

CHARTER TOWNSHIP OF HIGHLAND
ZONING BOARD OF APPEALS
APPROVED MINUTES
July 17, 2024

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, Chairman
Michael Borg, Vice Chairman
Anthony Raimondo, Secretary
Grant Charlick - absent
Peter Eichinger
Robert Hoffman
John Jickling
(Alternate) Mary Michaels
(Alternate) Michael Zeolla

Kariline P. Littlebear, Zoning Administrator

Visitors: 1

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. After the roll was called and a full board was confirmed the alternate member, Michael Zeolla, excused himself to rejoin the HDDA meeting at Steeple Hall.

NEW BUSINESS:

1. CASE NUMBER: 24-13
COMPLAINT: EE24-0112
ZONING: LV – Lake and Village Residential District
PARCEL #: 11-12-303-004
PROPERTY ADDRESS: 2390 Dean Dr
APPLICANT: Andrew Grossman
OWNER: Andrew Grossman and Maureen Pichner
VARIANCE REQUESTED: A 30-foot variance from the required 65-foot ordinary high-water mark setback to 35-feet provided.
(9.02.D.)
This request is for the construction of an approx. 130 square foot uncovered deck and stairs.

Chairman Gerathy introduced the case and asked if the applicant was present. The applicant stepped up to the podium. Mr. Gerathy asked if the Zoning Administrator had anything to add. Mrs. Littlebear noted that this case was before them on an enforcement and that once Mr. Grossman knew that he needed a permit he came in to get one and found that a variance would be required.

Discussion from the Applicant:

Andrew Grossman, applicant, was present and went over the case as presented.

Discussion from the Public:

No public comment was offered.

Discussion from the Board:

Mr. Eichinger stated that the deck is not blocking any neighbor's views and seems to be a very reasonably sized deck. Mrs. Michaels agreed with Mr. Eichinger's observations.

Mr. Hoffman noted that it is very difficult to even see the deck from the road and asked how it was found out that he had built this deck without a permit. Mrs. Littlebear stated that the Building Official was in the neighborhood doing inspections and saw the front deck constructed without a permit. When he investigated further, he found that the rear deck had also been recently constructed without a permit. When Mr. Grossman came in to get permits it was then discovered that the front deck meets setbacks and so moved forward with a building permit, but the rear deck would require a variance to stay in place.

Mr. Jickling stated that he is disappointed that again there is another case of asking forgiveness instead of permission. He asked if the Building Official would do something to check the depth of the footings. Mr. Grossman said that the Building Official has stated that he will either have to probe the footings or have Mr. Grossman dig down next to the posts to verify the footing depth.

Mr. Borg stated that he agrees with everyone's previous statements.

Mr. Raimondo asked the applicant if he plans to enclose the rear deck in the future. Mr. Grossman stated that he did not have any plans to do so.

Facts and Findings

This request is the minimum necessary.

The need for the variance is not self-created.

The house itself encroaches on the ordinary high-water mark setback.

The applicant stated that he will not enclose the deck.

This request will not obstruct the view of the wetlands for the neighbors.

This request is in keeping with the character of the neighborhood.

Motion:

Mr. Eichinger made a motion in Case #24-13, parcel # 11-12-303-004, commonly known as 2390 Dean Dr, to approve a 30-foot variance from the required 65-foot ordinary high-water mark setback to 35-feet provided for the construction of an approx. 130 square foot uncovered deck and stairs.

Mr. Hoffman supported the motion.

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

Board members discussed the possibility of a Final Determination but decided not to execute one as this request came before them on an enforcement basis.

2. CASE NUMBER: 24-14
COMPLAINT: Postponed to August 7, 2024
ZONING: LV – Lake and Village Residential District
PARCEL #: 11-11-181-004
PROPERTY ADDRESS: 1511 Ludean Dr
APPLICANT: Paul & Mary Lynn Lipscomb
OWNER: Janet Lipscomb
VARIANCE REQUESTED: This case must be postponed to the August 7, 2024 meeting due to a defect in the newspaper advertisement.

Chairman Gerathy introduced the case noting that it is being postponed. He then asked the Zoning Administrator if she could explain. Mrs. Littlebear explained that the case needs to be tabled to the next meeting due to a defect in the newspaper advertisement. She stated that the advertisement has been corrected.

Motion:

Mrs. Michaels made a motion in Case #24-14, parcel # 11-11-181-004, commonly known as 1511 Ludean Dr, to table the case to the August 7, 2024 meeting. Mr. Borg supported the motion, and it was approved with a unanimous voice vote.

CALL TO THE PUBLIC:

No public comment was offered.

MINUTES:

Mr. Borg made a motion to approve the minutes of June 19, 2024, as presented. Mrs. Michaels supported the motion. It was approved with a voice vote of six (6) yeses with Mr. Jickling abstaining due to his absent on that date.

DISCUSSION:

Mr. Jickling stated that he will be stepping down from the board and that his last meeting will be the second Wednesday of September 2024. Mrs. Michaels stated that she would like to be appointed as his replacement. The board members all expressed their appreciation for his service on the board these last four years.

ADJOURN:

At 7:51 p.m., Mrs. Michaels made a motion to adjourn the meeting. Mr. Hoffman supported the motion, and it was approved with a unanimous voice vote.

Respectfully submitted,

Anthony Raimondo
AR/kpl