

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

PLANNING COMMISSION MEETING

WEDNESDAY, MAY 25, 2022 - 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.
- Roll Call.
- 3. Approval of the Agenda.
- 4. Minutes from Previous Meeting May 11, 2022
- Public Comment.
- New Business.
 - a. Special Use Public Hearing #052522-1 Proposed Short-Term Rental Unit on a property located at 2282 Cherry St, Marquette MI 49855, within the Urban Residential (UR) zoning district, per the Marquette Township Zoning Ordinance (Article 15, Section 15.05). Applicant, Damia Toyras, 2282 Cherry St, Marquette, MI 49855.
 - b. Short-Term Rental Report- Additional Information Discussion
 - c. Special Use Permit Public Hearing Request Proposed Tiny Home land use to be located at 400 Co Rd 550, Marquette MI 49855, within the zoned Rural Residential (RR) district, per the Marquette Township Zoning Ordinance (Article 15, Section 15.05). Applicant: 550 Outpost, LLC, 117 N 6th Street, Marquette, MI 49855.
- Unfinished Business.
- 8. Correspondence.
 - Marquette County Road Commission Request for Proposal (RFP)
 Northwest Marquette Road Network Feasibility Study
- 9. Reports.
 - a. Township Board Report
 - b. Recreation Committee Report
 - c. Road Committee Report
 - d. Planning and Zoning Report
- 10. Announcements.
- 11. Public Comment.







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- 12. Additional Comments by Planning Commissioners.
- 13. Adjournment.

*Next Meeting - June 8, 2022







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STAFF REPORT

PLANNING COMMISSION - MAY 25, 2022

Agenda Item # 6a: Special Use Permit Public Hearing

#052522-1 – Proposed Short-Term Rental Unit on a property located at 2282 Cherry St, Marquette MI 49855, within the Urban Residential (UR) zoning district, per the Marquette Township Zoning Ordinance (Article 15, Section 15.05). Applicant, Damia Toyras, 2282 Cherry St, Marquette,

MI 49855.

Applicant: Damia Toyras

Property Owner: Damia Toyras

Parcel ID#: 52-08-350-093-05

Staff Contact: Jason McCarthy/Erik Powers

Background:

Staff has received a Special Use Application in order to establish 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 North, South, East, and 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.
- Applicant was made aware of potential property tax implications as a result of renting the property.

Per the Marquette Township Ordinance:

"Article 2 - Definitions:



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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.



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



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- 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 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



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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: <u>DECISION RECORD</u>

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.
- 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.

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.



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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

*NOTE: This Application must be completed and submitted to the Marquette Township Offices. *Be sure to complete All sections of this form. Place District.

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

*Be sure to complete <u>ALL</u> 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. $1 ext{ 4 2022}$

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				PAID
New Application R	Renewal			
Applicant Information				APR 18 2022 # 120
Name:	Toyras &	Address:	Cherry St	Aurquette Township
Business Name:			5	
Phone: 906.89.1324	Fax:	Name of Contact Person:		Contact Phone: 869 - 1324
If Applicant is not the Owner, s	tate the Applicant's relationship	to the Owner (i.e. purchaser, la	nd contract vendee, owner's des	ignated agent, etc.):
E-Mail Address:	niatogras	: agmail	COM	
Property Owner (if diffe		9		
Name:		Address:		
Phone:	Fax:	Name of Contact Person:		Contact Phone:
E-Mail Address:				,
Property Information				
Address:	herry 5	otion(s) (attach pages as neces	Parcel I.D. Number(s): 52-08- 35 0 - 05	13. 05
Zoning District:	Legal Descrip	otion(s) (attach pages as neces	sary):	
Size (acreage or square footage): Name of any	existing businesses on property	SUB No.6.	20+ 519
0.186 acr	e b			
Proposed Use of Property:	Short (erm rental	property	
Present Use of Property:	Dersonal	erm rental		
Permission		1		
If Applicant is not the Property C	Owner, does the Applicant have	the Owner's permission?	☐ Yes ☐ No	

Please	include	with	this	permit	the	following items:
--------	---------	------	------	--------	-----	------------------

ā	A letter or signed narrative describing in detail the proposed special use and appropriate.	d detailing why the location selected is
E	Attached	
	Applicant's statement of the expected effect of the special use (where applications applications) and local traffic volumes.	able) on emergency services, schools
j	Attached	
• F	Property Boundary Survey / Map and Legal Description with the seal of the regi	istered surveyor who prepared them.
Ė	Attached	
	existing uses and structures on the land – attach any available site map or drain the land	rawing locating uses and structures on
Ì	Attached	
	existing zoning of the subject property or parcel along with the zoning distruperimposed on the survey or site map).	ict of all adjacent properties (may be
<u>J</u> C	2 Attached	
• S	ite Plan or Plot Plan for Proposed Development (see Article XVII, Site Plan Re	view, Section 17.03 & 17.06).
	Attached //	
• P	reliminary Building Plans / Outline Specifications.	
	Attached Add Add Add Add Add Add Add Add Add A	
• \$	upporting Documents from Relevant Public Agencies.	
	I Attached	
Signature	of Applicant: S Name (print):	Date: 4/11/22
Property (Owner: nat the information I have provided is true to the best of my knowledge.	4/11/22
Signature	of Property Owner:	Date:
Property C	Owner's Name (print): Damia TagraS	
and the F application application		gathering information related to this on will not affect any decision on your
Signature	of Applicant: 1/U/VCIA 1097A	Date:
Official Rece	oving Application (please print):	Date: 4/19/2022
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:

Damia Toyras

2282 Cherry Street, Marquette Township, MI 49855

Special Use Permit Application: Short-term Rental Use

4/13/22

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 Applicant:

I am a resident of Marquette, Michigan and am a 2nd grade teacher at Superior Hills Elementary. I have three children, all within the school system, which are involved in a variety of

sports and local activities. We are active community members and look forward to sharing this

growing and thriving city with others.

Motives & Goals for Short-term Rental:

I plan to continue to reside in the property, with my children, at 2282 Cherry St. year-round and

rent the house out when traveling to Gladstone to care for my grandmother and her home. I am a single mother and it is a struggle living on one salary. Having a short-term rental will give

an opportunity to provide supplemental income while I am away, which is something that I

need at this time.

Location:

This property at 2282 Cherry St. Marquette, MI 49855 (Trowbridge Park) meets rental needs as

there is a limited amount of rentals near this location and they are all nearly fully booked

throughout the summer and already into the fall of 2022.

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

I see no negative impacts on schools, sewer facilities, emergency services, or traffic volumes.

The house is located on a dead-end street with minimal traffic.

3 DT

The house is a small cottage (approximately 1000 square feet) and will only accommodate an individual, couple, or small family, therefore it is unlikely there will be multiple vehicles parked on the property.

This is also a useful location for renters because it is centrally located in the heart of Marquette Township - only 2 miles to Lake Superior, 3 miles to downtown Marquette and 0.5 miles south of the North trails for hiking/biking.

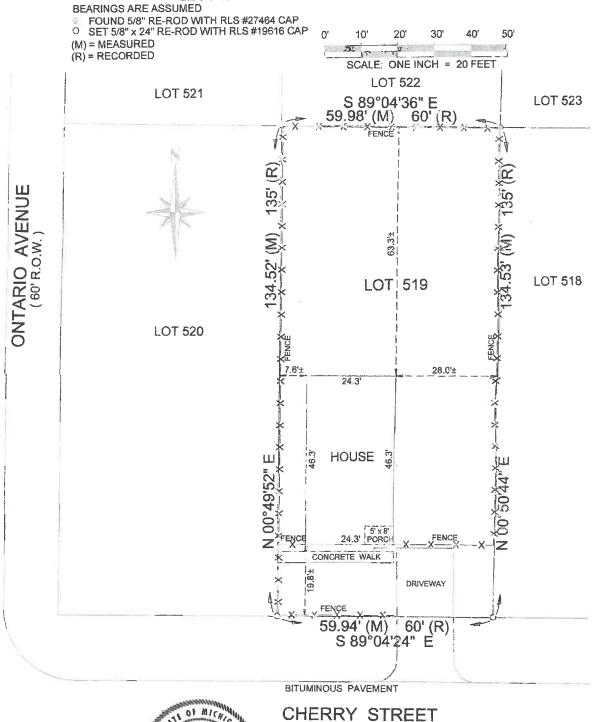
Property Management:

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 regulations, the property limits, the neighborhood culture, and surrounding businesses.

CERTIFIED SURVEY

CERTIFIED TO: DAMIA TOYRAS, 2082 CHERRY STREET, MARQUETTE, MICHIGAN 49855. LEGAL DESCRIPTION: LOT 519, TROWBRIDGE PARK SUBDIVISION No. 6, MARQUETTE TOWNSHIP, MARQUETTE COIUNTY, MICHIGAN.

LEGEND



CHERRY STREET (60' R.O.W.)

BITUMINOUS PAVEMENT

SURVEYOR'S CERTIFICATE STATE OF MICHIGAN)s. MARQUETTE COUNTY)

19b. MARQUETTE COUNTY)

I, ROBERT F. CAMBENSY, SURVEYOR, CERTIFY THAT I HAVE MADE THIS SURVEY AND THAT THE INFORMATION SHOWN ON THE ABOVE CERTIFIED SURVEY IS A TRUE AND CORRECT REPRESENTATION THEREOF. THE ERROR OF CLOSURE OF THE UNADJUSTED FIELD OBSERVATIONS IS LESS THAN 1 IN 10,000 AND WITHIN THE ACCEPTED LIMITS. I HAVE FULLY COMPLIED WITH THE REGULATIONS OF SEC. #3, ACT No. 132, P.A. 1970. AS AMENDED P.A. 1970, AS AMENDED.

ROBERT F. CAMBENSY

LAND

SEPTEMBER 13, 2007

RO ERT F. CAMBENSY, MICHIGA G. #19616 REGISTERED LAND SURVEYOR CAMBENSY ENGINEERING & SURVEYING

306 N. SIXTH ST., MARQUETTE, MICHIGAN 49855 (906) 226-3909 RCAMBENSY@SBCGLOBAL.NET



5/6/2022 10:52:56 AM



Property Address

2282 CHERRY ST MARQUETTE, MI, 49855

> This Parcel has no image on file.

Owner Address

TOYRAS DAMIA

900 LEE ST #4

MARQUETTE, MI 49855

Unit: 52-08

Unit Name: MARQUETTE TOWNSHIP

General Information for 2021 Tax Year

Parcel Number: 52-08-350-093-05

Property Class: 401

Class Name: RESIDENTIAL

School Dist Code: 52170

School Dist Name: MARQUETTE PUBLIC

PRE 2020: 100%
PRE 2021: 100%

Assessed Value: \$75,100

Taxable Value: \$62,422

State Equalized Value: \$75,100

Prev Year Info

Prev Year Info Mi	BOR Assessed	Final SEV	Final Taxable
2020 \$7	71,800	\$71,800	\$61,561
2019 \$7	70,800	\$70,800	\$60,414

Land Information

Acreage:	0.186
Zoning:	UR

5/6/22, 2:54 PM

Legal Description

TROWBRIDGE PARK SUB. NO. 6 LOT 519.

Sales Information

Sale Date: 02-01-2019

Sale Price: 0 Instrument: QC

Grantor: TOYRAS, DANIEL Grantee: TOYRAS, DAMIA Terms of Sale: 09-FAMILY Liber/Page: 2019R-01183

Sale Date: 05-25-2007

Sale Price: 116500 Instrument: WD

Grantor: BRANDENBERG, MARY **Grantee:** TOYRAS, DANIEL & DAMIA **Terms of Sale:** 03-ARM'S LENGTH

Liber/Page: 2007R-5828

Sale Date: 02-28-2006

Sale Price: 105000 Instrument: WD

Grantor: ADAMS, LYDIA

Grantee: BRANDENBERG, MARY **Terms of Sale:** 21-NOT USED/OTHER

Liber/Page: 2006R-2164

Sale Date: 08-29-2003

Sale Price: 86000 Instrument: WD

Grantor: HABITAT FOR HUMANITY

Grantee: CLEMINS, LYDIA

Terms of Sale: 21-NOT USED/OTHER

Liber/Page: 2003R-44

Sale Date: 09-30-2002

Sale Price: 1 Instrument: WD

Grantor:

5/6/22, 2:54 PM 3/6

Grantee:

Terms of Sale: 09-FAMILY Liber/Page: 0450:0862

Sale Date: 07-02-2002

Sale Price: 2000 Instrument: WD

Grantor: Grantee:

Terms of Sale: 09-FAMILY **Liber/Page**: 0449:0514

Sale Date: 05-01-2001

Sale Price: 0 Instrument: WD

Grantor: Grantee:

Terms of Sale: 03-ARM'S LENGTH

Liber/Page: 0167:0278

Sale Date: 05-01-2000

Sale Price: 37671 Instrument: WD

Grantor: Grantee:

Terms of Sale: 03-ARM'S LENGTH

Liber/Page: 0432:0153

Sale Date: 05-07-1999

Sale Price: 6500 Instrument: WD

Grantor: Grantee:

Terms of Sale: 03-ARM'S LENGTH

Liber/Page: 0421:0691

Building Information

Residential Buildings

RANCH/Single Family - 1999

General Information

Year Built: 1999

Style: RANCH/Single Family

Exterior: Wood Siding

5/6/22, 2:54 PM

4/6

Total Living Area: 1050 **Heating Type:** Forced Air w/Ducts **Rooms Basement:** 0 Rooms 1st Floor: 0 Rooms 2nd Floor: 0 Bedrooms: 0 Baths: Full/Half: 1/0 Fireplaces: Quantity - Type Area Detail **Ground Floor Area** Height **Foundation** Exterior 1 Story 1050 **Basement** Siding **Basement Finished Areas** Recreation: 0 Living Area: 0 Garage/Carport Information Area Capacity Exterior Type

Porch/Breezeway Information

Area Description

54 Porch CCP (1 Story)

24 Porch CPP

Deck Information

Area Description

Delinquent Tax Information as of 3/23/2021

*DOES NOT include unpaid taxes on PERSONAL PROPERTY

Tax Year: 2000 Base Tax: 908.81 Base Tax Due: 0 Base Tax Paid: 0 Total Due: 0

Last Paid:

5/6/22, 2:54 PM

The Mining Journal

Upper Michigan's Largest Daily Newspaper 249 W. Washington St., P.O. Box 430, Marquette, Michigan 49855. Phone (906)228-2500. Fax (906)228-3273. AFFIDAVIT OF PUBLICATION

STATE OF MICHIGAN

AFFIDAVIT OF PUBLICATION

For the County of: MARQUETTE

In the matter of: Notice of Public Hearing

Marquette Township Planning Commission

Proposed Short-Term Rental

May 25, 2022

Size: 3 x 2

RECEIVED

MAY 1 1 2022

Marquette Township

State of MICHIGAN, County of Marguette ss.

