



ZONING BOARD OF APPEALS

Wednesday, September 22, 2021

1. Roll Call – 7:00 P.M. – City Hall Council Chambers
2. Old Business
 - a. Case #858 – A request for front and side yard setback variances at 120 E Lake Street
 - b. Case #859 – A request for a driveway opening variance at 1209 Hill Street
3. Public Comment
4. Updates
5. Adjournment

You may also join the meeting remotely

Dial by Phone: 888-788-0099 US Toll-free

<https://us02web.zoom.us/j/85991640418>

Meeting ID: 859 9164 0418

If you have any questions you may contact the City Clerk's Office before the meeting by email or phone: aterry@petoskey.us or 231-347-2500.

According to the Attorney General, interrupting a public meeting in Michigan with hate speech or profanity could result in criminal charges under several State statutes relating to Fraudulent Access to a Computer or Network (MCL 752.797) and/or Malicious Use of Electronics Communication (MCL 750.540).

According to the US Attorney for Eastern Michigan, Federal charges may include disrupting a public meeting, computer intrusion, using a computer to commit a crime, hate crimes, fraud, or transmitting threatening communications.

Public meetings are being monitored and violations of statutes will be prosecuted.



ZONING BOARD OF APPEALS

August 3, 2021

A regular meeting of the City of Petoskey Zoning Board of Appeals was conducted in the City Hall Council Chambers on Tuesday, August 3, 2021. Public was invited to attend in person and via Zoom. Roll was called at 7:00 P.M.

Present: Mary Clinton
Chris Hinrichs
Jim Knibbs
Scott Morrison
Lori Pall
Jessica Shaw-Nolff

Absent: Ben Crockett

Others: Matthew Drozd, Lormax Stern Development
Nicholas Gowan, Pure Property Management
Jim Priebe, Lormax Stern Development (via Zoom)

Staff: Amy Tweeten, City Planner
Lisa Denoyer, Administrative Assistant

Upon motion and support, the minutes from July 6, 2021 regular meeting were approved 4-0-1, with Commissioner Hinrichs abstaining.

Case #856 – Variance Request to Allow a Front Yard Fence at 304 Fulton Street

Staff informed the Board that the subject property is on the corner of Fulton and Petoskey Streets in the R-3 Single Family District. An addition to the house was constructed in 2018 and a partial retaining wall was installed along the east property line. The property owner is requesting to install a 4 to 5 foot privacy fence along the east property line to the front property line on Fulton Street. As this is a front yard, a variance is required.

Nicholas Gowan, Pure Property Maintenance, informed the Board that the homeowner had made attempts to landscape the hillside but washouts continued to occur due to the steep grade. The proposed fence would match the existing fence in the back yard, would be placed along the hillside and would not extend beyond the utility pole or obstruct vehicular site lines.

Chairperson Pall asked if the proposed fence would be in line with the existing retaining wall.

Mr. Gowan responded that it would not as a portion of the hill would have to be removed in order to line the fence with the retaining wall and would create a greater space between the driveway and the fence.

Board member Clinton asked how the fence would stop washouts from occurring and what the overall height of the hill was.

Mr. Gowan responded that the intent of the fence was not to prevent washouts but rather for cosmetic reasons to block the view of the hill and for financial reasons. He also responded that the overall height of the hill was between five and six feet tall.

Board Member Shaw-Nolff asked what the setback of the fence would be from the street.

Mr. Gowan responded that the fence would end approximately 10 to 12 feet from the street.

Chairperson Pall asked what the plan was for the bank and Mr. Gowan responded that the existing flowers will remain as they seem to be the best solution so far.

Board member Hinrichs asked if the owner knew the location of their property line and staff asked if the fence would be 10 to 12 feet from the curb or from the street right-of-way.

Mr. Gowan responded that the property owner is aware of the location of the property lines, that the neighbor is aware of and agreeable to the applicant's request and that the applicant would be happy to adjust the setback from the right-of-way.

Board members discussed the maximum height allowance of 42" and 50% openness allowed by the ordinance for a front-yard fence and voiced concerns with the lack of practical difficulty. Board members also commented that they felt a retaining wall would accomplish the same objective and also prevent washouts. The Board then went through the variance checklist.

At this time, Board member Hinrichs made a motion, seconded by Board member Clinton, to deny a front-yard fence at 304 Fulton Street based on the findings of facts in the submittal materials that the fence does not meet the zoning requirements and that there was a lack of a practical difficulty shown for granting a variance to allow a front-yard fence.

Motion carried 6-0.

**Case #857 – Variance Request to Allow Changes to a
Non-Conforming Freestanding Sign at 910 Spring Street**

Staff informed the Board that Bay Mall is located in the B-3 General Business District that allows multi-tenant building signs of 8 feet in height and 42 square feet in area. The mall was constructed in the mid-1970s and was granted sign variances in 1977 and 1980. The existing freestanding sign is 275 square feet in area and 31 feet in height to the top of the square blue frame and 35 feet to the top of the point.

The mall owners would like to modernize the sign with brick columns, reduce the tenant panels from 275 square feet to 220 square feet, and reduce the overall height to 30 feet. Pursuant to Section 9.1(a)(1) of the Sign Ordinance, *Nonconforming signs shall not be structurally altered so as to prolong the life of the sign, such as to change the shape, size, type, design, or face of the sign. Nonconformities shall not be enlarged, expanded, or extended.*

Although the changes reduce the sign size, they are intended to extend the life of the sign so neither staff or the Planning Commission Sign Committee are able to approve. The Zoning Board of Appeals, however, is authorized to grant sign variances for sign dimensions, height, and the relocation of existing non-conforming signs and the applicant is therefore requesting consideration of the proposed changes.

Chairperson Pall asked staff what variances were granted and what the permitted size was at that time.

Staff responded that the approval minutes from those prior hearings did not give a clear description of the approved variance and that there was no sign ordinance in place at the time of approval.

Board member Clinton asked if the Planning Commission Sign Committee could not review this request because of its non-conforming status.

Chairperson Pall suggested that the ZBA could request that the Planning Commission look at the ordinance for potential changes.

Staff responded that the request is vastly beyond what is allowed and the Sign Committee can only approve up to 25% more than what is allowed per the ordinance.

Matthew Drozd, Lormax Stern Development, informed the Board that their intent was not to make any structural changes but rather to update it and make it more cosmetically appealing. While the existing sign is 40+ years old and outdated, it is structurally sound.

Staff informed the Board that she had contacted the City Attorney and he did not feel staff had the authority to approve the requested changes as they exceeded what was allowed under Section 9.1(a)(1) of the Sign Ordinance.

Board member Shaw-Nolff commented that she believed the overall height of the sign could be lower.

Mr. Drozd responded that it would require changes to the structure if they went any lower with the sign and that the existing tenants would not likely agree to even smaller sign area. So if the variance were not granted, the sign would remain as it is. He also stated that the panels on the sign would be brought into compliance with the existing ordinance per the staff's request.

Board member Morrison asked staff if the sign would have to comply with the ordinance if any structural changes were made.

Staff responded that the variance request is to keep the structure as is, update the design and slightly reduce the overall height. Any previous variances granted would remain with the sign.

Board members discussed whether or not allowing the sign to be updated would be considered extending the life of the sign or as maintenance and agreed that given the size and orientation of the mall a large sign would likely be required.

Board members reviewed the proposed changes and discussed how the changes to bring the sign more into compliance with the current sign ordinance requirements were positive, that the site was unique in its orientation; members also noted that whether structural or not, the design element changes were extending the life of the sign and that needed to be balanced with the alternative that the sign remain as it is.

At this time, Board member Knibbs made a motion, seconded by Board member Hinrichs, to approve a request for a sign variance at 910 Spring Street to reduce the existing sign size from 275 square feet to 220 square feet and a total height of 30 feet based on the findings of fact that there will be no structural changes, an effort has been made to reduce the size of the sign, the sign panels will meet the ordinance requirements, a practical difficulty is created by Section 9.1(a)(1) of the Sign Ordinance and that the proposed changes are not contrary to the intent of the ordinance.

Motion carried 6-0.

Public Comment

No public comments were received.

The meeting was then adjourned at 8:00 P.M.

DRAFT



BOARD: Zoning Board of Appeals

MEETING DATE: September 22, 2021

DATE PREPARED: August 25, 2021

AGENDA SUBJECT: Case #858 – Requested front and side yard setback variances at 120 E Lake Street

RECOMMENDATION: Consider the request

Background

The subject property is an approximately 4,000 square foot lot in the O-S Office Service District that allows multiple family uses subject to RM-2 District standards. The building was most recently used as offices for Gaslight Media but was constructed as a dwelling and also served as a boarding house according to the 1907, 1919 and 1929 Sanborn Maps.



The structure is non-conforming to the rear-yard setback and lot coverage for the RM-2 Zoning District, with encroachments into the undeveloped Bay Street right-of-way. The building has no on-site parking, but the requirement for the proposed use is less than the previous office (six versus twelve), which used on-street and Bayfront Park parking.

The house to the west (114 E Lake Street) received variances in 2009 to be built one (1) foot from its east property line.



Request

The new owners would like to return the structure to residential use, creating three dwellings. Due to current building code requirements, a barrier free ramp is required for the ground floor unit and each unit will have a separate entrance. A stairway on the west side of the building to access the upper story units is also proposed. From the application form:

We will be adding an ADA ramp at the front entrance, in order to provide an accessible unit on first floor. Currently the access to the 2nd and 3rd floor units are accessed by an interior stairway. Per code we will need to add separate entrances for each unit including adding a proper stairway for access to the back area where the additional exterior entrance is located. Square off current deck since it will become a walkway, provide a uniform walkway for safety of renters.

Table 1 Dimensional Variance Request

	RM-2 Single Family Standards	Existing at 120 E Lake	Proposed	Resulting variance
Front-yard setback	25	6.5 feet	0.25 feet	24.75
Side-yard setback	10; 10	13; 10.5	11; 4.75	0; 5.25 (west side)

In making its motion, the Board shall state the grounds, or findings of fact upon which it justifies the granting of a variance and may attach any conditions regarding the location, character, and features of the request that further the purposes of the ordinance. In addition, a variance should only be granted after consideration of the following factors:

- 1) The need for the variance is due to unique circumstances, or physical conditions, of the property involved, such as exceptional narrowness, shallowness, shape or area, exceptional topographic conditions or other extraordinary or exceptional conditions of the specific piece of property and is not shared by neighboring properties;
- 2) The request is not due to the applicant's personal or economic situation;
- 3) The practical difficulty was not created by an action of the applicant;
- 4) The requested variance is the minimum variance necessary to grant substantial relief to the applicant while at the same time minimizing any adverse impacts to other property owners in the general neighborhood or zoning district;
- 5) The request, if granted, would not cause substantial detriment to the public good or substantially impair the intent and purpose of the ordinance; and
- 6) The strict application of the regulations would result in peculiar or exceptional practical difficulties.

APPLICANT ANSWERS TO VARIANCE CHECKLIST

Will strict compliance with the dimensional requirements of the zoning ordinance prevent the application from using the property for the permitted purpose?

A variance is required due to the following specifics of the property:

- Returning the property back to its original use of a residential property, first as a single-family home and following as three apartments. We are returning this structure to multi-family housing.
- We are restricted from using the opposite side of the building due to the Bay Street right of way and the existing retaining wall structure
- Current access to the 2nd and 3rd floors is located in the back of the home, adding a side stairway to connect to the existing walkway in the back of the home is necessary
- An ADA ramp is needed for the accessible access to the proposed first floor ADA unit. Due to topography and elevation the spot needed to provide the proper slope for the ramp requires a variance.

Is there a way to accomplish the same purpose without a variance or with a lesser variance regardless of convenience or expense?

- Due to the shape of the lot, original location of the home much of the property is a non-conforming structure as it was originally built in 1889 and additions in 1977.
- The ramp location requested gives the best option for a person needing a ramp without any changes to the city sidewalk.
 - It will be closet to a city sidewalk current curb cut and best transition from the sidewalk to the ramp.
 - Also, gives the best option (least amount of travel distance) based on current public parking and the nearest crosswalk.
- Due to the topography of the land the proposed stairway would provide the appropriate elevation. Proposed variance would use the property owners' property rather than city property. It would not encroach on city property, while placing the stairway on the other side would require use of city property.
- Changes to the walkway at the back of the building (squaring off the walkway) addresses safety concerns of having an oddly shaped walkway used by renters.

Is the need for the variance due to a situation that is unique to the property and would not generally be found elsewhere in the same zoning district?

- This is unique due to the shape of the lot; it is a triangle lot with two sides of city property. In addition to the unique shape of the lot the topography has dramatic differences from the back, front, sides of the building. This is not a flat lot and access to each unit is not on the same level or in an area where stairs are not required.
- The original home was built in 1889 (1800 sq feet) and added on (totaling 4200 sq feet) in 1977 to accommodate 3 apartments and a business, most likely adhering to different zoning ordinances. ADA access and separate accesses for each unit were not a consideration when the property was built or added onto as it is today in current building codes.
- Also, use of the city property, roads, topography has changed dramatically since the home was originally built.

If granted, will the variance uphold the spirit and the intent of the ordinance and be fair to the neighboring units?

- This will bring back the spirit of this row of homes. 120 E Lake Street was the only property ran as a commercial property on a row of residential homes and condo units on this side of Lake

Street. Bringing it back to residential is taking it back to its original use and creating a more neighborhood feel for the residential homes and condos along this portion of E Lake Street.

- We are requesting a side-yard setback variance of five feet on the west side, maintaining five feet from the stairway. The house to the west received a variance to be constructed 1 foot from this lot line. With the lot sizes and need to improve historical/outdated structures the variance is needed.

Has the need for the variance been created through previous action of the applicant?

- No, we purchased the home in April 2021 and have not made any modifications to the property but think returning the building to multifamily is a positive change.









120 East Lake Street, Petoskey, Michigan

From the *Article Below*: Frank Dahmer salvaged the aging house old house with an abundance of overgrown brush at the corner of Lake Street and US-31 in 1977. The house was originally built in 1889. The building was enlarged from 1800 square feet to 4200 square feet with infrastructure upgrades to hold three apartments and a studio for Dahmer. Beginning in 1968 Dahmer had taught himself the basics of stained glass. Dahmer moved to Petoskey in 1975 where he opened a small shop, Shadetree Stained Glass Studio, in the Gaslight District where he hired Penny Rakoniewski into his business, teaching her along the way. Penny moved with the shop in 1980 when Dahmer moved to the 120 East Lake Street location... selling materials, offering classed, repairing and restoring damaged stained glass, frosting and etching... anything having to do with stained glass.

This house/shop/apartments location was **FIRST** sold in 1873 as part of a 12 acre parcel by Neyas Petosegay Neeitooshig (Chief Petoskey, namesake of the City of Petoskey).



BEFORE



AFTER

people

Local home gets new lease on life

Frank Dahmer's hard work becomes asset for area

By Audrey Collins

Two and a half years ago, the corner of Lake Street at US-31 was occupied by an aging house and a lot of overgrown brush.

Two and a half years ago, Frank Dahmer wanted to get out of his basement apartment, so sight unseen, he plunked a \$100 deposit on the property.

Today, that corner is a Petoskey landmark, a setting for the gem that is Shadetree, Dahmer's turreted, neo-Victorian stained glass studio.

"I had the esthetics of a beautiful place to be," says Dahmer. "I love Victorian architecture and wanted to capture the Bay View character. This place gave me the opportunity to show that with some kinds of businesses, you can add to the look of the town and provide for the needs of the structure and still have a viable kind of construction."

It would have been easier, he says, to have torn down the original core of the house, built back in 1889.

"I wanted to rebuild from scratch, authentically," says the Gainesville, Fla., native. Zoning requirements for new construction were so restrictive, however, he decided to do it the hard way, by extensive remodeling.

Dahmer has added all the modern amenities such as wiring, plumbing, insulation and a combination of gas hot water or wood heat. Skylights bring in the sun from the building's Southern exposure.

The building has grown from 1800 square feet to 4200 square feet and will contain three apartments plus Dahmer's studio when it is completed.

A self-proclaimed "Jack of all trades" who has been by turns a hairdresser and a shoe salesman, Dahmer learned his skills for remodeling by starting small and doing odd-job repairs.

"When I got into a situation I couldn't handle, I asked the old-timers how to do it. They were always glad to teach me, and I'm a person who can watch it being done and then do it myself," he says.

He started in stained glass work the same way, beginning in 1968. He taught himself the basics and learned the fine points by "hanging around studios and talking to some of the old-timers."

At that time, he was one of two people in the state of Florida who did stained glass. Now he estimates that there are nearly 300,000 hobbyists in the country. Many of them purchase kits for lamps and windows, or patterns and tools which he has designed for marketing through Craft House in Ohio.

In 1975, Dahmer moved to Petoskey and opened his Shadetree Stained Glass Studio as a small shop in the Gaslight district. He hired Penny Rakoniewski, who "came into the studio and said she wanted to be an artist. Now she is an artist," he says. She draws designs and also does soldering on the pieces, which are constructed by Tiffany's copper foil method.

Actually cutting the glass is probably the trickiest part of stained glass work, but according to Rakoniewski, drawing the design in "cut-able pieces" makes that job much easier.



FRANK DAHMER in his studio watches his stained glass artist and protegee Penny Rakoniewski as she does finish soldering on a decorative panel.

Penny and five other full time employees moved to Shadetree's present location in April of 1980 and since have seen the business expand to include selling do-it-yourself materials, offering classes, repairing and restoring damaged stained glass, frosting and etching. Dahmer says he is delighted with the new site.

"We get a lot of people in the shop just because they are curious about the house," he says.

The place has come a long way since the 12 acre parcel was first sold by Neyas Petosegay Neeitooshig for \$25 an acre in 1873.

Now Dahmer estimates its value in excess of a quarter of a million dollars.

"I've got that much in it, in sweat, tears, stress, worry, hassle, late nights, blood, muscle..." says Dahmer, who designed the new look and did much of the work himself.

Design is his first love. If he had his 'druthers, he would spend his energy building Victorian homes. In part, he is getting his wish, serving as a consultant and designer for both interior and exterior "creative remodeling."

Already his architectural designs are being implemented at new construction sites in Flint and Plymouth. They bear testimony to the enduring appeal of a century-old grace that has been preserved in Northwestern Michigan and is being revived by young visionaries like Frank Dahmer.

Penny Rakoniewski Kristo eventually bought out the stained glass business and moved it to 446 East Mitchell Street Emmet Street, next to Howard Street, and then moved to is most recent 421 Emmet Street, Petoskey, location. Additional information about the Shadetree Studios may be accessed on the "Art & Authors" web page on this same site by clicking [HERE](#).

Frank Dahmer is related to the Russell Family that owns the Russell's Shoes store at 405 East Lake Street, Petoskey. Therefore, it is not surprising that Dahmer created the Russell's stained glass sign which still (2021) hangs over the door to the store downtown. He also designed some of the many stained lamps with the letter "R" inside the store as part of relative Dave Russell's vast collection of lighting. Additional information about the Dave Russell's store and private

museum may be accessed on the "Vehicles & Bicycles" web page on this same site by clicking [HERE](#).



