

PENINSULA TOWNSHIP

13235 Center Road, Traverse City MI 49686

Ph: 231.223.7322 Fax: 231.223.7117

www.peninsulatownship.com

PENINSULA TOWNSHIP ZONING BOARD OF APPEALS AGENDA

May 16, 2023

7:00 p.m.

1. Call to Order
2. Pledge
3. Roll Call
4. Approval of Agenda
5. Conflict of Interest
6. Brief Citizen Comments – (for items not on the Agenda)
7. Business:

1. Public Hearing for Request No. 903, Zoning = R-1A – Rural and Hillside

Applicant: John C. Ansted Sr. Trust, 10215 Peninsula Drive, Traverse City, MI 49686

Owner: John C. Ansted Sr. Trust, 10215 Peninsula Drive, Traverse City, MI 49686

Property Address: Kroupa Road, Traverse City, MI 49686

1. Requesting a variance from Section 6.8 to construct a single-family residence with an attached garage 50-feet from the ordinary high water mark, where 60-feet is required.
2. Requesting a variance from Section 6.8 to construct a single-family residence with an attached garage 15-feet from the rear property line, where 30-feet is required.
3. Requesting a variance from Section 7.4.7(A)(1) and (2) to construct a single-family residence with an attached garage 6-feet from the edge of a delineated wetland, where 25-feet is required and to construct a driveway through a wetland.

Parcel Code # 28-11-108-001-02

8. **Approval of Minutes from the April 18, 2023 Regular Meeting**
9. Citizen Comments
10. Board Comments
11. Adjournment

Business

Peninsula Township Planning & Zoning Department
STAFF REPORT
ZBA Request # 903
Physical Address of Subject Property: Kroupa Rd., Traverse City, MI 49686
Date: May 5, 2023

To: Peninsula Township Zoning Board of Appeals

From: Jenn Cram, AICP, Director of Planning and Zoning

RE: Request # 903

Zoning District: R-1A Rural & Hillside – Single Family Residential

Hearing Date: May 16, 2023 – 7:00 PM

Applicant: John C. Ansted Trust, 10215 Peninsula Drive, Traverse City, MI 49686

Owner: John C. Ansted Trust, 10215 Peninsula Drive, Traverse City, MI 49686

Site: Kroupa Road, Traverse City, MI 49686

Tax ID: 28-11-108-001-02

Background Information:

- Parcel 28-11-108-001-02 is approximately 2.92 acres or approximately 127,195 square feet in size.
- The property is zoned R-1A - Rural & Hillside – Single Family Residential; and the surrounding area is also zoned R-1A - Rural & Hillside – Single Family Residential.
- A vicinity map and aerial image with topography have been included as **Exhibit A**.
- The lot was created legally in 2012 after the adoption of the Peninsula Township Zoning Ordinance.
- The property contains wetlands that have been identified by EGLE and a wetland delineation has been completed per the survey dated August 30, 2022, attached as **Exhibit B**.
- The parcel is currently vacant with no improvements.
- As part of the land division process a septic drainfield easement was granted from the property to the east to serve the subject parcel as represented on a survey dated May 12, 2011, attached as **Exhibit C**.
- In 2018 Dan Ostrander applied to the Grand Traverse County Environmental Health Department for a site survey to look at the suitability of developing a single-family residence and on-site septic system. The application and supporting material demonstrate that there is a buildable site that can meet setbacks outside of the wetland on the east side of the property, attached as **Exhibit D**.
- We received one letter of support for the request, attached as **Exhibit E**.

Request:

1. Requesting a variance from Section 6.8 to construct a single-family residence with an attached garage 50-feet from the ordinary high water mark, where 60-feet is required.
2. Requesting a variance from Section 6.8 to construct a single-family residence with an attached garage 15-feet from the rear property line, where 30-feet is required.
3. Requesting a variance from Section 7.4.7(A)(1) and (2) to construct a single-family residence with an attached garage 6-feet from the edge of a delineated wetland, where 25-feet is required.
4. Requesting a variance from Section 7.4.7(A)(1) and (2) to construct a driveway through a wetland.

Applicant

Statement: Please see the enclosed application submitted by the property owner along with additional information submitted to date, **Exhibit B**.

Staff Comments:**TABLE OUTLINES VARIANCE No. 1**

R-1A Standards (Section 6.8)	Required	Variance	Conforms to Standards?
Minimum Front Setback	30'	No	Yes
Minimum East side yard setback	15'	No	Yes
Minimum West side yard setback	15'	No	Yes
Minimum Rear setback	30'	Yes	No – Variance Required
Minimum OHWM	60'	Yes - Requesting 50'	No- Variance Required
Road Right-of-way setback	33'	No	Yes
Percentage of Lot Coverage:	15% - allowed	No	Yes
Flood Plain and Wetland Controls: Section 7.4.7(A)(1) & (2)	25'	Yes – Requesting 6' for SF Residence and 0' for Driveway	No – Variance Required

Staff Comments:

The purpose of the setback from the ordinary high water mark is to protect life and property from flooding as well as protect the shoreline and promote water quality.

SECTION 6.8 Schedule of Regulations (Revised by Amendment 91), (Amendment 107D)

The Regulations contained herein shall govern the Height, Bulk, and Density of Structures and Land Area by Zoning District:

R-1A, Rural & Hillside:

Front setback = 30 feet

Side yard setbacks = 15 feet

Rear yard setback = 30 feet

Ordinary Highwater setback = 60 feet

Allowable percentage of lot coverage = 15%

TABLE OUTLINES VARIANCE No. 2

R-1A Standards (Section 6.8)	Required	Variance	Conforms to Standards?
Minimum Front Setback	30'	No	Yes
Minimum East side yard setback	15'	No	Yes
Minimum West side yard setback	15'	No	Yes
Minimum Rear setback	30'	Yes – Requesting 15'	No – Variance Required
Minimum OHWM	60'	Yes - Requesting 50'	No- Variance Required
Road Right-of-way setback	33'	No	Yes
Percentage of Lot Coverage:	15% - allowed	No	Yes
Flood Plain and Wetland Controls: Section 7.4.7(A)(1) & (2)	25'	Yes – Requesting 6' for SF Residence and 0' for Driveway	No – Variance Required

Staff Comments:

The purpose of the rear setback is to separate uses for safety and to allow property owners to enjoy privacy from their neighbors, as well as sunlight, ventilation, natural vegetation, etc.

SECTION 6.8 Schedule of Regulations (Revised by Amendment 91), (Amendment 107D)

The Regulations contained herein shall govern the Height, Bulk, and Density of Structures and Land Area by Zoning District:

R-1A, Rural & Hillside:

- Front setback = 30 feet
- Side yard setbacks = 15 feet
- Rear yard setback = 30 feet
- Ordinary Highwater setback = 60 feet
- Allowable percentage of lot coverage = 15%

TABLE OUTLINES VARIANCE No. 3 and No. 4

R-1A Standards (Section 6.8)	Required	Variance	Conforms to Standards?
Minimum Front Setback	30'	No	Yes
Minimum East side yard setback	15'	No	Yes
Minimum West side yard setback	15'	No	Yes
Minimum Rear setback	30'	Yes – Requesting 15'	No-Variance required
Minimum OHWM	60'	Yes - Requesting 50'	No- Variance required
Road Right-of-way setback	33'	No	Yes

Percentage of Lot Coverage:	15% - allowed	No	Yes
Flood Plain and Wetland Controls: Section 7.4.7(A)(1) & (2)	25'	Yes – Requesting 6' for SF Residence and 0' for Driveway	No – Variance Required

Staff Comments:

The purpose of wetland setbacks is to protect life and property from flooding and to promote water quality. Wetland setbacks also help to preserve sensitive plant and wildlife habitats.

Section 7.4.7 (A)(1): Minimum setback = 25 feet

Section 7.4.7

Wetland.

Definition of Wetland: Land characterized by the presence of water at frequency and duration sufficient to support, and that under normal circumstances does support, wetland vegetation or aquatic life, and is commonly referred to as a bog, swamp, or marsh. A wetland may or may not be contiguous to the Great Lakes, an inland lake or pond, or a river or stream. This applies to public, commercial, and private lands regardless of zoning or ownership. Wetlands are regulated per Part 303 of the Natural Resources and Environmental Act, 1994 PA 451, as amended.

Development: There shall be no development or modification of any kind within a wetland area without first having been issued a wetland permit by the Michigan Department of Environmental Quality (MDEQ) and/or an Earth Change and Storm Water Permit from Peninsula Township. Any such approved development shall be subject to the following:

1. *A setback of 25 feet shall be maintained between any structure or impervious (including but not limited to parking lot, driveway, paths, etc.) surface and wetland.*
2. *Except as specified in subsection (3), there shall be no development or modification of any kind within a wetland or wetland setback. Wetlands may be used for density calculations and incorporated in Storm Water Management Plans.*

SECTION 5.7.3 VARIANCES: The Board of Appeals shall have the power to authorize, upon an appeal, specific variances from such requirements as lot area and width regulations, building height and bulk regulations, yard and depth regulations, and off-street parking and loading space requirements, PROVIDED ALL of the basic conditions listed herein can be satisfied:

1. Basic Conditions:

- (a) That the need for the variance is due to unique circumstances or physical conditions, such as narrowness, shallowness, shape, water or topography, of the property involved and that the practical difficulty is not due to the applicant's personal or economic hardship.
- (b) That the need for the variance is not the result of actions of the property (self-created) or previous property owners.
- (c) That strict compliance with area, setback, frontage, height, bulk, density or other

dimension requirement will unreasonably prevent the property owner from using the property for a permitted purpose, or will render conformity with those regulations unnecessarily burdensome. (Because a property owner may incur additional costs in complying with this ordinance does not automatically make compliance unnecessarily burdensome.)

- (d) That the variance will do substantial justice to the applicant as well as to other property owners in the district, or whether a lesser relaxation than applied for would give a substantial relief to the owner of the property involved and be more consistent with justice to other property owners.
- (e) That the variance will not cause adverse impacts on surrounding property, property values or the use and enjoyment of property in the neighborhood.
- (f) That the variance shall not permit the establishment within a district of any use which is not permitted by right, or any use of r which a conditional use or temporary use permit is required.

2. Rules: The following rules shall be applied in the granting of variances:

- (a) The Board of Appeals may specify, in writing, such conditions regarding the character, location, and other features that will in its judgement, secure the objectives and purposes of this Ordinance. The breach of any such condition shall automatically invalidate the permit granted.
- (b) Each variance granted under the provisions of this Ordinance shall become null and void unless: the construction authorized by such variance or permit has been commenced within six (6) months after the granting of the variance; and the occupancy of the land, premises, or buildings authorized by the variance has taken place within one (1) year after the granting of the variance.
- (c) No application for a variance which has been denied wholly or in part by the Board of Appeals shall be resubmitted for a period of (1) year from the date of the last denial, except on grounds of newly discovered evidence or proof of changed conditions found upon inspection by the Board of Appeals to be valid.

SECTION 5.7.3(1) BASIC CONDITIONS: The Board shall have the power to authorize, upon an appeal specific variances from such requirements as lot area and width regulations, building height and bulk regulations, **yard and depth regulations**, and off-street parking, and loading space requirements, **provided all of the Basic Conditions listed herein can be satisfied.**

(1) BASIC CONDITIONS: The applicant must meet ALL of the following Basic Conditions. That any variance from this Ordinance:

- a) That the need for the variance is due to unique circumstances or physical conditions, such as narrowness, shallowness, shape, water or topography, of the property involved and that the practical difficulty is not due to the applicant's personal or economic hardship.

Is this condition met: _____

b) The need for the variance is not the result of actions of the property owner (self-created) or previous property owners.

Is this condition met: _____

c) That strict compliance with area, setback, frontage, height, bulk, density or other dimension requirements will unreasonably prevent the property owner from using the property for a permitted purpose, or will render conformity with those regulations unnecessarily burdensome. (Because a property owner may incur additional costs in complying with this ordinance does not automatically make compliance unnecessarily burdensome).

