



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF CONSTRUCTION CODES
IRVIN J. POKE
DIRECTOR

MIKE ZIMMER
DIRECTOR

MOBILE HOME CODE COMMISSION
2501 Woodlake Circle, Conference Room #3
Okemos, Michigan
AGENDA
March 25, 2015
10:00 a.m.

1. Call to Order and Determination of Quorum
2. Approval of Agenda (Pages 1-2)
3. Approval of Minutes — December 17, 2014 (Pages 3-25)
4. Mobile Home Code Fund Financial Report (Pages 26-27)
5. Variances
 - a. The Lakes, LLC (St. Clair County) (Pages 28-37)
6. Unfinished Business
7. New Business
 - a. Report on Annual Inspections of Mobile Home Parks
 - b. License Approval (Page 38)

The meeting site and parking are accessible. Individuals attending the meeting are requested to refrain from using heavily scented personal care products, in order to enhance accessibility for everyone. People with disabilities requiring additional services (such as materials in alternative format) in order to participate in the meeting should call Brenda Caron at (517) 241-9317 at least 10 work days before the event. LARA is an equal opportunity employer/program.

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8. Public Comment [If issues are raised during public comment which require a response, the Commission's Chairperson will respond and Commissioners who wish to comment will make their comments after the Chairperson's response. The Commission will not allow public comment about the substance of open or closed complaints (unless, if regarding a closed complaint, the right to appeal is waived) but will allow public comment about procedural issues related to complaints. Public comment will be limited to 10 minutes for an individual representing an organization and 6 minutes for an individual not representing an organization; the Commission chairperson may grant the individual an additional 10 minutes.]
9. Staff Report
10. Next Meeting — **June 17, 2015**
11. Adjournment



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF CONSTRUCTION CODES
IRVIN J. POKE
DIRECTOR

MIKE ZIMMER
DIRECTOR

MOBILE HOME CODE COMMISSION
2501 Woodlake Circle, Conference Room #3
Okemos, Michigan

MINUTES

December 17, 2014
10:00 a.m.

MEMBERS PRESENT

Mr. Jerome Ruggirello, Chairperson
Mr. Phillip Copeland
Ms. Carole Elliott
Mr. Peter Hennard, Vice-Chairperson
Mr. Steven Karbal

Mr. William Lettinga
Mr. Thomas Lutz
Ms. Linda (Lynn) O'Brien
Mr. Creighton Weber

MEMBERS ABSENT

None

DEPARTMENT PERSONNEL ATTENDING

Mr. Irvin Poke, Director, Bureau of Construction Codes (BCC)
Mr. Keith Lambert, Deputy Director, BCC
Mr. Todd Cordill, Chief, Plan Review & Building Division, BCC
Mr. Charles Curtis, Asst. Chief, Plan Review & Building Division, BCC
Mr. Stan Skopek, Asst. Chief, Plan Review & Building Division, BCC
Ms. Brenda Caron, Secretary, Plan Review & Building Division, BCC
Ms. Tracie Pack, Departmental Analyst, Plan Review & Building Division, BCC
Ms. Usha Menon, Plan Reviewer, Plan Review & Building Division, BCC
Mr. Dave Viges, Director, Office of Management Services (OMS), BCC
Ms. LeeAnn Allaire, Departmental Analyst, OMS, BCC
Mr. Eric St. Onge, Assistant Attorney General

OTHERS IN ATTENDANCE

Mr. Tim DeWitt – MMHA
Mr. Brian Fannon – Oaks of Rockford
Mr. Robert Goodman – Meadows MHP

Mr. Darren Ing – MMHA
Ms. Ruth Ann Jamnick – MOLA
Ms. Debbie Smith Ostrander – MDEQ

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1. **CALL TO ORDER AND DETERMINATION OF QUORUM**

The meeting was called to order at approximately 10:01 a.m. by Chairperson Ruggirello. Roll call was taken and a quorum was determined to be present at that time.

2. **APPROVAL OF THE AGENDA**

Chairperson Ruggirello proposed two additional items, “d. Report on Manufactured Home Task Force” and “e. Informational Letters Regarding Unlicensed Parks”, be added to the Agenda under Item 8 “New Business”.

A **MOTION** was made by Commissioner Hennard and seconded by Commissioner Elliott to approve the Agenda with the additions. **MOTION CARRIED.**

****Addendum 1

3. **APPROVAL OF MINUTES**

A **MOTION** was made by Commissioner Weber and seconded by Commissioner Lettinga to approve the minutes of the September 17, 2014, meeting as written. **MOTION CARRIED.**

****Addendum 2

4. **MOBILE HOME CODE FUND FINANCIAL REPORT**

Ms. Allaire presented the Preliminary Mobile Home Code Fund Financial Report for the 4th Quarter of FY 2014 and answered any questions. She indicated that the fiscal year will be closed out and the Final 4th Quarter Report will be released by the Department within the next few weeks. She will provide that report at the next meeting in March. Commissioner Weber asked if the Commission could also be provided a copy of the 2015 budget. Mr. Poke indicated a copy could be provided.

5. **VARIANCES**

a. **Meadows Mobile Home Park (EatonCounty)**

Mr. Goodman was present to represent the community.

Mr. Cordill reviewed the request.

A **MOTION** was made by Commissioner Weber and seconded by Commissioner Elliott to approve Meadows Mobile Home Park's request for a variance to Rule 905(5), pursuant to Section 18(5) of 1987 P A 96, as amended, MCL 125.2318(5), thereby granting an extension to Permit to Construct No. 107594 for an additional 5 years until February 27, 2019, subject to the condition that any required DEQ permit be obtained prior to construction. **MOTION CARRIED.**

****Addendum 3

6. **COMMITTEE REPORTS**

a. **Ordinance Review Committee**

Commissioner Elliott indicated that a correction should be made on page 3 of the November 17, 2014, Ordinance Review Committee meeting minutes by changing "Mr. Westphal" to "Ms. Jamnick" as the person proposing a form be developed for the ordinance review process.

