



COMMUNITY DEVELOPMENT DEPARTMENT

45175 Ten Mile Road
Novi, MI 48375
(248) 347-0415 Phone
(248) 735-5600 Facsimile
www.cityofnovi.org

ZONING BOARD OF APPEALS STAFF REPORT

FOR: City of Novi Zoning Board of Appeals

ZONING BOARD APPEALS DATE: August 15, 2017

REGARDING: 2292 Austin Drive PARCEL # 50-22-10-227-018 (PZ17-0026)

BY: Larry Butler, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Christopher Leineke

Variance Type

Dimensional Variance

Property Characteristics

Zoning District:	Single Family Residential
Location:	South of Thirteen Mile Road and West of Old Novi Road
Parcel #:	50-22-10-227-018

Request

The applicant is requesting a variance from the City of Novi Ordinance Section 3.1.5 and 4.19 for an 8.9 feet side yard, 15 feet allowed, 2 foot side yard setback, 10 feet allowed proposed lot coverage of 30 percent, 25 percent allowed, and a 1000 square feet garage, 850 allowed. This property is zoned Single Family Residential (R-4).

II. STAFF COMMENTS:

Existing ZBA variance in place.

III. RECOMMENDATION:

The Zoning Board of Appeals may take one of the following actions:

1. I move that we **grant** the variance in Case No. **PZ17-0026**, sought by _____, for _____ because Petitioner has shown practical difficulty requiring _____.
 - (a) Without the variance Petitioner will be unreasonably prevented or limited with respect to use of the property because _____.
 - (b) The property is unique because _____.

_____.

(c) Petitioner did not create the condition because_____.

(d) The relief granted will not unreasonably interfere with adjacent or surrounding properties because_____.

(e) The relief if consistent with the spirit and intent of the ordinance because_____.

(f) The variance granted is subject to:

- 1. _____.
- 2. _____.
- 3. _____.
- 4. _____.

2. I move that we **deny** the variance in Case No. **PZ17-0026**, sought by _____, for_____ because Petitioner has not shown practical difficulty requiring _____.

(a) The circumstances and features of the property including_____ are not unique because they exist generally throughout the City.

(b) The circumstances and features of the property relating to the variance request are self-created because_____.

(c) The failure to grant relief will result in mere inconvenience or inability to attain higher economic or financial return based on Petitioners statements that _____.

(d) The variance would result in interference with the adjacent and surrounding properties by_____.

(e) Granting the variance would be inconsistent with the spirit and intent of the ordinance to_____.

Should you have any further questions with regards to the matter please feel free to contact me at (248) 347-0417.

Larry Butler
Deputy Director Community Development



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RECEIVED

JUL 19 2017

**ZONING BOARD OF APPEALS
 APPLICATION**

CITY OF NOVI
 CITY DEVELOPMENT

APPLICATION MUST BE FILLED OUT COMPLETELY

Application Fee: _____
 Meeting Date: August 19, 2017
 ZBA Case #: PZ17-0026 (revised)

I. PROPERTY INFORMATION (Address of subject ZBA Case)			
PROJECT NAME / SUBDIVISION <u>LEINEKE RESIDENCE</u>			
ADDRESS <u>2292 AUSTIN DRIVE</u>		LOT/SIUTE/SPACE #	
SIDWELL # <u>50-22-10-227-018</u>		May be obtained from the Assessing Department (248) 347-0485	
CROSS ROADS OF PROPERTY <u>OLD NOVI & AUSTIN DRIVE</u>			
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		REQUEST IS FOR: <input checked="" type="checkbox"/> RESIDENTIAL <input type="checkbox"/> COMMERCIAL <input type="checkbox"/> VACANT PROPERTY <input type="checkbox"/> SIGNAGE	
DOES YOUR APPEAL RESULT FROM A NOTICE OF VIOLATION OR CITATION ISSUED? <input type="checkbox"/> YES <input type="checkbox"/> NO			
II. APPLICANT INFORMATION			
A. APPLICANT		EMAIL ADDRESS <u>LEINEKECHRIS@GMAIL.COM</u>	CELL PHONE NO. <u>734-476-7783</u>
NAME <u>CHRISTOPHER HALE LEINEKE</u>		TELEPHONE NO.	
ORGANIZATION/COMPANY		FAX NO.	
ADDRESS <u>2292 AUSTIN DRIVE</u>	CITY <u>NOVI</u>	STATE <u>MI</u>	ZIP CODE <u>48377</u>
B. PROPERTY OWNER <input type="checkbox"/> CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER			
Identify the person or organization that owns the subject property:		EMAIL ADDRESS	CELL PHONE NO. <u>734-476-7783</u>
NAME <u>CHRIS LEINEKE</u>		TELEPHONE NO.	
ORGANIZATION/COMPANY		FAX NO.	
ADDRESS <u>2292 AUSTIN</u>	CITY <u>NOVI</u>	STATE <u>MI</u>	ZIP CODE <u>48377</u>
III. ZONING INFORMATION			
A. ZONING DISTRICT			
<input type="checkbox"/> R-A <input type="checkbox"/> R-1 <input type="checkbox"/> R-2 <input type="checkbox"/> R-3 <input checked="" type="checkbox"/> R-4 <input type="checkbox"/> RM-1 <input type="checkbox"/> RM-2 <input type="checkbox"/> MH			
<input type="checkbox"/> I-1 <input type="checkbox"/> I-2 <input type="checkbox"/> RC <input type="checkbox"/> TC <input type="checkbox"/> TC-1 <input type="checkbox"/> OTHER _____			
B. VARIANCE REQUESTED			
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:			
1. Section <u>3.1.5</u>	Variance requested	<u>PROPOSING 89' SIDE YARD</u>	
2. Section <u>3.1.5</u>	Variance requested	<u>LOT COVERAGE PROPOSING 30%</u>	
3. Section <u>4.19</u>	Variance requested	<u>PROPOSED 1000'</u>	
4. Section <u>3.1.5</u>	Variance requested	<u>PROPOSE 2' SETBACK</u>	
IV. FEES AND DRAWINGS			
A. FEES			
<input type="checkbox"/> Single Family Residential (Existing) \$200 <input type="checkbox"/> (With Violation) \$250 <input type="checkbox"/> Single Family Residential (New) \$250			
<input type="checkbox"/> Multiple/Commercial/Industrial \$300 <input type="checkbox"/> (With Violation) \$400 <input type="checkbox"/> Signs \$300 <input type="checkbox"/> (With Violation) \$400			
<input type="checkbox"/> House Moves \$300 <input type="checkbox"/> Special Meetings (At discretion of Board) \$600			
B. DRAWINGS 1-COPY & 1 DIGITAL COPY SUBMITTED AS A PDF			
• Dimensioned Drawings and Plans		• Existing & proposed distance to adjacent property lines	
• Site/Plot Plan		• Location of existing & proposed signs, if applicable	
• Existing or proposed buildings or addition on the property		• Floor plans & elevations	
• Number & location of all on-site parking, if applicable		• Any other information relevant to the Variance application	



ZONING BOARD OF APPEALS APPLICATION

V. VARIANCE

A. VARIANCE (S) REQUESTED

DIMENSIONAL USE SIGN

There is a five-(5) hold period before work/action can be taken on variance approvals.

B. SIGN CASES (ONLY)

Your signature on this application indicates that you agree to install a **Mock-Up Sign** ten-(10) days before the scheduled ZBA meeting. Failure to install a mock-up sign may result in your case not being heard by the Board, postponed to the next schedule ZBA meeting, or cancelled. A mock-up sign is **NOT** to be an actual sign. Upon approval, the mock-up sign must be removed within five-(5) days of the meeting. If the case is denied, the applicant is responsible for all costs involved in the removal of the mock-up or actual sign (if erected under violation) within five-(5) days of the meeting.

C. ORDINANCE

City of Novi Ordinance, Section 3107 – Miscellaneous

No order of the Board permitting the erection of a building shall be valid for a period longer than one-(1) year, unless a building permit for such erection or alteration is obtained within such period and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

No order of the Board permitting a use of a building or premises shall be valid for a period longer than one-hundred and eighty-(180) days unless such use is established within such a period; provided, however, where such use permitted is dependent upon the erection or alteration of a building such order shall continue in force and effect if a building permit for such erection or alteration is obtained within one-(1) year and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

D. APPEAL THE DETERMINATION OF THE BUILDING OFFICIAL

PLEASE TAKE NOTICE:

The undersigned hereby appeals the determination of the Building Official / Inspector or Ordinance made

CONSTRUCT NEW HOME/BUILDING ADDITION TO EXISTING HOME/BUILDING SIGNAGE
 ACCESSORY BUILDING USE OTHER _____

VI. APPLICANT & PROPERTY SIGNATURES

A. APPLICANT

Applicant Signature

4/19/17
Date

B. PROPERTY OWNER

If the applicant is not the owner, the property owner must read and sign below:

The undersigned affirms and acknowledges that he, she or they are the owner(s) of the property described in this application, and is/are aware of the contents of this application and related enclosures.

Property Owner Signature

4/19/17
Date

VII. FOR OFFICIAL USE ONLY

DECISION ON APPEAL:

GRANTED DENIED

The Building Inspector is hereby directed to issue a permit to the Applicant upon the following conditions:

Chairperson, Zoning Board of Appeals

Date



Community Development Department

45175 Ten Mile Road
Novi, MI 48375
(248) 347-0415 Phone
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www.cityofnovi.org

REVIEW STANDARDS DIMENSIONAL VARIANCE

The Zoning Board of Appeals (ZBA) will review the application package and determine if the proposed Dimensional Variance meets the required standards for approval. In the space below, and on additional paper if necessary, explain how the proposed project meets each of the following standards. (Increased costs associated with complying with the Zoning Ordinance will not be considered a basis for granting a Dimensional Variance.)

Standard #1. Circumstances or Physical Conditions.

Explain the circumstances or physical conditions that apply to the property that do not apply generally to other properties in the same zoning district or in the general vicinity. Circumstances or physical conditions may include:

- a. **Shape of Lot.** Exceptional narrowness, shallowness or shape of a specific property in existence on the effective date of the Zoning Ordinance or amendment.

Describe below:

EXISTING LOT IS VERY SMALL, BUILDING IS
EXISTING AND NEEDS TO BE REBUILT AS THIS
WILL BE MY PRIMARY RESIDENCE
OR

- b. **Environmental Conditions.** Exceptional topographic or environmental conditions or other extraordinary situations on the land, building or structure. **Describe below:**

OR

- c. **Abutting Property.** The use or development of the property immediately adjacent to the subject property would prohibit the literal enforcement of the requirements of the Zoning Ordinance or would involve significant practical difficulties. **Describe below:**

Standard #2. Not Self-Created.

