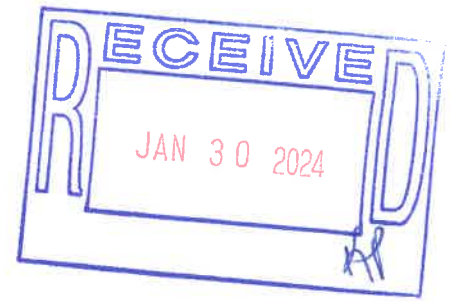


PLUNKETT  COONEY



March 24, 2022

Via first class mail and  
Electronic mail @  
[djd@cityofmi.org](mailto:djd@cityofmi.org)

Dennis Dombroski, Building Inspector  
City of Mackinac Island  
7358 Market Street  
PO Box 455  
Mackinac Island, MI 49757

File No. H B 24 041-009  
Exhibit G  
Date 1-30-24  
Initials KP

RE: Application for Building Permit and Plan Examination (Demolition)  
6948 Main Street, Mackinac Island, Michigan

Dear Dennis:

Enclosed is an Application for Building Permit and Plan Examination (Demolition) being submitted on behalf of my client, Cheryl Nephew Jaquiss, as Trustee of her Trust, relating to property located at 6948 Main Street, Mackinac Island, Michigan.

Also enclosed a check in the amount of \$50.00 for the filing fee required.

If you have any questions or concerns, please advise, otherwise, we await the issuance of the permit for demolition.

Very truly yours,

PLUNKETT COONEY

James J. Murray  
Direct Dial: 231-348-6413

JJM/lll

Enclosure

Open.29 1111 1111

ATTORNEYS & COUNSELORS AT LAW

405 Bay Street, Suite 30 • Petoskey MI 49770 • T (231) 347-1200 • F 248 901-4040 • [plunkettcooney.com](http://plunkettcooney.com)

# APPLICATION FOR BUILDING PERMIT AND PLAN EXAMINATION

CITY OF MACKINAC ISLAND

CITY HALL

Box 455 – Market Street

Mackinac Island, MI 49757

AUTHORITY:	P.A. 230 OF 1972, AS AMENDED
COMPLETION:	MANDATORY TO OBTAIN PERMIT
PENALTY:	PERMIT WILL NOT BE ISSUED

THE DEPARTMENT WILL NOT DISCRIMINATE AGAINST ANY INDIVIDUAL OR GROUP BECAUSE OF RACE, SEX, RELIGION, AGE, NATIONAL ORIGIN, COLOR, MARITAL STATUS, HANDICAP, OR POLITICAL BELIEFS.
---

APPLICANT TO COMPLETE ALL ITEMS IN SECTION I, II, III, IV, V AND VI

NOTE: SEPARATE APPLICATIONS MUST BE COMPLETED

FOR PLUMBING, MECHANICAL, AND ELECTRICAL WORK PERMITS

<b>I. PROJECT INFORMATION</b>				
PROJECT NAME		ADDRESS 6948 Main Street		
CITY Mackinac Island	VILLAGE	TOWNSHIP	COUNTY Mackinac	ZIP CODE 49757
BETWEEN		AND		
Parcel ID #051-525-041-00				
<b>II. IDENTIFICATION</b>				
<b>A. OWNER OR LESSEE</b>				
NAME Cheryl Nephew Jaquiss Individual Living Trust		ADDRESS 5318 Miller Avenue		
CITY Dallas	STATE TX	ZIP CODE 75206	TELEPHONE NUMBER	
<b>B. ARCHITECT OR ENGINEER</b>				
NAME N/A		ADDRESS		
CITY	STATE	ZIP CODE	TELEPHONE NUMBER	
LICENSE NUMBER		EXPIRATION DATE		
<b>C. CONTRACTOR</b>				
NAME N/A		ADDRESS		
CITY	STATE	ZIP CODE	TELEPHONE NUMBER	
BUILDERS LICENSE NUMBER:				
FEDERAL EMPLOYER ID NUMBER OR REASON FOR EXEMPTION:				
WORKERS COMP INSURANCE CARRIER OR REASON FOR EXEMPTION:				
MESC EMPLOYER NUMBER OR REASON FOR EXEMPTION:				
<b>III. TYPE OF IMPROVEMENT AND PLAN REVIEW</b>				
<b>A. TYPE OF IMPROVEMENT</b>				
1. <input type="checkbox"/> NEW BUILDING	3. <input type="checkbox"/> ALTERATION	5. <input checked="" type="checkbox"/> DEMOLITION	7. <input type="checkbox"/> FOUNDATION ONLY	9. <input type="checkbox"/> RELOCATION
2. <input type="checkbox"/> ADDITION	4. <input type="checkbox"/> REPAIR	6. <input type="checkbox"/> MOBILE HOME SET-UP	8. <input type="checkbox"/> PREMANUFACTURE	10. <input type="checkbox"/> SPECIAL INSPECTION
<b>B. REVIEW(S) TO BE PERFORMED</b>				
<input type="checkbox"/> BUILDING	<input type="checkbox"/> ELECTRICAL	<input type="checkbox"/> MECHANICAL	<input type="checkbox"/> PLUMBING	<input type="checkbox"/> FOUNDATION