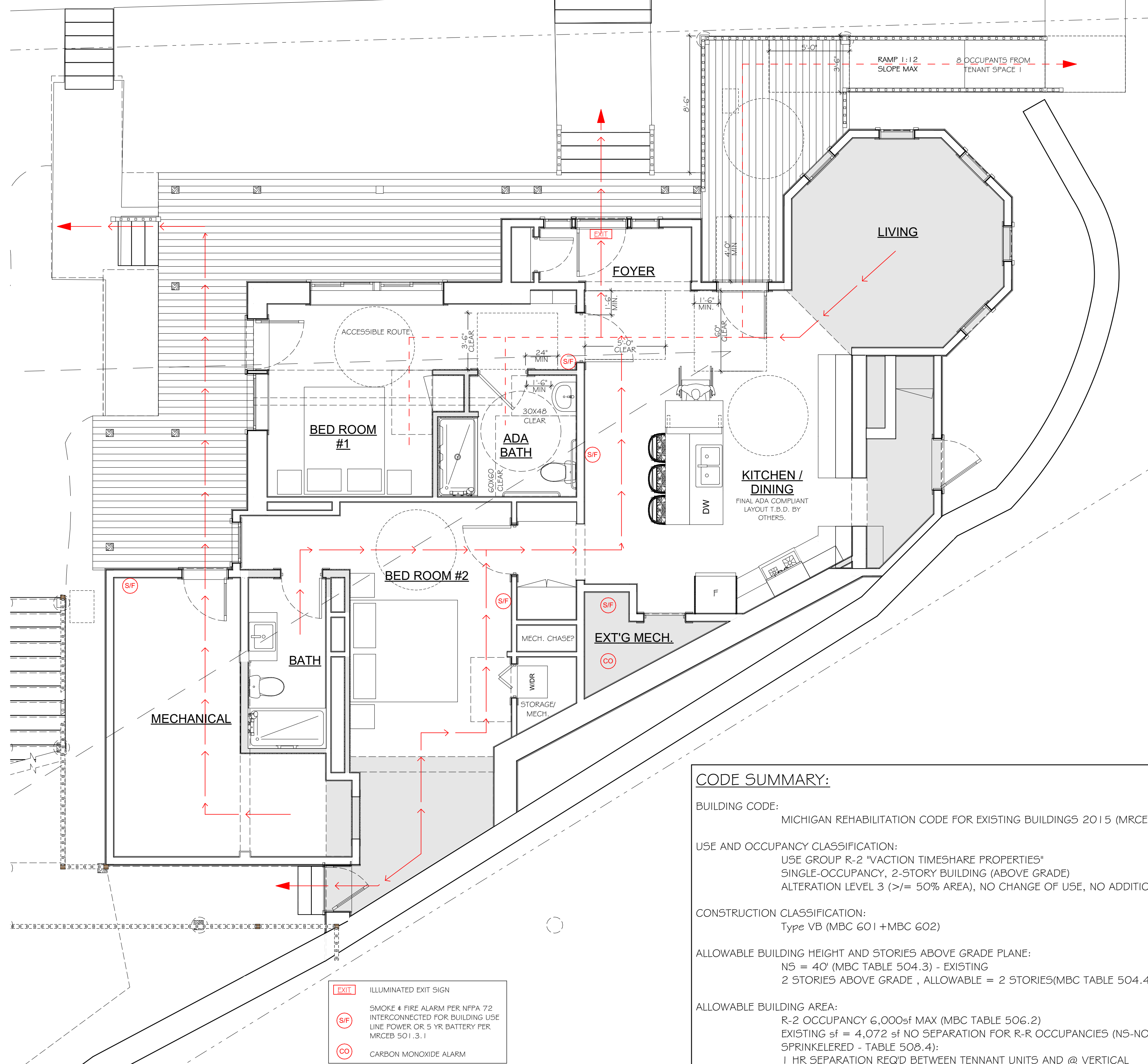
Sale Date	Sale Price	Instrument	Grantor	Grantee	Liber/Page
06/06/2016	\$0.00	QC	SCOTT CHARLES P TRUST	SCOTT CHARLES P, SCHWINKE JANICE M	1186/662
06/06/2016	\$0.00	QC	SCOTT CHARLES P, SCHWINKE JANICE M	SCOTT CHARLES P TRUST	1186/667
09/06/2000	\$0.00	QC	SCOTT CHARLES P	SCOTT CHARLES P TRUST	746-111
07/16/1998	\$257,500.00	WD	VADIVEL SAKTHI	SCOTT CHARLES P	653-002
06/17/1992	\$275,000.00	WD	CARPENTER JOHN EDWARD	VADIVEL SAKTHI	472:356
12/31/1982	\$0.00	WD	DAHMER FRANK	CARPENTER JOHN EDWARD	325/452
04/29/1977	\$35,000.00	LC	PICKARSKI SOPHIE	DAHMER FRANK	274/616
01/02/1976	\$0.00	QC	PICKARSKI RONALD	PICKARSKI JOHN & SOPHIE	273/885

Items sourced from article:

<https://northernmichmashpreserve.weebly.com/old-houses.html>

DENISE & MICHEAL CROAKE

BUILDING SITE :
120 LAKE STREET
PETOSKEY, MI



LIFE SAFETY - MAIN LEVEL

SCALE: 1/4" = 1'-0"

CODE SUMMARY:

BUILDING CODE: MICHIGAN REHABILITATION CODE FOR EXISTING BUILDINGS 2015 (MRCEB)

USE AND OCCUPANCY CLASSIFICATION:
USE GROUP R-2 "VACATION TIMESHARE PROPERTIES"
SINGLE-OCCUPANCY, 2-STORY BUILDING (ABOVE GRADE)
ALTERATION LEVEL 3 (>= 50% AREA), NO CHANGE OF USE, NO ADDITIONS

CONSTRUCTION CLASSIFICATION:
Type VB (MBC 601+MBC 602)

ALLOWABLE BUILDING HEIGHT AND STORIES ABOVE GRADE PLANE:
N5 = 40' (MBC TABLE 504.3) - EXISTING
2 STORIES ABOVE GRADE , ALLOWABLE = 2 STORIES(MBC TABLE 504.4)

ALLOWABLE BUILDING AREA:
R-2 OCCUPANCY 6,000sf MAX (MBC TABLE 506.2)
EXISTING sf = 4,072 sf NO SEPARATION FOR R-R OCCUPANCIES (N5-NON-SPRINKLERED - TABLE 508.4):
1 HR SEPARATION REQD BETWEEN TENNANT UNITS AND @ VERTICAL OPENINGS. CONCEALED SPACES BETWEEN 1-HR FRIE RATED CEILING SHALL BE FIREBLOCKED AT 1'0" O.C. EA WAY. REFER TO MBC 7118.2 FOR OPTIONS. FIRE RATED WALL & FLOOR/CEILING ASSEMBLIES REFER TO DISCRIPTIONS DRAWING A0.2 (MBC 711.2.2.4.3) (SEE NEXT PAGE FOR ASSEMBLY EXAMPLES)

AUTOMATIC SPRINKLER SYSTEM:
NOT REQUIRED FOR R-2 WITH OCCUPANT LOAD LESS THAN 30. (MRCEB 804.2.2.)

OCCUPANT LOAD: (MBC TABLE 1004.1.2)
RESIDENTIAL (200 GROSS): 21 OCCUPANTS
TENANT SPACE 1: 8 OCCUPANTS
TENANT SPACE 2: 8 OCCUPANTS
TENANT SPACE 3: 5 TOTAL: OCCUPANTS

MEANS OF EGRESS LIGHTING PER MBC

EXIT ACCESS TRAVEL DISTANCE:
200' WITHOUT SPRINKLER SYSTEM. (MBC TABLE 1017.2)
EXIT TRAVEL DISTANCE LESS THAN 200'

ABBREVIATIONS

ASSY	ASSEMBLY	MIN.	MINIMUM
ALUM.	ALUMINUM	MANUF.	MANUFACTURER
APPROX.	APPROXIMATELY	O.S.B.	ORIENTED STRAND BOARD
BOT.	BOTTOM	O.C.	ON CENTER
BRD.	BOARD	P.E.	PRE-ENGINEERED
B.U.	BUILT-UP	P.KT.	POCKET
CATH.	CATHEDRAL	P.L.	POINT LOAD
C.I.P.	CAST-IN-PLACE	PL	PLATE
CLG.	CEILING	PSL	PARALLEL STRAND LUMBER
CLO.	CLOSET	P.T.	PRESSURE TREATED
C.M.U.	CONCRETE MASONRY UNIT	P.P.	PONDEROSA PINE
CONT.	CONTINUOUS	PCS.	PIECES
CONC.	CONCRETE	PLCS.	PLACES
COL.	COLUMN	REF.	REFERENCE
CL	CENTERLINE	R.S.	ROUGH SAWN
DIA.	DIAMETER	R.C.	RED CEDAR
DBL.	DOUBLE	R.O.	ROUGH OPENING
D.W.	DRYWALL	R.O.H.	ROUGH OPENING HEIGHT
DF	DOUGLAS FIR	R.O.W.	ROUGH OPENING WIDTH
D.L.	DEAD LOAD	REQD	REQUIRED
D.H.	DOUBLE HUNG	RM.	ROOM
E.M.	END MATCHED	S1S	SAWN (1) SIDE
ENG.	ENGINEERED	S2S	SAWN (2) SIDES
E.P.S.	EXPANDED POLYSTYRENE	S3S	SAWN (3) SIDES
EW	EACH WAY	S4S	SAWN (4) SIDES
EXT.	EXTERIOR	SPF	SPRUCE-PINE-FIR
FLR.	FLOOR	SM	SMOOTH
FTG	FOOTING	STD.	STANDARD
G.C.	GENERAL CONTRACTOR	STL	STEEL
G.L.	GLU-LAMINATED TIMBER	SYP	SOUTHERN YELLOW PINE
H.H.	HAND HEWN	T.B.D.	TO BE DETERMINED
HDR.	HEADER	TEMP	TEMPERED
H.F.	HEM-FIR	TYP.	TYPICAL
HGT.	HEIGHT	T.L.	TOTAL LOAD
INT.	INTERIOR	T & G	TONGUE & GROOVE
JST.	JOIST	U.N.O.	UNLESS NOTED OTHERWISE
K	KIPS	W.C.	WHITE CEDAR
LVL	LAMINATED VENEER LUMBER	WD. COL.	WOOD COLUMN
LSL	LAMINATED STRAND LUMBER	WT.	WEIGHT
L.L.	LIVE LOAD	W	WIDE FLANGE STEEL BEAM
LAM.	LAMINATED	WC	WATER CLOSET
LG.	LONG	W.I.C.	WALK IN CLOSET
M.R.O.	MASONRY ROUGH OPENING	W	WITH
MAX.	MAXIMUM		

GENERAL NOTES:

DO NOT SCALE DRAWINGS. USE DIMENSIONS. IF CONFLICTS ARISE BETWEEN DIMENSIONS, NOTES, & SCALE OF DRAWINGS CONTACT EDGEWATER DESIGN GROUP IMMEDIATELY. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND ELEVATIONS AT SITE. ALL DIMENSIONS REFER TO ROUGH FRAMING MEMBERS UNLESS NOTED OTHERWISE. ANY DISCREPANCIES FOUND SHALL BE REPORTED TO EDGEWATER DESIGN GROUP BEFORE PROCEEDING WITH WORK.

CONTRACTOR SHALL INFORM EDGEWATER DESIGN GROUP OF ANY DEVIATIONS FROM THE PLANS. NO STRUCTURAL MEMBERS SHALL BE CUT OR MODIFIED WITHOUT PRIOR WRITTEN APPROVAL FROM EDGEWATER DESIGN GROUP. CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING COMPLETE AND FUNCTIONING SYSTEMS. ITEMS NOT SPECIFICALLY SHOWN IN THESE DOCUMENTS, WHICH ARE CONSIDERED NECESSARY BY LOCAL BUILDING CODES SHALL BE PROVIDED BY THE GENERAL CONTRACTOR.

STRUCTURAL COMPONENTS AND MATERIALS SPECIFIED ON THESE DRAWINGS SHALL NOT BE REPLACED OR BE SUBSTITUTED WITH PRODUCTS WITH LESSER DIMENSIONS (INCLUDING MULTI-PLY LVL MEMBERS IN LIEU OF SOLID PSL MEMBERS) OR ENGINEERING METRICS WITHOUT THE PRIOR WRITTEN APPROVAL OF EDGEWATER DESIGN GROUP.

FOR PROTECTION OF UNDERGROUND UTILITIES, THE CONTRACTOR SHALL ARRANGE FOR UTILITY LOCATION IDENTIFICATION PRIOR TO EXCAVATING IN THE VICINITY OF UTILITY LINES. FOR PROJECTS WITHIN THE UNITED STATES, THE CONTRACTOR SHALL TELEPHONE THE NATIONAL "CALL BEFORE YOU DIG" NUMBER BY DIALING 811 NOT LATER THAN THREE BUSINESS DAYS PRIOR TO START OF EXCAVATION. THE LOCAL "ONE CALL CENTER" OPERATORS WILL ASK FOR THE LOCATION OF THE DIGGING JOB AND WILL NOTIFY THE AFFECTED UTILITY COMPANIES. THIS DOES NOT RELIEVE THE CONTRACTOR OF THE RESPONSIBILITY OF NOTIFYING OWNERS WHO MAY NOT BE PART OF THIS PROGRAM.

MANUFACTURER SHOP DRAWINGS ARE INTENDED TO SUPPLEMENT ARCHITECTURAL DRAWINGS. CONTRACTOR IS RESPONSIBLE FOR COORDINATING SUCH REQUIREMENTS INTO THEIR WORK.

SUPPLIERS SHALL SUBMIT STRUCTURAL SHOP DRAWINGS FOR EDGEWATER DESIGN GROUP APPROVAL, PRIOR TO FABRICATION. EDGEWATER DESIGN GROUP APPROVAL OF SHOP DRAWINGS DOES NOT RELIEVE THE SUPPLIER OF THE RESPONSIBILITY FOR FIT AND CONSTRUCTION QUALITY CONTROL.

THE STRUCTURE IS DESIGNED TO FUNCTION AS A UNIT UPON COMPLETION. THE STRUCTURE IS DEPENDENT UPON DIAPHRAGM ACTION OF THE FLOOR AND ROOF DECK FOR STABILITY AND FOR RESISTANCE TO WIND FORCES. PROVIDE ALL TEMPORARY BRACING REQUIRED FOR STABILITY AND FOR RESISTANCE TO WIND FORCES UNTIL THESE ELEMENTS ARE COMPLETE AND ARE CAPABLE OF PROVIDING THIS SUPPORT.

THE CONTRACTOR IS RESPONSIBLE FOR LIMITING THE AMOUNT OF CONSTRUCTION LOAD IMPOSED UPON STRUCTURAL FRAMING. CONSTRUCTION LOADS SHALL NOT EXCEED THE DESIGN CAPACITY OF THE FRAMING AT THE TIME THE LOADS ARE IMPOSED.

CONTRACTOR'S CONSTRUCTION AND/OR ERECTION SEQUENCES SHALL RECOGNIZE AND CONSIDER THE EFFECTS OF THERMAL MOVEMENTS OF STRUCTURAL ELEMENTS DURING THE CONSTRUCTION PERIOD.

GENERAL CONTRACTOR SHALL HAVE FINAL RESPONSIBILITY TO ENSURE INTEGRITY OF THE VAPOR BARRIER AND PROPER SEALING OF THE BUILDING. CAULK, TAPE AND/OR PATCH ANY POINT THEIR WORK PIERCES THE BARRIER. THIS INCLUDES PROVIDING AND INSTALLING NON-COMBUSTIBLE FLANGES AND FLASHING WHERE APPROPRIATE. CAULK ALL WINDOWS & DOORS DURING INSTALLATION TO PROVIDE CONTINUOUS SEAL BEHIND FLANGES, BRICK MOLD AND SILLS.

REFER TO SCHEDULES FOR WINDOW & DOOR INFORMATION, GRILLES PER ELEVATIONS.

CATHEDRAL CEILINGS WHERE NOTED.

ALL INTERIOR WALLS ARE 2X4 EXCEPT WHERE NOTED.

SHEET INDEX

A0.1	GENERAL NOTES & SHEET INDEX
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A0.3	SITE PLAN
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A1.2	EXIT/G/DEMO PLAN - SECOND LEVEL
A1.3	EXIT/G/DEMO PLAN - THIRD LEVEL
A1.4	FLOOR PLAN - MAIN LEVEL
A1.5	FLOOR PLAN - SECOND LEVEL
A1.6	FLOOR PLAN - THIRD LEVEL
A2.1	EXTERIOR ELEVATIONS
SO.1	STRUCTURAL DESIGN NOTES
S1.1	FRAMING PLAN - MAIN LEVEL WALLS
S1.2	FRAMING PLAN - SECOND LEVEL FLOOR
S1.3	FRAMING PLAN - SECOND LEVEL WALLS
S4.1	STANDARD FRAMING DETAILS
S4.2	FRAMING DETAILS

PLEASE NOTE:

QUESTIONS AND CONSULTATION AFTER THE RELEASE OF THE FINAL CONSTRUCTION DRAWINGS WILL BE SUBJECT TO FEES / BILLING PER THE CLIENT'S CONTRACT.

QUESTIONS CONCERNING ARCHITECTURAL DRAWINGS, CONTACT:
LEXI SZYMONIAK PHONE # (231) 348-0497

QUESTIONS CONCERNING STRUCTURAL DRAWINGS, CONTACT:
BRYAN LINDFORS, P.E. PHONE # (231) 348-0497

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CODE INFORMATION:

EXCEPT WHERE OTHERWISE INDICATED, THE PLANS (CONTRACT DOCUMENTS) HAVE BEEN DEVELOPED IN ACCORDANCE WITH THE 2015 MICHIGAN REHABILITATION CODE FOR EXISTING BUILDINGS. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR MEETING ALL LOCAL BUILDING CODES AND ZONING REQUIREMENTS. PLEASE NOTIFY EDGEWATER DESIGN GROUP, LLC OF ANY ADJUSTMENTS THAT NEED TO BE MADE TO THE DRAWING SET TO ACCOMMODATE LOCAL REQUIREMENTS.

