

CHARTER TOWNSHIP OF HIGHLAND  
ZONING BOARD OF APPEALS  
APPROVED MINUTES  
JANUARY 19, 2022

The meeting was held at Fire Station # 1, 1600 W. Highland Road, Highland, Michigan.

Chairman Gerathy called the meeting to order at 7:30 p.m.

**ROLL CALL:**

David Gerathy, Chairman  
Michael Borg, Vice Chairman  
Anthony Raimondo, Secretary  
Peter Eichinger  
Scott Green  
Robert Hoffman  
John Jickling - Absent  
(Alternate) Mary Michaels - Absent

Visitors: 3

Mr. Gerathy welcomed those in attendance and stated that there are only 6 members present this evening. Four affirmative votes are needed to approve a variance.

**NEW BUSINESS:**

1. CASE NUMBER: 22-01  
COMPLAINT #:  
ZONING: R1.5 - Residential 1.5 Acre  
PARCEL #: 11-35-101-005  
PROPERTY ADDRESS: 1867 Pettibone Lk Rd  
APPLICANT: James Long  
OWNER: James Long  
VARIANCE REQUESTED: a 10-foot front yard setback variance from 50 feet required to 40 feet provided from a proposed private road easement.  
(Table 4.1 – Schedule of Regulations) The variance is from an existing accessory structure and is being requested to complete a land division application.

Chairperson Gerathy introduced the case and asked the applicant if he wished to proceed. Mr. James Long, the applicant was present and wished to proceed.

**Discussion from the Applicant:**

Mr. Long explained that he wishes to divide the property for his two sons. The house and barn are existing and to accommodate the division a 60-foot-wide private road easement is required. Mr. Long reported that he tried to purchase land from the recreation area and was unable to do so because the land is in a state trust. Mr. Long explained that his property was recently rezoned to R1.5 single family residential, minimum lot size 1.5 acres.

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**Discussion from the Public:**

There was no public comment.

**Discussion from the Board:**

Mr. Borg offered the following facts and findings.

- The parcel is zoned R1.5.
- Creating the private road easement will create two front yards.
- The front parcel will be approximately 3.5 acres.
- The rear parcel will be 1.5 acres.
- The barn is existing and is only 40 feet from the proposed easement.

Mr. Raimondo offered additional facts and findings.

- The variance will not be harmful to or alter the essential character of the area.
- The parcel is exceptionally narrow.
- The property is surrounded by Highland Recreation Area.

Mr. Borg added two more facts

- The parcel is surround on the north, south and east lot lines by State land.
- The existing driveway will be removed when the road is created.

Mr. James Long stated that they will have two driveways at least until the other driveway is put in. Both will be needed during construction. Mr. James Long, Jr. indicated that he plans to keep the existing driveway and have two driveways, not a road. Mr. Hoffman questioned the location of the existing driveway and the proposed private road. The Longs don't know if they will be placing both driveways off the proposed private road easement as they haven't reviewed construction details with their engineer and Township staff. Mrs. Burkhart explained that a private road easement is required by the zoning ordinance to access the rear parcel and that the type of construction is determined by staff and possibly the Board of Trustees if a variance is needed from the private road ordinance. Mr. Borg asked if removal of the existing driveway could be a condition of approval. Mrs. Burkhart affirmed that the Board could impose conditions. Several Board members indicated removal of the existing driveway was not necessary

**Motion:**

Mr. Borg made a motion in Case 22-01, Parcel #11-35-101-005, 1867 Pettibone Lake Road to approve a 10-foot front yard setback variance from 50 feet required to 40 feet provided from a proposed private road easement. (Table 4.1 – Schedule of Regulations) based on the previous facts and findings. The variance is from an existing accessory structure and is being requested to complete a land division application. Mr. Hoffman supported the motion. Roll Call Vote: Mr. Hoffman-yes, Mr. Eichinger-yes, Mr. Green-yes, Mr. Raimondo-yes, Mr. Gerathy-yes, Mr. Borg-yes (6 yes votes). The motion passed and the variance was granted.

**MINUTES:**

Mr. Eichinger made a motion to approve the minutes of January 5, 2022, as corrected. Mr. Borg supported the motion. The motion was approved with a unanimous voice vote (5 yes votes). (Mr. Green abstain).

**DISCUSSION:**

Mrs. Burkhart will review prior minutes regarding by-law revisions and report at the next meeting.

**ADJOURN:**

Mr. Raimondo made a motion to adjourn the meeting. Mr. Hoffman supported the motion. The motion carried with a unanimous voice vote. The meeting was adjourned at 8:02 p.m.

Respectfully submitted,

Anthony Raimondo  
Secretary

AR/lgb