



CITY OF MARQUETTE  
PLANNING AND ZONING  
1100 WRIGHT ST  
MARQUETTE, MI 49855  
(906) 228-0425  
www.marquettemi.gov

## **MEMORANDUM**

**TO:** Planning Commission  
**FROM:** Andrea Landers, Zoning Official  
**DATE:** May 5, 2022  
**SUBJECT:** **02-REZ-05-22 – Forestville Basin Trail (PIN: 0510156)**

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The Planning Commission is being asked to make a recommendation to the City Commission regarding a request to rezone the property located at Forestville Basin Trail - PIN: 0510156 which is zoned **Conservation & Recreation (CR)** to be zoned **Low Density Residential (LDR)**.

Please see the attached Staff Report for more specific information regarding the application.

### **RECOMMENDED ACTION:**

The Planning Commission should review the application and support information provided in this packet, conduct a public hearing, and determine whether or not the proposed rezoning of the above property would be in harmony with considerations required by the Community Master Plan and that the request is in accordance with Section 54.1405 of the Land Development Code - Zoning Ordinance Amendment Procedures, and make a recommendation to the City Commission.

It is also highly recommended that any motion regarding the request include the following or similar language:

*After conducting a public hearing and review of the application and Staff Report for 02-REZ-05-22, the Planning Commission finds that the proposed rezoning is (consistent / not consistent) with the Community Master Plan and (meets / does not meet) the requirements of the Land Development Code Section 54.1405 and hereby recommends that the City Commission (approve / deny) 02-REZ-05-22 (as presented / for the following reasons / with the following conditions).*



**STAFF FILE REPORT/ANALYSIS**

Completed by **Andrea M. Landers – Zoning Official**

Reviewed by **David Stensaas – City Planner and Zoning Administrator**

**Case #:** 02-REZ-05-22

**Date:** May 5, 2022

**Project/Application:** Rezoning request from **Conservation & Recreation (CR)** to be zoned **Low Density Residential (LDR)**.

**Location:** Forestville Basin Trail

**Parcel ID:** 0510156

**Available Utilities:** There are no City utilities or services for this area, but there is electricity provided to the area by the Marquette Board of Light and Power.

**Year Built:** Vacant property (27.59 Acres)

**Current Zoning:** CR – Conservation and Recreation

**Surrounding Zoning:** North: CR – Conservation and Recreation & Marquette Township  
 South: BLP- Board of Light and Power  
 East: BLP- Board of Light and Power  
 West: CR – Conservation and Recreation & BLP- Board of Light and Power

**Zoning Districts and Standards:**

**Current Zoning**

**Section 54.318 CR, Conservation and Recreation District**

**(A) Intent**

The intent of the CR district is to preserve the character of land in the city which have outstanding scenic and/or recreational qualities by restricting development not suited to this goal; to prevent development of land which has great ecological value or where there are natural hazards to development; to preserve open areas for forestry, agriculture and recreation; and to control the construction of structures along the shoreline of Lake Superior. One of the purposes of the CR district is to have an appropriate zoning district for municipal parks that meet these objectives.

(B) Permitted Principal Uses	(C) Special Land Uses
<ul style="list-style-type: none"> <li>• Accessory Building or Structure</li> <li>• Agriculture-Like Operation, including Forestry</li> <li>• Food Production, Minor</li> <li>• Outdoor Recreation</li> <li>• Public or Governmental Building</li> <li>• Recreational Use, Public</li> <li>• Storage, Open</li> </ul>	<ul style="list-style-type: none"> <li>• Accessory Use, Non-<u>Single Family</u> Residential Lots</li> <li>• Natural Resource Extraction Operations</li> <li>• Outdoor Entertainment and Community Events (Principal or Accessory Use)</li> <li>• Port Facilities and Docks</li> <li>• Recreational Use, Land Intensive</li> <li>• Structures between the shoreline of Lake Superior and the pavement of the nearest public street or highway.</li> <li>• Wireless Telecommunications Facilities</li> </ul>
<p>Where there is a discrepancy between <a href="#">Section 54.306</a> and this table, <a href="#">Section 54.306</a> shall prevail.</p>	



## Proposed Zoning

### Section 54.307 LDR, Low Density Residential

(A) Intent	
The LDR district is intended to establish and preserve quiet, attractive neighborhoods of detached single-family dwellings with a low to medium density and compatible residential land uses. Some additional non-commercial, compatible uses may be allowed. It is also intended that developments in this district will be designed to preserve significant natural features, including woodlands, steep slopes, wetlands, and floodplains.	
(B) Permitted Principal Uses	(C) Special Land Uses
<ul style="list-style-type: none"> <li>Accessory Building or Structure</li> <li>Accessory Use, Non-Single Family Residential Lots</li> <li>Accessory Use, Single-Family Residential Lots</li> <li>Adult Foster Care, Family Home</li> <li>Child or Day Care, Family Home</li> <li>Dwelling, Single-Family Detached</li> <li>Food Production, Minor</li> <li>Foster Family Home</li> <li>Home Occupation</li> <li>Home Office</li> <li>Homestays and Vacation Home</li> <li>Residential Limited Animal Keeping</li> </ul>	<ul style="list-style-type: none"> <li>Adult Foster Care, Small Group Home</li> <li>Cemetery</li> <li>Child Care Center or Day Care Center</li> <li>Child or Day Care, Group Home</li> <li>Dwelling, Accessory Unit</li> <li>Dwelling, Intentional Community</li> <li>Dwelling, Two-Family (Duplex)</li> <li>Foster Family Group Home</li> <li>Public or Governmental Building</li> <li>Recreational Use, Public</li> <li>Religious Institution</li> <li>School, Primary or Secondary</li> </ul>
Where there is a discrepancy between <a href="#">Section 54.306</a> and this table, <a href="#">Section 54.306</a> shall prevail.	

(D) Dimensional Regulations			
Lot, Coverage, and Building Height Standards		Minimum Setbacks	
<i>Min. Lot Area (sq. ft.)</i>	8,100	<i>Front Yard (ft.)</i>	20 <a href="#">(B)</a>
<i>Min. Lot Width (ft.)</i>	60	<i>Side Yard (one) (ft.)</i>	10 <a href="#">(K)</a>
<i>Max. Impervious Surface Coverage (%)</i>	<a href="#">(Q)</a>	<i>Side Yard (total of 2) (ft.)</i>	20 <a href="#">(K)</a>
<i>Max. Building Height of Primary Building (ft.)</i> <a href="#">(O)</a>	31.5	<i>Rear Yard (ft.)</i>	30 <a href="#">(K)</a>
<i>Max. Building Height of Accessory Building</i>	<a href="#">(K)</a>		
<i>Max. Building Height (stories)</i>	-		
Where there is a discrepancy between <a href="#">Article 4</a> and this table, <a href="#">Article 4</a> shall prevail.			

### 54.403 Footnotes to Schedule of Regulations

**(B) Reduced Minimum Front Yard Setback in the LDR and MDR Districts.** If the average front yard setback of the principal buildings on the same block are less than the minimum front yard setback of the district, the minimum front yard setback of a subject lot in the LDR district or MDR district may be reduced to that average, provided the principal buildings used in the average are on the same side of the street and in the same zoning district as the subject lot.

**(K) Accessory Buildings and Structures.** For accessory buildings and structures, additional requirements for side yard setbacks, rear yard setbacks, and height are in [Section 54.705](#).

**(O) Height Exemptions.** There shall be no height restriction on chimneys, flagpoles, public monuments, and wireless telecommunications facilities except when they are part of a special land use.

**(Q) Maximum Impervious Surface Coverage of a Lot in the LDR and MDR Districts:** The maximum impervious surface coverage of a lot in the LDR and MDR Districts shall be based on the lot areas as follows:

Maximum Impervious Surface Coverage Based on Lot Area
60% of the lot area up to 8,712 sq. ft. (1/5 acre or less); plus
50% of the area of the lot between 8,713 sq. ft. and 21,780 sq. ft. (1/2 acre); plus
40% of the area of the lot between 21,781 sq. ft. and 43,560 sq. ft. (1 acre); plus
30% of the area of the lot over 1 acre

**Section 54.1003 Landscaping Design Requirements**

(D) Buffer and Greenbelt Requirements.

Intent. It is the intent of this section to provide suitable transitional yards for the purpose of reducing the impact of and conflicts between incompatible land uses abutting district boundaries.

Buffer and Greenbelt Schedule. On any lot abutting a zoning district boundary, no structure, building or part thereof shall hereafter be erected, constructed, altered or maintained closer to the district boundary line than specified (in feet) in the following schedule (*Figure 50*). Where indicated, landscape planting is required.

**Figure 50 - Required Buffer and Greenbelt Specifications:**

DISTRICT IN WHICH BUFFER & GREENBELT IS REQUIRED	ABUTTING DISTRICT							
	LDR & MDR	MFR	MHP	M-U	CBD	GC & RC	C, M, & CR	I-M & BLP
LDR and MDR	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.

**Relationship to Applicable Land Development Code Standards (staff comments in bold text):**

**Section 54.1405 Zoning Ordinance Amendment Procedures**

(A) Initiation of Amendments. The City Commission, the Planning Commission, or the property owner (including a designated agent of the property owner) may at any time originate a petition to amend or change the zoning district boundaries pursuant to the authority and procedure established by Act 110 of Public Acts of 2006 as amended. Changes in the text of this Ordinance may be proposed by the City Commission, Planning Commission, or any interested person or organization.

(B) Application for Amendment. Each petition by one (1) or more persons for an amendment shall be submitted to the Zoning Administrator. Documents to support the application may be filed with the Zoning Administrator. A fee, as established by the City Commission shall accompany each petition, except those originated by the Planning Commission or City Commission.

**Application accepted.**

(C) Amendment Review Procedures.

(1) Public Hearing. The staff liaison to the Planning Commission shall set a

time and date for a public hearing, and the public hearing shall be noticed in accordance with [Section 54.1406](#). The Planning Commission may refuse to schedule a hearing on a petition for rezoning which includes any portion of a site considered for rezoning in the previous six (6) months.

**The public hearing before the Planning Commission is scheduled for 6:00 p.m. on Tuesday, May 10, 2022.**

- (2) Planning Commission Consideration of the Proposed Amendment. The Planning Commission shall review the proposed amendment, together with any reports and recommendations from staff, consultants, other reviewing agencies, and any public comments. The Planning Commission shall identify and evaluate all factors relevant to the petition, including the appropriate criteria listed in this Section. Following the public hearing, the Planning Commission shall make a recommendation to the City Commission to either approve or deny the petition and report its findings to the City Commission.

**The Planning Commission is being asked to make a recommendation at their meeting on May 10, 2022.**

- (3) City Commission Consideration of the Proposed Amendment. The City Commission, upon recommendation from the Planning Commission, shall either schedule a public hearing or deny the petition. This hearing shall be advertised in accordance with [Section 54.1406](#). If determined to be necessary, the City Commission may refer the amendment back to the Planning Commission for further consideration. In the case of an amendment to the Official Zoning Map, the City Commission shall approve or deny the amendment, based upon its consideration of the criteria contained in this Ordinance.

**To be determined.**

- (D) Standards of Review for Amendments. In considering any petition for an amendment to the text of this Ordinance or to the Official Zoning Map, the Planning Commission and City Commission shall consider the following criteria that apply to the application in making findings, recommendations, and a decision. The Planning Commission and City Commission may also take into account other factors or considerations that are applicable to the application but are not listed below.

- (1) Master Plan. Consistency with the recommendations, goals, policies and objectives of the Master Plan and any sub-area plans. If conditions have changed since the Master Plan was adopted, consistency with recent development trends in the area shall be considered.

**This property is designated for *Conservation and Recreation* on the *Future Land Use Map* and the *Proposed Zoning Map* of the Community Master Plan (CMP). The designations were adopted with the 2015 amendments to the CMP after careful consideration, and they remained unchanged as of the December 2018 update to the CMP.**

**Please see p.3-31 and p.3-32 of the Community Master Plan (CMP), regarding Rezoning Requests. The Planning Commission must review all supporting information, this report in particular, and the attachment titled *Rezoning Considerations for Planning Commissions*, and hold a public hearing for community input prior to making a determination of whether to recommend approval or the request as presented or not.**

- (2) Intent and Purpose of the Zoning Ordinance. Consistency with the basic intent and purpose of this Zoning Ordinance.

**Please see above - "Zoning District and Standards".**

- (3) Street System. The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.

**There is no City street system adjacent to this parcel. The road access to the property is and would remain privately owned (by the homeowners association) – via Blue Heron Bluffs Rd. – which Marquette Township officials considered “substandard” at present.**

- (4) Utilities and Services. The capacity of the City’s utilities and services sufficient to accommodate the uses permitted in the requested district without compromising the health, safety, and welfare of the City.

**There are no City utilities or services for this area, but there is electricity provided to the area by the Marquette Board of Light and Power.**

- (5) Changed Conditions Since the Zoning Ordinance Was Adopted or Errors to the Zoning Ordinance. That conditions have changed since the Zoning Ordinance was adopted or there was an error in the Zoning Ordinance that justifies the amendment.

**No conditions have changed nor was there an error in the Zoning Ordinance.**

- (6) No Exclusionary Zoning. That the amendment will not be expected to result in exclusionary zoning.

**The proposal will not result in exclusionary zoning.**

- (7) Environmental Features. If a rezoning is requested, compatibility of the site’s physical, geological, hydrological and other environmental features with the uses permitted in the proposed zoning district.

**The proposed zoning is itself not incompatible with the environmental features, as much of the City of Marquette was built in similarly situated terrain. The uses allowed by the proposed zoning may or may not be compatible with site’s physical, geological, hydrological and other environmental features, considering the relative remoteness of the property, thus the specific uses of the property would determine compatibility. This is the subject of the next standard.**

- (8) Potential Land Uses and Impacts. If a rezoning is requested, compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.

**The surrounding zoning districts in the City of Marquette are Conservation and Recreation and Board of Light and Power. In Marquette Township the zoning of the adjacent property is *Scenic Residential*, which allows residences on 5+ acres of land as a permitted use and may allow detached single-family residences on lots of as little as 40,000 sq. ft. (nearly one acre) by approval of a Special Land Use Permit. This parcel does not adjoin a public street, and Marquette Township officials consider Blue Heron Bluffs road “substandard” for the existing use level, therefore there may be negative traffic and road maintenance impacts with the addition of residential uses if this were to be rezoned. Residential use of the property are not necessarily more incompatible here than at other locations that are occupied by homes in the City, but homes would increase impacts on the land for septic waste treatment and potentially by energy production, glare and aesthetics, and nuisances like noise. As well, for detached residential use at the maximum or near-maximum density allowed in an LDR district for detached single-family homes, the homes could be at substantial risk for wildfire unless the homesites are carefully designed. How these potential impacts affect existing or future property values is indeterminate with certainty, as property values are influenced in multiple ways.**

- (9) Relationship to Surrounding Zoning Districts and Compliance with the Proposed District. If a rezoning is requested, the boundaries of the requested rezoning district will be reasonable in relationship to surrounding zoning districts, and construction on the site will be able to meet the dimensional regulations for the requested zoning district.

**In Marquette Township the zoning of the adjacent property is *Scenic Residential*, which allows residences on 5+ acres of land as a permitted use and may allow detached single-family residences on lots of as little as 40,000 sq. ft. (nearly one acre) by approval of a Special Land Use Permit. The surrounding zoning districts in the City are Conservation and Recreation and Board of Light and Power.**

**This parcel is +27 Acres, so there is abundant space to meet the LDR dimensional regulations for construction.**

- (10) Alternative Zoning Districts. If a rezoning is requested, the requested zoning district is considered to be more appropriate from the City’s perspective than another zoning district.

