REGULAR MEETING - ZONING BOARD OF APPEALS

CITY OF NOVI

December 13, 2016

Proceedings taken in the matter of the ZONING BOARD OF APPEALS, at City of Novi, 45175 West Ten Mile Road, Novi, Michigan, on Tuesday, December 13, 2016

BOARD MEMBERS

Cindy Gronachan, Chairperson
Jonathan Montville, Secretary
Mav Sanghvi
Joe Peddiboyina
David Byrwa

ALSO PRESENT:

Beth Saarela, City Attorney
Lawrence Butler

Coordinator: Carol Chaput, Recording Secretary

REPORTED BY: Jennifer L. Wall, Certified Shorthand Reporter
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CHAIRPERSON GRONACHAN: I'd like to call the December 2016 Zoning Board of Appeals meeting to order.

Please rise for the Pledge of Allegiance.

(Pledge of Allegiance recited.)

CHAIRPERSON GRONACHAN: Carol, would you please call the roll.

MS. CHAPUT: Member Byrwa?

MR. BYRWA: Here.

MS. CHAPUT: Member Krieger, absent excused.

Member Montville?

MR. MONTVILLE: Here.

MS. CHAPUT: Member Peddiboyina?

MR. PEDDIBOYINA: Yes.

MS. CHAPUT: Member Sanghvi?

MR. SANGHVI: Here.

MS. CHAPUT: Chairperson
CHAIRPERSON GRONACHAN: Here.

Thank you. This evening we have a short meeting, however, I'm going to ask everyone at this time to please turn off all cellphones during the meeting.

We will have an opportunity for each petitioner to come before the board, plead their case, so to speak, and if there is anyone in the audience that wishes to speak in regards to that case, at that time, you will be asked to come down and do so. There will be a time limit of three minutes per resident, and that will help us keep the meeting moving quickly.

Are there any changes to the agenda this evening?

MS. CHAPUT: Not that I know of.

CHAIRPERSON GRONACHAN: Thank you.

All those in favor of this evening's agenda say aye.

THE BOARD: Aye.
CHAIRPERSON GRONACHAN: Agenda approved.

Were there any changes or deletions or additions to the minutes from October of 2016?

MR. SANGHVI: I don't have any.

CHAIRPERSON GRONACHAN: Anyone?

MR. SANGHVI: Motion to approve as presented.

CHAIRPERSON GRONACHAN: All those in favor?

THE BOARD: Aye.

CHAIRPERSON GRONACHAN: The minutes for October of 2016 have been approved.

Is there anyone in the audience at this time that wishes to make comments to the Zoning Board of Appeals in regards to anything other than what's on the agenda this evening?

Seeing none, we will move right forward and call our first case, PZ16-0034, Grand Promenade.
Is the petitioner here?

Please come on down.

The applicant is requesting a variance from the city to allow the construction of a second monument sign, of 30 square feet.

You will remember, board members, you will recall that this petitioner was with us three months ago, I think now, and they tabled their case to this evening to present additional information.

If you both would please state your names, spell it and then raise your right hand to be sworn in.

MR. PENNA: Good evening.

Anthony Penna appearing behalf of Grand Promenade, LLC. A-n-t-h-o-n-y, P-e-n-n-a.

I am from Moore Penna Associates, 3600 Van Dyke, Sterling Heights, Michigan.

Good evening, Ivica Sinich, owner of Grand Promenade, LLC, I-v-i-c-a, S-i-n-i-c-h.
CHAIRPERSON GRONACHAN: All the non-attorneys please raise your right hand to be sworn in.

MR. MONTVILLE: Do you promise to tell the truth in the testimony you are about to give?

MR. SINICH: Yes.

CHAIRPERSON GRONACHAN: Thank you. Please proceed.

MR. PENNA: Good evening. Unfortunately, tonight, we are here today, I think the proper course of action would be to ask for another adjournment, unfortunately. I was brought to the situation fairly recently.

The issue here, as you may know it, it's the building department's or the city's position that there is two monument signs that would possibly be placed on my client's property.

And I don't know if you're familiar with his piece, so I don't think we have to go over the location of where he's
at, but they just finished developing the
shopping center and they're in the position
to put up their monument sign.

