

**REVISED AGENDA
OTSEGO COUNTY
PLANNING COMMISSION**

December 21, 2015

6:00 PM

MEETING WILL BE IN THE PLANNING AND ZONING MEETING ROOM LOCATED AT 1322 HAYES ROAD

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF MINUTES: From November 16, 2015 meeting
5. CONSENT AGENDA: None
6. OTHER: None
7. PUBLIC PARTICIPATION FOR ITEMS NOT ON THE AGENDA:
(Please identify yourself for the record. All comments will be limited to two (2) minutes)
8. PUBLIC HEARINGS: **SCHEDULED HEARING POSTPONED**

1. *John & Mary Brink, owners represented by Blumberg & Blumberg PLC have requested a Special Use Permit/Site Plan Review for property located in Corwith Township:*

042-027-400-025-00

042-027-400-030-00

Old 27 North

7297 Old 27 North

Vanderbilt, MI 49795

Vanderbilt, MI 49795

Property located in a B2/General Business Zoning District

PZSU15-010- proposed use of the property is to construct a 20'x200' storage building containing 20 storage units

9. ADVERTISED CASES: **POSTPONED**
10. NEW BUSINESS:
 1. Reappointment of PC member to ZBA
 2. Proposed language *Personal Wireless Communications*
 3. 2016 Meeting Dates
11. UNFINISHED COMMISSION BUSINESS:
 1. PREZ15-001-*Cottontails Inc Township response*
 2. 2016 Objective List
12. REPORTS AND COMMISSION MEMBER'S COMMENTS:
 1. Otsego County Parks & Recreation report/Judy Jarecki
 2. Ten Guidelines for Effective Local Zoning/Zoning Training

13. ADJOURNMENT

Otsego County Planning Commission

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Call to Order: 6:00pm by Chairperson Hartmann

Pledge of Allegiance

Roll Call:

Present: Chairperson Hartmann, Vice-Chairperson Jarecki, Secretary Arndt, Mr. Borton, Mr. Hilgendorf, Mr. Mang, Ms. Corfis

Absent: Mr. Brown, Ms. Nowak, Mr. Klee, Mr. Hendershot

Staff Present: Mr. Schlaud, Ms. Boyak-Wohlfeil

Public Present: Duane Hoffman, Elmira Township, Tim Maylone, Cherry Capital Connection, Randy Stults

Approval of minutes from: October 19, 2015

Chairperson Hartmann stated the first set of minutes was from October's regular meeting.

Motion made to approve minutes as written by Mr. Hilgendorf; Seconded by Mr. Mang.

Motion approved unanimously.

Approval of minutes from: *Special Meeting* October 26, 2015

Chairperson Hartmann stated minutes for a special meeting pertained to a site plan review for Wolverine Power and requested the addition of the word 'volt' on page one (1), first paragraph, second sentence...*existing International Transmission Company's (ITC) 138,000 volt transmission line which crosses...*

Motion made to approve minutes as corrected by Mr. Hartmann; Seconded by Ms. Corfis.

Motion approved unanimously.

Approval of minutes from: *Special Meeting* November 3, 2015

Chairperson Hartmann stated minutes from a second special meeting referred to a special use permit for Ponsse North America.

Motion made to approve minutes as written by Mr. Borton; Seconded by Mrs. Jarecki.

Motion approved unanimously.

Consent Agenda: None

Other: Duane Hoffman/Elmira Township Planning Commission/*MUZ Zoning District*

Chairperson Hartmann stated Mr. Hoffman and Mr. Stults were a part of a committee to write proposed language for the Multi Use Zoning District (MUZ).

Duane Hoffman, Elmira Planning Commission stated writing the proposed language for the Multi Use Zoning District had begun in 2005 and by 2007 it was thought to be a fairly complete ordinance. It was separated into

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two (2) sections, one for the main street area and one for the remaining unincorporated Village of Elmira located in Otsego County. Two thirds of Elmira was in Otsego County and the rest was a part of Warner Township in Antrim County. They had met with Warner Township for their input on compatibility.

The Otsego County Planning Commission decided a sub-committee should be formed to further strengthen the language in creating a walkable, pedestrian friendly community. The vision was much like the original concept of villages with commercial and residential uses blended together. Mr. Hoffman compared Boyne City with their vision stating the commercial and residential districts were barely defined within the district. He stated one of the things that hampered pedestrian usage was drive through establishments so they were purposely not allowed along the main street in the MUZ. He said Alden in Antrim County was another good example with commercial and residential combined, nice wide sidewalks and the majority of the parking on the main street; it was a pedestrian oriented, vibrant economic community.

