



Zoning Board of Appeals Staff Report



TO: Zoning Board of Appeals
(ZBA)

FROM: Amy Steffens, AICP

HEARING DATE: May 10, 2023

SUBJECT: ZBA 23-003

PROJECT SITE: 2620 Baseview Boulevard
TID 15-31-401-021

**OWNER/
APPLICANT:** Mounir and Tamra Haurani

PROJECT: Variance application to permit the construction of an accessory structure within the required 25-foot front yard setback from Baseview Boulevard and encroaching into a regulated wetland (25-foot front yard setback required, Section 36-215; 50-foot setback from a regulated wetland required, Section 36-293).

ZONING: Waterfront residential (WFR)

Project Description

The subject site is a 4,356-square foot lot on the north side of Baseview Boulevard; Maplevista is to the east; single-family dwellings are located to the east, west, and south. The site is improved with a 900-square foot dwelling. If approved, the variance would allow for the demolition of the dwelling and construction of an accessory structure placed on fill in the regulated wetland and Special Flood Hazard Area.

The applicant has submitted to EGLE an application to fill approximately 0.1 acres of wetlands and a portion of the 1 percent floodplain. No permit determination has been made by EGLE.

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 presence of wetlands on this site makes it difficult to place a structure compliant with the Zoning Ordinance standards so there is some validity to granting relief to the property for setback standards, but the question of which setback standards that require relief is of paramount importance. Section 36-293 of the township's Zoning Ordinance, below, specifies the intent of the setback requirements from natural features.

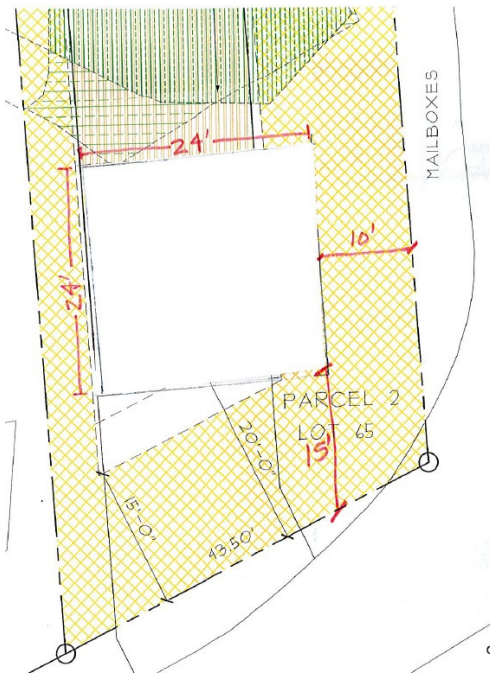
Sec. 36-293. Natural features setback requirements.

(a) Intent and purpose. It has been determined that, in the absence of such a minimum setback, intrusions in or onto natural features would occur, resulting in harm, impairment and/or destruction of natural features contrary to the public health, safety and general welfare and the intent and purpose of this article. This regulation is based on the police power, for the protection of the public health, safety and welfare, including the authority granted in the Township Rural Zoning Act. The setback requirements shall achieve the following objectives in relation to the required setback areas:

- (1) Protect unique wildlife habitat and habitat transition, including, without limitation, feeding, nesting, resting and traveling areas for numerous animals.*
- (2) Protection of surface water runoff and water quality for pollution prevention purposes, and assistance in beneficial water recharge for drinking, irrigation and other purposes.*
- (3) Provide water storage area in storm events.*
- (4) Provide areas for recreational or other functional uses which are unique due to geographic relationship to natural features.*
- (5) Preserve aesthetic views and areas for the enjoyment of natural resources.*
- (6) Preserve threatened and endangered species habitat, including upland species.*
- (7) Reduce the need for on-site and off-site stormwater storage capacity based upon the availability of a greater area or absorption and a smaller impervious area.*
- (8) Stabilize and protect soil resources, including the prevention of erosion and prohibition of loss due to moving water resulting in destruction of upland, structures and infrastructure and infrastructure on the upland, and prevention of the alteration of the course of moving waters.*

The 50-foot setback from a regulated wetlands applies to the whole of the township. While the State of Michigan does not have a setback requirement from a wetland, the township has made a concerted effort to preserve and protect from undue development pressure the township's wetlands system.

Staff could support a smaller structure with reduced setbacks along Baseview and Maple Vista and offers an alternative placement of a 576-square foot accessory structure as shown below. The structure would have a zero-foot from the wetlands, a ten-foot setback from Maple Vista, and a 15-foot setback from Baseview Boulevard. Staff would defer to EGLE staff for determination of Part 31 and Part 303 permit requirements for this configuration.



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.

A substantial property right is not advanced from a preferred architectural design, in this case, a design that requires not only setback variances but filling in of the township's wetlands.

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 applicant indicates that "the proposed accessory garage is an improvement to the existing aged shed that stands today." It is staff's opinion that removing a dilapidated shed is not an acceptable trade-off for filling in wetlands that provide for natural flood prevention,

among the environmental benefits as outlined in Section 36-293 under standard number one. Furthermore, fill was placed on this lot per an MDNR permit issued in 1989 as well as the two lots to the west to provide for development.

Staff finds that this property has previously received adequate wetlands relief and that granting the variance could be materially detrimental to the public welfare or materially injurious to the property improvements in the adjacent parcels.

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. The required setback regulations are designed to help maintain the character for the area.

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.

Wetlands and floodplain are features of many parcels throughout Hamburg Township, which is why the Zoning Ordinance contemplates setback standards from a regulated wetlands.

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.

Granting the variance is not the minimum necessary to permit reasonable use of the land as outlined in standards one and three.

Denial Motion

Motion to deny variance application ZBA 23-003 at 2602 Baseview Boulevard (TID 15-31-401-021) to permit the construction of an accessory structure within the required 25-foot front yard setback from Baseview Boulevard and encroaching into a regulated wetland (25-foot front yard setback required, Section 36-215; 50-foot setback from a regulated wetland required, Section 36-293).

The variances do not meet variance standards one (1), two (2), three (3), four (4), five (5), 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
Plans

ZBA Case Number 23-003

HAMBURG TOWNSHIP
Date 02/08/2023 11:17:34 AM
Ref ZBA2023-003
Receipt 1285578
Amount \$600.00

garage



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: 2-7-2023
2. Tax ID #: 15-31 - 401 - 021 Subdivision: Sunset Cove Lot No.: 65
3. Address of Subject Property: 2602 Baseview Dr., Pinckney, MI 48169
4. Property Owner: Mounir & Tamra Haurani Phone: (H) 248-212-8132
Email Address: thaurani@gmail.com (W) --
Street: 7598 Southview Ct. City Columbus State OH
5. Appellant (If different than owner): _____ Phone: (H) _____
E-mail Address: _____ (W) _____
Street: _____ City _____ State _____
6. Year Property was Acquired: 2022 Zoning District: WFR Flood Plain partial, see survey
7. Size of Lot: Front 43.5' Rear 40' Side 1 118.6' Side 2 102.57' Sq. Ft. 4431
11. Dimensions of Existing Structure (s) 1st Floor n/a 2nd Floor n/a Garage 57 sq.ft. storage shed
12. Dimensions of Proposed Structure (s) 1st Floor n/a 2nd Floor n/a Garage 18.8' x 38'
13. Present Use of Property: Residential, Single-Family accessory
14. Percentage of Existing Structure (s) to be demolished, if any 100 %
15. Has there been any past variances on this property? Yes _____ No XX
16. If so, state case # and resolution of variance application n/a
17. Please indicate the type of variance or zoning ordinance interpretation requested:
Water Front Residential (WFR)
Permit exemption from special use permit due to wetland fill of approximately 400 sq.ft by depth required at parcel 2 proposed accessory garage. Survey spot elevations are rather flat across parcel 2 thus minor fill of approximately 27 cu. ft. is calculated. In past county approvals, lot 66 permitted same wetland fill. Building situated to accommodate least disturbance to wetland as zoned on professional survey.
(Section 36-275;c;a)
18. Please explain how the project meets each of the following standards:

- a) Strict compliance with restrictions governing area, setback, frontage, height, bulk, density or other non-use matters, will unreasonably prevent the owner from using the property for a permitted purpose or will render ordinance conformity unnecessarily burdensome.

Correct. Full use and intent of the water front district does accommodate neighboring lots also featuring a single-family residence on a lakeside lot with customary or seasonal-use garage on the second lot; as would the proposed accessory garage building.

- b) The variance will do substantial justice to the applicant, as well as other property owners.