Northfield Township (Washtenaw County)

No one was present to represent the township.

Mr. Cordill reviewed the request and the recommendations of the Committee.

Chairperson Ruggirello made a request of the Ordinance Review Committee, that when they are presenting a report like this in the future to have a representative from the Committee attend the Commission meeting to present the report and answer questions, because what they are asking the Commission to do is follow the recommendations without any kind of substantive background. Commissioner Karbal also asked if, in the future, a copy of the actual ordinance that was reviewed could be attached to the Ordinance Review Committee meeting minutes. Chairperson Ruggirello indicated that he would put a letter together for Chairperson Westphal.

(At 10:50 a.m. the Commission took a 10 minute recess so Mr. Cordill could retrieve Northfield Township's ordinance file for further discussion. The meeting reconvened at 11:00 a.m.)

Mr. Cordill gave a brief summary of each section in Northfield Township's ordinance where changes were proposed and what those changes were.

After discussion, a **MOTION** was made by Commissioner Hennard and supported by Commissioner Weber to accept the Committee's recommendations as presented, with the one correction identified by Commissioner Elliott. **MOTION CARRIED.**

****Addendum 4

7. **UNFINISHED BUSINESS**

There was no unfinished business to discuss.

8. **NEW BUSINESS**

a. **Report on Annual Inspections of Mobile Home Parks**

Mr. Cordill reported that out of 1,126 parks, Bureau inspectors have completed 1,108 (98%) of the 2014 annual inspections; and out of those, 524 (47%) had no violations, 577 (52%) had one or more violations, and 7 parks have closed. So there are only 18 parks yet to be inspected this year.

b. **Committee Assignments – Ordinance Review Committee**

Commissioner Lutz indicated that he is interested in sitting on the Ordinance Review Committee.

Commissioner Elliott indicated that she will call former Commissioner Ron Blank to see if he would be interested in sitting on the Ordinance Review Committee as well.

A **MOTION** was made by Commissioner Hennard and seconded by Commissioner Elliott to appoint Commissioner Lutz to the Ordinance Review Committee. **MOTION CARRIED.**

****Addendum 5

c. **License Approval**

A **MOTION** was made by Commissioner Elliott and seconded by Commissioner Copeland to approve all pending licenses on Page 22 and Addendum B. Commissioner Karbal recused himself from the vote. **MOTION CARRIED.**

****Addendum 6

d. **Report on Manufactured Home Task Force**

Chairperson Ruggirello gave a brief report and some background on the Manufactured Home Task Force. There has been the assembly of a Task Force that meets from time to time in Lansing to discuss the processes and how the Department is serving the industry, licensees, customers, consumers, etc. It is part of a communication dialogue between various groups of the industry and various groups of the State. There are representatives from the industry, MMHA, State government (BCC, DEQ), present and former commissioners. Collectively we are trying to understand some of the processes

and how we have been operating and how the Department has been operating, as well as how different state governments have been operating as it pertains to manufactured housing. What we can learn from the process, how we can understand the process as it exists, and also an opportunity to suggest and maybe improve upon the process. We have discussions on items that deal with specific examples, global discussions, and legislative discussions, etc. There is not a lot to report at this point since the Task Force has only met twice. Some discussions are taking place at the State level that involve what can and cannot be done, and what legal issues the Attorney General needs to be involved with.

Deputy Director Lambert added that whether or not Rep. Shore's bill (HB 5513) gets passed, the Task Force is still going to work towards finding a long-term solution to the issues because, as we all agree, what is in the bill is not going to fix the issues that have been going on. We are going to be determining what the priorities are and what the necessities are for the industry as far as regulation and keeping people safe; and then what the cost will be at the tail-end and how that is going to happen.

e. Informational Letters Regarding Unlicensed Parks

Mr. Cordill reported that each of the Commissioners received today, for informational purposes, copies of letters that have been written from the Bureau to several different county prosecutors. What these involve are mobile home parks that are operating without a current license. Many of these go back to October 2012 when they last had a license and they expired on October 1, 2012.

9. PUBLIC COMMENT

Mr. DeWitt from the Michigan Manufactured Housing Association appeared today to offer to the Department the opportunity to communicate with the industry on a better basis. They are here to help the Department too and represent close to 75% of all of the industry throughout the whole state of Michigan. The Association would be more than happy to let the Department place articles in their newsletter.

Mr. Fannon, former Commissioner and Chairperson, representing the Oaks of Rockford appeared today to let us know that HUD (which regulates the manufacturing of manufactured homes and pre-empts State law) has made the decision that if a garage is built onto a home and attached, that if you have a home come in and it has 2 doors (front door and rear door) if you use the rear door to go into the garage you have to put another door on that home...no matter what. So at the Oaks of Rockford they are putting sliding doors in bedrooms. The local building inspector doesn't understand why, because State code says when you attach a garage on a manufactured home or a site-built home you have to have a service door in the garage. So they are doing it—because HUD says to do it and the local inspector cannot override that—at a cost of about \$1,000.00 a home for the residents, and they are giving them steps as well. The

residents do not want the extra door, but they are getting it anyway. So here is what Mr. Fannon is requesting. Skyline (the manufacturer they are doing business with) will ask HUD for a waiver on this requirement for all the homes they deliver in the state of Michigan, if a letter can be written either from the Commission, Department, or Building Division, that quotes the code section that states if a garage is attached to a manufactured home it must have a service door. That is all the letter has to say. Mr. Fannon indicated that if a letter could not be generated from his request today, that he would like this to be placed on the next Commission meeting agenda for discussion.

10. STAFF REPORT

Mr. Cordill reported that the 2012 Michigan Building Code and 2012 Michigan Rehabilitation Code for Existing Buildings went into effect on October 9, 2014.

11. NEXT MEETING

The next scheduled meeting of the Mobile Home Code Commission is Wednesday, March 18, 2015.

