



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

---

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

## ZONING BOARD OF APPEALS REGULAR MEETING

Wednesday, March 12, 2025 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 25-0002

Owner: Christie Camphorst Alexander

Location: 6508 Buckshore Dr.

Parcel ID: 4715-23-308-103

Request: Variance application to permit the construction of a new single-family house. Variance requests include:

Side yard setback, per section 36-171(D)

Rear yard setback, per section 36-171(D)

Front yard setback, per section 36-171(D)

NEW/OLD BUSINESS

2. Approval of the February 12, 2025 meeting minutes.

ADJOURNMENT

Date Filed: 2/11/2025

Fax ID #: 15-23-308-103

Subdivision: Sec 23 TIN R5E Hiawatha Beach

Lot No. 2

Address: 6508 Buckshore Drive, Whitmore Lake MI 48189

Subject Property: 6508 Buckshore Drive, Whitmore Lake MI 48189

Owner: Christie Camphorst Alexander Phone: (H) 248-953-2769

Property: christieRN2travel@yahoo.com (W) 248-953-2769

Applicant (If different than owner): n/a

City Arroyo Grande State Ca

Phone: (H) \_\_\_\_\_

Address: 504 Laura Lane

City Arroyo Grande State Ca

Phone: (H) \_\_\_\_\_

Appellant (If different than owner): n/a

City \_\_\_\_\_

State \_\_\_\_\_

Phone: (H) \_\_\_\_\_

Year Property was Acquired: 1999

Zoning District: WFR

Flood Plain: not in the 100-year

Size of Lot: Front 40 actual front feet

Rear 40' Side 1 101' Side 2 101' Sq. Ft. 09 total area

Dimensions of Existing Structure (s) 1st Floor 28.7' x 20.4'

2nd Floor none

Garage none

Dimensions of Proposed Structure (s) 1st Floor 44' x 20.8'

2nd Floor 50' (including 6' balcony)

Present Use of Property: unoccupied due to severe tree damage

Percentage of Existing Structure (s) to be demolished, if any 100%

Has there been any past variances on this property? Yes No X

If so, state case # and resolution of variance application n/a

Please indicate the type of variance or zoning ordinance interpretation requested:

Demolition of current damaged home, replace with new structure as specified above.

1. Variance for the West side setback to remain at the current 3.7 feet from the property line.

2. Variance on the South end of the property to allow the southernmost edge of the new structure to remain at the current 24.1 foot setback of the existing home's southern wall, in balcony.

3. Variance on the North end of the property to allow the new structure wall to be at a setback foot: the Front Setback line.

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

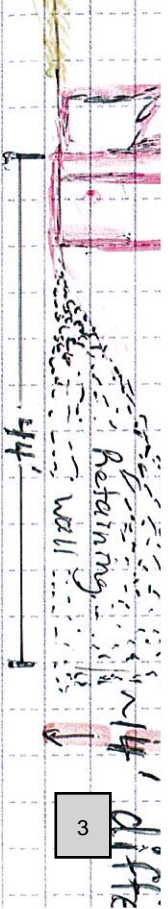
That there are exceptional or extraordinary circumstances or conditions applicable to the property generally to other properties in the same district or zone.

My home was severely damaged by a tree falling during a heavy storm in July of 2023; repairs were made to the structure and the roof. The home is in good condition and meets all safety, value or esthetic that is consistent with my standards and nearby homes. The home is in good condition and meets all other homes in the surrounding area have made improvements, modifications and/or additions to the structural integrity, living space and value. Lakewood lots in the immediate area are narrow lots and do not meet the structural requirements of the current setback requirements.

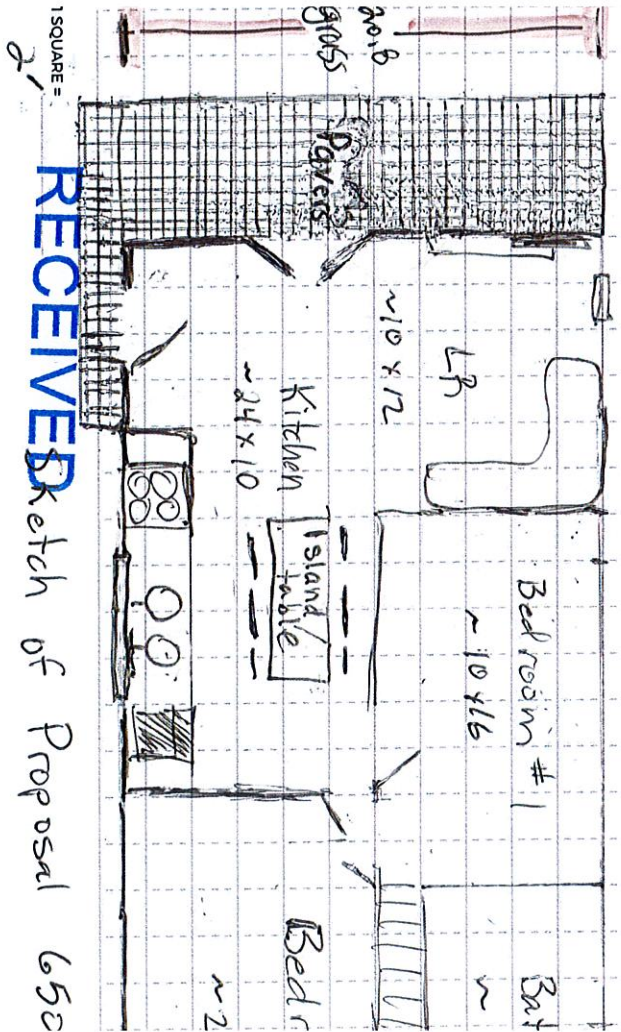
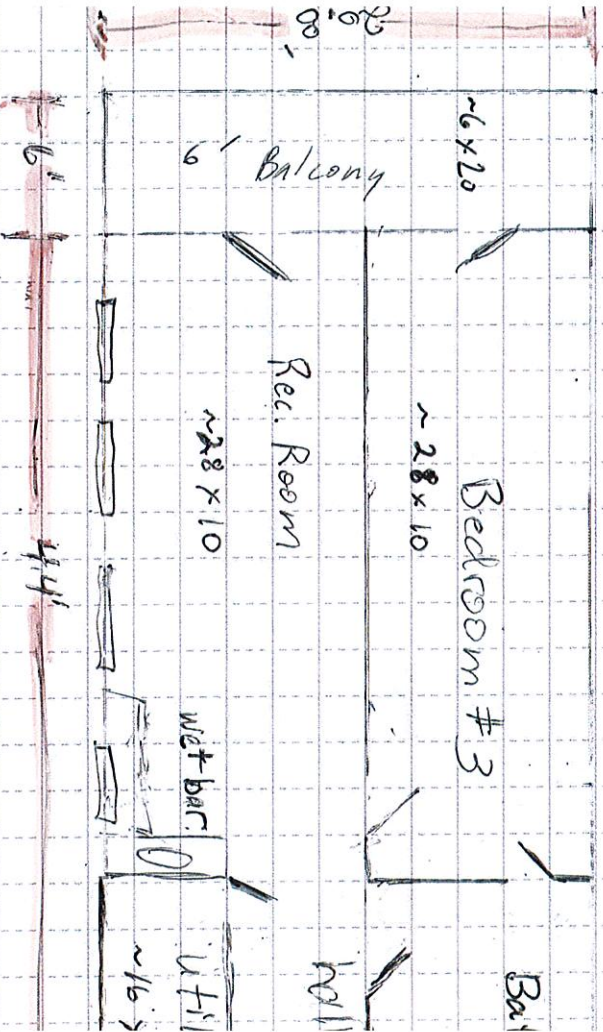
That such variance is necessary for the preservation and enjoyment of a substantial property right in the same zone and vicinity. The possibility of increased financial return shall not be deemed sufficient to justify the variance. Other homeowner properties in the same zone and vicinity enjoy rights and uses that my property does not. These include non-conforming setbacks and a using a larger percentage of their lot for housing. A variance request would result in an inequitable situation where I am deprived of rights that are in the same area. The need for my variance is not driven by financial gain but by necessity to build a home that can comfortably accommodate my family. Lot 40, my neighbor's property, is in a similar variance that was granted in the same zone, demonstrating that my variance is reasonable and practices.

