

60612 Liz o1n BOZA App

From Doug Hanks

Dear Elizabeth;

Thank you so much for looking over my Grievance Committee submission. It means as much to me as a good divorce.

I have enclosed a copy of the Boza Appeal form given to me by the "building inspector?", after his emergency meeting with Sean, Lisa, and Gregg Baroni. The morning after I submitted my letter to each BOZA member along with a CD of my previous appeals, "like ten letters/ CD's"), which of course got gloomed from the mail. Yes, it says on page two that I can attach additional sheets if necessary..HOWEVER..Brent told me that because my application had to go to the Planning Dept for approval, that Sean would not allow all my testimony implicating Sean, Lisa and Baroni for not responding...to anything! He instructed me to only use the lines provided, and to say I just wanted to turn a retail space into an apartment. If that didn't fly, try next month...at \$440 a pop! (written at top of page) Even though the form says \$350 for residential, I got a "special fee" as assessed by the planning director, I guess because they like so much.

You will also notice that this form is entirely directed at expansion affecting..."THE LAND", because of course...THE BUILDING INSPECTOR" handles everything inside a building...RIGHT? I asked Brent if I needed to drill holes in my concrete floor...TO PUT IN THE FLAGS? IF YOU READ THE END OF MY BOZA letter, which is item 140815 BOZA appeal on the original disk I gave you, I said: And just one more note. Because I am requesting a striking of an administrative order, I do not believe a community meeting is required. It's just an administrative review that does not concern any residents other than me and Deb. There is no zoning change proposed or required.

Please read the BOZA requirements that I need a mortgage, a plot survey, a letter from the owner of record, to stake my proposed expansion in the ground, blah, blah blah.

OK, so let's say I can't use Brent's verbal directions as a legal restriction...GET THIS!

PLEASE NOTE: In the application it says I cannot even appeal to BOZA...WITHOUT a formal denial..FROM THE BUILDING INSPECTOR after applying for a building permit. This would be like if I applied for a building permit to construct a garage, the expansion would be expanding my residential use...OF THE LAND, which of course he would deny and send me to BOZA for a variance...RIGHT?

So in honoring THE LETTER of the law, I made formal application with a building permit to move some interior walls with Brent. He would not even take my filing fee, saying he would put nothing in writing, as this was a Sean deal, and he wanted to stay out of it. (copy of building application enclosed) So without his formal denial, I could not appeal to BOZA anyway. Consequently I appealed personally twice

before the BOT (Board of Trustees), as his Board of Appeal. These are items 151117, WL Board again and 160111 WL Board Meeting on the master disk. 160111 is especially pertinent, as it legally highlights the responsibilities of the Building Inspector, AND THE BOARD OF TRUSTEES. (Note, I have never received a response from the BOT...ON ANYTHING! Like I said before, they just pretend I don't exist, THE LAW DOESN'T EXIST, AND MAYBE AFTER TWO YEARS OF APPEALING FOR NOTHING...I will just go away!

In fact, it was after receiving this letter that Barb McQuade, USDA referred me to the FBI. After all..It is illegal to just stand mute, so the Board gets implicated in obstruction of justice. No wonder the FBI doesn't want to do it. It's not just some embezzler, it would wipe out the whole government.

Of course this is why I want to get to a jury as fast as possible in my damage claim. If I can't convince a jury of repeated intimidation, then it will be my error...in letting them...FALL ASLEEP!

Also, in my prep for this writing I discovered a letter that did not make it to the master disk. This is the letter from the building inspector stating that after an 8 AM walk around the building, the electrical inspector, Ray Kee, found my building illegal because of a conduit to security lighting extending from an old meter box on the side of building. Therefore I would have to notify all tenants, (and my insurance company?) that the building is illegal to occupy.

After ANOTHER APPEAL for an electrical inspection, I pointed out, that because the meter had been removed, it was legal to use the meter box as a junction box for the lighting run. WHOOPS! The electrical inspector resigned.

