

CITY OF FLUSHING

ZONING BOARD OF APPEALS

Applicant: SIGMA NU AND DELTA CH RHO ASSOC Phone: \_\_\_\_\_

Address: 1570 FLUSHING RD City: FLUSHING State: MI

(1.) Address where variance is requested 1570 FLUSHING RD, FLUSHING, MI 48433

Being legally described as Part of Cont Lot 2 beginning at E 1/4 post TH N 112.2 FT TH N 45 degree

38 min W 520.5 FT along C/L of Flushing rd TH S 28 degree 46 MIN W 485 FT to NLY Bank of Flint River TH Sely along Bank of River to E line of SEC TH N 681 FT to POB.

Property is zoned: \_\_\_\_\_ Size of Parcel: 6.244 ACRES

55- 36-200-034  
(Parcel No.)

(2.) Name and address of every other person, firm or corporation having a legal or equitable interest in the property.

Name: RICK CAWTHRAY (Project MGR) Address: 12127 West Peterson RD, Flushing, MI 48433  
Phone: 810-938-6548

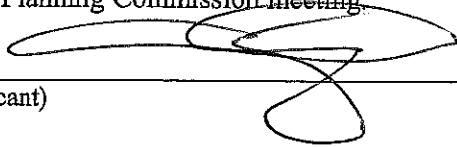
Name: KEVIN MARION (President) Address: 1940 LOCHINVAR BLVD, OAKLAND, MI 48363  
Phone: 248-891-2868

(3.) This application is to request a variance from the Zoning Code section number 153.1005  
These code section(s) cannot be strictly followed for the following reasons: (attach additional paper if required)

SEE ATTACHMENT 1

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Attach to each application, 13 copies of a fully dimensional map at a scale of not less than 1" equals 20' identifying the land which would be affected by the variance and all abutting land within 300' and all public and private rights-of-way, and easements bounding and intersecting the land under consideration. All applications must be submitted 20 days prior to the Planning Commission meeting.

  
(Applicant)

**TO BE COMPLETED BY CITY**

Date received: \_\_\_\_\_ Tentative Date of Planning Commission Meeting: \_\_\_\_\_

Receipt number: \_\_\_\_\_ Tentative Date to schedule Public Hearing: \_\_\_\_\_

Tentative Date of Public Hearing: \_\_\_\_\_

Note: Meeting dates are subject to change.

# Attachment 1

Zoning Board of Appeals

(Code 1989, & 153.1004; Ord of 5-14-2007)

Sec. 153.1005. – Nonconforming uses of structures and land.

(6) Where nonconforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate its nonconforming status.

SIGMA NU AND DELTA CHI RHO ASSC. is not in agreement that the “structure” of the building was ‘removed or destroyed’ as there are still useable footings and foundations in-place.

The definition of “structure” as per: *2015 Michigan Residential Code, Section R202 DEFINITIONS*

*“Structure” means that which is built or constructed, an edifice or building of any kind, or a piece of work artificially built up or composed of parts joined together in some definite manner.*

The basement area has been used to define the total area of the building for plans and permits, it should continue to be considered as a part of the “structure”.

The footings and foundation walls will be utilized in the construction of the new building as documented in the approved building permit.

To note, the SEV value of the property in 2016 was \$117,600.00 (40% = \$47,040)

The current foundation at 566 linear feet has a ‘new value’ of \$ 49,146\*

(Foundation is made up of 2 basements, 4 large crawlspaces)

## \*Note

Basement wall and crawl space cost calculation includes the following:

- Basement walls– 273 Lineal feet of Block (12 rows)
- Crawl Space walls - 293 Lineal feet Block (5 rows)
- Excavation – All basement and crawl spaces
- Perimeter drain tile – 370 Lineal feet
- Water Proofing Bsmt Walls – 2,184 sqft.
- Water proofing crawl space walls – 1,172 sqft

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