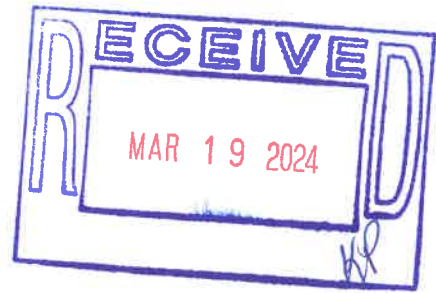


PLUNKETT  COONEY



March 14, 2024

Via e-mail at grentrop@rentropmorrison.com

Gary Rentrop and
Mackinac Historic District Commission
PO Box 176
Cross Village, MI 49723

File No. HB24-041-009
Exhibit Q
Date 3-19-24
Initials KD

Re: Mackinac Island Historic District Commission
6948 Main Street, Mackinac Island, Michigan ("Property")
HB24-041-009

Dear Mackinac HDC:

On February 13, 2024, we appeared on behalf of our client, Cheryl Nephew Jaquiss, as owner of 6948 Main Street. The meeting was to address the Application for Demolition dated January 24, 2024 (submitted on January 30, 2024). Since that meeting, there has been confusion regarding the Application for Demolition of the subject property. The purpose of this correspondence is to clarify some of the confusion and to otherwise supplement the application.

We are advised by the City's attorney, Gary Rentrop, that the Application for Demolition was incomplete. In our legal opinion, the application is complete. To claim otherwise is illogical and not supported by the facts. The actual Application for Demolition was filed in 2022 as noted in previous correspondence. Moreover, in an attempt to accommodate the City, (and not as an admission that an application to the HDC is even lawfully required), we once again filed on January 30, 2024. The City placed this matter on the agenda before the HDC and the HDC considered the application at its meeting on February 13, 2024. The city cashed the \$1,500 application fee. At no time during that meeting, or anytime soon thereafter, was there any suggestion of an incomplete application. Based on the advice of the HDC's attorney, the HDC resolved to proceed down the road of securing an "independent engineering report". Not until February 29th, when apparently Mr. Rentrop discovered the HDC did not have a quorum for its March 12, 2024, meeting, did he make the unilateral decision to declare the application as being incomplete.

Apparently the HDC's attorney is attempting to make "decisions" concerning this application. A decision is defined under the Open Meetings Act as: "a determination, action, vote, or disposition upon a motion, proposal, recommendation, resolution, order, ordinance, bill, or measure on which a vote by members of a public body is required and by which a public body effectuates or formulates public policy." At no time did the HDC make a decision to declare the application incomplete.

ATTORNEYS & COUNSELORS AT LAW

Now, at this late stage, we also understand Mr. Rentrop has made the unilateral decision to schedule a special meeting for March 21, 2024. Clearly this "decision" of Mr. Rentrop is motivated to preclude automatic approval pursuant to Section 162 (d) of the City ordinance which provides that approval is automatically given unless the application is denied within 60 days. Had we received the courtesy of any prior notice from Mr. Rentrop, he would have discovered that our client is scheduled to be on a flight that date and will be unavailable.

As Cheryl Nephew Jaquiss is unavailable, she asked me to forward to you and City Council a copy of her correspondence which is attached.

In addition, (and in no way admitting the application is incomplete), we offer the HDC the following as a supplement to the application. This will address the purported deficiencies found in Item C of the City's "General Directions for Work Within a Historic District":

1. *Signature of Owner.* On file and see attached correspondence.
2. *Name and Address of Owner.* On file
3. *Name and address of Applicant.* On file
4. *Specific Grounds upon which demolition is based.* As already stated in the January application and previous correspondence: Per Sec. 10-164 and MCL 399.205(6), grounds are found in subsection MCL 399.205(6)(c) and (d), as retaining the resource will cause undue financial hardship to the owner and/or retaining the resource is not in the best interest of the community.
5. *Sufficient information to justify grounds.* See prior records and the correspondence from licensed engineer Albert Santoni of Dickinson Homes.
6. *Evidence of alternatives to demolition.* Not applicable per engineer letter unless the current boarding house remains in its current condition.
7. *Evidence of advice from a professional.* See attached.
8. *Description of measures to protect neighbors.* See Belonga report.
9. *Burden.* Yes, overwhelming evidence.

Very truly yours,



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

JJM/tll

Enclosures

c: Mackinac HDC and client

CHERYL NEPHEW JAQUISS
6948 MAIN STREET
MACKINAC ISLAND, MI 49757

March 12, 2024

Mackinac Island Historic District Commission and City Council:

I am writing to provide context and justification for my application to replace the existing structure at 6948 Main Street, known as the "Red House." This application was originally submitted to the City of Mackinac Island in March of 2022. The mid-nineteenth-century structure has undergone significant modifications over the years, deviating substantially from its original design. Originally intended as a private residence, the building has been extensively remodeled and, for the past three decades, used as a multi-occupant residence, making it unsuitable for a single-family home.

