST
MARQUETTE, MI, 49855



Owner Address

MEISTER ERIC & JANICE
--
370 CO RD 480
MARQUETTE, MI 49855

Unit: 52-08
Unit Name: MARQUETTE TOWNSHIP

General Information for 2021 Tax Year

Parcel Number:	52-08-300-018-00	Assessed Value:	\$43,900
Property Class:	201	Taxable Value:	\$25,625
Class Name:	COMMERCIAL	State Equalized Value:	\$43,900
School Dist Code:	52170		

School Dist Name: MARQUETTE PUBLIC

PRE 2020: 0%

PRE 2021: 0%

Prev Year Info

Prev Year Info	MBOR Assessed	Final SEV	Final Taxable
2020	\$37,200	\$37,200	\$25,272
2019	\$37,000	\$37,000	\$24,801

Land Information

Acreage: 0.558

Zoning: UR

Legal Description

TROWBRIDGE PARK LOTS 31, 32 & 33.

Sales Information

Sale Date: 05-30-1979

Sale Price: 40000

Instrument: WD

Grantor:

Grantee:

Terms of Sale: ARM'S LENGTH

Liber/Page: 0396:0092

Building Information

Residential Buildings

No Records Found

Agricultural Buildings

78 x 22

Year Built: 1952

Area (sq ft): 1716

Heating Type: No Heating/Cooling

Dimensions: 78 x 22

300' Buffer Map

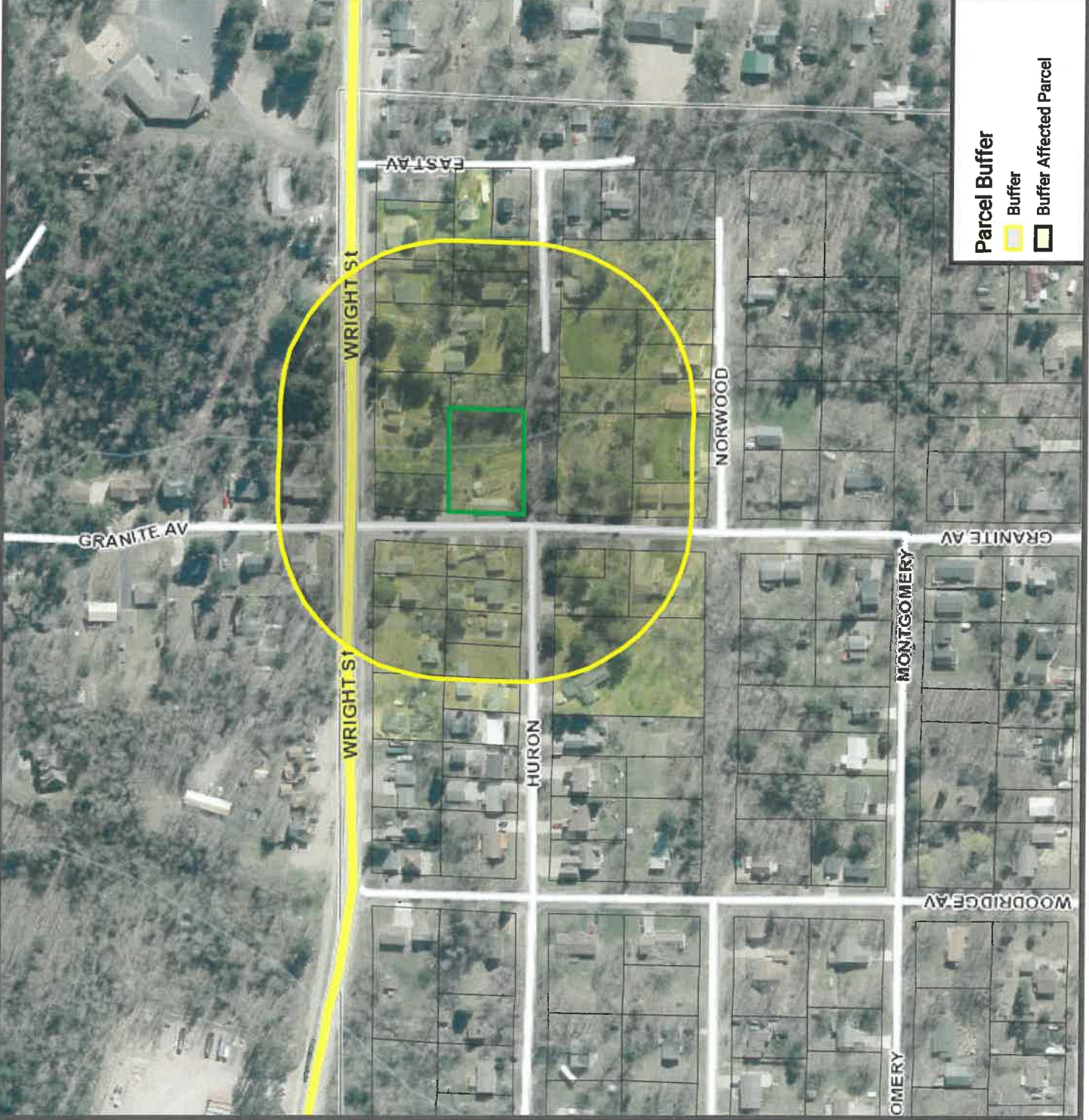
Grzelak STR Application



Map Publication:
11/05/2021 8:34 AM



Disclaimer: This map does not represent a survey or legal document and is provided on an "as is" basis. Marquette County expresses no warranty for the information displayed on this map document.



Parcel Buffer

-  Buffer
-  Buffer Affected Parcel



MYERS THOMAS & STEFANIE
1932 SUMMIT ST
MARQUETTE, MI 49855

BUTCHER ADAM
1915 WRIGHT ST
MARQUETTE, MI 49855

PASCOE CRAIG & SUSAN
1961 WRIGHT ST
MARQUETTE, MI 49855

CROWEL KIMBERLY & SIGRID
1963 WRIGHT ST
MARQUETTE, MI 49855

AFFORDABLE NEON ENTERPRISES INC
PO BOX 427
MARQUETTE, MI 49855

NORRIS JULEE
1895 GRANITE AVE
MARQUETTE, MI 49855

ZHANG TIAN & YING YING CHEN
2013 WRIGHT STREET
MARQUETTE, MI 49855

LINDSTROM MICHAEL R
2023 WRIGHT STREET
MARQUETTE, MI 49855

LINDSTROM MICHAEL
1910 W FAIR
MARQUETTE, MI 49855

BEERMAN PEGGY
2042 HURON ST
MARQUETTE, MI 49855

VITALE CARLA & MARY ASENCIO ET AL
2022 HURON ST
MARQUETTE, MI 49855

KOEPP NORA JEAN & MARY ASENCIO
2022 HURON ST
MARQUETTE, MI 49855

NOREIKA PAUL & CHRISTINE
2012 HURON
MARQUETTE, MI 49855

CZAPIGA PAULA
1825 GRANITE AVE
MARQUETTE, MI 49855

GRZELAK TED & MICHELLE
180 HIDDEN SPRINGS DR
MARQUETTE, MI 49855

PASCOE CRAIG & SUSAN
1961 WRIGHT ST
MARQUETTE, MI 49855

TRUSCOTT DIANNA
1932 HURON ST
MARQUETTE, MI 49855

HENTHORNE JERRY & MARY
1835 EAST AVE
MARQUETTE, MI 49855

JARVIS JASON C
1933 HURON ST
MARQUETTE, MI 49855

KARP TAMMY
1952 NORWOOD
MARQUETTE, MI 49855

THIBAUT DOUGLAS
1986 NORWOOD ST
MARQUETTE, MI 49855

THIBAUT DOUGLAS
1986 NORWOOD ST
MARQUETTE, MI 49855

DUMMER THOMAS & WYATT TRACEY
6208 SW 32ND AVE
PORTLAND, OR 97201

MARQUETTE CHARTER TOWNSHIP
161 CO RD 492
MARQUETTE, MI 49855

MCFARREN HEATHER & NATHAN
2013 HURON
MARQUETTE, MI 49855

BURDICK ROGER & ROBERTA
1715 GRANITE
MARQUETTE, MI 49855

GUSTAFSON STEVEN & BECKY
1720 GRANITE AVE
MARQUETTE, MI 49855

THIBAULT DOUGLAS
1986 NORWOOD ST
MARQUETTE, MI 49855

DAUPHINAIS GERALD & CYNTHIA &
1962 NORWOOD
MARQUETTE, MI 49855

KARP TAMMY
1952 NORWOOD ST
MARQUETTE, MI 49855

KARP TAMMY
1952 NORWOOD ST
MARQUETTE, MI 49855



MARQUETTE CHARTER TOWNSHIP

1000 Commerce Drive
Marquette, Michigan 49855
Ph | 906.228.6220
Fax | 906.228.7337
www.marquettetownship.org

6b.

STAFF REPORT

Planning Commission – December 8, 2021

Agenda Item #6b: **Special Use Permit Public Hearing
#111021-2 Proposed Extraction of Earth
Products development, pursuant to the
Marquette Township Zoning Ordinance
Article 16 – Detailed Use Regulations,
Section 16.02 Extraction of Earth Products
(I). Applicant: Marquette County Solid
Waste Management Authority (MCSWMA),
600 Co Rd NP, Marquette, MI 49855**

Applicant: Marquette County Solid Waste Management Authority
(MCSWMA) Attorney, Bill Nordeen & MCSWMA Manager,
Bradley Austin

Site Location: Sections 31 & 32, Township 48 North, Range 25 West; of
the Charter Township of Marquette, Marquette County

Parcel IDs: 52-08-031-003-20 & 52-08-031-008-20

Property Owner: Marquette County Solid Waste Management Authority
(MCSWMA)

Zoning District: Forest Recreation (FR)

Proposal: Development of an approximate 100-acre sand extraction
area.

Staff Contact(s): Jason McCarthy

Background

Staff has received a completed application for a proposed mineral extraction (sand) land use from the Marquette County Solid Waste Management Authority (MCSWMA). Attached is the application and narrative. We believe the application warrants the required public hearing to be set, per Section 16.02 of the Marquette Township Zoning Ordinance.

The Planning Commission set a public hearing for this meeting at their regular meeting on Wednesday, October 13, 2021.

Standards for Review

The Planning Commission shall base its review and evaluation of the proposed project in accordance with the Marquette Township Zoning Ordinance Article XV – Detailed Use Regulations; Section 16.02 – Specific Standards for Certain Permitted Uses; I. Extraction of Earth Products.

Site Plan Review

(1) A legal description of the lot; the name, address, and telephone number of the owner, developer and licensed professional(s) who prepared the plan.

Provided

(2) Date, North Point, scale and the seal of the licensed engineer, surveyor, landscape architect, or planner who prepared the plan.

Provided

(3) The actual dimensions of the proposed developed area (as shown by a surveyor or engineer, with the survey stakes visible) showing the relationship of the subject property to abutting properties.

Provided

(4) The location of all existing and proposed structures on the subject property and all existing structures on land immediately adjacent to the site within 100 feet of the site's parcel lines.

Provided

(5) The location of all existing and proposed drives and parking areas.

Provided

Staff Comment: Provided on the Site Plan (Driveway shown, no parking will be necessary) Morgan Meadows Road will not be utilized and shall be documented as such. Ingress and egress from the sand pit will only occur on MCSWMA-owned property.

