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Supervisor Pat Hohl Clerk Mike Dolan Treasurer Jason Negri Trustees Bill Hahn, Patricia Hughes, Chuck Menzies, Cindy Michniewicz

ZONING BOARD OF APPEALS MEETING

Wednesday, May 14, 2025, at 7:00 PM
Hamburg Township Hall Board Room

MINUTES

CALL TO ORDER

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

PLEDGE TO THE FLAG

ROLL CALL OF THE BOARD

Members PRESENT:

Joanna Hardesty, Trustee
Brian Ignatowski
Benedict Russell
Joyce Priebe, Chair
Jim Hollenbeck, Alternate

ABSENT:

William Rill

CONSENT AGENDA:

Approval motion was made by Trustee Hardesty, seconded by Member Ignatowski, to approve Zoning Board of Appeals Agenda for tonight, as presented.

Vote: Ayes: (5)

VOTE: MOTION CARRIED UNANIMOUSLY

GENERAL CALL TO THE PUBLIC:

Chair Priebe opened the general call to the public, but no one came up to speak so she closed the session.

CURRENT BUSINESS

1. ZBA 25-0003

Owner: Lesa & Brian Richardson

Location: 9995 Riverview Dr
Parcel ID: 4715-22-401-045
Request: Variance application request to permit the construction of an addition to existing house, with a Natural Rivers District setback of 62.3 feet instead of the required 125 ft, per Section 36-172.1 (c) 2

Chair Priebe asked the builder, Brian Dever, to come up to the podium to address the ZBA board. The homeowners have lived at the residence for 8 years and the home needs to be expanded for current needs. The addition is being proposed towards the roadside rather than the river side. The addition will not be noticeable from the street either.

Chair Priebe opened the meeting up to David, the Planning and Zoning Director. David stated that there was a typing error with description of the location of the addition. It is on the road and not on the riverside. He said that the builder did a good job in minimizing the impacts to the area with the addition. The way the home was designed, it is in the Natural River setback no matter the direction of the addition. He said that the staff supports this variance request since it will greatly help the quality of life of the residents.

Once David was done, she opened the meeting to the public comment on this ZBA proposal. No one came up to talk at the podium, so Chair Priebe closed that portion of the meeting. Chair Priebe then opened the meeting to the ZBA board members to discuss the variance request and ask questions that they had.

Trustee Hardesty stated that she was pleased to see that this proposal was on the roadside rather than the riverside. She stated that since this home is a nonconforming structure in the Natural River District, there is nothing that they could propose to the home that wouldn't be a practical difficulty. Member Russell said that he shared Trustee Hardesty's opinion.

Approval motion by Member Ignatowski, seconded by Trustee Hardesty, to approve variance request ZBA 25-0003 at 9995 Riverview, TID 4715-22-401-045 to construct an addition in the Natural Rivers District with a setback distance of 62.3 feet from the OHM, instead of the required 125 feet, per Section 36-172. 1 (c) 2.

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

Vote: Ayes: (5)

VOTE: MOTION CARRIED UNANIMOUSLY

2. ZBA 25-0004

Owner: Richard Beaudin
Location: 9676 Zukey Dr
Parcel ID: 4715-22-301-003

Request: Variance application request to permit the construction of an addition to existing detached garage, where the accessory structure front yard setback is 2 feet instead of the required 15 feet, per Section 36-215 (3) and the accessory

structure height is 21.9 feet instead of the required 14 feet, per Section 36-215 (9).

Chair Priebe asked the Richard Beaudin to come up to the podium to address the ZBA board. He said that he has lived in the home for 25 years and there is not enough room. He said that his wife and he were approved to increase the height of their home without digging the foundation due to the lake restrictions. They did a posted beam system to the home. Due to the amount of lake boats and other watercraft equipment, they are paying for two storage units per month to maintain their current living space needs. We discovered that since the house is not attached to the garage, we need to get a variance to increase the height. The existing garage was built only 2 feet away from the road. He said that they thought about connecting the home to the garage in the front but the functionality of the existing rooms on the home would not work with the garage attachment. If they tried to connect to the side of the home, there would be no room to get any equipment in there to build it due to neighbor's property lines and fences. Many of his neighbors provided letters of support for this project.

Chair Priebe opened the meeting up to David, the Planning and Zoning Director. He explained that our zoning ordinance regarding accessory structures is unique in that it takes two different measurements of height depending on the roof pitch of the garage. Most local ordinances stick with one general measuring mechanism. Many of the accessory structures in our community existed well before our zoning ordinance came into effect. It is difficult to have an accessory structure with a second story storage area when it only has a 14-foot-high roof. David stated that many of the surrounding properties near this parcel have similar sized accessory structures so it will not be unusual to the sounding community.

Once David was done, she opened the meeting to the public comment on this ZBA proposal. No one came up to talk at the podium, so Chair Priebe closed that portion of the meeting. Chair Priebe then opened the meeting to the ZBA board members to discuss the variance request and ask questions that they had.

Trustee Hardesty said when she went out onsite, she had concerns about what the neighbors would see and feel, especially the neighbor across the street. Currently, he can't see the lake from his home right now so raising the height of the garage will not block his view. It is great that he and the next-door neighbors support this proposal. She said she had a question about the road setback. David explained that when he goes up vertically, he is increasing his nonconformity of the garage. Hardesty said that since the garage is already there 2 feet from the street, she would approve this variance request.

Member Ignatowski stated that he has never seen a variance case where so many people were in support of it. He said Rick is his friend but since the neighbors are in support of the project, and the proposal is going vertically and does not increase the footprint of the building, he is not in a conflict of interest to support it as well.

Chair Priebe wanted to include in the meeting notes, that they received letters of support from all Rick's surrounding neighbors. Member Russell said that he was concerned with this variance, but once he saw all of the printed letters of support from Rick's neighbors, he was more in support of this variance request.

Approval motion by Member Russell, seconded by Member Ignatowski, to approve variance request ZBA 25-0004 at 9676 Zukey Dr., TID 4715-22-301-003 to permit the construction of an addition to existing detached garage, where the accessory structure front yard setback is 2 feet instead of the required 15 feet, per Section 36-215 (3) and the accessory structure height is 21.9 feet instead of the required 14 feet, per Section 36-215 (9).

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

Vote: Ayes: (5)

VOTE: MOTION CARRIED UNANIMOUSLY

APPROVAL OF THE MEETING MINUTES:

Approval motion by Member Ignatowski, seconded by Trustee Hardesty, to approve March 12, 2025, Zoning Board of Appeal Meeting Minutes, as presented.

Vote: Ayes: (5)

VOTE: MOTION CARRIED UNANIMOUSLY

ADJOURNMENT:

Approval motion made by Trustee Hardesty, seconded by Member Russell to adjourn at 7:27pm.

Vote: Ayes: (5)

VOTE: MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Lisa Perschke

Planning/Zoning Coordinator & Recording Secretary

David Rohr

Planning & Zoning Director

The minutes were approved as presented/corrected: _____

Joyce Priebe, Chair