

BOYNE CITY
ZONING BOARD OF APPEALS MEETING
Tuesday, May 7, 2019
5:00 P.M.
Boyne City Commission Chambers, City Hall

1. CALL TO ORDER AND ROLL CALL
2. APPROVAL OF MINUTES – September 11, 2018
3. HEARING CITIZENS PRESENT (on non-agenda items)
4. CORRESPONDENCE
5. NEW BUSINESS
 - A. Variance Request – 413 Bay St.
 - B. Kubesh Term Expiration: September 2019
Reynolds Term Expiration: September 2019
 - C. Election of Officers
 - D. Approval of 2019 Meeting Calendar
 - E. Recommendation for Zoning Board of Appeals Appointment
6. OLD BUSINESS
 - A. None
7. REPORTS OF OFFICERS, BOARDS, AND STANDING COMMITTEES
8. GOOD OF THE ORDER
9. ANNOUNCEMENTS
 - A. Next regularly scheduled meeting: June 4, 2019
10. ADJOURNMENT



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click on Boards & Commissions for complete agenda packets & minutes for each board

Individuals with disabilities requiring auxiliary aids or services in order to participate in municipal meetings may contact Boyne City Hall for assistance: Cindy Grice, City Clerk/Treasurer, 319 North Lake Street, Boyne City, MI 49712; phone (231) 582-0334

Approved: _____

**Meeting Of
September 11, 2018**

Record of the proceedings of the Boyne City Zoning Board of Appeals meeting held at Boyne City Hall, 319 N. Lake Street, on Tuesday, September 11, 2018 at 5:00 p.m.

Call To Order

Chair Kubesh called the meeting to order at 5:00 p.m.

Roll Call

Present: Bob Carlile, Pat Kubesh and Lynn Murray
Absent: John McClorey and Roger Reynolds

Meeting Attendance

City Officials/Staff: Assistant Planning and Zoning Administrator Patrick Kilkenny and Recording Secretary Pat Haver
Public Present: One

Excused Absences

ZBA 2018-9-11-1

MOTION

Murray moved, Kubesh seconded, PASSED UNANIMOUSLY, a motion to excuse the absence of McClorey

**Approval of the Minutes
MOTION**

ZBA 2018-9-11-2

Murray moved, Carlile seconded, PASSED UNANIMOUSLY, a motion to approve the May 1, 2018 meeting minutes as presented.

**Hearing Citizens Present
Correspondence(s)**

None

Public Hearing opened at 5:02 pm

New Business

**Variance Request
409 Bay St.
David and Denise Wade**

Assist Zoning Administrator Patrick Kilkenny reviewed his staff report that was included in the agenda packet. The applicant is seeking relief from the 15 foot rear yard setback; due to the steep slopes and smaller building envelope, in the amount of fourteen feet, nine inches (14'9"). In reviewing ZBA records in the vicinity, three relevant cases on Bay Street have been before the ZBA also requesting relief from the rear yard setback.

Eric Render: Contractor for the applicant. – The topography is very limiting for a building envelope. As evidenced in the past, this issue has come up with other lots in the area.

Carlile – How do the homeowners in the area handle the amount of drainage and run off? Are there special things to be done?

Render – With the steep slopes, water runoff will be handled by bringing in a lot of clean sand, drain tiles will be placed all around the house and we will be using a driveway spillway. We hope by moving the house closer to the road we will get the first floor level with Bay Street and we will be able to eliminate a very steep driveway and the challenges that winter snow and ice will cause.

Kubesh – What is the square footage of the home including the garage?

Render - This will be a modest sized house only 1400 sq. ft. and the garage will be about 500 sq. ft.

Public Hearing closed at 5:08 pm

Board Discussion

Carlile – Is this request, not like the others that have been before this board from Bay Street?

Kilkenny – Yes, the others were also asking for relief because of similar reasoning due to steep slopes with this one having a smaller building envelope than the others to the west.

With no further discussion, *Kubesh facilitated the discussion on the General Findings of Fact and wanted one point added; Bay Street has limitations as the right of way is pushed to the North due to existing topography and narrowness of the road*, and then moved onto the Findings of Fact under Section 24.80

FINDINGS OF FACT UNDER SECTION 24.80. – NON-USE VARIANCES

In hearing and deciding appeals for variances, the Board shall adhere to the following criteria in determining whether or not practical difficulties and/or unnecessary hardships exist:

1. Requiring the owner to comply with the regulations governing area, setbacks, frontage, height, bulk, density or other non-use requirements would unreasonably prevent the owner from using the property for a permitted purpose, or would render conformity with such regulations unnecessarily burdensome. *Affirmative looking at the practical difficulties, smaller building envelope and the steep slopes*
2. The variance granted is the smallest variance necessary to do substantial justice to the owner as well as to other property owners. *Affirmative*
3. The variance can be granted in such a fashion that the spirit of the ordinance will be observed and public safety and welfare secured. *Affirmative; other previous variance requests have been granted in the vicinity due to the topography. Concerned about safety with the winter snow and ice pack on a steep driveway*
4. The need for the variance is not self-created. *Affirmative, due to the topography of the area*
5. The need for the variance is due to unique circumstances of the property itself, and not due to general conditions in the area or to circumstances related to the owner personally or to others residing on the property. *Affirmative, due to the steep topography of this lot.*

The Board shall grant no variance if it finds an application does not meet all of the above listed criteria for determining whether or not a practical difficulty and/or unnecessary hardship exists.

Motion by Carlile, seconded by Murray to recommend approval of the requested variance as presented; fourteen feet nine inches (14'9") of relief from the fifteen foot (15') rear yard setback.

2018-5-01-5A.

Roll Call

Ayes: Carlile, Kubesh and Reynolds

Nays: None

Abstain: None

Absent: McClorey and Reynolds

Motion Carries

MOTION

MOTION

**April 2018 Local Government
Law Bulletin**

This was originally distributed at the May meeting, and Chair Kubesh wanted to discuss the content in further detail. The board has struggled with the language for the Findings of Fact Under Section 24.80 specifically items 1 & 4. The content of this bulletin has some good ideas on how to reconstruct some of the language so that it is easy to understand for the Zoning Board and the public. Staff has been tasked with putting together proposed language changes for this board and the Planning Commission to review and begin the process of setting up a public hearing.

**Old Business and
Reports of Officers, Boards
and Standing Committees**

None

Good of the Order

-
- Bob Carlile has asked for an updated list of the board members, staff will email to the board members
 - Lynn Murray advised that this will be his last ZBA meeting, his house has sold and he will be moving to Southern Florida. The entire board wished him well in his future endeavors.

Announcements

The next meeting of the Boyne City Zoning Board of Appeals is scheduled for October 2, 2018 at 5:00 p.m.

**Adjournment
MOTION**

ZBA 2018-9-11-10

Carlile moved, Murray seconded, PASSED UNANIMOUSLY a motion to adjourn the Tuesday, September 11, 2018 Boyne City Zoning Board of Appeals meeting at 5:35 p.m.

Pat Kubesh, Chair

Pat Haver, Recording Secretary



City of Boyne City

319 N. Lake Street
Boyne City, MI 49712-1188
231-582-0343

www.boyne-city.com

No Faxed Copies/Originals only

ZONING BOARD OF APPEALS APPLICATION

Owner Name: Kurt + Brigit Anthony (AUTHORIZED REPRESENTATIVE = RENDR
 Address: 47652 Stratford Dr. 630 Cottageview Dr. Ste. 202 (CONSTRUCTION)
CANTON, MI 48187 TRAVERSE CITY, MI 49684
 Phone: 313-618-0977 E-mail: jason@render-construction.com
231-373-6171

Describe Variance Request: Adjust roadside set-back approximately 5' to allow room for proposed NEW residence to move slightly towards road and have roofline inside of set-backs - due to grades on roadside of lot.

Property Street Address: 413 Bay St., Boyne City, MI 49712
 Nearest Intersection: Mechanic St. + Abbis St. + Bay St.
 Property Tax ID #: 051-171-003-10 Zoning District: Boyne City - residential water front
 Legal Description of Property (attach separate sheet if necessary): please see site-plan

Please attach:

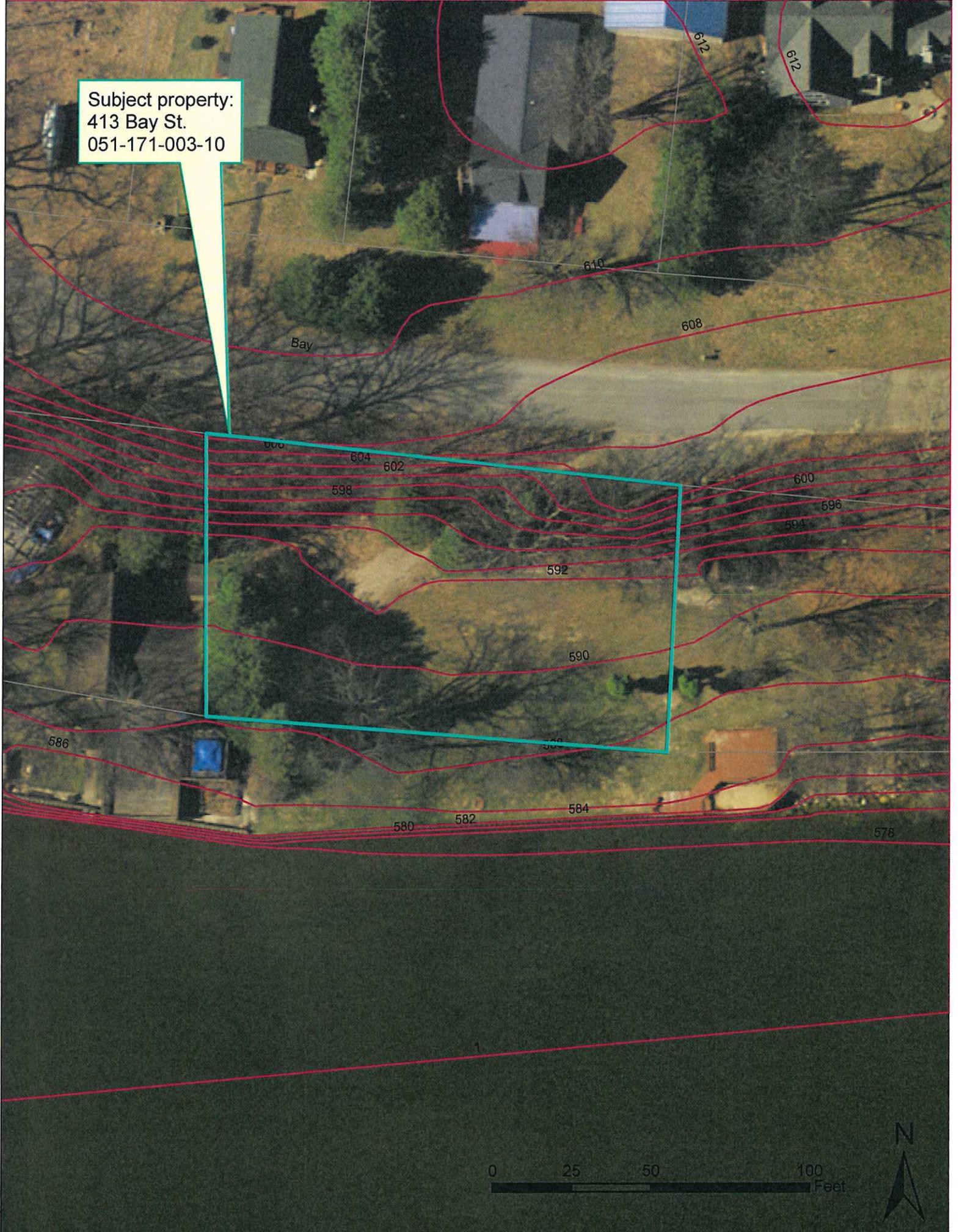
- Proposed building/construction with dimensions and front, side and rear yard setbacks
- Existing buildings/structures including decks, driveways, storage buildings, etc.
- Lot lines and dimensions and layout, including parking/loading areas
- Photos, prints, maps, graphics, or drawings of current site
- Copy of Soil Erosion permit application or MDNR permit application, if applicable
- Letter of approval from association's Aesthetic Review Committee, if applicable
- Well and/or septic permit or copy of approved City sewer/water application, if applicable
- Pertinent topographic features (steep slopes, trees, water, etc.)
- Road names, lakeshores, streams, easements, or other dedicated rights-of-way abutting the property
- Any other information you feel is necessary to present your case