(6) The location and right-of-way widths of all abutting streets and easements including required bufferyards as set forth in *Section 18.04 and 18.05 of this Ordinance* which shall, further, include identifiable features to protect individuals from injury, as warranted.

Provided

Staff Comment: Bufferyards proposed to vary between the minimum 60' wide, 80' wide, and 250' wide adjacent to the nearest residential land use.

(7) The location and plans for all proposed plantings and fencing.

Staff Comment: Vegetative Buffer planned for this development.

(8) The height and floor area of all proposed building structures.

Provided

Staff Comment: No additional structures are proposed.

(9) The size and location of all existing and proposed public and private utilities.

Staff Comment: No public or private utilities are proposed for the sand pit site.

(10) Proposed location, area extent, and estimated depth of excavation.

Provided

Staff Comment: Excavation proposed to be conducted on an "as needed" basis, to varying depths depending on soil types, in four (4) areas.

(11) Proposed location of waste dumps, tailing ponds, sediment basins, stockpiles, and other permanent or temporary facilities used in mining.

Provided

(12) The general groundwater conditions and the possible impact of mining operations upon adjacent groundwater levels and quality. The operator must identify plans to alleviate possible problems in the groundwater supply to adjacent land owners.

Provided

Staff Comment: All materials to be excavated will be above groundwater table which is substantially lower than the lowest extraction elevation, as proposed. No impact to groundwater or groundwater supply is anticipated. EGLE permitting requirements are also more restrictive than local zoning laws.

(13) Any other information necessary to establish compliance with this Ordinance.

Staff Comment: None requested at this time other than providing above needed information.

Operation Plan Review – Attached

Reclamation Plan – Attached

General Review Standards

The Planning Commission shall review the particular facts and circumstances of each application for a mineral extraction permit in terms of the following standards and shall find adequate evidence showing that the proposed use:

- a. Will be harmonious with and in accordance with the general policies or with any specific objectives of the Comprehensive Development Plan;
- b. Will provide adequate site drainage so that waters will not adversely affect neighboring properties;
- c. Will not be hazardous or cause serious consequences to existing neighboring uses, including, but not limited to, its affect from noise, traffic, smoke, fumes, glare, or odors;

- d. Will be served adequately by essential public facilities and services;
- e. Will not create excessive additional requirements at public costs for public facilities and services and will not be detrimental to the economic welfare of the community, and;
- f. Will protect the public health, safety, and welfare of the community.

Review Recommendation

Staff recommends that the Planning Commission review the materials submitted. Also, as this is a Public Hearing, any written or verbal comments that are submitted should be taken into consideration.

If considered for approval by the Planning Commission, staff recommends the following conditions:

- 1) A stipulation that Morgan Meadows Road will not be used for any part of the sand extraction operation.
- 2) That the hours of operation/hauling be amended to 8AM - 5PM, Monday through Friday, which is consistent with other approvals for similar permit types.

O'DEA, NORDEEN AND PICKENS P.C.

ATTORNEYS AT LAW

Dea
-law.com
Nordeen
@mqt-law.com
amy S. Pickens
pickens@mqt-law.com
Erin C. Blanck
eblanck@mqt-law.com

122 W. Spring Street
Marquette, MI 49855
Phone: 906.225.1770
Fax: 906.225.1764
225 E. Aurora Street
Ironwood, MI 49938
Phone: 906.932.1221

**COPY FOR YOUR
INFORMATION**

Also admitted in Wisconsin

September 15, 2021

Charter Township of Marquette
Attn: Jason McCarthy, Zoning Administrator
1000 Commerce Drive
Marquette, MI 49855

Re: Application for Special Use Permit of Marquette County Solid Waste Management Authority

Dear Mr. McCarthy:

As you know, we represent the legal affairs of the Marquette County Solid Waste Management Authority. Enclosed find an Application for Special Use Permit and supporting documentation. A copy of a check previously provided to Marquette Township in the amount of \$510.00 is included. If you require an additional permit fee, please advise of same. Please schedule this application for the next available Planning Commission meeting.

1. Narrative Describing the Proposed Special Use.

The Marquette County Solid Waste Management Authority ("MCSWMA") operates the County Landfill in Sections 5 and 6 of T47N-R25W in Sands Township, which is situated on the northern boundary of Sands Township. In 2012, the MCSWMA purchased 100 acres from the City of Marquette, which is adjacent to the Landfill operations and on the southern edge of Marquette Township in Sections 31 and 32, T48N-R25W, Tax Id Nos: 52-08-031-003-20 and 032-008-20.

These parcels are vacant and undeveloped (as is the property surrounding these parcels). The MCSWMA purchased these parcels to remove sand located thereon for use at the County Landfill for the Health, Safety, and Welfare of the citizens of Marquette County. The location of these parcels allows the MCSWMA to transport the sand without having to cross any public roadways.

2. Effect of Special Use. The proposed special use will have no affect on emergency services, schools, sanitary sewer facilities, and local traffic volumes.

3. Property Survey. Enclosed find two copies of a property survey, which is stamped and sealed by surveyor Robert F. Cambensy. The survey includes the following:

- a) a legal description of the property; a statement of Project Description;
- b) a statement of General Operation Plan;
- c) a statement of statement of Zoning, Land Use, and Buffer Yards;
- d) a statement of Major Drainage Paths Thru Site;
- e) a statement concerning Groundwater;
- f) a statement concerning Soils; and
- g) a statement concerning General Operation, Soil Erosion Considerations, and Reclamation of Site.

4. Existing Uses and Structures on Land. The property is vacant and undeveloped. There are no structures on the property.

5. Zoning on Parcel and Adjacent Parcels. Zoning information is included on the Survey in a narrative statement.

6. Site Plan. Enclosed is a Site Plan which is in accordance with sections 17.03 and 17.06 of the Zoning Ordinance.

7. Preliminary Building Plans / Outline Specifications. The plans for removal of the sand type material from the site are included on the enclosed Survey. There is no building or construction planned.

8. Supporting Documents from Relevant Public Agencies. Our surveyor does not believe the removal of sand requires permits from any government agency, other than a Soil Erosion Permit from Marquette County. We will obtain a Soil Erosion Permit when appropriate. There are no issues on the site that will stop a Soil Erosion Permit from being issued.

9. Additional Attachments. In addition to the enclosed Survey of surveyor Robert F. Cambensy, find the following enclosed:

- a) Site Plan
- b) Operation Plan
- c) Reclamation Plan

If you have any questions or if you wish to discuss this more fully, please do not hesitate to contact us.

Very truly yours,

A handwritten signature in blue ink, appearing to read "W. T. Nordeen", with a long horizontal flourish extending to the right.

William T. Nordeen

WTN/wtn
encl(s)

cc: MCSWMA Director (Brad Austin)
MCSWMA Chairperson (Randall Yelle)



Charter Township of Marquette

1000 Commerce Drive Marquette, Michigan 49855

Phone: 906-228-6220 • Fax: 906-228-7337



Application for Special Use Permit

*NOTE: This Application must be completed and submitted to the Marquette Township Offices.

*Be sure to complete ALL sections of this form. Please Print or type.

*The application is not considered complete until all items have been submitted and the application fee paid.

The following information/ materials are required by the Zoning Ordinance (Sec.16.03) as part of this application.

Your application requires approval by the Planning Commission. As required by Ordinance, Special Use Permit applications normally involve a minimum of two Planning Commission meetings. The first meeting is to review the completed application and schedule the required public hearing; the second meeting consists of the public hearing, after which the Planning Commission will deliberate on the proposed special use approving it, approving it with conditions or disapproving it.

Application Type

New Application Renewal

COPY FOR YOUR INFORMATION

Applicant Information

Name: Marquette County Solid Waste Management Authority		Address: 600 Co Rd NP, Marquette, MI 49855	
Business Name: Marquette County Solid Waste Management Authority			
Phone: 225-1770	Fax:	Name of Contact Person: Attorney Bill Nordeen	Contact Phone: 225-1770
If Applicant is not the Owner, state the Applicant's relationship to the Owner (i.e. purchaser, land contract vendee, owner's designated agent, etc.): Attorney for Owner			
E-Mail Address: bnordeen@mqt-law.com			

Property Owner (if different from applicant)

Name: Marquette County Solid Waste Management Authority		Address: 600 Co Rd NP, Marquette, MI 49855	
Phone: 249-4125	Fax:	Name of Contact Person: Bradley Austin	Contact Phone: 249-4125
E-Mail Address: landfillwarrior@gmail.com			

Property Information

Address: 600 Co Rd NP, Marquette, MI 49855		Parcel I.D. Number(s): 52-08-031 - 003 - 20 032 - 008 - 20
Zoning District: Forest Recreation	Legal Description(s) (attach pages as necessary): S 1/2 of SE 1/4 of SE 1/4 Sec 31 and S1/2 of SW 1/4 of Sec 32, T48N-R45W.	
Size (acreage or square footage): 100 acres	Name of any existing businesses on property: Marquette County Solid Waste Management Authority	
Proposed Use of Property: REmove sand type material for use at the adjacent County Landfill		
Present Use of Property: Vacant - undeveloped		

Permission

If Applicant is not the Property Owner, does the Applicant have the Owner's permission? Yes No

Please include with this permit the following items:

- A letter or signed narrative describing in detail the proposed special use and detailing why the location selected is appropriate.
 Attached
- Applicant's statement of the expected effect of the special use (where applicable) on emergency services, schools, sanitary sewer facilities, and local traffic volumes.
 Attached
- Property Boundary Survey / Map and Legal Description with the seal of the registered surveyor who prepared them.
 Attached
- Existing uses and structures on the land – attach any available site map or drawing locating uses and structures on the land
 Attached
- Existing zoning of the subject property or parcel along with the zoning district of all adjacent properties (may be superimposed on the survey or site map).
 Attached
- Site Plan or Plot Plan for Proposed Development (see Article XVII, Site Plan Review, Section 17.03 & 17.06).
 Attached
- Preliminary Building Plans / Outline Specifications.
 Attached
- Supporting Documents from Relevant Public Agencies.
 Attached

Applicant:

I certify that the information I have provided is true to the best of my knowledge.

Signature of Applicant: *William T. Nordeen* Date: 9-15-2021

Applicant's Name (print): William T. Nordeen, Attorney for MCSWMA

Property Owner:

I certify that the information I have provided is true to the best of my knowledge.

Signature of Property Owner: *Randall L Yelle* Date: 09/15/2021

Property Owner's Name (print): Randall Yelle, Chairperson, MCSWMA

Optional: I hereby grant permission for the members of the Marquette Township Commission, Zoning Administrator, Planner and the Fire Marshall to enter the above described property for the purposes of gathering information related to this application. *Note to applicant: This permission is optional and failure to grant permission will not affect any decision on your application.*

Signature of Applicant: _____ Date: _____

OFFICIAL USE ONLY	
Official Receiving Application (please print): <u><i>Therese McCreath</i></u>	Date: <u>9/16/2021</u>
Fee Paid: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Amount Paid: <u>\$ 510.00</u>	
Application: <input type="checkbox"/> Approved <input type="checkbox"/> Not Approved	
Reason: <input type="checkbox"/> Incomplete Application <input type="checkbox"/> Other	Date: _____
Condition(s) of Approval: _____	
Signature of Zoning Administrator: _____	Date: _____

CASH ONLY IN ALL COUNTRIES - SECURITY FEATURES LISTED ON EACH INDICATE SYSTEMS BANKS OR CENTRAL BANK

**MARQUETTE COUNTY SOLID WASTE
MANAGEMENT AUTHORITY
900 COUNTY ROAD NW
MARQUETTE, MI 49855**

HONOR CL: 3085
74-648812726

2/21/2018

PAY TO THE ORDER OF **MARQUETTE TOWNSHIP** \$**510.00

Five Hundred Ten and 00/100

MARQUETTE TOWNSHIP
1000 COMMERCE DRIVE
MARQUETTE, MI 49855

MINERAL EXTRACTION PERMIT

Bradley G. ...
Randall ...

