

# MANISTEE CITY PLANNING COMMISSION

70 Maple Street  
Manistee, MI 49660

## MEETING MINUTES

December 1, 2005

A Meeting of the Manistee City Planning Commission was held on Thursday, December 1, 2005 at 7:00 p.m. in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

**MEMBERS PRESENT:** Maureen Barry, Sara Bison, Tamara Buswinka, Greg Ferguson, Ray Fortier, Christa Johnson-Ross, Tony Slawinski and Roger Yoder

**MEMBERS ABSENT:** Mark Wittlief

**OTHERS:** Jan Tughan (355 Second Street), Alan Marshall (City Council - 914 Vine Street), Jean Kniat Smith (353 First Street), Brian Whitman (357 Second Street), Jane Nice (365 Second Street), Jennifer Richardson (206 Walnut Street), Ed Kenny (360 Second Street), Lee Trucks (453 Second Street), Cheryl Whitman (357 Second Street), Bob Knudstrup ( 346 Third Street), Ronald Besiallon (206 Walnut Street), Jon Rose (Community Development), Denise Blakeslee (Planning & Zoning) and Others

Meeting was opened at 7:00 p.m. by Chairman Yoder.

### PUBLIC HEARING:

#### Jane Tughan, 355 Second Street - Request for a Special Use Permit

Jane Tughan, 355 Second Street - Ms. Tughan is requesting a Special Use Permit to allow a two suite Bed & Breakfast at 355 Second Street. Ms. Tughan s request is to allow two suites and up to two guest cars with a maximum of 6 guests. Ms. Tughan spoke of purchasing the home and that she was so focused on this project that she purchased the home even though she had been advised to put in an offer contingent upon receipt of approvals.

Ms. Tughan has been trying to fit in with the neighbors and sent a letter to all of the neighbors on November 12, 2005 (attached). She did not receive any response from the neighbors, then tried contacting them one on one. The majority of the neighbors she spoke to did not express concerns about the request. She contacted the next door neighbor to the West and spoke of putting up a trellis or shrubbery to try to address their concerns. She spoke of the concerns they expressed about people using/blocking their driveway. Ms. Tughan said that she will specify in the brochure that there is no parking in the front of the house and that they are to use the parking in the rear of the building.

Ms. Tughan showed photographs and the floor plan of her house and how the suites will be arranged. She has two parking spaces at the church and will have three spaces on the rear of her property. Ms. Tughan only has one vehicle and would use the parking at the church for her own use. Signage would be a small sign that states "Bed and Breakfast - Lady Jane". Activity at the Bed and Breakfast would be limited because she still works.

Alan Marshall - 914 Vine Street. - Mr. Marshall said that with the downsizing of the request from four rooms to two suites the request appears to be presentable and acceptable. He would like to see the Planning Commission support small businesses.

Jean Kniat Smith, 353 Second Street - Ms. Smith read a prepared statement in support of Ms. Tughan's request (attached).

Brian Whitman, 357 Second Street - Mr. Whitman is the adjoining property owner to the West of Ms. Tughan's. Mr. Whitman said that he did not feel a large family would be a drain on the neighborhood and the neighborhood likes large families. He does not feel Ms. Tughan's property is appropriate for a Bed and Breakfast. Her previous request was turned down and he feels the issues remain the same. Neighborhood residents are aware of the request and don't want the Bed and Breakfast in the neighborhood. Ms. Tughan did not ask the neighbors before purchasing the home and if she had would have known how they felt the project would have a negative impact on the neighborhood. The lot is too small, the parking area would take up most of the yard, and there is no place to put snow in the winter months. The height of the adjoining houses prevent fencing from creating a barrier for the parking area. Bed and Breakfasts come and go and if this does not work out the neighborhood has to deal with a parking lot that would devalue adjoining properties. They like big families and would rather see a big family than a business in their neighborhood. Since Ms. Tughan has owned the property their driveway has been blocked more than once. This raises the validity of Ms. Tughan saying it would not happen when it has already happened. Mr. Whitman had a petition in opposition with 18 signatures and letters in opposition that were given to Chairman Yoder. Mr. Whitman showed pictures he had taken including pictures showing his driveway being blocked which will be placed on file with the request.

