

Peninsula Township Variance Application

Application Guidelines

13235 Center Road, Traverse City MI 49686

Ph: 231.223.7322 Fax: 231.223.7117

www.peninsulatownship.com

1. Zoning Board of Appeals (ZBA) applications are available from the Peninsula Township Planning & Zoning Department, 7:30 a.m. to 6:30 p.m., Monday, and 7:30 a.m. to 5:00 p.m. Tuesday through Thursday, or online at www.peninsulatownship.com/zoning.
2. **Applications must be submitted to the Planning & Zoning Department at least four (4) weeks prior to the ZBA meeting. Twelve (12) copies must be submitted.**
3. If the applicant is not the property owner, a letter signed by the owner agreeing to the variance must be included with the application.
4. It is the applicant's responsibility to review and address the appropriate sections of the Zoning Ordinance prior to submission.
5. It is the applicant's responsibility to ensure that the application is complete upon submission. **Planning and Zoning Department staff will determine and confirm with the applicant that the application is complete.** An incomplete application will not be considered for review by the ZBA.
6. The application will be forwarded to members of the ZBA for a public hearing.
7. A notice of the public hearing must be mailed to the property owners and occupants within three hundred (300) feet of the subject property not less than fifteen (15) days before the public hearing.
8. The applicant will receive a notice of the public hearing in the mail and is expected to attend the meeting.
9. ZBA meetings are held on the third Tuesday of every month, beginning at 7:00 p.m. in the Township Hall, 13235 Center Road, Traverse City, MI 49686.
10. If the variance(s) are granted, **construction authorized by such variance(s) must begin within six (6) months after the granting of the variance, and the occupancy of land, premises, or buildings authorized by the variance must take place within one (1) year after the granting of the variance.**
11. If the variance(s) are granted, construction authorized by such variance(s) must comply with all other necessary permits. **A variance is independent from, and does not substitute for, all other permits.**
12. No application for a variance which has been denied wholly or in part by the Board shall be resubmitted for a period of one (1) year from the date of the last denial, except on the grounds of newly discovered evidence or proof of changed conditions found upon inspection by the Board to be valid.

OFFICE USE ONLY		
Date Received:	Fee Received:	Board Action:
Date Complete:	Meeting Date:	

Peninsula Township Variance Application

General Information

A fully completed application form, fee, and all related documents must be submitted to the Planning & Zoning Department at least four (4) weeks prior to the Zoning Board of Appeals meeting. **12 copies are required.**

Applicant Information

Applicant: Name Kelly Clark

Address Line 1 9882 Center Rd., Traverse City, MI

Address Line 2 _____

Phone _____ Cell 231-392-3444

E-mail kelly@themittengroup.com

Owner: Name Kelly Clark

Address Line 1 9882 Center Rd., Traverse City, MI

Address Line 2 _____

Phone _____ Cell 231-392-3444

E-mail kelly@themittengroup.com

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

Property Information

Parcel ID 11-017-006-01 Zoning R-1C

Address Line 1 9882 Center Rd., Traverse City, MI

Address Line 2 _____

Type of Request

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

- | | | |
|--|--|---|
| <input type="checkbox"/> Front Yard Setback | <input type="checkbox"/> Side Yard Setback | <input type="checkbox"/> Rear Yard Setback |
| <input type="checkbox"/> Width to Depth Ratio | <input type="checkbox"/> Lot Coverage | <input type="checkbox"/> Off-Street Parking |
| <input type="checkbox"/> Signage | <input type="checkbox"/> Height/Width | <input type="checkbox"/> Non-Conformity Expansion |
| <input checked="" type="checkbox"/> Other: Please Describe: <u>Add a second story over an existing house that is on a lot with no buildable envelope</u> | | |

Attachments

- \$1,200.00 application fee
- Basic Conditions Worksheet
- Site plan drawn to scale showing the following:
 - a. Property boundaries; Shoreline properties must show the Ordinary High Water Mark on a certified survey, and the Flood Elevation Line (3 feet above OHWM) if any;
 - b. All existing and proposed structures including decks and roof overhangs;
 - c. Setbacks for existing and proposed structures (varies by zoning district).
- Front elevation diagram drawn to scale.

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Basic Conditions Worksheet

In order for a variance to be justified, the Applicant must meet **all of the Basic Conditions**, as defined in Section 5.7.3(1) of the Peninsula Township Zoning Ordinance. The Applicant must answer the following questions pertaining to the Basic Conditions in detail. Please attach a separate sheet if necessary and label comments on the attached sheet with corresponding number/letter on application.

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

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

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

Is this condition met? Please explain: Yes, this lot has no buildable envelope due to the roadside and lakeside setbacks overlapping each other. The house was built prior to these zoning setbacks being in place and is not due to any actions by the current owner. The current roadside bedroom is right at the edge of the road right of way (about 15' from the edge of the road surface) and presents a safety hazard as a vehicle could easily crash into the bedroom and injure or kill someone sleeping there. The owner would like to add a second story so that he can relocate the roadside bedroom to the upper floor in a more safe location.

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

Is this condition met? Please explain: Yes, this lot was established and the house was built prior to the creation of the current zoning ordinance's setbacks. The lot is unbuildable based on the current zoning requirements and this is not due to anything the current owner or previous property owners have done.

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

Is this condition met? Please explain: Yes, the lot is unbuildable due to the setback requirements.

