

PENINSULA TOWNSHIP

13235 Center Road, Traverse City MI 49686

Ph: 231.223.7322 Fax: 231.223.7117

www.peninsulatownship.com

PENINSULA TOWNSHIP PLANNING COMMISSION MEETING AGENDA

December 20, 2021, 7:00 p.m.

Agenda

1. **Call to Order**
2. **Pledge**
3. **Roll Call**
4. **Review for Conflict of Interest**
5. **Brief Public Comments**
6. **Additions to Agenda/Approval**
7. **Consent Agenda**
 - a. Approval of Meeting Minutes: Planning Commission Regular Meeting, November 15, 2021 and Planning Commission Special Meeting, December 2, 2021
 - b. Correspondence
8. **Reports**
 - a. Committee Reports
 - i. Master Plan Committee (Shipman/Alexander)
 - ii. Zoning Ordinance Committee (Hall/Dloski/Hornberger/alt. Wunsch)
 - iii. Projects Status (Shipman/Hodges)
9. **Business Items:**
 - a. Bonobo Winery SUP #118 – Amendment Update (No action required)
 - b. Peninsula Shores PUD #123 – Amendment #2 Request
 - c. Bed and Breakfast SUP Application – 11594 Peninsula Drive
10. **Public Comments**
11. **Other Matters or Comments by Planning Commission Members**
12. **Adjournment**

Minutes

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PENINSULA TOWNSHIP PLANNING COMMISSION MEETING MINUTES

November 15, 2021, 7:00 p.m.

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

2. Pledge

3. Roll Call:

Present: Hornberger, Hall, Dloski, Alexander, Shipman, Wunsch; Absent: Couture; Also present: Deeren

4. Review for Conflict of Interest: None

5. Brief Public Comments:

John Wunsch, 17881 Center Road: Correction to Gordon Hayward's memorandum regarding winery/chateau and PDR intersection in the packet. Line g should be corrected to support instead of principle.

Dave Edmondson, 12414 Center Road: Questioned agenda, the first item in the amended agenda should be pulled to give time for citizen and board discussion.

Kurt Peterson, 1356 Buchan Road: Commented on 8. Business, 2 ii: actions. Asked if there will be any actions or vote this evening?

Shipman: No

Scott Howard, Olson, Bzdok & Howard, representing the Haddox family: Spoke on business item nine. Asked that the Peninsula Shores PUD #123 – Amendment #2 Request be denied. In a previous planning commission meeting, he stated his opinion that the changes to the open space and consistency would be detrimental to his client's home and view.

6. Additions to Agenda/Approval:

Shipman: The amended agenda has two additions: the new 9a. is the Winery Ordinance Amendment Proposal, the agenda items have been re-lettered, and the addition of 9f., Sean McCardel – Peninsula Farms SUP Revocation Request

Dloski: Asked when the agenda was amended.

Shipman: Today, but the material came in last Thursday; the offices were closed for Veterans Day. Guidance from the clerk indicated to add the items. Deeren added item f. today.

Moved by Alexander to approve agenda as amended, seconded by Wunsch.

Yes: Alexander, Shipman, Wunsch, Hall, No: Dloski, Hornberger

approved by consensus

7. Consent Agenda:

a. Approval of Meeting Minutes: Planning Commission Meeting, October 18, 2021

b. Correspondence

Moved by Hornberger to accept consent agenda, as presented, seconded by Dloski.

approved by consensus

8. Reports:

a. Committee Reports

i. Master Plan Committee (Shipman/Alexander)

Alexander: The committee met on October 28, 2021, and looked at the master plan and new maps with properties with zoning changes. The future land use and existing land use maps were updated.

Dloski: At the last meeting the master plan was sent to the township board. Was there any communication from the township board on the master plan? Once looked at, they will direct the planning commission to publish it.

Shipman: The township board meets on Thursday and it is on the agenda.

ii. Zoning Ordinance Committee (Hall/Dloski/Hornberger/alt. Wunsch):

Hall: up to date

iii. Projects Committee (Deeren)

Deeren: The township board directed Deeren/Sanger to go through the zoning ordinance with a small group of citizens and incorporate the changes into the ordinance. It is open for a public hearing on Thursday at the township board meeting.

Wunsch: The Citizens' Committee to address the WOMP lawsuit has been moved under the umbrella of the planning commission. Alexander has joined the committee. The group will review ordinance language for winery/winery chateau/agriculture uses and will propose changes.

Hall: Asked how this will work with the pending lawsuit.

Wunsch: No change will occur until the lawsuit is resolved.

9. Business Items:

a. Winery Ordinance Amendment Proposal

Shipman: The material is in the packet.

John Wunsch: Reviews history of the discussion and the packet material including the update letter, dated 11/11/2021, the proposed language, a letter from Virginia Coulter (Past Planning Commissioner and Chairperson), and the letter from Gordon Hayward dated 11/15/2021 using the legal opinion from Richard Ford. This is not in conflict with the lawsuit.

Alexander: Commented that it is time to un-table this and discuss it.

Wunsch: The board interpretation has been consistent in how the policy has been applied in the township, would feel comfortable deciding on this issue. This appears to be an interpretation instead of a change of policy direction.

Dloski: Not comfortable with how this came to the agenda this evening.

Discussion

Deeren: Asked why in the current zoning ordinance it has the five acres delineated and why was it taken out of f. in the current language.

J. Wunsch: This language updates to speaking not to five-acre areas because those represented the ability to have a house, but instead it tries to define that ability to have a house as a residential equivalent.

Hall: Has looked hard at this and is uncertain that is clarification or a substantive change; suggested the planning commission do an overlay statement about it.

Moved by Dloski to table the Winery Ordinance Amendment Proposal, seconded by Hornberger. approved by consensus

Shipman: Convene a committee around it: Hall, Dloski, Alexander, and the township attorney.

b. Bonobo Winery SUP #118 - Amendment Update (No action required)

Shipman: Items in the application are under review.

Wunsch: Attorney Meihn should be consulted on how to approach this with the ongoing winery lawsuit.

Discussion

c. Introduction: Brys Estate SUP#115 – Amendment #5 Request

Shipman: The material is in the packet.

Jennifer Hodges, Gordie-Fraiser: Brys Estate SUP#115 – Amendment #5 request was received on October 18, 2021. It is administratively complete. The overview is the addition of a 760 square foot brick terrace and 1468 square foot raised deck area. Gordie-Fraiser is conducting an overview of the project. The application, the original SUP and amendments, and drawings are in the packet.

Walter Brys, 3039 Blue Water Road, representing Brys Estate for SUP #115-Amendment #5: Gave history of the amendments approved through Peninsula Township. The request for a lower-level deck is to give a better view of the vineyard and East Bay. There will be no change to the existing building and structure. The winery chateau requirement is still being met. The parking requirement exceeds the zoning requirement. The reason for the request stems from COVID when the guests used the outdoor grassy area; this was not an ideal situation. The new structures reduce the need for the lawn area but address the COVID issue. This will be a clean and safe area for guests and the new deck has handicap access. The same process for storm water is in place as with the previous decks with the use of six inches of river rock under the deck to capture the water. Believes it will not affect the neighbors. Reviewed parking plan in the packet.

Dloski: Asked what the current seating capacity for the existing decks and what is the seating capacity for the new deck.

Brys: The first is approximately 58 occupants, the second is 39 occupants, and the new deck is 40 occupants. The brick terrace will be expanded to connect to the deck.

Shipman: Refers to the packet to confirm the numbers.

Alexander: Asks for further explanation of the setbacks to the crops and the guests in an agricultural setting.

Deeren: Two-hundred-foot setback for guests and crops.

Brys: The spraying does not take place during business hours.

Discussion

Shipman: The planning commission has not received the full application. Reviewed next steps. Can assign to a review committee, request additional information, and in rare circumstances, the project would be assigned to a development review committee

Hodges: The application is administratively complete. Hodges will track the other agencies and collect the final agency review letters, and outstanding items before a public hearing takes place.

Alexander: Check with Meihn to review for conflict with the winery lawsuit.

Discussion

d. Introduction: Peninsula Shores PUD #123 – Amendment #2 Request

Hodges: Refers to the packet. This is the second amendment; the application came in on October 26, 2021. It is intended to modify the arrangement of several lots, relocate a parcel, and transfer a parcel to an adjacent neighbor. The realignment is pertinent to units thirty-eight through forty-one, removal of parcel A, which was waterfront access for unit one. It is to encompass the relocation of unit one which is in the front entrance near units twenty-nine and thirty in the back. Reviewed history of the PUD.

Dloski: Is this the same amendment that was before the Planning Commission at an earlier date?

Hodges: Yes, with some added items. It was discussed but no action was taken. Parcel one was discussed so there are added things.

Hornberger: Unit one is in the same place?

Deeren: It has been shifted to the west to get out of the view of the adjacent neighbor.

Hornberger: It is directly across the street from unit thirty, before where was it in the previous request?

Kyle O'Grady, 416 Michigan Avenue, representing Peninsula Shores: Lot one was moved to the west, closer to the emergency access. For this proposal, unit one is to be relocated, lot lines for units thirty-eight through forty-one are shifted.

Hodges: Shows color diagram in the packet for reference.

O'Grady: A small portion, the waterfront portion, not where lot one was itself, will go to the neighbor's property, sixty-six feet of waterfront. Last time we decided it would not be its own parcel I.D.

Discussion

Dloski: Transfer is contingent on plan approval, the new lot thirty, moving lot one.

O'Grady: It is referred to as lot one. Discussed frontage and usage.

Dloski: There was a large uproar last time over this location of lot one.

O'Grady: The neighbor to the north objected and did not want the current open space to be utilized for a residence. Taking that property and moving it the north side alleviates the home on the southern part of the property therefore forever being in a view shed at Bluff Road and Boursaw Road, so the utility of moving that lot not only helps us as developers but also helps the number of eyes that are physically on the home. O'Grady believes this is a better plan. He has reached out to the neighbors.

Dloski: When it is initially approved, was the area of lot one cleared of trees?

O'Grady: No

Deeren: Suggested site visit.

Dloski: Can lot one be moved further to the west?

O'Grady: This is the best location for the home, looking at many factors including septic and utilities.

Alexander: When looking at lots thirty-eight through forty-one, there is a lot of slope; asked for an explanation the changes.

O'Grady: Will not build down the hill; pulled back and widened the lots on the top of the hill for a flatter and better building envelope. That is the difference from last time.

Moved by Dloski to table Peninsula Shores PUD #123 – Amendment #2 Request, until the full application is received, seconded by Wunsch.

approved by consensus

Discussion about forming a project committee

e. Introduction: Bed and Breakfast Application – 11594 Peninsula Drive

Hodges: Refers to the packet for the application information for the bed and breakfast for 11594 Peninsula Drive. The application was received on November 3, 2021. The application was administratively complete. This will utilize a two-bedroom, one-bath space for up to eight occupants.

Beth Schroeder, 11594 Peninsula Drive: Reviews application details for the bed and breakfast.

Hornberger: Is this your permanent home?

Schroeder: Yes

Shipman: Reviewed bedroom square footage and occupancy according to the ordinance: bedroom one, three occupants; bedroom two, two occupants. That would be five total. What about the sitting area?

Schroeder: There would be a maximum of eight occupants with the queen-size pull-out sofa in the sitting area. Most likely would be six. Will abide by the limitations.

Shipman: It would be seven total occupants according to the square footage in the ordinance.

Discussion

Moved by Dloski to table Bed and Breakfast Application – 11594 Peninsula Drive until the full application is received, seconded by Hornberger.

approved by consensus

f. Sean McCardel – Peninsula Farms SUP Revocation Request

Deeren: In January 2020, Sean McCardel had approval from the planning commission and the township board for the SUP but he did not purchase the property. The plans need to be revoked so no one can use the plans for the development.

Sean McCardle: Deeren has summarized it well; McCardle wishes to have the SUP revoked.

Shipman: Will need documentation.

Dloski: This needs to be recommended to the township board that the Peninsula Farms SUP should be revoked.

Discussion

Moved by Dloski, that the planning commission recommend to the township board that the Peninsula Farms SUP is to be revoked at the request of the principal, seconded by Hornberger.

approved by consensus

10. Public Comments:

Kurt Peterson, 1356 Buchan Drive: Recommended that the planning commission does not send the zoning changes to the township board. Citizens have made these changes/recommendations, not the planning commission. The Michigan Zoning Enabling Act Section 125.3308 states that the township body has to make these changes. Recommended that the planning commission make these changes.

Dave Edmondson, 12414 Center Road: Commented on the PDR amendment issue, brought up and posted today. Time needs to be allowed for review. It is just wording or a substantive change? This affects his function in the PDR program. Bonobo did not have a retained development right to do that sight. Stated that there is misinformation of the PDR rights and the movement for that site; asked the planning commission to practice accuracy.

11. Other Matters by Planning Commission Members:

Deeren: The township board has had the zoning ordinance for several months and has held open public hearings. The changes made by the committee were made from what came from those meetings on the township board level and will go to the township board for another public hearing. They will be on the website for review.

Discussion

Hall: The township attorney should review this.

Wunsch: Meihn should do a legal review on language and impacts on winery ordinance amendment proposal. The overlay of winery chateau and PDR land should be reviewed. Look at the precedent from the past.

Discussion

12. Adjournment:

Moved by Dloski to adjourn, seconded by Hall

Approved by consensus

Adjournment at 8:50 p.m.

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PENINSULA TOWNSHIP PLANNING COMMISSION SPECIAL MEETING MINUTES December 2, 2021, 3:00 p.m.

1. **Call to Order:** 3:00 p.m. by Shipman
2. **Pledge**
3. **Roll Call:** Present: Hall, Alexander, Shipman, Hornberger, Couture, Dloski; Absent: Wunsch;
Also present: Deeren, Attorney Meihn
4. **Review for Conflict of Interest:** none
5. **Brief Public Comments:**
Deeren: Read Nancy Heller's letter into the record.

NANCY R. HELLER
3091 Blue Water Road
Traverse City, MI 48823

December 1, 2021

Peninsula Township Planning Commission
13235 Center Road
Traverse City, MI 49686

Dear Peninsula Township Planning Commission:

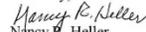
Due to a prior commitment, I am unable to attend the December 2, 2021, special meeting regarding the Peninsula Township Zoning Ordinance rewrite. I have many concerns on several of the changes.

One of the major concerns is the Structures definition. If this is adopted, it will create additional legal nonconforming structures. This means in order to make nonconforming changes the applicant would be required to request a variance from the Zoning Board of Appeals plus pay a \$1,000 fee and meet the six basic conditions outlined in the ordinance.

Below please find my previous comment made during the November 18, 2021, township board meeting.

"...Wants to pass the rewrite but immediately revisit it, as certain problem areas remain that need attention and are worrisome, such as the definition of "poles." Do you have to pay a permit fee and fill out an [LUP] application to put up a mailbox? A flag? A tent? Does TC Light & Power have to have a permit and pay a fee to put up telephone poles? Is worried the language as written will create a lot of legal non-conforming structures."

Thank you for time and consideration regarding this matter.

Sincerely,

Nancy R. Heller

Monnie Peters, 1425 Neahtawanta: The Michigan Zoning Enabling Act, article IV, page 9, section 401(3) says the TB (Legislative Body) may send a proposed zoning amendment back to the PC (what is called the Zoning Commission) after a public hearing at the township board. The law says "for consideration and comment." I gather Rob put this on your agenda and didn't include a "within a time specified by the legislative body." The planning commission has their authority and direction, per the state law, to comment only on the report presented by the committee (that you were on) to the township board. The comment can be "no comment" or specific comments on any line item in the report that was in the planning commission packet. The township board is only asking for comments, not approval.

