

HAMBURG TOWNSHIP
Date 12/12/2023 9:07:19 AM
Ref ZBA2023-016
Receipt 1301576
Amount \$500.00

HAMBURG TOWNSHIP
Date 12/12/2023 9:02:31 AM
Ref ZBA2023-016
ZBA Case Number 23-0016
Receipt 1301574
Amount \$500.00



FAX 810-231-4295
PHONE 810-231-1000

P.O. Box 157
10405 Merrill Road
Hamburg, Michigan 48139

**APPLICATION FOR A ZONING BOARD OF APPEALS (ZBA)
VARIANCE/INTERPRETATION
(FEE \$500 plus \$50 each additional)**

1. Date Filed: _____
2. Tax ID #: 15- 14 - 301 - 017 Subdivision: Pleasant Lake Hills Annex #2 Lot No.: 162
3. Address of Subject Property: 8728 Pleasant Lake Drive
4. Property Owner: Nicholas & Sandra Mastenbrook Phone: (H) 517-404-8183
Email Address: g3plumb@yahoo.com (W) 517-404-8183
Street: 8728 Pleasant Lake Dr. City Brighton State MI
5. Appellant (If different than owner): N/A Phone: (H) N/A
E-mail Address: N/A (W) N/A
Street: N/A City N/A State N/A
6. Year Property was Acquired: 2006 Zoning District: WFR Flood Plain N/A
7. Size of Lot: Front 50' Rear 60' North Side 1 160.29' South Side 2 175.75' Sq. Ft. 9,058'
11. Dimensions of Existing Structure (s) 1st Floor 935.22 sq. ft. 2nd Floor 412.78 sq. ft. Garage 537.75 sq. ft.
12. Dimensions of Proposed Structure (s) 1st Floor 285 sq. ft. 2nd Floor _____ Garage _____
13. Present Use of Property: Homestead
14. Percentage of Existing Structure (s) to be demolished, if any <10 %
15. Has there been any past variances on this property? Yes _____ No X
16. If so, state case # and resolution of variance application N/A
17. Please indicate the type of variance or zoning ordinance interpretation requested:
22 foot variance within a 50 foot setback from the highwater mark

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 extraordinary circumstances are that this house was built in the 1940s within the current setback and is located directly east of Winans Lake which positions it to be directly effected by the intense sunsets.

- 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 request for this variance is to increase the usability and enjoyment of the property and is in no way requested for financial gain.

- 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 modification for which we are seeking a variance will not affect any neighboring properties or be detrimental to the public welfare in any way.

- 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's master plan document, we are confident that our variance request and construction of our new patio roof will in no way adversely affect the master plan of the Township nor change the residential nature of our property or impact the lake.

- 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.

Our situation is unique in the fact that our house was built within and prior to the current setback regulations as well as the loss of a large tree, which now affects the usability of the property on the lakeside.


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

We are only seeking the variance to build our roof covering and nothing further.

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

The requested 22' variance is the minimum needed in order to properly build our patio roof while also maintaining adequate waterfront setback and keeping in common development of neighboring properties.

- 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.

 12-6-23
 Owner's Signature Date

 Appellant's Signature Date

Letter of Support for land use Variance

Nick and Sandy Mastenbrook, located at 8728 Pleasant Lake Drive, lot 162 of Pleasant Lake Hills Annex No.2 are seeking a land use variance from the Hamburg Township Zoning Board of Appeals.

We would like to modify our existing lakeside patio area by removing 4' of overhang and replacing it with a new patio roof that will extend 5 to 6 feet further to the west than the current 4' overhang. (10' maximum from the existing house west facing wall).

As our house was built in the 1940s, and already located closer to the lake than the 50' setback, we would need approximately a 22' variance in order to install the posts that will support the new roof. This new roof will not change in width from north to south.

Unfortunately, this past summer, we had to remove a large Maple tree that was dying, on the lakeside of our house. This tree was a wonderful provider of shade that allowed us to sit lakeside and enjoy our summer evenings. However, with this tree gone, we have noticed a significant change in being able to sit outside during the summer when the sun is so intense. We feel confident that this new patio roof will not obstruct or cause any watershed issues to any neighboring properties.

Therefore, Sandy and I would gratefully appreciate our neighbors supporting the ZBA issuing the Land use variance by signing this letter of approval.

Thank you for your time and consideration on this matter.

