

**CHARTER TOWNSHIP OF GARFIELD
ZONING BOARD OF APPEALS MEETING**

Wednesday, July 17, 2019 @ 6:00 p.m.
Garfield Township Hall
3848 Veterans Drive
Traverse City, MI 49684

A G E N D A

Call meeting to order
Roll call of Board Members

1. Review and approval of the Agenda and declaration of a Conflict of Interest
2. Minutes – June 19, 2019
3. Public Hearing
 - a. A request made by Peninsula Construction & Design on behalf of Active Brace and Limb for a variance from the stream setback requirements. The specific request is asking for a 5 foot variance for a portion of the proposed building and 15 foot variance for the parking areas. The property is zoned C-O Office Commercial and is located at 5136 North Royal Drive, with property number of 05-347-010-00.
4. Other Business
5. Items for next agenda
6. Public Comment
7. Adjournment

The Garfield Township Board will provide necessary reasonable auxiliary aids and services, such as signers for hearing impaired and audio tapes of printed materials being considered at the meeting to individuals with disabilities upon the provision of reasonable advance notice to the Garfield Township Board. Individuals with Disabilities requiring auxiliary aids or services should contact the Garfield Township Board by writing or calling Lanie McManus, Clerk, Ph: (231) 941-1620, or TDD #922-4412.

Charter Township of Garfield
Zoning Board of Appeals Meeting

Wednesday, June 19, 2019 @ 6:00pm
Garfield Township Hall
3848 Veterans Drive
Traverse City, MI 49684

Chair Rick Smith called the meeting to order at 6:00pm.

Board Members Present: Lynne Fricke, Kent Rozycki, Scott Swan, and Rick Smith

Absent and Excused: Steve Duell

Staff Present: Zoning Administrator Michael Green

1. **Review and approval of the agenda and declaration of a Conflict of Interest**
Rozycki moved and Fricke seconded to approve the agenda as presented.

Yeas: Rozycki, Fricke, Swan, Smith

Nays: None

2. **Minutes – March 20, 2018**
Fricke moved and Swan seconded to approve the minutes of March 20, 2019 as presented.

Yeas: Fricke, Swan, Rozycki, Smith

Nays: None

3. **Public Hearings**

a.

A request was made by Nathan Fekete for a variance from the front yard setback(s) of the Garfield Township Zoning Ordinance. The applicant is requesting relief from the front setback along Sunrise Lane from 30 feet to 11 feet and relief from the front setback on Wyatt Road from 30' to 15 feet. The property is zoned R-1 Single Family Residential and is located at the corner of Wyatt Road and Sunrise Lane and with a property number of 05-017-020-10.

The parcel is located in a non-platted area adjacent to the Hearthside Acres No. 3 subdivision. The subject parcel and all surrounding parcels are zoned R-1 Family Residential. The creation of the "leftover" parcel predates the adoption of the first Zoning Ordinance adopted in 1974. Staff said that this is a legal non-conforming parcel.

The applicant does not need the variance on Sunrise any longer, but is still asking for a 15' front yard setback variance on Wyatt Road. Mr. Fekete spoke and asked to build an approximately 30'x40' rectangular home. Zoning Administrator Mike Green said that challenges are created by the shape of the lot and the zoning board of appeals needs to be fair to the applicant by looking at other similar homes in the area. Board members commented on the proposed variance and asked the applicant if he could possibly build a home without a variance or as small of a variance as was possible.

Chair Rick Smith opened the Public Hearing at 6:13pm.

Mike McGrath of Sunrise Lane shared concerns with the proposed variance, commented on property values and said that the applicant should have been aware of the challenges on the lot at the time of purchase.

John Habenills shared his concerns with the variance in terms of erosion issues.

Chris Woods of Sunrise Lane said that the further the project sits off of Sunrise Lane, it is better.

Gordon Gottfried of Sunrise Lane commented on minimum size requirements for a home.

Laura Gottfried of Sunrise Lane does not agree with variances at all and thinks this case should be no exception.

Robert Reese, adjacent property owner to the north and west, stated that he is against a variance at this time because he has not seen any plans.

Chair Smith closed the Public Hearing at 6:45pm.

Commissioners discussed the proposed variance at length and talked with the applicant about building options for the lot. The applicant decided to maintain his request for the 15' variance on Wyatt Road in order to have a 2 car attached garage, rather than a lesser variance with a carport to try to maintain a similar type home for the neighborhood.

The Board then reviewed the Practical Difficulty Standards under Section 454.E.1.

- a. Board members found that this standard has been met because the subject parcel is smaller than other R-1 parcels in the area and is situated on a corner lot, which limits the available building envelope. The parcel is 9529 square feet in area while other parcels in the neighborhood are much larger in size.
- b. Three out of four board members agreed that this standard was met since the parcel was created before and zoning regulations went into effect.
- c. Board members agreed that this standard was met because strict application of the provisions of the Zoning Ordinance would render the property unbuildable.

- d. Board members found themselves in a tie since literal interpretations of the ordinance may or may not result in the deprivation of the applicant's rights compared to everyone else in the neighborhood.
- e. Board members agrees that a practical difficulty would not exist since the applicant would incur extra costs in achieving full compliance with the ordinance.

The Board reviewed the General Criteria Standards under Section 454.E.2 of the Zoning Ordinance.

- a. Board members agreed with this finding because the applicant owns the property.
- b. Board members agreed with this finding because the request is not based on any nonconformity related to other properties.
- c. Board members agreed with this finding because the variance will not be detrimental to the public health, safety and welfare.
- d. Board members found that this standard was met because the requested variance would not alter the essential character of the area since the home would only have a small footprint and would affect a small land area.
- e. Board members were tied on the finding since the applicant may be able to build a small home within the setbacks, however, that home may be oddly shaped and out of character with other homes in the area.

The Board reviewed the special conditions.

- a. Board members agreed that this condition was met because of the irregular shape and size of the parcel compared to neighboring parcels.
- b. Board members agreed that this condition was not applicable.
- c. Board members agreed that this condition was met based on the nonconformity of the lot.
- d. Board members agreed that this condition was not applicable.
- e. Board members agreed that this condition was met because the proposed project would fit in with other homes in the area.

Fricke moved and Swan seconded to approve the ZBA case No. 2019-02 for an R-1 front yard setback variance of 15 feet on Wyatt Road as requested.

Yeas: Fricke, Swan, Smith

Nays: Rozycki

4. Other Business

None

5. Items for next agenda

There will be a meeting in July.

6. **Public Comment**
None

7. **Adjournment**

Swan moved and Fricke seconded to adjourn the meeting at 7:27.

Steve Duell, Secretary



Charter Township of Garfield

Grand Traverse County

3848 VETERANS DRIVE
TRAVERSE CITY, MICHIGAN 49684
PH: (231) 941-1620 • FAX: (231) 941-1588

ZONING BOARD OF APPEALS STAFF REPORT

Meeting Date: July 17, 2019
Case #: 2019-03 Section 535 water body setback variance request
Owner: Active Brace and Limb
Applicant: Peninsula Construction & Design
Property ID #: 05-347-010-00
Property Location: 5136 North Royal Drive (undeveloped)
Zoning District: C-O Office Commercial

Parcel Overview and History

The parcel is located within the West Traverse Office Plaza, an office park established as a platted subdivision in 1991 and replatted in 1992. The property is zoned C-O Office Commercial, and is located at 5136 North Royal Drive, with a property number of 05-347-010-00. Adjacent properties within the West Traverse Office Plaza are also zoned C-O Office Commercial. According to information obtained through the Township Assessor's office, the property contains an abandoned well house, located near the northwest corner of the lot, originally used to supply water to the development prior to supply of municipal water service. Otherwise, the parcel has remained undeveloped. According to information provided by Steve Largent, County Drain Commissioner and Specialist with the Grand Traverse Conservation District, the lot in question is bisected by an unnamed Kid's Creek tributary. The tributary enters the property just north of the southwest corner and exits the property along the east property line; this tributary is not shown on the subdivision map.