Township board meets December 14, 2021 so you have plenty of time to write to the township board. Let me add, that the objective is to get this zoning ordinance rewrite passed, as it is an excellent platform to build on. Sanger's committee, the report/spreadsheet he put together has minor things (and two areas that just don't seem appropriate, both commercial junk yards and indoor recreation); the township board knows that there are several high priority amendments that the planning commission must start working on immediately, including the winery section, activities on agricultural production land, structures, short-term rentals and use and height restrictions in the commercial zone.

Kurt Peterson, 1356 Buchan Road: Agreed with Monnie Peters. Asked that the planning commission pass the amendments/changes that were made by the citizen committee.

6. Additions to Agenda/Approval:

Moved by Dloski to approve the agenda, as presented, seconded by Couture

approved by consensus

7. Consent Agenda

a. Consideration and comment of Zoning Ordinance Changes – Per request of Peninsula Township Board of Trustees – as amended after township board public hearings.

b. Correspondence

Kurt Peterson: Asked to move consent agenda item 7a to business items.

Moved by Shipman to pull item 7a from the consent agenda and place it under business as 8a and business item 8a becomes 8b, seconded by Alexander

approved by consensus

Moved by Hornberger to approve the consent agenda, as amended, seconded by Couture

approved by consensus

8. Business Items:

a. Consideration and comment of Zoning Ordinance Changes – Per request of Peninsula Township Board of Trustees – as amended after township board public hearings.

Deeren: Dave Sanger and Deeren met with a committee to include everything that came in after the rewrite and address everything. Refers to the Excel Spreadsheet in the packet of items reviewed and changed. This represents the final product that will be presented back to the township board; hope to open a public hearing to these changes. A committee will eventually form to consider amendments to these ordinances.

Alexander: Asked if a secondary dwelling/guest house needs to be on a separate lot. Refers to the secondary dwelling and guest house column on the spreadsheet.

Deeren: In order to have two separate dwelling units, the frontage and property need to be doubled (to build a secondary dwelling). They need to be able to be legally divided by land division.

Alexander: Asked about the five-year time frame on roadside stands and fifty-percent of products.

Deeren: Picked up through part of GAAMPS; there is a GAAMP affiliated with that but not currently in the ordinance. The GAAMPS change on a regular basis.

Alexander: Commented on 12-1, can the township board set fees?

Deeren: The fee chart cannot be attached to the ordinance. An amendment would be needed if a fee was changed.

Alexander: Referred to 13-1, on enforcement; certain requirements are needed to go onto property for public health; suggested a chart for the public to refer to for the requirements for certain violations.

Deeren: It was seven days; was removed to allow immediate action. Zoning will work with individuals to come into compliance. The ordinance is not a place for examples.

Discussion

Hall: Referred to 1-1, 1.05: the far-right column references the right to farm act. If the right to farm act addresses a situation, then zoning is preempted. This is valuable to raise awareness about right to farm and GAAMPS. Discussed changes to wording and asked for a legal approach.

Couture: In the past, the consultants made sure our ordinances complied with the right to farm act and GAAMPS.

Shipman: Discussed the definition of a pole, reference Nancy Heller's letter.

Moved by Dloski to recommend to the township board to adopt the zoning ordinance changes, in the proposed zoning ordinance, seconded by Hall

Roll call

approved unan

Chown: Asked if a professional was hired to do an overview of the zoning ordinance rewrite.

Deeren: McKenna and Associates did a professional overview at the time.

Chown: Will collect formal comments for the December 20, 2021 meeting as the township board meets on December 14, 2021.

b. PC training session with Greg Meihn, Township Attorney

Meihn: The planning commission is responsible for the zoning ordinance and putting together the final product. The crafting of an amendment is done by the planning commission before going to the township board. Discussed the authority of the planning commission. Meihn's job is to ensure that it is legally compliant. Discussed the purpose statement found in the zoning ordinance as it applies to decision making by the planning commission.

Dloski: Asked about the review process for the planning commission. Applicants come before the board for informational purposes; is there a way the township can process the application so it is complete and the planning commission can act on it in the meeting?

Meihn: The application should be complete and revised before it comes before the planning commission. Starting on December 15, 2021, the planning commission and zoning board of appeals applications will be vetting by the township attorney.

Discussion

Hornberger: At the next township board meeting, they will suggest another public hearing.

Discussion of the revision of ordinances.

Dloski: Asked about the procedure of moving a consent agenda item to business by a citizen.

Meihn: Yes, a citizen can move a consent agenda item to business. Explained the use of the consent agenda.

Discussion

Shipman: Regarding the application process, there is a need to pay greater attention to a staff report as to what was reviewed, including looking at the original application.

Discussion of the review of applications.

Meihn: Brief update of WOMP lawsuit for the planning commission members.

9. Public Comments

Dave Sanger: Commented on Meihn's planning commission training; the planning commission is important and the planner works for the planning commission. The zoning ordinance needs to be readable and enforceable. Finally, the ordinance needs to move forward, and it can be amended after it is approved.

Discussion

John Jacobs, 5290 Forest Avenue: Asked about the correction of typos in the Excel spreadsheet. Commented that the zoning ordinance is a living document.

10. Other Matters or Comments by Planning Commission Members

Hall: Updated the committee considering John Wunsch's winery-chateau language change, the committee concluded the language was not a problem.

Discussion

11. Adjournment

Moved by Dloski to adjourn, seconded by Couture
Adjournment at 4:40 p.m.

passed by consensus

Correspondence

FW: Township Zoning Ordinance

1 message

Rob Manigold <supervisor@peninsulatownship.com> Mon, Dec 13, 2021 at 12:36 PM
To: "Gregory M. Meihn" <gmeihn@foleymansfield.com>, Alan Couture <ajc@runningwise.com>, Donna Hornberger <dsh_44@yahoo.com>, Isaiah Wunsch <Wunschis23@gmail.com>, Julie Alexander <jualexanptc@gmail.com>, Larry Dloski <lwdloski@gmail.com>, Randy Hall <rand.plancom@gmail.com>, Susan Shipman <shipman.parks@gmail.com>, Becky Chown <clerk@peninsulatownship.com>, Brad Bickle <treasurer@peninsulatownship.com>, "David K. Sanger" <dave.peninsulatrustee@gmail.com>, "Margaret A. Achorn" <marge.peninsulatrustee@gmail.com>, "Warren L. Wahl" <warren.peninsulatrustee@gmail.com>

FYI

From: David Sanger [mailto:dave.peninsulatrustee@gmail.com]
Sent: Monday, December 13, 2021 10:13 AM
To: Rob Manigold
Subject: Fwd: Township Zoning Ordinance

Rob,

Please see Marty's request that his email be sent to Town Board and PC members. Will you please handle that request?

Dave

----- Forwarded message -----

From: **Marty Lagina** <Marty@rockmi.com>
Date: Sun, Dec 12, 2021 at 9:29 PM
Subject: Re: Township Zoning Ordinance
To: David Sanger <dave.peninsulatrustee@gmail.com>
Cc: Rob Manigold <supervisor@peninsulatownship.com>, zoning@peninsulatownship.com <zoning@peninsulatownship.com>, Mglagina <mglagina@aol.com>

Dave : Thank you , but respectfully I cannot agree. It may sound maudlin , but I am only partially involved because of my selfish requirements. As a citizen I simply believe it is very wrong that this ordinance become the law of the peninsula .

The ordinance that we reviewed together is simply not ready to be adopted . First of all the master plan should be fully agreed and implemented and voted on before any new ordinance is passed. This is not the case and as I pointed out in our meeting there are some seriously incorrect data in the master plan. Furthermore as I pointed out I really do not believe the people of Peninsula Township know what's in that ordinance. You provided partially highlighted versions. There are all kinds of very very substantive changes that have been slipped in with the addition of a word or two. The citizens of Peninsula Township are entitled to a very accurate redline version of all changes and additions to the old ordinance.- before you vote on it.

As just one example someone slipped in just two words (that would be virtually impossible to find) that for some reason banned the use of ATVs and snowmobile's on winery chateaus ??

The only way I could support The new ordinance is if all of the following were changed:

All the new language regarding the shoreline, steep slopes , soil erosion and the new definition of natural grade and building height and the ridiculous new definition of "structure" to include a pile of dirt would all have to be eliminated completely. I pointed out that these new requirements go way too far; the people that own shoreline surely do not know about them; the people who have lots with steep slopes surely do not know about them; and the sections are not consistent with the master plan that currently exists. I pointed out that the currently existing master plan had a survey where the importance of ridge lines were ,for instance, DEAD LAST .

The new requirements to obtain a land-use permit for virtually any activity of any type involving trees or land is also unacceptable.

It is an egregious and unnecessary and costly requirement. Many of these new land-use permits require the hiring of very expensive professionals for the most minor of activities.

Another very serious problem is that in the shoreline section for instance, clear cutting is prohibited twice and then allowed twice on two consecutive pages. This sort of poorly written section is unacceptable. Please note that if you fix that completely inconsistent language ,(Which simply must be done,) it all needs to go back to the planning commission

C1 Zoning would need to be unchanged completely with the only exception of making the maximum height of 35 feet consistent with the entire balance of the peninsula.

C1 zoning should long-ago have been included as a zoning district for a PUD. This is overdue and should happen. Probably the last four or five master plans all contemplated a small village center on the peninsula. Zoning has never allowed such a thing to happen.

Dave, The law of unintended consequences has not been repealed. When the people in charge of the township enact more and more onerous provisions on those who still own developable land, The pressure to develop becomes stronger and stronger. It is painfully obvious that those who own land (and even though they are conservation minded; and not in any hurry to develop) had better do so before they lose everything. Please rethink the whole concept. You believe you are protecting the peninsula with draconian laws like this when in fact you are FORCING it to be developed prematurely. Please take a deep breath and ask yourself why was the peninsula already dramatically beautiful in 1975 before there was any zoning whatsoever? Why do you people think you are more intelligent and more wise than the people who owned (and now own) the land?

I respectfully but forcefully request that you do not enact this ordinance. I will do everything legally possible to oppose it unless it is handled as set forth above.

I do appreciate and respect all of the work that you and others have done, and I believe you are well intentioned, but you actually are hurting the peninsula

Please forward this email to all of the planning commission and the town board

Thank you

M Lagina

Bonobo SUP

Verbal Update on SUP Amendment Application

Peninsula Shores PUD



December 17, 2021

Susie Shipman, PC Chair
Peninsula Township
13235 Center Road
Traverse City MI, 49686
Phone - 231-223-7314

RE: Engineer Record of Review
Peninsula Shores, PUD #123 –Application for Amendment #2
Peninsula Township, MI
Parcel ID: 11-609-900-00; 11-609-040-00 to 11-609-001-00

Dear Susie,

We have reviewed the supporting documents for the Peninsula Shores – PUD #123 Application for Amendment #2, dated 10/26/21 as completed by Mansfield Land Use Consultants. These include updated SUP Application, SUP Development Checklist, Proposed PUD Amendment Open Space Plan, and Survey Sketch of Parcel A. Our review which consisted of reviewing the modifications for their impacts to utilities, stormwater management, and the general compliance with the special Use permit and zoning ordinance criteria.

Subject Site

The subject parcel is located about 1100-ft east of the intersection of Smokey Hollow Rd and Boursaw Rd.

- Subject parcel: 11-609-900-00; 11-609-040-00 to 11-609-001-00, frontage on Boursaw Rd. @ 82.44 acres
- Zoning Classification – R-1A Rural and Hillside Residential and R-1B Costal Zone Residential.
- SUP #123: Existing forty-one (41) single family residential units (sites) shown on the site plan. Essentially, construction for entire project was completed in previous years. This included construction of the paved private road system and associated storm water drainage facilities, on-site community drainfield and collection system services a majority of the units, and fire suppression water tank. The 41 units are served by individual private domestic water wells. Current build-out shows a handful of the units have had homes constructed on them.
- Amendment #1 was approved in September 2019 reflecting modifications to the plan including:
 - ~Snug Harbour Court was shifted west (approximately 25 ft) increasing lot depths for Units 5-9.
 - ~Lot widths for Units 1-9 were adjusted to provide more uniform distribution of width.
 - ~Units 11-28 were shortened along the easterly lot line to achieve the 65% PUD open space requirement.
 - ~The emergency access easement to Smokey Hollow Road through a neighboring property at the northwest edge of the site was shifted south per request by the property owner.





Purpose of Application

Amendment # 2 submitted by The 81 Development Company, LLC makes modifications to the Site Plan to relocate Unit 1 and makes minor dimensional changes to Units 38-41.

Procedure

SUP applications are reviewed consistent to the process outlined in Article 8 of the ordinance.

Zoning

The zoning for the subject property is R-1A and R-1B Commercial classification.

- The zoning allows for commercial use through Special Use Permit.
- Surrounding zoning: north R-1A; south R-1B; West R-1A, R-1B, & A-1.

Review and Approval Criteria

Proposed Improvements:

- Relocate Unit 1 from the SE part of the site to the NW corner, between Units 29 and 30,
- Removal of Parcel A which served as water access for Unit 1 prior to this application.
- Make minor lot dimension changes in Unit 38-41.
- Provided Site plan also indicates a proposed sanitary easement to Unit 6.

A summary of our review is contained below:

Utility Review

Per the submitted application, 8.1.3.10e shows change in drain field locations. It is presumed this is noted as relocation of Unit 1 was to an area served by the community drain fields and the previous proposed individual drain field location will no longer be needed. Applicant to confirm if the planned sanitary service for Unit 1 is accounted for in the community system or if new drain fields will be provided on-site.

Storm Water Review

According to the revised plans, no revisions to the storm water control design were required. According to the revised plans, no revisions to the storm water control design were required. In comparison to the originally approved plans and Ordinance #33, our review finds this to be accurate and conforms. There is no change in the amount of impervious surfaces. The previously proposed storm water provisions can be sufficient for the existing site with the propose amendment.

Private Road Review

According to the description of the modifications the revisions do not change the private road system.



Overall Ordinance Compliance Review

According to revised plans, a comparison to the original approved PUD Open Space Calculations along with confirmation of values was performed by GFA with the following results provided:

	Open Space	Non-Open Space
Approved P.U.D.	65.42% (54.06 AC.)	34.58% (28.57 AC.)
Approved P.U.D. Amendment 1	65.65% (54.05 AC.)	34.35% (28.28 AC.)
Proposed (Unit Shift and Dimensional changes)	65.84% (54.28 AC.)	34.16% (28.17 AC.)

Additionally, the revised plans indicate that Unit 1 are to be relocated to the north end of the Project. The provided information shows the relocation of Unit 1 creates marginal change in the calculated constraints to number of units. Unit 1 appears to meet the dimensional requirements of the Township and the P.U.D. Project. The application indicates that legal documents reflecting open space will be updated pending approval.

Assuming no other changes have been made to the project plans as previously reviewed, our recommendation for engineering plan approval remains in place in accordance with our previous review letters and the Township SUP Conditions. The following general items are noted:

1. The same approved Findings of Fact and SUP conditions apply including but not limited site-specific Storm Water Reviews for each lot.
2. Applicable revisions to the Master Deed to reflect the site changes are to be completed and a new document shall be signed and recorded with the Register of Deeds. A copy of this document shall be provided to the Township for their files.
3. An updated drawing shall be provided to account the water front strip known as Parcel "A" as it is our understanding this parcel is to be removed from the PUD and purchased by and adjacent property owner.

Detailed Ordinance Compliance Review:

Reviewed for general compliance with zoning ordinances.

-Section 6.2 R-1A District: Rural and Hillside Residential. 6.3 R-1B District Coastal Zone Residential District.

- o Proposed amendment makes no change to the use previously approved -Single Family Dwelling PUD.

-Section 6.8 Schedule of Regulations

- o Setbacks are maintained with relocation of Unit 1.
- o Lot coverage requirements are maintained with relocation of Unit 1.
- o Applicant shall coordinate with Township regarding transfer of properties and obtain property permits and approvals (specifically Parcel A).