At the last HDC meeting, I listened to a member give a speech that "we" the people of Mackinac Island need to step in to preserve the history and to protect the Island. I am writing to remind this committee that I am part of this "we". I am not a private equity firm working to maximize return to investors who are not part of the Mackinac community. Quite the opposite, my family moved to Mackinac Island 60 years ago when my father had a dream to own his own business with his best friend from Gaylord High School. My parents dedicated their lives to the community, and my sisters and I are equally committed to preserving its charm and legacy. My sisters and I grew up on Mackinac Island. We learned to ride horses and bicycles here. Our children grew up here. Many of us, including me, met our spouses here. My sisters and I were married on the island, as were our children. Because of our deep ties and commitment to the community, we have always cooperatively worked with the city and the HDC regarding issues of preservation and maintenance on our properties in the actual Historic District.

My dad purchased the Red House around 1980, and soon thereafter the adjacent white house – solely because they were zoned hotel, with the dream of building a family run hotel in those adjacent locations. Very soon thereafter though, with my sister Nancy's family living in the white house – my father announced one day while playing with the grandchildren in the yard "It looks like I'm never going to be able to ask Nancy to leave this house" ... so not all plans continue like they started. My parents knew that their daughters shared their love for Mackinac and hoped to continue living here for generations. So, at the end of their lives, it was my parents' wish that Nancy, Dawn, and I have our own homes near each other, so that our families could continue to enjoy the magic of Mackinac together. This legacy, more than almost any other, made them so happy. This was why my dad never sold the Red House investment property and kept it instead as a boarding house, as a placeholder for me until I was ready to build a home next to my sister.

Two years ago, when I was ready to build my Mackinac home, it became clear after a comprehensive examination by experts (see reports submitted in agenda package for Feb HDC meeting) that continuing this process with the existing structure was not feasible. Because the home was not in an historic district, I applied to the city to demolish the home. The city failed to approve the request for 4 months, although I believe there were no legitimate legal reasons to do so. In a continued effort to delay my legal request for demolition, the property was singled out and "spot zoned" (which is generally considered illegal in Michigan) as the only historic home in the Mission District to be placed on a one-year moratorium. This suspect action expired last fall. The city – now nearly two years after my initial request for demolition – still has not decided if they believe it is wise, for a variety of complicated reasons, to put the Mission Area in an historic district. Without any legal justification now to deny my request, the city made a resolution that while the Mission Area is "under consideration" as a potential Historic District, any requests for demolition go to the HDC, with the instructions that the "under consideration" properties should be judged by the same criteria as any property in an actual Historic District. I do not believe this resolution is lawful - or fair - to anyone in the Mission Area.

I spent considerable time with an architect, beginning 15 years ago, designing the house of my dreams in this location. The proposed house now is substantially different than my original design, with numerous concessions in the effort to reflect the current style of the Red House. A few of these concessions include the exact location of the house, the style of the house, the size of the house, the number and size of the windows, and the inability to put a second story balcony. I have proposed a house that mimics the style and charm of the front wall of the existing house, including recreating the swoop front porch that, while not original, is a distinguishing characteristic of the structure. I believe that since I am not in an historic district, that none of these concessions were legally necessary. But I hope that my efforts to make these concessions demonstrate my willingness to work together with the city to construct a building that is consistent with the current style in mind.

To the members of the HDC, I respect and admire your dedication on behalf of the community to volunteer your time to work through very difficult and complex issues. Asking you to vote in my favor, when I believe I should not legally be before you, puts me in a difficult position. But given that, I do think this request meets the criteria for approval in the HDC due to feasibility issues. An approval is also in the "greater good" or best interests of the Island. The decision to construct a single-family home, because of the love our family has for Mackinac Island, is a purely emotional one - not a wise financial decision. If this is not feasible, then the property is back to where it was when my father purchased it ... a financial investment for a future hotel. I believe most of the people of Mackinac Island, would prefer to see this property revert from its current use as a boarding house – to a single-family home. Very few people would prefer a hotel over a single-family home, especially since this home would keep the similar style of the current Red House.

Because of my deep ties to the community, I have continued to try to work through what I believe has been a very unfair and arbitrary process, because it is not my desire to file a

lawsuit against the City of Mackinac Island. Although it would break my heart, if I am unable to get a favorable conclusion in March, then I will have no choice other than to file legal action against the City.

Unfortunately, when the HDC's attorney scheduled a special meeting for March 21 he did so without asking about my availability. I very much wanted to attend in person but have a conflict on the 21st and am unable to attend in person or on Zoom.