RE

Item 1.



3

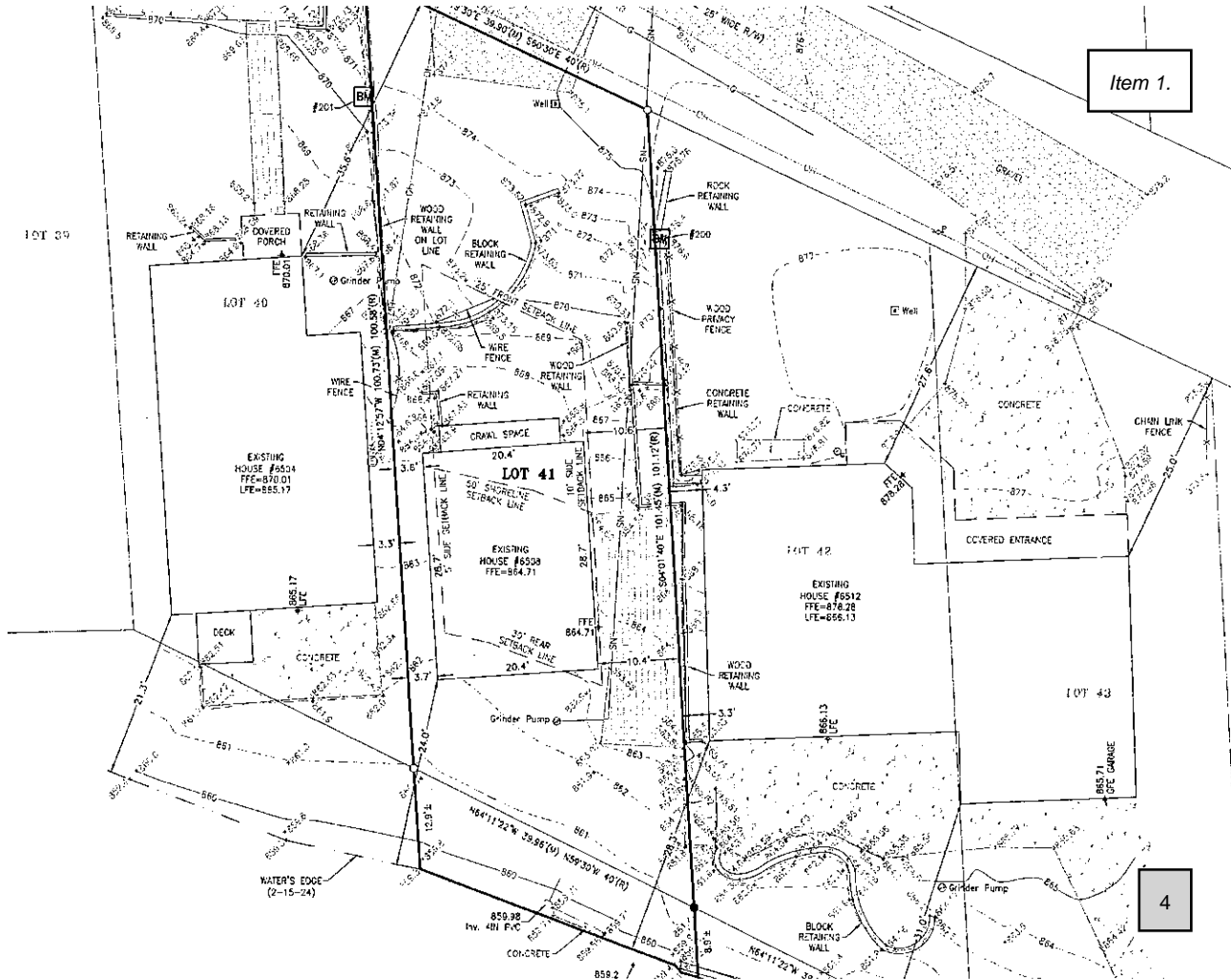


RECEIVED  
Sketch of Proposal 650

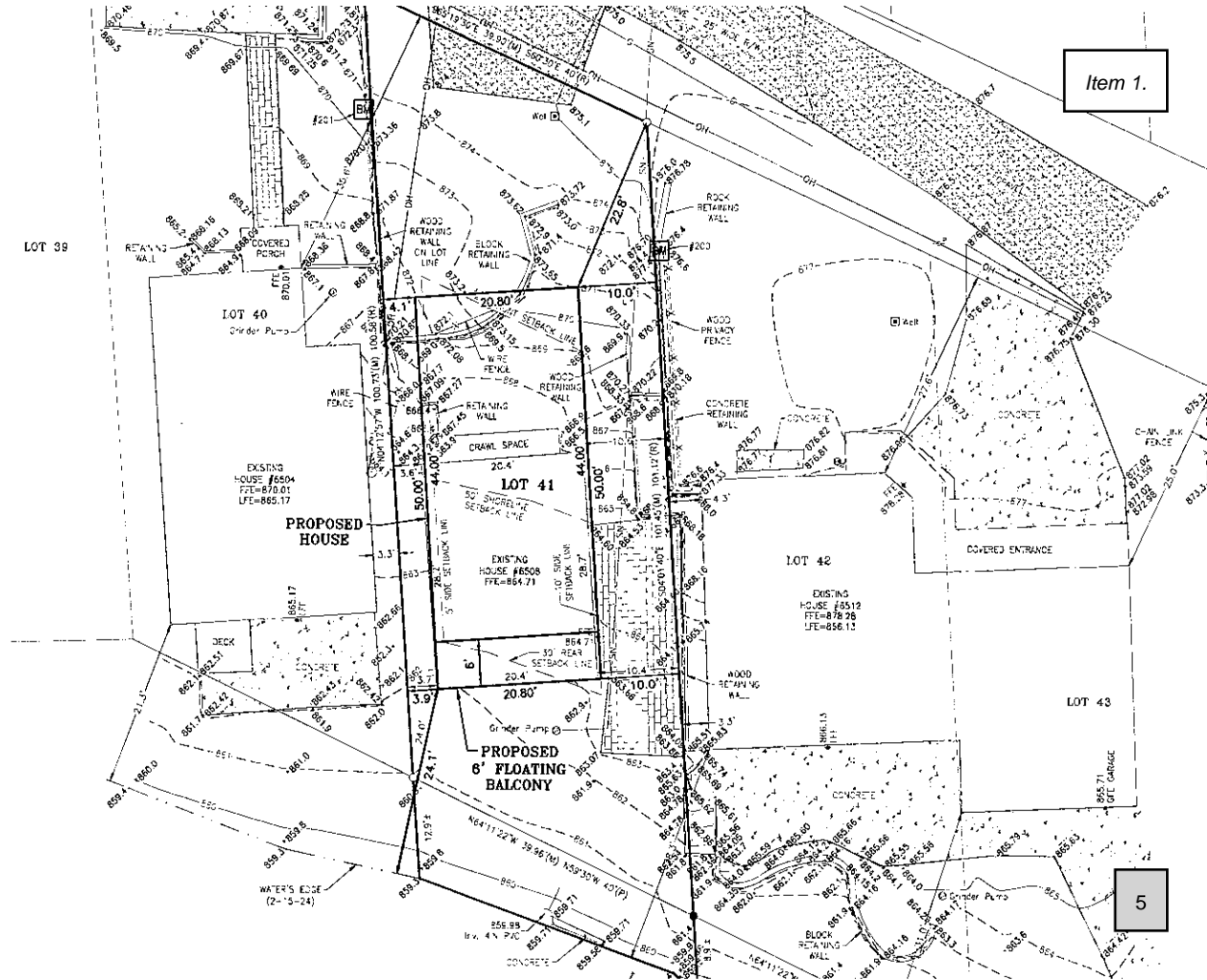
FEB 11 2025

1 SQUARE = 2'

Item 1.



