

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

ZONING BOARD OF APPEALS

Wednesday, September 09, 2026 at 6:00 PM
Hamburg Township Hall Board Room

AGENDA

CALL TO ORDER

PLEDGE TO THE FLAG

ROLL CALL OF THE BOARD

CORRESPONDENCE

APPROVAL OF THE AGENDA

CALL TO THE PUBLIC

VARIANCE REQUESTS

[1.](#)

ZBA 26-0008

Owner: Matthew & Lisa Short
Location: 8750 Rushside Dr.
Parcel ID: 4715-17-402-122
Request: Variance application to permit the construction of a second story.
Variance request: Side setback, per section 36-171(D)

[2.](#)

ZBA 26-0009

Owner: Michael Winson
Location: 4465 Shoreview Ln.
Parcel ID: 4715-33-110-135
Request: Variance application to permit the construction of a new home.
Variance request: Natural Rivers Setback, per section 36-171(4)

[3.](#)

ZBA 26-0010

Owner: Vita McCabe
Location: 5130 Edgelake Dr.
Parcel ID: 4715-27-103-011 & 4715-27-103-012
Request: Variance application to permit the construction of a new detached garage.
Variance request: Natural features setback, per section 36-293(c)b
Front setback, per section 36-171(D)

NEW/OLD BUSINESS

4. Approval of the July 8, 2026 ZBA meeting minutes.

ADJOURNMENT



Zoning Board of Appeals Staff Report



TO: Zoning Board of Appeals
(ZBA)

FROM: David Rohr

HEARING DATE: September 9, 2026

SUBJECT: ZBA 26-0008

PROJECT New Second Story

SITE: 8750 Rushside Dr.
TID 4715-17-402-122

OWNER: Matthew & Lisa Short

APPLICANT: Matthew & Lisa Short

PROJECT: Variance application to permit the construction of a second-story to an existing house. A first-floor addition will also connect the house and detached garage. Variance request:

- Side Setback of **5.6 feet**, rather than 10 feet, per section 36-171(D)

ZONING: (WFR) Waterfront Residential

Project Description

Applicants' current house is nonconforming. Applicant intends to attach the house and garage and then build a second story covering the entire structure. A variance is requested due to the practical difficulty inherent in the existing structure.

Variance application to permit the construction of a second-story existing house. A first-floor addition will also connect the house and detached garage. Variance request:

- Side Setback of **5.6 feet**, rather than 10 feet, per section 36-171(D)

Standards of Review

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

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

The parcel and structure are non-conforming. The location of the existing structure limits the buildable area. The proposed second story will not increase the footprint on the south side.

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

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

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

The variance request is not likely to be materially detrimental to the public welfare or materially injurious to the property or improvements in the district. The proposed second story is similar to other area homes.

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

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

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

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

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

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

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

Staff finds that the proposed second story to be reasonable considering the limited buildable area. Staff believe the proposed second story will have minimal impact on the surrounding properties.

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

Recommendation

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

Approval Motion

Motion to approve variance application to permit the construction of a second-story existing. A first-floor addition will also connect the house and detached garage. Variance request:

- Side Setback of **5.6 feet**, rather than 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 to permit the construction of a second-story existing. A first-floor addition will also connect the house and detached garage. Variance request:

- Side Setback of **5.6 feet**, rather than 10 feet, per section 36-171(D)

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

Attachments:

Application
Project plans

ZBA Case Number 26-0008
\$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: _____
2. Tax ID #: 15- _____ - _____ Subdivision: _____ Lot No.: _____
3. Address of Subject Property: _____
4. Property Owner: MAT + LISA SHORT Phone: (H) _____
 Email Address: _____ (W) _____
 Street: 8750 RUSHSIDE 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: _____ Zoning District: _____ Flood Plain _____
7. Size of Lot: Front _____ Rear _____ Side 1 _____ Side 2 _____ Sq. Ft. _____
11. Dimensions of Existing Structure (s) 1st Floor _____ 2nd Floor _____ Garage _____
12. Dimensions of Proposed Structure (s) 1st Floor _____ 2nd Floor _____ Garage _____
13. Present Use of Property: PRIMARY RESIDENCE
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:
TO BUILD 2ND STORY ON TOP OF EXISTING FOOTPRINT
NEEDED ON NORTH + SOUTH SIDES OF PROPERTY

RECEIVED

AUG 08 2026

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

Hamburg Township
 Planning and Zoning Department

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

NA

- 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.

NO

- 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.

INCREASE QUALITY OF LIFE FOR CURRENT OWNER

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

WARRANT

- 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.

YES

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

YES

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

YES

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

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

Owner's Signature 7-27-26
Date

Appellant's Signature Date

VARIANCE (ZBA) APPLICATION CHECKLIST:

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

☐ **Zoning Board of Appeals Application Form**

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

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

☐ **Preliminary sketch plans:**

a) Elevation plans:

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

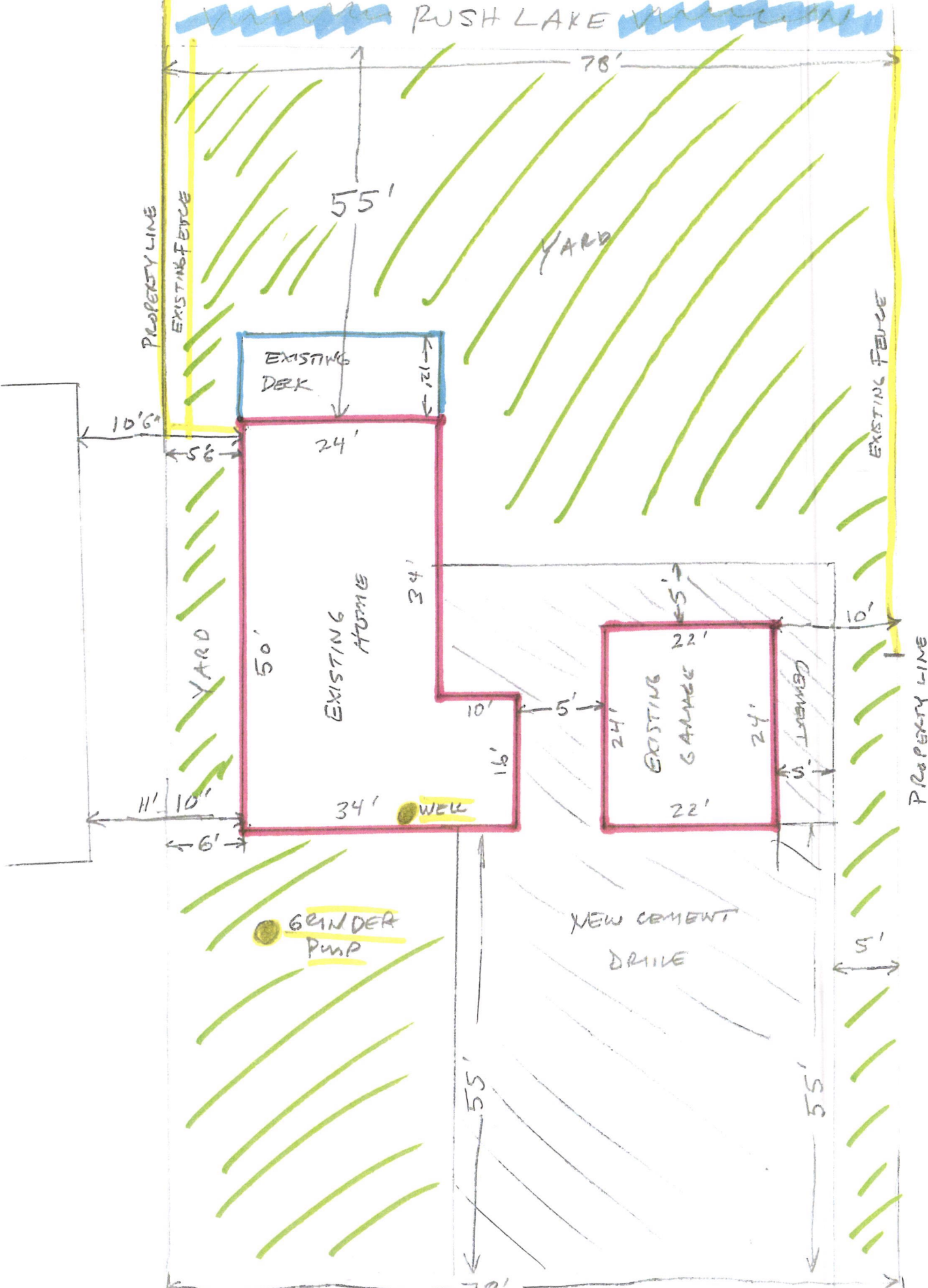
b) Floor plans:

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

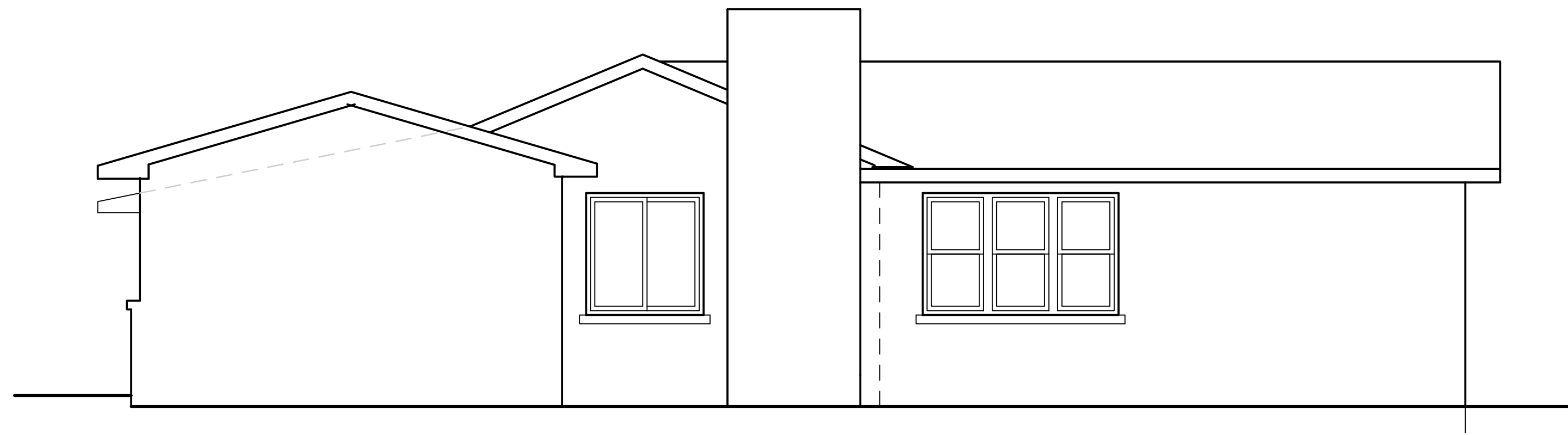
c) All other plans you may need to depict the variance you're requesting (surveys, grading plans, drainage plans, elevation certificates, topographical surveys, etc.)

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

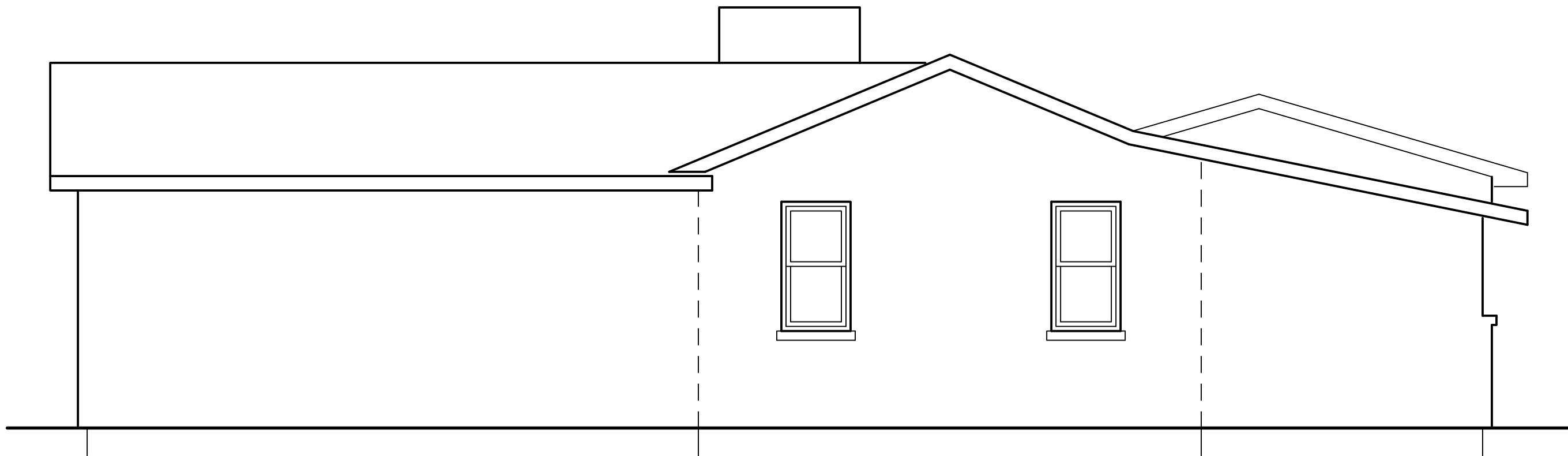
- a) Warranty Deed – showing title transaction bearing Livingston County Register of Deeds stamps, OR
- b) Notarized letter of authorization from seller of property giving the purchaser authorization to sign a Land Use Permit.



