



# Zoning Board of Appeals Staff Report



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

**FROM:** Amy Steffens, AICP

**HEARING DATE:** July 12, 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)

## **Addendum for July 12, 2023**

The ZBA has not held a public hearing on the proposed accessory structure within the required setback of a regulated wetland. The variance request was originally received on February 8, 2023, in conjunction with a variance request for a new single-family dwelling on the applicant's parcel to the south. The current variance request was continued in March while the applicant had a wetland delineation survey completed and again in May while the applicant awaited EGLE's determination on a permit application to place fill in a regulated wetland. On June 12, 2023, EGLE issued a permit to allow 28 cubic yards of fill material in 0.01 acre of wetland.

If approved, the variance would allow for the construction of a 712-square foot accessory structure with a zero-foot setback from a regulated wetland (50-foot setback required). Staff continues to recommend denial of the request as discussed in the staff report below from the May 10, 2023 ZBA meeting.

## **May 10, 2023 Staff Report**

### **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

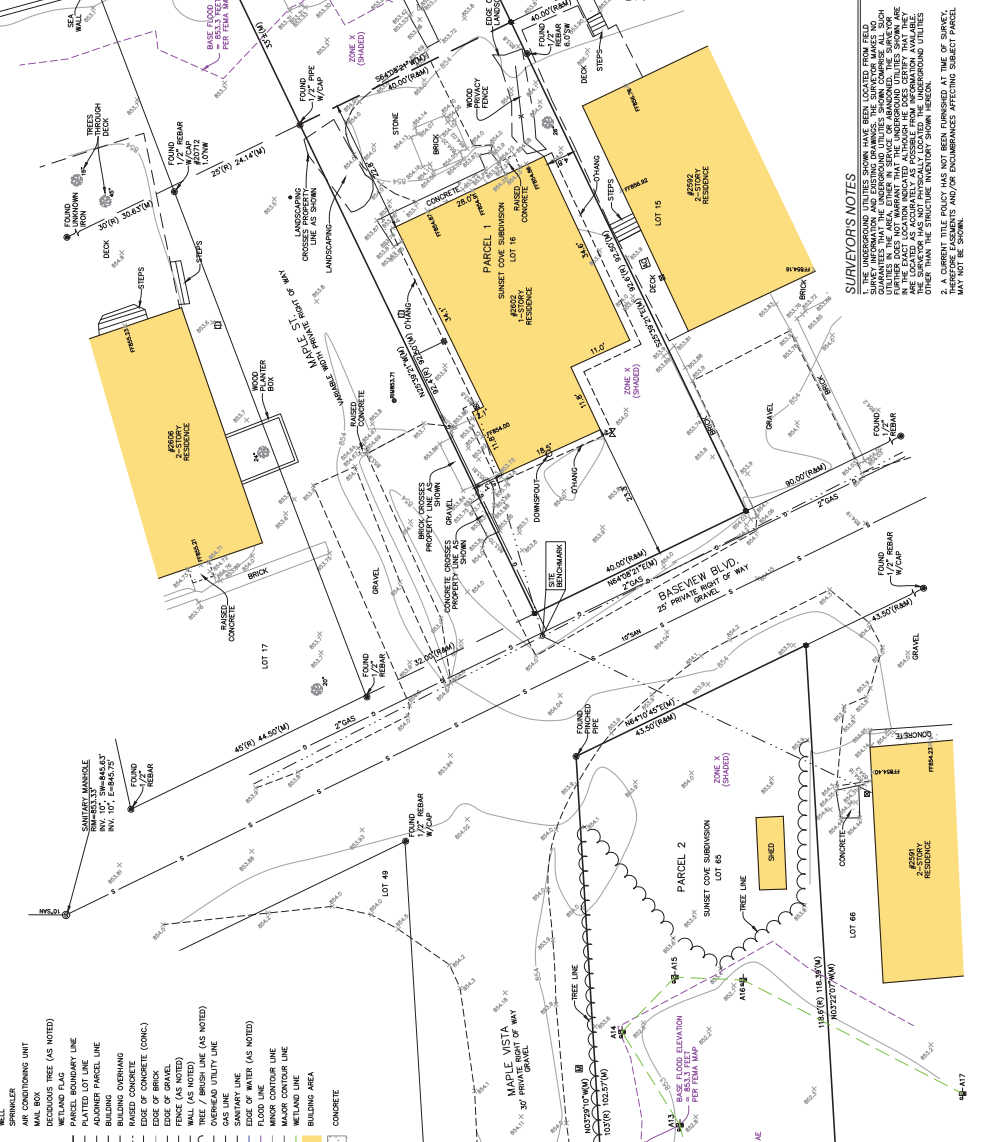
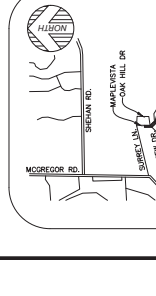
Plans

**SURVEYORS' CERTIFICATION**

I HEREBY CERTIFY THAT I HAVE SURVEYED THE ELEVATIONS SHOWN HEREON ARE BASED ON THE DATA AND INFORMATION CONTAINED IN THE DRAWING HEREON DELINEATED IS A CORRECT

ANTHONY T. SYOKO, JR., P.S.  
PROFESSIONAL SURVEYOR  
MICHIGAN LICENSE NO. 47978  
STATE OF MICHIGAN  
MY EXPIRATION DATE MAY 31, 2012

**PROPERTY DESCRIPTION**  
THE LAND SITUATED IN THE TOWNSHIP OF HAMBURG, STATE OF MICHIGAN, IS DESCRIBED AS FOLLOWS:  
LOTS 16 AND 65 OF SUNSET COVE SUBDIVISION, 1/4 OF THE SOUTHEAST FRACTIONAL 1/4 OF SECTION 5, RANGE 5 EAST, HAMBURG TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN, AS SHOWN ON THE PLAT RECORDED IN LIBER 2 OF PLATS, PAGE 9 OF

[illegible]

**SURVEYOR'S NOTES**

LOT 66

**FLOOD NOTE**

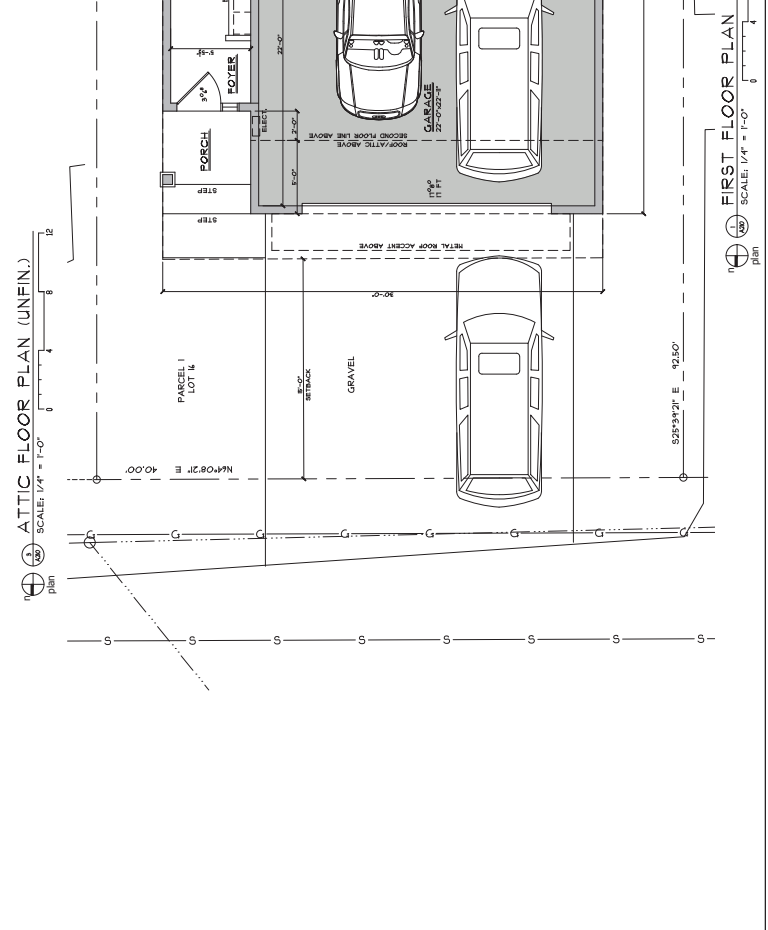
AS SHOWN ON FLOOD INSURANCE RATE MAP: MAP NUMBER 26093C04400, DATED 9/17/2006, PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.