Note: I understand and agree to abide by all provisions of the Boyne City Zoning Ordinance as well as all procedures and policies of the Boyne City Zoning Board of Appeals as those provisions, procedures, and policies relate to the handling and disposition of this application; that the above information is true and accurate to the best of my knowledge; and that a filing fee is due with this application. I understand that if the requested variance is granted, I am in no way relieved from all other applicable requirements. I grant permission to the Zoning Administrator and other City Officials to enter the property and make such investigations and tests as they deem necessary.

Owner's Signature [Signature] Date 4/17/19
 For Render Construction as Owner's Representative.

This is to certify the required filing fee was received on _____ and documented with receipt number _____. This application is scheduled for public hearing on 5/7/19.
 Staff Initials PK.

Subject property:
413 Bay St.
051-171-003-10



CITY OF BOYNE CITY

To: Chair Pat Kubesh and fellow ZBA members
From: Patrick Kilkenny, Assistant Planning Director
Date: May 7, 2019
Subject: Variance Request at 413 Bay St.



Background

The subject parcel is located at 413 Bay St. Boyne City, MI 49712. The property is owned by Kurt & Brigit Anthony and located in the Waterfront Residential District (WRD).

Property Description: 15-051-171-003-10

A PARCEL OF LAND WITHIN BLK 1 WILLIAM T ADDIS ADD TO SPRING HARBOR DESC AS COMM AT NW COR OF THE E 66 FT OF SD BLK 1 TH N84DEG48'43"W 99.77 FT AL N LI SD BLK 1 TH N84DEG25'13"W 24.58 FT TO POB TH S03DEG16'18"E 67.19 FT TO INTER TRAV LI OF LK CHX TH S87DEG41'32"W 122.79 FT AL SD LI TO T-IR ST TH N03DEG22'56"W 84.27 FT TO T-IR ST ON N LI OF BLK 1 TH S84DEG25'13"E 124.42 FT AL SD LI TO POB 0.28A 11/2/2017 PROPERTY LINE ADJ WITH 051-171-002-00 & 051-171-003-00 INTO 051-171-002-10

The parcel is vacant, 12,394 SQ. FT. sq. ft. in size and bounded by Bay Street, a public road, to the north and Lake Charlevoix to the south. Adjacent properties to the north, east, and west are zoned WRD and are privately owned.

Discussion

The WRD requires a fifteen feet (15') setback from the rear lot line. The application shows a request for a ten foot (10') rear yard setback, or five feet (5') of relief from the required fifteen foot (15') rear yard setback.

Staff review of ZBA records found four relevant cases on Bay Street related to the request. The cases are in the immediate vicinity of the subject property and included variances from the rear yard setback. Most recently at 409 Bay St a request was approved in 2018 for 14'9" of relief from a fifteen foot (15') rear yard setback. At 545 Bay St a request approved in 2010 for fourteen feet six inches (14'6") of relief from a fifteen feet (15') rear yard setback. At 549 Bay St. one request, approved in 1992, allowed for a five feet (5') setback when a twenty feet (20') setback was required, (a previous request, approved in 1991 allowed for a seven feet (7') setback). A request at 541 Bay St. was approved for thirteen feet (13') of relief from a fifteen feet (15') rear yard setback.

Anthony / 413 Bay St.

Page 1 of 2

Other factors

The topography of the property is steep on the northern half of the property sloping from north to south, and gradually sloping on the southern half to Lake Charlevoix. A home on the property was demolished in May 2017 and the parcel was reconfigured to its current dimensions. An existing access driveway from Bay St. was left in place.

Summary

The applicant is proposing a new structure on a vacant waterfront lot, and requesting a five foot (5') variance from the required fifteen foot (15') rear yard setback

The ZBA should review the enclosed information, visit the property, and apply the standards in the City of Boyne City Zoning Ordinance.

Public Comment:

4/22/19 Letter of support from Haggard's Plumbing and Heating

Please find enclosed in this packet the following exhibits:

- A. Zoning Board of Appeals Application
- B. Area Map of Subject Property
- C. Findings of Fact
- D. Letter of support from Haggard's Plumbing and Heating

Haggard's

PLUMBING and HEATING

"Business of Quality and Service"

"Charlevoix-the-Beautiful"

haggardsinc@hotmail.com

Date: April 22, 2019

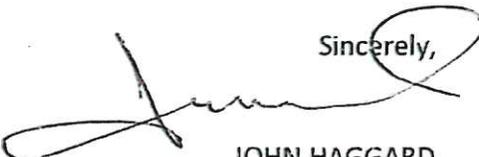
To: City Planner's Office
319 N. Lake St.
Boyne City, MI 49712

RE: Request from Kurt & Brigit Anthony for a 5' variance from Boyne City Zoning Ordinance, Section 20,10. Parcel#15-051-171-003-10 at 413 Bay St. Boyne City, MI

Aaron Place,

Upon reviewing the above Notice, I would like to express my view with the above case's requests. Haggard's Plumbing & Heating is not opposed to the changes of the property and/or the request to the Zoning Board. If a property owner is fortunate enough to have the ability and the resources in this time of economical struggles to either build and/or improve their existing property, we could like to see their request granted. It would prove positive for the local, county and state to do all we can to improve and promote growth in anyways possible.

Sincerely,



JOHN HAGGARD

GENERAL NOTES:

1. APPLICABLE CODES: 2015 MICHIGAN RESIDENTIAL CODE
2. USE GROUP: RESIDENTIAL, R-3
3. CONSTRUCTION TYPE: 5B, COMBUSTIBLE, UNPROTECTED
4. BRACING PANELS SHALL EXTEND FROM BOTTOM OF THE WALL SILL PLATE TO THE TOP OF THE TOP PLATE (TYP.)
5. 10'-1/8" TALL (PRE-CUT STUDS) ON MAIN LEVEL (TYP.) & 10'-1/8" TALL ON LOWER LEVEL (TYP.)
6. ALL WINDOW AND DOOR HEADERS IN STRUCTURAL STUD WALLS = 2 PLY 2x12 H.F. w/ 1 TRIMMER ON EITHER SIDE OF 4" AND SMALLER HEADER AND 2 TRIMMERS ON EITHER SIDE OF 4" AND LARGER HEADER UNLESS OTHERWISE SPECIFIED
7. ALL EXTERIOR WALLS SHALL BE FRAMED WITH 2x6 STUDS @ 16" o.c. (TYP.)
8. ALL INTERIOR WALL SHALL BE FRAMED WITH 2x4 STUDS @ 16" o.c. UNLESS OTHERWISE SPECIFIED
9. WALLS SEPARATING BEDROOMS, BATHROOMS, AND LAUNDRY SPACES FROM ADJACENT ROOMS SHALL BE INSULATED WITH 3-1/2" FIBERGLASS BATTS.
10. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH APPLICABLE BUILDING CODES.
11. THE CONTRACTOR SHALL BE ULTIMATELY RESPONSIBLE FOR PROVIDING QUALITY, WEATHER-TIGHT CONSTRUCTION
12. IT IS ASSUMED THAT SOIL CONDITIONS ARE NORMAL AND SUITABLE FOR CONSTRUCTION. ASSUMED BEARINGS CAPACITY IS 2,000 PSF. THE CONTRACTOR SHALL NOTIFY THE DESIGNER OF SOIL CONDITIONS UNSUITABLE FOR CONSTRUCTION.
13. THE CONTRACTOR SHALL VERIFY LOCATION OF SITE UTILITIES WITH RESPECTIVE UTILITY COMPANY.
14. CONCRETE CONSTRUCTION SHALL BE IN ACCORDANCE WITH ACI 301, "SPECIFICATIONS FOR STRUCTURAL CONCRETE BUILDINGS" AND ACI 318, "BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE".
 - A. CONCRETE STRENGTH FOR STRUCTURAL FOOTINGS, PIERS, BEAMS, ETC. SHALL BE MINIMUM 3,000 P.S.I. AFTER 28 DAYS.
 - B. CONCRETE STRENGTH FOR SLABS ON GRADE SHALL BE MINIMUM 3,500 P.S.I.
15. PROVIDE RESTEEL REINFORCEMENT AS SHOWN ON PLANS, OR AS REQUIRED IN SPECIFICATIONS.
16. REINFORCING STEEL SHALL BE ASTM A 615 GRADE 60. PROVIDE AS SHOWN ON DRAWINGS
17. PROVIDE FRAMING HARDWARE AS REQUIRED.
18. PROVIDE SOLID BLOCKING TO BEAMS OR FOUNDATION WALL AT ALL CONCENTRATED LOADING POINTS FROM ABOVE.
19. PROVIDE MISCELLANEOUS BLOCKING, AS REQUIRED, FOR SUPPORT OF BATH ACCESSORIES, SHELVING, CABINETS, MAINSCOT, ETC. AND AS REQUIRED BY MECHANICAL AND ELECTRICAL CONTRACTORS. VERIFY LOCATION OF BLOCKING IN FIELD.
20. PROVIDE BLOCKING (APPROVED BY JOIST MANUFACTURER) BETWEEN JOISTS AT 24" O.C. UNDER ALL WALLS PARALLEL TO JOISTS BELOW.
21. DIMENSIONS ARE TO EDGES OF WOOD FRAMING AND CONCRETE
22. DO NOT INSTALL PLUMBING LINES IN EXTERIOR WALLS
23. THE MECHANICAL/ELECTRICAL CONTRACTOR SHALL COORDINATE DUCT OPENINGS, SLEEVE REQUIREMENTS, ETC. WITH OTHER TRADES AND FLOOR JOIST LIMITATIONS.
24. THE MECHANICAL CONTRACTOR ASSUMES COMPLETE RESPONSIBILITY FOR DESIGN AND PERFORMANCE OF MECHANICAL SYSTEM. ALL WORK TO BE IN ACCORDANCE TO APPLICABLE BUILDING CODE. ALL FIXTURES TO BE U.L. LISTED FOR INTENDED USE.
 - A. HVAC NOTES: 1) ALL DUCTWORK SEAMS SHALL BE SEALED WITH LOW VOC DUCT SEALANT.
 - B. DWELLING UNIT EXHAUST FANS SHALL BE INDIVIDUALLY DUCTED TO EXHAUST OUTLET AT EXTERIOR WALL. ROOF OUTLETS ARE NOT APPROVED.
 - C. RETURN AIR SHALL BE DUCTED. PANNING OF WALL OR JOIST CAVITIES IS NOT APPROVED.
 - D. MAINTAIN INTERIOR DIMENSION OF FLEXIBLE DUCT. DO NOT "PINCH" FLEXIBLE DUCT
25. THE ELECTRICAL CONTRACTOR ASSUMES COMPLETE RESPONSIBILITY FOR DESIGN AND PERFORMANCE OF ELECTRICAL SYSTEM. ALL WORK TO BE IN ACCORDANCE WITH NATIONAL ELECTRICAL CODE. ALL FIXTURES TO BE U.L. LISTED FOR INTENDED USE.