**To be determined the Planning Commission. Per the Future Land Use Map in the Community Master Plan, the intent was for this to be used**

**and zoned as a Conservation and Recreation district.**

- (11) Rezoning Preferable to Text Amendment, Where Appropriate. If a rezoning is requested to allow for a specific use, rezoning the land is considered to be more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.

**Yes, rezoning would be preferable, as adding residential to the Conservation and Recreation zoning district land use options would not comply with the intent of the Conservation and Recreation districts.**

- (12) Isolated or Incompatible Zone Prohibited. If a rezoning is requested, the requested rezoning will not create an isolated or incompatible zone in the neighborhood.

**To be determined by the Planning Commission.**

- (E) Notice of Adoption of Amendment. Following adoption of an amendment by the City Commission, one (1) notice of adoption shall be filed with the City Clerk and one (1) notice shall be published in a newspaper of general circulation in the City within fifteen (15) days after adoption, in accordance with the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended. Amendments shall take effect eight (8) days after publication. A record of all amendments shall be maintained by the City Clerk. A Zoning Map shall be maintained by the City Clerk or his/her designee, which shall identify all map amendments.

The required notice of adoption shall include all of the following information:

- (1) In the case of a newly adopted Zoning Ordinance, the following statement: "A zoning ordinance regulating the development and use of land has been adopted by the City of Marquette."
- (2) In the case of an amendment(s) to the existing Zoning Ordinance, either a summary of the regulatory effect of the amendment(s), including the geographic area affected, or the text of the amendment(s).
- (3) The effective date of the ordinance or amendment.

**If the proposed zoning amendment is adopted by the City Commission the requirements of this section will be met.**

- (H) Rezoning (Zoning Map Amendment) with Conditions. Pursuant to MCL 125.3405, the City Commission, following a public hearing and recommendation by the Planning Commission, may approve a petition for a rezoning with conditions requested by a property owner. The standards of this section shall grant a property owner the option of proposing conditions for the development and use of property in conjunction with an application for rezoning. Such conditions may be proposed at the time the application for rezoning is filed, or at a subsequent point in the process of review of the proposed rezoning.

**This section is not applicable, as this is not a rezoning with conditions request.**

**Additional Comments:**

The Planning Commission should consider the request, and the information provided in this analysis, hold a public hearing, and provide a recommendation to the City Commission.

**Attachments:**

1. Rezoning Application
2. Area Map
3. Block Map
4. Area Zoning Map
5. Future Land Use Map from the Master Plan
6. Proposed Zoning Map from the Master Plan
7. Photos of the site
8. Publication Notice
9. MQT Township Zoning Map
10. *Rezoning Information for Planning Commissions* document
11. *Spot Zoning Considerations*
12. Correspondence

**CITY OF MARQUETTE  
REZONING APPLICATION**



<b>FEE \$550</b>	<b>CITY STAFF USE</b>	
Parcel ID#: <u>0510156</u>	File #: <u>02-RE2-05-22</u>	Date: <u>04-12-22</u>
Hearing Date: <u>5-10-22</u>	Application Deadline (including all support material): <u>4-12-22</u>	
Receipt #: <u>819544</u>	Check #: <u>2083</u>	Received by and date: <u>4-12-22 AC</u>

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED, THE REZONING REQUEST WILL NOT BE SCHEDULED FOR A HEARING UNTIL IT HAS BEEN VERIFIED THAT ALL OF THE INFORMATION REQUIRED IS PRESENT AT THE TIME OF THE APPLICATION - NO EXCEPTIONS!**

**If you have any questions, please call 228-0425 or e-mail [alanders@marquettemi.gov](mailto:alanders@marquettemi.gov). Please refer to [www.marquettemi.gov](http://www.marquettemi.gov) to find the following information:**

- o Planning Commission page for filing deadline and meeting schedule
- o Section 54.1405 Zoning Ordinance Amendment Procedures from the Land Development Code

**Please review the attached excerpt from the Land Development Code.**

**APPLICANT CONTACT INFORMATION**

PROPERTY OWNER	APPLICANT/OWNERS REPRESENTATIVE
Name: <u>Cedar Point Family Trust</u>	Name: <u>Ironshore Development, LLC</u>
Address: <u>10670 NE Hwy 314</u>	Address: <u>137 W Michigan St</u>
City, State, Zip: <u>Silver Springs, FL 34488</u>	City, State, Zip: <u>Marquette, MI 49855</u>
Phone #: <u>906-360-3030</u>	Phone #: <u>231-420-1473</u>
Email: <u>brucepesola@yahoo.com</u>	Email: <u>jim.t.conlin@gmail.com</u>
<b>**APPLICANTS OR REPRESENTATIVES ARE STRONGLY ENCOURAGED TO BE PRESENT AT THE MEETING**</b>	<b>**APPLICANTS OR REPRESENTATIVES ARE STRONGLY ENCOURAGED TO BE PRESENT AT THE MEETING**</b>

**PRE-APPLICATION CONFERENCE**

It is strongly encouraged that all applicants and their representatives meet with City of Marquette staff prior to submitting an application for a rezoning. A pre-application meeting with staff allows for a preliminary review of the application procedures, project timelines, compliance with the City Master Plan, and other project criteria, and prevents most situations that usually results in a project being postponed.

**PHASING OF APPLICATION**

Public hearings before the Planning Commission are held on the first meeting of the month only. Applications and support materials must be submitted twenty (20) business days prior to the public hearing date.

The Marquette City Commission is also required to hold a public hearing and take final action on a rezoning request. This usually takes two City Commission meetings, one to schedule the public hearing and one to hold the public hearing.

PROPERTY INFORMATION

Property Address: TBD Forestville Basin Trl Property Identification Number: 0510156

Size of property (frontage / depth / sq. ft. or acres): 27.59 acres

Surrounding Zoning Districts: North Condo & RP (Twp) East BLP South BLP West BLP

Legal Description: That part of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section 8, and that part of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW1/4) of Section 9, Town 48 North, Range 25 West, City of Marquette, Marquette County, Michigan described as BEGINNING at the 1/4 corner common to said Sections 8 & 9; thence S89°56'00"E, 1314.85' along East-West 1/4 line of said Section 9 to a 1/16 corner; thence S49°09'13"W, 1146.45'; thence N89°49'45" W, 1749.91'; thence N00°10'15"E, 415.00'; thence N89°49'45"E, 1300.00' to a line common to said Secions 8&9; thence N00°10'59"E, 335 to the Point of Beginning.

PROPOSAL

Current Zoning District: CR

Proposed Zoning District: LDR

Please note: If proposing a Rezoning with Conditions, please attach a separate sheet(s) with your proposed Conditional Rezoning Agreement that meets the Land Development Code Section 54.1405(H)(1).

SIGNATURE

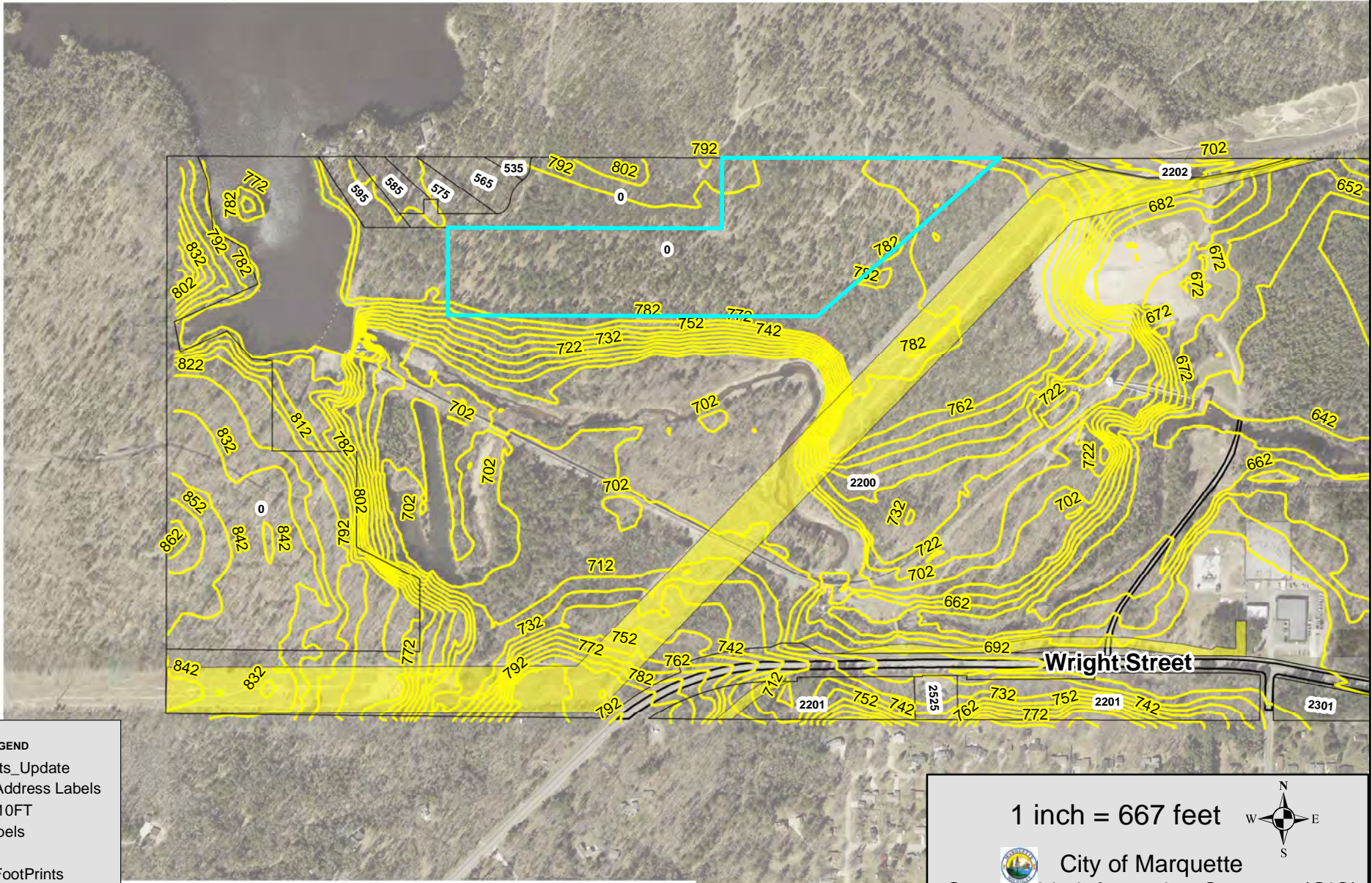
I hereby certify the following:

1. I am the legal owner of the property for which this application is being submitted, or I have submitted a written statement by the property owner that allows me to apply on their behalf.
2. I desire to apply for a rezoning of the property indicated in this application with the attachments and the information contained herein is true and accurate to the best of my knowledge.
3. The requested rezoning would not violate any deed restrictions attached the property involved in the request.
4. I have read the attached excerpt and recommended sections of the Land Development Code and understand the necessary requirements that must be completed.
5. I understand that the payment of the application fee is nonrefundable and is to cover the costs associated with processing this application, and that is does not assure approval of the plan.
6. I acknowledge that this application is not considered filed and complete until all of the required information has been submitted and all required fees have been paid in full. Once my application is deemed complete, I will be assigned a date for a public hearing before the Planning Commission that may not necessarily be the next scheduled meeting due to notification requirements and Planning Commission Bylaws.
7. I acknowledge that this form is not in itself a rezoning but only an application for a rezoning and is valid only with procurement of applicable approvals.
8. I authorize City Staff, and the Planning Commission and City Commission members to inspect the site.

Property Owner Signature: Jim Conley, IRONSHORE DEVELOPMENT Date: 3.23.22

Jim Conley on BEHALF OF BRUCE RESOLA

# 02-REZ-05-22 Area Map



**LEGEND**

- Easements\_Update
- Parcels\_Address Labels
- Contours10FT
- Street Labels
- Streets
- Building FootPrints

1 inch = 667 feet

City of Marquette  
Geographic Information Systems (GIS)

# 02-REZ-05-22 Block Map

**LEGEND**

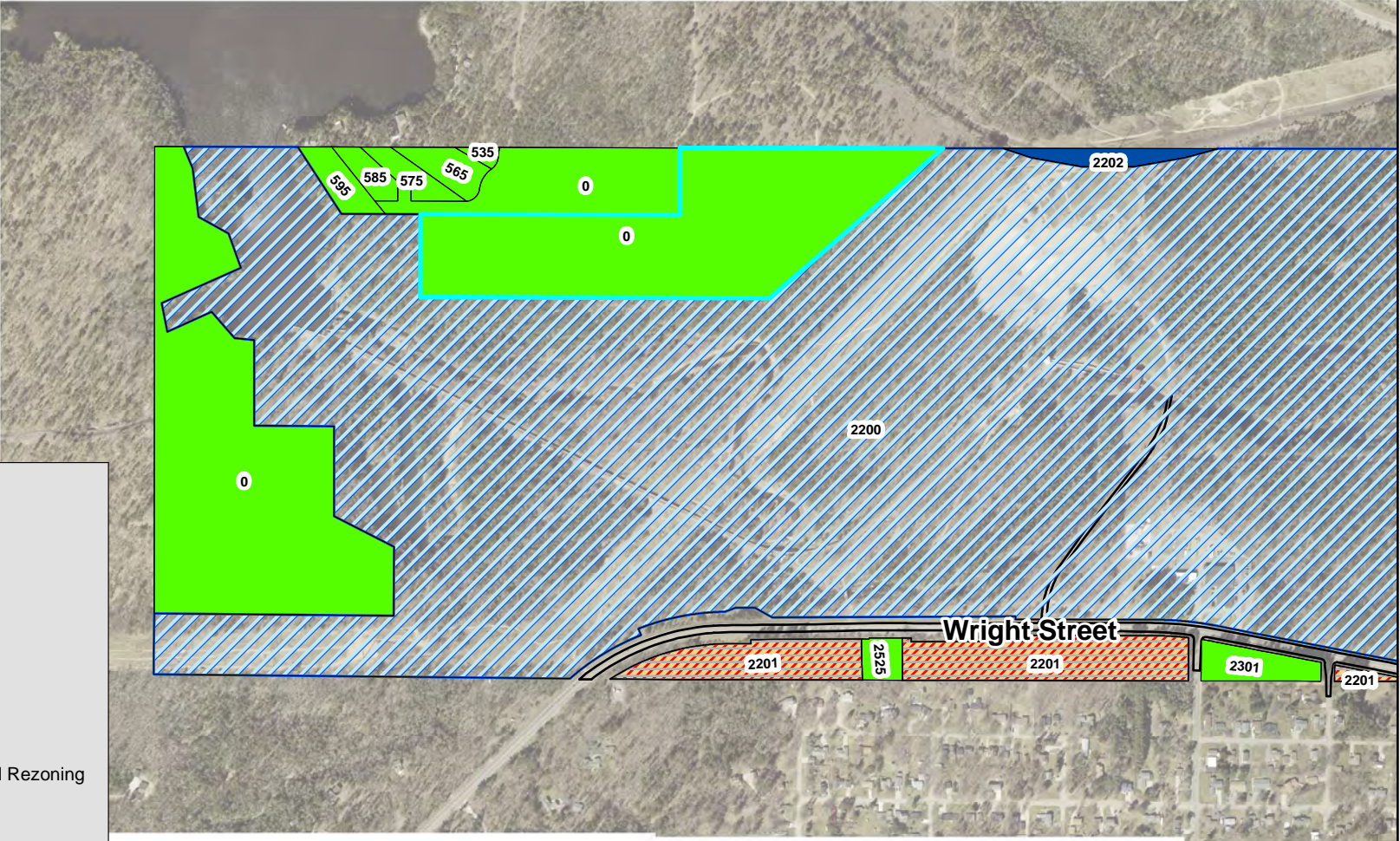
- Easements\_Update
- Parcels\_Address Labels
- Storm Manholes
- Storm Catch Basins
- Storm Pipes
- SewerCleanOuts
- Sewer System Valves
- Sewer Manholes
- San Flow Direction**
- FLOW\_DIR**
- EAST
- NORTH
- SOUTH
- WEST
- Sewer Lateral Lines
- Sew Not Slip Lined
- Sew Slip Lined
- Fire Hydrants
- WaterShutOff
- Water Valves & Gates
- Water Lateral Lines
- wMain**
- wMain
- Watermains
- Water Structures
- Street Labels
- Streets
- Building FootPrints



