



Michaywé Owners Association Manual of Requirements for Building & Tree Removal Projects

Building Projects in Michaywé

This Building Manual has been prepared by the Site Development Committee (The Committee) to agree with the Master and Unique Added Subdivision Deed Restrictions, which are available on the Michaywé website www.michaywe.com or at the MOA office. This Manual was approved by the Michaywé Board of Directors.

Michaywé is a year-round residential community where wild life is abundant and beautiful evergreens blend in with birch, maple, and beech trees. The “Dream” of Michaywé (an Indian word meaning “Last Elk Herd”) started to be realized in 1968. During that summer the master plan that was designed was approved by Otsego County under the Planned Unit Development Ordinance. The land was purchased by the developer and the first plat in Michaywé was recorded December 3, 1970.

While the Developer owned Michaywé, he used the Master and Unique Added Subdivision Deed Restrictions and selected the Site approval person for building projects. Benson Wood was the first to approve projects. When he retired Tom McHugh was then selected. When the developer transferred the amenities to the MOA, the MOA Board selected Glen Roberts as the Chairman of the Site Development Committee, and Glen selected five members to join him on The Committee. A majority vote was, and still is, required for project approval. This original committee developed the first building manual.

From its beginning, the Michaywé development has been conceived as a private, wooded community with a predominantly Alpine motif. This conception will continue to provide the framework for Committee-approval decisions of building projects. The following pages provide requirements for obtaining approval of building projects.

A copy of the Building Manual will be furnished to each applicant by the MOA office.

Site Development Committee

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Section I MOA Requirements for All Building and Tree Removal Projects

Property owners and/or builders must submit an application, available at the MOA office, for the following projects:

- New residential units
- Exterior additions to a residential unit
- Garages, car ports, and sheds
- Fences, garden/retaining walls, and swimming pools
- Tree removal on existing developed property

Note: Modifications to the interior of an existing structure or landscaping not involving removal of trees are not subject to these requirements.

No project work is authorized until an application is approved by the MOA Site Development Committee. This Committee is appointed by the MOA Board of Directors who has delegated compliance with the Master and Added Subdivision Deed Restrictions to this Committee.

A completed application, plus all documents listed on the application sheet, must be submitted to obtain Committee approval. The Committee will respond to the applicant within fourteen (14) business days. If applicant's plan is not approved as submitted, suggestions will be made for changes and plans can then be resubmitted. Consultation by The Committee is encouraged prior to project development by attending Committee meetings usually held once a month. Call the MOA Office (989) 939-8919 to obtain meeting dates and time.

All projects must contain:

1. Completed Application for Project Plan Approval.
2. Application for Tree Removal Approval.
3. Site plan – See Sample Site Plans below (Site Plan Requirements are noted on the Application for Project Plan Approval).

In addition to all the items above, if your application is for one of the following projects, you will need to supply these listed additional documents/information:

- A. Fence: Materials, color, and height of the fence (Maximum height is 4 feet).
- B. Garden/Retaining Walls: Materials.
- C. Swimming Pool: Fencing materials, height, and color of enclosure.
- D. Fuel Tank: Screening materials, height, and color.
- E. Shed: Photos of a pre-manufactured shed; or front, back, and side elevations of an onsite constructed shed.
- F. Deck: Materials.
- G. Garage: Front, back, and both side elevations; floor plan; exterior materials and color. If installing a new driveway to the garage, a Driveway Permit from the County will be required.
- H. Addition: Front, back and side elevations, Floor plan, Exterior Materials and color.
- I. New House: Front, back, and both side elevations; floor plan; exterior materials and color. A Driveway Permit from the County will be required.

Prior to preparing a project application, it is suggested that the applicant:

- Call any member of the Site Development Committee to set a time and date for an interview prior to preparing the project application.
- No tree removal is to take place prior to reviewing the project application with a Site Development Committee member. In many cases tree removal and replacing existing decks can be approved during initial interview.

