



AGENDA
MARQUETTE CITY BOARD OF ZONING APPEALS
December 4, 2025, at 7:00 PM
Room 103, Municipal Service Center at 1100 Wright Street

MEETING CALLED TO ORDER

ROLL CALL

MINUTES

- June 5, 2025
- October 23, 2025, Special meeting

ADDITIONS/DELETIONS FROM THE AGENDA

1. CITIZENS WISHING TO ADDRESS THE BOARD
2. PUBLIC HEARINGS
 - A. **05-VAR-12-25 – 911 W. Ridge Street (PIN: 0261030):** Stuart & Terry Bennett Irrev Trust are seeking a 1.1-ft side yard variance from the City of Marquette Land Development Code to allow a 4-ft x 4-ft landing and 4-ft x 9-ft stairs that is less than 3-ft from the side lot line at 911 W. Ridge St.
3. UNFINISHED BUSINESS
4. NEW BUSINESS
 - A. 2026 BZA Meeting Dates
 - B. *Reviewing Zoning Board of Appeals Petitions: Gathering Information* article, *Michigan Planner* magazine (Michigan Assoc. of Planning), Jan.-Feb. 2025
5. CITIZENS WISHING TO ADDRESS THE BOARD
6. BOARD MEMBER COMMENTS
7. ADJOURNMENT

Agenda Packets for the Board of Zoning Appeals are available at following location:

<https://marquette.novusagenda.com/Agendapublic/>

Public Comment:

A member of the audience speaking during the public comment portion of the agenda shall limit his/her remarks to 3 minutes.

**CITY OF MARQUETTE
BOARD OF ZONING APPEALS
OFFICIAL PROCEEDINGS
June 5, 2025**

MEETING CALLED TO ORDER

A regular meeting of the Marquette City Board of Zoning Appeals was called to order at 7:00 p.m. on Thursday, June 5, 2025, located in Room 103 of the Municipal Service Center, 1100 Wright St.

ROLL CALL

Present: Chair Ms. Dombrowski, Mr. Patrick, Ms. Wright, Vice Chair Ms. Hill, Ms. Klein, and Zoning Official A. Landers.

Absent: Mr. Neumann and Ms. Fetter (both excused).

MINUTES

It was moved by Ms. Wright, seconded by Ms. Hill, and carried 5-0 to approve the minutes of March 6, 2025, as presented.

ADDITIONS TO OR DELETIONS FROM THE AGENDA

It was moved by Ms. Klein, seconded by Ms. Hill, and carried 5-0 to approve the agenda with the two pieces of correspondence added to 03-VAR-06-25.

PUBLIC HEARINGS

02-VAR-06-25 – 347 E. Arch St. (PIN: 0170910): David Martin and Steven Godfrey are seeking a 1.83-ft side yard variance and a 1.83-ft side yard variance from the City of Marquette Land Development Code to allow a 15-ft x 24-ft attached garage and attached carport with a wall at 347 E. Arch St.

A. Landers: The Board of Zoning Appeals is being asked to review an application for a 1.83-ft side yard variance and a 1.83-ft side yard variance from the City of Marquette Land Development Code to allow a 15-ft x 24-ft attached garage and attached carport with wall at 347 E. Arch St. She referenced the staff report and attachments, and visuals from the agenda packet were shown. She stated the visuals do not show the proposed future wall for the carport.

Ms. Wright: I own property within 300-ft of this property and received the notice. I do not think I have a conflict of interest, but I wanted to ask the board. The conflict-of-interest items from the BZA bylaws were read, and the board decided there was no conflict of interest.

David Martin and Steven Godfrey, the applicants at 347 E. Arch St., introduced themselves.

Wilbur Jennings, the contractor: The reason for the variance requests is that we did not have much choice but to get the vehicle along that side of the house and to create this parking space and attach it to the house. We played around with options by putting the garage by the back, but they wanted to go to the garage from the house with a roof covering and be able to have two vehicles under a roof. The carport was a nice idea to have a more open feel in the driveway. We are adding good curb appeal. We are not asking for more than what we need for variance

requests to get one vehicle in the garage and one in the carport. The rest of the design meets the Land Development Code.

Steven Godfrey: The carport allows us to have two cars but also maintain continuity between the street, driveway, and backyard.

Mr. Patrick: Have you received a building permit or applied for one?

Wilbur Jennings: We have applied for a building permit and are just waiting on the zoning.

Ms. Dombrowski: To meet the required setbacks, what would that mean for this project?

Wilbur Jennings: You would not be able to drive a car into the garage without setting the garage further back and offsetting the garage. We played around with some ideas of turning the garage and turning it to it but there was not a lot of room for a turnaround either. We would have covered more green space than we wanted to. We would not be able to have an attached garage.

Steven Godfrey: We are trying to preserve our green space.

Chair Dombrowski opened the Public Hearing. No one wished to comment. Chair Dombrowski closed the Public Hearing.

The Board read each item in Section 54.1404(B)(5)(a. through j.) of the Land Development Code.

(a) Special Conditions and Circumstances Unique to the Land, Structure, or Building. *That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not generally applicable to other lands, structures, or buildings in the same district;*

Ms. Hill: Not a lot of places to add; you cannot change where your driveway is located, so it is stuck on that side of the house. If you detach the garage and go into the rear yard, you could be over the allowable impervious or rear yard coverage area requirements, as you would have to extend the driveway. Trying to preserve green space, I would agree with this.

Ms. Dombrowski: This is a narrow lot.

Mr. Patrick: Everyone deserves a garage.

(b) Rights of Similar Properties in the Same Districts. *That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other similar properties in the same district under the terms of this Ordinance;*

Ms. Hill: Not asking for something special, like Mr. Patrick said, everyone deserves a garage.

Ms. Wright: I agree.

(c) Not a Result of Actions of the Applicant. *That the special conditions and circumstances do not result from the actions of the applicant;*

Ms. Hill: Not a result of the actions of the applicant.

Ms. Dombrowski: The house placement and the size of the lot, and back to (b) again – having general, normal rights to have a garage.

(d) Special Privileges Prohibited. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district;

Ms. Dombrowski: It would not confer a special privilege.

(e) Comparison to Other Lands, Structures, or Buildings Not a Factor. That no nonconforming use of neighboring lands, structures, or buildings in the same district and no permitted or nonconforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

Ms. Hill: We are not comparing it to other properties.

(f) Strict Compliance is Unnecessarily Burdensome. That strict compliance with area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose and would thereby render the conformity unnecessarily burdensome for other than financial reasons;

Ms. Hill: If they moved the garage to the rear, the board may be looking at a different variance request with larger concrete driveway.

Ms. Wright: If the garage were shorter, you could not fit a vehicle within it.

(g) Substantial Justice. That a variance would do substantial justice to the applicant, as well as to other property owners in the district (the BZA, however, may determine that a reduced relaxation would give substantial relief and be more just);

Ms. Hill: This would do justice for them to store their vehicles, preserve green space, and be able to get to their house during the winter, being covered.

(h) Impact. That the proposed variance will not impair an adequate supply of light and air to adjacent property or increase the congestion in public streets; that the variance will not increase the hazard of fire or flood or endanger public safety; that the variance will not unreasonably diminish or impair established property values within the surrounding area; and that the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Ms. Hill: This request is not going to have a negative impact on light and air; this is not a two-story structure, and the height is lower than some garages that we have seen.

(i) Minimum Variance Necessary. That the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.

Ms. Hill: This is a minimum request.

Mr. Patrick: I agree.

(j) Purpose and Intent of the Land Development Code. That the granting of the variance, will be in harmony with the general purpose and intent of this Ordinance.

Ms. Hill: Granting this does align with the Land Development Code.

It was moved by Ms. Wright, seconded by Ms. Hill, and carried 5-0 that after conducting a public hearing and review of the STAFF REPORT/ANALYSIS for 02-VAR-06-25, the Board of Zoning Appeals finds that the request demonstrates the standards found in Section 54.1404(B)(5)(a. through j.) of the Land Development Code and hereby approves 02-VAR-06-25 as presented.

