



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

Supervisor Jason Negri Clerk Mike Dolan Treasurer Jennifer Daniels Trustees Chuck Menzies, Patricia Hughes, Nick Miller, Joanna Hardesty

ZONING BOARD OF APPEALS

Wednesday, July 08, 2026 at 6:00 PM
Hamburg Township Hall Board Room

AGENDA

CALL TO ORDER

PLEDGE TO THE FLAG

ROLL CALL OF THE BOARD

CORRESPONDENCE

APPROVAL OF THE AGENDA

CALL TO THE PUBLIC

VARIANCE REQUESTS

1. ZBA 26-0005

Owner: Philip & Denise Madis
Location: 11050 Algonquin Dr.
Parcel ID: 4715-31-102-036
Request: Variance application to permit the construction of a new house with covered deck
Variance request:
High-Water Mark Setback, per section 36-171(4)

2. ZBA 26-0006

Owner: Steve & Nancy Roma
Location: 9940 Bluewater Dr.
Parcel ID: 4715-21-302-007
Request: Variance application to permit the construction of a new attached garage.
Variance request:
Front setback, per section 36-171(D)
Lot Coverage, per section 36-171

3. ZBA 26-0007

Owner: Jason & Kristina Scarcelli
Location: 10024 Kress Rd.
Parcel ID: 4715-28-201-003
Request: Variance application to permit the construction of a new addition.
Variance request:
High-Water Mark Setback, per section 36-171(4)

NEW/OLD BUSINESS

4. Approval of the June 10, 2026 ZBA meeting minutes.

ADJOURNMENT

ZBA Case Number 26-0005
\$500.00

Redacted
version

HAMBURG TOWNSHIP
Date: 05/28/2026 10:31:23
Ref: ZBA2608-05
Receipt: 1044636
Amount: \$500.00

Item 1.



FAX 810-231-4295
PHONE 810-231-1000

P.O. Box 157
10405 Merrill Road
Hamburg, Michigan 48139

**APPLICATION FOR A ZONING BOARD OF APPEALS (ZBA)
VARIANCE/INTERPRETATION
(FEE \$500 plus \$50 each additional)**

1. Date Filed: _____
2. Tax ID #: 15-386-86-1652 Subdivision: MUMFORD PARK Lot No.: 37
3. Address of Subject Property: 11050 ALGONQUIN RD PINKNEY MI 48169
4. Property Owner: PHILIP & DENISE MADIS Phone: (H) 248-910-2028
Email Address: _____ (W) _____
Street: 11050 ALGONQUIN RD PINKNEY City PINKNEY State MI
5. Appellant (If different than owner): _____ Phone: (H) _____
E-mail Address: _____ (W) _____
Street: _____ City _____ State _____
6. Year Property was Acquired: 2014 Zoning District: _____ Flood Plain N/A
7. Size of Lot: Front 50' Rear 50' Side 1 204.26 Side 2 204.26 Sq. Ft. 10213
11. Dimensions of Existing Structure (s) 1st Floor _____ 2nd Floor _____ Garage _____
12. Dimensions of Proposed Structure (s) 1st Floor _____ 2nd Floor _____ Garage _____
13. Present Use of Property: _____
14. Percentage of Existing Structure (s) to be demolished, if any 100 %
15. Has there been any past variances on this property? Yes _____ No X
16. If so, state case # and resolution of variance application _____
17. Please indicate the type of variance or zoning ordinance interpretation requested:
SEE ATTACHED EXHIBIT A FOR ALL

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MAY 28 2026

18. Please explain how the project meets each of the following standards:

Hamburg Township
Planning and Zoning Department

- a) That there are exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to other properties in the same district or zone.

- b) That such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same zone and vicinity. The possibility of increased financial return shall not be deemed sufficient to warrant a variance.

- c) That the granting of such variance or modification will not be materially detrimental to the public welfare or materially injurious to the property or improvements in such zone or district in which the property is located.

- d) That the granting of such variance will not adversely affect the purpose or objectives of the master plan of the Township.

- e) That 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.

- f) Granting the variance shall not permit the establishment with a district of any use which is not permitted by right within the district.

- g) The requested variance is the minimum necessary to permit reasonable use of the land.

- I hereby certify that I am the owner of the subject property or have been authorized to act on behalf of the owner(s) and that all of the statements and attachments are true and correct to the best of my knowledge and belief.
- I acknowledge that approval of a variance only grants that which was presented to the ZBA.
- I acknowledge that I have reviewed the Hamburg Township Zoning Ordinance, the ZBA Application and the ZBA Checklist and have submitted all of the required information.
- I acknowledge that filing of this application grants access to the Township to conduct onsite investigation of the property in order to review this application.
- I understand that the house or property must be marked with the street address clearly visible from the roadway.
- I understand that there will be a public hearing on this item and that either the property owner or appellants shall be in attendance at that hearing.
- I understand that a Land Use Permit is required prior to construction if a variance is granted.

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Planning and Zoning

• I understand that any order of the ZBA permitting the erection alteration of a building will be void after one (1) year (12 months), unless a valid building permit is obtained and the project is started and proceeds to completion (See Sec. 6.8 of the Township Zoning Ordinance).

Owner's Signature

Date

5-26-2026

Appellant's Signature

Date

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MAY 28 2026

Exhibit A

17. Type of Variance Requested

Waterfront Setback Variance Requested (35 feet):

I am requesting a 35-foot waterfront setback variance because the waterfront ordinance is significantly restricting my available building envelope. With only 50 feet of waterfront frontage, far narrower than the average lot in the area, the site becomes extremely limited from a design perspective.

My family includes five children, and we hope this home will serve not only our immediate needs, but also as a family gathering place for reunions and a home that can be passed down for generations. The narrow frontage and strict waterfront ordinance make it difficult to design a functional family home without minimal relief.

The habitable portion of the home fully complies with all setback requirements. The only noncompliant element is the porch, which is an outdoor living space intended to enjoy the aesthetics of the lake and is not enclosed or considered habitable space.

To the east, the neighboring home's primary structure is only 28 feet from the water, and several homes to the east are 40 feet or less from the waterfront, which significantly reduces my water view and establishes a clear precedent for reduced waterfront setbacks. To the west, there is no residential neighbor, as the adjacent parcel is a public out lot that will never be developed for housing.

Given these constraints, the 35-foot variance for the porch is the minimum relief necessary to create a functional home for a large and growing family.

18. Variance Standards

18(a) Exceptional or Extraordinary Circumstances

The property is uniquely constrained by the waterfront setback ordinance and its unusually narrow 50-foot frontage. These conditions significantly limit the buildable area compared to typical lots.

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Additionally, the neighbor to the east is only 28 feet from the water, and all eastern neighbors are 40 feet or less from the waterfront, demonstrating that the surrounding homes do not face the same restrictive conditions.

The habitable portion of the home fully complies with all setback requirements. The only noncompliant element is the porch, which is an outdoor living space intended to enjoy the aesthetics of the lake and is not enclosed or considered habitable space. This further demonstrates that the hardship is driven by the ordinance constraints and not by the design of the home.

18(b) Preservation of Substantial Property Right

A variance is necessary to allow reasonable use of property comparable to neighboring homes. The eastern neighbor's 28-foot setback and the general 40-foot-or-less pattern along the shoreline demonstrate that homes in this area enjoy significantly more flexibility than what the ordinance allows on my narrow lot.

Because the habitable portion of the home is fully compliant, the hardship is limited solely to the porch—an outdoor, non-habitable living space intended for enjoyment of the lake's aesthetics. Without minimal relief for this feature, the property cannot reasonably support a home consistent with others in the area.

There is no residential neighbor to the west, as the adjacent parcel is a public out lot, so the variance has no impact on that side.

18(c) No Material Detriment

The variance will not harm public welfare or neighboring properties. The proposed porch remains farther from the water than several nearby homes, including the 28-foot setback of the eastern neighbor. The variance does not obstruct views, access, or light.

The property is located at the end of a cul-de-sac, and the proposed placement of the home and porch does not impede or interfere with the views of any neighboring homes.

With a public out lot to the west, there is no potential for adverse impact on that side.

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Hickory
Planning and Zoning

18(d) Consistency with Master Plan

The variance supports the Township's master plan by enabling reasonable residential use of an existing plotted lot. The home remains within all other required setbacks, and the porch is the only element requiring relief.

Because the variance applies only to a non-habitable, outdoor living feature, it does not increase density, living area, or alter land use patterns.

18(e) Not General or Recurrent

The hardship arises from the unusually narrow 50-foot lot and the waterfront setback requirement, which together significantly reduces the buildable area. The neighbor's 28-foot encroachment and the shoreline precedent of 40 feet or less further distinguish this property from typical lots. This is not a general or recurring condition in the district.

18(f) No Non-Permitted Use

The variance does not introduce any use not permitted in the zoning district. The property will continue to be used as a single-family residence.

18(g) Minimum Necessary Variance

The requested 35-foot variance is the minimum necessary to allow reasonable use of the property. The home has been designed entirely within the compliant building envelope, and the only encroachment is the porch, which is an outdoor living space intended to enjoy the aesthetics of the lake and is not enclosed or considered habitable space.

No additional variances are being sought.

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Hamburg Township
Planning and Zoning Department



Hamburg Township
Planning and Zoning Department

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May 22, 2026

Nancy and Bob Gray
11058 Algonquin Dr.
Pinckney, MI 48169

To Whom It May Concern,

We, Nancy and Bob Gray, are writing to share our wholehearted support for the new home being built next door by our nephew, Phil Madis, and his wife, Denise Madis. The previous house on the property, built in 1950's, had reached a point where it no longer reflected the charm or potential of our neighborhood. Their new home will be a welcome and meaningful improvement, bringing fresh beauty and value to the area.

Having recently completed a remodel of our own home, we understand how transformative thoughtful updates can be, not just for a single property, but for the entire neighborhood. Phil and Denise's new home will complement the improvements already taking place and contribute to a renewed sense of pride in our community.

We also want to express our full approval of the home's planned location on the site. As a family, we are especially excited to have Phil, Denise, and their extended family close by. We look forward to many years of shared time, celebrations, and everyday moments together.

Warm regards,

Nancy and Bob Gray

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MAY 28 2026

Hamburg Township
Planning and Zoning Dept.



Zoning Board of Appeals Staff Report



TO: Zoning Board of Appeals
(ZBA)

FROM: David Rohr

HEARING DATE: July 8, 2026

SUBJECT: ZBA 26-0005

PROJECT New home/roofed deck

SITE: 11050 Algonquin Dr.
TID 4715-31-102-036

OWNER: Philip & Denise Madis

APPLICANT: Philip & Denise Madis

PROJECT: Variance application to permit the construction of a new house with covered deck. Variance request:

- High-Water Mark Setback of **35 feet**, rather than 50 feet, per section 36-171(4)

ZONING: (WFR) Waterfront Residential

Project Description

Applicants' nonconforming parcel is long and narrow, limiting the building envelope and building design options. A variance is requested due to the practical difficulty inherent in the parcel. A variance application is submitted to permit the construction of a new house with covered deck. Variance request:

- High-Water Mark Setback of **35 feet**, rather than 50 feet, per section 36-171(4)

Standards of Review

In accordance with Section 36-137 of the Hamburg Township Zoning Ordinance, the ZBA's decision on this matter is to be based on findings of fact to support the standards provided below. The applicable discretionary standards are listed below in **bold typeface**, followed by Staff's analysis of the request as it relates to these standards. A variance may be granted only if the ZBA finds that all of the following standards are met:

- 1. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to other properties in the same district or zone.**

The parcel is non-conforming. The overall narrowness of the parcel limits the buildable area. The proposed structure will be entirely within the buildable area except for the covered porch.

- 2. That such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same zone and vicinity. The possibility of increased financial return shall not be deemed sufficient to warrant a variance.**

Granting this variance request is necessary for the preservation and enjoyment of a substantial property right.

- 3. That the granting of such variance or modification will not be materially detrimental to the public welfare or materially injurious to the property or improvements in such zone or district in which the property is located.**

The variance request is not likely to be materially detrimental to the public welfare or materially injurious to the property or improvements in the district. The proposed structure will still be further away from the water than most homes in the area.

- 4. That the granting of such variance will not adversely affect the purpose or objectives of the master plan of the Township.**

Granting this variance will not adversely affect the 2020 Master plan.

- 5. That 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.**

The condition or situation of the specific piece of property is not of a general and recurrent nature.

- 6. Granting the variance shall not permit the establishment with a district of any use which is not permitted by right within the district.**

Approval of the variance request would not permit the establishment of a use not permitted by right within the district.

- 7. The requested variance is the minimum necessary to permit reasonable use of the land.**

Staff finds that the proposed covered deck to be reasonable considering the limited buildable area and the proximity to the water of neighboring properties. Staff believe the proposed covered deck will have minimal impact on the surrounding properties.

“Practical difficulty” exists on the subject site when the strict compliance with the Zoning Ordinance standards would render conformity unnecessarily burdensome (such as exceptional narrowness, shallowness, shape of area, presence of floodplain or wetlands, exceptional topographic conditions).

Recommendation

Staff recommends the ZBA open the public hearing, take testimony, close the public hearing, evaluate the proposal for conformance with the applicable regulations, and deny or approve the application. In the motion to deny or approve the project, the ZBA should incorporate the ZBA’s discussion and analysis of the project and the findings in the staff report.

Approval Motion

Motion to approve variance application to permit the construction of a new house with covered deck. Variance request:

- High-Water Mark Setback of **35 feet**, rather than 50 feet, per section 36-171(4)

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 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.

