

Chapter 1462 - Historic Areas^[9]

Footnotes:

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State Law reference— Management and control of municipal buildings and grounds, M.C.L.A. § 117.4j; State Construction Code, M.C.L.A. § 125.1501 et seq.; Building permits, M.C.L.A. § 125.1510 et seq.; Historic districts, sites and structures, M.C.L.A. § 399.201 et seq.

Cross reference— State Construction Code, Ch. 1420; Building permits, §§ 1440.04, 1440.05; Historic Districts Commission, Ch. 272; Building Authority, Ch. 296

1462.01 - Purposes.

The purposes of this chapter are to:

- (1) Safeguard the heritage of the City and the Grand Traverse area by preserving districts which reflect elements in the City's cultural, social, economic, political or architectural history and by preserving historic landmarks;
- (2) Stabilize and improve property values in such districts;
- (3) Foster civic beauty;
- (4) Strengthen the local economy;
- (5) Identify and promote the use of historic resources for the education, pleasure and welfare of the residents of the City;
- (6) Provide advice and/or management of public historical properties and resources;
- (7) Unify historic preservation efforts in the area; and
- (8) Satisfy all other purposes, expressed or implied, contained in Act 169 of the Public Acts of 1970, as amended (M.C.L.A. 399.201 et seq.).

(Ord. 124. Passed 6-15-81.)

1462.02 - Definitions.

As used in this chapter:

Alteration means work that changes the detail of a resource but does not change its basic size or shape.

Certificate of appropriateness means the written approval of a permit application for work that is appropriate and that does not adversely affect a resource.

Commission means the Traverse City Historic Districts Commission.

Conservation district means an area or group of areas, not necessarily having contiguous boundaries, created by the City Commission for purposes of this chapter, but possessing architectural or historical significance to a lesser degree than a historic district, while still worthy of recognition and historical preservation, and which reflects elements of the City's cultural, social, economic, political or architectural history.

Conservation landmark means a building, structure or object significant in history, architecture, archeology or culture, but possessing architectural or historical significance to a lesser degree than a

historic landmark, while still worthy of recognition and historical preservation, and which reflects elements of the City's cultural, social, economic, political or architectural history.

Construction of a new building or new construction means and includes any construction or renovation that adds to or subtracts from existing floor space on the property to an extent greater than 50 percent, or that replaces floor space in a structure that has been destroyed, demolished or otherwise rendered obsolete or unusable to an extent greater than 50 percent, and that affects the exterior appearance of a new or existing structure.

Demolition means the razing or destruction, whether entirely or in part, of a resource and includes, but is not limited to, demolition by neglect.

Demolition by neglect means neglect in maintaining, repairing or securing a resource that results in deterioration of an exterior feature of the resource or the loss of structural integrity of the resource.

Denial means the written rejection of a permit application for work that is inappropriate and that adversely affects a resource.

Historical preservation means the protection, rehabilitation, restoration or reconstruction of districts, archeological and other sites, buildings, structures and objects.

Historic district means an area or group of areas, not necessarily having contiguous boundaries, established by the City Commission for purposes of this chapter, having a singular identity, which area reflects elements of the City's cultural, social, economic, political or architectural history and is worthy of recognition and historical preservation.

Proposed historic district means an area, or group of areas not necessarily having contiguous boundaries, that has delineated boundaries and that is under review by a committee for the purpose of making a recommendation as to whether it should be established as a historic district or added to an established historic district.

Historic landmark means a building, structure or object which reflects elements of the City's cultural, social, economic, political or architectural history and is worthy of recognition and historical preservation.

Historic preservation means the identification, evaluation, establishment and protection of resources significant in history, architecture, archaeology, engineering or culture.

Historic resource means a publicly or privately owned building, structure, site, object, feature or open space that is significant in the history, architecture, archaeology, engineering, or culture of this state or a community within this state, or of the United States.

Historic site means a site on which a building with historical significance stood or some historical event occurred, which building or event reflects elements of the City's cultural, social, economic, political or architectural history and is worthy of recognition and historical preservation.

Owner means any person who has equitable or legal title to any structure. In the case of a land contract, "owner" means the purchaser.