Request

A request has been made by Peninsula Construction & Design on behalf of Active Brace and Limb for a five (5) foot variance from the 75 foot stream setback (see Section 535.A.1), resulting in a 70 foot setback for a portion of the proposed building. A second request has been made for a 15 foot variance from the 50 foot stream setback for parking areas (see Section 535.A.2), resulting in a 35 foot setback for a portion of the parking area and access drive. The application states that the 35 foot vegetative buffer will remain intact through the use of retaining walls on the edge of the parking area. The site plan also shows curbing along the southern edge of the parking area designed to reduce runoff into the Kid's Creek tributary. If approved by the Zoning Board of Appeals, the applicant will be required to submit a detailed storm water management plan to the Township Engineer for review to ensure compliance with Section 535 and the Township Storm Water Ordinance.

Zoning Ordinance Excerpt – Section 535 (see highlighted sections)

SECTION 535 SUPPLEMENTAL SHORELINE REGULATIONS

Purpose. The intent of this Section is to preserve and protect the water quality of the lakes and streams of our region. These regulations seek to balance the protection of the ecosystem while allowing development where appropriate. Methods to accomplish this purpose include, but are not limited to, preservation and/or enhancement of vegetation along lake-stream banks, maintaining lake-stream bank stabilization, preventing sediment from entering the water bodies, allowing for nutrient absorption, providing wildlife habitat and corridors, screening man-made structures, and providing shade, wood or wooden fiber material along the

shoreline.

A. Setbacks from Lakes, Rivers, and Streams

- (1) Every commercial, industrial or multi-family residential building hereafter erected having frontage on any body of water, with the exception of Silver and Boardman Lakes, and with the exception of on-site storm water ponds and artificial water bodies created as part of the site's landscape treatment, shall be set back at least seventy-five (75) feet from the watermark or normal stream bank. Single family residential uses shall observe a setback of fifty (50) feet. Along those sections of the Boardman River controlled under the Natural River Act, PA 231 of 1970, as amended, setbacks shall be as required by the Act.
- (2) Every building hereafter erected having frontage on Silver and Boardman Lakes shall set back at least fifty (50) feet from the water mark.
- (3) Storm water retention or detention ponds, with the exception of customary release structures including pipe, swales and ditches shall be set back fifty (50) feet from a natural lake or normal stream bank.
- (4) Streets and access drives other than where they intersect lakes or streams and for such a distance as is required to cross a lake or stream shall be set back fifty (50) feet from a watermark or normal stream bank.

[illegible]

Active5 is cel. into ZBA_ Subject Parcel_ 05 19 20 19
 Parcels_ 20 19
 Stream

Garfield Charter Township
3848 Veterans Drive
Traverse City, MI 49684
Phone: 231.941.1620
Fax: 231.941.1688
www.garfield-twp.com



This map is based on digital databases prepared by Garfield Township. The Township does not warrant, expressly or impliedly, that the information on this map is current or positionally accurate. Always conduct a survey or be sure of where your property lines are located.

NOT A LEGAL SURVEY

Garfield Township Zoning Dept: 6/10/2019

Aerial View of the subject property



Approval Criteria (Section 454.E)

A variance may only be granted if the Zoning Board of Appeals finds that each of the Practical Difficulty standards under Section 454.E.1 are met, each of the General Criteria under Section 454.E.2 are met, and at least one of the Special Conditions or Circumstances are met.

(1) Practical Difficulty

To qualify for a dimensional variance, the applicant shall be required to show “practical difficulty” by demonstrating compliance with all of the following criteria:

- (a) Special conditions or circumstances exist that are peculiar to the land, buildings, or other structures for which the variance is sought, do not apply generally to lands, buildings, or other structures in the same district, and could not reasonably be addressed through the formation of general regulation for such conditions. Special circumstances or conditions to be considered for variances shall include, but not be limited to, the circumstances as described in § 454.E.(3);
Possible finding in favor: *The subject parcel is bisected by a waterway, resulting in a limited buildable area.*
- (b) The special conditions and circumstances peculiar to the land, buildings or other structures did not result from a self-created condition or action taken by the applicant or an owner of the lands;
Possible finding in favor: *The applicant did not create the hardship as the lot was created by a previous owner. Furthermore, the Township and other public agencies approved the subdivision.*
Possible finding in opposition: *Township Zoning regulations similar to what is in place today were in effect as of 1991/92. Therefore, the developer of the subdivision created the hardship by developing a lot with a limited buildable area.*
- (c) The special conditions and circumstances are such that strict application of the provisions of this ordinance would deprive the applicant of any reasonable use of the land, building, or structure authorized by this Zoning Ordinance;
Possible finding in favor: *Strict application of the provisions of this Ordinance would severely limit the percentage of the lot that is buildable.*
- (d) Literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this ordinance;
Possible finding in favor: *Literal interpretation of the provisions of this ordinance would deprive the applicant the right to use a large portion of the lot. Other properties in the district are not subject to the same development limitations, particularly regarding the percentage of the lot that is buildable.*
- (e) For the purpose of this section, a practical difficulty shall not exist because an applicant would incur additional costs to achieve full compliance or could receive additional income with less than full compliance with the ordinance.
Possible finding in favor: *This hasn't been brought up by the applicants as a factor in their decision.*

(2) General Criteria

Where the applicant is able to demonstrate “practical difficulty” by satisfying all of the criteria of § 454.E.(1), a dimensional variance may be granted if it meets the following general criteria:

- (a) The requested variance shall relate only to property that is under the control of the applicant;
Possible finding in favor: *The property is under sole control of the applicant.*
- (b) No nonconforming neighboring lands, buildings, or other structures, legal or illegal, in the same district, and no permitted buildings, or other structures in adjacent districts, shall be considered as grounds for the issuance of a variance;
Possible finding in favor: *The request is not based on any nonconformity related to other properties.*
- (c) The requested variance shall be in harmony with the general purpose and intent of this ordinance and shall not be detrimental to the public health, safety and welfare;
Possible finding in favor: *The requested variance will not be detrimental to the public health safety and welfare due to site modifications made by the applicant to reduce runoff into the stream and to preserve the 35 foot vegetative buffer. Additional modifications may be required as necessary by the ZBA to address issues*

identified during the public hearing and incorporated into the site/storm water plans. Finally, Steve Largent from the Grand Traverse Conservation has stated in the email provided that he has no issues with the variance request as long as the 35 foot vegetative buffer is maintained.

Possible finding in opposition: The requested variance is contrary to the intent and purpose of Section 535 to preserve and protect the water quality of the lakes and streams of our region as the decreased setbacks place impervious surfaces closer to the stream, which has been identified as a protected trout stream.

- (d) The requested variance shall not alter the essential character of the area or cause a substantial adverse effect upon properties in the immediate vicinity or in the district in which the property of the applicant is located;

Possible finding in favor: The requested variance will not alter the essential character of the area due to fact the resulting setback variances will still leave a large portion of the lot undeveloped.

- (e) The requested variance is the minimum variance that will make possible the reasonable use of the land, building, or structure, and there is no reasonable alternative location on the parcel for the proposed improvements for which a variance is sought where such alternative location would eliminate the need for the requested variance or reduce the extent of the condition(s) necessitating the variance.