I want the HDC to know that my family and I are willing to compromise in order to build our family home. Specifically, should the HDC approve our demolition permit we are willing to do the following:

1. As described in the letter attached from Dickinson Homes, we will reclaim, reuse or replicate the porch, the corbels and the detail in the gable.
2. To forego my right to build the home we originally planned to build.
3. To accept not the home of our dreams but to replicate the "red house" as per the drawings of Richard Clements attached.
4. In addition, as noted in the drawings prepared by Richard Clements, we agree to compromise as follows:
 - a. The placement on the site will be identical.
 - b. The first-floor height above grade will be identical.
 - c. The proportions of building width and height will be identical.
 - d. The window and door placements will be similar. The window muntin bars are 2 over 2 as was the original.
 - e. The roof slope will be identical.
 - f. The roof fascia will be trimmed out with similar crown molding.
 - g. The corbels will be similar and pending intact removal and refinishing they could be identical.
 - h. The covered portion of the porch and the stairs will be similar in size and curved shape and features of the existing later porch.
 - i. The siding and trims will be similar.
 - j. The triangular feature in the gable will be similar and pending intact removal and refinishing it could be identical.

Thank you for your time and consideration.

Sincerely,



Cheryl Nephew Jaquiss

Dickinson Homes

SINCE 1970

March 5th 2024

Historic District Committee,

As you will see in the following photos, there are items of the Red House in which Dickinson Homes feels we could reclaim. It is our intention to send a crew to the Island to remove these items carefully from the home prior to demolition. Along with that, Dickinson Homes will bring those items back to our factory to try work to reclaim, reuse, or replicate them.

The remainder of the house from the foundation up would be unsalvageable. There are numerous code issues in the entire structure. It would be too costly and too damaging to try and save any other parts of the structure. The home critically needs a new foundation. The interior and exterior would need to be stripped of all surfaces to reframe the home. The electrical, plumbing, and heating would need to be brought up to code as well. There are two crumbling chimneys that would need to be taken down as well. These are just a few of the items from a long list. With our past preservation remodel work, as well as extensive older home remodel work, I see this home as not savable for financial, structural, safety, and timely reasons.

