

Hamburg Township

Planning Commission Zoning Board of Appeals Planning & Zoning Department



2024 Annual Report

Prepared by: Planning & Zoning Department Staff
January 30, 2025

Introduction

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Planning Commission

Purpose

The Hamburg Township Planning Commission reviews and approves site plans, special use permits, planned unit developments, zoning text and map amendments, and master plans. The Planning Commission advises the Township Board concerning site plans, zoning text and map amendments, and the Master Plan.

Members

Chair: Jeff Muck

Township Board Representative: Patricia Hughes

ZBA Representative: Joyce Priebe

Member: Ron Muir

Member: John Hamlin

Member: Victor Leabu

Member: Deborah Mariani

2024 PC Meetings

<u>PC Case Number</u>	<u>Applicant/Parcel ID/Address</u>	<u>Project Description Considered</u>	<u>Result / Status</u>
January 17, 2024 – No Meeting			
February 21, 2024			
<u>PCPUD23-0001</u>	7620 M-36	Preliminary site plan application for General Planned Unit Development (PCPUD23-0001) Project located at 10303 Hamburg Road (Parcel A) and 7620 M-36 (Parcel B). Parcel A will consist of 40 attached two-story multi-family units (38,800 SF) and a community center (1,400 SF). Parcel B will include a gas station building (2-story, 5,475 SF) attached to a mixed-use retail/residential building (2-story, 2,400 SF), as well as a gas station canopy with 12 stalls and a height of 17'. The Retail building will be used as offices for the apartment use.	Approved/Conditions
March 20, 2024			
<u>PZTA24-0001</u>	9300 Hamburg Rd.	Zoning Map Amendment 24-0001. Change zoning of the parcel commonly known as 9300 Hamburg Rd. (TID 4715-24-103-038) from Medium Density Residential (RA) to Neighborhood Service (NS). (Zoning Ordinance Section 36-177).	Approved
April 17, 2024			
<u>PCPUD23-0001</u>	7620 M-36	Final site plan application for General Planned Unit Development (PCPUD23-0001) Project located at 10303 Hamburg Road (Parcel A) and 7620 M-36 (Parcel B). Parcel A will consist of 40 attached two-story multi-family units (38,800 SF) and a community center (1,400 SF). Parcel B will include a gas station building (2-story, 5,475 SF) attached to a mixed-use retail/residential building (2-story, 2,400 SF), as well as a gas station canopy with 12 stalls and a height of 17'. The Retail building will be used as offices for the apartment use.	Approved/Conditions

May 15, 2024			
<u>PPAM24-001</u>	10564 Learning Lane	Preliminary site plan application for General Planned Unit Development (GPUD) regulations (Section 36-439). The proposed project proposes a 208-unit apartment complex with a club house. The complex will be located on old Hamburg Elementary Site. The subject property consists of five existing parcels (15-25-200-056 (VC), 15-25-200-062(GI), 15-25-400-013 (VC), 15-25-400-042 (VC), and 15-25-101-084 (VR)) totaling 15.4 acres. The apartment complex will consist of 22 residential structures, 14 structures with 8 residential units and 15 structures with between 8-16 residential units: a community club house with offices, a gym, a community recreational room, and a pool.	Approved/Conditions
June 19, 2024			
<u>PZTA24-0002</u>	Text Amendment	Zoning Ordinance Article 3, Section 36-429, Elderly Cottage Housing Opportunity (ECHO) Planned Unit Development.	Recommended Approval
July 17, 2024 – No Meeting			
August 21, 2024 – No Meeting			
September 18, 2024			
<u>PPAM24-001</u>	10564 Learning Lane	Final site plan application for General Planned Unit Development (GPUD) regulations (Section 36-439). The proposed project proposes a 208-unit apartment complex with a club house. The complex will be located on old Hamburg Elementary Site. The subject property consists of five existing parcels (15-25-200-056 (VC), 15-25-200-062(GI), 15-25-400-013 (VC), 15-25-400-042 (VC), and 15-25-101-084 (VR)) totaling 15.4 acres. The apartment complex will consist of 22 residential structures, 14 structures with 8 residential units and 15 structures with between 8-16 residential units: a community club house with offices, a gym, a community recreational room, and a pool.	Tabled
October 16, 2024			
<u>PPAM24-001</u>	10564 Learning Lane	Final site plan application for General Planned Unit Development (GPUD) regulations (Section 36-439). The proposed project proposes a 208-unit apartment complex with a club house. The complex will be located on old Hamburg Elementary Site. The subject property consists of five existing parcels (15-25-200-056 (VC), 15-25-200-062(GI), 15-25-400-013 (VC), 15-25-400-042 (VC), and 15-25-101-084 (VR)) totaling 15.4 acres. The apartment complex will consist of 22 residential structures, 14 structures with 8 residential units and 15 structures with between 8-16 residential units: a community club house with offices, a gym, a community recreational room, and a pool.	Approved/Conditions
<u>PZTA24-0004</u>	Text Amendment	Zoning Ordinance Article 3, Sec. 36-482. Sign regulation enforcement.	Recommended Approval
<u>PZTA24-0005</u>	Text Amendment	Zoning Ordinance Section 36-434. - Cottage housing planned unit development (CHPUD)	Recommended Repeal
November 20, 2024 – No Meeting			
December 18, 2024 – No Meeting			

