

Township: Keep original and provide copy of both sides, along with Public Summary, to requestor at no charge.

Hayes Township, Charlevoix County  
09195 Old US 31 N  
Charlevoix, MI 49720  
Phone: (231) 547-6961

Denial Form

**Notice of Denial of FOIA Request**  
**Michigan Freedom of Information Act, Public Act 442 of 1976, MCL 15.231, et seq.**

Request No.: 122721 Date Received: 1-3-2022 Check if received via: ☒ Email ☐ Fax ☐ Other Electronic Method  
Date of This Notice: MDM 01/19/22 Date delivered to junk/spam folder: \_\_\_\_\_

Name <u>LuAnne Kozma</u>	Phone <u>231-547-2828</u>
Firm/Organization	Fax
Street <u>9330 Woods</u>	Email
City <u>Charlevoix</u>	State <u>MI</u> Zip <u>49720</u>

(Please Print or Type)

Date discovered in junk/spam folder: \_\_\_\_\_

Request for: ☒ Copy ☐ Certified copy ☐ Record inspection ☐ Subscription to record issued on regular basis

Delivery Method: ☐ Will pick up ☐ Will make own copies onsite ☐ Mail to address above ☒ Email to address above  
☐ Deliver on digital media provided by the township: \_\_\_\_\_

Record(s) You Requested: (Listed here or see attached copy of original request) - Asphalt complaint  
- Parker Harvey Todd Miller invoices - Zoning permits Aug 21-present  
- 2A Reports - ZBA training materials  
- Correspondence Law/Township July 2021-present - Does not exist

☐ All OR ☐ Part of your request for records has been denied. Please refer to this form for an explanation. If you have any questions regarding this denial, contact \_\_\_\_\_ at \_\_\_\_\_

**Reason for Denial:**

☐ 1. **Exempt from Disclosure:** This item is exempt from disclosure under FOIA Section 13, Subsection \_\_\_\_\_ (insert number), because: \_\_\_\_\_

☒ 2. **Record Does Not Exist:** This item does not exist under the name provided in your request or by another name reasonably known to the township. A certificate that the public record does not exist under the name given is attached. If you believe this record does exist, provide a description that will enable us to locate the record: \_\_\_\_\_

☐ 3. **Redaction:** A portion of the requested record had to be separated or deleted (redacted) as it is exempt under FOIA Section 13, Subsection \_\_\_\_\_ (insert number), because: \_\_\_\_\_

A brief description of the information that had to be separated or deleted: \_\_\_\_\_

**Notice of Requestor's Right to Seek Judicial Review**

You are entitled under Section 10 of the Michigan Freedom of Information Act, MCL 15.240, to appeal this denial to the township board or to commence an action in the Circuit Court to compel disclosure of the requested records if you believe they were wrongfully withheld from disclosure. If, after judicial review, the court determines that the township has not complied with MCL 15.235 in making this denial and orders disclosure of all or a portion of a public record, you have the right to receive attorneys' fees and damages as provided in MCL 15.240. (See back of this form for additional information on your rights.)

Signature of FOIA Coordinator: \_\_\_\_\_

Date: 1/18/2022

(Created by Michigan Townships Association, April 2015)

**LuAnne Kozma**

Mon, Dec 27,  
2021, 6:42 PM

to kristin, me, Ellis

Dear Kristin,

Under the Freedom of Information Act, I request the following documents:

1. All itemized invoices from Parker Harvey and/or attorney Todd Millar for legal work for the Township from August, September, October, November, and December.
2. Zoning Administrator reports filed in September, October, November and December 2021. Even though December is not over yet, a ZA report was provided in writing to the Planning Commission at their recent December meeting, so I would like that to be included.
3. Correspondence between the Laws and the Township/any township official since July 1, 2021 to the present.
4. Correspondence, violation notices, citations, fines imposed, or any other issuance by Ron Van Zee regarding the paving of the driveway down to Lake Charlevoix and on the Shoreland Protection strip, in violation of the zoning ordinance, at the property of Scott and Debra Law at 10034 Anglers Cover, that I notified Mr. Van Zee about several times, first on September 3, 2021 and again on December 1, 2021. My request is for all documents

regarding the township's actions taken, or not taken, on this complaint that I filed, including memos to other township officials.