- For new structure projects, no tree removal is to take place until the project application is submitted and approved.
- The owner is responsible for architectural services and establishing property lines. The owner/contractor is responsible for obtaining the building permits from the county. The county will not issue a permit without project approval and stamp from the Site Development Committee. The owner is responsible for all applications and fee requirements.
- The Site Development Committee is responsible for considering variances, building location on site, and for compliance with the Building Manual guidelines.

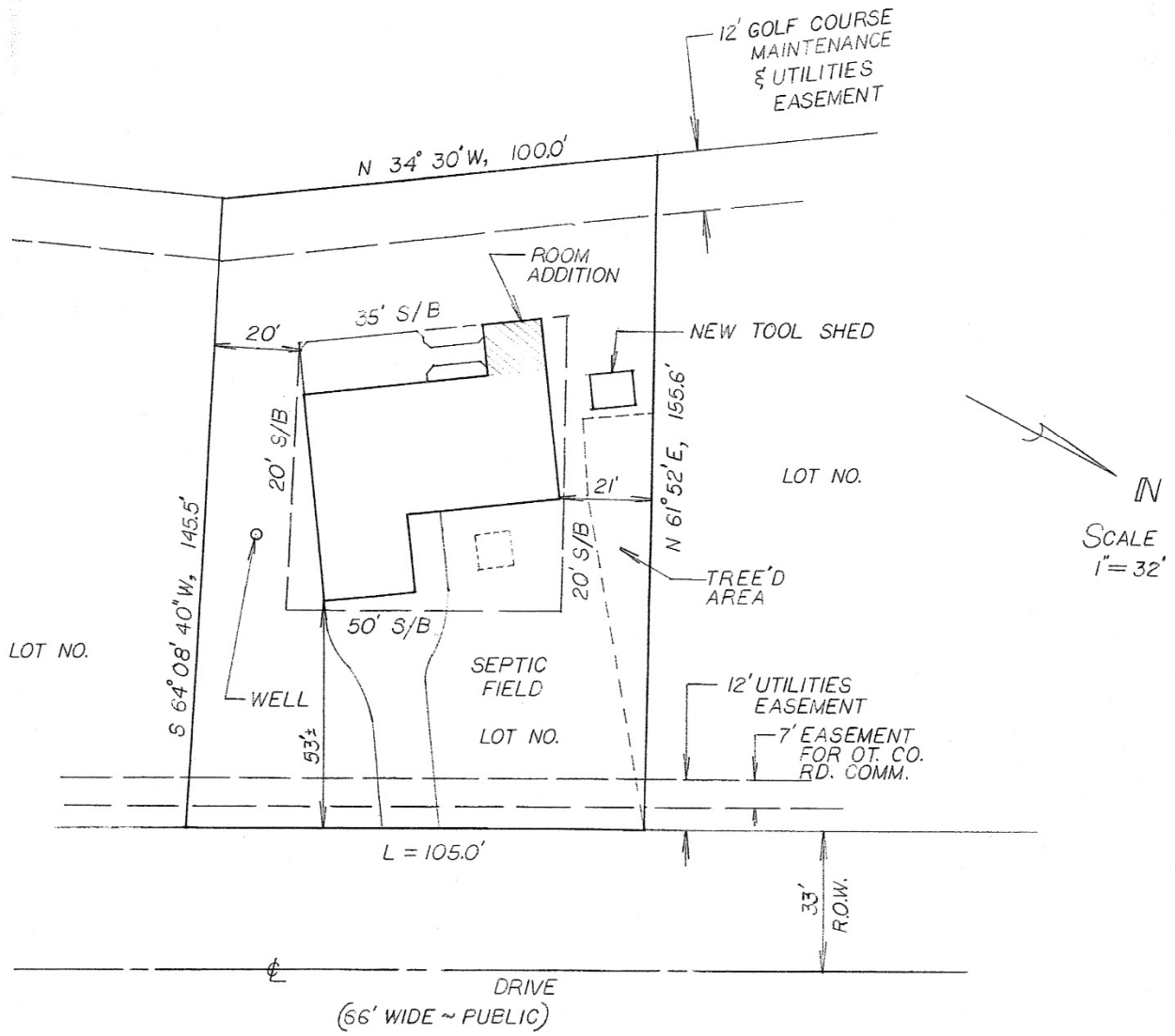
Mailing Address

MOA Site Development Committee
1535 Opal Lake Road
Gaylord, Mi. 49735
Phone: (989) 939-8919
Fax: (989) 939-8558

Site Development Committee Members

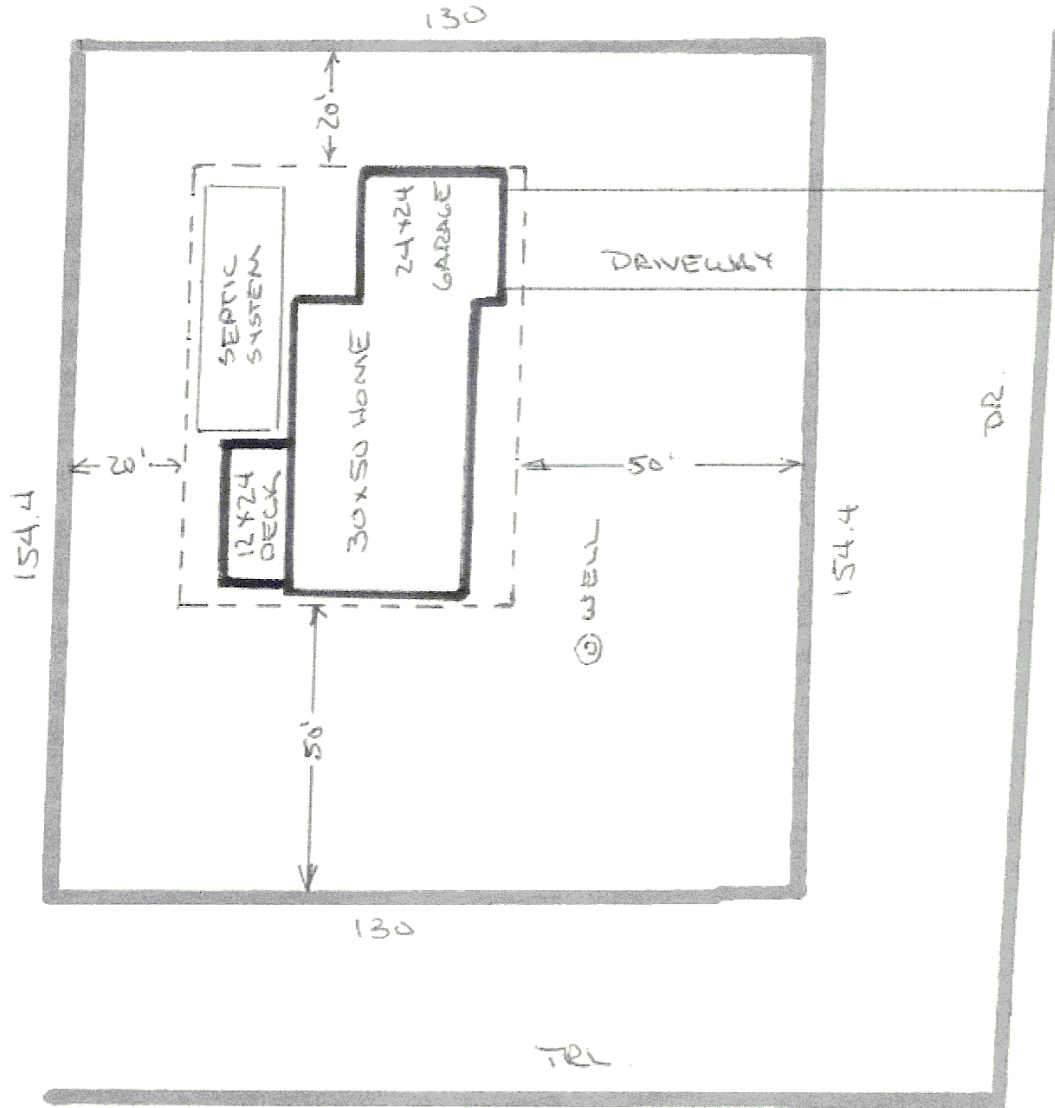
Ken Mertz, Chairperson (949) 466-5760
Mark Eckstein (989) 939-8841
Jeff Ford (989) 370-6461
Tom Raynes (810) 923-9532

