

CHARTER TOWNSHIP OF HIGHLAND  
ZONING BOARD OF APPEALS  
APPROVED MINUTES  
February 21, 2024

The meeting was held at Highland Township Fire Station #1, 1600 W. Highland Rd., 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  
Grant Charlick  
Peter Eichinger  
Robert Hoffman  
John Jickling - absent  
(Alternate) Mary Michaels  
(Alternate) Michael Zeolla - absent

Kariline P. Littlebear, Zoning Administrator

Visitors: 6

Chairman Gerathy welcomed the public and reviewed the procedures for addressing the Board. Four affirmative votes are required to approve a variance. If a variance is approved, the applicant has one year to act upon the variance. The alternate member, Mary Michaels, will participate in the meeting in place of the absent regular member.

**NEW BUSINESS:**

1. CASE NUMBER: 24-01  
COMPLAINT:  
ZONING: R1.5 (RPUD) –Residential Planned Unit Development  
PARCEL #: 11-28-180-003  
PROPERTY ADDRESS: 1161 Gleneagles  
APPLICANT: Scott Camp  
OWNER: Scott Camp  
VARIANCE REQUESTED: A 6-foot 6-inch variance from the required 40-foot rear yard setback to 33-foot 6-inches provided for a 35-foot 10-inch by 19-foot 3-inch three-season room;  
A 7-foot 8-inch variance from the required 40-foot rear yard setback to 32-foot 4-inches provided for a hot tub; and  
A 7-foot 3-inch variance from the required 30-foot rear yard setback to 22-foot 9-inches provided for an approx. 830 sq ft uncovered patio at grade.  
(Sec 7.02.C.5.)  
This request is for a reduction of the rear yard setback for the construction of a three-season room, a hot tub, and a patio at grade.

Chairman Gerathy introduced the case and asked if the applicant was present and had anything else to add that was not included with the application.

**Discussion from the Applicant:**

Mr. Camp, the applicant, was present and stated that he had nothing new to add. He also stated that he didn't believe that "three season room" was an accurate description of his project. Mrs. Littlebear stated that she had discussed the proposed plans with Mr. Tino, the Building Official. Mr. Tino determined that this project would be considered a three-season room.

**Discussion from the Public:**

There was no public comment offered from the audience. Mrs. Littlebear stated that she had not received any email or phone public comment regarding this case.

**Discussion from the Board:**

Mr. Borg stated that when he visited the property, he found that the hot tub was already in place. He asked if the Zoning Administrator had any information regarding this. Mrs. Littlebear stated that when the applicant came to apply for a variance for the construction of the three-season room she found that the patio at grade had been enlarged and the hot tub had been hooked up without permits. She found that based on the historic aerial photos, these improvements had taken place sometime between 2020 and 2023. The applicant told her that he was unaware that those things would require permits. She and the applicant decided to include all of those items on this request so that each could be reviewed and decided on.

Mr. Gerathy stated that he believed this request is similar to a recent request that was previously approved on Nairn Circle.

Mrs. Michaels disagreed with Mr. Gerathy stating that she believed that this request is very different from that request on Nairn Circle. She also stated that this request is of a personal nature.

Mr. Borg stated that each request is supposed to be reviewed on its own merit and not in comparison to another. He further stated that there did not appear to be a practical difficulty in this case.

Mr. Raimondo agreed with Mrs. Michaels and Mr. Borg. He also stated that compliance with the existing ordinance would not prevent the applicant from using the property in a reasonable manner and noted that the parcel is zoned as a Residential Planned Unit Development with regulations in place per the master deed and bylaws.

Mr. Borg asked if the applicant had already had the homeowner's association review this request. Mr. Camp stated that they had reviewed the request and have approved it. Mr. Charlick noted that the approval is in the epacket on page 25.

Mrs. Michaels asked why the homeowner's association approval only stated a covered porch. Mrs. Littlebear stated that they used different verbiage but that they reviewed and approved the same plan that is before the ZBA now.

Mr. Hoffman and Mr. Eichinger each stated the following Facts and Findings:

- The request will not negatively impact the health, safety, or welfare of the Township.
- The request is in keeping with the character of the neighborhood.
- The request does not encroach onto neighboring properties or sightlines.
- The request is adjacent to the common open space.
- The homeowner's association approved the request.
- The request is the minimum necessary.

**Motion:**

Mr. Hoffman made a motion in Case #24-01, 1161 Gleneagles, parcel # 11-28-180-003, to approve a 6-foot 6-inch variance from the required 40-foot rear yard setback to 33-feet 6-inches provided for a 35-foot 10-inch by 19-foot 3-inch three-season room, a 7-foot 8-inch variance from the required 40-foot rear yard setback to 32-feet 4-inches provided for a hot tub, and a 7-foot 3-inch variance from the required 30-foot rear yard setback to 22-feet 9-inches provided for an approx. 830 sq ft uncovered patio at grade based on the Facts and Findings.

Mr. Eichinger supported the motion.