Zoning Board of Appeals

Purpose

Variance approval from the Zoning Board of Appeals is necessary when a proposed project does not comply with the bulk and setback standards of the ordinance. The ZBA may also issue interpretations of the Zoning Ordinance and hear appeals of the activities of the Zoning Administrator. Below is a summary of the variance process:

1. The variance or ordinance interpretation application and project plans are submitted to the Planning and Zoning Department at least four weeks prior to the ZBA hearing.
2. After review to ensure the application is complete, staff prepares legal notices that are mailed to adjoining property owners and occupants within 300 feet of the subject site; legal notice is published in the Press and Argus. Legal notice must be made 15 days prior to the hearing.
3. Staff prepare the report and exhibits. The staff report packet is published 7 days prior to the hearing; board members and applicants receive the packet via email.
4. Staff prepare the meeting room and attends the board meeting.
5. After hearing, staff prepares memorialization of findings for board approval at next hearing.

Members

Chair/PC Representative: Joyce Priebe

Township Board Representative: Jason Negri

Member: Brian Ignatowski

Member: Bill Rill

Member: Ben Russell

Meetings

The number of variance applications per year has fluctuated based on multiple factors such as the health of the economy, the constrained size of waterfront lots available for residential construction, code enforcement activity, and staff working with homeowners to design a project that would comply with the ordinance.

2024 ZBA Meetings

<u>ZBA Case Number</u>	<u>Owner/Applicant/Parcel ID/Address</u>	<u>Project Description/Variance Requested/Appeal</u>	<u>Result / Status</u>
January 10, 2024			
<u>ZBA 23-0016</u>	8727 Pleasant Lake Dr. (15-14-301-017)	Variance application to permit the construction of a patio roof on the lake side of the home. Applicant requests a 22-foot variance from the required waterbody setback of 50-feet, per Section 36-293 (C)(2) b.	Granted
<u>ZBA 23-0017</u>	10910 Bob White Beach (15-27-401-037)	Variance application to permit the construction of a 24x40 foot pole barn on the out parcel across from the principal home. Applicant requests three variances; 1) variance of 11.2 feet from the required front yard setback of 25 ft., per Section 36-186(F). 2) variance of 37.8 feet from the required wetland setback of 50 feet., per Section 36-293(C)(2) a. 3) variance for additional 160 sq ft from the maximum accessory structure size allowed of 800 sq ft, per Section 36-215(10).	Granted
February 14, 2024 - No Meeting			