Describe the immediate practical difficulty causing the need for the Dimensional Variance, that the need for the requested variance is not the result of actions of the property owner or previous property owners (i.e., is not self-created).

WHOMEVER CUT UP THE LOTS ON AUSTIN DRIVE MADE THEM UNUSUALLY SMALL. I HAVE A VERY NARROW HOUSE & A NARROW GARAGE & BOTH BUILDINGS ARE TINY AND ARE VERY CLOSE TO ALL LOT LINES.

Standard #3. Strict Compliance.

Explain how the Dimensional Variance in strict compliance with regulations governing area, setback, frontage, height, bulk, density or other dimensional requirements will unreasonably prevent the property owner from using the property for a permitted purpose, or will render conformity with those regulations unnecessarily burdensome.

I THINK JUST DO TO THE SIZE OF THE LOT ITSELF. THE CITY OF NOVI WOULD NEVER ALLOW LOTS THIS SIZE TODAY AS BUILDABLE

Standard #4. Minimum Variance Necessary.

Explain how the Dimensional Variance requested is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district.

I'M ONLY ADDING 20' TO GARAGE THAT WILL ALLOW 2 CARS TO BE STORED. THIS STILL KEEP THE GARAGE A CONSIDERABLE DISTANCE FROM THE STREET. THE HOUSE IS EXISTING - NO ADDITIONAL FOUNDATION SQUARE FOOTAGE IS BEING ADDED.

Standard #5. Adverse Impact on Surrounding Area.

Explain how the Dimensional Variance will not cause an adverse impact on surrounding property, property values, or the use and enjoyment of property in the neighborhood or zoning district.

THE HOUSE IS VERY OLD - 1940'S - 50'S ERA. IT HAS NOT BEEN UPDATED SINCE IT WAS BUILT OR ADDED ON IN THE 50'S - 60'S I'M GUESSING. THIS WILL BE A MAJOR RENOVATION THAT WILL OR SHOULD IMPROVE THE AREA. ONE OF MY NEIGHBORS IS PLEASED THAT I'M TRYING TO IMPROVE. THIS SHOULD ADD RE-SALE VALUE TO ALL ADJACENT PROPERTY VALUE TO INCREASE.

LEINEKE RESIDENCE

NEW ADDITION & REMODEL . 2292 AUSTIN DRIVE . NOVI, MICHIGAN 48377

SHEET INDEX

A1	SITE PLAN
A2	FOUNDATION DEMOLITION & NEW FOUNDATION PLAN
A3	LOWER LEVEL & 2ND FLOOR DEMOLITION PLANS
A4	LOWER LEVEL & 2ND FLOOR PLANS
A5	EXTERIOR ELEVATIONS
A6	ROOF FRAMING PLAN, BUILDING SECTION & FRAMING DETAILS

GENERAL NOTES

ALL BUILDING CODE DATA FOR THIS PROJECT IS BASED UPON THE 2015 MICHIGAN RESIDENTIAL CODE AND ON THE 2015 MICHIGAN BUILDING CODE.

ALL MECHANICAL WORK SHALL COMPLY WITH THE 2012 MICHIGAN MECHANICAL CODE, AND/ OR ALL OTHER CODES AS REQUIRED BY THE LOCAL AUTHORITY HAVING JURISDICTION OF THE PROJECT CONSTRUCTION SITE.

ALL ELECTRICAL WORK SHALL COMPLY WITH THE 2011 MICHIGAN ELECTRICAL CODE, AND/ OR ALL OTHER CODES AS REQUIRED BY THE LOCAL AUTHORITY HAVING JURISDICTION OF THE PROJECT CONSTRUCTION SITE.

ALL PLUMBING WORK SHALL COMPLY WITH THE 2012 MICHIGAN PLUMBING CODE, AND/ OR ALL OTHER CODES AS REQUIRED BY THE LOCAL AUTHORITY HAVING JURISDICTION OF THE PROJECT CONSTRUCTION SITE.

ALL ENERGY REQUIREMENTS SHALL COMPLY WITH THE 2015 MICHIGAN UNIFORM ENERGY CODE, AND/ OR ALL OTHER CODES AS REQUIRED BY THE LOCAL AUTHORITY HAVING JURISDICTION OF THE PROJECT CONSTRUCTION SITE.

THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES OR PROCEDURES, AND FOR ALL SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK AND THE CONSTRUCTION SITE.

ARK ARCHITECTS, PLC SHALL NOT BE RESPONSIBLE FOR THE CONTRACTOR'S FAILURE TO PERFORM THE WORK IN ACCORDANCE WITH THE REQUIREMENTS OF THESE CONSTRUCTION DOCUMENTS.

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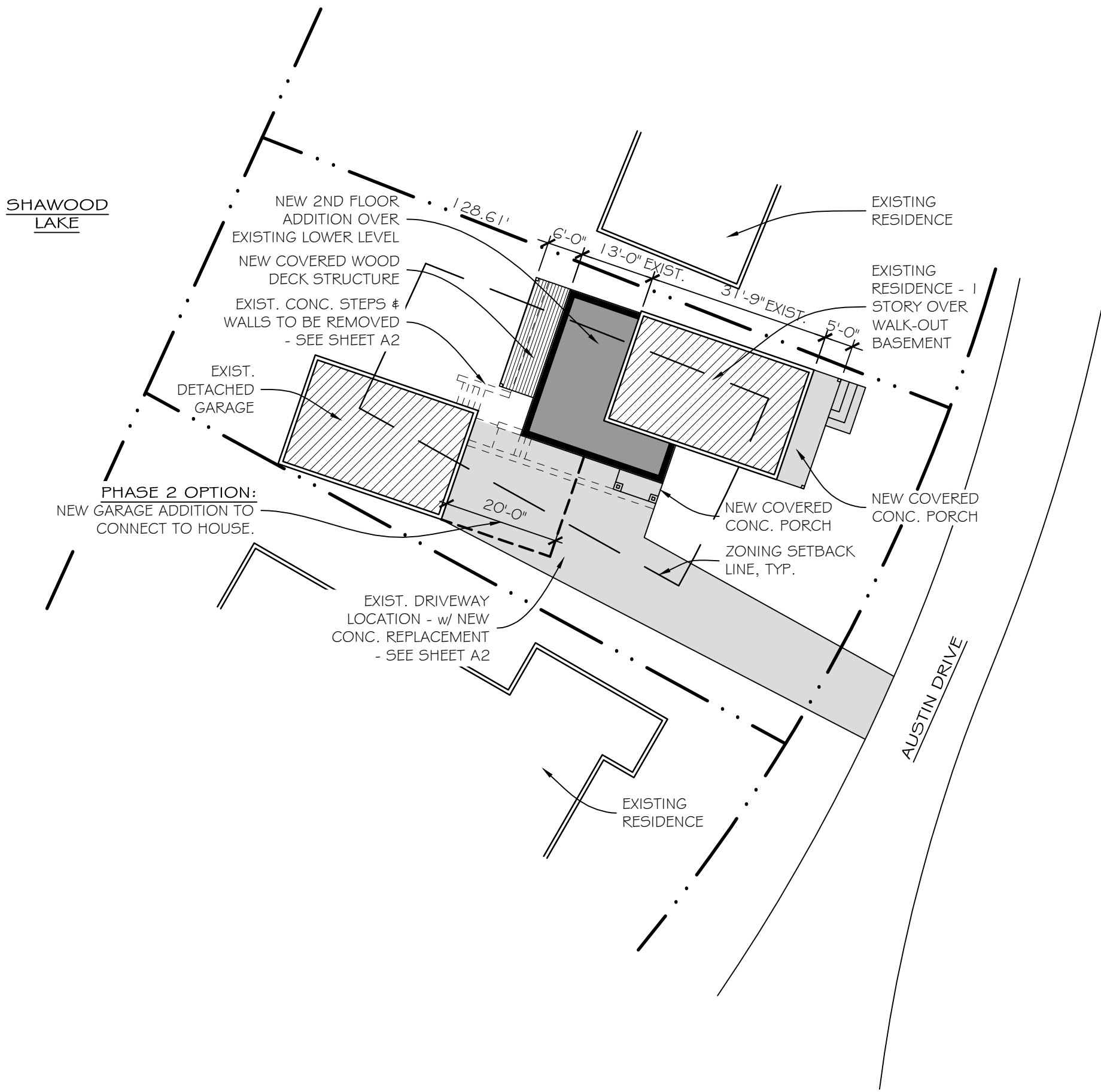
BUILDING CODE DATA

2015 MBC		
304.6.2	USE GROUP: _____	SINGLE-FAMILY RESIDENTIAL (R-3)
602.4	TYPE OF CONSTRUCTION: _____	TYPE V
TBL. 503	ALLOWABLE BUILDING HT.: _____	3 STORIES
	ACTUAL BUILDING HT.: _____	2 STORIES
	ALLOWABLE BUILDING AREA: _____	UNLIMITED
	ACTUAL BUILDING AREA:	
	EXISTING 1ST FLOOR / LOWER LEVEL	= 1,080 SF
	NEW 2ND FLOOR ADDITION	= 440 SF
	TOTAL NEW AREA	= 1,520 SF
	NEW DECK	= 125 SF
	NEW FRONT PORCH	= 100 SF
	EXISTING DETACHED GARAGE	= 500 SF
	DESIGN LOADS:	
TBL. 1607.1	FLOOR LIVE LOAD	40 PSF
FIG. 1608.2	SNOW LOAD	25 PSF
FIG. 1609	BASIC WIND SPEED	90 MPH
I 609.4.3	WIND EXPOSURE	EXPOSURE B

ZONING DATA

ZONING DISTRICT: _____	R-4 ONE FAMILY RESIDENTIAL - CITY OF NOVI, MI
MIN. LOT AREA: _____	10,000 SF
ACTUAL LOT AREA: _____	7,288 SF
MIN. LOT WIDTH: _____	80 FT
ACTUAL LOT WIDTH: _____	65 FT
MAX. LOT COVERAGE: _____	25%
NEW LOT COVERAGE: _____	24%

SETBACKS:	
FRONT = _____	30 FT
MIN. SIDE = _____	10 FT
TOTAL SIDE = _____	25 FT
REAR = _____	35 FT
MAX. BUILDING HEIGHT: _____	35 FT / 2.5 STORIES
ACTUAL BUILDING HEIGHT: _____	28'-0" LOWEST GRADE TO MAX. PEAK



SITE PLAN
1"=20'

ARK ARCHITECTS
734.827.4499
info@arkarch.com
www.arkarch.com
114 N. Main St. Suite 9
Chelsea, MI 48118

