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ZONING BOARD OF APPEALS MEETING

Wednesday, June 11, 2025 at 7:00 PM
Hamburg Township Hall Board Room

MINUTES

CALL TO ORDER

Chair Priebe called the meeting to order at 7:00 pm.

PLEDGE TO THE FLAG

ROLL CALL OF THE BOARD

Members PRESENT:

Brian Ignatowski
Benedict Russell
Joyce Priebe, Chair
William Rill

ABSENT:

Joanna Hardesty, Trustee

CONSENT AGENDA

Approval motion made by Member Ignatowski, seconded by Member Russel, to approve Zoning Board of Appeals Agenda for tonight as presented.

Voice Vote: Ayes: (4) Absent: (1)

VOTE: MOTION CARRIED

GENERAL CALL TO THE PUBLIC:

Chair Priebe opened the general call to the public, but no one came up to speak so she closed the session.

CURRENT BUSINESS

1. ZBA 25-0005

Owner: David & Grace Griese
Location: 11519 West Lane. Parcel ID: 4715-33-110-001
Request: Variance application to permit the construction of a new single-family home. Variance request: Front setback of 12.5 feet, instead of 25 feet, per section 36-171. (D)

Chair Priebe invited Abby Cooper, the applicant's lawyer, to the podium to present her case before the ZBA board. Cooper said this parcel is unique because it has been defined by Hamburg Township's ordinance as a corner lot, due to multiple front yard setbacks. This variance is needed since the home abuts an undeveloped road right-of-way which consists of woods. Her client is requesting that a front yard setback from this undeveloped right-of-way roadway could be 12.5 ft instead of the required 25 feet prescribed by Hamburg Township's ordinance. Cooper also let the ZBA board know that the applicant has filed in Livingston County Circuit Court a plat vacation of multiple undeveloped roads right-of-ways going through her long parcel.

Chair Priebe invited David Rohr to present his staff report on this case. David stated that it was difficult to find the parcel due to the dense wooded area of the area. David let the board know that this long parcel is separated into four separate parcels by three undeveloped road rights-of-way that run through it, in an east and west manner, but all four parcels have been combined into one parcel. He stated that staff support this variance request since it is reasonable with this situation. He said that the builder and the applicant have been accommodating with the design and placement of the home on the parcel despite the unusual nature of the property.

Chair Priebe asked David about the gravel east road easement near the home. David stated that this is a private driveway access easement that allows a second home access from the north end of the easement. Both homes are owned by the applicant. Chair Priebe opened the meeting to the public comment on this ZBA proposal. No one came up to talk at the podium, so Chair Priebe closed that portion of the meeting. Chair Priebe then opened the meeting to the ZBA board members to discuss the variance request and ask questions that they had.

Member Russell asked David what the original use of these undeveloped right-of-way roads were created for. David let him know that all plated roads come originally from the state. It was intended to be an actual road right of way. The road would have gone all the way to the lake. Each of these roads would have cut through. If you look at the plat map of any of the lakes in this township you will see that many roads that have been plated but have not been developed yet. Over time the roads were not developed. Many of the plat maps date back over a 100 years ago. It was envisioned to be this area with a spider network of streets and parcels, which many of them never materialized. Member Ignatowski said that was a very good question.

The applicant and owner of this parcel was invited to come up to the podium to address the ZBA board. Grace Griese stated that she purchased the parcels from Ottawa Morley who had owned it since 1952. She said Ottawa had the original plat map from 1925. She said that they had purchased both properties from him.

Member Ignatowski said that when he went out to view the property, he parked and went to the neighbor's door who owned some dogs. The neighbor told Ignatowski that she had been served with court papers about the

vacation of the undeveloped road rights-of-way. She told Ignatowski that she was in favor of this variance. He had asked this neighbor if she had provided an email or was planning to come to tonight's meeting to show her support. She said no. Ignatowski said their names were Tim and Tracy Carpenter. He said he doesn't often knock on people's doors, but he had in this instance and wanted to share with the ZBA members. Ignatowski asked if they were still needing this variance if the courts allowed the vacation of the undeveloped roads running through and next to her parcels. She said yes, because they were planning on this land to be a multi-generational home for their family. She felt that cleaning up those road rights-of-ways seemed to be the thing to do. She said that Cornwell is not going to be vacated but resituated where it really exists today. Her neighbors are supportive of the vacation of the undeveloped roads because they are shown on pieces of their homes and driveways. Ignatowski asked where Cornwell existed. She said to the south of their parcel.

