

AGENDA

Grand Haven Charter Township Zoning Board of Appeals
Tuesday, October 22, 2019 – 7:00 pm

- I. Call To Order
- II. Roll Call
- III. Approval of the June 25, 2019 ZBA Meeting Minutes
- IV. Old Business
 - A. ZBA Variance Application No. 19-01 - Rust
- V. Reports
- VI. Extended Public Comments (*Limited To Four (4) Minutes Please*).
- VII. Adjournment

MEETING MINUTES
GRAND HAVEN CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
TUESDAY JUNE 25, 2019

I. CALL TO ORDER

The regular meeting of the Grand Haven Charter Township Zoning Board of Appeals was called to order at 7:00 p.m. by Chair Voss.

II. ROLL CALL

Board of Appeals members present: Voss, Slater, Loftis, and Behm
Board of Appeals members absent: Hesselsweet, and Rycenga (alternate)

Also present: Assistant Zoning Administrator Hoisington, and Community Development Director Fedewa.

Without objection, Hoisington was instructed to record the minutes for the meeting.

III. APPROVAL OF MINUTES

Without objection, the minutes of the May 29, 2019 ZBA Meeting were approved.

IV. OLD BUSINESS

Motion by Voss, supported by Slater, to remove ZBA Case #19-04 from the table for reconsideration. **Which motion carried.**

1. ZBA Case #19-04 – Dimensional Variance – Martin

Party Requesting Variance:	John and Holly Martin
Parcel Number:	70-03-26-380-008
Location:	15297 Vintage Avenue

John and Holly Martin are seeking a variance to construct a three-seasons room that would result in a rear yard setback violation of Section 21.02 of the Zoning Ordinance.

Hoisington provided an overview of the application through a memorandum dated June 20th.

Applicant John Martin provided additional information regarding the location of the septic system for the property.

The Board discussed the application and noted the following:

- Inquired about other possible locations for that addition.
 - Noted the encumbrance of the septic system in relation to building on the property.

- Questioned the location of the existing shed to ensure compliance.
- Verified the pool deck currently under construction will be connected to the attached deck in the future, meaning it would not be considered an accessory structure.
- Discussed the opinion from the Township Attorney that states the Martins offering to give up a right they already have under the zoning ordinance, to build an accessory building, in order to obtain a setback variance for a three-season room is a legitimate consideration
- Suggested the Planning Commission further discuss the potential issues that may arise in the R-2 district. Specifically, that some lots may build-out the allowable building envelope to comply with the basic ordinance requirements. However, that does not leave room for additional investment and improvement into the property.

Standard No. 1 – Exceptional or extraordinary circumstances:

- The ZBA deems the exceptional circumstance to be the relinquishment of a property right entitlement—480 square feet of accessory building—in exchange for enclosing a deck and converting it to a three-season room.
- The foregone accessory building could be setback only 5-10 feet from the side and rear lot lines. Whereas the three-season room is setback 42 feet from the rear lot line and over 25 feet from the side lot line to the south. This is a reduced impact to adjacent properties.
- Enclosing the deck to become a three-seasons room reduces maximum lot coverage. Up to 480 square feet of impervious surface could be added. The three-seasons room is not considered impervious because it is elevated.
- The suggested condition of approval would require an agreement to prohibit any additional accessory buildings, a right the Martins are currently entitled to under the zoning ordinance. Per the Township Attorney, this is a legitimate consideration.

Ayes: Slater, Loftis, Behm
Nays: Voss

Standard No. 2 – Substantial property right:

- Neighborhood has existing non-conforming additions.
- Lots in the neighborhood just meet the minimum setback standards ,which limits the ability of a property owner to further invest in their properties.

Ayes: Slater, Loftis, Behm
Nays: Voss

Standard No. 3 – Will not be a substantial detriment to adjacent parcels, or material impact on the intent and purpose of the Ordinance:

- One letter of opposition was received from an adjacent neighbor concerned about the impact of the structure on their property. The addition will be setback 42 feet from the

rear lot line compared to the 5-10 foot setback that would be possible with an accessory building.

- Two emails in support of the addition were received from neighbors.
- Will reduce overall lot coverage.

Ayes: Voss, Slater, Loftis, Behm

Nays: None

Standard No. 4 – Request is not of such a recurrent nature as to make reasonably practical the formulation of a general regulation:

- The proposed exchange is the first of its kind to be received by the ZBA.
- Seems to be potential for this type of request again, but as of now this request is not recurrent in nature.

Ayes: Slater, Loftis, Behm

Nays: Voss

Motion by Slater, supported by Behm, to **conditionally approve** a dimensional variance from Section 21.02 for a 12' x 16' three-season room at 15297 Vintage Avenue that will result in a Rear Yard setback of 42-feet. Approval of this variance is based upon this Board's findings that all four standards have been affirmatively met. Approval is conditioned upon the following:

1. The detached deck being attached to the main building, so the principal structure is compliant with the R-2 setbacks.
2. Direct staff to consult with legal staff to draft an agreement to be recorded with the property to prohibit any additional accessory buildings or enlarging the existing accessory building.

Which motion passed, as indicated by the following roll call vote:

Ayes: Slater, Loftis, Behm

Nays: Voss

Absent: Hesselsweet

V. REPORTS

- Hoisington provided an update on the status of tabled ZBA Case 19-01.

VI. EXTENDED PUBLIC COMMENTS – None

VII. ADJOURNMENT

Without objection, the meeting was adjourned at 7:34 p.m.

Respectfully submitted,



Cassandra Hoisington
Acting Recording Secretary



GRAND HAVEN CHARTER TOWNSHIP

Community Development Memo

DATE: October 17, 2019
 TO: Zoning Board of Appeals
 FROM: Cassandra Hoisington, Assistant Zoning Administrator
 RE: 18165 Shore Acres Rd – Dimensional Variance Application No. 19-01

PARCEL INFORMATION

Owner	Dale & Mary Jo Rust
Applicant's Representative	Curt Hall LandTechwmi LLC
Property Address	18165 Shore Acres Rd
Parcel Number	70-03-32-331-017
Lot Size	21,350 sqft (.49 ac)
Lot Type	Legal Lot of Record
	Irregular Lot Shape
	Critical Dunes
Elevation	≈ 55 foot elevation change
Zoning	R-1 Single Family Residential
Required Setbacks for an Attached Deck	Front – 50 feet
	Rear – 50 feet
	Side 1 – 15 feet
	Side 2 – 20 feet
Required Setbacks for Retaining Wall System	Front – 50 feet
	Rear – 50 feet
	Side 1 – 15 feet
	Height – 20 feet
Maximum Height for a Retaining Wall	8 ft, single or series



Site Location



Critical Dunes



REMOVE APPLICATION FROM TABLE

Prior to beginning discussion, the application must be removed from the table, utilizing the following motion:

Motion to remove the Rust Dimensional Variance application from the table.

ZBA APPLICATION UPDATE

Recall the dimensional variance application from May 2019, the application was tabled due to a lack of required information. The ZBA requested the following information before the application can be removed from the table:

1. Site plan for all variance components only—remove the other items within the scope of work that do not pertain to the variance application.

The EGLE permit has been issued, with an approved site plan date of 8/14/19. Staff requested the applicant to utilize that version to comply with this ZBA requirement. However, the applicant reused an older version dated 7/8/19. Staff does not find this acceptable because there are differences between the July and August site plans.

Ultimately, staff has attempted to obtain the required information necessary to approve a variance for over 8 months with limited success. Due to these unique circumstances, it appears staff is at an impasse with the applicant, so the matter is being brought back before the ZBA. The applicant believes he can present the required information to the ZBA to adequately formulate the variance.

The information the applicant needs to provide includes:

- (a) Height of each retaining wall (*measured from grade to top of wall*).
 - (b) Distance between adjacent retaining walls to determine if it is a series.
 - (c) Setbacks of each retaining wall to the lot lines (*front, rear, and sides*).
 - (d) Setbacks and the dimensions of the deck(s).
2. Height information for each retaining wall, including profiles.
Information provided was incomplete and not drawn to a consistent scale.
 3. Issued EGLE permits
EGLE Permit issued on October 2nd, 2019.
 4. Direct staff to contact the Township Attorney to determine what is required or necessary to address the western deck on the adjacent parcel.
Further discussion regarding the deck took place. It will not extend into the adjacent parcel and is no longer a concern.

In the time since the May meeting staff has maintained contact with the applicant regarding the missing information. Staff has requested accurate details for Items 1 & 2 on multiple occasions but has received incomplete information. There has been a significant lapse in time since the application was first discussed (February), presented to the ZBA (May), and the present. Because of this, staff, the applicant, and the property owner have agreed to forward the application in its current state to the ZBA. The applicant is responsible to provide and present all information pertaining to the variance request.

INFORMATION NEEDED

The May ZBA Memo has been enclosed for your reference. Staff is unclear on what changes may have occurred in the time span.

A variance is an approved violation of an ordinance and thus must be specific. Estimates, ranges, assumptions, etc. are not acceptable because the variance is perpetual, so the Township must restrain them to prevent the possibility of a resident taking advantage of the variance. For example, the applicant has stated on the site plan that retaining “walls are to exceed 8’ ht as a system.” That request cannot be approved because there is no maximum, so in theory a 20’ tall retaining wall system could be installed. **Hence, the reason very specific and itemized requests to violate the ordinance are a required component of receiving a variance.**

The ZBA will need to determine the details of the variance request based on the applicant’s presentation. In order to appropriately consider the application the ZBA will need an itemized list of the variance requests.

1. Height of each retaining wall (*measured from grade to top of wall*).
2. Distance between adjacent retaining walls to determine if it is a series.
3. Setbacks of each retaining wall to the lot lines (*front, rear, and sides*).
4. Setbacks and the dimensions of the deck(s).

Additionally, a revised site plan should be required that clearly notes all requested variances and is based on the approved EGLE permit.

Staff understands this is not a typical situation. However, due to the impasse it appears this is the only method available. Diligent notes will be taken during the meeting to assist with crafting the standards and motions—whether the motion is to approve, deny, or table.

VARIANCE STANDARDS

To authorize a dimensional variance from the strict applications of the provisions of this Ordinance, the ZBA shall apply the following standards and make an affirmative finding as to each of the matters set forth in the standards.

STANDARD 1

There are exceptional or extraordinary circumstances or conditions applying to the property that do not apply generally to other properties in the same zoning classification.

The ZBA will need to determine as to whether or not this standard is met.

STANDARD 2

The variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and in the vicinity, provided that possible increased financial return shall not of itself, be deemed sufficient to warrant a variance.

The ZBA will need to make a determination as to whether or not this standard is met given the circumstances of this case.

STANDARD 3

Authorization of such variance will not be of substantial detriment to adjacent property, and will not materially impair the intent and purpose of this Ordinance or the public health, safety, and general welfare of the community.

No correspondence was received for this application (*as of October 17th or for the previous May 29th meeting*). The ZBA will need to make the determination as to whether or not this standard is met given the circumstances of this case and the findings on standards 1 and 2.

STANDARD 4

The condition or situation of the specific piece of property or the intended use of said property for which the variance is sought, is not of so general or recurrent a nature as to make reasonably practical the formulation of a general regulation for such condition or situation, a part of this Ordinance.

The ZBA will need to make the determination as to whether or not this standard is met.

SAMPLE MOTIONS

If the ZBA determines each standard has been affirmatively met, the following motion can be offered:

Motion to approve a dimensional variance from Sections 21.02, 20.22.1, and 20.22.2 of the Zoning Ordinance to construct a series of retaining walls and decks. Approval of this variance is based upon this Board's findings that all four standards have been affirmatively met.

1. *List approved variance items.*

However, if the ZBA determines each standard as not been affirmatively met, the following motion can be offered:

Motion to deny a dimensional variance from Sections 21.02, 20.22.1, and 20.22.2 of the Zoning Ordinance to construct a series of retaining walls and decks. Denial of this variance is based upon this Board's findings that all four standards have not been affirmatively met. Further, staff is directed to draft a formal motion and report with those discussion points which will be reflected in the meeting minutes. This will be reviewed and considered for adoption at the next meeting.

If the ZBA determines that more information is needed to make an affirmative finding, the following motion can be offered:

Motion to table the dimensional variance application for 18165 Shore Acres Road until the November 26th meeting, or when the applicant has addressed the items below:

1. *List items.*

Please contact me with questions or concerns



GRAND HAVEN CHARTER TOWNSHIP

Community Development Memo

DATE: May 24, 2019
 TO: Zoning Board of Appeals
 FROM: Cassandra Hoisington, Assistant Zoning Administrator
 RE: 18165 Shore Acres Rd – Dimensional Variance Application No. 19-01

PARCEL INFORMATION

Owner	Dale & Mary Jo Rust
Applicant	Curt Hall LandTechwmi LLC
Property Address	18165 Shore Acres Rd
Parcel Number	70-03-32-331-017
Lot Size	21,350 sqft (.49 ac)
Lot Type	Legal Lot of Record
	Irregular Lot Shape
	Critical Dunes
Elevation	≈ 55 foot elevation change
Zoning	R-1 Single Family Residential
Required Setbacks for an Attached Deck	Front – 50 feet
	Rear – 50 feet
	Side 1 – 15 feet
	Side 2 – 20 feet
Required Setbacks for Retaining Wall System	Front – 50 feet
	Rear – 50 feet
	Side 1 – 15 feet
	Height – 20 feet
Maximum Height for a Retaining Wall	8 ft



Site Location



Critical Dunes



ZBA APPLICATION

The owners have previously requested and received two dimensional variances for this property. The first variance was received in 2014, to build stronger retaining walls after the septic system was replaced. A second variance was received in 2015. This variance allowed a series of stairs and landings along the retaining wall to gain access to the dwelling.



The applicant is pursuing an additional variance to construct more retaining wall series and a deck. This will be part of a larger project to improve the safety and accessibility of the property.



The boardwalks are exempt from the Zoning Ordinance as long as they comply with the EGLE policy of a maximum 5-foot width and installed with hand tools.

Staff visited the property and noted the failing conditions of the existing patio, boardwalk, and deck. Staff recommends ZBA members visit the property to understand the full impact of the deteriorating structures amongst the steep elevation changes.

PROPOSED PROJECT

Aside from the variance request, the applicant will perform additional improvements to the property, which are described below:

- Foundation repair.
- Capture of roof drainage to prevent further soil erosion.
- Installation of a porous paver driveway.
- Installation of new boardwalks.

Staff can confirm the applicant has submitted an application to EGLE, but as of now, when this memo is being drafted, the applicant continues to revise the scope of work.



Due to the fluidity of the scope of work, **staff recommends the ZBA table this application** until the details have been finalized, and an EGLE permit has been issued. In brief, the scope of work on the EGLE permit application is significant, but the scope for the variance is far narrower. To ensure preciseness, a site plan containing variance-only information is necessary.

Another outstanding issue, which may require staff to contact legal counsel, is the request to build a deck in the front yard on an adjacent property that is owned by a third-party. Section 20.03.2.A exempts elevated walkways (*and even allows them to cross lot lines*), so that portion does not need to be addressed by the Township. However, if the ZBA is willing to consider approving a deck at the western end of the walkway then we need guidance from the Township Attorney because the survey shows it is not located on the applicant's property.

As you may notice from the packet materials, the Shore Acres Association gave permission to let the boardwalk cross over the platted walkway. Historically, these "paper walkways" do not exist and the Township has accepted written approval from the HOA to build structures on these areas.

SAMPLE MOTIONS

Motion to table the dimensional variance application for 18165 Shore Acres Road until the June 25th meeting, or when the applicant has addressed the items below:

1. Site plan for all variance components only—remove the other items within the scope of work that do not pertain to the variance application.
2. Height information for each retaining wall, including profiles.
3. Issued EGLE permits
4. Direct staff to contact the Township Attorney to determine what is required or necessary to address the western deck on the adjacent parcel.

Please contact me with questions or concerns

Clear Form

Print



GRAND HAVEN CHARTER TOWNSHIP

ZONING BOARD OF APPEALS APPLICATION

Application Type	Fee	Escrow*
Variance or Appeal	\$250	\$300
Special Meeting	\$425	n/a
Interpretation	\$125	n/a

* To cover cost of legal and consulting fees, may be increased as necessary

Applicant/Appellant Information

Name LANDTECH WMI, LLC / CURTIS R. HALL
 Phone (616) 836-2286 (mobile) Fax (616) 928-0786
 Address 76 VETERANS DR., STE 500 ON LIBERTY CT. HOLLAND, MI 49423
 Email Address wrt@landtechwmi.com

Owner Information (If different from applicant/appellant)

Name DALE RUST
 Phone (847) 323-4975 Fax _____
 Address 1939 KOEHLING RD NORTH BROOK, IL 60052
 Email Address dlr.koehling@gmail.com

Property Information (Include a survey or scaled drawing)

Address 18165 SHORE ACRES RD.
 Parcel No. 70-03-32-331-017 Current Zoning RESIDENTIAL
 Lot Width 43.5 x 2 feet Lot Depth 107 x 2 feet
 Parcel Size .49 ACRES ± acres Parcel Size .49 ACRES ± sq. ft. PER SURVEY.
 Lot Type Typical Lot Corner Lot _____ Interior Lot _____

FLAG LOT ENCOMPASSES 4 LOTS

General Information (Check one)

- Application for Variance
- Request for Interpretation
- Notice of Appeal

NOTE: Please provide a scaled drawing with details of your proposed work including the dimensions of any structure(s) (i.e. height, width & length), building materials, the setbacks to ALL property lines, and other existing structures on the parcel, and any other relevant information, as needed.

VARIANCE REQUESTED (If applicable)

1. Attach a Narrative: Description of Request; Why it is needed; and Addresses each of the 4 Standards ATTACHED
2. Variance Requested From the Requirements of Section Number(s) _____
3. Relating to PROXIMITY OF SITE IMPROVEMENTS TO PROPERTY LINES, WITHIN SETBACKS
4. Structure/Land Use (After Variance) HOUSE, DECK, STEPS, RETAINING WALLS
5. Overall Building Size (After Variance) _____
6. Setbacks from lot lines (After Variance):
 - a. Front Yard 5 feet
 - b. Rear Yard 22 feet
 - c. Side Yard #1 1 feet
 - d. Side Yard #2 19 feet

INTERPRETATION REQUEST (If applicable)

Description of requested interpretation(s) and relevant Section number(s):

APPEALS AND OTHER APPLICATIONS (If applicable)

Description of action being appealed or other matter which is basis of application.

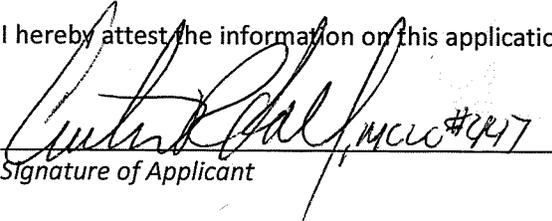
TO PERFORM REPAIRS TO FOUNDATION, CONSTRUCT NEW AND REPLACE EXISTING
RETAINING WALLS, REPLACE KIST DRUGS/POTS W/ OFF GROUND DRUGS/BODDOWALLS,
CAPTURE ROOF DRAINAGE TO PREVENT EROSION TO THE SLOPE AND INSTALLATION
OF A POROUS PAVEMENT DRIVEWAY OVER THE SEPTIC FIELD.

GROUND FOR APPEAL OR OTHER APPLICATION (If applicable)

THE HOUSE AND AMENITIES WERE CONSTRUCTED IN VARIOUS AREAS BY
PREVIOUS OWNERS WITHIN THE SETBACKS AND DEEDS EASEMENT
LINES, SO THERE SEVERAL AREAS OF EXCEPTIONAL NARROWNESS,
TOPOGRAPHICAL CONDITIONS AND EXTRA ORDINARY PHYSICAL SITUATIONS.

IF THE SPACE PROVIDED ON THIS APPLICATION IS INADEQUATE
PLEASE ATTACH ADDITIONAL SHEETS AS NEEDED

I hereby attest the information on this application is, to the best of my knowledge, true and accurate.


Signature of Applicant

3/6/19
Date

Signature of Zoning Administrator

Date

For Office Use Only

Date Received _____

Fee Paid? _____

RELEASE FORM

The undersigned has applied to the Grand Haven Charter Township Construction Board of Appeals for an appeal. The undersigned hereby authorizes the members of the Construction Board of Appeals and appropriate Township staff members to inspect the property (address stated below) at reasonable times, in regards to the consideration of my request for an appeal.

Curtis R. Wolf, MCIC #447
Applicant's Signature

3/4/19
Date

x Dale L. Rust
Owner's Signature (if different from applicant)

3/4/19
Date

18165 SHORE ACRES RD, GRAND HAVEN, MI.
Property Address

ACTION TAKEN BY TOWNSHIP BOARD OF APPEALS

- () Application Approved
- () Application Denied

Description of appeal granted or other action taken including conditions imposed, if any:

Signature of CBA Chairperson

Date

ZONING BOARD OF APPEALS PROCEDURAL EXPLANATIONS

The granting of variances is outlined in Section 26.05 of the Grand Haven Charter Township Zoning Ordinance, as amended. It states, in order to grant a non-use variance the Zoning Board of Appeals (ZBA) shall find affirmatively for each of the following four standards:

1. There are exceptional or extraordinary circumstances or conditions applying to the property that do not apply generally to other properties in the same zoning classification. Exceptional or extraordinary circumstances or conditions include:
 - a. Exceptional narrowness, shallowness or shape of a specific property on the effective date of this Ordinance, or amendment thereto;
 - b. Exceptional topographic conditions;
 - c. Any other physical situation on the land, building or structure deemed by the Zoning Board of Appeals to be extraordinary; or
 - d. By reason of the use or development of the property immediately adjoining the property in question.
2. Such variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and in the vicinity, provided that possible increased financial return shall not of itself, be deemed sufficient to warrant a variance.
3. Authorization of such variance will not be of substantial detriment to adjacent property, and will not materially impair the intent and purpose of this Ordinance or the public health, safety, and general welfare of the community.
4. The condition or situation of the specific piece of property or the intended use of said property for which the variance is sought, is not of so general or recurrent a nature as to make reasonably practical the formulation of a general regulation for such condition or situation, a part of this Ordinance.

At the conclusion of the discussion the ZBA will vote on each of the four standards described above. If the majority of the members present find affirmatively for all four standards the variance will be approved.

