

<https://www.leelanau.gov/meetingdetails.asp?MAId=1995>

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MeetingLink <https://us02web.zoom.us/j/82997263458>

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Leelanau County

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CBA

Construction Board of Appeals/Wizinsky Appeal: Monday, October 5, 2020

9:00 AM, Board of Commissioners Meeting Room

[Download Meeting Notice \(downloads/boa_notice_10052020.pdf\)](#)

[Download Meeting Agenda \(downloads/cboa_agenda_12063_foxview_dr_10052020.pdf\)](#)

[Download ePacket \(downloads/cboa_wizinsky_appeal_10052020_rev_2.pdf\)](#) Hunter's Appeal

- [01 Wizinsky Appeal, 10052020 \(downloads/wizinsky_boa_request_to_appeal_09102020.pdf\)](#)
- [13 Wizinsky Appeal, 10052020 \(downloads/10052020_wizinsky_boa_appeal_exhibits_50_54.pdf\)](#)
- [02 Wizinsky Appeal, 10052020 \(downloads/10052020_wizinsky_boa_appeal_exhibits_toc.pdf\)](#)
- [03 Wizinsky Appeal, 10052020 \(downloads/10052020_wizinsky_boa_appeal_exhibits_1_5.pdf\)](#)
- [04 Wizinsky Appeal, 10052020 \(downloads/10052020_wizinsky_boa_appeal_exhibits_6_10.pdf\)](#)
- [05 Wizinsky Appeal, 10052020 \(downloads/10052020_wizinsky_boa_appeal_exhibits_11_15.pdf\)](#)
- [06 Wizinsky Appeal, 10052020 \(downloads/10052020_wizinsky_boa_appeal_exhibits_16_20.pdf\)](#)
- [08 Wizinsky Appeal, 10052020 \(downloads/10052020_wizinsky_boa_appeal_exhibits_26_30.pdf\)](#)
- [09 Wizinsky Appeal, 10052020 \(downloads/10052020_wizinsky_boa_appeal_exhibits_31_35.pdf\)](#)
- [10 Wizinsky Appeal, 10052020 \(downloads/10052020_wizinsky_boa_appeal_exhibits_36_40.pdf\)](#)
- [11 Wizinsky Appeal, 10052020 \(downloads/10052020_wizinsky_boa_appeal_exhibits_41_45.pdf\)](#)
- [12 Wizinsky Appeal, 10052020 \(downloads/10052020_wizinsky_boa_appeal_exhibits_46_49.pdf\)](#)
- [07 Wizinsky Appeal, 10052020 \(downloads/10052020_wizinsky_boa_appeal_exhibits_21_25.pdf\)](#)

Wizinsky's Appeal

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Error opening primary table

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The Leelanau County Government Center is located at: 8527 E. Government Center Dr., Suttons Bay MI 49682
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After five years, and through filing a Federal Case. This Is How We Got an Appeal:

AN APPEAL AND GUIDE TO HOW LEELANAU COUNTY WORKING WITH LEELANAU TOWNSHIP UNLAWFULLY FORCED MY FAMILY OUT OF THE COUNTY AFTER THE ADOPTION OF OUR AFRICAN AMERICAN DAUGHTER

Short version:

- After a 2015 storm damaged our home, in September 2015, the County red tagged our home, denied us repairs until repair permit issued. Then they simply refused to issue permit after several applications. [Exhibit 19](#)
- In December 2017, the State of Michigan Civil Rights Division required the County to issue a permit for settlement of a racial discrimination complaint. [Exhibit 11](#)
- In 2018 after our was home exposed to three winters, the County issued the permit with zoning approval. [Exhibit 2.](#)
- To keep African Americans out of the County, the County outlawed us from sleeping in our home with a fraudulent Certificate of Occupancy. [Exhibit 24](#)
- I tried to appeal, but was told there was no appeal process. I sent Certified Letters to all County Commissioners, Chet Janik, Paul Hunter and Joe Hubbell asking for the appeal. No response. [Exhibit 49](#)
- Paul Hunter needed to entrap my family since we are on almost 2 acres and no one knows when we are using our property. Eight days after C. of O. Hunter wanted second inspection of our fireplace, [Exhibit 53](#) Fireplace was inspected and approved, [Exhibit 54.](#) Hunter coordinated with the Township the inspection so a private detective could report us sleeping in our home and set us for litigation. [Exhibit 52.](#)
- The Township sues us for an alleged zoning violation “sleeping in our home” . The Township violated the Open Meetings Act, the Township Zoning Ordinances, and the Michigan Zoning Enabling Act. [Exhibits 27-30](#)
- Instead of a \$100 fine and an appeal process, this cost us \$25,000 in legal fees. In the forced settlement, we must sell our property, must move home off the property in three years if it does not sell. Exhibits 3,26 -30 and 37. This document unlawfully denied use thereby denying my daughter from inheriting the property.

CHET JANIK, COUNTY COMMISSIONERS VIOLATION OF 14TH ADMENDMENT DUE PROCESS DENIED, TAKINGS CLAIM, DESPARATE TREATMENT AND RACISM

VIOLATION OF DUE PROCESS-UNLAWFUL MANDATE BY CHET JANIK EXHIBIT 19

MEMO TO FILE

Date: 6/22/2017

Township: LEELANAU

RE: LOT 11, THE SHORES SUBDIVISION, FOXVIEW DR.

I ATTENDED A MEETING AT THE REQUEST OF DON SCRIpps.

THE MEETING WAS HELD AT THE CONSTRUCTION CODE OFFICE AT THE

LEELANAU COUNTY COURTHOUSE.

ATTENDEES: STEVE HAUGEN - BUILDING OFFICIAL
TY WESSELL - COUNTY COMMISSIONER
CHET JANIK - COUNTY ADMINISTRATOR
STEVE PATMORE - LEELANAU TWP ZONING ADMIN.

MEMO TO FILE

Date: 6/22/2017

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- LEELANAU COUNTY RECEIVED A BUILDING PERMIT APPLICATION FROM THE OWNER OF LOT 11 LAST FALL (TO REPLACE STRUCURE)
- DOES REPLACING THIS STRUCURE REQUIRE A LAND USE PERMIT FROM LEELANAU TOWNSHIP? (YES PER STEVE PATMORE)
- WILL LEELANAU TWP GIVE STEVE HAUGEN A LETTER TO THAT EFFECT? (YES-PER STEVE PATMORE)
- LEELANAU COUNTY HAS DETERMINED THAT THE EXISTING STRUCURE IS IN VIOLATION OF THE BUILDING CODE.
- LEELANAU COUNTY IS MANDATING THAT THE EXISTING STRUCURE BE DEMED.
- ~~COMMISSIONER~~ WESSELL & C.A. JANIK GUARANTEED THAT THE EXISTING STRUCURE IS BEING OCCUPIED.

(OVER)

• LEBLANNAH COUNTY RECEIVED A BUILDING PERMIT APPLICATION FROM THE OWNER OF LOT 11 LAST FALL. (TO REPLACE STRUCTURE)

Nine months have past and not processed, two winters past.

This is a lie, already repaired much of structure, no application stated this.

Blanche Road Corp. v. Bensalem Township

57 F.3d 253 (3d Cir. 1995)

Finding that a due process violation could exist when *Township* officials "deliberately and improperly interfered with the process by which the *Township* issued permits in order to block or to delay the issuance of plaintiff's permits." and "Such actions, if proven are sufficient to establish a substantial due process violation, actionable under 1983, even if the ultimate outcome of plaintiff's permit was favorable."

