

## **NOTICE OF PUBLIC HEARING**

Keweenaw County Planning Commission

The Keweenaw County Planning Commission will hold a Public Hearing at 4:00pm on Tuesday January 14, 2025, at the Keweenaw County Courthouse, 5095 Fourth Street, Eagle River, Michigan to review and take public comment on the following

### **REZONING REQUEST**

**An Amendment to the Keweenaw County Zoning Ordinance Map from RRB (Rural Residential) to RS2 (Resort Service) to ensure consistency with the current zoning across all Black Bear, Inc. properties.**

**Property Owner/Applicant: Black Bear, Inc.**

**Contact: Trina L Anderson (agent) 906-369-1493**

**Parcel Numbers:**

**42-307-33-150-005 and those portions of**

**42-307-33-150-002 which fall with Section 33, T58N-R29W**

**Excluding the Eastern 200 feet of both parcels running from Sand Point Road south to the Lac La Belle shoreline.**

**Zoning: RRB**

A copy of the complete application package is available on the County Website at <http://keweenawcountyonline.org/index.php>

The public may appear at the hearing in person, or by counsel, to be heard and submit evidence with respect to the application. Written comments should be addressed to Keweenaw County Zoning Administrator, 5095 Fourth Street, Eagle River, MI 49950 and will be received until 4:00pm January 13<sup>th</sup>, 2025

Susan M Hockings, Keweenaw County Zoning Administrator 906-337-3471



September 27, 2024

VIA EMAIL: [johnnygparsons@gmail.com](mailto:johnnygparsons@gmail.com); Julie A. Carlson, [clerk@keweenawcountymi.gov](mailto:clerk@keweenawcountymi.gov); EC: Susan Hockings, [planning@keweenawcountymi.gov](mailto:planning@keweenawcountymi.gov); Lonie Glieberman, [Lonieg2@yahoo.com](mailto:Lonieg2@yahoo.com)

Mr. John G. Parsons, Chairman  
Keweenaw County Planning Commission  
5095 4<sup>th</sup> St  
Eagle River, MI 49950

RE: PETITION FOR ZONING AMENDMENT

Dear John,

Per our discussion, Black Bear, Inc. requests a rezoning of approximately 80.00± acres of the Mt. Bohemia resort properties from Resort Residential RRB to Resort Service RS2. The parcels are in Section 33, T58N-R29W, and combine owned and leased land by Black Bear from The Nature Conservancy (TNC). Attached is a letter from TNC expressing their full cooperation and support for the zoning change.

The rezoning request involves Black Bear's Tax Parcel No. 370-33-150-005 and all those portions of TNC's Tax Parcel No. 307-33-150-002 lying within Section 33. As shown on the map attached hereto, a 200-foot buffer, scheduled to be surveyed, will be excluded from the proposed zoning change to reassure neighboring properties that this area will not be used for Resort Service purposes.

This requested zoning amendment aims to ensure consistency with the current zoning uses across the entire Black Bear, Inc. properties, promoting better uniformity and suitability within the area.

Upon the Planning Commission's full review, you will determine the following findings of fact:

1. There are no identifiable conditions related to the petition.
2. There are no errors in judgment, procedure, or administration in the original Ordinance.
3. The revision will not establish a precedent or have effects of precedent as a result of approval.
4. The change will not impact the County's ability, and that of any other governmental agencies, to provide adequate public services, facilities, and/or programs.
5. The zoning change will not adversely affect the environmental conditions or value of the surrounding property.
6. There are no significant negative environmental impacts that would reasonably occur with the petitioned zoning change.
7. The petitioned zoning change complies with the policies and uses for the area.
8. The petitioned zoning change is compatible with other zoning and uses in the surrounding area.
9. The petitioned zoning change would be equally suited or better for the area.
10. The petitioned property can be put to reasonable economic use with the petitioned zoning change.

We kindly request that the necessary process begin and, ultimately, that the Planning Commission promptly approve the rezoning request.

Sincerely,

*Trina L. Anderson*

Trina L Anderson  
Real Estate Consultant  
for Black Bear Inc.



- Black Bear Boundary
- Buffer
- TNC Leased Boundary



nature.org/michigan  
nature.org/greatlakes

*Office*  
César E. Chávez Ave.  
3, MI 48906  
316-0300

*Upper Peninsula Office*  
220 W. Washington St., Ste. 330  
Marquette, MI 49855  
(906) 225-0399

*Detroit Office*  
4219 Woodward Ave., Ste. 302  
Detroit, MI 48201  
(517) 316-2271

September 20, 2024

Sara Heikkila  
Keweenaw County  
Zoning Administrator  
5095 4<sup>th</sup> Street  
Eagle River, MI 49950

Dear Ms. Heikkila,

The Nature Conservancy (“TNC”) is the fee owner of parcel ID #307-150-022 located in Grant Township, Keweenaw County, Michigan (“Parcel”). The Parcel is approximately 74-acres. TNC acquired the Parcel in 2022. At the time TNC acquired the Parcel, it was subject to a long-term Ground Lease with Black Bear, Inc. (f/k/a Black Bear Entertainment Adventure and Recreation Company) (“Black Bear”), and the Parcel continues to be subject to the same Ground Lease with Black Bear as the tenant.

Under the Ground Lease, Black Bear, as the tenant, is responsible to ensure that its use of the Parcel — to the extent the use is permitted by the Ground Lease — complies with applicable law. To this end, under the Ground Lease, Black Bear may pursue changes to the Parcel’s zoning designation so that Black Bear’s permitted use of the Parcel complies with applicable zoning laws. Black Bear is responsible for all costs associated with such zoning changes. Under the Ground Lease terms, TNC, as the landlord, is obligated to reasonably cooperate with such zoning changes when requested by Black Bear to do so.

The Parcel is currently zoned as Rural Residential District (RR-B) and TNC understands Black Bear, as the tenant under the Ground Lease, desires to change the zoning classification to Resort Service District (RS). Pursuant to the Ground Lease, TNC does not object to this specific zoning change as this change, is not in of itself, inconsistent with the Ground Lease and — to the extent TNC’s consent is required by law as the fee owner of the Parcel — TNC consents to this specific zoning change.

The sole purpose of this letter is to fulfill TNC’s obligations under the Ground Lease with respect to a zoning change sought by Black Bear for the Parcel. Nothing in this letter serves as an amendment to or a change to the Ground Lease and TNC reserves all its rights under the Ground Lease. This letter shall only be applicable to the specific requested zoning change identified above and shall not be applicable to any other proposed zoning change. This letter shall not be used or construed as evidence of TNC’s approval or consent to any actions or activities by Black Bear, on the Parcel or otherwise, including any proposed use of the Parcel. Further, in no manner shall this letter be used or construed as an endorsement by TNC of Black Bear or any of Black Bear’s activities or actions, on the Parcel or otherwise.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Tuzinsky".

Richard Tuzinsky  
The Nature Conservancy