Denial Motion

Motion to deny variance application to permit the construction of a new house with covered deck.
Variance request:

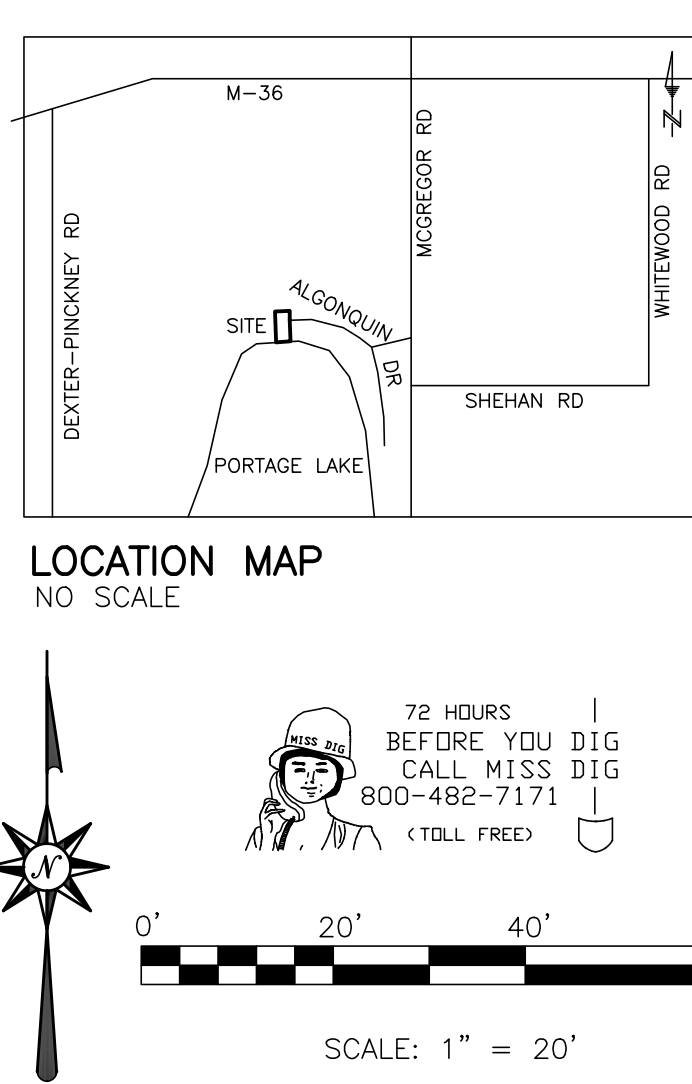
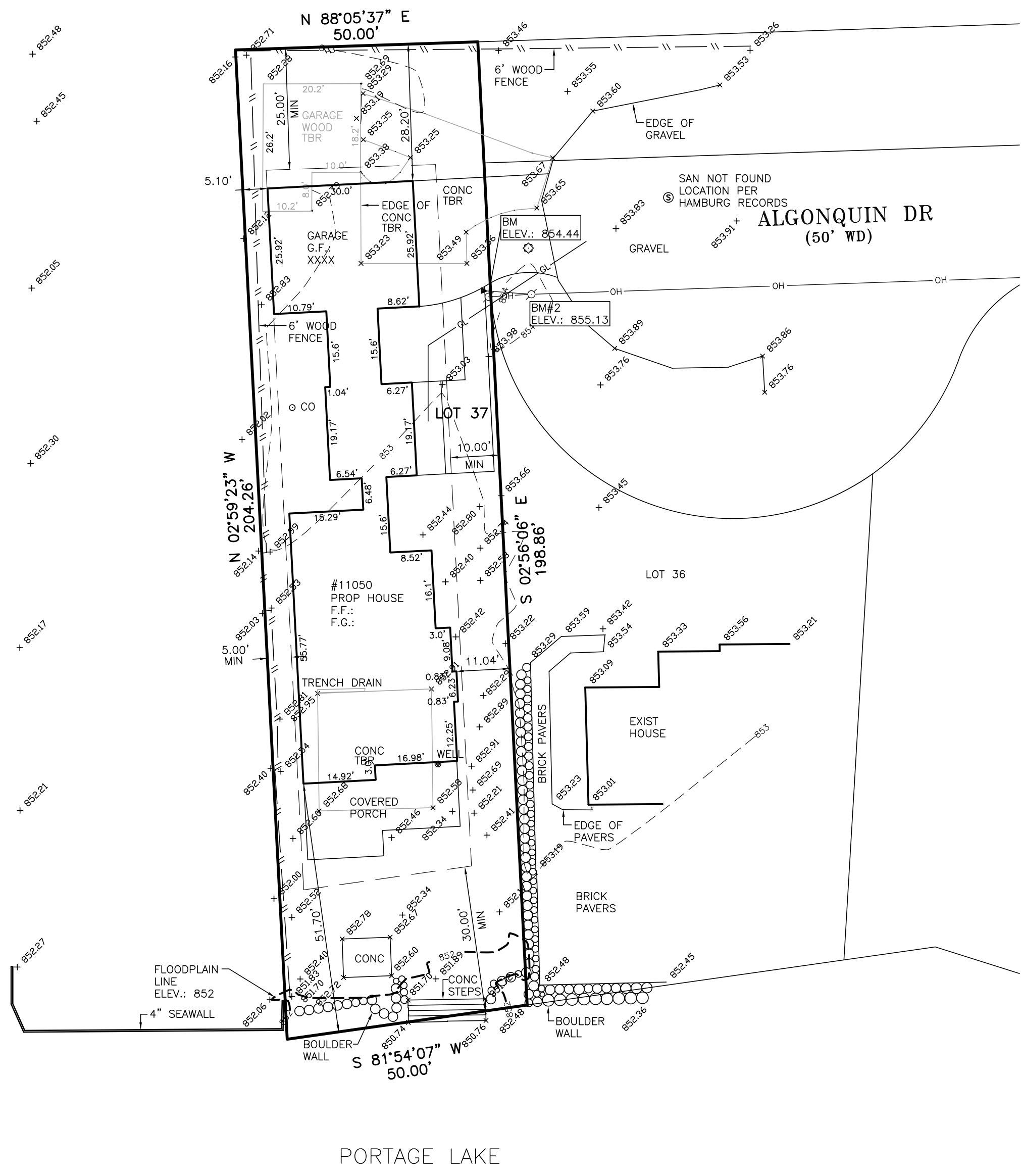
- High-Water Mark Setback of **35 feet**, rather than 50 feet, per section 36-171(4)

The variance does not meet variance standards of Section 36-137 of the Hamburg Township Zoning Ordinance, and no 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 this staff report.

Attachments:

Application

Project plans



LEGAL DESCRIPTION
LOT 37 OF "MUMFORD PARK NUMBER TWO" A SUBDIVISION OF PART OF THE NORTHWEST 1/4 OF SECTION 31, T. 1 N., R. 5 E., HAMBURG TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN AS RECORDED IN LIBER 6 OF PLATS, PAGE 5 LIVINGSTON COUNTY RECORDS.

BENCHMARKS
BM#1
SET NAIL IN SOUTH FACE OF UTILITY POLE
ELEV.: 854.41
BM#2
SET NAIL IN WEST FACE OF UTILITY POLE
ELEV.: 855.13

ZONING & SETBACKS
ZONED: WFR WATERFRONT RESIDENTIAL
SETBACK REQUIREMENTS:
FRONT: 25 FEET MINIMUM
REAR: 30 FEET MINIMUM
SIDES: 5 FEET MINIMUM 15 FEET TOTAL

FLOODPLAIN
SUBJECT PROPERTY LIES IN FLOOD ZONE X WHICH IS AN AREA DETERMINED TO BE OUTSIDE OF 0.2% ANNUAL CHANCE FLOODPLAIN, ALSO IN FLOOD ZONE AE WHICH IS AN AREA DETERMINED TO BE INSIDE OF 1.0% ANNUAL CHANCE FLOODPLAIN PER FEMA FLOOD MAP SERVICE CENTER FOR HAMBURG TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN.
MAP NUMBER: 26093C0433D
EFFECTIVE DATE: 09/17/2008

UTILITY NOTE
UNDERGROUND UTILITY LINES, PIPE SIZES, INVERTS AND STRUCTURES SHOWN ARE PER RECORDS MADE AVAILABLE BY UTILITY COMPANIES OR MUNICIPALITIES BASED ON A MISS DIG REQUEST, TICKET No. 2026032002134, AND BY FIELD OBSERVATION WHERE POSSIBLE. ALL MUNICIPALITIES, UTILITY COMPANIES AND/OR MISS DIG SHOULD BE NOTIFIED BY THE DESIGN PROFESSIONAL AND/OR CONTRACTOR FOR FIELD LOCATION AND VERIFICATION OF ALL UTILITY INFORMATION PROVIDED PRIOR TO DESIGN AND/OR CONSTRUCTION. PHOENIX SURVEYING, LLC AND/OR GLA SURVEYORS AND ENGINEERS (DBA) SHALL BE HELD HARMLESS FOR ANY AND ALL PHYSICAL OR MONETARY DAMAGES RESULTING IN THE USE OF THIS DRAWING WHETHER SHOWN ON THESE PLANS OR NOT.

MUNICIPALITY
HAMBURG TOWNSHIP
10405 MERRILL RD
P.O. BOX 157
HAMBURG, MI 48139
(810) 231-1000

LEGEND		
BENCHMARK	B.M.	UTILITY POLE
FINISHED FLOOR	F.F.	SOIL BORING
FINISHED GRADE	F.G.	SEPTIC TANK
EXISTING	EX.	WELL
FIELD MEASURE	F.M.	POLE OR POST
INVERT ELEVATION	I.E.	MAILBOX
GAS MAIN	—g—	GUYWIRE
SANITARY SEWER	—s—	FOUND CONC. MON. F.C.M.
OVERHEAD WIRES	—OH—	POINT OF BEGINNING P.O.B.
6" SANITARY LEAD	—SL—	TOP OF PIPE T/P
PROP. SUMP LEAD	—SUMP—	
FENCE	— —	
PROP. ELEVATION	(0.00)	
EX. SPOT ELEVATION	+ 0.00	

FILE NO.: 4453-037	DWG. NO.: 4453-037
DRAWN BY: BGW	SHEET No. 1 — 1
CHECKED BY: S.A.S.	
SCALE: 1" = 20'	

5/15/26

CLIENT:

PHIL MADIS
6743 BROOKSIDE LANE
PLYMOUTH, MI 48170

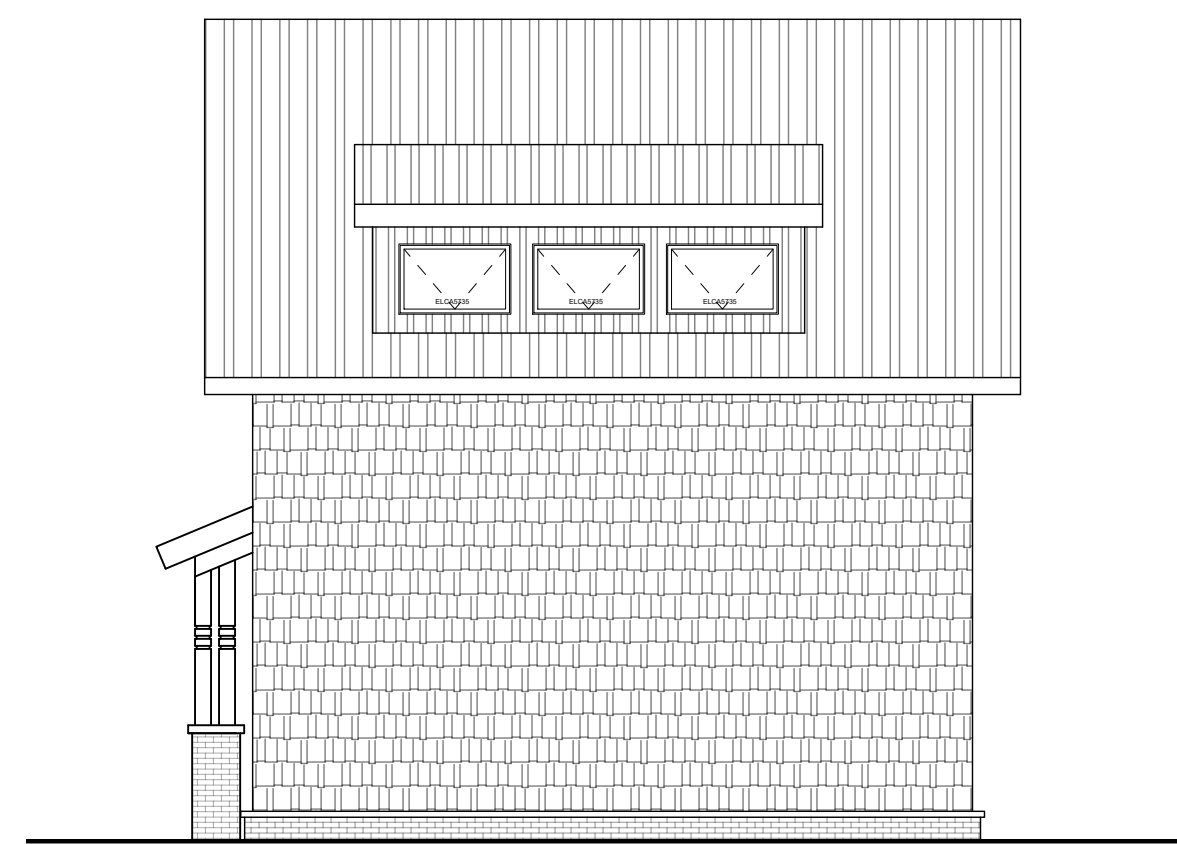
9450 SOUTH MAIN STREET
SUITE 103
PLYMOUTH, MI 48170
PHONE: (734) 416-9650
FAX: (734) 416-9657
www.glasurveyor.com

GLA SURVEYORS & ENGINEERS

SITE PLAN
PHIL MADIS
11050 ALGONQUIN DR
PART OF THE NORTHWEST 1/4 OF SEC 31, T. 1 N., R. 5 E.
HAMBURG TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN



1 STREETSIDE ELEVATION (EAST)
SCALE: 1/8" = 1'-0"



2 NORTH ELEVATION
SCALE: 1/8" = 1'-0"



3 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



4 WEST ELEVATION
SCALE: 1/8" = 1'-0"

2kings
design | construction



5205 Driftwood Lane
Morehead City, NC 28516
Phone (704) 507-4639

davidking@2kings.us

11050 Algonquin Road
Pinckney, MI 48169

Phil + Denise
Madis

6743 Brookside Lane
Plymouth, MI 48170

Phone: (248) 910-2028

DRAWN	DGK / ARK
ISSUE	
DATE	01/20/2026
REVISED	V4.2
SCALE	AS NOTED
JOB NO.	2502

SHEET

A2.0

Redacted

HAMBURG TOWNSHIP
Date: 06/03/2026 4:45:57 PM
Ref: ZBA2026-06
Receipt: 1344741
Amount: \$500.00

Item 2.

