

**MARION TOWNSHIP
ZONING BOARD OF APPEALS**

Monday, March 4, 2019

7:30 p.m.

AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIENCE

INTRODUCTION OF MEMBERS

APPROVAL OF AGENDA FOR: *March 4, 2019*

APPROVAL OF MINUTES FOR: *February 4, 2019 Regular Meeting*

CALL TO THE PUBLIC:

NEW BUSINESS:

- 1) ZBA Case #02-19 – Joanne Esper 3003 / 3025 Jewell Rd. Howell MI 48843
4710-09-400-006 Section 8.1.F.3a & b*

OLD BUSINESS:

- 1) Review Zoning Board of Appeals Rules and Procedures

CALL TO THE PUBLIC:

ADJOURNMENT:

Submitted by: S. Longstreet

Approved: _____

**MARION TOWNSHIP
2877 W. Coon Lake Rd., Howell MI 48843
ZONING BOARD OF APPEALS
FEBRUARY 4, 2019**

MEMBERS PRESENT: Larry Fillinger, Dan Lowe, Linda Manson-Dempsey, Larry Grunn, and Ed Galubensky (alternate)

MEMBERS ABSENT: Dan Rossbach

OTHERS PRESENT: Dave Hamann, Zoning Administrator

CALL TO ORDER

Larry Fillinger called the meeting to order at 7:30 p.m.

PLEDGE OF ALLEGIANCE

INTRODUCTION OF MEMBERS

The board members introduced themselves.

APPROVAL OF AGENDA

Linda Manson-Dempsey motioned to approve the agenda as presented. Larry Grunn seconded. **Motion carried.**

APPROVAL OF MINUTES

January 7, 2019 Regular Meeting: Linda Manson-Dempsey motioned to approve the minutes as presented. Larry Grunn seconded. **Motion carried.**

CALL TO THE PUBLIC

Greg Busick, 4746 Hawthorne, said he wanted to respond to the Call to the Public statements from the January 24 board meeting. Mr. Busick was advised that he should attend the next Board of Trustees meeting on February 14 to address his concerns; the zoning administrator asked him to contact the office to discuss.

NEW BUSINESS

ZBA Case #01-19—Janet Godfrey, 3157 Pingree Rd., Howell MI 48843, Tax ID #4710-19-100-046, Section 6.19 A 2

Kenneth Godfrey, representative for the owner, said Ms. Godfrey is requesting a second driveway because of the location of the septic and reserve field, safety concerns, and other parcels in the township have two driveways.

Cheyenne Pistole, representative for the owner, said that emergency vehicles, delivery vehicles, and service vehicles are unable to turn around in the driveway. Linda Manson-Dempsey said theirs is more than enough space to turn around vehicles in the existing driveway. Dan Lowe said that the property owner could make a circle driveway and eliminate the need for two driveways.

Letters were received from Kenneth & Amber Felkins, 3043 Pingree Rd., and Kay & Todd Johnson, 3235 Pingree Rd., opposing this request.

Motion

Linda Manson-Dempsey motioned for ZBA Case #01-19—Janet Godfrey, 3157 Pingree Rd., Tax ID #4710-19-100-046, to deny the applicant's request for a second driveway, per Section 6.19 A 2 of the Zoning Ordinance, considering the following criteria:

1. That the restrictions of the township zoning ordinance would unreasonably prevent the owner from using the property for a permitted use. *The property owner is not being prevented from putting in a circular driveway.*
2. That the variance would do substantial justice to the applicant and a lesser relaxation than that requested would not give a substantial relief to the owner of the property. *A variance is not required for the owner to put in a circular driveway to alleviate concerns about vehicles being able to turn around.*
3. That the request is due to the unique circumstances of the property. *There are many parcels in the township like this one and there is nothing unique about this one.*
4. That the alleged hardship has not been created by a property owner. *A hardship has not been demonstrated.*
5. That the difficulty shall not be deemed solely economic. *There is no difficulty.*

Larry Grunn seconded. Roll call vote: Lowe—yes; Grunn—yes; Fillinger—yes; Manson-Dempsey—yes; Galubensky—yes. **Motion to deny variance request carried 5-0.**

OLD BUSINESS

Review Zoning Board of Appeals Rules & Procedures/Revise Bylaws

At the January meeting, Larry Fillinger asked the board members to review the document and bring back any revisions to the next ZBA meeting. However, not all board members were present at the last meeting, so this document will be reviewed at the March meeting.

CALL TO THE PUBLIC

No response.

ADJOURNMENT

Linda Manson-Dempsey motioned to adjourn at 8:01 pm. Larry Grunn seconded. **Motion carried.**

APPLICATION TO ZONING BOARD OF APPEALS

ZBA Case # 02-19
Tax Code 4710.09-400-006
Current Zoning RR.
Fee Paid \$400
Date Received 2-12-19
Received by DH

Applicant JOANNE ESPER
Address 3003/3025 JEWELL RD.
Telephone 517-546-4265
(Home) (Cell)

Applicant is (check one): Owner Purchaser Representative

Purchaser or Representative needs a letter of permission from owner

Nature of Request (check applicable one)

- Variance Request (see below)
- Administrative Review (per Section 5.05 A)
- Interpretation of Ordinance (per Section 5.05 B 1, 2, 3 or 4)

1. Zoning Ordinance Section(s) 8.01 F 3 B,
801 F 3 A

- 2. Letter stating reason request should be granted (per Section 5.05 C)
- 3. Requirement per Section 4.03 D
- 4. Required Livingston County Health Department evaluation

Office Use Only

Meeting Date MARCH 4-2019

Action Taken _____

Conditions (if applicable)

Signed _____

Section 5.05

Authorized Appeals

The Zoning Board of Appeals shall hear the following specified categories of appeals in accordance with the following standards:

- A. **Administrative Review:** The Zoning Board of Appeals shall hear and decide appeals where it is alleged by the appellant that there is an error in any order, requirement, permit, decision or refusal made by any Township official or by the Planning Commission in administering or enforcing the provisions of the Zoning Ordinance.
- B. **Interpretation of the Ordinance:** The Zoning Board of Appeals shall hear and decide upon requests to:
1. Interpret the provisions of the Zoning Ordinance when it is alleged that certain provisions are not clear or that they could have more than one meaning. In deciding upon such request, the Zoning Board of Appeals shall ensure that its interpretation is consistent with the intent and purpose of the Zoning Ordinance, the Article in which the language in question is contained, and all other relevant provisions in the Zoning Ordinance.
 2. Determine the precise location of the boundary lines between zoning districts when there is dissatisfaction with a decision made by the Zoning Administrator (See Section 7.04.)
 3. Classify a use that is not specifically mentioned as a part of the use regulations of any zoning district so that it conforms to a comparable permitted or prohibited use, in accordance with the purpose and intent of each district. Where there is no comparable permitted or prohibited use, the Zoning Board of Appeals shall so declare, the effect being that use is not permitted in the Township until or unless the text of the Zoning Ordinance is amended to permit it.
 4. Determine the parking space requirements of any use not specifically mentioned by classifying it with one of the groups listed in Article XIV by an analysis of the specific needs. If no comparable use is found, the Zoning Board of Appeals shall so inform the petitioner and indicate that the parking space requirements will have to be established by amendment of the Zoning Ordinance.

