

CHARTER TOWNSHIP OF HIGHLAND
ZONING BOARD OF APPEALS
APPROVED MINUTES
September 18, 2024

The meeting was held at Highland Activity Center, 209 N. John St, Highland, MI, 48357.

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

ROLL CALL:

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

Kariline P. Littlebear, Zoning Administrator

Visitors: 8

Vice-Chairman Borg 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, Michael Zeolla, will participate in the meeting in place of the absent regular member.

NEW BUSINESS:

1. CASE NUMBER: 24-20
ENFORCEMENT:
ZONING: LV – Lake and Village Residential District
PARCEL #: 11-09-330-003
PROPERTY ADDRESS: 1077 Woodruff Lake Dr. (Vacant)
APPLICANT: Timothy Watts
OWNER: Charles M. Krecek – KRECEK SD IRA LLC
VARIANCE REQUESTED: A 15-foot variance from the required 30-foot front yard setback to 15-foot provided; and
A 5-foot variance from the required 10-foot side yard setback to 5-foot provided; and
A 26-foot variance from the required 52-foot ordinary high-water mark setback to 26-feet provided; and
A 116-square foot variance from the required 750-square foot minimum first floor residential square footage to 634-square feet provided.
(Sec. 9.02.B.a., Sec. 9.02.B.b., Sec. 9.02.D., and Sec 9.02.F.)
This request is for the construction of a house, attached garage, and covered porches.

Vice-Chairman Borg introduced the case and asked if the applicant was present. The applicant and property owner stated that they were present. Mr. Borg asked if the Zoning Administrator had anything to add. Mrs. Littlebear stated that she had nothing new to add.

Discussion from the Applicant:

Charles Michael Krecek, applicant, was present and went over the case as presented. He stated that this request was before the ZBA two years ago and was approved. He obtained a building permit based on that approval but then experienced some health and financial issues that prevented him from moving forward with the project. Both that previous variance approval and the building permit have since expired, and the building permit has been closed. He is ready to complete the project now.

Discussion from the Public:

Marion Walsh, 1089 Woodruff Lake Dr, asked if the plans were the same as had been submitted for the previous variance request. The applicant stated that it was, so Ms. Walsh said that she has no objection to the request.

Discussion from the Board:

Mr. Charlick stated that he owned this property several years ago and sold it to Mr. Krecek. He doesn't feel that he has a conflict of interest due to the significant amount of time since he owned it and will not profit in any way from any decision made regarding this property. Each board member stated their agreement with Mr. Charlick's statement.

Mr. Hoffman stated that it is a difficult lot with an irregular shape and that the design is well done.

Mr. Zeolla stated that he was impressed with the creativity that allowed for an engineered septic field and a nice house on such an odd lot.

Mr. Raimondo noted that usually when there are several variances requested on one parcel it indicates that the parcel is being overbuilt. He stated that in this instance, however, it doesn't seem to be the case because this lot is irregularly shaped and shallow, and the request is the minimum necessary to build a modest home that is in keeping with the characteristics of the neighborhood. He noted that two separate similar variance requests on this parcel were approved in October of 2017 and in March 2022.

Mr. Jickling asked for a clarification on the minimum square footage requirement variance as he thought it was 1000 sq ft. Mrs. Littlebear explained that the minimum square footage for the first floor of a two-story residence is required to be 750 sq ft whereas a single-story home is required to have 1000 sq ft.

Mr. Zeolla asked when the applicant was planning to begin construction. The applicant stated that he plans to start construction in the spring but would like to begin the application process right away.

Facts and Findings

This request is the minimum necessary.

The need for the variance is not self-created.

This lot is irregularly shaped and shallow.

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

This request will not be a detriment to the general welfare of the community.

Motion:

Mr. Raimondo made a motion in Case #24-20, parcel # 11-09-330-003, commonly known as 1077 Woodruff Lake Dr, to approve a 15-foot variance from the required 30-foot front yard setback to 15-feet provided, a 5-foot variance from the required 10-foot side yard setback to 5-feet provided, a 26-foot variance from the required 52-foot ordinary high-water mark setback to 26-feet provided, and a 116-square foot variance from the required 750-square foot minimum first floor residential square footage to 634-square feet provided for the construction of a house, attached garage, and covered porches per the facts and findings. Mr. Hoffman supported the motion.