Address:

8747 Pleasant Lake Dr
8754 Pleasant Lake Dr.
8651 Pleasant Lake Dr
8664 Pleasant Lake Dr.
" "
8718 Pleasant Lake Dr.

Name and signature

Russ LARSON Russ Larson 248-308-6915
Roxann K. DeWulf Roxann K. DeWulf
810-923-8749
Rex BLAIR Rex S. Blair 810-844-4474
John E. Hett 734-604-7847
Madelon Marshall " "
Kathy Gilbert Kathy Gilbert

cription:

ASANT LAKE HILLS ANNEX NO. 2, subdivision of part
1N, R5E, Hamburg Township, Livingston County, Michi
ats, Page 29, Livingston County Records.

$\frac{1}{16}'' = 1'$

PLEASANT LAKE

MASONRY WALL

50.0

PARK

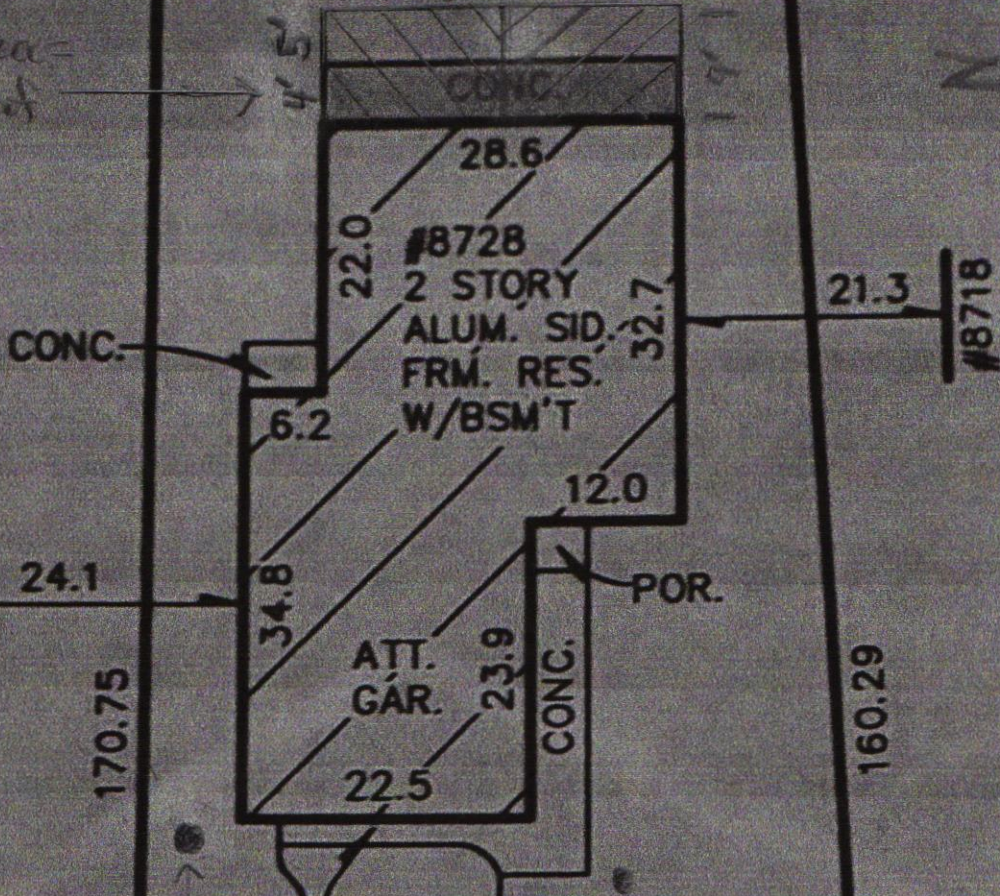
Posts 28' from Water

LOT
161

LOT
162

LOT
163

Shaded Area =
4' Existing

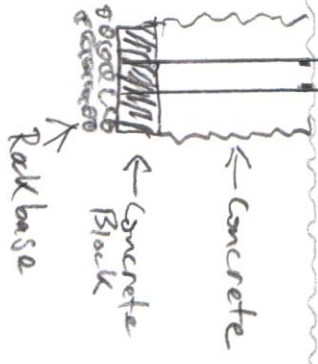
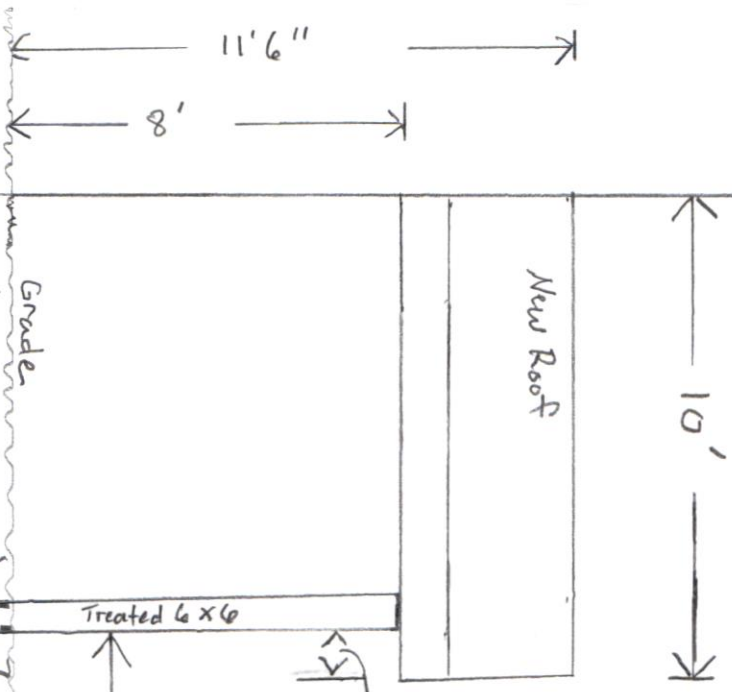


Sewer
Tank

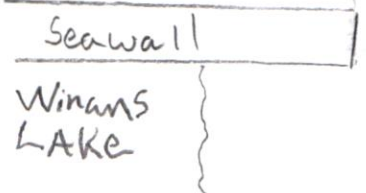
Well

NO
BE
INC
PIC

Existing House



28'



→ W



< Hieght 11'6" to peak >

2 posts if possible / 4 post if needed.

Roof

From: Nick Mastenbrook (g3plumb@yahoo.com)

To: g3plumb@yahoo.com

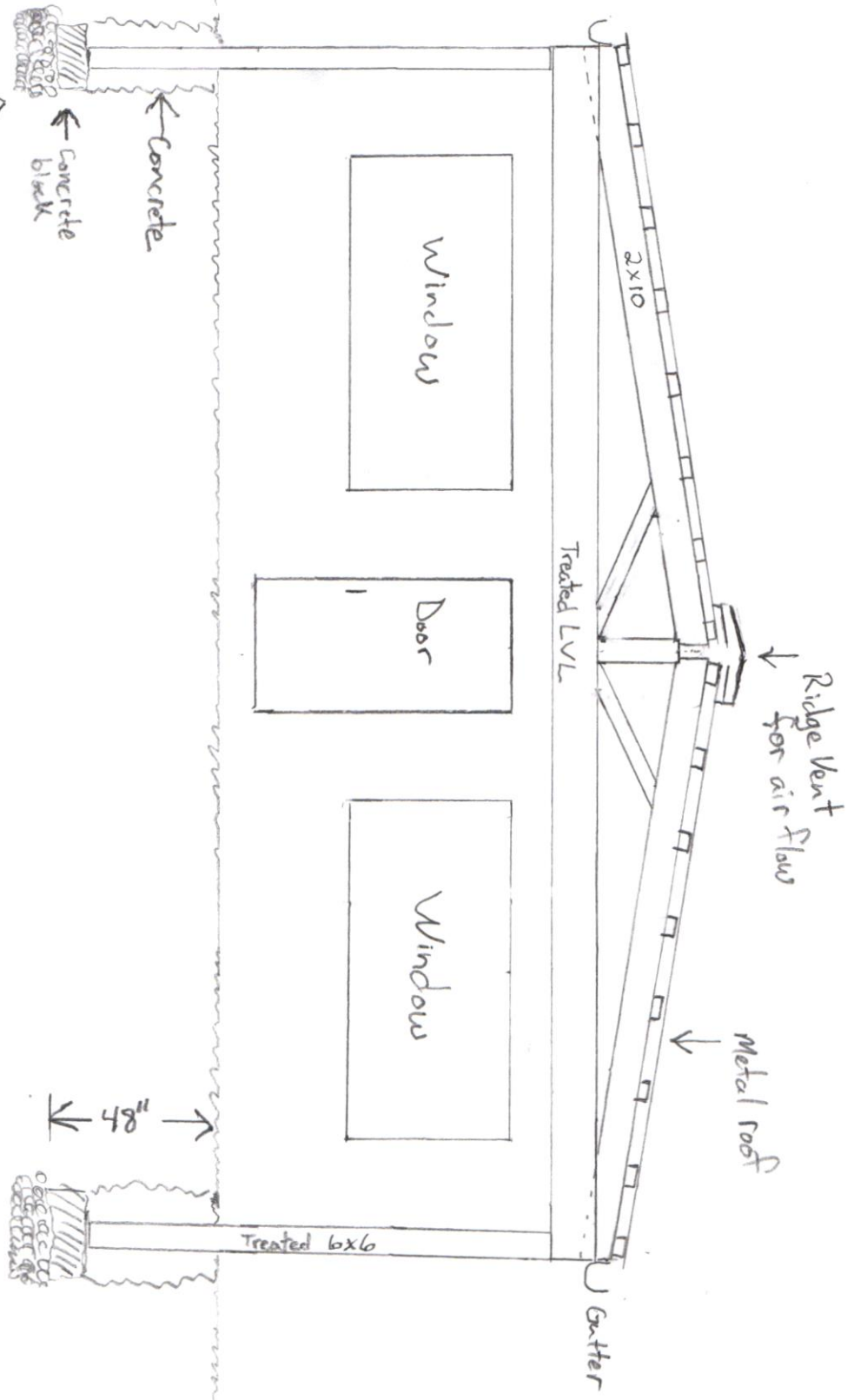
Date: Tuesday, November 21, 2023 at 08:17 PM EST