DISP

- [View Image \\$6,727.20](#)
 - [View Image \\$2.10](#)
 - [View Image \\$1,492.08](#)
 - [View Image \\$510.00](#)
 - [View Image \\$510.00](#)
 - [View Image \\$490.41](#)
 - [View Image \\$398.14](#)
 - [View Image \\$313.36](#)
 - [View Image \\$275.00](#)
- << < 1 > >>

**COPY FOR YOUR
INFORMATION**

OPERATION PLAN

Marquette County Solid Waste Management Authority

The Marquette County Solid Waste Management Authority (MCSWMA) is a municipal authority located at 600 County Road NP, Marquette, Michigan, 49855. The purpose of this Site Plan is to remove sand type material from a vacant parcel adjacent to and North of the MCSWMA landfill facility.

1. The MCSWMA operates the Marquette County Landfill. The MCSWMA acquired the subject 100 acre vacant and undeveloped parcel north of the Landfill to obtain sand type material for use at the Landfill for final cover and other uses. Surface top soils will be removed with a bull dozer and piled. The sand type material will be removed and trucked to the Landfill as needed. A 60 foot natural buffer will be maintained on three sides of the parcel at all times. A 150 foot electric easement is on the fourth side (West) and will be maintained and unchanged. Existing drainage paths will be maintained (see Site Plan Drawings for additional information on drainage). Existing dirt roads will be used for trucking the sand type material to the Landfill and these roads will be upgraded and graveled as needed. There are no adverse affected anticipated from the removal of this sand type material.

The transfer of soil type material from the subject parcel to the Landfill will likely occur periodically over the next 30 years, as needed.

All transfer of sand type material from the site to the Landfill will occur during the hours of 7:00 am and 7:00 pm only, Monday to Friday (except holidays). Normal excavating equipment and common trucks will be used in hauling the sand type material. There will be no unusual noise, vibrations, or pollution from the proposed activity.

2. The proposed operation has a direct impact on the health, safety, and welfare of Marquette County, because the sand type material is needed by the County Landfill, which is the repository for all solid waste generated in Marquette County. It is uncertain whether the trucking of the sand type material will be done by employees of the MCSWMA or contracted to local excavating companies. If it is contracted to local excavating companies, it will create several jobs in the local economy. There are no changes needed to the present road system for the proposed activity.

3. A 60 foot natural buffer will be maintained on three sides of the parcel at all times. A 150 foot electric easement is on the fourth side (West) and will be maintained and unchanged.

4. This is a closed site with no access to the public. As sand type material is removed from the site, slopes will be maintained to minimize natural collapse of sand material. As areas are finalized, the sides of the area will be a minimum 1 on 3 slope.

5. There are no utilities needed on the site. Hauling of sand type material to the Landfill will occur along existing dirt roads, which will be upgraded and graveled as needed. This is a closed site and no traffic plans are needed.

*Note: Additional Operation Plan information is provided on the Site Plan Drawings

SITE PLAN

Marquette County Solid Waste Management Authority

The Marquette County Solid Waste Management Authority (MCSWMA) is a municipal authority located at 600 County Road NP, Marquette, Michigan, 49855. The purpose of this Site Plan is to remove sand type material from a vacant parcel adjacent to and North of the MCSWMA landfill facility.

1. A fully completed application form is enclosed.
2. Two (2) full-scale copies (36" x 24") of the site plan drawings, completed by a certified surveyor, are enclosed.
3. There are no structures.
4. There are no structures.

Site Plan Drawings:

1. The name of the proposed project is "fill material removal from adjacent parcel." The date, north arrow, scale; as well as the name, address, and telephone numbers of all interest holders is included on the Site Plan Drawings.
2. The legal description of the subject parcel is the S ½ of the SE 1/4 of the SE 1/4 of Section 31 and the S ½ of the SW 1/4 of Section 32, in Township 48 North, Range 45 West. The gross area affected in the soil removal is shown on the Site Plan Drawings. There are no deed restrictions or covenants. There is no future site development.
3. The location and area calculations of the proposed project activity, including ground coverage, floor area, and landscape open space, are included on the Site Plan Drawings.
4. There are no structures on the subject parcel, nor within 100 feet of the parcel lines. The parcel is zoned Forest Recreation. The zoning classifications of the adjacent parcels are shown on the Site Plan Drawings
5. The location of all existing and proposed drives are on the Site Plan Drawings.
6. There is no existing or proposed pavement.
7. There is no proposed open vehicular travel, other than trucking along existing dirt roads to move the sand type material to the Landfill. The existing dirt roads will be upgraded with gravel, as needed, to facilitate the trucking of sand type material to the Landfill. There are no parking areas.

8. Loading areas will be throughout the 100 acre parcel as sand type material is removed, except for the 60 foot natural buffer yard along the perimeter. There are no truck docks, service drives, or truck wells.
9. The existing dirt roads, which will be upgraded with gravel as needed to facilitate the travel of dump trucks hauling sand type material to the Landfill, will be the access for emergency vehicles. The location of these roads will be provided to the Sands Township Fire Department and EMS; as well as the Marquette County 131 unit.
10. There are no existing or proposed public or private rights-of-way within 100 feet of the sites' parcel lines, including roads, railroads, easements, clear view angles, and utility licenses; Except the 150 foot wide electric easement on the far West side of the parcel which is owned by American Transmission Company (ATC) and shown on the Site Plan Drawings.
11. There are no existing or proposed signs. This is a closed site, with the only access for excavation equipment and trucks of MCSWMA for the moving of sand type material to the Landfill.
12. There is no existing or proposed lighting on this site.
13. There is no need for trash receptacles on this site.
14. There are no existing or proposed public or private utilities; Except the 150 foot wide electric easement on the far West side of the parcel which is owned by American Transmission Company (ATC) and shown on the Site Plan Drawings.
15. Topography of the site with elevations are shown on the extensive Site Plan Drawings.
16. All existing and proposed water course, water bodies, flood plains, surface drainage ways, either natural or man-made, within 200 feet of the site's parcel lines are shown on the extensive Site Plan Drawings.
17. A 60 foot natural buffer yard will be maintained on the perimeter of the site on three sides and the existing 150 foot electric easement on the fourth side (West) will be left unchanged. All surface topsoil type material will be bull dozed and piled prior to removal of the underlying sand type material. After the sand type material is removed from the site, the site will be graded to appropriate grades and the piled topsoil material reapplied.
18. There are no other applicable ordinances or permits required for the proposed activity; Except a soil erosion permit from the Marquette County which will be obtained at the proper time.

*Note: Additional Site Plan information is provided on the Site Plan Drawings

RECLAMATION PLAN

Marquette County Solid Waste Management Authority

The Marquette County Solid Waste Management Authority (MCSWMA) is a municipal authority located at 600 County Road NP, Marquette, Michigan, 49855. The purpose of this Site Plan is to remove sand type material from a vacant parcel adjacent to and North of the MCSWMA landfill facility.

1. Grading, benching, sloping, revegetation, and erosion control can be found on the Site Plan Drawings. Generally: surface top soils will be removed with a bull dozer and piled; the sand type material will be removed and trucked to the Landfill as needed; a 60 foot natural buffer will be maintained on three sides of the parcel at all times; a 150 foot electric easement is on the fourth side (West) and will be maintained and unchanged; existing drainage paths will be maintained (see Site Plan Drawings for additional information on drainage); and existing dirt roads will be used for trucking the sand type material to the Landfill and these roads will be upgraded and graveled as needed. As sand type material is removed from the site, slopes will be maintained to minimize natural collapse of sand material. As areas are finalized, the piled top soils will be applied and the sides of the area will be a minimum 1 on 3 slope.

After the sand type material is moved from this site to the Landfill, this parcel should be adjoined to the adjacent Marquette City recreation area, either as an active area or a buffer area. However, that is an issue to be negotiated by the Marquette City Board and the MCSWMA Board.

2. Surface top soils will be removed with a bull dozer and piled. The sand type material will be removed and trucked to the Landfill as needed. A 60 foot natural buffer will be maintained on three sides of the parcel at all times. A 150 foot electric easement is on the fourth side (West) and will be maintained and unchanged. As areas are completed, the piled top soils will be applied with a final side grade of no more than 1 on 3 slope.

3. Existing drainage flows will be maintained (see Site Plan Drawings for more information). There will be no water impoundments or artificial lakes created. As areas are completed, the piled top soils will be applied with a final side grade of no more than 1 on 3 slope.

4. There will be no surface structures or related facilities. The only roads will be the existing dirt roads, upgraded and graveled as needed. After final completion of the removal of the sand type material, the dirt roads will allowed to go back to nature. This is a closed site and no further access will be provided.

5. This is merely the removal of sand type material at the surface, or just below the surface. Harmful or toxic materials are not expected. However, if harmful or toxic materials are encountered, they will be addressed appropriately.

6. The transfer of the sand type material from the site to the Landfill will occur as needed, but will likely be over the next 30 years. As areas are completed, those areas will be sloped and revegetated using the piled top soil. In any case, the entire site will be sloped and revegetated within one year of the final removal of material.

7. There are no other permits required for this activity; Except a soil erosion permit from Marquette County, which will be obtained as appropriate.