ANN TROUTMAN

being duly sworn, says that she is

PUBLISHER

of THE MINING JOURNAL

a newspaper published and circulated in said county and otherwise qualified according to Supreme Court Rule; that annexed hereto is a printed copy of a notice which was published in said newspaper on the following date, or dates, to-wit

NOTICE OF PUBLIC HEARING MARQUETTE TOWNSHIP PLANNING COMMISSION

Notice is hereby given that a public hearing will be held by the Marquette Township Planning Commission on Wednesday, May 25, 2022, at 7 p.m. The meeting will be held in-person at the Marquette Township Hall, 1000 Commerce Drive, Marquette, MI 49855 in order to gain public comment and input on the following agenda item:

Public Hearing for a proposed Short-Term Rental on a property located within the Urban Residential (UR) zoning district, per the Marquette Township Zoning Ordinance (Article 15, Section 15.05). Parcel Tax ID# 52-08-350-093-05. Subject property is described as TROWBRIDGE PARK SUB. NO. 6 LOT 519. Property address: 2282 Cherry Street, Marquette MI, 49855. Applicant: Damia Toyras, 2282 Cherry Street, Marquette. MI 49855

The Marquette Township Zoning map and text are available online at www.marquettetownship.org. Written comments regarding the public hearing will be accepted until 5:00 p.m. on Tuesday, May 24, 2022. For questions, contact Jason McCarthy, Zoning Administrator at 228-6220 ext. 105.

This notice is posted in compliance with Public Act 110 of 2006, as amended, the Open Meetings Act, and the Americans with Disabilities Act (ADA).

May 9, 2022

ANN TROUTMAN

Subscribed and sworn to before me this 9th day of May, 2022

Notary Public for MARQUETTE County, Michigan

Acting in the County of Marquette My commission expires: May 25, 2025

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

document. Buffer Affected Parcel Parcel Buffer ERIE ALLEN ATNO CHERRY



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STAFF REPORT

PLANNING COMMISSION - MAY 25, 2022

Agenda Item # 6b: Short-Term Rental Report- Additional Info

Staff Report Contact: Erik Powers- Staff Planner

Background:

As part of the ongoing dialogue regarding Short-Term Rental administration and regulation, the Planning Commission has directed staff to explore additional ways that safety, compliance, and responsible use of Short-Term Rentals can be ensured in Marquette Charter Township.

As such, the previously shared report has been included in full for reference. Also included are a proposed informational sheet for prospective applicants, a proposed 'unit posting' with rules and regulations directed towards renters, and the inspection checklist utilized by the Fire Dept. for their bi-annual inspections. Also included is the text of Proposed House Bill 5521 and a corresponding Mining Journal Article. House Bill 5521 would allow for short-term rental properties to charge a 6% room assessment fee, which would increase tax revenue on these properties.

Review Recommendation:

Staff recommends that the Planning Commission review and consider the proposed documents and other information provided and determine what, if any, further restrictions and/or regulations should be placed on short-term rental uses in Marquette Charter Township.



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APRIL 27 2022 Planning Commission Short-Term Rental Report:

Background:

The Planning Commission has expressed interest in further information regarding regulation of short-term rentals (STR or STRs) in Marquette Township and has directed staff to report on several issues concerning short-term rentals, including local regulation, status of legislation, and insurance requirements for owners of property approved for short-term rental use, among other issues.

Below is language from the Marquette Township Zoning Ordinance concerning short-term rentals. This was officially adopted by the Planning Commission and referred to the Township Board on April 11, 2018. The Township Board adopted the ordinance after a first reading on June 5, 2018 and a second reading on June 18, 2018.

Per the Zoning Ordinance:

ARTICLE 2 – DEFINTIONS:

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.

ARTICLE 16 - DETAILED USE REGULATIONS:

Section 16.13: Short-term Rentals:

- 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.

To date, the Planning Commission has approved 13 of 16 special use permit requests for short-term rentals. See attached short-term rental inventory (previously shared with the Planning Commission) for specific case numbers, addresses, and property owners.

State of Michigan Legislation- HOUSE BILL 4722 and SENATE BILL 446:

Michigan House Bill 4722 was introduced on April 27, 2021 and passed the House on October 27, 2021. It was referred to the Committee on Regulatory Reform by the Senate on October 27, 2021, and has had no apparent progress since then. Senate Bill 446 was



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introduced to the Senate on May 13, 2021 and was referred to the Committee on Regulatory Reform and has seen no apparent progress since then.

The bills would amend the Zoning Enabling Act to prohibit a county, township, city, or village from adopting or enforcing zoning ordinance provisions that have the effect of prohibiting short-term rentals. This would establish that the rental of dwellings, including STRs:

- Are a residential use of a property that is permitted in all residential zoning districts.
- Is not subject to a special use or conditional use permit or procedure different from those required for other dwellings in the same zone.
- Is not a commercial use of the property.

Local governments would retain the right to adopt certain specified zoning ordinances and practices if consistently applied to rentals and other residences. (e.g. nuisances, health and safety, etc.) Further, local governments may limit the number of STRs under common ownership to two or more, as well as the total number of units used for short-term rental use in the local unit. The limit shall not be less than 30% of the number of existing residential units. The act defines Short-term rental as "the rental of a single-family residence, a dwelling unit in a 1-to-4 family house, or any unit or group of units in a condominium, for terms of not more than 30 consecutive days."

The full text of the bills as presented is included in the meeting packet for review.

Insurance of Property Owners

Most, if not all, insurance companies classify rental of residential property, including short-term rentals, as a business activity and therefore any incident and associated damages occurring while renters are occupying the property would not be covered under a typical homeowner's insurance policy. Generally, commercial coverage costs three to five times more than non-commercial insurance. Consequentially, it could be implied that the increased cost could lead homeowners to foregoing the additional insurance. Many insurance companies offer 'short-term rental property' insurance packages composed of both homeowner's and commercial-type insurance devices.

Some hosting sites like AirBnB provide property damage and personal liability coverage to STR hosts that use the platform.

Safety and Compliance in STRs

Safety issues in short-term rentals are largely the same as an owner-occupied property or long-term rental, however they can be intensified due to the transient nature of the renters and an assumed unfamiliarity with the structure, the property, and the surrounding area. Four topics present significant areas for concern:



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- Fire Safety- egress routes, location of smoke detectors and fire extinguishers, unfamiliarity with appliances, etc.
- Construction and Maintenance- maintenance of house features including decks, docks, appliances, etc.
- Water Safety- pool safety measures, watercraft safety measures, swimming safety measures
- Residential properties with a pseudo-commercial use- overuse and/or substandard maintenance of appliances like refrigerators, washers, and dryers.

As part of the overall Short-term Rental permitting and licensing process, an inspection by the Fire/Rescue Department (FD) is conducted upon Special Use Permit approval. Typically, STR fire safety inspections occur after scheduling coordination between the FD and property owner, but do require consent from the owner, manager, or a tenant. The inspections are usually conducted in all accessible private and common areas of the property, such as stairs, garages, exercise, and laundry rooms. The inspector looks for all hazards affecting fire safety, including but not limited to: obstructed fire lanes and exits; adequate property number identification; hazard material storage; balcony BBQs; and fire protection equipment, such as smoke detectors.

Some communities require that all short-term rental contracts and/or informational packets in the rentals themselves include a copy of the local sound/trash/parking ordinances and/or a "Good Neighbor Brochure" that summarizes the local ordinances and what is expected of the renter. Requiring property/local rules and a floor plan to be posted in a conspicuous location in the structure could also have a positive effect (see attached photos for examples). Further, requiring safety guidelines for various features of the property (hot tubs, pools, watercraft, decks) could have a positive effect.

Some communities institute a "three-strike" rule, where a permit is automatically revoked for a number of years in the event the local government receives three (substantiated) complaints about a property with a certain time frame. Alternatively, a local government can adopt a rule by which a permit is revoked in the event conclusive evidence is received that a city ordinance has been violated.

Additionally, some communities have adopted a "permanent residency requirement" for property owners to help manage intensity of short-term uses. This would involve requiring the permit holder to verify residency on an annual basis and would effectively create an upper limit on how often a property is rented out each year.

Coordination with the FD on these matters is ongoing, and will likely intensify as this issue is further explored.

Review Recommendation

Staff recommends that the Planning Commission review and consider the information provided and determine what, if any, further restrictions and/or regulations should be placed on short-term rental uses in Marquette Charter Township.



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Consultation with the Township Attorney may be needed to consider feasibility of further regulation, depending on type and scope.

MARQUETTE TOWNSHIP SHORT TERM RENTALS

Case Number Address	Address	Approved/Denied Date Owner	Owner	Alternate Contact Comments	Comments
081518-1	250 Partridge Bay Trail Approved- 8/15/18	Approved- 8/15/18	Ray Family LLC	Kate Lewandoski	
091018-1	2352/2362 Werner ST Approved- 9/10/18	Approved- 9/10/18	Matt Blondeau		
111418-1	386 Co Rd 550	Approved- 11/14/18	Kevin Thomsen		Phil's 550
111418-2	309 Eagle's Nest	Approved- 11/14/18	Christina Gervasi		
042419-1	495 Brickyard Rd	Approved- 4/24/19	Tyler Govern		
050819-1	290 South Vandenboon DENIED- 5/8/19	DENIED- 5/8/19	Andrea and Gregory Timm		
050819-2	1650 Granite Ave.	Approved- 5/8/19	Lynn Mattson		
052219-1	250 Huron Woods	Approved- 5/22/19	Anne C Jackson Trustee	Anne Jackson	
090920-1	600 Brickyard Rd	Approved- 9/9/20	Kathy Peters	Steve Vielmetti	
011321-1	1983 Cherry St	Approved- 1/13/21	Andrew Herro	Danielle Van Dreel	
092221-1	680 Ontario Ave	Approved - 9/22/21	John and Jenny Centko		
102721-1	354 Co Rd 550	Approved- 10/27/21	Connor Wilkinson		
120821-1	1818 Grante Ave	Approved- 12/8/21	Ted Grzelak		
120821-3	170 Eagle's Nest	Approved 12/8/21	Tim and Regina Gort		
112421-1	2593 Norwood	DENIED- 2/9/22	Samuel Dunlap		
	828 Co Rd 550	DENIED- 3/9/22	Shannon Fisher		

Outstanding 041922-1

2282 Cherry St 4/27 t

4/27 to schedule PH

Damia Toyras

SUBSTITUTE FOR HOUSE BILL NO. 4722

A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act,"

(MCL 125.3101 to 125.3702) by adding section 206b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 206b. (1) For the purposes of zoning, all of the
- 2 following apply to the rental of a dwelling, including, but not
- 3 limited to, short-term rental:
- (a) It is a residential use of property and a permitted use in 4
- 5 all residential zones.
- 6 (b) It is not subject to a special use or conditional use
- permit or procedure different from those required for other
- dwellings in the same zone. 8
- (c) It is not a commercial use of property.

