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## ZONING BOARD OF APPEALS MEETING

Wednesday, April 10, 2024 at 7:00 PM  
Hamburg Township Hall Board Room

### AGENDA

CALL TO ORDER

PLEDGE TO THE FLAG

ROLL CALL OF THE BOARD

CORRESPONDENCE

APPROVAL OF THE AGENDA

CALL TO THE PUBLIC

#### VARIANCE REQUESTS

1. **ZBA 24-0001**

Owner: Rex & Debra Blair  
Location: 8651 Pleasant Lake Dr.  
Parcel ID: 4715-14-301-053

Request: Variance application to permit the construction of a 30x35 pole barn. Applicant requests a 14.5 foot variance from the required wetland setback of 50 feet., per Section 36-293(C)(2) a.

**ZBA 24-0003**

Owner: Ann Marie Boyles  
Location: 4831 Downing Dr.  
Parcel ID: 4715-28-402-002

Request: Variance application to permit the construction of a garage. Applicant requests one variance.

1) Variance of 5.7 feet the required 25-foot front setback, per section 36-171(d).

#### NEW/OLD BUSINESS

2. Approval of March 13, 2024 ZBA Meeting Minutes.

ADJOURNMENT



# Zoning Board of Appeals Staff Report



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

**FROM:** David Rohr

**HEARING DATE:** April 10, 2024

**SUBJECT:** ZBA 24-0001

**PROJECT SITE:** Single Family Home  
8651 Pleasant Lake Dr.  
TID 15-14-301-053

**OWNER:** Rex & Debra Blair

**APPLICANT:** Rex & Debra Blair

**PROJECT:** Variance application to permit the construction of a 30x35 pole barn. Applicant requests a 14.5-foot variance from the required wetland setback of 50 feet., per Section 36-293(C)(2)a.

WFR, Waterfront Residential

**ZONING:**

**Project Description**

The applicant is requesting a variance to construct a 30x35 foot pole barn. Due to extensive wetland on the parcel and the location of the drain field, applicant has no buildable area. Applicant requests a 14.5-foot variance from the required wetland setback of 50 feet., per Section 36-293(C)(2)a.

### **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 contains wetlands on the south and east sides of the parcel. Because of this, applicants have limited buildable area. The proposed structure maintains some separation from the wetland.

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

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

Granting this variance request is necessary for the preservation and enjoyment of a substantial property right, as there is almost no buildable area on the parcel. Staff believes the pole structure will provide the applicant with reasonable amount of storage.

- 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.**

One of the goals of the 2020 master plan is to "Protect, preserve, and enhance whenever possible the unique and desirable natural amenities of Hamburg Township" the Master Plan discusses preserving and maintaining the existing character of parcels along lakes. Granting of these variance request will not adversely affect the master plan.

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

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

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

The site is zoned for single-family dwellings and related appurtenances. Approval of the variance request would not permit the establishment of a use not permitted by right within the district.

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

Staff finds that the proposed structure size will have minimal impact on the surrounding properties. Staff believes the location of the proposed structure is well placed and will have minimal impact on the surrounding residents.

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

**Recommendation**

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

**Approval Motion**

Motion to approve variance application ZBA 24-0001 at 8651 Pleasant Lake Dr. (TID 15-14-301-053) 14.5-foot variance from the required wetland setback of 50 feet., per Section 36-293(C)(2) a.

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

**Denial Motion**

Motion to deny variance application ZBA 24-0001 at 8651 Pleasant Lake Dr. (TID 15-14-301-053) 14.5-foot variance from the required wetland setback of 50 feet., per Section 36-293(C)(2) a.

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

24-0001  
\$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: 12-26-23
2. Tax ID # 4715-14-301-053 Subdivision: Pleasant Lake Hill Annex. No. 2 Lot No.: 188, 189, 190
3. Address of Subject Property: 8651 Pleasant Lake Dr.
4. Property Owner: Rex & Debra Blair Phone: (H) 810-844-4474  
 Email Address: rblair3@yahoo.com (W) \_\_\_\_\_  
 Street: 8651 Pleasant Lake Dr. City Brighton State MI
5. Appellant (If different than owner): \_\_\_\_\_ Phone: (H) \_\_\_\_\_  
 E-mail Address: \_\_\_\_\_ (W) \_\_\_\_\_  
 Street: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_
6. Year Property was Acquired: 2002 Zoning District: \_\_\_\_\_ Flood Plain \_\_\_\_\_
7. Size of Lot: Front 180' Rear 210' Side 1 151.9' Side 2 150' Sq. Ft. 27,500
11. Dimensions of Existing Structure (s) 1st Floor 47'x43' 2nd Floor \_\_\_\_\_ Garage 24.2' x 30.3'
12. Dimensions of Proposed Structure (s) 1st Floor \_\_\_\_\_ 2nd Floor \_\_\_\_\_ Garage 35' x 30'
13. Present Use of Property: Residential
14. Percentage of Existing Structure (s) to be demolished, if any 100% 12x16 shed
15. Has there been any past variances on this property? Yes \_\_\_\_\_ No
16. If so, state case # and resolution of variance application \_\_\_\_\_
17. Please indicate the type of variance or zoning ordinance interpretation requested:  
Wetland Variance

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

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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.

Our property borders the wetlands on two sides. With the 50ft setback from wetlands this would not allow any structures in yard without a variance.

- 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.

There are many structures including houses that are closer than the 50ft setback. We have no plans for financial gains, nor do we plan to sell property in near future.

- 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.

We believe this will not be detrimental to the public welfare or materially injurious to the property.

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

After reviewing the township master plan, we feel our project will not effect this.

- 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.

It is not our intent to add on or ask for additional variance of said property.

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

The purpose of this structure is for personal use only.

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

Due to the topography of our lots we can not have a basement. We believe granting this variance allows the size we need to solve our personal storage and wood-working shop.

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

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

*Rev S. Blair*  
*Debra Blair*  
\_\_\_\_\_  
Owner's Signature                      Date

\_\_\_\_\_  
Appellant's Signature                      Date

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Planning and Zoning Department



**VARIANCE (ZBA) APPLICATION CHECKLIST:**

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

**Zoning Board of Appeals Application Form**

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

- Location and width of road(s) and jurisdiction (public or private road).
- Location and dimensions of existing/proposed construction.
- Dimensions, designation, and heights of existing structures on property clearly marked.
- Dimensions of property (lot lines).
- Location and dimensions of required setbacks.
- Measurement from each side of existing and proposed structure to the property lines.
- All easements.
- Any bodies of water (lake, stream, river, or canal) with water body name.
- Distance proposed structure and existing structures are from any body of water.
- Septic tank and field, sewer (grinder pump), and water well.
- All areas requiring variances clearly marked with dimensions and amount of variance requested.
- Any outstanding topographic features that should be considered (hills, drop-offs, trees, boulders, etc.)
- Any other information which you may feel is pertinent to your appeal.
- If the variance is to a setback requirement a licensed professional stamp shall be on the site plan.

**Preliminary sketch plans:**

a) Elevation plans:

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

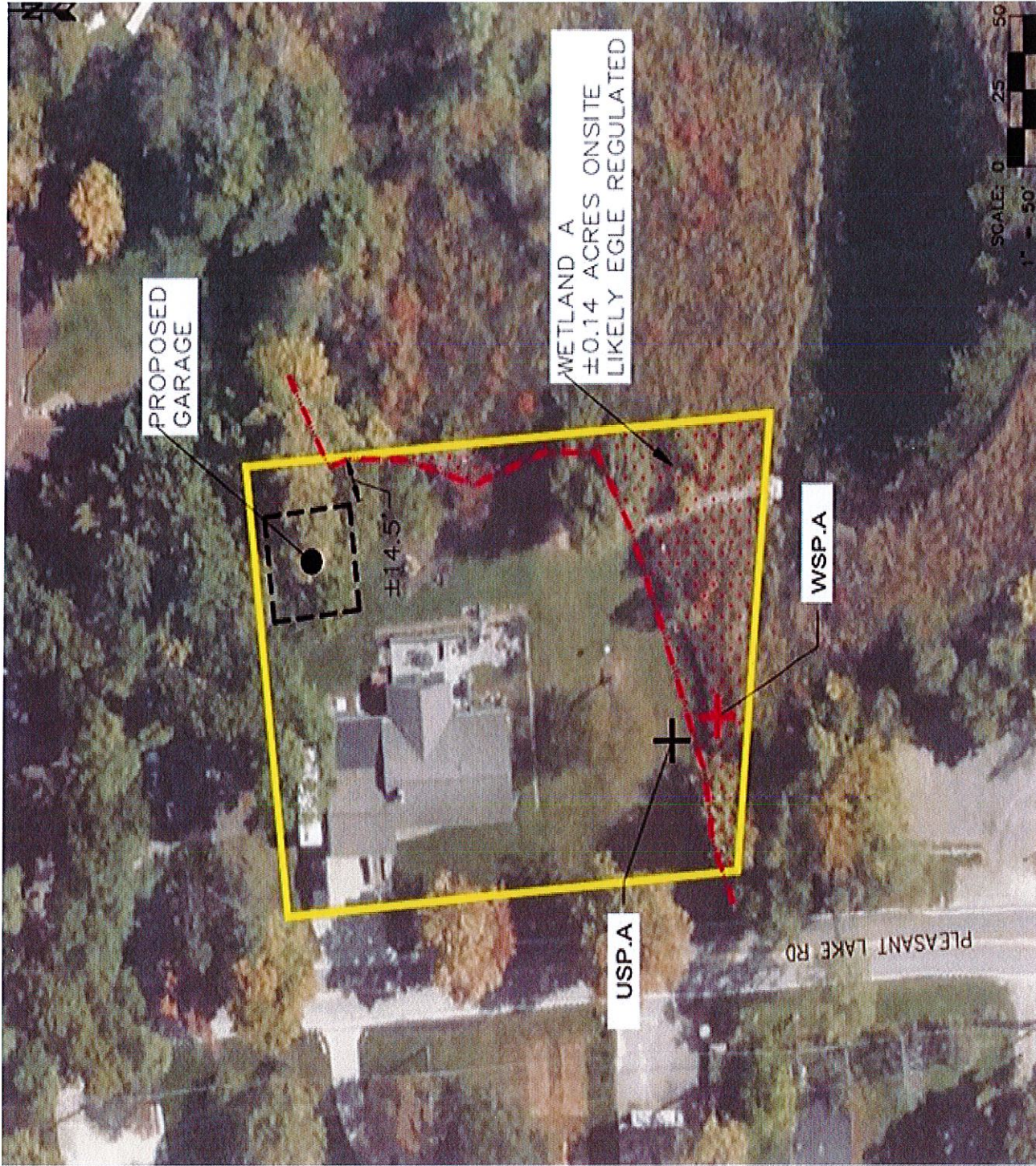
b) Floor plans:

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

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

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

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



NOTE THIS MAP DEPICTS THE APPROXIMATE WETLAND BOUNDARIES WITHIN THE PROPERTY AS DELINEATED BY MARX WETLANDS, LLC ON DECEMBER 13, 2023. PLEASE NOTE THAT MICHIGAN'S DEPARTMENT OF THE ENVIRONMENT, OFFICE OF LAND AND ENERGY (OLE) MAKES THE FINAL DETERMINATIONS. JURISDICTION OVER REGULATED WETLANDS, STREAMS, LAKES, A FLOODPLAIN IN THE STATE OF MICHIGAN IN SOME CASES. WETLANDS MAY BE SUBJECT TO LOCAL ORDINANCES AND/OR FEDERAL REVIEW.