Possible finding in favor: The variance request is needed to allow reasonable use of the property consistent with adjacent property uses.

Possible finding in opposition: The required setbacks do not prevent the lot from being developed for a permitted use. The applicant could pursue alternative design concepts to meet the requirements of Section 535. Additionally, the applicant or property owner should demonstrate that they have exhausted all other remedies prior to making request for a variance, including the purchase of additional property from the lot to the north.

(3) Special Conditions or Circumstances

Special conditions or circumstances to be considered for the purposes of § 454.E.(1) shall include, but not be limited to, the circumstances as described below:

(a) Physical Conditions

The proposed project site contains physical conditions such as narrowness, shallowness, shape, or topography of the property involved that do not generally apply to other property or uses in the same zoning district.

Possible finding in favor: The subject parcel is bisected by a waterway, resulting in a limited buildable area.

(b) Significant Vegetation or Natural Features

The proposed project site contains significant vegetation or other natural features identified as Stream Environment/Wetland by the Garfield Township Master Plan.

(c) Substandard Lot(s)

The proposed project involves the utilization of an existing legal nonconforming lot(s).

(d) Historic Resources

The proposed project site contains historical significance.

(e) Neighborhood Character

The proposed project promotes the established historic or traditional development pattern of a blockface, including setbacks, building height, and other dimensional requirements.

Recommendation

I have provided you with possible findings in favor of each Practical Difficulty standard and all of the General Criteria. As stated in Section 454.E, a variance can be granted only if the Zoning Board of Appeals makes at least one finding in favor of each of these standards. Please feel free to contact me if you have any questions before the meeting.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Green", written in a cursive style.

Michael Green, Zoning Administrator
Charter Township of Garfield

Attachments:

1. West Traverse Office Plaza Amended Plat
2. Email from Jennifer Hodges to Amy Dehaan dated March 24, 2016
3. Email from Steve Largent to Michael Green dated July 3, 2019

AMENDED PLAT OF WEST TRAVERSE OFFICE PLAZA PART OF THE SW.1/4, SEC.4, T.27 N., R.11 W., GARFIELD TWP., GRAND TRAVERSE CO., MICHIGAN

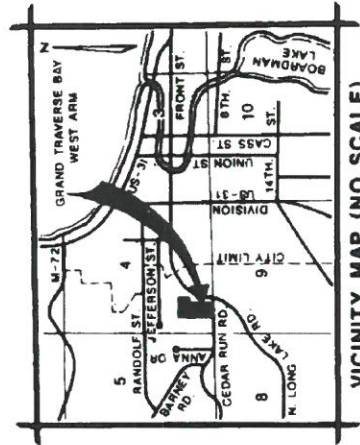
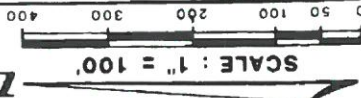
CURVE DATA

Curve	Radius	Length	Bearing	Chord	Distance	Delta
1	30.00'	44.11'	N 44°-28'-06" E	40.24'	40.24'	84°-14'-39"
2	30.00'	50.14'	S 45°-31'-54" E	44.50'	44.50'	95°-45'-21"
3	30.00'	293.80'	S 14°-40'-09" W	291.54'	291.54'	24°-38'-46"
4	683.00'	265.27'	S 14°-39'-46" W	263.23'	263.23'	24°-38'-00"
5	683.00'	310.40'	N 13°-57'-35" E	307.74'	307.74'	26°-02'-21"
6	683.00'	25.73'	N 25°-46'-14" E	25.72'	25.72'	95°-53'-07"
7	30.00'	50.20'	N 23°-21'-27" W	44.50'	44.50'	95°-45'-21"
8	30.00'	32.64'	S 68°-15'-38" E	72.81'	72.81'	05°-49'-15"
9	308.00'	186.84'	N 69°-43'-30" E	185.93'	185.93'	35°-08'-10"
10	308.00'	186.84'	N 69°-43'-30" E	185.93'	185.93'	35°-08'-10"
11	282.00'	146.40'	S 53°-10'-48" E	119.69'	119.69'	22°-24'-30"
12	282.00'	146.40'	S 53°-10'-48" E	119.69'	119.69'	22°-24'-30"
13	783.00'	79.55'	N 74°-12'-08" W	79.51'	79.51'	05°-49'-15"
14	30.00'	50.50'	N 60°-28'-53" E	44.75'	44.75'	95°-27'-19"
15	617.00'	121.83'	N 06°-35'-48" E	121.63'	121.63'	11°-18'-46"
16	100.00'	100.00'	N 15°-19'-46" W	95.15'	95.15'	34°-18'-30"
17	90.00'	131.25'	N 03°-23'-04" W	119.91'	119.91'	81°-33'-32"
18	90.00'	254.60'	N 12°-24'-55" W	83.92'	83.92'	141°-11'-05"
19	90.00'	254.60'	N 12°-24'-55" W	83.92'	83.92'	141°-11'-05"
20	90.00'	88.41'	N 29°-04'-57" E	84.90'	84.90'	49°-37'-08"
21	683.00'	51.42'	N 03°-05'-49" E	51.41'	51.41'	04°-18'-49"
22	617.00'	12.30'	N 01°-30'-41" E	12.30'	12.30'	01°-08'-52"

LEGEND

1. ALL DIMENSIONS ARE IN FEET.
2. ALL CURVILINEAR DIMENSIONS ARE LENGTHS.
3. ALL BEARS ARE BEARS ENCLOSED IN CONCRETE 4" IN DIAMETER HAVE BEEN PLACED AT ALL POINTS MARKED "O".
4. LOT CORNERS HAVE BEEN MARKED WITH 1/2" RE-ROD 18" LONG.
5. BEARINGS WERE ESTABLISHED FROM THE PLAT OF CITY BAY VIEW RECORDED IN LIBER 10, PAGE 122 AND 123 OF PLATS.
6. ALL LOT LINES INTERSECTING CURVILINEAR STREET OR BOUNDARY LINES ARE MONUMENTAL.