Repair means to restore a decayed or damaged resource to a good or sound condition by any process. A repair that changes the external appearance of a resource constitutes work for purposes of chapter.

Resource means one or more publicly or privately owned historic or non-historic buildings, structures, sites, objects, features, or open spaces located within a historic district

Structure means any building over 200 square feet in gross floor area designed or built for the enclosure, shelter or protection of persons, animals, chattels or property of any kind.

Work means construction, addition, alteration, repair, moving, excavation, or demolition.

(Ord. 263. Passed 12-19-88. Ord. 464. Passed 4-20-98. Ord. 574. Passed 8-19-02.)

1462.03 - Historic districts commission.

- (a) *Establishment; composition; compensation; terms of office.* A Historic Districts Commission is hereby established in and for the City. Such Commission shall consist of seven members of legal age who reside in the City. Members shall be appointed by the City Commission and shall serve without compensation but may be reimbursed for actual expenses incurred in Commission activities. Members shall be appointed for three-year terms, except the initial appointments shall be three members for a term of three years, two members for a term of two years and two members for a term of one year. Subsequent appointments shall be for three-year terms, and members shall be eligible for reappointment.

In the event of a vacancy on the Historic Districts Commission, interim appointments shall be made by the City Commission to complete the unexpired term of the position. One member shall be a registered architect and two members shall be selected from a list submitted by duly organized and existing preservation societies or historical groups. Neighborhood associations, merchants' groups and other groups with preservation interests may also submit names to the City Commission.

- (b) *Meetings; rules.* The Historic Districts Commission shall meet monthly, or more frequently at the call of the Chairperson, and shall adopt rules for the conduct of its business. The business that the Commission may perform shall be conducted at a public meeting of the Commission held in compliance with the Open Meetings Act, 1967 PA 1976, as amended. (MSA 15.261, et seq.) Public notice of the time, date and place of the meeting shall be given in the manner required by the Open Meetings Act. A meeting agenda shall be part of the notice and shall include a listing of each permit application to be reviewed or considered by the Commission.

- (c) *Duties; authority.*

- (1) *Protection of designated areas.* The City Commission may designate, by ordinance, historic districts and historic landmarks in which enforced historical preservation will occur. Protection shall be by a Historic Districts Commission review of a building, demolition or other permit application request. The City Commission may designate, by ordinance, historic sites, conservation districts and conservation landmarks in which property owners and occupants shall be given information and assistance on historical preservation.
- (2) *Designation of historic districts.* The Historic Districts Commission shall investigate and recommend to the City Commission those areas it deems valuable for designation as historic districts. No area shall be designated as a historic district without the written consent of 51 percent of the property owners. Work covered by the review process shall include:
 - a. Construction of a new building;
 - b. Moving or demolition of a structure; and
 - c. Alteration or repair affecting the exterior appearance of a structure for which a permit is required.
- (3) *Designation of historic landmarks.* The Historic Districts Commission may investigate and recommend to the City Commission those structures it deems valuable for designation as historic landmarks. No property shall be designated as a historic landmark without the written consent of the property owner of record. Work covered by the review process shall include:
 - a. Moving or demolition of the structure;
 - b. Construction of a new building; and
 - c. Alteration or repair affecting the exterior appearance of a structure for which a permit is required.
- (4) *Designation of conservation districts.* The Historic Districts Commission may investigate and recommend to the City Commission those areas it deems valuable for designation as conservation districts. When designation of a conservation district is approved by the City Commission, the Historic Districts Commission will notify the property owner of the

conservation district, in writing, and inform him or her of the advice and guidance available to him or her from the Historic Districts Commission with respect to new construction and remodeling. To ensure the continuation of this assistance in conservation districts, the Planning Director shall notify the Historic Districts Commission of all permit applications in conservation districts for:

- a. Construction of a new building; and
- b. Moving or demolition of a structure.

The Historic Districts Commission shall then contact the owner and offer him or her any advice and guidance desired. The Historic Districts Commission shall have no authority to deny or delay the issuance of any such permit.