12. ADJOURNMENT

At 12:30 p.m., a **MOTION** was made by Commissioner Karbal and seconded by Commissioner O'Brien to adjourn the meeting. **MOTION CARRIED.**



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IRVIN J. POKE
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MIKE ZIMMER
ACTING DIRECTOR

MOBILE HOME CODE COMMISSION
2501 Woodlake Circle, Conference Room #3
Okemos, Michigan
AGENDA
December 17, 2014
10:00 a.m.

APPROVED

1. Call to Order and Determination of Quorum
2. Approval of Agenda (Pages 1-2)
3. Approval of Minutes — September 17, 2014 (Pages 3-13)
4. Mobile Home Code Fund Financial Report (Page 14)
5. Variances
 - a. Meadows Mobile Home Park (Eaton County) (Pages 15-18)
6. Committee Reports
 - a. Ordinance Review Committee (Pages 19-21)
7. Unfinished Business

The meeting site and parking are accessible. Individuals attending the meeting are requested to refrain from using heavily scented personal care products, in order to enhance accessibility for everyone. People with disabilities requiring additional services (such as materials in alternative format) in order to participate in the meeting should call Brenda Caron at (517) 241-9317 at least 10 work days before the event. LARA is an equal opportunity employer/program.

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A-1

8. New Business
 - a. Report on Annual Inspections of Mobile Home Parks
 - b. Committee Assignments — Ordinance Review Committee
(Handout provided @ meeting)
 - c. License Approval (Page 22)
 - d. Report on Manufactured Home Task Force
 - e. Informational Letters Regarding Unlicensed Parks
9. Public Comment [If issues are raised during public comment which require a response, the Commission's Executive Director will respond and Commissioners who wish to comment will make their comments after the Executive Director's response. The Commission will not allow public comment about the substance of open or closed complaints (unless, if regarding a closed complaint, the right to appeal is waived) but will allow public comment about procedural issues related to complaints. Public comment will be limited to 10 minutes for an individual representing an organization and 6 minutes for an individual not representing an organization; the Commission chairperson may grant the individual an additional 10 minutes.]
10. Staff Report
11. Next Meeting — **March 18, 2015**
12. Adjournment



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF CONSTRUCTION CODES
IRVIN J. POKE
DIRECTOR

MIKE ZIMMER
ACTING DIRECTOR

MOBILE HOME CODE COMMISSION
2501 Woodlake Circle, Conference Room #3
Okemos, Michigan

MINUTES
September 17, 2014
10:00 a.m.

APPROVED

MEMBERS PRESENT

Mr. Jerome Ruggirello, Chairperson	Mr. William Lettinga
Mr. Phillip Copeland	Mr. Thomas Lutz
Mr. Peter Hennard, Vice-Chairperson	Ms. Linda (Lynn) O'Brien
Mr. Steven Karbal	Mr. Creighton Weber

MEMBERS ABSENT

Ms. Carole Elliott — Excused

DEPARTMENT PERSONNEL ATTENDING

Mr. Irvin Poke, Director, Bureau of Construction Codes (BCC)
 Mr. Keith Lambert, Deputy Director, BCC
 Mr. Todd Cordill, Chief, Plan Review & Building Division, BCC
 Mr. Charles Curtis, Asst. Chief, Building Section, BCC
 Mr. Stan Skopek, Asst. Chief, Plan Review Section, BCC
 Ms. Brenda Caron, Secretary, Building Section, BCC
 Ms. Tracie Pack, Departmental Analyst, Building Section, BCC
 Mr. Dave Vigas, Director, Office of Management Services (OMS), BCC
 Ms. LeeAnn Allaire, Departmental Analyst, OMS, BCC
 Ms. Bridget Smith, Assistant Attorney General

OTHERS IN ATTENDANCE

Mr. Tim DeWitt – MMHA
Ms. Deborah Ostrander – DEQ

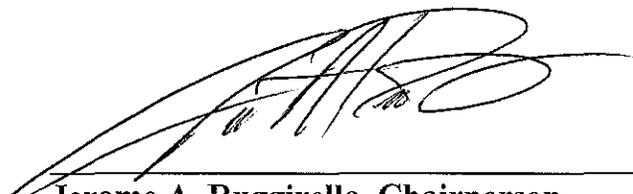
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Signatures

Drafted by: Brenda S. Caron Date: September 26, 2014
Brenda S. Caron, Secretary
Building Division

Approved by the Mobile Home Code Commission on: December 17, 2014



Jerome A. Ruggirello, Chairperson
Mobile Home Code Commission

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MOBILE HOME CODE COMMISSION
2501 Woodlake Circle
Okemos, Michigan 48864

In the Matter of:

MEADOWS MOBILE HOME PARK (Eaton County)
License No. 1201109 / Plan Review Project No. 107594

c/o Mr. Robert Goodman, Member
Charlotte Estates LLC
5600 West Maple Road, Suite B212
West Bloomfield, MI 48322

(Applicant)

Issued and entered
this 17th day of December, 2014
by Jerome A. Ruggirello, Chairperson

ORDER GRANTING VARIANCE

PROCEDURAL HISTORY

On July 29, 2014, the above named Applicant requested a variance from the 10-year time limit on construction permits imposed by Rule 905(5) of the Manufactured Housing Rules (the "Code"), MAC R 125.1905(5), for this 125-site expansion of the existing 128-site licensed community in Eaton County (the "Request"). The permit to construct for this development was first issued on May 25, 2004, and expired on May 25, 2009. A permit renewal was issued on February 27, 2009, which expired on February 27, 2014.

ORDER GRANTING VARIANCE
MEADOWS MOBILE HOME PARK

On December 17, 2014, a hearing was held on this Request before the Commission. The Commission heard testimony from Robert Goodman regarding the Applicant's justification for this Request, as well as testimony from the Bureau of Construction Codes regarding its technical review of the Request.

FINDINGS OF FACT

Based on the evidence presented at the hearing, the Commission finds that the literal application of the time limit on the construction permit imposed by Rule 905(5) of the Code, MAC R 125.1905(5), for this 125-site expansion in Eaton County would result in an exceptional practical difficulty to the Applicant, but is neither so general nor recurrent in nature as to make an amendment of the Code with respect to the condition reasonably practical or desirable.