Correct. Full use and intent of the water front district does accommodate neighboring lots also featuring a single-family residence on a lakeside lot with customary or seasonal-use garage on the second lot; as would the proposed accessory garage building.

- c) A lesser variance than requested will not give substantial relief to the applicant and/or be consistent with justice to other property owners.

Correct. A customary less than 800 square foot accessory Garage facility (36-215;10;c) with adequate single garage door is reasonable, conforming, and fulfills the intent of the district. There is no significant adverse impact to site lines or existing newspaper boxes, or other lots. The reduction of FEMA Zone AE wetland by proper fill would allow all buildings to be located only on Flood Zone X (shaded); common to most buildings of Sunset Cove. Proposed garage conforms to the district use and less than maximum allowed area.

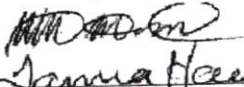
- d) The need for the variance is due to unique circumstances peculiar to the property and not generally applicable in the area or to other properties in the same zoning district.

Correct. The professional survey uniquely delineates the area of wetland on the lot for proposed accessory use. The survey notes specific spot elevations and wetland designations specific to the lot. The proposed use is conforming and fulfills the intent of the district. Permitting fill is minor but necessary to level and grade sufficiently for the proposed accessory garage.

- e) The problem and resulting need for the variance has not been self-created by the applicant and/or the applicant's predecessors.

Correct. The proposed accessory garage is an improvement to the existing aged shed that stands today. There is no detriment from the conforming use of property. Existing newspaper boxes/posts at the corner will not be effected by the new garage structure. Furthermore, Lot 66 due west has had Township approval of wetland fill at time of permit in the past according to County records.

- 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).


Janna Haenow, 2/7/2023
Owner's Signature Date

Appellant's Signature Date

RECEIVED

FEB 7 2023

Hamburg Township
Planning and Zoning Department

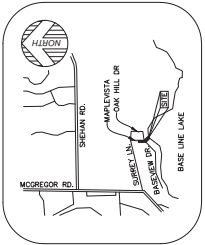
garage



GRAPHIC SCALE
 1" (IN FRONT)
 10' (IN FIELD)
 1" (IN FRONT)
 10' (IN FIELD)

LEGEND

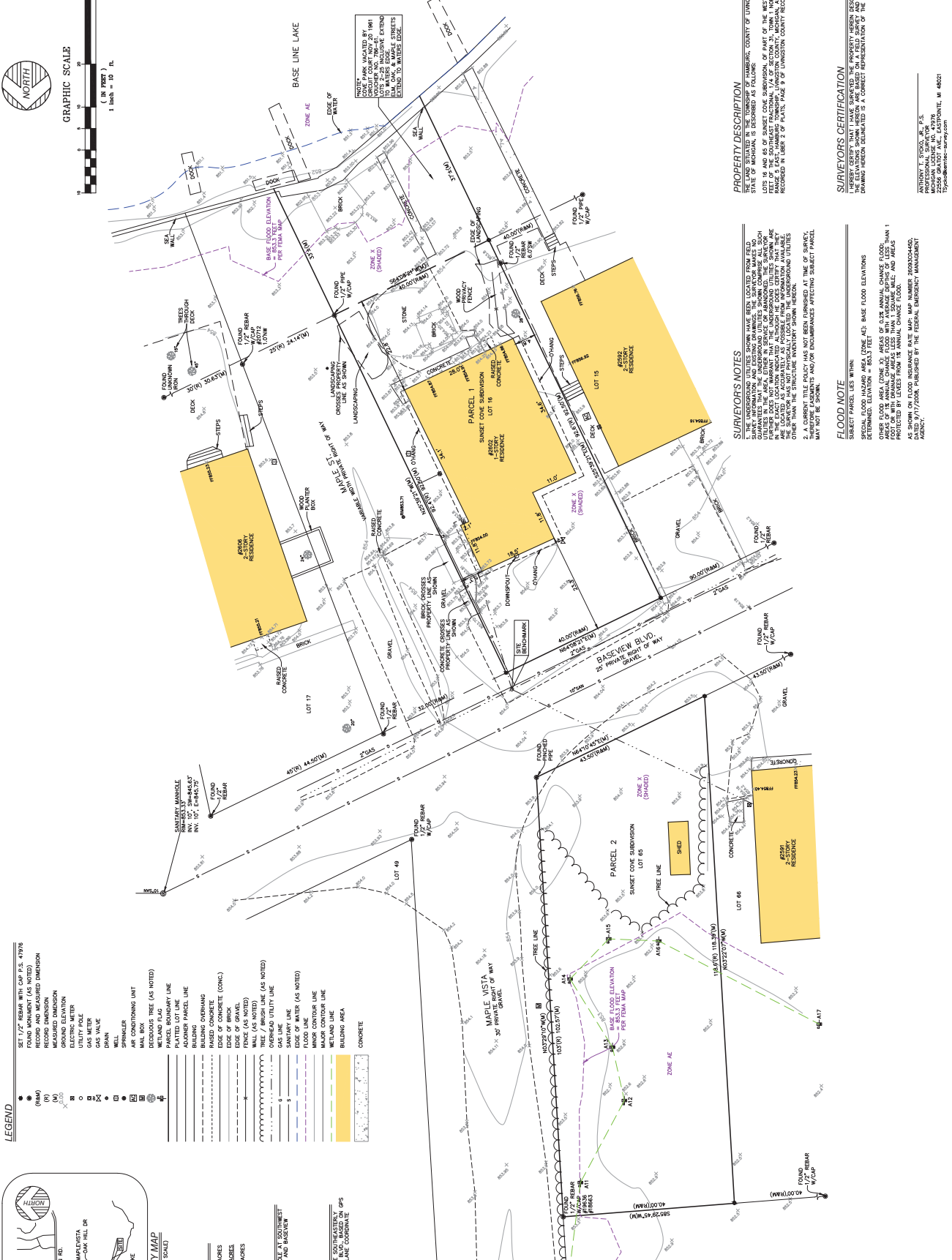
- SET 1/2" REBAR WITH CAP PLS. #1796
- RECORD AND MEASURED DIMENSION
- MEASURED DIMENSION
- MEASURED DIMENSION
- ELECTRIC METER
- UTILITY POLE
- UTILITY POLE
- GAS VALVE
- DRAIN
- WELL
- AIR CONDITIONING UNIT
- MAIL BOX
- DECIDUOUS TREE (AS NOTED)
- PARCEL BOUNDARY LINE
- ADJOINER PARCEL LINE
- PLANTED LOT LINE
- BUILDING OVERHANG
- RAISED CONCRETE (CONC)
- CONCRETE
- EDGE OF GRAVEL
- WALL (AS NOTED)
- FENCE (AS NOTED)
- OVERHEAD UTILITY LINE
- UTILITY LINE
- EDGE OF WATERS (AS NOTED)
- FLOOD LINE
- MINOR CONTOUR LINE
- MELTING LINE
- BUILDING AREA
- CONCRETE



PARCEL AREA
 PARCEL 1: 0.1154 ACRES
 PARCEL 2: 0.1018 ACRES
 TOTAL SQUARE FEET = 9,446.5
 9,446.5 SQUARE FEET = 0.216 ACRES

BENCHMARK
 MARK IN EAST FACE OF UTILITY POLE AT SOUTHWEST CORNER OF PARCEL 1
 ELEVATION = 894.52' (MAD 88)

BASIS OF BEARING
 THE BEARING OF ALL LINES IN THIS SURVEY IS BASED ON THE RIGHT OF WAY LINE OF BASEVIEW BLVD. BASED ON GPS SYSTEM SOUTH ZONE NAD83 PLANE COORDINATE.



PROPERTY DESCRIPTION
 STATE OF WISCONSIN IS INCORPORATED IN THE STATE OF WISCONSIN, COUNTY OF JUNEAU, TOWNSHIP OF SUNSET COVE SUBDIVISION, OF PART OF THE WEST 843 FEET OF THE SOUTHWEST QUARTER, 1/4 OF SECTION 31, TOWNSHIP 14 NORTH, RANGE 9 WEST, RANGE 3 EAST, JUNEAU COUNTY RECORDS IN LIBER 2 OF PLATS, PAGE 9 OF JUNEAU COUNTY RECORDS.