Jane Nice, 365 Second Street - Ms. Nice spoke of her opposition to the request that were stated in a prepared statement (attached).

Jennifer Richardson, 206 Walnut Street - Ms. Richardson is the neighbor to East adjacent to the alley. Ms. Richardson spoke of her support of Ms. Tughan's request and felt that she would be the most impacted because she is the adjoining neighbor next to the alley providing access to the parking area. She has lived here for five years and has three children under the age of five. She does not feel threatened by a Bed and Breakfast. Manistee is a beautiful community and can use a Bed and Breakfast. Ms. Tughan has the right to pave her back yard either for her personal use or for a Bed and Breakfast today and does not feel it is an issue. She has a small backyard herself and has no problem with the size of Ms. Tughan's property. She said that the proprietor of the Bed and Breakfast is on site and she would have all of the information for clientele who stay at the Bed and Breakfast. Her Mother use to run a small motel and there never was any problems. She is in support of the request.

Ed Kenny, 360 Second Street - Mr. Kenney said that he raised four kids in the neighborhood on a 37 foot lot and when you change from residential to business you lose the whole neighborhood.

Lee Trucks, 453 Second Street - Mr. Trucks lives in a neighborhood where there was a Bed and Breakfast. He said that he was there for five years before he even realized that it was there. Bed and Breakfasts cost more to stay at than a motel, clients are older more mature couples, have higher incomes and want to stay in a unique environment. This type of clientele is not the type of clientele that a neighborhood needs to be concerned about. The Downtown Development Authority is encouraging mixed uses in neighborhoods. A large home would take a large family to fill or it would be cut up into apartments.

**Cheryl Whitman, 357 Second Street** - Ms. Whitman is in agreement with the statements that were made by her husband Brian. They lived next to a business before they purchased there home at 357 Second Street, the business was the reason that they moved. She does not want to see a Bed and Breakfast next door.

**Jane Nice, 365 Second Street** - Ms. Nice said that the alley is not plowed and that Ms. Tughan would have to clear the alley to get to the parking spaces.

**Robert Knudstrup, 346 Third Street** - Mr. Knudstrup had six children that all had vehicles while they were growing up. They never had any complaints from the neighbors even when they were being worked on in the back yard. He is in support of Ms. Tughan's request.

**Ronald Besiallon, 206 Walnut Street** - Moved to Manistee from Canada five years ago. Said that Jane is a nice person and that a Bed and Breakfast is not the same as a Variety Store. A Bed and Breakfast will bring money into the community and this request is for less than she asked for before. He does not have a problem with a Bed and Breakfasts they have a mature clientele not 18 - 19 year olds and the parking area is not an issued because she could do that today as a private residence. This Bed and Breakfast would be a beautiful addition to our community.

**Brian Whitman, 357 Second Street** - Mr. Whitman does not want this issue to make people mad or get the neighborhood heated up. He is concerned about the impact to the neighborhood, Cited Section 1906.C of the ordinance and said that it is not a bad idea just a bad location.

Chairman Yoder read correspondence that had been received in the mail and during the meeting into the record:

- Rochelle Willim - letter in opposition (attached)
- Jessica Beaudrie - letter in opposition (attached)
- Dannete Hoffman - letter in opposition (attached)
- Petition in opposition (attached)
- Robert & Barbara Knudstrup, 346 Third Street - letter in favor of request (attached)
- Manistee United Methodist Church - letter regarding parking agreement (attached)

There being no further discussion the public hearing closed at 7:51 p.m.

#### APPROVAL OF MINUTES:

#### Planning Commission Special Meeting/Public Hearing of November 17, 2005

MOTION by Ray Fortier, seconded by Tony Slawinski that the minutes of the November 17, 2005 Planning Commission Special Meeting/Public Hearing be approved.

