



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

ZONING BOARD OF APPEALS MEETING

Wednesday, November 13, 2024 at 7:00 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 2024-008**

Owner: Cumnueng Henry

Location: 3255 Orchard Dr.

Parcel ID: 4715-20-110-034

Request: Variance application to permit the construction of a new detached two car garage. Applicant requests a variance from the required front setback, per Section 36-171(D).

ZBA 2024-009

Owner: Robert & Brandi Straker

Location: 11347 Pleasant View Dr.

Parcel ID: 4715-31-201-014

Request: Variance application to permit the construction of an addition. Applicant requests a variance from the required side setback, per Section 36-171(D).

NEW/OLD BUSINESS

2. Approval of the October 9, 2024 ZBA meeting minutes.

ADJOURNMENT



Zoning Board of Appeals Staff Report



TO: Zoning Board of Appeals
(ZBA)

FROM: David Rohr

HEARING DATE: November 13, 2024

SUBJECT: ZBA 24-0008

PROJECT SITE: Single Family Home
3255 Orchard Dr.
TID 15-20-110-034

OWNER: Cumnueng Henry

APPLICANT: Cumnueng Henry

PROJECT: Variance application ZBA 24-0008, to permit the construction of a detached two-car garage. Applicant requests a 3-foot variance from the required front yard setback of 15 feet., per Section 36-215(3)

ZONING: WFR, Waterfront Residential

Project Description

The applicant is requesting a variance to construct a detached two-car garage. Currently there is a detached non-conforming garage on the property. Due to the small size and location, the applicant intends to build a new garage. The increase of the structure size will accommodate modern car sizes.

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 applicant's parcel is non-conforming. Because of this, and the locating of house, applicant has limited buildable area for detached garage.

The applicant's parcel has an extremely limited buildable area due to the nature of the parcel. Staff supports the variance request.

- 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, as there is limited buildable area on the parcel.

- 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 setback 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 single-family dwellings and related appurtenances. 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 structure size will have minimal impact on the surrounding properties. Staff believes the location of the proposed structure is well placed 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 ZBA 24-0008, to permit the construction of a detached two-car garage. Applicant requests a 3-foot variance from the required front yard setback of 15 feet., per Section 36-215(3)

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 ZBA 24-0008, to permit the construction of a detached two-car garage. Applicant requests a 3-foot variance from the required front yard setback of 15 feet., per Section 36-215(3)

The variance does not meet variance standards one (1), two (2), or seven (7) 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

Case Number 24-0008
\$500.00



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: 10-3-24
2. Tax ID #: 15- 4715 - 20 - 110 - 034 Subdivision: Vista on the Lake Lot No.: 45
3. Address of Subject Property: 3255 Orchard Dr.
4. Property Owner: Cumnueng Henry Phone: (H) (M) 313-732-8521
 Email Address: cumnueng@hotmail.com jasonturner@hotmail.com (W) 734-718-6911 (Jason)
 Street: Orchard Dr City Pineckney State MI
5. Appellant (If different than owner): _____ Phone: (H) _____
 E-mail Address: _____ (W) _____
 Street: _____ City _____ State _____
6. Year Property was Acquired: 2001 Zoning District: _____ Flood Plain _____
7. Size of Lot: Front 40' Rear 40' Side 1 158.51' Side 2 177.02' Sq. Ft. 7042' to water
11. Dimensions of Existing Structure (s) 1st Floor _____ 2nd Floor _____ Garage 14'3" x 26'3"
12. Dimensions of Proposed Structure (s) 1st Floor _____ 2nd Floor _____ Garage 24' x 30'
13. Present Use of Property: Residence WFR
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:
Variance request to change front setback requirement from 15' to between 2'-7' to accommodate proposed new garage.

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.

The closest front property corner is approximately 24' from the edge of the road.
The furthest front property corner is approximately 32' from the edge of the road.

- 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.

Several properties on the same drive are less than 5' from the edge of the road.

- 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.

Change of front setback will not be materially detrimental or injurious to the property or district.

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

Variance approval will not affect the purpose or objectives of the Township Master plan.

- 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.

N/A

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

N/A

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

Requested variance will allow for up to 15' of setback to the front of the house instead of 10' and allow for a more appropriately sized garage.

- 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.

• 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).

Eugene Keith 10-3-24
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 field, sewer (grinder pump), and water well.
- 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).

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."

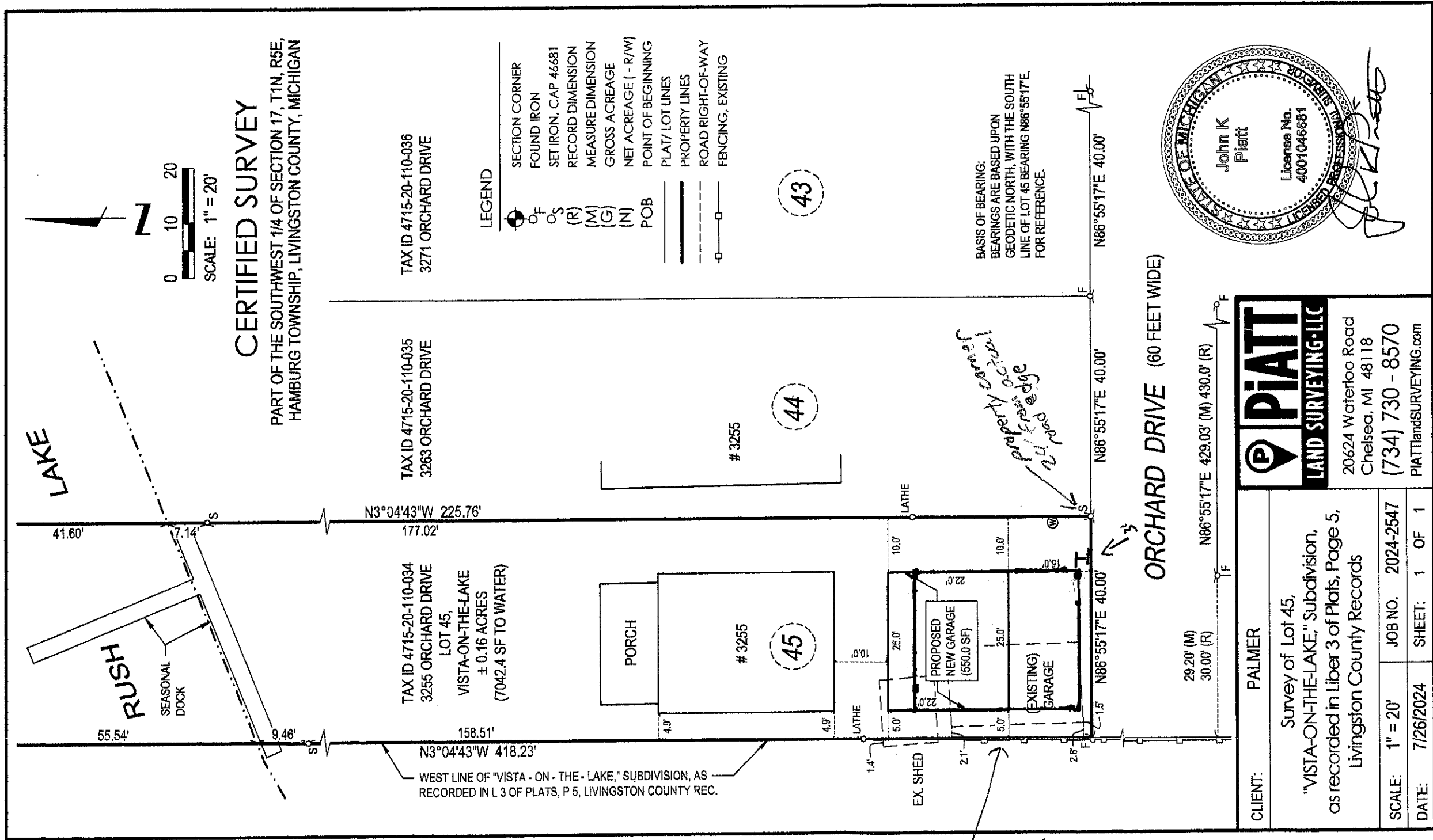
Section 6.8 (E) of the Zoning Ordinance governs appeals to Circuit Court. If you desire to appeal the decision of the Zoning Board of Appeals, you need to contact your attorney for filing appeals to Circuit Court.

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.



*change side
et back to
6
proposed new
garage, 30'
to 70.59 ft*

Several other properties on orchard Dr. ← 3' from front of property

RECEIVED

OCT 04 2024

Hamburg Township
Planning and Zoning Department

RUSH
SEASONAL DOCK

LAKE



0 10 20

SCALE: 1" = 20'

CERTIFIED SURVEY

PART OF THE SOUTHWEST 1/4 OF SECTION 17, T1N, R5E,
HAMBURG TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN

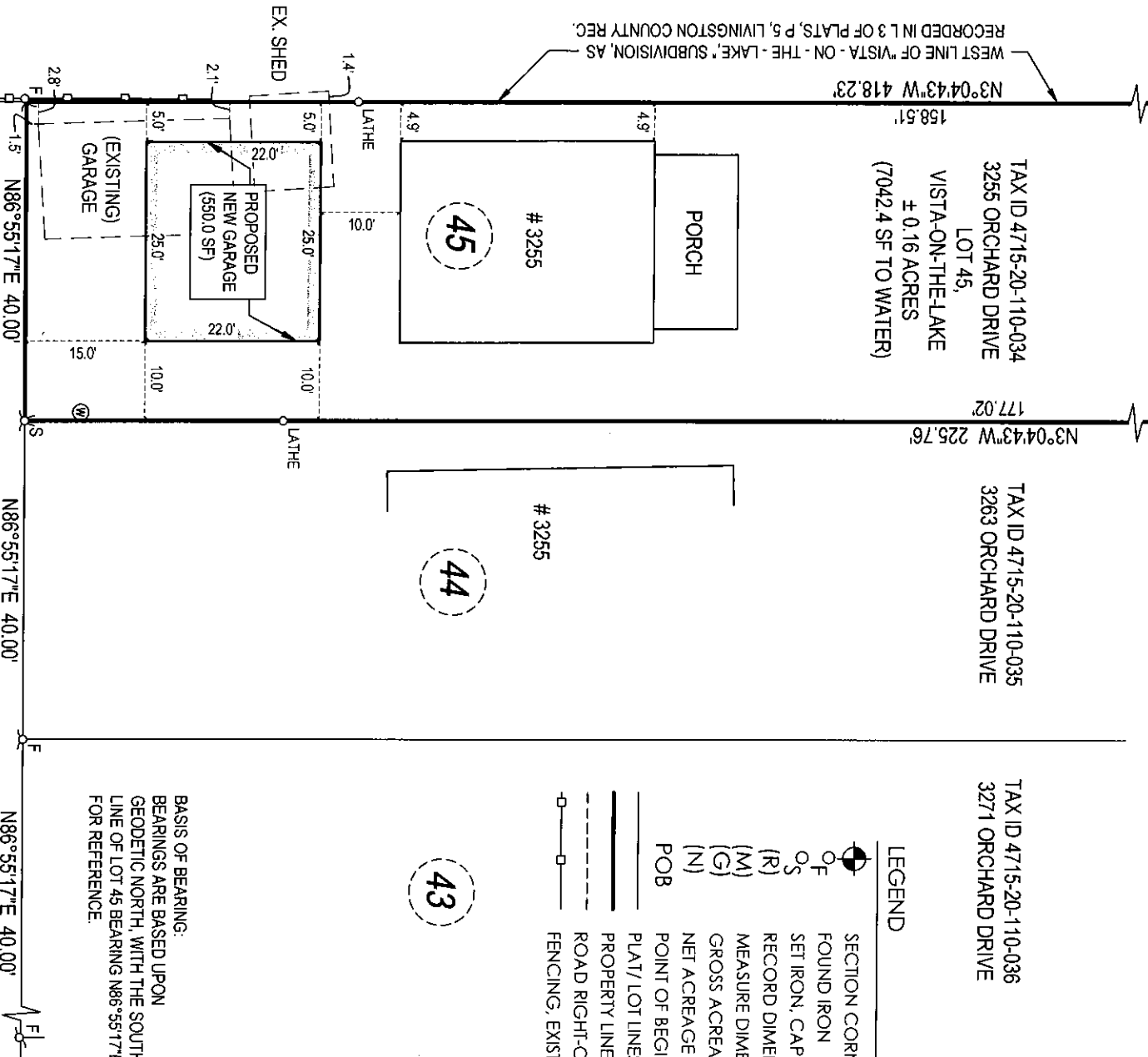
TAX ID 4715-20-110-034
3255 ORCHARD DRIVE
LOT 45,
VISTA-ON-THE-LAKE
± 0.16 ACRES
(7042.4 SF TO WATER)

TAX ID 4715-20-110-035
3263 ORCHARD DRIVE

TAX ID 4715-20-110-036
3271 ORCHARD DRIVE

LEGEND

- SECTION CORNER
- FOUND IRON
- SET IRON, CAP 46681
- RECORD DIMENSION
- MEASURE DIMENSION
- GROSS ACREAGE
- NET ACREAGE (- R/W)
- POINT OF BEGINNING
- PLAT/LOT LINES
- PROPERTY LINES
- ROAD RIGHT-OF-WAY
- FENCING, EXISTING



BASIS OF BEARING:
BEARINGS ARE BASED UPON
GEODETIC NORTH, WITH THE SOUTH
LINE OF LOT 45 BEARING N86°55'17"E,
FOR REFERENCE.

CLIENT: PALMER

Survey of Lot 45,
"VISTA-ON-THE-LAKE" Subdivision,
as recorded in Liber 3 of Plats, Page 5,
Livingston County Records



20624 Waterloo Road
Chelsea, MI 48118
(734) 730 - 8570
PIATTlandSURVEYING.com

John K
Platt

License No.
4001046681

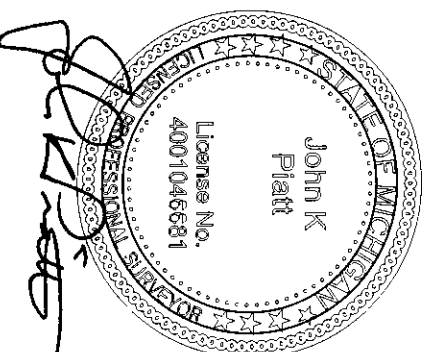
SCALE: 1" = 20'

JOB NO. 2024-2547

DATE: 7/26/2024

SHEET: 1 OF 1

ORCHARD DRIVE (60 FEET WIDE)





Zoning Board of Appeals Staff Report



TO: Zoning Board of Appeals (ZBA)

FROM: David Rohr

HEARING DATE: November 13, 2024

SUBJECT: ZBA 24-0009

PROJECT: Single Family Home

SITE: 11347 Pleasant View Dr.
TID 15-31-201-014

OWNER: Robert & Brandi Straker

APPLICANT: Robert & Brandi Straker

PROJECT: Variance application to permit the construction of additions to front and rear of house. Applicant requests a 3.4-foot variance from the required side setback of 10 feet, per Section 36-171(D).

ZONING: WFR, Waterfront Residential

Project Description

Variance application to permit the construction of additions to front and rear of house. Applicant requests a 3.4-foot variance from the required side setback of 10 feet, per Section 36-171(D). The variance request will allow the addition of master bedroom closet and bathroom. The applicants intend to age in place.