Item 1.



5



# Zoning Board of Appeals Staff Report



**TO:** Zoning Board of Appeals  
(ZBA)

**FROM:** David Rohr

**HEARING DATE:** March 12, 2025

**SUBJECT:** ZBA 25-0002

**PROJECT** Single Family Home

**SITE:** 6508 Buckshore Dr.  
TID 15-23-308-103

**OWNER:** Christie Camphorst  
Alexander

**APPLICANT:** Christie Camphorst  
Alexander

**PROJECT:** Variance application to permit the construction of a new single-family house. Variance requests include:

- Side yard setback of 3.7 feet instead of 5 feet, per section 36-171(D)
- Rear yard setback of 24.1 feet instead of 30 feet, per section 36-171(D)
- Front yard setback of 22.8 feet instead of 25 feet, per section 36-171(D)

**ZONING:** WFR, Waterfront Residential

## **Project Description**

Variance application to permit the construction of a new single-family home. Applicants' house was severely damaged by a falling tree in the summer of 2023. The original home was built in 1950 and needed upgrades. Other homes in the area have made improvements, modifications and additions. To achieve similar modifications, applicant requests the variances stated above.

## **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 a 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 requests are 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 these variances 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 will have minimal impact on the surrounding properties. Staff believes the location and size of the new home 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 25-0002 at 6508 Buckshore Dr. TID 15-23-308-103.

Applicant requests:

- Side yard setback of 3.7 feet instead of 5 feet, per section 36-171(D)
- Rear yard setback of 24.1 feet instead of 30 feet, per section 36-171(D)
- Front yard setback of 22.8 feet instead of 25 feet, per section 36-171(D)

The variance meets variance standards one (1) through seven (7) of Section 36-137 of the Hamburg Township Zoning Ordinance, 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 25-0002 at 6508 Buckshore Dr. TID 15-23-308-103.

Applicant requests:

- Side yard setback of 3.7 feet instead of 5 feet, per section 36-171(D)
- Rear yard setback of 24.1 feet instead of 30 feet, per section 36-171(D)
- Front yard setback of 22.8 feet instead of 25 feet, per section 36-171(D)

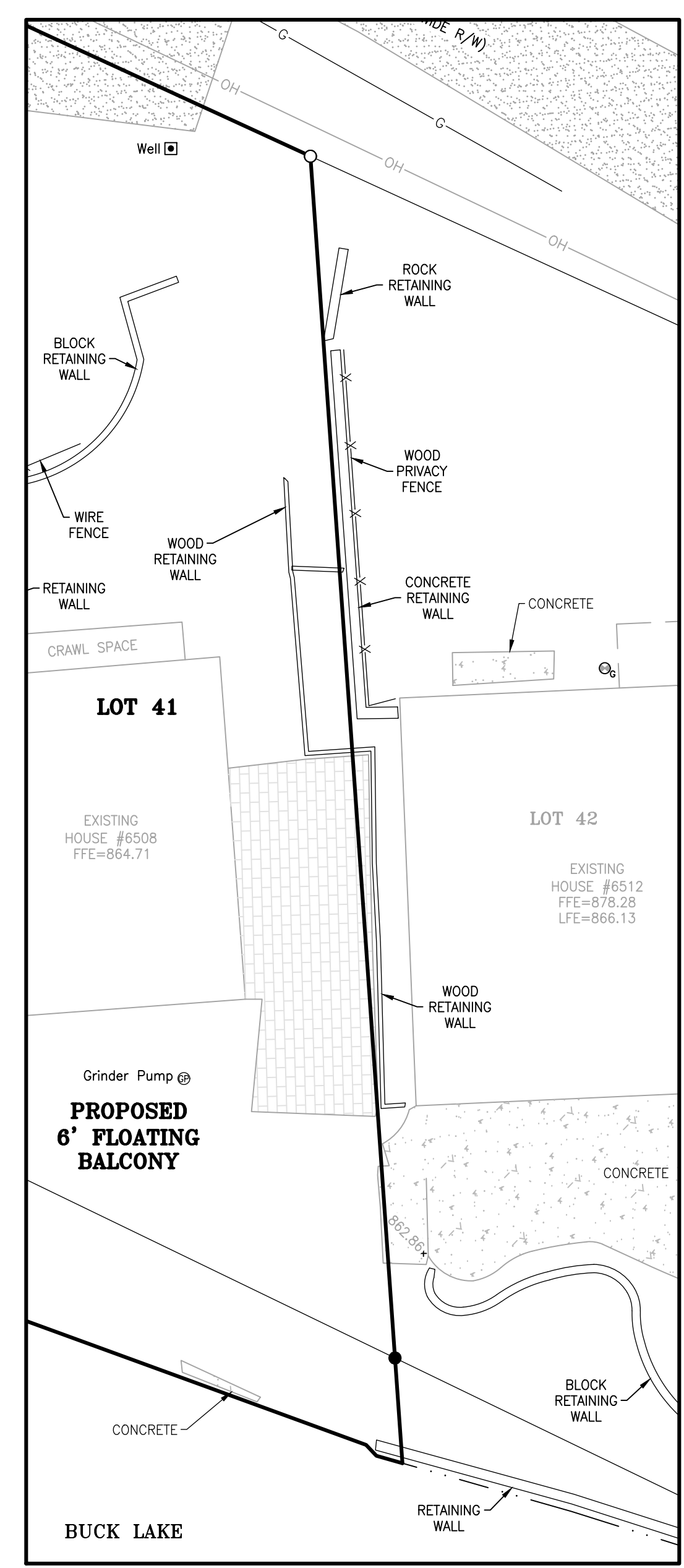
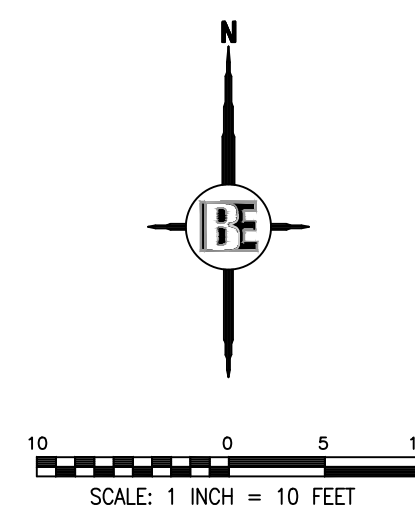
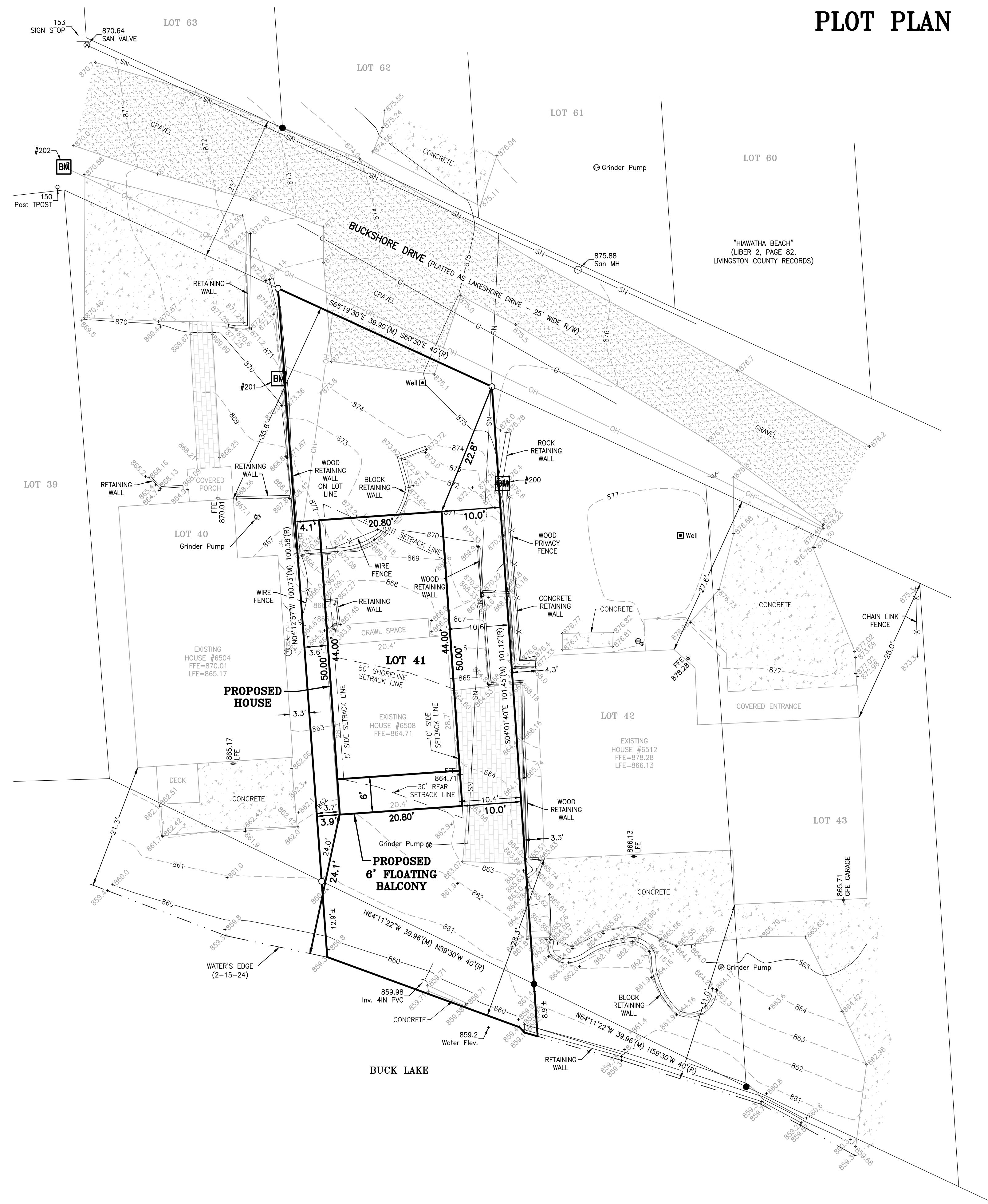
The variance does not meet variance standards one (1), two (2), or seven (7) of Section 36-137 of the Hamburg Township Zoning Ordinance, and no practical difficulty exists on the subject site when strict compliance with the Zoning Ordinance standards is applied, as discussed at the meeting this evening, and as presented in this staff report.