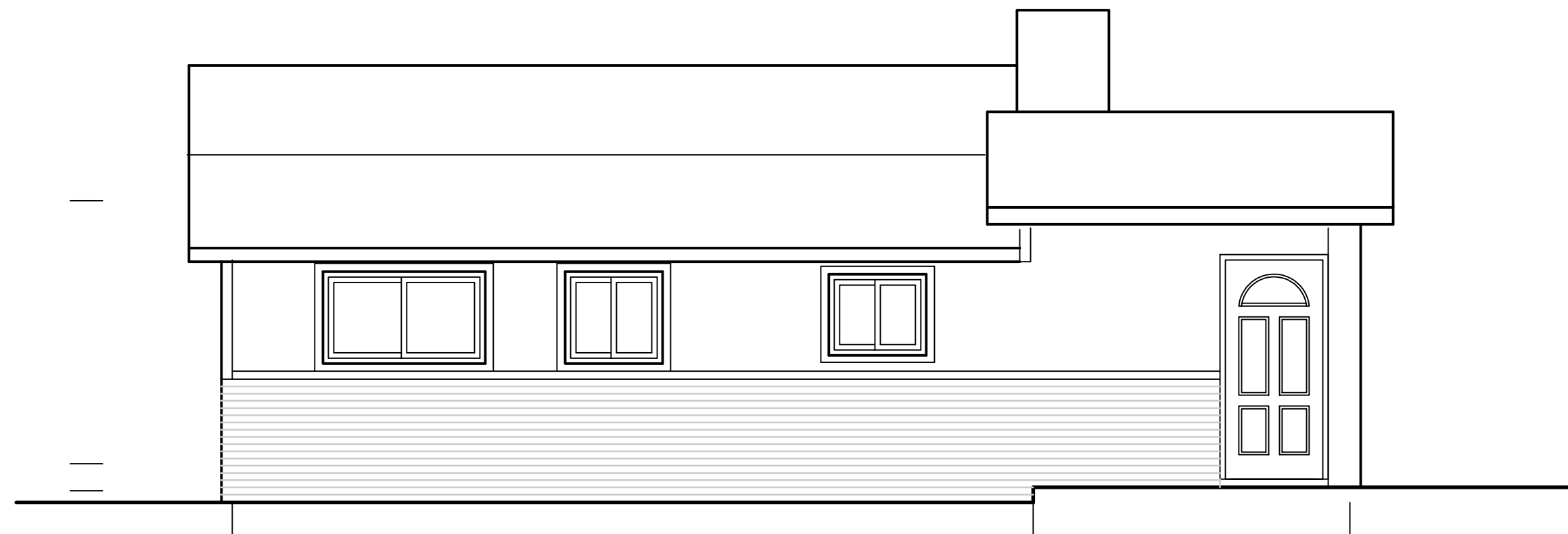
SITE PLAN



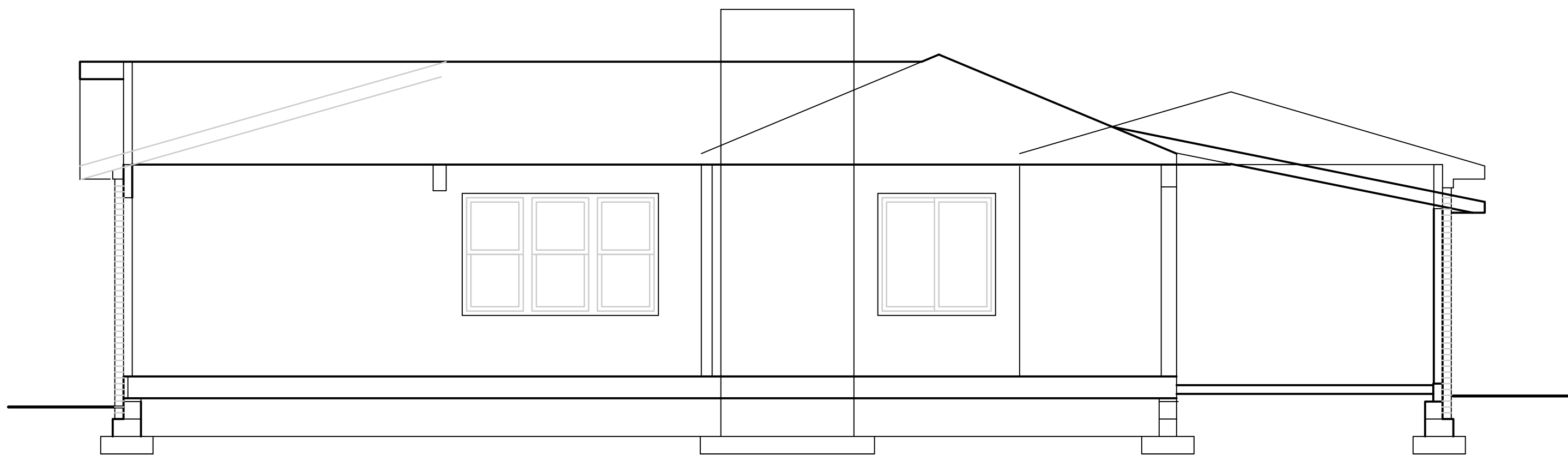
NORTH ELEVATION



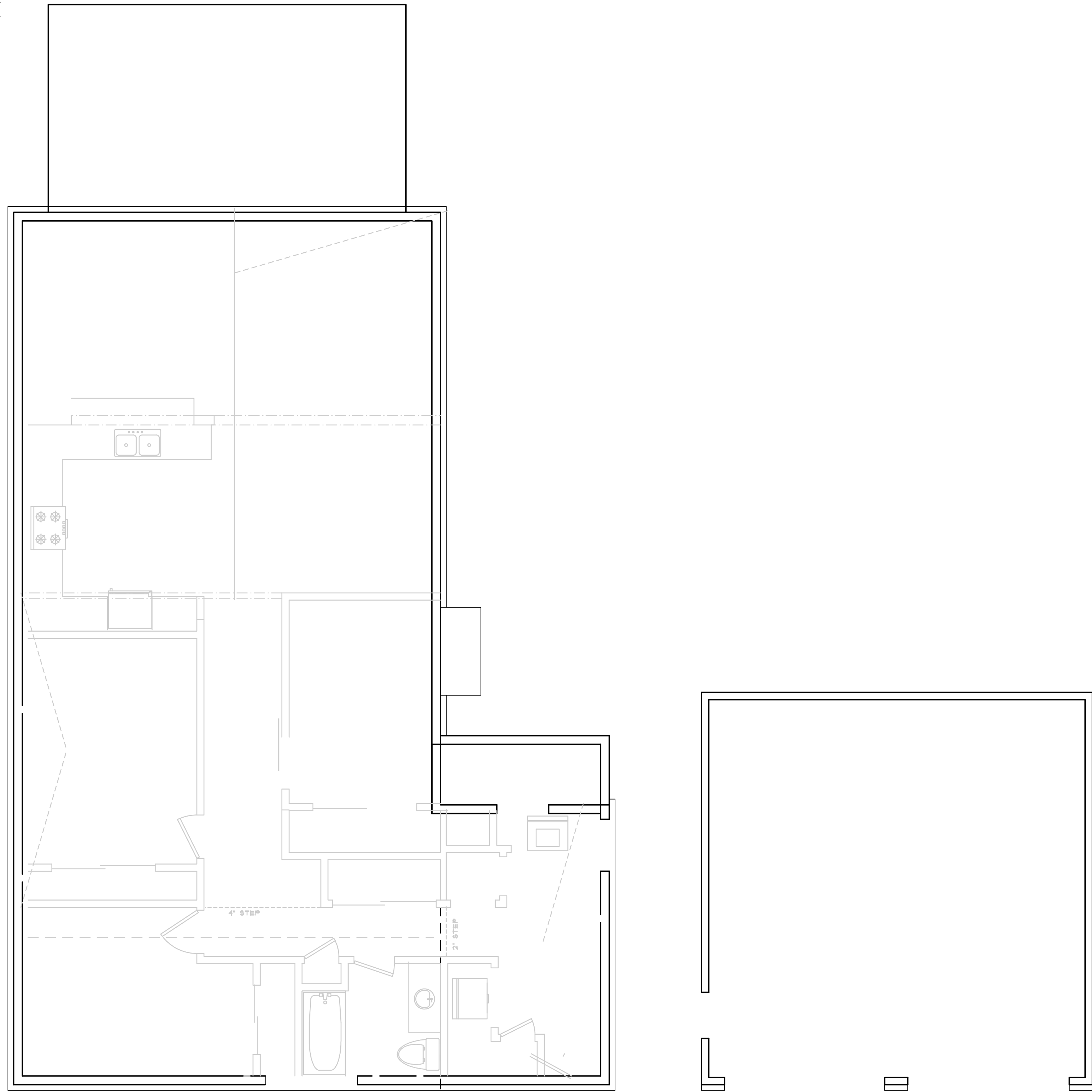
SOUTH ELEVATION



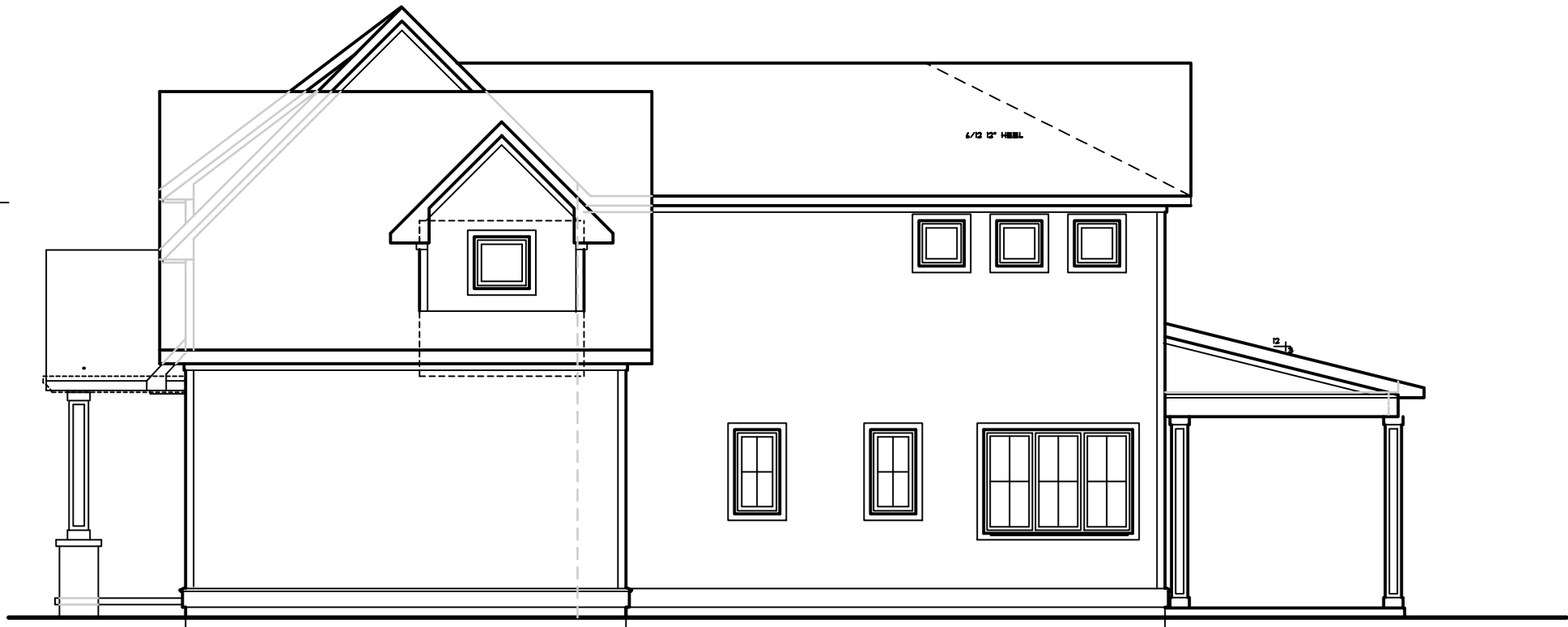
STREET ELEVATION



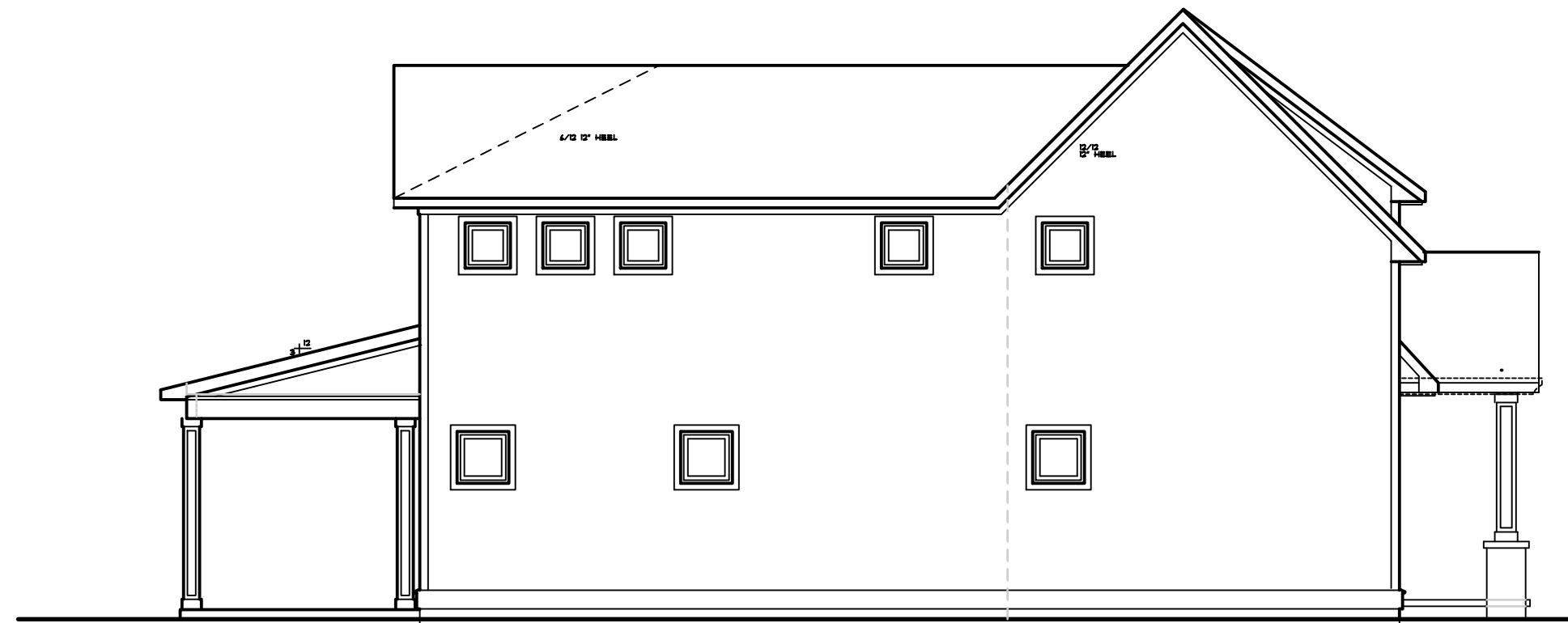
SECTION A SCALE 1/4" = 1'-0"



EXISTING FOOTPRINT HOUSE AND GARAGE



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



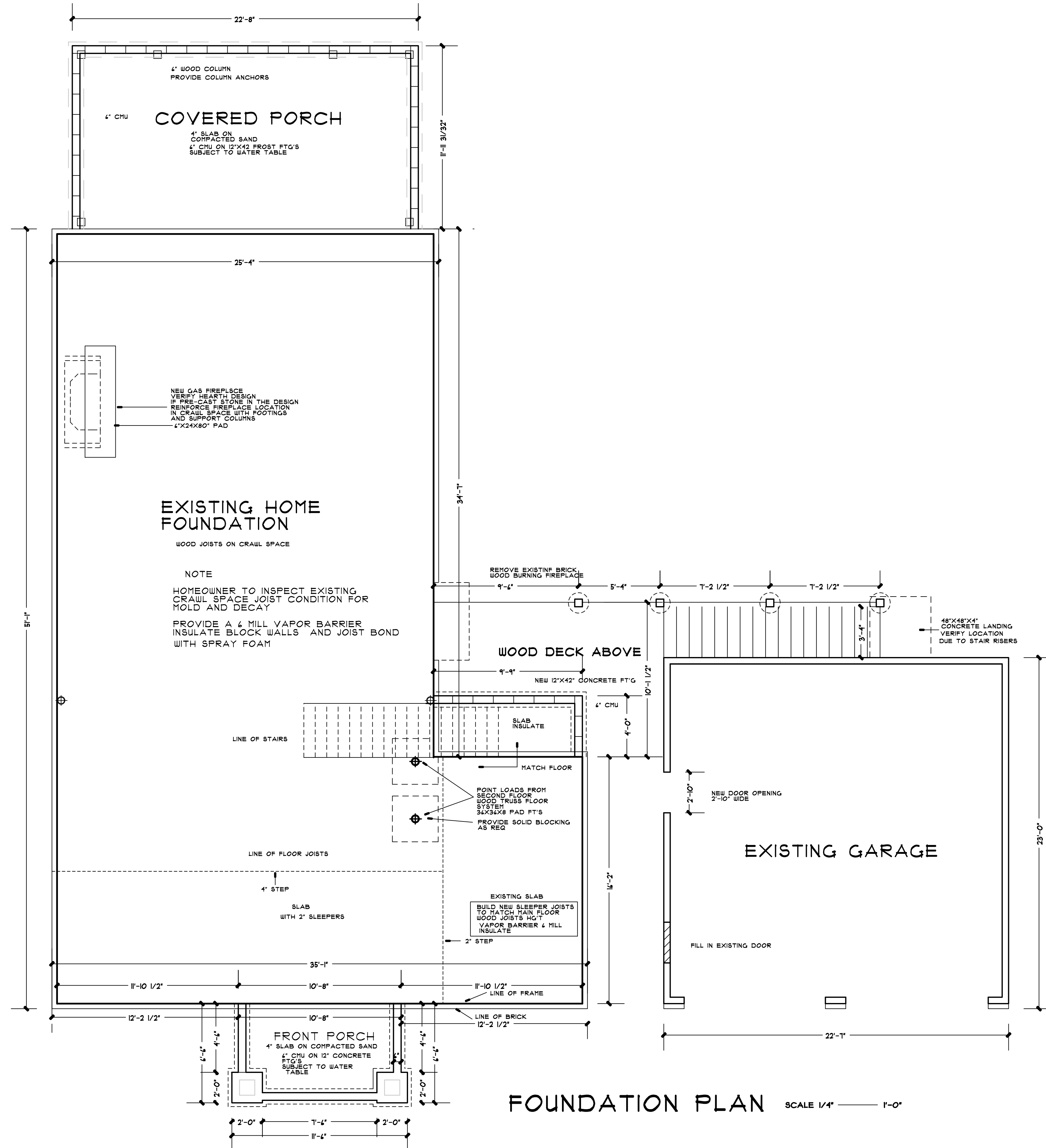
SOUTH ELEVATION SCALE 1/8" = 1'-0"

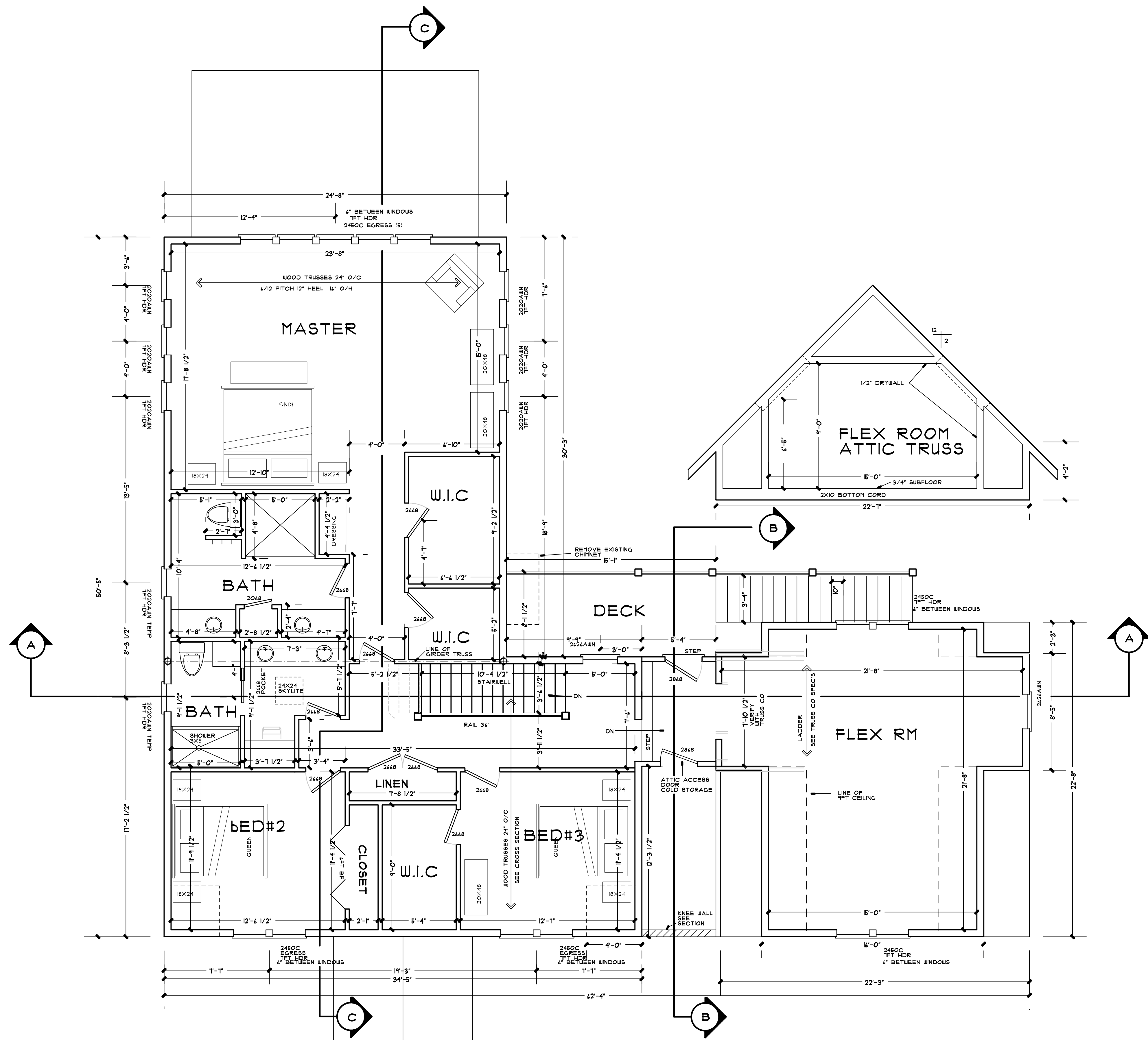


FRONT ELEVATION SCALE 1/4" = 1'-0"



LAKE ELEVATION SCALE 1/4" = 1'-0"





SECOND FLOOR PLAN SCALE 1/4" = 1'-0"
VERIFY ALL DIMENSIONS BEFORE ORDERING TRUSSES



Zoning Board of Appeals Staff Report



TO: Zoning Board of Appeals
(ZBA)

FROM: David Rohr

HEARING DATE: September 9, 2026

SUBJECT: ZBA 26-0009

PROJECT New home

SITE: 4465 Shoreview Ln.
TID 4715-33-110-135

OWNER: Michael Winson

APPLICANT: Michael Winson

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

- Natural Rivers Setback of 82ft rather than the 125ft required, per section 36-171(4)

ZONING: (NR) Natural River

Project Description

Applicant intends to build a new single-family house. The parcel contains an existing garage. The parcel is in the Natural Rivers district, requiring a 125-foot setback from the river, drastically limiting the buildable area. A variance application is submitted to permit the construction of a new house. Variance request:

- Natural Rivers Setback of 82ft rather than the 125ft required, per section 36-171(4)

Standards of Review

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

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

The parcel is non-conforming. The overall narrowness of the parcel and setback requirements limits the buildable area.