ZBA Case Number ZBA # 26-0006
\$500



FAX 810-231-4295
PHONE 810-231-1000

P.O. Box 157
10405 Merrill Road
Hamburg, Michigan 48139

**APPLICATION FOR A ZONING BOARD OF APPEALS (ZBA)
VARIANCE/INTERPRETATION
(FEE \$500 plus \$50 each additional)**

1. Date Filed: 6/3/2026
2. Tax ID #: 15- 4715-21-302-007 Subdivision: _____ Lot No.: 7
3. Address of Subject Property: 9940 BLUEWATER DR.
4. Property Owner: Steve Roma Phone: (H) _____
Email Address: _____ (W) _____
Street: 9940 BLUEWATER DR. City: Livonia State: MI
5. Appellant (If different than owner): _____ Phone: (H) _____
E-mail Address: _____ (W) _____
Street: _____ City: _____ State: _____
6. Year Property was Acquired: 2024 Zoning District: _____ Flood Plain: _____
7. Size of Lot: Front 47.5 Rear 48.33 Side 1 152 Side 2 153 Sq. Ft. 7307 ^{sq}
11. Dimensions of Existing Structure (s) 1st Floor 33x22 2nd Floor — Garage —
12. Dimensions of Proposed Structure (s) 1st Floor 35x31 2nd Floor 26x31 Garage 26x31
13. Present Use of Property: PERMANENT Residence
14. Percentage of Existing Structure (s) to be demolished, if any _____ % Garage - Detached
15. Has there been any past variances on this property? Yes _____ No X
16. If so, state case # and resolution of variance application _____
17. Please indicate the type of variance or zoning ordinance interpretation requested:

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18. Please explain how the project meets each of the following standards:

Hamburg Township
Planning and Zoning Department

- a) That there are exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to other properties in the same district or zone.

Small LOT SIZE

- b) That such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same zone and vicinity. The possibility of increased financial return shall not be deemed sufficient to warrant a variance.

This property will be our primary residence. We need storage space + have plans to keep our home inline with the look of the neighborhood

- c) That the granting of such variance or modification will not be materially detrimental to the public welfare or materially injurious to the property or improvements in such zone or district in which the property is located.

The difference between the roads edge + our garage is around 3 feet. It will not impede traffic on the street.

- d) That the granting of such variance will not adversely affect the purpose or objectives of the master plan of the Township.

The variance allows us to build a house that fits into the neighborhood while not changing the master plan of the Township

- e) That 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.

This is a one time request

- f) Granting the variance shall not permit the establishment with a district of any use which is not permitted by right within the district.

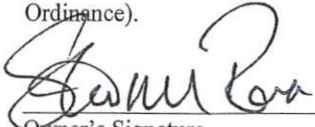
Expansion is for our own personal use

- g) The requested variance is the minimum necessary to permit reasonable use of the land.

The lot is so small that this is what needs to be done to allow use to live + enjoy our full time residency on the lake.

- I hereby certify that I am the owner of the subject property or have been authorized to act on behalf of the owner(s) and that all of the statements and attachments are true and correct to the best of my knowledge and belief.
- I hereby acknowledge that if my house is connected to the municipal sanitary sewer system, the Utilities Department will complete a review of my ZBA application request, to ensure it complies with all sewer related policies and all sewer easement right-of-way requirements. (For any questions, please contact the Hamburg Twp Utilities Department at 810-222-1193.
- I acknowledge that approval of a variance only grants that which was presented to the ZBA.
- I acknowledge that I have reviewed the Hamburg Township Zoning Ordinance, the ZBA Application and the ZBA Checklist and have submitted all of the required information.
- I acknowledge that filing of this application grants access to the Township to conduct onsite investigation of the property in order to review this application.
- I understand that the house or property must be marked with the street address clearly visible from the roadway.

- I understand that there will be a public hearing on this item and that either the property owner or appellants shall be in attendance at that hearing.
- I understand that a Land Use Permit is required prior to construction if a variance is granted.
- I understand that any order of the ZBA permitting the erection alteration of a building will be void after one (1) year (12 months), unless a valid building permit is obtained and the project is started and proceeds to completion (See Sec. 6.8 of the Township Zoning Ordinance).

 6/2/26
Owner's Signature Date

Appellant's Signature Date

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JUN 03 2026

Hamburg Township
Planning and Zoning Department

VARIANCE (ZBA) APPLICATION CHECKLIST:

Eight (8) sets of plans must be submitted. The sets are for the individual use of the Zoning Board members and for the Township's records. None will be returned to you. The Land Use Permit will not be released until three (3) final construction blueprints and three (3) copies of your site plan are submitted which have been prepared according to the variances granted and conditions imposed at the appeals meeting.

☒ **Zoning Board of Appeals Application Form**☐ **Site (plot) Plan with the following information:**

- ☐ Location and width of road(s) and jurisdiction (public or private road).
- ☒ Location and dimensions of existing/proposed construction.
- ☒ Dimensions, designation, and heights of existing structures on property clearly marked.
- ☒ Dimensions of property (lot lines).
- ☒ Location and dimensions of required setbacks.
- ☒ Measurement from each side of existing and proposed structure to the property lines.
- ☒ All easements.
- ☐ Any bodies of water (lake, stream, river, or canal) with water body name.
- ☐ Distance proposed structure and existing structures are from any body of water.
- ☐ Septic tank and leachate field, sewer (grinder pump), and water well. (Distance of proposed structure or improvements to site need to be shown on the site plan. Applicants need to show how far the sanitary sewer grinder pump station and the sewer service lateral which connect the grinder pump can to the sewer main at the street and the home are in relation to the project.) For any questions: contact the Hamburg Twp Utilities Dept at 810-222-1193 or email Brittany Campbell at bcampbell@hamburg.mi.us.
- ☐ All areas requiring variances clearly marked with dimensions and amount of variance requested.
- ☐ Any outstanding topographic features that should be considered (hills, drop-offs, trees, boulders, etc.)
- ☐ Any other information which you may feel is pertinent to your appeal.
- ☐ If the variance is to a setback requirement a licensed professional stamp shall be on the site plan.

☐ **Preliminary sketch plans:**

a) Elevation plans:

- ☐ Existing and proposed grade
- ☐ Finished floor elevations
- ☐ Plate height
- ☐ Building height
- ☐ Roof pitch

b) Floor plans:

- ☒ Dimension of exterior walls
- ☒ Label rooms
- ☒ Clearly identify work to be done
- ☒ Location of floor above and floor below

c) All other plans you may need to depict the variance you're requesting (surveys, grading plans, drainage plans, elevation certificates, topographical surveys, etc.)

☐ **Proof of Ownership:** Include one of the following:

- a) Warranty Deed – showing title transaction bearing Livingston County Register of Deeds stamps, OR
- b) Notarized letter of authorization from seller of property giving the purchaser authorization to sign a Land Use Permit.

VARIANCE PROCESS:

Once a project is submitted:

The Zoning Administrator will review your submittal to make sure you have submitted a complete set of project plans (1 week if complete).

The Hamburg Township Utilities Department will complete a review of the proposed plans to ensure there are no issues related to the proposed variance request, if the property is connected to the municipal sanitary sewer system. If any problems exist, the property owner will be contacted by the Utilities Department to ensure all issues are resolved prior to the scheduled hearing. The homeowner is required to follow up in a timely manner to ensure that such issues are resolved on time for the hearing.

Once the project has been deemed complete by the Zoning Administrator:

The project will be scheduled for a Zoning Board of Appeals (ZBA) hearing. ZBA hearings are held the second Wednesday of each month. Your project will need to be deemed complete by the Zoning Administrator a minimum of three (3) weeks prior to a hearing in order to be scheduled for that hearing.

Once the project has been scheduled for a ZBA hearing:

All property owners within a three hundred (300) foot radius of the subject property shall be notified if the date and time of the public hearing on your variance request and the basic nature of your proposed project and variances being requested, and the owner's name and address of the subject property. Notices will be sent on or before fifteen (15) days prior to the date of the hearing.

A public hearing notice stating all appeals for a given date will be published in the Tuesday edition of the Livingston County Daily Press & Argus fifteen (15) days prior to the date of the hearing.

At the ZBA meeting/hearing:

- You and/or your representative (lawyer, builder, contractor, relative, friend, etc.) must attend.
- Variance requests/appeals are taken in order of submission.
- Unless your variance request/appeal is tabled due to lack of information, insufficiency of drawings, etc., you will know the disposition of the appeal at the meeting before you leave.
- *No Land Use Permits will be available for pick up on the night of the meeting, so please do not ask the Zoning Administrator for them that night. You may bring the requirements for the Land Use Permit to the Township Zoning Department on the next business day.*
- In the event that the Zoning Board of Appeals **does not grant** your variance request there will be **no refund** of the filing fee, as it pays for administration costs, the member's reviewing and meeting time, and noticing costs in the newspaper and for postage.
- Rehearing requests may be charged \$200.00 for postage and newspaper costs in addition to the original \$500.00 charge, at the discretion of the Zoning Board of Appeals.

Once the project has been approved:

You will need to submit a completed Land Use Permit, three (3) sets of your final construction plans and three (3) copies of your site plan from which your project will actually be constructed, before your Land Use Permit will be released. If the Board has made special conditions, they must be met before your Land Use Permit will be released.

If the project is denied:

Section 6.8 (C) of the Hamburg Township Zoning Ordinance states that a one (1) year period must elapse before a rehearing of the appeal "except on grounds of newly-discovered evidence or proof of changed conditions found upon inspection of the Zoning Board of Appeals to be valid."

Section 6.8 (E) of the Zoning Ordinance governs appeals to Circuit Court. If you desire to appeal the decision of the Zoning Board of Appeals, you need to contact your attorney for filing appeals to Circuit Court.

RECEIVED

JUN 03 2026

Hamburg, Mo

Planning and Zoning

VARIANCE STANDARDS:

Variance: (*definition*) A modification of the literal provisions of the zoning ordinance granted when strict enforcement would cause undue hardship due to circumstances unique to the individual property for which the variance is granted.

Section 6.5 (C) & (D) of the Township Zoning Ordinance:

- A. Where, owing to special conditions, a literal enforcement of the provisions of this Zoning Ordinance would involve practical difficulties, the Zoning Board of Appeals shall have power upon appeal in specific cases to authorize such variation or modification of the provisions of this Zoning Ordinance with such conditions and safeguards as it may determine, as may be in harmony with the spirit of this Zoning Ordinance and so that public safety and welfare be secured and substantial justice done. No such variance or modification of the provisions of this Zoning Ordinance shall be granted unless it appears that, at a minimum, the applicant has proven a practical difficulty and that all the following facts and conditions exist:
1. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to other properties in the same district or zone.
 2. That such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same zone and vicinity. The possibility of increased financial return shall not be deemed sufficient to warrant a variance.
 3. That the granting of such variance or modification will not be materially detrimental to the public welfare or materially injurious to the property or improvements in such zone or district in which the property is located.
 4. That the granting of such variance will not adversely affect the purpose or objectives of the master plan of the Township.
 5. That 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.
 6. Granting the variance shall not permit the establishment with a district of any use which is not permitted by right within the district.
 7. The requested variance is the minimum necessary to permit reasonable use of the land.
- B. For the purpose of the above, a "practical difficulty" exists on the subject land when the strict compliance with the Zoning Ordinance standards would render conformity unnecessarily burdensome (such as exceptional narrowness, shallowness, shape of area, presence of floodplain or wetlands, exceptional topographic conditions), and the applicant has proven all of the standards set forth in Section 6.5 (C) (1) through (7). Demonstration of practical difficulty shall focus on the subject property or use of the subject property, and not on the applicant personally.
- C. In consideration of all appeals and all proposed variations to this Zoning Ordinance, the Zoning Board of Appeals shall, before making any variations from this Zoning Ordinance in a specific case, determine that the standards set forth above have been met, and that the proposed variation will not impair an adequate supply of light and air to adjacent property, or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, or welfare of the inhabitants of the Township.



LOT 6

LOT 7

LOT 8
EXISTING
BRICK PAVERS
435' ¹⁵³

Existing House
960'

Proposed Addition
1085'

Proposed Walkway
150'

NOTE: A BOUNDARY SURVEY IS NEEDED TO DETERMINE EXACT SIZE AND/OR LOCATION OF PROPERTY LINES.