Best,

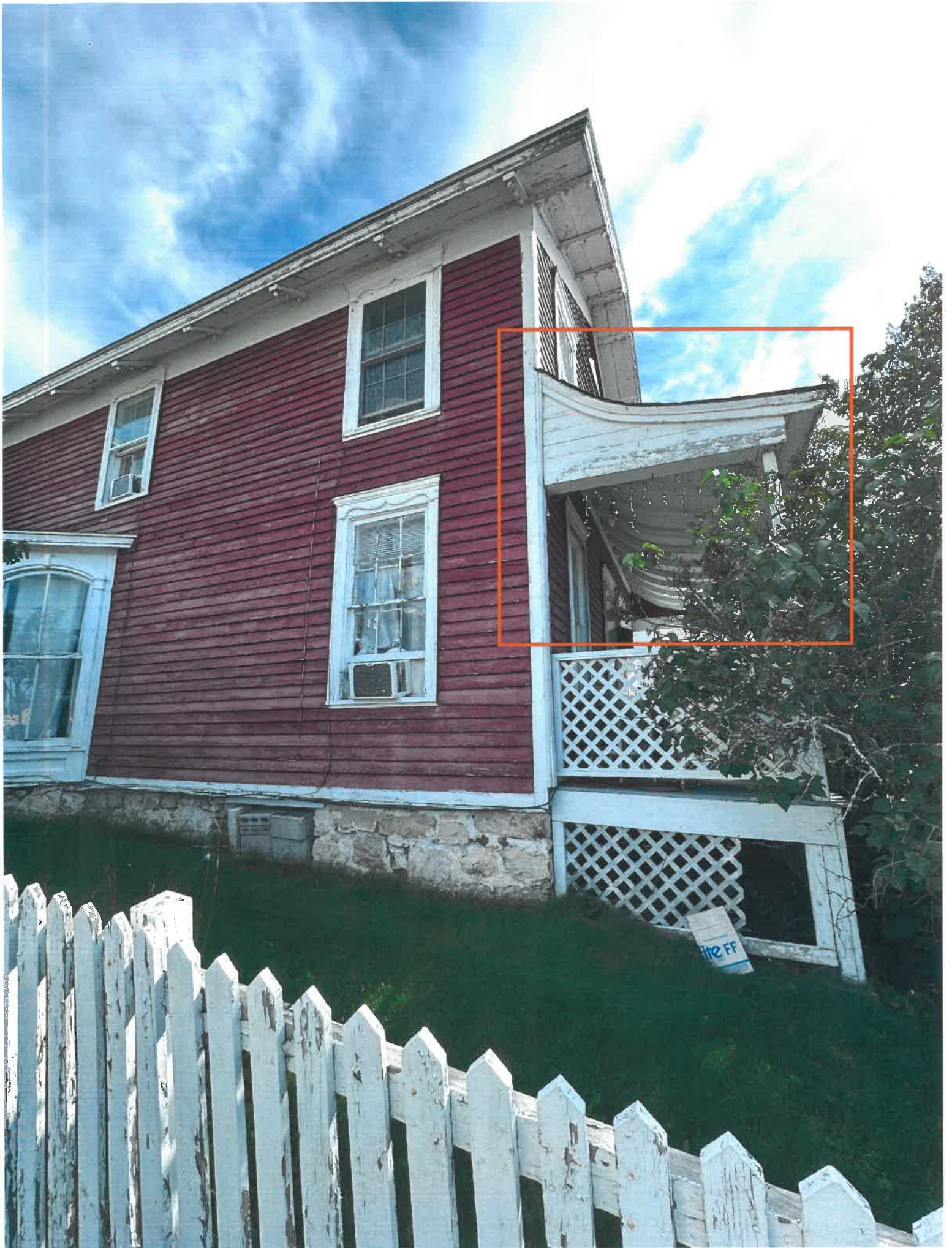
Αλβερτ Σαντονι

ALBERT SANTONI

REGISTERED ARCHITECT & PROFESSIONAL ENGINEER

DICKINSON HOMES, INC







Richard Clements

15215 Merry Lane
Oscoda, MI 49759

richardlee1523@live.com

989-370-3681

ITEM C

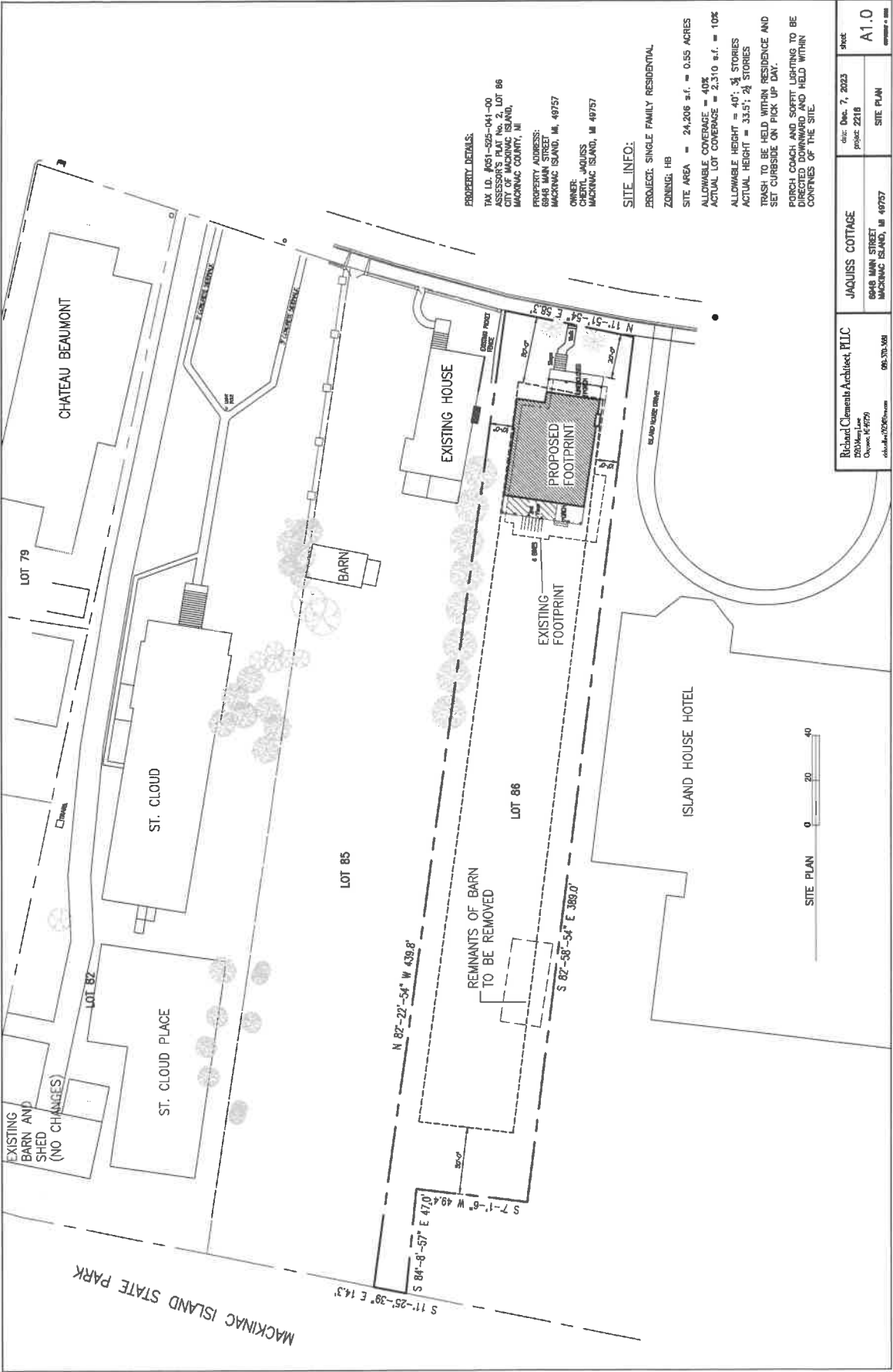
REQUIRED APPLICATION INFORMATION FOR THE DEMOLITION OR MOVING OF
RESOURCES WITHIN THE CITY OF MACKINAC ISLAND HISTORIC DISTRICTS

C.6

The owner, Cheryl Nephew Jaquiss, retained my services as a licensed architect. As an architect I have experience with many projects on Mackinac Island, including historic buildings. In doing work on this project, I am familiar with the Historic District Ordinance of the City of Mackinac Island and the Local Historic Districts Act of Michigan. I reviewed and considered the alternatives to demolition, and in my opinion, demolition/reconstruction is the only feasible option. I'm aware the home was offered for free should it be moved and it was not a viable option.

