



ZONING BOARD OF APPEALS
WEDNESDAY, JANUARY 8, 2020
Maple Room, 2nd Floor – 5:30 P.M.
201 West Ash Street, Mason MI

AGENDA

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **OATH OF OFFICE**
4. **ELECTION OF LEADERSHIP**
 - A. Elect Officers for 2020 – Chair, Vice Chair
5. **APPROVAL OF MINUTES**
 - A. Approve Minutes of Zoning Board of Appeals Meeting October 9, 2019
6. **PUBLIC HEARING**
 - A. Appeal of Administrative Decision to require permits for work being done on the property located at 882 Stag Thicket Lane in Mason, MI received from Scott & Kimberly LaMacchia, homeowners.
7. **UNFINISHED BUSINESS**
 - A. Staff will provide an update on James Bonfiglio, 934 & 965 Franklin Farms appeal.
8. **NEW BUSINESS**
 - A. 2020 Meeting Schedule
 - B. Citizen Planner Workshops
9. **LIASON REPORT**
 - A. City Manager Report
10. **ADJOURN**

City of Mason

Boards and Commissions

Election of Officers - worksheet

Board/Commission	ZBA			
Year	2020			
Position	Nomination	First	Second	Vote
CHAIR <i>Facilitates meetings</i>	1			
	2			
	3			
	4			
VICE-CHAIR <i>Facilitation of meetings in Chair's absence</i>	1			
	2			
	3			
	4			
SECRETARY <i>Receives applications, keeps records, prepares meeting minutes</i>	Staff/Community Development Director			

NOTES:

**CITY OF MASON
ZONING BOARD OF APPEALS MEETING
MINUTES OF OCTOBER 9, 2019
DRAFT ---- NOT YET APPROVED**

Sabbadin called the meeting to order at 5:30 p.m. in the Maple Room at 201 W. Ash Street, Mason, Michigan.

Present: Crips, Fisher, Harris, Madden, Sabbadin, Wilson

Absent: McCormick

Also present: Elizabeth A. Hude, AICP, Community Development Director; Thomas M. Hitch, Esq., City Attorney

PUBLIC COMMENT

None.

APPROVAL OF MINUTES

Director Hude noted Mr. Bonfiglio had a correction on page 3 of 5, 2nd paragraph, 'Fannie Mae and Freddie Mac, ask if the Condo Association is functioning and if it is not, they will still proceed with the closing.' and would like to amend the minutes to reflect that correction.

MOTION by Crips second by Madden, to approve the amended Zoning Board of Appeals minutes from the September 9, 2019 special meeting.

YES (6) Crips, Fisher, Harris, Madden, Sabbadin, Wilson

NO (0)

ABSENT (1) McCormick

MOTION APPROVED

UNFINISHED BUSINESS

A. Correspondence received from Esquire Development and Construction, Inc. regarding the detention pond and communication with Franklin Farms Condominium Co-owners.

Sabbadin noted that a letter from Mr. Bonfiglio had been received and that there is no action to be taken.

Director Hude acknowledged that Mr. Bonfiglio was present as the author of the letter. He was following through and taking action to reach out to the homeowners to try to organize and resolve the issue regarding the detention pond. She deferred back to the chairman as to whether Mr. Bonfiglio can respond.

Sabbadin invited Mr. Bonfiglio to respond.

Mr. Bonfiglio presented a letter to add to the record that is addressed to City Council. He presented the letter at the October 7 City Council meeting. He is asking City Council to take action and file a Chapter 8 petition due to lack of response from the homeowners.

Sabbadin noted there is no action to take but if anyone had questions, they are free to ask. He feels the board has done their due diligence on the matter. Mr. Bonfiglio asked if the board would reconsider their ruling and take off the conditions as he is making an effort to get the situation taken care of. Sabbadin replied that he didn't think Mr. Bonfiglio could make that motion.

Director Hude noted that by approving the minutes tonight, that starts the clock on the 21-day appeal period. Mr. Bonfiglio would like the ZBA to reconsider their decision to allow time for City Council to research the matter regarding a Chapter 8 petition. He feels the drop-dead appeal date will hurt everyone and more time would be beneficial.

Sabbadin responded that they should stand by their decision, if the City Attorney feels they should reconsider then it can be brought forward to the next meeting. Director Hude stated she believed that at a minimum, it should be placed on the agenda with the required public notice.

Mr. Bonfiglio is concerned that there isn't enough time before the next meeting as the clock starts now. Sabbadin noted that he could request a special meeting. Director Hude replied that she would want to revisit the law to proper procedure on the matter. She would take note of Mr. Bonfiglio's request and get back with him.

Madden shared from the City Council that Mr. Bonfiglio was present at the October 7 meeting and that staff is researching the issue but they will not have information until the next City Council meeting on October 21. They are aware of the time sensitivity.

Crips asked for clarification on the timeline and Mr. Bonfiglio's options. Director Hude responded that there are two ways the appeal period clock starts. The first is when the chair of the ZBA signs the resolution, a 45-day appeal period begins. In Mason the Clerk signs resolutions and so this does not apply. Instead, Mason follows the second option – a 21-day appeal period begins after the ZBA approves the minutes of the meeting at which a decision was made. Mr. Bonfiglio now has 21 days to file an appeal of the ZBA decision. Crips asked if there is a fee for an appeal. Director Hude replied that the appeal is filed with the court not with the City of Mason. Wilson asked if Mr. Bonfiglio's request for reconsideration would pause the 21 days. Director Hude replied she believed it would not.

Mr. Bonfiglio noted that the ZBA could reconsider approval of the minutes. Director Hude responded that she would have taken it into consideration if she had known, but she was not informed of the October 7 City Council letter or that Mr. Bonfiglio would be present this evening. Mr. Bonfiglio stated that he assumed Ms. Hude knew about the City Council letter. Director Hude replied that she was not CC'd on the letter and that it was presented to City Council.

Crips asked Mr. Bonfiglio, after reading through the letters, if he was not met with good acceptance from the homeowners. Mr. Bonfiglio responded that he was not. Madden asked about the response from homeowners. Mr. Bonfiglio answered that he got one response from a homeowner interested in going to

the Drain Commission. He heard some 2nd and 3rd hand responses that were very negative or indifferent to the whole thing.

NEW BUSINESS

Sabbadin referenced the 2020 Meeting Schedule in the packet. Wilson stated that he would not be in attendance at the March 11 meeting. Director Hude asked if the Outlook appointments for the meeting worked for everyone. Everyone was fine with the Outlook appointments continuing. Crips stated that he would not be available for a November meeting.

LIAISON REPORT

Madden reiterated that Mr. Bonfiglio presented a letter to City Council on Monday, October 7, and that staff is researching the City's options in the matter.

Director Hude thanked everyone for their service and the work they put into this case.

ADJOURN

The meeting adjourned at 5:48 p.m.

Elizabeth A. Hude, AICP, Community Development Director



MEMO

TO: Zoning Board of Appeals (ZBA)
FROM: Elizabeth A. Hude, AICP, Community Development Director
SUBJECT: 882 Stag Thicket Lane – Administrative Appeal to Requirement for Permits
DATE: January 3, 2020

REQUESTED ACTION

Scott & Kimberly LaMacchia have filed an appeal to the Administrative Decision of the Zoning Official as expressed in a Notice of Violation, issued November 27, 2019 which states that permits are required for work being done on the property located at 882 Stag Thicket Lane.

The appeal is shown on the following plans and documents provided by the applicant:

- Zoning Board of Appeals Application, received December 6, 2019
- Copy of Building Permit Application dated June 1, 2019, received December 6, 2019 w/attachments:
 - Boundary Survey dated July 23, 2019, received December 6, 2019
 - Hunting Meadows No. 2 – Plan sheet showing subdivision lots
 - Three sketches indicating work is to be done, received December 6, 2019

The applicant paid an appeal fee of \$250, and together with the documents listed above, the application appears to satisfy the submittal requirements of Sec. 94-364.

In addition to the documents received from the applicant, the following additional materials are included and referenced in this memo:

- Exhibit A – Approved Grading Plan/Plat, Resolution, Home Owners Association By-laws
- Exhibit B – Documents Issued – City, County, State, Previous Owner
- Exhibit C – Pictures of work in-progress on the subject property

PUBLIC NOTIFICATION

A public hearing on the appeal was noticed in accordance with Section 94-101 of the Mason Code. Fourteen letters were sent to property owners located within 300 feet of the site notifying them of the public hearing.

LAND USE AND ZONING PATTERN

The subject property is Lot 28 of the Hunting Meadows platted single-family residential subdivision approved in 1994, currently zoned RS-3 Single Family Residential. The northern portion of the lot contains wetlands which extend north.

The surrounding land uses include single-family homes and are zoned as follows:

	Current Land Use	Zoning	Future Land Use
North	Wetland/Private Park	RS-3: Single Family Residential	Wetland/Private Park
South	Residential	RS-3: Single Family Residential	Residential
East	Residential	RS-3: Single Family Residential	Residential
West	Residential	RS-3: Single Family Residential	Residential

STAFF REVIEW

The subject property is Lot 28 of the Hunting Meadows platted single-family residential subdivision approved in 1994, currently zoned RS-3 Single Family Residential. The northern portion of the lot contains wetlands which extends north into a private park/wetland area under the common ownership of the Hunting Meadows Property Owners Association (POA). The wetland delineation on the lot is shown on the Grading Plan in Exhibit A.

At this time the City of Mason has not issued or denied any permits. The Zoning Official has sent several notices requesting that the property owner cease work until permits have been applied for and properly obtained. The applicant is appealing the determination that permits are required for work being done on the property as stated in a Notice of Violation issued November 27, 2019.

The question before the ZBA at this time is whether or not to affirm the decision of the Zoning Official and continue with enforcement activity.

The applicant has failed to meet the December 9, 2019 deadline to supply the City with the necessary information to meet the requirements for permit application. As the applicant filed an appeal on December 6, 2019, staff will respectfully wait for a determination from the Zoning Board of Appeals.

For reference:

Wetlands and bodies of water are protected in the State of Michigan under Part 301, Inland Lakes and Streams; Part 303, Wetlands Protection; and Part 325, Great Lakes Submerged Lands, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as Amended (NREPA).

HISTORY

In July of 2018, the Code Enforcement Officer (CEO) observed what appeared to be minor landscaping work being done at 882 Stag Thicket. The CEO proceeded to consult with the Zoning Official and attempted to contact the property owner to ask for clarification on the scope of the project to confirm if permits were required. A letter was sent on January 4, 2019 requesting that the

work cease and that the appropriate permits be obtained by January 11, 2019. Staff was told by Kimberly Betts (property owner of record) that the work was being done by Scott LaMacchia. An email response from Mr. LaMacchia was received on January 9, 2019 stating that the work was mostly landscaping, a new retaining wall, flagstone patio and possibly a hot tub; that water was an issue on the property and Mr. LaMacchia agreed to complete the requirements for obtaining permits.

A building permit application was received in May 2019, however, it was not accepted as complete as no payment was received and the application failed to contain the necessary documents as stated on page 2 of the application, specifically a boundary survey and a proposed grading/site plan.

A second building permit application was received in June of 2019, but again, it was not accepted as complete because no payment was received and the application failed to contain the necessary documents as stated on page 2 of the application, specifically a boundary survey and a proposed grading/site plan.

In July of 2019, staff received a Certificate of Survey showing existing conditions of the property. This document revealed that the scope of the project was more significant than minor landscaping. It involved significant grading and filling, and the location of a majority of the work was within a wetland. It also appears that there were two retaining walls that had been put in place, one on the west side of the property that encroached upon Lot 27 and the retaining wall on the east appeared to involve backfilling against the fence belonging to Lot 29. The application did not contain consent authorization from either of the property owners, nor was there temporary construction easements granting permission for access to the properties during the project. Given that a hot tub was shown on the plan as already installed, staff requested additional information on the hot tub.

Between May 2019 and November 2019, several emails and phone calls were exchanged between the LaMacchia's, the Zoning Official, and the Building Official, who also visited the site and met with Mr. LaMacchia. Information was provided on the need to obtain drawings, permits, and general guidance for restoring the grade to remove the impact to the fence on Lot 29 and observe local laws. Mr. LaMacchia continued to proceed with work during those months despite the numerous requests to stop work.

Staff further advised the LaMacchia's that they should seek professional services from a qualified civil engineer for further consultation specific to their concerns. As a regulatory agency, staff is responsible for reviewing proposals and determining if they meet local requirements and must carefully balance the service of explaining the local requirements without providing specific design or legal advice.

After receiving the Certificate of Survey, Staff contacted the Michigan Department of Environment, Great Lakes, and Energy (EGLE), and the Ingham County Drain Commission (ICDC) to confirm jurisdiction over the wetlands based upon the new discovery regarding the scope of the project. EGLE stated in an email dated August 16, 2019 that they would not pursue the potential wetland violation because of the acreage and distance involved. The ICDC had provided Notices of Violation previously but determined they would not pursue the violation further because their jurisdiction was limited. Copies of all notices are contained in Appendix B.

In the course of preparing for this staff report, additional research on the property revealed:

1) The subdivision has an active Hunting Meadows Property Owners Association (POA). The Association oversees the common areas within the subdivision, including the private park/wetland abutting the LaMacchia's property. Approval from the POA is required prior to landscaping projects. The LaMacchia's were served a notice from the POA on December 6, 2019, included in Appendix B.

2) In 2009 the previous owners were also served a Notice of Violation for topographical changes interfering with a water course. An affidavit was signed and they were ordered to restore the grading to its original state. A copy of the 2009 violation is included in Appendix B. While this notice was not served directly to the LaMacchia's it is a record supporting the requirement for permits prior to work affecting topography and water resources. Had the LaMacchia's applied for the permitted or consulted with the City prior to commencing work, this would have been discovered as part of the permit review process and informed their plans accordingly.

The LaMacchia's have received a total of six (6) Notices of Violation, contained in Appendix B, stating that work must cease until permits have been obtained. In addition, the Building Official placed a Stop Work sticker on the front door of the LaMacchia's residence twice in June, and both times the sticker was removed unlawfully.

RECOMMENDATION

The question before the ZBA at this time is whether or not to affirm the decision of the Zoning Official so that they may continue with enforcement activity.

The function of the Board is to determine whether the Notice of Violation and requirement for permits by the City was supported by competent and material evidence presented through the public hearing and made a part of this record. Based upon that evidence, the Board may affirm, reverse wholly or partly, or modify the order, requirement, decision, or determination appealed. When action is taken to modify said order or interpretation, the Board shall, to that end, have all of the powers of the zoning official. The concurring vote of a majority of the members appointed to and serving on the zoning board of appeals shall be necessary to reverse any order, decision, or determination of the zoning official.

The Zoning Board of Appeals has the following options:

1. Close the public hearing, discuss the matter and make the necessary findings of fact to support a decision. Once the facts have been stated, the ZBA should consider and act on the findings and make a motion for a decision.
2. The ZBA may also choose to continue either the public hearing or discussion to a future time and date certain if they require additional information necessary to support findings of fact from either staff or the applicant.

December 6, 2019

To Whom It May Concern:

This is to inform you that I authorize my husband, Scott LaMacchia, to be able to sign, speak, be involved with all activities related to this appeal and any dealings related to 882 Stag Thicket Lane, Mason, MI 48854.

Best,

Kimberly LaMacchia

517-204-6254





APPLICATION

ZONING BOARD OF APPEALS

RECEIVED

DEC 06 2019

CITY OF MASON
PLANNING DEPT.

Applicant— Please check one of the following:

Variance

Appeal of Administrative Decision

Interpretation of Ordinance Text

Zoning District Boundary Interpretation

Temporary Permit

PLANNING DEPARTMENT USE ONLY

Application Received: _____

Tax ID: _____

Fee: _____

Receipt #: _____

Applicant Information:

Name: Kimberly + Scott LaMarchia

Organization: _____

Address: 882 Stag Thicket Lane MASON MI 48854

Telephone Number: 517-204-6254 517-202-9396 Facsimile Number: _____

Interest in Property (owner, tenant, option, etc.): Owners

Note: If applicant is anyone other than owner, request must be accompanied by a signed letter of authorization from the owner.

Property Information:

Owner: Kimberly + Scott LaMarchia Telephone Number: 517-204-6254 517-202-9395

Property Address: 882 Stag Thicket Lane MASON MI 48854

Legal Description: If in a subdivision: Subdivision Name: Hunting Meadows Lot Number: 28

If Metes and Bounds (can be provided on separate sheet): _____

APPLICANT CERTIFICATION

By execution of this application, the person signing represents that the information provided and the accompanying documentation is, to the best of his/her knowledge, true and accurate. In addition, the person signing represents that he or she is authorized and does hereby grant to City officials a right of entry for the purpose of inspecting the premises to verify compliance with conditions precedent to issuing Zoning Board of Appeals approval.

Signature: Kimberly LaMarchia Date: _____

Scott LaMarchia

12-6-19

Requested Description:

Please use this section to describe your request. Feel free to include additional pages and/or drawings, maps, photographs, and other documentation that might aid the Zoning Board of Appeals in its determination.

- **Variances:** fill in the appropriate boxes in the following table, as shown in the EXAMPLE, and use the blank lines that follow the table to provide a detailed description and reasons for the variance. The Board of Appeals will review a request for variance subject to the standards listed in Sections 94-365(c) and (d) of the Mason Code. Your written response should address these standards.
- **All other requests:** please describe your request in complete detail using the blank lines. Requests are reviewed under the standards listed in Article XI of Chapter 94, Zoning, of the Mason Code. Your written response should address the appropriate standards.

Variance Table

Variance Type	Ordinance Requirement	Applicant Proposal*	Variance Request = (Requirement – Proposal)
Rear Setback *EXAMPLE*	45 feet	43 feet	
Front Setback			
Side Setback			
Rear Setback			
Height			
Lot Coverage			
Lot Size			
Parking Spaces			
Other (describe):			

* Example: If the ordinance requires a rear yard setback of 45 feet, and you propose an addition that would be 43 feet from the rear property line, you would write or type "43 feet" under "Applicant Proposal."

Written Description: (Attach additional pages, if necessary)

We Have submitted/requested permits for Accessory Structure (In our case Hot tub) and for retaining Wall (Under 4') which in my eyes doesn't need permitting. We need additional time to provide required information to obtain permits, which I am not getting adequate help understanding. Letter received by us gave us 1 week to obtain information and we need more time. Only violation we are aware of is not obtaining permits originally. We are willing now even tho your representative didn't request

Application Materials

The following information must be submitted with this completed application form:

Variances: Variance requests must be accompanied by a basic site plan drawn to a readable scale showing the location of property lines, existing and proposed structures and parking areas, setback dimensions from property lines and other buildings, easements, existing roads, utility connections, floodplain and topography (where it has a bearing on the request), and any other information necessary to adequately show the nature of the request.

Applications must satisfy the following criteria pursuant to Section 94-365(c) in order to be granted a variance:

- The variance must be granted in order to avoid practical difficulties not created by the applicant that would result from strict application of the letter of this chapter.
- A variance will not permit the establishment within a zoning district of any use not permitted within the district.
- A variance will not cause a substantial adverse effect to property or improvements in the zoning district and the immediately surrounding neighborhood.
- A variance will not be contrary to the public interest and will insure that the spirit and intent of this chapter will be observed, public safety secured, and substantial justice done.
- There is no lesser variance than that applied for which would give substantial relief to the applicant.

All requests must be accompanied by a fee, as established by City Council. The fee for requests to the Zoning Board of Appeals is \$250.00.

All requests must be accompanied by any additional information deemed necessary by the Planning Department Staff.

Feel free to include written descriptions, elevation or other drawings, maps, photographs, and/or any other documentation that might aid the Board of Appeals in making a determination. Applicants are encouraged to review Article XI of Chapter 94, Zoning, of the Mason Code, which describes the procedures and standards that the Board of Appeals will use to evaluate a request.

Deferment by applicant: The ZBA shall defer all proceedings upon the request of the applicant when less than six members of the ZBA are present for consideration of and voting on an appeal or variance. The right of deferment shall be considered waived by the applicant if deferment is not requested immediately upon the opening of the hearing on the matter.

Note: The applicant must submit 13 copies of any documents that are larger than 11" by 17".

Application Deadlines

Regular meetings of the Zoning Board of Appeals are held on the second Wednesday of every month, at 5:30 p.m. To be placed on the meeting agenda, all Application Materials must be received at least 4 weeks in advance of the meeting. **The Board of Appeals will not take action on the request unless the applicant or his/her duly authorized representative is present at the public hearing.**

Staff Report

The Planning Department Staff will prepare a report to the Zoning Board of Appeals regarding your request. The report will explain the request to the Board and review whether it complies with the standards in the Zoning Ordinance. Staff will present the findings of that report during the Zoning Board of Appeals meeting. An applicant who wishes to obtain one (1) copy of that report, at no cost, prior to the meeting must provide a written request

to the Planning Department. The report is generally complete on the Friday before the meeting and can be mailed to the applicant or picked up by the applicant in the Planning Department.

Resources: More questions? Please contact our Customer Service Desk at 517.676.9155.

Revised 7.2.2018 (Community Development)

additional information. Only work touched on the property in the last 3-4 months was By his request and direction. More time and more direction on what if anything is needed to issue the permit for either item and

We will do our best to provide asap. We only filing this appeal to avoid further fines we were threatened with and to object to the time allowed and to get everyone on the same page.





RECEIVED

06 2019

CITY OF MASON
PLANNING DEPT.

BUILDING PERMIT APPLICATION

PLEASE NOTE: PERMIT FEES ARE DUE AT THE TIME OF APPLICATION.