MEMO TO FILE

Date: 6/22/2017
Township: LEBLANNAH
RE: LOT 11, THE SHREDS SUBDIVISION, FOXVIEW DR.

I ATTENDED A MEETING AT THE REQUEST OF DAVE SCRIPPS. THE MEETING WAS HELD AT THE CONSTRUCTION CODE OFFICE AT THE LEBLANNAH COUNTY COURTHOUSE.

ATTENDEES: STEVE HAUGEN - BUILDING OFFICER
FRY WEDGELL - COUNTY COMMISSIONER
CHET JANIK - COUNTY ADMINISTRATOR
STEVE PATMORE - LEBLANNAH TWP ZONING ADMIN.

• LEBLANNAH COUNTY RECEIVED A BUILDING PERMIT APPLICATION FROM THE OWNER OF LOT 11 LAST FALL (TO REPLACE STRUCTURE)

• DOES REPLACING THIS STRUCTURE REQUIRE A LAND USE PERMIT FROM LEBLANNAH TOWNSHIP? (YES PER STEVE PATMORE)

• WILL LEBLANNAH TWP GIVE STEVE HAUGEN A LETTER TO THAT EFFECT? (YES - PER STEVE PATMORE)

• LEBLANNAH COUNTY HAS DETERMINED THAT THE EXISTING STRUCTURE IS IN VIOLATION OF THE BUILDING CODE.

• LEBLANNAH COUNTY IS MANDATING THAT THE EXISTING STRUCTURE BE REMOVED.

• COMMISSIONER WEDGELL & C.A. JANIK AGREED THAT THE EXISTING STRUCTURE IS BEING OCCUPIED.

(OVER)

LOCKARY v. KAYFETZ

917F.2d 1150, 1155-56(9th Cir. 1990)

United States Court of Appeals, Ninth Circuit.

Substantive *due process* has emerged as the concept utilized to rectify governmental actions that wrongfully deprive a person of life, liberty, or property. It has served as the grounds for recognizing 42 U.S.C.A. § 1983 claims where plaintiffs have alleged governmental bodies refused to issue government-regulated permits for reasons unrelated to the merits of an application for such permits.

And,

SCOTT v. GREENVILLE COUNTY United States Court of Appeals, Fourth Circuit.

716 F. 2d 1409,1419 (4th Cir. 1983)

“SMC 4.03.020 permits no delay in the *issuance* of a *building* or *grading permit* while the municipality rethinks plat approval which it had granted years previously. City council members who improperly interfere with the process by which a municipality issues permits deprive the *permit* applicant of his property absent that process which is due. Bateson, 857 F.2d at 1303; Blanche Rd. Corp. v. Bensalem Township, 57 F.3d 253, 267-68 (3d Cir.)(deliberate and improper *interference* with the process by which the township issues *permit* established substantive due process violation even if permits were ultimately issued), cert. denied, 516 U.S. 915, 116 S. Ct. 303, 133 L. Ed. 2d 208 (1995); Bello v. Walker, 840 F.2d 1124, 1129 (3d Cir.)(improper *interference* with the process by which municipality issues *building permit* is arbitrary and violates substantive due process), cert. denied, 488 U.S. 868, 109 S. Ct. 176, 102 L. Ed. 2d 145 (1988); Scott v. Geenville County. 716 F. 2d 1409, 1419 (4th Cir. 1983) (county council's intervention in administrative *issuance* process of a *building permit* violates due process). ...”

Lie- No inspection since 1992, this was said sight unseen, no documented inspection and building is locked so no inspection could have happened.

- LEBLANNAU COUNTY HAS DETERMINED THAT THE EXISTING STRUCTURE IS IN VIOLATION OF THE BUILDING CODE.
- LEBLANNAU COUNTY IS MANDATING THAT THE EXISTING STRUCTURE BE REMOVED
- COMMISSIONER WESSELL & C.A. JANIK CONCERNED THAT THE EXISTING STRUCTURE IS BEING OCCUPIED.

Chet Janik
MANDATED my home
to be removed!
So no permit ever
submitted would be
processed!

Lie- House was
open to the
elements, not
habitable.

Township: LEBLANNAU

RE: LOT 11, THE SHREDS SUBDIVISION, REXVIEW DR.

I ATTENDED A MEETING AT THE REQUEST OF DAVE SCRIPPS
THE MEETING WAS HELD AT THE CONSTRUCTION CODE OFFICE AT THE
LEBLANNAU COUNTY COURTHOUSE

ATTENDEES: STEVE HALGEN - BUILDING OFFICER
TY WESSELL - COUNTY COMMISSIONER
CHET JANIK - COUNTY ADMINISTRATOR
STEVE PATMORE - LEBLANNAU TWP ZONING ADMIN.

- LEBLANNAU COUNTY RECEIVED A BUILDING PERMIT APPLICATION FROM THE OWNER OF LOT 11 LAST FALL (TO REPAIR STRUCTURE)
- DOES REPLACING THIS STRUCTURE REQUIRE A LAND USE PERMIT FROM LEBLANNAU TOWNSHIP? (YES PER STEVE PATMORE)

WILL LEBLANNAU TWP GIVE STEVE HALGEN A LETTER TO THAT EFFECT?
(YES - PER STEVE PATMORE)

- LEBLANNAU COUNTY HAS DETERMINED THAT THE EXISTING STRUCTURE IS IN VIOLATION OF THE BUILDING CODE.
- LEBLANNAU COUNTY IS MANDATING THAT THE EXISTING STRUCTURE BE REMOVED
- COMMISSIONER WESSELL & C.A. JANIK CONCERNED THAT THE EXISTING STRUCTURE IS BEING OCCUPIED.

(OVER)

PATMORES LETTER FROM JUNE 22, 2017 MEETING Exhibit 12

*Leelanau Township
Planning & Zoning Office*

119 E. Nagonaba St.
P.O. Box 338
Northport, MI 49670

(231) 386-5138 phone
(231) 866-0799 cell

June 22, 2017

VIA EMAIL ONLY

shaugen@co.leelanau.mi.us

Steven Haugen
Leelanau County Construction Codes
8527 Governmental Center Dr., Suite 109
Suttons Bay, MI 49682

Re: Land Use Permit Requirement
Leelanau Township

Per our discussion this morning, a Land Use Permit from Leelanau Township is required to replace an existing structure within the township, including replacing the gazebo structure we discussed on Lot 11 in The Shores Subdivision.

At this time there is no pending application filed with Leelanau Township to perform any work on Lot 11, The Shores Subdivision.

If you have any questions, please call.

Sincerely,



Steven W. Patmore
Zoning Administrator
Leelanau Township

Email copy: Doug Scripps
Ty Wessel
Chet Janik

LIE- I just spent a lot of effort and money repairing the home, why would I want to tear it down and start over?

Since my application did not state this, it means I do not need a new land use permit.

INTERNAL LETTER- I was not to be copied on letter.

CHET JANIK EMAIL THREATENING COURTS FOR NONEXISTANT VIOLATION –Exhibit 20

Steve H- Based on this written confirmation, I am assuming you will sending out a letter to Mr. Wizinsky within the next week notifying him of the Zoning Administrator's decision and the fact that his structure is out of compliance and therefore he needs to meet the current codes or remove the building within the allotted legal period. Failure to do so, will result in the case being referred to the Courts and the legal process will commence.