-Section 7.2 Supplementary Use Regulations

- o 7.2.6 Supplementary Setbacks for PUD's are met with the relocation of Unit 1.

-Section 7.4 Supplemental Great Lakes Shoreland Regulations



- No changes necessary due to the relocation of Unit 1.
- Section 7.7 Developments Abutting Agricultural Lands
 - No changes necessary due to the relocation of Unit 1. 100-ft setback is met.
 - Consideration of impact to adjacent neighbor viewshed impact was noted with the relocating of Unit 1. Township staff (including engineering and legal) have visited the site and confirmed impact is negligible. In addition, PC members were provided the opportunity to conduct site visit to make individual determinations.
- Section 7.10 Road Standards
 - Relocation of Unit 1 accessible from the existing approved private road systems and is acceptable.
- Section 8 Uses Authorized by Special Use Permit
 - The application packet generally addresses each point and shows no changes from previous amendment except as noted below.
 - 8.1.3.10e shows change in drain field locations. It is presumed this is noted as relocation of Unit 1 was to an area served by the community drain fields and the previous proposed individual drainfield location will no longer be needed.
 - 8.3.4 Uses that May be Permitted
 - Provided packet indicates open space minimum of 65% is met. This is verified on the Proposed PUD Amendment- Open Space Plan and found acceptable.
 - 8.3.5 Lot Size Variation Procedure
 - Updated calcs that indicate relocation of Unit 1 causes no change in the calculated constraints to number of units. The application indicates that legal documents reflecting open space will be updated pending approval.

We request the applicant to reply with addition information or plans to address the storm water management requirements. There is sufficient information on the current set of plans to indicate the intent and ability to comply with the Ordinances. Overall, we feel the application is administratively complete and ready for public comment while the applicant reviews the above and provides additional information. We appreciate the opportunity to assist the Township during the review of this project. If you have any questions, please don't hesitate to contact me at (231) 946-5874.

Respectfully Submitted,
GOURDIE-FRASER

Jennifer Hodges, P.E.
Sr. Project Manager

cc: Kyle O'Grady
Mansfield Land Use Consultants

October 26, 2021

Peninsula Township
Christina Deeren, Director of Zoning
13235 Center Road
Traverse City MI, 49686

RE: Peninsula Shores, PUD #123
Application for Amendment #2

Dear Christina and Peninsula Township Planning Commission,

On behalf of the O'Grady family, please find the following information regarding the requested amendment #2 to the Peninsula Shores PUD located north of Boursaw Road on East Grand Traverse Bay.

Historical Background

- Original PUD Application APPROVED on December 12, 2017
- Amendment #1 APPROVED on September 10, 2019
(realignment of Shoreline Court and emergency access road, dimensional modifications of associated units, maintain 65% open space)

Current Requested Amendment #2

- Realignment of Units 38-41.
- Removal of Parcel A *(formerly the waterfront access for Unit 1)* from the PUD and transfer to neighboring property owner to the north.
- Move Unit 1 north, between Unit 29 and Unit 30.
- Maintain 65% open space.

Supporting documents as part of this request include:

- SUP Application
- SUP Development Checklist
- PUD Amendment Site Plan
- Survey Sketch of Parcel A

Please feel free to call me at (231) 946-9310 ext. 1003 should you have any questions or require additional information. Thank you for your assistance.

Sincerely,
Mansfield Land Use Consultants


Petra Kuehnis

PENINSULA TOWNSHIP APPLICATION FOR SPECIAL USE PERMIT NO. _

Section 8.1

Parcel Code/s #28-11-114-001-00 and 28-11-114-002-00

Property Address: Boursaw Road

Applicant Address: Peninsula Shores, 901 S. Garfield Avenue, Traverse City


Applicant's Signature

Review Fee \$500

Check No. Date

APPLICATION REQUIREMENTS Section 8.1.2

1. Each application is submitted through the Township Planner, and shall be accompanied by a fee as established by the Peninsula Township Board.
2. The applicant will assume direct costs for any additional professional review determined necessary by the Planning Commission or the Township Board, subject to prior review and approval of the applicant.
3. No part of any fee is be refundable and no portion of the fee covers the cost of any individual land use permit that may be issued on any of the building sites located in a Planned Unit Development.
4. Requirements for documents and information filled out in full by the applicant:
 - (a) A statement of supporting evidence showing compliance with the requirements of Section 8.1.3.
 - (b) Site plan, plot plan, development plan, drawn to scale (preferable 1"=50'), of total property involved showing the location of all abutting streets, the location of all existing and proposed structures and their uses, and the location and extent of all above ground development.
 - (c) Preliminary plans and specifications of the proposed development.
5. This application, along with all required data shall be submitted to the Zoning Administrator.
 - (a) Upon receipt of a completed application and the required data by the Zoning Administrator, it is transmitted to the Township Planning Commission for review.
 - (b) The Planning Commission may hold a public hearing on the application.
 - (c) Following a study by the Planning Commission it is transmitted to the Township Board for consideration.
 - (d) The Township Board may deny, approve, or approve with conditions, a request for special land use approval.

6. Specific Requirements: In reviewing an impact assessment and site plan, the Town Board and the Planning Commission shall consider the following standards:

- (a) That the applicant may legally apply for site plan review.
- (b) That all required information has been provided.
- (c) That the proposed development conforms to all regulations of the zoning district in which it is located.
- (d) That the plan meets the requirements of Peninsula Township for fire and police protection, water supply, sewage disposal or treatment, storm drainage and other public facilities and services.
- (e) That the plan meets the standards of other governmental agencies where applicable, and that the approval of these agencies has been obtained or is assured.
- (f) That natural resources will be preserved to a maximum feasible extent, and that areas to be left undisturbed during construction shall be so located on the site plan and at the site per se.
- (g) That the proposed development property respects floodways and flood plains on or in the vicinity of the subject property.
- (h) That the soil conditions are suitable for excavation and site preparation, and that organic, wet or other soils which are not suitable for development will either be undisturbed or modified in an acceptable manner.
- (i) That the proposed development will not cause soil erosion or sedimentation problems.
- (j) That the drainage plan for the proposed development is adequate to handle anticipated stormwater runoff, and will not cause undue runoff onto neighboring property or overloading of water courses in the area.
- (k) That grading or filling will not destroy the character of the property or the surrounding area, and will not adversely affect the adjacent or neighboring properties.
- (l) That structures, landscaping, landfills or other land uses will not disrupt air drainage systems necessary for agricultural uses.
- (m) That phases of development are in a logical sequence, so that any one phase will not depend upon a subsequent phase for adequate access, public utility service, drainage or erosion control.
- (n) That the plan provides for the proper expansion of existing facilities such as public streets, drainage systems and water sewage facilities.
- (o) That landscaping, fences or walls may be required by the Town Board and Planning Commission in pursuance of the objectives of this Ordinance.

- (p) That parking layout will not adversely affect the flow of traffic within the site, or to and from the adjacent streets.
- (q) That vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks serving the site, shall be safe and convenient.
- (r) That outdoor storage of garbage and refuse is contained, screened from view and located so as not to be a nuisance to the subject property or neighboring properties.
- (s) That the proposed site is in accord with the spirit and purpose of this Ordinance and not inconsistent with, or contrary to, the objectives sought to be accomplished by this Ordinance and the principles of sound planning.

7. A public hearing on a special land use request is held by the Township Board if:
- a. A public hearing is requested by the Township Board, the applicant for special land use authorization, a property owner, or the occupant of a structure located within three hundred (300) feet of the boundary of the property being considered for a special land use.
 - b. The decision on the special land use request is based on discretionary grounds.

Page 3 of 3

Special Use Permit - Planned Unit Development Checklist

Special Use Permit Number #123.

Parcel Code/s #28-11-114-001-00 and 28-11-114-002-00

Property Address: Boursaw Road

Applicant: The 81 Development Company, LLC

ARTICLE VIII

Ordinance Reference - Section 8.1.2 Permit Procedures:

8. Submission of Application:

1. 500 Fee No part of any fee shall be refundable.

9. Include a statement of HOW the proposed project will:

The proposed dimensional site modifications do not effect these standards.

- a. yes Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed.
- b. yes Not be hazardous or disturbing to existing or future uses in the same general vicinity and will be a substantial improvement to property in the immediate vicinity and to the community as a whole.
- c. yes Be served adequately by essential facilities and services, such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, or schools.
- d. yes Not create excessive additional requirements at public cost for public facilities and services.
- e. yes Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by fumes, glare or odors.

The proposed dimensional site modifications continue to meet these standards.

Ordinance Reference - Section 8.1.3

10. Include a statement of HOW the proposed project meets the standard:

- a. yes That the applicant may legally apply for site plan review.
- b. yes That all required information has been provided.
- c. yes That the proposed development conforms to all regulations of the zoning district in which it is located.
- d. yes That the plan meets the requirements of Peninsula Township for fire and police protection, water supply, sewage disposal or treatment, storm drainage and other public facilities and services.
- e. yes That the plan meets the standards of other governmental agencies where applicable, and that the approval of these agencies has been obtained or is assured.
- i. no change Grand Traverse County Road Commission
- ii. no change Grand Traverse County Drain Commissioner
- iii. no change County DPW standards for sewer and water if public.

new drain field location Grand Traverse County Health Department for private systems
v. **no change** State and Federal Agencies for wetlands, public sewer and water.

- f. **no change** That natural resources will be preserved to a maximum feasible extent, and that areas to be left undisturbed during construction shall be so located on the site plan and at the site per se.
- g. _____ That the proposed development property respects floodways and flood plains on or in the vicinity of the subject property.
- h. _____ That the soil conditions are suitable for excavation and site preparation, and that organic, wet or other soils which are not suitable for development will either be undisturbed or modified in an acceptable manner.
- i. _____ That the proposed development will not cause soil erosion or sedimentation problems.
- j. _____ That the drainage plan for the proposed development is adequate to handle anticipated stormwater runoff, and will not cause undue runoff onto neighboring property or overloading of water courses in the area.
- k. _____ That grading or filling will not destroy the character of the property or the surrounding area, and will not adversely affect the adjacent or neighboring properties.
- l. _____ That structures, landscaping, landfills or other land uses will not disrupt air drainage systems necessary for agricultural uses.
- m. _____ That phases of development are in a logical sequence, so that any one phase will not depend upon a subsequent phase for adequate access, public utility service, drainage or erosion control.
- n. _____ That the plan provides for the proper expansion of existing facilities such as public streets, drainage systems and water sewage facilities.
- o. _____ That landscaping, fences or walls may be required by the Town Board and Planning Commission in pursuance of the objectives of this Ordinance.
- p. _____ That parking layout will not adversely affect the flow of traffic within the site, or to and from the adjacent streets.
- q. _____ That vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks serving the site, shall be safe and convenient.
- r. _____ That outdoor storage of garbage and refuse is contained, screened from view and located so as not to be a nuisance to the subject property or neighboring properties.
- s.  _____ That the proposed site is in accord with the spirit and purpose of this Ordinance and not inconsistent with, or contrary to, the objectives sought to be accomplished by this Ordinance and the principles of sound planning.

4. **Present 8 copies of Site plan, plot plan, development plan** **Twp requested 11 copies**
Drawn to scale (preferable 1"=50'), of total property involved showing:
- a. _____ the location of all abutting streets,
 - b. _____ the location of all existing and proposed structures and their uses
 - c. _____ the location and extent of all above ground development, both existing and proposed including proposed Building Envelopes and setbacks. (Also see Section 7.2.6).
 - d. Preliminary plans and specifications of the proposed development. *This preliminary plan shall be in a form that can be easily reproduced on transparencies that can be used for public presentation.*

Is the project to be developed in Phases? ___ Yes; X No.

5. If the project is to be phased, provide documentation that:
 - a. - Upon completion, each phase will be capable of standing on its own in terms of the presence of services, facilities, and open space, and contains the necessary components to insure protection of natural resources and the health, safety, and welfare of the users of the project and the residents of the surrounding area.
 - b. - Shows a proposed commencement date for each phase of the project.

The proposed modifications do not change the original intent of the approved PUD.

Section 8.3 Planned Unit Developments:

Section 8.3.2 Objectives: The following objectives shall be considered in reviewing any application for a special use permit for planned unit development.

Provide statements showing HOW the project meets the following Objectives:

1. no change Provides a more desirable living environment by preserving the natural character of open fields, stand of trees, brooks, ponds, lake shore, hills, and similar natural assets.
2. no change Provision of open space requirements.
3. no change A more creative and imaginative approach in the development of residential areas.
4. no change More efficient and aesthetic use of open areas by allowing the developer to reduce development costs through the by-passing of natural obstacles in the residential project.
5. no change Encourage variety in the physical development pattern of the Township by providing a mixture of housing types.
6. no change The retention of farmland by locating the allowed number of housing units on the agricultural parcels of land in clusters which are suitable for residential use and keep the remaining agricultural land in production or fallow and available for production.

The proposed dimensional site modifications do not change the conditions for PUD.

Section 8.3.3 Qualifying Conditions: Any application for a special use permit shall meet the following conditions to qualify for consideration as planned unit development.

1. - The planned unit development site shall not be less than twenty (20) acres in area, shall be under the control of one owner or group of owners, and shall be capable of being planned and developed as one integral unit. PROVIDED that the site size requirement may be reduced by the Township Board if the Board determines that the proposed use is a suitable and reasonable use of the land.
2. - The planned unit development project shall be located within a Residential or Agricultural District, or a combination of the above Districts. Individual planned unit developments may include land in more than one zone district in which event the total density of the project may equal but not exceed the combined total allowed density for each district calculated separately.
3. - Water and waste disposal shall comply with the Township Master Plan and be approved by Grand Traverse County or State of Michigan requirements. It is recognized that joining water and sewer ventures with contiguous or nearby land owners may prove to be expedient.
4. - The proposed population density of the planned unit development shall be no greater than if the tract were developed with the lot area requirements of the particular zone district or districts in which it is located subject to the provisions of Section 8.1.
5. - Open space shall be provided according to Section 8.3.6.
6. - For purposes of this Section 8.3, Open Space does not include building envelopes, parking lots and roads (roadbed width plus two (2) foot shoulders on each side).
7. - The proposed planned unit development shall meet all of the standards and requirements outlined in this Section 8.3 and also Section 8.1. and Article VII.

Section 8.3.4 Uses that May be Permitted: The following uses of land and structures may be permitted within planned unit developments, **Indicate the proposed uses in the Planned Unit**

Development:

1. X Single family dwellings.
2. - Two-family dwellings.
3. - Group housing, row houses, garden apartments, or other similar housing types which can be defined as single-family dwelling with no side yards between adjacent dwelling units, Provided that there shall be no more than eight (8) dwelling units in any contiguous group.
4. +65% Open space according to Section 8.3.6 Provided that only the following land uses may be set aside as common land for open space or recreation use under the provisions of this Section
 - a. - Private recreational facilities (but not golf courses) such as pools, or other recreational facilities which are limited to the use of the owners or occupants of the lots located within the planned unit development.
 - b. - Historic building sites or historical sites, parks and parkway areas, ornamental parks, extensive areas with tree cover, low lands along streams or areas of rough terrain when such areas have natural features worthy of scenic preservation.
 - c. - Commonly owned agricultural lands.
5. no change Signs as allowed by Section 7.11.
6. - Deed restricted Agricultural lands.
7. - Garages and accessory buildings and uses exclusively for the use of residents of the planned unit development and for the proper maintenance thereof.