201 W. Ash Street • Mason, MI 48854 • Phone: 517-676-9155

www.mason.mi.us email: elizabethh@mason.mi.us

Date	6/1/2019		Permit No. (Office Use Only)
Project Name	SCOTT LAMACCHIA		
Project Address (Street, City, State, Zip)	882 STAG THICKER LANE MASON, MI 48854		
Parcel ID			
Lot #/Subdivision	# 28 Hunting Meadows		
Zoning District(s)	Zone	Historic District? Y N	
Special Assessment Area	Riverwalk Meadows	Cedar Street	Temple Street
Flood Zone	FIRM Community Panel No.		
Project Description (Attach additional pages if necessary)			
Size of Structure	Valuation of Work \$	Permit Fee \$	
	\$20,000.00		
Primary Contact	<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Contractor	<input type="checkbox"/> Other (Specify)
Name	SCOTT LAMACCHIA		
Address	882 STAG THICKER LANE MASON, MI 48854		
Telephone	517-202-9395	Email	scotthamachia@gmail.com
If different than above:			
Contractor Name			Contractor License #
Contractor Address			
Contractor Telephone			Email

APPLICANT CERTIFICATION

NOTICE: This permit becomes null and void if work or construction is not commenced within six months, or if work or construction is suspended or abandoned for a period of six months at any time after work is commenced. A true copy of the plans of said structure is attached. It is understood that all provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction. "Section 23a of the Michigan Construction Code Act of 1972 (1972 PA 230, MCL 125.1523A) prohibits a person from conspiring to circumvent the licensing requirement of this State relating persons who are to perform work on a residential building or a residential structure. Violators of Section 23a are subject to civil fines." By execution of this application, the person signing represents that the information provided and the accompanying documentation is, to the best of his/her knowledge, true and accurate. In addition, the person signing represents that he or she is authorized and does hereby grant a right of entry to City officials for the purpose of inspecting the premises and uses thereon to verify compliance with the terms and conditions of any permit or approval issued as a result of this application.

Signature

Scott Lamacchia

Date

6-1-19

RECEIVED

DEC 06 2019

CITY OF MASON
PLANNING DEPT.

APPLICATION MATERIALS – Applicants should review Section 94-95 of the Mason Code for a complete listing of application requirements. Incomplete applications will not be processed. The following is a summary of materials that must accompany a completed building permit application:

- Completed application form
- Permit fee
- Plans on CD/Jump Drive (COMMERCIAL PROJECTS ONLY)
- Site plan, including the following (as necessary):
 - Boundary line survey
 - Location, setbacks, dimensions, and height of existing and proposed structures
 - The existing or intended use
 - The proposed number of sleeping rooms
 - Location of utility lines, wells, and septic drain fields
 - The yard, open space and parking area dimensions
 - Street grades, proposed finished grades and contour changes (where changes are proposed)
 - Location of regulated waterways, floodplains or wetlands
 - Legal description (as necessary)
- Proof of ownership/owner authorization
- Construction schedule for proposed project
- Construction calculations for utilities
- Any other information deemed necessary to determine compliance with building codes and city ordinances

FEES – Fees are due at the time of application. A complete listing of fees can be found in the Directory of Charges online at www.mason.mt.us under Forms and Reports.

Permit for the excavation the erection, addition, or alteration of any structure	\$50 Minimum fee for the first \$5,000 of construction cost plus \$6 for each additional \$1,000 of construction cost
Manufactured Housing/Mobile Home Placement	\$125
Special Inspection/Re-inspection	\$50
Residential Razing Permit	\$150
Fee for construction without a permit	1.5 times the permit charge
Roofing (roof-over only)	\$50
Re-roofing (tear off and new roof)	\$100
Siding permit	\$50
Sign permit	\$ 4.00 per \$1,000 of construction and erection cost with \$25.00 minimum permit fee.
Swimming Pool	\$75

FOR DEPARTMENTAL USE ONLY

ZONING REVIEW

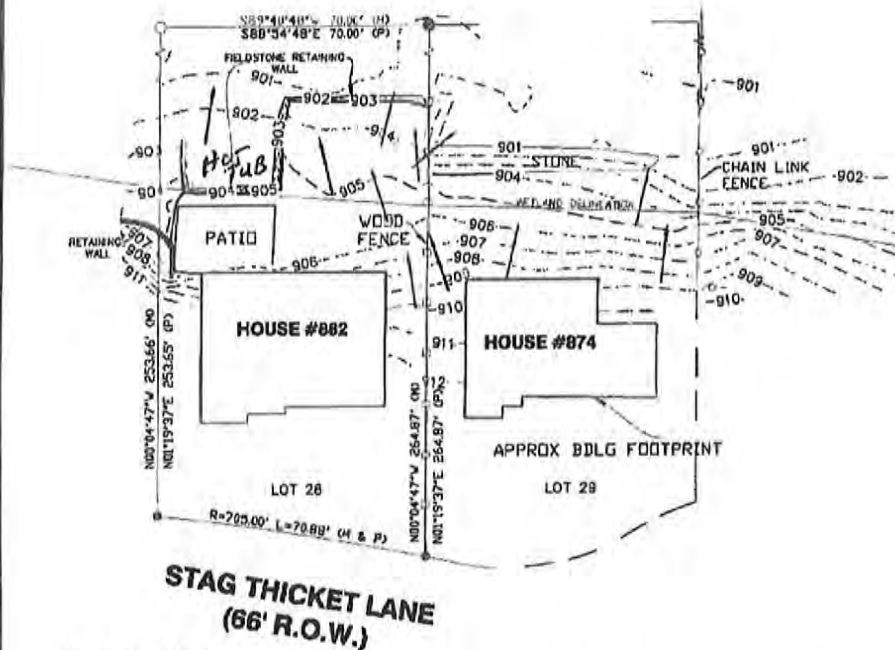
Existing Structure or Use: Conforming ___ Non-Conforming ___
 Proposed Structure or Use: Conforming ___ Non-Conforming ___ Variance Granted ___ Date ___
 Historic District Commission Review Required: yes ___ no ___ Date Approved ___
 Approved ___ Denied ___ Official/Administrator ___ Date ___
 Special Conditions _____

BUILDING REVIEW

Sidwell No. _____ Assessed Value of Structure \$ _____
 Application Accepted By _____ Date _____ Permit No. _____
 Occupancy/Use Group _____ Code _____
 Soil Erosion Permit No. _____ Change of Use/New Use ___ Tap In Fee _____
 Building Permit Fee _____ Total Fee Received _____ Receipt No. _____
 Approved ___ Denied ___ Official/Administrator ___ Date ___
 Special Conditions _____

\$125.00

CERTIFICATE OF SURVEY



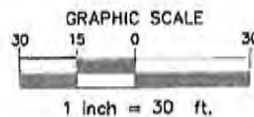
LEGAL DESCRIPTION

LOT 28 HUNTING MEADOWS NO. 2, SECTION 8 TOWN 2 SOUTH, RANGE 1 WEST, CITY OF MASON, INGHAM COUNTY.

CERTIFICATION STATEMENT

I, DONALD J. BENDZINSKI, PROFESSIONAL SURVEYOR #35989, CERTIFY THAT THIS SURVEY WAS MADE UNDER MY DIRECTION, THAT ALL CORNERS HAVE BEEN MARKED AS SHOWN, THAT THE RATIO OF CLOSURE OF THE UNADJUSTED FIELD OBSERVATIONS WAS 1:6000 OR BETTER, THAT THE RELATIVE POSITIONAL PRECISION OF THE CORNERS IDENTIFIED FOR THIS SURVEY AND SHOWN ON THE MAP ARE WITHIN THE LIMITS ACCEPTED BY THE PRACTICE OF PROFESSIONAL SURVEYING, AND THAT THE REQUIREMENTS FOR 1970 PA 192, MCL 64.213 HAVE BEEN MET.

Donald J. Bendzinski
7/23/19
DATE



LEGEND

ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF
(M) MEASURED ○ = SET IRON
(P) PLATTED ○ = FOUND IRON



WOLVERINE
Engineers & Surveyors, Inc.
312 North Street
Mason, Michigan 48854
Ph: 317-676-9200
Fax: 317-676-9396
<http://www.wolveng.com>

SURVEY FOR:	
SCOTT LAMACCHIA	
FIELD SURVEY	DATE: 07/22/19
MVP & H&P	JOB NO.: 19-0441
DRAWN	MDC
SCALE:	SHEET: 1 OF 1
1" = 30'	



Project: 2019-07-01 Scott Lamacchia, 312 North Street, Mason, MI 48854, 317-676-9200, 317-676-9396, Tuesday, July 23, 2019 9:49:52 AM, Matthew Christman

RECEIVED

DEC 06 2019

CITY OF MASON
PLANNING DEPT.

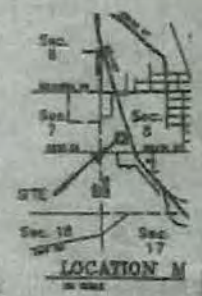
HUNTING MEADOWS NO. 2

A part of the NW 1/4 of Section 8, T2N, R1W, City of Mason, Ingham County, MI

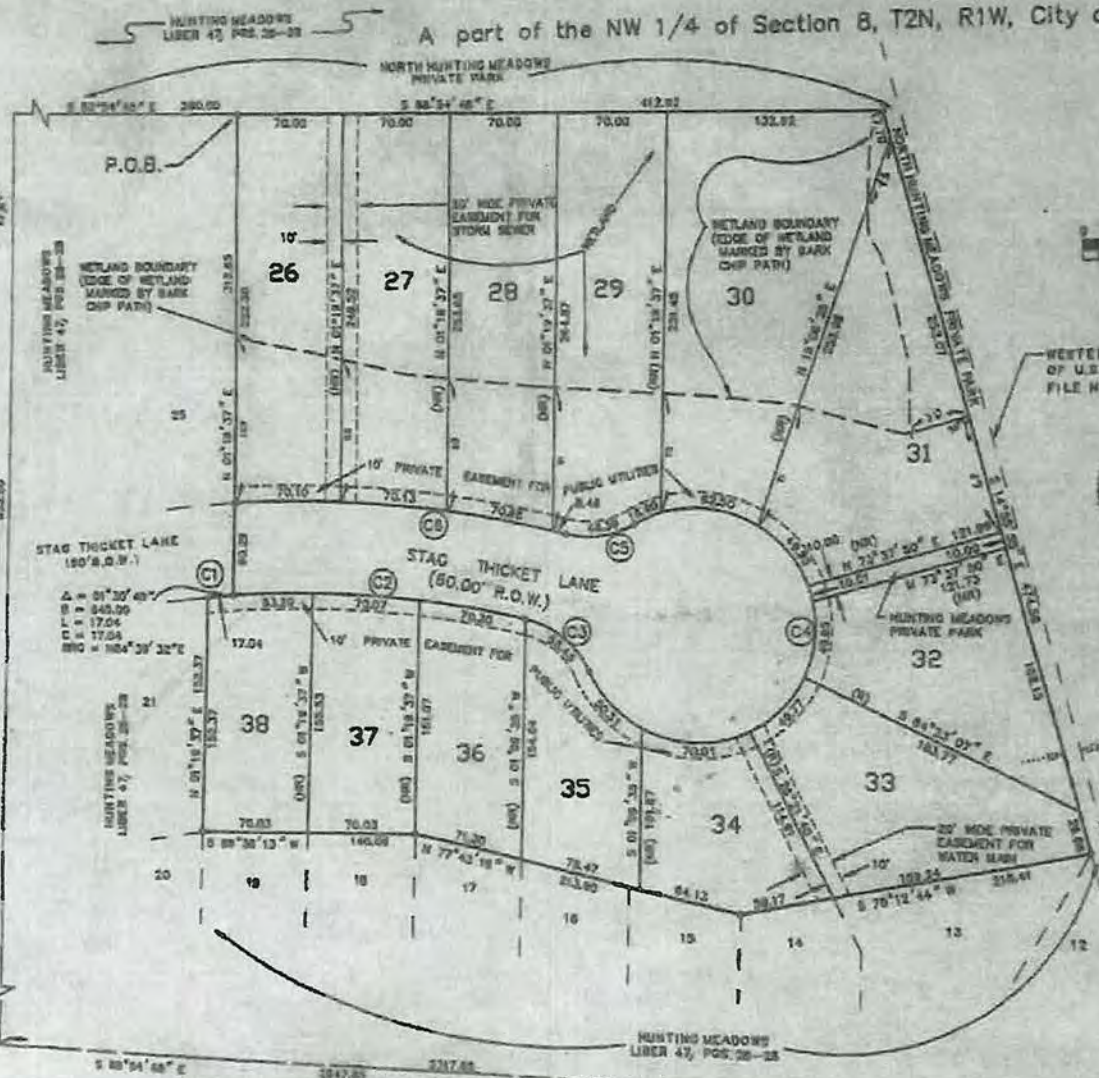
This plan is subject to recording in Vol. 528 of 1967, and other certain facts with respect to the of the Michigan Department of Resources and for the Mapping of Public Roads, which are in Liber 1201, Page 151 of this county.



SCALE 1" = 50'



- ### LEGEND
- ALL DIMENSIONS ARE IN FEET
 - CONCRETE MONUMENTS WHEN PLACED AT ALL CORNERS SHALL BE 1/2" DIA. BAR, 36" LONG, ENCASED IN 4" DIA. CONCRETE
 - LET CORNERS HAVE A 1/2" DIA. BAR, 36" LONG, ENCASED IN 4" DIA. CONCRETE
 - SEWERING HERE CARRY FROM SEWERAGE DEPT. OF TRANSPORTATION FOR HIGHWAY U.S. 127 NO. 35-8-2, SHEET 1
 - ALL CURVE DIMENSIONS ARE LEGIBLE
 - (P) DENOTES A PACE
 - (NR) DENOTES A NO.



CURVE DATA

CURVE	TYPE	LENGTH	CHORD	AREA	PERCENT	BEARING	BEARING	BEARING
1	1/4	17.04	17.04	17.04	100	N 84° 12' 30" E	N 84° 12' 30" E	N 84° 12' 30" E
2	1/4	17.04	17.04	17.04	100	N 84° 12' 30" E	N 84° 12' 30" E	N 84° 12' 30" E
3	1/4	17.04	17.04	17.04	100	N 84° 12' 30" E	N 84° 12' 30" E	N 84° 12' 30" E
4	1/4	17.04	17.04	17.04	100	N 84° 12' 30" E	N 84° 12' 30" E	N 84° 12' 30" E
5	1/4	17.04	17.04	17.04	100	N 84° 12' 30" E	N 84° 12' 30" E	N 84° 12' 30" E
6	1/4	17.04	17.04	17.04	100	N 84° 12' 30" E	N 84° 12' 30" E	N 84° 12' 30" E
7	1/4	17.04	17.04	17.04	100	N 84° 12' 30" E	N 84° 12' 30" E	N 84° 12' 30" E
8	1/4	17.04	17.04	17.04	100	N 84° 12' 30" E	N 84° 12' 30" E	N 84° 12' 30" E
9	1/4	17.04	17.04	17.04	100	N 84° 12' 30" E	N 84° 12' 30" E	N 84° 12' 30" E
10	1/4	17.04	17.04	17.04	100	N 84° 12' 30" E	N 84° 12' 30" E	N 84° 12' 30" E
11	1/4	17.04	17.04	17.04	100	N 84° 12' 30" E	N 84° 12' 30" E	N 84° 12' 30" E
12	1/4	17.04	17.04	17.04	100	N 84° 12' 30" E	N 84° 12' 30" E	N 84° 12' 30" E
13	1/4	17.04	17.04	17.04	100	N 84° 12' 30" E	N 84° 12' 30" E	N 84° 12' 30" E
14	1/4	17.04	17.04	17.04	100	N 84° 12' 30" E	N 84° 12' 30" E	N 84° 12' 30" E
15	1/4	17.04	17.04	17.04	100	N 84° 12' 30" E	N 84° 12' 30" E	N 84° 12' 30" E
16	1/4	17.04	17.04	17.04	100	N 84° 12' 30" E	N 84° 12' 30" E	N 84° 12' 30" E
17	1/4	17.04	17.04	17.04	100	N 84° 12' 30" E	N 84° 12' 30" E	N 84° 12' 30" E
18	1/4	17.04	17.04	17.04	100	N 84° 12' 30" E	N 84° 12' 30" E	N 84° 12' 30" E
19	1/4	17.04	17.04	17.04	100	N 84° 12' 30" E	N 84° 12' 30" E	N 84° 12' 30" E
20	1/4	17.04	17.04	17.04	100	N 84° 12' 30" E	N 84° 12' 30" E	N 84° 12' 30" E
21	1/4	17.04	17.04	17.04	100	N 84° 12' 30" E	N 84° 12' 30" E	N 84° 12' 30" E
22	1/4	17.04	17.04	17.04	100	N 84° 12' 30" E	N 84° 12' 30" E	N 84° 12' 30" E
23	1/4	17.04	17.04	17.04	100	N 84° 12' 30" E	N 84° 12' 30" E	N 84° 12' 30" E
24	1/4	17.04	17.04	17.04	100	N 84° 12' 30" E	N 84° 12' 30" E	N 84° 12' 30" E
25	1/4	17.04	17.04	17.04	100	N 84° 12' 30" E	N 84° 12' 30" E	N 84° 12' 30" E
26	1/4	17.04	17.04	17.04	100	N 84° 12' 30" E	N 84° 12' 30" E	N 84° 12' 30" E
27	1/4	17.04	17.04	17.04	100	N 84° 12' 30" E	N 84° 12' 30" E	N 84° 12' 30" E
28	1/4	17.04	17.04	17.04	100	N 84° 12' 30" E	N 84° 12' 30" E	N 84° 12' 30" E
29	1/4	17.04	17.04	17.04	100	N 84° 12' 30" E	N 84° 12' 30" E	N 84° 12' 30" E
30	1/4	17.04	17.04	17.04	100	N 84° 12' 30" E	N 84° 12' 30" E	N 84° 12' 30" E
31	1/4	17.04	17.04	17.04	100	N 84° 12' 30" E	N 84° 12' 30" E	N 84° 12' 30" E
32	1/4	17.04	17.04	17.04	100	N 84° 12' 30" E	N 84° 12' 30" E	N 84° 12' 30" E
33	1/4	17.04	17.04	17.04	100	N 84° 12' 30" E	N 84° 12' 30" E	N 84° 12' 30" E
34	1/4	17.04	17.04	17.04	100	N 84° 12' 30" E	N 84° 12' 30" E	N 84° 12' 30" E
35	1/4	17.04	17.04	17.04	100	N 84° 12' 30" E	N 84° 12' 30" E	N 84° 12' 30" E
36	1/4	17.04	17.04	17.04	100	N 84° 12' 30" E	N 84° 12' 30" E	N 84° 12' 30" E
37	1/4	17.04	17.04	17.04	100	N 84° 12' 30" E	N 84° 12' 30" E	N 84° 12' 30" E
38	1/4	17.04	17.04	17.04	100	N 84° 12' 30" E	N 84° 12' 30" E	N 84° 12' 30" E

CENTER OF SECTION
SEC. 8, T2N, R1W
LIBER 3, PG. 500

053170 SHEET

RECEIVED
DEC 06 2013
CITY OF MASON
PLANNING DEPT.

RECEIVED
DEC 06 2013
CITY OF MASON
PLANNING DEPT.

FENCE IS
12" FROM PROP
LINE ONTO
Neighbors PROP

RECEIVED
DEC 06 2019
CITY OF MASON
PLANNING DEPT.

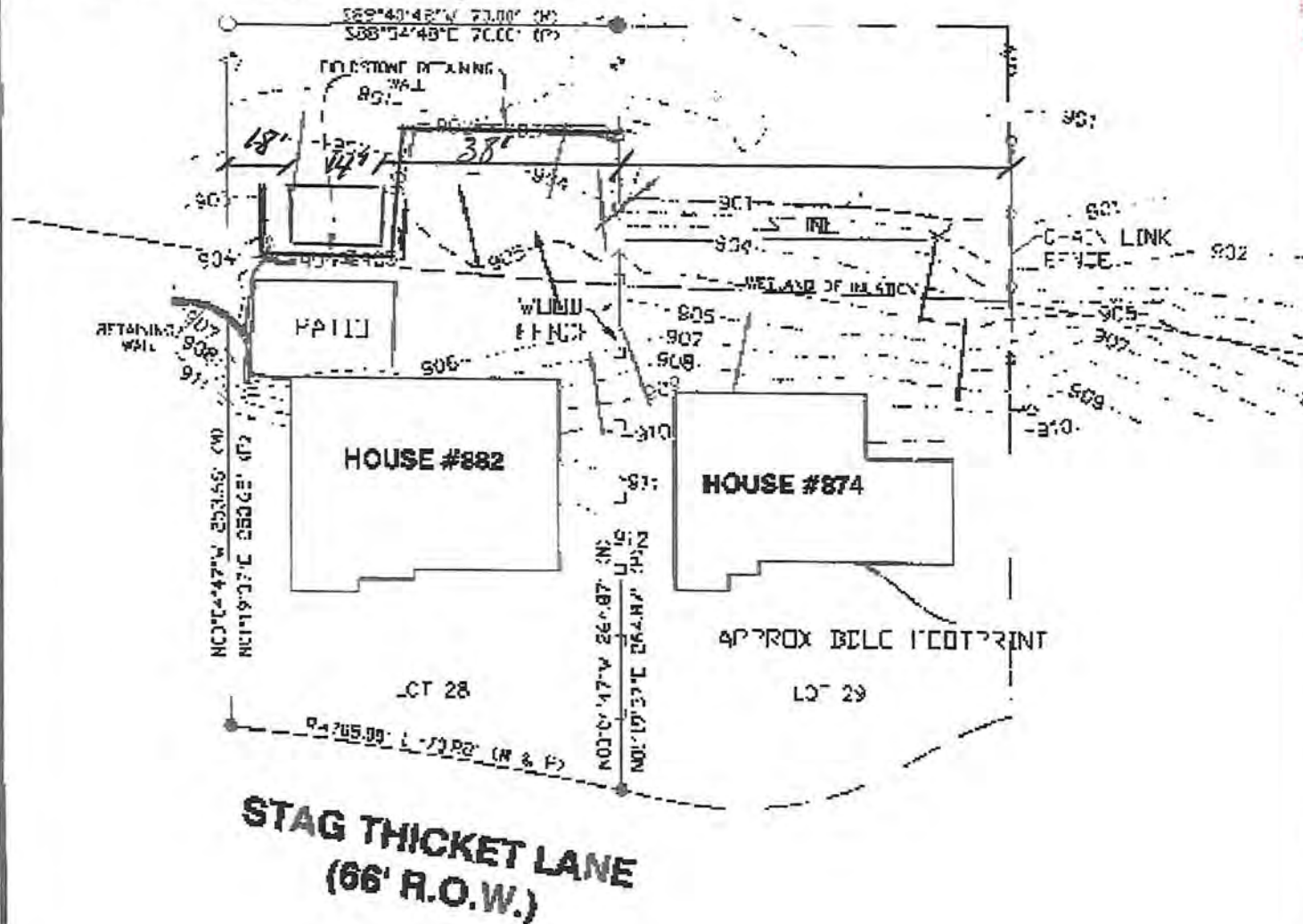
CERTIFICATE OF SURVEY

18' FEET FROM WEST PROPERTY LINE:
 38' FEET FROM EAST PROPERTY LINE
 143' FEET TO REAR PROPERTY LINE

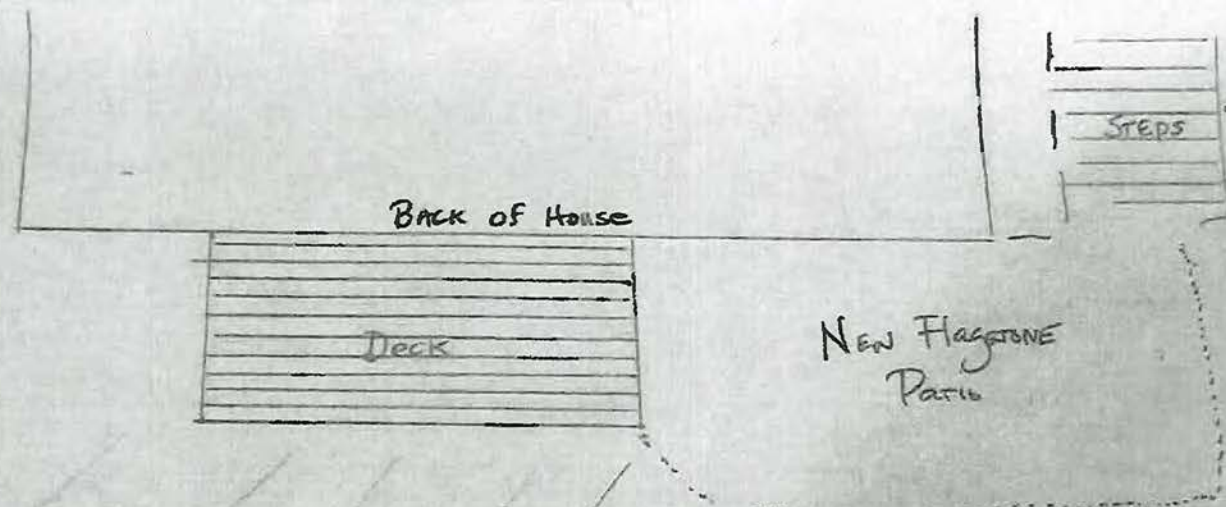
RECEIVED

DEC 06 2019

CITY OF MASON
 PLANNING DEPT.