5. All zoning permits applications, modified plans, or correspondence submitted to the Township by Scott and Debra Law since August 1, 2021 for any of their properties

Please let me know right away if you have any questions.

Thank you,

LuAnne Kozma  
9330 Woods Road  
Charlevoix MI 49720  
231-547-2828



**LuAnne Kozma**

Mon, Dec 27, 2021,  
11:09 PM

to kristin, me, Ellis

In addition, I have another item as part of this FOIA request.

6. All the training materials (written and verbal/oral/video) provided to the ZBA members by Todd Millar, Parker and Harvey, or any other township attorney at the Hayes Township ZBA meeting(s) in 2020. If the ZBA meeting was recorded, I would also like to have a copy of the recording.

Thank you,

**HAYES TOWNSHIP**  
**ZONING ADMINISTRATOR REPORT**  
**NOVEMBER - DECEMBER 2021**

Issued the following zoning permits:

1. 05840 Undine Road. New single family residence with attached garage and covered porch.
2. 10963 Boyne City Road. 640 square feet porch overhang.

Followed up on setback violation on Anglers Cove.

Received and reviewed application for rezone on Upper Bay Shore Road. Prepared public notice for December 21, 2021 Planning Commission.

Prepared Country Club Fairways PUD and parcel division approvals.

Working on Bethany Lutheran Church rezone and parcel division approvals.

Prepared request for Attorney review of issues raised concerning Special Use Permit application on Upper Bay Shore Road.

Met with developers concerning appropriate locations for proposed industrial uses.

Met with Tipp of the Mitt representatives concerning on going working relationships.

Working on revising zoning applications.

Working with potential buyer of Neighborhood Commercial property for retail and residential proposed uses.

Greater than normal phone activity from real estate and potential buyers of property and allowed uses.

Several calls inquiring about rental properties.

HAYES TOWNSHIP

# Zoning Permit

The permit must be visible from the highway frontage

*Any person willfully destroying this permit before the completion of this building  
will be punished to the full extent of the law.*

Date 9-22-21

Permit No. 21-09-02

ISSUED FOR THE ERECTION OF A

2000 +/- linear feet of farm fencing

Special Conditions \_\_\_\_\_

Location 09862 Boyne City Road PIN 15-002-129-004-00  
128-007-15

Owner Scott & Debra Lewis Contractor Mauro Lake Const  
128-011-00

R. J. [Signature]

Zoning Administrator

CRB 120-3

Hayes Township  
09195 Old US 31 N  
Charlevoix, MI 49720  
231-547-6961

CASH RECEIPT

Received From

Address 4755 Skop Rd

Mallard Lake Construction LLC

Date 9-22-21

004807

ACCOUNT

HOW PAID

CASH

CHECK

MONEY ORDER  
CREDIT CARD

BY

CK # 1293

For zoning permit 21-09-02 15-007-128-011-00

Dollars \$ 70

Traverse City, MI 49685  
www.4frontcu.com  
(231) 929-2000

4Front credit union

For Prince & Son

9/22/21

Pay to the Order of

Hayes Township

\$ 70.00

9/22/21

MALLARD LAKE CONSTRUCTION LLC

4755 SKOP RD  
BOYNE FALLS, MI 49713

1293

Photo  
Deposit  
Safe  
Details on back

1293 74-8538/2724

HAYES TOWNSHIP  
09195 OLD US 31 N, CHARLEVOIX, MI. 49720

ZONING PERMIT APPLICATION

ZONE DISTRICT AL PERMIT NUMBER 21-04-02 FEE 70 DATE RECEIVED 9-17-21

GENERAL INFORMATION

Property Owner Name(s) SCOTT E DRABIELAW

Mailing Address 10034 ANDREWS CIRCLE CHARLEVOIX MI

Telephone \_\_\_\_\_ Cell: 37691-0289 EMAIL: slaw@20thcpractices.com

PROPERTY INFORMATION

Property Tax ID Number(s) 15-007-129-008-00  
128-007-15  
128-011-00

Property Address 09862 BOYNE CIRCLE CHARLEVOIX MI

Contractor ITALIAN LAKES CONSTRUCTION Contractor Contact Information 231-330-8260