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

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

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

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

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

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

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

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

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

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

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

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

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

Recommendation

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

Approval Motion

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

- Natural Rivers Setback of 82ft rather than the 125ft required, per section 36-171(4)

The variance meets variance standards one (1) through seven (7) of Section 36-137 of the Hamburg Township Zoning Ordinance, and a practical difficulty exists on the subject site when strict compliance with the Zoning Ordinance standards is applied, as discussed at the meeting this evening and as presented in the staff report.

Denial Motion

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

- Natural Rivers Setback of 82ft rather than the 125ft required, per section 36-171(4)

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

Attachments:

Application

Project plans

Redacted
version

Item 2.

ZBA Case Number #26-0009
\$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: 8/12/26
2. Tax ID #: 15- 33-110-135 Subdivision: Cornwell Acres Lot No.: 103
3. Address of Subject Property: 4465 Shoreview Lane
4. Property Owner: Michael Winsor Phone: (H) _____
Email Address: _____ (W) _____
Street: 6202 Island Lake Dr City Brighton State MI
5. Appellant (If different than owner): Same Phone: (H) _____
E-mail Address: _____ (W) _____
Street: _____ City _____ State _____
6. Year Property was Acquired: _____ Zoning District: Natural River Flood Plain 10' along waters edge
7. Size of Lot: Front _____ Rear _____ Side 1 _____ Side 2 _____ Sq. Ft. _____
11. Dimensions of Existing Structure (s) 1st Floor _____ 2nd Floor _____ Garage _____
12. Dimensions of Proposed Structure (s) 1st Floor _____ 2nd Floor _____ Garage _____
13. Present Use of Property: Vacant
14. Percentage of Existing Structure (s) to be demolished, if any 0 %
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:

RECEIVED

AUG 12 2026

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

Hamburg Township
Planning and Zoning Commission

- 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.

Natural river set back

- 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.

Yes

- 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.

Not detrimental

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

No

- 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.

Not recurrent

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

Still residential

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

Yes

• I hereby certify that I am the owner of the subject property or have been authorized to act on behalf of the owner(s) and that all of the statements and attachments are true and correct to the best of my knowledge and belief.

• I hereby acknowledge that if my house is connected to the municipal sanitary sewer system, the Utilities Department will complete a review of my ZBA application request, to ensure it complies with all sewer related policies and all sewer easement right-of-way requirements. (For any questions, please contact the Hamburg Twp Utilities Department at 810-222-1193.

• I acknowledge that approval of a variance only grants that which was presented to the ZBA.

• I acknowledge that I have reviewed the Hamburg Township Zoning Ordinance, the ZBA Application and the ZBA Checklist and have submitted all of the required information.

• I acknowledge that filing of this application grants access to the Township to conduct onsite investigation of the property in order to review this application.

• I understand that the house or property must be marked with the street address clearly visible from the roadway.

VARIANCE (ZBA) APPLICATION CHECKLIST:

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

☐ **Zoning Board of Appeals Application Form**

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

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

☐ **Preliminary sketch plans:**

a) Elevation plans:

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

b) Floor plans:

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

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

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

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

- 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).

Owner's Signature

Date

8/12/26

Appellant's Signature

Date

RECEIVED

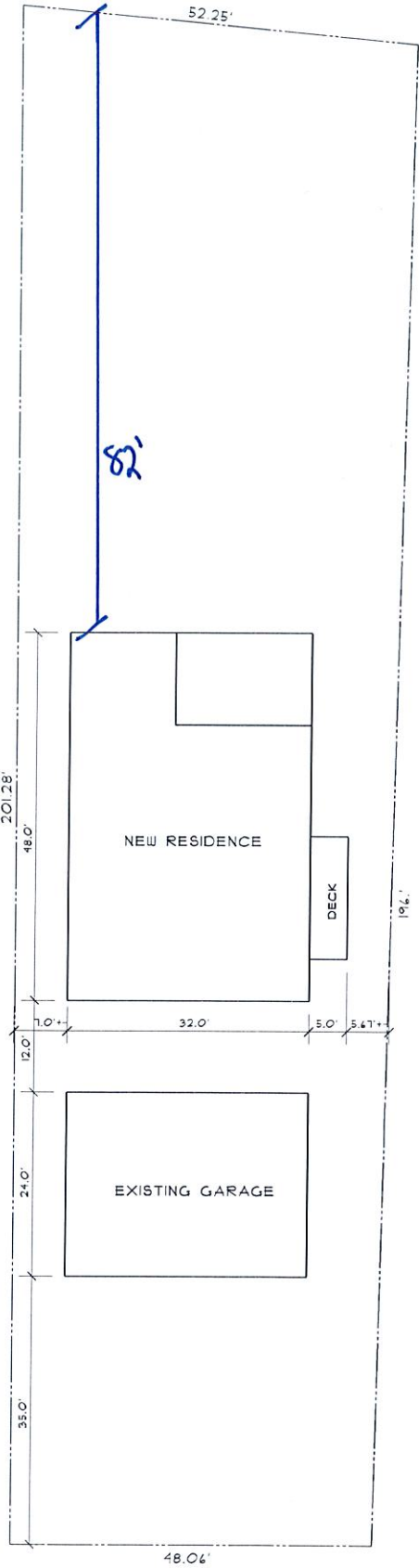
AUG 12 2026

Hamburg Township
Planning and Zoning Department

RECEIVED

AUG 12 2026

Hamburg Township
Planning and Zoning Department



O SHOREVIEW LANE
HAMBURG TWP

PLOT PLAN

SCALE: 1" = 10.0'

SHORE VIEW LANE

WINDOW NOTE:

WINDOW SIZES ARE APPROXIMATE. A WINDOW SCHEDULE MUST BE OBTAINED FROM THE WINDOW MANUFACTURER FOR R.O. SIZES. 3048 INDICATES A 3'-0" X 4'-8" WINDOW.

BUILDER/CONTRACTOR NOTE:

PLANS SHOWN ARE A CONCEPT DERIVED FROM MEETINGS WITH BUILDER AND/OR OWNER AND ARE TO BE USED AS A REFERENCE FOR CONSTRUCTION PURPOSES ONLY AND MAY NOT BE SOLD TO OTHERS. BUILDER/CONTRACTOR IS RESPONSIBLE FOR MEETING ALL CURRENT BUILDING CODES PERTAINING TO THESE PLANS REGARDLESS IF SHOWN OR NOT SHOWN. BUILDER/CONTRACTOR IS ALSO RESPONSIBLE FOR ACQUIRING ANY ENGINEERING REQUIRED SUCH AS BUT NOT LIMITED TO FOOTINGS, FOUNDATIONS, HEADERS, BEAMS, FLOOR JOISTS, RAFTERS, TRUSSES, ETC. ALL SIZES AND DIMENSIONS SHOWN FOR FOOTINGS, FOUNDATIONS, FLOOR PLANS, BEAMS, FLOOR JOISTS, TRUSSES, RAFTERS, ETC. MUST BE VERIFIED BY A QUALIFIED BUILDER, ENGINEER AND/OR SUPPLIER. CURRENT BUILDING CODES FOR THE AREA IN WHICH THIS STRUCTURE IS TO BE BUILT IN SUPERSEDE ANYTHING SHOWN ON THESE PLANS. STIRLING DESIGNS ASSUMES NO RESPONSIBILITY FOR ANY CONSTRUCTION PROJECT INCLUDING BUT NOT LIMITED TO ANY ERRORS AND/OR OMISSIONS TO THE PLANS PROVIDED.

REVISIONS

BUILDER: _____
RESIDENCE FOR: MIKE WINSON

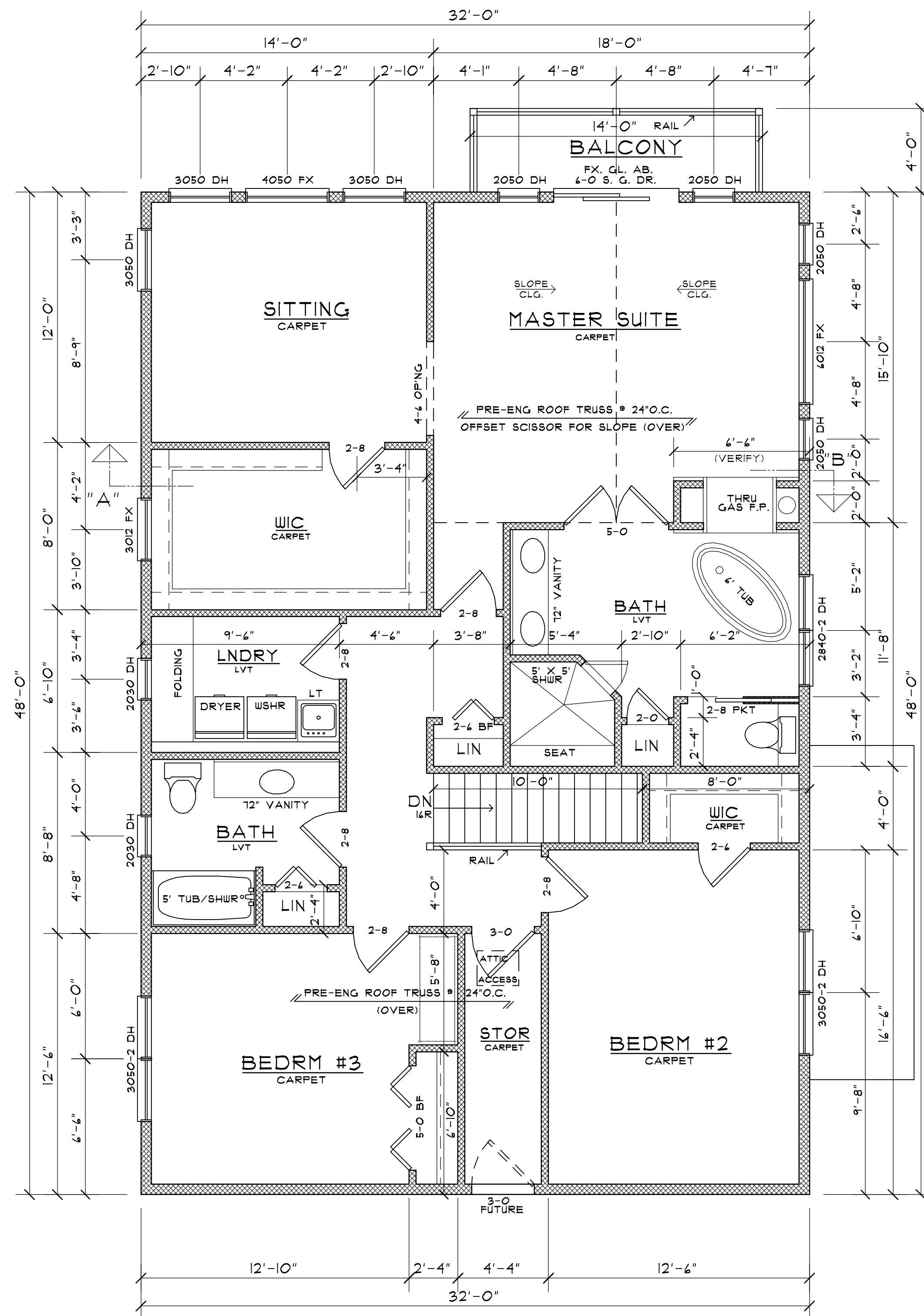
STIRLING DESIGNS
RESIDENTIAL PLANS
HOWELL, MI 48843
PHONE: (517) 546-9299



NO: 0120521P
SHEET NO: 4P
OF 4 SHEETS

4465 Shoreview LN

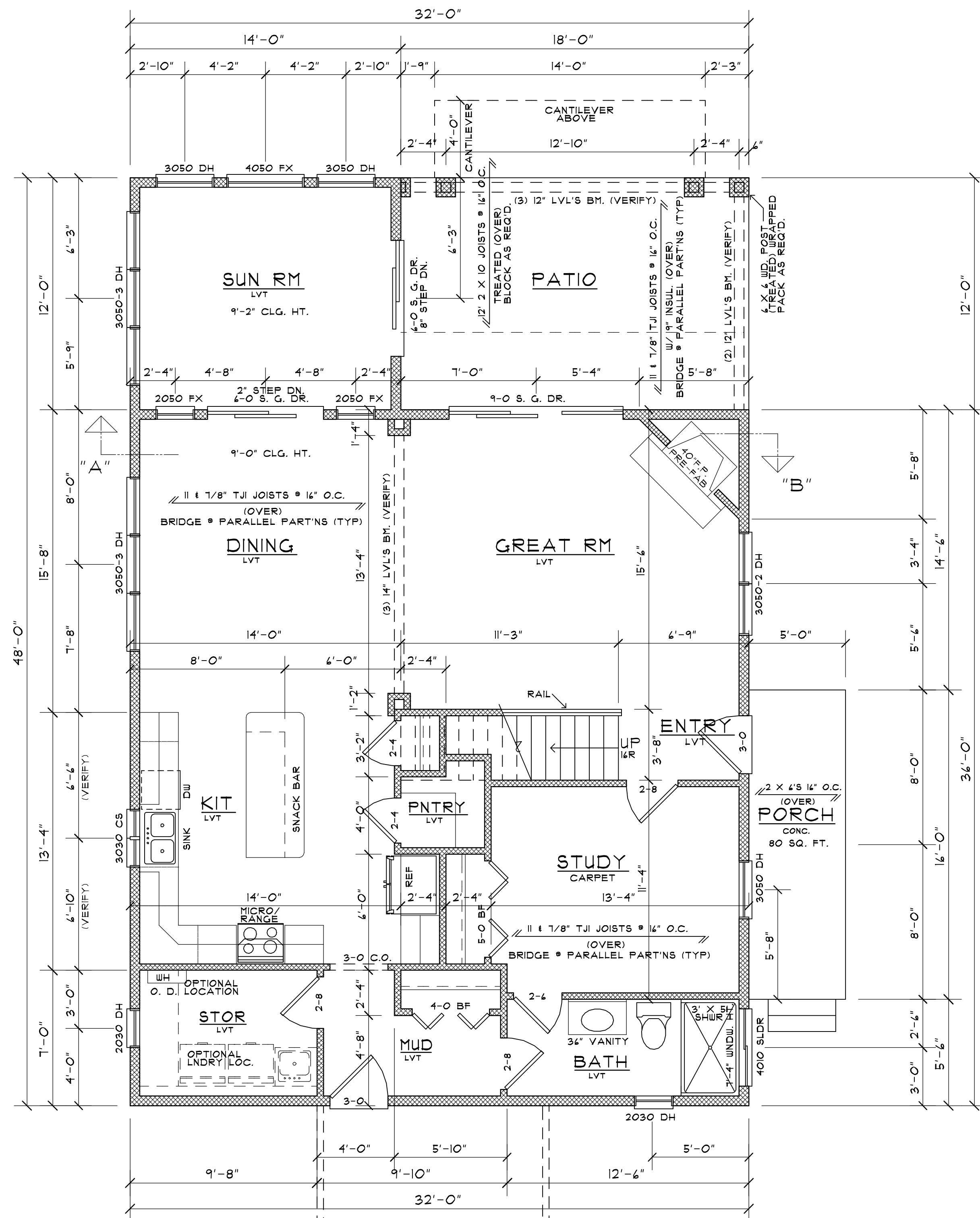
REVISIONS



SECOND FLOOR

SCALE: 1/4" = 1'-0" LIVING AREA: 1536 SQ. FT.

NOTE: DIMENSION WITNESS LINE INDICATES FINISH SIDE OF SHEATHING OR DRYWALL.



FIRST FLOOR

SCALE: 1/4" = 1'-0" LIVING AREA: 1320 SQ. FT.
COVERED PATIO: 216 SQ. FT.NOTE: DIMENSION WITNESS LINE INDICATES FINISH SIDE OF SHEATHING OR DRYWALL.
FIRST FLOOR WALL HT. = 9'-0" UNLESS OTHERWISE NOTED.TRIPLE GARAGE
EXISTING

WINDOW NOTE:

WINDOW SIZES ARE APPROXIMATE. A WINDOW SCHEDULE MUST BE OBTAINED FROM THE WINDOW MANUFACTURER FOR R.O. SIZES. 3048 INDICATES A 3'-0" X 4'-8" WINDOW.