RECEIVED
DEC 06 2019
CITY OF MASON
PLANNING DEPT.



Raised grade up to
Level out Back Yard and Fill
in Hole that Filled Back
Yard with Water 4 FEET

Rock Retaining Wall

Hot Tub
Being Installed
HERE AT LATER
TIME - LOWER
AREA IS HAVE CRUSHED
STONE BASE

Rock Retaining Wall

West Prop Line

East Prop Line



Long grass
This Area Was Always too Wet From
Run off and high WATER TABLE. WATER All came
From Above and SE Property to this AREA As there WAS A Large Hole

ZONING BOARD OF APPEALS

STAFF REPORT

882 STAG THICKET LANE

APPENDIX A

PLAT DOCUMENTS

Introduced: Mulvany
Supported: Whipple

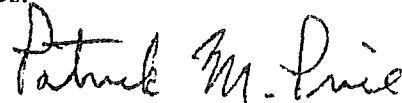
**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 94-49
OCTOBER 17, 1994**

BE IT HEREBY RESOLVED by the City Council of the City of Mason that it does hereby approve the Final Plat of the Hunting Meadows Subdivision, Phase II; and,

RESOLVED FURTHER, the City Clerk shall sign said Final Plat only when all financial assurances have been met.

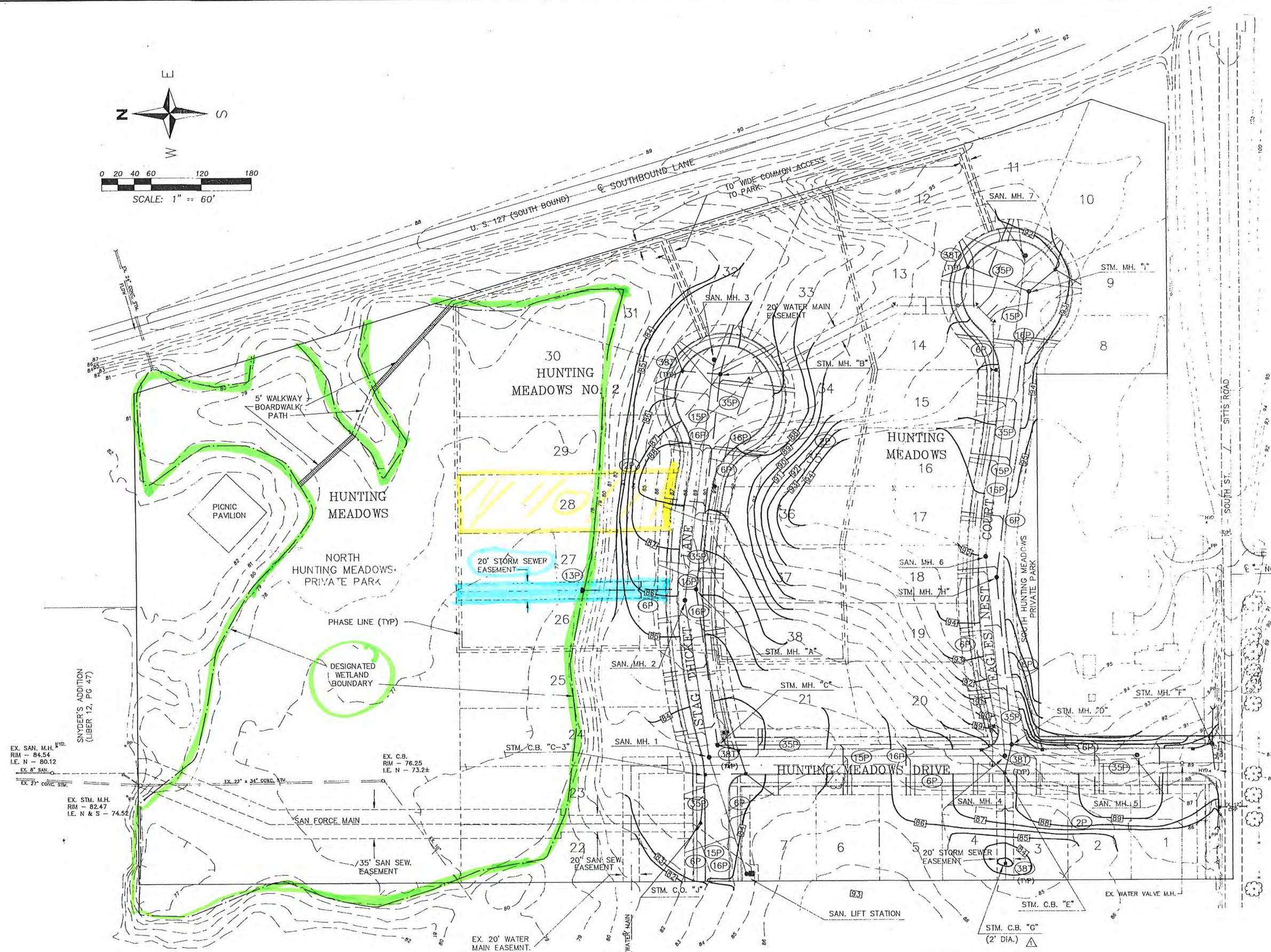
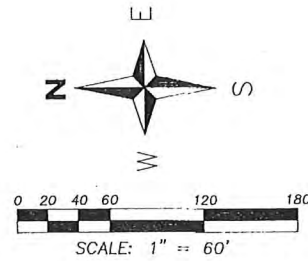
YES: (7) NO: (0)

CLERK'S CERTIFICATION: I hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the City Council at its regular meeting held October 17, 1994, the original of which is part of the Council's minutes.



Patrick M. Price, Clerk
City of Mason
Ingham County, Michigan

*Grading Plan Sheet 2 of 9



!!! CAUTION !!!

THE LOCATIONS AND ELEVATIONS OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING ARE ONLY APPROXIMATE. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE EXCLUSIVELY RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATIONS AND ELEVATIONS PRIOR TO THE START OF CONSTRUCTION. IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE VARIOUS UTILITY OWNERS IN ACCORDANCE WITH MICHIGAN P.A. NO. 53 OF 1974.

72 HOURS
BEFORE YOU DIG
CALL MISS DIG
800-482-7171
(TOLL FREE)



BENCHMARK:
R.R. SPIKE, W. SIDE UTILITY POLE, S.E. CORNER
OF ASH ST. & KATHERYN ST. INTERSECTION.
ELEV. 86.34 (CITY OF MASON DATUM)

MICHIGAN UNIFIED KEYING SYSTEM SOIL EROSION AND SEDIMENTATION CONTROL MEASURES

P - PERMANENT MEASURE
T - TEMPORARY MEASURE

15	PAVING	PROTECTS AREA WHICH CANNOT OTHERWISE BE PROTECTED, BUT INCREASES RUNOFF VOLUME AND VELOCITY. IRREGULAR SURFACE WILL HELP SLOW VELOCITY.
	CURB & GUTTER	KEEPS HIGH VELOCITY RUNOFF ON PAVED AREAS FROM LEAVING.

SANITARY SEWER
SANITARY SEWER
FORCE MAIN

LEGEND

EXISTING PROPOSED

Revisions		
Date	By	Description
4/22/91	E.A.I.	REVISE PER CITY



Stephens Consulting Services, P.C.
ENGINEERING • SURVEYING • PLANNING
1549 HASLETT ROAD, P.O. BOX 708, HASLETT, MI 48840 • 517-339-8692

HUNTING MEADOWS

DECLARATION OF COVENANTS AND ASSURANCES

Whereas, Greiner Construction, Inc., a Michigan Corporation of 4132 South Hagadorn Road, Okemos, Michigan 48864, (the "Developer") is the owner of real property comprising the entire subdivision known as Hunting Meadows, a subdivision of part of the Southwest quarter of the Northwest quarter of Section 8, T2N, R1W, City of Mason, Ingham County, Michigan, and desires to improve the general well being of all future property owners within Hunting Meadows Subdivision, City of Mason, Ingham County, Michigan, by imposing certain building and use Assurances, along with related terms and covenants described herein, including the following described lots owned by Developer and located within and including lots in Hunting Meadows Subdivision, City of Mason, Ingham County, Michigan (the "Lots").

Legal Description:

Lots 1 thru 25, both inclusive, Hunting Meadows Subdivision, being a part of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, Section 8, T2N, R1W, City of Mason, Ingham County, Michigan.

Now, therefore, it is declared that each lot of Hunting Meadows Subdivision plat shall be subjected to the following conditions, regulations, assurances, conveyances, terms, and provisions (collectively the "assurances") which shall constitute covenants running with the land and shall be binding on all parties and all persons claiming under them on all lots number 1 through 25 inclusive.

I. BUILDING ASSURANCES

1.1 Design Criteria of Plat, Lots, Residences. In order to achieve high quality design in the Hunting Meadows Subdivision the Developer will require the following criteria to be used in all plot plans, landscape plans, building plans, and related specifications:

- 1.1.1 Preserve natural contours and vegetation as practicable.
- 1.1.2 Orient all improvements such as to blend in with surroundings, creating the least impact on the environment as possible.
- 1.1.3 Architectural design of the residences to be harmonious with surrounding environment and each other. Each residence should complement its neighbor.
- 1.1.4 Exterior colors shall be consistent with normal color compliments.
- 1.1.5 Landscape design will be such that a minimum standard shall be as follows for each and every lot:

One 3" caliper or larger shade tree in front yard (between sidewalk and street).

- One 5' high or larger evergreen tree in rear yard as per approved Hunting Meadows landscape plan.
- One 2" caliper or larger ornamental tree.
- Ten 24"-36" height or larger shrubs.
- One Landscape feature such as a berm, retaining wall, raised planter, patio, deck, planting bed, or equivalent.

Remainder of lot to be sod, seed and mulch, or mulch.

Landscaping is to be professionally designed and installed.

Landscaping must be completed prior to occupancy.

Landscaping must comply with "Master Landscape Plan".

1.2 Minimum Square Footage. No residence shall be constructed with a fully enclosed first floor area of less than 1,000 square feet for a ranch, 800 square feet for a 1 ½ story, 600 square feet for a two-story, exclusive of carport, garages, porches, and breeze ways. The height of any building shall not be more than 2 ½ stories above street level. Each residence must have an attached garage.

1.3 Submittal of Building, Plot, and Landscape Plans. Each owner, or his agent, of a proposed residence must submit to the Developer the following information in order that the Developer may approve or disapprove of said plans:

1.3.1 Plot Plan (Scale 1" = 20.0')

Lot Lines

Street & R.O.W.

Improvements to Site (Utilities)

Building Foundations (with Overhang)

Driveway

Sidewalks

Patios

Fences

Existing Grades

Final Grades (Each lot must conform to "Master Grading and Drainage" plan).

1.3.2 Landscape Plan (Scale 1" = 20.0')

Lot Lines

Building Outline

Sidewalks

Driveways

Patio

Trees, Shrubs, Plant Material(s), Location and Size of Each

Lawn Material(s)

Mulch Material(s)

Refer to Section 1.1.5 for minimum landscape requirements

1.3.3 Building Plans (Scale 1/4" = 1.0')

All Elevations

Foundation Plan

Floor Plans

Section: Exterior Wall

Detail: Exterior

Complete specifications of exterior materials

1.4 Approval of Plans. The Developer has the right to maintain strict adherence to the design criteria referred to in Section 1.1. The Developer reserves the right to approve the building, plot, landscape plans, and any other improvements to the lots, and the right to permit exceptions to these Assurances as the Developer will deem necessary and proper.

No building, landscaping, or improvements shall be placed on any lot until the Developer has approved the plans as outlined in Section 1.3.

If the Developer shall fail to approve or disapprove any plans and specifications within thirty (30) days after submittal or any subsequent resubmittal thereof, then such plans and specifications shall be deemed approved; provided that no building or other structure will be erected which violates any of the Assurances. The Developer will not be responsible for any defects in such plans or specifications or in any building or structure erected according to such plans and specifications. Approval by the Developer of plans will not waive the Setback Assurances contained in Article III unless the Developer expressly waived those Setback Assurances including specific reference by Section number to each waived Setback Assurance.

No person or entity other than the Developer, his heirs and assigns, will have the right to enforce this Section 1.4.

1.5 Construction Process. All single family residences and garages attached thereto shall be substantially completed in accordance with the plans for such improvements, theretofore approved in writing by the Developer, within twelve (12) months from the date of beginning of the excavation or substantial earth alteration, which shall be commenced within six (6) months after such approval by the Developer. Such period of six months can be extended by the Developer. During the period of construction the premises shall be kept and maintained in a sightly and orderly condition, consistent with the high standards of this subdivision.

1.6 Building and Other Improvement Exteriors. All building and other improvement exteriors shall be one hundred percent (100%) completed in accordance with plans for such improvements, previously approved in writing by the Developer, within six (6) months from the date of the beginning of the excavation or substantial earth alteration.

1.7 Garages and Outbuildings. All homes shall have an attached garage(s) which will only be for the use of the occupant's residence to which they are appurtenant, must be attached to the residence. No tool shed, garage or other outbuilding will be placed, erected, or maintained upon any Lot except as connected with a residence on that Lot. Any exception must have written approval of Developer.

1.8 Walls and Fences and Swimming Pools. No wall, fence, or hedge may be installed or altered or permitted to grow unless it has the written approval of the Developer as to materials, location, and height. No fence or hedge shall be located so as to detract from the enjoyment of adjacent properties. All swimming pools shall be approved by the Developer as to size, location, and enclosure. No swimming pool shall be used in such manner as to constitute a nuisance to adjoining property owners.

1.9 Occupancy. No building erected upon any Lot will be occupied in any manner while in the course of construction, nor at any time prior to its being fully completed, nor will any residence, when completed, be in any manner occupied until made to comply with the approved plans and all of the Assurances.

1.10 Elevations. No changes in the elevation of the land will be made on a Lot without the prior written consent of the Developer.

1.11 Soil from Excavation. All soil to be removed from any of the Lots either in grading or excavating will, at the option of the Developer, become the property of the Developer and when removed will be placed by the owner of the Lot in such a place or places within Hunting Meadows as the Developer will designate at the Lot owner's expense.

1.12 Water Systems. No individual water supply system will be permitted on a Lot, except solely for irrigation purposes, swimming pools, or other non-domestic uses.

1.13 Septic Systems. No septic tank or drainage field will be permitted on any lot.

1.14 Paved Areas. All driveways, driving approaches, and offstreet parking areas shall be surfaced with an asphalt, bituminous, or portland cement pavement or with brick pavement approved by the Developer.

II. RENOVATION AND COMPLETION OF BUILDINGS

2.1 Destruction of Buildings. In the event any buildings are destroyed upon any of the Lots within the subdivision, the same shall be rebuilt or repaired to its original plans and specifications or such plans and specifications as may be approved by Developer, within fourteen (14) months of destruction of such building.

2.2 Completion of Construction or Removal of Partial Construction. In the event any building is totally or partially destroyed and not rebuilt as required herein, or in the event any structure shall remain incomplete beyond the time required for completion in the preceding Article(s) of these Assurances for any reason, Developer may come upon the premises and complete the exterior of any structure as provided in the plans and drawings relative thereto and may do any other thing to enhance the structural safety of such structure and the security thereof and charge the same to the owner.

Alternatively, the Developer may remove any structure if such removal be deemed by the Developer in its exclusive discretion to be cheaper or more desirable or both. All cost expended by Developer in completing, partially completing, or removing any structures under this Article or any Article referred to herein, including reasonable costs of collection of such funds thus expended, shall be chargeable to the owner and shall become a lien upon the owner's Lot immediately upon commencement of any such improvement, completion, alteration, or removal.

III. SETBACKS AND BUILDING LINES

3.1 Buildings. For the purpose of this Article III, building will mean the main residence, the garage, and related outbuildings and their projections such as eaves; bay or bow windows; exterior chimneys; covered porches; porticos; and the like, but will not include uncovered porches; open terraces; stoops; steps; or balustrades, the sides of which do not extend more than three feet above the level of the ground floor of the main building.

3.2 Setback Lines. All buildings must comply with City of Mason zoning requirements. Zoning requirements supercede any "approved" plot plans as submitted by Lot owner. Developer is not responsible for owner's compliance with City of Mason zoning requirements.

3.3 Swimming Pools. Swimming pools will not be nearer than ten (10) feet to any Lot Line and will not project with their coping more than two feet above the established grade. Any exception must have written approval of the Developer.

3.4 Walls, Fences, and Hedges. Walls and fences may be erected and hedges grown but they will be no higher than four (4') tall from the street to the building line and five (5') tall from the building line to the rear property line without the prior written consent of the Developer.

IV. USE ASSURANCES

4.1 Residential Use. The Lots are for single-family residential purposes only. There will not exist on any Lot at any time more than one residence. No building or structure intended for or adapted to business purposes, and no apartment house, double house, lodging house, rooming house, half-way house, hospital, sanitarium or doctor's office, or any multiple-family dwelling of any kind will be erected, placed, permitted, or maintained on any Lot. No improvement or structure whatever, other than a first class private dwelling house, patio walls, swimming pools, garages, or carports may be erected, placed, or maintained on any Lot. No Lot will be used or occupied by other than a single family and its temporary guests and no Lot will be used for other than residential use.

4.2 Zoning. The use of any Lot and any structure constructed on any Lot must satisfy the requirements of the zoning ordinance of City of Mason, Ingham County, Michigan, which is in effect at the time of the contemplated use or construction of any structure unless and variance for such use or structure is obtained from the Zoning Board of Appeals of the City of Mason and further there is obtained a written consent thereto either from the Developer or from all immediately adjoining Lot owners.

4.3 Nuisances. No noxious or offensive activity shall be carried on, or upon, any Lot. Nor shall any owner of any Lot do or permit to be done, any act or condition upon his Lot which may be, or is, or may become a nuisance. No Lot will be used in whole, or in part, for the storage of rubbish of any character whatsoever, nor for the storage of any property or thing that will cause the Lot to appear in an unclean or untidy condition or that will be obnoxious to the eye; nor will emit foul or obnoxious odors, or that will cause any noise that will or might disturb the peace, quiet, comfort, or serenity of the occupants of surrounding Lots. No weeds, underbrush, or other unsightly growths will be permitted to grow or remain anywhere on a Lot, except in Natural Preservation Areas; Wetland Areas and those Natural Areas shown and approved on the Landscape Plan. In the event that any owner of any Lot will fail or refuse to keep a Lot free from weeds, underbrush, or refuse piles or other unsightly growths or objects, then the Developer may enter upon the Lot and remove the same and such entry will not be deemed a trespass; the owner of the Lot will reimburse the Developer all costs of such removal.

4.4 Household Pets. No animals, livestock, poultry, or bees of any kind shall be raised, bred, kept or boarded on the Common Area or any Lot, except that dogs, cats, or other household pets may be kept in reasonable controlled numbers on any Lot; provided, that: they are not kept, bred, boarded or maintained for any commercial purpose; and if taken outside of an owner's Lot, are kept leashed and under an owner's control at all times. Each owner of a pet shall be responsible for clean-up and removal of such pet's excrement from the Natural Preservation Areas, the Lots, and from any Common Areas hereafter created pursuant to Article IX hereof. In the event that a dispute arises as to what constitutes a reasonable number of dogs, cats or household pet, the Developer, in its sole discretion, shall determine what constitutes a reasonable number.

4.5 Signs. No signs or other advertising will be displayed on any Lot unless their size, form, and number are first approved in writing by the Developer, except that a "For Sale" sign, referring only to the Lot on which displayed, not to exceed six (6) square feet in size, may be displayed without approval. A name and address sign, the design of which will be furnished to the Lot owner on request by the Developer, will be permitted. Nothing herein will be construed to prevent the Developer from erecting, placing, or maintaining signs as may be deemed necessary by the Developer in connection with the construction, development and sale of Lots.