**LEGEND**

- DELINEATION BOUNDARY
- EXISTING WETLAND
- + UPLAND SAMPLE POINT
- + WETLAND SAMPLE POINT

DATE: DEC. 14, 2023 SHEET NO. <b>01</b>	CLIENT: MR. RICK BLAIR 8651 PLEASANT LAKE ROAD WETLAND DELINEATION MAP	SECTION: 14 TOWN 01 NORTH, RANGE 05 EAST HAMBURG TOWNSHIP	MARX WETLANDS, LLC. 9861 HIGH MEADOW DR YPSILANTI, MICHIGAN 48198 (734) 476-0777
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Hamburg Township  
Planning and Zoning Department



# Letter of support for Land use Variance

Rex and Debra Blair, located at 8651 Pleasant Lake Drive, lots 188, 189, and 190 of Pleasant Lake Hills Annex No. 2 are seeking a land-use variance from Hamburg Township Zoning Board of Appeals.

We would like to build a 30 deep by 35 wide garage (1,050 sq. ft), located in the north east corner of our property. There is a 50 foot setback from wetlands and we would need approximately a 31 foot variance in order to build the garage.

He retired a few years ago and it has been our long-term goal to build a garage for extra storage and our personal woodworking shop.


Deb and I would greatly appreciate our neighbors supporting the ZBA issuing the land use variance by signing this letter of approval.

Thank you,

Name & Signature


Address

Phone

SEAN LEZAK 

8621 Pleasant Lake Dr.  
Brighton, MI 48116

517-414-7665

Mary Ann Ruberg 


8610 Pleasant Lake Dr.  
Brighton MI 48116

517-304-0322

John Hett 

8664 Pleasant Lake  
Brighton, MI 48116

734-604-7847

Nick Mastenbrook 

8728 Pleasant Lk.  
Brighton, MI, 48116

517-404-8183

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Hamburg Township  
Planning and Zoning Department





2023 LAND USE PERMIT FORM

Hamburg Township Zoning Department
10405 Merrill Rd., P.O. Box 157
Hamburg, MI 48139 (810) 231-1000
planning@hamburg.mi.us

Item 1.

ADDRESS/TAX IDENTIFICATION NUMBER: (Location where work will be conducted).

Address: 8651 Pleasant Lake Dr.
City: Brighton State: MI Zip: 48116
Tax ID# 4715-14-301-053

OWNER of Property listed above:

Name: Rex Blair Phone Number(s): 810-844-4474
Address: 8651 Pleasant Lake Dr.
City: Brighton State: MI Zip: 48116
E-Mail: rblair3@yahoo.com

CONTRACTOR (Entity doing the work): If homeowner, just write in SELF.

Name: Phone Number(s):
Address:
City: State: Zip
E-Mail:

TYPE of LAND USE Permit:

- Accessory Dwelling Unit
Accessory Structures (Boat House, Car Port, Garage, Gazebo, Green House, Lean-to, Pergola, Pole Barn, Shed, Swimming Pool)
Addition (expansion of building footprint-vertically or horizontally)
Basement encapsulation
Commercial (Change in use /Tenant Improvement)
Commercial (Signs)
Deck
Demolition of structure (need utility turn-off letters)
Driveway
Fences
Grading
Home Occupation (See Section 36-213)
Mechanical (Air Conditioner, Generator, Heater, Jacuzzi, Solar Panels)
New Home
Patio & Porch
Remodel of interior / basement waterproofing (no expansion of building footprint)
Gutters/ Roofing / Siding / Windows & Doors
Short-Term Rental/ Bed & Breakfast
Signs
Temporary Trailers
Temporary use (Seasonal sale) -Food trucks

(Continue filling other side -OVER)

If the applicant is not the owner of the property a signed copy of a contract for the work to be completed or a letter authorizing the work to be done by another party will be required with the submittal of the LUP form. Please review the Land Use Permit checklist on pages 2 and 3 of the Land Use Permit Packet on-line [here](#). If all items of the Land Use Permit Packet checklist are not submitted your LUP, it may be denied based on lack of information. Current fee schedule can be found [here](#). Municode can be found on Hamburg Township's website [here](#).

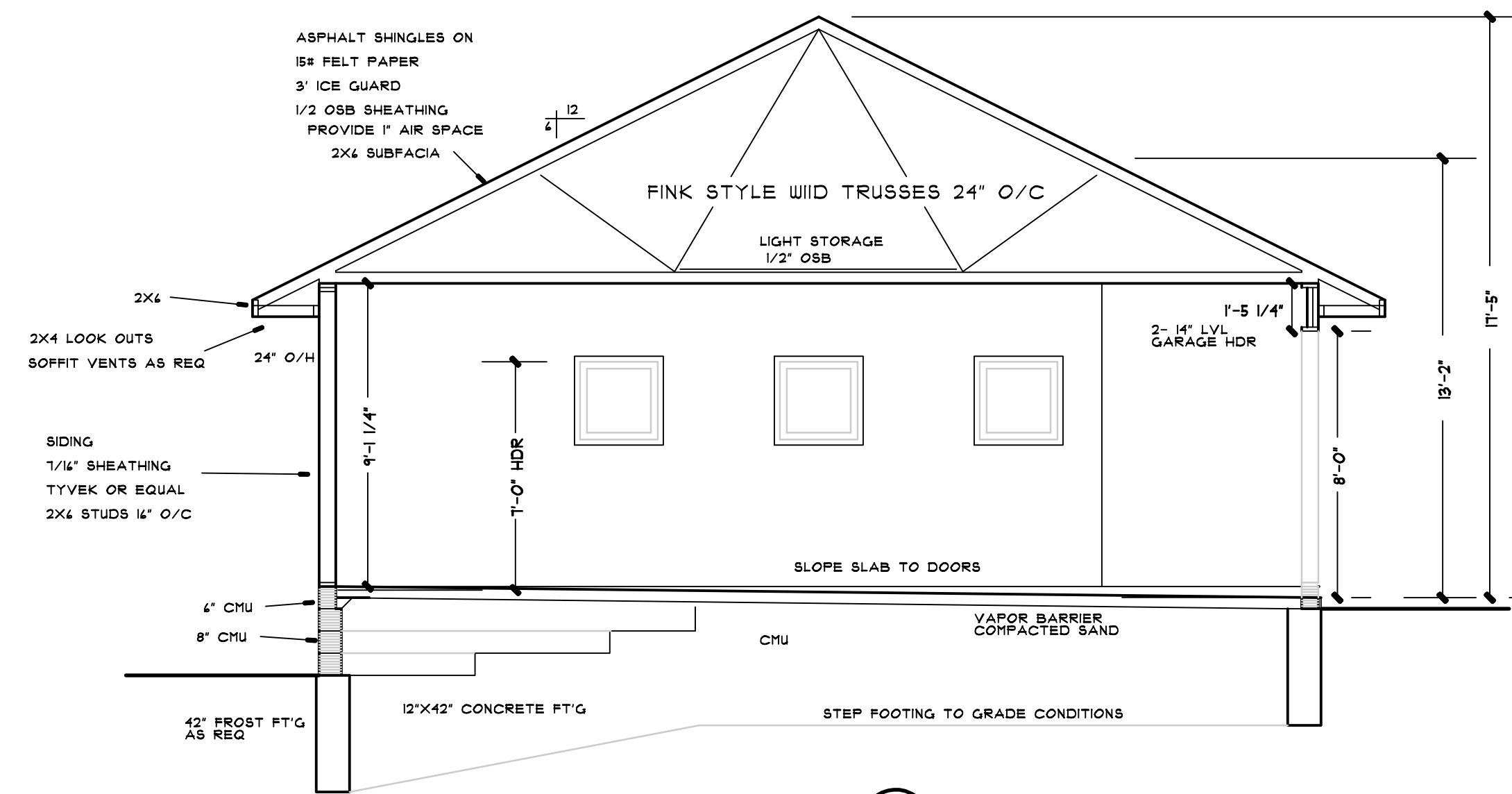
Applicant Signature: Joe S. Bala Date: 11/20/2023

I hereby certify that all structures and uses for which this application is made shall conform to the Ordinances of Hamburg Township, Livingston County and the State of Michigan. All information submitted for this permit is to my knowledge accurate. If the information is determined either now or in the future to be inaccurate the permit shall be void and any structures built or uses approved may be in violation of the required ordinances and must otherwise be brought into compliance with all regulations.