- (5) *Designation of conservation landmarks.* The Historic Districts Commission may investigate and recommend to the City Commission those areas it deems valuable for designation as conservation landmarks. No property shall be designated as a conservation landmark without the written consent of the property owner of record. When designation of a conservation landmark is approved by the City Commission, the Historic Districts Commission will notify the property owner of the conservation landmark, in writing, and inform him or her of the advice and guidance available to him or her from the Historic Districts Commission with respect to new construction and remodeling. To ensure the continuation of this assistance in conservation landmarks, the Planning Director shall notify the Historic Districts Commission of all permit application in conservation landmarks for:

- a. Construction of a new building; and
- b. Moving or demolition of a structure.

The Historic Districts Commission shall then contact the owner and offer him or her any advice and guidance desired. The Historic Districts Commission shall have no authority to deny or delay the issuance of any such permit.

- (6) *Designation of historic sites.* The Historic Districts Commission may investigate and recommend to the City Commission those sites it deems valuable for designation as historic sites. No property shall be designated as a historic site without the written consent of the property owner of record. The Historic Districts Commission shall have no authority to deny or delay the issuance of any permit pertaining to a historic site.
- (7) *Erection of historic markers.* The Historic Districts Commission may, with the written consent of the property owner of record, erect historic markers on any of the properties, structures or sites described in this subsection.
- (8) *Commendation and recognition.* The Historic Districts Commission may issue appropriate commendation and recognition to individuals, firms or areas promoting preservation values and may recognize now the landmarks of the future by commending good examples of contemporary buildings.
- (9) *Maintenance of historic roster.* The Historic Districts Commission shall maintain a roster of historic districts, historic landmarks, historic sites, conservation districts and conservation landmarks.
- (10) *Advisory capacity.* The Historic Districts Commission shall render advice and guidance with respect to any proposed work to a property within the jurisdiction of this chapter and shall promote historical consciousness in educational programs. In addition, it may undertake any advisory duty deemed appropriate by the City Commission.
- (11) *Acceptance of gift or grant.* The City Commission may accept public or private gifts for historic purposes or may accept grants from the state or federal government for historic restoration purposes. The City Commission may authorize the Historic Districts Commission to administer on its behalf grants and gifts for historic restoration purposes.

- (12) *Review of building permit applications.* The Historic Districts Commission shall review all building or other applicable permit applications and plans coming under its authority as stated in this chapter. The Historic Districts Commission shall then approve or disapprove such applications as hereinafter provided. No permit or other authorization shall be granted until the Commission has acted thereon.
- (13) *Budget.* The Historic Districts Commission expenses for stationery, clerical services, historic markers and other appropriate activities shall be provided in a budget submitted to and approved by the City Commission in the usual budget procedures.

(Ord. 124. Passed 6-15-81; Ord. 136. Passed 5-17-82; Ord. 144. Passed 10-18-82. Ord. 464. Passed 4-20-98. Ord. 497. Passed 5-1-00.)

1462.04 - Designation or removal of designation of historic districts, landmarks and sites.

- (a) Designation or removal of designation of a historic district, historic landmark, historic site, conservation district or conservation landmark may be initiated by the Historic Districts Commission, or upon written petition signed by 20 percent of the landowners of the district or by the owner of the landmark or site. Such petition should designate clearly the land to be included or excluded.
- (b) Upon receipt of a petition or upon its own motion, the Historic Districts Commission shall conduct studies and research and make a report on the historical significance, features, sites, objects and surroundings in the district, landmark or site. The report shall contain recommendations concerning the area to be included or excluded in the district, landmark or site.
- (c) Copies of the report shall be transmitted for review to the Planning Commission, the Michigan Historical Commission and the State Historical Advisory Council.
- (d) Written consent of all property owners of record of property to be included in a historic landmark, historic site or conservation landmark shall be obtained and on file with the Historic Districts Commission as a prerequisite to the public hearing and to any designation by the City Commission. Written consent of at least 51 percent of the property owners of record to be included in a historic district shall be obtained and on file with the Historic Districts Commission as a prerequisite to the public hearing and to any designation by the City Commission.
- (e) The Historic Districts Commission shall hold a public hearing 60 days after such transmittal and shall give due notice of such public hearing, including written notice, to the property owners of record of all property proposed for inclusion in or exclusion from the district, landmark or site.
- (f) The Historic Districts Commission shall submit a final report to the City Commission after the public hearing stating its recommendations and those of the Planning Commission, together with a draft of any proposed ordinance change.
- (g) The City Commission shall act upon this final report and may amend this chapter and roster in the required ordinance amendment procedure.
- (h) After the initial adoption of this chapter, the Historic Districts Commission shall have all the authority and duties of a historic districts study committee to recommend additions to or subtractions from existing districts, landmarks or sites pursuant to statute and this chapter.