BUILDER/CONTRACTOR NOTE:

PLANS SHOWN ARE A CONCEPT DERIVED FROM MEETINGS WITH BUILDER AND/OR OWNER AND ARE TO BE USED AS A REFERENCE FOR CONSTRUCTION PURPOSES ONLY, AND MAY NOT BE SOLD TO OTHERS.

BUILDER/CONTRACTOR IS RESPONSIBLE FOR MEETING ALL CURRENT BUILDING CODES PERTAINING TO THESE PLANS REGARDLESS IF SHOWN OR NOT SHOWN.

BUILDER/CONTRACTOR IS ALSO RESPONSIBLE FOR ACQUIRING ANY ENGINEERING REQUIRED SUCH AS BUT NOT LIMITED TO FOOTINGS, FOUNDATIONS, HEADERS, BEAMS, FLOOR JOISTS, RAFTERS, TRUSSES, ETC.

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CURRENT BUILDING CODES FOR THE AREA IN WHICH THIS STRUCTURE IS TO BE BUILT IN SUPERSEDE ANYTHING SHOWN ON THESE PLANS.

STIRLING DESIGNS ASSUMES NO RESPONSIBILITY FOR ANY CONSTRUCTION PROJECT INCLUDING BUT NOT LIMITED TO ANY ERRORS AND/OR OMISSIONS TO THE PLANS PROVIDED.

BUILDER:

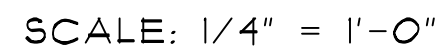
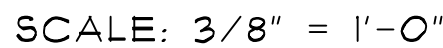
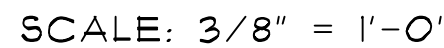
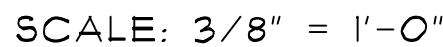
RESIDENCE FOR: MIKE WINSON

STIRLING DESIGNS
RESIDENTIAL PLANS
HOWELL, MI 48843
PHONE: (517) 546-9299

NO: QW20521F

SHEET NO:

OF 4 SHEETS



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STIRLING DESIGN ASSUMES NO RESPONSIBILITY FOR ANY CONSTRUCTION PROJECT INCLUDING, BUT NOT

REVISIONS

BUILDER: _____

RESIDENCE FOR: MIKE WINSON _____

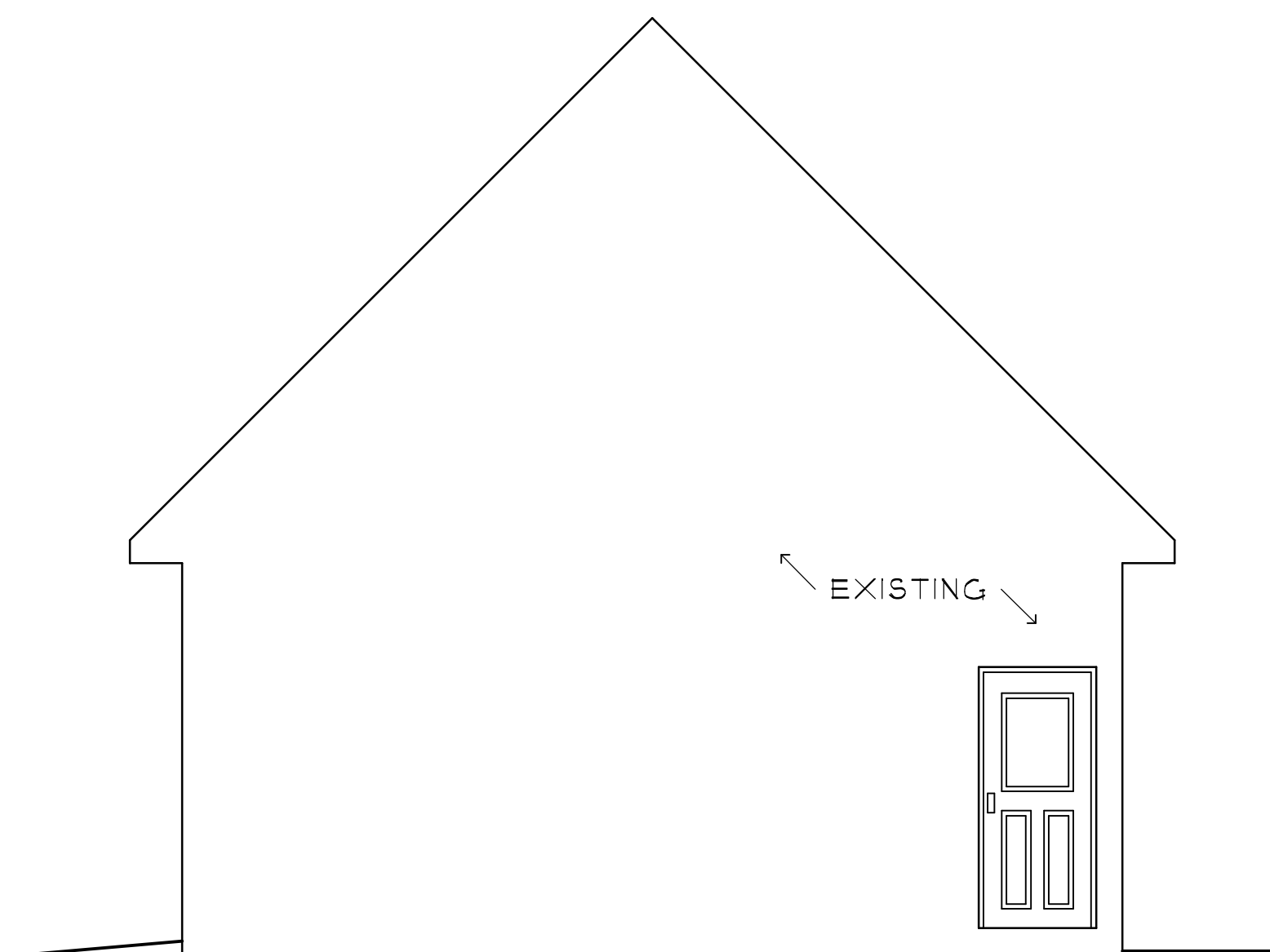
STIRLING DESIGNS
RESIDENTIAL PLANS
HOWELL, MI 48843
PHONE: (517) 546-9299
F.L.C.

NO: OW2052TE

SHEET NO:

1

OF 4 SHEET



LEFT SIDE

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



FRONT ELEVATION

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

BUILDER/CONTRACTOR NOTE:

PLANS SHOWN ARE A CONCEPT DERIVED FROM MEETINGS WITH BUILDER AND/OR OWNER AND ARE TO BE USED AS A REFERENCE FOR CONSTRUCTION PURPOSES ONLY AND HAT NOT BE SOLD TO OTHERS.

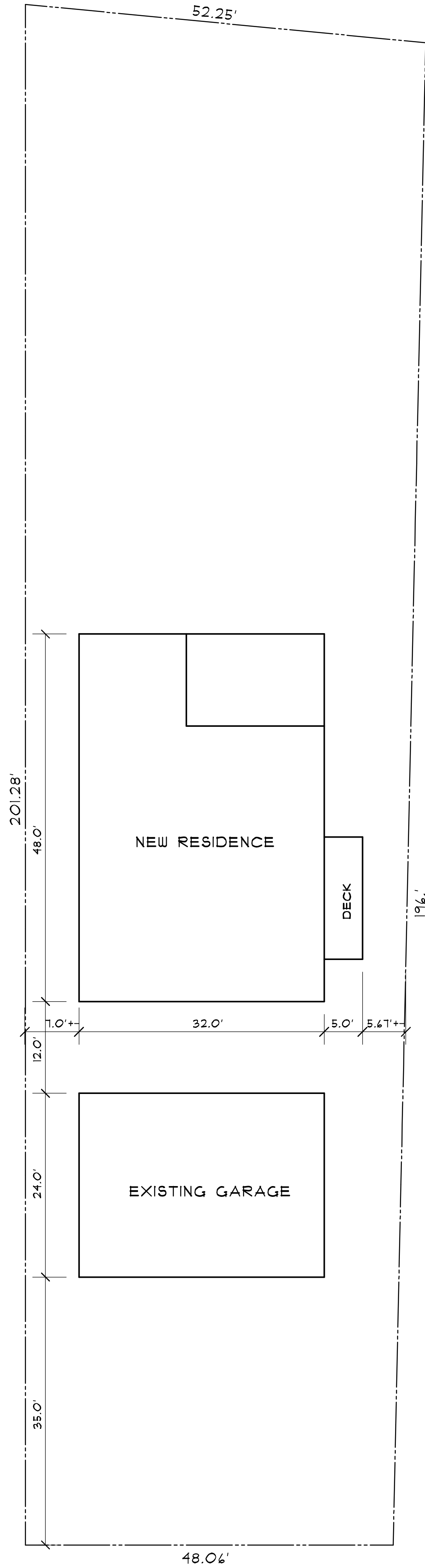
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BUILDER/CONTRACTOR IS ALSO RESPONSIBLE FOR ACQUIRING ANY ENGINEERING REQUIRED SUCH AS BUT NOT LIMITED TO: FOUNDATIONS, FOOTINGS, FLOOR JOISTS, RAFTERS, TRUSSES, ETC.

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ISSUING DESIGNS ASSUMES NO RESPONSIBILITY FOR ANY CONSTRUCTION PROJECT INCLUDING BUT NOT LIMITED TO, ANY ERRORS AND/OR OMISSIONS TO THE PLANS PROVIDED.



PLOT PLAN
SCALE: 1" = 10.0'

SHORE VIEW LANE

WINDOW NOTE:

WINDOW SIZES ARE APPROXIMATE. A WINDOW SCHEDULE MUST BE OBTAINED FROM THE WINDOW MANUFACTURER FOR R.O. SIZES. 3048 INDICATES A 3'-0" X 4'-8" WINDOW.

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Item 2.

REVISIONS

BUILDER:

RESIDENCE FOR:

MIKE WINSON

SD

STIRLING DESIGNS

RESIDENTIAL PLANS

HOWELL, MI 48843

NO: QW20521F

SHEET NO:

4

P

OF 4 SHEETS

28

REVISIONS

BUILDER:	
RESIDENCE FOR:	MIKE WINSON

STIRLING DESIGNS

RE S I D E N T I A L

HOWELL, MI 48843

L.L.C.

P L A N S

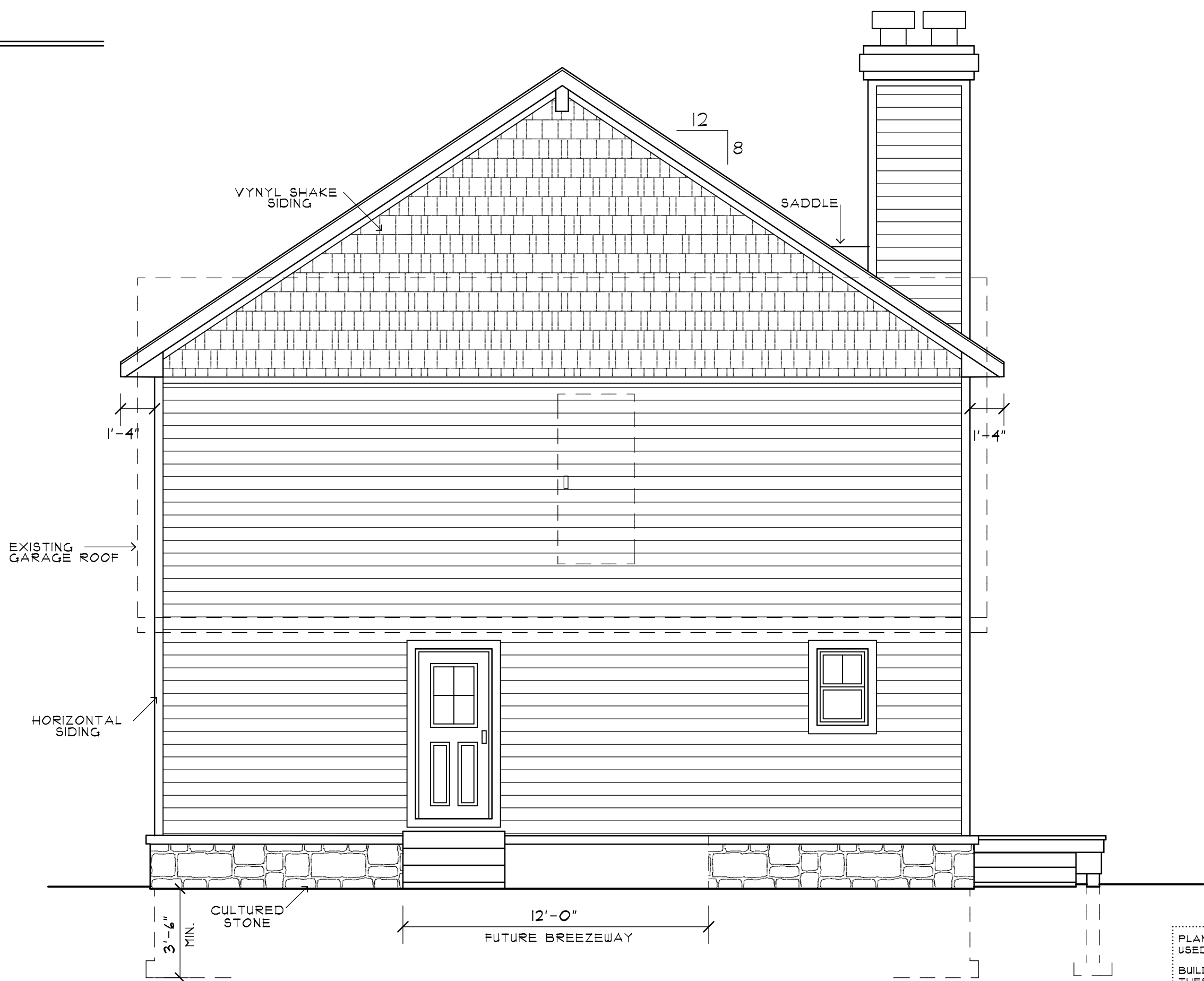
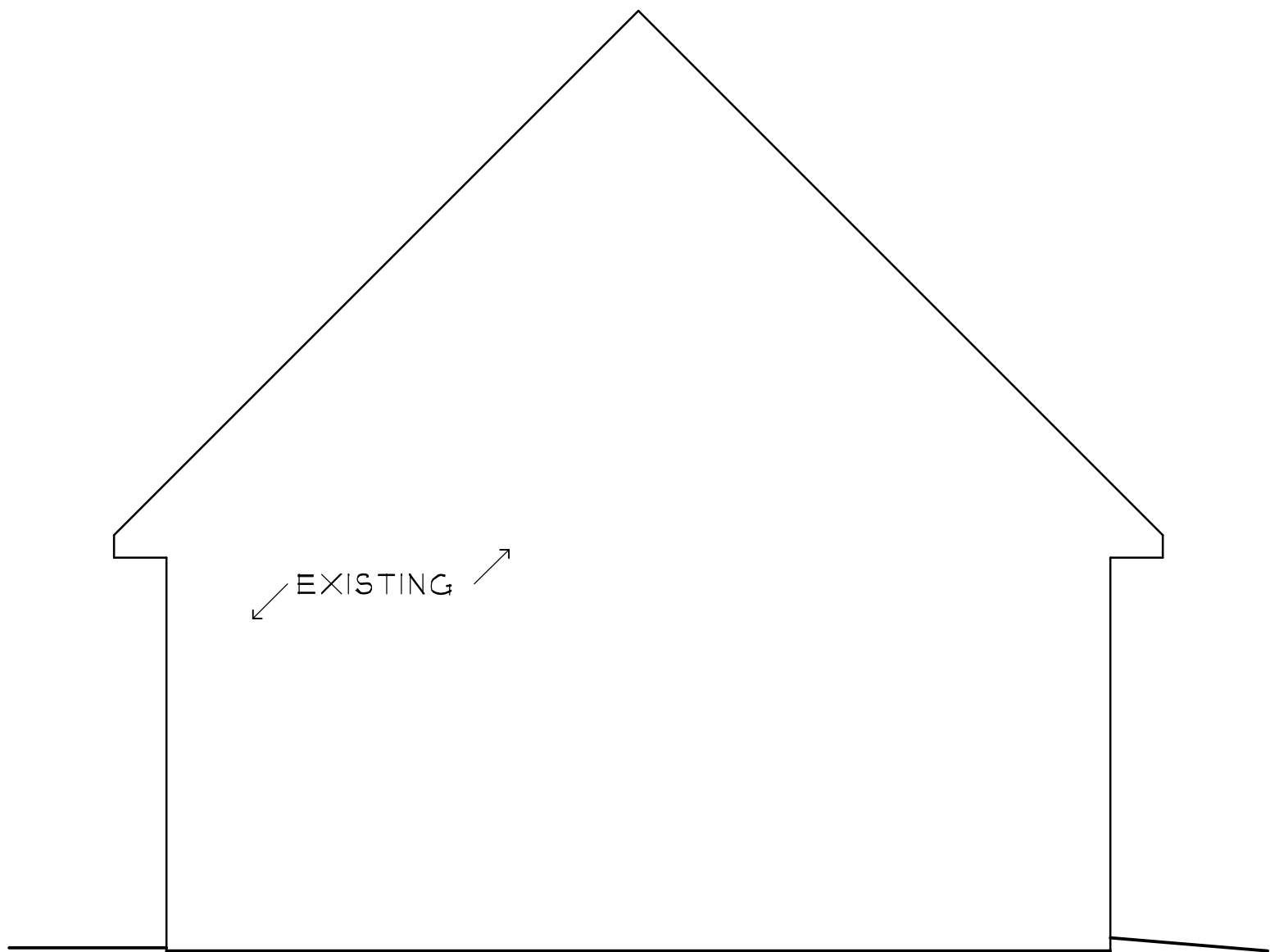
PHONE: (517) 546-9299