IV. PROPOSED USE OF BUILDING		COST OF IMPROVEMENT - \$	
<b>A. RESIDENTIAL</b>			
1. ___ ONE FAMILY	3. ___ HOTEL, MOTEL NO. OF UNITS ___	5. ___ DETACHED GARAGE	
2. ___ TWO OR MORE FAMILY NO. OF UNITS ___	4. ___ ATTACHED GARAGE	6. ___ OTHER	
<b>B. NON-RESIDENTIAL</b>			
7. ___ AMUSEMENT	11. ___ SERVICE STATION	15. ___ SCHOOL, LIBRARY, EDUCATIONAL	
8. ___ CHURCH, RELIGION	12. ___ HOSPITAL, INSTITUTIONAL	16. ___ STORE, MERCHANTILE	
9. ___ INDUSTRIAL	13. ___ OFFICE, BANK, PROFESSIONAL	17. ___ TANKS, TOWERS	
10. ___ PARKING GARAGE	14. ___ PUBLIC UTILITY	18. ___ OTHER	

NONRESIDENTIAL – DESCRIBE IN DETAIL PROPOSED USE OF BUILDING, E.G. FOOD PROCESSING PLANT, MACHINE SHOP, LAUNDRY BUILDING AT HOSPITAL, ELEMENTARY SCHOOL, SECONDARY SCHOOL, COLLEGE, PAROCHIAL SCHOOL, PARKING GARAGE FOR DEPARTMENT STORE, RENTAL OFFICE BUILDING, OFFICE BUILDING AT INDUSTRIAL PLANT. IF USE OF EXISTING BUILDING IS BEING CHANGED, ENTER PROPOSED USE:

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V. SELECTED CHARACTERISTICS OF BUILDING				
<b>A. PRINCIPAL TYPE OF FRAME</b>				
1. ___ MASONRY, WALL BEARING	2. ___ WOOD FRAME	3. ___ STRUCTURAL STEEL	4. ___ REINFORCED CONCRETE	5. ___ OTHER
<b>B. PRINCIPAL TYPE OF HEATING FUEL</b>				
6. ___ GAS	7. ___ OIL	8. ___ ELECTRICITY	9. ___ COAL	10. ___ OTHER
<b>C. TYPE OF SEWAGE DISPOSAL</b>				
11. ___ PUBLIC OR PRIVATE COMPANY		12. ___ SEPTIC SYSTEM		
<b>D. TYPE OF WATER SUPPLY</b>				
13. ___ PUBLIC OR PRIVATE COMPANY		14. ___ PRIVATE WELL OR CISTERN		
<b>E. TYPE OF MECHANICAL</b>				
15. ___ WILL THERE BE AIR CONDITIONING? ___ YES ___ NO		16. ___ WILL THERE BE FIRE SUPPRESSION? ___ YES ___ NO		
<b>F. DIMENSIONS/DATA</b>				
17. NUMBER OF STORIES _____	21. FLOOR AREA:		EXISTING	ALTERATIONS
18. USE GROUP _____	BASEMENT		_____	_____
19. CONST. TYPE _____	1 <sup>ST</sup> & 2 <sup>ND</sup> FLOOR		_____	_____
20. NO. OF OCCUPANTS _____	3 <sup>RD</sup> - 10 <sup>TH</sup> FLOOR		_____	_____
	11 <sup>TH</sup> - ABOVE		_____	_____
	TOTAL AREA		_____	_____
<b>G. NUMBER OF OFF STREET PARKING SPACES</b>				
22. ENCLOSED _____		23. OUTDOORS _____		

