

SANITARY CODE APPEALS BOARD

The Monroe County Environmental Health Sanitary Code provides an opportunity for an appeal of the rulings or decisions of the health officer charged with the enforcement of the Sanitary Code. The procedure to be utilized when requesting an appeal is as follows:

SECTION 601 PROCEDURE

601.01 Appellant Request

Request for an appeal from a ruling or decision of the Health Officer charged with enforcement of the Monroe County Environmental Health/Sanitary Code shall be made in writing to the Environmental Health/Sanitary Code Board of Appeals **no later than 30 days following the date of the ruling or decision**. The appeal shall include the basis upon which the appeal is being made. The appellant shall pay an appeal-filing fee as stated in the Monroe County Health Department Fee Schedule upon filing a request for a hearing. The Environmental Health/Sanitary Code Board of Appeals may waive all or part of said fee if a financial hardship can be demonstrated.

601.02 Schedule for Hearing

A hearing shall be held no less than ten days nor more than 45 days following the request. The Environmental Health/Sanitary Code Board of Appeals shall notify the appellant in writing of the date, location, and time of the hearing. A written notice shall be sent to the appellant at least seven days prior to the date established for the appeal hearing.

601.03 Granting of Variances

The Environmental Health/Sanitary Code Board of Appeals may grant individual variances from the requirements of these regulations when the Board has determined that all of the following conditions exist:

- (a) No substantial health hazard or nuisance is likely to occur as a result of the variance;
- (b) Strict compliance with regulations or requirements would result in unnecessary or unreasonable hardship;
- (c) No state statute or other applicable laws would be violated as a result of the variance; and
- (d) The proposed variance would provide essentially equivalent protection for the public health and would be in the public interest.

601.04 Final Decision and Notification

The final decision of the Environmental Health/Sanitary Code Board of Appeals shall be an affirmative vote of at least three members and will establish the time period for a successful applicant to complete the subject project as allowed under the variance or appeal granted, after which time period the granting of such variance or appeal shall automatically become null and void. A written decision of the Environmental Health/Sanitary Code Board of Appeals shall be provided to the appellant, the local city, village, or township and Health Officer no later than ten days following the hearing.

**MONROE COUNTY HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH DIVISION**
2353 S. CUSTER ROAD, MONROE, MI 48161
(734) 240-7900 (Office) ** (734) 240-7948 (Fax)

FEE:	\$ _____
RECEIPT NO.:	_____
DATE:	_____

NOTE TO POTENTIAL APPELLANT:

The Sanitary Code Appeals Board Hearing Process can be confusing. Contact the Office Manager at (734) 240-7917 to schedule an appointment to pick up an appeals packet and review your information. Most importantly, this meeting will determine that you do, in fact, have a basis for your request for a hearing.

After you have completed the packet, call (734) 240-7917 to schedule an appointment with the Office Manager for FINAL review of the completed documentation.

REQUEST FOR HEARING

APPLICANT INFO:

Name of Applicant:
Address of Applicant:
Phone Number of Applicant:
Owner's Name, Address & Phone Number (if different from Applicant):

PROPERTY INFO:

Township:	Road:
Located Between: _____ AND _____	Property Identification Number:
Proposed Use:	Current Zoning Classification:
Lot Size & Dimensions: () ACRES () FRONTAGE x () DEPTH	
Date of Denial: () Permit () Site Assessment () Other	
Denial Based on Section of Monroe County Sanitary Code:	