And at that point in time,
the building department made the
determination that there already was a
monument sign on the property.

So at that point in time,
shortly thereafter, they contacted me, Target
does have a monument sign on a portion of
their property, and the issue here is we
looked at the chain of title to determine
whether or not they were properly on my
client's property, and I have been
communicating back and forth with Target, and
what they produced was an easement from the
prior -- the Landon Development Group, who
had that whole development.

Apparently he was granted an
easement from the former property owner to
erect a sign.

So we just got this
information, and I would like to present this
to the building department, so that the building department can make a determination on whether or not, in fact, there is going to be two signs on one piece of property, because we would argue that the Target monument sign would be on their property because my client has no use or cannot use that property whatsoever, so my client would only be putting a monument sign on the property that he is entitled to use, so therefore, there would only be one monument sign on the property.

So I think, you know, before we proceed with our variance request, which I think we have, you know, merit to establish a variance, I think the proper course of action would be to present this to the building department, explain this to them, see if we even need to seek a variance.

And I don't know if this board wants to make that determination, or if we should seek that determination from the building department. Because the interesting
thing is -- well, too, is when I look into this, I pulled the building records to see, you know, what type of information was submitted to the city at the time when the original monument sign was put up, and it did show the property owner is Target, so I would assume that Target provided the city with this easement and that established Target as the property owner.

So, you know, I would argue then that that sign would not be on my client's property, we wouldn't need to seek this variance. But I am more than prepared to proceed with the variance if this commission --

CHAIRPERSON GRONACHAN: Just one moment.

MR. PENNA: It's a little bit complicated.

CHAIRPERSON GRONACHAN: I am going to ask the city attorney what would be the best way to --

MS. SAARELA: I think there is
merit to just table it, and looking at the
issues, seeing what documentation he has
reading through it, seeing what the easement
says, looking at what the permit application
from Target says in trying to figure out, you
know, whether there is any merit to the
argument without trying to make that
determination right here on the spot.

CHAIRPERSON GRONACHAN: All
right. So we could table this case. Do we
have -- would 30 days be good enough?

MR. PENNA: I think it would be
more than sufficient. I'm hopeful that we
could get a determination from the building
department fairly quick.

CHAIRPERSON GRONACHAN: Carol,
what would be the next meeting date?

MS. CHAPUT: January 10.

CHAIRPERSON GRONACHAN: So at
this time, in Case No. PZ16-0034, all those
in favor of tabling this case until
January 10th per the petitioner's request.

MR. PEDDIBOYINA: So moved.
CHAIRPERSON GRONACHAN: It's been so moved and we will see you next month.
Good luck.

That was record speed. So let's move onto our next case, and that would be PZ16-0049.

Is the petitioner here? Phillips Sign and Lighting.

This case was tabled from last month.

The applicant is requesting a variance to allow installation of an additional 5.7 square foot non-illuminated sign on the property. Good evening.

MR. BRETZ: Good evening.

CHAIRPERSON GRONACHAN: Would you state your name again for the recording secretary and you were sworn in last month.

MR. BRETZ: Yes, Steven Bretz, S-t-e-v-e-n, last name B-r-e-t-z, representing Feldman Kia.

CHAIRPERSON GRONACHAN: You may proceed.
MR. BRETZ: At the time when I was here last month, I know the board requested actually to see what the sign would look like up there. It's a non-illuminated sign, like you mentioned, just over five square feet.

We have put a banner up there, I think on the 2nd of December to show you what it would look like, an exact size of the letters that would be. I don't know if you have those pictures or not. I brought some along with me.

CHAIRPERSON GRONACHAN: Go ahead.

MR. BRETZ: That's what it would look like. We put that up the second of December, and we will be taking it down on the 14th, tomorrow actually.

That's the size of the letters that Kia was looking to put up. It's part of their new branding program, their identity. They are stressing their fast service, more efficient service. It's a simple fabricated metal sign.
CHAIRPERSON GRONACHAN: Okay.

Anything else?

MR. BRETZ: No.

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

Seeing none, is there any correspondence?

MR. MONTVILLE: Fourteen letters mailed, two letters returned, zero approvals and zero objections.