**Sample Site Plan
Standard Lot**



LEGAL DESCRIPTION

Sample Site Plan
Corner Lot

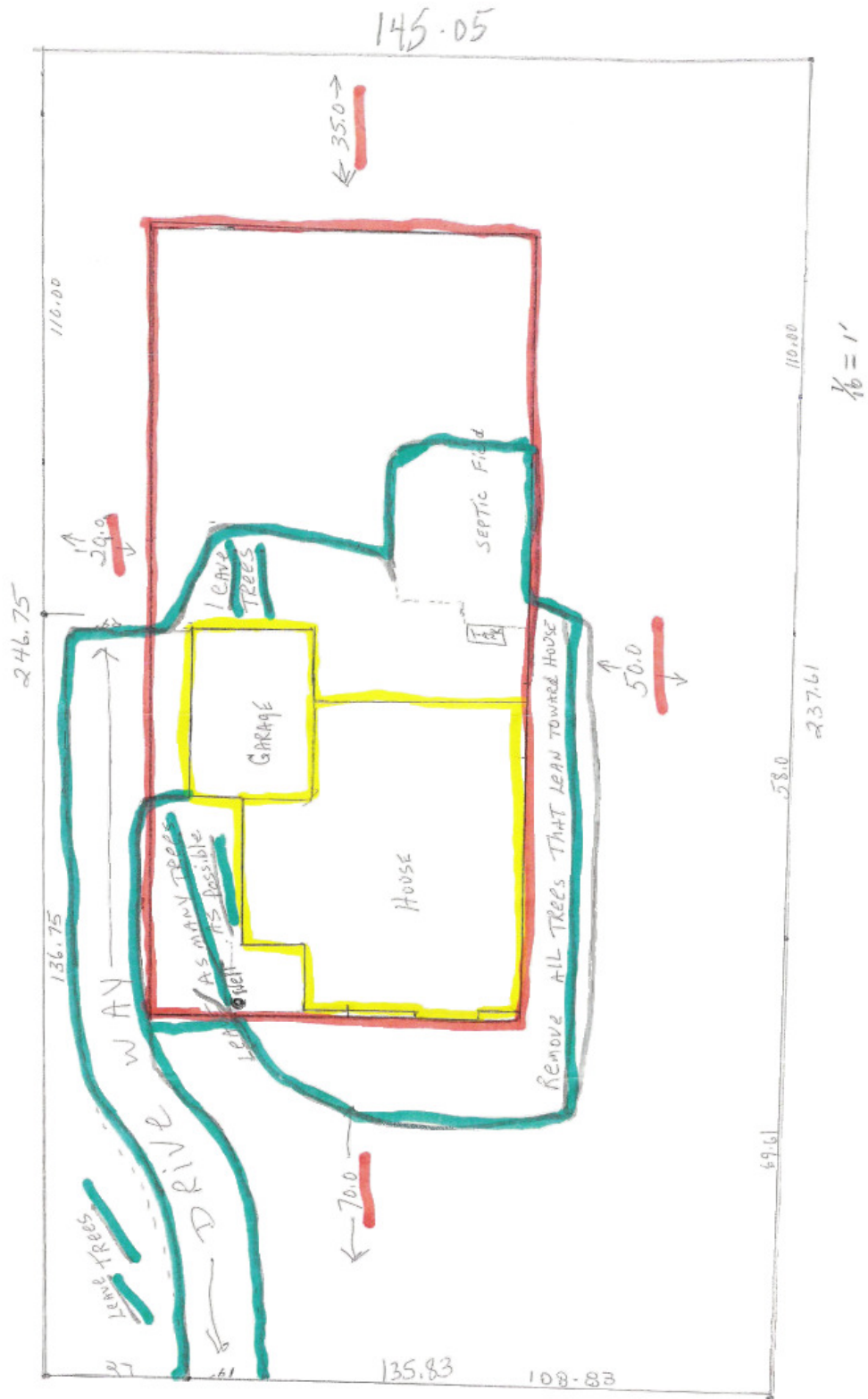


NORTH



SCALE 1" = 30 FT.
NO FUEL TANKS

**Sample Site Plan
Tree Removal**



This manual was approved by the MOA Board of Directors at their September 23, 2017 meeting.

Section II Site Development Committee Procedure for Project Approval

A. Requirements

The Michaywé Master Deed Restrictions provide that no building or other structures shall be erected or trees removed, within Michaywé subdivisions, or shall any exterior additions or alterations be made to any structure, except interior alterations, until a plan is submitted and approved by MOA or its assigns (The Site Development Committee). The property owner or agent shall complete an application form, provide all required information, and pay appropriate fees to the Michaywé Owners Association (MOA) office located at 1535 Opal Lake Road, Gaylord, Michigan 49735.

B. Review Process

The applicant must:

- Be in good standing with all dues and fees paid.
- Submit an application package consisting of the application form and all required plans and information requested.
- Deliver the completed application package to MOA Office for distribution to Committee members.

Committee members will review the application package and furnish comments to the Chairperson. The Chairperson will advise the applicant of approval or any Committee review comments within fourteen (14) business days.

The standards to be applied have two sources: The Michaywé Master and Added Subdivision Deed Restrictions and the prevailing architectural style currently in existence within the neighborhood.