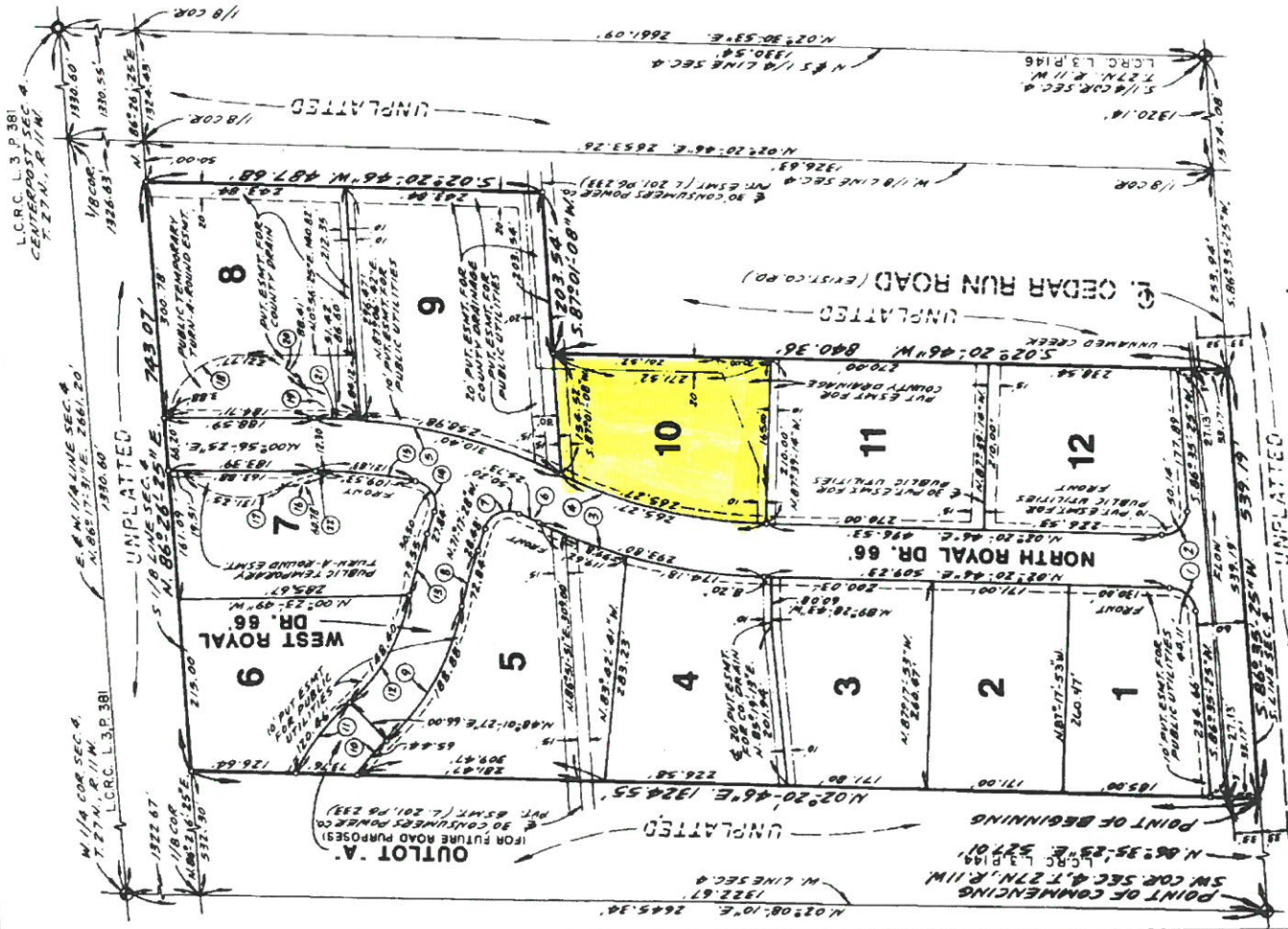
CERTIFIED TRUE COPY OF
RECORDED PLAT
BY DEPARTMENT OF COMMERCE
Richard E. Leonard, L.S., M.S.
Michigan, First Recorder
Date *December 15, 1998*



VICINITY MAP (NO SCALE)

PROJECT NO.
860384-P
061790

GOURDIE-FRASER & ASSOCIATES INC.
124 WEST STATE STREET, TRAVERSE CITY, MICHIGAN 49684
ENGINEERS-LAND PLANNERS-LAND SURVEYORS



THIS PLAT IS SUBJECT TO RESTRICTIONS AS REQUIRED BY ACT 288 OF 1967, AS AMENDED ON CERTAIN LOTS WITH RESPECT TO THE REQUIREMENTS OF THE MICHIGAN DEPT. OF NATURAL RESOURCES AND/OR THE MICHIGAN DEPT. OF PUBLIC HEALTH, WHICH ARE RECORDED IN LIBER 982, PAGE 471-475 OF THE RECORDS OF THIS COUNTY.

AMENDED PLAT OF WEST TRAVERSE OFFICE PLAZA

PART OF THE SW.1/4, SEC.4, T.27 N., R.11 W.,
GARFIELD TWP., GRAND TRAVERSE CO., MICHIGAN

SURVEYORS CERTIFICATE

I, Richard A. Rademaker, Surveyor, certify that I have surveyed, divided and mapped the land shown on this plat, described as follows: Amended plat of WEST TRAVERSE OFFICE PLAZA, Part of the Southwest quarter of Section 4, Township 27 North, Range West, Garfield Township, Grand Traverse County, Michigan, more fully described as follows: Containing 12 lots numbered 1 through 12 and 1 outlet, outlet "A", located at the Southwest corner of said Section 4; thence North 86°-35'-25" East, 527.01 feet, along the South line of said Section 4 to the Point of Beginning; thence North 02°-20'-46" East, 1324.55 feet; thence North 86°-26'-25" East, 743.07 feet, along the South one-eighth line of said Section 4; thence South 02°-20'-46" West, 487.68 feet; thence South 87°-01'-08" West, 203.54 feet; thence South 02°-20'-46" West, 840.36 feet; thence South 86°-35'-25" West, 539.19 feet, along the South line of said Section 4 to the Point of Beginning.

Containing 18.58 acres.

Containing 12 lots numbered 1 through 12 and 1 outlet, outlet "A".

That I have made such survey, land division and plat by the direction of the owners of such land.

That such plat is a correct representation of all the exterior boundaries of the land surveyed and the subdivision of it.

That the required monuments and lot markers have been located in the ground.

That the accuracy of survey is within the limits required by Section 126 of the act.

That the bearings shown on the plat are expressed as required by Section 126 (3) of the act and as explained in the legend.

GOURDIE-FRASER & ASSOCIATES, INC.

Richard A. Rademaker
Richard A. Rademaker, Secretary
Professional Surveyor #14768
124 W. State Street
Traverse City, Michigan 49684

December 4, 1992
DATE



I, Richard A. Rademaker, Surveyor, do hereby certify that the Amended plat of West Traverse Office Plaza is a true and exact copy of this plat as amended by the order in the matter of Royal & Fikorek Investments, a Michigan Co-Partnership, and T.B. Properties, a Michigan Partnership, Petitioners, which was entered by Circuit Judge Charles M. Forster, (Consent Declaratory Judgment as filed in File No. 91-9376-CH, Office of the Grand Traverse County Clerk) in the Circuit Court of the County of Grand Traverse, State of Michigan, in and to which said plat was duly recorded, and I have hereto set my hand and official seal of the County of Grand Traverse, State of Michigan, this 4th day of December, 1992.

Richard A. Rademaker
Richard A. Rademaker
Professional Surveyor No. 14768

I, Virginia A. Watson, Clerk to the County of Grand Traverse, do hereby certify that this portion of the Amended plat of West Traverse Office Plaza is a true and exact copy of the plat as amended by the order in the matter of Royal & Fikorek Investments, a Michigan Co-Partnership, and T.B. Properties, a Michigan Partnership, Petitioners, which was entered by the Circuit Judge Charles M. Forster, (Consent Declaratory Judgment as filed in File No. 91-9376-CH, Office of the Grand Traverse County Clerk) in the Circuit Court of the County of Grand Traverse, State of Michigan, in and to which said plat was duly recorded, and I have hereto set my hand and official seal of the County of Grand Traverse, State of Michigan, this 4th day of December, 1992.

Virginia A. Watson
Virginia Watson, County clerk

RECORDING CERTIFICATE

State of Michigan } S.S.
Grand Traverse County }

This plat was received for record on the 14th day of December, 1992, at 10:05 P.M., and recorded in Liber 14 of plats on Page 83

Karen Anderson
Karen Anderson, Register of Deeds

GOURDIE-FRASER & ASSOCIATES INC.
124 WEST STATE STREET, TRAVERSE CITY, MICHIGAN 49684
ENGINEERS-LAND PLANNERS-LAND SURVEYORS
PROJECT NO. 860384-P
C.L.A.