C. Variances

The ZBA shall have the power to authorize, upon appeal, specific variances from such dimensional requirements as lot area and width regulations, building height and square foot regulations, yard width and depth regulations, such requirements as off-street parking and loading space, and sign regulations and other similar requirements as specified in the Ordinance. The existence of nonconforming structures or buildings on other lands, or in other districts shall not create a precedent, or be the basis for a variance. To obtain a variance, the applicant shall submit sufficient information to enable the Board of Appeals to determine that a practical difficulty exists, if applicable by explaining:

1. That the restrictions of the Township Zoning Ordinance would unreasonably prevent the owner from using the property for a permitted use.

2. That the variance would do substantial justice to the applicant and a lesser relaxation than that requested would not give substantial relief to the owner of the property.
3. That the requested is due to the unique circumstances of the property.
4. That the alleged hardship has not been created by a property owner.
5. The difficulty shall not be deemed solely economic.

Following review and consideration of the above and in order to grant a variance, the Board of Appeals:

Shall find that the reasons set forth in the application and as explained above, justify the granting of the variance and that it is the minimum variance that will make possible the reasonable use of the land, building or structure; and

Shall further find that the granting of the variance will be in harmony with the intent of this ordinance and will not be injurious to the neighborhood or otherwise be detrimental to the public interest.

The ZBA shall not approve an application for a variance unless it has found positively that a practical difficulty exists under the five preceding criteria. If any criteria does not apply, the Zoning Board of Appeals shall justify why it does not apply.

Use variances are strictly prohibited. A variance shall not permit the establishment, within any district, of any use, which is not permitted by right, special use permit or by a temporary land use.

- D. **Conditions:** In granting any variance, the Zoning Board of Appeals may prescribe appropriate conditions and safeguards in conformity with this Ordinance (See Section 6.15.) Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Ordinance and shall automatically invalidate the variance.

E. **Approval period**

The decision of the Zoning Board of Appeals shall expire after one year unless a building permit for the construction is obtained and construction is started in accordance with the terms of the permit and the requirements of the Zoning Board of Appeals. The Zoning Board of Appeals may grant no more than one extension, for up to one year, provided the applicant demonstrates that they have been diligently working toward completion and the delay is due to condition beyond their control.

- F. **Rehearing:** No rehearing on an application denied by the Zoning Board of Appeals shall be reconsidered except upon the grounds of newly discovered evidence or a falsehood previously relied upon which is found upon inspection by the Zoning Board of Appeals to be valid. A rehearing shall be processed in the same manner as the original application, including payment of the required fee. A request for rehearing shall be made on behalf of the applicant by either the Township Board or Zoning Board of Appeals within eight (8) days. No land use permit shall be granted which relies upon a variance before eight (8) days following the decision of the Zoning Board of Appeals have expired.
- G. **Reapplication:** After eight (8) days following a decision by the Zoning Board of Appeals, no application for a variance, Ordinance interpretation, or appeal which has been denied,

wholly or in part, by the Zoning Board of Appeals shall be resubmitted for a period of one (1) year from the date of the last denial, except on proof of changed conditions found upon inspection by the Board to be valid.

Section 5.06 Appeal Procedures

- A. **Notice of Appeal:** Appeal requests for Ordinance interpretation and requests for variances may be made to the Zoning Board of Appeals by any person aggrieved, or by an officer, or department, board, or bureau of the state or of the Township, by filing a written Notice of Appeal with the Township Clerk on forms established for that purpose and accompanied with such information as is necessary to decide such request. At a minimum, eight (8) copies of the information required to be submitted for a land use permit (either a plot plan or site plan) in Section 4.03.D. shall be submitted. Upon receipt of a Notice of Appeal, the Township Clerk shall promptly transmit the records concerning the appealed action, as well as any related information to the chairperson of the Zoning Board of Appeals. Any appeal from the ruling of the Zoning Administrator concerning the enforcement of the provisions of this Ordinance shall be filed within thirty (30) days after the date of the Zoning Administrator's decision or the decision shall be final.
- B. **Stay:** An appeal shall stay all proceedings in furtherance of the action appealed from unless the Zoning Administrator certifies to the Zoning Board of Appeals after notice of appeal has been filed with he or she, that by reason of facts stated in the certificate a stay would, in the Zoning Administrator's opinion, cause imminent peril to life or property, in which case the proceedings shall not be stayed otherwise than by a restraining order, issued by the Zoning Board of Appeals or by a court of record.
- C. **Hearing:** Upon receipt of a Notice of Appeal or of an application for Ordinance interpretation, or variance request, the chairperson of the Zoning Board of Appeals shall schedule a reasonable time and date for a public hearing and give notice as provided in section 103 of PA 110 of 2006, as amended.

Upon receipt of a Notice of Appeal seeking an interpretation of the Zoning Ordinance, or an appeal of an administrative decision, a notice stating the time, date, and place of the public hearing shall be published in a newspaper of general circulation within the Township and shall be sent to the person requesting the interpretation not less than fifteen (15) days before the public hearing.

If the request for an interpretation or appeal of an administrative decision involves a specific parcel, written notice stating the nature of the interpretation request and the time, date and place of the public hearing on the interpretation request shall be sent by first-class mail or personal delivery to all persons to whom real property is assessed within three hundred (300) feet of the boundary of the property in question and to all occupants of all structures within three hundred (300) feet of the boundary of the property in question. If a tenant's name is not known, the term "occupant" may be used.

- D. **Appearance:** At the hearing, a party may appear in person or by agent or attorney. The Zoning Board of Appeals may recess such hearing from time to time, and, if the time and place of the continued hearing are announced at the time of adjournment, no further notice shall be required.
- E. **Decision:** The Zoning Board of Appeals shall render its decision within sixty (60) days of filing of a Notice of Appeal, or application for Zoning Ordinance interpretation or variance, unless in the opinion of Zoning Board of Appeals, an extension of time is necessary to review information pertinent to making the decision. The concurring vote of a majority of the members of the Zoning Board of Appeals shall be necessary to reverse an order,

requirement, decision, or determination of the administrative official or body, to decide in favor of the applicant on any matter upon which the Zoning Board of Appeals is required to pass under the Zoning Ordinance or to grant a variance in the Zoning Ordinance.

- F. **Fee:** A fee as established by the Township Board shall be paid to the Township Clerk at the time the petitioner files an application with the Zoning Board of Appeals. The purpose of such fee is to cover, in part, the necessary advertisements, investigations, hearing records and other expenses incurred by the Board in connection with the appeal. No fee shall be charged if the Township is the moving party.
- G. **Performance Guarantee:** In authorizing any variance, or in granting any temporary dwelling permits, the Zoning Board of Appeals may require that a cash deposit, certified check, irrevocable bank letter of credit, or similar instrument acceptable to the Township covering the estimated cost of conditions or improvements associated with a project for which zoning approval is sought, be deposited with the Township Clerk to insure faithful conformance with the conditions or completion of the improvements. Such performance guarantee shall be collected and returned pursuant to the requirements of Section 4.06.

Section 5.07

Review By Circuit Court

The decision of the Zoning Board of Appeals shall be final. A party aggrieved by the decision may appeal to the circuit court for Livingston County as provided for in PA 110 of 2006, as amended.