03-VAR-06-25 – 101 S. Front St. (PIN: 0150940): Marquette Vault LLC is seeking a 6% Required Building Line (RBL) length variance from the City of Marquette Land Development Code to allow for the building façade to be built at 69% of the RBL in the General 5 sub-district of the Marquette Downtown Form-Based Code zoning district, whereas the code requires that a building façade must be built to the RBL for at least 75% of the RBL length at 101 S. Front St.

A. Landers: The Board of Zoning Appeals is being asked to review an application for a 6% Required Building Line (RBL) length variance from the City of Marquette Land Development Code to allow for the building façade to be built at 69% of the RBL in the General 5 subdistrict of the Marquette Downtown Form-Based Code zoning district, whereas the code requires that a building façade must be built to the RBL for at least 75% of the RBL length at 101 S. Front St. She referenced the staff report and attachments, and visuals from the agenda packet were shown. Two pieces of correspondence were read into the record. One from Patrick Egan, 107 N. Lakeshore Boulevard, and the other from the State Historic Preservation Office (SHPO), which included attachments.

Ms. Hill: The first letter that was read into the record, I am confused about the traffic comment on how that impacts the variance request. That would be reviewed during the site plan review process.

Ms. Wright: What is the difference between the original design and what is being proposed now? Is the Front Street façade/RBL still the same proposal?

A. Landers: They were building up to the E. Washington Street Required Building Line and that is correct, they proposed the same amount as the original proposal along that RBL.

Barry Polzin, 101 N. Lakeshore Boulevard, and architect for the applicant: We are here just to talk about the RBL variance. As you heard from the letter from the SHPO architect regarding the new building in accordance with the National Park Service standards, we are to defer to the historic building. The savings bank building is the icon of Marquette; it is a historic treasure. As a historic architect, to me, this is a dream project, but the first thing I knew was that we had to really step back. The basis of this design is the public experience of this building. We are turning the building into a hotel, and we are adding onto it to get more rooms, add stairs, elevators, and all of the required things. We tucked that building into the little slot between the buildings; you can see it is sort of the reciprocal of the savings bank. One of the cool features of the savings bank building is that it has an angle which was created by the trains that ran next to it. So, the skinny little back of the building is just as important as the front because it shows you

how skinny that building was. We did come up with a design originally that met the zoning, but did not meet the National Park Service standards, plus our feelings on how we have to preserve this for the community. The addition gets tucked in there, same size, floors all match up, we meet all of the standards that are required by the National Park Service. This project will use historic tax credits, so we have to follow those standards. It also received a substantial grant, which requires us to follow those standards. Plus, downtown Marquette has been designated a historic downtown. We have an obligation to design and construct it per the standards. The RBL is to form the street-space, but in this case, the street-space is still formed by the historic building, and that is an important aspect.

Ms. Wright: Is that going to be a driveway on Washington Street? B. Polzin: Yes, we have gone through Engineering and site plan review, and it does work. It will be primarily valet parking.

Ms. Wright: What is the difference between the height from East Washington and Front Street on that back corner?

B. Polzin: There is about a 10–12-foot drop. The building is not accessible as it stands, so there will be a handicap ramp, which will give us an accessible route into the new building, then into the historic building.

Ms. Dombrowski: Can you explain the change in the plan where you would have met more of it, but it looks like you changed the back portion?

B. Polzin: The drawing to the right shows that we would have to have a two-story building out to the property line, basically the sidewalk line. It would take away the slenderness of it and cover up the materials and detailing. The south wall was common brick that ran parallel to the trains and a simpler façade, and is considered the back, which the standards allow us to add onto.

Chair Dombrowski opened the Public Hearing.

William McDonald, 505 E. Arch Street, and owner of the Harborview building at 115 S Lakeshore Boulevard: This project bears no resemblance to the plans that I last saw that were published publicly, which included the ramp coming off Front Street and accessing the second floor of the new hotel building. When this was described as a stand-alone project, I would be very interested in knowing where the rest of the project is going to end. Right now, the project shows an entrance off Washington Street, and my last recollection was that the entrance was going to be on the south side of the hotel at the top level of the parking lot. They could not have built this and complied with the required property line build-out because they needed an entrance, and that entrance is coming off the street. To get that entrance and use the whole scope of their lot, they cannot meet the requirement. Basically, in my view, the RBL variance makes or breaks this project. I have a couple of other questions about where this lies in conjunction with the easements that are shown, which are, as far as I can tell, run right underneath this building in favor of the City of Marquette in perpetuity. They also seem to extend past, and I am not sure if they are confined to underground utilities or whether they are benefiting other properties along Front St. My third question is that my understanding there is a five-story limitation on building in this zone, where is that five-story limitation measured from? If it is measured from the grade of the lot where the east side of the building is then it looks to me like it is a seven-story building. If you look at the pictures, there are a couple of doors and windows missing. Now, a downgrade and a set of stairs that go to the grade of the parking lot, which is the same grade as Lakeshore Boulevard. I have no clue how traffic is going to get past this valet parking and end up in the parking ramp. As I say, I have no idea how this bears in relation to the plan that I saw, and I am not aware of any other published plan that has been exposed for any public comment.

Ms. Dombrowski: One of the limitations of the Board of Zoning Appeals is that we can only talk about what we have in front of us right now, so right now, we are reviewing the RBL variance request.

A. Landers: To answer your questions about the easements, Engineering reviewed those during the previous submittal for the site plan review. Your question about how the story is measured it would be from S. Front St, and it would meet the five stories.

Dr. Angela Palomaki, 800 E. Orianna Drive, and a dentist in the Savings Bank building: My patients come through to the back area where the new addition is going and the handicap entrance to the building is the back parking lot, where would my patients access it?

A. Landers: I would call whoever you have been dealing with, a property manager, etc., and ask them those questions.

Chair Dombrowski closed the Public Hearing.

The Board read each item in Section 54.1404(B)(5)(a. through j.) of the Land Development Code.

(a) Special Conditions and Circumstances Unique to the Land, Structure, or Building. *That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not generally applicable to other lands, structures, or buildings in the same district;*

Ms. Dombrowski: This one was different to me, as you must build up to the lot line.

Ms. Wright: So, the 6% variance is 11 ft 8 in linear façade distance. A. Landers stated yes.

Ms. Hill: This request is unique because it is a historic building, and you do need to meet the National Park Service requirements, and to comply with that, it would not meet the zoning requirements. If you do not build anything, then you are left with this empty hole.

Ms. Wright: If you put the building addition in the back where it shows, then it would be two stories covering up the existing building, which would take away from the historic building.

(b) Rights of Similar Properties in the Same Districts. *That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other similar properties in the same district under the terms of this Ordinance;*

Ms. Dombrowski: If someone else added onto a historic building they would run into the same problems. It matters to me also how it is situated with the property next to it; not everybody is right up on the edge there.

Ms. Hill: Like every other property, they are allowed to alter or add onto it.

(c) Not a Result of Actions of the Applicant. *That the special conditions and circumstances do not result from the actions of the applicant;*

Ms. Wright: This request is the action of the National Park Service.

(d) Special Privileges Prohibited. *That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district;*

Ms. Dombrowski: It does not grant any special privileges to not build to the Required Building Line.

(e) Comparison to Other Lands, Structures, or Buildings Not a Factor. *That no nonconforming use of neighboring lands, structures, or buildings in the same district and no permitted or nonconforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.*

Ms. Dombrowski: We are not comparing it to any other structures.

(f) Strict Compliance is Unnecessarily Burdensome. *That strict compliance with area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose and would thereby render the conformity unnecessarily burdensome for other than financial reasons;*

Ms. Dombrowski: The strict compliance becomes burdensome when you are working with historic preservation.

Ms. Hill: I did a short internship with the National Park Service, and with historic preservation, they do allow additions. The intent with historic preservation is that they do not want buildings to be so preserved that they cannot be anything, and then they become vacant. I know it is used now, as I have been in it, but because it is a unique shape, it is a bit hard to use a lot of the spaces.

Ms. Wright: Yes, it is quite odd to be in.

Ms. Hill: The National Park Service, while they are strict, they do understand that buildings need to stay occupied for them to stay maintained.