RODNEY  
KOMARONI  
ARCHITECT  
HARTLAND, MI  
734-624-4355

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PROJECT LOCATION:  
Hartland, Michigan

PROJECT NAME:  
Haurami Residence

PROJECT ADDRESS:  
2602 Baseview Blvd.

PROJECT DRAWING FOR:  
Parcel 2

DATE: 10-1-2022

DATE: 10-1-2022

DATE: 10-1-2022

PROJECT: 2022-H-002

ISSUED FOR:

OWNER REVIEW: 1-20-2023

OWNER/GC REVIEW: 1-28-2023

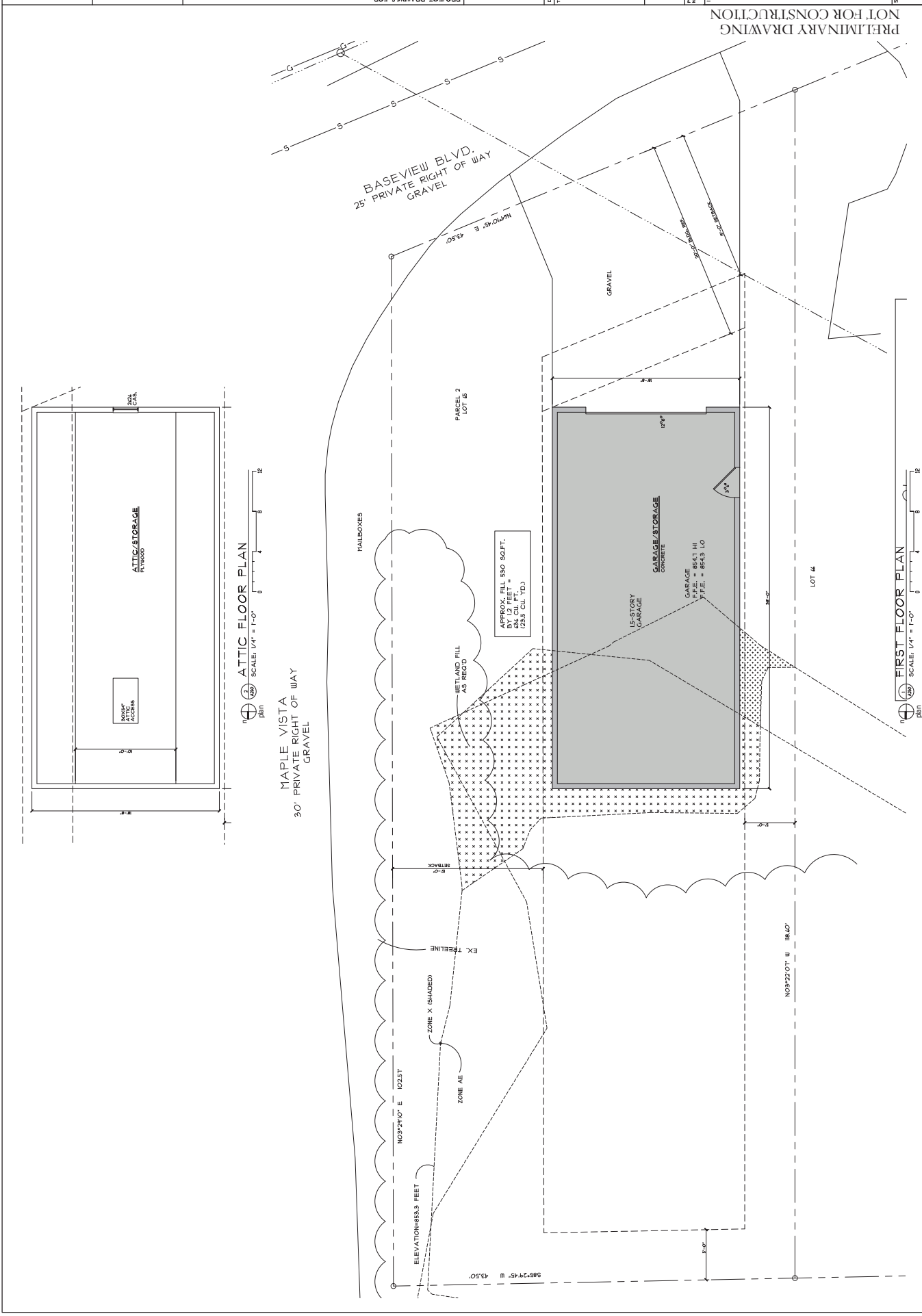
ZBA - VARIANCE: 2-4-2023

OWNER/GC REVIEW: 3-10-2023

ZBA-ADDENDUM 01: 4-10-2023

SHEET NO. A250

4 OF 1



PRELIMINARY DRAWING  
NOT FOR CONSTRUCTION

SHEET NO.  
**A300**  
5 OF 1

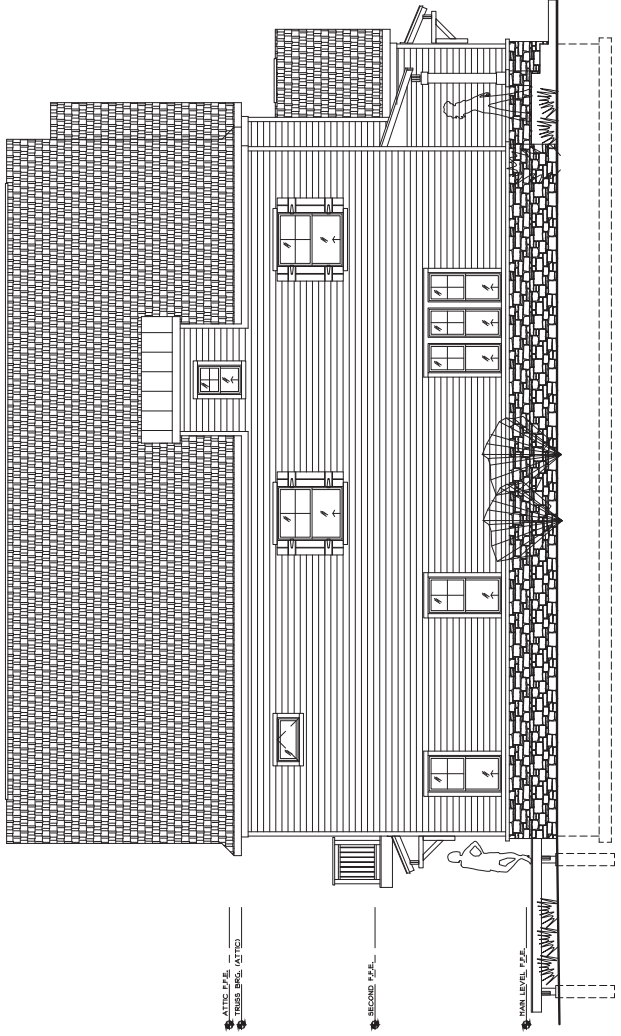
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OWNER REVIEW  
1-20-2023  
OWNER/GC REVIEW  
1-28-2023  
ZBA - VARIANCE  
2-4-2023  
OWNER/GC REVIEW  
3-10-2023  
ZBA-ADDENDUM 01  
4-10-2023