PROJECT

LEINEKE RESIDENCE
2292 AUSTIN DRIVE
NOVI, MICHIGAN 48377

R E V

DATE

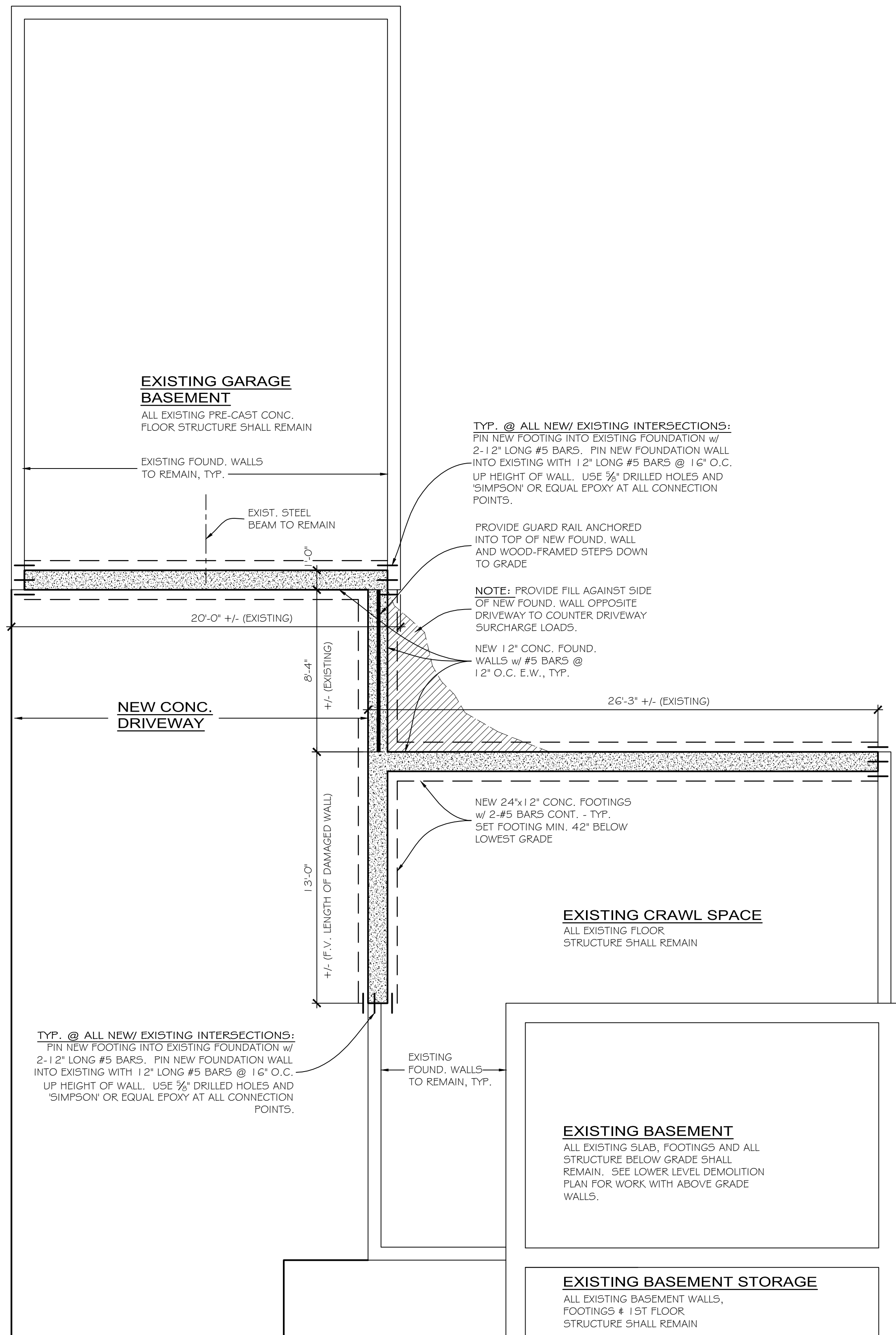
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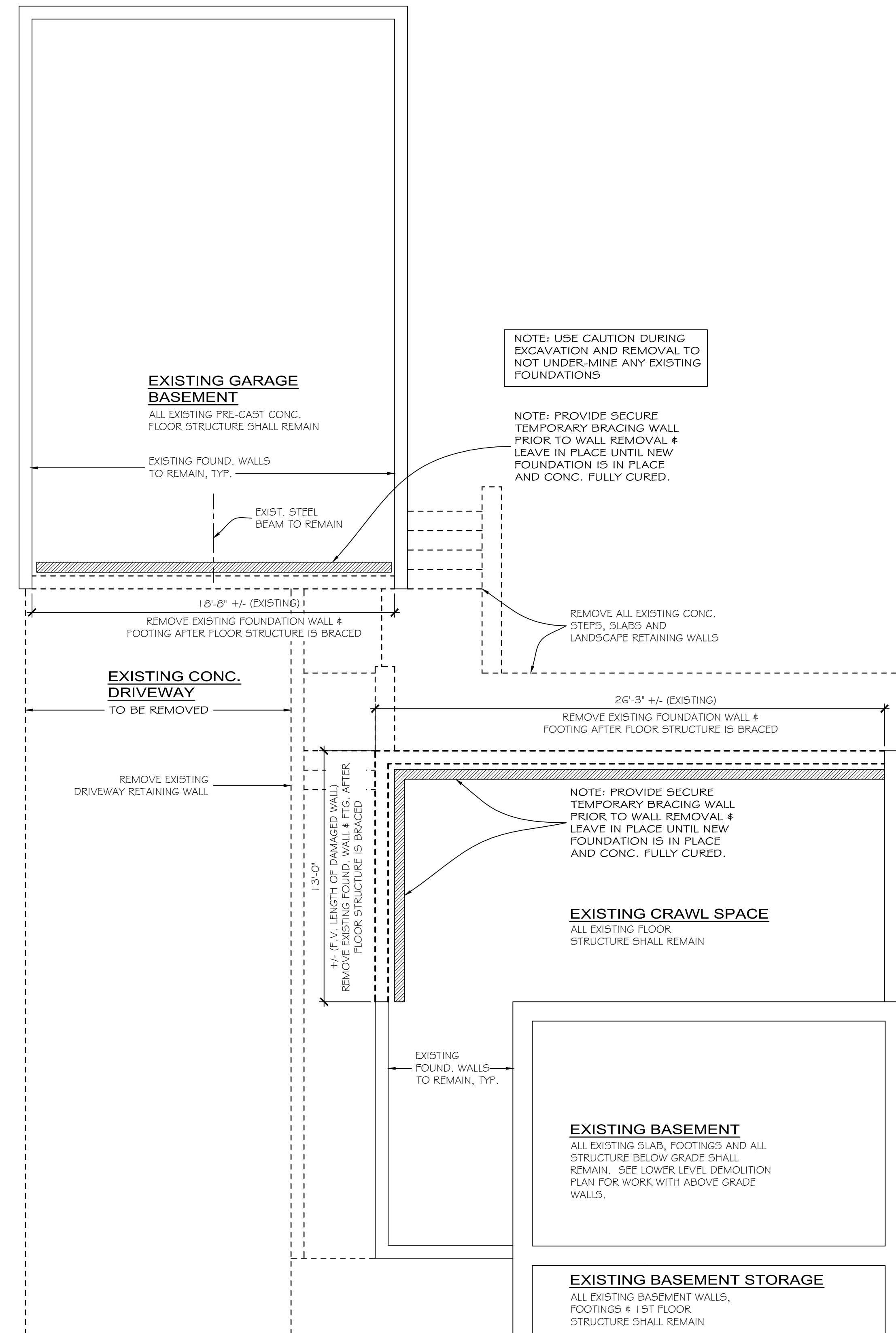
1701

SHEET

A1



NEW FOUNDATION PLAN
SCALE: 1/4" = 1'-0"



FOUNDATION DEMOLITION PLAN
SCALE: 1/4" = 1'-0"