Member Rill mentioned that there should be a sign stating that this is a private road with no turnaround at the end of it. Rill said he did make it down the road, but he did not knock on anyone's doors. Grace, the applicant, came back up to the podium to address Rill. She said the neighbor's had a "no turnaround" sign there but they took it down once her family purchased the property. She said they plan to put that sign back in. Grace also mentioned that when you search for their area on Google it calls it Dun Lavy. She said many Amazon trucks come down the road thinking that they can get across the lake but unfortunately can't. She sat back down. Chair Priebe said that this was a unique property that they don't see often in the township. She said as far as a practical difficulty, this property has met their requirements of showing such difficulty.

Debi Samuels arrived late but wanted to present her support and concern for this variance request. Chair Priebe mentioned that they closed the public hearing portion of this ZBA variance hearing, but she would allow Debi to come up to the podium and address the member, which she did. Debi Samuels stated she lives at 4302 Cornwell Lane. Debi mentioned that Amazon drivers turn into her driveway, so she has divots into her yard due to this difficulty. Debi stated that she has lived here for 5 years now. This home used to belong to her aunt and uncle, so Debi has grown up in this home. She said that numerous vehicles have crashed into her elevated yard with a telephone pole or the neighboring retaining rock wall kitty corner to her. She said that winter ice makes gravel driveway a hazard to drive, so she is concerned about how close the Griesse's are allowed to place their home to it. Debi stated that she would miss seeing the woods that would be cleared for this new home, but she didn't want to keep anyone from their dreams. She went back to her seat.

Chair Priebe asked David which road was the variance request for. David said that the change was allowing the new home to be closer to an undeveloped road right-of-way, not an actual road. Member Ignatowski asked Debi some clarifying questions about where she lived. It appeared she lives right off Cornwell Lane but the variance request putting the home closer to West Lane which is undeveloped right now. Abby Cooper met Debi at the podium and showed her where the home variance proposal would be. Ignatowski stated he wanted to make sure where Debi's concerns existed.

Approval motion by Member Russell, seconded by Ignatowski, to approve variance application ZBA 25-0005 at 11519 West Lane, TID 4715-33-110-001 to construct a new single-family home with a front back setback distance of 12.5 feet from West Lane, instead of the required 25 feet, per Section 36-171 (D).

The variance meets variance standards one (1) through seven (7) of Section 36-137 of the Hamburg Township Zoning Ordinance, a practical difficulty exists on the subject site when the strict compliance of the Zoning Ordinance standards is applied, as discussed at the meeting this evening and as presented in the staff report.

Vote: Ayes: (4)

VOTE: MOTION CARRIED

APPROVAL OF THE MEETING MINUTES

Approval motion was made by Member Ignatowski, seconded by Member Russell, to approve Zoning Board of Appeals May 14, 2025, Meeting Minutes, as presented.

Voice Vote: Ayes: (4) Absent: (1)

VOTE: MOTION CARRIED

Chair Priebe asked David if he had anything else. He said there will not be a July 2025 Zoning Board of Appeals Meeting for July 2025 due to no variance requests.

ADJOURNMENT

Approval motion was made by Member Rill, seconded by Member Russell, to adjourn at 7:24pm.

Vote: Ayes: (4)

VOTE: MOTION CARRIED

Respectfully submitted,


Lisa Perschke

Planning/Zoning Coordinator & Recording Secretary

David Rohr

Planning & Zoning Director

The minutes were approved as presented/corrected: 7-9-25



Joyce Priebe, Chair