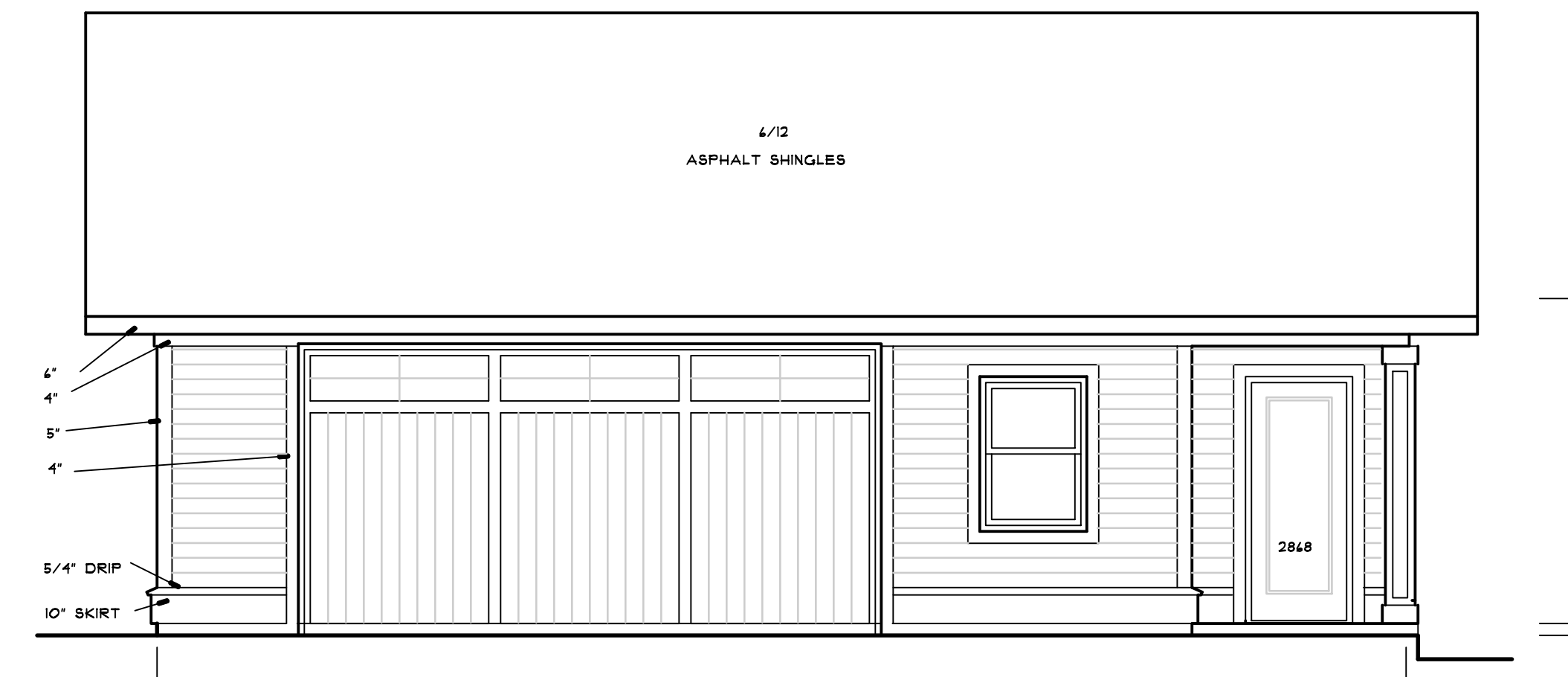
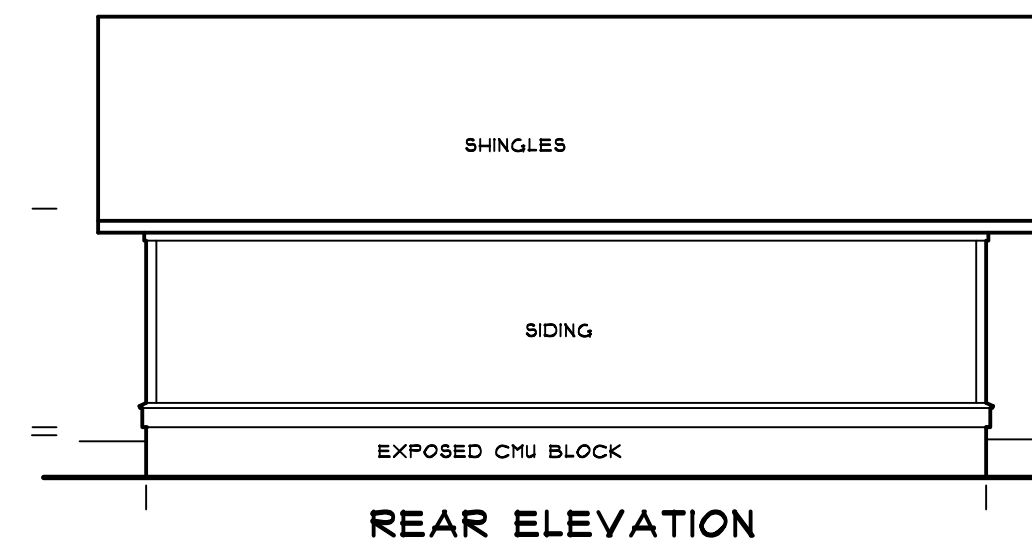
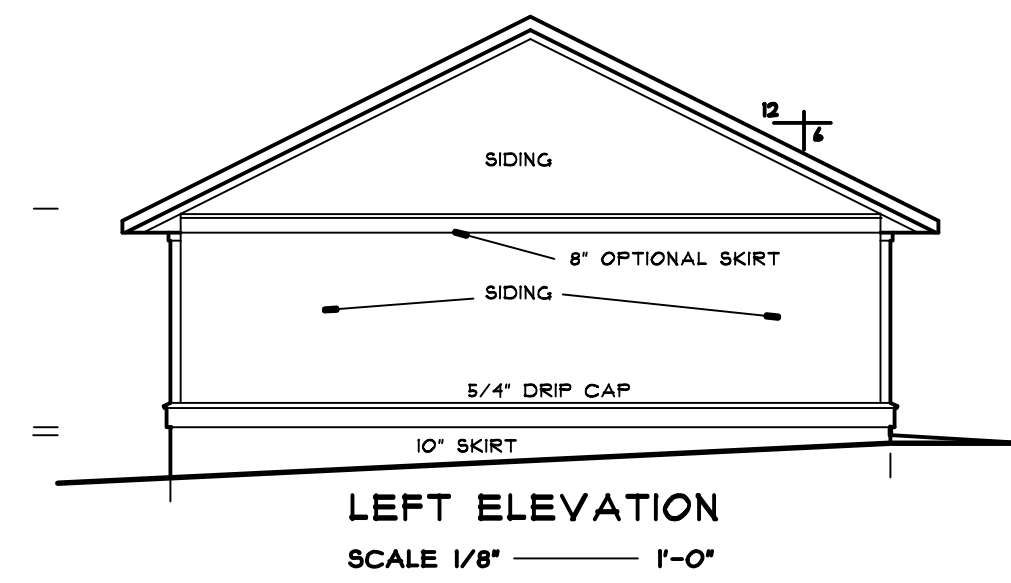
**AFFIDAVIT:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Detached garage  
L 30ft x W 35ft

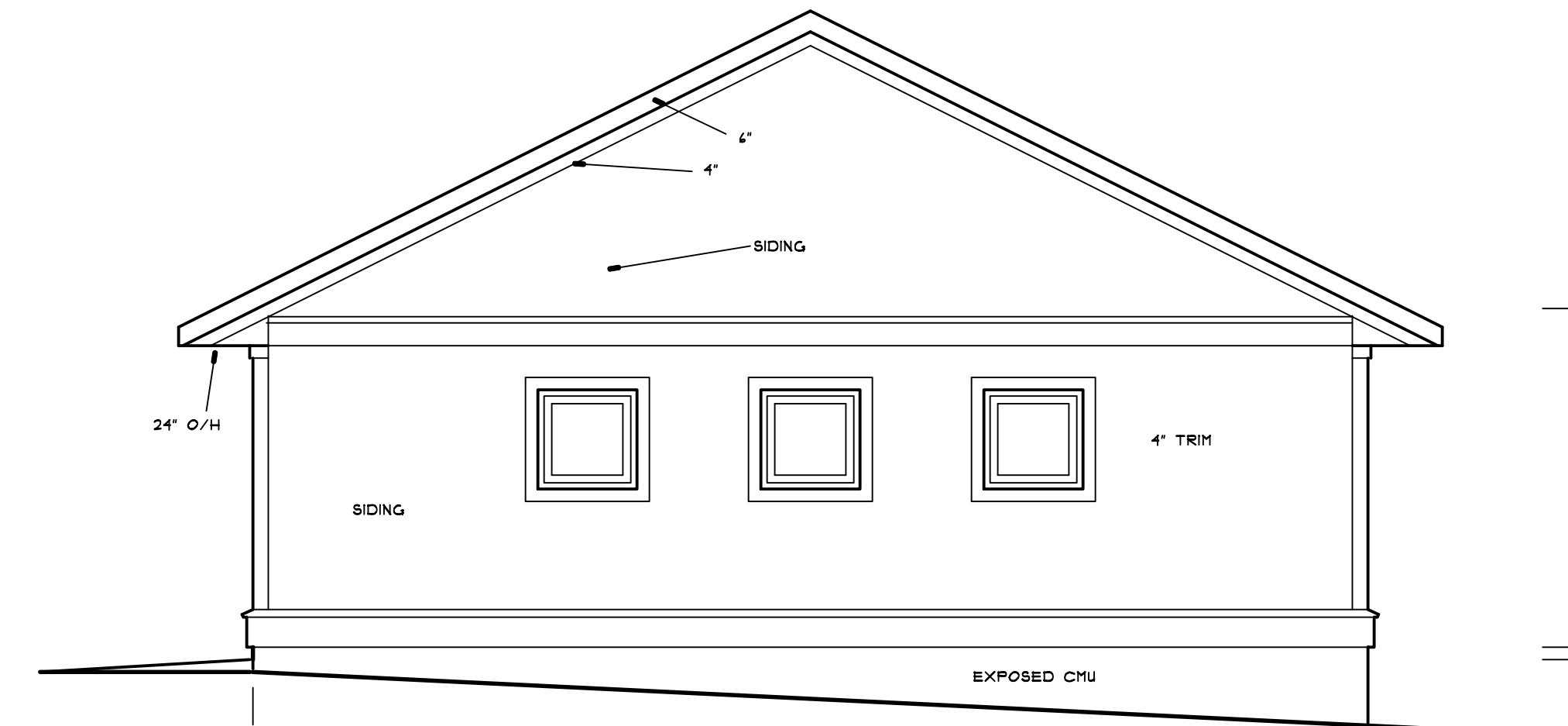
**DESCRIBE WORK TO BE DONE:**



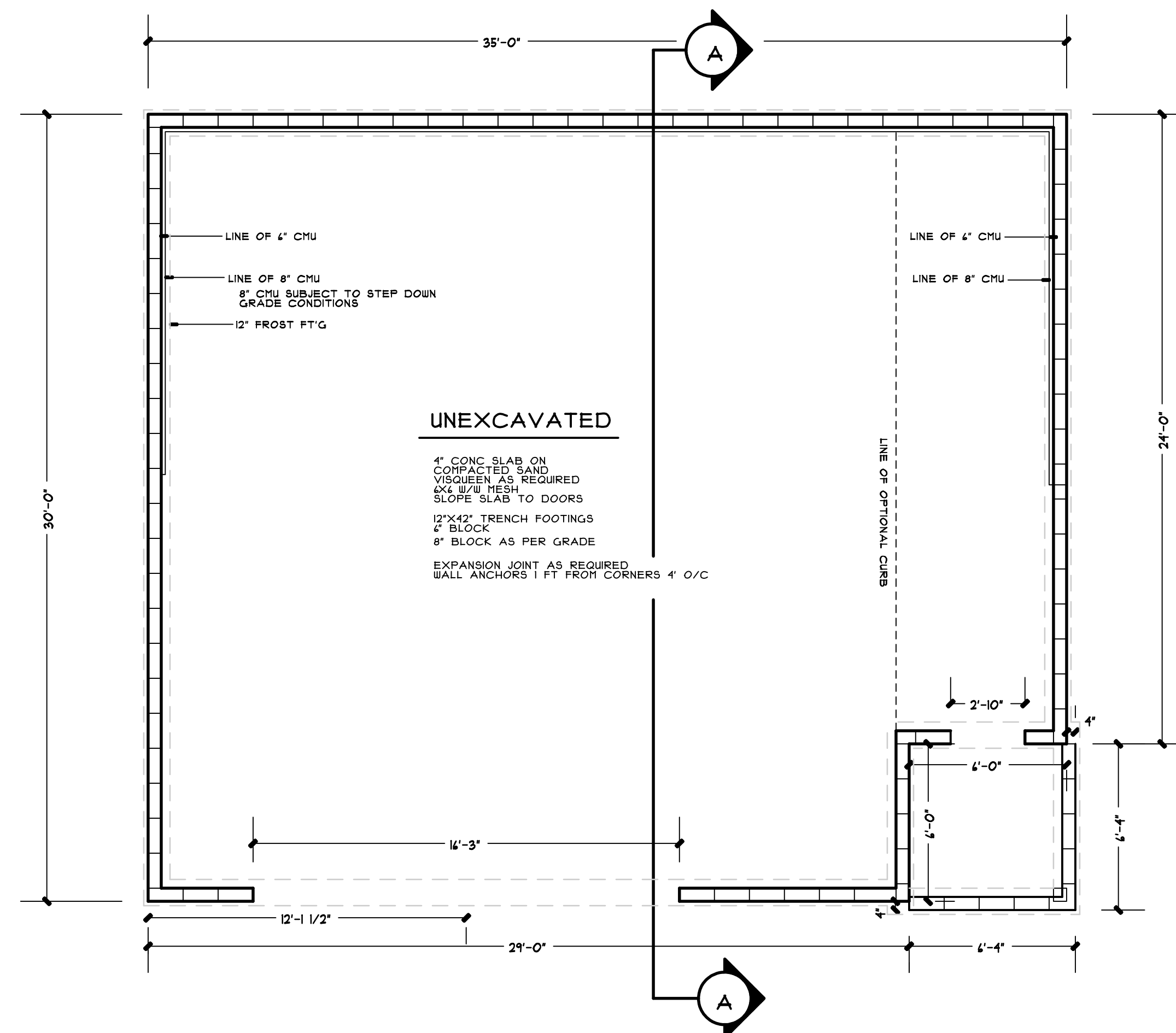
SECTION A SCALE 1/4" = 1'-0"



