

Order

Michigan Supreme Court
Lansing, Michigan

May 8, 2020

Bridget M. McCormack,
Chief Justice

160358-9

David F. Viviano,
Chief Justice Pro Tem

SAUGATUCK DUNES COASTAL ALLIANCE,
Plaintiff-Appellant,

Stephen J. Markman
Brian K. Zahra

v

SC: 160358-9
COA: 342588; 346677
Allegan CC: 17-058936-AA
18-059598-AA

Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh,
Justices

SAUGATUCK TOWNSHIP, SAUGATUCK
TOWNSHIP ZONING BOARD OF APPEALS,
and NORTH SHORES OF SAUGATUCK, LLC,
Defendants-Appellees.

On order of the Court, the application for leave to appeal the August 29, 2019 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on the application. MCR 7.305(H)(1). The appellant shall file a supplemental brief within 42 days of the date of this order addressing: (1) whether the “party aggrieved” standard of MCL 125.3605 requires a party to show some special damages not common to other property owners similarly situated, see *Olsen v Jude & Reed, LLC*, 325 Mich App 170 (2018); (2) whether the meaning of “person aggrieved” in MCL 125.3604(1) differs from that of “party aggrieved” in MCL 125.3605, and if so what standard applies; and (3) whether the Court of Appeals erred in affirming the Allegan Circuit Court’s dismissal of appellant’s appeals from the decisions of the Saugatuck Township Zoning Board of Appeals. In addition to the brief, the appellant shall electronically file an appendix conforming to MCR 7.312(D)(2). In the brief, citations to the record must provide the appendix page numbers as required by MCR 7.312(B)(1). The appellees shall file supplemental briefs within 21 days of being served with the appellant’s brief. The appellees shall also electronically file an appendix, or in the alternative, stipulate to the use of the appendix filed by the appellant. A reply, if any, must be filed by the appellant within 14 days of being served with the latter of the appellees’ briefs. The parties should not submit mere restatements of their application papers.

The Environmental Law & Policy Center and National Trust for Historic Preservation in the United States are invited to file a brief amicus curiae. Other persons or groups interested in the determination of the issues presented in this case may move the Court for permission to file briefs amicus curiae.



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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

May 8, 2020

Clerk