Is this condition met: _____

d) That the variance will do substantial justice to the applicant as well as to other property owners in the district, or whether a lesser relaxation than applied for would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.

Is this condition met: _____

e) That the variance will not cause adverse impacts on surrounding property, property values or the use and enjoyment of property in the neighborhood.

Is this condition met: _____

f) That the variance shall not permit the establishment within a district of any use which is not permitted by right, or any use for which a conditional use or temporary use permit is required.

Is this condition met: _____

**Peninsula Township
Zoning Board of Appeals**

ZBA Case No. 903

Date of Meeting: May 16, 2023

Peninsula Township
13235 Center Road
Traverse City, MI 49686

Applicant: John C. Ansted Trust, 10215 Peninsula Drive, Traverse City, MI 49686
Owner: John C. Ansted Trust, 10215 Peninsula Drive, Traverse City, MI 49686
Address: Kroupa Rd., Traverse City, MI 49686

Parcel Code: #28-11-108-001-02

Request:

1. Requesting a variance from Section 6.8 to construct a single-family residence with an attached garage 50-feet from the ordinary high water mark, where 60-feet is required.
2. Requesting a variance from Section 6.8 to construct a single-family residence with an attached garage 15-feet from the rear property line, where 30-feet is required.
3. Requesting a variance from Section 7.4.7(A)(1) and (2) to construct a single-family residence with an attached garage 6-feet from the edge of a delineated wetland, where 25-feet is required.
4. Requesting a variance from Section 7.4.7(A)(1) and (2) to construct a driveway through a wetland.

Action by the Zoning Board of Appeals:

(Chair)

☐ Yes

☐ No

(Vice Chair)

☐ Yes

☐ No

(Member)

☐ Yes

☐ No

(Member)

☐ Yes

☐ No

(Member)

☐ Yes

☐ No

Board Action:

**Peninsula Township
Zoning Board of Appeals**

ZBA Case No. 903

Date of Meeting: May 16, 2023

Peninsula Township
13235 Center Road
Traverse City, MI 49686

Applicant: John C. Ansted Trust, 10215 Peninsula Drive, Traverse City, MI 49686
Owner: John C. Ansted Trust, 10215 Peninsula Drive, Traverse City, MI 49686
Address: Kroupa Rd., Traverse City, MI 49686

Parcel Code: #28-11-108-001-02

Request:

2. Requesting a variance from Section 6.8 to construct a single-family residence with an attached garage 15-feet from the rear property line, where 30-feet is required.

Action by the Zoning Board of Appeals:

_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(Chair)		
_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(Vice Chair)		
_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(Member)		
_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(Member)		
_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(Member)		

Board Action:

**Peninsula Township
Zoning Board of Appeals**

ZBA Case No. 903

Date of Meeting: May 16, 2023

Peninsula Township
13235 Center Road
Traverse City, MI 49686

Applicant: John C. Ansted Trust, 10215 Peninsula Drive, Traverse City, MI 49686
Owner: John C. Ansted Trust, 10215 Peninsula Drive, Traverse City, MI 49686
Address: Kroupa Rd., Traverse City, MI 49686

Parcel Code: #28-11-108-001-02

Request:

3. Requesting a variance from Section 7.4.7(A)(1) and (2) to construct a single-family residence with an attached garage 6-feet from the edge of a delineated wetland, where 25-feet is required.

Action by the Zoning Board of Appeals:

_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(Chair)		
_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(Vice Chair)		
_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(Member)		
_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(Member)		
_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(Member)		

Board Action:

**Peninsula Township
Zoning Board of Appeals**

ZBA Case No. 903

Date of Meeting: May 16, 2023

Peninsula Township
13235 Center Road
Traverse City, MI 49686

Applicant: John C. Ansted Trust, 10215 Peninsula Drive, Traverse City, MI 49686
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Address: Kroupa Road, Traverse City, MI 49686

Parcel Code: #28-11-108-001-02

Request:

4. Requesting a variance from Section 7.4.7(A)(1) and (2) to construct a driveway through a wetland.

Action by the Zoning Board of Appeals:

_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(Chair)		
_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(Vice Chair)		
_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(Member)		
_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(Member)		
_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(Member)		

Board Action:

Exhibit A

PENINSULA TWP 2022

20-11-108-001-02

Ansted



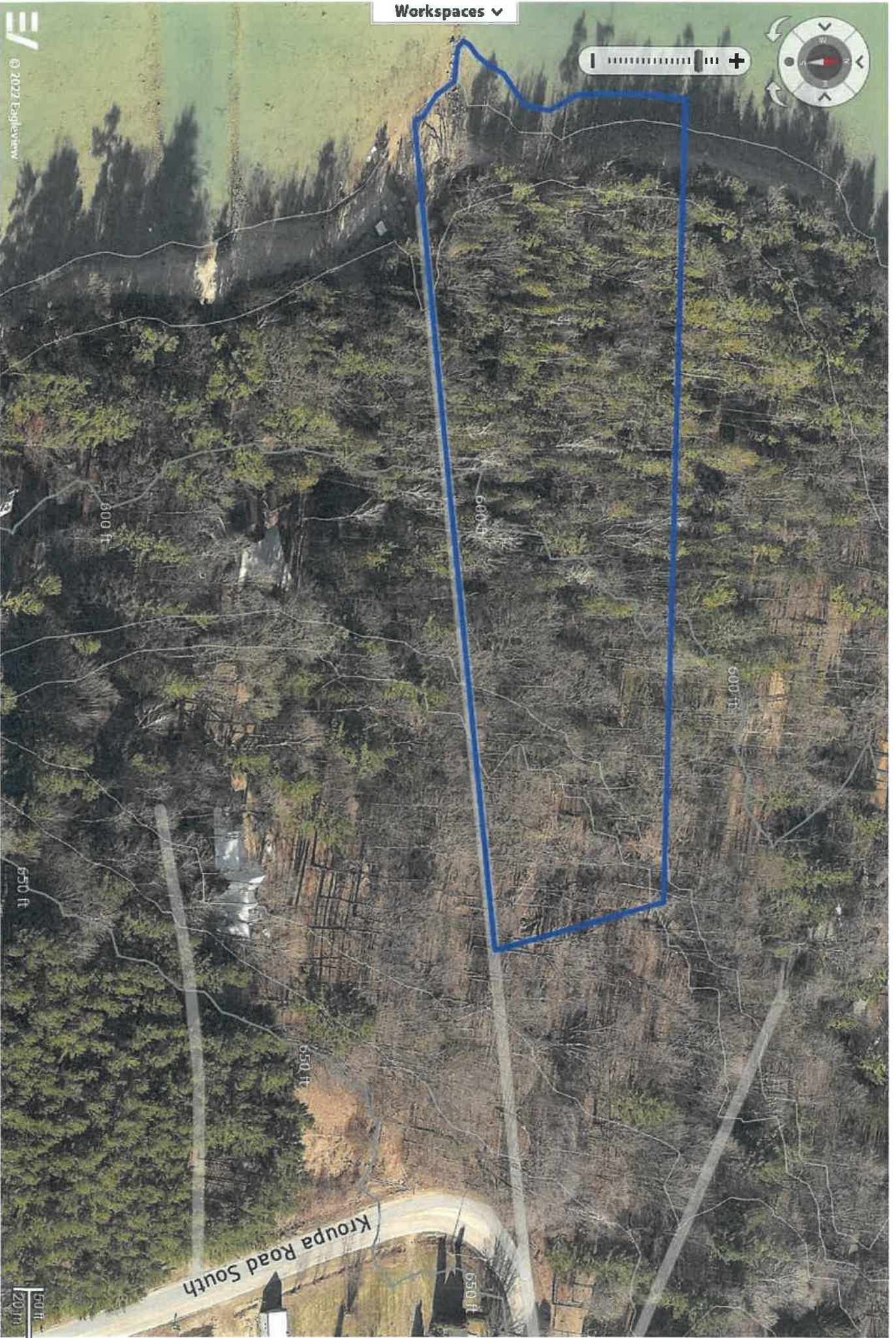


Exhibit B

Peninsula Township Variance Application

General Information

A fully completed application form, fee, and all related documents must be submitted to the Planning & Zoning Department at least four (4) weeks prior to the Zoning Board of Appeals meeting. **10 copies are required.**

Applicant Information

Applicant: Name John C. Ansted, SR.
Address Line 1 10215 Peninsula DR.
Address Line 2 TRAVERSE CITY, MI 49686
Phone 231-709-3370 Cell 231-709-3370
E-mail JCANSTED@yahoo.com

Owner: Name SAME AS Applicant
Address Line 1 _____
Address Line 2 _____
Phone _____ Cell _____
E-mail _____

(If the applicant is not the property owner, a letter signed by the owner agreeing to the variance must be included with the application.)

Property Information

Parcel ID 1110800102 Zoning R1A, Waterfront 40
Address Line 1 KROUPA Rd.
Address Line 2 TRAVERSE CITY, MI 49686

Type of Request

Indicate which Ordinance requirement(s) are the subject of the variance request:

- | | | |
|--|--|--|
| <input type="checkbox"/> Front Yard Setback | <input type="checkbox"/> Side Yard Setback | <input checked="" type="checkbox"/> Rear Yard Setback <u>503.24' West to East 30' to 15'</u> |
| <input type="checkbox"/> Width to Depth Ratio | <input type="checkbox"/> Lot Coverage | <input type="checkbox"/> Off-Street Parking |
| <input type="checkbox"/> Signage | <input type="checkbox"/> Height/Width | <input type="checkbox"/> Non-Conformity Expansion |
| <input checked="" type="checkbox"/> Other: Please Describe: <u>OHWM, Reduction from 60 to 50</u> | | |

Attachments

- ☒ \$1,000.00 application fee
- ☒ Basic Conditions Worksheet
- ☒ Site plan drawn to scale showing the following:
- Property boundaries; Shoreline properties must show the Ordinary High Water Mark on a certified survey, and the Flood Elevation Line (3 feet above OHWM) if any;
 - All existing and proposed structures including decks and roof overhangs;
 - Setbacks for existing and proposed structures (varies by zoning district).
- ☒ Front elevation diagram drawn to scale.

Fw: Peninsula Twp. Variance Application - Basic Conditions

From: John Ansted (jcansted@yahoo.com)

To: zoning@peninsulatownship.com; jesse@mapcivilsurvey.com; alexloganaidan@gmail.com; jcansted@yahoo.com

Date: Monday, August 29, 2022, 04:50 PM EDT

----- Forwarded Message -----

From: John Ansted <jcansted@yahoo.com>

To: Zoning <zoning@peninsulatownship.com>

Sent: Monday, August 29, 2022, 02:45:40 PM EDT

Subject: Re: Peninsula Twp. Variance Application - Basic Conditions

A] The subject property is a uniquely larger parcel, 2.92 acres that offers only a limited building envelop. A large regulated wetland in middle limits size of building envelop. Also building site is located on a 14 to 16' bluff change in elevation which is the most the most suitable location. Balance of the property has a high ground water table approximately 2 to 4' below surface. Also it would be more advantageous to avoid building immediately adjacent to the wetlands thereby avoiding drainage and changing hydrology of the wetlands. This allows wetlands to run naturally to the upland bluff building site.

B] Variances being requested are current natural condition of property and not result of actions by current or previous owners.