Section 8.3.5 Lot Size Variation Procedure: The lot area for Planned Unit Developments within Residential and Agricultural Districts may be averaged or reduced from those sizes required by the applicable zoning district within which said development is located by compliance with the following procedures:

1. Site Acreage Computation:
 - updated a. 82.44 The net acreage proposed for a planned unit development shall be computed to determine the total land area available for development into lots under the minimum lot size requirements of the applicable zoning district in which the proposed planned unit development is located.
 - b. 0 Acreage not included:
 - i. - Land utilized by public utilities as easements for major facilities, such as electric transmission lines, sewer lines, water mains, or other similar lands which are not available to the owner because of such easements.
 - ii. - Lands below the Lake Michigan ordinary high water mark.
 - iii. - Lands used for commercial purposes subject to the requirements of Section 6.8.
2. Maximum Number of Lots and Dwelling Units: After the net acreage has been determined by the above procedure, the maximum number of lots and/or dwelling units that may be approved within a planned unit development shall be computed by subtracting from the net acreage a fixed percentage of said total for street right-of-way purposes, and dividing the remainder by the minimum lot area requirement of the zoning district in which the planned unit development is located. no change -72 units allowed / 41 units proposed
 - a. 12.36 The fixed percentages for street right-of-way purposes to be subtracted from the net acreage shall be fifteen (15) percent for the R-1A and R-1B residential districts, twenty (20) percent for the R-1C district and thirty (30) percent for multiple family development in the R-1D district. These percentages shall apply regardless of the amount of land actually required for street right-of-way.

b. no change Under this procedure, individual lots may be reduced in area below the minimum lot size required by the zone district in which the planned unit development is located, PROVIDED that the total number of dwelling units and/or lots created within the development is not more than the maximum number that would be allowed if the project were developed under the minimum lot area requirements of the applicable zone district or districts in which it is located. Units may be distributed without regard to district boundaries.
individual lots average 0.56 acres

3. Permissive Building Envelope: Building Envelopes shall be as shown on the Site Plan and not included as open space.
4. Permissive Minimum Lot Area: Minimum Lot Area shall be as determined by the Township Board and shown on the Site Plan.
5. Maximum Permissive Building Height: 2.5 stories but not exceeding 35 feet. Accessory buildings shall not exceed a height of 15 feet. Provided that the height of agricultural buildings may be increased pursuant to Section 7.3.3 Permitted Exceptions, Agricultural Districts.
6. Section 8.3.6 Open Space Requirements Option: The Township Board shall utilize one of the following four options for dedication of the provided open space:
7. Open Space Dedicated for Private Use: A residential planned unit development with a minimum of 65% of the net acreage kept as open space and owned by the Home Owners Association or Condominium Association. That open space land shall be set aside as common land for the sole benefit, use and enjoyment of present and future lot or home owners within the development. 65.84% open space provided
 - a. — Such open space shall be conveyed by proper legal procedures from the project owner or owners to a home owners association or other similar non-profit organization so that fee simple title shall be vested in project lot owners as tenants in common.
 - b. — Documents providing for the maintenance of said land and any buildings thereon to assure that open space land remains open shall be provided to the Township Board for its approval.
 - c. — The access and characteristics of the open space land are such that it will be readily available and desirable for the use intended.

Legal documents reflecting open space will be updated pending approval.

- ~~8. Open Space Dedicated for Public Use: A Residential Planned Unit Development with a minimum of 10% of the net acreage dedicated to the Township. That open space land shall be dedicated to the Township for park or recreational purposes by the project owner or owners provided that the Township Board makes the following determinations:~~
 - ~~a. — The location and extent of said land is not in conflict with the Master Plan of Peninsula Township.~~
 - ~~b. — The access to and the characteristics of the open space land is such that it will be readily available to and desirable for the use intended.~~
9. Open Space Dedicated for Deed Restricted Agricultural Land: A Planned Unit Development with a minimum of 65% of the net acreage as deed restricted agricultural land. That open space shall be retained in agricultural use as specified on the site plan with the following conditions:
 - a. The Land shall be used exclusively for farming purposes.

- b. ~~A conservation easement shall be granted to Peninsula Township that restricts uses to those that are allowed on deed restricted agricultural land subject to conservation easements purchased by Peninsula Township pursuant to the Purchase of Development Rights Ordinance No. 23.~~
 - c. ~~A farmstead parcel consisting of a residence for the owner or operator of the farm along with any or all of the following outbuildings may be shown on the site plan if approved by the Township Board:~~
 - 1. ~~Barns existing or proposed for uses necessary for agricultural production.~~
 - 2. ~~Outbuildings existing or proposed for storage of machinery and equipment used for agricultural production.~~

~~_____ If a farmstead is shown on the site plan it shall be counted as one of the allowed dwelling units in the Planned unit development.~~
 - d. ~~The deed restricted agricultural land may be sold separately from the dwelling parcels.~~
10. ~~Open Space Apportioned Between Private Use and Deed Restricted Agricultural Land: The Township Board may approve open space apportioned between Private Use and Deed Restricted Agricultural Land described in (1) and (3) above provided, that in addition to the provisions of (7) and (9) above, the Deed Restricted Agricultural Land portion:~~
- a. ~~_____ Shall be a minimum of five acres.~~
 - b. ~~_____ Shall be viable farmland as determined by the Township Board.~~
 - c. ~~_____ Irrespective of (9) above; no buildings shall be allowed.~~
11. Section 8.3.7 Maximum Percentage of Lot Area Covered by All Structures:
- a. **no change** The maximum percent of lot area covered by all structures shall not exceed fifteen (15) percent of net acreage.
 - b. _____ - A Building Envelope within which structures may be located shall be shown on the site plan for all existing or future structures.
 - c. _____ - The maximum number of square feet to be covered by all structures for each building envelope shall be shown on the site plan or attached to it.
- No Change - Structure Area Coverage standards continue to be met.**
12. Section 8.3.8 Affidavit: The applicant shall record an affidavit with the register of deeds containing the legal description of the entire project, specifying the date of approval of the special use permit, and declaring that all future development of the planned unit development property has been authorized and required to be carried out in accordance with the approved special use permit unless an amendment thereto is duly adopted by the Township upon the request and/or approval of the applicant, or applicant's transferee and/or assigns.
13. Section 7.7 Developments Abutting Agricultural Lands: Section 7.7.1 Agricultural Setback: The following setbacks shall be required when a planned unit development, subdivision, condominium, mobile home park, or other group housing is developed; and on those metes and bounds parcels created after the effective date of this amendment, as provided below
- a. Section 7.7.1.1 Requirement Agricultural Setback:
 - i. ~~_____ A setback of 100 feet from the property line of the adjacent property shall be required for accessory uses, buildings or structures as follows:~~

- ~~(1) When a planned unit development, subdivision, condominium, mobile home park, or other group housing is developed adjacent to land that is zoned A-1 Agriculture, and;~~
- ~~(2) When a planned unit development, subdivision, condominium, mobile home park, or other group housing is developed adjacent to land that is zoned Residential but is shown on the Agricultural Preserve Map of the Peninsula Township Comprehensive Plan as adopted and amended from time to time by the Planning Commission.~~

ii. ~~_____ A setback of 50 feet from the property line of the adjacent property shall be required for those portions of metes and bounds parcels created after the adoption of this amendment that have a common line with land that is zoned A-1 Agriculture unless that A-1 Agriculture zoned land is being used for residential purposes.~~

iii. ~~_____ The setback areas required by (1) and (2) above shall not be used for accessory uses, buildings or structures.~~

iv. _____ A setback of 100 feet shall be required when a planned unit development, subdivision, condominium, mobile home park, or other group housing is developed adjacent to land that is zoned Residential but is currently being used for agricultural production that includes the carrying on of usual soil practices of cultivation, spraying and fertilization. **AG setbacks continue to be met.**

b. _____ **Section 7.7.1.2 Lot Designation:** Subdivision Lots or Condominium Limited Common Elements adjacent to such agricultural lands shall have designated building sites shown on the preliminary and final plans. Residential and accessory uses shall be located within the designated areas. Plans accompanying applications for zoning permits shall show such designated sites.

c. _____ **Section 7.7.1.3 Exceptions to Required Setbacks:**

i. _____ The Township Board may, upon recommendation of the Planning Commission, decrease the required setback on any or all lots or limited common elements when the Township Board determines that one or more of the following conditions exist:

(1) _____ The existence of topographic conditions i.e. steep slopes, changes in grade, wetlands etc. or other site conditions which make it:

(a) _____ unlikely that any of the uses allowed in the agricultural district would be located on the adjacent agriculturally zoned land; or

(b) _____ so that the properties are sufficiently separated to mitigate incompatibilities of use.

(2) _____ There exists an easement such as a conservation easement on the land adjacent to the proposed plat that restricts agricultural uses in such a manner that protection to future homeowners is equal or better than that provided by the 100 foot setback.

(3) _____ There are existing residential uses along the lot line of the agriculturally zoned property.

The 30-foot PUD perimeter setback remains unchanged. Setbacks dimensions within individual lots to create the building envelope remain unchanged. The intent of the original PUD is unchanged.

Peninsula Township Form 8-21-04

Special Use Permit - Planned Unit Development Checklist

Special Use Permit Number #123. Amendment #2

Parcel Code/s #28-1114-001-00 and 28-11-114-002-00

Property Address: Boursaw Road

Applicant: Peninsula Shores
901 S. Garfield Road, Suite 202

ARTICLE VIII

Ordinance Reference - Section 8.1.2 Permit Procedures:

1. Submission of Application:
 - a. \$500 Fee No part of any fee shall be refundable.

Ordinance Reference - Section 8.1.3

Section 8.1.3 Basis for Determinations: Before making recommendation on a special use permit application, the Town Board shall establish that the following general standards, as well as the specific standards outlined in each section of this Article, shall be satisfied.

General Standards: The Town Board shall review each application for the purpose of determining that each proposed use meets the following standards, and in addition, shall find adequate evidence that each use on the proposed location will:

General Standards continue to be met with proposed dimensional site modifications.

2. **General Standards - Include a statement of HOW the proposed project meets the standards:**
 - a. no change Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed.
 - b. no change Not be hazardous or disturbing to existing or future uses in the same general vicinity and will be a substantial improvement to property in the immediate vicinity and to the community as a whole.
 - c. no change Be served adequately by essential facilities and services, such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, or schools.
 - d. no change Not create excessive additional requirements at public cost for public facilities and services.
 - e. no change Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by fumes, glare or odors.
 - f.

Conditions and Safeguards: The Town Board may impose such additional conditions and safeguards deemed necessary for the general welfare, for the protection of individual property

rights, and for insuring that the intent and objectives of this Ordinance will be observed. The breach of any condition, safeguard or requirement shall automatically invalidate the permit granted.

The proposed dimensional site modifications continue to meet these standards.

Specific Requirements: In reviewing an impact assessment and site plan, the Town Board and the Planning Commission shall consider the following standards:

3. Include a statement of HOW the proposed project meets the standard:

- a. no change That the applicant may legally apply for site plan review.
- b. _____ That all required information has been provided.
- c. _____ That the proposed development conforms to all regulations of the zoning district in which it is located.
- d. _____ That the plan meets the requirements of Peninsula Township for fire and police protection, water supply, sewage disposal or treatment, storm drainage and other public facilities and services.
- e. _____ That the plan meets the standards of other governmental agencies where applicable, and that the approval of these agencies has been obtained or is assured.
 - i. _____ Grand Traverse County Road Commission
 - ii. ✓ _____ Grand Traverse County Drain Commissioner
 - iii. _____ County DPW standards for sewer and water if public.
 - iv. new drain field location _____ Grand Traverse County Health Department for private systems
 - v. _____ State and Federal Agencies for wetlands, public sewer and water.
- f. _____ That natural resources will be preserved to a maximum feasible extent, and that areas to be left undisturbed during construction shall be so located on the site plan and at the site per se.
- g. _____ That the proposed development property respects floodways and flood plains on or in the vicinity of the subject property.
- h. _____ That the soil conditions are suitable for excavation and site preparation, and that organic, wet or other soils which are not suitable for development will either be undisturbed or modified in an acceptable manner.
- i. _____ That the proposed development will not cause soil erosion or sedimentation problems.
- j. _____ That the drainage plan for the proposed development is adequate to handle anticipated stormwater runoff, and will not cause undue runoff onto neighboring property or overloading of water courses in the area.
- k. _____ That grading or filling will not destroy the character of the property or the surrounding area, and will not adversely affect the adjacent or neighboring properties.
- l. _____ That structures, landscaping, landfills or other land uses will not disrupt air drainage systems necessary for agricultural uses.
- m. _____ That phases of development are in a logical sequence, so that any one phase will not depend upon a subsequent phase for adequate access, public utility service, drainage or erosion control.
- n. _____ That the plan provides for the proper expansion of existing facilities such as public streets, drainage systems and water sewage facilities.
- o. _____ That landscaping, fences or walls may be required by the Town Board and Planning Commission in pursuance of the objectives of this Ordinance.
- p. ✓ _____ That parking layout will not adversely affect the flow of traffic within the site, or to and from the adjacent streets.

- q. no change That vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks serving the site, shall be safe and convenient.
- r. ↓ That outdoor storage of garbage and refuse is contained, screened from view and located so as not to be a nuisance to the subject property or neighboring properties.
- s. ↓ That the proposed site is in accord with the spirit and purpose of this Ordinance and not inconsistent with, or contrary to, the objectives sought to be accomplished by this Ordinance and the principles of sound planning.
4. **Present 8 copies of Site plan, plot plan, development plan**
Drawn to scale (preferable 1"=50'), of total property involved showing:
- a. no change the location of all abutting streets,
- b. x the location of all existing and proposed structures and their uses
- c. x the location and extent of all above ground development, both existing and proposed.
- d. Preliminary plans and specifications of the proposed development. *This preliminary plan shall be in a form that can be easily reproduced on transparencies that can be used for public presentation.*

Township requested 11 copies full sized site plans

Is the project to be developed in Phases? ___ Yes; X No.

5- ~~If the project is to be phased, provide documentation that:~~

- a. ~~___ Upon completion, each phase will be capable of standing on its own in terms of the presence of services, facilities, and open space, and contains the necessary components to insure protection of natural resources and the health, safety, and welfare of the users of the project and the residents of the surrounding area.~~
- b. ~~___ Shows a proposed commencement date for each phase of the project.~~

The proposed modifications do not change the original intent of the approved PUD.
Section 8.3 Planned Unit Developments:

Section 8.3.2 Objectives: The following objectives shall be considered in reviewing any application for a special use permit for planned unit development.

Provide statements showing HOW the project meets the following Objectives:

1. - Provides a more desirable living environment by preserving the natural character of open fields, stand of trees, brooks, ponds, lake shore, hills, and similar natural assets.
2. - Provision of open space and the development of recreational facilities in a generally central location and within reasonable distance of all living units.
3. - A more creative and imaginative approach in the development of residential areas.
4. - More efficient and aesthetic use of open areas by allowing the developer to reduce development costs through the by-passing of natural obstacles in the residential site.
5. - Encourage variety in the physical development pattern of the Township by providing a mixture of housing types.
6. - The retention of farmland by locating the allowed number of housing units on the agricultural parcels of land in clusters which are suitable for residential use and keep the remaining agricultural land in production or fallow and available for production.

The proposed dimensional site modifications do not change the Conditions for PUD.

Section 8.3.3 Qualifying Conditions: Any application for a special use permit shall meet the following conditions to qualify for consideration as planned unit development.

1. - The planned unit development site shall not be less than twenty (20) acres in area, shall be under the control of one owner or group of owners, and shall be capable of being planned and developed as one integral unit. PROVIDED that the site size requirement may be reduced by the Township Board if the Board determines that the proposed use is a suitable and reasonable use of the land.
2. - Located within a Residential or Agricultural District, or a combination of the above Districts.
3. - Where the County Health Department will approve, community type water and sewer facilities shall be provided as part of the site development. Package or other treatment systems shall be of sufficient capacity to process the total sewage load of the project. The location shall be such as to afford possible mechanical hook-up with the proposed Regional Treatment System when fully developed. It is recognized that joining water and sewer ventures with contiguous or nearby land owners may prove to be expedient.
4. - The proposed population density of the planned unit development shall be no greater than if the tract were developed with the lot area requirements of the particular zone district or districts in which it is located subject to the provisions of Section 8.3.5(2)(b).