This is how Chet Janik was going to get his MANDATE enforced through fraud. He involved zoning when zoning was not required based on the letter; because I was not going to tear down my house and rebuild it!

I did not need a new Land Use Permit and could use the 1992 Land Use Permit, based on Patmore's letter.

To: Steve Patmore; Steve Haugen
Cc: [super@leelanau.org]; Ty Wessel
Subject: RE: Leelanau Township

Thank you Mr. Patmore for meeting with us this morning and for the follow-up clarification letter.

Steve H- Based on this written confirmation, I am assuming you will sending out a letter to Mr. Wizinsky within the next week notifying him of the Zoning Administrator's decision and the fact that his structure is out of compliance and therefore he needs to meet the current codes or remove the building within the allotted legal period. Failure to do so, will result in the case being referred to the Courts and the legal process will commence.

It would be beneficial and appreciated, if you could provide a copy of that letter to the Doug Scripps and Ty Wessel.

My suggestion is that we meet the week of July 24 to review the situation and determine if Mr. Wizinsky is abiding by the written request.

Chet

Chet Janik
Leelanau County Administrator
8527 E Government Center Dr.
Suite 101
Suttons Bay, MI 49682
231-256-8100
cjanik@co.leelanau.mi.us

STEVE HAUGAN ISSUES A CITATION TO GET ME TO APPLY FOR AN UNNEEDED NEW LAND USE PERMIT- EXHIBIT 13

documents. Amended documents and association paperwork.

3 R102.2 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law. In reference to 6-22-2017 meeting including Steven M Haugen, Building Official, Chet Janik, Leelanau County Administrator, Ty Wessel, County Commissioner and Steve Patmore, Leelanau Township zoning administrator a land use permit shall be obtained from the township for the re-construction of this building to meet code compliance. *

This is how Chet Janik manipulated his people to get his MANDATE and require me to file for an unneeded Land Use Permit. I did and it then took 5 months for Patmore to deny the permit, when his ordinances require a denial in 45 days. His denial would be attached to the Certificate of Occupancy stating my home was not a dwelling and then we could not sleep in it. The Township sued us for not getting a new Land Use Permit and sleeping in our home. Mr. Patmore's denial email became the basis for the restriction in the Certificate of Occupancy. The County cannot even issue a building permit unless you are in compliance with zoning and have a good Land Use Permit. They issued my permit based the 1992 land use permit.



LEELANAU COUNTY CONSTRUCTION CODE AUTHORITY
8527 E. Government Center Dr Suite 109
Suttons Bay, MI 49882
Phone (231) 256-8906 FAX (231) 256-4333

VIOLATION NOTICE

08/22/2017

WIZINSKY WILLIAM G & ANN M
250 PLEASANT COVE DR
NOVI, MI 48377

RE Property address: N FOXVIEW DR/008-800-011-00
Code Enforcement # E15-0084
Inspection Date: 08/22/2017

NOTICE OF VIOLATION/CORRECTION of the MICHIGAN RESIDENTIAL CODE 2009:

Dear WIZINSKY WILLIAM G & ANN M:

Upon inspection, violations of the State of Michigan, Residential Code 2009, were found to exist. The following corrections are hereby required:

Code Reference and Discrepancy:

- 1 R106.3.1 Approval of construction documents. When the building official issues a permit, the construction documents shall be approved in writing or by a stamp which states: "REVIEWED FOR CODE COMPLIANCE." One set of construction documents so reviewed shall be retained by the building official. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the building official or his or her authorized representative. We cannot approve documents as submitted.
- 2 R106.4 Amended construction documents. Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents. Amended documents submitted have not been submitted with amended zoning documents and association paperwork.
- 3 R102.2 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law. In reference to 6-22-2017 meeting including Steven M Haugen, Building Official, Chet Janik, Leelanau County Administrator, Ty Wessel, County Commissioner and Steve Patmore, Leelanau Township zoning administrator a land use permit shall be obtained from the township for the re-construction of this building to meet code compliance. *

Please correct or contact this department within the next 10 days. Acceptance and approval by an inspector of this department shall be required. If you have any questions, please call (231) 256-8906.

LEELANAU COUNTY AND TOWNSHIP CONSPIRACY TO DENY CIVIL RIGHTS

42 U.S. Code § 1985. Conspiracy to interfere with civil rights

(3) Depriving persons of rights or privileges

If two or more persons in any State or Territory conspire or go in disguise on the highway or on the premises of another, ... any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators.

(R.S. § 1980.)

The County and Township conspired together violating our civil rights to deny our property rights, deny use and deny my daughter from inheriting our property.

STATE OF MICHIGAN CIVIL RIGHTS DIVISION REQUIRED COUNTY TO ISSUE PERMIT OF SETTLEMMENT OF RACIAL DISCRIMINATION COMPLAINT

voicemail

From: MacDonald, Amy (MDCR) <MacDonaldA@michigan.gov>

To: wwizinsky@aol.com <wwizinsky@aol.com>

Date: Thu, Jun 14, 2018 2:51 pm

Good afternoon,

I am sorry, I was off yesterday and out this afternoon. But, yes. The adjustment, although very minor, was the permit.

Take care,

Amy MacDonald
Civil Rights Investigator
Michigan Department of Civil Rights
Cadillac Place
Suite 3-600
3054 West Grand Boulevard
Detroit, MI 48202
Cell: 989-751-6879
Phone: (313) 456-6873
Fax: (313) 456-3773

DISPARATE TREATMENT BY COUNTY

Miko v. Commission on Human Rights & Opportunities

596 A.2d 396 (Conn. 1991)

Once a prima facie case has been made out, the burden of production shifts to the defendant. Id., 362. If the defendant articulates a legitimate, nondiscriminatory reason for its action, then the burden shifts back to the plaintiff to prove that the given reason was pretextual. Id., 364. The disparate treatment standard thus leaves the burden of persuasion at all times with the plaintiff. Id., 363.

Ask CHET JANIK why he MANDATED my home to be removed in Exhibit 19 without ever doing an inspection, sight unseen, if this is not racism? By what authority does he have, to do this?

Ask CHET JANIK why I had to file a racial discrimination complaint to the State of Michigan Civil Rights Division where the County was required to issue a repair permit for settlement? Is this how a "black" family has to get their permits in his County?

We were singled out by CHET JANIK!

Gay v. Waiters' and Dairy Lunchmen's Union

694 F.2d 531 (9th Cir. 1982)

Explaining that a disparate treatment case requires proof that plaintiff was "singled out and treated less favorably than others similarly situated"

While Title VII disparate impact cases are of little help to us in this case, the reasoning used to analyze the required prima facie showing in a Title VII disparate treatment case is of great assistance because it is nearly identical to the inquiry necessary in a section 1981 case. Since a prima facie section 1981 case, like a prima facie disparate treatment case under Title VII, requires proof of intentional discrimination, the focus of the judicial inquiry must be whether the plaintiff has proven by a preponderance of evidence facts from which the court must infer, absent rebuttal, that the defendant was more likely than not motivated by a discriminatory animus. Under both statutes, the court must make a sensitive inquiry into the direct and circumstantial evidence of discrimination offered by the plaintiff in order to determine if the facts so proved allow a legally-permissible inference of discriminatory intent.

