

CHARTER TOWNSHIP OF HIGHLAND
ZONING BOARD OF APPEALS
APPROVED MINUTES
June 3, 2026

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

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

ROLL CALL:

David Gerathy, Chair
Michael Borg, Vice Chair
Anthony Raimondo, Secretary
Michael Zeolla, P.C. Liaison - **absent**
Peter Eichinger
Robert Hoffman
Gary Childs
Chuck Benke, Alternate - **absent**
Jacob Probe, Alternate

Kariline P. Littlebear, Zoning Administrator
Samantha George, Assistant Zoning Administrator

Visitors: 4

Chair Gerathy welcomed the public to the meeting and reviewed the procedures for addressing the Board, stating 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 P.C. Liaison Michael Zeolla is absent and so alternate member, Jacob Probe, will be sitting in on this meeting.

NEW BUSINESS:

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| 1. CASE NUMBER: | 26-10 |
| ENFORCEMENT: | EE25-0077 |
| ZONING: | RPUD- Residential Planned Unit Developments |
| PARCEL #: | 11-09-153-020 |
| PROPERTY ADDRESS: | 4269 Taggett Lake Dr |
| APPLICANT: | Scott Green |
| OWNER: | Scott Green |
| VARIANCE REQUESTED: | A 10-foot variance from the required 15-foot north side yard setback to 5-feet provided.
(Sec. 7.02.C.5)
This request is for a reduction of the north side yard setback for the construction of a shed. |

Discussion from the Applicant:

The applicant, Mr. Green, stated that he googled the setbacks and placed the cement pad down, where he thought it should go. Mr. Green said that google said the setback was 5-feet, so he put it at 7-feet. He also stated that the parcel is undersized for the R1.5 zoning. Mr. Green stated there is a large tree and the land slopes off, so he can't move it over due to that and the septic system. He also noted he spoke with his neighbor who does not have an issue with the shed.

Discussion from the Public:

Chair Gerathy read into record a letter of support from Kent Urbanowicz, 4307 Taggett Lake Dr.

Discussion from the Board:

Chair Gerathy asked the zoning administrators if there was anything else to add.

Mrs. Littlebear stated that the setbacks for the property are always included in the packets. She noted this was an enforcement due to the applicant building without permits. Mrs. Littlebear also stated this specific parcel is zoned RPUD, which is a planned unit development. The underlying zoning was R1.5 before the development and part of the development was to create building envelopes with new setbacks. Once the RPUD is established, the previous R1.5 setbacks no longer apply.

Mr. Hoffman stated he was not sure where else the shed could be put due to all the dense trees. He noted the shed is close to the lot line, but the applicant wouldn't be making a ton of noise, and he doesn't have any objections to this request.

Mr. Eichinger asked the applicant what the shed would be used for. Mr. Green stated for storage. Mr. Eichinger noted he was finding it hard to find a practical difficulty when the applicant could move the shed closer to the house.

Mr. Borg asked about question number 4, has the difficulty been self-created by the current owner. The applicant put no and Mr. Borg stated the applicant created it himself.

Mr. Raimondo pointed out to the board that it's zoned residential planned unit development and stated that the parcel is non-conforming. He stated that if the board grants the variance, it would be the minimum necessary and would not alter the essential character of the neighborhood. The variance does not harm the health, safety and welfare of the area. Mr. Raimondo also stated this is zoned a residential planned unit development and felt that the applicant did not create the hardship.

Mr. Probe asked the applicant to clarify if it's a 10-foot variance or an 8-foot. Mr. Green said he put the shed 7-feet off the line when he thought it was 5-feet, to be safe and not encroach, and that's why he asked for 10-feet when it should be 8-feet. Mr. Green stated he was supposed to be 15-feet off the property line and he's at 7-feet.

Mr. Borg clarified the applicant really needs an 8-foot variance instead of the 10-foot.

Mr. Hoffman asked if the applicant would have needed a permit if the shed was under 200 square feet.

Mrs. Littlebear noted that all structures in Highland Township need a permit, per the ordinance.

Motion:

Mr. Raimondo made a motion to approve Case #26-10, parcel # 11-09-153-020, commonly known as 4269 Taggett Lake Dr, for an 8-foot variance from the required 15-foot north side yard setback to 7-feet provided, for the construction of a shed, per the facts and findings provided. Mr. Hoffman supported the motion.

Facts and Findings:

This request is the minimum necessary.

This request will not be detrimental to nor alter the essential character of the neighborhood.

This request will not harm the health, safety and welfare of the area.

Roll Call Vote: Mr. Borg-no, Mr. Raimondo-yes, Mr. Eichinger -no, Mr. Hoffman -yes, Mr. Childs -yes, Mr. Probe-no, Mr. Gerathy -yes (4 yes votes, 3 no votes). The motion passed and the variance request was approved.