4.6 Trailers and Boats. No boats, boat trailers, other trailers, mobile homes, recreational vehicles or habitable motor vehicles of any nature will be kept on, or stored on, any Lot, except behind the front yard set back lines. No trucks or commercial type vehicles of any nature will be parked overnight on any Lot except in an enclosed garage.

4.7 Mineral Extraction. No derrick or other structures designed for use in boring for oil or natural gas shall be erected, placed or permitted upon any Lot, nor shall any oil, natural gas, petroleum, asphaltum, or hydrocarbon products or minerals of any kind be produced or extracted from or through the surface of any Lot. Rock, gravel, and/or clay will not be excavated or removed from any Lot for commercial purposes.

4.8 Wetlands. Located within the Hunting Meadows Subdivision and along lots: Lots 22 thru Lot 31; both inclusive; exists a wetland regulated by the Michigan Department of Natural Resources (DNR). Boundary is located as shown on the recorded plat. Each Lot owner bordering a wetland shall make Himself aware of said wetland boundary. Any activity or use of land within a wetland must comply with DNR regulations for a regulated wetland. Any use requiring a permit by DNR must comply with DNR regulations. It is the sole responsibility of Lot owner within a wetland to become aware of and comply with DNR regulations.

V. EASEMENTS AND UTILITIES

5.1 Plat Easements. The Developer has and hereby reserves all utility easements, drainage easements, and full rights of ingress and egress for the Developer and Developer's agents, employees, and assigns over any part of the Lots for the purpose of installing and servicing the utilities and/or drains for which the easements are reserved.

5.2 Easements to be Clear. No structures, including walls, fences, paving, or planting, will be erected upon any Lot which will interfere with the rights of ingress and egress provided in Section 5.1.

5.3 Utility Lines and Antennas. All electrical service, cable television service, and telephone lines will be placed underground and no outside electrical lines will be placed overhead without the prior written approval of Developer. No exposed or exterior radio or television transmission or receiving antennas will be erected, placed, or maintained on any Lot without the prior written approval of Developer. Any waiver of these restrictions will not constitute a waiver as to other Lots or lines or antennas.

VI. SUBDIVISION OF LOTS

6.1 Subdivision of Lots. No Lot will be subdivided except as expressly approved in writing by the Developer.

VII. COMMON AREA

7.1 Description. The Developer will establish two common areas within this subdivision and may establish additional common areas, from time to time, for the benefit of Hunting Meadows Subdivision, and any future subdivision; which common areas shall be owned, maintained, and governed by the Hunting Meadows Residential Property Owners Association. Such common areas shall be established by the execution and recording of a Declaration of Common Areas and a deed thereof conveying the same to the said Hunting Meadows Residential Property Owners Association.

VIII. PROPERTY OWNERS ASSOCIATION

8.1 Property Owner Association. The Hunting Meadows Residential Property Owners Association will be organized as a non-profit Michigan Corporation on a membership basis. The Hunting Meadows Property Owners Association is to be formed prior

to 75% of the Lots being sold. The said corporation will adopt initial by-laws and have a registered office address of 4132 South Hagadorn Road, Okemos, Michigan 48864. Richard A. Greiner will be the Resident Agent at the registered office.

8.2 Each Lot Owner Member of Property Owner's Association. Each and every owner of a lot in the Hunting Meadows Subdivision shall be a member of the Hunting Meadows Residential Property Owners Association and shall be required to pay dues and assessments to maintain and govern the common areas owned by the Hunting Meadows Residential Property Owners Association and for the operation of the said Hunting Meadows Property Owners Association. The amounts of such dues and assessments shall be determined by the Board of Directors of the said Hunting Meadows Property Owners Association.

Each lot shall have one vote on matters to be decided by a vote of the members according to the Bylaws of the said Hunting Meadows Residential Property Owners Association.

IX. ENFORCEMENT OF ASSURANCES

9.1 Remedies for Violations. In the event of a breach or attempted or threatened breach of any Assurance by any Lot owner, the Developer, Association, and/or other Lot owners, or any of them, shall be entitled forthwith to full and adequate relief by injunction and all other such available legal and equitable remedies from the consequences of such breach, specifically including a court order enjoining commencement or continuance of construction on any Lot if the plans, the building or any other aspect of construction required to be approved by the Developer prior to commencement of construction by Article I were not approved by Developer as required by Article I or are not being implemented as approved.

9.2 Cost to Enforce. All cost incurred in enforcing the Assurances, including reasonable attorneys fees, will be reimbursed by the owner of the Lot or Lots in breach of the Assurances to the Developer, the Association or other Lot owners enforcing the Assurances.

9.3 Payments and Liens. Payment for all reimbursable costs incurred as provided in the Declaration shall be due and payable thirty (30) days after receipt of a statement therefore, which statement shall detail the reimbursement sought, the manner of its calculation, and evidence of payment of the reimbursable costs. Any such claim for reimbursement, together with interest at the rate of seven percent (7%) per annum and actual cost including attorney's fees incurred in efforts to collect such reimbursement, shall be a secured right and a lien therefore shall attach to the Lot, and improvements thereon, owned by the defaulting Lot owner. After written notice to all owners of record and all mortgagees of record of the Lot, the party have paid such costs may foreclose the lien established hereby in the same manner as a mortgage may be foreclosed under the laws of the State of Michigan, provided such liens shall be subject and subordinated to any prior mortgage of record with any purchaser at any foreclosure sale (as well as any grantee by deed in lieu of foreclosure sale) under any such prior mortgage taking title free and clear from any such then existing lien, but otherwise subordinated to the provision hereof.

9.4 Failure to Enforce. No delay or omission on the part of the Developer, the Association or the owners of other Lots in exercising any rights, power, or remedy herein provided, will be construed as a waiver thereof or acquiescence in any breach of the Assurances. No right of action will accrue nor will any action be brought or maintained by anyone whatsoever against the Developer or the Association for or on account of a failure to bring any action on account of any breach of these Assurances, or for imposing Assurance which may be unenforceable.

9.5 Severability. Invalidation of any one of the Assurances by a court of competent jurisdiction will not affect any of the other Assurances which will remain in full force and effect.

MISCELLANEA

10.1 Binding Effect. Developer hereby declares that this Declaration shall be binding upon the Developer, his grantees, successors and assigns, and that the Assurances created herein shall run with the land. Each owner of a Lot or any portion of a Lot by acceptance of a deed, land contract or other conveyance to a Lot or any portion of a Lot thereby agrees to all Assurances.

10.2 Waivers. Notwithstanding anything to the contrary herein, the Developer, in his sole discretion, may waive or permit reasonable modifications of the Assurances as applicable to particular Lots.

10.3 References to Lot Owners. Wherever references are made in this Declaration to the owner of a Lot or a Lot owner, such reference shall be deemed to include all owners collectively with any ownership interest in the respective Lots respectively owned by them, whether there shall be one or more such owners.

10.4 Notices. All notices, demands, requests, consents and approvals required or permitted under this Declaration shall be in writing and shall be given or served by personal delivery or postage prepaid United States first class, registered or certified mail, return receipt requested, to the party at that party's last known address. Notice shall be deemed to have been on the earlier of (a) the date when received, or (b) on the second business day after mailing if mailed in the State of Michigan.

10.5 No Gift or Dedication. Nothing herein contained shall be deemed to be a gift or dedication or any portion of the Lots or other areas in Hunting Meadows to the general public or for any public purposes whatsoever, it being the intention of the Developer that this Declaration shall be strictly limited to the purposes herein specifically expressed.

10.6 Developer's Sales Office and Model Homes. Developer reserves the right to maintain a sales office and one or more model homes in the Subdivision until all lots are conveyed by Developer to residential users thereof.

10.7 No Third Party Beneficiaries. No third party, except grantees, heirs, representatives, successors and assigns of the Developer, as provided herein, shall be a beneficiary of any provision of this Declaration.

10.8 Captions. The captions of the Articles and Section of this Declaration are for convenience only and shall not be considered or referred to in resolving question of interpretation and construction.

10.9 Governing Law. This Agreement shall be construed, interpreted and applied in accordance with the laws of the State of Michigan.

10.10 Conformance with Applicable Law. These Assurances shall be subordinate to any more stringent Assurances or restrictions contained in the Michigan Subdivision Control Act or the zoning code of City of Mason or any other applicable state rule or regulation regarding the placement of utilities and the facilities therefore and the permissible uses of land. In the event that any such laws or regulations are more restrictive than these is hereby advised to take cognizance of such state and local requirements and further Assurances or restrictions and requirements as may be imposed by duly constituted state, county or local authorities.

XI. DURATION

11.1 Duration. This Declaration will remain effective for a period of twenty-five (25) years from the date this Declaration is recorded, after which time the effectiveness of the Declaration will be automatically extended for successive periods of ten (10) years except as terminated by an instrument signed by all owners of two-thirds (2/3) of the Lots and recorded within one year prior to commencement of a ten year extension, agreeing to terminate the effectiveness of this Declaration in whole or in part.

11.2 Developer. The Developer shall have authority pursuant to this declaration so long as the Developer shall own any of the lots in Hunting Meadows subdivision; however, upon a sale of all of the said lots to other persons all authority of the Developer pursuant to this Declaration of Covenants and Assurances shall pass to the Hunting Meadows Residential Property Owners Association.

IN WITNESS WHEREOF, the parties hereto have executed this Declaration of Building and Use Assurances the 19th day of November, 1991.

WITNESSES:

GREINER CONSTRUCTION, INC.

Sue A. Perkins
Sue A. Perkins

By: [Signature]
Richard A. Greiner

[Signature]
Bernard J. Campanella

Its: President

State of Michigan)
)SS.
County of Ingham)

The foregoing declaration was acknowledged before me this 19th day of November, 1991, by Richard A. Greiner

Sue A. Perkins
Sue A. Perkins

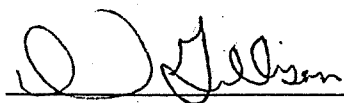
Notary Public, Ingham
County, Michigan

My commission expires: June 20, 1995

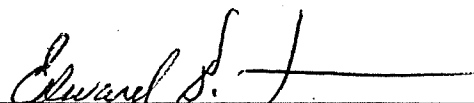
IN WITNESS WHEREOF, the parties hereto have executed this Declaration of Building and Use Assurances the 20th day of November, 1991.

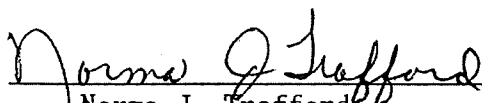
WITNESSES:

INDEPENDENT BANK - SOUTH MICHIGAN



David E. Gillison

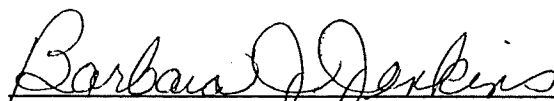
By: 
Edward Swanson, President


Norma J. Trafford

By: 
Jerry Willis, Assistant Vice President

State of Michigan)
)SS.
County of Ingham)

The foregoing declaration was acknowledged before me this 20th day of November, 1991, by Edward B. Swanson and Jerry Willis


Barbara J. Jenkins

Notary Public, Jackson, acting in Ingham
County, Michigan

My commission expires: 10/09/95

Drafted by and when recorded return to:

Greiner Construction, Inc.
4132 S. Hagadorn Road
Okemos, MI 48864

ZONING BOARD OF APPEALS

STAFF REPORT

882 STAG THICKET LANE

APPENDIX B

DOCUMENTS FROM

LOCAL, COUNTY, AND STATE AGENCIES

201 W. Ash St.
P.O. Box 370
Mason, MI 48854-0370
www.mason.mi.us

City of Mason



City Hall 517 676-9155
Police 517 676-2458
Fax 517 676-1330
TDD 1-800-649-3777

NOTICE OF VIOLATION

Enforcement Number: EN10-0040

04/09/2010

To the Property Owner/Responsible Party:
MILLER-RANKE KIMBERLY A
882 STAG THICKET
MASON, MI 48854

Property in Violation:
882 STAG THICKET
MASON, MI 48854

This is an official notice that the above-cited property is in violation of the following sections of the Mason City Code:

Section 60-16(a)(5). Variances and exceptions. Topographical changes are interfering with existing drainage course. Remove fill and relocate to place of origin (pond) and/or areas outside of wetland and restore grade to conditions prior to earth change activity. Activities are in violation of previously signed Affidavit of No Impact of 11/24/09. Complete above restoration within timeframe below.

The cited violations were observed and verified by this department on: 04/09/2010. **You are hereby ordered to correct the items listed above by 04/19/2010.** Failure to correct these violations will result in a civil infraction citation and/or legal action.

I am able to meet with you at the site to discuss these items in more detail. I can be reached at (517) 676-9155.

A handwritten signature in black ink, appearing to read "D. Haywood", is written over a horizontal line.

David Haywood, Code Enforcement Officer

Cc: Tom Kolhoff, Michigan Department of Natural Resources and Environment

CITY OF MASON
SOIL EROSION AND SEDIMENTATION
AFFIDAVIT OF NO IMPACT




STATE OF MICHIGAN)
)SS
COUNTY OF INGHAM)

Michael Ranke, being first duly sworn, depose and state that the earth change associated with the 882 ^{Hole} STAG Thicket project proposed for my property located at 882 STAG Thicket will disturb less than 225 square feet, and the final structures or topographical changes will not result in, or contribute to, soil erosion, sedimentation of the waters of the state, will not interfere with any existing drainage course in such a manner as to cause damage to any adjacent property or result in the deposition of debris or sediment on any public way, will not create any hazards to any persons or property, and will have no detrimental influence upon the public welfare or upon the total development of the watershed, and will comply with the rules and regulations related to the prevention of soil erosion and sedimentation specified Chapter 60 of the Mason City Code, Soil Erosion and Sedimentation Control.

Further Affiant Sayeth Not.


Owner's Signature
Michael Ranke
Printed Name

Subscribed and sworn to before me, a Notary Public in and for said county, this 24 day of November, 2009.


Notary Public County of Livingston
Acting in Ingham County, Michigan
My commission expires: May 22, 2012

City of Mason

201 W. Ash St.
P.O. Box 370
Mason, MI 48854-0370
www.mason.mi.us



City Hall 517 676-9155
Police 517 676-2458
Fax 517 676-1330
TDD 1-800-649-3777

NOTICE OF VIOLATION

Enforcement Number: EN09-0309

11/18/2009

To the Property Owner/Responsible Party:
MILLER-RANKE KIMBERLY A
882 STAG THICKET
MASON, MI 48854

Property in Violation:
882 STAG THICKET
MASON, MI 48854

This is an official notice that the above-cited property is in violation of the following sections of the Mason City Code:

60-5 Permit required. File for a soil erosion and sedimentation control permit or restore site to original condition. Application enclosed.

The cited violations were observed and verified by this department on: 01/01/1900. **You are hereby ordered to correct the items listed above by 11/25/2009.** Failure to correct these violations will result in a civil infraction citation and/or legal action.

I am able to meet with you at the site to discuss these items in more detail. I can be reached at (517) 676-9155.

A handwritten signature in black ink, appearing to read "D. Haywood", is written over a horizontal line.

David Haywood, Code Enforcement Officer

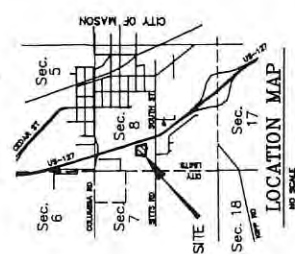
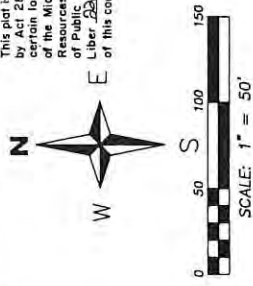
FILE NOTES

[illegible]

HUNTING MEADOWS NO. 2

A part of the NW 1/4 of Section 8, T2N, R1W, City of Mason, Ingham County, Michigan

This plat is subject to restrictions as required by Act 288 of 1967, as amended on certain lots with respect to the requirements of the Michigan Department of Natural Resources and/or the Michigan Department of Transportation, which are recorded in Liber 28821, Page 134 of records of this county.



LEGEND

1. ALL DIMENSIONS ARE IN FEET.
2. CONCRETE MONUMENTS HAVE BEEN PLACED AT ALL POINTS MARKED "X" (1/2" DIA. STEEL BAR, 36" LONG, ENCASED IN 4" DIA. CONCRETE).
3. LOT CORNERS HAVE BEEN MARKED WITH 1/2" DIA. IRON BARS 18" IN LENGTH.
4. BEARINGS WERE ESTABLISHED FROM MICHIGAN DEPARTMENT OF HIGHWAY U.S. 127 FILE NO. 33-R-3, SHEET NO. 22.
5. ALL CURVE DIMENSIONS ARE IN ARC LENGTHS.
6. (R) DENOTES A RADIAL LINE.
7. (NR) DENOTES A NONRADIAL LINE.

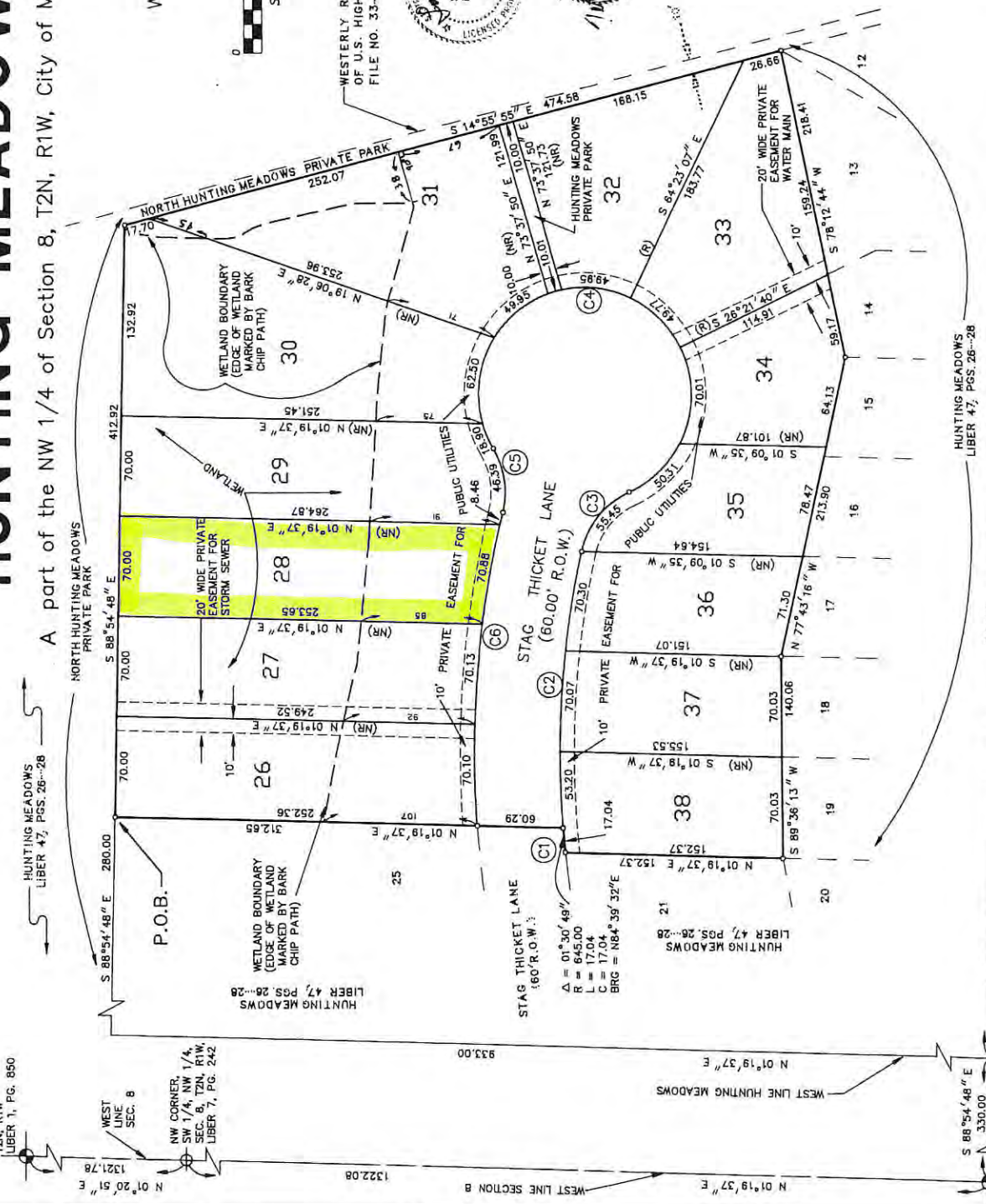
063170

SHEET 1 OF 3

CENTER OF SECTION
SEC. 8, T2N, R1W
LIBER 3, PG. 380

CURVE DATA

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	645.00	17.04	N 84° 39' 32" E	17.04	N 84° 39' 32" E	01° 30' 49"
C2	645.00	193.57	97.52	192.84	N 85° 59' 13" W	17° 11' 40"
C3	60.00	55.45	29.86	53.49	N 50° 55' 00" W	52° 56' 46"
C4	75.00	361.40	67.42	100.28	N 17° 30' 38" E	276° 05' 31"
C5	60.00	46.39	24.42	45.24	N 81° 36' 54" E	44° 18' 02"
C6	705.00	219.57	110.68	218.69	N 85° 09' 26" W	17° 50' 41"



W 1/4 CORNER
SEC. 8, T2N, R1W
LIBER 4, PG. 141

NW CORNER,
SEC. 6, T2N, R1W
LIBER 1, PG. 850

NW CORNER,
SW 1/4, NW 1/4,
SEC. 8, T2N, R1W,
LIBER 7, PG. 242

874 STAG THicket

- 1) Soil erosion issue
- 2) Drain field issue

AFTER



RECEIVED

APR 09 2010

CITY OF MASON
PLANNING DEPT.

AFTER



RECEIVED

APR 09 2010

CITY OF MASON
PLANNING DEPT.

BEFORE



RE

APR 09 2010

CITY OF MASON
PLANNING DEPT.

City of Mason

201 W. Ash St.
P.O. Box 370
Mason, MI 48854-0370
www.mason.mi.us



City Hall 517 676-9155
Police 517 676-2458
Fax 517 676-1330
TDD 1-800-649-3777

January 4, 2019

BETTS KIMBERLY J
882 STAG THICKET
MASON, MI 48854

RE: 882 Stag Thicket, Parcel # 33-19-10-08-151-018

Dear Ms. Betts,

While patrolling the city I noticed what appeared to be construction in your back yard.