Second, all motions for acting on requested variances are made in the positive; that is, they are worded so a YES vote grants the variance. This is not done to show personal preference of the motioner, but to prevent confusion when the ZBA votes on acceptance.

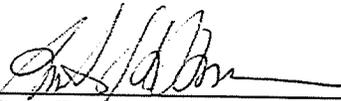
Dale and Mary Jo Rust
1939 Koehling Road
Northbrook, IL 60062

November 30, 2018

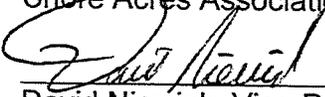
The Board has reviewed your requests for several private use structural changes and additions to the Trust Property that follows the West side of your property in Shore Acres Association, Cottage #28 as you are preparing your stabilization project. First, we will repeat our acknowledgement from our email of October 6, 2018 that your well, driveway and retaining wall exists on Trust Property. These structures were in place when you purchased the property. We stated then that we have no objection to the re-do of the retaining wall in the same location as it is now. You have also asked us to approve the building of a stair structure on the Trust Property from your proposed "boardwalk" on the South side of your home, up the dune on Trust Property (drawing attached). We have no objection to the stairs as long as it does not cut off trafficking over the Trust Property by other Association members. We also have no objection to the placement of a dry well or rain water vault to be placed on the Trust Property, again as long as properly installed and maintained and does not impede trafficking over the Trust Property. This letter being signed by both of you will acknowledge that you will modify or remove any of the private structures on Trust Property at your expense if required by the Board to allow for pedestrian traffic as required in the Court's 1956 Order.

We ask that you provide us a copy of your MDEQ permit and any further building plans for our files.

This letter represents the position of the Shore Acres Board of Directors.



Bob DeBoer, President
Shore Acres Association

 12-31-18

David Niewiek, Vice-President
Shore Acres Association

 12/3/18

Dale Rust
Cottage #28
Shore Acres Association

 12/3/18

Mary Jo Rust
Cottage #28
Shore Acres Association



Dale Rust- Shore Acres <drust.shoreacres@gmail.com>

My request letter

Paul Kemink <p.kemink@charter.net>

Fri, Oct 5, 2018 at 3:15 PM

To: Dale Rust- Shore Acres <drust.shoreacres@gmail.com>

Cc: Bob DeBoer <bobloisdeboer@gmail.com>, M CR <mcrdevelopment@hotmail.com>, Joan Rietdyk <joanriet@gmail.com>, Jennifer Brown <jennbrown.m@gmail.com>, David Niewiek <niewijk@msn.com>, creativebrig@icloud.com

Dale, after consideration, my family has agreed to allow your contractors to use the very western edge of our property for the removal of your debris. As you acknowledged in your previous message, the contractors will make sure that any damage done to the property will be fixed as soon as possible. May my families gesture be the beginning of a different culture in shore acres association.

Paul

Sent from my iPhone

[Quoted text hidden]



Dale Rust- Shore Acres <drust.shoreacres@gmail.com>

Your stabilization project

Joan Rietdyk <joanriet@gmail.com>

Sat, Oct 6, 2018 at 4:10 PM

To: Dale & Mary Jo Rust <drust.shoreacres@gmail.com>

Cc: Bob DeBoer <bobloisdeboer@gmail.com>, David & Wendy Niewiek <niewijk@msn.com>, Jennifer Brown <jennbrown.m@gmail.com>, Ron Whitwam <ron.whitwam@gmail.com>

Dale:

This email is to acknowledge that your well, driveway and retaining wall exists on Trust Property. The Board has no objection to the re-do of the retaining wall in the same location as it is now.

Joan Rietdyk
Secretary, Shore Acres Association

--

JOAN RIETDYK

Mobile: 616-638-5222
18091 Shore Acres Drive
Grand Haven, MI 49417
joanriet@gmail.com
The Great Lakes Group

Curt Hall

From: Michelle Hohn
Sent: Friday, October 19, 2018 9:11 AM
To: Dale Rust; Curt Hall
Cc: Michelle Hohn
Subject: RE: Letters from my neighbors

Follow Up Flag: Follow up
Flag Status: Flagged

Mr. Rust, we have received permission, in writing from the Ottawa County Health Department to place the turf blocks over the septic to create more stable parking. The letter arrived yesterday. Sorry I didn't include this information in my previous email.

Michelle

From: Michelle Hohn
Sent: Friday, October 19, 2018 9:08 AM
To: Dale Rust <dlr.koehling@gmail.com>; Curt Hall <Curt@landtechwmi.com>
Cc: Michelle Hohn <Michelle@landtechwmi.com>
Subject: RE: Letters from my neighbors

Hi Mr. Rust:

Curt was planning to put the dry well to handle the water from the gutters and downspouts on trust property as well. Do you want to go back to those folks and ask if you can put the dry well on their property or would you rather that Curt move the proposed dry well location?

Michelle

From: Dale Rust [<mailto:dlr.koehling@gmail.com>]
Sent: Friday, October 19, 2018 9:04 AM
To: Curt Hall <Curt@landtechwmi.com>; Michelle Hohn <Michelle@landtechwmi.com>
Subject: Letters from my neighbors

Good morning.

I have attached the letters from my neighbors. Does this satisfy your request regarding the MDEQ?

Please let me know.

Dale Rust

Curt Hall

From: Dale Rust- Shore Acres <drust.shoreacres@gmail.com>
Sent: Thursday, October 11, 2018 12:40 AM
To: Curt Hall; Michelle Hohn
Subject: Fwd: Your stabilization project

This message is from the association board. Does this meet our needs?
Dale

--

Sent from myMail app for Android

----- Forwarded message ----- From: Joan Rietdyk <joanriet@gmail.com> Cc: "Dale & Mary Jo Rust" <drust.shoreacres@gmail.com> Cc: "Bob DeBoer" <bobloisdeboer@gmail.com>, "David & Wendy Niewiek" <niewijk@msn.com>, "Jennifer Brown" <jennbrown.m@gmail.com>, "Ron Whitwam" <ron.whitwam@gmail.com> Date: Saturday, 06 October 2018, 11:10PM +02:00 Subject: Your stabilization project

Dale:

This email is to acknowledge that your well, driveway and retaining wall exists on Trust Property. The Board has no objection to the re-do of the retaining wall in the same location as it is now.

Joan Rietdyk
Secretary, Shore Acres Association

--

JOAN RIETDYK
Mobile: 616-638-5222
18091 Shore Acres Drive
Grand Haven, MI 49417
joanriet@gmail.com
The Great Lakes Group

To Whom It May Concern;

I, We, the duly appointed authorized owner's representative hereby authorize LandTech Management of LandTechwmi, Holland, MI to act as our authorized agent pertaining to the design / proposal, MDEQ, MDNR, County Vegetation Assurance, and/or SESC permit applications, the installation of erosion control structures / measures, site restoration, building permits and all associated work to be performed at located at:

18165 SHORE ACRES ROAD

GRAND HAVEN, MI 49417

Project Property Tax ID # 70-03-32-331-017

LandTech Management is authorized to communicate directly with all vendors and government agencies on our behalf.

Sincerely,

Signature Dale L. Rust

Printed Name(s) DALE L. RUST

MARY JO RUST

Date 8/15/18

PROPERTY LINE ADJUSTMENT DESCRIPTIONS

P.P. #70-03-32-331-014 (Parcel "C")

Lots 70 and 71, Shore Acres Subdivision, as recorded in Liber 8 of Plats on Page 23, Ottawa County records, Grand Haven Township, Ottawa County, Michigan.

P.P. #70-03-32-331-012 (Parcel "A" & "B" combined)

Lots 4 and 5, also Lots 83-88, Shore Acres Subdivision, as recorded in Liber 8 of Plats on Page 23, Ottawa County records, Grand Haven Township, Ottawa County, Michigan.

Parcel "A"

Lots 4 and 5, also Lots 83-88, Shore Acres Subdivision, as recorded in Liber 8 of Plats on Page 23, Ottawa County records, Grand Haven Township, Ottawa County, Michigan,

Except:

Beginning at the Northeast corner of Lot 71, of said Shore Acres Subdivision, then along the East line of Lot 71 extended north, North 04 degrees 22 minutes 59 seconds West a distance of 12.83 feet to a point 100.00 feet south of a line between the Northeast corner of Lot 85 and the Northwest corner of Lot 87 measured perpendicularly; then parallel with said line between the Northeast corner of Lot 85 and the Northwest corner of Lot 87 North 89 degrees 58 minutes 56 seconds West a distance of 182.21 feet; then South 77 degrees 31 minutes 51 seconds West a distance of 195.95 feet to the West line of Lot 5, said point being North 15 degrees 22 minutes 18 seconds West a distance of 10.00 feet from the Southwest corner of Lot 5; then along the West line of Lot 5 South 15 degrees 22 minutes 18 seconds East a distance of 10.00 feet to the Southwest corner of Lot 5; then along the South line of Lot 5, North 88 degrees 23 minutes 55 seconds East a distance of 273.55 feet to the Southeast corner of Lot 5; then along the East line of Lot 5, North 00 degrees 22 minutes 42 seconds East a distance of 8.83 feet to the Southwest corner of Lot 88; then along the South line of Lot 88 and Lot 87, North 77 degrees 02 minutes 53 seconds East a distance of 100.94 feet to the point of beginning. Containing 56,783 sq. ft.

Parcel "B" (To be transferred to Parcel "C")

That part of Lot 5, Lot 87 and Lot 88 of Shore Acres Subdivision, as recorded in Liber 8 of Plats on Page 23, Ottawa County records, Grand Haven Township, Ottawa County, Michigan, described as:

Beginning at the Northeast corner of Lot 71, of said Shore Acres Subdivision, then along the East line of Lot 71 extended north, North 04 degrees 22 minutes 59 seconds West a distance of 12.83 feet to a point 100.00 feet south of a line between the Northeast corner of Lot 85 and the Northwest corner of Lot 87 measured perpendicularly; then parallel with said line between the Northeast corner of Lot 85 and the Northwest corner of Lot 87 North 89 degrees 58 minutes 56 seconds West a distance of 182.21 feet; then South 77 degrees 31 minutes 51 seconds West a distance of 195.95 feet to the West line of Lot 5, said point being North 15 degrees 22 minutes 18 seconds West a distance of 10.00 feet from the Southwest corner of Lot 5; then along the West line of Lot 5 South 15 degrees 22 minutes 18 seconds East a distance of 10.00 feet to the Southwest corner of Lot 5; then along the South line of Lot 5, North 88 degrees 23 minutes 55 seconds East a distance of 273.55 feet to the Southeast corner of Lot 5; then along the East line of Lot 5, North 00 degrees 22 minutes 42 seconds East a distance of 8.83 feet to the Southwest corner of Lot 88; then along the South line of Lot 88 and Lot 87 North 77 degrees 02 minutes 53 seconds East a distance of 100.94 feet to the point of beginning. Containing 11,605 sq. ft.

Parcel "B" and Parcel "C" combined

Lots 70 and 71 and also that part of Lot 5, Lot 87 and Lot 88 all in Shore Acres Subdivision, as recorded in Liber 8 of Plats on Page 23, Ottawa County records, Grand Haven Township, Ottawa County, Michigan, described as:

Beginning at the Northeast corner of Lot 71, of said Shore Acres Subdivision, then along the East line of Lot 71 extended north, North 04 degrees 22 minutes 59 seconds West a distance of 12.83 feet to a point 100.00 feet south of a line between the Northeast corner of Lot 85 and the Northwest corner of Lot 87 measured perpendicularly; then parallel with said line between the Northeast corner of Lot 85 and the Northwest corner of Lot 87 North 89 degrees 58 minutes 56 seconds West a distance of 182.21 feet; then South 77 degrees 31 minutes 51 seconds West a distance of 195.95 feet to the West line of Lot 5, said point being North 15 degrees 22 minutes 18 seconds West a distance of 10.00 feet from the Southwest corner of Lot 5; then along the West line of Lot 5 South 15 degrees 22 minutes 18 seconds East a distance of 10.00 feet to the Southwest corner of Lot 5; then along the South line of Lot 5, North 88 degrees 23 minutes 55 seconds East a distance of 273.55 feet to the Southeast corner of Lot 5; then along the East line of Lot 5, North 00 degrees 22 minutes 42 seconds East a distance of 8.83 feet to the Southwest corner of Lot 88; then along the South line of Lot 88 and Lot 87, North 77 degrees 02 minutes 57 seconds East a distance of 100.94 feet to the point of beginning. Containing 9,940 sq. ft.

 <p>BRIAN A. FORD PROFESSIONAL SURVEYOR No. 47199</p>	Milanowski and Englert Engineering and Surveying, Inc. 927 Beechtree Street, Suite 3 Grand Haven, Michigan 49417 Phone(616)847-4070 Fax(616)847-6626	
	FOR DALE L RUST	
I certify that I have surveyed the land as described and shown hereon and that there are no visible encroachments, except as shown and that the requirements of P.A. 132 have been complied with. This survey was made from the information shown above. The description should be compared with the Abstract Title or Title Insurance Policy for accuracy, easements and exceptions.	LEGEND <input type="checkbox"/> SET CON. MON <input type="checkbox"/> FOUND CONC. MON <input type="checkbox"/> SET CAPPED IRON <input type="checkbox"/> SET MAG NAIL <input type="checkbox"/> FOUND IRON <input checked="" type="checkbox"/> SET CUT "X" P. PLATTED M. MEASURED D. DESCRIBED CALC. CALCULATED	SEC. 32, T8N, R16W, GRAND HAVEN TWP. DATE 10-03-2014 DRAWN BY TV/DRB SHEET 3 of 3 JOB NO. 14763

Construction Sequence for Rust application.

Install silt fences down slope from the area of site where work will take place.

Cut 3 trees, two at the top of the wall around the parking area which will be replaced and one on the south west corner of the two story deck. This tree is leaning over the deck. Note: 6 native shrubs will be planted to make up for the tree removal.

Replace the existing retaining wall on the north side of the house. This wall runs from the west edge of the house to the addition on the east end of the house. Wall is currently cement block will be replaced with vinyl sheet pile.

Place helical piers under the house on the south side of the main floor and inside the basement. The foundation is unstable and the house is collapsing.

Place two new retaining walls on the north side of the east addition on the house. The soil is against the house, so one wall at the foundation and another one about 3 feet up the dune. These walls will be vinyl sheet pile. Note: these are the only "new" walls, all others are replacements in the same location as the current walls.

Replace the block walls at the top of the stairs, east of the house. Currently block walls to be vinyl sheet pile.

Replace block wall next to the red basement door with vinyl sheet pile.

Replace the wood retaining wall under the upper deck and next to the gas meter. This wall will form part of the utility pit. This wall runs east/west.

Place another wall running north/south under the upper deck to form the last side of the utility pit.

Replace the block wall next to the parking with stacked sand stone.

Place a drywell in the parking area to accept the water from the downspouts and possibility the water filter discard water. The tubing running to the drywell will be run over the top of the ground to the top of the retaining wall around the parking lot. It then will be installed behind the stacked sand stone wall and run into the drywell. The portion behind the wall will be installed as the wall is being constructed.

Replace all decks (except one) all decks to be replaced in place and same size exception for the deck part way up the stairs to the house, on the south side of the house. This deck is newer and will not be replaced. The upper deck on the west side of the house will also have a new deck under it.

Replace all boardwalks with 3-4' wide boardwalks elevated above grade on hand dug posts.

Replace patio on the east side of the house. The cement will be broken up and removed from the site. A new deck on pilings will be constructed here. Deck will be the same size as the patio but will be on pilings.

Replace stairs, except for the main stairs which go from the parking to the new deck, all stairs will be replaced with 4-5 foot wide stairs, elevated above grade on hand dug posts.

Place turf block over the septic system. This action this action has been approved by the Ottawa County Health Department, see letter.

Repair the tram, just a new motor, no contour change expected.

Stabilize all disturbed areas with vegetation native to the dunes.

Summary of proposed activities at Dale Rust site, 18165 Shore Acres

Retaining walls:

To be replaced:

- 1) Block wall next to current parking will be replaced with stacked sandstone.
- 2) Walls at the top of the stairs east of the house to be replaced with vinyl sheet pile.
- 3) Wall under the upper deck to be replaced with vinyl sheet pile.
- 4) Wall next to the red basement door to be replaced with vinyl sheet pile.
- 5) Wall on the north side of the house. Runs from the west edge of the house to the addition on the east end of the house. Follows the west side of the addition.

New:

- 1) On the north side of the east addition on the house. The soil is against the house, so one wall at the foundation and another one about 3 feet up.

The retaining wall north of the patio will remain.

Helical house support, 11 helical supports planned under the south side of the house to lift and support the house. Some are likely to be placed inside the basement as well.

Turf block over the septic system. This action will require a letter or permit from the Health Department.

Tram system repair, no contour changes expected. Just putting in new motor.

Replace all decks (except one) all decks to be replaced in place and same size exception for the deck part way up the stairs to the house, on the south side of the house. This deck is newer and will not be replaced. The upper deck on the west side of the house will also have a new deck under it.

Replace all boardwalks with 3-4" wide boardwalks elevated above grade on hand dug posts.

Tree removal:

2 near the retaining wall by the parking, one large one south west of the house that is leaning on the deck. Six shrubs planted to replace the three trees.

New stairs, except for the main stairs which go from the parking to the new deck, all stairs will be replaced with 4-5 foot wide stairs, elevated above grade on hand dug posts.

Utility pit this area is under the upper deck, right now it is a unsecured pit, we are proposing to put retaining walls around (in) the pit to make it more stable.

Down spout and drywell system. The drywell will be in the area of the current parking. The tubing running to the drywell will be laid on top of the ground from the house to the top of the retaining wall. They will be run behind the retaining wall to the parking level and into the drywell.

Replace patio on the east side of the house. The cement will be broken up and removed from the site. A new deck on pilings will be constructed here. Deck will be the same size as the patio but will be on pilings.

Stabilize with native vegetation anything that is disturbed.

August 15, 2018

Subject property
18165 Shore Acres Road
Grand Haven, MI 49417

Surrounding Property Owners

Neighboring properties

Bob DeBoer
18217 Shore Acres Road

Glen Turek
18205 Shore Acres Road

Paul Kemink
18158 Shore Acres Road

Mike Rowan
18111 Shore Acres Road

Fordson Properties
18111 Ridge Drive

DALE RUST - SITE IMPROVEMENTS
 BRIEF DESCRIPTION COPY PAGE 2 OF 2
 LANDTECH

TOPOGRAPHIC / BOUNDARY SURVEY

18166 SHORE ACRES ROAD
 SEC. 32, T06N, R16W GRAND HAVEN TWP., OTTAWA CO.
 NORTHBROOK, ILLINOIS 60062
 TOPOGRAPHIC / BOUNDARY SURVEY

DALE RUST
 1839 KOEHLING ROAD
 NORTHBROOK, ILLINOIS 60062

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V-102
 2 of 2

DALE RUST
 1839 KOEHLING ROAD
 NORTHBROOK, ILLINOIS 60062

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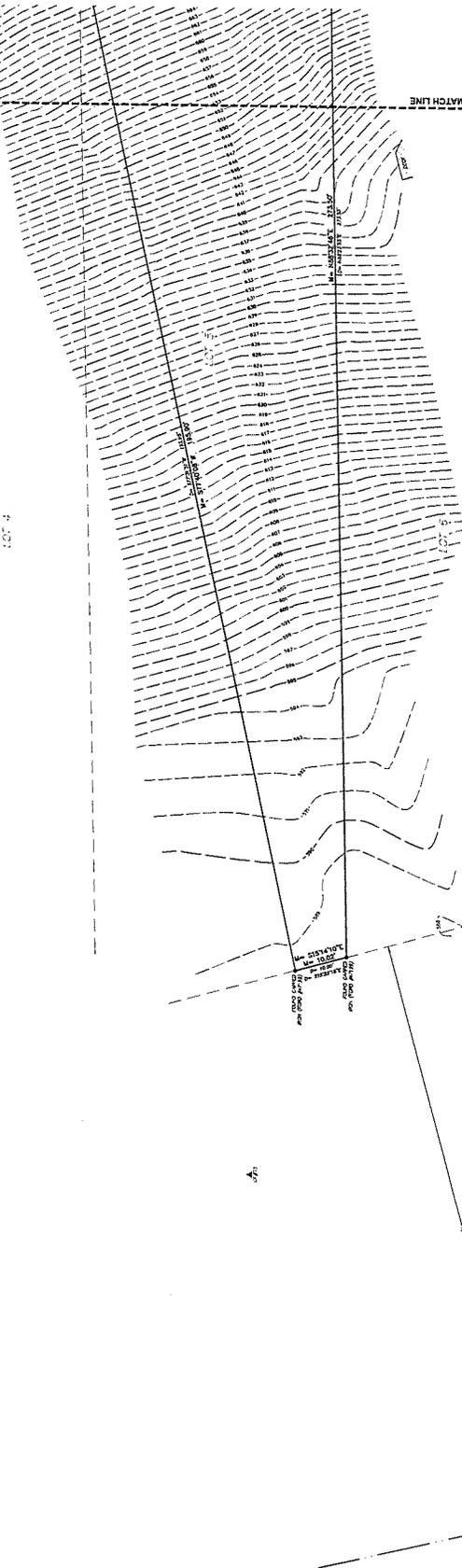
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LEGEND
 SPOT HEIGHT
 ROAD
 CONTOUR
 STRUCTURE
 ELEC. WIRE
 ...