CONCLUSION OF LAW

An exceptional practical difficulty in the literal application of a substantive requirement of the Code constitutes grounds under Section 18 of the Mobile Home Commission Act, MCL 125.2318, for the Commission to grant a specific variance to a requirement of the Code.

DECISION

NOW THEREFORE, IT IS ORDERED that the Request for a specific variance from the 10-year time limit of Rule 905(5) of the Code is hereby GRANTED in the amount of five (5)

ORDER GRANTING VARIANCE
MEADOWS MOBILE HOME PARK

additional years, thereby extending Permit to Construct No. 107594 until February 27, 2019,
subject to the condition that any required DEQ permit be obtained prior to construction.

By:



MOBILE HOME CODE COMMISSION
Jerome A. Ruggirello, Chairperson

Date: 12-17-, 2014

A Copy of this Variance was sent by First Class Mail to:

Meadows Mobile Home Park
c/o Mr. Robert Goodman, Member
Charlotte Estates, LLC
5600 West Maple Road, Suite B212
West Bloomfield, Michigan 48322

A Copy of this Variance was sent by Interdepartmental Mail to:

Ms. Usha Menon
Plan Review Office
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Ms. Debbie Smith Ostrander
Environmental Quality Analyst
Resource Management Division
DEQ Kalamazoo District Office
7953 Adobe Road
Kalamazoo, Michigan 49009

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MOBILE HOME CODE COMMISSION
2501 Woodlake Circle
Okemos, Michigan 48864

In the Matter of:

NORTHFIELD TOWNSHIP (Washtenaw County)

Ms. Laura K. Kreps, AICP
Carlisle/Wortman Associates, Inc.
605 S. Main Street, Suite 1
Ann Arbor, MI 48104

ORDER OF THE MOBILE HOME CODE COMMISSION
CONDITIONAL APPROVAL OF PROPOSED LOCAL
ORDINANCE/HIGHER STANDARD PURSUANT TO
THE MOBILE HOME COMMISSION ACT, 1987 PA 96

WHEREAS, the Mobile Home Code Commission (hereafter the Commission), pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCLA 24.201 et seq.; MSA 3.560(101) et seq.; Executive Order 1996-2; the Mobile Home Commission Act, 1987 PA 96, as amended; MCLA 125.2301 et seq.; MSA 19.855(101) et seq. (hereafter the Act); and the rules promulgated under the Act (hereafter the Rules), received a proposed local ordinance/higher standard from Northfield Township on July 23, 2014, and October 28, 2014; and

WHEREAS, the Commission reviewed the proposed local ordinance/higher standard at its meeting on December 17, 2014; and IT IS THEREFORE ORDERED that the following

components of the proposed local ordinance/higher standard submitted by the local government on July 23, 2014, and October 28, 2014, are APPROVED as amended:

The following provisions are approved as indicated:

Section 26.01 Purpose

Section 26.02 Permitted Principal Uses

Approved except subsection "C" as Section 3.17 was not included with the proposed ordinance for review.

Section 26.03 Accessory Uses and Structures

Section 26.04 Conditional Uses

Section 26.05 Regulations and Standards

Subsection A. Lot Area

Subsection B. Lot and Site Width

Subsection C. Lot Size, Acreage and Density

Subsection D. Lot Coverage

Subsection E. Yard and Separation Requirements: E(1), E(3)(a) through (g), and E(4) through E(8)

Subsection F. Maximum Height of Structures: F(1) Principal Structures

Subsection G(1) Parking Requirements

Approved if the sentence which states, "The minimum number of parking spaces for uses permitted by Section 26.03 herein shall be two-thirds (2/3) the number required for such uses as set forth in Article 61.0, herein" is removed as Article 61.0 was not included with the proposed ordinance for review.

Subsection G(2)

Subsection G(3)(a) Approved if "compacted road gravel" is removed.

Subsection G(3)(b) through G(4)

Subsection H. Streets

Subsection I. Sidewalks

Subsection J. Open Space and Recreational Facilities

Subsection L. Sanitary Sewer Service

Subsection N. Accessory Buildings

Subsection O. Site Constructed Buildings

Subsection P. Lighting

Subsection Q. Placement of a Manufactured Home Unit

Subsection R. Certificates Required

Subsection S(2)(a) & (b) Planning Commission Action

Subsection T. Manufactured Home Standards

Approved with the condition that “Bureau of Construction Codes and Fire Safety” be revised to read “Bureau of Construction Codes.”

**The following provisions are NOT APPROVED as indicated,
pursuant to Section 7 (1) of the Act:**

Section 26.05 E(2). Yard and Separation Requirements. Not approved as it was not submitted as a higher standard. The last sentence shall read the same as the Model Ordinance.

Section 26.05 E(3)(h). Yard and Separation Requirements. Not approved as it was not submitted as a higher standard.

Section 26.05 K. Screening, Fencing, and Landscaping. Not approved, unless it is revised to meet Section 1500 of the Model Ordinance.

Section 26.05 M. Outdoor Storage. Not approved, unless it is revised to meet Section 1920 of the Model Ordinance.

Section 26.05 S(1). Application. Not approved, unless it reads “typical” per the Model Ordinance.

The following provisions are beyond the jurisdiction of the Commission or were not considered because they are not related to a specific section of the mobile home code, per Section 7 (1) of the Act:

Section 26.05 F(2) Accessory Structures. Maximum height of accessory structures or storage buildings is not addressed by the Act or Manufactured Housing General Rules.

As described in this Order's findings, the Petitioner, Ms. Laura K. Kreps, AICP, has provided sufficient written justification that some of the preceding provisions comprising this proposed higher standard to Section 125.2307 (1) are reasonable and related to a specific section of the code, as required by Section 125.2307 (1) of the Act, 1987 PA 96, and the Administrative Procedures Act, 1969 PA 306. However, the Petitioner has failed to provide sufficient written justification that other previously identified provisions comprising this proposed higher standard to Section 125.2307 (1) are reasonable *or* related to a specific section of the code, as required by Section 125.2307 (1) of the Act, 1987 PA 96, and the Administrative Procedures Act, 1969 PA 306.