- 1 (2) A local unit of government shall not adopt or enforce
 2 zoning ordinance provisions that have the effect of prohibiting
 3 short-term rentals.
- 4 (3) This section does not prohibit a zoning ordinance
 5 provision that is applied on a consistent basis to rental and
 6 owner-occupied residences and that regulates any of the following:
- 7 (a) Noise.
- 8 (b) Advertising.
- 9 (c) Traffic.
- 10 (d) Any other condition that may create a nuisance.
- 11 (4) This section does not prohibit a local unit of government 12 from doing either of the following:
- 13 (a) Inspecting a residence for compliance with or enforcement 14 of an ordinance of the local unit of government that meets all of 15 the following requirements:
- 16 (i) Is for the protection of public health and safety.
- 17 (ii) Is not a zoning ordinance.
- 18 (iii) Does not have the effect of prohibiting short-term
 19 rentals.
- 20 (b) Collecting taxes otherwise authorized by law.
- 21 (5) Notwithstanding any other provision of this section, a
 22 local unit of government may limit the number of units under common
 23 ownership used for short-term rental in the local unit. The limit
 24 set by the local unit of government shall not be fewer than 2
 25 units.
- 26 (6) Notwithstanding any other provision of this section, a 27 local unit of government may limit the total number of units used 28 for short-term rental in the local unit. The limit shall not be 29 less than 30% of the number of existing residential units in the

1 local unit of government and shall apply without regard to the

3

- 2 location of dwelling units.
- 3 (7) Notwithstanding any other provision of this section, a
- 4 local unit of government that, as of July 11, 2019, had zoning
- 5 ordinance provisions that regulate the rental of dwellings by
- 6 overlay district without distinction between short-term rental and
- 7 rental for longer terms, and that, as of July 11, 2019, had a
- 8 rental overlay district or districts that were initiated by
- 9 petition, may continue to enforce those zoning ordinance provisions
- 10 as they existed on that date. Such a local unit of government may
- 11 revise existing overlay district boundaries or create new overlay
- 12 districts, but only under the terms of the zoning ordinance
- 13 provisions as they existed on July 11, 2019.
- 14 (8) As used in this section:
- 15 (a) "Common ownership" means ownership in whole or in part by 16 the same individual, individuals, or legal entity.
- 17 (b) "Short-term rental" means the rental of a single-family
- 18 residence, a dwelling unit in a 1-to-4-family house, or any unit or
- 19 group of units in a condominium, for terms of not more than 30
- 20 consecutive days.
- 21 Enacting section 1. This amendatory act takes effect 90 days
- 22 after the date it is enacted into law.

SENATE BILL NO. 446

May 13, 2021, Introduced by Senators NESBITT, ANANICH, SANTANA, MACDONALD, HOLLIER, BARRETT, BIZON and SCHMIDT and referred to the Committee on Regulatory Reform.

A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act,"

(MCL 125.3101 to 125.3702) by adding section 206b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 206b. (1) For the purposes of zoning, all of the
- 2 following apply to the rental of a dwelling, including, but not
- 3 limited to, short-term rental:
- 4 (a) It is a residential use of property and a permitted use in
- 5 all residential zones.
- 6 (b) It is not subject to a special use or conditional use

- 1 permit or procedure different from those required for other
- 2 dwellings in the same zone.
- 3 (c) It is not a commercial use of property.
- 4 (2) This section does not prohibit regulation applied on a
- 5 consistent basis to rental and owner-occupied residences for any of
- 6 the following:
- 7 (a) Noise, advertising, traffic, or other conditions, for the 8 prevention of nuisances.
- 9 (b) The number of persons that may occupy a dwelling.
- 10 (c) Inspections and inspection fees.
- 11 (d) Taxes otherwise permitted by law.
- 12 (3) As used in this section, "short-term rental" means the
- 13 rental of a single-family residence, a dwelling unit in a 1-to-4-
- 14 family house, or any unit or group of units in a condominium, for
- 15 terms of not more than 30 consecutive days.
- 16 Enacting section 1. This amendatory act takes effect 90 days
- 17 after the date it is enacted into law.

CITY OF MARATHON, FLORIDA



Planning Department

9805 Overseas Highway, Marathon, Florida 33050 Phone: (305) 289-4121 Fax: 305-743-3667

VACATION RENTAL USE AND OCCUPANCY RESTRICTIONS

**All use and occupancy of residential dwelling units for vacation rental purposes shall be in accordance with the following criteria:

1. No vacation rental use in a residential subdivision shall be for less than seven (7) nights.

2. Motor vehicles and vessel trailers shall only be parked in driveways or other areas designed and designated for parking on the units property, and not on the street or extending over the right-of-way or sidewalk. The number of motor vehicles and vessel trailers parked on the property shall not exceed the maximum number of permitted parking spaces. Only motor vehicles of registered occupants may be parked over night.

3. For vacation rental units that contain dock area, the total length of docked vessels shall not exceed the width of the property at the waterline, with no rafting of vessels to create a hazard to navigation. No vessel docked on the property shall be used for sleeping, live-a-boards or other overnight accommodations.

4. Occupants shall be prohibited from making excessive and unnecessary noise in or about any vacation rental unit at all times such as to cause a noise disturbance. "Noise disturbance" means any sound that is so excessive, loud or disturbing that it causes an adverse psychological or physiological effect on humans, or unnecessarily disturbs or interferes with enjoyment of life or property, including outdoor recreation.

5. No occupant of a vacation rental unit shall enter upon any neighboring private property.

6. All trash and debris shall be kept in covered trash containers. Each vacation rental unit shall be equipped with at least four (4) covered trash containers for such purposes. Occupants shall comply with all trash provisions and recycling provisions that are applicable to the unit. Schedules of garbage pick-up and recycling pick-up shall be posted with the rental agreement.

7. The maximum occupancy of any unit used for vacation rental purposes shall not exceed two (2) persons per bedroom plus two (2) other persons per unit, or the lesser of such other maximum occupancy load as may be set by the office of the State Fire Marshal for the particular residential dwelling unit pursuant to its administrative rule making authority, or the City Building Official. No motor home, camper, sport utility vehicle or any other motor vehicle parked on the property shall be used for sleeping or other overnight

8. All vacation rental units shall comply with all building and fire safety codes for Public Lodging Establishments as required by State law or the Code.

NOTICE:

Any violation of these use and occupancy restrictions shall constitute grounds for immediate termination of the rental agreement, eviction from the vacation rental unit by the owner or property manager and appropriate fines levied.

THESE RESTRICTIONS MUST BE POSTED IN RENTAL UNIT

DIAL 911 FOR ALL EMERGENCIES Fire – Police – Ambulance

American Caribbean Real Estate
24 Hour Contact Number – Leslie Christensen
Office: 305-743-6881

After Hour Emergencies: 305-849-0270

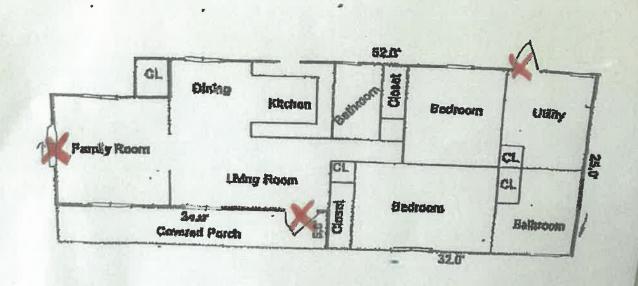
Unit Address: 63 Tingler, Marathon, FL 33050

Maximum Occupancy – 6 People

All parking should be in driveway not at neighboring homes or street.

Garbage Pick Up – Monday & Friday – Early Morning

Unit Phone – 305-Emergency Exit (**)





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Short-term Rental Units in Marquette Charter Township

Background

Marquette Charter Township's Zoning Ordinance Sections regarding Short-Term Rentals (STR or STRs) was officially adopted on June 18, 2018. Township staff and the Planning Commission have seen steady, if not increasing, interest in STRs since then.

Approval Process

Any and all STR uses require an approved Special Use Permit (SUP). SUPs are not a staff-level decision and rather are granted by the Planning Commission. The SUP process is as follows:

- 1. Applicant submits a SUP application and all required materials.
- 2. Staff reviews application for completion, and if sufficient, presents it to the Planning Commission with a request to schedule a public hearing at the next available meeting.
- 3. If the request to schedule the public hearing is approved by the Planning Commission, staff then notify all neighbors of the upcoming public hearing within a 300-feet buffer from the subject property's lot lines. Staff also places a notice in the local newspaper (Mining Journal) about the nature of the request and the public hearing.
- 4. At the public hearing, any and all members of the public have a chance to voice their opinion on the proposed use. After all people have been heard, the Planning Commission votes on the proposed use weighing all factors involved.
- 5. If denied, the applicant may reapply for the same request in one (1) year's time.
- If approved, the applicant must acquire a Marquette Township Business License and complete a Fire Code review conducted by the Marquette Charter Township Fire/Rescue Department. This inspection must be completed and passed every two (2) years.

Density Restrictions

Currently, the township does not have any restrictions as far as number of STRs allowed or density of STRs in a certain area (neighborhood, square mile, etc.). As more licenses are applied for and granted, the township reserves the right to institute restrictions to maintain neighborhood character and livability.

Short-term vs. Long-term

Per the Marquette Charter Township Zoning Ordinance, short-term rentals are defined as:

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.





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Meaning, any lease for 90 days or longer is considered a long-term rental and is not subject to the special use permit application process and requirements. If leases are shorter than 90 days, it is considered an STR and must have an approved SUP permit to operate.

Use and Occupancy Restrictions

See attached sheet for rules and restrictions all renters are expected to follow when renting an STR in Marquette Township.

Fire Code Review

Per the Marquette Township Zoning Ordinance, all approved STR/SUP permits must complete a fire code review conducted by the Marquette Charter Township Fire/Rescue Department every two (2) years. The inspector looks for all hazards affecting fire safety, including but not limited to: obstructed fire lanes and exits; adequate property number identification; hazard material storage; balcony BBQs; and fire protection equipment, such as smoke detectors. An inspection checklist is attached for reference.

Tax Implications

Should the STR/SUP permit request be formally approved, per Michigan law your Principal Residence Exemption (PRE) will be rescinded if the property is rented out for more than 14 days per year.

Property Insurance and STRs

Most, if not all, insurance companies classify rental of residential property, including short-term rentals, as a business activity and therefore any incident and associated damages occurring while renters are occupying the property would not be covered under a typical homeowner's insurance policy. Generally, commercial coverage costs three to five times more than non-commercial insurance. Many insurance companies offer 'short-term rental property' insurance packages composed of both homeowner's and commercial-type insurance devices.

Some hosting sites like AirBnB provide property damage and personal liability coverage to STR hosts that use the platform. The Planning Commission and Township Staff strongly encourage property owners with approved STR/SUP permits to acquire insurance that covers property damage and personal liability that may arise as a result of operating an STR.

"3-Strikes" Rule

Information to be included if and when a rule is put into place.

For more information, please contact the Marquette Charter Township Hall at 906-228-6220.

Mission Statement:





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MARQUETTE CHARTER TOWNSHIP SHORT-TERM RENTAL USE AND OCCUPANCY RESTRICTIONS

All use and occupancy of rental dwelling units for vacation rental purposes in Marquette Charter Township shall be in accordance with the following criteria:

- Motor vehicles, trailers, and any/all recreational vehicles shall only be parked in driveways or other areas designed and designated for parking on the unit's property, and not extending over the right-of-way or sidewalk. The number of motor vehicles parked on the property shall not exceed the maximum number of permitted parking spaces. Only motor vehicles of registered occupants may be parked overnight.
- 2. Occupants shall be prohibited from making excessive and unnecessary noise in or about any vacation rental unit at all times such as to cause a noise disturbance. A "noise disturbance" is defined as any excessive, unnecessary, unnatural, repeated, prolonged or unusually loud noise, or any noise which annoys or disturbs or injures or irritates or unreasonably impairs the comfort, repose, health, or peace of another, within the limits of the Charter Township of Marquette.
- 3. No occupant of a vacation rental unit shall enter upon any neighboring private property.
- 4. Per Section 303.1 of the Township Property Maintenance Ordinance, all exterior property and premises shall be maintained in a clean, safe, and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.
- 5. All trash shall be kept in a covered and leakproof trash container as per Section 306.3 of the Township Property Maintenance Ordinance. Schedules of Garbage pick-up and recycling pick-up shall be posted with the rental agreement.
- 6. The maximum occupancy of any unit used for vacation rental purposes shall not exceed the maximum occupancy load as set by the office of the State Fire Marshal for the particular residential dwelling unit pursuant to its administrative rule making authority, or the County Building Official. No motor home, camper, sport utility vehicle, or any other motor vehicle parked on the property shall be used for sleeping or other overnight accommodations.
- 7. All vacation rental units shall comply with all building and fire safety codes for Public Lodging Establishments as required by state law or local code.

THESE REGULATIONS MUST BE POSTED IN A CONSPICUOUS LOCATION IN THE RENTAL UNIT.