GENERAL UNDERLAYMENT/FLASHING NOTES:

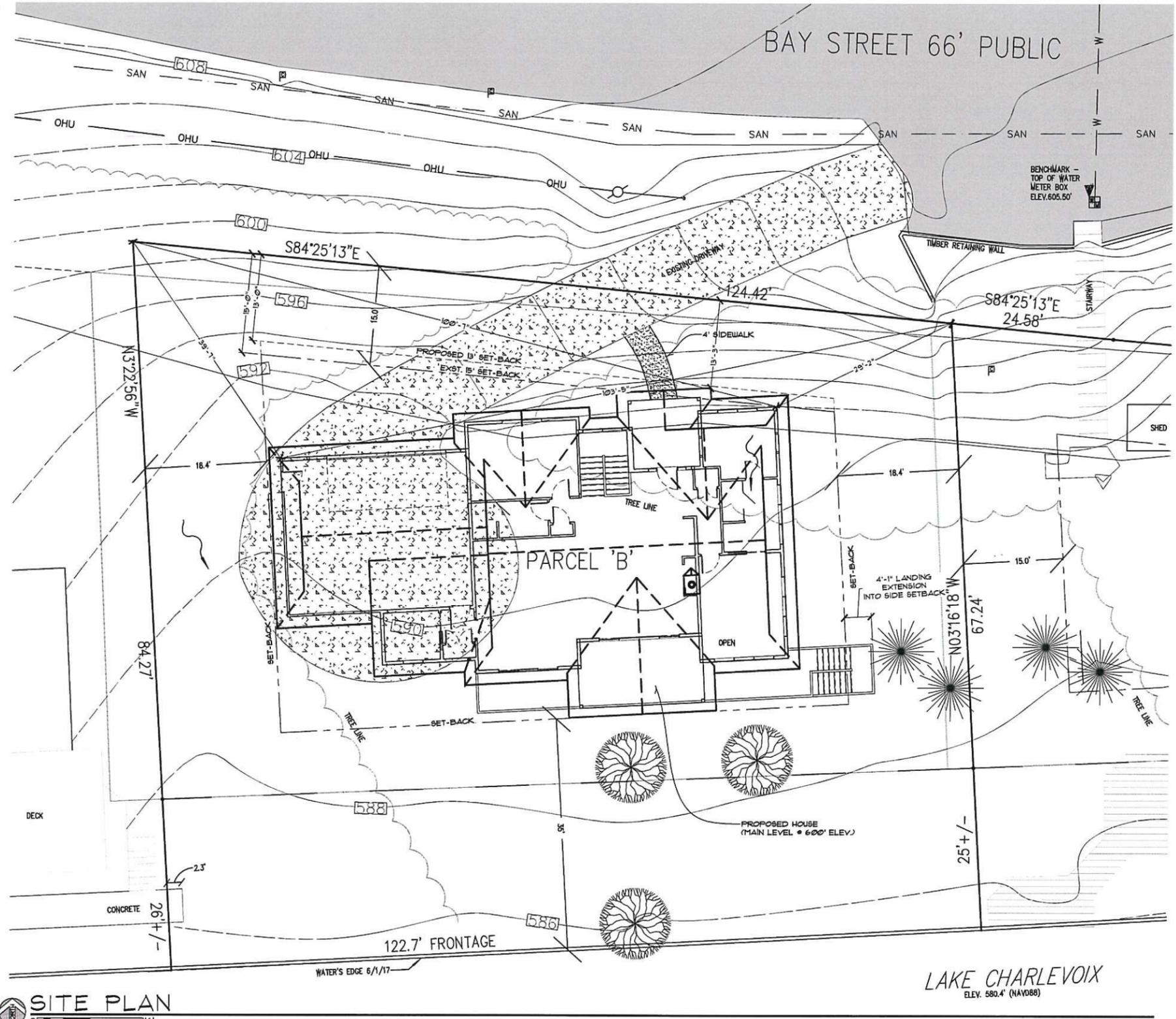
PROVIDE ICE & WATER SHIELD, SELF ADHERED UNDERLAYMENT AS FOLLOWS:

1. ROOF/HALL INTERSECTIONS:
 - (1) 3" WIDE STRIP, 18" UP WALL, 18" UP ROOF. PROVIDE ALUM. STEP FLASHING AT WALL w/ 2" EXPOSURE AT WALL.
2. VALLEYS & ROOF SLOPE TRANSITIONS:
 - (1) 3" WIDE STRIP
3. EAVES (2" OVERHANGS OR LESS):
 - (2) 3" WIDE STRIP, LAPPED 6"
4. DOORS AND WINDOWS:
 - (1) 12" STRIP WRAPPING ROUGH OPENING w/ 6" ON OUTSIDE OF WALL & OVERLAPPED TO SHED WATER.
5. DECKS AND EXTERIOR BALCONIES:
 - (1) 12" STRIP FROM UPPER DECK FLASHING UP & (1) 12" STRIP UP FROM LOWER DECK FLASHING & BETWEEN DECK LEDGER BRD. AND WALL

LOADING CRITERIA SHALL BE AS FOLLOWS:

1. ROOF LOADING:
 - LIVE LOAD = 47 PSF + SNOW DRIFT LOADS AS REQ.
 - TOP CHORD DEAD LOAD = 10 PSF
 - BTM. CHORD DEAD LOAD = 7 PSF
 - DEFLECTION = L/360
2. FLOOR LOADING:
 - LIVE LOAD = 40 PSF
 - DEAD LOAD = 12 PSF
 - DEFLECTION = L/360
3. BLDG. CODE FACTORS:
 - GROUND SNOW LOAD = 70PSF

IT IS THE RESPONSIBILITY OF THE BUILDER OR GENERAL CONTRACTOR TO ENSURE THAT THE HOUSE DESIGNED IN THESE PLANS IS BUILT TO CODE AND IS STRUCTURALLY SOUND



SITE PLAN

PROPERTY DESCRIPTION:
 A PARCEL OF LAND WITHIN BLK 1 WILLIAM T ADDIS ADD TO SPRING HARBOR DESC AS COMM AT NW COR OF THE E 66 FT OF SD BLK 1 TH N84DEG48'43" W 99.77 FT AL N LI SD BLK 1 TH N84DEG25'13" W 24.58 FT TO POB TH S03DEG16'18" E 67.19 FT TO INTER TRAV LI OF LK CHX TH S87DEG41'32" W 122.79 FT AL SD LI TO T-IR ST TH N03DEG22'56" W 84.27 FT TO T-IR ST ON N LI OF BLK 1 TH S84DEG25'13" E 124.42 FT AL SD LI TO POB 0.26A 11/2/2017 PROPERTY LINE ADJ WITH 051-171-002-00 & 051-171-003-00 INTO 051-171-002-10, CHARLEVOIX CO. MI

AREA CALCULATIONS:
 TOTAL AREA OF PARCEL B: 12,394 sq. ft.
 TOTAL AREA COVERAGE ON PARCEL B: 2,894 sq. ft.
 23.35% OF LOT IS COVERED

LAKE CHARLEVOIX
 ELEV. 580.4' (NAV088)

TABLE OF CONTENTS	
S1 - Site Plan	A5 - Cross Sections #3, #4, & Details
A1 - Lower Level Plan	A6 - Elevations
A2 - Main Level Plan	A7 - Elevations
A3 - Roof Plan	
A4 - Cross Sections #1, #2, & Details	

