CALL TO ORDER
ROLL CALL
APPROVAL/CORRECTION(S) TO MINUTES – January 7, 2019
APPROVAL/ADJUSTMENTS TO THE AGENDA
CONFLICT OF INTEREST DECLARATION
UNFINISHED BUSINESS
PUBLIC HEARING(S)

1. **Public Hearing – Dimensional Variance for Sign – 601 North Lincoln Road**
   
   A Public Hearing will take place concerning a request from Walmart to exceed the allowed maximum wall sign copy area for a commercial building at 601 North Lincoln Road.

2. **Public Hearing – Dimensional Variance for Setback – 1314 12th Avenue South**
   
   A Public Hearing will take place concerning a request from Michael Segorski to reduce the required rear setback for a garage addition at 1314 12th Avenue South.

GENERAL PUBLIC COMMENT
COMMISSION/STAFF COMMENT AND ANNOUNCEMENTS
ADJOURNMENT

The City of Escanaba will provide all necessary, reasonable auxiliary aids and services to individuals with disabilities at the meeting/hearing upon five days’ notice to the City of Escanaba Clerk’s Office by writing or calling (906) 786-9402.

Respectfully Submitted,

Roxanne Spencer, Ex-Officio
Zoning Board of Appeals
Zoning Board of Appeals (ZBA) Public Participation Procedures

- Preference will be given to those persons who have notified the City Administration in advance of the meeting of their desire to speak in order that their name may be placed on the agenda and they will be recognized by the presiding officer without further action.

- During the agenda item, when the floor is opened for public comment by the chair, individuals wishing to comment should:
  - Approach the lectern
  - Speak into the microphone
  - State your full name and address for the record (providing spelling as necessary)
  - Direct all comments/questions to the Chair
  - General public comment shall be restricted to comment on agenda items only with a two (2) minute time restriction.

- Any person making personal, impertinent, or slanderous remarks, or who shall become boisterous, while address the ZBA, may be request to leave the lectern.

- Interested parties, or their authorized representatives, may address the ZBA by written communication in regard to any matter concerning the City’s business over which the ZBA has control at any time by direct mail or by addressing the City Administration.
A meeting of the Escanaba Zoning Board of Appeals was held on **Monday, January 7, 2019**, at **6:00 PM** in Room C101 at City Hall, 410 Ludington Street, Escanaba, MI 49829.

**ROLL CALL**

<table>
<thead>
<tr>
<th>Name</th>
<th>Present</th>
<th>Absent</th>
<th>Name</th>
<th>Present</th>
<th>Absent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chair William DeHaan</td>
<td>X</td>
<td></td>
<td>Member Joe Klem</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Vice-Chair John Liss</td>
<td>X</td>
<td></td>
<td>Member Dennis Renken</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Member Mark Hannemann</td>
<td>X</td>
<td></td>
<td>Member Brian Thorsen</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

A quorum of the Zoning Board of Appeals was present.

**ALSO PRESENT**

<table>
<thead>
<tr>
<th>City Administration/Liaisons</th>
<th>Others</th>
</tr>
</thead>
<tbody>
<tr>
<td>Blaine DeGrave, Planning &amp; Zoning Administrator</td>
<td></td>
</tr>
<tr>
<td>Roxanne Spencer, Confidential Secretary</td>
<td></td>
</tr>
<tr>
<td>Dr. Ralph Blasier, City Council Liaison</td>
<td></td>
</tr>
</tbody>
</table>

No other individuals were present.

**MINUTES**

A motion was made by Thorsen, seconded by Liss to approve the October 17, 2019 minutes as submitted. MOTION PASSED unanimously.

**AGENDA**

DeGrave noted that the Zoning Board of Appeals needed to elect the officers of Chair and Vice-Chair for 2019 and would like to add it under New Business, Item #1.

A motion was made by Liss, seconded by Hannemann, to approve the agenda with the following adjustments: addition of election of officers for 2019 as New Business item #1. MOTION PASSED unanimously.

**CONFLICT OF INTEREST DECLARATIONS**

John Liss declared a conflict of interest because he owns storage units in the city.

Liss removed himself from the Zoning Board of Appeals body and moved to the audience section of the room.

**UNFINISHED BUSINESS** - None

**PUBLIC HEARINGS**

1. Public Hearing – 801 North Lincoln Road – Amerco Real Estate Company (U-Haul) – Request for Use Variance

Chairperson DeHaan opened the public hearing.

DeGrave read the following position paper into the record:
CASE: BOA 010719-01

APPLICANT: Amerco Real Estate Company (UHaul)
2727 N. Central Avenue
Phoenix, AZ 85004

STAFF CONTACT: Blaine R. DeGrave
Planning and Zoning Administrator
410 Ludington Street
(906) 786-9402
bdegrave@escanaba.org

REQUEST:
A hearing on a request from Amerco Real Estate Company (UHaul), for a Use Variance to allow up to 5,000 sq. ft. of exterior self-storage in the front yard space.

LOCATION: 801 North Lincoln Road

PRESENT ZONING: F - Light Manufacturing

HISTORY OF PROJECT:
On November 26, 2018, staff received a zoning application for a proposed land use for self-storage units to be placed in the front yard space. This application was denied by the Code Official based Section 1309.2 of Escanaba’s Zoning Ordinance which states that accessory buildings may not occupy front yard space.

APPLICATION INFORMATION:
301.4. Filing for Appeal. Any person with standing, aggrieved or affected by any decision of the Code Official shall be permitted to appeal to the Zoning Board of Appeals by written request with the Code Official. Upon furnishing the proper information, the Code Official shall transmit to the Zoning Board of Appeals all papers and pertinent data related to the appeal.

301.5. Time Limit. An appeal shall only be considered if filed within fifteen (15) days after the cause arises or the appeal shall not be considered. If such an appeal is not made, the decision of the Code Official shall be considered final.

On November 27, 2018, Amerco Real Estate Company (U-Haul) filed an application to appear before the Board of Appeals. In the application, the appellants were asked to answer the following questions and gave the following answers:

(a) (Question) PLEASE DESCRIBE THE REASON(S) FOR REQUESTING A VARIANCE FROM ZONING ORDINANCE REQUIREMENTS:

(Answer) Requesting the variance as these “accessory structures” are an integral part of the U-Haul Self-Storage Facility concept, marketing and ultimate success of the individual location. Without a variance it will create a monetary hardship for success at this location.
(b) (Question) DESCRIBE WHY THIS PROBLEM IS NOT SELF-CREATED:

(Answer) In general, “accessory buildings” are not an integral part of the primary business/building’s success or marketing strategy which is why they are restricted in this district. For U-Haul, these are not “accessory” in nature but vital to the success of the overall site.

(c) (Question) DESCRIBE ANY NEGATIVE IMPACT TO THE ADJACENT PARCELS(S) THAT MAY RESULT FROM GRANTING OF THIS VARIANCE:

(Answer) Based on the number of smaller structures near Lincoln Road in this area we do not feel there would be a negative impact as they will have limited visibility from the north. Units could be finished to complement and enhance the professional look of the site.

(d) (Question) DOES THE PROPERTY POSSESS UNIQUE CHARACTERISTICS (NOT COMMON TO THE GENERAL AREA):

(Answer) This is the first big box footprint coming from the north and surrounded by smaller businesses until you get south and west. Also, for U-Haul’s use, it has excess parking lot area in the front yard. The self-storage complements the main building to fill the site.

HEARING NOTICE INFORMATION:

303.1 General. The Zoning Board of Appeals shall fix a reasonable time for the hearing of the appeal and give due notice thereof to all persons to whom any real property within three hundred (300) feet of the premises in question is accessed, and to the occupants of single and two-family dwellings within three hundred (300) feet. The notice shall be delivered personally or by mail addressed to the respective owners and tenants at the address given in the latest assessment role, at least fifteen (15) days before the hearing of an appeal. If a tenant's name is not known, the term occupant will be used. Upon the hearing, a party may appear in person or by agent or by attorney. Meetings of the Zoning Board of Appeals shall be held at the call of the Code Official and at such other times as the Board may determine. There shall be a fixed place of meeting and all meetings shall be open to the public. The Board shall follow rules of procedure and keep a public record of its proceedings showing the action of the Board and the vote of each member upon each question considered. The presence of four (4) members shall be necessary to constitute a quorum and a majority vote of the members of the Board shall be necessary to reverse an order, requirement, decision or determination of an administrative official or to decide in favor of the applicant in the case of a variance, exception or interpretation, except that the concurring vote of four (4) of the members shall be necessary to grant a variance from uses of land permitted by this Zoning Code.

- A meeting notice was placed in the Escanaba Daily Press on December 21, 2018 indicating the nature of the appeal and the date of the hearing at least 15 days before the hearing date.
- A meeting notice was also placed on the City Website and on the City Facebook page.
- On December 19, 2018, letter notices were sent out to all property owners within 300 feet of the property indicating the nature of the appeal and the date of the hearing.

STAFF COMMENTS:

It was my determination that these self-storage units would be considered “Accessory Buildings” and that the storage units are not allowed in the front yard space under the current zoning designation. The zoning application was therefore denied. But in reviewing the questions on the appeals application, Question A asks the applicant to describe the reason for requesting a variance. The answer was that they were an integral part of the U-Haul Self-Storage Facility concept, marketing, and ultimate success of the individual location.

Under Section 305 POWERS AND DUTIES OF THE ZONING BOARD OF APPEALS, 305.4 Basic Conditions; line G states that the alleged hardship or difficulty must not be SOLELY economic, and must be based on the reasonable use of a particular parcel of land. Although economics do play a role, I believe a case may be considered relating to practical difficulties or unnecessary hardships being unique to the property as required under Basic Conditions D in that the use is no longer a large retail store (K-Mart) and the principal structure had
been built to the back or side edges of the property, effectively leaving only the front yard (Parking Lot) available for expansion or use.

Currently the Planning Commission is reviewing the Zoning along this North Lincoln road corridor and it has been discussed that these types of storage units must be restricted along the frontage of the property bordering this roadway.

POWERS AND DUTIES OF THE BOARD OF APPEALS:

305.1. General The Board shall have the power to hear and decide on appeals where it is alleged that there is an error in any order, requirement, decision, determination or interpretation by the Code Official. The Zoning Board of Appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination of appeal from and shall make an order, requirement, decision, or determination as in the Board's opinion ought to be made in the premises. If there are practical difficulties or unnecessary hardship in carrying out the strict letter of the ordinance, the Zoning Board of Appeals may, in passing on appeals, grant a variance in any of the provisions relating to the construction, or structural changes in, equipment, or alteration of buildings or structures, or the use of land, buildings, or structures, so that the spirit of the ordinance shall be observed, public safety secured, and substantial justice done.

305.4. Variance Review Criteria. The Board shall have the power to authorize specific variances or departures from this Zoning Code, if all of the basic conditions are satisfied, and if there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of this Zoning Code. A variance from the use requirements of this Zoning Code may only be granted if it is determined that all basic conditions have been satisfied and that there is an unnecessary hardship created by those use restrictions.

305.4. [305.5.] Basic Conditions. Any variance granted from this Zoning Code shall meet the following basic conditions:
   A. The spirit of the Zoning Code shall be observed, public safety secured and substantial justice done.
   B. There is no substantial adverse effect upon property values in the immediate vicinity or in the district in which the property of the applicant is located.
   C. The difficulty or hardship relating to the property is not so general or recurrent in nature that the formulation of a general regulation for such conditions is preferable.
   D. The practical difficulties or unnecessary hardships are unique to the property under consideration and not to the general neighborhood, and shall apply only to property that is under the control of the applicant.
   E. It shall be necessary for the preservation of a substantial property right possessed by other properties in the same zoning district.
   F. There is a clear showing of an unnecessary hardship in that the property as a whole cannot reasonably be put to a use authorized by this Zoning Code.
   G. The alleged hardship or difficulty is not solely economic, and is based on the reasonable use of a particular parcel of land.
   H. It may be denied where the alleged practical difficulties or unnecessary hardships resulted from an act of the applicant, or a person in privity or concert with the applicant.

STAFF RECOMMENDATION:

It is the recommendation of staff that the board consider granting a variance with conditions, allowing the self-storage units to be placed in the front yard space, but be located only directly behind the Jimmy Johns property, leaving the remainder of the existing parking lot as open/parking or display area for rental trucks and trailers as currently being displayed.

APPEAL PROCESS:

307.1. Circuit Court Review. A decision of the Zoning Board of Appeals shall be final. However, any party having a substantial interest affected by an order, determination or decision of the Zoning Board of Appeals may appeal
DeGrave noted that the original application submission placed the storage units much closer to the front of the property near North Lincoln Road. He also indicated that the Planning Commission has been discussing the need to restrict these types of storage units in areas along North Lincoln Road, so his recommendation was to U-Haul was to consider placing the units in the area behind Jimmy John’s. U-Haul submitted an updated proposal which set the units back further on the property closer to the main building and away from North Lincoln Road (but not behind Jimmy John’s).