Amy DeHaan

From: Jennifer Hodges [jennifer@gfa.tc]
Sent: Thursday, March 24, 2016 2:41 PM
To: Amy DeHaan
Subject: RE: Parcel 10, West Traverse Office Plaza
Attachments: 860384K_sht2of5.pdf

Attached is the record drawing for the utilities for Traverse Office Park. This was a site development done by the developer including install of the water / sewer. At that time, water came from the onsite well/ wellhouse you can see on the drawings. Public utilities were put in and turned over to the Township (within easements) but the well / wellhouse remained privately owned by the developer. At some point in the later 90s the well was disconnected from the system and water was supplied from the city from Front Street via the booster station the Township owns. What become of the well I don't know because it was never owned by the Township. Sorry not much more help but I can tell you the Township does not own nor have control over that well.

Have a good weekend
~JH

From: Amy DeHaan [<mailto:adehaan@garfield-twp.com>]
Sent: Wednesday, March 23, 2016 11:20 AM
To: Jennifer Hodges <jennifer@gfa.tc>
Subject: Parcel 10, West Traverse Office Plaza

Attached is from our Pictometry. The well house sits just South of the North line of Lot 10; and it looks like in that NW corner is where there is a well head? Not sure. But appreciate any help you can give me on this!!! Thanks a ton!

Amy L. DeHaan, MMAO(4)
Assessor - Garfield Charter Twp.
Grand Traverse County
(231) 941-1620

*"Celebrate what you've accomplished,
but raise the bar a little higher
each time you succeed ..."*
- Beth Botke, Assessor - Bath Twp.

Mike Green

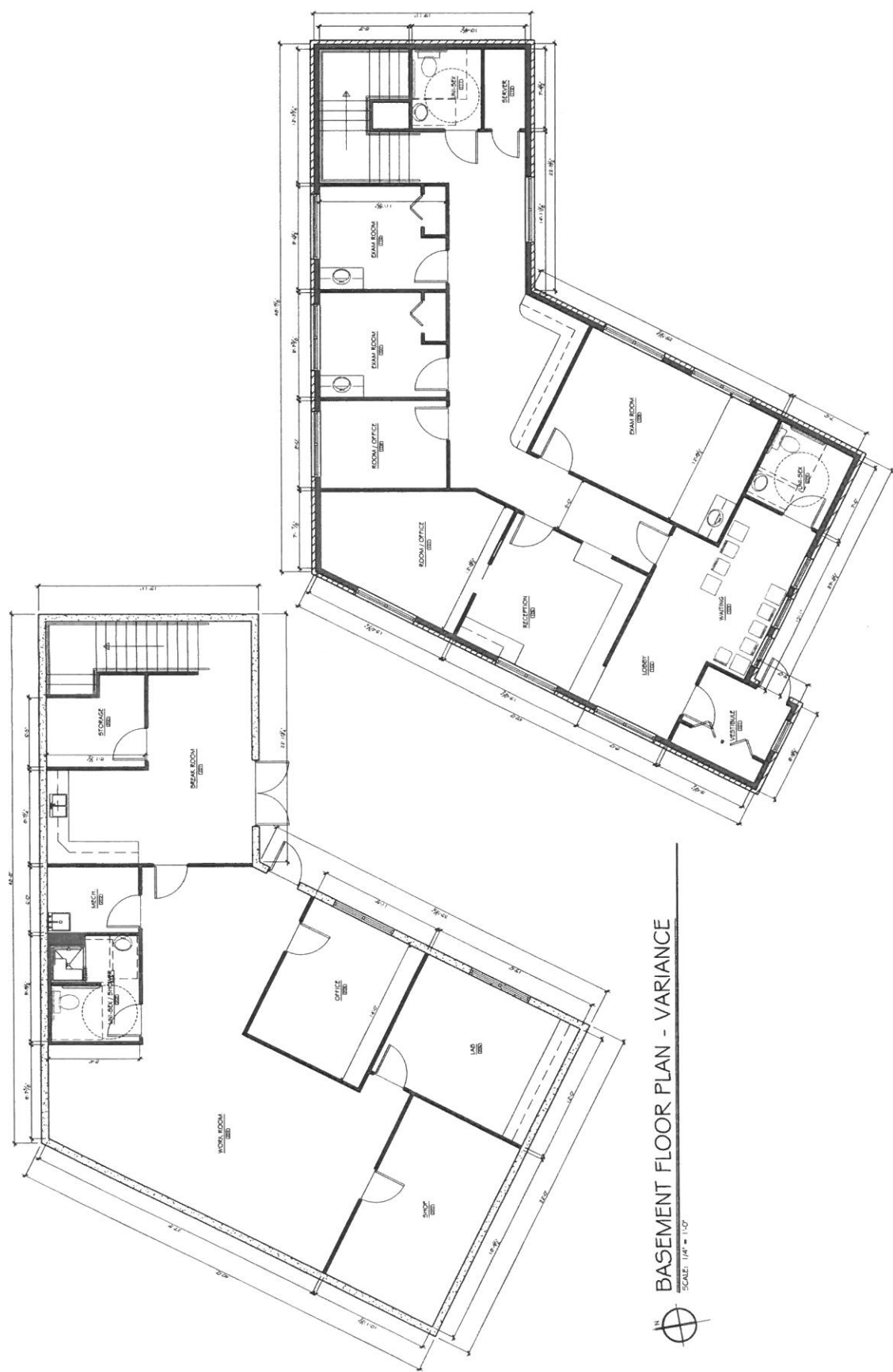
From: Steve Largent [slargent@gtcd.org]
Sent: Wednesday, July 03, 2019 1:39 PM
To: Mike Green
Subject: 5136 North Royal Drive Proposed Development

Michael – On Friday June 21st I met with Chris Dittenbir and another gentleman from Peninsula Construction Design regarding their proposed development adjacent to Kids Creek Trib-AA. In particular their request for various waterfront/wetland setbacks. As long as the remaining buffer is untouched I'm ok with what they're proposing. My one concern, as County Drain Commissioner, is the location of their lower most infiltration basin next to the adjacent property lines. If this basin overflows it appears that it will do so onto the neighboring properties which is against common drain law. Design considerations to make sure this doesn't happen will have to be incorporated into the plan. Please let me know if you have further questions. S.