PROJECT

LEINEKE RESIDENCE
2292 AUSTIN DRIVE
NOVI, MICHIGAN 48377

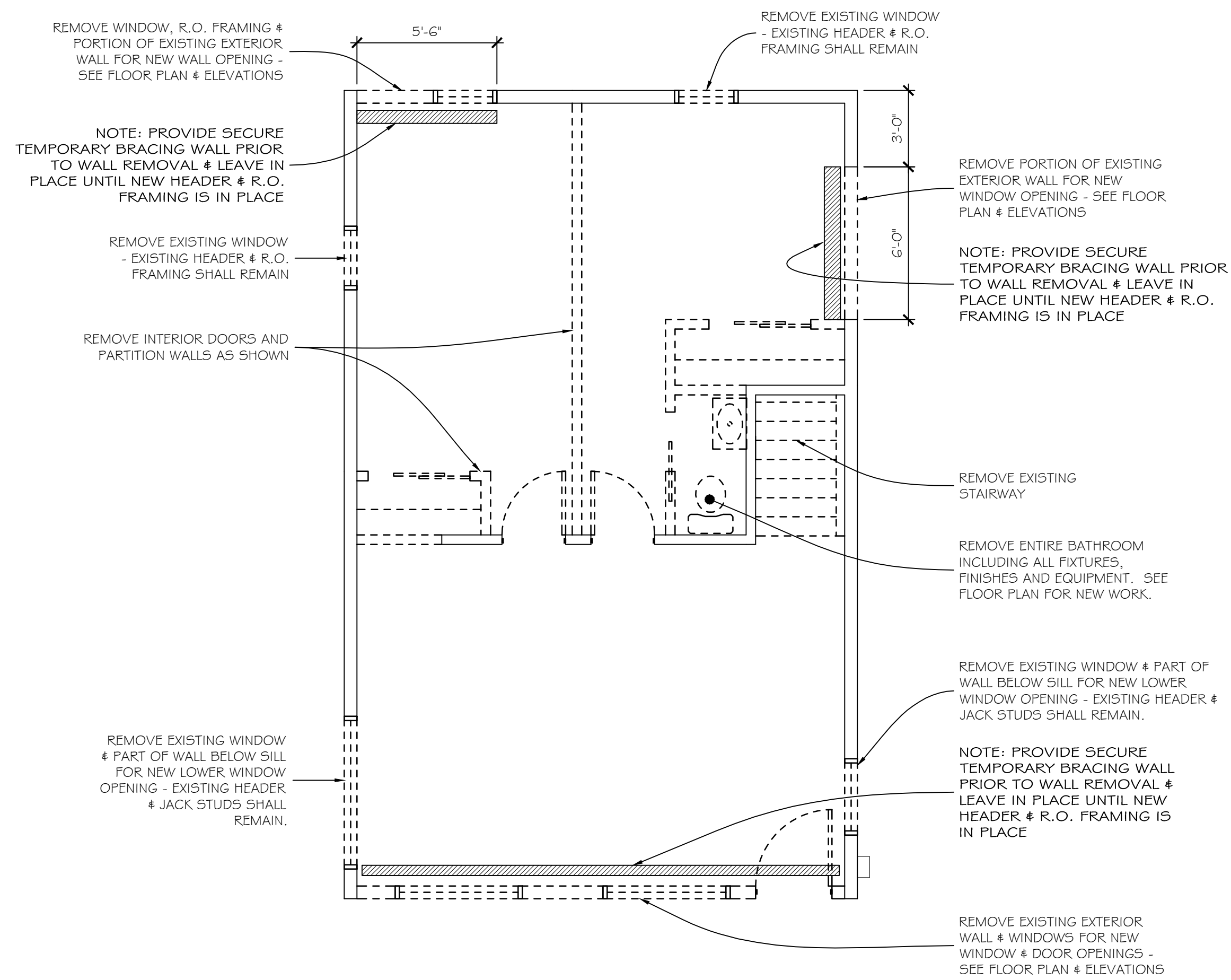
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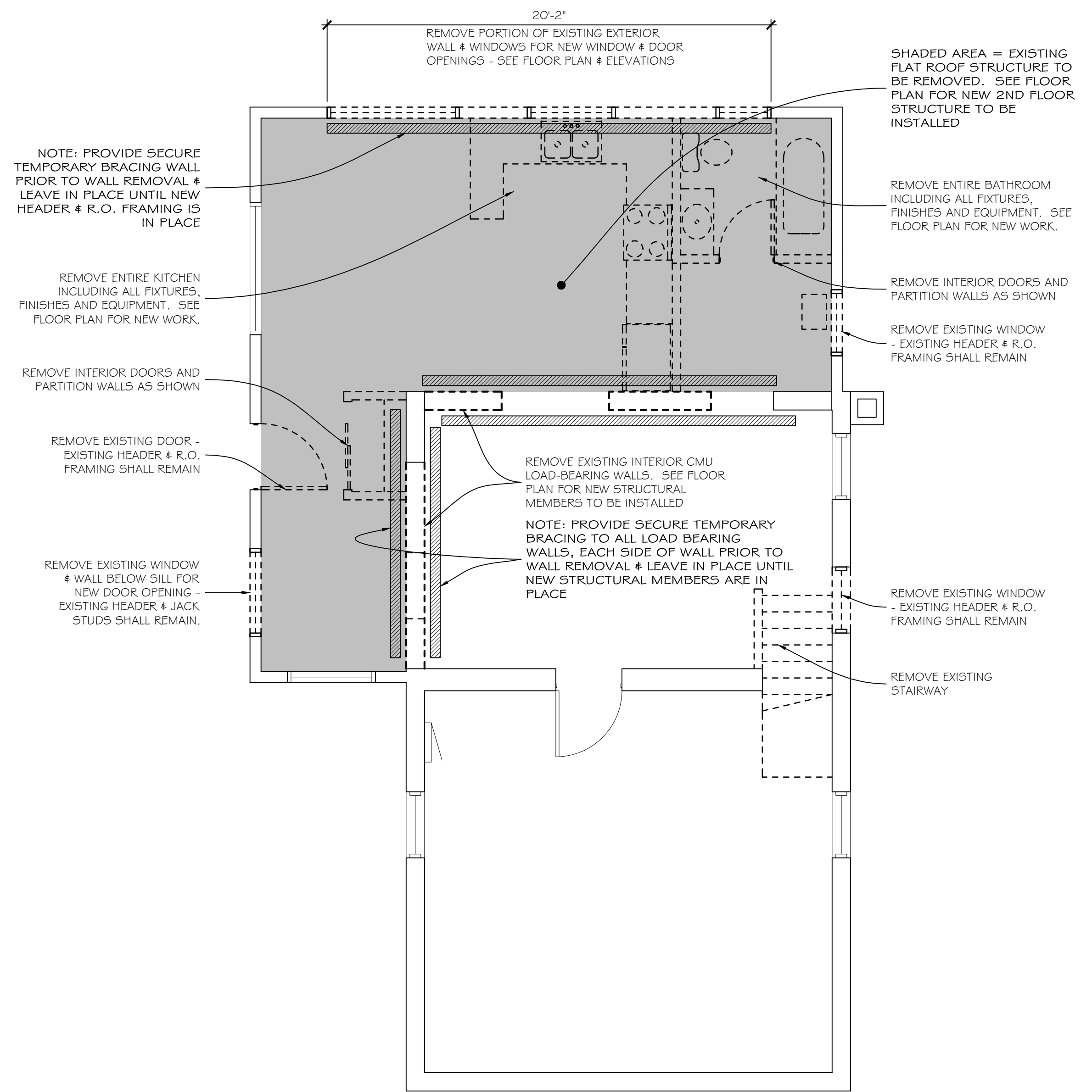
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SHEET

A2



2ND FLOOR DEMOLITION PLAN
SCALE: 1/4" = 1'-0"