**VI. APPLICANT INFORMATION**

APPLICANT IS RESPONSIBLE FOR THE PAYMENT OF ALL FEES AND MUST PROVIDE THE FOLLOWING INFORMATION:

NAME: James J. Murray, ALUMINUM CITY PERSONAL NO: 238-461-0111  
 ADDRESS: 10000 W. 10th St. CITY: Petoskey STATE: MI ZIP CODE: 49779  
 SOCIAL SECURITY NUMBER: 32-180-342

I HEREBY CERTIFY THAT THE PROPOSED WORK IS AUTHORIZED BY THE OWNER OF RECORD AND THAT I HAVE BEEN AUTHORIZED BY THE OWNER TO MAKE THIS APPLICATION AS HIS/HER AUTHORIZED AGENT AND WE AGREE TO CONFORM TO ALL APPLICABLE LAWS OF THE STATE OF MICHIGAN. ALL INFORMATION SUBMITTED ON THIS APPLICATION IS ACCURATE TO THE BEST OF MY KNOWLEDGE.

Section 23a of the state construction code act of 1972, 1972 PA 230, MCL 235.1523A, prohibits a person from conspiring to circumvent the bonding requirements of this state relating to persons who are to perform work on a residential building or a residential structure. Violators of section 23a are subjected to a civil fine.

**SIGNATURE OF APPLICANT**

*James Murray*

DATE 3/23/2022

PLAN REVIEW FEE ENCLOSED \$

SEAL FEE ENCLOSED \$ 50.00

**VII. LOCAL GOVERNMENTAL AGENCY TO COMPLETE THIS SECTION**

**LOCAL GOVERNMENTAL AGENCY APPROVALS**

	REVIEWED	DATE	BY
1. ZONING	YES		
2. SUBDIVISION	YES		
3. PLANNING AND ZONING	YES		
4. HOME CONTROL	NO		
5. FIRE DEPARTMENT	NO		
6. HEALTH DEPT	NO		
7. WATER SUPPLY	YES		
8. SEWER SYSTEM	YES		
9. VARIANCE GRANTED	YES	NO	
10. OTHER	YES	NO	

**VII. VALIDATION - FOR DEPARTMENT USE ONLY**

USE GROUP

BASE FEE

TYPE OF CONSTRUCTION

NUMBER OF INSPECTIONS

DATE

DATE

APPROVED BY: JRL

PLUNKETT  COONEY

July 21, 2022

Planning Commission and  
Building Department  
C/O Katie Pereny  
7358 Market Street  
PO Box 455  
Mackinac Island, MI 49757

Re: Parcel Id. No. 051-525-041-00  
6948 Main Street, Mackinac Island, Michigan

Dear Planning Commission and Building Department:

We are attorneys for Cheryl Nephew Jaquiss, as Trustee of her Trust, relating to property located at 6948 Main Street, Mackinac Island, Michigan ("Owner"). On behalf of Owner, we are requesting to be on the agenda for the Mackinac Island Planning Commission meeting on August 9, 2022. In support of the request, enclosed are the following:

1. Application for Zoning Action
2. Deconstruction and Parcel Clearing Plan
3. Preliminary Plans for Residential Structure
4. \$150 application fee

Please include a copy of this correspondence with the Application for Zoning Action. Specifically, the Application seeks a written description of proposed development operations, a description of the effect, if any, upon adjoining lands and occupants and other information pertinent to the proposed development.

This request is merely to deconstruct the existing residence in order to build a new residence for the Jaquiss family. On behalf of the Owner we filed an Application for Building Permit and Plan Examination (Demolition) on March 24, 2022 but did not receive approval. In reviewing the City's Code of Ordinances, including the Zoning Amendments, we find no objective standards within the City Codes for deconstruction of an existing residence and believe a permit should be issued. We understand, however, the City takes the position that an Application needs to be filed with the Planning Commission. Without admitting an obligation to do so, the Owner is willing to fully cooperate with the City's request.

