Hamburg Township
a great place to grow

10405 Merrill Road
P.O. Box 157
Hamburg, MI 48139
(810) 231-1000
www.hamburg.mi.us

Supervisor Pat Hohl **Clerk** Mike Dolan **Treasurer** Jason Negri **Trustees** Bill Hahn, Patricia Hughes, Chuck Menzies, Cindy Michniewicz

ZONING BOARD OF APPEALS MEETING

Wednesday, June 10, 2026, at 6:00 PM
Hamburg Township Hall Board Room

MINUTES

Benedict Russell asked for a motion to be the vice chair in the absence of Brian Ignatowski. Trustee Hardesty made an approval motion, seconded by Member Galbraith.

Voice Vote: Ayes: (3) Absent: (2)

VOTE: MOTION CARRIED

CALL TO ORDER

Vice Chair, Russell called the meeting to order at 6:00 pm.

PLEDGE TO THE FLAG

ROLL CALL OF THE BOARD
Members PRESENT:
Kevin Galbraith, Alternative
Joanna Hardesty, Trustee
Ron Muir, PC Rep
Benedict Russell
William Rill

ABSENT:
Brian Ignatowski, Chair

CONSENT AGENDA

Approval motion made by Member Muir, seconded by Trustee Hardesty, to approve Zoning Board of Appeals Agenda for tonight, as presented.

Voice Vote: Ayes: (4) Absent: (2)

VOTE: MOTION CARRIED

GENERAL CALL TO THE PUBLIC

Vice Chair, Russell opened the general call to the public, but no one came up to speak so he closed the session.

APPROVAL OF THE MEETING MINUTES

Approval motion made by Trustee Hardesty, seconded by Member Muir, to approve May 13, 2026, Zoning Board of Appeals Meeting Minutes as presented.

Voice Vote: Ayes: (4) Absent: (2)

VOTE: MOTION CARRIED

CURRENT BUSINESS- VARIANCE REQUESTS

1. **ZBA 26-0003**

Owner:	Preston Mayes & Matthew Bila
Location:	8822 Pebble Creek Dr.
Parcel ID:	4715-18-202-044
Request:	Variance application to permit the construction of a new deck at the rear of the house.
Variance request:	Natural features setback, per section 36-293 (c) b.

Vice Chair, Russell asked the applicant's contractor, Joseph Rebh, to come to the podium to discuss the variance request. The home sits very close to the road due to the constraints of the wetland feature in the rear yard. The owners asked Joe to come and request a variance for him to build a small deck in the rear yard. He said since the deck is on the smaller size, he felt the deck would not impact the wetland very much. A wetland delineation was completed by Marx Wetlands LLC, and it was included with the variance application.

Vice Chair, Russell asked David Rohr to review his staff report. David assured the members that this deck would moderately impact on the existing wetlands behind the home. He recommends

the variance request as presented, since the deck will be 12 ft. X 16 ft.

Vice Chair, Russell opened the general call to the public for this variance request, but no one came up to speak so he closed the session. Member Rill arrived at the meeting. Trustee Hardesty asked the builder about a size discrepancy of the deck length. The site plan showed the deck extends out towards the wetland 15 ft and on the plan submitted to the ZBA, the deck extends only 12 ft. which includes the stairs. Joe came to the podium to ask if he could approach the ZBA table. He reviewed the two plans and clarified that the deck would extend 15 ft., not 12 ft. David clarified to Trustee Hardesty that this variance was requesting to build the deck 35.4 ft from the wetland, where 50 ft is required. Hardesty stated that having done the wetland delineation had helped this case. When she had gone out to the site, the rear yard was not very wet. Hardesty confirmed that this deck was very modest in size. She said she could support this request.

Vice Chair, Russell also stated that he supported the variance since the request involved only a deck, and not the building of the home. Member Muir stated that he thought that having a second deck elevated would help with the drainage in the rear yard.

Approval motion made by Trustee Hardesty, seconded by Member Rill, to approve variance application ZBA #26-0003 at 8822 Pebble Creek Dr., TID# 4715-18-202-044, as request. The variance requested a natural feature setback of 35.4 ft instead of the required 50 ft. The variance meets variance standards one (1) through seven (7) of Section 36-137 of the Hamburg Township Zoning Ordinance, and a practical difficulty exists on the subject property when the strict compliance with the zoning ordinance standards is applied, as discussed at the meeting tonight and as presented in the staff report.