The owner cannot make any additions to the property and this is unnecessarily burdensome.

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

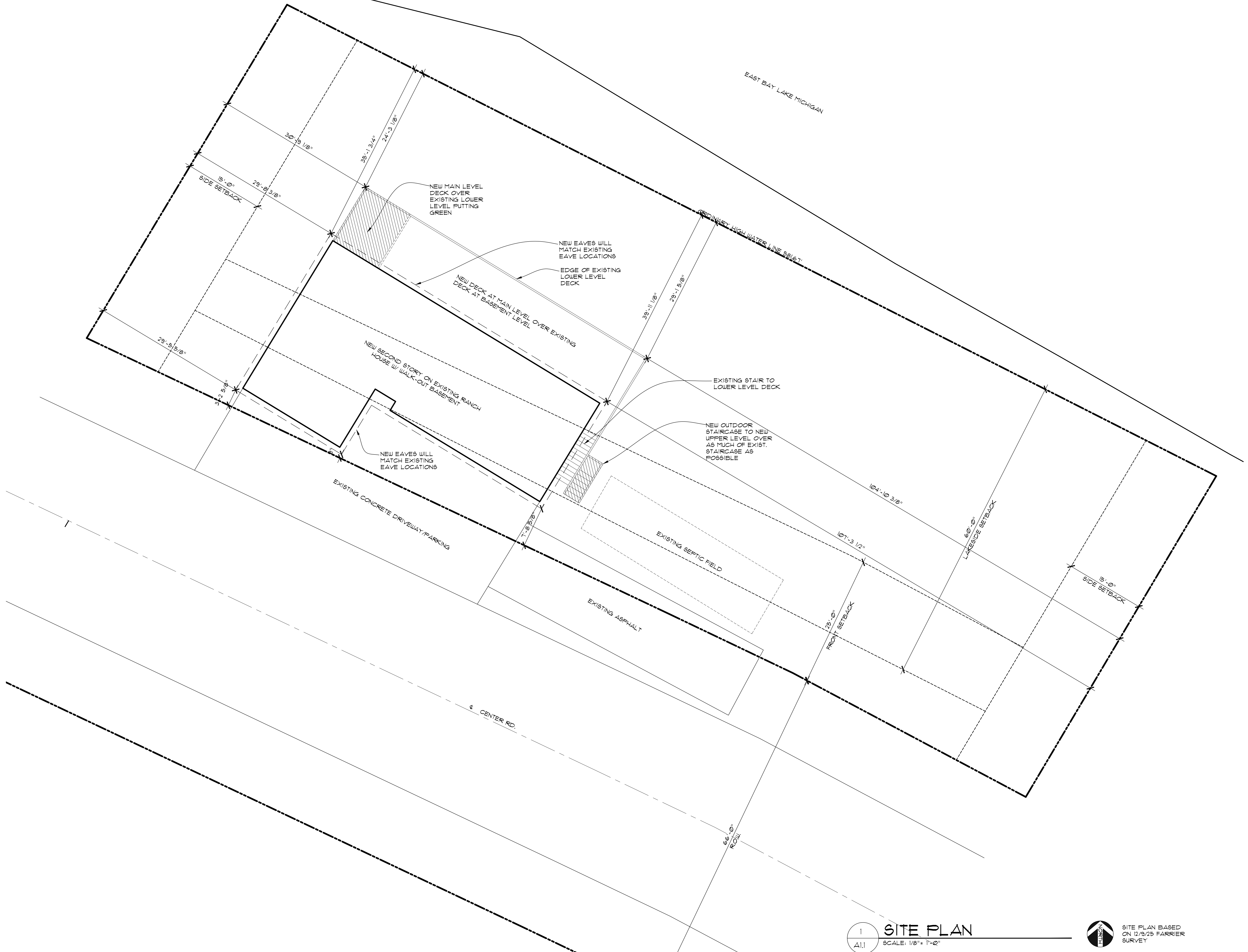
Is this condition met? Please explain: Yes, the owner is only asking to add a second story over the existing house and a main level deck over the existing lower level deck and putting green. He is not expanding the footprint in any direction. This is a compromise that would give him relief without negatively impacting the lake or the neighbors.

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

Is this condition met? Please explain: Yes, the addition and renovations will actually improve the value of this property and possibly surrounding properties. The addition is over the footprint of the existing house so no additional "greenspace" will be covered and the house will be no closer to any of the neighbors' houses.

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

Is this condition met? Please explain: Yes, the use is residential which is allowed by right in R-1C



ARCHITECT:
Jessica VanHouzen Stroud
 607 W. Orchard Dr.
 Traverse City, MI
 231-631-4376
 jvanhou@gmail.com

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PROJECT NAME/ADDRESS:
 ADDITION TO THE
 KELLY CLARK RESIDENCE
 9882 CENTER RD.
 TRAVERSE CITY, MI