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DESIGN GROUP

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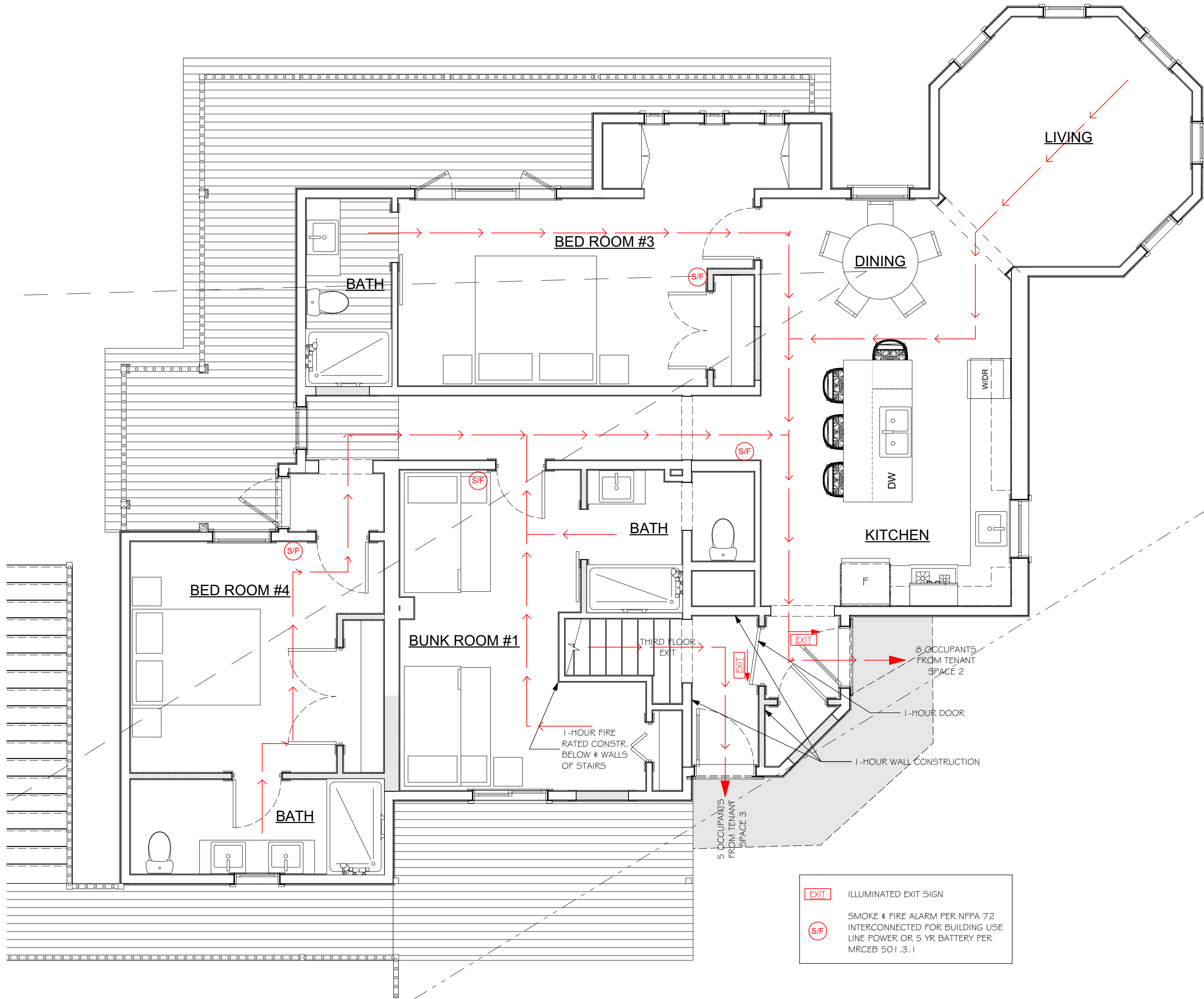
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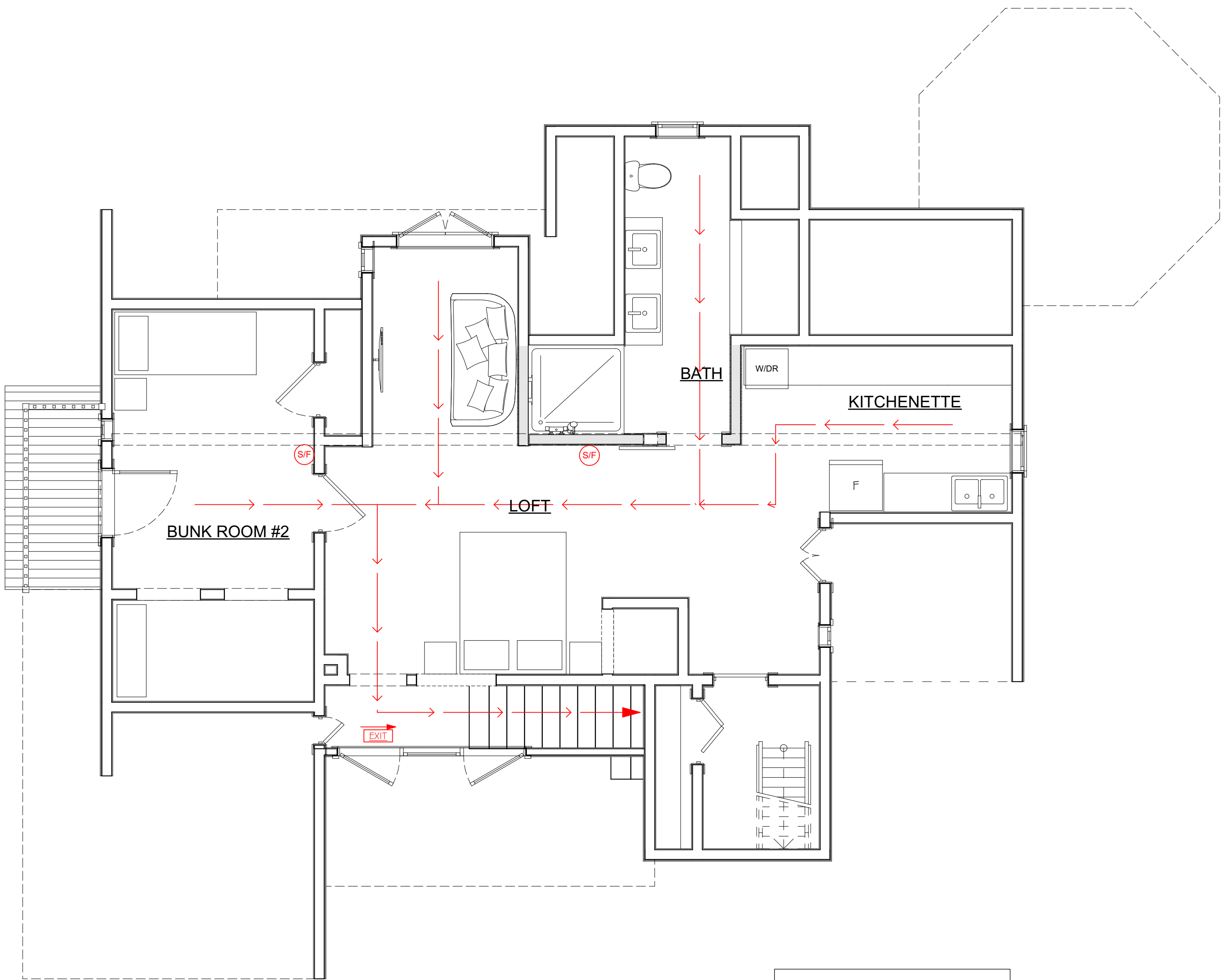
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07/27/21	CONSTRUCTION DOCUMENTS RELEASED FOR PERMITS & CONSTRUCTION	LS



LIFE SAFETY - SECOND LEVEL

SCALE: 1/4" = 1'-0"



LIFE SAFETY - THIRD LEVEL

SCALE: 1/4" = 1'-0"

GA FILE NO. WP 3343	PROPRIETARY*	1 HOUR FIRE	45 to 49 STC SOUND
GYPSUM PANEL PRODUCT, WOOD STUDS			
One layer 5/8" proprietary gypsum panel product applied parallel to each side of 2 x 4 wood studs 16" o.c. with 6d coated nails, 1 7/8" long, 0.0915" shank, 1/4" heads, 7" o.c. Joints staggered 16" on opposite sides. Sound tested with 3 1/2" glass fiber insulation friction fit in stud space. (LOAD-BEARING)			
PROPRIETARY GYPSUM PANEL PRODUCT			
Temple-Inland 5/8" ComfortGuard Sound Deadening Gypsum Board			
Thickness: 47/8"			
Approx. Weight: 7 pcf			
Fire Test: ITS 3152726, 9-8-08			
Sound Test: OL 08-0905, 9-3-08			
GA FILE NO. WP 3510	GENERIC	1 HOUR FIRE	35 to 39 STC SOUND
GYPSUM WALLBOARD, WOOD STUDS			
One layer 5/8" type X gypsum wallboard or gypsum veneer base applied parallel or at right angles to each side of 2 x 4 wood studs 24" o.c. with 6d coated nails, 1 7/8" long, 0.0915" shank, 1/4" heads, 7" o.c. Joints staggered 24" on opposite sides. (LOAD-BEARING)			
Thickness: 47/8"			
Approx. Weight: 7 pcf			
Fire Test: UL R3501-47, -48, 9-17-65; UL Design U309; UL R1319-129, 7-22-70; UL Design U314			
Sound Test: NGC 2404, 10-14-70			

FIRE ASSEMBLY EXAMPLES

GA FILE NO. FC 5522	GENERIC	1 HOUR FIRE	
WOOD I-JOISTS, GYPSUM WALLBOARD, RESILIENT CHANNELS			
Base layer 1/2" type X gypsum wallboard applied at right angles to resilient channels 16" o.c. with 1 1/4" Type S drywall screws 12" o.c. Resilient channels applied at right angles to minimum 9/16" deep wood i-joists, with minimum 1 1/4" deep x 1 1/2" wide flanges and minimum 5/8" webs, 24" o.c. with 1 1/4" Type W drywall screws. Face layer 1/2" type X gypsum wallboard applied at right angles to channels with 1 1/4" Type S drywall screws 12" o.c. Face layer end joints located midway between channels and attached to base layer with 1 1/2" Type G screws 12" o.c. Edge joints offset 24" from base layer edge joints. Wood i-joists supporting 5/8" oriented strand board applied at right angles to i-joists with 8d common nails 12" o.c.			
Approx. Ceiling Weight: 5 pcf			
Fire Test: NRC CA-4440.1 (Revised), 6-24-97			
GA FILE NO. FC 5120	GENERIC	1 HOUR FIRE	50 to 54 STC SOUND
WOOD JOISTS, GYPSUM WALLBOARD, RESILIENT CHANNELS, GLASS FIBER INSULATION			
One layer 1/2" type X gypsum wallboard or gypsum veneer base applied at right angles to resilient furring channels 24" o.c. with 1" Type S drywall screws 8" o.c. at ends and 12" o.c. at intermediate furring channels. Gypsum board end joints located midway between continuous channels and attached to additional pieces of channel 64" long with screws 8" o.c. Resilient furring channels applied at right angles to 2 x 10 wood joists 16" o.c. with 6d coated nails, 1 7/8" long, 0.085" shank, 1/4" heads, two per joist. Wood joists supporting 5/8" interior plywood with exterior glue subfloor and 5/8" particle board, 1.5 pcf. 3 1/2" glass fiber insulation batts, 0.7 pcf, friction fit in joist cavities supported alternately every 12" by wire rods and resilient furring channels.			
Sound tested with carpet and pad and with insulation stapled to joists.			
Approx. Ceiling Weight: 2 pcf			
Fire Test: FM FC-181, 8-31-72			
Sound Test: G&H OC-3MT, 10-13-71			
IIC & Test: 73 C & P; G&H OC-3MT, 10-13-71			

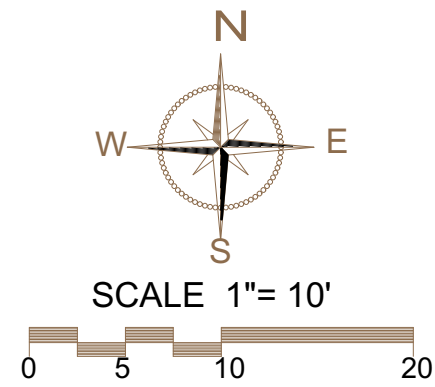
GA FILE NO. FC 5420	GENERIC	1 HOUR FIRE	35 to 39 STC SOUND
WOOD JOISTS, GYPSUM WALLBOARD			
One layer 5/8" type X gypsum wallboard or gypsum veneer base applied at right angles to 2 x 10 wood joists 16" o.c. with 6d coated nails, 1 7/8" long, 0.0915" shank, 1/4" heads, 6" o.c. Wood joists supporting 1" nominal wood subfloor and 1" nominal wood finish floor, or 1 1/2" plywood finished floor with long edges T & G and 1 1/2" interior plywood with exterior glue subfloor perpendicular to joists with joints staggered.			
Approx. Ceiling Weight: 2.5 pcf			
Fire Test: UL R3501-5, 9, 7-15-52; UL R1319-2, 3, 6-5-52; UL Design L 501; UL Design M500			
Sound Test: See FC 5410 (NGC 4024, 7-13-66)			
IIC & Test: 32 (66 C & P) NGC 5032, 7-19-66			
United States Gypsum Company 5492A			
Direct suspension			
When additional ceiling space is needed to accommodate large ducts or pipes, gypsum panels are screw-attached below a direct suspension system. This direct-hung steel ceiling grid consists of main beam runners 48" o.c. and cross furring channels spaced 24" o.c. A cross beam supports the edge of lighting fixtures. With 1/2" or 5/8" SHEETROCK Brand Gypsum Panels, FIRECODE C Core, screw-attached to this grid, a one-hour fire-rated wood joist floor/ceiling is provided. The assembly includes provision for lighting fixtures, air ducts and dampers.			
1 in.			
1/2" or 5/8" SHEETROCK Brand Gypsum Panels, FIRECODE C N/A cross ceiling—1" main wall sub & fin—2 x 10 wall pad 16" o.c.—susp grid with main run 48" o.c. and cross tees 24" o.c.—panels screw-att below grid—joints fit—UL Des L525			
Orig. Mt. 3			

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BOUNDARY & LOCATION
SURVEY

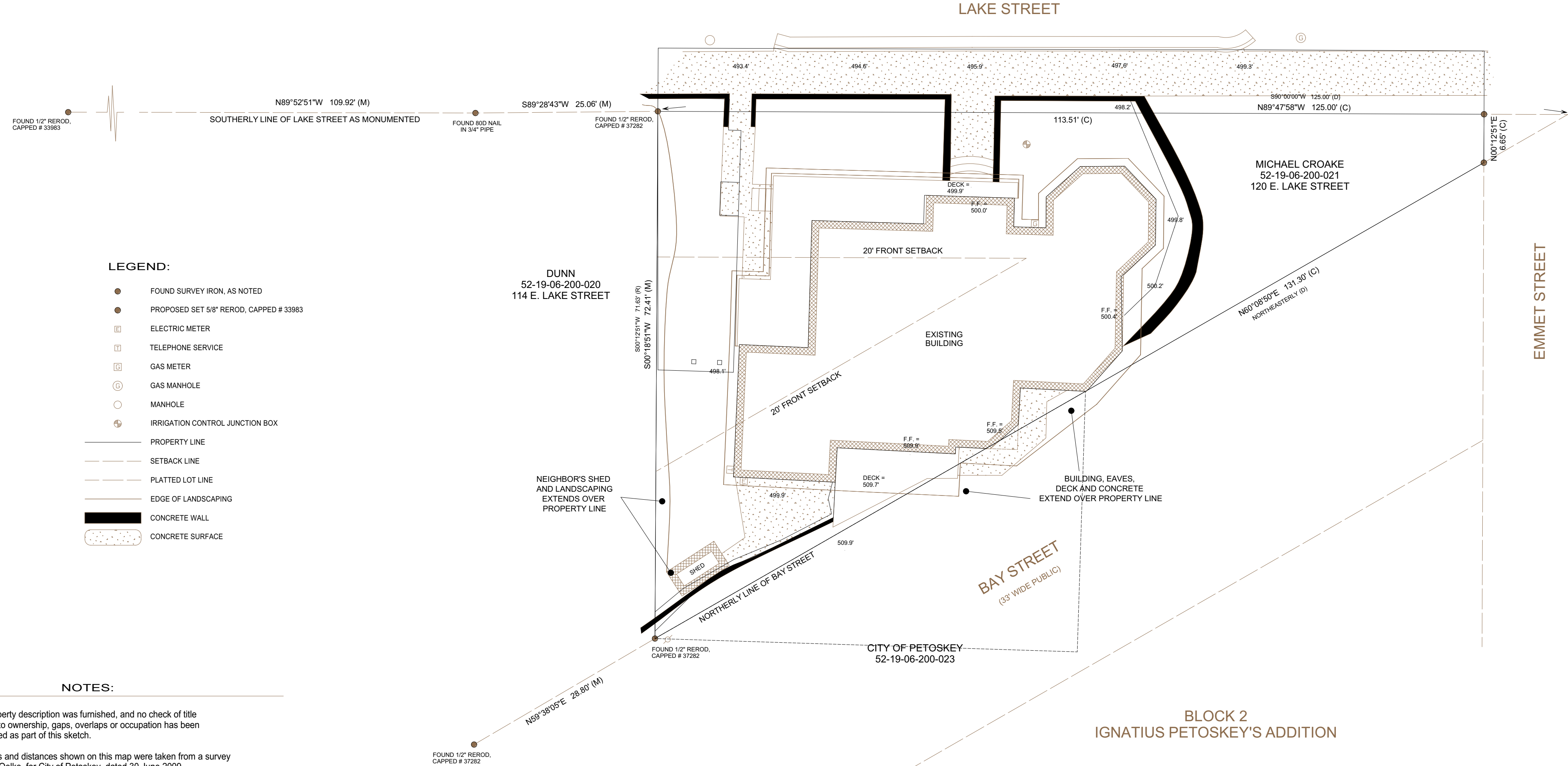
CROAKE PROPERTY
SECTION 6, T34N, R5W
CITY OF PETOSKEY, EMMET COUNTY, MICHIGAN



PRELIMINARY

ZONING REQUIREMENTS
VERIFY WITH CITY OF PETOSKEY

ZONING DISTRICT = O-S
SETBACKS: FRONT = 20' REAR = 20'
SIDE = 0'



LEGEND:

- FOUND SURVEY IRON, AS NOTED
- PROPOSED SET 5/8\"/>

NOTES:

The property description was furnished, and no check of title relative to ownership, gaps, overlaps or occupation has been performed as part of this sketch.

Bearings and distances shown on this map were taken from a survey by R.E. Oelke, for City of Petoskey, dated 30 June 2009.

This is a professional opinion concerning the location of the property boundaries depicted hereon, based upon the appropriate boundary law principles governed by the facts and evidence gathered and evaluated during the course of this survey. Monuments, that in the opinion of this surveyor represent the true and correct corners of the property being surveyed, have been found or set as indicated hereon. As a professional opinion, this survey carries with it no guarantees or warranties, expressed or implied.

This survey is not intended to be used in place of an ALTANSPS Land Title Survey, or to be used to remove the survey exceptions of a title insurance policy.

**BENCHMARK
ENGINEERING
INC.**
SURVEYORS CIVIL ENGINEERS
607 E. LAKE ST.
HARBOR SPRINGS, MICHIGAN 49740
PHONE (231) 526-2119 FAX (231) 526-7257
benchmark607@gmail.com

Client : EDGEWATER * CROAKE
Project Mgr : R.E. OELKE
Drawn By : SLE
Field By : WINTER
File : S21317.GXD
Job # : 21317
Sheet # : 1 OF 1

Date:	(revisions)	by
7 JULY 2021		

BOUNDARY & LOCATION SURVEY
SECTION 6, T34N, R5W, CITY OF PETOSKEY, EMMET COUNTY, MICHIGAN

SITE PLAN

SCALE: 1" = 10'

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DESIGN GROUP

DATE:	REVISIONS:	DATE:	BY:
06/25/21	SCHEMATIC DESIGN RELEASED FOR DEMOLITION PERMITS	LS	
07/27/21	CONSTRUCTION DOCUMENTS RELEASED FOR PERMITS & CONSTRUCTION	LS	

PROJECT EXCLUSIVELY DESIGNED FOR:
DENISE & MICHEAL CROAKE

DRAWING NAME:
SITE PLAN

JOB NO. EDG 21-23

SCALE: AS SHOWN

PLOTTED: 7/29/2021

SHEET:

A0.3



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07/27/21	CONSTRUCTION DOCUMENTS RELEASED FOR PERMITS + CONSTRUCTION	15

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DRAWING NAME:
EXIT/G/DEMO PLAN - MAIN LEVEL