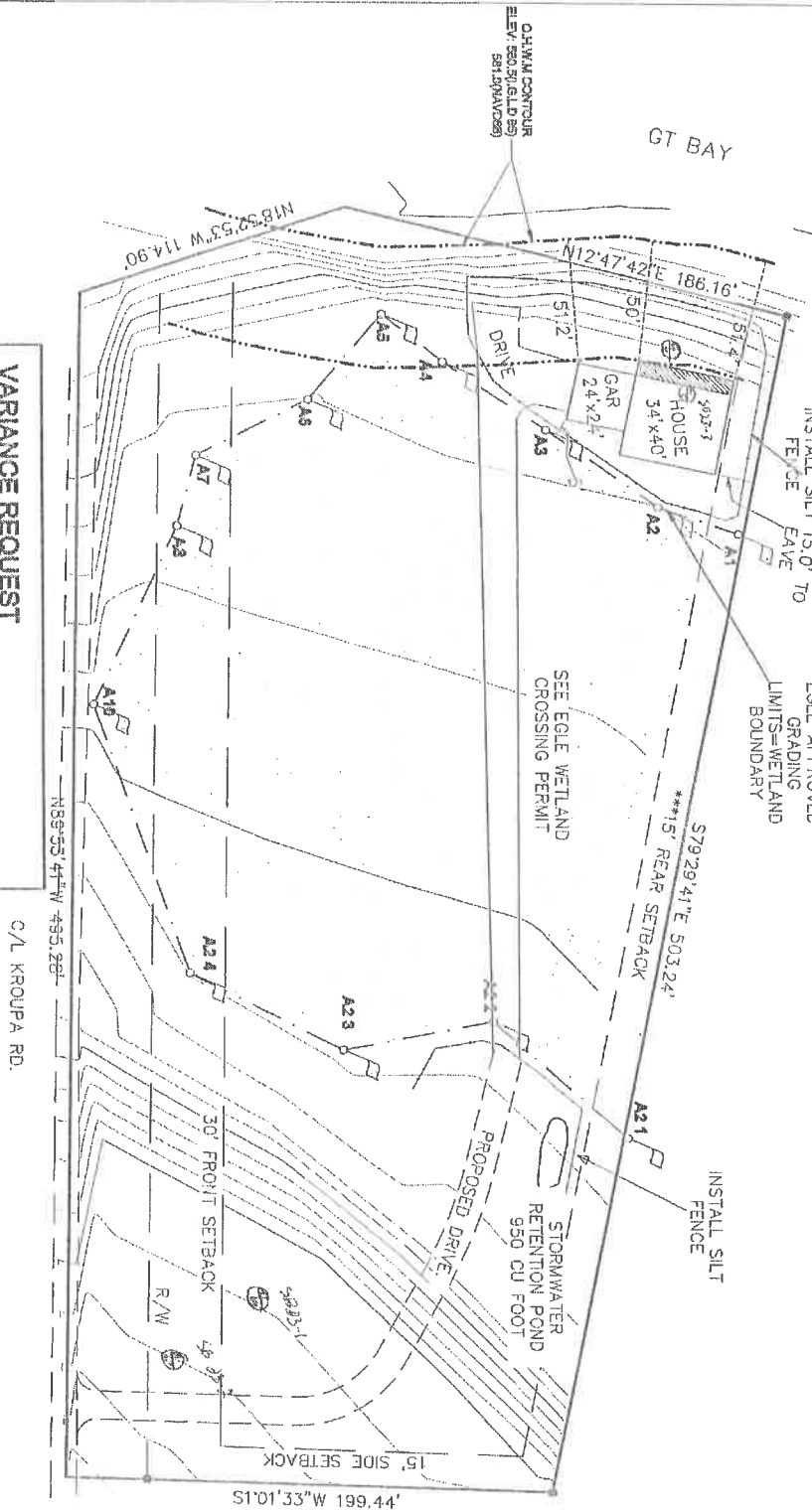
C] Strict compliance on new construction forces proposed structure to be abnormally small or irregular shaped. Additionally doesn't allow modest space for a structure in upland area that doesn't impede and impact the function of natural hydrology. We don't desire to change biology of the wetlands.

D]. A variance reduction of OHWM, side and rear set backs are commonly granted variances by Peninsula Township ZBA. Allowing a standardized house structure and attached garage enhances the conformity and curb appeal to the neighborhood. Currently not enough space for a standard size 2 car garage, 24' x 24'.

E] The proposed variances will be unnoticeable to property within 300' of proposed site plan construction. The 10' OHWM and 15' Rear Set Back reductions will not cause adverse impacts on surrounding property, value or the use and enjoyment of properties in the neighborhood.

F] The requested variances are consistent with use by right projects. These variance requests will not set a negative or adverse prejudice for current and future ZBAs as 10' OHWM reduction only 16%. The 15' set back on rear has no negative impact on adjacent and close properties. Construction activity within 25' of wetland currently has modest safety cushion of 12 to 20' built in site plan. Also equipment blankets will be installed beyond wetland delineation.

SITEPLAN



VARIANCE REQUEST

-REDUCTION FROM 60' TO 50' ON OHWM

-REDUCTION FROM 30' TO 15' ON REAR SETBACK

-ACTIVITY WITHIN 25' OF WETLAND OR FLOOD PLAIN. REDUCTION TO 6'.

Legend

- IRON SET
- IRON FOUND
- MONUMENT FOUND
- ▲ NAIL SET
- ▲ NAIL FOUND
- GOVERNMENT 1/4 CORNER
- SECTION CORNER
- CENTER 1/4 CORNER
- (R) RECORD
- (M) MEASURED

Scale: 1" = 50'

0 25 50 100

ATTENTION: IF ANY PART OF THIS DOCUMENT VIOLATES THE PERMITS OF WETLAND & ASSOCIATES, PC IS PROHIBITED.



BOB MITCHELL & ASSOCIATES

SURVEYING / ENGINEERING

404 West Main Street, P.O. Box 305

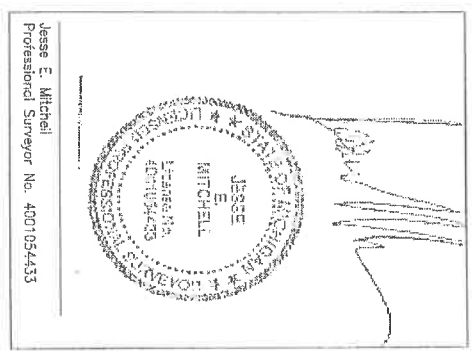
Traverse City, MI 49601

(231) 263-1551, Fax (231) 263-7521

1611 First in Michigan 1-800-533-8527

www.bobmitchell.com

CLIENT:	JOHN ANSTED
LOCATION:	SEC 8, T25N-R10W
DATE:	08.30.2022
FILE NO.:	20200353
BY:	JEM
REV. BY:	X
REV. NO.:	1



Parcel: 14-108-001-02

Jurisdiction: Peninsula Township

Owner Name: ANSTED JOHN C SR

Property Address:

KROUPA RD

TRAVERSE CITY, MI 49686

Mailing Address:

10215 PENINSULA DR

TRAVERSE CITY, MI 49686

March 14, 2023

Re: Ansted HomeSite
000 Kroupa Road,
P/O GOVT LOT 1, SEC 8, T29N-R10W.

Dear Peninsula Township ZBA

It has been determined through review of Site plan, dated 08.30.2022(prepared by Bob Mitchell & Associates) by The Peninsula Township Zoning administrator that the proposed structure would require a variance from the OHWM, Rear Setback, and the regulated wetland boundary. The definition of the OHWM and rear of the property line are not in question at this point by the applicant or the township.

Amendment 195 to the Township zoning ordinance, replaces Section 7.4.7 for wetland controls.

This section mandates all activity be consistent with Part 303 of the Michigan Wetland Protection Act. In addition all activity in a wetlands must be permitted through EGLE, the permitting agency for Part 303.

With knowledge of Part 303, Mr Ansted applied for a lawful crossing permit with EGLE in 2020. A driveway through a wetland is considered to be a use by right in Part 303, allowing a maximum impact of 16'. A driveway permit through a wetland can only be issued by EGLE if the building area has been proven by the applicant and EGLE to be a viable building Site. In addition the route through the wetland must be completed in a manner that minimizes the impact to environment as a whole, not just the wetlands (streams, lakes, vegetation, protected animals.....). A complete audit of the parcel was conducted by EGLE on multiple trips to the Site. The EGLE permit agent at the time was Neil Schock. Mr. Schock was supplied a wetland delineation completed by Dr. Chris Grobbel. Mr. Schock concluded that the delineation as correct and established a jurisdiction boundary for EGLE. After review of the site Mr. Schock identified 2 seasonal streams near or on the parcel. The first stream was on the Southern edge of Kroupa, in addition he concluded that the entire subbase of Kroupa going down the slope was likely a regulated because of seasonal ground water within 12" inches of the surface. The 2nd seasonal stream is located at the point where the wetland drains into West Bay. This area has evidence of bank and flow, and he conclude it should be avoided. Streams are considered to have a higher conservation value than wetlands. With documenting the 2 streams, Mr. Schock decided the driveway location along the North side of the parcel would not impact the 2 streams. The permit was issued 11/18/2021 and was considered to be issued with minimizing the impact to the Environment.

Mr. Ansted is fully compliant and permitted for the activity shown in the Siteplan supplied for the variance through the State of Michigan(EGLE) who is governing body for wetland protection and permitting.

There was discussion in 2021 about building on the ridge and clearing the trees between the home site on the ridge and the water's edge to produce an elevated building site. Geotechnical reports for multiple people, including Brent Wheat (now G.T. County Health Department Director) discovered high ground water and springs on said ridge. This would explain the major erosion issue that is known as Kroupa Road, leading down to the water. It was expected that excavating a foundation on the ridge would expose springs and create an erosion issue as well as a new seasonal stream. Geotechnical investigations into the building site near the water, found well drained sandy soil, free of natural springs. It was concluded that the best site to construct the home was near the water's edge, to take advantage of good soils as well as keep the ridge wooded. Keeping a majority of the mature trees remaining on the ridge will hold the soil together and prevent new springs from getting exposed.

To elaborate on Amendment 195, a 25' foot setback is used by most townships in the area for Developments. A development is a Condominium, A subdivision, or a Single Parcel of land that is proposed to have 3 residential structures on the same tax id number. There are no townships that we are aware of in northern Michigan that are requiring a 25' setback from wetlands for Single family residential land use permits. Additionally, EGLE does NOT require a wetland setback as the jurisdiction boundary line is the actual wetland boundary.

After discussion with the township ZBA board in fall of 2022, Mr. Ansted hired a Geotechnical firm, (Soils and Structures) to complete soil borings on the parcel. This was done to investigate the claims made by the now Health Department supervisor, Brent Wheat, that the upper portion of the parcel has very high ground water. Soils and Structures submitted a report and found high groundwater in the upper portion of the parcel.

In conclusion, Mr. Ansted has gone to great lengths to investigate the best manner of which to install a home on the Subject parcel, and granting of these modest variances that are requested shall serve the public and the owner justice.

Respectfully,

Jesse Mitchell, PS
Bob Mitchell & Associates



March 13, 2023

Bob Mitchell & Associates P.C.
404 West Main Street, PO Box 306
Kingsley, Michigan 49649

Attention: Mr. Jesse Mitchell

Regarding: Kroupa – Old Mission
Geotechnical Investigation Summary
Peninsula Township, Grand Traverse County, Michigan
Project No. 2023.0275

Dear Mr. Mitchell:

Soils & Structures is pleased to present this letter regarding the geotechnical investigation performed for the above-mentioned project. The inspection was performed on February 16, 2023 at 1989 Kroupa Road in Peninsula Township, Grand Traverse County, Michigan.

Inspection Summary

The investigation consisted of two (2) hand auger borings extended to depths of 3.1 to 3.6 feet. The hand auger borings are designated as SB-23-2 and SB-23-3. The hand augers were performed in accordance with the ASTM D 1452 standard. The ASTM D 1452 standard describes the method of soil sampling using a hand auger. SB-23-2 was performed in the upper portion of the site near the road at the east end. SB-23-3 was performed in the lower portion of the site near the northwest corner and Grand Traverse Bay.

