

REGULAR MEETING - ZONING BOARD OF APPEALS

CITY OF NOVI

March 15, 2016

Proceedings taken in the matter of the ZONING BOARD OF APPEALS, at City of Novi, 45175 West Ten Mile Road, Novi, Michigan, on Tuesday, March 15, 2016.

BOARD MEMBERS PRESENT

Cindy Gronchan, Chairperson

David Byrwa

Jonathan Montville

Mav Sanghm

Linda Krieger

ALSO PRESENT: Charles Boulard, Building Official

Beth Saarela, City Attorney

REPORTED BY: Patricia J. Hankerd, CSR 5430

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Novi, Michigan  
Tuesday, March 15, 2016  
7:00 p.m.

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CHAIRPERSON GRONACHAN: Good evening.  
I would like to call the March 2016 Zoning Board  
of Appeals meeting to order. Would you please  
rise for the Pledge of Allegiance.

(Pledge of Allegiance recited.)

CHAIRPERSON GRONACHAN: Mr. Boulard,  
would you please call the roll?

MR. BOULARD: Certainly.  
Member Montville?

MR. MONTVILLE: Here.

MR. BOULARD: Member Farrell? Absent,  
excused.

Member Sanghm?

MR. SANGHM: Here.

MR. BOULARD: Member Krieger?

MS. KRIEGER: Present.

MR. BOULARD: Member Richert? Absent,  
excused.

Member Byrwa?

MR. BYRWA: Here.

MR. BOULARD: Chairperson Gronachan?

1 CHAIRPERSON GRONACHAN: Present.

2 Thank you. This evening we have a very  
3 long agenda, and I'm going to ask everyone at  
4 this time to please turn off all pagers and cell  
5 phones; and also to let you know that because of  
6 the length of the cases that we have, I would  
7 like everyone to review the rules that were in  
8 the back of the auditorium.

9 Two things that I would like to point  
10 out -- and I'm just going to read this to make it  
11 official: The Zoning Board of Appeals is a  
12 hearing body empowered by the Novi City Charter  
13 to hear appeals seeking variances for the  
14 application of the Novi Zoning Ordinance. It  
15 takes a vote of at least four members to approve  
16 a variance request and a vote of the majority of  
17 the members present to deny a variance. The full  
18 board consists of six members.

19 Since we only have five member presents  
20 this evening, at least four votes are required.  
21 Those petitioners at this time who wish to have  
22 their cases tabled until the next meeting when a  
23 full board is present, will do so now. Is there  
24 anyone that is coming before the board with a  
25 case that would like to have their case postponed

1           until or tabled until next month?

2                       Seeing none, the other thing I would  
3           like to point out is that I know there is a lot  
4           of people that would like to express their views  
5           this evening, and I will let you know that  
6           there's a three-minute time limit for the  
7           residents. We want to hear everyone in a  
8           reasonable time period. So there will be three  
9           minutes for the residents and five minutes for  
10          the petitioner. Having said that, we'll go on to  
11          the agenda.

12                      Are there any changes in the agenda  
13          this evening? Seeing none, all those in favor of  
14          tonight's agenda say aye.

15                      CHAIRPERSON GRONACHAN: So approved.

16                      We have the minutes from February 2016  
17          meeting. Are there any changes?

18                      I have a couple. On Page 3 -- I'm  
19          sorry, Page 30, Line 5, it's supposed to be  
20          vice-chair. Page 31, Line 10, the word board  
21          b-o-a-r-d instead of b-o-r-e-d. And then  
22          Page 33 -- sorry, I did not -- I got the line  
23          here. Line 21, instead of no, so moved.

24                      Okay. With those changes, all those in  
25          favor of the minutes from February 2016 say aye.

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COLLECTIVE BOARD: Aye.

CHAIRPERSON GRONACHAN: None opposed.

That brings us to our public remarks.

At this time, if there's anyone in the audience that wishes to make remarks on other than what is before us tonight, you can do so now.

Is there anyone in the audience that has concerns or an opinion that they would like to present to the zoning board this evening?

(No audible response.)

CHAIRPERSON GRONACHAN: Seeing none, we will move right into our first case, Case PZ15-0045, Ryan Vojtkofsky. Is the petitioner here this evening? The petitioner is not present at this time.

Board, would we like to vote to table it until next month since we do not have a --

PUBLIC SPEAKER: Indiscernible a lot of opposition.

PUBLIC SPEAKER: We're here.

PUBLIC SPEAKER: We're the opposition.

CHAIRPERSON GRONACHAN: Okay.

MR. SANGHM: They're here.

MS. KRIEGER: Can we table it to the end of the meeting?

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MR. SANGHM: They are here.

CHAIRPERSON GRONACHAN: Hang on.

So if the petitioner isn't here -- yes?

MS. SAARELA: You can move to deny it if you feel you don't have enough evidence to approve at this point.

CHAIRPERSON GRONACHAN: So let the residents come and speak?

MS. SAARELA: No. You can just move to deny it since the petitioner is not here.

CHAIRPERSON GRONACHAN: Okay.

MS. SAARELA: We're not going to have a public hearing on it without the petitioner. You can move to deny it if you don't feel you have enough evidence to make a decision. Otherwise, if you feel you have enough evidence -- which last time it's my understanding it got tabled just -- at the petitioner's request because there was not enough board members.

CHAIRPERSON GRONACHAN: Correct.

MS. SAARELA: If you feel you have enough information from the last meeting to make a decision, you can go ahead as a board with making a decision.

CHAIRPERSON GRONACHAN: Board members,

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would someone like to make a motion?

MR. MONTVILLE: Madam chair, I can make a motion at this time on the case.

CHAIRPERSON GRONACHAN: Member Montville.

MR. MONTVILLE: If you can give me just a quick moment. In Case PZ15-0045, I move that we deny the variance request as requested by the petitioner. The request is not within the spirit of the ordinance. The request is not the minimum necessary for the applicant to have the proper use of his lot based on the way the ordinance is written. The fence that's currently there can be expanded; however, the variance would go beyond into to the point where he's requesting an additional variance where it's not necessary. The effect would have an adverse -- excuse me. The fence as requested would have a negative impact on the surrounding properties. And for those reasons, I move that we deny the variance as requested.

MR. BYRWA: Supported.

CHAIRPERSON GRONACHAN: It's been moved and seconded. Is there any further discussion?

Seeing none, Mr. Boulard, would you



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please call the roll?

MR. BOULARD: Member Krieger?

MS. KRIEGER: Yes.

MR. BOULARD: Member Sanghm?

MR. SANGHM: No.

MR. BOULARD: Member Byrwa?

MR. BYRWA: Yes.

MR. BOULARD: Member Montville?

MR. MONTVILLE: Yes.

MR. BOULARD: Chairperson Gronachan?

CHAIRPERSON GRONACHAN: Yes.

MR. BOULARD: Motion passes by five to one, motion to deny.

CHAIRPERSON GRONACHAN: So those here for Case Number PZ15-0045, the case has been denied at this time.

Okay. Let's move on to Case Number PZ16-0001, Mr. Szymanski at 2012 West Lake Drive is requesting variances from the City for construction of a second floor addition with reduced side yard setbacks, reduced aggregate setback, and reduced front setback for an existing resident construction under a previous variance good evening.

Would you --

1 MR. SZYMANSKI: I'm Gary Szymanski.

2 CHAIRPERSON GRONACHAN: You are?

3 MR. ATTO: My name is Richard Atto from  
4 Atto Construction.

5 CHAIRPERSON GRONACHAN: Gentlemen, I  
6 would like to you spell your names for our  
7 recording secretary, and then raise your right  
8 hand and be sworn in by our secretary.

9 MR. SZYMANSKI: Gary Szymanski,  
10 G-a-r-y. Szymanski is S, as in Sam, Z as in  
11 zebra, y-m-a-n-s-k-i.

12 MR. ATTO: And Richard Atto spelled  
13 A-t-t-o.

14 MR. MONTVILLE: Please raise your right  
15 hand.

16 Do you swear or affirm that the  
17 testimony you're about to give is the truth?

18 MR. ATTO: I do.

19 MR. SZYMANSKI: Yes.

20 MR. MONTVILLE: Thank you.

21 CHAIRPERSON GRONACHAN: Gentlemen,  
22 please proceed.

23 MR. SZYMANSKI: Thank you. Well,  
24 the -- the home that we're speaking we actually  
25 were before you four years ago with the

1 construction of the home initially. Due to the  
2 narrowing -- the narrowness of the lots, the home  
3 was difficult to build without the variances  
4 without being extremely narrow. The board  
5 graciously agreed to those variances.

6 Initially, when we built the home, we  
7 were a little bit tight with budget, so we had  
8 decided not to extend the home over the top of  
9 the garage. The garage is an attached garage.  
10 But at this time we would like to extend the home  
11 over the garage to allow for a further area for  
12 meeting place for our family gatherings, holiday  
13 dinners, those sorts of things. I provided for  
14 the board pictures of the house at present.

15 CHAIRPERSON GRONACHAN: Do you have  
16 those with you, sir?

17 MR. SZYMANSKI: I put them on the flash  
18 drive. They didn't reach you?

19 CHAIRPERSON GRONACHAN: No. I was  
20 going ask to you to put them on our overhead so  
21 the people at home and in the audience can see it  
22 as well.

23 MR. SZYMANSKI: I have them on my  
24 phone, but I don't think that will help.

25 CHAIRPERSON GRONACHAN: That's not

1 going to help.

2 MR. SZYMANSKI: No, I'm sorry. I  
3 thought about that, but I didn't do that. I'm  
4 sorry. The addition maintains the same footprint  
5 that the board approved previously. It just  
6 extends upward to the same roofline as the rest  
7 of the house, the second floor. And it's very  
8 similar to the several other houses of that same  
9 design and construction in our area on that  
10 block. They all have the addition over the  
11 garage. So this would be something that's  
12 already well-accepted in the community.

13 I also provided a note -- a letter from  
14 our closest neighbor who would be most directly  
15 impacted by that, and you should have that letter  
16 with you saying she strongly supports our  
17 project, has actually helped with the planning of  
18 it. And she would like to help us with our  
19 construction, too. So she supports it all so --  
20 as do all of our neighbors in the immediate area.

21 CHAIRPERSON GRONACHAN: Okay.

22 MR. ATTO: I just wanted to add that --  
23 excuse me -- since you mentioned members, people  
24 in the audience and possibly people watching at  
25 home because when you read the request, it looks

1           like we're requesting for the whole world. But  
2           all these variances were approved several years  
3           ago, and the footprint is exactly the same. It's  
4           just a matter of extending 20 feet of second  
5           floor over the existing garage. So it just --  
6           sometimes when you read it, it looks like there's  
7           more than there is. Thank you.

8                       MR. SZYMANSKI: I also wanted to also  
9           mention that the addition is not on the lake  
10          side. The addition is on the street side. So it  
11          doesn't impair anybody's vision of the lake. So  
12          it's just expanding our roofline toward the  
13          street over the garage.

14                      CHAIRPERSON GRONACHAN: Okay. Anything  
15          else, gentlemen?

16                      MR. ATTO: That's it.

17                      CHAIRPERSON GRONACHAN: Good  
18          presentation.

19                      Is there anybody in the audience that  
20          wishes to comment on this case?

21                      (No audible response.)

22                      CHAIRPERSON GRONACHAN: Seeing none,  
23          building department, do you have anything to add?

24                      MR. BOULARD: Nothing to add other than  
25          it is, indeed, the same footprint as originally

1 presented. A portion of the building was one  
2 story where the garage is. And that's what was  
3 presented to the board and approval was  
4 conditioned upon that request. So he needed to  
5 come back to increase that volume, and there is  
6 additional building that is going to be within  
7 those setbacks, but it's over the existing  
8 building. So other than that, I'll stand by for  
9 questions. Thank you.

10 CHAIRPERSON GRONACHAN: Thank you.

11 Mr. Secretary, is there any correspondence?

12 MR. MONTVILLE: Yes. There are 44  
13 letters mailed, nine returned and four approvals.

14 First is from Carol Ames. Dear City of  
15 Novi Representatives: I'm a direct neighbor to  
16 the north of Sarah and Gary Szymanski at  
17 2012 West Lake Drive, Novi, Michigan. The  
18 Szymanskis are proposing to add an addition on  
19 top of their attached garage for purposes of a  
20 family room. I have a similar addition above my  
21 garage, and I fully support the Szymanskis in  
22 being able to do the same.

23 The second approval letter returned is  
24 from Dan Henson at 1951 West Lake Drive. Gary  
25 and Sarah are great neighbors. Good luck and

1           congrats on the home addition. Third letter of  
2           approval came from Ronald Coon at 2018 West Lake  
3           Drive, neighbor directly next door to the south.  
4           And, again, he confirms his approval.

5                       The fourth letter is from  
6           William Richard Curtis at 101 Penhill Street. If  
7           your setback are existing from the first permit,  
8           why would Novi building department make a  
9           rezoning. Existing building has setback.  
10          Somebody should look into this, with an approval  
11          noted.

12                      CHAIRPERSON GRONACHAN: Okay. Thank  
13          you.

14                      Board members?

15                      Member Sanghm.

16                      MR. SANGHM: Thank you, ma'am.

17                      Again, I looked at your place, it looks  
18          pretty new. All you're trying to do is take the  
19          roof off the garage and extend it, right?

