

ZBA Case Number 26-0005
\$500.00

Redacted
Version

HAMBURG TOWNSHIP
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Receipt: 1044636
Amount: \$500.00



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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 #: 15-386-86-1652 Subdivision: MUMFORD PARK Lot No.: 37
3. Address of Subject Property: 11050 ALGONQUIN RD PINKNEY MI 48169
4. Property Owner: PHILIP & DENISE MADIS Phone: (H) 248-910-2028
Email Address: _____ (W) _____
Street: 11050 ALGONQUIN RD PINKNEY City PINKNEY State MI
5. Appellant (If different than owner): _____ Phone: (H) _____
E-mail Address: _____ (W) _____
Street: _____ City _____ State _____
6. Year Property was Acquired: 2014 Zoning District: _____ Flood Plain N/A
7. Size of Lot: Front 50' Rear 50' Side 1 204.26 Side 2 204.26 Sq. Ft. 10213
11. Dimensions of Existing Structure (s) 1st Floor _____ 2nd Floor _____ Garage _____
12. Dimensions of Proposed Structure (s) 1st Floor _____ 2nd Floor _____ Garage _____
13. Present Use of Property: _____
14. Percentage of Existing Structure (s) to be demolished, if any 100 %
15. Has there been any past variances on this property? Yes _____ No X
16. If so, state case # and resolution of variance application _____
17. Please indicate the type of variance or zoning ordinance interpretation requested:
SEE ATTACHED EXHIBIT A FOR ALL

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

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Hamburg Township
Planning and Zoning Department

- 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.

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Planning and Zoning

• 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).

Owner's Signature



5-26-2026
Date

Appellant's Signature

Date

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Exhibit A

17. Type of Variance Requested

Waterfront Setback Variance Requested (35 feet):

I am requesting a 35-foot waterfront setback variance because the waterfront ordinance is significantly restricting my available building envelope. With only 50 feet of waterfront frontage, far narrower than the average lot in the area, the site becomes extremely limited from a design perspective.

My family includes five children, and we hope this home will serve not only our immediate needs, but also as a family gathering place for reunions and a home that can be passed down for generations. The narrow frontage and strict waterfront ordinance make it difficult to design a functional family home without minimal relief.

The habitable portion of the home fully complies with all setback requirements. The only noncompliant element is the porch, which is an outdoor living space intended to enjoy the aesthetics of the lake and is not enclosed or considered habitable space.

To the east, the neighboring home's primary structure is only 28 feet from the water, and several homes to the east are 40 feet or less from the waterfront, which significantly reduces my water view and establishes a clear precedent for reduced waterfront setbacks. To the west, there is no residential neighbor, as the adjacent parcel is a public out lot that will never be developed for housing.

Given these constraints, the 35-foot variance for the porch is the minimum relief necessary to create a functional home for a large and growing family.

18. Variance Standards

18(a) Exceptional or Extraordinary Circumstances

The property is uniquely constrained by the waterfront setback ordinance and its unusually narrow 50-foot frontage. These conditions significantly limit the buildable area compared to typical lots.

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Additionally, the neighbor to the east is only 28 feet from the water, and all eastern neighbors are 40 feet or less from the waterfront, demonstrating that the surrounding homes do not face the same restrictive conditions.

The habitable portion of the home fully complies with all setback requirements. The only noncompliant element is the porch, which is an outdoor living space intended to enjoy the aesthetics of the lake and is not enclosed or considered habitable space. This further demonstrates that the hardship is driven by the ordinance constraints and not by the design of the home.

18(b) Preservation of Substantial Property Right

A variance is necessary to allow reasonable use of property comparable to neighboring homes. The eastern neighbor's 28-foot setback and the general 40-foot-or-less pattern along the shoreline demonstrate that homes in this area enjoy significantly more flexibility than what the ordinance allows on my narrow lot.

Because the habitable portion of the home is fully compliant, the hardship is limited solely to the porch—an outdoor, non-habitable living space intended for enjoyment of the lake's aesthetics. Without minimal relief for this feature, the property cannot reasonably support a home consistent with others in the area.

There is no residential neighbor to the west, as the adjacent parcel is a public out lot, so the variance has no impact on that side.

18(c) No Material Detriment

The variance will not harm public welfare or neighboring properties. The proposed porch remains farther from the water than several nearby homes, including the 28-foot setback of the eastern neighbor. The variance does not obstruct views, access, or light.

The property is located at the end of a cul-de-sac, and the proposed placement of the home and porch does not impede or interfere with the views of any neighboring homes.

With a public out lot to the west, there is no potential for adverse impact on that side.

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Housing
Planning and Zoning

18(d) Consistency with Master Plan

The variance supports the Township's master plan by enabling reasonable residential use of an existing plotted lot. The home remains within all other required setbacks, and the porch is the only element requiring relief.

Because the variance applies only to a non-habitable, outdoor living feature, it does not increase density, living area, or alter land use patterns.

18(e) Not General or Recurrent

The hardship arises from the unusually narrow 50-foot lot and the waterfront setback requirement, which together significantly reduces the buildable area. The neighbor's 28-foot encroachment and the shoreline precedent of 40 feet or less further distinguish this property from typical lots. This is not a general or recurring condition in the district.

18(f) No Non-Permitted Use

The variance does not introduce any use not permitted in the zoning district. The property will continue to be used as a single-family residence.

18(g) Minimum Necessary Variance

The requested 35-foot variance is the minimum necessary to allow reasonable use of the property. The home has been designed entirely within the compliant building envelope, and the only encroachment is the porch, which is an outdoor living space intended to enjoy the aesthetics of the lake and is not enclosed or considered habitable space.

No additional variances are being sought.

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May 22, 2026

Nancy and Bob Gray
11058 Algonquin Dr.
Pinckney, MI 48169

To Whom It May Concern,

We, Nancy and Bob Gray, are writing to share our wholehearted support for the new home being built next door by our nephew, Phil Madis, and his wife, Denise Madis. The previous house on the property, built in 1950's, had reached a point where it no longer reflected the charm or potential of our neighborhood. Their new home will be a welcome and meaningful improvement, bringing fresh beauty and value to the area.

Having recently completed a remodel of our own home, we understand how transformative thoughtful updates can be, not just for a single property, but for the entire neighborhood. Phil and Denise's new home will complement the improvements already taking place and contribute to a renewed sense of pride in our community.

We also want to express our full approval of the home's planned location on the site. As a family, we are especially excited to have Phil, Denise, and their extended family close by. We look forward to many years of shared time, celebrations, and everyday moments together.

Warm regards,

Nancy and Bob Gray

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