SURVEYOR'S NOTES
 1. ALL UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY. THE SURVEYOR DOES NOT GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPARE TO THE RECORD DRAWINGS. THE SURVEYOR DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE ACCURATE AS SHOWN. THE SURVEYOR ASSUMES NO LIABILITY OTHER THAN THE STRUCTURE INVENTORY SHOWN HEREON.
 2. A CORRECTION TO THIS SURVEY HAS NOT BEEN SUBMITTED AT THE TIME OF SURVEY. ANY OF THE INFORMATION NOTED HEREON IS SUBJECT TO CHANGE AND MAY NOT BE SHOWN.

SURVEYOR'S CERTIFICATION
 I, THE SURVEYOR, HAVE PERSONALLY CONDUCTED A FIELD SURVEY AND THE DRAWING HEREON INDICATED IS A CORRECT REPRESENTATION OF THE SAME.

FLOOD NOTE
 SUBJECT PARCELS ARE WITHIN FLOOD ZONE AE-3 BASE FLOOD ELEVATION (BFE) OF 90.00'. OTHER FLOOD AREAS (ZONE X), AREAS OF 0.2% ANNUAL CHANCE FLOOD, AND AREAS OF 1% ANNUAL CHANCE FLOOD, ARE SHOWN WITH A FOOT OR MORE THREATENING ANCHORS LESS THAN 1.500' HILLS AND AREAL PROTECTED BY LEAVES FROM 1% ANNUAL CHANCE FLOOD.
 ALL INFORMATION ON THIS DRAWING IS SUBJECT TO CHANGE AND MAY NOT BE SHOWN. ANY OF THE INFORMATION NOTED HEREON IS SUBJECT TO CHANGE AND MAY NOT BE SHOWN.

PROFESSIONAL SURVEYOR
 STATE OF WISCONSIN
 2255 GRAND AVE., EASTAUNTEL, WI 48021
 1563kennetec-surveying.com

KEM-TEC
 PROFESSIONAL ENGINEERING,
 SURVEYING & ENVIRONMENTAL
 DESIGN & CONSTRUCTION
 2602 BASEVIEW BLVD., VACANT LOT, HAMBURG
 PREPARED FOR: TAMARA HUBBARD
 TOWN 1 NORTH, RANGE 3 EAST

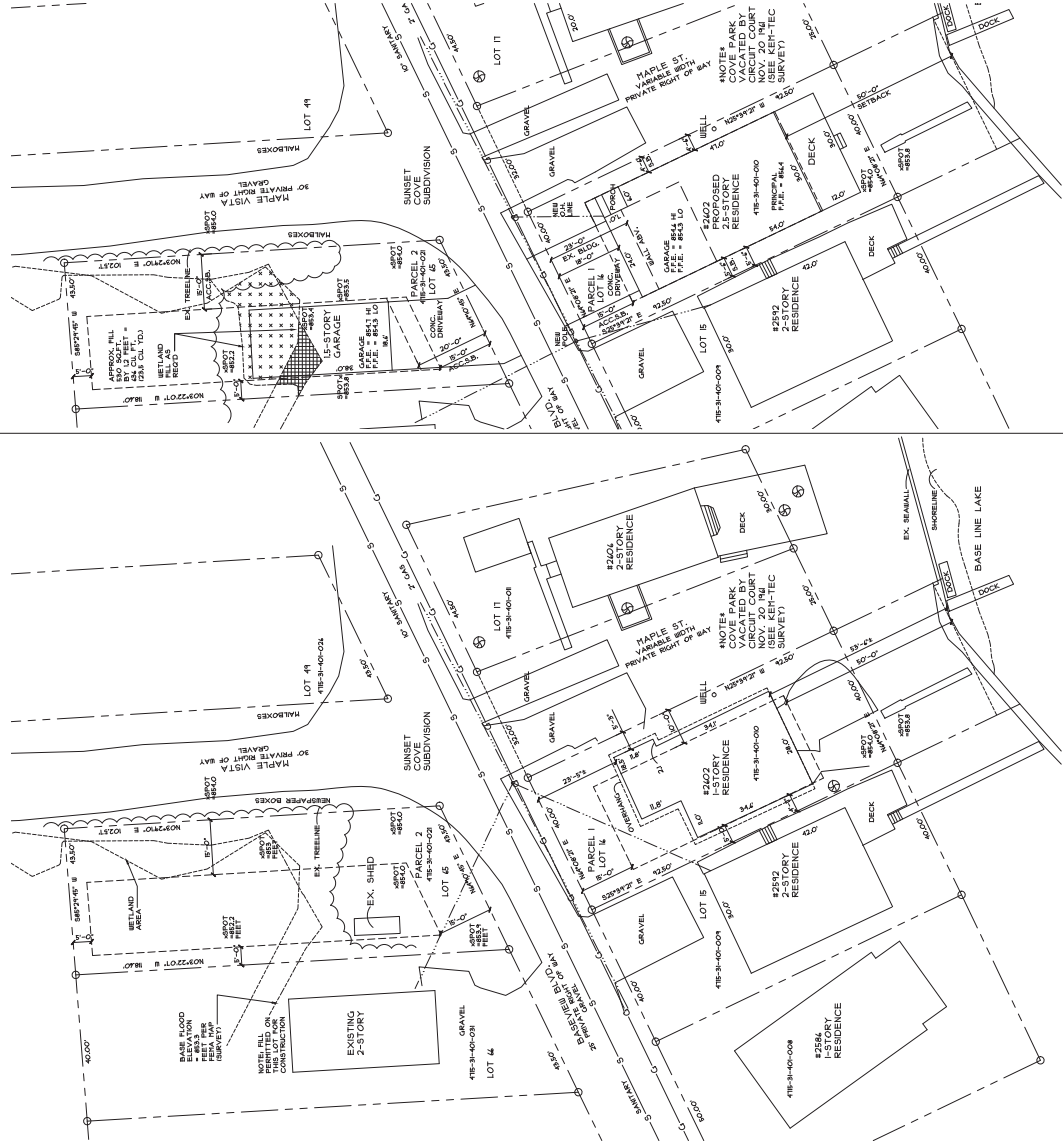
BOUNDARY TOPOGRAPHIC SURVEY

NO.	REVISION	DATE	BY	DESCRIPTION
1	02/02/23	MSA	MSA	ADD METERS
2	03/07/23	ATS	ATS	REVISED FLOOD LINE

DATE: 11/29/23
 CHECKED BY: [Signature]
 DATE: 11/29/23
 1 OF 1 SHEETS

Haurani Residence Demo/New Build/New Garage Hamburg, MI

PROPOSED SCOPE OF WORK
 THE OWNER PROPOSES IMPROVEMENTS TO DEREGULATE EXISTING 1-STORY 1000 SQ. FT. RESIDENCE AT WATERFRONT PROPERTY. WORK PRIMARILY INCLUDES DEMOLITION OF EXISTING 1-STORY RESIDENCE AND CONSTRUCTION OF ATTACHED 2-CAR GARAGE. SECONDARY WITH SIMILAR INTENT OF ADJACENT WATERFRONT LOTS TO ERECT A GARAGE TO STORE SEASONAL PROPERTY ACROSS THE PRIVATE DRIVE ON PARCEL 2. THE PROPOSED IMPROVEMENTS INCLUDE DEMOLITION OF EXISTING AND HOODKUP BY CONTRACTOR, ELECTRICAL, MECHANICAL, CIVIL AND LANDSCAPING, AND STRUCTURAL ENGINEERING, AND PERMITS SHALL BE COORDINATED BY OWNER/CONTRACTOR. SITE WORK SHALL COMPOSE OF DEMOLITION OF EXISTING 1-STORY RESIDENCE AND CONSTRUCTION OF PROPERTY AND CERTIFICATE OF OCCUPANCY.