20                      MR. SZYMANSKI: Correct.

21                      MR. ATTO: Correct.

22                      Mr. SANGHM: Nothing else is changing.  
23          Thank you. I have no problem supporting your  
24          application.

25                      MR. SZYMANSKI: Thank you.

1 MR. ATTO: Thank you.

2 CHAIRPERSON GRONACHAN: Anyone else?

3 I think it's a great idea, and I look  
4 forward to the invitation to the parties.

5 MR. SZYMANSKI: Thank you. We'll send  
6 them out.

7 CHAIRPERSON GRONACHAN: I have no --  
8 you know, the only thing I want to say in this  
9 area it's pretty consistent with the other  
10 houses. You fit right in there. And I commend  
11 you for not blocking anyone's view of the water.  
12 So I'm in full support and looking for a motion  
13 from my board members if there's no further  
14 discussion.

15 MR. SANGHM: No.

16 MR. MONTVILLE: Madam chair, I'm  
17 prepared to make a motion at this time.

18 CHAIRPERSON GRONACHAN: Okay.

19 Member Montville.

20 MR. MONTVILLE: In Case PZ16-0001  
21 sought by Gary and Sarah Szymanski at  
22 2012 West Lake Drive, I move that we grant the  
23 variances as requested for the following reasons:  
24 The variance request is not self-created due to  
25 the nonconforming nature of the lot. The



1 existing footprint of the current building will  
2 remain the same, and they're requesting new  
3 variances. They are simply going vertically  
4 versus approaching the setbacks of the current  
5 lot. The structure will remain within the  
6 consistency of the aesthetics of the surrounding  
7 properties. So for those specific reasons, I  
8 move that we grant the variances as requested.

9 MS. KRIEGER: Support.

10 CHAIRPERSON GRONACHAN: It's been moved  
11 and seconded. Is there any further discussion?

12 Seeing none, Mr. Boulard, would you  
13 please call the roll.

14 MR. BOULARD: Member Sanghm?

15 MR. SANGHM: Yes.

16 MR. BOULARD: Member Byrwa?

17 MR. BYRWA: Yes.

18 MR. BOULARD: Member Montville?

19 MR. MONTVILLE: Yes.

20 MR. BOULARD: Chairperson Gronachan?

21 CHAIRPERSON GRONACHAN: Yes.

22 MR. BOULARD: Member Krieger?

23 MS. KRIEGER: Yes.

24 MR. BOULARD: Motion is approved,  
25 passes five to zero.

1 CHAIRPERSON GRONACHAN: Thank you very  
2 much. Your variances have been granted.  
3 Congratulations, and I'm sure you'll be working  
4 with the building department. Thank you.

5 Okay. Moving right along, let's go to  
6 Case PZ-16-0002, 21660 Phillip Drive on  
7 Blaine Rudy, I'm sorry, is requesting a variance  
8 from the City of Novi to allow placement of an  
9 accessory structure adjacent to the home. Normal  
10 requirement is ten foot, and he has zero feet  
11 proposed. Is the petitioner here?

12 MR. RUDY: Yes, I am.

13 CHAIRPERSON GRONACHAN: Are you both  
14 going to be giving testimony this evening?

15 MR. RUDY: Probably just me.

16 CHAIRPERSON GRONACHAN: Would you  
17 please state your name for our recording  
18 secretary; spell it and then be sworn in.

19 MR. RUDY: It's Blaine Rudy,  
20 B-l-a-i-n-e. Rudy, R-u-d-y.

21 MR. MONTVILLE: Would you please raise  
22 your right hand?

23 Do you swear or affirm that the  
24 testimony you're about to give is the truth?

25 MR. RUDY: Yes, I do.

1 MR. MONTVILLE: Thank you.

2 CHAIRPERSON GRONACHAN: You may  
3 proceed.

4 MR. RUDY: Okay. We are requesting to  
5 have a variance to the normal ordinance to allow  
6 the shed to be placed directly behind the garage.  
7 In the master Indiscernible in the covenant  
8 restrictions for our association, a shed cannot  
9 be more than -- or it has to be more than 35 feet  
10 from the back property line. We back up to the  
11 woods. So there's no one directly behind us.  
12 It's more for in the middle of the subdivision  
13 where there's neighbors that are -- houses backed  
14 right up to each other so they don't put sheds  
15 right there.

16 For us that would put it right in the  
17 middle of our backyard. Moving it more than ten  
18 feet from the house, but also 35 from the back  
19 property line is right in the middle of the yard  
20 which would impede our neighbor's view and our  
21 view of the woods. So we're asking for a  
22 variance to put it right up against the back of  
23 the house. The back of the house behind the  
24 garage is an L-shape, so it's indented. So it's  
25 not really visible from anywhere else, and I've

1 included a drawing of the property.

2 CHAIRPERSON GRONACHAN: Would you like  
3 to please --

4 MR. RUDY: Yes.

5 CHAIR GRONACHAN: -- put it on the  
6 overhead?

7 MR. RUDY: The shed proposed would be  
8 right here at the back of the house.

9 CHAIRPERSON GRONACHAN: Okay. Anything  
10 else?

11 MR. RUDY: We -- in the process of  
12 researching it, we found that there's a number of  
13 other homes in the area that have sheds or  
14 accessory structures directly against their --  
15 their house. And that's why we're asking for  
16 the -- this is not the best picture, but I  
17 included color photos with the packet I  
18 submitted.

19 CHAIRPERSON GRONACHAN: Okay.

20 Is there anyone in the audience that  
21 wishes to make comment in the matter of this  
22 case?

23 Please come on down. If you two would  
24 like, just so they can have the microphone that  
25 would be nice.

1 CHAIRPERSON GRONACHAN: I'm going to  
2 ask you to state your name, spell it, state your  
3 address.

4 MS. TUTTLE: Okay. I'm Kathryn Tuttle.  
5 I live at 21648 Phillip Drive. I'm directly to  
6 the south of the Rudys. And I want to say I  
7 support this very much because if they put it so  
8 many feet, it would block my family room. I  
9 would have just the shed to look at outside my  
10 family room. If they keep it towards the house,  
11 I still have a view of the woods. So I'm totally  
12 100 percent -- 110 percent in favor.

13 CHAIRPERSON GRONACHAN: Okay.

14 MR. CAMERON: I'm Greg Cameron,  
15 21636 Phillip, two doors down; and I am for this.  
16 It's a good thing to put it right up to where  
17 it's at.

18 CHAIRPERSON GRONACHAN: Okay. Thank  
19 you.

20 MR. CARLISLE: My name is  
21 John Carlisle. I live on the north side,  
22 21672 Phillip Drive. I am also for it.

23 CHAIRPERSON GRONACHAN: All right.  
24 Thank you. Anyone else?

25 (No audible response.)

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CHAIRPERSON GRONACHAN: Seeing none, building department.

MR. BOULARD: I would have happy to stand by for questions. Nothing else to add.

CHAIRPERSON GRONACHAN: Mr. Secretary, is there any correspondence?

MR. MONTVILLE: Yes. There were 31 letters mailed, two letters returned, two approvals.

The first comes from Mary and John Carlisle. To whom it may concern: We are current neighbors of the property owners at the subject location. We live adjacent to them to the north at 21672 Phillip Drive: The purpose of this letter is to advise that we have no concerns regarding the existing shed at the subject location. We encourage you to grant the variance requested. If additional confirmation of our opinion is required, please call us at (248) 449-9354. Thank you.

The second letter is from Kathryn and Dana Tuttle. This letter is to inform you we are very satisfied regarding the shed location at 21660 Phillip Drive, Novi, Michigan. I reside at 21648 Phillip Drive, which is the closest

1 neighbor to the shed location. I would not want  
2 it anywhere else. No other neighbor can see the  
3 shed unless they are in the Rudy's backyard or  
4 mine. I am strongly in favor of the variance.

5 CHAIRPERSON GRONACHAN: Okay. Thank  
6 you.

7 Board members?

8 Member Byrwa.

9 MR. BYRWA: I have a question for the  
10 building department. Being that there's not a  
11 minimum fire separation distance, is the  
12 petitioner aware that he may be having to fire  
13 rate the outside walls of the shed and pick up a  
14 fire rating on that?

15 MR. BOULARD: I have not discussed that  
16 with the petitioner. I guess the one question is  
17 if this would be -- normally the separation would  
18 be between the garage and the home; and since  
19 this is adjacent to the garage, would it be part  
20 and parcel with the garage. That's a question we  
21 have not broached at this point. That would be  
22 the only caveat that I would have. Obviously,  
23 part of the intent of the zoning ordinance is to  
24 have those accessory buildings separated in the  
25 event something were to occur.

1                   In this particular case, I'm less  
2                   worried about that because it's adjacent to the  
3                   garage as opposed to the living part of the house  
4                   where you wouldn't have a separation. There  
5                   should be some kind of separation between the  
6                   garage, but I think the point is -- the point is  
7                   excellent that, you know, if the building was ten  
8                   feet away and your lawn mower -- something  
9                   happened with your lawn mower, the house would  
10                  not be at risk. It's potentially more at risk  
11                  here so. Thank you.

12                  MR. BYRWA: Thank you.

13                  CHAIRPERSON GRONACHAN: Member Sanghm.

14                  MR. SANGHM: Thank you.

15                  I came and visited your home Saturday I  
16                  think it was, and you have woodlands right behind  
17                  you, right?

18                  MR. RUDY: Yes.

19                  MR. SANGHM: And this shed is already  
20                  there almost close to the back of the garage?

21                  MR. RUDY: Correct.

22                  MR. SANGHM: Is there a lot of distance  
23                  between the garage and the shed? It is very  
24                  almost --

25                  MR. RUDY: Maybe about two feet or



1 so.

2 MR. SANGHM: Okay. Thank you.

3 CHAIRPERSON GRONACHAN: I have a  
4 question.

5 MR. RUDY: Yes?

6 CHAIRPERSON GRONACHAN: So is this --  
7 the existing shed that's there is coming down,  
8 and you're replacing it with the pictures that  
9 you put in our packet? Is that what the plan is?

10 MR. RUDY: That's the exact same shed.  
11 It's not coming down. It would be moved. We  
12 would have concrete poured and sat right back on  
13 top of it. It was replacing an existing  
14 structure that was there in the first place that  
15 apparently was not -- I guess had never been  
16 applied a permit for.

17 CHAIRPERSON GRONACHAN: So for  
18 clarification purpose: There was a shed there.  
19 You tore it down and put up a new shed?

20 MR. RUDY: Yes. And was told there  
21 that, no, there was never any approval.

22 CHAIRPERSON GRONACHAN: Okay. And then  
23 in regards to your home owners association, I  
24 need clarification that if we approve that it's  
25 next to the house they're going to bypass the

1 35 -- they're going to support where we -- if we  
2 grant this variance?

3 MR. RUDY: The only rule that the  
4 association has is that it has to be 35 feet from  
5 the back property line --

6 CHAIRPERSON GRONACHAN: Okay.

7 MR. RUDY: -- and then as long as the  
8 City approves it. So if it's a foot, ten feet,  
9 four inches, they don't care as long as it's 35  
10 foot from the back line and the City approves  
11 it.

12 CHAIRPERSON GRONACHAN: Could you put  
13 the picture of your property back up again,  
14 please? So can you give me an idea what 35 feet  
15 would be from the back property line?

16 MR. RUDY: It's not perfect to scale.

17 CHAIRPERSON GRONACHAN: No, I  
18 understand.

19 MR. RUDY: I believe 35 feet is right  
20 about here, and it would be ten feet from the  
21 back of the garage. But it has to be ten foot  
22 from the corner right here, which would still put  
23 it about here. So it would be right in the  
24 middle of the yard, and our neighbors, it would  
25 block their view from either side of the

1           woodland.

2                   CHAIRPERSON GRONACHAN: So is there any  
3 other place on the property where it wouldn't  
4 block the neighbors' view that it could go and  
5 still meet the requirements?

6                   MR. RUDY: I don't believe that -- I  
7 mean, maybe in the middle right about here; but  
8 then it would be blocking our view of the  
9 property line.

10                  CHAIRPERSON GRONACHAN: And what about  
11 further towards the other property line towards  
12 the -- I guess that would be to the north?

13                  MR. RUDY: We already have a patio and  
14 a deck there.

15                  GRONACHAN: Okay. I was at your house.  
16 I did not get out in the pouring rain and walk in  
17 the backyard, sorry. It's a beautiful  
18 neighborhood. And I will -- I'm going to wait to  
19 hear what my other board members have to say  
20 about this.

21                   Board members?

22                   Member Krieger.

23                  MS. KRIEGER: It's ten feet from the  
24 other corner, and then it's at the end of the  
25 garage?

1 MR. RUDY: No. To meet the  
2 requirements of the 35 from the back property  
3 line but also is the City requirements --

4 MS. KRIEGER: Right. Right. Right.

5 MR. RUDY: -- it would have to be --

6 MS. KRIEGER: But I mean from that  
7 other corner.

8 MR. RUDY: It's about eight foot from  
9 the actual -- that's the edge of our laundry  
10 room.

11 MS. KRIEGER: I guess considering that  
12 it was there before, that neighbors don't have an  
13 issue with it, that for storage purposes since  
14 it's the garage -- was I right, the garage is at  
15 that side?