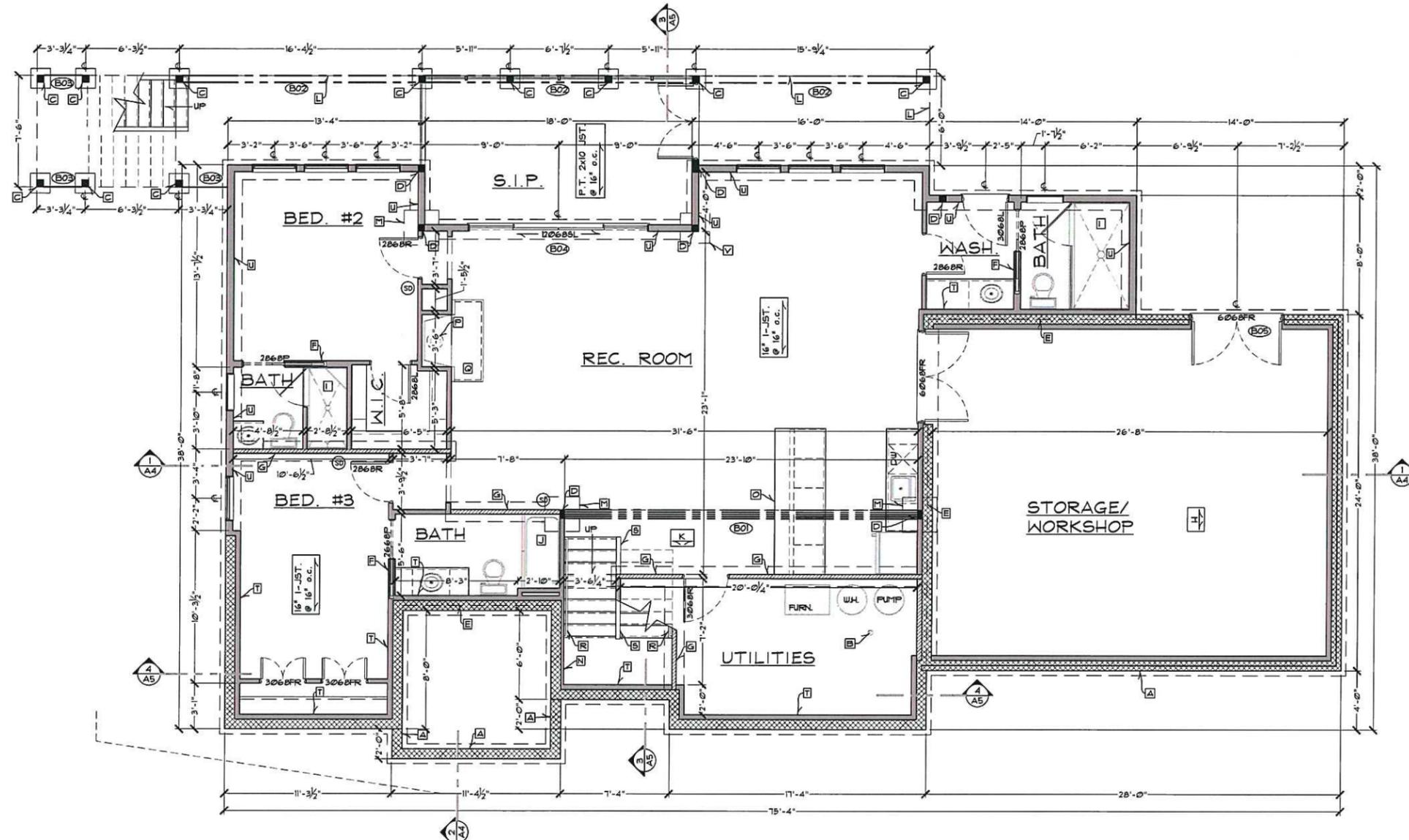


ANTHONY RESIDENCE
 413 Bay Street
 Boyne City, MI 49712

Drawn By: CALIEB NORRIS
 Project Number: 18104
 Previous Versions:
 OCT. 15, 2018
 OCT. 24, 2018
 NOV. 5, 2018
 Current Version #: PERMIT #2
 Date: APR. 17, 2019

Scale: 1"=8'-0"
 Sheet: S1
 Page Description: SITE PLAN

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LOWER LEVEL PLAN

WALL KEY:

	FOUNDATION WALL
	2x STUD WALL
	2x STUD BEARING WALL
	BEAM
	BEARING POINT

- LOWER LEVEL NOTES**
- A 10'-0" TALL 8" THICK POURED CONC. WALL ON 16"x8" CONC. FOOTING w/ (2) #3 REBAR CONT. @ BOT.
 - B SLOPE FLOOR TO FLOOR DRAIN @ MECHANICALS
 - C 6x6 P.T. POST ATTACHED TO 16"x16"x8" CONC. PAD w/ GALV. "L" BRACKETS
 - D STUD SOLID @ POINT LOAD (MIN. SAME WIDTH AS SUPPORTED BEAM)
 - E EDGE OF MAIN LEVEL RIM BRD.
 - F 2x6 WALL w/ STUDS @ 16"o.c.
 - G LOAD BEARING WALL ON 16"x8" CONC. THICKEN SLAB w/ (2) #3 REBAR CONT. @ BOT.
 - H 4" CONCRETE ON 8" THICK HOLLOW CORE, PRE-CAST, PRE-STRESSED, PRE-FABRICATED CONCRETE PLANKS
 - I TILED SHOWER w/ GLASS DOOR & 4" CURB
 - J 5' FIBERGLASS TUB/SHOWER UNIT
 - K MECH. SOFFIT
 - L EDGE OF DECK ABOVE
 - M 28"x28"x12" CONC. FOOTING w/ #6 REBAR @ 12" o.c. EACH WAY
 - N 2x6 WALL w/ STUDS TURNED ON FLAT
 - O 12" COUNTER TOP OVERHANG ON 2x4 WALL
 - P GAS FIREPLACE INSERT INSTALLED PER. MANU. SPECS.
 - Q HEARTH INSTALLED PER. MANU. SPECS.
 - R PROVIDE HAND RAIL 36" ABOVE TREAD NOSING AND CONTINUOUS FROM ABOVE LOWEST TREAD NOSING TO TOP MOST TREAD NOSING AND RETURNING TO WALL AS REQ. PER CODE.
 - S RAILING MIN. 36" HT. FROM WALKING SURFACE w/ BALUSTERS SPACED SUCH THAT 4" SPHERE CANNOT PASS THROUGH
 - T 2x4 STUD WALL w/ STUDS @ 16"o.c. & 3.5" FIBERGLASS BATTS (R-13) BTWN., ON INT. OF 10'-0" TALL, 8" THICK POURED CONC. WALL ON 16"x8" CONC. FOOTER w/ (2) #3 RE-BAR
 - U TYPICAL 2x6 STUD EXTERIOR WALL ON 2'-0" TALL POURED CONC. FROST WALL w/ 16"x8" CONC. FOOTER w/ (2) #3 RE-BAR CONT. BELOW. PROVIDE P. TRTD. 2x6 PL. ON SILL SEAL.
 - V 24"x24"x12" CONC. FOOTING w/ #6 REBAR @ 12" o.c. EACH WAY
 - (B01) (4) PLY 1 3/4"x1 1/2" 2.0E LVL DROP BEAM
 - (B02) (2) PLY 1 3/4"x4 1/2" 2.0E LVL DROP BEAM NOTCHED INTO P.T. 6x6 POST
 - (B03) (2) PLY P.T. 2x10 S.P.F. DROP BEAM
 - (B04) (2) PLY 1 3/4"x1 1/2" 2.0E MICROLAM LVL HEADER
 - (B05) CONC. LINTEL (SEE DETAIL ON A4)
 - (SD) SMOKE DETECTOR

TOTAL AREA = 2415 sq. ft.
 FINISHED AREA = 1525 sq. ft.
 S.I.P. AREA = 185 sq. ft.
 WORKSHOP AREA = 680 sq. ft.

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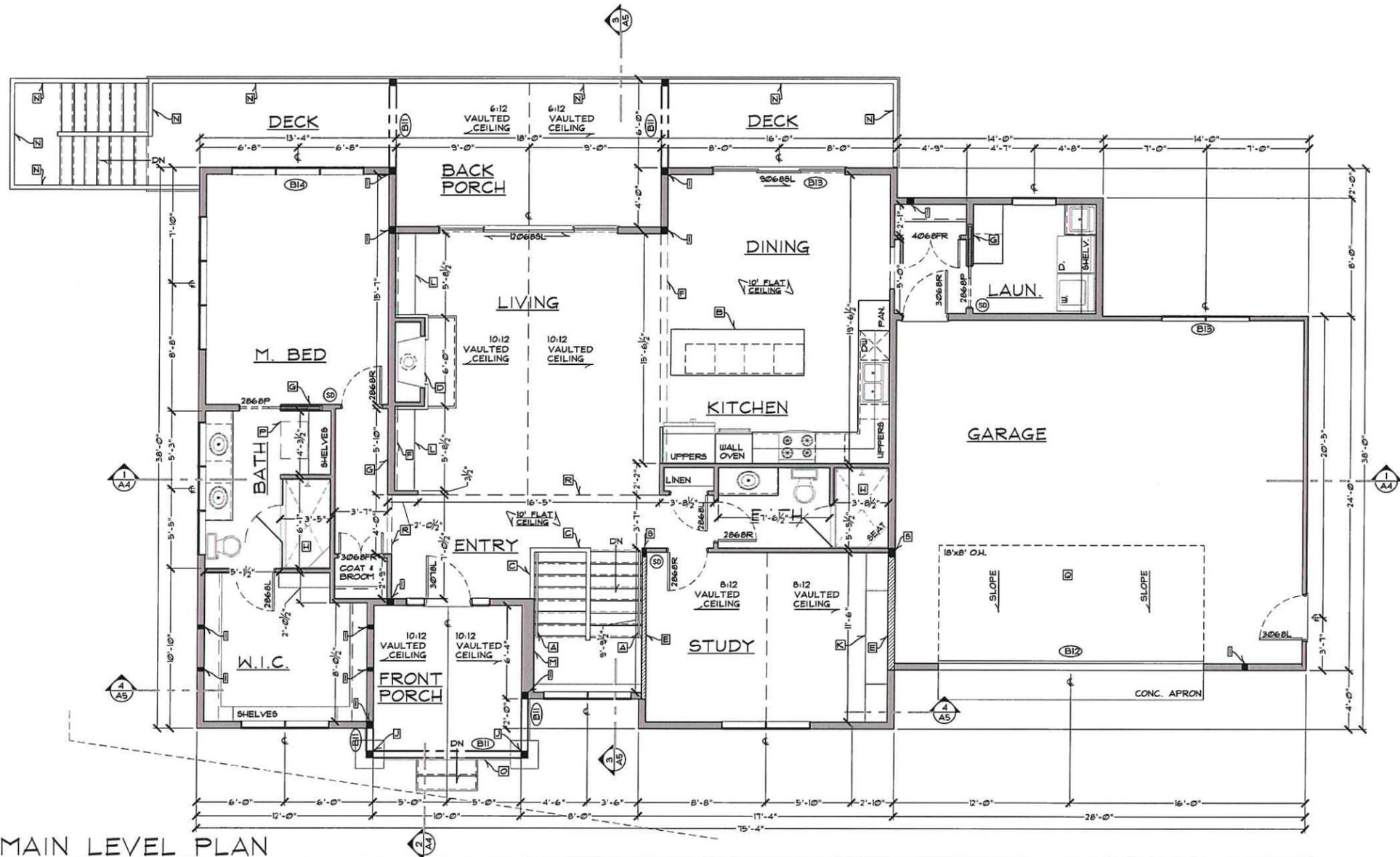
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ANTHONY RESIDENCE
 413 Bay Street
 Boyne City, MI 49712

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 Sheet:

A1
 Page Description:
 LOWER LEVEL PLAN



MAIN LEVEL PLAN

WALL KEY:

- 2x STUD WALL
- 2x STUD BEARING WALL
- BEAM
- BEARING POINT

- MAIN LEVEL NOTES**
- A HANDRAIL 36" ABOVE TREAD NOSING & CONT. FROM A POINT DIRECTLY ABOVE TOP RISER TO A POINT DIRECTLY ABOVE BOTTOM RISER & RETURNING TO WALL
 - B 36" H. COUNTERTOP w/ 12" OVERHANGING
 - C RAILING 36" A.F.F. (MIN.) w/ BALUSTERS SUCH THAT A 4" SPHERE MAY NOT PASS THROUGH RAISED HEARTH INSTALLED PER MANU. SPECS.
 - D GAS FIREPLACE INSTALLED PER MANU. SPECS. (VERIFY MANTLE AND SURROUND w/ OWNER)
 - E 2x BEARING WALL @ STUDS @ 16" o.c.
 - F DECORATIVE BEAMS
 - G INT. 2x6 WALL w/ STUDS @ 16" o.c.
 - H TILED SHOWER w/ GLASS SHOWER DOOR @ 4" CURB
 - I STUD SOLID @ POINT-LOAD (MIN. SAME WIDTH AS SUPPORTED GIRDER)
 - J P.T. 6x6 POST ATTACHED TO CONC. w/ GALV. POST BASE & WRAPPED IN TRIM
 - K BUILT-IN MURPHY BED w/ CABINET SURROUND
 - L BUILT-IN CABINETS FLANKING FIREPLACE
 - M 2x WALL FURRED OUT TO HIDE FOUNDATION WALL SHELF
 - N 36" TALL GLASS EXT. RAILING
 - O 4" THICK CONC. SLAB SLOPING UP TO FRONT DOOR
 - P MIN. 30"x22" ATTIC ACCESS HATCH
 - Q FLOOR SLOPED TOWARDS OVERHEAD GARAGE DOOR
 - R EDGE OF VAULTED CEILING
 - S 3 1/2"x7" 1.8E PSL
 - (B1) (2) PLY P.T. 2x10 S.P.F. NOTCHED INTO P.T. 6x6 POST WRAPPED IN TRIM
 - (B12) (3) PLY 1 3/4"x16" 2.0E MICROLLAM LVL HEADER
 - (B13) (2) PLY 1 3/4"x14" 2.0E MICROLLAM LVL HEADER
 - (B14) (2) PLY 1 3/4"x11 1/4" 2.0E MICROLLAM LVL HEADER
 - (SD) SMOKE DETECTOR

FINISHED AREA = 1,747 sq. ft.
 FRONT PORCH AREA = 103 sq. ft.
 GARAGE AREA = 668 sq. ft.
 BACK PORCH AREA = 180 sq. ft.
 DECKS AREA = 196 sq. ft.

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ANTHONY RESIDENCE
 413 Bay Street
 Boyne City, MI 49712

Project Name and Address

Drawn By: CALEB NORRIS

Project Number: 18107

Previous Versions:

- OCT. 15, 2018
- OCT. 24, 2018
- NOV. 5, 2018

Current Version #: PERMIT #2

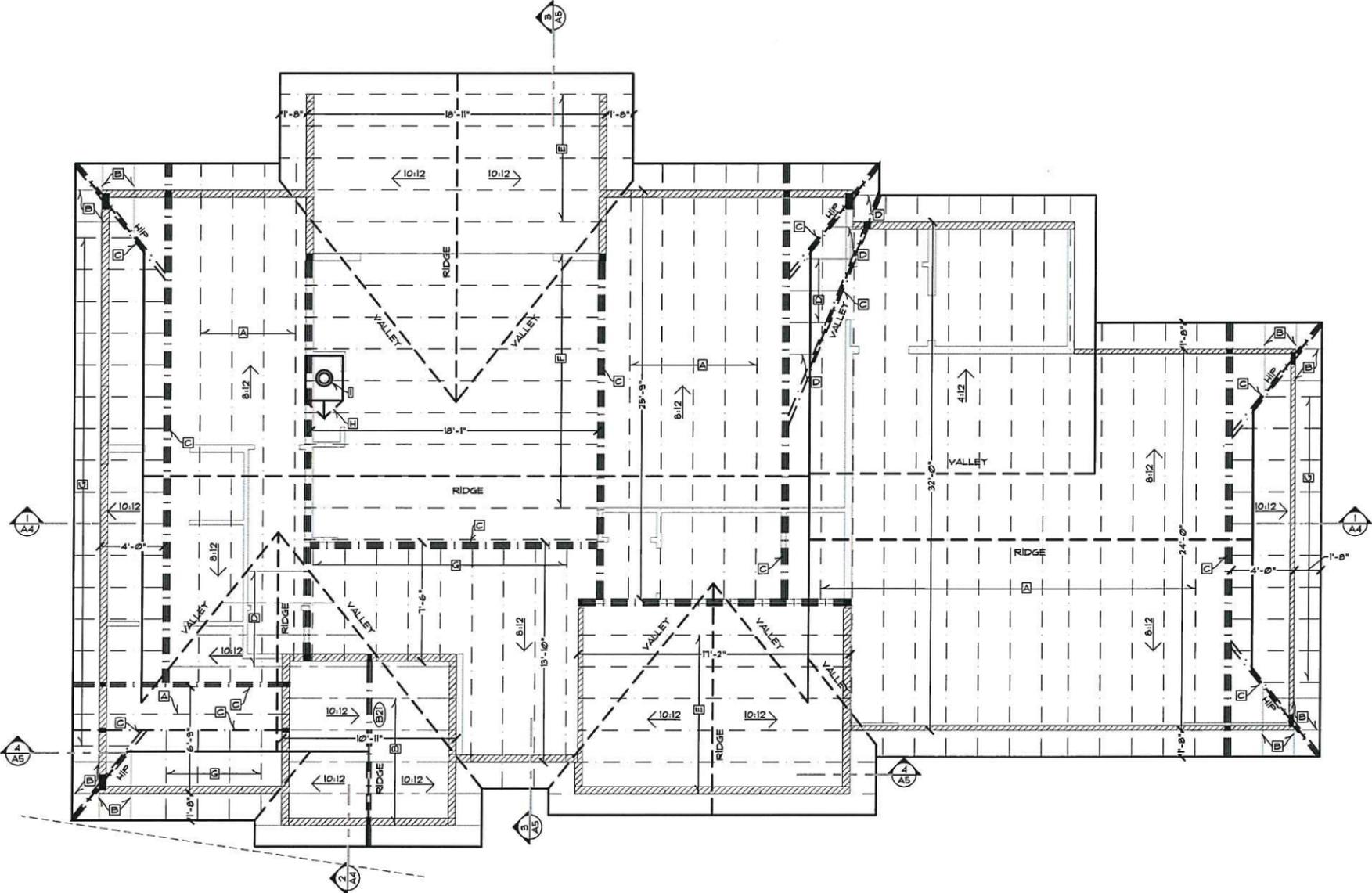
Date: APR. 17, 2019

Scale: 1/2" = 1'-0"

Sheet:

A2

Page Description: MAIN LEVEL PLAN



ROOF PLAN

FRAMING KEY:

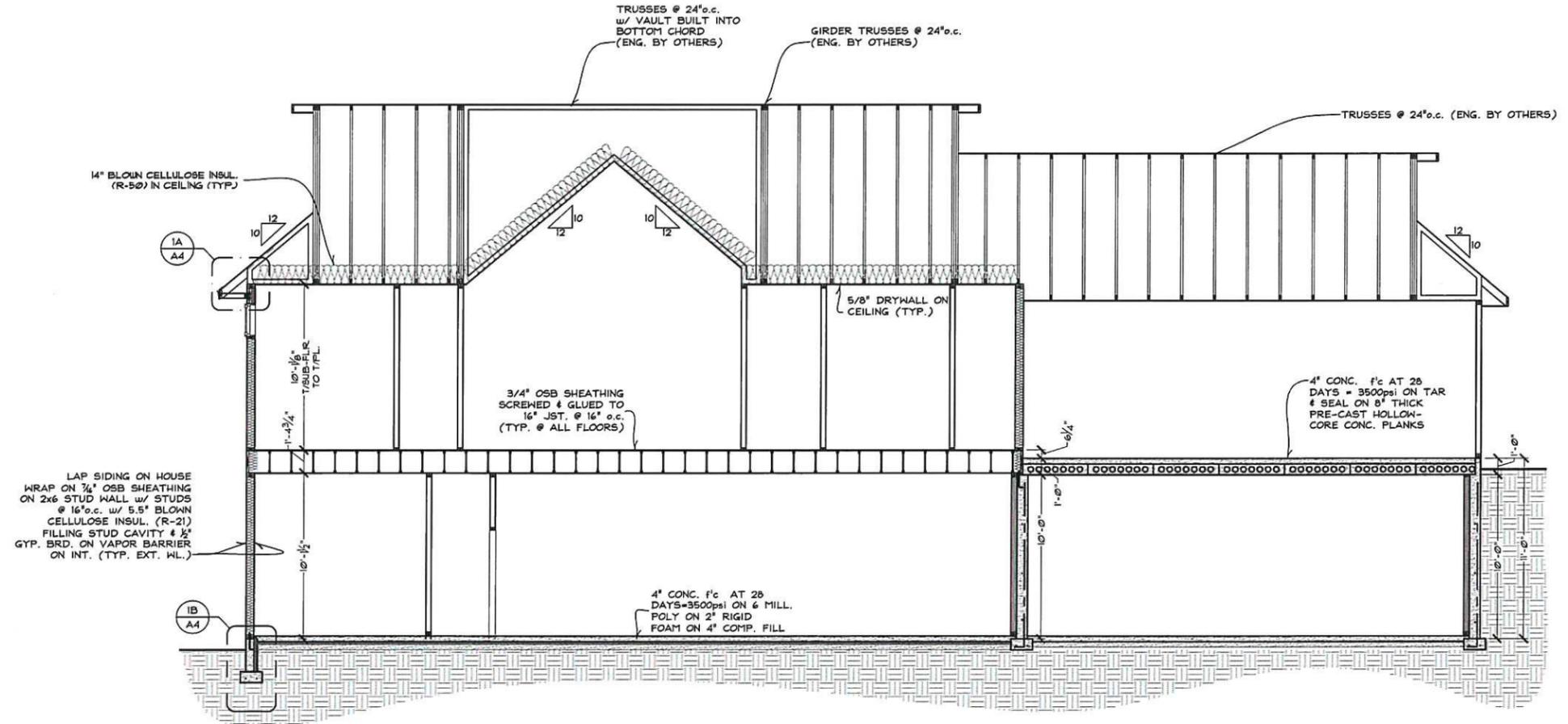
2x BEARING WALL BELOW
2x RAFTER
TRUSS (ENG. BY OTHERS)
EAVE/RAKE
RIDGE/VALLEY
BEAM
BEARING POINT

- GENERAL ROOF NOTES**
1. 2x6 RAKE BOARDS @ 24"o.c. (TYP.)
 2. PROVIDE SIMPSON 'H2.5A' HURRICANE FASTENERS TO CONNECT RAFTERS/TRUSSES TO BEARING WALLS AND BEAMS @ HEEL
 3. 12" HEEL MIN. ON ALL TRUSSES OVER FINISHED AREA
 4. 1'-8" OVERHANG @ EAVES (TYP.)
 5. 1'-4" OVERHANG @ RAKES (TYP.)

