REGULAR MEETING - ZONING BOARD OF APPEALS

CITY OF NOVI

June 13, 2017

Proceedings taken in the matter of the ZONING BOARD OF APPEALS, at City of Novi, 45175 West Ten Mile Road, Novi, Michigan, on Tuesday, June 13, 2017

BOARD MEMBERS

Cindy Gronachan, Chairperson
David Byrwa
Linda Krieger
Joe Peddiboyina

ALSO PRESENT:

Beth Saarela, City Attorney
Lawrence Butler

Coordinator: Katherine Oppermann, Recording Secretary
REPORTED BY: Jennifer L. Wall, Certified Shorthand Reporter
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Tuesday, June 13, 2017

Novi, Michigan

7:00 p.m.

** ** **

CHAIRPERSON GRONACHAN: Good evening. I would like to call the June 2017 Zoning Board of Appeals meeting to order.

Would you please all rise for the Pledge of Allegiance.

(Pledge recited.)

CHAIRPERSON GRONACHAN: Please be seated.

Katherine, would you please call the roll.

MS. OPPERMANN: Member Byrwa?

MR. BYRWA: Present.

MR. FERRELL: Member Ferrell is absent. Member Gronachan?

CHAIRPERSON GRONACHAN: Present.

MS. OPPERMANN: Member Krieger?

MS. KRIEGER: Here.

CHAIRPERSON GRONACHAN: Member Nafso is absent excused.
Member Montville is absent, excused.

Member Peddiboyina?

MR. PEDDIBOYINA: Yes.

CHAIRPERSON GRONACHAN: And Chairperson Sanghvi is absent, excused.

CHAIRPERSON GRONACHAN: This evening we have a quorum to run the meeting.

We have some members absent, however, it takes the majority of the voting to pass the variances this evening.

MS. SAARELA: For a sign variance only.

CHAIRPERSON GRONACHAN: For a sign variance only.

MS. SAARELA: All four have to pass the non-use variances.

CHAIRPERSON GRONACHAN: And for any non-use variance, we have to have a full boat. So because where you do not have a full board this evening, if anyone wishes to postpone their case until next month, because they feel that they need -- they would like a
full board to hear their case, can do so now, or we may -- if there is no requests, then we will just move forward and hear all cases as they are presented this evening.

Is there anyone who wishes to have their case tabled at this time?

Seeing none, we will move forward to PZ17-0013, Allied Signs, 27212 Beck Road. Is the petitioner here? Please come on down.

The applicant is requesting -- you know what -- the applicant is requesting a variance from the City of Novi Code of Ordinances to allow two additional wall signs. Three signs are allowed, and 65 square feet maximum is allowed by code.

Before you do that, let me just say that there are -- in addition there is a change in the agenda, Case No. PZ17-0017, has been tabled until next month.

And all those in favor of the change in the agenda say aye.

THE BOARD: Aye.
CHAIRPERSON GRONACHAN: The agenda has been approved. And I will table the minutes for after this case.

Good evening. Would you please state your names and spell them for our recording secretary.

MR. MARKUS: Sure. My name is Doraad Markus, D-o-r-a-a-d, M-a-r-k-u-s. I am the developer of that little plaza that houses the Starbucks, which is the subject of today's zoning variance request.

With me is Patrick Stieber from Allied Signs. I'll let him spell his name.

MR. STIEBER: Patrick, P-a-t-r-i-c-k, S-t-i-e-b-e-r.

CHAIRPERSON GRONACHAN: Thank you. Gentlemen, would you please raise your right hand and be sworn in.

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

MR. MARKUS: I do.

MR. STIEBER: I do.
CHAIRPERSON GRONACHAN: You may proceed.

MR. MARKUS: I think I have been here before obviously, and I don't want to come back to these places, but I understand that sometimes things change in the development world and items and issues come up.

Starbucks is having a difficult time with some brand identity there. Me as a landlord, my initial site plan to them was showing them all the signage obviously as we develop more and more into this development, we realize how the zoning and sign ordinances work. They are having a difficult time with brand identity, especially with the word Starbucks. Their whole model was Starbucks coffee, and they also would like to have the siren, which is the round mermaid looking figure in their round logos. They have done this across all our shopping centers that we have built. They have done them across southeast
Michigan. I think you see many, many
Starbucks out there with the word Starbucks
coffee and their siren logo.

So what we are proposing here
is to have the word coffee underneath the
Starbucks to clarify the identity and to add
the siren on top of the drive-thru for just
brand recognition.

There is a difficult time that
we notice from people seeing the side of the
building and not being able to see the words
Starbucks coffee, and noticing that there is
a coffee shop there.

From there I will turn it over
to Patrick to kind of speak further to the
development and the design of the logo and
the sign itself.

CHAIRPERSON GRONACHAN: Thank
you.

MR. STIEBER: As he just stated,
Starbucks is now going around and -- to a lot
of other brand of stores, and this one is
fairly new, in fact, to add the coffee to the
signage, to get that into the brand recognition as he stated.

So here we are back again in front of the board in regards to the signage on the front elevation to add the Starbucks coffee to the Starbucks lettering.

Again, it's LED illuminated sign. Square footage is rather small in size, ten square feet, 10.66 square feet to be exact.