(g) Substantial Justice. *That a variance would do substantial justice to the applicant, as well as to other property owners in the district (the BZA, however, may determine that a reduced relaxation would give substantial relief and be more just);*

Ms. Dombrowski: It does substantial justice to the applicant, as they can work within the grant requirements and all of the other qualifications, they have to meet to use that building and add onto it.

(h) Impact. *That the proposed variance will not impair an adequate supply of light and air to adjacent property or increase the congestion in public streets; that the variance will not increase the hazard of fire or flood or endanger public safety; that the variance will not unreasonably diminish or impair established property values within the surrounding area; and that the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.*

Ms. Dombrowski: It is almost less of an impact on the area because you are not going all the way up to the lot line.

(i) Minimum Variance Necessary. That the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.

Ms. Dombrowski: I think this is a minimum variance request in the scope of the entire project.

(j) Purpose and Intent of the Land Development Code. That the granting of the variance, will be in harmony with the general purpose and intent of this Ordinance.

Ms. Dombrowski: The purpose and intent of the Land Development Code is to create a community that people want to be in and revitalize the downtown.

Ms. Wright: I think it will look better as proposed than going all the way up to the street, and the proposal will be in harmony with the general purpose and intent of the Land Development Code.

Ms. Dombrowski: I agree, one might have opinions about all kinds of factors of the project, but what we are looking at tonight is the variance for the RBL.

It was moved by Mr. Patrick, seconded by Ms. Wright, and carried 5-0 that after conducting a public hearing and review of the STAFF REPORT/ANALYSIS for 03-VAR-06-25, the Board of Zoning Appeals finds that the request demonstrates the standards found in Section 54.1404(B)(5)(a. through j.) of the Land Development Code and hereby approves 03-VAR-06-25 as presented.

NEW BUSINESS

Presentation to the City Commission

The Board reviewed the presentation and made its changes.

ADJOURNMENT

The meeting was adjourned at 8:19 p.m.

Respectfully Submitted,

Andrea Landers
Zoning Official
Community Development Department,
For the Board of Zoning Appeals

**CITY OF MARQUETTE
BOARD OF ZONING APPEALS
OFFICIAL PROCEEDINGS
October 23, 2025**

MEETING CALLED TO ORDER

A special meeting of the Marquette City Board of Zoning Appeals was called to order at 7:00 p.m. on Thursday, October 23, 2025. located in Room 103 of the Municipal Service Center, 1100 Wright St.

ROLL CALL

Present: Chair Ms. Dombrowski, Mr. Patrick, Ms. Fetter, Vice Chair Ms. Hill, Ms. Wright, and Zoning Official A. Landers.

Absent: Mr. Neumann and Ms. Klein (both excused).

PUBLIC HEARINGS

04-VAR-10-25 – 401 W. Washington St. (PIN: 0220130): 401 W. Washington St, LLC is seeking a 25-ft curb cut and driveway separation variance and a 9.49-ft rear yard variance from the City of Marquette Land Development Code to allow a driveway that does not have a separation between the adjacent curb cut and driveway and a three-story building with a lower-level parking garage that is proposed to not meet the 10-ft setback from the rear lot line requirement at 401 W. Washington St.

A. Landers: The Board of Zoning Appeals is being asked to review an application for a 25-ft curb cut and driveway separation variance and a 9.49-ft rear yard variance from the City of Marquette Land Development Code to allow a driveway that does not have a separation between the adjacent curb cut and driveway and a three-story building with a lower level parking garage that is proposed to not meet the 10-ft setback from the rear lot line requirement at 401 W. Washington St. Please note, there was a clerical error stating that the rear yard setback was 5 ft, but it is a 10-ft setback, and the survey and the site plan sheet show it as 5 ft, but it is actually 10 ft. Therefore, we sent an amended Mining Journal notice. She referenced the staff report and attachments, and visuals from the agenda packet were shown.

Ms. Wright: The building in the rear will remain as it is now, correct. A. Landers: I believe the back wall is remaining, and then they are building up from it.

Dax Richer, Architect at RG Design and located at 829 Croix St, Negaunee, MI 49866: There was a collapse in the roof a couple of years ago, so we are maintaining the existing footprint and the basement structure, but everything else will be new.

Mr. Patrick: Will this be going to the Planning Commission? A. Landers: No, this is a small enough project that has already started going through Administrative Site Plan

Review. During the first review of the site plan, it was then the staff stated the variances and License were required. The applicant has submitted site plans to meet staff comments. So, we are now at the level of whether the variances and the license are approved, then if they are, the staff are able to sign off on the zoning permit.

Ms. Dombrowski: Can you explain the separation between the curb cuts and driveway variance? A. Landers showed the existing photos on the screen and showed the site plan sheet with the proposed curb cut and driveway.

Ms. Hill: The existing curb cut is for the alley. A. Landers: No, this is private property, not an alley; this is a curb cut and driveway for the property to the south. Engineering prefers the proposed curb cut and driveway to be further away from the intersection, and if they had to be 25 feet from each other, then it would be too close to the intersection.

Ms. Fetter: Is the maximum height just 40 feet, or is it more than 40 feet?

Dax Richer: No, it is an approximation within inches.

Ms. Wright: So, in other words, they could never use the rear to get into their building because that is not an alley. A. Landers: Correct.

Brian Savolainen, Engineer at Wickwire Consultants and located at 3224 US-41W #240, Marquette, MI 49855: They did try to work a deal with the adjacent property owner, but could not come to an agreement.

Dax Richer: The existing basement footprint and garage door are there. Instead of putting what was back, they wanted to add the housing and have a couple of commercial spaces. We met the parking requirements, and it is a good design.

Ms. Wright: How many units? Dax Richer: We are proposing 11 residential units and 2 commercial units.

Ms. Dombrowski: Can you tell us how you arrived at the proposed curb cut and driveway design?

Brian Savolainen: The garage door has always been there as access, but for some reason, there was not a curb cut in front of that garage door. It would require mounting the curb, and the drive dips back down to the building. I met with the City Engineer and some of the staff at the site, and we discussed this. Right across the street, there is a very similar situation where there is a garage, but in that case, it is an alley. We first looked at making a curb cut between the two catch basins you see in the photo, but City staff recommended that we continue the curb cut past the catch basin and remove the backing on it, and put a low casting on it, which is pretty typical in a curbed area. Our design follows exactly what the City Engineering staff recommended, and we agree that it was the best solution. By grading that down a little bit, it gives us better access to the garage. Site distance is not affected at all for the adjacent driveway; there is room there to stop, and you can see all the way up to the stop sign.

Mr. Patrick: So that will be access to the indoor parking. Brian Savolainen: That is access to the seven indoor parking spaces only for the residents.

Ms. Fetter: For the garage door, is there proof or evidence that the garage door was there for the purchase? My thought is that someone could potentially put a garage door somewhere and then say, now this is part of it, so now I need a curb cut for it.

Stosh Wasik, one of the owners of 401 W. Washington St LLC: I have owned the building since 2015, and then we sold the building to the new partnership. When I bought the building, it was from Earl's Carpet Shop, and they built it new in 1977. It was my understanding that they put the garage door in when they built it in 1977.

Ms. Fetter: Interesting if they always had to mount the curb to use it. Ms. Wright: No, I have lived in that area. They used to have their big trucks park and then unload the carpets into the building; they never drove in.

Ms. Fetter: Are you considering putting up a stop sign or some kind of signage since it will be increasing traffic across the sidewalk?

Brian Savolainen: It is a driveway, so you do not have a stop sign outside of your driveway. You are going to come out and look both ways and make your decision, just like coming out of your personal drive.

Ms. Fetter: The parking garage is for multiple people, not like a home. Brian Savolainen: It is for the seven residents who will be using it.

Stosh Wasik: We are happy to commit to adding stop signs on the inside of the building, so people are aware and pay attention to the pedestrians.

Chair Dombrowski opened the Public Hearing. No one wished to comment. Chair Dombrowski closed the Public Hearing.

The Board read each item in Section 54.1404(B)(5)(a. through j.) of the Land Development Code.

(a) Special Conditions and Circumstances Unique to the Land, Structure, or Building. *That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not generally applicable to other lands, structures, or buildings in the same district;*

Mr. Patrick: This is met with both variances. The board agreed.