ISSUE DATES:

date:	issued for:
5-12-26	VARIANCE

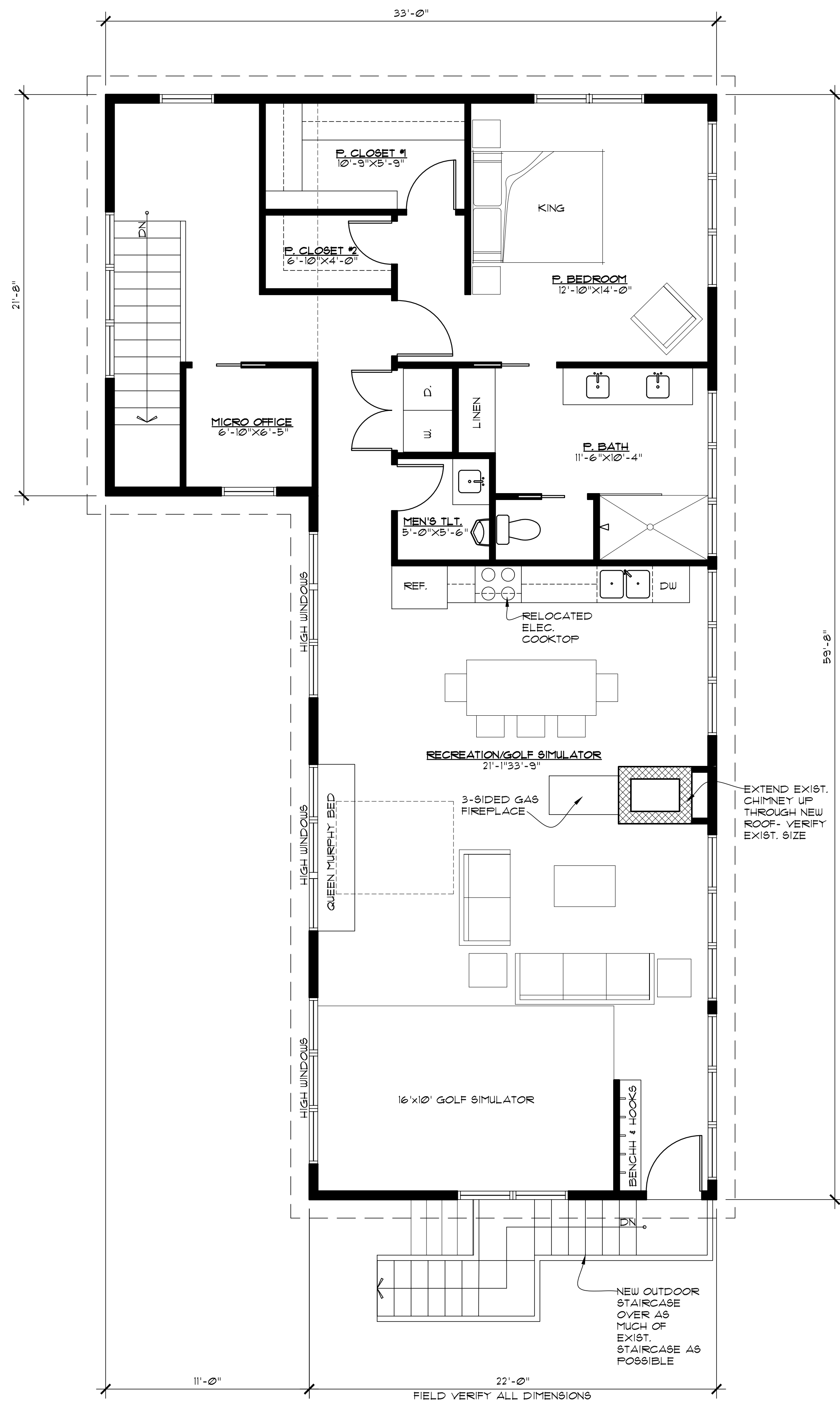
SHEET TITLE:
SITE PLAN

SHEET NO:
A1.1

1
 SITE PLAN
 SCALE: 1/8" = 1'-0"

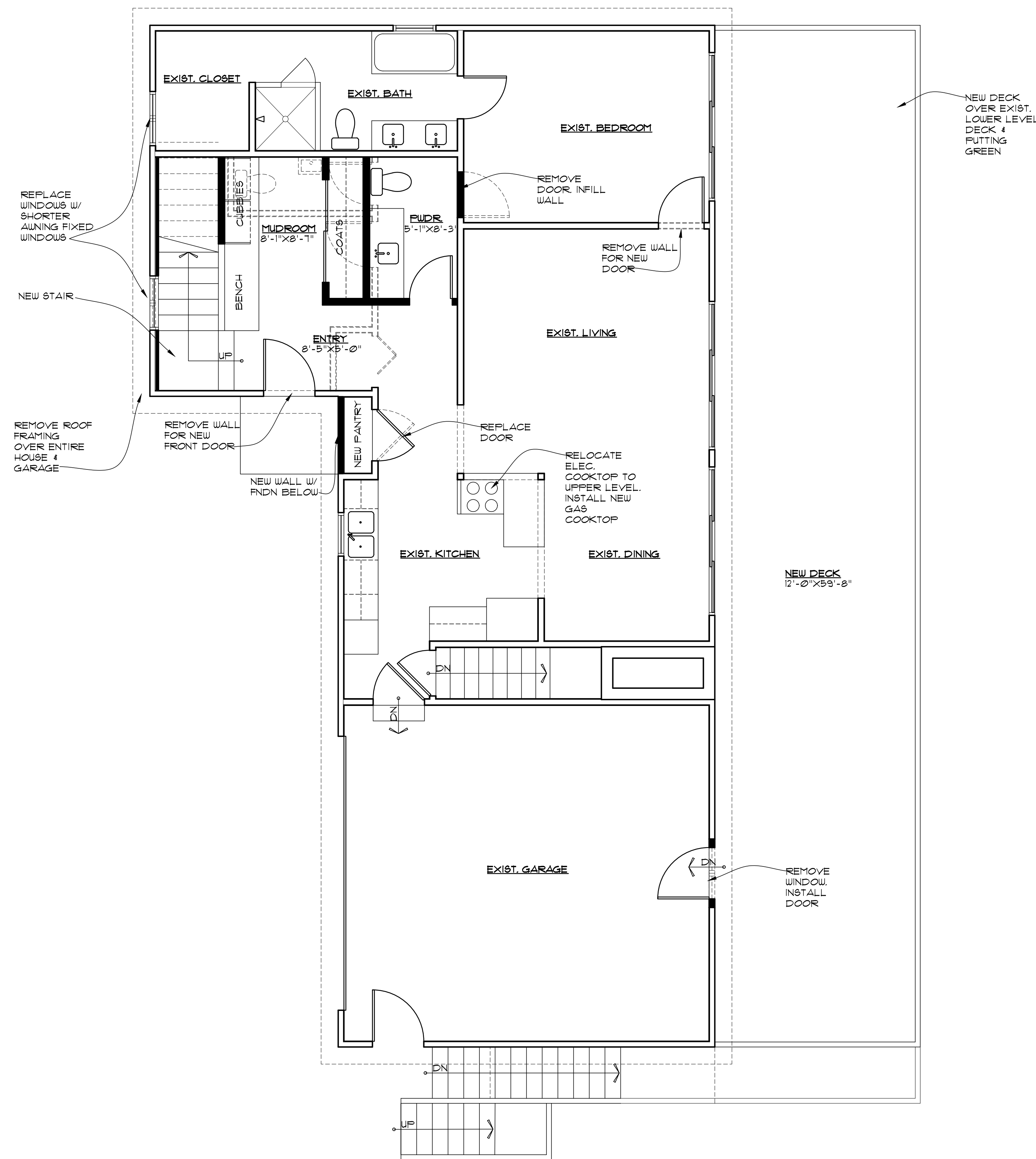
SITE PLAN BASED ON 12/9/25 FARRIER SURVEY

date:	issued for:
5-12-26	VARIANCE



2 UPPER LEVEL PLAN
 SCALE: 1/4" = 1'-0"

UPPER LEVEL ADDITION- 1551 G.S.F.



