

REGULAR MEETING - ZONING BOARD OF APPEALS

CITY OF NOVI

TUESDAY, JANUARY 9, 2018 7:00 P.M.

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

BOARD MEMBERS:

Cindy Gronachan, Chairperson

Thomas Nafso, Secretary

Linda Krieger

David M. Byrwa

ALSO PRESENT:

Thomas R. Schultz, City Attorney

Lawrence Butler, Comm. Development, Dep. Director

Katherine Oppermann, Recording Secretary

Reported by:

Darlene K. May, Certified Shorthand Reporter

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Novi, Michigan

Tuesday, January 9, 2018

7:00 p.m.

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CHAIRPERSON GRONACHAN: Good evening and
Happy New Year. I would like to call the January 2018
Zoning Board of Appeals meeting to order. Please rise
for the Pledge of Allegiance.

(Pledge of Allegiance.)

CHAIRPERSON GRONACHAN: Please be seated.
Katherine, would you please call the roll.

MS. OPPERMAN: Member Byrwa?

MEMBER BYRWA: Here.

MS. OPPERMAN: Member Ferrell is absent,
excused.

Member Gronachan?

CHAIRPERSON GRONACHAN: Here.

MS. OPPERMAN: Member Krieger?

MEMBER KRIEGER: Here.

MS. OPPERMAN: Member Nafso?

MEMBER NAFSO: Here.

MS. OPPERMAN: Member Peddiboyina is absent,
excused, and Chairperson Sanghvi is absent, excused.

1 CHAIRPERSON GRONACHAN: The Zoning Board of
2 Appeals is a hearing body empowered by the Novi City
3 Charter to hear appeals seeking variances from the
4 applications of the Novi Zoning Ordinance. It takes a
5 vote of at least four members to approve a variance
6 request.

7 This evening we have a smaller board than
8 usual. We usually have six members; however, due to
9 the flu and some vacation, we're a little shorthanded.
10 Therefore, any petitioner that wishes to have their
11 case postponed until next month may do so now.

12 No one wishes to have their case postponed.
13 Okay, moving forward. Is there any changes or
14 amendments to the approval of the city agenda?

15 MS. OPPERMAN: Case PZ17-0063 has been
16 postponed by the applicant until further notice.

17 CHAIRPERSON GRONACHAN: Okay. So that's
18 going to be until next month, did you say?

19 MS. OPPERMAN: They haven't confirmed the
20 next date yet.

21 CHAIRPERSON GRONACHAN: Okay. Thank you.

22 In our packet, Board Members, we had the
23 minutes from December of 2017. Has everyone had time

1 to review them and are there any changes or amendments?

2 Or is there a motion to approve as is?

3 MEMBER NAFSO: Approved.

4 MEMBER KRIEGER: Second.

5 CHAIRPERSON GRONACHAN: It's been moved and
6 seconded. All those in favor? Aye.

7 MEMBER BYRWA: Aye.

8 MEMBER KRIEGER: Aye.

9 MEMBER NAFSO: Aye.

10 CHAIRPERSON GRONACHAN: Minutes for 2017 have
11 been approved.

12 At this time, anyone in the audience that
13 wishes to make a comment to the board in reference to
14 anything other than what is in front of us this evening
15 may do so now, if anyone is here for any other reason
16 besides the cases that are on tonight's agenda.

17 Seeing none. We'll move to our first case.

18 PZ17-0042, Anthony M. Virga.

19 Is the petitioner here?

20 Yes? No?

21 Mr. Virga is not present.

22 MR. SCHULTZ: Table until the end of the
23 agenda?

1 CHAIRPERSON GRONACHAN: Okay. So case number
2 PZ17-0042 evidently is not present at this time and
3 we'll table for a recall at the end of the other cases.

4 Moving right along. PZ17-0060, Ray Kurmas,
5 Michigan Beer Company. Is the petitioner here?

6 MR. KURMAS: Yes.

7 CHAIRPERSON GRONACHAN: Would you like to
8 come on down?

9 MR. KURMAS: Yes.

10 CHAIRPERSON GRONACHAN: 42875 Grand River
11 Road, Suite 104. The applicant is requesting a
12 variance from the Novi City Code of Ordinances for the
13 proposed installation of an approved oversized 45.83
14 square foot wall sign facing the parking lot in Section
15 28-5 for a design variance. The property is zoned Town
16 Center.

17 Good evening. If you would, state your name
18 and indicate if you're an attorney or not.

19 MR. KURMAS: No. I'm Raymond Kurmas.

20 CHAIRPERSON GRONACHAN: Okay. And would you
21 just --

22 MR. KURMAS: Address is 1508 Bauman in Royal
23 Oak, Michigan. I'm one of the owners of Michigan Beer

1 Company.

2 CHAIRPERSON GRONACHAN: Would you spell your
3 last name for the recording secretary.

4 MR. KURMAS: K-u-r-m-a-s. Sorry, I have a
5 little bit of a cold myself.

6 CHAIRPERSON GRONACHAN: Well, we're glad you
7 made it in.

8 MR. KURMAS: Yeah.

9 CHAIRPERSON GRONACHAN: Thank you. And you
10 may proceed.

11 MR. KURMAS: Okay. So I just want to begin
12 with --

13 CHAIRPERSON GRONACHAN: I'm sorry. You need
14 to be sworn in. I apologize.

15 MR. KURMAS: That's all right.

16 CHAIRPERSON GRONACHAN: I'm new at this.

17 Do you swear or affirm that the testimony
18 that you're about to give in the matter before you is
19 the truth?

20 MR. KURMAS: Yes, I do.

21 CHAIRPERSON GRONACHAN: All right. Now you
22 may proceed.

23 MR. KURMAS: All right. So I'm here today

1 because we had put an addition on to Michigan Beer
2 Company, approximately, a 960 square foot wall. The
3 sign is sitting on it now.

4 We also own Rojo Mexican Bistro next door to
5 Michigan Beer Company. And we had recently closed down
6 Duel. Duel was in Fountain Walk. It was a piano bar.

7 I have an entertainment license in dancing
8 for Michigan Beer Company. So my idea was to keep Duel
9 in Novi and relocate it to Michigan Beer Company. So
10 we put on an addition this year and that's the purpose
11 for the sign. The sign has actually come from Duel.
12 So it was more cost-effective just to take the original
13 sign that we had and move it over to the spot that it's
14 in now.

15 I have about 170 feet of frontage between
16 Michigan Beer Company and what is, now what we'd like
17 to be, the Duel space. So the sign might be a little
18 bit oversized compared to what the zone is, but the
19 actual frontage of the building and what we have on
20 that street is so minimal with the sign compared to the
21 frontage of the wall that we were hoping to get a
22 variance to allow us to put that sign there and leave
23 it there.

1 What we're trying to do is create, you know,
2 a district over the last three or four years by moving
3 Rojo there, by adding Michigan Beer Company and now by
4 moving the piano bar. We're trying to develop our own
5 little district of downtown Novi. I'm trying to do my
6 part in working close with the mayor and Larry Butler
7 and everybody I can to try and, you know, promote
8 growth, promote other businesses to come down there.

9 When you come down Main Street, all's you
10 seen was, basically, an empty patio for nine months of
11 the year. And now you see a nice, brick building with
12 a sign on it. So, you know, when you're coming down,
13 you see that sign.

14 The parking lot's in the back. We have two
15 main entrances to Michigan Beer Company. It's very
16 confusing to the guests when they park in the back
17 parking lot and they pull on the door. Maybe that half
18 is closed at the time. There's no designated entrance
19 other than stickers on the door.

20 So we're just trying to create atmosphere.
21 Create, you know, opportunity for other business owners
22 to come down there and say, "Hey."

23 You know, more businesses are moving in.

1 We're expanding. We're trying to develop a weekend and
2 put more money into the downtown area and do more
3 outdoor events. Do -- and just bring different
4 clientele down there. So I think the look of what
5 we're going for, to me -- more shingles, more signs --
6 means more business, a more real downtown.

7 So the size of the sign I know it was an
8 issue. But, you know, I'm just asking for that
9 variance so we can keep the original sign that we had
10 at Duel. It has piano keys at the bottom of it. In
11 order for me to have the sign up there, you know, I'd
12 have to remove those keys to make it fit and that kind
13 of says what it is. And I think it looks great
14 downtown.

15 If you look at any other sign at any other
16 place down there, they're all different sizes. I know
17 Alexandria's is bigger than mine is. Oishi has got two
18 different signs. If you compare the square footage to
19 that to there, it's a lot bigger. So there's no real
20 set. Everybody doesn't have the same sized sign.

21 Michigan Beer Company, you were gracious
22 enough to allow us a variance to put the monument sign
23 up there. So I think it adds the look. I think it

1 fits. I think anything different would just not look
2 right.

3 And if any of you have any questions, I'm
4 happy to answer.

5 CHAIRPERSON GRONACHAN: Okay. Is there
6 anyone in the audience that wishes to make comment on
7 this case this evening?

8 Seeing none.

9 Building department?

10 MR. BUTLER: No comment from the building
11 department at this time.

12 CHAIRPERSON GRONACHAN: Member Nafso, is
13 there any correspondence?

14 MEMBER NAFSO: There were 11 letters mailed.
15 Zero letters returned. Zero approvals. Zero
16 objections.

17 CHAIRPERSON GRONACHAN: Okay. I'm going to
18 jump right in.

19 MR. KURMAS: Okay.

20 CHAIRPERSON GRONACHAN: I'm glad that I now
21 know where Duel was -- is. Because we lost it there
22 for a little while.

23 MR. KURMAS: Yes, we did.

1 CHAIRPERSON GRONACHAN: And I'm just going to
2 tell you that when we Googled it, it gives a Grand
3 River address.

4 MR. KURMAS: Right.

5 CHAIRPERSON GRONACHAN: Which is a little
6 misleading.

7 MR. KURMAS: Right.

8 CHAIRPERSON GRONACHAN: So then I kind of
9 figured that this was going to be one of the cases and
10 I wouldn't be Googling the address for very long.

11 MR. KURMAS: Right.

12 CHAIRPERSON GRONACHAN: I'm excited and I
13 understand your case and your suggestions. I'll be
14 honest with you, I'm kind of disappointed that you're
15 not going with the same type of sign that you went with
16 with the Michigan Beer Company. And the reason why is
17 because of visibility from Grand River.

18 MR. KURMAS: Right.

19 CHAIRPERSON GRONACHAN: I'm in support of any
20 identification for that end because there have been
21 many changes of hands throughout the years. Those
22 buildings have been empty and switched ownerships and
23 it's been a long time.

1 But I almost wonder if we're not rushing to
2 that, to what really should go up there.

3 MR. KURMAS: Right.

4 CHAIRPERSON GRONACHAN: That's my thought.
5 To give you some thought about that.

6 MR. KURMAS: Right. And to answer your
7 question as brief as I can, you know, we wanted to get
8 Duel open as fast as possible. We wanted to get that
9 customer base back.

10 Fountain Walk, we've had some challenges with
11 Fountain Walk. The rent was extremely high. For just
12 having something that's open on the weekends, it just
13 didn't make sense for us anymore. But we wanted to
14 keep it in Novi. There's a market for it in Novi. I
15 think it's a great addition to downtown.

16 We had a lot of difficulty with the Michigan
17 Beer Company sign. So I think that kind of steered us
18 away from going that direction. But I'm definitely --
19 you know, I don't know if it's an option to approve
20 this sign and then later on, you know, now that we're
21 open, we can actually try and get another sign. I'd be
22 a hundred percent for that.

23 Because, you know, a good friend of mine,

1 Joe Sheldon, who is not with Novi anymore, he says he
2 used to sit at the firehouse on a picnic table and
3 watch tumbleweeds roll by, and it was just such a dead
4 area.

5 When you look down that street, you want to
6 see those signs. You want to see activity. And so I
7 think a sign is important. If you come down, you know,
8 Market Street and Main Street right there, when you hit
9 that corner, it was just nothing. It's just a brick
10 wall. You know, a brick building. That really
11 signifies what it is. I'm not opposed to that. But I
12 think something right now to signify what that space is
13 to get our customer base back. It's been a long time
14 coming. as Larry would know, to get that space built
15 and to get it moved there.

16 So, I mean, getting it open as fast as
17 possible and getting identified as fast as possible, I
18 think, is our best goal.

19 CHAIRPERSON GRONACHAN: What is the size of
20 the sign? The actual sign that you're putting in?

21 And this was the sign that you're taking off
22 of the other building?

23 MR. KURMAS: This is the original, at least

1 32 square feet. A little over 32 square feet.

2 CHAIRPERSON GRONACHAN: Because it says

3 45.83.

4 MR. KURMAS: Oh, with the keys, probably,

5 yeah.

6 CHAIRPERSON GRONACHAN: Okay.

7 MR. KURMAS: Yeah, the keys at the bottom.

8 There's keys that go along the bottom.

9 CHAIRPERSON GRONACHAN: Right. We have a
10 picture of it.

11 MR. KURMAS: Yes. It's the same.

12 CHAIRPERSON GRONACHAN: Do you have a picture
13 with you that you can put up?

14 MR. KURMAS: I have a picture of everybody
15 else's. I probably do. I at least have a panoramic.

16 CHAIRPERSON GRONACHAN: While you're looking
17 for that, I'm going to ask some questions of the city
18 attorney.

19 MR. SCHULTZ: Good evening.

20 CHAIRPERSON GRONACHAN: Good evening. It's
21 good to see you again.

22 MR. SCHULTZ: It's good to see you.

23 CHAIRPERSON GRONACHAN: I think that you know

1 about the sign for Michigan Beer Company. They had it
2 protruding off the wall?

3 MR. SCHULTZ: Correct.

4 CHAIRPERSON GRONACHAN: So if there's
5 something that we would like to give him an option down
6 the road, is this now time to bring that up? Or just
7 let this go and if he decides to come back, we can look
8 at that and treat it as a separate?

9 MR. SCHULTZ: I think the latter. The
10 message has been sent.

11 CHAIRPERSON GRONACHAN: Okay. All right.
12 Thank you. I just wanted to make sure.

13 MR. SCHULTZ: Yup.

14 (Document displayed.)

15 CHAIRPERSON GRONACHAN: Okay. So that
16 picture actually shows in my opinion -- and I don't
17 know what the other board members are going to say.

18 That picture does not make that sign look
19 oversized for that layout of the building. And that's
20 why I'm glad that you posted that. Because the picture
21 that we have doesn't do it justice.

22 MR. KURMAS: Okay.

23 CHAIRPERSON GRONACHAN: And then when I drove

1 by and I was looking at things, and being that this is
2 at an angle and you're coming down that one street and
3 then you're turning -- or you can you turn into the
4 apartment.

5 MR. KURMAS: Um-hmm.

6 CHAIRPERSON GRONACHAN: And when you're
7 coming down from Grand River, I'm a big proponent. I'm
8 a big supporter of this. I would love to see this
9 corner take off. So I'm not going to talk anymore
10 except to say congratulations.

11 MR. KURMAS: Thank you.

12 CHAIRPERSON GRONACHAN: Welcome back. And
13 I'm in full support.

14 MR. KURMAS: I appreciate that. Thank you.

15 CHAIRPERSON GRONACHAN: Board members?

16 MEMBER KRIEGER: I'm sorry. I'm not familiar
17 with Duel. What entertainment is that? Like the
18 Library Club where they do karaoke?

19 MR. KURMAS: No. It's a dueling pianos. So
20 it's an entire show. We have two shows at night. We
21 have an early dinner show and then a later show. The
22 later show is a little more adult-themed as opposed to
23 the jokes. But they're comedians. They're MCs. It's

1 a crowd-interactive piano show of dueling pianos. So
2 it's not a band. It's pretty controlled.

3 I mean, we did bands there before and we got
4 a lot of complaints from noise from the neighbors. The
5 atrium, essentially, is a plastic and glass house. So
6 the sound just carried. So by closing in that patio
7 and moving the entertainment to that section, there's
8 zero noise now. No matter how loud it gets in there.
9 But it's definitely an interactive piano experience.

10 And there's dancing. They get you to come up
11 and dance. And a lot of birthday parties and stuff
12 like that. And it's a good banquet space for us, too,
13 when the pianos aren't playing.

14 MEMBER KRIEGER: All right. Cool. Thank
15 you.

16 I drove by and I agree -- so you own all of
17 those?

18 MR. KURMAS: Correct.

19 MEMBER KRIEGER: And, of course, I saw the
20 clock up there. It says Gus O'Connors on it. You're
21 going to keep your clock?

22 MR. KURMAS: Yeah.

23 MEMBER KRIEGER: Can you put it with the

1 right time?

2 MR. KURMAS: I think. Yes. It still says
3 Gus O'Connors. I think we've got to apply to get that
4 face changed on the clock.

5 MEMBER KRIEGER: Okay. And then Michigan
6 Beer and then the -- Duel. When I drove down Main
7 Street that, yeah, it catches you, the building. And
8 then when you see Duel, that it's proportional. So
9 you're lucky the sign matches the Duel with the
10 building itself.

11 MR. KURMAS: Right.

12 MEMBER KRIEGER: And then at this time, yeah,
13 it doesn't -- if you're coming from Grand River, it
14 doesn't jump out at you because it's against the wall
15 but on Main Street. So I think each sign, if you want
16 Michigan Beer, you're probably there. But then you're
17 walking around and you might see Duel and then you
18 might check that out or Rojos. So I'm in full support.

19 MR. KURMAS: Thank you.

20 CHAIRPERSON GRONACHAN: Thank you, Member
21 Krieger.

22 MEMBER NAFSO: And just briefly, without the
23 size being the size of the sign that you're proposing

1 and it being as high up as it is there, there would be
2 some obstruction if you're coming down Main based on
3 those canopies and the roof of the adjacent buildings.

4 MR. KURMAS: Correct.

5 MEMBER NAFSO: Correct?

6 MR. KURMAS: Yeah. And the belt that goes
7 around, that brick belt, that tan-colored brick belt,
8 had to match the existing building and that just
9 happened to be where it was. So it'd either have to be
10 kind of above that or below that. Otherwise, it would
11 just look weird, too. And that's up in the parapet
12 wall. So, you know, there's a four-foot parapet wall
13 there. So the total height is 22 feet. So it's a
14 pretty tall wall. And it's 43 feet wide. So it's a
15 massive wall.

16 But, yeah, too close to the windows. And
17 there's an awning over the beer garden entrance there.
18 And if it goes any lower, that awning will completely
19 block the sign.

20 MEMBER NAFSO: Okay. Is this a rendering or
21 is that ...

22 MR. KURMAS: That's an actual mock. That's
23 an actual sign. For the mockup, there's no power going

1 to it. It's just the actual sign we took from Fountain
2 Walk. We had it in storage and we just bolted it up to
3 the wall temporarily so you could look at it. But it's
4 not permanently installed and it's not wired.

5 MEMBER NAFSO: Okay. When was this picture
6 taken, roughly? Within the last couple of weeks?

7 MR. KURMAS: Oh, yeah. Like, I think the
8 date is on there. Just a couple of days ago.

9 MEMBER NAFSO: 1-6.

10 MR. KURMAS: 1-6, yeah.

11 MEMBER NAFSO: All right. Thank you.

12 MR. KURMAS: You're welcome. Thank you.

13 CHAIRPERSON GRONACHAN: Member Byrwa, do you
14 have anything to offer?

15 MEMBER BYRWA: No, I don't.

16 CHAIRPERSON GRONACHAN: I'll entertain a
17 motion.

18 Anyone?

19 Member Nafso?

20 MEMBER NAFSO: Thank you. I move that we
21 grant the variance in case number PZ17-0060 in regards
22 to Ray Kurmas and Michigan Beer Company because the
23 petitioner has shown practical difficulty requiring a

1 variance from the City of Novi Code of Ordinance
2 Section 28-5(1)(c)(d) for the proposed installation of
3 an approved oversized 45.83 square foot wall sign
4 facing the parking lot; and section 28-5(1)(c)(2)(B)
5 for design variance. This property is zoned Town
6 Center-1.

7 Without the variance, the petitioner will be
8 unreasonably prevented or limited with respect to use
9 of the property because of the visibility of the sign
10 coming down Main Street from Grand River. The property
11 is unique in the way that that portion of the building
12 is oriented in relation to the other buildings. And,
13 again, coming down Main Street there are several
14 buildings that are before it. The petitioner did not
15 create the condition. This building was there and
16 existing. And the relief granted will not unreasonably
17 interfere with adjacent or surrounding properties
18 because it is a sign that will in no way encroach on
19 the other buildings or any other properties. And the
20 relief is consistent with the spirit and intent of the
21 ordinance because it does not provide for a sign that
22 is overbearing or encroaches and it does seem to fit
23 nicely on that building in proportion to the remainder

1 of the building.

2 MEMBER KRIEGER: Second.

3 CHAIRPERSON GRONACHAN: It's been moved and
4 seconded. Any further discussion in regards to the
5 motion?

6 Seeing none, Katherine, please call the role.

7 MS. OPPERMAN: Member Byrwa?

8 MEMBER BYRWA: Yes.

9 MS. OPPERMAN: Chairperson Gronachan?

10 CHAIRPERSON GRONACHAN: Yes.

11 MS. OPPERMAN: Member Krieger?

12 MEMBER KRIEGER: Yes.

13 MS. OPPERMAN: Member Nafso?

14 MEMBER NAFSO: Yes.

15 MS. OPPERMAN: Motion passes.

16 MR. KURMAS: Thank you very much.

17 CHAIRPERSON GRONACHAN: Congratulations and
18 welcome home.

19 MR. KURMAS: And I will definitely be coming
20 back, too.

21 CHAIRPERSON GRONACHAN: And when are you
22 opening?

23 MR. KURMAS: We're open. We opened two days

1 ago.

2 CHAIRPERSON GRONACHAN: Okay.

3 MR. KURMAS: So we're open right now.

4 CHAIRPERSON GRONACHAN: Our next case is
5 PZ17-0061 Euko Design Signs.

6 Is the petitioner here? Okay.

7 On 43825 West Oaks Drive, west of Novi Road
8 and south of Twelve Mile. The applicant is requesting
9 a variance from the City of Novi Code of Ordinances for
10 the proposed installation of four signs totaling 641.26
11 square feet, a maximum of 65 square feet allowed by
12 code. This property is zoned RC or Regional Center.

