

CHARTER TOWNSHIP OF HIGHLAND
ZONING BOARD OF APPEALS
APPROVED MINUTES
November 5, 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 - **absent**
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
Samantha George, Assistant Zoning Administrator

Visitors: 4

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. He noted that alternate member, Chuck Benke, will be sitting in at this meeting in Mr. Borg's absence.

NEW BUSINESS:

1. CASE NUMBER: 25-18
ENFORCEMENT:
ZONING: LV – Lake and Village Single-Family Residential District
PARCEL #: 11-11-233-020
PROPERTY ADDRESS: 2141 Jackson Blvd
APPLICANT: David Thomson
OWNER: David Thomson
VARIANCE REQUESTED: A 13-foot 6-inch variance from the calculated 32-foot front yard setback to 18-feet 6 inches provided; and
A 1-foot variance from the 10-foot required side yard setback to 9-feet provided.
(Sec. 9.02.B.a. and 9.02.B.b.)
This request is for the reduction of the required front and side yard setbacks for the construction of a 2-story house, covered deck, and uncovered deck attached to an existing 1-story garage.

Chair Gerathy introduced the case and asked if the applicant was present and, if so, to please step up to the podium. He then asked the Zoning Administrator if there was anything new to add. Mrs. Littlebear stated that there was no public comment received at the office before the meeting. She

then explained that the board may recognize this property. The applicant had the same variances approved in 2022 in order to put a second story addition onto an existing non-conforming house. The reason that it has to come before the board again is because he is now requesting to demolish the existing non-conforming house and construct a new house that will then be in a non-conforming location. This is a substantially different request and so has to be heard again as a new case.

Discussion from the Applicant:

Mr. David Thomson Sr., father and representative of the applicant, 4525 Highland Hills Dr., stated that approving this request would ensure that the entire home is brought up to current construction code standards. He explained that this request will not encroach any further than the existing structure already does. He explained that once the renovation was underway it became apparent that the existing house is in much worse shape than was known when the renovation was originally approved. He noted they found that the foundation of the original house was not done properly in the first place. He explained that an approval from the board now would allow them to completely redo the foundation bringing it up to modern standards. It was also discovered that the original house was built with 2x4 wall studs. Current construction code requires minimum 2x6 wall studs. Building new 2x6 walls on top of existing 2x4 walls is not structurally desirable. He further noted that the septic system takes up most of the yard.

Discussion from the Public:

No public comment offered.

Discussion from the Board:

Mr. Hoffman stated that he feels that this request will be an improvement to the overall project as well as an enhancement to the neighborhood.

Mr. Eichinger agreed with Mr. Hoffman and asked for clarification as to which side the side yard variance request is on. Mrs. Littlebear stated that the side yard variance is on the east side of the house.

Mr. Raimondo stated that the encroachment will not be more than the existing house, the septic system takes up a majority of the parcel to the rear of the home, and this request will allow the house to be brought up to modern construction code standards. He asked the representative if there were plans to remove the existing non-conforming accessory structure on the Oakland Dr side of the parcel to which Mr. Thomson stated that there were no plans to do so. Mr. Raimondo asked the representative if there would be a need to remove any of the existing trees on the parcel and if so would they be replaced. Mr. Thomson stated that they would not have to remove or replace any trees. Mr. Raimondo noted that an overhead line was moved and asked if that was done for this project. Mr. Thomson stated that the overhead line turned out to be a phone line and noted that the electricity to the house will be moved to underground.

Motion:

Mr. Eichinger made a motion in Case #25-18, parcel # 11-11-233-020, commonly known as 2141 Jackson Blvd, to approve a 13-foot 6-inch variance from the calculated 32-foot front yard setback to 18-foot 6 inches provided and a 1-foot variance from the 10-foot required side yard setback to 9-feet provided for the reduction of the required front and side yard setbacks for the construction of a 2-story house, covered deck, and uncovered deck attached to an existing 1-story garage. per the facts and findings provided during discussion. Mr. Benke supported the motion.

Facts and Findings:

This request will not encroach into the required setbacks more than the original non-conforming structure.

The septic system takes up a substantial portion of the parcel to the rear of the existing structure.

This request is the minimum necessary.

This request will bring the entire structure up to modern construction code standards.

This request is consistent with the surrounding neighborhood.

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

No trees will be removed from the parcel.

Roll Call Vote: Mr. Gerathy-yes, Mr. Benke-yes, Mr. Raimondo-yes, Mr. Zeolla-yes, Mr. Hoffman-yes, Mr. Childs-yes, Mr. Eichinger-yes, (7 yes votes, 0 no vote). The motion passed and the variance requests were approved.

2. CASE NUMBER: 25-19
ENFORCEMENT:
ZONING: RPUD - Planning Residential Unit Development
PARCEL #: 11-32-177-004
PROPERTY ADDRESS: 2108 Wildflower Ln
APPLICANT: Steve Lyman
OWNER: Steve Lyman
VARIANCE REQUESTED: An 8-foot 8-inch variance from the required 40-foot side yard setback to 31-feet 4 inches provided; and
A 5-foot variance from the required 10-foot minimum distance between a pool and a structure to 5-feet provided.
(Sec. 7.02.C.5 and 8.03.A.5.)
This request is for the reduction of the required side yard setbacks and the minimum required distance between pools and structures for the construction of a residential addition.