Accordingly, it is not inappropriate to allow section 1981 claimants to avail themselves of Title VII discriminatory treatment standards in proving a prima facie case. See *Hudson v. IBM Corp.*, 620 F.2d 351, 354 (2d Cir.), cert. denied, 449 U.S. 1066, 101 S.Ct. 794, 66 L.Ed.2d 611 (1980).

DISPARATE TREATMENT IS BEING TREATED DIFFERENTLY

Harris v. Itzhaki

183 F.3d 1043 (9th Cir. 1999)

In Harris, after the plaintiff, an African-American woman, sought the assistance of a local housing organization, the organization employed housing testers to confirm her complaint that the defendant landlord treated prospective African-American and white tenants differently.

"We apply Title VII discrimination analysis in examining Fair Housing Act discrimination claims." Gamble v. City of Escondido, 104 F.3d 300, 304 (9th Cir. 1997). A plaintiff can establish a FHA discrimination claim under a theory of disparate treatment or disparate impact. Id. at 304-05.

WHY I KNOW IT WAS RACISM

- We used our property for 23 years without a single complaint.
- My neighbors tried to prevent me from repairing our home by telling every contractor they would be sued if they worked for me.
- In 2015 they denied the repair of my home.
- In August 2017 my daughter was in the Northport Dog Parade and I realized she was only person of color. I called a County Official whom I have known for many years and he confirmed my daughter was the reason my permit was denied. That is when I filed the Discrimination Complaint.
- In August 2019 a Retired Judge told me this:
“Keep your family safe, get them out of the County, sell your property and do not look back, accept that you will never be able to use your property again. You can never win this in that Court.”
- He was correct and we will never return to the County.

WIZINSKY APPEAL FOR UNLAWFUL RESTRICTIONS ON CERTIFICATE OF OCCUPANCY BASED ON:

VIOLATION OF R110.3 ANY RESTRICTION ON A CERTIFICATE OF
OCCUPANCY MUST BE ON THE BUILDING PERMITS FIRST EXHIBIT 40

110.3 Certificate Issued

After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the department and all permit and plan review fees are paid, the building official shall issue a certificate of occupancy that contains all of the following:

11. Any special stipulations and conditions of the building permit.

1992 PERMIT – EXHIBIT 6 – Called Gazebo- No Stipulations

- Building Department knew it was to be used for a sleeping place because we lived 250 miles away.
- The Building Inspector told me: for me to sleep in it, I needed drinking water and a portable toilet. This standard was confirmed and is still used today, in 2015 by Health Department, William Crawford Exhibit 34.
- The Gazebo would not have been built if there was a stipulation denying use on the permit; stating no use as dwelling or we could not sleep in the Gazebo.

D. PROPOSED USE — For "Wrecking" Most Residential

One family

Two or more family — Enter number of units

Transient hotel, motel, or dormitory — Enter number of units

Garage

Carport

refinish — Specify GARAGE

Leelanau County Inspections Department
116 E. Phillips Street
Lake Leelanau, MI 49653
Phone: (616) 756-9806 Fax: (616) 256-9431

APPLICATION FOR PLAN EXAMINATION AND BUILDING PERMIT

Project No. 100 Date 1/15/92

Use RECREATION Building Department

IMPORTANT — Applicant to Complete All Items in Sections I, II, III and IV

I. LOCATION OF BUILDING
Address PO BOX 100 LOT 1 THE SHORES
Subdivision THE SHORES Lot # 1 Block 1 Lot Size 1/4 x 1/4

II. TYPE AND COST OF BUILDING — All Additions

A. TYPE OF IMPROVEMENT
 New Building
 Addition to existing, enter number of new housing units added
 Decking
 Repair, replacement
 Replacing of mechanical, residential, enter number of units in building
 Making modifications
 Foundation only
 Other — Specify GARAGE

B. PROPOSED USE — For "Wrecking" Most Residential
 One family
 Two or more family — Enter number of units

RECENT USE
 Apartment, recreational
 Commercial
 Dining garage
 Storage station, repair garage
 Storage, residential
 Office, bank, professional
 Public utility
 Storage, other, other educational
 Other, insecticide
 Other — Specify GARAGE

A. OWNERSHIP
 Private (individual, corporation, nonprofit, institution, etc.)
 Public (Federal, State, or local government)

E. LOCATION
 Located within 500 feet of a lake or stream? Yes No

C. COST
 Total cost of improvement 1200
 a. Electrical 0
 b. Plumbing 0
 c. Heating, air conditioning 0
 d. Other (specify) 0

REMARKS
 THE BUILDING IS NONRESIDENTIAL.
 FOUNDATION, EXPOSED GROUNDWORK DETACHED.

III. SELECTED CHARACTERISTICS OF BUILDING — For new buildings and additions, complete Part III for buildings for wrecking

A. PRINCIPLE TYPE OF FRAME
 Masonry (not bearing)
 Wood frame
 Structural steel
 Reinforced concrete
 Pipe
 Other

L. TYPE OF WASTE DISPOSAL
 Public or private company
 Private (septic tank, etc.)

J. TYPE OF WATER SUPPLY
 Public or private utility
 Private (well, cistern)

K. TYPE OF MECHANICAL
 None
 See notes on permit application
 Heating
 Air conditioning
 Other

M. DIMENSIONS — LEELANAU COUNTY INSPECTIONS DEPARTMENT
 Total square feet of floor area of main level 2125
 Total area of all floors 75,000
 No. of sq. ft. of street parking spaces Enclosed 0

N. RESIDENTIAL BUILDINGS ONLY
 Number of bedrooms 0
 Number of bathrooms 0
 Full 0

2018 REPAIR PERMIT –EXHIBIT 2 – Called Gazebo/Shed- No Stipulations

Res. Utility Structures

Residential utility structure, **Gambor shed**, 12 x 20, structurally support original structure design after storm

- The Building Department –Steve Haugan knew it was to be used for a sleeping place .
- I spent \$35,000 on repairs.
- If there was a stipulation denying use of cannot use as dwelling or sleep in it on the permit, we would not have repaired it.
- Still taxed as a house, today despite denied use


LEELANAU COUNTY CONSTRUCTION CODE AUTHORITY
8827 Government Center Dr., Ste 109 Suttons Bay, MI 49882
Ph:231-256-8600 Fax:231-256-8333

Permit Number: PB18-0051 Expires: 07/25/18

N FOXVIEW DR 008-800-011-00	WZINSKY WILLIAM G & ANN M 250 PLEASANT COVE DR NOVI MI 48377 (248) 219 1225
--------------------------------	--

APPROVED PLAN SHEET FOR REVISION JOB AND THIS CARD MUST BE KEPT ON SITE WITH PERMIT AND ALL OTHER PERMITS. ALL WORK MUST BE DONE IN ACCORDANCE WITH ALL CITY ORDINANCES, STATE AND FEDERAL LAWS. ALL PERMITS MUST BE INSPECTED AND APPROVED BY THE CITY ENGINEER. YOU MAY BE SUBJECT TO INSPECTION AT ANY TIME.

Res. Utility Structure
Residential utility structure, Gambor shed, 12 x 20, structurally support original structure design after storm

APPROVED: 

POST THIS CARD SO IT IS VISIBLE FROM THE STREET/ROAD

Penalty/Fine/Action/Inspection results

**FRAUDULENT CERTIFICATE OF OCCUPANCY –EXHIBIT 24 – Called Utility Structure- Stipulations on Certificate of Occupancy that are not on permits!
Violation of R110.3. Unlawful denied use- Violation of US Constitution- Takings Claim.**

This is to certify that this building or structure has been inspected and constructed in accordance with the building permit and found to be in compliance with the permit, the code, and other applicable laws and ordinances.