PROPOSED USE OF PROPERTY

Type of Improvement(s)(describe) PROPERTY FENCE / GATES

New Construction ☒ Reconstruction \_\_\_\_\_ Addition \_\_\_\_\_ Sign \_\_\_\_\_ Other \_\_\_\_\_

Dimensions of Proposed Structure ~ 2,000' HEIGHT 5'

PROPOSED ZONING PERMIT

Special Use \_\_\_\_\_ Type of Special Use \_\_\_\_\_

P.U.D. \_\_\_\_\_ Rezone \_\_\_\_\_ Land Division/Split Involved? \_\_\_\_\_

PERMITS & REQUIRED DOCUMENTS

Site Plan Required \_\_\_\_\_ Survey Required \_\_\_\_\_ Health Dept. \_\_\_\_\_

Road Commission \_\_\_\_\_ Soil & Erosion \_\_\_\_\_ Corps of Engineers \_\_\_\_\_ D.N.R. \_\_\_\_\_ D.E.Q. \_\_\_\_\_

Owners Signature(s) [Signature]

Zoning Administrator Signature [Signature]

SEE REVERSE SIDE


1165.000  
70.00

Propose  
Druck



(2) SITE MAP

A horizontal graphic scale bar with three segments. The first segment is labeled '0', the second '200', and the third '400'. Below the bar, the text 'GRAPHIC SCALE' is written.

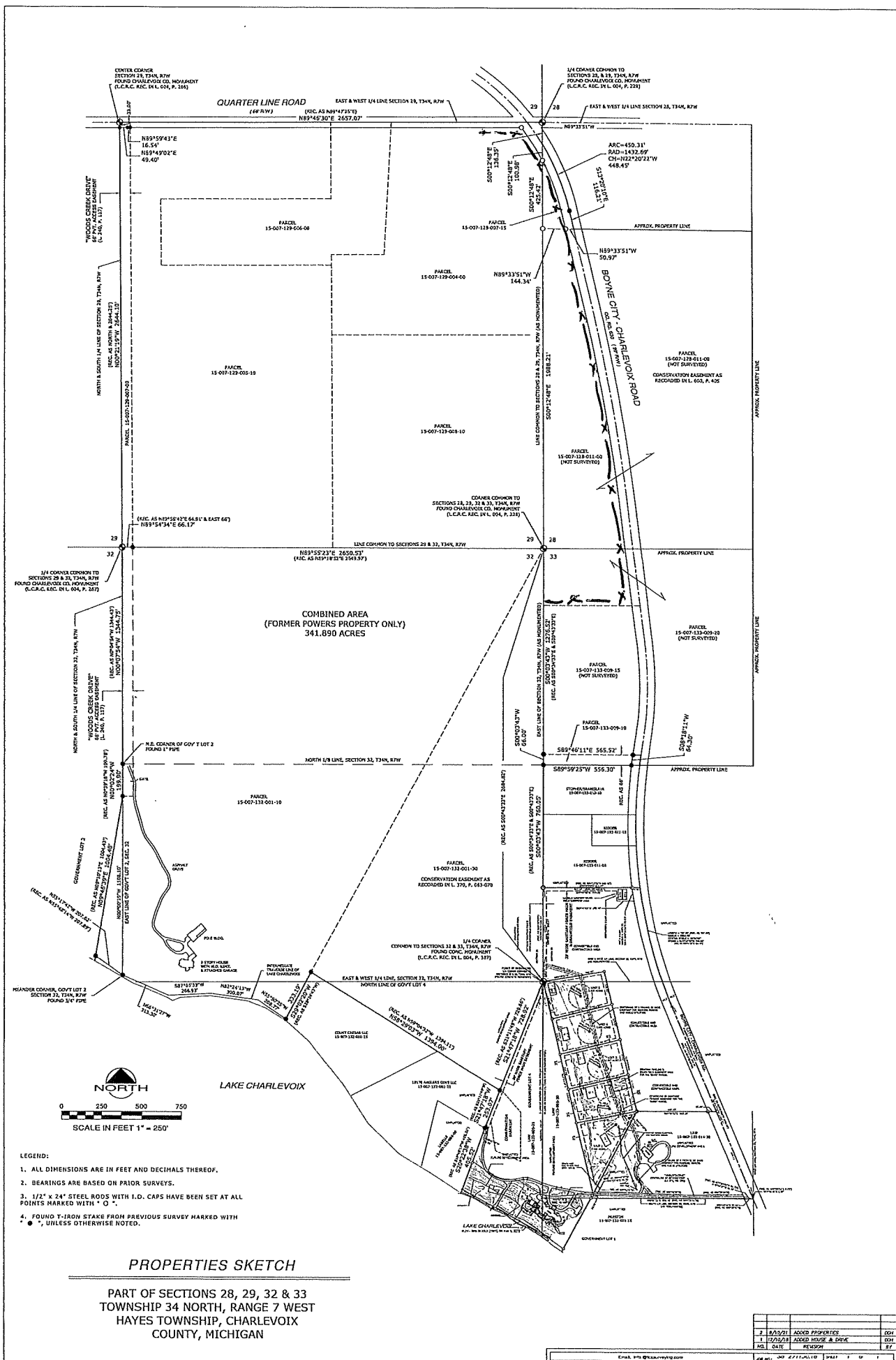
Performance Engineers, Inc. 

