

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.

1 Thank you.

2 MEMBER KRIEGER: So I include that?

3 MR. SCHULTZ: No, you don't.

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

6 MR. SCHULTZ: No. Your motion is fine.

7 MEMBER NAFSO: Okay.

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

10 MEMBER BYRWA: Second.

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

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

15 MS. OPPERMAN: Member Byrwa?

16 MEMBER BYRWA: This is not approved. No.

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

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

20 CHAIRPERSON GRONACHAN: It's a denial.

21 MEMBER BYRWA: Yes. It's a denial.

22 CHAIRPERSON GRONACHAN: Okay.

23 MS. OPPERMAN: Chairperson Gronachan?

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CHAIRPERSON GRONACHAN: Yes.

MS. OPPERMAN: Member Krieger?

MEMBER KRIEGER: Yes.

MS. OPPERMAN: Member Nafso?

MEMBER NAFSO: Yes.

MS. OPPERMAN: Motion passes.

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

MEMBER NAFSO: Thank you.

CHAIRPERSON GRONACHAN: Member Nafso?

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

Because the petitioner has shown a practical difficulty without the variance, the petitioner would be unreasonably prevented or limited with respect to 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)