28'6"

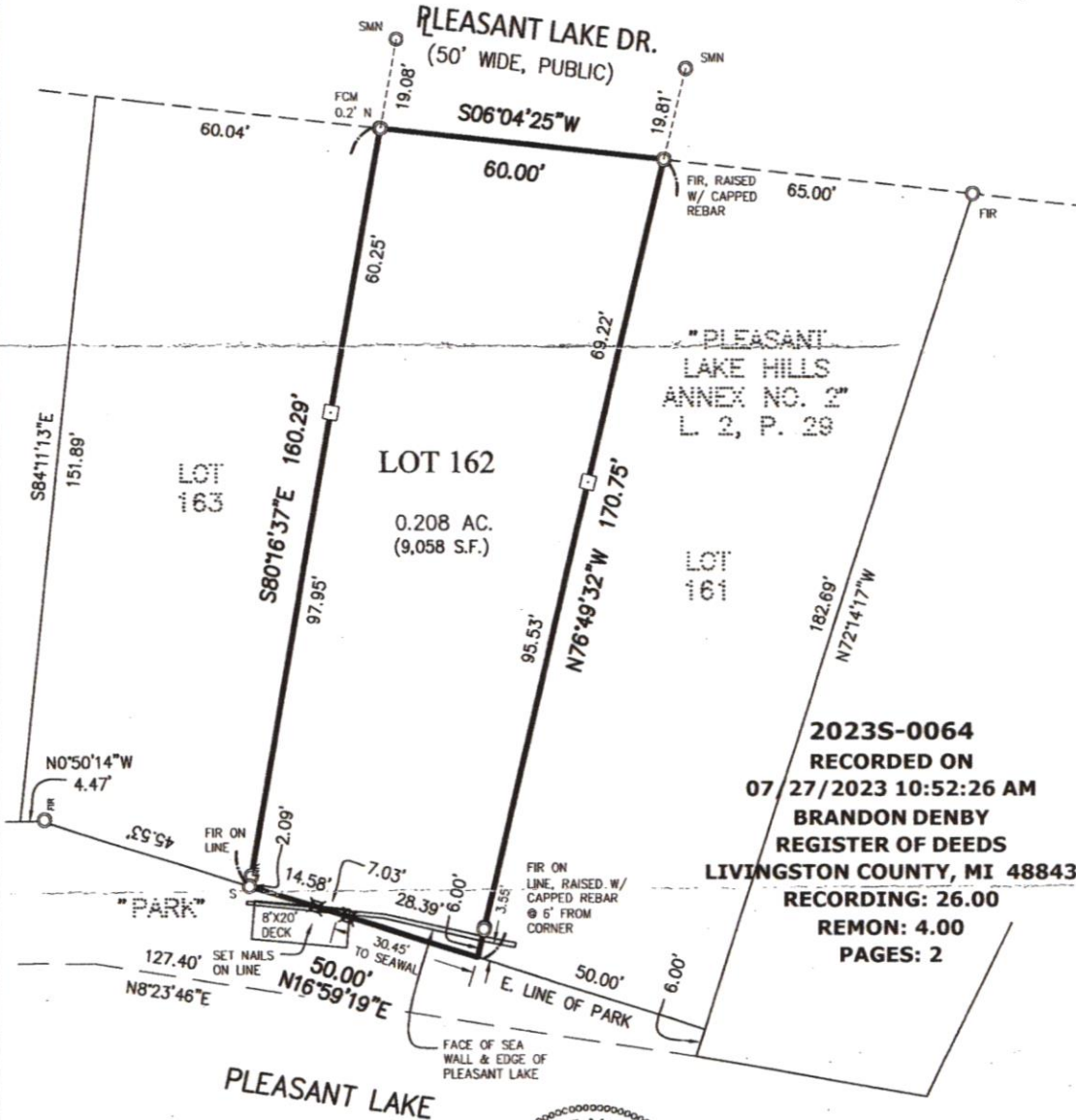
11'6"
8'