(b) Rights of Similar Properties in the Same Districts. *That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other similar properties in the same district under the terms of this Ordinance;*

Mr. Patrick: This is met with both variances. Ms. Wright agreed.

(c) Not a Result of Actions of the Applicant. *That the special conditions and circumstances do not result from the actions of the applicant;*

Ms. Dombrowski: This is met, the building exists, and building up makes sense. The garage door exists. Mr. Patrick agreed.

(d) Special Privileges Prohibited. *That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district;*

Mr. Patrick: It would not confer a special privilege. The board agreed.

(e) Comparison to Other Lands, Structures, or Buildings Not a Factor. *That no nonconforming use of neighboring lands, structures, or buildings in the same district and no permitted or nonconforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.*

Ms. Dombrowski: We are not comparing it to other properties or buildings, so this is met. Ms. Wright and Mr. Patrick agreed.

Ms. Fetter: One of their answers was comparing it to others. Ms. Dombrowski: That is good to note, and that we are not using that as a factor with our review.

(f) Strict Compliance is Unnecessarily Burdensome. *That strict compliance with area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose and would thereby render the conformity unnecessarily burdensome for other than financial reasons;*

Mr. Patrick: This is met. Ms. Hill: Especially since they are using the existing footprint and garage opening.

(g) Substantial Justice. *That a variance would do substantial justice to the applicant, as well as to other property owners in the district (the BZA, however, may determine that a reduced relaxation would give substantial relief and be more just);*

Ms. Dombrowski: Other property owners can do this, and they are making a building that is almost blighted usable.

Ms. Hill: You could say, well, they can use the existing and not build up, but I am sure the existing building would not meet the state energy codes. So, tearing down the first floor so the building meets energy codes, because the codes have changed a lot since the 70s.

(h) Impact. *That the proposed variance will not impair an adequate supply of light and air to adjacent property or increase the congestion in public streets; that the variance will not increase the hazard of fire or flood or endanger public safety; that the variance will not unreasonably diminish or impair established property values within the surrounding area; and that the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.*

Ms. Dombrowski: The proposed curb cut and driveway have no impact on air and light. I believe that not meeting the 10-foot rear setback will not have any negative effect on the air and light of the surrounding areas. Mr. Patrick agrees.

(i) Minimum Variance Necessary. *That the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.*

Ms. Dombrowski: After listening to the applicants and them talking to the City engineering staff, this is the best way for the proposal to work. I believe both are a minimum request.

Ms. Hill: I agree, the minimum to keep the existing to work, if they were constructing a whole new building, then it might not be minimum.

(j) Purpose and Intent of the Land Development Code. *That the granting of the variance, will be in harmony with the general purpose and intent of this Ordinance.*

The board agreed that it would.

It was moved by Ms. Wright, seconded by Ms. Fetter, and carried 5-0 that after conducting a public hearing and review of the STAFF REPORT/ANALYSIS for 04-VAR-10-25, the Board of Zoning Appeals finds that the request demonstrates the standards found in Section 54.1404(B)(5)(a. through j.) of the Land Development Code and hereby approves 04-VAR-10-25 as presented with the condition that a License be approved by the City Commission for the proposed encroachment into the Washington Street right-of-way.

ADJOURNMENT

The meeting was adjourned at 7:26 p.m.

Respectfully Submitted,

Andrea Landers
Zoning Official
Community Development Department,
For the Board of Zoning Appeals



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

MEMORANDUM

TO: Board of Zoning Appeals
FROM: Andrea Landers, Zoning Official
DATE: November 24, 2025
SUBJECT: 05-VAR-12-25 – 911 W. Ridge Street (PIN: 0261030)

The Board of Zoning Appeals is being asked to review an application for a 1.1-ft side yard variance from the City of Marquette Land Development Code to allow a 4-ft x 4-ft landing and 4-ft x 9-ft stairs that is less than 3-ft from the side lot line at 911 W. Ridge St.

Please see the attached STAFF REPORT/ANALYSIS for more specific information regarding the application.

RECOMMENDED ACTION:

The Board of Zoning Appeals should conduct a public hearing, review the application, and render a decision on whether or not to grant the variance.

As always, it is highly recommended that any motion include finding of fact similar to the following:

*After conducting a public hearing and review of the STAFF REPORT/ANALYSIS for 05-VAR-12-25, the Board of Zoning Appeals (*finds/does not find*) that the request (*demonstrates/does not demonstrate*) the standards found in Section 54.1404(B)(5)(a. through j.) of the Land Development Code and hereby (*approves/denies*) 05-VAR-12-25*

...as presented.

...with the following conditions (e.g. with the _____ variance not to exceed _____ number of feet along the side yard, and _____ number of feet along the rear yard).

Or...

After conducting a public hearing and review of the STAFF REPORT/ANALYSIS for 05-VAR-12-25, the Board of Zoning Appeals does not find that the request demonstrates the standards found in Section 54.1404(B)(5) (a. through j.) of the Land Development Code. The applicant requested a _____ variance, which the facts show is not appropriate; however, a _____ variance is warranted by the facts and demonstrates the standards found in Section 54.1404(B)(5) (a. through j.) of the Land Development Code, and the Board of Zoning Appeals hereby approves 05-VAR-12-25 with the _____ variance.

STAFF REPORT/ANALYSIS

Completed by Andrea Landers – Zoning Official

Reviewed by David Stensaas – City Planner and Zoning Administrator



File #: 05-VAR-12-25

Date: November 24, 2025

Project/Application: Applicants are seeking a 1.1-ft side yard variance from the City of Marquette Land Development Code to allow a 4-ft x 4-ft landing and 4-ft x 9-ft stairs that are less than 3-ft from the side lot line.

Location: 911 W. Ridge St.

Parcel ID: 0261030

Available Utilities: Natural Gas, Electricity, City Water, City Sewer, and Garbage Collection.

Current Zoning: MFR – Multiple Family Residential

Surrounding Zoning:
North: MFR – Multiple Family Residential
South: MDR – Medium Density Residential
East: MFR – Multiple Family Residential
West: MFR – Multiple Family Residential

Year Built: The triplex was built in 1976 according to the assessing records.

Sales: The applicants have owned the structure since August 7, 2009.

Relationship to the Zoning District Standards (Staff Comments in Bold Text):

Section 54.402 Schedule of Regulations

Lot size: The minimum lot size in the MFR Zoning District is 9,000 square feet for a triplex. **This parcel's lot size is +/- 7,100.**

Lot Width: The minimum lot width in the MFR Zoning District is 75 feet for a triplex. **This parcel's lot width is +/- 50-ft.**

Front Yard: The minimum front yard requirement in the MFR Zoning District is 15 feet. **The proposal meets this.**

Side Yards: The minimum side yard requirements in the MFR Zoning District are a minimum of 10-ft and a total of 20-ft for both sides for a triplex. **The proposed landing and stairs are an allowed encroachment, please see comments to Section 54.702.**

STAFF REPORT/ANALYSIS

Page 2 of 5

Rear Yard: The minimum rear yard requirement in the MFR district is 30 feet for a triplex. **The proposed structures meet this requirement.**

Maximum Height: The maximum height requirement for primary buildings in the MFR Zoning District is 36.5 feet in height with allowable increase to 48 feet if you meet requirements. **The proposed structures are less than 31.5-ft in height per the application.**

Per Section 54.702 Permitted Encroachments into the Required Yard Setbacks:

(C) Access Ways. Unenclosed stairs, steps, fire escapes, and access ramps may project into yard setbacks, provided that they are set back at least twelve (12) inches from the front lot line, five (5) feet from the rear lot line, and three (3) feet from the side lot lines with the following exceptions:

- (1) Front yard setbacks are not required for barrier-free access ramps if resident requires ramp access due to a disability and there is not adequate space to locate the ramp elsewhere on the property. When such ramp is no longer required it shall be considered a legal, non-conforming encroachment.
- (2) Window wells, egress windows, and basement escape ladders required by fire codes may project into required yard setbacks the minimum amount necessary to meet the fire code requirement.
- (3) Existing step or walls that are located between the front property line and 12 inches into the private property may be maintained but not rebuilt, per [Section 54. 1202](#) of the LDC.
- (4) New/Proposed steps must be set back at least 12 inches from the front property line, even if the Zoning District has a 0-ft front setback. If existing steps or walls protrude into the public right-of way and are in disrepair, a Grant of License to use public property must be sought for approval to conduct rebuilding work to restore the structure to like-new condition.