Mark Rukamp of Alliance Construction & Design presented the case for a use variance on behalf of U-Haul. He indicated that the difficulty with placing the units behind Jimmy John’s was that there would be safety concerns with the limited space available around the units for clients who are primarily amateurs moving about the area. Additionally, access around the main building needs to be maintained as there a loading dock on the northwest corner which needs to be accessible. The new proposal moves units as far back on the property as possible while still maintaining access around the main building. The hardship is that the main building was built so close to rear and side property lines that there is only room to drive around, but not for any additional uses.

Rukamp noted that, coming from north, Jimmy John’s essentially blocks the sight of the storage units altogether so they cannot be seen from the roadway. He also commented that the orange doors on the units are part of their marketing, and are generally paired with white units. However, they plan to make the storage units blend more the main building aesthetically (but keeping the orange doors), and add landscaping at the ends of the units for buffering and screening.

Rukamp added that this is the maximum amount of storage units that U-Haul would be requesting and they are not trying to compete with other storage facilities. The intent is to expand public awareness beyond U-Haul’s traditional truck and trailer rentals, and draw them in to the climatized storage aspect of U-Haul inside the main building. The size of the individual units are 10x10 or 10x15, so the widest would only be 25’ wide. The structures are not permanent and so could be picked up and relocated if no longer needed.

DeHaan asked DeGrave if he had any comments or concerns about simply moving units back further, rather than behind Jimmy John’s. DeGrave stated that moving the units to the updated proposed site satisfies the concerns about being too close to the roadway. There is a hardship with not having available property to the sides or rear. Additionally, while there is an economic component to it, it is not solely and economic issue and so would meet the hardship criteria.

DeHaan asked if the ZBA approved the use variance, would a site plan review by the Planning Commission still be required. DeGrave noted that anything under 5,000 square feet, as this project is, would not be required to go to the Planning Commission. DeHaan noted that the ZBA decision made tonight would be final then.

DeHaan introduced discussion of establishing the findings of fact, citing concerns with this case relating to the two of the basic conditions found in Section 305.4, which have been satisfactorily addressed through discussion:

• A. The spirit of the Zoning Code shall be observed, public safety secured and substantial justice done.
- D. The practical difficulties or unnecessary hardships are unique to the property under consideration and not to the general neighborhood, and shall apply only to property that is under the control of the applicant.

Klem made a motion, seconded by Hannemann, to approve the findings of fact as stated above. A roll call vote was taken, with results as follows:

DeHaan – Yes
Hannemann – Yes
Klem – Yes
Renken – Yes
Thorsen – No

MOTION PASSED.

Klem made a motion, seconded by DeHaan, to grant the use variance request to allow U-Haul to place two storage units in the front yard space of 801 North Lincoln Road, provided the units be located away from the roadway and will include the aesthetic improvements of matching the main building and the inclusion of landscaping at the ends of the units.

Clarification was requested for the exact location of the storage units. It was determined that the updated plan which shows the units near the main building is what was being voted upon.

DeHaan called for any further questions. Thorsen noted his concerns that with the zoning being Light Manufacturing and with allowing the placement of storage units in front yard space, it could set a precedent for allowing similar storage units to be allowed in front yard space along the roadway in the future. DeHaan replied that each issue is stand-alone, and so doesn’t necessarily set a precedent that applies to any future requests. Secondly, the Planning Commission is currently reviewing the zoning of the areas along the North Lincoln Road corridor to better define appropriate uses and development.

A roll call vote was taken, with results as follows:

DeHaan – Yes
Hannemann – Yes
Klem – Yes
Renken – Yes
Thorsen – No

MOTION PASSED.

Chairperson DeHaan closed the public hearing.

Jon Liss returned to the Zoning Board of Appeals body.

NEW BUSINESS

1. Election of Officers for 2019

DeGrave noted that according to the by-laws, the officers of Chair and Vice-Chair are to be elected at the first meeting of each year.

Hannemann nominated John Liss to continue as Vice-Chair, seconded by DeHaan. MOTION PASSED unanimously.

Liss nominated Bill DeHaan to continue as Chair, seconded by Renken. MOTION PASSED unanimously.

GENERAL PUBLIC COMMENT - None
COMMISSION/STAFF COMMENTS

DeGrave noted that at the last Zoning Board of Appeals meeting, a use variance for the Verizon Tower was granted. It is being appealed to Circuit Court by local residents. The City attorney and Verizon attorney are working on the case and there is a hearing scheduled on February 1. Discussion followed on the role of the court in not necessarily changing the ZBA decision, but sending it back to the ZBA for additional review and decision, if the case goes that far.

ADJOURNMENT

The meeting adjourned at 6:40pm.

______________________________________        _______________________________________
William DeHaan, Chairperson                Blaine DeGrave, Planning and Zoning Administrator
Escanaba Zoning Board of Appeals                                City of Escanaba
CITY OF ESCANABA
REGULAR MEETING OF THE
ZONING BOARD OF APPEALS
At a special meeting of the Escanaba Zoning Board of Appeals on
Wednesday, August 21, 2019, at 6:00 pm in the Council
Chambers of the Escanaba City Hall, 410 Ludington Street,
Escanaba, MI 49829, the following Public Hearings will be
conducted:

Public Hearing – Dimensional Variance for Sign – 601 North
Lincoln Road
A Public Hearing will take place concerning a request from
Walman to exceed the allowed maximum sign copy area for
a commercial building at 601 North Lincoln Road.

Public Hearing – Dimensional Variance for Setback – 1314
12th Avenue South
A Public Hearing will take place concerning a request from
Michael Segorski to reduce the required rear setback for a garage
addition at 1314 12th Avenue South.

The public is cordially invited to attend this meeting should you
have any questions, comments or concerns. If you are unable to
attend this meeting, you may submit your written concerns to the
City of Escanaba, Planning & Zoning Dept., PO Box 948, 410
Ludington Street, Escanaba, MI 49829 prior to August 14, 2019.
All written and signed correspondence will be entered into the
public record.

Information related to these agenda items can be viewed at City
Hall, 410 Ludington Street, Escanaba, MI 49829 or on the City’s
website at escanaba.org under the Zoning Board of Appeals page
one week prior to the meeting.

Escanaba Zoning Board of Appeals

Daily Press 8-1-19
CITY OF ESCANABA  
ZONING BOARD OF APPEALS – STAFF POSITION PAPER  
Wednesday, August 21, 2019

CASE: ZBA 082119-01

APPLICANT: Walmart  
2001 SE 10th Street  
Bentonville, AR 72712

STAFF CONTACT: Roxanne Spencer, Planning & Zoning Administrator

REQUEST: A hearing on a request from Walmart for a Dimensional Variance to exceed the allowed maximum wall sign copy area for a commercial building at 601 North Lincoln Road.

LOCATION: 601 North Lincoln Road

PRESENT ZONING: F - Light Manufacturing

HISTORY OF PROJECT: Walmart applied for a Sign Permit on July 12, 2019 which included a proposed 65.43 SF wall sign to be placed on the front wall of the building for their new pick-up service, bringing the total square feet of wall signage on the front wall proper to 521.09 SF, with an additional 25.64 SF on the recessed, but front-facing wall of the Auto Center (for a grand total of 546.73 SF of proposed wall signage). Per Section 2009.2 of the Sign Ordinance, the maximum sign copy area for a property with premises over 300 feet is 300 SF of copy area. The permit was denied as the proposed total square footage exceeded the maximum allowable copy area.

APPLICATION INFORMATION:

301.4. Filing for Appeal. Any person with standing, aggrieved or affected by any decision of the Code Official shall be permitted to appeal to the Zoning Board of Appeals by written request with the Code Official. Upon furnishing the proper information, the Code Official shall transmit to the Zoning Board of Appeals all papers and pertinent data related to the appeal.

301.5. Time Limit. An appeal shall only be considered if filed within fifteen (15) days after the cause arises or the appeal shall not be considered. If such an appeal is not made, the decision of the Code Official shall be considered final.

On July 12, 2019, Walmart filed an application to appear before the Zoning Board of Appeals. In the application, the appellants were asked to answer the following questions and gave the following answers:

(a) (Question) PLEASE DESCRIBE THE REASON(S) FOR REQUESTING A VARIANCE FROM ZONING ORDINANCE REQUIREMENTS:

(Answer) Walmart respectively requests a variance from the zoning ordinance so as to exceed the allowable signage area. Walmart is a large, multi-department store that requires proper signage for wayfinding to the assorted departments and good they offer.

(b) (Question) DESCRIBE WHY THIS PROBLEM IS NOT SELF-CREATED:
Due to the nature of modern big box stores, additional signage is necessary for the proper way finding of customers due to the multiple types of goods and services offered.

(c) (Question) DESCRIBE ANY NEGATIVE IMPACT TO THE ADJACENT PARCELS(S) THAT MAY RESULT FROM GRANTING OF THIS VARIANCE:

(Answer) Signage requested will not deter the essential character of the neighborhood, impair the development of this property or be detrimental to the public welfare. This is an existing building with a current, legal variance for wall signage above the threshold.

(d) (Question) DOES THE PROPERTY POSSESS UNIQUE CHARACTERISTICS (NOT COMMON TO THE GENERAL AREA):

(Answer) The unique physical conditions of the site are based upon the size of the building versus the allotment of square footage per sign retailers are permitted. As a large-scale business, Walmart deems the requested signage to be the minimum necessary.

HEARING NOTICE INFORMATION:

303.1 General. The Zoning Board of Appeals shall fix a reasonable time for the hearing of the appeal and give due notice thereof to all persons to whom any real property within three hundred (300) feet of the premises in question is accessed, and to the occupants of single and two-family dwellings within three hundred (300) feet. The notice shall be delivered personally or by mail addressed to the respective owners and tenants at the address given in the latest assessment role, at least fifteen (15) days before the hearing of an appeal. If a tenant's name is not known, the term occupant will be used. Upon the hearing, a party may appear in person or by agent or by attorney. Meetings of the Zoning Board of Appeals shall be held at the call of the Code Official and at such other times as the Board may determine. There shall be a fixed place of meeting and all meetings shall be open to the public. The Board shall follow rules of procedure and keep a public record of its proceedings showing the action of the Board and the vote of each member upon each question considered. The presence of four (4) members shall be necessary to constitute a quorum and a majority vote of the members of the Board shall be necessary to reverse an order, requirement, decision or determination of an administrative official or to decide in favor of the applicant in the case of a variance, exception or interpretation, except that the concurring vote of four (4) of the members shall be necessary to grant a variance from uses of land permitted by this Zoning Code.

- A meeting notice was placed in the Escanaba Daily Press on August 1, 2019 indicating the nature of the appeal and the date of the hearing at least 15 days before the hearing date.
- A meeting notice was also placed on the City Website and on the City Facebook page.
- On August 5, 2019, letter notices were sent out to all property owners within 300 feet of the property indicating the nature of the appeal and the date of the hearing.

STAFF COMMENTS:

It should be noted that a previously approved Sign Permit issued in 2016 allowed for total building signage of 481.3 SF on the front wall, but was based on an interpretation of the signs being considered incidental signs, instead of wall signs.

- Per Section 2002.1, the definition of an Incidental Sign is “a sign used in conjunction with equipment or other functional elements of a use or operation. These shall include, but not be limited to drive through window menu boards, and signs on automatic tell machines, gas pumps, vending machines, or newspaper delivery boxes.”
- The definition of a Wall Sign is “Any sign directly attached to an exterior wall or exterior parapet of a building or dependent upon a building for its support with its exposed face parallel or approximately parallel to the plane of a building or structure on which the sign is affixed.”
The lot size and building size are both greater than a majority of other parcels and buildings in the area. The lot width facing North Lincoln Road is 898 feet, nearly three (3) times as large as the largest premises frontage measurements outlined in Table 2009 regarding Wall Signs.

Additionally, the building is set back from North Lincoln Road quite a distance, so that larger signs are needed to read clearly from the roadway.

POWERS AND DUTIES OF THE BOARD OF APPEALS:

305.1. General The Board shall have the power to hear and decide on appeals where it is alleged that there is an error in any order, requirement, decision, determination or interpretation by the Code Official. The Zoning Board of Appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination of appeal from and shall make an order, requirement, decision, or determination as in the Board's opinion ought to be made in the premises. If there are practical difficulties or unnecessary hardship in carrying out the strict letter of the ordinance, the Zoning Board of Appeals may, in passing on appeals, grant a variance in any of the provisions relating to the construction, or structural changes in, equipment, or alteration of buildings or structures, or the use of land, buildings, or structures, so that the spirit of the ordinance shall be observed, public safety secured, and substantial justice done. The Zoning Board of Appeals shall not have the power to vary a standard for a Planned Unit Development or a Special Land Use Permit.