NO: QW20521E	SHEET NO:
OF 4 SHEET	29



RIGHT SIDE

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



REAR ELEVATION

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

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REVISIONS

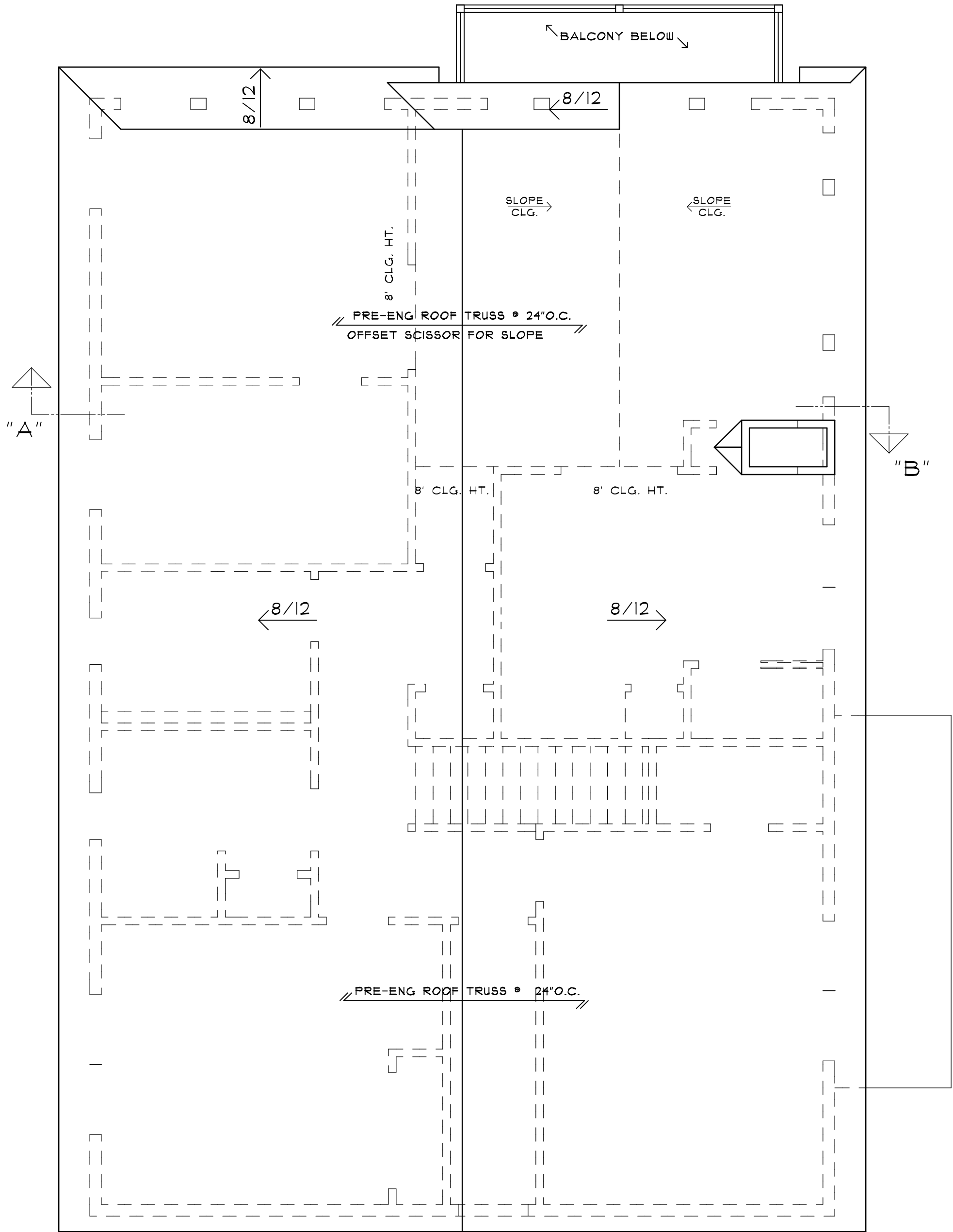
BUILDER:	_____
RESIDENCE FOR:	MIKE WINSON

STIRLING DESIGNS

RESIDENTIAL

HOWELL, MI 48843

PHONE: (517) 546-9299



ROOF PLAN

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

WINDOW NOTE:

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Zoning Board of Appeals Staff Report



TO: Zoning Board of Appeals
(ZBA)

FROM: David Rohr

HEARING DATE: September 9, 2026

SUBJECT: ZBA 26-0010

PROJECT New Garage

SITE: 5130 Edgelake Dr.
TID 4715-27-104-043

OWNER: Vita McCabe

APPLICANT: Vita McCabe

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

- Natural features setback of **0ft** rather than the 50ft required, per section 36-293(c)b
- Front setback of **15ft** rather than the 25ft required, per section 36-171(D)

ZONING: (WFR) Waterfront Residential

Project Description

The applicant intends to build a detached garage on the out parcel across the street from their home. The vacant parcel(s) are covered in wetland. EGLE has granted the applicant a wetland permit (Part 303) to build in the wetland. Variances are requested due to the practical difficulty inherent in the parcel.

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

- Natural features setback of **0ft** rather than the 50ft required, per section 36-293(c)b
- Front setback of **15ft** rather than the 25ft required, per section 36-171(D)

Standards of Review

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

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

The parcel is covered by a wetland. The overall narrowness of the parcel limits the buildable area. The proposed structure will be entirely within the wetland and closer to the ROW to mitigate wetland impact. The EGLE permit allows fill as part of the building process.

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

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

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

The variance request is not likely to be materially detrimental to the public welfare or materially injurious to the property or improvements in the district. The proposed structure will only be 800 sq feet.

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. EGLE permit has been granted.

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

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

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

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

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

Staff believes that the proposed structure to be reasonable considering the limited buildable area and the proximity to the wetland. Staff believe the proposed garage will have minimal impact on the surrounding properties.

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

Recommendation

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

Approval Motion

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

- Natural features setback of **0ft** rather than the 50ft required, per section 36-293(c)b
- Front setback of **15ft** rather than the 25ft required, 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 to permit the construction of a new garage. Variance request:

- Natural features setback of **0ft** rather than the 50ft required, per section 36-293(c)b
- Front setback of **15ft** rather than the 25ft required, per section 36-171(D)

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

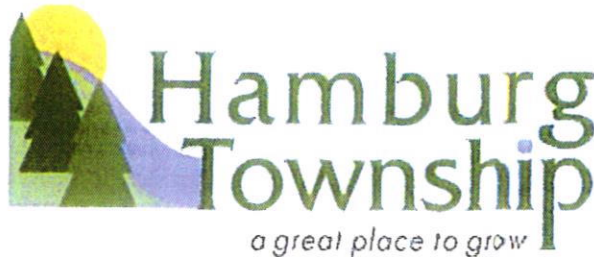
Attachments:

Application
Project plans

ZBA Case Number

#26-0010

\$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: 11-24-25
2. Tax ID #: 15-27-104-043 Subdivision: Edgewood Shores Est. Lot No.: _____
3. Address of Subject Property: 5130 Edgelake Dr.
4. Property Owner: Vita McCabe Phone (H) _____
Email Address: _____ (W) _____
Street: 5130 Edgelake DR City Pinkney State MI
5. Appellant (If different than owner): Todd's Services, Inc. Phone: (H) _____
E-mail Address: _____ (W) _____
Street: 7975 E. M36 City Hamburg State MI
6. Year Property was Acquired: 2026 Zoning District: _____ Flood Plain _____
7. Size of Lot: Front _____ Rear _____ Side 1 _____ Side 2 _____ Sq. Ft. _____
11. Dimensions of Existing Structure (s) 1st Floor _____ 2nd Floor _____ Garage _____
12. Dimensions of Proposed Structure (s) 1st Floor _____ 2nd Floor _____ Garage _____
13. Present Use of Property: Residential
14. Percentage of Existing Structure (s) to be demolished, if any 0 %
15. Has there been any past variances on this property? Yes _____ No X unsure
16. If so, state case # and resolution of variance application _____
17. Please indicate the type of variance or zoning ordinance interpretation requested:
land use

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ZBA Case Number _____

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 client needs additional storage space.
Others have garages & it is a cleaner look.

- 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 variance will be consistent w/ neighboring properties. They have garages on this side of the Rd.

- 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 variance will be consistent w/ neighboring properties

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

It will not adversely affect the obj. of the Master Plan.
It is still residential & similar to neighboring properties

- 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 intended use is consistent w/ neighboring properties
Indoor storage of vehicles, boats, & toys.

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

Its consistent w/ the plan and neighboring properties

- g) The requested variance is the minimum necessary to permit reasonable use of the land. YES, 800 SQ/FT.

It will need EDC approval & Liv. Po. Approval.

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

Owner's Signature

Date

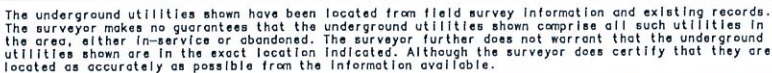
11/21/26

Appellant's Signature

Date

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AUG 12 2026



Know what's below.
Call before you dig.

LEGAL DESCRIPTION

(PER WARRANTY DEED, 2025R-008696, Livingston County Records)
The following describes premises situated in the Township of Hamburg, County of Livingston and State of Michigan, to-wit:

Lots 16 and 17, Edgewood Shores Estates, according to the plat thereof as recorded in Liber 3 of Plats, Page 13, Livingston County Records.

Commonly known as: 5130 Edgelake Dr, Pinckney, Michigan 48169
Tax parcel number: 4715-27-104-043

(PER QUIT CLAIM DEED, 2016R-030079, Livingston County Records)
The following describes premises situated in the Township of Hamburg, County of Livingston and State of Michigan, to-wit:

Sec. 27 T1N, R5E, Edgewood Shores Estates Annex No. 1, Lot 57.

Commonly known as: Edgelake Drive, Lot 1
Tax parcel number: 4715-27-103-012

(PER QUIT CLAIM DEED, 2016R-030080, Livingston County Records)
The following describes premises situated in the Township of Hamburg, County of Livingston and State of Michigan, to-wit:

Sec. 27 T1N, R5E, Edgewood Shores Estates Annex No. 1, Lot 58.

Commonly known as: Edgelake Drive, Lot
Tax parcel number: 4715-27-103-011

BENCHMARKS

BENCHMARK #1:
NAILIN EAST FACE OF UTILITY POLE AT THE NORTHWEST CORNER OF LOT 16
IN THE SOUTH R.O.W OF EDGELAKE DRIVE CORNER OF PROPERTY.
ELEVATION=855.92' (NAVD88)

BENCHMARK #2:
SET SPIKE IN SOUTH FACE OF 26" MAPLE TREE AT THE SOUTHEAST CORNER
OF LOT 57 IN THE NORTH R.O.W. OF EDGELAKE DRIVE CORNER OF PROPERTY
ELEVATION=855.56' (NAVD88)

LEGEND

	EXIST. CONTOUR
	EXIST. SPOT ELEVATION
	EXIST. UTILITY POLE
	GUY WIRE
	EXIST. AC UNIT
	EXIST. OVERHEAD UTILITY LINE
	MAILBOX
	ELECTRIC METER
	GAS METER
	POST
	SINGLE TREE
	TREE OR BRUSH LIMIT
	EXIST. WETLAND
	EXIST. FLOOD PLAIN
	FOUND IRON PIPE
	FOUND MONUMENT
	SET IRON ROD
	FOUND IRON ROD
	MAPLE
	DUNE

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Hamburg Town
Planning and Zoning D

**MIDWESTERN
CONSULTING**
3815 Plaza Drive Ann Arbor, Michigan 48108
(734) 995-0200 • www.midwesternconsulting.com



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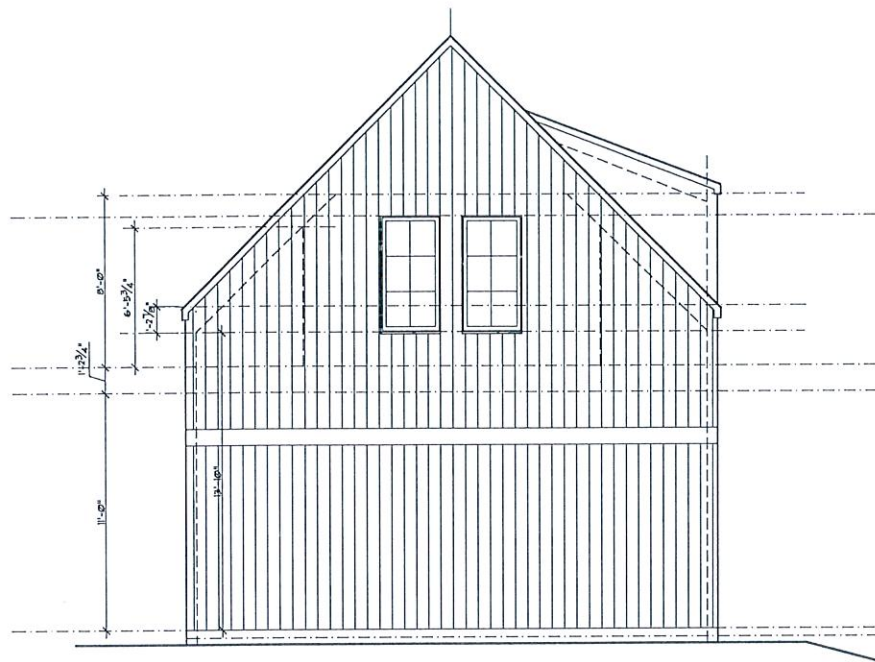
FIRESIDE HOME CONSTRUCTION
P.O. BOX 307
DEXTER, MICHIGAN 48130
ATTN: JAKE LAPPAN
734-426-4353

5130 EDGELAKE DR.

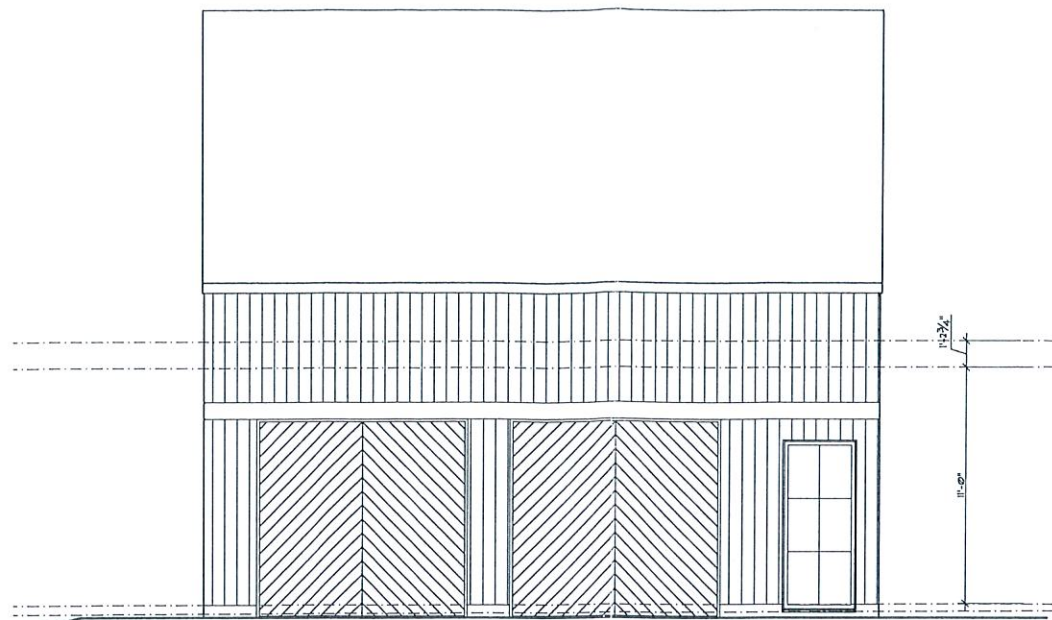
BOUNDARY AND TOPOGRAPHIC SURVEY OF THREE PARCELS
OF LAND LOCATED IN THE NW 1/4 OF SEC. 27, T1N, R5E,
HAMBURG TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN

1

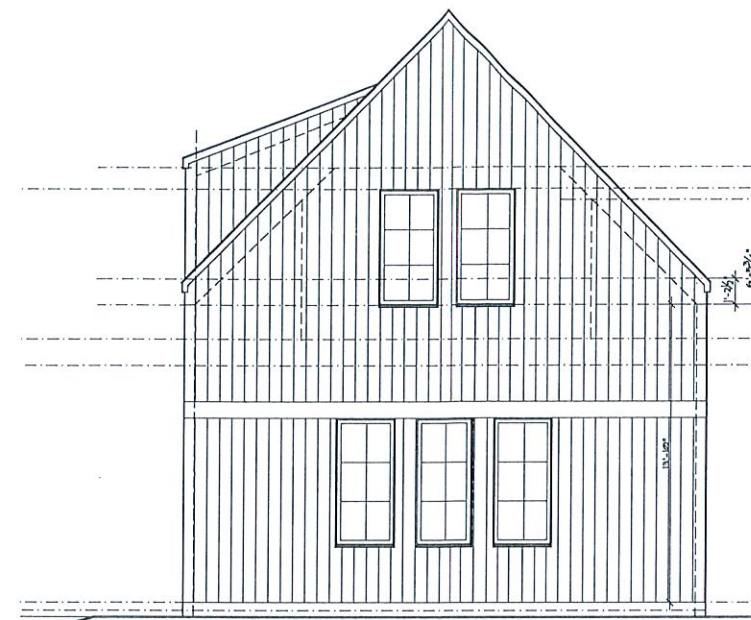
JOB No.	25120	DATE: 07/02/2025
REVISIONS:	REV. DATE	SHEET 1 OF 1
FEMA FLOOD PLAN	07/07/25	CADD: MST
		ENG:
		PL: NW
		TECH:
		25120_SW01
		FB# 1179