(Ord. 124. Passed 6-15-81. Ord. 136. Passed 5-17-82.)

1462.05 - Historic preservation permits.

- (a) *Application and plans.* An application for a building permit for a building or structure over 200 square feet in gross floor area in a historic district or that is a historic landmark shall be accompanied by a historical preservation permit application and plans. The plans shall describe the proposed changes,

showing the structure in question and its relationship to adjacent structures. The application shall be made by the owner or by any person authorized to act on behalf of the owner.

- (b) *Notification.* Upon the filing of such application, the Planning Director shall immediately notify the Historic Districts Commission of the receipt of such application and shall transmit it, together with accompanying plans and other information, to the Historic Districts Commission.
- (c) *Review.* The Historic Districts Commission shall meet within 30 days after notification by the Planning Director, unless otherwise mutually agreed upon by the applicant and the Commission. In reviewing the plans, the Historic Districts Commission shall give consideration to:
 - (1) The historical or architectural value and significance of the structure and its relationship to the historical value of the surrounding area;
 - (2) The relationship of the exterior architectural features of such structure to the rest of the structure and to the surrounding area;
 - (3) The general compatibility of the exterior design, arrangement, texture and materials proposed to be used;
 - (4) Any major improvement program;
 - (5) The economic feasibility of preservation of the structure; and
 - (6) Any other factor, including aesthetic, which it deems to be pertinent and within the purpose of this chapter.

To aid in making this decision, the Historic Districts Commission shall use the "Secretary of the Interior's Standards for Rehabilitation" and any other preservation guidelines agreed upon by the Commission and available to all applicants. In reviewing the plans, the Historic Districts Commission may confer with the applicant for the permit and shall have the power to call in experts to aid in its deliberations.

The Commission shall also consider all of the following:

- (1) The historic or architectural value and significance of the resource and its relationship to the historic value of the surrounding area.
 - (2) The relationship of any architectural features of the resource to the rest of the resource and to the surrounding area.
 - (3) The general compatibility of the design, arrangement, texture and materials proposed to be used.
 - (4) Other factors, such as aesthetic value, that the Commission finds relevant.
- (d) *Approval.* The Historic Districts Commission shall approve or disapprove such application and plans. If the same are approved, the Commission shall issue a certificate of approval, which certificate shall be signed by the chairperson, attached to the application for the building or other permit and immediately transmitted to the Planning Director. The chairperson shall also stamp all plans submitted to the Historic Districts Commission signifying its approval or disapproval.

Work within a historic district shall be permitted through the issuance of a notice to proceed by the Commission if any of the following conditions prevail and if the proposed work can be demonstrated by a finding of the Commission to be necessary to substantially improve or correct any of the following conditions:

- (1) The resource constitutes a hazard to the safety of the public or to the structure's occupants.
- (2) The resource is a deterrent to a major improvement program that will be of substantial benefit to the community and the applicant proposing the work has obtained all necessary planning and zoning approvals, financing and environmental clearances.