MARQUETTE TOWNSHIP FIRE RESCUE

RENTAL INSPECTION CHECKLIST

APARTMENT INFORMATION	Landlord Phone #:
Complex Name and Address:	E-mail:
1. Landlord	Contact Phone #:
2. Local Operator	Contact Phone #:
3. Tenant as Local Operator	Contact Phone #:
Date of Inspection: Rental Inspector	
Access & Premises	Yes No N/A
Apartment Address on Building and Each Unit Door IPMC 304.3	
Is the exterior fire department access unobstructed? IPMC 702.4	
Are all exterior doors lockable, secure and weather tight? IPMC 304.18	
Are stairs, decks, ramps and porches safe and structurally sound? IPMC 304.10	
Egress Windows & Doors	
Are bedroom windows 44" Max from floor? NFPA 1, NFPA 101-7.1	
Are all egress windows and doors unobstructed by snow, furniture or refuse? NFPA	1, 101
Are new basement egress windows at least 5.7 Sq. ft.? Existing 5.0 Sq. Ft.? NFPA 1, 1	
Are bedroom windows a minimum of 20" by 24" (3.3 Sq. Ft.) (Steel framed windows	
Are bedroom doors free of outside hasp locks and other locking devices? IPMC 304.15	
Does bedroom window open? IPMC 403.1	
Are all Fire Doors closed or held open by magnet or other approved device?	
(No door wedges or blocks are permitted on fire doors.) NFPA 101—7.1	
Egress is found in NFPA 1—10.1 & in NFPA 101—7.1. Duplication for ease of use.	
<u>Electrical</u>	
Are all electrical outlets, switches and junction boxes properly covered with cover pla	ates and is the
electrical system safe from any apparent shock and/or other electrical hazards? IPMC	C 604.3 NFPA 70
Are circuit breakers/fuses labeled so as to identify the area protected? IPMC 604.3	
Is the area maintained clear at least 30" in front of electrical panel(s)? IPMC 604.3	
Does the Electrical Panel have a door? IPMC 604.3	
Are lights in working order? Basement and stairways lit properly? IPMC 605.3	
Are fused multi-plug power strips used where numerous electronic devices are prese	nt? <i>IPMC 604.3</i>
Are there at least two electrical outlets in each room? IPMC 605.2	
Are kitchen appliances powered using extension cords? IPMC 604.3	
Is wiring exposed? IPMC 604.3	
Emergency Lighting/Egress Illumination	
If emergency lighting is provided, is it maintained in operable condition? NFPA 101	
Are monthly checks completed and recorded? NFPA 101	
Exit Signs	
If exit signs are required, are they maintained illuminated or self-luminous? NFPA 10	1
Does the backup-battery work? Are monthly checks performed and recorded? NFPA	101

Fire Alarm System			
If the building is equipped with a fire alarm system, has the required annual service of the fire alarm			
system been performed by a qualified fire alarm company? NFPA 72			
Fire Extinguishers	_		
Is there access to fire extinguisher(s) and are monthly checks performed/recorded? NFPA 10		-	
Is the travel distance from all portions of the building less than 75' to a fire extinguisher? NFPA 10		ļ	
Are all fire extinguishers visible and accessible (not blocked)? NFPA 10			
Have the fire extinguisher(s) been serviced/tagged by an extinguisher company within the last 12 months?			
Are the fire extinguisher(s) properly mounted? (Proper locations-near exit doors where possible, not exceeding maximum travel distance of 75', properly mounted (maximum 5' high if <40 lbs., maximum 3 ½' high if >40 lbs. In all cases, minimum 4" above the ground). NFPA 10			
Smoke Detectors	Yes	No	N/A
Is there a working smoke detector on each living floor of the apartment? IPMC 704.1			
Are working smoke detectors present in bedrooms and in hallways outside of the bedrooms? IPMC 704.1			
Is there a working smoke detector in the basement of the apartment? IPMC 704.1			
Fire/Smoke Separations			
Are the fire/smoke separations (door closers, fire doors, walls, etc.) maintained/working condition? <i>IPMC</i> 704.1			
Fire Suppression Systems			
If the building is equipped with a fire sprinkler system, has the required annual service of the fire sprinkler system been performed in the last year by a qualified sprinkler company? NFPA 25			
Is the Sprinkler System main on/off valve locked in the open position or room locked? NFPA 25			
Furnaces and Heaters	Di-		
If portable electric heaters are used, are they used safely? Also, are they plugged directly into wall outlets and kept a minimum of 3' away from combustibles? <i>IPMC 603.3</i>			
Is there at least 3' around furnaces and water heaters free of combustibles? IPMC 603.3			
Housekeeping	N DATE	ALC:	
Is the Apartment Unit free of rubbish? IPMC 308.1			
Are interior surfaces generally clean, free of mold and rot? IPMC 305.3			
Is the apartment in a livable condition, free from insects, animal waste and rodents? IPMC 309.1			
<u>Ventilation</u>		-	
Are NG Furnaces and Hot Water Heaters vented? IPMC 603.2			
Are Bathrooms ventilated with a mechanical fan or is a window available for ventilation? IPMC 403.2			
Are restrooms free of mold? IPMC 305.3			
Handrails & Guards			
Are handrails present on stairways over 30" off floor? IPMC 307.1			
Are guards a maximum of 4" apart? IPMC 307.1			
Are guard and handrail no higher than 42" off tread-plate? IPMC 307.1			
Is handrail a minimum or 2.25" from wall? To allow grasping of handrail. IPMC 305.5, NFPA 1			

Are guards present on both sides of open stairwells? IPMC 307.1	
Storage of Compressed Gas Cylinders	
Are propane and charcoal grills stored and used at least 10' from the apartment building? NFPA 58	
Storage of Combustible and Flammable Liquids	
Are quantities in excess of 5 gallons of flammable and combustible liquids used for maintenance purposes and the operation of equipment stored in liquid storage cabinets? Propane in out buildings only?	,
Reservences:	
NFPA 1, Fire Code, 2015 Edition	
NFPA 10, Extinguishers, 2013	
NFPA 25, Suppression Systems, 2011	
NFPA 58, LP Gas Code, 2014	
NFPA 70, National Electric Code, 2015	
NFPA 72, Alarm Systems, 2010	
NFPA 101, Life Safety Code, 2015 Edition	
NFPA 101, Life Safety Code, 2015 Edition ICC, International Property Maintenance Code, 2015 Edition	
ICC, International Property Maintenance Code, 2015 Edition ONSPECTOR	
ICC, International Property Maintenance Code, 2015 Edition ONSPECTOR	
ICC, International Property Maintenance Code, 2015 Edition ONSPECTOR	
NSPECTOR	
ICC, International Property Maintenance Code, 2015 Edition ONSPECTOR	
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ICC, International Property Maintenance Code, 2015 Edition INSPECTOR	
ICC, International Property Maintenance Code, 2015 Edition INSPECTOR	
ICC, International Property Maintenance Code, 2015 Edition INSPECTOR	
ICC, International Property Maintenance Code, 2015 Edition ONSPECTOR	

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HOUSE BILL NO. 5521

Evernber 03, 2021, Introduced by Rep. Cambensy and referred to the Committee on Commerce and Tourism.

A bill to provide for the levy, collection, and administration of an excise tax on room charges of certain short-term transient facilities by transient guests; to provide for the disposition of the proceeds of the excise tax; to prescribe the powers and duties of certain state departments, local units of government, and state and local officials; to provide for certain penalties; and to provide for certain exemptions.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 1. This act may be cited as the "tourism reinvestment excise tax act".

Sec. 2. As used in this act:

- (a) "Excise tax" means the excise tax levied by a qualified county under section 3.
- (b) "Owner" means the owner of a short-term transient facility located within the qualified county or, if the short-term transient facility is operated or managed by a person other than the owner, then the operator or manager of that short-term transient facility.
- (c) "Qualified county" means a county that is within a regional assessment district as described in section 2 of the regional tourism marketing act, 1989 PA 244, MCL 141.892.
- (d) "Room" means a room or other space provided for sleeping in a short-term rental.

- (e) "Room charge" means the charge imposed for the use or occupancy of a room, excluding charges for food, beverages, state use tax, telephone service, or like services paid in connection with the charge.
- (f) "Short-term rental" means the rental of a single family residence or a 1-to-4 family house or dwelling unit, or any unit or group of units in a condominium, for a term of not more than 30 consecutive days.
- (g) "Short-term transient facility" means a building that contains 1 or more rooms used in the business of providing short-term rentals to transient guests, whether or not membership is required for the use of the rooms. A short-term transient facility shall not include a hospital or nursing home.
- (h) "Transient guest" means a person who occupies a room in a short-term transient facility for not more than 30 consecutive days regardless of who pays the room charge for the room.
- (i) "Use tax" means the tax imposed under the use tax act, 1937 PA 94, MCL 205.91 to 205.111.
- Sec. 3. (1) Subject to subsection (3), a qualified county may levy, collect, and administer an excise tax on the owners of a short-term transient facility used in the business of providing short-term rentals to a transient guest that is located in that qualified county.
- (2) The excise tax described in subsection (1) shall not exceed 5% of the room charge for the short-term transient facility.
- (3) A qualified county shall not levy an excise tax described in subsection (1) unless a majority of the voters of that county voting on that question approve the levy of the excise tax described in this section.
- (4) The excise tax levied under this act shall be administered by the qualified county that levied the excise tax.
- (5) A qualified county levying an excise tax under this act may provide in the ordinance or resolution for 1 or more of the following:
- (a) The adoption and enforcement of rules to apply, interpret, effectuate, and administer the excise tax.

- (b) The prescribing and furnishing to taxpayers of forms, instructions, manuals, and other materials necessary for enforcement of the excise tax and the auditing of excise tax returns in cooperation with the department of treasury.
- (c) The examination by the qualified county or the department of treasury, or 1 of their agents, of the books and records of a taxpayer for purposes of determining the correctness of a tax return or information filed, or the determination of any tax liability under this act.
- (d) The imposition of a fine of not more than \$500.00, or imprisonment of not more than 90 days, or both for violation of the ordinance or resolution imposing the excise tax.
- (e) If the excise tax imposed under this act remains unpaid for more than 90 days, the treasurer of the qualified county may collect the excise tax in the same manner as a delinquent special assessment, along with any associated interest, fees, and costs, under the general property tax act, 1893 PA 206, MCL 211.1 to 211.155.
- (6) The excise taxes levied under this act shall be in addition to any other taxes, charges, assessments, or fees.
- Sec. 4. (1) The excise tax shall be collected at the same time and in the same manner as the tax imposed under the use tax act, 1937 PA 94, MCL 205.91 to 205.111.
- (2) The excise tax imposed by this act shall be collected by the department of treasury under 1941 PA 122, MCL 205.1 to 205.31.
- (3) The state treasurer may promulgate necessary rules for the collection of the excise tax under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.
- Sec. 5. A taxpayer may reimburse himself or herself by adding the amount of the excise tax to the room charge of the short-term rental.
- Sec. 6. (1) The proceeds from the collection of the excise tax imposed under this act shall be deposited with the state treasurer and credited to a restricted account for the benefit of the qualified county that levied the tax under section 3. Not later than 60 days following the end of the calendar month in which the proceeds of the excise tax were received by the

department of treasury, the proceeds of the excise tax shall be paid to the treasurer of the qualified county that levied the excise tax.

- (2) The qualified county shall use and distribute the proceeds of the excise tax only as follows:
- (a) 60% to be used as determined by the qualified county in the ordinance or resolution approving the excise tax under this act.
- (b) 20% to support emergency repairs and trail improvements of the network of trails located in the qualified county as determined by the qualified county.
- (c) 10% to the department of natural resources to support conservation officers and land management operations in the qualified county as determined by the qualified county.
- (d) 10% to the department of state police for additional road patrols in the qualified county as determined by the qualified county.

Journal Journal

Short-term rental tax bill at issue

Cambensy, Markkanen in bipartisan leadership roles



State Rep. Sara Cambensy, D-Marquette

MARQUETTE — Upper Peninsula state representatives Sara Cambensy and Greg Markkanen are working together across the aisle to encourage legislators to hold hearings on a bill which would allow U.P. counties to increase tax revenue on short-term rental properties.

House Bill 5521, sponsored by Cambensy, comes as a response to the rapid growth of tourism in the U.P. in recent years. The bill would allow for short-term rental properties to charge a 6% room assessment fee. Currently, only designated hotels are allowed to charge the fee.

U.P. counties have seen increased growth in tourism in the past 10 years, which has caused a strain on public safety as well as infrastructure, such as trails and housing.

While tourism is a major benefit for local businesses, counties with smaller populations and resources, such as Keweenaw County, have found their resources stretched thin.

"Tourism is a great economic driver for our small businesses and restaurants. My bill doesn't take a penny away from the marketing and promotional things that our convention and visitors bureaus and Pure Michigan campaign help our U.P. communities do through their hotel assessment fee," Cambensy said. "My bill simply looks to apply a similar tax on short-term rentals in order to help our local communities manage the number of visitors. When counties like Alger and Keweenaw see 1.2 million to 1.4 million visitors come through it to recreate, mostly during our summer months, you can imagine the strain that places on local

officials to make sure they have the services and manpower necessary to keep people safe."



Markkanen, R-Hancock, agrees with Cambensy.

"Tourism is the lifeblood for many communities in the western U.P. We have counties with only a few thousand residents that have to be able to accommodate hundreds of thousands of visitors every year," Markkanen said. "We're seeing an uptick in situations in the Keweenaw Peninsula where search and rescue is needed but lacks important resources and is severely underfunded. Our public safety departments need a boost in funding to be able to keep both residents and visitors safe."

The current 6% room assessment fee brings in nearly \$8 million annually to U.P. convention and visitor bureaus. The bureaus use the room assessment fees to pay for their operations and to promote tourism throughout the state.

The fees are not allowed to be used for governmental purposes, which restricts helping local communities manage tourism or pay for infrastructure.

"The last thing we want is for our visitors to call 911 for help, only to find there is no search team, no patrol officer, no DNR conservation officer and no ambulance coming to get them," Cambensy said. "The same is true for our local taxpayers who live here year-round. Locals expect their taxes to cover their needs, and they don't want to have their services jeopardized by visitors when they need them."

The bill would allow the counties to let their residents decide if they would like to levy the 6% tax on the short-term rentals.