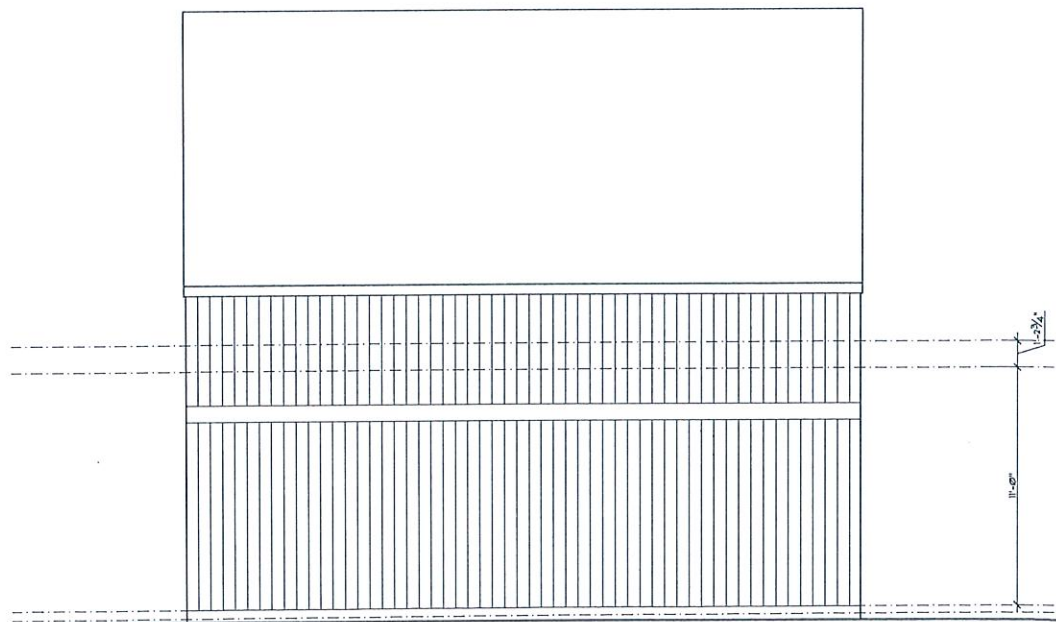
⊕ RIGHT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



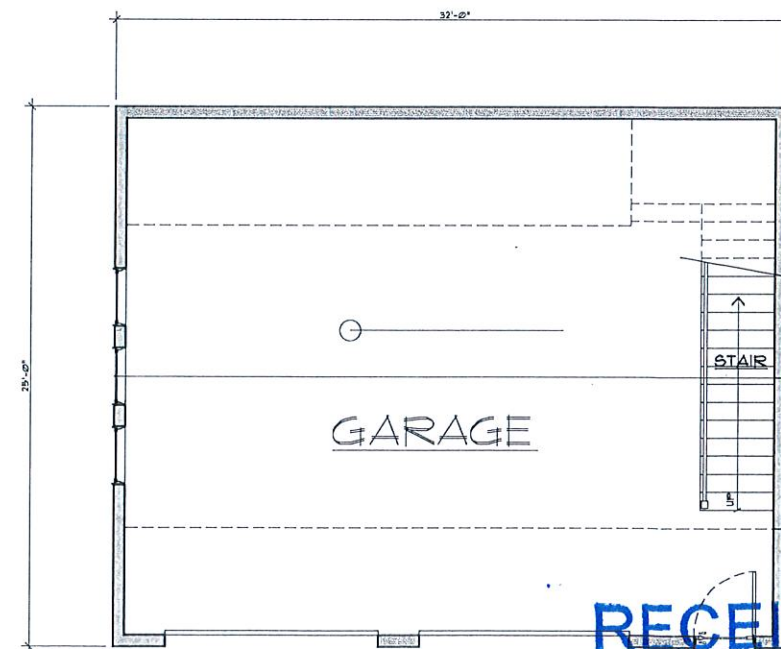
⊕ ROAD ENTRY ELEVATION
SCALE: 1/4" = 1'-0"



⊕ LEFT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



⊕ REAR ELEVATION
SCALE: 1/4" = 1'-0"



⊕ FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

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Hamburg Town
Planning and Zoning

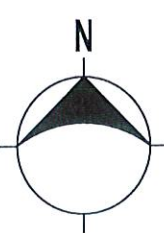
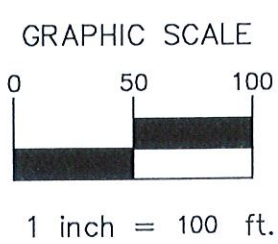
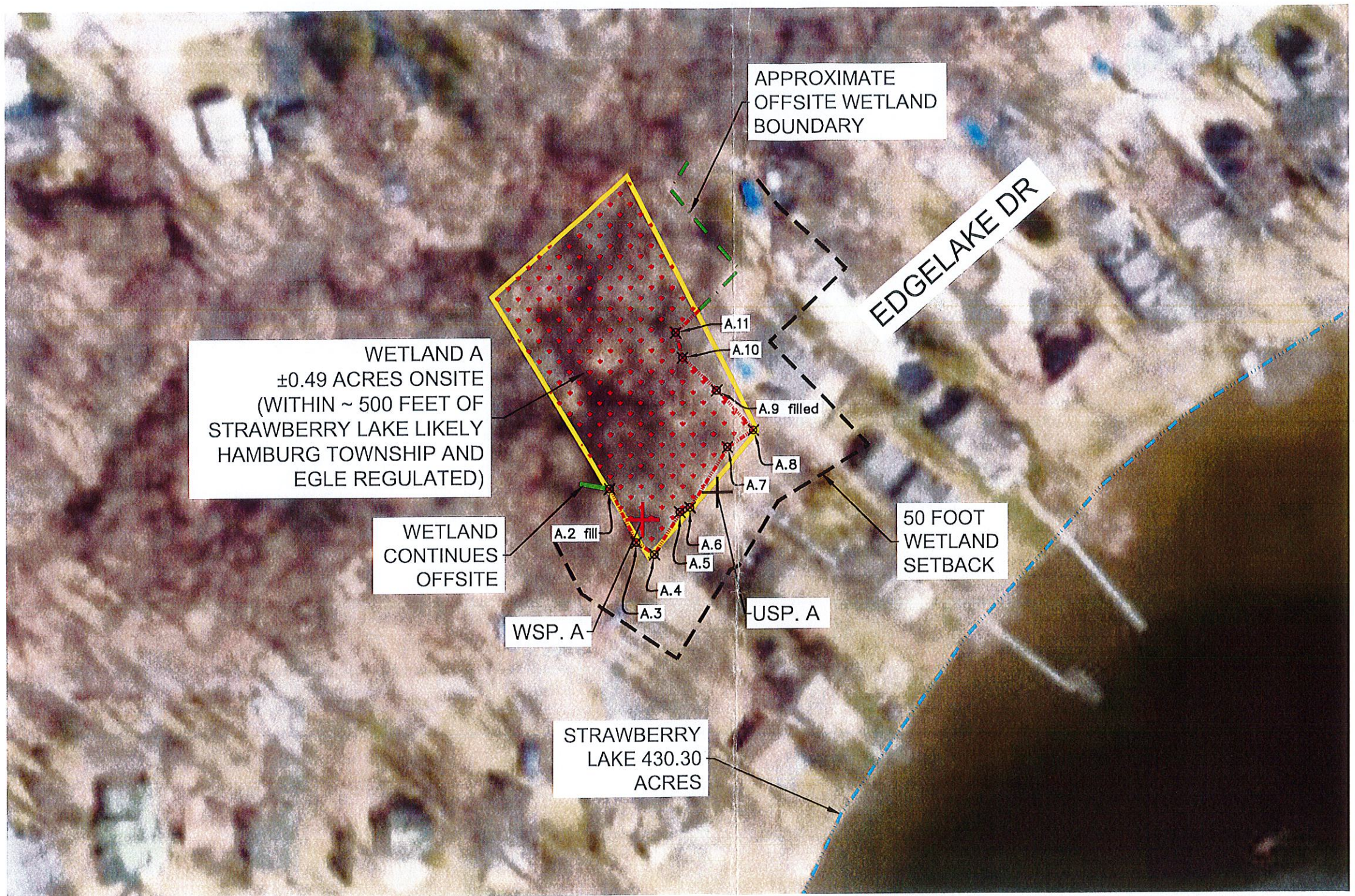
JOSEPH MOSEY ARCHITECTURE, Inc.
108 CENTER ST., STE. 205, NORTHVILLE, MI. 48167
248-515-4477 joseph@mja-architecture.com



McCABE RESIDENCE
5130 EDGELAKE DRIVE
HAMBURG TWP, MICHIGAN

OWNER REVIEW	08-24-26
OWNER REVIEW	10-09-26

PROJECT #	23-115
SHEET #	A-5



LEGEND

-  ONSITE EXISTING WETLAND
-  ASSESSMENT BOUNDARY (0.53 ACRES)
-  OFFSITE EXISTING WETLAND
-  50 FOOT WETLAND SETBACK
-  EXISTING WATERCOURSE
-  UPLAND SAMPLE POINT
-  WETLAND SAMPLE POINT

NOTE: THIS MAP DEPICTS THE APPROXIMATE WETLAND BOUNDARIES WITHIN THE PROPERTY AS DELINEATED BY MARX WETLANDS LLC ON JUNE 17, 2025. PLEASE NOTE THAT MICHIGAN'S DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY (EGLE) MAKES THE FINAL DETERMINATIONS OF JURISDICTION OVER REGULATED WETLANDS, STREAMS, LAKES, AND FLOODPLAINS IN THE STATE OF MICHIGAN. IN SOME CASES, WETLANDS MAY BE SUBJECT TO LOCAL ORDINANCES AND/OR FEDERAL REVIEW. ALSO NOTE: THIS PROPERTY HAS NOT BEEN SURVEYED. THE BOUNDARY LINES SHOWN, ALONG WITH AERIAL PHOTOGRAPHY, ARE APPROXIMATE GRAPHICAL REPRESENTATIONS ONLY.

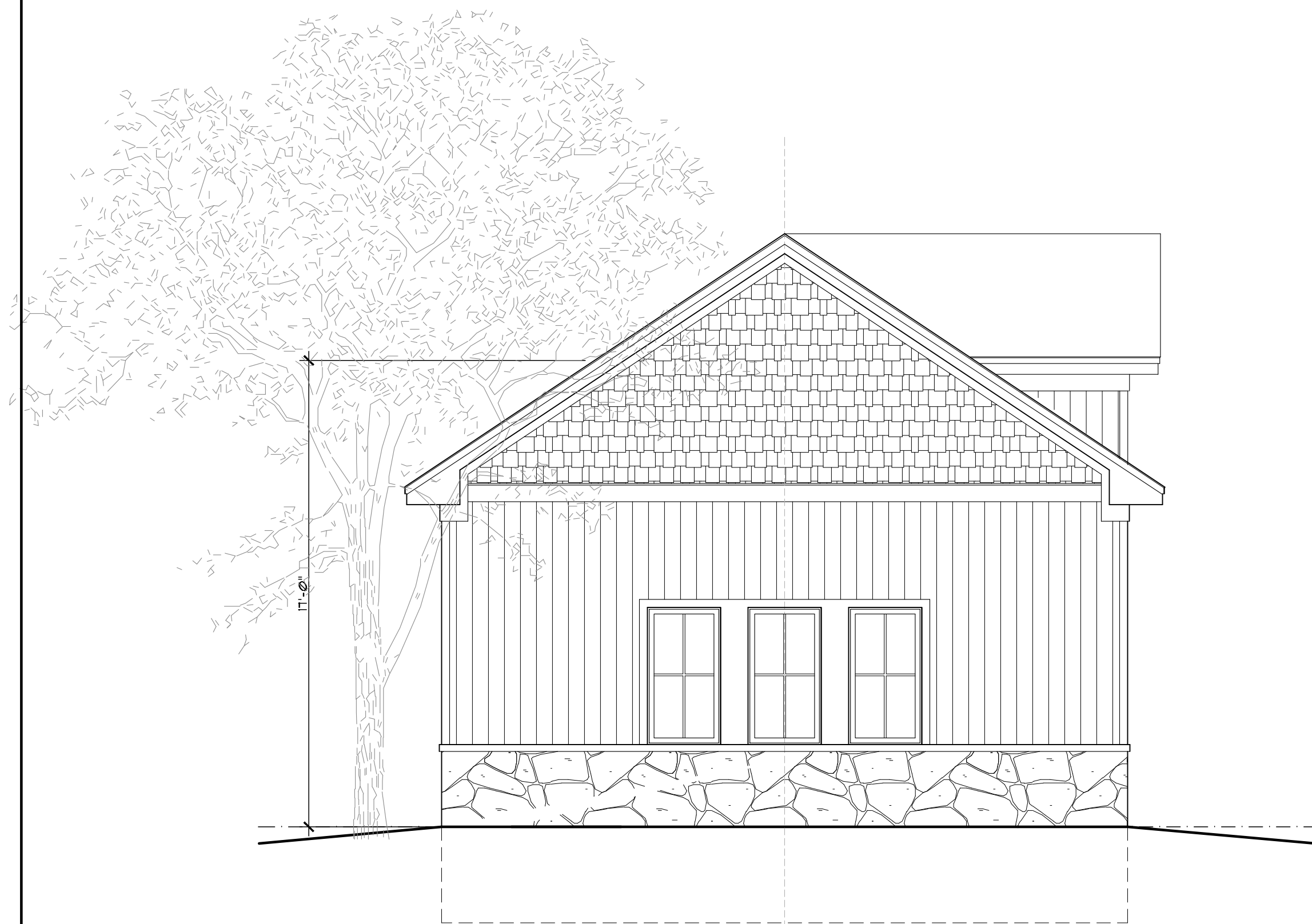
NOT FOR CONSTRUCTION

MARX WETLANDS LLC 9861 HIGHMEADOW DR YPSILANTI, MICHIGAN 48198 (734)478-8277	
	
SECTION: 27	TOWN 01 NORTH, RANGE 05 EAST
	HAMBURG TOWNSHIP
	LIVINGSTON COUNTY, MICHIGAN
CLIENT: MIDWESTERN CONSULTING	EDGE LAKE DRIVE
WETLAND DELINEATION MAP	
REVISIONS:	
DATE: JUNE 25, 2025	
SHEET NO. 01	

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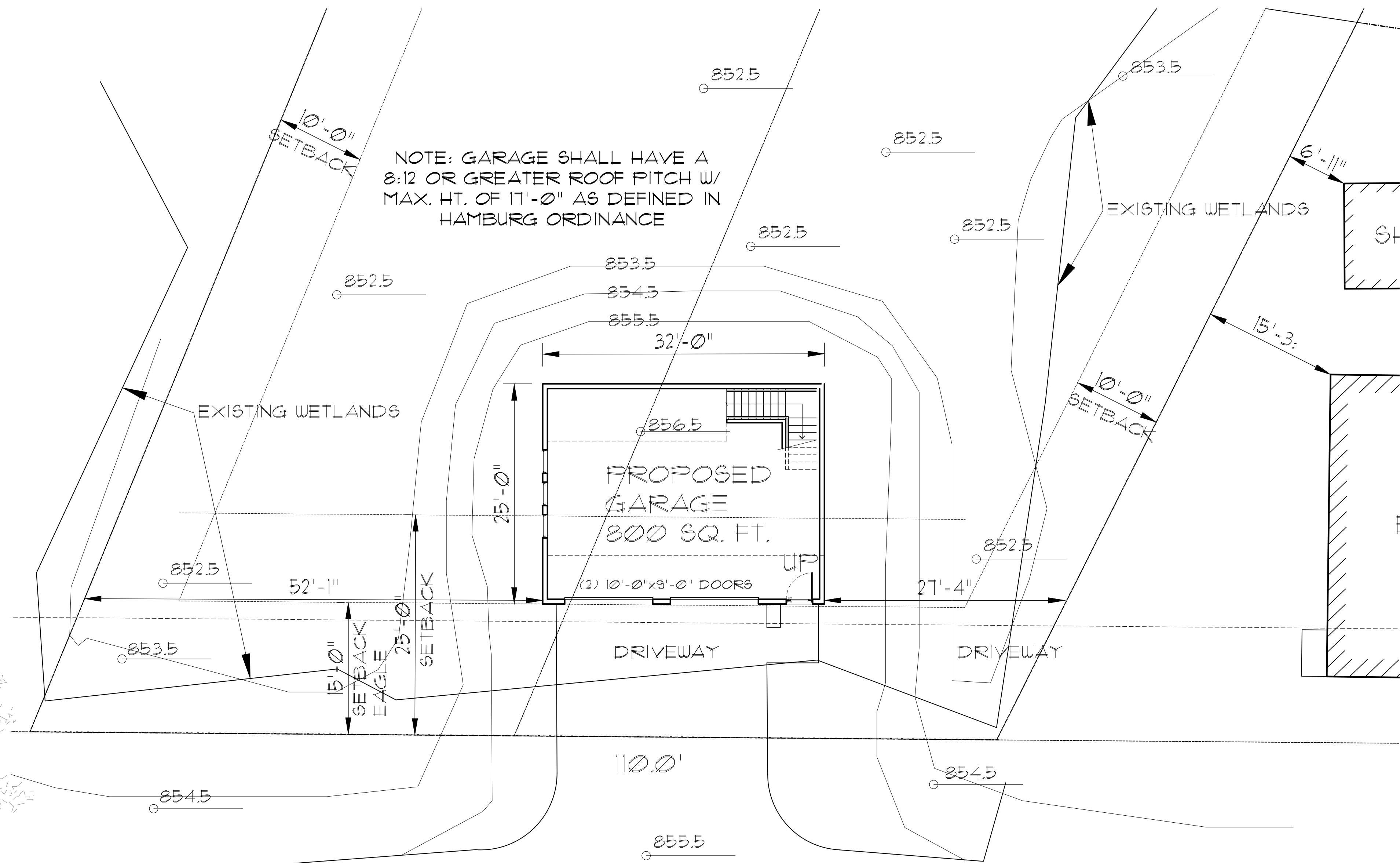
Hamburg Township
Planning & Zoning Department



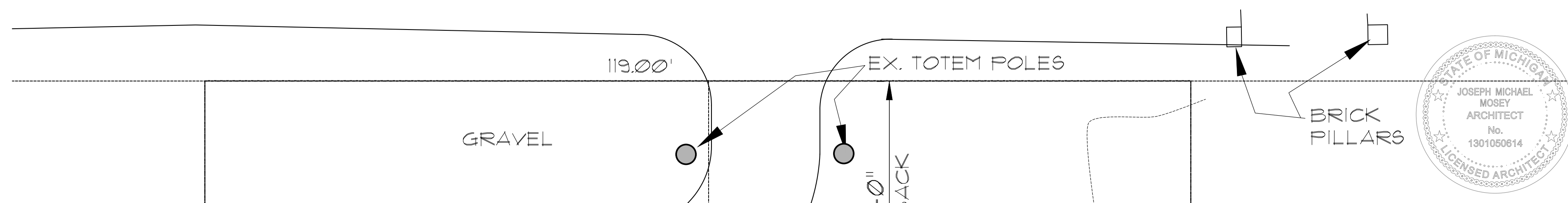
PROPOSED SIDE ELEVATION
SCALE: 1/4" = 1'-0"



PROPOSED LAKE ELEVATION
SCALE: 1/4" = 1'-0"



SITE PLAN
SCALE: 1/8" = 1'-0"



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McCABE RESIDENCE
5130 EDGELAKE DRIVE
HAMBURG TWP, MICHIGAN

BID/PERMIT SET	04-10-28
REVISION DATE	04-24-28
REVISION DATE	05-19-28

PROJECT #
23-115
SHEET #:
S-2





NOTICE OF AUTHORIZATION

Permit Number: WRP049786 v. 1
 Site Name: 47-0 Edgelake Rd-Pinckney

Date Issued: August 6, 2026
 Expiration Date: August 6, 2026

The Michigan Department of Environment, Great Lakes, and Energy (EGLE), Water Resources Division, P.O. Box 30458, Lansing, Michigan 48909-7958, under provisions of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended; specifically:

☒ Part 303, Wetlands Protection.