The soil profile in the area of SB-23-2 consists of approximately 13.0 inches of black, silty and sandy topsoil overlying a layer of brown, fine to medium sand with a trace of gravel and clay which extends to a depth of 3.0 feet. A layer of brown sandy clay is present below the sand. The water table is present at a depth of 0.8 feet or 9.6 inches below grade.

The soil profile in the area of SB-23-3 consists of approximately 14.5 inches of black, silty and sandy topsoil overlying a layer of brown, fine to medium sand with a trace of gravel which extends to a depth of 3.5 feet. A layer of brown sandy clay is present below the sand. Perched groundwater was encountered at a depth of 2.3 feet. The water table is present at a depth of 3.5 feet below grade.



Conclusions

Foundations for the proposed structure should be constructed at or above the water table. The high water table in the area of SB-23-2 in the upper portion of the site may be the result of a perched water zone due to the low permeability of the in-situ clay layer and could be exacerbated by the possibility of artesian conditions on site. In order to construct foundations at or above the water table, a significant quantity of fill will be required. Topsoil must be excavated from below the building prior to the placement of fill. Excavations for the removal of topsoil will extend below the water table and compaction of the in-situ sand and fill below the water table is not practical without significant dewatering.

The lower water table at 3.5 feet in the area of SB-23-3 in the lower portion of the site is more conducive to the construction of foundations above the water table. Excavations for removal of topsoil are anticipated to terminate at least 2.0 feet above the water table, though some perched water may be encountered. The in-situ sand above the water table may be compacted prior to construction of foundations or placement of fill with little or no dewatering required.

General Conditions and Reliance

This report was prepared specifically for the above-mentioned project in accordance with generally accepted practices of the geotechnical engineering profession. The scope of work consisted of performing two (2) hand auger borings and providing a summary and analysis of the findings. This report does not constitute a guarantee of the soil or groundwater conditions on site or that the hand augers are an exact representation of the soil and groundwater conditions on site. The descriptions in this report are based on an interpretation of the test borings. The test boring logs should not be used independently of the report.

Submission of this report completes Soils & Structures' work on this project. We appreciate the opportunity to be of service to you. If you have any questions regarding this letter or if we can be of any further assistance, please contact our office.

Sincerely,
Soils & Structures, Inc.

A handwritten signature in black ink, reading "Michael J. Partenio". The signature is fluid and cursive, with the first name "Michael" and last name "Partenio" clearly legible.

Michael J. Partenio, P.E.
MJP/mp



SOILS & STRUCTURES

Hand Auger ID: HA-01 (SB-23-2)

Sheet 1 of 1

Project Name: Kroupa-Old Mission Project Number: 2023.0275 TS
Project Location: Peninsula Township, Michigan Logged By: P.Wilson Reviewed By: H.Barton
Client: Bob Mitchell & Associates P.C. Survey Datum: NAD 1983 StatePlane Michigan Central Hole Depth: 3.10
Date Started: Feb 16 2023 Completed: Feb 16 2023 Northing: Easting: Elevation:
Drilling Method: 3.25" Hollow Stem Auger Ground Water Levels
Notes: At Time of Drilling 0.80 on Feb 16 2023 - Groundwater Level
End of Drilling 0.80 on Feb 16 2023 - Static Water Level

Depth	Graphic	Material Description	Cautionary Condition	Blow Counts	DCP	USCS
1		TOPSOIL - black silty sandy				
2		SAND - brown fine to medium with a trace of gravel and clay				
3		CLAY - brown sandy				
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						



SOILS & STRUCTURES

Hand Auger ID: HA-02 (SB-23-3)

Sheet 1 of 1

Project Name: Kroupa-Old Mission Project Number: 2023.0275 TS
Project Location: Peninsula Township, Michigan Logged By: PWilson Reviewed By: H.Barton
Client: Bob Mitchell & Associates P.C. Survey Datum: NAD 1983 StatePlane Michigan Central Hole Depth: 3.60
Date Started: Feb 16 2023 Completed: Feb 16 2023 Northing: Easting: Elevation:
Drilling Method: 3.25" Hollow Stem Auger Ground Water Levels
Notes: At Time of Drilling 3.50 on Feb 16 2023 - Groundwater Level
 End of Drilling 2.30 on Feb 16 2023 - Static Water Level

Depth	Graphic	Material Description	Cautionary Condition	Blow Counts	USCS
				DCP 5 10 15 20 25 30 35 40 45	
		TOPSOIL - black silty sandy			
1		SAND - brown fine to medium with a trace of gravel			
2		SAND - brown fine to medium with gravel and a trace of cobbles			
3		CLAY - brown sandy			
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					





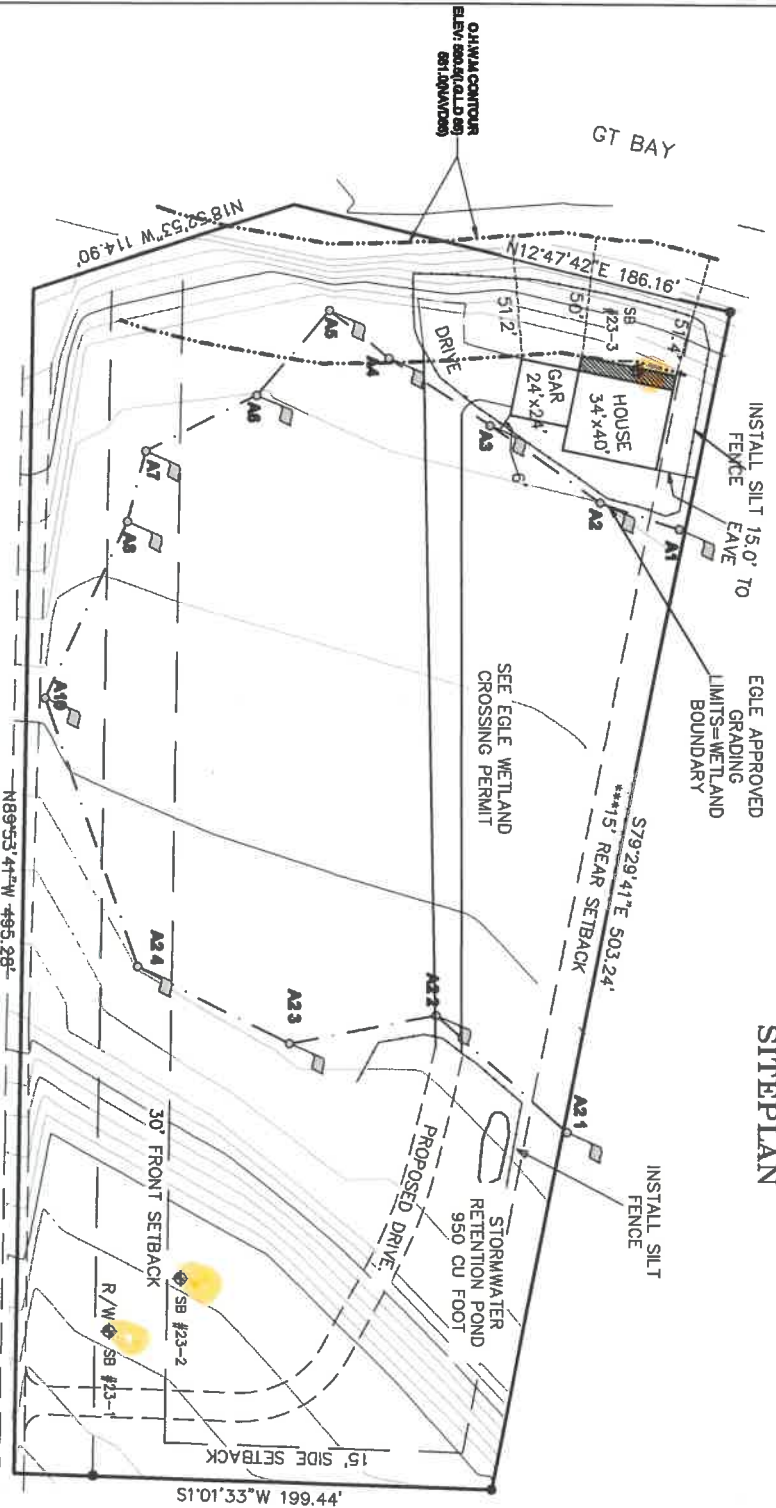
SITEPLAN

Parcel: 11-108-001-02
Jurisdiction: Peninsula Township
Owner Name: ANSTED JOHN C SR

Property Address:
KROUPA RD
TRAVERSE CITY, MI 49696

Mailing Address:
10215 PENINSULA DR
TRAVERSE CITY, MI 49696

◆ SOIL BORINGS 2023 WITH SOILS STRUCTURES



VARIANCE REQUEST

- REDUCTION FROM 60' TO 50' ON OHWM
- REDUCTION FROM 30' TO 15' ON REAR SETBACK
- ACTIVITY WITHIN 25' OF WETLAND OR FLOOD PLAIN. REDUCTION TO 6'.

ATTENTION OF ANY PART OF THIS DOCUMENT WITHOUT THE PERMISSION OF MITCHELL & ASSOCIATES, P.C. IS PROHIBITED.

BOB MITCHELL & ASSOCIATES
SURVEYING / ENGINEERING
404 West Main Street, P.O. Box 308
(231) 265-0000, FAX (231) 265-0001
Toll Free 1-800-333-4327
www.bobmitchell.com

Jesse E. Mitchell
Professional Surveyor No. 4001054433

CLIENT:		JOHN ANSTED	
LOCATION:		SEC 8, T29N-R10W	
DWG. WPM	DATE 08.30.2022	RE NO. 20200353	
BY JEM	PLD. BK. X	PG. X	SHEET 1 OF 1

Legend

- IRON SET
- IRON FOUND
- ⊙ MONUMENT FOUND
- ▲ NAIL SET
- △ NAIL FOUND
- SECTION CORNER
- ⊕ CENTER 1/4 CORNER
- (M) MEASURED

Scale: 1" = 50'



**MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY
WATER RESOURCES DIVISION
PERMIT**

Issued To:

Mr. John Ansted
10215 Peninsula Drive
Traverse City, Michigan 49686

Permit No: WRP031171 v.1
Submission No.: HPA-S44V-83XSD
Site Name: 28-Kroupa Road-Traverse City
Issued: 11/18/2021
Expires: 11/18/2026

This permit is being issued by the Michigan Department of Environment, Great Lakes, and Energy (EGLE), Water Resources Division (WRD), under the provisions of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA); specifically:

- | | |
|--|---|
| <input type="checkbox"/> Part 301, Inland Lakes and Streams | <input type="checkbox"/> Part 323, Shorelands Protection and Management |
| <input checked="" type="checkbox"/> Part 303, Wetlands Protection | <input type="checkbox"/> Part 325, Great Lakes Submerged Lands |
| <input type="checkbox"/> Part 315, Dam Safety | <input type="checkbox"/> Part 353, Sand Dunes Protection and Management |
| <input type="checkbox"/> Part 31, Water Resources Protection (Floodplain Regulatory Authority) | |

Permission is hereby granted, based on permittee assurance of adherence to State of Michigan requirements and permit conditions, to:

Authorized Activity:

On West Grand Traverse Bay, landward of the foredune along the shoreline, install a 15-foot-wide by 250-foot-long wetland crossing in order to access the first buildable location on the property. At the lowest point of the crossing, install an 18-foot-long, 18-inch diameter culvert buried 4 inches below grade, in order to maintain local hydrology. Construction must be undertaken and completed during the dry period of the wetland, or when frozen. Upon completion of the project, the disturbed wetland areas shall be restored to the original contour elevation, revegetated and reseeded with species native to Michigan appropriate to the site, and mulched to prevent erosion. **All work shall be completed in accordance with the attached plans and specifications of this permit.**

Waterbody Affected: Unnamed Wetland near West Grand Traverse Bay
Property Location: Grand Traverse County, Peninsula Township, Town/Range/Section 29N10W08

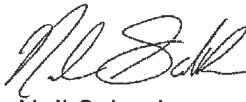
Authority granted by this permit is subject to the following limitations:

- A. Initiation of any work on the permitted project confirms the permittee's acceptance and agreement to comply with all terms and conditions of this permit.