SEE FLOOR PLAN FOR ADDITIONAL DETAIL
ARCHITECTURAL SITE PLAN SKETCH (EXISTING)
 SCALE: 1/4" = 1'-0"

SEE FLOOR PLAN FOR ADDITIONAL DETAIL
ARCHITECTURAL SITE PLAN SKETCH (PROPOSED)
 SCALE: 1/4" = 1'-0"

CONTACT INFORMATION

PRINCIPALITY:
 HAMBURG TOWNSHIP
 P.O. BOX 87
 10408 HERRILL ROAD
 HAMBURG, MICHIGAN 48861
 USA
 * SITE PLAN APPLICATION
 LIVINGSTON COUNTY DEPARTMENT OF BUILDING AND SAFETY ENGINEERING
 2300 E. GRAND RIVER, SUITE 104
 HOBELL, MI 48845
 * RESIDENTIAL BUILDING PERMIT
 ENVIRONMENTAL HEALTH DEPARTMENT
 511-541-8888
 * WELL PERMIT AS NEEDED
 DRAIN COMMISSIONER
 511-541-0040
 * SOIL EROSION PERMIT AS NEEDED
 LIVINGSTON COUNTY ROAD COMMISSION
 3535 GRAND OAKS DRIVE
 511-541-0040
 * DRAINAGE PERMIT AS REQUIRED

SITE DATA / ZONING SECTION 36 (SECTION 7)

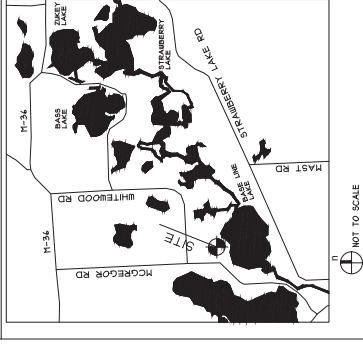
ADDRESS: 2602 BASEVIEW BLVD., PINCKNEY, MI 48861
 PARCEL 2 ID: 418-31-00-021
 PROPERTY DESCRIPTION: SEC 31 T1N R1E SUNSET COVE LOT 14
 SEC 31 T1N R1E SUNSET COVE LOT 15
 LOCATED EAST OF MCCOY ROAD ON NORTH SHORE OF BASE LINE LAKE
 HAMBURG TOWNSHIP ZONING ORDINANCE

ZONED: URS WATERFRONT RESIDENTIAL DISTRICT
 EXISTING PARCEL 1: 4,981 SQ. FT. / 1.14 ACRES
 EXISTING PARCEL 2: 4,981 SQ. FT. / 1.14 ACRES
 MINIMUM LOT AREA: 1 ACRE - 43,560 SQ. FT.
 MINIMUM LOT WIDTH AT BLDG. LINE: 100 FT.
 MAXIMUM LOT COVERAGE BLDG/PARKING: 35%/40%
 MINIMUM SETBACKS:
 FRONT: 25 FT. / SEE 34-215.2A
 SIDE: 10 FT. / N/A
 REAR: 30 FT. / 15 FT. AGGREGATE
 HIGH WATER MARK SETBACK: 50 FEET
 MAXIMUM BUILDING HEIGHT: 35 FT. / 25 STORES
 SEC. 34-215 ACCESSORY BUILDINGS AND STRUCTURES
 2A. ADJUTS THE STREET FRONT SETBACK TO 10 FT.
 3. REAR 5 FEET / 50% OF REAR YARD AREA
 4. DETACHED, LESS THAN 800 SQ. FT. PITCH 14 FT. HT.
 10.0. USE ONLY GARAGE OR STORAGE FACILITY
 10.1. MAX. GROUND FLOOR AREA: 800 SQ. FT.
 11. STORAGE AREA: 10% OR 100 SQ. FT., WHICHEVER LESS
 12. ROOF OVERHANG, NOT LESS THAN 8 INCHES
 13. DECK PATIOS, TERRACES MAY ABUT A WATERBODY AND THE FOLLOWING CONDITIONS SHALL APPLY:
 1. EXISTING BUILDING FOOTPRINT = 108 SQ. FT.
 2. EXISTING SHED FOOTPRINT = 10 SQ. FT.
 MAIN LEVEL = 448 SQ. FT. (CALCULATED/HABITABLE)
 UPPER LEVEL = 44 SQ. FT. (CALCULATED/HABITABLE)
 ATTIC LEVEL = 542 SQ. FT. (CALCULATED/HABITABLE)
 TOTAL FLOOR AREA = 944 SQ. FT. (CALCULATED/HABITABLE)
 TOTAL HABITABLE AREA 2022: 950 SQ. FT.
 TOTAL FOOTPRINT PARCEL 1 = 1518 SQ. FT.
 ACCESSORY GARAGE PARCEL 2 = 110 SQ. FT.
 PAVEMENT/SIDEWALKS, PARCEL 2 = 440 SQ. FT.
 TOTAL FOOTPRINT PARCEL 2 = 110 SQ. FT.

PROPOSED VARIANCES

1. (PARCEL 1) PERMIT PARCEL SIDE YARD AGGREGATE 10 FEET IN LIEU OF 5 FEET. THIS IS IN LIGHT OF VACATED PARK/ROLL, LOT 14, AND EXISTING VACATED BUILDING SIDE YARD. THE VARIANCE IS USED TO PERMIT PARKING REQUIREMENTS (SECTION 34-334) AND ALLOW FRONT PORCH.
 2. (PARCEL 2) PERMIT ACCESSORY FRONT SETBACK OF 5 FEET AT GARAGE AND 23 FEET ABOVE SECOND FLOOR BEDROOMS
 3. (PARCEL 2) PERMIT EXCEPTION FROM SPECIAL USE PERMIT DUE TO WETLAND FILL OF APPROXIMATELY 130 SQ. FT. BY DEPTH REQUIRED AT PARCEL 2 PROPOSED ACCESSORY GARAGE. SURVEY POINT ELEVATIONS ARE RATHER FLAT ACROSS PARCEL 2. THIS MINOR FILL OF APPROXIMATELY 21 CUBIC FEET IS CALCULATED. IN PAST COUNTY APPROVALS, LOT 14 PERMITTED SOME WETLAND FILL. BUILDING SITUATED TO ACCOMMODATE LEAST DISTURBANCE TO WETLAND AS ZONED ON PROFESSIONAL SURVEY. (SECTION 34-215g)

LOCATION MAP



PROPOSED PARCEL 1: 4,981 SQ. FT. / 1.14 ACRES
 PROPOSED PARCEL 2: 4,981 SQ. FT. / 1.14 ACRES
 NO CHANGE
 31% / 40%
 18' / 18'
 FRONT: 15 FT.
 FRONT: 15 FT.
 SIDE: 15.145 FT. / 100 AGGREGATE
 NO CHANGE
 24'-10" FT. / 1 STORY
 15'-0" FT. / 1 STORY
 ACCESSORY GARAGE / STORAGE
 110 SQ. FT.
 DECK (DETACHED)
 340 SQ. FT.

INDEX OF DRAWINGS (ZBA)
 ARCHITECTURAL DRAWINGS
 A000 COVER SHEET AND NOTES
 A100 VARIANCE SITE SKETCH
 A200 MAIN LEVEL/SECOND FLOOR/ATTIC
 A300 EXTERIOR ELEVATIONS
 A350 GARAGE EXTERIOR ELEVATIONS
 A400 SECTIONS AND DETAILS

ISSUED FOR:	OWNER REVIEW
2022-H-002	20-2025
	1-28-2025
	2-4-2025
	3-10-2025
	4-10-2025

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RODNEY KOMAROMI ARCHITECT
 1870 W. WASHINGTON
 HARTLAND MI 48843-3545
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 ALL RIGHTS RESERVED
 THIS DOCUMENT IS THE PROPERTY OF RODNEY KOMAROMI ARCHITECT. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF RODNEY KOMAROMI ARCHITECT.

PROJECT LOCATION: Township: Hamburg County: Livingston
 PROJECT LOCATION: 2602 Baseview Blvd.
 Haurani Residence

DO NOT SCALE DRAWING
 DATE: 10-2-2022
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT NO.: 2022-H-002
 SHEET NO.: 1 OF 1

INDEX OF DRAWINGS (ZBA)
 ARCHITECTURAL DRAWINGS
 A000 COVER SHEET AND NOTES
 A100 VARIANCE SITE SKETCH
 A200 MAIN LEVEL/SECOND FLOOR/ATTIC
 A300 EXTERIOR ELEVATIONS
 A350 GARAGE EXTERIOR ELEVATIONS
 A400 SECTIONS AND DETAILS

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 3. (PARCEL 2) PERMIT EXCEPTION FROM SPECIAL USE PERMIT DUE TO WETLAND FILL OF APPROXIMATELY 130 SQ. FT. BY DEPTH REQUIRED AT PARCEL 2 PROPOSED ACCESSORY GARAGE. SURVEY POINT ELEVATIONS ARE RATHER FLAT ACROSS PARCEL 2. THIS MINOR FILL OF APPROXIMATELY 21 CUBIC FEET IS CALCULATED. IN PAST COUNTY APPROVALS, LOT 14 PERMITTED SOME WETLAND FILL. BUILDING SITUATED TO ACCOMMODATE LEAST DISTURBANCE TO WETLAND AS ZONED ON PROFESSIONAL SURVEY. (SECTION 34-215g)

SEE FLOOR PLAN FOR ADDITIONAL DETAIL
ARCHITECTURAL SITE PLAN SKETCH (EXISTING)
 SCALE: 1/4" = 1'-0"

SEE FLOOR PLAN FOR ADDITIONAL DETAIL
ARCHITECTURAL SITE PLAN SKETCH (PROPOSED)
 SCALE: 1/4" = 1'-0"

Sec. 36.167 - Inset of districts.