DATE: 10-3-2022  
DATE: 10-3-2022  
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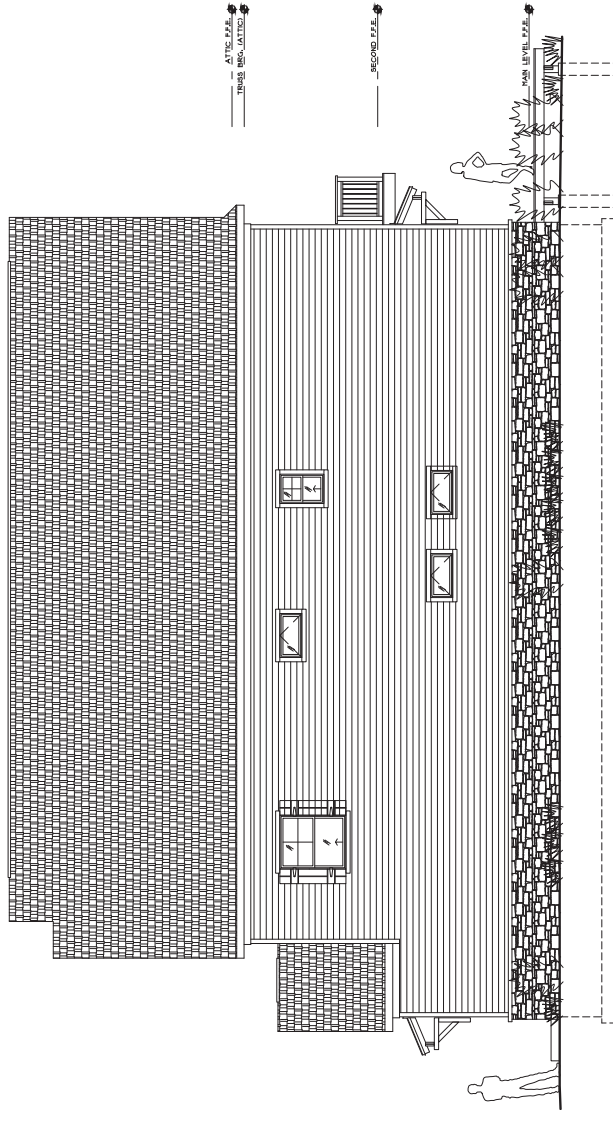
PROJECT LOCATION:  
Haurami Residence  
2602 Baseview Blvd.  
Franklin, Michigan Township Hamburg County Livingston

RODNEY  
KOMARONI  
ARCHITECT  
HARTLAND MI  
313-684-4355

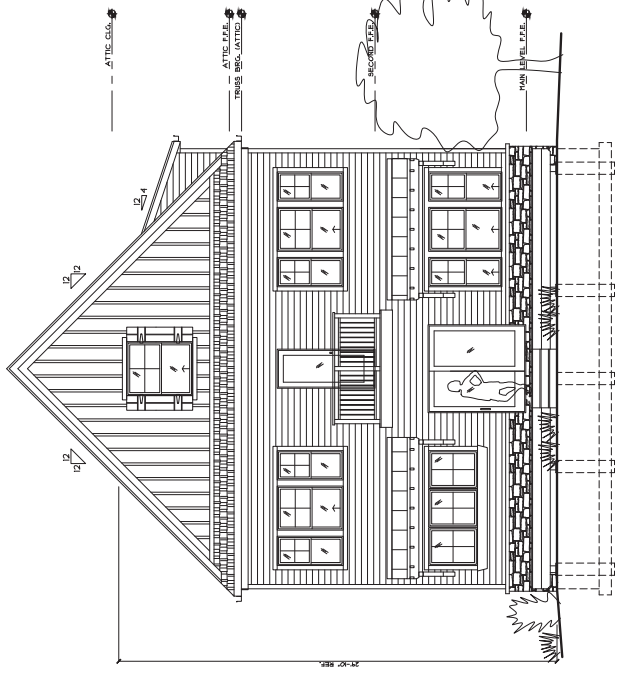
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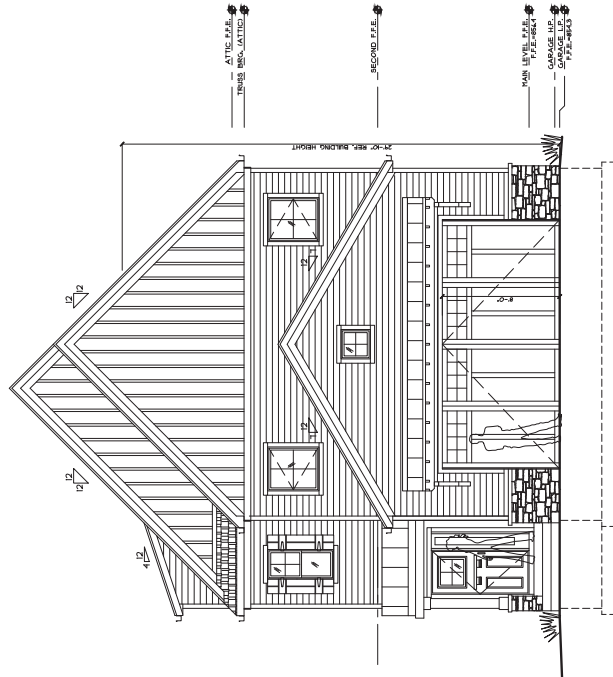
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SCALE: 1/4" = 1'-0"



3 SOUTH ELEVATION  
SCALE: 1/4" = 1'-0"

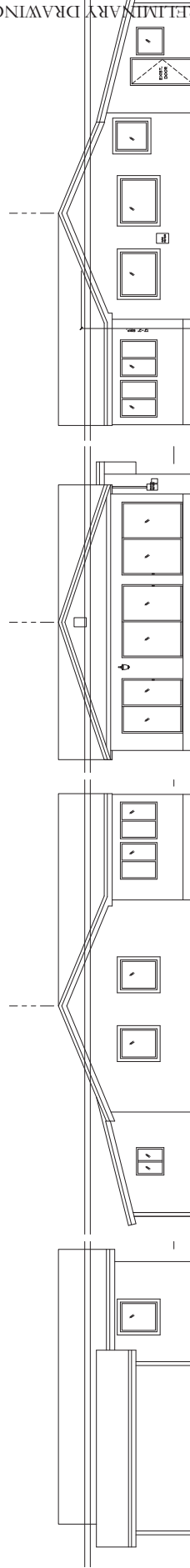


4 NORTH ELEVATION  
SCALE: 1/4" = 1'-0"

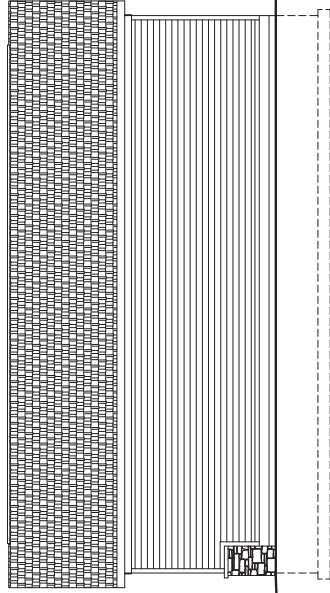


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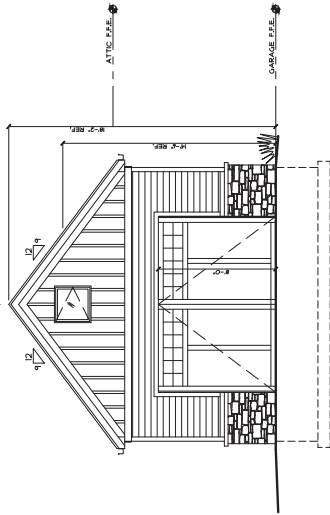
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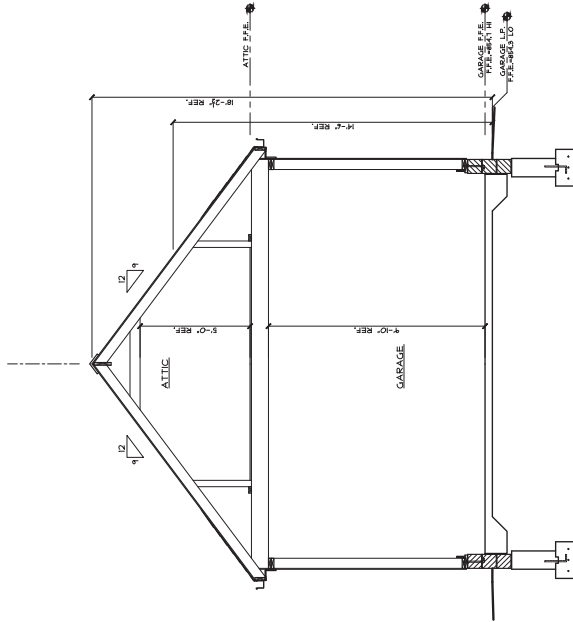


