

MEETING - ZONING BOARD OF APPEALS

CITY OF NOVI

TUESDAY, JUNE 14, 2022 7:00 p.m.

Council Chambers | Novi Civic Center | 45175 W. Ten Mile Road

BOARD MEMBERS:

Joe Peddiboyina, Chairperson

Clift Montague, Secretary

Siddharth Mav Sanghvi

Linda Krieger

Michael Longo

Michael Thompson

Jay McLeod

Bob Copes

ALSO PRESENT:

Elizabeth Saarela, City Attorney

Lawrence Butler, Comm. Development, Dep. Director

Anita Sophia Wagner, Recording Secretary

Reported by:

Darlene K. May, Certified Shorthand Reporter

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Novi, Michigan
Tuesday, June 14, 2022
7:00 p.m.

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CHAIRPERSON PEDDIBOYINA: Good evening. Welcome to the Novi City Zoning Board of Appeals. Today is June 14th. The time is 7:00 p.m.

Please, everybody stand up for the Pledge of Allegiance, followed by Michael Longo.

(Pledge of Allegiance recited.)

CHAIRPERSON PEDDIBOYINA: Thank you.
Be seated.

Secretary, roll call, please.

MS. WAGNER: Member Krieger?

MEMBER KRIEGER: Present.

MS. WAGNER: Member Longo?

MEMBER LONGO: Present.

MS. WAGNER: Member McLeod?

MEMBER MCLEOD: Here.

MS. WAGNER: Member Montague?

MEMBER MONTAGUE: Here.

MS. WAGNER: Member Peddiboyina?

CHAIRPERSON PEDDIBOYINA: Yes, please.

MS. WAGNER: Member Sanghvi?

MEMBER SANGHVI: Here.

1 MS. WAGNER: Member Thompson?

2 MEMBER THOMPSON: Yes.

3 MS. WAGNER: Member Copes?

4 MEMBER COPEs: Present.

5 CHAIRPERSON PEDDIBOYINA: Thank you,
6 Secretary.

7 And public hearing and format of rules
8 of conduct and approval of agenda on May 2022. And,
9 please, somebody make a motion and second somebody.

10 Meeting minutes for the May.

11 MEMBER MONTAGUE: Yeah. I move we
12 approve the meeting minutes.

13 CHAIRPERSON PEDDIBOYINA: Somebody
14 second?

15 MEMBER SANGHVI: Second.

16 CHAIRPERSON PEDDIBOYINA: Okay. Thank
17 you. Any changes or anything? Say "aye" in favor.

18 MEMBER SANGHVI: Aye.

19 MEMBER KRIEGER: Aye in favor.

20 CHAIRPERSON PEDDIBOYINA: Say anybody
21 no?

22 Thank you.

23 Okay. And coming to the -- we have
24 enough quorum, I believe.

25 MS. WAGNER: (Nods.)

1 CHAIRPERSON PEDDIBOYINA: Thank you.

2 And public remarks?

3 Okay. Public remarks, anyone have
4 anything apart from our agenda, any changes or
5 anything, please this is the time to speak on.

6 Okay. And the agenda, any changes or
7 any modifications, any deletions?

8 Looks like none. Thank you.

9 MEMBER KRIEGER: I move to approve the
10 agenda that we have tonight.

11 CHAIRPERSON PEDDIBOYINA: Yeah. Thank
12 you.

13 Second?

14 MEMBER SANGHVI: Second.

15 CHAIRPERSON PEDDIBOYINA: I
16 appreciate. Thank you so much.

17 MEMBER KRIEGER: All in favor?

18 All in favor aye.

19 THE BOARD: Aye.

20 CHAIRPERSON PEDDIBOYINA: Okay. Any
21 nays?

22 Okay. Unanimously approved for the
23 agenda for tonight.

24 Okay. And public remarks, if anybody
25 have any questions or anything. Please make your

1 phones on mute. You know, if anybody wants to speak
2 public, only three minutes allowed. And once we take
3 any decisions, please cooperate on that and no
4 discussions apart from that. And once we call your
5 name or anything in your case, please come to the
6 podium, state for your first and last name clearly for
7 our secretary for the court record. I really
8 appreciate for that. Thank you.

9 And coming to the first case for
10 tonight, PZ22-0021, Diversified Developing, LLC,
11 45283-45295, Grand River Avenue, East of Taft Road and
12 North of Eleven Mile Road, Parcel 50-22-15-351-044.
13 The applicant is requesting the variance from the City
14 of Novi Zoning Ordinance from Section 3.1.18, a parking
15 setback of five feet on the west side of the proposed
16 parcel A, ten feet required, variance of five feet; and
17 a front yard building setback of 20 feet of the
18 proposed Parcel B, 40 feet required, variance of 20
19 feet from Section 5.12 to allow a lot with no public
20 road frontage for Parcel B. These variances are for
21 the splitting of an existing developed 1.66 acre lot
22 into two lots. This property is zoned Light
23 Industrial, I-1, I believe.

24 Okay. Thank you. Is the applicant is
25 there?

1 Yeah. Please come to the podium and
2 spell your first and last name clearly for our Court
3 record and our secretary will take the oath on that.

4 MEMBER MONTAGUE: Your name, spell it,
5 please.

6 MR. ALBERS: Good evening, Mr.
7 Chairperson and board members. My name is Ken Albers,
8 K-e-n A-l-b, as in boy, E-r-s.

9 MEMBER MONTAGUE: Are you an attorney?

10 MR. ALBERS: No, I'm not.

11 MEMBER MONTAGUE: Do you swear to tell
12 the truth in this case?

13 MR. ALBERS: I do.

14 MEMBER MONTAGUE: Thank you.

15 CHAIRPERSON PEDDIBOYINA: Yeah.

16 Please go ahead and proceed.

17 MR. ALBERS: Again, my name is Ken
18 Albers. I'm representing Diversified Developing, the
19 applicant for the variances. The property that we're
20 looking for the variances for is on the south side of
21 Grand River and east of Taft Road.

22 MEMBER KRIEGER: Can you scoot that
23 over next to the light?

24 MR. ALBERS: Back it up?

25 MEMBER KRIEGER: Yes.

1 CHAIRPERSON PEDDIBOYINA: Are you able
2 to see, Linda?

3 Bob, can you see?

4 Okay. Go ahead.

5 MR. ALBERS: Can you hear me now?

6 CHAIRPERSON PEDDIBOYINA: Yeah, yeah.
7 Go ahead.

8 MR. ALBERS: Okay. The property that
9 we want to -- we're looking for the variances for is
10 south side of Grand River, east of Taft Road. And the
11 two buildings that we're looking for the variance for,
12 the first building on a proposed split is a City
13 Electric building. That's parcel A on the proposed
14 split. The variance we're looking for there is for a
15 parking setback variance of five feet on the west side
16 yard.

17 The building on the proposed Parcel B
18 is a Sherwin Williams building. The variance we're
19 looking for there is a 20 foot front yard variance.

20 There's a third variance listed on the
21 ZBA application for no public road frontage for
22 proposed Parcel B. That variance is no longer needed.
23 The reason being, the wrong drawing was submitted. It
24 didn't show road frontage to the assessor's office with
25 the land division application. The resubmitted drawing

1 shows the road frontage going up it.

2 I can explain this in further detail
3 now or wait until there's more specific questions.

4 CHAIRPERSON PEDDIBOYINA: Yeah.
5 Please go ahead and you present your thing and we can
6 ask later on the questions. Once you're done, let us
7 know.