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

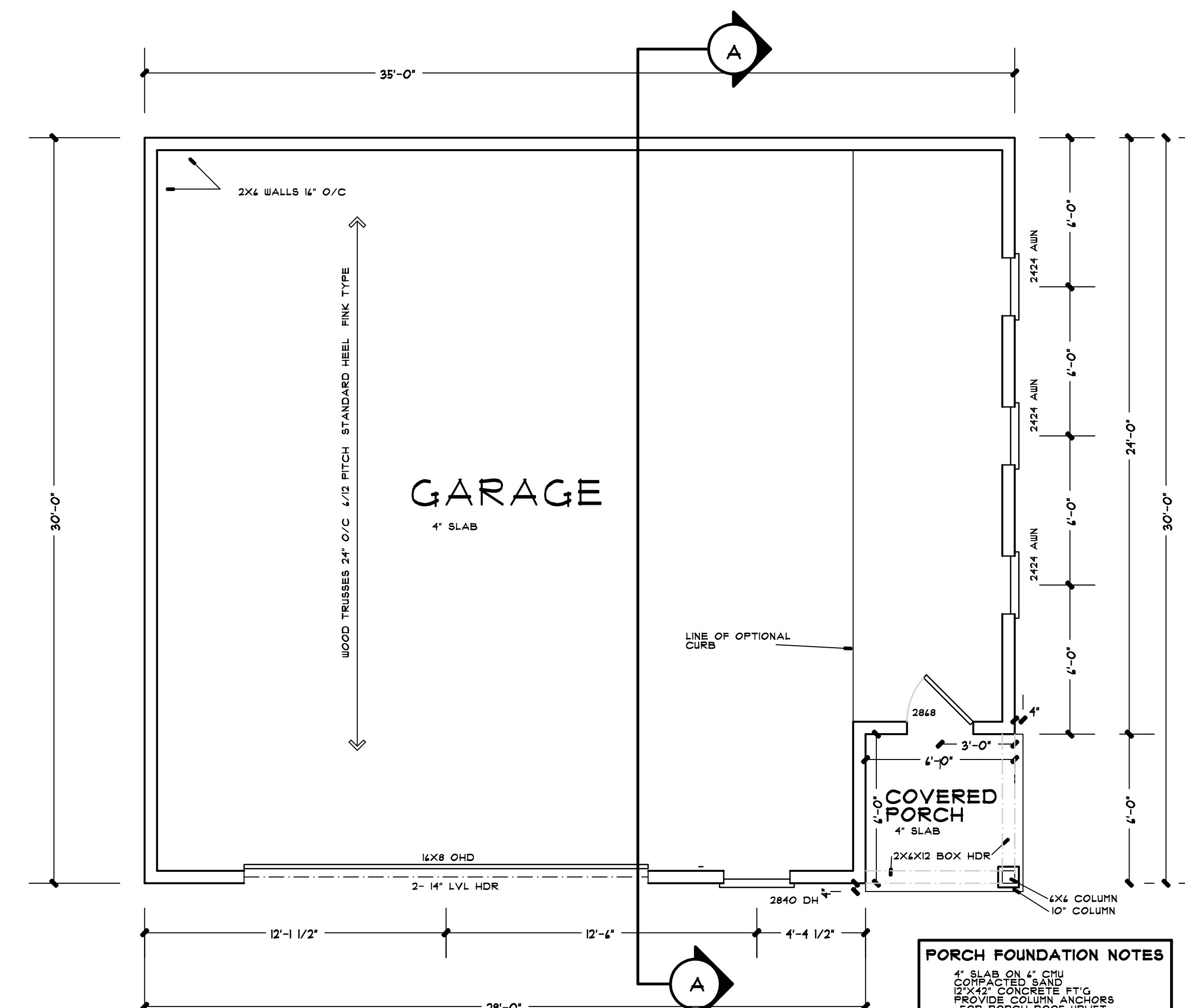


RIGHT ELEVATION SCALE 1/4" = 1'-0"



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

NOTES  
PROVIDE UNDERGROUND CONDUIT FOR ELECTRICAL/ WATER SUPPLY/FUTURE GAS LINE



FLOOR PLAN SCALE 1/4" = 1'-0"

NOTES  
PROVIDE UNDERGROUND CONDUIT FOR ELECTRICAL/ WATER SUPPLY/FUTURE GAS LINE

PORCH FOUNDATION NOTES  
4" SLAB ON 4" CMU  
COMPACTED SAND  
12"X42" CONCRETE FT'G  
PROVIDE COLUMN ANCHORS  
FOR PORCH ROOF UPJST  
SLOPE SLAB AWAY FROM HOUSE  
RUBBER FLASHING AS REQ

Item 1.

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designer  
NOT TO BE REPRODUCED WITHOUT PERMISSION

DESIGN BY THOMAS B. COATES JR  
213 W. MAIN ST  
BRIGHTON, MICH 48106

602-1

FOR  
REX AND DEB BLAIR  
810 844-4414

PAGE  
DATE



Certified to: HURON VALLEY FINANCIAL

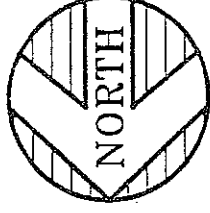
Applicant: REX BLAIR

Property Description:

Lots 188, 189, and 190; PLEASANT LAKE HILLS ANNEX NO. 2, subdivision of part of the West 1/2 of Section 14, 11N, R5E, Hamburg Township, Livingston County, Michigan, as recorded in Liber 2 of Plats, Page 29, Livingston County Records.

LUP# 10314 / DATE 11/12/03

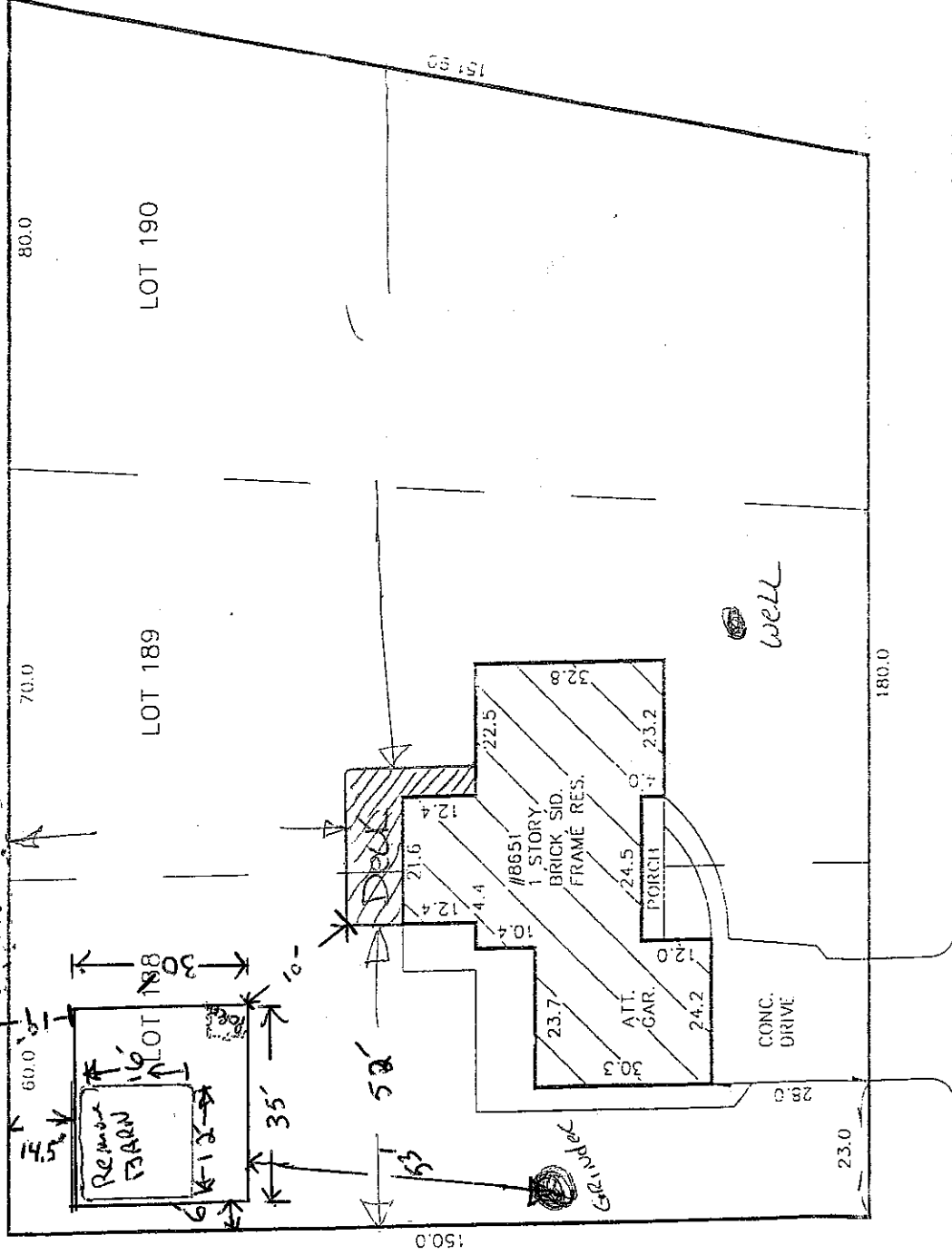
HAMBURG TOWNSHIP  
APPROVED FOR ZONING



BY: *Annex Burton*

ONLY RED INK STAMP IS VALID!!

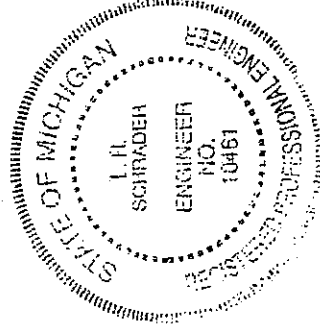
*West Sand*



PLEASANT LAKE DRIVE 50' WD.

20' ASPHALT PAVIMENT

CERTIFICATE: We hereby certify that we have surveyed the above-described property in accordance with the description furnished for the purpose of a mortgage loan to be made by the forementioned applicants, mortgagor, and that the buildings located thereon do not encroach on the adjoining property, nor do the buildings on the adjoining property encroach upon the property heretofore described, except as shown. This survey is not to be used for the purpose of establishing property lines, nor for construction purposes, no stakes having been set at any of the boundary corners.