NOTE: NO SITE IMPROVEMENTS ARE
 PROPOSED FOR THIS SECTION

DALE RUST
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 NORTHBROOK, ILLINOIS 60062

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 2 of 2

B'

Remove concrete patio
Place deck

Concrete block wall to be removed
Place Vinyl Sheet Pile

Soil and Plants to remain

Remove concrete block
wall, place vinyl sheet

Flag stone to remain

1" = 2'

Drawn By: M. J. Holm
Date 11/6/18
Revised:

Scale: 1" = 2'



LandTechwmi
Geo-technical Site Work & Environmental Landscaping

Aesthetics Function Stewardship

Project name:

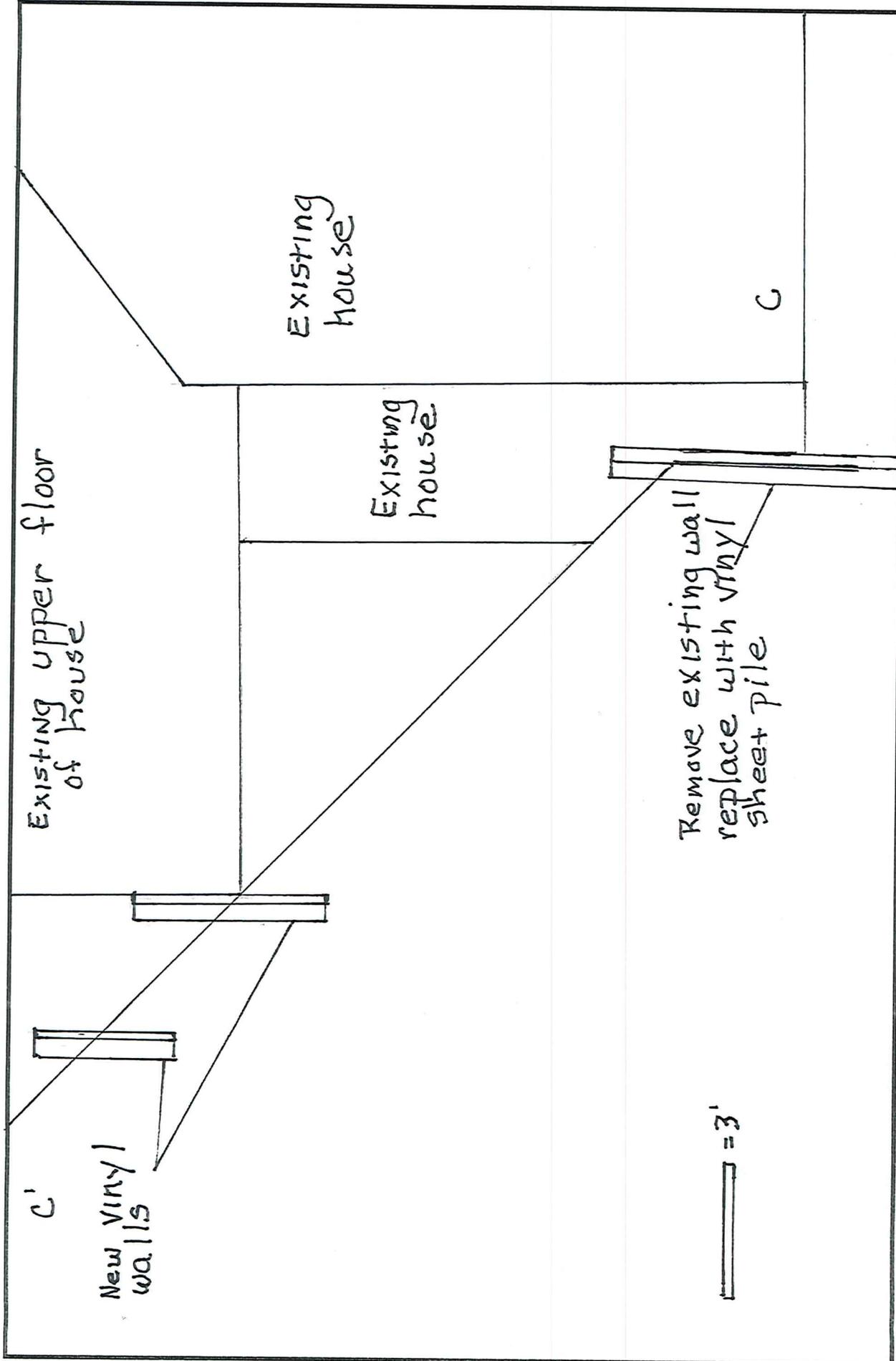
Client Name: Dale Rust
Project Address: 18165 Shore Acres
Grand Haven, MI

76 Veterans Dr., Ste 500 Liberty Ct., Holland, MI 49423

Office: (616) 928-0786

Fax: (616) 928-0787

www.landtechwmi.net



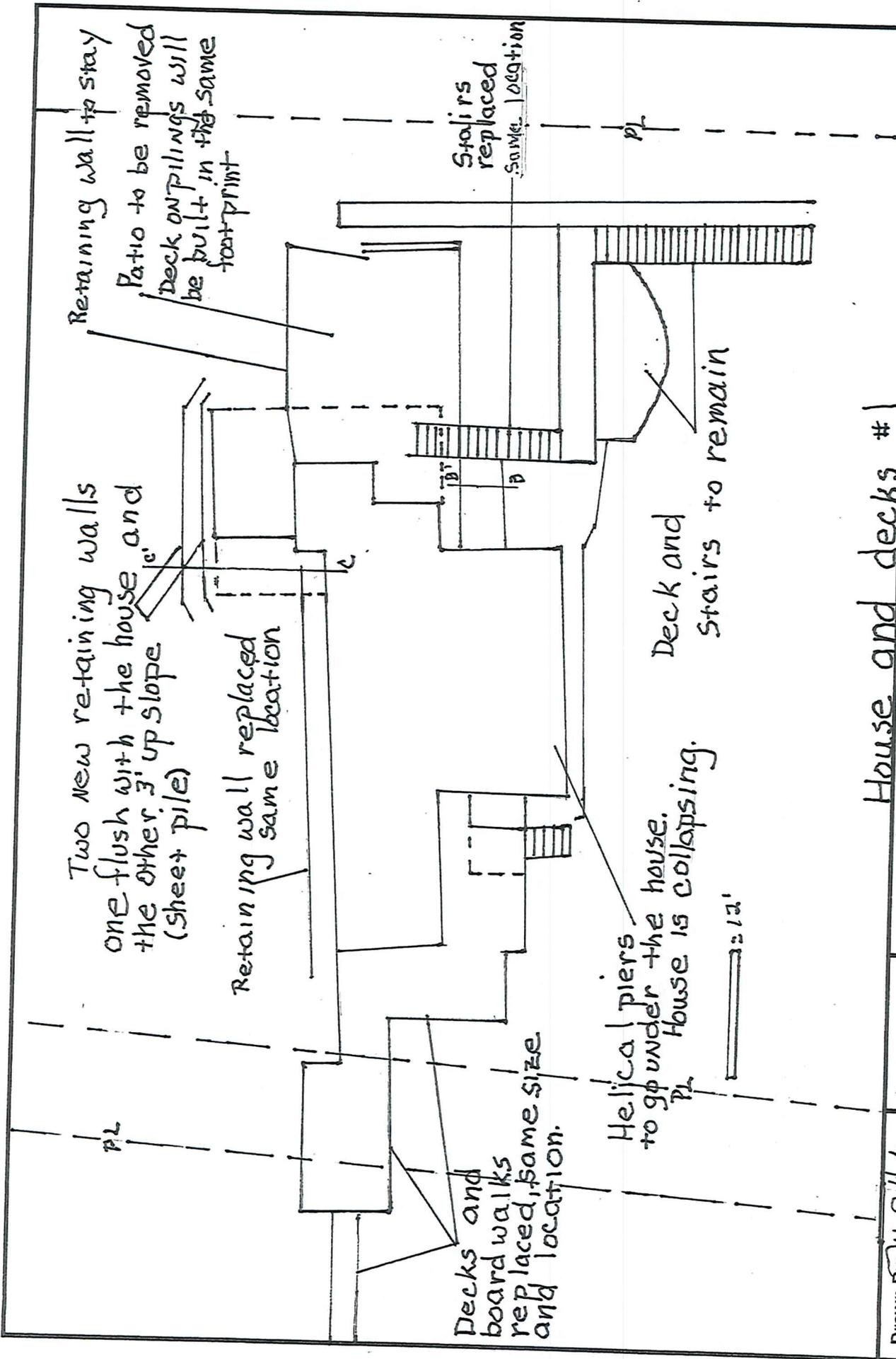
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 Client Name: Dale Rust
 Project Address: 18165 Shore Acres
 Grand Haven, MI

LandTechwmi
 Geo-technical Site Work & Environmental Landscaping
 Aesthetics Function Stewardship

Drawn By: M. J. Holan
 Date: 11/6/18
 Revised:
 Revised:

Scale: 1" = 3'

76 Veterans Dr., Ste 500 Liberty Ct., Holland, MI 49423 Office: (616) 928-0786 Fax: (616) 928-0787 www.landtechwmi.net



House and decks #1

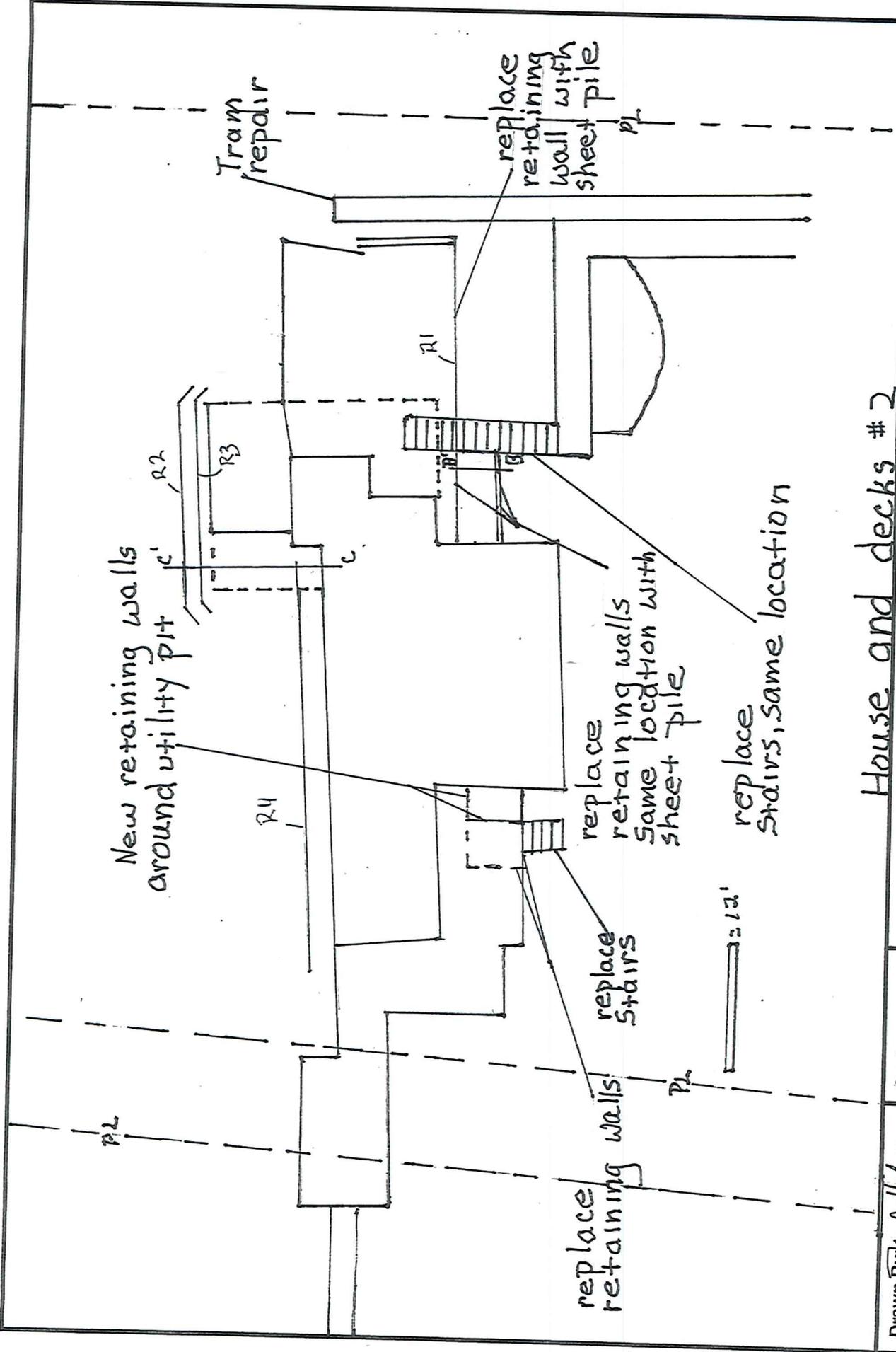
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 Date 11/2/18
 Revised:
 Revised:

Scale:



LandTechwmi
 Geo-technical Site Work & Environmental Landscaping
 Aesthetics Function Stewardship

Project name:
 Client Name: Dale Rust
 Project Address: 18165 Shore Acres
 Grand Haven, MI

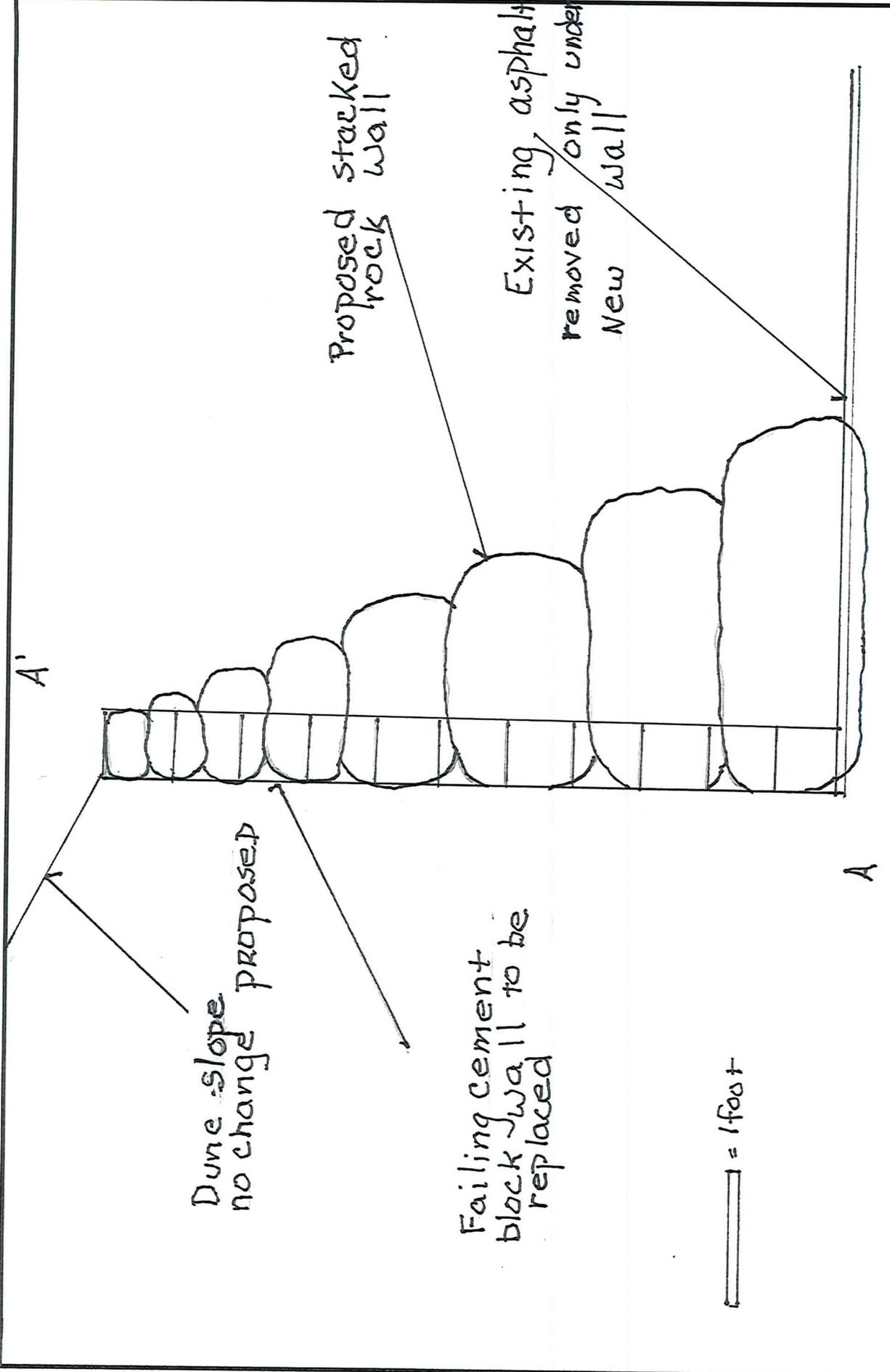


House and decks #2

Project name: Dale Rust
 Client Name: 18165 Shore Acres
 Project Address: Grand Haven, MI

LandTechwmi
 Geo-technical Site Work & Environmental Landscaping
 Aesthetics Function Stewardship

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 Date: 11/2/18
 Revised:
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Drawn By: M. D. Hoban
 Date: 11/2/18
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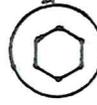
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 Geo-technical Site Work & Environmental Landscaping
 Aesthetics Function Stewardship

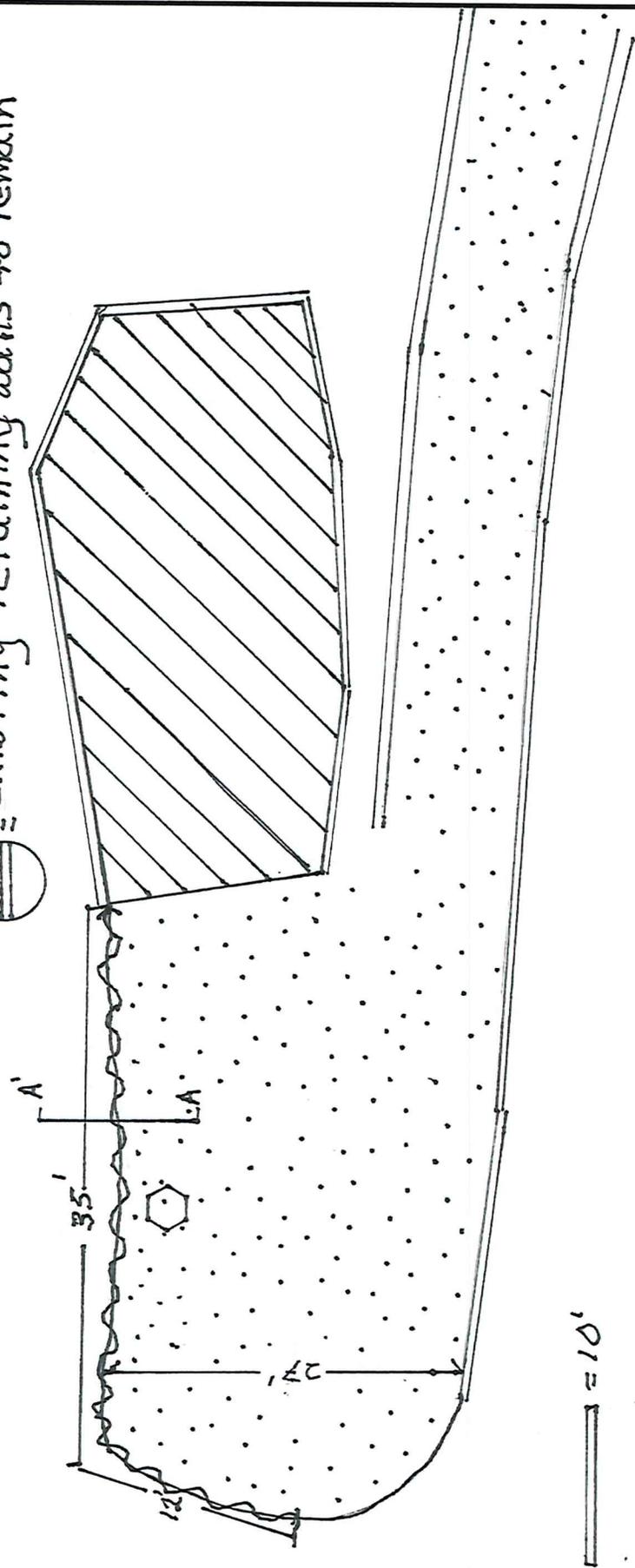
Project name: Dale Rust
 Client Name: Dale Rust
 Project Address: 18165 Shore Acres
 GRAND Haven, MI

 failing retaining wall to be replaced - See x-section
 = sand area to be covered with turf block

 = dry well to handle down spout water from house.