From its beginning, the Michaywé development has been conceived of as a private, wooded community with a predominantly Alpine motif. This conception will continue to provide the framework for decisions by The Committee. Specifically, all new houses constructed within Michaywé will meet the following standards unless the majority of existing houses in the vicinity of the proposed construction do not meet a given standard. Removal of trees for building purposes will be approved by The Committee. Generally, trees within the “construction zone” will be permitted. The “construction zone” is defined as that area bounded by the building perimeter plus 20 feet (front and rear yard) and 15 feet (side yard). Trees removed outside of the “construction zone” may require replacement and will be discussed with the applicant. The type, size, number, and locations will be specified by The Committee. Generally, the same tree type with two trees replaced for each one removed will be required.

Section III Application for Project Plan Approval

Application Date: _____

Please print all requested information

Submitted by: _____ Expected Start Date: _____

Lot No: _____ Street: _____ Sub No.: _____

Lot Owner: _____ Builder: _____

Address: _____ Address: _____

City/State/Zip: _____ City/State/Zip: _____

Telephone: _____ Telephone: _____

Email: _____ Email: _____

Modification of existing structure: Yes _____ No _____

Shed: Yes _____ No _____

New Structure: Yes _____ No _____

Tree removal required: Yes _____ No _____ (Provide 2 copies of the Application for Tree Removal Approval)

Variance required: Yes _____ No _____

Required for approval:

- _____ Submit 3 copies of this submittal sheet
- _____ Submit 3 copies of site plan
- _____ Submit 3 full sets of architectural drawn plans
- _____ Submit copy of Otsego County Road Commission Driveway Permit

Site Plan Requirements: Accurately drawn to scale with dotted lines for setback dimensions on all sides of building structure and with proposed driveway shown.