- ROOF NOTES**
- A TRUSSES @ 24"o.c. (ENG. BY OTHERS)
 - B 2x10 S.P.F. RAFTERS @ 24"o.c.
 - C GIRDER TRUSS (ENG. BY OTHERS)
 - D 2x10 S.P.F. RAFTER OVER-FRAMING @ 24"o.c.
 - E SCISSOR TRUSSES @ 24"o.c. (ENG. BY OTHERS)
 - F TRUSSES w/ 10:12 VAULT BUILT INTO BOTTOM CHORD @ 24"o.c. (ENG. BY OTHERS)
 - G MONO TRUSSES @ 24"o.c. (ENG. BY OTHERS)
 - H CRICKET
 - I MAINTAIN CLEARANCE BETWEEN FLUE & COMBUSTIBLE MATERIAL PER MANU. SPEC. ALSO PROVIDE BLOCKING BETWEEN TRUSSES FOR CHIMNEY FRAMING & STONE
 - (B2) (2) PLY 2x10 S.P.F. RIDGE BEAM (FLUSH)

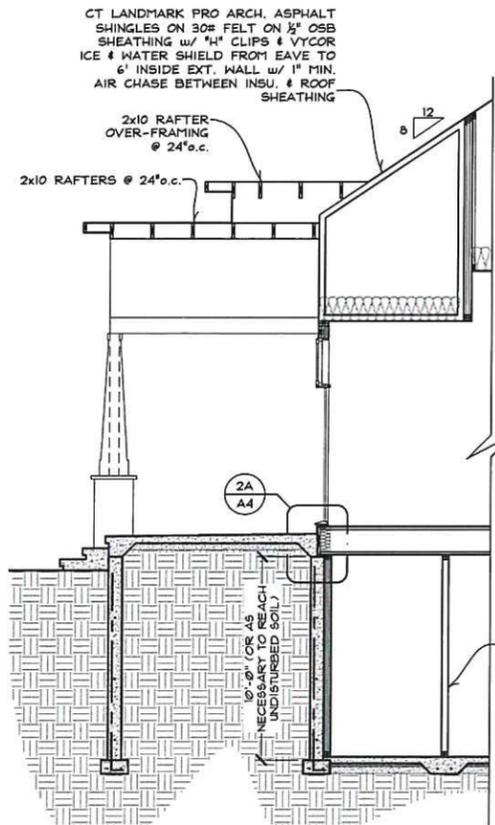
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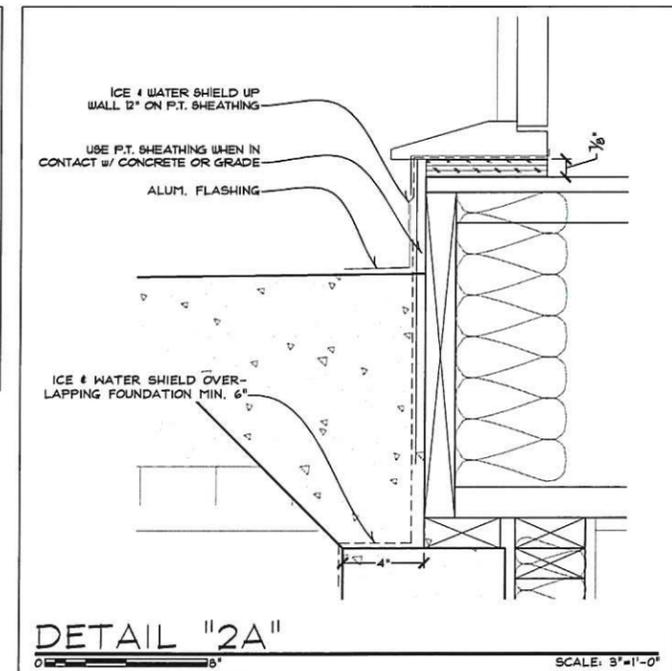
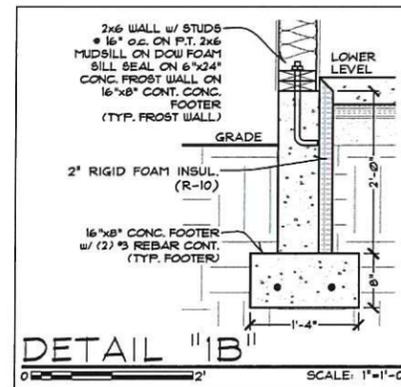
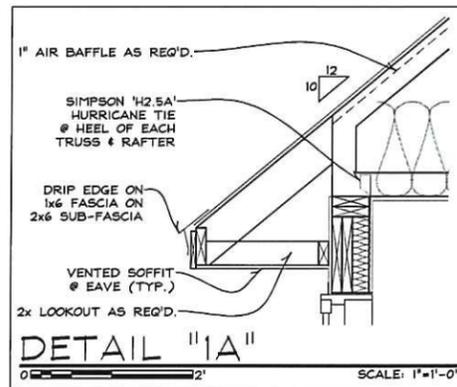
CROSS SECTION #1

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



CROSS SECTION #2

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



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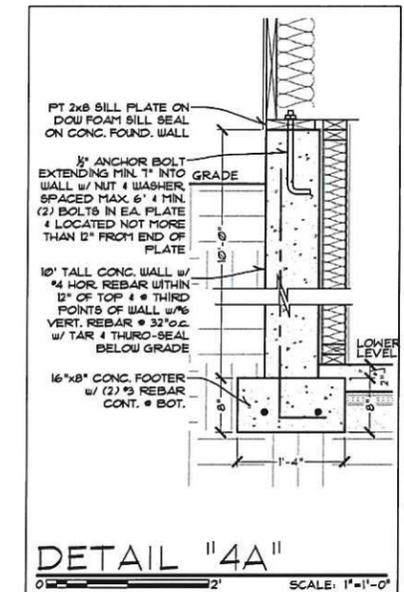
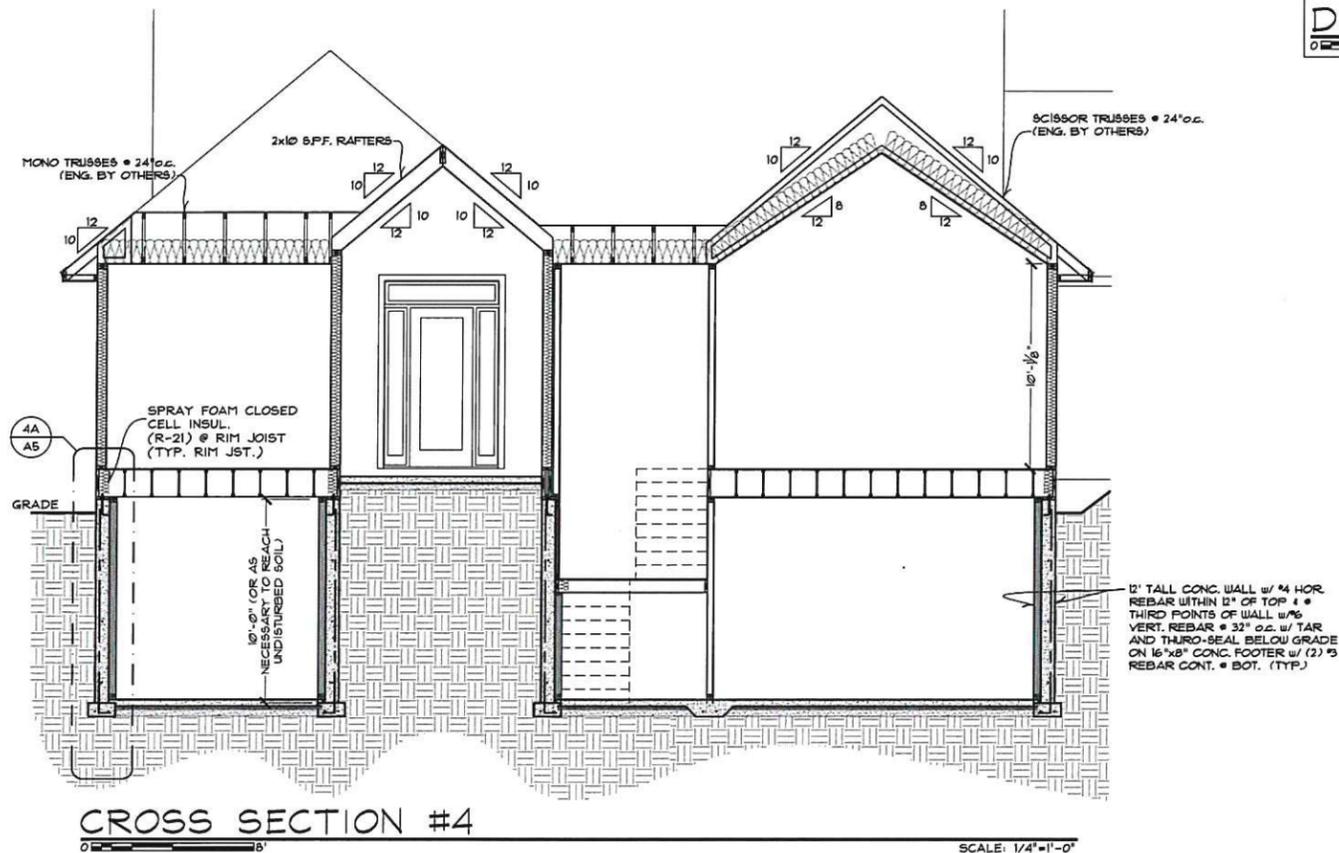
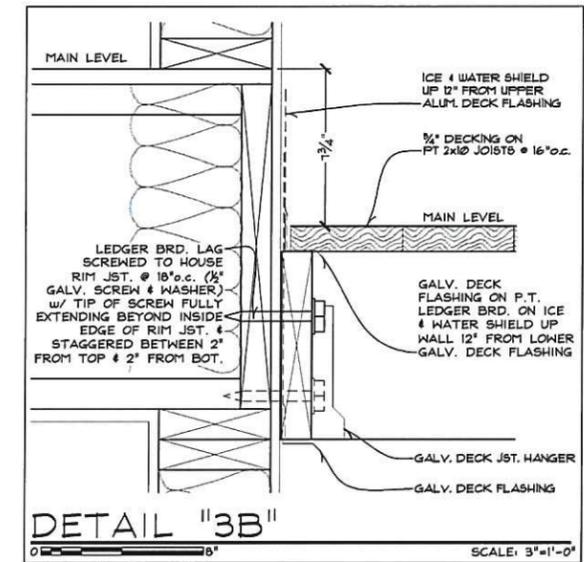
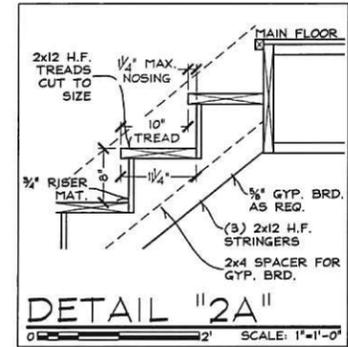
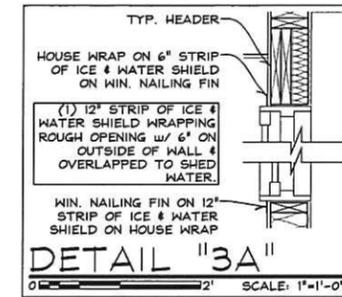
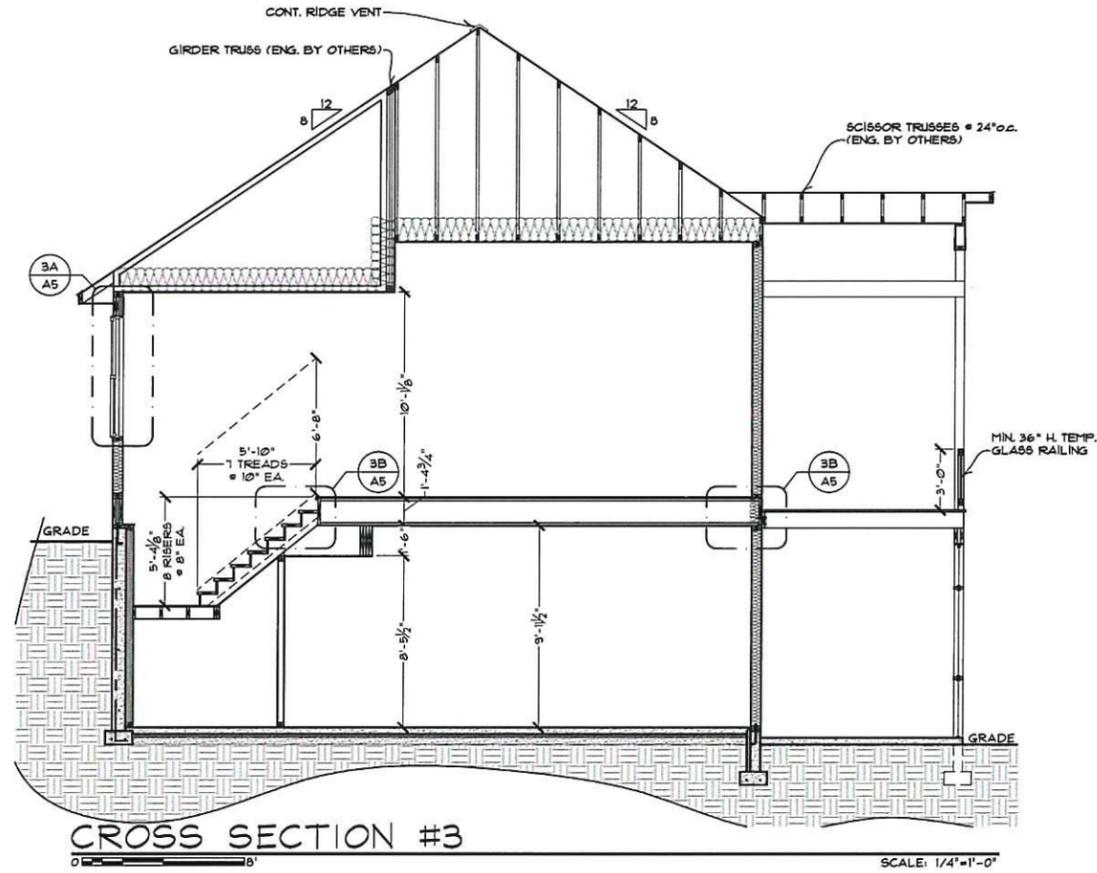