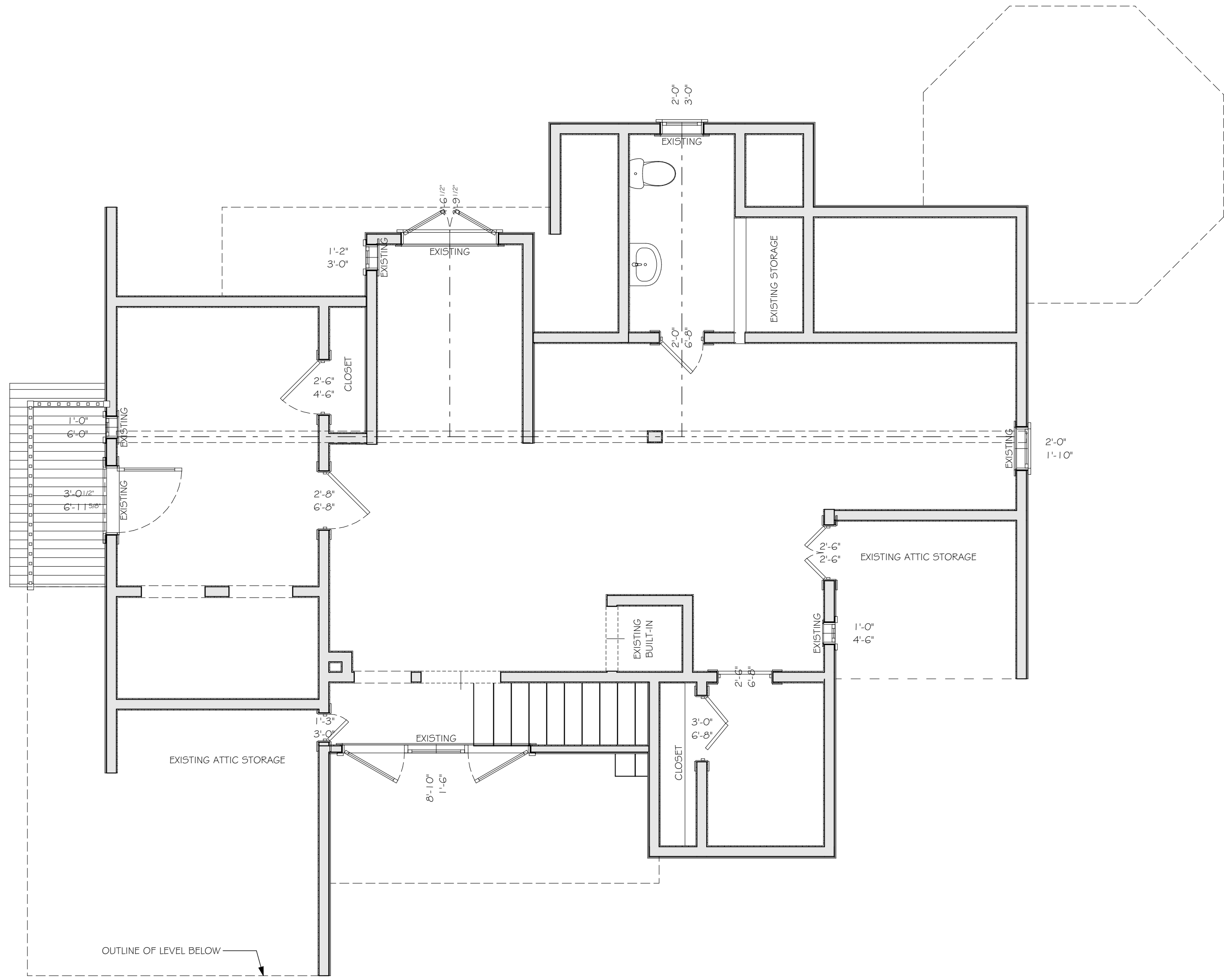
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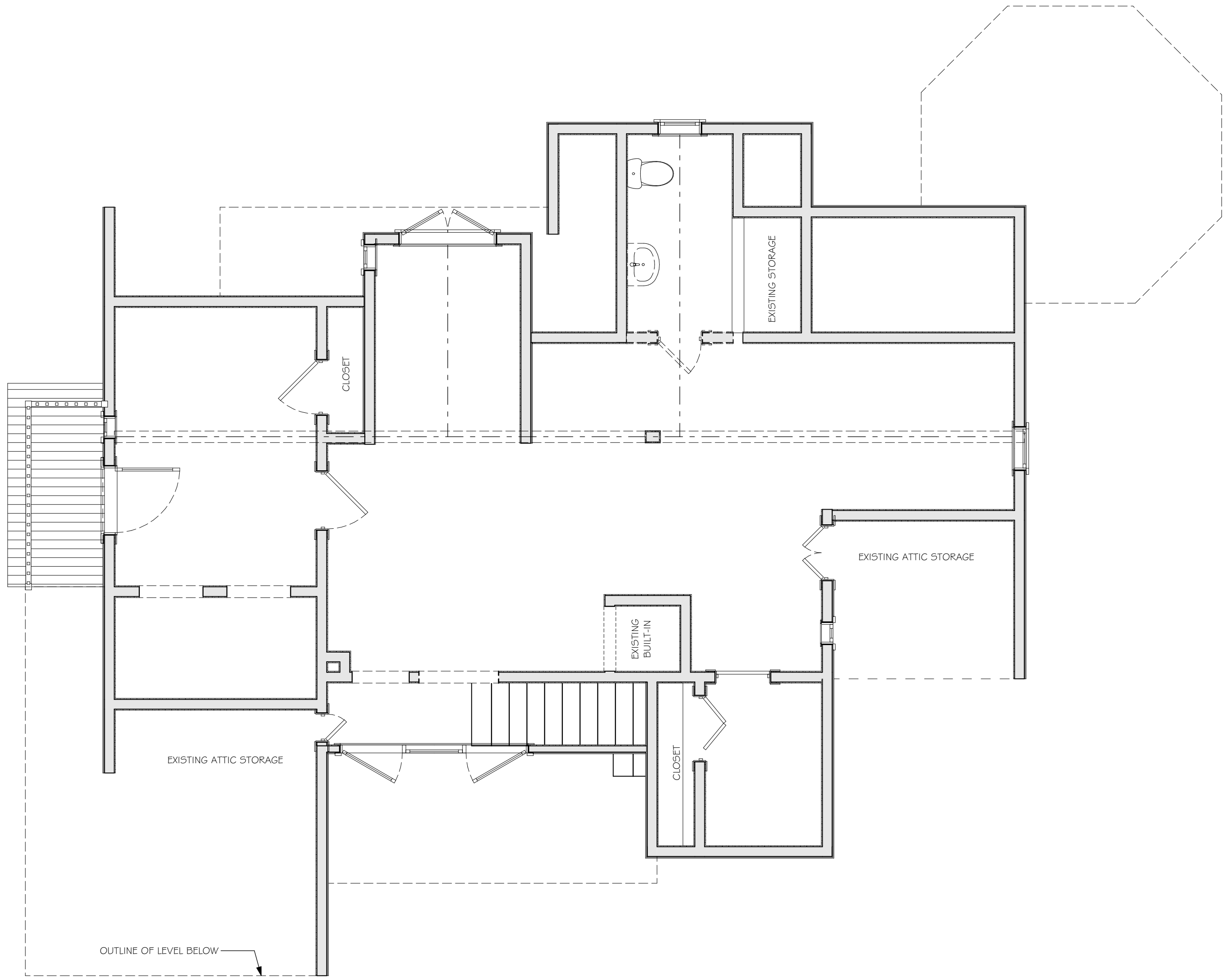
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FLOOR PLAN - THIRD LEVEL - EXISTING
SCALE: 1/4" = 1'-0"



FLOOR PLAN - THIRD LEVEL - DEMO
SCALE: 1/4" = 1'-0"

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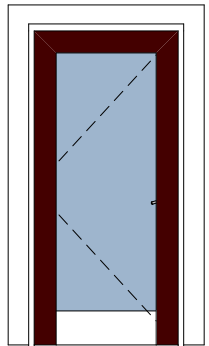
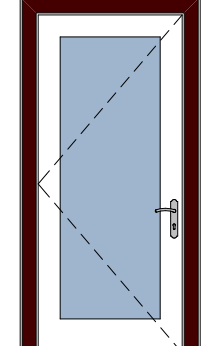
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EXIT/G/DEMO PLAN - THIRD LEVEL

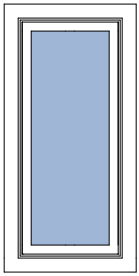
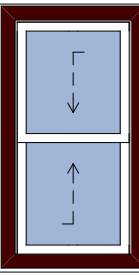
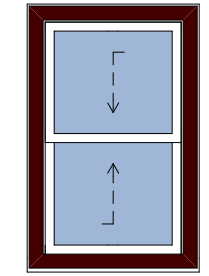
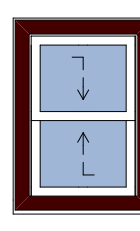
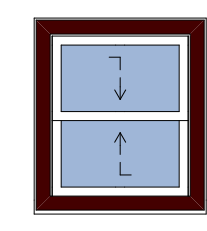
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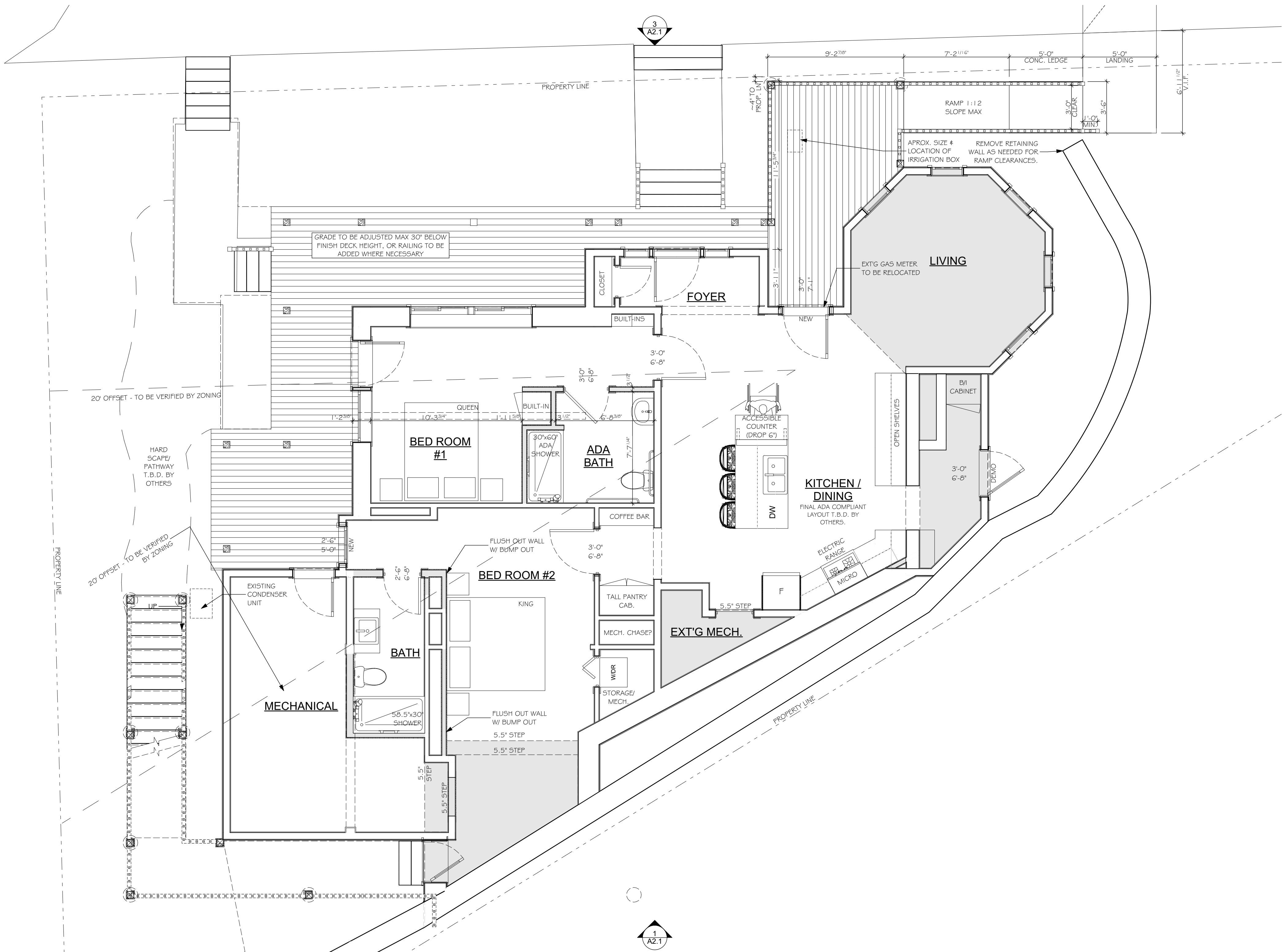
SCALE:
AS SHOWN

PLOTTED:
7/29/2021

SHEET:

EXTERIOR DOOR SCHEDULE		
LABEL	NEW	NEW
VIEW		
R.O. (W x H)	3'-2 3/4" x 6'-8 3/4"	3'-2 3/4" x 7'-2 3/4"
QUANTITY	2	1

WINDOW SCHEDULE					
LABEL	NEW	NEW	NEW	REPLACE	REPLACE
VIEW					
R.O. (W x H)	2'-2 3/4" x 5'-0 3/4"	2'-6 3/4" x 5'-0 3/4"	3'-0 3/4" x 5'-0 3/4"	2'-4 3/4" x 3'-6 3/4"	3'-0 3/4" x 3'-6 3/4"
QUANTITY	1	1	1	1	1



FLOOR PLAN - MAIN LEVEL - PLANNED
SCALE: 1/4" = 1'-0"

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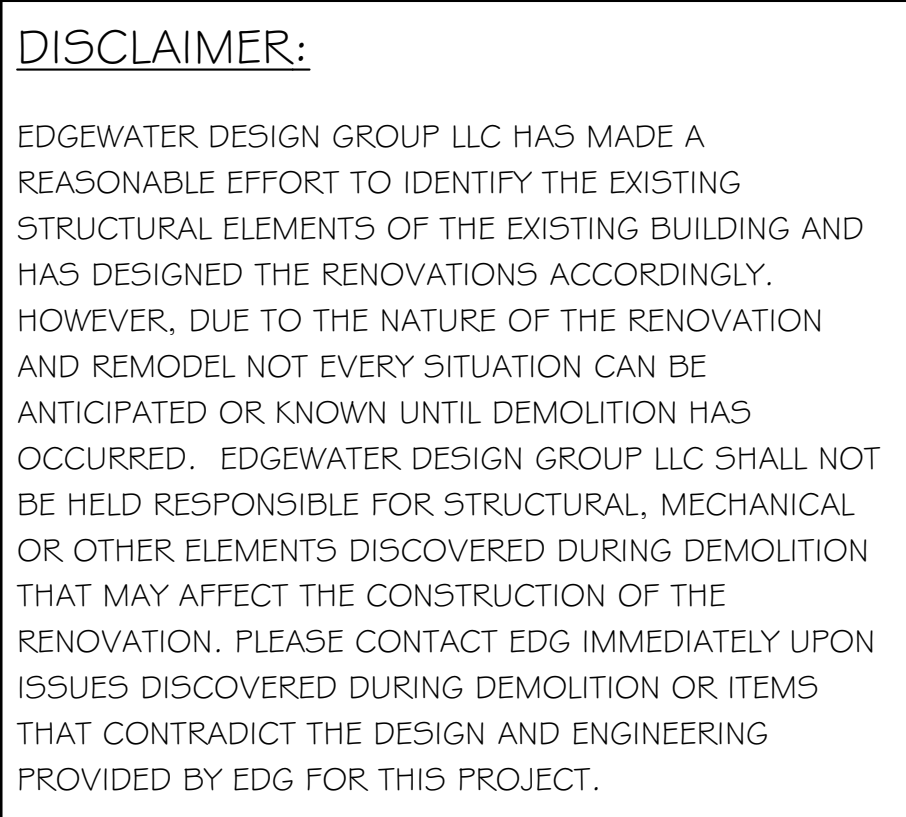
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PROJECT EXCLUSIVELY DESIGNED FOR:
DENISE & MICHEAL CROAKE

DRAWING NAME:
FLOOR PLAN - MAIN LEVEL

JOB NO.	EDG 21-23
SCALE:	AS SHOWN
PLOTTED:	7/29/2021
SHEET:	

A1.4



EDGEWATER
DESIGN GROUP

DATE:	REVISIONS:	Chg. By:
06/25/21	SCHEMATIC DESIGN RELEASED FOR DEMOLITION PERMITS	L5
07/12/21	CONSTRUCTION DOCUMENTS RELEASED FOR PERMITS & CONSTRUCTION	L5

PROJECT EXCLUSIVELY DESIGNED FOR:
DENISE & MICHEAL CROAKE
DRAWING NAME:
FLOOR PLAN - SECOND LEVEL

JOB NO. EDG 21-23

SCALE: AS SHOWN

PLOTTED: 7/29/2021

SHEET:

A1.5



3 EXTERIOR ELEVATION - REAR
A1.1 SCALE: 1/4" = 1'-0"

EDGEWATER
DESIGN GROUP

PROJECT EXCLUSIVELY DESIGNED FOR:
DENISE & MICHEAL CROAKE
DRAWING NAME:
EXTERIOR ELEVATIONS

A2.1

STRUCTURAL DESIGN NOTES

DESIGN CODE: 2015 MICHIGAN REHABILITATION CODE FOR EXIST BUILDINGS

1. THESE GENERAL NOTES APPLY TO ALL STRUCTURAL DRAWINGS AND SUPPLEMENT THE PROJECT SPECIFICATIONS WHICH SHALL BE REFERRED TO FOR ADDITIONAL REQUIREMENTS.

2. THE CONTRACTOR SHALL COMPLY WITH ALL FEDERAL, STATE, AND LOCAL SAFETY AND CONSTRUCTION REQUIREMENTS, INCLUDING BUT LIMITED TO OSHA AND MIOSHA. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR ALL DETERMINATIONS OF BRACING AND OTHERWISE, AND CONTRACTOR ACKNOWLEDGES THAT UPON BIDDING ON THESE DRAWINGS AND/OR PERFORMING THE WORK, HAS REVIEWED THE DRAWINGS, UNDERSTANDS THE DRAWINGS AND THE WORK TO BE DONE, AND ACKNOWLEDGES THAT IT HAS CONDUCTED A COMPLETE AND DETAILED INVESTIGATION OF THE WORK.

3. LOADS USED IN DESIGN:

LIVE LOADS:

- A. ROOF SNOW
GROUND SNOW LOAD (PG).....70 PSF
EXPOSURE FACTOR (CE).....1.0
THERMAL FACTOR (CT).....1.1
SNOW LOAD IMPORTANCE FACTOR (IS).....1.0
FLAT ROOF SNOW LOAD (PF).....54 PSF
ROOF DEAD
TOP CHORD.....12 PSF
BOTTOM CHORD.....8 PSF
B. FLOOR: LIVE
ALL AREAS.....40 PSF
FLOOR: DEAD.....20 PSF
C. WIND LOADS
ULTIMATE WIND SPEED.....115 MPH (VASD =89MPH)
EXPOSURE.....C
SURFACE ROUGHNESS.....Kzt = 1.0
WIND LOAD IMPORTANCE CATEGORY (C).....1.0

- D. SEISMIC
SEISMIC DESIGN CATEGORY.....A
GENERAL STRUCTURAL INTEGRITY.....FX=0.01Wx

4. FOUNDATIONS:

- A. THIS STRUCTURE HAS BEEN DESIGNED TO BEAR ON SPREAD FOOTINGS PLACED ON UNDISTURBED NATURAL SOILS OR COMPACTED GRANULAR ENGINEERED FILL THE ASSUMED ALLOWABLE SOIL BEARING PRESSURE IS 2,000 PSF.
B. ALL FOOTINGS SHALL BE SET A MINIMUM OF 3'-6" BELOW GRADE OR FROST DEPTH PER LOCAL BUILDING CODE REQUIREMENTS.
C. THE G.C. SHALL BE RESPONSIBLE TO SECURE THE SERVICES OR PROVIDE, AS REQUIRED, ALL EARTHWORK INCLUDING PROVIDING ALL EQUIPMENT, MATERIALS AND QUALIFIED LABOR NECESSARY FOR EXCAVATION, DEWATERING SYSTEMS (IF REQUIRED), BACKFILL AND COMPACTION OF THE SOIL AS REQUIRED TO CONSTRUCT STRUCTURES TO THE LINE AND GRADE AS SHOWN ON THESE PLANS.
D. EXCAVATE TO ELEVATIONS AND DIMENSIONS SHOWN ON THE PLANS WITHIN A TOLERANCE OF ±0.04'. EXCAVATE BY HAND TO FINAL GRADE FOR FOOTINGS.
E. BACKFILL ALL STRUCTURAL WORK WITH CLEAN GRANULAR FILL. ONSITE MATERIAL SHALL BE TESTED AND CONFORM TO MDOT CLASS 2 BEFORE BEING PERMITTED, OTHERWISE BACKFILL MATERIAL SHALL BE IMPORTED THAT MEETS THOSE REQUIREMENTS. DO NOT BACKFILL WITH FROZEN MATERIALS. BACKFILL EACH SIDE OF FOUNDATION WALL SIMULTANEOUSLY, DO NOT BACKFILL BASEMENT WALLS UNTIL BASEMENT FLOOR AND FIRST FLOOR FRAMING AND SHEATHING HAVE BEEN INSTALLED.
F. COMPACT SOILS BELOW FOOTINGS AND CONCRETE FLOOR SLABS IN 6" MAX. LIFTS TO A MINIMUM 95% MODIFIED PROCTOR DENSITY. (ASTMD 1557)

G. GENERAL CONTRACTOR SHALL VERIFY LOCATION OF ALL MECHANICAL LINES BEFORE CASTING FOUNDATIONS AND PROVIDE SLEEVES, LOWER FOUNDATIONS, OR CAST PROTECTION AROUND LINES AS REQUIRED.

H. NO BOND BREAKER OR COMPRESSIBLE JOINT FILLER SHALL BE PLACED BETWEEN SLAB ON GRADE AND FOUNDATION WALLS OR FOOTINGS.

5. COORDINATION:

- A. STRUCTURAL DRAWINGS SHALL BE COORDINATED WITH MECHANICAL AND ARCHITECTURAL DRAWINGS. CONTRACTOR SHALL REPORT DISCREPANCIES TO THE ARCHITECT/ ENGINEER. REFER TO MECHANICAL, ELECTRICAL AND ARCHITECTURAL DRAWINGS FOR OPENINGS NOT SHOWN ON STRUCTURAL DRAWINGS. NO OPENING SHALL BE MADE IN ANY STRUCTURAL MEMBER WITHOUT THE WRITTEN APPROVAL OF THE ARCHITECT/ENGINEER.
B. THE STRUCTURE IS DESIGNED TO FUNCTION AS A UNIT UPON COMPLETION. THE CONTRACTOR IS RESPONSIBLE FOR FURNISHING ALL TEMPORARY BRACING AND/ OR SUPPORT THAT MAY BE REQUIRED AS THE RESULT OF THE CONTRACTOR'S CONSTRUCTION METHODS AND/ OR SEQUENCES.
C. DO NOT SCALE DRAWINGS- USE DIMENSIONS OR REQUEST CLARIFICATION FROM ARCHITECT/ENGINEER.

