

ZBA Case Number # 25-0001



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: 1-15-2025
2. Tax ID #: 15- 31 - 201.014 Subdivision: Tamarra Park Lot No.: 14
3. Address of Subject Property: 11347 Pleasant View Dr.
4. Property Owner: Rob & Brandi Straker Phone: (H) 248-345-9444
Email Address: Brandistraker@gmail.com (W) _____
Street: 11347 Pleasant View Dr. City Pinckney State MI
5. Appellant (If different than owner): _____ Phone: (H) _____
E-mail Address: _____ (W) _____
Street: _____ City _____ State _____
6. Year Property was Acquired: 2017 Zoning District: _____ Flood Plain _____
7. Size of Lot: Front 143.05 Rear 45.84 Side 1 357.06 Side 2 350 Sq. Ft. 29,370.08
11. Dimensions of Existing Structure (s) 1st Floor 1,866 sf 2nd Floor _____ Garage _____
12. Dimensions of Proposed Structure (s) 1st Floor 607 sf 2nd Floor _____ Garage _____
13. Present Use of Property: Single Family Home
14. Percentage of Existing Structure (s) to be demolished, if any _____ %
15. Has there been any past variances on this property? Yes X No _____ Amending Request
16. If so, state case # and resolution of variance application 24-0009 - Approved
17. Please indicate the type of variance or zoning ordinance interpretation requested:
Same variance as previous request just reconfigured
moving front 16.5 ft to back yard. 6'8" + 6'5" from property line.

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.

- 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.

- 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.

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

- 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.

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

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

- 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.

- 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 oddly shaped and the placement of the house is not centered on the property. See attached Exhibit A

- 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 primary bedroom has 7 ft ceilings and lacks a closet, as well as there is only 1 bathroom for a 4 bedroom home.

- 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 variance has been carefully evaluated by our new builder and neighbor on the West side, and has been determined that this option is less impact on the land as well as will not adversely impact public welfare or cause harm to the adjacent properties or improvements in the surrounding zone or district. The adjustment will respect the existing character of the area while ensuring that it aligns with both safety standards and community well-being. The modifications proposed will not result in material detriment or injury to the surrounding property values, it will only add to the value of the area.

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

The proposed variance is to make a more efficient livable home which will not adversely affect or undermine the master plan of the township.

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

The lot has an irregular shape, and the home is positioned closer to the West side of the property line than the East side. The intended use of the property for which the variance is being requested is not of a common or recurring nature.

- 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 approval of this variance will not allow the introduction of any use within the district that is not already permitted. This variance strictly pertains to this specific request and does not alter or expand the allowable uses defined for the district. It remains consistent with permitted uses in the area.

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

We are requesting only the minimum relief required to use the property effectively. We would not be encroaching closer to the property line, we will maintain the same alignment as the existing house.

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

B. Stutz 1-15-2025
Robert Stutz 1-15-2025
Owner's Signature Date

Appellant's Signature Date

VARIANCE (ZBA) APPLICATION CHECKLIST:

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

☐ **Zoning Board of Appeals Application Form**

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

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

☐ **Preliminary sketch plans:**

a) Elevation plans:

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

b) Floor plans:

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

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

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

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

Robert & Brandi Straker

11347 Pleasant View Dr

Pinckney, MI 48169

January 14, 2025

Zoning Board Members
Hamburg Township
10405 Merrill Rd
Hamburg, MI 48139

Re: Request for Amendment to Setback Variance - 11347 Pleasant View Dr

Dear Members of the Zoning Board,

We are writing to request an amendment to the previously approved setback variance for our property. Our initial request stemmed from the challenges of having a bedroom with a 7-foot ceiling, no closet, and only one bathroom in our home.

The reason for this amendment request is due to several concerns that arose with the original builder. Issues such as poor communication, mispricing, and escalating costs significantly higher than initially quoted. This caused us to lose confidence in their ability to complete the project. As a result, we decided to consult a new builder for an alternative opinion.

The new builder proposed a more cost-effective and streamlined plan that involves building out only the back of our home. This approach eliminates the need for:

- Disrupting the incoming water line from the well to the home.
- Removing the roof & several exterior walls.
- Constructing 3 separate foundations.
- Relocating the grinder pump and main sanitary pipe.
- Moving incoming electrical line and meter.

This revised plan consolidates construction into a single area, significantly reducing costs while increasing square footage, functionality, and value to the home. Additionally, the design maximizes the lake view and positions the addition further away from the neighboring house on the West side.

We respectfully request a variance to allow for an addition off the back of the home, to accommodate a bathroom and closet in the master bedroom. The addition would align with the existing line of the home, and not extend beyond that current line. The proposed improvement would add 25ft off the back of the home, which would simply square off the back of the house, vs the previous variance was asking for 16.5ft off the front of the home and 8.6ft off the back (25.1ft).

Thank you for your time and consideration of our request. We believe this amendment will meet our basic needs while preserving the character and value of the neighborhood.

Sincerely,

Robert & Brandi Straker
(248) 345-9444