C.7

The owner originally had planned for a residence that was materially different than the plans that I have prepared. The plans I prepared will reconstruct the major identifying characteristics of the existing red house, and where possible, remove, rehabilitate, and reuse existing architectural features such as corbels, pediment, and the unique front porch. In addition, my plans also incorporate many suggestions offered by the City Architect. In an effort to reconstruct the exterior appearance of the red house, some of the additional characteristics that will be incorporated include site positioning, height above grade, dimensions of width & height, roof pitch, eaves, placement & treatment of windows and door, matching siding & trims, and utilizing the salvaged and rehabilitated architectural elements listed above.



PROPERTY DETAILS:

TAX I.D. #051-025-041-00
 ASSESSOR'S PLAT No. 2, LOT 86
 CITY OF MACKINAC ISLAND,
 MACKINAC COUNTY, MI
 PROPERTY ADDRESS:
 6948 MANN STREET
 MACKINAC ISLAND, MI 49757
 OWNER:
 CHERY JACQUIS
 MACKINAC ISLAND, MI 49757

SITE INFO:

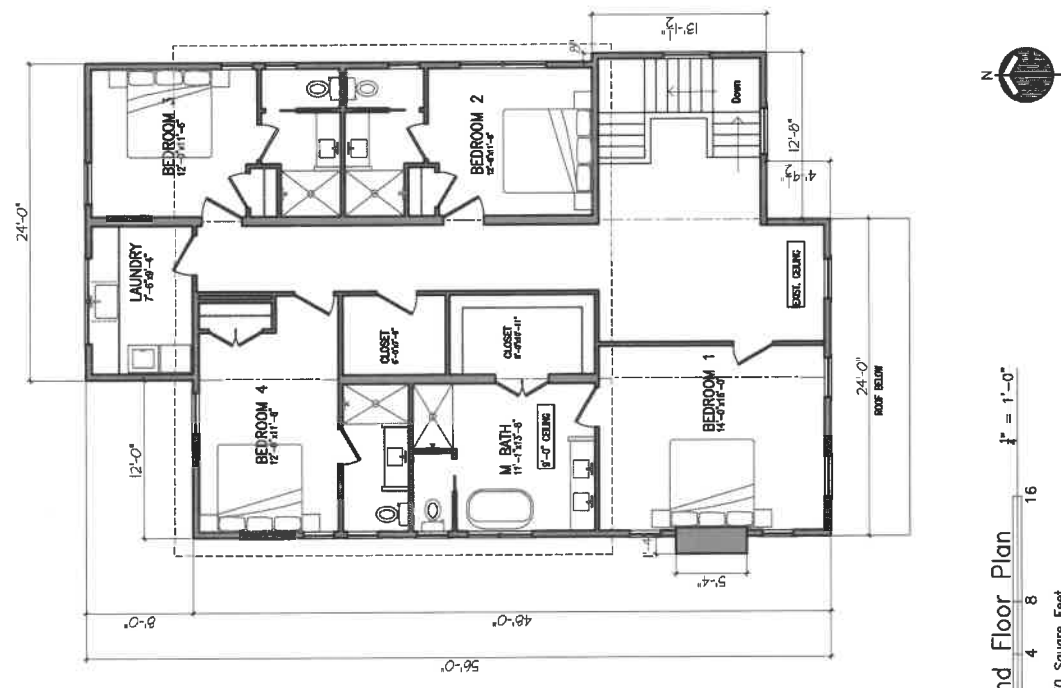
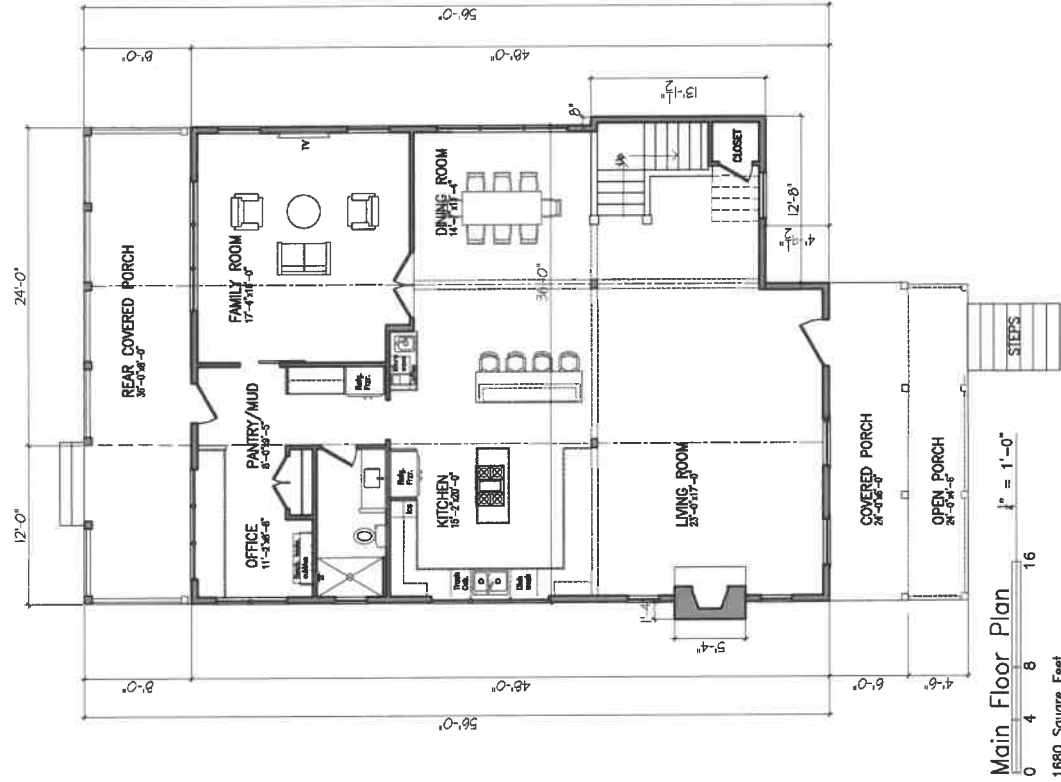
PROJECT: SINGLE FAMILY RESIDENTIAL
 ZONING: HB
 SITE AREA = 24,206 s.f. = 0.55 ACRES
 ALLOWABLE COVERAGE = 40%
 ACTUAL LOT COVERAGE = 2,310 s.f. = 10%
 ALLOWABLE HEIGHT = 40'; 3/4 STORIES
 ACTUAL HEIGHT = 33.5'; 2 3/4 STORIES
 TRASH TO BE HELD WITHIN RESIDENCE AND
 SET CURBSIDE ON PICK UP DAY.
 PORCH COACH AND SOCKET LIGHTING TO BE
 INSTALLED DOWNSTREAM AND HELD WITHIN
 CONFINES OF THE SITE.