.....
Please refer to the township website for the current meeting schedule

- **Submit ten copies of all materials you want the Zoning Board of Appeals to review with the exception of the application**
- **Applicant must sign document addressing 5.05 C items 1 through 5**
- **Submit package three weeks prior to the meeting you choose to attend**
- **Provide well & septic documents from the Livingston County Environmental Health showing the location of well/septic field and reserve area**
- **The residential application fee is \$400.00 all other applications are \$1,000.00**
- **If the applicant is representing the owner, the owner must provide a signed letter of permission**

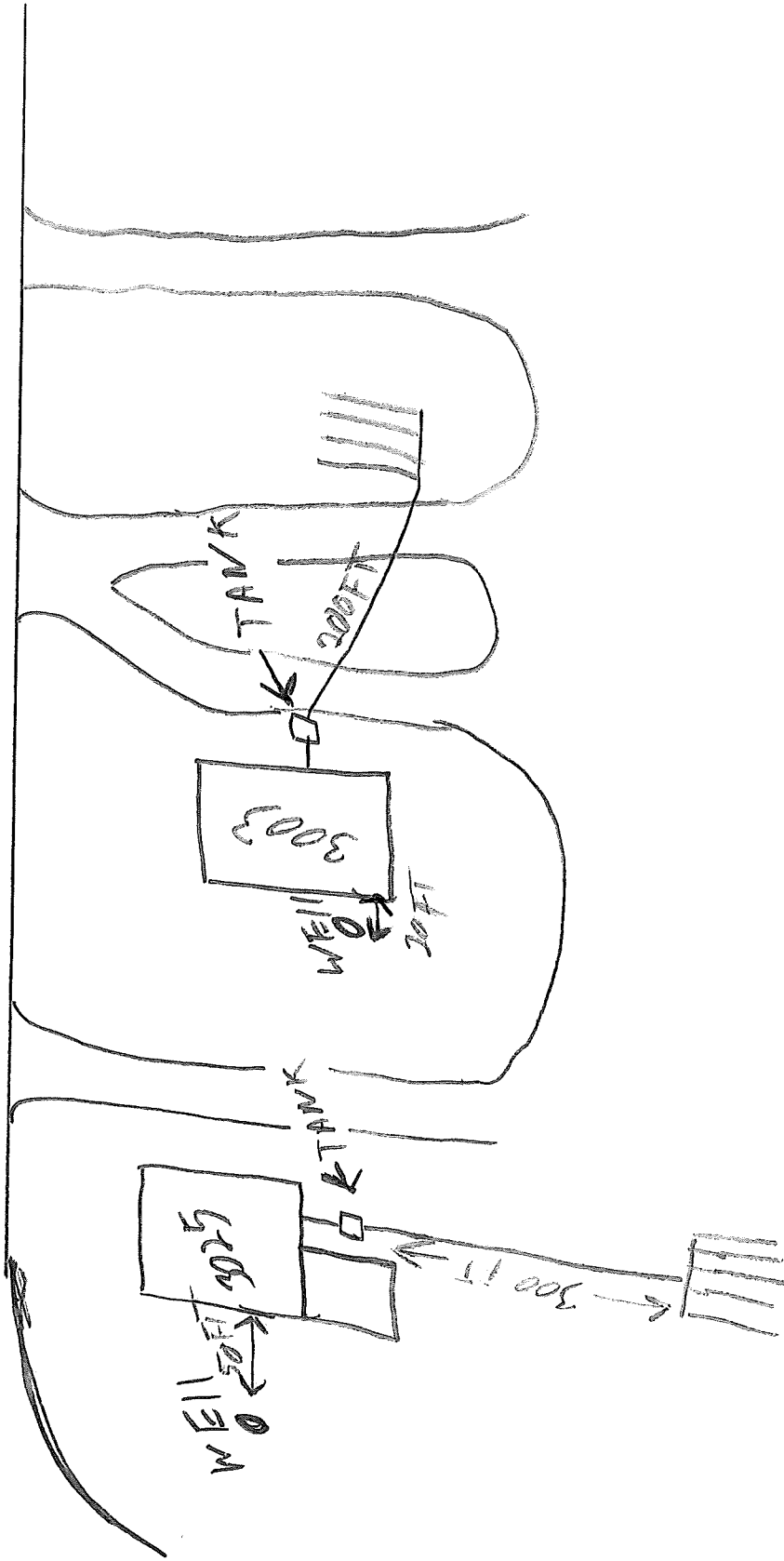
Section 5.05 C.

1. Side setbacks would restrict the split of existing farm between family members.
2. A variance of side setbacks would prevent interruption of existing farm operations. As not to destroy any buildings or structures.
3. This request is due to existing farm buildings constructed over many decades of operating our family farm. Now to be divided amongst our family.
4. N/A
5. Our goal is not to destroy or demolish any existing structure or buildings. As all provide a purpose on our family farm.

Joanne Spr
2-12-19

N

JEWELL Rd.



APPROXIMATE SEPTIC LOCATIONS

NO RECORDS AT HEALTH DEPARTMENT

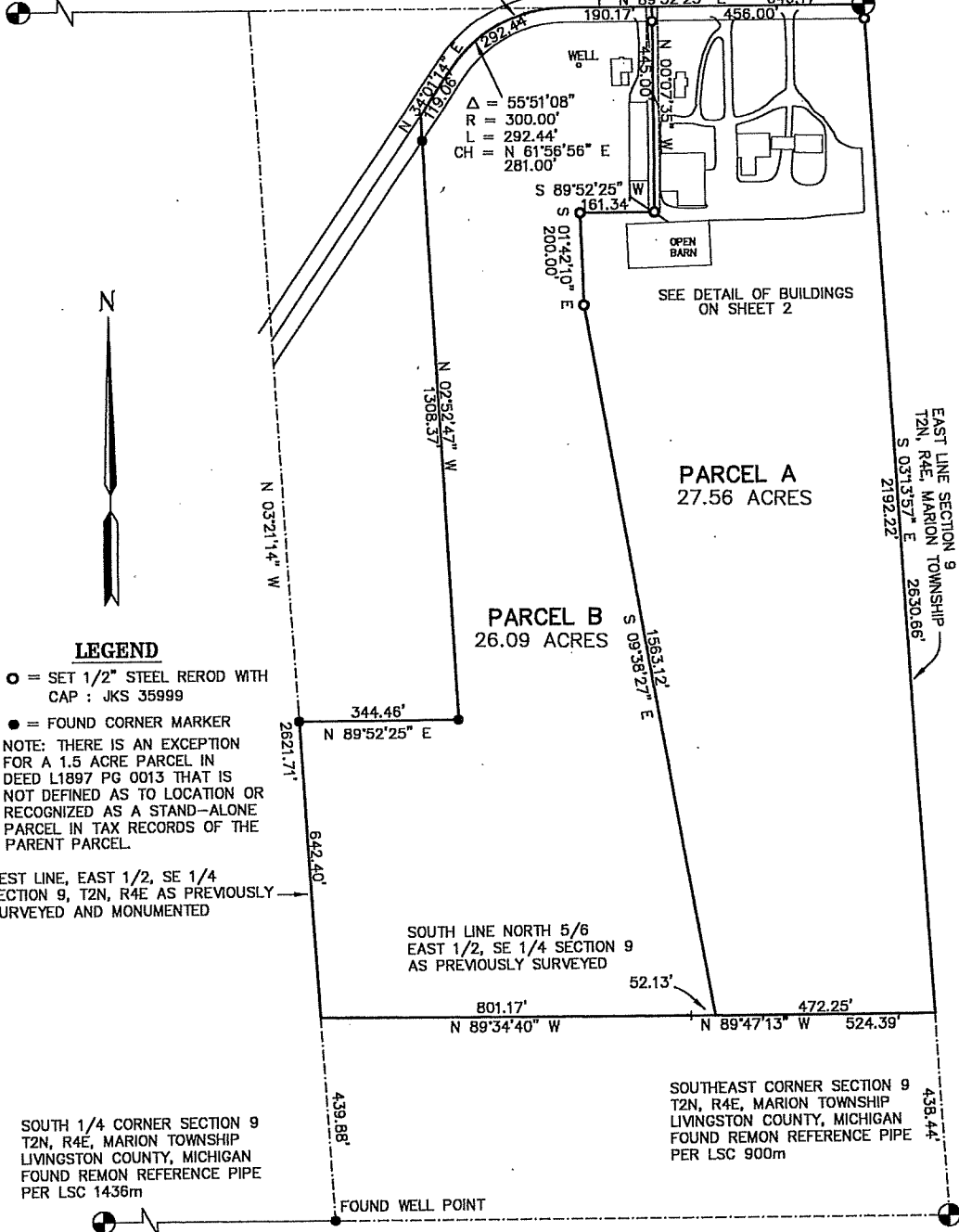
SKETCH OF PROPOSED SPLITS

CENTER OF SECTION 9
T2N, R4E, MARION TOWNSHIP
(NOT FIELD LOCATED)