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 applicant's parcel has an extremely limited buildable area due to the nature of the parcel and house location. Staff supports the variance request.

- 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, as the existing home location is very close to the site lot line.

- 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 setback 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 single-family dwellings and related appurtenances. 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 structure additions will have minimal impact on the surrounding properties. Staff believes the location of the proposed minor additions is well placed 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 ZBA 24-0009 at 11347 Pleasant View Dr. TID 15-31-201-014. Applicant requests a 3.4-foot variance from the required side setback of 10 feet., per Section 36-171(D).

The variance meets variance standards one (1) through seven (7) of Section 36-137 of the Hamburg Township Zoning Ordinance, 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

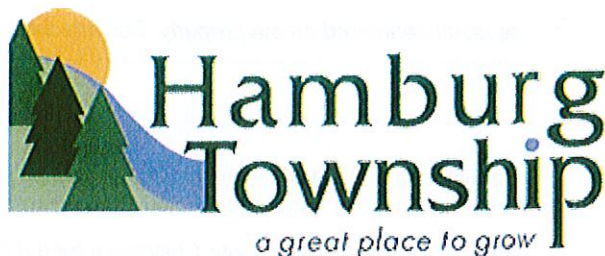
Motion to deny variance application ZBA 24-0009 at 11347 Pleasant View Dr. TID 15-31-201-014. Applicant requests a 3.4-foot variance from the required side setback of 10 feet., per Section 36-171(D).

The variance does not meet variance standards one (1), two (2), or seven (7) 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

ZBA Case Number 24-0009
\$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: 10-7-2024
2. Tax ID #: 15- 31 - 201 - 014 Subdivision: Tamarina Park Lot No.: 14
3. Address of Subject Property: 11347 Pleasant View Dr.
4. Property Owner: Robert & Brandi Straker Phone: (H) 248-345-9444
Email Address: BrandiStraker@gmail.com (W) _____
Street: 11347 Pleasant View Dr. City Pinckney State MI
5. Appellant (If different than owner): _____ Phone: (H) _____
E-mail Address: _____ (W) _____
Street: _____ City _____ State _____
6. Year Property was Acquired: 2017 Zoning District: _____ Flood Plain _____
7. Size of Lot: Front 143.05 Rear 45.84 Side 1 357.06 Side 2 350' Sq. Ft. 29,370.08
11. Dimensions of Existing Structure (s) 1st Floor 1866 2nd Floor _____ Garage _____
12. Dimensions of Proposed Structure (s) 1st Floor APPROX 2295 2nd Floor _____ Garage _____
13. Present Use of Property: Single Family Home
14. Percentage of Existing Structure (s) to be demolished, if any _____ %
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:

Variance from west side yard setback

RECEIVED

OCT 07 2024

Hamburg Township
Planning and Zoning Department

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.

The lot is oddly shaped and the placement of the house is not centered on the property. See attached Exhibit A

- 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.

The primary bedroom has 7 ft ceilings and lacks a closet, as well as there is only 1 bathroom for a 4 bedroom home.

- 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 proposed variance has been carefully evaluated by our builder, our architect, and our neighbors, and it has been determined that it will not adversely impact public welfare or cause harm to adjacent properties or improvements in the surrounding zone or district. The adjustment will respect the existing character of the area while ensuring that it aligns with both safety standards and community well-being. Any potential concerns have been addressed to ensure that the modifications will not result in material detriment or injury to the surrounding property values, it will only add to the value of the area. See exhibit D & E.

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

The proposed variance is to make a more efficient livable home which will not adversely affect or undermine 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.

The lot has an irregular shape, and the home is positioned closer to the West side of the property line than the East side. The intended use of the property for which the variance is being requested is not of a common or recurring 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.

The approval of this variance will not allow the introduction of any use within the district that is not already permitted. This variance strictly pertains to this specific request and does not alter or expand the allowable uses defined for the district. It remains consistent with permitted uses in the area.

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

We are requesting only the minimum relief required to use the property effectively. We would not be encroaching closer to the property line, we will maintain the same alignment as the existing house.

- 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.

RECEIVED

OCT 07 2024

Hamburg Township

• 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).

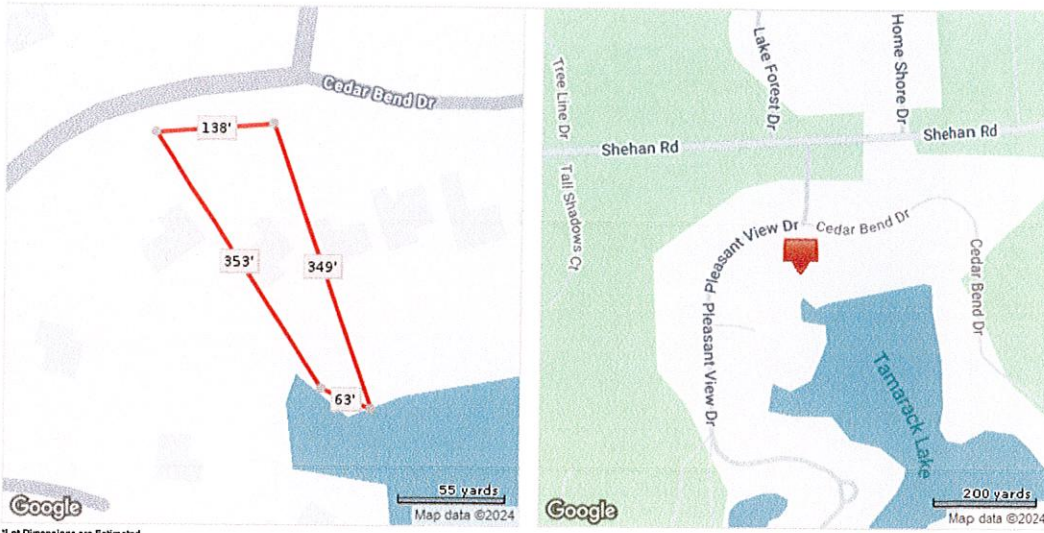
Robert J. Miller B. J. 10-7-2024
Owner's Signature Date

Robert J. Miller B. J. 10-7-2024
Appellant's Signature Date

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OCT 07 2024

Hamburg Township
Planning and Zoning Department



Item 1.

Exhibit A

Property Details Courtesy of Brandi Straker, MICHRC, LLC

The data within this report is compiled by CoreLogic from public and private sources. The data is deemed reliable, but is not guaranteed. The accuracy of the data contained herein can be independently verified by the recipient of this report with the applicable county or municipality.

Generated on: 10/04/24

Page 3/3

RECEIVED

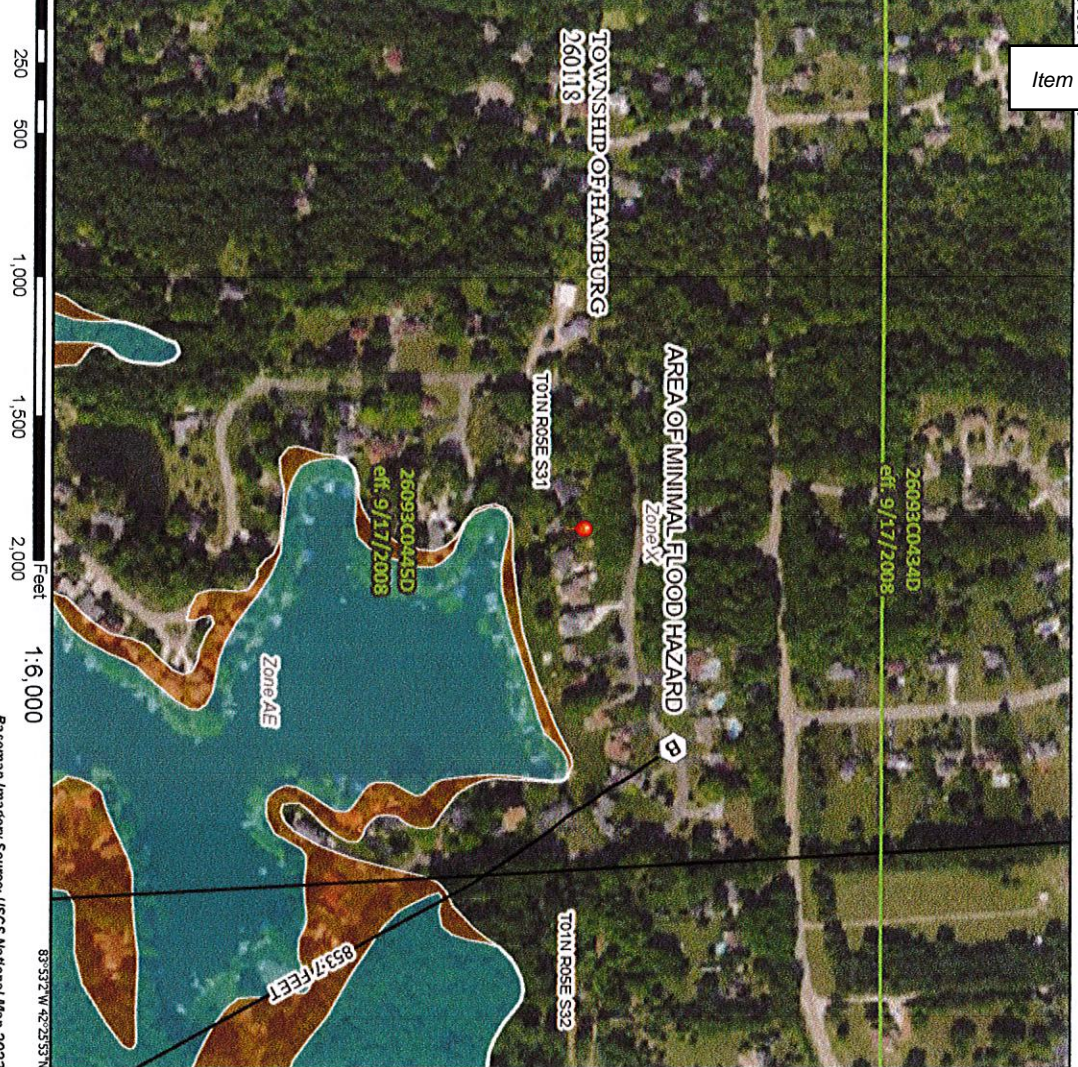
OCT 07 2024

Hamburg
Planning and Zoning

11/11/2020



Item 1.



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX. MAP FOR FIRM PANEL LAYOUT

- SPECIAL FLOOD HAZARD AREAS**
- Without Base Flood Elevation (BFE) Zone A, V, AE9 With BFE or Depth Zone AE, AO, AH, VE, AR
 - Regulatory Floodway

- OTHER AREAS OF FLOOD HAZARD**
- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
 - Future Conditions 1% Annual Chance Flood Hazard Zone X
 - Area with Reduced Flood Risk due to Levees, See Notes, Zone X
 - Area with Flood Risk due to Levees Zone D

- OTHER AREAS GENERAL STRUCTURES**
- NO SCREEN Area of Minimal Flood Hazard Zone X
 - Effective LDMs
 - Area of Undetermined Flood Hazard Zone D
 - Channel, Culvert, or Storm Sewer
 - Lane, Dike, or Floodwall

- OTHER FEATURES**
- Cross Sections with 1% Annual Chance
 - Water Surface Elevation
 - Coastal Transect
 - Base Flood Elevation Line (BFE)
 - Limit of Study
 - Jurisdiction Boundary
 - Coastal Transect Baseline
 - Profile Baseline
 - Hydrographic Feature

- MAP PANELS**
- Digital Data Available
 - No Digital Data Available
 - Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFWL web services provided by FEMA. This map was exported on 10/07/2024 at 11:05 AM and does not reflect changes or amendments subsequent to this date and time. The NFWL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

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OCT 07 2024

Hamburg Township
Planning and Zoning Department

Handwritten text, possibly a signature or date, located in the lower right quadrant of the page.

Robert & Brandi Straker
11347 Pleasant View Dr
Pinckney, MI 48169

October 7, 2024

Zoning Board
Hamburg Township
10405 Merrill Rd
Hamburg, MI 48139

Dear Members of the Zoning Board,

We are writing to request a setback variance for our property. After discussing this proposal with our immediate neighbors, both are in agreement and do not foresee any negative impacts on surrounding properties.

Our request stems from the unique challenges presented by our property's unusual shape and the way our home is positioned on it. Specifically, we currently have a bedroom with a 7-foot ceiling, no closet, and our home only has one bathroom. Given the layout of our home, it is extremely difficult to address these issues without incurring the substantial costs of tearing down and rebuilding the house.

We are respectfully requesting a variance to allow for the addition of a bathroom and closet to the master bedroom. This addition would follow the existing line of the home, and not extend past that current line. The proposed improvement would simply square off the back southwest corner of the house and move the northwest (front) corner of the home forward.

Thank you for your consideration of our request. We believe this variance will help meet our basic needs without affecting the character or value of the neighborhood.

Sincerely,



Robert & Brandi Straker
(248) 345-9444

RECEIVED

OCT 07 2024

Hamburg Township
Planning and Zoning Department

October 7, 2024

Zoning Board
Hamburg Township
10405 Merrill Rd
Hamburg, MI 48139

Dear Members of the Zoning Board,

We are writing to express our support for the zoning variance request submitted by Robert and Brandi Straker, who reside at 11347 Pleasant View Dr. As direct neighbors of the property, we have been informed of the proposed variance, which seeks to build out the Southwest corner of their home, and a small addition along the front Northwest corner, not exceeding the current house line. Both would run along the current line of their existing home.

After reviewing the plans and discussing the project with the Strakers, we believe that the proposed changes will not negatively impact the character or value of our neighborhood. In fact, we feel that the variance will allow them to improve their property in a way that is both beneficial to them and consistent with the surrounding homes.

We understand the zoning regulations are in place to maintain a balanced community, but in this particular case, we do not believe that granting the variance will cause any undue hardship to neighboring properties, including our own. We fully support the requested variance and believe it will positively enhance the appearance and functionality of their property.

Please feel free to contact us if you have any questions regarding our support for this request.

Sincerely,

Patricia a. Hughes 

Patricia Hughes & Ronald Jeffries
11359 Pleasant View Dr.
Pinckney, MI 48169

(734) 878-6449

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OCT 07 2024

Hamburg Township
Planning and Zoning Department

October 7, 2024

Zoning Board
Hamburg Township
10405 Merrill Rd
Hamburg, MI 48139

Re: Proposed variance for 11347 Pleasant View Dr.

Dear Zoning Board,

We, Michael & Diana Brunner, residing at 11335 Cedar Bend Dr., are writing to express our support for the variance the Strakers are requesting for their property located at 11347 Pleasant View Dr. After reviewing the details of their project, we do not have any objections to the variance that would allow for building out the Southwest corner of their home, not exceeding the current house line. Also, building a small home addition on the front Northwest corner of their home.

We believe that their proposed project will not negatively impact our property or the neighborhood, and we are in full agreement with it moving forward.