8 MR. ALBERS: So just go on with --

9 CHAIRPERSON PEDDIBOYINA: Yeah.
10 Please go ahead and present your case.

11 MR. ALBERS: The land division
12 application to split the property. So each building --

13 CHAIRPERSON PEDDIBOYINA: Can you
14 speak on the mic, please?

15 Yeah. So that way everybody can
16 listen on that. Thank you.

17 MR. ALBERS: The land division
18 application to split the property, so each parcel --
19 building would be in a separate parcel was submitted.
20 The application was denied because the parcels would
21 not conform to the current zoning ordinances for the
22 I-1 industrial zoning ordinance. We're applying for
23 the variances because they are a necessary requirement
24 for the assessor's office to approve the split.

25 The reason for the parcel split is so

1 that the buildings will be on separate parcels, allow
2 them to be marked separately so a reasonable return can
3 be realized. Would also simplify the management of the
4 buildings.

5 The granting of the variances is
6 unique in that they are for existing buildings and do
7 not allow for construction of new buildings that would
8 require these variances.

9 In summary, the variances requested
10 are the minimum variances needed to allow for
11 continuation of the permitted use of the property if
12 split. We feel the requirements of the granting of
13 these variances have been met and are within the spirit
14 of the zoning ordinance. When Diversified Developing
15 acquired the parcel, the buildings were existing. This
16 is a long established property with existing structures
17 in place.

18 There were not any construction,
19 change of usage or occupants. There will not be any
20 effect or diminished values to surrounding properties.
21 There will not be any danger, hardships, discomfort or
22 diminished safety to the public there will not be any
23 environmental change or impact as a result of these
24 variances.

25 We thank you for your consideration of

1 this appeal and respectfully request that you would
2 grant these variances. We would be happy to answer any
3 questions you have. Thank you.

4 CHAIRPERSON PEDDIBOYINA: Thank you so
5 much.

6 Correspondence?

7 MEMBER MONTAGUE: There were 20
8 letters mailed, zero letters returned, no approvals,
9 and no objections.

10 CHAIRPERSON PEDDIBOYINA: Thank you.

11 From the City, Larry?

12 MR. BUTLER: No comments from the
13 city. The staff comments are written in your folder
14 about the elimination of the frontage variance they put
15 in. That has been eliminated to the lesser variance.

16 CHAIRPERSON PEDDIBOYINA: Okay.
17 Anybody in the public to speak on this case? This is
18 the time to speak.

19 Okay. It's coming to the board and
20 thank you for your presentation and let's put it on my
21 board and let's speak on that. Anybody would like to
22 speak on this?

23 Okay. Go ahead.

24 MEMBER THOMPSON: My understanding, so
25 right now it's considered one piece of property?

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MR. ALBERS: Correct.

MEMBER THOMPSON: So each -- when you go to do the taxes for the tenant, right, they don't know who's paying what?

MR. ALBERS: Well, we have to prorate everything. Prorate the taxes, prorate maintenance, prorate the insurance. And that's where I said the management would be simpler if they were separate.

MEMBER THOMPSON: So they need to be standalone units with their own bills?

MR. ALBERS: Yes.

CHAIRPERSON PEDDIBOYINA: Okay. Thank you, Michael.

Okay. Go ahead, Dr. Sanghvi.

MEMBER SANGHVI: I came there and drove around trying to figure out what you were trying to do. Are you going to put fences over there and separate the building?

MR. ALBERS: No.

MEMBER SANGHVI: So it's going to stay as it is?

MR. ALBERS: Everything is going to stay as is? The usage is going to stay, traffic patterns, everything. Nothing is going to change.

MEMBER SANGHVI: So this is really for

1 financial arraignment?

2 MR. ALBERS: Primarily for marketing,
3 yes.

4 MEMBER SANGHVI: Thank you.

5 CHAIRPERSON PEDDIBOYINA: Thank you,
6 Dr. Sanghvi.

7 Anybody would like to speak on this
8 case from the board?

9 Looks like none.

10 Okay. It's time to motion. Michael
11 Thompson, please go ahead.

12 MEMBER THOMPSON: Okay. I move that
13 we grant the variance in case PZ22-0021 sought by
14 Diversified Developing for a property setback variance
15 because the petitioner has shown difficulty requiring
16 separating the lots. Without the variance, the
17 petitioner will be unreasonably prevented or limited
18 with respect to use of the property because they do not
19 serve as -- because without the variance, they could
20 not serve as separate sites.

21 The property is unique because it was
22 previously built. There's no new construction going on
23 with it. The petitioner did not create the condition
24 because they purchased it that way. Again, previously
25 built buildings.

1 The relief granted will not
2 unreasonably interfere with adjacent or surrounding
3 properties because there will be no construction
4 changes.

5 The relief is constant with the spirit
6 and intent of the ordinance because it is an industrial
7 property.

8 CHAIRPERSON PEDDIBOYINA: Thank you.
9 And somebody can make a second.

10 MEMBER SANGHVI: I just have a
11 question for the city attorney.

12 CHAIRPERSON PEDDIBOYINA: Yeah. Go
13 ahead.

14 MEMBER SANGHVI: Is the financial
15 hardship is good enough hardship?

16 MS. SAARELA: So he's not really --
17 the financial hardship isn't related to the variance.
18 It's a split to use the property as two separate, you
19 know, business parcels. So it's not really -- it's not
20 really financial. You have a right to use two separate
21 buildings for two separate businesses. So it's not
22 really just a financial hardship.

23 MEMBER SANGHVI: Thank you.

24 CHAIRPERSON PEDDIBOYINA: Thank you,
25 Beth.

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MEMBER MONTAGUE: Second.

CHAIRPERSON PEDDIBOYINA: Thank you so
much. Okay.

MS. WAGNER: Chairperson Peddiboyina?

CHAIRPERSON PEDDIBOYINA: Yes, please.

MS. WAGNER: Member Krieger?

MEMBER KRIEGER: Yes.

MS. WAGNER: Member Longo?

MEMBER LONGO: Yes.

MS. WAGNER: Member McLeod?

MEMBER MCLEOD: Yes.

MS. WAGNER: Member Montague?

MEMBER MONTAGUE: Yes.

MS. SANGHVI: Member Sanghvi?

MEMBER SANGHVI: Yes.

MS. WAGNER: Member Thompson?

MEMBER THOMPSON: Yes.

MS. WAGNER: Motion passes.

THE COURT: Thank you. And
congratulations.

MR. ALBERS: I would like to thank the
board and I'd also like to make a special thanks to the
staffs of the assessors, planning board and appeal
department. They were excellent. They assisted us
like we've never been assisted with any other city.

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CHAIRPERSON PEDDIBOYINA: Okay. We appreciate. Thank you so much.

MS. ALBERS: You have good staff there doing a marvelous job. Thank you.

CHAIRPERSON PEDDIBOYINA: Coming to today's second case, PZ22-0022, Cheng Ling, 1501 East Lake Drive, West of Novi Road and South of Fourteen Mile Road, Parcel 50-22-02-329-011. The applicant is requesting variance from the City of Novi Zoning Ordinance from Section 3.1.5.D for a front yard setback of 15 feet, 30 feet required, variance of 15 feet; a rear yard setback of 24 feet, 35 feet required, variance of 11 feet; a side yard setback of three feet, 10 feet required, variance of seven feet; an exterior side yard setback of 4.3 feet, 30 feet required, variance of 25.7 feet; aggregate side yard setback of 7.3 feet, 40 feet required, variance of 32.7 feet; and a lot coverage of 49 percent, 25 percent maximum allowed, variance of 24 percent. These variances will accommodate the building of a new home. This property is zoned Single Family Residential, R-4.

Is the applicant is there?

MR. LING: Yes.

CHAIRPERSON PEDDIBOYINA: Please come to the podium and tell your first and last name clearly

1 for our secretary and we will take the oath also.