EAST-WEST 1/4 LINE SEC.9
AS PREVIOUSLY SURVEYED
AND MONUMENTED

EAST 1/4 CORNER SECTION 9
T2N, R4E, MARION TOWNSHIP
LIVINGSTON COUNTY, MICHIGAN
FOUND REMON PIPE IN MON
BOX PER LSC 0061

☉ JEWELL ROAD



LEGEND

- = SET 1/2" STEEL REROD WITH CAP : JKS 35999
 - = FOUND CORNER MARKER
- NOTE: THERE IS AN EXCEPTION FOR A 1.5 ACRE PARCEL IN DEED L1897 PG 0013 THAT IS NOT DEFINED AS TO LOCATION OR RECOGNIZED AS A STAND-ALONE PARCEL IN TAX RECORDS OF THE PARENT PARCEL.



CLIENT: **ESPER**

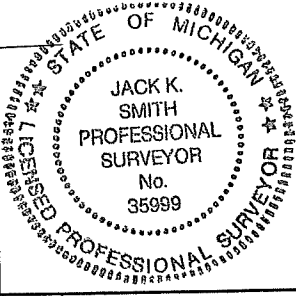
SCALE: 1" = 300'

SECTION: 9 TOWN: 2 NORTH RANGE: 4 EAST
 MARION TOWNSHIP
 LIVINGSTON COUNTY, MICHIGAN

JACK K. SMITH
 PROFESSIONAL SURVEYOR No. 35999

DATE: 11-12-2018 CREW: JKS/DJS/CG
 BOOK NO. 217 PG 73 COMP: JKS
 DRAWN: JKS
 SHEET 1 OF 3 REV:

GARLOCK-SMITH
PROFESSIONAL SURVEYORS
 516 EAST GRAND RIVER
 HOWELL, MICHIGAN 48843
 (517) 546 - 3340
 FAX: (517) 546 - 2941

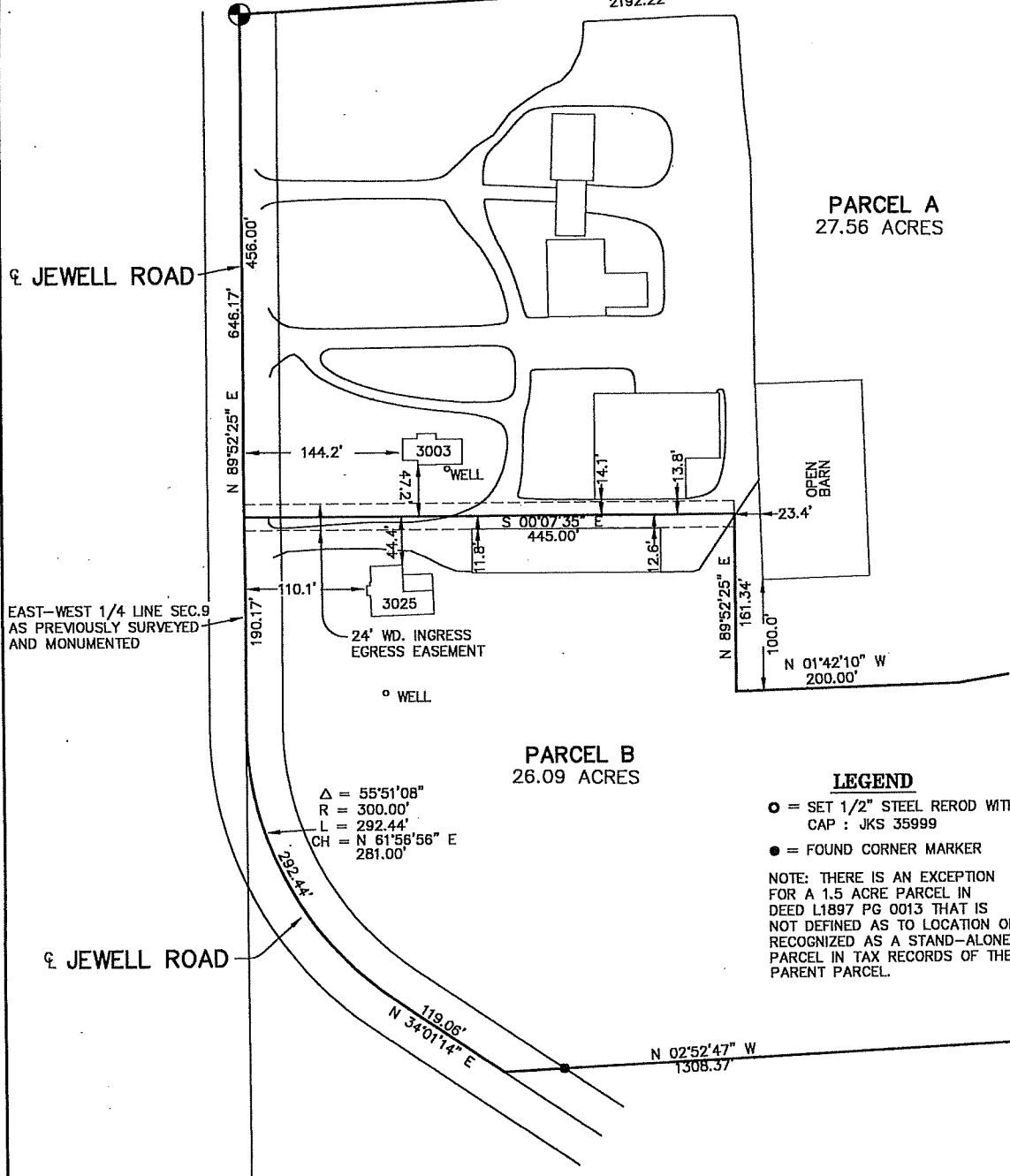


DETAIL OF AREA WITH EXISTING BUILDINGS



EAST 1/4 CORNER SECTION 9
T2N, R4E, MARION TOWNSHIP
LIVINGSTON COUNTY, MICHIGAN
FOUND REMON PIPE IN MON
BOX PER LSC 0061

EAST LINE SECTION 9
T2N, R4E, MARION TOWNSHIP
S 03°13'57" E
2192.22'



PARCEL A
27.56 ACRES

PARCEL B
26.09 ACRES

LEGEND

- = SET 1/2" STEEL REROD WITH CAP : JKS 35999
- = FOUND CORNER MARKER

NOTE: THERE IS AN EXCEPTION FOR A 1.5 ACRE PARCEL IN DEED L1897 PG 0013 THAT IS NOT DEFINED AS TO LOCATION OR RECOGNIZED AS A STAND-ALONE PARCEL IN TAX RECORDS OF THE PARENT PARCEL.