I offer this as further evidence that WL JUST POUNDED ON ME with trumped up threats. Fortunately, ABSOLUTELY NONE of these had any legal merit. It is fortunate that I have an extremely tight ass, so shoving it up mine...IS HARD TO DO!

SELAH!

That was such a powerful closing that I hate to put on a PS...BUT IT IS REQUIRED!

For the longest time, ie: 1 1/2 years I could not figure out why the zoner did not just review section 7-26 and let me keep my apartments and move on. I was not asking for damages..or anything. Just say you made a mistake...NO BIG DEAL.

Here is why he or Lisa wouldn't. For years Sean has maintained that a "CHANGE OF USE" is anytime a new tenant moves into a space. He has used this numerous times to make a building owner hook up to water/sewer, or make other changes because there was a "change of use". This is TOTALLY incorrect. A change of use occurs when you are changing use OF THE STRUCTURE to a NON CONFORMING USE.

In fact, Brent told me that if I opened the other two apartments, I would not only have a change of use, but would have to hook up to water/sewer. Additionally he claimed that because I have ten apartments that I would have to have a separate service for each apartment. At thirty thousand per pop, it would cost me \$300,000, so therefore I was better off not challenging the zoner and just do what he says. I

told him there would be "no change of use". My building has been "mixed use", commercial/residential for the last 80 years, and I have not changed that.

Check out the last letter from Brent, ordinance and building safety requirements, paragraph four. "Upon leasing to a new tenant they must obtain a new use/new occupancy permit plus get another fire inspection."

I enclosed a page from State of Michigan law, that the ONLY time an occupancy permit is required..IS AFTER physical changes have been made to the structure or the space....NOT EVERYTIME YOU CHANGE TENNANCY. RIGHT? By the way, the "change of use" permit is \$450, and the fire inspection \$350...EVERYTME I CHANGE TENNANTS?

Once again, whoever at White Lake just makes it up and Lisa hammers it home! Can you help me get rid of her? No offense, but I can become an attorney...All I need is to practice...MY BITCHING SKILLS.

PPS: I liked the FIRST CLOSING better! Hey wait a minute...try this one.

I actually feel like a woman....THAT HAS BEEN RAPED...except I don't have any claw marks...and of course...MY VAGINA DOESN'T HURT! And as stated before...MY ASS HAS NOT BEEN PENETRATED! Close...BUT NO CIGAR! SELAH!

Doug

440⁰² COMMERCIAL ZBA FEES

Charter Township of White Lake
Oakland County, Michigan
APPLICATION INSTRUCTIONS
ZONING BOARD OF APPEALS

1. Please read these instructions carefully before submitting the attached application. Fill out the entire application in detail. If a portion is not applicable in your case, please mark "Not Applicable" or "N/A" on the application.
2. In addition to the attached application, you must submit the following:
 - a. **Proof of Ownership**
If you are not the property owner of record, a copy of the land contract, option to purchase, purchase agreement, lease agreement, or letter of authority from the property owner must be presented with the application to indicate the applicant's interest in the subject property. In addition, a letter of no objection from the property owner may be required by Township staff.
 - b. **Plan or drawing – Ten (10) copies**
Attach ten copies of the plot plan of the subject property drawn to scale. The plan must depict the shape and dimension of the property, all existing and proposed structures and building-to-building and building to property line relationships.
 - c. **Mortgage Survey – Ten (10) copies**
 - d. **Letter of denial from the Building Department**
The Building Department must have reviewed and formally denied your application for a building permit before a Z.B.A. application can be considered for processing.
3. **The required filing fee is \$350.00 for residential land uses and \$400.00 for non-residential land uses and must be submitted with the application. An additional 10% of the total will be collected to cover administrative processing costs.**
4. All proposed additions must be staked and flagged.
5. The attached application must be completely filled out and all documents, plans, other necessary information, and the application fee, as required, must be submitted before the application will be considered complete and accepted for processing. The application will then be placed on the next available Zoning Board of Appeals agenda.
6. You will be notified of the date and time that your request will be considered by the Zoning Board of Appeals (Z.B.A.). Please attend or have a representative attend if you cannot attend the scheduled meeting. All Z.B.A. meetings are held at the Township offices, 7525 Highland Road, White Lake, Michigan.
7. Notification is given by mail to all property owners of record within 300 feet of the subject property at least one week prior to the meeting.
8. Information relative to the powers and duties of the Z.B.A. can be found in Section 21.00 of the White Lake Township Zoning Ordinance. To be granted a variance, an applicant must provide proof that a **practical difficulty** exists and the practical difficulty must relate to a unique circumstance of the property which prevents the applicant from reasonably using the property for a permitted use. Furthermore, no variance shall be granted unless all of the criteria found in Section 21.06 of the Zoning Ordinance have been met.