**Attachments:**

Application

Project plans

# PLOT PLAN



EAST LOT LINE ENCROACHMENTS

### GENERAL SURVEY NOTES:

- BEARINGS ARE BASED ON MICHIGAN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE.
- SUBSURFACE UTILITIES NOT LOCATED FOR THIS SURVEY MAY EXIST. IT IS THE RESPONSIBILITY OF THE OWNER OF THE RESPECTIVE UTILITY TO ACCURATELY LOCATE SUCH UTILITIES.
- EASEMENTS OR RESTRICTIONS OF RECORD NOT DEPICTED ON THIS DRAWING MAY EXIST.
- ELEVATIONS WERE ESTABLISHED WITH GPS USING OPUS GPS POST-PROCESSING, (NAV88 DATUM)
- CONTOURS ARE SHOWN AT 1 FOOT INTERVALS.
- SUBJECT PROPERTY IS DESIGNATED AN AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAN (ZONE X) ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FLOOD INSURANCE RATE MAP (FIRM), FOR THE TOWNSHIP OF HAMBURG, LIVINGSTON COUNTY, MICHIGAN, MAP NUMBER 26093C04540, WITH AN EFFECTIVE DATE OF SEPTEMBER 17, 2008.
- THE LOCATIONS OF STORM SEWER, SANITARY SEWER & WATERMAIN, AS SHOWN ON THIS DRAWING ARE APPROXIMATE. THE LOCATIONS ARE BASED ON PHYSICAL FIELD LOCATIONS OF STRUCTURES.
- ALL WORK SHALL BE IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE MUNICIPALITY, THE COUNTY, AND THE STATE OF MICHIGAN.
- ALLOW THREE WORKING DAYS BEFORE YOU DIG, CALL MISS DIG TOLL FREE 1-800-482-7171.
- THERE WAS SNOW ON THE GROUND AT THE TIME OF FIELDWORK FOR THIS SURVEY.

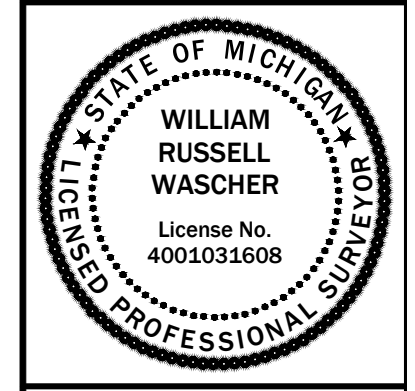
### LEGEND

- 900 - EXISTING CONTOUR
- + 922.00 - EXISTING SPOT ELEVATION
- BM - BENCHMARK
- P - POWER POLE
- ⊕ - ELECTRICAL METER
- ⊗ - WELL
- ( ) - STORM INVERT
- ⊙ - GAS METER
- ⊥ - SIGN
- - STEEL ROD SET
- - STEEL ROD OR PIPE FOUND
- ⊙ - MONUMENT FOUND
- SN - SANITARY SEWER
- G - GAS MAIN
- OH - OVERHEAD WIRES
- X - FENCE
- ⊕ - PUMP CHAMBER
- ⊙ - SAN MANHOLE
- (M&R) - MEASURED AND RECORD
- FFE - FINISHED FIRST FLOOR ELEVATION
- LFE - FINISHED LOWER FLOOR ELEVATION
- GFE - GARAGE FLOOR ELEVATION
- [Pattern] - CONCRETE
- [Pattern] - GRAVEL
- [Pattern] - PAVERS

CURRENT ZONING: WFR (WATERFRONT RESIDENTIAL)  
 MINIMUM SETBACK REQUIREMENTS:  
 FRONT = 25 FEET  
 SIDES = 5 FEET ON ONE SIDE WITH TOTAL OF 15 FEET  
 REAR = 30 FEET  
 ORDINARY HIGH WATER MARK = 50 FEET  
 MINIMUM LOT AREA = 43,560 SQ.FT.±  
 MINIMUM LOT WIDTH = 64 FEET AT R.O.W. & 100 FEET AT BUILDING  
 MAXIMUM LOT COVERAGE = 35% BUILDINGS & 40% PARKING  
 MAXIMUM BUILDING HT. = 35 FEET OR (2.5) STORIES

SITE BENCHMARKS (NAV88 DATUM):  
 -BM #200 = SET CHISELED 'X' ON NW CORNER OF CONCRETE WALL, AT THE NW CORNER OF LOT 42 BEING HOUSE #6512 ELEV.=877.40  
 -BM #201 = SET NAIL/TAG E/S 48" MAPLE, AT THE NE CORNER OF LOT 40 BEING HOUSE #6504 ELEV.=874.12  
 -BM #202 = SET NAIL/TAG E/S POWER POLE, AT THE NW CORNER OF LOT 40 BEING HOUSE #6504 ELEV.=871.31

THE SURVEY AND THE DRAWING ARE SEPARATE. THE SURVEYOR'S LIABILITY IS LIMITED TO THE SURVEY AND THE DRAWING. THE SURVEYOR IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION SHOWN ON THESE DRAWINGS AND ONLY APPROXIMATE. NO GUARANTEE IS MADE FOR THE ACCURACY OF THE INFORMATION SHOWN ON THESE DRAWINGS. THE SURVEYOR'S LIABILITY IS LIMITED TO THE SURVEY AND THE DRAWING. THE SURVEYOR IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION SHOWN ON THESE DRAWINGS. THE SURVEYOR'S LIABILITY IS LIMITED TO THE SURVEY AND THE DRAWING. THE SURVEYOR IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION SHOWN ON THESE DRAWINGS.