2 Thank you.

3 MR. LING: Good evening everyone,
4 gentlemen and ladies. My name first name is C-h-e-n-g,
5 Cheng. My name is L-i-n-g, Ling.

6 So I --

7 MEMBER MONTAGUE: Excuse me. Are you
8 an attorney?

9 MR. LING: Sorry?

10 MEMBER MONTAGUE: Are you an attorney?

11 MR. LING: No.

12 MEMBER MONTAGUE: Do you swear to tell
13 the truth in this case?

14 MR. LING: I swear to tell the truth
15 for this case.

16 MEMBER MONTAGUE: Thank you.

17 CHAIRPERSON PEDDIBOYINA: Thank you.
18 Please proceed where we can help you on this case
19 tonight.

20 MR. LING: So have to apologize. I
21 thought, you know, the PDF I attached will be projected
22 in the TV, but I don't have a very big copy of my plot
23 plan. It's kind of small.

24 CHAIRPERSON PEDDIBOYINA: Yeah. You
25 can put it on the projector there, underneath.

1 MR. LING: Oh, okay. I didn't realize
2 there was one.

3 CHAIRPERSON PEDDIBOYINA: Yeah. She
4 can help you, our secretary.

5 MR. LING: Great. Thanks.

6 CHAIRPERSON PEDDIBOYINA: Yeah. Give
7 it one second and it will pop up.

8 (Document displayed.)

9 MR. LING: All right. That's pretty
10 clear. So --

11 CHAIRPERSON PEDDIBOYINA: Display on
12 the other TVs -- one second, please.

13 MR. LING: Sure.

14 CHAIRPERSON PEDDIBOYINA: Please, go
15 ahead. Proceed.

16 MR. LING: Sure. So I'm trying to
17 apply a variance for the -- for the --

18 CHAIRPERSON PEDDIBOYINA: Can you move
19 the mic close to your mouth and talk clearly, please?

20 MR. LING: Sure.

21 CHAIRPERSON PEDDIBOYINA: Appreciate.
22 Thank you so much.

23 MR. LING: So I'm trying to build a
24 new house on this property right there. On 1501 at
25 which --

1 (Court reporter clarification.)

2 MR. LING: So I'm trying to -- we're
3 trying to build a new house on the parcel -- I couldn't
4 read the number, but we're try to build a house there
5 and the current zoning for this property, the setback,
6 makes the property unbuildable.

7 And the setback requirement create a
8 very narrow building envelope and with that setback, we
9 pretty much cannot build anything. And that's why I'm
10 trying to apply a variance. And it has an existing
11 house there.

12 And I would -- I'm not sure how to
13 talk too much detail besides, you know, let you guys
14 review the plot plan and if you have any questions, I
15 would try to answer them.

16 CHAIRPERSON PEDDIBOYINA: Any other
17 thing you would like to speak tonight?

18 MR. LING: (No response.)

19 CHAIRPERSON PEDDIBOYINA: Would you
20 like to add any more?

21 MR. LING: (No response.)

22 CHAIRPERSON PEDDIBOYINA: Mr. Cheng,
23 I'm asking you, would you like to speak any other
24 thing?

25 MR. LING: Okay. Maybe I just talk a

1 little bit here. So the other house are the neighbors
2 house, will be -- the house which is currently in that
3 plot plan, the setback at the front and the back is
4 very similar with other neighbors' house. So it's not
5 like my house is bigger, significantly bigger than the
6 other house. And for the lot coverage wise, the lot
7 coverage also very similar with other house, because I
8 think those old house was built -- those old house was
9 built almost 100 years or 80 years, which even before
10 the city draws those property lines.

11 So some house like the one next to it
12 has a little bit angle which makes the house is not at
13 the center of the property zone. And you can even see
14 a house next to the -- the house here, actually they
15 have -- what I should say, it would be -- the house was
16 on the other house -- this house property.

17 So what I'm trying to state here is,
18 if we look down the road 30, 40 years later, those
19 other houses will be tear down and they will be
20 something similar like the house I'm trying to build.

21 CHAIRPERSON PEDDIBOYINA: Okay. Any
22 other thing?

23 MR. LING: Yes. I think that's pretty
24 much all I want to describe here. But, yeah, I'm
25 willing to answer those questions if you have any.

1 CHAIRPERSON PEDDIBOYINA: Okay. Thank
2 you so much.

3 Okay. And correspondence?

4 MEMBER MONTAGUE: 41 letters were
5 mailed, six letters were returned with one approval and
6 no objection.

7 Approval was just circled by Margaret
8 Rapnicki, R-a-p-n-i-c-k-i, from 1513 East Lake Drive.

9 CHAIRPERSON PEDDIBOYINA: Thank you.
10 From the city, Larry?

11 MR. BUTLER: No comments from the
12 city. Standing by for questions.

13 CHAIRPERSON PEDDIBOYINA: Okay. Thank
14 you so much.

15 Okay. From the public, who would like
16 to speak anything on this case now is the time.

17 Okay. Looks like none.

18 Okay. Anybody on the board would like
19 to speak on this case?

20 Okay. Dr. Sanghvi?

21 MEMBER SANGHVI: Thank you. I came
22 and visited your site where you are planning to build
23 this. It's a corner lot?

24 MR. LING: Yes.

25 MEMBER SANGHVI: And you don't have a

1 lot of land there. How big is the house going to be?

2 MR. LING: It will be roughly 2,000
3 square foot, which is kind of average size of American
4 house.

5 MEMBER SANGHVI: And how many square
6 feet are upstairs?

7 MR. LING: Well, total will be 2,000
8 square foot.

9 MEMBER SANGHVI: Yeah. Okay. Very
10 good. I understand your problem because these are all
11 postage stamp lots really. This way or that way.

12 MR. LING: That's correct.

13 MEMBER SANGHVI: And you need a lot of
14 variances to build anything reasonable. I can support
15 your request. Thank you.

16 MR. LING: Thanks.

17 CHAIRPERSON PEDDIBOYINA: Thank you
18 very much, Dr. Sanghvi.

19 Anybody would like to speak?

20 Okay. Go ahead, Mr. Montague.

21 MEMBER MONTAGUE: I guess my big
22 concern here is the 49 percent lot coverage. That's a
23 huge lot coverage. You're saying it's 2,000 square
24 feet. I don't know if you've looked at a little more
25 compact home or garage or something so that the lot

1 coverage goes down. I realize that it is a small lot,
2 but 49 percent is a huge lot coverage and that's I
3 don't think what we're looking for.

4 MR. LING: If you, you know, had a --
5 ever had a chance to drive on East Lake Drive and, you
6 know, those house on the right side, on the right-hand
7 side, it's all pretty much cover the whole area. And I
8 think the proposal plot plan I drewed -- which still
9 have -- well, compared to the neighbor, I have
10 reasonable percentage left for grass and for bush and
11 for other green plants.

12 MEMBER MONTAGUE: I did drive it and I
13 saw how tight this was going to be and kind of imagined
14 how much house was going to be there. And it's a lot
15 of lot coverage.

16 MR. LING: That's correct.

17 CHAIRPERSON PEDDIBOYINA: Okay.
18 Appreciate.

19 Any other board member would like to
20 speak?

21 MEMBER KRIEGER: I do. But I'll wait
22 for Mike.

23 CHAIRPERSON PEDDIBOYINA: I'm sorry?

24 MEMBER KRIEGER: Member Longo.

25 CHAIRPERSON PEDDIBOYINA: Member Longo

1 would like to speak?

