

CITY OF MACKINAC ISLAND

ZONING BOARD OF APPEALS HEARING - 1485 ASTOR STREET

Friday, December 20, 2024 at 2:00 PM

City Hall – Council Chambers, 7358 Market St., Mackinac Island, Michigan

I. Call to Order

Mayor Doud called the hearing to order at 2:05 pm

II. Roll Call

PRESENT

- Richard Chambers
- Steven Moskwa
- Jason St. Onge

ABSENT

- Tom Corrigan
- Anneke Myers
- Alan Sehoyan

V. Correspondence

- A letter was received from Cathy Arbib of 4-F Development LLC on December 16, 2024
 - o The letter was placed on file.

VI. New Business

- Application has been made by Tony Brodeur, representing 1485 Astor Group LLC, to have usage restrictions removed from the property located at 1485 Astor Street. Property number 49-051-550-029-00, Assessors Plat No. 3, City of Mackinac Island, County of Mackinac, Michigan. The subject property is zoned Commercial.
The subject restrictions were established in October 2007, in conjunction with the approval of a variance request to construct an additional / second apartment above the business known as the Mustang Lounge, located at 1485 Astor Street, as part of a 2007 proposed remodel project. The subject usage restriction states that, “only owners / employees will be allowed to use the housing (and that the use be non-transient) above the business known as the Mustang Lounge.” The applicant is proposing that “any person may own, use the apartments.”
- Requesting a density variance to keep the footprint as it is, but removing the restriction of who can use the apartments
 - o There are no plans to change the layout or anything of the sort
 - o Original 2007 request was for a density variance
- Dennis Cawthorne, attorney representing 1485 Astor Group, noted that there may potentially be less density by using the apartments as rental units rather than employee housing
 - o Mr. Cawthorne noted that, when reading the two sets of 2007 minutes, it is unclear whether the Council at the time imposed a use restriction because it thought the Liquor Control Commission required it or whether the Council did so for its own unstated reasons
- The Michigan Liquor Control Commission has no objection to the restrictions being lifted
- Discussion was had on if the removal of the restrictions being removed changes the use
 - o Nightly rental / hotel use (less than 30 days)
 - Apartments have been rented in this matter for the last few years, against the current zoning
- Building Inspector David Lipovsky noted that change in transient vs. non-transient use and various construction codes that would be brought up to date by the owner
- Councilman St. Onge voiced that the current restrictions are unfair, no other business in the downtown area has such restrictions, and there is no evidence as to a valid reason that these restrictions were set in the first place
 - o Councilman St. Onge stated that he is in favor of removing the restrictions.
- Mr. Cawthorne noted that at the time the original request was approved in 2007, the Mustang's liquor license was changed from a hotel class B to a resort class C

VIII. Adjournment

There being no further business, motion made by Moskwa, seconded by St. Onge, to adjourn the hearing at 2:45.

Voting Yea: Chambers, Moskwa, St. Onge