Cambensy and Markkanen hope to get the bill in front of legislators by next spring.

Randy Crouch can be reached at 906-228-2500, ext. 242. His email address is rcrouch@miningjournal.net.

EMAIL ADDRESS	
n interested in (please che	ck all that apply)
Daily Newsletter	☐ Breaking News
Obituaries	
e you a paying subscriber	to the newspaper *
Yes	○ No



MARQUETTE CHARTER TOWNSHIP

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

STAFF REPORT

PLANNING COMMISSION - MAY 25, 2022

Agenda Item # 6c: Special Use Permit Public Hearing

Request – Proposed Tiny Home land use to be located on a property at 400 Co Rd 550, Marquette MI 49855, within the zoned Rural Residential (RR) district, per the Marquette Township Zoning Ordinance

(Article 15, Section 15.05).

Applicant:

550 Outpost, LLC, 117 N 6th St. Marguette, MI

49855

Parcel ID#:

52-08-213-002-00

Address:

400 Co Rd 550, Marguette, MI 49855

Staff Contact:

Jason McCarthy/Erik Powers

Background:

Staff has received an application for a special land use to conduct a *Tiny Home* land use at the above location, within 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:

Tiny Home – A manufactured or conveniently built structure, 450 square feet in size or less, which may be built on a steel undercarriage with the necessary wheel assembly to be transported to a permanent or semi-permanent site. Any wheels, and to the extent a steel undercarriage is not an integral structural component, shall be removed and the unit shall be placed upon and properly affixed to a permanent or semi-permanent foundation. A Tiny Home shall not include a Camper as defined in Section 2.02.



MARQUETTE CHARTER TOWNSHIP

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

SECTION 16.12: TINY HOMESLS

- 1. In addition to complying with of other relevant Sections of this Ordinance, except for minimum square footage requirements, petitioners desiring to site and/or construct a Tiny Home (as defined in Section 2.02) shall also provide the following information to be considered for a special land use permit:
 - a. Marquette County Building Permit(s)
 - b. Marquette County Health Department Permit(s)
 - c. Off-street parking conforming to residential single-family dwelling units under Article 21.
 - d. Connection to a public sewer and water supply in compliance with the Marquette Township requirements, or to such private facilities as approved by the Marquette County Health Department

Review Recommendation

Staff recommends scheduling the public hearing for Wednesday, June 25, 2022 at 7 PM.

60.

RECEIVED

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 Informati	on					
Name: Aaron Leppanen			Address: 117 N 6th St Marque	otto MI 10855		
Business Name:			117 14 Out of Marque			
550 Outpost LLC						
Phone: 9063607444	Fax:		Name of Contact Person:		Contact Phone:	
If Applicant is not the Own	er, state the Applic	cant's relationship	to the Owner (i.e. purchaser, la	and contract vendee, owner's de	signated agent, etc.):	
E-Mail Address: aaron@leppanena	nker com					
Property Owner (if o	lifferent from a	oplicant)	Address:			
name.			Address:			
Phone:	Fax:		Name of Contact Person:		Contact Phone:	
E-Mail Address:						
Property Information	n					
Address:				Parcel I.D. Number(s):		
400 CRD 550				52-08- 004 _029	10	
Zoning District:		Legal Descrip	otion(s) (attach pages as neces	sery):		
Rural Residential						
Size (acreage or square footage): Name of any 44,130			existing businesses on property	y:		
Proposed Use of Property:						
Tiny Homes						
Present Use of Property:						
√acant						
Permission						
If Applicant is not the Prope	rty Owner, does th	e Applicant have	the Owner's permission?	☐ Yes ☐ No		
		11				

Pleas	e include with this permit the following items:	
•	A letter or signed narrative describing in detail the proposed special use and appropriate.	detailing why the location selected is
	☑ Attached	
•	Applicant's statement of the expected effect of the special use (where applica sanitary sewer facilities, and local traffic volumes.	able) on emergency services, schools,
	✓ Attached	
•	Property Boundary Survey / Map and Legal Description with the seal of the regi	stered surveyor who prepared them.
	☐ Attached	
•	Existing uses and structures on the land – attach any available site map or drithe land	awing locating uses and structures on
	☑ Attached	
•	Existing zoning of the subject property or parcel along with the zoning distrisuperimposed on the survey or site map).	ct of all adjacent properties (may be
	☑ Attached	
•	Site Plan or Plot Plan for Proposed Development (see Article XVII, Site Plan Re	view, Section 17.03 & 17.06).
	☑ Attached	,
•	Preliminary Building Plans / Outline Specifications.	
	☑ Attached	
•	Supporting Documents from Relevant Public Agencies.	
	☐ Attached	
Applica certify	ant: v that the information J have provided is true to the best of my knowledge.	
Signatu	re of Applicant:	Date: May 13th 2022
pplica	nt's Name (print): Aaron Leppanen	
	ty Owner: that the information I have provided is true to the best of my knowledge.	
ignatu	re of Property Owner:	Date: May 13th 2022
roperty	Owner's Name (print): Aaron Leppanen	
nd the	I: I hereby grant permission for the members of the Marquette Township Comm Fire Marshall to enter the above described property for the purposes of gion. Note to applicant: This permission is optional and failure to grant permission.	gathering information related to this

O aı application. Signature of Applicant: Date: OFFICIAL USE ONLY Official Receiving Application (please print): □ No Fee Pald: If Yes, Amount Paid: Application:

Approved

Not Approved Reason: Incomplete Application ☐ Other Date: Condition(s) of Approval: Signature of Zoning Administrator: Date:

To Whom It May Concern:

We are proposing to add 2 - 450 square foot tiny homes to parcel number 52-08-004-029-10. The parcel is owned by Phil's Outpost LLC, which also owns the Phil's 550 store. The 2 - 450 square foot cabins will be spaced out evenly amongst the 44,130 square foot parcel. They cabins will be rental units or used by the owners when traveling to Marquette. They will share a septic tank and well. The tiny homes will be accessed by an existing drive that runs off of CRD 550. The existing drive will also reduce any unnecessary tree clearing. The current lot was chosen as it is currently vacant with some small growth tree coverage and behind the Phil's 550 store, so not to bother any of the neighbors. We believe this project will have little impact to the area.

As these are relatively small homes we don't' believe there will be any impact to the school district and limited to no impact on emergency services. Because this is an existing shared private drive located near the entrance to the MIP association, additional traffic volumes should be unnoticeable. The 1-bedroom tiny homes will share a septic tank and well and should not have significant impact on the surrounding area.

There are currently no known structures on the property.

The property is currently zoned Rural Residential.

Sincerely,

Aaron Leppanen

ata

MORTGAGE REPORT **ORIGINAL** DETAIL: SCALE: 1"=40" SCALE: 1"=80" FRAME HOUSE 8 AND GARAGE NOTE: UNDER б_у, CONSTRUCTION PHYSICAL ACCESS TO SUBJECT PROPERTY IS ALONG A GRAVEL DRIVE THROUGH THE PROPERTY 8 UPON WHICH PHIL'S 550 577.8'± STORE IS LOCATED. FR. HOUSE SEE DETAIL EAST LINE OF -WEST 1/2 OF NE1/4 OF SE1/4 MILESM 241.24' (R) PROFESSION E 384.9' (R) 453.6' (R) SOUTH 1/16TH LINE MICHAEL MILESKI, P.S. 39091

LEGAL DESCRIPTION (AS PROVIDED)

THE FOLLOWING DESCRIBED PARCELS SITUATED IN THE TOWNSHIP OF MARQUETTE, COUNTY OF MARQUETTE, STATE OF MICHIGAN, DESCRIBED AS FOLLOWS:

MICHAEL MILESKI, P.S. 39091

DATE: 10 MARCH 2014

A PARCEL OF LAND IN THE WEST HALF (W 1/2) OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE 1/4 OF SE 1/4) OF SECTION (4), TOWNSHIP 48 NORTH, RANGE 25 WEST, MARQUETTE TOWNSHIP, MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE POINT OF INTERSECTION OF THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE 1/4 OF SE 1/4) OF SAID SECTION 4 AND THE EASTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD 550 FOR A POINT OF BEGINNING (THIS POINT BEING 205.4 FEET MORE OR LESS EAST OF THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER); THENCE NORTH 4€05' EAST 200.00 FEET; THENCE EAST PARALLEL TO THE SOUTH 1/16 LINE 241.24 FEET; THENCE SOUTH 139.14 FEET TO THE SOUTH 1/16 LINE; THENCE ALONG SAID SOUTH 1/16 LINE WEST 384.90 FEET TO THE POINT OF BEGINNING. AND

THAT PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE 1/4 OF SE 1/4) OF SECTION 4, TOWNSHIP 48 NORTH, RANGE 25 WEST, BEGINNING 205.4 FEET OF THE SOUTHWEST CORNER THEREOF, THENCE







2022R-04671

EARLA A L'HUILLIER REGISTER OF DEEDS MARQUETTE COUNTY, MI RECEIVED ON DS/03/2022 10:30 AM RECORDED ON 05/83/2022 10:39 AM

TREASURER'S OFFICE MARQUETTE COUNTY, MI 4278C Required by Sec 135, Act 205, 1893 amended I hereby certify that all taxes which by law ere required to be I hereby certify that all taxes which by tew ere required to be relumed to this office, have been fully paid for the five years preceding the date of said instrument for the lands described herein. This certification does not apply to taxes in the process of local collection, board of review, PRE denier or tax Inburied JACQUELINE SOLOMON, TREASURER /

WARRANTY DEED

The Grantor, Deborah J. Pearce, individually and as survivor of Philip S. Pearce, Deceased (Grantor), whose address is 402 County Road 550, Marquette, MI 49855, CONVEYS AND WARRANTS to PHILVILLE, LLC, a Michigan limited liability company, whose address is 400A County Road 550, Marquette, MI 49855, the following described premises situated in the Township of Marquette, County of Marquette and State of Michigan:

A parcel of land in the West Half of the Northeast Quarter of the Southeast Quarter (W1/2 of NE1/4 of SE¼) of Section 4, T48N, R25W Commencing at the point of intersection of the South line of the Northeast Quarter of the Southeast Quarter (NE1/4 of SE1/4) of said Section 4 and the Easterly Right-of-Way line of County Road 550 for a Point of Beginning (this point being 205.4 feet, more or less, East of the Southwest corner of said Northeast Quarter of the Southeast Quarter (NE¼ of SE¼) of said Section 4, thence N44°05'E, 200 feet; thence East parallel to the South 16th line of said Section 4, 241.24 feet; thence South 139.14 feet to the South 16th line of said Section 4; thence along said South 16th line West, 384.90 feet to the Point of Beginning.

for the sum of TEN THOUSAND Dollars (\$10,000.00), subject to easements and building and use restrictions of record.

The Grantors grant to the Grantees the right to make all available divisions under Section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967, as amended.

This property may be located within the vicinity of farm land or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right To Farm Act.

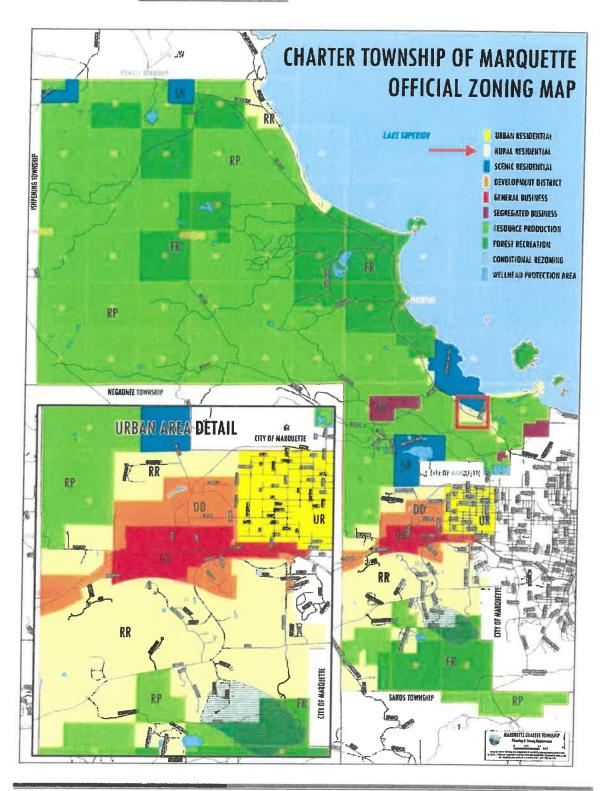
Dated this 29th day of March, 2022.