2 MEMBER LONGO: Yeah. I also went out
3 there.

4 CHAIRPERSON PEDDIBOYINA: Thank you,
5 Linda.

6 MEMBER LONGO: First of all, you said
7 the house was small. I'd say it's tiny by the way.
8 That's a very small house.

9 MR. LING: That's right.

10 MEMBER LONGO: And to your point, the
11 homes on those -- those lots are tiny.

12 MR. LING: That's right.

13 MEMBER LONGO: They're very narrow.

14 MR. LING: That's right.

15 MEMBER LONGO: And what's happened is
16 a lot of people -- they used to have cottages on them
17 like the house that's there now. And now people are
18 building much larger homes and that's pretty common out
19 there. Close point about a lot of coverage is true.
20 But I like the fact that you have the house sitting
21 back with just the porch that's out there, doesn't
22 block the view of your neighbor looking out to the
23 lake.

24 MR. LING: No.

25 MEMBER LONGO: Then you go back a long

1 ways to his point that it's quite a bit of coverage.
2 But it's -- you're on a side street so even though
3 you're short on the side setback, it seems bigger
4 because of the right-of-way and the street is out
5 there. So it looks a little bit bigger because you're
6 on the corner. It isn't bigger, but it looks like it
7 is.

8 So I support your request.

9 MR. LING: Thanks.

10 CHAIRPERSON PEDDIBOYINA: Thank you,
11 Member Longo.

12 Any other board member? Okay,
13 Linda.

14 MEMBER KRIEGER: You're planning on
15 building a two-story house?

16 MR. LING: That's correct.

17 MEMBER KRIEGER: So the footprint even
18 though the -- so the total would be 2,000 or 300 square
19 feet. The footprint is bigger, but it would be
20 matching like you said the neighboring homes which
21 seems to be the way it is growing there. So it would
22 be two -- so I understand your need. And I wanted to
23 know the tree that was there that was cut down --

24 MR. LING: It was cut a couple of
25 weeks back.

1 MEMBER KRIEGER: Did you talk to the
2 city forester about cutting it?

3 MR. LING: Yes. We got permission.
4 Sophia actually handled the case.

5 MS. WAGNER: Yes. We did a woodlands
6 review and we went out there and he had all the proper
7 documents for that.

8 MEMBER KRIEGER: Okay. That's all.
9 Thank you.

10 MR. LING: Thanks.

11 CHAIRPERSON PEDDIBOYINA: Okay.
12 Anybody would like to speak on this case?

13 MEMBER THOMPSON: So how many
14 variances total are being asked for? A side yard
15 setback, an exterior yard setback?

16 MR. LING: Yes. I think it's a front
17 yard setback and a rear yard setback and a side yard
18 setback and exterior setback. Side yard setback as
19 well.

20 MEMBER THOMPSON: So the front, the
21 rear, both sides. So all four sides have a setback
22 issue.

23 MR. LING: Yes.

24 MEMBER THOMPSON: And there's a lot
25 coverage issue. So it's a total of five variances?

1 MR. LING: Yes. And, but, you know,
2 as I mentioned earlier, as a house -- on my neighbors,
3 they kind of have the similar coverage. Actually, some
4 house, like my neighbor to the north side, they have
5 their house even closer to the street.

6 So I try to put my setback align with
7 the other house on my neighbor's side on the south
8 side.

9 MEMBER THOMPSON: If the house was
10 made smaller, would there be any way to get ride of --
11 I know that the lot coverage -- if the house was
12 smaller --

13 MR. LING: That's right.

14 MEMBER THOMPSON: -- right, the lot --
15 obviously the lot coverage is going to be smaller. But
16 would that get rid of any of the setbacks? Because
17 there's really five variances here, right?

18 CHAIRPERSON PEDDIBOYINA: Yes.

19 MR. LING: I'm not sure at this point.
20 I would have to think. But think about, you know,
21 every house do have, you know, lakeside property and
22 it's complete empty. And it has a great view for all
23 the people and all the people around and, you know.
24 Nobody can build anything there, including me.

25 We can't come close to zones. It's

1 going to be like that much higher coverage. I know the
2 regulation was specific on this appraisal, but ...

3 MEMBER THOMPSON: You don't have an
4 exterior photo of what the house is going to look like
5 or? Do you have anything extra?

6 CHAIRPERSON PEDDIBOYINA: You have the
7 footprint.

8 MEMBER THOMPSON: You got the
9 footprint, yeah.

10 MR. LING: I don't have it with me
11 right now. I have it in my phone. I can -- assuming
12 here, if you guy allow me to have some extra time
13 later.

14 CHAIRPERSON PEDDIBOYINA: You have the
15 photos in the phone?

16 MR. LING: Yes.

17 CHAIRPERSON PEDDIBOYINA: Yeah. You
18 can put it on the screen. Yeah. You can see that one,
19 too.

20 MR. LING: Sorry. It's going to take
21 a minute.

22 (Pause.)

23 MEMBER THOMPSON: So while they're
24 doing that, the lot across the street, even though it's
25 the same piece of property, is it considered -- it's

1 considered a different lot?

2 CHAIRPERSON PEDDIBOYINA: Yeah.

3 MEMBER THOMPSON: But does that count
4 as one piece and the house is going to be 49 percent of
5 the two pieces?

6 MR. BUTLER: It's a separate lot if
7 it's across the street.

8 MS. SAARELA: Even though they own it,
9 it's a different parcel number.

10 MEMBER KRIEGER: Oh.

11 MR. BUTLER: Member Thompson?

12 (Court Reporter clarification.)

13 MEMBER MONTAGUE: He was just asking
14 if the lot across the street is in that calculation.
15 It couldn't be because the scale is such that 49
16 percent --

17 CHAIRPERSON PEDDIBOYINA: Okay. Did
18 you find the --

19 MEMBER MONTAGUE: -- of those two
20 would not be --

21 CHAIRPERSON PEDDIBOYINA: Okay.
22 Please go ahead and look at the pictures.

23 Mr. Thompson, can you see that he's
24 showing you pictures?

25 MEMBER THOMPSON: Yeah.

1 CHAIRPERSON PEDDIBOYINA: Yeah. Okay.

2 MR. LING: I can zoom in even -- so is
3 that what you're looking for, the floor plan?

4 MEMBER KRIEGER: Yep.

5 CHAIRPERSON PEDDIBOYINA: That's the
6 one, yeah.

7 MEMBER THOMPSON: So the far wall, the
8 one at the top of the screen, how far away is that from
9 the side street?

10 MR. LING: It should be four foot
11 setback. You mean center of the street or the --

12 MEMBER THOMPSON: For cars driving by
13 on the street.

14 MR. LING: So ...

15 MEMBER THOMPSON: So the top side.

16 MR. LING: (Pointing.)

17 MEMBER THOMPSON: Right there. Yeah.
18 How far off of the road is that?

19 MR. LING: It's four foot setback.

20 CHAIRPERSON PEDDIBOYINA: Four feet.

21 MR. LING: Four feet. Yeah, four
22 feet.

23 MEMBER THOMPSON: Okay. So if the
24 city truck is plowing snow, four feet is not very far,
25 right?

1 CHAIRPERSON PEDDIBOYINA: It's 4.3
2 feet setback.

3 MR. LING: Okay. I --

4 MS. ZHANG: We're kind of aligned with
5 all the neighbors. If you look at the neighbors.

6 CHAIRPERSON PEDDIBOYINA: Yeah.
7 Please tell your name clearly for the record if you're
8 presenting in this case.

9 MS. ZHANG: Yang. Last name is
10 Zhang.

11 CHAIRPERSON PEDDIBOYINA: Secretary,
12 can you take the oath on this case?

13 MEMBER MONTAGUE: Are you a lawyer?

14 MS. ZHANG: No.

15 MEMBER MONTAGUE: Do you swear to tell
16 the truth in this matter?

17 MS. ZHANG: Swear to tell the truth.

18 CHAIRPERSON PEDDIBOYINA: Thank you.
19 Please go ahead and present. Yeah, you can speak.

20 MS. ZHANG: So the question is why
21 we're so close to the front street is we're building
22 the house aligned to all the other neighbors --

23 CHAIRPERSON PEDDIBOYINA: Come to the
24 mic, please. Closer to the mic.

25 MS. ZHANG: Yeah.

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CHAIRPERSON PEDDIBOYINA: Yeah. Go ahead.

