

CHARTER TOWNSHIP OF HIGHLAND
ZONING BOARD OF APPEALS
APPROVED MINUTES
August 19, 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- **absent**
Michael Borg, Vice Chair
Anthony Raimondo, Secretary
Michael Zeolla, P.C. Liaison
Peter Eichinger
Robert Hoffman
Gary Childs
Chuck Benke, Alternate
Jacob Probe, Alternate

Tim McLean, Zoning Administrator
Samantha George, Assistant Zoning Administrator

Visitors: 6

Vice Chair Borg 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. Vice Chair Borg noted that he is sitting in for Mr. Gerathy due to his absence and the alternate, Mr. Benke, also sat in on this meeting.

NEW BUSINESS:

1. CASE NUMBER: 26-14
ENFORCEMENT:
ZONING: LV– Lake and Village Residential
PARCEL #: 11-32-476-007
PROPERTY ADDRESS: 2225 North St
APPLICANT: Robert Husic
OWNER: Robert Husic
VARIANCE REQUESTED: A 5-foot variance from the calculated 10-foot south side yard setback to 5-feet provided (Sec. 9.02.B.b.)
This request is for a reduction of the south side yard setback for the construction of a shed.

Vice Chair Borg introduced the case, and asked if the applicant was present and, if so, to please step up to the podium.

Discussion from the Applicant:

The applicant Mr. Husic introduced himself and stated he wanted to build a shed on his property. Mr. Husic stated his property has a weird configuration with two front yards, and he is also having to

consider his septic field, taking up most of his rear yard.

Discussion from the Public:

None

Discussion from the Board:

Mr. Borg complimented the applicant on doing such a great job with his property and asked the applicant if he's placing a foundation for the shed. The applicant stated it's going to be gravel.

Mr. Zeolla stated to the applicant that if he moved the shed behind the house, past the well, then the applicant would not need a variance. Mr. Hoffman stated any work done to the well and they would have to drive over the septic field to fix it.

Mr. Eichinger stated he likes what the applicant has done and does not see an issue with it.

Mr. Benke asked if this would be the only accessory structure and Mr. Husic stated yes.

Mr. Borg stated the applicant's practical difficulty is the location of the septic field, and he has two front yards. Mr. Zeolla stated there's no practical difficulty when he can put the shed behind the house. Mr. Husic stated there is a 9-foot elevated hill in that location.

Mr. Raimondo asked if the applicant had considered reducing the side of the shed to minimize the variance. Mr. Husic stated the shed is to store his maintenance equipment and to reduce the outside storage on his property.

Mr. Raimondo stated he thinks it will improve the property value.

Motion:

Mr. Hoffman made a motion in Case #26-14, parcel # 11-32-476-007, commonly known as 2225 North St, to approve a 5-foot variance from the calculated 10-foot south side yard setback to 5-feet provided for the construction of a shed. Mr. Eichinger supported the motion.

Facts and Findings:

The parcel is substandard in size.

The parcel has two front yards (North St and Central Blvd).

This request is the minimum necessary.

Roll Call Vote: Mr. Hoffman -yes, Mr. Zeolla -no, Mr. Benke -yes, Mr. Raimondo -yes, Mr. Eichinger-yes, Mr. Childs-yes, Mr. Borg-yes, (6 yes votes, 1 no votes). The motion passed and the variance requests were approved.

2. CASE NUMBER: 26-15
ENFORCEMENT:
ZONING: ARR– Agricultural & Rural Residential
PARCEL #: 11-03-376-013
PROPERTY ADDRESS: 5588 Buckhorn Lake Rd
APPLICANT: Horizon Landscaping Inc.
OWNER: Todd Schorr & Denneen Ford
VARIANCE REQUESTED: A 34-foot variance from the required 65-foot ordinary highwater mark setback to 31-feet provided;
(Sec. 4.15.)
This request is for a reduction of the ordinary highwater mark

setback for the construction of a pool and retaining wall.

Vice Chair Borg introduced the case, and asked if the applicant was present and, if so, to please step up to the podium.

Discussion from the Applicant:

The applicant David Lutomski, 11765 Hibner Rd, Heartland MI, introduced himself. Mr. Lutomski stated he's with Horizon Landscape, representing Todd Shore at 5588 Buckhorn Lake Rd, for the construction of a pool and retaining wall. The applicant stated the reason for the request is the physical layout of the property, existing home, driveway, pond, wetland, septic field and available yard space. They are requesting the variance to maintain the minimum necessary requirement from the house to fit on the site and work around existing conditions while still preserving the functional yard. The proposed location is a reasonable use for the property and will not negatively impact on any of the neighbors' properties or waterways.