13 Good evening. Are both of you going to be
14 testifying this evening?

15 MR. DIACHENKO: Yes.

16 CHAIRPERSON GRONACHAN: Would you please
17 state your names, spell them for the recording
18 secretary, and then raise your right hands to be sworn
19 in.

20 MR. DIACHENKO: Eugene Diachenko.

21 CHAIRPERSON GRONACHAN: Can you move up to
22 the mic a little so they can hear you at home.

23 MR. DIACHENKO: Eugene Diachenko, Euko Design

1 Signs. Last name is D-i-a-c-h-e-n-k-o.

2 CHAIRPERSON GRONACHAN: Thank you.

3 And your name?

4 MS. DIACHENKO: And Eva Diachenko,
5 D-i-a-c-h-e-n-k-o, with Euko Design Signs.

6 CHAIRPERSON GRONACHAN: Would you please
7 raise your right hands to be sworn in.

8 Do you swear or affirm to tell the truth in
9 regards to the case before you?

10 MR. DIACHENKO: Yes.

11 MS. DIACHENKO: Yes.

12 CHAIRPERSON GRONACHAN: Thank you. You may
13 proceed.

14 MS. DIACHENKO: We have some additional
15 pictures that we brought along. Copies for you guys.
16 Hard copies, if you want.

17 (Photos distributed.)

18 MS. DIACHENKO: So on behalf of Gardner-White
19 Furniture, as you can see from the drawings that we
20 submitted to the building department, we are requesting
21 to install a 641.26 square foot wall sign on the east
22 face of their building, along with three decorative
23 squares, I would call them, which might be considered

1 signage. So these are approximately two feet by two
2 feet, which would bring us to a total of 653.26 square
3 feet of signage, minus the 65 square feet allowed by
4 code, and that would be a variance request for 588.26
5 square feet of signage.

6 As you can see on slide two here, this is a
7 close-up of the logo, which is Gardner-White's
8 corporate logo. This was on the drawings that the
9 planning department reviewed and this size was not
10 rejected.

11 On slide three here, we have a close-up of
12 how the sign will be manufactured. If there's any
13 questions about that, we can answer that during this
14 presentation.

15 When considering how large of a sign to
16 design and install, of course we tried to work within
17 the city code. But in this case, 65 square feet is
18 very inadequate for their location. The lack of
19 readability of a 65 square foot sign is important to
20 note because it in turn could create a danger for
21 motorists trying to read a sign to find where
22 Gardner-White is located.

23 Here is an example of what a 65 square foot

1 sign would look like on the facade of the building.

2 The smaller letters, "Furniture and Mattresses", would
3 be approximately 14 inches tall, which is honestly just
4 a little bit taller than a sheet of paper. So the
5 readability just isn't there.

6 In addition to looking at what the code says
7 for the size of the sign, we have to compare it to the
8 previous tenant in Gardner-White's location, which was
9 Gander Mountain. And the City records show that they
10 had a sign that was 282 square feet. When we look at
11 that, however, and we use the proper square foot
12 calculation of drawing a rectangle around the entire
13 logo and lettering, it appears that they actually had
14 552.78 square foot of signage. Apparently, they had
15 measured two rectangles, as this drawing indicates,
16 which is perhaps where they got the 282 square foot
17 measurement there.

18 So when we drew out Gardner-White's logo, if
19 we also do that and draw two rectangles around each
20 line of copy, the square footage of the sign decreases
21 by 89.2 square feet. So it's important to note that,
22 because even though a sign that is 653.26 square feet
23 may look and appear like an enormous sign on paper, it

1 really has a lot of negative space within the logo and,
2 visually, it's not that large in person.

3 We also have to look at nearby businesses.
4 And several of them have more than 65 square feet of
5 signage. One in particular is two doors down from
6 Gardner-White, and that's the Nordstrom Rack store
7 there. And these drawings indicate that they got a
8 variance for 189 square feet of signage on the front,
9 plus two additional signs, 65.5 square feet. So 320
10 square feet of signage.

11 However, we also look at this ribbon element
12 that they have on the east face of the building. Which
13 is 299 square feet.

14 And here's some additional photos of that
15 ribbon band, if you're not familiar with it.

16 When we take a closeup look at it, it's
17 constructed like a sign. It has plastic faces. It's
18 made out of metal. So it's really a modern graphic
19 signage element on the face of this building. So if we
20 consider that Nordstrom Rack, a neighbor two doors
21 down, has 488 square feet of signage on the east face.
22 And then in total, they have 619 square feet of
23 signage. So that kind of explains where we got this

1 number for what size sign to put on the face of
2 Gardner-White.

3 We also have a photo of the Nordstrom Rack
4 ribbons illuminated, too, at night here, as you can
5 see.

6 But more specific to where Gardner-White is
7 located within West Oaks, their location is truly a
8 hardship for them when it becomes -- when we consider
9 designing signage. They're located in the southwest
10 corner of the complex. And one of the many hardships
11 is the distance from Novi Road.

12 Their location is located approximately 1,250
13 feet from Novi Road, from the center line. And this
14 truly hinders peoples' visibility of the front of the
15 building and the sign that would be on the building.

16 And this photo here shows the intersection of
17 Novi Road and West Oaks Drive approaching the complex
18 as if you're coming from Twelve Oaks Mall.

19 Another hardship that this location faces is
20 the winding curve of West Oaks Drive, as you see noted
21 on this diagram. If you drive westward towards that
22 area, I think there's three driveways that you can turn
23 in to the complex. But as motorists are driving

1 westward, if they're looking for Gardner-White, that
2 curve in the road really focuses their vision towards
3 the right towards Bed, Bath and Beyond, towards Joann
4 Fabrics, which is located on a higher elevation than
5 where Gardner-White's store front is.

6 And here's just a picture of the curve in
7 that road. And as you can see, some trees also hinder
8 the visibility of where a sign is on the building.

9 This photo shows trees that are planted going
10 north and south parallel to the east face of
11 Gardner-White's location. So this also blocks signage.
12 So if we had a 65 square foot wall sign, it probably
13 would be blocked just purely by the trees.

14 Here's another picture as well of the trees.

15 We're just asking for one sign. When we look
16 at the rear side of the building, there's really not as
17 good of a visibility on the outcome for a sign there.
18 And also, when we determine how traffic is flowing to
19 locate Gardener White, if you're driving eastbound on
20 West Oaks Drive, you really don't see any of the fronts
21 of the buildings there of Gardner-White, of David's
22 Bridal, of Nordstrom Rack. So we also have to keep
23 that in mind as far as what side of the building is

1 best for signage, which would be the side facing Novi
2 Road.

3 This is the first driveway that you would see
4 going eastbound on West Oaks Drive. And as you turn
5 right here, you can see all the store fronts with the
6 north facing signs. But the visibility for
7 Gardner-White is not as good.

8 There's more trees, if you are looking from
9 the north towards Gardner-White's location, that do
10 block visibility for people, including these pine
11 trees.

12 And the slope of the land is another hardship
13 that they face. It just seems like all of the other
14 businesses are located on higher grounds and that
15 southwest corner of the complex really does go down.

16 Another hardship is around sunset time. It's
17 very blinding, as you can see in this picture.

18 So we just want to focus on visibility. So
19 that's why the sign is proposed at such a large size.
20 We also need to focus on assisting the public to safely
21 maneuver their vehicles to find Gardner-White. If it
22 was a 65 square foot sign, they might not see it as
23 well and they might panic and it could be a distraction

1 to their driving turning into this complex. So a
2 larger sign will allow the public adequate time to see
3 where Gardner-White is in West Oaks and to approach it
4 safely.

5 And this area is highly congested. I mean,
6 it seems like it's within the center of the hub of
7 Novi. It's between Twelve Oaks Mall and Fountain Walk.
8 So we really need to focus on the visual communication
9 with what size sign to install at this particular area.
10 And a larger sign will truly minimize chances of
11 accidents happening for drivers approaching it.
12 There's more people driving to their location, we
13 think, than walking. If it's within an area with more
14 sidewalks for people walking, maybe a smaller sign
15 could work. But we really think a larger sign like
16 this will be a benefit.

17 CHAIRPERSON GRONACHAN: Okay. Anything else?

18 MS. DIACHENKO: That's about all.

19 CHAIRPERSON GRONACHAN: Okay. Thank you.

20 MS. DIACHENKO: Unless you have more
21 questions or any other clarifications.

22 CHAIRPERSON GRONACHAN: We'll get back to you
23 on that. We'll let you know.

1 MS. DIACHENKO: Okay.

2 CHAIRPERSON GRONACHAN: Is there anyone in
3 the audience that wishes to make comment on this case
4 this evening?

5 Seeing none.

6 Building department?

7 MR. BUTLER: Gardner-White is a new tenant.
8 Yes, we do understand that. But we did take note that
9 that is an extremely large sign and we did not support
10 that.

11 CHAIRPERSON GRONACHAN: Okay. Is there any
12 correspondence?

13 MEMBER NAFSO: There were 33 letters mailed.
14 One letter returned. Zero approvals. Zero
15 objections.

16 CHAIRPERSON GRONACHAN: Okay. Thank you.

17 Board members?

18 Member Krieger?

19 MEMBER KRIEGER: I appreciate your
20 presentation. It was very thorough. I was looking all
21 over the place today for where the Gardner-White sign
22 was. I'm sorry that there wasn't a mockup so I could
23 have a feel for it. When I was on Novi Road turning

1 left, I was reminded of the Sears Outlet Store and its
2 size. The Powerhouse Gym's request. I was wondering
3 who was going to go into Gander Mountain. Now I know.

4 So I'm at a difficulty at the recommendations
5 that it's large, that there's four of them. I don't
6 know what you want to do with the other three. That if
7 it's like Nordstrom Rack having decoration on the
8 squares, are they going to be decoration? Is there
9 going to be something on it? It's not really for us to
10 say what goes on it. But if it's four more signs of
11 Gardner-White, I wouldn't be in support of so many.
12 Four signs is a lot. In Novi, we don't ever really
13 approve that many signs. So I'd appreciate more in
14 that regard.

15 MS. DIACHENKO: As far as the decorative
16 squares or the three additional signs, I guess,
17 basically, it's just one main sign. The other three
18 signs that we considered for signage are just two by
19 two foot squares. There was some --

20 MR. DIACHENKO: It is just a G, W.

21 MS. DIACHENKO: There was some discussion of
22 putting G, W, Gardner-White, on there or leaving it
23 blank. We don't know how that would be fabricated yet

1 in terms of material.

2 MEMBER KRIEGER: And have you looked at other
3 sizes in proportion to viewing from Novi Road to the --
4 you're looking toward the building or towards the main
5 entrance area?

6 MS. DIACHENKO: Towards the building and main
7 entrance. That would be where the main sign is
8 located.

9 MEMBER KRIEGER: Have you looked at other
10 sizes? If we were asking you to review sizes?

11 MS. DIACHENKO: We did try to look at other
12 sizes. We felt that this size was more proportionate
13 to the size of the building. A smaller sign just
14 seemed a little awkward-looking. And it does utilize
15 their corporate logo standard, which they're trying to
16 incorporate into all their locations in Michigan.

17 MEMBER KRIEGER: Thank you. I'll listen to
18 what my other members say. Thanks.

19 CHAIRPERSON GRONACHAN: Did you say -- is
20 this is the corporate size, this sign?

21 MR. DIACHENKO: Yes, it is.

22 CHAIRPERSON GRONACHAN: Okay. So what would
23 be the next size down?

1 MR. DIACHENKO: At five foot for the cap, the
2 large letters would still be proportionate for the
3 building. It would reduce the square footage,
4 obviously. Mathematically, I don't think it comes down
5 20 percent.

6 CHAIRPERSON GRONACHAN: While you're looking
7 that up, I will concur with my previous board member
8 that your presentation was very thorough. And I'm sure
9 that these -- this board is very familiar with that
10 complex. And so you know, we've reviewed
11 various businesses that have come in and out of there
12 through the years, but each case still is reviewed
13 independently. So that's why I'm asking if there is
14 another size down. What would be the next square
15 footage down for that building?

16 MR. DIACHENKO: That's a five-foot level.

17 At a five foot level -- we did do the math.
18 And I'm sorry that we're asking for the moon and the
19 stars on this. We do come down almost 200 square feet
20 and that's including the negative space.

21 CHAIRPERSON GRONACHAN: And what would the
22 square footage be then?

23 MR. DIACHENKO: We have it up on the screen.

1 472 --

2 MS. DIACHENKO: 472.37 square feet,
3 approximately.

4 CHAIRPERSON GRONACHAN: I left my seeing eye
5 dog at home. 472?

6 MR. DIACHENKO: Correct.

7 CHAIRPERSON GRONACHAN: And this sign was not
8 entertained by anyone because the original sign is the
9 corporate's logo?

10 MR. DIACHENKO: And the architectures drew
11 that up for the proportions of the building.

12 CHAIRPERSON GRONACHAN: I'm going to reserve
13 my decision on this until I hear from my board members,
14 but you may want to entertain -- because there is no
15 mockup; is that correct?

16 MR. DIACHENKO: Correct. Yeah. There was no
17 structure there for us to have a mockup.

18 CHAIRPERSON GRONACHAN: Okay.

19 MR. DIACHENKO: They have been demo'ing the
20 whole front of the old building.

21 CHAIRPERSON GRONACHAN: Okay. So maybe --
22 this is just a suggestion. And we can work together,
23 maybe, with the building department to entertain the

1 smaller square footage, the 472 -- possibly, a table of
2 the case. So maybe we can get a mockup of that size
3 somewhere. And I'm sure the building department can
4 help you because we have come across those challenges
5 in the past.

6 MR. DIACHENKO: Can we do a photoshop? I'm
7 sorry to interrupt.

8 CHAIRPERSON GRONACHAN: Yeah, whatever. I
9 just come up with the ideas. They come up with the
10 solutions.

11 But, perhaps that would be something better
12 and we'd have a full board when you come back, and that
13 would give a better picture. We want to give your
14 business the best shot possible.

15 MR. DIACHENKO: Sure.

16 CHAIRPERSON GRONACHAN: And I think it's
17 going to go that your request is rather large. And
18 that's just two members out of four so far. So that's
19 not looking really good.

20 MR. DIACHENKO: Okay.

21 CHAIRPERSON GRONACHAN: So as opposed to just
22 going, "No, we're not going to do that," I would like
23 to give you some options. Okay? Because we do like

1 new businesses in Novi and we want to support them and
2 work with them as much as possible.

3 So having said -- and, you know, I've been on
4 this board for a long time. I'm very familiar with
5 that center. I'm very familiar with the challenges,
6 and we would like to see businesses stay longer than a
7 couple of years and move out. I don't know if it's the
8 economy. I don't know if it's the shopping trend. I
9 don't know. I can't answer that. I'm not the
10 marketing expert.

11 But I'm not so sure that it's identification
12 in that particular area that it would have to be 600
13 and some odd square foot. And in this day and age,
14 most people Google everything. They know everything.
15 They just Google it. We have a joke in my office. If
16 somebody doesn't know anything, we go to Google Mary
17 because she's got all the answers.

18 So those are just some of my thoughts that
19 you may want to entertain while we hear from the other
20 board members.

21 MR. DIACHENKO: Can we discuss it with
22 Gardner-White, the general contractor right now?
23 They're here.

1 CHAIRPERSON GRONACHAN: Oh, they are.

2 MR. DIACHENKO: Yes.

3 CHAIRPERSON GRONACHAN: Okay. So you may
4 want to. Let's see what the other board members have
5 to say and then we might want to maybe table it so you
6 guys can discuss it.

7 MR. DIACHENKO: We have a concern with the
8 time schedules as far as how long it takes to build a
9 sign. And being tabled, I mean, it's 30 days later
10 before we start on it.

11 CHAIRPERSON GRONACHAN: Okay. Well, let's
12 see what the other board members have to say.

13 Board members, I hope you have something to
14 say.

15 MEMBER NAFSO: Yeah. Just a couple of
16 things.

17 I want to thank you also for the professional
18 presentation. You did a really good job, a really
19 thorough presentation. It's apparent you put a lot of
20 thought into this. I think that what I have the most
21 heartburn with is, really, this in relation to the
22 other signs does look a little bit overpowering and
23 overbearing compared to the other signs.

1 Your point about the logo on Gander Mountain,
2 as well as the ribbon band on Nordstrom Rack is well
3 taken. I understand what you're saying just looking at
4 the letter of the language in the ordinance. But I
5 think we can get those with a practical eye. I mean, I
6 think I see a lot of differences between Gander
7 Mountain's copy, supplemented with a logo that is
8 similar to what you would propose putting above each of
9 the other areas on the building, which I think is less
10 of an issue. It's more of identification, more of that
11 doesn't really have a bearing on the surrounding.
12 Logos are takeaway or draw the eye directly to this
13 logo versus those other ones.

14 And I'd have to say on Nordstrom Rack, I
15 mean, when you look at that logo in relation to the
16 surrounding facade, you don't get the feeling that it's
17 overpowering. You look at that as almost a design
18 element that is incorporated into the facade more than
19 you see it as a part of the sign itself that would
20 detract from the other surrounding businesses. So I
21 think that that's really the perceived issue here is
22 really how this may be much larger. And if your eyes
23 is going toward that -- looking for that building, that

1 may be the only thing you see.

2 So I would encourage you to consider the
3 recommendation of Member Gronachan with regard to the
4 smaller -- considering the smaller sign size.

5 CHAIRPERSON GRONACHAN: Thank you, Member
6 Nafso.

7 Member Byrwa, do you have anything to offer?

8 MEMBER BYRWA: Yes. I'm really not in favor
9 of supporting it as submitted. I do think it's a bit
10 excessive and I don't believe it has been demonstrated
11 why, basically, you can't live with something a bit
12 less. It seems to be overpowering to me.

13 MR. DIACHENKO: Part of our approach was none
14 of these hardships as far as the road and setback were
15 created by Gardner-White. They are the conditions on
16 the property that are --

17 CHAIRPERSON GRONACHAN: Can you move up to
18 your mic, please, because they can't hear you at home.

19 MR. DIACHENKO: Sorry. My voice is going,
20 too.

21 All the conditions we discussed as far as the
22 road, the setback, are not conditions that
23 Gardner-White created, as far as the safety aspects for

1 the signage being large for readability, for safety.
2 And also the neighbors having their graphics, in our
3 opinion, totally not included in their signage square
4 footage when it is a contemporary graphic.

5 But if we can take a brief recess and discuss
6 it with ownership and construction, maybe we can. It
7 should only take us a few minutes.

8 CHAIRPERSON GRONACHAN: I'm not worried about
9 that. I'm just going to mark the time. So it's 7:45.
10 How about would 10 minutes give you enough time?

11 MR. DIACHENKO: Yes.

12 CHAIRPERSON GRONACHAN: And we'll move on
13 to the next case?

14 MR. DIACHENKO: Sure.

15 CHAIRPERSON GRONACHAN: Would that be all
16 right?

17 MR. DIACHENKO: Sure. That would be great.

18 CHAIRPERSON GRONACHAN: So at this point, on
19 case number PZ17-0061, I move that we grant a 15-minute
20 conference with Gardner-White, and we will -- this
21 board will move on to our next case.

22 All those in favor?

23 MEMBER BYRWA: Aye.

1 MEMBER KRIEGER: Sure.

2 MEMBER NAFSO: Aye.

3 CHAIRPERSON GRONACHAN: Okay. So we will
4 revisit that at eight o'clock or we're done with
5 their's.

6 So our next case is PZ17-0062, 4 Tech Signs,
7 30700 Beck Road, east of Beck and south of West Pontiac
8 Trail.

9 The applicant is here?

10 Come on down.

11 The applicant is requesting a variance from
12 the City of Novi for a three-foot height variance for
13 the proposed installation of a nine-foot high ground
14 sign. Six-foot height allowed by code. A variance of
15 48.5 square feet for the proposed installation of a
16 90 square foot internally LED lit sign. Maximum
17 calculated allowed is 41.5.

18 Good evening. And how are you?

19 MR. ZACKS: Good evening. How are you?
20 Thank you for the opportunity to present the case.

21 CHAIRPERSON GRONACHAN: Would you please
22 state your name. Spell it for our recording secretary,
23 and then we'll swear you in, if you're not an attorney.

1 MR. ZACKS: My name is Michael Zacks,
2 Z-a-c-k-s. I'm the general manager at 4 Tech Signs in
3 Detroit, Michigan.

4 CHAIRPERSON GRONACHAN: All right. Would you
5 raise your right hand, please.

6 Do you swear or affirm to tell the truth in
7 the matter before you?

8 MR. ZACKS: I do.

9 CHAIRPERSON GRONACHAN: Thank you. You may
10 proceed.

11 MR. ZACKS: Thank you. What you have before
12 you is a request for signage and lighting of Beck
13 Village Plaza. I'm sure that you're all familiar with
14 that plaza.

15 I also have the owner of the plaza with me
16 tonight. His name is Johnny Beshi. He took over
17 ownership of the plaza in August of 2017.

18 For those of you who were familiar with it,
19 it was a very distressed property. It had been rundown
20 for a number of years, and the prior ownership hadn't
21 paid attention to updating it, upgrading it and taking
22 care of it in a proper fashion. In the few short
23 months that Mr. Beshi has owned the property, he has

1 put in new LED parking lot overhead lighting. There
2 are 57 lights there. When he took it over, there was
3 only 13 that were operational. Rather than repairing
4 it and having a mismatched system of lighting, he
5 replaced them all at a great expense. There are now 57
6 operational parking lot lighting.

7 He put in new building fascia repairs and
8 painted the entire fascia of all of the stores.
9 Complete new asphalt parking lot. As opposed to
10 patching and doing an insufficient job, he decided to
11 cap the entire parking lot and restripe it. There's
12 new concrete walkways in front of all the stores. They
13 were all broken and in disrepair. The old concrete was
14 broken up and removed and there's an entire new
15 sidewalk along the whole frontage of all the stores.
16 Windows were replaced in some of the units that were
17 broken and security lighting was added in the back of
18 the plaza because there was refuse and drug needles and
19 paraphernalia. It was just a very rundown property.

20 He added a significant amount of dirt, shrub
21 and landscaping to the property. I have a photo here
22 of what the sign theoretically will look like. It's
23 super imposed from the green belt front. The sign is

1 only 90 square feet. It's ten foot by nine foot. It
2 would allow for presentation of the tenants.