Richard Clements Architect, PLLC 200 Main Street Ontonagon, MI 49759 richard@rcarchitect.com 866.570.5356	JACQUIS COTTAGE 6948 MANN STREET MACKINAC ISLAND, MI 49757	date: Dec. 7, 2023 project: 2218	sheet A1.0
--------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------	-------------------------------------	---------------

Richard Clements Architect, PLLC
 1920 Mary Lane
 Okemos, MI 49759
 richard@rcad.com 989-770-5081

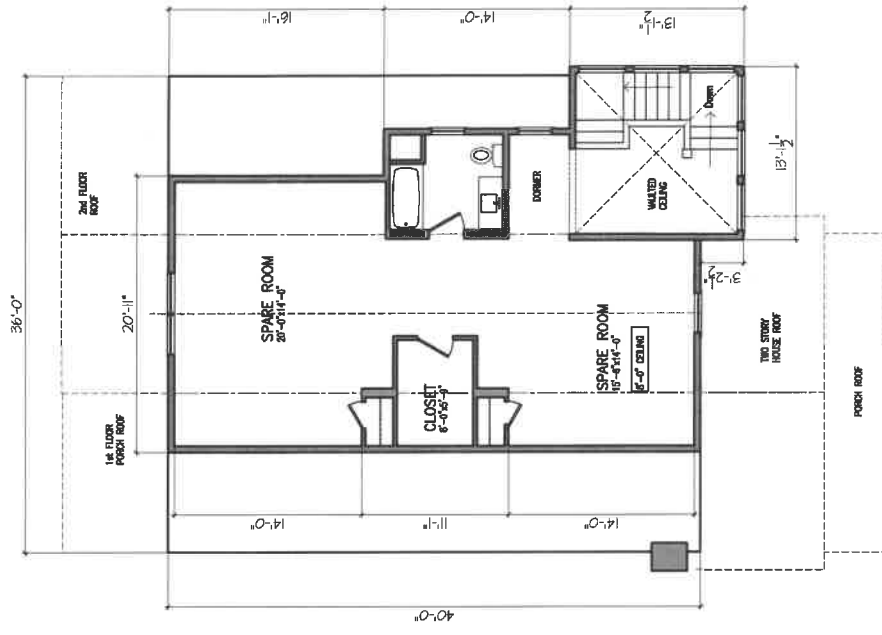
JAQUISS COTTAGE
 6948 MAIN ST.
 MACKINAC ISLAND, MI 49757