- (3) Retaining the resource will cause undue financial hardship to the owner when a governmental action, an act of God, or other events beyond the owner's control created the hardship, and all feasible alternatives to eliminate the financial hardship, which may include offering the resource for sale at its fair market value or moving the resource to a vacant site within the historic district, have been attempted and exhausted by the owner.
 - (4) Retaining the resource is not in the interest of the majority of the community.
- (e) *Conditions.* The Historic Districts Commission may impose reasonable conditions to its approval. Standards for imposing such conditions are as follows:
- (1) Any condition imposed must be reasonable and economically feasible.
 - (2) Any condition imposed must be designed to protect the natural resources and the health, safety and welfare, as well as the social and economic well-being, of those who will use the land under consideration, residents and landowners immediately adjacent and the community as a whole.
 - (3) Any condition imposed must be related to the valid exercise of the police power and purposes which are affected by the proposed construction.
 - (4) Any condition imposed must also be necessary to meet the intent and purpose of this chapter, be related to the standards established in this chapter for historical preservation and be necessary to ensure compliance with those standards.
- (f) *Disapproval.* If the Historic Districts Commission disapproves of such application and/or plans, it shall state its reasons for doing so and shall transmit a record of such actions and specific objections, in writing, to the Planning Director and to the applicant. Thereafter it shall endeavor to work out with the applicant an economically feasible plan for the repair, alteration or preservation of the structure. The applicant may make modifications to the application and/or plans and may resubmit his or her application at any time after so doing. If disapproved, no building or other permit shall be issued.

In evaluating applications for moving or demolition, the Historic Districts Commission shall give careful consideration to the conditions set forth in subsection (d) hereof.

- (g) *Appeals.* An applicant aggrieved by a decision of the Commission concerning a permit application may file an appeal with the State Historic Preservation Review Board of the Michigan Historical Commission within the Department of State. The appeal shall be filed within 60 days after the decision is furnished to the applicant. The applicant may submit all or part of the appellant's evidence and arguments in written form. The review board shall consider an appeal at its first regularly scheduled meeting after receiving the appeal, but may not charge a fee for considering an appeal. The Review Board may affirm, modify or set aside a Commission's decision and may order a commission to issue a certificate of appropriateness or a notice to proceed. A permit applicant aggrieved by the decision of the State Historic Preservation Review Board may appeal the decision to the Circuit Court having jurisdiction over the Historic Districts Commission.

Any citizen or duly organized historic preservation organization in the City of Traverse City, as well as resource property owners, jointly or severally aggrieved by a decision of the Historic District Commission may appeal the decision to the Circuit Court, except that a permit applicant aggrieved by a decision rendered under Section 1462.05(d) may not appeal to the court without first exhausting the right to appeal to the State Historic Preservation Review Board under this section.

- (h) *Filing.* The Commission shall file certificates of appropriateness, notices to proceed and denials of applications for permits with the Planning Director or other delegated authority. A permit shall not be issued until the Commission has acted as prescribed above. If a permit application is denied, the decision shall be binding on the inspector or other authority. A denial shall be accompanied with a written explanation by the Commission of the reasons for denial and, if appropriate, a notice that an application may be resubmitted for commission review when suggested changes have been made. The denial shall also include notification of the applicant's rights of appeal to the State Historic Preservation Review Board and to the Circuit Court. The failure of the Commission to act within 60

calendar days after the date a complete application is filed with the Commission unless an extension is agreed upon in writing by the applicant and the commission shall be considered to constitute approval.