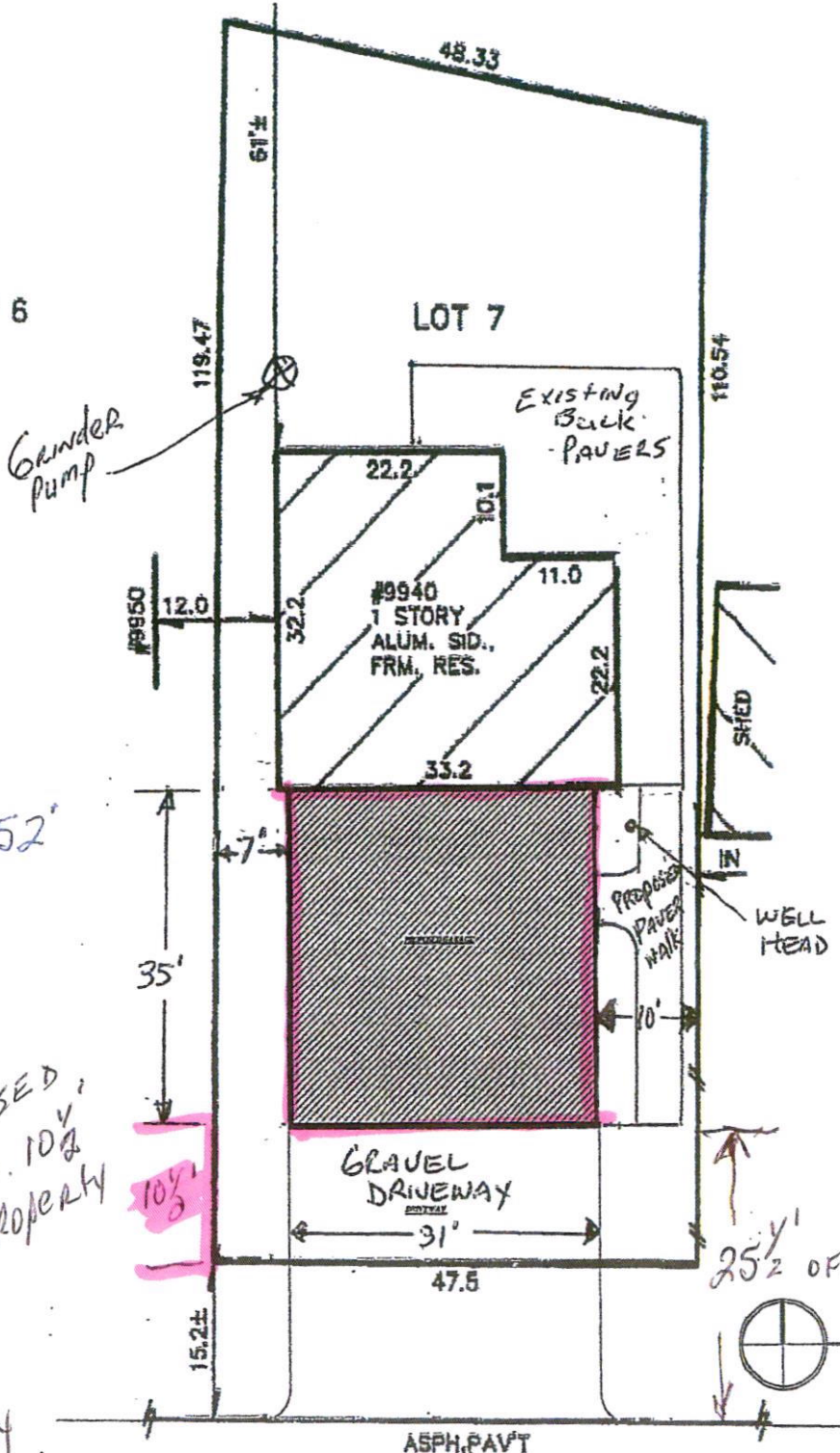
TOTAL HARD SURFACES
2630'

25' OFF ROAD

Lot is 1.13 acre =

5662.80

46% lot coverage



PROPOSED
BUD. 10' OFF PROPERTY

Existing
13.5' OFF PROPERTY

BLUE WATER DRIVE 50' WD.

SITE PLAN

S100

ROMA
DESIGN BUILD

PLANS FOR

Roma Residence

RECEIVED

JUN 03 2026

ROMA DESIGN BUILD, LLC

665.999.6752



Zoning Board of Appeals Staff Report



TO: Zoning Board of Appeals
(ZBA)

FROM: David Rohr

HEARING DATE: July 8, 2026

SUBJECT: ZBA 26-0006

PROJECT New garage

SITE: 9940 Bluewater Dr.
TID 4715-21-302-007

OWNER: Steve & Nancy Roma

APPLICANT: Steve & Nancy Roma

PROJECT: Variance application to permit the construction of a new attached garage.
Variance request:

- Front setback of 10.6 feet rather than the required 25 feet, per section 36-171(D)
- Lot Coverage of 46% rather than 40% required, per section 36-171.

ZONING: (WFR) Waterfront Residential

Project Description

Variance application to permit the construction of a new attached garage. Variance request:

- Front setback of 10.6 feet rather than the required 25 feet, per section 36-171(D)
- Lot Coverage of 46% rather than 40% required, per section 36-171.

Standards of Review

In accordance with Section 36-137 of the Hamburg Township Zoning Ordinance, the ZBA's decision on this matter is to be based on findings of fact to support the standards provided below. The applicable discretionary standards are listed below in **bold typeface**, followed by Staff's analysis of the request as it relates to these standards. A variance may be granted only if the ZBA finds that all of the following standards are met:

- 1. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to other properties in the same district or zone.**

The existing residential structure is nonconforming. This property is very small with limited buildable area. Staff supports the request for variance.

- 2. That such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same zone and vicinity. The possibility of increased financial return shall not be deemed sufficient to warrant a variance.**

Granting this variance request is necessary for the preservation and enjoyment of a substantial property right.

- 3. That the granting of such variance or modification will not be materially detrimental to the public welfare or materially injurious to the property or improvements in such zone or district in which the property is located.**

The variance request is not likely to be materially detrimental to the public welfare or materially injurious to the property or improvements in the district.

4. That the granting of such variance will not adversely affect the purpose or objectives of the master plan of the Township.

Granting this variance will not adversely affect the 2020 Master plan.

5. That 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.

The condition or situation of the specific piece of property is not of a general and recurrent nature.

6. Granting the variance shall not permit the establishment with a district of any use which is not permitted by right within the district.

The site is zoned for Waterfront Residential. Approval of the variance request would not permit the establishment of a use not permitted by right within the district.

7. The requested variance is the minimum necessary to permit reasonable use of the land.

Staff finds that the proposed garage will have minimal impact on the surrounding properties. Staff believes the proposed garage is reasonable and will have minimal impact on the surrounding residents.

“Practical difficulty” exists on the subject site when the strict compliance with the Zoning Ordinance standards would render conformity unnecessarily burdensome (such as exceptional narrowness, shallowness, shape of area, presence of floodplain or wetlands, exceptional topographic conditions).

Recommendation

Staff recommends the ZBA open the public hearing, take testimony, close the public hearing, evaluate the proposal for conformance with the applicable regulations, and deny or approve the application. In the motion to deny or approve the project, the ZBA should incorporate the ZBA’s discussion and analysis of the project and the findings in the staff report.

Approval Motion

Motion to approve Variance application to permit the construction of a new attached garage. Variance request:

- Front setback of 10.6 feet rather than the required 25 feet, per section 36-171(D)
- Lot Coverage of 46% rather than 40% required, per section 36-171.

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 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.

Denial Motion

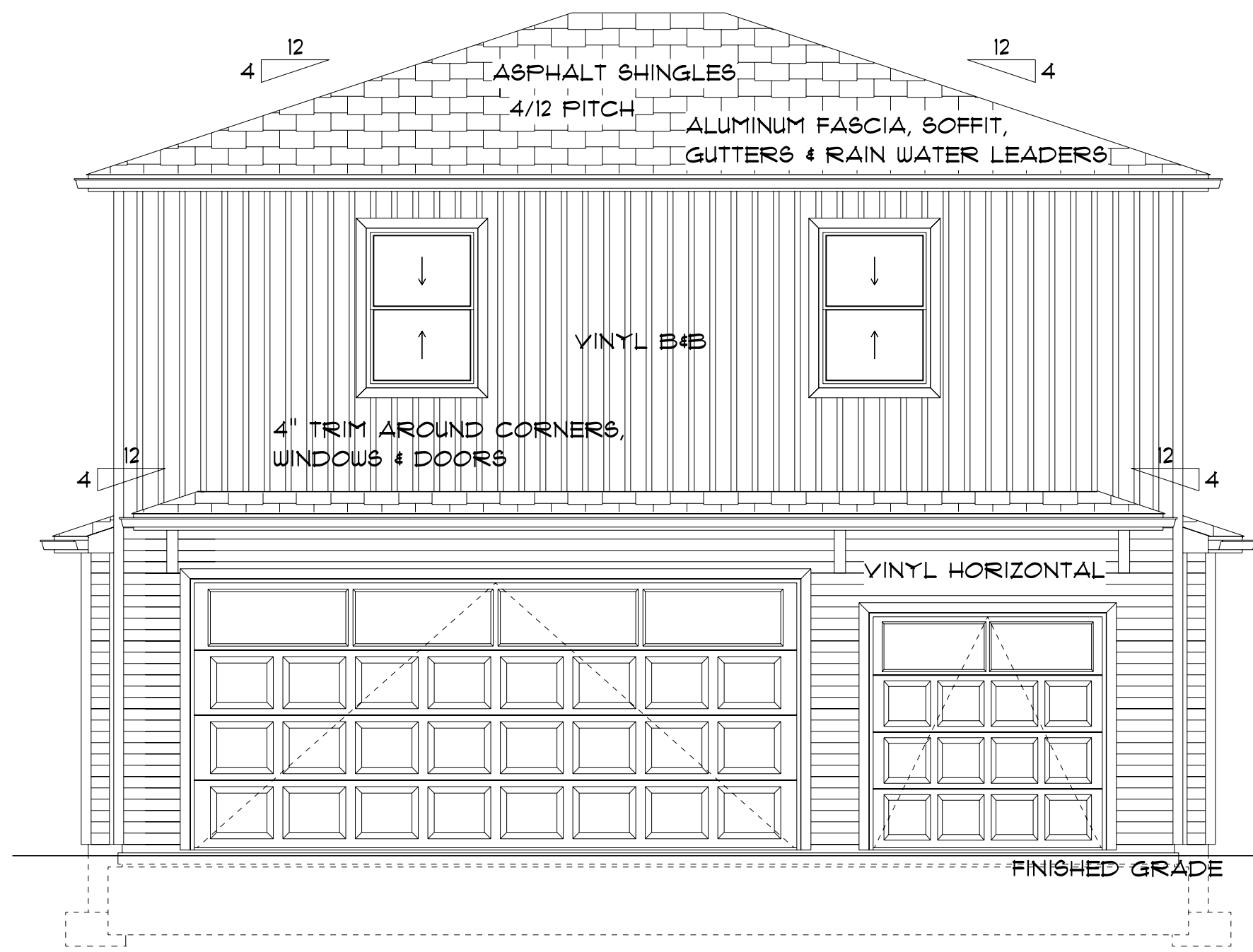
Motion to deny Variance application to permit the construction of a new attached garage.
Variance request:

- Front setback of 10.6 feet rather than the required 25 feet, per section 36-171(D)
- Lot Coverage of 46% rather than 40% required, per section 36-171.

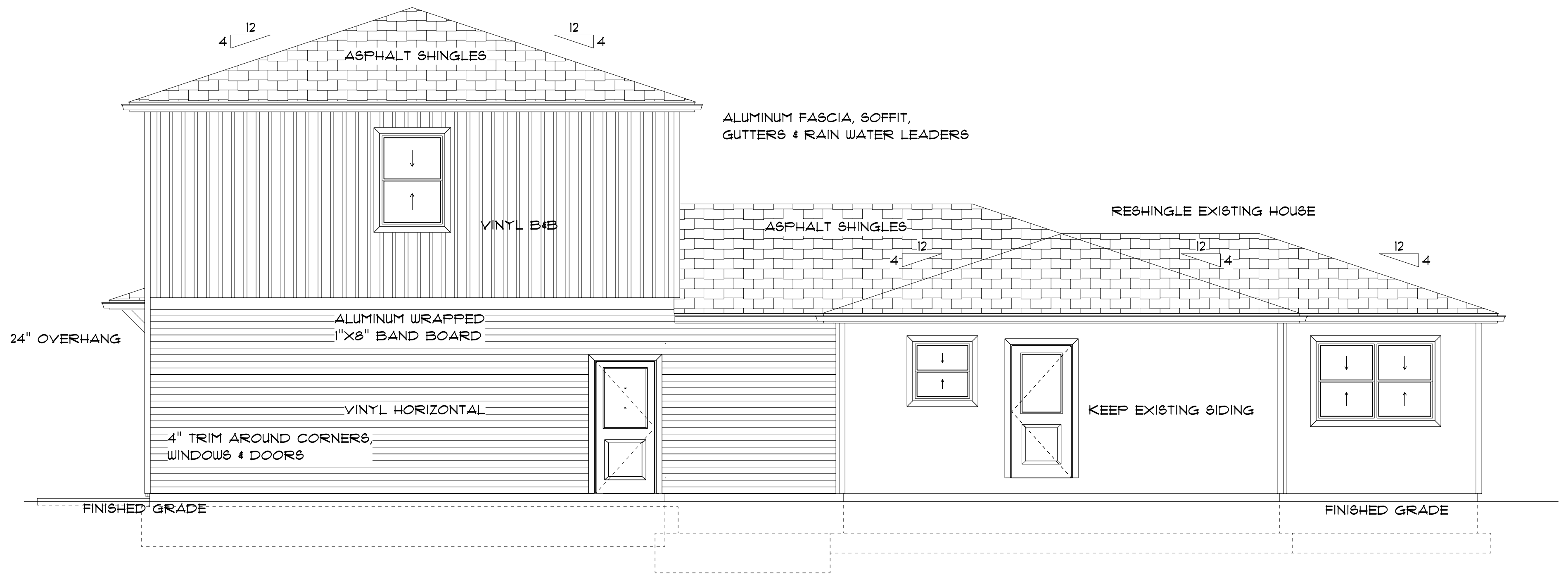
The variance does not meet variance standards of Section 36-137 of the Hamburg Township Zoning Ordinance, and no practical difficulty exists on the subject site when strict compliance with the Zoning Ordinance standards is applied, as discussed at the meeting this evening, and as presented in this staff report.