And back to sign B on the sign elevation, in which to add the Starbucks logo there, they have reduced the sign in size a little bit, since the last time you have seen this. Again, they are thinking that having the branding there will give them better identification, they feel that there is a hardship of lack of identification on that side of the building.

CHAIRPERSON GRONACHAN: Okay. Is there anything else?

MR. MARKUS: Nothing further at this point. We are here to answer any
questions you may have.

CHAIRPERSON GRONACHAN: I'm doing double duty here tonight.

There were 16 letters mailed, three letters returned, no approvals, no objections.

Building department, do you have anything to offer?

MR. BUTLER: They did try to decrease their extra signage. At first it was going to go to 30.28, but they dropped that down to 26.56, that kind of reduced that, so I did notice that.

CHAIRPERSON GRONACHAN: Okay.

Any other comments? Board members? Member Krieger.

MS. KRIEGER: I appreciate -- the three signs, when it asked in the initial thing, that's for a Starbucks coffee and the logo all has three separate signages on that front that faces Beck as one sign? With the square footage.

MR. STIEBER: Correct. That's
how we see it, but originally we had the word Starbucks within the drive-thru sign underneath it.

MS. KRIEGER: I am wondering like for on Novi Road, they have -- their signage approval, then they can switch the lettering any which way they want according to -- see it's all about the signage and number of signs, not what's on the signage. So I am having difficulty with that.

And then also the Starbucks has the logo, the circle logo on the back, so until that road is open all the way back to Grand River, I don't understand how they can't put it on the north side, because anybody anywhere knows that Starbucks is coffee, and the signage to the northbound would assist, then in the future come back at a future date, if the road finishes opening to Grand River, and then addresses another sign at that time.

MR. MARKUS: We have put the sign in the back because that's where all our
parking is. We need to afford them the opportunity to know where the Starbucks location is.

The problem is on when you're on the north side on top of the drive-thru window, nobody knows what's there. The way the building is angled, the way the site plan was approved, the building kind of faces away from traffic at that point, so nobody can see until you're driving in front of the building.

MS. KRIEGER: But doesn't that door or window have signage of Starbucks on it?

MR. MARKUS: No, it's just basic windows. You don't really see anything in the windows. They do that for security purposes, so people can see in.

MS. KRIEGER: That's all I have. I will listen from my other members.

MR. PEDDIBOYINA: I don't have anything.

CHAIRPERSON GRONACHAN: Member
Byrwa, do you have anything?

MR. BYRWA: No, I don't.

CHAIRPERSON GRONACHAN: I can see where the concern would be in regards to the amount of signage, and I think when you guys were here before, I agreed to the -- we agreed to the one in the back and rightfully so.

How did you guys know that there was a problem with the building?

MR. MARKUS: We are getting that quite a lot. Starbucks sales are not as strong as they anticipated, this is the team that figured out what's going on. So they have done drive-bys, I have -- in the development world you kind of know how things react to certain signages and where the perception is, where things are.

So the study is if there was a sign there, you would see it coming off the highway, see it at the intersection instead of circling all the way around the building, now you have passed it because remember there
is no left turn into there anymore, so it's creating quite a hassle. Really only way of traffic, for people at least notice us now to make that effort to come to the Starbucks. See the sign above the drive-thru, coming off the highway, coming from Beck Road on down to Grand River.

CHAIRPERSON GRONACHAN: From the north?

MR. MARKUS: Correct.

CHAIRPERSON GRONACHAN: So heading north is what the study showed or was it coming or -- I'm sorry. Heading south.

MR. MARKUS: Heading south, correct.

CHAIRPERSON GRONACHAN: On Beck Road, that's where the challenge is?

MR. MARKUS: That's the huge challenge. You know, that's you -- you know, the store surprisingly is off marked by a lot, not just by a little. I'm trying to do everything I can do to salvage this Starbucks location here. So that's the issue I am
having, me as a developer, coming in front of you folks to say, I think it behooves us to give them an opportunity to make sure they succeed by giving them that sign over the drive-thru. It looks good, it functions well. We have done this at many other plazas that have similar issues and, you know, I think this brand recognition would really help the store sales there.

CHAIRPERSON GRONACHAN: Given the fact that the petitioner has somewhat of a documentation, if you will, showing that there is a hardship, or would justify as hardship, that there is low sales, I would support it at this point, under the condition that you guys don't come back and ask for any --

MR. MARKUS: No, we are not coming back.

CHAIRPERSON GRONACHAN: You know, we have probably extended way beyond.

MR. MARKUS: I am doing it for the other tenants that are in there already.
It's just Starbucks leads the pack, where the other tenants will survive by the busyness that is created from Starbucks, for lack of a better word.

CHAIRPERSON GRONACHAN: I agree with that. I understand the challenge and being down Beck Road as often as I am, and I did go back down there and look to see just exactly what the visibility is different and it will change as it increases in building.

As that builds out more and more, there is going to be more and more of a challenge.

So I am willing to support that, and if anybody would like to make a motion.

MR. BYRWA: I will give it a shot.

CHAIRPERSON GRONACHAN: All right.

MR. BYRWA: In Case No. PZ17-0013, Allied Sign, Incorporated, 27212 Beck Road, the petitioner is requesting
signage in excess of the allowable ordinance, by I believe it's 26.56 square feet to allow three signs on the Starbucks property, and I move that the variance be granted in this case regarding the signage requested. I believe that without the variance, the petitioner would unreasonably be prevented or limited in respect to the property because of the limited visibility, the angle of the building and the traffic flow.