CHAIRPERSON GRONACHAN: Okay.

Building department?

MR. BUTLER: No comments.

CHAIRPERSON GRONACHAN: Thank you. Board members? Member Sanghvi.

MR. SANGHVI: Yes, this time we can find the place without any difficulty, and I have no problem with the sign. Thank you.

CHAIRPERSON GRONACHAN: Anyone else? Member Montville.

MR. MONTVILLE: Touching on the
hardship that the dealership is facing right now, as far as the need of an additional sign, I know you mentioned the branding, the express, talked about this previously too, from a practical standpoint, is this easier for people to find for the dealership, is this potentially going to leave some traffic congestion, or I guess, for giving us the criteria that we operate on, dictated to operate on, you know, is there some kind of hardship or something that would require the sign in addition -- I understand the branding perspective and we want to work with the business and best we can.

Any hardships you could think of, maybe potentially traffic, potentially a case for that?

MR. BRETZ: You mentioned the branding part of it. It's something that Kia is starting. They want to do this at all the dealerships. That's number one.

Number two, it's just to make a more efficient flow of traffic hopefully,
for the customer to find easier. I know the
service -- obviously the service word is
right up there already for them, but express
lane, easier to see, in a different color, red, may be easier for them to navigate the
driving lot. I just hope -- I don't believe
it's going to be any kind of a traffic issue
at all. Hopefully it will increase the flow
or ease the flow.

MR. MONTVILLE: Are you
potentially maybe -- the dealership's
agreement with Kia -- would that cause
trouble if they don't have the proper
branding for the dealership?

MR. BRETZ: Well, for the
dealer shop?

MR. MONTVILLE: Sure, as far as
operating their business under the Kia
branding, if they don't align the Kia brand,
is that potentially a problem for the --

MR. BRETZ: Moving forward, this
is what they want to stress to the customers,
so it's actually almost like a test market
for them right now. They don't have it at any of the other dealerships that I am aware of.

It's something that they would like moving forward. You know, all the dealerships to have this type of branding out there, to make it all uniform.

MR. MONTVILLE: I could go either way, the more I think about this. I will open it up to conversations for my board members. But I think I could make a case -- I believe I could make a case that they are facing some hardships with the sign, would be some potential problems as they're operating currently.

CHAIRPERSON GRONACHAN: Okay.

Member Peddiboyina.

MR. PEDDIBOYINA: Thank you. We discussed at the last meeting also, and we were mentioning the express lane, we need to be -- take care of the security point, in a sense all the vehicles coming very fast as they pull in. We need some kind of better
sign, all that kind of thing. We have to be careful. That's my comments about that. Thank you.

CHAIRPERSON GRONACHAN: Okay. Anyone else?

MR. SANGHVI: May I come back again?

CHAIRPERSON GRONACHAN: Yes. MR. SANGHVI: The primary reason I have no problem, this is a safety issue as well. For the customers who are coming first time in the dealership.

And so I think that it's not likely to interfere with anybody else. This is an entirely internal sign. It's not really that big, so I think it would -- safety as well as identifying the area.

CHAIRPERSON GRONACHAN: Okay. Anyone else? I guess it's my turn, huh. I am still on the fence. I don't know what the hardship is. Branding is not it.

I don't feel -- I have been out there a couple of times. I understand
that if it's a service they're offering, but
now that he is telling me that this is a
test, that this is not for all the stores
yet, I still don't understand the need for
the express.

I think my question to you is
that, was this a different kind of service
that they were doing to do if they went to
the express lane, they are doing something
else? Is that --

MR. BRETZ: Moving forward with
it, they understand that we are into a
service industry now. We are in a service
business. It's a way to stress that fast
efficient service that they want to put out
to the public.

CHAIRPERSON GRONACHAN: It's not
like if you go into this lane, it's going to
take 30 seconds to get an oil change, if you
go into this lane it's going to take 45.
That's not what the express part means?

MR. BRETZ: No. They're trying
to stress that they want to be the service
king of the auto dealership industry. And they want to be the more efficient, quicker efficient way to bring your car into have your service done at this location, that's going to be better and faster and more efficient than any other location, or any other dealership.

