

CHARTER TOWNSHIP OF HIGHLAND
ZONING BOARD OF APPEALS
APPROVED MINUTES
May 15, 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: 10

Chairman Gerathy welcomed those present 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. Alternate member, Michael Zeolla, excused himself to attend the HDDA meeting.

NEW BUSINESS:

1. CASE NUMBER: 24-10
COMPLAINT:
ZONING: LV – Lake and Village Residential District
PARCEL #: 11-32-476-031
PROPERTY ADDRESS: 3024 Central Blvd
APPLICANT: Raymond Blanchet
OWNER: Raymond Blanchet
VARIANCE REQUESTED: A 30-foot variance from the calculated 38-foot rear yard setback to 8-feet provided.
(Section 9.02.B.c.)
This request is for the construction of an accessory structure.

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:

Raymond Blanchet, applicant, was present and discussed a brief history of the property. He stated that he rents the house out and his renter requested that he build a garage. He told his renter that he would try because having a garage in Michigan is important due to the inclement weather throughout much of the year.

Discussion from the Public:

No public comment was offered.

Discussion from the Board:

Mr. Borg stated that in reference to worksheet question #1 the lot is exceptionally narrow but not shallow, irregularly shaped, or has unusual topography. Then referencing worksheet question #2 he noted that moving the septic system would allow the structure to be built within the setback requirements. Mr. Borg then referenced question #3 stating that the request is of a personal nature as a garage is not required to use his residential property. Finally, referencing question #6, he stated that he does not feel that this is the minimum variance necessary as the septic field could be relocated to the rear of the lot so that the structure could be built to meet the setback requirements.

Mr. Hoffman stated that the lot is exceptionally narrow and small such that moving the septic field would not be reasonable. He noted that the proposed location meets the Oakland County Health Division's (OCHD) minimum setback requirement from the septic field. He also felt that it would be an unreasonable cost to move the septic field.

Mr. Jickling stated that narrowness is not the issue here as the proposed structure would meet the side setbacks. He also noted that finances are not something that they are supposed to consider.

Mr. Raimondo asked the applicant if he plans to run electricity to the proposed structure and if he plans to remove the existing smaller accessory structure if the proposed structure is built. Mr. Blanchet said that he does plan to run electricity to the new structure to run the garage door opener and the light, and he does plan to remove the existing structure as it would block access to the new structure.

Mrs. Michaels asked if the applicant plans to install a heat system in the proposed structure because in the photo provided of said structure it looks like there is a heat stack coming out the rear wall. Mr. Blanchet stated that he does not intend to heat the structure and noted that the photo was just an example of the general type and size of the structure.

Mr. Eichinger noted that the access to the rear of the yard where the proposed structure would be located is very narrow. He asked the applicant if a driveway is planned. Mr. Blanchet noted that there is 14 feet between the house and the side lot line, so he plans to install a 12-foot-wide driveway.

Mr. Gerathy stated that moving the septic field does not seem like a viable option considering the size of the lot and that the requested location seems to be the best spot on the property.

Facts and Findings

The parcel is extremely narrow.

The request is the minimum variance necessary.

The request meets the OCHD minimum setback requirement from the septic field.

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

Motion:

Mr. Hoffman made a motion in Case #24-10, 3024 Central Blvd, parcel # 11-32-476-031, to approve a 30-foot variance from the calculated 38-foot rear yard setback to 8-feet provided for the construction of an accessory structure. Mr. Raimondo supported the motion.

Roll Call Vote: Mr. Hoffman-yes, Mr. Borg-no, Mr. Eichinger-yes, Mrs. Michaels-yes, Mr. Raimondo-yes, Mr. Jickling-no, Mr. Gerathy-yes, (5 yes votes, 2 no votes). The motion carried and the variance was approved.

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| 2. CASE NUMBER: | 24-11 |
| COMPLAINT: | |
| ZONING: | LV – Lake and Village Residential District |
| PARCEL #: | 11-32-476-007 |
| PROPERTY ADDRESS: | 2225 North St |

APPLICANT: Robert Husic
OWNER: Robert Husic
VARIANCE REQUESTED: A 6.9-foot variance from the calculated 30-foot eastern front yard setback to 23.1-feet provided.
(Section 9.02.B.a.)
This request is for the construction of an uncovered deck and stairs.

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:

Robert Husic, applicant, was present and went over the case as presented.

Discussion from the Public:

No public comment was offered.

Discussion from the Board:

Mrs. Michaels stated that this lot is substandard, the two front yards create a practical difficulty, and the existing decks are very dilapidated. She noted that the request is to provide the necessary access to the home.

Mr. Eichinger agreed with Mrs. Michaels noting that the encroachment is the minimum necessary to access the door facing Central Blvd and would be an improvement to the neighborhood.