Authorized activity:

Place approximately 358 cubic yards of fill material in 0.08 acre of wetland to construct a 59-foot by 60-foot foundation for a residential building.

To be conducted at property located in: Livingston County, Waterbody: Forested Wetland, Section 27, Town 01N, Range 05E, Hamburg Township

Permittee:
 Vita McCabe
 5130 Edgelake Drive
 Pinckney, Michigan 48169

Matthew Rogers
 Lansing District Office
 Water Resources Division
 517-388-6869

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Hamburg Township
 Planning and Zoning Department

*This notice must be displayed at the site of work.
 Laminating this notice or utilizing sheet protectors is recommended.
 Please refer to the above permit number with any questions or concerns.*

EGLE
 WRP049786 v1.0
 Approved
 Issued On: 08/06/2026
 Expires On: 08/06/2031



**MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY
WATER RESOURCES DIVISION
PERMIT**

Issued To:

Vita McCabe
5130 Edgelake Drive
Pinckney, Michigan 48169

Permit No: WRP049786 v.1
Submission No.: HQK-P3DH-YR0HD
Site Name: 47-0 Edgelake Rd-Pinckney
Issued: August 6, 2026
Revised:
Expires: August 6, 2031

This permit is being issued by the Michigan Department of Environment, Great Lakes, and Energy (EGLE), Water Resources Division, under the provisions of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA); specifically:

- | | |
|--|---|
| ☐ Part 301, Inland Lakes and Streams | ☐ Part 323, Shorelands Protection and Management |
| ☒ Part 303, Wetlands Protection | ☐ Part 325, Great Lakes Submerged Lands |
| ☐ Part 315, Dam Safety | ☐ Part 353, Sand Dunes Protection and Management |
| ☐ Part 31, Water Resources Protection (Floodplain Regulatory Authority) | |

EGLE certifies that the activities authorized under this permit are in compliance with the State Coastal Zone Management Program and certifies without conditions under the Federal Clean Water Act, Section 401 that the discharge from the activities authorized under this permit will comply with Michigan's water quality requirements in Part 31, Water Resources Protection, of the NREPA and associated administrative rules, where applicable.

Permission is hereby granted, based on permittee assurance of adherence to State of Michigan requirements and permit conditions, to:

Authorized Activity:

Place approximately 358 cubic yards of fill material in 0.08 acre of wetland to construct a 59-foot by 60-foot foundation for a residential building.

All work shall be completed in accordance with the attached plans and specifications of this permit.

Waterbody Affected: Forested Wetland

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Vita McCabe

2

WRP049786 v.1

Item 3.

AUG 12 2026

Property Location: Livingston County, Hamburg Township, Hamburg Range/Section 01N05E27,
Property Tax No. 4715-27-103-028
Hamburg Township
Planning and Zoning Department

Authority granted by this permit is subject to the following limitations:

- A. Initiation of any work on the permitted project confirms the permittee's acceptance and agreement to comply with all terms and conditions of this permit.
- B. The permittee, in exercising the authority granted by this permit, shall not cause unlawful pollution as defined by Part 31 of the NREPA.
- C. This permit shall be kept at the site of the work and available for inspection at all times during the duration of the project or until its date of expiration.
- D. All work shall be completed in accordance with the approved plans and specifications submitted with the application and/or plans and specifications attached to this permit.
- E. No attempt shall be made by the permittee to forbid the full and free use by the public of public waters at or adjacent to the structure or work approved.
- F. It is made a requirement of this permit that the permittee give notice to public utilities in accordance with 2013 PA 174 (Act 174) and comply with each of the requirements of Act 174.
- G. This permit does not convey property rights in either real estate or material, nor does it authorize any injury to private property or invasion of public or private rights, nor does it waive the necessity of seeking federal assent, all local permits, or complying with other state statutes.
- H. This permit does not prejudice or limit the right of a riparian owner or other person to institute proceedings in any circuit court of this state when necessary to protect his rights.
- I. Permittee shall notify EGLE within one week after the completion of the activity authorized by this permit.
- J. This permit shall not be assigned or transferred without the written approval of EGLE.
- K. Failure to comply with conditions of this permit may subject the permittee to revocation of permit and criminal and/or civil action as cited by the specific state act, federal act, and/or rule under which this permit is granted.
- L. All dredged or excavated materials shall be disposed of in an upland site (outside of floodplains, unless exempt under Part 31 of the NREPA, and wetlands).
- M. In issuing this permit, EGLE has relied on the information and data that the permittee has provided in connection with the submitted application for permit. If, subsequent to the issuance of a permit, such information and data prove to be false, incomplete, or inaccurate, EGLE may modify, revoke, or suspend the permit, in whole or in part, in accordance with the new information.
- N. The permittee shall indemnify and hold harmless the State of Michigan and its departments, agencies, officials, employees, agents, and representatives for any and all claims or causes of action arising from acts or omissions of the permittee, or employees, agents, or representative of the permittee, undertaken in connection with this permit. The permittee's obligation to indemnify the State of Michigan applies only if the state: (1) provides the permittee or its designated representative written notice of the claim or cause of action within 30 days after it is received by the state, and (2) consents to the permittee's participation in the proceeding on the claim or cause of action. It does not apply to contested case proceedings under the Administrative Procedures Act, 1969 PA 306, as amended, challenging the permit. This permit shall not be construed as an indemnity by the State of Michigan for the benefit of the permittee or any other person.
- O. Noncompliance with these terms and conditions and/or the initiation of other regulated activities not specifically authorized shall be cause for the modification, suspension, or revocation of this permit, in whole or in part. Further, EGLE may initiate criminal and/or civil proceedings as may be deemed necessary to correct project deficiencies, protect natural resource values, and secure compliance with statutes.
- P. If any change or deviation from the permitted activity becomes necessary, the permittee shall request, in writing, a revision of the permitted activity from EGLE. Such revision request shall include complete

EGLE
WRP049786 v1.0
Approved
Issued On: 08/12/26
Expires On: 08/06/2031

documentation supporting the modification and revised plans detailing the proposed modification. Proposed modifications must be approved, in writing, by EGLE prior to being implemented.

- Q. This permit may be transferred to another person upon written approval of EGLE. The permittee must submit a written request to EGLE to transfer the permit to the new owner. The new owner must also submit a written request to EGLE to accept transfer. The new owner must agree, in writing, to accept all conditions of the permit. A single letter signed by both parties that includes all the above information may be provided to EGLE. EGLE will review the request and, if approved, will provide written notification to the new owner.
- R. Prior to initiating permitted construction, the permittee is required to provide a copy of the permit to the contractor(s) for review. The property owner, contractor(s), and any agent involved in exercising the permit are held responsible to ensure that the project is constructed in accordance with all drawings and specifications. The contractor is required to provide a copy of the permit to all subcontractors doing work authorized by the permit.
- S. Construction must be undertaken and completed during the dry period of the wetland. If the area does not dry out, construction shall be done on equipment mats to prevent compaction of the soil.
- T. Authority granted by this permit does not waive permit requirements under Part 91, Soil Erosion and Sedimentation Control, of the NREPA, or the need to acquire applicable permits from the County Enforcing Agent (CEA).
- U. Authority granted by this permit does not waive permit requirements under the authority of Part 305, Natural Rivers, of the NREPA. A Natural Rivers Zoning Permit may be required for construction, land alteration, streambank stabilization, or vegetation removal along or near a natural river.
- V. The permittee is cautioned that grade changes resulting in increased runoff onto adjacent property is subject to civil damage litigation.
- W. Unless specifically stated in this permit, construction pads, haul roads, temporary structures, or other structural appurtenances to be placed in a wetland or on bottomland of the water body are not authorized and shall not be constructed unless authorized by a separate permit or permit revision granted in accordance with the applicable law.
- X. For projects with potential impacts to fish spawning or migration, no work shall occur within fish spawning or migration timelines (i.e., windows) unless otherwise approved in writing by the Michigan Department of Natural Resources, Fisheries Division.
- Y. Work to be done under authority of this permit is further subject to the following special instructions and specifications:
1. The following threatened and endangered species are known to occur on or near the project site and may be impacted by the authorized activities: Eastern Massasauga Rattlesnake, *Sistrurus catenatus*.
 2. To ensure that Eastern Massasauga Rattlesnakes (EMR) are not impacted by this project, the following conditions shall be implemented:
 - a. Use wildlife-safe materials for erosion control and site restoration products that do not contain plastic mesh netting or other similar material that could entangle or entrap EMR.
 - b. To increase human safety and awareness of EMR, those implementing the project should first watch MDNR's "60-Second Snakes: The Eastern Massasauga Rattlesnake" video (available at https://youtu.be/~PFnXe_e02w), or review the EMR factsheet (available at <https://www.fws.gov/sites/default/files/documents/EMRfactsheetSept2016.pdf>), or call (517) 351-2555.
 - c. Require reporting of any EMR observations, or observation of any other listed threatened or endangered species, during project implementation to the U.S. FWS within 24 hours.

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Hamburg Township
Planning and Zoning Department

- d. Conduct any ground disturbing activities during the active season (March 15 – October 31) or before temperature is below 45° F for three consecutive days.
 - e. Use exclusionary fencing to separate the work site from other areas of suitable EMR habitat, when working during the EMR active season, to prevent EMR from accessing the disturbance area. Each end of the exclusionary fencing should be angled away (e.g., J-hook) from the area of disturbance to direct snakes traveling along the fencing away from the site. Once construction activities are complete, the exclusionary fence should be removed from the site.
 - f. If snakes are observed within the work zone, activity should stop until the snake can be safely moved out of the disturbance area, and the fence examined for breeches.
 - g. Remove all silt fence used for erosion control once soils are stable to reduce barriers to EMR movement.
3. Prior to the initiation of any permitted construction activities, a sedimentation barrier shall be constructed immediately down gradient of the construction site. Sedimentation barriers shall be specifically designed to handle the sediment type, load, water depth, and flow conditions of each construction site throughout the anticipated time of construction and unstable site conditions. The sedimentation barrier shall be maintained in good working order throughout the duration of the project. Upon project completion, the accumulated materials shall be removed and disposed of at an upland (non-wetland, non-floodplain) site and stabilized with seed and mulch. The sedimentation barrier shall then be removed in its entirety and the area restored to its original configuration and cover.
 4. Prior to the start of construction, all adjacent non-work wetland areas shall be protected by properly trenched sedimentation barrier to prevent sediment from entering the wetland. Orange construction fencing shall be installed as needed to prohibit construction personnel and equipment from entering or performing work in these areas. Fence shall be maintained daily throughout the construction process. Upon project completion, the accumulated materials shall be removed and disposed of at an upland site, the sedimentation barrier shall then be removed in its entirety and the area restored to its original configuration and cover.
 5. All raw areas in uplands resulting from the permitted construction activity shall be effectively stabilized with sod and/or seed and mulch (or other technology specified by this permit or project plans) in a sufficient quantity and manner to prevent erosion and any potential siltation to surface waters or wetlands. Temporary stabilization measures shall be installed before or upon commencement of the permitted activity, and shall be maintained until permanent measures are in place. Permanent measures shall be in place within five (5) days of achieving final grade.
 6. All raw earth within 100 feet of a lake, stream, or wetland that is not brought to final stabilization by the end of the active growing season shall be temporarily stabilized with mulch blankets in accordance with the following dates: September 20th for the Upper Peninsula, October 1st for the Lower Peninsula north of US-10, and October 10th for the Lower Peninsula south of US-10.
 - a. All equipment and vehicles shall be thoroughly cleaned and washed prior to entering the work site to prevent contamination by invasive plant and animal species. The permittee and contractors shall take steps to minimize the risk of spreading terrestrial and aquatic invasive species during this project and will take measures to prevent spread, where feasible. Specific prevention measures include the following:
 - b. Visually inspecting and removing any plants or mud from footwear (boots, hip-boots, and waders).

- c. Visually inspecting and removing and properly disposing of any plants and mud from field equipment (nets, shovels, rakes, etc.) and vehicles.
 - d. Draining all water from vehicles and equipment, prior to leaving the site and before entering a new waterbody.
 - e. Thoroughly drying equipment (5-7 days, if possible) between sites, when possible.
 - f. Disinfecting vehicles and equipment between sites (e.g., diluted bleach solution, heated pressure washer), when possible. Disinfection should be conducted away from surface waters, where the disinfecting solution will not enter any storm sewers and/or surface waters.
 - g. Typical diluted bleach solution treatment is 1/2 cup (four fluid ounces) bleach to five gallons of water, applied by spraying or sponge so surface is thoroughly exposed to bleach solution for 10 minutes.
 - h. Typical heated pressure wash is 1400 water temperature, sprayed for 5-10 seconds.
 - i. Thoroughly washing vehicles and boats between sites (e.g., drive-through car wash).
 - j. Using only native plants and seed for restorations and best management practices.
 - k. If invasive aquatic or terrestrial plants are removed from a site, the permittee will take steps to minimize the spread of these species. Dispose of invasive plant material by bagging and transporting to a landfill, composting, or burning, as appropriate and in compliance with local and state laws.
 - l. A "Watch List" of Michigan's high priority aquatic invasive species along with how to report sightings can be found at <https://www.michigan.gov/invasives>.
7. All fill/backfill shall consist of clean inert material that will not cause siltation nor contain soluble chemicals, organic matter, pollutants, or contaminants. All fill shall be contained in such a manner so as not to erode into any surface water, floodplain, or wetland. All raw areas associated with the permitted activity shall be stabilized with sod and/or seed and mulch, riprap, or other technically effective methods as necessary to prevent erosion.
 8. No fill, excess soil, or other material shall be placed in any wetland, floodplain, or surface water area not specifically authorized by this permit, its plans, and specifications.
 9. Upon completion of the project, the disturbed wetland areas shall be restored to the original contour elevation, revegetated and reseeded with species native to Michigan appropriate to the site, and mulched to prevent erosion.
 10. Authority granted by this permit does not waive permit or program requirements under Part 91 of the NREPA or the need to acquire applicable permits from the CEA. To locate the Soil Erosion Program Administrator for your county, visit <https://www.michigan.gov/egle/about/organization/water-resources/soil-erosion/sesc-overview> and select "Soil Erosion and Sedimentation Control Agencies".
 11. The authority to conduct the activity as authorized by this permit is granted solely under the provisions of the governing act as identified above. This permit does not convey, provide, or otherwise imply approval of any other governing act, ordinance, or regulation, nor does it waive the permittee's obligation to acquire any local, county, state, or federal approval or authorization necessary to conduct the activity.
 12. No fill, excess soil, or other material shall be placed in any wetland, floodplain, or surface water area not specifically authorized by this permit, its plans, and specifications.

13. This permit does not authorize or sanction work that has been completed in violation of applicable federal, state, or local statutes.
14. The permit placard shall be kept posted at the work site in a prominent location at all times for the duration of the project or until permit expiration.
15. This permit is being issued for the maximum time allowed and no extensions of this permit will be granted. Initiation of the construction work authorized by this permit indicates the permittee's acceptance of this condition. The permit, when signed by EGLE, will be for a five-year period beginning on the date of issuance. If the project is not completed by the expiration date, a new permit must be sought.



Issued By: _____

Matthew Rogers
Lansing District Office
Water Resources Division
517-388-6869

THIS PERMIT MUST BE SIGNED BY THE PERMITTEE TO BE VALID.

I hereby assure that I have read, am familiar with, and agree to adhere to the terms and conditions of this permit.