5. - For each square foot of land gained through the reduction or averaging of lot sizes, equal amounts of land shall be dedicated to Peninsula Township, or retained by the property owner when specifically permitted by the Special Use Permit, or shall be set aside for the common use of the home or lot owners within the planned unit development under legal procedures which shall also give Peninsula Township a covenant or interest therein, so that there are assurances that the required open space shall remain open subject to the provisions of Section 8.3.6.
6. - The proposed planned unit development shall meet all of the standards and requirements outlined in this Article, Section 8.1.

Section 8.3.4 Uses that May be Permitted: The following uses of land and structures may be permitted within planned unit developments, **Indicate the proposed uses in the Planned Unit Development: No change in use type or use density is being proposed.**

1. - All uses permitted by right, or by special use permit in the respective Residential or Agricultural Districts in which the Planned Unit Development is proposed, subject to all the restrictions therefore.
2. ~~_____ Two family dwellings.~~
3. ~~_____ Group housing, row houses, garden apartments, or other similar housing types which can be defined as single family dwelling with no side yards between adjacent dwelling units.~~
4. - Recreation and open space, provided that only the following land uses may be set aside as common land for open space or recreation use under the provisions of this Section:
 - a. - Private recreational facilities, but not golf courses, such as pools, or other recreational facilities which are limited to the use of the owners or occupants of the lots located within the planned unit development.
 - b. - Historic building sites or historical sites, parks and parkway areas, ornamental parks, extensive areas with tree cover, low lands along streams or areas of rough terrain when such areas have natural features worthy of scenic preservation.
 - c. ~~_____ Commonly owned agricultural lands.~~
5. no change Signs as allowed by Section 7.11.
6. ~~_____ Agricultural lands.~~
7. ~~_____ Garages and accessory buildings and uses exclusively for the use of residents of the planned unit development and for the proper maintenance thereof.~~

Section 8.3.5 Lot Size Variation Procedure: The lot area for Planned Unit Developments within Residential and Agricultural Districts may be averaged or reduced from those sizes required by the applicable zoning district within which said development is located by compliance with the following procedures: **Overall PUD size is reduced by 0.19 acres.**

1. Site Acreage Computation:
 - a. 82.44 The gross acreage proposed for a planned unit development.
 - b. 0 Acreage not included:
 - i. 0 Land utilized by public utilities as easements for major facilities, such as electric transmission lines, sewer lines, water mains, or other similar lands which are not available to the owner because of such easements.
 - ii. 0 Lands below the Lake Michigan ordinary high water mark.
 - iii. 0 Lands used for commercial purposes subject to the requirements of Section 6.8.
 - c. Maximum Number of Lots and Dwelling Units:
Overall PUD density to remain as is. No change.

41 units
proposed
-no change

- d. 82.44 Gross Acreage available for development. (1.a. minus 1.b.)
- e. 12.36 Subtract from the total gross area available a fixed percentage of said total for street right-of-way purposes.
- i. 12.36 R-1A and R-1B Residential Districts - 15%.
 - ii. - R-1C Residential District - 20%.
 - iii. - R-1D Residential District - 30%.
 - iv. - A-1 Agricultural District - No Reduction.
- f. 70.08 Net Acreage available for development.
- g. 72 Allowed number of dwelling units (Sum of d.i. through d.v.).
- i. 66.2 R-1A District (Net Acreage divided by 43,560 square feet). 66.24 acres
 - ii. 6.7 R-1B District (Net Acreage divided by 25,000 square feet). 3.84 acres
 - iii. - R-1C District (Net Acreage divided by 20,000 square feet).
 - iv. - R-1D District (Net Acreage divided by 15,000 square feet).
 - v. - A-1 District (Net Acreage divided by 5 Acres).
- h. 0 Requested additional density reasons such as higher than normal developing costs resulting from special requirements of Section 8.3.
- no change
2. Permissive Minimum Lot Area:
- a. Districts R-1A and R-1B -- 12,000 square feet
 - b. District R-1C -- 9,000 square feet
 - c. District R-1D -- 5,000 square feet
 - d. District A-1 -- 22,000 square feet when the open space land is restricted agricultural land and 1 acre in all other cases.
3. Maximum Lot Area:
- a. When the open space land is to be retained by the property owner as restricted agricultural land; the maximum residential lot size shall be one acre,
 - b. The Township Board may approve larger lots if prime agricultural land will not be lost.
4. Permissive Minimum Yard Requirements: Under the lot averaging or reduction procedure, each lot shall have at least the following minimum yards:
- a. Front Yard: Twenty five (25) feet for all dwellings. PROVIDED that front yard requirements may be varied by the zoning board after consideration of common greens or other common open space if such space provides an average of 25 feet of front yard area per dwelling unit.
 - b. Side Yard: Fifteen (15) feet on each side for all one and two-family dwellings; none for town houses or row houses PROVIDED that there shall be a minimum of 15 feet between ends of contiguous groups of dwelling units.
 - c. Rear Yard: Thirty (30) feet for all dwellings, PROVIDED that rear yard requirements may be varied by the Township Board after consideration of common open space lands or parks or waterfront areas which abut the rear yard area.
5. Maximum Permissive Building Height:
- a. 2.5 stories but not exceeding 35 feet.
 - b. Accessory buildings shall not exceed a height of 15 feet.

No Change. Condo Doc exhibits will be revised pending approval.

6. Section 8.3.6 Open Space Requirements Option: The Township Board shall utilize one of the following three options for dedication of the provided open space:
- a. _____ That open space land shall be set aside as common land for the sole benefit, use and enjoyment of present and future lot or home owners within the development.
 - i. _____ Such open space shall be conveyed by proper legal procedures from the tract owner or owners to a home owners association or other similar non-profit organization so that fee simple title shall be vested in tract lot owners as tenants in common.
 - ii. _____ Documents providing for the maintenance of said land and any buildings thereon to assure that open space land remains open shall be provided to the Township Board for its approval.
 - b. ~~_____ That open space land shall be dedicated to the general public for park or recreational purposes by the tract owner or owners provided that the Township Board makes the following determinations:~~
 - i. ~~_____ The location and extent of said land is not in conflict with the Comprehensive Development Plan of Peninsula Township.~~
 - ii. ~~_____ The access to and the characteristics of the open space land is such that it will be readily available to and desirable for public use, development and maintenance.~~
 - c. ~~_____ That open space shall be retained in agricultural use as specified on the site plan with the following conditions:~~
 - i. ~~_____ Land shall be used exclusively for farming purposes but no building shall be placed thereon nor shall any special uses be permitted.~~
 - ii. ~~_____ A conservation easement shall be granted to Peninsula Township that restricts uses on the agricultural property to those above uses approved by the Township Board.~~
 - iii. ~~_____ A farmstead parcel consisting of a residence for the owner or operator of the farm along with any or all of the following outbuildings may be shown on the site plan if approved by the Township Board:~~
 - (1) ~~_____ Barns existing or proposed for uses necessary for agricultural production.~~
 - (2) ~~_____ Outbuildings existing or proposed for storage of machinery and equipment used for agricultural production.~~
 - (3) ~~_____ If a farmstead is shown on the site plan it shall be counted as one of the allowed dwelling units in the Planned Unit Development.~~
7. Section 7.7 Developments Abutting Agricultural Lands: Section 7.7.1 Agricultural Setback: The following setbacks shall be required when a planned unit development, subdivision, condominium, mobile home park, or other group housing is developed; and on those metes and bounds parcels created after the effective date of this amendment, as provided below
- a. Section 7.7.1.1 Requirement Agricultural Setback:
 - i. - _____ A setback of 100 feet from the property line of the adjacent property shall be required for accessory uses, buildings or structures as follows:
 - (1) When a planned unit development, subdivision, condominium, mobile home park, or other group housing is developed adjacent to land that is zoned A-1 Agriculture, and;
 - (2) When a planned unit development, subdivision, condominium, mobile home park, or other group housing is developed adjacent to land that is zoned

AG setback standards remain compliant.

AG setback standards remain compliant.

Residential but is shown on the Agricultural Preserve Map of the Peninsula Township Comprehensive Plan as adopted and amended from time to time by the Planning Commission.

- ii. _____ A setback of 50 feet from the property line of the adjacent property shall be required for those portions of metes and bounds parcels created after the adoption of this amendment that have a common line with land that is zoned A-1 Agriculture unless that A-1 Agriculture zoned land is being used for residential purposes.
- iii. _____ The setback areas required by (1) and (2) above shall not be used for accessory uses, buildings or structures.
- iv. _____ A setback of 100 feet shall be required when a planned unit development, subdivision, condominium, mobile home park, or other group housing is developed adjacent to land that is zoned Residential but is currently being used for agricultural production that includes the carrying on of usual soil practices of cultivation, spraying and fertilization.

The 30-foot PUD perimeter setback remains unchanged.

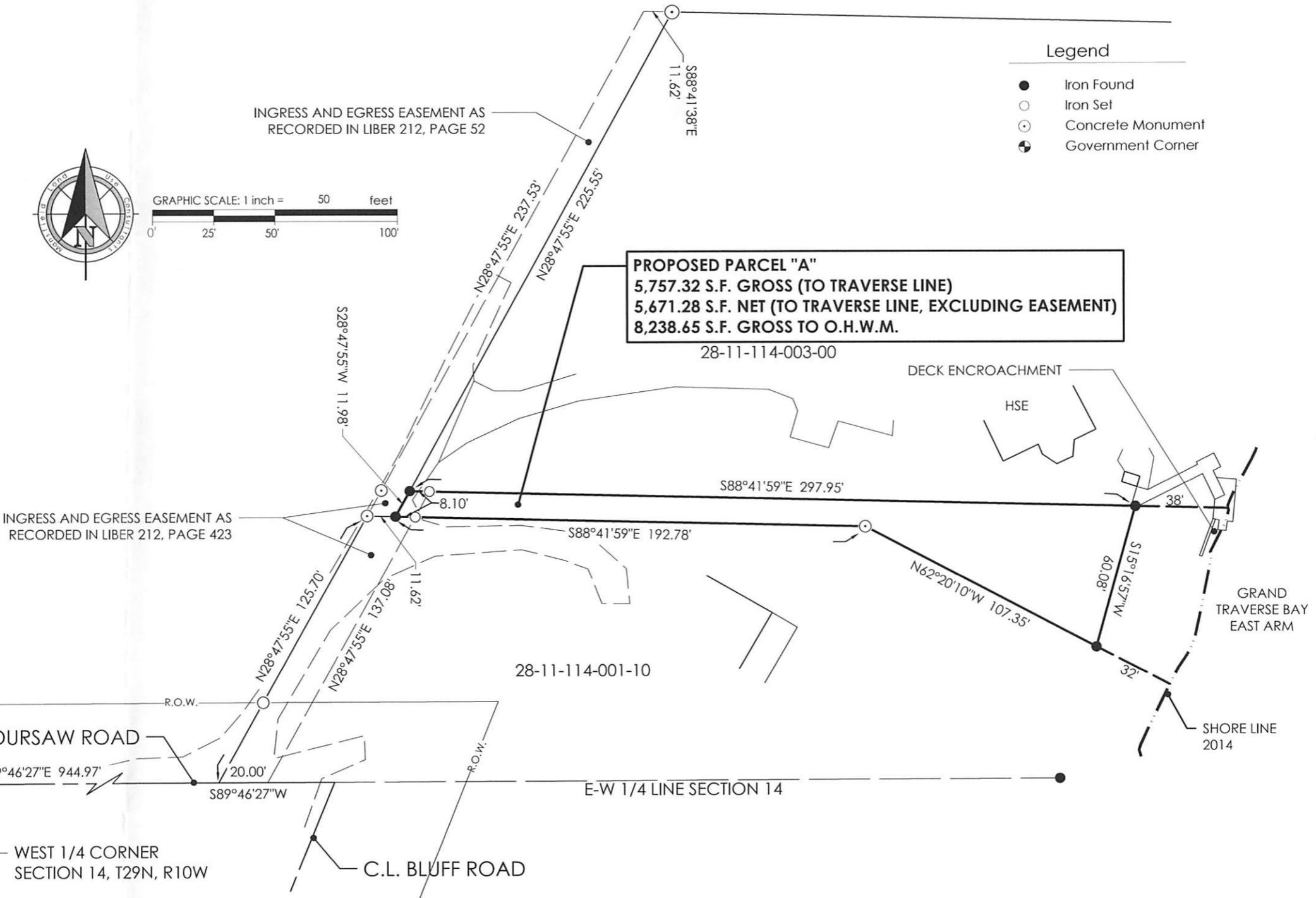
- b. _____ Section 7.7.1.2 Lot Designation: Subdivision Lots or Condominium Limited Common Elements adjacent to such agricultural lands shall have designated building sites shown on the preliminary and final plans. Residential and accessory uses shall be located within the designated areas. Plans accompanying applications for zoning permits shall show such designated sites.

Setback dimensions within individual lots (building envelopes) are unchanged.

- c. _____ Section 7.7.1.3 Exceptions to Required Setbacks:
 - i. _____ The Township Board may, upon recommendation of the Planning Commission, decrease the required setback on any or all lots or limited common elements when the Township Board determines that one or more of the following conditions exist:
 - (1) _____ The existence of topographic conditions i.e. steep slopes, changes in grade, wetlands etc. or other site conditions which make it:
 - (a) _____ unlikely that any of the uses allowed in the agricultural district would be located on the adjacent agriculturally zoned land; or
 - (b) _____ so that the properties are sufficiently separated to mitigate incompatibilities of use.
 - (2) _____ There exists an easement such as a conservation easement on the land adjacent to the proposed plat that restricts agricultural uses in such a manner that protection to future homeowners is equal or better than that provided by the 100 foot setback.
 - (3) _____ There are existing residential uses along the lot line of the agriculturally zoned property.
8. _____ Section 8.3.7 Affidavit. The applicant shall record an affidavit with the register of deeds containing the legal description of the entire project, specifying the date of approval of the special use permit, and declaring that all future development of the planned unit development property has been authorized and required to be carried out in accordance with the approved special use permit unless an amendment thereto is duly adopted by the Township upon the request and/or approval of the applicant, or applicant's transferee and/or assigns.

Survey Sketch

- Legend**
- Iron Found
 - Iron Set
 - ⊙ Concrete Monument
 - ⊕ Government Corner



NOTE:
 - THIS IS NOT A BOUNDARY SURVEY.
 - THIS SURVEY SKETCH IS NOT TO BE
 USED FOR CONVEYANCE OF TITLE.

Mansfield
Land Use Consultants
 Planners - Civil Engineers - Surveyors

830 Cottageview Dr., Suite 201
 Traverse City, MI 49685
 Ph: (231) 946-9310
 Fax: (231) 946-8926
 www.maaeps.com

The 81 Development Company, LLC

Proposed Parcel A
 Section 14, Town 29 North, Range 10 West
 Peninsula Township, Grand Traverse County, Michigan

DRN: mmm
 CKD: mkg
 06.29.20
 14016
 SHT 1 OF 2

Survey Sketch

PROPOSED DESCRIPTION: PARCEL A

A parcel of land located in the Northwest quarter of Section 14, Town 29 North, Range 10 West, Peninsula Township, Grand Traverse County, Michigan, more fully described as:

Commencing at the West quarter corner of said Section 14;
 thence North 89°46'27" East, 944.97 feet,
 along the East and West quarter line of said Section and the center line of Boursaw Road;
 thence North 28°47'55" East, 125.70 feet;
 along the westerly line of an ingress and egress easement as recorded in Liber 212, Page 423;
 thence South 88°41'59" East, 11.62 feet,
 to the Point of Beginning;
 thence South 88°41'59" East, 192.78 feet;
 thence South 62°20'10" East, 107.35 feet,
 to a point near the shore of the East Arm of Grand Traverse Bay;
 thence North 15°16'57" East, 60.08 feet;
 thence North 88°41'59" West, 297.95 feet;
 thence South 28°47'55" West, 11.98 feet,
 to the Point of Beginning.