3 One of the issues and sufferings of the
4 tenants, and probably the reason that property was
5 rundown, there was a rapid turnover of tenants. One of
6 the reasons were not self-imposed, but the fact that
7 the property sits back so far from Beck Road. We've
8 interviewed some of the tenants there and they
9 constantly get feedback that people didn't even know
10 they were there.

11 The Subway said how long they'd been here?
12 We drive this road all the time and didn't even know
13 they were there. So the frontage signs, you can barely
14 read them from Beck Road due to the setback.

15 So this is the super-imposed version. We did
16 do a full-sized mockup at the site to give you an idea
17 of what that might look like in the area that we
18 determined would make the most sense.

19 This marquee would give the tenants --
20 there's 14 spaces there. The tenant's spaces are
21 actually only 10 inches by five foot. So it would just
22 strictly be the name of the tenant, whoever was in the
23 space.

1 You can't tell now because of the ice, rain,
2 sleet and snow, but I'll just show you some
3 improvements for those of you who aren't that familiar
4 with it -- all new landscaping, all new lighting, new
5 asphalt, new striping. The frontage restored, painted,
6 patched where necessary, and a new drive.

7 I have some photos, also, of the accessory
8 lighting to the building fascia. And, again, we think
9 it's tasteful. We think it's aesthetically pleasing.
10 Just hopefully draws some additional attention to the
11 center and allows recognition of it. Again, a lot of
12 the tenants in there over the years have suffered
13 because they weren't recognized due to the setback.

14 So this gives you an idea of some of the
15 strip lighting on just five sections of the building.
16 And again, we thought was tastefully done,
17 aesthetically pleasing, not garish. And we feel that
18 the sign request and the lighting doesn't violate the
19 spirit of the ordinance. And again, it's just 90
20 square foot that we're requesting for the signage.

21 If you have any questions for the signage, I
22 can try to answer them. I also have the building
23 owner, if you have any specific questions to his

1 ownership or the tenants.

2 CHAIRPERSON GRONACHAN: Okay. Thank you very
3 much.

4 Is there anyone in the audience that wishes
5 to make a comment on this case? Please come forward.

6 MS. KLAUSING Do you want me to go to the
7 microphone?

8 CHAIRPERSON GRONACHAN: Please. There's all
9 those thousands of people at home watching on cable.

10 So, please step up to the mic. And you don't
11 need to be sworn in. But if you would state your name
12 and spell it for our recording secretary.

13 MS. KLAUSING My name is Carol Klausung,
14 K-l-a-u-s-i-n-g. I live in Point Park Condominiums,
15 which is directly behind the plaza. And I'm president
16 of our association and I happen to own -- I live in one
17 condo and I own four others that I rent out. And I'm
18 trying to keep my community in very good light for the
19 possible residents, tenants to be that we would sell
20 our property or rent our property to.

21 I don't have a problem with the LED lights
22 that go across the top of the buildings. I think that
23 looks great. I don't have a problem with signage on

1 Beck Road. I don't like the fact that the sign would
2 be so much bigger and would have individual -- the
3 tenants of the stores, their names on the sign. I
4 don't think that's necessary. You can see those stores
5 very well from Beck Road.

6 If you go just further north, behind the CVS,
7 the strip mall that is there, they're further off of
8 Beck Road than this mall is and they don't have any
9 signs out on Beck Road or on Pontiac Trail listing the
10 individual signs -- the individual tenants that are
11 within that building.

12 A sign that says the name of the plaza,
13 people can see the plaza and they can see the names of
14 stores from Beck Road without any problem. And I am so
15 glad that they have cleaned up the property because it
16 has been an eyesore. Our brick fence is between them
17 and the property's always been a mess, and hoping we
18 can clean it up. And if I can exchange names and phone
19 numbers with these people, I would be more than glad
20 to.

21 CHAIRPERSON GRONACHAN: Okay. Thank you.

22 MS. KLAUSING: Thank you.

23 CHAIRPERSON GRONACHAN: Do we have somebody

1 else in the audience?

2 Please come down.

3 Again, please state your name. Spell your
4 last name and your address.

5 MR. AJLUNI: My first name is Mar, M-a-r.
6 Last name Ajluni, A-j-l-u-n-i.

7 We own the strip center next door to the
8 proposed signage plaza here. We are the Cannes Plaza
9 on Beck Road. I think our main address is 30900 Beck
10 Road. That's the first tenant there.

11 First of all, I want to commend this
12 gentlemen and the owners of the building for their
13 improvements. It's very well done. However, I do
14 object to the signage. Although we do have signage
15 with names on them; however, we did -- when we did it,
16 we went through the proper channels and have -- and met
17 the ordinance of -- the sign ordinance of the city.

18 I don't object to having their sign; however,
19 I do object to the variance. We would like to be at
20 the same playing field level. And if you do approve
21 this, that would in the future, set a precedence for
22 other buildings in the general area to get variances.
23 And that would be a disadvantage, we feel, with us.

1 Unless, then we would have to go through the
2 whole thing. And, you know, no one wants to do that,
3 you know.

4 So that is my points here. I hope you take
5 that under consideration.

6 CHAIRPERSON GRONACHAN: Sir, I have a
7 question for you.

8 MR. AJLUNI: Sure.

9 CHAIRPERSON GRONACHAN: How large is your
10 complex?

11 MR. AJLUNI: Our complex is approximately the
12 same size, I believe. We're about, let's see, between
13 18 and 20,000 square feet.

14 CHAIRPERSON GRONACHAN: And how many
15 businesses do you have in your building right now?

16 MR. AJLUNI: How many tenants?

17 CHAIRPERSON GRONACHAN: Um-hmm. Sorry.
18 Yes.

19 MR. AJLUNI: Let me count on my fingers real
20 quick. We have the dentist. We have, what do you call
21 it, a cleaning facility. You know, dry cleaning,
22 Allstar Cleaners. We have Boost Mobile.

23 CHAIRPERSON GRONACHAN: So, like, five?

1 MR. AJLUNI: So we have a tailor shop. So
2 that's five, I guess. So that's the dentist, the
3 cleaners, Boost, the tailor, a beauty salon. That's
4 five. Burrito King, six. A party store, seven. And
5 Farm Grill, eight. So eight or nine.

6 CHAIRPERSON GRONACHAN: Thank you.

7 MR. ZACKS: Just for the board's
8 edification --

9 CHAIRPERSON GRONACHAN: Hang on. Hang on.
10 You'll have your opportunity.

11 Okay. That was my question.

12 MR. AJLUNI: Okay.

13 CHAIRPERSON GRONACHAN: Thank you for coming
14 forward.

15 MR. AJLUNI: Thank you.

16 CHAIRPERSON GRONACHAN: Anyone else in the
17 audience?

18 Is there any correspondence?

19 MEMBER NAFSO: Yes. There were 86 letters
20 mailed, 13 letters returned, three approvals and zero
21 objections.

22 And one approval here from Scott Thomas,
23 scott@novifarmers.com, dated January 9, 2018. And he

1 indicates his support for the variance. He states that
2 he's been a residence of Novi for 25 years. That he is
3 a big supporter of the city and the happenings in the
4 city. He says the plaza wasn't in a very good
5 condition and states that he's generally happy with
6 what is happening with the property and that the
7 current sign is well past the property entrance and
8 doesn't show well the strip mall. A new sign is
9 needed. It would be a plus for Novi.

10 In addition, there's a letter from Mary
11 Ann -- L-o-r-e-l-w-a-r. The owner's Maid Aide,
12 M-a-i-d, space, A-i-d-e, dated January 5, 2018. And
13 they state they have been in business here for four
14 years. Came to Novi and wanted to be here in Novi,
15 chose to be in Novi. And they selected the Beck
16 Village Plaza due to its high volume of traffic on Beck
17 Road and Pontiac Trail and thought it would be good for
18 visibility, but realized they didn't have a good amount
19 of visibility and a road sign would help with the issue
20 tremendously. They also thought it would help with
21 other strip malls down the road, as people ask us where
22 it is located.

23 And they also say that the LED lighting that

1 has been installed on the building, as it relates to
2 that, they would like additional LED signs shining all
3 over the parking lot as they spend their evening on
4 these spots.

5 And then lastly, there is an E-mail dated
6 January 3rd, 2018 from Break Time Billiards, Novi
7 MSF.com (ph). It's signed Sam Shaffou, S-h-a-f-f-o-u.
8 First name S-a-m.

9 Mr. Shaffou has been a tenant in Beck Village
10 Plaza for the last 16 years and writes his support. He
11 says that many clients and new customers say that they
12 don't really know where the location is when they're
13 driving by. And so they want to attract more paying
14 customers and believes the most effective way is a
15 street sign.

16 It will do the business a lot of good to have
17 a new street sign, and also the lights on the building
18 at night will also attract people to the attention of
19 the building.

20 Nothing further.

21 CHAIRPERSON GRONACHAN: Thank you.

22 MS. KLAUSING: May I ask a question? Did you
23 say how many objections there were?

1 CHAIRPERSON GRONACHAN: He did.

2 MEMBER NAFSO: There were no written
3 objections.

4 MS. KLAUSING: I sent in four. I sent in
5 five and my neighbors sent in some. They E-mailed them
6 on Friday or Saturday.

7 CHAIRPERSON GRONACHAN: Do we need to pursue
8 that? Where they're at?

9 MS. OPPERMAN: Yeah. I can double check to
10 see.

11 CHAIRPERSON GRONACHAN: Did you E-mail them
12 to the City of Novi, to the website?

13 MS. KLAUSING: Yes, I did. I E-mailed them
14 to you. I talked to you on Friday.

15 MS. OPPERMAN: Okay. Yes, I remember talking
16 to you. I'll double check my folder.

17 CHAIRPERSON GRONACHAN: Okay. So with that,
18 the City, do you have anything to offer?

19 MR. BUTLER: Basically, the only thing that
20 we really had an objection to was the strip lighting,
21 which is prohibited by code and not supported.

22 CHAIRPERSON GRONACHAN: The strip lighting of
23 the building?

1 MR. BUTLER: Yeah.

2 CHAIRPERSON GRONACHAN: That everybody seems
3 to be happy about, that strip lighting?

4 MR. BUTLER: That strip lighting.

5 CHAIRPERSON GRONACHAN: Okay, thank you.

6 Board members?

7 Member Nafso?

8 MEMBER NAFSO: Yes. How much of a difference
9 has -- if I understood you correctly, you said that
10 there was LED parking lot lights, LED lighting that was
11 added already?

12 MR. ZACKS: There are 57 parking lot lights.
13 There were 13 that were actually working. So they went
14 ahead and replaced all 57 of them.

15 MEMBER NAFSO: Okay. Besides the 13, is it
16 better illumination from the ones outside of the 13?
17 I mean, now?

18 MR. ZACKS: Yes. It lights up like a
19 football field. So safety and aesthetically pleasing.

20 Just for the board's edification, this is a
21 40,000 square foot strip center and there's 14 stores
22 there.

23 MEMBER NAFSO: Okay. And does that

1 lighting -- I mean, I think I know the answer to this.
2 But presumably, that lighting now increases the
3 visibility to the locations that are back in the strip
4 center?

5 MR. ZACKS: Well, it adds ambient light to
6 the surrounding parking area rather than showering
7 light on the store fronts.

8 MEMBER NAFSO: Okay.

9 MR. ZACKS: If that's what you're asking.

10 MEMBER NAFSO: So it would account for light
11 on the store fronts. So you were thinking, well, let's
12 add the LED stream lighting?

13 MR. ZACKS: Correct.

14 MEMBER NAFSO: Okay. The only issue I think
15 I'm having with the LED stream lighting I think is --
16 it's hard to take a position that it is within the
17 spirit of the ordinance because it's just such an
18 express provision. It's a prohibition provision that
19 just expressly states, you know, that there shall not
20 be this type of lighting. It's not like -- I think
21 there's less of an issue with the street sign. And I
22 can see the value for something that is that large or
23 with that many tenants. And then you've articulated

1 well why that's within the spirit of the ordinance.

2 But I think that's where we're going to have the most
3 difficulty.

4 I would also state that with all the great
5 things that they're doing to the center and to the
6 plaza, I think that it will just naturally go to create
7 more attention even just with the lighting and the
8 better landscaping and the thickness of the concrete.
9 I think it's naturally going to just do much better for
10 the center.

11 And also, there's currently no sign; is that
12 correct? No sign at the curb?

13 MR. ZACKS: There is a small ground sign on
14 the north end of the property, but it's, perhaps, 20 or
15 25. So you can't really see it.

16 MEMBER NAFSO: I must have missed it, then,
17 myself.

18 MR. ZACKS: Right. You could easily miss it,
19 yes.

20 MEMBER NAFSO: Okay. All right.
21 That's all I have.

22 CHAIRPERSON GRONACHAN: Member Krieger?

23 MEMBER. KRIEGER: How many tenants do you

1 have now?

2 MR. BESHI: Sorry. I can answer that.

3 CHAIRPERSON GRONACHAN: All right. Would you
4 please state your name.

5 MR. BESHI: Johnny Beshi.

6 CHAIRPERSON GRONACHAN: And spell your last
7 name.

8 MR. BESHI: B-e-s-h-i.

9 CHAIRPERSON COUNSEL: Did you get that?
10 Would you raise your right hand and be sworn
11 in.

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

14 MR. BESHI: Yes, I do.

15 CHAIRPERSON GRONACHAN: Thank you. Now you
16 may proceed.

17 MR. BESHI: Sure. There are seven tenants
18 right now.

19 MEMBER KRIEGER: Seven?

20 MR. BESHI: Yeah.

21 MEMBER KRIEGER: So for the sign, as previous
22 members were speaking, could you use a smaller sign and
23 have -- like, in Town Center, they don't have every

1 single tenant having the opportunity to have the
2 signage, but they use the bigger ones as a draw. So
3 would you be able to consider shrinking your sign?

4 MR. BESHI: That's more of a mall. This is
5 more of a plaza. Most of them, my tenants are small
6 businesses. So I don't have, like, a Kroger or a
7 Meijer or a Wal-Mart or a CVS that's an anchor tenant
8 there that I could just put their logo there and
9 everybody will feed off of it. These are all anywhere
10 between one thousand square feet to three thousand
11 square feet mom and pop shops.

12 So that's why we made it so small to be fair
13 for all of our tenants. There are 14 places there.
14 I'm at 50 percent occupancy there. And really there
15 haven't been any new tenants in a long time. So that's
16 why that's the way we divided that sign. There's 14
17 small spaces there.

18 MEMBER KRIEGER: Would that be a prelit sign
19 or would that be lit as well?

20 MR. BESHI: Oh, yes. Yes.

21 MEMBER KRIEGER: Okay. I appreciate your
22 difficulty. I drove by there. I did see the smaller
23 monument sign. I could see that it was under the

1 trees.

2 MR. BESHI: Yes.

3 MEMBER KRIEGER: And over time it can't be
4 helped that it would disappear. So this other sign
5 would be more helpful. I appreciate your input into
6 the property, with the investment into the property
7 with the lighting and the concrete. And that by
8 increasing lighting that diminishes -- I went for a
9 ride-along in the '90s and it was always across the
10 street in Wixom the problem with the Village tenants.
11 And now it seems like it's still an issue. So I don't
12 know with the police support between both cities that
13 they could have more patrol, but the lighting
14 definitely is a help there.

15 The only other question is for the placement
16 of it, it didn't seem an issue for -- what's the word I
17 want?

18 For the main road on Beck Road? The
19 placement of it?

20 MR. BUTLER: That is 83 feet off the road.

21 MEMBER KRIEGER: Okay. So it's not an issue?

22 MR. BUTLER: Not an issue.

23 MEMBER KRIEGER: And then -- and then driving

1 by there, the speed is higher. So driving by it is --
2 the buildings itself are set back and then there's the
3 other three malls. So if you miss an entrance, there's
4 a potential for having to go and turn around. And with
5 the higher speed, I can see the necessity for a sign.
6 I'm just not sure about the -- nine feet high is pretty
7 high.

8 So that's where I'm at right now.

9 CHAIRPERSON GRONACHAN: Okay. Thank you.

10 I'm very familiar with that corner because my
11 business is not far from there. And I commend you for
12 the improvements that you have put in there. Because
13 it was not so good. I also commend the businesses that
14 have gone through the rough spot and that are still
15 there. So hats off to them for mom and pop operations.
16 And I think the one business said he was there for 14
17 years. So that's a long road and it's pretty
18 dedicated.

19 As Member Nafso spoke about the strip
20 lighting, I too cannot find a hardship, if you will. I
21 think that the strip lighting is premature. And the
22 reason why I think that is because that area was in
23 such bad shape with all the other lights broken and it

1 was just not anything -- it wasn't very appealing. And
2 now that you have changed all that, I don't see the
3 need for that. That strip lighting is going to bring
4 in five more clients or 50 more clients. I don't think
5 that's what the issue was. So I'm having a hard
6 time -- I echo about the comments of Member Nafso,
7 which justifying the spirit of the ordinance.

8 In terms of the sign, I struggle with these
9 because times are changing. Speeds are changing.
10 Traffic amount is changing. It's a different area and
11 I -- even though I'm struggling with it, I see the need
12 for it. I have listened to what everybody is saying.
13 And as the petitioner spoke, this is not a Kroger that
14 you're going to. This is 14 different businesses. And
15 I hope there will be 14 businesses in there.

16 To some of the people that are objecting, I
17 hear you loud and clear. But change is coming within
18 the city and we don't want to be holding back those
19 businesses. We have a business person who has invested
20 a large amount of money into this strip mall. It could
21 have stayed where it was, which would have been a real
22 eyesore for Novi, and it didn't. The increased
23 lighting, I'm sure is going to increase it.

1 I'm torn -- I'll be honest with you. I'm
2 torn about reducing the size of the sign to see what
3 the improvement of the complex is going to do. But
4 then, if you've got seven other businesses coming in
5 and they don't get that identification, is that going
6 to hold you back? So that's where I'm torn.

7 Does that make sense?

8 MR. BESHI: Yes.

9 CHAIRPERSON GRONACHAN: So I just don't want
10 to see that this size of the sign, that it's going to
11 be in any kind of disrepair later on down the road, or
12 that it's going to be half-filled. I would almost like
13 to see it while you have -- so you have seven
14 businesses there now?

15 MR. BESHI: Yes.

16 CHAIRPERSON GRONACHAN: That all seven
17 businesses fill that whole sign if we're going to go
18 with the sign. And then as you get those other
19 tenants, adjust it. I don't know if that's possible.
20 Is that something that you can do so it doesn't look
21 empty?

22 MR. BESHI: Well, I mean, if you take a
23 look at the sign, it's only one by five. One by five

1 it's ...

2 CHAIRPERSON GRONACHAN: Not that big.

3 MR. BESHI: I mean, it's not very big when
4 you're going at 45 miles. Or I don't know what the
5 speed limit is.

6 CHAIRPERSON GRONACHAN: Fast.

7 MR. BESHI: It's fast.

8 CHAIRPERSON GRONACHAN: But I'm just saying,
9 if there was some way that you could put in all those
10 businesses so it doesn't look empty until you get those
11 other tenants. That's just a suggestion. Do you see
12 what I'm saying?

13 MR. BESHI: I'm sure we can do that. Yes.

14 CHAIRPERSON GRONACHAN: Okay. So I don't
15 want to see half of a sign for a year and a half.

16 MR. BESHI: We can take the retainers off and
17 make it five by two for now to fill up the whole sign.
18 And then when we fill up the sign -- it's going to be
19 more expensive, of course, because we're going to have
20 to redo the sign, you know. But I'm sure we can do
21 that.

22 CHAIRPERSON GRONACHAN: Okay. That's my
23 concern. I want the sign to represent the new and

1 improved.

2 MR. BESHI: Sure.

3 CHAIRPERSON GRONACHAN: That's my
4 recommendation.

5 MR. BESHI: Sure. So what we could do is we
6 could take out the dividers. Instead of having it
7 one-by-five, we could do a two-by-five and fill in six
8 spaces for now. And once they come in, we can take out
9 the smaller one and put two of them there.

10 CHAIRPERSON GRONACHAN: Hey, you never know.
11 Maybe Kroger's going to move there.

12 MR. BESHI: Maybe. From your mouth to God's
13 ears.

14 CHAIRPERSON GRONACHAN: Yeah. You have to
15 think big. I am going to support this. Those are the
16 reasons why I'm supporting it.

17 I wanted to address before me, Board Members,
18 I have been handed to me by Katherine, our secretary,
19 the letters from Katherine Klausing. They are the
20 same. She did file objections for each property that
21 she owns and she did give testimony earlier. Her
22 letters, basically, represent the same sentiment that
23 she had. She is in objection of the three foot height

1 variance and the variance of the total square foot of
2 the sign. So I wanted to add that these letters will
3 be entered into the record and I wanted to address
4 that.

5 Having said all that, is there any further
6 discussion or questions for the petitioner? Does
7 anybody have anything?

8 MEMBER BYRWA: I would just say that I am in
9 favor of the sign.

10 The strip lighting, I definitely have issues
11 with the strip lighting. I don't think it's
12 appropriate for the area or to start a new precedent in
13 the city here.

14 CHAIRPERSON GRONACHAN: Okay. I do have a
15 question for the city attorney.

16 MR. SCHULTZ: Yes.

17 CHAIRPERSON GRONACHAN: Would you recommend
18 two separate motions at this point?

19 MR. SCHULTZ: Yes. One for the sign and one
20 for the string lighting.

21 CHAIRPERSON GRONACHAN: So, Board Members,
22 we're going to do two separate. One for the strip
23 lighting and then one for the sign. Whoever is going

1 to jump in and do that.

2 I see your hand raised.

3 Shall I flip a coin? It's a new year. Let's
4 start. So how about one of each?

5 MEMBER NAFSO: You want to do the string
6 lighting and I'll do the sign?

7 CHAIRPERSON GRONACHAN: Yeah. Let's do that.

8 MEMBER KRIEGER: In case number PZ17-0062 for
9 4 Tech Signs on 30700 Beck Road, east of Beck, South of
10 Pontiac Trail, parcel number 50-22-04-100-032, in
11 regards to Section 28-10(b)(3), the proposed
12 installation of a 510 linear foot LED strip lighting to
13 at this time deny the request. That the practical
14 difficulty is not shown. That it's very new to that
15 area and it would set a precedent for others. That at
16 this time is not in the spirit of the ordinance. That
17 the circumstance and features of the property are not
18 unique. They're at the neighboring market --
19 businesses as well.