Δ = 55°51'08"
R = 300.00'
L = 292.44'
CH = N 61°56'56" E
281.00'

CLIENT: **ESPER**

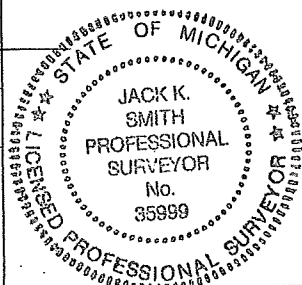
SCALE: 1" = 120'

SECTION: 9 TOWN: 2 NORTH RANGE: 4 EAST

MARION TOWNSHIP
LIVINGSTON COUNTY, MICHIGAN

[Signature]
JACK K. SMITH
PROFESSIONAL SURVEYOR No. 35999

GARLOCK-SMITH
PROFESSIONAL SURVEYORS
516 EAST GRAND RIVER
HOWELL, MICHIGAN 48843
(517) 546 - 3340
FAX: (517) 546 - 2941



DATE: 11-12-2018	CREW: JKS/DJS/CG
BOOK NO. 217 PG 73	COMP: JKS
	DRAWN: JKS
SHEET 2 OF 3	REV:

LEGAL DESCRIPTIONS:

PARCEL A – 27.56 ACRES:

BEGINNING AT THE EAST 1/4 CORNER OF SECTION 9, T2N, R4E, MARION TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN; THENCE S03°13'57"E 2192.22 FEET ALONG THE EAST LINE OF SAID SECTION 9; THENCE N89°47'13"W 472.25 FEET ALONG THE SOUTH LINE OF THE NORTH 5/6 OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 9 AS PREVIOUSLY SURVEYED AND MONUMENTED; THENCE N09°38'27"W 1563.12 FEET; THENCE N01°42'10"W 200.00 FEET; THENCE N89°52'25"E 161.34 FEET; THENCE N00°07'35"W 445.00 FEET TO A POINT ON THE EAST-WEST 1/4 LINE OF SAID SECTION 9 AS MONUMENTED AND THE CENTER LINE OF JEWELL ROAD; THENCE N89°52'25"E 456.00 FEET ALONG SAID 1/4 LINE AND CENTER LINE TO THE PLACE OF BEGINNING. BEING A PART OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 9, T2N, R4E, MARION TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN CONTAINING 27.56 ACRES OF LAND, MORE OR LESS, BEING SUBJECT TO A 1.5 ACRE EXCEPTION OF RECORD AT AN UN-DEFINED LOCATION AS CALLED FOR IN LIBER 1897, ON PAGE 0013 LIVINGSTON COUNTY RECORDS, ALSO BEING SUBJECT TO THE RIGHTS OF THE PUBLIC OVER THE NORTHERLY 33.00 FEET THEREOF, AS IS OCCUPIED BY JEWELL ROAD, ALSO BEING SUBJECT TO AND TOGETHER WITH THE USE OF A 24.00 FOOT WIDE PRIVATE EASEMENT FOR INGRESS AND EGRESS AS DESCRIBED BELOW, ALSO BEING SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

PARCEL B – 26.09 ACRES:

COMMENCING AT THE EAST 1/4 CORNER OF SECTION 9, T2N, R4E, MARION TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN; THENCE S89°52'25"W 456.00 FEET ALONG THE EAST-WEST 1/4 LINE OF SAID SECTION 9 AND THE CENTER LINE OF JEWELL ROAD FOR A PLACE OF BEGINNING; THENCE S00°07'35"E 445.00 FEET; THENCE S89°52'25"W 161.34 FEET; THENCE S09°38'27"E 1563.12 FEET; THENCE N89°47'13"W 52.13 FEET ALONG THE SOUTH LINE OF THE NORTH 5/6 OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 9 AS PREVIOUSLY SURVEYED AND MONUMENTED; THENCE N89°34'40"W 801.17 FEET CONTINUING ALONG SAID NORTH LINE; THENCE N03°21'14"W 642.40 FEET ALONG THE WEST LINE OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 9 AS PREVIOUSLY SURVEYED AND MONUMENTED; THENCE N89°52'25"E 344.46 FEET; THENCE N02°52'47"W 1308.37 FEET TO A POINT ON THE CENTER LINE OF SAID JEWELL ROAD; THENCE N34°01'14"E 119.06 FEET ALONG SAID CENTER LINE; THENCE 292.44 FEET ALONG SAID CENTER LINE AND THE ARC OF A 300.00 FOOT RADIUS CIRCULAR CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 55°51'08" AND HAVING A CHORD BEARING N61°56'56"E 281.00 FEET; THENCE N89°52'25"E 190.17 FEET ALONG SAID 1/4 LINE AND CENTER LINE TO THE PLACE OF BEGINNING. BEING A PART OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 9, T2N, R4E, MARION TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN CONTAINING 26.09 ACRES OF LAND, MORE OR LESS, BEING SUBJECT TO THE RIGHTS OF THE PUBLIC OVER THE NORTHERLY 33.00 FEET THEREOF, AS IS OCCUPIED BY JEWELL ROAD, ALSO BEING SUBJECT TO AND TOGETHER WITH THE USE OF A 24.00 FOOT WIDE PRIVATE EASEMENT FOR INGRESS AND EGRESS AS DESCRIBED BELOW, ALSO BEING SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

24.00 FOOT WIDE PRIVATE EASEMENT FOR INGRESS AND EGRESS:

A 24.00 FOOT WIDE PRIVATE EASEMENT FOR INGRESS AND EGRESS HAVING A CENTER LINE DESCRIBED AS FOLLOWS: COMMENCING AT THE EAST 1/4 CORNER OF SECTION 9, T2N, R4E, MARION TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN; THENCE S89°52'25"W 456.00 FEET ALONG THE EAST-WEST 1/4 LINE OF SAID SECTION 9 AND THE CENTER LINE OF JEWELL ROAD FOR A PLACE OF BEGINNING; THENCE S00°07'35"E 445.00 FEET FOR A PLACE OF ENDING. BEING A PART OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 9, T2N, R4E, MARION TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN, BEING SUBJECT TO THE RIGHTS OF THE PUBLIC OVER THE NORTHERLY 33.00 FEET THEREOF, AS IS OCCUPIED BY JEWELL ROAD, ALSO BEING SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

CLIENT: **ESPER**


SECTION: 9 TOWN: 2 NORTH RANGE: 4 EAST
 MARION TOWNSHIP
 LIVINGSTON COUNTY, MICHIGAN

[Signature]
 JACK K. SMITH
 PROFESSIONAL SURVEYOR No. 35999



DATE: 11-12-2018 CREW: JKS/DJS/CG
 BOOK NO. 217 PG 73 COMP: JKS
 SHEET 3 OF 3 DRAWN: JKS
 REV:

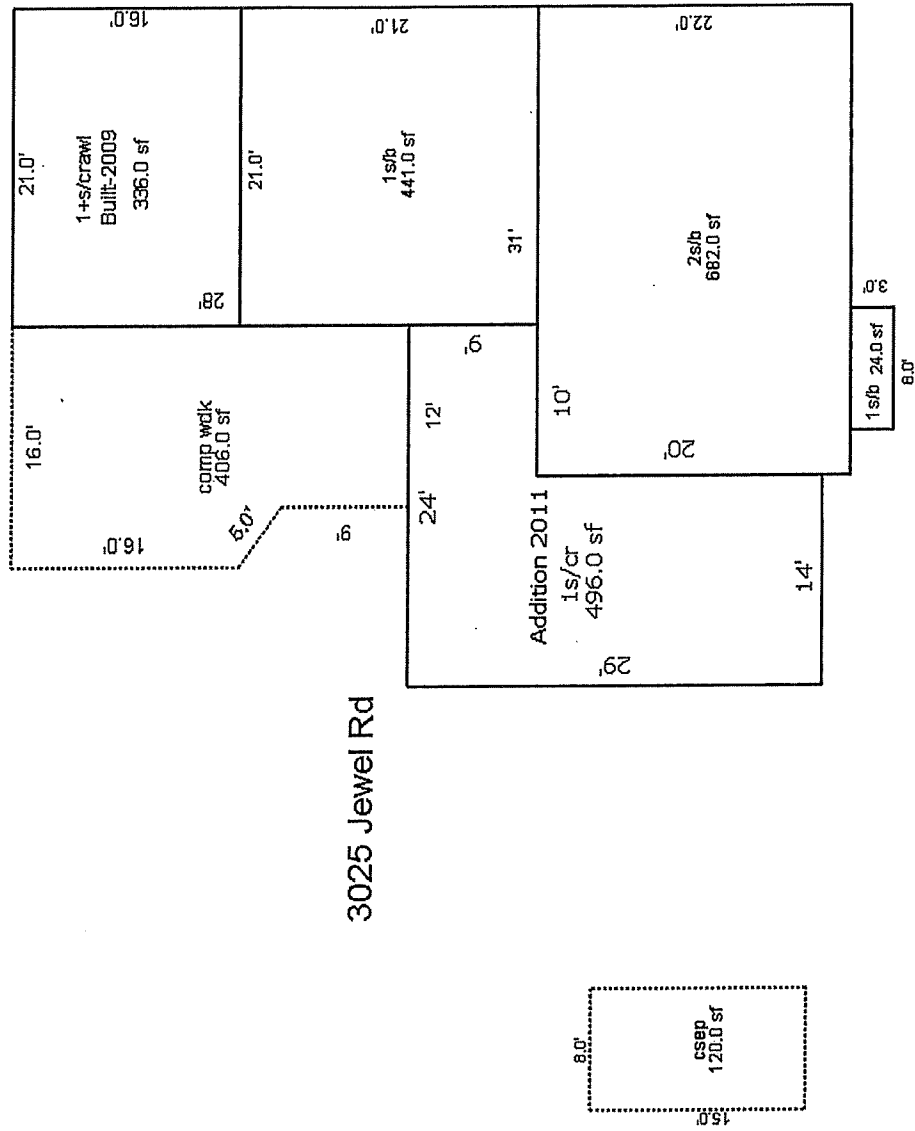
GARLOCK-SMITH
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 (517) 546 - 3340
 FAX: (517) 546 - 2941

Grantor		Grantee		Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prct. Trans.	
Property Address		Class: AG - IMPROVED		Zoning: RURAL	Building Permit(s)	Date	Number	Status			
3003 JEWELL RD		School: HOWELL		ADDITION		01/05/2012	2011-11879	100% COMPL			
Owner's Name/Address		P.R.E. 100% / /		MAP #: 9		2019 Est TCV Tentative					
ESPER MICHAEL D & JOANNE M		X Improved		Vacant		Land Value Estimates for Land Table AG.2019 AG					
Tax Description		Public		Improvements		* Factors *					
SEC 9 T2N R4E N5/6 OF E1/2 OF SE1/4 EXC		Dirt Road		Description		Front Depth Rate %Adj. Reason		Value			
COM E1/4 COR, TH S89*W 646.17 FT TO POB,		Gravel Road		2019 AGRIC TILLABLE		30.98 Acres 4400 100		136,312			
TH CONT S89*W 676.73 FT, TH S3*E 1484.22		Paved Road		2019 AGRIC WOODS GOOD		15.00 Acres 4500 100		67,500			
FT, TH N89*E 344.47 FT, TH N4*W 1278.93		Storm Sewer		2019 AGRIC HOMESITE		1.00 Acres 30000 100		30,000			
FT TO C/L JEWELL RD, TH ELY ALG C/L		Sidewalk		2019 AGRIC RECREATIONAL		5.68 Acres 4500 100		25,560			
448.51 FT TO POB 53.5 AC M/L SPLIT 3/85		Water		2019 AGRIC ROAD R.O.W.		0.84 Acres 0 100		0			
FROM 09-400-007		Sewer		53.50 Total Acres		Total Est. Land Value =		259,372			
Comments/Influences		Electric									
2019 ACRES CORRECTED UP TO 53.5 AC		Gas									
ADDED VALUE FOR ADDITION ON CRAWL TO SFD		Curb									
AS NEW TAXABLE VALUE		Street Lights									
***02/06/2013 PH		Standard Utilities									
		Underground Utils.									
		Topography of Site									
		Level									
		Rolling									
		Low									
		High									
		Landscaped									
		Swamp									
		Wooded									
		Pond									
		Waterfront									
		Ravine									
		Wetland									
		Flood Plain									
Who		When		What		Assessed Value		Board of Review		Taxable Value	
D		10/22/1996		DATA ENTER		Tentative		Tentative		Tentative	
						406,800				264,028C	
						431,200				258,598C	
						349,700				256,292C	

*** Information herein deemed reliable but not guaranteed***

Building Type		(3) Roof (cont.)		(11) Heating/Cooling			(15) Built-ins		(16) Porches/Decks		(17) Garage	
X	Single Family Mobile Home	Eavestrough Insulation	0 Front Overhang	X Gas Wood	Oil Coal	Elec. Steam	1	Appliance Allow. Cook Top Dishwasher Carbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Intercom Jacuzzi Tub Jacuzzi repli. Tub Oven	Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Ga	Area Type 120 CGEP (1 Story) 394 Composite	Year Built: Car Capacity: Class: Exterior: Brick Ven.: Stone Ven.: Common Wall: Foundation: Finished?: Auto. Doors: Mech. Doors: Area: % Good: Storage Area: No Conc. Floor:	
X	Wood Frame	(4) Interior Drywall X Plaster Paneled Wood T&G Trim & Decoration	Ex X Ord Min	X	Forced Air w/o Ducts Forced Air w/ Ducts Forced Hot Water Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace Forced Heat & Cool Heat Pump No Heating/Cooling		1	Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System	Class: C Effec. Age: 47 Floor Area: 2,661 Total Base New: 304,043 Total Depr Cost: 193,494 Estimated T.C.V: 161,567			
	Condition: Average	Lg X Ord Small	Doors Solid X H.C.		Central Air Wood Furnace							
	Room List	(5) Floors										
	Basement	Kitchen:	Other:									
	1st Floor	Other:										
	2nd Floor	(6) Ceilings										
	Bedrooms	X Plaster										
	(1) Exterior	(7) Excavation										
X	Wood/Shingle	Basement: 1147 S.F.										
	X Aluminum/Vinyl Brick	Crawl: 832 S.F.										
	(2) Windows	Slab: 0 S.F.										
	Many Large Avg. Small	Height to Joists: 0.0										
X	Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens	(8) Basement Conc. Block Poured Conc. Stone Treated Wood Concrete Floor										
	(3) Roof	(9) Basement Finish Recreation SF Living SF Walkout Doors No Floor SF										
X	Gable Hip Flat Asphalt Shingle	(10) Floor Support Joists: Unsupported len: Cntr. Sup:										
	Chimney: Brick											
		Lump Sum Items:										
		Public Water Public Sewer Water Well 1000 Gal Septic 2000 Gal Septic										
		Plumbing 2 Fixture Bath Vent Fan Water/Sewer 1000 Gal Septic Water Well, 200 Feet Porches CGEP (1 Story) Built-Ins Dishwasher Microwave Fireplaces Interior 1 Story Deck Composite										
		Stories Exterior Foundation Basement Siding Siding Siding 1+ Story Siding 1 Story Siding										
		Other Additions/Adjustments										
		Cost Est. for Res. Bldg: 1 Single Family FARMHOUSE (11) Heating System: Forced Heat & Cool Ground Area = 1979 SF Floor Area = 2661 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=53/100/100/100/53 Building Areas										
		Size 682 441 24 336 496										
		Total: 270,596										
		Cost New Depr. Cost										
		1 2,535 1,344										
		1 206 109										
		1 3,967 2,103										
		1 8,762 4,644										
		120 7,135 3,782										
		1 635 337										
		1 345 183										
		1 4,354 2,308										
		394 5,508 193,494										
		Totals: 304,043										
		Notes: ECF (AGRICULTURAL LAND) 0.835 => TCV: 161,567										