MS. ZHANG: Because the lot is kind of tiny and we're building a two-story house. So one floor should be 1,000 square foot. It's -- we figured it's kind of a -- our dream house we want to build. So I think it's kind of a reasonable size in the neighborhood. The reason that it's so close to the street is because the size we want and we also think about the sea (ph). And if we drive along the road, we found all other houses in the neighborhood are kind of that close.

So that's why we did this proposal.

MR. LING: And just -- I just want to say something very quick. The existing house which is already there, it actually has less setback to the street compare with the one I proposed.

I can bring up the survey which was done recently which shows the old house located.

Do you want me to present that?

CHAIRPERSON PEDDIBOYINA:
Mr. Thompson, he's asking a question for you.

MEMBER THOMPSON: No. I pulled it up on Google Earth and I see that. So, no.

MR. LING: And actually, the zoning *

1 line for the road is kind of wider than the road so it
2 actually give -- provide additional few setbacks, you
3 know, for the snowplow. That's probably the reason the
4 existing house was last couple -- you know, almost a
5 hundred years, but it's still pretty solid. And I
6 didn't see any sign that, you know, snowplow going to
7 hit it or cause some damage to the house, the side of
8 the house.

9 CHAIRPERSON PEDDIBOYINA: Okay. Mr.
10 Thompson, anything else you would like to speak on this
11 case?

12 MEMBER KRIEGER: Yes. On the --

13 CHAIRPERSON PEDDIBOYINA: Hold on one
14 second, Linda. Let him finish.

15 MEMBER THOMPSON: Oh, no. I'm all
16 set. Thank you.

17 CHAIRPERSON PEDDIBOYINA: You're all
18 set. Thank you.

19 MR. LING: Thanks.

20 CHAIRPERSON PEDDIBOYINA: Okay.
21 Member Linda. Go ahead.

22 MEMBER KRIEGER: The -- is it four
23 feet from the lot line or the road?

24 MR. LING: It's for the road property
25 line --

1 MEMBER KRIEGER: To the road?

2 MR. LING: The road has a boundary
3 line here, but the actual road is actually a few more
4 foot -- the concrete actual road is a few more foot
5 even north.

6 MEMBER KRIEGER: And then the front of
7 the -- the inside of the house, the front room is going
8 to be like a living room? What are the -- is it -- how
9 many feet by how many feet for a room? The front
10 room.

11 MR. LING: So the living room is
12 upstairs. So -- sorry. My bad. The bedroom are
13 upstairs.

14 The living room here.

15 MEMBER KRIEGER: Yeah. What's the
16 dimensions?

17 MR. LING: It is 23 by 18, I would
18 say, yes. 23 by 18 from the drawing. Just this
19 square, 18, that's 23.

20 MEMBER KRIEGER: And the frontage of
21 the property is 30 feet or how many feet?

22 MR. LING: You mean somewhere here?

23 MEMBER KRIEGER: If it's 23 feet on
24 the inside of the house and then on the street, the
25 property.

1 MR. LING: So on the street I have
2 four foot set --

3 MEMBER KRIEGER: No, that's Parklow.
4 I'm talking about East Lake.

5 MR. LING: Oh, on East Lake it's going
6 to be -- I believe that's 15. I believe that's 15 when
7 I -- yeah. From that drawing I believe it's 15. It's
8 just -- I have to zoom in. But this cannot -- I do
9 have a copy of this one. I can try to zoom in if you
10 want to take a close looking.

11 MEMBER KRIEGER: And then could you
12 make it one foot less than on Parklow?

13 MR. LING: Yeah. Sure. Just one
14 foot --

15 MEMBER KRIEGER: That would be five
16 feet verses four feet.

17 MR. LING: Oh, you mean from Parklow,
18 one foot less?

19 MEMBER KRIEGER: Yes.

20 MR. LING: Yes. I think that's
21 doable. We can just, you know, make the living room a
22 little bit smaller. That's -- yeah.

23 MEMBER KRIEGER: So to the city,
24 Larry, would a rendering help better if we had what he
25 has on the phone as a rendering? Should we table or?

1 MS. SAARELA: Is there something
2 that -- information that you can't get from what he has
3 that a rendering would show you? Is there something
4 additional that you can't tell from this?

5 MEMBER KRIEGER: So this would be part
6 of the packet, then?

7 MS. SAARELA: This is -- well, it's
8 being projected to the public. It's being record.

9 MEMBER KRIEGER: All right. I'm good
10 about then. Thank you.

11 CHAIRPERSON PEDDIBOYINA: Thank you,
12 Linda.

13 Any other board member?

14 MEMBER McLEOD: Yes. So I'm sorry.
15 If I understand correctly, the house width is 23 feet.
16 You're asking for a four foot variance -- or four foot
17 to the road and then seven foot to the neighbor for a
18 total of a 30 foot four -- 34 foot wide lot; is that
19 correct?

20 MR. LING: So on the front of the
21 road, that's four foot.

22 MEMBER McLEOD: No. The lot. The lot
23 size, please. What is the size of the lot?

24 MR. LING: The lot size is 30 foot
25 wide and --

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MEMBER McLEOD: 30, 3-0?

MR. LING: Yes, 3-0. And for the --

MEMBER McLEOD: I tried. I couldn't find it in the notes here.

MR. LING: Well, I used to remember this, but.

MEMBER McLEOD: Anyway. This number that I was looking for is actually that 30 feet, which is much smaller than I expected. At least from the perspective that I have that if you were to build a house on that lot, any structure you would build there would actually be in violation of ordinances.

So that's why I do support what you have. I believe even, let's say you said a two-story house, 2,000 square feet.

MR. LING: Right.

MEMBER McLEOD: That is -- say it's the exact same size, 1,000 square foot at the bottom, which it isn't honestly that large of a footprint.

MR. LING: We think we didn't consider the car garage. We have a car garage on the first floor which didn't consider as, you know, the total size of the living area. The living area around 2,000 square foot, but the car garage actually takes a little bit of space here.

1 MEMBER MCLEOD: Got it. Okay.

2 MR. LING: So that's why it seem
3 looking bigger.

4 MEMBER MCLEOD: And then size wise
5 compared to the neighbors --

6 MR. LING: It's very similar size. If
7 you look at the house down the road, two house down the
8 road, that actually was older house as well, which
9 building. It was built around 40 years ago. And if
10 you keep driving a little bit south, there were -- I
11 saw a three-story house with even bigger size -- almost
12 max out to the property. You know, zone, so ...

13 MEMBER McLEOD: Thank you. That's all
14 I have.

15 CHAIRPERSON PEDDIBOYINA: Thank you,
16 Jay.

17 Anybody would like to speak before
18 I -- okay, Mr. Longo.

19 MEMBER LONGO: Yeah. I would like a
20 point of clarification for the people that keep asking
21 how close you are to the street. He is not 4.3 feet
22 from the street. He is 4.3 feet from the property
23 line. He's about 15 feet from that side street. In
24 the front he has a 15 foot to the property line. It's
25 about 23 feet to the street.

1 So as you drive along, you don't know
2 where the property line is. And so the front certainly
3 looks like everybody else in the neighborhood. The
4 side is not really -- I mean, to your point snow -- it
5 would be 15 feet. They don't throw it -- maybe they
6 do. But anyhow, he's 15 feet off of this street.