2

CERTIFICATE OF SURVEY

BEARINGS BASED ON MICHIGAN STATE PLANE
COORDINATES, SOUTH ZONE, NAD '83



2023S-0064
RECORDED ON
07/27/2023 10:52:26 AM
BRANDON DENBY
REGISTER OF DEEDS
LIVINGSTON COUNTY, MI 48843
RECORDING: 26.00
REMON: 4.00
PAGES: 2

I HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE LAND ABOVE PLATTED AND/OR DESCRIBED ON JUNE 8, 2023, AND THAT THE RATIO OF CLOSURE ON THE UNADJUSTED FIELD OBSERVATIONS OF SUCH SURVEY WAS 1:5000, AND THAT ALL OF THE REQUIREMENTS OF P.A. 132, 1970, AS AMENDED, HAVE BEEN COMPLIED WITH.



LOT 162, "PLEASANT LAKE HILLS ANNEX NO. 2", ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 2 OF PLATS, PAGE 29, LIVINGSTON COUNTY RECORDS.

CLIENT: MASTENBROOK

BOUNDARY SURVEY

#8728 PLEASANT LAKE
 IN THE W 1/2 OF
 SECTION 14, T1N, R5E
 HAMBURG TOWNSHIP,
 LIVINGSTON COUNTY,
 STATE OF MICHIGAN.

LEGEND:

- SECTION CORNER
- FOUND IRON PIPE
- FOUND IRON ROD
- SET "MAG" NAIL
- FOUND MONUMENT
- SET IRON PIPE
- SET WOOD LATH
- RECORDED
- CALCULATED