305.4. Variance Review Criteria. The Board shall have the power to authorize specific variances or departures from this Zoning Code, if all of the basic conditions are satisfied, and if there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of this Zoning Code. A variance from the dimensional requirements of this Zoning Code may only be granted if it is determined that all basic conditions have been satisfied and that there is a practical difficulty in carrying out the requirement.

305.3. Interpretations. Upon application by the Code Official or person interested in a specific affected parcel of land, when other administrative appeals have been exhausted, the Board shall have the power to:
A. Interpret the Zoning Code in such a way as to carry out its intent and purpose;
B. Determine the precise location of a zoning district and special area boundaries;
C. Classify a use which is not specifically mentioned, determine the district within which the use is permitted and determine the necessary parking to support the use; and
D. Determine the off-street parking and loading space requirements of this Zoning Code.

305.4. [305.5.] Basic Conditions. Any variance granted from this Zoning Code shall meet the following basic conditions:
A. The spirit of the Zoning Code shall be observed, public safety secured and substantial justice done.
B. There is no substantial adverse effect upon property values in the immediate vicinity or in the district in which the property of the applicant is located.
C. The difficulty or hardship relating to the property is not so general or recurrent in nature that the formulation of a general regulation for such conditions is preferable.
D. The practical difficulties or unnecessary hardships are unique to the property under consideration and not to the general neighborhood, and shall apply only to property that is under the control of the applicant.
E. It shall be necessary for the preservation of a substantial property right possessed by other properties in the same zoning district.
F. There is a clear showing of an unnecessary hardship in that the property as a whole cannot reasonably be put to a use authorized by this Zoning Code.
G. The alleged hardship or difficulty is not solely economic, and is based on the reasonable use of a particular parcel of land.
H. It may be denied where the alleged practical difficulties or unnecessary hardships resulted from an act of the applicant, or a person in privity or concert with the applicant.
305.6. **Practical difficulties and unnecessary hardships.** In order to determine if there are practical difficulties or unnecessary hardships which prevent carrying out the strict letter of this Zoning Code the following shall apply:

305.6.1. **Dimensional Variance.** A practical difficulty shall exist where there are exceptional or extraordinary circumstances or physical conditions, such as narrowness, shallowness, shape or topography of the property involved, that do not generally apply to other property or uses in the same zoning district.

**STAFF RECOMMENDATION:**

If all of Basic Conditions listed in Section 305.4 are satisfied and a Practical Difficulty as defined in Section 305.6.1 is established, City administration supports granting Walmart a dimensional variance to exceed the maximum permitted sign copy area to a maximum of 550 SF for the front face of the building at 601 North Lincoln Road.

**APPEAL PROCESS:**

307.1. **Circuit Court Review.** A decision of the Zoning Board of Appeals shall be final. However, any party having a substantial interest affected by an order, determination or decision of the Zoning Board of Appeals may appeal to the Circuit Court if such appeal is made to the Court within thirty (30) days after the Zoning Board of Appeals issues its decision in writing, or within twenty-one (21) days after the Zoning Board of Appeals approves its minutes.

**BACK-UP INFORMATION:**

1. Board of Appeals Application
2. Original Zoning Permit Application with Denial
3. Assessor’s Card
4. Letter to Property Owners Within 300’ Radius & Address List
Fee: $250.00

City of Escanaba
BOARD OF APPEALS APPLICATION

PROPERTY INFORMATION
Property Address: 601 North Lincoln Rd., Escanaba, MI
Zoning District: existing

PROPERTY OWNER INFORMATION
Property Owner Name: Walmart
Mailing Address: 2001 SE 10th St., Bentonville, AR 72712
Phone Number: 614-634-7219 E-Mail Address: ben.dariano@wdpartners.com

AGENT INFORMATION (If not filed by property owner)
If the Property Owner will have an authorized agent on his/her behalf, the owner MUST complete the attached Letter of Authorization.

Property Owner Name: Ben Dariano, WD Partners
Mailing Address: 7007 Discovery Blvd., Dublin, OH 43017
Phone Number: 614-634-7219 E-Mail Address: ben.dariano@wdpartners.com

APPEAL INFORMATION
Check all that apply:
☐ To appeal an order, requirement, decision, or determination of the Code Official when an error is alleged. You must attach a copy of the written determination of the Code Official that you are appealing.
☒ To request a variance. Identify the type and amount of variance(s) below. Example: Five foot (5') reduction of the twenty-five (25') rear yard setback (use additional paper, if necessary).

To exceed the 300 SQFT of total signage area for an existing Walmart.

DESCRIBE THE REASON(S) FOR REQUESTING A VARIANCE FROM ZONING ORDINANCE REQUIREMENTS:
Walmart respectively request a variance from the zoning ordinance so as to exceed the allowable signage area. Walmart is a large multi dept store that requires proper signage for way finding to the assorted department & goods they offer.

DESCRIBE WHY THIS PROBLEM IS NOT SELF-CREATED:
Due to the nature of modern big box stores, additional signage is necessary for the proper way finding of customers due the multiple types of goods & services offered.

DESCRIBE ANY NEGATIVE IMPACT TO THE ADJACENT PARCEL(S) THAT MAY RESULT:
Signage requested will not deter the essential character of the neighborhood, impair the development of this property or be detrimental to the public welfare. This is an existing business with a current, legal variance for wall signage above the threshold.

DOES THE PROPERTY POSSESS UNIQUE CHARACTERISTICS (NOT COMMON TO THE GENERAL AREA):
The unique physical conditions of the site are based upon the size of the building versus the allotment of square footage per sign retailers are permitted. As a large scale business Walmart deems the requested signage to be the minimum necessary.

By signing below I certify that the information contained in this application is true and correct to the best of my knowledge and belief at the time of the application. I acknowledge that I understand and have complied with all of the submittal requirements and procedures, and that this application is complete. I further understand that an incomplete application submittal may cause my application to be deferred.

Applicant's Signature: ___________________________ Date: 7/12/19
April 4, 2019

City of Escanaba
410 Ludington St.
Escanaba, MI 49829

RE: Walmart #2522 OGP
601 North Lincoln Rd.
Escanaba, MI 49829

To whom it may concern,

Please find that Ben Dariano of WD Partners has our permission to act as our Agent in the process of submission of all documentation regarding the acquisition of all necessary approvals regarding the proposed work to the existing Walmart #2522 at 601 North Lincoln Rd. in Escanaba MI. Please feel free to contact me with any questions; I can be reached directly at 479-204-2290 or amanda.smith0@wal-mart.com.

Sincerely,

[Signature]

Name Amanda Smith
Title Sr Project Mgr
Phone 479-204-2290
Complete all pertinent fields and submit with a scale drawing and permit fee. This is an application only. This form must be submitted and approved PRIOR to the installation of sign(s). After a review is made, you will be notified if the application is approved or denied. All signs must be installed by a contractor licensed by the City of Escanaba which can be obtained through the City Clerk’s office. All lighted signs must be installed by a licensed State of Michigan Sign Specialty Contractor or Electrical Contractor.

**BUSINESS Information (Where Sign is to be Located)**

- Business Name: Walmart
- Walmart Address: 601 North Lincoln Rd., Escanaba, MI
- Business Mailing Address: 2001 SE 10th St., Bentonville, AR 72712
- Business Owner’s Name: Real Estate
- Business E-Mail Address: ben.dariano@wdpartners.com

**PROPERTY OWNER Information**

- Property Owner Name: Walmart
- Phone: 479-273-4000
- Mailing Address: 2001 SE 10th St., Bentonville, AR 72712
- E-Mail Address: ben.dariano@wdpartners.com

**SIGN INSTALLER Information**

- Company Name: Cook Signs & Services
- Phone: 906-228-8690
- Mailing Address: 105 N. Garfield, Marquette, MI 49855
- E-Mail Address: tombw@cooksign.com
- Insurance Carrier: Nationwide # 14254165

**SPECIAL LICENSING DETERMINATIONS**

<table>
<thead>
<tr>
<th>Are any proposed signs illuminated?</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>If Yes, is sign approved by underwriter’s laboratory?</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>If Yes, are you a licensed State of Michigan Sign Special Contractor or Electrician?</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>License #:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Do any proposed signs have moving parts, blink, flash, swing or revolve, or include strings of lights or pennants? | X |

| Are you currently licensed to install signs in the City of Escanaba, by the City of Escanaba? | X |

*If No, are you the property owner and will you be installing the sign on your own?*

<table>
<thead>
<tr>
<th>√ DESCRIPTION OF PROPOSED SIGN(S)</th>
<th>Height (In. feet)</th>
<th>Area Sq. (In. feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Detached/Pole Sign</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ground Sign</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Projecting Sign</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Well Sign</td>
<td>4' 5 7/16”</td>
<td>65.43</td>
</tr>
<tr>
<td>Message Board</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Outdoor Advertising Sign</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>√</td>
<td>Type of Sign</td>
<td>Height (in feet)</td>
</tr>
<tr>
<td>---</td>
<td>---------------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td></td>
<td>Detached/Pole Sign</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ground Sign</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Projecting Sign</td>
<td></td>
</tr>
<tr>
<td>×</td>
<td>Wall Sign</td>
<td>1' to 8' (between all 9 signs)</td>
</tr>
<tr>
<td></td>
<td>Message Board</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Outdoor Advertising Sign</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Other:</td>
<td></td>
</tr>
</tbody>
</table>

**STATEMENT OF UNDERSTANDING**

"I understand that permits are not licenses. All rights and privileges acquired under the provisions of Escanaba’s Sign Ordinance are clearly understood by the Applicant, Sign Installer, and/or Property Owner. All permits issued pursuant to the Escanaba Sign Ordinance are hereby subject to this provision. I understand that these, and any future signs, are subject to review by the City/State of Michigan and are to be declared and permitted prior to placement. I understand all lighted/electrical sign installations must be made by either a licensed State of Michigan Sign Specialty Contractor or Electrical Contractor."

Applicant’s Signature ___________________________ Date 4/4/19

**FOR OFFICE USE ONLY**

Per section 2009.2 of the Sign Ordinance, there is a maximum of 300 s.f. of sign copy area allowed. As the application calls for a total of 521 s.f. total (w/new signs included), the permit must be denied. A variance may be requested through the Zoning Board of Appeals.

<table>
<thead>
<tr>
<th>√</th>
<th>REVIEW STATUS (Check all that apply.)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>The permit is APPROVED as submitted and expires on ____________________________. Sign must be installed by the permitted sign installer listed on the face of the permit application.</td>
</tr>
<tr>
<td></td>
<td>A building permit must also be obtained from the Delta County Building &amp; Zoning Department at 310 Ludington Street, Escanaba, MI 49829.</td>
</tr>
<tr>
<td></td>
<td>All lighted signs must be installed by a licensed State of Michigan Sign Special contractor or electrical contractor. The license number must be provided on the reverse side of this application.</td>
</tr>
<tr>
<td>×</td>
<td>The permit is DENIED as submitted. Please reference Section 2015 Variance and Appeals of Escanaba’s Sign Ordinance should you desire to appeal this finding.</td>
</tr>
</tbody>
</table>

Signature of Reviewer: ___________________________ Date: 7-11-19
April 4, 2019

City of Escanaba
410 Ludington St.
Escanaba, MI 49829

RE:
Walmart #2522 OGP
601 North Lincoln Rd.
Escanaba, MI 49829

To whom it may concern,

Please find that Ben Dariano of WD Partners has our permission to act as our Agent in the process of submission of all documentation regarding the acquisition of all necessary approvals regarding the proposed work to the existing Walmart #2522 at 601 North Lincoln Rd. in Escanaba MI. Please feel free to contact me with any questions; I can be reached directly at 479-204-2290 or amanda.smith0@wal-mart.com.

Sincerely,

Name Amanda Smith
Title Sr Project Mgr
Phone 479-204-2290
transmittal

TO: Blaine DeGrave  
City of Escanaba  
MI  
410 Ludington St.  
City Hall  
Escanaba, Michigan 49829

FROM: Ben Dariano

PROJECT NAME: WALGP0330_2522-229_MI_Escanaba  
WAL - Grocery Pickup

WD PROJECT #: WALGP0330

DATE: Thursday, April 04, 2019

SHIPPED: Fedex Standard

PHONE: 906-786-9402

FAX:

remarks:

Mr. DeGrave,

Please find enclosed the following items for your review of the proposed alterations to the existing Walmart at 601 N. Lincoln Rd. in Escanaba. Please note plans have been submitted concurrently to Delta County for building review.