EAST ELEVATION



**SOUTH ELEVATION**





SHEET NO. A400

DR.	R.L.K.
DATE	12-II-2022
CH.	
DATE	
PROJECT NO.	2022-H-002

**PROJECT LOCATION:** Plackney, MICHIGAN Township: Hamburg County: Livingston





**From:** [Michael Thompson](#)  
**To:** [Amy Steffens](#)  
**Subject:** ZBA-2023-002 (2602 Baseview Drive)  
**Date:** Tuesday, March 7, 2023 9:04:11 AM

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Ms. Steffens

We live on Baseview Drive to the east of the Hauran's property. We received the notice of the Hearing, and the Haurans stopped by and let us review their plans.

The variance request regarding the proposed home construction on 2602 Baseview does not concern us and has our support. The only caveat we would have is that the parking on the ROW be abandoned--the past owner used it as a personal driveway.

As to the vacant parcel and auxiliary building, my only concerns are the wetland concerns which I know are being studied and determined for delineation. If proper permitting can be secured without disturbing the wetland it would have our support as well.

As I managed the private road maintenance contract, a few neighbors have asked me about the application--after discussing it they indicated (at least to me) that they had no issue with it either.(I'm also an attorney so not atypical for them to ask me what "does this mean"). For what all that is worth.

Sincerely  
Michael Thompson



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

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**Issued To:**

**Tamra Haurani  
7598 Southview Court  
Columbus, Ohio 43235**

**Permit No: WRP037705 v.1  
Submission No.: HPS-SSYE-BFWMY  
Site Name: 47-0 Baseview Blvd-Pinckney  
Issued: June 12, 2023  
Revised:  
Expires: June 12, 2028**

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

- |   |  |
|---|--|
| <input type="checkbox"/> <b>Part 301, Inland Lakes and Streams</b>                                    | <input type="checkbox"/> <b>Part 323, Shorelands Protection and Management</b> |
| <input type="checkbox"/> <b>Part 303, Wetlands Protection</b>   | <input type="checkbox"/> <b>Part 325, Great Lakes Submerged Lands</b>          |
| <input type="checkbox"/> <b>Part 315, Dam Safety</b>  | <input type="checkbox"/> <b>Part 353, Sand Dunes Protection and Management</b> |
| <input type="checkbox"/> <b>Part 31, Water Resources Protection (Floodplain Regulatory Authority)</b> |  |

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

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

**Authorized Activity:**

Place approximately 28 cubic yards of fill material in 0.01 acre of wetland.

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

**Waterbody Affected: Wetland, Base Line Lake  
Property Location: Livingston County, Hamburg Township, Town/Range/Section 01N05E31,  
Property Tax No. 4715-31-401-021**

**EGLE  
WRP037705 v1.0  
Approved  
Issued On:06/12/2023  
Expires On:06/12/2028**

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

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

proposed modification. Proposed modifications must be approved, in writing, by EGLE prior to being implemented.

- Q. This permit may be transferred to another person upon written approval of EGLE. The permittee must submit a written request to EGLE to transfer the permit to the new owner. The new owner must also submit a written request to EGLE to accept transfer. The new owner must agree, in writing, to accept all conditions of the permit. A single letter signed by both parties that includes all the above information may be provided to EGLE. EGLE will review the request and, if approved, will provide written notification to the new owner.
- R. Prior to initiating permitted construction, the permittee is required to provide a copy of the permit to the contractor(s) for review. The property owner, contractor(s), and any agent involved in exercising the permit are held responsible to ensure that the project is constructed in accordance with all drawings and specifications. The contractor is required to provide a copy of the permit to all subcontractors doing work authorized by the permit.
- S. Construction must be undertaken and completed during the dry period of the wetland. If the area does not dry out, construction shall be done on equipment mats to prevent compaction of the soil.
- T. Authority granted by this permit does not waive permit requirements under Part 91, Soil Erosion and Sedimentation Control, of the NREPA, or the need to acquire applicable permits from the County Enforcing Agent (CEA).
- U. Authority granted by this permit does not waive permit requirements under the authority of Part 305, Natural Rivers, of the NREPA. A Natural Rivers Zoning Permit may be required for construction, land alteration, streambank stabilization, or vegetation removal along or near a natural river.
- V. The permittee is cautioned that grade changes resulting in increased runoff onto adjacent property is subject to civil damage litigation.
- W. Unless specifically stated in this permit, construction pads, haul roads, temporary structures, or other structural appurtenances to be placed in a wetland or on bottomland of the water body are not authorized and shall not be constructed unless authorized by a separate permit or permit revision granted in accordance with the applicable law.
- X. For projects with potential impacts to fish spawning or migration, no work shall occur within fish spawning or migration timelines (i.e., windows) unless otherwise approved in writing by the Michigan Department of Natural Resources, Fisheries Division.
- Y. Work to be done under authority of this permit is further subject to the following special instructions and specifications:
  - 1. Prior to the initiation of any permitted construction activities, a sedimentation barrier shall be constructed immediately down gradient of the construction site. Sedimentation barriers shall be specifically designed to handle the sediment type, load, water depth, and flow conditions of each construction site throughout the anticipated time of construction and unstable site conditions. The sedimentation barrier shall be maintained in good working order throughout the duration of the project. Upon project completion, the accumulated materials shall be removed and disposed of at an upland (non-wetland, non-floodplain) site and stabilized with seed and mulch. The sedimentation barrier shall then be removed in its entirety and the area restored to its original configuration and cover.
  - 2. Prior to the start of construction, all adjacent non-work wetland areas shall be protected by properly trenched sedimentation barrier to prevent sediment from entering the wetland. Orange construction fencing shall be installed as needed to prohibit construction personnel and equipment from entering or performing work in these areas. Fence shall be maintained daily throughout the construction process. Upon project completion, the accumulated materials shall

be removed and disposed of at an upland site, the sedimentation barrier shall then be removed in its entirety and the area restored to its original configuration and cover.

3. All raw areas in uplands resulting from the permitted construction activity shall be effectively stabilized with sod and/or seed and mulch (or other technology specified by this permit or project plans) in a sufficient quantity and manner to prevent erosion and any potential siltation to surface waters or wetlands. Temporary stabilization measures shall be installed before or upon commencement of the permitted activity, and shall be maintained until permanent measures are in place. Permanent measures shall be in place within five (5) days of achieving final grade.
4. All raw earth within 100 feet of a lake, stream, or wetland that is not brought to final stabilization by the end of the active growing season shall be temporarily stabilized with mulch blankets in accordance with the following dates: September 20th for the Upper Peninsula, October 1st for the Lower Peninsula north of US-10, and October 10th for the Lower Peninsula south of US-10.
5. All earth moving equipment shall be properly cleaned prior to entering the work site to prevent contamination by invasive plant species.
6. All fill/backfill shall consist of clean inert material that will not cause siltation nor contain soluble chemicals, organic matter, pollutants, or contaminants. All fill shall be contained in such a manner so as not to erode into any surface water, floodplain, or wetland. All raw areas associated with the permitted activity shall be stabilized with sod and/or seed and mulch, riprap, or other technically effective methods as necessary to prevent erosion.
7. No fill, excess soil, or other material shall be placed in any wetland, floodplain, or surface water area not specifically authorized by this permit, its plans, and specifications. Upon completion of the project, the disturbed wetland areas shall be restored to the original contour elevation, revegetated and reseeded with species native to Michigan appropriate to the site, and mulched to prevent erosion.
8. Dredging is not authorized by this permit.
9. Authority granted by this permit does not waive permit or program requirements under Part 91 of the NREPA or the need to acquire applicable permits from the CEA. To locate the Soil Erosion Program Administrator for your county, visit <https://www.michigan.gov/egle/about/organization/water-resources/soil-erosion/sesc-overview> and select "Soil Erosion and Sedimentation Control Agencies".
10. The authority to conduct the activity as authorized by this permit is granted solely under the provisions of the governing act as identified above. This permit does not convey, provide, or otherwise imply approval of any other governing act, ordinance, or regulation, nor does it waive the permittee's obligation to acquire any local, county, state, or federal approval or authorization necessary to conduct the activity.
11. No fill, excess soil, or other material shall be placed in any wetland, floodplain, or surface water area not specifically authorized by this permit, its plans, and specifications.