Lot lines are to extend to the water's edge of the East Arm of Grand Traverse Bay.

Subject to and together with ingress and egress easements as recorded in Liber 212, Page 423 and Liber 212, Page 52, Grand Traverse County Register of Deeds.

Subject to other easements or restrictions, if any.

Mansfield Land Use Consultants <hr/> <i>Planners - Civil Engineers - Surveyors</i>	PO Box 4015 830 Cottageview Dr., Suite 201 Traverse City, MI 49685 Ph: (231) 946-9310 Fax: (231) 946-8926 www.maaeps.com	The 81 Development Company, LLC		DRN: mmm	CKD: mkg	
		Proposed Parcel A Section 14, Town 29 North, Range 10 West Peninsula Township, Grand Traverse County, Michigan			08.08.19	14016
					SHT 2 OF 2	

B&B Application



December 17, 2021

Susie Shipman, Planning Commission Chair
Peninsula Township
13235 Center Road
Traverse City, MI 49686
231-223-4484

RE: 11594 Peninsula Drive – Bed and Breakfast Application
Proposed Special Use Permit– Ordinance Plan Review Escrow

Dear Susie,

We have reviewed the supporting documents for the 11594 Peninsula Drive – Bed and Breakfast Application, dated 11/3/21 as completed the owner/applicant, Ms. Beth Schroeder. The applicant provided a packet that was deemed complete, including response to the Bed and Breakfast Application, SUP application form, Storm Water Application Form, Health Department well and septic information, and architectural floor plans for staff review. Our review consisted of examining the application for their impacts to utilities, stormwater management, and the general compliance with the Special Use permit and zoning ordinance criteria.

Subject Site

11594 Peninsula Drive is located 900-ft north the intersection Peninsula Dr. and Chimney Ridge Dr. The subject property has an existing use of single-family residence.

- Subject parcel: 11-005-025-03, frontage on Peninsula Rd. @ 1.21 acres
- Zoning Classification – R-1B Coastal Zone Residential
- Existing single-family use consists of 2-Story single-family residence that remodeled and expanded with a garage addition in 2019. The site currently has gravel driveway access Peninsula Road. The site is served by on-site private water well and septic system. Drainage of the existing site general slopes towards Peninsula Drive.



Purpose of Application

The application from Ms. Elizabeth Schroeder proposes a Special Use Permit for Bed and Breakfast Establishment.

Procedure

SUP applications are reviewed consistent to the process outlined in Article 8 of the ordinance.

Zoning

The zoning for the subject property – R-1B Coastal Zone Residential classification.

- The zoning allows for Bed and Breakfast Establishment use through Special Use Permit.
- North and south neighboring parcels have the same zoning. The neighboring parcel to the east is zoned A-1.



Review and Approval Criteria

Proposed Improvements:

According to the information in the application, work was completed in 2019 included remodeling and an addition to the existing single-family residence as well as some exterior work to accommodate the septic and storm water needs. The relevant modifications are listed below according to the above documents noted:

- Applicants Response to the Bed and Breakfast Application Form
 - Proposed 2-bedroom, 1 bath, 1 sitting space B&B located above the residence. Comprised of 156 sf + 100 SF bedrooms, 115 SF sitting room.
 - Parking provided in the current driveway.
- Architectural Floor Plans
 - Addition of a new attached garage with second floor office and bathroom
 - Remodeling existing home necessary second floor two bed rooms and bath.
 - Total building coverage scaled from PDF drawings equates to about 2,900 SF (1,100 SF Original Structure + 1,800 SF Garage addition)
- Health Department Well and Septic Info – Permit 38976
 - Addition of second septic tank. Constructed per as-built.
 - Planned Basin 1 near driveway for storm water handling. Not constructed per as-built and site visit.

Below are the noted sections of the ordinance as part of our general review and includes GFA's corresponding comments noting any deficiencies (underlined) lacking in the application that are needed to facilitate approval.

Overall Ordinance Compliance Review:

- Section 6.3 R-1B Coastal Zone Residential
 - 6.3.2 Uses Permitted – All uses permitted by “Special Use Permit” in R-1A
 - => 6.2.4 (A) Bed and Breakfast Establishments allowed.
- Section 6.8 Schedule of Regulations
 - Building requirements meet sizing/height constraints.
 - Building height not shown. Site visit shows similar to original structure height. Complies.
 - Building size scaled from plans complies with coverage constraints.
 - Setbacks not shown on plans
 - Front and Side setbacks comply per GT county mapper.
 - Rear setback is unclear for the garage addition. However, the proposed B&B utilized the structure previous approved and constructed in 2019. In addition, the B&B use is outside the 30' setback per the GT County Mapper. Therefore complies.
- Section 7.2 Supplementary Use Regulations
 - Stormwater Detention – *Reviewed in section below.*
- Section 7.6 Off-street parking
 - Gravel driveway was redone in 2019. Parking spaces are not shown on plans. 4 spaces are required for a 2-bedroom B&B. Three stall garage was installed in 2019. Therefore, adequate parking is apparent considering 2 outside the garage and 2 within. The gravel driveway improvements provided are more than enough area for this.



- 8.1.3 Basis of Determination
 - o 8.1.3.(1) – General standards response by applicant appears to meet the standards.
 - o 8.1.3.(3) – Specific Requirements
 - (d) - A letter from the Fire Department is required to be included with this application attesting to emergency access and overall acceptance. It is noted that an occupancy certificate was provided with the application packet.
 - (J) – Regarding drainage- *See comments detailed comments in next section.*
 - (k) – Regarding grading – *See comments detailed comments in next section.*
- Section 8.7.3. (6) Miscellaneous Special Uses Bed and Breakfast Establishments.
 - o (a) The applicant did not provide a direct response Statement of intent. However, we feel the applicant’s response to 8.1.3 suffices.
 - o (b) 8. Regarding bedroom square footage and maximum occupancy, the application lists the maximum of 8 is applied for. The bedrooms square footage alone can only provide occupancy for 5. A modification to the application should be provided to address this.

Engineering Review of Site Improvements

Storm Water Review:

GFA reviewed the Storm Water Permit App SW2019-06 provided from the 2019 project. Stone drains under the drip edges and a large basin, Basin 1, were designated to be installed. However, the as-built and our site visit indicate Basin 1 was not constructed. No information on the size/depth of the stone drains was provided.

As this is a smaller project, GFA ran a quick assessment of the storm water requirements. It appears the addition is approximately 1,800 SF. The driveway is gravel and can be considered negligible change from existing conditions. A simplified method would account for the 25-year design rainfall of 3.89” over the additions, which equates to 523 CF of runoff needing to be managed.

- The applicant should provide information on what was constructed and its capacity to manage the storm water. Additional details for Basin 1 should be provided if needed.
- A stormwater maintenance plan shall be recorded and copy provided to the Township.

Grading Review:

1. No details were provided for the grading proposed Basin 1
2. 1:3 maximum slopes restored with a proper vegetation cover is recommended.

Erosion Control Review:

Plans to satisfy the requirements of Ordinance 25 and to obtain a SESC permit should be provided if additional work to construct Basin 1 is necessary. These requirements would generally match those shown in the Storm Water Permit App SW2019-06 and should show the location of silt fencing and plans for maintenance and restoration of the work.

Utility Review:

The applicant provided adequate information to show the new use is served by the on-site septic and well facilities. No impacts to public utilities are imposed by this project. Please provide a letter received from the Health Department confirming this.



We request the applicant to reply with addition information or plans to address the storm water management requirements and confirmations from the Fire Department and Health Department. While detailed plans were not provided, there is sufficient information on the current set of plans to indicate the intent and ability to comply with the Ordinances. Overall, we feel the application is administratively complete and ready for public comment while the applicant reviews the above and provides additional information.

Please do not hesitate to contact me with any questions regarding this review.

Respectfully Submitted,
GOURDIE-FRASER

A handwritten signature in black ink, appearing to read 'Mark Maguire'.

Mark Maguire, PE
Project Engineer

A handwritten signature in black ink, appearing to read 'Jennifer Hodges'.

Jennifer Hodges, PE
Sr. Project Manager

cc: Ms. Elizabeth Schroeder

Peninsula Township Application for Special Use/Bed and Breakfast

Property Address: 11594 Peninsula Dr., Traverse City, MI 49686

Applicant Address: 11594 Peninsula Dr., Traverse City, MI 49686

Requirements for documents and information filled out in full by the applicant:

- (a) A statement of supporting evidence showing compliance with the requirements of Section 8.1.3

We intend to offer two bedrooms, one bathroom and a sitting space for short-term rentals. The space is fully integrated into our home and will not change the current appearance in any way. Guests will be limited to a maximum of 8 persons and parking will be available in our current driveway space. Therefore, we do not believe there will be any impact to the character of the house or the general vicinity in any way.

- (b) Our driveway and the entrance to the proposed rental space are on the north and northwest side of our home. The nearest residence to the north is ??? feet away. All parking and rental guest activity would primarily occur on the north and northwest side of the home. Therefore, there would be little to no impact to the neighbors to the south (that house is currently under construction).
- (c) As mentioned above, this space is already fully integrated into the home. Therefore, essential facilities and services are already available and this plan is expected to have no impact to those services. In addition, we will meet the requirement to file a floor plan with the fire department.
- (d) There will be no additional requirements at public cost.
- (e) This request will not be detrimental to any persons, property or general welfare in any way.

Bed and Breakfast Requirements:

1. Minimum lot size shall be one (1) acre.
 - a. Our lot size is 1.28 acres
2. Off-street parking
 - a. As mentioned above our current driveway will accommodate the additional vehicle(s)
3. The residence shall be the principal dwelling unit on the property and shall be owner-occupied at all times.
 - a. There is only one dwelling on the property and we intend to be in the residence during all of the rental periods.
4. The residence shall have at least two (2) exits to the outdoors.
 - a. There are two doors and 3 windows in the proposed rental space that would allow exit to the outdoors.
5. No more than three sleeping rooms may be used for rental purposes.
 - a. As mentioned, we intend to rent 2 bedrooms and a sitting space.
6. Not more than eight (8) overnight guests may be accommodated at any time.
 - a. We confirm, not more than 8 persons would be allowed at one time.

7. The rooms utilized for sleeping shall be a part of the primary residential use and not specifically constructed for rental purposes.
 - a. These rooms are already integrated into our home. They were not built for rental purposes. Rather we have found that we do not use them as often as originally intended.
8. The rental sleeping rooms shall have a minimum size of one hundred (100) square feet for each two occupants with an additional thirty (30) square feet for each occupant to a maximum of four (4) occupants per room.
 - a. Bedroom 2 is 156 sq ft, Bedroom 3 is 100 sq ft, sitting area is 115 sq ft (designations noted align with descriptions in the accompanying floorplan)
9. Proof of evaluation of the well and septic system by the Health Department and conformance to that agency's requirements shall be supplied.
 - a. Attached with this application
10. The Township Board shall require that a floor plan drawn to an architectural scale of not less than 1/8" = 1 foot be on file with the Fire Department
 - a. **Completed**
11. Each owner/operator of a Bed and Breakfast Establishment shall keep a guest registry which shall be available for inspecting by the Zoning Administrator, and fire and police officials at any time.
 - a. Understood and will implement upon approval
12. The length of stay for each guest shall not exceed seven (7) days within any thirty (30) day period.
 - a. Understood and will comply
13. In the event that the Township Board determines that noise generation may be disturbing to neighbors, or that the location of the establishment is in an area where trespass onto adjacent properties is likely to occur, then the Township Board may require fencing and/or planting buffer be constructed and maintained.
 - a. Understood
14. Rental of snowmobiles, ATBV's or similar vehicles, boats and other marine equipment, in conjunction with the operation of the establishment is prohibited,
 - a. Understood
15. A Special Use Permit shall not be granted if the essential character of a lot or structure within a residential or agricultural district, in terms of use, traffic generation or appearance will be changed substantially by the occurrence of the bed and breakfast use.
 - a. Understood. As mentioned earlier there will be no change in character to our home.
16. Breakfasts shall be the only meals served to transient tenants.
 - a. Understood

PENINSULA TOWNSHIP APPLICATION FOR SPECIAL USE PERMIT NO.

Parcel Code/s #28-11-005-025-03

Property Address: 11594 Peninsula Dr., Traverse City, MI 49686

Applicant Address: 11594 Peninsula Dr., Traverse City, MI 49686

Elizabeth Schaefer
Applicant' Signature

Review Fee \$1000 1532 11/8/21
Check No. Date

APPLICATION REQUIREMENTS

1. Each application is submitted through the Zoning Administrator, and shall be accompanied by a fee as established by the Peninsula Township Board.
2. The applicant will assume direct costs for any additional professional review determined necessary by the Planning Commission or the Township Board, subject to prior review and approval of the applicant.
3. No part of any fee is be refundable and no portion of the fee covers the cost of any individual land use permit that may be issued on any of the building sites located in a Planned Unit Development.
4. Requirements for documents and information filled out in full by the applicant:
 - (a) A statement of supporting evidence showing compliance with the requirements of Section 8.1.3.
 - (b) Site plan, plot plan, development plan, drawn to scale (preferable 1"=50'), of total property involved showing the location of all abutting streets, the location of all existing and proposed structures and their uses, and the location and extent of all above ground development, both existing and proposed.
 - (c) Preliminary plans and specifications of the proposed development.
5. This application, along with all required data shall be submitted to the Zoning Administrator.
 - (a) Upon receipt of a completed application and the required data by the Zoning Administrator, it is transmitted to the Township Planning Commission for review.
 - (b) The Planning Commission may hold a public hearing on the application.
 - (c) Following a study by the Planning Commission it is transmitted to the Township Board for consideration.
 - (d) The Township Board may deny, approve, or approve with conditions, a request for special land use approval.

6. Specific Requirements: In reviewing an impact assessment and site plan, the Town Board and the Planning Commission shall consider the following standards:

Ordinance Reference - Section 8.1.3

Include a statement of HOW the proposed project meets the standards:

Section 8.1.3 Basis for Determinations: Before making recommendation on a special use permit application, the Town Board shall establish that the following general standards, as well as the specific standards outlined in each section of this Article, shall be satisfied.

- (1) General Standards: The Town Board shall review each application for the purpose of determining that each proposed use meets the following standards, and in addition, shall find adequate evidence that each use on the proposed location will:
 - (a) Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed.
 - (b) Not be hazardous or disturbing to existing or future uses in the same general vicinity and will be a substantial improvement to property in the immediate vicinity and to the community as a whole.
 - (c) Be served adequately by essential facilities and services, such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, or schools.
 - (d) Not create excessive additional requirements at public cost for public facilities and services.
 - (e) Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by fumes, glare or odors.
- (2) Conditions and Safeguards: The Town Board may impose such additional conditions and safeguards deemed necessary for the general welfare, for the protection of individual property rights, and for insuring that the intent and objectives of this Ordinance will be observed. The breach of any condition, safeguard or requirement shall automatically invalidate the permit granted.
- (3) Specific Requirements: In reviewing an impact assessment and site plan, the Town Board and the Planning Commission shall consider the following standards:
 - (a) That the applicant may legally apply for site plan review.
 - (b) That all required information has been provided.
 - (c) That the proposed development conforms to all regulations of the zoning district in which it is located.