1 MAIN LEVEL PLAN
 SCALE: 1/4" = 1'-0"

MAIN LEVEL EXIST. HOUSE- 1111 G.S.F.
 MAIN LEVEL EXIST. GARAGE- 440 G.S.F.

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 jvanhou@gmail.com

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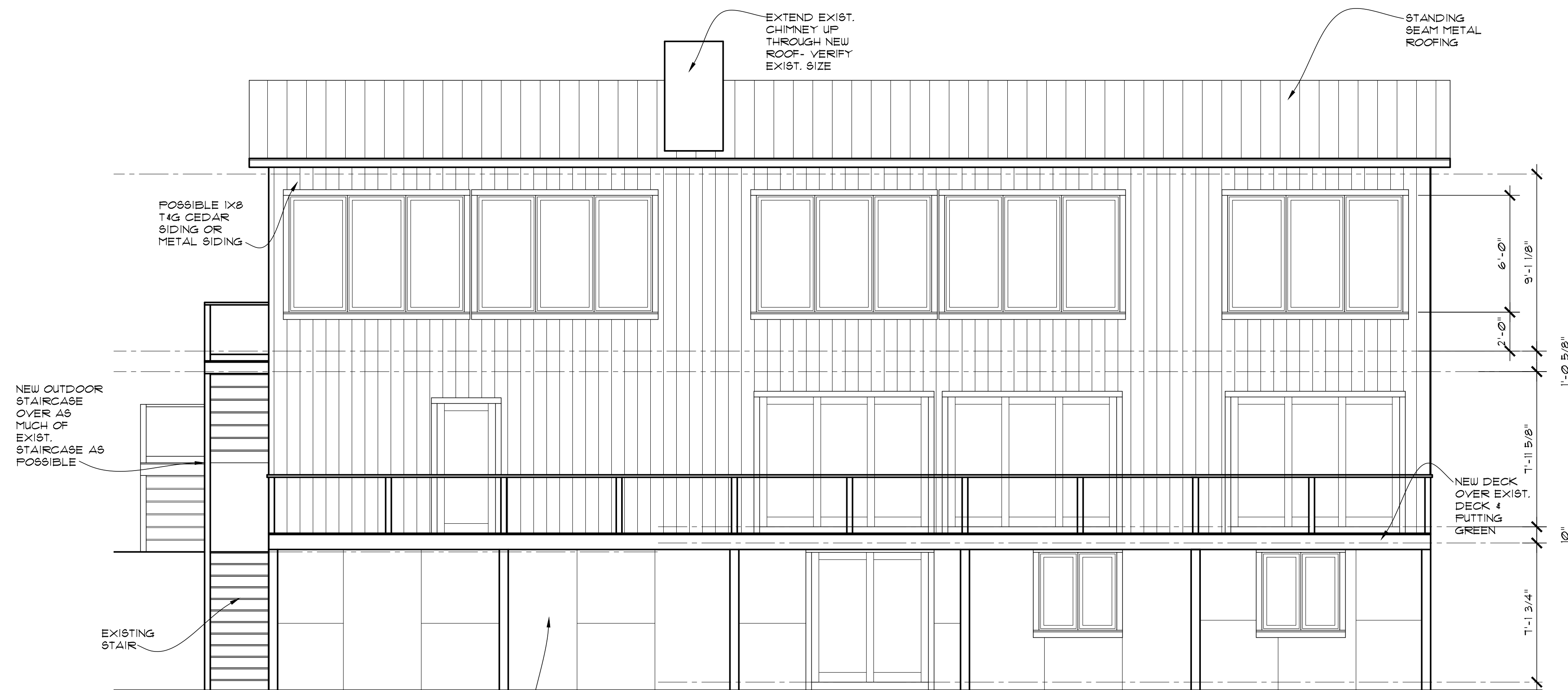
PROJECT NAME/ADDRESS:
 ADDITION TO THE
 KELLY CLARK RESIDENCE
 9882 CENTER RD.
 TRAVERSE CITY, MI