20 The circumstance features of the property
21 relating to the variance request are self-created in
22 that the string lighting is not necessary to make this
23 property function. That with the lights already

1 installed on the building and for the back and the
2 front of the parking lot, that that would be
3 sustainable. And failure to grant relief will result
4 in mere inconvenience or inability to obtain higher
5 economic or financial return based on the petitioner's
6 statements that the plaza is -- would continue because
7 of installing the lights.

8 They put in the 57 new LED lights in front
9 and back and that this will help the building. And
10 variance would result in interference with adjacent and
11 surrounding properties since it's string lighting. And
12 it is inconsistent with the spirit and intent of the
13 ordinance to have string lighting on buildings versus
14 parking lot lighting.

15 Do I need to add something else?

16 MR. SCHULTZ: No. I just would note just for
17 the board's information, the provision on string
18 lighting, when council amended this sign ordinance last
19 year, one of the things that they specifically added
20 was a more clear statement than the string lighting is
21 prohibited and it is not favorable. So it doesn't need
22 to be added in the motion, but it just really supports
23 the comments that you've made.

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Thank you.

MEMBER KRIEGER: So I include that?

MR. SCHULTZ: No, you don't.

MEMBER NAFSO: So I don't have to include that information?

MR. SCHULTZ: No. Your motion is fine.

MEMBER NAFSO: Okay.

CHAIRPERSON GRONACHAN: So it's a motion. Could I have a second?

MEMBER BYRWA: Second.

CHAIRPERSON GRONACHAN: It's been moved and seconded. Anybody further discussion?

Seeing none, Ms. Opperman, would you please call the roll.

MS. OPPERMAN: Member Byrwa?

MEMBER BYRWA: This is not approved. No.

CHAIRPERSON GRONACHAN: No. No. This is a -- we're voting to not approve it.

MEMBER BYRWA: So it would be a yes, then?

CHAIRPERSON GRONACHAN: It's a denial.

MEMBER BYRWA: Yes. It's a denial.

CHAIRPERSON GRONACHAN: Okay.

MS. OPPERMAN: Chairperson Gronachan?

1 CHAIRPERSON GRONACHAN: Yes.

2 MS. OPPERMAN: Member Krieger?

3 MEMBER KRIEGER: Yes.

4 MS. OPPERMAN: Member Nafso?

5 MEMBER NAFSO: Yes.

6 MS. OPPERMAN: Motion passes.

7 CHAIRPERSON GRONACHAN: Okay. So the string
8 lighting has been denied. We need a second motion for
9 the sign itself.

10 MEMBER NAFSO: Thank you.

11 CHAIRPERSON GRONACHAN: Member Nafso?

12 MEMBER NAFSO: Thank you. I move that we
13 grant the variance in case number PZ17-0062 sought by
14 4 Tech Signs for a three-foot height variance for the
15 proposed installation of a nine-foot ground sign, six
16 foot height allowed by the code. For a variance of
17 48.5 square feet for the proposed installation of a
18 90 square foot internally lit LED sign. The maximum
19 calculated allowed amount is 41.5 square feet.

20 Because the petitioner has shown a practical
21 difficulty without the variance, the petitioner would
22 be unreasonably prevented or limited with respect to
23 use of the property because there are 14 parcels on

1 that property and it's necessary to have a larger sign
2 so that those tenants can be properly displayed.

3 The property is unique because of the setback
4 of each of the individual tenants and the inability to
5 potentially be able to see those locations coming
6 either direction down Beck Road. So it's necessary to
7 have a larger sign.

8 The petitioner did not create the condition
9 because, as stated, the petitioner purchased the
10 property recently. And as a side note, the petitioner
11 has made several other improvements to the property.

12 The relief granted will not unreasonably
13 interfere with adjacent or surrounding properties
14 because this sign doesn't obstruct the view of any
15 other signs. The sign of the shopping center that's to
16 the north down Beck Road is far enough away from this
17 sign that it would not obstruct the view of that sign
18 or those tenants. And the relief is consistent with
19 the spirit and intent of the ordinance. Again, because
20 the ordinance does consider signage and it takes into
21 account the ability for the signage to properly reflect
22 the other businesses -- the tenants within the shopping
23 center and to not obstruct the view of other shopping

1 centers, which this property is consistent with.

2 Nothing further. Thank you.

3 CHAIRPERSON GRONACHAN: Thank you. It's been
4 moved. Is there a second?

5 MEMBER KRIEGER: Second.

6 CHAIRPERSON GRONACHAN: It's been moved and
7 seconded. Any further discussion on the motion?

8 Seeing none, Ms. Opperman, would you please
9 call the roll?

10 MS. OPPERMAN: Member Byrwa?

11 MEMBER BYRWA: Yes.

12 MS. OPPERMAN: Chairperson Gronachan?

13 CHAIRPERSON GRONACHAN: Yes.

14 MS. OPPERMAN: Member Krieger?

15 MEMBER KRIEGER: Yes.

16 MS. OPPERMAN: Member Nafso?

17 MEMBER NAFSO: Yes.

18 MS. OPPERMAN: Motion passes.

19 CHAIRPERSON GRONACHAN: Good luck. And we
20 hope to see you around for many years.

21 MR. BESHI: Thank you.

22 CHAIRPERSON GRONACHAN: Okay. So I see that
23 our members from Gardner-White have returned.

1 Have you had a chance to discuss this with
2 the owners of the business?

3 MR. DIACHENKO: Yes.

4 CHAIRPERSON GRONACHAN: And what have you --
5 what have you concluded?

6 MR. DIACHENKO: We're going to go with the
7 smaller sign.

8 CHAIRPERSON GRONACHAN: Okay. So you are in
9 agreement to the 472 square foot?

10 MR. DIACHENKO: Correct.

11 CHAIRPERSON GRONACHAN: From originally
12 requested?

13 MR. DIACHENKO: Correct.

14 CHAIRPERSON GRONACHAN: Okay.

15 MR. DIACHENKO: And if you -- I hate to throw
16 this in. If you mathematically figure it out like
17 Gander Mountain was with the negative space taken out,
18 we were actually smaller than what we were requesting,
19 if you interpret it that way.

20 If that makes sense?

21 MS. DIACHENKO: I guess that is something
22 that we have to clarify with the sign code.

23 Are we to draw one rectangle around the

1 entire logo or can we separate it?

2 CHAIRPERSON GRONACHAN: That question is
3 going to have to go to the City?

4 MR. BUTLER: Yeah. It would have to go to
5 the City, yeah.

6 But I believe that you'd square it off. I
7 believe that you cited a rectangle around each
8 individual letter of that; is that correct?

9 MR. DIACHENKO: No. We drew it as one big
10 sign including the negative space in our initial
11 drawing here.

12 MR. BUTLER: Okay. But in your application,
13 you said four signs. So that was counted as one sign
14 and then the logo was on the --

15 MR. DIACHENKO: That was three logos on the
16 columns, yes.

17 MR. BUTLER: That's what was accepted, then.

18 CHAIRPERSON GRONACHAN: So when they go to
19 recalculate this, is that two squares around just this
20 sign, plus the logo?

21 MR. BUTLER: Yes.

22 CHAIRPERSON GRONACHAN: What would be the
23 final? That would be the 472?

1 MR. DIACHENKO: Actually, if we go with the
2 negative space taken out, we're at 411 feet for the
3 sign, plus the 24 feet ...

4 Is it 24? No.

5 MS. DIACHENKO: Twelve.

6 MR. DIACHENKO: Twelve square feet for the
7 three logo emblems. If that makes sense.

8 423 square feet.

9 CHAIRPERSON GRONACHAN: Right.

10 MR. DIACHENKO: Correct.

11 CHAIRPERSON GRONACHAN: 423 is the final
12 variance?

13 MR. SCHULTZ: And we do have an elevation
14 with the sign to scale on that?

15 MR. DIACHENKO: And I can pass it around.
16 I'm sorry, I only have one drawing.

17 MR. SCHULTZ: Madame Chair, can I?

18 CHAIRPERSON GRONACHAN: Yes. City attorney?

19 MR. SCHULTZ: As I read the ordinance, there
20 is a box drawn around the entire -- all of the writing.
21 One box.

22 CHAIRPERSON GRONACHAN: That's what I
23 thought. I didn't think it was two separate boxes.

1 MR. SCHULTZ: So I don't know how they're
2 calculating it.

3 MR. DIACHENKO: We're going back to what the
4 drawing says.

5 MR. SCHULTZ: Okay. So do we know the square
6 footage of that?

7 CHAIRPERSON GRONACHAN: That's what we need
8 the square footage of. The way the ordinance reads is
9 that the boxes have to be drawn around the whole
10 entire --

11 MR. DIACHENKO: The whole, including the
12 negative space.

13 CHAIRPERSON GRONACHAN: Right.

14 MR. DIACHENKO: So that would be the 472.37.

15 CHAIRPERSON GRONACHAN: That's what I
16 thought.

17 MR. DIACHENKO: Plus our 12 square feet of
18 three plaques.

19 MS. DIACHENKO: Which would bring us to
20 484.37.

21 CHAIRPERSON GRONACHAN: Okay. So 472.37 plus
22 the 12 square foot?

23 MR. DIACHENKO: Correct.

1 MR. SCHULTZ: Can they clarify the height of
2 the letters?

3 MR. DIACHENKO: They're at 61.7 ...

4 MS. DIACHENKO: Seven-nine. 61.79 for the
5 Gardner-White.

6 MR. SCHULTZ: So slightly more than five
7 feet?

8 MR. DIACHENKO: Correct. Two inches over
9 five feet.

10 MS. DIACHENKO: And 38.26 for the furniture
11 and mattresses.

12 MR. DIACHENKO: That would give us proper
13 readability for three quarters of the distance to Novi
14 Road.

15 CHAIRPERSON GRONACHAN: And do you have the
16 mockup of the final?

17 MS. DIACHENKO: Yes. Do you want me to carry
18 that around? Can you see it?

19 CHAIRPERSON GRONACHAN: No. You're fine
20 where you are.

21 Okay. Is there any further discussion?

22 To the city attorney, do we have all the
23 measurements down, what we need?

1 MR. BUTLER: I can give you copies of this.

2 MR. SCHULTZ: I guess that's a question for
3 the board. Are you comfortable with those?

4 CHAIRPERSON GRONACHAN: I just want to make
5 sure you get what you need.

6 Board members, are we on board? No pun
7 intended. Does anybody have any further questions?

8 MEMBER KRIEGER: Well, they were amenable to
9 decreasing. So I'm okay with that.

10 CHAIRPERSON GRONACHAN: Okay. Good. I'm
11 glad you're happy.

12 Anybody else?

13 MEMBER NAFSO: No.

14 CHAIRPERSON GRONACHAN: Okay. Is there a
15 motion?

16 MEMBER KRIEGER: I move that we grant the
17 variance request for case number for PZ17-0061, Euko
18 Design Signs for 43825 West Oaks Drive, west of Novi
19 Road south of Twelve Mile, parcel 50-22-15-200-101 for
20 variance request 28-5(b)(1)(a) and 28-5(a) for the
21 proposed installation of the sign.

22 The main sign being 472.37 square feet with
23 the letters being 61.79 for Gardner-White and 38.26 for

1 furniture and mattresses, and the additional 12 square
2 feet for the three additional signs, being a total of
3 472.37.

4 484.37 square feet.

5 That the petitioner has shown practical
6 difficulty. That it's not self-created by the
7 landscaping position of the building, the topography
8 and location of where the store is going to be at.
9 That the petitioner will be unreasonably prevented and
10 limited with respect to the use of the property because
11 of its positioning in the L-shape of the building.
12 It's in the corner and it's at a distance from the
13 roads.

14 That it's unique for the same reasons. That
15 it's not -- did not create the condition because, as
16 previously stated through their presentation, the drive
17 and the landscaping.

18 That the relief granted will not unreasonably
19 interfere with adjacent or surrounding properties
20 because they accepted a reduction. And the size of the
21 sign would still be proportional and pleasing for the
22 neighboring buildings and including the whole site.

23 And the relief is consistent with the spirit

1 and intent of the ordinance because they had a reduced
2 request that is more near what the variance asked
3 for.

4 CHAIRPERSON GRONACHAN: Do I have a second?

5 MEMBER BYRWA: Second.

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

8 Seeing none. Ms. Opperman, would you please
9 call the roll?

10 MS. OPPERMAN: Member Byrwa?

11 MEMBER BYRWA: Yes.

12 MS. OPPERMAN: Chairperson Gronachan?

13 CHAIRPERSON GRONACHAN: Yes.

14 MS. OPPERMAN: Member Krieger?

15 MEMBER KRIEGER: Yes.

16 MS. OPPERMAN: Member Nafso?

17 MEMBER NAFSO: Yes.

18 MS. OPPERMAN: Motion passes.

19 MEMBER KRIEGER: Good luck.

20 MR. DIACHENKO: Thank you.

21 MS. DIACHENKO: Thank you.

22 CHAIRPERSON GRONACHAN: Good luck and welcome
23 to Novi. And we hope you're here a long time.

1 And the longer you're here the more people
2 will know that Gardner-White is here.

3 When do you open?

4 MS. DIACHENKO: Optimistically mid-March.

5 CHAIRPERSON GRONACHAN: Mid-March. Well,
6 we'll be optimistic for you. How's that?

7 MEMBER KRIEGER: Yup.

8 MS. DIACHENKO: Thank you. They're telling
9 me very optimistic.

10 CHAIRPERSON GRONACHAN: You're welcome.

11 Okay, board members, if you remember our
12 first case, PZ17-0042 is now here at the time. And I
13 know that the attorney is now here for the petition.

14 If Mr. Landry would like to step down. Come
15 on down or saunter down.

16 MR. LANDRY: My name is David Landry and I
17 represent Mr. Anthony Virga. When I was last before
18 this board, we made a presentation and had a number of
19 photographs for this issue. This board was prepared to
20 approve all requested variances. Every member of the
21 board that was present voiced support for what my
22 client was doing. A motion was made and was about to
23 be passed. The city attorney intervened and pointed

1 out to the board that the City had not sent out the
2 proper notices with respect to this one aspect, being
3 the size of the pergola.

4 This board was prepared to approve it had it
5 not been for the city attorney intervening. The city
6 attorney was correct, the notice was not correct. So
7 this board had postponed this matter.

8 That was fine. I did not receive notice of
9 tonight's meeting. I am literally at home flipping
10 through the television channels -- I'm not going to
11 tell you what I was wearing -- when I see this matter
12 before the ZBA. I brushed my teeth, put on a coat and
13 tie, and rushed up here.

14 Now, I believe based on the minutes and the
15 record that this board has, that this board has
16 everything that it needs to approve this last variance.

17 However, if there's any member of this board
18 that has any hesitancy, I would ask that you postpone
19 it. We'll come back, I'll bring all the photographs
20 back, we'll go through everything again. I think the
21 board has everything. I don't know, quite frankly,
22 whether Member Nafso was there.

23 MEMBER NAFSO: I don't believe I was.

1 MR. LANDRY: But the minutes are there and I
2 think the board has everything it needs. But I would
3 merely ask if you're not prepared to do that, to
4 postpone. I'm here to answer any questions, if
5 Mr. Nafso has any questions about this.

6 It comes down to simply this: There's a
7 pre-existing shed, enclosed shed, and my client, among
8 other things which has already received approval, is
9 merely putting a lattice work pergola top and he's
10 nailing it to the shed. Technically, the city
11 administration is taking the position that enlarges the
12 shed. It's an enclosed shed with a pergola top. Fine.
13 We're here asking, therefore, for a variance. Again, I
14 think the City has -- this board has everything it
15 needs. But if there is any question, I would ask to
16 postpone it.

17 CHAIRPERSON GRONACHAN: Before you do, I have
18 a question for Mr. Landry. Wasn't there another
19 building that there was a discussion on about the
20 storage?

21 MR. LANDRY: I believe the only matter that
22 is left is the matter of the City's position that the
23 pergola enlarges the size of the shed. Everything else

1 has been approved.

2 CHAIRPERSON GRONACHAN: Okay. And then the
3 right-of-way?

4 MR. LANDRY: That I have to deal with the
5 County on. Not the City.

6 CHAIRPERSON GRONACHAN: And that has not
7 been --

8 MR. LANDRY: No. We're waiting for the City.
9 So I can go to the County and say I've got everything I
10 need from the City. But there's no sense in me going
11 to the county, if I don't have City approval.

12 CHAIRPERSON GRONACHAN: Okay.

13 MR. LANDRY: So this is all we're waiting for
14 from the City.

15 CHAIRPERSON GRONACHAN: Okay. I needed to
16 fast forward.

17 Member Nafso?

18 MEMBER NAFSO: Yeah, I just wanted to say, I
19 appreciate that. I had an opportunity to review this,
20 of course, before the meeting, so I would be prepared
21 to proceed at this time.

22 MR. LANDRY: That's fine with me then, if
23 you're prepared.

1 CHAIRPERSON GRONACHAN: Okay. So do you have
2 anything else to add at this point?

3 MR. LANDRY: Nothing to add. I don't know
4 what you're looking at. I assume there's a report and
5 I know the three members saw the photographs and
6 everything else. And I believe you will recall that
7 everyone even voiced support for this. And had it not
8 been for the attorney intervening, which the attorney
9 was correct, I believe it would have been approved.

10 CHAIRPERSON GRONACHAN: Okay. Board Members,
11 do you --

12 Does the City have anything else to offer at
13 this point?

14 MR. BUTLER: Nothing else to offer at this
15 point. I'm satisfied with the information provided.

16 CHAIRPERSON GRONACHAN: This is a new
17 mailing, correct?

18 MS. OPPERMAN: Yes. It was advertised in the
19 papers.

20 MEMBER NAFSO: There were 60 letters mailed,
21 one letter returned, zero approvals, zero objections.

22 CHAIRPERSON GRONACHAN: Having said that,
23 Board Members, do you have anything to offer?

1 Member Byrwa?

2 MEMBER BYRWA: Yes. I have a question for
3 the City. How would this be treated if it was not
4 attached to the shed?

5 MR. BUTLER: Then it would be just a pergola.
6 Because it does not increase the size of the shed.

7 MEMBER BYRWA: Yeah, but how does it increase
8 the size of the shed even being attached?

9 MR. BUTLER: Because it's attached.

10 MEMBER BYRWA: There was -- a little
11 background.

12 There was a publication we get from time to
13 time. It's the Planning and Zoning News. There was a
14 case in there about what constituted a building. All
15 right. And to me this pergola, being that you're not
16 protecting anything from the elements, it's more of a
17 structure than a building. But the case in that
18 Planning and Zoning News, it dealt with a community who
19 had an ordinance, a maximum building height of 30 feet.
20 And what happened was the gas station, they put up a
21 canopy over the gas pumps at 40 feet and the community
22 said, "Hey, you have to lower it to 30 feet. That's,
23 you know, in our building code. The building height

1 can't be over 30 feet."

2 Well, they said, "We're not doing it. We're
3 not lowering it." So it goes to court. And what the
4 court ruled was that being that it protects something
5 or someone or somebody's car from the elements, because
6 the canopy is solid over the gas pumps, it's a
7 building. Even though it doesn't have any walls, it's
8 a building.

9 So here, we have a structure that is not
10 protecting anybody from the elements, but just because
11 it's attached to something that does protect something
12 or somebody from the elements, you're deeming it as a
13 building, which I don't necessarily agree with that.
14 Or part of a building.

15 MR. SCHULTZ: If I can talk?

16 CHAIRPERSON GRONACHAN: Absolutely.

17 MR. SCHULTZ: I think we're comfortable with
18 the building department's determination that that's
19 part of the building because it's attached. I think
20 what Board Member Byrwa just did was make an argument
21 as to why he might vote for a variance. So I don't
22 want to say that the building department is wrong and
23 you don't consider this to be as they did. I think you

1 should start with the premise that the building
2 department has properly applied the ordinance, but
3 Member Byrwa may have the basis now for his
4 determination to grant a variance.

5 CHAIRPERSON GRONACHAN: Okay. Thank you.

6 So we are going with what the ordinance calls
7 for right now. And I appreciate Member Byrwa's insight
8 on that and I wish we all got that magazine in our
9 folders every month.

10 Having said that, is there anything else to
11 add?

12 I'm going to support this. I think that now
13 that -- I got to be honest with you, when you first
14 walked in, I had it confused with another case, even
15 though I read it. But that's what happens after a few
16 years.

17 I don't have -- I think there was also an
18 issue about the fence and the wall?

19 MR. LANDRY: Yes, which was approved.

20 CHAIRPERSON GRONACHAN: So it was just left
21 down to the pergola at this point?

22 MR. LANDRY: That's it.

23 CHAIRPERSON GRONACHAN: And I have no

1 objections to that. I think the petitioner and you
2 presented it well to us the last time and it is duly
3 noted in our minutes. And, therefore, I would support
4 this variance. If the other board members want to move
5 forward, and a motion I would entertain.

6 Member Krieger?

7 MEMBER KRIEGER: In case number PZ17-0042 for
8 Anthony M. Virga on 1607 East Lake Drive for parcel
9 number 50-22-02-355-018 for variance 3.32.10 I move to
10 approve the proposed 12 by 13 foot pergola on the
11 existing 10 by 12 foot shed for a total of 260 square
12 feet. That the petitioner has shown practical
13 difficulty requiring this as shown in their previous
14 presentation.

15 That without the variance, the petitioner
16 will be unreasonably prevented and limited with respect
17 to the use of their property because the shed was
18 already there and this is an enhancement.

19 The property is unique because of its site on
20 Walled Lake. That each house is unique in its location
21 and for visual ability. The request is not an
22 interference of that. The petitioner did not create
23 the condition because the shed was already there.

1 The relief granted will not unreasonably
2 interfere with adjacent or surrounding properties
3 because it's a minimum request and the pergola you can
4 see through the structure. And it will also enhance,
5 probably, the property -- it will enhance property
6 values in surrounding and adjacent neighbors.