- (i) *Inspection and compliance.* After the certificate and the building or other permit is issued, the Planning Director or his or her representative shall inspect the construction, alteration, repair, moving or demolition in accordance with the procedures established by the Planning Director, and shall take such action as is necessary to ensure compliance with the approved plans. The applicant and those acting under the building or other permit shall construct, move, demolish, alter and repair only in conformity with the certificate, the approved application and plans and any conditions imposed.
- (j) *Work done without a permit; findings of nonqualification; restoration.* When work has been done upon a resource without a permit, and the Commission finds that the work does not qualify for a certificate of appropriateness, the Commission may require an owner to restore the resource to the condition the resource was in before the inappropriate work or to modify the work so that it qualifies for a certificate of appropriateness. If the owner does not comply with the restoration or modification requirement within a reasonable time, the Commission may seek an order from the Circuit Court to require the owner to restore the resource to its former condition or to modify the work so that it qualifies for a certificate of appropriateness. If the owner does not comply or cannot comply with the order of the Court, the Commission or its agents may enter the property and conduct work necessary to restore the resource to its former condition or modify the work so that it qualifies for a certificate of appropriateness in accordance with the Court's order. The costs of the work shall be charged to the owner, and may be levied by the City unit as a special assessment against the property. When acting pursuant to an order of the Circuit Court, a Commission or its agents may enter a property for the purposes of this section.
- (k) *Moratorium declaration for irreparable harm.* If the legislative body of a City determines that pending work will cause irreparable harm to resources located within an established historic district or a proposed historic district, the legislative body may by resolution declare an emergency moratorium of such work for a period not to exceed six months. The legislative body may extend the emergency moratorium for an additional period not to exceed six months upon finding that a threat of irreparable harm to resources is still present. Any pending permit application concerning a resource subject to an emergency moratorium may be summarily denied.
- (l) *Violation; penalty.*
 - (1) A person, individual, partnership, firm, corporation, organization, institution, or agency of government that violates this chapter is responsible for a civil violation and may be fined not more than \$5,000.00.
 - (2) A person, individual, partnership, firm, corporation, organization, institution, or agency of government that violates this chapter may be ordered by the court to pay the costs to restore or replicate a resource, unlawfully constructed, added to, altered, repaired, moved, excavated or demolished.

(Ord. 124. Passed 6-15-81. Ord. 464. Passed 4-20-98. Ord. 498. Passed 5-1-00.)

1462.06 - Demolition by neglect.

Upon finding by the Commission that a historic resource within a historic district or a proposed historic district subject to its review and approval is threatened with demolition by neglect, the Commission may do either of the following:

- (1) Require the owner of the resource to repair all conditions contributing to demolition by neglect.
- (2) If the owner does not make repairs within a reasonable time, the Commission or its agents may enter the property and make such repairs as are necessary to prevent demolition by neglect. The costs of the work shall be charged to the owner, and may be levied by the City of Traverse

City as a special assessment against the property. The Commission or its agents may enter the property for purposes of this section upon obtaining an order from the Circuit Court.

(Ord. 464. Passed 4-20-98.)

1462.07 - Roster.

The following properties are hereby designated as historic districts, historic landmarks, historic sites, conservation districts and conservation landmarks, as respectively indicated:

- (1) *Central Neighborhood Historic District.* All areas and structures that fall inside the boundary starting at the southeast corner of the intersection of Division Street and the alley north of Fifth Street; thence south along the east right-of-way line of Division Street to the northeast corner of the intersection of Division Street and the alley south of Eighth Street; thence east along the north right-of-way line of the alley to the northwest corner of Locust Street and the alley south of Eighth Street; thence north along the west right-of-way line of Locust Street to the north right-of-way line of Sixth Street; thence east along the north right-of-way line of Sixth Street to the west right-of-way line of Union Street; thence north along the west right-of-way line to the south edge of the Boardman River; thence northwesterly along the edge of the Boardman River to a point where the south right-of-way line extended of the alley to the north of Fifth Street would intersect; thence east along the south right-of-way of the alley north of Fifth Street to the point of beginning.
 - a. Lots 15-28, Block 16; lots 22-42, Block 11; lots 25-42, Block 3 of Hannah Lay and Company's 10th Addition.
 - b. Lots 1-8 of Hannah Lay and Company's First Addition.
 - c. Lots 1-28, Block 17; lots 1-42, Block 10; lots 1-42, Block 4; lots 1-30, Block 18; lots 1-42, Block 9; lots 1-42, Block 6; lots 1-42, Block 5; lots 1-21, Block 7; lots 1-40, Block 8; lots 1-31, Block 19; Public School Block of the Hannah Lay and Company's 6th Addition.
 - d. Lots 1-16, Block 6; lots 1-21, Block 3; lots 1-16, Block 5; lots 1-21, Block 2 of Perry Hannah's Third Addition.
 - e. Lots 1-21, Block 6; Public School Lot Block; lots 1-21, Block 5; lots 1-21, Block 2 of Perry Hannah's First Addition.
 - f. Lots 15-38, Block 1; lots 15-38, Block 2; lots 27-38, Block 3 of Hannah Lay and Company's First Addition.
 - g. Public Library and Hannah Park Property.