Sincerely,



Michael & Diana Brunner
11335 Cedar Bend Dr
Pinckney, MI 48169

RECEIVED

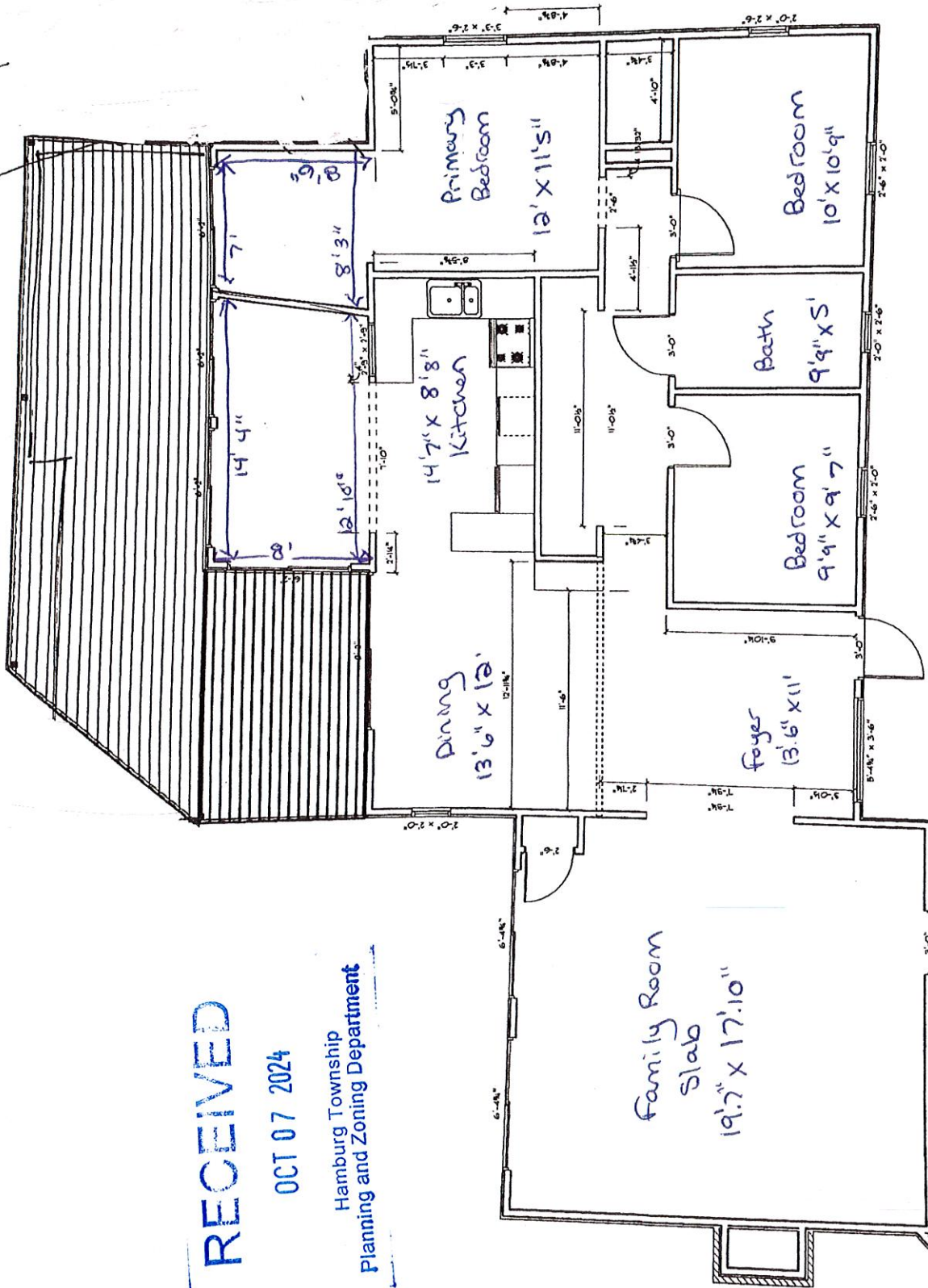
OCT 07 2024

Hamburg Township
Planning and Zoning Department

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OCT 07 2024

Hamburg Township
Planning and Zoning Department



EXISTING MAIN FLOORPLAN

I hereby certify that there are no TAX LIENS OR TITLES held by the State or any individual against the within description, and all TAXES on same are paid for five years previous to the date of this instrument or appear on the records in this office, except as stated.

Jul 17, 2017 Jennifer M. Nash, Treasurer by SN 25916

2017R-020846

RECORDED ON
07/18/2017 9:00:00 Item 1.

BRANDON DENBY
REGISTER OF DEEDS
LIVINGSTON COUNTY, MI 48843
RECORDING: 26.00
REMON: 4.00
PAGES: 2

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OCT 07 2024

Hamburg Township
Planning and Zoning Department

WARRANTY DEED-(Statutory Form)
C.L. 1948, 565.152 M.S.A. 26.571

Received eRecord 7/17/2017 at 01:44 PM
LivCo, MI ROD by KC

Furnished by EIT TITLE

KNOW ALL MEN BY THESE PRESENTS: That The Betty Jane Baskin Living Trust utd 6/27/07 whose address is 11347 Pleasant View Drive, Pinckney, MI 48169

Convey(s) and Warrant(s) to Robert J Straker and Brandi A Straker, Husband and Wife whose address is 14640 Ingram, Livonia, MI 48154

the following described premises :

Situated in the Township of Hamburg, Livingston County, Michigan.

Lot 14 of Tamarina Park Subdivision, according to the recorded plat thereof, as recorded in Plat Liber 12, Pages 37 through 39, inclusive, Livingston County Records.

Commonly Known As: 11347 Pleasant View Drive
Tax Number: 4715-31-201-014

for the full consideration of Four Hundred Thirty Six Thousand One Hundred and 00/100 Dollars (\$436,100.00) subject to easements, restrictions or reservations of record.

Dated this 29th day of June, 2017

Signed and Sealed:

Betty Jane Baskin (L.S.)
Betty Jane Baskin, Settlor and Trustee of the
Betty Jane Baskin Living Trust utd 6/27/07

STATE OF MICHIGAN
Livingston County
07/18/2017
2017R-020846



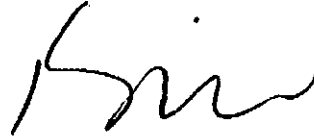
REAL ESTATE ★
TRANSFER TAX ★
\$480.15 CO ★
\$3273.75 ST ★
TTX# 6184954 ★

104769

Page 1 of 2

STATE OF MICHIGAN
COUNTY OF LIVINGSTON SS.

On this 29th day of June, 2017 before me personally appeared Betty Jane Baskin, Settlor and Trustee of the Betty Jane Baskin Living Trust utd 6/27/07 who did provide proof of their identity; to me known to be the person(s) described in and who executed the foregoing instrument and acknowledged that he/she/they executed the same as his/her/their free act and deed.



Deborah Webb, Notary Public
Washtenaw County, Michigan
My Commission Expires: 8/24/20
Acting in Livingston County

Instrument Drafted by: Betty Jane Baskin, 111347 Pleasant View Drive, Pinckney, MI 48169

Recording Fee \$30.00

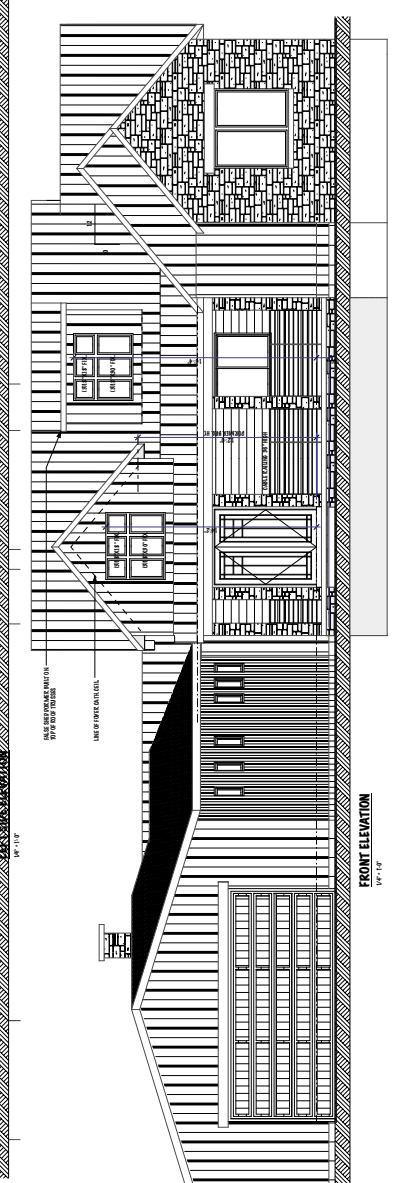
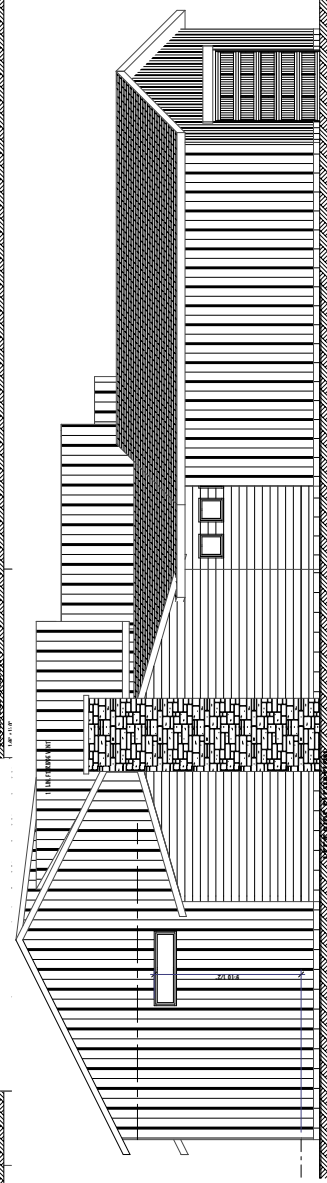
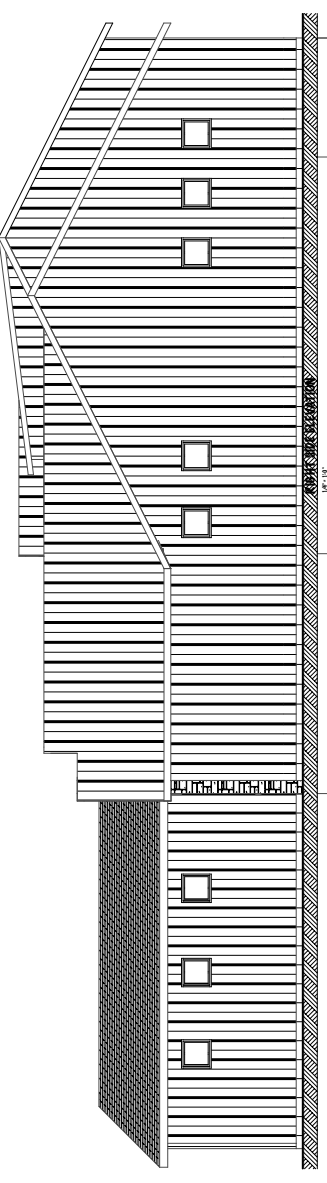
When recorded return to GRANTEE

Transfer Tax \$3753.90

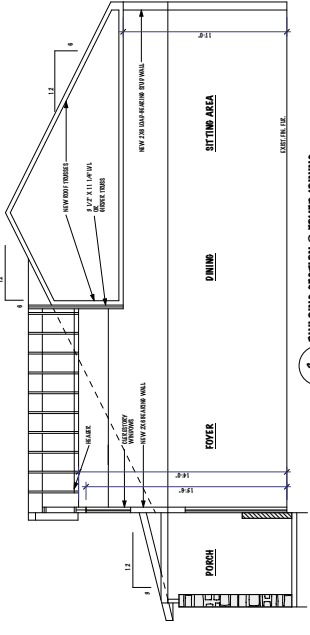
PNTI Ins. # D10391

Send Subsequent tax bills to GRANTEE

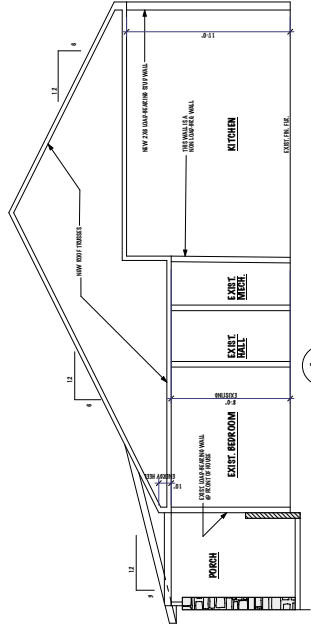
Tax Number: 4715-31-201-014



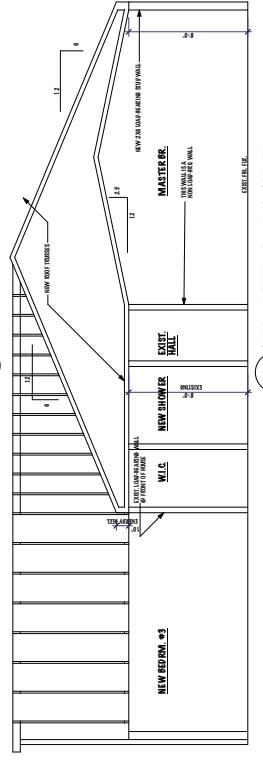
FRONT ELEVATION
1/4" = 1'-0"



3 BUILDING SECTION @ FOYER/DINING
1/4" = 1'-0"



2 BUILDING SECTION @ KITCHEN
1/4" = 1'-0"



1 BUILDING SECTION @ MASTER BEDROOM
1/4" = 1'-0"



Item 1.