ISSUE DATES:
 date: 5-12-20 issued for:
 VARIANCE

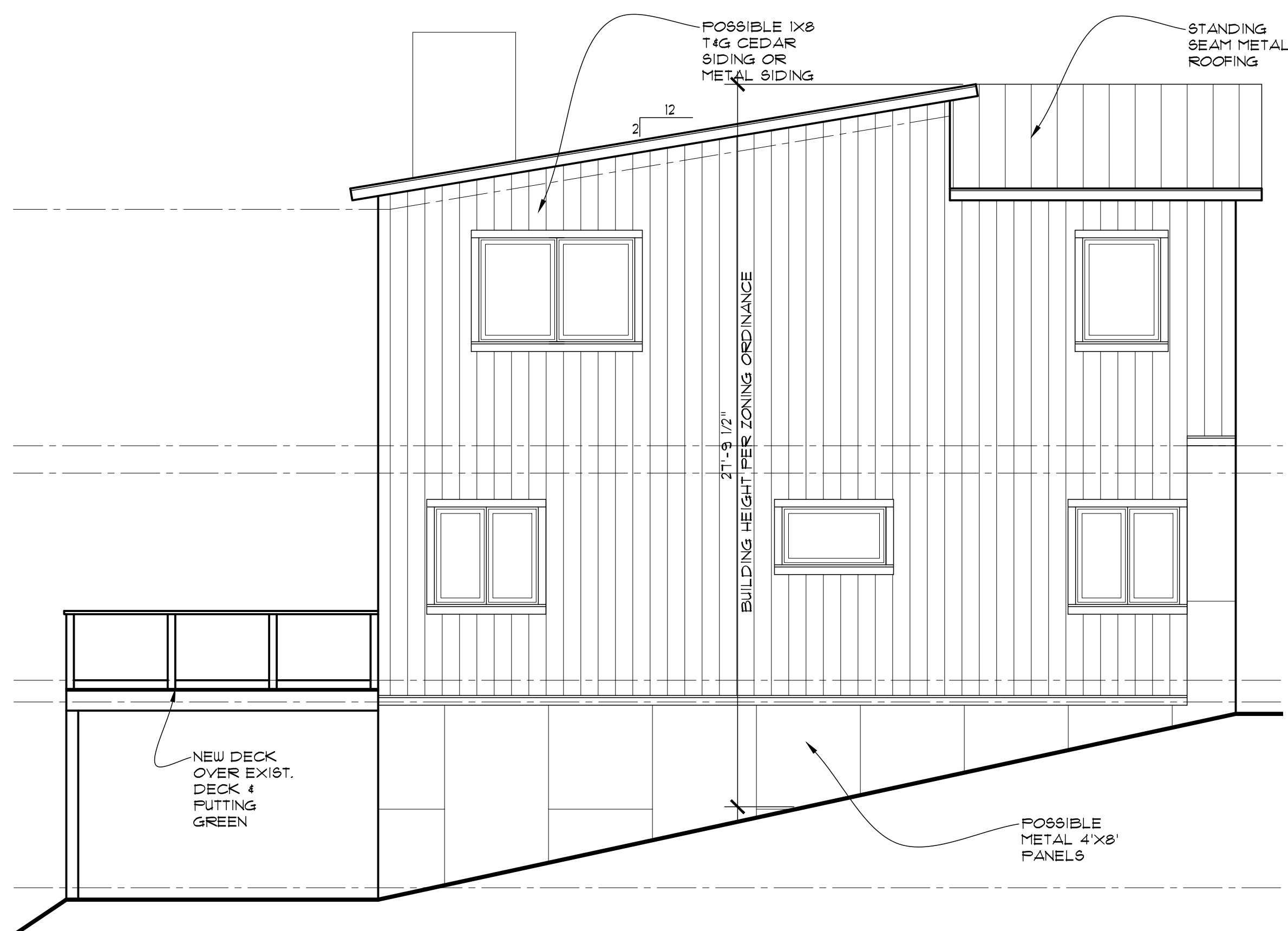
SHEET TITLE:
ELEVATIONS

SHEET NO.:

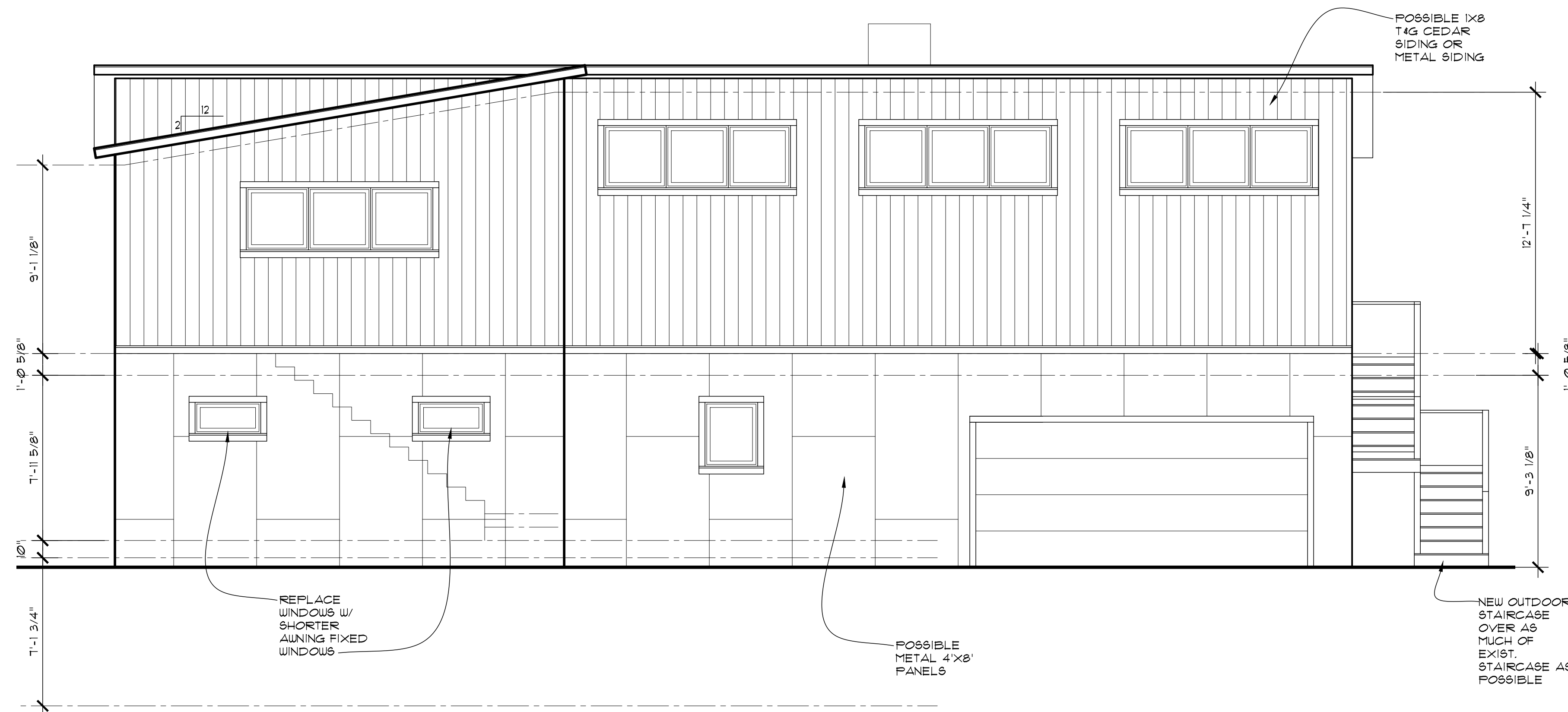
A5.1



3 **EAST ELEVATION**
 ΔB.1 SCALE: 1/4" = 1'-0"




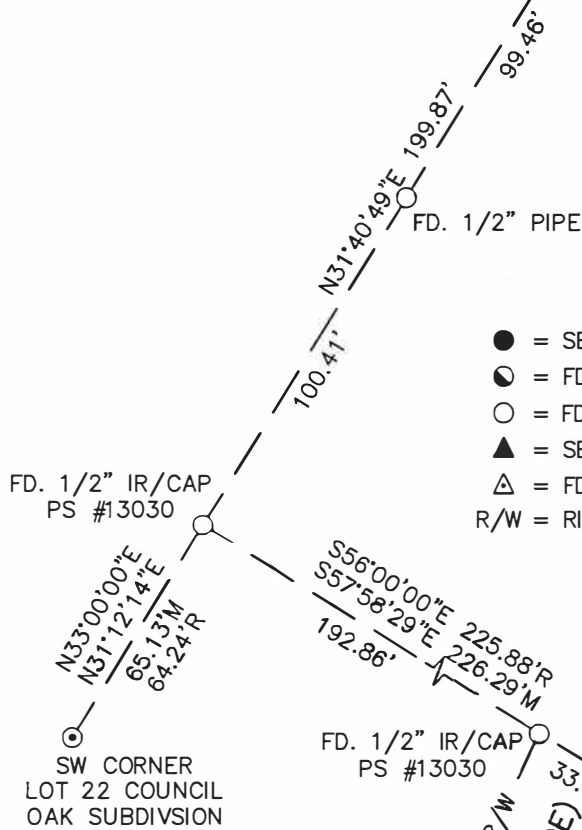
2 **NORTH ELEVATION**
 ΔB.1 SCALE: 1/4" = 1'-0"