 = asphalt - no changes proposed

 = existing retaining walls to remain



Parking Area

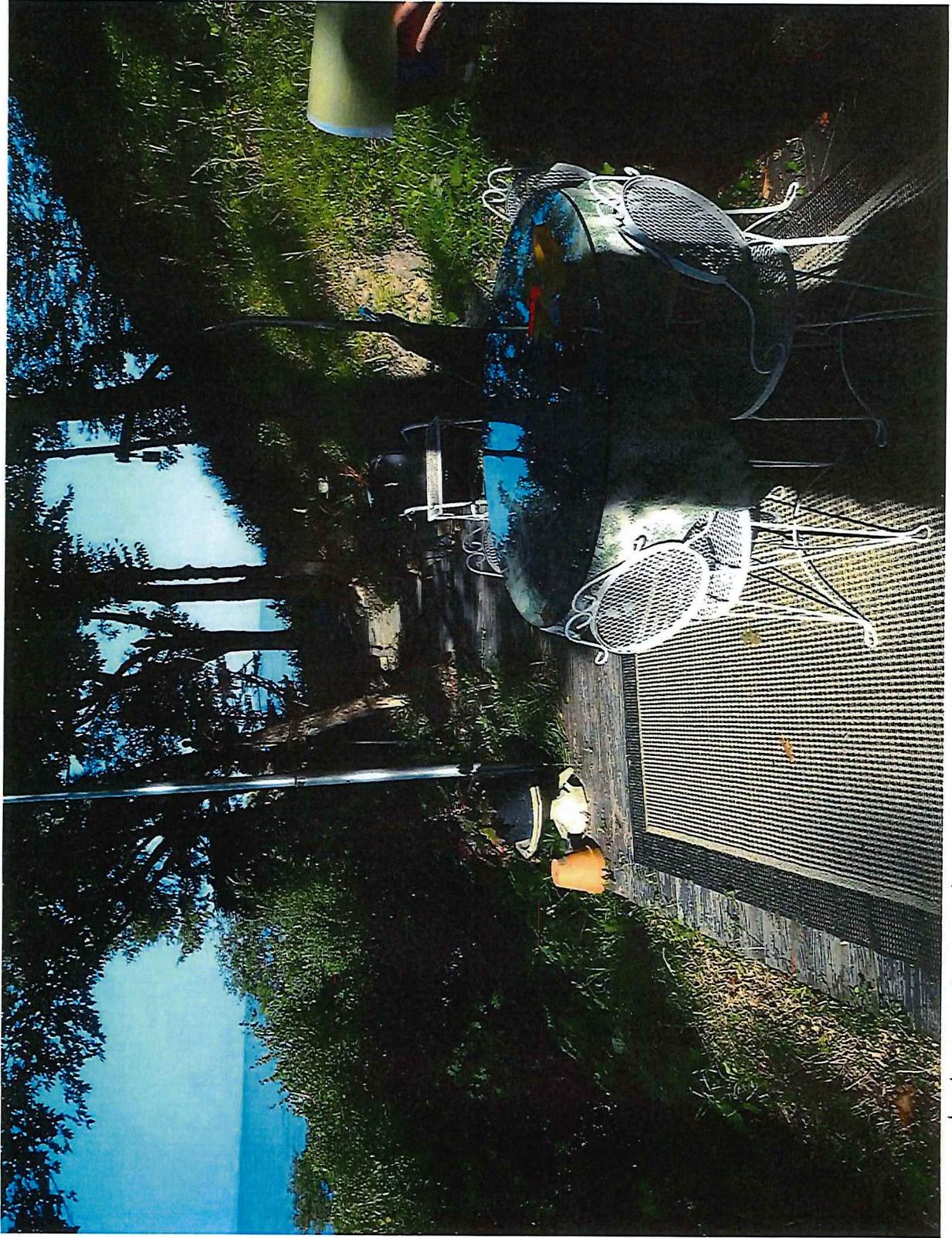
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Scale: 1" = 10'




LandTechwmi
 Geo-technical Site Work & Environmental Landscaping
 Aesthetics Function Stewardship

Project name:
 Client Name: Dale Rust
 Project Address: 1876.5 Shore Acres
 GRAND HAVEN, MI

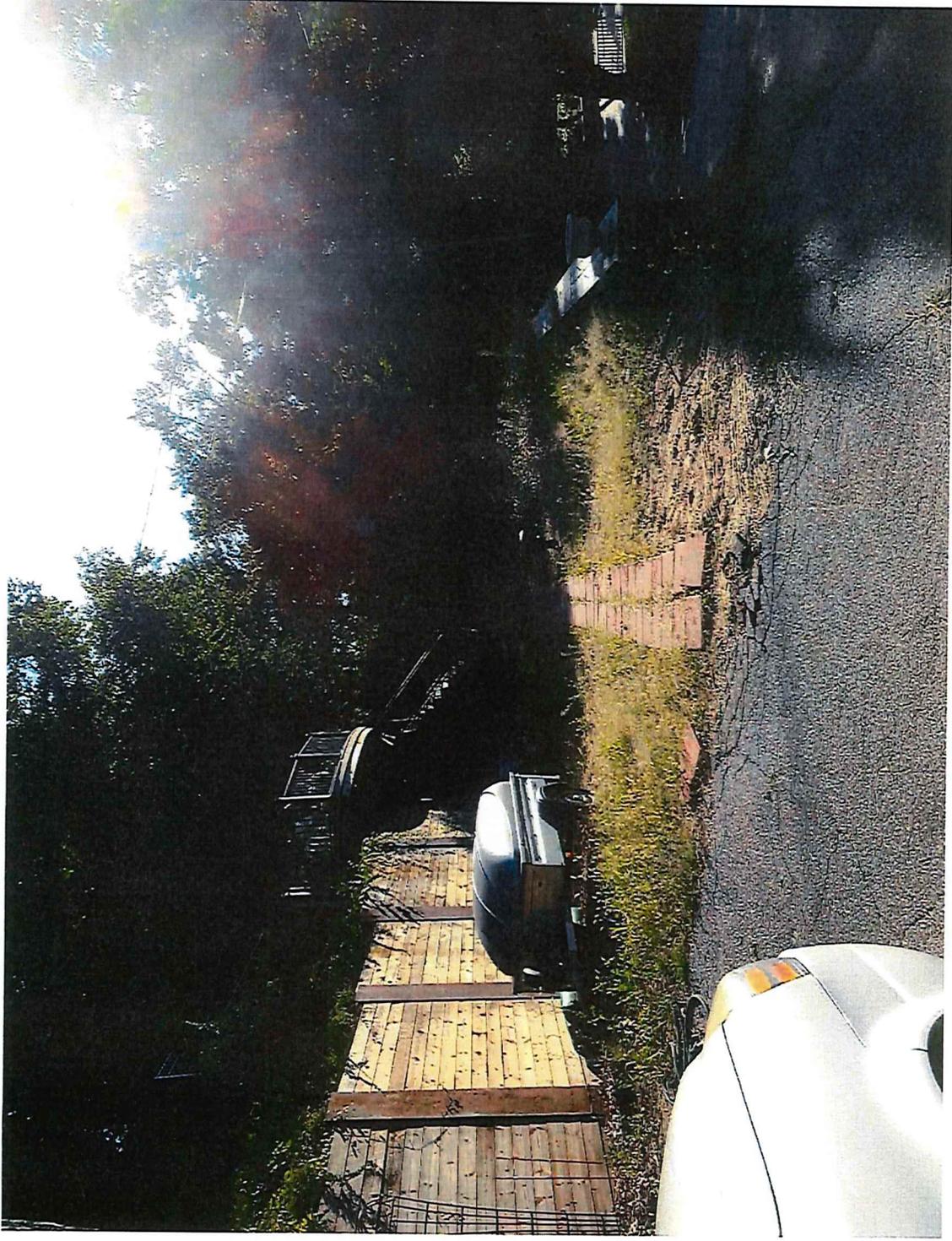


Deck and boardwalk to be replaced. Same size and location,



Retaining wall and driveway to remain

Photos taken 8/23/2018 by Michelle Hohn and Curt Hall



Area where turf block will be placed,)

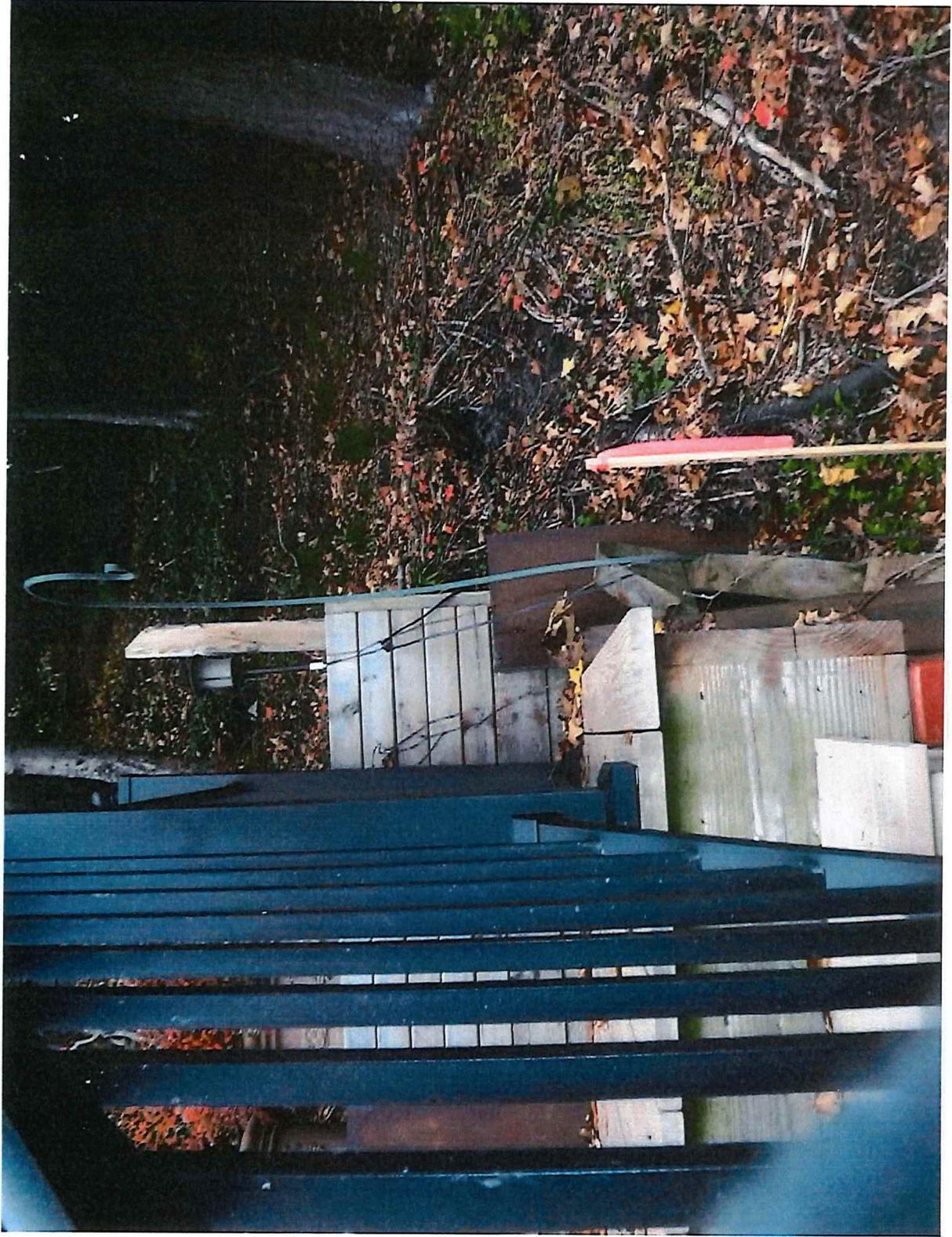


"Lower" deck and retaining to be replaced. Same size and location,

Rust 11/1/2018



Board walk to be replaced, Deck to remain,



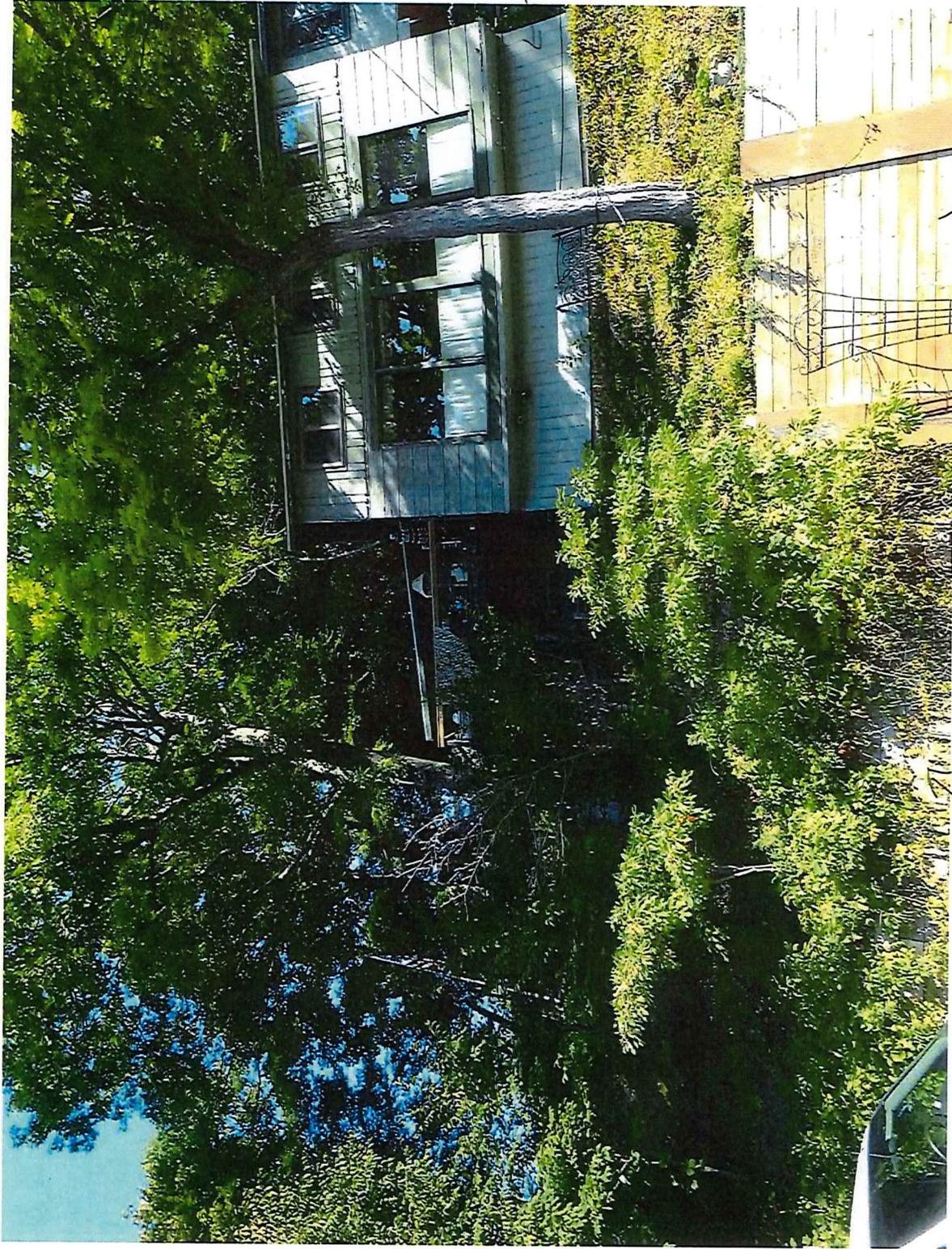
Staking of east property line.



Staking of community property.



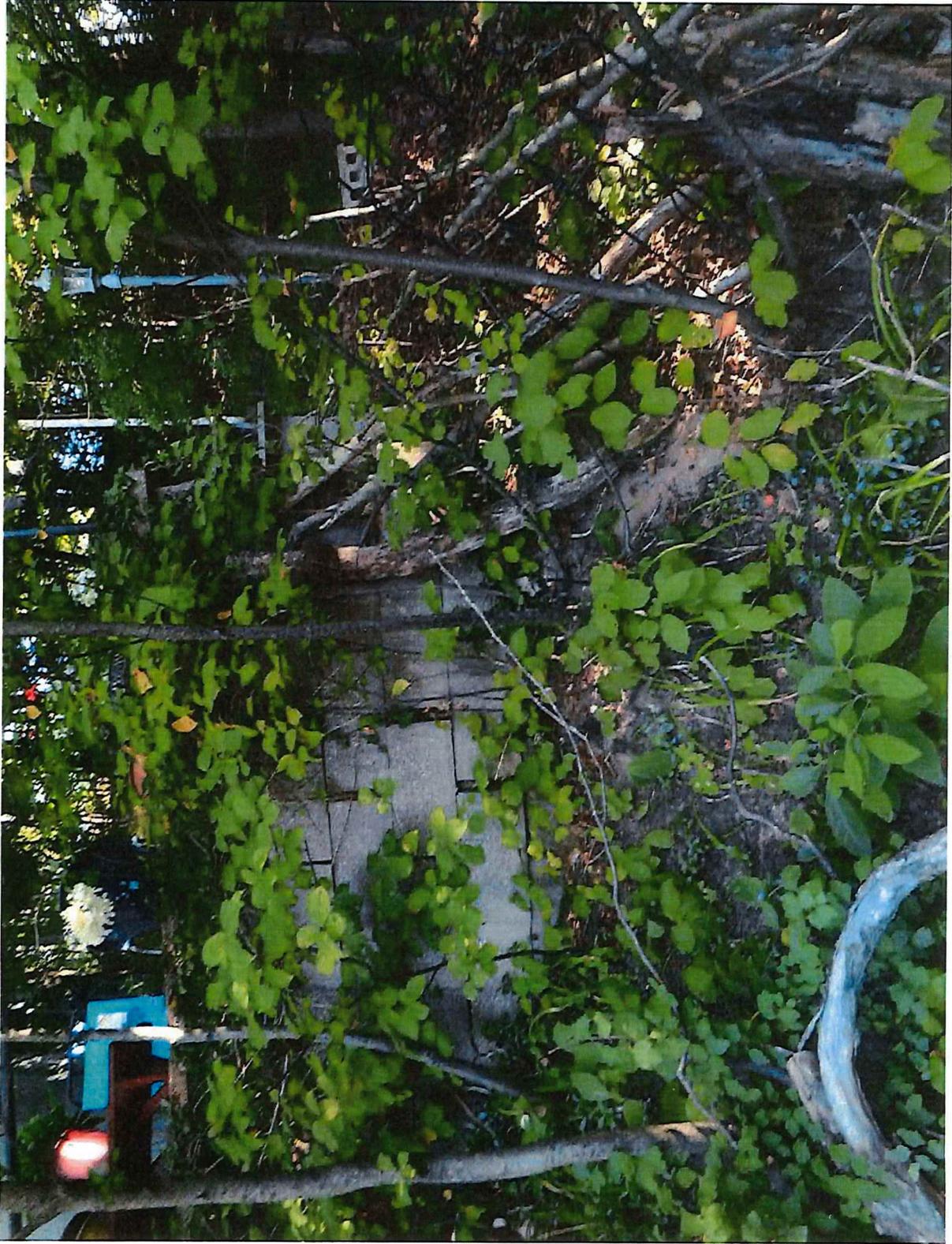
Retaining wall to be replaced.



← helicals
here

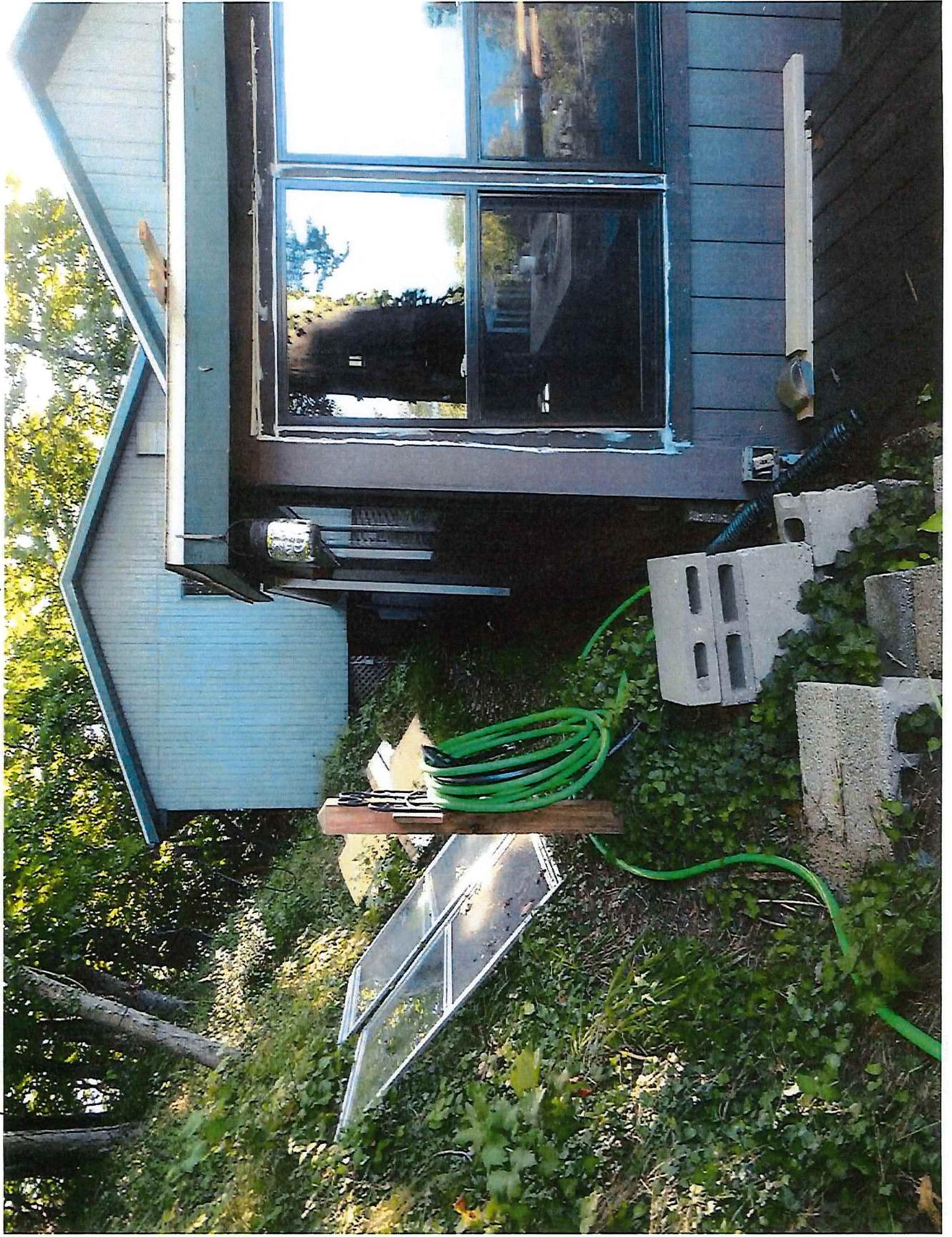
← This retaining wall
to remain.

Retaining wall - to be replaced.