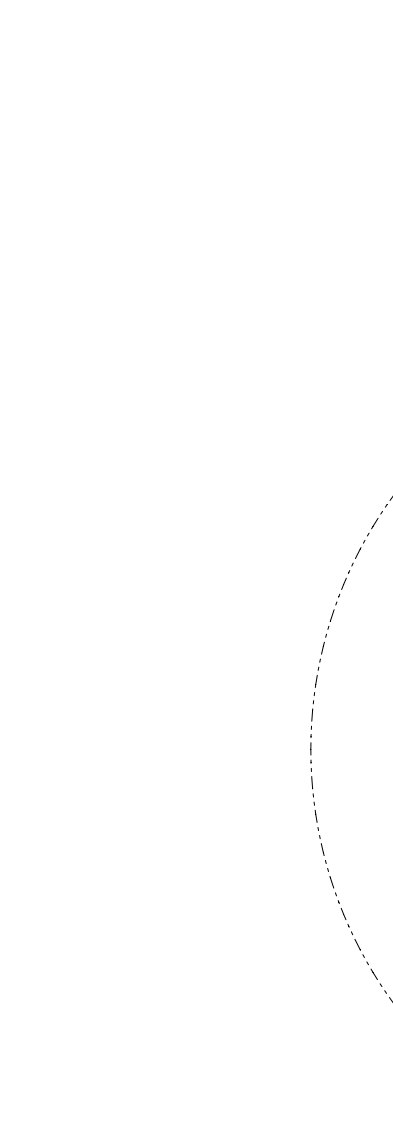
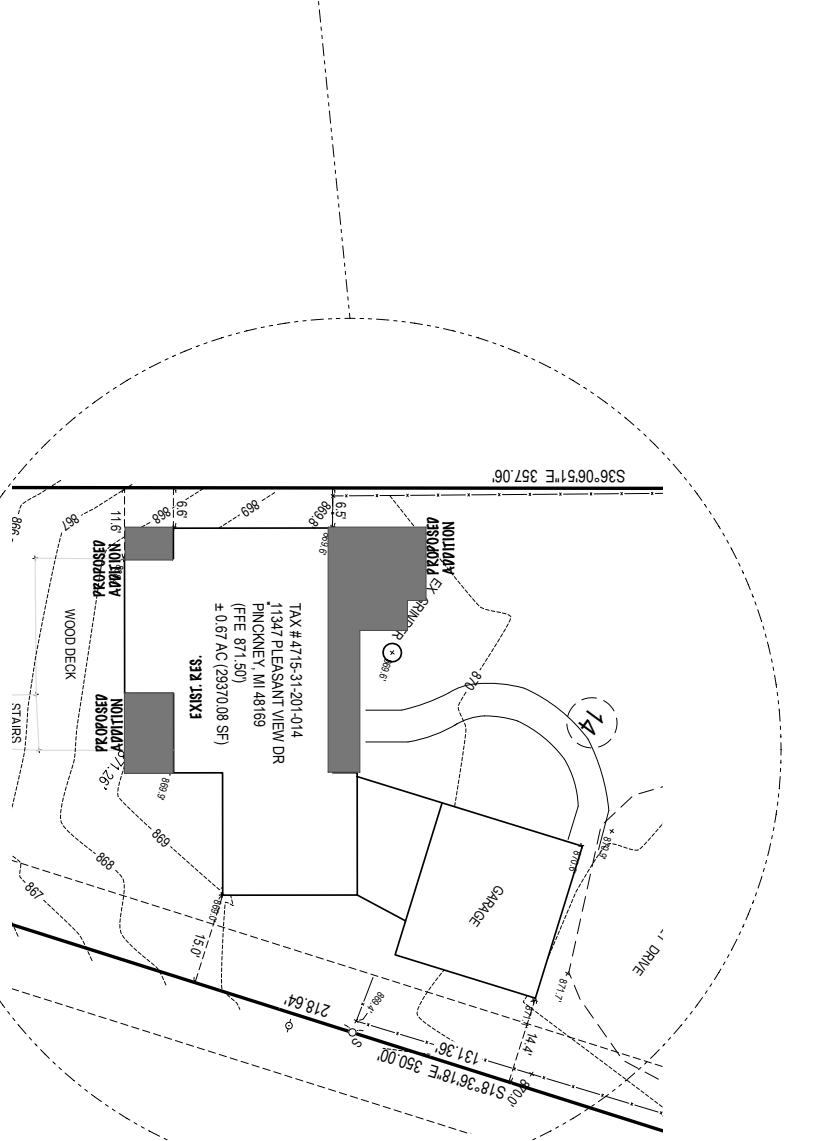
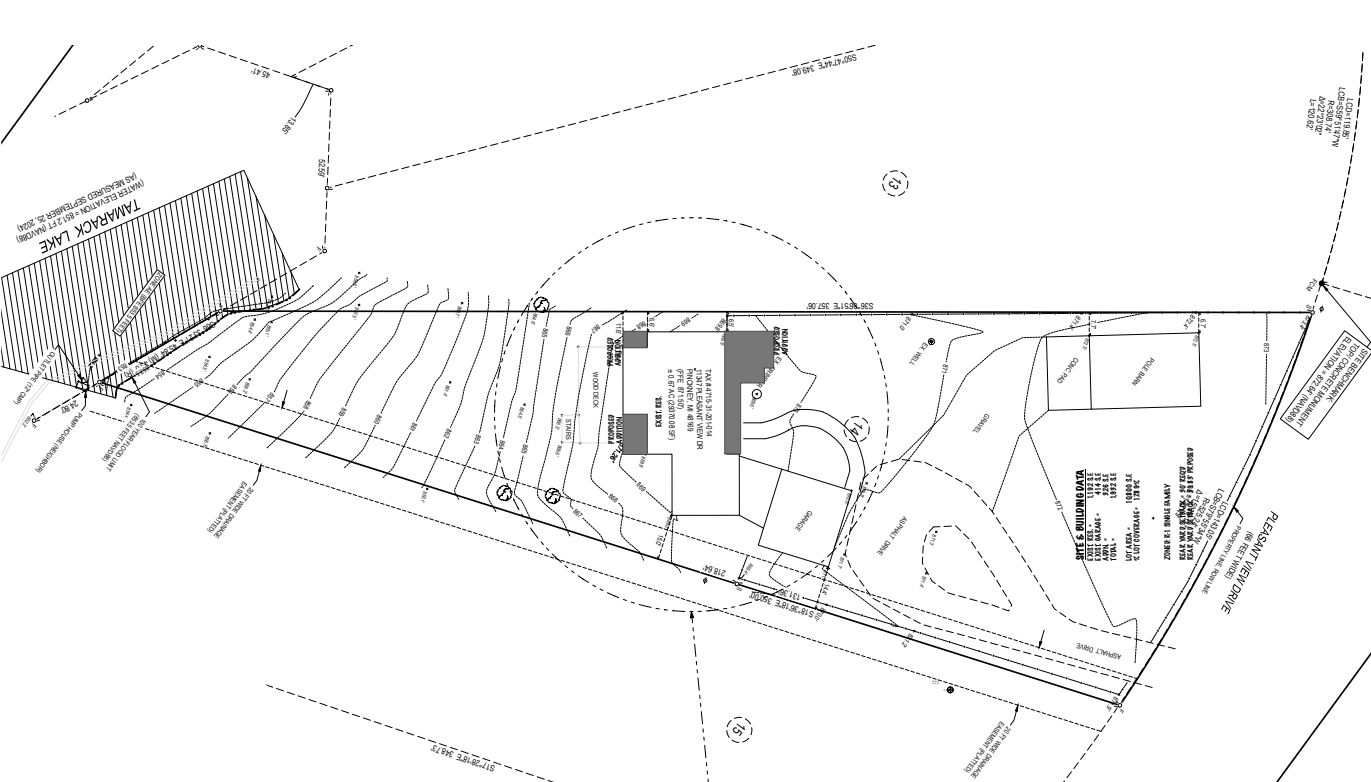
1 of 5

DATE: 10/23/24

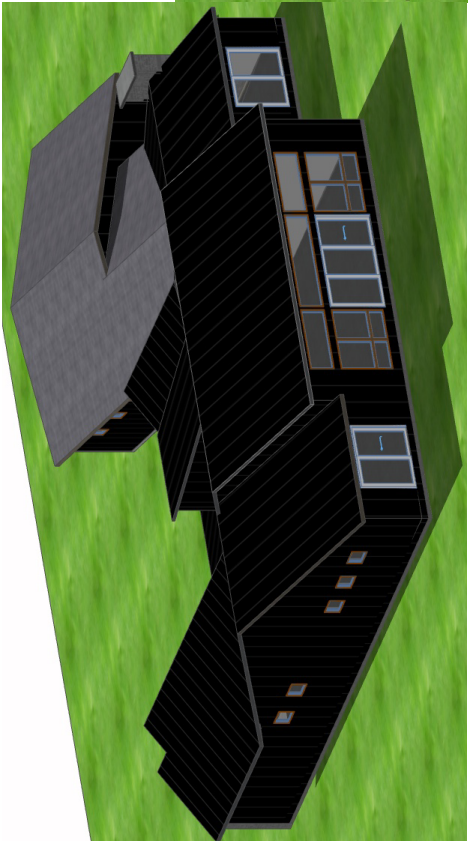
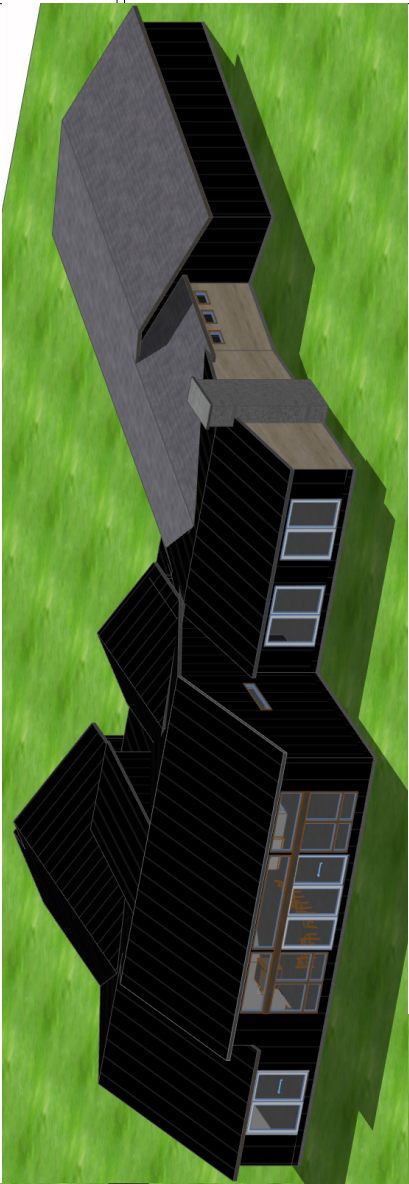
PROJECT: STRAKER RES. ADDN

OWNER: BOB & GRANDI STRAKER
11187 PLEASANT VIEW DR
PINCONEY, MI 48169

ARCHITECT: RANDAL J. CIZEK ARCHITECT



Item 1.



U.S. & Canada Architecture Uniszawa Projekt 11.02.2024 18. Staker Adamczyk, Staker Rembert, Jan

5 a 5

01.02.24

PROJEKT
WYKONANIE
KONSTRUKCJA
MONTAŻ
CZĘŚCI
WYKONANIE
CZĘŚCI

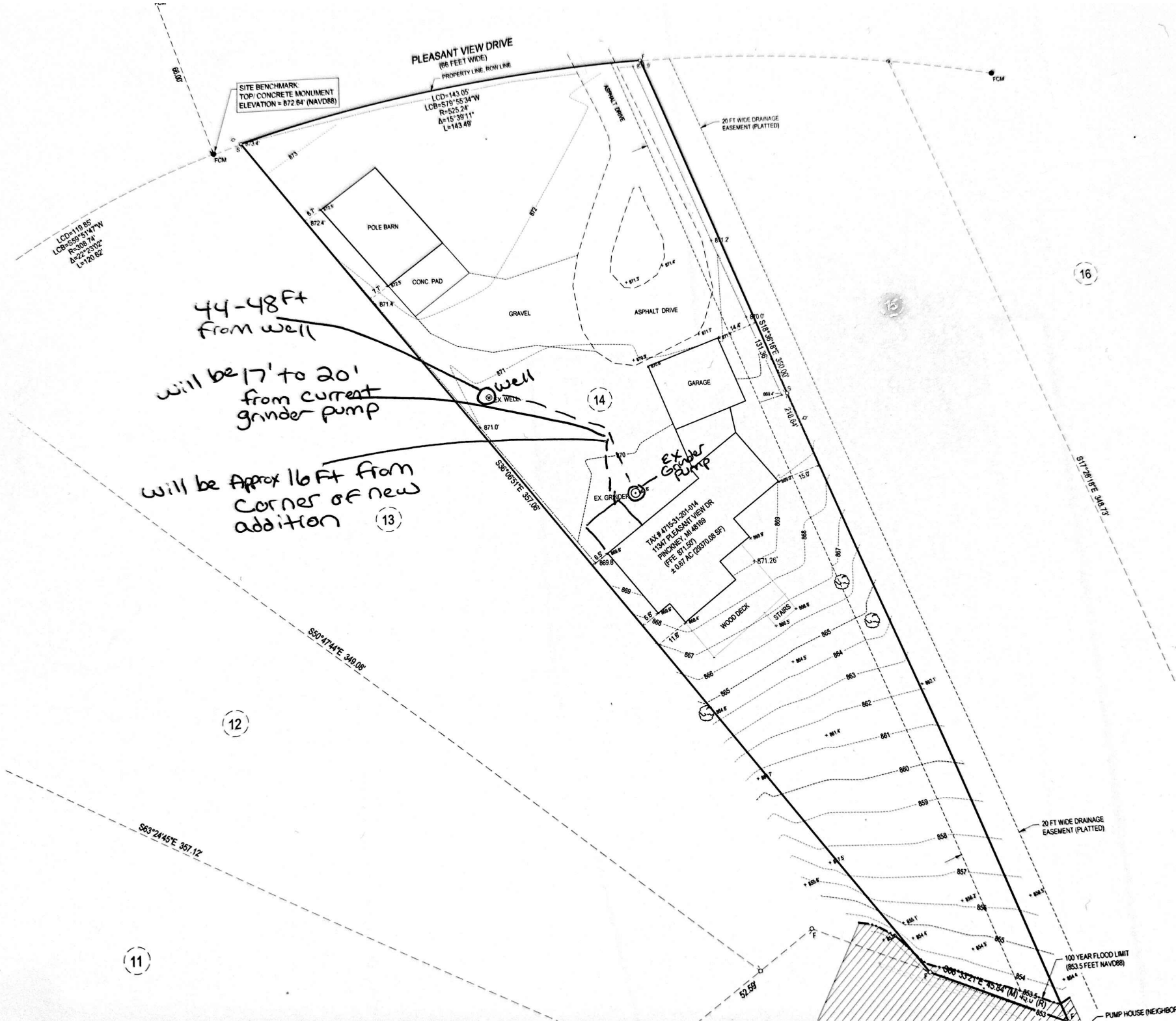
STRAKER RES. ADPM
11.02.2024 18.02.2024
PROJEKT
WYKONANIE
KONSTRUKCJA
MONTAŻ
CZĘŚCI
WYKONANIE
CZĘŚCI

808 & GRAND STRAKER
BRAMBY, IOWA
11.02.2024 18.02.2024
PROJEKT
WYKONANIE
KONSTRUKCJA
MONTAŻ
CZĘŚCI
WYKONANIE
CZĘŚCI

RANDAL J. CIZEK, ARCHITECT
ARCHITECTURE • PLANNING • DESIGN
384500000, HIGHLAND MICHIGAN 48857

PH: 734.251.1124





SITE BENCHMARK
TOP CONCRETE MONUMENT
ELEVATION = 872.64' (NAVD88)

PLEASANT VIEW DRIVE
(86 FEET WIDE)
PROPERTY LINE, ROW LINE

LCD=143.05
LCB=S18°55'34"W
R=525.24'
Δ=15°39'11"
L=143.48'

LCD=19.85
LCB=S89°55'41"W
R=200.74'
Δ=22°23'02"
L=120.62'

44-48 Ft
from well

will be 17' to 20'
from current
grinder pump

will be approx 16 Ft from
corner of new
addition (13)