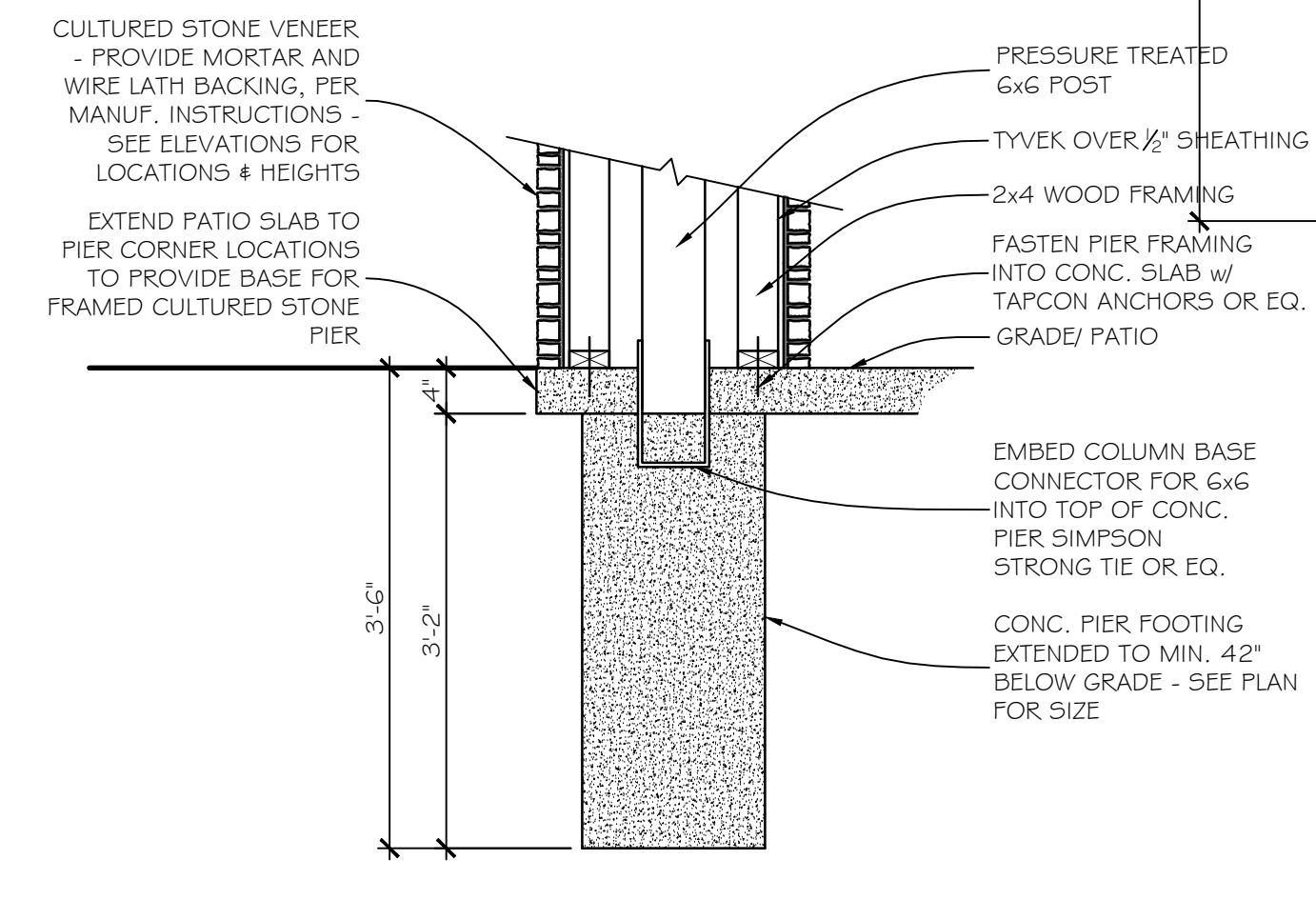
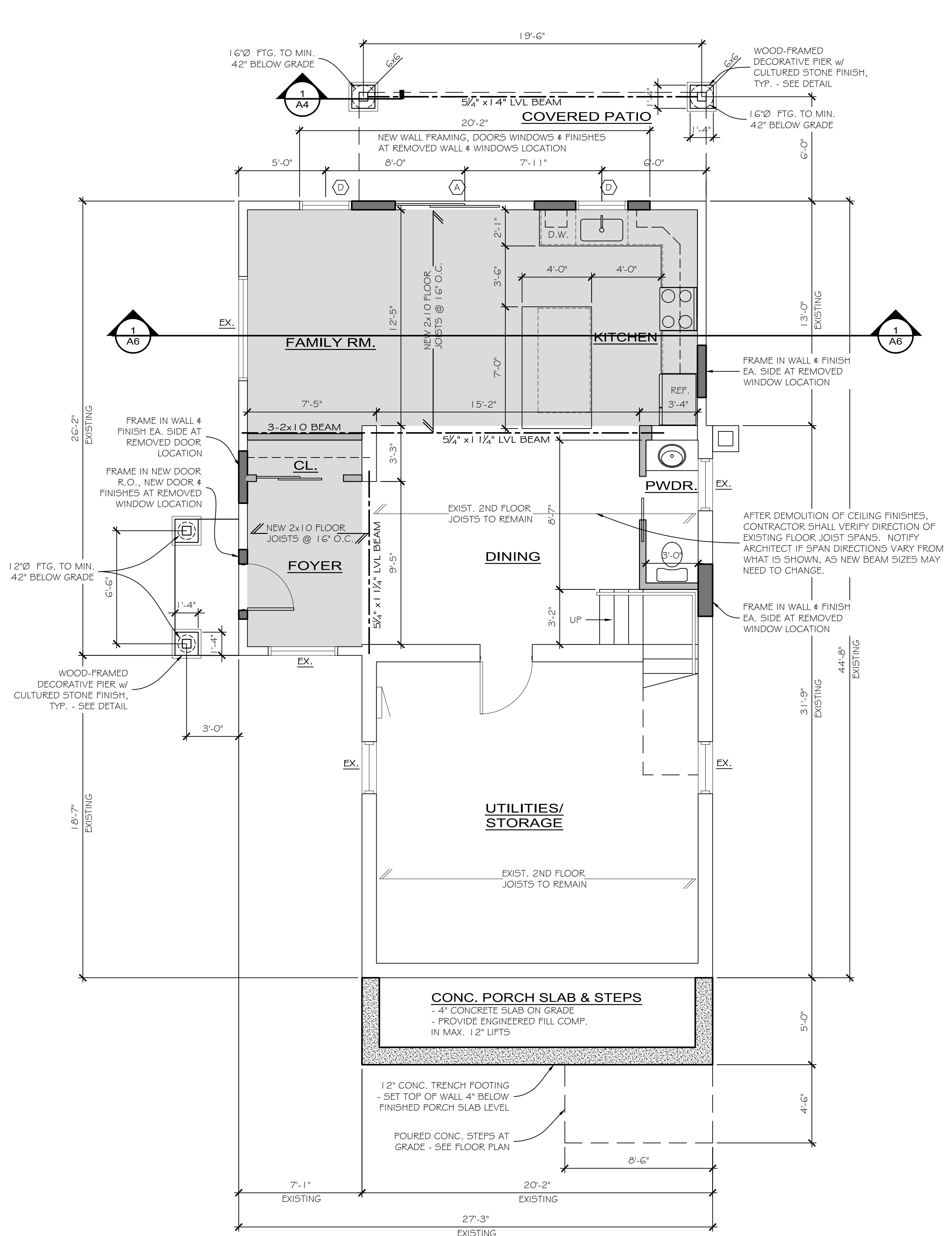
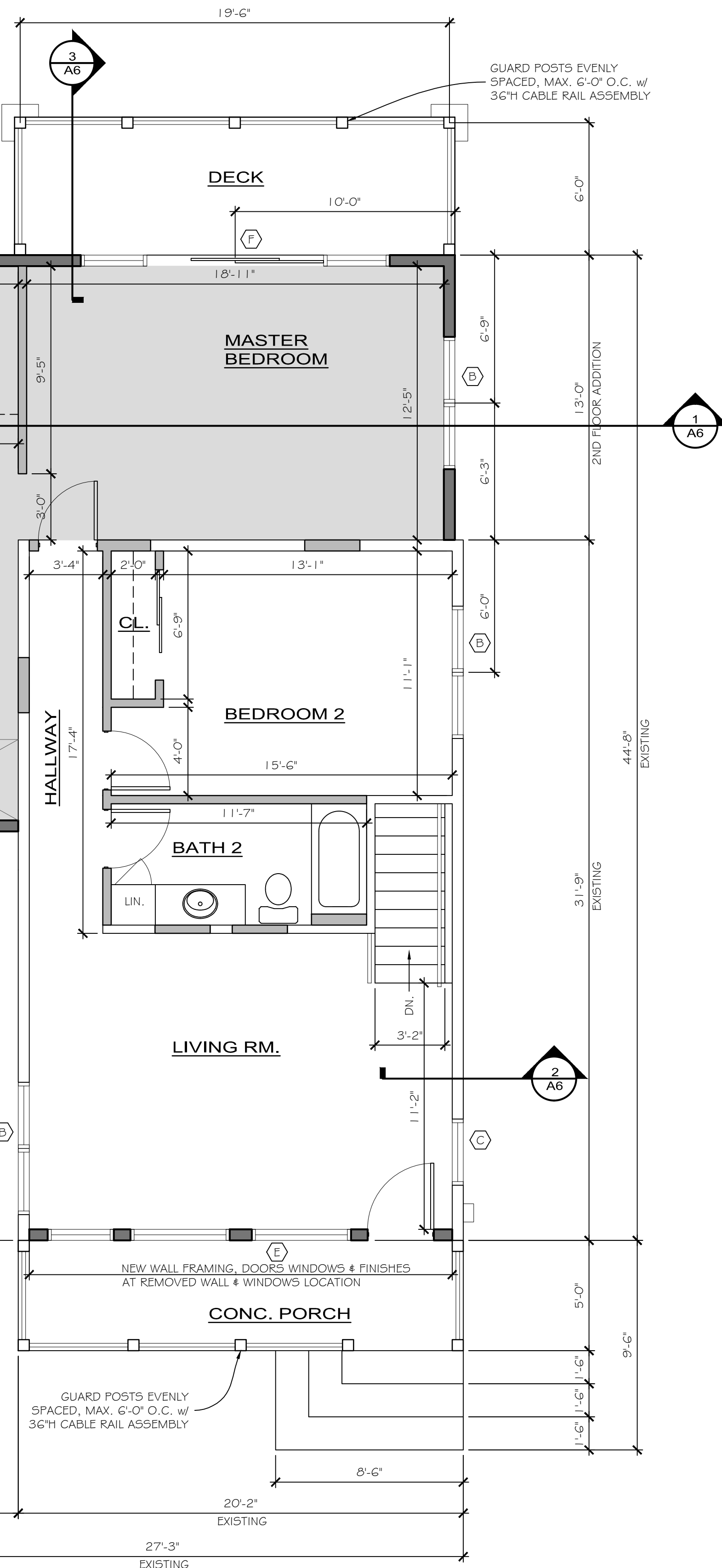
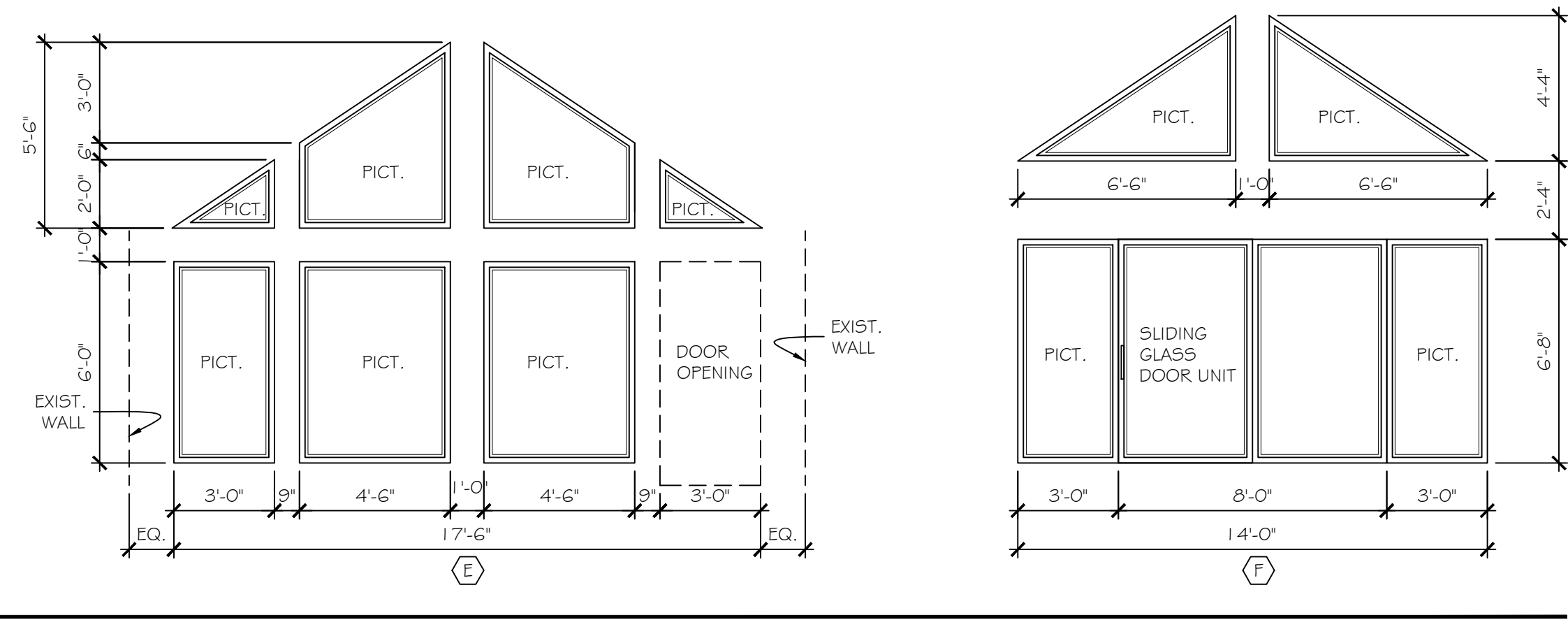
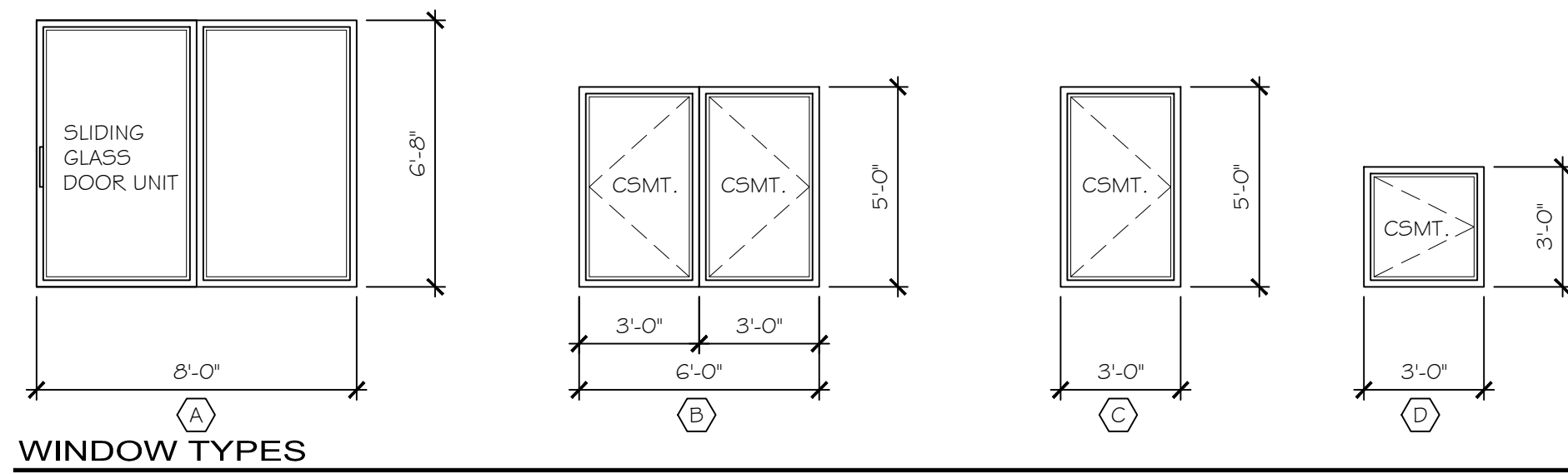
LOWER LEVEL DEMOLITION PLAN
SCALE: 1/4" = 1'-0"