- 1 set of plans  
- Application

Please do not hesitate to contact me with any questions or if you need any additional documentation. I can be reached directly at 614-634-7219.

Ben Dariano

ben.dariano@wdpartners.com  
p. 614-634-7219  
f. 614-634-7777

Ben Dariano
Parcel Number: 051-420-2025-200-025  Jurisdiction: City of Escanaba  County: Delta
Printed on 08/06/2019

<table>
<thead>
<tr>
<th>Grantor</th>
<th>Grantee</th>
<th>Sale Price</th>
<th>Sale Date</th>
<th>Inst. Type</th>
<th>Terms of Sale</th>
<th>Liber &amp; Page</th>
<th>Verified By</th>
<th>Prcnt. Trans.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Property Address</th>
<th>Class: COMMERCIAL, 201</th>
<th>Zoning:</th>
<th>Building Permit(s)</th>
<th>Date</th>
<th>Number</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>601 N LINCOLN RD</td>
<td>School: Escanaba Schools 21010</td>
<td>P.R.E. 0%</td>
<td>138-4</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Owner's Name/Address</th>
<th>2020 Est TCV 447,500</th>
</tr>
</thead>
<tbody>
<tr>
<td>DAGENAIS REAL ESTATE INC</td>
<td></td>
</tr>
<tr>
<td>MS 0555</td>
<td></td>
</tr>
<tr>
<td>P O BOX 8050</td>
<td></td>
</tr>
<tr>
<td>BENTONVILLE AR 72712</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Taxpayer's Name/Address</th>
<th>2020 Est TCV 447,500</th>
</tr>
</thead>
<tbody>
<tr>
<td>WALMART PROPERTY TAX DEPARTMENT</td>
<td></td>
</tr>
<tr>
<td>P O BOX 8050</td>
<td></td>
</tr>
<tr>
<td>BENTONVILLE AR 72712</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Tax Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>PRT 1/2 NE 1/4 [17.91 AC]</td>
</tr>
<tr>
<td>BKG 8 NE COR SD SEC TH S 0'04' W ALG R IN</td>
</tr>
<tr>
<td>SD SEC 40 FT TO POB TH CONT S 0'04' W</td>
</tr>
<tr>
<td>641.85 FT TH N 89°56' W 501 FT TH S 0'04' W</td>
</tr>
<tr>
<td>PAR W/ SD E IN 257.80 FT TH N 89°56' W</td>
</tr>
<tr>
<td>251.50 FT TH N 0'04' S 145.4 FT TH N</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Improved</th>
<th>Vacant</th>
<th>Land Value Estimates for Land Table 10.ACREAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Improvements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dirt Road</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gravel Road</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paved Road</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Storm Sewer Sidewalk</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sewer</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Electric</td>
<td></td>
<td></td>
</tr>
<tr>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gas</td>
<td></td>
<td></td>
</tr>
<tr>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Curb</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Street Lights</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Standard Utilities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Underground Utilities</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Topography of Site</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level</td>
</tr>
<tr>
<td>Rolling</td>
</tr>
<tr>
<td>Low</td>
</tr>
<tr>
<td>High</td>
</tr>
<tr>
<td>Landscaped</td>
</tr>
<tr>
<td>Swamp</td>
</tr>
<tr>
<td>Wooded</td>
</tr>
<tr>
<td>Pond</td>
</tr>
<tr>
<td>Waterfront</td>
</tr>
<tr>
<td>Revino</td>
</tr>
<tr>
<td>Wetland</td>
</tr>
<tr>
<td>Flood Plain</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Year</th>
<th>Land Value</th>
<th>Building Value</th>
<th>Assessed Value</th>
<th>Board of Review</th>
<th>Tribunal/Other</th>
<th>Taxable Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>223,800</td>
<td>0</td>
<td>223,800</td>
<td>0</td>
<td>173,596C</td>
<td></td>
</tr>
<tr>
<td>KD</td>
<td>09/19/2011 Inspected</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2019</td>
<td>223,800</td>
<td>0</td>
<td>223,800</td>
<td>0</td>
<td>173,596C</td>
<td></td>
</tr>
<tr>
<td>KD</td>
<td>08/21/2006 Inspected</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2018</td>
<td>223,800</td>
<td>0</td>
<td>223,800</td>
<td>0</td>
<td>169,528C</td>
<td></td>
</tr>
<tr>
<td>KD</td>
<td>02/06/2010 Data Enter</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2017</td>
<td>223,750</td>
<td>0</td>
<td>223,750</td>
<td>0</td>
<td>166,042C</td>
<td></td>
</tr>
</tbody>
</table>

*** Information herein deemed reliable but not guaranteed***
Parcel Number: 051-421-2825-200-025, Commercial/Industrial Building 1

**Original Walmart Building**
- Steel Frame & Ext
- 119618.5' BLDG COMPLETELY SPRINKLED
- Hot Air & Air Conditioned
- Mens & Womens Restrooms
- McDonald's owned by Tom Wilson
- BLDG HAS AUTO CENTER, PHOTO, HAIR CARE, OPTICAL
  - BUILT 1996
- 46000 SQ FT TOTAL ASPHALT
- 3 DOUBLE LIGHT POLES
- 4 TRIPLE LIGHT POLES
- 8 QUAD LIGHT POLES

**Fiberglass Sided Garden Center**
- 17100.0'
- BLD 2003
- 171.0'
- 143.0'
- 20.5' HIGH
- 95.0'
- 150.0'
- 76.0'
- 67.0'

601 North Lincoln Road

**Information herein deemed reliable but not guaranteed**
Parcel Number: 051-421-2825-200-025, Commercial/Industrial Building 2

WAL-MART GROCERY ADDITION
61839.3 sf
BUILT 2003
CON BLOCK CONSTR

DAIRY COOLER 1650 SQ FT
MEAT COOLER 750 SQ FT
PRODUCE COOLER 950 SQ FT
ICE CREAM FREEZER 350 SQ FT
GROCERY FREEZER 800 SQ FT
SEAFOOD FREEZER 140 SQ FT
BAKERY FREEZER 500 SQ FT
ALL COOLERS & FREEZERS 8' HIGH

601 NORTH LINCOLN ROAD

*** Information herein deemed reliable but not guaranteed***
August 5, 2019

«Owner_Name»
«Address_Owners»

RE: Public Hearing Notification and Invitation

Dear Property Owner:

You are receiving this notice because your property at «Address_Physical» is within 300 feet of the project below scheduled for a Public Hearing before the Zoning Board of Appeals on **Wednesday, August 21, 2019 at 6:00pm** at the Escanaba City Hall, 410 Ludington Street.

**Public Hearing – Dimensional Variance for Sign – 601 North Lincoln Road (Walmart)**
A Public Hearing will take place concerning a request from Walmart to exceed the allowed maximum wall sign copy area for a commercial building at 601 North Lincoln Road.

One week prior to the meeting, a copy of the details of this request can be viewed in the agenda packet on our website at escanaba.org/bza or can also be viewed at City Hall, Second Floor, 410 Ludington Street, Escanaba, MI, Monday through Friday, 7:30am to 4:00pm.

You are invited to attend this meeting should you have any interest in this project. If you have comments, but are unable to attend this meeting, please submit your written comments to the City of Escanaba Zoning Board of Appeals prior to August 13, 2019. All written and signed comments will be read into the public record.

The City of Escanaba will provide all necessary, reasonable auxiliary aids and services to individuals with disabilities at the meeting/hearing upon five days’ notice to the City of Escanaba Clerk’s Office by writing or calling (906) 786-9402.

Sincerely,

Roxanne Spencer, Planning & Zoning Administrator on behalf of the Escanaba Zoning Board of Appeals

---

**PROOF OF SERVICE – MAILING**
This document was enclosed in sealed envelope, first class postage fully prepaid, and deposited in the U.S. Government Mail.

<table>
<thead>
<tr>
<th>Addressee(s):</th>
<th>Assessed Property Owner/Occupant 300’ Radius of 601 North Lincoln Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mailing Date</td>
<td>August 5, 2019</td>
</tr>
<tr>
<td>Attested To By</td>
<td>Roxanne Spencer</td>
</tr>
<tr>
<td></td>
<td>City of Escanaba - City Hall</td>
</tr>
</tbody>
</table>

---

**Mission Statement:**
Enhancing the enjoyment and livability of our community by providing quality municipal services to our citizens. 
The City of Escanaba is an equal opportunity employer and provider.
<table>
<thead>
<tr>
<th>Address (Physical)</th>
<th>Owner Name</th>
<th>Address (Owner’s)</th>
<th>City (Owner’s)</th>
<th>State (Owner’s)</th>
<th>Zip Code (Owner)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2220 6TH AVE N</td>
<td>BEAVERS LAND MANAGEMENT LLC</td>
<td>2220 6TH AVE N</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829</td>
</tr>
<tr>
<td>539 N LINCOLN RD</td>
<td>BFYW REAL ESTATE HOLDINGS LLC</td>
<td>5425 BOONE AVE N</td>
<td>NEW HOPE</td>
<td>MN</td>
<td>55428-3614</td>
</tr>
<tr>
<td>2226 6TH AVE N</td>
<td>CLASSIC AUTO COLLISION INC</td>
<td>2702 3RD AVE N</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-4211</td>
</tr>
<tr>
<td>2510 3RD AVE N</td>
<td>DAGENAIS REAL ESTATE INC</td>
<td>1505 N LINCOLN RD</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-1834</td>
</tr>
<tr>
<td>2602 3RD AVE N</td>
<td>DAGENAIS REAL ESTATE INC</td>
<td>1505 N LINCOLN RD</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-1834</td>
</tr>
<tr>
<td>421 N LINCOLN RD</td>
<td>DAGENAIS REAL ESTATE INC</td>
<td>1505 N LINCOLN RD</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-1834</td>
</tr>
<tr>
<td>539 N LINCOLN RD</td>
<td>BFYW REAL ESTATE HOLDINGS LLC</td>
<td>5425 BOONE AVE N</td>
<td>NEW HOPE</td>
<td>MN</td>
<td>55428-3614</td>
</tr>
<tr>
<td>2220 6TH AVE N</td>
<td>BEAVERS LAND MANAGEMENT LLC</td>
<td>2220 6TH AVE N</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829</td>
</tr>
<tr>
<td>539 N LINCOLN RD</td>
<td>BFYW REAL ESTATE HOLDINGS LLC</td>
<td>5425 BOONE AVE N</td>
<td>NEW HOPE</td>
<td>MN</td>
<td>55428-3614</td>
</tr>
<tr>
<td>2226 6TH AVE N</td>
<td>CLASSIC AUTO COLLISION INC</td>
<td>2702 3RD AVE N</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-4211</td>
</tr>
<tr>
<td>2510 3RD AVE N</td>
<td>DAGENAIS REAL ESTATE INC</td>
<td>1505 N LINCOLN RD</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-1834</td>
</tr>
<tr>
<td>2602 3RD AVE N</td>
<td>DAGENAIS REAL ESTATE INC</td>
<td>1505 N LINCOLN RD</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-1834</td>
</tr>
<tr>
<td>421 N LINCOLN RD</td>
<td>DAGENAIS REAL ESTATE INC</td>
<td>1505 N LINCOLN RD</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-1834</td>
</tr>
<tr>
<td>539 N LINCOLN RD</td>
<td>BFYW REAL ESTATE HOLDINGS LLC</td>
<td>5425 BOONE AVE N</td>
<td>NEW HOPE</td>
<td>MN</td>
<td>55428-3614</td>
</tr>
<tr>
<td>2220 6TH AVE N</td>
<td>BEAVERS LAND MANAGEMENT LLC</td>
<td>2220 6TH AVE N</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829</td>
</tr>
<tr>
<td>539 N LINCOLN RD</td>
<td>BFYW REAL ESTATE HOLDINGS LLC</td>
<td>5425 BOONE AVE N</td>
<td>NEW HOPE</td>
<td>MN</td>
<td>55428-3614</td>
</tr>
<tr>
<td>2226 6TH AVE N</td>
<td>CLASSIC AUTO COLLISION INC</td>
<td>2702 3RD AVE N</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-4211</td>
</tr>
<tr>
<td>2510 3RD AVE N</td>
<td>DAGENAIS REAL ESTATE INC</td>
<td>1505 N LINCOLN RD</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-1834</td>
</tr>
<tr>
<td>2602 3RD AVE N</td>
<td>DAGENAIS REAL ESTATE INC</td>
<td>1505 N LINCOLN RD</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-1834</td>
</tr>
<tr>
<td>421 N LINCOLN RD</td>
<td>DAGENAIS REAL ESTATE INC</td>
<td>1505 N LINCOLN RD</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-1834</td>
</tr>
<tr>
<td>539 N LINCOLN RD</td>
<td>BFYW REAL ESTATE HOLDINGS LLC</td>
<td>5425 BOONE AVE N</td>
<td>NEW HOPE</td>
<td>MN</td>
<td>55428-3614</td>
</tr>
<tr>
<td>2220 6TH AVE N</td>
<td>BEAVERS LAND MANAGEMENT LLC</td>
<td>2220 6TH AVE N</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829</td>
</tr>
<tr>
<td>539 N LINCOLN RD</td>
<td>BFYW REAL ESTATE HOLDINGS LLC</td>
<td>5425 BOONE AVE N</td>
<td>NEW HOPE</td>
<td>MN</td>
<td>55428-3614</td>
</tr>
<tr>
<td>2226 6TH AVE N</td>
<td>CLASSIC AUTO COLLISION INC</td>
<td>2702 3RD AVE N</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-4211</td>
</tr>
<tr>
<td>2510 3RD AVE N</td>
<td>DAGENAIS REAL ESTATE INC</td>
<td>1505 N LINCOLN RD</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-1834</td>
</tr>
<tr>
<td>2602 3RD AVE N</td>
<td>DAGENAIS REAL ESTATE INC</td>
<td>1505 N LINCOLN RD</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-1834</td>
</tr>
<tr>
<td>421 N LINCOLN RD</td>
<td>DAGENAIS REAL ESTATE INC</td>
<td>1505 N LINCOLN RD</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-1834</td>
</tr>
</tbody>
</table>
CASE: ZBA 082119-02

APPLICANT: Michael Segorski
1314 12th Avenue South
Escanaba, MI 49829

STAFF CONTACT: Roxanne Spencer,
Planning and Zoning Administrator

REQUEST:
A hearing on a request from Michael Segorski, who is requesting a Dimensional Variance to reduce the required rear yard setback from five (5) feet down to one (1) foot for a detached garage on his property.