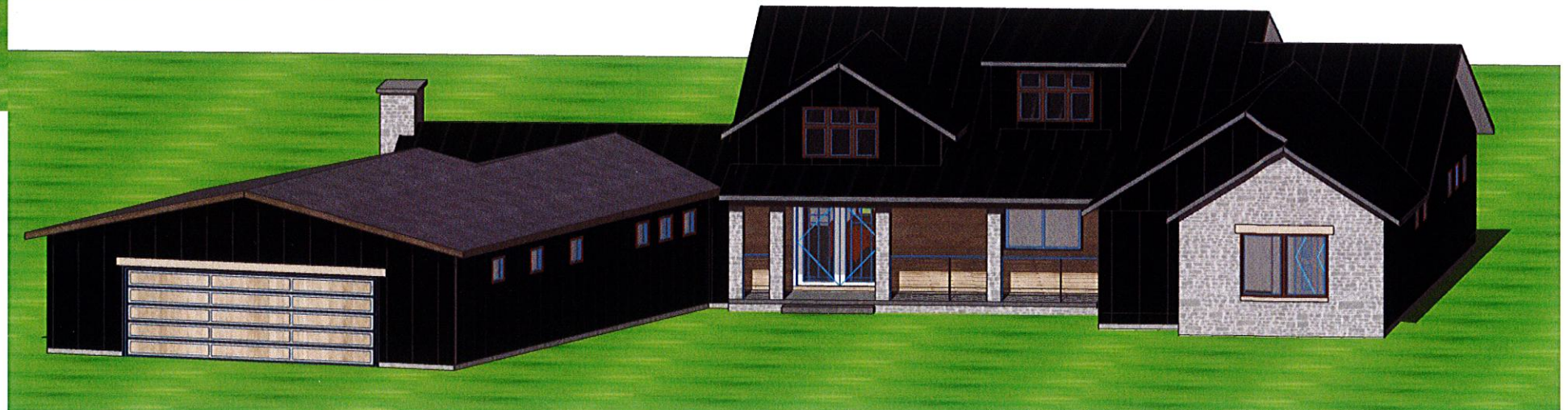
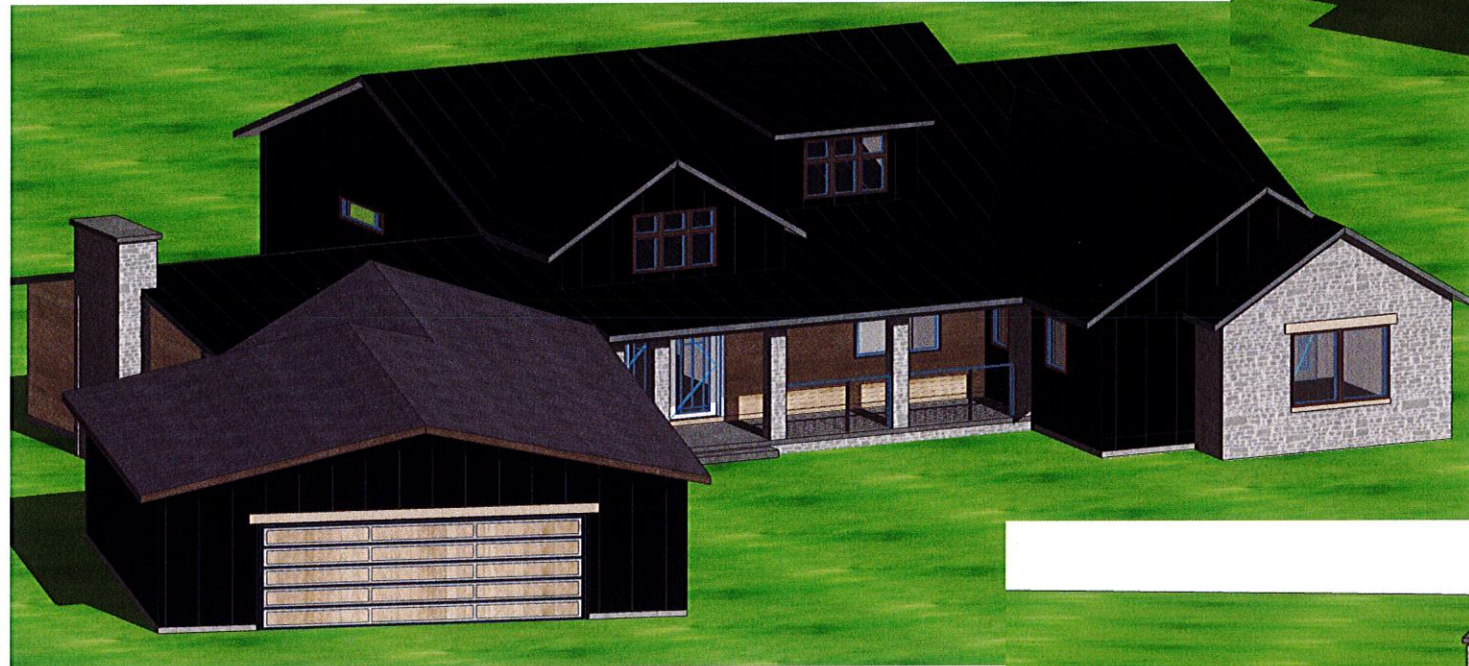
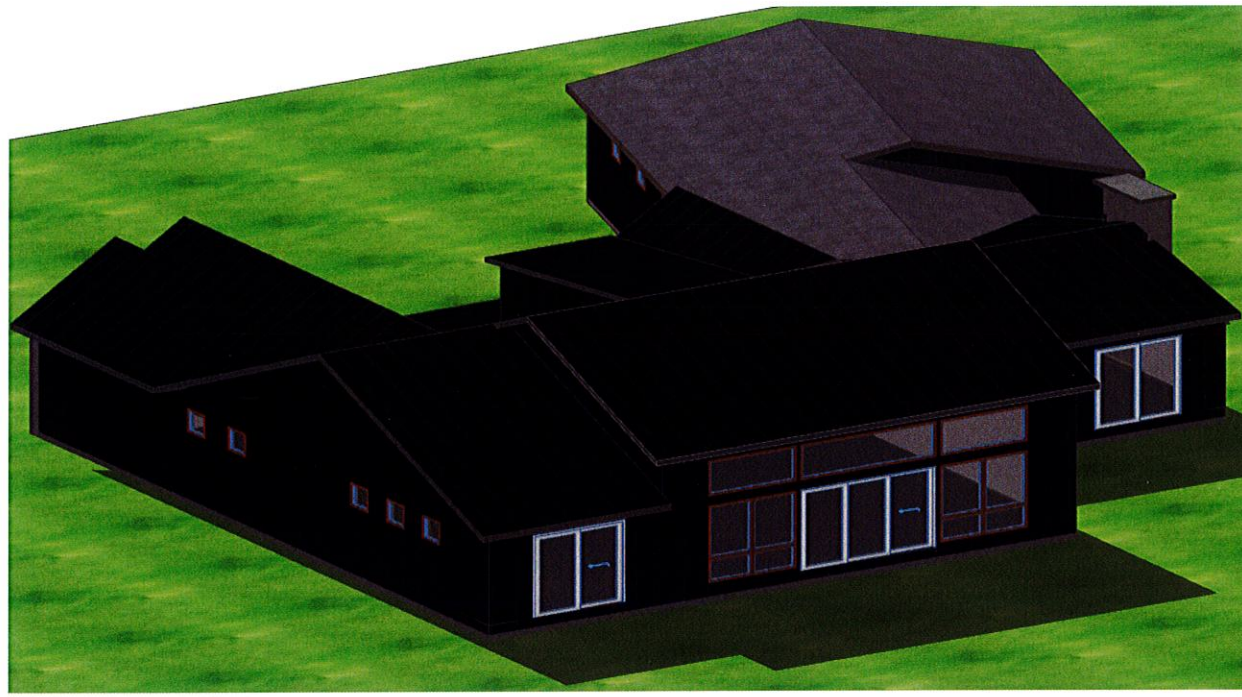
TAX # 471-531-201414
11047 PLEASANT VIEW DR
PINECANY, MI 48109
(PFE 871.50)
± 0.87 AC (28370.88 SF)

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OCT 07 2024

Hamburg Township
Planning and Zoning Department

Item 1.



PR: 1734075-15124
RANDAL J. CIZEK, ARCHITECT
ARCHITECTURE + PLANNING + DESIGN
3848 LINDEN DR., HIGHLAND, MICHIGAN 48357

DRAWN FOR:
BOB S. BRANDI STRAKER
11347 PLEASANT VIEW DR.
HAMBURG, MI 48334
248845-8444

PROJECT:
STRAKER RES. ADDN.
11347 PLEASANT VIEW DR.
HAMBURG, MI 48334
248845-8444

REVISIONS:
10/4/2024 VARIANCE

REVIEW FOR:
 PRELIMINARY
10/4/2024
 CONSTRUCTION

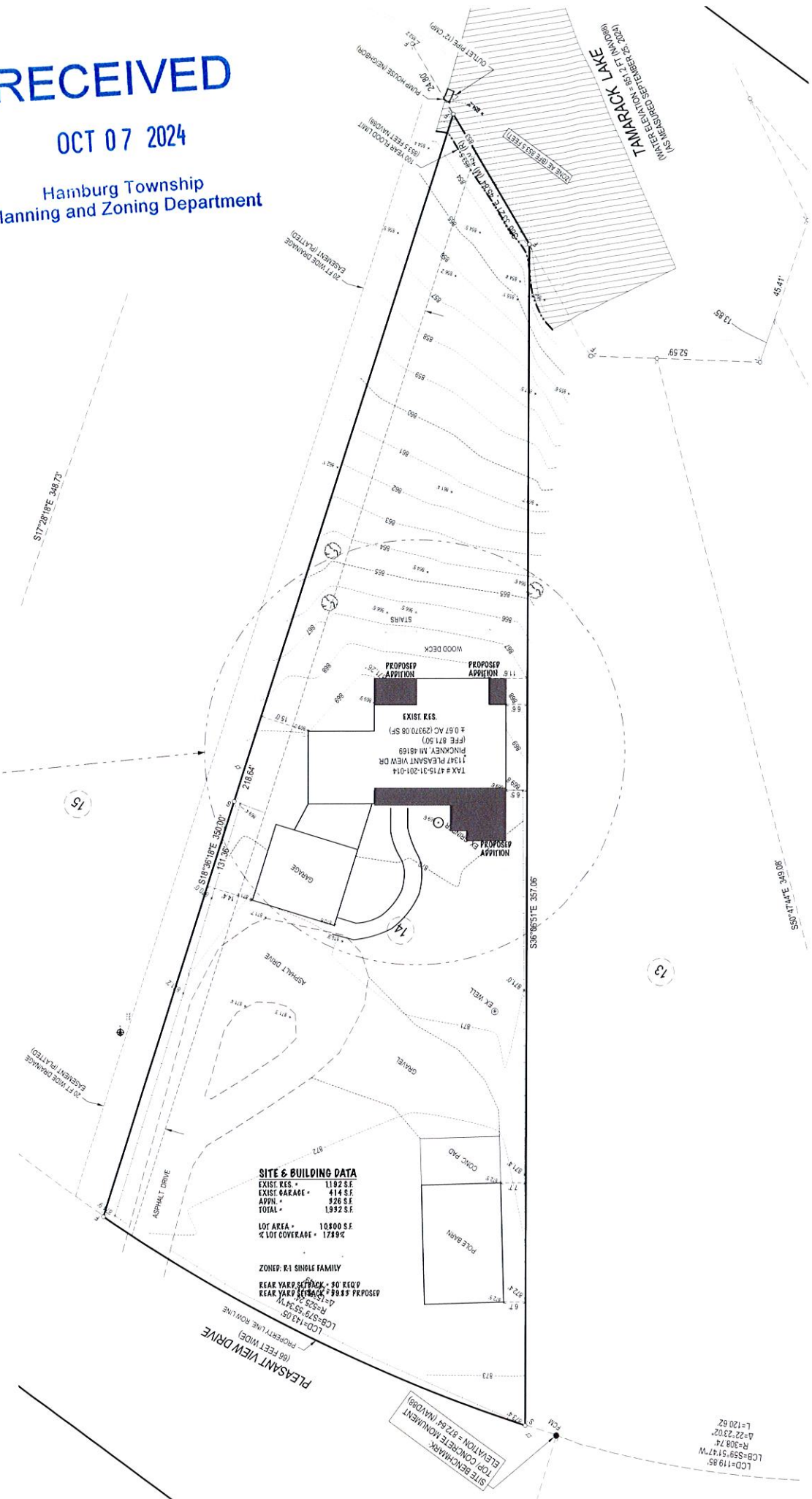
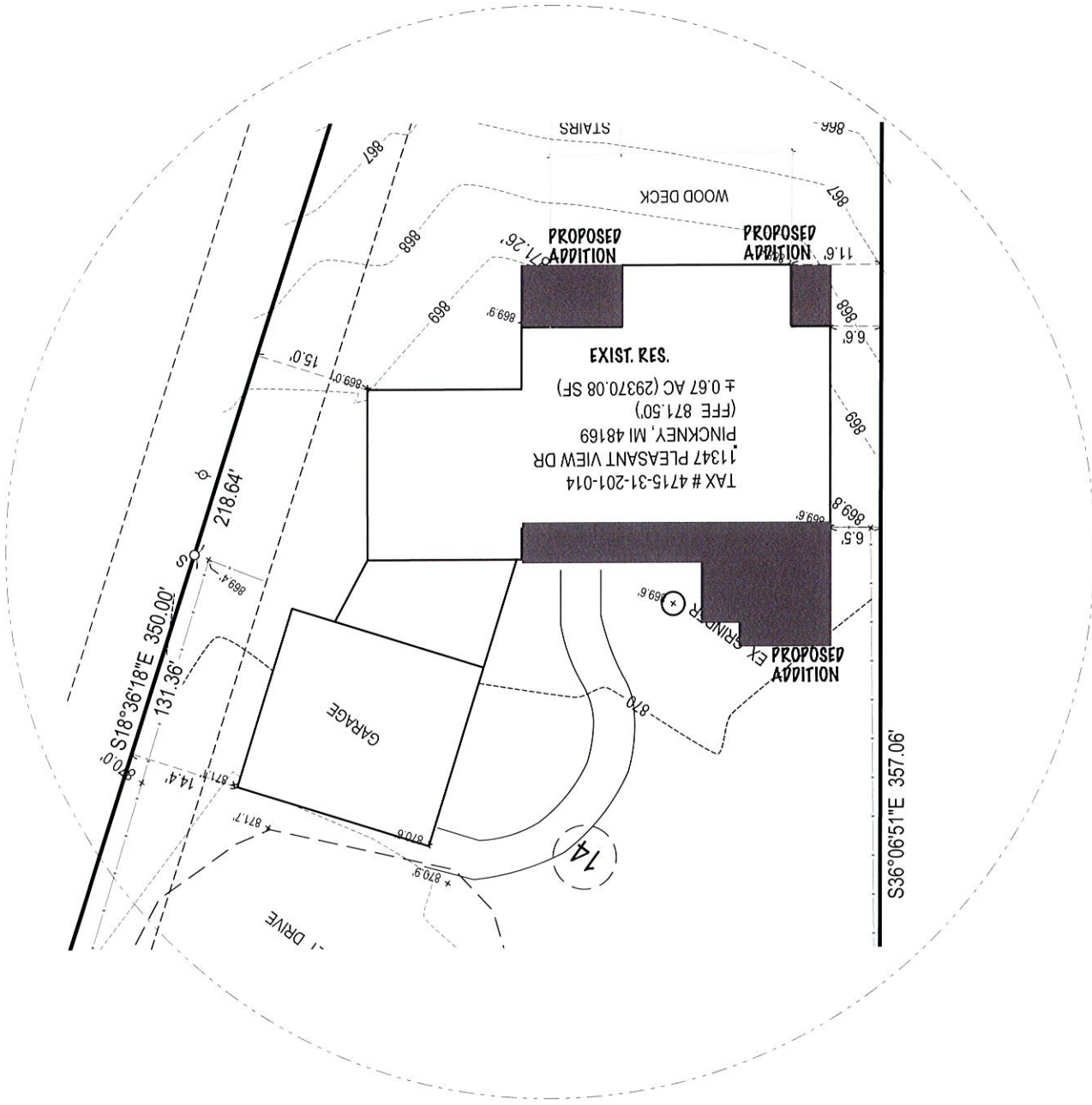
JOB NO.
202418

SHEET NO.
5 OF 44

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Hamburg Township
Planning and Zoning Department



SITE & BUILDING DATA

EXIST. RES.	1192 SF
EXIST. GARAGE	414 SF
APPN.	12 SF
TOTAL	1618 SF
LOT AREA	17080 SF
LOT COVERAGE	9.5%

ZONING: R1 SINGLE FAMILY
REAR YARD SETBACK - 50' REQ. REAR PROPOSED
REAR YARD SETBACK - 50' REQ. REAR PROPOSED
REAR YARD SETBACK - 50' REQ. REAR PROPOSED

LCB=59.5147M
R=308.74
L=120.62
ELEVATION = 872.84 (NAVD83)

Item 1.

