

CHARTER TOWNSHIP OF HIGHLAND  
ZONING BOARD OF APPEALS  
APPROVED MINUTES  
January 4, 2023

The meeting was held at Highland Township Auditorium, 205 N. John St., Highland, Michigan, 48357.

The meeting was called to order at 7:30 p.m.

ROLL CALL:

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

Kariline P. Littlebear, Zoning Administrator

Visitors: 2

Mr. Gerathy welcomed those in attendance and stated that he would forgo his usual introduction as only the applicants are in the audience. He reminded the applicants that four affirmative votes are required to approve a variance. If a variance is approved the applicant has one year to act upon the variance. He noted that two regular members are absent, and the alternate member is present.

**OLD BUSINESS:**

1. CASE NUMBER: 22-29  
COMPLAINT: **tabled from November 16, 2022**  
ZONING: HS – Highland Station District  
PARCEL #: 11-22-353-025  
PROPERTY ADDRESS: 290 N. John Street  
APPLICANT: Thompson-Phelan Group  
OWNER: Michigan Legacy Credit Union  
**Revised** VARIANCE REQUEST: A 5-foot variance from the road right-of-way setback from 10-feet required to 5-feet provided for one freestanding sign. (Sec. 9.05.H.7.h.ii.)  
A variance to allow two (2) signs to be made of black aluminum, polycarbonate, vinyl, and acrylic where only natural materials are allowed.  
(Sec. 9.05.H.4.) (Sec. 9.05.H.7.h.iii.)  
A variance to allow for internally illuminated signs where only exterior illumination of signs is allowed.  
(Sec. 9.05.H.5.)

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This request is for reductions in the front yard setback, materials, and illumination requirements to allow an internally illuminated wall mounted sign and one internally illuminated freestanding sign.

**Motion:**

Mr. Raimondo moved to remove Case 22-29 from the table. Mr. Hoffman supported the motion and it carried with a unanimous voice vote.

**Discussion from the Applicant:**

Brian Van Peteghem, representative for the applicant, stated that the applicant feels that the practical difficulty is the need to maintain some of the correct branding for the business since the exterior remodel of the building does not meet the brand but does meet the ordinance for the district. He pointed out that the base of the freestanding sign is proposed to be clad in the same natural-looking material as the building to bring it closer to the ordinance requirement. He also stated that there is a need for well-lit signs because they will have two new 24-hour ATM's available for customers. Gary Leech, Chief Operating Officer for the credit union, was also present and further stated that one of the ATM's will be in the foyer and the other will be for drive-up use.

**Discussion from the Public:**

Mrs. Michaels read into record an email from Timothy Kozub, 2481 Harvey Lake Rd, in opposition to the variances requested because of concerns about light pollution.

**Discussion from the Board:**

Mr. Borg stated that Highland Station is currently a mixed-use district with both commercial and residential uses and asked if there had been any changes to that as the Planning Commission is currently doing a review of the master plan. Mrs. Littlebear stated that the Planning Commission had not made any changes to the Highland Station district at the time of this meeting. Mr. Borg asked what the difference in the amount of light pollution would be between the requested variance and a sign lit in accordance with the ordinance. Mr. Eichinger, as a sign professional, stated that because of the size of the sign and the color chosen for the sign (dark blue), the difference would be minimal. Mrs. Michaels, Mr. Borg, Mr. Hoffman, Mr. Gerathy, and Mr. Raimondo stated that they did not feel that there is a practical difficulty for the request for internal illumination or materials that are not natural. Mr. Hoffman stated that sightlines on the property is the practical difficulty for the location of the freestanding sign. Mr. Raimondo offered the following facts into record: the façade changes of the building are in keeping with the character of the neighborhood and will complement the newly renovated municipal building on the same street, the proposed dimensional variance for the freestanding sign is not detrimental to the surrounding area, and the land use of the building is consistent with the master plan, the applicant has reduced the variance request from two freestanding signs to one freestanding sign.

**Motion:**

Mr. Raimondo made a motion in Case 22-29, parcel 11-22-353-025, 290 N. John St., to grant a

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5-foot variance from the required 10-foot front yard setback to 5-feet provided for one freestanding sign. Mr. Eichinger supported the motion. Mr. Borg-yes, Mr. Raimondo-yes, Mr. Eichinger -yes, Mr. Hoffman-yes, Mrs. Michaels-yes, Mr. Gerathy-yes (6 yes votes). The motion carries and the variance is granted.

Mr. Raimondo made a motion in Case 22-29, parcel 11-22-353-025, 290 N. John St., to grant a variance to allow two (2) signs to be made of black aluminum, polycarbonate, vinyl, and acrylic where only natural materials are allowed. Mr. Borg supported the motion. Mr. Borg-no, Mr. Raimondo-no, Mr. Eichinger-no, Mr. Hoffman-no, Mrs. Michaels-no, Mr. Gerathy-no (6 no votes). The motion fails and the variance is denied.

Mr. Borg made a motion in Case 22-29, parcel 11-22-353-025, 290 N. John St., to grant a variance to allow for internally illuminated signs where only exterior illumination of signs is allowed. Mr. Hoffman supported the motion. Mr. Borg-no, Mr. Raimondo-no, Mr. Eichinger -no, Mr. Hoffman-no, Mrs. Michaels-no, Mr. Gerathy-no (6 no votes). The motion fails and the variance is denied.

**MINUTES:**

Mr. Borg made a motion to approve the minutes of December 7, 2022, as corrected. Mrs. Michaels supported the motion and it carried with a unanimous voice vote.

**DISCUSSION:**

Election of ZBA officers: Mr. Hoffman nominated Mr. Gerathy for Chair. Mrs. Michaels supported the nomination and it carried with a unanimous voice vote. Mr. Raimondo nominated Mr. Borg for Vice Chair. Mr. Gerathy supported the nomination and it carried with a unanimous voice vote. Mr. Gerathy nominated Mr. Raimondo for Secretary. Mr. Borg supported the nomination and it carried with a unanimous voice vote.

**ADJOURN:**

Mrs. Michaels made a motion to adjourn the meeting. Mr. Borg supported the motion and it carried with a unanimous voice vote. The meeting adjourned at 8:34 p.m.

Respectfully submitted,

Anthony Raimondo  
Secretary  
AR/kpl