1 inch = 468 feet



# 02-REZ-05-22 Zoning Map



**LEGEND**

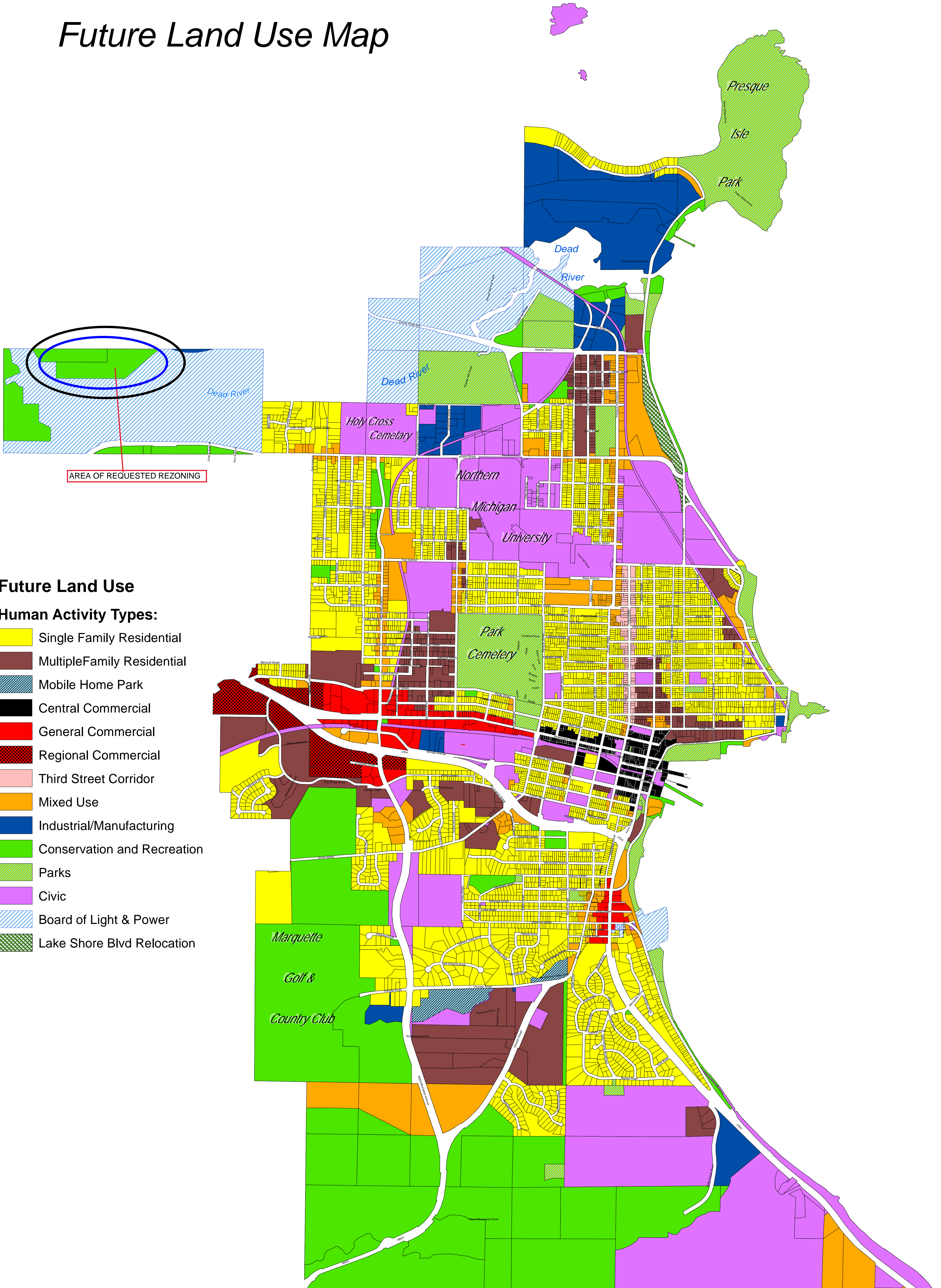
- Parcels\_Address Labels
- Street Labels
- Streets
- Zoning Districts**
- Low Density Residential
- Medium Density Residential
- Multiple Family Residential
- ▨ Mobile Home Park
- Central Business District
- General Commercial
- ▨ General Commercial with Conditional Rezoning
- ▨ Regional Commercial
- Third Street Corridor (FBC\*)
- ▨ Downtown Marquette Waterfront (FBC\*)
- Mixed-Use
- ▨ Planned Unit Development
- Industrial/Manufacturing
- ▨ Municipal
- Conservation and Recreation
- Civic
- ▨ Board of Light & Power

1 inch = 833 feet

City of Marquette  
Geographic Information Systems (GIS)

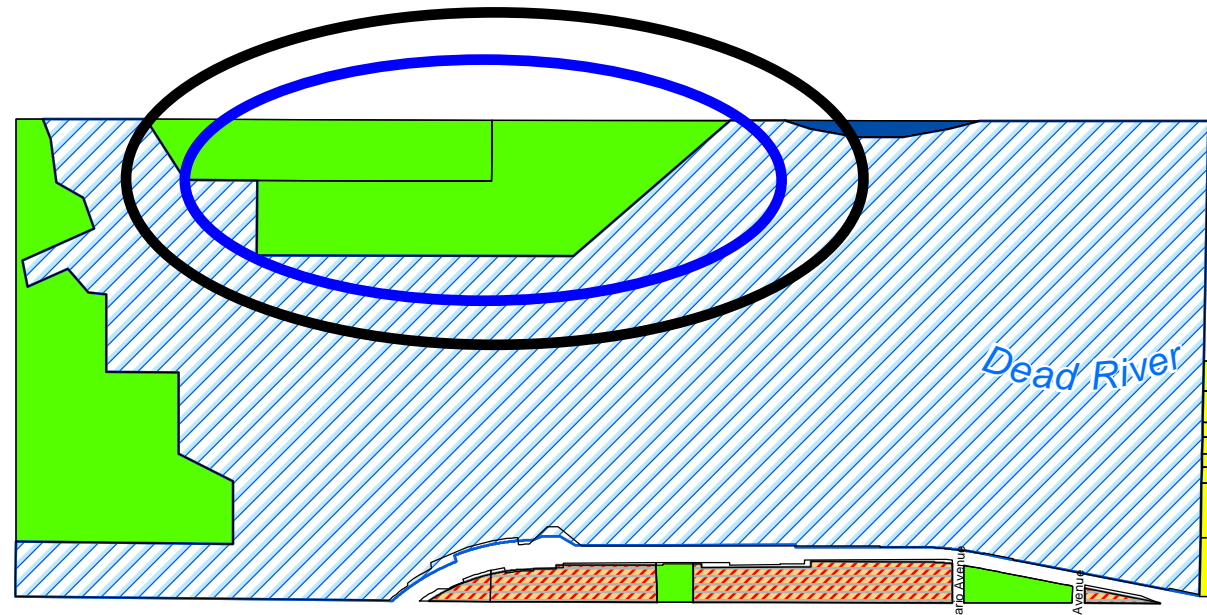
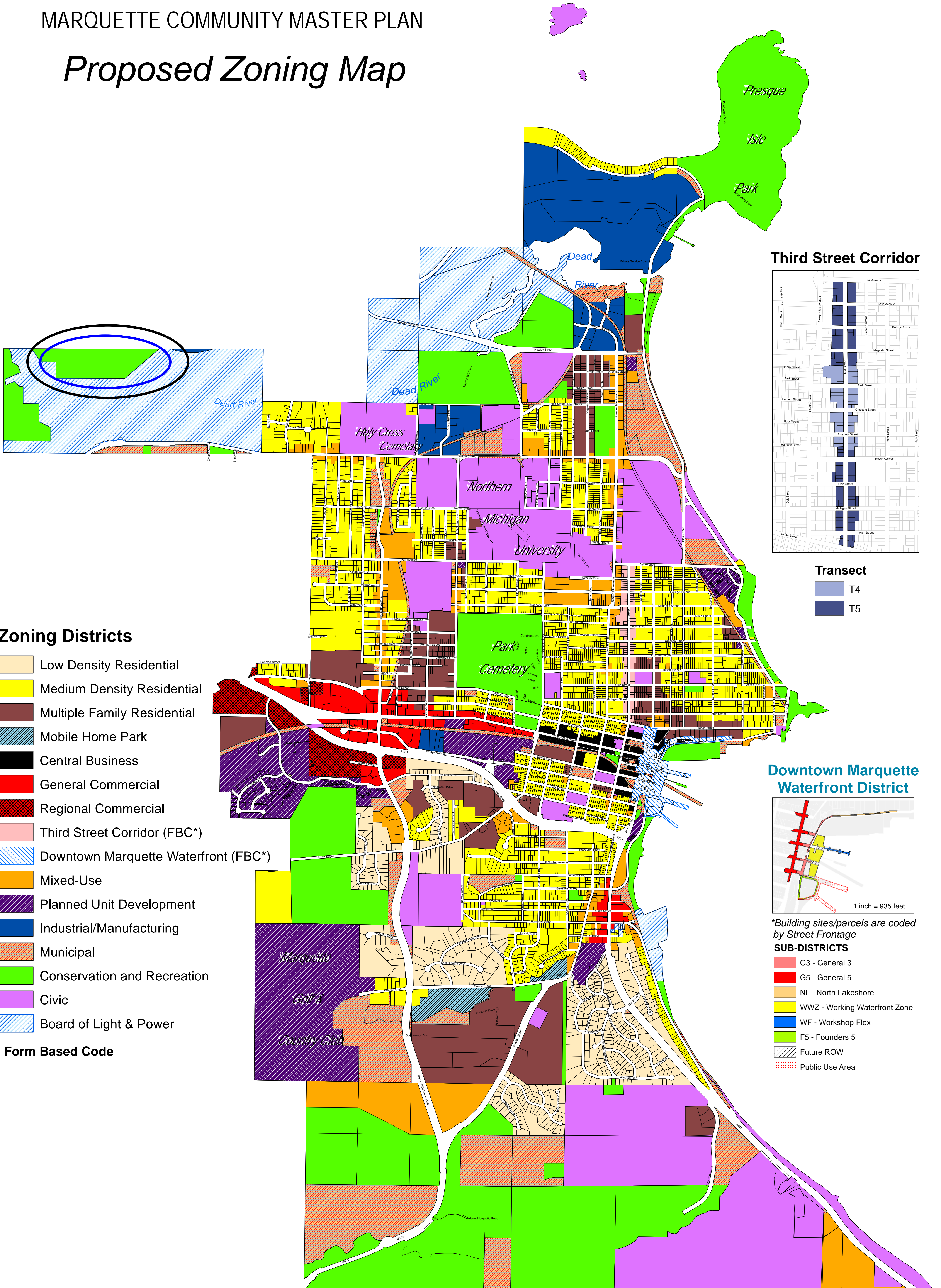
MARQUETTE COMMUNITY MASTER PLAN

*Future Land Use Map*

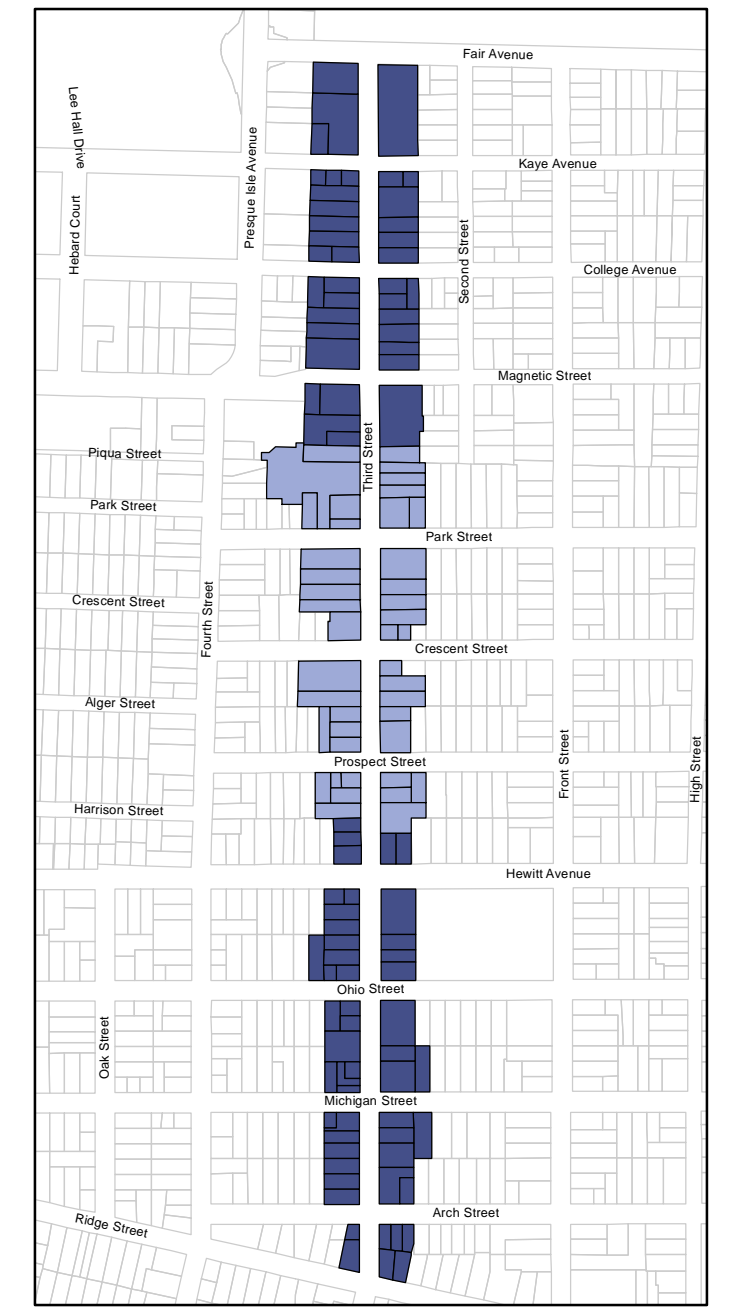


# MARQUETTE COMMUNITY MASTER PLAN

## Proposed Zoning Map



### Third Street Corridor



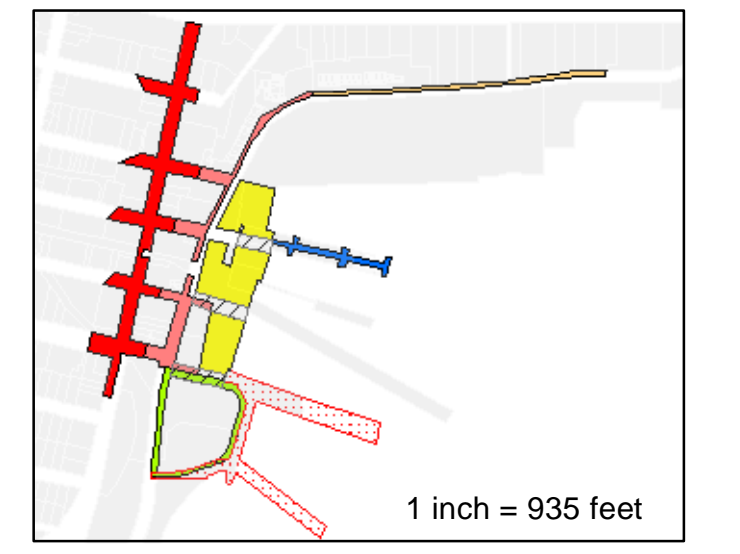
**Transect**  
 T4  
 T5

### Zoning Districts

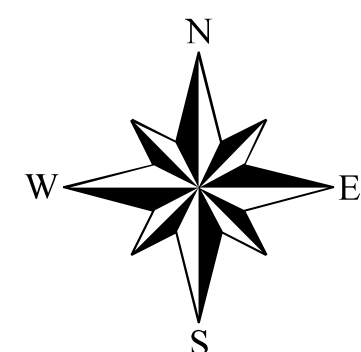
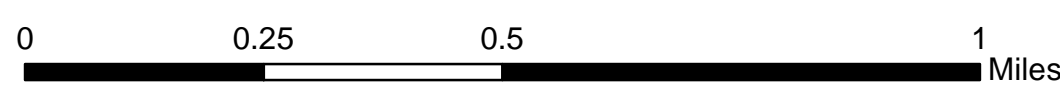
- Low Density Residential
- Medium Density Residential
- Multiple Family Residential
- Mobile Home Park
- Central Business
- General Commercial
- Regional Commercial
- Third Street Corridor (FBC\*)
- Downtown Marquette Waterfront (FBC\*)
- Mixed-Use
- Planned Unit Development
- Industrial/Manufacturing
- Municipal
- Conservation and Recreation
- Civic
- Board of Light & Power