March 13, 2024			
<u>ZBA</u> <u>24-0002</u>	6365 Riverdale Dr. (15-23-306-020)	Variance application to permit the construction of an addition, second story and deck. Applicant requests four variances. 1) 85-foot variance from the required 125 feet natural rivers setback, per section 36-175(e)(1). 2) 1.7-foot variance from the required side yard setback of 10 ft., per Section 36-186(G). 3) 2-inch variance from the required side yard setback of 10 ft., per Section 36-186(G). 4) 3.6-foot variance for 10 feet building to building requirement, per Section 36-215(4).	Granted
April 10, 2024			
<u>ZBA</u> <u>43-0001</u>	8651 Pleasant Lake Dr. (15-14-301-053)	Variance application to permit the construction of a 30x35 pole barn. Applicant requests a 14.5-foot variance from the required wetland setback of 50 feet., per Section 36-293(C)(2)a.	Granted
<u>ZBA</u> <u>24-0003</u>	4831 Downing Dr. (15-28-402-002)	Variance application to permit the construction of garage with storage above. Applicant requests one variance. 1) 5.7-foot variance from the required 25-foot front setback, per section 36-171(d).	Granted
May 8, 2024 - No Meeting			
June 12, 2024 - No Meeting			
July 10, 2024 - No Meeting			
August 14, 2024 - No Meeting			
September 11, 2024			
<u>ZBA</u> <u>24-0005</u>	Beach Lane (15-33-110-174)	Variance application to permit the construction of a single-family home. Applicant requests a 21.2-foot variance from the required wetland setback of 50 feet., per Section 36-293(C)(2) a.	Granted
October 9, 2024			
<u>ZBA</u> <u>24-0006</u>	10210 Buhl Dr. (15-27-101-024)	Variance application to permit the construction of a new attached two car garage. Applicant requests a variance from the required side setback of 10 feet., per Section 36-171(D).	Granted
<u>ZBA</u> <u>24-0007</u>	10232 Buhl Dr. (15-27-101-046)	Variance application to permit the construction of a new pole barn. Applicant requests a variance from maximum structure size permitted, per Section 36-215 (11)(c).	Granted

November 13, 2024			
<u>ZBA</u> <u>24-0008</u>	3255 Orchard Dr. (15-20-110-034)	Variance application to permit the construction of a new detached two car garage. Applicant requests a variance from the required front setback, per Section 36-171(D).	Granted
<u>ZBA</u> <u>24-0009</u>	11347 Pleasant View Dr. (15-31-201-014)	Variance application to permit the construction of an addition. Applicant requests a variance from the required side setback, per Section 36-171(D).	Granted
December 11, 2024 - No Meeting			

The table below illustrates the number of cases the ZBA has heard in previous years.

<u>2024</u>	<u>2023</u>	<u>2022</u>	<u>2021</u>	<u>2020</u>
11	19	12	21	20

Planning & Zoning Department

Staff

Planning & Zoning Director: David Rohr

Zoning Coordinator: Lisa Perschke

Code Enforcement Officer / Permit Tech.: Ted Michowski

Land Use Permits

Land use permits are issued by the Township Zoning Department to certify that a project or use meets the standards of the Zoning Ordinance. Land use permits are required for the following projects, including, but not limited to: the erection of a new building, accessory structure or the alteration of an existing structure (i.e.: house, garage, shed, deck, fence, interior remodel, patio, gazebo, porch, pool, generator, etc.), the excavation, alteration or filling of land, a new use or change in use of land or an existing building, home occupations, seasonal sales, and signs. The replacement of a door, window, siding, roof, and gutter work require a land use permit waiver.

When an applicant applies for a land use permit, the following process is followed:

1. A completed land use permit application is submitted to the Planning and Zoning Department (either in person, or via email or mail), along with three copies of project construction plans and three copies of the site plan. The site plan must accurately show property boundaries, location of grinder pump, well, septic field, and all existing and proposed improvements. The site and project footprint must be staked prior to the submittal of the land use permit.
2. After the application is reviewed for completeness, zoning staff conduct a site inspection, if necessary, depending on the project, to verify the information on the plans. (Repairs, such as siding, windows, and roofs, do not require an inspection prior to issuing the land use permit waiver).
3. The land use permit must be approved by Treasury and Utilities Departments prior to the Zoning Department issuing the permit. Once the permit is approved and issued, the applicant is contacted to pay for and pick-up the approved plans and permit.
4. If required, the applicant files for permits from the Livingston County Building Department.
5. Upon project completion, the applicant must contact the Planning and Zoning Department for a final inspection. Staff will visit the site to verify that the project appears to be built to plan and that all final zoning compliance requirements, such as final grading, removal of construction debris, or drainage management, are complete. Once the inspection is complete, staff contact the building department to inform them that the final zoning inspection has been approved.

2024 Land Use Permits

Hamburg Township issued 900+ land use permits in 2024. The following table shows how many permits were issued per month by permit type.

