

CITY OF HANCOCK  
ZONING ORDINANCE PUBLIC HEARING AND SPECIAL COUNCIL MEETING MINUTES  
WEDNESDAY, AUGUST 10, 2022  
HANCOCK CITY HALL, 399 QUINCY STREET  
Public viewing available via ZOOM.com “Join A Meeting” - Meeting ID: 821 4402 1682  
<https://us02web.zoom.us/j/82144021682>  
or via phone: 1-312-626-6799

Public Hearing opened at 6:00 P.M.

Mary Babcock presented an introduction on Zoning Ordinance 309, reviewing how, when and why the process was undertaken. The presentation outlined the relationship of the Zoning Ordinance to the Master Plan, the 2006 Zoning Enabling, 2008 Planning Enabling Act and the MEDC Redevelopment Ready Certification process and access to various grants opportunities that are available to Redevelopment Ready Certified communities. This is a fluid document that will be reviewed by the Planning Commission on a continuous basis. Mary also reviewed the various steps and meetings that have taken place since November 2020 by the Planning Commission and the City Council

Public Comments

- Susan Burack – 103 E. Quincy St. #203 (Scott Building)
  - Member of the Planning Commission and on the subcommittee for the zoning ordinance.
  - Zoning is for protection, for everyone’s benefit.
  - So nice to see everyone here and urged everyone to get involved locally.
- Holly Mattson – 1301 Emery St.
  - Update the minutes on the website on a timely manner, not 2 months later, minutes not updated online since May 18<sup>th</sup>.
- Shannon Perkins – 404 Hancock Ave.
  - Archaic website is never updated, then the City released a 300 page zoning document for people to review, seems like you’re trying to operate in the dark.
  - Running the City like a Home Owners Association.
  - Only concerned with aesthetic environment a few select people have chosen, City is not enacting laws to enhance the mobility, access and safety in Hancock. Ordinance is designed to protect curb appeal and not people.
  - Need to focus on more handicap parking in downtown and parking in general to attract business in all the vacant buildings that we keep buying.
  - The City said they want us to engage but make it very difficult to do so, the website is never updated, Zoom things sometimes don’t work, the City needs to start listening to us because you work for us and if you aren’t going to then maybe you shouldn’t work for us anymore.
- Margo Pizzi – 638 Lake Ave.
  - Proposed changes to the property below Lake Ave., should be sat on for a while. Purchased from the DNR for a \$1 for recreational purposes. It should be tabled for a while.
  - Camper and trailer parking on the street, if businesses can park trailers on the street the resident should be able to as well. Residents and businesses should be treated the same.
- Hilary Anderson – Sylvan Estates neighborhood
  - Concern with property around Sylvan Estates being re-zoned to B1, it should remain residential. Reconsider the B1 classification.
  - Assured by the previous City Manager, Glenn Anderson, that property in the Sylvan Estates area would remain residential.

- John Diebel – 611 Lake Ave. here as an officer of Keweenaw Nordic Ski Club
  - Commented on property near Swedetown Creek for trails & recreational use.
  - Keep property NW of the creek for trail use and the other side residential.
- Steve Jordon – 612 Lake Ave.
  - Commented on the parcel of land below Lake Ave. that was purchased from the DNR in 1941 that was to be used for recreation. If the City has an amendment to that agreement, he would like to see it. The agreement was on an honor system and meant to be used for recreational purposes.
- Stephen Roblee – 712 Lake Ave.
  - Commented on the land on Navy St. easement through private property in that area for sewer utility.
  - No room for high density housing along the canal.
- Jeanne Peck - 1001 Maplewood Dr.
  - Commented on the area around Sylvan Estates, it should remain green & residential.
  - Residents in Sylvan Estates should have received a letter from the City that re-zoning of that area was being considered.
  - Concern that one of the businesses allowed in B1 is a liquor store that could back up to our property.
- Brenda Ochodnický – 712 Lake Ave.
  - Couldn't find information on the zoning ordinance, disappointed and dismayed, trying to be active, but without having access to the backup documentation, hands are tied.
  - Consider tabling to give everyone fair access to the information and documentation and have a few more public hearings.
- Jack Chamberlain – 340 Navy St. condos
  - Hold off for more consideration until residents have had a chance to review the document.
  - Commented on the gravel road that is basically an extension of Navy St it is high traffic area and the road infringes on their property by 8 feet and the DNR trail, the old railroad grade.
  - Safety is our main concern, all in such a hurry, we never got notice, more consideration be given to the whole draft document before it is adopted.
- Frank Fiala – 326 Harris
  - We will never have a perfect document, if not passed tonight, it will go on and on and it will be on the table for a long time.
  - Recommend the council pass tonight.
  - Redevelopment Ready Community benefits, especially to business owners.
- Jennifer Becker – 200 Cooper Ave.
  - Community needs more time, many people talking tonight about how this has taken them by surprise.
  - Commented on plan for waterfront development, key points, should be consistent with the community shared vision, waterfront should not be residential it discourages public access to the waterfront.
  - Slow down the process and allow for a bit more input.
- Jeff Ratcliffe – 1002 Crestwood (Sylvan Estates)
  - Works as an economic developer in rural community for 30 years.
  - Planning & Zoning is important to set standards and move forward with economic and community development.
  - Standards we set in place for ourselves so we can grow and develop.
  - Important to adopt & work with issues that need to be addressed.
  - Embrace these processes, set some standards and move forward.

