

Whitewater Article 27

I was unable to make it tonight and wanted to impart a few thoughts about Article 27. There are several factors to consider.

Like many government regulations these ideas were likely created many miles away from their intended target in the board room of a special interest group. Was the intent to protect the environment or was it really intended to allow communities the legal ability to stifle and stop development?

Over the last 25 years article 27 has never been enforced to anyone's knowledge or recollection. The fact is this regulation has never been used and was never needed or wanted by the residents in the first place. **If it was, you would not find yourselves here tonight 25 years later trying to create an application for it!**

I have not seen one shred of evidence of public support for these regulations. In fact however, I do know of public sentiment to the contrary. In 2007 a citizens group commissioned an extensive survey concerning zoning issues as well as other issues. It was sent to all 1400 plus property owners in the Township. Many surveys conducted by government tend to ask broad or general questions. The goal of this survey was to ask specific questions. The results of the survey were printed in the Elk Rapids News. Some of these questions pertained directly to **Article 27**. The most basic questions were asked. Here are some:

“Should Zoning regulate the cutting of trees or brush on private property?” 8% skipped the question, 6% said yes, **AND 86% SAID NO.**

“Should the township zoning ordinance regulate the architectural design of new homes and additions? (examples: type of roof or siding)” Skip 4%, Yes 11%, **AND 85% SAID NO.**

“Should voters have the opportunity to vote on all zoning issues?” Skip 7%, No 9%, **YES 84%.**

The conclusion: Citizens do not want to have tree cutting regulated of any kind. Citizens want to have the freedom to design and build their own homes without architectural regulations. (Currently the Township imposes these by the Post Office) Finally, the decision for any zoning regulations must begin and end with the Resident’s themselves.

I don’t think people’s opinions have changed much since 2007. If anything the economic realities are more readily at the forefront for many. The cost of Article 27 if actually applied would be high. Citizen’s property as well as lives would be devalued for essentially no reason and no gain.

Tonight the decision rests with you. **Never forget or lose sight of the REAL reason this commission exists in the first place. Your job is to represent the people of Whitewater Township.**

If you attempt to enforce this ordinance then you must do so for everyone. Remember the quote, “Equal Justice Under Law”. Selective enforcement is both immoral and illegal. Concerning the tree cutting portion of this ordinance this puts you on the other side of 85 to 90 percent of the Township Residents. Politically anyone who attempts to regulate this most basic property right in the end will be removed from office or resign. **The public pressure will be intense.**

This ordinance has never been used and was never needed or wanted by the residents in the first place. Therefore, these regulations are and continue to be an overreach that for the past 25 years no township Board or Planning Commission has had the intestinal fortitude to enforce. Politically they are as dead today as they were when they were created.

Do the right thing. Represent the people. Remove the ordinance. Not everything needs to be regulated and re-regulated. Federal, State, and County laws and ordinances more than protect us now. Article 27 has been searching for a problem for years that never needed fixing in the first place.

Thank You,

Steven Mangus