- (d) That the plan meets the requirements of Peninsula Township for fire and police protection, water supply, sewage disposal or treatment, storm drainage and other public facilities and services.
- (e) That the plan meets the standards of other governmental agencies where applicable, and that the approval of these agencies has been obtained or is assured.
- (f) That natural resources will be preserved to a maximum feasible extent, and that areas to be left undisturbed during construction shall be so located on the site plan and at the site per se.
- (g) That the proposed development property respects floodways and flood plains on or in the vicinity of the subject property.
- (h) That the soil conditions are suitable for excavation and site preparation, and that organic, wet or other soils which are not suitable for development will either be undisturbed or modified in an acceptable manner.
- (i) That the proposed development will not cause soil erosion or sedimentation problems.
- (j) That the drainage plan for the proposed development is adequate to handle anticipated stormwater runoff, and will not cause undue runoff onto neighboring property or overloading of water courses in the area.
- (k) That grading or filling will not destroy the character of the property or the surrounding area, and will not adversely affect the adjacent or neighboring properties.
- (l) That structures, landscaping, landfills or other land uses will not disrupt air drainage systems necessary for agricultural uses.
- (m) That phases of development are in a logical sequence, so that any one phase will not depend upon a subsequent phase for adequate access, public utility service, drainage or erosion control.
- (n) That the plan provides for the proper expansion of existing facilities such as public streets, drainage systems and water sewage facilities.
- (o) That landscaping, fences or walls may be required by the Town Board and Planning Commission in pursuance of the objectives of this Ordinance.
- (p) That parking layout will not adversely affect the flow of traffic within the site, or to and from the adjacent streets.
- (q) That vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks serving the site, shall be safe and convenient.

- (r) That outdoor storage of garbage and refuse is contained, screened from view and located so as not to be a nuisance to the subject property or neighboring properties.
 - (s) That the proposed site is in accord with the spirit and purpose of this Ordinance and not inconsistent with, or contrary to, the objectives sought to be accomplished by this Ordinance and the principles of sound planning.
7. A public hearing on a special land use request is held by the Township Board if:
- a. A public hearing is requested by the Township Board, the applicant for special land use authorization, a property owner, or the occupant of a structure located within three hundred (300) feet of the boundary of the property being considered for a special land use.
 - b. The decision on the special land use request is based on discretionary grounds.
8. Complies with Section 7.7 Developments Abutting Agricultural Lands.

STORM WATER APPLICATION PROCESSING

Peninsula Township Storm Water Control Ordinance No. 33

Peninsula Township

13235 Center Road, Traverse City MI 49686

Ph: 231.223.7322 Fax: 231.223.7117

www.peninsulatownship.com

Permit No. SW2019-06

Parcel No. 11-005-025-03

DATE	DESCRIPTION: 11594 Peninsula Drive, Traverse City, MI 49686 Owner: James and Elizabeth Schroeder
06/27/2019	Check # 1148 \$500.00 June 27, 2019 Diamondwood Inc. RE: Storm Water Application Fee \$500.00 – Minor Review

Storm Water Facilities Retention Systems:

Design Criteria:

The subject site is located within 500 feet of West Bay. The property was originally improved with a one and a quarter story structure in 1920. A one story 14 ft by 32 ft addition that was added to the existing building in 1974 has been demolished and the remainder of the structure will be renovated with two story addition to be added along with an attached garage to the northerly and easterly portions of the property.

The properties soil conditions are a heavy gravel which will help aid in storm water drainage from the new construction. The installation of gutters with a downward spout with stone drains under roof drip edges is recommended to help prevent erosion from water runoff from the roof tops and will be included in the owners landscaping plans. Grass is to be re-established on the site to stabilize lands from erosion.

The subject site decreases in elevation from the structure east of Peninsula Drive westerly towards West Bay. The site changes in elevation from the existing structure west towards the water from an elevation of 597 feet to 591 feet.

The storm water pattern follows along the natural gravity of the landscape from east to west as the elevation of the site decreases from 597 ft above elevation to 591 ft above elevation in the westerly direction towards West Bay. There are natural basins between these elevation patterns and a large basin is designated between Peninsula Drive and the structure. Grand Traverse County Soil Erosion and Sedimentation Control have outlined specific requirements during the construction of the proposed addition which include and are not limited to the installation of silt fences to be placed in compliance with the site plan provided in the approved permit. All spoil and debris piles shall be stored behind the silt fence to prohibit sediment or debris from entering the flood plain or lake. Installation of erosion control-blankets should be used and staked down properly on any slopes with 3:1 or greater in order to control erosion and storm water runoff. Grading and sloping of the site to properly manage flow for surface water which is not collected by other control measures is required.

Conveyance Controls:

The placement of seeding and straw mulch shall be provided as soon as possible to establish vegetation to aid in mitigation of erosion created by the disturbance of soils from the excavation of the site for preparation the proposed addition. This shall be completed within five days of the completion of the final grading of the site. Silt fencing shall be in place and in tack throughout the process of the construction until final grading, straw mulch and seeding are properly placed on the site. There is to be no work within the ordinary high water. Any work below the ordinary high water mark requires a permit form the Michigan Department of Environmental Quality to be obtained first.



SOS ANALYTICAL

NEEDS BY 1PM FRI

4125 Cedar Run Road, Suite B
Traverse City, MI 49684
voice: (231) 946-6767
fax: (231) 946-8741

SOSanalytical.com

***** For Laboratory Use Only *****

SOS Analysis Number (To be assigned by laboratory):

184020

Received in lab by: C. Gerhard Date: 8/7/18 Time: 1:50 AM PM Temp: 16.40C

Payment Amount: \$ 80.00 Cash Check # Credit Card Bill to Account (Must be pre-approved)

THIS IS A LEGAL DOCUMENT. FILL IN ALL REQUESTED INFORMATION BELOW.

Report Results To:

Name: Catherine Bristol

Mailing Address: 9767 E CARTW Rd

City: Traverse City State: Mi Zip: 49684

Phone: (231) 409-6151 Fax: ()

E-mail Address: bristol Cathy@gmail.com

Check here if you would like SOS to report results to the Health Department

Site Information:

Owner or Company Name: Jim & Elizabeth Schroeder

Property Address: 11594 Peninsula Dr.

City: Traverse City State: Mi 49686

County: Grand Traverse Township: Peninsula

Name of Sample Collector: Cathy Bristol

X3 if here
by used by
won (0/8) ...
me FRIDAY 8/10
questions? (SW)
JUST AS!

Collection Point / Sample ID	Date	Time	Partial Chem	Nitrate	Bacteria	Lead	Copper	Arsenic	Hardness	Iron	Fluoride
1 Well Head	8-7-18	1:15 AM		X	X			X			
Original SOS # if Retest: Sample contains chlorine		PM									
2		AM									
Original SOS # if Retest: Sample contains chlorine		PM									
3		AM									
Original SOS # if Retest: Sample contains chlorine		PM									

(x2 PUSH)

Complete this section only if reporting to a County Health Department

WSSN (Public Water Supply Serial Number): _____ Well Permit #: _____

Property Tax ID #: _____ Computer ID #: _____



4125 Cedar Run Rd., Suite B
 Traverse City, MI 49684
 Phone 231-946-6767
 Fax 231-946-8741
 www.sosanalytical.com

COMPANY:
 NAME: JIM & ELIZABETH ROE SCHROEDER
 PROJECT NO:
 WSSN:
 WELL PERMIT:
 TAX ID:
 LOCATION: 11594 PENINSULA DR
 TRAVERSE CITY
 MI
 COUNTY: GRAND TRAVERSE
 TWP: PENINSULA

SOS PROJECT NO: 184020 - 1
 SAMPLED BY: CATHY BRISTOL
 DATE RECEIVED: 8/7/2018
 TIME RECEIVED: 1:50 PM
 SAMPLE ID: WELL HEAD
 DATE SAMPLED: 8/7/2018
 TIME SAMPLED: 1:15 PM
 SAMPLE MATRIX: DRINKING WATER
 RUSH DUE FRI 8/10 BY 1PM

INORGANICS

<u>Analysis</u>	<u>Concentration</u>	<u>LOD</u>	<u>Units</u>	<u>Analyst</u>	<u>Date Completed</u>	<u>Drinking Water Reg Limit(MCL)</u>
ARSENIC - EPA 200.8	ND	0.002	mg/L (PPM)	MM	8/10/2018	0.010
NITROGEN, NITRATE - EPA 300.0	ND	0.1	mg/L (PPM)	KMJ	8/8/2018	10

SM9223 COLIFORM BACTERIA - PRESENCE/ABSENCE

	<u>SAMPLE RESULT</u>	<u>Drinking Water Reg Limit(MCL)</u>
TOTAL COLIFORM BACTERIA	ABSENT	ABSENT
E. coli BACTERIA	ABSENT	ABSENT

ND = NOT DETECTED
 LOD = LIMIT OF DETECTION
 SMCL = FEDERAL NON-ENFORCEABLE LIMIT
 MCL = MAXIMUM CONTAMINANT LEVEL

APPROVED BY: Shanna Shea
 SHANNA SHEA
 LAB MANAGER

**GRAND
TRAVERSE
COUNTY**

CONSTRUCTION CODE
2650 LaFRANIER ROAD
TRAVERSE CITY, MI 49686
(231) 995-6044

**CERTIFICATE
OF OCCUPANCY**

Building Permit

Permit #: 45382
Process Date 7/15/2019
Receipt #s:

SITE

11594 PENINSULA DR
TRAVERSE CITY MI 49686

Township: PENINSULA Property #: 28-11-005-025-03

Description:

TO EXIST DWELLING, CONSTRUCT A 250 SF ADDITION ON CRAWL 962 SF ATT GARAGE W/546 SF FIN LIV ABOVE & INT ALTERATIONS TO 1ST & 2ND FLOORS.

Use Group: SFD

Const Type: 5B

Proposed Use: 09 RESID-ADD

Area (SF): 1758 Estimated Cost: \$150,179 Permit Fee: \$872

Signature: *Brent Wheat*

APPLICANT

DAVIS, ROBERT DAVID
5280 BUTLER RD SW
SOUTH BOARDMAN MI 49680

OWNER

SCHROEDER, JAMES & ELIZABETH
130 MAPLE AVE
HERSHEY PA 17033

DEPARTMENTAL APPROVAL FOR CERTIFICATE of OCCUPANCY and COMPLIANCE

To be filled in by each division indicated hereon upon completion of its final inspection.

TYPE	PERMIT #	APPROVED	DATE	REMARKS
BUILDING	B-45382	<i>Brent Wheat</i>	7-31-20	
PLUMBING	P-25653	<i>Corey Hooper</i>	7-13-2020	
ELECTRICAL	E-30118	<i>Mike Schmerl</i>	7-15-2020	
MECHANICAL	M-42397	<i>Kevin Peabody</i>	7-13-2020	
Env Health	38976	<i>Brent Wheat</i>	9-23-2019	
Soil Erosion	19-501	<i>Brent Wheat</i>	7-31-2020	

Robert
218-9399

Grand Traverse County Health Department
2650 LAFRANIER RD
TRAVERSE CITY, MI 49686
231-995-6051

ENTERED
SEPTIC TANK 9/21/19
WELL
COFO 9/23/19

GT #: **38976**

OWNER **JAMES & ELIZABETH SCHROEDER**
CURRENT MAILING ADDRESS **130 MAPLE AVE**
Hershey, PA 17033 PH. **989-860-2528**

NEW **No** EXISTING **Replacement**
TYPE OF ESTABLISHMENT **Residential**
PROPERTY ADDRESS **11594 PENINSULA DR**
SUBDIVISION _____
CITY **TRAVERSE CITY** LOT # _____
TOWNSHIP **Peninsula Twp.** SECTION **5**

SOIL: **TOPSOIL 0-14"**
SOIL TYPE TO A DEPTH OF 6" **MEDIUM SAND 14"-48"**
MEDIUM SAND WITH GRAVEL 48"-72"
DEPTH TO GROUND WATER **>72**

SEPTIC TANK SIZE **EX 800g + NEW 800g** NUMBER OF BEDROOMS **3**
PUMP CHAMBER _____ NUMBER OF BATHS **4**
EFFLUENT FILTER **RECOMMENDED** LAUNDRY **YES**
DRAIN BED _____ DISHWASHER **YES**
LINEAL FEET _____ GARBAGE DISPOSAL **YES**
SQUARE FEET _____ BASEMENT PLUMBING **NO**
TILE LINES ON _____ SEWAGE EJECTOR **NO**
TILE FIELD _____ EXISTING FUEL TANKS **NO**
TRENCH WIDTH _____ SHARED WELL **NO**
LINEAL FEET _____ OTHER _____
OTHER _____
ADDITIONAL PERMIT SPECIFICATIONS:

PROPERTY TAX # - **281100502503**

WATER SUPPLY INFORMATION

CITY _____ WELL **X**
WELL TYPE **Existing**
DEPTH _____
EXISTING WELL TO BE ABANDONED AND PLUGGED **NO**
APPROVED _____

WATER SAMPLE RESULTS

BACTERIOLOGICAL _____ DATE SAMPLED _____
NITRATES _____ PPM DATE SAMPLED _____

WATER SAMPLING REQUIREMENT

(1) Before placing a new, repaired, or reconditioned water supply system into service, and after all traces of chlorine have been flushed out, 1 or more water samples shall be collected from the sampling faucet. Organisms of the coliform group shall not be present in the sample or samples.
(2) The water supply owner shall be responsible for collecting the water sample or shall arrange for the owner's designated representative to collect the sample. The well drilling contractor or pump installer shall notify the water supply owner of the owner's responsibility for collecting the water sample.

AGREEMENT

I HEREBY AGREE TO COMPLY WITH REQUIREMENTS OF THE SANITARY CODE FOR THE COUNTY OF GRAND TRAVERSE, AND THE APPLICABLE LAWS OF THE STATE OF MICHIGAN IN THE INSTALLATION OF A SEPTIC TANK SEWAGE DISPOSAL SYSTEM & /OR WELL INSTALLATION ON THE ABOVE DESCRIBED PROPERTY, AND TO CONSTRUCT THE SAME ACCORDING TO THE PLANS AND SPECIFICATIONS AS DESCRIBED AND APPROVED ABOVE; OTHERWISE I UNDERSTAND, THE PERMIT WILL BE VOID.

THE FINAL INSPECTION REQUIRED BEFORE COVERING. ONE DAY NOTICE SHALL BE GIVEN FOR INSPECTION.

SIGNED R. O. O. O. DATE 6-24-19
OWNER OR AGENT

THE SPECIFICATIONS AS STATED ON THIS PERMIT MEET WITH MINIMUM REQUIREMENTS OF THE SANITARY CODE. THE OWNER SHOULD BE ADVISED THAT ADDITIONAL CONSTRUCTION OPTIONS MAY BE AVAILABLE WHICH COULD EXTEND THE LIFE EXPECTANCY OF THE SEWAGE SYSTEM. CONSULT WITH THE HEALTH DEPARTMENT REGARDING THESE OPTIONS.