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



Issued By: \_\_\_\_\_

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

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

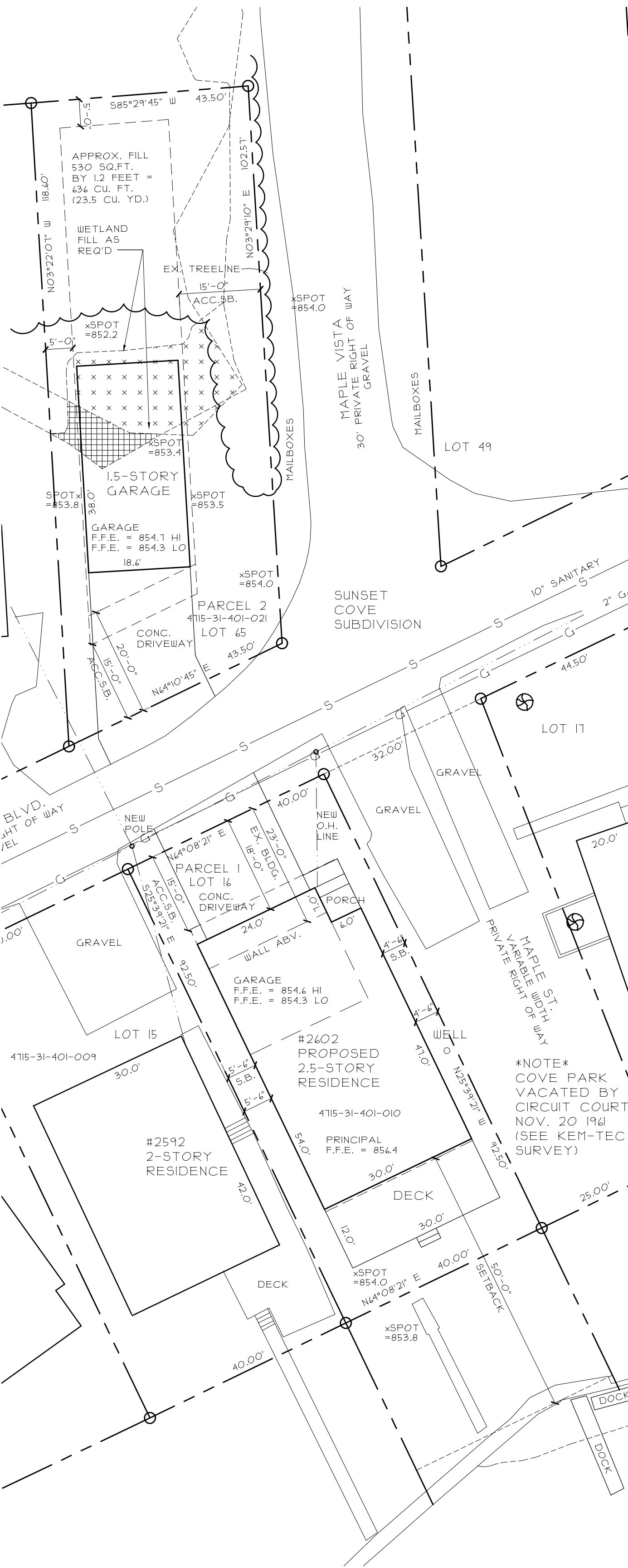
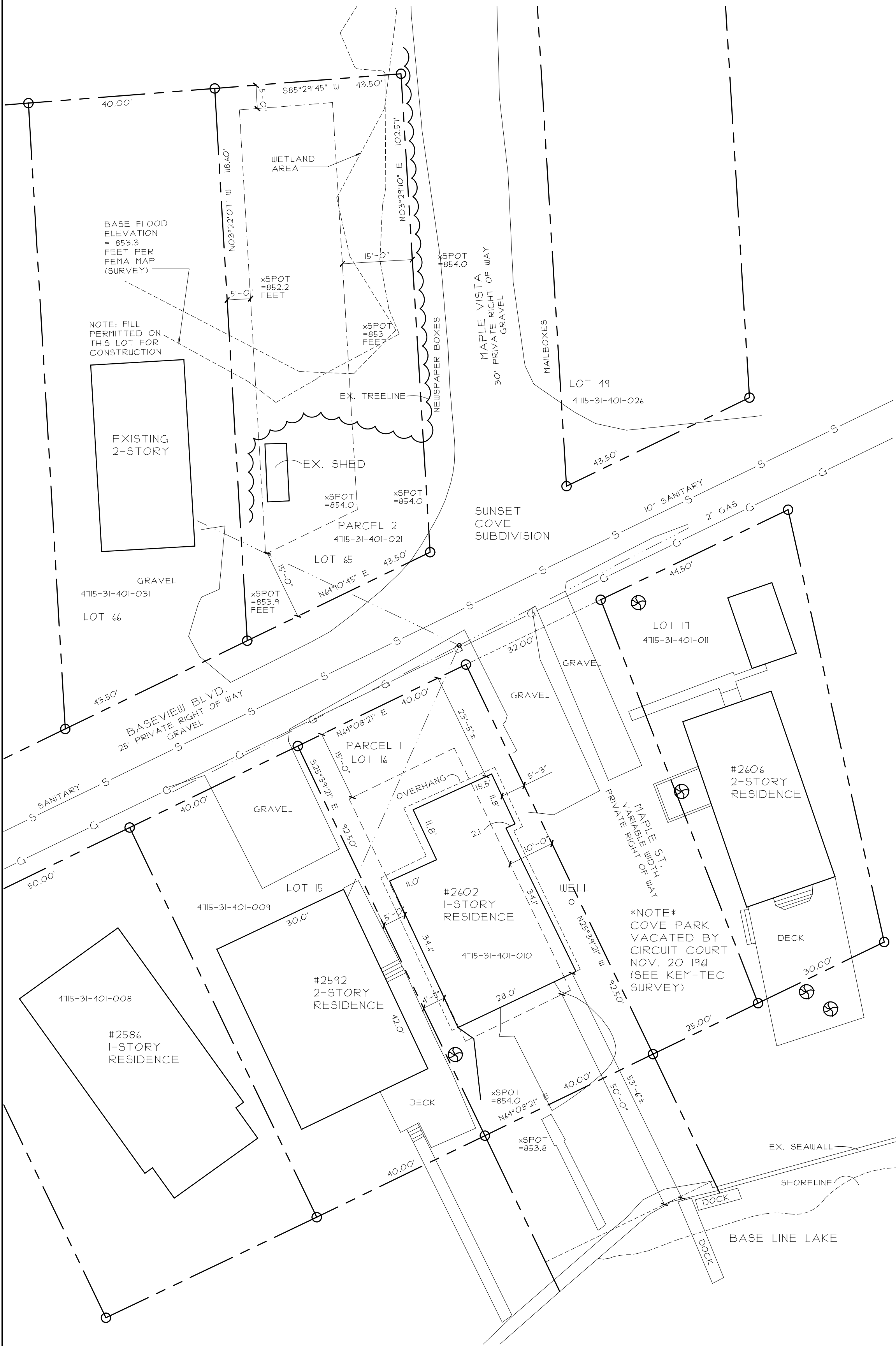
I hereby assure that I have read, am familiar with, and agree to adhere to the terms and conditions of this permit.