*L.R. Schrader P.E.*

JOB NO: 02-65217 SCALE: 1" = 50'

DATE: 07-31-02 DR BY: SS

KEM-TEC  
LAND SURVEYORS

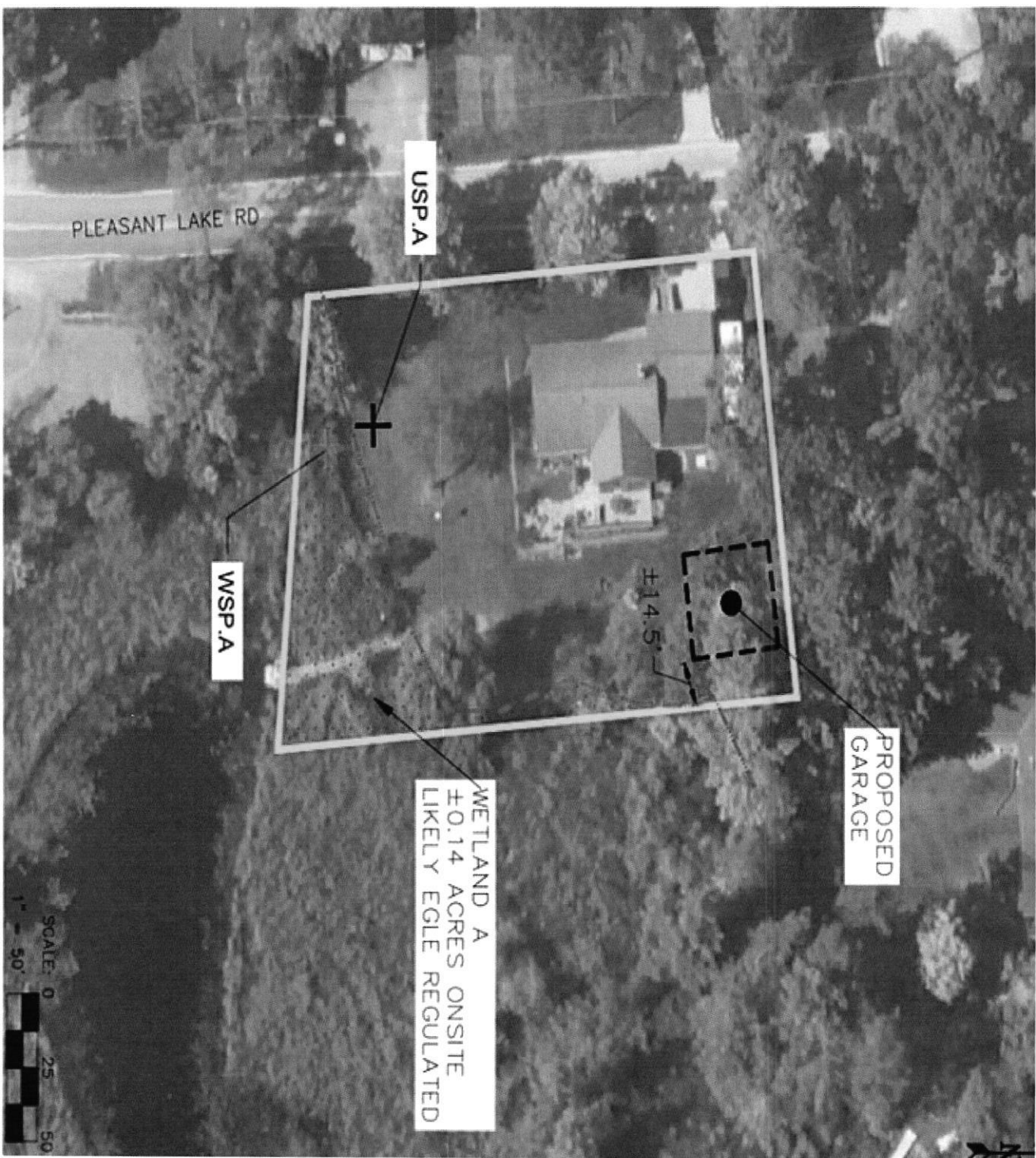
22556 Gratiot Avenue  
Eastpointe, MI 48021-2312  
(810) 772-2222  
FAX: (810) 772-4048



KEM-TEC WEST  
LAND SURVEYORS

800 E. STADIUM  
Ann Arbor, MI 48104-1412  
(734) 994-0888 \* (800) 433-6133  
FAX: (734) 994-0667

MORTGAGE



**LEGEND**

- DELINEATION BOUNDARY
- EXISTING WETLAND
- ⊕ UPLAND SAMPLE POINT
- ⊕ WETLAND SAMPLE POINT

NOTE: THIS MAP DENOTES THE APPROXIMATE WETLAND BOUNDARIES WITHIN THE PROPERTY AS DELINEATED BY MARX WETLANDS, LLC ON DECEMBER 15, 2023. PLEASE NOTE THAT MICHIGAN DEPARTMENT OF THE ENVIRONMENT, ITS LAZERS, AND ENERGY (SOLE) MAKES THE FINAL DETERMINATIONS 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.



DATE: DEC. 15, 2023	CLIENT: MR. REX BLAIR	SECTION: 14
SHEET NO. 01	PROJECT: 6651 PLEASANT LAKE ROAD WETLAND DELINEATION MAP	TOWN OF NORTH, RANGE 05 EAST HARBURG TOWNSHIP
<b>MARX WETLANDS, LLC.</b> 9861 HIGH MEADOW DR YPSILANTI, MICHIGAN 48198 (734) 470-0777		

## Letter of support for Land use Variance





Rex and Debra Blair, located at 8651 Pleasant Lake Drive, lots 188, 189, and 190 of Pleasant Lake Hills Annex No. 2 are seeking a land-use variance from Hamburg Township Zoning Board of Appeals.

We would like to build a 30 deep by 35 wide garage (1,050 sq. ft), located in the north east corner of our property. There is a 50 foot setback from wetlands and we would need approximately a 31 foot variance in order to build the garage.

He retired a few years ago and it has been our long-term goal to build a garage for extra storage and our personal woodworking shop.

Deb and I would greatly appreciate our neighbors supporting the ZBA issuing the land use variance by signing this letter of approval.

Thank you,

Name & Signature	Address	Phone
SEAN LEZAK 	5021 Pleasant Lake Dr. Brighton, MI 48116	517-414-7665
-Mary Ann Ruberg 	8610 Pleasant Lake Dr. Brighton MI 48116	517-304-0322
John Hett 	8664 Pleasant Lake Brighton, MI 48116	734-604-7847
Nick Mastenbrook 	8728 Pleasant Lk. Brighton, MI, 48116	517-404-8183



# Zoning Board of Appeals Staff Report



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

**FROM:** David Rohr

**HEARING DATE:** April 10, 2024

**SUBJECT:** ZBA 24-0003

**PROJECT SITE:** Single Family Home  
4831 Downing Dr.  
TID 15-28-402-002

**OWNER:** Ann Marie Boyles

**APPLICANT:** Hinkson Design Build, LLC.

**PROJECT:** Variance application to permit the construction of garage with storage above. Applicant requests one variance.  
**1)** 5.7-foot variance from the required 25-foot front setback, per section 36-171(d).

**ZONING:** Waterfront Residential (WFR)

## **Project Description**

The applicant's parcel is 8,300 sq ft and contains a 1,200 sq ft single family home. The applicant intends to add a garage with storage above. The proposed garage will be on the roadside of the property. Because of the nonconforming nature of the parcel, the applicant is requesting the one variance listed 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 is very small, bound by Strawberry Lake on the east. The applicant's parcel has an extremely limited buildable area. Staff supports the variance request.

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

Granting this variance request is necessary for the preservation and enjoyment of a substantial property right, as there is limited buildable area on the parcel.

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

The variance setback 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.**

One of the goals of the 2020 master plan is to "Protect, preserve, and enhance whenever possible the unique and desirable natural amenities of Hamburg Township" the Master Plan discusses preserving and maintaining the existing character of parcels along lakes. Granting of these variance request will not adversely affect the 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. This is a small parcel with limited buildable area.

- 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 addition, size and location will have minimal impact on the surrounding properties. Staff believes the location of the proposed structure is well placed and will have minimal impact on the surrounding residents.

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

### **Recommendation**

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

### **Approval Motion**

Motion to approve variance application ZBA 24-0003 at 8431 Downing Dr. (TID 15-28-402-002)

One variance:

- 1) 5.7-foot variance from the required 25-foot front setback, per section 36-171(d).

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

### **Denial Motion**

Motion to deny variance application ZBA 24-0003 at 8431 Downing Dr. (TID 15-28-402-002)

One variance:

1) 5.7-foot variance from the required 25-foot front setback, per section 36-171(d).

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

**Attachments:**

Application  
Project plans

ZBA Case Number 24-0003  
\$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: 03/13/24
2. Tax ID #: 15- 28 - 402 - 002 Subdivision: Indian Gardens Lot No.: 2
3. Address of Subject Property: 4831 Downing Drive, Pinckney, MI 48169
4. Property Owner: Ann Marie Boyles Phone: (H) n/a  
Email Address: 4amboyles@gmail.com (W)(C) 734-674-8711  
Street: 4831 Downing Drive City Pinckney State MI
5. Appellant (If different than owner): Hinkson Design Build LLC Phone: (H) C 248-752-1253  
Brad Hinkson E-mail Address: bradhinkson@gmail.com (W) n/a  
Street: 4427 Summer Lane City Milford State MI
6. Year Property was Acquired: 2022 Zoning District: \_\_\_\_\_ Flood Plain \_\_\_\_\_
7. Size of Lot: Front 54.28' Rear 55.50' Side 1 146.08' Side 2 136.06' Sq. Ft. 8672.32  $\pm$
11. Dimensions of Existing Structure (s) 1st Floor 24'-4" x 61'-8" 2nd Floor 20'-2" x 43'-5" Garage n/a
12. Dimensions of Proposed Structure (s) 1st Floor 34'-6" x 61'-8" 2nd Floor no work/charge Garage 24'-3" x 30'-4"
13. Present Use of Property: Sgl. family 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 \_\_\_\_\_
16. If so, state case # and resolution of variance application \_\_\_\_\_
17. Please indicate the type of variance or zoning ordinance interpretation requested:  
Front yard variance

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.

*Lot is small and non-conforming.*

- 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 is necessary for the preservation of substantial property right.*

- 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 not be detrimental to the public welfare.*

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

*The variance will not adversely affect the master plan.*

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

*The lot is non-conforming.*

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

*The parcel will remain residential.*

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

*This variance is the minimum amount necessary.*

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

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

Ann Marie Bayles      3.13.2024  
Owner's Signature      Date

Brad Stinson      03/13/24  
Appellant's Signature      Date

### WARRANTY DEED

(Platted/Condominium)

**Drafted By:**  
David Zuidema  
4831 Downing Dr.  
Pinckney, MI 48169

**Return To:**  
Ann Marie Boyles  
4831 Downing Dr.  
Pinckney, MI 48143

**Send Tax Bills To:**  
Ann Marie Boyles  
4831 Downing Dr.  
Pinckney, MI 48143

Recording Fee: \$35.00  
File Number: 965957

State Transfer Tax: \$5,250.00  
County Transfer Tax: \$770.00

Tax Parcel No.: 4715-28-402-002

*Know All Persons by These Presents:* That **David Zuidema**  
whose address is 4831 Downing Dr., Pinckney, MI 48169

Convey(s) and Warrant(s) to **Ann Marie Boyles, Sole Ownership**  
whose address is 6412 Marcy St., Brighton, MI 48116

the following described premises situated in the Township of **Hamburg**, County of **Livingston**, State of Michigan, to wit:

Lot(s) 2 of SUPERVISOR'S PLAT OF INDIAN GARDENS according to the plat thereof recorded in Liber 4 of Plats, Page 23 of Livingston County Records.

More commonly known as: **4831 Downing Dr., Pinckney, MI 48143**

For the full consideration of: **seven hundred thousand** Dollars (\$700,000.00)

**Subject To:**

Easements and restrictive covenants of record.



**First American Title Insurance Company**

(Attached to and becoming a part of Warranty Deed dated: June 10, 2022 between David Zuidema, as Seller(s) and Marie Boyles, Sole Ownership, as Purchaser(s).)

Dated this June 10, 2022.

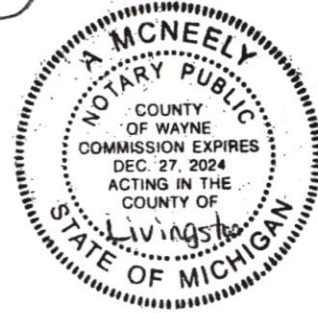
**Seller(s):**

  
\_\_\_\_\_  
David Zuidema

State of Michigan  
County of Livingston

The foregoing instrument was acknowledged before me  
this June 10, 2022 by David Zuidema.