1. Other pertinent information:

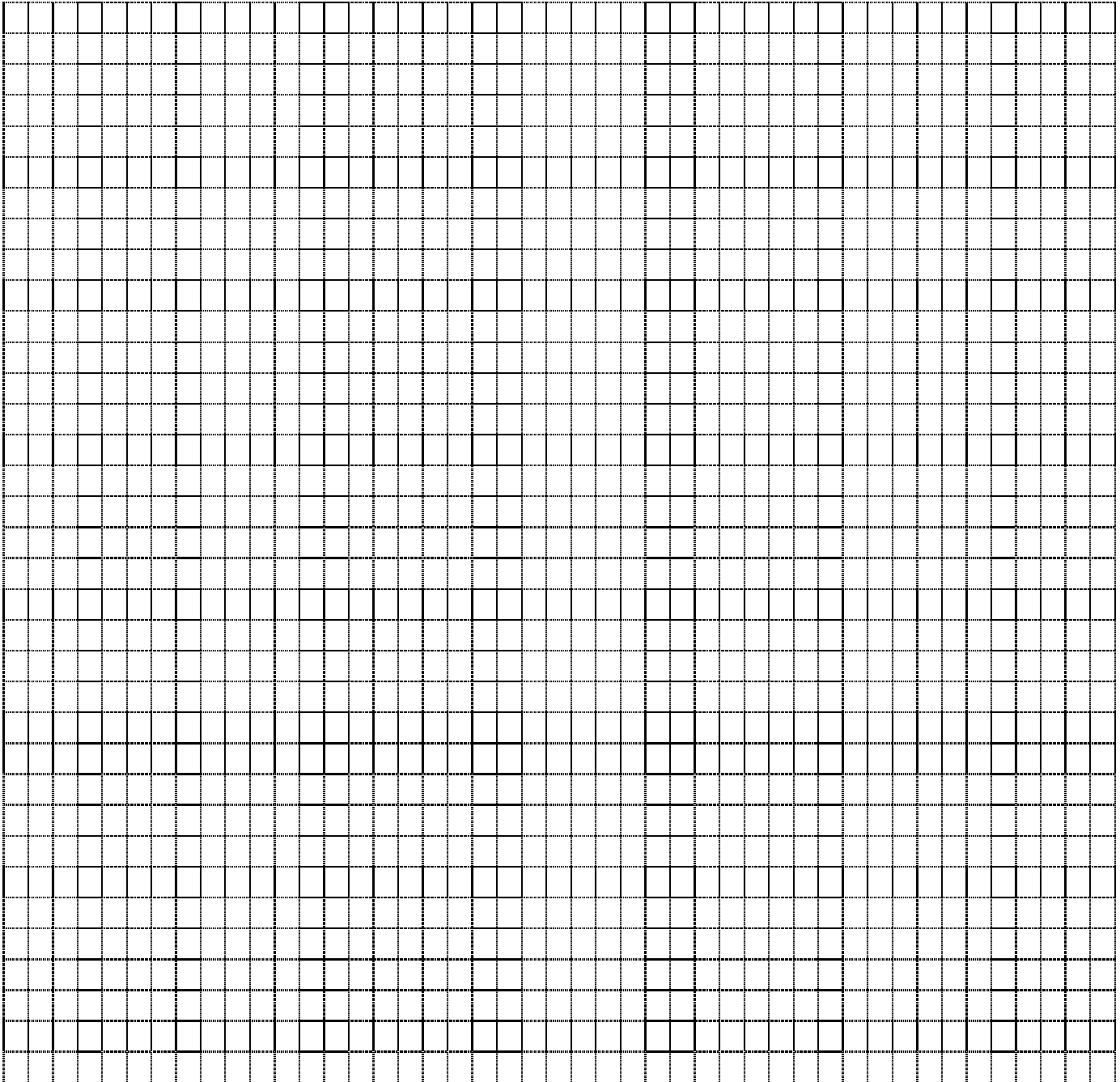
LOCATION:

TOWNSHIP:

APPEAL NO:

2. Prepare a Site plan (drawn to scale using the scale below) **to include ALL of the following:**

- a. Dimensions of property
- b. Location of proposed house
- c. Location of proposed system **AND** replacement system
- d. Roads - i.e., name
- e. Property lines
- f. Direction arrow - north
- g. Location of well (proposed)
- h. Location of drains on property and name of same
- i. Is site in the flood plain? If yes, map required
- j. Relationship of proposed septic to neighbor's well and septic system within 500 feet of parcel
- k. Address of neighboring homes



AFFIDAVIT FOR PERMIT APPROVAL TO CONSTRUCT ONSITE WASTEWATER DISPOSAL FACILITIES

I _____ (We) _____, the undersigned and owners of the parcel described as follows:

Legal Description:

_____ (Street or Road) _____ (Township)

intend to build a single family dwelling and understand and agree to the following conditions regarding the installation and maintenance of an onsite wastewater disposal system at the above-described property in accordance with the decision of the Monroe County Sanitary Code Appeals Board held on _____.

- 1) *The owner is fully aware that the soil conditions on said parcel are not conducive for the proper operation of a conventional onsite wastewater disposal system;*
- 2) *The owner will not split or subdivide the above-described parcel from its present size;*
- 3) *The owner agrees that the wastewater disposal system will be operated and maintained in a manner so as to not create a nuisance or health hazard and in compliance with the Monroe County Sanitary Code;*
- 4) *The owner agrees the dwelling will be connected to an approved public wastewater collection system when available;*
- 5) *The owner understands and agrees that the County of Monroe and the Monroe County Health Department assume no responsibility or liability in granting of a permit to construct an onsite wastewater disposal system;*
- 6) *The owner agrees to advise all prospective buyers of this Affidavit by including it as part of any Sales Agreement for the above-described property.*

The owner understands that failure to comply with the above agreement may result in the condemnation of the dwelling as unfit for human habitation and legal action as provided for in the Monroe County Sanitary Code.

This Affidavit becomes void upon connection to an approved public wastewater disposal system, as provided for in Section 503.09(h).

Owner(s) signature(s): _____

Subscribed and sworn before me this _____ day of _____, _____

Notary Public _____, County of _____
State of Michigan. My Commission Expires: _____