Voice Vote: Ayes: (5) Absent: (1)

VOTE: MOTION CARRIED

2. **ZBA 26-0004**

Owner:	Tim & April Wood
Location:	9704 Kress Rd.
Parcel ID:	4715-21-405-016
Request:	Variance application to permit roof modification of existing nonconforming structure.
Variance request:	Front setback, per section 36-171 (G)

Vice Chair, Russell asked the applicant Timothy Wood to come to the podium to discuss the variance request. Tim said they weren't changing the footprint of the building. They are planning to put trusses on the existing roof since it currently is a flat roof. These existing trusses go inside the building. The structure has an old steel flat trusses on it and it looks very rigid. Their plan is to modernize the building, helping it to match the marina across the street. Tim said they would be adding blocks since the building pitches from the front to the rear. When they add the trusses, they will have to level out the building by adding a course of blocks on one side and the rear. We

need to get the inside of the building up to 10 ft.

Vice Chair, Russell opened the general call to the public for this variance request. Sheila Love, a neighbor who lives next door, came to the podium. She told the ZBA members to please approve whatever variance the new owners needed to get this building back in use again. She said they were tired of it being vacant. There was no one else who came up to speak so Vice Chair Russell closed the session.

Vice Chair, Russell asked David Rohr to review his staff report. David included some meeting minutes of a past ZBA approval for this building from December 2022. This property received several variances, including an exact variance for what is being proposed here tonight. That project was going to be apartments above the party store. It got all the way through the Planning Commission phase, but it never materialized. David thought the members would find the notes relevant since this is a similar variance to what was granted four years ago. The roof modification is to make the building more attractive and allow a golf simulator business to utilize this structure. The footprint essentially isn't changing. The building is nonconforming since it is 18.6 ft from the edge of the parcel, instead of the 25 ft required. David said that this is a modest modification that will enhance the aesthetics of the building and help move this project forward. Staff supports and recommends this variance proposal.

Vice Chair, Russell opened the meeting to the other ZBA members for discussion and questions. PC representative Muir asked if this proposal was going to go before the Planning Commission for any special use permits or landscaping plans? David said yes, due to the changing use and nature of it. It will be going to the PC for a formal review. It might be a preliminary final where we combine the two. Muir said that he thought the PC had agreed to a landscaping plan for the past project that was approved. David told Muir that the applicant was planning to use most of the original site plan for his project to save time and money. Trustee Hardesty asked if this variance was just for a roof adjustment modification and not for a height variance. David said that any expansion of a nonconformity, even vertically, triggers its review. This ZBA variance is due to the 25 ft setback requirement, and this building is being raised. Trustee Hardesty asked if the structure would meet the height restrictions for that zoning district. David said yes. Member Rill asked the applicant what he was proposing to do upstairs. Tim said there would be no upstairs. He said it will be a one-floor building. Vice Chair, Russell said he thought this proposal was a great idea. PC representative Muir said it would help him improve his golf game.

Approval motion made by Member Rill, seconded by Trustee Hardesty, to approve variance application ZBA#26-0004, at 9704 Kress Rd, TID# 4715-21-405-016 to permit a roof modification of existing nonconforming structure. Variance request has a front setback of 18.6 ft where 25 ft is required, per section 36-171 (G). The variance meets variance standards one (1) through seven (7) of Section 36-137 of the Hamburg Township Zoning Ordinance, and a practical difficulty exists on the subject property when the strict compliance with the zoning ordinance standards is applied, as discussed at the meeting tonight and as presented in the staff report.

Voice Vote: Ayes: (5) Absent: (1)

VOTE: MOTION CARRIED

3. **Zoning Administrator's Report**

David let the ZBA members know that we have three ZBA cases for July 8, 2026, ZBA meeting. Trustee Hardesty asked if a granted variance is only good for one year? She asked if they started working on that project with land use, are they compliant. She asked if the project wasn't completed within one-year time, could we extension the land use permit to allow them to finish the project. David said yes.

ADJOURNMENT

Approval motion made by Trustee Hardesty, seconded by Muir, to approve adjournment at 6:23 pm.

Voice Vote: Ayes: (5) Absent: (1)

VOTE: MOTION CARRIED

Respectfully submitted,

Lisa Perschke

Planning/Zoning Coordinator & Recording Secretary

David Rohr

Planning & Zoning Director

The minutes were approved as presented/corrected: _____

Benedict Russell 7/17/26

Benedict Russell, Vice Chair