***Note: Additional Reclamation Plan information is provided on the Site Plan Drawings**



300' Buffer Map II

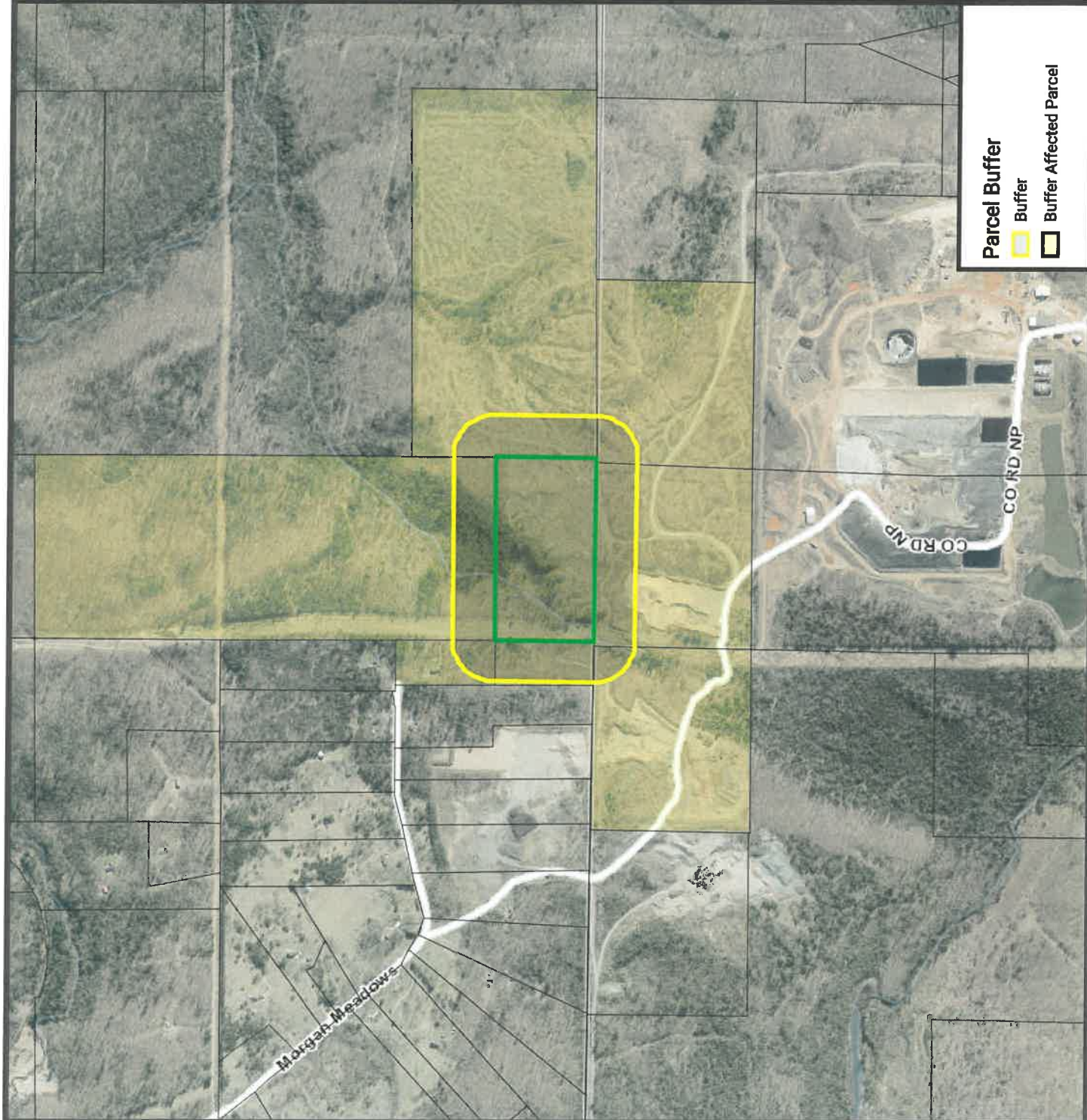
MCSWMA Mineral Extraction Permit Application



Map Publication:
11/05/2021 8:42 AM



Disclaimer: This map does not represent a survey or legal document and is provided on an "as is" basis. Marquette County expresses no warranty for the information displayed on this map document.



Parcel Buffer

- Buffer
- Buffer Affected Parcel



CITY OF MARQUETTE
300 W BARAGA AVENUE
MARQUETTE, MI 49855

MARQUETTE COUNTY SOLID WASTE MANAGE
600 COUNTY ROAD NP
MARQUETTE, MI 49855

CITY OF MARQUETTE
300 W BARAGA AVE
MARQUETTE, MI 49855

MARQUETTE COUNTY SOLID WASTE MANAGE
600 COUNTY ROAD NP
MARQUETTE, MI 49855

A LINDBERG & SONS INC
599 WASHINGTON ST
ISHPEMING, MI 49849

A LINDBERG & SONS INC
599 WASHINGTON ST
ISHPEMING, MI 49849

RIPPLING RIVER RESORT LLC
1520 COMMERCE DR
MARQUETTE, MI 49855

A LINDBERG & SONS INC
599 WASHINGTON ST
ISHPEMING, MI 49849



300' Buffer Map

MCSWMA Mineral Extraction Permit Application



Map Publication:

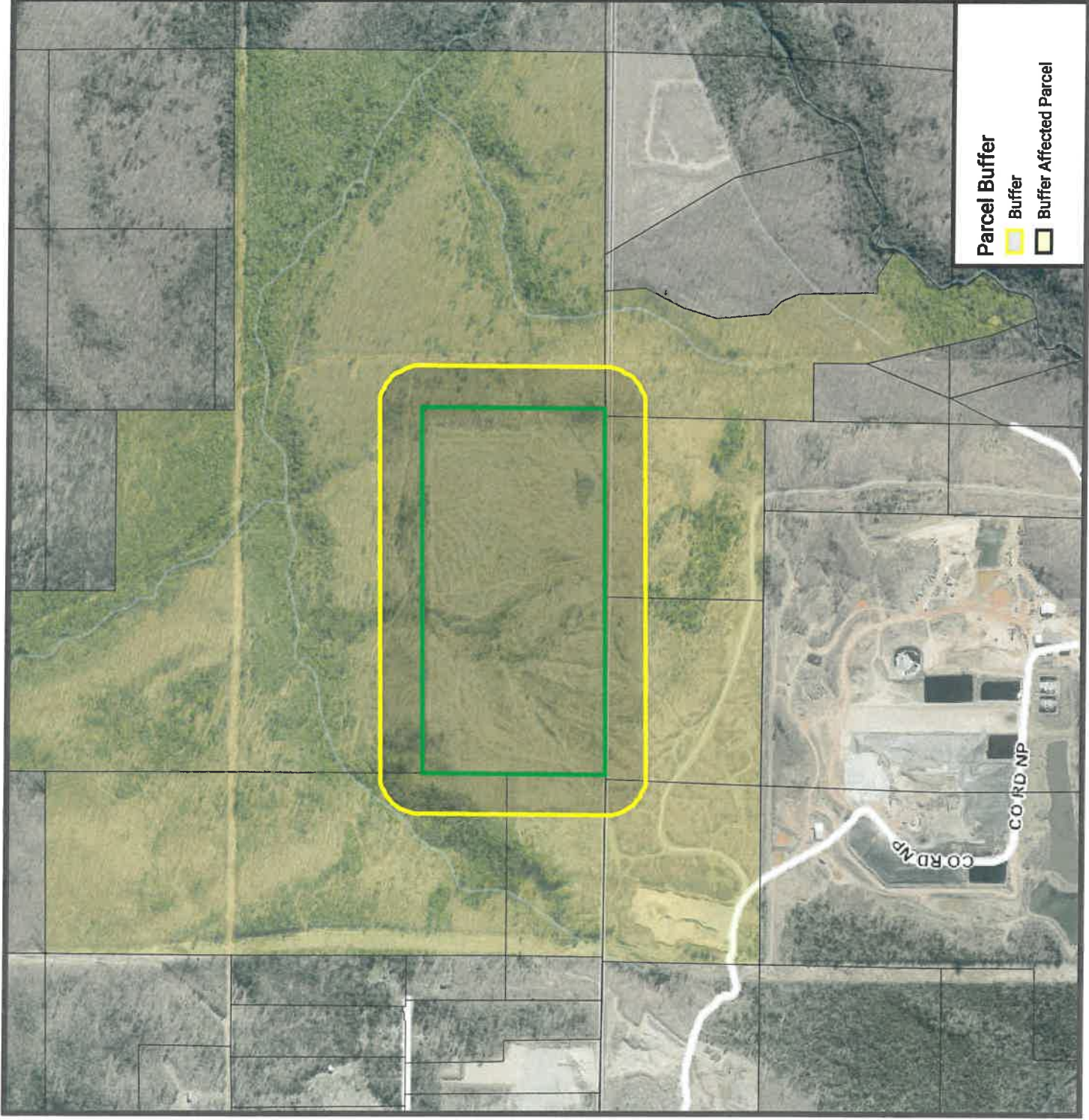
11/05/2021 8:41 AM



Disclaimer: This map does not represent a survey or legal document and is provided on an "as is" basis. Marquette County expresses no warranty for the information displayed on this map document.

Parcel Buffer

- Buffer
- Buffer Affected Parcel





CITY OF MARQUETTE
300 W BARAGA AVENUE
MARQUETTE, MI 49855

MARQUETTE COUNTY SOLID WASTE MANAGE
600 COUNTY ROAD NP
MARQUETTE, MI 49855

LASICH GEOFFREY & ELIZABETH
113 MORGAN MEADOWS RD
MARQUETTE, MI 49855

MQT CO SOLID WASTE MANAGEMENT
600 COUNTY ROAD NP
MARQUETTE, MI 49855

MARQUETTE COUNTY SOLID WASTE MANAGE
600 COUNTY ROAD NP
MARQUETTE, MI 49855

A LINDBERG & SONS INC
599 WASHINGTON ST
ISHPEMING, MI 49849

A LINDBERG & SONS INC
599 WASHINGTON ST
ISHPEMING, MI 49849

MARQUETTE CO WASTE MGT AUT
600 CO RD NP
MARQUETTE, MI 49855



MARQUETTE CHARTER TOWNSHIP

1000 Commerce Drive
Marquette, Michigan 49855
Ph | 906.228.6220
Fx | 906.228.7337
www.marquettetownship.org

60.

STAFF REPORT

PLANNING COMMISSION – December 8, 2021

Agenda Item # 6c: **Special Use Permit Public Hearing
#120821-3 – Proposed Short-Term Rental
Unit on a property located at 170 Eagles
Nest Rd, Marquette MI 49855, within the
Rural Residential (RR) zoning district, per
the Marquette Township Zoning
Ordinance (Article 15, Section 15.05).**

Applicant: Houses of Gort, LLC (Timothy & Regina Gort)

Property Owner: Houses of Gort, LLC (Timothy & Regina Gort)

Parcel ID#: 52-08-212-007-00

Staff Contact: Jason McCarthy/Erik Powers

Background:

Staff has received a Special Use Application in order to construct the special land use of *Short-Term Rental* on a property located in the zoned Urban Residential (UR) district.

Proposed Finding of Fact:

- The subject parcel is located in the zoned Rural Residential (RR) District.
- The subject parcel is located in Section 12, T49N, R26W
- Surrounding zoning districts to the subject parcel are Rural Residential (UR) to the North and South, Lake Superior to the East, and Resource Production to the West.
- Neighbors within 300' feet of the subject property have been notified of the proposal.
- Fee(s) for the special use permit application have been paid by the applicant.
- Additional information regarding the project is attached.

Per the Marquette Township Ordinance:

"Article 2 – Definitions:



MARQUETTE CHARTER TOWNSHIP

1000 Commerce Drive
Marquette, Michigan 49855
Ph | 906.228.6220
Fx | 906.228.7337
www.marquettetownship.org

STAFF REPORT

PLANNING COMMISSION – December 8, 2021

**Agenda Item # 6c: Special Use Permit Public Hearing
#120821-3 – Proposed Short-Term Rental
Unit on a property located at 170 Eagles
Nest Rd, Marquette MI 49855, within the
Rural Residential (RR) zoning district, per
the Marquette Township Zoning
Ordinance (Article 15, Section 15.05).**

Applicant: Houses of Gort, LLC (Timothy & Regina Gort)

Property Owner: Houses of Gort, LLC (Timothy & Regina Gort)

Parcel ID#: 52-08-212-007-00

Staff Contact: Jason McCarthy/Erik Powers

Background:

Staff has received a Special Use Application in order to construct the special land use of *Short-Term Rental* on a property located in the zoned Urban Residential (UR) district.

Proposed Finding of Fact:

- The subject parcel is located in the zoned Rural Residential (RR) District.
- The subject parcel is located in Section 12, T49N, R26W
- Surrounding zoning districts to the subject parcel are Rural Residential (UR) to the North and South, Lake Superior to the East, and Resource Production to the West.
- Neighbors within 300' feet of the subject property have been notified of the proposal.
- Fee(s) for the special use permit application have been paid by the applicant.
- Additional information regarding the project is attached.