Steve Largent

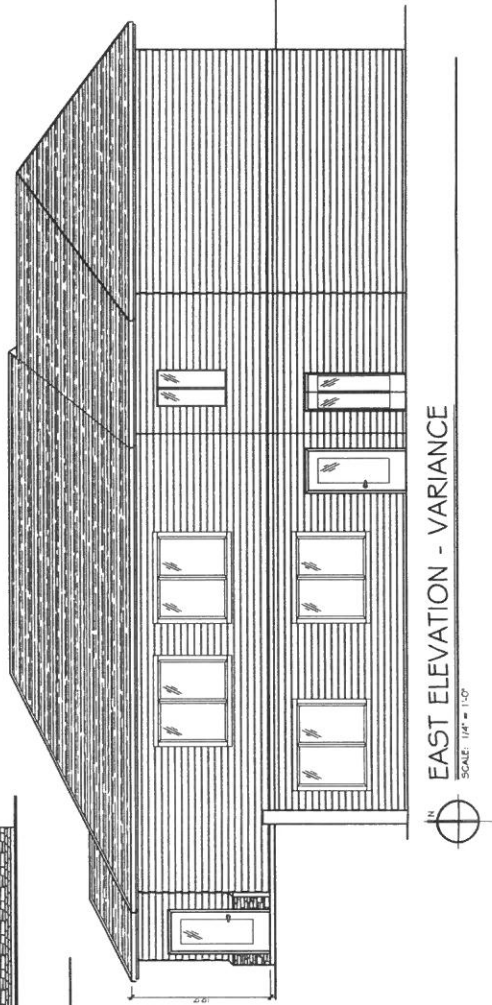
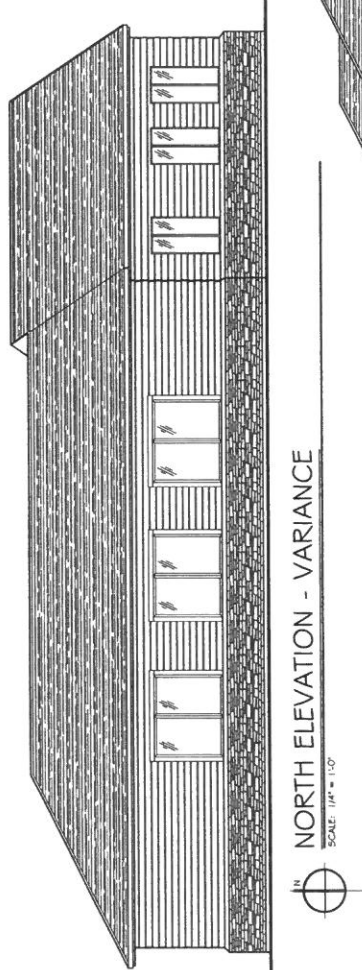
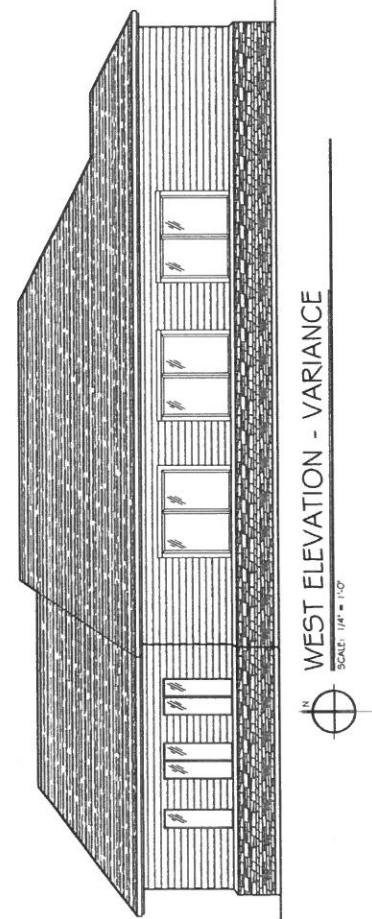
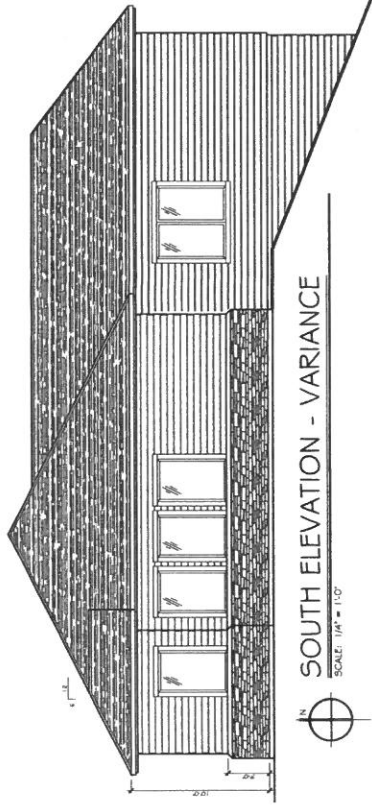
Conservation Team Coordinator
Grand Traverse Conservation District
1450 Cass Rd. Traverse City, MI 49685
231.883.9960
231.941.0960 x16
<http://www.natureiscalling.org>

Like the Grand Traverse Conservation District on Facebook!



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

BASEMENT FLOOR PLAN - VARIANCE
 SCALE: 1/4" = 1'-0"





ACTIVE BRACE & LIMB

THIS DRAWING MAY NOT BE COPIED OR REPRODUCED IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT. ANY VIOLATION OF SUCH PERMISSION SHALL BE PROSECUTED TO THE FULL EXTENT OF THE LAW.

REVISIONS:
DATE
BY
DESCRIPTION

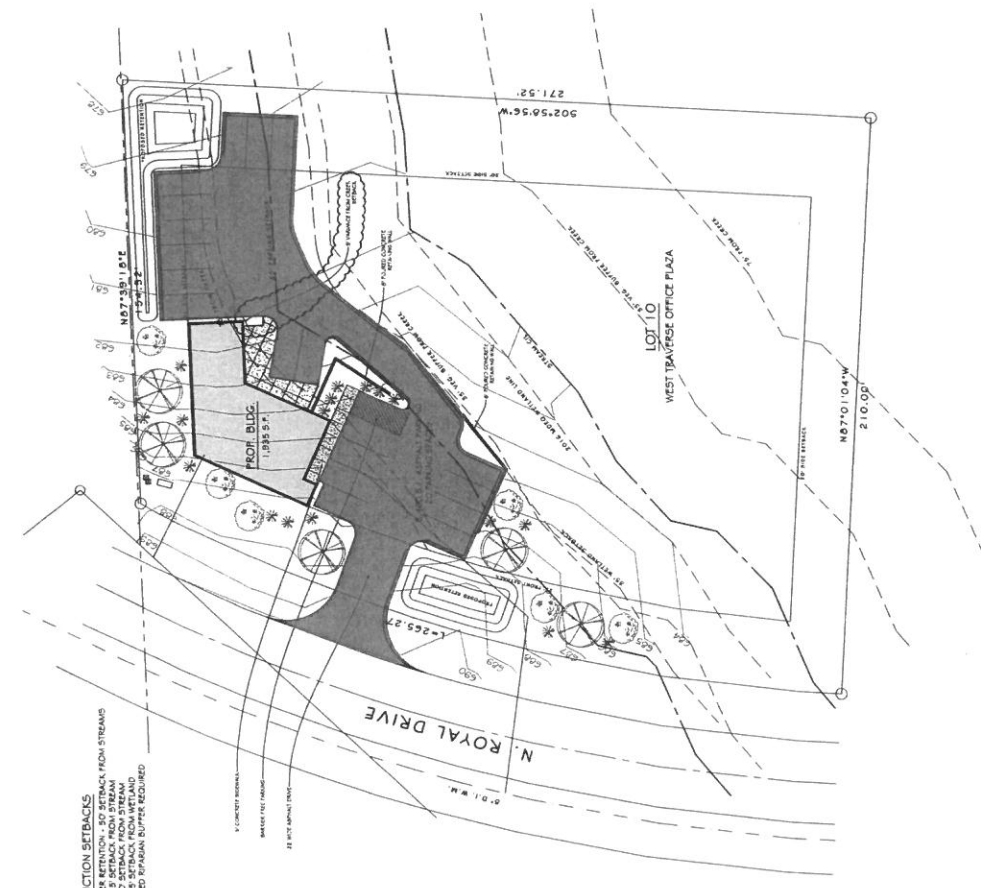
DATE	11/18/17
BY	KEVIN REFFITT
PROJECT	ACTIVE BRACE & LIMB
OWNER	ACTIVE BRACE & LIMB
SCALE	1" = 20'-0"
SHEET #	CI.V

PROJECT INFORMATION

PROPERTY ADDRESS: 1000 N. ROYAL DRIVE
ZONING: CO OFFICE COMMERCIAL
PROJECT: ACTIVE BRACE & LIMB
OWNER: ACTIVE BRACE & LIMB
DESIGNER: PENTACORE CONSTRUCTION & DESIGN
CONSTRUCTION SETBACKS:
STORM WATER RETENTION: 50' SETBACK FROM STREAM
GRADING: 25' SETBACK FROM STREAM
35' VERTICAL SETBACK FROM STREAM

