

CHARTER TOWNSHIP OF HIGHLAND
ZONING BOARD OF APPEALS
APPROVED MINUTES
July 16, 2025

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
Michael Borg, Vice Chair
Anthony Raimondo, Secretary
Michael Zeolla, P.C. Liaison
Peter Eichinger
Robert Hoffman
Gary Childs
Chuck Benke, Alternate
Jacob Probe, Alternate

Kariline P. Littlebear, Zoning Administrator

Visitors: 13

Chair Gerathy 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.

NEW BUSINESS:

1. CASE NUMBER: 25-12
ENFORCEMENT:
ZONING: LV – Lake and Village Single-Family Residential District
PARCEL #: 11-34-128-002
PROPERTY ADDRESS: 1839 Lakeview Ln
APPLICANT: Couture Design Group – Kurt Couture
OWNER: Brooks & Olivia Bonar
VARIANCE REQUESTED: A 22-foot variance from the calculated 38-foot front yard setback to 16-feet provided; and
A 1-foot variance from the required 5-foot north side yard setback to 4-feet provided; and
A 4-foot variance from the required 15-foot total side yard setbacks to 11-feet provided; and
A 17-foot variance from the calculated 58-foot ordinary high-water mark setback to 41-feet provided.
(Sec. 9.02.B.a., Sec. 9.02.B.b., and 9.02.D.)
This request is for a reduction of the front yard setback, the north side yard setback, and the total side yard setbacks for the construction of a covered front porch and second story addition and for a reduction of the ordinary high-water mark setback for the construction of an uncovered deck.

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

Discussion from the Applicant:

Kurt Couture, applicant and representative for the property owner, discussed the case noting that the garage and second story addition was designed so that it would not encroach on the side yards any further than the existing structure. He also stated that the original request did not include the deck. Mr. Gerathy asked for some clarification. Mrs. Littlebear stated that during the course of the case preparation for the ZBA, she found that the uncovered deck on the lakeside was built between 2020 and 2023 without permits. Discussion with the applicant confirmed that it was built by the new owners without permits. The variance for the deck was added to this request at this time so that the full scope of exterior renovations could be considered by the Board at the same time.

Discussion from the Public:

Aaron Yanke, 1831 Lakeview Ln, spoke in opposition to this request. He expressed concerns regarding the length of the deck and the impact on the viewshed. He provided photos of the previous deck for the Board to review and to be included in the permanent case file. He further expressed concerns regarding the addition to the roadside. He feels that his home would be blocked from view and felt that this may be detrimental to his home value. He also had concerns regarding his home being blocked from view in the event that emergency services would be needed there.

Discussion from the Board:

Mr. Borg asked who owns the vacant parcel to the south of the applicant's parcel. Mrs. Littlebear stated that it is an outlot owned by Reid's Subdivision on behalf of the subdivision residents. Mr. Borg asked where the septic would go and how it would work considering the spongy ground there. Mrs. Littlebear stated that this parcel along with most of the parcels on Pettibone Lake no longer have individual septic fields but have grinder pumps that move sewage to a community septic system. She noted that this community septic system had been fully engineered to meet all of the Oakland County Health Division standards.

Mr. Borg asked if there were variances granted on this parcel previously. Mrs. Littlebear stated that in 2007 a variance was granted for an addition and for foundation under the existing home. The property owner was unable to complete the work and the variance expired. In 2009 the property owner requested the same variance, and it was approved.

Mr. Borg noted that there were a number of vehicles parked along the road and he is concerned that this new encroachment may add to a parking problem on this dead-end road. He stated that this project could be accomplished with a smaller footprint.

Mr. Hoffman stated that this lot is substandard and that this project will enhance the property and the neighborhood. He further stated that this subdivision was platted so long ago that they cannot meet current standards.

Mr. Zeolla stated that he felt that adding a second story is not a problem but the encroachment toward the road seems excessive.

Mr. Raimondo asked if there was a way to redesign the project to make the encroachment smaller. Mr. Couture stated that the front yard encroachment is for a one car garage that will address some of the issues with parking on the street but that if it was designed to be smaller it wouldn't fit a standard vehicle. Mr. Raimondo asked the applicant what the practical difficulty is for this request. Mr. Couture stated that the practical difficulty is the very small size of the lot.