With other issues going on in the County over the past few years, the MUZ was put on the back burner. This year after reviewing and some revising, the MUZ was being presented for input from the County.

Chairperson Hartmann thanked Mr. Hoffman and asked if there were any questions.

Mr. Arndt questioned the requirements for screening and also areas for outside courtyards.

Mr. Hoffman stated utilities on the roof would be screened; other screening was discussed but because of snow removal, it was not always feasible. He said the intent is to have things aesthetically pleasing. Front courtyards were an option for owners as alcoves for outdoor seating but the front facade of the building above would still meet the build to line. The build to line was designed to align all the buildings creating a greater sense of safety.

Chairperson Hartmann asked for the geographic boundaries of the Multi Use Zone.

Mr. Hoffman stated the Main Street MUZ included the Village of Elmira in Otsego County beginning at the bottom of the hill on M-32 as you enter Elmira and running all the way through to St Thomas Church; everything east of Buell Road was in Otsego County, everything west of it was in Antrim. This district was designed for mixed use developments. The Town Center MUZ included the rest of the Village. It was designed for residential use and allowed home businesses and multiple family dwellings.

Mr. Mang questioned how far back the Town Center extended from Main Street.

Mr. Hoffman replied the first two (2) parcels on either side of M-32 (Elmira's main street) were included in the Main Street MUZ and the rest of the Village was a part of the Town Center MUZ. The Town Center then became more residential and less commercial.

Mr. Mang stated he did not understand how some of the permitted uses subject to special conditions pertaining to recreational facilities related to the pedestrian friendly small town theme.

Mr. Hoffman answered small towns of long ago all offered some type of entertainment along the main street, stating recreational outlets were needed. Elmira had a very nice park located in the Town Center and they were hopeful everything would be connected by wider eight foot (8') sidewalks.

Mr. Mang questioned the parking for these facilities if on-street parking was encouraged in the district.

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Mr. Hoffman said the parking for a special use permit would be addressed at the time of review and those types of businesses would have off-street parking located in the back. The more pedestrian friendly type of businesses would encourage parking along the main street.

Mr. Schlaud questioned the setbacks and the relationship to the Schedule of Dimensions.

Mr. Hoffman stated instead of setback dimensions, they would work from a build to line in order to make everything uniform. An increase of about ten percent (10%) would be allowed at Land Use Services discretion if a need arose. The primary reason for the build to line was to keep the area open and safe. With the size of some of the platted lots in the Town Center, the line would be brought closer to make the lot buildable. A sidewalk would be a requirement of the building along with a porch to encourage a walkable, friendly community.

Chairperson Hartmann thanked Mr. Hoffman and stated he would like the MUZ worked on as a part of the objective list. He welcomed Mr. Hoffman back to discuss any needed revisions.

Public participation for items not on the agenda: None

Public Hearing: None

Advertised Case: None

Unfinished Commission Business:

1. Objective List

Chairperson Hartmann stated the updated objective list had been distributed for review in October and asked if there were any additions. Mr. Hartmann stated a sub-committee had been set up including himself, Mr. Hilgendorf and Mr. Arndt to review the wireless communications section and a possible change in the language. He stated Mr. Maylone had presented Cherry Capital's suggestions at the Elmira and Hayes Township Board meetings pertaining to changes to this section of the Otsego County Zoning Ordinance. The Land Use Services Department had received letters in favor of making changes from both townships. Chairperson Hartmann wished to add Wireless Communications to the objective list for 2016.

New Business: None

Reports and Commission Member's Comments:

1. Otsego County Parks & Recreation report

Vice-Chairperson Jarecki stated the Parks & Recreation Director, Gina Marchio had resigned; the position was being advertised. They were sorry to see her go but she had gotten them through a difficult time and had moved them forward with a number of items during the short time frame she was there. She stated the Community Center was open again and looked good, although a railing was in need of repair. The Parks & Rec budget was approved for 2016 and once a new director was hired, they would put together a mission statement; they had already gotten samples. The Committee would be meeting at the County building throughout the winter because of the many activities at the Community Center. The hours of operation at the Groen Nature Preserve would be increased with the addition of another trail ranger and food plots would be planted for the animals. She also stated Amber Mapes had put on a presentation to request the use of the Community Center to hold a super hero event for families; the event would be ongoing and would be held Friday nights from 7-8 pm.