- _____ Drawn to scale – with scale used listed on site and building plan
- _____ Setbacks: Front – 60’ preferred with 50’ minimum Rear – 35’ minimum Sides – 20’ minimum
- _____ Corner Lot – 50’ minimum on both fronts, 20’ minimum on both sides
- _____ Location of well and septic system shown (If known) – minimum 50’ separation between them
- _____ If oil or propane is used, location of exposed storage tank and type of surround/screening around tank must be shown. (**Note:** surround/screening must be completed prior to occupancy)

Architectural Requirements: (To be completed by submitter)

- _____ Floor plan showing building dimensions
- _____ Complete front, rear, and side elevations – all levels
- _____ Exterior material:
 - Upper Level: _____ Color: _____
 - Lower Level: _____ Color: _____
 - Roofing: _____ Color: _____

Note: If vinyl is used, textured grain is required

- _____ If over 16 inches of exposed foundation block or concrete walls, it must be finished.
- _____ Type of finish _____ Color: _____
- _____ Livable floor space excluding basement: Total Sq. Ft.: _____

The approval of this application is conditional to the county issuing permits where applicable. A copy of the county permits must be presented to the committee prior to construction.

Applicant is welcome to attend Committee meetings at the clubhouse held each month. Call the MOA Office to obtain meeting date and time (989) 939-8919.

By signing, applicant concurs they have read the “*Michaywé Owners Association Manual of Requirements for Building & Tree Removal Projects.*”

Signature: _____

Date: _____

Any revisions to this application must be resubmitted to the Site Development Committee for approval.

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Section IV Application for Tree Removal Approval Application date: _____

See Master Deed Restrictions Article VI Section 12 Trees and Forest Management

The maximum number of trees that can be cut down on a one time basis per developed property is 10%. Without approval, homeowners may cut down any tree **up** to 6” diameter as measured 12” above the ground, diseased trees, or trees that are an endangerment. For other trees, applications will be reviewed by the committee. Homeowners should mark trees they want to cut with a ribbon. Non-developed lots may not remove trees 6” and wider until just before development.

Please print all requested information:

Submitted by: _____ Expected start date: _____

Lot owner: _____ Lot #: _____

Address: _____

City/State/Zip: _____

Telephone: _____

Email: _____

Reason for tree removal: _____

Required for approval

_____ Submit 2 copies of site plan drawn to scale showing structure(s), if any, and approximate location of tree(s) to be removed.

Site Visit

Prior to approval, **no trees are to be removed** until The Committee makes a site visit. 72 hours notice is required prior to visit.

Call any member of the Site Development Committee to set a time and date for an interview prior to preparing the project application. In many cases tree removal and replacing existing decks can be approved during the initial interview.

Site Development Committee Members

- Ken Mertz, Chairperson (949) 466-5760
- Mark Eckstein (989) 939-8841
- Jeff Ford (989) 370-6461
- Tom Raynes (810) 923-9532

Applicant is welcome to attend Committee meetings at the clubhouse held each month. Call the MOA Office to obtain meeting date and time (989) 939-8919.

By signing, applicant concurs they have read the *“Michaywé Owners Association Manual of Requirements for Building & Tree Removal Projects.”*

Signature: _____

Date: _____

Any revisions to this application must be resubmitted to the Site Development Committee for approval.

Section V Guidelines

The Committee will use the following guidelines to comply with “harmonious and aesthetic” in establishing suitability for building structures submitted by builders or property owners. The Committee will consider reasonable deviations to these guidelines.

The Applicant shall be provided a copy of the MOA Manual at the time an application is requested. This provision may be waived if the Applicant can furnish evidence that they have a copy of the current MOA Manual.

When necessary, an applicant is required to furnish evidence that a driveway permit has been issued by the Otsego County Road Commission prior to receiving MOA approval.