1 **WEST ELEVATION**
 ΔB.1 SCALE: 1/4" = 1'-0"

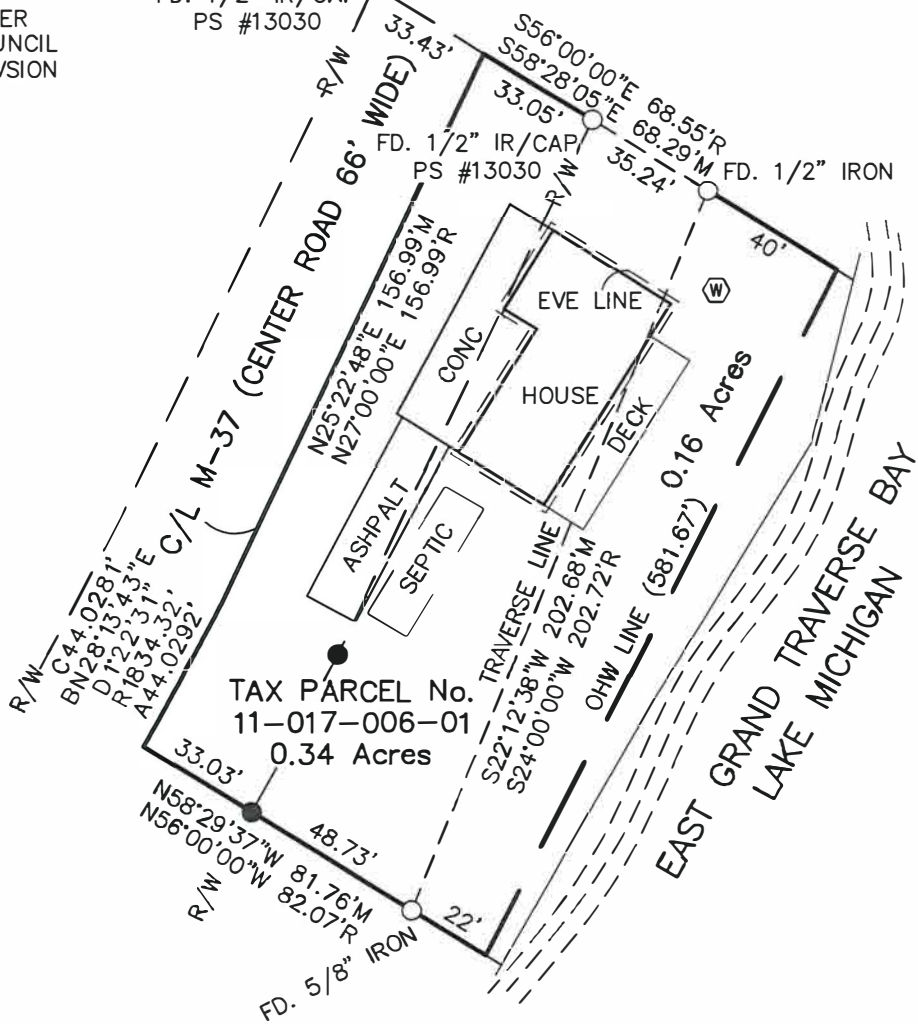
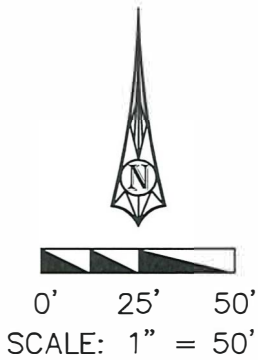
CERTIFICATE OF SURVEY


S89°36'53"E 563.67'
 NORTH 1/4 CORNER NORTH SECTION LINE
 SEC. 17 T28N-R10W
 FD. GRAND TRAVERSE CO. REMON



LEGEND


- = SET 1/2" ROD & CAP
- = FD. FARRIER IRON
- = FD. IRON
- ▲ = SET NAIL
- △ = FD. NAIL
- R/W = RIGHT-OF-WAY
- ⊙ = FD. CONC. MON.
- ⊗ = SET CONC. MON.
- R = RECORD
- M = MEASURED
- PR = PRORATED
- = SET PROPERTY LINE STAKES



TAX PARCEL No.
 11-017-006-01
 0.34 Acres



I, DEAN RAY FARRIER, A PROFESSIONAL SURVEYOR IN THE STATE OF MICHIGAN, CERTIFY THAT I HAVE SURVEYED AND MAPPED THE HEREON DESCRIBED PARCEL OF LAND, AND THAT THE RATIO OF CLOSURE OF THE UNADJUSTED FIELD OBSERVATIONS WAS WITHIN THE ACCEPTED LIMITS AND THAT I HAVE FULLY COMPLIED WITH THE SURVEY REQUIREMENTS OF ACT 132 OF 1970 AS AMENDED.