6653 Schneider Rd. • Manchester, MI • 48158

(734) 669-2960 • arborlandinc.com

JOB NO.: 14723 DATE: 6-22-2023

FLD. BOOK: 23-3 REVISED: -

SHEET 1 OF 1 BY: KJG

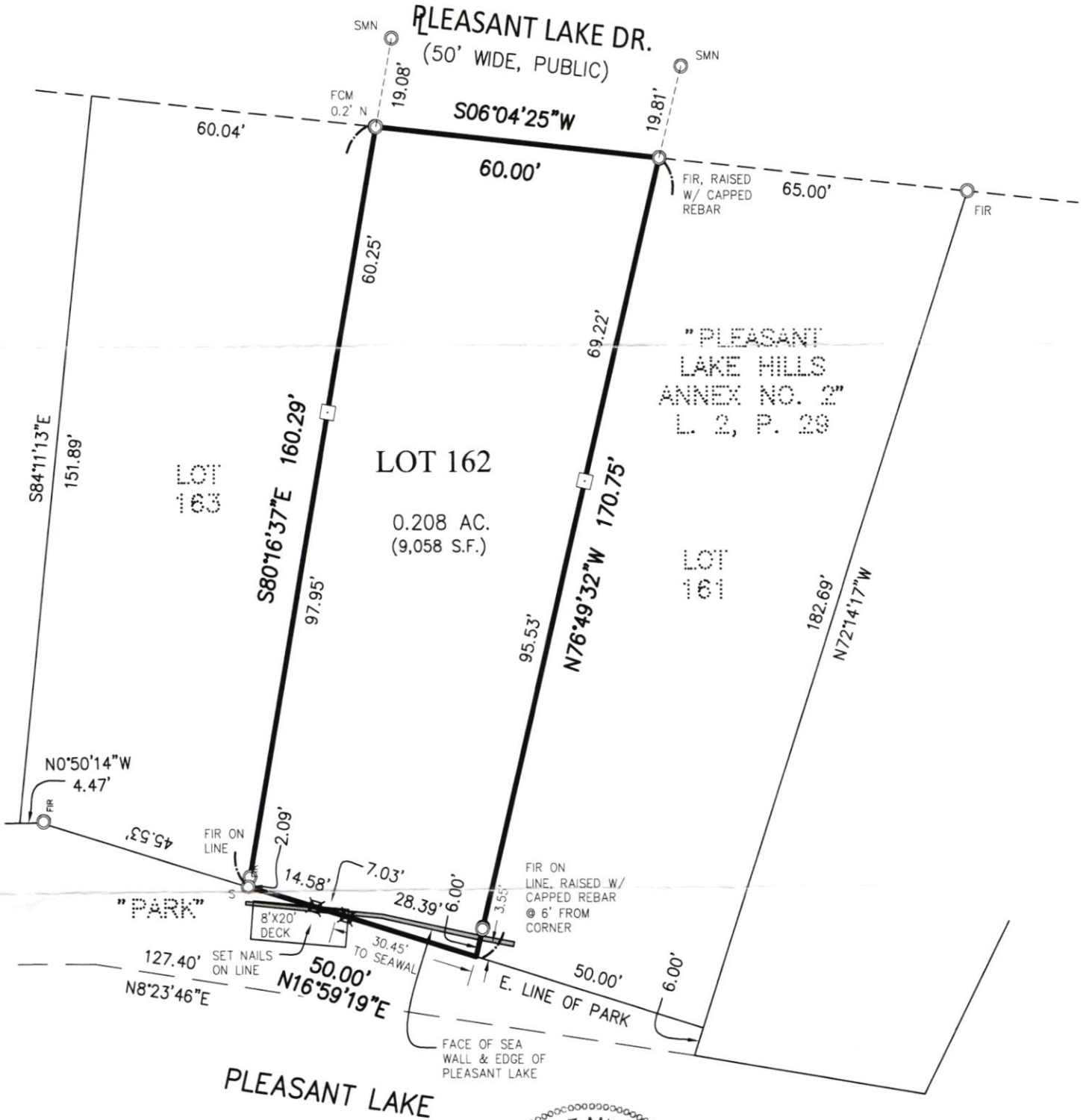
SCALE: 1" = 30'

27 JUL '23 AM 10:41

2

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COORDINATES, SOUTH ZONE, NAD '83



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FLD. BOOK: 23-3 REVISED: -

SHEET 1 OF 1 BY: KJG

SCALE: 1" = 30'

27 JUL '23 AM 10:41

Return to:

Nick Mastenbrook

8728 Pleasant Lk. Dr.

Brighton MI. 48116



Nick Mastenbrook
and
Hamburg Township Board

December 7, 2023

Dear Mr. Mastenbrook,

It was great talking to you the other night about the variance that you are seeking for shade over your porch. I was happy to sign since I also have the same trouble with the sunshine in the warmer months.

As a neighbor on the Eastern Shore of Winan's Lake, I can attest to the fact that we have a few issues with the weather. While the wind is a real challenge on the low side of the lake, it is the sun that can limit the time one can spend on our property during the Summer months.

Having some sort of overhang, whether on a porch or free-standing, is a MUST during the warmer weather. While the breeze off the lake helps, we as property owners require something to cover at least a small portion of our property to combat the effects of the sun.

Having the proper shade cover is not only needed to enjoy our property but it is more important to protect our skin from the pounding UV Rays. There is a safe way to enjoy the water and our view. On the East Side of the lake we require something substantial to create shade. It is not possible to really enjoy the lake front from 1PM to 9PM in the Summer months without it.

I hope you are successful in getting your variance and the Township understands the importance to you and your family and your health.

Sincerely,
John Edward Hett
8664 Pleasant Lake Drive
Hamburg Township, MI 48116
734-604-7847

PS: As for aesthetics, it will only enhance your already lovely lakefront home.