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Mr. Mang stated his term was up at the end of the year and he was not going to reapply. Livingston Township was recommending Roberta Tholl as representative and she had already applied at the County. He stated December would be his last meeting and because he was a representative to the ZBA, that position would be open also.

Ms. Corfis stated Otsego Lake Township had not had a meeting in November but were still making progress on the township Master Plan.

Vice-Chairperson Jarecki stated Corwith Township was working on funding for the Gateway Community and Trail Town.

Chairperson Hartmann stated Elmira Township was considering a township recreation committee and possible grant monies for their park.

Mr. Mang stated a recreation plan needed to be either a part of their master plan or a stand-alone plan to apply for grant money from the State.

Mr. Hoffman stated Elmira was currently working under the County's Park & Recreation Plan.

Mr. Arndt stated Bagley Township was almost finished with their Master Plan update.

Mr. Borton stated the EMS building was almost complete, looked great and Jon Deming loved giving tours; the courthouse lawn project was moving along with it being finalized in the spring. They found a replacement rock in Cheboygan; their original from Lewiston ended up having a crack. He continued saying the Finance Committee had met with all the department heads and a balanced budget was put together; it will go before the full Board and he added Lee Olsen had announced he would be retiring at the end of the year.

Mr. Schlaud stated he had received revised site plans from Telecad Wireless for PSUP15-006 and PSPR15-002 to amend the fenced area on their leased property. After discussing the matter, they were told the landscaped area had to be incorporated into their leased area, not outside of it. Telecad stated they would revise again and resubmit.

2. Update on Medical Marijuana Legislation/*Publication*
3. Parliamentary Motions Guide/*Zoning Training*

Adjournment: 7:07pm by Chairperson Hartmann

Ken Arndt; Secretary

Christine Boyak-Wohlfeil; Recording Secretary

Proposed Language for Personal Wireless Service

21.46.2.6 The tower itself must be of monopole design. Guyed and self-supporting towers may be considered in FR and AR districts with application to the Planning Commission and requires a Special Use Permit (Section 19.7). Maximum height of guyed and self-supporting towers to be 150 feet; these towers must be centered within a 1.5 acre parcel. Climbing barriers are allowed and recommended.

21.46.2.10 ...is no longer needed. A tower is to be removed after not being used for twelve months (ref: 21.46.4).

...The amount of the security bond or letter of credit is to be determined by the Planning Commission.

21.46.2.11

Professional sealed documents are required for all Wireless Communications Towers (Section 23.2.2). **For projects that involve less than ten (10) square feet of soil disruption, soil samples and water flow analysis will not be required.**

Signage must be installed on the six foot (6') fence with locked gate stating the owner's name and contact information, including an emergency telephone number.

~~Section 8.2 Permitted Uses Subject to Special Conditions~~

8.2.22 Personal Wireless Services Telecommunications Towers and Facilities one hundred fifty (150) feet or less in height, self-supporting (lattice) or guyed

Section 9.2 Permitted Uses Subject to Special Conditions

9.2.25 Personal Wireless Services Telecommunications Towers and Facilities one hundred fifty (150) feet or less in height, self-supporting (lattice) or guyed

Note: Blue indicates existing sections with suggested modifications.

The others sections are additions that need to be added.

The bold section under 21.46.2.11 was added by me, although it wasn't agreed upon during our meeting: it seems like a reasonable request.

Comments and suggestions are encouraged!



PLANNING COMMISSION 2016 MEETING DATES

Meetings are held in the multipurpose room at the
Otsego County Land Use Services / Building Department facility, *1322 Hayes Road*, Gaylord, Michigan

**ALL MEETINGS BEGIN AT 6:00 PM
THIRD MONDAY OF EACH MONTH**

MONDAY EVENINGS

JANUARY 18, 2016

FEBRUARY NO MEETING SCHEDULED/PRESIDENT'S DAY

MARCH 21, 2016

APRIL 18, 2016

MAY 16, 2016

JUNE 20, 2016

JULY 18, 2016

AUGUST 15, 2016

SEPTEMBER 19, 2016

OCTOBER 17, 2016

NOVEMBER 21, 2016

DECEMBER 19, 2016

**ANY CHANGES TO THE MEETING DATES, TIMES OR LOCATIONS SHALL BE MADE PUBLIC
AT LEAST EIGHTEEN (18) HOURS PRIOR TO THE MEETING IN QUESTION.**