\* Form Based Code

### Downtown Marquette Waterfront District



- \*Building sites/parcels are coded by Street Frontage
- SUB-DISTRICTS**
- G3 - General 3
  - G5 - General 5
  - NL - North Lakeshore
  - WWZ - Working Waterfront Zone
  - WF - Workshop Flex
  - F5 - Founders 5
  - Future ROW
  - Public Use Area







# Region

tional anthem.

The orchestra is a "college-community hybrid," Neves said: about half are Tech students, while the other half are Tech faculty, community members and music educators.

"It's the cream of the crop of the Keweenaw and the U.P. and so they're very talented musicians and artists," Neves said. "What's most satisfying is their spirit. They're just wonderful human beings, and collaborating with them every week is a true joy."

During Tuesday's rehearsals, Neves acknowledged returning alumni, who were greeted with the sound of stomping feet. One performer, Gene Purdum, was an original member of the orchestra. He graduated from Tech in 1975 with a degree in nuclear physics and later

different sections as well."

The oldest orchestra in the Upper Peninsula, the KSO has toured and made numerous recordings. It's also won national acclaim, most recently winning second place for best orchestral performance by a small college last year in the American Prize in Orchestral Performance.

"We're very proud of that distinction, to be one of the best orchestras in the United States," Neves said. "Not bad for a place that's mostly engineers and STEM people, but we're able to combine our talents and create something special."

Tickets are \$19 for adults, \$6 for youth, and free for MTU students (and a guest) with Experience Tech Fee. They are available at [events.mtu.edu](http://events.mtu.edu) or (906) 487-1906. The concert will also be livestreamed.

### CITY OF NEGAUNEE INVITATION TO BID DIVISION ST LIFT STATING BLASTING AND PAINTING

The City of Negaunee is accepting bids for the blasting and painting of the Division Street lift station. For bidding information and specs please see our website at: [www.cityofnegaunee.com](http://www.cityofnegaunee.com)

### PUBLIC HEARING NOTICE MARQUETTE CITY PLANNING COMMISSION

Notice is hereby given that the Marquette City Planning Commission will hold a public hearing for the following:

**01-STR-05-22 - Petition to vacate a portion of Center Street.**  
The City of Marquette has received a petition to vacate a portion of the Center Street public right-of-way. The following is the legal description: Center Street located between lots 1 through 3 of the Marquette Company's Addition No.2 and Lots 26 and 27 of Ayer's Addition

**02-REZ-05-22 - Forestville Basin Trail (PIN: 0510156):** Bruce Pesola and Cedar Point Family Trust are requesting to rezone the property located at Forestville Basin Trail - PIN: 0510156 which is zoned Conservation & Recreation (CR) to be zoned Low Density Residential (LDR)

**03-REZ-05-22 - 595 Forestville Basin Trail (PIN: 1170101):** Bruce Pesola and Cedar Point Family Trust are requesting to rezone the property located at 595 Forestville Basin Trail which is zoned Conservation & Recreation (CR) to be zoned Low Density Residential (LDR).

The public hearing for these requests will be at 6:00 P.M. on Tuesday, May 10, 2022, in the Commission Chambers at City Hall, 300 W. Baraga Ave. If you wish to comment on these matters you may do so at that time. Written comments may also be submitted to the Community Development Department located at 1100 Wright Street, Marquette, Michigan 49855 or e-mail [alanders@marquettetmi.gov](mailto:alanders@marquettetmi.gov). Written submissions will be accepted until 12:00 p.m. on May 10, 2022.

Materials pertaining to the requests are available for review at the Community Development Department's office at the Municipal Service Center during 7:30 a.m. to 4:30 p.m., Monday through Friday. Otherwise, you can request to have the materials e-mailed to you by e-mailing [alanders@marquettetmi.gov](mailto:alanders@marquettetmi.gov). You can also view the Land Development Code on our website at [www.marquettetmi.gov](http://www.marquettetmi.gov). If you have a disability and require assistance to participate, please provide advance notice.

Andrea M. Landers  
Zoning Official  
[alanders@marquettetmi.gov](mailto:alanders@marquettetmi.gov)  
225-8383

### DEPARTMENT OF HOMELAND SECURITY

#### FEDERAL EMERGENCY MANAGEMENT AGENCY

#### Proposed Flood Hazard Determinations for Marquette County, Michigan (All Jurisdictions)

The Department of Homeland Security's Federal Emergency Management Agency has issued a preliminary Flood Insurance Rate Map (FIRM), and where applicable, Flood Insurance Study (FIS) report, reflecting proposed flood hazard determinations within Marquette County, Michigan (All Jurisdictions). These flood hazard determinations may include the addition or modification of Base Flood Elevations, base flood depths, Special Flood Hazard Area boundaries or zone designations, or the regulatory floodway. Technical information or comments are solicited on the proposed flood hazard determinations shown on the preliminary FIRM and/or FIS report for Marquette County, Michigan (All Jurisdictions). These flood hazard determinations are the basis for the floodplain management measures that your community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program. However, before these determinations are effective for floodplain management purposes, you will be provided an opportunity to appeal the proposed information. For information on the statutory 90-day period provided for appeals, as well as a complete listing of the communities affected and the locations where copies of the FIRM are available for review, please visit FEMA's website at [https://www.floodmaps.fema.gov/fhm/BFE\\_Status/bfe\\_main.asp](https://www.floodmaps.fema.gov/fhm/BFE_Status/bfe_main.asp), or call the FEMA Mapping and Insurance eXchange (FMIX) toll free at 1-877-FEMA MAP (1-877-336-2627).

#### ADVERTISEMENT FOR BIDS

The City of Munising Downtown Development Authority is seeking bids for the construction of the "Downtown Resurfacing Project" that includes the following major items of work:

HMA surface milling, paving, ADA sidewalk upgrades, concrete crosswalks and pavement markings.

The Contract Documents may be examined at the following locations:

City of Munising  
301 E. Superior Street  
Munising, MI 49862

Coleman Engineering Company  
635 Circle Drive  
Iron Mountain, MI 49801

The contract documents may be viewed and downloaded at [www.coleman-engineering.com](http://www.coleman-engineering.com) by selecting "Bid Information". Interested parties may view the contract documents at no cost on the website prior to becoming a plan holder. Downloading and printing the contract documents will require registering with QuestCDN online ([www.questcdn.com](http://www.questcdn.com)). A non-refundable fee of \$15.00 will be charged to download the contract documents. Sealed bids marked "Downtown Resurfacing Project" are to be submitted to the office of:

Mr. Devin Olson, City Manager  
City of Munising, City Hall  
301 E. Superior Street  
Munising, MI 49862

Bids must be received by 2:00 p.m. (local time) on May 9, 2022 at the City of Munising, City Hall. Bids will be publicly opened and read out loud at this time.

The City of Munising Downtown Development Authority reserves the right to accept or reject any and all bids at its discretion.

Volume 136, No. 93

## THE MINING Journal

228-2500

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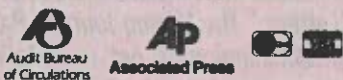
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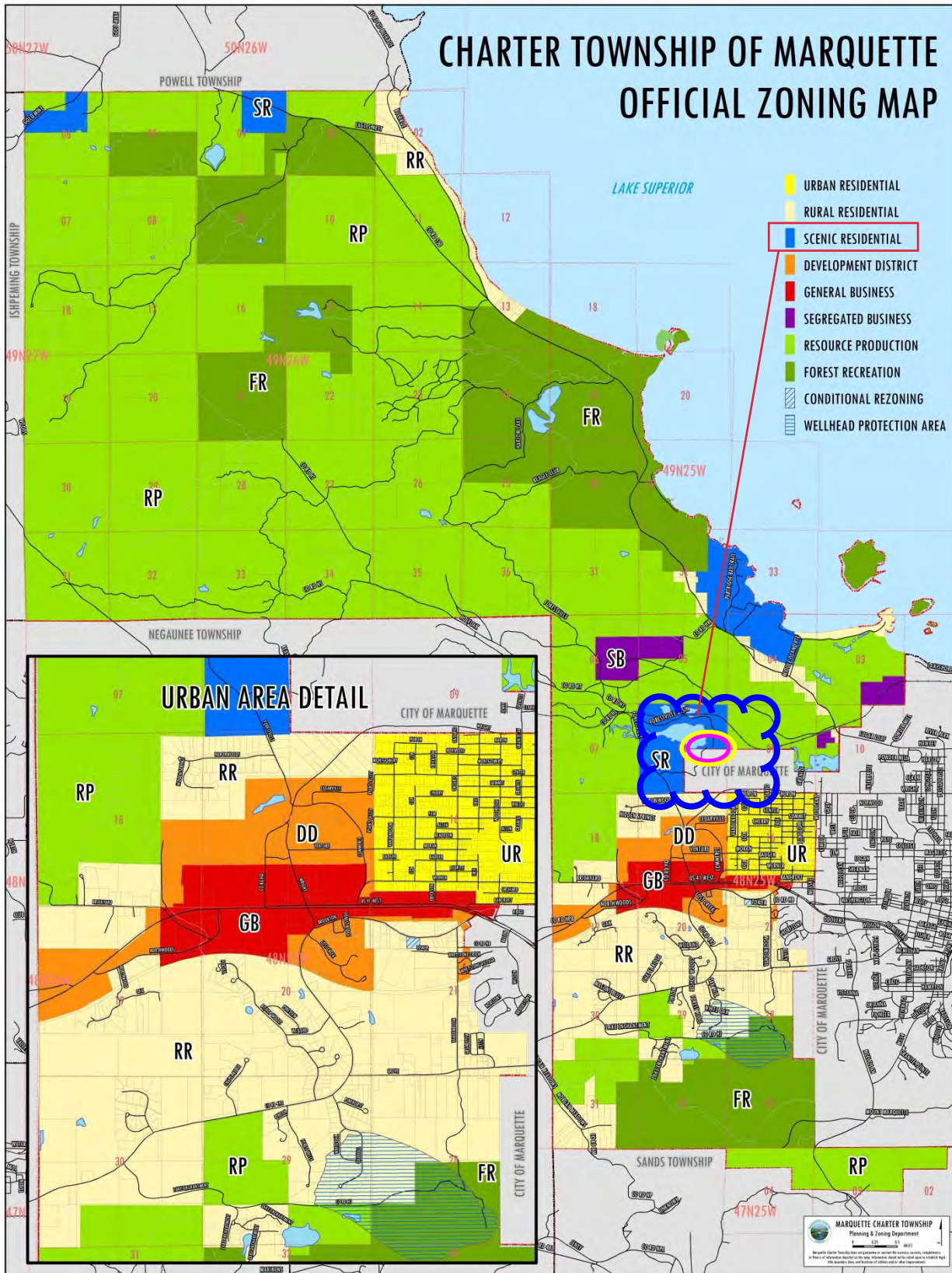
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ARTICLE 3 – ZONING DISTRICTS AND MAP

SECTION 3.08: OFFICIAL ZONING MAP



## Rezoning

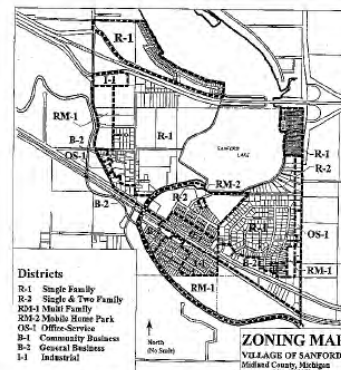
- The main question that must be answered when considering a rezoning is: *“Is that an appropriate location for that zone?”*
- The proposed use of land is not as important as is the fact that if the land is rezoned, any of the uses permitted in that zone may be established on that land.
- If a specific land use is proposed then an additional question must also be answered: *“Are the uses permitted in the existing zone reasonable?”*
- Failing to follow notice requirements may result in a Court invalidating the amendment.

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## Rezoning Factors to Consider

RE: Question One (previous page)

- Would rezoning be consistent with other zones and land uses in the area?
- Is the proposed rezoning consistent with the trend of development in that area?
- Are uses in the proposed zone equally or better suited to the area than the current uses?
- Is the proposed rezoning consistent with both the policies and uses proposed for that area in the master plan?



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# Rezoning Factors to Consider

RE: Question Two (previous page)

- Is the proposed use compatible with uses in the existing district? If so, would it be more appropriate to amend the text of the ordinance to add the proposed use to the existing district as a use permitted by right, or by special permit, or by planned unit development than to rezone?
- Is another district, different than the one requested, more appropriate in this location?

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# SPOT ZONING



## Characteristics

- Typically a single parcel zoned for uses that are quite dissimilar from the zoning of lands around it.
- Typically small in area.
- Typically grants a right to use land that is not enjoyed by similarly situated adjacent parcels.
- Most important, it is typically inconsistent with the future land use plan and the policies of the master plan.

## Result

- Typically ruled invalid if challenged in court.

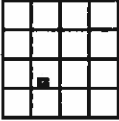
23

## SPOT ZONING CONSIDERATIONS

The following is an excerpt from a Planning Commissioner training/resource manual that summarizes the four characteristics of a "spot zone" - and explains that all four must be found in the subject rezoning request to constitute an "unjustified spot zone". The Planning Commission needs to address each of the four characteristics and determine if there is a spot zone.