7 Thank you.

8 CHAIRPERSON PEDDIBOYINA: Thank you.

9 Before I move on that, anybody final
10 from the board?

11 Okay. Mr. Cheng?

12 MR. LING: Yes.

13 CHAIRPERSON PEDDIBOYINA: I want to
14 ask you two things. You want to proceed to the motion
15 for today's case or do you want to change something
16 what my board member spoke, Linda, you want to change
17 and come and present one more time? How do you want?
18 Do you understand what I'm saying?

19 MR. LING: Are you saying -- I'm
20 trying to translate this. Just so if I proceed with
21 the current plan, I might get rejected today or not
22 rejected today or --

23 MS. SAARELA: I don't think --
24 anything needs to be changed. If the board is inclined
25 to grant a lesser variance, you can just do that. If

1 somebody is going to move to grant a one foot less
2 variance, somebody can do that. He doesn't need to
3 change anything.

4 CHAIRPERSON PEDDIBOYINA: Okay. Thank
5 you, Beth.

6 Okay. Let's move on to the motion. I
7 appreciate. Go to the motion.

8 Dr. Sanghvi, can you make a motion on
9 this case, if you don't mind?

10 MEMBER SANGHVI: Thank you. I move
11 that we approve the variances requested in case number
12 PZ22-0022 by Cheng Ling at 1501 East Lake Drive, West
13 of Novi Road and South of Fourteen Mile Road, Parcel
14 Number 50-22-02-329-011.

15 The applicant has demonstrated enough
16 hardship to be able to build a home in this small
17 corner lot on East Lake Drive and the variance
18 requested is quite reasonable and keeping in the
19 ordinance and I move that we approve the variances
20 requested by the applicant.

21 Thank you.

22 CHAIRPERSON PEDDIBOYINA: Thank you,
23 Dr. Sanghvi.

24 Somebody can make a second, please.

25 MEMBER McLEOD: Second.

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MS. WAGNER: Chairperson Peddiboyina?

CHAIRPERSON PEDDIBOYINA: Yes, please.

MS. WAGNER: Member Krieger?

MEMBER KRIEGER: Yes.

MS. WAGNER: Member Longo?

MEMBER LONGO: Yes.

MS. WAGNER: Member McLeod?

MEMBER MCLEOD: Yes.

MS. WAGNER: Member Montague?

MEMBER MONTAGUE: No.

MS. WAGNER: Member Sanghvi?

MEMBER SANGHVI: Yes.

MS. WAGNER: Member Thompson?

MEMBER THOMPSON: No.

MS. WAGNER: Motion passes five/five.

MS. SAARELA: Five/two.

MS. WAGNER: Five to two.

CHAIRPERSON PEDDIBOYINA: Okay.

Congratulations.

MR. LING: Thanks. Thanks, everyone
for your support.

CHAIRPERSON PEDDIBOYINA: Okay. Case
number three for tonight, PZ22-0023, Chris and Saloni
Roeser, 50708 Glades Court East, East of Napier Road
and South of Ten Mile Road, Parcel 50-22-30-301-042.

1 The applicant is requesting a variance from the City of
2 Novi Zoning Ordinance Section 5.11 for an exterior side
3 yard setback of 20 feet, 30 feet required, a variance
4 of 10 feet, for a fence. This variance will create a
5 better access to the backyard while still enclosing the
6 pool. This property is zoned Single Family
7 Residential, R-1.

8 Is the applicant is present, please?
9 Please come to the podium and speak clearly for first
10 and last name for the secretary.

11 MS. JANVEJA-ROESER: Hi. My name is
12 Saloni Janveja-Roeser. I'll spell that. S-a-l-o-n-i.
13 My last name is hyphenated, J-a-n-v-e-j-a. I live at
14 50708 Glades Court East in Novi. I have brought a
15 couple of other people if you have questions for them.
16 My contractors are here and my neighbor that abuts the
17 property is here as well in case there are questions.

18 Yes?

19 MEMBER MONTAGUE: Yes. Are you an
20 attorney?

21 MS. JANVEJA-ROESER: I am not.

22 MEMBER MONTAGUE: Okay. You saw the
23 procedure. Do you swear to tell the truth in this
24 case?

25 MS. JANVEJA-ROESER: I do.

1 MEMBER MONTAGUE: Thank you very much.

2 MS. JANVEJA-ROESER: Yeah.

3 CHAIRPERSON PEDDIBOYINA: Yeah.

4 Please go ahead and proceed. An you mentioned that you
5 would like to speak some other people as well in this
6 case.

7 MS. JANVEJA-ROESER: Well, I just
8 wanted to let you know they're here. My adjacent
9 neighbor --

10 CHAIRPERSON PEDDIBOYINA: Yeah. You
11 can bring them to the podium also if they want to
12 speak.

13 MS. JANVEJA-ROESER: Okay. It's if
14 you have questions.

15 CHAIRPERSON PEDDIBOYINA: Yeah, yeah.
16 Let them come.

17 MS. JANVEJA-ROESER: Okay.

18 CHAIRPERSON PEDDIBOYINA: Thank you.

19 MS. JANVEJA-ROESER: Okay. So Juliet
20 Medvecky is my adjacent neighbor. He property abuts my
21 property so she is the one that would be staring at
22 this variance. And then Andrew Dewey and Tony
23 McCormick of D&M Construction are here if they're --
24 they would be installing the fence. So I don't know
25 that they have any prepared statements, but just in

1 case you had some questions for them, they're here.

2 CHAIRPERSON PEDDIBOYINA: Yes. Okay.
3 Definitely. Thank you so much. You can proceed what
4 we can do for tonight, we can help you on that.

5 MS. JANVEJA-ROESER: Okay. Awesome.
6 So this was in the packet. This is a rendering of the
7 house, the pool, the pool house that will eventually be
8 built and then the hot tub area. What I'm here to talk
9 about is this fence line here. This is the proposed
10 location. I have a couple of other pictures I'll show
11 you. If we were to go with the variance which is a
12 30-foot setback from the sidewalk, it would be right
13 here. And we live -- we have a corner lot. This is a
14 dead-end street here, Laurel Drive. There's one other
15 house which is Julie's house on this side. Two houses
16 across the street. So this is a dead-end and we're on
17 a corner so we are subject to a side yard setback.

18 I would like to request a ten foot
19 variance. So instead of 30 feet, a 20 foot, so that
20 we -- primarily for three reasons, one is for usage to
21 allow us to fully use the property in the back as one
22 inclusive property. Second reason is safety. I do
23 have young children. We have a lot of young children
24 in the neighborhood. I want to enclose the area. If
25 they are in the pool, I don't want them running out and

1 in and out and in to use the rest of the yard. If
2 there is a sprinkler or if they're doing water balloons
3 or any other use of the yard, I would rather they just
4 be safe and kind of in one area. And then the third
5 reason is aesthetics. And I'm just going to show you a
6 picture I just took today.

7 This is not in your packet, but it
8 will just show you what it looks like. So this is like
9 from the driveway. And the 30-foot setback is right
10 here where this Nerf, this water gun is. It's right
11 there. And by taking it to 20, it puts it to here.

12 These evergreens are about maybe 16
13 feet high right now. We planted them eight years ago.
14 My goal would be to have the fence kind of at the 20
15 foot line here. It will be obscured by these
16 evergreens. Instead of cutting through the yard here
17 and then attaching to the house over here. So from a
18 look standpoint, that's not the main reason, it's the
19 third reason. But I do think even just driving around
20 the house and you can see the dead-end there, it just
21 would allow us to use this space. It will be safer and
22 then I think it would actually look nicer up against
23 the other landscaping, instead of cutting through and
24 kind of cutting our side yard in half there.