Visit the County Website Events Calendar for any updates to meeting postings: <http://www.otsegocountymi.gov/events-calendar-9/>

In compliance with the Americans Disabilities Act, persons with physical limitation that may tend to restrict access to or participation in this meeting should contact the Land Use Services office (989-731-7420) at least twelve (12) hours prior to the scheduled start of the meeting.

PREZ15-001
 COTTONTAILS INC
 010-021-100-020-01



ZONING LEGEND

	RR/RECREATION RESIDENTIAL
	FR/FORESTRY RECREATION
	STATE LAND
	AR/AGRICULTURAL RESOURCE
	B-2/GENERAL BUSINESS
	R-1/RESIDENTIAL
	R-2/GENERAL RESIDENTIAL
	N/A
	R-3/RESIDENTIAL ESTATES
	I/INDUSTRIAL
	B-3/BUSINESS, LIGHT MANUFACTURING
	B-1/LOCAL BUSINESS
	PUD/PLANNED UNIT DEVELOPMENT
	C-2/CITY
	C-1/CITY
	MUZ/MULTIPLE USE ZONING
	HX/HIGHWAY INTERCHANGE

Bagley Township
Otsego County Michigan

Bagley Township Planning Commission
PO Box 52
Gaylord, Michigan 49734

Subject: Public Hearing Results and Recommendation, Rezoning from B1 to B2

Case: County PREZ15-001, Rezone
To Accommodate Communication Tower
Original Case: 2015 PSUP15-006
PIN: 010-021-100-020-01

Date and Location: Original: July 30, 2015, Bagley Township Hall
7:00PM
Rehearing: November 23, 2015
7:00PM

Noticed: On Site

Delivery: Initial by email, petitioner by phone

Previous Case Results:

Commissioners read and discussed the B-2 uses by right and special uses and felt that some of the uses would certainly have an adverse impact on the residents. Chairman made the point that special uses are not uses by right and would have to be reviewed and could be denied if adverse impact could be shown on the residents. Chairman made the point that uses shown in B-2 tend to be traffic oriented, if not dependent and installing such entities 700 feet off of the Old 27 would not be practical.

More general discussion followed. Commissioners suggested that the request be considered as a special use application rather than a rezone which the Chairman pointed out could not be done given the case as it had been submitted to Township.

Chairman informed the petitioner that whatever the Township vote, the case could go forward to the County. Petitioner noted that the zoning director felt the zoning was reasonable given the other zoning at the B-2 level around the immediate neighborhood. These issues did not seem to change the opinions of the commissioners.

7:50PM Discussion ended.

Chair accepted a motion from Beckett to recommend approval of the rezoning from B-1 to B-2 to the Township Board. The motion was seconded by Trigger.

Beckett, Parsell, Trigger, Loney voted no

Arndt voted yes

Motion Fails

1. New hearing, same parcel, same case number. Meeting opened at 7:00PM November 23rd by Arndt, case re-announced to attendees. Notes here are paraphrased from the discussion and commission conclusions at the hearing.

Members Present: Arndt, Parsell, Loney, Goebel

Absent: Beckett

Representing the Applicant: Andy Behrenwald for Cottontails Inc

Other Attendees: Paul Hartman, Chairman, Otsego County PC
6 Homeowners from Nancy Lane and Forest Road

2. Applicant was invited to speak. Representative Behrenwald briefed the committee on the plan for installing a new communication tower and the new location. He indicated a desire to rezone the parcel in question to match the other parcel he has in the area. He indicated that the tower construction was underway based on the special use permit approved by us and the Planning Commission. He briefed the commissioners on the new location of the tower which would now be accessed off Nancy Lane and explained the possible time till completion of said tower and the expected traffic along Nancy Lane. He then explained the businesses that had expressed interest in the property for development to the commissioners and the assembled residents.