In the City of Mason, a building permit is required for many projects, to include new construction, additions, remodeling, demolition, decks, sheds, garages, carports, retaining walls, and any type of swimming pool capable of holding 24 vertical inches of water, including hot tubs. In addition to a building permit, a soil erosion permit or waiver from the Ingham County Drain Commission is required for all building projects, to include any time the soil is disturbed, like digging, excavating and removal of concrete.

Attached is a flyer titled "When Do I Need A Permit" and a permit application. The phone number for the Ingham County Drain Commission is 517-676-8395. A point of contact there is Jason Lynn, the Enforcement Officer.

Please cease work and obtain the appropriate permits by January 11, 2019.

Thank you for attention to this matter. If you have any questions or concerns please contact me at 676-2458, ext. 231. My voicemail is always available. My e-mail is cgoeke@ingham.org

Sincerely,

A handwritten signature in black ink that reads "Charles Goeke". The signature is fluid and cursive, with the first name "Charles" and last name "Goeke" clearly legible.

Charles Goeke
Code Enforcement Officer
By Authority of Chief of Police Donald Hanson

Cc: Elizabeth Hude, Community Development Director/Zoning Official

Patrick E. Lindemann

Ingham County Drain Commissioner

PO Box 220
707 Buhl Avenue
Mason, MI 48854-0220

Phone: (517) 676-8395

Fax: (517) 676-8364

<http://dr.ingham.org>



Carla Florence Clos
Deputy Drain Commissioner

Paul C. Pratt
Deputy Drain Commissioner

David C. Love
Chief of Engineering and Inspection

Sheldon Lewis
Administrative Assistant

VIOLATION NOTICE

March 26, 2019

Kimberly Betts
882 Stag Thicket
Mason, MI 48854

Re: 882 Stag Thicket, City of Mason
Parcel: 33-19-10-08-151-018

The Ingham County Drain Commissioner serves as the Ingham County Enforcing Agent of Part 91, Soil Erosion and Sedimentation Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, being MCL 324.9101–324.9123a. As Ingham County Enforcing Agent, we conducted a site inspection March 13, 2019. Due to a lack of temporary soil erosion and sedimentation control measures, erosion or sedimentation could reasonably occur from the site onto adjacent properties or into the waters of the State. As a result, the site is in violation of Part 91 and the Rules promulgated under that Part.

In particular the following violations were noted:

- 1) **SESC measures to prevent soil erosion and off-site sedimentation have not been installed.**

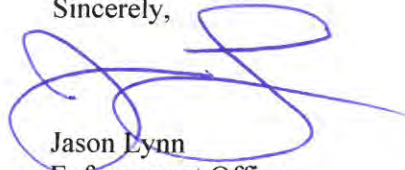
Accordingly, the following measures must be implemented within 48 hours to meet compliance with Part 91:

- 1) **Install silt fence along the east side of the earth disturbance along the fence at the east property line and along the north side of the earth disturbance.**
- 2) **Install seed, polymer, and erosion control matting on the disturbed area to temporarily stabilize the site.**

Please be advised that failure to comply with the requirements of Part 91, including the implementation of the soil erosion and sedimentation control measures listed above, within **5 days** of the date of issuance of this notice, could lead to further enforcement action by this agency to remedy the violation. If after that time, this agency determines that the soil erosion and sedimentation control measures are not in place, and the condition of the land could result in or contribute to soil erosion or sedimentation of adjoining properties or the waters of the State, then you are on notice that pursuant to MCL 324.9117-MCL 324.9120, this agency may enter upon your land and construct, implement, and maintain the soil erosion and sedimentation control measures listed above. You are also on notice that the expenditure of more than \$10,000 may be made and a lien may be placed on your property, pursuant to MCL 324.9120 and MCL 211.1-MCL 211.157, for work, materials, labor and administration expenses incurred by this agency to bring your site into conformance with Part 91 and the Rules promulgated under that Part. If more

than \$10,000 is to be expended to bring your site into conformance, the work shall not begin until 10 days after this notice has been mailed. Further, under MCL 324.9121, a person who violates Part 91 could be responsible for a state civil infraction and may be ordered to pay a civil fine of not more than \$2500. A person who knowingly violates Part 91, could be responsible for the payment of a civil fine of not more than \$10,000 for each day of violation. A person who knowingly violates Part 91 after receiving a notice of determination, could be responsible for the payment of a civil fine of not less than \$2500 or more than \$25,000 for each day of violation.

Sincerely,



Jason Lynn
Enforcement Officer

cc: Ms. Elizabeth Hude, City of Mason
Mr. Charles Goeke, City of Mason
Ms. Laura Mathews, Michigan Department of Environmental Quality
Ms. Carol Valor, Michigan Department of Environmental Quality
Mr. Peter Cohl, Cohl, Stoker, Toskey, & McGlinchey, P.C.



April 17, 2019

Ms. Kimberly Betts
882 Stag Thicket
Mason, MI 48854

RE: VIOLATION OF ZONING AND BUILDING CODES

Dear Ms. Betts:

It has come to the attention of the City of Mason and Ingham County that you have disturbed the soil on the premises of 882 Stag Thicket. Please be advised that this type of work requires that appropriate permits be obtained. These permit(s) should have been applied for before the topography was changed. Our records reflect that you have failed to do so and are in violation of both the Zoning and Building Codes of the City of Mason.

The relevant portions of applicable ordinances provide the following:

Sec. 30-62. All applications for grading permits must be referred to the zoning and development director for a plan review.

Sec. 30-62(b)(2). A grading permit shall be issued only if the proposal for work meets the requirements of this article and the proposed construction and use conforms to city codes.

Sec. 30-63. Requires approval by the city engineer.

Sec. 52-21. Grading plan and review standards must be met and approved by the public works director or designee prior to issuance of a building permit.

Sec. 60-5. A grading/soil erosion and sedimentation control permit is required before any earth change is to be permitted.

Sec. 94-72(d)(9). The grade of the yard shall not increase the run-off of surface water onto adjacent property.

Sec. 94-72(o). All grading and filling of the premises must comply with collection and management standards.

Sec. 94-72(q). Changes caused by grading and filling cannot adversely effect soil erosion/sedimentation or soil/groundwater contamination.

Sec. 94-95. A building permit is required for any excavation, erection, addition or alteration of any structure on the premises.

It is noted that you have been sent a notice by the Ingham County Drain Commission to place temporary soil erosion and sedimentation control measures in place. In addition, you must apply for applicable permits from the City of Mason immediately and pay the appropriate fees.

Failure to comply immediately will result in additional enforcement through the court and civil fines of up to \$2,500.

If you have any questions about this letter, it is important that you contact the City immediately. You may reach Customer Service at 517-978-0207. Or my email is code@mason.mi.us.

Sincerely,

Billie J. O'Berry
Code/Community Resource Officer

Attachment: Ch. 2-8 Schedule civil fines

Cc: Elizabeth Hude, Community Development Director
Jason Lynn, Ingham County Drain Commission

Code Section	Description	First Violation	First Repeat Violation	Second or Subsequent Repeat Violation
Chapter 58	Signs (Cont'd)			
58-126(3)	Sign obstructs an egress	\$50.00	\$75.00	\$100.00
58-126(4)	Sign interferes with, misleads and/or confuses traffic	\$50.00	\$100.00	\$200.00
58-126(5)	Unlawfully installed, erected or maintained sign	\$50.00	\$100.00	\$200.00
58-126(6)	Sign no longer advertises a bona fide business, service or product	\$50.00	\$75.00	\$100.00
58-126(7)	Sign encroaches public right-of-way	\$50.00	\$75.00	\$100.00
58-126(8)	Sign is moving, animated, flashing or strobe effect	\$50.00	\$75.00	\$100.00
58-126(9)	Roof sign	\$50.00	\$75.00	\$100.00
58-126(10)	Use of motor vehicle, trailer, boat or other to circumvent sign requirements	\$50.00	\$75.00	\$100.00
58-126(11)	Off-premise sign	\$50.00	\$75.00	\$100.00
58-126(12)	Content of explicit sexual activities	\$75.00	\$150.00	\$300.00
58-126(13)	Sign not of a commercial or professional quality	\$25.00	\$50.00	\$75.00
58-126(14)	Sign not expressly permitted	\$50.00	\$75.00	\$100.00
Chapter 60	Soil Erosion and Sedimentation Control			
60-5	Failure to secure permit prior to earth changes	\$500.00	N/A	N/A
60-8	Failure to complete work	\$250.00	\$500.00	*
60-10	Modifications of approved plans without approval	\$100.00	\$200.00	*
60-13(a)	Earth changes causing accelerated soil erosion and/or off-site sedimentation	\$500.00	N/A	N/A
60-13(b)	Earth change activity not in conformance with Part 91 of Act 451	\$500.00	N/A	N/A

Code Section	Description	First Violation	First Repeat Violation	Second or Subsequent Repeat Violation
Chapter 60	Soil Erosion and Sedimentation Control (Cont'd)			
60-13(c)	Earth change activity causing area of disturbed land exposed longer than necessary	\$250.00	\$500.00	*
60-13(d)	Failure to remove sediment and/or eroded soil from runoff water prior to exiting site	\$500.00	N/A	N/A
60-13(e)	Failure to limit water flow to a non- erosive velocity	\$250.00	\$500.00	*
60-13(f)	Failure to install temporary soil erosion and sedimentation measures prior to or upon commencement of earth change activity	\$100.00	\$200.00	*
60-13(g)	Failure to complete permanent soil erosion and sedimentation control measures	\$100.00	\$200.00	*
60-13(h)	Failure to properly grade final grade	\$500.00	N/A	N/A

* Not to exceed \$2,500 as determined by the district court magistrate.

Chapter 62 Solid Waste

62-33	Fail to provide refuse collection service	\$75.00	\$150.00	\$300.00
62-35(c)(1)	Placement of refuse container in street	\$25.00	\$50.00	\$75.00
62-35(c)(2)	Refuse container out too soon or too late	\$25.00	\$50.00	\$75.00
62-36(a)	Refuse on public property/improper storage	\$100.00	\$200.00	\$300.00
62-36(b)	Unauthorized accumulation of refuse	\$75.00	\$150.00	\$300.00
62-36(c)	Deposit refuse so elements can scatter it	\$50.00	\$75.00	\$150.00

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

MASON, MI 48854

Postage	\$3.50
Certified Fee	\$2.80
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$6.30

Postmark Here

04/18/2019

Recipient's Name (Please Print Clearly) (To be completed by mailer)

Kimberly Betts
 882 Stag Thicket
 Mason, MI 48854

PS Form 3800, February 2000

See Reverse for Instructions

Standard Message and Data rates may apply. You may also visit www.usps.com for tracking or call 1-800-222-1811.

Preview your Mail

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

MASON, MI 48854

Postage	\$3.50
Certified Fee	\$2.80
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$6.30

Postmark Here

04/18/2019

Recipient's Name (Please Print Clearly) (To be completed by mailer)

Kimberly Betts
 882 Stag Thicket
 Mason, MI 48854

PS Form 3800, February 2000

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Kimberly Betts
 882 Stag Thicket
 Mason, MI 48854



2. Article Number (Transfer from service label)

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

- A. Signature ☐ Agent ☐ Addressee
- B. Received by (Printed Name) ☐ Date of Delivery
- C. Is delivery address different from item 1? ☐ Yes ☐ No
- D. If YES, enter delivery address below:

Signature: *James A. Betts* Date of Delivery: 4/18/19

Is delivery address different from item 1? ☐ Yes ☐ No

- 3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.
- 4. Restricted Delivery? (Extra Fee) ☐ Yes ☐ No

7000 0520 0020 0308 5181

MASON MI 48854-9998
 144 W ASH ST
 2558800854
 (800)275-8777
 04/18/2019 1:11 PM
 Product Description Sale

1975 90E0 0200 0250 0002

1975 90E0 0200 0250 0002

Patrick E. Lindemann

Ingham County Drain Commissioner

PO Box 220
707 Buhl Avenue
Mason, MI 48854-0220

Phone: (517) 676-8395

Fax: (517) 676-8364

<http://dr.ingham.org>



Carla Florence Clos
Deputy Drain Commissioner

Paul C. Pratt
Deputy Drain Commissioner

David C. Love
Chief of Engineering and Inspection

Sheldon Lewis
Administrative Assistant

VIOLATION NOTICE

May 9, 2019

Kimberly Betts
882 Stag Thicket
Mason, MI 48854

**Re: 882 Stag Thicket, City of Mason
Parcel: 33-19-10-08-151-018**

The Ingham County Drain Commissioner serves as the Ingham County Enforcing Agent of Part 91, Soil Erosion and Sedimentation Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, being MCL 324.9101–324.9123a. As Ingham County Enforcing Agent, we conducted a site inspection May 9, 2019. Due to a lack of temporary soil erosion and sedimentation control measures, erosion or sedimentation could reasonably occur from the site onto adjacent properties or into the waters of the State. As a result, the site is in violation of Part 91 and the Rules promulgated under that Part.

In particular the following violations were noted:

- 1) **Sediment is moving off site onto adjacent property.**

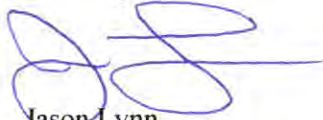
Accordingly, the following measures must be implemented within 48 hours to meet compliance with Part 91:

- 1) **Install 3 foot silt fence along the east side of the earth disturbance along the fence at the east property line.**
- 2) **Install seed, polymer, and erosion control matting (SC150 or equivalent) on the disturbed area to temporarily stabilize the site.**

Please be advised that failure to comply with the requirements of Part 91, including the implementation of the soil erosion and sedimentation control measures listed above, within **5 days** of the date of issuance of this notice, could lead to further enforcement action by this agency to remedy the violation. If after that time, this agency determines that the soil erosion and sedimentation control measures are not in place, and the condition of the land could result in or contribute to soil erosion or sedimentation of adjoining properties or the waters of the State, then you are on notice that pursuant to MCL 324.9117-MCL 324.9120, this agency may enter upon your land and construct, implement, and maintain the soil erosion and sedimentation control measures listed above. You are also on notice that the expenditure of more than \$10,000 may be made and a lien may be placed on your property, pursuant to MCL 324.9120 and MCL 211.1-MCL 211.157, for work, materials, labor and administration expenses incurred by this agency to bring your site into conformance with Part 91 and the Rules promulgated under that Part. If more

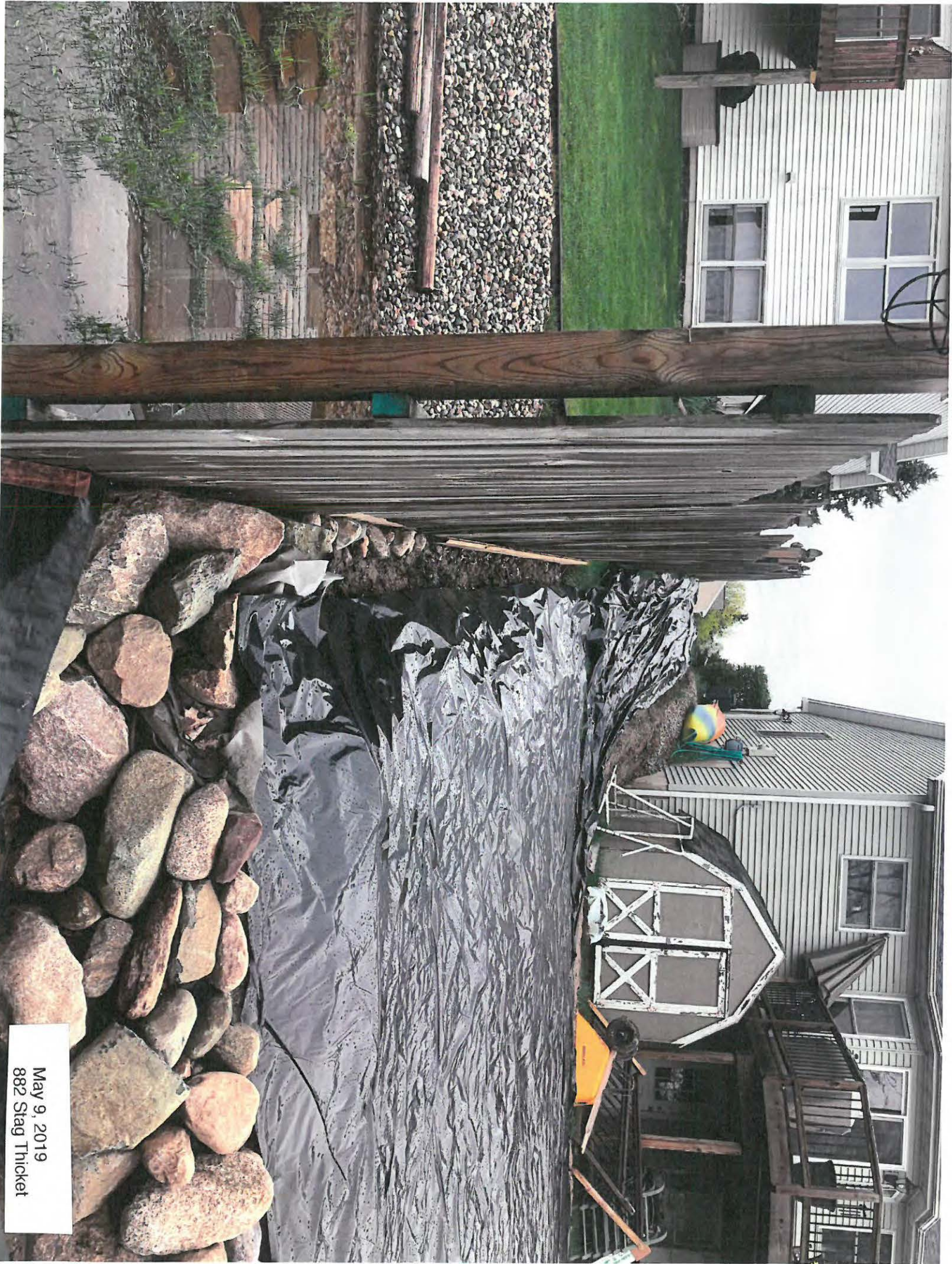
than \$10,000 is to be expended to bring your site into conformance, the work shall not begin until 10 days after this notice has been mailed. Further, under MCL 324.9121, a person who violates Part 91 could be responsible for a state civil infraction and may be ordered to pay a civil fine of not more than \$2500. A person who knowingly violates Part 91, could be responsible for the payment of a civil fine of not more than \$10,000 for each day of violation. A person who knowingly violates Part 91 after receiving a notice of determination, could be responsible for the payment of a civil fine of not less than \$2500 or more than \$25,000 for each day of violation.

Sincerely,

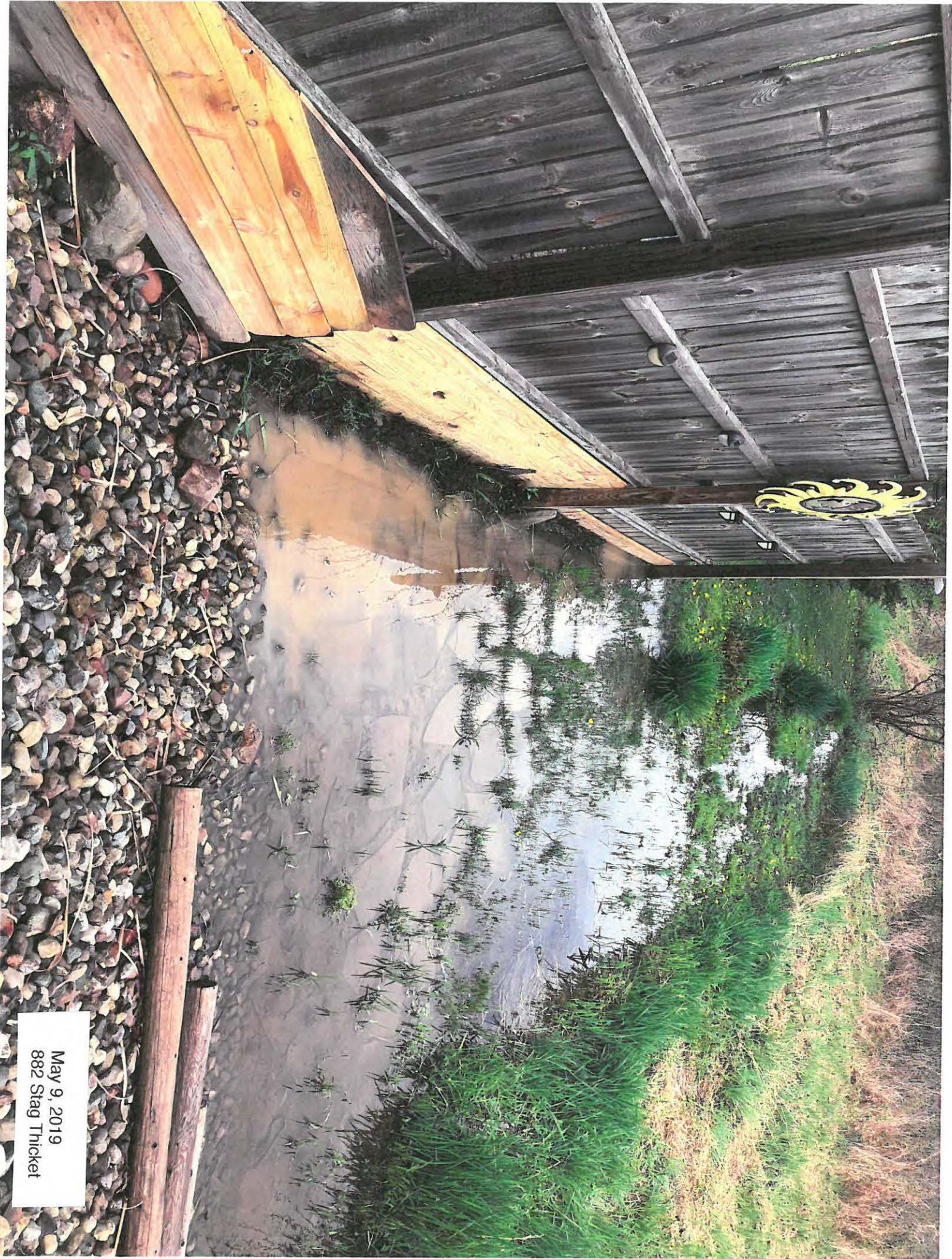
A handwritten signature in blue ink, appearing to read 'Jason Lynn', with a stylized flourish extending to the right.