  
\_\_\_\_\_  
Notary Public:  
Notary County/State: Livingston  
County Acting In:  
Commission Expires:



**Hinkson**  
**Design**  
**Build**

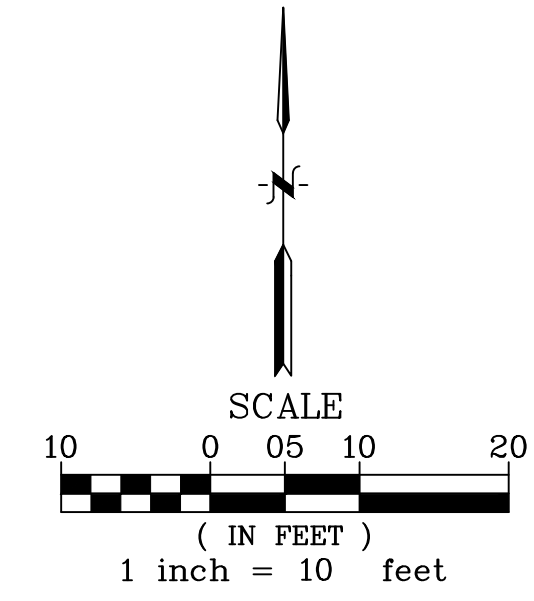
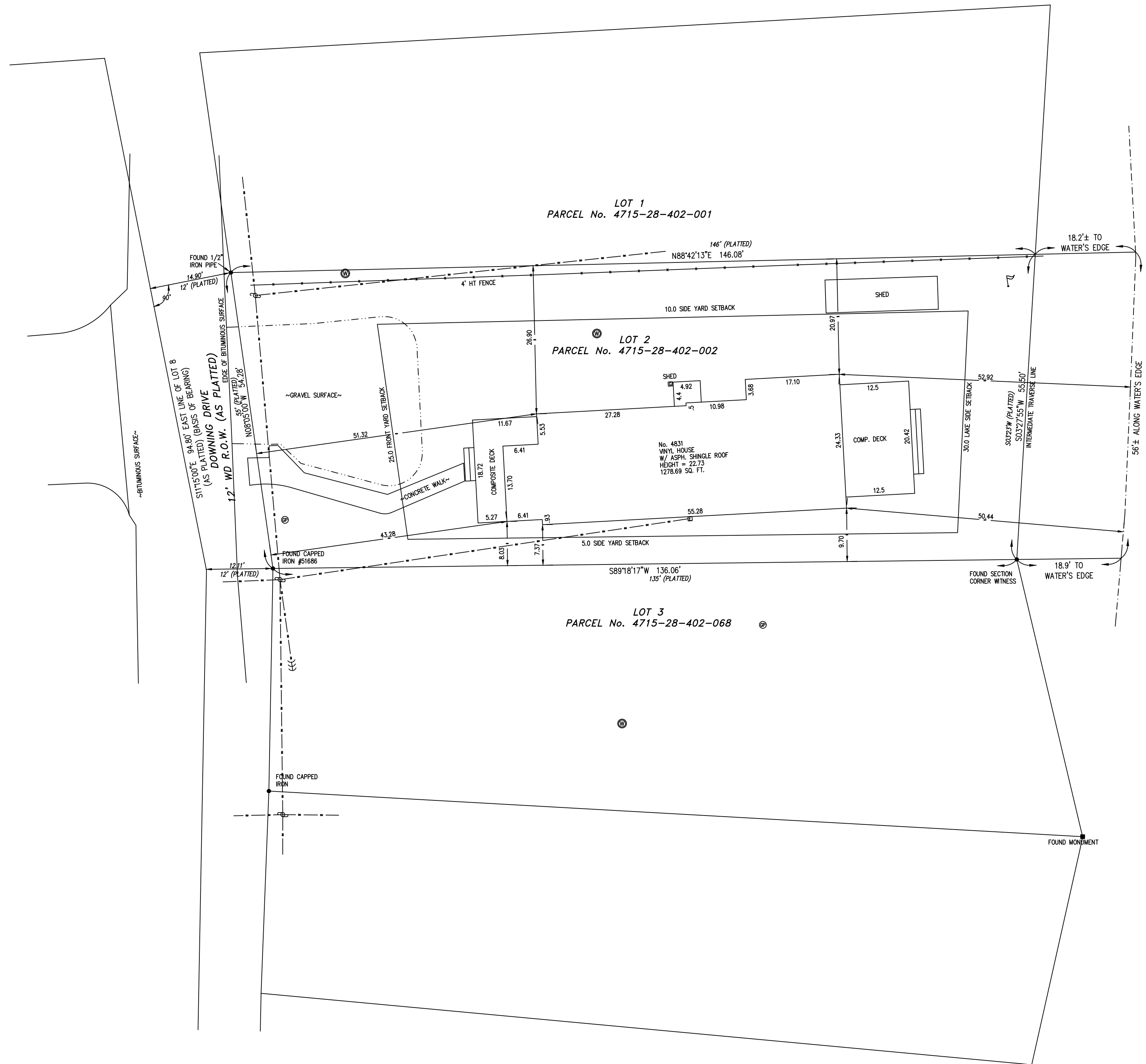
LICENSED AND INSURED

4427 SUMMER LANE  
MILFORD, MI 48380  
tel: 248.752.1253

**BOYLES RESIDENCE**

ANNMARIE BOYLES  
4831 DOWNING DRIVE  
PINCKNEY, MI 48169

CIENT:



**LEGEND**

- ● ● = SURVEYOR'S MONUMENTATION (AS LABELED)
- ⊙ = WELL WATER / MONITOR WELL
- ⊠ ⊠ ⊠ ⊠ = UTILITY METERS & BOXES (ELECTRIC METER, GAS METER, WATER METER, PHONE BOX, CATV BOX, MAIL BOX, UTIL. BOX, VAULT)
- ⊠ ⊠ ⊠ ⊠ = UTILITY POLE W/ GUY WIRE
- — — — — = OVERHEAD UTILITY LINES (ELECTRIC, PHONE, CABLE)
- — — — — = FENCE (CHAIN LINK UNLESS OTHERWISE STATED)
- - - - - = EDGE OF GRAVEL
- - - - - = EDGE OF WATER
- ⊕ = GRINDER PUMP

**LEGAL DESCRIPTION OF RECORD**  
Reference: **Hamburg Township Assessor's Office Tax Roll 2024**

**PARCEL No. 4715-28-402-002**  
Sited in the Township of Hamburg, County of Livingston and State of Michigan, and described as follows:  
Lot 2 of "Supervisor's Plat of Indian Gardens," a part of Government Lot 3 and part of Government Lot 4 of the Southeast 1/4 of Section 28, Town 1 North, Range 5 East, Hamburg Township, Livingston County, Michigan, according to the plat thereof, as recorded in Liber 4 of Plats, Page 23, Livingston County Records.  
Also known as: 4831 Downing Drive, Pinckney, Michigan 48169

- NOTES:**
- 1) Bearings are based on the East line of Lot 8 (S11°15'E) as depicted in "Supervisor's Plat of Indian Gardens," according to the plat thereof, as recorded in Liber 4 of Plats, Page 23, Livingston County Records.
  - 2) Legal description of record provided by client. Surveyor was not supplied with a Title Search at this time. Refer to the current policy for title insurance for proof of ownership and all encumbrances affecting title to the surveyed parcel.
  - 3) Electronic media Drawings, documents, reports and/or data transmitted or provided by Desine Inc. on electronic media are instruments of service of Desine Inc., who shall be deemed the author, and shall retain all common law, statutory law and other rights, including copyrights. Drawings, documents, reports and/or data transmitted or stored on any form of electronic media shall not be modified without prior written approval of Desine Inc. and a notice or indication of said modifications shall appear on all subsequent drawings, documents and/or reports. Desine Inc. makes no warranties, either express or implied, as to the completeness or accuracy of the electronic data, or of merchantability and fitness for any particular purpose. In the event of a conflict between the electronic data and the signed or sealed hard-copy documents, the signed or sealed hard-copy documents shall govern. Use of the documents, attachments and/or information transmitted herein shall be at the sole risk of the user. Desine Inc. shall be held harmless against all claims, liabilities, damages, losses, expenses, and attorney's fees arising out of the acceptance, use, modification, reuse or dissemination of this information.

DRAWN BY: DESINE INC. CHECKED BY: DESINE INC.

DRAWING DATE: MARCH 8, 2024 PRINTED DATE: MARCH 13, 2024

STATUS:

ZBA  BID  PERMIT  JOB

**REVISIONS:**

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PERMIT NO.

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EXISTING SITE PLAN

**C1**

1 OF 10

**Hinkson**  
**Design**  
**Build**

LICENSED AND INSURED

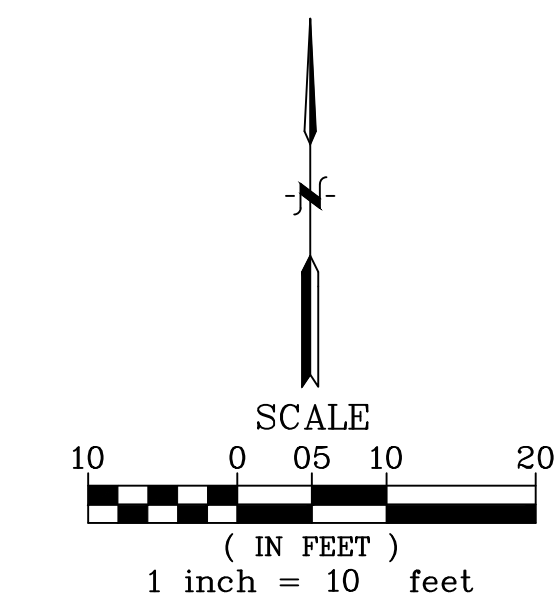
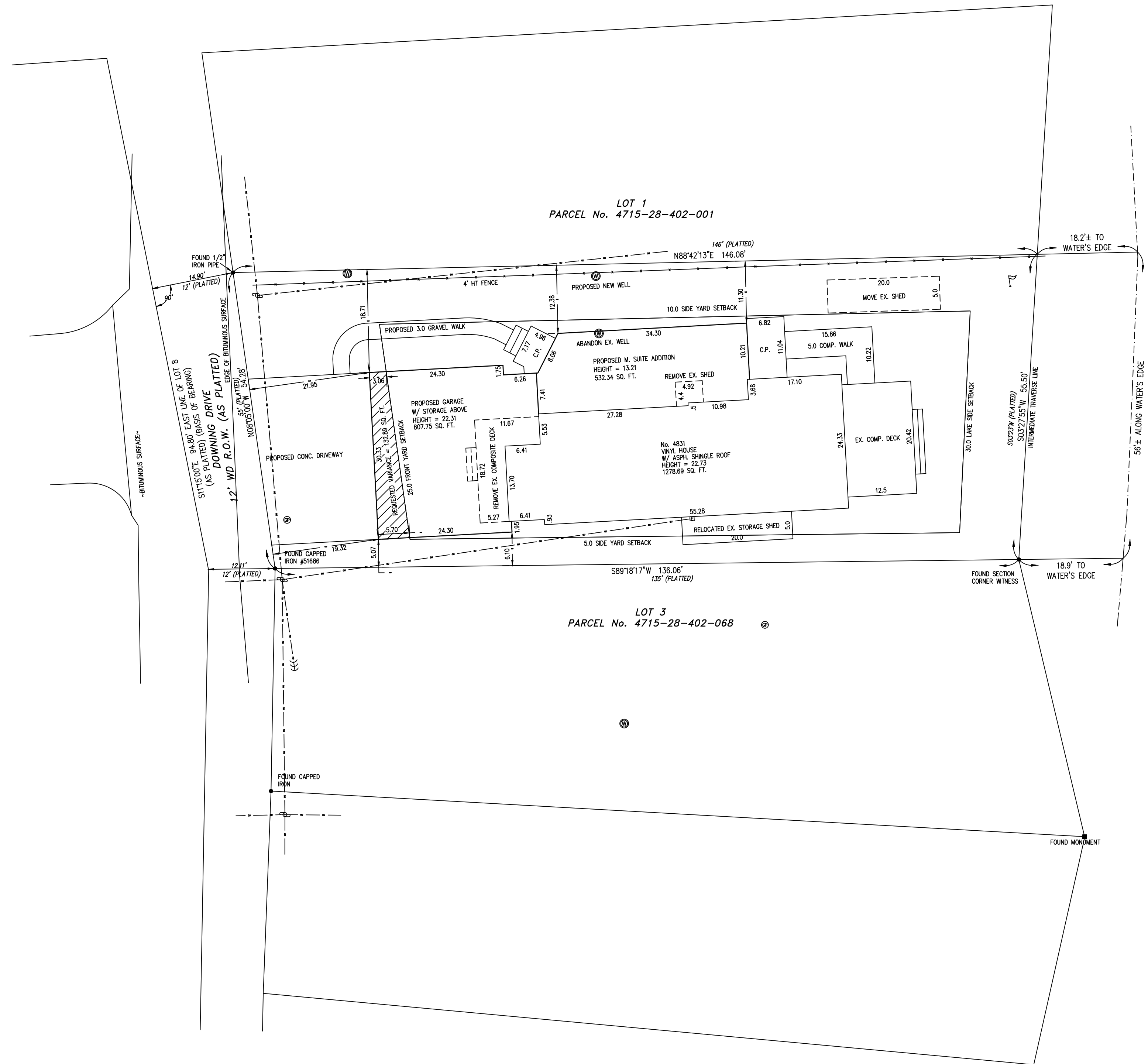
4427 SUMMER LANE  
MILFORD, MI 48380