APPLICATION CHECKLIST:

- _____ COMPLETED, SIGNED APPLICATION
- _____ LETTER OF AUTHORIZATION FROM THE PROPERTY OWNER
- _____ TEN (10) COPIES OF PLAN OR DRAWING
- _____ TEN (10) COPIES OF MORTGAGE OR STAKE SURVEY
- _____ LETTER OF DENIAL FROM BUILDING DEPARTMENT
- _____ COPY OF BUILDING PERMIT APPLICATION
- _____ APPLICATION FEE (see #3 above)

Please direct any questions to the White Lake Township Planning Department at 248.698.3300 extension 163.

NOTE: ZONING BOARD OF APPEALS MEMBERS AND TOWNSHIP STAFF WILL LIKELY VISIT THE SITE PRIOR TO THE MEETING AS PART OF THEIR PREPARATION FOR EACH CASE.

CHARTER TOWNSHIP OF WHITE LAKE
Zoning Board of Appeals
APPLICATION

White Lake Township Planning Department, 7525 Highland Road, White Lake, MI 48383 248-698-3300 x163

APPLICANT'S NAME: _____ PHONE: _____
ADDRESS: _____
APPLICANT'S INTEREST IN PROPERTY: OWNER BUILDER OTHER: _____

ADDRESS OF AFFECTED PROPERTY: _____ PARCEL # 12 - _____
CURRENT ZONING: _____ PARCEL SIZE: _____

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: _____

STATE REASONS TO SUPPORT REQUEST: (ADDITIONALS SHEETS MAY BE ATTACHED)

APPLICATION FEE: _____ (CALCULATED BY THE PLANNING DEPARTMENT)
APPLICANT'S SIGNATURE: _____ DATE: _____

REGARDING STEP 4:

**ALL PROPOSED ADDITIONS MUST BE STAKED
AND FLAGGED**

**IN ORDER FOR YOU TO BE PLACED ON THE
NEXT AVAILABLE ZONING BOARD OF APPEALS
AGENDA, THE ADDITIONS MUST BE STAKED
AND FLAGGED SEVENTY-TWO (72) HOURS
AFTER THE CUT-OFF DATE FOR THE
APPLICATIONS. THE CUT-OFF DATE IS 5 PM ON
THE FOURTH THURSDAY OF EACH MONTH,
EXCEPT FOR NOVEMBER AND DECEMBER DUE
TO THE HOLIDAY.**

WHAT DOES PRACTICAL DIFFICULTY MEAN?

To obtain a variance, the applicant must show "practical difficulty", by demonstrating:

- (A) Whether strict compliance with area, setbacks, frontage, height, bulk or density would **unreasonably prevent** the owner from using the property for a **permitted purpose**, or would render conformity unnecessarily burdensome;
- (B) Whether a variance would do **substantial justice** to the applicant as well as to other property owners in the district, or whether a lesser relaxation would give substantial relief and be more consistent with justice to others;
- (C) Whether the plight of the owner is due to **unique circumstances** of the **property**;
- (D) Whether the problem is **self-created**.