Jason Lynn
Enforcement Officer

cc: Ms. Elizabeth Hude, City of Mason
Mr. Billie O'Berry, City of Mason
Ms. Laura Mathews, Michigan Department of Environmental Quality
Ms. Carol Valor, Michigan Department of Environmental Quality
Mr. Peter Cohl, Cohl, Stoker, Toskey, & McGlinchey, P.C.



May 9, 2019
882 Stag Thicket



May 9, 2019
882 Stag Thicket

May 9, 2019
882 Stag Thicket



From: [Valor, Carol \(EGLE\)](#)
To: [Elizabeth Hude](#)
Cc: [Code: Mathews, Laura \(EGLE\)](#); [pcohl@cmsllaw.com](#); [Clos, Carla](#); [Austin, Dean \(LARA\)](#); [John Heckaman](#); [John Martin \(martin@meridian.mi.us\)](#); [Lynn, Jason](#)
Subject: HNP-ZHDB-GQEMN - 33-882 Stag Thicket Lane - Mason
Date: Friday, August 16, 2019 10:30:10 AM
Attachments: [Can my neighbor drain water onto my property.pdf](#)

Elizabeth,

The potential wetland violation at this site is under 0.05 ac and will not be pursued as an enforcement case. If the project continues to expand further northward beyond the extent established over the past 6 years, let me know.

In the image below the wetland boundary is about 50 feet off the back corner of the marked house. Historically all the homes on this road were built by filling wetlands and the back yards were all wetland but having been seeded, groomed and mowed for over 10 years has moved the wetland line northward.

The problem with blocked drainage falls under civil law and not the purview of Parts 303 or 301 and no follow up is planned. The attached article summarizes the situation where blocking or receiving problematic water falls under private agreements to resolve or civil courts.



Carol Valor
Environmental Quality Analyst
Michigan Department of Environment, Great Lakes, and Energy
Water Resources Division, Lansing District Office
525 West Allegan Street P.O. Box 30242 Lansing Michigan 48909
517-388-3667 / valorc@michigan.gov

From: Elizabeth Hude <elizabethh@mason.mi.us>
Sent: Friday, August 9, 2019 2:03 PM
To: Lynn, Jason <JLynn@ingham.org>
Cc: Code <Code@mason.mi.us>; Mathews, Laura (EGLE) <MathewsL2@michigan.gov>; Valor, Carol (EGLE) <VALORC@michigan.gov>; pcohl@cmstlaw.com; Clos, Carla <CClos@ingham.org>; Austin, Dean (LARA) <AustinD2@michigan.gov>; John Heckaman <heckaman@meridian.mi.us>; John Martin (martin@meridian.mi.us) <martin@meridian.mi.us>
Subject: 882 Stag Thicket --- RE: Soil Erosion Violation

Jason and EGLE,

For over a year we have been working with the property owner at Stag Thicket to achieve voluntary compliance/observance of the our local zoning ordinances and the State Construction Code, we've 2 stop work orders (Mason – Building Code) as they ignored/removed the first. Only a week ago I received a true survey/site plan showing the property and proposed alterations – see attached.

Next week I will be consulting our local ordinances on the matter of wetlands. I'd like to know if EGLE or ICDC has jurisdiction and how I should be coordinating with you. He has intentionally altered the grade to 'create more usable yard', placed a hot tub and retaining wall inside the wetland delineation. Instead of issuing a building permit, we may potentially be issuing a demo permit and require restoration, including the impacts to neighbors. I want to make sure I have all of the necessary facts and advise him accordingly.

Your guidance is greatly appreciated.

~Elizabeth

Elizabeth A. Hude, AICP
Community Development Director

City of Mason **I Office: 517-978-0206**
201 W. Ash Street **I FAX: 517-676-1330**
Mason, MI 48854 **I elizabethh@mason.mi.us**
www.mason.mi.us **I Internal Ext. 206**

From: Lynn, Jason <JLynn@ingham.org>
Sent: Thursday, May 9, 2019 2:11 PM
To: Scott Lamacchia <scottlamacchia@gmail.com>; kimjl@msu.edu
Cc: Elizabeth Hude <elizabethh@mason.mi.us>; Code <Code@mason.mi.us>; Mathews, Laura (EGLE) <MathewsL2@michigan.gov>; Valor, Carol (DEQ) <VALORC@michigan.gov>; pcohl@cmstlaw.com; Clos, Carla <CClos@ingham.org>
Subject: Soil Erosion Violation

Scott,

I have attached a violation notice for the work being done at 882 Stag Thicket. Please contact me at your earliest convenience.

Jason Lynn
SESC Inspector/Enforcement Officer

Ingham County Drain Commissioner's Office
Office: (517) 676-8388
Cell: (517) 719-4901
Fax: (517) 676-8364
jlynn@ingham.org

PROPERTY DRAINAGE ISSUES

By Clifford H. Bloom

Legal Counsel for the Riparian Magazine

Sooner or later, most attorneys are asked the following question by one or more clients – “Can my neighbor drain his/her water onto my property?” Issues involving water drainage frequently arise for properties around lakes. Water flowage problems can range from minor aggravations due to wet soil to major headaches such as basement flooding, property damage and even the undermining of foundations.

Local government regulations regarding water flowage from one property to another are quite rare, especially in rural areas. Therefore, water flowage issues are normally governed by common law principles in Michigan. In legal parlance, the “dominant estate” (or dominant property) is the property at the higher elevation, from which water flows. The “servient estate” (or servient property) is the property with the lower elevation, onto which water flows.

If water flowage exists in its natural state, the owner of the property at the higher elevation has the right to have water flow from his/her property onto all properties having lower elevations pursuant to the natural flow. That is, so long as water is flowing off the higher property at the natural flow (i.e., the speed, frequency, intensity and channel of the water has not been changed from its natural state), the owners of the lower properties upon which water flows naturally cannot change that flowage to the detriment of the owner of the higher property. In other words, properties at a lower elevation must continue to “accept” water which flows naturally from properties located at higher elevations. If the owner of a lower property attempts to alter or impede such flowage and such alteration causes damage or injury to the higher property (for example, water is backed up onto the higher property, which did not occur before), the owner of the lower property could be liable for damages or subject to a cease and desist order from a court.

The flip side of the above common law rule is the mandate that the owner of the higher property may not change the conditions on his or her land in such a fashion as to increase the burden of the water flowage onto the lower properties. That is, the owner of the higher

property cannot by development or other alteration of the land increase the amount, intensity or speed of water flowage onto the lower properties in such a fashion as to injure or damage the lower properties. If the owner of a higher property alters water flowage onto a lower property in such a fashion as to cause injury or damage, the owner of the higher property can be liable for damages or be subject to an injunction.

In a nutshell, anyone who alters the natural drainage can potentially be liable for damages or be required by a court to put the land back the way it was before the alteration. One exception to this rule involves drainage easements by prescription. If someone has altered the natural water drainage and such alteration occurs or is tolerated for 15 years or longer, the property owner claiming damage could lose his/her claims. In that case, the property owner who altered the drainage for in excess of 15 years may, in certain cases, obtain a drainage easement by prescription. If that occurs, the altered drainage which has occurred for more than 15 years essentially becomes the new natural water course.

What can a property owner do if he or she believes that the neighboring property has been altered in such a fashion as to adversely affect drainage onto his/her property? Unfortunately, the above-mentioned common law rules are not “self-executing” – that is, the property owner will normally have to file a civil lawsuit for damages or injunctive relief if the neighboring property owner refuses to remedy the situation. Since Michigan generally subscribes to the “American system of attorney fees” (i.e., each party pays their own legal fees, regardless of who wins or loses), the prevailing property owner will normally still have to pay his or her own attorney fees. Accordingly, it is usually beneficial to all parties involved to attempt to resolve drainage problems pursuant to compromises and only use litigation as a last resort due to the expense, time and negative emotions involved. Even if a compromise cannot be reached initially, the parties are sometimes willing to submit the dispute to a third party for mediation or binding arbitration, which can also lead to a resolution of the matter.



November 26, 2019

Kimberly Lamacchia
882 Stag Thicket Lane
Mason, MI 48854

Scott Lamacchia
882 Stag Thicket Lane
Mason, MI 48854

RE: NOTICE OF VIOLATION – 882 STAG THICKET LANE, MASON, MI

Dear Mr. and Mrs. Lamacchia:

Our records indicate that you have failed to comply with the ordinances of the City of Mason for the installation of a hot tub and earth changes affecting surface water. There have been numerous meetings and discussions throughout the Spring and Summer of 2019 regarding the specific ordinances involved. It was represented by you to the Community Development Director, Elizabeth Hude, that all necessary steps would be taken to secure the appropriate permits for the work you have done. While there have been representations that you would comply, you have disregarded the legal requirements and proceeded with work without permit. In fact, two Stop Work Orders were placed on the premises and without permission were removed. Your intentional acts display a total disregard for the legal requirements that all our citizens should follow. More specifically, you have been given previous notice of the following violations:

1. Sec. 60-5. A grading/soil erosion and sedimentation control permit is required before any earth change is to be permitted.
2. Sec. 60-13. Earth changes causing accelerated soil erosion and/or off-site sedimentation.
3. Sec. 94-72(d)(9). The grade of the yard shall not increase the run-off of surface water onto adjacent property.
4. Sec. 94-72(o). All grading and filling of the premises must comply with collection and management standards.
5. Sec. 94-72(q). Changes caused by grading and filling cannot adversely affect soil erosion/sedimentation or soil/groundwater contamination.
6. Sec. 94-95. A building permit is required for any excavation, erection, addition or alteration of any structure on the premises.

As part of our formal procedures, a Notice of Violation has been included with this letter. Please note that this is **not** a ticket. With your cooperation, it is hoped that a formal ticket will not need to be issued. Therefore, it is requested that by **DECEMBER 9, 2019** you will take steps to voluntarily observe the City's ordinances by:

1. Submit an application for a permit with the following information:
An accurate boundary line survey showing the location, shape, area, dimensions, north arrow and legal description of the parcel along with the location of any easements and centerline of all roads.
2. Provide the location, setbacks, dimensions and height of the existing and/or proposed structures to be erected, altered, demolished or moved.
3. The location of utility lines, wells and septic drain fields.
4. The established grade, proposed finished grade and any change to the contour of the parcel involved in surface runoff and drainage patterns.
5. The location of any regulated waterways.
6. A certificate evidencing a waiver by the Ingham County Drain Commission for any effects on public drainage.
7. A certificate evidencing a waiver by the State of Michigan Environmental Agency for any effects on any wetlands that will be affected.
8. Payment of permit fee one and half times greater due to failure to secure permit prior to earth changes.
9. Payment of permit fee one and half times greater due to installation of structures without securing a permit.
10. Secure any other applicable permits such as electrical, mechanical, plumbing and building that may be necessary.

Our ordinances are the primary means of guiding our individual actions to support the shared community vision which seeks to protect our collective health, safety, economic, social and environmental welfare. While we appreciate and respect private property rights, they must be balanced with the greater safety and welfare that concerns all. We are grateful for community members like you who are willing to invest in Mason as property owners. We look forward to communicating with you and collaborating in a manner that observes the requirements above.

If you have any questions or concerns please contact me directly by phone (517) 978-0207, or by email at code@mason.mi.us.

Sincerely,



Billie J. O'Berry

Code/Community Resource Officer

Enclosure: Notice of Violation

OUR COMMUNITY VISION

Mason is a community founded upon a respect for our historic past, while encouraging an atmosphere that values family, business, the environment and the arts, creating a sense of place for present and future generations. *City of Mason Master Plan 2014*

NOTICE OF ORDINANCE VIOLATION

ADDRESS: 882 STAG THICKET LANE, MASON DATE: November 26, 2019

ZONING: RS-3

OWNER/AGENT: Kimberly and Scott Lamacchia

MAILING ADDRESS: 882 Stag Thicket Lane, Mason, MI 48854

ENFORCEMENT OFFICER: Billie J. O'Berry

OFFENSE CODE: ZONING VIOLATION #EN 19-0008

UPON INSPECTION OF THE PROPERTY LISTED ABOVE THE FOLLOWING ORDINANCE VIOLATION(S) WAS/WERE FOUND:

VIOLATION: CHAPTER 30 – PERMIT REVIEW

Sec. 30-62. All applications for grading permits must be referred to the zoning and development director for a plan review.

Sec. 30-62(b)(2). A grading permit shall be issued only if the proposal for work meets the requirements of this article and the proposed construction and use conforms to city codes.

Sec. 30-63. Requires approval by the city engineer.

VIOLATION: CHAPTER 60 – SOIL EROSION/SEDIMENTATION CONTROL

Sec. 60-5. A grading/soil erosion and sedimentation control permit is required before any earth change is to be permitted.

Sec. 60-13. Earth changes causing accelerated soil erosion and/or off-site sedimentation,

VIOLATION: CHAPTER 94 – ZONING

Sec. 94-72(d)(9). The grade of the yard shall not increase the run-off of surface water onto adjacent property.

Sec. 94-72(o). All grading and filling of the premises must comply with collection and management standards.

NOTICE OF VIOLATION 882 STAG THICKET – PG. 2

Sec. 94-72(q). Changes caused by grading and filling cannot adversely affect soil erosion/sedimentation or soil/groundwater contamination.

Sec. 94-95. A building permit is required for any excavation, erection, addition or alteration of any structure on the premises.

THE ABOVE LISTED VIOLATION(S) MUST BE CORRECTED BY: **DECEMBER 9, 2019**

FAILURE TO COMPLY WITH THIS NOTICE WILL RESULT IN A FINE PURSUANT TO CHAPTER 2, ART. I, SEC. 2-8 and/or CHAPTER 94, ART. III, SEC. 94-98 – ZONING. Misdemeanors carry fines and costs up to \$500 and/or 90 days in jail per day for each violation.

IF YOU FAIL TO CORRECT THE VIOLATION(S) BY THE DATE ABOVE OR FILE A WRITTEN APPEAL REGARDING ZONING VIOLATIONS TO THE ZONING BOARD OF APPEALS WITHIN THIRTY (30) DAYS OF THE RECEIPT OF THIS NOTICE, THE CITY IS AUTHORIZED TO ENTER UPON THE PREMISES WITHOUT FURTHER NOTICE TO RESOLVE THE VIOLATION(S). SEE SEC. 94-98.

Date: _____

11/27/2019



Billie J. O'Berry
Code/Community Resource Officer

CITY OF MASON

201 W. ASH ST.

P.O. BOX 370

MASON, MICHIGAN 48854-0370

Kimberly Lamacchia

882 Stag Thicket Lane

Mason, MI 48854

MASON

H ST.

370

N 48854-0370

Scott Lamacchia
882 Stag Thicket Lane
Mason, MI 48854

Hunting Meadows Property Owners Association
Mason, MI

12/6/2019

Mr. & Mrs. Scott & Kimberly LaMacchia
882 Stag Thicket
Mason, MI 48854

Re: Work at 882 Stag Thicket

Dear Scott & Kim:

The Hunting Meadows Property Owners Association has received a complaint regarding work in the backyard of the property located at 882 Stag Thicket. This letter is to provide you with a copy of the Association Declaration of Covenants and Assurances which outlines the conditions, regulations, assurances, conveyances, terms, and provisions which all property owners must follow as a member of the Association.

Please review the attached Covenants and ensure that all work complies. Also, as this property does share a boundary with a wetland, the Property Owners Association requests copies of all permits, active and otherwise, for work being completed on the property. If no permit(s) are being utilized, copies of any correspondence or official documentation regarding the lack of need for any permit(s), will suffice.

Please do not hesitate to contact me if you have any questions. The quickest way to reach me is via email at huntingmeadowspoa@gmail.com.

Sincerely,

Christopher Surato
President

ZONING BOARD OF APPEALS

STAFF REPORT

882 STAG THICKET LANE

APPENDIX C

PERMIT APPLICATIONS RECEIVED AND PICTURES



BUILDING PERMIT APPLICATION

PLEASE NOTE: PERMIT FEES ARE DUE AT THE TIME OF APPLICATION.

Date	5-10-19		Permit No. (Office Use Only)
Project Name	SCOTT LAMACCHIA		
Project Address (Street, City, State, Zip)	882 STAG THICKET LANE MASON MI 48854		
Parcel ID			
Lot #/Subdivision	Hunting Meadows		
Zoning District(s)	Zone	Historic District? Y N	
Special Assessment Area	<input type="checkbox"/> Riverwalk Meadows	<input type="checkbox"/> Cedar Street	<input type="checkbox"/> Temple Street
Flood Zone	FIRM Community Panel No.		
Project Description (Attach additional pages if necessary)	New Retaining Wall - Level Back yard New Hot Tub		
Size of Structure	Valuation of Work \$ 12,000	Permit Fee \$	
Primary Contact	<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Contractor	<input type="checkbox"/> Other (Specify)
Name	SCOTT LAMACCHIA		
Address	882 STAG THICKET LANE MASON 48854		
Telephone	517-202-9395	Email	SCOTTLAMACCHIA@gmail.com
If different than above:			
Contractor Name	Don	Contractor License #	
Contractor Address			
Contractor Telephone		Email	

APPLICANT CERTIFICATION

This permit becomes null and void if work or construction is not commenced within six months, or if work or construction is suspended or abandoned for a period of six months at any time after work is commenced. A true copy of the plans of said structure is attached. It is understood that all provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction. "Section 23a of the Michigan Construction Code Act of 1972 (1972 PA 230, MCL 125.1523A) prohibits a person from conspiring to circumvent the licensing requirement of this State relating persons who are to perform work on a residential building or a residential structure. Violators of Section 23a are subject to civil fines." By execution of this application, the person signing represents that the information provided and the accompanying documentation is, to the best of his/her knowledge, true and accurate. In addition, the person signing represents that he or she is authorized and does hereby grant a right of entry to City officials for the purpose of inspecting the premises and uses thereon to verify compliance with the terms and conditions of any permit or approval issued as a result of this application.

Signature: _____

Date: 5-10-19

APPLICATION MATERIALS – Applicants should review Section 94-95 of the Mason Code for a complete listing of application requirements. Incomplete applications will not be processed. The following is a summary of materials that must accompany a completed building permit application:

- Completed application form
- Permit fee
- Plans on CD/Jump Drive (COMMERCIAL PROJECTS ONLY)
- Site plan, including the following (as necessary):
 - Boundary line survey
 - Location, setbacks, dimensions, and height of existing and proposed structures
 - The existing or intended use
 - The proposed number of sleeping rooms
 - Location of utility lines, wells, and septic drain fields
 - The yard, open space and parking area dimensions
 - Street grades, proposed finished grades and contour changes (where changes are proposed)
 - Location of regulated waterways, floodplains or wetlands
 - Legal description (as necessary)
- Proof of ownership/owner authorization
- Construction schedule for proposed project
- Construction calculations for utilities
- Any other information deemed necessary to determine compliance with building codes and city ordinances

FEES -- Fees are due at the time of application. A complete listing of fees can be found in the Directory of Charges online at www.mason.mi.us under Forms and Reports.

