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## ZONING BOARD OF APPEALS MEETING

Wednesday, October 12 at 7:00 PM  
Hamburg Township Hall Board Room



### MINUTES

#### CALL TO ORDER

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

#### PLEDGE TO THE FLAG

#### ROLL CALL OF THE BOARD

##### Members PRESENT:

Joyce Priebe, Chair

William Rill

Craig Masserant

Deborah Mariani

##### ABSENT:

Jason Negri

#### CONSENT AGENDA

Motion to approve Zoning Board of Appeals Agenda for tonight.

Motion made by Member Masserant to approve tonight's agenda, seconded by Member Mariani.

Voice Vote: Ayes: (4)

Nays: (0)

Absent: (1)

VOTE: MOTION CARRIED UNANIMOUSLY

#### GENERAL CALL TO THE PUBLIC

A call was made with no response.

**CURRENT BUSINESS****1. Case ZBA 2022-0008**

Owner: David & Michelle Cowhy

Location: 4200 Shoreview Ln  
Whitmore Lake, MI 48189

Parcel ID: 15-33-110-103

Type: Water Front Residential (WFR)

Request: Variance application to permit the replacement of a non-conforming accessory structure and place on the other side of the parcel with a 10' from the road -front yard setback (Section 36-215; 2a). The accessory structure would have at least a 5' side yard setback (Section 36-215; 2a).

**CALL TO THE PUBLIC**

A call was made with no response.

**Motion to deny as presented.**

Motion made by Member Mariani to deny this variance request because it does not meet all 5 of the standards. This motion was seconded by Member Masserant.

Voice Vote: Ayes: (4)                      Nays: (0)                      Absent: (1)

**VOTE: MOTION CARRIED UNANIMOUSLY**

**2. ZBA 2022-0009**

Owner: Mario Gracia & Karen Bailey

Location: 11733 Old Hamburg Rd  
Hamburg, MI 48139

Parcel ID: 15-36-400-011

Type: Water Front Residential (WFR)

Request: Variance application to permit the installation of solar panels to be located approximately 40' from a wetland (SO-foot setback required, Section 36-186; 4).

**CALL TO THE PUBLIC**

A call was made with no response.

**Motion to approve as presented.**

Motion made by Member Rill, seconded by Member Masserant, that ZBA 22-0009 at 11733 Old Hamburg Rd to allow solar panels to be located 40-feet from a wetland, where a 50-foot setback required {Section 36-186; 4}.

The variance requests meet variance standards one {1} through Five (5) of Section 6.5 of the Hamburg Township Zoning Ordinance, and a practical difficulty exists on the subject site when strict compliance with the Zoning Ordinance standards is applied, as discussed at the meeting this evening, and as presented in the staff report. The Board directs Staff to prepare a memorialization of the ZBA's findings for the request.

Voice Vote: Ayes: {4}

Nays: {0}

Absent: {1}

**VOTE: MOTION CARRIED UNANIMOUSLY**

**3. ZBA 2022-0010**

Owner: Mathew Eames

Location: 6545 Field Ave  
Whitmore Lake, MI 48189

Parcel ID: 15-23-308-026

Type: Water Front Residential {WFR}

Request: Variance application to permit a pole barn 5' west side yard setback {10' side yard setback required according to Section 36-186; F) and a 5' setback from primary structure {Section 36-215; 4}.

**CALL TO THE PUBLIC**

A call was made with no response.

**Motion to table variance case ZBA 2022-0010 until next month.**

Motion made by Member Masserant to table variance case ZBA 2022-0010 until next month, to give applicant time to do follow-up and research with the Livingston County Building Dept. This motion was seconded by Member Mariani.

Voice Vote: Ayes: (4)

Nays: (0)

Absent: (1)

**VOTE: MOTION CARRIED UNANIMOUSLY**

#### **APPROVAL OF THE July 13, 2022, MEETING MINUTES**

Motion made by Member Masserant to approve the July 13, 2022, with the end time corrected. This motion was seconded by Member Rill.

Voice Vote: Ayes: (4)

Nays: (0)

Absent: (1)

**VOTE: MOTION CARRIED UNANIMOUSLY**

#### **APPROVAL OF THE September 14, 2022, MEETING MINUTES**

Motion made by Member Masserant to approve the September 14, 2022, as presented. This motion was seconded by Member Rill.

Voice Vote: Ayes: (4)

Nays: (0)

Absent: (1)

**VOTE: MOTION CARRIED UNANIMOUSLY**

#### **ADJOURNMENT**

Motion made by Member Rill, seconded by Member Mariani, to adjourn the meeting at 8:20pm.

Voice Vote: Ayes: (4) Members Priebe, Rill, Masserant, Mariani

**VOTE: MOTION CARRIED UNANIMOUSLY**

Respectfully submitted,

**Lisa Perschke**

*Planning/Zoning Coordinator & Recording Secretary*

**Chris Madigan**

*Zoning Administrator*

The minutes were approved as presented/corrected: \_\_\_\_\_ /\_t\_0"---'l\_..l\_:\_).\_\_ \_

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**J e. Chair**