16 MR. RUDY: Yes.

17 MS. KRIEGER: -- then you got the  
18 firewall from the garage and -- well, two feet.  
19 You just need a lot of chipmunk killer in  
20 between, that I would be able to support it, you  
21 know.

22 CHAIRPERSON GRONACHAN: Okay. Thanks.  
23 Member Montville.

24 MR. MONTVILLE: Did you go through the  
25 process at all with the neighborhood association

1 to go through some kind of variance request with  
2 them to get closer to the backyard instead of  
3 being in the middle that you have --

4 MR. RUDY: With it being the covenant,  
5 the restrictions, it would have to be two-thirds  
6 of all of the homeowners to approve changing  
7 that. And their fear is that if that changes,  
8 then everyone in the middle of the subdivision  
9 that backs up to each other would start  
10 requesting sheds then, too.

11 MR. MONTVILLE: Got you. Okay. Thank  
12 you.

13 MR. RUDY: Yeah.

14 CHAIRPERSON GRONACHAN: Member Byrwa.

15 MR. BYRWA: Yeah.

16 Are we talking about relocating an  
17 existing shed now also on this?

18 MR. RUDY: No. The exact -- the shed  
19 that's in place now. It's just when -- if we get  
20 approval, we would have concrete poured and set  
21 it on top of it.

22 MR. BYRWA: So when everything is said  
23 and done, you'll only have one shed?

24 MR. RUDY: Yes.

25 MR. BYRWA: Okay.

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MR. RUDY: In the location that's proposed.

MR. BYRWA: Thank you.

CHAIRPERSON GRONACHAN: Any further discussion? Is there a motion?

MS. KRIEGER: In Case Number PZ-16-0002 for 21660 Phillip Drive, I move that we grant the petitioner's request. The petitioner has shown with the picture and with our discussion that the position of the structure is in the best position for the neighbors and for themselves; that it is unique for this subdivision. Their backyard goes up to the woodland area; and same reason, they did not create the condition. It was a precondition. The relief granted will not unreasonably interfere with the adjacent or surrounding neighbors because of their statements that they're in favor of it, and the lot line 35 feet from the home owners association request plus the City's, the relief is consistent the spirit and intent of the ordinance because of the structure being in the safest place possible.

MR. SANGHM: Support.

CHAIRPERSON GRONACHAN: I have a friendly amendment for further discussion.

1 MS. KRIEGER: Okay.

2 CHAIRPERSON GRONACHAN: Looking at this  
3 picture and knowing that he's going to have to  
4 move it anyways, I would suggest that he move it  
5 at least -- you said, it's two feet now, correct?

6 MR. RUDY: About two feet.

7 CHAIRPERSON GRONACHAN: I would suggest  
8 five feet from the building. If you look at the  
9 picture -- do you have this picture with you? So  
10 it's right under the gutter. If you want to put  
11 that on the --

12 MR. RUDY: Those are pictures of other  
13 sheds in the area.

14 CHAIRPERSON GRONACHAN: That's not your  
15 shed?

16 MR. RUDY: No.

17 CHAIRPERSON GRONACHAN: Well, that's  
18 what I'm trying to figure out here. Okay. I  
19 apologize. I got the wrong picture. Is it even  
20 with the garage now?

21 MR. RUDY: Yes.

22 CHAIRPERSON GRONACHAN: With the back  
23 of the garage?

24 MR. RUDY: Yes.

25 CHAIRPERSON GRONACHAN: Okay. Then

1 strike my --

2 MS. KRIEGER: Okay.

3 CHAIRPERSON GRONACHAN: Sorry. I was  
4 looking at the wrong -- my mistake.

5 Mr. Boulard, would you please call the  
6 roll?

7 MR. BOULARD: Member Byrwa?

8 MR. BYRWA: Yes.

9 MR. BOULARD: Member Montville?

10 MR. MONTVILLE: Yes.

11 MR. BOULARD: Chairperson Gronachan?

12 CHAIRPERSON GRONACHAN: Yes.

13 MR. BOULARD: Member Krieger?

14 MS. KRIEGER: Yes.

15 MR. BOULARD: Member Sanghm?

16 MR. SANGHM: Yes.

17 MR. BOULARD: Motion passes five to  
18 zero.

19 CHAIRPERSON GRONACHAN: Your motion --  
20 your variance has been granted. Please work with  
21 the building department with the footings and  
22 that sort of thing. This time please pull a  
23 permit.

24 MR. RUDY: Thank you.

25 CHAIRPERSON GRONACHAN: Okay. Thank



1           you.

2                           MR. BOULARD:  If -- if --

3                           CHAIRPERSON GRONACHAN:  Yes.

4                           MR. BOULARD:  If I may, if it's under  
5           200 square feet which this would be, a permit is  
6           not required.  Please consult -- if you're going  
7           to put in footings, please go down 42 inches and  
8           make sure it grades away from the house.

9                           MR. RUDY:  It's 8x10, so it should be  
10          under that.

11                          CHAIRPERSON GRONACHAN:  Thank you.

12                          MR. RUDY:  Thank you.

13                          CHAIRPERSON GRONACHAN:  Okay.  Moving  
14          right along to Case Number PZ-16-0003, the  
15          Michigan Beer Company.  Is the petitioner here?  
16          Is the petitioner for Michigan Beer Company  
17          present?

18   (No audible response.)

19                          MS. SAARELA:  You can just pass on it  
20          and see if they show up later.

21                          CHAIRPERSON GRONACHAN:  Okay.  We're  
22          going to hold off on Case Number 4, and move  
23          right to Case Number 5, Delphinus Medical  
24          Technologies, PZ-16-0004, 45525 Grand River  
25          Avenue.  The petitioner is requesting to allow

1 installation of an additional sign in the form of  
2 57 square foot wall sign on the building. There  
3 are presently two existing ground signs at the  
4 location.

5 Good evening ladies, would you please  
6 state your names, spell them for our recording  
7 secretary and then be sworn in.

8 MS. SIMPSON: My name is Terri Simpson,  
9 T-e-r-r-i S-i-m-p-s-o-n.

10 MS. SAUNDERS: And I'm Debra Saunders.  
11 Debra, D-e-b-r-a S-a-u-n-d-e-r-s; and I'm  
12 vice-president of marketing and sales at  
13 Delphinus.

14 MR. MONTVILLE: Could you both please  
15 raise your right hands?

16 Do you swear or affirm that the  
17 testimony you're about to give is the truth?

18 MS. SIMPSON: Yes.

19 MS. SAUNDERS: Yes.

20 MR. MONTVILLE: Thank you.

21 CHAIRPERSON GRONACHAN: You may  
22 proceed.

23 MS. SIMPSON: Okay. I am with  
24 Signtech, Incorporated; and I am assisting  
25 Delphinus with a proposal for variance to section

1 28-5 of the ordinance. We're asking for a 56.49  
2 square foot wall sign in addition to the existing  
3 ground sign. The sign that we are requesting is  
4 smaller than allowed for a wall sign in this  
5 district is which 65 square feet when there isn't  
6 a ground sign involved.

7 Our sign is appropriate to the size of  
8 the facade and the layout of the building that  
9 it's going on. It's not displeasing in any way  
10 to the building or the surrounding buildings or  
11 neighbors. We have personally visited all of the  
12 neighbors in the surrounding area with a  
13 photograph of the proposed sign on the building  
14 and basically a copy of the packet that we  
15 submitted. We have received in writing ten  
16 letters from the neighbors saying that they  
17 approve of our proposed sign plan.

18 We also feel that the placement of the  
19 wall sign in the front of the building is going  
20 to assist with the westbound traffic on  
21 Grand River having an easier time locating the  
22 building and where the actual entranceway is.  
23 When you're going to the west, if you get stopped  
24 or slowed anywhere in that -- before that  
25 intersection at Taft Road, you see the existing

1 ground sign which is for another company that has  
2 an entrance in the back of that building.

3 So we're hoping that with the addition  
4 to the wall sign, it will clarify that that is,  
5 in fact, also the Delphinus building and prevent  
6 people from either having to jet over into the  
7 left turn lane or go up and do U-turns and turn  
8 around and then enter from the west. So, again,  
9 we think it's going to improve the traffic flow  
10 and assist the people that are trying to find the  
11 building.

12 And I think that's it. We have photos  
13 of it. I don't know if you guys want to see them  
14 again. So, as I said before, it's a little over  
15 56 square feet; but it is an individual channel  
16 letter sign. So as opposed to a big solid area  
17 type sign, each letter will be individual. So  
18 it's not massive and aesthetically on the wall.  
19 It's proportionate again to the facade of the  
20 building.

21 CHAIRPERSON GRONACHAN: Do you have  
22 anything else to offer?

23 MS. SAUNDERS: I would just like to say  
24 that we're very pleased moving into the Novi  
25 area. We've previously been in Plymouth. So

1 we're happy that we're coming into the Novi  
2 neighborhood.

3 CHAIRPERSON GRONACHAN: Okay. Is there  
4 anyone in the audience that wishes to make  
5 comment on this matter this evening?

6 (No audible response.)

7 CHAIRPERSON GRONACHAN: Seeing none,  
8 building department?

9 MR. BOULARD: Just wanted to say that  
10 it's great to have this business here in Novi.  
11 They're a huge addition to the community. And I  
12 think that with the potential congestion as  
13 Grand River carries more and more traffic and  
14 they're just after the light, I think that this  
15 is definitely worth consideration.

16 CHAIRPERSON GRONACHAN: Thank you.  
17 Mr. Secretary, is there any correspondence?

18 MR. MONTVILLE: Yes, madam chair.  
19 There were 27 letters mailed. One was returned.  
20 There were nine approvals.

21 The first was from Joe Benstein. I,  
22 Joe Benstein, of Mansfield Cabinet have seen and  
23 have no objections to the wall sign as proposed  
24 by Delphinus Medical Technologies at  
25 45525 Grand River Avenue. Second letter is from

1 Justin Root. I, Justin Root of City Electric  
2 Supply have seen and have no objection to the  
3 wall sign as proposed by Delphinus Medical  
4 Technologies at 45525 Grand River Avenue. Third,  
5 I, Brian Adams, of Adams Sports Medicine have  
6 seen and have no objection to the wall sign as  
7 proposed by Delphinus Medical Technologies at  
8 45525 Grand River Avenue.

9 Fourth, I, Robert Masser and  
10 Gary Smith, of Redford Lock have seen and have no  
11 objection to the wall sign and proposed by  
12 Delphinus Medical Technologies at 45525 Grand  
13 River Ave. I, Grace Moreland, of Fairlane Motel  
14 have seen and have no objection to the wall sign  
15 as proposed by Delphinus Medical Technologies at  
16 45525 Grand River Ave. And then the remaining  
17 letters are from Kelly Hall, Steve Dehorn, Blair  
18 Bowman, Page R. Masella of Miracle Software  
19 Systems; and they all reflect the same content as  
20 the previous letters.

21 CHAIRPERSON GRONACHAN: Okay. Thank  
22 you.

23 MS. SAUNDERS: We do have one more  
24 letter that we received back after our package  
25 was submitted which is on the overhead now, and

1 that's from DeMaria Building which is directly  
2 across the street from the location.

3 CHAIRPERSON GRONACHAN: Thank you very  
4 much.

5 MS. SAUNDERS: Thank you.

6 CHAIRPERSON GRONACHAN: Board members?  
7 Member Sanghm.

8 MR. SANGHM: Thank you.

9 I came and visited your place a couple  
10 of days ago, and my simple question is: What  
11 your hardship? Why do you need that sign over  
12 there?

13 MS. SAUNDERS: Again, we looked at  
14 primarily traffic coming from the east moving  
15 west because of the long facade of the building  
16 seeing clearly where the -- where Delphinus is  
17 located, that that signage will help. So that  
18 once you see the monument sign, you're really  
19 past the -- or very close to passing the drive to  
20 turn in. So that's why we're asking and  
21 appealing for this variance.

22 MR. SANGHM: Thank you.

23 CHAIRPERSON GRONACHAN: For -- just for  
24 the audience and because you're a new business to  
25 Novi, can you tell us a little bit what Delphinus

1 is, please?

2 MS. SAUNDERS: Yeah. Certainly.  
3 Delphinus is actually very much a Michigan  
4 company. Our technology is we're medical device,  
5 and we're actually a spin out of Karmano's Cancer  
6 Institute. And we are developing a new breast  
7 cancer detection system utilizing a very unique  
8 ultrasound system, and it's for -- specifically  
9 for women with dense breasts.

10 And we know that these women have  
11 difficulty with cancer detection in dense breasts  
12 because mammography may be deficient. So that's  
13 what we do. It's a new breast imaging  
14 ultrasound-based medical device. So we're really  
15 on the front edge of bringing new technology  
16 forward for women who need it most.

17 CHAIRPERSON GRONACHAN: Thank you.  
18 Member Krieger.

19 MS. KRIEGER: The ground sign, is that  
20 for Delphinus as well; or is that a separate  
21 company?

22 MS. SIMPSON: There's actually two  
23 ground signs existing. There is one for  
24 Delphinus on the north side of the property just  
25 to the east of the drive in. Its pictured in



1           that packet, and we can throw it up on the  
2           projector as well. It's in the neighborhood of  
3           44 -- let me not guess at that for you.