LOCATION: 1314 12th Avenue South

PRESENT ZONING: A - Single Family

HISTORY OF PROJECT:
A Zoning Permit was approved on May 22, 2019 for an addition to an existing detached garage, which included the various setback requirements for the “A – Single Family” zoning district.

A call was received in the Planning and Zoning Department on July 1, 2019 from a neighbor who was concerned that the construction of the garage appeared to be extending across the property line into the City’s right-of-way in the alley. The City Engineering Department was called out to investigate and determined that the driveway apron did extend into the alleyway and that the garage extended past the required rear yard setback of five (5) feet. A verbal stop-work order was issued immediately, followed by a letter on July 2, 2019 requiring the immediate removal of the driveway apron and the submission and approval of a new Zoning Permit prior to any additional construction.

As there continued to be confusion over the actual location of the rear property line, a survey was completed by Davis Wanic on July 2, 2019 that showed the exact locations of the property line, the alley right-of-way, the driveway apron, and the concrete slab/foundation wall of the garage addition. The driveway apron extended 8.5 feet into the alley right-of-way. The concrete block foundation was 1.5 feet over the property line, making the building more than 6.5 feet out of compliance with the rear yard setback, not accounting for any overhang of the roof which would likely add one to two feet to the distance (making it 7.5 to 8.5 feet out of compliance).

Since then, the driveway apron has been removed as ordered. A second Zoning Permit application was submitted that requested a one (1) foot rear setback. This permit was denied because the required minimum rear setback of five (5) feet was not met.

APPLICATION INFORMATION:
301.4. Filing for Appeal. Any person with standing, aggrieved or affected by any decision of the Code Official shall be permitted to appeal to the Zoning Board of Appeals by written request with the Code Official. Upon
furnishing the proper information, the Code Official shall transmit to the Zoning Board of Appeals all papers and pertinent data related to the appeal.

301.5. Time Limit. An appeal shall only be considered if filed within fifteen (15) days after the cause arises or the appeal shall not be considered. If such an appeal is not made, the decision of the Code Official shall be considered final.

On July 25, 2019, Michael Segorski filed an application to appear before the Zoning Board of Appeals. In the application, the appellants were asked to answer the following questions and gave the following answers:

(a) (Question) PLEASE DESCRIBE THE REASON(S) FOR REQUESTING A VARIANCE FROM ZONING ORDINANCE REQUIREMENTS:

(Answer) We need more room for our garage.

(b) (Question) DESCRIBE WHY THIS PROBLEM IS NOT SELF-CREATED:

(Answer) Alley right-of-way and setbacks are not clear or defined.

(c) (Question) DESCRIBE ANY NEGATIVE IMPACT TO THE ADJACENT PARCELS(S) THAT MAY RESULT FROM GRANTING OF THIS VARIANCE:

(Answer) None.

(d) (Question) DOES THE PROPERTY POSSESS UNIQUE CHARACTERISTICS (NOT COMMON TO THE GENERAL AREA):

(Answer) None.

HEARING NOTICE INFORMATION:

303.1 General. The Zoning Board of Appeals shall fix a reasonable time for the hearing of the appeal and give due notice thereof to all persons to whom any real property within three hundred (300) feet of the premises in question is accessed, and to the occupants of single and two-family dwellings within three hundred (300) feet. The notice shall be delivered personally or by mail addressed to the respective owners and tenants at the address given in the latest assessment role, at least fifteen (15) days before the hearing of an appeal. If a tenant's name is not known, the term occupant will be used. Upon the hearing, a party may appear in person or by agent or by attorney. Meetings of the Zoning Board of Appeals shall be held at the call of the Code Official and at such other times as the Board may determine. There shall be a fixed place of meeting and all meetings shall be open to the public. The Board shall follow rules of procedure and keep a public record of its proceedings showing the action of the Board and the vote of each member upon each question considered. The presence of four (4) members shall be necessary to constitute a quorum and a majority vote of the members of the Board shall be necessary to reverse an order, requirement, decision or determination of an administrative official or to decide in favor of the applicant in the case of a variance, exception or interpretation, except that the concurring vote of four (4) of the members shall be necessary to grant a variance from uses of land permitted by this Zoning Code.

- A meeting notice was placed in the Escanaba Daily Press on August 1, 2019 indicating the nature of the appeal and the date of the hearing at least 15 days before the hearing date.
- A meeting notice was also placed on the City Website and on the City Facebook page.
- On August 5, 2019, letter notices were sent out to all property owners within 300 feet of the property indicating the nature of the appeal and the date of the hearing.
STAFF COMMENTS:

It is the property owner’s responsibility to know the exact location of the property lines prior to construction. Setback requirements are outlined in the Zoning Ordinance and were specifically noted on the Zoning Worksheet attachment included with the approved Zoning Permit. Additionally, the 5-foot rear setback requirement was noted on the original sketch plan drawing returned with the originally approved permit. If the owner would have questioned property lines at any point, the Engineering Department would have been able to meet with the owner on site to determine if an official survey would be necessary. However, no indication of confusion regarding the location of the property line was ever received at the City.

The requirement of a five foot rear setback specified in the Zoning Ordinance allows for clear sight-lines along the sides of the alley for vehicles travelling the alley, as well as for vehicles pulling in/out of garages along the alley. Reducing these sight lines would decrease safety in the area.

The desire to have a larger garage does not meet the standard of a practical difficulty based on exceptional or extraordinary circumstances or physical conditions (see Section 305.6.1 below). The lot size is consistent with other lots in the area. No unnecessary hardships or unique conditions of the property have been identified.

POWERS AND DUTIES OF THE BOARD OF APPEALS:

305.1. General The Board shall have the power to hear and decide on appeals where it is alleged that there is an error in any order, requirement, decision, determination or interpretation by the Code Official. The Zoning Board of Appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination of appeal from and shall make an order, requirement, decision, or determination as in the Board’s opinion ought to be made in the premises. If there are practical difficulties or unnecessary hardship in carrying out the strict letter of the ordinance, the Zoning Board of Appeals may, in passing on appeals, grant a variance in any of the provisions relating to the construction, or structural changes in, equipment, or alteration of buildings or structures, or the use of land, buildings, or structures, so that the spirit of the ordinance shall be observed, public safety secured, and substantial justice done. The Zoning Board of Appeals shall not have the power to vary a standard for a Planned Unit Development or a Special Land Use Permit.

305.4. Variance Review Criteria. The Board shall have the power to authorize specific variances or departures from this Zoning Code, if all of the basic conditions are satisfied, and if there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of this Zoning Code. A variance from the dimensional requirements of this Zoning Code may only be granted if it is determined that all basic conditions have been satisfied and that there is a practical difficulty in carrying out the requirement.

305.3. Interpretations. Upon application by the Code Official or person interested in a specific affected parcel of land, when other administrative appeals have been exhausted, the Board shall have the power to:
   A. Interpret the Zoning Code in such a way as to carry out its intent and purpose;
   B. Determine the precise location of a zoning district and special area boundaries;
   C. Classify a use which is not specifically mentioned, determine the district within which the use is permitted and determine the necessary parking to support the use; and
   D. Determine the off-street parking and loading space requirements of this Zoning Code.

305.4. [305.5.] Basic Conditions. Any variance granted from this Zoning Code shall meet the following basic conditions:
   A. The spirit of the Zoning Code shall be observed, public safety secured and substantial justice done.
   B. There is no substantial adverse effect upon property values in the immediate vicinity or in the district in which the property of the applicant is located.
C. The difficulty or hardship relating to the property is not so general or recurrent in nature that the formulation of a general regulation for such conditions is preferable.

D. The practical difficulties or unnecessary hardships are unique to the property under consideration and not to the general neighborhood, and shall apply only to property that is under the control of the applicant.

E. It shall be necessary for the preservation of a substantial property right possessed by other properties in the same zoning district.

F. There is a clear showing of an unnecessary hardship in that the property as a whole cannot reasonably be put to a use authorized by this Zoning Code.

G. The alleged hardship or difficulty is not solely economic, and is based on the reasonable use of a particular parcel of land.

H. It may be denied where the alleged practical difficulties or unnecessary hardships resulted from an act of the applicant, or a person in privity or concert with the applicant.

305.6. Practical difficulties and unnecessary hardships. In order to determine if there are practical difficulties or unnecessary hardships which prevent carrying out the strict letter of this Zoning Code the following shall apply:

305.6.1. Dimensional Variance. A practical difficulty shall exist where there are exceptional or extraordinary circumstances or physical conditions, such as narrowness, shallowness, shape or topography of the property involved, that do not generally apply to other property or uses in the same zoning district.

STAFF RECOMMENDATION:

City administration does not support the granting of a dimensional variance to reduce the rear setback from five feet to one foot for the reasons stated above under “Staff Comments”.

APPEAL PROCESS:

307.1. Circuit Court Review. A decision of the Zoning Board of Appeals shall be final. However, any party having a substantial interest affected by an order, determination or decision of the Zoning Board of Appeals may appeal to the Circuit Court if such appeal is made to the Court within thirty (30) days after the Zoning Board of Appeals issues its decision in writing, or within twenty-one (21) days after the Zoning Board of Appeals approves its minutes.

BACK-UP INFORMATION:

1. Zoning Board of Appeals Application
2. Resubmitted Zoning Permit Application with Denial
3. Survey by Davis Wanic
4. Stop Work Order Letter
5. Original Zoning Permit Application Approved
6. Letter to Property Owners Within 300’ Radius & Address List
Fee: $250.00

City of Escanaba
BOARD OF APPEALS APPLICATION

PROPERTY Information
Property Address 1314 12th Ave S
Parcel # 051-100-2931-261-008 Zoning District

PROPERTY OWNER Information
Property Owner Name Michael Segorski
Mailing Address 1314 12th Ave S
Phone Number 906-553-5366 E-Mail Address Segorski@chartermi.net

AGENT Information (If not filed by property owner)
If the Property Owner will have an agent serve on his/her behalf, the owner MUST complete the attached Letter of Authorization.
Property Owner Name
Mailing Address
Phone Number E-Mail Address

APPEAL Information
Check all that apply:
☐ To appeal an order, requirement, decision, or determination of the Code Official when an error is alleged. You must attach a copy of the written determination of the Code Official that you are appealing.
☒ To request a variance. Identify the type and amount of variance(s) below. Example: Five foot (5') reduction of the twenty-five (25') rear yard setback (use additional paper, if necessary).

Four foot (4') reduction of a five foot (5') setback resulting in a 1' setback from the rear property line.

DESCRIBE THE REASON(S) FOR REQUESTING A VARIANCE FROM ZONING ORDINANCE REQUIREMENTS:
We need more room for our garage

DESCRIBE WHY THIS PROBLEM IS NOT SELF-CREATED:
Alley right of way and setbacks are not clear or defined.