COUNTY INSPECTED AND IN COMPLIANCE WITH ZONING

FRAUD 2

IN VIOLATION OF R110.3

Special stipulations and conditions.
STRUCTURE MAY NOT BE USED AS A DWELLING PER LEEELANAU TOWNSHIP ZONING ADMINISTRATOR CORRESPONDENCE DATED DEC 12, 2017 AND BENZIE LEEELANAU HEALTH DEPARTMENT CERTIFIED LETTER DATED AUG. 13, 2016

FRAUD 1

Leelanau County Construction Code Authority
 8527 Government Center Dr., Suite 109
 Suttons Bay, MI 49682
 Phone: (231) 256-9808 FAX: (231) 256-8333

Certificate of Occupancy
 698-800-011-00

Applicants name and address:
 WIZINSKY WILLIAM G & ANN M
 260 PLEASANT COVE DR
 NOVI MI 48377

Owners name and address:
 WIZINSKY WILLIAM G & ANN M
 12063 N FOXVIEW DR
 NORTHPORT, MI 49670

This is to certify that this building or structure has been inspected and constructed in accordance with the building permit and found to be in compliance with the permit, the code, and other applicable laws and ordinances.

Issued for: Res. Utility Structure
 Site address: 12063 N FOXVIEW DR
 Building code in effect: 2015 MI RESIDENTIAL
 Building permit number: PB18-0051
 Construction Type: VB
 Use and occupancy classification: R-3
 Occupant Load: 0
 Automatic sprinkler system: N

Special stipulations and conditions.
STRUCTURE MAY NOT BE USED AS A DWELLING PER LEEELANAU TOWNSHIP ZONING ADMINISTRATOR CORRESPONDENCE DATED DEC 12, 2017 AND BENZIE LEEELANAU HEALTH DEPARTMENT CERTIFIED LETTER DATED AUG. 13, 2016


 Paul Hunter
 Building Official

07/11/2018
 Date
 Certificate Number: OC18-0218

FRAUD 1

COUNTY, TOWNSHIP AND THE SHORES KNEW IN FULL COMPLIANCE WITH HEALTH DEPARTMENT FROM FOIA DOCUMENTS RECEIVED.

Letter attached to C. of O. was resolved in 2015, again in 2016. EXHIBIT 34

Subject: RE: Gazebo on lot 11, the Shores 45-008-800-011-00

From: Bill Crawford <WCrawford@bldhd.org>

To: wwizinsky@aol.com <wwizinsky@aol.com>

Date: Wed, Sep 21, 2016 10:27 am

Mr Wizinsky,

I got your phone message earlier this week and your written response and am responding that the HD complaint matter is closed with my letter of September 13, 2016. If you have further questions, feel free to contact me at 231 256-0214.

Bill Crawford

Sanitarian, BLDHD

From: wwizinsky@aol.com [mailto:wwizinsky@aol.com]

Sent: Saturday, September 17, 2016 12:30 PM

To: Bill Crawford;

shaugen@co.leelanau.mi.us; ltzone@leelanautwp.org; greenbrigid@gmail.com

Subject: Gazebo on lot 1 1, the Shores 45-008-800-011-00

Hi Mr. Crawford

Please find the attached response to your letter.

Hi Steve Haugen,

It was nice talking to you this week The attached letter is FYI,

Hi Steve Patmore, Please find the attached letter FYI,

Hi Brigid Hart, Please forward this e-mail to Todd Hoogland, I could not identify his email address.

Bill Crawford <WCrawford@bidhd.org>

Monday, 19, 2016 8:37

Joe Hubbell

FW: Scanned image from MX•M364N

Attachments: scan@bidhd.org_20160919_082108.pdf

Mr. Hubbell,

Attached is the response to my letter to Mr. Wizinsky. I find it an acceptable response and will be closing the HD complaint file on the matter. Let me know if you have any questions.

Bill Crawford

From the attached letter in the e-mail :

“During our conversation, you would be willing to use a commercial chemical toilet on the site on the site instead of the current rudimentary waste system if that would allow you to use of the property as you had previously done. I believe that would address environmental and health concerns regarding this matter and meet the intent the Leelanau County Environmental Health Regulations.”

This letter was copied to Joseph Hubbell, Prosecuting Attorney, Steve Haugen Leelanau County Construction Code Official and Todd Hoogland, The Shores Homeowners Associations by both mailed and emailed to the County.

Everyone was fully aware of full compliance with the Health Department. Additional evidence is **Exhibit 34**, Mr Hubbell email sent on September 19, 2016 at 9:22 AM. asked about the water:

“What about the lack of a water system?”

Mr. Crawford responded the same day at 10:22 AM.

“If there is no plumbing in the structure, which there isn’t from my understanding, drinking water can be transported in and out as needed. This is similar to our requirement tenting on property.”

When the County issued the Certificate of Occupancy with the limit based on the 2015 Letter **Exhibit 34**, which was referenced was an initial complaint letter. I immediately responded to the letter and the Health Department dismissed the complaint with a follow up letter and emails. All these documents are directly from County and Township Records through a 2017 FOIA request. Therefore, attaching a resolved issued by the Health Department was fraud when they were aware of full compliance!

FRAUD 2 COUNTY, TOWNSHIP AND THE SHORES KNEW HOUSE TAXED AS A HOUSE. EXHIBIT 51 Patmore Initialed Tax.

Map # 1115 Printed 06/27/17 11 POINTS DR NORTHPORT MI 48157

Land Value Estimates for Land Table SHORES SHORES

Description	Frontage	Depth	Front	Depth	Rate	Adj	Reason	Value
Site Value As PANORAMA					425.000			425,000
Total: ACRES								425,000
Total Est. Land Value =								425,000

Cost Est. for Res. Bldg: Single Family RANCH C05 D-10 S11 0

Category	Rate	Size	Cost
Heating System: No Heating or Cooling			
Ground Area = Size for Rates = 240 SF		Floor Area = 240 SF	
Staircase	59.12	14.00	827.28
Exterior Foundation			
Every siding			
Other Additions/Adjustments			
County Multiplier = 1.20			
Cost New =			9,489
Phy./An. Phy./Fund/Eqpn/Comm. Goods	86/100	100/100	66.0%
Repr. Cost =			8,160
ECF (THE SHORES)	1.200	x= COV of Bldg: 1 = 12,978	
= 437,978			

Year	Assessed	MBOR	S.E.V.	Base for Cap	C.P.C.	Tax Adjustment	Losses
2016	175,000	175,000	175,000	49,984	3.70		
2017	216,988	216,988	216,988	7,525	1,700		

Single Family RANCH C05 D-10 S11 0
No Heating or Cooling

Single Family Ranch

240 SFT STRUCTURE IS SHOWN IN THIS LAST ASSESSMENT FOR THE 1ST TIME

SP 6/27/17

FILED ASSESSMENT FILES

Steve Patmore fully aware taxed as a home! SP 6/27/17

FRAUD 2

COUNTY, TOWNSHIP AND THE SHORES KNEW HOUSE WAS A HOUSE. EXHIBIT 3 Settlement Agreement Confirms House as a Dwelling by Township for settlement.