The property is unique because of the location from the road, and the traffic flow. The petitioner did not create the variance. I believe the building was already built and you decided to pretty much lease it. You didn't build the building, did you?

MR. MARKUS: We built the building subject to the site plan approval process.

MR. BYRWA: Okay. And then the relief granted will not unreasonably interfere with the other businesses. I
believe right now, the one business adjacent
or right next to you is vacant, and then the
other one, they're all separate uses, and
they wouldn't interfere or they shouldn't
interfere with each other.

And the relief is consistent
in the spirit of the ordinance because it's
not -- to me it's not an extreme variance.
They're asking for only 26.56 square feet
over the allowable, and for that reason, like
I said, I make a motion to grant the variance
subject to any other input from my fellow
members here.

MR. PEDDIBOYINA:  I second.

CHAIRPERSON GRONACHAN:  It's been
moved and second. Any further discussion?
Katherine, would you please
call the roll.

MS. OPPERMANN:  Member Byrwa?
MR. BYRWA:  Yes.
MS. OPPERMANN:  Member Krieger?
MS. KRIEGER:  Yes.
MS. OPPERMANN:  Chairperson
Gronachan?

CHAIRPERSON GRONACHAN: Yes.

MS. OPPERMANN: Member

Peddiboyina?

MR. PEDDIBOYINA: Yes.

MS. OPPERMANN: Motion passes four to none.

MR. STIEBER: Thank you for your time.

CHAIRPERSON GRONACHAN: Your variance has been granted. Good luck. We hope not to see you.

MR. MARKUS: I won't be back for this project at least.


All right. Our next case is PZ17-0014, McCotter Architects and Design, 1141 East Lake Drive.

The applicant is requesting a variance for a side yard setback of 11 feet 9 inches and building overhang setback of
13 feet 3 inches. This building is zoned residential, R4.

Good evening. And you are?

MR. MCCOTTER: Good evening. My name is Tim McCotter, M-c-c-o-t-t-e-r. We are looking for both the side yard setbacks for expanding the existing non-conforming house to allow for a side entry garage so that we can -- there is other properties in the area that have side entry garages, which allows us to go more than a two car garage, we can go a three or four car garage.

We are also looking for expansion of the allowable use area for an accessory structure so that we can get a four car garage in there, so it will eliminate the outdoor storage of jet skis and other toys and accessories that come with having a lake home.

CHAIRPERSON GRONACHAN: Okay. And you didn't get sworn in. So do you swear or affirm that the testimony that you are about to give is the truth?
MR. MCCOTTER: I do.

CHAIRPERSON GRONACHAN: Thank you. Do you have anything else to offer?

MR. MCCOTTER: At this point, any questions you might have, I can help to answer.

CHAIRPERSON GRONACHAN: There were 21 letters mailed, two letters returned, one approval, one objection.

The first objection is Chester Morenda, at 1143 East Lake, also objects to both variances. The proposed plan identifies the residents on adjacent lot three is typically placed. It is not. It straddles lot three and new construction lot can place that home 11 feet 9 inches from the applicant's south property line, much closer than appears on the plan. The proposed variance placed the structure too close to the property line two feet, creating a fire hazard to the property -- I'm sorry, creating a fire hazard. Please note garage contains flammable liquid, gasoline and two recent
fires last year on the lake where homes were so close together.

The current structure has a two car garage. If applicant wishes to add spaces, we ask that he do so in the parameters of the city of the Novi ordinance section cited.

Then we have -- I gave you the name, right. Then we have the next approval from David Clark, II, at 1123 East Lake Drive, and without any comments except an approval.

Building department, do you have anything to offer?

MR. BUTLER: Nothing to offer besides that this is a large structure and he really has no room to go anywhere else with it.

Board members.

MR. BYRWA: I have a question. Is the total garage or storage space going to exceed the total living space?

MR. MCCOTTER: No.
MR. BYRWA: Do you know the ratios or numbers?

MR. MCCOTTER: Not off the top of my head. It's like quite nine to one. It's close. The garage is getting -- at 948 square feet, the existing house is just over 1,000 square feet in footprint.

CHAIRPERSON GRONACHAN: Anything else, Member Byrwa?

MR. BYRWA: No.

CHAIRPERSON GRONACHAN: Member Peddiboyina?

MR. PEDDIBOYINA: Do you have any diagram, a picture?

MR. MCCOTTER: Oh. This was what we submitted. If you want to look at the site, that's at the bottom portion. This is the area where we are looking to put the garage, give us an idea. This is the property line. I believe the response that we were looking for that was a negative is this home here, then this is the existing house. We will be expanding that in the
covered porch onto the front.

MR. PEDDIBOYINA: Thank you.

CHAIRPERSON GRONACHAN: Member Krieger, do you have anything?

MS. KRIEGER: No, thank you.

CHAIRPERSON GRONACHAN: I see that you have a challenge with the width. The reasoning for that building to be that close to the lot line is because?