Category	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sept	Oct	Nov	Dec	Issued
Accessory Dwelling Unit													0
Addition	1		1		3	1	1	1	1	1			10
Alteration, Interior Remodel	1	2	2	5	7	1	5	2	1	4	3	1	34
Bed and Breakfast													0
Change of Use	1				1		1						3
Commercial New Construction													0
Commercial Tenant Improvement										1			1
Deck	6	4	3	9	3	9	7	5	6	4	5	2	63
Demolition	1		4		2		4	1	1	2	1	2	18
Fence			1	3	3	2	2	3	4	1	3		22
Garage	3			3	1			2		2	1		12
Grading			1										1
Home	1		2			4	2	1	1	3	2		16
Home Occupation					1					2	2		5
Mechanical Equipment	12	13	10	10	9	12	12	16	12	16	7	9	138
Mobile Home		1											1
Multi-family													0
Other	1		4	1	6	5	9	3	3	2	4	2	40
Patio				2	1	1	2		1				7
Pole Barn	1		3	1	2	3	2	1	1	1	2	2	19
Pool, above ground													0
Pool, inground		1	1			1							3
Porch		1		2	1		1	2					7
Repair, Reroof, Windows	20	34	63	52	60	67	52	42	45	30	20	15	500
Seasonal Sales						1						1	2
Seawall													0
Shed	1		2	2		1	3	2	1		3	2	17
Short Term Rentals		1	2	1	1	2	3	2			3		15
Sign	1												1
Solar Panels				1	2		1	1	2	1		1	9
Temporary Building or Use									2				2
Wireless Communication Facilities													0
TOTALS:	50	57	99	92	103	110	107	84	81	70	56	37	946

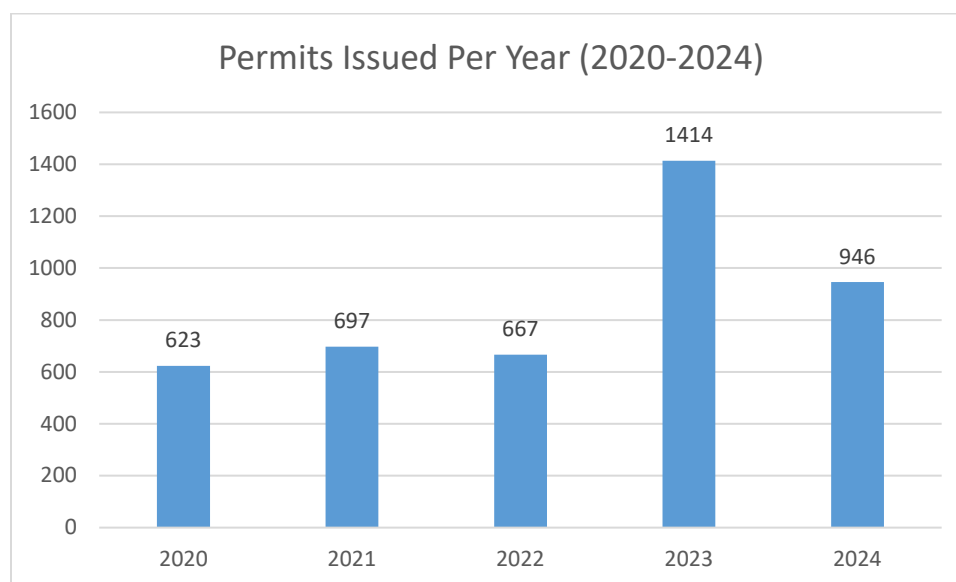
Land Use Permits Issued per Year:

2024

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
50	57	99	92	103	110	107	84	81	70	56	37	946

2023

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
38	27	60	57	83	86	207	264	220	197	118	59	1414



From 2023 to 2024 there was a 33% decrease in the number of total land use permits issued (decrease of 468 permits). The decrease in the number of permits issued came after a historic increase the previous year. Staff encountered no significant operational disruptions and anticipates a similar number of permits in 2025.

Code Enforcement

Ted Michowski, Code Enforcement Officer 2024 New Code Enforcement Complaints

Type	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sep.	Oct.	Nov.	Dec.	Total
Accessory Structure													
Animals	1										1	1	3
Blight	1	1	1	3	2	3	1	2	1	2		4	21
Building no Permit			2		1		1	1		2	2		9
Business – not permitted				1		1	1				2		5
Grading – no permit													
Commercial vehicles – not permitted							1	1			1		3
DEQ Permit required													
Dumping					1					1		3	5
Fence Violation						1	1						2
General Nuisance		1										2	3
Illegal Storage													
Illegal Temp. Structure											1		1
Illegal Yard Sale													
Lighting Violation													
Other					1	2	2	1	1	2	1	1	11
Outside Storage													
Seawall Permit Req.									1		1		2
Sign Violation													
Structure in ROW													
Tall Grass/Weeds						4	2	1			1	4	12
Temporary Structure													
Unlicensed Inoperable Vehicle					1	1			1	1		1	5
Unsafe Structure									1				1
Total													<u>83</u>