RANDAL J. CIZEK, ARCHITECT
ARCHITECTURE • PLANNING • DESIGN
3840 LOCUST ST., BIRMINGHAM, MICHIGAN 48257
PH: (774)751-5124

PROJECT: STRAKER RES. ADDN.
11347 PLEASANT VIEW DR
PINKNEY, MI 48169
(248) 545-9444

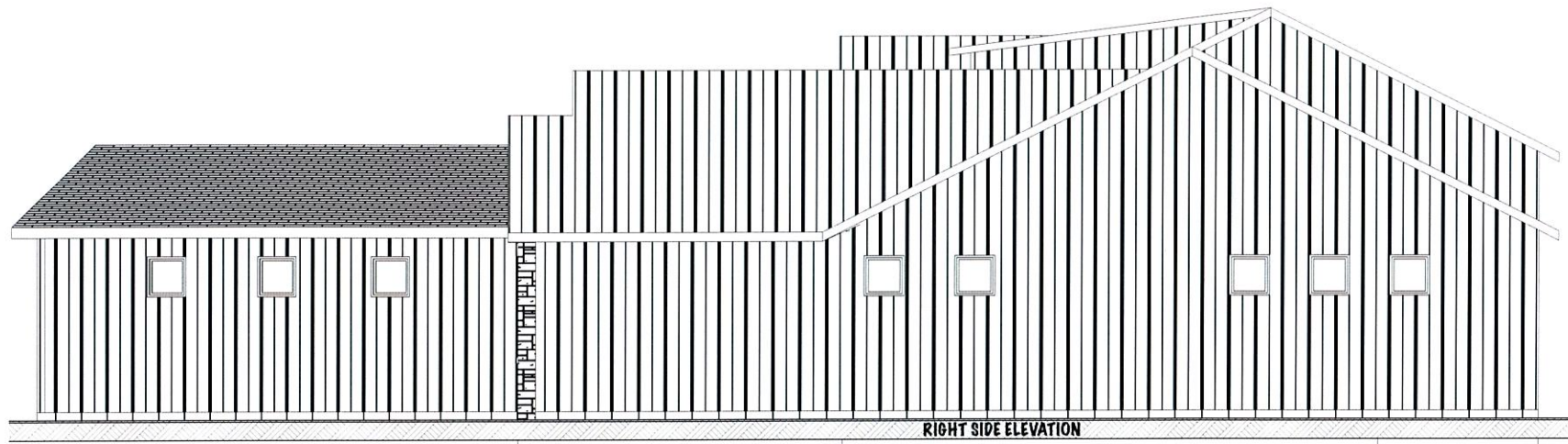
DRAWN FOR: BOB & BRANDI STRAKER
11347 PLEASANT VIEW DR
PINKNEY, MI 48169
(248) 545-9444

REVISIONS
10/6/2024 VARIANCE

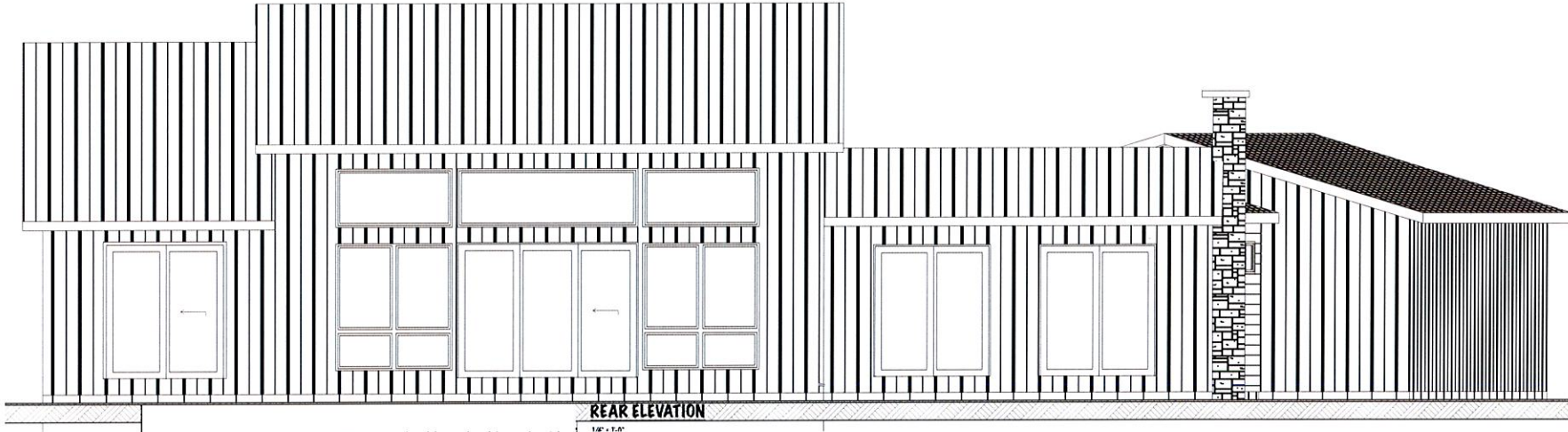
ISSUED FOR:
○ PRELIMINARY 10/6/2024
○ CONSTRUCTION

JOB NO. 202418

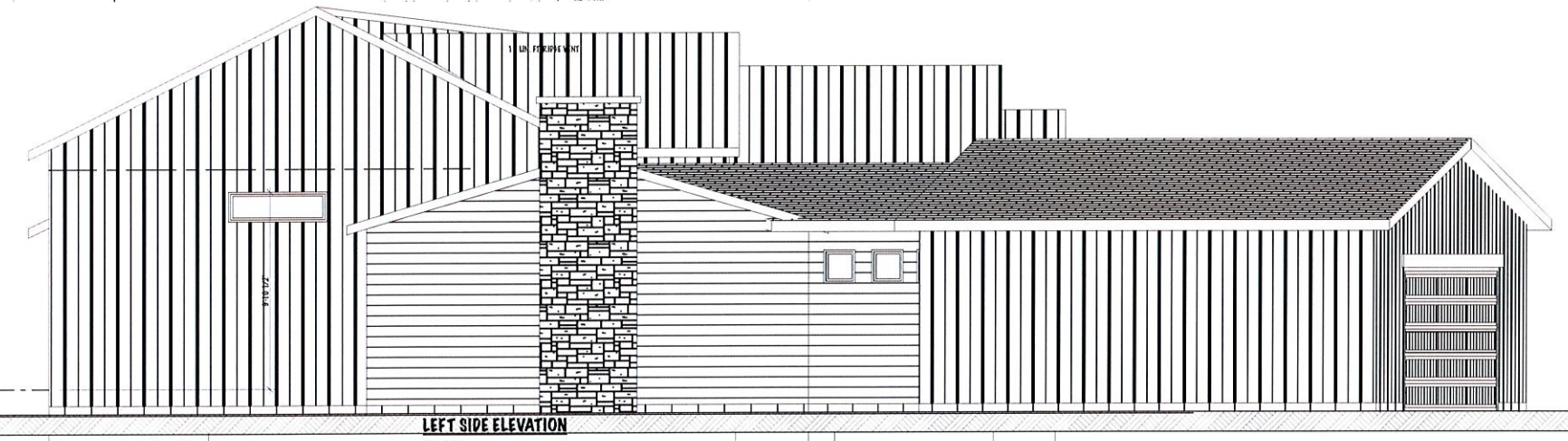
SHEET NO. 1 of 5



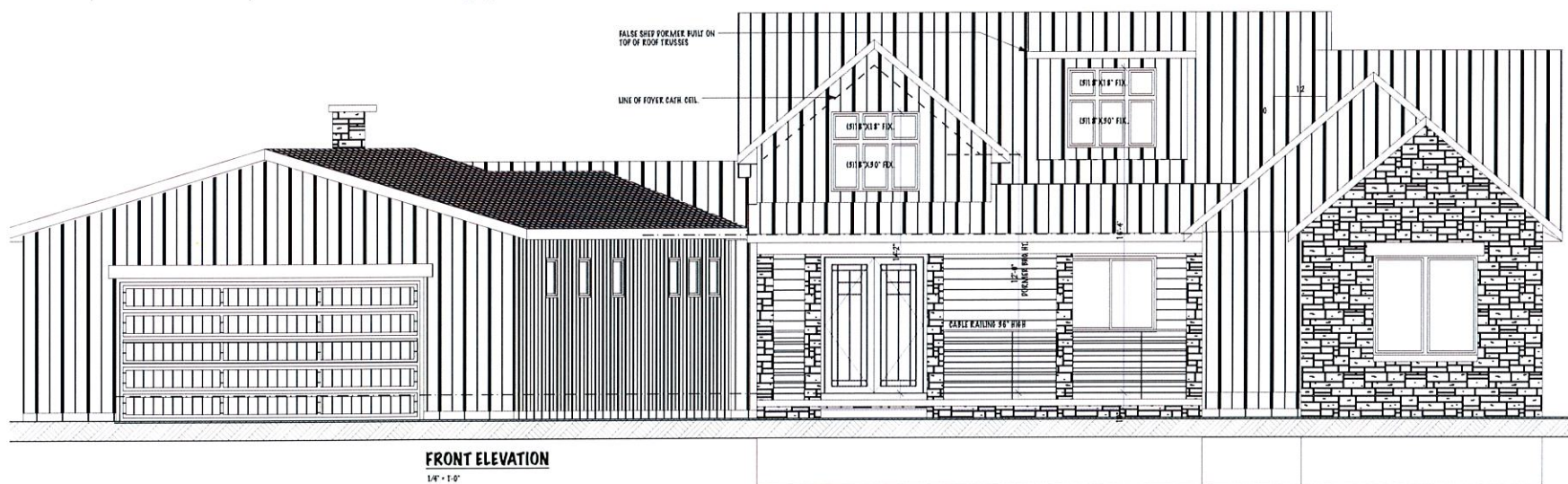
RIGHT SIDE ELEVATION
1/4" = 1'-0"



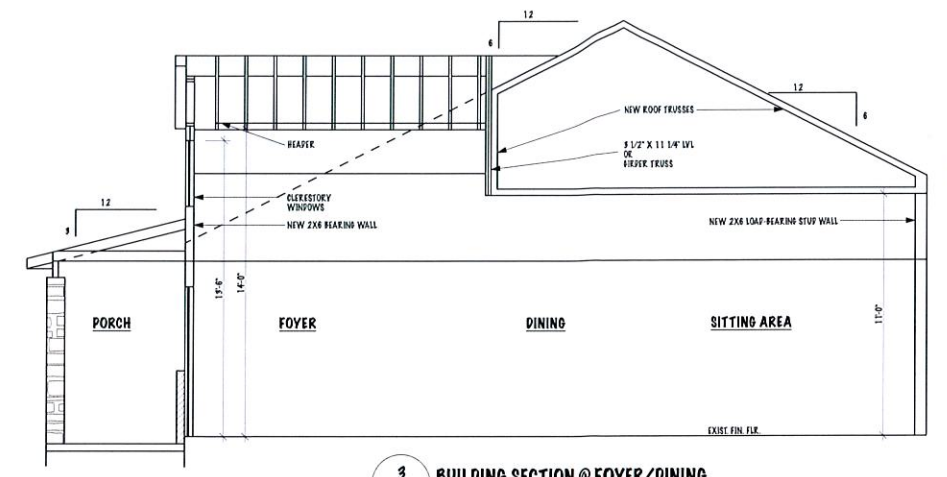
REAR ELEVATION
1/4" = 1'-0"



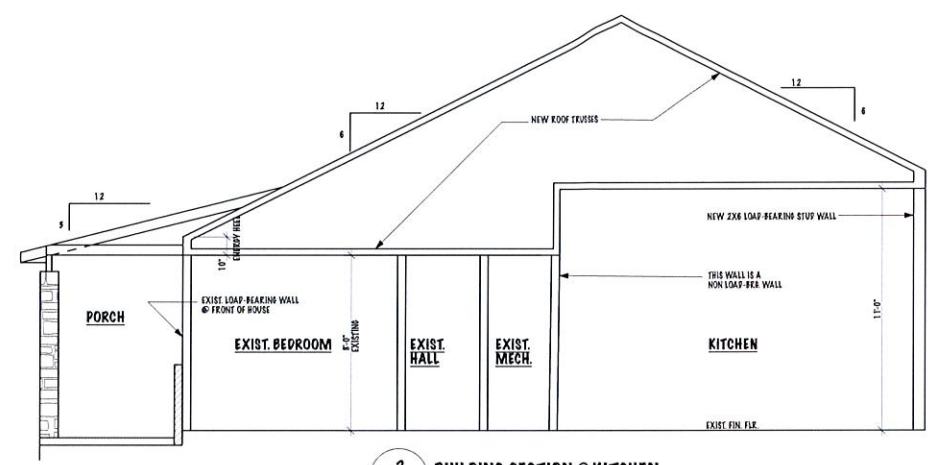
LEFT SIDE ELEVATION
1/4" = 1'-0"



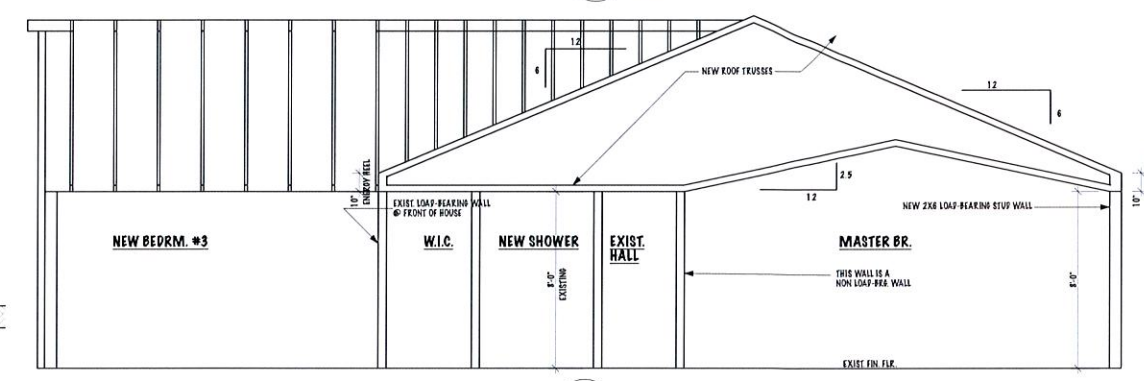
FRONT ELEVATION
1/4" = 1'-0"



3 BUILDING SECTION @ FOYER/DINING
1/4" = 1'-0"



2 BUILDING SECTION @ KITCHEN
1/4" = 1'-0"



1 BUILDING SECTION @ MASTER BEDROOM
1/4" = 1'-0"

RECEIVED

OCT 07 2024

Hamburg Township
Planning and Zoning Department

Item 1.