3. Meeting was opened to public comment.

Essential comments echoed by the citizens:

- A. There is a great concern about the increase in traffic which might occur along Nancy Lane and Forest Road if more development occurs. This was the major concern echoed from all.
- B. There was less concern about traffic to the tower for service that would also add stress to the roads-Nancy and Forest--now in fair condition.
- C. There was limited concern about the potential use and its effect on the homes along Forest if the property were to be developed by a medium retail project.
- D. Paul Hartman, Chair, OCPC reminded the assembly that any development would also be subject to a site plan review before final plans could be approved.
- E. Discussion followed with input from all homeowners.

4. Meeting was closed to public comment. Meeting became a working discussion among the commissioners, with property owners and petitioner offering responses to the discussion.

Three conditions were discussed and perfected prior to talk of a motion for a vote:

- A. **Should the property be developed, a 100 foot restricted “no development” area** shall be respected from the east line of the home sites on Forest Road (the west line of the subject to be rezoned) with the owner of the development property installing a low earth berm of 3 feet at its peak from existing ground level in that 100 foot restricted area and to be planted with conifers or equally dense shrubs to screen future development on the rezoned parcel from the Nancy Lane and Forest Road residents. That said berm shall extend from the south property line of the now existing Lot 41, parcel number 011-390-000-041-00 to the north right of way of Nancy Lane so as not to block access to said street by the owners of Parcel 2, parcel number 010-021-100-020-02. Lands north of the north limit of this berm to the Verizon property show approximately 68 feet between the home site east borders of Lots 42, 43, and 44 and the Verizon property west of this line, not sufficient to construct a berm further.
- B. **If 010-021-100-020-01 is ever developed** as allowed in zoning B-2 with or without special conditions scrutiny, access to the development shall **not** be proposed or approved over Nancy Lane or Herb Street or Forest Road as long as the surrounding subdivision is viable and/or occupied. New access shall be encouraged over parcel 010-021-200-005-00 north of the subdivision or from another location.
- C. **Current Owner agrees to install a sign or a gate** at the terminus of the future berm location restricting access or advising “Private Property” or a similar *message now* to prevent traffic from accessing 010-021-100-020-01 and the tower site without permission.

Once the conditions were read and transcribed, property owner and the homeowners present appeared to be satisfied that their respective interests were satisfied.

Parsell moved: I recommend that the commission recommend approval of the request to rezone said parcel 010-21-100-020-01 with the conditions imposed in items A-C above on page 3 made part of the motion to approve.

Loney seconded the motion.

Vote:

Loney:	Yes
Parsell:	Yes
Goebel:	Yes
Arndt:	Yes

Motion Passes; None opposed on the record

Period of discussion was closed at 8:24PM.

Chairman will report the results of the vote and recommendation to the Township Board with a copy to the County Planning and Zoning Department

There being no further business, the meeting was adjourned at 8:31PM.

Respectfully Submitted,



Kenneth R. Arndt
Chairman

Approved for the Board:

William Giles
Supervisor

Distribution:

Bill Giles, Supervisor
Township Clerk
Planning and Zoning, Otsego County

SECTION 21.18 LANDSCAPING

21.18.3 Buffer Yards:

Buffer yards shall be constructed to mitigate problems associated with traffic, noise, vibration, odor, glare, dust, smoke, pollution, water vapor, **conflicting land uses** and density, height, mass, layout of adjacent uses, loss of privacy, unsightly views and other potentially negative effects of development. Buffering may be achieved using landscape, building fences and berm or a combination of the above techniques.

Buffer yards shall be located on the outer perimeter of a lot or parcel, extending to the lot or parcel boundary line. Buffer yards shall not be located on any portion of an existing or dedicated public or Private Street or right-of-way.

Tables I and II shall be used to determine buffer yard dimensions and plant materials specifications. Table I is used to determine the type of Buffer yard (A, B, C, D, E, EX, or NA) which will be required between districts or users. Once the type of Buffer yard is obtained, Table II outlines the plant material specifications for alternative widths and specifications and treatments (walls, berms, etc.) of buffer yard. Each property line should be analyzed independently to determine the appropriate buffer yard required.

The buffer yard tables are to be considered minimum standards. Increased landscaping requirements may be imposed by the Zoning Administrator or the Planning Commission if it is determined any of the following conditions exist.

The type of required buffer yard will not sufficiently mitigate noise, glare, fumes, smoke, dust or unsightly views within the site.

The scale of the project in regard to mass and height indicates the need for a buffer yard developed specifically for the project.

The proposed use is next to an existing sensitive use such as a school, church or residential area.