**Regular Meeting at 6:44 PM**

Call to order and pledge of allegiance led by Mayor Paul LaBine

Roll Call and verification of quorum

Present: Councilors, Blau, McKenzie, Freeman, LaBine, Rickard, Warstler, Haeussler

Absent: None

**Also Present in person:** Todd Anderson, Kyle Maki, Bonnie Holland, Deanna Chamberlain, Mark & Jody Hoffman, Joe Pizzi, William Buck, Vaune Andress, Andrew Lahti, Michele Blau, Marian Tanasova, Thomas Fournier, John Zurcher, Dar Miron, Steve Walton, Kyle Timmerman, Ian Hand, Zach Griffith, Evan Dixon, those making public comments and other members of the community.

**Also present via Zoom:** Phil, Mary’s iPad, Todd, TediPhone, Alex Hirzel, Andrew Fridstrom, Annelise Doll & Brain Weisner, Erin Smith, Michele Bourdieu, admin, Rachel Falls

**Review and approval of agenda**

Motion by Councilor Haeussler and supported by Councilor Rickard to approve the agenda as presented.

Yes: All

No: None

Motion Carried

**Communications**

Jim Lahti letter regarding the zoning ordinance.

Carolyn Dekker letter regarding the zoning ordinance.

Greg Ekdahl, Secretary, Carmody-Lahti Real Estate, Inc. letter regarding the zoning ordinance.

Erin Smith email regarding the zoning ordinance.

Catherine Jordan email regarding the zoning ordinance.

Ted Belej Andiamo Family Limited Partnership letter regarding the zoning ordinance.

Alex Hirzel letter sent via email regarding the zoning ordinance.

Motion by Councilor Blau and supported by Councilor Haeussler to accept and put on file the communications as presented.

Yes: All

No: None

Motion Carried

**New Business**

1. Motion by Councilor McKenzie and supported by Councilor Rickard to adopt Zoning Ordinance 309. Council members responded to the public hearing comments and then discussed and reiterated what was heard and take comments to the Planning Commission for discussion and consideration for amendments. The Planning Commission also has a statutory obligation to review annually and consider changes and updates. Council members also reiterated their contact information is available online, including each member’s phone number and email.

During this time one individual from the public, Joe Pizzi, Sr., was warned once for being disruptive and then removed himself from the meeting.

Roll Call

Yes: Haeussler, Rickard, LaBine, McKenzie, Blau

No: Warstler, Freeman

Motion Carried

By Charter the ordinance will take effect in 30 days.

Motion by Councilor Blau and supported by Councilor Rickard to setting a 3-minute time limit for each speaker during public comment.