PH: (734) 515-1244
RANDAL J. CIZEK, ARCHITECT
ARCHITECTURE • PLANNING • DESIGN
3494 LUCKY PALM, HUNTSVILLE, INDIANA 48837

PH: (734) 515-1244
BOB & BRANDI STRAKER
11347 PLEASANT VIEW DR.
PINECREEK, INDIANA 48110
C248245-8444

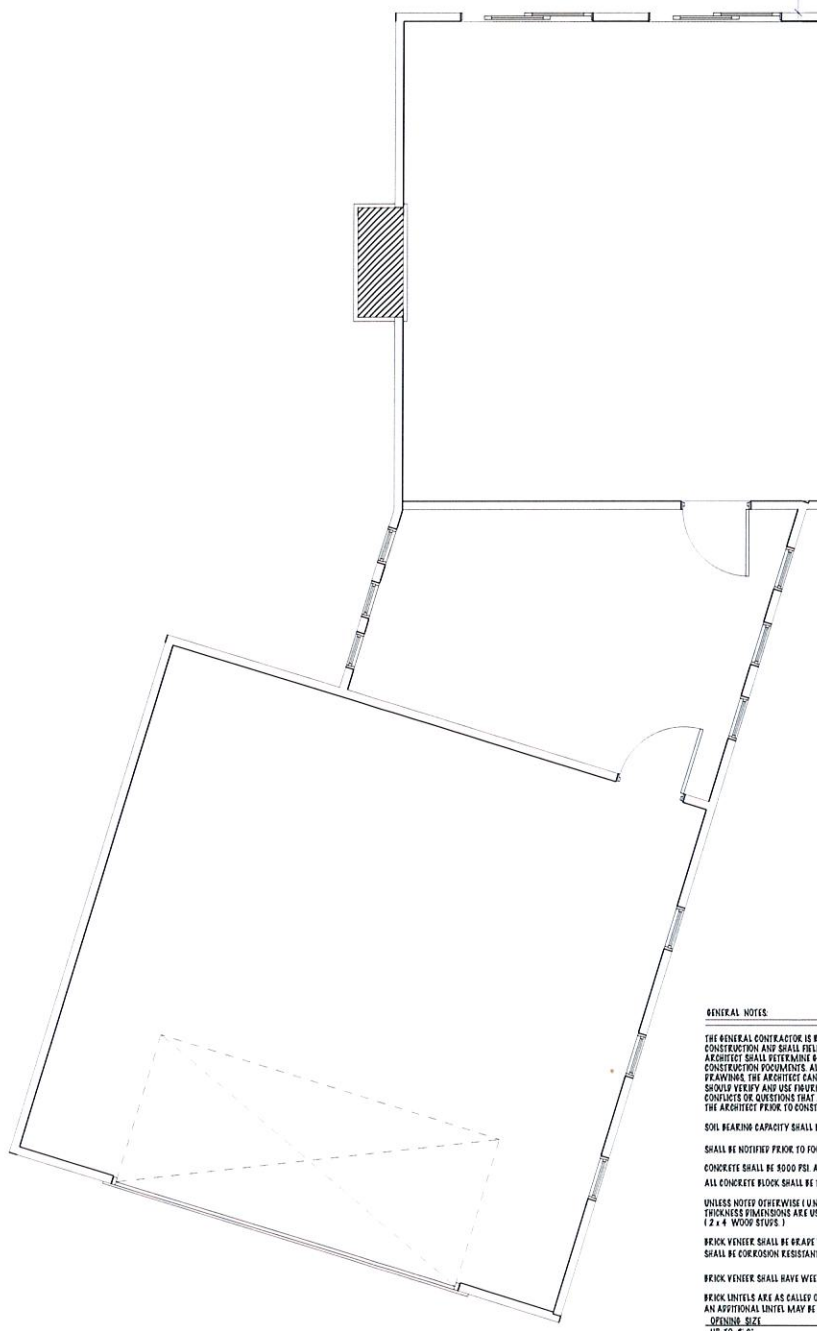
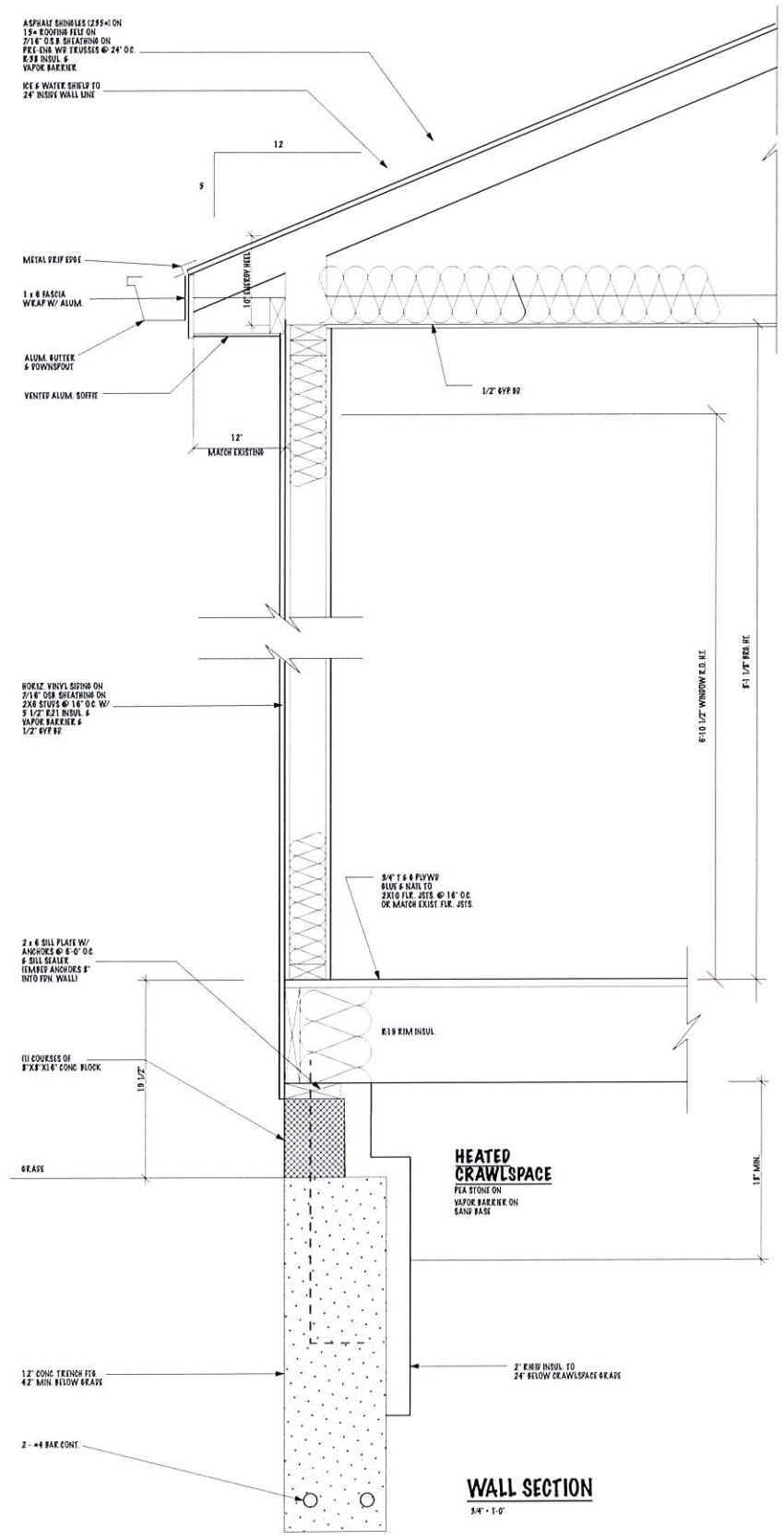
PROJECT:
STRAKER RES. ADDN.
11347 PLEASANT VIEW DR.
PINECREEK, INDIANA 48110
C248245-8444

REVISION:
10/4/2024 VARIANCE

ISSUED FOR:
PRELIMINARY 10/4/2024
CONSTRUCTION

JOB NO.
202418

SHEET NO.
4 OF 5



GENERAL NOTES

THE GENERAL CONTRACTOR IS RESPONSIBLE FOR REVIEWING THE CONSTRUCTION DOCUMENTS PRIOR TO CONSTRUCTION AND SHALL BE RESPONSIBLE FOR ALL ASPECTS OF THE DOCUMENTS. THE ARCHITECT SHALL DETERMINE WHETHER INFORMATION IS A CONFLICT SHOULD OCCUR BETWEEN VARIOUS CONSTRUCTION DOCUMENTS. ALTHOUGH EVERY PRECAUTION HAS BEEN TAKEN IN THE PREPARATION OF THESE DRAWINGS, THE ARCHITECT CANNOT GUARANTEE AGAINST HUMAN ERROR AND OMISSION. THE CONTRACTOR SHOULD VERIFY ANY USE DIMENSIONS ONLY - DO NOT SCALE DRAWINGS FOR CONSTRUCTION. ANY CONFLICTS OR QUESTIONS THAT ARISE DUE TO THESE DRAWINGS SHOULD BE BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO CONSTRUCTION.

SOIL BEARING CAPACITY SHALL BE ASSUMED TO BE 2000 PSF. IF POORER SOIL CONDITIONS ARE FOUND THE ARCHITECT SHALL BE NOTIFIED PRIOR TO FOOTING CONSTRUCTION. ALL FOOTINGS SHALL BEAR ON FIRM, UNDISTURBED SOIL. CONCRETE SHALL BE 3000 PSI AT 28 DAY TEST. ALL CONCRETE BLOCK SHALL BE TYPE "N" AND MORTAR SHALL BE TYPE "M". UNLESS NOTED OTHERWISE (MIN. 3) DIMENSIONS ARE FROM FINISH FACE TO FINISH FACE. NOMINAL THICKNESS DIMENSIONS ARE USED FOR MASONRY INTERIOR FRAME PARTITION THICKNESS IS 4 1/2" (2 x 4 WOOD STUDS).

BRICK VENEER SHALL BE HEADS "HW", ASTM C-216 TYPE "FWS" AND MORTAR SHALL BE TYPE "M". METAL TIES SHALL BE CORROSION RESISTANT METAL OR GALVANIZED AND SHALL BE PLACED 18" ON CENTER EACH WAY.

BRICK VENEER SHALL HAVE WEEP HOLES AT THE BASE AT 32" O.C.

BRICK LINTELS ARE AS CALLED OUT ON THE DRAWINGS. IN THE EVENT THAT THE INFORMATION IS MISSING OR AN ADDITIONAL LINTEL MAY BE REQUIRED THE FOLLOWING SCHEDULE SHALL DETERMINE THE LINTEL SIZE:

OPENING SIZE	STILL ANGLE LINTEL SIZE
UP TO 3'-0"	1L - 5" x 8" x 14"
UP TO 3'-0"	1L - 5 1/2" x 8 1/2" x 14"
UP TO 3'-0"	1L - 6" x 8" x 14"
UP TO 3'-0"	1L - 6 1/2" x 8 1/2" x 14"
UP TO 3'-0"	1L - 7" x 8" x 14"
UP TO 3'-0"	1L - 7 1/2" x 8 1/2" x 14"
UP TO 3'-0"	1L - 8" x 8" x 14"
UP TO 3'-0"	1L - 8 1/2" x 8 1/2" x 14"
UP TO 3'-0"	1L - 9" x 8" x 14"
UP TO 3'-0"	1L - 9 1/2" x 8 1/2" x 14"

LUMBER FOR FLOOR JOISTS SHALL BE ANY OF THE FOLLOWING (BASED ON 16" O.C. & REPETITIVE MEMBER USE OF 9 MEMBERS MIN.)

POULAS FIBER LARCH NO. 2 (MAX. SPAN - 15'-3")
FEM - FIB NO. 2 (MAX. SPAN - 15'-3")
SPEICE - FIB NO. 2 (MAX. SPAN - 15'-3")
SOUTHERN PINE NO. 2 (MAX. SPAN - 14'-7")
AS APPROVED BY THE AMERICAN FOREST & PAPER ASSOCIATION (FORMERLY THE NATIONAL FOREST PRODUCTS ASSOCIATION)

ALL WALLS OF 16" O.C. AND GREATER UNDERCUT (EXTERIOR DEFLECT) SHEET SHALL BE CONTINUOUS 2 x 4 STUDS WITH WALL/CEILING FRAME BRACING (MIN. 2 x 4 @ 8' O.C.)

ALL 2 x 4 STUD BEARING WALLS BETWEEN 8'-0" AND 10'-0" IN HEIGHT SHALL BE BRACED WITH CONTINUOUS 2 x 4 (MINIMUM) AT MIDSPAN.

ALL FLOOR JOISTS UNDER EACH TUBS AND WHIRLPOOL TUBS SHALL BE DOUBLED ALL INTERIOR PARTITIONS PARALLEL TO THE JOISTS SHALL HAVE DOUBLED JOISTS BELOW OR LAP JOIST BELOW.

THE GENERAL CONTRACTOR SHALL PROVIDE TEMPORARY BRACING AND BRACING AS REQUIRED TO MAINTAIN THE STABILITY OF THE STRUCTURES UNTIL THE PERMANENT FRAMING AND STRUCTURAL MEMBERS ARE IN PLACE.

ALL SILL PLATES SHALL BE OF TREATED LUMBER AND SECURED WITH 1/2" ANCHOR BOLTS @ 6'-0" MAX. SPACING OR METAL STEEL ANCHORS @ 6'-0" MAX. SPACING SET INTO CONCRETE WALL OR BLOCK AND SHALL BE PLACED A MAX. OF 1/2" IN FROM EACH CORNER. (EVENLY SPACING OF STEEL ANCHORS WITH MANUFACTURER'S)

PROVIDE CONTINUOUS ROWS OF BRACING AT FLOOR JOISTS AT 8'-0" ON CENTER MAXIMUM SPACING AND PROVIDE BRACING AT ALL AREAS WHERE FLOOR JOISTS REST ON SUPPORTS.

PROVIDE LATERAL BRACING IN ALL ROOF TRUSS AREAS AS INDICATED BY TRUSS MANUFACTURER.

PROVIDE WIND BRACING IN THE FORM OF LET - IN METAL STRAPS LET - IN 1" x 4" O.C. 1/2" PLYWOOD OR 2" x 4" O.C. BRACING.