7 The relief is consistent with the spirit and
8 intent of the ordinance because the structure is a
9 visual enhancement to the area.

10 MR. BUTLER: Second.

11 CHAIRPERSON GRONACHAN: It's been moved and
12 seconded. Do I hear any further discussion?

13 Seeing none. Ms. Opperman, please call the
14 roll.

15 MS. OPPERMAN: Member Byrwa?

16 MEMBER BYRWA: Yes.

17 MS. OPPERMAN: Chairperson Gronachan?

18 CHAIRPERSON GRONACHAN: Yes.

19 MS. OPPERMAN: Member Krieger?

20 MEMBER KRIEGER: Yes.

21 MS. OPPERMAN: Member Nafso?

22 MEMBER NAFSO: Yes.

23 MS. OPPERMAN: Motion passes.

1 MR. LANDRY: Thank you very much.

2 CHAIRPERSON GRONACHAN: I don't know what you
3 were watching, but I hope you DVR'd it.

4 MR. LANDRY: I can go back to dinner. Thank
5 you very much.

6 CHAIRPERSON GRONACHAN: Thank you. And Happy
7 New Year.

8 MR. LANDRY: Thank you.

9 CHAIRPERSON GRONACHAN: And that concludes
10 this evening's entertainment, ladies and gentlemen. I
11 know we have one more person out in the audience. I
12 think she's ...

13 MS. OPPERMAN: She's a guest.

14 Thanks for being here.

15 CHAIRPERSON GRONACHAN: Is there anything to
16 add this evening?

17 Anything?

18 I would entertain a motion to adjourn.

19 MEMBER KRIEGER: Move.

20 MEMBER BYRWA: Support.

21 CHAIRPERSON GRONACHAN: It's been moved and
22 supported to adjourn the meeting. The meeting is
23 adjourned.

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(At 8:40 p.m., matter concluded.)

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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, 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 ninety-four (94) typewritten pages, is a true and correct transcript of my said stenographic notes.

/s/ Darlene K. May
Darlene K. May, RPR/CSR-6479

January 31, 2017
(Date)



COMMUNITY DEVELOPMENT DEPARTMENT

45175 Ten Mile Road
Novi, MI 48375
(248) 347-0415 Phone
(248) 735-5600 Facsimile
www.cityofnovi.org

ZONING BOARD OF APPEALS STAFF REPORT

FOR: City of Novi Zoning Board of Appeals

ZONING BOARD APPEALS DATE: January 9, 2018

REGARDING: Parcels # 50-22-01-200-027, 50-22-01-200-026, 50-22-01-200-018 (PZ17-0063)

BY: Larry Butler, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Berkshire eSupply

Variance Type

Dimensional Variance

Property Characteristics

Zoning District: Office Service Technology
Location: West of Haggerty Road and South of Fourteen Mile Road
Parcel #: **50-22-01-200-027, 50-22-01-200-026, 50-22-01-200-018**

Request

The applicant is requesting a variance from the City of Novi Code of Ordinances Sections 5.4.1 for the proposed location of a loading area in the side yard, in the interior side yard up to a total of ratio of 5 square foot per front foot of building to a total area of 360 square feet per building. Section 28.7 for the proposed installation of a forth flag pole, two additional flag poles allowed by code. This property is zoned Office Service Technology (OST).

II. STAFF COMMENTS:

Two additional flags poles allowed on buildings with a length greater than 200 feet.

III. RECOMMENDATION:

The Zoning Board of Appeals may take one of the following actions:

1. I move that we grant the variance in Case No. **PZ17-0063**, sought by _____, for _____ because Petitioner has shown practical difficulty requiring _____.

 - (a) Without the variance Petitioner will be unreasonably prevented or limited with respect to use of the property because _____.
 - (b) The property is unique because _____.

- (c) Petitioner did not create the condition because _____
_____.
- (d) The relief granted will not unreasonably interfere with adjacent or surrounding properties because _____
_____.
- (e) The relief is consistent with the spirit and intent of the ordinance because _____
_____.
- (f) The variance granted is subject to:
 - 1. _____.
 - 2. _____.
 - 3. _____.
 - 4. _____.

2. I move that we **deny** the variance in Case No. **PZ17-0063**, sought by _____,
for _____ because Petitioner has not shown practical difficulty requiring _____.

- (a) The circumstances and features of the property including _____ are not unique because they exist generally throughout the City.
- (b) The circumstances and features of the property relating to the variance request are self-created because _____
_____.
- (c) The failure to grant relief will result in mere inconvenience or inability to attain higher economic or financial return based on Petitioner's statements that _____.
- (d) The variance would result in interference with the adjacent and surrounding properties by _____.
- (e) Granting the variance would be inconsistent with the spirit and intent of the ordinance to _____
_____.

Should you have any further questions with regards to the matter please feel free to contact me at (248) 347-0417.

Larry Butler
Deputy Director Community Development
City of Novi



45175 Ten Mile Road
Novi, MI 48375
(248) 347-0415 Phone
(248) 735-5600 Facsimile
www.cityofnovi.org

ZONING BOARD OF APPEALS APPLICATION

APPLICATION MUST BE FILLED OUT COMPLETELY

I. PROPERTY INFORMATION (Address of subject ZBA Case)				Application Fee: <u>\$300</u>
PROJECT NAME / SUBDIVISION Berkshire-eSupply HQ Building & Fulfillment Center				Meeting Date: <u>Jan. 9th 2018</u>
ADDRESS <u>n/a</u>		LOT/SIUTE/SPACE #		ZBA Case #: <u>PZ 17-0063</u>
SIDWELL # <u>50-22-01-200-027</u>		May be obtain from Assessing Department (248) 347-0485		
CROSS ROADS OF PROPERTY Intersection of M-5 and 14 Mile Road <u>50-22-01-200-026, 50-22-01-200-018</u>				
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION? <input type="checkbox"/> YES <input type="checkbox"/> NO		REQUEST IS FOR: <input type="checkbox"/> RESIDENTIAL <input checked="" type="checkbox"/> COMMERCIAL <input type="checkbox"/> VACANT PROPERTY <input type="checkbox"/> SIGNAGE		
DOES YOUR APPEAL RESULT FROM A NOTICE OF VIOLATION OR CITATION ISSUED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				
II. APPLICANT INFORMATION				
A. APPLICANT		EMAIL ADDRESS cfishel@pts-tools.com		CELL PHONE NO.
NAME Craig Fishel		TELEPHONE NO. (734) 934-4920		
ORGANIZATION/COMPANY Berkshire eSupply		FAX NO. (586) 755-4921		
ADDRESS 8655 East 8 Mile Road		CITY Warren	STATE MI	ZIP CODE 48089
B. PROPERTY OWNER <input type="checkbox"/> CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER				
Identify the person or organization that owns the subject property:		EMAIL ADDRESS mmw@corepartners.net		CELL PHONE NO.
NAME Marlin M. Wroubel		TELEPHONE NO. (248) 399-9999		
ORGANIZATION/COMPANY Sehn Novi LLC		FAX NO.		
ADDRESS 30100 Telegraph Rd., Ste 366		CITY Bingham Farms	STATE MI	ZIP CODE 48025
III. ZONING INFORMATION				
A. ZONING DISTRICT				
<input type="checkbox"/> R-A <input type="checkbox"/> R-1 <input type="checkbox"/> R-2 <input type="checkbox"/> R-3 <input type="checkbox"/> R-4 <input type="checkbox"/> RM-1 <input type="checkbox"/> RM-2 <input type="checkbox"/> MH <input type="checkbox"/> I-1 <input type="checkbox"/> I-2 <input type="checkbox"/> RC <input type="checkbox"/> TC <input type="checkbox"/> TC-1 <input checked="" type="checkbox"/> OTHER <u>OST</u>				
B. VARIANCE REQUESTED				
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED: <i>for loading proposing a loading area in the side yard.</i>				
1. Section <u>320.2A 5.4.1</u> Variance requested <u>for visual screening of dock, due to natural topography and distance.</u>				
2. Section <u>28-7</u> Variance requested <u>to allow a forth flag pole.</u>				
3. Section _____ Variance requested _____				
4. Section _____ Variance requested _____				
IV. FEES AND DRAWINGS				
A. FEES				
<input type="checkbox"/> Single Family Residential (Existing) \$200 <input type="checkbox"/> (With Violation) \$250 <input type="checkbox"/> Single Family Residential (New) \$250 <input type="checkbox"/> Multiple/Commercial/Industrial \$300 <input type="checkbox"/> (With Violation) \$400 <input type="checkbox"/> Signs \$300 <input type="checkbox"/> (With Violation) \$400 <input type="checkbox"/> House Moves \$300 <input type="checkbox"/> Special Meetings (At discretion of Board) \$600				
B. DRAWINGS 1-COPY & 1 DIGITAL COPY SUBMITTED AS A PDF				
<ul style="list-style-type: none"> Dimensioned Drawings and Plans Site/Plot Plan Existing or proposed buildings or addition on the property Number & location of all on-site parking, if applicable Existing & proposed distance to adjacent property lines Location of existing & proposed signs, if applicable Floor plans & elevations Any other information relevant to the Variance application 				



ZONING BOARD OF APPEALS APPLICATION

V. VARIANCE

A. VARIANCE (S) REQUESTED

DIMENSIONAL USE SIGN

There is a five-(5) hold period before work/action can be taken on variance approvals.

B. SIGN CASES (ONLY)

Your signature on this application indicates that you agree to install a **Mock-Up Sign ten-(10) days** before the schedule ZBA meeting. Failure to install a mock-up sign may result in your case not being heard by the Board, postponed to the next schedule ZBA meeting, or cancelled. A mock-up sign is **NOT** to be actual sign. Upon approval, the mock-up sign must be removed within five-(5) days of the meeting. If the case is denied, the applicant is responsible for all costs involved in the removal of the mock-up or actual sign (if erected under violation) within five-(5) days of the meeting.

C. ORDINANCE

City of Novi Ordinance, Section 3107 - Miscellaneous

No order of the Board permitting the erection of a building shall be valid for a period longer than one-(1) year, unless a building permit for such erection or alteration is obtained within such period and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

No order of the Board permitting a use of a building or premises shall be valid for a period longer than one-hundred and eighty-(180) days unless such use is establish within such a period; provided, however, where such use permitted is dependent upon the erection or alteration or a building such order shall continue in force and effect if a building permit for such erection or alteration is obtained within one-(1) year and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

D. APPEAL THE DETERMINATION OF THE BUILDING OFFICIAL


PLEASE TAKE NOTICE:

The undersigned hereby appeals the determination of the Building Official / Inspector or Ordinance made

CONSTRUCT NEW HOME/BUILDING ADDITION TO EXISTING HOME/BUILDING SIGNAGE
 ACCESSORY BUILDING USE OTHER _____

VI. APPLICANT & PROPERTY SIGNATURES

A. APPLICANT

 CFO 11/10/2017
Applicant Signature Date

B. PROPERTY OWNER

If the applicant is not the owner, the property owner must read and sign below:

The undersigned affirms and acknowledges that he, she or they are the owner(s) of the property described in this application, and is/are aware of the contents of this application and related enclosures.

 Donald Member Sehn Novi LLC 11/12/17
Property Owner Signature Date

VII. FOR OFFICIAL USE ONLY

DECISION ON APPEAL:

GRANTED DENIED

The Building Inspector is hereby directed to issue a permit to the Applicant upon the following and conditions:

Chairperson, Zoning Board of Appeals Date



Community Development Department

45175 Ten Mile Road
Novi, MI 48375
(248) 347-0415 Phone
(248) 735-5600 Facsimile
www.cityofnovi.org

REVIEW STANDARDS DIMENSIONAL VARIANCE

The Zoning Board of Appeals (ZBA) will review the application package and determine if the proposed Dimensional Variance meets the required standards for approval. In the space below, and on additional paper if necessary, explain how the proposed project meets each of the following standards. (Increased costs associated with complying with the Zoning Ordinance will not be considered a basis for granting a Dimensional Variance.)

Standard #1. Circumstances or Physical Conditions.

Explain the circumstances or physical conditions that apply to the property that do not apply generally to other properties in the same zoning district or in the general vicinity. Circumstances or physical conditions may include:

- a. **Shape of Lot.** Exceptional narrowness, shallowness or shape of a specific property in existence on the effective date of the Zoning Ordinance or amendment.

Describe below:

The lot has frontages on M-5, 14 Mile Road and Haggerty Road. As 14 Mile Road is being developed as the site's frontage, M-5 and Haggerty Road are being treated as 'Exterior Side Yards'. Given the size and shape of the lot / 68 Acre HQ Office and FC Property, natural topography, woodlands and distance to adjacent lots and/or public roadways we request a variance for visual screening of the "side yard" loading zone per section 320.2.A, for the Haggerty Road Side Yard. Please refer to further explanation provided below and per Mannik-Smith Group letter dated December 8, 2017.

OR

- b. **Environmental Conditions.** Exceptional topographic or environmental conditions or other extraordinary situations on the land, building or structure. **Describe below:**

OR

- c. **Abutting Property.** The use or development of the property immediately adjacent to the subject property would prohibit the literal enforcement of the requirements of the Zoning Ordinance or would involve significant practical difficulties. **Describe below:**

Standard #2. Not Self-Created.

Describe the immediate practical difficulty causing the need for the Dimensional Variance, that the need for the requested variance is not the result of actions of the property owner or previous property owners (i.e., is not self-created).

The parcel is surrounded on three sides by primary roads. This and the other constraints on the site (ITC easement, Seeley Drain, extreme topography) make this a very challenging site to develop. In addition, the location of the Seeley Drain and associated high quality wetlands along the south side of the parcel restrict how trucks can be circulated throughout the site.

Standard #3. Strict Compliance.

Explain how the Dimensional Variance in strict compliance with regulations governing area, setback, frontage, height, bulk, density or other dimensional requirements will unreasonably prevent the property owner from using the property for a permitted purpose, or will render conformity with those regulations unnecessarily burdensome.

The Applicant's operations require separate loading areas on two sides of the building. Essentially an in/out circulation through the building allowing for a flow of materials into the site via large semis and out through the use of smaller 'UPS' style delivery trucks. As the two functions can not mix cleanly within the building, and being only one side of the building can be utilized as a loading area per the ordinance, the Applicant requests a variance on the zoning ordinance restricting loading areas in a side yard setback. Due to the presence of the ITC easement, screening for a side yard loading zone is not possible to the east.

Standard #4. Minimum Variance Necessary.

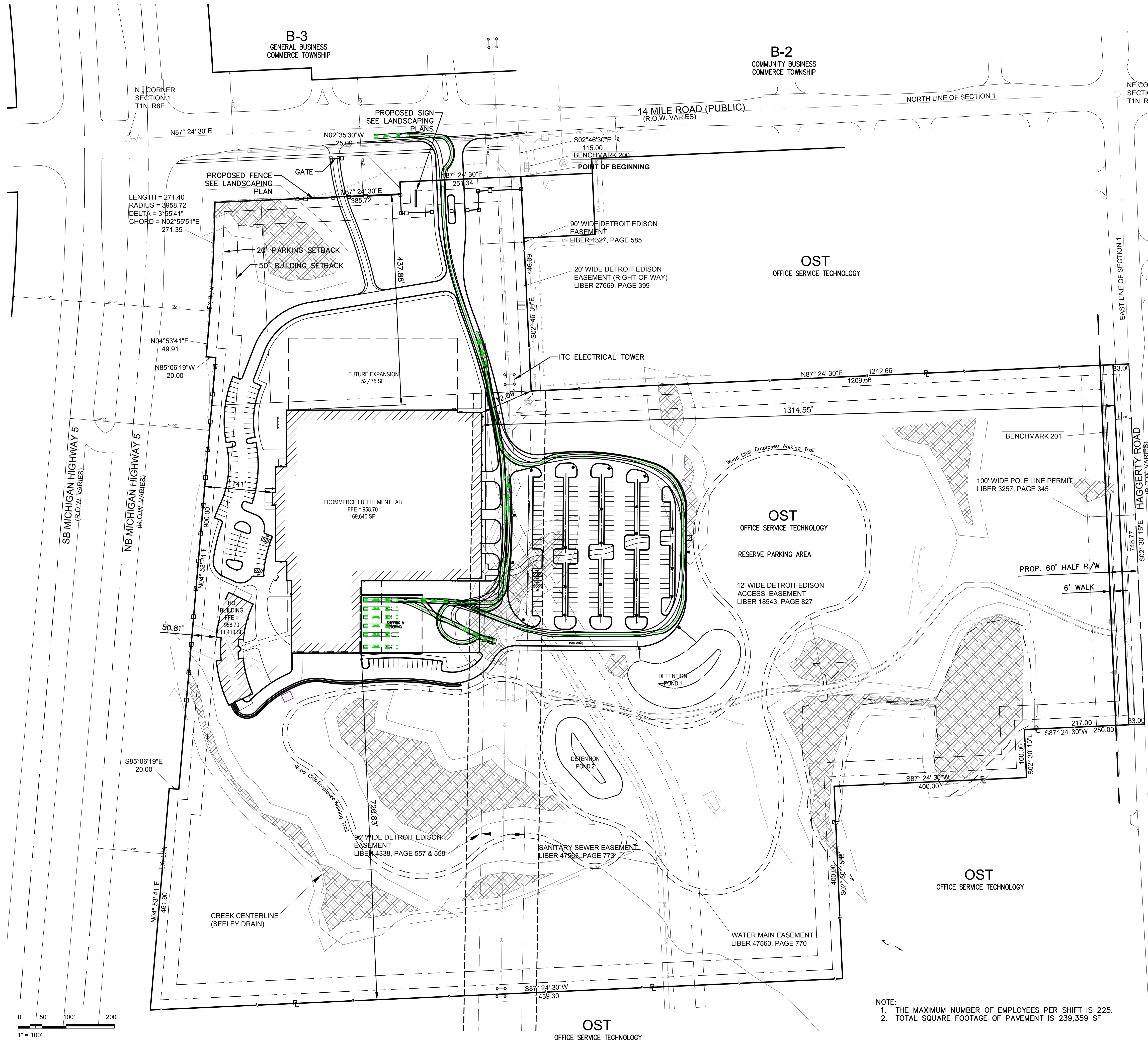
Explain how the Dimensional Variance requested is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district.

The Applicant originally identified the large truck dock area at the northeast corner of the building but has since revised the truck docks to be in the rear yard to come as close as possible to meeting the ordinance while still allowing for the required operation. In addition the easterly side of the facility is already naturally screened by the topography and the presence of thick natural woodlands between the facility and Haggerty Road.

Standard #5. Adverse Impact on Surrounding Area.

Explain how the Dimensional Variance will not cause an adverse impact on surrounding property, property values, or the use and enjoyment of property in the neighborhood or zoning district.

Due to the east side of the building being 1300 feet from Haggerty Road and any adjacent land use to the east, and due to the extreme topography of the site and the presence of thick woodland over the easterly half of the site, the east side of the building will not be easily visible from properties to the east.



PARKING SUMMARY

OFFICE PARKING
PARKING REQUIRED
 OFFICE PARKING
 GROSS LEASEABLE FLOOR AREA:
 HQ = 17,000 SF (10,000 SFT 1ST FLOOR, 7,000 2ND FLOOR)
 FULLFILLMENT OFFICE AND MEZZANINE = 16,600 SF
 REQUIRED OFFICE PARKING
 HQ: 4.5 X 17,000/1000 = 76
 FULLFILLMENT: 4.5 X 16,600/1000 = 75
 SUBTOTAL = 151

WAREHOUSE PARKING
 TOTAL USEABLE FLOOR AREA = 170,700 SF
 REQUIRED PARKING SPACES = 170,700 SF / 700 = 244 SPACES
 TOTAL REQUIRED SPACES PER 5.2.12.D (151 SPACES) AND 5.2.12.E (SECTION 1 FOR WAREHOUSE; 244 SPACES) = 395 SPACES

THE LARGEST SHIFT ANTICIPATED FOR ESUPPLY IS 225 EMPLOYEES + 50 VISITORS DURING TRAINING SESSIONS. PER SECTION 2 UNDER 5.2.12.E WAREHOUSE, PROVIDING 275 + 5 = 280 SPACES AND IDENTIFYING AN AREA FOR RESERVE PARKING TO THE EAST OF THE LARGE EASTERLY PARKING LOT FOR THE ADDITIONAL 115 SPACES.
 280 SPACES WILL ALSO MEET THE REQUIREMENTS OF 4.5/1000 SFT OFFICE (151 SPACES) + 1/1700 SFT WAREHOUSE SPACE (100 SPACES) FOR A TOTAL OF 251 SPACES REQUIRED.