(D) Unenclosed Balconies, Open Porches, Decks. Unenclosed balconies, open porches, carports and decks may project into a required yard setback by up to ten (10) feet provided they are at least five (5) feet from the rear lot lines, at least three (3) feet from the side lot lines, and at least five (5) feet from the front lot lines unless a different front yard setback for unenclosed balconies, open porches, and decks is permitted or required by Article 4.

The proposed landing and stairs are 1.9-ft from the side lot line, therefore a 1.1-ft side yard variance is requested.

Relationship to the Land Development Code Variance Standards (Staff Comments in Bold Text):

54.1404 Variances and Appeals

(B) Variances. *The Board of Zoning Appeals may authorize upon appeal in specific cases such variance from the terms of this Ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Ordinance would result in practical difficulty in accordance with this Section. A variance from the terms of this Ordinance shall not be granted by the Board of Zoning Appeals unless and until all of the following are fulfilled:*

(1) Application. *A complete written application for a variance is submitted.*

An application has been submitted.

(2) Payment of Fees. *All fees, as set by the City Commission, must be paid by the applicant to cover the administrative costs of such application.*

The required fee has been submitted.

(3) Notice of Public Hearing. *Notice of public hearing shall be given as in Section 54.1406.*

Notices have been made in accordance with Section 54.1406.

(4) Public Hearing. *The public hearing shall be held. Any party may appear in person, or by a duly authorized agent or by attorney to act on behalf of the applicant.*

The public hearing is to be held on December 4, 2025.

(5) Required Standards of Review. *The Zoning Board of Appeals shall make findings that a “practical difficulty” has been shown by the applicant by finding that all of the following requirements have been met by the applicant for a variance.*

(a) Special Conditions and Circumstances Unique to the Land, Structure, or Building. *That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not generally applicable to other lands, structures, or buildings in the same district;*

TBD by the Board of Zoning Appeals.

(b) Rights of Similar Properties in the Same Districts. *That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other similar properties in the same district under the terms of this Ordinance;*

TBD by the Board of Zoning Appeals.

(c) Not a Result of Actions of the Applicant. *That the special conditions and circumstances do not result from the actions of the applicant;*

TBD by the Board of Zoning Appeals.

- (d) Special Privileges Prohibited. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district;

Similar properties have the same recourse available if the same situation were to arise, therefore, this is not considered to be a special privilege.

- (e) Comparison to Other Lands, Structures, or Buildings Not a Factor. That no nonconforming use of neighboring lands, structures, or buildings in the same district and no permitted or nonconforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

This application shall stand on its own and not be precedent setting, nor shall other cases be used in the decision making.

- (f) Strict Compliance is Unnecessarily Burdensome. That strict compliance with area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose and would thereby render the conformity unnecessarily burdensome for other than financial reasons;

TBD by the Board of Zoning Appeals.

- (g) Substantial Justice. That a variance would do substantial justice to the applicant, as well as to other property owners in the district (the BZA, however, may determine that a reduced relaxation would give substantial relief and be more just);

TBD by the Board of Zoning Appeals.

- (h) Impact. That the proposed variance will not impair an adequate supply of light and air to adjacent property or increase the congestion in public streets; that the variance will not increase the hazard of fire or flood or endanger public safety; that that the variance will not unreasonably diminish or impair established property values within the surrounding area; and that the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

TBD by the Board of Zoning Appeals.

- (i) Minimum Variance Necessary. That the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.

TBD by the Board of Zoning Appeals.

STAFF REPORT/ANALYSIS

Page 5 of 5

- (j) *Purpose and Intent of the Land Development Code. That the granting of the variance, will be in harmony with the general purpose and intent of this Ordinance.*

TBD by the Board of Zoning Appeals.

Additional Comments:

State Law provides that reasonable conditions may be placed on a variance request to ensure the health, safety, and welfare as well as, the social and economic well-being, of those who will use the land use or activity under construction, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.

Background:

In July of 2025, the property owner was sent a Notice of Violation letter for the landing and stairs that were reconstructed without a permit. It was discussed that the placement/location of the landing and stairs did not comply with the Land Development Code requirements. The property owners stated that their contractor told them a permit was not required for reconstruction. The property owner chose to apply for a variance and submitted the application.

Attachments:

- Application with attachments
- Area Map
- Block Map
- Photos
- Location sketch

PRINT

**CITY OF MARQUETTE
BOARD OF ZONING APPEALS
VARIANCE APPLICATION**



CITY STAFF USE

Parcel ID#: 0261030 File #: 05-VAR-12-25
Receipt/INV #: 401361 Check #: 3090 Received by and date: 10-23-25
Hearing Date: 12-4-25 Application Deadline (including all support material): 11-6-25
• Location Sketch prepared by a surveyor submitted: Y / N (fence height or % of construction variance N/A)

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED, THE VARIANCE 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!

FEE SCHEDULE (We can only accept Cash or Check (Written to the City of Marquette))

☐ 1 or 2 Family Residential Units \$870
☒ Commercial and all others \$1,155

If you have any questions, please call 228-0425 or e-mail alanders@marquettemi.gov. Please refer to www.marquettemi.gov to find the following information:

Board of Zoning Appeals page for filing deadline and meeting schedule
Excerpts from the Land Development Code

- **Section 54.1404:** Variances and Appeals
- Article 4 for setback and height information
- Article 9 for off street parking requirements

APPLICANT CONTACT INFORMATION

PROPERTY OWNER

Name: Stuart & Terry Bennett
Address: PO Box 117
City, State, Zip: Big Bay MI 49808

ENCOURAGED TO BE PRESENT AT THE MEETING**

APPLICANT/OWNERS REPRESENTATIVE

Name: _____
Address: _____
City, State, Zip: _____
Phone #: _____
Email: _____

****APPLICANTS OR REPRESENTATIVES ARE STRONGLY ENCOURAGED TO BE PRESENT AT THE MEETING****

SURVEYOR

Name: Robert Cambensy Address: 306 N 6th St City, State, Zip: Marquette, MI 49855

*** A current survey (location sketch), prepared by a licensed surveyor and showing all existing and proposed construction must be submitted at least 20 business days prior to all public hearings involving dimensional variances.**

VARIANCES REQUESTED

- ☐ Fence
- ☐ Signage
- ☐ Parking (location, # of spaces, screening)
- ☒ Zoning (building size, placement, etc.)
- Size/lot coverage _____
 - Placement/Setbacks - landing + stairs
 - Height stairs
- ☐ Other _____

PROPERTY INFORMATION

Location (Street Address): all W. Ridge St.

Zoning District: MFR

Total area of site: 7,100 ±

Sq. ft. of Existing Building(s): Footprint 1,944

Sq. ft. of Proposed Building(s): _____

Number of floors: 2 Proposed Height: 23.5'

SETBACKS

	Please circle the appropriate direction	REQUIRED Please fill in the distance	PROVIDED/ PROPOSED Please fill in the distance
FRONT	(N) S E W	15'	+15'
SIDE 1	N S E (W)	3' for stairs + deck	1.9
SIDE 2	N S (E) W	3' for stairs + deck	+3'
REAR	N (S) E W	5'	+5'

EXISTING/PROPOSED USE (Check all that apply)

Existing Use: Triplex

Proposed Use: N/A

Multifamily and non-residential development must undergo a formal site plan review - See Section 54.1402 of the Marquette City Land Development Code.

PRACTICAL DIFFICULTY

- Unique circumstances applying to the property.
- Not adversely affecting adjacent properties.
- Need for variance was not self-created.
- Variance is the minimum necessary.
- Not general or recurrent nature.
- Will not alter the essential character of the area.