“1. Defendants must list their property for sale within 30 days of the date of this agreement.”

This is a requirement for the remedy for suing us, that we have to sell our property. If I do not sell our property in three years we have to move the home off the property to deny use of the property. As a professional in the business, I would not believe this could happen. That was the requirement for settlement of an alleged zoning violation. We have sell our property and move our home off the property. There zoning ordinances state \$100 fine, not litigation. If the purpose was not racism, why this?

“5. Defendants may dwell on the property for no more than 18 nights per year starting the Friday of Memorial Day and ending on October 31. Steve Patmore will be notified 3 days prior to any night’s stay.”

It is a dwelling again, but why are there a limited number of days and why must I give notice of 3 days that am using his property to Mr. Patmore the zoning official. The Township, Zoning Department or the Protective restrictions has no ordinances or authority to put these limitations of use for their property, specifically when I am being taxed as a home for a whole year.

“13. Defendants agree to no short term rentals.”

How many short-term rentals of sheds occur in the middle of the woods? Again, this is showing the Township recognizes the home as a “dwelling” or vacation property and has commercial value as a weekly rental, not a utility structure. It appears we have the right for long term rentals on his home. As long as we do not use the home for more than 18 days a year. There are no deed restrictions or other HOA restrictions, or zoning ordinances denying this use by the Township and The Shores. The Township and The Shores lacked the authority to deny this property right to the us. These are not remedial actions. They have no authority to make us sell our property or move our home off the property. On the Certificate of Occupancy, it states it Gazebo/shed to limit use. despite it is elevated in the air has a kitchen, fireplace with all windows facing the water. It is taxed as a home **Exhibit 9**. The County, the Township and my neighbors did not want an African American in the neighborhood, she was 6 when this started, now she is 11. They did not want my daughter to inherit the property, (listed for sale at \$445,000), a high-end property, where she could build a full season home and raise in the future an entire black family. So, the County/Township and The Shores worked together to remove us from the property to prevent her from inheriting it.

PAUL HUNTER ENTRAPMENT PLAN

- Our house is hidden in the woods on almost two acres. No one knows when we are even there. This presents a problem to actually see us sleeping in the home. It is impossible to enforce. Unless you trespass, kick in the door and see us in bed. They can only make an assumption we slept in our home.
- The email was sent 8 days after issuance of C. of O. to lure us up. Hunter then contacted the Township so they could hire a private detective to catch us sleeping in our home.
- The inspection occurred on July 28, 2018. The Detective Report (exhibit 52) was an Exhibit in the litigation. We were spied on July 29, 30 and the detective met with the Township and lawyer on the 31st so they could start the law suit.

Subject:
From: phunter@co.leelanau.mi.us <phunter@co.leelanau.mi.us>
To: wwizinsky <wwizinsky@aol.com>
Date: Thu, Jul 19, 2018 9:28 am
Bill.

Just an update. Per our conversation on 7-11-2018 at your property, a permit is needed for the wood stove in your structure. Installation instructions are required at time of inspection.

Paul Hunter.

Exhibit 53

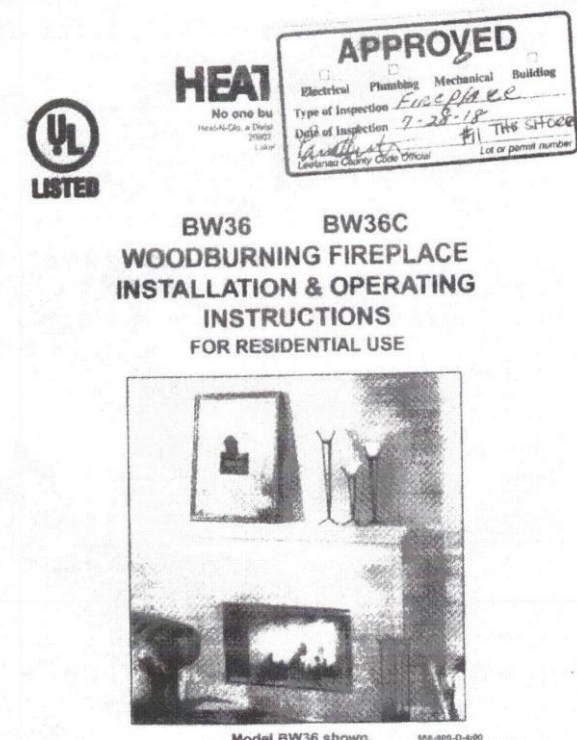


Exhibit 54

PAUL HUNTER ENTRAPMENT PLAN – Exhibit 52

Sentry Data Systems, LLC
A Michigan Licensed Private Investigative Firm
Specializing In Computer Forensics and Data Recovery
P.O. Box 837
Leland, MI 49654-0837
Phone/FAX (734) 256-9156
Info@sentrydata.us

August 13, 2018

TO: The Shores Homeowners Association
C/O Todd Hoogland, President
11907 N. Foxview Dr.
Northport, MI 49670

REF: William G. Wizinsky
12069 N. Foxview Dr.
Northport, MI 49670

Mailing Address: 250 Pleasant Cove Dr.
Novi, MI 48377

Information: On July 29, 2018 I received a phone call from Todd Hoogland, president of The Shores Homeowners Association in Northport. Mr. Hoogland stated that the association was having problems with a member, a land owner in the association, who has been occupying and spending nights in a make shift, temporary building on his lot. Mr. Hoogland went on to state that Mr. Wizinsky is in violation of Leelanau County Building Code, Township Ordinance as well as in violation of The Shores Homeowners Association Covenants on land use. Approximately seventeen years ago Mr. Wizinsky asked the homeowners association if he could put up a temporary building so that he could work on a permanent structure to live in. However, over the past several years, Mr. Wizinsky has been dwelling in it on many overnight visits. According to Mr. Hoogland, Mr. Wizinsky recently received a ruling on Township Land Use Permit, and a County Occupancy Permit, both of which specifically stated that the temporary structure was not to be used for overnight stays, that it was not to be used as a dwelling. Additionally, it should be noted that there isn't a sewer or septic system on the property nor is there a water well or electricity. Apparently Mr. Wizinsky has let it be known that he and his family use a portable toilet when staying on his property. Mr. Hoogland asked if I could come out to the scene to be a neutral party and witness that Mr. Wizinsky and his family are spending nights in the temporary structure in violation of the law.

Investigation: Upon the request of Mr. Hoogland, I went to Foxview Drive, where I met Mr. Hoogland at his residence. We proceeded to a land owner whose property is located adjacent to Mr. Wizinsky's property. Mr. Hoogland introduced me to Mr. Stephen Holmes who has a summer residence address at 12097 N. Foxview Dr. It should be mentioned that by the time I arrived on the scene, it was just before 12:00 am. Mr. Hoogland escorted me near the adjacent property line to point out the structure. Mr. Hoogland also specifically pointed out the location of Mr. Wizinsky's car, illuminating it with a flashlight. It was located just east of the structure, and appeared to be unoccupied.

Interview with Mr. Holmes: Mr. Holmes advised me that he has witnessed Mr. Wizinsky on several occasions living and staying overnight in the temporary structure along with family members. While talking with Mr. Holmes, I noticed what appeared to be a metal chimney protruding through the roof of the structure. Mr. Holmes did state that he has concerns about the chimney and the possibility of a fire hazard in that in all probability Mr. Wizinsky did not have a permit or inspection made on the heater.