Mr. Childs stated that this variance seems to be reasonable considering how small the lot is.

Motion:

Mr. Raimondo made a motion in Case #25-12, parcel # 11-34-128-002, commonly known as 1839 Lakeview Ln, to approve a 22-foot variance from the calculated 38-foot front yard setback to 16-feet provided and a 1-foot variance from the required 5-foot north side yard setback to 4-feet provided and a 4-foot variance from the required 15-foot total side yard setbacks to 11-feet provided for the construction of a covered front porch and second story addition and a 17-foot variance from the calculated 58-foot ordinary high-water mark setback to 41-feet provided for the construction of an uncovered deck. Mr. Hoffman supported the motion.

Facts and Findings:

This parcel is exceptionally narrow.
The proposed structure will encroach into the side yard setbacks no more than the current residence.
This request is the minimum necessary.
This request is consistent with the surrounding neighborhood.
This request will not be detrimental nor alter the essential character of the neighborhood.

Roll Call Vote: Mr. Eichinger-yes, Mr. Hoffman-yes, Mr. Raimondo-yes, Mr. Zeolla-no, Mr. Gerathy-yes, Mr. Borg-no, Mr. Childs-yes (5 yes votes, 2 no votes). The motion passed and the variance request was approved.

2. CASE NUMBER: 25-13
ENFORCEMENT:
ZONING: LV – Lake and Village Single-Family Residential District
PARCEL #: 11-13-201-002
PROPERTY ADDRESS: 2992 Venice
APPLICANT: A-Better Exterior – Marc Weiler
OWNER: John & Gaye Burton
VARIANCE REQUESTED: A 12-foot variance from the calculated 51-foot ordinary high-water mark setback to 39-feet provided.
(Sec. 9.02.D.)
This request is for a reduction of the ordinary high-water mark setback for the construction of a second story covered deck and gable.

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

Discussion from the Applicant:

Marc Weiler, applicant, resident of Highland, and representative for the property owner, reviewed the case noting that this request will not obstruct the viewshed for any of the neighbors, and it is a minimal request.

Discussion from the Public:

Mr. Gerathy read into record a letter of support from Robert Kast, 2974 Tes Dr.

Discussion from the Board:

Mr. Hoffman stated that this request will not impede the view of the water and will enhance the home and the neighborhood.
Mr. Raimondo asked if this home will be a summer cottage or a permanent home for the property owners.
Mr. Weiler stated that they plan to live there full-time once the renovations are complete. Mr. Raimondo stated that this is a unique parcel, the request is the minimum necessary and would not have any negative impact on the neighborhood.
Mr. Borg noted that this request would not pose a risk to the health, safety, or welfare to the community and would be an aesthetic improvement to the community.
Mr. Eichinger asked for clarification of the construction plan. Mr. Weiler stated that the permit request would include a new roof for the entire house. Mrs. Littlebear stated that approving this variance request would include new construction for the entire roof since the rest of the roof is farther from the ordinary high-water mark than this new section.

Motion:

Mr. Borg made a motion in Case #25-13, parcel # 11-13-201-002, commonly known as 2992 Venice, to approve a 12-foot variance from the calculated 51-foot ordinary high-water mark setback to 39-feet provided for the construction of a second story covered deck and gable. Mr. Childs supported the motion.

Facts and Findings:

This parcel is substandard in depth.

This request is the minimum necessary.

This request is consistent with the surrounding neighborhood.

This request will not be detrimental nor alter the essential character of the neighborhood.

The practical difficulties on this parcel are not self-created.

Roll Call Vote: Mr. Eichinger-yes, Mr. Hoffman-yes, Mr. Raimondo-yes, Mr. Zeolla-yes, Mr. Gerathy-yes, Mr. Borg-yes, Mr. Childs-yes (7 yes votes). The motion passed and the variance request was approved.