State law authorizes the Board of Zoning Appeals upon finding that there are practical difficulties in carrying out the letter of the law, to grant a variance. The Board of Zoning Appeals may impose conditions upon affirmative decisions. Any person having interest affected by the Board may appeals a decision to the Circuit Court within 30 days.

DESCRIPTION OF PROJECT

Specify proposed building style and materials, ultimate ownership, proposed timeline for work, etc. (Use another sheet of paper if necessary). Sketches showing facades, rooflines, window and door placement, etc. are encouraged but need not be professionally drawn - photos of similar construction may also be submitted.

Project was to replace deteriorating deck and stairs to be built in the same footprint. Rebuilt 4' wide x 9' long stairs + 4' wide x 4' wide landing + stairs (4'x4') + 6' wide x +/- 22' deck in July of 2025

NO WORK - INCLUDING EARTHWORK CAN COMMENCE UNTIL A VARIANCE IS OBTAINED (APPLICATION SUBMITTAL DOES NOT GUARANTEE APPROVAL) AND A ZONING COMPLIANCE PERMIT IS ISSUED.

SEC 54.1404(B)(5):

The Zoning Board of Appeals shall make findings that a "practical difficulty" has been shown by the applicant by finding that all of the following requirements have been met by the applicant for a variance.

(a) Special Conditions and Circumstances Unique to the Land, Structure, or Building.

That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not generally applicable to other lands, structures, or buildings in the same district;

Petitioner's Response: Previous owner built this house and stairs in 1976, at the same time he built the house and stairs next door (913 Ridge St). At that time, both properties were owned by the same individual and was built to code at that time.

(b) Rights of Similar Properties in the Same Districts. That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other similar properties in the same district under the terms of this Ordinance;

Petitioner's Response: The house next door, (913 W. Ridge St), has stairs encroaching in the same area.

(c) Not a Result of Actions of the Applicant. That the special conditions and circumstances do not result from the actions of the applicant;

Petitioner's Response: Previously built in 1976 by previous owner. Stairs were deteriorating and for safety reasons and a second egress for meeting the fire code for the upstairs apartment.

- (d) **Special Privileges Prohibited.** That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district;

Petitioner's Response: _____

The fire department requires this second egress for upstairs rental for fire safety.

The deteriorating stairs were being rebuilt, also for safety reasons.

Please see pictures.

- (e) **Comparison to Other Lands, Structures, or Buildings Not a Factor.** That no nonconforming use of neighboring lands, structures, or buildings in the same district and no permitted or nonconforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

Petitioner's Response: _____

We understand this.

- (f) **Strict Compliance is Unnecessarily Burdensome.** That strict compliance with area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose and would thereby render the conformity unnecessarily burdensome for other than financial reasons;

Petitioner's Response: _____

There is no other reasonable location available due to a power pole and support cable, a steep hill to the alley and no other steps. If the stairs were to be moved to the east, away from power pole, then the stairs would be in front of doors & windows of the 2 lower apartments.

The steep hill and no steps would still be an issue. Also, tenants park on the Ridge St side of the house, opposite of the alley.

- (g) **Substantial Justice.** That a variance would do substantial justice to the applicant, as well as to other property owners in the district (the BZA, however, may determine that a reduced relaxation would give substantial relief and be more just);

Petitioner's Response: _____

We feel the 13" over the current set-back that the new stairs occupies, as it has for 40 years is the only reasonable choice.

- (h) **Impact.** That the proposed variance will not impair an adequate supply of light and air to adjacent property or increase the congestion in public streets; that the variance will not increase the hazard of fire or flood or endanger public safety; that that the variance will not unreasonably diminish or impair established property values within the surrounding area; and that the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Petitioner's Response: _____

It will not. The stairs are open with the roof overhang as it has been.

- (i) **Minimum Variance Necessary.** That the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.

Petitioner's Response: _____

1.9" is still enough room for maintenance on our property as it has been in the past.

- (j) **Purpose and Intent of the Land Development Code.** That the granting of the variance, will be in harmony with the general purpose and intent of this Ordinance.

Petitioner's Response: We feel the granting of this
variance is in harmony with the health,
welfare and safety for our rental.

SIGNATURE

I hereby certify the following:

1. I am the legal owner of the property for which this application is being submitted.
2. I desire to apply for the variance 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 variance would not violate any deed restrictions attached the property involved in the request.
4. I have read Section 54.1404 of the Land Development Code and understand the necessary conditions that must be completed and the consideration that will be given in making a decision on this petition.
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 Board of Zoning Appeals that may not necessarily be the next scheduled meeting due to notification requirements and Board of Zoning Appeals Bylaws.
7. I acknowledge that this form is not in itself an approval of the variance but only an application for a variance and is valid only with procurement of applicable approvals.
8. I authorize City Staff and the Board of Zoning Appeals members to inspect the site.