4                   MS. KRIEGER: So you're the one on  
5           Grand River, and this other one is?

6                   MS. SIMPSON: Yeah.

7                   MS. KRIEGER: -- on Taft?

8                   MS. SIMPSON: The Delphinus one is on  
9           Grand River. It's 26.83 square feet. And then  
10          the Taft Road sign is an entrance that parks in  
11          the rear of that building, Sumika Polymers, if I  
12          didn't torture that name. That one is 10.5  
13          square feet. Both of which were in place,  
14          obviously, before Delphinus took over this lease  
15          space. So this is what we're going to call a  
16          preexisting condition for them. We have updated  
17          that monument sign on the Grand River Road side  
18          to reflect what you see in the photograph here.

19                   MS. KRIEGER: Okay. Because I drive up  
20          and down all the time on Grand River there, and  
21          It's almost like you have two faces. One on Taft  
22          and one on Grand River; and the angle of the road  
23          that when you're coming westbound, you're going  
24          to see the east face of the building. So I like  
25          the on the front of the building the Delphinus,

1 but then I was thinking about the ground sign  
2 being a duplicate that maybe would help you on  
3 the Taft side.

4 MS. SIMPSON: But the Taft Road  
5 monument sign is currently in use by another --

6 MS. KRIEGER: By --

7 MS. SIMPSON: Yeah. -- by another  
8 business which is one of the other things. We're  
9 trying to avoid confusion to make sure people  
10 know that that is, in fact, the Delphinus if you  
11 happen to be going west on Grand River and see  
12 that ten square foot ground sign. Are you with  
13 me?

14 MS. KRIEGER: So the Taft Road entrance  
15 is one company, and the Grand River entrance is  
16 the Delphinus company?

17 MS. SIMPSON: Correct.

18 MS. KRIEGER: Okay. Thank you.

19 CHAIRPERSON GRONACHAN: Member  
20 Montville.

21 MR. MONTVILLE: I would just like it  
22 make one comment about the hardship specific to  
23 the current preexisting ground sign. It is on  
24 the far west of the lot. So for traffic going  
25 west on Grand River at 50 miles an hour as its

1 currently zoned, it could be an issue. The sign  
2 actually looks bigger in the picture on the  
3 screen right now, then I think it actually plays  
4 out when you're driving by.

5 So potentially for people looking for  
6 the office, I think it's fair to say that they  
7 might not see the sign until they're going 50  
8 miles an hour and they're past the building. So  
9 I think it's warranted to have a -- let me  
10 rephrase. I support the variance as they're  
11 requesting for the second sign. I think it's  
12 warranted to have something a little farther -- a  
13 little farther east, excuse me, on the building  
14 for the eastern exposure.

15 CHAIRPERSON GRONACHAN: Okay. Thank  
16 you.

17 MS. SIMPSON: The other thing if you  
18 notice with that picture of that existing ground  
19 sign, even though the face is 26.8 square feet,  
20 proportionally their logo takes up about a third  
21 of that. So the monument is there, but we're not  
22 crazy oversized with logos or text or naming or  
23 branding of any kind.

24 CHAIRPERSON GRONACHAN: Okay. I went  
25 out, and it was dark, and it was raining. And

1 going down Grand River in the dark is always a  
2 trip. But I have to say that the first time I  
3 drove by it, I didn't see a need for the sign.  
4 And then I went back and reread the case, and I  
5 found your challenges.

6 The first challenge is that there's  
7 more than one tenant in the building. The second  
8 challenge is the fact that you're a new business  
9 to Novi and not really identified as of yet as to  
10 where and how and all about. The third challenge  
11 is the angle of the roads. So for the guy that  
12 was behind me that was ready to, you know, run me  
13 off the road I, apologize; but it was Sunday. I  
14 was trying to do 30 and look at everything. It's  
15 not easy.

16 But having said that, in all  
17 seriousness, when you're going up Grand River and  
18 heading west towards Beck, your ground sign  
19 almost blends into the building next to it; and  
20 there's confusion. And that to me is all about  
21 not causing a safety issue. However, if you're  
22 coming up Grand River going west and you see the  
23 building sign first, now you have a heads up and  
24 you know that you're going to be looking for a  
25 driveway. At least I would be. I don't know

1 what the guy behind my on Sunday was looking at.

2 But in all seriousness, I think that  
3 given those reasons, I am in full support for the  
4 sign. I think that it's tastefully done. I  
5 don't think that it's over the mark given the  
6 frontage of the building and given the angle,  
7 like I said, about Taft and Grand River, I will  
8 be supporting this request.

9 Having said that, is there any further  
10 discussion? Is there a motion?

11 MS. KRIEGER: Yes.

12 CHAIRPERSON GRONACHAN: Member Krieger.

13 MS. KRIEGER: In Case Number PZ-16-0004  
14 for 45525 Grand River Avenue for  
15 Delphinus Medical Technologies, I move to grant  
16 the request; that the petitioner has shown  
17 practical difficulty for the location, the speed  
18 of Grand River; that it's a new business; that  
19 the angle of the roads makes it difficult for  
20 people to find their driveways; that it's two  
21 businesses; that this is a unique property  
22 because of its shape and topography and not  
23 self-created because Tate and Grand have been  
24 here first, the relief granted will not  
25 unreasonably interfere with adjacent or

1 surrounding. They have shown support from their  
2 neighbors and the relief is consistent with the  
3 spirit and intent of the ordinance.

4 MR. SANGHM: Support.

5 CHAIRPERSON GRONACHAN: It's been moved  
6 and seconded. Is there any further discussion?

7 Seeing none, Mr. Boulard, would you  
8 please call the roll?

9 MR. BOULARD: Certainly.

10 Member Montville?

11 MR. MONTVILLE: Yes.

12 MR. BOULARD: Chairperson Gronachan?

13 CHAIRPERSON GRONACHAN: Yes.

14 MR. BOULARD: Member Krieger?

15 MS. KRIEGER: Yes.

16 MR. BOULARD: Member Sanghm?

17 MR. SANGHM: Yes.

18 MR. BOULARD: Member Byrwa?

19 MR. BYRWA: Yes.

20 MR. BOULARD: Motion passes five to  
21 zero.

22 CHAIRPERSON GRONACHAN: Your variance  
23 has been granted, and welcome to Novi. We hope  
24 you have a very long and happy stay.

25 MS. SAUNDERS: Thank you so much.

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MS. SIMPSON: Thank you.

CHAIRPERSON GRONACHAN: Good luck.

Okay. Our next case is PZ-16-0005,  
David -- sorry, Seba. The applicant is  
requesting a variance from the City of Novi to  
allow creation of two new residential lots  
without frontage on the public street. Is the  
petitioner here this evening?

Would you please come down.

MR. SEBA: Good evening.

CHAIRPERSON GRONACHAN: Good evening.

Would you please state your name for our  
recording secretary and spell it, and then be  
sworn in by our secretary.

MR. SEBA: My name is Jim Seba, J-i-m.

Last name is S-e-b-a.

CHAIRPERSON GRONACHAN: Okay.

MR. MONTVILLE: Please raise your right  
hand, sir.

Do you swear or affirm that the  
testimony you're about to give is the truth?

MR. SEBA: I do.

MR. MONTVILLE: Thank you.

CHAIRPERSON GRONACHAN: You may  
proceed.

1 MR. SEBA: The request -- I should  
2 just -- a little background about the property.  
3 The property is zoned R-4, currently has four  
4 conforming lots that are not part of a  
5 condominium association or any -- anything along  
6 that line. We -- we've had a -- I've had a  
7 discussion with the -- with the City actually  
8 over the last year or so.

9 Currently three lots are -- are facing  
10 east along Novi Road and one lot facing south  
11 along Cottisford. And the discussion started  
12 with -- with the idea of putting three cuts along  
13 Novi Road to access those lots or a driveway  
14 basically to access those -- those buildable  
15 lots. And at one point considering the traffic  
16 flow on Novi Road, we suggested -- I suggested  
17 that we put a private road that starts at  
18 Cottisford and going north making the three lots  
19 that are facing east -- basically turn the  
20 structure around and have the -- the -- the  
21 dwellings or the houses facing west along the  
22 private road.

23 In this case, basically alleviates any  
24 backups or any traffic backups that may happen  
25 from entering and -- and exiting onto Novi Road



1 directly. Again, the property is zoned R-4.  
2 The -- the design that we've come up with  
3 basically gives -- gives us about a 50 percent  
4 density of what the property is zoned for. The  
5 one lot -- it's actually four lots, and all four  
6 of them are conforming to frontage on a public  
7 road.

8 To put that road in, some of the -- I  
9 own all four lots. So to put that road in, we  
10 had to shift some of the property lines in  
11 different directions to allow for basically a  
12 conforming road, you know, built to City  
13 standards by shifting some of the property lines.  
14 The fifth lot actually that was added would face  
15 the private road. And so technically one of --  
16 because of that road, one of the lots became  
17 nonconforming because of that private road.

18 So that's why the variance we're asking  
19 for is for two. But four are existing. The  
20 fifth one is being added because of that private  
21 road basically and -- and, you know, the  
22 direction it goes in. And, again, it's -- we're  
23 trying to preserve the property as much as we  
24 can.

25 Actually I'm going to more than likely,

1 end up building a house for myself and my family  
2 in one of those lots. But at -- at this point,  
3 like I said, we're trying to preserve as much of  
4 the property as possible by doing five instead of  
5 ten, by trying to situate them in areas where  
6 there are as little disruption -- destruction to  
7 trees as possible and, again, trying to preserve  
8 the nature of -- of the property as much as  
9 possible.

10 CHAIRPERSON GRONACHAN: Okay. Is there  
11 anything else?

12 MR. SEBA: Basically, again, you know,  
13 we're -- everything -- the design was -- we did a  
14 survey of the property with all the trees and all  
15 their locations, and we did the design. And the  
16 road -- oh sorry. The road kind of winds around  
17 and was intentionally done that way to try to  
18 avoid taking down as -- as -- as many trees as we  
19 can save basically. So by -- again, we're --  
20 we're -- we're doing -- what we're doing is, you  
21 know, by situating the road and the building  
22 envelopes, we're finding areas on the property  
23 that has the least amount of disturbance to the  
24 property and to its -- to the trees on the  
25 property.

1                   So, basically, that's -- that's -- you  
2                   know, we've submitted the drawings. You've seen  
3                   the drawings. And, like I said, by putting that  
4                   private road to avoid having to put three cuts on  
5                   Novi Road, it made two of the lots nonconforming  
6                   because now they are not facing a public road.  
7                   They're facing a private road -- or access off of  
8                   a private road which, again, it -- it conforms to  
9                   all City standards.

10                  CHAIRPERSON GRONACHAN: Okay. Is there  
11                  anyone in the audience that wishes to make a  
12                  comment?

13                         I'm sorry, just one moment.

14                         Building department.

15                  MR. BOULARD: If -- if I might, I just  
16                  wanted to put a couple of things on the record  
17                  before -- to kind of frame the conversation.  
18                  I -- I spoke with Mr. Seba last week. One of the  
19                  things that, from my standpoint, is that -- yet  
20                  we advertise for this, and I think this is a  
21                  critical time to have a public hearing, but  
22                  because the road and utilities require basically  
23                  site plan approval, my thought is that this  
24                  request is premature at this point in terms of  
25                  action. Because if the road and the utilities

1 aren't approved, then there's really no need for  
2 the variance.

3 Certainly everybody is here. We  
4 advertised for it. But my recommendation -- and  
5 obviously should you choose to accept it, my  
6 recommendation to the board would be to have the  
7 public hearing, but to delay until -- delay to a  
8 date certain or to a point after the planning  
9 commission has -- has considered and approved  
10 this. Because I think we both agree --

11 MR. BYRWA: Yeah.

12 MR. BOULARD: -- you know, it's good to  
13 get the word out and talk about it; but without  
14 the road and the utilities, there's really no  
15 purpose to this because they couldn't have the  
16 fourth lot. So that's one thing.

17 The other thing is that I had a lot of  
18 conversations with a lot of the neighbors. One  
19 of the things that they talked about was -- was  
20 some activity or some -- some -- a settlement  
21 that took place, I think, between certain  
22 neighbors and -- and yourself regarding  
23 development of the property. And -- what was  
24 that name?

25 MS. SAARELA: Joe Feno.

1 MR. BOULARD: Yeah. If you don't mind,  
2 we've tried to get some clarity to that. Thank  
3 you to all of you who forwarded that. But I  
4 think in terms of the comments, it would be  
5 important to understand where that fits in the  
6 whole picture. So I defer to the -- if it's all  
7 right, madam chair, I defer to the attorney.

8 CHAIRPERSON GRONACHAN: Absolutely.  
9 The City attorney.

10 MS. SAARELA: So we took a look at the  
11 existing settlement agreement which was entered  
12 into between the adjacent property owners and  
13 Mr. Seba's predecessor in interest of the  
14 property. The settlement agreement does pertain  
15 to this property. However, like the fact that  
16 the site plan hasn't been submitted for review  
17 yet, the terms of the settlement agreement, it's  
18 probably premature for anyone to try to look at  
19 the settlement agreement with respect to what's  
20 proposed now because you would need to know the  
21 exact locations of structures and the exact  
22 location of the road before anyone can make the  
23 determination of whether the settlement agreement  
24 was being violated or how it applied to this  
25 particular property.