Per the Marquette Township Ordinance:

"Article 2 – Definitions:



MARQUETTE CHARTER TOWNSHIP

1000 Commerce Drive
Marquette, Michigan 49855
Ph | 906.228.6220
Fx | 906.228.7337
www.marquettetownship.org

Short-Term Rental – *A residential dwelling, not owner-occupied, which is rented, all or in part, on a daily, weekly, or monthly basis, for ninety (90) days or less.*”

SECTION 15.05: Use Vs. District Nomograph:

Short-Term rental is Special Use in the Urban Residential (UR) Zoning District

“SECTION 16.13: SHORT-TERM RENTALS:

1. *In addition to complying with other relevant sections of this Ordinance, petitioners desiring to conduct a short-term rental unit (as defined in Article 2), the petitioner shall also provide the following information in order to be considered for a special use permit:*
 - a. *Fire code review by the Marquette Township Fire/Rescue Department every two (2) years.*
 - b. *A Marquette Township Business License.*
 - c. *Off-street parking conforming to residential single-family dwelling units under Article 21.*

Planning Commission Review Criteria for Special Land Uses:

SECTION 16.04: REVIEW AND FINDING PROCESS

A. PLANNING COMMISSION PUBLIC HEARING

The Planning Commission shall review the complete application for a Special Use Permit at its next regular scheduled meeting following filing by the Zoning Administrator and, if required, shall set a date for the public hearing within forty-five (45) days thereafter. A public hearing shall be required for a Special Land Use to be located in the Development District (DD), if the proposed Special Land Use is located adjacent with existing Residential Land Use and/ or adjacent with a designated Residential Zoning District; i.e. Scenic Resource (SR), Rural Residential (RR), or Urban Residential (UR). The Township Clerk shall publish one (1) notice of public hearing, not less than fifteen (15) days in advance of such hearing (Amend. 08-02-10) and shall notify by regular mail or personal delivery the parties of interest and all property owners and occupants of all structures within three hundred (300) feet of the boundaries of the subject property.

In situations where a single structure contains four (4) or more dwelling units, businesses, or organizations, notice must be given to the manager or owner of the structure who shall be requested to post notice at the primary entrance of the structure. The notice shall describe the special nature of the land use request; the legal description, and a location map of the property; specify the date, time, and place of the hearing; indicate when and where written comments will be received concerning the request.



MARQUETTE CHARTER TOWNSHIP

1000 Commerce Drive
Marquette, Michigan 49855
Ph | 906.228.6220
Fx | 906.228.7337
www.marquettetownship.org

B. PLANNING COMMISSION DECISION

The Planning Commission may deny, approve, or approve with conditions, a request for a Special Land Use approval. The decision on a Special Land Use shall be incorporated in a statement containing the conclusions relative to the Special Land Use under consideration which specifies the basis for the decision, and any conditions imposed.

SECTION 16.05: CONDITIONS ON SPECIAL LAND USE APPROVALS

Every special land use permit shall be conditioned upon the proposed development fully complying with all requirements of this Ordinance and, where applicable, the Township Subdivisions Regulations and any other pertinent federal, state, county, or local statutes or ordinances. The violation of any condition contained in a special land use permit shall be a violation of this Ordinance.

SECTION 16.06: GENERAL USE STANDARDS

An application for a Special Land Use permit shall not be approved unless the Planning Commission specifically finds the proposed Special Land Use to be appropriate in the location for which it is proposed. This finding shall be based on the following criteria:

- A. The proposed use shall be in harmony with the general purpose, goals, objectives, and standards of the Comprehensive Plan of the Charter Township of Marquette, this Ordinance, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the Township.
- B. There shall be a community need for the proposed use at the proposed location; in the light of existing and proposed uses of a similar nature in the area and of the need to provide or maintain a proper mix of uses both within the Township and also within the immediate area of the proposed use:
 - 1. The proposed use in the proposed location shall not result in either a detrimental over concentration of a particular use within the Township or within the immediate area of the proposed use.
 - 2. The area for which the use is proposed is not better suited for or likely to be needed for uses which are permitted as a matter of right within that district, in light of policies or provisions of the Comprehensive Plan, this Ordinance, or other plans or programs of the Township.
- C. The proposed use at the proposed location shall not result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or rights-of-way, or other matters of welfare, either as they now exist or as they may in the future be developed as a result of the implementation of provisions and policies of the



MARQUETTE CHARTER TOWNSHIP

1000 Commerce Drive
Marquette, Michigan 49855
Ph | 906.228.6220
Fx | 906.228.7337
www.marquettetownship.org

Comprehensive Plan, this Ordinance, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the Township to guide growth and development.

- D. The proposed use in the area under consideration shall be adequately serviced by and will not impose an undue burden on any of the improvements, facilities, utilities, and services specified in this subsection. Where improvements, facilities, utilities, or services are not available or adequate to service the proposed use in the proposed location, the applicant shall, as part of the application and as a condition to approval of the proposed Special Land Use permit, be responsible for establishing the ability, willingness, and a binding commitment to provide the improvements, facilities, utilities, and services in sufficient time and in a manner consistent with the Comprehensive Plan, this Ordinance, and other plans, programs, maps, and ordinances adopted by the Township to guide its growth and development. The approval of the Special Land Use permit shall be conditional upon the improvements, facilities, utilities, and services being provided and guaranteed by the applicant.
- E. The proposed use in the proposed location shall fully comply with the requirements set forth in this Ordinance and shall be consistent with the intent and purpose of *Article XIV, Principal Uses Permitted in Districts, and Article XVIII, Performance Requirements*.

SECTION 16.07: CONDITIONS AND SAFEGUARDS

- A. Prior to granting any Special Use Permit, the Planning Commission may impose any additional conditions or limitations upon the establishment, location, construction, maintenance, or operation of the use authorized by the Special Use Permit which may be necessary for the protection of the public interest. Conditions imposed shall further be designed to protect natural resources, the health, safety, and welfare, as well as the social and economic wellbeing of those who will utilize the land use, or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole. The conditions shall be consistent with the general standards as established in this Ordinance.
- B. Conditions and requirements stated as part of the Special Use Permit authorization shall be a continuing obligation of Special Use Permit holders. The Zoning Administrator shall make periodic investigations of developments authorized by Special Use Permit to determine compliance with all requirements.
- C. Special Use Permits may be issued for time periods as determined by the Planning Commission. Special Use Permits may be renewed in the same manner as originally applied for.
- D. In authorizing a Special Use Permit, the Planning Commission may require that a cash deposit, certified check, bond, letter of credit, or other financial guarantee



MARQUETTE CHARTER TOWNSHIP

1000 Commerce Drive
Marquette, Michigan 49855
Ph | 906.228.6220
Fx | 906.228.7337
www.marquettetownship.org

acceptable to the Township, of adequate sum be provided by the developer prior to the issuance of the Special Use Permit to ensure installation of such necessary improvements including but not limited to drives, walks, utilities, parking, landscaping, etc. The financial guarantee shall be deposited with the Township Clerk at the time of issuance of the permit authorizing the use or activity. Upon completion of significant phases of the scheduled improvements, the Planning Commission shall authorize a proportional rebate of the financial guarantee.

- E. Continuance of a Special Use Permit shall be withheld by the Planning Commission only upon its determination that:
1. The required conditions, as prescribed in conjunction with the issuance of the original permit, required the use to be discontinued after a specified time period.
 2. Violations of the conditions pertaining to the granting of the Special Use Permit continue to exist more than thirty (30) days after written order to correct the violation has been issued by the Zoning Administrator.
- F. All plans, specifications, and statements submitted with the application for a Special Use Permit shall become, along with any changes ordered by the Planning Commission, a part of the conditions of any Special Use Permit issued.
- G. An application for a Special Use Permit which has been denied wholly or in part by the Planning Commission shall not be resubmitted until one (1) year or more has expired from the date of such denial, except on grounds of newly discovered evidence or proof of changed conditions sufficient to justify reconsideration by the Township.

SECTION 16.08: DECISION RECORD

A. WRITTEN RECORD

The Zoning Administrator shall maintain a written record of Special Use Permits issued in accordance with the requirements of this Ordinance. The record shall contain:

1. All written materials produced as a result of the proceedings.
2. All written statements received regarding the proposed special use.
3. A written statement of findings of fact together with the final decision and supporting reasons. The decision must include a statement of facts, the decision, the basis for the decision, and any conditions imposed on the Special Land Use.



MARQUETTE CHARTER TOWNSHIP

1000 Commerce Drive
Marquette, Michigan 49855
Ph | 906.228.6220
Fx | 906.228.7337
www.marquettetownship.org

SECTION 16.09: AMENDMENTS TO PERMITS FOR SPECIAL LAND USES

Following the issuance of a Special Land Use permit pursuant to the provisions of this Ordinance, such permit may be amended, varied, or altered only in accordance with the standards and procedures established by this Article for its original approval.

Review Recommendation

Staff recommends APPROVAL of the proposed Special Land Use but recommends that that the Planning Commission hears all comments from the public on the matter prior to deciding on the land use.



Charter Township of Marquette

1000 Commerce Drive Marquette, Michigan 49855
Phone: 906-228-6220 • Fax: 906-228-7337



Application for Special Use Permit

*NOTE: This Application must be completed and submitted to the Marquette Township Offices.

*Be sure to complete ALL sections of this form. Please Print or type.

*The application is not considered complete until all items have been submitted and the application fee paid.

The following information/ materials are required by the Zoning Ordinance (Sec.16.03) as part of this application.

Your application requires approval by the Planning Commission. As required by Ordinance, Special Use Permit applications normally involve a minimum of two Planning Commission meetings. The first meeting is to review the completed application and schedule the required public hearing; the second meeting consists of the public hearing, after which the Planning Commission will deliberate on the proposed special use approving it, approving it with conditions or disapproving it.

Application Type

<input checked="" type="checkbox"/> New Application	<input type="checkbox"/> Renewal
---	----------------------------------

ORIGINAL

Applicant Information

Name: Timothy and Regina Gort		Address: 170 Eagles Nest Rd.	
Business Name: Houses of Gort, LLC			
Phone: 906-458-2335	Fax:	Name of Contact Person: Tim Gort	Contact Phone: 906-458-2335
If Applicant is not the Owner, state the Applicant's relationship to the Owner (i.e. purchaser, land contract vendee, owner's designated agent, etc.):			
E-Mail Address: timgort@hotmail.com, reginagort@gmail.com			

Property Owner (if different from applicant)

Name: Houses of Gort, LLC		Address: 170 Eagles Nest Rd.	
Phone: 906-458-2335	Fax:	Name of Contact Person: Tim or Regina Gort	Contact Phone: 906-458-2335
E-Mail Address: timgort@hotmail.com reginagort@gmail.com			

Property Information

Address: 170 Eagles Nest Rd		Parcel I.D. Number(s): 52-08- 520821200700	
Zoning District: SR (scenic residential)	Legal Description(s) (attach pages as necessary):		
Size (acreage or square footage): See Legal Description	Name of any existing businesses on property: Houses of Gort, LLC		
Proposed Use of Property: Short-term rental property			
Present Use of Property: Personal dwelling			

Permission

If Applicant is not the Property Owner, does the Applicant have the Owner's permission?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
---	------------------------------	-----------------------------

PAID

OCT 18 2021
\$ 255.00
Marquette Township
0022

Please include with this permit the following items:

- A letter or signed narrative describing in detail the proposed special use and detailing why the location selected is appropriate.
 Attached
- Applicant's statement of the expected effect of the special use (where applicable) on emergency services, schools, sanitary sewer facilities, and local traffic volumes.
 Attached
- Property Boundary Survey / Map and Legal Description with the seal of the registered surveyor who prepared them.
 Attached
- Existing uses and structures on the land – attach any available site map or drawing locating uses and structures on the land
 Attached
- Existing zoning of the subject property or parcel along with the zoning district of all adjacent properties (may be superimposed on the survey or site map).
 Attached
- Site Plan or Plot Plan for Proposed Development (see Article XVII, Site Plan Review, Section 17.03 & 17.06).
 Attached N/A
- Preliminary Building Plans / Outline Specifications.
 Attached N/A
- Supporting Documents from Relevant Public Agencies.
 Attached

Applicant:

I certify that the information I have provided is true to the best of my knowledge.