ATTORNEYS & COUNSELORS AT LAW

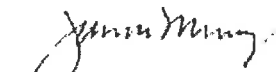
406 Bay Street, Suite 300 • Petoskey, MI 49770 • T 231.341.1200 • F 248.114.140 • [plunkettcooney.com](http://plunkettcooney.com)

Deconstruction will be conducted within all applicable legal standards. For example, removal of all debris, including asbestos and lead paint, will comply with all MIOSHA standards. We have retained an environmental consultant and will follow its directives. The adjacent property to the East is owned by the Owner's sister, who has provided her consent, and deconstruction will have no adverse consequences to adjoining lands or occupants. The parcel will be graded and restored to a natural condition until such time as the Owner is able to apply to the Mackinac Island Planning Commission for site plan review for her proposed residential home. The goal is to deconstruct the existing home in the Fall of 2022 and begin construction of the residential home in 2023. These plans obviously are subject to various limitations and restrictions set forth in the City's Codes, which the Owner intends to follow.

If you need any further information, please advise.

Very truly yours,

PLUNKETT COONEY



James J. Murray

Direct Dial: 231-348-6413

JJM/tll

Enclosures

Open.29035.21118.29209762-1

**CITY OF MACKINAC ISLAND  
PLANNING COMMISSION & BUILDING DEPARTMENT  
APPLICATION FOR ZONING ACTION**

www.cityofmi.org    kep@cityofmi.org    906-847-6190    PO Box 455 Mackinac Island, MI 49757

**APPLICANT:** Cheryl Nephew Jaquise, Trustee of the  
Cheryl Nephew Jaquise Individual Living Trust uad 11/10/2008  
6318 Miller Avenue, Dallas, TX 75208

cnjaquise@gmail.com  
Phone Number                      Email Address

Please complete both sides of application.  
The Fee and fourteen (14) copies of the application,  
plans and all required documents must be  
submitted to the Zoning Administrator fourteen (14)  
days prior to the scheduled Planning Commission  
Meeting.

Property Owner & Address (if Different From Applicant)

\_\_\_\_\_

\_\_\_\_\_

- |  |            |
|--|------------|
| Is The Proposed Project Part of a Condominium Association?                 | No         |
| Is The Proposed Project Within a Historic Preservation District?           | No         |
| Applicant's Interest In the Project (if not the Fee-Simple Owner):         | Fee simple |
| Is the Proposed Structure Within Any Area That The FAA Regulates Airspace? | No         |
| Is a Variance Required?  | No         |
| Are REU's Required? How Many?  | No / _____ |

**Type of Action Requested:**

- |   |   |
|---|---|
| <input type="checkbox"/> Standard Zoning Permit                 | <input type="checkbox"/> Appeal of Planning Commission Decision |
| <input type="checkbox"/> Special Land Use                       | <input type="checkbox"/> Ordinance Amendment/Rezoning           |
| <input type="checkbox"/> Planned Unit Development               | <input type="checkbox"/> Ordinance Interpretation               |
| <input checked="" type="checkbox"/> Other <u>Deconstruction</u> |   |

**Property Information:**

- A. Property Number (From Tax Statement): 051-625-041-00
- B. Legal Description of Property: Lot 86, Assessor's Plat No. 2
- C. Address of Property: 6948 Main Street, Mackinac Island, Michigan
- D. Zoning District: HB Hotel/Boarding House
- E. Site Plan Checklist Completed & Attached: Yes
- F. Site Plan Attached: (Comply With Section 20.04 of the Zoning Ordinance) Yes
- G. Sketch Plan Attached: Yes
- H. Architectural Plan Attached: Yes
- I. Association Documents Attached (Approval of project, etc.): N/A
- J. FAA Approval Documents Attached: N/A
- K. Photographs of Existing and Adjacent Structures Attached: Yes

**Proposed Construction/Use:**

- A. Proposed Construction:
- New Building                       Alteration/Addition to Existing Building
- Other, Specify Deconstruction
- B. Use of Existing and Proposed Structures and Land:
- Existing Use (if Non-conforming, explain nature of use and non-conformity):  
Boarding house
- Proposed Use: Residential home
- C. If Vacant:
- Previous Use: N/A
- Proposed Use: \_\_\_\_\_
- Length of Time Parcel Has Been Vacant: \_\_\_\_\_

**OFFICE USE ONLY**

FILE NUMBER: \_\_\_\_\_ FEE: \_\_\_\_\_

DATE: \_\_\_\_\_ CHECK NO: \_\_\_\_\_ INITIALS: \_\_\_\_\_

Revised Oct 2018

STATE OF MICHIGAN )  
COUNTY OF MACKINAC ) ss.