The Zoning Board of Appeals must insure that the "spirit of the ordinance is observed, public safety secured and substantial justice done".

Therefore, if (D) is true, the decision should be **NO**.

If (D) is false, and (B) and (C) are true, the decision is probably **YES**.

If the applicant only meets (A) and the problem is not self-created (D), the decision should be **NO**.

Gregory R. Baroni, Supervisor
Terry Lilley, Clerk
Mike Roman, Treasurer



Trustees
Carol J. Burkard
Scott Ruggles
Andrea C. Voorheis
Rik Kowall

WHITE LAKE TOWNSHIP

7525 Highland Road • White Lake, Michigan 48383-2900 • (248) 698-3300 • www.whitelaketwp.com

October 31, 2013

Doug and Debra Hanks
9410 Elizabeth Lake
White Lake, MI. 48386

Re: Un-safe Condition

Dear Doug and Debra Hanks,

Upon a field inspection conducted at 8am on 10-31-13 by the Electrical Inspector Ray Kee and myself and unsafe condition of the electrical service was discovered. The unsafe condition was first discovered by the White Lake Township Fire Department on 10-23-13. Since immediate action as required by the White Lake Fire Department has been met with non-compliance, the Electrical Inspector was asked to look at the property and recommend a cause of action. Upon his field inspection he determined the electrical service and the electrical equipment is unsafe and that a licensed contractor make needed repairs to the electrical system bringing it to a safe condition immediately.

The following is an order by the White Lake Township Building Official. This notice requires that Doug and Debra Hanks respond immediately in writing to the Building Official that you accept the conditions of the order or that you reject the order. This order requires the following compliance;

1. Permit must be obtained immediately.
2. Work must start immediately to abate the unsafe condition.
3. Occupancy of the building shall be determined illegal until the unsafe condition is abated.
4. All residents shall be notified that an unsafe condition exists and that it is illegal to occupy. Refer to Section 116 of the MBC 2009 and Section 110 of the IFC 2009.

This notice shall also serve as notice that the White Lake Township Fire Department shall issue a ticket in the event of non-compliance.

Respectfully,

Brent Bonnavier, Building Official
White Lake Township
BBB/tls

November 3, 2013

Dear Brent Bonnivier,

We received your email and letter on November 2nd, 2013. We are disputing the statement that we are non-compliant and we can prove that we have been prudent in any requests for repairs by the Township Fire Department.

The following is the action that has taken place and is in the process of being completed as well as a time line:

10-22-13

Sergeant John Holland and his boss Interim Fire Chief Robert Elizondo showed up at my business and told Deborah Hanks that they were doing a training session with their fireman and wondered if they could look around our building to better equip their guys if our building had a fire. I said yes and showed them thru the building. They took pictures and said that the storage area needed some electrical work done.

10-23-13

The Sergeant, Fire Chief and Building Inspector returned to my business. The Sergeant said there were some items that need to be addressed officially. We walked around again. The attached report was written. (item 1) On this notice it says that immediate action is required for the electrical part of the notice, but no date "corrected by" was included. All other action had a 30 day correction time limit.

10-23-13 we called our licensed electrician and asked him to come give us an estimate for all the work required. He said he would be over on 10-24-13. He did not show up that day.

10-25-13 The licensed electrician came by and we went over all the items. He said he would get us the estimate and that work could commence shortly afterwards.

10-26-13 we received a letter from The Building Inspector with 4 items to be completed. No time frame was specified other than immediately.

1. A State of Michigan licensed electrical contractor must obtain a permit and make repairs to the electrical panel boxes in the storage area. Action Completed.
2. Once the work is completed an inspection by the White lake Township Electrical Inspector is required. Action Not completed
3. The scope of the electrical permit shall also include any necessary repairs throughout the entire building in an effort to provide safety to all occupants. Action Brandon Scheib A State of Michigan licensed electrical contractor will be on site Tuesday November 5th at 9am to work on electrical issues.
4. Hard wired battery backup and interconnected smoke and C/O detectors shall be installed in the following locations. Action We are in the selection of equipment phase of this item.