WALL LEGEND

- NEW 2x6 INSULATED EXTERIOR WALL
- NEW INTERIOR 2x4 PARTITION WALL
- EXISTING WALLS TO REMAIN

WINDOW & DOOR NOTES

1. ALL WINDOW SHALL HAVE INSULATED LOW-E GLASS, WITH SIZES AND TYPES AS LABELED ON PLAN AND ELEVATIONS.
2. VERIFY EXACT UNIT SIZES AND ROUGH OPENING SIZES WITH WINDOW AND DOOR MANUFACTURER.
3. VERIFY ALL DOOR HARDWARE TYPE, COLOR, AND STYLE w/ OWNER.
4. VERIFY EXACT UNIT SIZES AND ROUGH OPENING SIZES WITH WINDOW AND DOOR MANUFACTURER.
5. PROVIDE TEMPERED GLASS FOR ALL DOORS, WINDOWS WITH SILLS 18" OR LESS FROM FLOOR, OR MEETING CONDITIONS OF MBC 2406.4 HEADERS OVER ALL EXTERIOR DOORS AND WINDOWS IN NEW 2x6 WALLS SHALL BE 3-2x8 UNLESS SPECIFIED OTHERWISE ON FLOOR PLAN UNLESS OTHERWISE NOTED, EXISTING HEADERS SHALL REMAIN OVER ALL EXISTING DOORS OR WINDOWS THAT ARE BEING REMOVED.
6. EX. = NOTES AN EXISTING WINDOW OPENING. PROVIDE NEW REPLACEMENT WINDOW OF SAME SIZE.



PIER DETAIL
SCALE: 3/4" = 1'-0"
1 A4

2ND FLOOR PLAN
SCALE: 1/4" = 1'-0"

LOWER LEVEL FLOOR PLAN
SCALE: 1/4" = 1'-0"

PROJECT

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2292 AUSTIN DRIVE
NOVI, MICHIGAN 48377

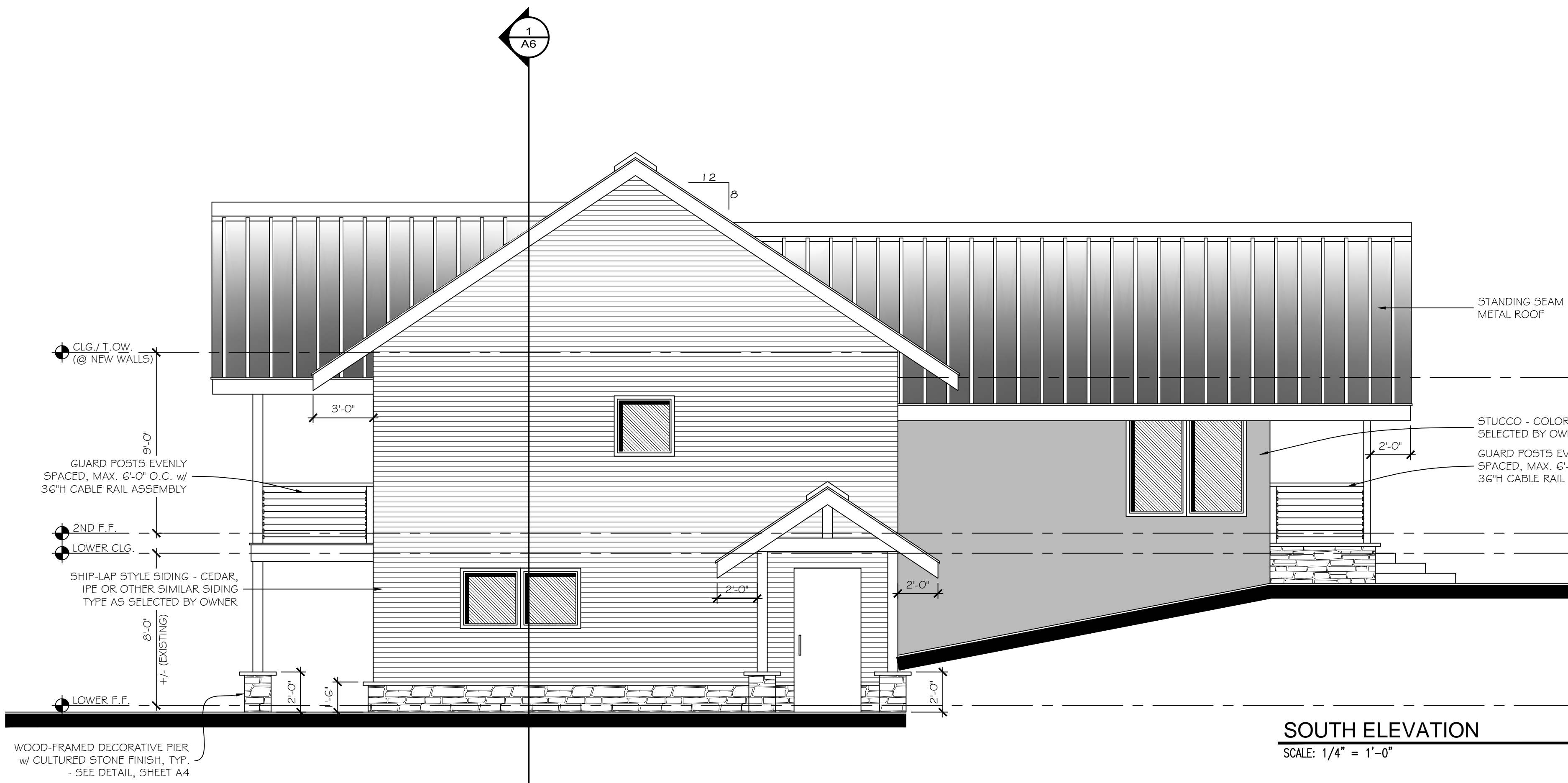
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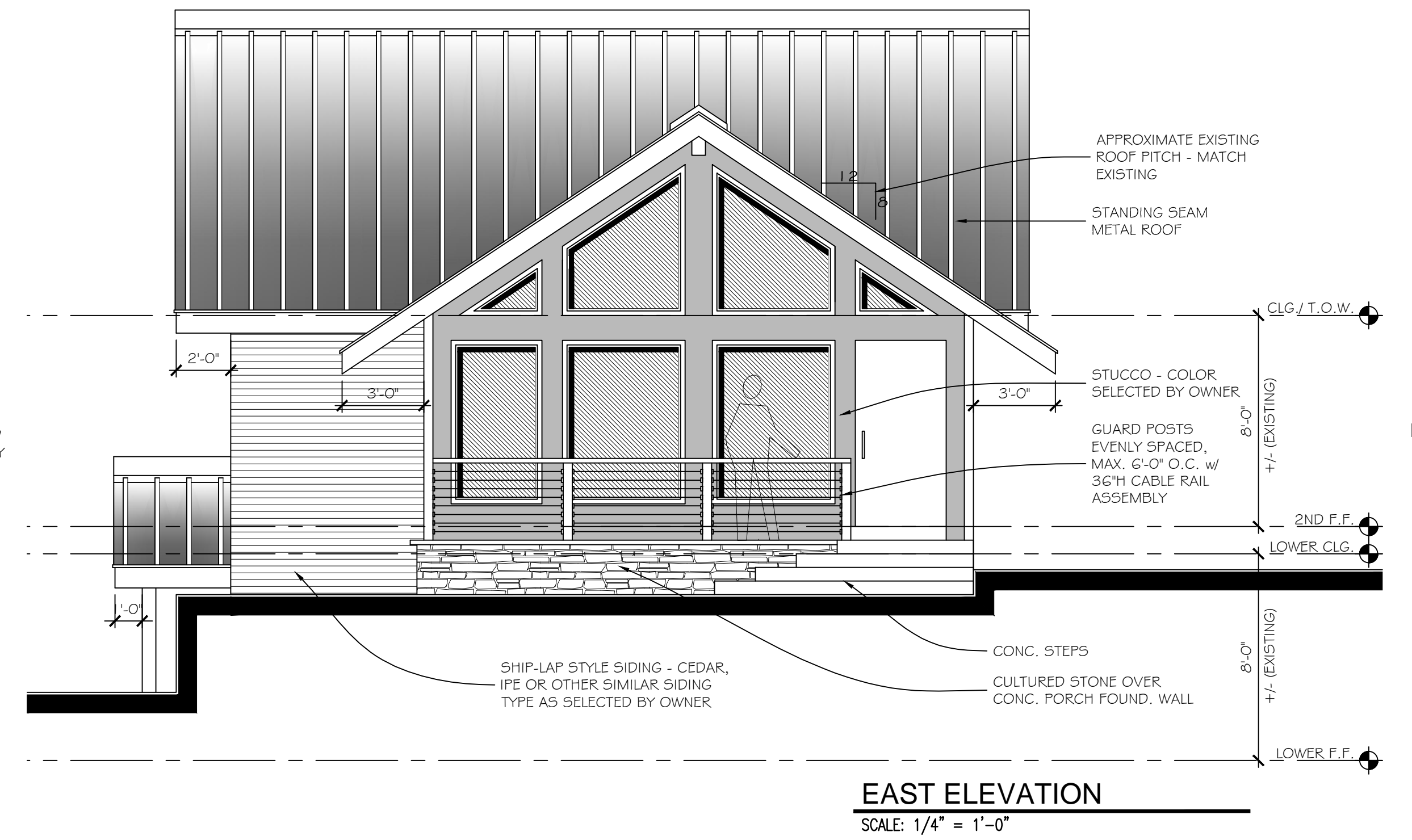
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A4