Plans shall have a one year effective period from the date of approval. An extension for a specific period of time may be approved by The Committee upon request of the Applicant.

All buildings erected shall have their approved exterior finishes completed within six months from the start of construction. An extension for a specific period of time may be approved by The Committee upon request of the Applicant.

All proposed changes in plans that were approved by The Committee shall be re-submitted to it for review and potential approval.

General guidelines:

- a. Staking of the precise dimensions of the proposed construction onsite, prior to the cutting of any trees or grading, in order to minimize the cutting of trees and to achieve harmony with the positioning of houses on adjacent lots.
- b. Distinctive but compatible structures.
- c. Wood/Earth tone exterior colors.
- d. Relatively steep roof slopes (6/12 or greater).
- e. Multiple sides – not box like.
- f. Fuel Storage Tanks: All fuel storage tanks shall be installed in compliance with Otsego County codes and regulations. Accordingly, all fuel storage tanks must be located a minimum of ten (10) feet from any building. If above ground, fuel storage tanks shall not be located between the road side and the front of either the house and/or garage structures. In all cases, fuel storage tanks must be concealed, by either natural or constructed means, from view of the street and golf course in a manner that is consistent and in architectural harmony with the site, its buildings, and landscaping.
- g. Minimum one foot overhangs.
- h. Brick, stone, stucco, wood, or wood-grained siding for exterior materials
- i. Conventional construction.
- j. Fences: Fences shall not extend beyond the limits of the front view of the house and garage structure. They can extend into the backyard up to within 5 feet of the rear lot line. However, a fence cannot be located less than 35 feet from the rear lot line where the rear of the lot borders a golf course. Wood type fences can be natural, stained, or colored. Metal type fences shall be a black, dark brown, or dark green color. Fences shall not exceed 4 feet in height.
- k. Garages: No garage will be permitted on a single undeveloped or combination of undeveloped lots. Garage heights shall not exceed the height of the house structure. Garage colors and materials shall match the house structure. The garage area shall not exceed 50% of the house structure first floor living area. “Pole barns” are not acceptable as they are by definition considered “a commercial use structure” and not intended for residential type use. Garages may not be used for permanent or temporary (greater than four weeks) living use.
- l. Sheds: Sheds shall match the house and garage colors. Shed locations shall comply with standard setback dimensions and not be located in front of the road side of the house or garage structure. One shed shall be permitted on a single or combination lot.

- m. Garden/Retaining Walls:
 - 1. Garden/Retaining walls shall be constructed of wooden timbers, decorative stone, or colored-decorative concrete.
- n. Permanent Signs:
 - 1. Commercial-Permanent signs shall have a minimum area of 50 square feet.
 - A permanent sign shall be a minimum of 10 feet from a property line.
 - Lighting shall not be permitted unless approved specifically by the MOA Board.
 - 2. Residential-Permanent signs shall have a maximum area of 6 square feet.
 - Lighting shall not be permitted unless specifically approved by the MOA Board.
- o. Exposed Basement/Foundation Walls: A maximum of 16 inches of basement/foundation wall may be exposed and untreated. A continuation of the house or garage material is a preferable use on remaining exposed surfaces. Alternative treatments may be considered provided they are approved by The Committee.
- p. Temporary Structures: Temporary structures may only be erected for a period of no longer than 5 days. No application or permit is required.
- q. Siding and Trim Specifications: Siding and trim specifications shall include the following:
 - 1. Wood: Natural wood sidings and trim to include the following, or equivalent, subject to Committee approval:
 - a) Fir or southern yellow pine T111, or RB&B.
 - b) Patterned and beveled siding (including ship-lap, log cabin, tongue and groove, and haida-skirl).
 - c) Cedar shingles and shakes.
 - 2. Composite: Composite wood sidings and trim to include the following, or equivalent, subject to Committee approval:
 - a) Textured overlay over O.S.B. substrate (i.e. Louisiana-Pacific Smart System).
 - b) Hardboard.
 - 3. Masonry: Masonry treatments and trim to include the following, or equivalent, subject to Committee approval:
 - a) Brick or brick veneer.
 - b) Stone or stone veneer.
 - c) Fiber cement.
 - d) Dryvit or stucco.
 - 4. Vinyl: Vinyl wood grain sidings and trim to include the following, or equivalent, subject to Committee approval:
 - a) Vinyl siding with a minimum thickness of .042 inches.
 - b) Vinyl siding with variegated (grained) pattern.
 - c) Board and batten.
 - d) Cedar shingle and shake (Nailight brand or its equivalent).
- r. Architectural Details: Wall spans of more than twenty feet (20') in length and ten feet (10') in height must include one or more of the following details:
 - a) Shutters.
 - b) Gable vents.
 - c) Band board.
 - d) Vertical, horizontal, and diagonal trim.
 - e) Ginger bread.
- s. Outdoor Wood Burning Furnaces: These units are prohibited within the Michaywé PUD.
- t. Antenna Towers: These units are prohibited within the Michaywé PUD. This guideline does not apply to commercial or non-Michaywé property.