THEREFORE, the Mobile Home Code Commission approves in part, denies in part and declines to consider in part the aforementioned proposal comprised of a higher standard to the Rules, pursuant to Section 125.2307 (1) of 1987 PA 96, as amended, MCL 125.2307 (1). This Order is binding on all parties.

IT IS FURTHER ORDERED that, pursuant to R 125.1125(2), Rule 125(2), the sections of the proposed local ordinance/higher standard cited above as not approved, will be denied fifteen days from the date of the receipt of this Order. If a written request for hearing is filed with the Commission by the local government within fifteen days of receipt of this Order, then the matter shall be set down for hearing to commence without undue delay. If a written request for hearing is not filed with the Commission by the local government within fifteen days of

receipt of this Order, then the proposed higher standard shall be automatically denied and this Order shall be a final order in the matter.

ANY COMMUNICATIONS regarding this Order should be addressed to the Michigan Department of Licensing and Regulatory Affairs, Bureau of Construction Codes, Plan Review & Building Division, Attention: Todd Y. Cordill, P.O. Box 30254, Lansing, Michigan 48909-8203.



MOBILE HOME CODE COMMISSION
Jerome A. Ruggirello, Chairperson

January 15, 2015

ORDER OF THE MOBILE HOME CODE COMMISSION
CONDITIONAL APPROVAL OF PROPOSED LOCAL ORDINANCE/
HIGHER STANDARD

In the Matter of:

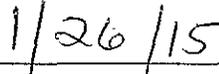
NORTHFIELD TOWNSHIP (Washtenaw County)

PROOF OF SERVICE

I hereby state, to the best of my knowledge, information, and belief, that a copy of the foregoing document was served on this date upon all parties and/or attorneys of record in this matter by e-mail to those parties employed by the State of Michigan and by certified mail, return receipt requested, or e-mail (where an e-mail address is listed herein) to the remaining parties at their respective addresses as disclosed below.



Brenda S. Caron, Secretary
Building Division
Bureau of Construction Codes



Date

Ms. Laura K. Kreps, AICP
Carlisle/Wortman Associates, Inc.
605 S. Main Street, Suite 1
Ann Arbor, MI 48104
e-mail: lkreps@cwaplan.com

Mr. Douglas J. Lewan, PCP, AICP
Carlisle/Wortman Associates, Inc.
605 S. Main Street, Suite 1
Ann Arbor, MI 48104
e-mail: dlewan@cwaplan.com

Ms. Marlene Chockley, Planning Commission Chair
Northfield Township
8350 Main Street, P.O. Box 576
Whitmore Lake, MI 48189

ORDINANCE REVIEW COMMITTEE

DON WESTPHAL, CHAIRPERSON

CAROLE K. ELLIOTT

KEVIN GILLETTE

RUTH ANN JAMNICK

THOMAS D. LUTZ

CHARLES MEEHAN

LARRY WILSON

**PENDING LICENSE APPROVALS
DECEMBER 17, 2014–MOBILE HOME CODE COMMISSION MEETING**

INSTALLER/REPAIRER	DEALER
J and T Enterprises, Inc. of Michigan 3080 Dixie Highway, Suite B Waterford, MI 48328 Mark E. Jones, Operator	MHP Manager, LLC 4084 W. Stanley Road Mt. Morris, MI 48458 Susan S. Gayner, Operator
Cameron M. Taylor 9180 S. Custer Monroe, MI 48161 Cameron M. Taylor, Operator	NP Michigan Homes, LLC 110 Bejac Circle Drive Battle Creek, MI 49037 Richard Nodel, Operator
Robin A. Malcolm 12277 Conservation Trail Shelby Twp., MI 48315 Robin A. Malcolm, Operator	Crossroads Homes, LLC 7416 Gillett Flushing, MI 48433 Frederick W. Solberg, Operator
	FR MH Leasing, LLC d/b/a Tallgrass Estates 260 E. Garfield Avenue Coldwater, MI 49036 Larry G. Nelson, Operator
	FR MH Leasing, LLC d/b/a Twinleaf Estates 3614 Stadium Drive Kalamazoo, MI 49008 Larry G. Nelson, Operator

**ADDITIONAL PENDING LICENSE APPROVALS
DECEMBER 17, 2014 – MOBILE HOME CODE COMMISSION MEETING**

INSTALLER/REPAIRER	DEALER
C and T Home Improvements 609 Front Street Flint, MI 48504 Christopher A. Charvat, Operator	AHR Investments, LLC 950 Taylor Avenue Grand Haven, MI 49417 Robert D. Reenders, Operator
OLI Building, Inc. 47816 Ramblewood Chesterfield, MI 48051 Matthew D. Oliphant, Operator	Sun Home Services, Inc. d/b/a Sun Homes 2129 Arrowhead Drive Muskegon, MI 49442 Gary A. Shiffman, Operator
The Carpenter's Servant 258 Ponderosa Trail South Belleville, MI 48111 David A. Hare, Operator	Sun Home Services, Inc. d/b/a Sun Homes 1250 Patee Street Newport, MI 48166 Gary A. Shiffman, Operator
Just Rite Service Professionals, Inc. 46715 Shady Court Shelby Twp., MI 48317 Caleb J. Davidson, Operator	Progressive Communities Sales and Leasing Services, LLC 60 Hathaway, Lot 52 East China Twp., MI 48313 Stacy O. Buss, Operator
	Lakefront Estates Sales and Leasing, LLC 385 W. Brown Street, Lot 41 Beaverton, MI 48612 Stacy O. Buss, Operator
	Welcome Home Housing, LLC 1500 Old Mill Lane Lansing, MI 48911 Jeffrey S. Davidson, Operator
	Welcome Home Housing, LLC 7280 West Mount Morris Road Flushing, MI 48433 Jeffrey S. Davidson, Operator
	Commonwealth Reality, LLC 525 Court Street Port Huron, MI 48060 Janis Lynn Degregory, Operator