Attachments:

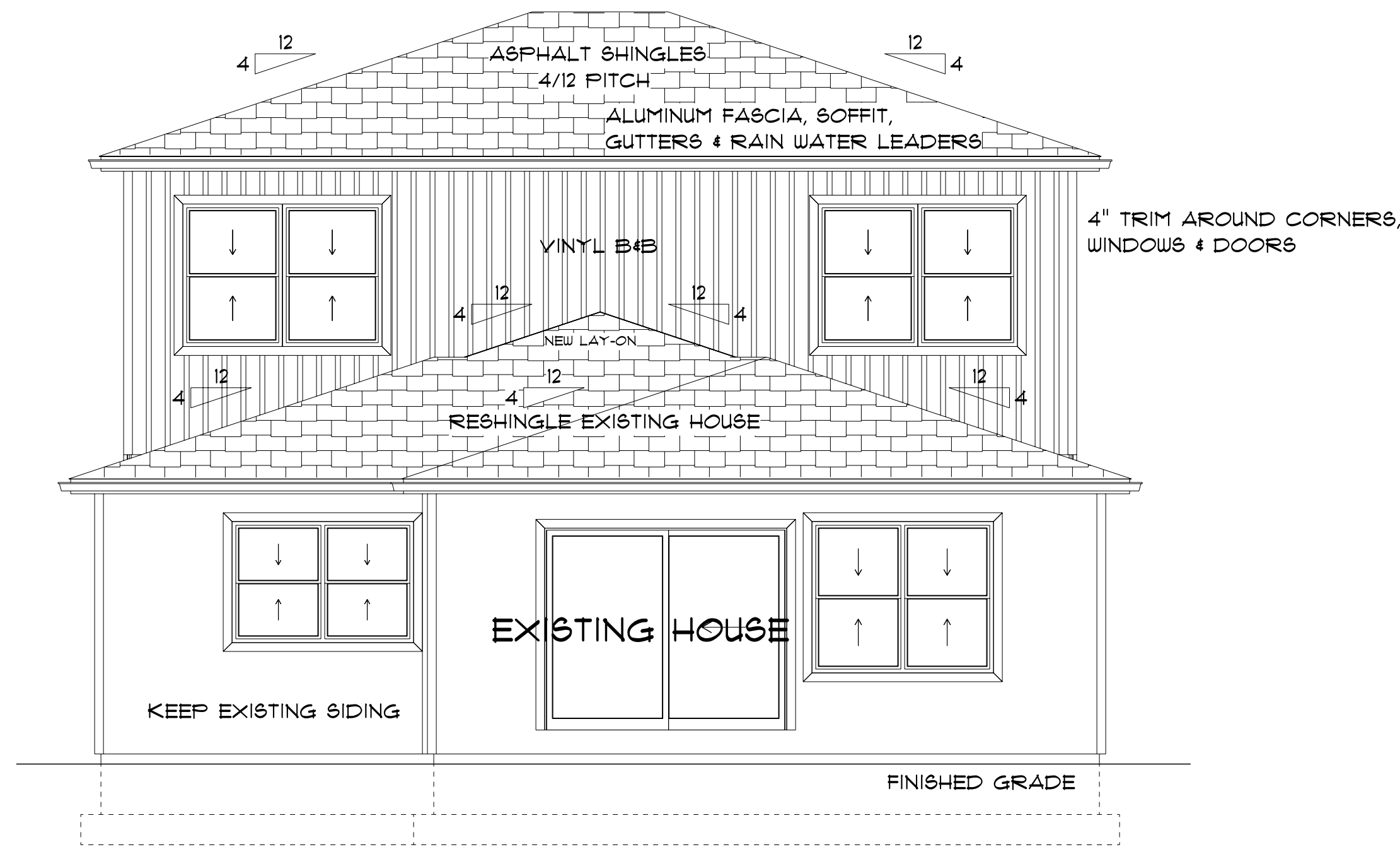
Application
Project plans



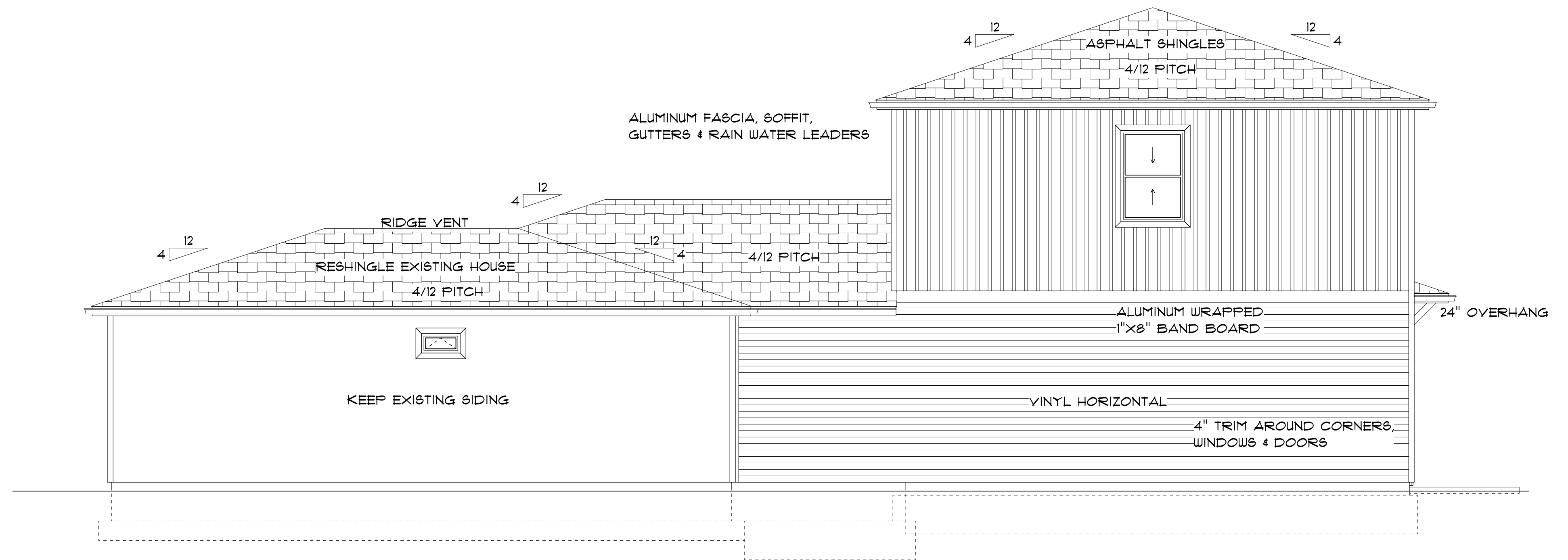
EAST ELEVATION
SCALE: 1/4" = 1'-0"



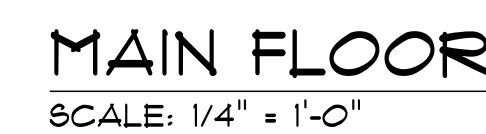
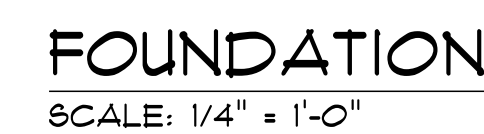
NORTH ELEVATION
SCALE: 1/4" = 1'-0"



WEST ELEVATION
SCALE: 1/4" = 1'-0"



SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



ZBA Case Number 26-0007
\$500



FAX 810-231-4295
PHONE 810-231-1000

P.O. Box 157
10405 Merrill Road
Hamburg, Michigan 48139

**APPLICATION FOR A ZONING BOARD OF APPEALS (ZBA)
VARIANCE/INTERPRETATION
(FEE \$500 plus \$50 each additional)**

1. Date Filed: JUNE 9, 2026
2. Tax ID #: 15-28-24-003 Subdivision: CAMPBELL Lot No.: 3-4
3. Address of Subject Property: 10024 KRESS RD
4. Property Owner: JASON & KRISTINA SCARCELLI Phone: (H) _____
Email Address: _____ (W) _____
Street: 10024 KRESS RD City: LAKELAND State: MI
5. Appellant (If different than owner): _____ Phone: (H) _____
E-mail Address: _____ (W) _____
Street: _____ City: _____ State: _____
6. Year Property was Acquired: 2025 Zoning District: WFR Flood Plain: AE
7. Size of Lot: Front _____ Rear _____ Side 1 _____ Side 2 _____ Sq. Ft. _____
11. Dimensions of Existing Structure (s) 1st Floor 56.5 x 24.6 2nd Floor _____ Garage INCLUDES GARAGE
12. Dimensions of Proposed Structure (s) 1st Floor 10 x 19 2nd Floor _____ Garage _____
13. Present Use of Property: OUR PRIMARY RESIDENCE
14. Percentage of Existing Structure (s) to be demolished, if any 15 %
15. Has there been any past variances on this property? Yes _____ No ☒ NOT TO OUR KNOWLEDGE
16. If so, state case # and resolution of variance application _____
17. Please indicate the type of variance or zoning ordinance interpretation requested:
BUILD A 10 by 19 ADDITION TO OUR LIVING ROOM
TRAIL WALK OR RUN 41 FEET FROM THE WATER (CANAL)
18. Please explain how the project meets each of the following standards:

- a) That there are exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to other properties in the same district or zone.

NO. IN FACT, BOTH OF OUR NEIGHBORS' HOMES ARE
CLOSED TO THE WATER FRONT WHERE WE WANTED TO LIVE.

- b) That such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same zone and vicinity. The possibility of increased financial return shall not be deemed sufficient to warrant a variance.

WE DO NOT WANT TO LIVE THERE. WE NEEDED TO DOWNSIZE
AFTER HEALTH ISSUES, SO WE BOUGHT THIS HOUSE. WE QUICKLY LEARNED THAT
IT WAS NOT THE HOUSE WE NEEDED.

- c) That the granting of such variance or modification will not be materially detrimental to the public welfare or materially injurious to the property or improvements in such zone or district in which the property is located.

NO. IF WE ARE GRANTED THIS VARIANCE, OUR HOME
WILL BE NO CLOSER TO THE WATER'S EDGE THAN SOMEONE ELSE'S HOME.

- d) That the granting of such variance will not adversely affect the purpose or objectives of the master plan of the Township.

GIVEN THAT OTHER HOMES ARE ALSO CLOSE TO THE
WATER FRONT WE WOULD BE, I ASSUME, THIS VARIANCE WILL NOT ADVERSELY
AFFECT THE MASTER PLAN OF THE TWP.

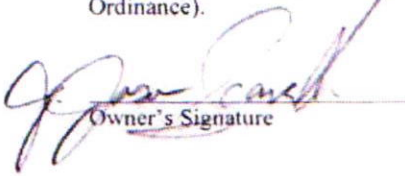
- e) That the condition or situation of the specific piece of property, or the intended use of said property, for which the variance is sought, is not of so general or recurrent a nature.

- f) Granting the variance shall not permit the establishment with a district of any use which is not permitted by right within the district.

- g) The requested variance is the minimum necessary to permit reasonable use of the land.

- I hereby certify that I am the owner of the subject property or have been authorized to act on behalf of the owner(s) and that all of the statements and attachments are true and correct to the best of my knowledge and belief.
- I hereby acknowledge that if my house is connected to the municipal sanitary sewer system, the Utilities Department will complete a review of my ZBA application request, to ensure it complies with all sewer related policies and all sewer easement right-of-way requirements. (For any questions, please contact the Hamburg Twp Utilities Department at 810-222-1193.)
- I acknowledge that approval of a variance only grants that which was presented to the ZBA.
- I acknowledge that I have reviewed the Hamburg Township Zoning Ordinance, the ZBA Application and the ZBA Checklist and have submitted all of the required information.
- I acknowledge that filing of this application grants access to the Township to conduct onsite investigation of the property in order to review this application.
- I understand that the house or property must be marked with the street address clearly visible from the roadway.

- I understand that there will be a public hearing on this item and that either the property owner or appellants shall be in attendance at that hearing.
- I understand that a Land Use Permit is required prior to construction if a variance is granted.
- I understand that any order of the ZBA permitting the erection alteration of a building will be void after one (1) year (12 months), unless a valid building permit is obtained and the project is started and proceeds to completion (See Sec. 6.8 of the Township Zoning Ordinance).

 6-9-2026
Owner's Signature Date

Appellant's Signature Date

VARIANCE (ZBA) APPLICATION CHECKLIST:

Eight (8) sets of plans must be submitted. The sets are for the individual use of the Zoning Board members and for the Township's records. None will be returned to you. The Land Use Permit will not be released until three (3) final construction blueprints and three (3) copies of your site plan are submitted which have been prepared according to the variances granted and conditions imposed at the appeals meeting.

☐ **Zoning Board of Appeals Application Form**

☐ **Site (plot) Plan with the following information:**

- ☐ Location and width of road(s) and jurisdiction (public or private road).
- ☐ Location and dimensions of existing/proposed construction.
- ☐ Dimensions, designation, and heights of existing structures on property clearly marked.
- ☐ Dimensions of property (lot lines).
- ☐ Location and dimensions of required setbacks.
- ☐ Measurement from each side of existing and proposed structure to the property lines.
- ☐ All easements.
- ☐ Any bodies of water (lake, stream, river, or canal) with water body name.
- ☐ Distance proposed structure and existing structures are from any body of water.
- ☐ Septic tank and leachate field, sewer (grinder pump), and water well. (Distance of proposed structure or improvements to site need to be shown on the site plan. Applicants need to show how far the sanitary sewer grinder pump station and the sewer service lateral which connect the grinder pump can to the sewer main at the street and the home are in relation to the project.) For any questions: contact the Hamburg Twp Utilities Dept at 810-222-1193 or email Brittany Campbell at bcampbell@hamburg.mi.us.
- ☐ All areas requiring variances clearly marked with dimensions and amount of variance requested.
- ☐ Any outstanding topographic features that should be considered (hills, drop-offs, trees, boulders, etc.)
- ☐ Any other information which you may feel is pertinent to your appeal.
- ☐ If the variance is to a setback requirement a licensed professional stamp shall be on the site plan.

☐ **Preliminary sketch plans:**

a) Elevation plans:

- ☐ Existing and proposed grade
- ☐ Finished floor elevations
- ☐ Plate height
- ☐ Building height
- ☐ Roof pitch

b) Floor plans:

- ☐ Dimension of exterior walls
- ☐ Label rooms
- ☐ Clearly identify work to be done
- ☐ Location of floor above and floor below

c) All other plans you may need to depict the variance you're requesting (surveys, grading plans, drainage plans, elevation certificates, topographical surveys, etc.)

☐ **Proof of Ownership:** Include one of the following:

- a) Warranty Deed – showing title transaction bearing Livingston County Register of Deeds stamps. OR
- b) Notarized letter of authorization from seller of property giving the purchaser authorization to sign a Land Use Permit.