**SPOT ZONING**  
Characteristics

- \* **Small in Size**
- \* **Inconsistent Uses**
- \* **Special Benefit**
- \* **Contrary to Master Plan**



MSPD Basic Program: \_\_\_\_\_

### What is a Spot Zone?

Public hearings for rezonings are often filled with comments about the creation of a "spot zone," and the dire results of such an approval. But spot zoning is a derogatory and often misused term.

Spot zoning has some specific characteristics. It is not simply the appearance of a "spot" on a zoning map. Many acceptable zone districts may be "islands," surrounded by other zone

districts. But while some may disagree on whether or not a specific case is a spot zone, nearly everyone agrees that it is a poor zoning practice. A unjustified spot zone is, therefore, likely to be viewed by the courts as unlawful.

In order to qualify as a spot zone the property will meet each of four characteristics.

### *Small in Size*

As the term "spot" implies, the location of a spot zone will be a relatively small parcel, particularly with respect to the sizes of the parcels in the vicinity. While there are no firm rules on what size a spot needs to be, the larger the area, the less likely it will be considered a "spot." If the property was large enough to accommodate buffers or transition areas, landscaping or open space could be used to soften the impact on surrounding properties or uses.

### *Inconsistent Uses*

The second quality is that the spot zone will permit uses that are inconsistent with the uses already established or allowed in the vicinity. The inconsistent nature of the spot zone's uses should be clear, i.e. the uses should be very different. These uses, either by virtue of building design, traffic, or intensity will be incompatible with uses allowed in surrounding districts. For example, a proposed two-family district rezoning in a single family zoned area would not be an inconsistent use. A sporting goods store in the midst of a residential area, however, would be an entirely different use of land.

## Special Benefit

Spot zoning also confers a "special benefit" on a single property owner which is not available to others in the area. Since the uses allowed by the spot zone are inconsistent with, and often more intense than, those allowed in surrounding districts, a special benefit is given to the holder of the spot zone, to the detriment of nearby properties.

## Contrary to the Master Plan

The final characteristic of a spot zone is the one that most distinguishes it as a poor zoning practice. If the Master Plan designates a small parcel in a rural or agricultural area for commercial use to serve residents in the general area, it may have the look of a classic spot zone. In fact, it may even meet the first three characteristics. But it is not a spot zone since the Master Plan planned for its creation. As a result, labeling a rezoning a "spot zone" simply because it is on a small parcel and the uses allowed are different from the other uses around it is not always correct.

### REZONING CASE STUDY



**Willis Township - Proposed Rezoning A-1 to C-2**

**Use proposed - Shopping Center Permitted in C-2, Special Use in C-1**  
**10-Year Master Plan - Residential**  
**No opposition**  
**Major arterial road**

**WHAT ARE THE APPROPRIATE FACTORS TO CONSIDER?**

MSPO Basic Program

### Rezoning Case Study

*Willis Township - Proposed Rezoning A-1 to C-2*

The application states that two existing barns and an old farmhouse on a ten acre parcel are to be razed and a shopping center constructed on the property. The C-1 District requires that shopping centers be reviewed as a special land use; the C-2 District allows shopping centers as a Permitted Use. The applicant is requesting the

C-2 District. A variance may also be required for a side yard setback.

### WILLIS TOWNSHIP Zone Districts

**C-1 Neighborhood Commercial**

**Permitted Uses**

1. Grocery stores
2. Drug stores

**Special Land Uses**

1. Shopping centers

**C-2 Community Commercial**

**Permitted Uses**

1. Automobile services
2. Shopping centers

**Special Land Uses**

1. Auto body shops

MSPO Basic Program

- The 10-year old Master Plan designates the property and the surrounding area for Residential use.
- No neighborhood opposition is apparent.
- The road which serves the property is a major arterial, but no public sewer or water is available.

**WHAT ARE THE APPROPRIATE FACTORS TO CONSIDER?**

**Correspondence  
Received prior to  
posting the Agenda**



# Blue Heron Bluffs Zoning

Blue Heron Bluffs I  
Blue Heron Bluffs II  
Forestville Basin Trail  
Marquette, MI 49855

April 9, 2022

---

City of Marquette  
Board of Zoning Appeals  
1100 Wright St.  
Marquette, MI 49855

---

Dear Marquette Zoning Appeals,

We are residents living on Forestville Basin Tr road in Marquette Township with an interest in the proposed zoning change by Bruce Pesola. This zoning change will effect access to that parcel by way of an easement through Forestville Basin Tr road which has shared use to all involved in this letter. We are, therefore, affected by any development at the end of our private road. We believe that the Commission should consider the following before recommending any change to zoning:

The access to the proposed development is from Forestville Rd through Forestville Basin Tr, which is a private road and maintained by residents along that road. The road is gravel and only part of the road is built to county standards. Development will add traffic for construction equipment, traffic for builders and traffic from families when lots are sold.

During the winter snowy months, sanding and plowing is at the discretion of the residents. It is often icy and slick. The road in the older development is very narrow with an average width of 18.8 feet in the summer. In the winter the average width reduces to 14 feet because of the snow banks and is reduced to 12 feet in some areas, which does not allow cars to pass in those areas.

During the spring the road has deep pot holes and cannot be graded until road restrictions are lifted. This will further be exacerbated with heavy equipment and added traffic on the road.

With summer the dust control on the road is a constant problem. More traffic will only deteriorate the road faster and increase the residents dust control problem.

# Blue Heron Bluffs Zoning (cont.)

---

Currently the school bus picks up children at the intersection of Forestville Rd and Forestville Basin Tr. Because the road is private children have to walk on the road from their homes to this intersection which can be very dangerous. This is especially problematic in the winter and early spring with snow and ice covered roads. With blind curves, narrow road and high snow banks a child could easily be killed. Children in the new development would need to walk 1.5 to 2 miles to the bus stop. While we do understand that the Township has grandfathered the existing older section of this road there is no reason to expand the risk to children by increasing the number of families at the end of this road.

Due to the road issues outlined above we are also concerned about services for fire, police, ambulance, and garbage being provided adequately and safely. These services are extremely valuable to our residents. However, the safety of the men and women who provide these services are also important to us.

We do understand the developer wishing to make money by developing residential lots. However, when the new section of Forestville Basin Tr, was developed the developer was required to bring the road to a higher standard. We also understand that the older section of our trail road has been effectively grandfathered. It does not make sense to our community to add an additional development without the developer addressing the entire road. Therefore, we would propose that the zoning change not be approved or only be granted if the following takes place:

The first part of the road which includes the residents of Blue Heron Bluffs I & II Condominium Association should be paved by the developer in order to control dust, manage deteriorating conditions and handle the traffic for development. This would allow Marquette County to adopt that section and school buses to operate over that part of the road.

For the remaining part, the road should be improved by the developer to accommodate two way traffic in all seasons and handle the added construction and residential traffic. This would ensure access to emergency services and the safety of children.

Thank you for your consideration and addressing these concerns.

Sincerely,

Residence of Blue Heron Bluffs I&II  
Nate Loewen, President BHBI

**Rezoning 0510156 Easement concerns.**

MaryandGary Bourdeau <[REDACTED]>

Wed 5/4/2022 11:15 AM

To: Andrea Landers <alanders@marquettemi.gov>

Cc: David Staples <[REDACTED]>

Please include this information for Planning Commission consideration for the rezoning of 0510156.

He had presented an option to the Board of Blue Heron Bluffs in August of 2021.. Actually it was an option for the easement. A proposal, a promise, and an alternative if we didn't accept his location for the easement. We understand as the servient estate, we are to select the location of the easement within reason.

The "sandpit road" or "green gated road". access that existed when we bought the land in the township. This road would access Bruce's township parcel and the midpoint of the Marquette city parcel. He was not open to this as access. Instead, he presented us with two options for the easement he would prefer.

Option one. He requested easement for 4 driveways off of our road through our wooded parcel 0510155. Each of the 4 drive ways then splitting off to 2 development sites. I will reference this as the "4-to-8 driveway option" He will use 16.67 acres (27 on his application) to develop 8 residential lots within parcel 0510156. These eight parcels run parallel to the southern border of 0510155.

Option 1 has two considerations. We need to 1) accept this driveway option with a nature conservancy and 2) approve the split of Unit 1 parcel 1170101. If we don't accept both considerations, we would face option 2. Option 2 is Cedar Pointe Family Trust would put the entire parcel up for sale to an outside developer. There would no guarantees on the extent or type of development.

We understand our obligation. However we don't appreciate his requirement to approve the split of unit one. That is intimidation. We are not willing to split unit one.

Bruce has not withdrawn these options. We have information from his representation that the green gated road is not acceptable. Our board is developing a proposal for an easement. His 4-to-8 driveway from his point of view would be the most lucrative for him. It is not acceptable to us, nor would it be to the city. The "sandpit road" easement came with the land. It gives him access to the township parcel and to the city parcel at midpoint. It is in within reason but unacceptable.

The easement location doesn't change the fact that we, as the servient estate, carry the burden of providing a safe passage to their property. This development access is not located on a road that meets county requirements. Their access becomes our responsibility and not Bruce's as the developer.

A housing development with an average of 2 vehicles, twice a day would quadruples traffic. The expectations of a housing development is a road that meets county standards. Also their expectation of emergency services, police and fire protection, garbage collection would be from the city. Their services would be from the township.

Their access will be along Forestville Basin Trail. This road though Blue Heron Bluffs II meets county specifications. When the road reaches Blue Heron Bluffs, it narrows and is lined with trees. The new subdivision passes through Blue Heron Bluffs and their access would be near the end of Forestville Basin

Trail.

Our road is narrow, curvy, scenic and privately owned and maintained. We, as residents along the middle portion of Forestville Basin Trail, maintain the road west of us, our own section and, most likely will be expected to maintain the new subdivision.

Perhaps this information will elicit understanding of our situation. Perhaps even merit consideration in your rezoning decision. Whatever the outcome, we sincerely appreciate your time and the opportunity to present more of our concerns.

Thank you.  
Mary Bourdeau  
565 Forestville Basin Trail.

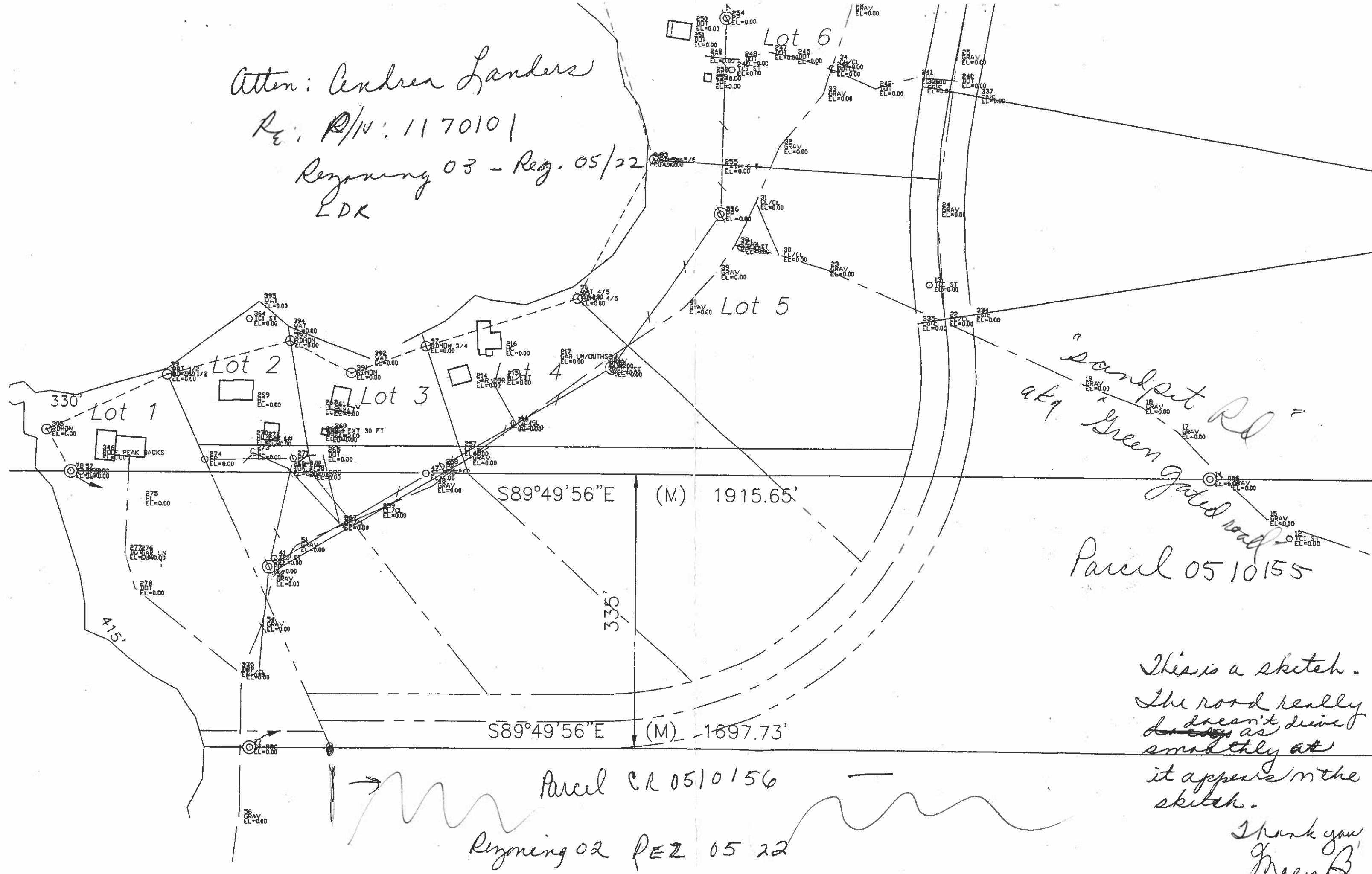
Please add this information for Planning Commission consideration for the rezoning of 0510156.

Once again your time is appreciated.  
Mary B

Atten: Andrea Landers

Re: P/N: 1170101

Reopening 03 - Reg. 05/22  
LDR



sample Rd =  
at Green Gated road  
Parcel 0510155

This is a sketch.  
The road really  
doesn't drive  
smoothly at  
it appears in the  
sketch.

Parcel CR 0510156  
Reopening 02 PEZ 05 22

Thank you  
Mark B

April 13, 2022

Andrea Landers, Zoning Official  
City of Marquette

Property Identification Number: 0510156

Dear Marquette City Planning Commission:

We are writing about Cedar Point Family Trust's (Bruce Pesola's) property where an application has been submitted for a Zoning Change. The property is zoned Conservation and Recreation. Mr. Pesola is requesting a zoning change as a necessity for his building 8 single family homes on his City of Marquette property.

We live on Forestville Basin Trail in Marquette Township. We have an interest in the proposed zoning change by Bruce Pesola since access to that parcel mentioned above is by way of an easement through Forestville Basin Trail. We are therefore affected by any development at the end of our private road. We believe that the Commission should consider the following before recommending any change to zoning:

Access to the proposed development is from Forestville Road through Forestville Basin Trail, which is a privately owned road maintained by the residents living along that road. Only part of the dirt and gravel road is built to county standards. Development will add traffic for construction equipment, traffic for builders, and traffic from families when lots are sold.

- During the winter the road is snow covered and sanding and plowing is at the discretion of the residents. It is often icy and slick. The road in the older development is very narrow with an average width of 18.8 feet in the summer. In the winter the average width reduces to 14 feet because of the snowbanks and is reduced to 12 feet in some areas, which does not allow cars to pass in those areas,
- During the spring the Forestville Basin Trail has deep potholes and cannot be graded until road restrictions are lifted. This problem is further exacerbated when heavy equipment uses our road and by added traffic in general.
- During the summer months, the dust control on the road is a constant problem. More traffic will only deteriorate the road faster and increase the dust control issue for residents.

