

CHARTER TOWNSHIP OF HIGHLAND  
ZONING BOARD OF APPEALS  
APPROVED MINUTES  
March 6, 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 - absent  
(Alternate) Mary Michaels  
(Alternate) Michael Zeolla

Kariline P. Littlebear, Zoning Administrator

Visitors: 2

Chairman Gerathy 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 members, Mary Michaels and Michael Zeolla, will participate in the meeting in place of the absent regular members.

**NEW BUSINESS:**

1. CASE NUMBER: 24-03  
COMPLAINT:  
ZONING: LV – Lake and Village Residential District  
PARCEL #: 11-12-326-008  
PROPERTY ADDRESS: 3773 Orchard Dr  
APPLICANT: Alex Bellovary  
OWNER: Alex Bellovary  
VARIANCE REQUESTED: A 16-foot variance from the calculated 30-foot front yard setback to 14-feet provided.  
(Section 9.02.B.)  
This request is for a reduction of the front yard setback for the placement of a whole house generator.

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:**

Mr. Bellovary, the applicant, was present and stated that he and his wife have lived in the house for about 2 years during which time the power has gone out almost a dozen times. He stated that several of the power outages lasted for a few days or more and that the last outage was in January during the cold snap and storm. He further stated that due to the placement of the windows and doors in their house as well as the neighboring houses, the requested location is the only area that will meet safety requirements.

**Discussion from the Public:**

There was no public comment offered from the audience. Mrs. Littlebear stated that she had not received any email or phone public comment regarding this case. Mr. Bellovary stated that his neighbor had informed him that an email was sent in support of the request. Mrs. Littlebear stated that she had not seen an email but that she would go back through her junk email to see if she could find it.

**Discussion from the Board:**

Mrs. Michaels asked Mrs. Littlebear if there has been any discussion regarding adjusting the generator ordinance so that there are less circumstances where variance requests for this would need to be before the board. Mrs. Littlebear stated that there had not been any discussion regarding this topic recently but that it is something that can be addressed. Mrs. Michaels felt that because there are so many safety factors in place for the installation of a generator that our ordinance should be a little more flexible. She also stated that a generator seems to be similar to an air conditioning unit which is not treated as a structure in the ordinance.

Mr. Eichinger noted that there have been other variances granted on this street.

Mr. Borg noted that this lot is zoned Lake and Village.

Mr. Hoffman, Mr. Borg, and Mr. Eichinger each stated the following Facts and Findings:

- The parcel is exceptionally narrow and shallow.
- The request will not negatively impact the health, safety, or welfare of the Township.
- The request is not of a personal nature.
- The request is the minimum necessary.

**Motion:**

Mr. Eichinger made a motion in Case #24-03, 3773 Orchard Dr, parcel # 11-12-326-008, to approve a 16-foot variance from the calculated 30-foot front yard setback to 14-feet provided for the installation of a whole house generator based on the Facts and Findings. Mr. Hoffman supported the motion.

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

Mr. Raimondo made a motion to sign a Final Decision form for this case. Mr. Borg supported the motion, and it carried with a unanimous voice vote.

**CALL TO THE PUBLIC:**

There was no public comment offered.

**MINUTES:**

Mrs. Michaels made a motion to approve the minutes of February 21, 2024, as presented. Mr. Borg supported the motion, and it was approved with a unanimous voice vote.

**DISCUSSION:**

Mr. Gerathy moved on to the Discussion item of the Election of ZBA officers. Mrs. Michaels asked if the alternates are allowed to vote. Mrs. Littlebear stated that since they are acting as regular members for this meeting then they can vote. Mrs. Michaels asked if Mr. Jickling had been asked if he wanted to be an officer. Mrs. Littlebear stated that he had not indicated that to her. Mr. Gerathy and Mr. Raimondo stated that they would be fine to postpone this. Mr. Hoffman noted that even without the alternates the board still has a quorum. Mr. Eichinger made a motion to postpone the vote to the next meeting. Mr. Hoffman supported the motion, and it carried with a unanimous voice vote.

Mr. Borg asked how many cases will be at the next meeting. Mrs. Littlebear briefly discussed the only case on the docket for the next meeting.

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**ADJOURN:**

At 7:51 p.m., Mrs. Michaels 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  
Secretary  
AR/kpl