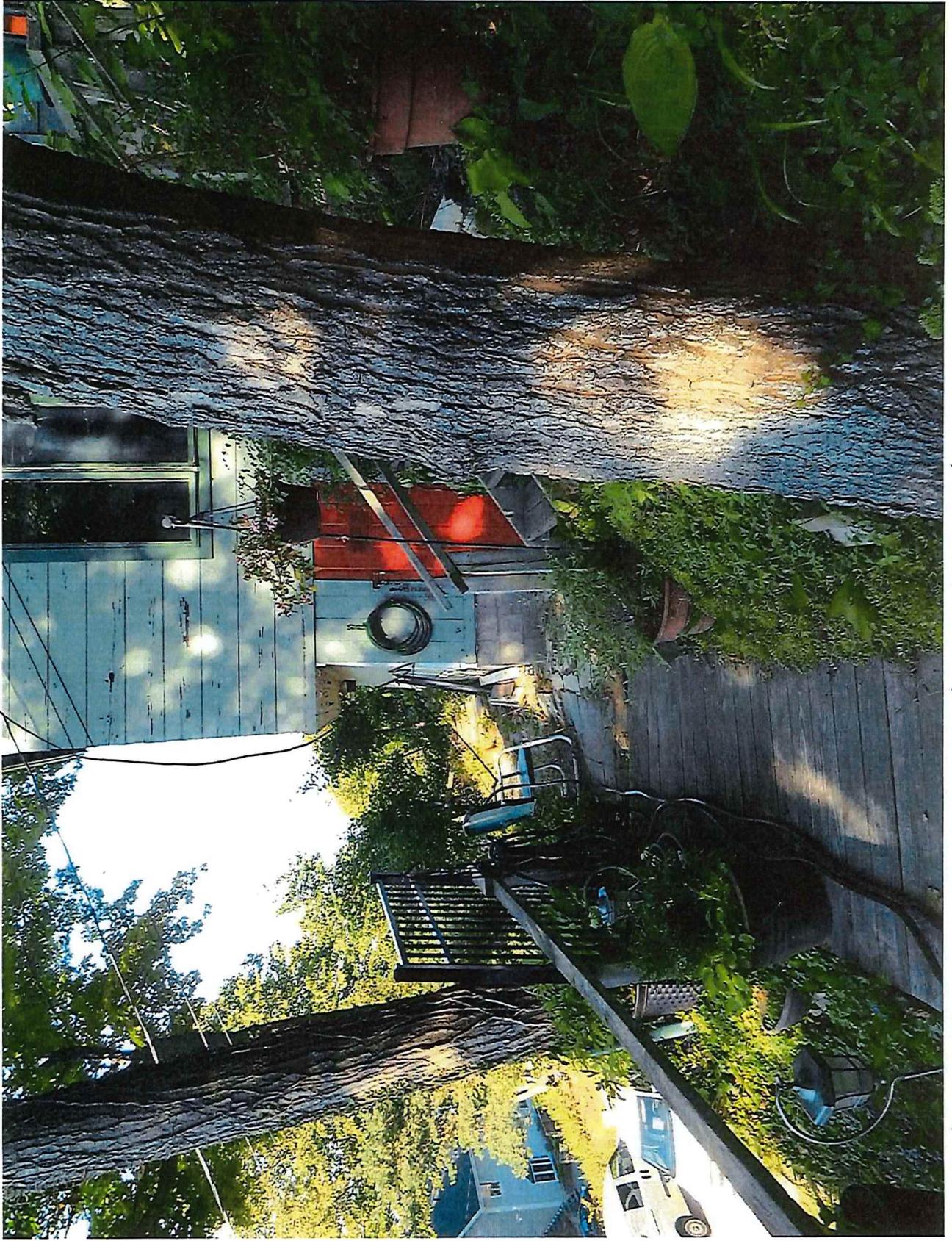


Retaining wall to be replaced.

North side of house from the west,
Area where new walls are proposed.



Area where helicals will be placed,



Board walk and stairs to be replaced,



Deck to be replaced, same size and location.



Permit
Soil Erosion & Sedimentation Control Agency
County of Ottawa

Issued under the authority of Part 91, Soil Erosion and Sedimentation Control,
of the Natural Resources and Environmental Protection Act,
1994 PA 451, as amended

Permittee: Dale Rust
Address: 1939 Koehling Rd
Northbrook, IL 60062

Permit No:	11576
Issued:	10/05/18
Expires:	06/01/20

Project Location: City/Village/Township: Grand Haven **Section:** 32
Address/Property Location: 18165 Shore Acres Rd
On - Site Responsible Person: Curt Hall
Company: LandTech **Telephone Number:** (616) 836-2286

Permitted Activity:

Excavate for new deck, retaining walls, and other site improvement construction.

Permit Conditions:

1. The permitted activity shall be completed in accordance with the approved plans and specifications, and the attached general and specific conditions.
2. This permit does not waive the necessity for obtaining all other required federal, state or local permits.
3. Permittee shall notify the permitting agency before the start of and within one week after completing the permitted activity or one week prior to the permit expiration date, whichever comes first. (616) 994-4528.
4. **PERMITTEE IS RESPONSIBLE FOR PROVIDING A COPY OF PERMIT, APPROVED SESC PLAN, AND ALL RELATED INFORMATION TO THE CONTRACTOR AND ENGINEER.**


Jon Braxmaier
Erosion Control Agent
Water Resources Commissioners Office
616-994-4528

**THIS PERMIT MUST BE POSTED AT
THE PROJECT SITE**

GENERAL CONDITIONS

In accordance with Rule 1709 promulgated under the authority of Part 91, Soil Erosion and Sedimentation Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, and in addition to the information on the attached plan(s) and special conditions, the following general conditions apply to the earth change authorized by this permit:

- ❖ Design, construct, and complete the earth change in a manner that limits the exposed area of disturbed land for the shortest period of time.
- ❖ Remove sediment caused by accelerated soil erosion from runoff water before it leaves the site of the earth change.
- ❖ Temporary or permanent control measures shall be designed and installed to convey water around, through, or from the earth change at a non-erosive velocity.
- ❖ Install temporary soil erosion and sedimentation control measures before or upon commencement of the earth change activity and maintain the measures on a daily basis. Remove temporary soil erosion and sedimentation control measures after permanent soil erosion measures are in place and the area is stabilized. ("Stabilized" means the establishment of vegetation or the proper placement, grading, or covering of soil to ensure its resistance to soil erosion, sliding, or other earth movement.) Permit will not be allowed to expire until site is stabilized.
- ❖ Complete permanent soil erosion control measures for the earth change within five calendar days after final grading or upon completion of the final earth change. If it is not possible to permanently stabilize the earth change, then maintain temporary soil erosion and sedimentation control measures until permanent soil erosion control measures are in place and the area is stabilized.
- ❖ Additional erosion control measures not shown on site plan may be necessary as site work progresses. Permittee is responsible for all measures necessary to prevent off-site sedimentation, failure to do so could subject permittee to the appropriate fines and civil penalties.
- ❖ Catch basins for all new development sites need to be cleaned out prior to certificate of completion if there is 6" or more of sediment accumulation. The enforcing agent will need proof of invoice from an environmental cleaning service or a signed statement from the contractor stating that the catch basins have been sufficiently cleaned. This requirement may also apply to new single family home construction based on site conditions.

SPECIFIC CONDITIONS

1. Silt fence shall be trenched in a minimum of six inches, backfilled and maintained throughout duration of project. Maintenance includes removing of built-up sediment, repairing any failed portions of fencing and/or reinstalling any portions damaged by construction machinery.
2. Erosion control blanket or equivalent BMP shall be installed on all disturbed slopes 1:3 (vert.:horiz.) or greater and in all areas of concentrated flow after final grading.
3. All tracking of mud, dirt and debris onto existing roads shall be promptly removed on a daily basis or more frequently as necessary.
4. A Michigan Department of Environmental Quality permit may be necessary for this site. Contact: (616) 356-0258 for more information.

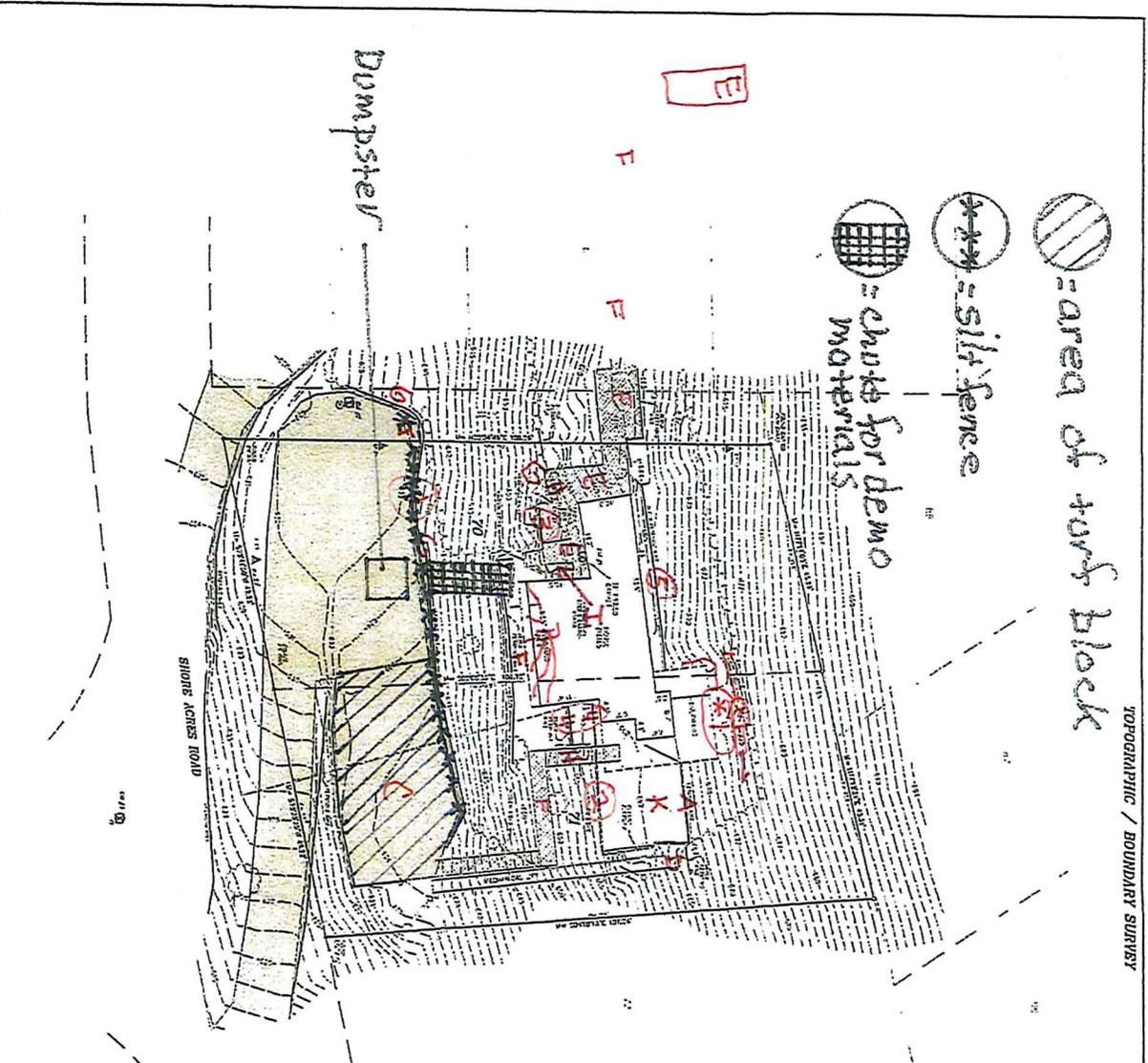
5. All stock piles to be placed in an upland area and properly protected to prevent off site sedimentation. Stock piles left on site for more than 30 days are to be temporarily seeded.

TOPOGRAPHIC / BOUNDARY SURVEY

= area of turf block

= silt fence

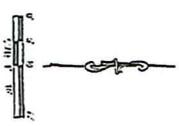
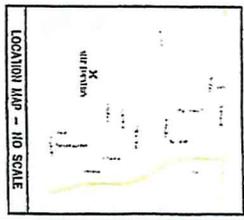
= chute for demo materials



APPROVED

OCT-05-2018

**OTTAWA COUNTY
SESC AGENCY**



LEGEND

1	EXISTING ROAD	1	EXISTING
2	PROPOSED ROAD	2	PROPOSED
3	PROPOSED DRIVE	3	PROPOSED
4	PROPOSED	4	PROPOSED
5	PROPOSED	5	PROPOSED
6	PROPOSED	6	PROPOSED
7	PROPOSED	7	PROPOSED
8	PROPOSED	8	PROPOSED
9	PROPOSED	9	PROPOSED
10	PROPOSED	10	PROPOSED
11	PROPOSED	11	PROPOSED

BOUNDARY RECONSTRUCTION

THIS SURVEY IS BASED ON THE ORIGINAL SURVEY RECORDS OF THE OTTAWA COUNTY, ONTARIO, CANADA.

DEITCH MARK DATA

THE DEITCH MARKS WERE FOUND AT THE FOLLOWING LOCATIONS:

1. DEITCH MARK 1 - 100.00 FT. FROM THE CORNER OF LOT 70 TO THE CORNER OF LOT 71.

2. DEITCH MARK 2 - 100.00 FT. FROM THE CORNER OF LOT 70 TO THE CORNER OF LOT 71.

3. DEITCH MARK 3 - 100.00 FT. FROM THE CORNER OF LOT 70 TO THE CORNER OF LOT 71.

SHORE ACRES ROAD

1. THE SHORE ACRES ROAD IS A PUBLIC ROAD AND IS NOT TO BE USED FOR ANY OTHER PURPOSES.

2. THE SHORE ACRES ROAD IS A PUBLIC ROAD AND IS NOT TO BE USED FOR ANY OTHER PURPOSES.

3. THE SHORE ACRES ROAD IS A PUBLIC ROAD AND IS NOT TO BE USED FOR ANY OTHER PURPOSES.

TOPOGRAPHIC / BOUNDARY SURVEY

DRIESENKA & ASSOCIATES, INC.
Engineering • Surveying • Testing

NO.	DATE	REVISIONS
1	10/5/18	ISSUED FOR PERMIT

LOT 70 & 71 SHORE ACRES SUBDIVISION
SEC 82 TOWN OF GRAND HAVEN TWP., OTTAWA CO., ONTARIO

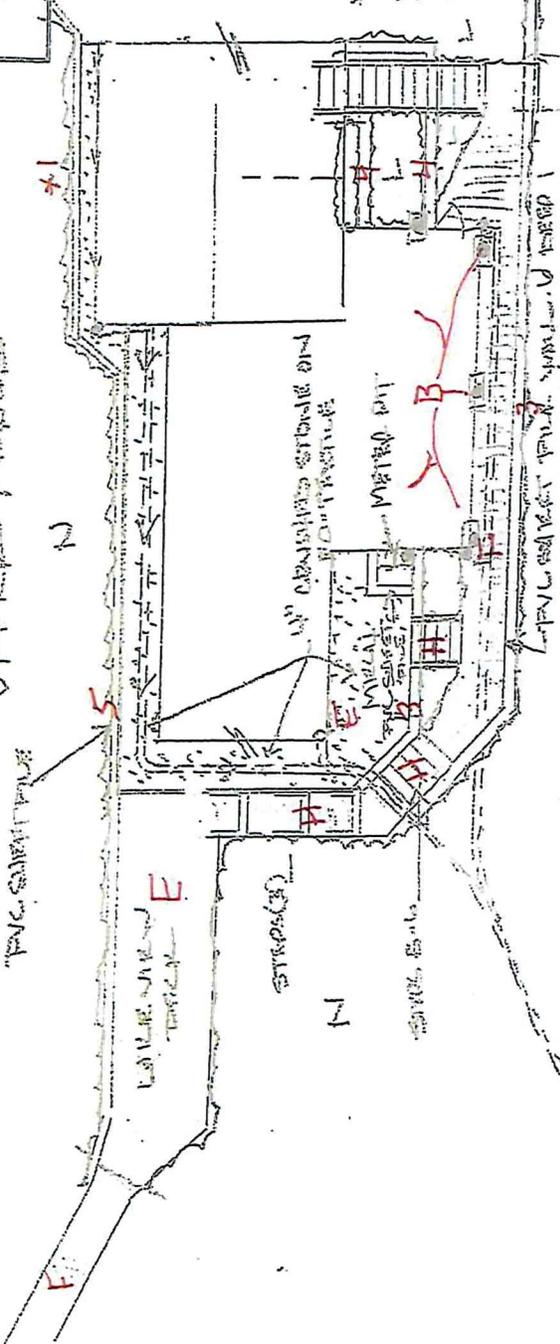
1939 KOBELING ROAD
NORFOLK ISLANDS 6062

TOPOGRAPHIC / BOUNDARY SURVEY

Curtis R. Hall, MCLC #A47
Michigan Certified Landscape Contractor
Michigan Certified Shoreline Professional

UPPER PALACE

ENC. SANDWICH



APPROVED

OCT 05 2018

**OTTAWA COUNTY
SESC AGENCY**

- # 10, 120"
- # 2, 91.0"
- # 3, 71.00"
- # 4, 12.0"
- # 5, 12, 24.0"
- # 6, 12, 24.0"
- # 7, 24.0"
- # 8, 24.0"
- # 9, 24.0"
- # 10, 24.0"

- PRELIMINARY PLAN
- 1) INSTALL TUL SALES... (2) INSTALL... (3) INSTALL... (4) INSTALL... (5) INSTALL... (6) INSTALL... (7) INSTALL... (8) INSTALL... (9) INSTALL... (10) INSTALL...

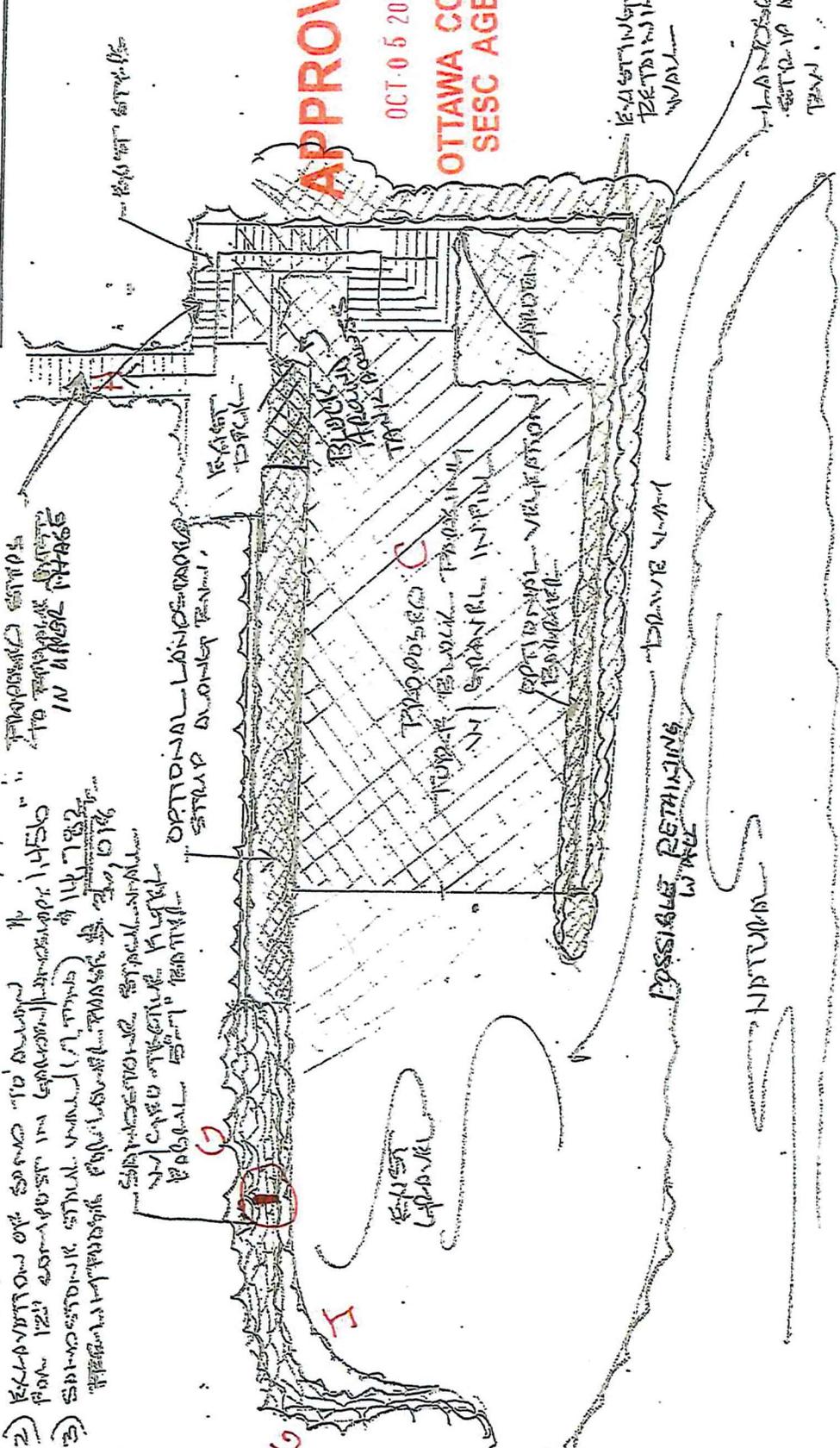
- 10) (5) DETAILS FOR SOUTH DOORWAY... (6) DETAILS FOR SOUTH DOORWAY... (7) DETAILS FOR SOUTH DOORWAY... (8) DETAILS FOR SOUTH DOORWAY... (9) DETAILS FOR SOUTH DOORWAY... (10) DETAILS FOR SOUTH DOORWAY...

<p>Project name: UPPER PALACE Client Name: UPPER PALACE Project Address: 76 VETERANS DR., HOLLAND, MI 49423</p>	<p>LandTechmi Geo-technical Site Work & Environmental Landscaping ShoreTechmi Bio-engineered Shorelines, Seawalls, Stone Retention, Docks Boat Lifts and Floating Structures Aesthetics Function Stewardship</p>	<p>Scale: 1/4" = 1'-0" Drawn By: Curt Hall Date: 7/24/18 Revised: Revised:</p>
<p>76 Veterans Dr., Ste 500 Liberty Ct., Holland, MI 49423 Office: (616) 928-0786 Fax: (616) 928-0787 www.landtechmi.com</p>		

Curtis R. Hall, MCLC #447
Michigan Certified Landscape Contractor
Michigan Certified Shoreline Professional

LOWER PALACE

- 1) THE LAMINATE FINISHES / GEOTECHNICAL UNDERLAMENT #19780
- 2) EXPLANATION OF SAME TO BE GIVEN FOR 120' CORNER IN GENERAL CONTRACT #1450
- 3) SUBSEQUENT STABILIZATION OF 14, 7, 8, 2, 10, 16



APPROVED
OCT 05 2018
OTTAWA COUNTY
SESC AGENCY

Drawn By: Curt Hall
Date: 7/23/14
Revised:
Revised:

Scale: 1" = 20'



LandTechwmi
Geo-technical Site Work & Environmental Landscaping /
ShoreTechwmi
Bio-engineered Shorelines, Seawalls, Stone Retention, Docks
Boat Lifts and Floating Structures
Aesthetics Function Stewardship

Project name: **LOWER PALACE STABILIZATION**
Client Name: **TRAVEL TRUST**
Project Address: **1450 GENERAL CONTRACT #1450**
CURTIS R. HALL, MCLC



Site Visit for 18165 Shore Acres Road:

October 16, 2018

Curt Hall / Land Tech
76 Veterans, Ste. 500
Holland, MI 49424

RE: Proposed installation of Turf Block over septic system area:
18165 Shore Acres Road, Grand Haven Township (PP# 70-03-32-331-017)

Dear Mr. Hall,

This notice is regarding the site visit performed on October 15, 2018 in regard to the installation of Turf Block over the septic system area to allow for additional packing area. The existing home has three bedrooms and approximately 1800 Sq. Ft. of living space. The property was evaluated with the following findings:

The existing sewage disposal system was installed May 12, 2015 and consists of two 1000g septic tanks with five precast block trench units. Contact with the installer, Ryan Lubbers of Busschers Septic verified the septic tanks and block trench units are "hard top" and are capable of supporting a vehicle load.