Mr. Borg stated he agreed that having two front yards on a small lot presents a difficulty and that the request is the minimum necessary.

Mr. Raimondo agreed with the other Board members stating the facts and findings below.

Facts and Findings

The parcel is substandard in size.

The parcel is a corner lot with two front yards.

The request is the minimum variance necessary.

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

The request will not negatively impact the neighborhood.

Motion:

Mr. Raimondo made a motion in Case #24-11, 2225 North St, parcel # 11-32-476-007, to approve a 6.9-foot variance from the calculated 30-foot eastern front yard setback to 23.1-feet provided for the construction of an uncovered deck and stairs. Mr. Borg supported the motion.

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

Mrs. Micheals made a motion to issue a Final Determination for case # 24-11. Mr. Raimondo supported the motion and it was approved with a unanimous voice vote.

3. CASE NUMBER: 24-12
COMPLAINT:
ZONING: ARR – Agricultural & Rural Residential District
PARCEL #: 11-16-300-015
PROPERTY ADDRESS: 1660 W Wardlow Rd
APPLICANT: Blake Charlick
OWNER: Blake & Elizabeth Charlick

VARIANCE REQUESTED: A 25-foot variance from the required 75-foot front yard setback to 50-feet provided.
(Section 4.15)
This request is for the construction of an accessory structure.

Discussion from the Applicant:

Blake Charlick, applicant, was present and reviewed the case as presented. He stated that he did his best to find a location for the proposed structure that protected the trees and wildlife habitat.

Discussion from the Public:

Mr. Gerathy noted that the Board received three emails in support of case ZBA24-12 from Alison and Austin Teifke who lives at 1875 Cherem Dr., from Matt Boesch, who lives at 1730 W. Wardlow Rd., and from Linda and Mike Omstead who live at 1874 Cherem Dr.

Discussion from the Board:

Mr. Eichinger stated that the proposed location is good because the structure would not be visible from either W. Wardlow Rd or Cherem Dr.

Mary Michaels stated that the proposed location seems to have the least impact on the neighborhood and the property itself.

Mr. Raimondo stated that the request is very similar to a previously approved ZBA case and is in keeping with the surrounding neighborhood.

Mr. Borg noted that the emailed public comments were in support because the trees would be preserved. He stated that in that vein he would support this request with the condition that there would not be a driveway installed from Cherem Dr in order to preserve those trees as well.

Mr. Jickling stated that this request is not the minimum necessary because it does appear that there is room to build the structure and still meet the setback requirements.

Facts and findings

The parcel is a corner lot with two front yards.

The request is the minimum variance necessary.

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

The request will not negatively impact the neighborhood.

Motion:

Mr. Eichinger made a motion in Case #24-12, 1660 W Wardlow Rd, parcel # 11-16-300-015, to approve a 25-foot variance from the required 75-foot front yard setback to 50-feet provided for the construction of an accessory structure with the condition that there will not be a driveway to the new accessory structure from Cherem Dr. Mr. Borg supported the motion.

Roll Call Vote: Mr. Hoffman-yes, Mr. Raimondo-yes, Mr. Eichinger-yes, Mrs. Michaels-yes, Mr. Borg-yes, Mr. Jickling-no, Mr. Gerathy-yes, (6 yes votes, 1 no votes). The motion carried and the variance was approved.

CALL TO THE PUBLIC:

No public comment offered.

MINUTES:

Mr. Borg made a motion to approve the minutes of May 1, 2024, as corrected. Mrs. Michaels supported the motion which carried by unanimous voice vote.

DISCUSSION:

Mr. Borg asked about the ordinance regarding chickens. Mrs. Littlebear explained that the ordinance says that one must have a minimum of half an acre to have chickens but does not stipulate how many chickens are allowed. The ordinance further stipulates that the chickens may not wander off of the owner's property nor create a nuisance with noise or odor.

Mr. Gerathy asked why there are not approved minutes on the website for more years than just the current year and the previous two years. He also asked if older minutes, agendas, etc. are available for review by the public. Mrs. Littlebear explained that only 3-year's worth of agendas, approved minutes, and epackets can fit onto the website and allow the website to still function well. She said that older minutes, agendas, etc. are always available from the Planning & Zoning Department with a Freedom of Information Act or FOIA request.

Mr. Raimondo and Mrs. Michaels asked for additional information regarding setbacks and other regulations for subdivision signs. Mrs. Littlebear stated that she would talk with the other members of the Planning & Zoning Department and possibly the township lawyer if necessary.

ADJOURN:

At 8:28 p.m., Mr. Raimondo made a motion to adjourn the meeting. Mr. Borg supported the motion, and it was approved with a unanimous voice vote.

Respectfully submitted,

Anthony Raimondo
AR/kpl