These guidelines and the Master Unique Added Subdivision Deed Restrictions are used so property can be developed into a beautiful, harmonious residential community. If disagreements occur, The Committee decision shall prevail. However, the applicant can appeal Committee decisions to the MOA Board.

Site Visits:

The Committee will conduct site review visits for the following events:

- a. Prior to approval of the building plan. **No trees are to be removed** until a site visit is made by the review Committee. During this visit, the need for a topography plan will be determined.
- b. Prior to installing footings, property lines should be easily marked to permit setback determinations.
- c. Prior to requesting an occupancy permit from the County.

Note: The builder is to advise the MOA Office **72 hours in advance** of events numbered b & c.

Variances:

Variances may be granted as provided within the Master Deed Restrictions Article VI Section 2(c). The Committee will review the request and provide input to the applicant.

Section VI Fee Requirements

1. Plans and specifications must be submitted for review and approval of all structures.
2. Fees:

<u>Project</u>	<u>Fee</u>
Fences/Walls	No charge
Propane Tanks	No charge
Tree Removal	No charge
Wood Sheds	No charge
Decks	\$55.00
Garages	\$55.00
Addition to House	\$55.00 up to 200 sq. ft. \$110.00 over 200 sq. ft.
New Houses	\$110.00 - Application must be completed and submitted with the building and site plans.
Plan Re-Review Fee	\$55.00 - Plans that exceed one year from date of approval and no construction has taken place will require re-review.

3. All fees should be paid to Michaywé Owners Association.

Section IX. Building Manual Revision Log

Originally Adopted by the MOA Board of Directors on March 17, 2001

Revision	Date	Publication Date	Description
1	1/23/05	---	Deed Restriction changes (i.e. min. size changed to 1,200 sq. ft.)
2	1/23/08	9/08	Prohibit installation of outdoor wood burning furnaces
3	1/29/11	---	Revised fuel storage tank guidelines
4	12/6/12	12/12	General revision, updating, Committee name changed, and fee schedule revised
5	6/21/14	6/14	Revised Committee members; added Tower Antenna restriction, sample tree removal site plan, and applicant signature and date on applications
6	2/21/15	2/15	Revised Committee members; included garden/retaining walls
7	5/14/16	5/16	Added email address lines in applications and revised Committee members.
8	9/23/17	9/17	Added conditionality of county permits being issued, tree cutting requirements, garage size, and number of sheds permitted.
9	1/20/18	1/18	Added "applicant has read..." to Section III applications; clarified Section IV Tree Removal App and added "reason for tree removal"; clarified exterior completion requirements in Section V
10	10/5/18	10/18	Removed committee member

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