VARIANCE PROCESS:

Once a project is submitted:

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 3. That the granting of such variance or modification will not be materially detrimental to the public welfare or materially injurious to the property or improvements in such zone or district in which the property is located.
 4. That the granting of such variance will not adversely affect the purpose or objectives of the master plan of the Township.
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Jason and Kristina Scarcelli

P.O. Box 767
Lakeland, MI 48143-0767
Phone: 734-680-4001
Email: kristina@kristinascarcelli.com

June 10, 2026

HAMBURG TOWNSHIP ZONING BOARD OF APPEALS
10405 Merrill Road
P.O. Box 157
Hamburg, MI 48139

**Re: Variance Request for Jason and Kristina Scarcelli Residence
10024 Kress Road, Lakeland, MI 48143**

Dear Board Members:

Thank you for considering our request for a variance to the Hamburg Township wetlands 50-foot setback requirement. We hope to construct a 10-foot bump out of our family room to encompass our existing patio, which is currently located 40 feet from the water's edge. (In essence, we're simply wanting to convert our patio to year-round, indoor living space.)

In 2018, after many years of hard work and sacrifice, we were able to purchase our dream home – a spacious home in the Moon Shadows subdivision in Hamburg Township. In late 2022, completely without warning, I suffered a stroke and was forced into an early medical retirement. Within another year, my husband Jason suffered a heart attack, which made it impossible for him to continue operating his small business at the same level as he'd done in the past. In the wake of this, we decided to downsize our home in order to be mortgage-free.

In June of 2025, we put our Moon Shadows home up for sale. When it sold on its first day on the market, we found ourselves scrambling to find a suitable retirement home quickly. We did not want to leave Hamburg Township, so our options were limited. We found an adorable log-sided cottage on the Bass Lake canal (only two miles away) for which we paid cash. The cottage had been completely renovated only three years before, so it was turnkey with no projects to distract us from starting our new lives as retirees, focusing on our health. The cottage was, however, very small at only 847 square feet; considerably more downsizing than we had planned for. But we loved the area, we loved the lake, and we loved the property. And because of the pressure we were under, we decided, perhaps hastily, to try and make a go of it.

About one-third of our belongings, a lifetime of memories, were left behind in our Moon Shadows home to be liquidated in an estate sale. Another third of our things went into a storage unit on the outskirts of town. And another third, we packed up in the hopes that we could squeeze it all in. Six months later, it was evident to both of us that we had made a mistake. The claustrophobic and isolating living situation was impacting our mental and physical health and, consequently, our relationship. A year

HAMBURG TOWNSHIP ZONING BOARD OF APPEALS

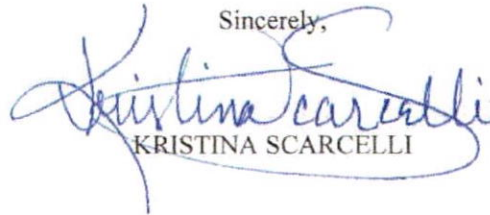
Page 2

later, much of what remains of our belongings is still in a storage unit and we have no room for any visitors. It is exhausting *and* depressing. Not quite the conditions we had hoped for in our retirement.

This variance will allow us to add 200 square feet to the main living area of our home, making it possible to get our keepsakes and heirloom furniture out of storage, have enough room to once again entertain our friends and family, and the space to care for my elderly father, who has recently become a widower and lives alone out of state. It is not our intention, in any way, to maximize the value of this property with the intention of selling; we simply want to age in place comfortably and happily.

Thank you again for the opportunity to make our retirement years the peaceful and joyful time we have always wished for in what we hope can be our forever home.

Sincerely,



KRISTINA SCARCELLI

Enclosures



Federal Emergency Management Agency
Washington, D.C. 20472

Item 3.

MS. KAROL GROVE
ALPINE LAND SURVEYING, INC.
376 BEECH FARM CIRCLE
SUITE 1293
HIGHLAND, MI 48357

CASE NO.: 26-05-1482A
COMMUNITY: TOWNSHIP OF HAMBURG,
LIVINGSTON COUNTY,
MICHIGAN
COMMUNITY NO.: 260118

DEAR MS. GROVE:

This is in reference to a request that the Federal Emergency Management Agency (FEMA) determine if the property described in the enclosed document is located within an identified Special Flood Hazard Area, the area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood), on the effective National Flood Insurance Program (NFIP) map. Using the information submitted and the effective NFIP map, our determination is shown on the attached Letter of Map Amendment (LOMA) Determination Document. This determination document provides additional information regarding the effective NFIP map, the legal description of the property and our determination.

Additional documents are enclosed which provide information regarding the subject property and LOMAs. Please see the List of Enclosures below to determine which documents are enclosed. Other attachments specific to this request may be included as referenced in the Determination/Comment document. If you have any questions about this letter or any of the enclosures, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Attn: North Wind Resource Partners (NWRP) eLOMA Coordinator, NWRP eLOMA Coordinator, 3601 Eisenhower Ave., Alexandria, VA 22304-6439, Fax: 703-751-7415.

Sincerely,

David N. Bascom, Acting Director
Engineering and Modeling Division
Risk Analysis, Planning and Information
Directorate

LIST OF ENCLOSURES:

LOMA DETERMINATION DOCUMENT (REMOVAL)

cc: State/Commonwealth NFIP Coordinator
Community Map Repository
Region



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (REMOVAL)

COMMUNITY AND MAP PANEL INFORMATION		LEGAL PROPERTY DESCRIPTION
COMMUNITY	TOWNSHIP OF HAMBURG, LIVINGSTON COUNTY, MICHIGAN	Lots 3 and 4, Campbell Subdivision, as shown on the Plat recorded as Document No. 35451 in Liber 7, Pages 1 and 2, in the Office of the Register of Deeds, Livingston County, Michigan
	COMMUNITY NO: 260118	
AFFECTED MAP PANEL	NUMBER: 26093C0453D	
	DATE: 9/17/2008	
FLOODING SOURCE: BASS LAKE; HURON RIVER		APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY: 42.453860, -83.854437 SOURCE OF LAT & LONG: GOOGLE EARTH DATUM: WGS 84

DETERMINATION

LOT	BLOCK/ SECTION	SUBDIVISION	STREET	OUTCOME WHAT IS REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NAVD 88)	LOWEST ADJACENT GRADE ELEVATION (NAVD 88)	LOWEST LOT ELEVATION (NAVD 88)
3-4	--	Campbell	10024 Kress Road	Property	X (shaded)	--	--	855.3 feet

Special Flood Hazard Area (SFHA) - The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

ADDITIONAL CONSIDERATIONS (Please refer to the appropriate section on Attachment 1 for the additional considerations listed below.)

eLOMA DETERMINATION

This document provides the Federal Emergency Management Agency's determination regarding a request for a Letter of Map Amendment for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we have determined that the property(ies) is/are not located in the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This document amends the effective NFIP map to remove the subject property from the SFHA located on the effective NFIP map; therefore, the Federal mandatory flood insurance requirement does not apply. However, the lender has the option to continue the flood insurance requirement to protect its financial risk on the loan.

This determination is based on the flood data presently available. If there are any errors on this eLOMA Determination Letter that cause FEMA to rescind and/or nullify the determination the property owner should consult the Licensed Professional that submitted this eLOMA. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Attn: North Wind Resource Partners (NWRP) eLOMA Coordinator, 3601 Eisenhower Avenue, Alexandria, VA 22304-4605, Fax: 703-751-7415.

David N. Bascom, Acting Director
Engineering and Modeling Division
Risk Analysis, Planning and Information Directorate

eLOMA



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (REMOVAL) ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

Property Removal:

The following considerations may or may not apply to the determination for your Property:

STUDY UNDERWAY - This determination is based on the flood data presently available. However, the Federal Emergency Management Agency may be currently revising the National Flood Insurance Program (NFIP) map for the community. New flood data could be generated that may affect this property. If a new NFIP map is issued it will supersede this determination. The Federal requirement for the purchase of flood insurance will then be based on the newly revised NFIP map.

EXTRATERRITORIAL JURISDICTION - The subject of the determination is shown on the National Flood Insurance Program map and may be located in an Extraterritorial Jurisdiction area for the community indicated on the Determination Document.

GREAT LAKES - The Federal Emergency Management Agency (FEMA) has based this determination on elevation data which is published in the current Flood Insurance Study for the community. However, the elevations established in the U.S. Army Corps of Engineers (USACE) reports on the Great Lakes are the best available data known to us. If in the future there are any subsequent map revisions to the National Flood Insurance Program map and the USACE reports remain the best available data known, FEMA will use those elevations for any such revisions. Further, be advised that the elevations on the Flood Insurance Rate Map (FIRM) may only reflect the Stillwater elevation for the lake and may not account for the effects of wind driven waves or wave run-up. On-site conditions such as wind speed, wind direction, fetch distance, water depth and the slope of the beach or bluff may result in significant increases to the base flood elevation. Therefore, it is strongly recommended that the requestor be aware of these circumstances and, if warranted, evaluate the effects of wind driven waves along the shoreline of the property.

STATE AND LOCAL CONSIDERATIONS - Please note that this document does not override or supersede any State or local procedural or substantive provisions which may apply to floodplain management requirements associated with amendments to State or local floodplain zoning ordinances, maps, or State or local procedures adopted under the National Flood Insurance Program.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Attn: North Wind Resource Partners (NWRP) eLOMA Coordinator, NWRP eLOMA Coordinator, 3601 Eisenhower Ave., Alexandria, VA 22304-6439, Fax: 703-751-7415

David N. Bascom, Acting Director
Engineering and Modeling Division
Risk Analysis, Planning and Information Directorate

eLOMA



Federal Emergency Management Agency
Washington, D.C. 20472

**LETTER OF MAP AMENDMENT
DETERMINATION DOCUMENT (REMOVAL)**
ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

COASTAL BARRIER RESOURCE SYSTEM - Based upon information provided to FEMA by the U.S. Fish and Wildlife Service (USFWS), the subject property may be within a System Unit or an Otherwise Protected Area (OPA) of the John H. Chafee Coastal Barrier Resource System (CBRS). Federal flood insurance is generally not available within the CBRS for new construction or substantial improvements occurring after the flood insurance prohibition date (which is generally tied to the date that the area was first established as either a System Unit or OPA, but may differ in some cases). Other federal expenditures and financial assistance (including certain types of disaster assistance) are also restricted within System Units of the CBRS. The USFWS is the authoritative source for information regarding the CBRS. Additional information, including the CBRS Mapper, can be found on the USFWS website at: <https://www.fws.gov/cbra>.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Attn: North Wind Resource Partners (NWRP) eLOMA Coordinator, NWRP eLOMA Coordinator, 3601 Eisenhower Ave., Alexandria, VA 22304-6439, Fax: 703-751-7415

David N. Bascom, Acting Director
Engineering and Modeling Division
Risk Analysis, Planning and Information Directorate

eLOMA



Federal Emergency Management Agency

Washington, D.C. 20472

ADDITIONAL INFORMATION REGARDING LETTERS OF MAP AMENDMENT

When making determinations on requests for Letters of Map Amendment (LOMAs), the Department of Homeland Security's Federal Emergency Management Agency (FEMA) bases its determination on the flood hazard information available at the time of the determination. Requesters should be aware that flood conditions may change or new information may be generated that would supersede FEMA's determination. In such cases, the community will be informed by letter.

Requesters also should be aware that removal of a property (parcel of land or structure) from the Special Flood Hazard Area (SFHA) means FEMA has determined the property is not subject to inundation by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This does not mean the property is not subject to other flood hazards. The property could be inundated by a flood with a magnitude greater than the base flood or by localized flooding not shown on the effective National Flood Insurance Program (NFIP) map.

The effect of a LOMA is it removes the Federal requirement for the lender to require flood insurance coverage for the property described. The LOMA *is not* a waiver of the condition that the property owner maintain flood insurance coverage for the property. *Only* the lender can waive the flood insurance purchase requirement because the lender imposed the requirement. *The property owner must request and receive a written waiver from the lender before canceling the policy.* The lender may determine, on its own as a business decision that it wishes to continue the flood insurance requirement to protect its financial risk on the loan.

The LOMA provides FEMA's comment on the mandatory flood insurance requirements of the NFIP as they apply to a particular property. A LOMA is not a building permit, nor should it be construed as such. Any development, new construction, or substantial improvement of a property impacted by a LOMA must comply with all applicable State and local criteria and other Federal criteria.

Even though structures are not located in an SFHA, as mentioned above, they could be flooded by a flooding event with a greater magnitude than the base flood. In fact, more than 25 percent of all claims paid by the NFIP are for policies for structures located outside the SFHA in Zones B, C, X (shaded), or X (unshaded). More than one-fourth of all policies purchased under the NFIP protect structures located in these zones. The risk to structures located outside SFHAs is just not as great as the risk to structures located in SFHAs. Finally, approximately 90 percent of all federally declared disasters are caused by flooding, and homeowners insurance does not provide financial protection from this flooding. Therefore, FEMA encourages the widest possible coverage under the NFIP.

LOMAs are based on minimum criteria established by the NFIP. State, county, and community officials, based on knowledge of local conditions and in the interest of safety, may set higher standards for construction in the SFHA. If a State, county, or community has adopted more restrictive and comprehensive floodplain management criteria, these criteria take precedence over the minimum Federal criteria.

In accordance with regulations adopted by the community when it made application to join the NFIP, letters issued to amend an NFIP map must be attached to the community's official record copy of the map. That map is available for public inspection at the community's official map repository. Therefore, FEMA sends copies of all such letters to the affected community's official map repository.

When a restudy is undertaken, or when a sufficient number of revisions or amendments occur on particular map panels, FEMA initiates the printing and distribution process for the affected panels. FEMA notifies community officials in writing when affected map panels are being physically revised and distributed. In such cases, FEMA attempts to reflect the results of the LOMA on the new map panel. If the results of particular LOMAs cannot be reflected on the new map panel because of scale limitations, FEMA notifies the community in writing and revalidates the LOMAs in that letter. LOMAs revalidated in this way usually will become effective 1 day after the effective date of the revised map.



Zoning Board of Appeals Staff Report



TO: Zoning Board of Appeals
(ZBA)

FROM: David Rohr

HEARING DATE: July 8, 2026

SUBJECT: ZBA 26-0007

PROJECT Addition

SITE: 10024 Kress Rd.
TID 4715-28-201-003

OWNER: Jason & Kristina Scarcelli

APPLICANT: Jason & Kristina Scarcelli

PROJECT: Variance application to permit the construction of a new addition. Variance request:

- High-Water Mark Setback of 45.5 feet, rather than the required 50 feet, per section 36-171(4)

ZONING: (WTF) Waterfront Residential

Project Description

Applicant intends to build an addition on the rear of the house. The addition will expand the living room and sit on the footprint of an existing deck.