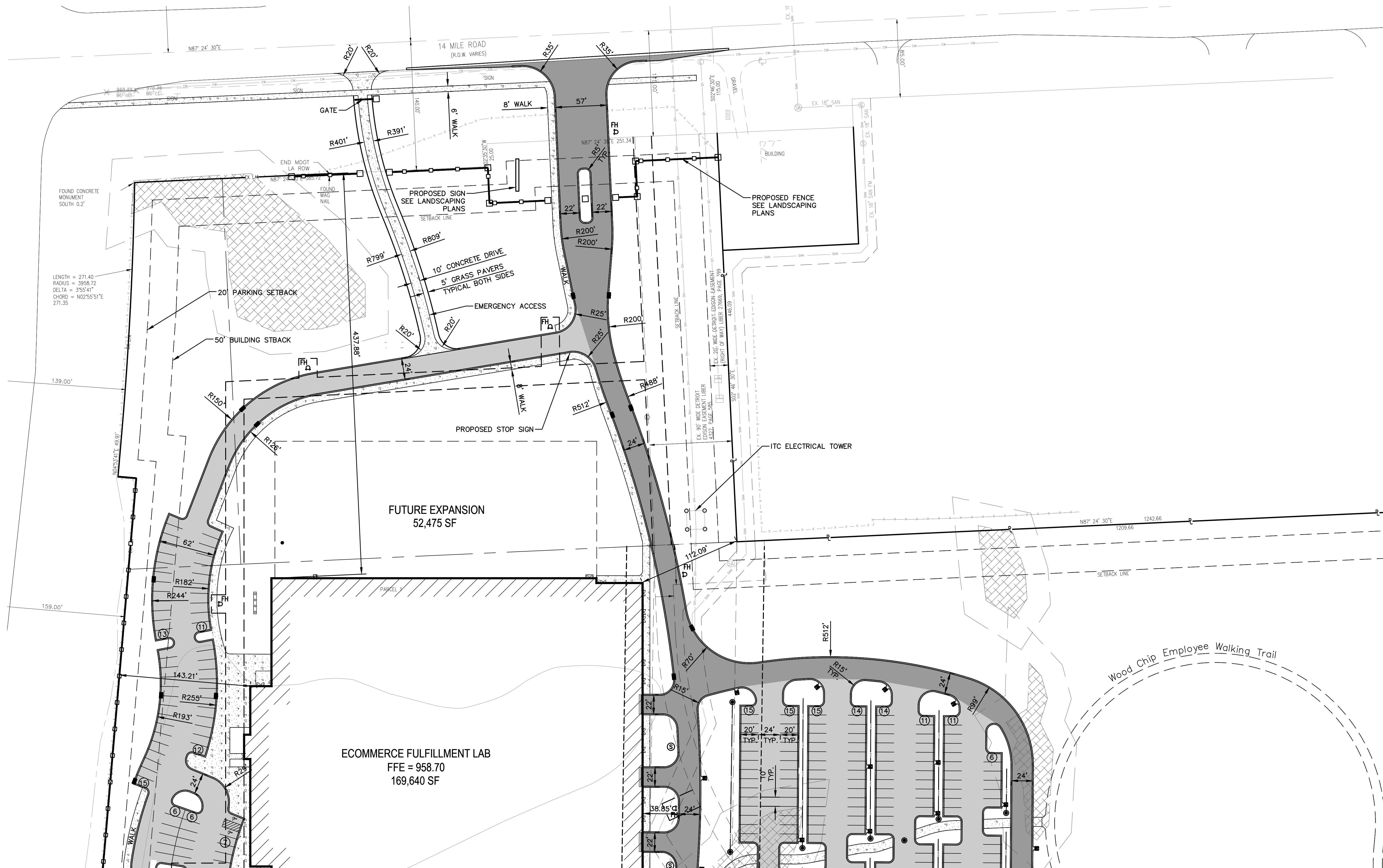
PARKING PROVIDED
PARKING SPACES PROVIDED
 WEST LOT = 68 STANDARD SPACES (10'X20')
 3 ACCESSIBLE SPACES (8'X20' W/8' AISLES)
 SOUTH LOT = 15 STANDARD SPACES (10'X20') (REVISING TO 17 SPACES)
 EAST LOT = 190 STANDARD SPACES (10'X20')
 4 ACCESSIBLE SPACES (8'X20' W/8' AISLES)
 TOTAL = 273 STANDARD SPACES
 7 ACCESSIBLE SPACES (7 ACCESSIBLE SPACES REQUIRED PER ADA)
 TOTAL PARKING SPACES PROVIDED = 280

ZONING
 EXISTING ZONING = OST (OFFICE SERVICE TECHNOLOGY)
 THE SITE IS NOT LOCATED IN OR WITHIN 50 FEET OF THE 100-YEAR FLOOD PLAIN PER FEMA MAP.
 DUMPSTER/TRASH COMPACTOR WILL BE INSIDE THE BUILDING IN THE SOUTHEAST CORNER OF THE WAREHOUSE AT THE TRUCK DOCK. NO EXTERNAL TRASH ENCLOSURE WILL BE REQUIRED.

PAVEMENT/WALKS = 280,704 SF
 BUILDING FOOTPRINTS = 181,400 SF
 TOTAL = 462,104 SF
 EXISTING PARCEL = 57.12 ACRES (2,488,147 SF)
 462,104 SF/2,488,147 SF
MAXIMUM LOT COVERAGE = 19%

NOTE:
 1. THE MAXIMUM NUMBER OF EMPLOYEES PER SHIFT IS 225.
 2. TOTAL SQUARE FOOTAGE OF PAVEMENT IS 239,359 SF

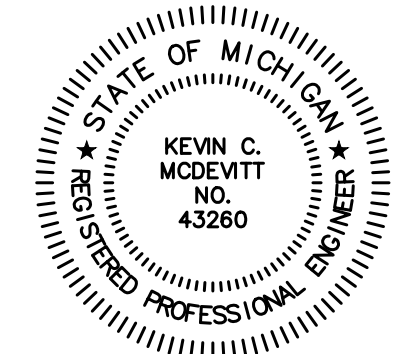




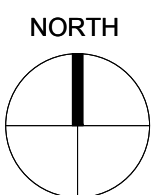
MATCHLINE SEE SHEET PC-05

PAVEMENT LEGEND

- | | | | |
|--|--|--|---|
| | LIGHT DUTY FLEXIBLE PAVEMENT
(SEE DETAIL SHEET) | | CONCRETE PAVEMENT
(SEE DETAIL SHEET) |
| | HEAVY DUTY FLEXIBLE PAVEMENT
(SEE DETAIL SHEET) | | CONCRETE SIDEWALK
(SEE DETAIL SHEET) |



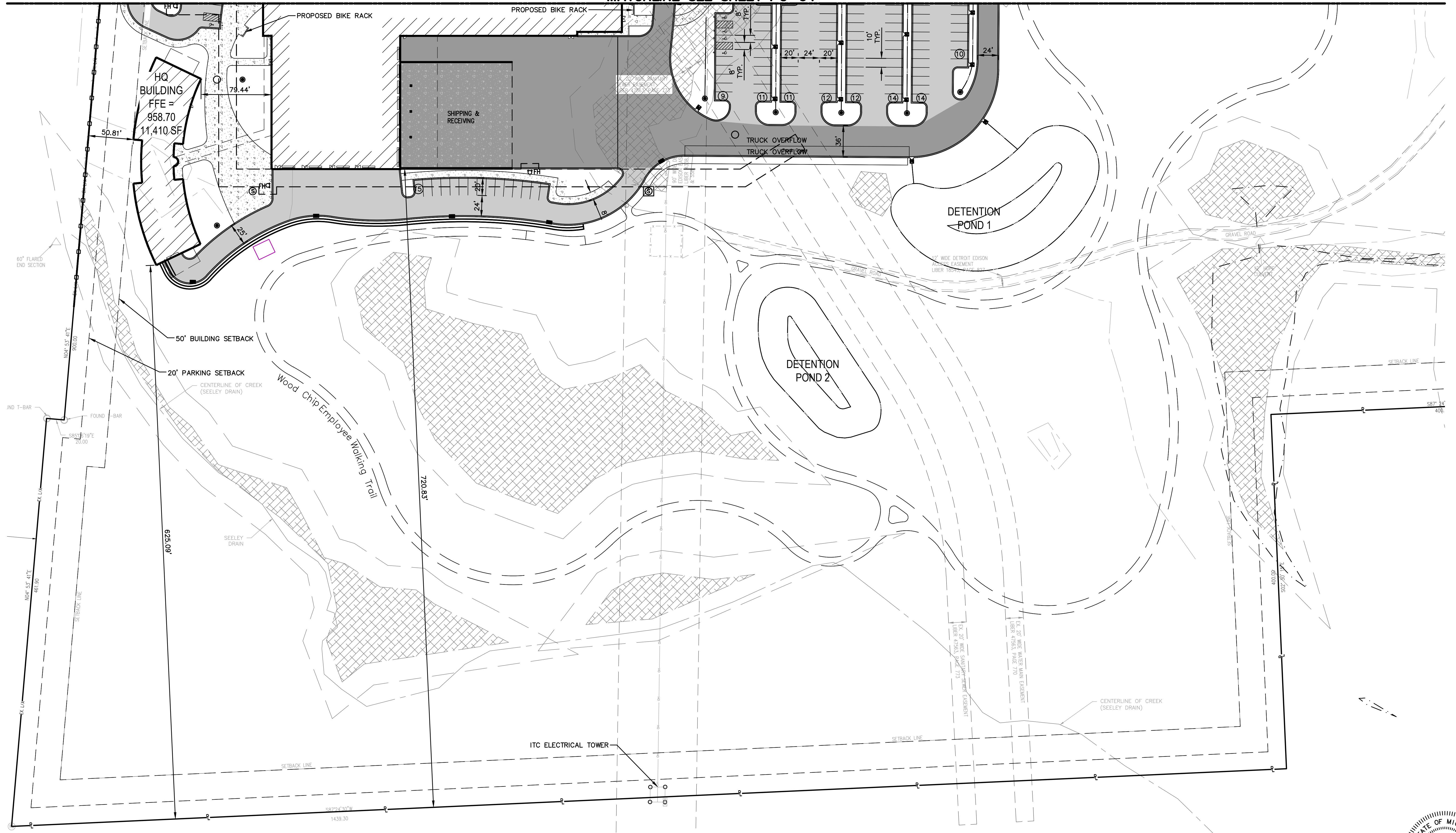
Kevin C. McDevitt



0 25' 50' 100'
1" = 50'

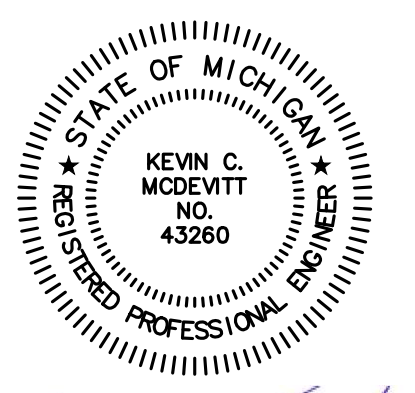


PRELIMINARY SITE PLAN - NORTH AREA PC-04

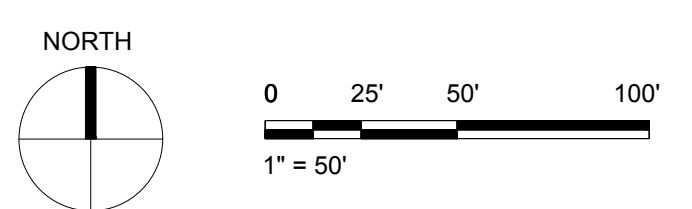


PAVEMENT LEGEND

	LIGHT DUTY FLEXIBLE PAVEMENT (SEE DETAIL SHEET)		CONCRETE PAVEMENT (SEE DETAIL SHEET)
	HEAVY DUTY FLEXIBLE PAVEMENT (SEE DETAIL SHEET)		CONCRETE SIDEWALK (SEE DETAIL SHEET)



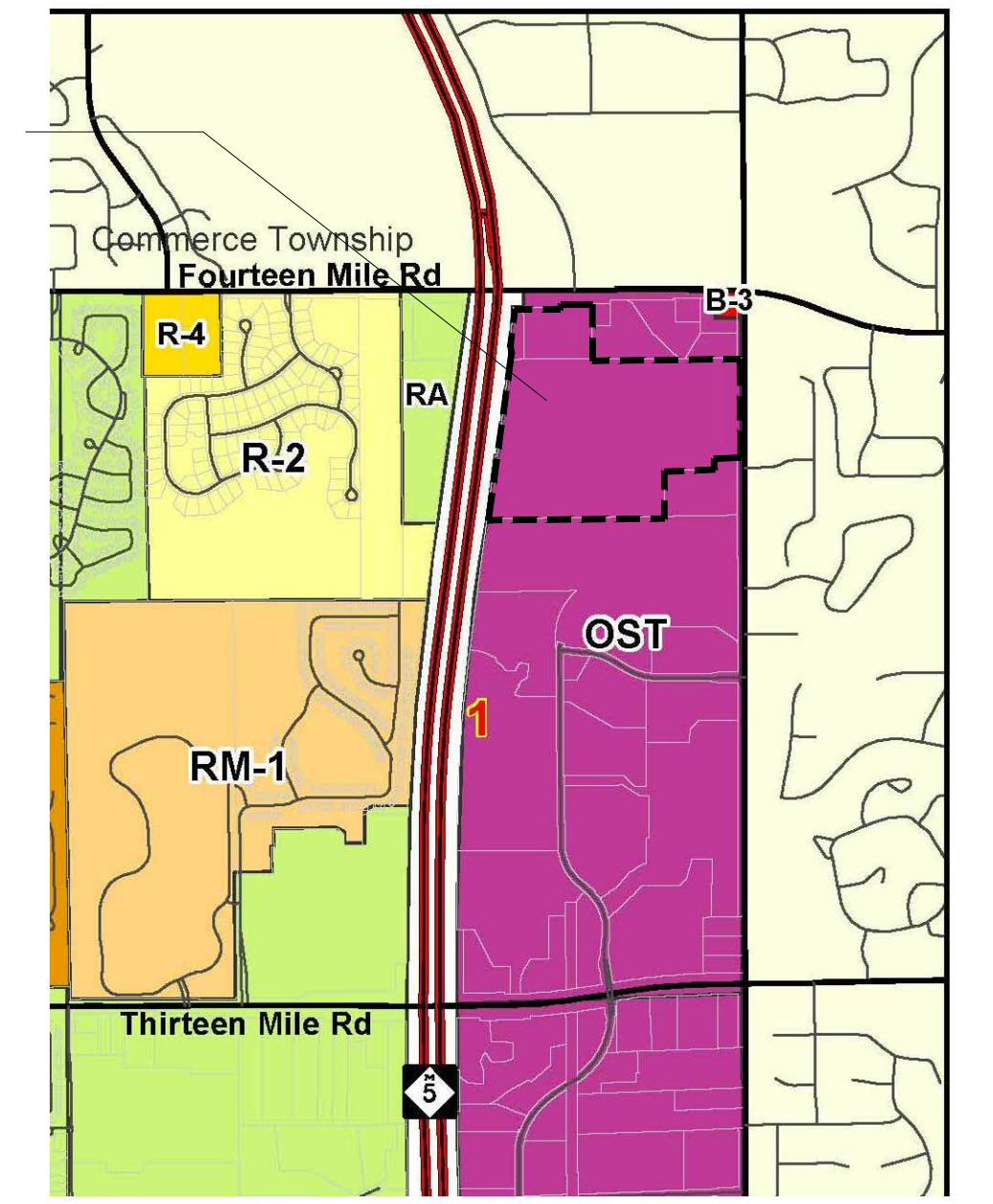
Kevin C. McDevitt



PRELIMINARY SITE PLAN - SOUTH AREA PC-05

COMMERCE TOWNSHIP COMMERCIAL

Berkshire eSupply Site OST



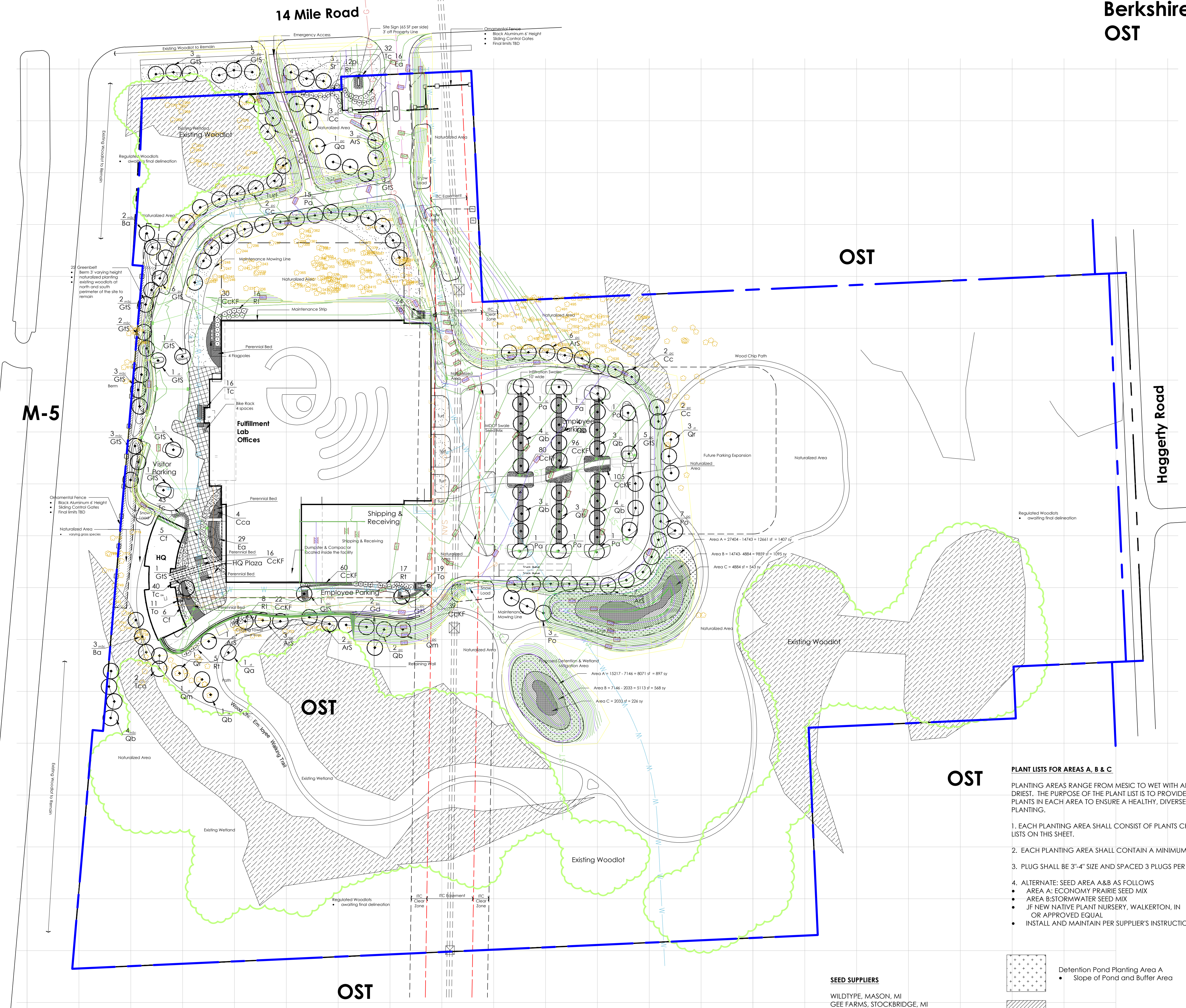
Zoning

Owner Contact
Marlin M. Wrobel

30100 Telegraph Road, Suite 366, Bingham Farms, MI 48025
Office: 248.399.9999 x209



Call before you DIG
800-482-7171



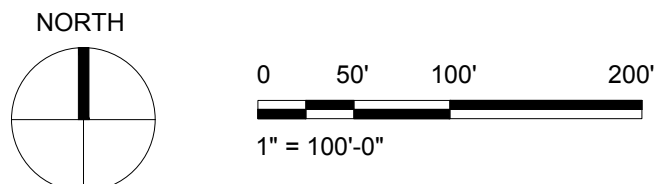
PLANT LISTS FOR AREAS A, B & C

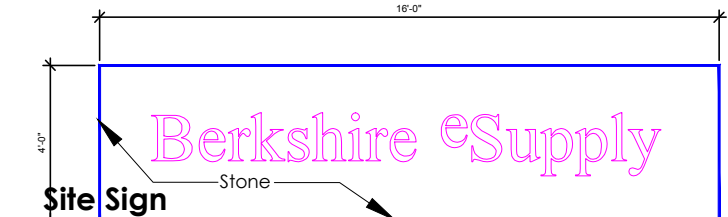
- PLANTING AREAS RANGE FROM MESIC TO WET WITH AREA A HABITAT BEING THE DRIEST. THE PURPOSE OF THE PLANT LIST IS TO PROVIDE A WIDE VARIETY OF NATIVE PLANTS IN EACH AREA TO ENSURE A HEALTHY, DIVERSE AND PERMANENT NATIVE PLANTING.
- EACH PLANTING AREA SHALL CONSIST OF PLANTS CHOSEN FROM THE FOLLOWING LISTS ON THIS SHEET.
 - EACH PLANTING AREA SHALL CONTAIN A MINIMUM OF 30% FORBS.
 - PLUG SHALL BE 3"-4" SIZE AND SPACED 3 PLUGS PER SQUARE YARD (SY) MINIMUM.
 - ALTERNATE: SEED AREA A & B AS FOLLOWS
 AREA A: ECONOMY PRAIRIE SEED MIX
 AREA B: STORMWATER SEED MIX
 • IF NEW NATIVE PLANT NURSERY, WALKERTON, IN OR APPROVED EQUAL
 • INSTALL AND MAINTAIN PER SUPPLIER'S INSTRUCTION

- #### SEED SUPPLIERS
- WILDTYPE, MASON, MI
 - GEE FARMS, STOCKBRIDGE, MI
 - MICHIGAN WILDFLOWER FARM, PORTLAND, MI
 - NATIVESCAPE, MANCHESTER, MI
 - NESTA PRAIRIE PERENNIALS, KALAMAZOO, MI
 - OIKOS TREE CROPS, KALAMAZOO, MI
 - SANDHILL FARM, ROCKFORD, MI
 - TWIXWOOD, BERRIEN SPRINGS, MI
 - WETLANDS NURSERY, SAGINAW, MI
 - IF NEW NATIVE PLANT NURSERY, WALKERTON, IN
 - LAFAYETTE HOME NURSERY, LAFAYETTE, IL

- Detention Pond Planting Area A
• Slope of Pond and Buffer Area
- Detention Pond Planting Area B
• Intermittent Wet Area
- Detention Pond Planting Area C
• Wetland Channel (low point)