Based on the proposed installation of Turf Block, work may be completed without altering the sewage disposal system. The following requirements and considerations are to be followed:

- No alterations to the septic tanks or block trench units may be made. The area above the block trench units may only be covered with a permeable surface, such as Turf Block. If proposed product changes significantly, contact this department for review.
- Vehicle traffic over drainage area may negatively impact longevity of system due to compaction. It is recommended system not be used as parking area to prolong system functionality.
- Area in question appears to be in Critical Dunes, contact MDEQ (616) 356-0500 to inquire if permits are required for construction activities.

Please contact this office with any questions.

Sincerely,

Ryan McCarthy
Environmental Health Specialist
Ottawa County Environmental Health
616-393-5769



AGENCY USE	Previous USACE File Number	Date Received	DEQ File Number
	USACE File Number		Fee received \$

Validate that all parts of this checklist are submitted with the application package. Fill out application and additional pages as needed.

- All items in Sections 1 through 9 are completed.
- Project-specific Sections 10 through 20 are completed.
- Dimensions, volumes, and calculations are provided for all impact areas.
- All information contained in the headings for the appropriate Sections (1-20) are addressed, and identified attachments (➔) are included.
- Map, site plan(s), cross sections; one set must be black and white on 8 1/2 by 11 inch paper; photographs.
- Application fee is attached.

1 Project Location Information For Latitude, Longitude, and TRS info anywhere in Michigan see www.mcqi.state.mi.us/wetlands/

Project Address (road, if no street address) <i>18165 Shore Acres Road</i>	Zip Code <i>49417</i>	Municipality (Township/Village/City) <i>Grand Haven Township</i>	County <i>Ottawa</i>
Property Tax Identification Number(s) <i>70-03-32-331-017</i>	Latitude <i>43.03512</i> N	Township/Range/Section (TRS) T <i>08N</i> N or S; R <i>16W</i> E or W; Sec <i>32</i>	
Subdivision/Plat and Lot Number	Longitude <i>- 86.23752</i> W	OR Private Claim # _____	

2 Applicant and Agent Information

Owner/Applicant (individual or corporate name) <i>Dale and Mary Jo Rust</i>	Agent/Contractor (firm name and contact person) <i>Curt Hall/LandTech</i>
Mailing Address <i>1939 Koehling Road</i>	Mailing Address <i>76 Veterans, Ste 500</i>
City <i>Northbrook</i> State <i>IL</i> Zip Code <i>60062</i>	City <i>Holland</i> State <i>MI</i> Zip Code <i>49423</i>
Contact Phone Number Fax <i>847-323-4975</i>	Contact Phone Number Fax <i>616 928-0786</i> <i>616 928-0787</i>
Email <i>dlr.koehling@gmail.com</i>	E-mail <i>Michelle@landtechwmi.com</i>

No Yes Is the applicant the sole owner of all property on which this project is to be constructed and all property involved or impacted by this project? ➔ If no, attach letter(s) of authorization from all property owners including the owner of the disposal site.

Property Owner's Name (If different from applicant)	Mailing Address
Contact Phone Number	City State Zip Code

3 Project Description

Project Name <i>Rust site improvements</i>	Preapplication File Number - - -P
Name of Water body <i>Lake Michigan</i>	Date project staked/flagged

The proposed project is on, within, or involves (check all that apply)		Project Use
<input type="checkbox"/> an inland lake (5 acres or more)	<input type="checkbox"/> a Great Lake or Section 10 Waters	<input checked="" type="checkbox"/> private
<input type="checkbox"/> a pond (less than 5 acres)	<input type="checkbox"/> a wetland	<input type="checkbox"/> commercial
<input type="checkbox"/> a stream, river, ditch or drain	<input type="checkbox"/> a 100-year floodplain	<input type="checkbox"/> public/government
<input type="checkbox"/> a legally established County Drain	<input type="checkbox"/> a dam	<input type="checkbox"/> project is receiving federal/state transportation funds
Date Drain was established	<input type="checkbox"/> a designated high risk erosion area	<input type="checkbox"/> Wetland Restoration
<input type="checkbox"/> a channel/canal	<input checked="" type="checkbox"/> a designated critical dune area	<input type="checkbox"/> other
<input type="checkbox"/> 500 feet of an existing water body	<input type="checkbox"/> a designated environmental area	

Indicate the type of permit being applied for: General Permit Minor Project Individual (All other projects.) ➔ See Appendix C.

Written Summary of All Proposed Activities *Please see attached summary*

Construction Sequence and Methods *Please see attached construction sequence with methods.*

**4 Project Purpose, Use and Alternatives** *Attach additional sheets as necessary.*

Describe the purpose of the project and its intended use; include any new development or expansion of an existing land use.

Most of this project is updating and stabilizing a older house that has been in the family for generations. The foundation is unstable, the retaining walls are failing, the decks are unsafe. We are proposing to use helicals under the south side of the house to stabilize the house, put new retaining walls in the same location as the current walls, rebuild the deck, put in stairs that are stable and safe, put in two new retaining walls as the dune has shifted and is causing the north side of the house to buckle.

Describe the alternatives considered to avoid or minimize resource impacts. Include factors such as, but to limited to, alternative locations, project layout and design, and construction technologies. For utility crossings include alternative routes and construction methods.

Do nothing was considered but the house would fall down the dune soon. This proposal is actually the lesser of what was considered, a new house was discussed, home additions were also discussed, this has been a difficult decision for the property owners.

5 Locating Your Project Site *Attach a legible black and white map with a North arrow.*Names of roads of closest intersection *178th and Shore Acres*Directions from main intersection to the project site, with distances from the best and nearest visible landmark and water body *Please see attached map and directions*Description of buildings on the site (*color; 1 or 2 story, other*)*2 story house with many retaining walls, you need to park and walk up to the house.*Description of adjacent landmarks or buildings (*address; color; etc*)*One house is lakeward of this house, stay to the right up the ramp*How can your site be identified if there is no visible address? *Ramp up to large parking area, address is visible***6 Easements and Other Permits** No Yes Is there a conservation easement or other easement, deed restriction, lease, or other encumbrance upon the property?

➔ If yes, attach a copy. Provide copies of court orders and legal lake levels if applicable.

List all other federal, interstate, state, or local agency authorizations including required assurances for Critical Dune Area projects.

Agency	Type of Approval	Number	Date Applied	Date approved /denied	Reason for denial
<i>Ottawa Co</i>	<i>SESC</i>		<i>9/25/2018</i>	<i>10/5/2018</i>	
<i>Ottawa Co HD</i>	<i>permissin to put parking over the septic</i>		<i>9/24/2018</i>	<i>10/16/2018</i>	

7 Compliance

If a permit is issued, when will the activity begin? (M/D/Y) ***

Proposed completion date (M/D/Y)

 No Yes Has any construction activity commenced or been completed in a regulated area?

➔ If Yes, identify the portion(s) underway or completed on drawings or attach project specifications and give completion date(s).

 No Yes Were the regulated activities conducted under a DEQ and/or USACE permit?

➔ If Yes, list the permit numbers

 No Yes Are you aware of any unresolved violations of environmental law or litigation involving the property?

➔ If Yes, attach explanation.

8 Adjoining Property Owners *Provide current mailing addresses. Attach additional sheets/labels for long lists.*

<input type="checkbox"/> Established Lake Board	Contact Person	Mailing Address	City	State and Zip Code
<input type="checkbox"/> Lake Association				

List all adjoining property owners.

If you own the adjoining lot, provide the requested information for the first adjoining parcel that is not owned by you.

Property Owner's Name	Mailing Address	City	State and Zip Code
<i>please see attached list</i>			



9 Applicant's Certification

Read carefully before signing.

I am applying for a permit(s) to authorize the activities described herein. I certify that I am familiar with the information contained in this application; that it is true and accurate; and, to the best of my knowledge, that it is in compliance with the State Coastal Zone Management Program. I understand that there are penalties for submitting false information and that any permit issued pursuant to this application may be revoked if information on this application is untrue. I certify that I have the authority to undertake the activities proposed in this application. By signing this application, I agree to allow representatives of the DEQ, USACE, and/or their agents or contractors to enter upon said property in order to inspect the proposed activity site before and during construction and after the completion of the project. I understand that I must obtain all other necessary local, county, state, or federal permits and that the granting of other permits by local, county, state, or federal agencies does not release me from the requirements of obtaining the permit requested herein before commencing the activity. I understand that the payment of the application fee does not guarantee the issuance of a permit.

- Property Owner
- Agent/Contractor
- Corp. or Public Agency / Title

Printed Name
Curt Hall

Signature

Date
11/9/2018



20 Critical Dune Areas and High Risk Erosion Areas (See Sample Drawings 19 and 20)

Critical Dune Areas (See Sample Drawing 20)

- Although not required, submitting **PHOTOGRAPHS of the site** may provide for a faster application review.
- For more information go to www.mi.gov/jointpermit, select "Sand Dune Protection" under "Related Links."
- All property boundaries and proposed structure corners, including decks, septic systems, water wells, driveways, grading, and terrain alteration locations must be staked before the WRD site inspection.
- Scaled overhead and cross-section plans must include all property boundaries, locations, and dimensions of all existing structures and impacted areas, and all proposed structures, terrain alterations, and construction access. Cross-sections must show existing and proposed grades, including foundations.
- Construction in critical dune areas on slopes greater than 33 percent (1 vertical: 3 horizontal) is prohibited without a special exception.
- Construction in critical dune areas on slopes that measure from 25 percent (1 vertical: 4 horizontal) to less than 33 percent requires sealed plans prepared by a registered architect or licensed professional engineer.

High Risk Erosion Areas (See Sample Drawing 19)

- For more information go to www.mi.gov/jointpermit, select "HREA" under "Related Links."
- All property boundaries, proposed structure corners, and septic system locations must be staked before the WRD site inspection.
- Scaled overhead plans must include all property boundaries, and the location and dimensions of all structures and septic systems must be included.
- Additional information, including the building construction plans, may be required to complete the application review.

Critical Dune Areas

Parcel dimensions (ft) width 125 depth 400	Date project staked (M/D/Y)
Property is a <input checked="" type="checkbox"/> platted lot <input type="checkbox"/> unplatted parcel	Year current property boundaries created pre 1989
Dune habitat present in Building Site and access route (check all that apply): <input checked="" type="checkbox"/> Wooded <input type="checkbox"/> Open Dune <input type="checkbox"/> Shrubs <input type="checkbox"/> Bare Sand <input type="checkbox"/> Lakefront Lot <input type="checkbox"/> MNFI Community if known: _____	
Type of construction activities <input type="checkbox"/> addition <input type="checkbox"/> driveway <input type="checkbox"/> garage <input type="checkbox"/> new home <input checked="" type="checkbox"/> renovation <input type="checkbox"/> septic <input checked="" type="checkbox"/> deck(s) <input checked="" type="checkbox"/> other retaining walls	
<input checked="" type="checkbox"/> Provide a sand relocation plan with location and dimensions of disposal area. Indicate <input checked="" type="checkbox"/> on-site OR <input type="checkbox"/> off-site If on-site show location and how the disposal site will be accessed on the plans. Indicate the depth of the disposed sand on the plans.	
<input checked="" type="checkbox"/> Provide the permit or letter from the County Enforcing Agent stating the project complies with Part 91 (Soil Erosion and Sedimentation Control).	
The proposed project will be serviced by <input type="checkbox"/> public sewer <input checked="" type="checkbox"/> private septic system. ➔ On the plans, show the location and dimensions of the private septic system. If a private septic system is proposed, has a permit been issued by the health department? <input type="checkbox"/> No <input type="checkbox"/> Yes ➔ If Yes, provide a copy of the permit for all Critical Dune Area projects.	
Sand relocation: <i>Very little sand will be moved. Any extra will be used behind the retaining walls.</i>	
<input type="checkbox"/> Provide a copy of the vegetation assurance letter. <input checked="" type="checkbox"/> Provide a re-vegetation plan, including # <u>3</u> of trees to be removed and # <u>6</u> <i>shrubs</i> of trees to be replanted.	
Proposed Utility Installation	Proposed New Construction
Utility Installation Method <input type="checkbox"/> directional bore <input type="checkbox"/> plowing in <input type="checkbox"/> open trench <input type="checkbox"/> other	Foundation type <input type="checkbox"/> concrete slab <input type="checkbox"/> basement <input type="checkbox"/> crawl space <input checked="" type="checkbox"/> pilings <input checked="" type="checkbox"/> other helicals under the house
➔ Show utility locations and dimensions on the site plan.	Area of existing structure (sq ft)
➔ Show construction access route on the site plan.	Area of proposed structure (sq ft)
➔ Show existing and proposed grades on the cross-section.	Area of existing deck (sq ft) several
➔ Show locations of vegetation to be removed on the site plan.	Area of proposed deck (sq ft) to be replaced in the same footprint
Provide the following information for special use projects: (a) Lot size, width, density, and front and side setbacks. (b) Storm water drainage that provides for disposal of drainage water without serious erosion. (c) Methods for controlling erosion from wind and water. (d) Re-stabilization plan. (e) Environmental Impact Statement.	



High Risk Erosion Areas	Parcel dimensions (ft) width 125 depth 400		Date project staked (M/D/Y)	
	Existing Structure Information		Proposed New Construction	
	Foundation type <input type="checkbox"/> basement <input type="checkbox"/> concrete slab <input type="checkbox"/> pilings <input type="checkbox"/> crawl space <input type="checkbox"/> other		Foundation type <input type="checkbox"/> basement <input type="checkbox"/> concrete slab <input type="checkbox"/> pilings <input type="checkbox"/> crawl space <input type="checkbox"/> other	
	Material above foundation wall <input type="checkbox"/> block <input type="checkbox"/> log <input type="checkbox"/> stud frame <input type="checkbox"/> other		Material above foundation wall <input type="checkbox"/> block <input type="checkbox"/> log <input type="checkbox"/> stud frame <input type="checkbox"/> other	
	Siding material <input type="checkbox"/> block <input type="checkbox"/> vinyl <input type="checkbox"/> wood <input type="checkbox"/> other		Siding material <input type="checkbox"/> block <input type="checkbox"/> vinyl <input type="checkbox"/> wood <input type="checkbox"/> other	
	Area of the foundation, excluding attached garage (sq ft)		Area of the foundation, excluding attached garage (sq ft)	
	Area of the garage foundation (sq ft)		Area of the garage foundation (sq ft)	
	If renovating or restoring an existing structure, indicate the renovation or restoration cost \$			
	Current structure replacement value \$			
	Tax assessed value of existing structure excluding land value \$		Assessment Year	
Provide the number of individual living units in the proposed building				



Department of Environmental Quality
Water Resources Division

Application for a Special Exception for a Use in a Critical Dune Area

Part 353, Sand Dunes Protection and Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as Amended

Directions:

- Complete this form to provide the information required by MCL 324.35317. Attach additional sheets as needed to provide complete answers. This information was not requested in the permit application. Answers on the special exception application referring to the permit application will result in the special exception application being considered incomplete. See the [Frequently Asked Questions](#) for information about special exceptions.
- The definition section in Part 353 identifies the individual provisions that are part of the model zoning plan. Part 353 is available online at: www.mi.gov/criticaldunes.
- Provide a property survey showing those areas that are privately owned and publicly owned, including all easements and setbacks.
- Submit a site plan prepared by a registered professional architect or a licensed professional engineer if required by Part 353 and they have not yet been submitted.
- The application fee of \$2,000 payable to the "State of Michigan." This fee is in addition to the fee required for the permit application.
- Submit the completed form, survey, plans, and application fee through MiWaters or to the Department of Environmental Quality (DEQ) local district office identified at www.mi.gov/wrd.

DEQ Submission Number (if known): [Click here](#) to enter text.

Applicant(s) Name: Dale and Mary Jo Rust

Property Address: 18165 Shore Acres, Grand Haven, MI

Property Owner(s) Name: Dale and Mary Jo Rust

1. Identify the conditions of the land that make it practically difficult for the owner to comply with the dimensional requirements of the model zoning plan (MCL 324.35304 to 324.35309 and 324.35311a to 324.35324). Identify all sections of the model zoning plan under which the property owner is requesting relief in the form of a special exception.

There will be two new retaining walls place north of the east portion of the house. This area is sometimes called the addition but it's existing, has been for years and will not be modified. The remainder of the decks and retaining walls will be replacement in place. There is a new dry well proposed but that is in the flat parking area. The drain lines to move water from the proposed gutters and down spouts will be run on top of the ground to avoid slope impacts. Helicyles will be placed under the house on flat areas next to the house and in the basement.

2. How will human health and safety be affected by the project as proposed with a special exception? Is human health and safety protected if the special exception is not granted? Please explain your answers.

Since the dune is shifting into the north side of the house where the proposed retaining walls will be placed, allowing the special exception will keep that portion of the house from failing and therefore will protect human safety. This is just a small portion of what is wrong with this house so, if the special exception is not granted it will just hasten the failure of this structure. May I respectfully suggest that some of the panel come and view this house? But please be careful!

3. Provide documentation that the proposal complies with applicable local zoning, state, and federal laws.

Federal laws do not apply to this project. This house is grandfathered in under local zoning. We have obtained a soil erosion permit which is attached to the application packet. The Health Department has granted permission to place the turf blocks over the septic to provide more parking. A copy of that letter is attached to the application.

4. Describe other pertinent or additional information you would like DEQ to include in the review.

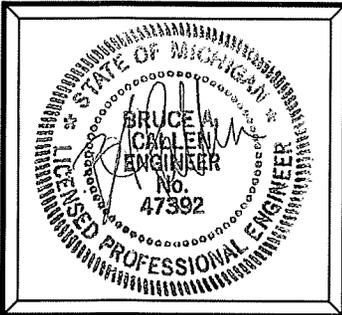
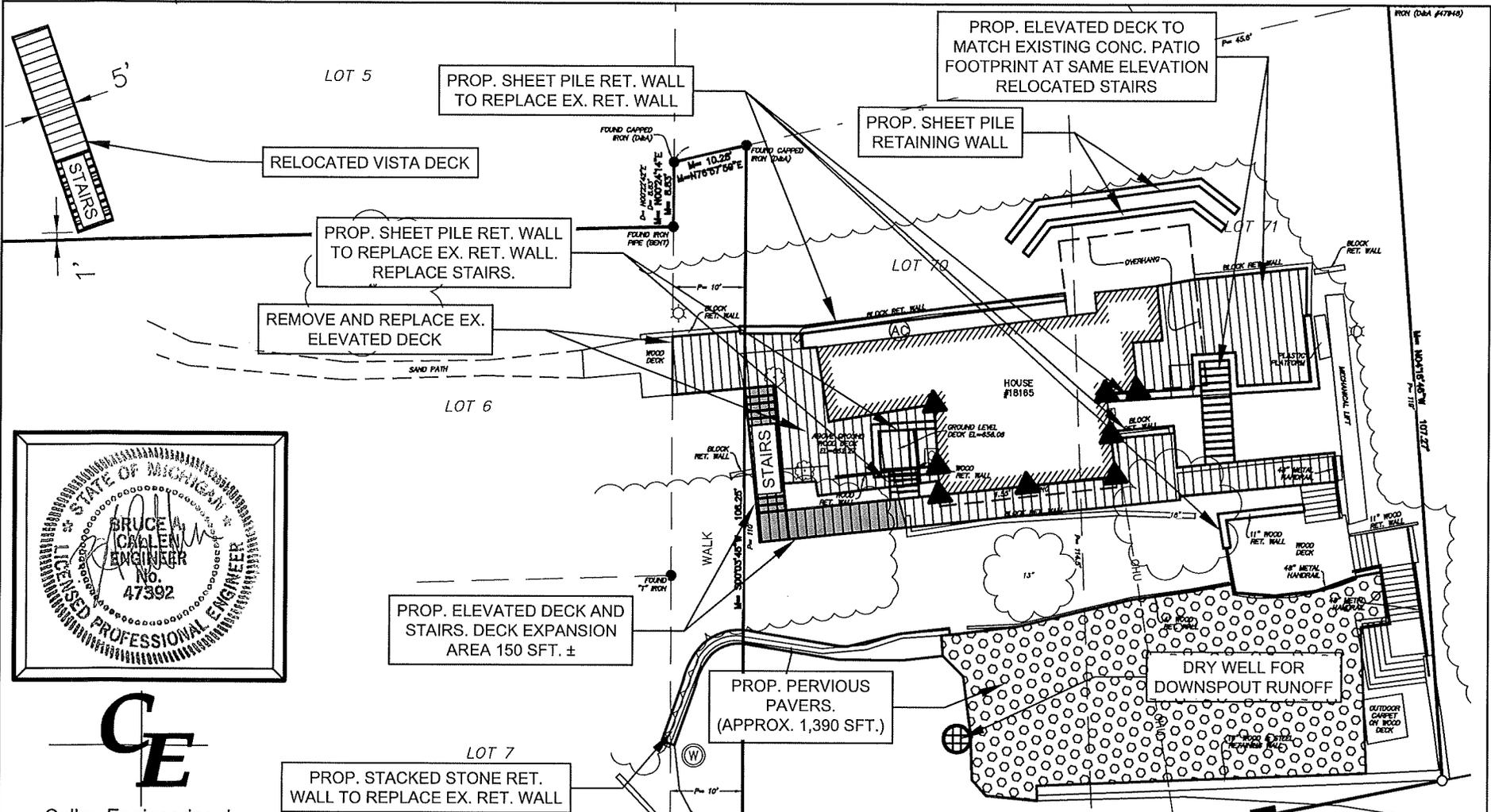
This house, decks and retaining walls are slowly failing. The proposed work is the minimum necessary to keep this structure from failing. This is not an expansion of use, just a maintenance of what's already there. LandTech would be willing to meet you on site if you have questions.

Certification

I am applying for a special exception pursuant to MCL 324.35317 to authorize the activities in a critical dune area described herein. I certify that I am familiar with the information contained in this application and that it is true and accurate. I understand that the payment of the application fee does not guarantee the issuance of a special exception.