Code Enforcement

Ted Michowski, Code Enforcement Officer 2023 New Code Enforcement Complaints

<u>Type</u>	<u>Jan.</u>	<u>Feb.</u>	<u>Mar.</u>	<u>Apr.</u>	<u>May</u>	<u>June</u>	<u>July</u>	<u>Aug.</u>	<u>Sep.</u>	<u>Oct.</u>	<u>Nov.</u>	<u>Dec.</u>	<u>Total</u>
Animals			1				3				1	1	6
Blight	1		1	1			2	2		2		5	16
Building no Permit			1	1		1					1	1	5
Business – not permitted			3	1		1	1				1		7
Grading – no permit			1			2			1			1	5
Commercial vehicles – not permitted		2											2
DEQ Permit required				1	1	1							3
Dumping						1							1
Fence Violation				1									1
General Nuisance						1	1						2
Illegal Storage													
Illegal Temp. Structure													
Illegal Yard Sale													
Lighting Violation												1	1
Other	2		1				2	1			2	2	10
Outside Storage													
Seawall Permit Req.													
Sign Violation													
Structure in ROW			1										1
Tall Grass/Weeds					1	2						1	4
Temporary Structure											1		1
Unlicensed Inoperable Vehicle				1	1		2	1		1		1	7
Unsafe Structure													
Total	3	2	9	6	3	9	11	4	1	3	6	13	<u>72</u>

The position of Code Enforcement is much more labor intensive requiring multiple trips to the subject property, inspect/confirm, take photographs, meet with the property owners, meet with neighbors, post notices/send letters, if necessary, prepare violations and lastly, when necessary, court appearance. The existing policy in Planning & Zoning is complaint based, meaning I respond when a resident/passers-by feels aggrieved. There are complaint forms at the front desk, or we take phone complaints, and many are also received through emails. We also accept and investigate anonymous complaints. There are two exceptions to the complaint required code enforcement action: building without a permit and activity in the wetlands. I will investigate buildings without permits because unpermitted construction could constitute a danger to public safety and welfare and is more expensive for the property owner to correct after-the-fact. Unpermitted activity in the wetlands not only could constitute a drainage or flooding hazard for adjacent properties but is also extremely expensive to remediate after-the-fact if the activity does constitute a violation of local and state laws.

Issuing violations is a last resort as residents are given a minimum of three warnings before a violation is written. Please note that each progressive step necessitates a separate trip to the property to check on compliance. Typically, residents eventually conform to the ordinance after a letter or meeting. Some are closed quickly with an educational meeting related to the ordinance and why it is in place and the impact it has on one's quality of life. Pursuing frequent violators is expensive if we must engage our township attorney to begin court proceedings. Code enforcement works with the property owner to comply, which results in a more positive outcome for the owner and the township.

We must remember that the complainant is also typically a township resident. Many times, a resident/complainant does not like the lifestyle of their neighbor and wants to impose their life's standard on the neighbor. This is where diplomacy is important. Acknowledging the frustration of the complainant, while educating them about the ordinance and the limits of my enforcement arm. Some complaints simply are not enforceable.

A Code Enforcement Officer is a mediator. Think about how many times a typical resident has some sort of interaction with a township representative. Each of us can articulate in every detail about our last interaction with a police officer, fire marshal, zoning official, building inspector. They do not occur very often and should have a positive impact on the residents. For the complainant, it was important enough to take time out of their day to file a complaint, even though it may appear very petty at times. For the violator, you may be asking them to remove or dispose of their personal property, rearrange their yard which may be conceived as violating their personal space.