MR. MCCOTTER: Physical ability to get out of the garage. If we -- part of what we looked at was turning radius of a small car, to get in. We are not looking to get trucks or SUVs or things like that in, but to be able to come down the driveway and actually physically turn into the garage, and be able to back out without going over onto the neighbor's property.

We've pulled every trick we can. We have gone over the 22 foot deep garage, instead of the 24 foot that's more standard now. That gave us a little bit more space to be able to have back-up room, things
like that.

CHAIRPERSON GRONACHAN: So when you complete this -- all of this construction, the house is going to be a little over 1,000 feet?

MR. MCCOTTER: On the main level. The upper level, which you can see here, we have the same footprint on the house, we go over the garage with additional living space.

CHAIRPERSON GRONACHAN: So again, what's the total square footage of the house not including the garage when you get done?

MR. MCCOTTER: I believe we are at 2,500 square feet.

CHAIRPERSON GRONACHAN: Then the garage is going to be --

MR. MCCOTTER: About 948 square feet.

CHAIRPERSON GRONACHAN: I am torn on this, to be honest with you. I realize that the homeowner has a challenge with the property, but I don't know that there wouldn't be a more beneficial -- maybe the
word isn't beneficial, not as excessive plan to lay that building that close to the property line, is it necessary, if it wasn't a garage.

MR. BYRWA: You know, if I could add to that, the fire separation distance is typically a minimum of five feet, and with that five feet, if one neighbor has five feet and the other neighbor has ten or five feet, then it creates a 10-foot separation for fire purposes, and the likelihood of a fire jumping from one building to the next at 10 feet is a lot less likely to happen, and that's a typical fire separation distance of 10 feet between buildings. Here the neighbors -- or the petitioner's providing over the 10 feet fire separation distance, if the neighbor provides a minimum of five feet, then that's like 15 feet, you know, and it's clearly over the minimum fire separation distance for structures.

MR. MCCOTTER: If I can comment on that. From the building code standpoint,
we will have to be fire rated, the back wall
of this garage. This garage will have to be
fire rated, as well as a portion onto the
roof to prevent the fire jumping conditions.
We won't get that close to the property line.

MR. BYRWA: You agreed to do
that?

MR. MCCOTTER: It's something we
have to do by building code requirements. So
we'll eliminate the the windows. There is
opening requirements that we have to meet, as
well as fire rating requirements that we have
to meet when we get a structure this close to
the property line.

MR. BYRWA: The closest distance
is 11, isn't it?

MR. MCCOTTER: The closest
distance is two feet from the property line.

MR. BYRWA: Oh, two feet. Why
did I read 11 foot setback?

MR. MCCOTTER: Eleven foot is
what we are asking as a variance from the
required setback.
CHAIRPERSON GRONACHAN: There is two feet from the property line.

MS. KRIEGER: Can you put your pen around the diagram, where the footprint is of the house that's standing out?

MR. MCCOTTER: The footprint as it is standing now is this piece right here. That's the footprint of the house now.

This structure that you see here is on the open porch that we pull up in the drawing there, that's that piece there in the drawing. Then this is the garage structure that we are seeing back here.

MS. KRIEGER: So it's the addition that's going more into towards the property line?

MR. MCCOTTER: The addition goes 2.6 feet further than the existing houses currently.

CHAIRPERSON GRONACHAN: I have a question for the city attorney. So when I am looking at this, and even though it's an unusual lot size, if they had a smaller
garage, they wouldn't need as much of a variance. So my concern is that closeness to the property line. Am I going down the wrong road?

MS. SAARELA: I mean, you can find that if they are for asking more of a variance than is necessary, you can grant a lesser variance, if you feel that what they're asking for is too much and it's not necessary.

CHAIRPERSON GRONACHAN: The thing that I am struggling with, and I may recommend that you bring this case back next month, and I will tell you why.

The thing that I am struggling with is that this garage is going to be two feet from a property line. If he didn't have a garage it wouldn't be two feet, you wouldn't need that kind of a variance.

So I am struggling with the definition of self-created. So when you're building something on a lot, and you are requesting the minimum variance, I don't feel
that this version is giving you -- you're using that option, to go with the least. And so I am a little concerned about this.

MR. MCCOTTER: The alternative is we don't have a garage.

MS. KRIEGER: No.

MR. BYRWA: You can resubmit another design.

MR. MCCOTTER: What I am saying, from the standpoint, from yes, if we submit another design, but it's the garage that's tripping us, which is it self-created, if the owner is not basically said they can't have a garage, because to put a garage in, we have to get close enough -- too close to the property line.

CHAIRPERSON GRONACHAN: Is that the hardship?

MS. SAARELA: The hardship is the size of the property being near --

CHAIRPERSON GRONACHAN: If you want to put a garage somewhere and it doesn't fit the property that -- I mean --
MS. SAARELA: I guess you have to shrink the size of the garage. I mean, I don't know -- is that the question?

CHAIRPERSON GRONACHAN: Yes.

MS. SAARELA: It sounds like you are just struggling with is the garage too big. It's a factual question.

MR. MCCOTTER: If we shrink the size of the garage, less than the 22, we can't functionally get anything car-wise into it.

CHAIRPERSON GRONACHAN: Isn't it going to be a four car garage?

MR. MCCOTTER: I'm looking at the depth, the width of it, inside, not necessarily the length. The depth of the garage is what's giving us the two foot to the side setback. The length is the secondary issue on the accessory size structure.