- B. The permittee, in exercising the authority granted by this permit, shall not cause unlawful pollution as defined by Part 31 of the NREPA.
- C. This permit shall be kept at the site of the work and available for inspection at all times during the duration of the project or until its date of expiration.
- D. All work shall be completed in accordance with the approved plans and specifications submitted with the application and/or plans and specifications attached to this permit.
- E. No attempt shall be made by the permittee to forbid the full and free use by the public of public waters at or adjacent to the structure or work approved.
- F. It is made a requirement of this permit that the permittee give notice to public utilities in accordance with 2013 PA 174 (Act 174) and comply with each of the requirements of Act 174.
- G. This permit does not convey property rights in either real estate or material, nor does it authorize any injury to private property or invasion of public or private rights, nor does it waive the necessity of seeking federal assent, all local permits, or complying with other state statutes.
- H. This permit does not prejudice or limit the right of a riparian owner or other person to institute proceedings in any circuit court of this state when necessary to protect his rights.
- I. This permit shall not be assigned or transferred without the written approval of EGLE.
- J. Failure to comply with conditions of this permit may subject the permittee to revocation of permit and criminal and/or civil action as cited by the specific state act, federal act, and/or rule under which this permit is granted.
- K. All dredged or excavated materials shall be disposed of in an upland site (outside of floodplains, unless exempt under Part 31 of the NREPA, and wetlands).
- L. In issuing this permit, EGLE has relied on the information and data that the permittee has provided in connection with the submitted application for permit. If, subsequent to the issuance of a permit, such information and data prove to be false, incomplete, or inaccurate, EGLE may modify, revoke, or suspend the permit, in whole or in part, in accordance with the new information.
- M. The permittee shall indemnify and hold harmless the State of Michigan and its departments, agencies, officials, employees, agents, and representatives for any and all claims or causes of action arising from acts or omissions of the permittee, or employees, agents, or representative of the permittee, undertaken in connection with this permit. The permittee's obligation to indemnify the State of Michigan applies only if the state: (1) provides the permittee or its designated representative written notice of the claim or cause of action within 30 days after it is received by the state, and (2) consents to the permittee's participation in the proceeding on the claim or cause of action. It does not apply to contested case proceedings under the Administrative Procedures Act, 1969 PA 306, as amended, challenging the permit. This permit shall not be construed as an indemnity by the State of Michigan for the benefit of the permittee or any other person.
- N. Noncompliance with these terms and conditions and/or the initiation of other regulated activities not specifically authorized shall be cause for the modification, suspension, or revocation of this permit, in whole or in part. Further, EGLE may initiate criminal and/or civil proceedings as may be deemed necessary to correct project deficiencies, protect natural resource values, and secure compliance with statutes.
- O. If any change or deviation from the permitted activity becomes necessary, the permittee shall request, in writing, a revision of the permitted activity from EGLE. Such revision request shall include complete documentation supporting the modification and revised plans detailing the proposed modification. Proposed modifications must be approved, in writing, by EGLE prior to being implemented.
- P. This permit may be transferred to another person upon written approval of EGLE. The permittee must submit a written request to EGLE to transfer the permit to the new owner. The new owner must also submit a written request to EGLE to accept transfer. The new owner must agree, in writing, to accept all conditions of the permit. A single letter signed by both parties that includes all the above information may be provided to EGLE. EGLE will review the request and, if approved, will provide written notification to the new owner.
- Q. Prior to initiating permitted construction, the permittee is required to provide a copy of the permit to the contractor(s) for review. The property owner, contractor(s), and any agent involved in exercising the permit are held responsible to ensure that the project is constructed in accordance with all drawings and specifications. The contractor is required to provide a copy of the permit to all subcontractors doing work authorized by the permit.

- R. Construction must be undertaken and completed during the dry period of the wetland. If the area does not dry out, construction shall be done on equipment mats to prevent compaction of the soil.
- S. Authority granted by this permit does not waive permit requirements under Part 91, Soil Erosion and Sedimentation Control, of the NREPA, or the need to acquire applicable permits from the County Enforcing Agent (CEA).
- T. Unless specifically stated in this permit, construction pads, haul roads, temporary structures, or other structural appurtenances to be placed in a wetland or on bottomland of the water body are not authorized and shall not be constructed unless authorized by a separate permit or permit revision granted in accordance with the applicable law.
- U. For projects with potential impacts to fish spawning or migration, no work shall occur within fish spawning or migration timelines (i.e., windows) unless otherwise approved in writing by the Michigan Department of Natural Resources, Fisheries Division.
- V. Work to be done under authority of this permit is further subject to the following special instructions and specifications:
 - 1. Authority granted by this permit does not waive permit or program requirements under Part 91 of the NREPA or the need to acquire applicable permits from the CEA. To locate the Soil Erosion Program Administrator for your county, visit www.mi.gov/eglestormwater and select "Soil Erosion and Sedimentation Control Program" under "Related Links."
 - 2. The authority to conduct the activity as authorized by this permit is granted solely under the provisions of the governing act as identified above. This permit does not convey, provide, or otherwise imply approval of any other governing act, ordinance, or regulation, nor does it waive the permittee's obligation to acquire any local, county, state, or federal approval or authorization necessary to conduct the activity.
 - 3. No fill, excess soil, or other material shall be placed in any wetland, floodplain, or surface water area not specifically authorized by this permit, its plans, and specifications.
 - 4. Install a 15-foot-wide by 250-foot-long wetland crossing in order to access the first buildable location on the property. At the lowest point of the crossing install an 18-foot-long, 18-inch diameter culvert, buried 4 inches below grade, in order to maintain local hydrology. All work shall be completed in accordance with the approved plans and specifications of this permit.
 - 5. Equalization culverts shall be a minimum of 18 inches in diameter, installed at the proper elevation for the purpose of water level equalization and must be buried 20% of the culvert diameter. The culvert shall provide for the free flow of surface water or the movement of organisms between portions of a wetland system. The culvert shall not increase drainage of any existing wetland areas.
 - 6. If the project, or any portion of the project, is stopped and lies incomplete for any length of time other than that encountered in a normal work week, every precaution shall be taken to protect the incomplete work from erosion, including the placement of temporary gravel bag riprap, temporary seed and mulch, or other acceptable temporary protection.
 - 7. All dredge/excavated spoils including organic and inorganic soils, vegetation, and other material removed shall be placed on upland (non-wetland, non-floodplain or non-bottomland), prepared for stabilization, and stabilized with sod and/or seed and mulch in such a manner so as to prevent and ensure against erosion of any material into any waterbody, wetland, or floodplain
 - 8. Prior to the start of construction, all adjacent non-work wetland areas shall be protected by properly trenched sedimentation barrier to prevent sediment from entering the wetland. Orange construction fencing may be installed as needed to prohibit construction personnel from entering or performing work in these areas. Sedimentation barrier shall be maintained daily throughout the construction process. Upon project completion, the accumulated materials shall be removed and disposed of at an upland site. The sedimentation barrier shall then be removed in its entirety and the area restored to its original configuration and cover.
 - 9. Prior to the initiation of any permitted construction activity, a sedimentation barrier shall be installed along the entire route of the disturbed wetland area and maintained in good working order until permanent stabilization and re-vegetation of all disturbed areas has occurred. The sedimentation barrier shall be removed after re-vegetation.
 - 10. Construction must be undertaken and completed during the dry period of the wetland, or when frozen.

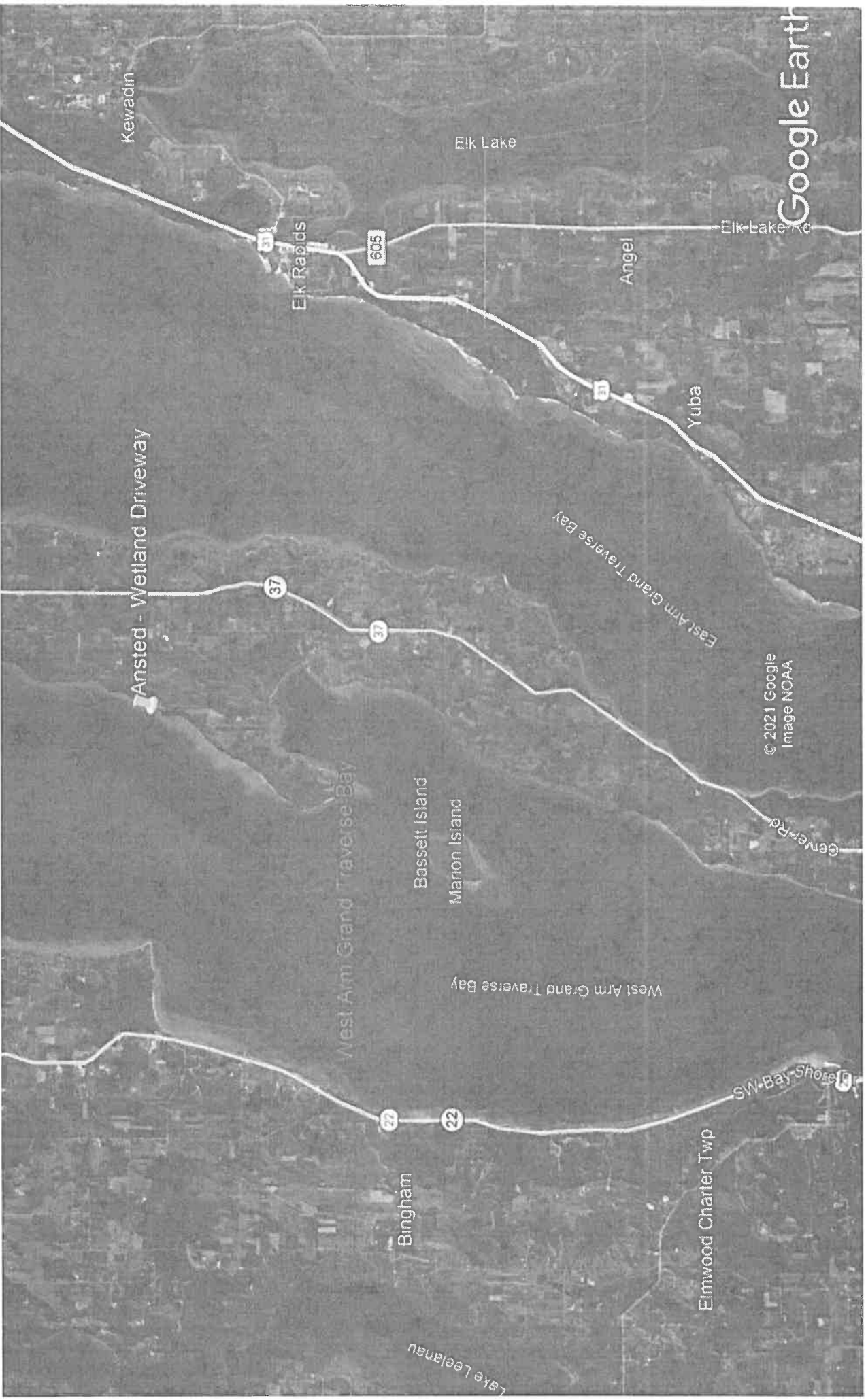
11. If the area does not dry out or freeze, construction shall be done on equipment mats to prevent compaction of the soil.
12. Upon completion of the project, the disturbed wetland areas shall be restored to the original contour elevation, revegetated and reseeded with species native to Michigan appropriate to the site, and mulched to prevent erosion.
13. This permit is limited to authorizing the construction as specified above and carries with it no assurances or implications that associated wetland or floodplain areas can be developed and serviced by the structures authorized by this permit.
14. This permit does not authorize or sanction work that has been completed in violation of applicable federal, state, or local statutes.
15. The permit placard shall be kept posted at the work site in a prominent location at all times for the duration of the project or until permit expiration.
16. This permit is being issued for the maximum time allowed and no extensions of this permit will be granted. Initiation of the construction work authorized by this permit indicates the permittee's acceptance of this condition. The permit, when signed by EGLE, will be for a five-year period beginning on the date of issuance. If the project is not completed by the expiration date, a new permit must be sought.