Code Enforcement Process

- 1) Received Code Compliance Request Form via in person, written, phone or email.
- 2) Create a code enforcement file in BS&A where it is assigned a number. Visit the site, speak with homeowner, (if they answer the door), verify a code violation, and take pictures. Return to the office and write a warning letter, file scan letter and update BS&A file. Typically, a resident is given 14 days to rectify the violation.
- 3) Revisit site after 14 days have passed. If the violation still exists, more pictures may be warranted, another attempt to speak with the resident, a second notice is prepared and mailed, and the computer is updated.
- 4) Revisit site again to see if the violation still exists, more pictures may be warranted, another attempt to speak with the resident.
- 5) Revisit the site after the time has passed. If the conditions have not improved or worsened a third and final letter is prepared. This letter is sent as certified mail with return receipt or hand delivered. The letter clearly indicates this is the **final** warning.
- 6) After the time period has elapsed, a civil infraction violation is prepared as an E-ticket. If personal service cannot be made a copy is mailed first-class mail and an additional copy is posted on the property per the Civil Infraction Ordinance #71.

- 7) Once the court appearance date has passed and the property owner has not addressed the initial violation the ordinance does provide for another violation to be written. The second violation assesses the fine at twice the listed amount in the ordinance.
- 8) Prior to any court proceeding, another pass is made by the location in question where pictures are taken depicting the condition of the property.

(These are recommended steps. Each complaint is handled in the best interest of all individuals involved.)

2025 Goals

1. Prioritize blighted properties.
2. Continuing to familiarize myself with the Zoning Ordinances.
3. Assist each resident make every home or business a little better for each of their neighbors in Hamburg Township.

Land Divisions, Boundary Adjustments, and Combinations

In 2024, staff processed applications for 13 applications. However, there are some applications that are still pending, either for incorrect legal descriptions, surveys required, or for delinquent taxes. There was an increase in the number of land divisions processed due to the splitting of several larger parcels.

	<u>2024</u>	<u>2023</u>	<u>2022</u>
<u>Lot Combinations</u>	8	7	4
<u>Land Divisions</u>	3	0	0
<u>Boundary Adjustments</u>	2	5	1

This is the process for applying for a land division, combination, or boundary adjustment:

1. An application for a division, combination, or adjustment is submitted to the Planning and Zoning Department.
2. Planning staff review the application to ensure that it complies with G.O. 95A and the Land Division Act (for land divisions).
3. Planning staff distributes the application materials to the Assessing, Utilities, Treasury, and Accounting Departments.
4. Once the departments have signed off on the application, planning staff gives the approved application to the Assessing Department for processing, which includes assignment of a property identification number and preparation of final paperwork.
5. The Assessing Department staff sends an approval letter and necessary paperwork to the applicant.

Floodplain Activity

The flood-inundation study and maps, prepared in cooperation with U.S. Army Corps of Engineers, Hamburg Township and Green Oak Township, have been released to Hamburg Township. According to the the USGS website “Digital flood-inundation maps for an 8-mile (mi) reach of the Huron River near Hamburg, Michigan (station number 04172000), from downstream of Rickett Road to Strawberry Lake, were created by the U.S. Geological Survey (USGS), in cooperation with Green Oak and Hamburg Townships, Michigan, and the U.S. Army Corps of Engineers. The flood-inundation maps also include a 1.16-mi reach of the Ore Lake Tributary until it joins the Huron River, approximately 2.22 mi downstream of Rickett Road. The flood-inundation maps, which can be accessed through the USGS Flood Inundation Mapping Science website at http://water.usgs.gov/osw/flood_inundation/, depict estimates of the areal extent and depth of flooding corresponding to selected water levels (stages) at the USGS stream gage on the Huron River near Hamburg, Michigan (station number 04172000). Near real-time stages at this stream gage may be obtained on the Internet from the USGS National Water Information System at <http://waterdata.usgs.gov/> or the National Weather Service (NWS) Advanced Hydrologic Prediction Service at <http://water.weather.gov/ahps/>. The NWS Advanced Hydrologic Prediction Service also provides forecasted flood hydrographs at this website.”

When property owners ask the township whether or not a property is in the floodplain, typically what they want to know is whether they will be required to purchase flood insurance. Flood insurance is required for structures in the floodplain that carry a federally back mortgage. However, for insurance requirements for these mortgages, FEMA cares only about the floodplain they have identified--the special flood hazard area (SFHA). FEMA defines the SFHA as that area that will be inundated by a flood event having a one percent chance of being equaled or exceeded in any given year; this area is commonly referred to as the 100-year flood or the base flood.

FEMA’s Flood Insurance Rate Maps (FIRM) and the Flood Insurance Study (FIS) identify the 100-year flood zones and the base flood elevations for the flood zones. FEMA defines the base flood elevation (BFE) as “the computed elevation to which floodwater is anticipated to rise during the base flood. Base Flood Elevations (BFEs) are shown on Flood Insurance Rate Maps (FIRMs) and on the flood profiles. The BFE is the regulatory requirement for the elevation or floodproofing of structures. The relationship between the BFE and a structure's elevation determines the flood insurance premium.”