With a roll call vote this motion passed 8 to 0.

Yes: Barry, Bizon, Buswinka, Ferguson, Fortier, Johnson-Ross, Slawinski, Yoder  
No: None

**NEW BUSINESS:**

Jane Tughan, 355 Second Street - Request for a Special Use Permit

A Public Hearing was held earlier in response to a request from Jane Tughan for a Special Use Permit to allow a two suite Bed & Breakfast at 355 Second Street.

Discussion on request included:

How to eliminate parking in or blocking neighbors driveway - Ms. Tughan said that the brochure for the Bed and Breakfast would state that there is no parking in the neighboring driveway and that the parking for clientele would be in the rear of the building.

Snow removal - Ms. Tughan said she had an agreement with a neighbor to use their property for storing snow.

Does a variance from the ZBA need to be obtained for the parcel width (32 ft vs 60 ft)? Should signage be installed in the alley indicating there are children in the area? Would apartments have more of an impact than a Bed and Breakfast?

Mr. Ferguson spoke to the audience members about Section 8608. City Council Intervention.

MOTION by Ray Fortier, seconded by Tony Slawinski that the Planning Commission approve the request from Jane Tughan, 355 Second Street for a Special Use Permit to allow a two suite Bed & Breakfast (up to two guest cars; up to a maximum of 6 guests) with the following condition(s):

1. The Bed and Breakfast shall be no-smoking.
2. The Parking area shall be hard surfaced.
3. Fencing will be installed a minimum of three (3) feet in height or a maximum of four (4) feet in height, from the Northwest property line south to the beginning of the house.

With a roll call vote this motion passed 7 to 1.

Yes: Fortier, Buswinka, Bizon, Johnson-Ross, Yoder, Slawinski, Barry  
No: Ferguson

Election of Officers - 2006

According to the By-Laws of the City of Manistee Planning Commission their annual election of Officers is held at the December Meeting for the following year.

Chair

At this time the meeting was turned over to Jon Rose who asked for nominations for the Position of Chair.

Ray Fortier , seconded by Tony Slawinski nominated Roger Yoder for the position of Chair

Motion by Greg Ferguson, seconded by Christa Johnson-Ross that nominations be closed. Motion passed unanimously

With a roll call vote, Roger Yoder was elected Chair of the Planning Commission for 2006, 8 to 0

Yes: Barry, Bizon, Buswinka, Ferguson, Fortier, Johnson-Ross, Slawinski, Yoder  
No: None

Meeting was turned back over to Chairman Yoder.

Vice-Chair

Chairman Yoder asked for nominations for the Position of Vice-Chair.

Greg Ferguson, seconded by Christa Johnson-Ross nominated Ray Fortier for the position of Vice-Chair

Motion by Greg Ferguson, seconded by Christa Johnson-Ross that nominations be closed. Motion passed unanimously.

With a roll call vote, Ray Fortier was elected Vice - Chair of the Planning Commission for 2006, 8 to 0.

Yes: Barry, Bizon, Buswinka, Ferguson, Fortier, Johnson-Ross, Slawinski, Yoder  
No: None

Secretary

Chairman Yoder asked for nominations for the Position of Secretary.

Ray Fortier, seconded by Christa Johnson-Ross nominated Maureen Barry for the position of Secretary

There being no other nominations, nominations were closed.

With a roll call vote, Maureen Barry was elected Secretary of the Planning Commission for 2006, 8 to 0

Yes: Barry, Bizon, Buswinka, Ferguson, Fortier, Johnson-Ross, Slawinski, Yoder  
No: None

Recording Secretary

Maureen Barry appointed Denise Blakeslee to act as the Recording Secretary for the Planning Commission for the year 2006.

UNFINISHED BUSINESS:

None

OTHER COMMUNICATIONS:

Discussed the requirements for Special Use Permits and expiration of Special Use Permits under the current ordinance and proposed ordinance. Committee Appointments and annual review of the By-Laws will be on the January Meeting agenda.