WILSON JONES, INC. TEL: 408/251-7400 FAX: (408) 641-7004  
www.performanceeng.com

LAW SITE  
OVERALL PROJECT MAP  
PARTS OF SECTIONS 29, 32 & 33,  
T34N-R7W, HAYES TOWNSHIP,

DATE: 03 MARCH 2021

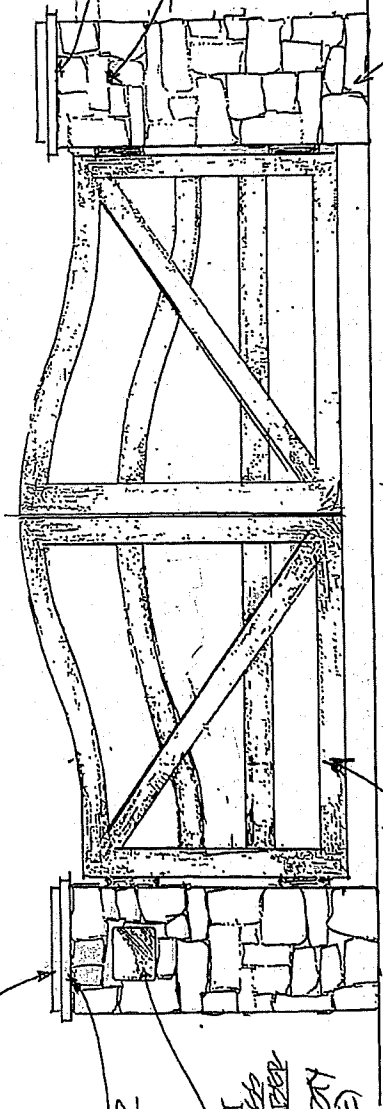




LAN PROPERTY

GATE WIDTH  
TO BE  
DETERMINED

LIMESTONE CAPS



HIDDEN  
LIGHT STRIP

STREET  
ADDRESS  
NUMBER  
(OR PROPERTY  
NAME)

HIDDEN LIGHT STRIP  
(ILLUMINATES STONE)

CAN HAVE  
ADDITIONAL  
PLATE/PLAQUE  
(NAME OF PROPERTY?)

STONE

LAWN - ENTRY GATES

APPROX 1/2" SLATE

BLACK WOOD  
(STAINED  
SAME AS FENCING)

400.00 K2  
PERIOD TYP

NOTE: SIDES OF GATE ATTACHED TO  
STONE COLUMNS TO BE  
SAME HEIGHT AS FENCING