Observations: After talking to Mr. Holmes and observing that Mr. Wizinsky's vehicle was still parked in the driveway, it was apparent that Mr. William Wizinsky, and family, were indeed spending the night inside the structure as the interior of the building was all dark. It was at this time that it was decided that I should leave the scene, but return the following morning to make any additional observations.

Follow up Investigation: On the morning of Monday July 30th, I returned to Mr. Holmes residence at approximately 7:00 AM. It should be noted that Mr. Wizinsky's car was parked in the same location that it was observed in the night before. While discussing the situation with Mr. Holmes on his backyard patio for a few minutes, I witnessed Mr. Wizinsky and an unknown female, walk out of the structure to the north end of the building. A short time later, I observed Mr. Wizinsky car pulling out of their driveway traveling south bound on Foxview Dr.


Meeting with Township officials: At the request of Mr. Hoogland, on Tuesday, July 31st I attended a meeting at the Leelanau Township Office at 11:30 AM. Present were the following township officials:

Township Supervisor Doug Scripps
Township Zoning Administrator Steve Palmore
Shores Board Members Todd Hoogland and Randy Harmonson
Shores property owner Steve Holmes
Attorney Karrie Zeitz, representing the Shores Association

This meeting lasted one hour. At the conclusion of the meeting I was asked to write a short report of my observations, and to pass this report onto all concerned parties.

Disposition: Report made.

Respectfully submitted


D. L. "Duke" Jacobson
Licensed Private Investigator

PAUL HUNTER ENTRAPMENT PLAN – Exhibit 52

Report was for July 29 to July 30.

Exhibit 52 Private Detective Report:

“...Mr. Hoogland asked if I could come out to the scene to be a neutral party and witness that Mr. Wizinsky and his family are spending nights in the temporary structure in violation of the law”... Mr. Hoogland escorted me near the property the adjacent property line to point out the structure. Mr. Hoogland also pointed the location of Mr. Wizinsky’s car, illuminating it with a flashlight. It was located just east of the structure.” ...” Mr. Wizinsky’s vehicle was still parked in the driveway, it is apparent that Mr. Wizinsky , and family were indeed, were spending the night in as the interior of the building was all dark. ... (July 31)“It should be observed that it was parked in the same area as it was parked in the night before.”

PAUL HUNTER ENTRAPMENT PLAN

– Exhibit 52

There are a lot of assumptions that we were sleeping in the home. No proof, just as Chet Janik and Ty Wessell stated:

“Commissioner Wessell & C.A, Janik concerned that the existing structure is being occupied”

We have come to the property with two cars before leaving one on the property and one in town. In the complaint, Todd Hoogland made to the Health Department we were living on the property. The place was not usable, but we left one car on the property and one in town. The car did not move because it was left there and the place was dark because we have no electricity. We also could have been down to the beach; we would have a bon fire on the beach and were not on the property when the detective saw the building dark. We also could have been sleeping in a tent when we were finishing up repairs on the home, that they did not see on the almost two acres of forested land. They flashed a flashlight at the car, through the woods some fifty feet from the car at night and said no one was in the car. We have slept in the car before when we arrive late when repairing the building, we have tinted windows and when in SUV, they would not see us. My wife said she had seen before someone flashing a flashlight at our car at night when we were in it. There is no way to prove definitively we were in the building sleeping. There are more possibilities why our car was in the drive and the building was dark.

PAUL HUNTER ENTRAPMENT PLAN

– Exhibit 52

Exhibit 52 Private Detective Report:

“Meeting with Township officials: At the request of Mr. Hoogland, on Tuesday, July 31st I attended a meeting at Leelanau Township Office at 11:30 AM. Present were the following township officials:

Township Supervisor Doug Scripps

Township Zoning Administrator Steve Patmore

Shore Board Members Todd Hoogland and Randy Harmon

Shore Property Owners Steve Holmes

Attorney Zeits, representing the Shores Association”

Based on the fraudulent Certificate of Occupancy my family was sued directly for sleeping in our home, based on an aledged zoning violation. THE TOWNSHIP VIOLATED THE OPEN MEETING ACT, THE TOWNSHIP ORDINANCES AND THE MICHIGAN ZONING ENABLING ACT. THE RULE OF LAW WAS IGNORED AND WE WERE TREATED WITH DISPARATE TREATMENT. Instead of \$100 fine, we spent over \$25,000 in legal costs. There are two systems of justice in Leelanau Township, a white one and a non-white one!

A ZONING VIOLATION IS \$100 FINE

- **WE SPENT OVER \$25,000 IN LEGAL COSTS!**
- **WE WERE TOLD THE COURT WILL PROTECT THE PUBLIC OFFICIALS AND THEIR POLICIES.**
- **OUR HOUSE WAS BROKEN INTO AND VANDALISED, JOE HUBBELL SAID IT WAS A CIVIL MATTER!**
- **I WAS TOLD BY HUNTER THAT HE WAS ORDERED TO PREPARE THE C.O.F O. BY JOE HUBBELL, SO THE PROSECUTING ATTORNEY WAS INVOLVED IN FRAMING US.**
- **IF WE STAYED WITH THE BLACK SYSTEM OF JUSTICE, WE OR OUR DAUGHTER COULD BE FRAMED, SENTENCED AND JAILED FOR A CRIMINAL FRAME UP!**
- **THE PURPOSE OF THE LITIGATION WAS FOR INTIMIDATION AND FORCE US OUT OF THE COMMUNITY! IT WORKED, WE ARE GONE!**

AFFIDAVIT OF CARMINE P. AVANTINI A ZONING EXPERT WITNESS- EXHIBIT 37

“When the Wizinsky’s were sued citing the Nuisance Per Se Section under MCL 125. 3407 and Section 10.6 of the Township Zoning ordinances, the State Act and Township Zoning Ordinance required a fine or citation first, not direct litigation.

If there was a violation, a fine could have been issued per the MZEA. The Township Ordinance Section 10.6 also requires a fine:

“Municipal Civil Infraction. A violation of this Ordinance is a municipal civil infraction as defined by Michigan statute and shall be punishable by a civil fine determined in accordance with the following schedule:

First Offense \$100.00 “

CONCLUSION

Based upon the above information, by suing the Wizinsky's directly without seeking administrative remedies, Leelanau Township denied them the protections and due process provided them under the MZEA and the Township Zoning Ordinance. “

9/11/2018 CLOSED TOWNSHIP BOARD MEETING EXHIBITS 28 & 29

- **CLOSED SESSION- THE PURPOSE OF THE CLOSED SESSION IS TO DISCUSS FOXVIEW HOMEOWNERS ASSOCIATION REQUEST.” Exhibit 28 AGENDA**
- **“MOTION PASSED 5-0**
 1. **IS IN CLOSED SESSION TO DISCUSS FOXVIEW HOMEOWNERS ASSOCIATION REQUEST.”**

“2. ACT ON DISCUSSION FROM CLOSED SESSION

MOTION MADE BY DUNN, SECOND BY VAN PELT TO JOIN THE SHORES HOME-OWNERS ASSOCIATION AS CO-PLAINTIFF’S CONCERNING ZONING ORDINANCE VIOLATIONS, AS RECOMMENDED BY TOWNSHIP ATTORNEY SETH KOTCHES. MOTION PASSED 5-0” Exhibit 29 The ONLY MINUTES

TOWNSHIP BOARD KNEW THEY WERE COMMITTING FRAUD AND TRY TO COVER IT UP!