\_\_\_\_\_  
Permittee Signature\_\_\_\_\_  
Date

cc: Hamburg Township Clerk  
Livingston County Drain Commissioner  
Livingston County CEA  
Brooks Williamson

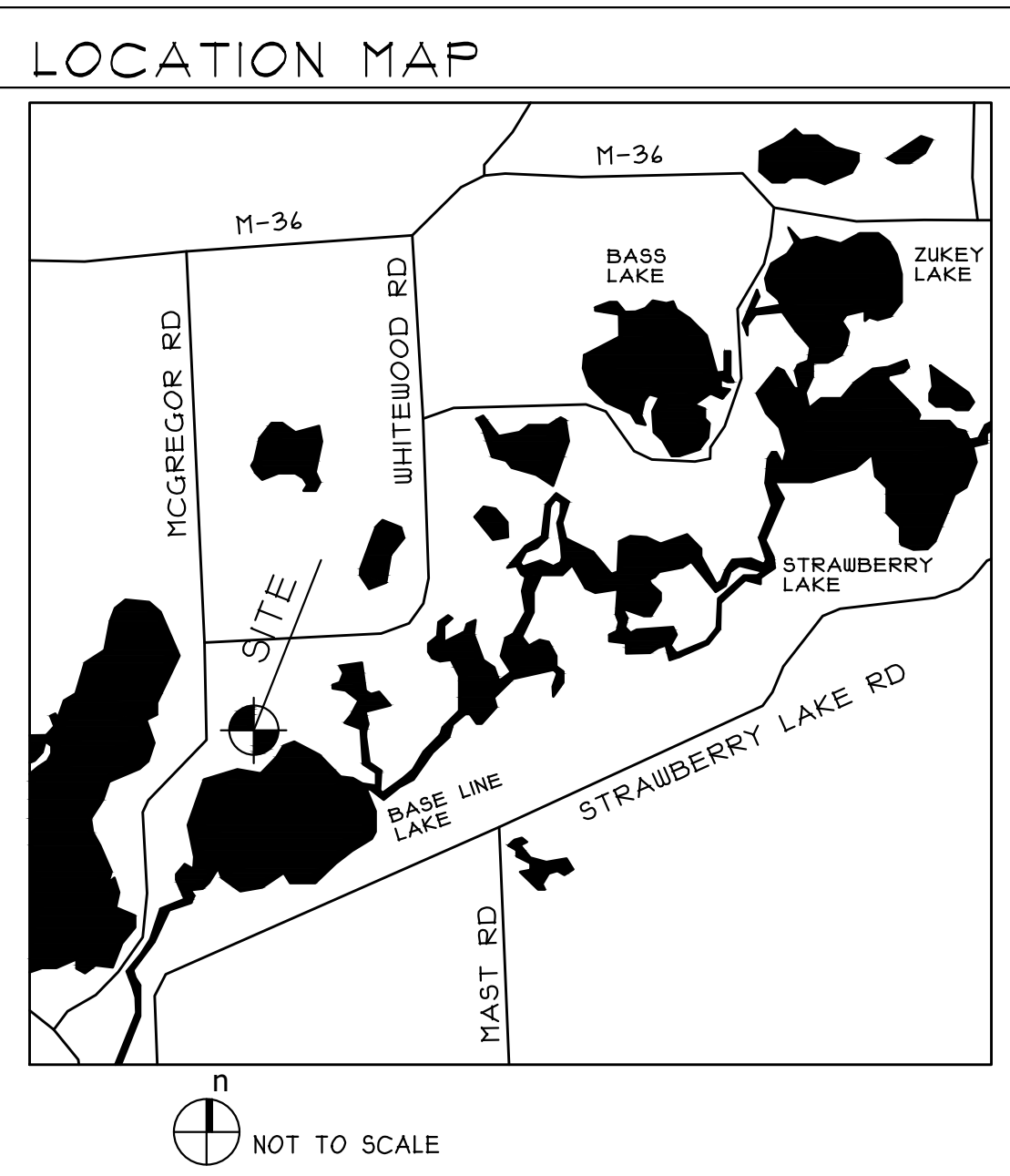


Haurani Residence  
Demo/New Build/New Garage  
Hamburg, MI



**PROPOSED SCOPE OF WORK**  
THE OWNER PROPOSES IMPROVEMENTS TO DEMOLISH EXISTING 1-STORY 1000 SQ.FT. RESIDENCE AT WATERFRONT PROPERTY. WORK PRIMARILY ON PARCEL 1 TO CONSTRUCT NEW 2.5-STORY RESIDENCE WITH ATTACHED 2-CAR GARAGE. SECONDLY WITH SIMILAR INTENT OF ADJACENT WATERFRONT LOTS TO ERECT A GARAGE TO STORE SEASONAL PROPERTY ACROSS THE PRIVATE DRIVE ON PARCEL 2. NEW UNDERGROUND OR OVERHEAD SITE UTILITIES SHALL BE INSTALLED AND HOOKED-UP BY CONTRACTOR. ELECTRICAL, MECHANICAL, CIVIL, LANDSCAPING, AND STRUCTURAL ENGINEERING, AND PERMITS SHALL BE COORDINATED BY OWNER/CONTRACTOR. SITE WORK SHALL COMPOSE OF BUT NOT LIMITED TO AREAS BOTH ESSENTIAL FOR ACCESS TO PROPERTY AND CERTIFICATE OF OCCUPANCY.

**CONTACT INFORMATION**  
MUNICIPALITY:  
HAMBURG TOWNSHIP  
PLANNING AND ZONING DEPARTMENT  
P.O. BOX 151  
10405 MERRILL ROAD  
HAMBURG, MICHIGAN 48189  
810-231-1000  
LISA PERSCHKE / PLANNING/ZONING COORDINATOR  
\* SITE PLAN APPLICATION  
  
LIVINGSTON COUNTY DEPARTMENT OF  
BUILDING AND SAFETY ENGINEERING  
2300 E. GRAND RIVER, SUITE 104  
HOWELL, MI 48843  
517-546-3240  
\* RESIDENTIAL BUILDING PERMIT  
  
ENVIRONMENTAL HEALTH DEPARTMENT  
517-546-9858  
\* WELL PERMIT AS NEEDED  
  
DRAIN COMMISSIONER  
517-546-0040  
\* SOIL EROSION PERMIT AS NEEDED  
  
LIVINGSTON COUNTY ROAD COMMISSION  
3535 GRAND OAKS DRIVE  
517-546-4250  
\* DRIVEWAY PERMIT AS REQUIRED



RODNEY  
KOMAROMI  
ARCHITECT  
HARTLAND, MI  
734-624-4388

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**SITE DATA / ZONING SECTION 36 (SECTION 7)**