**Roll Call Vote:** Mr. Hoffman-yes, Mr. Borg-no, Mr. Eichinger-yes, Mr. Raimondo-no, Mr. Charlick-yes, Mrs. Michaels-no, Mr. Gerathy-yes, (4 yes votes, 3 no votes). The motion carried and the variance was approved.

2. CASE NUMBER: 24-02  
COMPLAINT:  
ZONING: IM – Industrial Manufacturing District  
PARCEL #: 11-15-376-008  
PROPERTY ADDRESS: 1664 N Milford Rd  
APPLICANT: Michael Bruns  
OWNER: Jeff Bruns  
VARIANCE REQUESTED: A 23-foot 6-inch variance from the required 75-foot front yard setback to 51-foot 6-inches provided.  
(Table 4.15 Schedule of Regulations)  
This request is for a reduction of the front yard setback for the construction of a 55-foot 8-inch by 181-foot industrial storage building with a 10-foot by 181-foot overhang for outdoor storage.

Chairman Gerathy introduced the case and asked if the applicant was present and had anything else to add that was not included with the application.

**Discussion from the Applicant:**

Mr. Bruns, the applicant, was present and went over the information for the case as provided. He stated that the north end of the property where the building is proposed to be constructed is currently an open storage yard and the parcel narrows along the eastern rear property line toward that storage yard along the northern property line. Mr. Bruns stated that the variance is necessary to accommodate truck and emergency vehicle maneuvering room around the building while still providing the needed materials storage inside the proposed building. He noted that most of the other IM buildings along this road are actually closer to the road than the building that is being proposed. He further stated that he had done some additional drawings of the landscaping per the Planning Commission request. He provided those to Mrs. Littlebear prior to tonight’s meeting. Mrs. Littlebear stated that she had passed the information to the Planning Director, Beth Corwin, as she is the liaison to the Planning Commission, but she did not provide the information to the ZBA as it did not pertain to the variance request.

**Discussion from the Public:**

There was no public comment offered from the audience. Mrs. Littlebear stated that she had not received any email or phone public comment regarding this case.

**Discussion from the Board:**

Mr. Gerathy asked the Planning Commission liaison, Mr. Charlick, if he could talk about the site plan review. Mr. Charlick explained the issues that the Planning Commission are looking at on this project. Mr. Raimondo noted that this lot is zoned IM and would support this request per the following:

Facts and Findings:

- The request will not negatively impact the health, safety, or welfare of the Township.
- The need for a variance is not self-created.
- The request is in keeping with the character of the adjacent industrial and manufacturing properties.
- The rear of the parcel is adjacent to the railroad tracks.
- The parcels across the railroad tracks are also industrial.
- The parcel narrows at the northern area where the building would be constructed.
- The request is the minimum necessary.

**Motion:**

Mr. Raimondo made a motion in Case #24-02, 1664 N Milford Rd, parcel # 11-15-376-008, to approve a 23-foot 6-inch variance from the required 75-foot front yard setback to 51-feet 6-inches provided for the construction of a 55-foot 8-inch by 181-foot industrial storage building with a 10-foot by 181-foot overhang for outdoor storage pending approval from Planning Commission. Mr. Eichinger supported the motion.

**Roll Call Vote:** Mr. Hoffman-yes, Mr. Borg-yes, Mr. Eichinger-yes, Mr. Raimondo-yes, Mr. Charlick-yes, Mrs. Michaels-yes, Mr. Gerathy-yes, (7 yes votes). The motion carried and the variance was approved.

**CALL TO THE PUBLIC:**

Mr. Gerathy asked if the audience members had any comment. Alex Bellovary, 3773 Orchard Rd, stated that he and his wife are observing because they will have a request before the board at the March 6, 2024 meeting.

**MINUTES:**

Mrs. Michaels made a motion to approve the minutes of December 6, 2023, as presented. Mr. Eichinger supported the motion, and it was approved with a unanimous voice vote.

**DISCUSSION:**

Mrs. Michaels stated that she wanted to discuss procedure now that there are two alternate members. For example, should they take turns on cases or should the senior alternate member always be asked to step in first? Mr. Charlick suggested that Mrs. Michaels step up until Mr. Zeolla has had an opportunity to observe a few meetings and get comfortable. The rest of the board members agreed. Mr. Gerathy asked if Mrs. Littlebear knew why he wasn't present for this meeting. Mrs. Littlebear explained that Mr. Zeolla was also appointed to the Highland Downtown Development Authority and that board meeting is also on Wednesdays. She felt that most likely that meeting had run late and that is why he was not present tonight. Mr. Borg asked what will happen if he is needed. Mrs. Littlebear stated that most of the DDA meetings end before the ZBA meeting starts and Mr. Zeolla is aware that he may have to leave the DDA meeting early if he is needed for ZBA. Mr. Raimondo stated that normally the election of officers is held at the first meeting of the year but that it was not on the agenda. Mrs. Littlebear apologized for the oversight and stated that she would have that on the next agenda.

**ADJOURN:**

At 8:10 p.m., Mrs. Michaels made a motion to adjourn the meeting. Mr. Raimondo supported the motion and it was approved with a unanimous voice vote.

Respectfully submitted,

Anthony Raimondo  
Secretary  
AR/kpl