tel: 248.752.1253

**BOYLES RESIDENCE**

ANNMARIE BOYLES  
4831 DOWNING DRIVE  
PINCKNEY, MI 48169

CLIENT:



- LEGEND**
- = SURVEYOR'S MONUMENTATION (AS LABELED)
  - ⊙ = WELL WATER / MONITOR WELL
  - ⊠ = UTILITY METERS & BOXES (ELECTRIC METER, GAS METER, WATER METER, PHONE BOX, CAVY BOX, MAIL BOX, UTIL. BOX, VAULT)
  - |—|— = UTILITY POLE W/UTILITY WIRE
  - = OVERHEAD UTILITY LINES (ELECTRIC/PHONE/CABLE)
  - - - = FENCE (CHAIN LINK UNLESS OTHERWISE STATED)
  - · - · - = EDGE OF GRAVEL
  - · - - = EDGE OF WATER
  - ⊕ = GRINDER PUMP

STRAWBERRY LAKE  
AS LOCATED MARCH 6, 2024

**LEGAL DESCRIPTION**

PARCEL No. 4715-28-402-002  
LOT 2 OF "SUPERVISOR'S PLAT OF INDIAN GARDENS" A PART OF GOVERNMENT LOT 3 AND PART OF GOVERNMENT LOT 4 OF THE SOUTHEAST 1/4 OF SECTION 28, TOWN 1 NORTH, RANGE 5 EAST, HAMBURG TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN LIBER 4 OF PLATS, PAGE 23, LIVINGSTON COUNTY RECORDS.  
ALSO KNOWN AS: 4831 DOWNING DRIVE, PINCKNEY, MICHIGAN 48169

1. PLEASE ALLOW FOR 3 FULL WORKING DAYS BEFORE YOU DIG - CALL THE MISS DIG SYSTEM AT 811 OR 800-482-7171.

2. LOT 2 = 8672.32 SQ.FT.  
8672.32 SQ.FT. x 35% = 3035.31 SQ.FT. MAX COVERAGE  
EXIST. HOUSE + PROPOSED GARAGE + ADDITION = 2618.78 SQ.FT  
8672.32 SQ.FT. x 40% = 3468.93 SQ.FT. MAX COVERAGE  
EXIST. HOUSE + PROPOSED GARAGE + ADDITION + IMPERVIOUS = 3396.46 SQ.FT

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PROPOSED SITE PLAN

**C2**

1 OF 10

**BDT** Hinkson  
Design  
Build

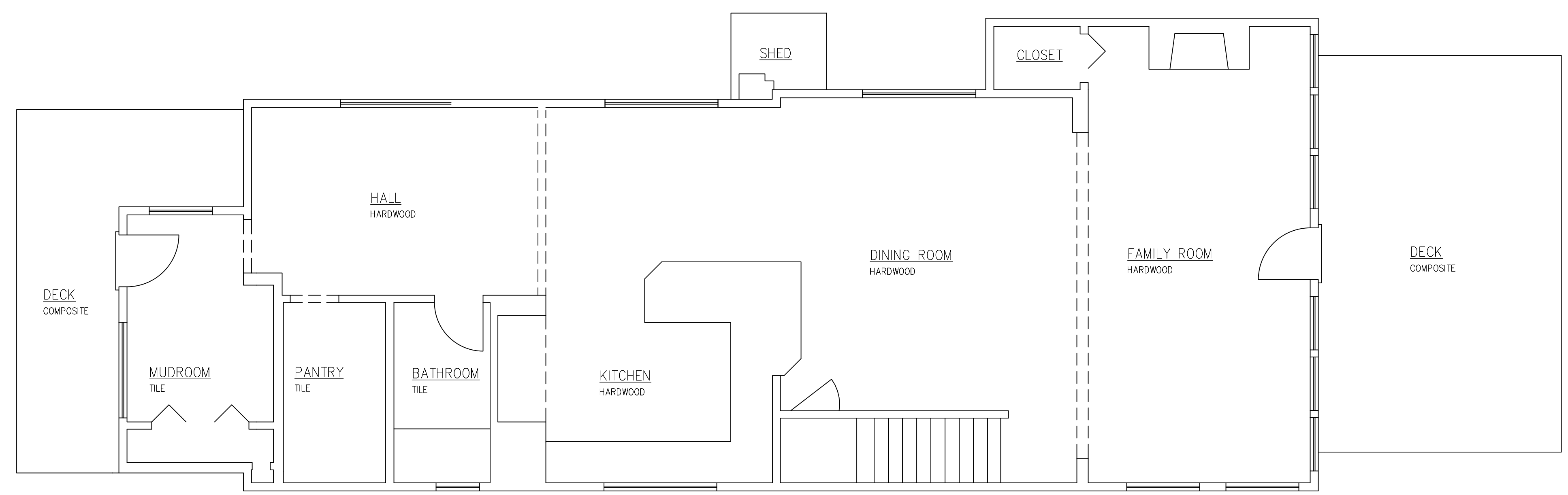
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4427 SUMMER LANE  
MILFORD, MI 48380  
Tel: 248.752.1253

**BOYLES RESIDENCE**

CLIENT:

ANNMARIE BOYLES  
4831 DOWNING DRIVE  
PINCKNEY, MI 48169



EXISTING FIRST FLOOR PLAN

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

DRAWN BY: WBH      CHECKED BY: WBH

DRAWING DATE: MARCH 12, 2024      PRINTED DATE: MARCH 13, 2024

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EXISTING FIRST FLOOR PLAN

**A1**

3 OF 8

**BDT**inkson  
Design  
Build

LICENSED AND INSURED  
4427 SUMMER LANE  
MILFORD, MI 48380  
Tel: 248.752.1253

**BOYLES RESIDENCE**

ANMARIE BOYLES  
4831 DOWNING DRIVE  
PINCKNEY, MI 48169

CLIENT:

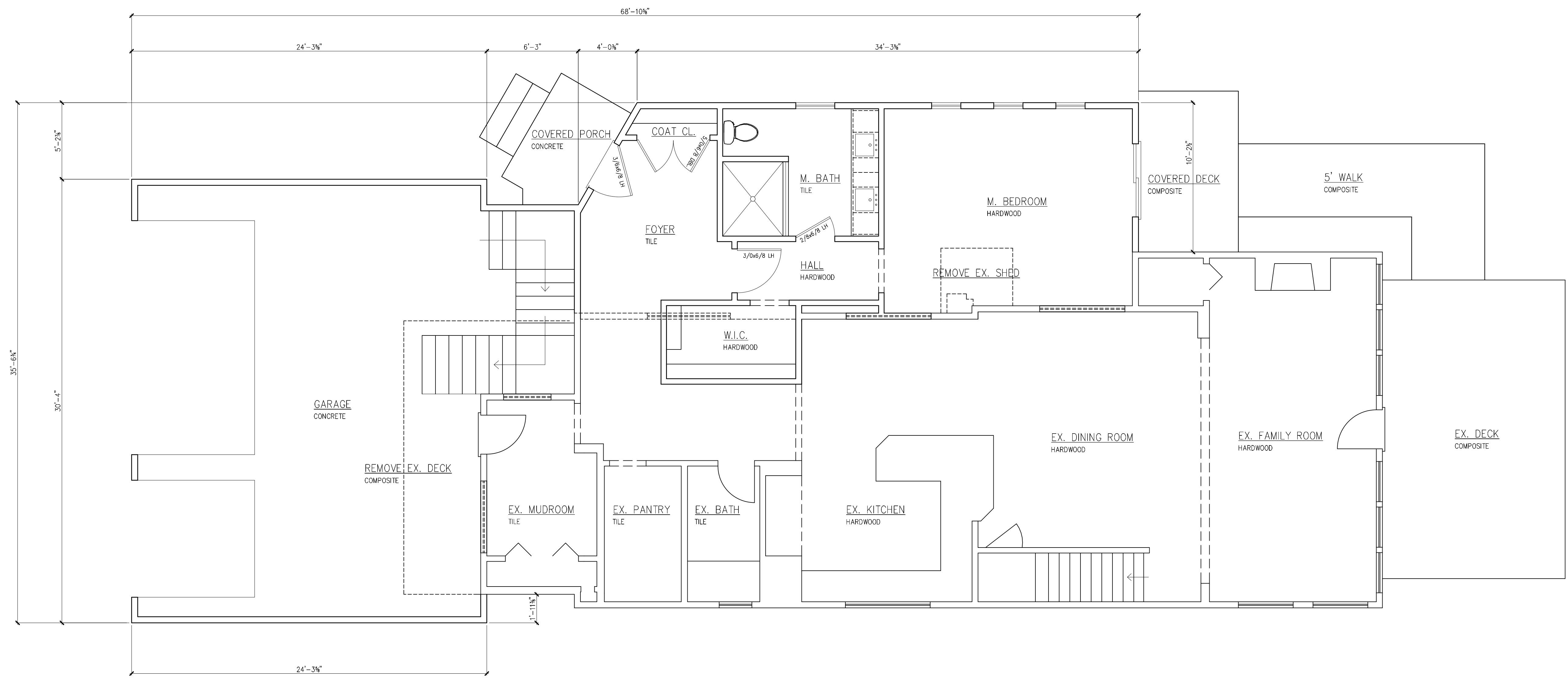
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PROPOSED FIRST FLOOR PLAN  
**A2**  
4 OF 8