2. CASE NUMBER: 26-11
ENFORCEMENT:
ZONING: LV– Lake and Village Residential
PARCEL #: 11-12-301-016
PROPERTY ADDRESS: 2501 Davista Dr
APPLICANT: Kevin & Kristin Kolb
OWNER: Kevin & Kristin Kolb
VARIANCE REQUESTED: A 7-foot variance from the calculated 30-foot ordinary highwater mark setback to 23-feet provided.
(Sec. 9.02.D.)
This request is for a reduction of the ordinary highwater mark setback for the construction of an uncovered deck.

Discussion from the Applicant:

The applicant, Mrs. Kolb, stated she and her husband bought the property last year in July. When they closed on the house everything was existing, including the deck. The first thing they noticed what terrible shape the deck was in and how unsafe it was. Mrs. Kolb stated that when she talked with Mrs. Littlebear about the property, that's when she found out that potentially none of it is in compliance or ever has been in compliance. Mrs. Kolb noted her parcel is 100-feet by 100-feet on Duck Lake and the house is about 33-feet from the water. The predecessors had gotten variances but since learned that nothing was built in accordance with the variances. It also appeared additional sections of the deck does not appear to be permitted at all. The deck is about 30 to 40 years old and has rotten sections with loose steps and boards. Mrs. Kold stated their plan is to eliminate the two end sections on the east and west of the deck, to just square off the remaining two sections. Mrs. Kolb noted that they would not be any closer to the lake than it currently is. Mrs. Kolb stated that if the variance is granted it will help with any future buyers having issues and it will also improve the deck and safety.

Discussion from the Public:

None

Discussion from the Board:

Chair Gerathy asked the zoning administrators if there was anything else to add. Mrs. Littlebear explained that normally if a variance has been granted for a particular item and if someone's coming forward to replace that particular item in the exact same location with the same size, then the Zoning Administrator can pull the old variance records from the archives and approve the new request based off the old variance. However, when the old records were retrieved for the house's original build and decks, somehow it turned out that the site plans that were provided for the variances and permits do not actually match what's on the ground. The house ended up being built closer to the water than the variance that was granted. The decks ended up being closer than the variances that were granted. Mrs. Littlebear stated it happened a few decades ago and wasn't caught. The only way to fix it now is to have an accurate site plan with accurate measurements from the house to the seawall, from the house to the side yards and accurate measurements of the deck. The goal is for this current variance to reflect what is actually on the ground, so that moving forward this issue is resolved.

Mrs. Kolb shared aerial photos of the neighbors to the east and west showing the decks lining up consistently and how the new deck will not be out of the norm.

Mr. Hoffman stated this is a typical cottage community development before a lot of the current zoning laws. He also noted it will be safer while improving the neighborhood and doesn't have an issue with it.

Mr. Raimondo stated the applicant is planning to rebuild a new deck with an overall footprint reduction to create a smaller deck. Mr. Raimondo stated he feels the need for the variance was created by the previous owner. He also asked the applicant if this is a fix it and flip it for financial gain or a forever home. Mrs. Kolb stated they plan on staying, and they are building the deck out of PVC material and not wood, for it to last longer.

Mr. Raimondo wanted to point out that this is a 7-foot variance from the calculated ordinary high-water mark, not a side yard or rear yard setback and with that he would be in favor of granting some relief for the applicant.

Mr. Childs stated it would be an improvement and Mr. Eichinger agreed.

Motion:

Mr. Borg made a motion to approve Case #26-11, parcel # 11-12-301-016, commonly known as 2501 Davista Dr, for a 7-foot variance from the calculated 30-foot ordinary high-water mark setback to 23-feet provided, for the construction of an uncovered deck, per the facts and findings provided. Mr. Eichinger supported the motion.

Facts and Findings:

This request is the minimum necessary.

This request encroaches less than the existing structures.

This request is consistent with the surrounding parcels.

This request will not be detrimental to nor alter the essential character of the neighborhood.

This request will not harm the health, safety and welfare of the area.

Roll Call Vote: Mr. Borg-yes, Mr. Raimondo-yes, Mr. Eichinger -yes, Mr. Hoffman -yes, Mr. Childs -yes, Mr. Probe -yes, Mr. Gerathy -yes, (7 yes votes). The motion passed and the variance request was approved.

MINUTES:

Mr. Childs made a motion to approve the minutes of May 20, 2026, as corrected. Mr. Raimondo supported the motion, and it was approved with a unanimous voice vote.

DISCUSSION:

Mr. Borg announced he would be moving to North Carolina and will be retiring in August. He noted he would be resigning August 31st, 2026.

Mr. Borg then asked the zoning administrators about the next meeting. Mrs. Littlebear stated there was only one case.

ADJOURN:

At 8:03 p.m., Mr. Raimondo made a motion to adjourn the meeting. Mr. Borg supported the motion, and it carried with a unanimous voice vote.

Respectfully submitted,

Anthony Raimondo, Secretary
AR/kpl