<input type="checkbox"/> Property Owner	Printed Name Curt Hall	Signature 	Date 11/9/2018
<input checked="" type="checkbox"/> Agent/Contractor			

EGLE SITE PLAN



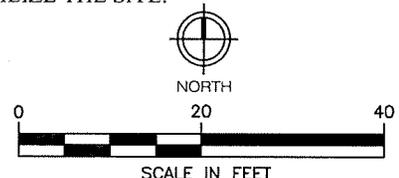
CE
 Callen Engineering, Inc.
 Spring Lake, Michigan

PLANT MATERIAL LIST *				
QTY	KEY	BOTANICAL NAME / COMMON NAME	MIN RQD SIZE*	COMMENTS
	A.b.	Ammophila breviligulata/ American Beach Grass	Culms/plugs	24" SPACING, PLANT AFTER SEPTEMBER 1ST AT ALL DISTURBED AREAS

* ONLY NATIVE PLANT SPECIES SHALL BE USED TO STABILIZE THE SITE.

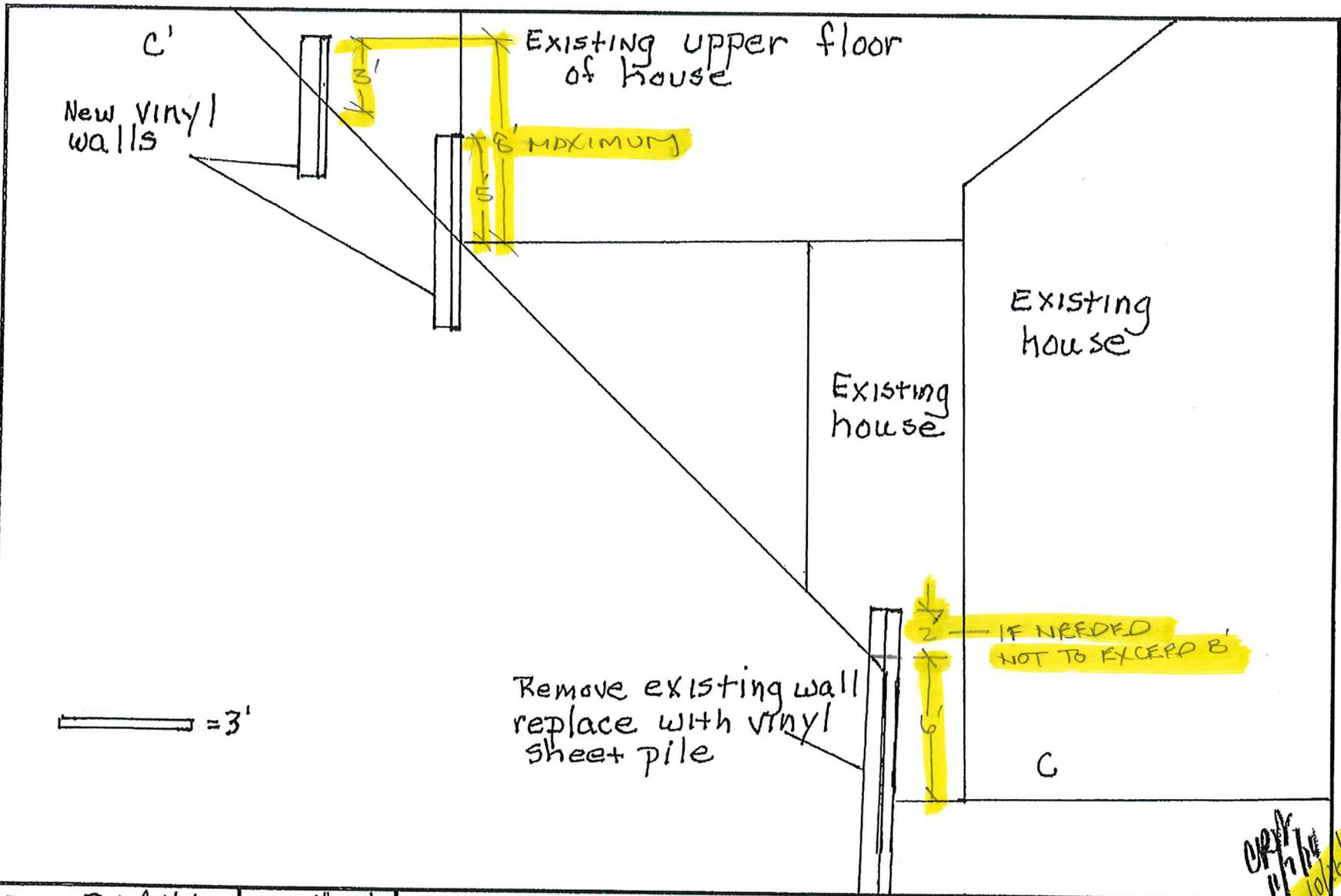
BRUCE A. CALLEN, P.E.
 I CERTIFY THAT THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO INCREASE EROSION OR DECREASE STABILITY.

△ = APPROXIMATE HELICAL PIER LOCATION



SCALE IN FEET
 DATE OF PLAN: 08-14-19

SHEET
CD-2
 SITE PLAN



Drawn By: M. J. Holan
 Date: 11/6/18
 Revised: 10/16/19

Scale: 1" = 3'

LandTechwmi
 Geo-technical Site Work & Environmental Landscaping
 Aesthetics Function Stewardship

Project name:
 Client Name: Dale Rust
 Project Address: 18165 Shore Acres
 Grand Haven, MI

B'

B

Remove concrete patio
Place deck

Concrete block wall to be removed
Place Vinyl Sheet Pile

Soil and plants to remain
Remove concrete block wall,
place vinyl sheet

flag stone to remain

— = 2'

Handwritten signature/initials

Drawn By: *M. J. Holm*
Date: *11/6/18*
Revised: *10/16/19*
Revised:

Scale: 1" = 2'



LandTechwmi

Geo-technical Site Work & Environmental Landscaping
Aesthetics Function Stewardship

Project name:
Client Name: *Dale Rust*
Project Address: *18165 Shore Acres*
Grand Haven, MI



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

Issued To:

**Dale Rust
1939 Koehling Road
Northbrook, IL 60062**

**Permit No: WRP015771 v.1
Submission No.: HNJ-6EA2-HTWYN
Site Name: 70-18165 Shore Acres Rd-Grand Haven
Issued: October 2, 2019
Revised:
Expires: October 2, 2024**

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

- | | |
|--|---|
| <input type="checkbox"/> Part 301, Inland Lakes and Streams | <input type="checkbox"/> Part 323, Shorelands Protection and Management |
| <input type="checkbox"/> Part 315, Dam Safety | <input checked="" type="checkbox"/> Part 353, Sand Dunes Protection and Management |

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

Authorized Activity:

This permit is issued as a Special Exception to Part 353 as this project impacts slopes greater than 1 on 3.

Remove 3 trees; install 11 helical piers underneath the existing house; construct two new, retaining walls, R-2 measuring 24 linear feet and R-3 measuring 18 linear feet; construct four replacement retaining walls, R-1 measuring 36 linear feet, R-4 measuring 39 linear feet, R-5 measuring 62 linear feet, and R-6 measuring 47 linear feet; remove the existing patio and construct a 408 square foot deck D-1 on pilings in its place; remove and replace existing decks D-2 and D-3, boardwalks and stairs only within the footprints of Lot 5 and 70 and the identified easement; remove existing deck D-4 and reconstruct it in place with an 150 square foot cantilevered expansion; install a dry well in the parking area and run approximately 35 linear feet of tubing over the south facing slope to connect to the house downspouts; and install approximately 1390 square feet of turf blocks over the existing drain field all within a Critical Dune Area. All work shall be completed in accordance with the attached plans and the terms and conditions of this permit.

**Waterbody Affected: Lake Michigan
Property Location: Ottawa County, Grand Haven Township,
Town/Range/Section 08N/16W/32,
Property Tax No. 70-03-32-331-017**

**EGLE-WRD
WRP015771 v1.0
Approved
Issued On:10/02/2019
Expires On:10/02/2024**

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

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

- R. Prior to initiating permitted construction, the permittee is required to provide a copy of the permit to the contractor(s) for review. The property owner, contractor(s), and any agent involved in exercising the permit are held responsible to ensure that the project is constructed in accordance with all drawings and specifications. The contractor is required to provide a copy of the permit to all subcontractors doing work authorized by the permit.
- S. Construction must be undertaken and completed during the dry period of the wetland. If the area does not dry out, construction shall be done on equipment mats to prevent compaction of the soil.
- T. Authority granted by this permit does not waive permit requirements under Part 91, Soil Erosion and Sedimentation Control, of the NREPA, or the need to acquire applicable permits from the County Enforcing Agent (CEA).
- U. Authority granted by this permit does not waive permit requirements under the authority of Part 305, Natural Rivers, of the NREPA. A Natural Rivers Zoning Permit may be required for construction, land alteration, streambank stabilization, or vegetation removal along or near a natural river.
- V. The permittee is cautioned that grade changes resulting in increased runoff onto adjacent property is subject to civil damage litigation.
- W. Unless specifically stated in this permit, construction pads, haul roads, temporary structures, or other structural appurtenances to be placed in a wetland or on bottomland of the water body are not authorized and shall not be constructed unless authorized by a separate permit or permit revision granted in accordance with the applicable law.
- X. For projects with potential impacts to fish spawning or migration, no work shall occur within fish spawning or migration timelines (i.e., windows) unless otherwise approved in writing by the Michigan Department of Natural Resources, Fisheries Division.
- Y. Work to be done under authority of this permit is further subject to the following special instructions and specifications:
1. Authority granted by this permit does not waive permit or program requirements under Part 91 of the NREPA or the need to acquire applicable permits from the CEA. To locate the Soil Erosion Program Administrator for your county, visit www.mi.gov/deqstormwater and select "Soil Erosion and Sedimentation Control Program" under "Related Links."
 2. The authority to conduct the activity as authorized by this permit is granted solely under the provisions of the governing act as identified above. This permit does not convey, provide, or otherwise imply approval of any other governing act, ordinance, or regulation, nor does it waive the permittee's obligation to acquire any local, county, state, or federal approval or authorization necessary to conduct the activity.
 3. No fill, excess soil, or other material shall be placed in any wetland, floodplain, or surface water area not specifically authorized by this permit, its plans, and specifications.
 4. This permit does not authorize or sanction work that has been completed in violation of applicable federal, state, or local statutes.
 5. The permit placard shall be kept posted at the work site, in a prominent location at all times for the duration of the project, or until permit expiration.
 6. This permit is being issued for the maximum time allowed and no extensions of this permit will be granted. Initiation of the construction work authorized by this permit indicates the permittee's acceptance of this condition. The permit, when signed by EGLE, will be for a five-year period beginning on the date of issuance. If the project is not completed by the expiration date, a new permit must be sought.
 7. Notification shall be provided to EGLE by telephone 72 hours prior to commencing construction, vegetation removal, or grading activity. Contact: Bonnie Broadwater at broadwaterb@michigan.gov; (616)591-8163.
 8. Slopes steeper than one-on-three (33%) outside the permitted uses must not be disturbed. Impacting the dunes is not authorized outside of the permitted use including activities such as driving machinery on slopes steeper than one-on-three (33%), or storing (permanently or temporarily) machinery, materials, equipment, or removed vegetation, on any slopes steeper than one-on-four (25%).
 9. Altering the crest and the area lakeward of the crest by placing retaining walls or other regulated structures, removing soil or vegetation, lowering or raising the elevation of the crest, placing materials or soils lakeward of the crest on the lakeward facing bluff is not permitted.

10. The construction of porches, decks, landscaping (with the exception of planting native dune vegetation), on-grade walkways, on-grade stairways, and retaining walls including the placement of boulders, are considered uses, and not permitted unless specified in the authorized activities of the permit and depicted on the approved plans.
11. All earth moving and contour changes must occur within disturbance limits noted on the plans.
12. Vegetation changes are not authorized more than outside of the permitted use. All disturbed areas shall be re-vegetated with native dune species and stabilized with temporary measures before or upon commencement of the permitted use and maintained until permanent measures are in place. The removal and re-establishment of vegetation must be in accordance with the submitted vegetation assurance.
13. The tree pest, hemlock woolly adelgid (HWA), is known to infest hemlock and tiger-tail spruce trees in this county. The Michigan Department of Agriculture and Rural Development (MDARD) has issued a quarantine on the movement of all branches, boughs, any tree part bearing twigs and needles and uncomposted, chipped/shredded/ground parts that include twigs and needles. Issuance of this permit does not obviate the need to obtain approval to move hemlock and tiger-tail spruce parts off the project site prior to commencement of construction activity as stated in the quarantine effective on July 5, 2017 by authority of Public Act 72 of 1945, as amended. In Allegan and Ottawa counties contact MDARD Region 2 Supervisor Mike Hansen, hansenmg@michigan.gov or 269-429-0669.
14. Oak wilt, a non-native tree killing fungus, is known to infect oak trees in this county. Damage to the trees from construction, such as cut or broken branches, during the growing season may result in the tree becoming infected and dying shortly thereafter. If possible, do not cut or trim oak trees during the growing season, especially April 15 through July 15. Open cuts on damaged trees should be immediately painted with pruning sealer or tree paint. Contact the local Cooperative Invasive Species Management Area (CISMA) staff for more information, info@michiganinvasives.org or www.michiganinvasives.org.
15. The permitted use and development shall provide for disposal of storm water without serious soil erosion and without sedimentation to any waterbody or wetland.
16. The transport of building materials/excavated sand and access to and from the site shall be via the existing or permitted stairs and walkways and the chute noted on the plans.
17. The temporary construction access as depicted on the attached plans shall not involve a contour change or vegetation removal that increases erosion or decreases stability, shall be maintained in stable condition, and temporary stabilization measures shall be installed before or upon commencement of construction, and shall be maintained until the site is permanently stabilized.
18. The restabilization and replanting of the temporary construction access shall follow the submitted stabilization and planting plan. Vegetation shall be monitored for a minimum of two growing seasons to ensure the vegetation is fully established in the disturbed area.
19. Excess excavated clean sand must be deposited in a critical dune area as noted on the site plan. Machinery is not permitted to be driven down the lakeward facing bluff, on slopes steeper than one-on-three (33%) or in the water of the lake for the purpose of depositing the excess sand. Sand shall not be left in piles.
20. All excess woody debris, concrete, building materials, or other types of soil must be deposited off site, outside of the critical dune area.
21. If it is not feasible to dispose of excess excavated sand or soil on-site, then it must be deposited off-site, outside of a floodplain, lake, river, stream, or wetland, and stabilized with temporary measures until permanent measures are in place. Permanent measures shall be in place within five (5) days of achieving final grade.
22. Stairway(s)/walkway(s) must be constructed elevated above grade, on a hand dug post foundation, a maximum of five (5) feet in width and shall not have a roof or walls.
23. Underground utility lines must be placed in areas with slopes less than one-on-four (25%) or the lines must be installed using the directional bore method or by hand digging. If the directional bore method is used, the bore pits must be located in areas with slopes less than one-on-four (25%). The disturbed areas must be stabilized and repaired with temporary measures before or upon commencement of the permitted use and shall be maintained until permanent measures are in place. Trenching areas with slopes steeper than one-on-four (25%) is not permitted.

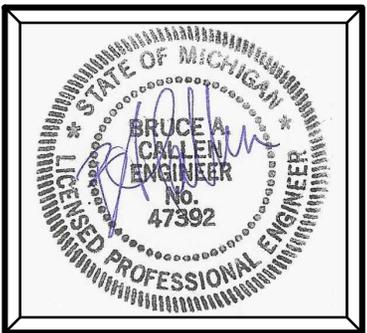
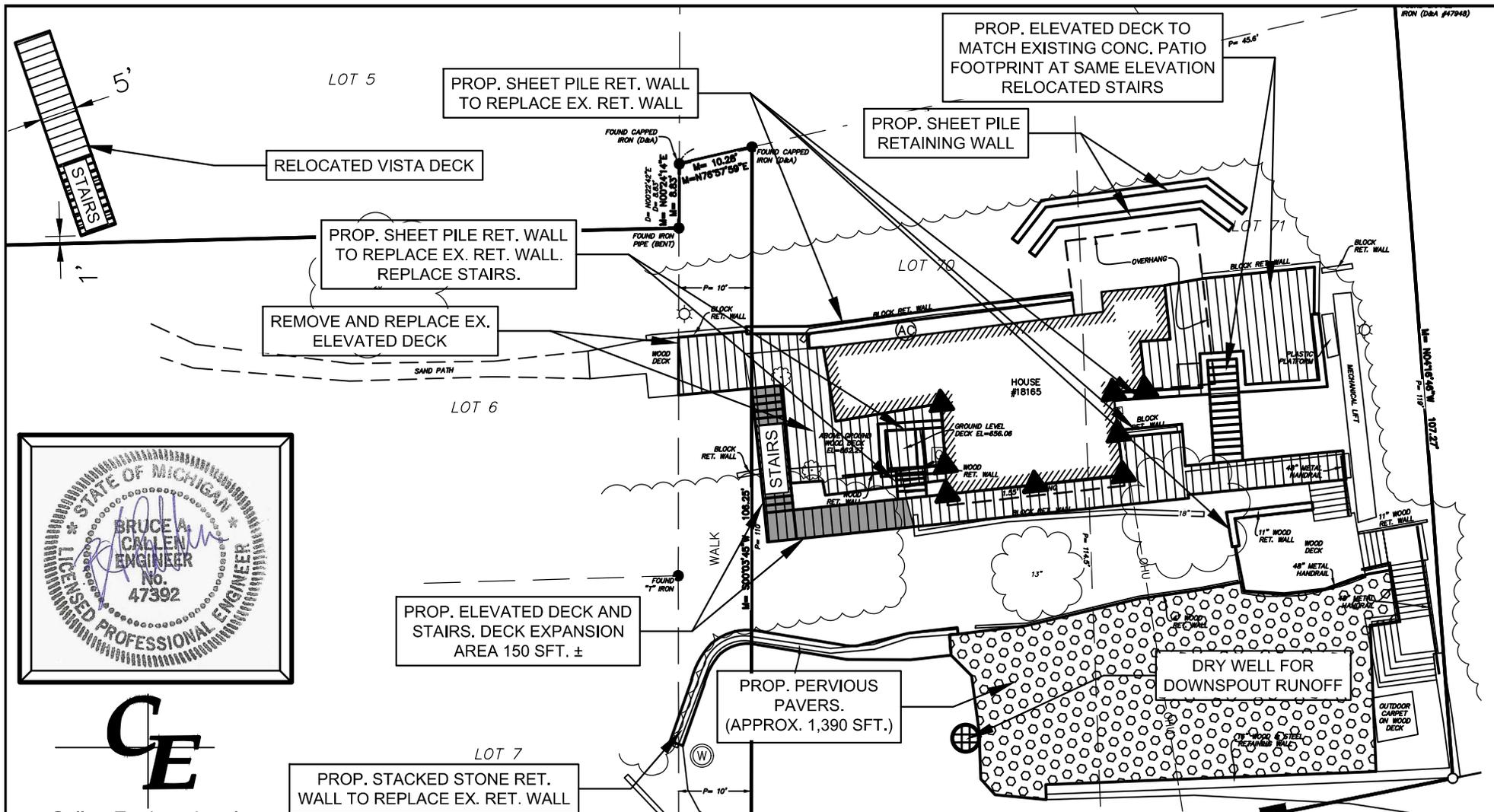
24. The proposed structure is within 100 feet of the dune crest and therefore the following requirements must be met:
- The structure and access to the structure shall be in accordance with a site plan prepared for the site by a registered professional architect or a licensed professional engineer and the site plan shall provide for the disposal of storm waters without serious soil erosion and without sedimentation of any stream or other body of water.
 - Access to the structure shall be from the landward side of the dune.
 - The dune shall be re-stabilized with indigenous vegetation.
 - The crest of the dune shall not be reduced in elevation.
25. This permit does not authorize the completion of any work conducted without the required authorization needed by the Local Unit of Government, Grand Haven Township, including but not limited any required zoning variances.