25 And Juliet, so she did not -- I don't

1 think you sent in the paper, but she is -- this is her
2 house right here. That's her house right there, so
3 she --

4 MS. MEDVECKY: Hello. So my name is
5 Juliet Medvecky. And as Saloni said, that's my house
6 in the back. We're the only home that actually has an
7 address on Laurel Drive.

8 MEMBER MONTAGUE: Excuse me.

9 MS. MEDVECKY: Yeah.

10 MEMBER MONTAGUE: Are you --

11 MS. MEDVECKY: I'm not an attorney and
12 I swear to tell the truth. Thank you.

13 MEMBER MONTAGUE: Thank you very much.

14 MS. MEDVECKY: Juliet, J-u-l-i-e-t.
15 Last name is Medvecky, M-e-d as in dog, -v-e-c-k-y.

16 CHAIRPERSON PEDDIBOYINA: Yeah, please
17 go ahead.

18 MS. MEDVECKY: Okay. Thank you. So,
19 yes, we are the only home that has a Laurel Drive
20 address on that side of the road. And I just wanted to
21 go on the record to say that we approve the variance.

22 CHAIRPERSON PEDDIBOYINA: Okay. Thank
23 you.

24 MS. JANVEJA-ROESER: And I just have
25 one -- I just was going to put the plot plan up which

1 is also in the packet I submitted, but just so everyone
2 could get a visual.

3 So the yellow is the proposed fence.
4 Everything else here is -- I came and talked to someone
5 here to fully understand where the boundaries were. We
6 have a conservation easement up there. So this is
7 really where we're looking to put it. The setback is
8 here. We're looking for an extra ten feet here. This
9 is the edge of the sidewalk, this is the sidewalk, and
10 then there's grass and then there's the street here.

11 CHAIRPERSON PEDDIBOYINA: Okay. Any
12 other thing you would like to add tonight?

13 MS. JANVEJA-ROESER: No, I don't think
14 so. Thank you.

15 CHAIRPERSON PEDDIBOYINA: Okay. Thank
16 you so much and good presentation.

17 And coming to the correspondence,
18 secretary.

19 MEMBER MONTAGUE: 17 letters were
20 mailed. It says three returned, three approvals.
21 There are actually four here and four approvals.

22 CHAIRPERSON PEDDIBOYINA: Thank you.
23 From the city?

24 MR. BUTLER: No comments from the
25 city.

1 CHAIRPERSON PEDDIBOYINA: Thank you.

2 Anybody would like to speak on the

3 public?

4 Okay. Looks like none.

5 Okay. Anybody would like to speak on

6 the board?

7 Okay, Dr. Sanghvi.

8 MEMBER SANGHVI: Thank you. I came

9 and visited your place a couple of days ago.

10 MS. JANVEJA-ROESER: Oh, Okay.

11 MEMBER SANGHVI: It's not easy place

12 to find with the road constructions and everything.

13 But it's a beautiful neighborhood tucked away which

14 people don't know about and you have a great home. And

15 I can understand the need for a fence when you have a

16 swimming pool 'cause it's a great liability. People

17 can come and get into trouble and you may be liable for

18 all of that thing.

19 Considering everything, the beautiful

20 home, the beautiful neighborhood, the beautiful

21 presentation and your application and everything, it's

22 all very well done so I want to commend you for doing

23 that. And I am in wholehearted support of your request

24 for the variance for your fence. Thank you.

25 MS. JANVEJA-ROESER: Thank you very

1 much. I appreciate that.

2 CHAIRPERSON PEDDIBOYINA: Thank you,
3 Dr. Sanghvi.

4 Any other board member?

5 Okay. Looks like none. And it's time
6 for the motion.

7 MEMBER LONGO: I'd like to move that
8 we grant the variance in the case number PZ22-0023,
9 sought by Saloni and for the exterior side yard setback
10 because the petitioner has shown a practical difficulty
11 in needing more space to move around the pool, in and
12 around the pool for safety, particularly with small
13 people. Young people, I should say.

14 Without the variance, the petitioner
15 would be unreasonably prevented or limited with respect
16 to the property because the fence would cut much of the
17 side yard almost in half as she says.

18 The property is unique because the lot
19 is oddly shaped, as you can see up above. And the
20 house was purchased -- put on that piece of property.

21 The relief granted is not
22 unreasonably -- would not unreasonably interfere with
23 the adjacent or surrounding properties because the side
24 of the fence setback is still 20 feet back from the
25 sidewalk, much more than that from the street and still

1 back from -- much farther back than the street -- from
2 the street.

3 The relief is consistent with the
4 spirit and intent of the ordinance because the fence is
5 well back from the sidewalk and seems to be a very
6 attractive addition.

7 MEMBER SANGHVI: Second.

8 CHAIRPERSON PEDDIBOYINA: Thank you,
9 Dr. Sanghvi and Michael Longo.

10 MS. WAGNER: Chairperson Peddiboyina?

11 CHAIRPERSON PEDDIBOYINA: Yes, please.

12 MS. WAGNER: Member Krieger?

13 MEMBER KRIEGER: Yes.

14 MS. WAGNER: Member Longo?

15 MEMBER LONGO: Yes.

16 MS. WAGNER: Member McLeod?

17 MEMBER MCLEOD: Yes.

18 MS. WAGNER: Member Montague?

19 MEMBER MONTAGUE: Yes.

20 MS. WAGNER: Member Sanghvi?

21 MEMBER SANGHVI: Yes.

22 MS. WAGNER: Member Thompson?

23 MEMBER THOMPSON: Yes.

24 MS. WAGNER: Motion passes.

25 CHAIRPERSON PEDDIBOYINA:

1 Congratulations. Thank you.

2 MS. JANVEJA-ROESER: Thank you. And I
3 just wanted to thank you all. I had to make a few
4 visits to your department here and talk to several
5 people and every time I came in, everyone was super
6 kind, took the time to explain the process to me, sat
7 with me, made sure I understood it, followed up and
8 returned my calls and it was just a very pleasant
9 experience. So thank you all for that.

10 CHAIRPERSON PEDDIBOYINA: We
11 appreciate. Thank you so much.

12 And last case tonight, PZ22-0024,
13 Nowak and Fraus Engineers, 24295 Haggerty Road,
14 Northwest corner of the Ten Mile and Haggerty Road,
15 Parcel 50-22-24-476-030. The applicant is requesting a
16 variance from the City of Novi Zoning Ordinance Section
17 3.10.3.A to allow two overhead doors to face a major
18 thoroughfare, Ten Mile Road. This property is zoned
19 General Business, B-3.

20 Is the applicant is present?

21 Yeah. Please come to the podium and
22 spell your first and last name clearly for our
23 secretary for the Court record. And our secretary will
24 take the oath on this case. Thank you.

25 MR. LONGHURST: Good evening. My name

1 is Jason Longhurst. I'm with Nowak and Fraus. With me
2 tonight.

3 MR. BURLEY: My name is Shane Burley
4 and I'm with Studio Detroit architects.

5 MEMBER MONTAGUE: Are either one of
6 you a lawyer?

7 MR. LONGHURST: No.

8 MR. BURLEY: No.

9 MEMBER MONTAGUE: Do you swear to tell
10 the truth in this case?

11 MR. BURLEY: I do.

12 MR. LONGHURST: I swear.

13 MEMBER MONTAGUE: Thank you.

14 CHAIRPERSON PEDDIBOYINA: Thank you so
15 much. And please proceed in a way we can help you
16 tonight in this case. You can present.