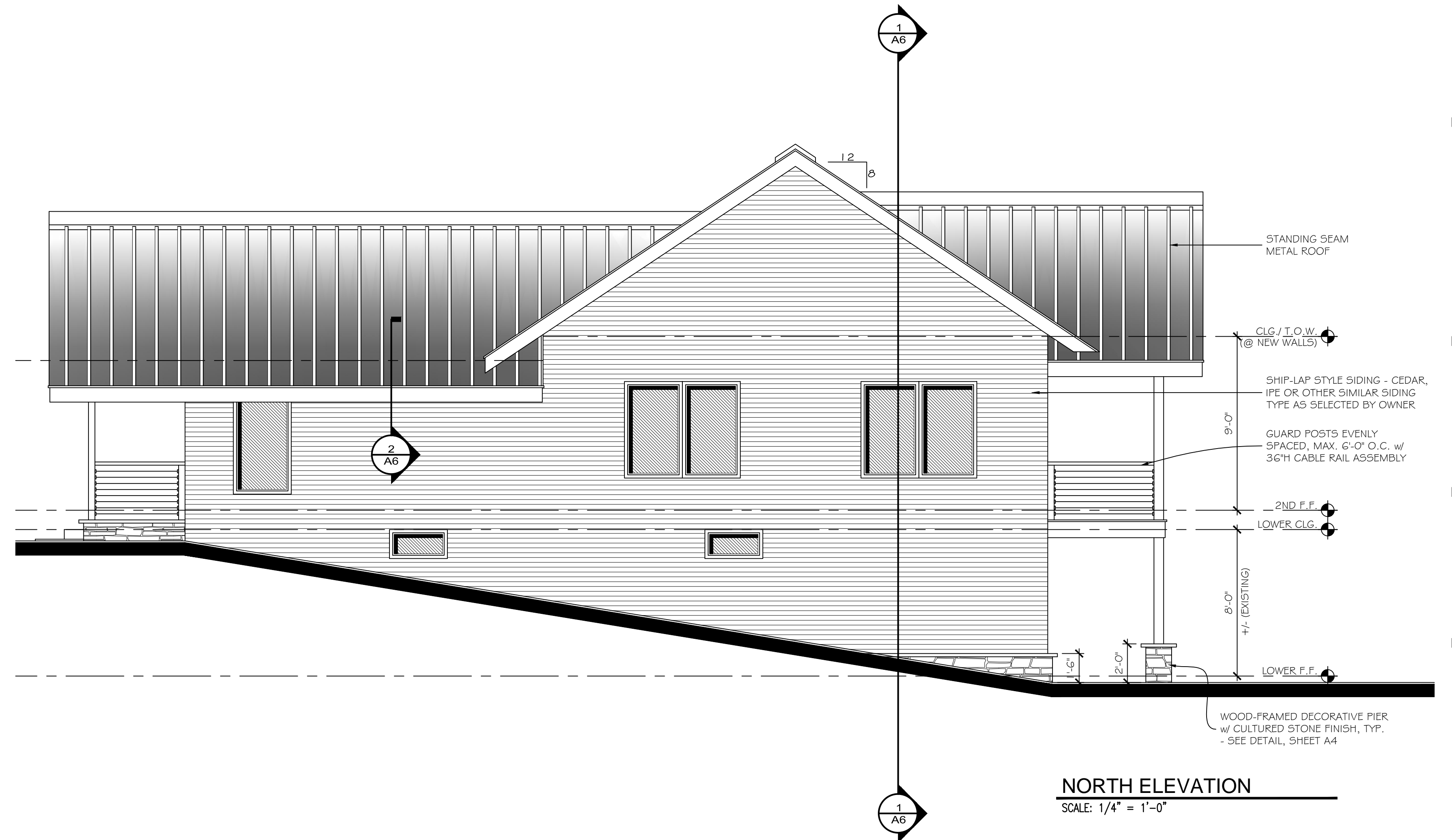
SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



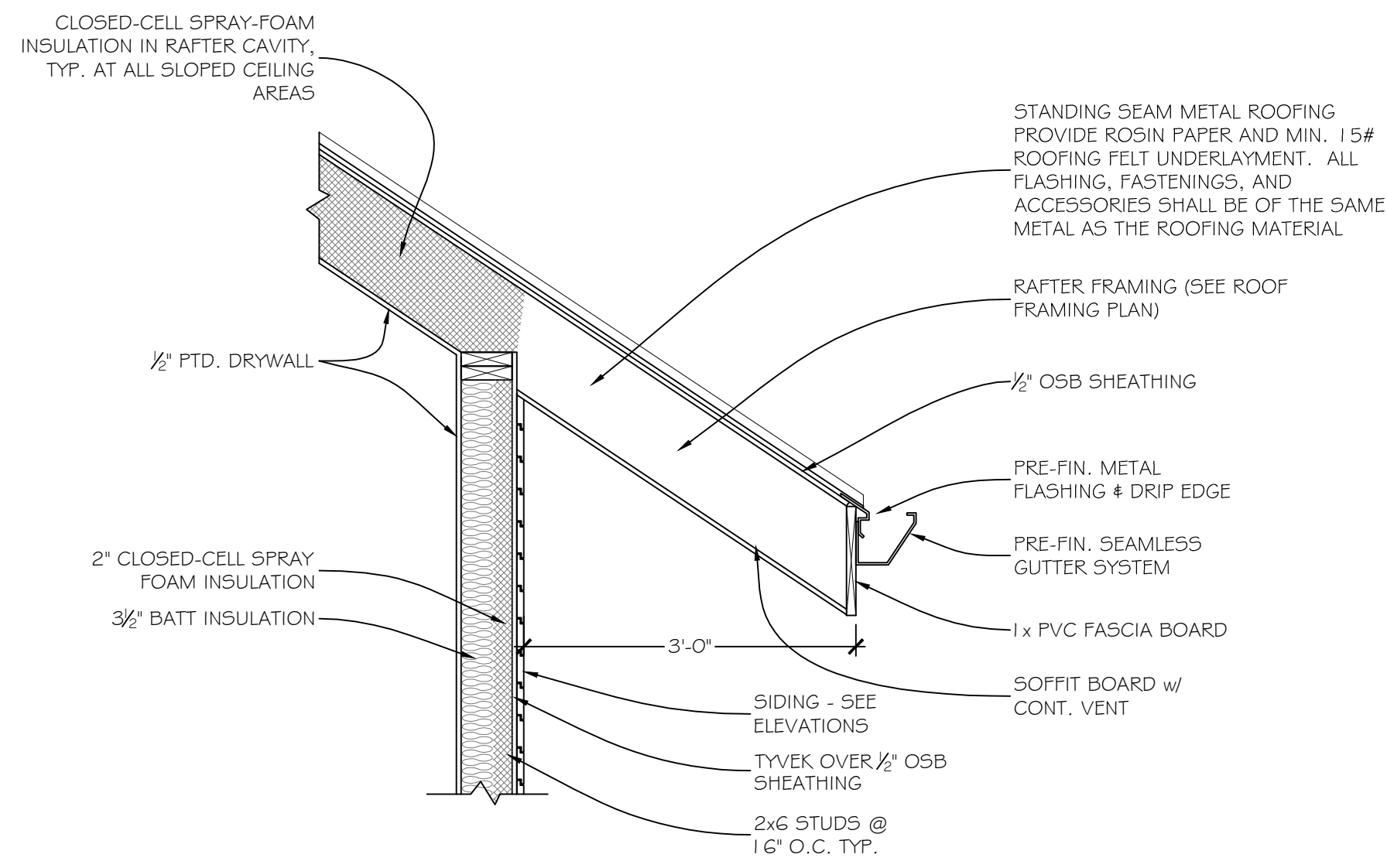
EAST ELEVATION
SCALE: 1/4" = 1'-0"



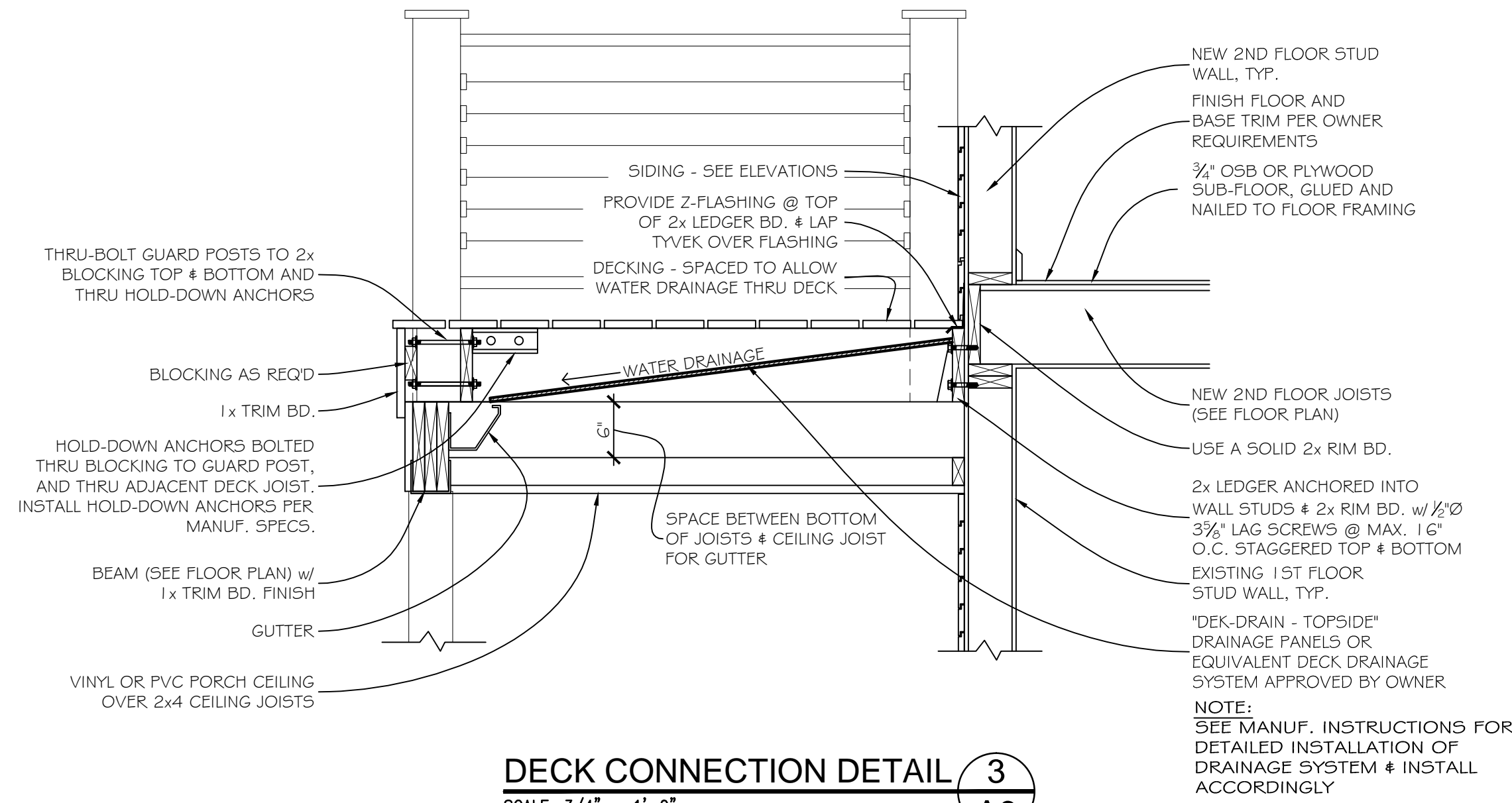
WEST ELEVATION
SCALE: 1/4" = 1'-0"