AFFIDAVIT

The applicant agrees that the permit applied for, if granted, is issued on the representation made herein and that the permit issued may be revoked without further notice on any breach of representation or conditions.

The applicant further understands that any permit issued on this application will not grant any right of privilege to erect any structure or to use any premises described for any purposes or in any manner prohibited by the Zoning Ordinance, or by other codes or ordinances or regulations of the City of Mackinac Island.

The Applicant further agrees to furnish evidence of the following before a permit will be granted:

- A. Proof of ownership of the property; and/or other evidence establishing legal status to use the land in the manner indicated on the application.
- B. Proof that all required federal, state, county, and city licenses or permits have been either applied for or acquired.
- C. Other information with respect to the proposed structure, use, lot and adjoining property as may be required by the Zoning Administrator in accord with provisions of the Mackinac Island Zoning Ordinance.

The Applicant further agrees to notify the Zoning Administrator when construction reaches the stage of inspection stated on the permit, if granted. Upon completion of construction to the structure(s) or land the Zoning Administrator shall inspect the premises for compliance with the Mackinac Island Zoning Ordinance and the terms of this permit. Upon determination of compliance, an occupancy permit may be issued. It is further understood that pursuant to the City of Mackinac Island Zoning Ordinance, No. 479 and amendments, adopted November 2013, unless a substantial start on the construction is made within one year, unless construction is completed within one and one-half years from the date of issuance of the permit, this permit shall come under review by the Planning Commission and may either be extended or revoked.

The undersigned affirms that he/she or they is (are) the applicant and the Owner (specify: owner, Lessee, Architect/Engineer, Contractor or other type of interest) involved in the application and that the answers and statements herein attached are in all respects true and correct to the best of his, her or their knowledge and belief. The applicant hereby further affirms that he/she or they has read the foregoing and understands the same. If the applicant is other than the owner, then a notarized affidavit from the owner, giving the applicant permission to seek the requested zoning action on their behalf, shall also be submitted with this application.

*Cheryl Lynette Jaquiss*

Signature

SIGNATURES

Signature

Cheryl Jaquiss

Please Print Name

Cheryl Nephew Jaquiss, Trustee of the Cheryl Nephew Jaquiss Individual Living Trust dated 11/10/2008

Please Print Name

Signed and sworn to before me on the 21st day of July, 2022

Ursula L O'Neil

*Ursula L O'Neil*

Notary Public

Wayne

County, Michigan

My commission expires: 09/22/2024

FOR OFFICE USE ONLY

Zoning Permit Issued: \_\_\_\_\_

Inspection Record:

Inspection	Date	Inspector	Comments
1.			
2.			
3.			

Occupancy Permit Issued \_\_\_\_\_

Revised October 2018



# City of Mackinac Island

7358 Market Street  
P.O. Box 455  
Mackinac Island, MI 49757

## Site Plan Review Checklist

### Please Submit With The Application for Zoning Action

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As a minimum, the following information shall be included on the site plan submitted for review and processing; more complex plans may require additional information as noted.

NOTE: The engineer, architect, planner and/or designer retained to develop the site plan shall be responsible for securing a copy of the City of Mackinac Island Zoning Ordinance (Ord. No. 479, effective November 12, 2013), which can be obtained via the City's website at [www.cityofmi.org](http://www.cityofmi.org).

Site plan review requirements are primarily found within Article 4, General Provisions, and Article 20, Site Plan Review of the City Zoning Ordinance. References are provided whenever possible for the section of the Zoning Ordinance that deals with a particular item. When in doubt, refer to the Zoning Ordinance directly for required information.

For further information, contact Mr. Dennis Dombroski, City Building Official/Zoning Administrator, at (906) 847-4035.

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#### Optional Preliminary Plan Review Informational Requirements (Section 20.03)

<u>Item</u>	<u>Provided</u>	<u>Not Provided or Applicable</u>
1. Name and address of the applicant or developer, including the names and addresses of any officers of a corporation or partners of a partnership	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Legal description of the property	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Sketch drawings showing tentative site plans, property boundaries, placement of structures on the site, and nature of development	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Site Plan Informational  
Requirements (Section 20.04, B and C)**