DESCRIBE ANY NEGATIVE IMPACT TO THE ADJACENT PARCEL(S) THAT MAY RESULT:
None

DOES THE PROPERTY POSSESS UNIQUE CHARACTERISTICS (NOT COMMON TO THE GENERAL AREA):
None

By signing below I certify that the information contained in this application is true and correct to the best of my knowledge and belief at the time of the application. I acknowledge that I understand and have complied with all of the submittal requirements and procedures, and that this application is complete. I further understand that an incomplete application submittal may cause my application to be deferred.

Michael Segorski
Applicant's Signature

1/25/2019
Date
BOARD OF APPEALS INFORMATION

YOUR RIGHT TO APPEAL: Any person with standing, aggrieved or affected by any decision of the Code Official shall be permitted to appeal to the Zoning Board of Appeals by written request with the Code Official. Upon furnishing the proper information, the Code Official shall transmit to the Zoning Board of Appeals all papers and pertinent data related to the appeal.

TIME LIMIT: An appeal shall only be considered if filed within fifteen (15) days after the cause arises or the appeal shall not be considered. If such an appeal is not made, the decision of the Code Official shall be considered final.

REPRESENTATION AT HEARING: The applicant or the applicant’s authorized agent must be present at the public hearing to properly answer questions concerning the appeal. If the applicant or agent is not present, the appeal may be deferred until the next meeting or dismissed, at the direction of the Board.

FEES: The City Council has adopted a $250.00 fee to be charged to applicants for appeals to the Board of Appeals.

MEETING DATE/AGENDA: The Board of Appeals meets at the Call of the Chair approximately one month from the receipt of the application and fees. Public Hearing Notifications will be made to property owners within 300 feet of the appealed property, as well as published in the newspaper so that they may appear before the Board of Appeals to voice any objections, support, or to further inquire.

NON-USE VARIANCES (DIMENSIONAL VARIANCE): A non-use variance, also known as a dimensional variance, is a modification of the literal provisions of the Zoning Ordinance which is authorized by the Board of Appeals when strict enforcement of the Ordinance would cause practical difficulties for the property owner due to circumstances unique to the property.

Uniqueness typically refers to sites-parcels which are odd in shape, small size, possess areas of wetlands or other water bodies, contain natural features like bedrock or threaten or endangered plant species, and the like. Common regulations subject to non-use variance requests include:

1. Front, side, or rear yard setbacks.
2. Height requirements.
3. Parking requirements.
4. Lot coverage or bulk restrictions.
5. Landscaping or buffering restrictions.

STANDARDS/TESTS: The Michigan Courts have applied standards for variances that require the applicant to demonstrate a practical difficulty unique to the property (and not the applicant) exists in order for a variance to be granted. The following are the four standards (tests) that the applicant must be able to demonstrate:

a. Is the current setback requirement unreasonably restrictive? Does it prevent the applicant from using their property as zoned?
b. If the variance is granted, would the Board of Appeals be granting the applicant a privilege not made available to others? Is a variance of less size more appropriate? Will neighboring properties be negatively impacted?
c. Does the property possess unique characteristics (not common to the general area)?
d. Is the need for variance self-created?

When considering non-use variance requests, the Board of Appeals will ensure that the spirit of the Ordinance is observed, public safety secured, and substantial justice done.

If you feel your situation warrants a request for variance, you will be required to complete a Board of Appeals Application Form and pay the $250.00 filing fee. No guarantees of any kind, implied or otherwise, will be made with respect to your request for variance. If your case is not presented using the four (4) fore mentioned standards, it is likely your request for variance will be disapproved.
City of Escanaba
ZONING PERMIT APPLICATION – SMALL SCALE PROJECT
Revised – 3/28/19

We, the undersigned, owner(s) of the following described property hereby apply to you for a Zoning Land Use Permit with a sketch drawn to scale, showing actual dimensions and shape of the lot, exact sizes and locations of existing buildings on the lot, and locations and dimensions of the proposed buildings or alterations. The property owner(s) shall verify any existing element(s) and/or right-of-way(s). The applicant certifies the information submitted is accurate. The applicant states that he/she has the property owner's authority to execute this agreement and permit. Any certificate issued upon a false statement of any fact which is material to the issuance hereof, shall be void. All questions must be answered.

PROPERTY Information

Property Address: 1314 12th Avenue South, Parcel # 051-100-293-261-008

Type of Lot (Check One) □ Corner Lot □ Interior Lot □ Other

Length of Lot 119.05 Width of Lot 50 Total Square Feet 5,952.5

PROPERTY OWNER Information

Property Owner Name: Michael Segorski
Mailing Address: 1314 12th Avenue South
Phone Number: 906-553-5366 E-Mail Address: Segorski@chartermi.net

PROJECT Information

Type of Building:

□ New Single-family, Two-family or Multiple-family Dwelling with less than 5 units
□ Building addition of 20% or less of an existing building not to exceed 5,000 square feet and does not modify any other site characteristics such as parking, traffic circulation and drainage
□ Parking Lot Addition containing five (5) or more spaces
□ Mobile Home Park
□ Garage: □ Attached □ Detached
□ Accessory Structure over 100 square feet in size (shed, pool, deck, etc.)
□ Other:

Proposed Use: Garage Estimated Value of Construction $ 15,000

Size of Building (s.f.) 18 x 18 Number of Stories 1 Height of Building 14.5

Please note:
- In Residence A, B, & C Zones, buildings/structures may not cover more than 35% of the area of the lot.
- All building lots must be buildable as defined by the State of Michigan Subdivision Control Act and City of Escanaba Zoning Ordinance.
- A six (6) foot wide public sidewalk must be installed along streets/avenues on which a building is erected or moved.

Utilities to be incorporated in this project: □ None □ Electric □ Water □ Sanitary Sewer □ Storm Sewer

Please note: Depending on the extent of the utilities to be incorporated, additional detailed information may be required before zoning approval is given. You will be notified if this will be necessary.

APPLICANT Information

I hereby certify that all information in this application is correct and all work will comply with the City of Escanaba Zoning Ordinance and all other applicable State and local laws, ordinances and regulations. The Community Preservation Department will be notified of any changes in the approved plans and specifications for the project permitted herein. I further understand that submission of this application is NOT an authorization to begin work. Work may only commence after approval and issuance of the permit.

Company: Dale Gaertland Land Use Contact Name: Dale Gaertland
Phone: 280-1900 Email: DaleGaertlandLandUse@chartermi.net
Signature: Date 8/13/19
Property Zoning Designation: A-Single Family

Easements? ☑ No    ☐ Yes - List specifications: _________________________________________________________________________

Utilities Process Needed? ☑ No    ☐ Yes – Pre-Site Plan Scheduled Date _________________________________________________________________________

Utilities Requirements List (from Pre-Site Plan Mtg.)

Utilities Review Meeting Scheduled Date _________________________________________________________________________

<table>
<thead>
<tr>
<th>Dept.</th>
<th>Approved/Denied</th>
<th>Dept. Head Signature</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Electric</td>
<td>☑ Approved</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>☑ Denied</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Comments</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water</td>
<td>☑ Approved</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>☐ Denied</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Comments</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wastewater</td>
<td>☑ Approved</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>☐ Denied</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Comments</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public Works</td>
<td>☑ Approved</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>☐ Denied</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Planning Commission Review Needed? ☑ No    ☐ Yes – Scheduled Date _________________________________________________________________________

FINAL PERMIT DETERMINATION

☐ Approved    ☑ Denied

Special Requirements of Approval

Reason(s) for Denial

Proposed rear setback of 1' does not meet the required 5' minimum (Section 509.5).

Signature of Reviewer: _________________________________________________________________________

Date: 5-13-19
ZONING WORKSHEET - ACCESSORY BUILDINGS/GARAGES - A, B, C Residential

Property Address: 1314 12th Avenue South
Name: Michael Segorski

Zoning District: Residential A - Single Family Dwelling
Use: Detached Garage

Lot Dimensions:
Length: 119
Width: 50
Total SF: 5950
Buildable Area (35%): 2082.5

Existing Buildings SF:
#1: 1243 House
#2: 374 Garage
#3:
Total Existing SF: 1617
Remaining SF: 465.5

Proposed Building:
Length: 18
Width: 18
Proposed SF: 324
OK

Applicable Codes:

509.1 Distance: Must be at least 10' from any house & 6' from accessory buildings.

509.2 Front Yard: Cannot occupy front yard space.
Comment: NA

509.3 Side Yard: May occupy side yard space in excess of said yard requirements.
Comment: NA

709.4 Rear Yard:
Length: 45.5
Width: 50
Rear Yard Total SF: 2275
Max Buildable Rear Yard Area (50%): 1137.5
Existing Rear Yard Usage SF: 374
Remaining SF: 763.5
Proposed SF: 324
OK

509.5 Side Yard - All measurements must be made from roof drip edge to property line.
Side Required: 3
Proposed: 3
OK
Rear Required: 5
Proposed: 1
NO

509.6 Height:
Garage: Max. 18' to mean height
Proposed: 14.5
OK
Other Acc. Structure: Max. 12' to mean height

Comments:
Garage addition proposes only 1' rear setback and so does not meet the required 5' rear setback.
APPLICATION IS DENIED.
PLEASE PROVIDE A SKETCH PLAN DRAWING

Property Address: 1314 12th Ave. South  Owner Name: Michael Segorsky

The following information must be shown on the sketch plan:
- Show and label property lines and dimensions
- Show and label adjoining rights-of-way, curb, and pavement location and dimensions.
- Show and label all structures and dimensions.
- Show all building setback distances from the property lines and between structures
- Show driveway location and dimensions and all parking spaces.
Plat of Survey of
Part of Lot 3 of Block 39 of
Campbell's 2nd Addition to
City of Escanaba
Delta County, Michigan

12TH AVENUE SOUTH (80' R/W)

SURVEY FOR: CITY OF ESCANABA
SUBJECT: BOUNDARY SURVEY
DATE OF SURVEY: JULY 02, 2019
DATE OF MAPPING: JULY 02, 2019
CERTIFICATE OF SURVEY TO:
CITY OF ESCANABA

I, TERENCE S. WANK, a professional surveyor in
the state of Michigan, hereby certify that I have
made a survey of the above described lands,
that no monuments, together with those found
have been placed at the locations indicated herein,
that there are no visible physical encroachments either way across
property lines, except as shown, that the
relance, right or corner of the unoccupied
measurements of the survey is less than the
scale of 1" = 20'

TERENCE S. WANK, Professional Surveyor No. 44298

1410 Ludington Street
Saranac, Michigan 49882
Phone (906) 756-1755, Fax 769-8487
info@davewank.com
July 2, 2019

Michael Segorski  
1314 12th Avenue South  
Escanaba, MI 49829

RE: Stop Work Order – 1314 12th Avenue South

Dear Mr. Segorski:

This letter serves as a follow up to our phone conversation on July 1, 2019 regarding the garage addition project on your property at 1314 12th Avenue South.

Review of the current conditions of the project has revealed that it is in violation of the approved zoning permit and associated standards in the following ways:

- The foundation of the building does not appear to allow for the required rear setback of five (5) feet.
  - **509.5. Side yard Requirement.** No portion of any accessory building and/or private garage shall approach nearer to a side lot line than three (3) feet except that on adjoining lots one story accessory buildings may be built up to the common lot line for a distance of not to exceed thirty (30) feet, provided, that such buildings on both sides of such common lot line are erected at the same time and are separated by a common or party wall of fire resistant construction. **No portion of any private garage shall approach nearer to a rear lot line/alley right-of-way than five (5) feet.**
- The driveway apron also appears to extend into the alley right-of-way. As such, **it must be removed immediately.**
  - If another driveway apron is desired, it can only extend up to the property line and not into the alley right-of-way at all, unless an Excavation/Right-of-Way Permit is applied for and granted by the Public Works Department.

**All work on the project must stop immediately.**

A new drawing and permit application must be submitted for zoning approval which shows the property lines, all existing buildings and structures, dimensions of proposed structures, distances between all buildings, and distances from all buildings to property lines. No work, other than removal of non-compliant components, may be done until a new zoning permit is approved and issued.

If you have any questions, please contact me.

Sincerely,

Roxanne Spencer  
Planning & Zoning Administrator  
(906) 786-9402  
rspencer@escanaba.org

---

Mission Statement:  
Enhancing the enjoyment and livability of our community by providing quality municipal services to our citizens.  
The City of Escanaba is an equal opportunity employer and provider.
From: "Roxanne Spencer" <rspencer@escanaba.org>
To: segorski@chartermi.net
Cc: dgartland8911@gmail.com
Date: 07/02/2019 10:56 AM
Subject: Stop Work Order - 1314 12th Avenue South

Mike,

I am putting the official copy of this letter to you in the mail today, but I thought I would email it to you as well. Please contact me if you have any questions.