6. CONCRETE:

- A. CONCRETE MATERIALS-ASTM C94
PORTLAND CEMENT: ASTM C150, TYPE I / II.
FLY ASH: ASTM C618, CLASS C OR F. MAX 15% REPLACEMENT.
NORMAL-WEIGHT AGGREGATE: ASTM C33, UNIFORMLY GRADED, NOT LESS THAN 35, NOMINAL MAXIMUM AGGREGATE SIZE- 1 INCH.
WATER - POTABLE AND COMPLYING WITH ASTM C94.
GROUND GRANULATED BLAST FURNACE SLAG CEMENT, NEUTRAL SET, MAX 15% REPLACEMENT. GGBFSC SHALL NOT BE INCLUDED IN EXTERIOR FLATWORK CONCRETE.
B. ADMIXTURES- ADMIXTURES CERTIFIED BY MANUFACTURER TO CONTAIN NOT MORE THAN 0.1 PERCENT WATER -SOLUBLE CHLORIDE IONS BY MASS OF CEMENTITIOUS MATERIAL AND TO BE COMPATIBLE WITH OTHER ADMIXTURES AND CEMENTITIOUS MATERIALS. DO NOT USE ADMIXTURES CONTAINING CALCIUM CHLORIDE. WATER-REDUCING ADMIXTURE: ASTM C494, TYPE A.
C. STEEL REINFORCEMENT-
REINFORCING BARS: ASTM A615, GRADE 60, DEFORMED.
WELDABLE LOW ALLOW RE-BARS: ASTM A706, GRADE 60, DEFORMED.
PLAIN STEEL WIRE: ASTM A82, AS DRAWN.
STEEL WELDED WIRE REINF., PLAIN, FOR CONC, ASTM A185
FY=75KSI
D. CONCRETE MIXES- PREPARE DESIGN MIXES FOR EACH TYPE AND STRENGTH OF CONCRETE DETERMINED BY EITHER LABORATORY TRIAL MIX OR FIELD TEST DATABASES. PROPORTION CONCRETE ACCORDING TO ACI 211.1 AND ACI 301
1) FOOTINGS AND FOUNDATION WALLS-
COMPRESSIVE STRENGTH 3,500 PSI, WATER: CEMENT RATIO .50 MAX, MAX SLUMP 6". ENTRAINED, AIR 6% ± 1.5%
2) INTERIOR AND BASEMENT SLAB ON GRADE- COMPRESSIVE STRENGTH (28 DAYS) 4,000 PSI, MAX. 45 WATER: CEMENT RATIO. MAX SLUMP 6" NO ENTRAINED AIR REQUIRED, 3% MAX.
3) EXTERIOR AND GARAGE SLAB ON GRADE- COMPRESSIVE STRENGTH (28 DAYS): 4,500 PSI, MAX SLUMP 6 INCHES. MAX WATER- CEMENT RATIO 0.40 AIR CONTENT: 6% ± 1.5% LIMIT WATER- SOLUBLE CHLORIDE-ION CONTENT IN HARDENED CONCRETE TO 0.15%. USE ADMIXTURES ACCORDING TO MANUFACTURERS WRITTEN INSTRUCTIONS.

E. DESIGN, ERECT, SHORE, BRACE, AND MAINTAIN FORMWORK, ACCORDING TO ACI 301. DO NOT USE RUST-STAINED STEEL FORM-FACING MATERIAL. PROVIDE TEMPORARY OPENINGS FOR CLEANOUTS

AND INSPECTION PORTS WHERE INTERIOR AREA OF FORMWORK IS INACCESSIBLE. CHAMFER EXTERIOR CORNERS AND EDGES OF PERMANENTLY EXPOSED CONCRETE. FORM OPENINGS, OFFSETS, KEYWAYS, AND BULKHEADS REQUIRED IN THE WORK. DETERMINE SIZES AND LOCATIONS FROM TRADES PROVIDING SUCH ITEMS.

F. FORM TIES: FACTORY-FABRICATED, FORM TIES DESIGNED TO RESIST LATERAL PRESSURE OF FRESH CONCRETE ON FORMS AND TO SUPPORT REINFORCING STEEL IN POSITIONS INDICATED ON THE DRAWINGS DURING CONCRETING AND CONSOLIDATION.

G. PLACE AND SECURE ANCHORAGE DEVICES AND OTHER EMBEDDED ITEMS. USE SETTING DRAWINGS, TEMPLATES, AND DIRECTIONS FURNISHED WITH ITEMS TO BE EMBEDDED. INSTALL ANCHOR BOLTS, ACCURATELY LOCATED, TO ELEVATION REQUIRED.

H. COMPLY WITH "CRSI'S MANUAL OR STANDARD PRACTICE" FOR FABRICATING AND PLACING REINFORCEMENT. CLEAN REINFORCEMENT OR LOOSE RUST AND MILL SCALE, EARTH, AND ICE. ACCURATELY POSITION, SUPPORT AND SECURE REINFORCEMENT AGAINST DISPLACEMENT. LOCATE AND SUPPORT REINFORCEMENT WITH BAR SUPPORTS TO MAINTAIN MINIMUM CONCRETE COVER. DO NOT TACK WELD CROSSING REINFORCING BARS.

I. IF TEMPERATURE AT THE BUILDING SITE FALLS BELOW 50° FAHRENHEIT AT ANY TIME DURING THE FIRST 24 HOURS AFTER POUR. FOLLOW THE RECOMMENDATIONS IN GUIDE TO COLD WEATHER CONCRETE ACI 306R. CONVERSELY, TEMPERATURES ABOVE 77° FAHRENHEIT REQUIRE CONFORMANCE WITH GUIDE TO HOT WEATHER CONCRETE ACI 305 R.

J. BEFORE PLACING CONCRETE, VERIFY THAT INSTALLATION OF FORMWORK, REINFORCEMENT, AND EMBEDDED ITEMS IN COMPLETE AND THAT REQUIRED INSPECTIONS HAVE BEEN PERFORMED. WATER SHOWN ON BATCH TICKET AS BEING WITHHELD MAY ONLY BE ADDED AT PROJECT SITE, BEFORE ANY CONCRETE HAS BEEN DISCHARGED AND BE SUBJECT TO LIMITATIONS OF ACI 301. DO NOT ADD WATER TO CONCRETE AFTER ADDING HIGH-RANGE WATER-REDUCING ADMIXTURES TO MIX. CONCRETE TESTING SHALL BE AFTER ANY FIELD ADJUSTMENTS AND THOROUGH MIXING.

K. ALL CONCRETE PUMP PRIMING SLURRY SHALL BE PLACED OUTSIDE OF PROJECT AREA AND NOT INCLUDED IN THE WORK.

L. DEPOSIT CONCRETE CONTINUOUSLY OR IN LAYERS OF SUCH THICKNESS THAT NO NEW CONCRETE WILL BE PLACED ON CONCRETE THAT HAS HARDENED ENOUGH TO CAUSE SEAMS OR PLANES OF WEAKNESS. DEPOSIT CONCRETE TO AVOID SEGREGATION. DEPOSIT CONCRETE IN FORMS IN HORIZONTAL LAYERS NO DEEPER THAN 24 INCHES AND IN A MANNER TO AVOID INCLINED CONSTRUCTION JOINTS. PLACE EACH LAYER WHILE PRECEDING LAYER IS STILL PLASTIC, TO AVOID COLD JOINTS.

M. CONSOLIDATE ALL PLACED CONCRETE WITH INTERNAL MECHANICAL VIBRATING EQUIPMENT. EXTERIOR FORM VIBRATION IS NOT SUFFICIENT. DO NOT USE VIBRATORS TO TRANSPORT CONCRETE INSIDE FORMS.

N. PATCH TIE HOLES AND REPAIR DEFECTIVE AREAS. REMOVE FINS AND OTHER PROJECTIONS EXCEEDING ACI 347R LIMITS FOR CLASS B SURFACE.

7. WOOD:

- A. FRAMING LUMBER: (UNLESS NOTED OTHERWISE)
(1) INTERIOR:
STUDS & TRIMMERS: SPRUCE-PINE-FIR # 1 OR #2
WALL HORIZONTAL PLATES.....5PF. #1 OR #2
(2) EXTERIOR:
JOISTS & POSTS:.....P.T. #2 SYP, U.N.O.
(3) ALL COMPOSITE WOOD PRODUCTS DESIGNED AS TRUSS JOIST
MACMILLAN. FOLLOW ALL REQUIREMENTS AND RECOMMENDATIONS OF MANUFACTURER.
A. LVL= 2.0E, FB=2900 PSI, LAMINATED VENEER LUMBER
B. LSL= 1.55E, FB=2325 PSI, LAMINATED STRAND LUMBER

A. ALL WOOD IN DIRECT CONTACT WITH CONCRETE SHALL BE PRESSURE TREATED. WOOD SILL PLATES LOCATED INTERIOR OF EXTERIOR SIDING MAY BE TREATED BEFORE BORATE BASED PRESERVATIVE. ALL WOOD FRAMING AND SHEATHING SUPPORTING STONE / MASONRY VENEER LOCATED OUTSIDE THE BUILDING ENVELOPE SHALL BE PRESSURE TREATED.

B. ALL DOUBLE TOP PLATES ARE TO BE INSTALLED TO PROVIDE INTERLEAVING AT CORNERS AND INTERSECTIONS WITH BEARING PARTITIONS. BUTT JOINTS OF TOP PLATES SHALL BE OFFSET 24" MINIMUM.

C. GLUE AND NAIL 2X STUDS TOGETHER TO FORM BUILT-UP WOOD COLUMNS. USE A NUMBER OF STUDS FOR EACH COLUMN SUCH THAT THE COLUMN WIDTH EQUALS OR EXCEEDS THE WIDTH OF THE SUPPORTED MEMBER BUT IN NO CASE LESS THAN TWO (2) STUDS. MINIMUM NAILING: (3) 0.130" X 3.5" NAILS @ 6" O.C. FROM EACH DIRECTION, OFFSET BY 3"

D. ALL EXTERIOR HEADER MATERIAL TO BE 3 1/2"x9 1/2" 1.55E TIMBERSTRAND LSL OR EQUIVALENT. UNLESS NOTED OTHERWISE.

E. ALL INTERIOR 2X6 BEARING WALLS SHALL BE SHEATHED ON ONE SIDE WITH 1/2" OSB, NAIL TO STUDS AT 4" O.C. AT PANEL PERIMETER AND 12" O.C. ON INTERIOR STUDS.

F. USE SIMPSON H1 HURRICANE TIE AT EACH SINGLE PLY 2X RAFTER/LADDER & PRE- ENGINEERED TRUSS SEAT. USE SIMPSON H2.5 HURRICANE TIE AT EACH MULTI-PLY 2X RAFTER/LADDER & PRE- ENGINEERED TRUSS SEAT. USE SIMPSON ST 2115 STRAP TIES OVER EACH RAFTER AT RIDGE BEAM/BOARD. UNLESS NOTED OTHERWISE ON ROOF FRAMING PLAN.

G. ALL WOOD CONSTRUCTION SHALL BE IN CONFORMANCE WITH THE PROVISIONS OF THE 'NATIONAL DESIGN SPECIFICATION (NDS) FOR WOOD CONSTRUCTION 2012 EDITION".

H. CALCULATED LIVE LOAD DEFLECTIONS OF FLOOR JOIST SHALL NOT EXCEED 1/480 OF THE SPAN LENGTH. DEAD LOAD FLOOR JOIST DEFLECTION SHALL NOT EXCEED 0.375 INCHES.

I. ANY SUBSTITUTION OF ENGINEERED WOOD PRODUCTS (EWP), AS NOTED ON THESE DRAWINGS, WITHOUT THE PRIOR WRITTEN APPROVAL FROM THE STRUCTURAL ENGINEER OF RECORD, VOIDS ANALYSIS.

J. ALL FLOORS ARE TO BE SHEATHED WITH 3/4" OSB MINIMUM WITH SUBFLOOR CONSTRUCTION ADHESIVE AND 8D NAILS SPACED 6" O.C. AROUND PANEL EDGES AND 12" O.C. ON INTERMEDIATE JOIST, UNO. FLOOR TRUSS STRONG BACK BRIDGING TO BE 2X8XCONT. 8' O.C. MAXIMUM, UNO.

K. ALL ROOF SHEATHING TO BE 5/8" O.S.B. , 40/20 APA RATING MINIMUM WITH A SPAN NOT GREATER THAN 24". G.C. TO PROVIDE PANEL CLIPS, TONGUE AND GROOVE, OR SOLID BLOCKING AT UNSUPPORTED PANEL EDGES.

L. ROOF SHEATHING TO BE NAILED TO FRAMING WITH 8D NAILS SPACED 6" O.C. AROUND PANEL EDGES AND 12" O.C. ROOF TRUSS LATERAL BRACING TO BE 8' O.C. AND LATERAL WEB BRACING SHALL BE Laterally Braced At 20' O.C. MAXIMUM, UNO.

M. ALL EXTERIOR WALLS ARE TO BE FULLY SHEATHED WITH 1/2" O.S.B., 24/16 APA RATED SHEATHING, EXPOSURE 1 (APPLIED FULL HEIGHT), W/ 8D COMMON (2.5" X 0.131" DIAMETER) NAILS AT 6" O.C. AT ALL EDGES AND 12" O.C. IN THE FIELD UNLESS NOTED OTHERWISE. REFER TO SHEAR WALL PLANS AND SCHEDULE.

301 E. MITCHELL STREET
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(231) 348-0497

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EDGEWATER
DESIGN GROUP

DATE:	REVISED BY:	REVISIONS:				
		DATE	BY	DESCRIPTION	DATE	BY
06/25/21	LS			SCHEMATIC DESIGN RELEASED FOR DEMOLITION PERMITS		
07/27/21	LS			CONSTRUCTION DOCUMENTS RELEASED FOR PERMITS & CONSTRUCTION		

PROJECT EXCLUSIVELY DESIGNED FOR:
DENISE & MICHEAL CROAKE

DRAWING NAME:
STRUCTURAL DESIGN NOTES

JOB NO. EDG 21-23

SCALE: AS SHOWN
PLOTTED: 7/29/2021
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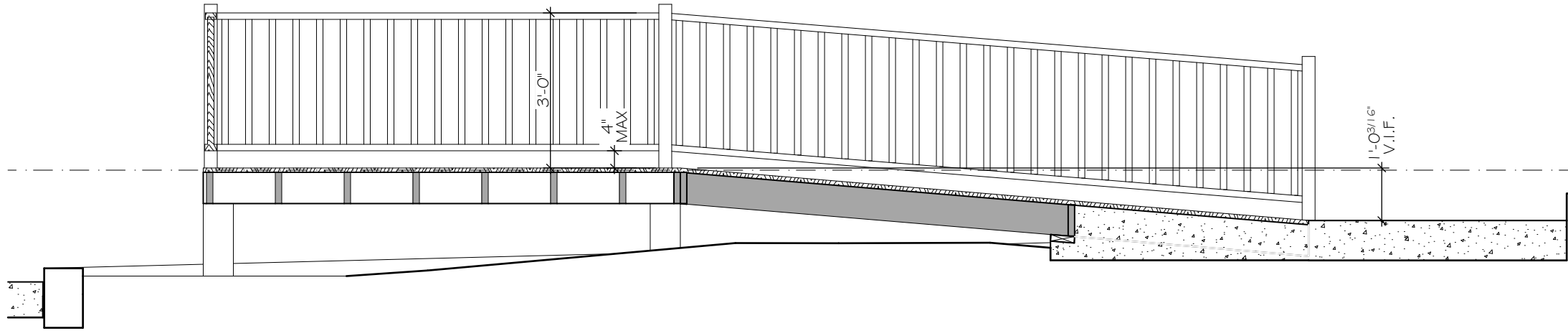
BEAM DESIGNATION:
PSL INDICATES A PARALLAM STRAND LUMBER, MANUFACTURED BY ILEVEL, INC. (2.0E)
LVL INDICATES A LAMINATED VENEER LUMBER, MANUFACTURED BY ILEVEL, INC. (1.9E)
LSL INDICATES A LAMINATED STRAND LUMBER, MANUFACTURED BY ILEVEL, INC. (1.55E)
G.L. INDICATES A GLU-LAM BEAM - DOUGLAS FIR 24F-1.8E (24F-V4), DFDF.

COLUMN DESIGNATION:
PSL INDICATES A PARALLAM STRAND LUMBER, MANUFACTURED BY ILEVEL, INC. (1.8E)

MATERIAL SUBSTITUTION:
STRUCTURAL COMPONENTS AND MATERIALS SPECIFIED ON THESE DRAWING SHALL NOT BE REPLACED OR BE SUBSTITUTED WITH PRODUCTS OF LESSER DIMENSIONS (INCLUDING MULTI-PLY LVL MEMBERS IN LIEU OF SOLID PSL MEMBERS) OR ENGINEERING METRICS WITHOUT THE PRIOR WRITTEN APPROVAL OF EDGEWATER DESIGN GROUP.

LOWER LEVEL WALL HEADER SCHEDULE					
BEAM ID	WIDTH	DEPTH	DESCRIPTION	PLACEMENT	QTY.
(3) 2x6	4 1/2"	5 1/2"			2

DISCLAIMER:
MINIMUM REQUIREMENTS SHOWN TO MEET ADA STANDARDS. IF
ALTERNATE RUN LENGTH (AT A LESSER SLOPE) ALLOW5 FOR MORE
EFFICIENT TIE IN CONDITIONS, G.C. TO COORDINATE
ADJUSTMENTS TO REMAIN WITHIN PERMITTABLE ADA STANDARDS.



2 S1.1 BUILDING SECTION
SCALE: 3/8" = 1'-0"

FRAMING PLAN - MAIN LEVEL WALLS & HEADERS
SCALE: 1/4" = 1'-0"

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STRUCTURAL ELEMENTS OF THE EXISTING BUILDING AND
HAS DESIGNED THE RENOVATIONS ACCORDINGLY.
HOWEVER, DUE TO THE NATURE OF THE RENOVATION
AND REMODEL NOT EVERY SITUATION CAN BE
ANTICIPATED OR KNOWN UNTIL DEMOLITION HAS
OCCURRED. EDGEWATER DESIGN GROUP LLC SHALL NOT
BE HELD RESPONSIBLE FOR STRUCTURAL, MECHANICAL
OR OTHER ELEMENTS DISCOVERED DURING DEMOLITION
THAT MAY AFFECT THE CONSTRUCTION OF THE
RENOVATION. PLEASE CONTACT EDG IMMEDIATELY UPON
ISSUES DISCOVERED DURING DEMOLITION OR ITEMS
THAT CONTRADICT THE DESIGN AND ENGINEERING
PROVIDED BY EDG FOR THIS PROJECT.