Such property is commonly known as:

406, 407, 410, 411, 412, 415, 420, 423, 426, 427, 431, 432, 435, 438, 441, 441 1/2, 442, 502, 506, 507, 508, 511, 511 1/2, 512, 515, 516, 518, 519, 520, 521, 524, 525, 528, 529, 532, 533, 537, 538, 541, 542, 601, 602, 605, 611, 612, 613, 614, 615, 619, 620, 624, 625, 629, 629 1/2 and 630 Fifth Street;

205, 209, 213, 217, 223, 305, 319, 322, 325, 330, 333, 339, 340, 403, 404, 409, 410, 415, 416, 419, 422, 425, 428, 429, 433, 436, 439, 440, 441, 441 1/2, 442, 501, 502, 509, 510, 512, 513, 516, 517, 520, 521, 524, 525, 528, 529, 532, 535, 537, 539, 540, 601, 604, 605, 609, 612, 615, 619, 620, 627, and 628 Sixth Street;

202, 203, 206, 207, 210, 211, 215, 216, 217, 217 1/2, 219, 220, 223, 224, 301, 308, 312, 312 1/2, 316, 318, 320, 324, 326, 330, 330 1/2, 336, 340, 402, 406, 407, 410, 411, 411 1/2, 412, 414, 414 1/2, 415, 417, 418, 422, 423, 426, 427, 430, 431, 433, 433 1/2, 434, 437, 437 1/2, 438, 441, 442, 501, 502, 507, 508, 510, 511, 512, 516, 516 1/2, 517, 517 1/2, 518, 521, 522,

525, 526, 529, 530, 531, 534, 534 1/2, 535, 536, 536 1/2, 540, 541, 602, 603, 605, 607, 608, 616, 617, 619, 620, 621, 622, 625, 626, 628, and 629 Seventh Street;

201, 202, 206, 207, 209, 210, 210 1/2, 212, 214, 215, 216, 219, 223, 224, 303, 307, 311, 311 1/2, 315, 319, 321, 321 1/2, 325, 331, 335, 341, 402, 403, 407, 408, 409, 409 1/2, 412, 414, 415, 416, 419, 419 1/2, 422, 425, 426, 428, 430, 431, 432, 435, 435 1/2, 437, 441, 441 1/2, 442, 502, 503, 504, 506, 507, 511, 512, 513, 518, 519, 521, 522, 524, 525, 528, 529, 532, 533, 536, 537, 540, 604, 606, 607, 611, 612, 613, 615, 618, 621, 622, 623, 626, 627, 629, 630, and 630 1/2 Eighth Street;

116, 218, 311, 315, 508, 511, and 512 South Maple Street; 320, 324 and 511 Pine Street; 112, 115, 206, 211, 212, 312, 411, 513 and 515 South Oak Street; 202, 203, 208, 208 1/2, 209, 212, 214, 214 1/2, 317, 318, 319, 320, 402, 406, 410, 412, and 515 Wadsworth Street; and 515 Division Street.

- (b) *Boardman Neighborhood Historic District.* All residential structures located in that part of the original plat of the City and that part of the plat of Hannah, Lay and Co's 5th Addition in the area of Boardman Avenue to Railroad Avenue and State Street to Webster Street, as described as follows:

- (1) Lots 9 and 10 of Block 12, the south 65 feet of lot 1 and the south 65 feet of the west 8 feet of lot 2, Block 13; lots 7 through 16, Block 13; lots 1 through 16, Block 14; lot 8 and the east 33 feet of lot 7, Block 15; lots 1, 2 and 3 and the west 33 feet of lot 4, Block 16; the north 90 feet of lot 8 and the north 90 feet of the east 21 feet of lot 7, Block 16; lots 1 through 16, Block 17; lots 1 through 16, Block 18; lots 9 through 16, Block 19, all being a part of the original plat of the City; and
- (2) The north 80 feet of lots 1, 2 and 3, Block 6 and lots 4 through 23, Block 6; lots 1 through 38, Block 7; lots 1 through 29, Block 8; lots 1 through 8, Block 9, all being part of the plat of Hannah, Lay and Co's 5th Addition to the City.