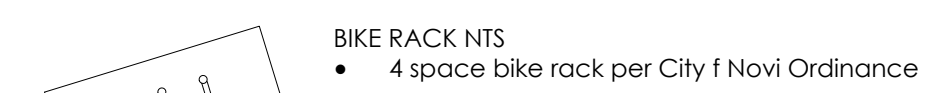
DETENTION POND PLANTING SCHEDULE							
Symbol	Scientific Name	Common Name	Sl. e	Qty.	Gen. s	Si. e	Sl. e
Area A Slope & Buffer Area							
	Grasses, Sedges & R. shes						
	Androgon gerardii	Big Bluestem	11g	77	20	20	
	Carex bicknellii	Sedge	11g	77	20	20	
	Elymus canadensis	Canada Wild Rye	11g	77	20	20	
	Panicum virgatum	Switch Grass	11g	77	20	20	
	Sorghastrum nutans	Indian Grass	11g	77	20	20	
	Forbs						
	Aster laevis	Smooth Aster	11g	77	20	20	
	Helianthus helianthoides	False Sunflower	11g	77	20	20	
	Ratibida pinnata	Yellow Coneflower	11g	77	20	20	
	Rudbeckia hirta	Black-Eyed Susan	11g	77	20	20	
	Solidago rigida	St. Goldenrod	11g	77	20	20	
	Forbs						
	Anemone canadensis	Canada Anemone	11g	26	7	7	
	Aster novae-angliae	New England Aster	11g	26	7	7	
	Carex lasiocarpa	Tall Tickweed	11g	26	7	7	
	Elymus virginicus	Joe-Pye Weed	11g	26	7	14	
	Erigeron phillyria	Bonset	11g	26	7		
	Helianthus annuus	Shnee-weed	11g	26	7	7	
	Liatris scariosa	March Blazing Star	11g	26	7	7	
	Peperomia hirsuta	Bl. Lobelia	11g	26	7	7	
	Penstemon digitalis	Beardtongue	11g	26	7	7	
	Ratibida pinnata	Yellow Coneflower	11g	26	7	7	
	Solidago riddellii	Riddell's Goldenrod	11g	26	7	7	
	Verbena hastata	Bl. Vervain	11g	26	7	7	
	Veronicastrum virginicum	C. Vert's Root	11g	26	7	7	
	Xanthoxylum	Golden Alexanders	11g	26	7	7	
	Forbs						
	Aster multiflorus	Swamp Aster	11g	43	25	25	
	Iris virginica	Swamp Flag	11g	42	25	25	
	Carex comosa	Sedge	11g	43	25	25	
	Juncus sphaerocarpus	Soft-Stemmed Bulrush	11g	43	25	25	
	Schoenoplectus americanus	Hardstem Bulrush	11g	43	25	25	
	Schoenoplectus tabernaemontani	Softstem Bulrush	11g	43	25	25	
	Forbs						
	Aster multiflorus	Swamp Aster	11g	43	50	50	
	Iris virginica	Swamp Flag	11g	42	50	50	



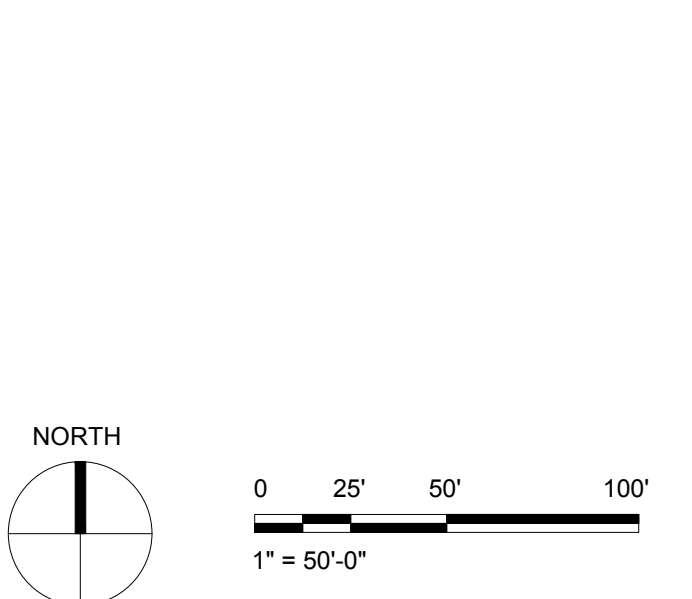


445SF raised letters on stone masonry wall, ground mounted flood light with appropriate light cutoff to wash the stone face of the sign
 Sign Setback is 130' from centerline of 14 Mile Road
 130'/2 = 65square feet of sign

General Notes
 All plant material to be northern grown in similar soil conditions as found on site, No. 1 grade
 All plant material to be installed between March 15th and November 15th
 Drip irrigation to be installed in all foundation planting beds
 Plant material shall not be planted within 4' of any property line
 Snow fencing to be erected around all existing trees to remain throughout the duration of construction
 Details will be provided for Final Site Plan Submission for planting, staking and tree protection
 Guarantee all plant material for 2 years, and cultivate all beds in June, July and August throughout the guarantee period
 Any plant substitution must be approved in writing by the City of Novi

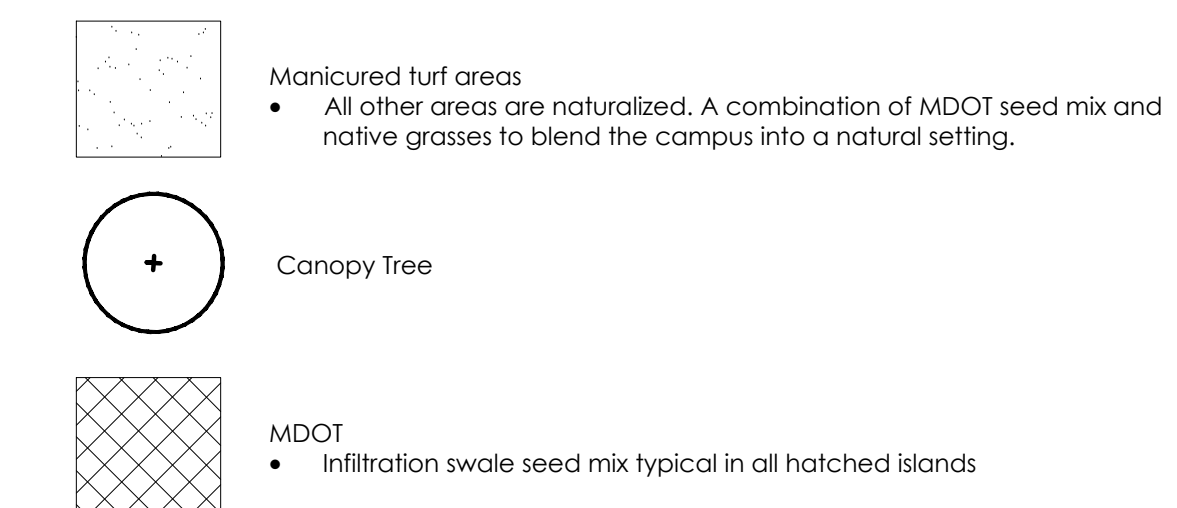


Symbol	Scientific Name	Common Name	Size	Qty.	Gen. s.	Species	Root
ArS	Acer r. br. m. S. nset'	Red S. nset Ma. le	2" cal.	22	9	9	Wire Basket
Pa	Platan. s. acerolia	London Plane	2" cal.	21	13	9	Wire Basket
Po	Platan. s. occidentalis	American Sycamore	2" cal.	10		4	Wire Basket
GIS	Gleditsia triacanthos 'Shademaster'	Shademaster Honeyloc. st	2" cal.	37	15	15	Wire Basket
Tc	Tilia cordata	Littlelea Linden	2" cal.	2	1	1	Wire Basket
Ba	Bet. la alleghaniensis	Tellow Birch	2" cal.	2	2	2	Wire Basket
Oa	Q. erc. s. alba	White Oak	2" cal.	1	14	1	Wire Basket
Om	Q. erc. s. macrocar. a	B. rr Oak	2" cal.	2			Wire Basket
Ob	Q. erc. s. bicolor	Swam. White Oak	2" cal.	28		12	Wire Basket
Or	Q. erc. s. r. bra	Red Oak	2" cal.	2		1	Wire Basket
Cc	Car. in. s. caroliniana	American Hornbeam	2" cal.	15	6	6	Wire Basket
Sr	Syringa retic. lata	Ja. anese Tree Lilac	2" cal.	3	1	1	Wire Basket
Gd	Gymnoclad. s. dioic. s	Kent cky Co. ee Tree	2" cal.	2	1	1	Wire Basket
<hr/>							
Cca	Cercis canadensis	Eastern Redb. d	M. 1/2-Stem	4	2	2	B&B
Cc	Corn. s. florida	Flowering Dogwood	M. 1/2-Stem	11	5	5	B&B
Rt	Rh. s. ty. hina	Staghorn S. mac	M. 1/2-Stem	74	31	30	B&B
		Tree Total		241	100	100	
<hr/>							
Ea	E. onym. s. alat. s	B. lming B. sh	3 Gal. Pot	45	7	7	Potted
CCKF	Calamagrostis Karl Foster	Karl Foster Reed Grass	2 Gal. Pot	448	66	66	Potted
<hr/>							
Tc	Ta. l. s. canadensis	Canada Yew	3 Gal. Pot	31	19	19	Potted
To	Th. ja occidentalis	Arbvitae	8"	154	8	8	B&B
<hr/>							
Pe	Perennials	Perennials		TBD	TBD	TBD	Cell Pack
	Shr. b Total			678	100	100	

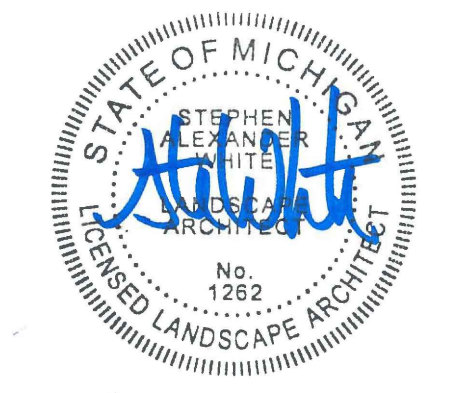


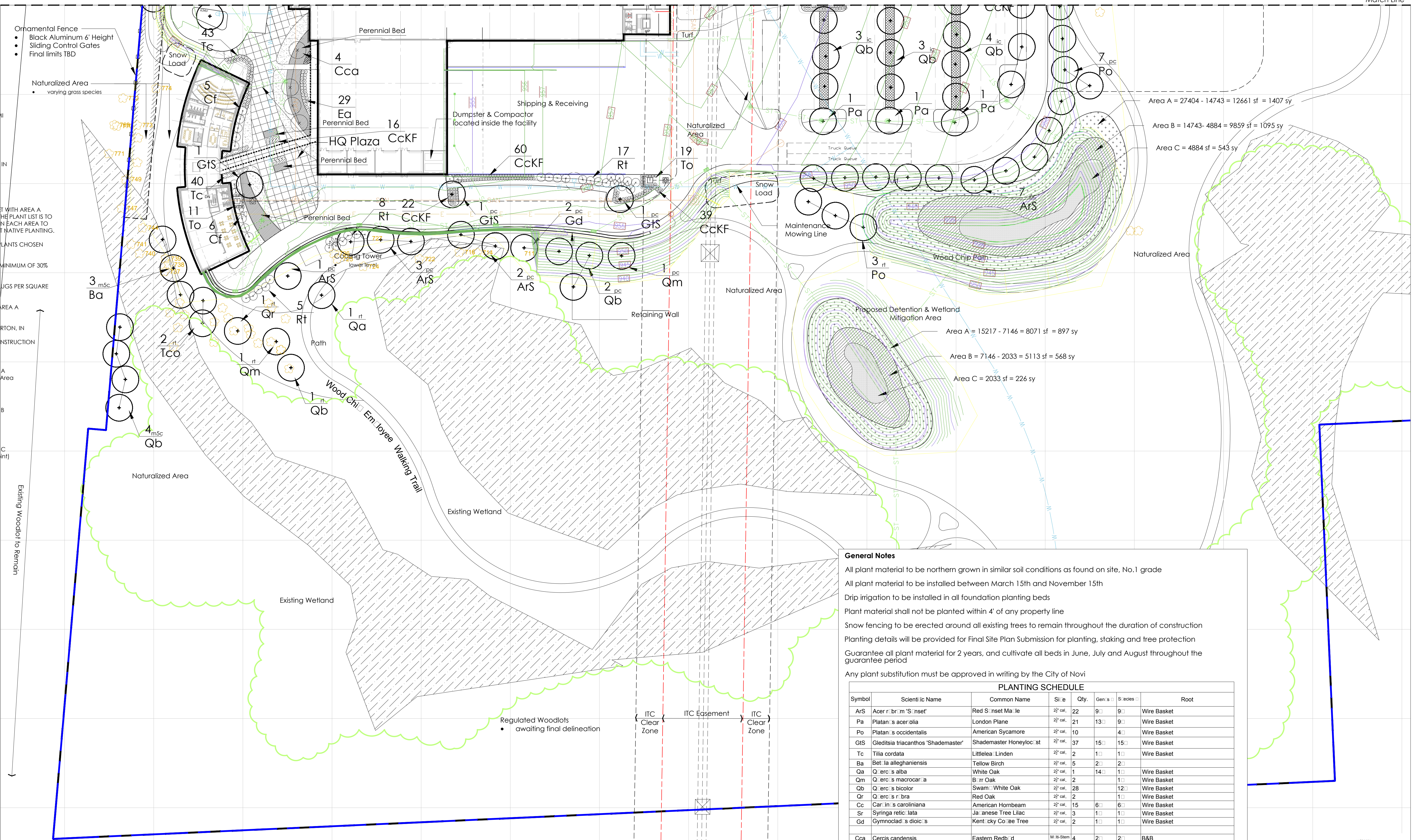
Tree Tag Legend
 m5c - M-5 Greenbelt Trees 19 Trees
 pc - Perimeter Tree Canopy 81 Trees
 rt - Restoration Tree 12 Trees
 stc - Street Tree Canopy 6 Trees
 ic - Interior Canopy 28 Trees

Owner Contact
 Marlin M. Wroubel
 30100 Telegraph Road, Suite 366, Bingham Farms, MI 48025
 Office: 248.399.9999 x209



LEGAL DESCRIPTION (AS-SURVEYED):
 A PARCEL OF LAND SITUATED IN THE NORTHEAST 1/4 OF SECTION 1, TOWN 1 NORTH, RANGE 8 EAST, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 1; THENCE NORTH 87 DEGREES 24 MINUTES 30 SECONDS EAST ALONG THE NORTH LINE OF SAID SECTION 1 1550.97 FEET; THENCE SOUTH 02 DEGREES 46 MINUTES 30 SECONDS EAST 115.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF 14 MILE ROAD AND THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 02 DEGREES 46 MINUTES 30 SECONDS EAST 448.09 FEET; THENCE NORTH 87 DEGREES 24 MINUTES 30 SECONDS EAST 1242.66 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 1; THENCE SOUTH 02 DEGREES 30 MINUTES 15 SECONDS EAST ALONG THE EAST LINE OF SAID SECTION 1 748.77 FEET; THENCE SOUTH 97 DEGREES 24 MINUTES 30 SECONDS WEST 280.00 FEET; THENCE SOUTH 02 DEGREES 30 MINUTES 15 SECONDS EAST 100.00 FEET; THENCE SOUTH 87 DEGREES 24 MINUTES 30 SECONDS WEST 400.00 FEET; THENCE SOUTH 02 DEGREES 30 MINUTES 15 SECONDS EAST 400.00 FEET; THENCE SOUTH 87 DEGREES 24 MINUTES 30 SECONDS WEST 1439.30 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF MICHIGAN HIGHWAY 5 (RIGHT-OF-WAY VARIES); THENCE ALONG THE EASTERLY RIGHT-OF-WAY LINE OF MICHIGAN HIGHWAY 5 THE FOLLOWING SIX (6) COURSES: 1) NORTH 04 DEGREES 53 MINUTES 41 SECONDS EAST 461.90 FEET; 2) SOUTH 85 DEGREES 06 MINUTES 19 SECONDS EAST 20.00 FEET; 3) NORTH 04 DEGREES 53 MINUTES 41 SECONDS EAST 900.00 FEET; 4) NORTH 85 DEGREES 06 MINUTES 19 SECONDS WEST 20.00 FEET; 5) NORTH 04 DEGREES 53 MINUTES 41 SECONDS EAST 49.91 FEET; 6) ALONG A CURVE TO THE LEFT 271.40 FEET, A RADIUS OF 3968.72 FEET, A DELTA OF 03 DEGREES 55 MINUTES 41 SECONDS AND A CHORD BEARING AND DISTANCE OF NORTH 02 DEGREES 55 MINUTES 51 SECONDS EAST 271.35 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF 14 MILE ROAD; THENCE ALONG THE SOUTH RIGHT-OF-WAY LINE OF 14 MILE ROAD THE FOLLOWING THREE (3) COURSES: 1) NORTH 87 DEGREES 24 MINUTES 30 SECONDS EAST 385.72 FEET; 2) NORTH 02 DEGREES 35 MINUTES 30 SECONDS WEST 25.00 FEET; 3) NORTH 87 DEGREES 24 MINUTES 30 SECONDS EAST 251.34 FEET TO THE POINT OF BEGINNING. CONTAINS 57.12 ACRES. SUBJECT TO THE RIGHTS OF THE PUBLIC OVER THE EASTERLY 33 FEET FOR HAGGERTY ROAD. ALSO SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.





- Ornamental Fence
- Black Aluminum 6' Height
 - Sliding Control Gates
 - Final limits TBD
- Naturalized Area
- varying grass species

- SEED SUPPLIERS**
- WILDTYPE, MASON, MI
 GEE FARMS, STOCKBRIDGE, MI
 MICHIGAN WILDFLOWER FARM, PORTLAND, MI
 NATIVESCAPE, MANCHESTER, MI
 NESTA PRAIRIE PERENNIALS, KALAMAZOO, MI
 OIKOS TREE CROPS, KALAMAZOO, MI
 SANDHILL FARM, ROCKFORD, MI
 TWIXWOOD, BERRIEN SPRINGS, MI
 WETLANDS NURSERY, SAGINAW, MI
 JF NEW NATIVE PLANT NURSERY, WALKERTON, IN
 LAFAYETTE HOME NURSERY, LAFAYETTE, IL
- PLANT LISTS FOR AREAS A, B & C**
- PLANTING AREAS RANGE FROM MESIC TO WET WITH AREA A HABITAT BEING THE DRIEST. THE PURPOSE OF THE PLANT LIST IS TO PROVIDE A WIDE VARIETY OF NATIVE PLANTS IN EACH AREA TO ENSURE A HEALTHY, DIVERSE AND PERMANENT NATIVE PLANTING.
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 3. PLUG SHALL BE 3"-4" SIZE AND SPACED 3 PLUGS PER SQUARE YARD (SY) MINIMUM.
 4. ALTERNATE: SEED AREA A & B AS FOLLOWS
 AREA A: ECONOMY PRAIRIE SEED MIX
 AREA B: STORMWATER SEED MIX
 JF NEW NATIVE PLANT NURSERY, WALKERTON, IN OR APPROVED EQUAL
 INSTALL AND MAINTAIN PER SUPPLIER'S INSTRUCTION

- Detention Pond Planting Area A
• Slope of Pond and Buffer Area
- Detention Pond Planting Area B
• Intermittent Wet Area
- Detention Pond Planting Area C
• Wetland Channel (low point)

Area A = 27404 - 14743 = 12661 sf = 1407 sy
 Area B = 14743 - 4884 = 9859 sf = 1095 sy
 Area C = 4884 sf = 543 sy

Area A = 15217 - 7146 = 8071 sf = 897 sy
 Area B = 7146 - 2033 = 5113 sf = 568 sy
 Area C = 2033 sf = 226 sy

General Notes

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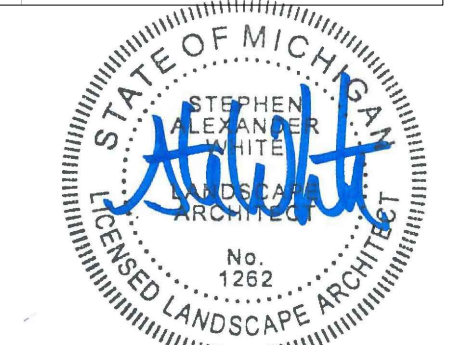
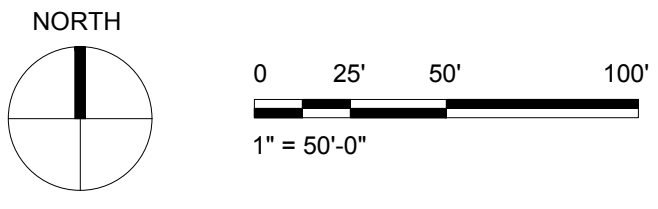
PLANTING SCHEDULE							
Symbol	Scientific Name	Common Name	Size	Qty.	Gen. s	Species	Root
ArS	Acer rubrum 'Silet'	Red Spine Maple	22' cal.	22	9	9	Wire Basket
Pa	Platanus acerifolia	London Plane	22' cal.	21	13	9	Wire Basket
Po	Platanus occidentalis	American Sycamore	22' cal.	10		4	Wire Basket
GtS	Gleditsia triacanthos 'Shademaster'	Shademaster Honeylocust	22' cal.	37	15	15	Wire Basket
Tc	Tilia cordata	Littleleaf Linden	22' cal.	2	1	1	Wire Basket
Ba	Betula alleghaniensis	Tellow Birch	22' cal.	5	2	2	
Qa	Quercus alba	White Oak	22' cal.	1	14	1	Wire Basket
Qm	Quercus macrocarpa	Burr Oak	22' cal.	2		1	Wire Basket
Qb	Quercus bicolor	Swamp White Oak	22' cal.	28		12	Wire Basket
Qr	Quercus rubra	Red Oak	22' cal.	2		1	Wire Basket
Cc	Caroliniana	American Hornbeam	22' cal.	15	6	6	Wire Basket
Sr	Syringa reticulata	Japanese Tree Lilac	22' cal.	3	1	1	Wire Basket
Gd	Gymnocladia dioica	Kentucky Coffee Tree	22' cal.	2	1	1	Wire Basket
Cca	Cercis canadensis	Eastern Redbud	M. B-Stem	4	2	2	B&B
Ct	Cornus florida	Flowering Dogwood	M. B-Stem	11	5	5	B&B
Rt	Rhynchophytina	Staghorn Sumac	M. B-Stem	74	31	30	B&B
		Tree Total		241	100	100	
Ea	Elymus alatus	Broom Grass	3 Gal. Pot	45	7	7	Potted
CcKF	Calamagrostis Karl Foster	Karl Foster Reed Grass	2 Gal. Pot	448	66	66	Potted
Tc	Tilia canadensis	Canada Yew	3 Gal. Pot	131	19	19	Potted
To	Thuja occidentalis	Arborvitae	8"	54	8	8	B&B
Pe	Perennials	Perennials		TBD	TBD	TBD	Cell Pack
		Shrub Total		678	100	100	

Tree Tag Legend

m5c - M-5 Greenbelt Trees 19 Trees
 pc - Perimeter Tree Canopy 81 Trees
 rt - Restoration Tree 12 Trees
 stc - Street Tree Canopy 6 Trees
 ic - Interior Canopy 28 Trees

Owner Contact
 Marlin M. Wroubel
 30100 Telegraph Road, Suite 366, Bingham Farms, MI 48025
 Office: 248.399.9999 x209

- Manicured turf areas
- All other areas are naturalized. A combination of MDOT seed mix and native grasses to blend the campus into a natural setting.
- Canopy Tree
- MDOT
- Infiltration swale seed mix typical in all hatched islands





COMMUNITY DEVELOPMENT DEPARTMENT

45175 Ten Mile Road
Novi, MI 48375
(248) 347-0415 Phone
(248) 735-5600 Facsimile
www.cityofnovi.org

ZONING BOARD OF APPEALS STAFF REPORT

FOR: City of Novi Zoning Board of Appeals

ZONING BOARD APPEALS DATE: February 13, 2018

REGARDING: 23661 E Le Bost Dr, Parcels #50-22-25-151-013 (PZ17-0064)

BY: Larry Butler, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Alice & Jason Bertschi

Variance Type

Dimensional Variance

Property Characteristics

Zoning District: Single Family Residential (R-4).
Location: East of Meadowbrook Road and South of Ten Mile Road
Parcel #: 50-22-25-151-013

Request

The applicant is requesting a variance from the Novi Zoning Code of Ordinance Section 3.1.5 for a front yard setback of 20 feet, 30 feet minimum setback required by code and rear yard setback of 32 feet, 35 feet minimum setback required. Setbacks are for a proposed garage. This property is zoned Single Family Residential (R-4).