Standards of Review

In accordance with Section 36-137 of the Hamburg Township Zoning Ordinance, the ZBA's decision on this matter is to be based on findings of fact to support the standards provided below. The applicable discretionary standards are listed below in **bold typeface**, followed by Staff's analysis of the request as it relates to these standards. A variance may be granted only if the ZBA finds that all of the following standards are met:

- 1. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to other properties in the same district or zone.**

The parcel is nonconforming with limited buildable area. Staff supports the request for variance.

- 2. That such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same zone and vicinity. The possibility of increased financial return shall not be deemed sufficient to warrant a variance.**

Granting this variance request is necessary for the preservation and enjoyment of a substantial property right.

- 3. That the granting of such variance or modification will not be materially detrimental to the public welfare or materially injurious to the property or improvements in such zone or district in which the property is located.**

The variance request is not likely to be materially detrimental to the public welfare or materially injurious to the property or improvements in the district. The addition is very minimal.

- 4. That the granting of such variance will not adversely affect the purpose or objectives of the master plan of the Township.**

Granting this variance will not adversely affect the 2020 Master plan.

- 5. That 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.

The condition or situation of the specific piece of property is not of a general and recurrent nature.

6. Granting the variance shall not permit the establishment with a district of any use which is not permitted by right within the district.

The site is zoned for Waterfront Residential. Approval of the variance request would not permit the establishment of a use not permitted by right within the district.

7. The requested variance is the minimum necessary to permit reasonable use of the land.

Staff finds that the proposed addition will have minimal impact on the surrounding properties. Staff believes the proposed addition is reasonable and will have minimal impact on the surrounding residents.

“Practical difficulty” exists on the subject site when the strict compliance with the Zoning Ordinance standards would render conformity unnecessarily burdensome (such as exceptional narrowness, shallowness, shape of area, presence of floodplain or wetlands, exceptional topographic conditions).

Recommendation

Staff recommends the ZBA open the public hearing, take testimony, close the public hearing, evaluate the proposal for conformance with the applicable regulations, and deny or approve the application. In the motion to deny or approve the project, the ZBA should incorporate the ZBA’s discussion and analysis of the project and the findings in the staff report.

Approval Motion

Motion to approve Variance application to permit the construction of a new addition. Variance request:

- High-Water Mark Setback of 45.5 feet, rather than the required 50 feet, per section 36-171(4)

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 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.

Denial Motion

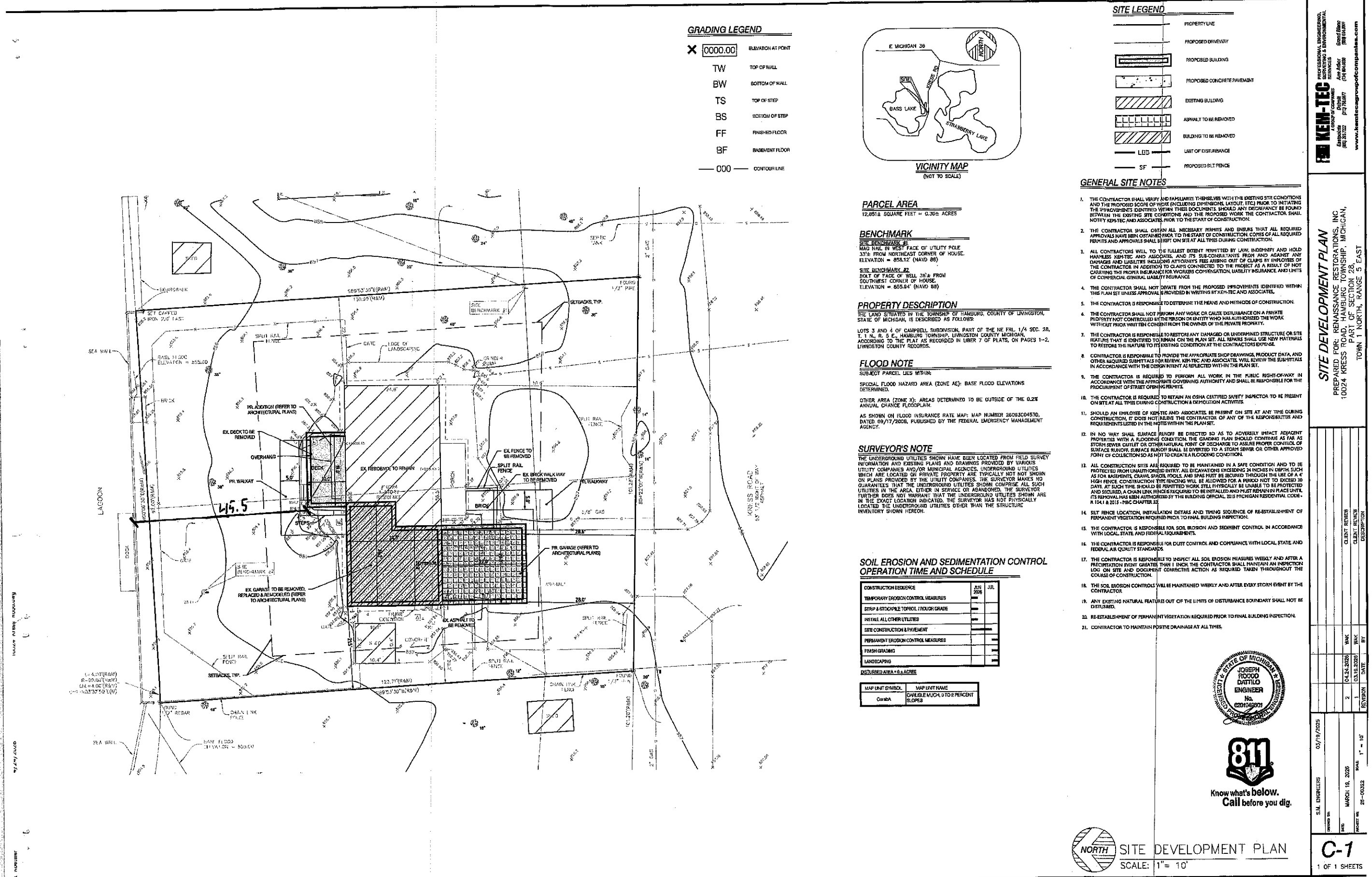
Motion to deny Variance application to permit the construction of a new addition. Variance request:

- High-Water Mark Setback of 45.5 feet, rather than the required 50 feet, per section 36-171(4)

The variance does not meet variance standards of Section 36-137 of the Hamburg Township Zoning Ordinance, and no 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 this staff report.

Attachments:

Application
Project plans



KEM-TEC
A GROUP OF COMPANIES
PROFESSIONAL ENGINEERING, SURVEYING & ENVIRONMENTAL SERVICES
Grand Blanc, Michigan
48830
810 N. Main St.
PO Box 100
Grand Blanc, MI 48830
www.kemtecgroupofcompanies.com

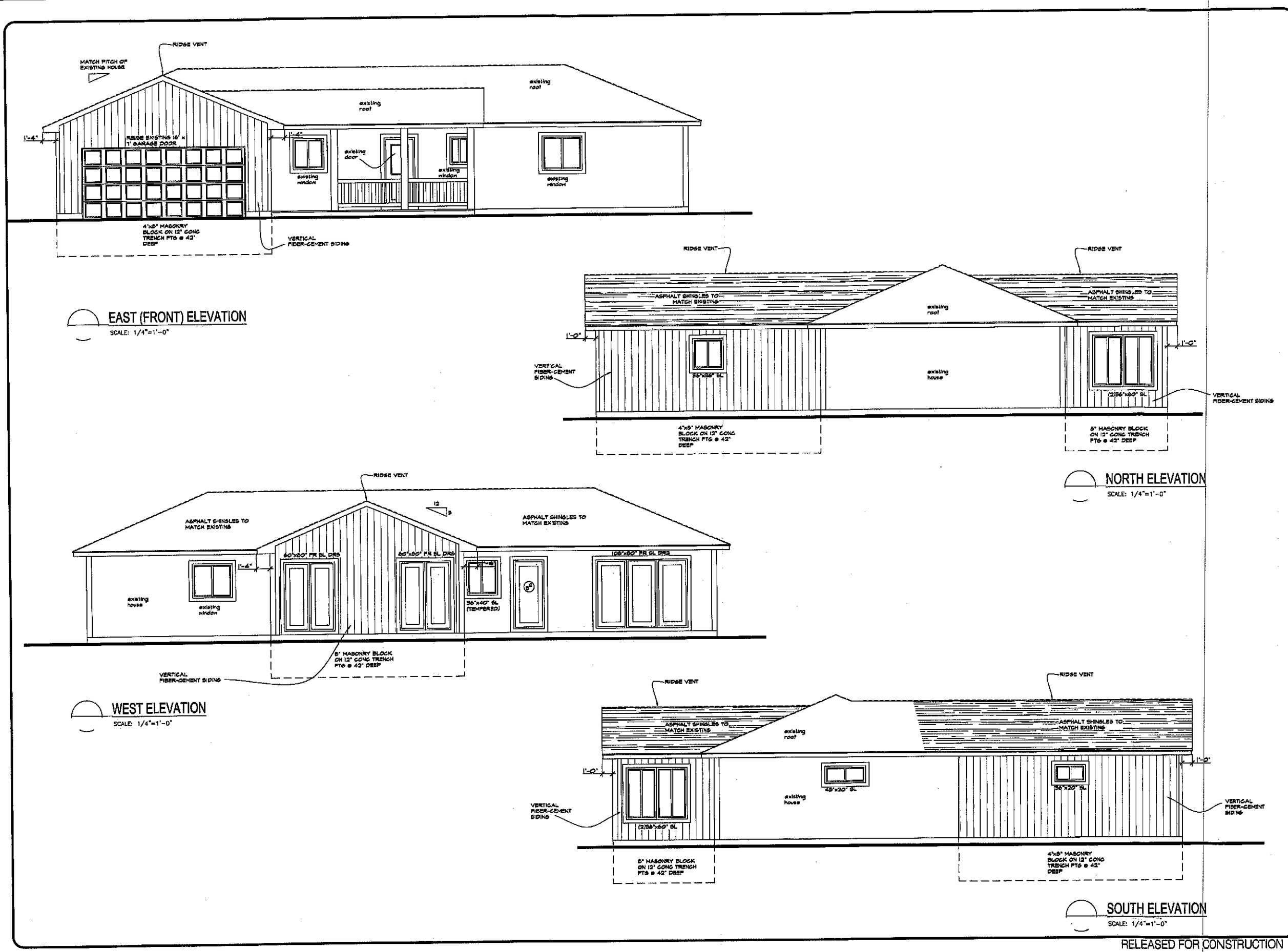
SITE DEVELOPMENT PLAN
PREPARED FOR: RENAISSANCE RESTORATIONS, INC.
10024 KRESS ROAD, HAMBURG TOWNSHIP, MICHIGAN,
PART OF SECTION 28,
TOWN 1 NORTH, RANGE 5 EAST

REVISION	DATE	BY	DESCRIPTION
1	03/15/2025	WAK	WAK
2	04/24/2025	WAK	WAK

JOSEPH RODRIGUEZ
ENGINEER
No. 202100901
STATE OF MICHIGAN

811
Know what's below.
Call before you dig.

C-1
1 OF 1 SHEETS



REVISIONS	
DATE	ADDENDUM/REVISION

A PROPOSED ADDITION/INTERIOR RENOVATION FOR:
JASON & KRISTINA SCARCELLI RESIDENCE
10024 KRESS ROAD
LAKELAND, MICHIGAN 48143

ZACK M OSTROFF & ASSOCIATES
RESIDENTIAL COMMERCIAL DESIGNER/PLANNER
MEMBER AIA
BD
web: www.zackmof.com
email: zack@zackmof.com
PH: 248.428.4190

THIS DRAWING IS AN INSTRUMENT OF SERVICE AND SHALL REMAIN THE PROPERTY OF THE DESIGNER AND SHALL NOT BE USED IN ANY WAY WITHOUT THE PERMISSION OF THE DESIGNER.
THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND EXISTING CONDITIONS AT THE SITE BEFORE PROCEEDING WITH EACH PHASE OF THE WORK.