 PS# 41098 DATE 12-9-25

DEAN RAY FARRIER

RATIO OF CLOSURE: 1'/ 5100+
 BEARING BASIS: MICHIGAN STATE PLANE, CENTRAL ZONE, GRID NORTH

FARRIER SURVEYING INC. P.O. BOX 998 244 S.CEDAR STREET KALKASKA, MI 49646 TEL(231)258-8162 FAX(231)258-3249 office@farriersurveying.com	CLIENT KELLY CLARK	DRAWN: JAR	FILE No. 28525	
	DESCRIPTION PART OF GOVERNMENT LOT 1, SECTION 17, T28N-R10W, PENINSULA TOWNSHIP, GRAND TRAVERSE COUNTY, MICHIGAN	CHECK: DRF	COORDS: 28525.TXT	
		REVISED:	DATE: 12/9/2025 SHEET: 1 of 2	

DESCRIPTION

PARCEL OF LAND SITUATED IN THE TOWNSHIP OF PENINSULA, COUNTY OF GRAND TRAVERSE, STATE OF MICHIGAN MORE FULLY DESCRIBED TO – WIT:

**(TAX PARCEL No. 11-017-006-01)
DESCRIPTION AS FURNISHED**

PART OF GOVERNMENT LOT 1, SECTION 17, T28N-R10W DESCRIBED AS COMMENCING AT THE SOUTHWEST CORNER OF LOT 22 IN THE PLAT OF COUNCIL OAK SUBDIVISION No. 2, AS RECORDED IN LIBER 13, PAGE 52; THENCE N33°00'00"E, 64.24 FEET; THENCE S56°00'00"E, 225.88 FEET TO A POINT IN THE CENTERLINE OF M-37 (CENTER ROAD) AND THE POINT OF BEGINNING; THENCE CONTINUING S56°00'00"E, 68.55 FEET TO A POINT A ON INTERMEDIATE TRAVERSE LINE ALONG THE SHORE OF EAST GRAND TRAVERSE BAY; THENCE S24°00'00"W, 202.72 FEET, ALONG SAID TRAVERSE LINE; THENCE N56°00'00"W, 82.07 FEET, TO A POINT IN THE SAID CENTERLINE OF M-37; THENCE 45.18 FEET ALONG A 1834.32 FEET RADIUS CURVE TO LEFT, CHORD BEARS N28°00'00"E, 45.18 FEET; THENCE N27°00'00"E, 156.99 FEET, ALONG SAID CENTERLINE TO THE POINT OF BEGINNING. CONT 0.35 ACRES. TOGETHER WITH ALL RIPARIAN RIGHTS PERTAINING THERETO.

DESCRIPTION AS SURVEYED

PART OF GOVERNMENT LOT 1, SECTION 17, T28N-R10W DESCRIBED AS COMMENCING AT THE NORTH 1/4 CORNER OF SECTION 17;
THENCE S89°36'53"E, 563.67 FEET ALONG THE NORTH LINE OF SAID SECTION TO A FOUND CONCRETE MONUMENT ON SOUTH LINE OF LOT 22 IN THE PLAT OF COUNCIL OAK SUBDIVISION No. 2, AS RECORDED IN LIBER 13, PAGE 52;
THENCE S31°40'49"W, 199.87 FEET ALONG SAID PLAT LINE TO A FOUND 1/2 INCH IRON AND CAP PS #13030;
THENCE S57°58'29"E, 226.29 FEET TO THE CENTERLINE OF M-37 (CENTER ROAD) **AND THE POINT OF BEGINNING;**
THENCE S58°28'05"E, 33.05 FEET TO A FOUND 1/2 INCH IRON AND CAP PS #13030 ON THE EASTERLY RIGHT-OF-WAY LINE OF M-37;
THENCE S58°28'05"E, 35.24 FEET TO A FOUND 1/2 INCH IRON A POINT ON THE INTERMEDIATE TRAVERSE LINE ALONG THE SHORE OF EAST GRAND TRAVERSE BAY, BEING 40 FEET FROM THE ORDINARY HIGH WATER LINE;
THENCE S22°12'38"W, 202.68 FEET ALONG SAID TRAVERSE LINE TO A FOUND 5/8 INCH IRON, BEING 22 FEET FROM THE ORDINARY HIGH WATER LINE;
THENCE N58°29'37"W, 48.73 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF M-37;
THENCE CONTINUING N58°29'37"W, 33.04 FEET TO THE CENTERLINE OF M-37;
THENCE ALONG THE CENTERLINE OF M-37 A CURVE TO THE LEFT, HAVING AN ARC LENGTH OF 44.03 FEET, HAVING A RADIUS OF 1834.32 FEET, AND A CHORD WHICH BEARS, N28°13'43"E, 44.03 FEET;
THENCE N25°22'48"E, 156.99 FEET ALONG THE CENTERLINE OF M-37 TO THE SAID POINT OF BEGINNING.
CONTAINING 0.34 ACRES OF LAND MORE OR LESS TO SAID TRAVERSE LINE AND 0.16 ACRES LYING BETWEEN SAID TRAVERSE LINE AND ORDINARY HIGH WATER MARK. SUBJECT TO RIGHT-OF-WAY FOR M-37 (CENTER ROAD). ALSO SUBJECT TO EASEMENTS OF RECORD.

FARRIER SURVEYING INC. P.O. BOX 998 244 S.CEDAR STREET KALKASKA, MI 49646 TEL(231)258-8162 office@farriersurveying.com	CLIENT KELLY CLARK	DRAWN: JAR	FILE No. 28525
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		REVISED:	DATE: 12/9/2025 SHEET: 2 of 2
C:\Carlson Projects\1-2025\28525 CLARK\28525 CLARK.dwg 12/9/2025 2:10:00 PM			