<u>General Information</u>	<u>Provided</u>	<u>Not Provided or Applicable</u>
1. Name and address of the applicant or developer, including the names and addresses of any officers of a corporation or partners of a partnership. For condominium subdivision project site plans, also include the name and address of the planner, design engineer or surveyor who designed the project layout and any interest he holds in the land.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Name and address of the individual or firm preparing the site plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Scale of not greater than one 1 in = 20 ft for a development of not more than three acres and a scale of not less than 1 in = 100 ft for a development in excess of three acres	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Legend, north arrow, scale, and date of preparation	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Legal description of the subject parcel of land	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Lot lines and general location together with dimensions, angles, and size correlated with the legal description of the property	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Area of the subject parcel of land	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Present zoning classification of the subject parcel	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Written description of the proposed development operations	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Written description of the effect, if any, upon adjoining lands and occupants, and any special features which are proposed to relieve any adverse effects to adjoining land and occupants	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Other information pertinent to the proposed development, specifically required by the Zoning Ordinance, and/or as may be determined necessary by the City Planning Commission	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<u>Natural Features</u>	<u>Provided</u>	<u>Not Provided or Applicable</u>
12. Location of natural features such as wood lots, streams, wetlands, unstable soils, bluff lines, rock outcroppings, and similar features (see also Section 4.26)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
13. Topography of the site with at least two- to five-foot contour intervals	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14. Proposed alterations to topography or other natural features	<input checked="" type="checkbox"/>	<input type="checkbox"/>
15. Earth-change plans, if any, as required by state law	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<u>Physical Features</u>	<u>Provided</u>	<u>Not Provided or Applicable</u>
16. Location of existing manmade features on the site and within 100 feet of the site	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Location of existing and proposed principal and accessory buildings, including proposed finished floor and grade line elevations, height of buildings, size of buildings (square footage of floor space), and the relationship of buildings to one another and to any existing structures on the site	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- |  |                                     |                          |
|--|-------------------------------------|--------------------------|
| 18. For multiple family residential development, a density schedule showing the number of dwelling units per acre, including a dwelling schedule showing the unit type and number of each such units | <input type="checkbox"/>            | <input type="checkbox"/> |
| 19. Existing and proposed streets, driveways, sidewalks and other bicycle or pedestrian circulation features   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 20. Location, size and number of on-site parking areas, service lanes, parking and delivery or loading areas (see also Section 4.16)   | <input type="checkbox"/>            | <input type="checkbox"/> |
| 21. Location, use and size of open spaces together with landscaping, screening, fences, and walls (see also Section 4.09 and Section 4.21)   | <input type="checkbox"/>            | <input type="checkbox"/> |
| 22. Description of Existing and proposed on-site lighting (see also Section 4.27)  | <input type="checkbox"/>            | <input type="checkbox"/> |