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

Mr. Zeolla made a motion in Case #24-20, parcel # 11-09-330-003, commonly known as 1077 Woodruff Lake Dr, to approve a Final Determination. Mr. Hoffman supported the motion, and it was approved with a unanimous voice vote.

2. CASE NUMBER: 24-21
ENFORCEMENT:
ZONING: LV – Lake and Village Residential District
PARCEL #: 11-14-226-006
PROPERTY ADDRESS: 2949 Maple Ridge Ave
APPLICANT: Deborah J. Huston
OWNER: Deborah J. Huston
VARIANCE REQUESTED: A 2.9-foot variance from the required 5-foot south side yard setback to 2.1-feet provided; and
A 2.1-foot variance from the required 10-foot north side yard setback to 7.9-feet provided; and
A 5-foot variance from the required 15-foot total side yard setbacks to 10-feet provided.
(Sec. 9.02.B.b.)
This request is for the construction of a second story residential addition.

Vice-Chairman Borg introduced the case and asked if the applicant was present. The applicant stated that she was present. Mr. Borg asked if the Zoning Administrator had anything to add. Mrs. Littlebear stated that she had nothing new to add.

Discussion from the Applicant:

Deborah J. Huston, applicant, went over the case as presenting adding that this was the house that she grew up in and that she inherited it after her father passed a few years ago. She does intend to live in this house full time once the construction is finished. She further stated that she had spoken with Frank Rhodes before the meeting regarding the septic system and has gotten tentative approval from him.

Gary Jacobson, 3321 Highland Blvd, friend and consultant to the applicant, explained that the existing footings will need to be reinforced to support a second story and that there is a small addition to the exiting footprint presented that will meet setbacks without a problem.

Discussion from the Public:

Mr. Borg read into record a letter of support from Leon and Linda Adams, 2931 Maple Ridge Ave.

Discussion from the Board:

Mr. Eichinger stated that a second story will not encroach into the setbacks more than the existing house and it will fit in with the character of the neighborhood.

Mr. Borg stated that this is a narrow Lake and Village District lot, and the request will not block sightlines for the neighbors.

Mr. Hoffman stated that since the request will not encroach more than the existing house, he feels that it is a reasonable proposal.

Mr. Charlick noted that the tentative approval from Frank Rhodes was included in the board packet.

Mr. Borg asked if the applicant is ready to begin construction right away. She stated that she is not ready yet as she was waiting for a determination from the ZBA before having the final blueprints completed for the building department application.

Facts and Findings:

This request is the minimum necessary.

The need for the variance is not self-created.

This request will not encroach further than the existing house.

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

This request will not be a detriment to the general welfare of the community.

Motion:

Mr. Eichinger made a motion in Case #24-21, parcel # 11-14-226-006, commonly known as 2949 Maple Ridge Ave, to approve a 2.9-foot variance from the required 5-foot south side yard setback to 2.1-feet provided, a 2.1-foot variance from the required 10-foot north side yard setback to 7.9-feet provided, and a 5-foot variance from the required 15-foot total side yard setbacks to 10-feet provided for the construction of a second story residential addition per the facts and findings. Mr. Raimondo supported the motion.

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

CALL TO THE PUBLIC:

Two local high school students were present and asked for a picture of the board members for their class.

MINUTES:

Mr. Eichinger made a motion to approve the minutes of September 4, 2024, as presented. Mr. Raimondo supported the motion. Mr. Raimondo-yes, Mr. Borg-yes, Mr. Eichinger-yes, Mr. Jickling-abstain, Mr. Zeolla-yes, Mr. Charlick-yes, Mr. Hoffman-yes, (6 yes votes, 1 abstention). The motion carried and the minutes were approved.

DISCUSSION:

Mr. Borg noted that this is Mr. Jickling's last meeting as a ZBA member and he and the rest of the board members thanked Mr. Jickling for his four years of service on the board. Mr. Jickling stated that he enjoyed his four years but is ready to move on to other pursuits and wished the board members well.

ADJOURN:

At 8:04 p.m., Mr. Raimondo made a motion to adjourn the meeting. Mr. Zeolla supported the motion, and it carried with a unanimous voice vote.

Respectfully submitted,

Anthony Raimondo
AR/kpl