By falsify the agenda with Foxview HOA, there is no such HOA so nobody would care and then not attend. There is no notice about lot 11 or a zoning violation, where both would also require an open meeting. They got The Shores name correct in the actual motion for legal purposes, but just above they used the “Foxview” name. The Township knew they were violating the law and were disguising it. “ CONCERNING ZONING VIOLATIONS” is the only public record of an alleged zoning violation, there is no other record other than the filed litigation by The Township.

VIOLATION OF STATE CONSTITUTION ARTICLE 9, §18

- The litigation should have been two separate lawsuits, but they needed a method to funnel public funds into or to share the costs of the litigation by The Shores. The Shores wanted me gone but could not afford a frivolous lawsuit. Todd Hoogland and Doug Scripts are good friends as per Amy MacDonald with the Civil Rights Division's investigation.
- Under the State Constitution ARTICLE 9, §18 :
“ The credit of the state shall not be granted to, nor in aid of any person, association or corporation, public or private, except as authorized in this constitution.”
- The Retired Judge concurred the money was embezzled, since there was no zoning violation. The Township Board/Zoning Official violated the entire Michigan Zoning Enabling Act, which grants their authority and they also violated the Open Meetings Act. The Township Board lacked legislative authority to sue directly. Thereby, they embezzled the funds. They violated the State Constitution by partial funding and being joint-plaintiffs in the litigation.
- They violated the ex-parte communication by joining the litigation when government is supposed to be a neutral party.
- THESE ARE ALSO DUE PROCESS VIOLATIONS!

NO ZONING VIOLATION, I BUILT EXACTLY TO MR. PATMORE'S SPECIFICATIONS- Exhibit 15

RE: Zoning/Building Solution for lot 11.

From: Steve Patmore <zoningadmin@suttonsbaytwp.com>

To: wwizinsky@aol.com; shaugen@co.leelanau.mi.us

Cc: ltsuper@leelanautwp.org; ltzone@leelanautwp.org

Date: Thu, Dec 14, 2017 10:04 am

Attachments: Letter Construction ...pdf (187 KB)

Mr. Wizinsky,

Just to be clear. Consistent with my letter to Leelanau County in June 2017 (attached), a Land Use Permit is required to remove and replace an existing structure. This also includes changing the footprint of an existing structure.

A Land Use Permit is not required to remodel an existing structure with no change in footprint or height.

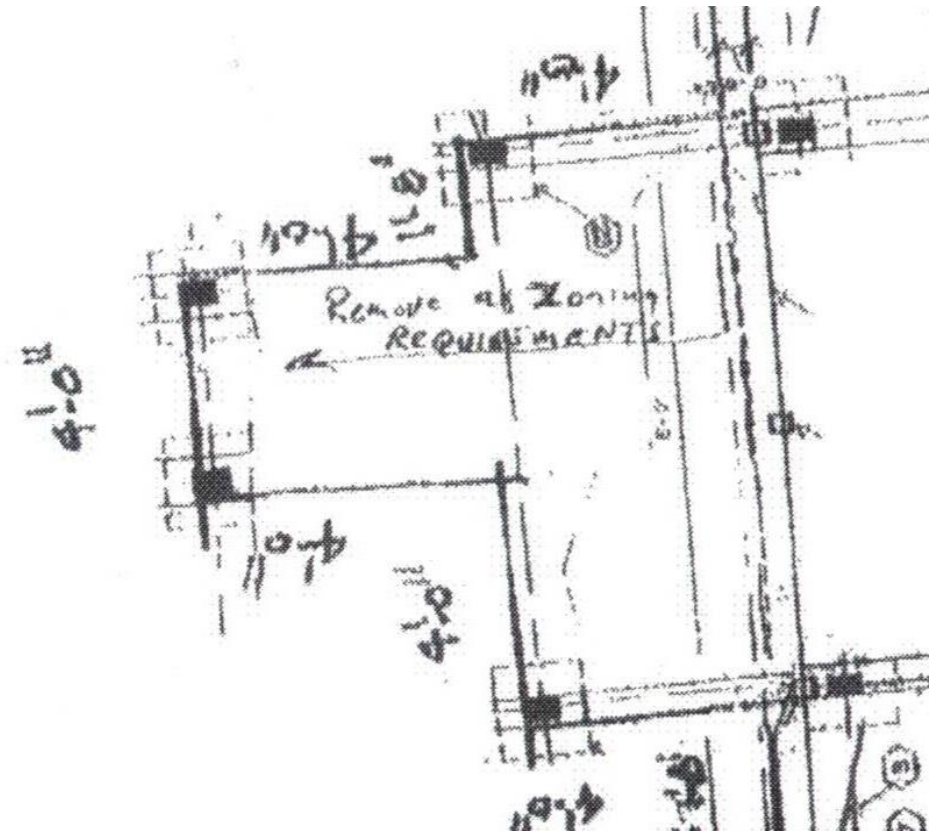
Documentation submitted to me shows that the original 1992 structure included exterior steps on the structure up to the main level. At some point these steps were removed.

A Land Use Permit will be required to reconstruct these steps.

Steve Patmore

THE COUNTY INCORPORATED PATMORE'S REQUIREMENTS IN THE PLANS –Exhibit 16

The stairs and deck were on the original plans and built/used that way for 23 years. Patmore believed putting the stairs inside the house would render the 12'x20' home useless. A full to code stairs took up 40% of the interior space. The Building Inspectors were shocked that I was still able to make a functioning home. The Building Department in the C.of O confirmed compliance with codes, the approved plans and zoning.



THE COUNTY DENIED ME APPEAL IN 2018- EXHIBIT 49

I called the Building Department immediately after the Certificate of Occupancy was issued and was told there was no appeal process. If I was told there was a process, I would have appealed it. But instead I was told there was no process thereby I mailed a certified letter to every County Commissioner and received the green cards back showing it was received. Exhibit 49

The letters were also copied and certified/received to the Building Department Paul Hunter, Chet Janik and Joseph Hubbell. I requested the decision be reversed and no one responded. The Building Department should have confirmed; then, from the letter and send me the Appeal Process documents in August of 2018.

“I was informed that the decision to deny my family their property rights was by your office with order to Chet Janik with input from Mr. Hubbell the prosecuting Attorney....Your fraudulent portrayal of the gazebo as a utility building does not even coincide with present-day legal zoning language. We have a fireplace in the gazebo, that has been permitted and approved by your building department. How many utility sheds have fireplaces?.....

Please explain to me how Leelanau County Commissioners, County Supervisor and Prosecuting Attorney are any different than the Coleman Young Administration when you ordered your Building Department to reclassify the structure, add letters from their conspirators (Township Zoning) and a 2015 letter on a resolved Health Code Issue based on fraudulent complaints?.....

Please Correct the record on your own.”

PLEASE RESTORE MY PROPERTY RIGHTS!

Therefore, I am requesting:

- 1. If Certificates of Occupancy are not issued for Accessory Buildings, please remove the C.of O. from the records and issue an approval sticker for a final inspection and record it in the records.**
- 2. If Certificates of Occupancy are issued for all structures; change the 2018 Permit to Gazebo! Change the Certificate of Occupancy to a GAZEBO with no restrictions.**