LEGEND

- PROPOSED GRADE ELEVATION
- EXISTING GRADE ELEVATION
- DIRECTION OF WATER FLOW
- NEW ELEVATION CONTOUR
- NEW ASPHALT
- NEW BUILDING



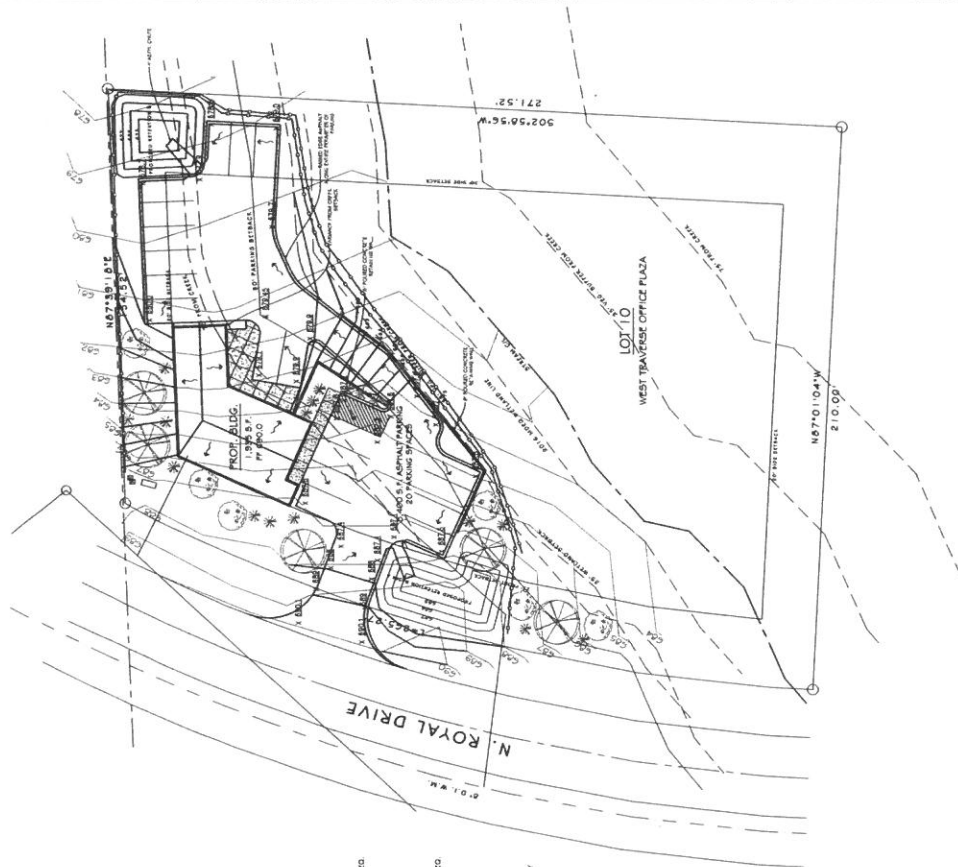
SITE PLAN - VARIANCE REQUEST

SCALE: 1" = 20'-0"

GENERAL NOTES:
1. THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE LAWS AND REGULATIONS.
2. THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE LAWS AND REGULATIONS.
3. THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE LAWS AND REGULATIONS.
4. THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE LAWS AND REGULATIONS.
5. THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE LAWS AND REGULATIONS.

SITE LIGHTING REQUIREMENTS:
1. ALL PROPOSED SITE LIGHTING TO CONFORM TO SECTION 5.17 OF THE ZONING ORDINANCE.
2. ALL SITE LIGHTING TO BE DESIGNED BY THE LIGHTING CONTRACTOR AND APPROVED BY THE TOWNSHIP PRIOR TO CONSTRUCTION.
3. LIGHTING FIXTURES SHALL HAVE 100% CLOFF AND BE PROTECTED OR LOCATED TO PREVENT GLARE FROM THE PROPERTY LINES AND NEIGHBORS.
4. LIGHTING SHALL BE DESIGNED TO PROVIDE AVERAGE ILLUMINATION LEVEL OF 1.0 - 2.0 FOOT CANDLES WITHIN PARKING AREAS, 3.0 FOOT CANDLES ON PRIMARY DRIVES AND NO MORE THAN 0.2 FOOT CANDLES ALONG ALL PROPERTY LINES.

UTILITY NOTES:
1. WATER SERVICE LEAD TO BE 1" DIA. HOPE MEETING CURRENT COUNTY DPM STANDARDS.
2. CUT AND CAP EXISTING WATERMAIN ON SITE IN ACCORDANCE WITH COUNTY DPM STANDARDS. THERE IS AN EXISTING GATE VALVE LOCATED ON THE MAIN ACROSS THE STREET FOR ISOLATION.
3. MAINTAIN 5' COVER OVER WATER SERVICE LINES IN ALL LOCATIONS.
4. SEWER LEAD TO BE 8" DIA. PVC LAD 18" MINIMUM SLOPE WITH CLEAN OUTS INSTALLED AT ALL TENDS AND AT NO MORE THAN 15' DEPTH.
5. MAINTAIN 5' COVER OVER SEWER LINES IN ALL LOCATIONS.
6. MAINTAIN 5' COVER OVER ALL UTILITY LINES IN ALL LOCATIONS.
7. MAINTAIN 5' COVER OVER ALL UTILITY LINES IN ALL LOCATIONS.
8. MAINTAIN 5' COVER OVER ALL UTILITY LINES IN ALL LOCATIONS.



STORM WATER PLAN - VARIANCE REQUEST

SCALE: 1" = 20'-0"



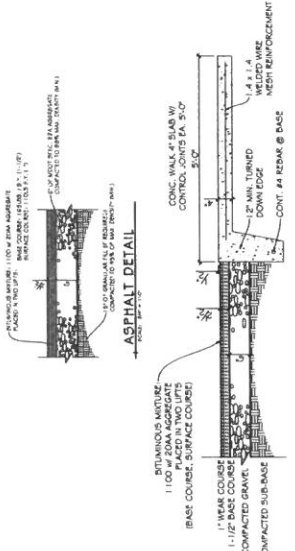
LEGEND

- PROPOSED GRADE ELEVATION
EXISTING GRADE ELEVATION
DIRECTION OF WATER FLOW
NEW ELEVATION CONTOUR
NEW ASPHALT
NEW BUILDING
SILT FENCE

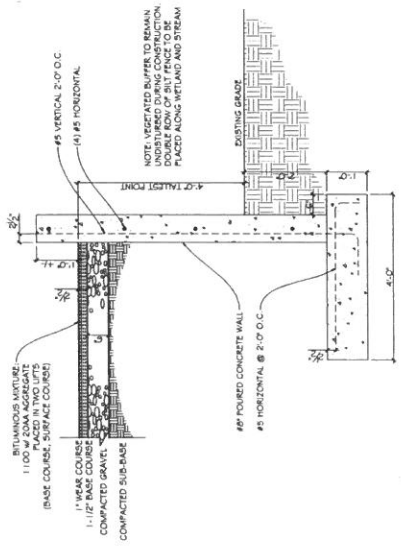
STORMWATER CONTROL DESIGN CALC:

REFORMED BUILDING: 1.235 SF
 REFORMED ASPHALT: 1.235 SF
 REFORMED ASPHALT + CONCRETE: 6.400 SF
 TOTAL AREA: $11.865 + 6.400 = 18.265$ SF
 REQUIRED MAIN VOLUME BASED ON 3.35 SF
 MAIN VOLUME: $18.265 \times 3.35 = 61.288$ SF
 TOTAL VOLUME: $10.335 + 61.288 = 71.623$ CU YD OF DRAINAGE
 DETENTION VOLUME:
 TOP AREA: 1100 SF
 BOTTOM AREA: 250 SF
 DEPTH: 1.50 SF
 VOLUME: $1100 - 250 \times 1.50 = 1025$ SF
 TOTAL OF PROVIDED: $1100 + 550 + 1800 + 1601 + 4201 + 1.3 = 7176$ CF
 DETENTION VOLUME:
 TOP AREA: 1000 SF
 BOTTOM AREA: 250 SF
 DEPTH: 1.50 SF
 TOTAL OF PROVIDED: $11000 + 4200 + 2600 + 11.2 = 19311$ CF
 CONCRETE OF PROVIDED: $1736 + 1273 + 3008 + 2.263 = 2339$ CF
 REQUIRED RETENTION SIZE IS MORE THAN THAT ON SITE SO IS
 ACCEPTED. SEE RETENTION CALCULATION ASSUMED IN 17 SITE
 PLAN.