**BEBOSS Engineering**  
 Engineers Surveyors Planners Landscape Architects  
 3121 E. GRAND RIVER AVE.  
 HOWELL, MI. 48843  
 517.546.4836 FAX 517.548.1670

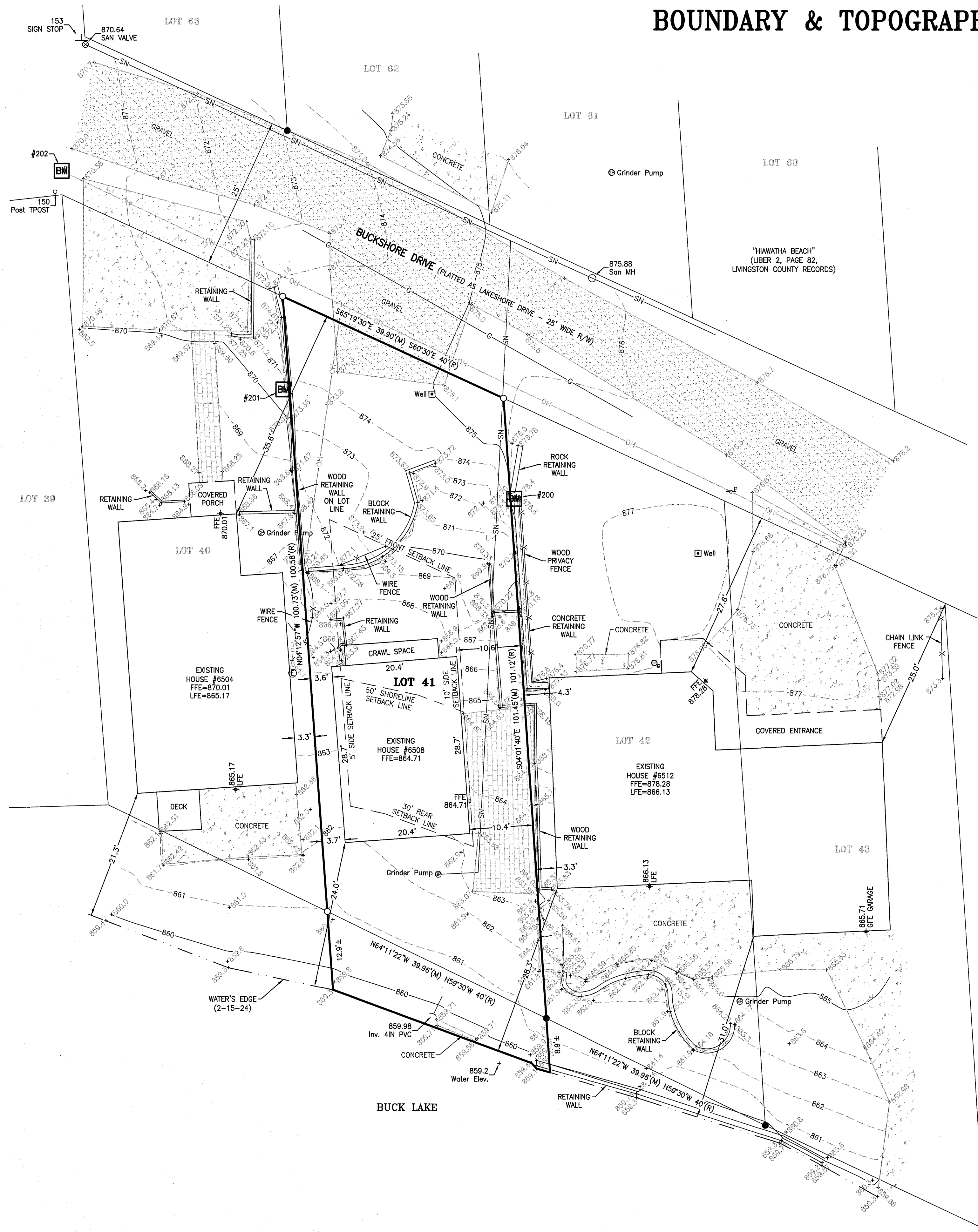
PROJECT: **6508 BUCKSHORE DRIVE**  
 PREPARED FOR: **MARK & CHRISTIE ALEXANDER**  
 504 LAUNA LANE ARROYO GRANDE, CALIFORNIA 93420  
 248-953-2769  
 TITLE: **PLOT PLAN**

NO	BY	DATE	REVISION
1	AEB	2-5-25	ADD PRELIMINARY PROPOSED HOUSE

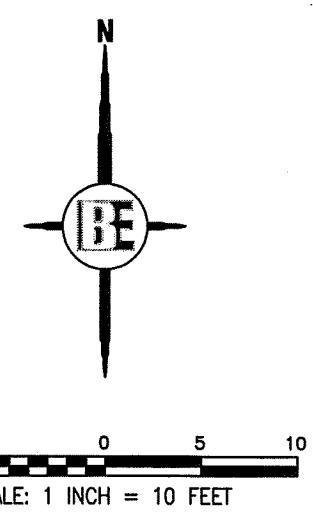
DRAWN BY: WRW  
 FIELD CREW: CZ/EL  
 CHECKED BY:  
 SCALE: 1" = 10'  
 JOB NO. 24-025  
 DATE 3-19-24  
 SHEET NO. 1 OF 1

PROPERTY DESCRIPTION PER LIVINGSTON COUNTY GIS:  
 PARCEL #4715-23-308-103  
 SEC 23 T1N R5E HAWATHA BEACH LOT 41 & LAND S OF FRONT LOT LINE PARALLEL WITH E & W LOT LINES TO LOWEST WATER LINE HAWATHA BEACH

# BOUNDARY & TOPOGRAPHICAL SURVEY



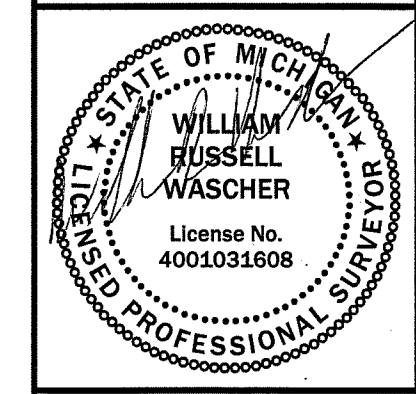
**SITE BENCHMARKS (NAVD88 DATUM):**  
 -BM #200 = SET CHISELED 'X' ON NW CORNER OF CONCRETE WALL, AT THE NW CORNER OF LOT 42 BEING HOUSE #6512 ELEV.=877.40  
 -BM #201 = SET NAIL/TAG E/S 48" MAPLE, AT THE NE CORNER OF LOT 40 BEING HOUSE #6504 ELEV.=874.12  
 -BM #202 = SET NAIL/TAG E/S POWER POLE, AT THE NW CORNER OF LOT 40 BEING HOUSE #6504 ELEV.=871.31