FEMA adopted the SFHA maps, or the 100-year flood zone maps, for Hamburg Township in 2008; the 2008 maps replaced maps that were originally adopted in 1986. The township relies heavily on the FIRM and the FIS to determine the BFE and if further floodplain information is required by the property owner. The scale of FEMA’s maps is 1:1,000, making using the maps at the parcel level nearly impossible. When there is a question as to whether or not the structure or property is within the SFHA, staff asks for a topographical survey. A topographical survey shows the elevations of the existing structure, the lowest adjacent grades to the structure, the finished floor elevation, and most importantly, the limit of the BFE. If it clear from the FEMA map that the structure is located in the SFHA, we require that an elevation certificate be submitted. The elevation certificate is a FEMA document that is filled out by a surveyor or engineer and provides critical information about the structure’s location in or out of the floodplain.

Michigan Residential Building Code regulates floodplains based on elevations and not the SFHA and requires that a home in the floodplain be elevated at least one foot above the BFE; this elevation is called one-foot freeboard. The one-foot freeboard requirement applies to new construction as well as lateral additions to existing homes. (An accessory structure, because it has a different insurance rating than a home, has different elevation requirements.)

There is only one way to determine if a structure is truly in the floodplain based on elevations and that requires a topographical survey. Once the determination has been made that the structure is in the floodplain—whether by

the mapped SFHA or by elevations—an elevation certificate is required at three points during the construction process: prior to receiving a land use permit; when the foundation is installed and prior to vertical construction; and prior to final certificate of occupancy.

Hamburg Township property owners are able to purchase flood insurance policies because we participate in the National Flood Insurance Program (NFIP). The NFIP underwrites flood insurance coverage only in communities that adopt and enforce floodplain management regulations through an ordinance that meets or exceeds NFIP criteria. Because we participate in the NFIP, it is essential that the township enforce our floodplain ordinance for every property in the SFHA.

Our ordinance mirrors the Michigan building requirement that all substantial improvements of residential structures shall have the lowest floor elevated at least one foot above the BFE. FEMA defines a substantial improvement as any improvement of a structure, the cost of which exceeds 50 percent of the market value of the structure prior to commencement of the improvement.

CRS Activity

The township voluntarily participates in NFIP's Community Rating System. CRS is an incentive program that recognizes and encourages community floodplain management activities that exceed the minimum NFIP requirements. Because of our participation in the CRS and because we undertake additional regulatory activities, such as the one-foot freeboard requirement, Hamburg Township property owners are able to purchase flood insurance at a discounted premium rate. Every part of our participation in the CRS program is administrative, residents do not know that we undertake these activities on their behalf to reduce their flood insurance premiums.

The township earns points for various administrative activities, such as sending floodplain informational letters to lenders, realtors, and insurers; sending informational letters to homeowners in the repetitive loss areas of the township; maintaining elevation certificates for every project in the SFHA; updating our flood maps; and ensuring that projects in the SFHA are properly permitted.

FEMA audits CRS communities on a five-year cycle. Hamburg Township was audited on April 9, 2019. In addition to the routine administrative tasks associated with being a CRS participant, staff spent upwards of 80 hours preparing for the audit and responding to the auditor's requests for additional information. After the auditor reviewed township's documents and activities, we were advised that we remain a Class 8 CRS community, which offers homeowners a ten percent discount on flood insurance premiums. The 2024 five-year CRS review is currently in the review process.

Staff Training & Professional Activities of 2024

The planning department attended the following training and continues to be involved in the following professional activities:

- December 2022-January 2024: Retook the MSU Extension Master Citizen Planner (6 section course) online and at home.
- January-April 2024: Took and passed the MSU Extension Zoning Administrator Certificate Course.
- January to September 2024: FEMA NFIP 101: Introduction to Floodplain Management (reference guide only) online- completed.
- March 1, 2024: Site Plan Review and Master Planning Process in Mt. Pleasant (MAP training)
- March 14, 2024: Advanced ZBA: Beyond the Fundamentals (MAP training)
- March 21 & 22, 2024: Planning and Zoning Essentials (MAP training)
- March 21, 2024: Zoning Administration (MAP training)