SHEET TITLE
EXTERIOR ELEVATIONS

SHEET SCALE
AS NOTED

PROJECT NO.
26-020

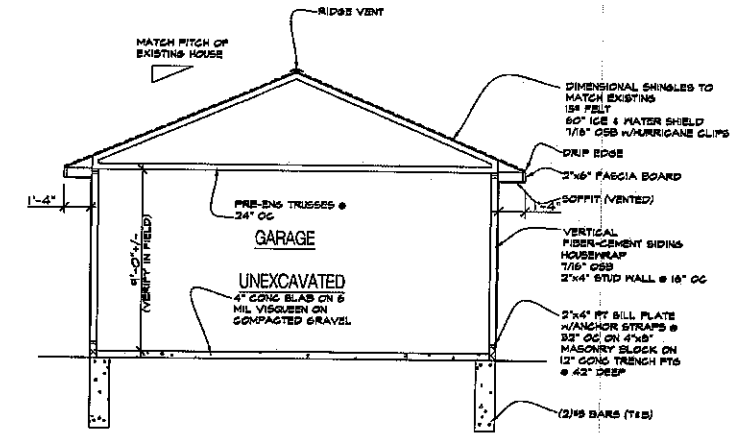
DATE
04.20.26

SHEET NUMBER
A-3

RELEASED FOR CONSTRUCTION

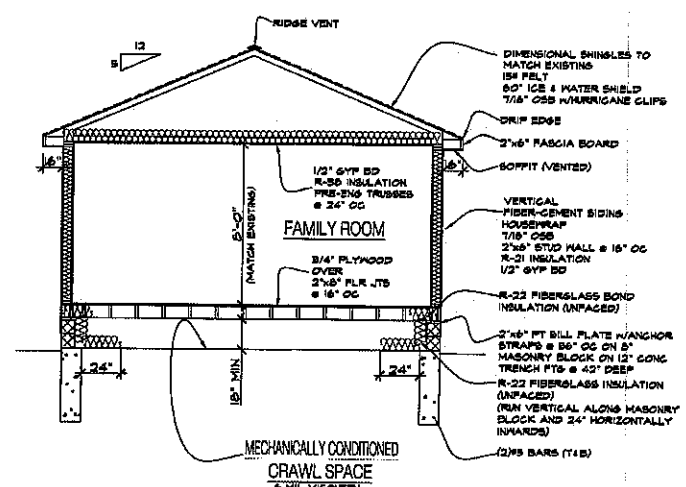
WALL LEGEND

EXISTING WALL	---
DEMOLITION WALL	- - - -
NEW WALL	=====
BRICK	
MASONRY BLOCK	XXXXXX



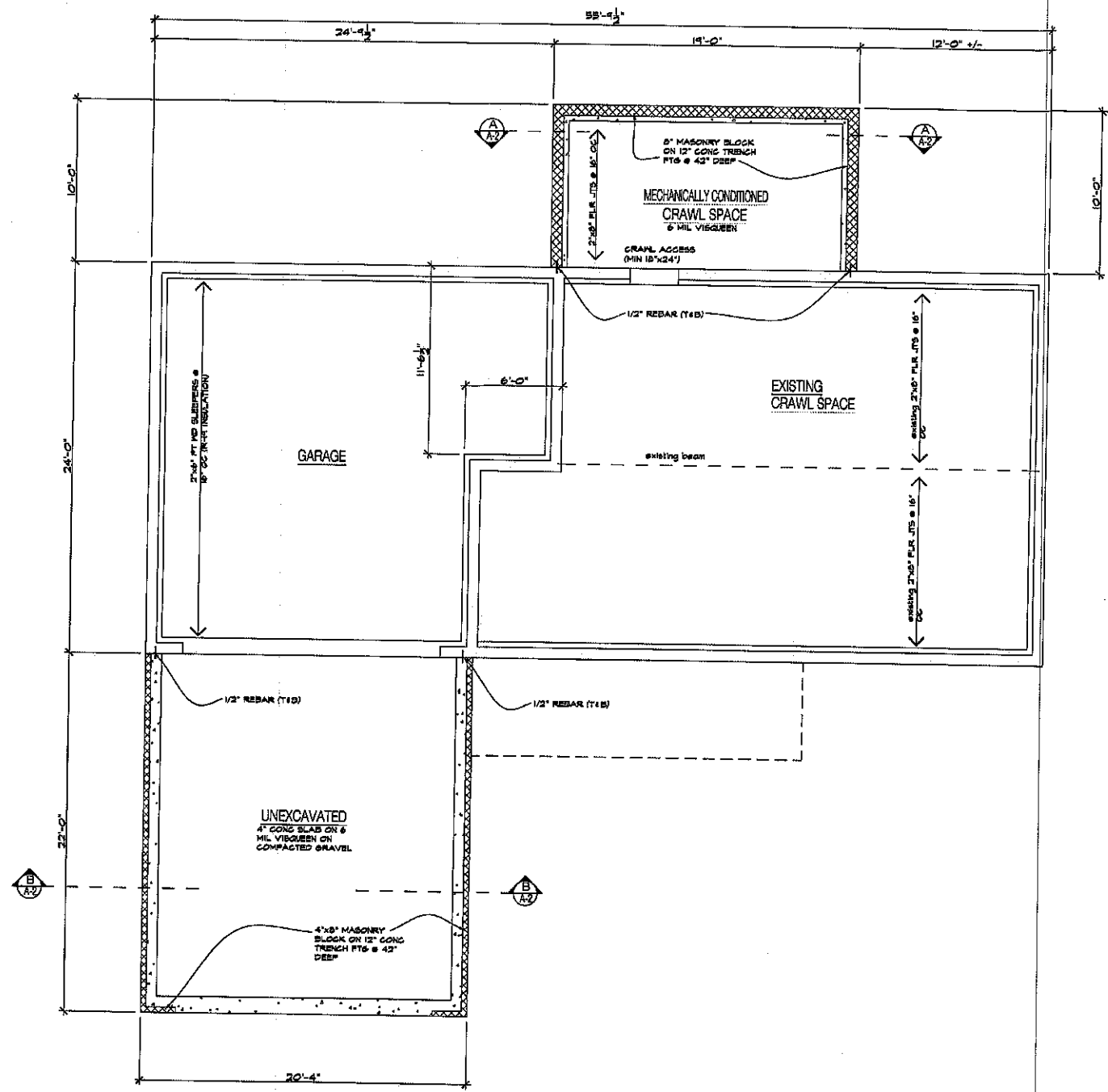
NOTE: CONTRACTOR TO VERIFY EXACT NUMBER OF COURSES OF MASONRY BLOCK IN FIELD

CROSS SECTION
SCALE: 1/4"=1'-0"



NOTE: CONTRACTOR TO VERIFY EXACT NUMBER OF COURSES OF MASONRY BLOCK IN FIELD

CROSS SECTION
SCALE: 1/4"=1'-0"



FOUNDATION PLAN
SCALE: 1/4"=1'-0"

NOTE: CONTRACTOR TO VERIFY EXACT NUMBER OF COURSES OF MASONRY BLOCK IN FIELD

REVISIONS

DATE	ADDENDUM/REVISION

A PROPOSED ADDITION/INTERIOR RENOVATION FOR:
JASON & KRISTINA SCARCELLI RESIDENCE
10024 KRESS ROAD
LAKELAND, MICHIGAN 48143

ZACK M OSTROFF & ASSOCIATES
RESIDENTIAL COMMERCIAL DESIGN/PLANNER
MEMBER AIA BD
web: www.zackmarchitecture.com
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THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND EXISTING CONDITIONS AT THE SITE BEFORE PROCEEDING WITH EACH PHASE OF HIS WORK.

SHEET TITLE
FOUNDATION PLAN
CROSS SECTIONS

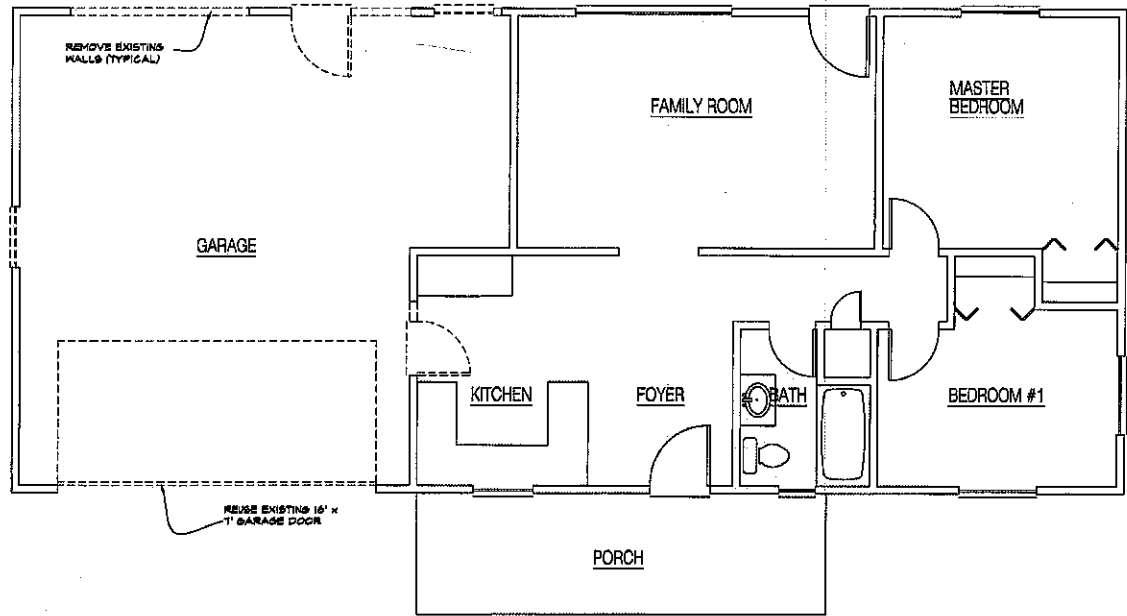
SHEET SCALE
AS NOTED
PROJECT NO.
26-020
DATE
04.20.26
SHEET NUMBER
A-2

WALL LEGEND	
EXISTING WALL	---
DEMOLITION WALL	- - - -
NEW WALL	=====
BRICK	
MASONRY BLOCK	XXXXXX

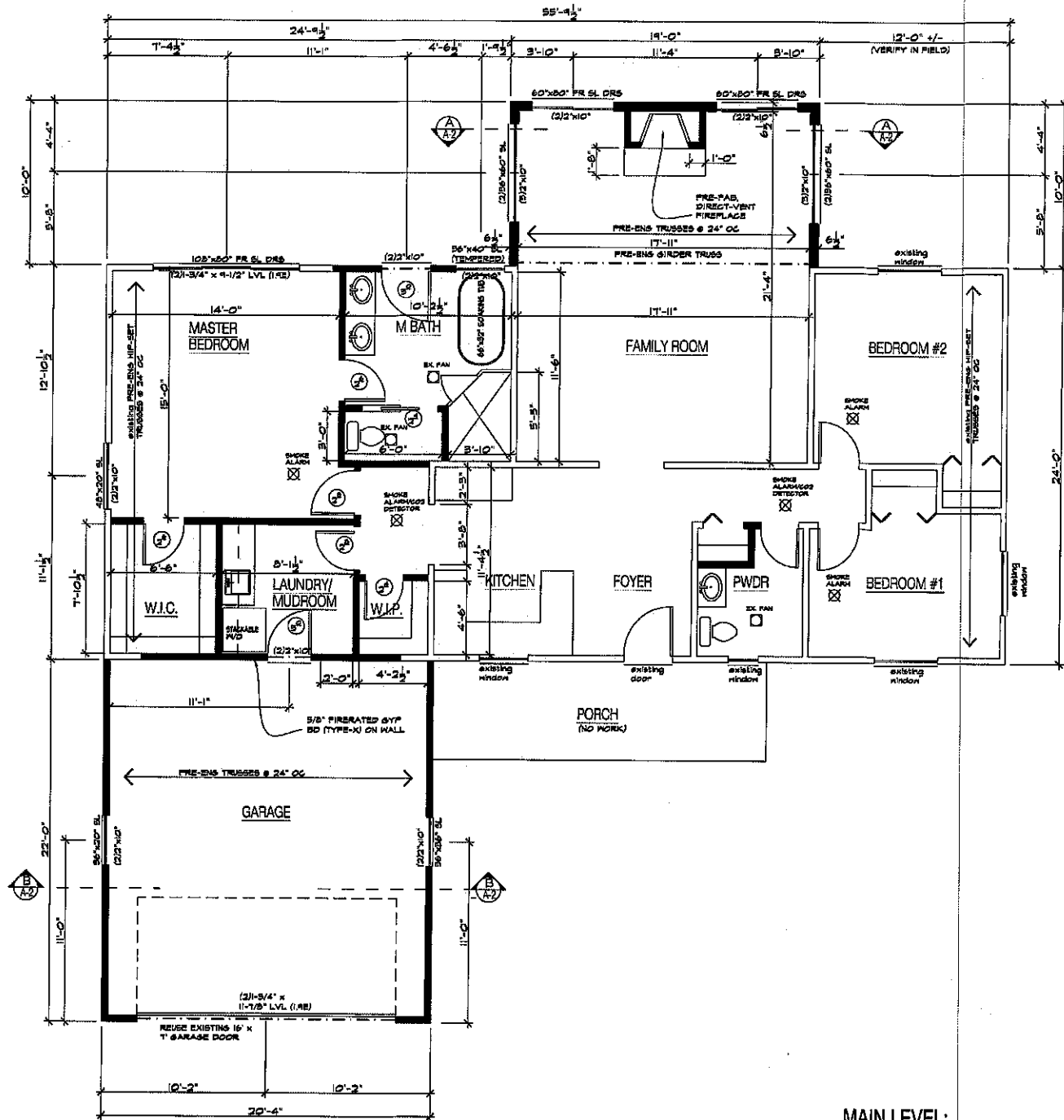
REVIEWED UNDER:
2015 MICHIGAN RESIDENTIAL CODE &
2015 MICHIGAN UNIFORM ENERGY CODE

NOTES:

1. SMOKE ALARMS TO CODE: ALL SMOKE ALARMS TO BE ELECTRONICALLY INTERCONNECTED WITH A BATTERY BACKUP
2. *R315.1 Carbonmonoxide alarms.* For new construction, an approved carbon monoxide alarm shall be installed outside of each separate sleeping area in the immediate vicinity of the bedrooms in *dwelling units* within which fuel-fired *appliances* are installed and in dwelling units that have attached garages.
3. ELECTRICAL TO CODE



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



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

REVISIONS

DATE	ADDENDUM/BULLETIN

A PROPOSED ADDITION/INTERIOR RENOVATION FOR
JASON & KRISTINA SCARCELLI RESIDENCE
10024 KRESS ROAD
LAKELAND, MICHIGAN 48143

ZACK M OSTROFF & ASSOCIATES
RESIDENTIAL COMMERCIAL DESIGNER/PLANNER
MEMBER
A I B D
web: www.zackmarchitecture.com
email: zack@zackmarchitecture.com
PH: 248.425.4100

THIS DRAWING AS AN INSTRUMENT
OF SERVICE IS AND SHALL REMAIN
THE PROPERTY OF THE DESIGNER
AND SHALL NOT BE USED IN ANY
WAY WITHOUT THE PERMISSION OF
THE DESIGNER.

THE CONTRACTOR SHALL VERIFY ALL
DIMENSIONS AND EXISTING CONDITIONS
AT THE SITE BEFORE PROCEEDING
WITH EACH PHASE OF HIS WORK.

SHEET TITLE
DEMOLITION/PROPOSED
FLOOR PLANS

SHEET SCALE
AS NOTED

PROJECT NO.
26-020

DATE
04.20.26

SHEET NUMBER
A-1

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, Vice Chair