Signature of Applicant: [Signature] Date: 10-15-21

Applicant's Name (print): Regina Gort / Tim Gort

Property Owner:

I certify that the information I have provided is true to the best of my knowledge.

Signature of Property Owner: [Signature] Date: 10-15-21

Property Owner's Name (print): Regina Gort / Tim Gort

Optional: I hereby grant permission for the members of the Marquette Township Commission, Zoning Administrator, Planner and the Fire Marshall to enter the above described property for the purposes of gathering information related to this application. *Note to applicant: This permission is optional and failure to grant permission will not affect any decision on your application.*

Signature of Applicant: _____ Date: _____

OFFICIAL USE ONLY	
Official Receiving Application (please print): <u>Jason McCarthy - ZA</u>	Date: <u>10/18/2021</u>
Fee Paid: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Amount Paid: <u>\$255.00</u>	
Application: <input type="checkbox"/> Approved <input type="checkbox"/> Not Approved	
Reason: <input type="checkbox"/> Incomplete Application <input type="checkbox"/> Other	Date: _____
Condition(s) of Approval: _____	
Signature of Zoning Administrator: _____	Date: _____

HOUSES OF GORT, LLC

Special Use Permit Application

Short-term Rental Use, Houses of Gort, LLC

Introduction:

The following information is provided to support an Application for a Special-Use Permit to the Marquette Township Planning Commission per Zoning Ordinance (Sec. 16.03).

About the Applicants:

Houses of Gort, LLC, is a Marquette-based husband/wife partnership for short-term rental(s) owned by Timothy and Regina Gort who reside at 170 Eagles Nest Road, Marquette, Michigan. The company owns two properties and has successfully rented its other property (not in Marquette County) since 2020. Both properties are owner occupied when not being rented.

Tim and Regina have lived in Marquette County since 2012, purchasing their Eagles Nest property in 2018. A second home was purchased where they spend some of the winter months. Since forming *Houses of Gort, LLC this past year*, both homes have been retitled and re-insured under the business in order to support current/future rental, operational and maintenance of ongoing investments in these homes.

Property:

The Eagles Nest Property (see legal description/survey) is located on the Lake Superior shoreline, has sweeping views of Little Presque Isle from inside and outside of the property and is located on a wooded, private lot. The private drive leads to enough room for private parking and has adequate outdoor lighting (large flood lights, etc.) The home is a 1,200 square foot A-frame that was meticulously remodeled in 2020 (windows, plumbing, heating, paint, etc).

Location:

Located 2.5 miles from the Little Presque Isle Natural Area, Harlow Lake, Wetmore Landing, Hogback Mountain, Echo Lake Nature Preserve and other scenic areas, it's an ideal location for people visiting the area. It's close to biking and cross-country skiing trails hosted by the Nequemanon Trail Network and only 14 miles from Thomas Rock Scenic Area and other Big Bay recreational opportunities. It's ideal for those looking to take advantage of scenery and all of the outdoor activities our area affords.

Goal:

The company aims to rent its property when its not occupied by the owners, Tim and Regina. Therefore, the initial goal is to rent its Marquette Township property located 170 Eagles Nest Rd, from November to April. The property fills a much-needed gap in the limited number of rental properties north of Marquette (currently, there are only a half of dozen listed for short-term use). The company will employ 1-3 staff for cleaning, snow removal and regular maintenance.

Existing Use:

As mentioned, the owners occupy this home when they are not renting it. Personal use of garage and storage will not be part of the business plan, or rental agreement. (see property description, map and survey)

Expected Impacts

At this time, the company foresees very limited if any negative impacts on emergency services, schools or local traffic volumes. The area in which the property is located is rural and those services are limited already, and the fact will be made clear in all tenant agreements and guidelines. This is an attraction to the property for potential tenants.

County Road 550 is a well-maintained road, and the area is already a boon for tourists visiting Marquette County (tourism is typically in a lull during the aforementioned business months). We will provide local trail-use maps, water education/warnings of the dangers of the area's natural features.

Education and safety are key components to ensure the property is enjoyed by tenants without endangering themselves or others.

Tim and Regina Gort



Houses of Gort, LLC – 170 Eagles Nest Rd, Marquette, MI 49855



MARQUETTE COUNTY

Marquette County GIS

Parcel Report: 52-08-212-007-00

10/22/2021

12:23:47 PM



Property Address

170 EAGLES NEST RD
MARQUETTE, MI, 49855

This Parcel has no image on file.

Owner Address

GORT TIMOTHY & REGINA
--
170 EAGLES NEST RD
MARQUETTE, MI 49855

Unit: 52-08
Unit Name: MARQUETTE TOWNSHIP

General Information for 2021 Tax Year

Parcel Number:	52-08-212-007-00	Assessed Value:	\$164,700
Property Class:	401	Taxable Value:	\$164,700
Class Name:	RESIDENTIAL	State Equalized Value:	\$164,700
School Dist Code:	52170		
School Dist Name:	MARQUETTE PUBLIC		

PRE 2020: 100%
 PRE 2021: 100%

Prev Year Info

Prev Year Info	MBOR Assessed	Final SEV	Final Taxable
2020	\$164,700	\$164,700	\$164,700
2019	\$162,900	\$162,900	\$162,900

Land Information

Acreage: 1.136
 Zoning: RR

Legal Description

SEC 12 T49N R26W PART OF GOV'T LOT 1 COM ON E R/W OF LS & I RR 615' N'LY FROM S LINE OF SAID LOT TH N68DEG 09'E 188.1' TO LAKE SUPERIOR TH S'LY ALG SHORE 100' M/L TH S68DEG09'W 500' M/L TO CO RD 550 TH N'LY ALG ROW 100 M/L TH N68DEG09'E 250' M/L TO POB.

Sales Information

Sale Date: 02-23-2018

Sale Price: 295000

Instrument: WD

Grantor: HEDMARK, CONNIE & GREGORY HEDMARK

Grantee: GORT, TIMOTHY & REGINA

Terms of Sale: ARM'S LENGTH

Liber/Page: 2018R-01696

Sale Date: 12-01-2017

Sale Price: 0

Instrument: DC

Grantor:

Grantee:

Terms of Sale: DEATH CERTIFICATE

Liber/Page: 2018R-01695

Sale Date: 06-17-2015

Sale Price: 0

Instrument: QC

Grantor: HEDMARK, LINNEA TRUSTEE

Grantee: HEDMARK, LINNEA
Terms of Sale: FAMILY
Liber/Page: 2015R-05986

Sale Date: 06-17-2015

Sale Price: 0
Instrument: QC
Grantor: HEDMARK, LINNEA
Grantee: HEDMARK, LINNEA
Terms of Sale: LIFE ESTATE
Liber/Page: 2015R-05987

Sale Date: 07-01-1996

Sale Price: 0
Instrument: WD
Grantor:
Grantee:
Terms of Sale: FAMILY
Liber/Page: 0405:0109

Building Information

Residential Buildings

RANCH/Single Family - 1981

General Information

Year Built:	1981
Style:	RANCH/Single Family
Exterior:	Wood Siding
Total Living Area:	1560
Heating Type:	Forced Air w/Ducts
Rooms Basement:	0
Rooms 1st Floor:	5
Rooms 2nd Floor:	0
Bedrooms:	3
Baths: Full/Half:	2/0

Fireplaces: Quantity - Type

Area Detail

Height	Ground Floor Area	Foundation	Exterior
1 Story	1560	Slab	Siding

Basement Finished Areas

Recreation:	0
--------------------	---

Living Area: 0

Garage/Carport Information

Area	Capacity	Exterior	Type
780		Siding	Detached

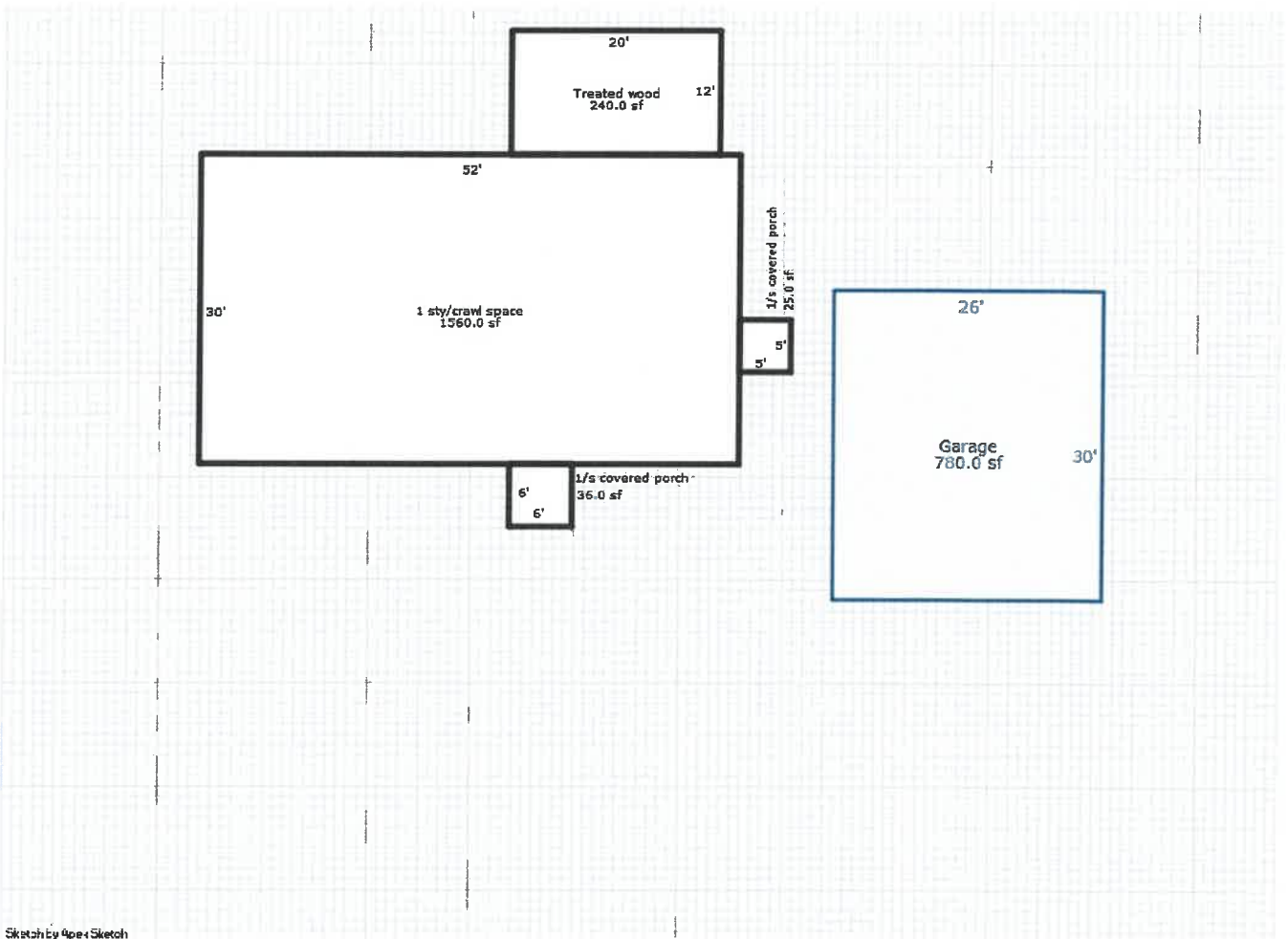
Porch/Breezeway Information

Area	Description
36	Porch CCP (1 Story)
36	Porch CCP (1 Story)