ASPHALT SIDEWALK SECTION



RETAINING WALL SECTION





CHARTER TOWNSHIP OF GARFIELD

ZONING BOARD OF APPEALS

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Garfield Township Zoning Board of Appeals will hold a public hearing at their regular meeting on July 17, 2019 at 6:00 pm. The hearing will take place at the Garfield Township Hall, located at 3848 Veterans Drive, Traverse City, Michigan 49684. The following request will be heard:

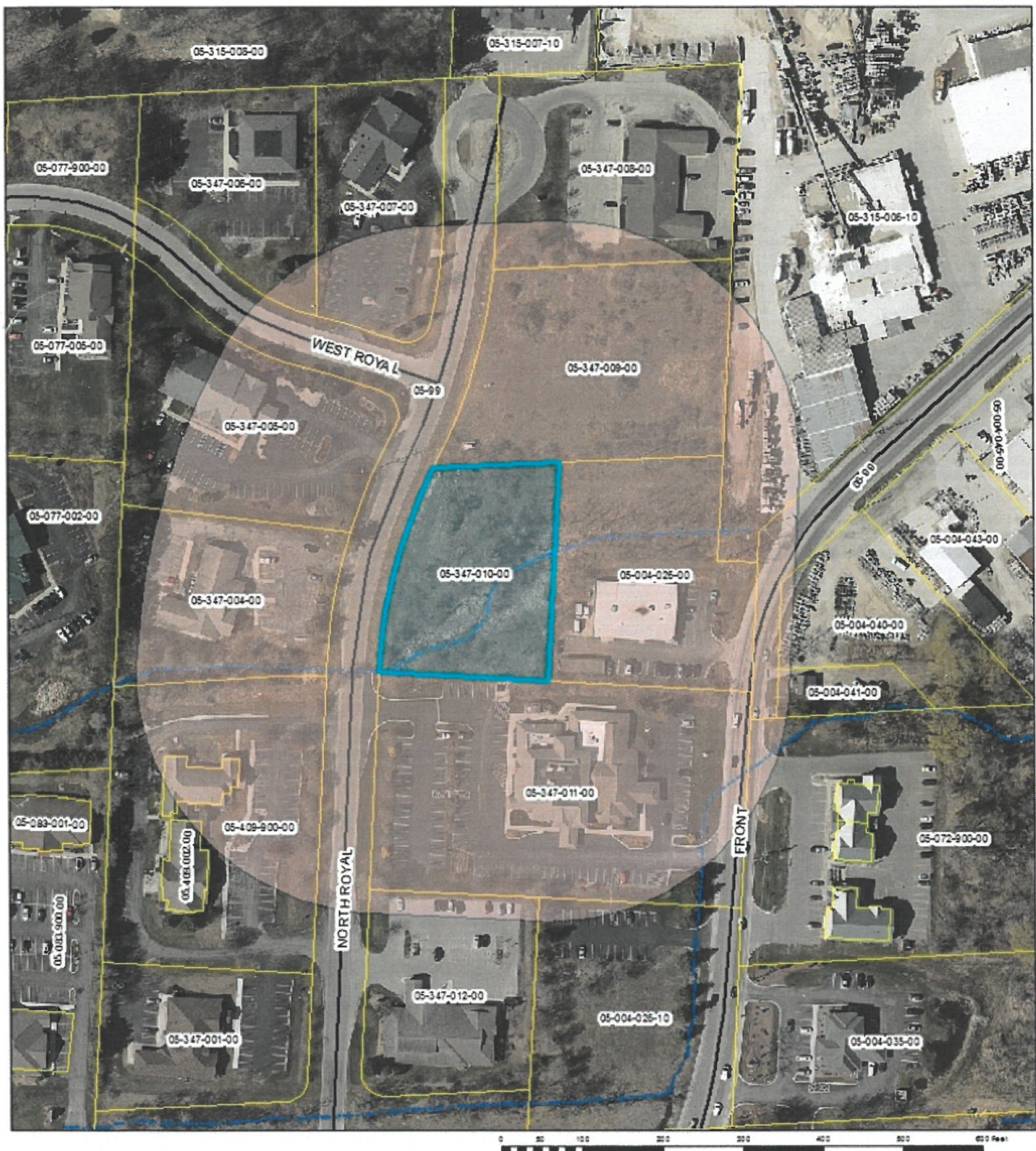
- 1) A request made by Peninsula Construction on behalf of Active Brace & Limb for a variance from the setback requirements in Section 535.A (1) of the Garfield Township Zoning Ordinance. The applicant is requesting a variance from the seventy-five (75) foot buffer requirement to seventy (70) foot buffer from a watermark or normal stream bank to build a medical office/lab. In addition, the applicant is requesting a variance from the buffer requirements of Section 551(4) for parking and parking spaces and Section 535 (A)(4) buffer requirement for streets and access drives from a watermark or normal stream bank. The request is to reduce the required buffer from 50 feet to 35 feet. The property is zoned C-O Office Commercial and is located at 5136 N Royal Drive with a property number of 05-347-010-00.

A copy of the application, zoning ordinance and zoning map may be inspected at the zoning office of the Charter Township of Garfield located at 3848 Veterans Drive, Traverse City, Michigan between the hours of 7:30 am and 6:00 pm Monday through Thursday. All persons will have the right to speak at the Public Hearing. Any written comments with respect to this application may be submitted to the Township zoning department at the address above during regular office hours as described above or during the Public Hearing. The Township's telephone number is 231-941-1620.

Steve Duell – Secretary
Garfield Township Zoning Board of Appeals
3848 Veterans Drive
Traverse City, MI 49684

Michael Green – Zoning Administrator
Garfield Township
3848 Veterans Drive
Traverse City, MI 49684

Garfield Township will provide necessary reasonable auxiliary aids and services, such as signers for hearing impaired and audio tapes of printed materials being considered at the meeting to individuals with disabilities upon the provision of reasonable advance notice to Garfield Township. Individuals with disabilities requiring auxiliary aids or services should contact Garfield Township by writing or calling Lanie McManus, Clerk, Ph: (231) 941-1620, or TDD #922-4412.



Location Map

Garfield Charter Township
 3848 Veterans Drive
 Traverse City, MI 49684
 Phone: 231.941.1620
 Fax: 231.941.1688
www.garfield-twp.com



NOT A LEGAL SURVEY

Garfield Township Zoning Dept. 5/22/2019

Legend

- 300 ft. Notification Boundary
- Subject Property - Active Brace and Limit
- Parcels 2018

This map is based on digital databases prepared by Garfield Township. The Township does not warrant, expressly or impliedly, that the information on this map is current or positionally accurate. Always consult a surveyor to be sure of where your property lines are located.