CHAIRPERSON GRONACHAN: Based the way I am looking at this right now, I feel that it's too excessive. That's my opinion.
I don't know how the other board members feel. I would -- my recommendation would either be to table it for a full board --

MR. PEDDIBOYINA: That's good.

CHAIRPERSON GRONACHAN: We have to make a motion. Either table it for next month, or I would be inclined to deny a if a motion was made this evening.

What do you feel, board members?

MR. BYRWA: Well, he would have the right if it was denied this evening to come back with an alternative plan?

CHAIRPERSON GRONACHAN: No.

MS. SAARELA: To come with an alternative plan -- he could --

CHAIRPERSON GRONACHAN: I am giving the petitioner the benefit of the doubt.

MR. BYRWA: Well, there is no guarantee that it would be approved even with a full board. And you may have to come back with an alternative plan.
MR. MCCOTTER: Yeah.

MR. BYRWA: It would be up to the petitioner to determine whether you want to take a vote tonight with the likelihood of it not being approved, or you want to postpone this to a full compliment of board members possibly at next month's meeting.

MR. MCCOTTER: If I can turn and ask the owner their opinion.

CHAIRPERSON GRONACHAN: Certainly.

MR. MCCOTTER: We prefer to table it at this point.

MR. BYRWA: Thank you very much.

CHAIRPERSON GRONACHAN: So hang on. Hold the phone. So would somebody like to make motion.

MR. BYRWA: I would make a motion that in the Case of PZ17-0014, that it be postponed to the July meeting.

CHAIRPERSON GRONACHAN: All those in favor.

THE BOARD: Aye.

CHAIRPERSON GRONACHAN: Okay. So
moved. So it's all approved and we will see you next month.

MR. MCCOTTER: Thank you.

CHAIRPERSON GRONACHAN: Our next case is PZ17-0015, Mark Ashbaugh and Angela Ditri -- I hope I pronounced that correctly -- at 116 Eubank. Are the petitioners here.

Before you go into your case, could you just state your names and spell them for the secretary, then we will swear you in, please.

MR. ASHBAUGH: My name is Mark Ashbaugh, M-a-r-k, A-s-h-b-a-u-g-h.

MS. DITRI: Angela Ditri, A-n-g-e-l-a, D-i-t-r-i.

CHAIRPERSON GRONACHAN: Would you both raise your right hands, please, to be sworn in.

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

MS. DITRI: I do.

MR. ASHBAUGH: I do.
CHAIRPERSON GRONACHAN: You may proceed.

MR. ASHBAUGH: We are looking to add a garage. I have been here seven years. We have been -- joined houses three years ago, we just don't have a garage, we don't have room. So we kind of are trying to make it look nice. Our house is a Craftsman style. We have hired an architect to draw plans for a Craftsman style garage to go with it.

I was on the Franklin historic commission for a number of years and that's what we try do to kind of separate the house to keep the original looking house. The house was built in 1930, so I want to keep that original structure and then add a complimentary structure with it.

CHAIRPERSON GRONACHAN: Do you have anything else to offer?

MR. ASHBAUGH: I don't know.

First time I am doing this, so --

CHAIRPERSON GRONACHAN: You're a
newbie. Ms. Ditri, do you have anything to offer at this time?

MS. DITRI: No. I am new at this as well, so we will answer your questions.

CHAIRPERSON GRONACHAN: Is there anyone in the audience that wishes to make a statement on this case? Seeing none, in regards to the correspondence, there were 116 letters mailed, 21 letters returned. You have one fan out of all of that.

That is from a Douglas Heath, and I apologize, this is not a very good photocopy. I believe it's 105 South Lake Drive. It is an approval. I would verify that address.

Building department, do you have anything to offer?

MR. BUTLER: No comment.

CHAIRPERSON GRONACHAN: Okay. Board members. Member Krieger.

MS. KRIEGER: I think that's very nice that -- to keep it complimentary with the house and driving by there, I don't see
any issues with that. Thank you.

CHAIRPERSON GRONACHAN: Okay.

Member Peddiboyina?

MR. PEDDIBOYINA: Can you explain the diagram, what exactly is on the picture?

MS. DITRI: We have the -- I don't know if this helps you at all or not, but this is the existing home right here.

MR. ASHBAUGH: There is a dormer upstairs with the two bedrooms in the front.

MS. DITRI: On the home, and then we have a large porch here that expands out and we can see the lake from there, which we are keeping that open, and the garage -- this is the front -- like you will drive in sideways into the garage, so this is just a window here, the garage door is actually here, so if we see in this -- sorry, down here is front and this here is where the street is, so you're looking at this, this is the street view here, where you're looking at that, that's the front view. I don't know if that answers your question.
CHAIRPERSON GRONACHAN: Yes.

MR. ASHBAUGH: We wanted to make it -- like I said, cohesive with the house, but also attach it. So we had the little side porch, like a breezeway coming out, so we can get from the garage, up to the steps and into the front porch without getting snow or rain or whatever. That's kind of how we decided to attach that.

MR. PEDDIBOYINA: Thank you.

CHAIRPERSON GRONACHAN: Member Byrwa.

MR. BYRWA: What is the ratio between the lot coverage of the garage and the lot coverage of the house? Is the garage more now?