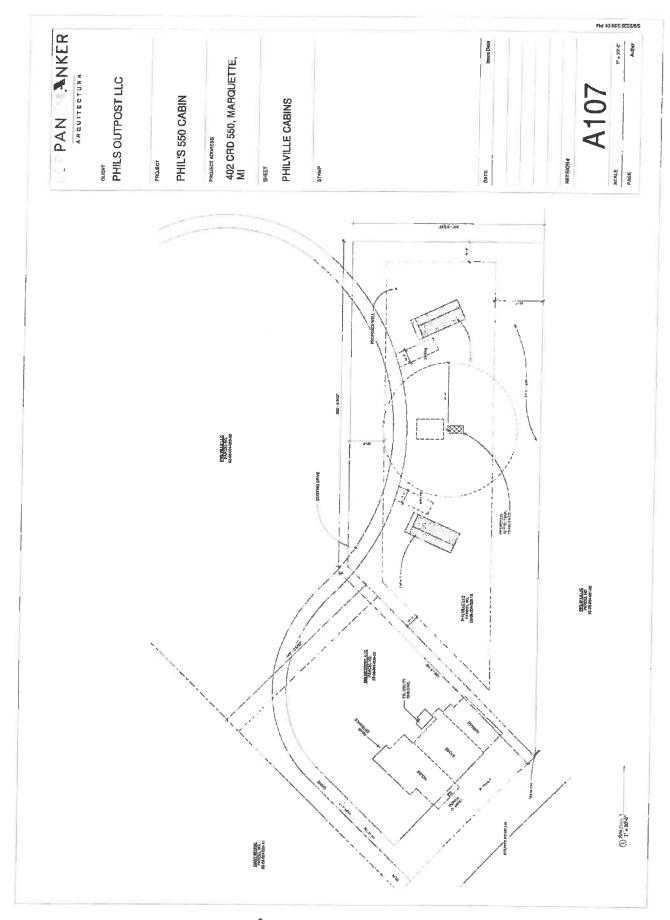
Grantor

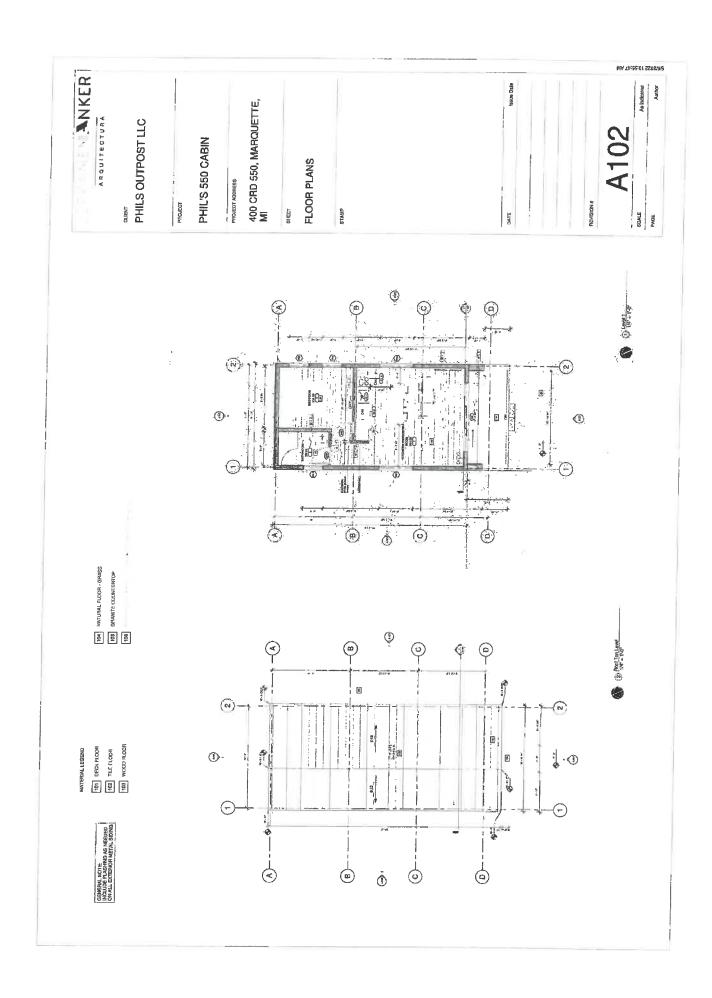
Deborah J. Pearce

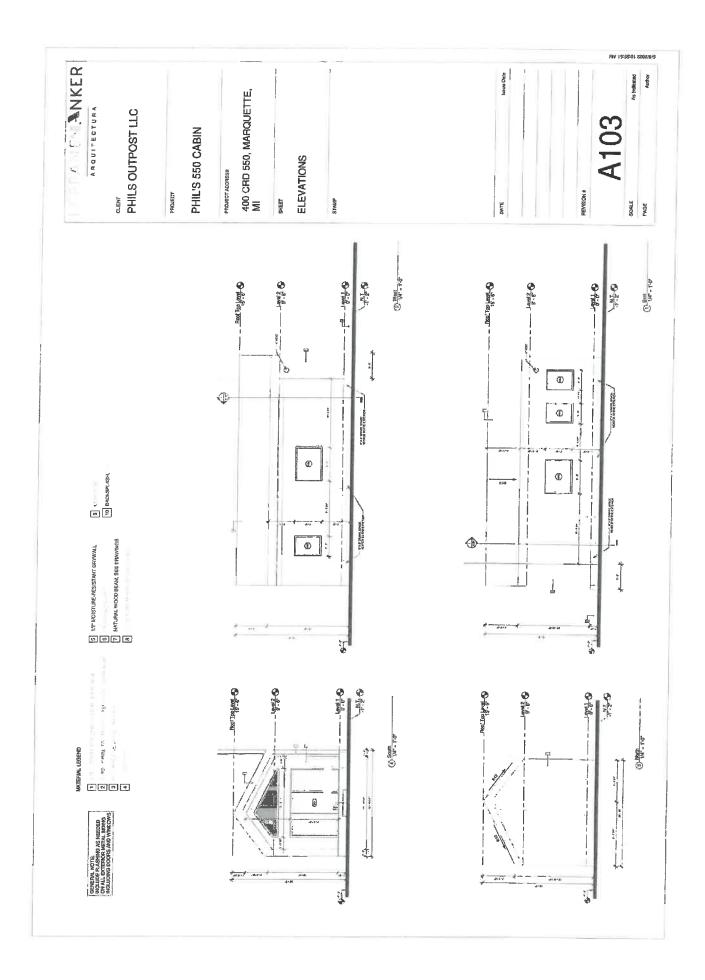
*Death Certificate for Philip S. Pearce recorded as document 2018R-01421.

SECTION 3.08: OFFICIAL ZONING MAP

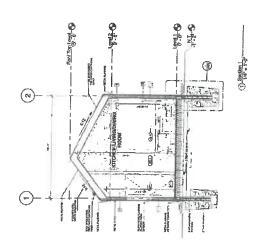


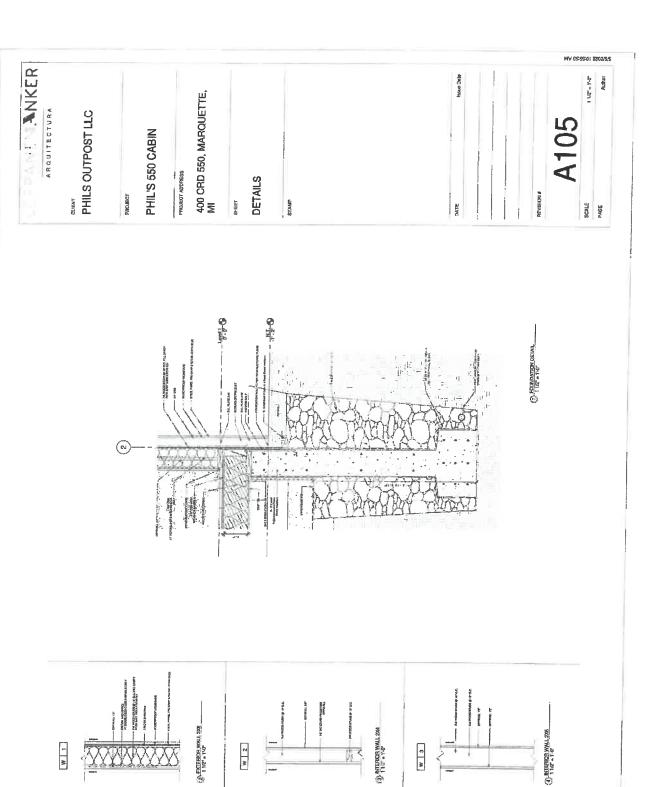






						NA	2F99'01 Z80Z/9/3
ARQUITECTURA	PHILS OUTPOST LLC	PROJECT S50 CABIN	CRD 550,	 SECTIONS	DATE:	A104	SPUE 1:0" - 1:0" - Author





W 3

W 2

- AA



MICHIGAN

Marquette County Road Commission

1610 North Second Street Ishpeming, Michigan 49849

Phone: (906) 486-4491 Fax: (906) 486-4493

REQUEST FOR PROPOSAL

Northwest Marquette Road Network Connectivity Feasibility Study

The Marquette County Road Commission (MCRC) is requesting proposals from qualified firms to provide feasibility study for road network connectivity in the northwest Marquette area for the anticipated future growth of this region. This feasibility study shall include all the necessary items required to recommend a future road network plan to meet MCRC expectations as described.

This Request for Proposals (RFP) provides detailed information on the proposal items, scope of services, required certifications, and selection criteria.

An electronic copy of the proposal shall be submitted by email no later than 11:00 a.m. EST on Monday, June 13, 2022, to <u>aelsenheimer@marqroad.org</u> with the subject line of "Connectivity Feasibility Study". Proposals received after the deadline will not be considered. Confirmation of the proposal being received by the MCRC is the responsibility of submitter. If a response isn't received from the MCRC after submitting the proposal, suggestion for confirmation is to contact Alex Elsenheimer of the MCRC at the phone number below. Proposals will be reviewed after the submittal deadline with an engineering firm being recommended to the MCRC Board for the June 20, 2022 board meeting based on the selection criteria listed in this RFP.

Any questions relative to this RFP should be directed to Alex Elsenheimer of the MCRC, at (906) 486 – 4491 ext. 207.

The MCRC reserves the right to accept or reject any or all proposals, can accept one or all projects, or what is in the best interest of the MCRC.

Scope of Services

DESCRIPTION OF WORK:

Due to the expansion of the Marquette area, the MCRC would like to analyze future route alternatives to enhance connectivity the north west portion of the Marquette area to provide increased level of service and safety for public road users. Currently, the north west portion of the Marquette area is isolated with limited access to this area. Additional routes for public road users would better provide access to the recreational, residential, and business areas, while reducing future traffic and safety impacts to the current road system. These alternative routes will also provide routes for emergency services to reduce response times and provide detour routes as needed. This project will involve coordination with Marquette Township, Negaunee Township, and the City of Marquette to create a road network that satisfies input and connectivity for adjacent jurisdictions. The firm selected shall include all the tasks necessary to appropriately complete the work.

The intent is to select a future critical road network plan with improvements in the north west portion of the Marquette area that 1) considers environmental, community, and economic goals early in the transportation planning process, and 2) uses the information analysis, and products developed during planning to inform the environmental review process, and 3) evaluates the infrastructure and geometric/safety needs, and operational needs.

PRIMARY OBJECTIVES OF THE FEASIBILTY STUDY:

- 1. Reduce or eliminate traffic to/from Country Road HD at the CR 492 and CR HD/CR 505 intersection (or) improve the CR 492 and CR HD/CR 505 intersection
- 2. Establish a single all-season connector route from CR 510 to CR 550 through Northwest Marquette Township through a series of improvement projects and new construction.

FEASIBILITY STUDY PHASING:

Provide MCRC with improvement phasing plan for deployment and budgeting. Plan shall include a minimum of three phases;

- 1. CR 492 and CR HD/CR 505 intersection improvement/alternate
- 2. Establish initial connector route from CR 510 to CR 550
 - a. utilize existing MCRC Infrastructure (if possible)
 - b. provides a safe connecting route to CR 492 for existing and future traffic needs
 - c. minimize impacts to private landowners
 - d. minimize environmental impacts
- 3. Upgrade initial connector route to meet collector/arterial design criteria
 - a. Provide improved safety & higher speed regulation
 - b. Obtain all-season status

STUDY AREA:

The study area for this feasibility study includes the north west portion of the Marquette area as shown in Attachment #1 in Marquette County, Michigan. The study area shall be analyzed to create a road network plan meeting the objectives above.

ANTICIPATED START DATE: June 1, 2022

ANTICIPATED COMPLETION DATE: June 1, 2023

THE MCRC CONTACT:

Alex Elsenheimer, P.E. 1610 N Second St Ishpeming, MI 49849 (906) 486-4491 ext 207 / aelsenheimer@marqroad.org

Any questions regarding this Scope of Service, please contact the MCRC.

DURATION & SCHEDULE:

1. Work Plan & Schedule

The Consultant must review the Scope of Services to develop a work plan that details the steps required to complete a feasibility study of routes in the study area. The Work Plan will be submitted as part of the proposal. Changes to the Work Plan will be submitted to the MCRC for approval.

2. Meeting Dates

The Consultant is required to attend a Project Initiation Meeting and Progress Meetings as needed, which will be held at the MCRC Ishpeming office, or at a location that is mutually agreed upon.

The Project Initiation Meeting is intended to exchange information regarding the general procedures for communication, review the anticipated schedule, and discuss any open questions that remain.

ADDITIONAL REQUIREMENTS:

The Consultant must provide personnel with qualifications that meet or exceed the requirements outlined to complete the feasibility study with all the necessary information and traffic analysis. One individual may act in different capacities at different times. However, they must meet the qualifications of both jobs.

Changes made to the Project Manager/Team Leader that occurs after the authorization must be submitted in writing for the MCRC's approval. Failure to comply with this requirement may result in termination of the contract.

The Project Manager/ Team Leader will be the primary contact with the MCRC.