Permit for the excavation, the erection, addition, or alteration of any structure	\$50 Minimum fee for the first \$5,000 of construction cost plus \$6 for each additional \$1,000 of construction cost
Manufactured Housing/Mobile Home Placement	\$125
Special Inspection/Re-inspection	\$50
Residential Razing Permit	\$150
Fee for construction without a permit	1.5 times the permit charge
Roofing (roof-over only)	\$50
Re-roofing (tear off and new roof)	\$100
Siding permit	\$50
Sign permit	\$ 4.00 per \$1,000 of construction and erection cost with \$25.00 minimum permit fee.
Swimming Pool	\$75

FOR DEPARTMENTAL USE ONLY

ZONING REVIEW

Existing Structure or Use: Conforming _____ Non-Conforming _____
 Proposed Structure or Use: Conforming _____ Non-Conforming _____
 Variance Granted _____ Date _____ HDC Review Required: Yes _____ No _____ Date _____
 Approved _____ Denied _____ Official/Administrator _____ Date _____
 Special Conditions _____

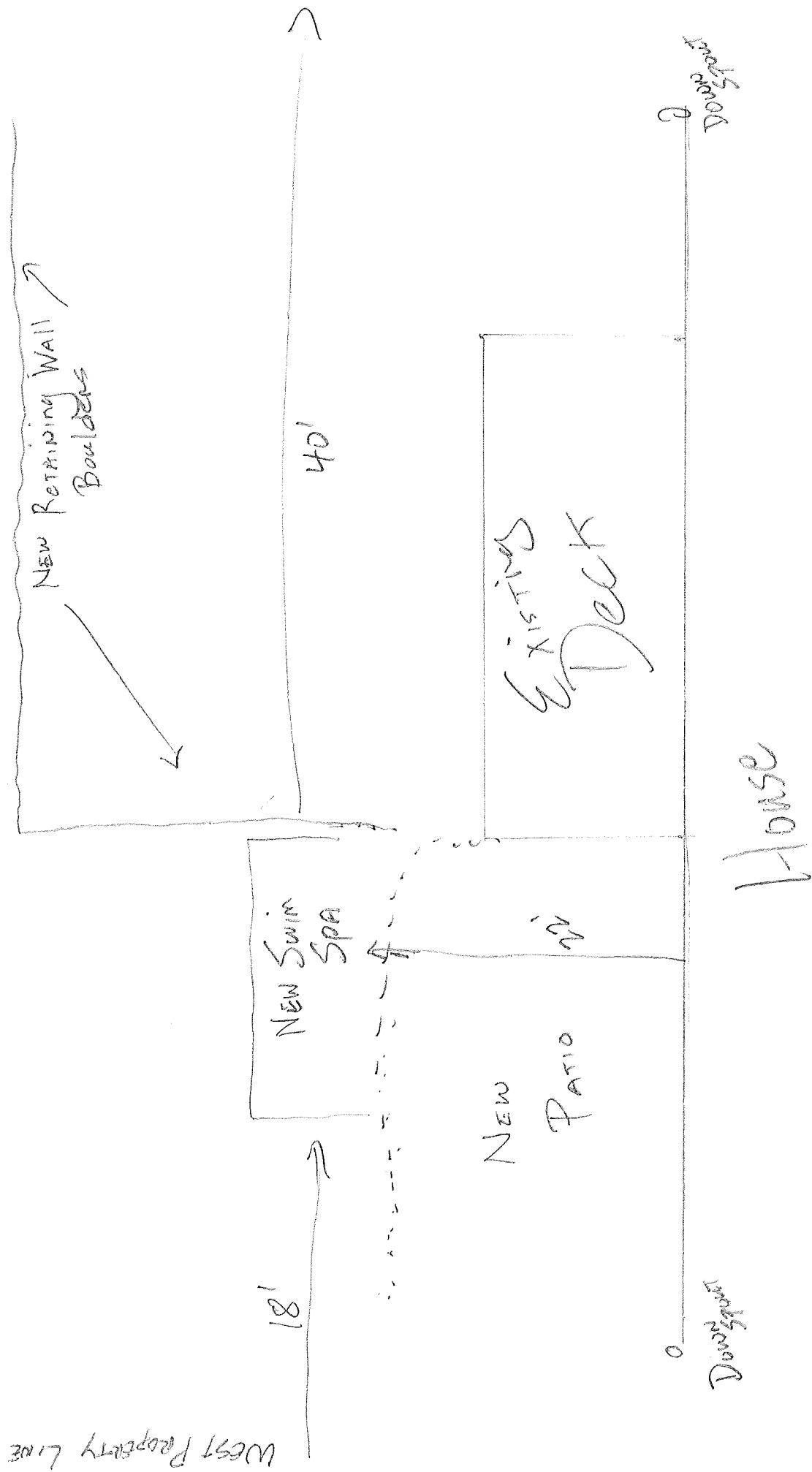
BUILDING REVIEW

Sidwell No. _____ Assessed Value of Structure \$ _____
 Application Accepted By: _____ Date _____ Permit No. _____
 Occupancy/Use Group: _____ Code _____
 Soil Erosion Permit No.: _____ Change of Use/New Use _____ Tap in Fee _____
 Building Permit Fee: _____ Total Fee Received _____ Receipt No. _____
 Approved _____ Denied _____ Official/Administrator _____ Date _____
 Special Conditions _____

SITE PLAN

East Property Line

West Property Line





BUILDING PERMIT APPLICATION

PLEASE NOTE: PERMIT FEES ARE DUE AT THE TIME OF APPLICATION.
201 W. Ash Street • Mason, MI 48854 • Phone: 517-676-9155
www.mason.mi.us email: elizabethh@mason.mi.us

Date	6/1/2019		Permit No. (Office Use Only)
Project Name	SCOTT LAMACCHIA		
Project Address (Street, City, State, Zip)	882 Stag Thicker Lane Mason, MI 48854		
Parcel ID			
Lot #/Subdivision	# 28 Hunting Meadows		
Zoning District(s)	Zone	Historic District?	Y N
Special Assessment Area	Riverwalk Meadows	Cedar Street	Temple Street
Flood Zone	FIRM Community Panel No.		
Project Description (Attach additional pages if necessary)			
Size of Structure	Valuation of Work \$	Permit Fee \$	
	\$20,000.00		
Primary Contact	<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Contractor	<input type="checkbox"/> Other (Specify)
Name	SCOTT LAMACCHIA		
Address	882 Stag Thicker Lane Mason, MI 48854		
Telephone	517-202-9395	Email	scottlamachia@gmail.com
If different than above:			
Contractor Name	Contractor License #		
Contractor Address			
Contractor Telephone	Email		

APPLICANT CERTIFICATION

NOTICE: This permit becomes null and void if work or construction is not commenced within six months, or if work or construction is suspended or abandoned for a period of six months at any time after work is commenced. A true copy of the plans of said structure is attached. It is understood that all provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction. "Section 23a of the Michigan Construction Code Act of 1972 (1972 PA 230, MCL 125.1523A) prohibits a person from conspiring to circumvent the licensing requirement of this State relating persons who are to perform work on a residential building or a residential structure. Violators of Section 23a are subject to civil fines." By execution of this application, the person signing represents that the information provided and the accompanying documentation is, to the best of his/her knowledge, true and accurate. In addition, the person signing represents that he or she is authorized and does hereby grant a right of entry to City officials for the purpose of inspecting the premises and uses thereon to verify compliance with the terms and conditions of any permit or approval issued as a result of this application.

Signature

Scott Lamachia

Date

6-1-19

APPLICATION MATERIALS – Applicants should review Section 94-95 of the Mason Code for a complete listing of application requirements. Incomplete applications will not be processed. The following is a summary of materials that must accompany a completed building permit application:

- Completed application form
- Permit fee
- Plans on CD/Jump Drive (COMMERCIAL PROJECTS ONLY)
- Site plan, including the following (as necessary):
 - Boundary line survey
 - Location, setbacks, dimensions, and height of existing and proposed structures
 - The existing or intended use
 - The proposed number of sleeping rooms
 - Location of utility lines, wells, and septic drain fields
 - The yard, open space and parking area dimensions
 - Street grades, proposed finished grades and contour changes (where changes are proposed)
 - Location of regulated waterways, floodplains or wetlands
 - Legal description (as necessary)
- Proof of ownership/owner authorization
- Construction schedule for proposed project
- Construction calculations for utilities
- Any other information deemed necessary to determine compliance with building codes and city ordinances

FEES -- Fees are due at the time of application. A complete listing of fees can be found in the Directory of Charges online at www.mason.mt.us under Forms and Reports.

Permit for the <u>excavation</u> , the erection, addition, or alteration of any structure	\$50 Minimum fee for the first \$5,000 of construction cost plus \$6 for each additional \$1,000 of construction cost
Manufactured Housing/Mobile Home Placement	\$125
Special Inspection/Re-inspection	\$50
Residential Razing Permit	\$150
Fee for construction without a permit	1.5 times the permit charge
Roofing (roof-over only)	\$50
Re-roofing (tear off and new roof)	\$100
Siding permit	\$50
Sign permit	\$ 4.00 per \$1,000 of construction and erection cost with \$25.00 minimum permit fee.
<u>Swimming Pool</u>	<u>\$75</u>

FOR DEPARTMENTAL USE ONLY

ZONING REVIEW

Existing Structure or Use: Conforming ___ Non-Conforming ___
 Proposed Structure or Use: Conforming ___ Non-Conforming ___ Variance Granted ___ Date ___
 Historic District Commission Review Required: yes ___ no ___ Date Approved ___
 Approved ___ Denied ___ Official/Administrator ___ Date ___
 Special Conditions _____

BUILDING REVIEW

Sidwell No. _____ Assessed Value of Structure \$ _____
 Application Accepted By _____ Date _____ Permit No. _____
 Occupancy/Use Group _____ Code _____
 Soil Erosion Permit No. _____ Change of Use/New Use ___ Tap in Fee _____
 Building Permit Fee _____ Total Fee Received _____ Receipt No. _____
 Approved ___ Denied ___ Official/Administrator ___ Date ___
 Special Conditions _____

125⁰⁰

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WESTGATE R.O.W. LINE
OF U.S. HIGHWAY 127
FILE NO. 23-6-3

LOCATION MAP

- ### LEGEND
- 1. ALL MEMBERS AND F
 - 2. CURRENT MEMBERS
 - 3. RECENT PASTOR AT ALL
 - 4. PASTOR 1-1/2 YRS
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 - 100. PASTOR 1-1/2 YRS

I will be removing
Dirt along Fence.
to Accomodate Neighbor
Fence which is not on
Property LINE as thought.

3' FEET TAIL

Retaining
With Back Top
Sloped Ramp to
Keep dirt of fence

Sloped
Ramp
to grade

38' → TO EAST
LINE

18' TOTAL TO ^{PROP} LINE

HOT
TUB

3' Tail

 20×30

NEW
FLAGSTONE
PATIO

14 x 16
Deck

13' FEET
TO FENCE

Garage

253-65
← 14'
FROM
WEST
PROPERTY
LINE

Drawing With Prop.
Lines and Dimensions
From Survey and
House Added as well
as any New Work

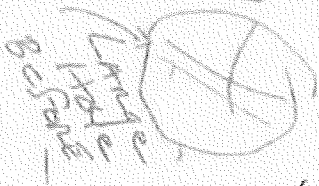
TO CURB

LOT SIZE 70.00

FENCE IS
12" FROM PROP
LINE ONTO
NEIGHBORS PROP

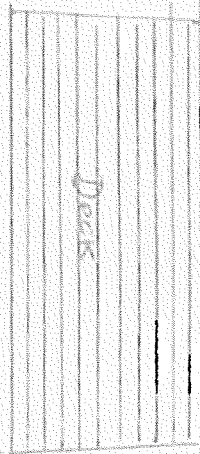
Давену

East Prop Line



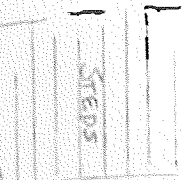
Raised grade up to level out Back Yard and fill in hole that filled back yard with water 4 feet

Rock Retaining Wall



Back of house

New Flagstone Patio



West Prop Line

Hot Tub Being Installed Here at lunch time - lower Area to have Crushed Stone Base

Long grass

This Area Was Always too Wet From Run off and high Water Table. Water All came From Above and SE Property to this Area As there Was A large Hole

CERTIFICATE OF SURVEY

Rec'd Aug. 20/19
staff = wolverine



STAG THICKET LANE (66' R.O.W.)

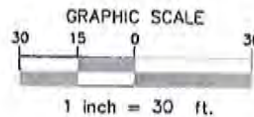
LEGAL DESCRIPTION

LOT 28 HUNTING MEADOWS NO 2, SECTION 8 TOWN 2 SOUTH, RANGE 1 WEST, CITY OF MASON, INGHAM COUNTY.

CERTIFICATION STATEMENT

I, DONALD J. BENDZINSKI, PROFESSIONAL SURVEYOR #35989, CERTIFY THAT THIS SURVEY WAS MADE UNDER MY DIRECTION, THAT ALL CORNERS HAVE BEEN MARKED AS SHOWN, THAT THE RATIO OF CLOSURE OF THE UNADJUSTED FIELD OBSERVATIONS WAS 1:5000 OR BETTER, THAT THE RELATIVE POSITIONAL PRECISION OF THE CORNERS IDENTIFIED FOR THIS SURVEY AND SHOWN ON THE MAP ARE WITHIN THE LIMITS ACCEPTED BY THE PRACTICE OF PROFESSIONAL SURVEYING, AND THAT THE REQUIREMENTS FOR 1970 PA 132, MCL 54.213 HAVE BEEN MET.

Donald J. Bendzinski
 7/23/19
 DATE



LEGEND

ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF
 (M) MEASURED ● = SET IRON
 (P) PLATTED ○ = FOUND IRON



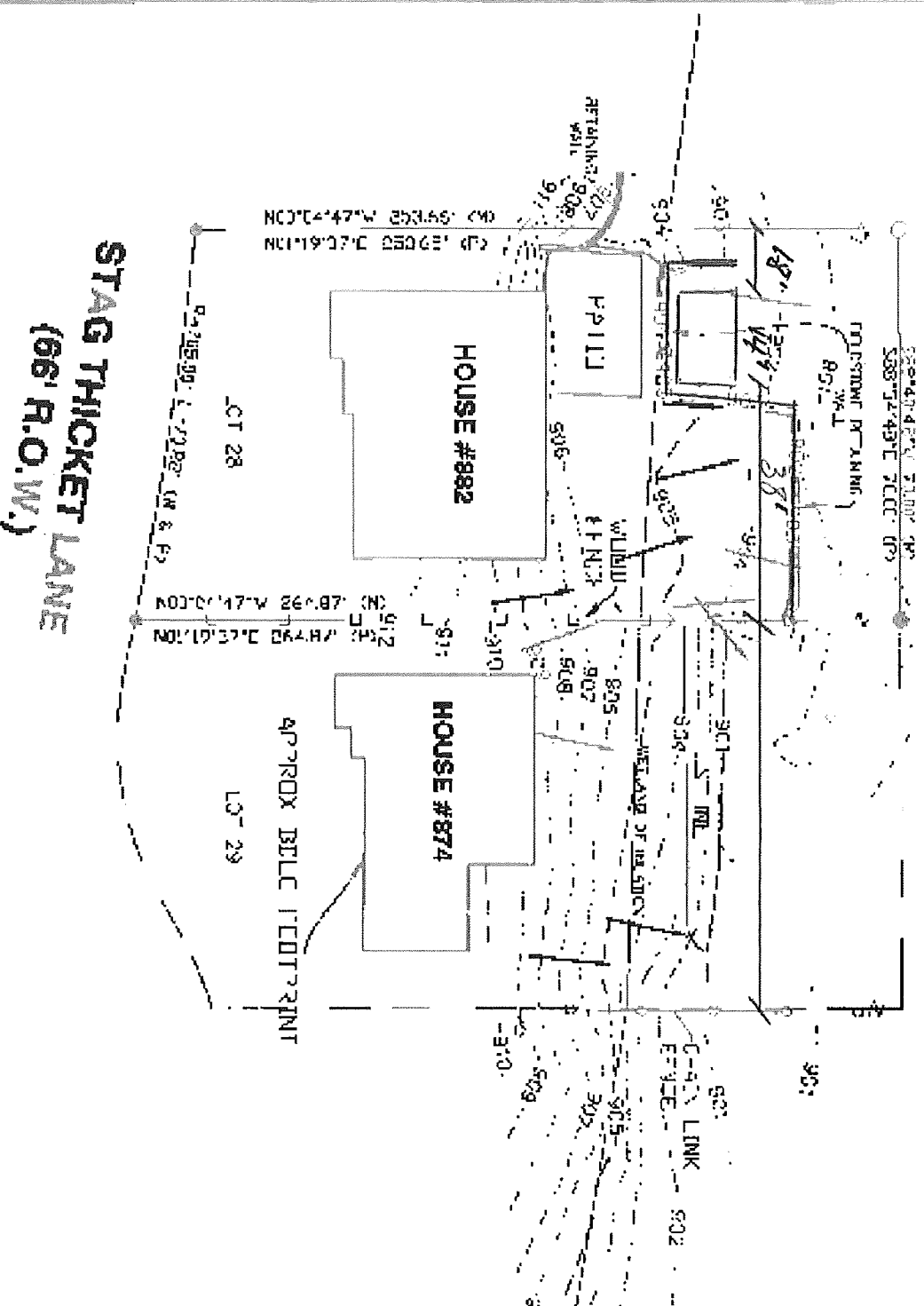
WOLVERINE
 Engineers & Surveyors, Inc.

312 North Street
 Mason, Michigan 48854
 Ph: 517-676-9200
 Fax: 517-676-9395
 http://www.wolverine.com

SURVEY FOR:	SCOTT LAMACCHIA
FIELD SURVEY:	DATE: 07/22/19
MVF & HF	
DRAWN:	JOB NO: 19-0441
MOC	
SCALE:	SHEET: 1 OF 1
1"=30'	



18' Feet From West Property Line.
38' Feet From East Property Line.
143' Feet to Rear Property Line



Rec'd in Aug. 2019
pat

VITA
Spa

Home

Hot Tubs

Swim Spas

Find a Store

AL4

168" x 90" x 50" / 427cm x 228cm

Water Volume

1,550 US gal / 5,867 liters

Dry Weight

2,200 lbs / 998 kg

Filled Weight

11,400 lbs / 5,170 kg

Pumps

Pump 1 3HP/6.0bHP, 2Sp

Pump 2 3HP/6.0bHP, 2Sp

JETS

19 Hydrotherapy Jets

4 Turbo Stainless Steel Swim Jet

6 Aurora Cascade Jets

INCLUDED FEATURES

Aurora Cascade Water Feature

Northern Exposure® Insulation

Excel-X®

Freeze Protection

Illuminated Drink Holders

LED Illuminated Swimline

Stainless Steel Jets

Steel Substructure

Molded Bottom Panel

OPTIONAL FEATURES

CleanZone®

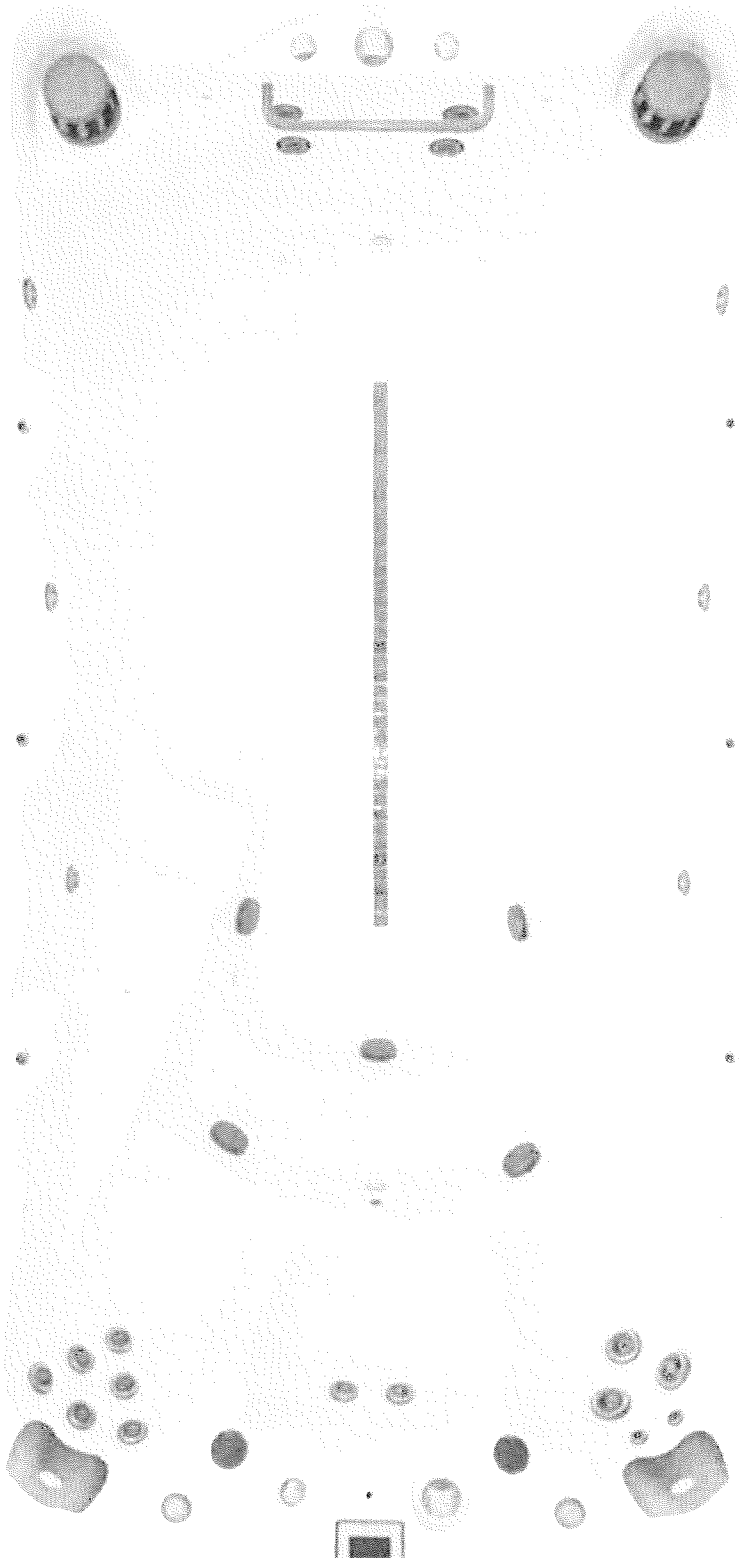
CleanZone® Ultra

Exercise Kit Resistance Bands +

Swim Tether

Vita Tunes

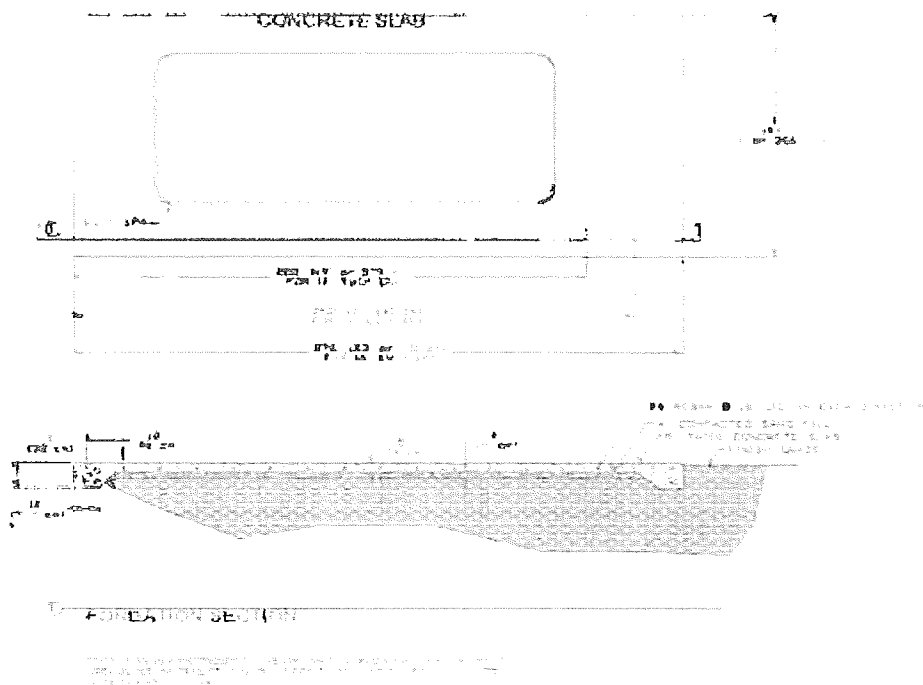
WiFi Connectivity



- **Power Requirements:**
 - Your Swim Spa will require an individual dedicated electrical circuit.
 - See "Electrical Requirement Chart" of this guide for model specific requirements
 - Proper electrical cable size is required for your Swim Spa.
 - Improper cable size or faulty electrical connections may result in damage or fire which is not covered by warranty.
- **Physical Installation Site:**
 - The Swim Spa must be uniformly supported on an adequate flat and level surface.

Concrete Slab

- ☐ **Foundation** - Verify soil bearing pressure can support 1000 Pounds/Foot² or 12206 Kilograms/Meter²
- ☐ **Reinforcement** - Consult with a concrete specialist or structural engineer to ensure that the concrete slab is reinforced with appropriate rebar and weld wire mesh if applicable according to local codes.
- ☐ **Concrete** - Slab when cured must support a minimum of 2500 PSI or 175 kg/cm².