Property Owner Signature: Jerry Bennett Date: 10-21-2025

Applicant Signature: _____ Date: _____

Crop





Crop





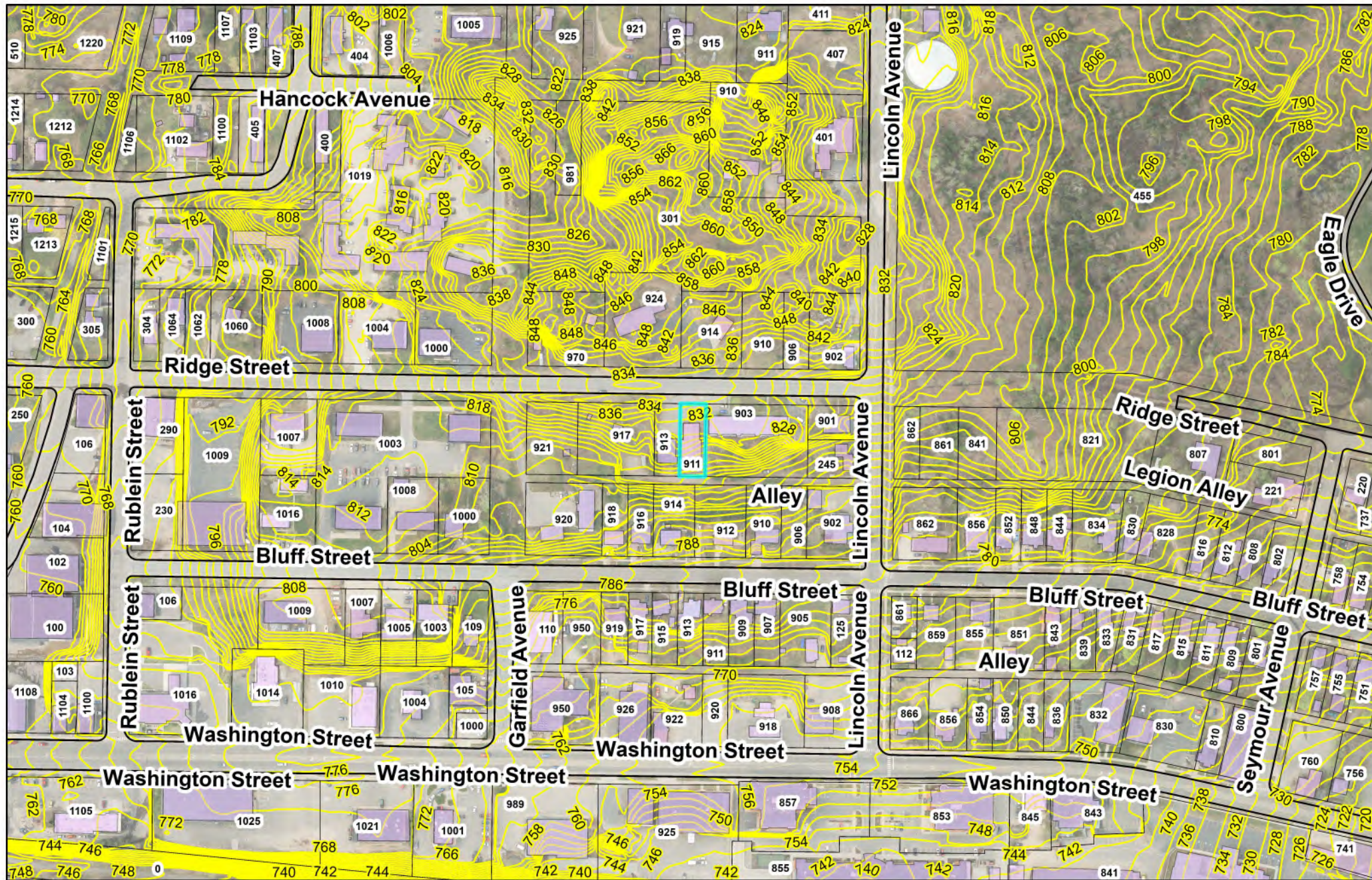








05-VAR-12-25 Area Map

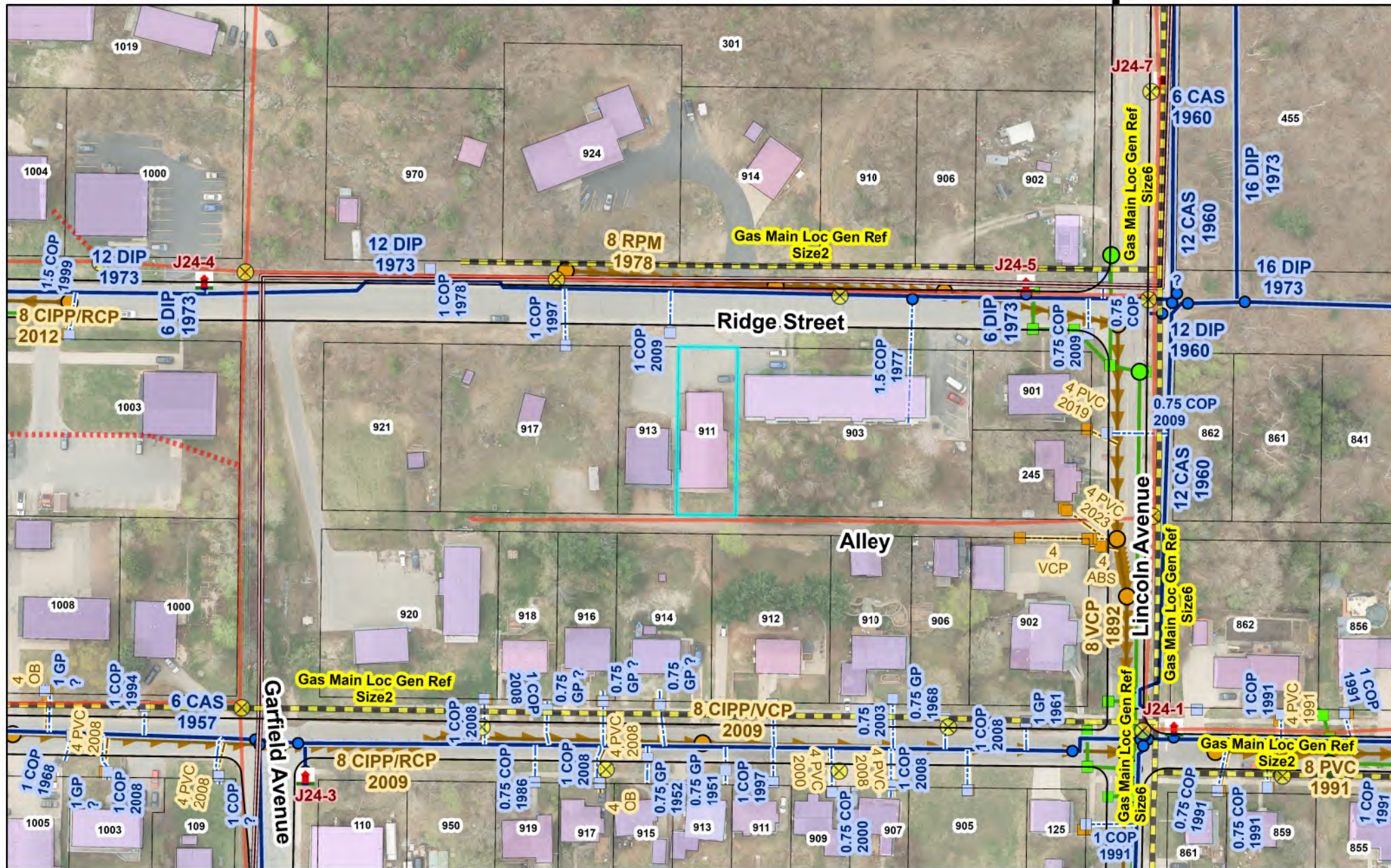



Parcels_Address
Number Labels

Building Footprints
Streets

Contours2FT_From_200

05-VAR-12-25 Block Map




 The information contained on this map is believed to be accurate but accuracy is not guaranteed. Mapping information is a representation of various data sources and is not a substitute for information that would result from an on-site land survey. The information contained herein does not replace information that may be obtained by consulting the information's official source. In no event shall the City of Menasha be liable for any damages, direct or consequential, from the use of the information.
 1 inch equals 110 feet

- | | | | | | | | |
|---|--|--|--|--|--|--|--|
| <ul style="list-style-type: none"> Parcels_Address Number Labels Building Footprints Streets BLP Streetlights | <ul style="list-style-type: none"> Overhead Underground Natural_Gas_GPMS_Pipe (General Ref) Semco_Gas_Mains_2017 (General Ref) | <ul style="list-style-type: none"> FiberLines Fire Hydrants WaterShutOff Water Valves & Gates Water Lateral Lines | <ul style="list-style-type: none"> Watermains Water Structures Storm Manholes Storm Catch Basins | <ul style="list-style-type: none"> swCulverts_Inlets_Outlet Storm Pipes swTreatmentUnits Sewer_Lift_Stations | <ul style="list-style-type: none"> SewerCleanOuts Sewer System Valves Sewer Manholes Sewer Lateral Lines | <ul style="list-style-type: none"> Sewer Pressurized Mains Sewer Gravity Mains EAST NORTH SOUTH | <ul style="list-style-type: none"> WEST |
|---|--|--|--|--|--|--|--|