1           Being that -- that being said, that's  
2           not something that the City would be considering.  
3           You know, that's not within the City's realm of  
4           consideration. The City is reviewing whether the  
5           proposal meets ordinances or whether it should be  
6           subject to a variance. The settlement agreement  
7           was between private parties. The City is not a  
8           party to the agreement.

9           The City is not bound by the agreement  
10          in the application of its ordinances. So in  
11          considering your variance request today, you only  
12          should be looking at the zoning ordinance,  
13          standards for variance, and considering the  
14          proposal in accordance with the City ordinances.  
15          The settlement agreement is a private agreement.

16          If for some reason down the road this  
17          makes it -- it gets its variances and makes it  
18          through site plan approval and the parties to the  
19          agreement feel that the final result of this  
20          violates that agreement, that's a private matter  
21          that would have to be enforced in court in  
22          accordance with the terms of the settlement  
23          agreement by someone who is a party to the  
24          settlement agreement. So for the ZBA to try to  
25          consider the substance of that agreement today,

1 would be inappropriate and inapplicable, really,  
2 at this point to what's really before you.

3 CHAIRPERSON GRONACHAN: Thank you.

4 Yes, Mr. Boulard.

5 MR. BOULARD: To further belabor the  
6 point -- and I just wanted to clarify that  
7 Mr. Seba is working with our planning staff. I  
8 believe there's a drawing and I think his  
9 engineer is here also. And I believe there is a  
10 drawing that is subsequent to what's in the  
11 packet. So that process is moving forward. But  
12 I think until we have resolution to it, it would  
13 be premature to, you know, bring a decision  
14 forward. So thank you. I'll be quiet and answer  
15 any questions.

16 CHAIRPERSON GRONACHAN: No, we don't  
17 want you to be quiet. But thank you both.

18 Having said that, is there anyone in  
19 the audience that wishes to make comment in the  
20 matter -- in this matter?

21 Yes, please come down.

22 MS. STOEVER: Hi. Would you like my  
23 name?

24 CHAIRPERSON GRONACHAN: Please.

25 MS. STOEVER: Theresa, T-h-e-r-e-s-a.

1 Last name Stoever, S-t-o-e-v-e-r.

2 CHAIRPERSON GRONACHAN: And your  
3 address, please?

4 MS. STOEVER: 43440 Cottisford Street,  
5 Northville 48167.

6 CHAIRPERSON GRONACHAN: Okay. You can  
7 proceed.

8 MS. STOEVER: I am in -- I am in  
9 education. This is not my forte. So forgive me  
10 if I speak in layman's terms over all this; but  
11 when I bought the home four years ago, it was to  
12 my understanding that there may be a home built  
13 to the right of my home off of Nine Mile going --  
14 I guess it's south. I'm really not good with my  
15 demographics.

16 I am not happy with the idea of two  
17 parcels being placed in the woods, back yard of  
18 my home that would basically back up -- it looks  
19 like it's literally almost on top of my home.  
20 It's not something that I want for my real estate  
21 value for when I do decide to leave at some  
22 point. And it's something that concerns me  
23 greatly since I do have a lot of noise backing up  
24 to the woods of my home on Novi and then also on  
25 Nine Mile.



1 I'm not looking for a road to my right  
2 for more traffic. It's nothing go to do anything  
3 for my real estate value. I'm a single mom, and  
4 I'm in education which that tells you a lot about  
5 my finances. So this is something that concerns  
6 me greatly especially if there's two small  
7 parcels being put behind my home. I don't know  
8 what the use of them would be other than maybe  
9 rentals and turnovers, and I do have teenage  
10 children. This is not something that I signed up  
11 for. Thank you.

12 CHAIRPERSON GRONACHAN: Okay. Anyone  
13 else? Come on down.

14 MR. LE: My name is Isaac Le. Last  
15 name is Le, L-e. And I live on 43455 Novi.  
16 Right to the -- I'm on the right of the  
17 borderline of the variance that are going to  
18 happen and where the private road will be.

19 I moved into the house about a year and  
20 a half ago, and there is nice court and the  
21 reason I chose the house and the moving into was  
22 because it is -- is only one way in, one way out,  
23 and is backed by the woods, and in nice -- and  
24 neighbors. Now, this is all changed because of  
25 that private road he's talking about. And then

1 it is right up to the borderline, about ten, 15  
2 foot from my house.

3 And if you look at my house all my  
4 living space is on the south side, which is where  
5 variance is happening. About 80 percent of the  
6 wall is windows. And I really am enjoying the  
7 Michigan sunlight, and then -- and then it will  
8 open up my backyard to the public without to --  
9 and he say is a private road; but now because of  
10 this road, all the houses are facing, too, this  
11 into the road. And then we'll see the traffic  
12 coming in and out. And then the privacy is one  
13 thing.

14 So we -- all the windows will be house  
15 right there, and open road, and the traffic  
16 coming in. And then probably we'll have to close  
17 all the windows, and then I don't imagine living  
18 in a house with the curtains closed all the time.  
19 And then noise, of course; and then probably will  
20 be car coming in at 2:00 in the morning and then  
21 beaming in your bedroom for sure there.

22 And then right now the -- our court is  
23 enclosed, but now is open up by this road or if  
24 you can access this road to the subdivision where  
25 we are in my house someone can just walk in and

1 you can bike in, even you can drive in. There's  
2 a park there where you can -- it's kind of a  
3 security issues -- concerns I have.

4 And then one of the other things, it  
5 definitely is going to devalue the house. The  
6 Indiscernible price is higher than -- the  
7 division is higher than average Novi house is.  
8 The reason is this that because it's nice  
9 subdivision, but now it is going to open up the  
10 back, and then we'll lose that high premium that  
11 we paid for when we bought on our land.

12 And then erosion is another thing that  
13 I'm looking. At right now my house is a little  
14 bit higher ground of the variance that's going to  
15 happen. According to the variance, they will cut  
16 down to thirds and put on the lower ground. And  
17 it will definitely be a accelerate the erosion  
18 process. This is safety issues that we have as  
19 well.

20 CHAIRPERSON GRONACHAN: Okay. Thank  
21 you. Is there anything else?

22 MR. LE: That's about it.

23 CHAIRPERSON GRONACHAN: Okay. Thank  
24 you. Anyone else?

25 This gentleman in the white jacket and

1           then the --

2                       MR. GALICKI: My name is  
3           Phillip Galicki. I live at 43515 Mclean Court in  
4           Novi. I live in Weston Estates north of where  
5           Mr. Seba's property is.

6                       In looking at the site map, there's not  
7           enough information in the site map that describes  
8           the proposed road. And my concern is could  
9           emergency vehicle, a fire truck, for example,  
10          turn around on the road and will there be enough  
11          area for 180 degree turn? Also the size and  
12          shape of the parcel, is it deep and wide enough  
13          to accommodate the size of houses to be built and  
14          the road? It -- the site map just doesn't show  
15          enough info. When we decided to build a house in  
16          Novi, we were attracted to the area because of  
17          the woodlands surrounding our home. With the  
18          addition of two houses and a road, it will  
19          detract from the area and the property values of  
20          the surrounding houses.

21                      Mr. Seba does not want access off  
22          Novi Road for the lots. He does not want access  
23          for the lots of -- excuse me. Mr. Seba does not  
24          want access off Novi Road for the lots adjacent  
25          to Novi Road. He wants to create a new

1 subdivision by dividing the property with its own  
2 private road which result with the loss of trees  
3 and the woodland area. And I'm against this.

4 CHAIRPERSON GRONACHAN: Okay. Thank  
5 you.

6 MR. MIGLIO: I am Terrence Miglio,  
7 M-i-g-l-i-o T-e-r-r-e-n-c-e. And I live at  
8 43461 Cottisford, the property that's directly  
9 across from this particular lot. I am one of the  
10 people who is party to this settlement agreement  
11 that arose out of litigation against Mr. Seba's  
12 predecessor some years ago. And aside from what  
13 the settlement agreement with its use restriction  
14 provides, it's my position that this particular  
15 request for a variance does not establish that  
16 the standards are met for a variance according to  
17 the City of Novi's ordinances. There's nothing  
18 particular about this property, the physical  
19 limitations or the topical, that requires a  
20 variance on an ordinance that applies to all the  
21 other residential properties in Novi.

22 Secondly, this particular variance is  
23 requested because it's been self-created by the  
24 property owner. He's subdivided the property yet  
25 again calling into question whether or not any of

1 the two pieces of property are -- have fronting a  
2 public road. That's created by the property  
3 owner. Three of the parcels that are already  
4 been divided have access to Novi Road. That's a  
5 public road. There could be access to the  
6 remaining pieces of land within that particular  
7 parcel by going through Novi Road which fronts on  
8 it. As my previous speaker said, this not only  
9 adds a new piece of property, a fifth home to  
10 this parcel, it creates a new subdivision with  
11 it's private road.

12 And I tend to disagree with Mr. Seba  
13 because not only will the -- the structures  
14 themselves take out woodlands, but the private  
15 road that goes directly goes to those structures  
16 will also remove more of the woodland area  
17 without any question whatsoever. Now, each of  
18 those three parcels that were on Novi Road were  
19 advertised and could have been sold with their  
20 own ad -- with their own driveways. There are  
21 other residential parcels on Novi Road that have  
22 access to their properties.

23 This particular request for a variance  
24 does not in any way, shape, or form pass those  
25 five standards. And, in fact, as you've heard

1 from other people and what is my opinion, that it  
2 will be a substantial adverse impact on the  
3 surrounding properties by putting what amounts to  
4 a mini subdivision with five houses crowded on  
5 this lot in a relatively peaceful, calm,  
6 longstanding neighborhood with rolling greens and  
7 woodland areas and will destroy what we've had in  
8 this particular area which has been unique.  
9 Thank you.

10 CHAIRPERSON GRONACHAN: Thank you. Is  
11 there anyone else?

12 MS. MAHLMEISTER: My name is  
13 Tina Mahlmeister. That's T-i-n-a. Last is  
14 M-a-h-l-m-e-i-s-t-e-r. I live at  
15 43421 Cottisford with my husband Dan who is  
16 sitting there. This is the property we live at  
17 here. This is the property in question. These  
18 are the three lots that Mr. Seba has which has  
19 frontage on Novi Road. The lot he's requesting  
20 which is, my understanding, this property was  
21 deemed over to him, this little area right here,  
22 was given to him to allow access to Cottisford  
23 Road.

24 This is part of a letter that was  
25 given, and I also have additional copies. I'd be

1 glad to hand you these so you can read them a  
2 little better. This letter states that Mr. Seba  
3 was well-aware of the enforceable deeds that were  
4 placed on that property, and he was sold that  
5 little piece of property so that he could have  
6 access -- or so he was told, to Cottisford, right  
7 here, by the previous owners who are on this  
8 letter, Keith and Lisa Brandt, who are real  
9 estate -- who are Realtors, who are licensed  
10 Realtors, who should have known that there were  
11 deed restrictions placed on that lot.

12 Okay. When we look at this lot -- the  
13 schematic here, you're looking at five houses.  
14 He wants a house here. He wants a house here.  
15 The lot -- the road will be going kind of a curvy  
16 road here. He wants a house here, here, and  
17 here.

18 Mr. Seba, I understand it is very  
19 difficult with the money you have put in and the  
20 sewer line which has also ruined my berm, but  
21 because of that, I don't see why you couldn't get  
22 and replat this to make it so that the lots are  
23 longer to accommodate a more flowing lot line  
24 with trees. There are other homes that are on  
25 Novi Road that have frontage on Novi Road that



1 are able to accommodate this. This way you could  
2 actually have the homes set farther back and you  
3 could hopefully recoup some of your monies out of  
4 what you've already invested.

5 My second thing has to deal with -- the  
6 City of Novi, it has in there one of the  
7 ordinance enforcement resources talks about, you  
8 know, please contact either your home owners  
9 association or subdivision deed restrictions. I  
10 know you had an issue with this letter in regards  
11 to Tri-County and your deed and all things in  
12 that respect. But when you're investing that  
13 amount of money in it, there's a phrase caveat  
14 emptor, buyer beware. With that amount of money  
15 that you were putting in there, I wish you would  
16 have realized how important it is to look into  
17 all aspects of it.

18 This letter states, Mr. Seba, by our  
19 attorney -- that you have written -- Mr. Seba's  
20 discovery of this settlement agreement came as a  
21 complete shock and destroyed his investment  
22 backed expectations for the property. Had  
23 Mr. Seba been advised of the existence of this  
24 settlement agreement, he would have never  
25 purchased the property in the first place and

1 would not have invested substantial sums after  
2 the purchase. I sympathize with you in regards  
3 to that, but it's unfortunate that Brian and  
4 Lisa Brandt, gave you false --

5 CHAIRPERSON GRONACHAN: Excuse me --

6 MS. MAHLMEISTER: -- information --

7 CHAIRPERSON GRONACHAN: -- ma'am.

8 MS. MAHLMEISTER: -- that you could  
9 have access.

10 CHAIRPERSON GRONACHAN: Ma'am.

11 MS. MAHLMEISTER: Yes.

12 MS. SAARELA: I think we're getting off  
13 track on what the appropriate procedure is. This  
14 is to provide information to the ZBA, not to have  
15 a discussion with the applicant.