10-30-13 The Sergeant, Fire Chief and You returned to our business to see what process we had made. We had not even gotten an estimate yet from the electrical contractor (it was emailed at 9:30 pm). You said you would have the Electrical Inspector call us on 10-31-13. We received no phone call. We did receive a letter via email that stated you completed field inspections but we were not present. Doug Hanks called Brent and left a message to discuss any additional repair work that needed to be added to the list.

10-30-13 The estimate was sent to us on 10-30-13.

10-31-13 The permit was obtained. Storage area electrical work completed.

11-1-13 The Sergeant once again returned and we showed him our progress. He was satisfied with the repairs and verbally told us he would call the Township Attorney and tell them we had complied.

11-1-13 we received a letter from you: October 31, 2013 RE:Un-safe Condition Upon a field inspection conducted at 8am on 10-31-13 by the Electrical Inspector Ray Kee and myself and unsafe condition of the electrical service was discovered. The unsafe condition was first discovered by the White Lake Township Fire Department on 10-23-13. Since immediate action as required by the White Lake Fire Department has been met with non-compliance, the Electrical Inspector was asked to look at the property and recommend a cause of action. Upon his field inspection he determined the electrical service and the electrical equipment is unsafe and that a licensed contractor make needed repairs to the electrical system bringing it to a safe condition immediately.

The following is an order by the White Lake Township Building Official. This notice requires that Doug and Debra Hankes respond immediately in writing to the Building Official that you accept the conditions of the order or that you reject the order.

We completed the storage area electrical repairs in 7 days.

Items that are completed:

1. Limited combustible materials stored within areas near residential units. Rack or shelve storage.
 - Action completed: all combustible material is removed (gas-propane) all other items are on racks and shelved.
2. Nothing stored near heating appliance 3' min. clearance.
 - Action completed: all areas near heating appliance cleared.
3. No Flammable liquids/gas stored within building.
 - Action completed; all combustible material are removed (gas-propane).
4. Repair all electrical problems. Inspection and permits will be required (contact white lake building official).
 - Action completed: Obtained permit by Oakland Electric.
 - Service disconnects in storage area converted from temporary to permanent.
 - All unnecessary wiring and switch gear removed from area.
5. Repair exit sign over main entry door.
 - Action completed: sign in place and working .
6. Extinguisher: Portable extinguisher shall be inspected annually.
 - Action new extinguisher in place.

We believe we have worked prudently to complete any repairs needed and in the next week our Electrician will be on site Tuesday 11-5-13 to continue to complete electrical repairs to the rear of the building.

If Brandon completes all the electrical repairs on Tuesday we will call you to send out the inspector.

Questions for you: We currently have smoke detectors in each unit with a 5 year lithium battery and we are requesting a 6 month time frame to install the new hard wired system. We need to know:

- Is a wireless network approved for our use in this building.
- Should the system be parallel wired on one central circuit or take power from each individual unit.
- Will a smoke/ Co2 interwired combo unit be approved.

We are completely electrical repairs that were made by Comcast to the back of our building next week.

We want you and the fire department to know that we will do what it takes to keep our property in good condition and safe for all our tenants. We don't want a non-compliance letter associated with our building. When the Sergeant said immediately we did not know he meant the next two days and that would have been an unrealistic time frame. We are part of this community and we want to keep it safe for all citizens.

Please call us if we have made any errors or are not doing something that you feel needs to be completed.