17 MR. BURLEY: Okay. We are here with a
18 request for variance for two overhead doors which are
19 essential to operating an automotive dealership
20 business. Currently this site is a former Jaguar
21 dealership which has been vacant for a number of years.
22 Lithia Motors purchased this property and we have gone
23 through Planning Commission to get approval for a new
24 Audi store. What we're talking about here is these two
25 overhead doors are the requested variance.

1 (Document displayed.)

2 MR. BURLEY: And what this is with
3 automotive dealership, you'll often have service drives
4 where when you need service, you pull in off the street
5 and you need to be able to get in and access the in
6 service * who then look over your car and you perform
7 all those functions.

8 What's interesting about this case is
9 we actually have a corner lot on, you know, two major
10 thoroughfares and the L shape parcel also presents a
11 lot of difficulty with trying to -- there really is no
12 facade that I can do a pull through service drive on.
13 So we are very limited on that nature.

14 I would also like to point out, the
15 existing Jaguar dealership, you can kind of see they
16 had two doors already and they are in approximately the
17 same location that we're looking to replace with a new
18 building.

19 CHAIRPERSON PEDDIBOYINA: Thank you.
20 Would you like to add to that?

21 MR. LONGHURST: No. I have nothing to
22 add to that. Thank you.

23 CHAIRPERSON PEDDIBOYINA: Okay. Thank
24 you. And, Secretary, correspondence -- the city,
25 Larry?

1 MR. BUTLER: No comments from the
2 city.

3 MEMBER MONTAGUE: Okay.
4 Correspondence. 17 letters mailed, two letters
5 returned, no approvals, no objections.

6 CHAIRPERSON PEDDIBOYINA: Thank you
7 very much.

8 Public hearing, anybody would like to
9 speak, this is the time.

10 Looks like none.

11 Okay. And looks like you presented
12 very nicely and let's see how the board elect. And I
13 put it on the board. Thank you.

14 Yeah, go ahead.

15 MEMBER MONTAGUE: So this is going to
16 be a new building. You're going to take down the
17 building that's there?

18 MR. BURLEY: Correct.

19 MEMBER MONTAGUE: And the doors are in
20 approximately the same location as what sits there now?

21 MR. BURLEY: They are.

22 MEMBER MONTAGUE: In terms of off the
23 street and in both directions?

24 MR. BURLEY: Pretty close. I mean,
25 Jaguar was a -- it's a funky shape building, the one

1 that's there. But the same entry points, the same exit
2 points. We are adhering to all setbacks. It's really
3 two car -- two lanes wide and three vehicles deep.

4 MEMBER MONTAGUE: Okay. Yeah. 'Cause
5 I went by and saw the doors as they were so if it's
6 there, you're on a busy street, you got to find the
7 service when you go to a dealer, so.

8 MR. BURLEY: It's really important to
9 the business, so.

10 MEMBER MONTAGUE: Yeah. So, like, I
11 would be in support.

12 CHAIRPERSON PEDDIBOYINA: Okay. Thank
13 you.

14 MEMBER LONGO: Thank you. Clift said
15 what I had to say. Thank you.

16 MEMBER MONTAGUE: I'm sorry.

17 CHAIRPERSON PEDDIBOYINA: Thank you
18 very much.

19 Okay. Jay, you wanted to speak?

20 MEMBER MCLEOD: Very similar
21 questions.

22 CHAIRPERSON PEDDIBOYINA: Okay. All
23 three are on the same page. Maybe you prepared. Thank
24 you.

25 Anybody would like to speak?

1 MEMBER SANGHVI: I just want to say I
2 have been around and I have seen that place umpteen
3 times and it's a very beautiful corner lot that you
4 bought and I was surprised they closed the other one.
5 But maybe there were business reasons. And I
6 understand because of the whole configuration of that
7 corner really has changed since they built the Jaguar,
8 and now you are coming in there so you will have a
9 common entrance for the rest of the businesses to get
10 into your property.

11 MR. BURLEY: We do. We had a shared
12 access drive with the neighbor to the west.

13 MEMBER SANGHVI: So there's no other
14 way you can move your -- those other than facing one of
15 the roads.

16 MR. BURLEY: Correct.

17 MEMBER SANGHVI: So I understand your
18 problem and I wholehearted support you. Thank you.

19 MR. BURLEY: Thank you.

20 CHAIRPERSON PEDDIBOYINA: I would like
21 to ask what kind of business is this in this building
22 is going to be?

23 MR. BURLEY: Automotive dealership.
24 So sales and service for Audi.

25 CHAIRPERSON PEDDIBOYINA: Oh, Audi.

1 Okay. Thank you.

2 Anybody would like to speak before
3 going to the motion on the board?

4 Looks like none.

5 Okay. Linda, it's your time.

6 MEMBER KRIEGER: For case PZ22-0024,
7 Nowak and Fraus Engineers, 24295 Haggerty Road,
8 Northwest corner of Ten Mile and Haggerty, I move to
9 grant the request from the petitioner because the
10 petitioner has shown practical difficulty. Without the
11 variance, the petitioner will be unreasonably prevented
12 or limited with respect to use of the property because
13 the site has two main roads, Haggerty and Ten Mile.

14 The property is unique because it was
15 already a dealership and the building footprint is
16 placed, although they'll be putting a new one up, the
17 area is still unique in that regard.

18 The petitioner did not create the
19 condition because of its two frontages.

20 The relief granted will not
21 unreasonably interfere with adjacent or surrounding
22 properties because Haggerty and Ten Mile mostly
23 thoroughfare for vehicles and not residential. And the
24 relief is consistent with the spirit and intent of the
25 ordinance because they're minimizing the -- minimizing

1 the -- their requested requirement.

2 MEMBER SANGHVI: Thank you. Second.

3 CHAIRPERSON PEDDIBOYINA: Thank you.

4 Thank you, Linda, and thank you, Dr. Sanghvi.

5 MS. WAGNER: Chairperson Peddiboyina?

6 CHAIRPERSON PEDDIBOYINA: Yes, please.

7 MS. WAGNER: Member Krieger?

8 MEMBER KRIEGER: Yes.

9 MS. WAGNER: Member Longo?

10 MEMBER LONGO: Yes.

11 MS. WAGNER: Member McLeod?

12 MEMBER MCLEOD: Yes.

13 MS. WAGNER: Member Montague?

14 MEMBER MONTAGUE: Yes.

15 MS. WAGNER: Member Sanghvi?

16 MEMBER SANGHVI: Yes.

17 MS. WAGNER: Member Thompson?

18 MEMBER THOMPSON: Yes.

19 MS. WAGNER: Motion passes.

20 CHAIRPERSON PEDDIBOYINA: Thank you.

21 And --

22 MR. BURLEY: Thank you very much.

23 CHAIRPERSON PEDDIBOYINA: Yeah.

24 Congratulations.

25 And before going to other matters, any

1 other matters? Nothing?

2 And before I adjourn the meeting, all
3 in favor say aye.

4 THE BOARD: Aye.

5 CHAIRPERSON PEDDIBOYINA: Anybody nay?

6 No? Okay. Today's adjourned.

7 (At 8:04 p.m., meeting adjourned.)

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C E R T I F I C A T E

STATE OF MICHIGAN)

) ss

COUNTY OF OAKLAND)

I, Darlene K. May, Notary Public

within and for the County of Oakland, do hereby certify
that I have recorded stenographically the proceedings
had and testimony taken in the above-entitled matter at
the time and place hereinbefore set forth, and I do
further certify that the foregoing transcript,
consisting of fifty-nine (59) typewritten pages, is a
true and correct transcript of my said stenographic
notes.

/s/Darlene K. May
Darlene K. May, Notary Public
Oakland County, Michigan
My commission expires: 01-13-2024

June 27, 2022
(Date)