16 MS. MAHLMEISTER: Right. I do  
17 understand that, and I also have a point to make.  
18 According to your wetland and woodlands  
19 stewardship. This whole property here has to  
20 deal with wetlands. Here's a map of where we  
21 are. This is Cottisford. The whole area in  
22 question here is regulated wetlands, and I would  
23 hope that we keep in mind the City of Novi and  
24 why it was founded and how we have wetlands and  
25 why we have them because it adds to, Number 1,

1 increased property values.

2 All this is mentioned in your wetland  
3 and woodland stewardship, the advantages of  
4 having woodlands. In regards to all of this  
5 information, I oppose having any variance.  
6 Mr. Seba created the problem. He could go and  
7 have it replatted, have the lots realigned or  
8 whatever needs to be done. It has a negative  
9 impact on the existing homes in the subdivision,  
10 and I oppose this. Thank you.

11 CHAIRPERSON GRONACHAN: Thank you. Is  
12 there anyone else?

13 MR. PATEL: Good evening. My name is  
14 Nilesh Patel. I live on 43467 Mclean Court, Novi  
15 Michigan 48375. The property I own is  
16 immediately north of the lots -- lot line and  
17 next to Mr. Le.

18 I oppose to this variance in particular  
19 because, one, he is putting too many houses on  
20 2.38ths of an acre. The house sizes are -- two  
21 of them are close to 4,000 square foot houses,  
22 and the other three are 3,300 square foot houses.  
23 So by -- when you put those type of houses on  
24 2.38 acres, you're going to remove all the  
25 woodlands.

1                   Furthermore, the lot is very  
2                   challenging. The previous builder was offered  
3                   this plot, the parcel; and he refused it because  
4                   he -- he came -- he told me that it's very  
5                   challenging, and he could not build there. Even  
6                   though he built our own sub, he could not build  
7                   that.

8                   It's very hilly. There's a lot of down  
9                   slopes. And on our side, we are already having  
10                  considerable erosion problems between us and our  
11                  neighbors. And this year we're going to have to  
12                  call an engineer firm because our retention walls  
13                  are all -- all the old ones are coming out. And  
14                  it's a very steep bank where he's going to put  
15                  the houses up.

16                  Above all he's decided to put the  
17                  biggest house where he's claiming for the  
18                  variance, and that would undermine our property  
19                  values. And he's putting it 11 feet away from  
20                  the property line. I think that is unfair. I'm  
21                  sure if somebody did that to your -- where you  
22                  live behind your house, you would not be very  
23                  happy as well. And for these reasons, I think  
24                  he's putting too many houses on the lot, and it  
25                  should be refused. And as a resident of Novi,

1           considering he's not a resident, I think our  
2           views should be taken into account first. Thank  
3           you very much.

4                         CHAIRPERSON GRONACHAN: Thank you.  
5           Anyone else?

6                         MR. SCHREMS: Hello, my name is  
7           Tom Schrems, T-o-m S-c-h-r-e-m-s. I live at  
8           43500 Cottisford. Currently the approved zoning  
9           ordinance would allow structures to be built on  
10          the properties, and it would also meet the  
11          current settlement agreement that is in place.  
12          So it would make -- make both the -- meet the  
13          City standards and be in compliance of that  
14          settlement agreement with the property owners.  
15          This variance would allow property to be -- to  
16          allow two structures within 25 feet setback of my  
17          eastern property line. My property line borders  
18          the western most side of Mr. Seba's property.

19                         Having two structures within 25 feet of  
20          my property in a neighborhood in which most  
21          properties are approximately an acre would  
22          significantly have a negative impact on my  
23          property value having two -- two houses right  
24          next to my property line without the benefit of  
25          having a natural woodland setting. So I would be

1 eliminating that and have two structures built in  
2 that area. The current approved plan has lots  
3 that have access to Novi Road. With that access,  
4 there is no need for a private road, nor is there  
5 a need for a variance. And with that, I oppose  
6 this request.

7 CHAIRPERSON GRONACHAN: Thank you.  
8 Anyone else?

9 (No audible response.)

10 CHAIRPERSON GRONACHAN: Seeing none, is  
11 there any correspondence, Mr. Secretary?

12 MR. MONTVILLE: Yes, madam chair. 23  
13 letters were mailed, zero return letters, zero  
14 approvals and six objections.

15 The first comes from Maria Schrems. I  
16 object to the requested variance. Currently the  
17 property owner could build on the property  
18 without this variance developing it in a similar  
19 manner to the other properties in the subdivision  
20 whose owners have followed the zoning ordinances  
21 without variances.

22 The property owner chose to divide the  
23 property in a manner that requires a variance.  
24 If the property owner had chosen different  
25 division of the property, this variance would not

1 be needed. Allowing the variance could encourage  
2 the property owner to ignore the use restrictions  
3 documented in the settlement agreement on this  
4 property and the neighboring properties.

5 Creating a miniature subdivision within  
6 the existing subdivision would degrade the value  
7 of the existing homes in part by removing the  
8 woodlands that were protected in the settlement  
9 agreement. Existing homeowners purchased their  
10 properties with the understanding that the  
11 settlement agreement would help protect the value  
12 of their properties with the expectation that the  
13 City would enforce its existing zoning  
14 ordinances.

15 Our property in particular would be  
16 adversely affected by the division of the western  
17 portion of the property into two parcels. Two  
18 houses with only 25 foot setbacks would border  
19 our property instead of the 60 foot restricted  
20 woodland area and 75 foot setback described in  
21 the settlement agreement. This would negatively  
22 affect both our property and our property's  
23 value. For these reasons, I object to the  
24 requested variance. The settlement agreement is  
25 attached.

1 Moving on to the next objection letter,  
2 from Phillip Galicki. There is not enough  
3 information on the site map that describes the  
4 proposed road. Could an emergency, vehicle fire  
5 turn around on the road? Will there be enough  
6 area for an 180 degree turn? Also is the size  
7 and shape of the parcel deep and wide enough to  
8 accommodate the size of the houses to be built  
9 and the road?

10 When we decided to build a house in  
11 Novi, we were attracted to this area because of  
12 woodland surrounding our home with the  
13 addition -- excuse me, with the addition of two  
14 additional houses and the road, it would detract  
15 from the area and lower property values of the  
16 surrounding homes and the homes in the  
17 Weston Estates.

18 Third letter is from Nilesh Patel.

19 CHAIRPERSON GRONACHAN: It's several  
20 pages. Can we just add that particular --

21 MS. SAARELA: You can summarize these.  
22 You don't have to read the whole letter into the  
23 record. All you need to say is whether they're  
24 approvals or objections.

25 CHAIRPERSON GRONACHAN: All right.



1 MR. MONTVILLE: The letter from  
2 Nilesh Patel is an objection. There's another  
3 letter by Ickdon Lee which is also an objection.  
4 And the second from last letter is from  
5 Barton Heldke is an objection. And the last and  
6 final letter is from Donald J. Black and  
7 Sherri M. Black also an objection.

8 CHAIRPERSON GRONACHAN: Okay. Board  
9 members?

10 Member Sanghm.

11 MR. SANGHM: Thank you.

12 I came around your neighborhood and  
13 looked around for 20 minutes. You have a  
14 beautiful exquisite neighborhood in Novi, and I  
15 would like to keep it the way it is in my  
16 opinion. I would be very to hesitant to disturb  
17 the way things are. It's such an exquisite place  
18 in Novi. It would be a shame to ruin it.

19 As far as Mr. Seba's application is  
20 concerned, I do not have sufficient data about  
21 the planned road and other things. So at this  
22 point, I cannot support your application. Maybe  
23 we can look at it again after the planning  
24 commission has looked at your problem. Thank  
25 you.

1 CHAIRPERSON GRONACHAN: Thank you. I,  
2 too, was out driving around. As a matter of  
3 fact, one of you were playing baseball with your  
4 son. That was me in the blue car so. It's just  
5 a wonderful neighborhood, rolling hills. You all  
6 described it very well. You can tell that it's  
7 the older version of Novi.

8 And we do not have enough information  
9 to this evening to vote on this case. I would  
10 suggest that all of you who came to speak to us  
11 tonight follow this through the planning  
12 commission and echo your sentiments to them  
13 because some of the stuff that you brought up to  
14 us is out of our jurisdiction.

15 What we have before us tonight is a  
16 request for a variance that we do not have  
17 sufficient information to vote on. And so along  
18 with my -- the previous speaker, I will not be  
19 making a -- I will not be making an approval or  
20 denial. My recommendation would be to table this  
21 case until after the decision of the planning  
22 commission. Is there a motion?

23 MR. MONTVILLE: To that point, I'm  
24 prepared to make a motion that we table  
25 Case PZ-16-0005 until we receive more information

1 from the planning commission and we will schedule  
2 the next meeting as the planning commission  
3 dictates.

4 CHAIRPERSON GRONACHAN: Can I add a  
5 friendly amendment? Pending approval from the  
6 planning commission should be the verbiage.

7 MS. SAARELA: I would assume it's not  
8 going to come back here if the planning  
9 commission doesn't make an approval. So subject  
10 to the approval is fine.

11 CHAIRPERSON GRONACHAN: Okay.  
12 Mr. Boulard.

13 MR. BOULARD: I guess, Mr. Seba, do you  
14 know when the planning commission is currently  
15 schedule to hear this or --

16 MR. SEBA: Well, we -- we're still,  
17 based on some feedback, we're still tweaking the  
18 design. Mr. Mahajan over here, the engineer  
19 involved, is still tweaking the plan and -- and  
20 making some changes. May I address just a couple  
21 things that were mentioned if you don't mind.

22 CHAIRPERSON GRONACHAN: Hang on one  
23 second.

24 What was yours --

25 MR. BOULARD: I guess my question is

1 based -- based on the best possible information  
2 that there is tweaks going back and forth on the  
3 plan and so on.

4 MR. SEBA: Yep.

5 MR. BOULARD: I guess my suggestion  
6 would be to defer a decision until the May 10th  
7 planning commission meeting. If not -- or until  
8 the May 10th, excuse me, ZBA meeting. That way  
9 we know it's a date certain. If for whatever  
10 reason the planning commission is has not  
11 considered the project at that point, we could  
12 always delay until a later time. But that way we  
13 wouldn't have to renote and travertine and so  
14 on. So that would be my suggestion.

15 CHAIRPERSON GRONACHAN: Okay. Board  
16 members, are you in favor of that suggestion?

17 Do we include that in our motion?

18 MS. SAARELA: From the 10th date,  
19 yes.

20 MR. MONTVILLE: I accept that friendly  
21 amendment that we add the specific date of May  
22 10th date to consider Case PZ-16-0005.

23 CHAIRPERSON GRONACHAN: Okay.

24 MR. BYRWA: Support.

25 CHAIRPERSON GRONACHAN: It's been moved

1 and seconded. Is there any further discussion  
2 from the board members?

3 Seeing none, Mr. Boulard, would you  
4 please call the roll?

5 MR. BOULARD: Certainly.

6 Member Krieger?

7 MS. KRIEGER: Yes.

8 MR. BOULARD: Member Sanghm?

9 MR. SANGHM: Yes.

10 MR. BOULARD: Member Byrwa?

11 MR. Byrwa: Yes.

12 MR. BOULARD: Member Montville?

13 MR. MONTVILLE: Yes.

14 MR. BOULARD: Chairperson Gronachan?

15 CHAIRPERSON GRONACHAN: Yes.

16 MR. BOULARD: Motion to delay until  
17 May 10th is approved five to zero.

18 CHAIRPERSON GRONACHAN: And at that  
19 time, the rest of your information can be  
20 presented once we have all of it in front of us.  
21 So I wish you luck.

22 MR. SEBA: Thank you.

23 CHAIRPERSON GRONACHAN: Hopefully,  
24 we'll see you in May.

25 MR. SEBA: Thank You.

1 PUBLIC SPEAKER: Madam Chairperson,  
2 would that also be a public hearing at that point  
3 in time for us?

4 CHAIRPERSON GRONACHAN: The zoning  
5 board meetings is always -- we always have public  
6 participation. You can watch the website for the  
7 agendas. They are posted about five days before  
8 the meeting, and you'll see if the case is  
9 posted. But, again, I would follow through with  
10 the planning commission --

11 PUBLIC SPEAKER: Thank you.

12 CHAIRPERSON GRONACHAN: -- at this  
13 point. Thank you.

14 Would the board entertain a five-minute  
15 break at this point?

16 MR. Byrwa: Yes.

17 MR. SANGHM: Second, yes.

18 CHAIRPERSON GRONACHAN: All right.  
19 Moved and seconded. The board is entertaining a  
20 five-minute break. We'll return at 8:35, seven  
21 minutes.

22 (Recess taken.)