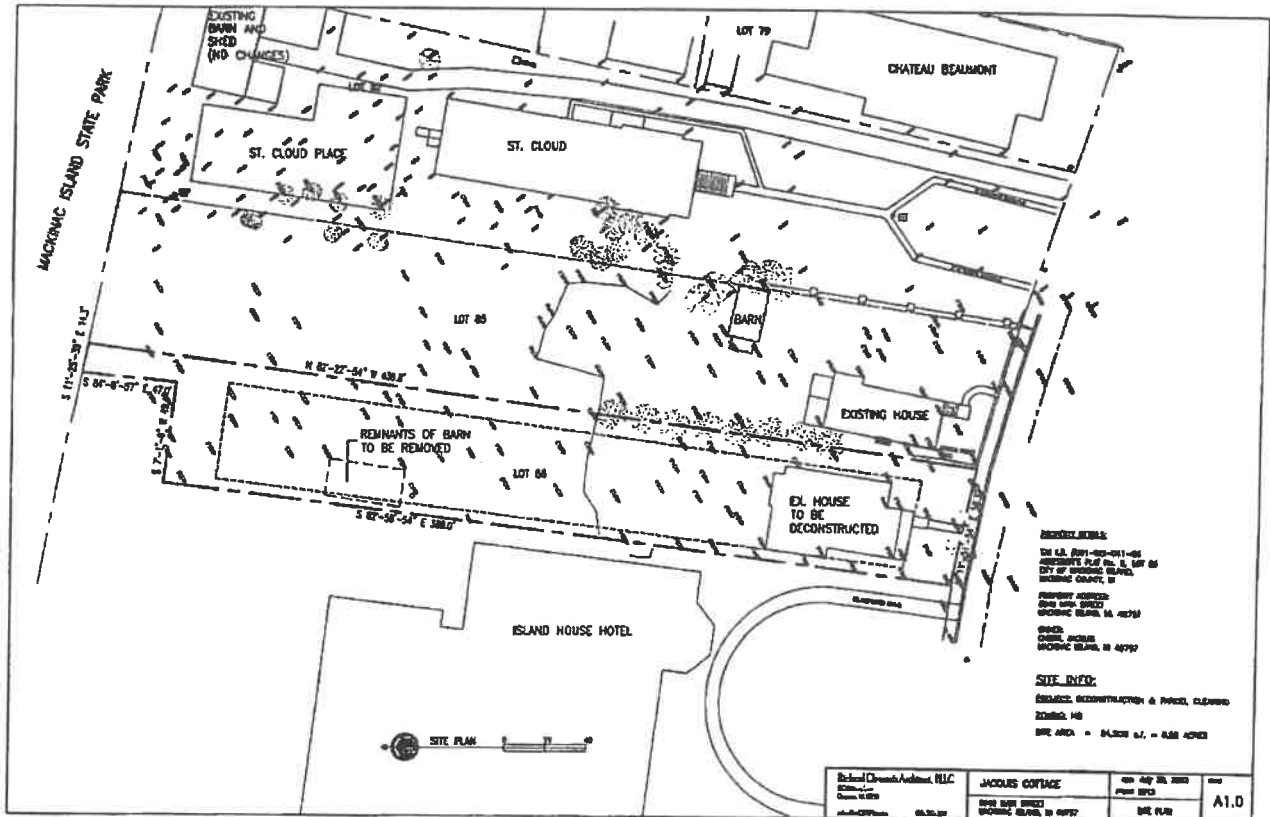
**Utility Information**

- |   | <u>Provided</u>          | <u>Not Provided or Applicable</u> |
|---|--------------------------|-----------------------------------|
| 23. Written description of the potential demand for future community services, together with any special features which will assist in satisfying such demand   | <input type="checkbox"/> | <input type="checkbox"/>          |
| 24. Proposed surface water drainage, sanitary sewage disposal, water supply and solid waste storage and disposal (see also Section 4.13)  | <input type="checkbox"/> | <input type="checkbox"/>          |
| 25. Location of other existing and proposed utility services (i.e., propane tanks, electrical service, transformers) and utility easements (see also Section 4.13)  | <input type="checkbox"/> | <input type="checkbox"/>          |
| 26. Written description and location of stormwater management system to be shown on a grading plan, including pre- and post-site development runoff calculations used for determination of stormwater management, and location and design (slope) of any retention/detention features (see also Section 4.26) | <input type="checkbox"/> | <input type="checkbox"/>          |

**Architectural Review  
Informational Requirements (Section 18.05)**

- | <u>Item</u>   | <u>Provided</u>          | <u>Not Provided or Applicable</u> |
|---|--------------------------|-----------------------------------|
| 1. Name and address of the applicant or developer, including the names and addresses of any officers of a corporation or partners of a partnership  | <input type="checkbox"/> | <input type="checkbox"/>          |
| 2. Legal description of the property  | <input type="checkbox"/> | <input type="checkbox"/>          |
| 3. Drawings, sketches and plans showing the architectural exterior features, heights, appearance, color and texture of the materials of exterior construction and the placement of the structure on the lot, and any additional information determined necessary by the planning commission to determine compliance with the architectural standards (see also Section 18.06) | <input type="checkbox"/> | <input type="checkbox"/>          |
| 4. Photographs of existing site conditions, including site views, existing buildings on the site, streetscape views in all directions, and neighboring buildings within 150 feet of the site.   | <input type="checkbox"/> | <input type="checkbox"/>          |

Deconstruction Plan - Jaquiss "Red House"



# MACKINAC ISLAND

PLANNING COMMISSION ★ HISTORIC DISTRICT COMMISSION ★ BUILDING DEPARTMENT

August 10, 2022

Cheryl Nephew Jaquiss  
5318 Miller Avenue  
Dallas, TX 75206

RE: 6948 Main Street  
File No. HB22-041-015

Dear Ms. Jaquiss,

This letter is intended to serve as notification that the City of Mackinac Island Planning and Zoning Commission has denied your Standard Zoning Permit request (HB22-041-015) for the demolition of the home located at 6948 Main Street (Property ID No. 051-525-041-00). Planning and Zoning denial is based on the fact that there is a demolition moratorium in place for a minimum of 6 months, which extends longer than the 100-day time frame that the planning commission is required to make a decision on an application under the city's zoning ordinance.