Issued By: 
Neil Schock
Cadillac District Office
Water Resources Division

ns:sh

Attachments

cc: Peninsula Township Zoning
Grand Traverse CEA
Jesse Mitchell, Agent

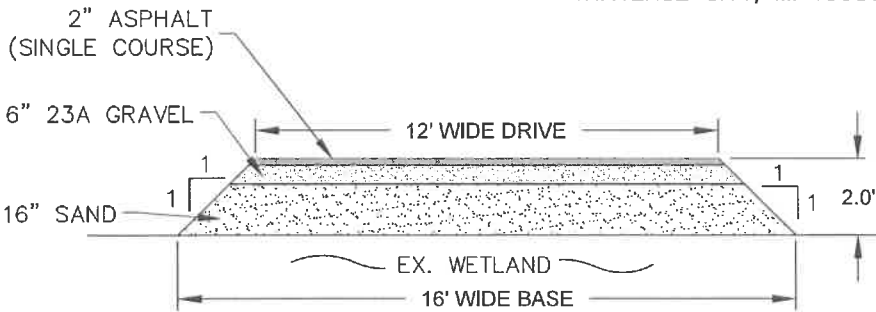
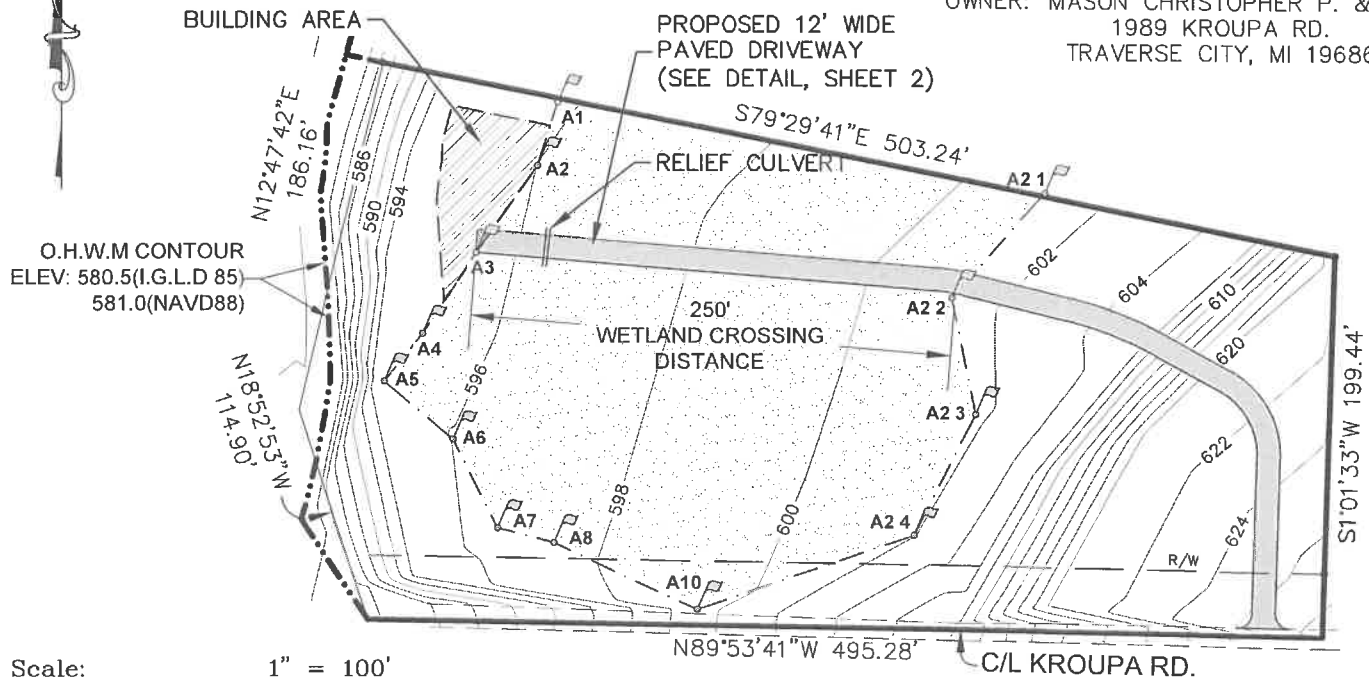


© 2021 Google
Image NOAA

SITE PLAN - WETLAND CROSSING

PARCEL ID: 11-108-001-82
OWNER/APPLICANT: JOHN ANSTED
PROPERTY ADDRESS: KROUPA ROAD
TRAVERSE CITY, MI 49686

ADJACENT PARCEL: 11-108-001-01
OWNER: MASON CHRISTOPHER P. & NANCY J.
1989 KROUPA RD.
TRAVERSE CITY, MI 19686



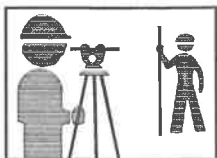
PROJECT LOCATION MAP
NOT TO SCALE

Jesse E. Mitchell
Professional Surveyor No. 4001054433

CLIENT: JOHN ANSTED

LOCATION:
PART OF SECTION 8,
TOWN 29 NORTH, RANGE 110 WEST,
PENINSULA TOWNSHIP,
GRAND TRAVERSE COUNTY, MICHIGAN.

DWN. MJC	DATE 7.22.2021	FILE NO. 20200353_EGLE
CK. WPM	F.L.D. BK. X PG. X	SHEET 1 OF 2

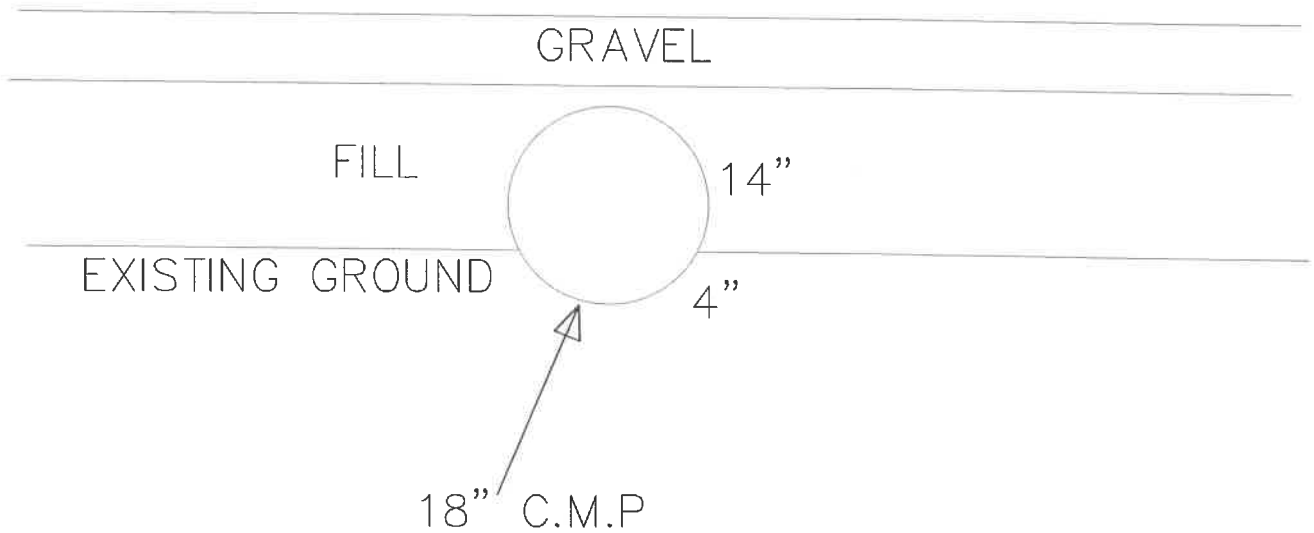


Bob Mitchell & Associates
SURVEYING / ENGINEERING
404 West Main Street P.O. Box 306 NORTH 1ST STREET
Kingsley, MI 49649 Harrison, MI 48625
(231) 263-5463 • FAX (231) 263-7921
Toll Free in Michigan 1-800-533-6627
email jesse@mapcivilsurvey.com

Approved
Issued On: 11/18/20

SITE PLAN - DETAIL

WETLAND RELIEF CULVERT DETAIL;

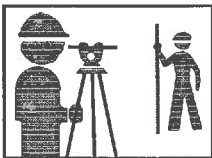


Jesse E. Mitchell
Professional Surveyor No. 4001054433

CLIENT: JOHN ANSTED

LOCATION:
PART OF SECTION 8,
TOWN 29 NORTH, RANGE 110 WEST,
PENINSULA TOWNSHIP,
GRAND TRAVERSE COUNTY, MICHIGAN.

DWN. MJC	REV 11.08.2021 DATE 7.22.2021	FILE NO. 20200353_EGLE
CK. WPM	FLD. BK. X PG. X	SHEET 2 OF 2



BOB MITCHELL & ASSOCIATES
SURVEYING / ENGINEERING

404 West Main Street P.O. Box 306 NORTH 1ST STREET
Kingsley, MI 49649 Harrison, MI 48625
(231) 263-5463 • FAX (231) 263-7921
Toll Free in Michigan 1-800-533-6627
email jesse@mapcivilsurvey.com

Approved
Issued On: 11/18/2021

Exhibit C

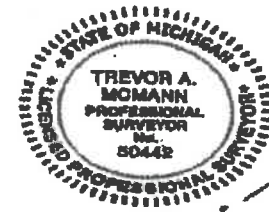
CERTIFICATE OF SURVEY



- Legend**
- Iron Found
 - Iron Set
 - ⊙ Monument Found
 - ⊕ Monument Set
 - ⊗ Nail Found
 - ⊘ Nail Set
 - ⊙ Stake Found
 - ⊘ Stake Set
 - ⊙ Benchmark
 - ⊘ Record
 - ⊙ Measured
 - ⊘ Section Corner

I HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE HEREIN DESCRIBED PARCEL(S) OF LAND; THAT THE RATIO OF CLOSURE OF THE UNADJUSTED FIELD OBSERVATIONS IS 1 IN 8000+ AND WITHIN THE ACCEPTED LIMITS AND THAT I HAVE FULLY COMPLIED WITH THE REGULATIONS OF ACT 132, P.A. 1970, AS AMENDED.

THIS PROPOSED PARCEL DIVISION MAY BE SUBJECT TO MUNICIPAL APPROVAL PURSUANT TO THE "LAND DIVISION ACT", P.A. 581, OF 1990, AS AMENDED.