MR. ASHBAUGH: The square footage of the house is 1,152 and the garage is 787 square feet.

MR. BYRWA: Both garages, not just the new one?

MR. ASHBAUGH: We don't have any garage right now. We want to build this
three car garage with some storage upstairs. That is 787 square feet.

MR. BYRWA: Thank you.

CHAIRPERSON GRONACHAN: My question for you is, the upstairs, is that going to be living or storage?

MR. ASHBAUGH: Just storage. Like I said, we combined houses a couple years ago. We have boxes everywhere. We have a pool table that we haven't seen in a couple years, that's in the basement of the house, so we just wanted to clean things up and, you know, try to get organized.

CHAIRPERSON GRONACHAN: I can relate. I moved in January. I am still tripping over boxes.

So I just want to verify, with the building department, it's just a 2.4 feet variance setback that they're requiring, so when they get done, they're going to be at 28.6?

MR. BUTLER: Yes.

CHAIRPERSON GRONACHAN: I have no
problem. I think that this is a minimum requirement that you're asking for. I think that you're improving where you are. I think that you did it right, and garage space is key, especially in Michigan. I think we all need them. And I wish I could have one.

With that, I would be in support of it.

If there is no further discussion, if anyone would like to make a motion. Member Krieger.

MS. KRIEGER: In Case No. PZ17-0015, for 116 Eubank Street, I move to grant the request for the variance sought by the petitioner. He's shown a practical difficulty that the accessory structure will not impede but will increase the value of surrounding properties.

The variance will not unreasonably prevent -- well, the petitioner will be unreasonably prevented or limited with respect to use of their property. I was
reading the wrong one -- counsel?

  MS. SAARELA: I am sorry. I was
not listening to which one you were reading.
Are you reading off the sheet --

  MS. KRIEGER: Yes. I'll back up
a minute.

  MS. SAARELA: The one in the
packet is the right standard.

  MS. KRIEGER: Without the
variance, petitioner will be unreasonably
prevented or limited with respect to the use
of their property. The property is unique
because of its topography and placement in
the subdivision. The petitioner did not
create the condition, because of the lot
size, it was already as-is.

  The relief granted will not
unreasonably interfere with adjacent or
surrounding properties, will increase
property values and it is garage size versus
house size footprints are proportional.

  The relief is consistent with
the spirit and intent of the ordinance
because of Michigan weather.

    MR. BYRWA: I will second.

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

    Katherine, please call the roll.

    MS. OPPERMANN: Member Byrwa?

    MR. BYRWA: Yes.

    MS. OPPERMANN: Member Krieger?

    MS. KRIEGER: Yes.

    MS. OPPERMANN: Chairperson Gronachan?

    CHAIRPERSON GRONACHAN: Yes.

    MS. OPPERMANN: Member Peddiboyina?

    MR. PEDDIBOYINA: Yes.

    MS. OPPERMANN: Motion passes four to zero.

    CHAIRPERSON GRONACHAN: Your variance has been granted. I am sure you will be in touch with the building department.

    MR. ASHBAUGH: Thank you.
CHAIRPERSON GRONACHAN: Case No. PZ17-0016, Adam Czap at 22420 Havergale Street, east of Beck, north of Nine.

The applicant is requesting a variance for a rear yard setback of 20 feet to build above an existing structure and 35 feet minimum setback is usually required.

Good evening. Are you Mr. Czap?

MR. CZAP: I am.

CHAIRPERSON GRONACHAN: Good evening. Would you please state your name, your full name to the secretary and spell it.

MR. CZAP: Adam Czap, A-d-a-m, C-z-a-p.

CHAIRPERSON GRONACHAN: Would you raise your right hand to be sworn in.

So you swear or affirm to tell the truth in the matter before you?

MR. CZAP: Yes.

CHAIRPERSON GRONACHAN: You may proceed.

MR. CZAP: We have an existing
deck and we would like to turn into it a
sunroom. And we are a little too close to
the back of our property. The back of our
property has got a wooded area behind it, and
doesn't stick out from the sides of our house
and the existing deck is on stilts, those
will be reinforced in a couple of areas which
are noted on there. Not even sure if that is
a requirement.

But I am here to answer any
question you may might have.

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

Seeing none, building
department.

MR. BUTLER: No comment.

CHAIRPERSON GRONACHAN: Okay.

Correspondence. There were 20 letters
mailed, zero letters returned, and three
approvals. First approval is from Paul and
Melissa Bowers, at 2239 Haerguson. The
second approval is from John and Mary Jane
Rugeman, R-u-g-e-m-a-n, at 46040 West Nine Mile. They have an approval, and they basically state they -- their property line adjoins the backyards of the four subdivision lots, one of which is owned by our petitioner. We have no problem with the variance requested as it does not affect any present structure on our property. Please grant the variance.

And then the final is from -- oh, boy, Jerry -- can you help me with the last name?

MR. CZAP: I don't know how to say it either. Nice people though.

CHAIRPERSON GRONACHAN: From the nice people at 22456 Havergale. We don't have any problem as long as it doesn't extend from --

MR. CZAP: I think they're trying to say past the existing structure thing.

CHAIRPERSON GRONACHAN: From covered extension deck. So I would take that as an approval.
Board members, do you have anything to offer?

MR. BYRWA: I have a question for the building department.