*** Information herein deemed reliable but not guaranteed***

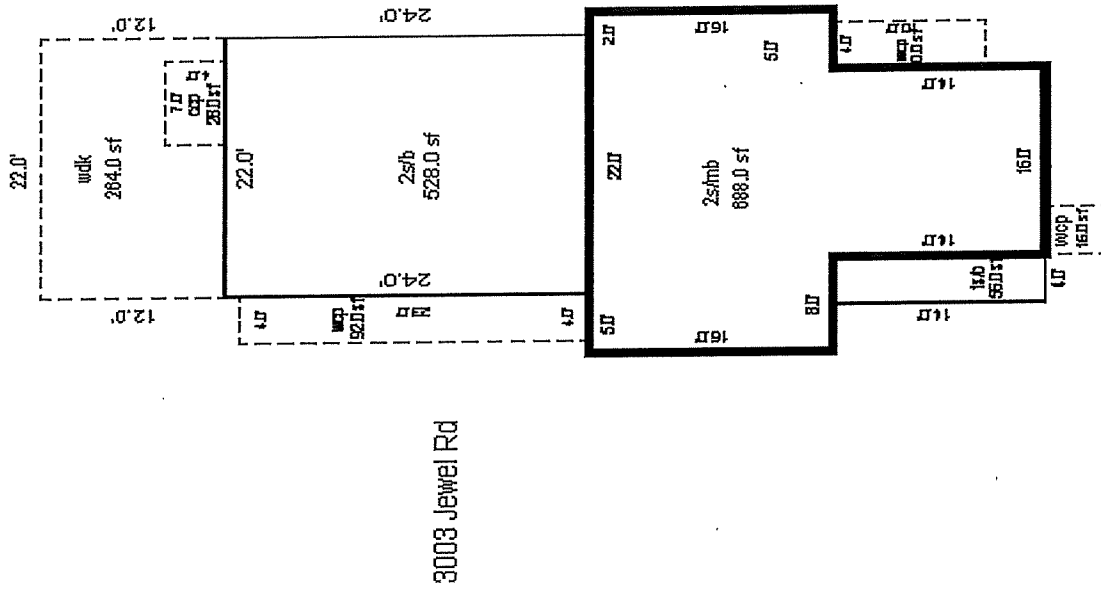


Sketch by Apex Sketch

*** Information herein deemed reliable but not guaranteed***

Building Type	(3) Roof (cont.)	(11) Heating/Cooling	(15) Built-ins	(15) Fireplaces	(16) Porches/Decks	(17) Garage
X Single Family Mobile Home Town Home Duplex A-Frame	Eavestrough Insulation 0 Front Overhang 0 Other Overhang (4) Interior Drywall X Plaster Paneled Wood T&G Trim & Decoration Ex X Ord Min Size of Closets Lg X Ord Small Doors Solid X H.C.	X Gas Wood Forced Air w/o Ducts Forced Air w/ Ducts Electric Baseboard Elec. Ceil. Radiant Radiant (in-floor) Electric Wall Heat Space Heater Wall/Floor Furnace Forced Heat & Cool Heat Pump No Heating/Cooling Central Air Wood Furnace (12) Electric 100 Amps Service	Appliance Allow. Dishwasher Garbage Disposal Bath Heater Vent Fan Hot Tub Unvented Hood Vented Hood Intercom Jacuzzi Tub Jacuzzi repl. Tub Oven Microwave Standard Range Self Clean Range Sauna Trash Compactor Central Vacuum Security System	Interior 1 Story Interior 2 Story 2nd/Same Stack Two Sided Exterior 1 Story Exterior 2 Story Prefab 1 Story Prefab 2 Story Heat Circulator Raised Hearth Wood Stove Direct-Vented Ga Class: C Effec. Age: 47 Floor Area: 2,488 Total Base New : 270,772 Total Depr Cost: 144,321 Estimated T.C.V: 120,508	Area Type 40 WCP (1 Story) 92 WCP (1 Story) 16 WCP (1 Story) 264 Treated Wood	Year Built: Car Capacity: Class: Exterior: Brick Ven.: Stone Ven.: Common Wall: Foundation: Finished?: Auto. Doors: Mech. Doors: Area: % Good: Storage Area: No Conc. Floor: Bsmnt Garage: Carport Area: Roof:
X Wood Frame						
Building Style: FARMHOUSE						
Yr Built Remodeled 1917 1978						
Condition: Average						
Room List	(5) Floors					
Basement 1st Floor 2nd Floor Bedrooms	Kitchen: Other: Other:					
(1) Exterior	(6) Ceilings	No./Qual. of Fixtures Ex. X Ord. Min No. of Elec. Outlets Many X Ave. Few	Cost Est. for Res. Bldg: 2 Single Family FARMHOUSE (11) Heating System: Forced Heat & Cool Ground Area = 1272 SF Floor Area = 2488 SF. Phy/Ab.Phy/Func/Econ/Comb. % Good=53/100/100/100/53 Building Areas			
X Wood/Shingle Aluminum/Vinyl Brick	X Plaster (7) Excavation	(13) Plumbing Average Fixture(s) 1 3 Fixture Bath 1 2 Fixture Bath Softener, Auto Softener, Manual Solar Water Heat No Plumbing Extra Toilet Extra Sink Separate Shower Ceramic Tile Floor Ceramic Tile Wains Ceramic Tub Alcove Vent Fan	Stories Exterior 2 Story Siding 2 Story Siding 1 Story Siding Other Additions/Adjustments Plumbing 2 Fixture Bath Water/Sewer 1000 Gal Septic Water Well, 200 Feet Porches WCP (1 Story) WCP (1 Story) WCP (1 Story) Deck Treated Wood	Foundation Mich Bsmnt. Basement Mich Bsmnt.	Size 688 528 56 Total: 244,519	Cost New Depr. Cost 2,535 1,344 3,967 2,103 8,762 4,644
X Insulation	Basement: 1272 S.F. Crawl: 0 S.F. Slab: 0 S.F. Height to Joists: 0.0 (8) Basement					
(2) Windows						
Many Large Avg. X Avg. Few Small						
Wood Sash Metal Sash Vinyl Sash Double Hung Horiz. Slide Casement Double Glass Patio Doors Storms & Screens						
(3) Roof	(9) Basement Finish Recreation SF Living SF Walkout Doors No Floor SF	(14) Water/Sewer Public Water Public Sewer 1 Water Well 1 1000 Gal Septic 2000 Gal Septic Lump Sum Items:	Notes: ECF (AGRICULTURAL LAND) 0.835 => TCV: 120,508			
X Gable Hip Flat X Asphalt Shingle	(10) Floor Support Joists: Unsupported Len: Cntr.Sup:					
Chimney: Vinyl						