PREPARED FOR: **JOHN AND SHARON BARTONE**

BASE OF BEARINGS: RECORDED PLAT OF FURN MEADOW

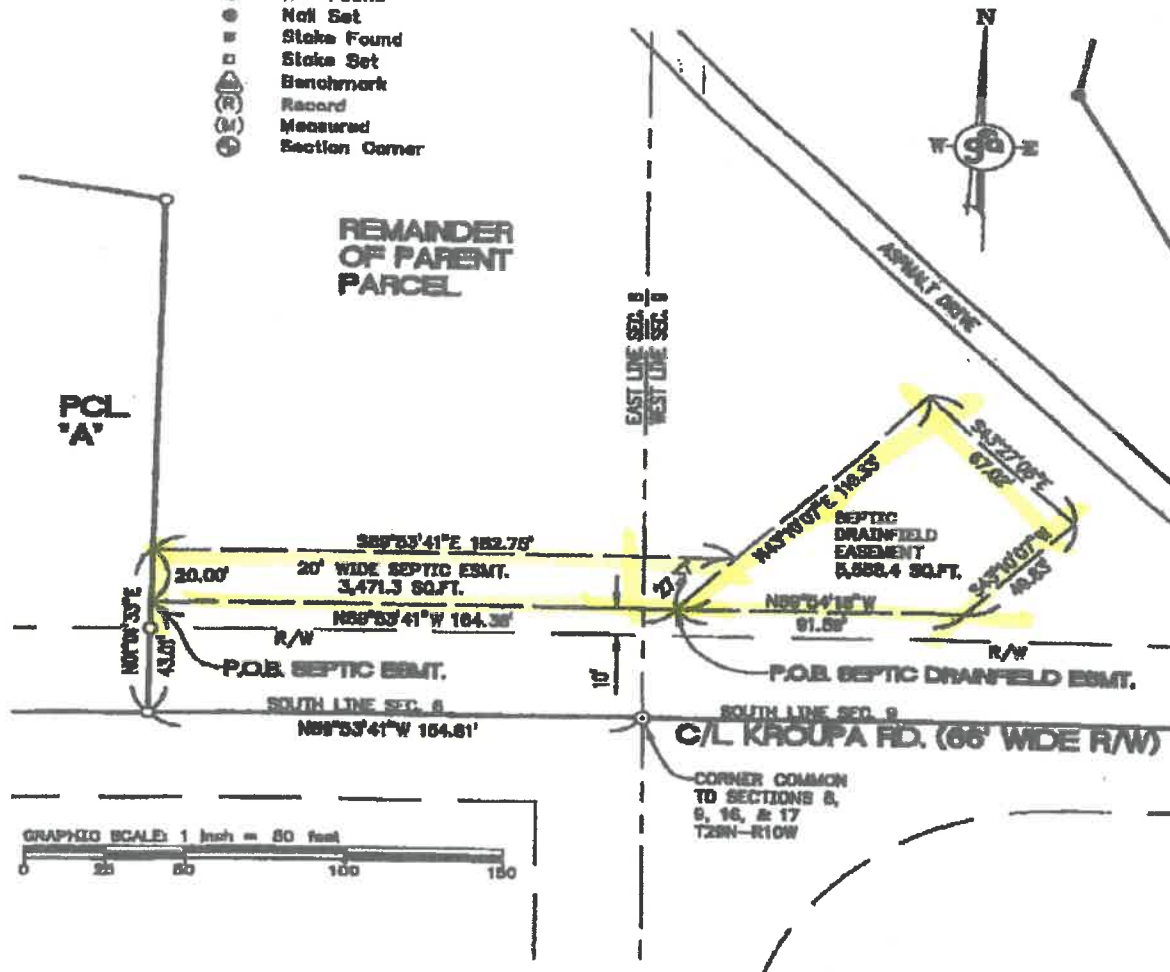
PE 251.041.3574 FAX 251.041.3750 www.gourdle-fraser.com 123 W. First Street Traverse City, MI 49604	<p>gfa Gourdle-Fraser Municipal Developer Transportation</p>	Location: PART OF GOV'T LOT 1, SECTION 8 AND PART OF GOV'T LOT 3, SECTION 8 T28N, R10W PENNSHULA TWP, GRAND TRAVERSE CO., MI	DTD: 04-27-11 DRA: BRUCE BADERMEIER DLS: G.D.L. (DLS: G.D.L.) 050215 EST 1 OF 4
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CERTIFICATE OF SURVEY

Legend

- Iron Found
- Iron Set
- ⊙ Monument Found
- ⊙ Monument Set
- Nail Found
- Nail Set
- Stake Found
- Stake Set
- ⚓ Benchmark
- (R) Record
- (M) Measured
- ⊙ Section Corner

THIS SPACE RESERVED FOR NUMBER OF PAGES



PREPARED FOR: **JOHN AND SHARON BARTONE**

BASE OF BEARING: RECORDED PLAT OF PEPIN MEADOW

PH 261.046.5674
FAX 261.545.1765
WWW.GOURDIE-FRASER.COM

120 W. First Street
Traverse City, MI 49604

gf Gourdie-Fraser
Metals | Development | Transportation

Location: **PART OF SDPT LOT 1, SECTION 8
AND PART OF SDPT LOT 3, SECTION 9
T29N, R10W
PENINSULA TWP, GRAND TRAVERSE CO, MI**

DATE: 04-07-11
FILE: DEEDS BARRACLOUGH
SLS: SLS: FILE: NAME
05821B
SHT 2 OF 4

Exhibit D

PHONE: 231.995.6051 FAX: 231.995.6033 EMAIL: eh@grandtraverse.org



GRAND TRAVERSE COUNTY ENVIRONMENTAL HEALTH SITE SURVEY APPLICATION

Requested by: Owner ☐ Agent ☐ Purchaser ☒ Type: Residential ☒ Commercial ☐

Site Address: Kroupa Road LOT(see attached) Property Tax ID: 28-11-108-001-02

City: Traverse City Zip: 49686 Township: Peninsula Section: 8

Subdivision: Metes and Bounds. Use 1989 Kroupa Road in your GPS to get to the property. Go down the unimproved portion of Kroupa road and you will see Maureen Penfolds

Directions: Remax sign. That is near the front (Eastern)boundary. Septic easement is at the top of the hill. Chrisy Andersen will stake it for you.

Please note: The Sanitarian reserves the right to request a backhoe be present for difficult sites at the applicant's expense*

Applicant's name: Dan Ostrander Phone: 713 725 1617

Mailing address: 66 Stalybridge

City: State: Zip: Sugarland Texas 77479

Please send report to: circle one CALL EMAIL FAX MAIL

Email: Danostrander@comcast.net. (Purchaser).
Cindy@traverscityproperties.net (Real Estate Agent for the Purchaser)

Mail to:

Mailing Address:

City, State, Zip:

To process this request, it must be accompanied by a detailed site plan and correct fee. Please use the back of this form or attach appropriate documentation. Failure to submit all required documentation may delay the process of this fieldwork and report.

I hereby authorize Grand Traverse County Health Department to evaluate the above described property to determine its suitability for the development plans indicated, and to conduct such tests as may be necessary in order to obtain the information required for this evaluation. I also agree to comply with the Environmental Health Regulations for Grand Traverse County, and with the applicable laws of the State of Michigan.

SIGNATURE (owner or agent)

Daniel Wayne Ostrander

dotloop verified
04/11/18 4:25PM EDT
RZUR-VTDI-T2D5-061L

DATE:

4/12/18

Please note: We did speak with Brent and he said he could be present when the Purchaser is in town on April 23rd (Monday) at 9:30 AM. The Purchaser will be there with his site person, however it is not their intention to have a back hoe there. Please advise if an auger will be needed. They would like to explore options besides the septic easement for possible septic sites primarily on the northeastern portion of parcel A. In addition they want to have a perk evaluation done for the septic easement to be assured that 2 septic mound systems as drawn would still be applicable. We will attach the survey work for the drain easement and the property.



GRAND TRAVERSE COUNTY HEALTH DEPARTMENT

2650 LaFranier Road
Traverse City, MI 49686
Phone: 231-995-6051

SITE SURVEY NO. 9016

Property Tax No. 28 11 108 001 002

Residential ☒ Commercial ☐

Requested by: ☐ Owner ☐ Agent ☒ Purchaser

Date: 4/26/18

Name: DAN OSTRANDER

Phone No. 713-725-1617

Address: 66 STAYBRIDGE SUGARLAND TEXAS 77479

Location of Property (Including Driving Directions) Township PENINSULA Section 8

USE 1989 KROUPA RD IN GPS TO GET TO PROPERTY. CONTINUE ON UNIMPROVED
PORTION OF KROUPA RD THAT LEADS WEST TOWARDS WEST GT BAY. PARCEL
A IS ON THE NORTH SIDE OF THE RD.

Subdivision: _____ Lot No. PARCEL A

Soil Conditions: EASEMENT TEST HOLE SOILS: 0-12" LOAMY SAND DARK BROWN, 12-34" LOAMY SAND
REDDISH BROWN, 34-44" MEDIUM SAND LIGHT BROWN LIGHT @ 43". VARIOUS TEST HOLE NOTES
COMPLETED IN THE APPROXIMATE AREAS SHOWN ON THE REVERSE ON PARCEL A. ALL TEST HOLE'S
ENCOUNTERED HIGH GROUND WATER TABLE OF 18" OR LESS.

On-Site Sewage Disposal: ☒ Suitable ☐ Unsuitable *SUITABLE FOR PRESSURE MOUND SYSTEM IN EASEMENT

Reasons/Suggestion for Solution: SOILS ON PARCEL A ARE NOT SUITABLE FOR ONSITE WASTEWATER DISPOSAL
DUE TO HIGH GROUNDWATER. SEE SITE SURVEY 8068 (2005) FOR TEST HOLE'S. THE EASEMENT CREATED ON THE SOUTH
EAST CORNER OF THE PARENT PARCEL IS SUITABLE^{ONLY} FOR A PRESSURE MOUND SYSTEM DUE TO HIGH GROUND
WATER TABLE (43"). ADDITIONALLY PMS CODE REQUIRES AN AREA FOR A RESERVE FIELD AS WELL, THUS THE EASEMENT
IS ONLY SUITABLE FOR FOUR BEDROOMS.

COMPLETED DURING THE PERMITTING PROCESS

4/23/18

(Date of Inspection)

EXACT LOCATION, SIZE AND DESIGN WILL BE

BA WHT
Environmental Health Representative

Received: 250.00 for Site Survey

Receipt No. 44793

Date: 4/13/18

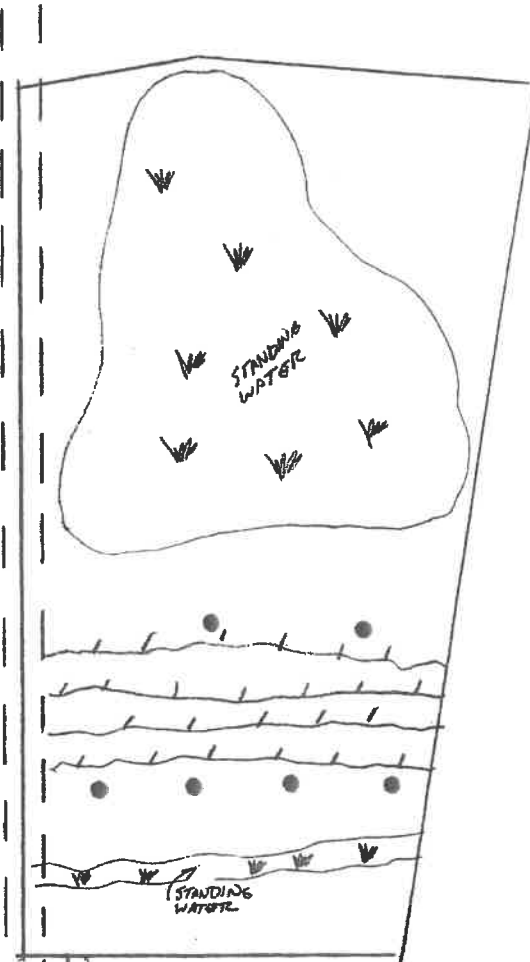
—THIS IS NOT A PERMIT—

3100

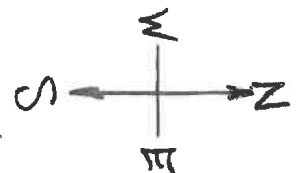
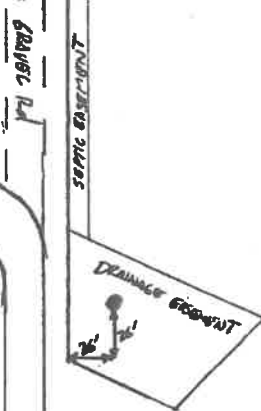
11-108-001-02
4/26/18