CITIZEN QUESTIONS AND CONCERNS:

None

WORK/STUDY SESSION:

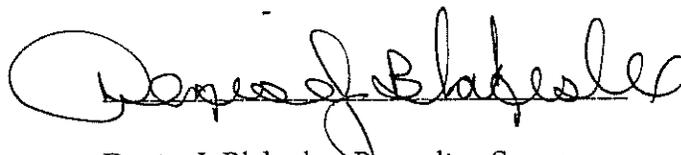
Due to the Holidays the Planning Commission will not hold a Worksession in December.

ADJOURNMENT:

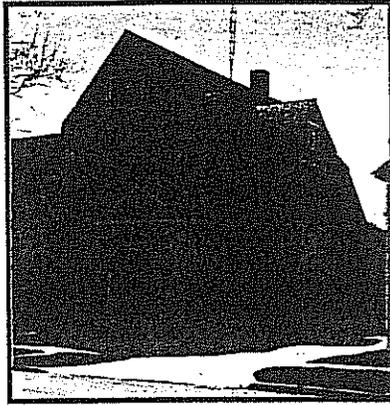
MOTION by Ray Fortier, seconded by Christa Johnson-Ross that the meeting be adjourned. Motion passed unanimously.

MEETING ADJOURNED AT 8:51 P.M.

MANISTEE PLANNING COMMISSION

A handwritten signature in black ink, reading "Denise J. Blakeslee". The signature is written in a cursive style with a large, looping initial "D".

Denise J. Blakeslee, Recording Secretary



355 Second Street • Manistee, MI

November 12, 2005

Dear Neighbor,

My name is Jane Tughan and I am your "new" neighbor at 355 Second Street. Last May the city of Manistee sent out a notice that I had applied for a special use permit for a four bedroom Bed and Breakfast. The timing of this notice was so very unfortunate as this did not give you time to know who I am, or me the opportunity to explain what my dreams and intentions are.

Since 1987, I have lived over on Cypress Street where I raised my two children. For the last ten of those years (because of a career change), I have had to work down state and return home most every Thursday through Sunday. My goal is to return home to Manistee on a permanent basis.

I have dreamed of having a small Bed and Breakfast for years but it was never possible at my Cypress Street home. I have researched what it involves, read books on the legalities and liabilities, and interviewed a large number of people who have had or currently run a Bed and Breakfast. One of the most appealing aspects is that the clientele who seek out B & Bs are couples who are looking for a relaxed getaway in a home setting. Guests usually arrive late in the afternoon and leave early in the morning to site see. Being an on-site "innkeeper" means that there is total control as to what goes on at the Bed and Breakfast, unlike a weekly rental property where the property owner is not present.

After much consideration, I have decided to re-apply for the special use permit for a TWO-suite Bed and Breakfast rather than the four bedrooms previously requested. By having two suites, the number of cars would be limited to two. My property can accommodate 3 cars; up to 2 guest cars and my own.

I would only ask that you give me the opportunity to address, or plan around, ANY of your concerns. I really do care about what your thoughts are. Call me anytime at 313-204-0608. If I am unavailable when you call, please leave a message and I'll return the call promptly.

Sincerely,

Jane Tughan

723-1171

353 First Street  
Manistee MI 49660  
01 December 2005

City Planning Commission  
City of Manistee  
70 Maple Street  
Manistee Michigan 49660

To Whom It May Concern:

I am supporting Ms. Jane Tughan's request for a zoning variance to operate a two suite Bed and Breakfast establishment at 355 Second Street, Manistee, Michigan. I view it as an absolute plus for the Manistee Community.

It will provide an opportunity to capture tourist dollars for Manistee, while drawing very little in the way of public resource outlay. A house the size of 355 Second Street could easily accommodate a family of ten (10) of which eight could be enrolled in the Manistee Area Public Schools, at taxpayer expense; Quite an outlay of resources!

It makes a lot more sense to turn such a large home into two suite Bed and Breakfast, if simply from a point of outlay of public resources. It will base tourists from wealthier cities in Manistee, rather than Ludington or Traverse City and keep those tourist dollars in Manistee. This certainly aligns with Manistee city and MECCA goals.