CHAIRPERSON GRONACHAN: Yeah, I am struggling with this, guys. I really am. I don't see the purpose or the hardship. In fact, that it's branding, service is service, and, you know, I don't know that that one sign is going to make a difference in the quality of this particular dealership.

I don't see where that sign meets what the criteria, and granting a variance is going to -- where the criteria is in order to grant the variance, per our standards.

So at this point, I'm just going to say that I would not be able to support it.

MR. MONTVILLE: I could make a
motion to approve. We can vote on it.

CHAIRPERSON GRONACHAN: Go ahead.

MR. MONTVILLE: I move that we
grant the variance in Case No. PZ16-0049,
sought by Phillips Sign and Lighting, as
petitioner has shown practical difficulty
requiring an additional 5.7 square foot sign
designating the express service of the
dealership and coordinating and directing
traffic flow to the service area, without the
variance the petitioner will be unreasonably
prevented or limited with respect to the use
of the property, as currently zoned due to
potential traffic concerns.

Property is unique due to the
type of business on the property, the way the
lot is currently laid out. Petitioner did
not create the layout of the lot.

The relief when granted will
not unreasonably interfere with adjacent or
surrounding properties as it is the minimal
sign size to note the express nature of --
that part of the dealership, and also on the
internal facing exposure of the dealership
and will not interfere with any surrounding properties.

The relief is consistent with the spirit and intent of the ordinance. And those for reasons, I move that we grant the variance as it has been requested.

MR. SANGHVI: Second.

CHAIRPERSON GRONACHAN: It's been moved and seconded.

Carol, will you please call -- is there any further discussion? Seeing none, will you call please the roll.

MS. CHAPUT: Member Byrwa?

MR. BYRWA: No.

MS. CHAPUT: Member Sanghvi?

MR. SANGHVI: Yes.

MS. CHAPUT: Member Montville?

MR. MONTVILLE: Yes.

MS. CHAPUT: Member Peddiboyina?

MR. PEDDIBOYINA: Yes.

MS. CHAPUT: Chairperson Gronachan?
CHAIRPERSON GRONACHAN: Motion fails three to two. So at this point, your motion is denied. Your request is denied. You need four votes for it to pass. If there is nothing more at this point. So I'm sorry, your request for your variance has been denied.

MR. BRETZ: Thank you.

CHAIRPERSON GRONACHAN: Thank you. Let's go to our next case, PZ16-0055, the Goddard School of Novi. Is the petitioner present. Come on down.

The applicant is requesting a variance from the City of Novi to allow a 113.04 square feet recreational space to omit separate loading space 4.19.2 feet to allow dumpster and side front yard and 4.19 to allow excess play structures in side and front yard.

So we have three variances this evening. Good evening, gentlemen.

Would you please state your names and then spell it for our recording
And if you are not an attorney, raise your right hand to be sworn in.

MR. DOE: My name is Derick Doe, D-e-r-i-c-k, D-o-e.

MR. BAGNICK: My name is Brian Bagnick. I'm with Hobbs and Black Architects. B-r-i-a-n, B-a-g-n-i-c-k.

CHAIRPERSON GRONACHAN: Would you both raise your right hands to be sworn in by our secretary.

MR. MONTVILLE: Do you promise to tell the truth in the testimony you are about to provide?

MR. BAGNICK: Yes.

MR. DOE: Yes.

CHAIRPERSON GRONACHAN: Please proceed.

MR. DOE: Thank you for an opportunity to speak this evening. Again, my name is Derick Doe.

My wife and I are looking to
open a Goddard School located here in Novi, Michigan. We're thrilled to have an opportunity to start off on this endeavor, appreciate the opportunity to speak with you this evening.

We are actually joined by Brian, he is our architect, also have a team, our civil engineer Tim Story and Levi with Goddard Systems who actually represents our Goddard franchise. He is our Goddard franchisor.

At this time we have five zoning ordinance variance requests, and I will turn it over to Brian to speak a little bit more about this.

MR. BAGNICK: I think there were three -- we actually have five items here. We reviewed them. But I just want to kind of touch base on each one very briefly.

The loading space, because we are a preschool, we don't need a loading space. When kids are dropped off in the morning, the parents park in the lot, they
bring the children into the school. They get back in their cars, they then drive away.