(6) WTR Waterfront Residential District. The purpose of this district is to accommodate all types of single-family housing, including seasonal homes, and other permitted use on or near waterfront, woodland, or other resort or vacation areas. The requirements of the district are established to allow development to be in adequate urban standards. In areas only where streets, utilities and other necessary public services are provided at adequate urban standards.

Sec. 36.174 - Schedule of use regulations--WTR Waterfront Residential District.

(1) Single-family dwellings.

(4) Accessory uses subject to the provisions of section 36.215.

Sec. 36.186 - Schedule of area, height, and bulk regulations.

F. Minimum Yard Setback. (feet)

R. 30

S. 10 4'

3. Minimum Regulations Section 36.187 as shown except where established buildings on adjacent lots vary from this minimum. In such case a new building shall be constructed with a front yard of no less depth than the average front yards of buildings located on each side of the proposed building. In no case shall this provision be interpreted to allow a front yard of more than 40 feet or less than 20 feet. On corner lots, both street yards shall provide the same depth, and on non-corner lots, the depth shall be large enough to accommodate both front yards and a building of a similar size to those on non-corner lots.

4. In any district a principal building, all attached structures, fences, and accessory structures shall not be permitted within 50 feet of the ordinary high water mark of any body of water unless

Sec. 36.215 - Accessory buildings and structures.

(1) A building may be erected as part of the principal building, may be connected to the principal building, be attached to the principal building, or may be completely detached from the principal building.

(2) All accessory buildings shall meet front and side yard requirements, except where such accessory buildings are detached and located completely to the rear of the principal building, in which case an accessory building shall be located within 50 feet of the principal building.

(3) A lot that abuts a water body (if an accessory building is located between the principal structure and the front property (the property line that abuts the street)) the accessory building may be located no nearer than 15 feet from the lot line which abuts the street and ten feet from the water body (the property line that abuts the water body).

(4) If the existing setback on a lot that abuts a water body has nonconforming side yard setbacks and a side yard setback less than ten feet is waived for the accessory building, the smallest side yard setback on the accessory building shall be on the same side as the smallest side yard setback on the principal building, shall be located nearer than five feet to any rear lot line or occupy more than 30 percent of any rear yard area.

Sec. 36.215 - Accessory buildings and structures.

(4) An accessory building which is detached from the principal building shall not be located nearer than ten feet to any separate building or structure on the lot.

(5) On a corner to any residential district, no accessory building shall be located nearer to the side street part or all of a side lot line of an adjacent lot, a garage shall be no nearer than five feet to the rear lot line.

(10) (WTR) and the natural river residential district (NR), accessory garage structure may be placed on a separate lot of record than the principal structure.

(11) The lot upon which the principal building is located must not be more than 66 feet from the lot line, and the principal building must not be more than 100 feet from the lot line.

(12) This accessory structure shall maintain all required front, side, rear yard setbacks and lot coverage regulations associated with a principal structure as specified in section 36.186. It shall comply with the minimum setback requirements.

(13) Two parking spaces for each family dwelling unit.

(14) Sec. 36.371 - Class a nonconforming designation.

It is the intent of this section to recognize that certain nonconforming structures and uses of land may not have a significant adverse impact upon nearby properties or the public health, safety and welfare, and to allow the planning commission to establish a Class A nonconforming status for these nonconforming structures or uses of land, subject to the following procedure and standards:

INTERPRETATION HINDINGS

Accessory buildings, structures
F: 15
S: 5/10
S: 5
R: 5

26-235.2a...may be located no nearer than 15 feet to any separate building or structure on the lot, and ten feet from one side lot line and five feet from the opposite side lot line.

26-235.2...no nearer than five feet to any side lot line.

26-235.2...no nearer than five feet to any rear lot line.

INTERPRETATION HINDINGS

Principal buildings, structures
F: 25
S: 5/10

26-186.6...In the waterfront residential (WTR) zoning district lots that have less than or equal to 60 feet lot widths shall be provided a reduced minimum side and setback of five feet with an aggregate side yard setback of five feet with an aggregate side yard setback of 15 feet.

26-235.2...no nearer than five feet to any side lot line.

26-235.2...no nearer than five feet to any rear lot line.

INTERPRETATION HINDINGS

Principal buildings, structures
F: 25
S: 5/10

26-186.6...In the waterfront residential (WTR) zoning district lots that have less than or equal to 60 feet lot widths shall be provided a reduced minimum side yard setback of five feet with an aggregate side yard setback of 15 feet.

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26-235.2...no nearer than five feet to any rear lot line.

INTERPRETATION HINDINGS

Principal buildings, structures
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S: 5/10

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26-235.2...no nearer than five feet to any side lot line.

26-235.2...no nearer than five feet to any rear lot line.



RODNEY KOMAROMI ARCHITECT
39404 4th St.
Hartland, WI 53129
TEL: 262.591.4838

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PROJECT DRAINING FOR:
Harami Residence
2602 Baseview Blvd.
Hartland, WI 53129
PROJECT LOCATION: Franklyn, Wisconsin
Township: Hamburg
County: Langston

DO NOT SCALE DRAWING

TITLE:
VARIANCE
SITE PLAN
SKETCH

DATE: 05-20-2023
DATE: 05-20-2023

PROJECT NO.: 2023-11-002

ISSUED FOR:
OWNER REVIEW
1-20-2023
OWNER/CC REVIEW
1-28-2023
ZBA - VARIANCE
2-4-2023
OWNER/CC REVIEW
3-10-2023
ZBA-ADDENDUM OF
4-10-2023