-2-

The Base of the Tub is 7" of compacted
23-A limestone - Rated Between 4-6k PSF

// CODE SNIPPET

Section 1804 Allowable Load-Bearing Values of Soils and Rock

NYC Building Code 2014 > 18 Soils and Foundations > 1804 Allowable Load-Bearing Values of Soils and Rock

JUMP TO FULL CODE CHAPTER

1804.1 Design

The allowable bearing pressures provided in Table 1804.1 shall be used with the allowable stress design load combinations specified in Section 1605.3.

TABLE 1804.1 ALLOWABLE BEARING PRESSURES

CLASS OF MATERIALS (Notes 1 and 3)	MAXIMUM ALLOWABLE BEARING PRESSURE (TSF)	MAXIMUM ALLOWABLE BEARING PRESSURE (kPa)
1. Bedrock (Notes 2 and 7)		
1a Hard sound rock	60	5,746
1b Medium rock	40	3,830
1c Intermediate rock	20	1,915
1d Soft rock	8	766
2. Sandy gravel and gravel (GW, GP) (Notes 3, 4, 8, and 9)		
2a Dense	10	958

23-A
Limestone
Base

2b Medium	6	575
3. Granular soils (GC, GM, SW, SP, SM, and SC) (Notes 4, 5, 8, and 9)		
3a Dense	6	575
3b Medium	3	287
4. Clays (SC, CL, and CH) (Notes 4, 6, 8, and 9)		
4a Hard	5	479
4b Stiff	3	287
4c Medium	2	192
5. Silts and silty soils (ML and MH) (Notes 4, 8, and 9)		
5a Dense	3	287
5b Medium	1.5	144
6. Nominally Unsatisfactory Bearing Materials:		
Loose granular soils		
Soft clay soils	See 1804.2.1	See 1804.2.1
Loose Silt		
• All organic silts, organic clays, peats, soft clays, granular soils and varved silts		
7. Controlled and uncontrolled fills	See 1804.2.2 or 1804.2.3	See 1804.2.2 or 1804.2.3

Notes:

1. Where there is doubt as to the applicable classification of a soil or rock stratum, the allowable bearing pressure applicable to the lower class of material to which the given stratum might conform shall apply.

2. The tabulated values of allowable bearing pressures apply only for massive rocks, or for sedimentary or foliated rocks where the strata are level or nearly so, and then only if the area has ample lateral support. The allowable bearing pressure for tilted strata and their relation to nearby slopes or excavations shall be evaluated by the engineer responsible for the geotechnical investigation. The tabulated values for Class 1a materials (hard sound rock) may be increased by 25 percent provided











PUBLIC NOTICE

2020 MASON PUBLIC MEETINGS

All public meetings are held at City Hall

CITY COUNCIL 7:30 PM (1 st & 3 rd Monday)	DOWNTOWN DEVELOPMENT AUTHORITY 10:00 AM (1 st Wednesday, as needed)
January 6 & 20	January No January Meeting
February 3 & 17	February 5
March 2 & 16	March 4
April 6 & 20	April 1
May 4 & 18	May 6
June 1 & 15	June 3
July 6 & 20	July 1
August 5 (1 st Wed) & 17	August 5
September 14 & 28 (2 nd & 4 th Monday)	September 2
October 5 & 19	October 7
November 4 (1 st Wed) & 16	November 4
December 7 & 21	December 2

HISTORIC DISTRICT COMMISSION 6:00 PM (3 rd Monday, as needed)	PLANNING COMMISSION 6:30 PM (2 nd Tuesday after the 1 st Monday)	ZONING BOARD OF APPEALS 5:30 PM (2 nd Wednesday, as needed)
January 20	January 14	January 8
February 17	February 11	February 12
March 16	March 17 (3 rd Tues)	March 11
April 20	April 14	April 8
May 18	May 12	May 13
June 15	June 9	June 10
July 20	July 14	July 8
August 17	August 11	August 12
September 21	September 15	September 9
October 19	October 13	October 14
November 16	November 10	November 11
December 21	December 15	December 9

Resources: More Questions? Please Contact our Customer Service Desk at 517.676.9155.

1.1.2020 (City Clerk)



Citizen Planner Program Ingham County

A Land Use Training and Certificate Course for
Community Land Use Decision-Makers

Citizen Planner Ingham County

Begins Thursday,
February 13, 2020

6:00—9:00 PM

Classes held Feb. 13, 20, 27,
March 12, 29, 26, 2020

Hilliard Building
Conference Room A
121 E. Maple Street
Mason, MI 48854

Citizen Planner is a time-tested educational program proven to be comprehensive without being overwhelming. The program is delivered locally to provide a convenient way for busy community leaders to obtain the latest technical knowledge and the proficiency they need to perform their duties more effectively and responsibly.



Citizen Planner Classroom Sessions

Citizen Planner instructors include MSU Faculty, MSU Extension educators, planners and attorneys. The classroom program consists of six sessions:

- **Understanding the Planning and Zoning Context** – Learn the legal sources and limitations of planning and zoning authority, and explore your understanding of ethical decision-making.
- **Planning for the Future of Your Community** – Recognize the function and importance of a master plan, know the process for developing one and its relationship to zoning.
- **Implementing the Plan with Zoning** – Discover the importance of zoning, learn how zoning is administered and gain confidence in your zoning reviews, including site plans.
- **Making Zoning Decisions** – Learn how to adopt and amend a zoning ordinance, understand the role of the zoning board of appeals and obtain skills in basic property development methods.
- **Using Innovative Planning and Zoning** – Strategize with placemaking and design-based solutions for local and regional success in the New Economy.
- **Successfully Fulfilling Your Role** – Strengthen your ethical decision-making skills, apply standards to your decision-making and know when to ask for help. Also Available: Citizen Planner Online



Contact

cplanner@msu.edu.
Visit <http://citizenplanner.msu.edu>.



Citizen Planner Ingham County



MSU is an affirmative-action, equal-opportunity employer, committed to achieving excellence through a diverse workforce and inclusive culture that encourages all people to reach their full potential. Michigan State University Extension programs and materials are open to all without regard to race, color, national origin, gender, gender identity, religion, age, height, weight, disability, political beliefs, sexual orientation, marital status, family status or veteran status. Issued in furtherance of MSU Extension work, acts of May 8 and June 30, 1914, in cooperation with the U.S. Department of Agriculture. Jeffrey W. Dwyer, Director, MSU Extension, East Lansing, MI 48824. This information is for educational purposes only. Reference to commercial products or trade names does not imply endorsement by MSU Extension or bias against those not mentioned.

Class dates: February 13, 20, 27, March 12, 19, 26, 2020

Understanding the Planning and Zoning Context

Thursday, February 13, 2020
6 p.m. – 9 p.m.

Planning for the Future or Your Community

Thursday, February 20, 2020
6 p.m. – 9 p.m.

Implementing the Plan with Zoning

Thursday, February 27, 2020
6 p.m. – 9 p.m.

Making Zoning Decisions

Thursday, March 12, 2020
6 p.m. – 9 p.m.

Using Innovative Planning and Zoning

Thursday, March 19, 2020
6 p.m. – 9 p.m.

Successfully Fulfilling Your Role

Thursday, March 26, 2020
6 p.m. – 9 p.m.

Course Location

The Hilliard Building
Conference Room A
121 E. Maple Street
Mason, MI 48854

Local Contact

Harmony Gmazel
gmazelh@msu.edu
734.222.3832

Course Fee

The course fee is \$295 per participant for the complete core program. Group discounts (\$275/person), are available for four (4) or more participants from the same organization or unit of government. The fee covers registration and course materials. Participants that complete all six sessions will receive a certificate of completion.

How to Register

Online registration is available. Registration link can be found at www.citizenplanner.msu.edu when open. Payment can be made by credit card, or check. Group registration is also available online. The registration deadline is **February 6, 2020. A \$45 cancellation fee is assessed if registration is cancelled after closure date.**

Grants/Scholarships

A grant program, Risk Reduction Grant Program (RRGP), may be available from your community's liability insurance provider. Michigan Township Participating Plan offers to its municipal members one per community, which covers the complete registration cost reimbursement for completion of the Citizen Planner Program. For more information, please visit us on the web at www.theparplan.com. For member governments of the Michigan Municipal Risk Management Authority (MMRMA), contact **Cara Kowal** at 800-243-1324 for more information regarding grants for education and training through the Risk Avoidance Program (RAP). For municipalities obtaining insurance through Nickel & Saph, Inc. Insurance Agency contact **Stephen R. Saph, Jr.** at 586-463-4573 or stephenjr@nickelsaph.com. Contact your local community liability risk insurance carrier to see if similar grants or scholarships are available.

Persons with Disabilities

Persons with disabilities may request accommodations by calling Harmony Gmazel (734.222.3832) two weeks prior to the event to ensure sufficient time to make arrangements. Requests made less than two weeks prior to the event will be met if possible.





City Manager's Report: January 2, 2020

ACTIVE PROJECTS STATUS UPDATES (PROJECTS NOT COORDINATED BY THE CITY)

Project Name	Status
LAND DIVISIONS/COMBINATIONS	
Coppersmith Drive (formerly Enclave at Rayner Ponds) PENDING	Staff is administratively processing a land division request by Giguere Realty and Development to create five (5) buildable lots approximately 1-acre each and one remaining 8.60-acre parcel with frontage along Coppersmith Drive, an existing public roadway. The applicant determined they would not proceed with platting for the Enclave at Rayner Ponds subdivision which would have resulted in a new road/cul-de-sac, 19 building lots, and one remaining parcel/common area. Staff is working with the applicant to clarify and document the responsible party for the perpetual care of the remaining parcel.
1926, 1966 W. Dansville Rd APPROVED	Staff processed a land division request to reconfigure lots. A portion of the land is within a 425 agreement with Vevay Township.
BUILDING PERMITS – COMMERCIAL PROJECTS UNDER CITY REVIEW	
118 W. Oak St. PENDING	Two permits pending for this address. 1. Change of Occupancy permit has been filed for Nail Tech in small office space. 2. Historic District Commission issued Certificates of Appropriateness for the modification of the shed to serve as a dumpster enclosure with a wooden gate, cleaning of the brick, and outdoor lighting. Change of Occupancy permit has been filed to proceed with opening of the Arcade on the first floor only. There will be no escape room at this time.
125 E. Kipp Rd – Dollar Tree ACTIVE	Building permit is active for a 5,460 sq. ft. addition to accommodate up to four new retailers.
652 Hull Rd- New Goodwill ACTIVE	Building permit application is active and construction of a new 15,772 square foot commercial building for a Goodwill retail store.
801 N. Cedar St.- City Limits ACTIVE	Building permit is active to construct a 4,828 sq. ft. addition along with additional parking.
402 S. Jefferson (former Baja Grill) ACTIVE	Building permit is active for interior and exterior renovations.
549 W. Ash- Dog Groomer TEMPORARY OCCUPANCY PERMIT ISSUED	A Temporary Certificate of Occupancy has been issued to assist in opening the business. Staff is working with owner on a revised parking plan to address safety requirements and pre-existing, non-conforming layout. Once the new parking area is complete, a final Certificate of Occupancy will be issued. <i>Parking updates have been delayed until spring.</i>
525 N. Cedar- Timeless Treasures TEMPORARY OCCUPANCY PERMIT ISSUED	A Temporary Certificate of Occupancy has been issued for Timeless Treasures. The interior renovation is complete and new parking spaces have been striped on the lot. The remaining work includes the installation of the approved landscaping, repairs to parking lot lighting, and a site plan revision if the owner intends to include the outdoor flea market.
BUILDING PERMITS – FIRE RESTORATION	
Private Residence – Sycamore Village COMPLETED	Final inspection was approved on the demolition permit of the private residence.
Private Residence – Hall Blvd. ACTIVE	Building permit is active for demolition after fire.
111 Mason St. – Mason Depot ACTIVE	Building permit is active for reconstruction after fire.
575 N. Cedar St. – Heb's Inn ACTIVE	Building permit is active for reconstruction after fire.

ZONING BOARD OF APPEALS	
Private Residence – Stag Thicket PENDING	Scott LaMacchia is appealing an administrative decision from the Code Enforcement and Zoning Officials to require permits for work being done on the property. A public hearing will be held Wednesday, January 8, at 5:30pm in the 2 nd floor Maple Room.

OPERATIONS AND COMMUNITY RELATIONS

- Eric Ream has attained the level D-3 Limited Treatment Operator License. Levi Rice has attained the Level S-2 Water Distribution Operator License. These licenses are critical to ensure we have the most qualified people operating our plants.
- Absentee Ballot Applications for the March 2020 and November 2020 elections will be mailed the first week in January. The Bureau of Elections has instructed Clerks that per Election Law, we must include the option for voters to elect to receive the General Ballot on the Primary Election application. However, to ensure that all voters on our Permanent Absentee list are not overlooked for the general November 2020 election, we will be mailing all voters on our Permanent Absentee list another application, towards the end of May 2020, that will include August 2020 and November 2020.

Staffing Updates:

- New Hires/Promotions: Susan Willis, Seasonal Crossing Guard, started on Monday, December 16, 2019.
- Open Positions: Laborer – posted internally; Crossing Guard, substitute seasonal; Public Works Director.

Traffic Updates:

- Columbia Street near the Sycamore Village Mobile Home Park (Bus Stop) - Speed Complaint/Concern for Students
Officers assigned to targeted enforcement; speed trailer is currently in the area. Staff is partnering with Sycamore Village Management to add a conspicuous school bus warning sign for W/B traffic to notify drivers of the bus stop. The sign has been ordered.
- Columbia Street between Cedar Street and the US 127 Overpass - Speed Complaint
Officers assigned to targeted enforcement; speed trailer data was obtained and needs to be reviewed, with next steps and case status to be determined.
- Maple Street between Columbia Street and Steele Street -Speed Complaint.
This concern is related to the Mason Middle School drop-off and pick-up times in the AM and PM. Officers assigned to targeted enforcement; speed trailer will be placed in the area when available, after winter.
- W. Ash between Kiwanis Drive and Cedar St. – Traffic Flow Complaint
This concern is being re-opened as there is a need to continue to monitor traffic issues around the Harvey Education Center during school days, including pedestrian safety, vehicular travel and parking.
- M-36 (Ash St) and Steele St- Crosswalk Complaint
This concern is related to failure to yield to Middle School children crossing in the morning prior to the Crossing Guard's arrival time for elementary-aged children. Officers assigned and will work to identify and resolve any problems. The RRFB at that crossing location is a MDOT devise.

LARGE CITY PROJECTS

FY 2018-2019 – CONTINUING PROJECTS			
Project	Project Name/Description	Status	Completed
STREETS, SIDEWALKS, BRIDGES (S)			
2018-S1	MDOT- Temple Street Safety Grant	Rejected the bids due to the cost. Meeting to be scheduled with the school before submitting to MDOT.	
PARKS/ CEMETERY/ FORESTRY/ NONMOTORIZED (P)			
2018-P2b	Planning: 5-year Parks Plan	The draft plan is available for 30-day review until January 13 at www.surveymason.com . A Public Hearing will be held January 20, 2020 during the City Council meeting at 7:30pm in the Sycamore Room. Staff is working to finalize the plan and submit to DNR by February 1 st .	

FY 2019-2020			
Project	Project Name/Description	Status	Completed
STREETS, SIDEWALKS, BRIDGES (S)			
2017-S5	Walnut- Columbia St. to North End	Top Course placed on October 28. Final cleanup and restoration as applicable remain.	October
2017-S10	Sidewalk Program- NW Quadrant	Anticipated bid process beginning Spring 2020	
2017-S11/ 2017-U19/ 2018-P3	Kerns Road- Cedar Street to Howell Rd./ Hayhoe Riverwalk Trail Extension	Contractor in place. Plans and permit request submitted to ICRD for Howell Road crossing. Project is on hold until Spring 2020	
2017-S12/ 2017-U20	W. Elm St.- Henderson St. to Jefferson St.	Final paving completed November 22, 2019. Restoration and final clean up as applicable.	
2017-S13/ 2017-U21	Park St.- Elm Street to Oak St.	Complete	November
UTILITIES: SANITARY SEWER, STORM WATER, AND WATER DISTRIBUTION (U)			
2017-U11	Turbine Aeration Blower at POTW	Re-bid planned for Jan.	
2017-U15	Replace Hydrants at Mason Plaza	Discussions with Owner about relocations is underway.	
2017-U23	Well No. 6 Rebuild	Moved to FY 2020-2021	
2017-U24	Study of Sewer Flow on Mason St.	Data collection underway	
2017-U25	Gutters for Water Treatment Plant	Delayed until FY 2020-2021	
2019-U1	WWTP- Design	RFQP planned for Jan.	
2019-U2	DPW- Design	Revised layouts based on latest meeting provided to stakeholders. Meeting with school in January to discuss potential partnerships.	
PARKS/ CEMETERY/ FORESTRY/ NONMOTORIZED (P)			
2017-P8	Laylin Park - Phase II	Not started	
MOTOR VEHICLE POOL (MVP)			
2017-MVP11	Vehicle No. 13 Replacement	On order; anticipated delivery mid-December	
2017-MVP12	Mower No. 75 Replacement	Complete	July
2017-MVP13	Vehicle No. 6 Replacement	On order; anticipated delivery mid-December	
2019-MVP1	Vehicle No. 25 Equipping	Anticipated completion January 2020	
BUILDING, PROPERTY, EQUIPMENT (B)			
2017-B5	Library Improvements, Phase 1	RFP is re-posted with a deadline of January 31, 2020.	
2017-B7 2018-B16	City Hall Parking Lot Repairs Station 1 Rear Approach	Projects will be combined with 2017-B7 for efficiency and budgeting. Estimated construction costs have been estimated and planning is in process.	
2017-B10	Fire Station 1- Furnace/AC	Not started	
2017-B11	Fire Station 1- Washer/ Dryer	Not started	
2017-B12	City Hall New Servers	Email Server to Office 365 Complete. City Hall server replacement expected June 2020.	
2018-B10	BS&A Module for Online Permitting	Staff has begun coordination of implementation. Beta testing of module will begin in 2020 with roof/siding permits.	
2018-B12	City Hall Carpet Replacement	Not started	
2018-B13	Extrication Tools Replacement	All items have been ordered and most have been received. Anticipated completion January 2020.	
2018-B15	Sprinkler System in Truck Bay	Preparing bid documents for project.	
2018-B19	Wireless Connectivity- City Hall to Jefferson St (DPW and POTW)	Previous account manager no longer with ACD. Working on new estimates with alternate routes.	
2019-B1	Election Tabulator Machines	Tabulator Machines have been ordered; anticipated receipt mid-January 2020.	
2019-B2	City Hall- Phase 1	Not started	

Welcome to the NEW City of Mason

Full Page Utility Bill.



CITY OF MASON UTILITY BILL

201 W Ash St, Mason MI 48854
Pay Online at www.mason.mi.us
Pay by Phone at 833-699-7827

Contact Information:

Billing Questions: 517-676-9155
Hours: 8:00 a.m. - 5:00 p.m.
Monday through Friday
(Except Holidays)
After Hours Emergency
517-676-2458

NAME: SMITH, JOHN			
SERVICE ADDRESS: 123 W ASH ST			
ACCOUNT: 0200-06000-03-1			
BILL DATE	DUE DATE	PAY THIS AMOUNT	PAY AFTER DUE DATE
11/30/19	12/20/19	\$39.78	\$43.76

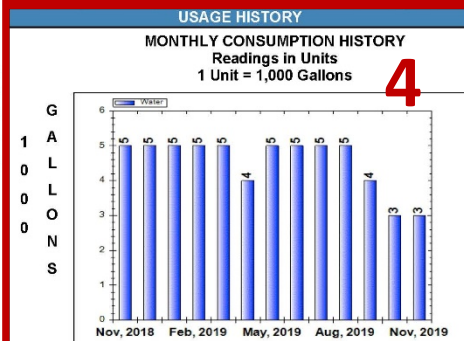
BILLING SUMMARY			
PREVIOUS BALANCE			\$0.00
	RATE	UNITS	
Sewer	Sewer Rate	3	\$16.14
Water	Water Rate	3	\$11.43
Capital Improv-Sewer	Capital Improv - Sewer	3	\$2.19
Capital Improvement	Capital Improv - Water	3	\$8.07
Meter Charge	Meter Charge - Monthly		\$1.95

AUTO DRAFT - DO NOT PAY	\$39.78
AFTER 12/20/2019 PAY LATE AMOUNT -	\$43.76

10% PENALTY ADDED TO CURRENT BILL AFTER DUE DATE.
FAILURE TO RECEIVE BILL DOES NOT WAIVE PAST DUE PENALTY.

- KEEP TOP PORTION FOR YOUR RECORDS -

		DISTRICT		02	
BILLING PERIOD: 10/15/2019 TO 11/15/2019					
METER READING DETAIL					
TO	FROM	CODE	PREV READ	CURR READ	UNITS
10/15/19	11/14/19	Water	953	956	3



PAYMENTS PROCESSED
BY INVOICE CLOUD
DO NOT PAY THIS BILL

Welcome to the NEW City of Mason Full Page Water Bill. Tear-off the bottom for your payment coupon. See this box for further information.

- SEE REVERSE SIDE FOR IMPORTANT INFORMATION -



CITY OF MASON
201 W Ash St
PO Box 370
Mason MI 48854

SMITH, JOHN
123 W ASH STREET
MASON, MI 48854

SERVICE ADDRESS		DISTRICT	
123 W ASH ST		02	
ACCOUNT NUMBER	BILL DATE	DUE DATE	
0200-06000-03-1	11/30/19	12/20/19	
AMOUNT DUE		PAY AFTER DUE DATE	
\$39.78		\$43.76	



REMIT TO

CITY OF MASON
201 W ASH ST
PO BOX 370
MASON MI 48854

1

This includes the customer name, address, account number, bill due date and amount due.

3

This section is the breakdown for the total due by rate type. It will also show any previous balance or credit.

6

Please tear off the stub and return with payment.

2

This shows the billing period, current read, previous read and units of water used

4

The best part is this new chart that shows water usage. The chart is in units and 1 unit = 1,000 gallons. This chart will update every month with the current usage.

5

Look here for important messages and seasonal information.

ALSO NEW – Be sure to check the monthly envelope!
There may be additional inserts with critical information included.

If you have further questions, contact Customer Service at 676-9155 or info@mason.mi.us