*** Information herein deemed reliable but not guaranteed***



Sketch by Apex IV™

*** Information herein deemed reliable but not guaranteed***

Building Type	Farm Utility Buildings	Utility Lean-Tos	Barn - General Purpose	Milk Houses	Barn - General Purpose
Year Built					
Class/Construction	D, Frame	D, Pole	D, Frame	D, Frame	D, Pole
Quality/Exterior	Average	Low Cost	Low Cost	Average	Average
# of Walls, Perimeter	4 Wall, 240	4 Wall, 154	4 Wall, 200	4 Wall, 52	No-Wall, 304
Height	14	9	20	10	14
Heating System	No Heating/Cooling	No Heating/Cooling	No Heating/Cooling	No Heating/Cooling	No Heating/Cooling
Length/Width/Area	80 x 40 = 3200	82 x 36 = 2952	60 x 40 = 2400	14 x 12 = 168	100 x 52 = 5200
Cost New	\$ 49,952	\$ 15,144	\$ 53,520	\$ 11,526	\$ 83,564
Phy./Func./Econ. %Good	76/100/100 76.0	43/100/100 43.0	43/50/50 10.8	20/0/100 0.0	66/100/100 66.0
Depreciated Cost	\$ 37,964	\$ 6,512	\$ 5,753	\$ 0	\$ 55,152
+ Unit-In-Place Items	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Description, Size X Rate X %Good = Cost					
Itemized ->					
Unit-In-Place ->					
Items ->					
E.C.F.	X 0.95	X 0.95	X 0.95	X 0.95	X 0.95
% Good	76	43	43	20	66
Est. True Cash Value	\$ 36,065	\$ 6,186	\$ 5,466	\$ 0	\$ 52,395
Comments:					
Total Estimated True Cash Value of Agricultural Improvements / This Card: 100112 / All Cards: 232392					
NV - POOR CONDITION					

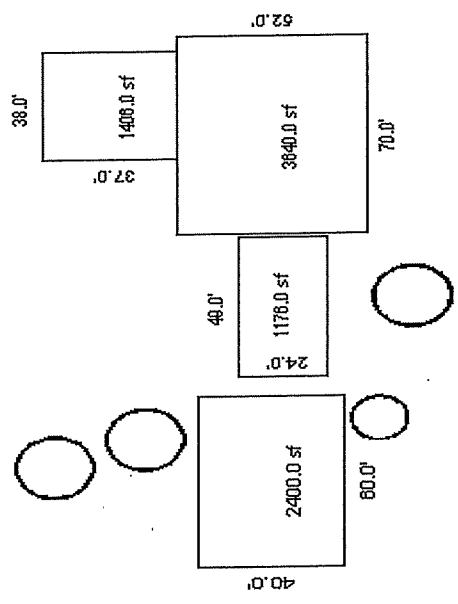
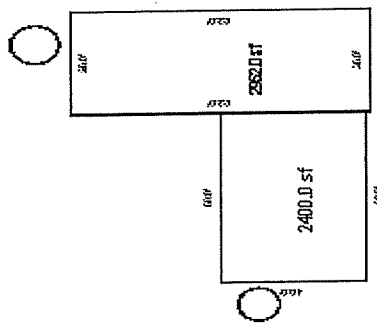
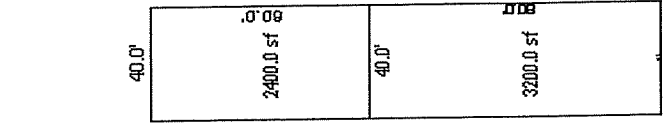
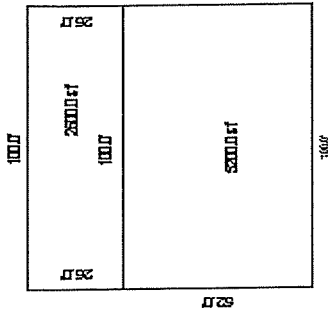
*** Information herein deemed reliable but not guaranteed***

Building Type	Utility Lean-Tos	Utility Lean-Tos	Farm Utility Buildings	Farm Utility Buildings	Farm Utility Buildings
Year Built					
Class/Construction	D, Pole	D, Pole	D, Pole	D, Pole	D, Pole
Quality/Exterior	Average	Low Cost	Low Cost	Low Cost	Low Cost
# of Walls, Perimeter	Lean-To, 152	4 Wall, 112	4 Wall, 244	4 Wall, 146	4 Wall, 200
Height	14	8	14	8	12
Heating System	No Heating/Cooling	Space Heaters, Rad.	No Heating/Cooling	No Heating/Cooling	No Heating/Cooling
Length/Width/Area	100 x 26 = 2600	38 x 37 = 1406	70 x 52 = 3640	49 x 24 = 1176	60 x 40 = 2400
Cost New	\$ 17,570	\$ 11,769	\$ 25,625	\$ 8,538	\$ 16,944
Phy./Func./Econ. %Good	66/100/100 66.0	33/100/100 33.0	43/100/100 43.0	43/100/100 43.0	43/100/100 43.0
Depreciated Cost	\$ 11,596	\$ 3,884	\$ 11,019	\$ 3,671	\$ 7,286
+ Unit-In-Place Items	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Description, Size X Rate X %Good = Cost					
Itemized -->					
Unit-In-Place -->					
Items -->					
E.C.F.	X 0.95	X 0.95	X 0.95	X 0.95	X 0.95
% Good	66	33	43	43	43
Est. True Cash Value	\$ 11,016	\$ 3,690	\$ 10,468	\$ 3,488	\$ 6,922
Comments:					
Total Estimated True Cash Value of Agricultural Improvements / This Card: 35584 / All Cards: 232392					

*** Information herein deemed reliable but not guaranteed***

Building Type	Steel Grain Bin	Steel Grain Bin	Steel Grain Bin	Farm Implement (Equipment)
Year Built	1982	1982	1982	
Class/Construction	N/A	N/A	N/A	
Quality/Exterior	Diameter: 30	Diameter: 30	Diameter: 21	D, Pole
# of Walls, Perimeter				Good
Height	Floor: Vented Floor	Floor: Vented Floor	Floor: Vented Floor	4 Wall, 200
Heating System	+ 0 = 0	+ 0 = 0	+ 0 = 0	14
Length/Width/Area	18	18	18	No Heating/Cooling
Cost New	\$ 31,320	\$ 31,320	\$ 18,792	60 x 40 = 2400
Phy./Func./Econ. %Good	53/100/100 53.0	53/100/100 53.0	53/100/100 53.0	\$ 55,296
Depreciated Cost	\$ 16,600	\$ 16,600	\$ 9,960	76/100/100 76.0
+ Unit-In-Place Items	\$ 0	\$ 0	\$ 0	\$ 42,025
Description, Size X Rate X %Good = Cost				\$ 0
Itemized ->				
Unit-In-Place ->				
Items ->				
E.C.F.	X 0.95	X 0.95	X 0.95	X 0.95
% Good	53	53	53	76
Est. True Cash Value	\$ 15,770	\$ 15,770	\$ 9,462	\$ 39,924
Comments:				
Total Estimated True Cash Value of Agricultural Improvements / This Card: 96696 / All Cards: 232392				

*** Information herein deemed reliable but not guaranteed***



Sketch by Apex N/A

*** Information herein deemed reliable but not guaranteed***

MARION MARCH 2018