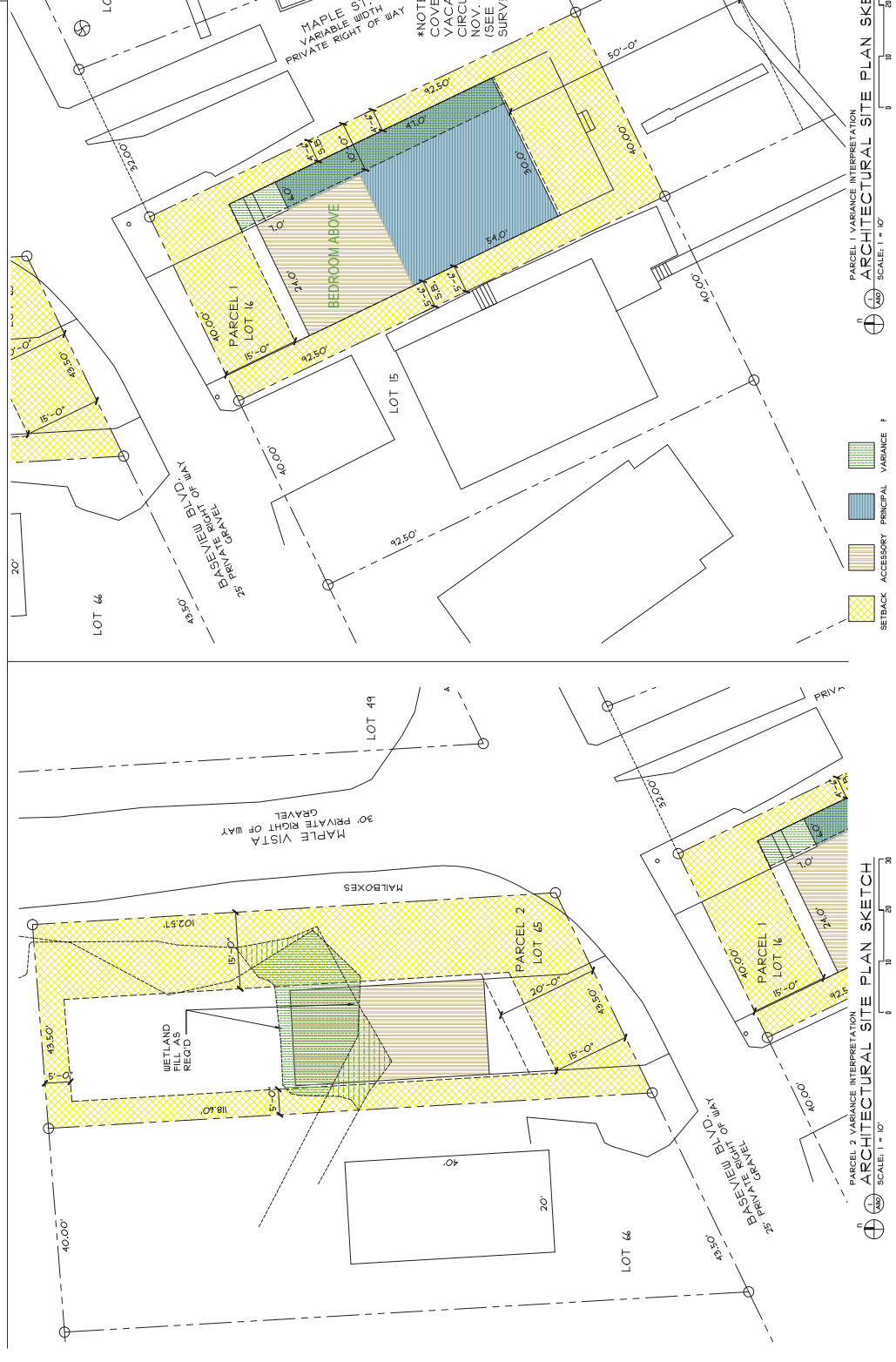
SHEET NO. A110
2 OF 1

PRELIMINARY DRAWING
NOT FOR CONSTRUCTION

SCALE: 1" = 10'

PARCEL 1 VARIANCE INTERPRETATION
ARCHITECTURAL SITE PLAN SKETCH

LEGEND:
- SET-BACK (yellow cross-hatch)
- ACCESSORY (orange vertical lines)
- PRINCIPAL (blue horizontal lines)
- VARIANCE (green diagonal lines)





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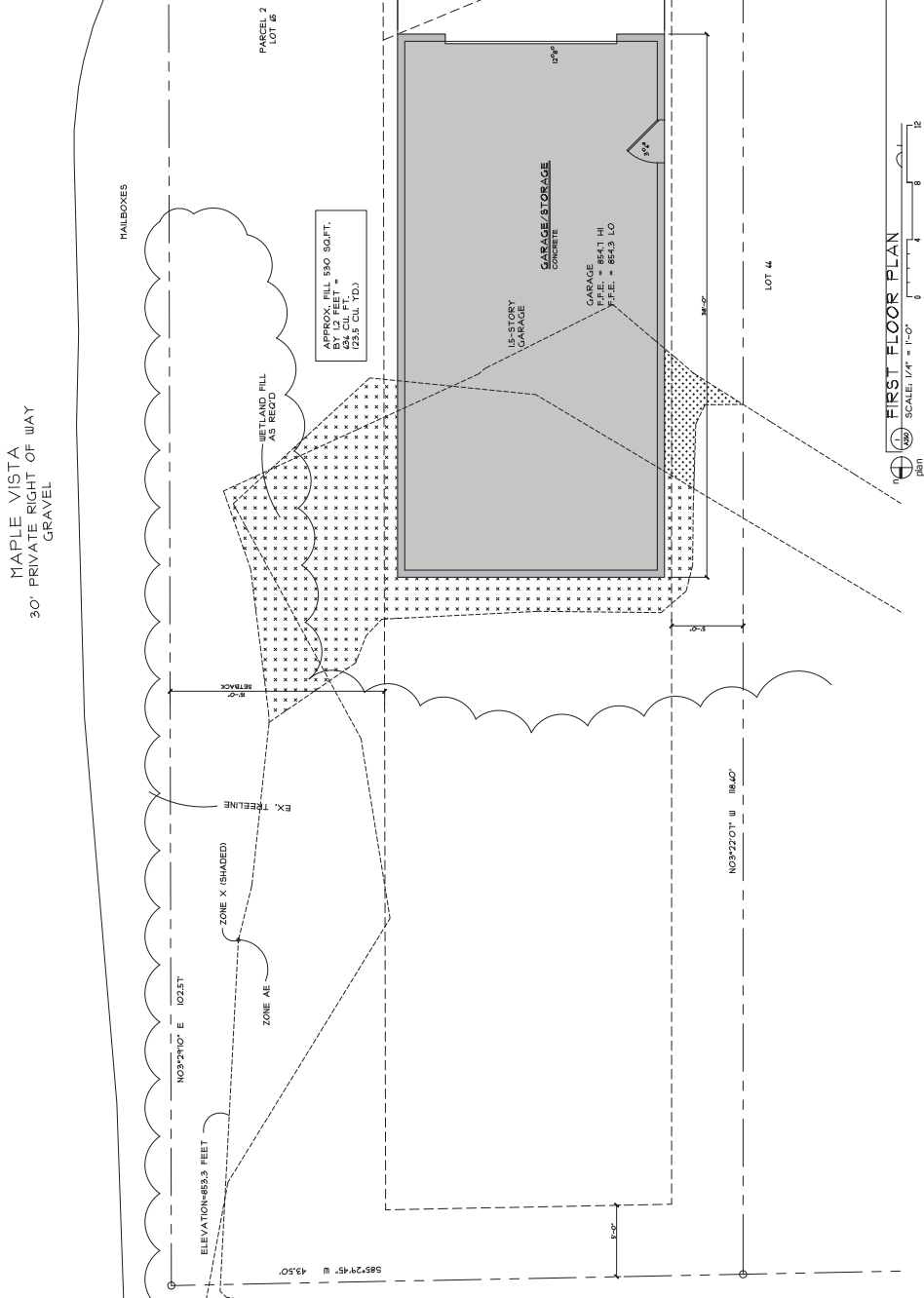
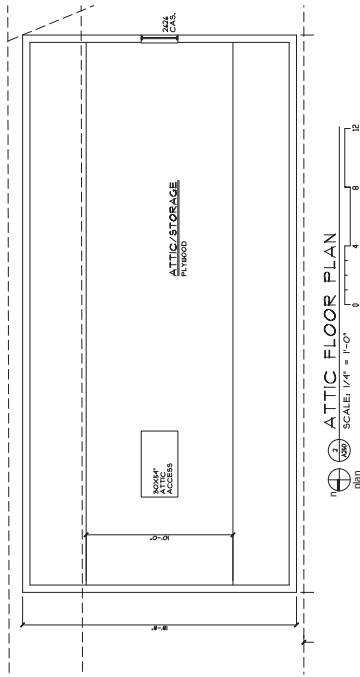
PROJECT LOCATION: Township: Hartland County: Livingston
 PROJECT DRAINAGE FOR:
 Haurami Residence
 2602 Baseview Blvd.

DO NOT SCALE DRAWING
 TITLE:
 PARCEL 2
 FLOOR PLAN

DN: B.L.C.
 DATE: 02-20-2023
 CN:
 DATE:
 PROJECT: 2022-H-002
 ISSUED FOR:
 OWNER REVIEW: 1-20-2023
 OWNER/GC REVIEW: 1-28-2023
 ZBA - VARIANCE: 2-4-2023
 OWNER/GC REVIEW: 3-10-2023
 ZBA-ADDENDUM 01: 4-19-2023

SHEET NO. A250
 4 OF 1

PRELIMINARY DRAWING
 NOT FOR CONSTRUCTION



PROJECT LOCATION: Township: Hartland County: Livingston
 PROJECT DRAINAGE FOR:
 Haurami Residence
 2602 Baseview Blvd.

DO NOT SCALE DRAWING
 TITLE:
 PARCEL 2
 FLOOR PLAN

DN: B.L.C.
 DATE: 02-20-2023
 CN:
 DATE:
 PROJECT: 2022-H-002
 ISSUED FOR:
 OWNER REVIEW: 1-20-2023
 OWNER/GC REVIEW: 1-28-2023
 ZBA - VARIANCE: 2-4-2023
 OWNER/GC REVIEW: 3-10-2023
 ZBA-ADDENDUM 01: 4-19-2023

SHEET NO. A250
 4 OF 1

PRELIMINARY DRAWING
 NOT FOR CONSTRUCTION



RODNEY
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ARCHITECT
HARTLAND MI
38084-4058

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PROJECT LOCATION: Township: Hamburg County: Livingston
Princeton, MICHIGAN
PROJECT DRAWING FOR:
Haurami Residence
2602 Baseview Blvd.