Deck Information

Area	Description
240	Treated Wood

Sketches (1)



Delinquent Tax Information as of 3/23/2021

*DOES NOT include unpaid taxes on PERSONAL PROPERTY

Tax Year: 2018



KASISCHKE ERIC
200 MIKE DAY DRIVE
WHITE SULPHUR SPRINGS, MT 59645

KASISCHKE ERIC
200 MIKE DAY DRIVE
WHITE SULPHUR SPRINGS, MT 59645

DIOCESE OF MARQUETTE
1004 HARBOR HILLS DRIVE
MARQUETTE, MI 49855

RIZZARDI PATRICIA & MARK
510 LAMBERT CREEK
VADNAIS HEIGHTS, MN 55127

RIZZARDI PATRICIA & MARK
510 LAMBERT CREEK
VADNAIS HEIGHTS, MN 55127

THE HOUSES OF GORT LLC
170 EAGLES NEST RD
MARQUETTE, MI 49855

FOYE JAMES
156 EAGLES NEST ROAD
MARQUETTE, MI 49855

REICHEL SHAWN & JENNIFER
176 EAGLES NEST ROAD
MARQUETTE, MI 49855





MARQUETTE CHARTER TOWNSHIP

1000 Commerce Drive
Marquette, Michigan 49855
Ph | 906.228.6220
Fx | 906.228.7337
www.marquettetownship.org

STAFF REPORT

PLANNING COMMISSION – DECEMBER 8, 2021

Agenda Item # 6d: Special Use Permit Public Hearing Request – Proposed Short-Term Rental Unit on a property located at 2592 Norwood Street, Marquette MI 49855, within the Urban Residential (UR) zoning district, per the Marquette Township Zoning Ordinance (Article 15, Section 15.05).

Applicant: Samuel Dunlop
Parcel ID#: 52-08-370-068-00
Address: 2593 Norwood Street
Staff Contact: Jason McCarthy/Erik Powers

Background:

Staff has received an application for a special land use to conduct a short-term rental at the above location in the Rural Residential (RR) zoning district, per Article 15 – Principal Uses Permitted in Districts, Section 15.05 of the Marquette Township Zoning Ordinance.

Per the Marquette Township Ordinance:

ARTICLE 2 – DEFINITIONS:

Short-Term Rental – A residential dwelling, not owner-occupied, which is rented, all or in part, on a daily, weekly, or monthly basis, for ninety (90) days or less.

SECTION 16.13: SHORT-TERM RENTALS

1. *In addition to complying with other relevant sections of this Ordinance, petitioners desiring to conduct a short-term rental unit (as defined in Article 2), the petitioner shall also provide the following information in order to be considered for a special use permit:*
 - a. *A fire-code review by the Marquette Township Fire/Rescue Department every 2 (two) years.*



MARQUETTE CHARTER TOWNSHIP

1000 Commerce Drive
Marquette, Michigan 49855
Ph | 906.228.6220
Fx | 906.228.7337
www.marquettetownship.org

-
- b. A Marquette Township Business License.*
 - c. Off-street parking conforming to residential single-family dwelling units under Article 21.*

Review Recommendation

Staff recommends scheduling the public hearing for Wednesday, January 12, 2022 at 7 PM.



Charter Township of Marquette



1000 Commerce Drive Marquette, Michigan 49855

Phone: 906-228-6220 • Fax: 906-228-7337

RECEIVED

NOV 23 2021

NOV 23 2021

Marquette Township

Application for Special Use Permit

Initial: E.P.

**NOTE: This Application must be completed and submitted to the Marquette Township Offices.*

**Be sure to complete ALL sections of this form. Please Print or type.*

**The application is not considered complete until all items have been submitted and the application fee paid.*

The following information/ materials are required by the Zoning Ordinance (Sec.16.03) as part of this application. Your application requires approval by the Planning Commission. As required by Ordinance, Special Use Permit applications normally involve a minimum of two Planning Commission meetings. The first meeting is to review the completed application and schedule the required public hearing; the second meeting consists of the public hearing, after which the Planning Commission will deliberate on the proposed special use approving it, approving it with conditions or disapproving it.

Application Type

<input checked="" type="checkbox"/> New Application	<input type="checkbox"/>
<input type="checkbox"/> Renewal	<input type="checkbox"/>

Applicant Information

Name: Samuel Dunlap		Address: 2593 Norwood St Marquette	
Business Name:			
Phone: 860-372-21256	Fax:	Name of Contact Person: Samuel Dunlap	Contact Phone: 8603722156
If Applicant is not the Owner, state the Applicant's relationship to the Owner (i.e. purchaser, land contract vendee, owner's designated agent, etc.):			
E-Mail Address: dunlapsamuel@gmail.com			

Property Owner (if different from applicant) -- SAME AS ABOVE

Name:		Address:	
Phone:	Fax:	Name of Contact Person:	Contact Phone:
E-Mail Address:			

Property Information

Address: 2593 Norwood Avenue	Parcel I.D. Number(s): 52-08-370-068-00
---------------------------------	---

Zoning District: Urban Residential	Legal Description(s) (attach pages as necessary): a structure maintained and used as a single dwelling unit... See title Survey Attached
Size (acreage or square footage): .27 Acres	Name of any existing businesses on property: Center for Creative Well Being
Proposed Use of Property: Short-term rental	
Present Use of Property: Residential	

Permission

If Applicant is not the Property Owner, does the Applicant have the Owner's permission? Yes No

Please include with this permit the following items:

- A letter or signed narrative describing in detail the proposed special use and detailing why the location selected is appropriate.
 - Attached
- Applicant's statement of the expected effect of the special use (where applicable) on emergency services, schools, sanitary sewer facilities, and local traffic volumes.
 - Attached
- Property Boundary Survey / Map and Legal Description with the seal of the registered surveyor who prepared them.
 - Attached
- Existing uses and structures on the land – attach any available site map or drawing locating uses and structures on the land
 - Attached
- Existing zoning of the subject property or parcel along with the zoning district of all adjacent properties (may be superimposed on the survey or site map).
 - Attached
- Site Plan or Plot Plan for Proposed Development (see Article XVII, Site Plan Review, Section 17.03 & 17.06).
 - Attached N/A
- Preliminary Building Plans / Outline Specifications.
 - Attached N/A
- Supporting Documents from Relevant Public Agencies.
 - Attached N/A

Applicant:

I certify that the information I have provided is true to the best of my knowledge.

Signature of Applicant: _____ [Same as Below] _____ Date: _____

Applicant's Name (print): _____ [Same as Below] _____

Property Owner:

I certify that the information I have provided is true to the best of my knowledge.

Signature of Property Owner: Samuel Dunlap _____ Date: November 22, 2021

Property Owner's Name (print): Samuel Dunlap _____

Optional: I hereby grant permission for the members of the Marquette Township Commission, Zoning Administrator, Planner and the Fire Marshall to enter the above described property for the purposes of gathering information related to this application. *Note to applicant: This permission is optional and failure to grant permission will not affect any decision on your application.*

Signature of Applicant: _____

Date: _____

OFFICIAL USE ONLY

Official Receiving Application (please print):

Erik Powers

Date:

11/23/21

Fee Paid: Yes No If Yes, Amount Paid:

\$255.00

Application: Approved Not Approved

Reason: Incomplete Application Other Date: _____

Condition(s) of Approval:

Signature of Zoning Administrator: _____

Date: _____

SAMUEL DUNLAP

2593 Norwood St. Marquette Township, MI 49855

Special Use Permit Application: Short-term Rental Use

11/22/2021

About the applicant:

I am a resident of Marquette, Michigan and am enrolled in Northern Michigan University's Master of Social Work Program. On my path to becoming a clinical social worker in community mental-health, I run a private coaching practice and teach donation-based community yoga in downtown Marquette.

Motives & Goals for Short-term Rental:

I plan to reside in the property at 2593 Norwood St. year-round and rent the house out when I am required to travel for work. These requirements [which include continuing education, conferences, trainings, and workshops] are expensive, and I am unable to work with clients during travel. I see short-term rental as an opportunity to provide supplemental income during these periods. I expect travel and rental to be minimal during the next 4 years of schooling & practicum and become more frequent after obtaining my clinical license in 2025.

Location

This property at 2593 Norwood St. Marquette, MI 49855 (Trowbridge Park) meets rental need as there is only one other available rental within two miles of the location (which is nearly fully booked out for the remainder of 2021).^{***}

The property and surrounding properties are currently zoned as Urban Residential.

^{***} Data gathered from Airbnb & VRBO on November 22nd 2021

I see no negative impacts on schools, sewer facilities, emergency services, or traffic volumes. The house is located at the end of a dead-end street with minimal traffic.

The house is a small cottage (800 sq. ft.) and could only accommodate an individual or small family, therefore it is unlikely there would be multiple vehicles parked on the property. The house is positioned on the lot such that there is significant space separating it from neighbors' houses (100-150ft).

This is also a useful location for renters because it offers renters easy access to highway 41.