PROPOSED FLOOR PLAN

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



**BDT**inkson  
Design  
Build

LICENSED AND INSURED

4427 SUMMER LANE  
MILFORD, MI 48380  
Tel: 248.752.1253



EXISTING WEST ELEVATION

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



PROPOSED WEST ELEVATION

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

**BOYLES RESIDENCE**

CLIENT:

ANMARIE BOYLES  
4831 DOWNING DRIVE  
PINCKNEY, MI 48169

DRAWN BY: WBH  
CHECKED BY: WBH

DRAWING DATE: MARCH 12, 2024  
PRINTED DATE: MARCH 13, 2024

STATUS:

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EXIST./PROPOSED ELEVATIONS

**A3**

5 OF 8

**BDT** Hinkson  
Design Build

LICENSED AND INSURED  
4427 SUMMER LANE  
MILFORD, MI 48380  
Tel: 248.752.1253

**BOYLES RESIDENCE**

CLIENT:  
ANMARIE BOYLES  
4831 DOWNING DRIVE  
PINCKNEY, MI 48169

DRAWN BY: WBH  
CHECKED BY: WBH

DRAWING DATE: MARCH 12, 2024  
PRINTED DATE: MARCH 13, 2024

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REVISIONS:	No.:	DESCRIPTION:	DATE:

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EXIST./PROPOSED ELEVATIONS

**A4**

6 OF 8



EXISTING NORTH ELEVATION

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



PROPOSED NORTH ELEVATION

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



EXISTING EAST ELEVATION

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



PROPOSED EAST ELEVATION

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

**BDT** Hinkson  
Design  
Build

LICENSED AND INSURED

4427 SUMMER LANE  
MILFORD, MI 48380  
Tel: 248.752.1253

**BOYLES RESIDENCE**

CLIENT:

ANNMARIE BOYLES  
4831 DOWNING DRIVE  
PINCKNEY, MI 48169

DRAWN BY: WBH  
CHECKED BY: WBH

DRAWING DATE: MARCH 12, 2024  
PRINTED DATE: MARCH 13, 2024

STATUS:

ZBA  BID  PERMIT  JOB

REVISIONS:

No.	DESCRIPTION:	DATE:

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EXIST./PROPOSED ELEVATIONS

**A5**

7 OF 8

**BDT** Hinkson  
Design  
Build

LICENSED AND INSURED

4427 SUMMER LANE  
MILFORD, MI 48380  
Tel: 248.752.1253

**BOYLES RESIDENCE**

CLIENT:

ANMARIE BOYLES  
4831 DOWNING DRIVE  
PINCKNEY, MI 48169

DRAWN BY: WBH  
CHECKED BY: WBH

DRAWING DATE: MARCH 12, 2024  
PRINTED DATE: MARCH 13, 2024

STATUS:  
 ZBA    BID    PERMIT    JOB

No.	DESCRIPTION	DATE

PERMIT NO.

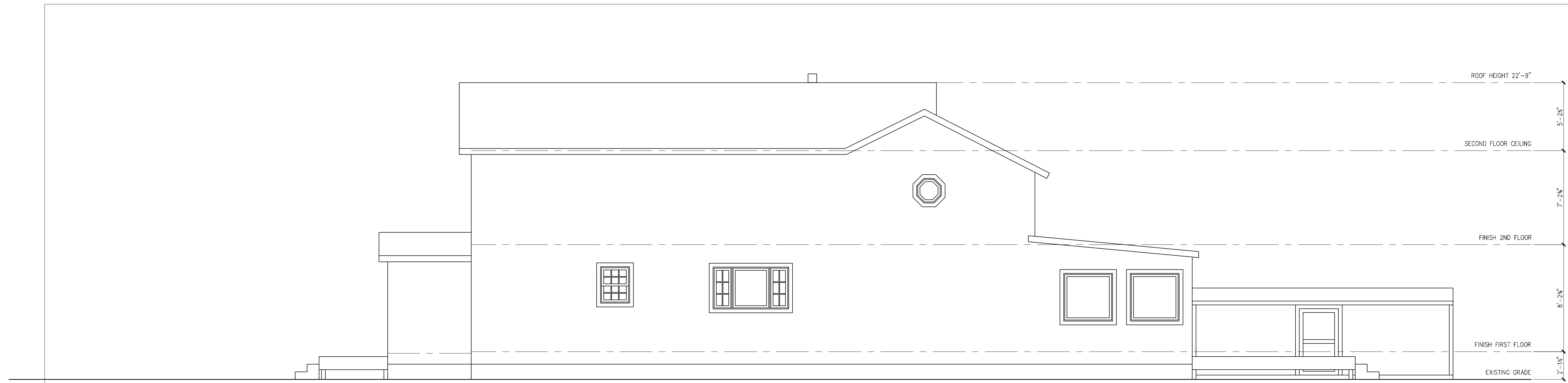
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EXIST./PROPOSED ELEVATIONS

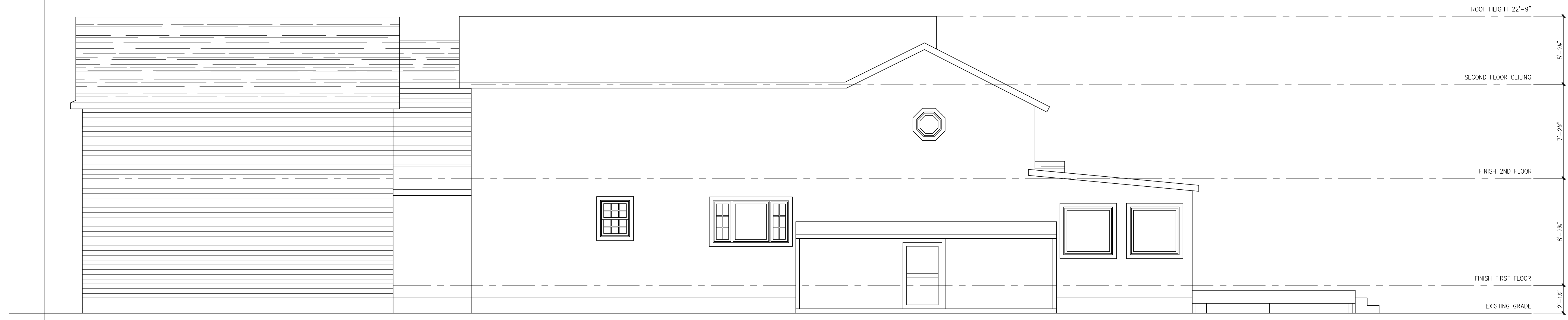
**A6**

8 OF 8



EXISTING EAST ELEVATION

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



PROPOSED EAST ELEVATION

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



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, March 13, 2024, at 7:00 PM**  
**Hamburg Township Hall Board Room**

**MINUTES**

**CALL TO ORDER**

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

**PLEDGE TO THE FLAG**

**ROLL CALL OF THE BOARD**

**Members PRESENT:**

Brian Ignatowski  
Jason Negri  
Joyce Priebe, Chair  
Benjamin Russell

**ABSENT:**

William Rill

**CONSENT AGENDA**

**Approval motion** made by Treasurer Negri, seconded by Member Ignatowski, to approve the agenda for tonight as presented.

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

**VOTE: MOTION CARRIED UNANIMOUSLY**

**GENERAL CALL TO THE PUBLIC**

Bob with Bernell Construction came up to the podium to thank the ZBA committee members for saying the pledge of allegiance. He said he was a resident, pastor, and a Vietnam Veteran.

## NEW BUSINESS

### 1. ZBA 2024-002

- Owner: Dave & Joey Groh  
 Location: 6365 Riverdale  
 Parcel ID: 4715-23-306-020  
 Request: Variance application to permit the construction of an addition, second story and deck. Applicant requests four variances.
- 1) 85-foot variance from the required 125 feet natural rivers setback, per section 36-175(e)(1).
  - 2) 1.7-foot variance from the required side yard setback of 10 ft., per Section 36-186(G).
  - 3) 2-inch variance from the required side yard setback of 10 ft., per Section 36-186(G).
  - 4) 3.6-foot variance for 10 feet building to building requirement, per Section 36-215(4).

Chair Priebe welcomed the applicant or builder to come to the podium to address the ZBA members. Bob from Brinell Construction came up to the podium and stated that the applicant is looking to make do this project to make this their retirement home. They currently live in the Metro Detroit area. This property was David's cousin's property where she lived for 20 years and raised her daughter. She died from cancer last summer, so they wanted to keep the property in the family.

Chair Priebe opened the meeting to David Rohr, the Planning and Zoning Director, for his ZBA report on this case. David let the members know that this home is nonconforming on a split zoned lot between the Natural Rivers (NR) and Waterfront Residential (WFR) districts. Due to this unique situation, any addition would require a variance. The current home is only 50 feet from the river and is nonconforming. He talked to all four variances that were being requested for this project. David stated that this home is like most homes along the river here so granting this variance would not create anything out of place or unusual.

Chair Priebe opened the case public hearing but since there were no audience members, she closed the meeting. She began the member portion of the meeting by stating that the length of the parcel was only 123 feet, and the Natural River setback is 125 feet, which was mandated by the state. She welcomed Benjamin Russell who is new to the ZBA. She then explained that the ZBA looks at practical difficulties from our zoning ordinance for cases and offers relief from them. Chair Priebe invited the other members to ask questions. Treasurer Negri asked David about the 1.7 feet variance since they were building up. David explained that the home was already nonconforming to the side lot and by going up, they were making the home even more nonconforming and thus they needed this variance. Chair Priebe reminded the builder and the owners that they would have to work with the Livingston County Building Dept to ensure that the garage was built with fire resistant materials since the two structures were being built closer than 10 feet from one another. Both members Ignatowski and Russell had no further comments. Chair Priebe shared that the Planning and Zoning Department received two emails in support of this project. The emails were from Chuck Menzies and Robert Hopper, the neighbors on either side of this property.

Treasurer Negri asked Benjamin Russell if he wanted to do the motion. He said sure.

**Approval motion** by Member Russell, seconded by Member Ignatowski, to approve variance application ZBA 24-002 at 6365 Riverdale Dr (TID 15-23-306-020) for four variances. One, 85-foot variance from the required 125 feet

natural rivers setback, per section 36-175(e)(1); Two, a 1.7-foot variance from the required side yard setback of 10 ft., per Section 36-186(G); Three, 2-inch variance from the required side yard setback of 10 ft., per Section 36-186(G); and Four, 3.6-foot variance for 10 feet building to building requirement, per Section 36-215(4).

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

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

**VOTE: MOTION CARRIED**

#### **APPROVAL OF THE MEETING MINUTES**

**Approval motion** by Treasurer Negri, seconded by Member Ignatowski, to approve the January 10, 2024, meeting minutes with amendment given by Member Ignatowski.

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

**VOTE: MOTION CARRIED.**

#### **ZONING ADMINISTRATOR'S REPORT**

1. Annual Joint Meeting (April 2, 2024, at 7pm).
2. Next ZBA Meeting in April will have two agenda items.

#### **ADJOURNMENT**

**Approval motion** made by Member Ignatowski, Seconded by Treasurer Negri to adjourn the meeting at 8:19pm.

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

**VOTE: MOTION CARRIED.**

Respectfully submitted,

**Lisa Perschke**

*Planning/Zoning Coordinator & Recording Secretary*

**David Rohr**

*Planning & Zoning Director*

The minutes were approved as presented/corrected: \_\_\_\_\_

\_\_\_\_\_

Joyce Priebe, Chair