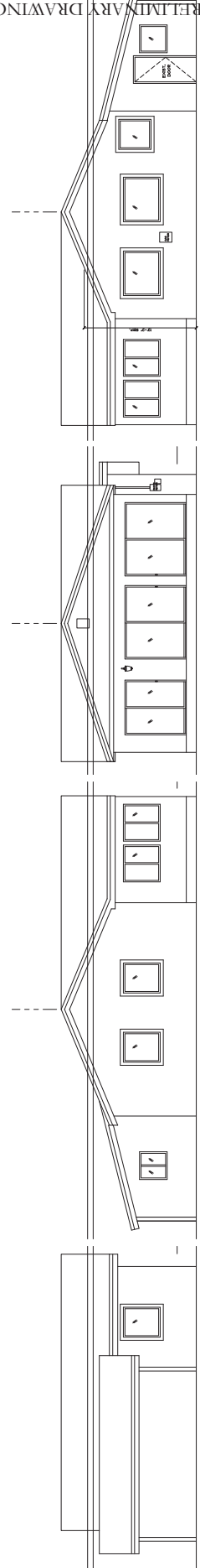
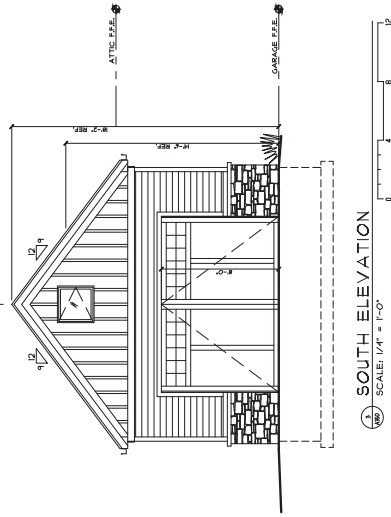
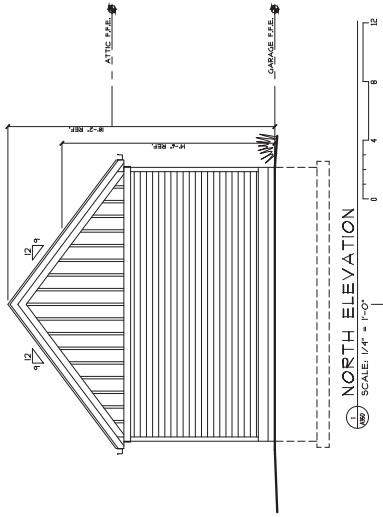
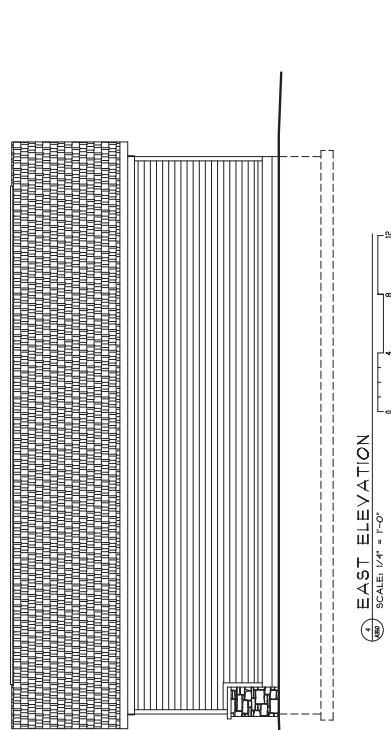
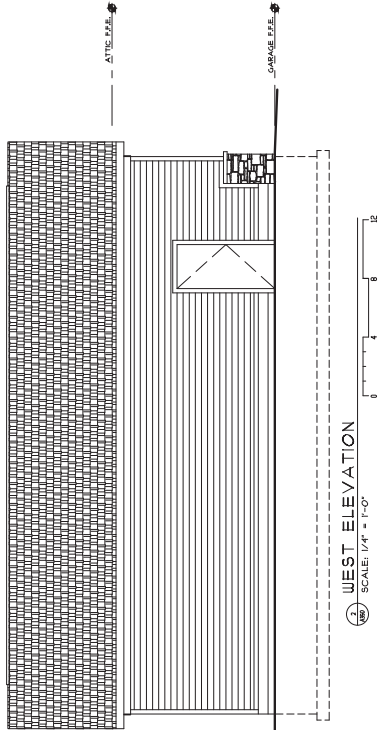
DO NOT SCALE DRAWING
TITLE
EXTERIOR
ELEVATIONS
PARCEL 2
(PARCEL 1
REFERENCE

DR. B.L.C.
DATE: 02-28-2023
CN.
DATE
PROJECT NO.: 2022-H-002

ISSUED FOR:
OWNER REVIEW
1-20-2023
OWNER/GC REVIEW
1-28-2023
ZBA - VARIANCE
2-4-2023
OWNER/GC REVIEW
3-10-2023
ZBA-ADDENDUM 01
4-10-2023

SHEET NO.
A350
4 OF 7

PRELIMINARY DRAWING
NOT FOR CONSTRUCTION



ELEVATIONS - EXISTING/DEMO (PARCEL 1)
SCALE: 1/8" = 1'-0"

LIVINGSTON COUNTY HEALTH DEPARTMENT

204 South Highlander Way

Howell, Michigan, 48843 (517) 546-9850

Review of Proposed Alteration or Reconstruction of Existing Dwellings
(Residential Construction Only)

2592 BASEVIEW DRIVE
Property Address/Location

PINCKNEY
Post Office

HAMBURG
Township

31
Section No.

SUNSET COVE
Subdivision

STANLEY A. LIBBARDT
Owner's Name

SAME
Builder's Name

2592 BASEVIEW DRIVE
Address

Address

878-3922
Phone Number

Phone Number

Proposed use of Construction or Addition: (Please be specific) A. CLOSE IN PRESENT

GARAGE PORTION OF HOUSE, ADD A CHIMNEY CHASE ~ 6'6" x 2' ON
42" POWERD FOOTING, ABANDON PRESENT DRIVEWAY & DESIGNATE IT AS
RESERVE SEPTIC FIELD

B. ERECT A 20'x40' DETACHED GARAGE ON LOT 66 (N. SIDE OF ROAD)

The undersigned, being duly authorized certifies the statements herein contained are true and correct and further acknowledges he is the property owner or is acting as an authorized representative on behalf of the property owner.

[Signature]
Signature

Oct. 19 1989
Date

FOR OFFICE USE ONLY

Evaluation of onsite water supply facilities.....

Evaluation of onsite sewage disposal facilities.....

General Comments: APPROVED per attached plot plan. NO
plumbing WITHIN the Garage. ABANDON THE
present Driveway when present Drainfield Fails.
HAS ROOM FOR A 1000 sq. FT DRAINFIELD IN
FRONT OF EXISTING HOUSE.