ANTHONY RESIDENCE
413 Bay Street
Boyer City, MI 49712

Drawn By: CALEB NORRIS
Project Number: 18101
Previous Versions:
OCT. 15, 2018
OCT. 24, 2018
NOV. 5, 2018
Current Version #: PERMIT #2
Date: APR. 17, 2019
Scale: 1/4"=1'-0"
Sheet:

A4

Page Description:
CROSS SECTIONS #1, #2, & 4 DETAILS



ANTHONY RESIDENCE
413 Bay Street
Boyer City, MI 49712

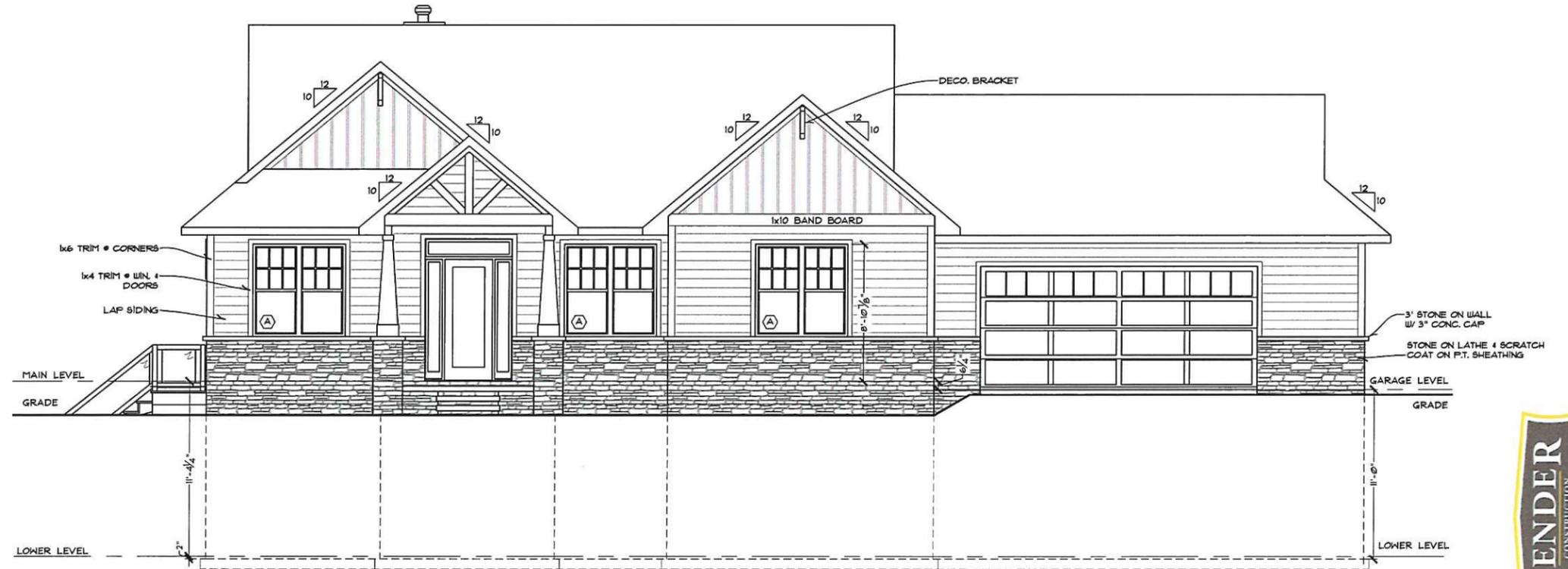
Drawn By: CALEB NORRIS
Project Number: 18104
Previous Versions:
OCT. 15, 2018
OCT. 24, 2018
NOV. 5, 2018
Current Version #: PERMIT #2
Date: APR. 17, 2019
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A5

Page Description:
CROSS SECTIONS #3, #4, & DETAILS

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FRONT ELEVATION

EXTERIOR WINDOW & DOOR NOTES:

- * TEMPERED GLASS
- (A) 6'0"x6'0" (2) 3'0"x6'0" D.H. WIND. (QTY. 3)
- (B) 4'0"x2'0" (3) 3'0"x2'0" FIXED WIND. (QTY. 2)
- (C) 2'6"x4'0" CASE WIND. (QTY. 2)
- (D) 3'0"x6'0" D.H. WIND. (QTY. 4)
- (E) 4'0"x6'0" (3) 3'0"x6'0" D.H. WIND. (QTY. 1)
- (F) 3'2"x2'0" TRANSOM (QTY. 1)
- (G) 4'0"x2'0" (3) 3'0"x2'0" TRANSOM (QTY. 1)
- (H) 12'2"x5'0" TRANSOM (4) 3'0"-1/2"x2'6" w/ 12'2"x2'6" ARCHED WINDOWS ABOVE CHIMNEY (QTY. 1)



LEFT ELEVATION



ANTHONY RESIDENCE
 413 Bay Street
 Boyne City, MI 49712

Drawn By: CALEB NORRIS
 Project Number: 18101
 Previous Versions:
 OCT. 15, 2018
 OCT. 24, 2018
 NOV. 5, 2018
 Current Version is PERMIT #2
 Date: APR. 17, 2019
 Scale: 1/4" = 1'-0"
 Sheet:

A5

Page Description:
 FRONT & LEFT ELEVATIONS

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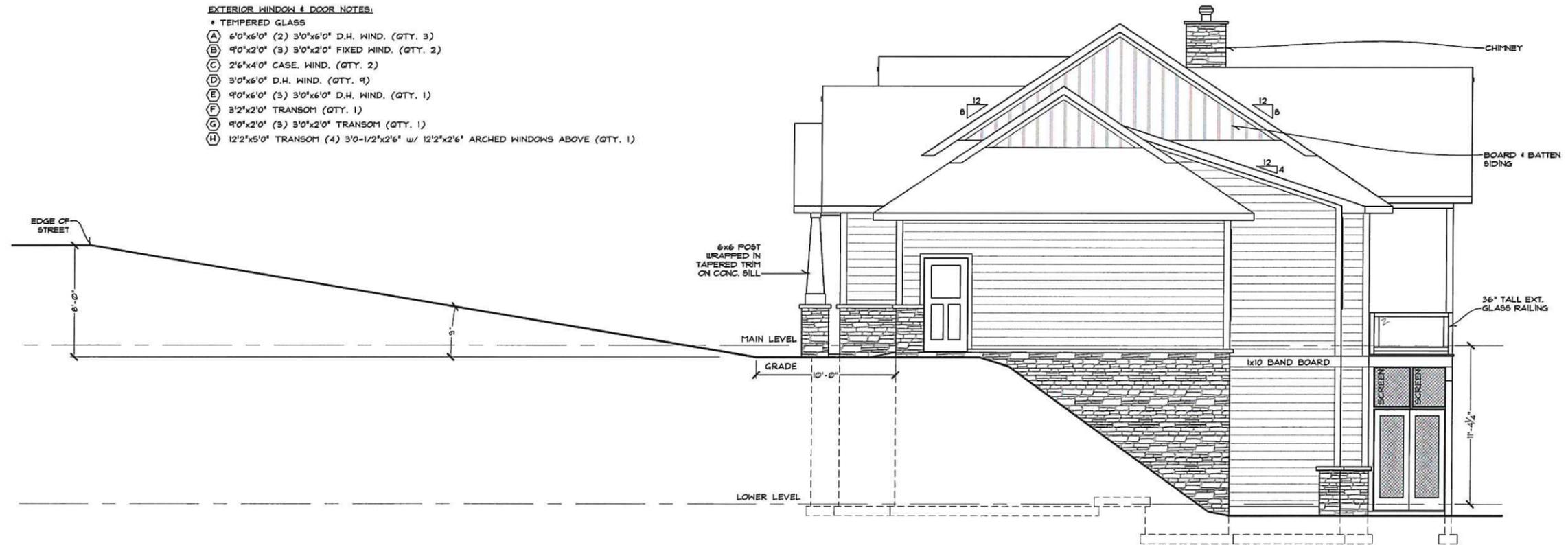


LAKE SIDE ELEVATION

0' 8'

EXTERIOR WINDOW & DOOR NOTES:

- * TEMPERED GLASS
- (A) 6'0"x6'0" (2) 3'0"x6'0" D.H. WIND. (QTY. 3)
- (B) 9'0"x2'0" (3) 3'0"x2'0" FIXED WIND. (QTY. 2)
- (C) 2'6"x4'0" CASE. WIND. (QTY. 2)
- (D) 3'0"x6'0" D.H. WIND. (QTY. 9)
- (E) 9'0"x6'0" (3) 3'0"x6'0" D.H. WIND. (QTY. 1)
- (F) 3'2"x2'0" TRANSOM (QTY. 1)
- (G) 9'0"x2'0" (3) 3'0"x2'0" TRANSOM (QTY. 1)
- (H) 12'2"x5'0" TRANSOM (4) 3'0"-1/2"x2'6" w/ 12'2"x2'6" ARCHED WINDOWS ABOVE (QTY. 1)



RIGHT ELEVATION

0' 8'

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ANTHONY RESIDENCE
 413 Bay Street
 Boyne City, MI 49712

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 Scale:
 1/4" = 1'-0"
 Sheet:

A6

Page Description:
 LAKE SIDE &
 RIGHT ELEVATIONS

**BOYNE CITY
ZONING BOARD OF APPEALS**

APPLICANT INFORMATION

APPLICANT: Kurt & Brigit Anthony
47652 Stratford Dr.
Canton, MI 48187

HEARING DATE: May 7, 2019

PROPERTY DESCRIPTION

A PARCEL OF LAND WITHIN BLK 1 WILLIAM T ADDIS ADD TO SPRING HARBOR DESC AS COMM AT NW COR OF THE E 66 FT OF SD BLK 1 TH N84DEG48'43"W 99.77 FT AL N LI SD BLK 1 TH N84DEG25'13"W 24.58 FT TO POB TH S03DEG16'18"E 67.19 FT TO INTER TRAV LI OF LK CHX TH S87DEG41'32"W 122.79 FT AL SD LI TO T-IR ST TH N03DEG22'56"W 84.27 FT TO T-IR ST ON N LI OF BLK 1 TH S84DEG25'13"E 124.42 FT AL SD LI TO POB 0.28A 11/2/2017 PROPERTY LINE ADJ WITH 051-171-002-00 & 051-171-003-00 INTO 051-171-002-10

The subject parcel is located at 413 Bay St. Boyne City, MI 49712. The property is owned by Kurt & Brigit Anthony and located in the Waterfront Residential District (WRD).

APPLICATION

Describe Variance Requests: The application shows a request for five feet (5') of relief from the required fifteen foot (15') rear yard setback, equating to a ten foot (10') rear yard setback.

**BOYNE CITY
ZONING BOARD OF APPEALS**

An affirmative vote of a majority of members shall be required to reverse any order, requirement, decision or determination of the City Manager, an administrative official of the City, or the Planning Director except that a two-thirds (2/3) majority of members shall be necessary to grant any variances from uses of land which may be permitted by this Ordinance.

BOARD DECISION AND ORDER

The Board having considered the Application, a public hearing having been held on **May 7, 2019** after giving due notice as required by law, the Board having heard the statements of the Applicant/Applicant's attorney and agents, the Board having considered letters submitted by members of the public and several comments by members of the public, the Board having considered the following Findings of Fact and Exhibits as part of the record, and the Board having reached a decision on this matter, states as follows:

GENERAL FINDINGS OF FACT

1. The property is owned by Kurt and Brigit Anthony.
2. The property identification number is 15-051-171-003-10.
3. The property is in the Waterfront Residential District (WRD).
4. Access to the property is provided by Bay St. which is a public road that bounds the north side of the parcel.
5. The adjacent properties to the north, east and west are zoned WRD.
6. Lake Charlevoix bounds the parcel to the south.
7. The property is not irregularly shaped.
8. The topography of the property is steep on the northern half of the property sloping from north to south, and gradually sloping on the southern half toward the lakeshore.
9. The property is approximately 12,394 sq. ft. in size.
10. The minimum lot area in the WRD is 5,445 sq. ft.
- 11.
- 12.
- 13.
- 14.

FINDINGS OF FACT UNDER SECTION 24.80. – NON-USE VARIANCES

In hearing and deciding appeals for variances, the Board shall adhere to the following criteria in determining whether or not practical difficulties and/or unnecessary hardships exist:

1. Requiring the owner to comply with the regulations governing area, setbacks, frontage, height, bulk, density or other non-use requirements would unreasonably prevent the owner from using the property for a permitted purpose, or would render conformity with such regulations unnecessarily burdensome.
2. The variance granted is the smallest variance necessary to do substantial justice to the owner as well as to other property owners.
3. The variance can be granted in such a fashion that the spirit of the Ordinance will be observed and public safety and welfare secured.
4. The need for the variance is not self created.
5. The need for the variance is due to unique circumstances of the property itself, and not due to general conditions in the area or to circumstances related to the owner personally or to others residing on the property.

The Board shall grant no variance if it finds an application does not meet all of the above listed criteria for determining whether or not a practical difficulty and/or unnecessary hardship exists.

Motion by

Roll Call:

Aye:

Nay:

Abstain:

Absent:

Motion Carries

Date: 05-07-2019

Chairperson signature on the original handwritten copy

Zoning Board of Appeals

Date

TIME PERIOD FOR JUDICIAL REVIEW

- MCLA 125.3607 provides that a person having an interest affected by the zoning ordinance may appeal a decision of the Zoning Board of Appeals to the Circuit Court. Pursuant to MCLA 125.3606 any shall be filed within 30 days after the zoning board of appeals issues its decision in writing signed by the chairperson, if there is a chairperson, or signed by the members of the zoning board of appeals, if there is no chairperson, or within 21 days after the zoning board of appeals approves the minutes of its decision.

CITY OF BOYNE CITY

To: Chair Pat Kubesh and fellow ZBA members
From: Patrick Kilkenny, Assistant Planning Director
Date: May 7, 2019
Subject: Term Renewals, Election of Officers,
Calendar Adoption



The terms of Pat Kubesh and Roger Reynolds are set to expire in September 2019.

- A motion of approval of the terms is required.

The annual election of Zoning Board of Appeals Officers (Chair, Vice Chair, and Secretary) is scheduled for today's meeting.

Current slate is as follows; Chair Kubesh, Vice-Chair Carlile

- A motion is required for office elections

A May 2019-May 2020 is calendar is attached for your review.

- A motion is required for calendar adoption

CITY OF BOYNE CITY

To: Chair Kubesh and fellow ZBA members

From: Patrick Kilkenny, Assistant Planner

Date: May 7, 2019

Subject: Zoning Board of Appeals
Appointment Recommendation



Background Information

There is currently a vacancy on the Zoning Board of Appeals for a term ending on September 1, 2021

Process

The procedures for appointments to the zoning board of appeals as stated in the bylaws: "Board appointments shall be subject to the approval by a majority vote of the members elect of the legislative body of the municipality." In accordance with past practice the Zoning Board of Appeals makes recommendations on ZBA appointments prior to submission to the City Commission for appointments. Applicants for the vacancy have been invited to the meeting to meet and speak with the ZBA.

CITY OF BOYNE CITY

319 North Lake Street Boyne City, MI 49712 (231) 582-6597



BOARD MEMBER APPLICATION

The City understands you are interested in becoming a member on one of the City Advisory Boards/Commissions. We appreciate your interest and future dedication to Boyne City. In order for the City to have information on file as reference when the next board has an opening, we ask you please complete the following and return to City Hall.

Name: MONICA ROSS
Address: 109 E. Michigan Ave, Boyne City
Telephone: 231-582-0632 ^{home} (daytime) 231-622-3496 cell (evening)
Email: lmonica@lmonicaross.com
Occupation: Retired Realtor

Please check any Advisory Board or Commission you may be interested in.

- | | |
|---|---|
| <input type="checkbox"/> Airport Advisory Board | <input type="checkbox"/> Economic Development Corporation |
| <input type="checkbox"/> Historical Commission | <input type="checkbox"/> Main Street / DDA Program |
| <input type="checkbox"/> Planning Commission | <input type="checkbox"/> Parks and Recreation Commission |
| <input type="checkbox"/> Board of Review | <input type="checkbox"/> Housing Commission |
| <input type="checkbox"/> Local Development | <input checked="" type="checkbox"/> Zoning Board of Appeals |
| <input type="checkbox"/> Finance Authority | <input type="checkbox"/> District Library Board |
| <input type="checkbox"/> Historic District Commission | |

Reason(s) you wish to serve:

I enjoy volunteering and am interested in
keeping Boyne a nice place to live & a
vibrant community

Other community or civic service activities: MOST RECENT ARE:

Past president Boyne Valley Garden Club.
Past president ACK Association of Realtors
Served on Aurelius Twp Planning Commission
for 7 years prior to moving here

Signature

Monica Ross

Date

Jan 29, 2019