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DRAWING NAME:
FRAMING PLAN - MAIN LEVEL WALLS

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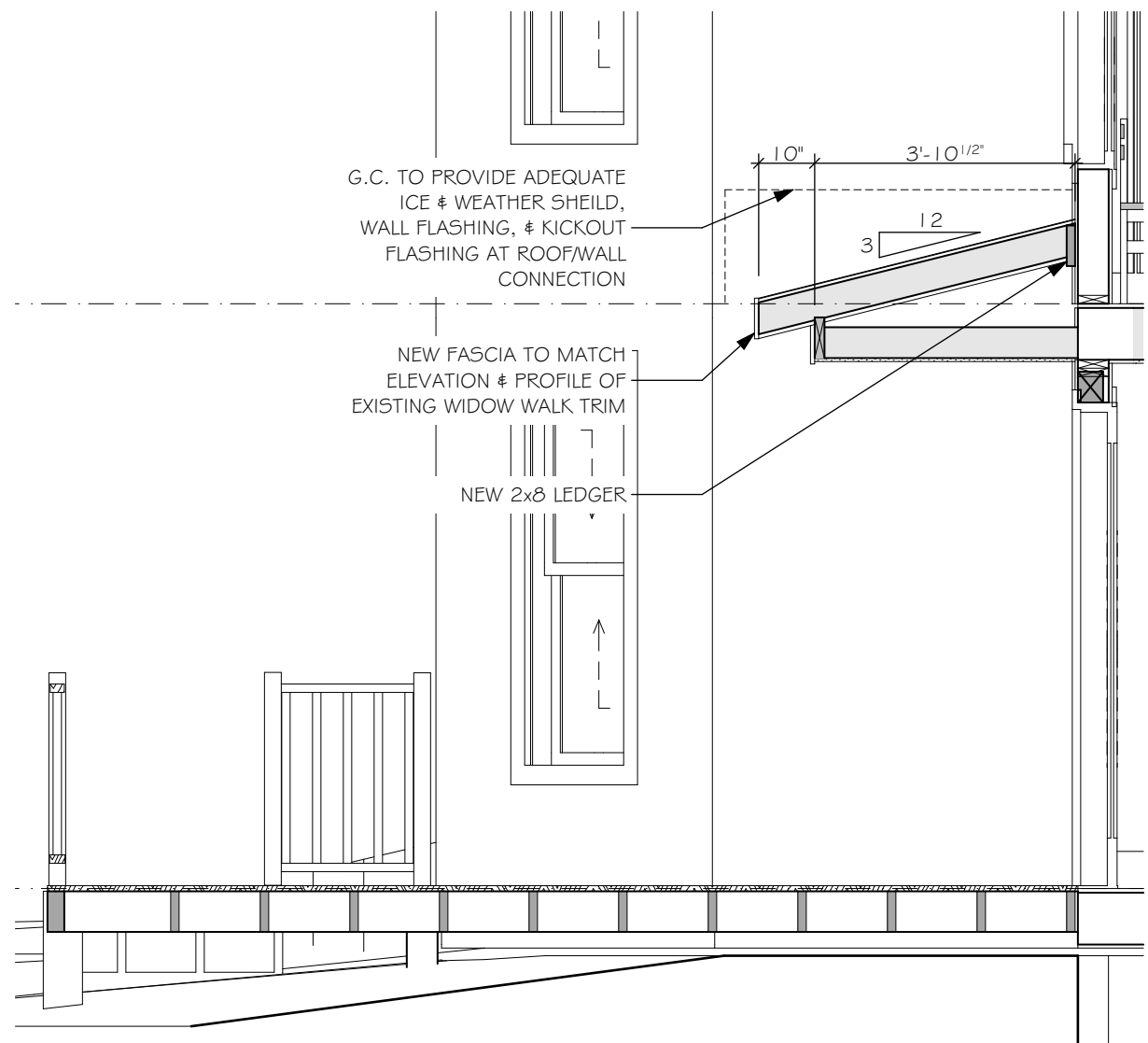
S1.1

BEAM DESIGNATION:
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LVL INDICATES A LAMINATED VENEER LUMBER, MANUFACTURED BY LEVEL, INC. (1.9E)
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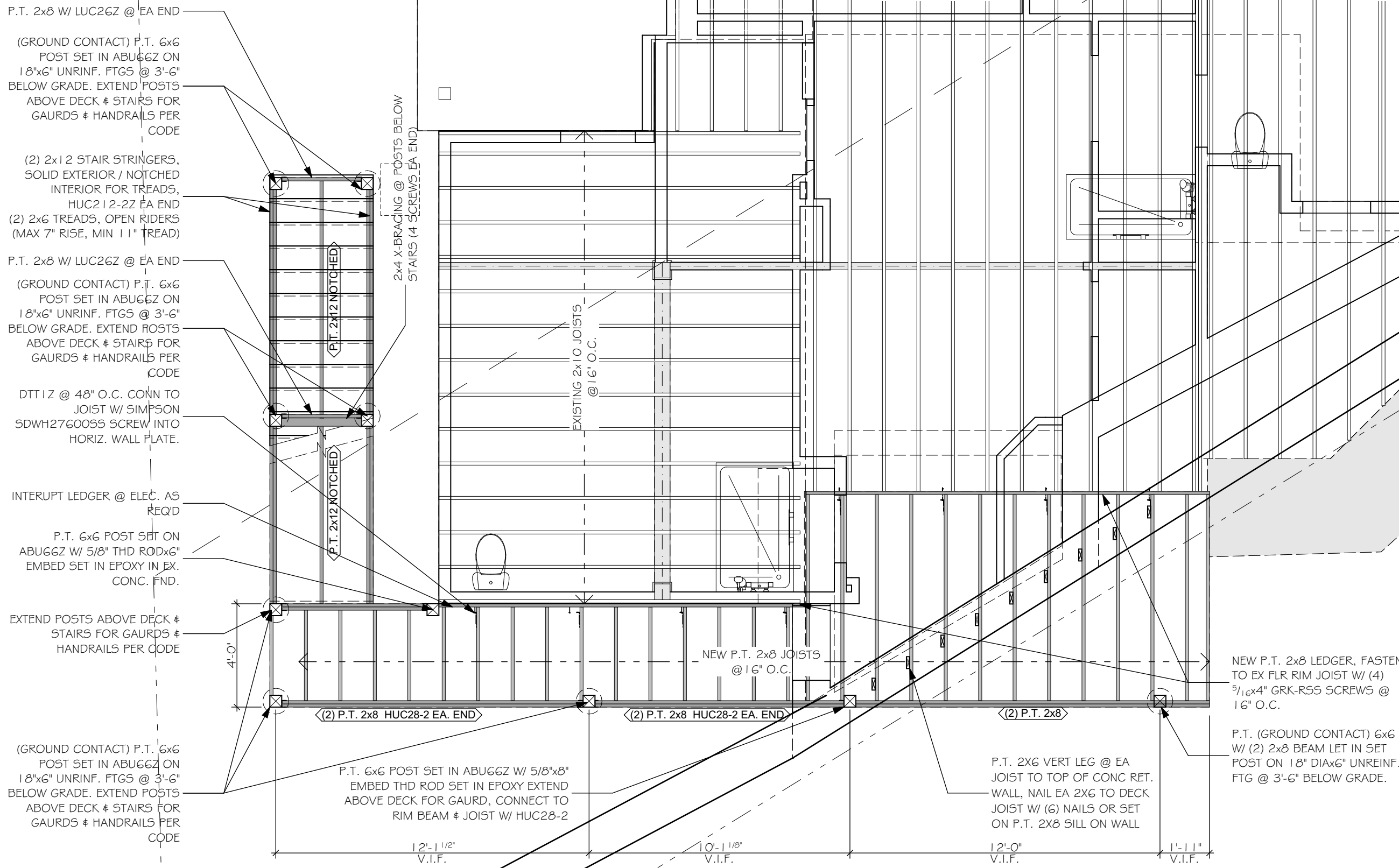
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MAIN LEVEL FLOOR BEAM SCHEDULE					
BEAM ID	WIDTH	DEPTH	DESCRIPTION	PLACEMENT	QTY.
1.3/4 x 7 1/4 LVL	1.3/4"	7.1/4"			1



1
S1.2 BUILDING SECTION
SCALE: 3/8" = 1'-0"



FRAMING PLAN - SECOND LEVEL FLOOR
SCALE: 1/4" = 1'-0"

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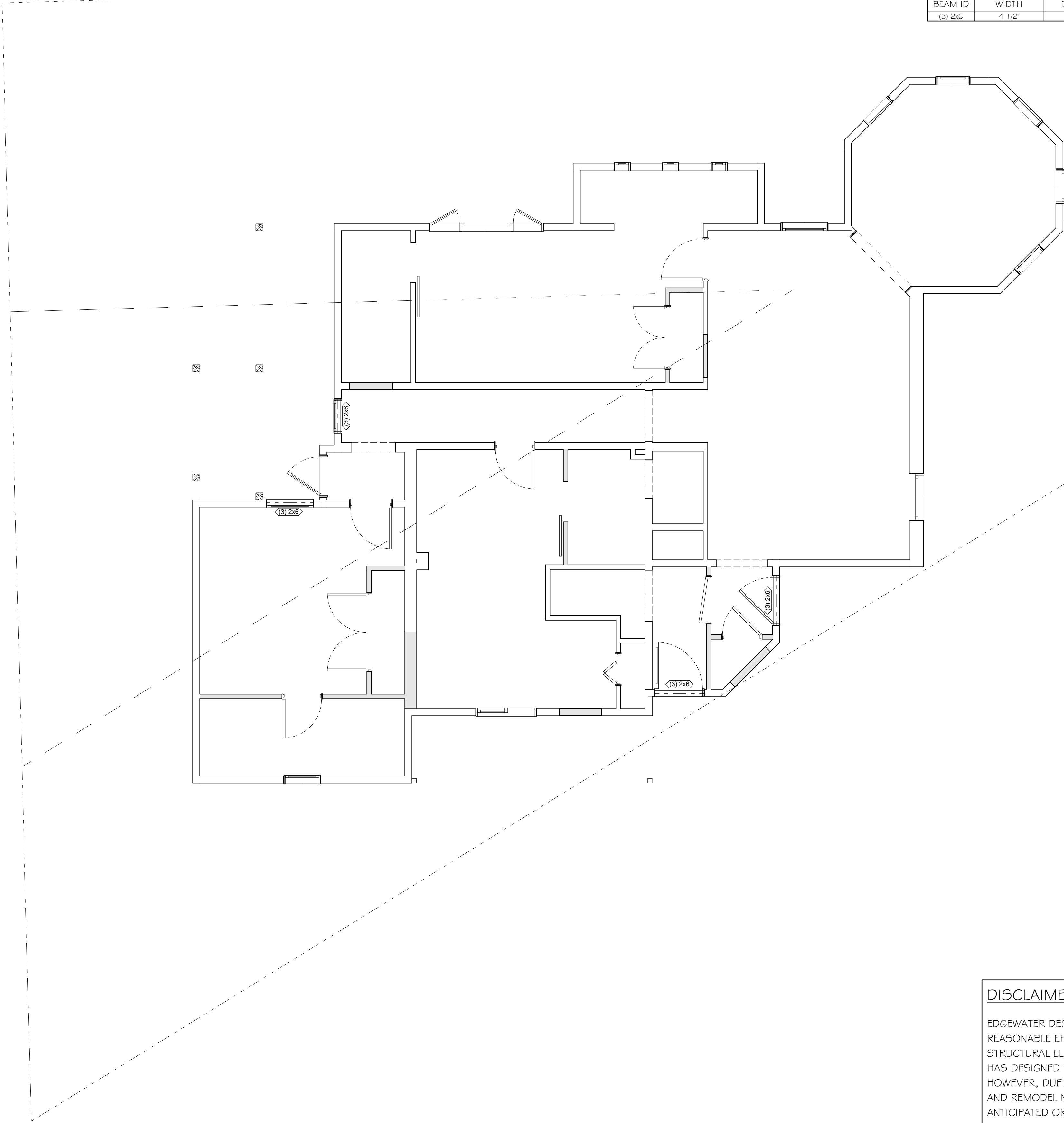
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DENISE & MICHEAL CROAKE		
JOB NO.		EDG 21-23
SCALE:		AS SHOWN
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SHEET:		S1.2

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MAIN LEVEL WALL HEADER SCHEDULE					
BEAM ID	WIDTH	DEPTH	DESCRIPTION	PLACEMENT	QTY.
(3) 2x6	4 1/2"	5 1/2"			4



FRAMING PLAN - SECOND LEVEL WALLS & HEADERS

SCALE: 1/4" = 1'-0"