INSTALLER/REPAIRER	DEALER
	Sashabaw Meadows MHC, LLC 4359 Dogwood Boulevard Clarkston, MI 48348 Gabe Cahill, Operator
	Clarkston Homes, LLC 4359 Dogwood Boulevard Clarkston, MI 48348 Gabe Cahill, Operator
	Fawn Meadow, LLC 8621 East K Avenue Galesburg, MI 49053 Terrance Michael Roush, Operator

Mobile Home Code Fund Revenue/Expenditure Report

FY 2014 - Year End Adjustments

Program Revenue		Program Expenditures	
Licenses	\$ 89	Salaries	\$ 17,375
Permits	\$ -	Longevity & Insurance	\$ 366
Titles	\$ (360)	Retirement & FICA	\$ 4,769
Other:		CSS&M & Equipment	\$ 61,494
Publication & Copy Revenue	\$ -	Travel	<u>\$ 526</u>
Land Sales-App. for Registration	\$ -	Sub-Total Direct Expenditures	\$ 84,529
HUD Reimb. of Insp. Costs	\$ -	Indirect Dept. Expenditures:	
Mobile Hm Code Commission Fines	\$ -	Info Technology Services	\$ 117,422
Common Cash Interest	\$ 270	Rent	\$ -
RED-DCS 1%	\$ 268	Property Management	\$ -
RED-Dept of State	\$ (78,982)	Executive Director Programs	\$ 5,887
RED-AG	<u>\$ -</u>	Administrative Services	<u>\$ 7,619</u>
TOTAL REVENUE	<u>\$ (78,715)</u>	TOTAL EXPENDITURES	<u>\$ 215,458</u>

Year End Adjustment Difference **\$ 136,743**

FY 2014 Final

Program Revenue		Program Expenditures	
Licenses	\$ 61,868	Salaries	\$ 1,121,915
Permits	\$ 285	Longevity & Insurance	\$ 285,515
Titles	\$ 2,038,095	Retirement & FICA	\$ 647,396
Other:		CSS&M & Equipment	\$ 348,943
Publication & Copy Revenue	\$ 773	Travel	<u>\$ 19,930</u>
Land Sales-App. for Registration	\$ -	Sub-Total Direct Expenditures	\$ 2,423,699
HUD Reimb. of Insp. Costs	\$ -	Indirect Dept. Expenditures:	
Mobile Hm Code Commission Fines	\$ 2,574	Info Technology Services	\$ 256,500
Common Cash Interest	\$ 1,705	Rent	\$ 125,688
RED-DCS 1%	\$ (43,577)	Property Management	\$ (0)
RED-Dept of State	\$ (279,687)	Executive Director Programs	\$ 19,800
RED-AG	<u>\$ -</u>	Administrative Services	<u>\$ 29,514</u>
TOTAL REVENUE	<u>\$ 1,782,035</u>	TOTAL EXPENDITURES	<u>\$ 2,855,200</u>

FY/14 DIFFERENCE **\$ (1,073,165)**

FUND BALANCE **\$668,726**

Mobile Home Code Fund Revenue/Expenditure Report

FY 2015 - 1st Quarter

Program Revenue

Licenses	\$ 15,357
Permits	\$ 580
Titles	\$ 482,420
Other:	
Publication & Copy Revenue	\$ 210
Land Sales-App. for Registration	\$ -
HUD Reimb. of Insp. Costs	\$ -
Mobile Hm Code Commission Fines	\$ 432
Common Cash Interest	\$ -
RED-DCS 1%	\$ -
RED-Dept of State	\$ -
RED-AG	\$ -

Program Expenditures

Salaries	\$ 229,033
Longevity & Insurance	\$ 63,800
Retirement & FICA	\$ 137,311
CSS&M & Equipment	\$ 7,096
Travel	\$ 1,226
Sub-Total Direct Expenditures	\$ 438,466
Indirect Dept. Expenditures:	
Info Technology Services	\$ -
Rent	\$ 42,938
Property Management	\$ -
Executive Director Programs	\$ -
Administrative Services	\$ -

TOTAL REVENUE \$ 498,999

TOTAL EXPENDITURES \$ 481,404

1st Quarter Difference = \$ 17,595

FY/14 CARRY FORWARD FUND BALANCE \$ 668,726

FY/14 FUND BALANCE (Through 1st Quarter) \$ 686,321



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF CONSTRUCTION CODES
IRVIN J. POKE
DIRECTOR

MIKE ZIMMER
DIRECTOR

MEMORANDUM

Date: February 25, 2015

To: Mobile Home Code Commission

From: Todd Y. Cordill, NCARB
Chief, Plan Review & Building Division

Subj: REQUEST FOR VARIANCE in the matter of:
The Lakes, LLC (St. Clair County)
License No. 1201191/Plan Review Project No. 108670/Permit to Construct No. PC-951-1

Ref: (a) MAC R125.1905(5) – A plans approval and permit to construct shall be valid for 5 years after the date of the issuance and may, upon application, review of the previously approved construction plans for compliance with these rules, and approval of the application, be renewed by the department if the last renewal does not expire more than 10 years after the initial plans approval and permit to construct was issued.

(b) MAC R125.1948(2) – An applicant may file a request with the department for a specific variance if the specific requirement would cause an exceptional practical difficulty.

Purpose. To consider the enclosed submission from Donald Westphal on behalf of the developer, The Lakes, LLC, requesting a specific variance from the above referenced rule which, in turn, would authorize the Bureau to renew Permit to Construct No. PC-951-1, beyond the currently-approved date of extension, February 4, 2015, and to establish a new permit expiration date of February 4, 2025, in order to allow the developer another 10 years (for a total of 25-years) to complete this partially completed development.

(*Note: The Commission’s previous policy has been to limit permit extensions to 5-year increments. So the Commission – if it chooses to maintain this policy – may limit extension date to February 4, 2020.)