CHAIRPERSON GRONACHAN: Member Byrwa.

MR. BYRWA: In this situation, we have an existing deck, you want to put a three-season room on it, or cover it. Is the building department going to require that some sort of -- I don't want to say critter protection, like a rot wall or something, although the existing footings, post footings would hold up the structure, it seems like you're creating a nice dry space for critters to take up residency underneath. And without it being kind of sealed, or a rot wall, you're just inviting all the neighborhood critters to live underneath there.

MR. CZAP: If I could comment on that. I'm not sure how much he knows about what we are doing.

The plan actually is to seal
off the entire thing. So underneath the floor we are going to put insulation and close it right in. If that's what you're referring to.

MR. BYRWA: We are talking at the perimeter of the structure. We are looking at like some kind of like a rot wall to prevent critters from living underneath.

MR. CZAP: I see what you are saying. We have a walk-out basement, so the kitchen is actually above the floor. If the deck wasn't there, and you walked out of our kitchen, you would fall about six or eight feet. So there is -- you can walk underneath right now, like I have a power washer -- it's a big area.

MR. BYRWA: It's not necessarily a dry space, it's going to be an elevated --

MR. CZAP: It's elevated, yes. I think from the ground, so we have got a patio down on the walkout, so the deck sits up here, the walkout is down here, the difference between here and there is like a
flight of 15 or 12 stairs.

MR. BYRWA: It's not a nice dry warm area for critters to lodge?

MR. CZAP: Nope.

MR. BYRWA: Thank you.

CHAIRPERSON GRONACHAN: Anyone else? Member Krieger?

MS. KRIEGER: This structure, is that the one that's toward the south that you're going to enclose?

MR. CZAP: The south, what do you mean?

MS. KRIEGER: Of the house?

MR. CZAP: Yes.

MS. KRIEGER: Then it would be extending like as a neighborhood setting, just putting a roofing over it?

MR. CZAP: It's the same thing that we already have, just goes up and put a roof over on and some windows and --

MS. KRIEGER: Underneath is where it's a walkout --

MR. CZAP: Not underneath the
actual deck. The walkout is like if you were standing in Mr. and Mrs. Rugeman's yard, facing the back of my house, the deck would be here and the walkout is actually over here off to the side. So there is nothing under there.

MS. KRIEGER: Thank you.

CHAIRPERSON GRONACHAN: I have no questions and I am in full support. I think that this is a minimum request. I am a fan of Florida rooms in Michigan. They should name them differently in this state, I think, because lord knows we need them. Three seasons.

So I think that you have done your homework and it is unfortunate where the woods play havoc, just make you enjoy your home -- it just allows you to enjoy your home on a longer basis.

MR. CZAP: I am pretty excited about it because we have two little kids, our office space on the first floor is where their playroom is right now, so I have got
really no place for any peace and quiet. No TVs, no anything, just a quiet room to sit in.

CHAIRPERSON GRONACHAN: I would entertain a motion if anybody is ready. I think Member Krieger is.

MS. KRIEGER: In Case No. PZ17-0016, I move that we grant the request sought by the petitioner that without the variance, petitioner will be unreasonably prevented or limited with respect to the use of their property, because of the -- as described the -- where it's enclosed with trees and forest and that would increase the mosquitoes in Michigan, that makes it difficult to enjoy one's outer space, and the backyards.

The property is unique because it abuts a wooded area. The petitioner did not create the condition or he was -- the deck was there. The relief granted will not unreasonably interfere with adjacent or surrounding properties, that would increase
property values. The relief is consistent with the spirit and intent of the ordinance because of its minimum request.

MS. SAARELA: Second.

CHAIRPERSON GRONACHAN: It's been moved and second. Any further discussion? Seeing none, Katherine, will you call roll.

MS. OPPERMANN: Member Byrwa?

MR. BYRWA: Yes.

MS. OPPERMANN: Member Krieger?

MS. KRIEGER: Yes.

MS. OPPERMANN: Chairperson Gronachan?

CHAIRPERSON GRONACHAN: Yes.

MS. OPPERMANN: Member Peddiboyina?

MR. PEDDIBOYINA: Yes.

MS. OPPERMANN: Motion passes.

CHAIRPERSON GRONACHAN: All right. Your variance has been granted. Congratulations. I hope you get that peace and quiet soon.

So as previously stated,
PZ17-0017 has been postponed until next month.

And so that leaves us with PZ16-0018, Northern Equity Properties, west of Haggerty Road, north of Thirteen. The applicant is requesting a variance from the City of Novi for a setback of 51.66 feet for a proposed dumpster.

Good evening, and you are?

MR. PUTLER: Good evening. My name is Jim Putler. I'm with a company called DEA. I am here on behalf of Pat Sozum (ph) with Northern Equities. Last name is spelled P-u-t-l-e-r.

CHAIRPERSON GRONACHAN: Would you please raise your right hand to be sworn in. Do you swear or affirm that the information you are about to give in the matter before you is the truth?

MR. PUTLER: Yes.

CHAIRPERSON GRONACHAN: Thank you. You may proceed.

MR. PUTLER: Good evening. We
are here this evening asking for a variance for a dumpster. Pursuant to your zoning ordinance, the dumpster has to be located in a rear yard.