Yes: All

No: None

Motion Carried

### Public Comment

- Shannon Perkins – 404 Hancock Ave.
  - Everybody but 2 members of the council proved to us that they don't work for us.
  - A lot of excuses that we worked so hard we just pass it.
  - You have blamed us for not being here.
  - Used the bare minimum to notify the residents.
  - They heard and they didn't pay attention, heard a lot of back sliding and excuses.
  - All these abandoned buildings put in some parking instead.
  - Planned a lot of things, but left the residents in the dark.
  - Violated the Open Meetings Act.
  - Don't think the council has done their duty.
- Margo Pizzi – 636 Lake Ave.
  - Now that this has passed, what do we do with our trailers?
  - Is there going to be a parking lot for trailers?
- Holly Mattson – 1301 Emery St.
  - To be clear, criminal enforcement will begin in 30 days?
    - Paul LaBine & Rick Freeman clarified laws will take effect in 30 days and it is not criminal, it is municipal/civil not a crime.
  - For future transparency, Michigan Open Meetings Act requires that persons speaking do not need to give their name, State Law states that they have the ability to say "pass" and it should be done correctly.
  - During COVID lock down cities are required to post.
  - State law requires that meeting minutes are approved by the council at the next meeting and required by law that they are posted on the City's website within 5 days.
  - Suggested posting unapproved meeting minutes online.
  - Problem with being told we are going to pass something and then go back and fix it later. Doesn't have the faith that public officials will do that.
  - Don't think we're getting a say, think there is a lot of back channeling going on.
- Mary Babcock was asked to respond to the meeting minutes.
  - With the number of meetings in the recent months, things have gotten backed up, but that is out of the ordinary. It has always been the practice that we do not post meeting minutes until they have been approved. No ill intent, we can no doubt improve and we'll do the best we can.

- Reviewed and clarified the number of public meetings that have been held during this process.
- Linda Kalinec responded to the Zoning Board of Appeals posted meeting minutes.
  - Only meets when a request for a variance has been submitted, they do not meet on a regular scheduled basis.
- Frank Fiala
  - Applaud the action of the council tonight.
  - Government works best when people participate from the get go.
- Deanna Chamberlain – 340 Navy St.
  - Could we get signs down on Navy St. that it is not a through street.
- John Zurcher – Summit St.
  - Commented on the Fire Lanes around the city, Navy St. no trespassing signs and if there are violations of the fire lane it should be enforced.
- Jennifer Becker – 200 Cooper Ave.
  - The Shoreline Mixed Use amendments should be a priority towards an attractive waterfront.
  - Went to many meetings in Houghton regarding their waterfront and got burnt out on it.
- Marina Tanasova – 1025 Crestwood Glade
  - Work at Tech and write a lot of grants and would like reviewers to say this grant has a lot of problems but she has put work into so we'll approve it.
  - Only heard about it from a neighbor.
  - Reconsider the Sylvan Estates re-zoning and give people an opportunity to respond.
  - Appreciate hard work.

**Council Member Comments**

Time was provided for council members to promote, discuss and/or comment on items not on the agenda.

Councilor Haeussler, Councilor Blau and Councilor Rickard commented on the various public comments.

Specifically, Councilor Haeussler's comments included:

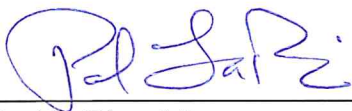
- Requests for suggestions of how to get information from the Council to the public.
- Read from the Open Meetings Act, it points out the rules to attend the meeting does not require providing a name or address, however, if you want to address the public body the requirements are set by the rules established by the public body. The Hancock City Council Rules of Procedure require the person provide their name and address.

Motion by Councilor Warstler and supported by Councilor Freeman to adjourn the meeting at 8:15 p.m.

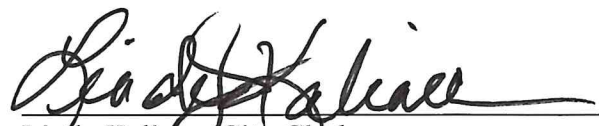
Yes: All

No: None

Motion Carried



Paul LaBine, Mayor



Linda Kalinec, City Clerk

## CITY OF HANCOCK

### SUMMARY OF ORDINANCE #309

Notice of Ordinance Adoption and Summary of the City of Hancock, County of Houghton, State of Michigan, Ordinance 2022-309, entitled *An Ordinance to Adopt the Planning & Development Zoning Ordinance, Chapter 154 of the City Code for the City of Hancock, Michigan*, adopted at the special meeting of the City Council for the City of Hancock on August 10, 2022 (the “Ordinance”).