Background. The original permit to construct for this community was issued on February 4, 2000, to The Lakes, LLC, and approved a 181-site expansion of the existing 128-site licensed community in St. Clair County’s Kimball Township, consisting of sites 129-309. On February 27, 2006, a permit renewal was granted until February 27, 2011. On December 19, 2012, a variance was granted by the Commission extending the permit to construct until February 4, 2015.

So far, construction of 104 of the 181 expansion sites has been completed, and significant additional financial investments, engineering and infrastructure improvements have already been made on the remaining 77 incomplete sites. Because of the 10-year time limit on permit extensions imposed by Reference (a), the Bureau may not further extend the developer’s permit to construct unless the Commission grants a specific variance pursuant to its authority under MCL 125.2318 and Reference (b) MAC R125.1948.

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MEMORANDUM – REQUEST FOR VARIANCE

The Lakes, LLC

February 25, 2015

Justification. The enclosed letter from Mr. Westphal, dated January 30, 2015, contains the applicable statements required by R125.1948(3) for Commission consideration. The letter states, in relevant part:

“We are requesting a variance from Rule MAC R125.1905(5) to renew Permit to Construct #PC-951-1 to allow the developer time to finish the partially completed development.

The original permit to construct was granted on February 4, 2000 to The Lakes LLC, and approved for a 181 site expansion of an existing 128 site community in St. Clair County’s Kimball Township, consisting of sites 129-309. On February 27, 2006, a permit extension was granted until February 27, 2011. On December 19, 2012 a variance was granted by the Manufactured Housing Commission extending the Permit to Construct until February 4, 2015.

Our request for this extension is based largely on the severe economic climate in the local area and across the State over the past several years, which has made completion of the remaining lots financially unfeasible. 104 of the 181 expansion sites have been completed since the original Permit to Construct was granted. Based on the length of time it has taken to complete the existing sites, the state of the local economy, and the number of remaining lots (77) left to build under the original permit; we respectfully request a renewal and a ten (10) year extension on the current Permit to Construct. Approval of the requested variance by the Commission will allow the remainder of the sites in this award winning community to be constructed as originally designed without further delay.”

The applicant has also filed a notice of the variance request with the municipal clerk’s office and the Michigan Department of Environmental Quality as required by R125.1948(3).

Recommendation. The Bureau’s **Plan Review Staff** has reviewed the original plans and this request and **has no objection to its approval.** If the Commission is persuaded that the existing permit to construct should be renewed and approved for another extension, then it will be understood that the remainder of this partially completed community may continue to be built to its currently engineered standards and that it will not be subject to any higher or newer standards until the expiration of a renewed permit. The Commission has the option of amending requests and attaching conditions to its approvals. Based on review of the variance request and supporting documentation, the Plan Review & Building Division recommends extending the permit to construct to February 4, 2020.

TYC/bsc

Enclosure: (1) Donald Westphal’s letter of January 30, 2015 (w/attachments)

cc: Usha Menon, BCC, Plan Review & Building Division



donald c. westphal
associates, I.L.C.
landscape architecture & site planning
avon prairie house
71 n. livernois, suite a, rochester hills, mi 48307
dcwestphal.com
(248) 651-5518 fax (248) 651-0450

January 30, 2015

RECEIVED

FEB 6 2015

BUREAU OF CONSTRUCTION CODES
PLAN REVIEW DIVISION

Todd Y. Cordill
Department of Licensing and Regulatory Affairs
Bureau of Construction Codes
Plan Review & Building Division
P.O. Box 30254
Lansing, MI 48909

Dear Mr. Cordill,

We are requesting a variance from Rule MAC R125.1905(5) to renew Permit To Construct # PC-951-1 to allow the developer time to finish the partially completed development.

The original permit to construct was granted on February 4, 2000 to The Lakes LLC, and approved for a 181 site expansion of an existing 128 site community in St. Clair County's Kimball Township, consisting of sites 129-309. On February 27, 2006, a permit extension was granted until February 27, 2011. On December 19, 2012 a variance was granted by the Manufactured Housing Commission extending the Permit To Construct until February 4, 2015.

Our request for this extension is based largely on the severe economic climate in the local area and across the State over the past several years, which has made completion of the remaining lots financially unfeasible. 104 of the 181 expansion sites have been completed since the original Permit To Construct was granted. Based on the length of time it has taken to complete the existing sites, the state of the local economy, and the number of remaining lots (77) left to build under the original permit; we respectfully request a renewal and a ten (10) year extension on the current Permit To Construct. Approval of the requested variance by the Commission will allow the remainder of the sites in this award winning community to be constructed as originally designed without further delay. Attached is a copy of a letter dated January 14, 2015 from the State of Michigan Plan Review Division denying our request to renew the Permit To Construct.

We are requesting that the matter be on the agenda for the March meeting.

Very truly yours,

Donald C. Westphal, RLA, ASLA

DCW/jb
Attachments

Cc: L. Granata

MANUFACTURED HOUSING COMMISSION – Request for Variance

*Michigan Department of Consumer & Industry Services
Bureau of Construction Codes & Fire Safety*

P.O. Box 30254
Lansing, MI 48909 Ph: (517) 241-9313
bccfsinfo@michigan.gov

Lynn Granata

Name

5901 Lapeer Road

Street Address

Kimball Twp., MI

City

State

Telephone

February 2, 2015

Date

For Commission Use Only

Date Received: 2/5/2015

Case Number:

Filing Instructions:

File this application with: The Department of Labor and Economic Growth, Bureau of Construction Codes and Fire Safety.

At the same time, a copy of this application should be filed with the following:

1. The municipal clerk's office;
2. All residents on home sites immediately adjacent to the place for which a variance is being requested; and
3. The Michigan Department of Environmental Quality if the variance is to or would impact on public health regulations.