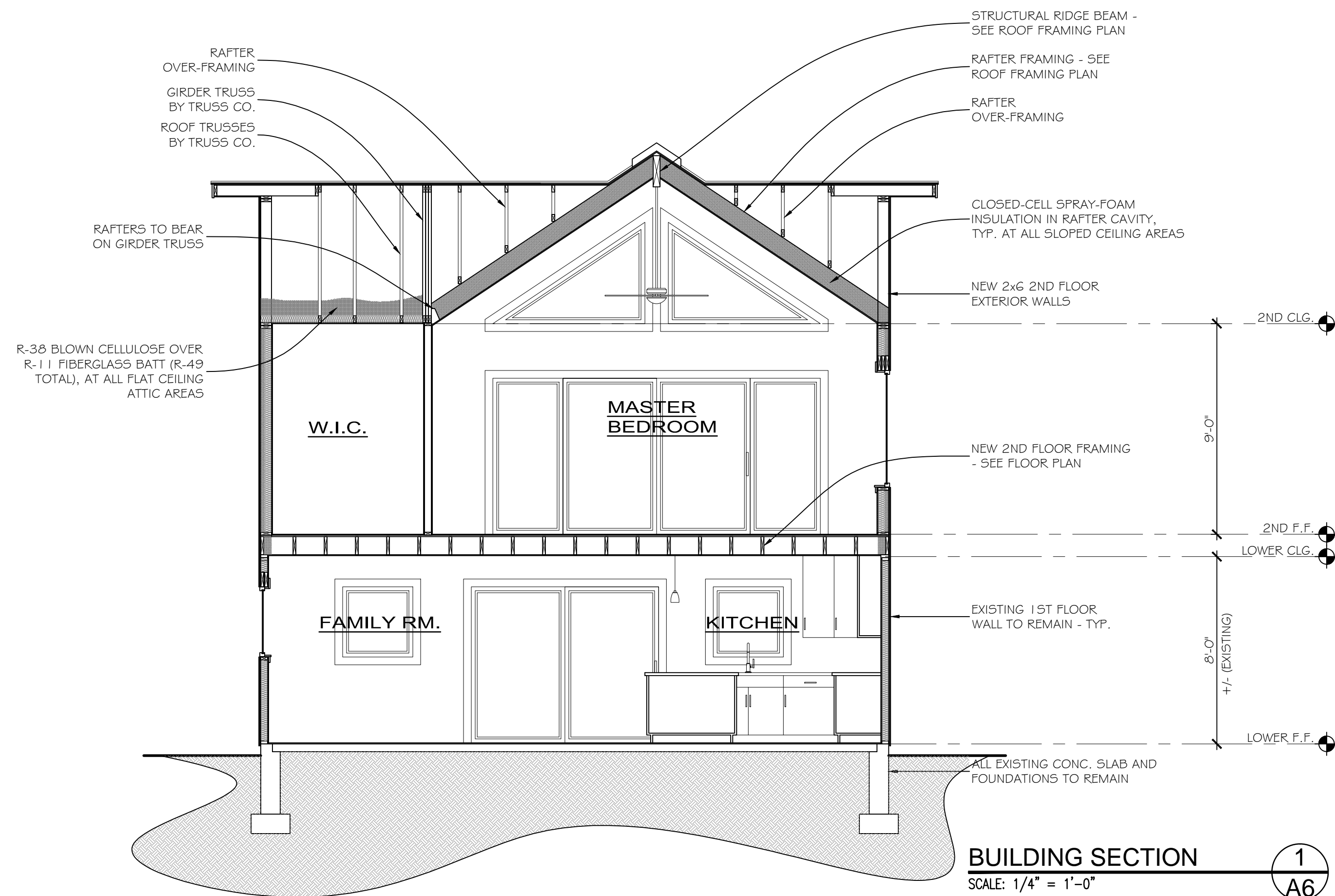
NORTH ELEVATION
SCALE: 1/4" = 1'-0"



EAVE DETAIL
SCALE: 3/4" = 1'-0"
2
A6



DECK CONNECTION DETAIL
SCALE: 3/4" = 1'-0"
3
A6



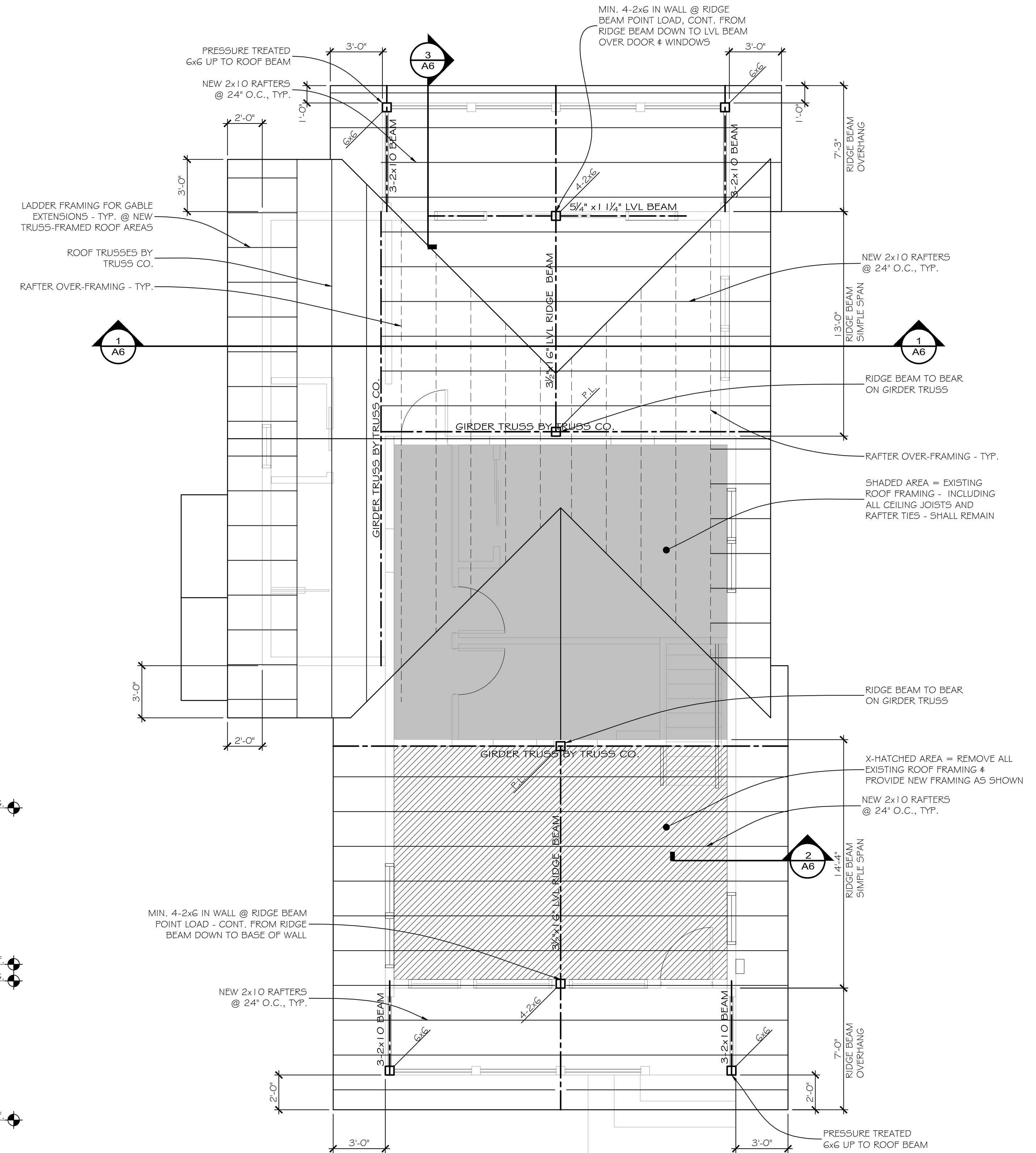
BUILDING SECTION
SCALE: 1/4" = 1'-0"
1
A6

WOOD FRAMING NOTES

1. PROVIDE FRAMING MEMBERS OF SIZES AND SHAPES SHOWN, OR IF NOT SHOWN, COMPLY WITH THE 2015 MICHIGAN BUILDING CODE REQUIREMENTS FOR TIMBER CONSTRUCTION.
2. WHERE ROUGH CARPENTRY WORK IS EXPOSED TO WEATHER, IN GROUND CONTACT OR IN HIGH HUMIDITY, PROVIDE FASTENERS AND ANCHORAGES WITH HOT-DIP ZINC COATING.
3. CONSTRUCTION GRADE FOR LUMBER SHALL BE SFF #2 OR BETTER.
4. FASTENING SIZE AND SPACING SHALL BE PER SECTION 2300 OF THE 2015 MICHIGAN BUILDING CODE.

WOOD TRUSS NOTES

1. TRUSSES TO BE DESIGNED BY MANUFACTURER TO SUPPORT ALL SUPERIMPOSED DEAD AND LIVE LOADS INDICATED. DESIGN TO COMPLY WITH APPLICABLE REQUIREMENTS OF "NATIONAL DESIGN SPECIFICATION FOR WOOD CONSTRUCTION" PUBLISHED BY N.F.P.A.
2. CONTRACTOR TO COORDINATE WITH TRUSS MANUFACTURER TO ASCERTAIN CORRECT SPAN LENGTHS AND BEARING REQUIREMENTS.
3. DESIGN LOADS AS FOLLOWS:
TRUSS
- TOP CHORD SNOW LOAD = 25 PSF + APPLICABLE DRIFT
- TOP CHORD DEAD LOAD = 15 PSF
- BOTTOM CHORD DEAD LOAD = 5 PSF
- WIND LOAD = 90 MPH EXPOSURE B (INCLUDE ANY UPLIFT FOR CONNECTION DESIGN)
- LIVE LOAD DEFLECTION = 1/360 OR LESS
4. ERECT AND BRACE TRUSSES IN STRICT ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS. MANUFACTURER TO DESIGN TEMPORARY AND PERMANENT BRACING. DO NOT OVERLOAD TRUSSES WITH CONSTRUCTION MATERIALS.
5. TRUSS MANUFACTURER TO PROVIDE DESIGN AND DETAILS FOR CONNECTIONS OF TRUSSES AT BEARING POINTS. CONNECTIONS TO INCLUDE PROVISIONS FOR WIND UPLIFT.



ROOF FRAMING PLAN
SCALE: 1/4" = 1'-0"
A6

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A6