sheet
A1.1
 comment c 2023
 date: 12.7.23
 project: 2216



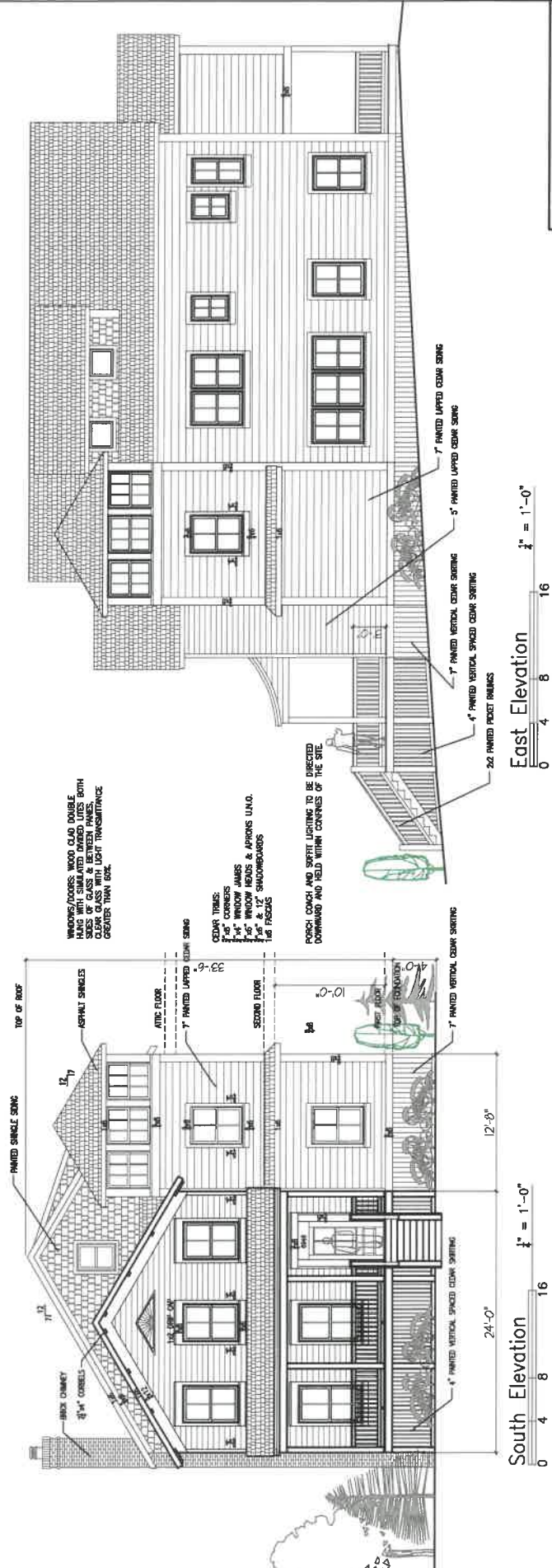
2nd Floor Plan 1" = 1'-0" 16 1870 Square Feet

Main Floor Plan 1" = 1'-0" 16 1680 Square Feet



Attic Plan
 0 4 8 16
 1" = 1'-0"
 935 Square Feet

Richard Clements Architect, PLLC 15315 Merry Lane Okemos, MI 48879 richard@rcapl.com 984-370-3661	JACQUISS COTTAGE
6948 MAIN ST. MACKINAC ISLAND, MI 49757	
deter: 12.7.23 project: 2216	sheet: A1.2 <small>CONFORM TO AIAA</small>



WINDOWS/DOORS: WOOD CLAD DOUBLE HANG WITH SIMULATED PAINED LITES BOTH SIDES OF GLASS & BETWEEN PANES. GLASS LIGHT TRANSPARENT GREATER THAN SOL.

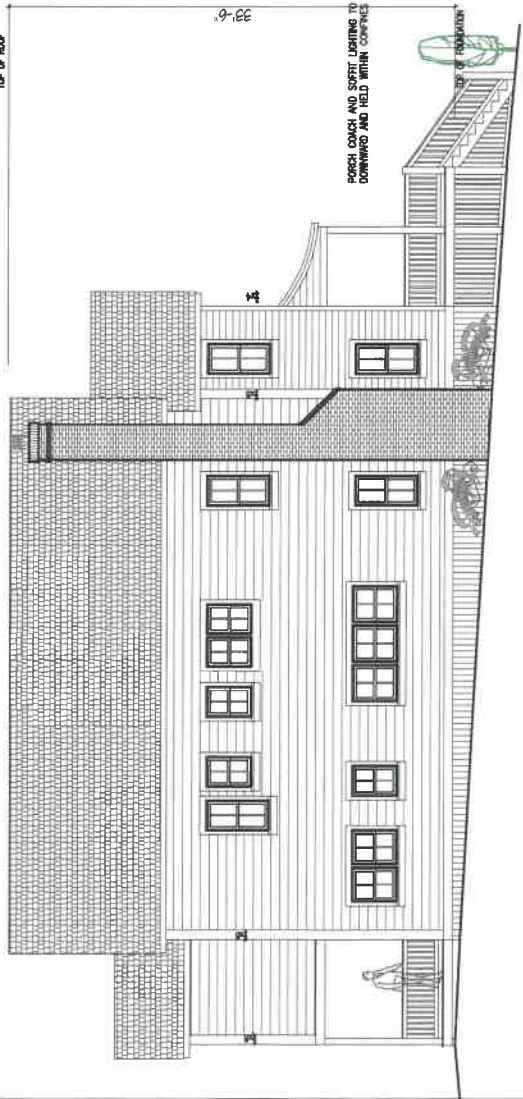
CEDAR TRIMS:
 2" x 4" CORNERS
 1" x 4" WINDOW JAMBES
 1" x 6" WINDOW HEADS & APONS U.N.O.
 1" x 6" x 2" SHADOWBOARDS
 1/2" FASCIES