Douglas Hankes
Deborah Hankes

Gregory R. Baroni, Supervisor
Terry Lilley, Clerk
Mike Roman, Treasurer



Trustees
Carol J. Burkard
Scott Ruggles
Andrea C. Voorheis
Rik Kowall

WHITE LAKE TOWNSHIP

7525 Highland Road • White Lake, Michigan 48383-2900 • (248) 698-3300 • www.whitelaketwp.com

October 6, 2014

Doug and Debra Hanks
9410 Elizabeth Lake
White Lake, MI. 48386

Re: Ordinance and Building Safety Compliance

Dear Mr. and Mrs. Hanks,

On 9-8-14 a site inspection was conducted regarding life and safety issues discovered by the White Lake Township Fire Department and the Community Development Department. The following statement is the results of the site visit.

The 6 individual units had new smoke/C.O detectors installed in each unit. Battery operated and interconnected. All egress was inspected and approved. The result is that all 6-units meet the minimum code requirements for life safety and health and welfare at the time of the site visit on 9-8-14.

The commercial unit and storage area off of the center unit known as the office space, Jabez Partners was also inspected for life safety and health and welfare of the occupants as well as the repairs and service work done on the electrical system. The inspection result is that was all approved.

The commercial unit to the west side of the building was also inspected by the Building Official and Electrical Inspector. The west unit was approved. The west is commercial space and can be rented or leased out as commercial uses only. Upon leasing to a new tenant they must obtain a New Use/New Occupancy permit from the Building Department. They must also obtain a permit from the Fire Department. The rented/leased space would then have to have inspections prior to opening up to the public.

The commercial space to the east side of the building is under construction. Prior to proceeding with any work a building permit for the renovation is required. A Fire Department occupancy permit must also be obtained. A separate permit is required for the electrical in the east space

and all required inspections are required. See me with any questions regarding the east space. As of this report the east side commercial space cannot be occupied for any type of use until all required permits are issued and all inspections are approved.

Building permit #41133 is approved and closed out. The electrical permits #40021 and #39658 are also approved and closed out.

In my opinion the building at 9410 Elizabeth Lake Road is ordinance and code compliant subject to the permit requirements of the 2 vacant commercial spaces. If you have any questions please feel free to contact me at 248-698-3300 ext. 132.

Respectfully,



Brent Bonnavier, Building Official
White Lake Township
BBB/tls

Cc: Greg Baroni
Lisa Hamameh
File

Certificate of Occupancy Request
Michigan Department of Licensing and Regulatory Affairs
Bureau of Construction Codes / Building Division
P.O. Box 30254, Lansing, MI 48909
Telephone: 517-241-9317 / Fax: 517-241-9308
E-Mail: bccbldg2@michigan.gov
www.michigan.gov/bcc

Authority: 1972 PA 230 Penalty: Failure to provide the information may result in denial of your request.	LARA is an equal opportunity employer/program. Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.
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A new building or a building that is altered shall not be used or occupied until a Certificate of Occupancy is issued by the code official.

The permit holder or their authorized agent must request a Certificate of Occupancy upon the completion of the project. This must be a written request, which includes the building, electrical, mechanical, plumbing, boiler and elevator permit numbers, the plan review submission number and the Bureau of Fire Services project number (for Schools only).

A Certificate of Occupancy cannot be issued until all fees are paid, permits are finalized and the work covered by a building permit has been completed in accordance with the permit, the code, and other applicable laws and ordinances.

If an electrical, mechanical, plumbing, boiler or elevator permit, plan review submission or Fire Services project is not required write "not applicable" on the request form in the appropriate space.

BUILDING PERMIT NO.	ELECTRICAL PERMIT NO.
MECHANICAL PERMIT NO.	PLUMBING PERMIT NO.
BOILER PERMIT NO.	ELEVATOR PERMIT NO.
PLAN REVIEW SUBMISSION NO. (If Applicable)	BUREAU OF FIRE SERVICES PROJECT NO. (If Applicable)
PERMIT APPLICANT'S ADDRESS	JOB LOCATION
APPLICANT'S SIGNATURE	DATE
TELEPHONE NUMBER (8:00 AM - 5:00 PM) (Include Area Code)	FAX NUMBER (Include Area Code) (Optional)