Currently the school bus picks up children at the intersection of Forestville Road and Forestville Basin Trail. Because the road is private, children must walk on the roadway from their homes to

this intersection, which can be very dangerous. This is especially problematic in the winter and early spring with snow- and ice-covered roads. With blind curves, a narrow road, and high snowbanks, a child could easily be killed. Children in the new development would need to walk 1.5 to 2 miles to the bus stop. While we understand that the Township has grandfathered the existing older section of this road, there is no reason to expand the risk to children by increasing the number of families at the end of this road.

Due to the road issues outlined above we are also concerned about services for fire, police, ambulance, and garbage being provided adequately and safely. These services are extremely valuable to our residents. However, the safety of the men and women who provide these services are also important to us.

We realize the developer wants to make money by developing residential lots. However, when the new section of Forestville Basin Trail was developed, the developer was required to bring the road to a higher standard. We also understand that the older section of Forestville Basin Trail has been effectively grandfathered. It does not make sense to our community to add an additional development without the developer addressing the entire road. Therefore, we would propose that the zoning change **not be** approved or only be granted if the following takes place:

- The first part of Forestville Basin Trail, which includes the residents of Blue Heron Bluffs 2 Condominium Association, should be paved by the developer to deal with the severe pothole problem, to control dust, and to handle the traffic for development. This would allow Marquette County to adopt that section and school buses to operate over that part of the road.
- For the remaining older section of Forestville Basin Trail, owned by Blue Heron Bluffs Condominium Association, the road should be improved by the developer to accommodate two-way traffic in all seasons and to handle the added construction and residential traffic. This would ensure access to emergency services and the safety of children. A turnaround to accommodate fire and safety vehicles is also needed.

Thank you for your consideration and for addressing our concerns.

Sincerely,

Todd Carter  
355 Forestville Basin Trail  
Marquette, MI 49855

# Stephen Embree

---

395 Forestville Basin Tr , Marquette, MI 49855 [REDACTED]

May 4, 2022

Andrea Landers  
City of Marquette Zoning Official  
1100 Wright St.  
Marquette, MI 49855

RECEIVED  
MAY 04 2022

Marquette City  
Community Development Office

Property Identification [REDACTED] 0510156

I do believe that the land adjoining our association will be developed. It is only a matter of when and what is developed on that property. Low density residential will be the least impactful compared to other land uses. Single family residential is consistent with the adjoining neighborhood and will not impact the property values negatively. Adding single family residents would be in line with the nature of our community. If there is going to be development on the property I hope it is residential.

There is no doubt that our road is an issue and added residents will add pressure on the road and road maintenance. However, in my opinion it is not correct that 8 additional residential units will materially affect the road, safety or ingress or egress by residents. Any new residents will be contributing money to our road for maintenance and we would likely have more money for improvements which will negate any adverse impacts on the private road. Also, it is unlikely that the added 8 lots will be developed in one year so the impact would be over several years with contributions to the road made as the lots are developed.

The road will see extra traffic with any development and low density residential would have lower impact on the road and be better than other types of development. Also, Bruce Pesola and Cedar Family Trust has stated their intent to donate the remaining acreage (approximately 40 acres) that is adjacent to the condominium association so it cannot be developed. This commitment would also reduce the future traffic on our road.

I am in support of the rezoning plan as outline at this time.

Respectfully,

Steve Embree



Ms. Andrea Landers  
Zoning Official  
Marquette City Planning Commission

May 3, 2022

Ref: Property Identification Numbers: 0510156 and 1170101

Dear Ms. Landers,

My husband and I purchased a home on Forestville Basin Trail in Marquette County in October, 2021. We recently learned about proposed zoning changes related to the property IDs listed above that has the potential to negatively impact our neighborhood. Our concerns center on two issues: 1) the impact of the proposed development at the end of the private Forestville Basin Trail Road that as members of the Blue Heron Bluff Condominium Association (BHBCA) we contribute to maintaining; and, 2) a precedent that could be set with the request to subdivide one of the lots in the BHBCA.

With regards to the first concern, the road was not meant to take on the significant wear and tear that would be created by an increase in traffic from construction vehicles and later from occupants of the proposed new development. This wear and tear would end up being shouldered unfairly by the members of our community and potentially contribute to a decrease in the quality of life in our area due to increased noise and dust pollution, as well as potential safety issues due to deterioration of road conditions, e.g in difficulty of emergency service vehicle access. We therefore respectfully ask that the Planning Commission please consider these impacts and only grant approval of the development if they can be resolved in such a way that the developer takes responsibility for the additional costs that may be associated with improving and maintaining the road to handle the increase in traffic, also taking into account community concerns and environmental considerations.

With regards to the second concern, according to our BHBCA Master Deed, members are not allowed to split their lots or build a second house on them. We entered into this condominium association with the understanding that its regulations indicated there would only be 19 parcels in our community (18 lots allowing one home on each lot and an additional lot that is our legally protected green space). This configuration permits plenty of forest and wilderness around our homes which was the draw of this neighborhood for our family. If this subdivision were allowed, it would set a precedent for others to ignore the Master Deed and do the same, violating the character of our neighborhood.

Thank you very much for your consideration of this request.

Sincerely,

Handwritten signatures of Holly Ferrette and Ricardo Roca Steverlynck.

Holly Ferrette, Ricardo Roca Steverlynck  
415 Forestville Basin Trail  
Marquette, MI 49855



**Property identification #: 0510156**

Patrick St. Germain &lt;[REDACTED]&gt;

Mon 4/25/2022 7:43 AM

To: Andrea Landers &lt;alanders@marquettemi.gov&gt;

Reference: Property identification #: 0510156

Dear Ms. Landers and Planning Commission -

Please reference the attached map. As you can see from the map, parcel PIN 0510156 is a terrible place to put a house but a wonderful place for recreation trails.

PIN 0510156 sits in the middle of a plot of land that is uniquely important to recreation trails that connect the City of Marquette to the wild lands and popular hiking/biking trails that are just north of the Marquette City limits.

Hikers, runners, dog walkers, snowshoers, skiers and more recently, lots and lots of mountain bikers use the unnamed trails and well marked and maintained NTN trails to walk or peddle out of the City and into the wilderness north of the Dead River. They are heading for the spectacular wild forests and historic sites to be found in this area. There are also many races and running /walking fundraisers that utilize the land. The older unnamed trails ( black dash lines on the provided map )have been used by Marquette residents for many years for recreation because of easy access from the Marquette Board of Light and Power's protected wild lands in the City of Marquette. These areas have recently had a dramatic increase in non motorized traffic from Marquette with addition of mountain bike trails. Blue Heron Bluffs Condominium Association has encouraged and helped to maintain these trails. In the 20 years that I have lived here we have always allowed non-motorized traffic across our land. The Noquemanon Ski and bike race, the Ore to Shore bike race and Marquette General Hospital fundraisers have all crossed our property and with our enthusiastic approval. If the zoning on PIN 0510156 is changed from CR to LDR the city of Marquette will lose this valuable asset.

Northern Michigan University's Longyear Forest ( land north of the railroad track on the map) is one of Michigan's most unique and little known forests. The Forest is crossed by the North County Trail, The Noquemanon Trail and two NTN mountain bike trails. One of the main jump off points for these trails is marked on the map as Kiosk K. This is also the point where people hiking or biking the Noquemanon trail from Tourist Park can turn on to a different trail system to return to Marquette. The importance of keeping a southern access route to and from Kiosk K is easy to understand.

The Upper Blue Heron biking /hiking trail comes north from the Forestville Dam and then turns west through the narrow isthmus between the Forestville Basin and the ponds. After passing the ponds the trail breaks north to join up with other biking/hiking trails and south to the historic site of the Bancroft Furnace Location. The trail than connects up to trails that return the biker/ hikers back to the City of Marquette .

Not interfering with these recreational trail systems that have naturally developed over the years or have been designed by NTN would be the best long term strategy for the land in Northwest Marquette. Linking the protected lands of the Marquette Board of Light and Power to the protected lands of Northern Michigan University and a variety of trail systems is an obvious advantage for the people of Marquette and those who visit our area looking for a wilderness experience. The long turn best zoning for PIN 0510156 is CR.

Thank you.

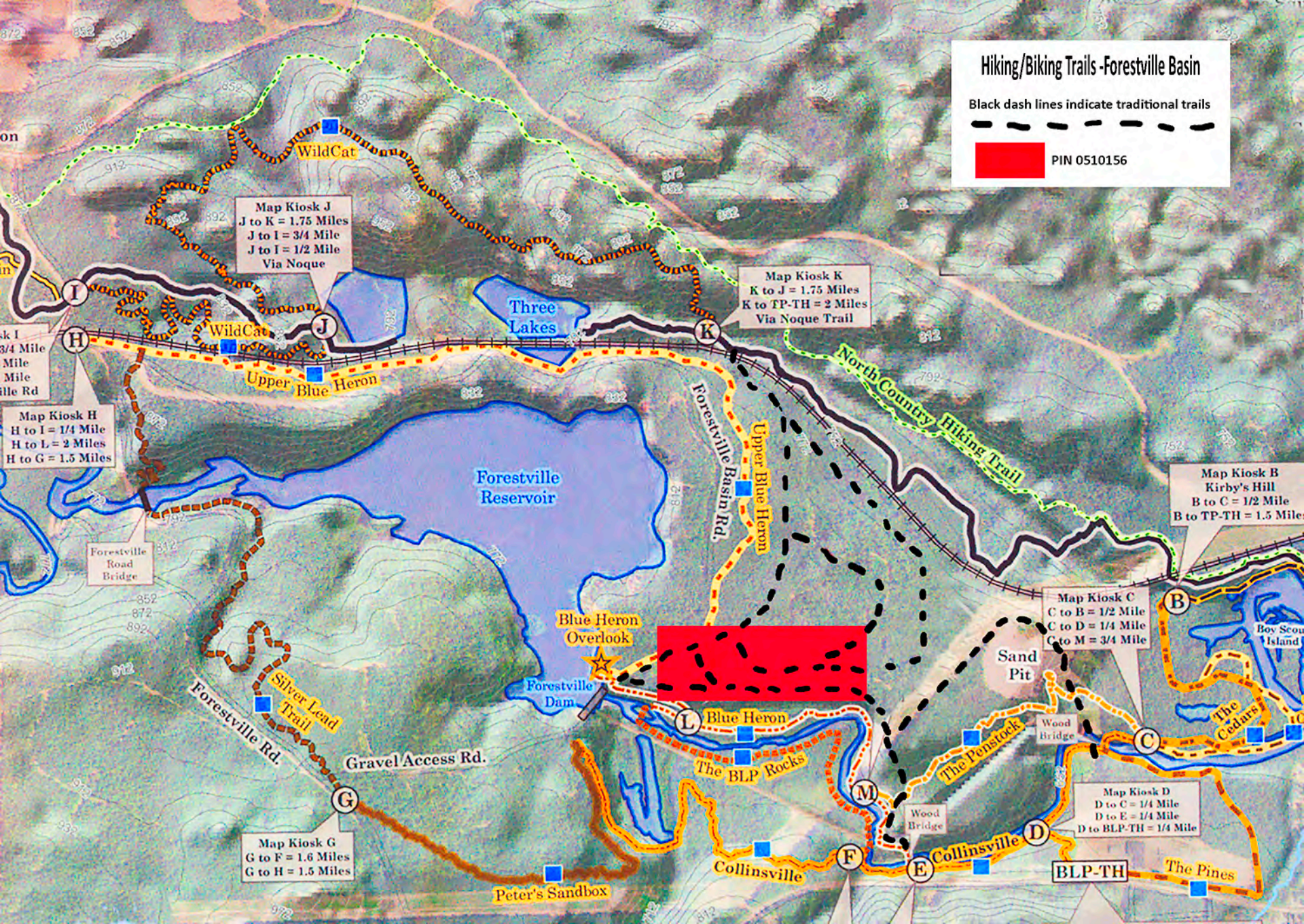
Patrick St. Germain  
505 Forestville Basin Trail

# Hiking/Biking Trails - Forestville Basin

Black dash lines indicate traditional trails



PIN 0510156



Map Kiosk J  
J to K = 1.75 Miles  
J to I = 3/4 Mile  
J to I = 1/2 Mile  
Via Noque

Map Kiosk K  
K to J = 1.75 Miles  
K to FP-TH = 2 Miles  
Via Noque Trail

Map Kiosk I  
I to H = 3/4 Mile  
I to L = 1 Mile  
I to M = 1 Mile  
I to N = 1 Mile  
I to O = 1 Mile  
Via Noque Rd

Map Kiosk H  
H to I = 1/4 Mile  
H to L = 2 Miles  
H to G = 1.5 Miles

Map Kiosk B  
Kirby's Hill  
B to C = 1/2 Mile  
B to TP-TH = 1.5 Miles

Map Kiosk C  
C to B = 1/2 Mile  
C to D = 1/4 Mile  
C to M = 3/4 Mile

Map Kiosk G  
G to F = 1.6 Miles  
G to H = 1.5 Miles

Map Kiosk D  
D to C = 1/4 Mile  
D to E = 1/4 Mile  
D to BLP-TH = 1/4 Mile

**RECEIVED**

APR 14 2022

Andrea Landers  
Zoning Official  
City of Marquette  
[alanders@marquettemi.gov](mailto:alanders@marquettemi.gov)

Marquette City  
Community Development Office

Reference: Property Identification Number: 0510156 Dear Marquette City Planning Commission –

We are writing in regards to Cedar Point Family Trust's (Bruce Pesola's) property where an application has been submitted for a Zoning Change. The property is zoned Conservation and Recreation. Mr. Pesola is requesting a zoning change as a necessity for his building 8 single family homes on his City of Marquette property.

We are in the process of building on Forestville Basin Trail in Marquette Township. We have an interest in the proposed zoning change by Bruce Pesola since access to that parcel mentioned above is by way of an easement through Forestville Basin Trail. We are therefore affected by any development at the end of our private road. We believe that the Commission should consider the following before recommending any change to zoning:

Access to the proposed development is from Forestville Road through Forestville Basin Trail, which is a privately owned road maintained by the residents living along that road. Only part of the dirt and gravel road is built to county standards. Development will add traffic for construction equipment, traffic for builders, and traffic from families when lots are sold.

- During the winter the road is snow covered and sanding and plowing is at the discretion of the residents. It is often icy and slick. The road in the older development is very narrow with an average width of 18.8 feet in the summer. In the winter the average width reduces to 14 feet because of the snow banks and is reduced to 12 feet in some areas, which does not allow cars to pass in those areas.
- During the spring the Forestville Basin Trail has deep pot holes and cannot be graded until road restrictions are lifted. This problem is further exacerbated when heavy equipment uses our road and by added traffic in general.
- During the summer months, the dust control on the road is a constant problem. More traffic will only deteriorate the road faster and increase the dust control issue for residents.

Currently the school bus picks up children at the intersection of Forestville Road and Forestville Basin Trail. Because the road is private, children have to walk on the roadway from their homes to this intersection, which can be very dangerous. This is especially problematic in the winter and early spring with snow and ice covered roads. With blind curves, a narrow road, and high snow banks, a child could easily be killed. Children in the new development would need to walk 1.5 to 2 miles to the bus stop. While we understand that the Township has grandfathered the existing older section of this road, there is no reason to expand the risk to children by increasing the number of families at the end of this road.