Approve this zoning variance now! You have already wasted

eight months of the planning commission's time and high tourist season dollars lost to other communities because of the short-sighted, self-centered nature of some Manistee residents.

Ludington is a growing community with many Bed and Breakfast establishments, while Manistee stagnates. This hearing and this issue ongoing since April has shortstopped a lot of revenue into Manistee. Why? A lack of sense of community, economics, and a neighborhood full of self-centered people? I certainly hope not.

If Jane Tughan cannot operate a Bed and Breakfast, she may have no choice but to sell this place to a large family. The neighbors would not be able to prevent that and the kind of resource drain, instead of flow in the city of Manistee.

Approve the Bed and Breakfast variance at 355 Second Street, Manistee TODAY!

Sincerely,

Jeanneat Smith  
Taxpayer/Resident, Manistee

To Whom it may concern,

12/1/16

My name is Jane Nice and I reside at 365 2ND STREET.

I am opposed to the Bed and Breakfast coming into the neighborhood.

This would mean more traffic and STRANGERS.

We have a lot of children on 2ND STREET that play at night outside. Does this mean they would have a different curfew?

The privacy of our own back yards would be intruded upon by strangers looking down from a balcony.

Alternate parking would become even more difficult and the alley out back does NOT get plowed in the winter time.

The Bed and Breakfast in my opinion should NOT PASS.

I oppose This Idea STRONGLY.

Sincerely  
Jane Nice

To the Planning Commissioners;

I am opposed to having a bed and breakfast in our residential neighborhood. We do not need more traffic, which this will bring.

We do not need backyards paved, parking is already an issue. And more important the safety of our children.

Our neighborhood is already upset and opposed to the Bed & Breakfast.

Item #C states she is supposed to operate without being aware of her existence. And that is clearly not the case.

Robee Williams

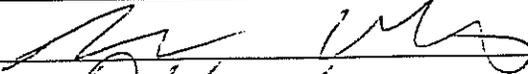
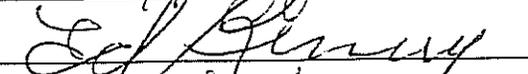
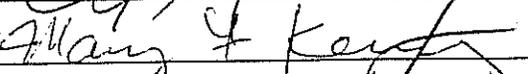
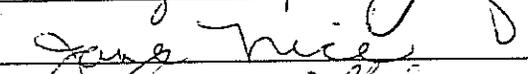
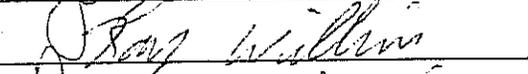
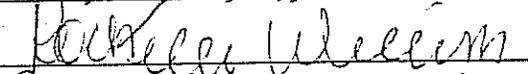
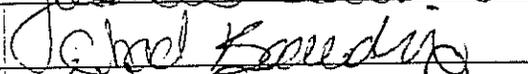
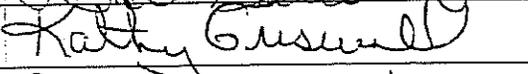
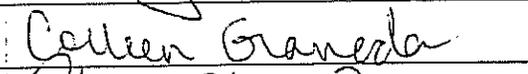
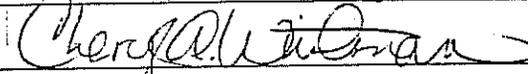
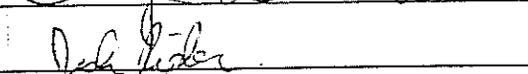
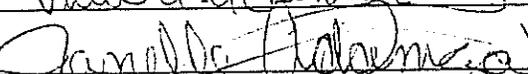
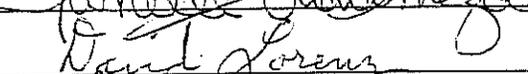
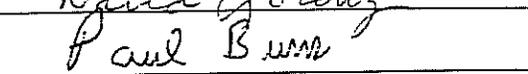
11-30-05