A zoning ordinance regulating the development and use of land has been adopted by the legislative body of the City of Hancock. The Ordinance is a comprehensive overhaul of the existing Hancock Zoning Ordinance, which was previously contained in Section 150.01-150.12, and accompanying Appendix, of the City Code. The Ordinance is applicable to all properties located within the City of Hancock. The ordinance contains Articles One, Three, Five, Seven, and Nine, which are summarized below.

ARTICLE ONE. Article One repeals the existing zoning ordinance and replaces it with the Ordinance. Article One establishes the following zoning districts: one-family residential, multiple-family residential, local business, community mixed-use, downtown mixed-use, shoreline mixed-use, industrial, open space and recreation, and a cluster development overlay (the “Districts”). The Article also provides the purpose and intent of the Ordinance, areas impacted by Ordinance, an updated zoning map, the applicability of the Ordinance, rules for interpreting district boundaries, rules of interpretations, rules of measurement and calculation, minimum lot requirements, effect of annexation on zoning, procedural rules, and a savings clause allowing for continued enforcement of pending actions.

ARTICLE THREE. Article Three sets forth the compliance and development standards for the Ordinance and the Districts. The development standards include, but are not limited to, street frontage, lot size, setbacks, lot coverage, building height, accessory buildings, permitted uses, existing development patterns, and desired development patterns. Article Three also includes the new zoning map, demonstrative examples, and tables.

ARTICLE FIVE. Article Five provides general regulations as to all Districts. The Article includes regulations as to the following: general health & safety standards, organization of general standards, home occupations for single-family uses, accessory dwelling units for single-family uses, accessory structures for single-family uses, swimming pools for single-family uses, garage sales for single-family uses, portable storage units or any enclosed unit designed for temporary storage that is transportable for single-family uses, dumpsters, roll-off for single-family uses, residential care facilities in the R-1, R-2, districts, community gardens in the R-1, R-2, B-2, and open space districts, parking, loading facilities, drive-thru facilities, outdoor dining for eating establishment, entertainment as accessory to a primary use, corner clearance, signage, exterior lighting, landscaping, communications towers, utility and public service installations, non-residential structure design standards, fences, walls, outdoor, storage and displays, mobile food truck, mining of sand and gravel, portable storage units, adult entertainment businesses, vehicle sales, and the rights and obligations related to non-conformities.

ARTICLE SEVEN. Article Seven provides the administration and procedures with respect to the following: individual and organizational procedures and duties, permit review and approval procedures, notice and hearing procedures, site development plan review, variances, special uses, appeals, amendments, violations, and remedies.

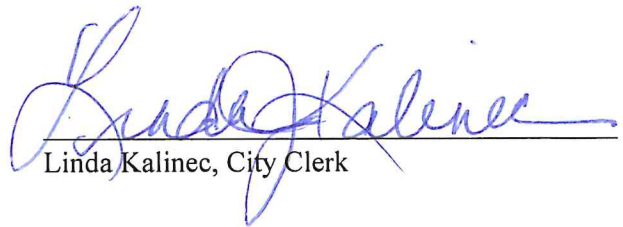
ARTICLE NINE. Article Nine is a glossary of defined terms.

A true copy of the entire Ordinance 2022-309 may be inspected at the City of Hancock City Hall, 399 Quincy St, Hancock, MI 49930, by requesting a copy from the City Clerk.

The Ordinance shall be effective on September 9, 2022.



Paul LaBine, Mayor

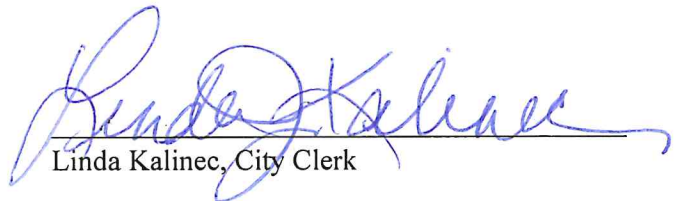


Linda Kalinec, City Clerk

---

CLERK'S CERTIFICATION

I, Linda Kalinec, Clerk of the City of Hancock, hereby certify that the above summary of ordinance as published in the Daily Mining Gazette, a newspaper having general circulation in the City of Hancock on the 18<sup>th</sup> day of August, 2022 and that a notice of public hearing was published in the same manner on the 27<sup>th</sup> day of July, 2022 and was held on the 10<sup>th</sup> day of August, 2022.



Linda Kalinec, City Clerk