Roxanne Spencer
Planning & Zoning Administrator
City of Escanaba
(906) 786-9402
City of Escanaba

ZONING PERMIT APPLICATION – SMALL SCALE PROJECT
Revised – 3/28/19

We, the undersigned, owner(s) of the following described property hereby apply to you for a Zoning Land Use Permit with a sketch drawn to scale, showing actual dimensions and shape of the lot, exact sites and locations of existing buildings on the lot, and locations and dimensions of the proposed buildings or alterations. The property owner(s) shall verify any existing easements(s) and/or right-of-way(s). The applicant certifies the information submitted is accurate. The applicant states that he/she has the property owner's authority to execute this agreement and permit. Any certificate issued upon a false statement of any fact which is material to the issuance hereof, shall be void. All questions must be answered.

PROPERTY Information

Property Address 1314 12th Ave S
Parcel # 051-100-2931-261-008
Type of Lot (Check One) □ Corner Lot □ Interior Lot □ Other
Length of Lot 119.05' Width of Lot 50.0' Total Square Feet 5952.5

PROPERTY Owner Information

Property Owner Name Michael S. Sekorski
Mailing Address 1314 12th Ave S
Phone Number 906-535-5366 E-Mail Address Sekorski@charter.net

PROJECT Information

Type of Building:
□ New Single-family, Two-family or Multiple-family Dwelling with less than 5 units
□ Building addition of 20% or less of an existing building not to exceed 5,000 square feet and does not modify any other site characteristics such as parking, traffic circulation and drainage
□ Parking Lot Addition containing five (5) or more spaces
□ Mobile Home Park
□ Garage: □ Attached □ Detached
□ Accessory Structure over 100 square feet in size (shed, pool, deck, etc.)
□ Other

Proposed Use Garage Estimated Value of Construction $15,000
Size of Building (s.f.) 324 Number of Stories 1 Height of Building 14.5

Please note:
• In Residence A, B, & C Zones, buildings/structures may not cover more than 35% of the area of the lot.
• All building lots must be buildable as defined by the State of Michigan Subdivision Control Act and City of Escanaba Zoning Ordinance.
• A six (6) foot wide public sidewalk must be installed along streets/avenues on which a building is erected or moved.

Utilities to be incorporated in this project: □ None □ Electric □ Water □ Sanitary Sewer □ Storm Sewer
Please note: Depending on the extent of the utilities to be incorporated, additional detailed information may be required before zoning approval is given. You will be notified if this will be necessary.

APPLICANT Information

I hereby certify that all information in this application is correct and all work will comply with the City of Escanaba Zoning Ordinance and all other applicable State and local laws, ordinances and regulations. The Community Preservation Department will be notified of any changes in the approved plans and specifications for the project permitted herein. I further understand that submission of this application is NOT an authorization to begin work. Work may only commence after approval and issuance of the permit.

Company ___________________________ Contact Name ___________________________
Phone ___________________________ Email ___________________________
Signature ___________________________ Date 5/22/19
FOR OFFICE USE ONLY

Property Zoning Designation: A-Single Family

Easements? ☒ No  ☐ Yes - List specifications: 

Utilities Process Needed?  ☒ No  ☐ Yes – Pre-Site Plan Scheduled Date

Utilities Requirements List (from Pre-Site Plan Mtg.)

Utilities Review Meeting Scheduled Date

<table>
<thead>
<tr>
<th>Dept.</th>
<th>Approved/Denied</th>
<th>Dept. Head Signature</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Electric</td>
<td>☐ Approved ☐ Denied</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Comments</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water</td>
<td>☐ Approved ☐ Denied</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Comments</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wastewater</td>
<td>☐ Approved ☐ Denied</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Comments</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public Works</td>
<td>☐ Approved ☐ Denied</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Comments</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Planning Commission Review Needed?  ☒ No  ☐ Yes – Scheduled Date

FINAL PERMIT DETERMINATION

☐ Approved  ☐ Denied

Special Requirements of Approval

Max mean height of trusses is 18’ (center of truss)

Reason(s) for Denial

Signature of Reviewer: [Signature] Date: 5/22/19
ZONING WORKSHEET - ACCESSORY BUILDINGS/GARAGES - A, B, C Residential

Property Address: 1314 12th Avenue South
Zoning District: A Residential - A Single Family Dwelling
Use: Detached Garage Addition

Lot Dimensions
- Length: 119
- Width: 50
- Total SF: 5950
- Buildable Area (35%): 2082.5

Existing Buildings SF

<table>
<thead>
<tr>
<th>#</th>
<th>SF</th>
</tr>
</thead>
<tbody>
<tr>
<td>#1</td>
<td>1243</td>
</tr>
<tr>
<td>#2</td>
<td>374</td>
</tr>
<tr>
<td>#3</td>
<td></td>
</tr>
</tbody>
</table>

- Total Existing SF: 1617
- Remaining SF: 465.5

Proposed Building
- Length: 18
- Width: 18
- Proposed SF: 324

Proposed SF: OK

Applicable Codes

509.1 Distance
Must be at least 10' from any house & 6' from accessory buildings.

509.2 Front Yard
Cannot occupy front yard space.

Comment

509.3 Side Yard
May occupy side yard space in excess of said yard requirements.

Comment: NA

709.4 Rear Yard
- Length: 45.5
- Width: 50
- Rear Yard Total SF: 2275

Max Buildable Rear Yard Area (50%): 1137.5
Existing Rear Yard Usage SF: 374
Remaining SF: 763.5

Proposed SF: 324

Proposed SF: OK

509.5 Side Yard - All measurements must be made from roof drip edge to property line.

Side Required: 3
Proposed: 3

Rear Required: 5
Proposed: 5

509.6 Height
- Garage: Max. 18' to mean height
- Proposed: 14.5

Other Acc. Structure: Max. 12' to mean height

Comments
PLEASE PROVIDE A SKETCH PLAN DRAWING

Property Address: 1314 12th Ave. South

Owner Name: Michael Segorski

The following information must be shown on the sketch plan:

- Show and label property lines and dimensions
- Show and label adjoining rights-of-way, curb, and pavement location and dimensions.
- Show and label all structures and dimensions.
- Show all building setback distances from the property lines and between structures.
- Show driveway location and dimensions and all parking spaces.

Rear Setback: 5'

1325 sqft

12th Ave South
Plat of Survey of
Part of Lot 3 of Block 39 of
Campbell’s 2nd Addition to
City of Escanaba
Delta County, Michigan

ALLEY (20' R/W)

FENCE 3.1' NORTH

FENCE 2.5' NORTH

12TH AVENUE SOUTH (80' R/W)

SCALE: 1"=20'

CAMPBELL’S 2ND ADDITION
RECORDED IN BOOK "A" OF
PLATS ON PAGE 2.

SURVEY FOR: MICHAEL SEGORSKI
JOB NUMBER: 19050-1904

DATE OF SURVEY: APRIL 10, 2019
DATE OF MAPPING: APRIL 10, 2019

CERTIFICATE OF SURVEY TO:

MICHAEL SEGORSKI

I, TERENCE S. WAINC, A PROFESSIONAL SURVEYOR IN
THE STATE OF MICHIGAN, HEREBY CERTIFY: THAT I HAVE
MADE A SURVEY OF THE ABOVE DESCRIBED LANDS,
THAT IRON MONUMENTS, TOGETHER WITH THOSE FOUND
HAVE BEEN PLACED OR LOCATED AT THE POSITIONS
INDICATED HEREON, THAT THERE ARE NO VISIBLE
PHYSICAL ENCROACHMENTS EITHER WAY ACROSS
PROPERTY LINES. EXCEPT AS SHOWN, THAT THE
RELATIONSHIP OR DISTANCE OF THE UNMARKED FIELD
MEASUREMENTS OF THE SURVEY IS LESS THAN THE
RATIOS OF 1 PART IN 200.

TERENCE S. WAINC, Professional Surveyor No. 44280

1410 Ludington Street
Escanaba, Michigan 49829
Phone (906) 786-1755
Fax 786-6487
info@daviswanic.com

11/10/19
Parcel Number: 081-100-2931-261-008  Jurisdiction: City of Escanaba  County: Delta  Printed on 05/22/2019

Grantor | Grantee | Sale Price | Sale Date | Inst. Type | Terms of Sale | Liber & Page | Verified By | Front. Trans.
--- | --- | --- | --- | --- | --- | --- | --- | ---
SEGORSKI | 95,000 | 05/02/2005 | WD | WD | 803/55 | 6.0
LARSON | 90,500 | 01/31/2003 | WD | WD | 689/494 | 6.0

Property Address
1314 12TH AVE S
ESCANABA MI 49829-2910

Class: Residential, 401  Zoning: Building Permit(s)  Date  Number  Status

Owner's Name/Address
SEGORSKI MICHAEL J
1314 12TH AVE S
ESCANABA MI 49829-2910

Map #: 2020 Est TCV Tentative

2020 Est. TCV Tentative

Land Value Estimates for Land Table 05.08.5

<table>
<thead>
<tr>
<th>Public Improvements</th>
<th>X Improved</th>
<th>Vacant</th>
<th>Factors</th>
</tr>
</thead>
<tbody>
<tr>
<td>* Factors *</td>
<td>50 X 119</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Description | Frontage | Depth | Rate | % Adj. Reason | Value
--- | --- | --- | --- | --- | ---
RESFFA | 50.00 | 116.00 | 1.0000 | 0.9181 | 260 | 100 | 11,935

50 Actual Front Feet, 0.14 Total Acres
Total Est. Land Value = 11,935

Tax Description
E 50 FT OF LOT 3 OF BLK 39 EXC N 10 FT OF
CAMPBELLS ADDITION NO. 2

Comments/Influences

Topography of Site

Dirt Road
Gravel Road
X Paved Road
X Storm Sewer
Sidewalk
X Water
X Sewer
X Electric
X Gas
X Curb
Street Lights
Standard Utilities
Underground Utila.

Who | When | What
--- | --- | ---
KD | 01/20/2014 | Data Enter
KD | 10/23/2009 | Inspected
KD | 10/20/2009 | Data Enter

Year | Land Value | Building Value | Assessed Value | Board of Review | Tribunal/Other | Taxable Value
--- | --- | --- | --- | --- | --- | ---
2017 | 5,738 | 45,023 | 50,761 | Tentative
2018 | 5,738 | 45,200 | 50,900 | Tentative
2019 | 6,000 | 45,600 | 52,600 | 0N | Tentative

The Equalizer. Copyright (c) 1999 - 2009. Licensed To: City of Escanaba, County of Delta, Michigan

*** Information herein deemed reliable but not guaranteed***
<table>
<thead>
<tr>
<th>Building Type</th>
<th>(3) Roof (cont.)</th>
<th>(11) Heating/Cooling</th>
<th>(15) Built-ins</th>
<th>(15) Fireplaces</th>
<th>(16) Porches/Decks</th>
<th>(17) Garage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family Mobile Home</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Town Home</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Duplex</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A-Frame</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>X Wood Frame</td>
<td>X Drywall</td>
<td>Plaster</td>
<td>Wood T&amp;G</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building Style: RANCH</td>
<td>Trim &amp; Decoration</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tr Built/Remodeled 1932</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Size of Closets</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Condition: Good</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Room List</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 Basement</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5 1st Floor</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 2nd Floor</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 Bedrooms</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Exterior</td>
<td>X Drywall</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wood/Shingle</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aluminum/Vinyl brick</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vinyl</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>X Insulation</td>
<td>Basement: 1243 S.F.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wood Sash</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Metal Sash</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vinyl Sash</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>X Double Hung Horiz. Slide Casement</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Double Glass</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Patio Doors</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>X Storms &amp; Screens</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Roof</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>X Gable</td>
<td>Gambrel</td>
<td>Mansard</td>
<td>Shed</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hip</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Flat</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>X Asphalt Shingle</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chimney: Brick</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(11) Gas</td>
<td>Oil</td>
<td>Coal</td>
<td>Elec. Steam</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(13) Forced Air w/o Ducts</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(13) Forced Hot Water</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Electric Baseboard</td>
<td>Radiant (in-floor)</td>
<td>Electric Wall Heat</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Space Heater</td>
<td>Wall/Floor Furnace</td>
<td>Forced Heat &amp; Cool Heat Pump</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(16) 100amps Service</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(17) Appliance Allow.</td>
<td>Cook Top</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dishwasher</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Garbage Disposal</td>
<td>Bath Heater</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Exterior 2 Story</td>
<td>Exterior 2 Story</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Intercom</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jaccuzi Tub</td>
<td>Jaccuzi repl Tub</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Oven</td>
<td>Microwave</td>
<td>Standard Range</td>
<td>Self Clean Range</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Central Air</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wood Furnace</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(12) Electric</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>No. Of Elec. Outlets</td>
<td>Many X Ave.</td>
<td>Few</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Exc. X Ord.</td>
<td>Min.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>No. Qual. Of Fixtures</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(13) Average Fixture(s)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 Bath</td>
<td>2 Bath</td>
<td>Softener, Auto</td>
<td>Softener, Manual</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 Extra Toilet</td>
<td>Extra Sink</td>
<td>Separate Shower</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 Extra Closet</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 Ceramic Tile Floor</td>
<td>Ceramic Tub Alcove</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 Vent Fan</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 Water/Sewer</td>
<td>1 Public Water</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 Public Sewer</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 Water Well</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1000 Gal Septic</td>
<td>2000 Gal Septic</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Notes:** ECF (Res 5) 0.725 => TCV: 92,040

**Cost Est. for Res. Bldg:** Single Family RANCH

**Building Areas:**
- 1 Story: 1,243 Total Sq Ft
- 1 Bedroom: 1,243 Total Sq Ft

---

***Information herein deemed reliable but not guaranteed***
Subject Site: 5945.0sf
E 50' LOT 3 BLK 39 EXC N 10'
CAMPBELL'S ADD # 2

Due E 50'

Due N 118.9'
Due 118.9'

Due W 50'

1314 12TH AVENUE SOUTH - SITE

*** Information herein deemed reliable but not guaranteed***
MINIMUM REQUIRED SKETCH PLAN DIAGRAM REQUIREMENTS
(Cross-Reference—Chapter 18 Site Plan and Sketch Plan Standards)

All applications for land use permits (zoning approval) must be submitted to the City of Escanaba for review and approval prior to the land use permit being issued. A sketch plan is required for the following land uses, buildings, and structures.