You have the option to appeal this decision to the City of Mackinac Island Zoning Board of Appeals. The Zoning Board of Appeals shall not consider any application for appeal without the payment by the applicant or appellant to the city treasurer of a fee. Such application or appeal shall be filed with the zoning administrator, who shall transmit the same, together with all plans, specifications and other papers pertaining to the appeal to the board of zoning appeals.

Thank you,



Michael Straus  
Chairman, City of Mackinac Island Planning & Zoning Commission

CC: James Murray

## TOLLING AGREEMENT

This Tolling Agreement ("Agreement") is made by and between The Cheryl Nephew Jaquiss Individual Living Trust ("Trust") and The City of Mackinac Island ("City"). The parties to this Agreement are referred to individually as a Party and collectively as the Parties.

This Agreement is based on the following facts and circumstances:

- A. The Trust owns the home and land located at 6948 Main Street, Mackinac Island commonly known as the "Red House" and filed two separate applications seeking the demolition of the Red House.
- B. In response, the City enacted a demolition moratorium and denied the applications.
- C. The Parties would like to have additional time to attempt an amicable resolution of any dispute.
- D. The Parties agree to toll the statute of limitations on any appeals of the rulings by the City and its Building Inspector and any claims the Parties may have against another for a period of nine (9) months, beginning on August 9, 2022 (the "Effective Date") and continuing until termination of this Agreement by its terms; and,

NOW THEREFORE, in exchange for the mutual promises herein, which the Parties recognize as good and valuable consideration, the Parties agree as follows:

### Agreement

1. The Parties agree that any statute of limitations, which has not already expired as of the Effective Date, on any appeals of the rulings by the City or any claims against either Party related to the Property and the specific facts referenced above shall be tolled beginning on the Effective Date and continuing for nine (9) months. This period of tolling is sometimes hereinafter referred to as the Tolling Period.

2. The Parties agree that during the Tolling Period they will not initiate litigation, arbitration, or other judicial or quasi-judicial proceedings against any Party hereto, regarding the specific facts listed above.

3. The Parties and any privy (principal or agent), successor or assign, preserve all defenses, including but not limited to the defense of statute of limitations or any other time limit, waiver, estoppel, the doctrine of laches or similar defenses which may be asserted as of the Effective Date of this Agreement.

4. The Parties agree that the time period between the Effective Date of this Agreement and the date on which this Agreement is terminated shall not be included in the calculation of time for purposes of any statute of limitations defense.

5. The Parties agree that they wish to investigate, and potentially resolve their dispute during the Tolling Period. It is agreed that if the Parties do participate in any settlement discussion during the Tolling Period, all settlement negotiations, demands or offers, and all communications (verbal or in writing) between or among the Parties or their agents in furtherance of settlement are strictly confidential, both pursuant to this Agreement and as contemplated by the Michigan Rules of Evidence and the Michigan Court Rules, and cannot be disclosed in any subsequently filed actions without the express written consent of all Parties or Court order, excepting matters of Freedom of Information Act.

6. This Agreement shall not be admissible for any purpose or in any proceeding other than for purposes of establishing the Tolling Period or for purposes of enforcing its terms, nor shall this Agreement be construed as an admission by the Parties for any purpose.

7. The undersigned each agree, represent, and warrant that they are authorized and have the legal capacity to bind the respective Parties on whose behalf they are executing this Agreement.

8. The Parties agree that the normal rule of construction providing that ambiguities are to be construed against the drafting party will not be employed in the interpretation of this Agreement.

9. This Agreement shall be construed in accordance with the laws of Michigan.

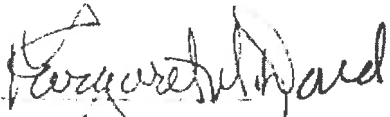
10. This Agreement may be terminated by either Party with 30 days written notification to the other Party.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their duly authorized representatives with the intention of being legally bound by it.

City of Mackinac Island

Cheryl Nephew Jaquiss Individual Living Trust

By:



By:



Cheryl Nephew Jaquiss

Its:

Date: 8/23/2022

Its: Trustee

Date: 8-25 2022