

Court of Appeals, State of Michigan

ORDER

Grandview Beach Association v County of Cheboygan

Docket No. 335159

LC No. 16-008566-AA

Stephen L. Borrello
Presiding Judge

Michael J. Kelly

Amy Ronayne Krause
Judges

The Court orders that the motion to dismiss this appeal is DENIED because it is not clear that this Court lacks proper jurisdiction over this appeal as an appeal of right in light of *Natural Resources Defense Council v Dep't of Environmental Quality*, 300 Mich App 79; 832 NW2d 288 (2013). This is without prejudice to allow the ability of appellees or intervening appellees to raise this jurisdictional issue for consideration by the case call panel, including addressing any conflict or tension between this Court's opinions in *Natural Resources Defense Council*, *Carleton Sportsman's Club v Exeter Twp*, 217 Mich App 195; 550 NW2d 867 (1996), and *Lorland Civil Ass'n v Dimatteo*, 10 Mich App 129; 157 NW2d 1 (1968), with regard to whether a planning commission acts in a quasi-judicial capacity and as a tribunal in deciding whether to issue a special use permit.



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

DEC 28 2016

Date

Chief Clerk