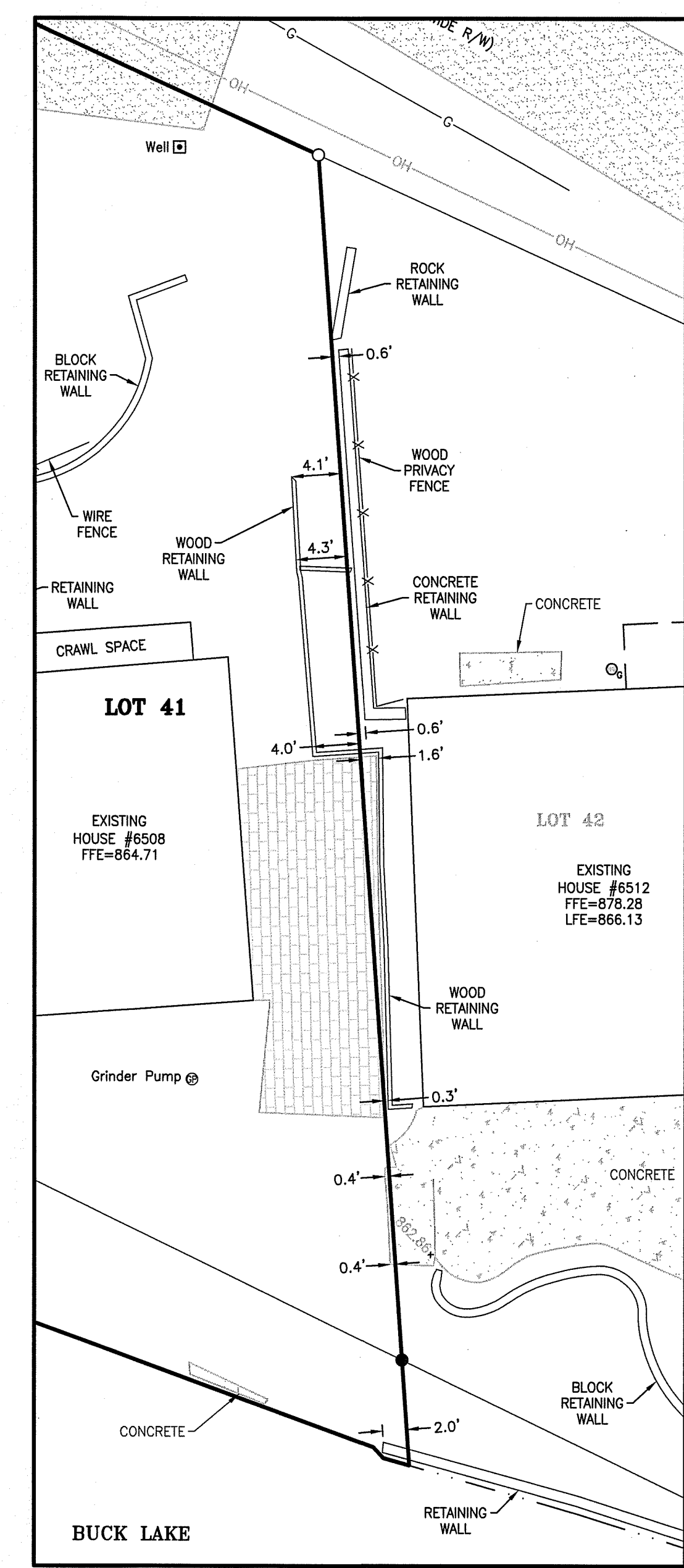
### GENERAL SURVEY NOTES:

- BEARINGS ARE BASED ON MICHIGAN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE.
- SUBSURFACE UTILITIES NOT LOCATED FOR THIS SURVEY MAY EXIST. IT IS THE RESPONSIBILITY OF THE OWNER OF THE RESPECTIVE UTILITY TO ACCURATELY LOCATE SUCH UTILITIES.
- EASEMENTS OR RESTRICTIONS OF RECORD NOT DEPICTED ON THIS DRAWING MAY EXIST.
- ELEVATIONS WERE ESTABLISHED WITH GPS USING OPUS GPS POST-PROCESSING. (NAVD88 DATUM)
- CONTOURS ARE SHOWN AT 1 FOOT INTERVALS.
- SUBJECT PROPERTY IS DESIGNATED AN AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN (ZONE X) ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FLOOD INSURANCE RATE MAP (FIRM), FOR THE TOWNSHIP OF HAWTHORNE, LIVINGSTON COUNTY, MICHIGAN, MAP NUMBER 26093C0454D, WITH AN EFFECTIVE DATE OF SEPTEMBER 17, 2008.
- THE LOCATIONS OF STORM SEWER, SANITARY SEWER & WATERMAIN, AS SHOWN ON THIS DRAWING ARE APPROXIMATE. THE LOCATIONS ARE BASED ON PHYSICAL FIELD LOCATIONS OF STRUCTURES.
- ALL WORK SHALL BE IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE MUNICIPALITY, THE COUNTY, AND THE STATE OF MICHIGAN.
- ALLOW THREE WORKING DAYS BEFORE YOU DIG, CALL MISS DIG TOLL FREE 1-800-482-7171.
- THERE WAS SNOW ON THE GROUND AT THE TIME OF FIELDWORK FOR THIS SURVEY.

THE LOCATION AND ELEVATION OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING ARE APPROXIMATE. IT IS THE RESPONSIBILITY OF THE OWNER OF THE RESPECTIVE UTILITY TO ACCURATELY LOCATE SUCH UTILITIES. THE LOCATION AND ELEVATION OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING ARE APPROXIMATE. IT IS THE RESPONSIBILITY OF THE OWNER OF THE RESPECTIVE UTILITY TO ACCURATELY LOCATE SUCH UTILITIES. THE LOCATION AND ELEVATION OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING ARE APPROXIMATE. IT IS THE RESPONSIBILITY OF THE OWNER OF THE RESPECTIVE UTILITY TO ACCURATELY LOCATE SUCH UTILITIES.



**BEBOSS Engineering**  
 Engineers Surveyors Planners Landscape Architects  
 3121 E. GRAND RIVER AVE.  
 HOWELL, MI. 48843  
 517.546.4836 FAX 517.548.1670



EAST LOT LINE ENCROACHMENTS

### LEGEND

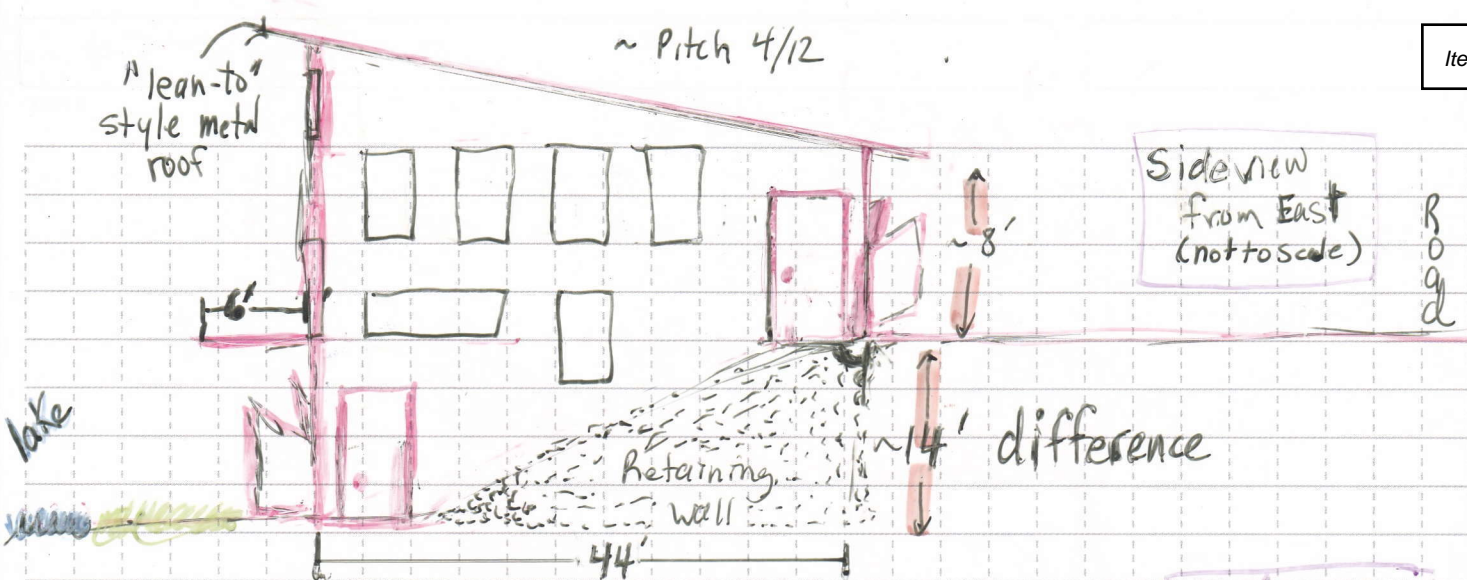
- 900- EXISTING CONTOUR
- BM EXISTING SPOT ELEVATION
- BM BENCHMARK
- P- POWER POLE
- ⊕ ELECTRICAL METER
- ⊞ WELL
- ( ) STORM INVERT
- ⊙ GAS METER
- ⊕ SIGN
- STEEL ROD SET
- STEEL ROD OR PIPE FOUND
- ⊙ MONUMENT FOUND
- SN- SANITARY SEWER
- G- GAS MAIN
- OH- OVERHEAD WIRES
- X- FENCE
- ⊙ PUMP CHAMBER
- ⊙ SANITARY MANHOLE
- (MAR) MEASURED AND RECORD
- FFE FINISHED FIRST FLOOR ELEVATION
- LFE FINISHED LOWER FLOOR ELEVATION
- GFE GARAGE FLOOR ELEVATION
- CONCRETE
- GRAVEL
- PAVERS