PARCEL A

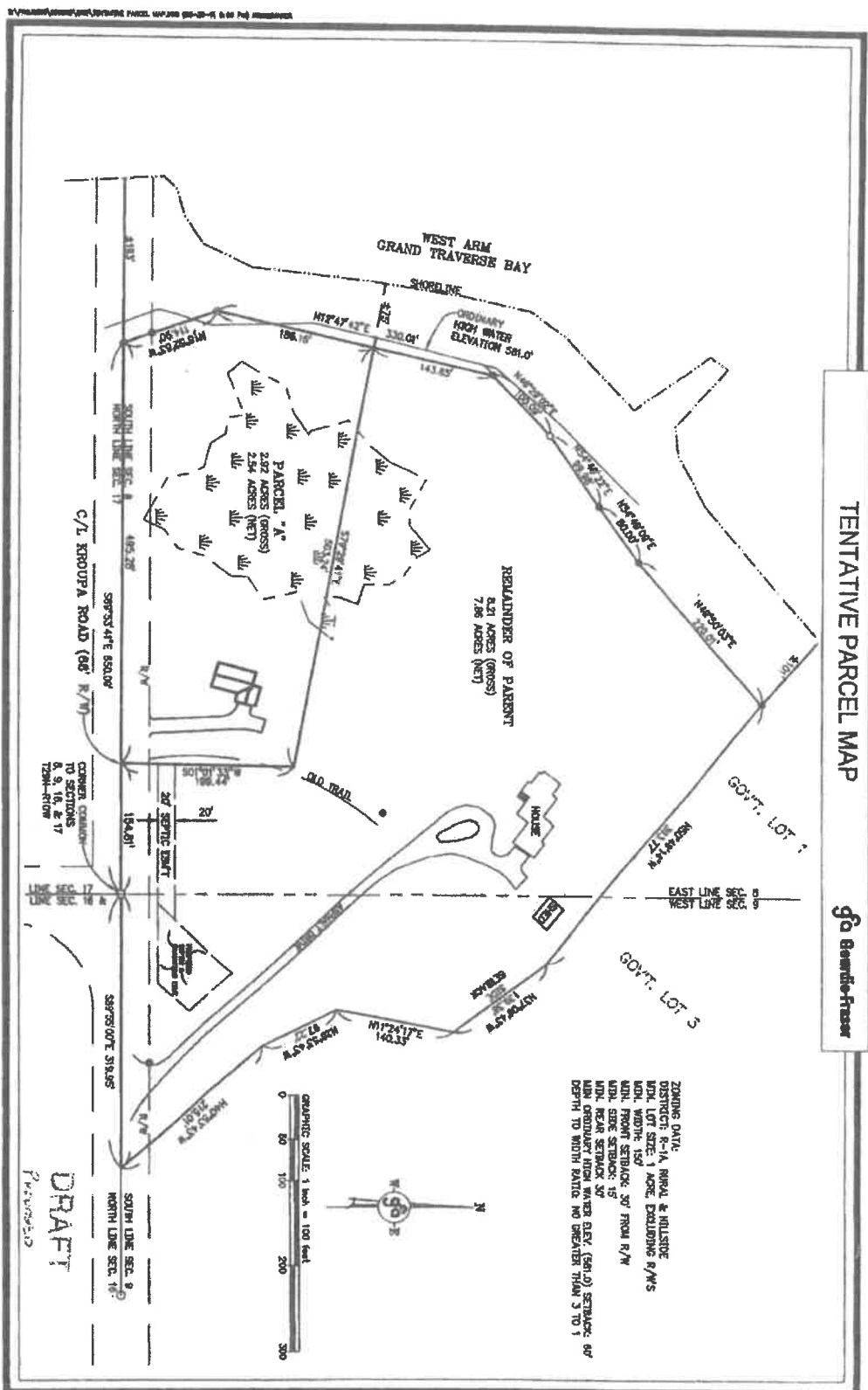
BOWL



● = TEST HOLE LOCATION



Dr. Bawle-Fraser



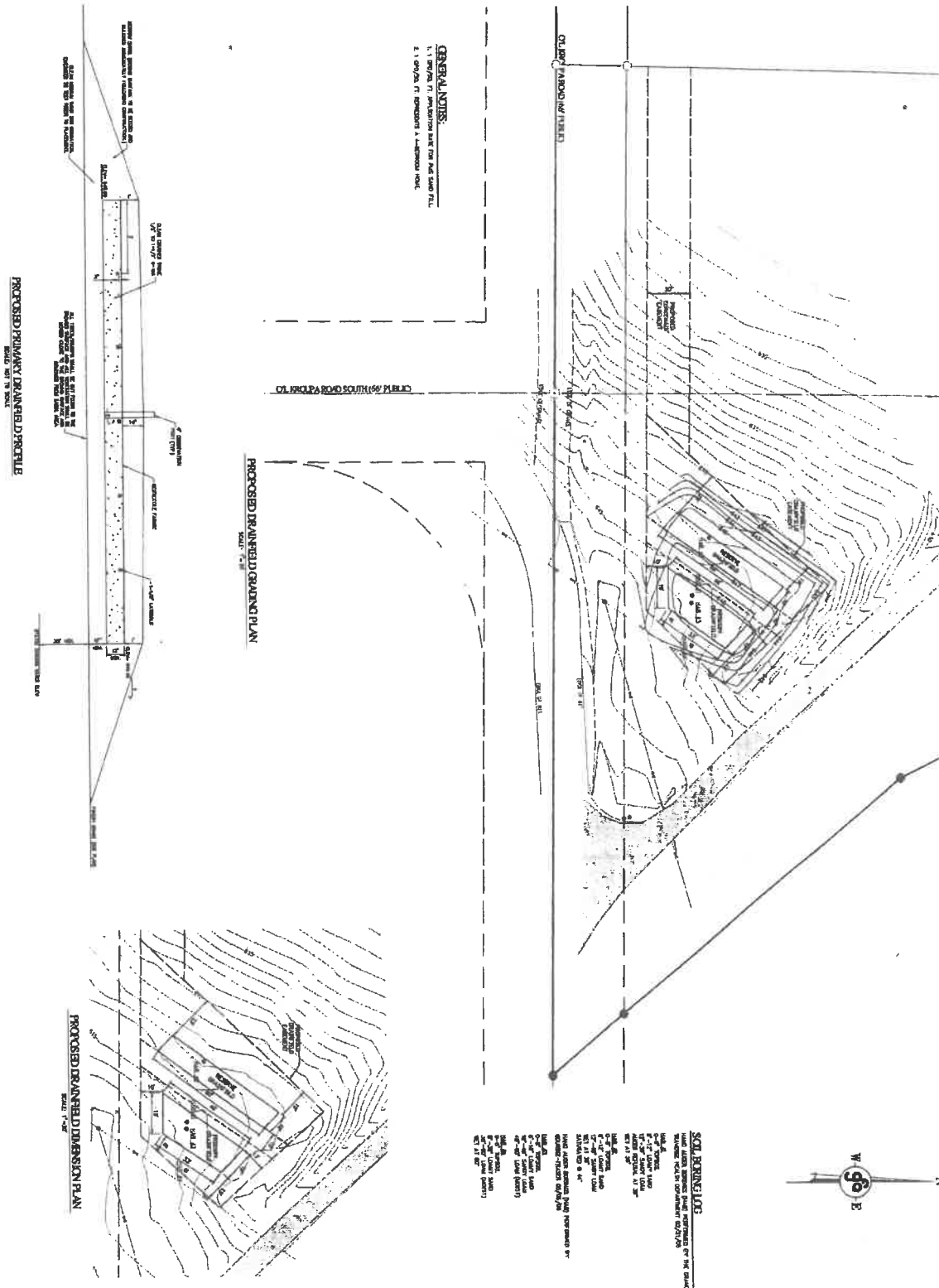


Exhibit E

May 4th , 2023

Peninsula Township Planning and Zoning Dept.

13235 Center Rd.

Traverse City, MI 49686

Ref: Request No. 903 Zoning R-1A

Applicant John C. Ansted Sr. Trust, 10215 Peninsula Drive, Traverse City, MI 49686

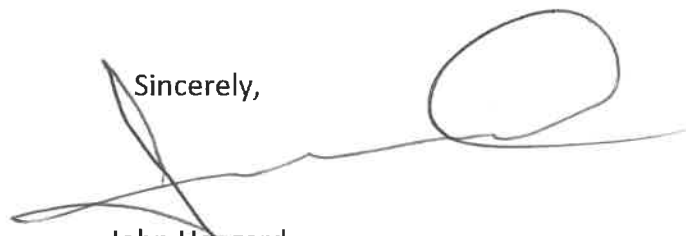
Owner: John C Ansted Property Address: Kroupa Road, Traverse City, MI 49686

- 1.) Requesting a variance from section 6.8 to construct a single family residence with an attached garage 50ft from the ordinary high water mark where 60 ft is required.
- 2.) Requesting a variance from section 6.8 to construct a single family residence with an attached garage 15 ft from the rear property line. Where 30 ft is required.
- 3.) Requesting variance from section 7.4.7)A) (1) and (2) to construct a drive way within a wetland.

To Whom It May Concern,

Upon reviewing the above notice, I would like to express my view on the above request. Haggard's Plumbing & Heating is not opposed to the changes of the property and/or the request. If a property owner is fortunate enough to have the ability and the recourses in this time to either build and/or improve their existing property, it would only help the economy continue to grow. It would prove positive for the local, county, and state to do all we can to improve and promote in anyways possible.

Sincerely,



John Haggard

Haggard's Plumbing & Heating

Minutes

PENINSULA TOWNSHIP

13235 Center Road, Traverse City MI 49686

Ph: 231.223.7322

PENINSULA TOWNSHIP ZONING BOARD OF APPEALS MINUTES

April 18, 2023, 7:00 p.m.

1. Call to Order: 7:00 p.m. by Dolton

2. Pledge

3. Roll Call: Present: Elliott, Wahl, Dolton Dloski; Absent: Ammerman; Also present: Jenn Cram, Director of Planning and Zoning

4. Approve Agenda:

Moved by Dloski to approve the agenda as presented, seconded by Elliott
approved by consensus

5. Conflict of Interest: None

6. Brief Citizen Comments (For Non-Agenda Items Only): None

7. Business:

a. Approval of Meeting Minutes: ZBA Regular Meeting March 21, 2023

Discussion of voting procedures for ZBA members and alternates

Moved by Wahl to approve the minutes as presented, seconded by Elliott
approved by consensus

8. Reports and Updates:

a. Training Opportunities and Preferences

Cram: asked the ZBA members if anyone had taken training since joining the ZBA? Elliot has taken the Citizen Planner Course twice. Dloski had taken the course several years ago as well. Presented the online option of the MSU Citizen Planner Course for fifteen hours as an option as a broad topic training, as well as training presented by the township's legal counsel specific to cases and perhaps include team building. In addition, Michigan State Extension offers a six-module online course.

Discussion of options and costs

Cram: agrees with members completing the online course first and then preparing a list of topics relevant to the ZBA; the attorneys could provide training at a later date. Feels consistent training for both the ZBA and Planning Commission is important. Will research options and timeline for training and will report back to the ZBA.

Discussion

Dolton: pleased with the procedures being put into place for applications.

Cram: will require pre-application meetings, working on documents and steps for applicants to submit complete applications. It is important that public notice is correct for hearings.

Discussion of the paperwork provided in requests/applications for variances

Dloski: discusses practical difficulty and the four standards versus the seven standards.

Discussion

Dloski: mentions follow-up to the ZBA when a circuit court decision or opinion is reached on an appeal or a case. This feedback can help with decisions.

Cram: staff receives a copy, and it is public record.

9. Citizen Comments: None

10. Board Comments:

Cram: the ZBA meeting will be held next month regarding the Ansted case.

Wahl: requests a site visit.

11. Adjournment: 7:40 p.m.

Moved by Elliott to adjourn, seconded by Wahl

approved by consensus