Discussion from the Public:

None

Discussion from the Board:

Mr. Eichinger asked the applicant if there was some part of the house that was already past the setbacks. Mr. Lutomski stated he does not believe it is, the north side has a 40-foot setback, the house is 60-feet from that edge, the back side of the house has the septic field, well, and the utilities coming around. Mr. Raimondo asked the applicant about his application, stating the variance is not of a personal nature but for general health benefits of swimming. Mr. Lutomski stated the property owner wants a lap pool and its 12-feet by 27-feet, which they don't make much smaller. Mr. Raimondo asked if Buckhorn Lake doesn't allow any type of swimming. Mr. Lutomski stated they have access to the lake; it's just the seasons that are the issue. Mr. Borg stated it's a unique and beautiful property. Mr. Eichinger agreed and stated it will not change the physical character of the area. Mr. Raimondo stated they get these types of cases frequently and addressed the Planning Commission liaison to encourages the Planning Commission to address the ordinary high-water mark.

Motion:

Mr. Eichinger made a motion in Case #26-15, parcel # 11-03-376-013, commonly known as 5588 Buckhorn Lake Rd, to approve a 34-foot variance from the required 65-foot ordinary highwater mark setback to 31-feet provided for the construction of a pool and retaining wall per the facts and findings provided during discussion. Mr. Childs 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.

Roll Call Vote: Mr. Hoffman -yes, Mr. Zeolla-no, Mr. Benke -yes, Mr. Raimondo-yes, Mr. Eichinger -yes, Mr. Childs-yes, Mr. Borg-yes, (6 yes votes, 1 no votes). The motion passed and the variance requests were approved.

3. CASE NUMBER: 26-16
ENFORCEMENT:
ZONING: LV– Lake and Village Residential
PARCEL #: 11-12-326-002
PROPERTY ADDRESS: 3921 Orchard Dr
APPLICANT: Stephen Garth
OWNER: Stephen Garth
VARIANCE REQUESTED: A 31.9-foot variance from the calculated 33-foot front yard setback to 1.1-feet provided.
(Sec. 9.02.B.a.)
This request is for a reduction of the front yard setback for the construction of a detached garage.

Vice Chair Borg introduced the case, and asked if the applicant was present and, if so, to please step up to the podium.

Discussion from the Applicant:

The applicants brother introduced himself as Alexander Garth at 140 Monet Avenue, White Lake, Michigan and his brother the applicant as Stephen Garth. Mr. Stephen Garth stated the request is the same kind of variance from numerous neighbors along the same street, and they provided a land survey. He also stated the garage will be lined up parallel with the other garages along the street and does not believe it directly or indirectly affects the community in any way. Mr. Stephen Garth stated the contractor from Vision Family Home's was in the audience for any building-related questions. He also stated the original structure was built with the house in the 1930's and is below the water line, consistently flooding.

Discussion from the Public:

None

Discussion from the Board:

Mr. Benke asked why a three-car garage instead of two. Mr. Stephen Garth stated his brother is moving and will be downsizing his house. He also has multiple vehicles and wants to keep them safe and secure. Mr. Zeolla asked the applicant why there are two stories. Mr. Stephen Garth stated for storage for all yard or lake items. He also noted that the material for the siding and roofing would match the house. Mr. Raimondo asked the applicant or builder what the potential is for runoff on to the neighboring properties. Mr. Stephen Garth stated they do not have issues or worries about runoff. They also would only be connecting electricity to the garage. Mr. Eichinger stated he believes going up is the only way to go, with the lot being small and not very wide.

Motion:

Mr. Childs made a motion to table Case #26-16, parcel # 11-12-326-002, commonly known as 3921 Orchard Dr, for a 31.9-foot variance from the calculated 33-foot front yard setback to 1.1-feet provided for the construction of a detached garage. Mr. Eichinger supported the motion.

Facts and Findings:

The parcel is substandard in size.

This request is consistent with the surrounding parcels.

The practical difficulty was not self-created.
This request is the minimum necessary.

Roll Call Vote: Mr. Hoffman -yes, Mr. Zeolla-no, Mr. Benke -yes, Mr. Raimondo-yes, Mr. Eichinger -yes, Mr. Childs -yes, Mr. Borg-yes, (6 yes votes, 1 no votes). The motion passed and the variance requests were approved.

MINUTES:

Mr. Raimondo made a motion to approve the minutes of June 17, 2026, as corrected. Mr. Eichinger supported the motion, and it was approved with a unanimous voice vote.

DISCUSSION:

Mr. Raimondo welcomed Mr. Tim McLean to the board as the new Zoning Administrator and stated there is a new ordinance enforcement person as well.

Mr. Probe asked what the next case would be and Mrs. George was stated it was for a gas station price sign.

Mr. Raimondo stated the planning commission needs to address some ordinance updates including sign, vacant property, accessory structures and data centers.

ADJOURN:

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

Respectfully submitted,

Anthony Raimondo, Secretary
AR/kpl