2016 OBJECTIVE LIST

OBJECTIVE	INTENT	COMMENTS	COMPLETED
1. Wireless Communications/Personal Section 21.46	Add specific language concerning personal wireless communications-lattice towers	Committee formed/Volunteers: Mr. Arndt, Mr. Hartmann, Mr. Hilgendorf	
2. Non-Conforming Structures/Section 21.26	Act of God language developed to insure property owners the ability to reconstruct their residence in the event of a natural disaster/Setbacks/Time limit	Committee formed/Volunteers: Mr. Arndt, Mr. Hartmann, Mr. Hilgendorf, Mr. Klee	
3. Multi-Use Zoning District	Paul Hartmann working with Elmira Township seeking action for the County Planning Commission/Recommended in the 2009 Otsego County Master Plan	Presented at November 2015 meeting	
4. Sign Ordinance/Section 21.38	Review of current sign language, temporary placement of banners and special events	Ken Arndt to provide file from previous work	
5. Private Roads/Emergency Vehicle Access	Develop very basic requirements for private roads within Otsego County to insure access is available to all emergency vehicles	Ken Arndt to provide file from previous work	
6. Large Tract Forestry Zoning District	The developing of Ordinance language to protect large parcels from being split up into small parcels, protecting the "up north nature" of Otsego County.	Paul Hartmann sent info from Gloria Torello/To be discussed w/legal counsel for language	
7. Overlay District Pigeon River	A recommended action in the 2009 Otsego County Master Plan/Developing special conditions to ensure the protection of the unique characteristics of the Pigeon River Country Area.	To be discussed w/legal counsel for language	

TEN GUIDELINES FOR EFFECTIVE LOCAL ZONING

1. Before taking action on any zoning request, be sure to determine whether the body taking action is the **PROPER BODY** to be acting at that time.
2. Before taking action on any zoning request, be sure to check and see if all **PROPER PROCEDURES** have been followed.
3. Remember, **ZONING RUNS WITH THE LAND AND NOT THE OWNER**. If property changes hands, whatever zoning approval is in place carries over to the new owner. Of course, the new owner must still meet the conditions associated with any prior zoning approval.
4. There is **NO AUTHORITY TO GRANT APPROVAL OF A LAND USE FOR A TEMPORARY PERIOD OF TIME**, unless the use itself is temporary, such as a seasonal carnival or xmas tree sales.
5. On any **REZONING** request, the most important question to answer is, **"IS THE PROPOSED LOCATION AN APPROPRIATE LOCATION FOR ALL THE USES WHICH WOULD BE PERMITTED UNDER THE REQUESTED DISTRICT OR ZONE?"**
Remember of course, that any of the uses permitted in a particular zone may be erected once approval for that zone is granted. The primary factor to consider is whether the rezoning is consistent with the master plan.
6. On any **SPECIAL LAND USE** request, the most important question to answer is **"IS THAT AN APPROPRIATE LOCATION FOR THAT USE?"** Only the degree to which the characteristics of a requested special land use conform with specific ordinance standards are in question when considering a special land use request.
7. If an applicant demonstrates that his/her application meets all the ordinance requirements for a zoning permit, site plan, special land use, or PUD approval, then **APPROVAL MUST BE GIVEN**.
8. When the zoning board of appeals considers variance requests it should remember that **IN ORDER TO GRANT A USE VARIANCE, FACTS MUST BE PRESENTED BY THE APPLICANT THAT SHOW UNNECESSARY HARDSHIP**. To qualify for a **NONUSE VARIANCE, THE APPLICANT MUST SHOW PRACTICAL DIFFICULTY**. In either case, the problem the owner faces must be created by a circumstance **UNIQUE** to the property and not shared by surrounding parcels and the problem can **NOT BE SELF-CREATED**.
9. Deviation from the terms of a zoning permit, site plan, special land use permit, or variance is a **VIOLATION** of the ordinance and should be prosecuted as such.
10. If a community doesn't **ENFORCE** an ordinance every time it is violated (or amend it to eliminate the source of the violation if it is in the public interest to do so), then the community may lose the right to enforce the ordinance when it wants/needs to. The **OBJECTIVE OF PROSECUTION FOR A VIOLATION IS TO ACHIEVE ORDINANCE CONFORMANCE**—not the imposition of fines, penalties or imprisonment.