II. STAFF COMMENTS:

This property has is a unique shaped lot.

III. RECOMMENDATION:

The Zoning Board of Appeals may take one of the following actions:

1. I move that we grant the variance in Case No. **PZ17-0064**, sought by _____, for _____ because Petitioner has shown practical difficulty requiring _____.

 - (a) Without the variance Petitioner will be unreasonably prevented or limited with respect to use of the property because _____.
 - (b) The property is unique because _____.
 - (c) Petitioner did not create the condition because _____.

_____.

(d) The relief granted will not unreasonably interfere with adjacent or surrounding properties because_____.

_____.

(e) The relief if consistent with the spirit and intent of the ordinance because

_____.

_____.

(f) The variance granted is subject to:

1. _____.

2. _____.

3. _____.

4. _____.

2. I move that we **deny** the variance in Case No. **PZ17-0064**, sought by _____, for _____ because Petitioner has not shown practical difficulty requiring _____.

(a) The circumstances and features of the property including _____ are not unique because they exist generally throughout the City.

(b) The circumstances and features of the property relating to the variance request are self-created because _____.

(c) The failure to grant relief will result in mere inconvenience or inability to attain higher economic or financial return based on Petitioners statements that _____.

(d) The variance would result in interference with the adjacent and surrounding properties by _____.

(e) Granting the variance would be inconsistent with the spirit and intent of the ordinance to _____.

Should you have any further questions with regards to the matter please feel free to contact me at (248) 347-0417.

Larry Butler
Deputy Director Community Development
City of Novi



45175 Ten Mile Road
 Novi, MI 48375
 (248) 347-0415 Phone
 (248) 735-5600 Facsimile
 www.cityofnovi.org

ZONING BOARD OF APPEALS APPLICATION

APPLICATION MUST BE FILLED OUT COMPLETELY

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I. PROPERTY INFORMATION (Address of subject ZBA Case)				Application Fee: <u>\$200.00</u>	
PROJECT NAME / SUBDIVISION <u>Willowbrook Estates 2, 3</u>				Meeting Date: <u>Feb. 13th 2018</u>	
ADDRESS <u>23661 E LeBast</u>		LOT/SIUTE/SPACE # <u>244</u>		ZBA Case #: <u>PZ 17-0064</u>	
SIDWELL # <u>50-22-25-151-013</u>		May be obtain from Assessing Department (248) 347-0485			
CROSS ROADS OF PROPERTY <u>Malott / E LeBast</u>					
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			REQUEST IS FOR: <input checked="" type="checkbox"/> RESIDENTIAL <input type="checkbox"/> COMMERCIAL <input type="checkbox"/> VACANT PROPERTY <input type="checkbox"/> SIGNAGE		
DOES YOUR APPEAL RESULT FROM A NOTICE OF VIOLATION OR CITATION ISSUED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO					
II. APPLICANT INFORMATION					
A. APPLICANT		EMAIL ADDRESS <u>jbertschi@mac.com</u>		CELL PHONE NO. <u>810-394-2833</u>	
NAME <u>Alice BERTSCHI</u>		<u>alice@suspectexas.com</u>		TELEPHONE NO. <u>Same</u>	
ORGANIZATION/COMPANY				FAX NO.	
ADDRESS <u>23661 E LeBast</u>		CITY <u>Novi</u>		STATE <u>MI</u>	ZIP CODE <u>48375</u>
B. PROPERTY OWNER <input type="checkbox"/> CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER					
Identify the person or organization that owns the subject property:		EMAIL ADDRESS <u>jbertschi@mac.com</u>		CELL PHONE NO. <u>1-810-814-1249</u>	
NAME <u>Jason BERTSCHI</u>				TELEPHONE NO. <u>Same</u>	
ORGANIZATION/COMPANY				FAX NO.	
ADDRESS <u>149 maple ST. #1307</u>		CITY <u>Redwood City</u>		STATE <u>CA</u>	ZIP CODE <u>94063</u>
III. ZONING INFORMATION					
A. ZONING DISTRICT					
<input type="checkbox"/> R-A <input type="checkbox"/> R-1 <input type="checkbox"/> R-2 <input type="checkbox"/> R-3 <input checked="" type="checkbox"/> R-4 <input type="checkbox"/> RM-1 <input type="checkbox"/> RM-2 <input type="checkbox"/> MH <input type="checkbox"/> I-1 <input type="checkbox"/> I-2 <input type="checkbox"/> RC <input type="checkbox"/> TC <input type="checkbox"/> TC-1 <input type="checkbox"/> OTHER _____					
B. VARIANCE REQUESTED					
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:					
1. Section <u>3.1.5</u>		Variance requested <u>FRONT required 30' Requesting 20'</u>			
2. Section <u>3.1.5</u>		Variance requested <u>REAR required 35' Requesting 32'</u>			
3. Section _____		Variance requested _____			
4. Section _____		Variance requested _____			
IV. FEES AND DRAWINGS					
A. FEES					
<input checked="" type="checkbox"/> Single Family Residential (Existing) \$200 <input type="checkbox"/> (With Violation) \$250 <input type="checkbox"/> Single Family Residential (New) \$250 <input type="checkbox"/> Multiple/Commercial/Industrial \$300 <input type="checkbox"/> (With Violation) \$400 <input type="checkbox"/> Signs \$300 <input type="checkbox"/> (With Violation) \$400 <input type="checkbox"/> House Moves \$300 <input type="checkbox"/> Special Meetings (At discretion of Board) \$600					
B. DRAWINGS 1-COPY & 1 DIGITAL COPY SUBMITTED AS A PDF					
<ul style="list-style-type: none"> • Dimensioned Drawings and Plans • Site/Plot Plan • Existing or proposed buildings or addition on the property • Number & location of all on-site parking, if applicable 			<ul style="list-style-type: none"> • Existing & proposed distance to adjacent property lines • Location of existing & proposed signs, if applicable • Floor plans & elevations • Any other information relevant to the Variance application 		



ZONING BOARD OF APPEALS APPLICATION

V. VARIANCE

A. VARIANCE (S) REQUESTED

DIMENSIONAL USE SIGN

There is a five-(5) hold period before work/action can be taken on variance approvals.

B. SIGN CASES (ONLY)

Your signature on this application indicates that you agree to install a **Mock-Up Sign ten-(10) days** before the schedule ZBA meeting. Failure to install a mock-up sign may result in your case not being heard by the Board, postponed to the next schedule ZBA meeting, or cancelled. A mock-up sign is **NOT** to be actual sign. Upon approval, the mock-up sign must be removed within five-(5) days of the meeting. If the case is denied, the applicant is responsible for all costs involved in the removal of the mock-up or actual sign (if erected under violation) within five-(5) days of the meeting.

C. ORDINANCE

City of Novi Ordinance, Section 3107 – Miscellaneous

No order of the Board permitting the erection of a building shall be valid for a period longer than one-(1) year, unless a building permit for such erection or alteration is obtained within such period and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

No order of the Board permitting a use of a building or premises shall be valid for a period longer than one-hundred and eighty-(180) days unless such use is establish within such a period; provided, however, where such use permitted is dependent upon the erection or alteration or a building such order shall continue in force and effect if a building permit for such erection or alteration is obtained within one-(1) year and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

D. APPEAL THE DETERMINATION OF THE BUILDING OFFICIAL

PLEASE TAKE NOTICE:

The undersigned hereby appeals the determination of the Building Official / Inspector or Ordinance made

CONSTRUCT NEW HOME/BUILDING ADDITION TO EXISTING HOME/BUILDING SIGNAGE
 ACCESSORY BUILDING USE OTHER _____

VI. APPLICANT & PROPERTY SIGNATURES

A. APPLICANT

Olive Berbach
Applicant Signature

12/16/2017
Date

B. PROPERTY OWNER

If the applicant is not the owner, the property owner must read and sign below:

The undersigned affirms and acknowledges that he, she or they are the owner(s) of the property described in this application, and is/are aware of the contents of this application and related enclosures.

[Signature]
Property Owner Signature

12/22/2017
Date

VII. FOR OFFICIAL USE ONLY

DECISION ON APPEAL:

GRANTED

DENIED

The Building Inspector is hereby directed to issue a permit to the Applicant upon the following and conditions:

Chairperson, Zoning Board of Appeals

Date



Community Development Department
 45175 Ten Mile Road
 Novi, MI 48375
 (248) 347-0415 Phone
 (248) 735-5600 Facsimile
 www.cityofnovi.org

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**REVIEW STANDARDS
 DIMENSIONAL VARIANCE**

The Zoning Board of Appeals (ZBA) will review the application package and determine if the proposed Dimensional Variance meets the required standards for approval. In the space below, and on additional paper if necessary, explain how the proposed project meets each of the following standards. (Increased costs associated with complying with the Zoning Ordinance will not be considered a basis for granting a Dimensional Variance.)

Standard #1. Circumstances or Physical Conditions.

Explain the circumstances or physical conditions that apply to the property that do not apply generally to other properties in the same zoning district or in the general vicinity. Circumstances or physical conditions may include:

a. Shape of Lot. Exceptional narrowness, shallowness or shape of a specific property in existence on the effective date of the Zoning Ordinance or amendment.

Not Applicable Applicable If applicable, describe below:

*This is a corner lot with irregular borders.
 Corner F LeBOST and MALOTT DR.*

and/or

b. Environmental Conditions. Exceptional topographic or environmental conditions or other extraordinary situations on the land, building or structure.

Not Applicable Applicable If applicable, describe below:

and/or

c. Abutting Property. The use or development of the property immediately adjacent to the subject property would prohibit the literal enforcement of the requirements of the Zoning Ordinance or would involve significant practical difficulties.

Not Applicable Applicable If applicable, describe below:

Standard #2. Not Self-Created.

Describe the immediate practical difficulty causing the need for the Dimensional Variance, that the need for the requested variance is not the result of actions of the property owner or previous property owners (i.e., is not self-created).

The need is caused by the irregular dimensions of the property. It narrows in certain places.

Standard #3. Strict Compliance.

Explain how the Dimensional Variance in strict compliance with regulations governing area, setback, frontage, height, bulk, density or other dimensional requirements will unreasonably prevent the property owner from using the property for a permitted purpose, or will render conformity with those regulations unnecessarily burdensome.

To be compliant, only 16' X 22' garage could be built attached to the house. This leaves 10' of the house and ~~to~~ concrete left over.

Standard #4. Minimum Variance Necessary.

Explain how the Dimensional Variance requested is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district.

This home has no basement. The increased size of the garage would allow for extra storage and accommodate 2 cars. The finished garage should add to the beauty of the neighborhood and add to property values.

Standard #5. Adverse Impact on Surrounding Area.

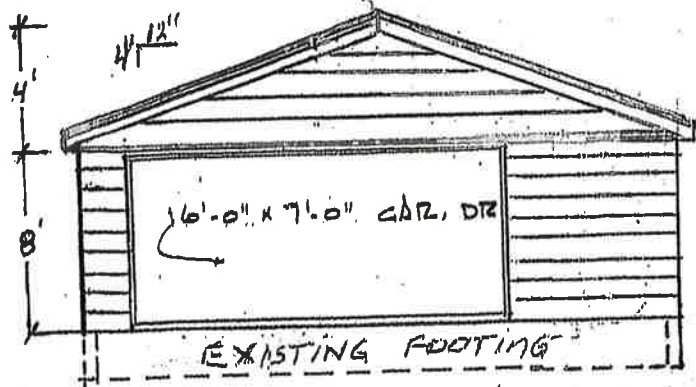
Explain how the Dimensional Variance will not cause an adverse impact on surrounding property, property values, or the use and enjoyment of property in the neighborhood or zoning district.

The variance will not cause any adverse impact on surrounding properties. It should add to the values of surrounding properties.

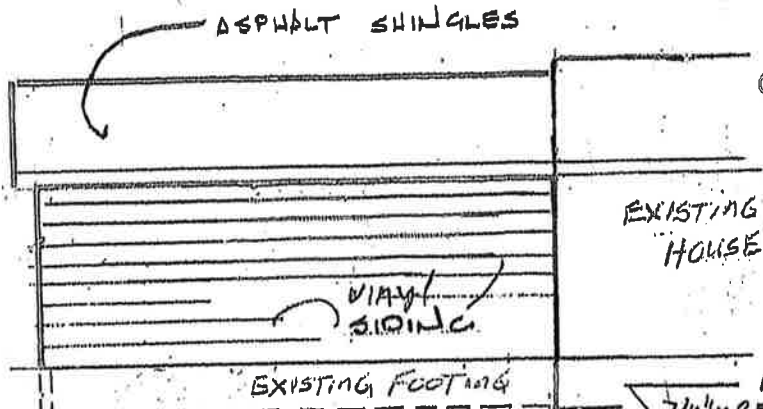
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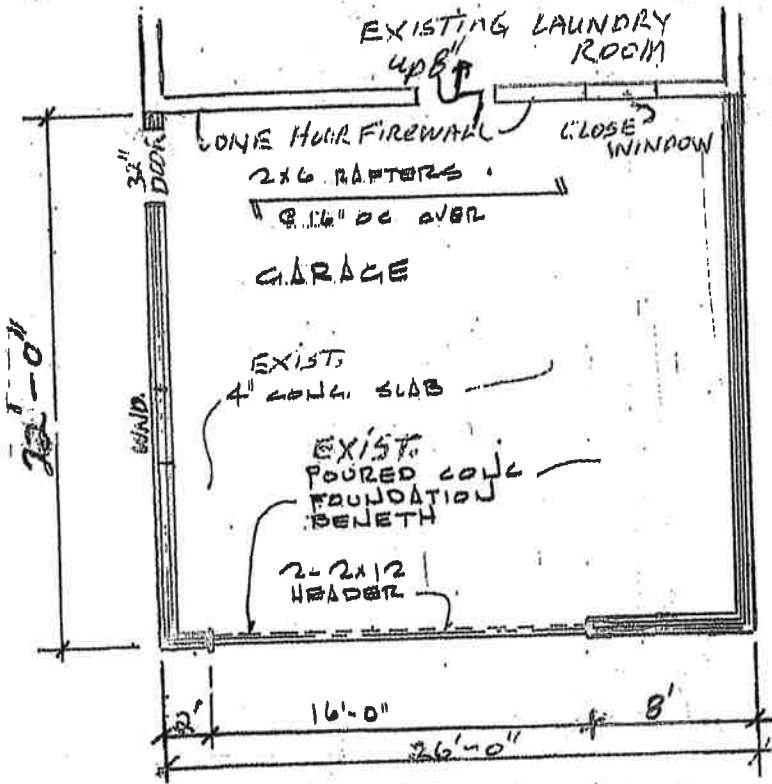
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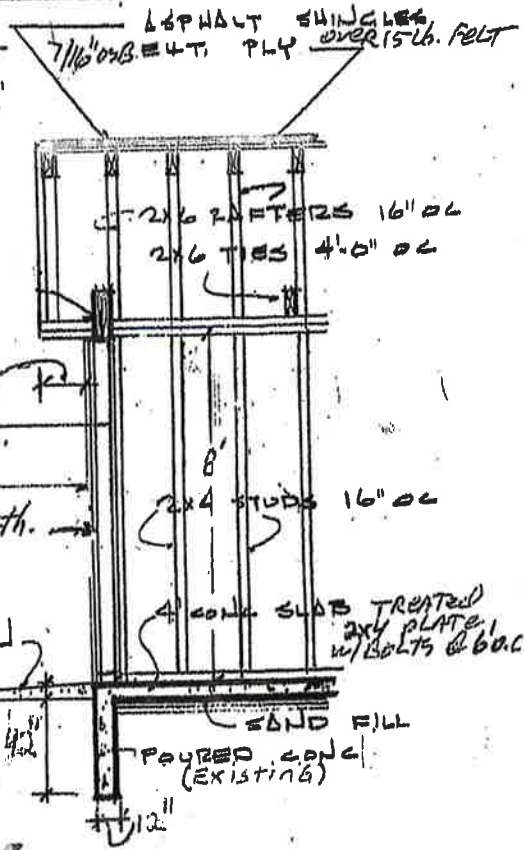
FRONT ELEVATION 1/8" = 1'-0"



SIDE ELEVATION 1/8" = 1'-0"



PLAN 1/8" = 1'-0"



SECTIONAL

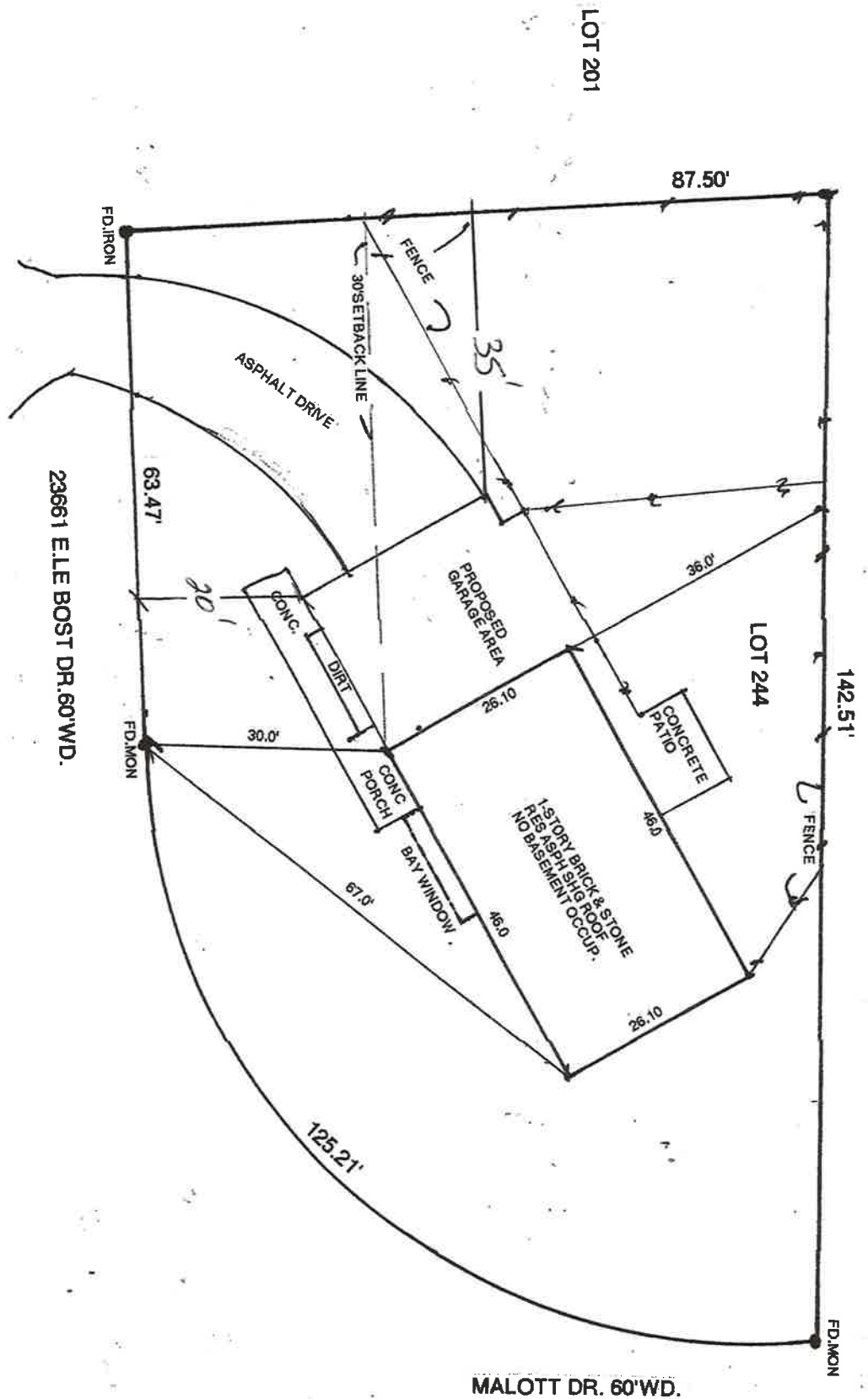
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CITY COPY

BOUNDARY SURVEY



LEGAL DESCRIPTION:

LOT 18- WILLOWBROOK ESTATES SUBDIVISION #2, CITY OF NOVI, OAKLAND COUNTY, MICHIGAN. AS RECORDED IN LIBER 77, PAGES 4 OF PLATS, OAKLAND COUNTY RECORDS

PARCEL: 22-25-151-013

CLIENT: JASON BERTSCHI SURVEY#37-176 DATE:NOVEMBER 24, 2017

We hereby certify that we have surveyed the parcel hereon delineated in accordance with the legal description as furnished by you and the boundaries and corners of said parcel are as indicated herein and that there exists no encroachments upon said parcel except as otherwise noted.

By Clive Cantor
Clive Cantor, L.S. # 10682



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