This property has some unique characteristics to it, one of them being a high tension power lines that run north south through the property, placing the building on the site, not having it too close to the power lines, has been a challenge.

So we are here asking for a variance of 51.66 feet for the dumpster to be placed in the rear yard. Pursuant to your ordinance, we are supposed to be 108 feet eight inches. We don't think this will have any negative impact upon the adjacent property owners and the only effect the property really would be M5, but the dumpster is turned in such a way that you will never see it, it will be screened and landscaped around.

I will be happy to answer any questions you may have.
CHAIRPERSON GRONACHAN: There is clearly no one in the audience to make comment on this case. Building department?

MR. BUTLER: They have identified the back of their building is facing M5, so they're not really facing the public. They really have no location to put that dumpster. That is the best location that we identified as that location.

CHAIRPERSON GRONACHAN: Okay. In regards to correspondence, 27 letters were mailed, seven letters were returned, no objections, no approvals.

Board members.

I have a question just to help everything get going. Can you point out on this picture clearly where exactly the dumpster is, where you are placing it.

MR. BUTLER: The dumpster is located right in this location. Okay. This is the M5 right-of-way.

CHAIRPERSON GRONACHAN: Where should it have been, if you would have put it
where it was supposed to go?

MR. PUTLER: It has to be a 100 feet 8 inches, it would need to be somewhere in here.

CHAIRPERSON GRONACHAN: That's clearly the parking lot, correct?

MR. PUTLER: Yes.

CHAIRPERSON GRONACHAN: That would be pretty unsightly, to say the least. Also, it would also not be a good use of space really, at that point because you're taking away parking from the site.

MR. PUTLER: You would be taking away parking, the proximity to the door in the building. There is handicapped spaces that are there. So it would be taking away some pretty good parking.

CHAIRPERSON GRONACHAN: Anyone else? Member Peddiboyina.

MR. PEDDIBOYINA: Thank you. Do you have any dumpster currently? You don't have any dumpster right now?
MR. PUTLER: This building has been not built as of yet. It's a speculative building. We did receive site plan approval last month.

MS. SAARELA: Thank you.

MS. KRIEGER: You said it would be screened in?

MR. PUTLER: It will be completely screened pursuant to your ordinance, walls, gates and typically landscaping that's around it.

MS. KRIEGER: Thanks.

CHAIRPERSON GRONACHAN: Would anyone like to entertain a motion if there is no further discussion. I think that would be Member Krieger again.

MS. KRIEGER: In Case No. PZ17-0018, I move to grant the request by the petitioner, that the petitioner will be unreasonably prevented or limited with respect to the use of the property as described, that the dumpster would be more in the parking lot and in the way versus with
the variance, they have a proper location for it, and the property is unique because of its location along the M5 corridor. The petitioner did not create this condition, because of the planning.

The relief granted will not unreasonably interfere with adjacent or surrounding properties because as described it will be enclosed, and according to planning.

The relief is consistent with the spirit and intent of the ordinance because of fulfilling its requirement.

MS. SAARELA: Second.

CHAIRPERSON GRONACHAN: It's been moved and second. Any further discussion?

Katherine, please call the roll.

MS. OPPERMANN: Member Byrwa?
MR. BYRWA: Yes.

MS. OPPERMANN: Member Krieger?
MS. KRIEGER: Yes.

MS. OPPERMANN: Chairperson
CHAIRPERSON GRONACHAN: Yes.

MS. OPPERMANN: Member

Peddiboyina?

MR. PEDDIBOYINA: Yes.

MS. OPPERMANN: Motion passes.

CHAIRPERSON GRONACHAN: All set.

Congratulations. When will the building be completed?

MR. PUTLER: They are still in lease negotiations with potential prospects. Hopefully we will be submitting plans within the next month or so, if all goes well.

CHAIRPERSON GRONACHAN: We will have our fingers crossed for you. Good luck.

Since we were all off our norm today. Let's go back to the minutes for April and May of 2017.

Does anyone have any additions, subtractions or corrections to be made on the minutes of April and May?

Seeing none, all those approving the minutes say aye.
THE BOARD: Aye.

CHAIRPERSON GRONACHAN: Minutes for May and April are approved.

Is there anything -- any other topics to be discussed? Entertain a motion to adjourn.

MS. KRIEGER: Moved.

MR. BYRWA: Second.

CHAIRPERSON GRONACHAN: All those in favor say aye.

THE BOARD: Aye.

CHAIRPERSON GRONACHAN: Meeting adjourned.

(The meeting was adjourned at 8:10 p.m.

** ** **
STATE OF MICHIGAN   )
 ) ss.
COUNTY OF OAKLAND   )

I, Jennifer L. Wall, Notary Public within and for the County of Oakland, State of Michigan, do hereby certify that the meeting was taken before me in the above entitled matter at the aforementioned time and place; that the meeting was stenographically recorded and afterward transcribed, and that the said meeting is a full and correct transcript.

I further certify that I am not connected by blood or marriage with any of the parties or their attorneys, and that I am not an employee of either of them, nor financially interested in the action.

IN WITNESS THEREOF, I have hereunto set my hand at the City of Walled Lake, County of Oakland, State of Michigan.

6-28-17

Jennifer L. Wall CSR-4183
Oakland County, Michigan
My Commission Expires 11/12/22