23 CHAIRPERSON GRONACHAN: All right. We  
24 would like to call the zoning board of appeals  
25 meeting back into order. And we will proceed

1 with Case Number PZ-16-0006, C.A.R.S. at  
2 24400 Novi Road. The applicant is requesting a  
3 variance from the City due to a name change on  
4 existing multi-tenant pylon signs.

5 Good evening. And you are?

6 MR. SMITH: David Smith, D-a-v-i-d  
7 S-m-i-t-h. I am the owner of Novi Muffler  
8 Company currently doing business as Tuffy Auto.  
9 The business has been there since 1990.

10 CHAIRPERSON GRONACHAN: Before you  
11 begin, we need to get you sworn in, please.

12 MR. MONTVILLE: Do you swear or affirm  
13 that the testimony you're about to give is the  
14 truth?

15 MR. SMITH: Yes.

16 MR. MONTVILLE: Thank you.

17 CHAIRPERSON GRONACHAN: Now, you may  
18 proceed. Thank you.

19 MR. SMITH: So the business has been  
20 there since 1990. From what I've been told from  
21 the landlord, it was the first business there.  
22 I'm not changing my corporate name. My franchise  
23 commitment is up, and I'm not renewing with  
24 Tuffy. The d/b/a has already been in place for  
25 several years because I run a speed and

1 performance shop also. I'm going to absorb  
2 everything in there.

3 Our building faces to the south. The  
4 sign on the building is not visible at all until  
5 you're past it if you're coming southbound. So  
6 the pylon sign variance was originally issued so  
7 there is some visibility. Our sign, my sign, is  
8 very, very small; and the replacement sign is  
9 going to be even smaller because it has one less  
10 letter.

11 CHAIRPERSON GRONACHAN: Okay. Anything  
12 else?

13 MR. SMITH: No.

14 CHAIRPERSON GRONACHAN: Thank you. Is  
15 there anyone in the audience that wishes to make  
16 comment at this time?

17 (No audible response.)

18 CHAIRPERSON GRONACHAN: Seeing none,  
19 building department.

20 MR. BOULARD: Thank you. Just wanted  
21 to point out that this is -- that there's  
22 previous variance for this sign, but that was  
23 specific to the actual -- the names of the  
24 businesses. And so since it's going to change,  
25 that's why the gentleman is here.



1           As -- as I indicated, I think in the  
2           staff report, if you're so inclined there will be  
3           opportunity, perhaps, to -- if you were to  
4           reapprove this, to approve it based on one per  
5           tenant so that every time the name changes, they  
6           didn't have to come back. But that's my  
7           suggestion. I'll stand to answer questions.  
8           Thank you.

9           CHAIRPERSON GRONACHAN: Thank you.  
10          Mr. Secretary, is there any correspondence?

11          MR. MONTVILLE: Yes, madam chair. 22  
12          letters were mailed, two were returned; and there  
13          was one approval from John Norlock-Hertz,  
14          N-o-r-l-o-c-k dash H-e-r-t-z. And it is an  
15          approval letter noting no objections.

16          CHAIRPERSON GRONACHAN: Thank you.

17          Boards members?

18          Member Sanghm.

19          MR. SANGHM: I have been passing  
20          through your establishment for many years, and I  
21          know the only thing you're going to change is the  
22          name on the pylon and no other changes are made.  
23          I have no problem with your request. Thank  
24          you.

25          CHAIRPERSON GRONACHAN: I would just

1 like to say thank you for staying in Novi, even  
2 though the change; and we appreciate long-running  
3 businesses like yours. And I am in full support  
4 of this.

5 If anyone would like to -- if there's  
6 no other discussion, we could just make a motion  
7 for our petition?

8 MS. KRIEGER: Okay.

9 CHAIRPERSON GRONACHAN: Member  
10 Krieger.

11 MS. KRIEGER: In Case PZ-16-0006,  
12 24400 Novi Road for C.A.R.S., I move to grant the  
13 variance in this case sought by the petitioner  
14 because of the practical difficulty the business  
15 itself faces south. So he just wants to change  
16 the sign, and it will not unreasonably prevent or  
17 limit the use of the property nor have  
18 unreasonable interference with adjacent or  
19 surrounding properties. It's not self-created.  
20 It is unique because of the landscaping of the  
21 area, and it is consistent with the spirit and  
22 intent of the ordinance. And is it just one per  
23 tenant that they would --

24 MS. SAARELA: Yeah. The language would  
25 be to allow the supplementary signage on the

1 pylon sign on a one-per-tenant basis going  
2 forward.

3 MS. KRIEGER: With that.

4 MR. BYRWA: Second.

5 CHAIRPERSON GRONACHAN: It's been moved  
6 and seconded. Any further discussion?

7 Seeing none, Mr. Boulard, would you  
8 please call the roll?

9 MR. BOULARD: Member Byrwa?

10 MR. BYRWA: Yes.

11 MR. BOULARD: Member Montville?

12 MR. MONTVILLE: Yes.

13 MR. BOULARD: Chairperson Gronachan?

14 CHAIRPERSON GRONACHAN: Yes.

15 MR. BOULARD: Member Krieger?

16 MS. KRIEGER: Yes.

17 MR. BOULARD: Member Sanghm?

18 MR. SANGHM: Yes.

19 MR. BOULARD: Motion passes five to  
20 zero. The variance is granted.

21 CHAIRPERSON GRONACHAN: The variance  
22 has been granted. Congratulations and thanks for  
23 staying in Novi. Good luck.

24 All right. Our final case is  
25 PZ-16-0007, Pioneer Pharmacy at 39575 Ten Mile

1 Road west of Haggerty. The petitioner is  
2 requesting to allow additional wall signs in form  
3 of a 45 square foot sign on the building. And  
4 there is an existing ground sign with tenant  
5 panels which is allowed and is currently approved  
6 as installed.

7 You are?

8 MR. ZAHR: Hi, my name is Ray Zahr.  
9 I'm the pharmacist and the person working the  
10 store and also the developer.

11 CHAIRPERSON GRONACHAN: And you are?

12 MR. ESHO: Mark Esho from Mark I. Signs  
13 Company.

14 CHAIRPERSON GRONACHAN: Would you  
15 please spell your last names?

16 MR. ESHO: Sure. Mark, M-a-r-k, Esho  
17 E-s-h-o.

18 MR. ZAHR: Ray Zahr, R-a-y Z-a-h-r.

19 CHAIRPERSON GRONACHAN: Would you raise  
20 your right hand and be sworn in by our recording  
21 secretary.

22 MR. MONTVILLE. Do you swear or affirm  
23 that the testimony you're about to give is the  
24 truth?

25 MR. ESHO: Yes.

1 MR. ZAHR: Yes.

2 MR. MONTVILLE: Thank you.

3 CHAIRPERSON GRONACHAN: You may  
4 proceed, gentlemen.

5 MR. ZAHR: Okay. I'm trying to build a  
6 new pharmacy and these buildings are -- I don't  
7 know if -- you're probably familiar with them --  
8 recently remodeled. And the current sign on  
9 street nobody uses anymore. It's all old tenant  
10 signs. And based on our building location  
11 because as you're driving up Ten Mile, the  
12 building is lower, so it's already hard to see  
13 the buildings; and to put a little, you know,  
14 3x3, three by -- I'm sorry --

15 MR. ESHO: It's not three. It's about  
16 a six -- 18 inches by 42 feet -- 42 inches.

17 MR. ZAHR: It's not enough visibility  
18 especially because also entrance is further down.  
19 And we're trying to get these buildings  
20 revitalized because half of them are still empty.  
21 And, you know, the doctors have an urgent care  
22 center that was approved that's kind of similar  
23 to this sign. So we're trying to stay consistent  
24 with a nice simple channel letter sign,  
25 Pioneer Pharmacy Medical Supplies to help us

1           succeed because, you know, we'd like to  
2           revitalize this area, and we're just hoping  
3           you'll approve for the sign.

4                        We're not going to use the sign on the  
5           lawn. It serves no purpose. It's too small, and  
6           we can't take it off. So we only have a slot in  
7           it. It's not beneficial to us. So when I was  
8           doing the build-out, every day people would drive  
9           by and say where is the doctor's office at.  
10          Where is this at. Nobody can tell because those  
11          signs are kind of hard to read. I would have to  
12          give directions when I was doing construction to  
13          tell people where to go.

14                      CHAIRPERSON GRONACHAN: Anything else?

15                      Is there anyone in the audience that  
16           wishes to make comment?

17                      (No audible response.)

18                      CHAIRPERSON GRONACHAN: Seeing none,  
19           building department.

20                      MR. BOULARD: Just a couple of  
21           questions if I might?

22                      MR. ZAHR: Sure.

23                      MR. ESHO: Sure.

24                      MR. BOULARD: So these are multi-tenant  
25           buildings?

1 MR. ZAHR: Correct.

2 MR. BOULARD: And the intent of the  
3 sign ordinance is that the signs out front  
4 provide identification for the building and that  
5 folks or visitors would identify the building,  
6 come to the building and then come to the suite  
7 where they're being served. I guess when the  
8 urgent care folks came, as I recall, their  
9 argument was, Well, they're urgent care and  
10 people need to find them in emergencies and  
11 things like that and people need to find them  
12 that was the need for their signage.

13 My question is and, perhaps, it's  
14 slightly rhetorical, but it seems like every  
15 tenant is going to want a sign. I mean, as you  
16 indicated, you're not using the signs out front.  
17 Those could be improved, made more visible for  
18 everybody; but instead I'm concerned that with a  
19 variance for this sign, especially the size it  
20 is, there would be an expectation on every other  
21 business to get that sign, too. So I don't know  
22 if you could address that.

23 MR. ZAHR: Yeah, because pharmacy is  
24 similar to urgent care. It's not like physical  
25 therapy. Physical therapy next door, physical

1 therapy gentleman don't need a sign they get  
2 referral from doctors. Pharmacy is more like,  
3 oh, they see there's a pharmacy. I want to go to  
4 it. Instead of going, for example, to CVS and  
5 waiting an hour and a half for my prescription,  
6 we'll get you out in ten minutes. I'm not  
7 advertising.

8 So it's just a way to get our word out  
9 and be seen clearly. You know, a part of retail  
10 is the impression when you walk in to see our  
11 store, how professional it looks, and what the  
12 pharmacy, the sign, there's an image of what the  
13 pharmacy represents. With a little tiny sign on  
14 the street, it doesn't represent like a retail  
15 store or pharmacy that's professional or that  
16 might pull them in from the chains of anybody  
17 else.

18 Again, we want to -- for most small  
19 businesses I think you guys make -- you know,  
20 we've invested about 100,000 on the buildout and  
21 we just want to succeed. We don't want to close  
22 it and then it affects the rest of the building.  
23 So I see your point, but in the pharmacy end we  
24 just need a sign to say what we do, what we  
25 carry, what we offer. So we really need that



1 extra visibility, that little bang to get us  
2 going.

3 MR. BOULARD: Thank you.

4 CHAIRPERSON GRONACHAN: Mr. Secretary,  
5 is there any correspondence?

6 MR. MONTVILLE: 23 letters were mailed,  
7 two were returned, zero approvals, zero  
8 objections.

9 CHAIRPERSON GRONACHAN: Thank you.

10 I'm going to jump here and just ask the  
11 size of that sign on that building. How big is  
12 it?

13 MR. ESHO: It's right here on the --

14 MR. ZAHR: It's 40.

15 MR. ESHO: It's a 40 square foot. So  
16 you got channel letter mounted on the white with  
17 box sign in the back with the capsule underneath  
18 it, the medical supplies, the capsule is about  
19 12 inches by ten feet. The channel letters  
20 Pioneer Pharmacy, it's 24 inches by 15 feet long.  
21 So altogether it's going to be like a 40 square.

22 MR. ZAHR: The banner shows white in  
23 the back so it looks bigger than it actually is.  
24 When the channel lettering is up, it won't look  
25 as bulky. The banner right now has got a white

1 surface on it. It makes it look like a box sign.  
2 It's not going to look like that.

3 CHAIRPERSON GRONACHAN: So it's 40  
4 square feet, not 45? Because it says in our --  
5 so you're asking less than 45 square feet?  
6 You're asking for 40 square feet; is that  
7 correct?

8 MR. ESHO: Yeah, it's 40.

9 CHAIRPERSON GRONACHAN: So now that  
10 we've got that clarified, I see both sides, what  
11 the building department has to say and also what  
12 you're trying to promote here.

13 MR. ZAHR: Yes.

14 CHAIRPERSON GRONACHAN: I'm not in  
15 agreement with the size of this sign.

16 MR. ZAHR: Okay.

17 CHAIRPERSON GRONACHAN: I do agree that  
18 something should be there and for the following  
19 reasons: Ten Mile is -- I spoke earlier of the  
20 main traffic area. So when you're driving down  
21 the main traffic area, it's very difficult to  
22 find -- you know, to site a spot without  
23 getting hit especially on Ten Mile especially  
24 west of Haggerty.

25 Your mock-up is way out of proportion.

1 I would entertain a smaller -- me personally  
2 speaking, I would entertain something smaller.  
3 And what you have going for you is you have the  
4 end of the building. You're not stuck in the  
5 middle. So any kind of identification on the end  
6 is going to catch the eyes. I agree with you  
7 that the other signs -- and I don't know if the  
8 City would have to talk to the landlord about  
9 getting those identification signs at the  
10 drive-in fixed.