ADDRESS: 2602 BASEVIEW BLVD., PINCKNEY, MI 48169 PARCEL 1 ID.: 4715-31-401-010 PARCEL 2 ID.: 4715-31-401-021 PROPERTY DESCRIPTION: SEC 31 TIN R5E SUNSET COVE LOT 16 SEC 31 TIN R5E SUNSET COVE LOT 45			
GENERAL LOCATION OF SITE: LOCATED EAST OF MCGREGOR ON NORTH SHORE OF BASE LINE LAKE  HAMBURG TOWNSHIP ZONING ORDINANCE			
ZONED: WFR WATERFRONT RESIDENTIAL DISTRICT PERMITTED USE: SINGLE-FAMILY DWELLING SEC. 36-164 SEC. 36-184 SCHEDULE OF AREA, HEIGHT, AND BULK REG. MINIMUM LOT AREA: 1 ACRE 43,560 SQ. FT.* MINIMUM LOT WIDTH AT ROW: 125 FT.* MINIMUM LOT WIDTH AT BLDG. LINE: 100 FT.* MAXIMUM LOT COVERAGE BLDG/PARKING: 35%/40%* MINIMUM YARD SETBACK: FRONT: 25 FT.* SEE 36-215 2.a. SIDE: 10 FT.* N/A 5. REDUCED SIDE: 5 FT. / 15 FT. AGGREGATE REAR: 30 FT. HIGH WATER MARK SETBACK: 50 FEET MAXIMUM BUILDING HEIGHT: 35 FT, 2.5 STORIES			
EXISTING PARCEL 1 5,015 SQ.FT. 40 FEET 40 FEET 23% / 25%	PARCEL 2 4,431 SQ.FT. 40 FEET 40 FEET 1% / 1%	PROPOSED PARCEL 1 5,015 SQ.FT. NO CHANGE NO CHANGE 31% / 40%	PARCEL 2 4,431 SQ.FT. NO CHANGE NO CHANGE 16% / 21%
FRONT: 15 FT SIDE: 31 & 3.6 FT. / 6.1 AGGREGATE REAR: 50 FT. FROM WATER FRONT HIGH WATER MARK SETBACK: 50 FT. 12'-2" FT. / 1 STORY	FRONT: 15 FT SIDE: 5.5 & 4.5 FT. / 10.0 AGGREGATE NO CHANGE NO CHANGE 29'-10" FT. / 2.5 STORIES	FRONT: 15 FT. SIDE: 5.5 & 4.5 FT. / 10.0 AGGREGATE NO CHANGE NO CHANGE 29'-10" FT. / 2.5 STORIES	FRONT: 15 FT. SIDE: 5.5 & 4.5 FT. / 10.0 AGGREGATE NO CHANGE NO CHANGE 29'-10" FT. / 2.5 STORIES
SEC. 36-215 ACCESSORY BUILDINGS AND STRUCTURES 2.a. ABUTS THE STREET, FRONT: 15 FEET 2.a. ABUTS THE STREET, SIDE 1: 5 FT. / SIDE 2: 10 FT. 3. REAR: 5 FEET / 30% OF REAR YARD AREA 8. DETACHED, LESS THAN 8/12 ROOF PITCH: 14 FT. HT. 8. DETACHED, 8/12 ROOF PITCH OR MORE: 11 FT. HT. 10.c. USE ONLY: GARAGE OR STORAGE FACILITY 10.c. MAX. GROUND FLOOR AREA: 800 SQ.FT. SEC. 36-217 SINGLE-FAMILY DWELLINGS 6. STORAGE AREA: 10% OR 100 SQ.FT., WHICHEVER LESS 7. ROOF OVERHANG: NOT LESS THAN 6 INCHES SEC. 36-230 YARD ENCROACHMENTS 9. DECKS, PATIOS, TERRACES MAY ABUT A WATERBODY AND THE FOLLOWING CONDITIONS SHALL APPLY...***			
EXISTING PARCEL 1 9'-0" FT. / 1 STORY STORAGE SHED 51 SQ. FT.			
EXISTING PARCEL 2 14'-6" FT. / 1 STORY ACCESSORY GARAGE / STORAGE 710 SQ. FT.			
DECK (DETACHED) 360 SQ. FT.			

<b>BLDG DATA:</b> EXISTING BUILDING FOOTPRINT = 1448 SQ. FT. EXISTING SHED FOOTPRINT = 10 SQ. FT.
MAIN LEVEL = 849 SQ. FT. (CALCULATED/HABITABLE) UPPER LEVEL = 641 SQ. FT. (CALCULATED/HABITABLE) ATTIC LEVEL = 439 SQ. FT. (CALCULATED/HABITABLE) ATTACHED GARAGE = 541 SQ. FT. PAVEMENT/SIDEWALKS, PARCEL 1 = 442 SQ. FT.
TOTAL (MRC) HABITABLE AREA: 1,929 SQ. FT.
TOTAL FOOTPRINT PARCEL 1 = 1,518 SQ. FT.
ACCESSORY GARAGE, PARCEL 2 = 710 SQ. FT. PAVEMENT/SIDEWALKS, PARCEL 2 = 490 SQ. FT.
TOTAL FOOTPRINT PARCEL 2 = 710 SQ. FT.

<b>INDEX OF DRAWINGS(ZBA)</b> ARCHITECTURAL DRAWINGS A100 COVER SHEET AND NOTES A110 ARCHITECTURAL SITE PLAN SKETCH A120 VARIANCE SITE SKETCH A250 MAIN LEVEL/SECOND FLOOR/ATTIC A300 GARAGE FLOOR PLAN A350 EXTERIOR ELEVATIONS A400 EXTERIOR ELEVATIONS A450 GARAGE EXTERIOR ELEVATIONS A500 SECTIONS AND DETAILS
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**PROPOSED VARIANCES**  
1. (PARCEL 1) PERMIT PARCEL 1 SIDE YARD AGGREGATE 10 FEET IN LIEU OF 15 FEET. 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.  
2. (PARCEL 1) PERMIT ACCESSORY FRONT SETBACK OF 15 FEET AT GARAGE AND 23 FEET ABOVE FOR SECOND FLOOR BEDROOMS  
3. (PARCEL 2) PERMIT EXEMPTION FROM SPECIAL USE PERMIT DUE TO WETLAND FILL OF APPROXIMATELY 530 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 29 CU. FT. IS CALCULATED. IN PAST COUNTY APPROVALS, LOT 46 PERMITTED SAME WETLAND FILL. BUILDING SITUATED TO ACCOMMODATE LEAST DISTURBANCE TO WETLAND AS ZONED ON PROFESSIONAL SURVEY. (SECTION 36-215;c:a)

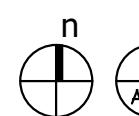
PROJECT DRAWINGS FOR:  
**Haurani Residence**  
2602 Baseview Blvd.  
PROJECT LOCATION:  
Pinckney, MICHIGAN Township: Hamburg County: Livingston

DO NOT SCALE DRAWING  
TITLE  
**COVER SHEET  
DATA  
SITE PLAN  
SKETCH**

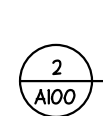
DR. R.L.K.  
DATE 12-11-2022  
CH.  
DATE  
PROJECT NO. 2022-H-002  
ISSUED FOR:  
OWNER REVIEW 1-20-2023  
OWNER/GC REVIEW 1-28-2023  
ZBA - VARIANCE 2-6-2023  
OWNER/GC REVIEW 3-10-2023  
ZBA-ADDENDUM 01 4-12-2023