Due to the road issues outlined above we are also concerned about services for fire, police, ambulance, and garbage being provided adequately and safely. These services are extremely valuable to our residents. However, the safety of the men and women who provide these services are also important to us.

We realize the developer wants to make money by developing residential lots. However, when the new section of Forestville Basin Trail was developed the developer was required to bring the road to a higher standard. We also understand that the older section of Forestville Basin Trail has been effectively grandfathered. It does not make sense to our community to add an additional development without the developer addressing the entire road. Therefore, we would propose that the zoning change not be approved or only be granted if the following takes place:

- The first part of Forestville Basin Trail which includes the residents of Blue Heron Bluffs 2 Condominium Association should be paved by the developer to deal with the severe pothole problem, control dust, and handle the traffic for development. This would allow Marquette County to adopt that section and school buses to operate over that part of the road.
- For the remaining older section of Forestville Basin Trail, owned by Blue Heron Bluffs Condominium Association, the road should be improved by the developer to accommodate two way traffic in all seasons and handle the added construction and residential traffic. This would ensure access to emergency services and the safety of children. A turnaround to accommodate fire and safety vehicles is also need.

Thank you for your consideration and addressing these concerns.

Sincerely,

Jesse & Lottie Kohtala

305 Brookton Rd.  
Marquette, MI 49855

zoning re: #0510156

bdmiller [REDACTED] <[REDACTED]>

Tue 4/19/2022 10:35 AM

To: Andrea Landers <alanders@marquette.mi.gov>

We are writing to you in concern about requested re-zoning on property in our Blue Heron Bluff development, specifically #0510156 submitted by Bruce Pesola. Although we are required to give him easement to his property, easement should not cause harm to the persons granting it. We feel his plan to build 8 houses will cause us and other residents harm. The road to this property is a gravel, non-county conforming road, winding and narrow. It has blind corners and hills. In the winter this road is often wide enough for only one car in spots. We don't feel this road is safe to accommodate all the extra construction and resident traffic and is a danger. In addition these lots would be in the city and would need city garbage, fire, etc which would be difficult on current road. Also Mr. Pesola is requesting rezoning on his current lot to allow him to subdivide it and build another home there. This is in direct conflict with our Consolidated Master Deed, which allowed for only the properties as listed. Mr Pesola was involved in the creating of this Master Deed and knows fully well that this is not allowed. Thank you for your attention to this matter. Sincerely Bruce and Candy Miller 345 Forestville Basin Trail

435 Forestville Basin Trl , Marquette, MI 49855 ♦ [REDACTED]

May 4, 2022

Andrea Landers  
City of Marquette Zoning Official  
1100 Wright St.  
Marquette, MI 49855

Property Identification: 0510156

I believe that development of the land adjoining our association is inevitable. It is only a matter of when and what is developed on that property. Low density residential will be the least impactful compared to other land uses. Single family residential is consistent with the adjoining neighborhood and will not impact the property values negatively. Adding single family residents would be in line with the nature of our community. If there is going to be development on the property, I prefer that it is residential.

There is no doubt that our road is an issue and added residents will add pressure on the road and road maintenance. However, in my opinion, it is not correct that 8 additional residential units will materially affect the road, safety or ingress or egress by residents. Any new residents will be contributing money to our road for maintenance so we will have more money for improvements which will negate any adverse impacts on the private road. Also, it is unlikely that the added 8 lots will be developed in one year so the impact would be over several years with contributions to the road made as the lots are developed.

The road will see extra traffic with any development and low density residential would have lower impact on the road and be better than other types of development – development that could result in heavier perpetual traffic. Bruce Pesola and Cedar Family Trust have stated their intent to donate the remaining acreage (approximately 40 acres) that is adjacent to the condominium association so it cannot be developed. This commitment would also reduce the future traffic on our road.

I am in support of the proposed rezoning plan.

Respectfully,

Patricia Olson

Andrea Landers  
Zoning Official  
City of Marquette  
alanders@marquettemi.gov

Reference: Property Identification Number: 0510156

Dear Marquette City Planning Commission –

We are writing in regards to Cedar Point Family Trust's (Bruce Pesola's) property where an application has been submitted for a Zoning Change. The property is zoned Conservation and Recreation. Mr. Pesola is requesting a zoning change as a necessity for his building 8 single family homes on his City of Marquette property.

We live on Forestville Basin Trail in Marquette Township. We have an interest in the proposed zoning change by Bruce Pesola since access to that parcel mentioned above is by way of an easement through Forestville Basin Trail. We are therefore affected by any development at the end of our private road. We believe that the Commission should consider the following before recommending any change to zoning:

Access to the proposed development is from Forestville Road through Forestville Basin Trail, which is a privately owned road maintained by the residents living along that road. Only part of the dirt and gravel road is built to county standards. Development will add traffic for construction equipment, traffic for builders, and traffic from families when lots are sold.

- During the winter the road is snow covered and sanding and plowing is at the discretion of the residents. It is often icy and slick. The road in the older development is very narrow with an average width of 18.8 feet in the summer. In the winter the average width reduces to 14 feet because of the snow banks and is reduced to 12 feet in some areas, which does not allow cars to pass in those areas.
- During the spring the Forestville Basin Trail has deep pot holes and cannot be graded until road restrictions are lifted. This problem is further exacerbated when heavy equipment uses our road and by added traffic in general.
- During the summer months, the dust control on the road is a constant problem. More traffic will only deteriorate the road faster and increase the dust control issue for residents.

Currently the school bus picks up children at the intersection of Forestville Road and Forestville Basin Trail. Because the road is private, children have to walk on the roadway from their homes to this intersection, which can be very dangerous. This is especially problematic in the winter and early spring with snow and ice covered roads. With blind curves, a narrow road, and high snow banks, a child could easily be killed. Children in the new development would need to walk

1.5 to 2 miles to the bus stop. While we understand that the Township has grandfathered the existing older section of this road, there is no reason to expand the risk to children by increasing the number of families at the end of this road.

Due to the road issues outlined above we are also concerned about services for fire, police, ambulance, and garbage being provided adequately and safely. These services are extremely valuable to our residents. However, the safety of the men and women who provide these services are also important to us.

We realize the developer wants to make money by developing residential lots. However, when the new section of Forestville Basin Trail was developed the developer was required to bring the road to a higher standard. We also understand that the older section of Forestville Basin Trail has been effectively grandfathered. It does not make sense to our community to add an additional development without the developer addressing the entire road. Therefore, we would propose that the zoning change not be approved or only be granted if the following takes place:

- The first part of Forestville Basin Trail which includes the residents of Blue Heron Bluffs 2 Condominium Association should be paved by the developer to deal with the severe pot hole problem, control dust, and handle the traffic for development. This would allow Marquette County to adopt that section and school buses to operate over that part of the road.
- For the remaining older section of Forestville Basin Trail, owned by Blue Heron Bluffs Condominium Association, the road should be improved by the developer to accommodate two way traffic in all seasons and handle the added construction and residential traffic. This would ensure access to emergency services and the safety of children. A turnaround to accommodate fire and safety vehicles is also need.

Thank you for your consideration and addressing these concerns.

Sincerely,

*Kristina Orticelli*

Kristina Orticelli  
275 Forestville Basin Trail  
Marquette, MI 9855

*John Orticelli*

John Orticelli  
275 Forestville Basin Trail  
MARquette, mi 49855

April 13, 2022

Andrea Landers, Zoning Official  
City of Marquette

Property Identification Number: 0510156

Dear Marquette City Planning Commission:

We are writing about Cedar Point Family Trust's (Bruce Pesola's) property where an application has been submitted for a Zoning Change. The property is zoned Conservation and Recreation. Mr. Pesola is requesting a zoning change as a necessity for his building 8 single family homes on his City of Marquette property.

We live on Forestville Basin Trail in Marquette Township. We have an interest in the proposed zoning change by Bruce Pesola since access to that parcel mentioned above is by way of an easement through Forestville Basin Trail. We are therefore affected by any development at the end of our private road. We believe that the Commission should consider the following before recommending any change to zoning:

Access to the proposed development is from Forestville Road through Forestville Basin Trail, which is a privately owned road maintained by the residents living along that road. Only part of the dirt and gravel road is built to county standards. Development will add traffic for construction equipment, traffic for builders, and traffic from families when lots are sold.

- During the winter the road is snow covered and sanding and plowing is at the discretion of the residents. It is often icy and slick. The road in the older development is very narrow with an average width of 18.8 feet in the summer. In the winter the average width reduces to 14 feet because of the snowbanks and is reduced to 12 feet in some areas, which does not allow cars to pass in those areas,
- During the spring the Forestville Basin Trail has deep potholes and cannot be graded until road restrictions are lifted. This problem is further exacerbated when heavy equipment uses our road and by added traffic in general.
- During the summer months, the dust control on the road is a constant problem. More traffic will only deteriorate the road faster and increase the dust control issue for residents.

Currently the school bus picks up children at the intersection of Forestville Road and Forestville Basin Trail. Because the road is private, children must walk on the roadway from their homes to

this intersection, which can be very dangerous. This is especially problematic in the winter and early spring with snow- and ice-covered roads. With blind curves, a narrow road, and high snowbanks, a child could easily be killed. Children in the new development would need to walk 1.5 to 2 miles to the bus stop. While we understand that the Township has grandfathered the existing older section of this road, there is no reason to expand the risk to children by increasing the number of families at the end of this road.

Due to the road issues outlined above we are also concerned about services for fire, police, ambulance, and garbage being provided adequately and safely. These services are extremely valuable to our residents. However, the safety of the men and women who provide these services are also important to us.

We realize the developer wants to make money by developing residential lots. However, when the new section of Forestville Basin Trail was developed, the developer was required to bring the road to a higher standard. We also understand that the older section of Forestville Basin Trail has been effectively grandfathered. It does not make sense to our community to add an additional development without the developer addressing the entire road. Therefore, we would propose that the zoning change **not be** approved or only be granted if the following takes place:

- The first part of Forestville Basin Trail, which includes the residents of Blue Heron Bluffs 2 Condominium Association, should be paved by the developer to deal with the severe pothole problem, to control dust, and to handle the traffic for development. This would allow Marquette County to adopt that section and school buses to operate over that part of the road.
- For the remaining older section of Forestville Basin Trail, owned by Blue Heron Bluffs Condominium Association, the road should be improved by the developer to accommodate two-way traffic in all seasons and to handle the added construction and residential traffic. This would ensure access to emergency services and the safety of children. A turnaround to accommodate fire and safety vehicles is also needed.

Thank you for your consideration and for addressing our concerns.

Sincerely,

Michaeleen OSullivan  
355 Forestville Basin Trail  
Marquette, MI 49855

Patrick MacDevitt  
63 Colwill Road  
Auckland, New Zealand

April 21, 2022

Andrea Landers  
Zoning Official  
City of Marquette  
[alanders@marquettemi.gov](mailto:alanders@marquettemi.gov)  
Reference: Property ID #: 0510156

Dear Ms. Landers,

My name is Patrick MacDevitt. I am the son of Maggie MacDevitt and stepson of Patrick St. Germain, the residents of 505 Forestville Basin Trail in Marquette Township. My family stays with them one to three months a year.

I'm writing in regard to the proposed zoning change to a property (T 48 N, R 25 W sections 8 and 9) near Forestville Dam in the City of Marquette, which will be brought before the Zoning Board by Cedar Point Family Trust and Bruce Pesola. This proposal would allow a development which fails to take into account concerns about safety and service accessibility.

Forestville Basin Trail is a narrow dirt road. During the summer, some portions of the road are likely impossible for US Mail vehicles and school busses to use. In winter, most parts of the road will be completely impassable. Furthermore, building new units on the road will require children to walk miles on a narrow, curvy, often icy road with limited visibility, a serious safety risk. I'd like to know how the City of Marquette intends to deal with these challenges.

On a more self-centered note, My parents live on a dirt road can be difficult to access by even normal vehicles. As I understand the situation, there is a proposal to build a large number of dwellings near the end of the road. As there are very few people living on the road at present, this would represent a large percentage increase in the amount of traffic on the road, thereby be degrading the road much more quickly, both in summer and winter months.

I ask that you not approve the zoning change, which could negatively impact the ability of my daughter, wife, and me to visit our family.

Thank you for your time,



Patrick MacDevitt, PhD

### Development on Forestville Basin Trail

Matthew Pear <[REDACTED]>

Tue 4/19/2022 8:25 AM

To: Andrea Landers <alanders@marquettemi.gov>

Matthew MacDevitt Pear  
1335 1<sup>st</sup> St.  
Northbrook, IL  
60062

Andrea Landers  
Zoning Official  
City of Marquette  
[alanders@marquettemi.gov](mailto:alanders@marquettemi.gov)

Reference: Property ID#: 0510156

Dear Ms. Landers,

My name is Matthew MacDevitt Pear. I am the son of Maggie MacDevitt and stepson of Patrick St. Germain, the residents of 505 Forestville Basin Trail in Marquette Township. I visit them nearly every month and stay at their house, often with my three children.

My parents live on a dirt road that is often nearly impassable. As I understand the situation, there is a proposal to rezone and build a development with 8 new homes near the end of the road. As there are very few people living on the road at present, this would represent a large percentage increase in the amount of traffic on the road, thereby degrading the road much more quickly, both in summer and winter months. The road is also narrow and increased traffic will make the road less safe for walking and driving.

I ask that you not approve rezoning which will result in this development, as it will increase the road dangers for all who use Forestville Basin Trail.