Property Management

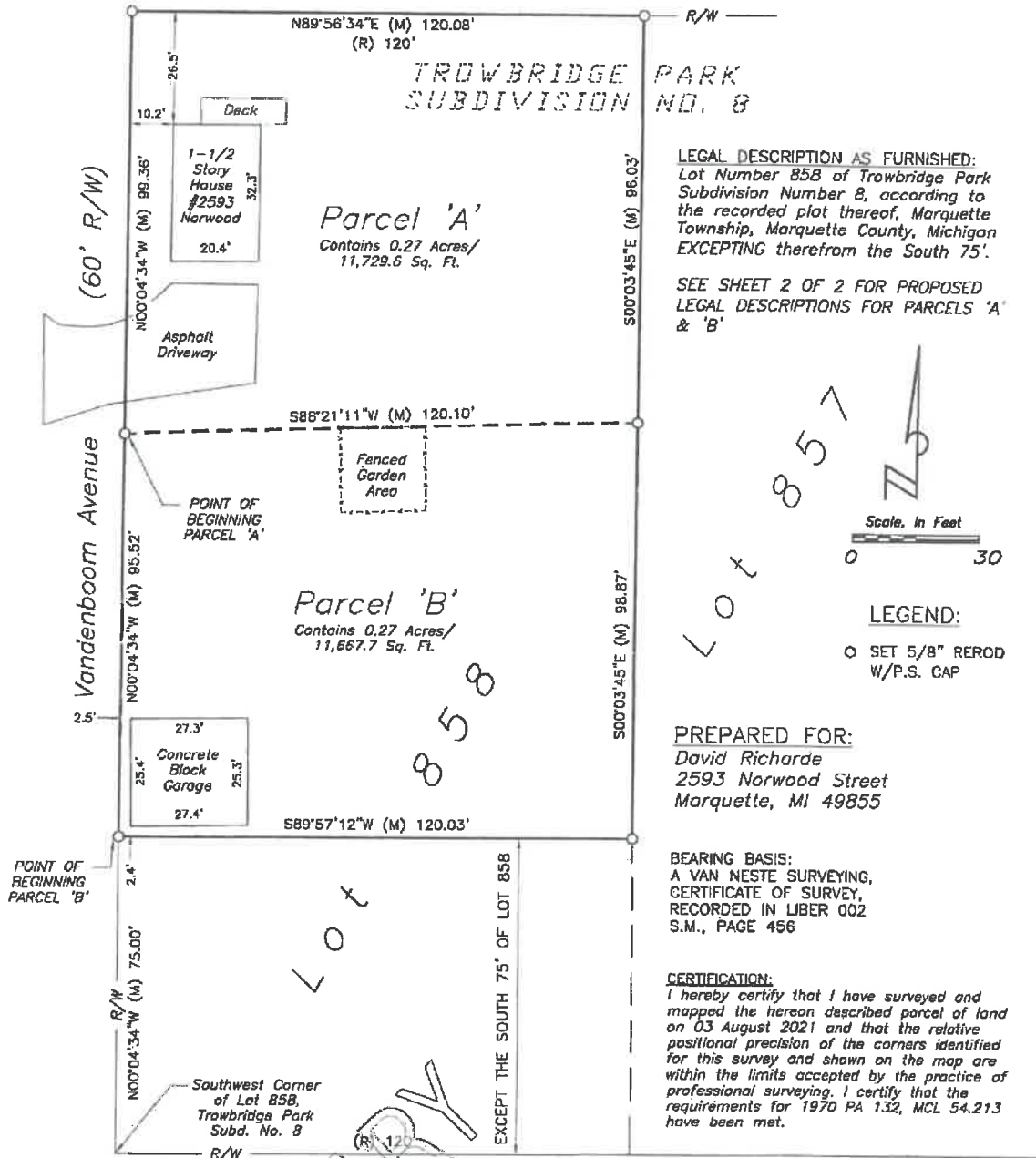
I am in contact with (and plan to hire) a cleaner, a handyman, and contractor for cleaning, snow removal, and regular property maintenance.

I will enforce strict party/noise limitations in accordance with township regulations as well as the preferences of my neighbors. I will educate the tenants about other local regulation, the property limits, the neighborhood culture, and surrounding businesses.

2021R-11793

CERTIFICATE OF SURVEY

Narwood Street (60' R/W)



-NOT CONSTRUCTED- Montgomery Street (60' R/W)

SIGNED:

DATE:

Glenn C. Van Neste, Professional Surveyor # 27464
Travis W. Van Neste, Professional Surveyor # 46695

JOB # 221067/89212	SCALE: 1" = 30'	DATE: 03 AUG 2021
(R) RECORDED	(M) MEASURED	DRAWN BY: TWM
LINE NOT DRAWN TO SCALE		

VAN NESTE SURVEYING

34 YEARS OF PROFESSIONAL SURVEYING SERVICES
1402 KIMBER AVENUE MARQUETTE, MICHIGAN 49855
PHONE (906) 226-6241
www.VanNesteSurveying.com

VNS

SHEET 1 of 2

PRELIMINARY
12 AUG. 2021



LEGAL DESCRIPTION PARCEL 'A':

Part of Lot Number 858 of Trowbridge Park Subdivision Number 8, according to the plat thereof, Marquette Township, Marquette County, Michigan described as Commencing at the Southwest corner of said Lot Number 858; thence N00°04'34"W, 170.52' along the Western line of said Lot 858 and the Eastern right-of-way (R/W) line of Vandenoorn Avenue (60' R/W) to the POINT OF BEGINNING; thence continuing N00°04'34"W, 99.36' to the Northwest corner of said Lot 858 and the Southerly R/W line of Norwood Street (60' R/W); thence N89°56'34"E, 120.08' along the North line of said Lot 858 and the Southerly R/W line of Norwood Street; thence S00°03'45"E, 96.03' along the Eastern line of said Lot 858; thence S88°21'11"W, 120.10' to the POINT OF BEGINNING having an area of 11,729.57 square feet, 0.269 acres



LEGAL DESCRIPTION PARCEL 'B':


Part of Lot Number 858 of Trowbridge Park Subdivision Number 8, according to the plat thereof, Marquette Township, Marquette County, Michigan described as Commencing at the Southwest corner of said Lot Number 858; thence N00°04'34"W, 75.00' along the Western line of said Lot 858 and the Eastern right-of-way (R/W) line of Vandenoorn Avenue (60' R/W) to the POINT OF BEGINNING; thence continuing N00°04'34"W, 95.52'; thence N88°21'11"E, 120.10'; thence S00°03'45"E, 98.87' along the Eastern line of said Lot 858; thence S89°57'12"W, 120.03' to the POINT OF BEGINNING having an area of 11,667.75 square feet, 0.268 acres.

PRELIMINARY
12 AUG 2021

SIGNED:

DATE:

Glenn C. Van Neste, Professional Surveyor # 27464
Travis W. Van Neste, Professional Surveyor # 46695

JOB # 221067/89212	SCALE: N/A	DATE: 03 AUG 2021
(R) RECORDED	(M) MEASURED	DRAWN BY: TWM
LINE NOT DRAWN TO SCALE 		

VAN NESTE SURVEYING

34 YEARS OF PROFESSIONAL SURVEYING SERVICES
1402 KIMBER AVENUE MARQUETTE, MICHIGAN 49855
PHONE (906) 226-6241
www.VanNesteSurveying.com



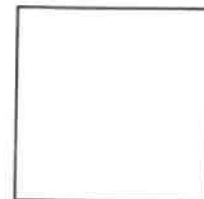
Erik Powers

From: Andra Ziems
Sent: Tuesday, November 23, 2021 2:52 PM
To: Erik Powers
Subject: FW: MISCELLANEOUS TOWN PAYMENTS Payment Notification

Follow Up Flag: Follow up
Flag Status: Flagged

From: paymentconfirmation@allpaid.com <paymentconfirmation@allpaid.com>
Sent: Tuesday, November 23, 2021 1:55 PM
To: dulceestorch@marquettetownship.org; Andra Ziems <andraziems@marquettetownship.org>
Subject: MISCELLANEOUS TOWN PAYMENTS Payment Notification

\$ 255 for SUP
\$ 35 for ZC



24 Hour Customer Service #: 800-989-7780

MISCELLANEOUS TOWN PAYMENTS CONFIRMATION EMAIL

PLC: MARQUETTE CHARTER TOWNSHIP **DATE:** 11/23/21
8665 1000 COMMERCE DRIVE
MARQUETTE, MI 49855
FOR: MISCELLANEOUS TOWN PAYMENTS

TRANSACTION INFORMATION

Name:	SAMUEL DUNLAP	TRANSACTION REFERENCE #:	33340759
Invoice #:		TRANSACTION DATE/TIME:	11/23/2021 13:54:20 EST
Explanation of Payment:	STR APPLICATION AND ZONING APPLICATION		

BILLING INFORMATION

NAME: SAMUEL DUNLAP
ADDRESS: 2593 NORWOOD STREET
CITY, STATE ZIP: MARQUETTE, MI 49855
PHONE #: 860-372-2156
CARD #: xxxx-xxxx-xxxx-5316

PAYMENT INFORMATION

APPROVAL #: 48238P
PAYMENT AMOUNT: \$290.00
SERVICE FEE: \$11.25
TOTAL AMOUNT: \$301.25

The service fee is not refundable.

ATTENTION MARQUETTE CHARTER TOWNSHIP:

To make corrections, call AllPaid at 800-989-7780, or login to ProviewExp at www.ProViewEXP.com.

Thank you for using AllPaid

© 2007-2021 AllPaid, Inc.

Form #: OTX



Marquette County Planning Division
234 W Baraga Ave.
Marquette, MI 49855

**COPY FOR YOUR
INFORMATION**

October 7, 2021

To Whom It May Concern,

We are pleased to notify you that the Marquette County 2040 Master Plan has been adopted by the Marquette County Planning Commission and further approved by the Marquette County Board of Commissioners. The 2040 Master Plan is the result of more than three years of work by Marquette County Planning Division staff and the Marquette County Planning Commission. It incorporates feedback from over 3,000 Marquette County residents who responded to the Master Plan Community Survey, the local planning bodies of every municipality in Marquette County, and a diverse array of community stakeholders from both the public and private sectors.

After the formal public review period, the Marquette County Planning Commission held a public hearing, reviewed all comments, and voted on the final adoption of the Plan on August 4, 2021.

The 2040 Master Plan is the first comprehensive update to the County's master plan since 1982, and its objective is to help local leaders and community members answer the following question: *What do we want Marquette County to be like in 2040?* As such, the 2040 Master Plan will guide public policy in Marquette County for the next two decades.

The Master Plan, strategies to achieve the Plan's vision and goals for 2040, and an interactive online data dashboard can be found at www.mqtcoplan.org. The County Planning Division is sending this notice to the stakeholders who were consulted throughout the planning process, in addition to the governmental entities within and surrounding Marquette County, as required by state law.

Please join us in reaching the vision and goals for Marquette County 2040 by implementing the 100 strategies derived from years of community input! Reach out to mqtcoplan@gmail.com with questions, or if you would like assistance navigating the website tools or Plan document. Planning Division staff may also be reached by phone, 906-225-8198, or at:

Resource Management and Development Department-Planning Division
234 W Baraga Ave
Marquette, MI 49855

Sincerely,

The Marquette County Planning Division

pc.



CITY OF MARQUETTE
PLANNING AND ZONING
1100 WRIGHT STREET
MARQUETTE, MI 49855
(906) 225-8103
www.marquettemi.gov

MEMORANDUM

DATE: December 01, 2021
TO: Local Units of Government, Public Utility Companies, Railroad Companies
FROM: David Stensaas, City Planner and Zoning Administrator
SUBJECT: **Community Master Plan Amendment – Intent to Plan**

This memo is to inform you that it is the intent of the City of Marquette to amend the City of Marquette’s Community Master Plan (CMP) in accordance with MCL 125.3839 of the Michigan Planning Enabling Act, Public Act 33 of 2008. This memo is being sent to the Planning Commissions in the townships contiguous to the City of Marquette, and to the Marquette County Planning Commission.

The City of Marquette welcomes your cooperation and comments on the proposed CMP amendment, which is limited to:

Adopting the *Final Report* of the City of Marquette Ad-Hoc Housing Committee, as directed by vote of the Marquette City Commission after conducting a Special Meeting on the *Final Report* on Monday 11/22/2021. The *Final Report* may be viewed online at:
www.marquettemi.gov/adhochousingcommittee/

The process of updating the Marquette Community Master Plan, by the Planning Commission, will begin in December 2021.

You are hereby invited to participate in the planning process and/or comment as you please, using the contact information provided in the upper right corner of this letter. We will make such submittals and may provide updates to your office by electronic mail provided that you do not respond by objecting to the use of electronic mail.