SKETCH PLANS REQUIRED
The following uses, buildings and structures shall require only a sketch plan as approved by the code Official:
- Construction, alteration or addition of/to a single family, two-family or multiple family dwelling with three (3) to four (4) residential dwelling or accessory structures.
- Building additions of twenty percent (20%) or less of the existing building not to exceed five thousand (5,000) square feet for buildings requiring site plan approval, provided that no more than four additional parking spaces will be required or provided. Measurements shall be made based on gross floor area of the ground floor area.
- Building additions up to 5,000 square feet that do not modify any other site characteristics such as parking, traffic circulation and drainage.
- Mobile Home parks.
- All parking lots or additions thereto containing five (5) or more spaces.
- Garages, accessory structures over one hundred (100) square feet and similar uses.

SKETCH PLAN DIAGRAM REQUIREMENTS
The following information must be provided on all sketch plans:
- Scale, north arrow, name and date of plan; dates of revisions thereto;
- Name and address of property owner and applicant and the name and address of developer and designers;
- The applicant’s ownership interest in the property and if the applicant is not the fee simple owner, a signed authorization from the owner for the application;
- Legal description of the property, dimensions and lot area;
- Existing building, structures and other improvements with a clear indication of all improvements to remain and to be removed;
- Use and zoning classification of adjacent properties;
- Names and right-of-way of existing streets, private roads and/or recorded easements on or adjacent to the property;
- Zoning classification of the subject property and total ground floor area;
- Location and exterior dimensions of proposed buildings and structures; with the location to be referenced to property lines; distances between buildings; height in feet and number of stores; and all required setbacks;
- Location and dimensions of proposed parking lots, numbers of spaces in each lot; dimensions of spaces and aisles; drainage pattern of lots; angle of spaces; and areas reserved for storage of snow;
- Location, type and size of other improvements such as sidewalks, fencing and screening, outdoor trash containers, signage and landscaping; and
- Additional information may be required by the Code Official.

SKETCH PLAN PUBLIC HEARING
No public hearing shall be required for sketch plan approvals. The Code Official shall have the authority to approve sketch plans. The Code Official may refer the matter to the Planning Commission if in his/her opinion the Planning Commission should be consulted.

EXPIRATION OF A SKETCH PLAN
- Unless the land use permit states differently, a sketch plan expires after twelve (12) months from the date of granting such permit if the activity is not at least seventy-five percent (75%) completed, and after twenty-four (24) months if not one hundred percent (100%) completed. Completion percentages shall be determined in the sole discretion of the Code Official, subject to appeal to the Zoning Board of Appeals.
- Sketch plan shall automatically expire with the expiration of the land use permit.
ZONING GUIDELINES

These are general guidelines that apply to most properties within a district. Exceptions and more specific requirements can be found in the zoning code itself.

<table>
<thead>
<tr>
<th>District</th>
<th>MIN. Front Yard</th>
<th>MIN. Side Yard</th>
<th>MIN. Rear Yard</th>
<th>MAX. Height</th>
<th>Buildable Area</th>
<th>Distances</th>
</tr>
</thead>
<tbody>
<tr>
<td>A - Single Family</td>
<td>Least restrictive of: 25' or 35% of lot depth</td>
<td>10% of lot width</td>
<td>20' 4' per story</td>
<td>Dwelling - 35' Other - 45'</td>
<td>35%</td>
<td></td>
</tr>
<tr>
<td>B - Two Family</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C - Multi Family</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D - Local Bus.</td>
<td>Least restrictive of: 25' or 35% of lot depth</td>
<td>10% of lot width</td>
<td>20' 4' per story</td>
<td>35'</td>
<td>35%</td>
<td></td>
</tr>
<tr>
<td>E - Commercial</td>
<td>None, except w/ res. mix</td>
<td>None</td>
<td>25'</td>
<td>70'</td>
<td>- Comm. - 85%</td>
<td>- Res. - 50%</td>
</tr>
<tr>
<td>F - Light Man.</td>
<td>20'</td>
<td>10% of lot width</td>
<td>20' 4' per story</td>
<td>50'</td>
<td>50%</td>
<td></td>
</tr>
<tr>
<td>G - Heavy Man.</td>
<td>20'</td>
<td>30' Acc. Structures - 10'</td>
<td>20'</td>
<td>70'</td>
<td>65%</td>
<td></td>
</tr>
<tr>
<td>ACCESSORY STRUCTURES A, B, C, D, E, F</td>
<td>Cannot occupy</td>
<td></td>
<td></td>
<td></td>
<td>- 10' from same lot dwellings</td>
<td>- 6' from same lot acc. bldg &amp; adj. lot bldg</td>
</tr>
</tbody>
</table>
August 5, 2019

«Owner_Name»
«Address_Owners»

RE: Public Hearing Notification and Invitation

Dear Property Owner:

You are receiving this notice because your property at «Address_Physical» is within 300 feet of the project below scheduled for a Public Hearing before the Zoning Board of Appeals on **Wednesday, August 21, 2019 at 6:00pm** at the Escanaba City Hall, 410 Ludington Street.

**Public Hearing – Dimensional Variance for Setback – 1314 12th Avenue South**

A Public Hearing will take place concerning a request from Michael Segorski to reduce the required rear setback for a garage addition at 1314 12th Avenue South.

One week prior to the meeting, a copy of the details of this request can be viewed in the agenda packet on our website at escanaba.org/bza or can also be viewed at City Hall, Second Floor, 410 Ludington Street, Escanaba, MI, Monday through Friday, 7:30am to 4:00pm.

You are invited to attend this meeting should you have any interest in this project. If you have comments, but are unable to attend this meeting, please submit your written comments to the City of Escanaba Zoning Board of Appeals prior to August 13, 2019. All written and signed comments will be read into the public record.

The City of Escanaba will provide all necessary, reasonable auxiliary aids and services to individuals with disabilities at the meeting/hearing upon five days’ notice to the City of Escanaba Clerk’s Office by writing or calling (906) 786-9402.

Sincerely,

Roxanne Spencer, Planning & Zoning Administrator on behalf of the Escanaba Zoning Board of Appeals
SITE LOCATION FOR
1314 12th Avenue South
<table>
<thead>
<tr>
<th>Address (Physical)</th>
<th>Owner Name</th>
<th>Address (Owner's)</th>
<th>City (Owner's)</th>
<th>State (Owner's)</th>
<th>Zip Code (Owner's)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1128 S 13TH ST</td>
<td>GAGNON JOHN M &amp; ALLSOPP PAMELA S</td>
<td>1128 S 13TH ST</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-3011</td>
</tr>
<tr>
<td>1200 S 13TH ST</td>
<td>MILLETTE RAYMOND J</td>
<td>1200 S 13TH ST</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-3013</td>
</tr>
<tr>
<td>1201 S 14TH ST</td>
<td>LAWSON JAMES &amp; DEANNA</td>
<td>1201 S 14TH ST</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-3015</td>
</tr>
<tr>
<td>1204 S 13TH ST</td>
<td>LEWIS WILLIAM F</td>
<td>1204 S 14TH ST</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-3013</td>
</tr>
<tr>
<td>1208 S 14TH ST</td>
<td>HEIDEN JEFFREY/TINA M</td>
<td>1208 S 14TH ST</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-3016</td>
</tr>
<tr>
<td>1211 S 13TH ST</td>
<td>SHEEDLO MICHAEL J &amp; DEBORAH M</td>
<td>1211 S 13TH ST</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-3012</td>
</tr>
<tr>
<td>1214 S 14TH ST</td>
<td>LAFLEUR LUCILLE</td>
<td>1214 S 14TH ST</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-3016</td>
</tr>
<tr>
<td>1218 12TH AVE S</td>
<td>GARDNER THOMAS &amp; MCCARVILLE M</td>
<td>1218 12TH AVE S</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-2909</td>
</tr>
<tr>
<td>1221 11TH AVE S</td>
<td>LACOSSE DANIEL &amp; DONNA</td>
<td>1221 11TH AVE S</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-3334</td>
</tr>
<tr>
<td>1225 S 14TH ST</td>
<td>MARTIN AURELIE A</td>
<td>1225 S 14TH ST</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-3015</td>
</tr>
<tr>
<td>1228 S 13TH ST</td>
<td>CHOUDINARD RONALD D &amp; JODI L</td>
<td>1228 S 13TH ST</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-3000</td>
</tr>
<tr>
<td>1230 S 14TH ST</td>
<td>DANIELS GARY J</td>
<td>1230 S 14TH ST</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-3016</td>
</tr>
<tr>
<td>1306 11TH AVE S</td>
<td>BROWN VINCENT T &amp; DAWN R</td>
<td>1306 11TH AVE S</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-3008</td>
</tr>
<tr>
<td>1308 11TH AVE S</td>
<td>DENMAN ROSLYN LIFE ESTATE</td>
<td>1308 11TH AVE S</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-3008</td>
</tr>
<tr>
<td>1310 12TH AVE S</td>
<td>NOBLE JOHN &amp; EMILY</td>
<td>1310 12TH AVE S</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-2910</td>
</tr>
<tr>
<td>1310 S 14TH ST</td>
<td>BOSKOLOVATZ DAVID</td>
<td>1310 S 14TH ST</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-2911</td>
</tr>
<tr>
<td>1312 11TH AVE S</td>
<td>SURIANO THOMAS &amp; CHERYL</td>
<td>1312 11TH AVE S</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-3008</td>
</tr>
<tr>
<td>1313 11TH AVE S</td>
<td>GRIMES PAUL W &amp; ADELE J</td>
<td>1313 11TH AVE S</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-3007</td>
</tr>
<tr>
<td>1314 12TH AVE S</td>
<td>SEGORSKI MICHAEL J</td>
<td>1314 12TH AVE S</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-2910</td>
</tr>
<tr>
<td>1316 11TH AVE S</td>
<td>PELLEGRINI CARLA J</td>
<td>1316 11TH AVE S</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-3008</td>
</tr>
<tr>
<td>1411 12TH AVE S</td>
<td>JOHNSON JOANNE</td>
<td>1411 12TH AVE S</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-2917</td>
</tr>
<tr>
<td>1309 11TH AVE S</td>
<td>FRITZ RENTALS LLC</td>
<td>6840 DELTA L.92 DR</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-9459</td>
</tr>
<tr>
<td>1322 11TH AVE S</td>
<td>LISS JON</td>
<td>815 S 10TH ST</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-3647</td>
</tr>
<tr>
<td>1300 S 14TH ST</td>
<td>CAVADEAS ANGELA</td>
<td>N17455 COUNTY ROAD 551</td>
<td>WILSON</td>
<td>MI</td>
<td>49896-9744</td>
</tr>
<tr>
<td>1204 S 14TH ST</td>
<td>SIMONS JOSEPH/C SIMONS MICHAEL</td>
<td>PO BOX 372</td>
<td>ELKTON</td>
<td>MD</td>
<td>21922-0372</td>
</tr>
<tr>
<td>12TH AVE S</td>
<td>CITY OF ESCANABA</td>
<td>PO BOX 948</td>
<td>ESCANABA</td>
<td>MI</td>
<td>49829-0948</td>
</tr>
</tbody>
</table>