11 MR. ZAHR: Yeah.

12 CHAIRPERSON GRONACHAN: But those  
13 should be fixed, and you should be using that.

14 MR. ZAHR: Not to interrupt you, but  
15 because there's three buildings and she has three  
16 signs with like different -- old names on  
17 different signs.

18 CHAIRPERSON GRONACHAN: I -- I get  
19 that, but I'm just saying that it should be  
20 addressed.

21 MR. ZAHR: Okay.

22 CHAIRPERSON GRONACHAN: Either that or  
23 those signs should be taken down or something  
24 should -- and that's not in our jurisdiction  
25 tonight. My major concern is the size of the

1 sign. I do agree with you that you need  
2 something, but I do not agree with the size. So  
3 if you could tell me something about a little  
4 smaller for that corner.

5 MR. ZAHR: Yeah, yeah. Sure.

6 MR. ZAHR: We could make it smaller.

7 CHAIRPERSON GRONACHAN: What would be  
8 the next option?

9 MR. ZAHR: We can go 18 or so. You  
10 mean smaller, shrunk --

11 CHAIRPERSON GRONACHAN: Well, I even  
12 think this way as well.

13 MR. ESHO: Just like the same design  
14 but we going it make it less, smaller.

15 CHAIRPERSON GRONACHAN: I personally  
16 don't think that the medical supplies has to be  
17 on there. I think that Pioneer pharmacy should  
18 be enough; and, like I said, if the purpose of  
19 your request is for identification and for easier  
20 location, we don't need to advertise that you  
21 sell medical supplies. People do theory search  
22 ahead of time. Once they get into your location,  
23 they're going to figure that out. And you  
24 mentioned that physical therapy works by  
25 referral. So if you have medical supplies that

1 are unique, people are going to get to your  
2 pharmacy as well. So I think that that would  
3 take it off.

4 And, again, when you're driving west of  
5 Ten Mile and as well as you're driving east on  
6 Ten Mile, that sticks out. And you're going to  
7 see it because you're on a corner. If you were  
8 in the middle and you had a bigger face front,  
9 that would be a different argument that I would  
10 have, but I think that smaller is better.

11 MR. ZAHR: Okay.

12 CHAIRPERSON GRONACHAN: And I think  
13 that medical supplies shouldn't be on there.

14 MR. ZAHR: So if we eliminate medical  
15 supplies, it would be 24x15 which is 36 square  
16 feet.

17 CHAIRPERSON GRONACHAN: Okay. So --

18 MR. ZAHR: We'll just keep  
19 Pioneer Pharmacy and remove medical supplies.

20 CHAIRPERSON GRONACHAN: That's what I  
21 would support. And I will turn it to my other  
22 boards members and see what they have to say.

23 MR. ZAHR: We would accept that if  
24 that's --

25 CHAIRPERSON GRONACHAN: Okay.

1 Member Sanghm.

2 MR. SANGHM: Thank you.

3 I came around, looked around your  
4 place, and let me track back and say that I have  
5 been a medical physician for 60 years. Okay.  
6 And I know your predicament; that business needs  
7 to be identified very easily. What are your  
8 hours going to be then?

9 MR. ZAHR: From 9:00 to 7:00 or 8:00  
10 depending on urgent care.

11 MR. SANGHM: Is the sign going to be  
12 lit up?

13 MR. ZAHR: The sign is going to be lit  
14 up.

15 MR. SANGHM: So it would be lit at  
16 night?

17 MR. ZAHR: No, no. We can turn it off  
18 when we close. That's no problem.

19 MR. SANGHM: You can turn it off. What  
20 hours are you going to keep it on and off?

21 MR. ZAHR: We put a -- normally we put  
22 it on a timer. So if you want it off by a  
23 certain time, we can have it off by 11:00 or  
24 10:00. We're going to be closed at 8:00. So  
25 it's just for the winter months.

1 MR. SANGHM: But you need it on during  
2 the winter months anyway.

3 MR. ZAHR: Right. Yeah. From 4:00 to  
4 8:00.

5 MR. SANGHM: Indiscernible can see you  
6 anyway. Well, I have no problem about your  
7 application. I recognize your problem. To be  
8 honest, I have no problem with the medical  
9 supplies also because all pharmacies don't carry  
10 medical supplies --

11 MR. ZAHR: Right. I was going to tell  
12 her that but I don't want to --

13 MR. SANGHM: -- and other supplies like  
14 crutches, braces, and all other things are not  
15 necessarily -- this is not just a drugstore.  
16 This is more than a drugstore. And so I have no  
17 problem in supporting your application. Thank  
18 you.

19 MR. ZAHR: Just off the subject, I  
20 don't want to put window signs --

21 CHAIRPERSON GRONACHAN: Hang on. Let's  
22 let the other board members talk. Okay? And  
23 then we can -- anybody else?

24 Member Krieger.

25 MS. KRIEGER: I agree with

1 Member Sanghm that pharmacies usually don't have  
2 the medical supplies. So to alert people that if  
3 they need a wheelchair or crutches or wristband  
4 or something, that that's important; and that  
5 also for hours of operation if you're with the  
6 urgent care that would be -- facilitate the need  
7 I could see. If not, how else are you unique  
8 compared to other pharmacies?

9 MR. ZAHR: Yes. I agree with you  
10 100 percent. 100 percent. So that was the --  
11 that was the draw. Medical supplies say, oh, I  
12 need a wheelchair. I need crutches. I need the  
13 urgent care. I need a brace for my knee. I need  
14 a metacarpal brace, anything for my hand. So you  
15 know, the chains don't carry that and because the  
16 doctor is right next door, that was to be the  
17 draw.

18 MS. KRIEGER: That's it for me.

19 CHAIRPERSON GRONACHAN: Okay.

20 Member Montville.

21 Member Byrwa.

22 MR. BYRWA: No.

23 CHAIRPERSON GRONACHAN: No comments.

24 Anybody have a motion?

25 Is anybody in agreement with me on the



1 size? Can we discuss that, that it should be a  
2 little smaller given the size of where he is --

3 MS. KRIEGER: Can you do that? Can you  
4 include medical supplies and make it 36 square  
5 feet? You said you could reduce it to 36 square  
6 feet and that would include Pioneer Pharmacy and  
7 medical supplies.

8 MS. SAARELA: I think under the current  
9 law what would be appropriate is for you to limit  
10 the size, but not the content of the sign.

11 CHAIRPERSON GRONACHAN: Limit the size  
12 but not the content?

13 MS. SAARELA: Yes.

14 CHAIRPERSON GRONACHAN: Okay. So if we  
15 went to 30 square feet --

16 MR. ESHO: 36.

17 CHAIRPERSON GRONACHAN: 36 square  
18 feet.

19 MS. KRIEGER: And then the lighting.

20 CHAIRPERSON GRONACHAN: And then the  
21 hours.

22 MS. KRIEGER. Yeah. That if it's lit  
23 as well in the wintertime that -- I mean, at  
24 night it's going to be -- now we're going into  
25 summer. At 6 o'clock it will be light, but in

1 the winter it would be dark. So they would  
2 have the --

3 CHAIRPERSON GRONACHAN: How about a  
4 half an hour after close, would that be good?

5 MS. KRIEGER: Yeah.

6 CHAIRPERSON GRONACHAN: Okay. Half an  
7 hour after -- and that was given to me by --

8 MR. ZAHR: I mean, just so you know,  
9 the urgent care is on all night.

10 CHAIRPERSON GRONACHAN: Yeah, but you  
11 close at 8:00 you said.

12 MR. ZAHR: Yeah.

13 CHAIRPERSON GRONACHAN: So this  
14 variance is specific to your business.

15 MR. ZAHR: Okay.

16 CHAIRPERSON GRONACHAN: Has nothing to  
17 do with urgent care.

18 Okay. Do we have a motion?

19 Member Montville.

20 MR. MONTVILLE: I move that we grant  
21 the variance in Case PZ-16-0007 sought by  
22 New Generation Signs on behalf of Pioneer  
23 Pharmacy for the following reasons: The business  
24 is unique due to the medical nature of their  
25 products and the services they provide to their

1 customers. The current facade of the building  
2 and location of the specific tenant makes it  
3 difficult for traffic going both west and east on  
4 Ten Mile to visually locate the business and  
5 their operation. The sign has been  
6 professionally designed also to closely and  
7 aesthetically compliment the urgent care sign  
8 directly to the east of the current tenant.

9 With that said I move that we grant the  
10 variances under the specific conditions that the  
11 sign be reduced to 36 square feet as opposed to  
12 the current 40 square feet that has been proposed  
13 and also the illumination of the sign can occur  
14 and take place 30 minutes before the opening of  
15 the pharmacy and the illuminating effects will be  
16 turned off 30 minutes after the close of  
17 operations on a daily basis by the pharmacy.

18 MR. BYRWA: Second.

19 CHAIRPERSON GRONACHAN: It's been moved  
20 and seconded. Any further discussion?

21 Mr. Boulard.

22 MR. BOULARD: I believe -- I just want  
23 to confirm that the 36 square feet will be  
24 measured in accordance with the definition in the  
25 ordinance which means drawing a box around the

1 entire sign. So whatever sign he comes up with,  
2 we measure not necessarily based on conversations  
3 and assumptions here, but we base on the  
4 definition of the ordinance.

5 MR. MONTVILLE: Given the comments by  
6 the building department, I agree and would like  
7 to add that as an amendment to the motion.

8 MR. BYRWA: Second.

9 CHAIRPERSON GRONACHAN: It's been moved  
10 and seconded. Any further discussion?

11 Seeing none, Mr. Boulard, would you  
12 please call the roll?

13 MR. BOULARD: Member Krieger?

14 MS. KRIEGER: Yes.

15 MR. BOULARD: Member Sanghm?

16 MR. SANGHM: Yes.

17 MR. BOULARD: Member Byrwa?

18 MR. BYRWA: Yes.

19 MR. BOULARD: Member Montville?

20 MR. MONTVILLE: Yes.

21 MR. BOULARD: Chairperson Gronachan?

22 CHAIRPERSON GRONACHAN: Yes.

23 MR. BOULARD: Motion passes five to  
24 zero.

25 CHAIRPERSON GRONACHAN: Your variance

1 has been granted, congratulations, based on those  
2 changes that we made; and good luck with your  
3 business.

4 MR. SANGHM: When do you open?

5 MR. ZAHR: Hopefully, April 1st. Thank  
6 you very much.

7 CHAIRPERSON GRONACHAN: Just around the  
8 corner. All right. Don't anybody break anything  
9 between now and then. Thank you very much.

10 MR. ZAHR: Thank you and god bless.

11 CHAIRPERSON GRONACHAN: So that leaves  
12 us with the Michigan Beer Company, Case  
13 PZ-16-0003. If there is no one left in the  
14 audience?

15 Mr. Boulard.

16 MR. BOULARD: Yes. If the board would  
17 be so inclined, my suggestion would be to  
18 consider delaying this until the next meeting on  
19 April 12th, and I assure you that our staff will  
20 be in contact with the applicant.

21 CHAIRPERSON GRONACHAN: Okay. So is  
22 there a motion on the table to delay the meeting?

23 MR. SANGHM: So moved.

24 MS. KRIEGER: Second.

25 CHAIRPERSON GRONACHAN: All those in

1 favor?

2 COLLECTIVE BOARD: Aye.

3 CHAIRPERSON GRONACHAN: So in  
4 Case Number PZ-16-0003, it will be moved until  
5 April 10th -- is that the right date, April 10th?

6 MR. BOULARD: 12th.

7 MS. SAARELA: 12th.

8 CHAIRPERSON GRONACHAN: 12th, I'm  
9 sorry. And we hope to see them there. I was all  
10 excited about hearing about their new business.

11 Okay. Other matters, next week we have  
12 a training session held by our --

13 MS. KRIEGER: Next week? The 29th.

14 CHAIRPERSON GRONACHAN: -- two weeks.  
15 Time flies when you're having fun with you guys.  
16 My other person told me that it was next week.  
17 So my --

18 MS. SAARELA: It was, but then I ended  
19 up with a conflict.

20 CHAIRPERSON GRONACHAN: Yeah. All  
21 right. We changed it to the 29th.

22 MR. SANGHM: 29th is not next week.

23 CHAIRPERSON GRONACHAN: Okay. So the  
24 29th, in two weeks. We're all looking forward to  
25 it. And also to let the board members know that

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we have a new alternate that's been appointed to the board as of last night by City Council. I apologize, I did not bring his name with me. Charles has got it, but we look forward and welcome him. Hopefully by next month, he will be on our board.

I would also like to take this time to wish everyone a Happy Easter and enjoy the fine weather. And if there isn't anything else to discuss, I would call for a motion to adjourn the meeting.

MR. SANGHM: Before you adjourn, I want to wish everybody a Happy St. Patrick's Day.

CHAIRPERSON GRONACHAN: Oh, St. Patrick's Day, too.

MR. SANGHM: I know I am half Irish. They always think I am. I don't know why.

CHAIRPERSON GRONACHAN: All right. All those in favor of adjourning the meeting say aye.

  
COLLECTIVE BOARD: Aye.

CHAIRPERSON GRONACHAN: Meeting adjourned.

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