1. Request for Variance from Rule #:

(Include rule number, paragraph, and subparagraph if needed)

Rule MAC R125.1905(5)

2. Specific Reason or Reasons for Variance: (Attach if necessary)

Our request for this variance to extend the Permit to Construct is based largely on the severe economic climate in the local area and across the State over the past several years, which has made completion of the remaining lots financially unfeasible. 104 of the 181 expansion sites have been completed since the original Permit to Construct was granted. Based on the length of time it has taken to complete the existing sites, the state of the local economy, and the number of remaining lots (77) left to build under the original permit; we respectfully request a renewal and a ten (10) year extension on the current Permit to Construct. Approval of the requested variance by the Commission will allow the remainder of the sites to be constructed without delay.

3. A statement describing why the condition caused by the requirement is not so general or recurring that consideration should be given to amend the rules as the most practical means to rectify the difficulty: (Attach if necessary)

The economic down turn over the past several years caused the Permit to Construct to expire before the remaining lots could be completed. This is not a permanent condition requiring an amendment to the rules.

4. A statement describing the difficulty encountered if the specific requirement of the rule was literally applied: (Attach if necessary)

If the specific requirements of the rule were applied, the Permit to Construct could not be renewed and the remaining approved lots would not be permitted to be built.

5. If applicable, a statement describing the difficulty encountered in ensuring the protection of the health, safety, and welfare of the community residents if the specific requirement of the act or these rules was literally applied: (Attach if necessary)

Not applicable

6. If the variance is being requested for a specific home site, then provide information for sections 6(a)-(d):

Not applicable

6(a). When the home site and all adjacent home sites were built:

6(b). When the home on the home site and all adjacent homes were installed:

6(c). The location of the hitch and all outside doors of the home on the home site:

6(d). The distance between the home on the home site and all adjacent homes, structures, sidewalks, internal roads, and community boundaries. The distance information shall be accompanied by an affidavit signed by the community owner or operator verifying the accuracy of the measurements: (Attach if necessary)

7. Any other specific information and data pertinent to justification for the specific variance: (Attach if necessary)



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF CONSTRUCTION CODES
IRVIN J. POKE
DIRECTOR

MIKE ZIMMER
DIRECTOR

January 14, 2015

Ms. Lynn Granata
Lakes LLC, The
5901 Lapeer Road
Kimball, MI 48074

RE: Project Number: 108670 - St. Clair	Construction Type: Renewal
Arch. Project Number: N/A	No. of Sites: 181
Lakes LLC, The	Site Sequence: 129-309
5901 Lapeer Road	
Kimball Township, MI	

Dear Ms. Granata:

This project has been reviewed for compliance with the State of Michigan Manufactured Housing General Rules.

2008 Manufactured Housing General Rules - Usha Menon

Rule 905(5)-The plan approval and permit to construct and shall be valid for 5 years after the date of the issuance and may, upon application, review of the previously approved construction plans for compliance with these rules, and approval of the application, be renewed by the department if the last renewal does not expire more than 10 years after the initial plan approval and permit to construct was issued.

Our records indicate that the initial approval was on February 04, 2000 and expired on February 04, 2005 for 181 sites, lot number 129 -309. A permit renewal was issued on February 27, 2006 which expired on February 27, 2011. Since the rules restrict the renewal to a maximum of 10 years from the initial plan approval and permit to construct, Plan review Division cannot renew the permit.

In order to receive a renewal you may apply for a variance from the Manufactured Housing Commission. For details please contact Building Division at (517) 241- 9317.

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Ms. Lynn Granata
Page 2
January 14, 2015

Upon receipt of a written satisfactory response to each plan review comment, the approval will be forwarded.

If you have any questions regarding your plan review, please contact our office at (517) 241-9328.

Sincerely,



Usha Menon, Plan Reviewer
UM/mt

cc: BCC – Building Division
Donald C Westphal Associates LLC - Donald Westphal

THE LAKES ESTATES, LLC
5901 LAPEER ROAD
KIMBALL TOWNSHIP, MI 48074

January 30, 2015

Robert Hand
Kimball Township Clerk
Kimball Township
2160 Wadhams Road
Kimball, MI. 48074

Dear Mr. Hand,

We are in the process of requesting a variance from the Manufactured Home Commission for the extension of our permit to construct additional sites at The Lakes Manufactured Home Community in Kimball Township. No changes will be made to the plans as submitted and approved for construction by the Manufactured Home Commission under permit # PC-951-1 granted on February 4, 2000, renewed February 27, 2006, and extended by variance on December 19, 2012. This notification is in accordance with the requirements of the Commission Rule MAC R125.1905 and MAC R125.1948.

If you have any questions, please contact me or my representative, Donald C. Westphal of Donald C. Westphal, Associates at 248-651-5518.

Very truly yours,



Lynn Granata



THE LAKES ESTATES, LLC
5901 LAPEER ROAD
KIMBALL TOWNSHIP, MI 48074

January 30, 2015

Debbie Smith Ostrander
Environmental Quality Analyst
Resource Management Division
DEQ Kalamazoo District Office
7953 Adobe Road
Kalamazoo, MI 49009

Dear Ms. Ostrander,

We are in the process of requesting a variance from the Manufactured Home Commission for the extension of our permit to construct additional sites at The Lakes Manufactured Home Community in Kimball Township. No changes will be made to the plans as submitted and approved for construction by the Manufactured Home Commission under permit # PC-951-1 granted on February 4, 2000, renewed February 27, 2006, and extended by variance on December 19, 2012. This notification is in accordance with the requirements of the Commission Rule MAC R125.1905 and MAC R125.1948.

If you have any questions, please contact me or my representative, Donald C. Westphal of Donald C. Westphal, Associates at 248-651-5518.

Very truly yours,


Lynn Granata



PENDING LICENSE APPROVALS
MARCH 25, 2015 – MOBILE HOME CODE COMMISSION MEETING

INSTALLER/REPAIRER	DEALER
Dembeck Plumbing 19979 Pine Cone Drive Macomb Twp., MI 48042 Thomas Dembeck, Operator	Oakland Funding, LLC 47 Bluebird Drive Orion Twp., MI 48359 Thomas E. Masaschi, Operator
	Masters Mobiles 1326 Hollywood Drive Monroe, MI 48162 Lauri L. Hines, Operator