CURRENT ZONING: WFR (WATERFRONT RESIDENTIAL)  
 MINIMUM SETBACK REQUIREMENTS:  
 FRONT = 25 FEET  
 SIDES = 5 FEET ON ONE SIDE WITH TOTAL OF 15 FEET  
 REAR = 30 FEET  
 ORDINARY HIGH WATER MARK = 50 FEET  
 MINIMUM LOT AREA = 43,500 SQ.FT.±  
 MINIMUM LOT WIDTH = 64 FEET AT R.O.W. & 100 FEET AT BUILDING  
 MAXIMUM LOT COVERAGE = 35% BUILDINGS & 40% PARKING  
 MAXIMUM BUILDING HT. = 35 FEET OR (2.5) STORIES

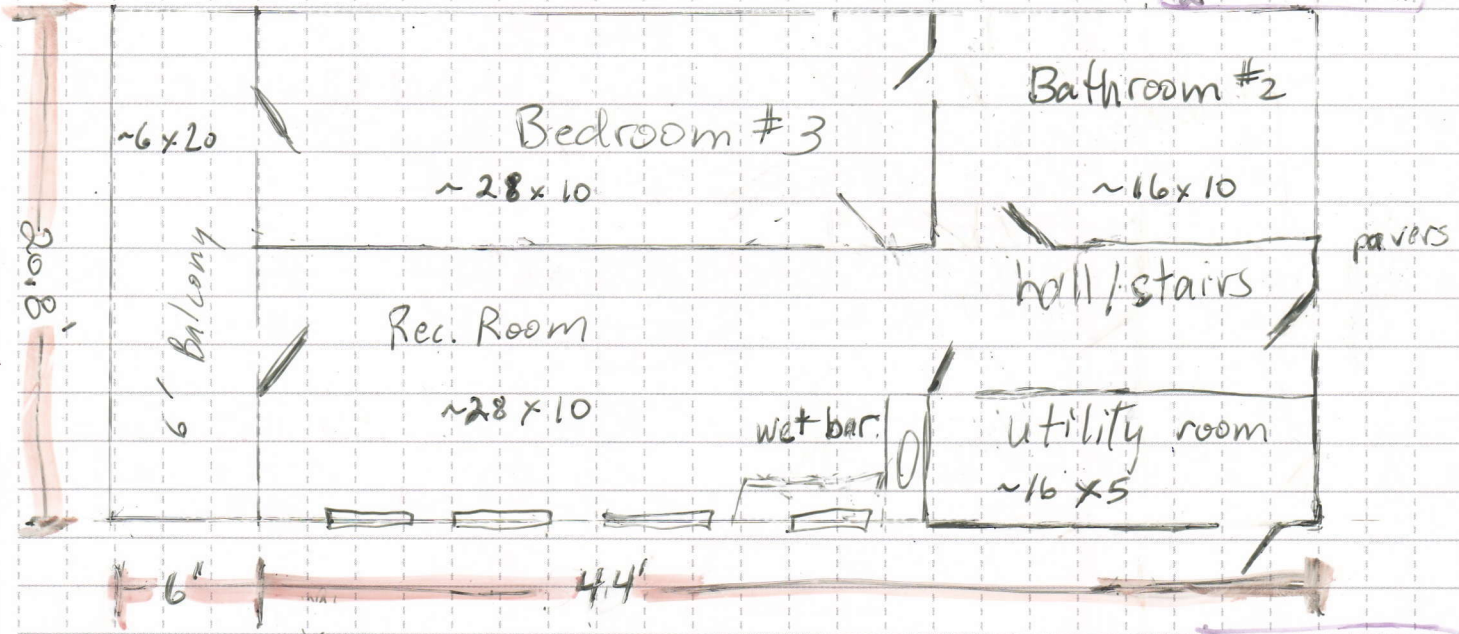
PROJECT: 6508 BUCKSHORE DRIVE  
 PREPARED FOR: MARK & CHRISTIE ALEXANDER  
 504 LAJUNA LANE  
 ARROYO GRANDE, CALIFORNIA 93420  
 248-953-2769  
 TITLE: BOUNDARY & TOPOGRAPHICAL SURVEY

NO.	BY	DATE	REVISION PER

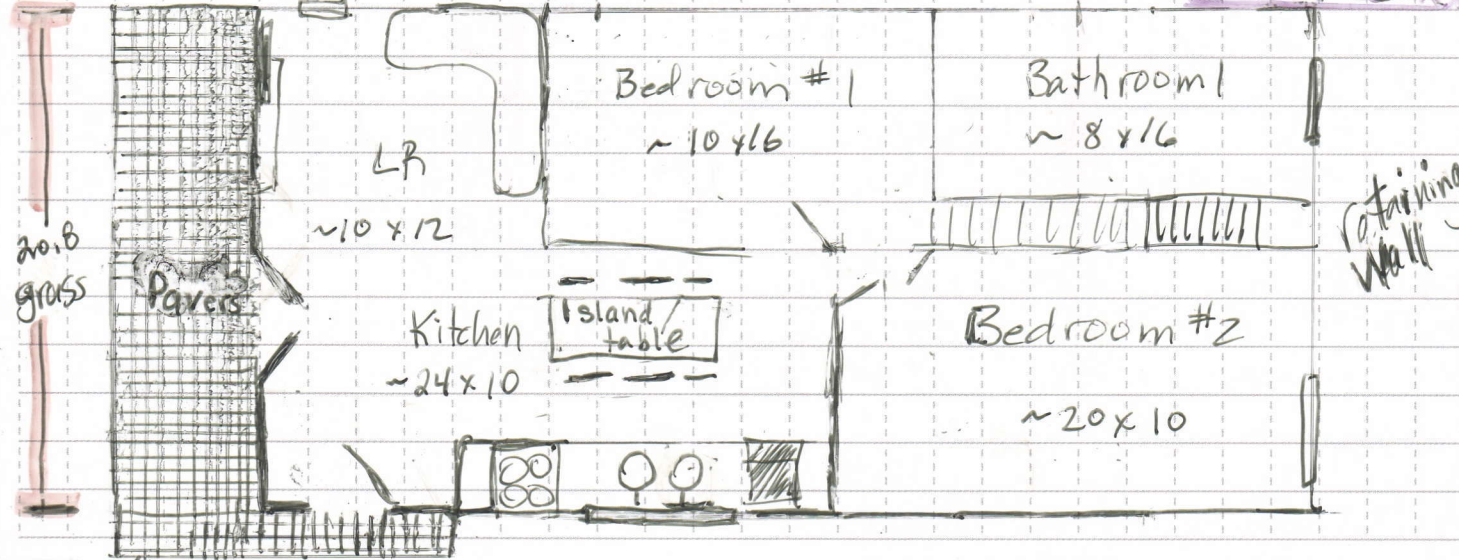
DRAWN BY: WRW  
 FIELD CREW: CZ/EL  
 CHECKED BY:  
 SCALE: 1" = 10'  
 JOB NO. 24-025  
 DATE 3-19-24  
 SHEET NO. 1 OF 1



2nd FLOOR



1st FLOOR



1 SQUARE = 2'

Sketch of Proposal 6508 Buckshore



10405 Merrill Road  
P.O. Box 157  
Hamburg, MI 48139  
(810) 231-1000  
[www.hamburg.mi.us](http://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, February 12, 2025, at 7:00 PM**  
**Hamburg Township Hall Board Room**

**MINUTES**

**CALL TO ORDER**

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

**PLEDGE TO THE FLAG**

**ROLL CALL OF THE BOARD**

**Members PRESENT:**

Joanna Hardesty, Trustee  
Brian Ignatowski  
Joyce Priebe, Chair  
William Rill

**ABSENT:**

Benedict Russell

**CONSENT AGENDA**

**Approval motion** was made by Trustee Hardesty, seconded by Member Rill, to approve the Zoning Board of Appeals Agenda for tonight.

