

CHARTER TOWNSHIP OF HIGHLAND
ZONING BOARD OF APPEALS
APPROVED MINUTES
MARCH 2, 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

Visitors: 8

Mr. Gerathy welcomed those in attendance and reviewed the procedures for addressing the Board. He stated that 4 affirmative votes are needed to approve a variance.

OLD BUSINESS:

1. CASE NUMBER: 21-36 ***Tabled January 5, 2022 and February 16, 2022***
COMPLAINT #:
ZONING: R-1.5 – Single Family Residential (RCD)
PARCEL #: 11-28-100-006
PROPERTY ADDRESS: 136 Inverness at the intersection of Prestwick Trail and West Highland Road (M-59)
APPLICANT: Danielle Cadaret
OWNER: Prestwick Village Country Club
VARIANCE REQUESTED: A variance to allow 2 signs where only one sign is allowed (Section 14.07.I.3.a.)
A height variance of 2 feet 11 inches to the top of the sign face from four feet required to 6' 11" provided (Sections 14.07.I.1 & 14.07.I.5 & Table 14.2)
A height variance of 7'2" to the top of the sign structure for decorative elements from 6 feet permitted to 13' 2" (Section 14.07.I.5 & 14.07.I.8)
An area variance of 97.5 square feet from 100 square feet permitted to 197.5 feet provided for a total theoretical area of decorative elements (Section 14.07.I.8)
The request is for permission to erect two signs where only one is allowed and to exceed the height and decorative area requirements for residential signs.

Chairman Gerathy introduced the case. The applicant was not present.

Mrs. Michaels made a motion to remove Case #21-36 from the table. Mr. Hoffman supported the motion and it carried with a unanimous voice vote (7 yes votes).

Since the applicant was not present, Chairman Gerathy moved on to the next case.

NEW BUSINESS:

2. CASE NUMBER: 22-02
COMPLAINT #:

ZONING: R-3 – Single Family Residential 3-acre minimum lot size
PARCEL #: 11-34-301-016
PROPERTY ADDRESS: 2810 S. Milford Road
APPLICANT: Andrew Pyles
OWNER: Andrew Pyles
VARIANCE REQUESTED: a 12.5-foot front yard setback variance from 75 feet required to 62.5 feet provided from a proposed private road easement to an existing house.
a 26.2-foot front yard setback variance from 75 feet required to 48.5 feet provided from a proposed private road easement to an existing accessory structure (barn)
a 15-foot (west) side yard setback variance from 40 feet required to 25 feet provided and
a 31.1-foot (south) rear yard setback variance from 100 feet required to 68.9 feet provided to an existing shed.
(Table 4.15 – Schedule of Regulations)
These variances are from existing structures and are being requested to complete a land division application.

Mr. Gerathy introduced the case. Mr. Pyles was present and wished to proceed. Mr. Pyles noted that the rear and side yard setbacks are from the boundaries as opposed to the proposed private road easement. Mr. Green asked if the request needed to be readvertised. Mrs. Burkhart stated that the side yard and rear yard setbacks were clear enough that the Board could move forward.

Discussion from the Applicant:

Mr. Pyles had nothing further to add.

Discussion from the Public:

There was no public comment.

Discussion from the Board:

Mr. Hoffman asked if the proposed private road would be the required 60-foot width. Mr. Pyles indicated that it would be the required width to access the rear parcel. Mr. Hoffman noted that the buildings are existing; “these are not new buildings”. Mr. Borg asked where the private road easement would terminate. Mr. Pyles responded that it would end at the proposed split line. Mr. Borg also questioned the

size of the proposed parcels. Mr. Pyles indicated that one will be just over 5 acres and the other just over 4 acres. Mr. Borg stated that the parcel is unique as it is surrounded by office, RM, LV, R1.5 and agricultural zoning districts. Mrs. Michaels and Mr. Eichinger thought the request was reasonable, Mr. Borg offered the following facts and findings:

- The south lot line abuts office space, multiple family, R-3, R-1.5, and LV and the south and west parcel line abuts agricultural land.
- The proposed private road creates a front yard along the north lot line.
- The split keeps each parcel above the 3-acre minimum.

Mr. Raimondo added the following facts and findings:

- The variance is the minimum necessary
- The variance would not alter the essential character of the area.