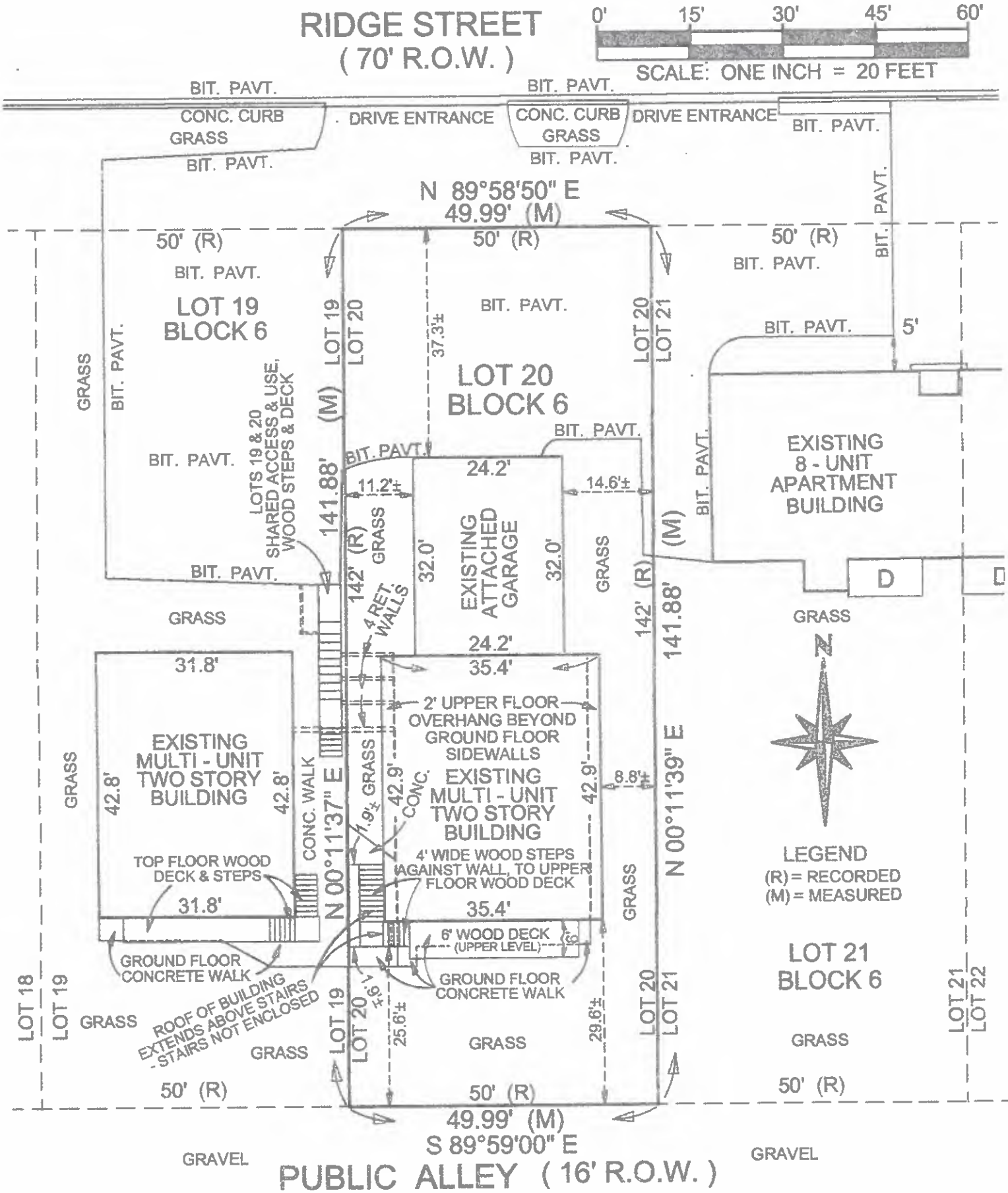






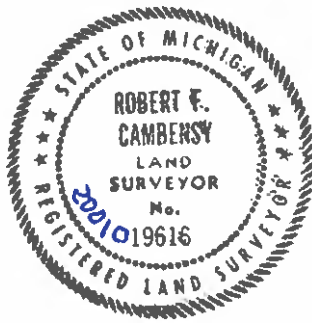
LOCATION SURVEY

CERTIFIED TO: STUART BENNETT, P.O. BOX 117, BIG BAY, MICHIGAN 49808.
LEGAL DESCRIPTION: LOTS 20, BLOCK 6, NESTER'S ADDITION No. 1, IN THE CITY OF MARQUETTE,
COUNTY OF MARQUETTE, AND STATE OF MICHIGAN (911 W. RIDGE ST).
NOTE: THE PURPOSE OF THIS SURVEY IS TO SHOW THE RELATIVE POSITION OF THE IMPROVEMENTS ON THE ABOVE
DESCRIBED PARCEL. NO LOT CORNERS WERE SET DURING THIS SURVEY.



SURVEYOR'S CERTIFICATE
STATE OF MICHIGAN)
MARQUETTE COUNTY) ss.
I, ROBERT F. CAMBENSY, SURVEYOR, CERTIFY THAT I HAVE MADE THIS SURVEY,
AND THAT THE INFORMATION SHOWN ON THE ABOVE LOCATION SURVEY IS A
TRUE AND CORRECT REPRESENTATION THEREOF.

SEPTEMBER 4, 2025
Robert F. Cambensy
ROBERT F. CAMBENSY, MICHIGAN REG. # 19616
PROFESSIONAL SURVEYOR - LARA # 20010 19616
CAMBENSY ENGINEERING & SURVEYING
306 NORTH SIXTH ST., MARQUETTE, MICHIGAN 49855
(906) 226-3909 RCAMBENSY@SBCGLOBAL.NET





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

MEMORANDUM

TO: Board of Zoning Appeals
FROM: Andrea Landers, Zoning Official
DATE: November 7, 2025
SUBJECT: Board of Zoning Appeals 2026 Meeting Dates

The following are the pending dates of the Board of Zoning Appeals regular meetings for 2026:

January 8, 2026	July 2, 2026
February 5, 2026	August 6, 2026
March 5, 2026	September 3, 2026
April 2, 2026	October 1, 2026
May 7, 2026	November 5, 2026
June 4, 2026	December 3, 2026

All meetings are scheduled for 7:00 p.m. to be located at the Municipal Service Center at 1100 Wright Street in Room 103.

RECOMMENDED ACTION:

The Board of Zoning Appeals should review the above meeting dates and render a decision to approve (*with the following changes* or *as presented*).

Reviewing Zoning Board of Appeals Petitions: Gathering Information

Excerpted from the Zoning Board of Appeals Toolkit, a Michigan Association of Planning publication

Before decisions can be made by a zoning board of appeals, information must be gathered to facilitate the decision-making process. Information is gathered from many different sources including documents submitted by the applicant, public input, site analysis, and review of the zoning ordinance and other applicable municipal codes.

Applicants are generally required by a community to provide information adequate to ensure that the request can be understood. Specific application requirements should be listed in the community's zoning ordinance. Application submittal requirements should be consistently applied to all applications. All application materials become part of the official record of the request.

Typical submittal requirements include:

Application form. A community typically requires a written application for each request. The application form will specify the type of relief being sought, ownership information, and site data.

Written response. With all requests, the burden of proof is on the applicant, therefore, the most important information submitted is a written description of why approval of the request is warranted. For use and non-use variances, the ordinance must outline a list of review criteria.

The applicant must explain how their application meets the criteria. For appeals, interpretations, and other approvals within the ZBA's authority, there may or may not be criteria set forth in the

ordinance. However, the burden of proof still exists, and the applicant must provide a written explanation of the situation and the requested relief.

Other information. The ZBA or staff can require that additional information be submitted in order to fully evaluate the application. In the case of a use variance, for example, detailed information about the proposed use, such as operation information, should be requested. For non-use variances, a scaled drawing is necessary to understand the dimensions being considered along with existing site conditions. Other helpful data may include photographs.

In addition to application materials, ZBA members should review all available and relevant information needed to make a decision.

Additional sources of information could include:

Information from staff. ZBA members should ask for additional information from the community's staff. For example, some cases may warrant review of the community's master plan or special studies to understand the community's vision for the area in which the subject site is located. In addition, it may be important to evaluate data on lot sizes and/or lot configuration in the vicinity of the site to determine whether an extraordinary circumstance exists. Any information you receive individually should also be made available to each of the other members.

Site visits. Visiting the site can assist in understanding existing site conditions in the context of the application. Site visits can also help ZBA members determine whether conditions of approval

are warranted. The following are important tips when visiting a site:

- ☑ Site visits should be made individually rather than as a group. Group visits, even with less than quorum, raise several issues. A site visit with the majority of the membership requires that the meeting be posted in accordance with the Michigan Open Meetings Act and that steps be taken to ensure accessibility in accordance with the Americans with Disabilities Act (ADA). In addition, it is difficult for the visiting members (even if there is no quorum) to avoid talking amongst themselves about the proposal, which violates the spirit of the Michigan Open Meetings Act.
- ☑ Look closely at traffic conditions, natural features, surrounding land uses, adjacent structures, development patterns, and general neighborhood characteristics. Any of these may influence the ZBA's determination regarding potential impacts of the request or whether an extraordinary circumstance exists.
- ☑ Visit the site in the most appropriate context to address your questions and concerns. Visiting a site during a peaceful Sunday afternoon may not be representative of traffic conditions during rush hour.
- ☑ Do not discuss the proposal with the property owner or neighbors while conducting a site visit. If the property owner is present, explain that you are only there to verify the conditions of the variance request.
- ☑ Do not go onto the site unless the property owner grants specific written

permission, or the site is otherwise available to the public (such as an existing shopping center). This can help avoid misunderstandings and problems with trespassing. If permission has not been granted and you feel as though your decision cannot be

made without viewing the site, look for other ways to get the same information.

- ☑ Describe your site visit findings to the rest of the ZBA at the meeting so that they have the benefit of your observations.

Upcoming Officially Yours will look at Effective Decision Making, Avoiding Liability, and specific ZBA duties.

To purchase a copy of the Zoning Board of Appeals Toolkit, go to www.planningmi.org.

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