Respectfully,  
Matthew MacDevitt Pear

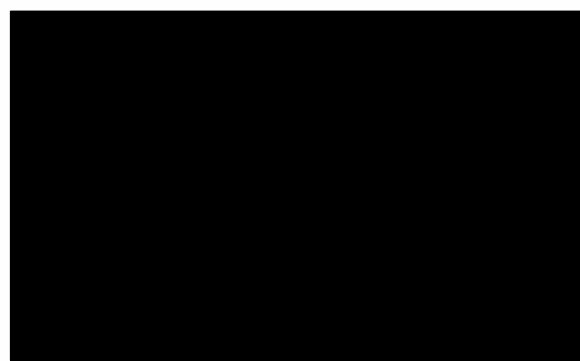
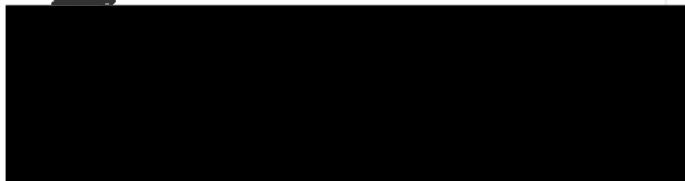
P.I.N. 0510156

PHOTOGRAPHS OF FORESTVILLE BASIN TRAIL  
2021 - 2022

FROM



Patrick St Germain  
505 Forestville Basin Trail  
Marquette MI 49855



RECEIVED  
APR 20 2022

Community Development Office

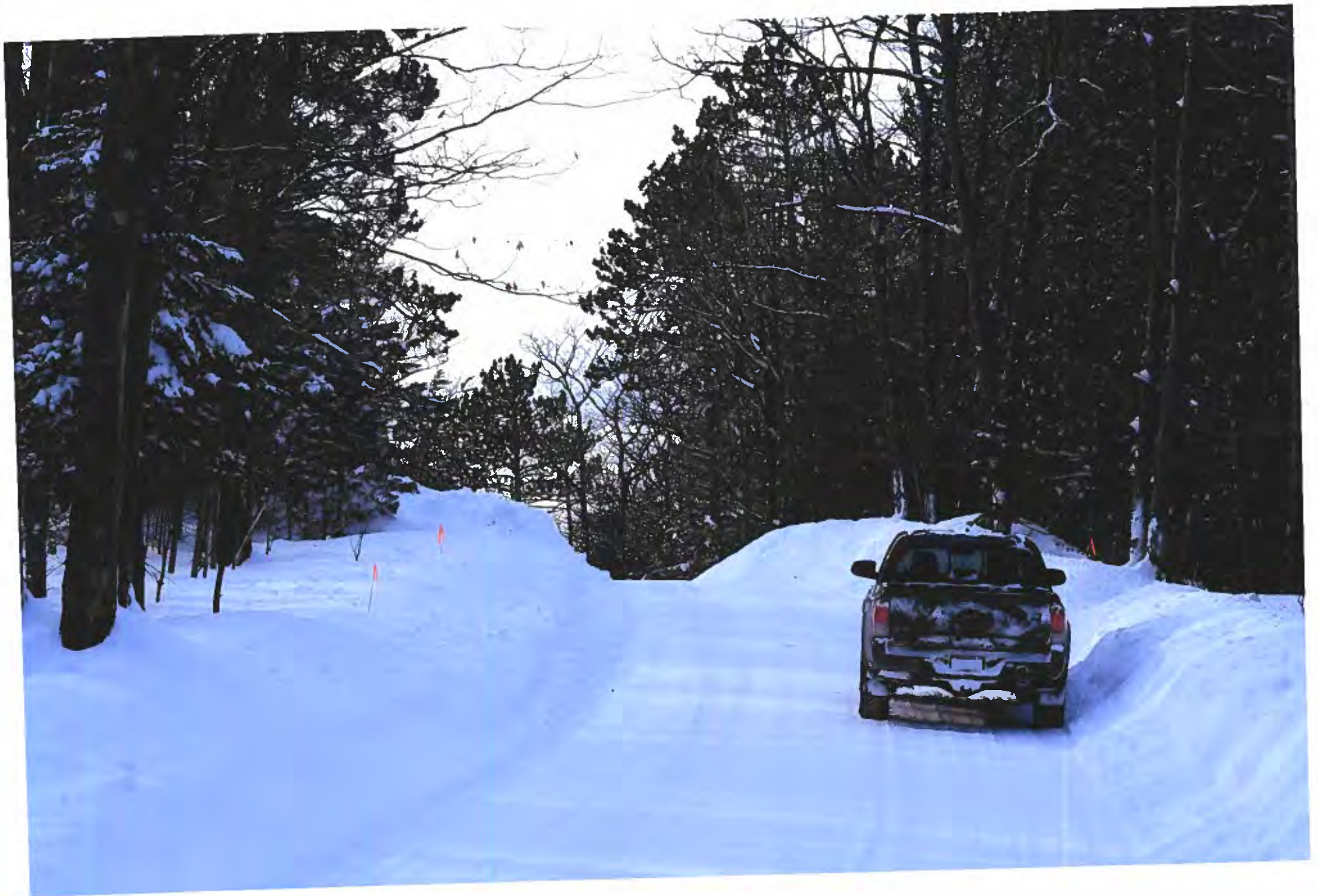
## Forestville Basin Trail - Fall 2021



## Forestville Basin Trail - Fall 2021



# Forestville Basin Trail - Winter 2022



# Forestville Basin Trail - Winter 2022



## Forestville Basin Trail - Spring 2022



## Forestville Basin Trail - Spring 2022

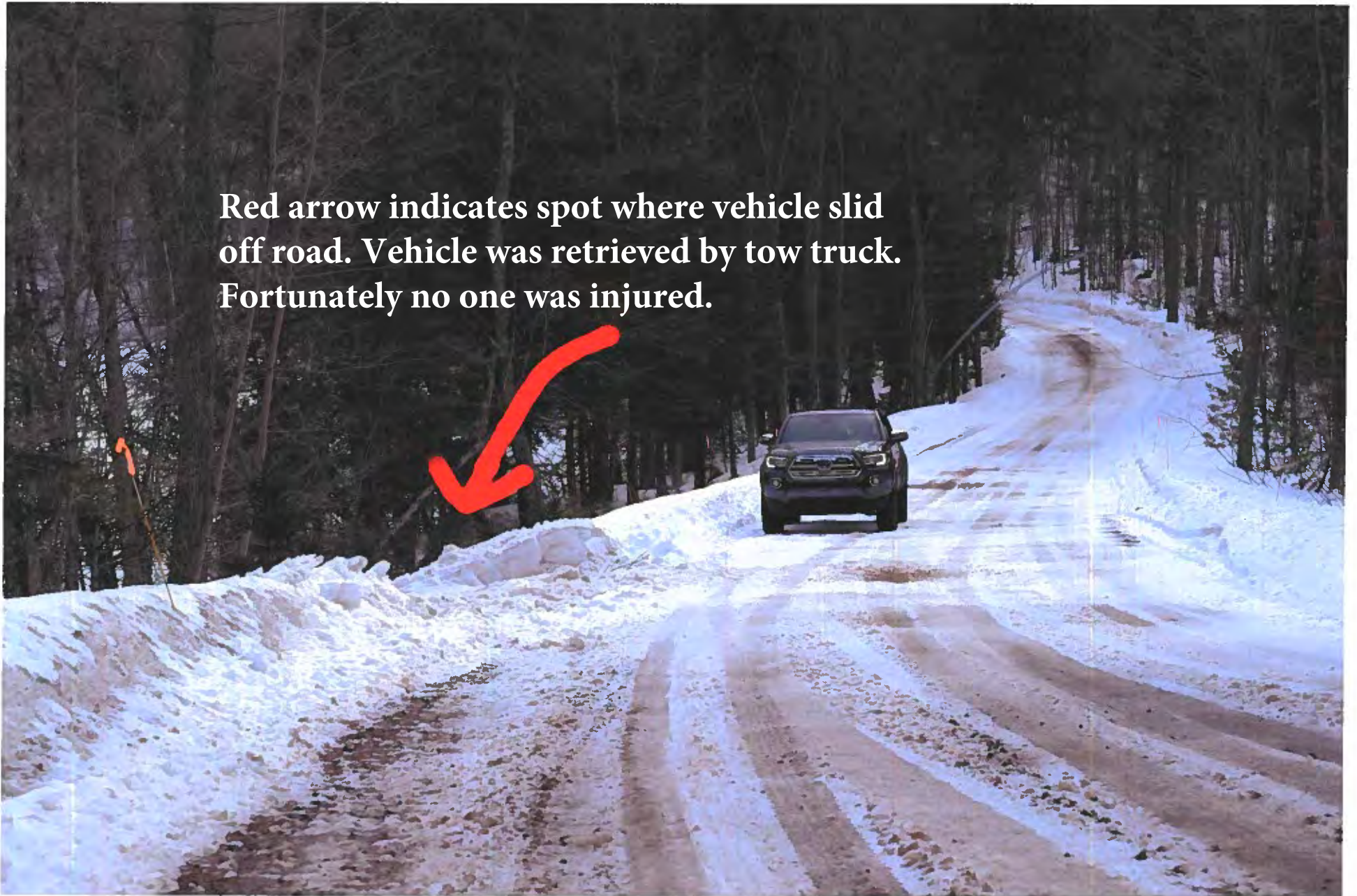


# Forestville Basin Trail - Spring 2022



## Forestville Basin Trail - April 2022

Red arrow indicates spot where vehicle slid off road. Vehicle was retrieved by tow truck. Fortunately no one was injured.



Patrick St. Germain & Maggie MacDevitt  
505 Forestville Basin Trail  
Marquette, MI 49855



March 1, 2022

Suzanne Curry Larsen  
City Attorney  
City of Marquette  
300 W. Baraga Ave.  
Marquette, MI 49855-4712

Dear Ms. Larsen,

We are writing as residents of Blue Heron Bluffs Condominium Association on Forestville Basin Trail in Marquette Township. We have concerns about the ramifications of a proposed zoning change to a property in our neighborhood. We believe that a zoning modification for the intended development does not take into account safety issues and access for service limitations. The property we're referring to (T 48 N, R 25 W sections 8 and 9) is near Forestville Dam in the City of Marquette. The request for a zoning change will be brought before the Zoning Board by Cedar Point Family Trust and Bruce Pesola. We have included a map for clarification.

Forestville Basin Trail (FBT) is a 1.5 mile long private dirt and gravel road, with year round houses and seasonal dwellings. The first half of the road, owned by Blue Heron Bluffs Two Condominium Association, is new and meets County Road Commission Standards. The second half of the road is owned by Blue Heron Bluffs Condominium Association. This section of road is much older and doesn't meet current Road Commission Standards. A zoning change would allow development of eight single family homes on the property in question. Although the property is within Marquette city limits, to access it by car, one must drive out of the city and through Marquette Township for 3.75 miles.

Using the last .75 mile of Forestville Basin Trail for access to this proposed development presents issues that need to be addressed. This section of roadway is very hilly and winding with trees and cut banks close to the shoulders of the road. In the summertime, the road is usually 18.8 feet wide. On February 23, 2022 we measured the road, and found it to be 14 feet wide in most places but as little as 12 feet wide in several spots. 14 feet of width will allow cars to pass each other on the road if they are careful, but at twelve feet of width, one vehicle has to pull into a driveway to let another other vehicle pass by. This becomes a serious problem when a service vehicle or large


truck is involved. U.S. Mail vehicles and school buses will not drive down this part of the road even in the summer. In addition, with 8 new families living at the end of this road, the children residing there will need to walk 1.5 miles to catch their school bus on the narrow curvy road where winter snowbanks are 4 to 5 feet high. This is obviously a safety hazard that needs to be addressed. (Photo included)

If the zoning is changed as Cedar Family Trust and Bruce Pesola propose, we have the following questions as to how the City of Marquette will provide services to the tax payers residing in those 8 new lots.

1. Will these lots have to be serviced by Township Fire Departments and County Law Enforcement, even though the lots are in the city of Marquette?
2. How will the residents of these new lots have access to city garbage collection?
3. Marquette city taxpayers have their streets maintained and plowed using city tax dollars. How would that work on a private road?
4. How would the city handle the school bus problem?
5. Would the arrangements made for servicing these lots via this private road have to be approved by the landowners of both associations that own the road?  
(It should be noted that the City of Marquette has been reluctant in the past to inspect Marquette City land in this area because they have been unsure about using a private road.)

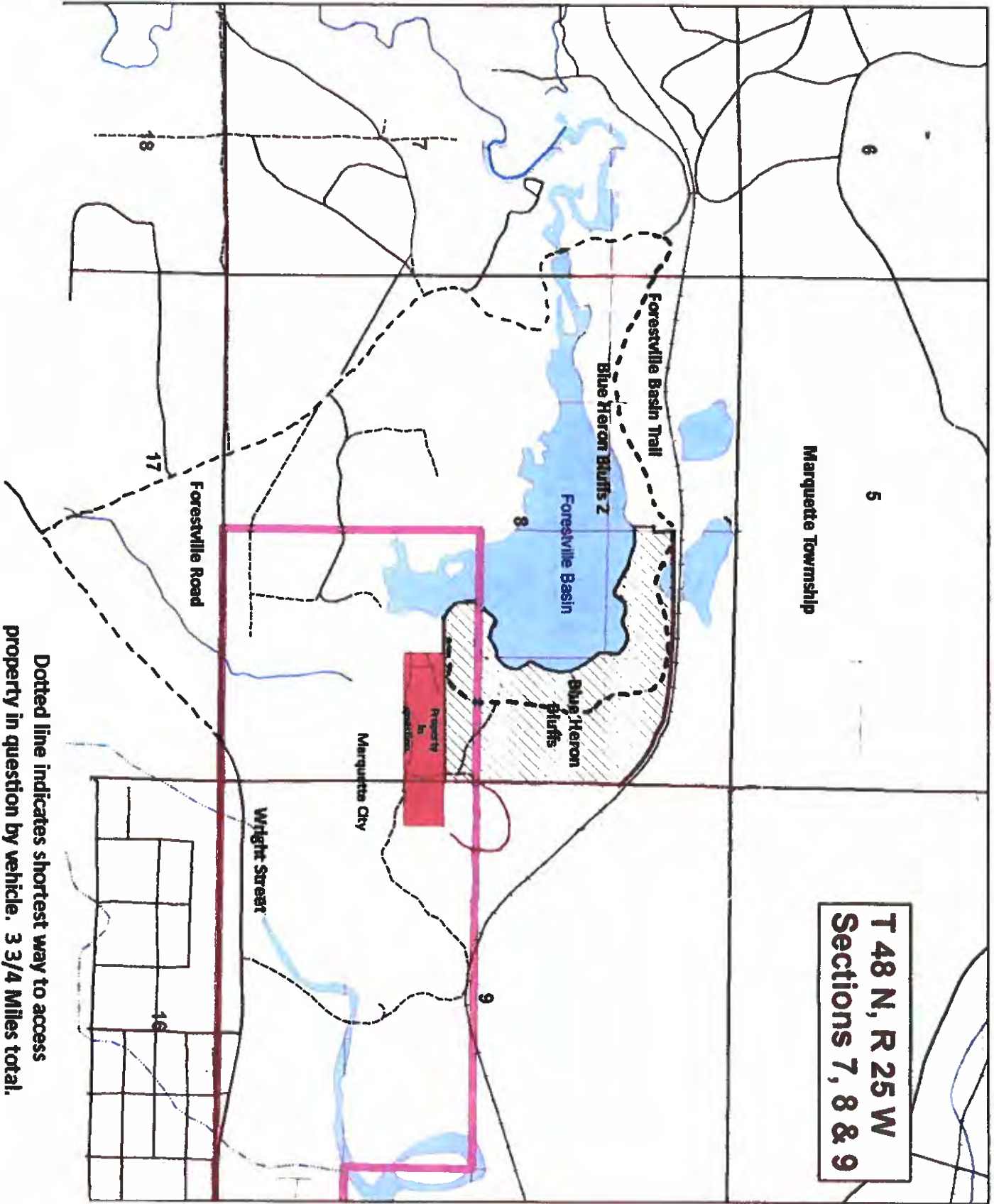
We are asking the City of Marquette to resolve these problems before they allow eight families to build houses on the property in question. We would appreciate your letting us know if you have answers to our questions or if you know who we should address our concerns to.

Thank you for your time.

Sincerely, 

Patrick St. Germain, Maggie MacDevitt

**T 48 N, R 25 W  
Sections 7, 8 & 9**



Dotted line indicates shortest way to access property in question by vehicle. 3 3/4 Miles total.  
1 1/2 Miles on private road.  
2 1/4 Miles on Marquette Township roads.



## Rezoning parcels Cedar Point Family Trust-Forestville Basin

David Staples <[REDACTED]>

Thu 5/5/2022 11:29 AM

To: Andrea Landers <alanders@marquettemi.gov>

As owners of lots 3 & 5 (575 & 535) of Blue Heron Bluffs Condominium Association we do not support the current plan and sequence for the rezoning request.

We feel there are too many unanswered questions regarding documented assurances from Bruce of Cedar Point Family Trust (CPFT).

Additionally, we would like to see a response from the Zoning Department as to what requirements have to be met before approval is granted. We understand that neighborhood support is one factor in the process.

Therefore we recommend that rezoning approval be delayed until more information is provided by Bruce of CPFT and the Zoning Board of Appeals.

Signed

David Staples, Sharon Staples (575)

Ryan Staples, Stephanie Whiton (535)