Additional Discussion from the Board:

Mr. Zeolla asked the applicant if they would like a Final Decision tonight to apply for permits in the next couple of days. Mr. Gerathy explained that with a unanimous approval, the ZBA members can sign the form to allow applicants to apply for permits right away instead of waiting for the minutes from this meeting to be approved at the next ZBA meeting. Mr. Weiler stated that they will not need to apply for the permit right away as they were waiting for an approval from the ZBA to finalize the construction drawings and a few other elements of the project.

3. CASE NUMBER: 25-14
ENFORCEMENT:
ZONING: IM – Industrial Manufacturing District
PARCEL #: 11-22-176-016
PROPERTY ADDRESS: 828 N Milford Rd
APPLICANT: Deanna Bueno
OWNER: Bueno Investment Group LLC
VARIANCE REQUESTED: A 10-foot variance from the required 20-foot north side yard setback to 10-feet provided.
(Sec. 4.15.)
This request is for a reduction of the north side yard setback for the construction of a commercial accessory structure.

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

Discussion from the Applicant:

Deanna Bueno, applicant and property owner, stated that she and her husband purchased the property in March 2024. She noted that the structures on this parcel were in place when she bought it and that this shed is aligned with the pole barn to the rear. She further stated that it would be difficult and expensive to move.

Discussion from the Public:

No public comment offered.

Discussion from the Board:

Mr. Gerathy asked if the applicant knew the structure was not approved when they purchased the property.

Mrs. Bueno stated that she did not.

Mr. Borg asked about the pole barn construction and approval. Mrs. Littlebear stated that the previous owners began construction of the pole barn during Covid without permits and when they were caught doing work without permits, they came in to apply and found that they had to request a variance. That variance was applied for and approved for the pole barn only. The previous owners then built the shed without permits and were not caught until the new owners applied for their site plan review with the Planning Commission. The applicant is now trying to bring the shed into compliance with township regulations.

Mr. Borg asked about the food truck on the site. Mrs. Littlebear stated that the Planning Commission

approved the site plan for this parcel that included the food truck location. Mr. Zeolla stated that the Planning Commission is in the process of revising the food truck ordinance but that he does not believe that it will affect this food truck. He stated that he would have to go back to review their notes.

Mr. Eichinger noted that he spoke to the Zoning Administrator and the Planning Commission Secretary during the last couple of weeks regarding the food truck ordinance and is comfortable with it on this site.

Mr. Raimondo stated that there is not a practical difficulty on this site and that the ZBA is not supposed to approve a variance request based on financial concerns.

Mr. Hoffman stated that this area of N. Milford has been rezoned Industrial Manufacturing and

Motion:

Mr. Hoffman made a motion in Case #25-14, parcel # 11-22-176-016, commonly known as 828 N Milford Rd, to approve a 10-foot variance from the required 20-foot north side yard setback to 10-feet provided for the construction of a 10.2-foot by 16.1-foot commercial accessory structure with the condition that the structure may not be enlarged in the future. Mr. Eichinger supported the motion.

Facts and Findings:

The proposed structure will not encroach into the side yard more than the existing structures.

This request is consistent with the industrial area.

This parcel backs to the railroad track right-of-way.

This request will not be detrimental to nor alter the essential character of the area.

The practical difficulties on this parcel are not self-created.

Roll Call Vote: Mr. Eichinger-yes, Mr. Hoffman-yes, Mr. Raimondo-no, Mr. Zeolla-no, Mr. Gerathy-yes, Mr. Borg-yes, Mr. Childs-yes (5 yes votes, 2 no votes). The motion passed and the variance request was approved.

MINUTES:

Mr. Eichinger made a motion to approve the minutes of June 18, 2025, as corrected. Mr. Borg supported the motion. Mr. Childs abstained due to his absence at that meeting and the minutes were approved with a unanimous voice vote of the six remaining board members.

DISCUSSION:

Mr. Raimondo stated that he will not be able to attend the next meeting on August 6, 2025.

Mr. Benke stated that he will not be able to attend either of the August 2025 meetings.

ADJOURN:

At 8:35 p.m., Mr. Raimondo made a motion to adjourn the meeting. Mr. Borg supported the motion, and it carried with a unanimous voice vote.

Respectfully submitted,

Anthony Raimondo
AR/kpl