SHEET NO.  
**A100**  
1 OF 1

PRELIMINARY DRAWING  
NOT FOR CONSTRUCTION

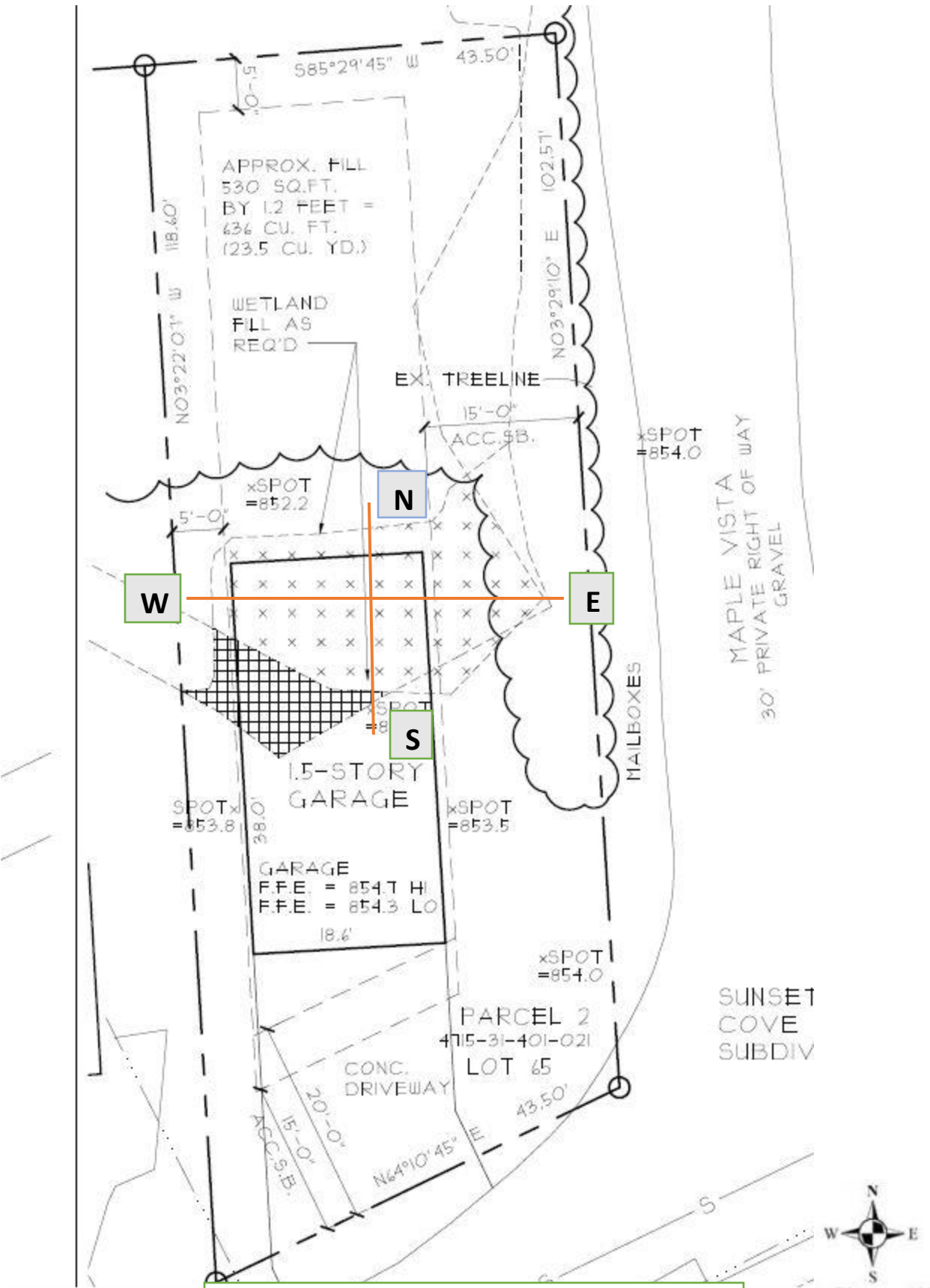


ARCHITECTURAL SITE PLAN SKETCH (EXISTING)  
SCALE= 1/16" = 1'-0"

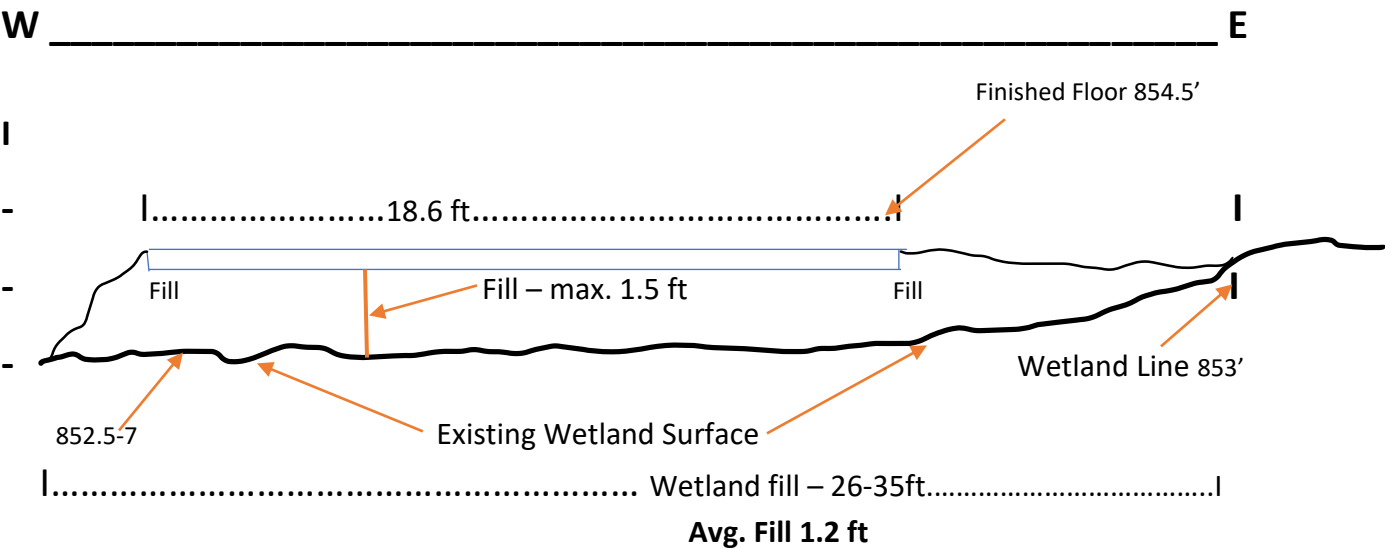
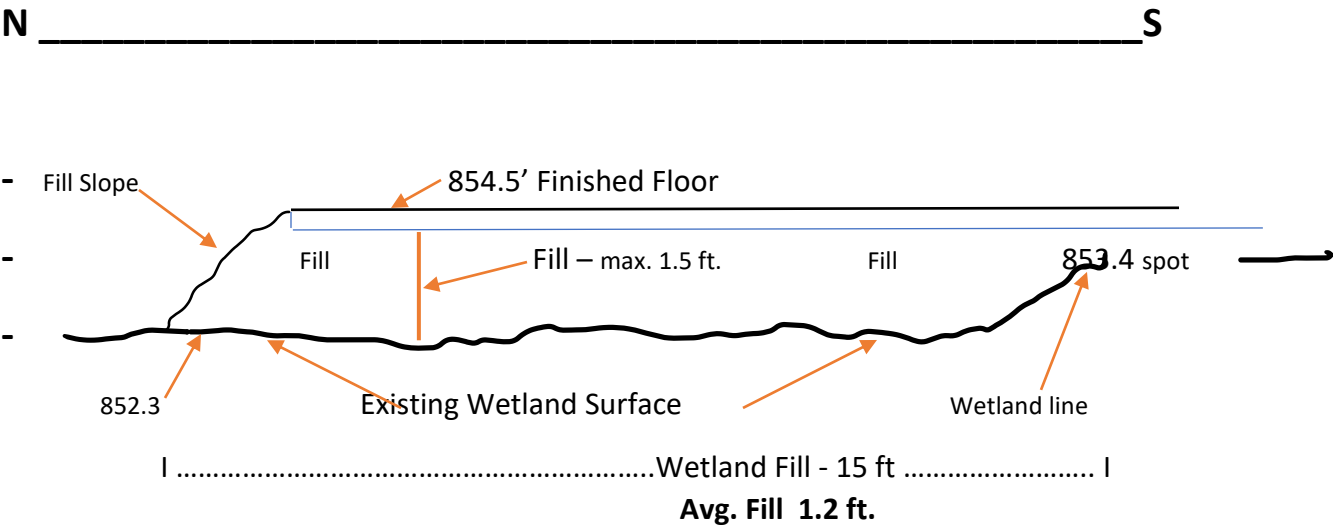


SEE FLOOR PLAN FOR ADDITIONAL DETAIL  
ARCHITECTURAL SITE PLAN SKETCH (PROPOSED)  
SCALE= 1/16" = 1'-0"





**CROSS-SECTION LOCATIONS**  
(Based on Komaromi Plans)



**CROSS-SECTIONS**

(Not to Scale – Vertical exaggerated)

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.

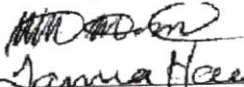
- d) The need for the variance is due to unique circumstances peculiar to the property and not generally applicable in the area or to other properties in the same zoning district.

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).

  
Janina Haenau, 2/7/2023  
Owner's Signature Date

Appellant's Signature

Date

RECEIVED

FEB 7 2023

Hamburg Township  
Planning and Zoning Department

garage