Issued By: _____



Luis Saldivia
Grand Rapids District Office
Water Resources Division
616-710-2136

cc: Grand Haven Township Clerk
Ottawa County CEA
Land Tech, Agent

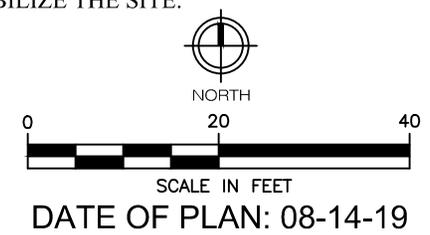


CE
 Callen Engineering, Inc.
 Spring Lake, Michigan

PLANT MATERIAL LIST *				
QTY	KEY	BOTANICAL NAME / COMMON NAME	MIN RQD SIZE*	COMMENTS
	A.b.	Ammophila breviligulata/ American Beach Grass	Culms/plugs	24" SPACING, PLANT AFTER SEPTEMBER 1ST AT ALL DISTURBED AREAS

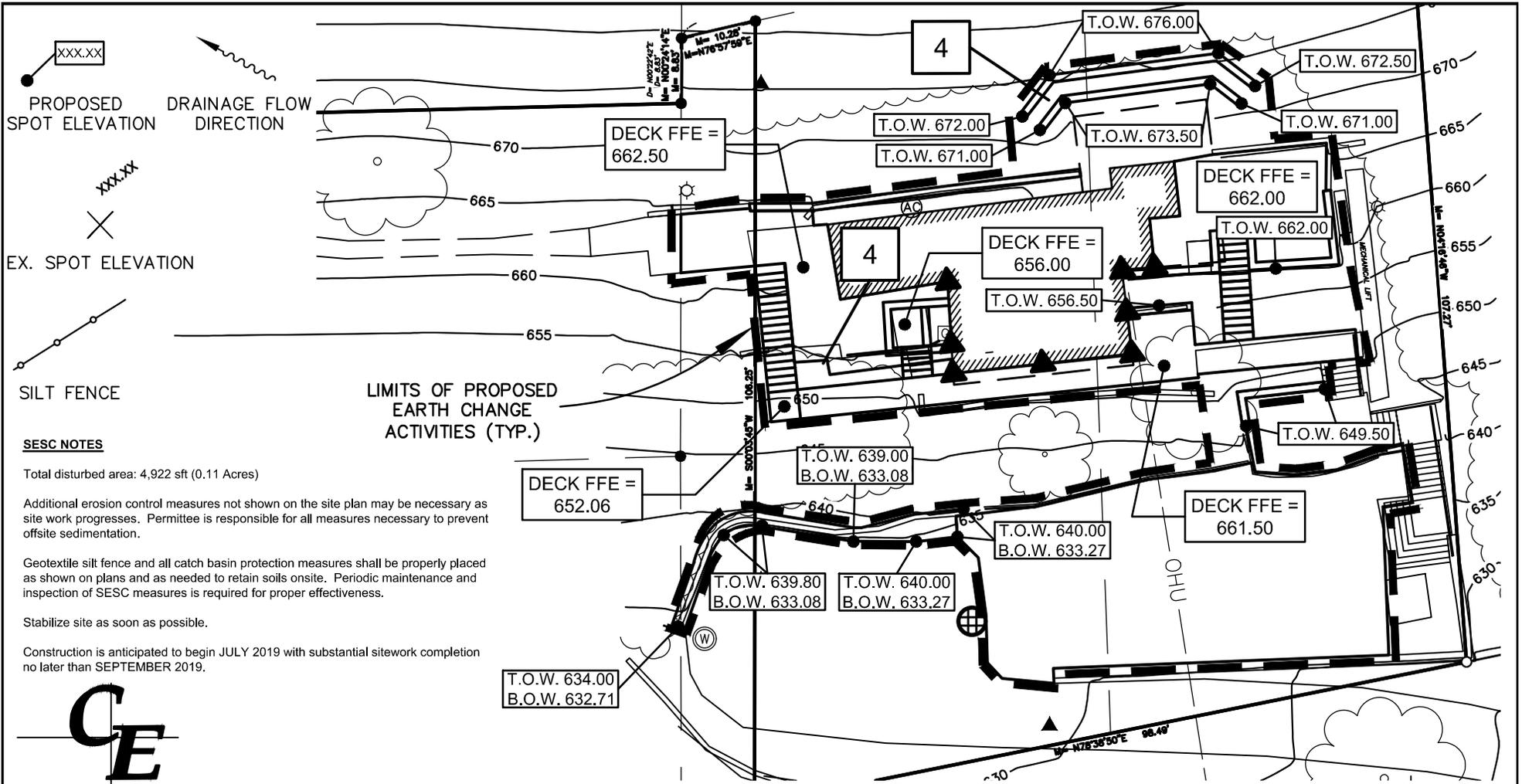
* ONLY NATIVE PLANT SPECIES SHALL BE USED TO STABILIZE THE SITE.

BRUCE A. CALLEN, P.E.
 I CERTIFY THAT THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO INCREASE EROSION OR DECREASE STABILITY.



SHEET
CD-2
 SITE PLAN
 Approved

Issued On:10/02/2019
 Expires On:10/02/2024



XXX.XX
PROPOSED SPOT ELEVATION

XXX.XX
EX. SPOT ELEVATION

SILT FENCE

SESC NOTES

Total disturbed area: 4,922 sft (0.11 Acres)

Additional erosion control measures not shown on the site plan may be necessary as site work progresses. Permittee is responsible for all measures necessary to prevent offsite sedimentation.

Geotextile silt fence and all catch basin protection measures shall be properly placed as shown on plans and as needed to retain soils onsite. Periodic maintenance and inspection of SESC measures is required for proper effectiveness.

Stabilize site as soon as possible.

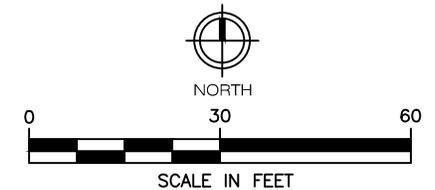
Construction is anticipated to begin JULY 2019 with substantial sitework completion no later than SEPTEMBER 2019.



Callen Engineering, Inc.
Spring Lake, Michigan

EROSION CONTROL MEASURES

KEY	SESC MEASURE	SYMBOL	WHERE USED
4	Trees, Shrubs, Vines and Ground Cover		When bare soil or recently vegetated slopes are exposed to erosive forces from wind and/or water.
5	Perimeter Sediment Control Measures (Silt Fence, Straw Wattles, etc.)		As a temporary measure used to capture sediment from sheet flow. May also divert small volumes of sheet flow to protected outlets.

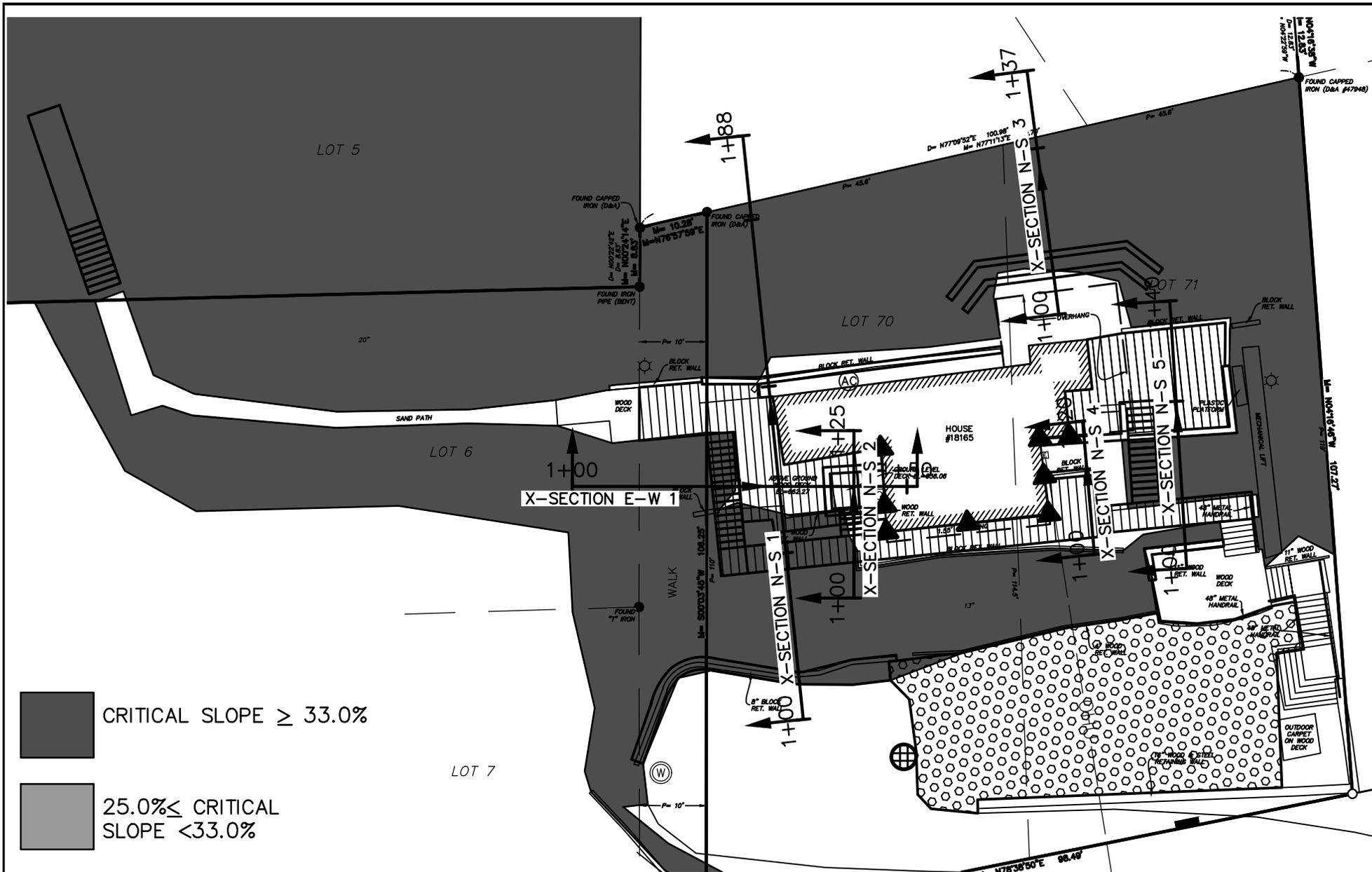


*SEE MICHIGAN ASSOCIATION OF COUNTY DRAIN COMMISSIONERS SESC MANUAL (VERSION 2018) FOR SPECIFICATIONS

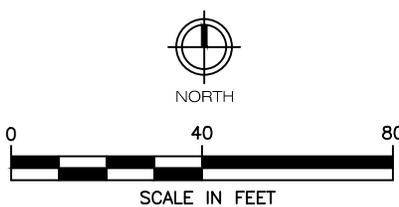
DATE OF PLAN: 08-14-19

SHEET
CD-3
GRADING,
DRAINAGE, &
SESC PLAN

Issued On: 10/02/2019
Expires On: 10/02/2024



CE
 Callen Engineering, Inc.
 Spring Lake, Michigan



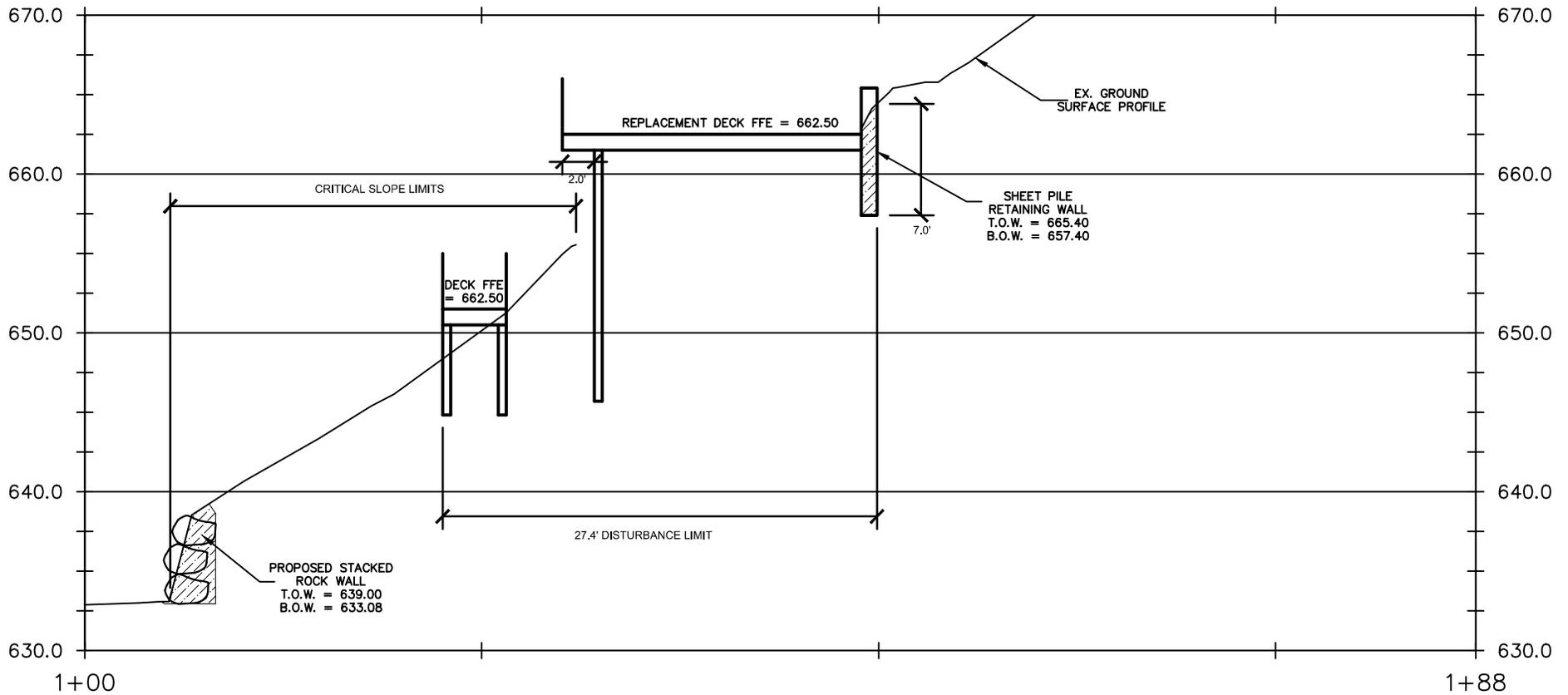
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 BY DRIESEN & ASSOCIATES, INC.
 DATED DECEMBER 05, 2018,
 BASED ON NAVD '88 DATUM.

SHEET

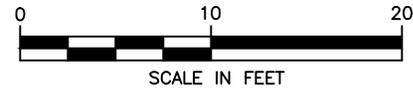
CD-4
 X-SECTION

DATE OF PLAN: 08-14-19 DIRECTORY

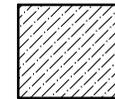
Issued On: 10/02/2019
 Expires On: 10/02/2024



X-SECTION NS 1



HORIZONTAL SCALE: 1"=10'
 VERTICAL SCALE: 1"=10'



CUT & FILL AREA

NOTE:

REPLACEMENT DECKS SHALL BE AT THE SAME LOCATION AND ELEVATION AS THE EXISTING DECKS

SHEET

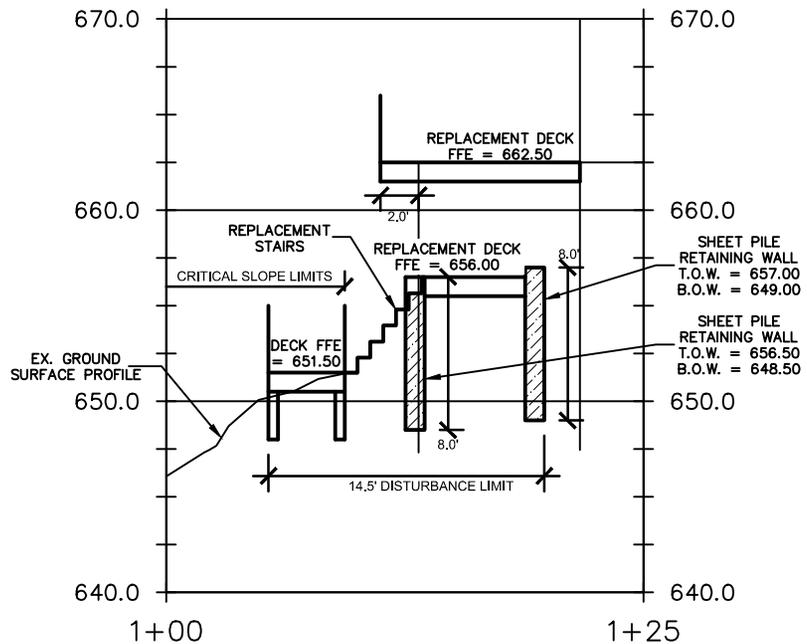
CD-5

X-SECTIONS

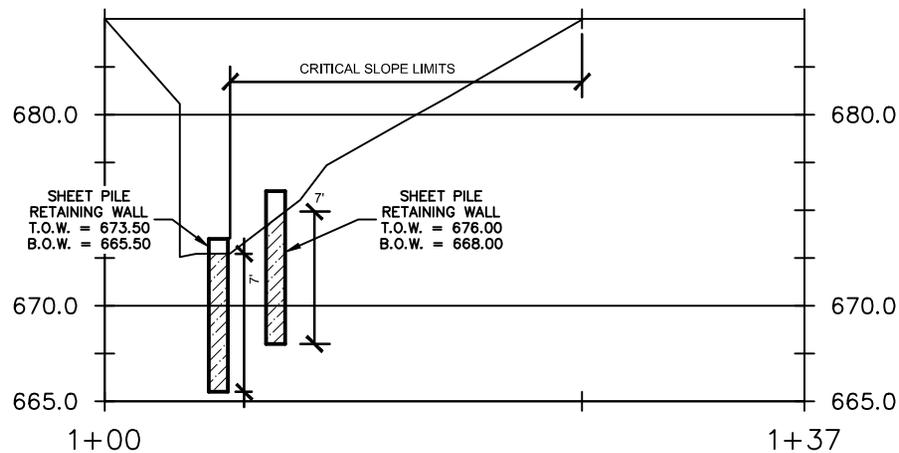
DATE OF PLAN: 07-29-19

Issued On: 10/02/2019

Expires On: 10/02/2024



X-SECTION NS 2

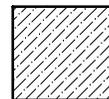


X-SECTION NS 3



SCALE IN FEET

HORIZONTAL SCALE: 1"=10'
VERTICAL SCALE: 1"=10'



CUT & FILL
AREA

NOTE:

REPLACEMENT DECKS SHALL BE AT THE SAME
LOCATION AND ELEVATION AS THE EXISTING DECKS



Callen Engineering, Inc.
Spring Lake, Michigan

SHEET

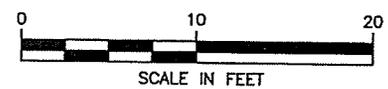
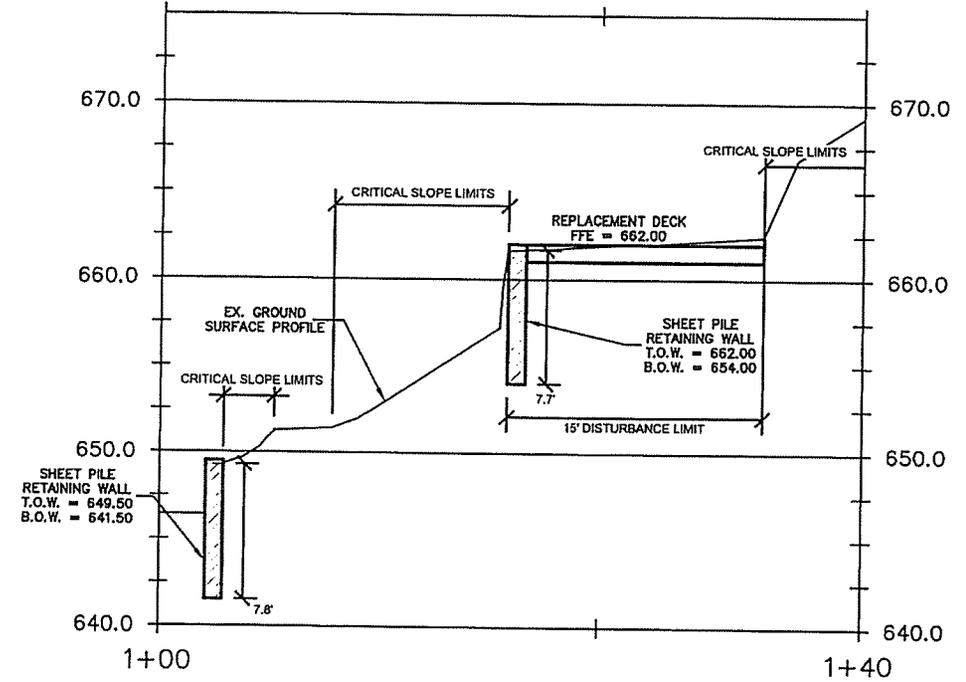
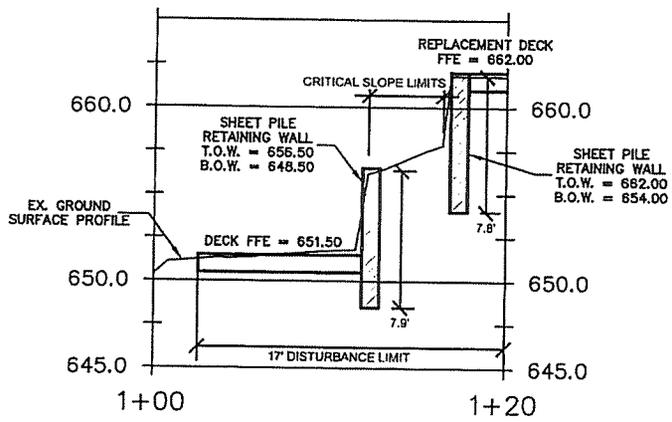
CD-6

X-SECTIONS

DATE OF PLAN: 07-29-19

Issued On: 10/02/2019

Expires On: 10/02/2024



HORIZONTAL SCALE: 1"=10'
VERTICAL SCALE: 1"=10'

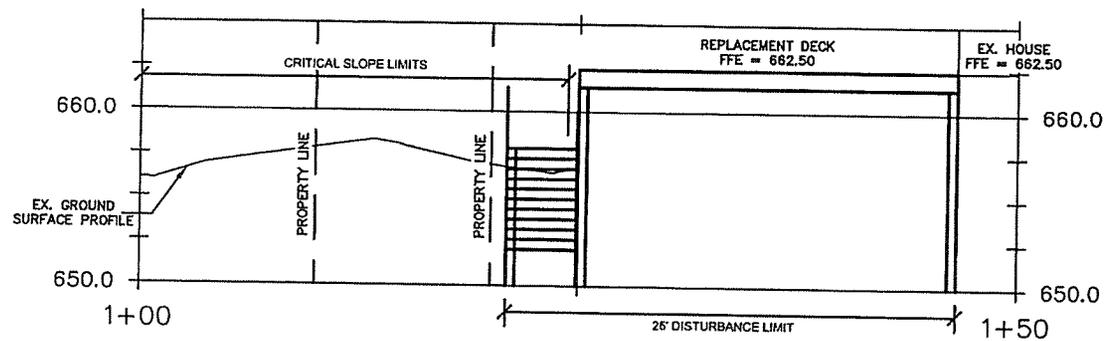


NOTE:
REPLACEMENT DECKS SHALL BE AT THE SAME LOCATION AND ELEVATION AS THE EXISTING DECKS

CE
Callen Engineering, Inc.
Spring Lake, Michigan

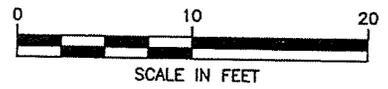
SHEET
CD-7
X-SECTIONS
DATE OF PLAN: 06-13-19

Handwritten initials and date:
CWA
7/15/19

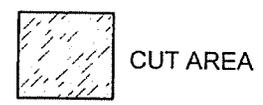


X-SECTION EW

NOTE:
REPLACEMENT DECKS SHALL BE A THE SAME
LOCATION AND ELEVATION AS THE EXISTING DECKS



HORIZONTAL SCALE: 1"=10'
VERTICAL SCALE: 1"=10'



CE
Callen Engineering, Inc.
Spring Lake, Michigan

SHEET
CD-8
X-SECTIONS
DATE OF PLAN: 06-13-19

Handwritten signature and date:
C. Callen
7/15/19