Only one manager level position will be allowed and paid for on this project.

KEY ITEMS OF THE FEASIBILITY STUDY:

1. Existing Conditions

Analysis of existing traffic conditions on adjoining road systems in the study area, including intersections. Include a description of land use in the study area in relation to the existing conditions to determine current traffic generators. Provide ADT, Peak Hour traffic flows, Level of Service, and any other pertinent information based off of current conditions along CR 492 (Wright St), CR 505 (Commerce Dr), CR 510, CR 550, CR HI (Brickyard Rd), CR HD (Forestville Road), and other any other county road impacted from the proposed alternatives in the Marquette Area including an intersection traffic analysis at the following intersections:

- CR 492 and CR HD/CR 505
- CR 492 and north leg of US 41 roundabout
- CR HI (Brickyard Rd) and north leg of US 41 roundabout

2. Future Conditions Traffic Analysis

Analysis of future traffic conditions on adjoining road systems in the study area, including intersections without improvements or alternative routes. Provide ADT, Peak Hour traffic flows, Level of Service, and any other pertinent information based off of projected future traffic conditions along CR 492 (Wright St), CR 505 (Commerce Dr), CR 510, CR 550, CR HI (Brickyard Rd), CR HD (Forestville Road), and other any other county road impacted from the proposed alternatives in the Marquette Area including an intersection traffic analysis at the following intersections:

- CR 492 and CR HD/CR 505
- CR 492 and north leg of US 41 roundabout
- CR HI (Brickyard Rd) and north leg of US 41 roundabout
- CR 510 and CR 550 intersections

3. Proposed Road Network Plan

Provide a proposed road network plan that establishes a critical transportation backbone in the north west portion of the Marquette area in accordance with the objectives defined to account for future growth and development. The proposed road network plan shall consider the Marquette Township's adopted Master and Transportation Plan as additional guidance for possible future road network layouts. See Attachment #2 for key map from these referenced documents. The proposed road network plan may include additional bridges over the Dead River to provide adequate connectivity in the study area with associated approximate costs with that particular option.

Attachment #3 depicts various concepts developed by the MCRC that may be included in this study if found to be a feasible component of the road network plan.

4. Mitigated Future Conditions Traffic Analysis of Proposed Road Network Plan

Analysis of future traffic conditions on adjoining road systems in the study area, including intersections with proposed alternative routes in place. Include a description of existing and projected future land use in the study area to determine impacts of future traffic generators. The proposed road network plan shall contain analysis of multiple scenarios of projected future land use traffic impacts ranging from scenic residential to development district zoning depending on the extent of possible development of each land area. Provide ADT, Peak Hour traffic flows, Level of Service, and any other pertinent information based off of projected future traffic conditions along CR 492 (Wright St), CR 505 (Commerce Dr), CR 510, CR 550, CR HI (Brickyard Rd), and CR HD (Forestville Road) in the Marquette Area including a future intersection traffic analysis at the following intersections:

- CR 492 and CR HD/CR 505
- CR 492 and north leg of US 41 roundabout
- CR HI (Brickyard Rd) and north leg of US 41 roundabout
- Any new intersection from the proposed alternative routes that connect to the existing road system

5. Aerial Site Maps with Existing Conditions & Proposed Road Network Plan

Aerial maps of the road system including the existing conditions with the proposed road network plan depicting the connectivity of the proposed routes to the existing road system.

6. Design Considerations

This feasibility study shall include proposed road network plan with roads that fall under the classifications of collectors with a minimum design speed of 45 MPH to build the critical backbone of the road system connection in this area according to the defined objectives. These roads shall be designed and constructed to meet current AASHTO, FHWA, MDOT, and MCRC practices, guidelines, policies, standards, and design specifications to provide safe, reliable road network plan to public road users.

7. Funding/Grant Opportunities for Construction

Explore and list possible funding/grant opportunities for studying, designing, and constructing the proposed road network plan for the study area. Grant opportunities should include Federal government opportunities (Safe Streets and Road for All, etc.), MDOT opportunities (HSIP/HRR, etc.), and other general local government grant opportunities.

8. Recommendations

Recommendation of the preferred proposed road network plan meeting the defined objectives and phasing that addresses the MCRC concerns of future growth and connectivity in the study area.

EQUIPMENT:

The Consultant will be responsible for providing all equipment, data collection tools, programs, and any other equipment necessary to complete the feasibility study in an efficient and safe manner.

The Consultant must provide all of the necessary personal safety equipment for each employee that may collect in-field data in the study area.

All equipment must be in sound working order. Lost time due to equipment failures will not be paid for.

SAFETY:

The MCRC requires safe working operations. The Consultant and its employees must be trained in all the applicable state and federal regulations as well as industry practices for the infield work being performed. It is not the responsibility of the MCRC to regulate the Consultant's safety practices, however, the MCRC has the authority to have any individual who is found working unsafely removed from the MCRC right of way. If the Consultant is found to be working unsafely, the MCRC can stop all operations until a solution is met with the Consultant.

EXISTING RECORDS AND DATA:

The MCRC will furnish the Consultant access to any available pertinent information related to the study area of the feasibility study.

Information furnished to the Consultant is not to be released or distributed to any outside agency without written permission from the MCRC.

General Items to Include in Proposal

- 1. A statement of understanding of the project from the Consultant and any assumptions used in the preparation of the proposal, other than those outlined in the RFP. Failure to state all assumptions may result in the denial of requests for additional compensation.
- 2. Experience of the Consultant with <u>similar</u> projects. For each project, include a summary of the project, total project cost, owners name and a reference with a title and phone number.
- 3. Provide information as to what office of the Consultant will be coordinating the work and what office will be doing the majority of the feasibility study.
- 4. A list of the key personnel proposed for the project team. Include as a minimum the principal-in-charge, project manager. For each person include number of years of relevant experience with similar projects.
- 5. A statement as to the amount of professional liability insurance the Consultant carries. Include the amount of coverage per occurrence and the aggregate coverage. Also, include the amount of aggregate used as of the date of the proposal and the remaining term of the policy.
- 6. An anticipated schedule for completing the tasks for the feasibility study using a bar chart timeline.

- 7. Submit a breakdown of the individual tasks to meet the defined objectives in the Scope of Services section, showing the classification of personnel, hours for each task, and the costs, including overhead and expenses. The total cost to complete all the described individual tasks should be provided at the end of the breakdown. Provide a statement that, for the scope of services identified in the proposal, these are "not-to-exceed" costs.
- 8. Identify any sub-consultants. Also, describe the sub-consultant's tasks and costs.
- 9. Proposed hourly rates and miscellaneous charges for any additional services.

Cost Liability

The MCRC assumes no responsibility or liability for costs incurred by the offeror prior to the execution of a Professional Services Agreement. The liability of the MCRC is limited to the terms and conditions outlined in the Agreement. By submitting a proposal, offeror agrees to bear all costs incurred or related to the preparation, submission, and selection process for the proposal.

Selection Criteria (100 Points)

Selection of the Consulting Firm will be based on the following best value scoring criteria:

1. Past Performance - 20 Points

Provide references and examples of similar work performed. Include a list of projects done previously for the MCRC.

2. Qualifications and Experience of Project Team – 40 Points

Describe your team, the roles of key personnel, and a project organizational chart. Provide resumes for key personnel.

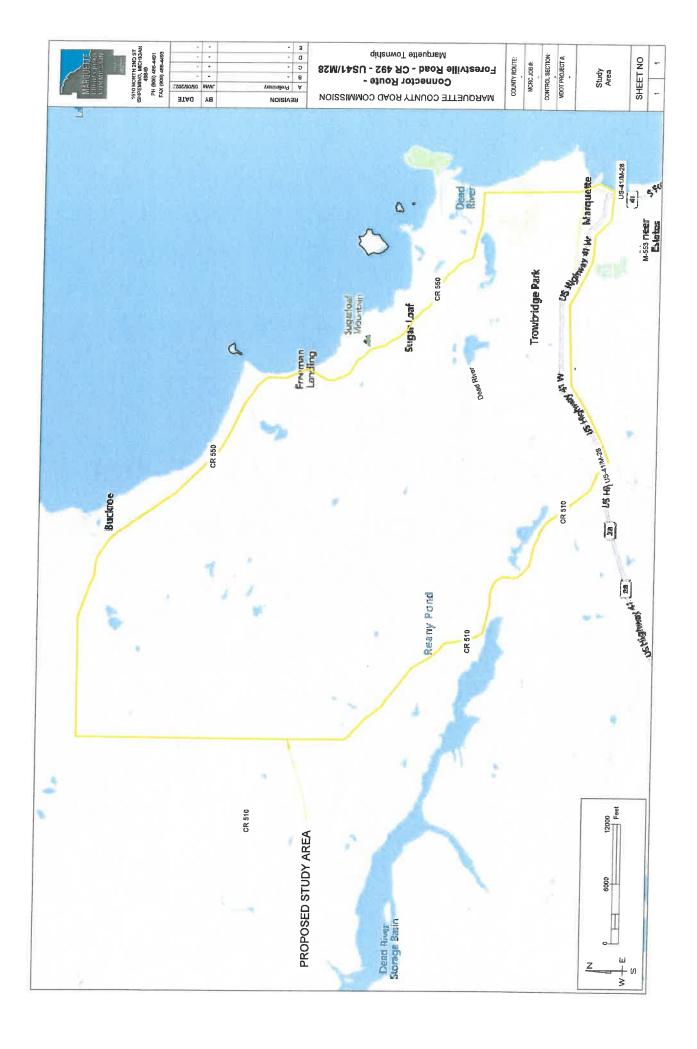
3. Understanding of Service – 30 Points

Describe your understanding of the service to be provided and how your steps to meet the defined objectives.

4. Price – 10 Points

The total price of completing the described work will be reviewed and compared based off of the individual tasks described to complete the work and meeting the MCRC defined objectives.

Attachment #1 Study Area Map



Attachment #2 Marquette Township Master Plan and Transportation Plan Key Maps

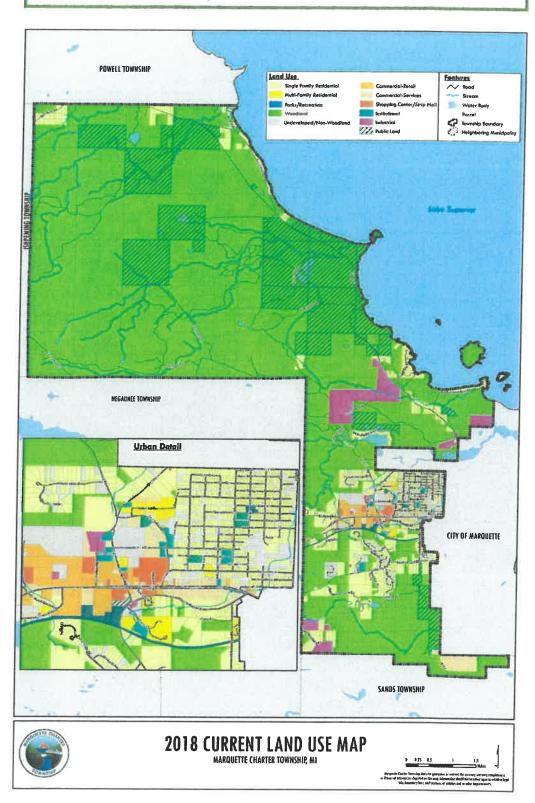
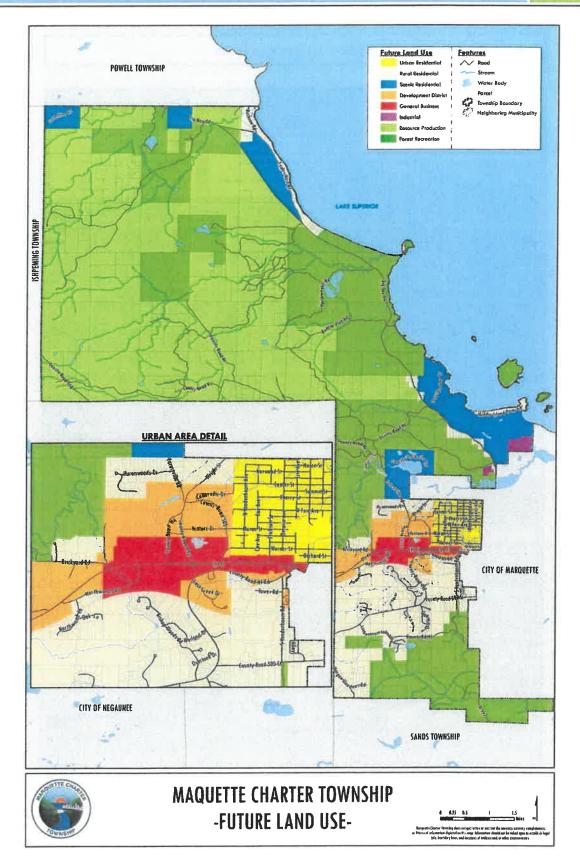
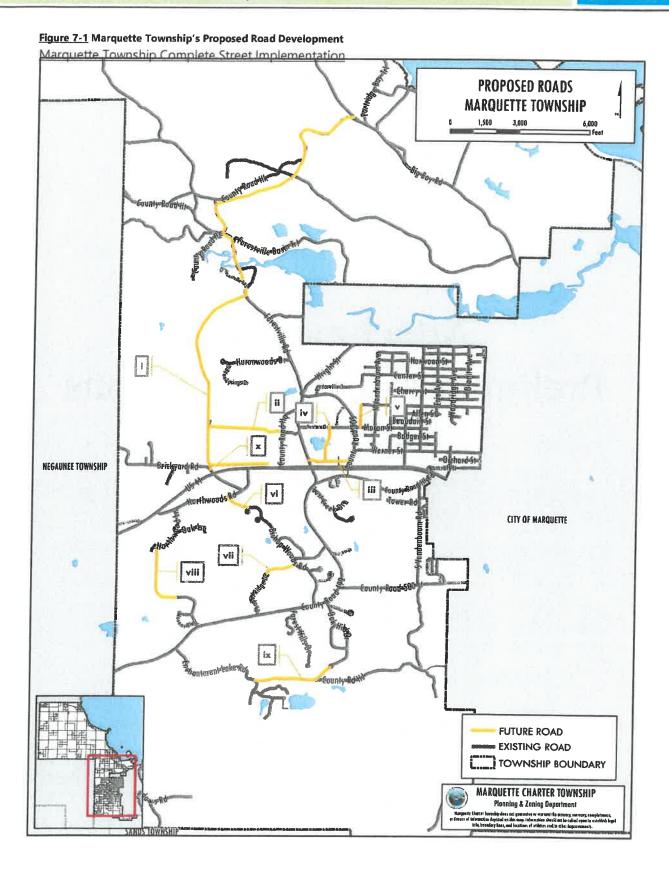