To. The Manitoba Planning Commission, I am writing because I am still very opposed to the Bed: Breakfast. This is a Residential area, not a business area. This is one of the main reasons why my family and I moved here. I ask all of you to please deny this for all of the same reasons as you all did before. There is a lot of traffic on 2nd Str. as it is. I know that there will be an agreement that it's only a two-Suite Bed: Breakfast, but I think of all the extra traffic that will be coming down the street just to look at it or find it. My family and I really love this neighborhood, it makes us feel very lucky to have found a neighborhood like this, so please keep it like this. I really wanted to be here, but I do have to go to work. Thank-you

Mrs. Jessica  
Rovinski

This letter is to inform the city of Manistee that the residents surrounding 355 2nd Street are opposed to the operation of a bed and breakfast on our street. The installation of Century 21 offices has already caused an increase in business traffic on our street. If other businesses are allowed to operate on our street it will be further danger to our kids and animals. The parking could be an issue as well as "guests" of the establishment who have no where to "meander" on the subject's property. Thank you for your time - Dorothy Heffman

SIGNATURE SHEET IN OPPOSITION OF  
 SPECIAL USE PERMIT FOR B&B & BREAKFAST  
 AT 355 2<sup>ND</sup> ST

	BRIAN WHITMAN	357 2 <sup>ND</sup> ST
	Duffman & Hoffman	361 2 <sup>ND</sup> ST
	Ed Gentry	360 Second St
	Mary & Kay	360 - 2 <sup>ND</sup> ST
	Jane Rice	365 2 <sup>ND</sup> ST.
	Fran Williams	113 Walnut
	Rebecca Williams	"
	Jessica Boudrie	340 2 <sup>ND</sup> ST.
	Carol Boudrie	"
	Kathy Boudrie	"
	Colleen Granada	351 2 <sup>ND</sup> ST.
	Cheryl Whitman	357 2 <sup>ND</sup> ST
	John Hiker	354 2 <sup>ND</sup> ST
	Jack Vanderhoff	<del>357 2<sup>ND</sup> ST</del> X1A
	Victor A. Adams	342 2 <sup>ND</sup> STREET
	Janella Johnson	342 2 <sup>ND</sup> ST.
	Paul Lorenz	342 2 <sup>ND</sup> ST.
	Paul Bunn	346 2 <sup>ND</sup> ST.
		343 2 <sup>ND</sup> ST

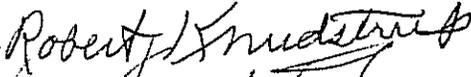
November 28, 2005

Mr. Jon Rose  
Community Development  
City of Manistee  
PO Box 358  
Manistee, MI 49660

Dear Mr. Rose:

We are responding to your letter regarding Jane Tughan's request for a special use permit to allow a Bed and Breakfast at 355 Second Street. We support her in this venture. We feel it is an appropriate business for that location. Her house is close to the Ramsdell Theater and the downtown historical district which would give her patrons easy access to entertainment, shopping and restaurants.

We hope this application will be approved.

Sincerely,   
  
Robert & Barbara Knudstrup  
346 Third Street  
Manistee, MI 49660



## Manistee United Methodist Church

387 First Street, Manistee, Michigan 49660 • Telephone (231) 723-6219 • Fax (231) 723-5072  
email: mumc@t-one.net • web site: www.manistee.com/~umc

Reverend Jerry Jaquish  
Youth Minister, Dan Barkholz  
Pastoral Care Minister, Russell Garrigus

November 30, 2005

Jane A. Tughan  
355 Second Street  
Manistee, MI 49660

Dear Jane,

The Manistee United Methodist Church Board of Trustees has agreed to the leasing of two parking spaces at the South-East corner of the church parking lot for a contribution of \$200.00 per year to meet city guidelines for your Bed and Breakfast.

We are happy to have you back in Manistee and wish you the best of luck in your new adventure.

Sincerely,

Jay Raupp  
Trustee Chairman