Chair Gerathy introduced the case and asked if the applicant was present and, if so, to please step up to the podium. He then asked the Zoning Administrator if there was anything new to add. Mrs. Littlebear stated that there was no public comment received at the office before the meeting. She stated that this Residential Planned Unit Development (RPUD) had an underlying zoning of R3 – Single Family Residential 3-acre minimum. She noted that generally the setbacks for an RPUD are adjusted to more closely match the size of the resulting parcels regardless of the underlying zoning but in this case the setbacks remained as those for a 3-acre parcel despite the fact that most of the resulting parcels are less than 1.5 acres.

Discussion from the Applicant:

The applicant, Steve Lyman, went over the case as presented noting that he has received HOA approval pending ZBA approval.

Discussion from the Public:

No public comment offered.

Discussion from the Board:

Mr. Eichinger stated that he appreciated the professional presentation and asked if there was any way to redesign the addition to reduce the request. Mr. Lyman stated that he discussed that with his architect and this was the design that created the least amount of variance request necessary.

Mr. Raimondo noted that there are some pine trees in the area where the addition would go and asked the applicant if they plan to remove those trees and if so, would the trees be replaced. Mr. Lyman stated that the plan is to move the trees toward the front of the parcel to accommodate the addition and save the trees. Mr. Raimondo asked why the addition is not planned to be flush to the front of the house. Mr. Lyman explained that there is an egress window for the basement near the front of the house as well as the septic tank, so the addition is proposed to leave the required space to accommodate those items. Mr. Raimondo asked about the 5 ft variance request from the pool to structure. Mrs. Littlebear stated that she did some research and found that the zoning ordinance requirement of 10 feet between a pool and a structure was based on a previous construction code standard and that the new code requires only 5 feet.

Mr. Zeolla asked if this subdivision was zoned to reflect more closely the size of the parcels, would a variance be needed. Mrs. Littlebear stated that the parcels in this subdivision are closer in size to R1.5 and if that was the zoning then the side yard variance request would not be necessary.

Mr. Hoffman stated that he feels that this request will be an improvement to the parcel as well as an enhancement to the neighborhood.

Mr. Raimondo asked if this would need to go back to the Planning Commission for approval since it is within an RPUD. Mrs. Littlebear stated that this would not be needed and that only substantial changes to the entire subdivision would require Planning Commission approvals.

Motion:

Mr. Raimondo made a motion in Case #25-19, parcel # 11-32-177-004, commonly known as 2108 Wildflower Ln, to approve a 8-foot 8-inch variance from the required 40-foot side yard setback to 31-feet 4 inches provided; and a 5-foot variance from the required 10-foot minimum distance between a pool and a structure to 5-feet provided for the reduction of the required side yard setbacks and the minimum required distance between pools and structures for the construction of a residential addition per the facts and findings provided during discussion. Mr. Zeolla supported the motion.

Facts and Findings:

This request is the minimum necessary.

This request is consistent with the surrounding neighborhood.

This building envelope is sized for a 3-acre parcel, but this parcel is 1.17-acres.

This parcel is undersized for the building envelope.

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

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

Trees will not be removed but relocated on the parcel.

Roll Call Vote: Mr. Gerathy-yes, Mr. Benke-yes, Mr. Raimondo-yes, Mr. Zeolla-yes, Mr. Hoffman-yes, Mr. Childs-yes, Mr. Eichinger-yes, (7 yes votes, 0 no vote). The motion passed and the variance requests were approved.

MINUTES:

Mr. Benke made a motion to approve the minutes of September 3, 2025, as presented. Mr. Raimondo supported the motion, and it was approved with a unanimous voice vote.

DISCUSSION:

Mrs. Littlebear introduced her new assistant zoning administrator, Samantha George. She explained that Mrs. George has begun her Zoning Administrator certification training and will complete that by spring.

Mr. Hoffman asked Mr. Raimondo why he seems to have a particular concern regarding trees since they are not regulated by the zoning ordinance. Mr. Raimondo stated that he felt that it pertains to the request being in keeping with the character of the neighborhood.

Mr. Raimondo asked about wedding venues in the township noting that this issue has come up at some public meetings recently. Mr. Zeolla stated that Planning Commission is reviewing this issue to find the right sort of regulations to ensure that it is allowed in appropriate areas without becoming a nuisance to the neighbors. Mr. Raimondo asked what the existing rules are now. Mrs. Littlebear noted that there are a couple of places in Highland that host weddings and events as they are legal non-conforming uses or “grandfathered”, but the general regulations stated that those kinds of events are only permissible in our commercial districts. She stated that this issue has come before the Planning Commission periodically over the last decade or so, but good regulations have not been approved yet.

ADJOURN:

At 8:10 p.m., Mr. Raimondo made a motion to adjourn the meeting. Mr. Childs supported the motion, and it carried with a unanimous voice vote.

Respectfully submitted,

Anthony Raimondo
AR/kpl