Figure 4-1: Current Land Use

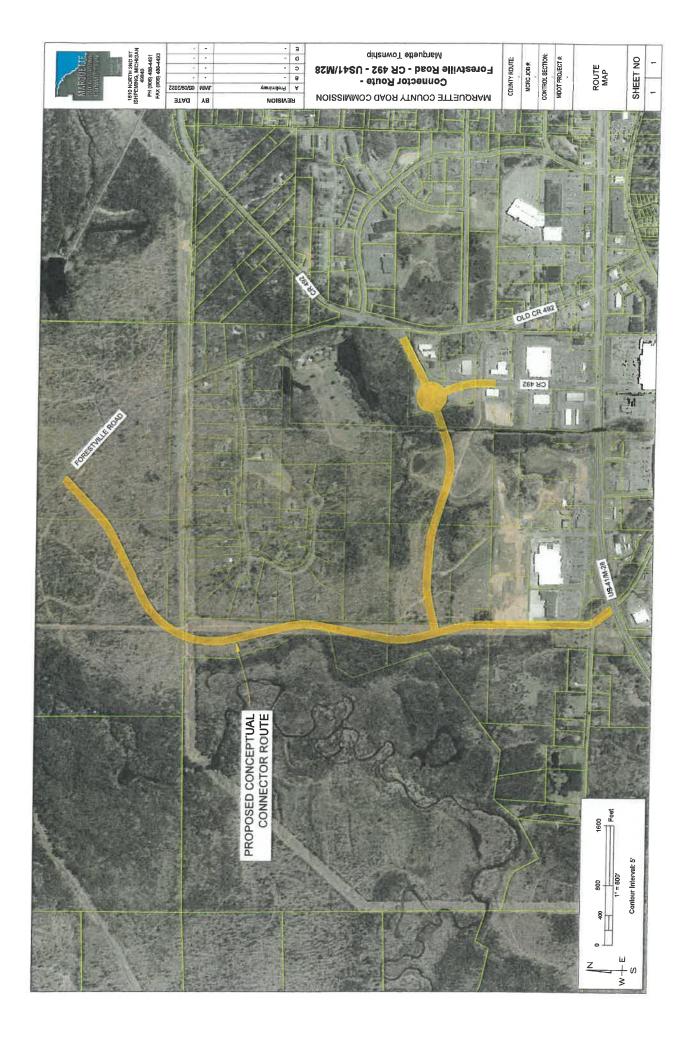


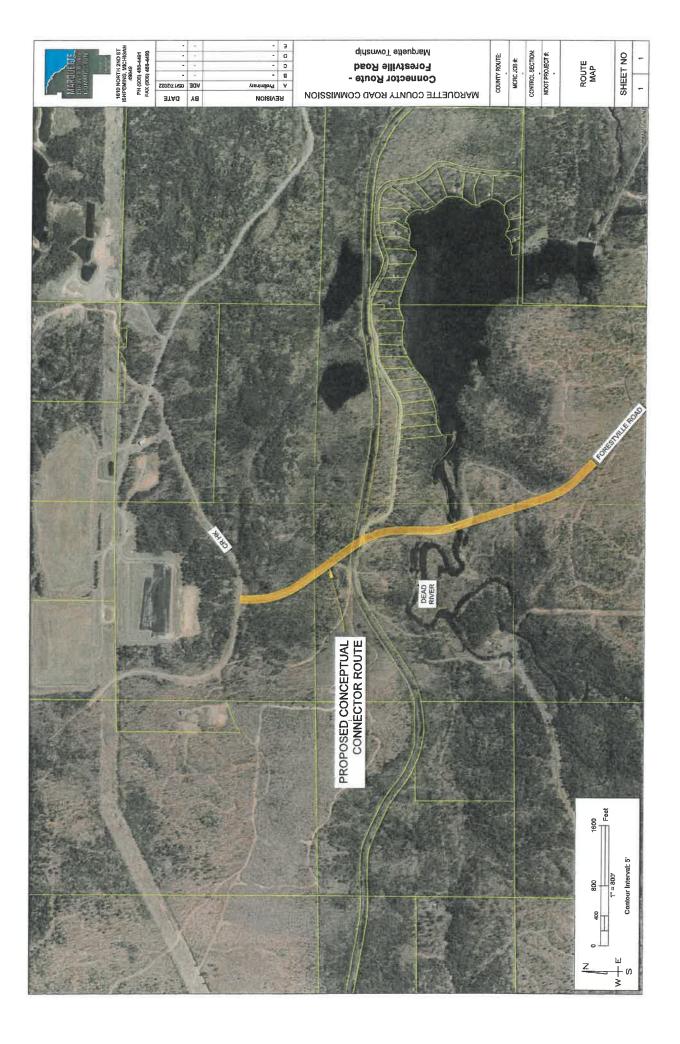
MARQUETTE TOWNSHIP | TRANSPORTATION PLAN

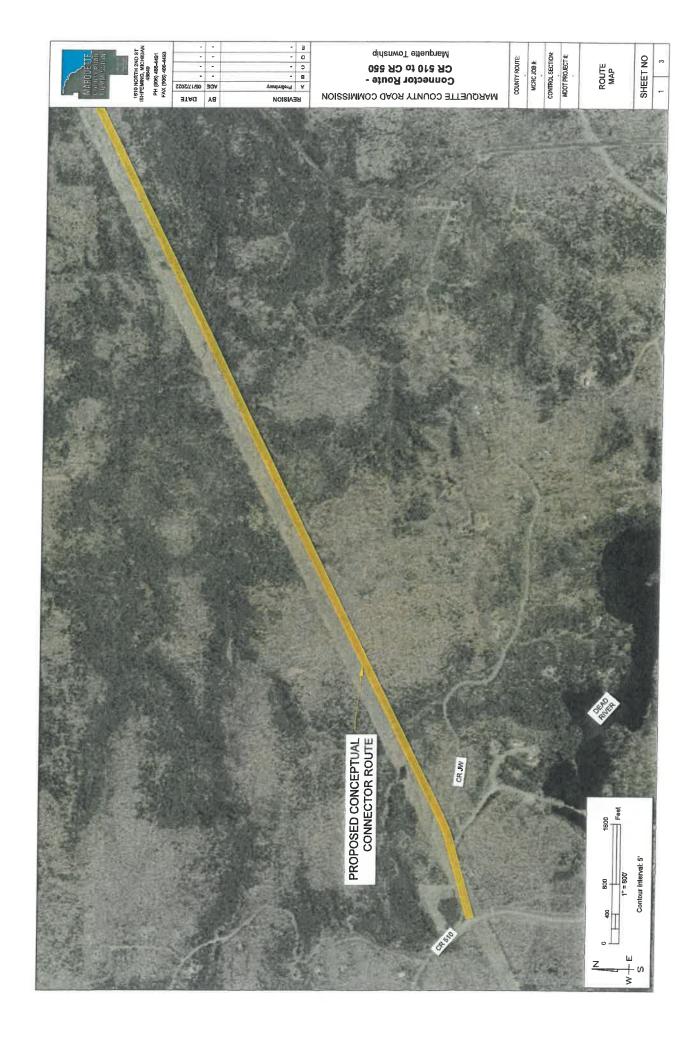


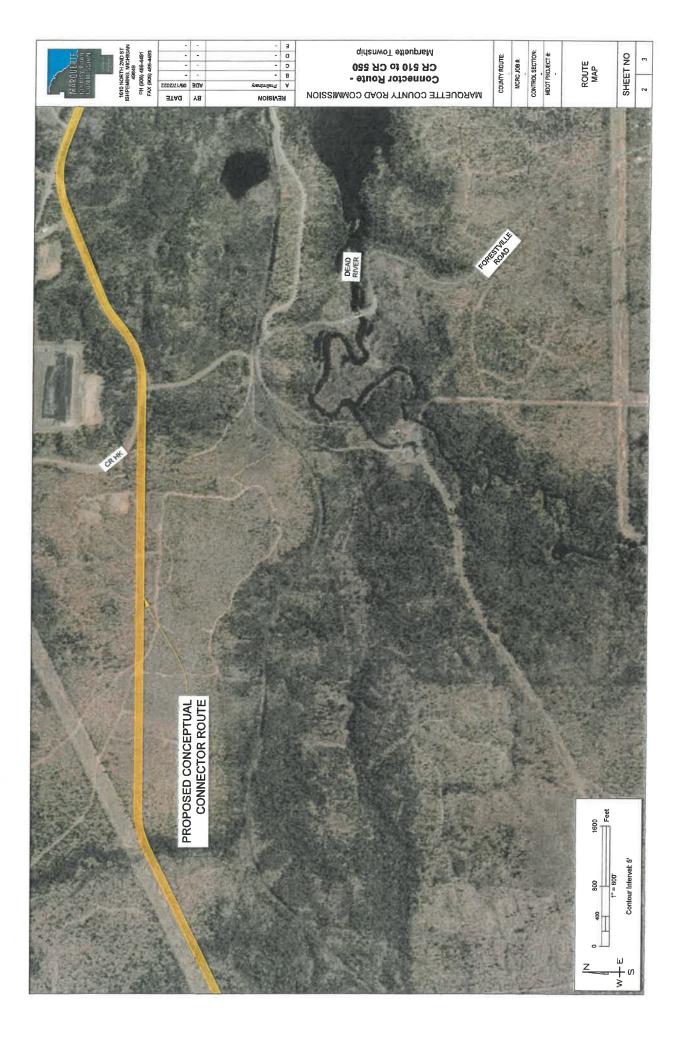
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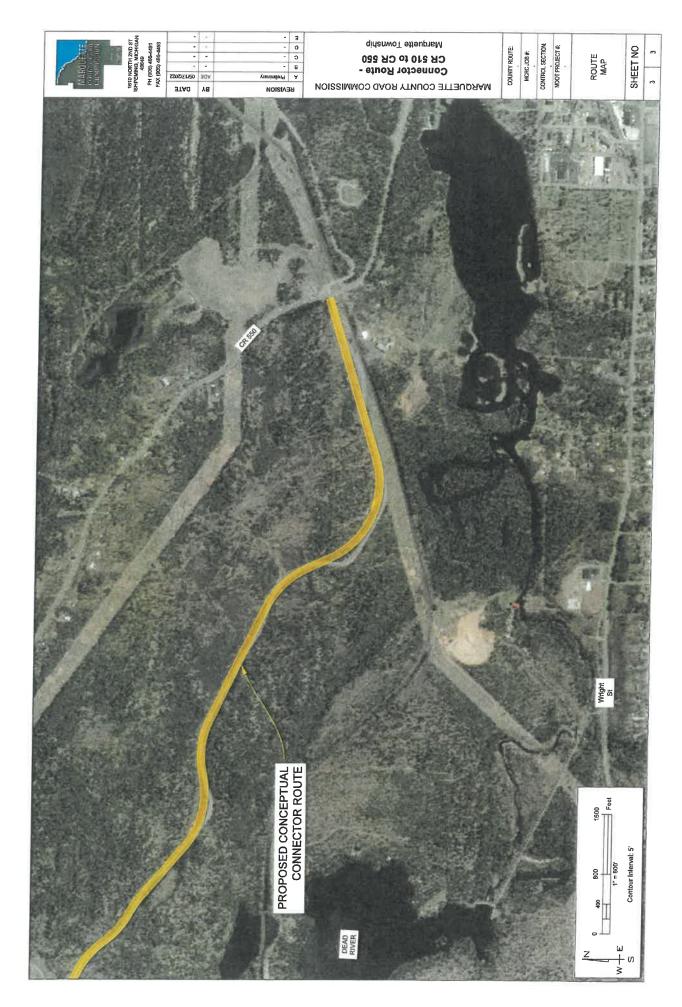
Attachment #3 Preliminary Concept Options











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