Approved Not Approved Sanitarian *Mark Dayll* Date 10/20/89

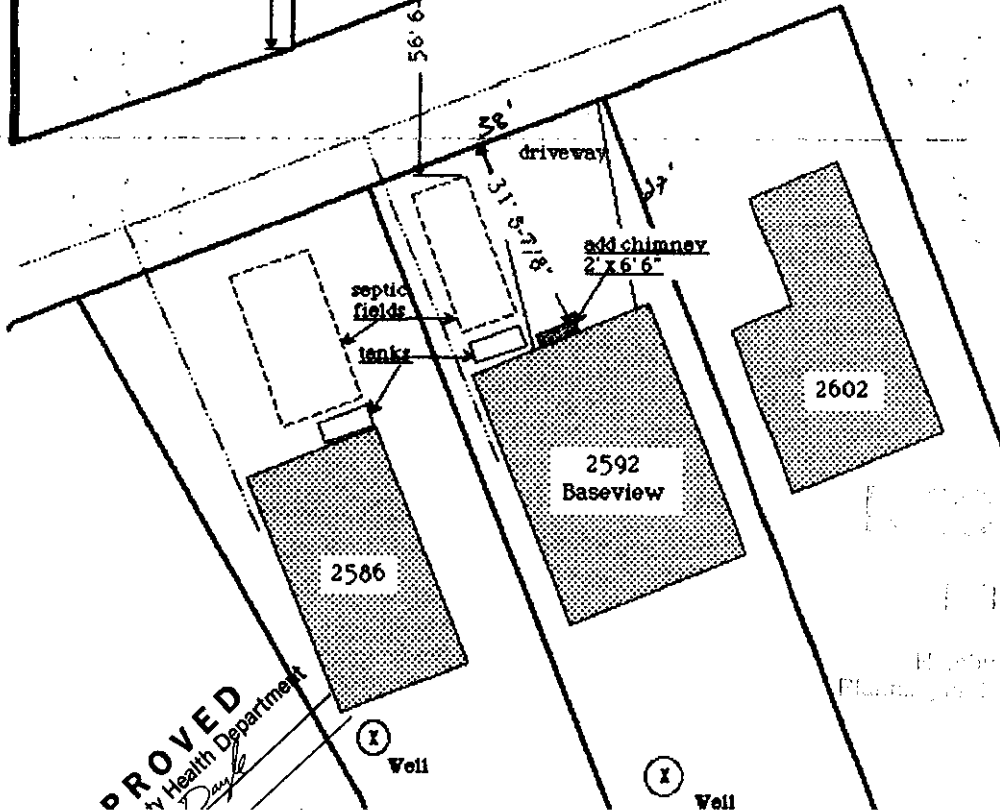
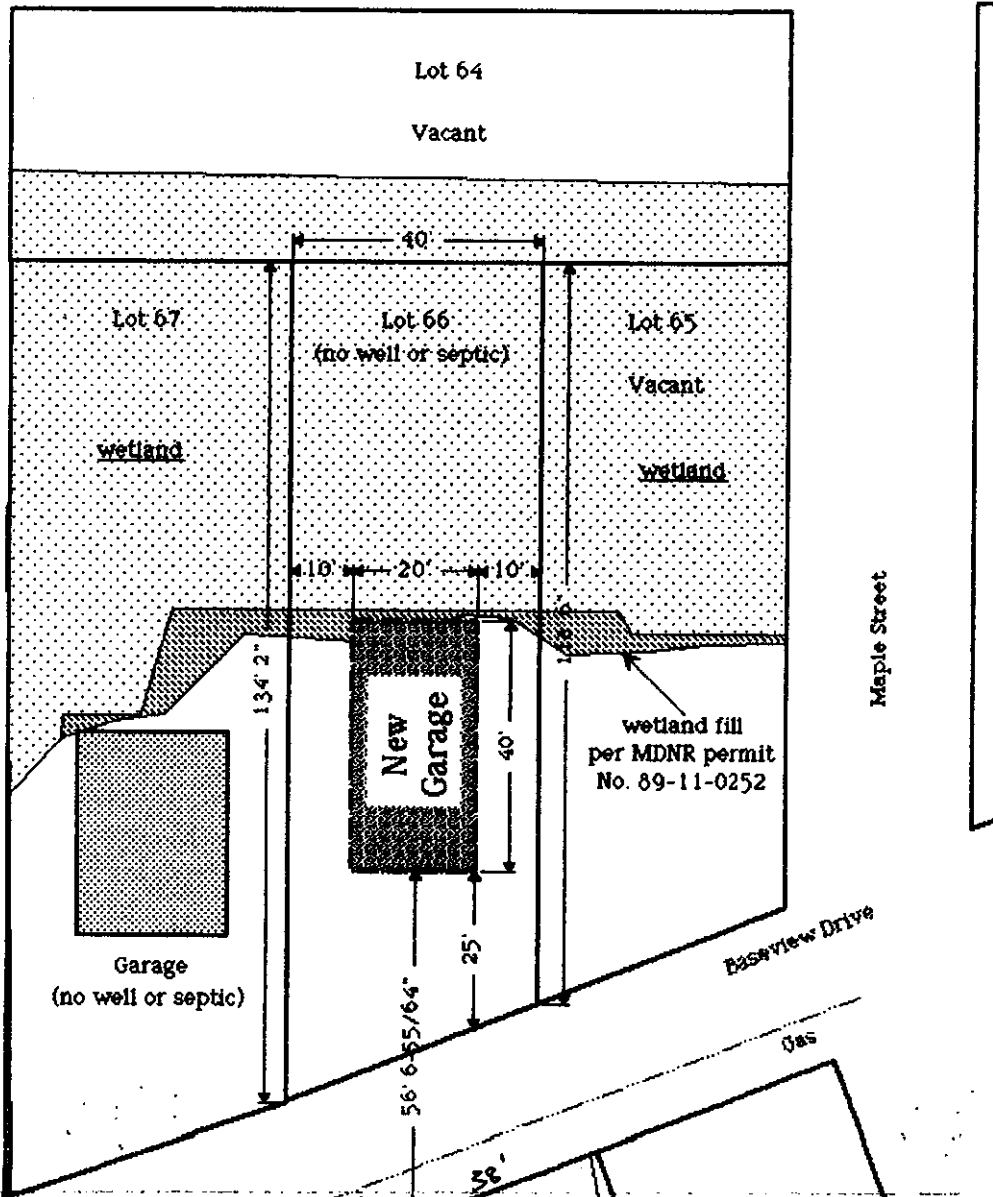
ss/April, 1985

(DO NOT recharge)
Um

RECEIVED

FEB 7 2023

Hamburg Township
Planning and Zoning Department



APPROVED
by Health Department
Daryl

RECEIVED
10 7 2014
Maple Street
Planning Department

PARCEL 1

1. Date: 2-7-2023
2. 15-31-401-010
Subdivision: Sunset Cove
Lot No.: 16
3. 2602 Baseview Blvd.

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

Water Front Residential (WFR)

Permit parcel 1 side yard aggregate 10 feet in lieu of 15 feet. (36-186; footnote 5) This is in light of vacated park/R.O.W. lot due east. Note that proposed side yard is less than existing building side yard. The variance is used to meet parking requirements (section 36-334) and allow front porch.

Permit accessory front setback of 15 feet above accessory garage for bedrooms on second floor.
(36-215; 1, 2.a.) (36-239; 12)

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.

Due east of the residential building is a vacated park and R.O.W. thus exacerbating a minimum side setback of 30 feet and variably more; not all lots abut a vacated side yard R.O.W.

Parking does not exist on the lot; the accessory Garage will conform to parking space requirements (Sec. 36-334)

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.

Full use and intent of the water front district does accommodate neighboring lots also featuring a single-family residence on a lakeside lot with customary or seasonal-use garage on the second lot; as would the proposed single-family building. Single-family dwelling bedrooms are compatible above the garage either integral or accessory.

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

The proposed single-family building is an improvement to the existing aged building that stands today. There is no detriment from the conforming use of property.

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

The proposed use is conforming and fulfills the intent of the district.

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 vacated park and R.O.W. due east of the side yard is a specific, uncommon site condition in such districts as Sunset Cove.

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 proposed use is conforming and fulfills the intent of the district.

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

A customary single-family home with adequate 2 parking spaces is reasonable, conforming, and fulfills the intent of the district. The side yard variance is minimal, necessary and has no significant adverse impact.

Parcel 2

1. Date: 2-7-2023
 2. 15-31-401-021
Subdivision: Sunset Cove
Lot No.: 16 / 65
 3. Accessory Lot - 2602 Baseview Blvd.
17. Please indicate the type of variance or zoning ordinance interpretation requested:

Water Front Residential (WFR)

Permit exemption from special use permit due to wetland fill of approximately 400 sq.ft by depth required at parcel 2 proposed accessory garage. Survey spot elevations are rather flat across parcel 2 thus minor fill of approximately 27 cu. ft. is calculated. In past county approvals, lot 66 permitted same wetland fill. Building situated to accommodate least disturbance to wetland as zoned on professional survey.
(Section 36-275;c;a)

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

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

The lot is situated between an existing road lined with newspaper boxes/posts due east and an existing garage on separate lot due west. The lot is relatively flat based on the professional survey. Proposed garage conforms to the district use.

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.

Full use and intent of the water front district does accommodate neighboring lots also featuring a single-family residence on a lakeside lot with customary or seasonal-use garage on the second lot; as would the proposed accessory garage building.

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

The proposed accessory garage is an improvement to the existing aged shed that stands today. There is no detriment from the conforming use of property. Existing newspaper boxes/posts at the corner will not be effected by the new garage structure. Furthermore, Lot 66 due west has had Township approval of wetland fill at time of permit in the past according to County records.

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

The proposed use is conforming and fulfills the intent of the district.

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 survey uniquely delineates the area of wetland on the lot for proposed accessory use.

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 proposed use is conforming and fulfills the intent of the district.

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

A customary less than 800 square foot accessory Garage facility (36-215;10;c) with adequate single garage door is reasonable, conforming, and fulfills the intent of the district. There is no significant adverse impact to site lines or existing newspaper boxes, or other lots. The reduction of FEMA Zone AE wetland by proper fill would allow all buildings to be located only on Flood Zone X (shaded); common to most buildings of Sunset Cove.