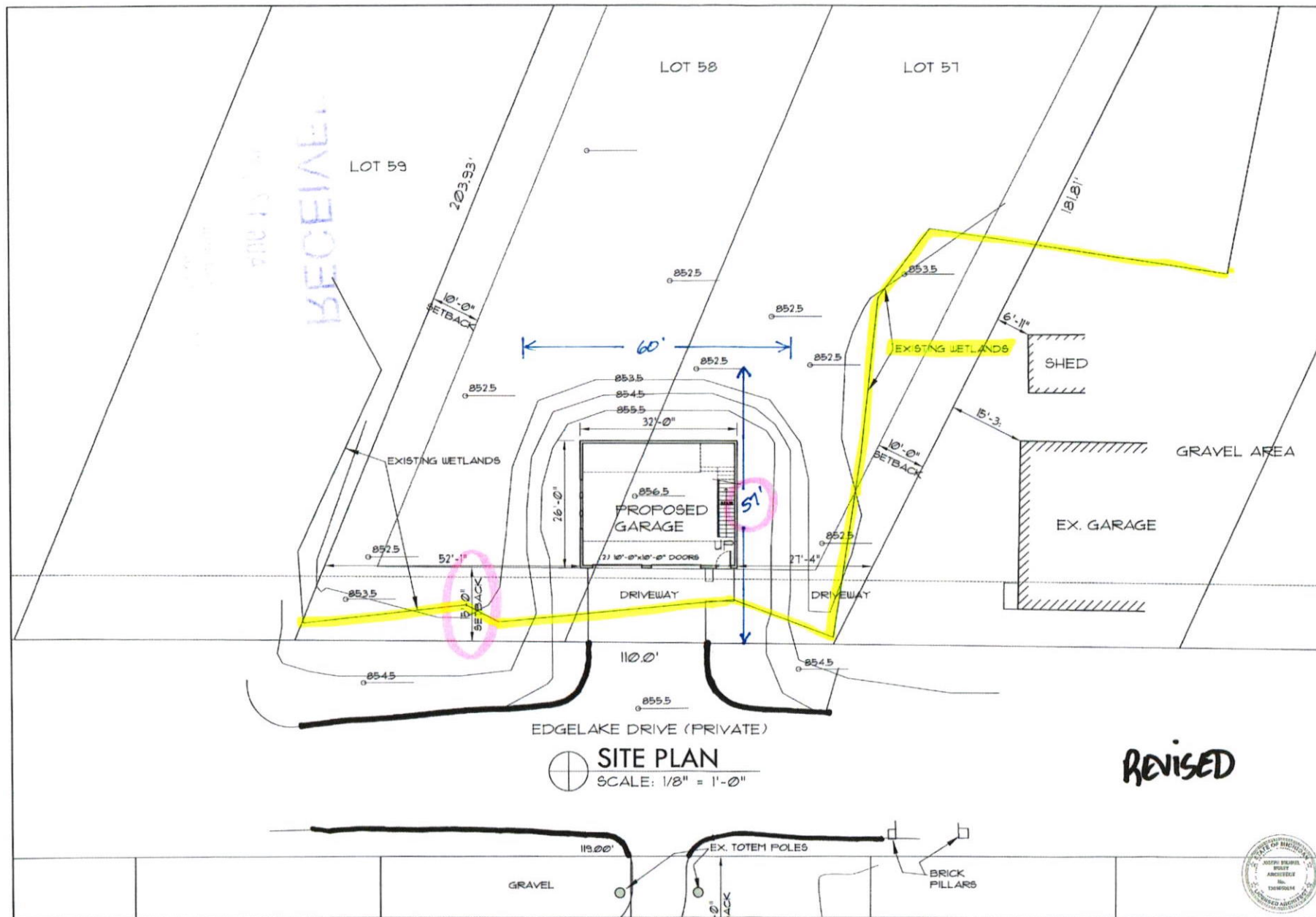
Permittee Signature_____
Date

cc: Hamburg Township Clerk
Livingston County Drain Commissioner
Livingston County CEA
Brian Goodnough

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Hamburg Township
Planning and Zoning Depart.

EGLE
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Approved
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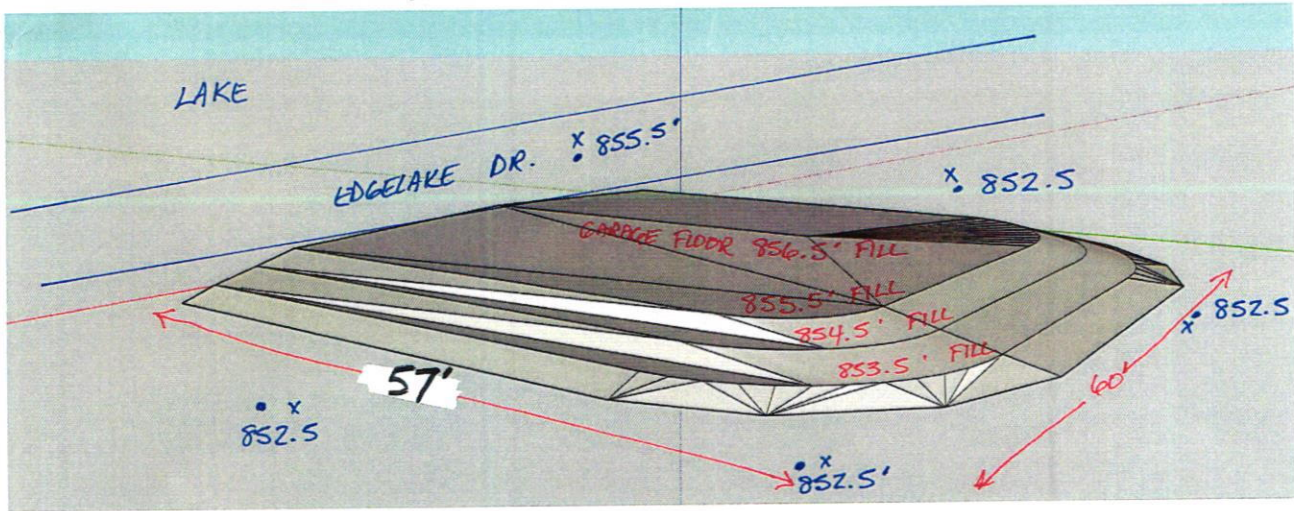


JOSEPH MOSEY ARCHITECTURE, Inc.
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248-515-4477 joseph@jma-architecture.com

MC-CABE RESIDENCE
5100 EDGELAKE DRIVE
HAMMBURG TWP, MICHIGAN

PROJECT #	22-15
SEAL #	5-2

EGLE
 WRP049786 v1.0
 Approved
 Seal On: 08/06/2026
 Expires On: 08/06/2031



X = EXISTING ELEVATIONS (852.5')
 Proposed ELEVATIONS

Proposed: ~~1126 cu/yds. Fill~~
 358 cu/yds. Fill

D. Murphy.

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Hamburg Township
 Planning and Zoning Department

RECEIVED

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

ZONING BOARD OF APPEALS MEETING

**Wednesday, July 8, 2026, at 6:00 PM
Hamburg Township Hall Board Room**

MINUTES

CALL TO ORDER

Chair Ignatowski called the meeting to order at 6:00 pm.

PLEDGE TO THE FLAG

ROLL CALL OF THE BOARD

Members PRESENT:

Kevin Galbraith, Alternative
Joanna Hardesty, Trustee
Brian Ignatowski, Chair
Ron Muir, PC Rep
William Rill

ABSENT:

Benedict Russell

CONSENT AGENDA

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

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

VOTE: MOTION CARRIED

GENERAL CALL TO THE PUBLIC

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

CURRENT BUSINESS

1. ZBA 26-0005

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

Chair Ignatowski welcomed the applicant Philip Madis to the podium to discuss his variance request for a 35-foot setback from the high-water mark at 11050 Algonquin. Philip introduced his general contractor Nick Patella, and Bob & Nancy Gray, Philip's aunt and uncle. Nancy and Bob live in the home east of his parcel where he is seeking this variance. Philip explained he has a very narrow lot which sits at the end of a cul-de-sac. The parcel has many restrictions on design capabilities. The original home was built in 1950 and was built on two different slabs. Those slabs were moving. When considering updating the home as it existed, the shifting of the foundation made them look hard at the whole situation. They decided to demolish the home and start anew. Once the demolition was completed, they found black mold in the walls. They wanted to build a home where they could accommodate their 5 adult children, their spouses and their children. They are seeking minimal relief from the high-water mark from the water body for the covered deck. The primary structure still meets the required 50-foot setback from the water. This proposed project required them to relocate a telephone pole at the end of the cul-de-sac so they could park cars in their proposed garage.

Trustee Hardesty asked David if the variance request was for 15 feet from the normal 50-foot required setback from the high-water mark (OHM)? She explained that she had originally thought that this was a 35-foot variance request that they were seeking. David clarified it was only a 15-foot variance request. Once finished, Chair Ignatowski asked Philip to have a seat.

Chair Ignatowski opened the meeting to David Rohr for him to debrief the Zoning Board of Appeals members on the case. David explained that he had been working with Mr. Madis for several months on meeting the FEMA floodplain, wetland, high water table, and general construction requirement issues. The variance is not for habitable space, but it is for a covered deck that would be used for viewing the lake during spring and summer. David said he supports the variance request since the applicant has stayed within the required building envelope. The residents living to the east of this lot are considerably closer to the high-water mark than this home would be. David said this is something to consider as well.

Chair Ignatowski opened the meeting to the ZBA board members. Member Muir asked David if their impervious coverage for this building met our maximum lot coverage requirements. David said yes that their impervious proposal was less than 40% of the total lot area. Muir then asked David if the side setbacks for this lot were 5 feet on the west and 10 feet on the east. David said yes. David said on lots

that are narrower than 60 feet wide in Waterfront Residential district zoning, the township waives 5 feet from the side setbacks, which this proposal meets. Member Rill stated that he felt that with the limitations of the parcel, the proposal was the best that the applicant could do with this project. Chair Ignatowski mentioned that he thought it was great to see residents proposing to build new homes on the lake. He also stated that it is good for the applicants to bring their neighbors to their meeting, showing their support of their proposed project, even if they are family. Ignatowski said our community is a beautiful place to live with all its lakes. We want to remain very thoughtful when asking for things that don't necessarily fit our zoning standards. Ignatowski acknowledged that the applicant had worked diligently to meet most of our standards. Trustee Hardesty said she had struggled with this proposal since it is new construction, and with new construction we require that you must meet all the township zoning requirements. She continued to explain that she is very pleased to see that every other requirement has been met in this proposal on this tiny lot, and she feels that this is a minimal request. It is good to see that the land to the west of the parcel is vacant as well. She stated that she could support this variance request.

Approval motion made by Trustee Hardesty, seconded by Member Rill, to approve variance application ZBA #26-0005 at 11050 Algonquin Dr., TID# 4715-31-102-036, to permit the construction of a new home with a covered deck with a 15-foot variance from the high-water mark setback, for a total of 35 feet OHM setback, instead of the required 50 feet, per Section 36-171 (4). The variance meets variance standards one (1) through seven (7) of Section 36-137 of the Hamburg Township Zoning Ordinance, and a practical difficulty exists on the subject property when the strict compliance with the zoning ordinance standards is applied, as discussed at the meeting tonight and as presented in the staff report.

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

VOTE: MOTION CARRIED

2. ZBA 26-0006

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

Chair Ignatowski welcomed the applicant Steve and Nancy Roma to the podium to discuss his variance request. Steve said he believed his request consisted of the front-line setback from the road for the garage, as well as his total maximum lot coverage. Steve stated that this parcel is a very small lot, so it is very difficult to meet the ordinance restrictions here. Steve said they purchased this home in December of 2024, which was a second home for them at that time. Steve said they had decided to become full-time residents of Hamburg Township since it is so beautiful here with the lakes. To live here full-time, we

need a little more space. This proposal would help them minimally add on to the home and construct a new attached garage with storage above. Our other home had a basement and closets.

Once finished, Chair Ignatowski asked the applicants to have a seat. Chair Ignatowski opened the meeting to David Rohr for him to debrief the Zoning Board of Appeals members on the case. David explained that this proposal is on a very small parcel. David stated that most of the homes in the neighborhood are also very small like this home. David said that the applicant's impervious lot coverage calculations and front yard setbacks weren't matching our departments, so they had to do some work there. David said that the correct front yard setback would be 10.6 feet instead of the required 25 feet, per Section 36-171 (D). The lot coverage would be 46% instead of the required maximum lot coverage of 40% in Waterfront Residential zoned district, per Section 36-171 (D). The applicant is looking to make this their permanent home. David said that these variance requests are reasonable given the size of the parcel that this home resides. A practical difficulty exists with this parcel, so staff support these variance requests.

Chair Ignatowski opened the meeting to the ZBA board members. Trustee Hardesty asked if the existing garage would be demolished with this proposal? Steve said yes. Hardesty asked if the addition and new garage will extend past where the existing garage now resides on the parcel? Steve stated that with the new building, the garage will be 2 feet closer to the front property line than existing garage. Steve said that the new garage location will match all the existing homes in their neighborhood. Trustee Hardesty asked Steve if he was proposing to put storage above the new garage. He said yes. Hardesty asked if Steve will be putting a second story on the garage. Steve said yes. Hardesty asked David if that met our zoning ordinance for the height of accessory structures? David said that when an accessory structure is attached to the home, then yes, it does meet our zoning requirements. David clarified that they attached garage can be 2 ½ stories or 35 ft in height, same as the primary structure or home. David said that with detached garages, there are more restrictions on their height. Hardesty said she believed that the addition would improve the existing home onsite. Hardesty said she didn't have any issues with this variance request. Chair Ignatowski asked if the applicant had any support from his neighbor's? Steve said that they talked to most of the neighbors and they all had positive support for this proposal. Neighbors asked if Steve needed them to come to tonight's meeting to speak on their behalf. Steve said he didn't think that would be necessary. Steve said since they have been there for over a year and a half, they know all the neighbors well. Chair Ignatowski opened the general call to the public for this variance request, but no one came up to speak so he closed the session.

Approval motion made by Member Rill, seconded by Member Galbraith, to approve variance application ZBA #26-0006 at 9940 Bluewater Dr, TID# 4715-21-302-007, to permit the construction of a new attached garage with variance request for a front setback of 10.6 feet, instead of the required 25 feet, per Section 36-171 (D) and the lot coverage of 46%, where 40% is required, 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 property when the strict compliance with the zoning ordinance standards is applied, as discussed at the meeting tonight and as presented in the staff report.

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

VOTE: MOTION CARRIED

3. ZBA 26-0007

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

Chair Ignatowski invited the applicants Jason and Kristina Scarcelli to the podium to discuss their variance request. Kristina mentioned that they prepared a statement that they included in their ZBA packet for them. She didn't want to repeat everything she had already stated. They moved to Hamburg Township in 2018 and bought their home in Moon Shadows subdivision. In 2022, Kristina had a stroke. The following year Jason had a heart attack. With this onset of new health issues, they decided not to have a house payment, so they sold that home in one day. They wanted to stay in Hamburg Township. They found this present tiny home on Bass Lake, purchasing it out right. They just need a little more space to stay there. She said they don't want to move again. The proposal will add 2,200 sq. feet to our family room so they can have family over. Kristina's elder father might need to come and stay with them as well, when the time comes. This request is only for a 10 ft variance from the high-water mark (OHM setback).

Once finished, Chair Ignatowski asked the applicants to have a seat. Chair Ignatowski opened the meeting to David Rohr for him to debrief the Zoning Board of Appeals members on the case. David explained that there are a few small homes along the lagoon here. This addition will be placed over an existing deck structure, that will be covered and enclosed. The variance request would allow this structure to be 45.5 feet, instead of the required 50 feet from the high-water mark of the lagoon, per Section 36-171 (D). This variance request is very minimal and reasonable. Staff support this variance request. Chair Ignatowski opened the general call to the public for this variance request, but no one came up to speak so he closed the session.

Chair Ignatowski opened the meeting to the ZBA board members. Trustee Hardesty asked the applicants to clarify if the existing structure is a deck or a patio. Kristina said a deck. Hardesty stated that she understood why they purchased this home even though it was tiny. She said it was a very nice home. Hardesty asked David about the Letter of Map Amendment Determination mentioned in the report, that the applicants provided. David explained that this documentation determines if the structure is in the FEMA 100-year floodplain or not, thus removing it from FEMA regulations for building. Hardesty asked if the deck was removed from the FEMA regulations? David said the LOMA was based on the structure as it exists right now. They will need to get another LOMA after the deck is covered, enclosed, and becomes a part of the primary home. David explained that this would be done administratively through FEMA as a building process and would not be done by the ZBA board. Chair Ignatowski and Member Muir said that was their question.

Approval motion made by Member Muir, seconded by Member Galbraith, to approve variance application ZBA #26-0007 at 10024 Kress Rd, TID# 4715-28-201-003, to permit the construction of a new addition with a variance from high-water setback (OHM) of 45.5 feet, instead of the required 50 feet, per Section 36-171 (4). The variance meets variance standards one (1) through seven (7) of Section 36-

137 of the Hamburg Township Zoning Ordinance, and a practical difficulty exists on the subject property when the strict compliance with the zoning ordinance standards is applied, as discussed at the meeting tonight and as presented in the staff report.

Trustee Hardesty asked David if the applicants wanted to add a deck to the rear of the home in the future, and would they need to get another variance. David stated if the applicants proposed a future patio or a deck under 24 inches in height, a land use permit could be issued without a variance. The applicant, Jason, stated he was going to ask that question. The applicant had further discussion with David and the ZBA board members. David told Jason to come to the counter if he wanted to talk more about this plan.

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

VOTE: MOTION CARRIED

APPROVAL OF THE MEETING MINUTES

Approval motion made by Trustee Hardesty, seconded by Member Galbraith, to approve June 10, 2026, ZBA meeting minutes as presented.

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

VOTE: MOTION CARRIED

ADJOURNMENT

Approval motion made by Chair Ignatowski, seconded by Trustee Hardesty, to adjourn at 6:33 pm.

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

VOTE: MOTION CARRIED

Respectfully submitted,

Lisa Perschke

Planning/Zoning Coordinator & Recording Secretary

David Rohr

Planning & Zoning Director

The minutes were approved as presented/corrected: _____

Brian Ignatowski, Chair