PERMIT TO INSTALL, CONSTRUCT OR REPLACE
EXPIRES 2 YEARS AFTER DATE OF ISSUE
PERMIT IS NON-TRANSFERABLE TO PERSON OR PLACE

SEE REVERSE SIDE FOR DRAWING AND CONSTRUCTION DETAILS

CERTIFICATION OF INSPECTION
(PERMIT TO COVER)

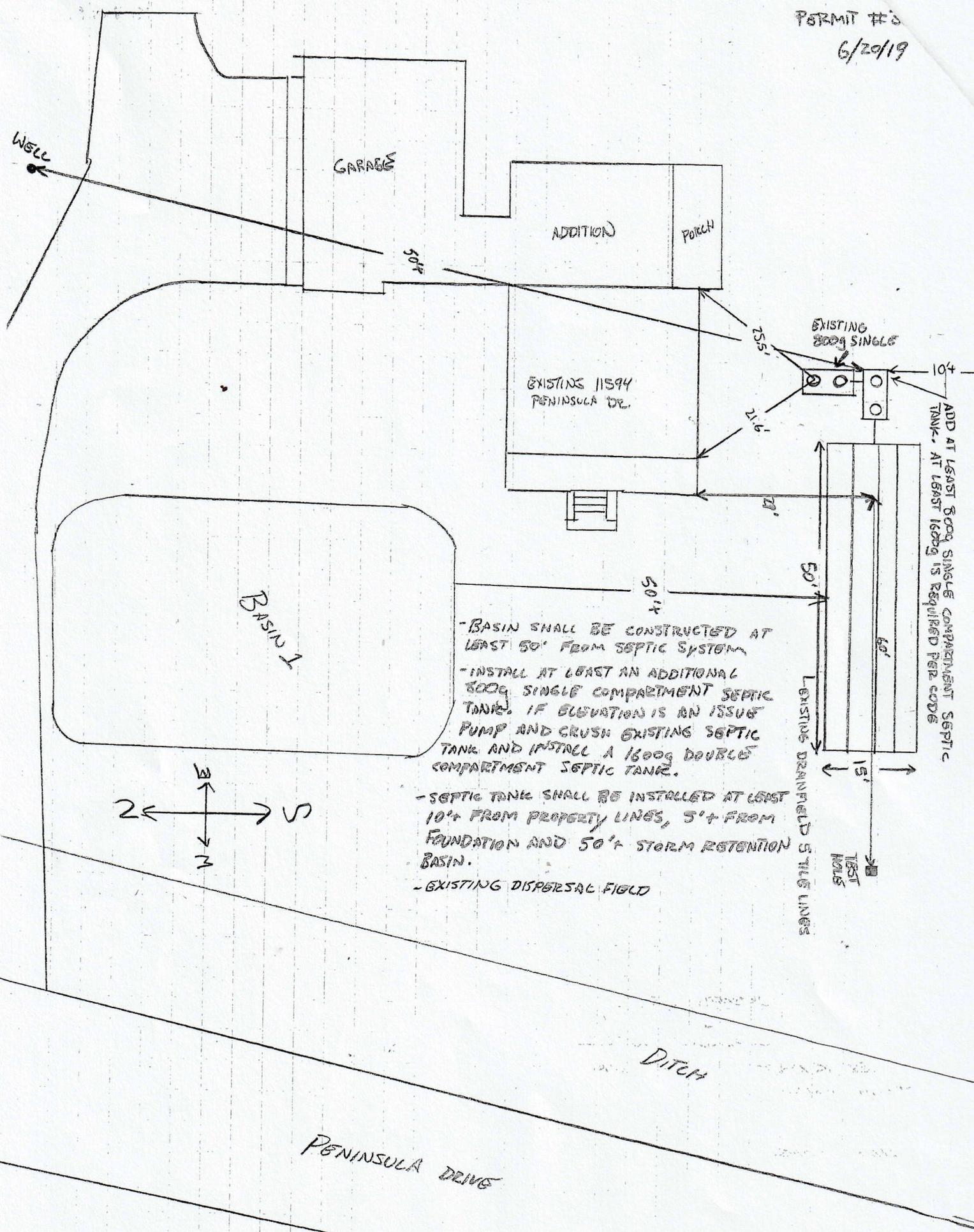
SEWER SCH 40 SEPTIC TANK NEW 1000g SINGLE PUMP CHAMBER _____
MANUFACTURER OF SEPTIC TANK CONCRETE SERVICE
FINAL DISPOSAL EX 15'x50' ISOLATION DIST OK
NOTES TANK ONLY
INSPECTION BY R. O. W. H. A. DATE 8/5/19
CONTRACTOR _____
SEPTIC HILL CONSTRUCTION
WELL _____

ISSUED TO JAMES & ELIZABETH SCHROEDER
DATE 6/20/19 BY R. O. W. H. A. HEALTH DEPT. REPRESENTATIVE
RECEIPT # 48334 DATE 6/24/19
RECEIVED \$100.00 Septic Tank only permit

APPROVAL OF A PLAN AND THE INSTALLATION CANNOT BE CONSIDERED BY THE OWNER AS A GUARANTEE THAT SUCCESSFUL OPERATION IS ASSURED. THERE ARE MANY WAYS A SYSTEM CAN BE ABUSED CAUSING FAILURE.

mk

11594 PENINS.
 PERMIT #0
 6/29/19



- BASIN SHALL BE CONSTRUCTED AT LEAST 50' FROM SEPTIC SYSTEM
- INSTALL AT LEAST AN ADDITIONAL 800g SINGLE COMPARTMENT SEPTIC TANK. IF ELEVATION IS AN ISSUE PUMP AND CRUSH EXISTING SEPTIC TANK AND INSTALL A 1600g DOUBLE COMPARTMENT SEPTIC TANK.
- SEPTIC TANK SHALL BE INSTALLED AT LEAST 10' FROM PROPERTY LINES, 5' FROM FOUNDATION AND 50' STORM RETENTION BASIN.
- EXISTING DISPERSAL FIELD

ADD AT LEAST 800g SINGLE COMPARTMENT SEPTIC TANK. AT LEAST 1600g IS REQUIRED PER CODE



GRAND TRAVERSE COUNTY ENVIRONMENTAL HEALTH SEPTIC AND/OR WELL PERMIT APPLICATION

- BOTH
- SEPTIC PERMIT
- WELL PERMIT
- NEW CONSTRUCTION
- REPLACE EXISTING
- NON-FAILURE
- FAILURE (slow drainage, ponding, back-up, etc.)

PROPERTY ADDRESS: 11594 Peninsula Dr. TAX ID: 28-11-005-025-03
 CITY: Traverse City ZIP: 49686 TOWNSHIP: Peninsula SECTION: 5
 SUBDIVISION: _____ LOT #: _____

RESIDENTIAL COMMERCIAL NA TYPE OF FACILITY: _____
 BEDROOMS: 3 MAX EMPLOYEES/DAY: _____ MAX PEOPLE SERVED PER DAY: _____
 BATHROOMS: 4 BATHROOMS: _____ BUILDING SQUARE FOOTAGE: _____

- | | | | | | |
|--|---|--|-------------------|---|--|
| GARBAGE DISPOSAL: | <input checked="" type="checkbox"/> YES | <input checked="" type="checkbox"/> NO | GEOTHERMAL: | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| DISHWASHER: | <input checked="" type="checkbox"/> YES | <input checked="" type="checkbox"/> NO | FUEL OIL TANKS: | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| LAUNDRY: | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO | WATER SOFTENER: | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| BASEMENT PLUMBING: | <input type="checkbox"/> YES | <input checked="" type="checkbox"/> NO | WALKOUT BASEMENT: | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| SEWAGE EJECTOR: | <input type="checkbox"/> YES | <input checked="" type="checkbox"/> NO | WHIRPOOL/HOT TUB: | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| HVAC HUMIDIFIER: | <input type="checkbox"/> YES | <input checked="" type="checkbox"/> NO | SHARED WELL: | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| OLD WELL TO BE RETAINED FOR USE (requires health department approval): | | | | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO <input type="checkbox"/> N/A |

OTHER: well replaced 2018 permit # 382165

OWNER NAME: James & Elizabeth Schroede.
 ADDRESS: 130 Maple Ave Hestrey
 APPLICANT NAME (if other than owner): Robert D. Davis
 ADDRESS: PO Box 20 South Bea

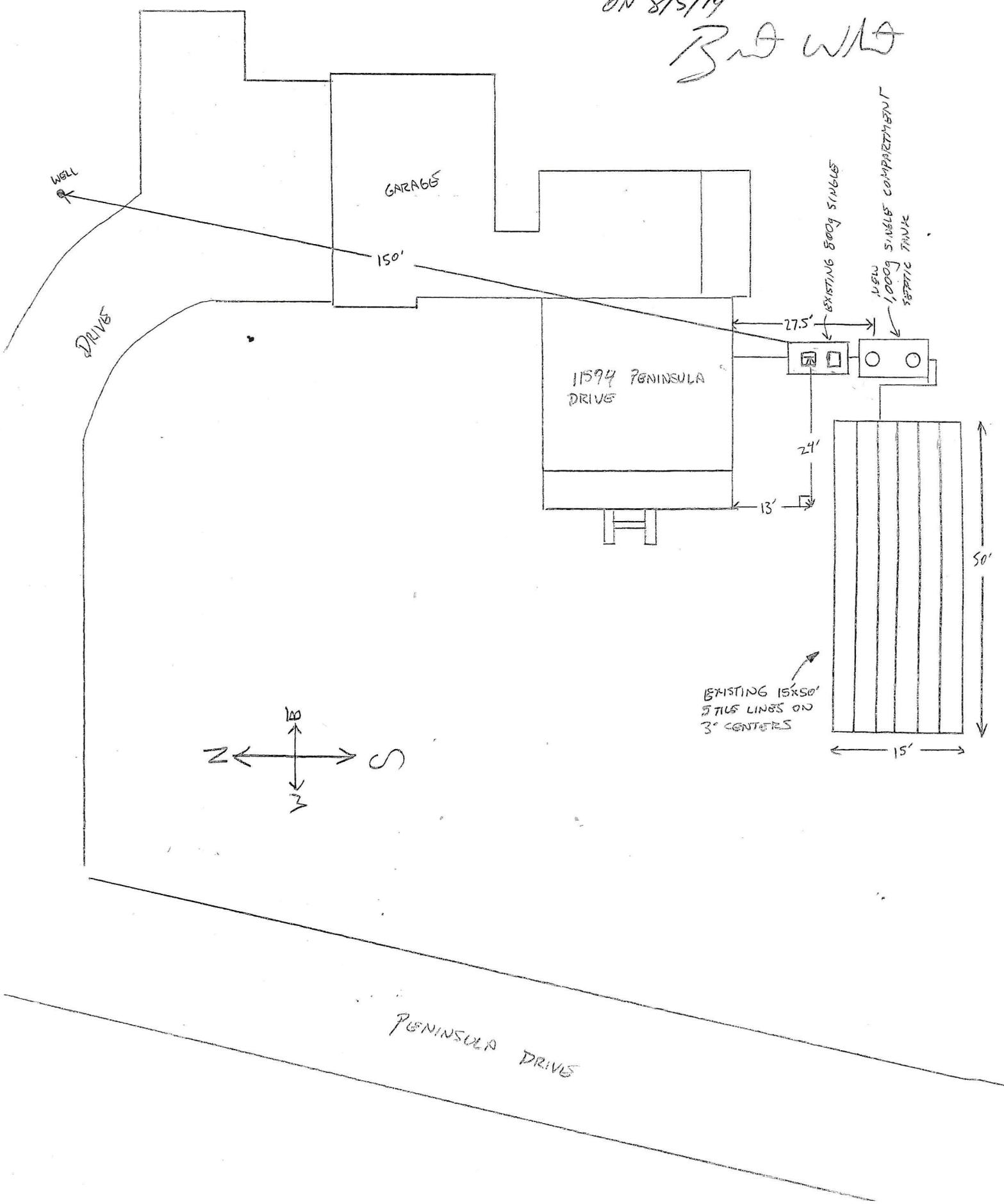
**ALL APPLICATIONS MUST BE ACCOMPANIED BY AN ACCURATE SITE PLAN
 NECESSARY OR YOU MAY USE THE BACK OF THIS PAGE TO DRAW A DI
 DRIVEWAY, ROAD NAMES AND DIRECTION, EXISTING AND/OR PRO**

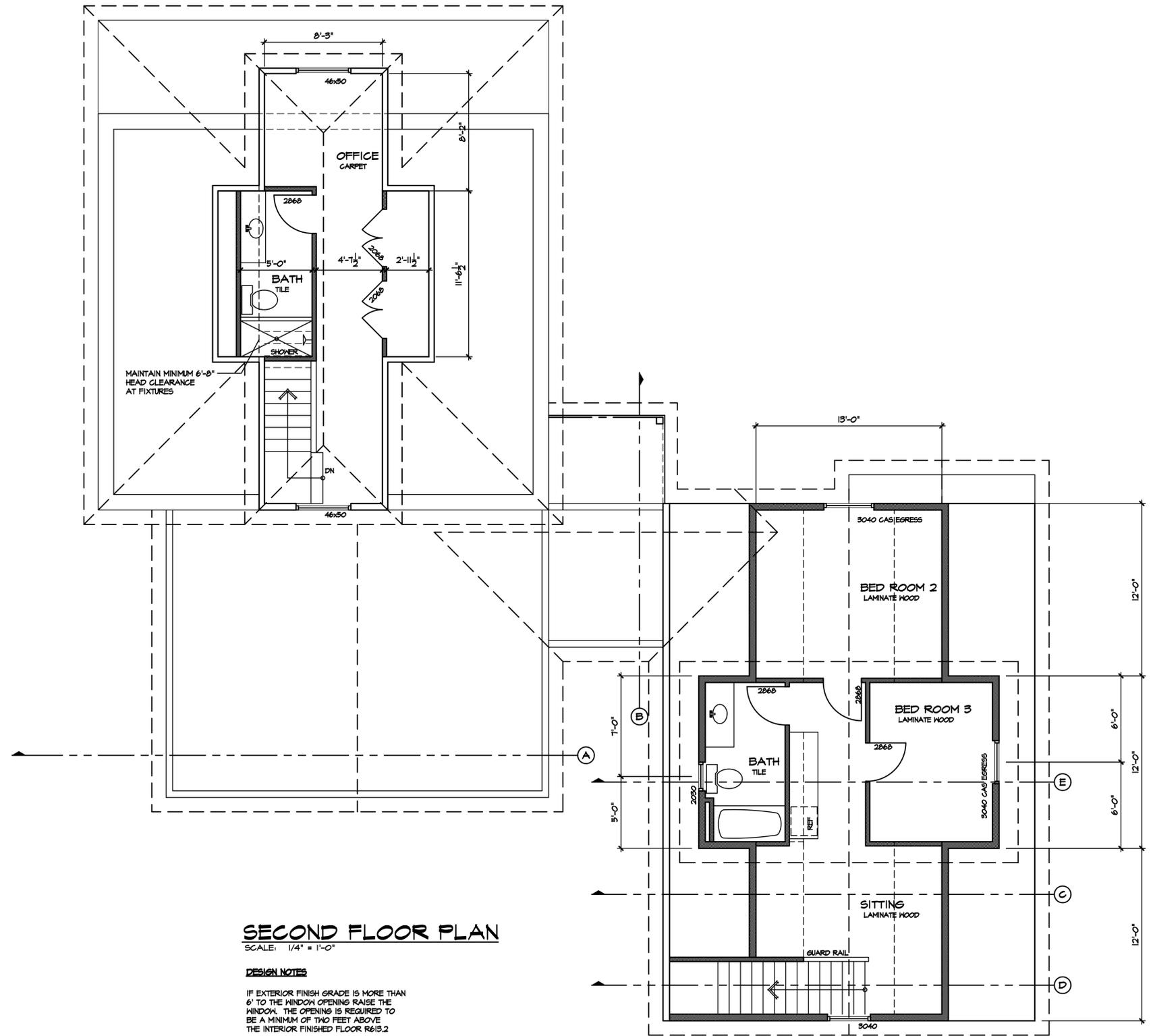
I hereby authorize Grand Traverse County Health Department to evaluate the above described development plans indicated, and to conduct such tests as may be necessary in order to obtain the information required for this evaluation. I also agree to comply with the Environmental Health Regulations for Grand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

SIGNATURE (owner or agent) R. D. Davis DATE: 8-7-19

11594 PENINSULA DR
PERMIT #38976
FINAL AS-BUILT BY HILL CONSTRUCTION
ON 8/5/19

B & W





SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"

DESIGN NOTES

IF EXTERIOR FINISH GRADE IS MORE THAN 6" TO THE WINDOW OPENING RAISE THE WINDOW. THE OPENING IS REQUIRED TO BE A MINIMUM OF TWO FEET ABOVE THE INTERIOR FINISHED FLOOR R613.2

ADDITION / REMODEL

BETH AND JIM

PROJECT NO: -
 DATE: 5-18-2019
 DRAWN BY: RJM
 SCALE: AS NOTED

SHEET NO:
 A4