Such property is commonly known as 440, 441, 444, 445, 448, 505, 508, 509, 511, 515, 516, 522, 528, 529, 530, 534, 535, 538, 539, 542, 544, 547, 601, 604, 605, 610, 611, 615, 616, 617, 620 and 624 State Street; 401, 402, 410, 413, 414, 421, 422, 427, 428, 431, 435, 436, 448, 502, 515, 516, 521, 526, 529, 534, 536, 538, 543, 547, 601, 602, 612, 613, 616, 617, 619, 622, 623, 626, 625, 628, 629, 632, 633 and 634 Washington Street; 325, 413, 417, 421, 425, 433, 435, 439, 444, 446, 447, 502, 508, 512, 515, 516, 517, 518, 519, 521, 523, 524, 525, 531, 537, 539, 542, 545, 546, 602, 605, 608, 609, 611, 612, 615, 616, 618, 619, 622, 623, 624, 626, 627, 628, 630, 631, 636, 637, 641, 642 and 644 Webster Street; 215, 221 and 325 Boardman Avenue; 205, 212, 214-216, 224-226, 229, 230, 317, 318, 321, 325 and 415 Wellington Street; 115, 119, 120, 213-215, 214, 216, 217, 319 and 320 Franklin Street; and 210, 312 and 314 Railroad Ave.

- (c) *Downtown Historic District.* All structures in that part of the Original Plat of Traverse City as described as follows:

- (1) Lots 1 through 17, plus the east 44 feet of Lot 18, Block 5; Lots 4 through 10, plus the east 52 feet of Lot 3, Block 4; Lots 1 through 20, Block 6; Lots 1 through 13, Block 7; Block 11 except Lots 9, 10, 11 and 12; Block 21, except Lots 5, 6, 7, 8, 9, 10, 11, 12, 13 and the east 39 feet of Lot 14; Lots 1 and 2 of Block 12 and Block 23; plus a parcel of land described as commencing at the Northeast corner of the intersection of East Front Street and Boardman Avenue, which is the point of beginning, thence east 75 feet along the north right-of-way line of East Front Street, thence North to the thread of the Boardman River, thence west along the thread of the Boardman River to a point due North of the point of beginning, thence south the point of beginning, plus Hannah, Lay and Company's Second Subdivision, being the replat of Block 25 of the Original Plat of Traverse City, plus Hannah Lay and Company's Third Subdivision being the replat of Block 24 of the Original Plat of Traverse City.

Such property is commonly known as 101, 102, 104, 106, 107, 108, 109, 110, 111, 112, 114, 115, 117, 118, 120, 121, 122, 125, 126, 127, 128, 129, 130, 131, 134, 135, 136, 137, 140, 143, 144, 145, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 161, 201, 202, 203, 204, 207, 208, 209, 210, 212, 216, 217, 219, 220, 221, 224, 225, 227, 228, 229, 230, 232, 235, 236, 237, 238, 240, 241, 242, 247, 250, 251, 302, 308, 309, 311, 314, 315, 321, 322, 332, 336, 340, 346, 401 and 402 East Front Street; 125, 129, 131, 133, 142, 160, 202, 213, 214, 216, 217, 222, 223, 227, 232, 300, 302, 315 East State Street; 109, 113 South Union Street; 116, 118, 122, 124, 216 Cass Street; 100, 104 North Park Street; 106, 110, 111, 115, 117, 120, 140 Park Street; 111, 116 Boardman Avenue,

- (2) All City lands north of East Front Street and east of the east right-of-way line of Union Street extended northerly to West Grand Traverse Bay and east of the east right-of-way line of Boardman Avenue extended northerly to the thread of the Boardman River, thence easterly along said thread to the north right-of-way lines of US 31 where the Murchie Bridge crosses the river, thence easterly along the north right-of-way line of US 31 to the southwest property corner of the Holiday Inn, thence northerly along the west property line to West Grand Traverse Bay.

(Ord. 288. Passed 12-3-90. Ord. 509. Passed 9-5-00.)