Motion:

Mr. Borg made a motion to approve the following variances from Table 4.15 – Schedule of Regulations a 12.5-foot front yard setback variance from 75 feet required to 62.5 feet provided from a proposed private road easement to an existing house.
a 26.2-foot front yard setback variance from 75 feet required to 48.5 feet provided from a proposed private road easement to an existing accessory structure (barn)
a 15-foot (west) side yard setback variance from 40 feet required to 25 feet provided and
a 31.1-foot (south) rear yard setback variance from 100 feet required to 68.9 feet provided for an existing shed for Case #22-02, Parcel #11-34-301-016, 2810 S. Milford Road. These variances are from existing structures and are being requested to complete a land division application. Mr. Eichinger supported the motion. Roll Call Vote: Mr. Raimondo-yes, Mr. Gerathy-yes, Mr. Borg-yes, Mr. Green-yes, Mr. Hoffman-yes, Mrs. Michaels-yes, Mr. Eichinger-yes (7 yes votes). The motion carried and the variance was granted.

3. CASE NUMBER: 22-03
COMPLAINT #:
ZONING: ARR – Agricultural Rural Residential – minimum lot size 5 acres
PARCEL #: 11-06-100-013
PROPERTY ADDRESS: 4455 Twin Oaks
APPLICANT: MJ Whelan Construction
OWNER: Paul E. Sechrist and Timothy J. Sechrist
VARIANCE REQUESTED: An 84-foot rear yard setback variance from required 100 feet to 16 feet provided.
(Table 4.15 – Schedule of Regulations)
The request is for a porch, garage, and second story addition to an existing single-family dwelling.

Mr. Gerathy introduced the case. Mr. Graham Sechrist was present and indicated that the applicant was not able to attend and wanted to make sure the case was tabled. Mr. Gerathy indicated that Mr. Whelan had requested tabling by e-mail.

Mr. Gerathy asked if anyone was present who wished to speak. Those in attendance indicated that they could attend the next meeting to give public comment.

Motion:

Mr. Hoffman made a motion to table Case 22-02 to the meeting of March 16, 2022. Mr. Green supported the motion. Roll Call Vote: Mrs. Michaels-yes, Mr. Eichinger-yes, Mr. Raimondo-yes, Mr. Gerathy-yes, Mr. Borg-yes, Mr. Green-yes, Mr. Hoffman-yes (7 yes votes). The motion carried.

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Chairman Gerathy noted that this case has been tabled several times and now the applicant did not show up. Mrs. Michaels, Mr. Eichinger and Mr. Gerathy stated that the applicant has had multiple opportunities to appear and thought the case should be dismissed.

Motion:

Mrs. Michaels made a motion to dismiss the application without prejudice. Mr. Eichinger supported the motion.

Discussion on the Motion:

Mr. Hoffman objected to dismissing the case and thought the applicant should be given the benefit of the doubt and have the case tabled. After further discussion, staff was asked to phone the applicant to see if she was delayed. Mrs. Burkhart reported that the applicant had thought that the manager of the golf club and a resident would be attending. Mrs. Burkhart called one of the names mentioned by the applicant.

Discussion continued about tabling the case or dismissing the case. Mrs. Burkhart suggested that perhaps there was a misunderstanding that caused the absence of the applicant.

Mr. Ken Chapman, 1234 St. Andrews, a resident of Prestwick Village, arrived at the meeting. He was asked to attend for support but was not told it was this evening. He stated that he does not represent the golf club. After further discussion regarding tabling vs dismissing the case; Mr. Eichinger withdrew his support of the motion. Mrs. Michaels withdrew her motion.

Motion:

Mr. Hoffman made a motion to postpone Case 21-36 to the first meeting of April, April 6, 2022. Mrs. Michaels supported the motion. Roll Call Vote: Mr. Eichinger-yes, Mr. Raimondo-yes, Mr. Gerathy-yes, Mr. Borg-yes, Mr. Green-yes, Mr. Hoffman-yes, Mrs. Michaels-yes (7 yes votes).

MINUTES:

Mr. Raimondo made a motion to approve the minutes of February 16, 2022, as corrected. Mrs. Michaels supported the motion. The motion was approved by a unanimous voice vote (7 yes votes).

ADJOURN:

Mr. Green made a motion to adjourn the meeting. Mr. Eichinger supported the motion. The motion carried with a unanimous voice vote. The meeting was adjourned at 8:38 p.m.

Respectfully submitted,

Anthony Raimondo
Secretary
AR/lgb