POORCH COUCH AND SEATLET LIGHTING TO BE DIRECTED DOWNWARD AND HELD WITHIN CONFINES OF THE SITE.

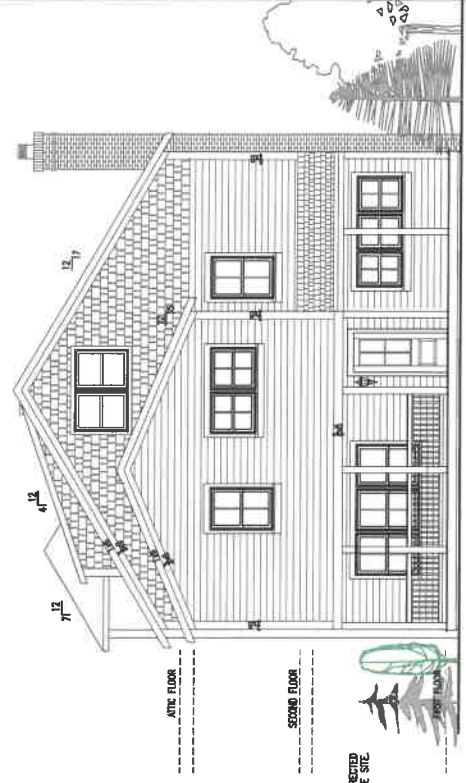
South Elevation
 1" = 1'-0"
 0 4 8 16

East Elevation
 1" = 1'-0"
 0 4 8 16

Richard Clements Architect, PLLC 15315 Murray Lane Okemos, MI 48879 richard@rcad22.com 989-370-3661
JACQUISS COTTAGE
6948 MAIN ST. MACKINAC ISLAND, MI 49757
date: 12.7.23 project: 2216
sheet: A2.1 08/20/2023



West Elevation 1" = 1'-0"



North Elevation 1" = 1'-0"

Richard Clements Architect, PLLC 15705 Westport Lane Capezio, MI 48729 richard@rca-architect.com 986-370-3681	
JAQUISS COTTAGE	
6948 MAIN ST. MACKINAC ISLAND, MI 49757	
date: 12.7.23	sheet: A2.2
project: 2216	comment: © 2023



P.O. Box 93 • 903 Church Street • St. Ignace, Michigan 49781
Phone (906) 643-7660 • belongaexcavating@outlook.com

February 1, 2024

James Murray
Plunkett Cooney
Attorneys & Counselors at Law

RE: Demolition of 6948 Main Street, Mackinac Island, Michigan

Jim,

Regarding the application for the zoning action questionnaire. The questions are hard to answer because we don't know what time of year the demo will take place. Logistics will vary depending on the time of year. For instance, road restrictions due to frost laws, or Island festivities that would dictate usable roads.

Due to the lack of a demo permit, it is unknown if a partial or full demo will be allowed therefore dumpster quantity is up in the air. We also don't know how fast they can be furnished to the site, that would depend on construction projects happening at the time. It is possible that dumpsters may be able to be delivered and removed from the Coal Dock instead of British Landing but again it depends on the time of year. Dumpsters are furnished by Carriage Tours so they need to be involved in this as well.

Typically, once a demo permit is issued, we would work with Dennis Dombrowski on how to handle the logistics. Issuance of a demo permit is crucial before working out the logistics to best suit the required rules and regulations. We have worked with Dennis on several demolitions, one right downtown in the middle of the summer, without any issues.

At this time, we know that an excavator, skid steer, and dump truck would be required. We would also need construction signs, soil erosion control, site fencing, and construction barricades. Sidewalk repair could be a possibility as well. Necessary equipment and dumpsters should be staged on the North side of M-185. This would allow ample room for fire trucks, ambulances, and pedestrian and horse traffic. Flagmen on each side of the construction may be necessary during the demo.

The building will need to be kept wet during the demo due to the lead paint, this is not an easy task in the winter.

As stated above there are too many unknown factors to give you solid answers at this time.

Sincerely,


Larry Belonga TRJ

Above information is not an invoice and only an estimate of services described.

Land Clearing Site Prep • Foundation Excavation • Septic Installations • Water & Sewer Installations