LAMINATED VENEER LUMBER (LVL) OR SIMILAR LAM VENEER SHALL HAVE AN "N" VALUE OF 1.9 AND SHALL BE MANUFACTURED BY "TRUSS JOIST CONSTRUCTION" OR EQUAL.

WOOD CONSTRUCTION SHALL BE PER THE AMERICAN INSTITUTE OF TIMBER CONSTRUCTION (A.I.T.C.) AND THE NATIONAL FOREST PRODUCTS ASSOCIATION (N.F.P.A.) STANDARDS AND SPECIFICATIONS.

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Planning and Zoning Department.

ROOM/AREA	AREA (SQ. FT.)	DEAD LOAD	TOTAL LOAD
BEDROOM AREAS	90	10	40
ALL AREAS W/ CER. TILE	40	20	60
ROOF AREA	90	17	47

INTERIOR FINISHES SHALL BE SELECTED BY THE OWNER OR HIS/HER REPRESENTATIVE.
SUB-FLOOR SHALL BE PREPARED 3/4" AT AREAS DESIGNATED BY BULLDOZE OR OWNER TO RECEIVE DYNAMIC TIRE.
PROVIDE SLOTTED ROOF VENTILATION AT 1/300 OF THE TOTAL ENCLOSED ROOF AREA WITH 50% OF THE REQUIRED VENT AREA IN THE UPPER 1/2 OF THE ROOF AND 50% IN THE EAVE/CORNER SECTION OF THE ROOF.
PROVIDE A 22" x 30" ATIC ACCESS TO ALL AREAS HAVING A CLEAR HEIGHT OF OVER 30".
PROVIDE REINFORCED FAULT INTERLUPTERS AT ALL INTERIOR OUTLETS ADJACENT TO WATER SOURCES. EXTERIOR OUTLETS SHALL BE WATERPROOF TYPE.
PROVIDE 1/4" WIDE x 1/2" PANELS BEHIND PARTITIONS FOR ACCESS TO SHUT - OFF VALVES. PANELS SHALL BE OF 48 PLYWOOD AND CASSET WITH WOOD MOLDING TO MATCH FLOOR CASING.
ALL SMOKE DETECTORS SHALL BE BARE WIRE AND SHALL BE LOCATED ON EACH LEVEL AND ONE IN EVERY BEDROOM.
WINDOW MANUFACTURERS TO VERIFY WINDOW SIZES AND ACCESS REQUIREMENTS. ALL WINDOWS SHALL MEET LOCAL REQUIREMENTS FOR DRESS, LIGHT AND VENTILATION. ALL BEDROOM WINDOWS SHALL HAVE A MINIMUM 57 SQ. FT. CLEAR OPENING FOR DRESS. BEDROOM WINDOWS SHALL OPEN TO 20" x 24" CLEAR AND SHALL HAVE A SILL HEIGHT OF 44" OR LESS. ALL GLAZING WITHIN 18" OF THE FINISH FLOOR OR WALKING SURFACE SHALL BE TEMPERED. ALL GLAZING ADJACENT TO OR WITHIN A SWIMMING POOL AREA SHALL BE TEMPERED. EVEN THOUGH THESE REQUIREMENTS HAVE BEEN DESIGNATED IN THE PRODUCT THEY SHALL BE VERIFIED BY THE WINDOW MANUFACTURER.
THE GENERAL CONTRACTOR SHALL FIELD MEASURE AND VERIFY ALL NON - STANDARD WINDOW SIZES AND LOCATIONS.

RECEIVED

OCT 07 2024

Hamburg Township
Planning and Zoning Department

PROJECT:
BOUNDARY AND TOPOGRAPHIC SURVEY

PLOT PLAN

Part of the East 1/2 of Section 31, and the West 1/2 of Section 32, T1N, R5E, Hamburg Township, Livingston County, Michigan

CLIENT:

ROBERT & BRANDI STRAKER

11347 PLEASANT VIEW DRIVE,
PINCKNEY, MI
48169



NOTES:

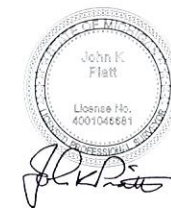
- HORIZONTAL DATUM IS ACCORDING TO NAD83, STATE PLANE COORDINATES, MICHIGAN SOUTH ZONE (2113), LINEAR FEET.
- VERTICAL DATUM IS ACCORDING TO NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
- NO UTILITIES WERE LOCATED OR RESEARCHED AS PART OF THIS SITE WORK, BEYOND THE LOCATION OF WELL AND GRINDER PUMPS.
- FEMA FLOODPLAIN REFERENCE IS ZONE AE, BASE FLOOD ELEVATION DETERMINED, 853.5 FEET (NAVD88), FEMA FIRM MAP 26093C0445D, EFFECTIVE DATE 9-17-2008.

LEGAL DESCRIPTION:

Lot 14, 'TAMARINA PARK SUBDIVISION,' being a part of the East 1/2 of Section 31, and part of the West 1/2 of Section 32, T1N, R5E, Hamburg Township, Livingston County, Michigan.

CERTIFICATE:

I hereby certify that I have surveyed and mapped the land above platted, and or described, and that the ratio of closure on the unadjusted field observations of such survey was no greater than 1:5000, and that all of the requirements of P.A. 132, as amended, have been complied with.



LEGEND

- SECTION CORNER
- FIRE HYDRANT
- UTILITY POLE
- FOUND IRON PIPE
- SET IRON PIPE
- RECORD DIMENSION
- MEASURE DIMENSION
- WELL (EXISTING)
- GRINDER PUMP (SEWAGE)
- EXISTING FENCELINE
- PROPOSED FENCELINE
- DEED LINE
- LOT LINE (ORIG. PLAT)
- ZONING SETBACK
- STRUCTURE DISTANCE

SCALE: 1" = 20'
0 10 20 40

DATE: 09/30/2024
REV:
REV:

JOB NO: 2024-3987

SHEET 1 OF 1



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, October 9, 2024, at 7:00 PM
Hamburg Township Hall Board Room

MINUTES

CALL TO ORDER

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

PLEDGE TO THE FLAG

ROLL CALL OF THE BOARD

Members PRESENT:

Brian Ignatowski
Jason Negri
Joyce Priebe, Chair
William Rill

ABSENT:

Benedict Russell

CONSENT AGENDA

Approval motion by Treasurer Negri, seconded by Member Rill, to approve Zoning Board of Appeals Agenda for tonight.

Voice Vote: Ayes: (4)

Absent: (1)

VOTE: MOTION CARRIED

GENERAL CALL TO THE PUBLIC -no one came forth

CURRENT BUSINESS**1. ZBA 2024-006**

Owner: Christopher & Katherine Markey
 Location: 10210 Buhl Dr.
 Parcel ID#: 4715-27-101-024
 Request: Variance application to permit the construction of a new attached two car garage. Applicant requests a variance from the required side setback of 10 feet, per Section 36-171 (D).

Chair Priebe invited the applicant to address the ZBA members. The contractor, Todd Hallett, spoke on the homeowner's behalf. Todd said the homeowner wants to demo the detached garage and build an attached garage closer to the existing home so the homeowner can age in place. The contractor stated that the homeowner finds that having a detached garage makes dealing with ice and snow in the winter a difficulty. Since the detached garage sits so close to the road, the homeowner is finding that backing out of the garage very dangerous.

Chair Priebe invited David to address the ZBA members. David shared his experience when visiting the site and shared his staff report with the members. David said that this new construction would make the home more conforming to the character of the surrounding neighborhood. Next Chair Priebe opened the public meeting for this case, but no one came forward to address the members, so she closed it.

Chair Priebe invited the ZBA members to make comments and ask questions. She continued to state that she supported and was pleased that the homeowner was making the site more conforming to the zoning ordinance by removing the detached garage that was located too close to Buhl Dr. Member Ignatowski and Member Rill also supported the project because they felt it more conforming. Treasurer Negri stated that he was concerned about the side yard setback. The reason for this distancing to a neighboring lot is to keep structures from encroaching too close to their neighbor's lot and feeling a tight confinement. Negri stated that when he saw the two neighbor letters of support for this project, he was then able to share in the approval this variance.

Approval motion made by Treasurer Negri, seconded by Member Ignatowski, to approve variance application ZBA 24-0006 at 10210 Buhl Dr. TID 15-27-101-024. Applicant requests a 5-foot variance from the required side setback of 10 feet, per Section 36-171 (D).

The ZBA finds that the variance meets variance standards one (1) through seven (7) of Section 36-137 of the Hamburg Township Zoning Ordinance, and we find that 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.

Voice Vote: Ayes: (4)

Absent: (1)

VOTE: MOTION CARRIED

2. ZBA 2024-007

Owner: Todd & Katie Hallett
 Location: 10232 Buhl Dr.
 Parcel ID#: 4715-27-101-046
 Request: Variance application to permit the construction of a new pole barn. Applicant requests a variance from maximum structure size permitted, per Section 36-215 (11) (c).

Chair Priebe invited the applicant to address the ZBA members. Todd Hallett is the homeowner at this address. Todd explained that his home resides on the lake side and that he has two small barns on the land across the street from his home. He is proposing to build a 21 X 67 ft pole barn behind the two barns. The length of the parcel across the street is 400 feet deep. Todd stated that he meets maximum lot coverage for the zoning district even with this pole barn proposal. Todd showed that many of the neighboring lots also have very large pole barns in this area. Treasurer Negri asked Todd if his proposed barn was the one in white on the presentation slide. He said yes. Todd said that he is building this pole barn to house old cars that he restores and collects as a hobby. He wants to age in place and would like to do this at this home. Todd said that he secured his wetland permit from EGLE and ensured that he would not build in the 100-yr floodplain. Then he secured an elevation certificate but then it was discovered that such a outbuilding couldn't be built across the street without a variance.

Chair Priebe invited David to address the ZBA members. He said that our zoning ordinance limits Waterfront lots on the size of accessory structures on their out lots to a maximum of 800 sq. ft. This was due to the WFR lots being so much smaller than a regular residential lot. The homeowner here does already own 2 accessory structures that equal 800 sq ft. This variance would allow for a 1407 sq ft structure to be built in addition to these two existing structures. David said he had visited the site and now he is able to understand why the homeowner is looking for this additional structure. David said there are large pole structures out there next door to this parcel. This out lot is unusually large for the home water parcel across the street. David said that he felt that the limit of 800 sq ft for accessory structures is regarding the small size of the water home lots. 800 is an arbitrary number which has been in our ordinance for many years.

Next Chair Priebe opened the public meeting for this case, but no one came forward to address the members, so she closed it. Chair Priebe invited the ZBA members to make comments and ask questions. Treasurer Negri asked David what Lisa Perschke thought of this variance. David said that he did not ask Lisa what she thought, nor did she volunteer any information on this case. Treasurer Negri asked on what basis is for this size prohibition to be. Negri repeated David's closing arguments that this size number was arbitrary. A standard pole barn is 30 X 40 feet which is 1200 sq ft. David said that he was unsure if the ordinance recognizes the building patterns of today, and they might need to update the ordinance. These types of variances can help to determine and lead the ZBA to examine parts of the ordinance to see if they actually make sense. David continued to ask if limiting the resident to 800 sq ft on a 2400 sq ft parcel make sense. David said in his opinion, no. Does this size limitation make sense when a owner has a small out lot which is typical of the lakes? It does because it discourages people from requesting lots of additional variances. David said he reviewed past variance cases for this out lot issue, and he remembered a case in 2023 where a homeowner was building an 800 sq ft accessory structure on an out lot with a wetland. He had a small home waterfront parcel across the street. David said he has not seen any other cases such as this one where there is a request to build an accessory structure larger than 800 sq ft.

Chair Priebe asked if the 800 sq ft limitation was seen in other residential zoned districts or just the waterfront residential (WFR) lots? David said it was only in the WFR lots where the home waterfront parcel is attached to an out lot. Livingston County considers these two lots as one whole lot with a road right of way cutting through it. In a normal residence the accessory structure would be limited by other factors other than its size, such as setbacks and maximum lot coverage.

Member Ignatowski asked if the applicant had any neighborly support emails or letters. Todd pointed over to Mr. Markey who was his client from the earlier ZBA variance case. Mr. Markey came to the podium to state that he has no problem with Todd building this pole barn since no one can live there and the size of the lot is so large that it shouldn't be a problem. Many pole barns exist on that side of the road allowing it to blend with the community aesthetics. Member Ignatowski said when he went out to the site to check the area, he talked with the other neighbor on the other side, and he knew nothing about this project. He said that was a big deal that the neighbor wasn't made away of this proposal and variance. With Mr. Markey's support, Ignatowski said he supports this variance, as did Member Rill. He said that the pole barn conforms to what exists already on neighboring lots. Treasurer Negri asked how far away the wetland will be from this proposed pole barn. Todd said it was 260 feet from the pole barn. Chair Priebe said she was torn on this variance because when the ZBA grants a variance it is based on a hardship or a practical difficulty due to the property. She said that she is having difficulty in finding this practical difficulty.

The applicant, Todd, asked if he could address the ZBA again at the podium. Todd said the practical difficulty is that this is a WFR lot but there is a road running through it. This project is not on a lot that is sitting on the water, but it has a road and easement running through it. He said he couldn't build a bigger home due to the size of his waterfront parcel. Treasurer Negri said he did not believe that met the definition of a practical difficulty. Negri asked if the applicant needed a garage that large. Negri said he doesn't feel that this proposed pole barn will offend anyone, including the neighbors but it doesn't meet the actual requirement standards to be given the variance approval. Negri said he doesn't see the practical difficulty when abiding by the ordinance. Todd came back up to the podium to explain that this out lot is unusually large and that is the burden. A size limitation was placed on the smaller WFR lots which this lot is not on the water. David said that the road and easement running through the two parcels make them each subject to other lot setbacks, and if they were not divided by the road, this variance request would not have been brought here today.

Member Ignatowski asked if these two parcels could be separated. David clarified that once the parcels were combined, they can't be uncombined since their total is under two acres. He said they were nonconforming before and still are unconforming. Chair Priebe clarified that the reason for the combination of lots in the community is due to the special assessment districts that are charged for each of the 2 parcels. Chair Priebe mentioned that this is an unusual case with the out lot being so large. She said that we look at how many people this would affect before we change the ordinance. Not many cases like this appear before the ZBA.

Approval motion made by Member Ignatowski, seconded by Member Rill, to approve variance application ZBA 24-0007 at 10232 Buhl Dr. TID 15-27-101-046. ZBA approves to permits the construction of a detached pole barn on a non-waterfront lot. Applicant requests to a 1407 sq ft variance from the maximum accessory structure size of 800 sq ft., per Section 36-215 (11) (c).

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.

Voice Vote: Ayes: (4)

Absent: (1)

VOTE: MOTION CARRIED

APPROVAL OF THE MEETING MINUTES

Approval motion by Treasurer Negri, seconded by Member Ignatowski, to approve the September 11, 2024, ZBA Meeting Minutes as presented.

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

VOTE: MOTION CARRIED

ADJOURNMENT

Approval motion by Treasurer Negri, seconded by Member Ignatowski, to adjourn at 7:34 pm.

Voice Vote: Ayes: (4) 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: _____

Joyce Priebe, Chair