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DENISE & MICHEAL CROAKE

JOB NO. **EDG 21-23**

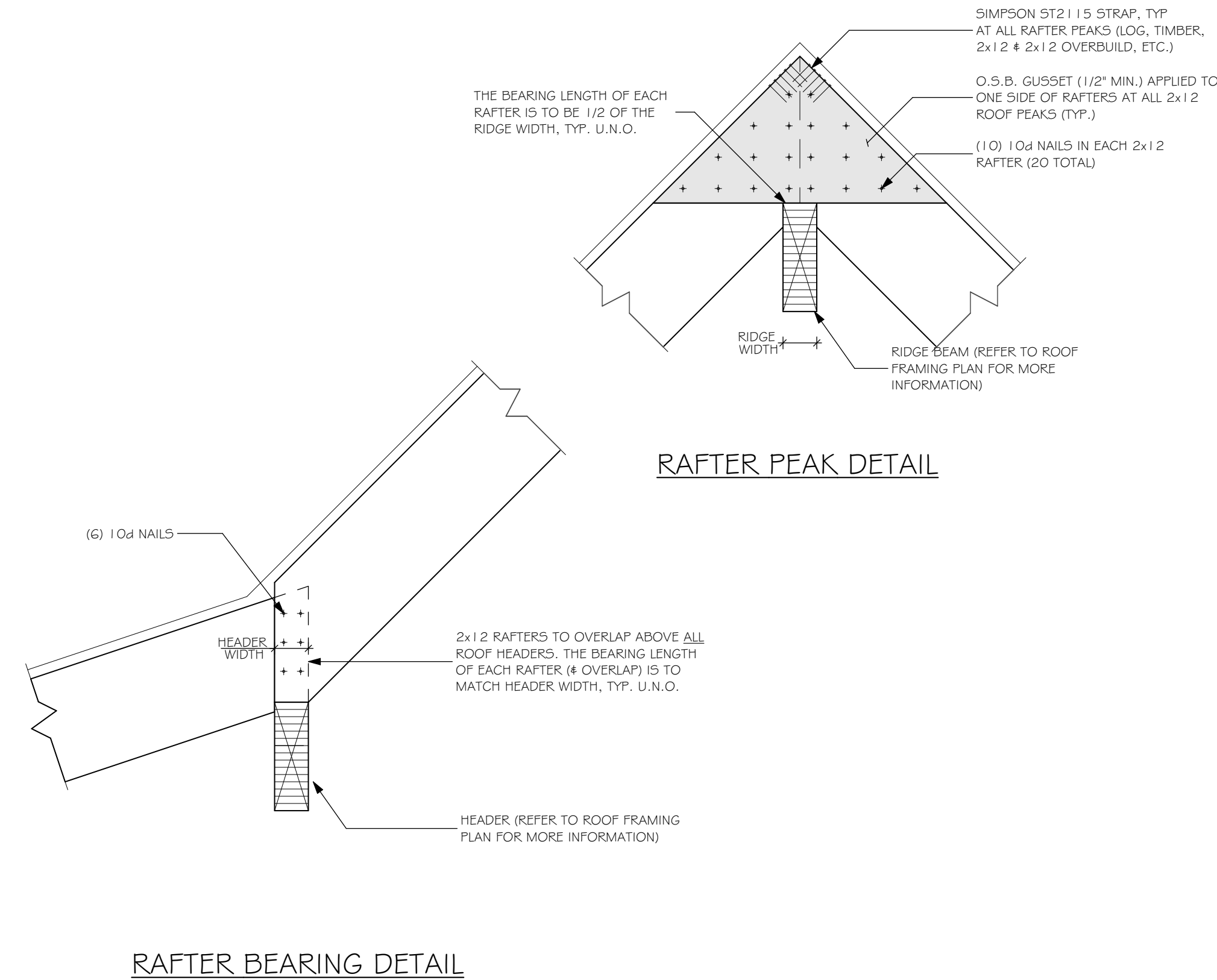
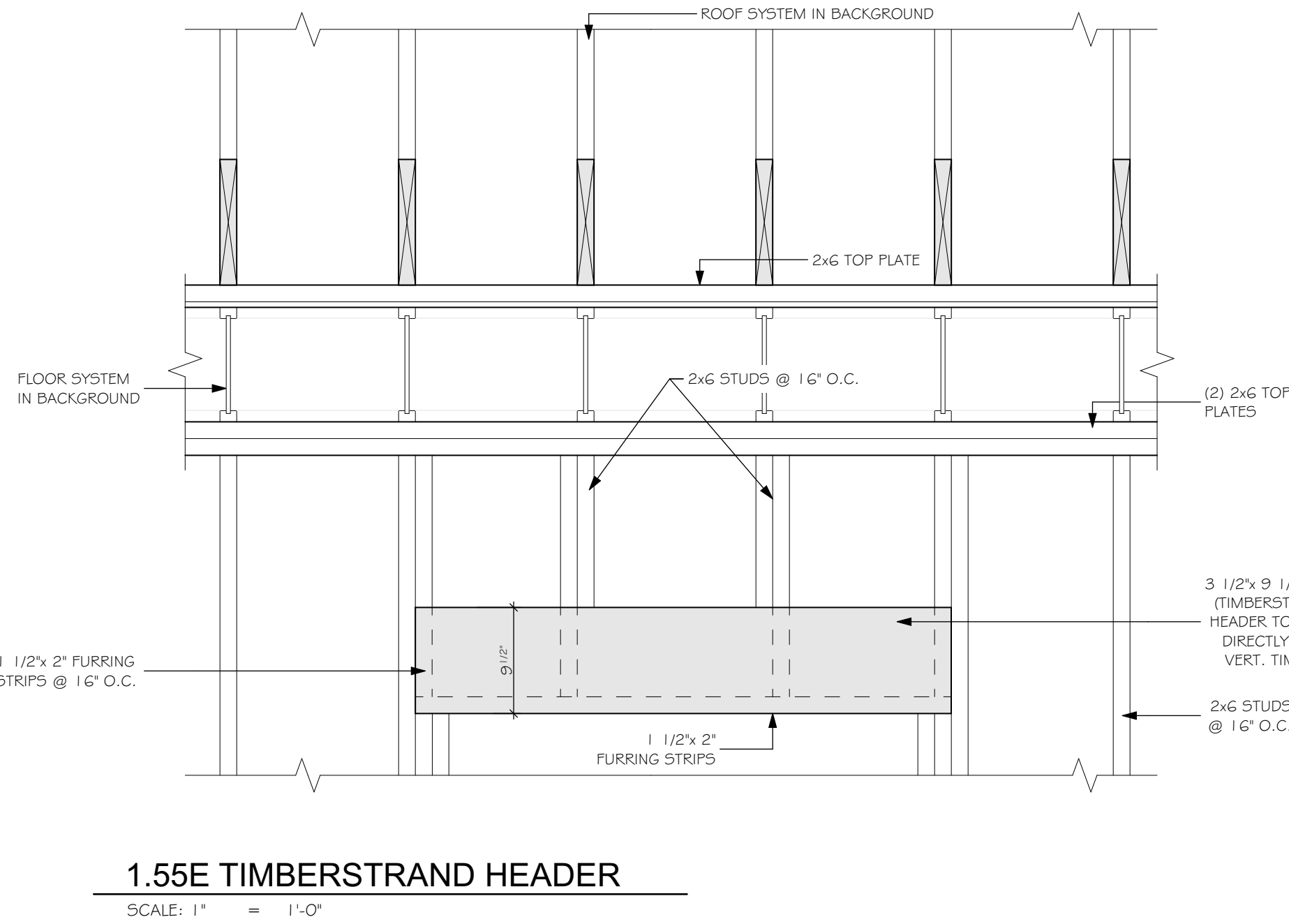
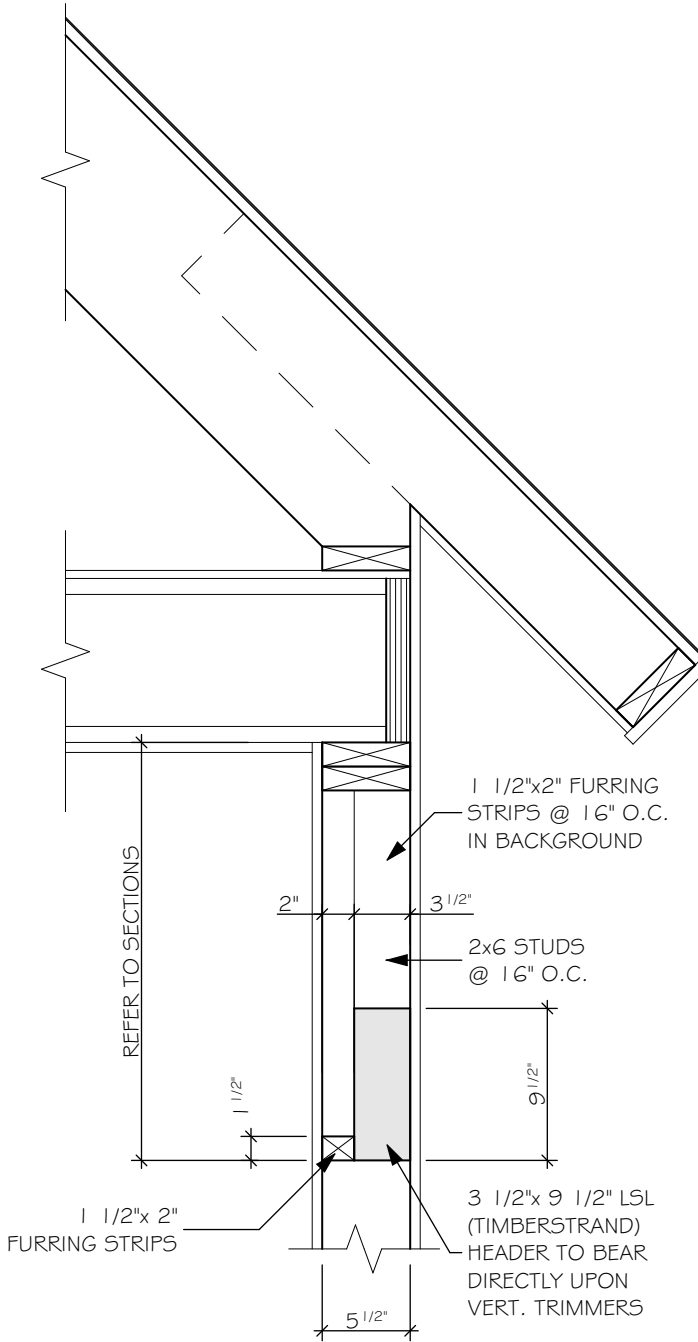
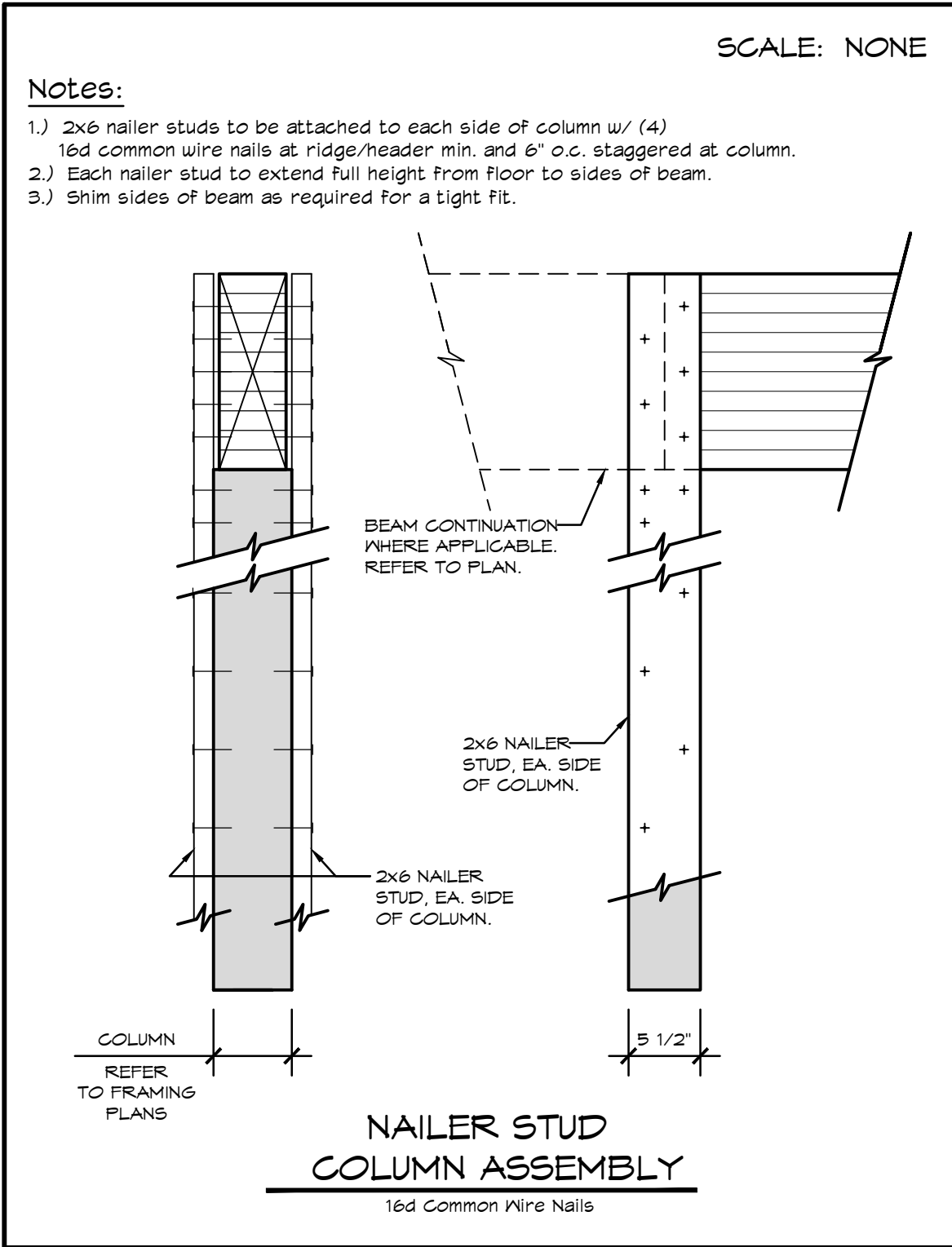
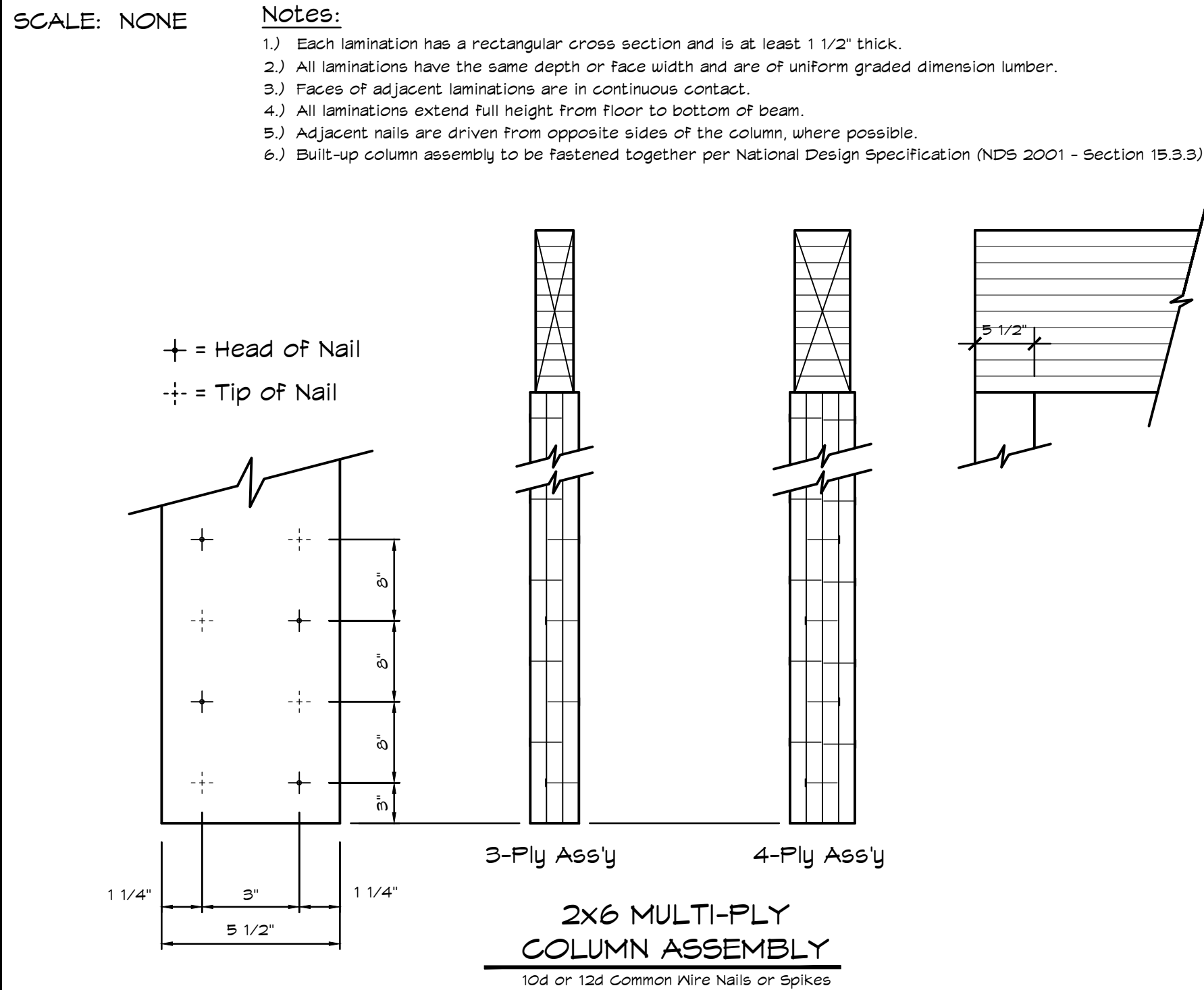
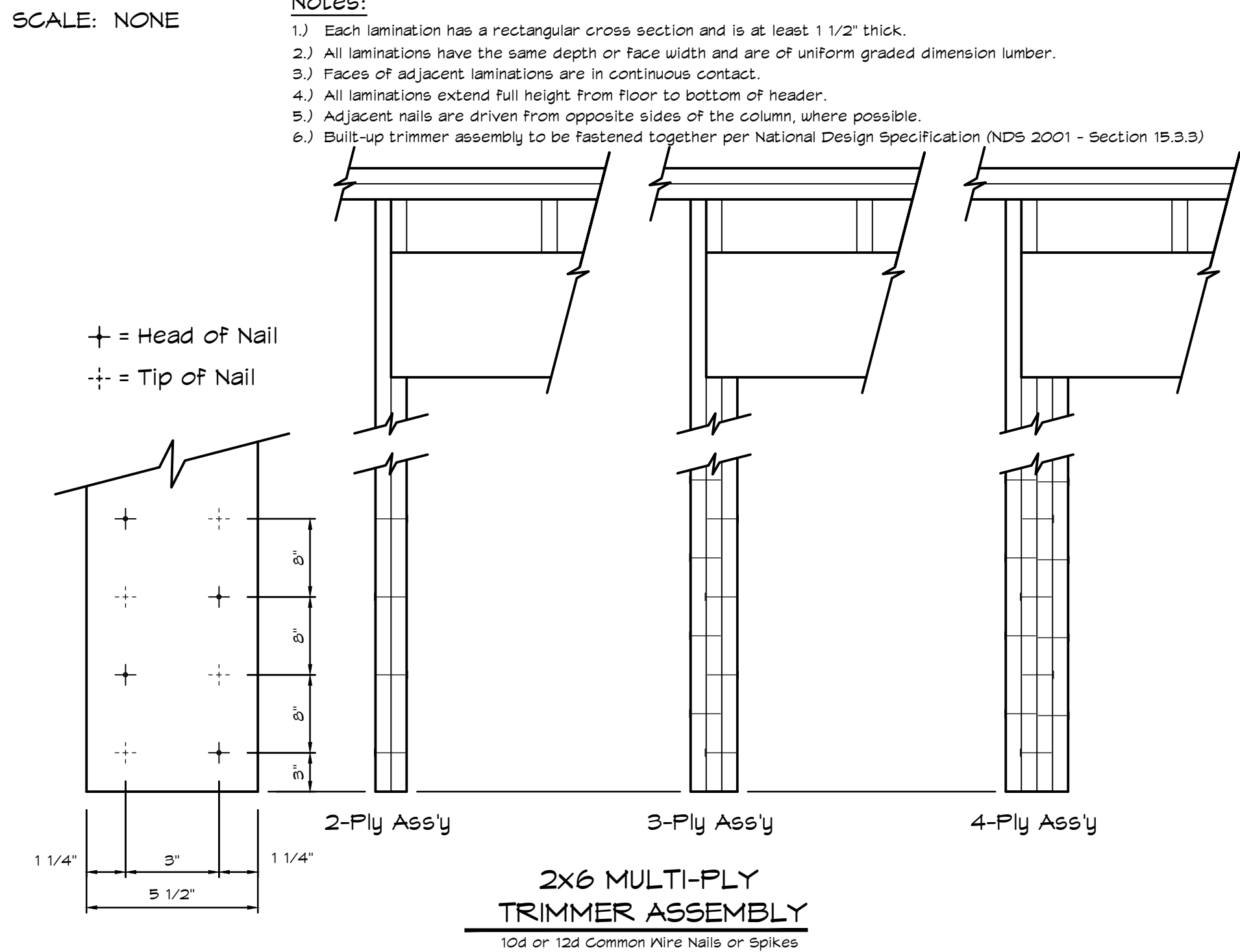
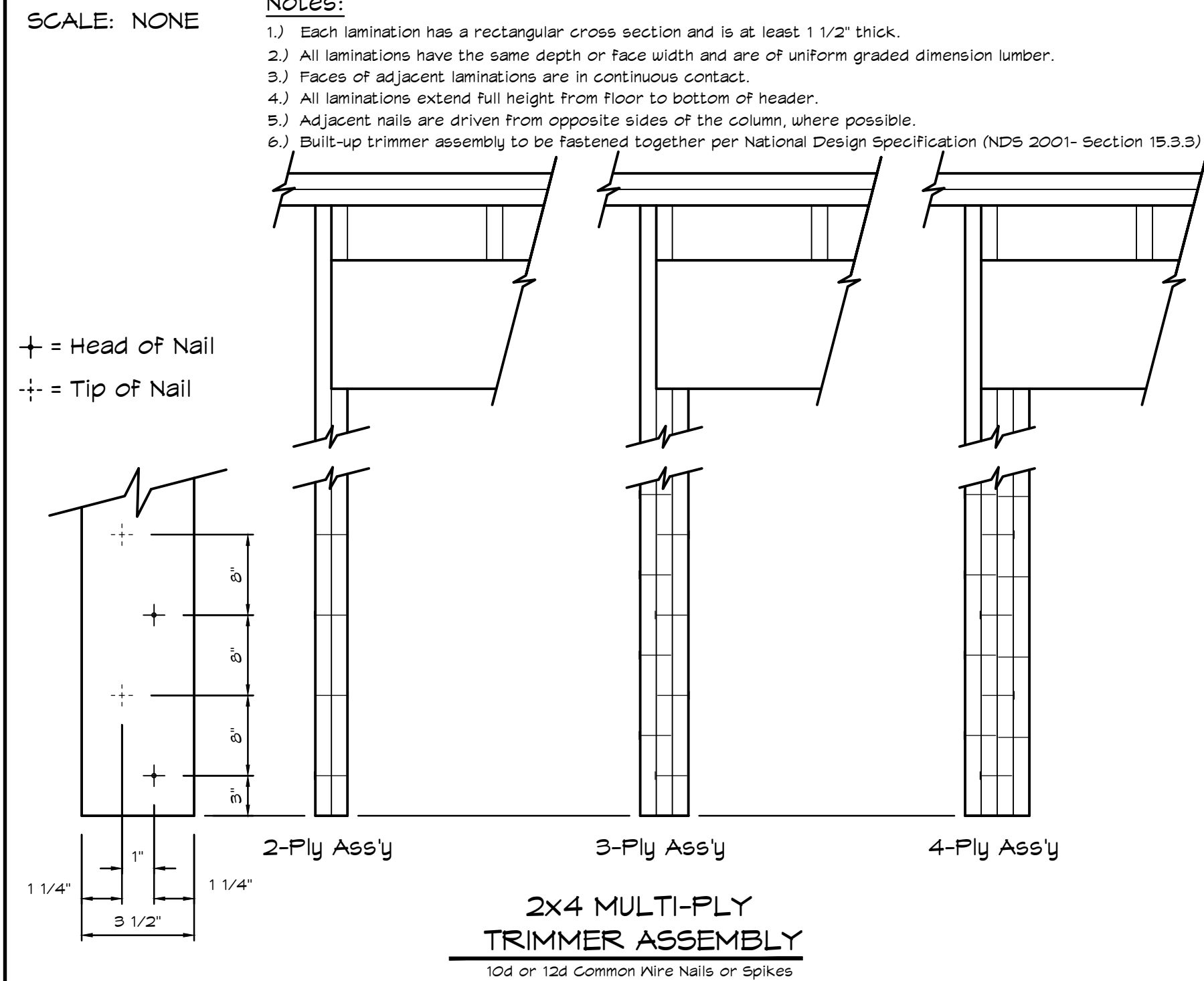
SCALE: **AS SHOWN**

PLOTTED: **7/29/2021**

SHEET:

DRAWING NAME:
**FRAMING PLAN - SECOND LEVEL
WALLS**

S1.3



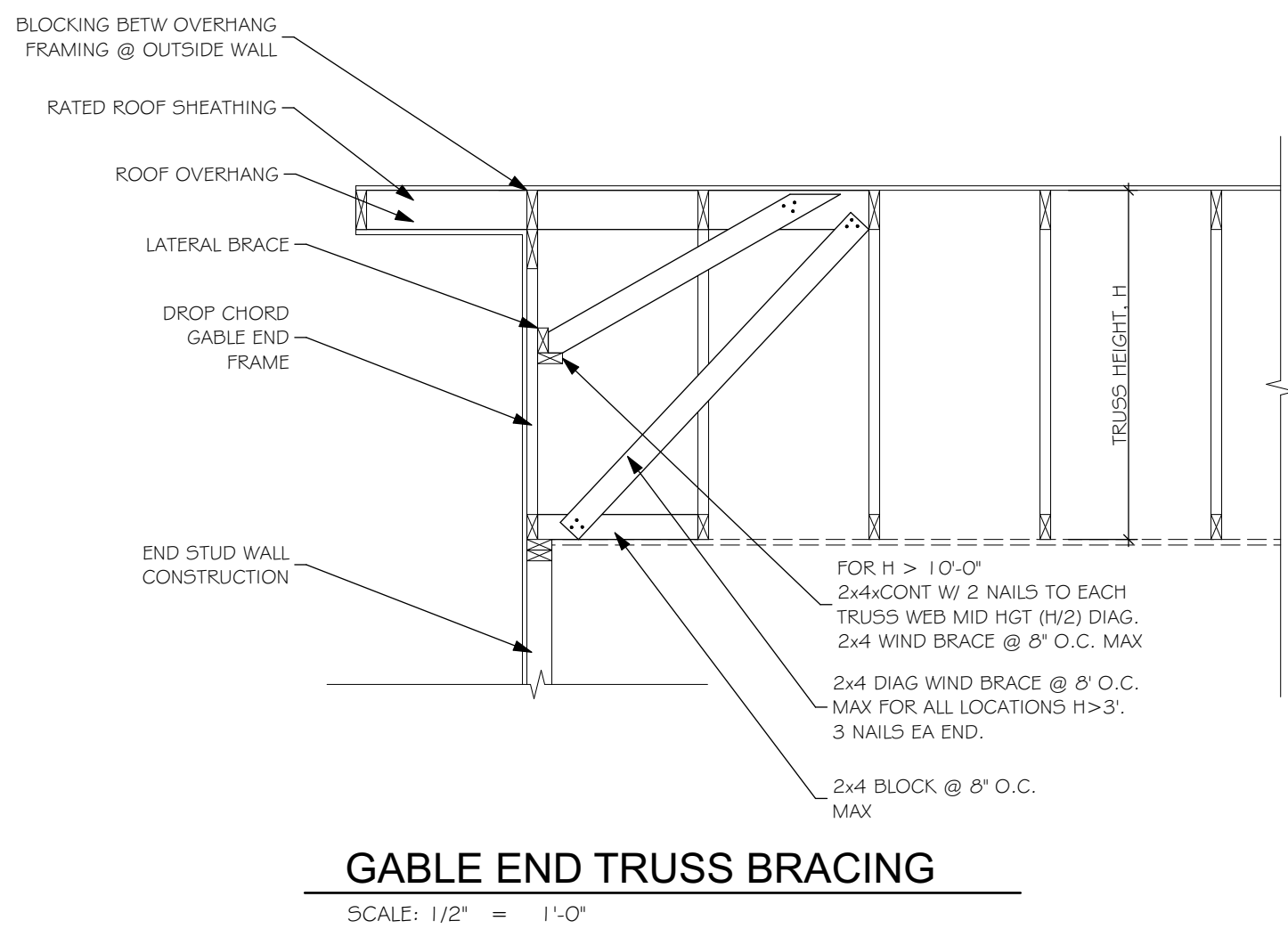
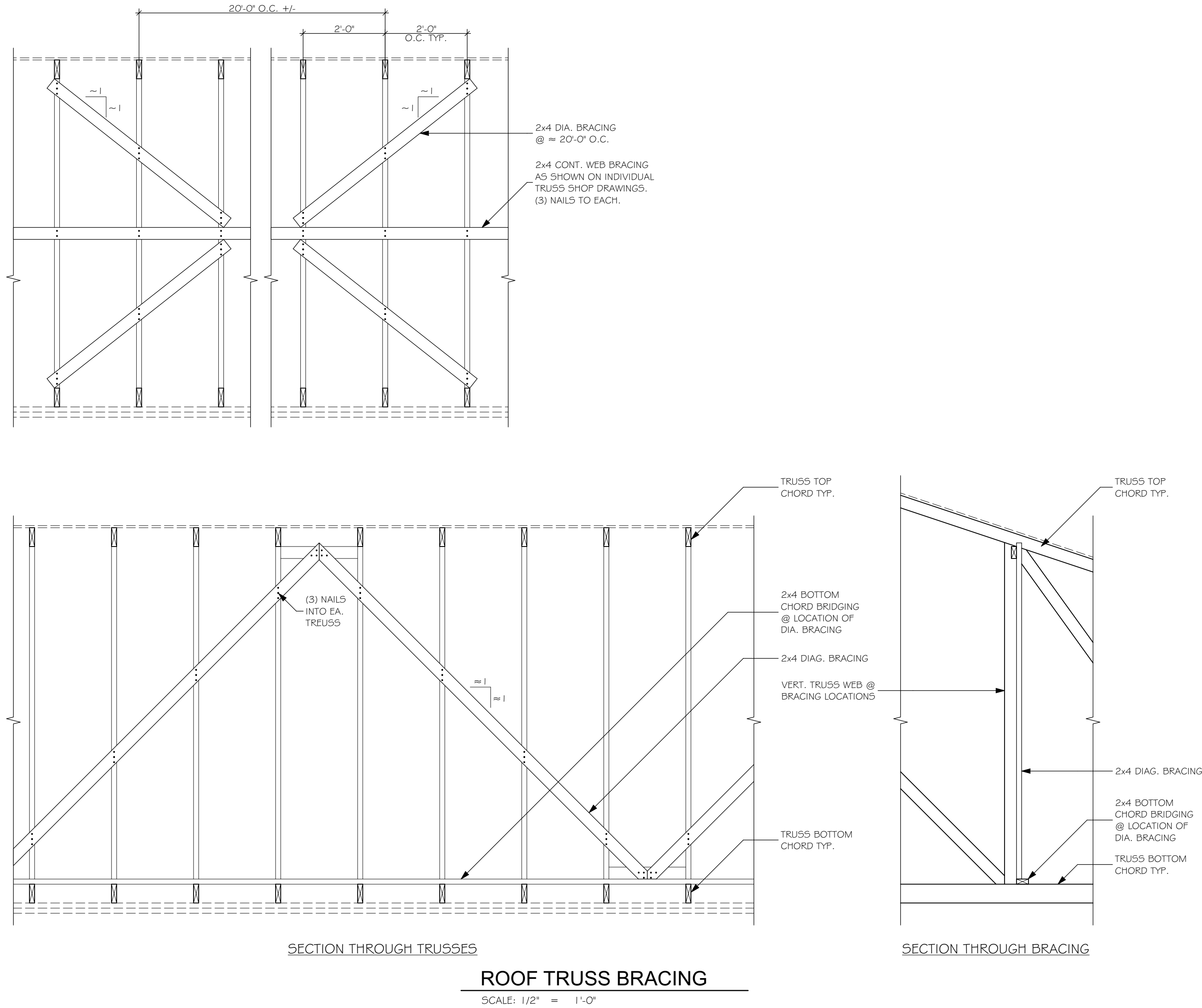
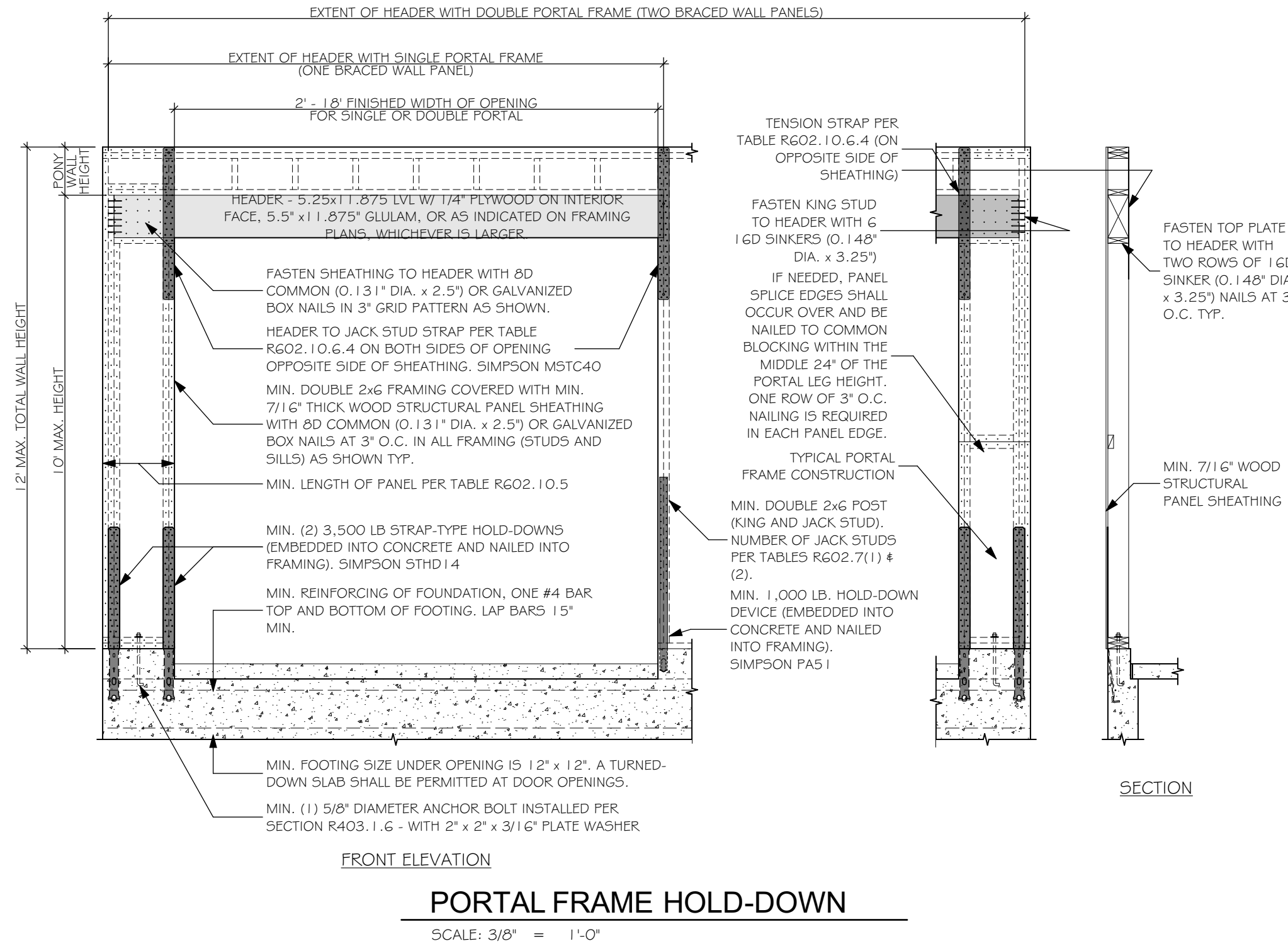
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DATE	REVISIONS	BY
06/25/21	SCHEMATIC DESIGN RELEASED FOR DEMOLITION PERMITS	LS
07/27/21	CONSTRUCTION DOCUMENTS RELEASED FOR PERMITS & CONSTRUCTION	LS

PROJECT EXCLUSIVELY DESIGNED FOR:	DENISE & MICHEAL CROAKE
DRAWING NAME:	STANDARD FRAMING DETAILS
JOB NO.	EDG 21-23
SCALE:	AS SHOWN
PLOTTED:	7/29/2021
SHEET:	S4.1



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06/25/21	SCHEMATIC DESIGN RELEASED FOR DEMOLITION PERMITS	LS
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PROJECT EXCLUSIVELY DESIGNED FOR:
DENISE & MICHEAL CROAKE

DRAWING NAME:
FRAMING DETAILS

JOB NO.
EDG 21-23

SCALE:
AS SHOWN

PLOTTED:
7/29/2021

SHEET:



City of Petoskey

Office of City Planner

101 East Lake Street, Petoskey, Michigan 49770 • 231 347-2500

Zoning Board of Appeals Zoning Ordinance Regulation Variance Checklist

Date: September 22, 2021

Case Number: 858

It is the applicant's responsibility to prove a practical difficulty. It is not the job of the ZBA to find the practical difficulty for the applicant.

Issue to be evaluated (Practical Difficulty)	Supports the variance	Does not support the variance	Notes
Will strict compliance with the dimensional requirements of the zoning ordinance prevent the applicant from using the property for the permitted purpose? <ul style="list-style-type: none">- A variance is granted for circumstances unique to the PROPERTY, not those unique to the owner.			
Is there a way to accomplish the same purpose without a variance or with a lesser variance regardless of convenience or expense? <ul style="list-style-type: none">- The ZBA considers the property, not issues with the interior of the structure.			
Is the need for the variance due to a situation that is unique to the property and would not generally be found elsewhere in the same zoning district? <ul style="list-style-type: none">- If the situation is often repeated in the same zoning district, then the variance request should be denied.			
If granted, will the variance uphold the spirit and intent of the ordinance and be fair to neighboring properties? <ul style="list-style-type: none">- There are reasons the ordinance was adopted and those reasons should be respected and upheld.			
Has the need for the variance been created through previous action of the applicant? <ul style="list-style-type: none">- The Appeals Board is not responsible for "bailing out" an applicant who created the need for a variance.			



City of Petoskey

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MOTIONS BY THE ZONING BOARD OF APPEALS Variance Requests

In Case #858, I move to (approve/ deny) a request for a ____ feet front yard setback variance for an entry ramp and a ____ feet side-yard setback variance for a stairway at 120 E Lake Street with the (conditions/modifications) of:

Based on the findings of fact in the (e.g. agenda memo, submittal materials, etc.) that:

_____ and the comments provided by

(e.g., those in attendance at the hearing, the applicant, the applicant's representative, etc.),

that demonstrate there is a (practical difficulty/ lack of practical difficulty) created by **Section 1600 of the Zoning Ordinance** and that the proposed changes (*are/are not*) contrary to the intent of the ordinance.



BOARD: Zoning Board of Appeals

MEETING DATE: September 22, 2021

DATE PREPARED: August 25, 2021

AGENDA SUBJECT: Case #859 – Requested driveway opening variance at 1209 Hill Street

RECOMMENDATION: Consider the request

Background

In 2016, changes were made to Section 1704 of the Zoning Ordinance that regulates parking. The changes made in single and two family districts were to limit the number of curb cuts to one, establish a maximum percent of front yard that could be paved for parking, and a maximum curb cut opening to 16 feet. The purpose for these changes was for access management by restricting curb openings, and maintaining residential character of neighborhoods.

The property at 1209 Hill Street is zoned R-2 Single Family. In June of 2021, staff noticed that the driveway opening had been widened without a right-of-way use permit and is not in compliance with City construction standards. The opening had been 16 feet and was widened to 26 feet. According to Section 1704(b)(8), driveway curb cuts shall be no wider than 16 feet in one and two family districts.



Source: Emmet County GIS, 2017 Ortho photo



Source: Google Maps Street View, September 2019

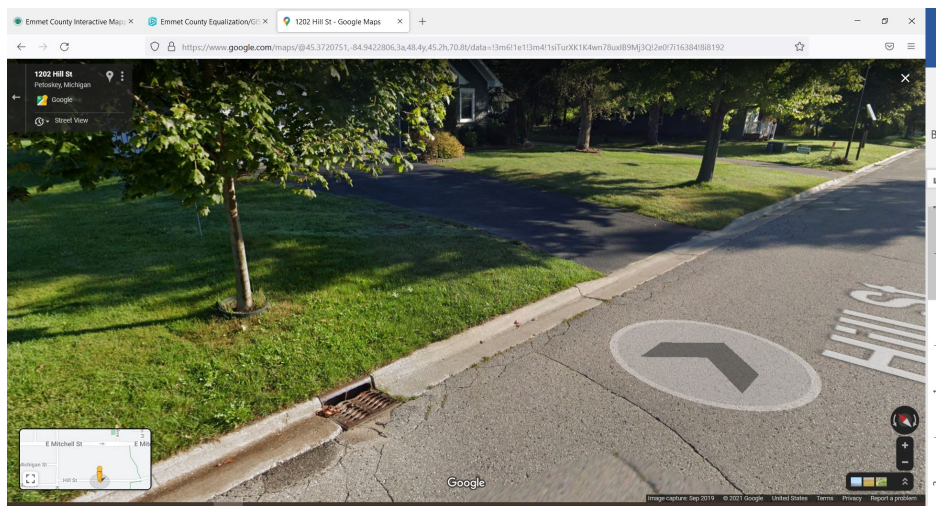
Request

The property owner, Mr. Becker, has been working with the Department of Public Works on correcting the curb work to meet construction standards, however, he would like to continue to have the opening of 26 feet (a variance of 10 feet), or alternatively, reduced to 20 feet (a variance of 4 feet) rather than the allowed 16 feet.

In making its motion, the Board shall state the grounds, or findings of fact upon which it justifies the granting of a variance and may attach any conditions regarding the location, character, and features of the request that further the purposes of the ordinance. In addition, a variance should only be granted after consideration of the following factors:

- 1) The need for the variance is due to unique circumstances, or physical conditions, of the property involved, such as exceptional narrowness, shallowness, shape or area, exceptional topographic conditions or other extraordinary or exceptional conditions of the specific piece of property and is not shared by neighboring properties;
- 2) The request is not due to the applicant's personal or economic situation;

- 3) The practical difficulty was not created by an action of the applicant;
- 4) The requested variance is the minimum variance necessary to grant substantial relief to the applicant while at the same time minimizing any adverse impacts to other property owners in the general neighborhood or zoning district;
- 5) The request, if granted, would not cause substantial detriment to the public good or substantially impair the intent and purpose of the ordinance; and
- 6) The strict application of the regulations would result in peculiar or exceptional practical difficulties.



ATTACHMENT TO ZONING BOARD OF APPEALS APPLICATION

Background:

We purchased 1209 Hill Street on October 18, 2017 and rented the property starting in January 2018 to a young man and his family who had obtained employment with Reuss Jewelers. We allowed them to terminate the lease early so they could buy a home in the area. In the fall of 2018, we employed George Parker Jr. Construction Co. to undertake a complete renovation of the house which was completed in November 2019. That fall we sold our Burt Lake home and moved into our newly renovated home on December 23, 2019. Subsequently, landscaping improvements were made, the last of which were completed in November 2020.

Driveway and Curb Cut:

The original curb cut (on the flat) was sixteen feet. The east side of the driveway was perpendicular to the house all the way to the street, and the west side of the driveway angled from the street until its width widened to approximately to a width of 19'6" about 7' in front of the concrete apron in front of the two-car garage. The asphalt was in poor condition, and it had a severe slope from west to east, such that water in the winter ponded and froze on the east side of the drive and at times over the curb, thus causing a dangerous slippery condition. Because we own two vehicles and a truck, the latter was parked partly on the grass and on the west side of the driveway.

As our neighbor next to us on the west, Paul Matthews, had engaged Olstrom Excavating and Paving, Inc.¹ to pave his driveway, we did the same, and the work was completed in October 2020. We asked Olstrom's to widen the driveway to accommodate parking the truck on the driveway, **and at no time did Olstrom's inform us of the obligation to obtain a variance for a widened curb cut or a permit to work in the unpaid portion of the right-of-way.** In fact, applicant was unaware that Olstrom's would cut the curb to its existing width, and he was not present at the time it was cut.

Reasons for a Variance:

¹ Applicant was informed recently by the City's Engineer, Jason Fate, in a document that lists Olstrom's as an approved contractor for Streets, Underground & Asphalt Paving. Hence, they would certainly have known of the obligation for obtaining variances and ROW permits before doing any work in the road or right of way.

It appears that the variance requested is a 'use variance' under Sec. 2004(2)(b).² The standard is laid out as follows:

The zoning board of appeals shall have the authority to grant variances from the uses of land...that...absent relief, an "unnecessary hardship" may occur. For use variances, the zoning board of appeals may grant a variance so that the spirit of this zoning ordinance is observed, public safety secured and substantial justice is done.

This section then refers to "undue hardship," and gives the board the authority to grant relief where there is no substantial detriment to the public good and without substantially impairing the intent and purpose of the ordinance.

Suffice it to say, it was not Applicant's fault that the unpermitted work was done. Had the contractor lived up to its responsibility, Applicant would not be in this position. Notwithstanding, Applicant believes that this board should grant a variance to expand the curb cut, either to its existing width of 26 feet or at a minimum to 20 feet.

At the outset, it should be noted that Applicant will be responsible to replace the curb that was cut – the only issue is its size.³

Applicant does not believe that a grant of a variance will be detrimental to the public good or impair the intent and purpose of this ordinance requirement, which, obviously, seeks uniformity. Hill Street has not been developed in such a uniform manner. Of the 23 houses on Hill Street (see Note 2 on Exhibit 2), almost seventy (70%) percent of the homes on the street have openings well in excess of the 16-foot requirement. The existing driveway⁴ and curb cut (as to size) are certainly in harmony with the vast majority of homes on the street.

Applicant owns a Toyota Tundra that is approximately 19 feet long. By ordinance, it cannot be parked on unpaved surfaces or on the street for more than three (3) hours.⁵ It would be burdensome to park it on a 16-foot driveway and to move it every time use was made of the garaged

² A non-use variance under Sec. 2004(2)(a) seems to relate only to "...construction, structural changes or alterations of buildings or structures related to dimensional requirements of this zoning ordinance. ..."

³ The approximate length of curb to be replaced by a City-approved contractor is between 10 and 12 feet, based on where the existing curb must be cut to tie it in to the replacement curb.

⁴ The issue of the pavement in the ROW area is to be decided after the Board makes its decision. However, it should be noted that the current driveway area does not violate Section 1704(d)(1)(a) of the Zoning Ordinance as it does not exceed 40% of the front yard area. It is approximately 18% of the front yard area.

⁵ Zoning Ordinance, Sec. 1704(d)(1)(a), and, Ch. 21, Municipal Code, Div. 1, Sec. 21-34 (27)...parking in excess of 3 hours is a civil infraction.

vehicles. In order to back out of the current driveway (with only a 16-foot curb cut), it would require entering the street at a severe angle, and that presents a safety hazard (especially when the schools are in session) because the view of traffic would be diminished thereby increasing the risk of an accident.

Considering all the facts and circumstances, it is submitted that relief from the ordinance regulating residential curb cuts should be granted, as such relief will remove a burden on Applicant's fair use of his property; and, it will not substantially impair this particular ordinance provision because of the way this particular street has been developed with many wider curb cuts that have been allowed as compared to most other streets in the city.



EXHIBIT 1

HILL STREET (BETWEEN KALAMAZOO AND SCHOOL PROPERTY)

SOUTH SIDE OF STREET – CURB CUT		NORTH SIDE OF STREET – CURB CUT	
1052 Hill	19'6"	1019 Hill	24'
1112 Hill	19'6"	1029 Hill	22'
1122 Hill	20'	1033 Hill	20'
1200 Hill	20'	1051 Hill	18'
1202 Hill	20'	1211 Hill	22'6"
1202 Hill	17'	1223 Hill	21'6"
1212 Hill	24'		
1226 Hill	22'		
1228 Hill	21'		
1230 Hill	21'		

Notes:

1. 1202 Hill, right across the street from 1209 Hill, has two curb cuts, the 17' curb cut is in use, and the 20' curb cut is not in use.
2. Sixteen houses have curb cuts in excess of 16' per ordinance. There are a total of 23 houses on Hill Street between Kalamazoo St. and the School District property, one of which (1200) has a driveway on Hill and is on a lot behind 1122 Hill. [This count excludes the two houses facing Kalamazoo that have garages and driveways on Hill.]



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Zoning Board of Appeals Zoning Ordinance Regulation Variance Checklist

Date: September 22, 2021

Case Number: 859

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MOTIONS BY THE ZONING BOARD OF APPEALS Variance Requests

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Based on the findings of fact in the (e.g. agenda memo, submittal materials, etc.) that:

_____ and the comments provided by

(e.g., those in attendance at the hearing, the applicant, the applicant's representative, etc.), that demonstrate there is a (practical difficulty/ lack of practical difficulty) created by **Section 1704(b)(8) of the Zoning Ordinance** and that the proposed changes (*are/are not*) contrary to the intent of the ordinance.