**Voice Vote: Ayes: (4) Absent: (1) Member Russell**

**VOTE: MOTION CARRIED**

**GENERAL CALL TO THE PUBLIC-**

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

**CURRENT BUSINESS****1. ZBA 25-0001**

Owner: Robert & Brandi Straker  
 Location: 11347 Pleasant View Dr  
 Parcel ID: 4715-31-201-014  
 Request: Variance application to permit the construction of a rear yard addition. Applicant requests a variance from the required side yard setback, per Section 36-171 (D)

Chair Priebe asked the applicants to come to the podium to present their new request. The original variance request to build an addition towards the front yard fell through with the builder. The pricing had become astronomical. A new builder Kirk said it would be more advantageous to go out the back with this addition. It would be less expensive since they would not need to move the grinder pump or well. Pat Hughes also mentioned that she would rather than go out the back rather than the front.

Chair Priebe mentioned that she appreciated that the homeowner kept their side gate open so she could review the proposal. The homeowner walked a rendered image of the addition to all the ZBA board members at the front table. Chair Priebe then welcomed David to present his ZBA report on this case, which he did.

Once David was done, she opened the meeting to the public comment on this ZBA proposal. No one came up to talk at the podium, so Chair Priebe closed that portion of the meeting. Chair Priebe then opened the meeting to the ZBA board members to discuss the variance request and ask any questions that they had.

Trustee Hardesty asked David if the original variance request was granted to this applicant last year. He said yes. Trustee Hardesty mentioned that she had no issue granting this variance request. She asked David if they had a “practical difficulty” here. David said yes, since it was not of their own making, and the problem arises due to the shape of the parcel. Chair Priebe said that she still agrees with her support of this variance request. She read an email from Trustee Hughes that she is the applicant’s neighbor and that her husband and her feel that this new request is even more agreeable than the older request since it is in the back yard. Member Ignatowski said that he had to miss the ZBA meeting when the applicant had received the original front yard variance approval due to his busy schedule. Member Rill said that he had no issues with the first variance request, and he thinks this new request is even better since it is in the back yard.

**Approval motion** by Member Ignatowski, seconded by Member Rill, to approve variance request ZBA 25-0001 at 11347 Pleasant View Dr., Tax ID#4715-31-201-014. Applicants request 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.

**Voice Vote: Ayes: (4) Absent: (1) Member Russell**

**VOTE: MOTION CARRIED**

## APPROVAL OF THE MEETING MINUTES

**Approval motion** made by Member Ignatowski, seconded by Member Rill, to approve the ZBA Meeting Minutes from November 13, 2024, ZBA as presented.

**Voice Vote: Ayes: (4) Absent: (1) Member Russell**

**VOTE: MOTION CARRIED**

## ELECTION OF CHAIRPERSON FOR ZBA BOARD

**Approval motion** made by Trustee Hardesty, seconded by Member Ignatowski, to nominate Joyce Priebe as the Chairperson of the Zoning Board of Appeals Board.

**Voice Vote: Ayes: (4) Absent: (1) Member Russell**

**VOTE: MOTION CARRIED**

## UPDATE TO THE ZBA BOARD RULES OF PROCEDURE

David stated that the last time that these Rules of Procedure for the ZBA Board got updated was in November 1999. He said that there were some formatting changes and added a conflict-of-interest section and compatibility of office which are guidelines that came from the MTA (Michigan Township Association), APA (American Planning Association), and MPA (Michigan Planning Association). David said the Board of Trustees and the Planning Commission Boards have a conflict-of-interest section in their By-Laws. Adding this section provides guidance and codifies what is and isn't a conflict of interest.

Chair Priebe asked David about line ii) of the Conflict of Interest and Incompatibility of Office when she had a variance case before her. It was neighbor's variance case where she lived across the street from. At the time of that variance, she had asked the chair if it was a conflict of interest. David said that a ZBA member would want to discuss such an issue at that variance meeting, as she had done, to determine if it was a conflict of interest. If it was decided that it was a conflict of interest, then she would excuse herself from that deliberation for that neighboring piece of property, to avoid the appearance of a conflict of interest. David said that being across the street and not next door (adjacent) is a little more of a gray area.

Trustee Hardesty asked David if there is a conflict of interest, does the board have to vote to allow that member to abstain from the variance vote. The board must review this situation. David said that there is a board discussion to decide if that member has a conflict of interest in the case. A conflict of interest doesn't require a formal board vote, but the board member can officially abstain from that deliberation. A formal vote from the board would be required if the situation became contentious and that person is not willing to remove themselves.

Trustee Hardesty mentioned that she had spoken with David about putting some situation examples of an Incompatibility of Office in this updated document, so the board members knew what was meant by this term. The members needed some clarification as to what incompatibility means for a board member. David explained that this is a whole legal structure where there are official elected or appointed offices. It is when a board member has one office and then another office, but the two offices are incompatible (or in conflict) with each other. Trustee Hardesty asked who would police these issues of board members. David said that he, as the Zoning

and Planning Director, would be the person to ensure that no incompatibility of office results in appointing someone to the ZBA or Planning Commission Boards, if they held a position that would hold an unfair advantage over their membership on Zoning Boards.

**Approval motion** was made by Trustee Hardesty, seconded by Member Ignatowski, to approve the proposed amendments to the Rules of Procedure as submitted by David.

**Voice Vote: Ayes: (4) Absent: (1) Member Russell**

**VOTE: MOTION CARRIED**

#### **BOARD OF TRUSTEES MEMO: PARLIAMENTARY PROCEDURES**

Trustee Hardesty stated that many board members are following the spirit of Robert's Rules of Order, and we need these rules to be clear and followable. Hardesty took the parliamentary procedures while utilizing Robert's Rules of Order. She used the Michigan Township Association and a few other organizations as a guiding resource in this endeavor. The Township Board did not act on these procedures until Hardesty had a chance to run it past the ZBA and the Planning Commission first. Trustee Hardesty and David agreed that the ZBA could make a formal motion as an addendum to our rules and procedures, so that it is on record.

**Approval motion** made by Member Ignatowski, seconded by Member Rill, to adopt these Parliament Procedures and Robert's Rules of Order into the 2.4 (d) Board Rules with changes from TB (Township Board) to ZBA (Zoning Board of Appeals), including them as an addendum to the ZBA Board Rules.

**Voice Vote: Ayes: (4) Absent: (1) Member Russell**

**VOTE: MOTION CARRIED**

#### **ANNUAL REPORT FOR 2024**

David updated the ZBA Board that we will not be holding a Joint Board Meeting this year. David will share the 2024 Annual Report with the ZBA, PC, and the Township Board individually so they can ask questions or get some clarification on an individual group level. Trustee Hardesty said that she heard that this report is very detailed and comprehensive, sharing what has been happening in the Planning and Zoning Department. David let Hardesty know that we are statutorily required to provide such reporting to the Planning Commission every year.

#### **ADJOURNMENT**

**Approval Motion** was made by Member Rill, seconded by Member Ignatowski, to adjourn at 8:44 pm.

**Voice Vote: Ayes: (4) Absent: (1) Member Russell**

**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