The lot is essentially empty all day long. There is only cars in the lot when it's drop-off and pick-up, so at the beginning of the day and at the end of the day.

It doesn't really need a loading space, plus any deliveries that they have are very small box trucks, the size of a Fed Ex truck would typically be the largest truck that would come into the parking lot.

The other one that we were requesting is a dumpster. The dumpster it's an interesting issue, because (unintelligible) we have to put it in the rear yard.

If you look at the configuration of our site, we have frontage on both Twelve Mile Road and Grand River Road, so we don't really have a rear yard. We kind of placed the dumpster in the side where it's least visible from either road,
and where it's more concealed on the site.

We built nice decorative walls around it and some plantings around to help conceal it.

The third point that I have on my list is the two accessory play structures.

Again, the ordinance allows only one accessory structure. We have two because we have different age groups of children and we have different age appropriate equipment.

You don't want the younger kids playing on older children's equipment and vice-versa. So there is two different play structures in two different play areas to help -- for the safety of the children.

The size of the play area was another thing that was questioned. It seems to me the ordinance is kind of written around an elementary school or a regular type of school, or they ask for a certain amount of square footage for each child in the entire school.
The way that Goddard functions is that they never have more than 24 children in a play area at any one time. And with 24 children in a play area, it's -- we greatly exceed the capacity for that.

We have tried to maximize it also. We have some site constraints with storm water detention and some other issues and we have maximized the play areas as much as we could. We have almost 17,000 square feet, so you can imagine 17,000 square feet when you only have 48 children out there at any one time.

So it is also a safety issue, because they like to have the smaller groups of kids out there so that they have proper supervision, and they like to have the playground nice and safe and secure so they can see all corners of the playground, so then again, that's the reason for that one.

And then, this signage one is kind of broken down into a couple of issues there.
One is that we have got multiple signs we are requesting. Again, that's a function of our property and configuration of our property, having frontage on Grand River and on Twelve Mile Road, we will like to put a sign on both locations. We think that helps the flow of traffic, helps reduce the traffic on either one of those roads, and it helps from a safety standpoint while reducing the traffic on those roads.

The other one is the sign on the building exceeds the allowable square footage for a sign. But if you look in your packet, you will see the design for that sign is really two parts.

And the way the ordinance is worded, is the ordinance draws a geometric shape, which is a rectangle around both parts and says that we are over area.

If you look at the two parts individually, we are actually below the required amount of signage. Part of that is
branding for the Goddard schools, part of
that is the interpretation of what --

CHAIRPERSON GRONACHAN: Do you
have the picture of it with you so that you
could put it up on the --

MR. BAGNICK: So the sign we are
talking about is on the wall right here. If
you draw a large rectangle around the entire
area, it exceeds the square footage.

If you draw a rectangle
around each individual -- the logo itself
being a circle, with about a three, four inch
diameter is probably about nine square feet,
and then the other sign is 17 feet long and
two feet high, so that's 34. So 34 and nine
is about 43 square feet. It would be low --
it would be below the allowable 51 square
feet for us, if you looked at it that way.

If you draw some strange
polygon shape around it like this, you could
also get -- so again it's subject to
interpretation of what geometric shape.

So, again, if you have any
questions, Levi is here, he's with the
Goddard people and our civil engineer Tim is
here as well.

CHAIRPERSON GRONACHAN: Okay.
Anything else that you would like to add?

MR. BAGNICK: I think we
talked -- we touched on the dumpster because
you really have no rear yard. Those are the
major reasons for the variances. There is
other smaller reasons.

CHAIRPERSON GRONACHAN: Do you
have the site plan there? Do you have a
picture of the layout of the property?

MR. BAGNICK: It should be in
your packet, but you can see we have frontage
on Grand River, we have frontage on Twelve
Mile Road.

We have placed the dumpster
kind of back near the detention basin, and we
put a big screen wall around it.

There really isn't a rear
yard to put the dumpster in. We tried to put
it in the location that's least
objectionable. The PNC Bank next to us, their main entrance is here, so we wanted to kind of keep it away from their entrance as well. Be a good neighbor and tuck it away in a location where it doesn't bother anybody.

CHAIRPERSON GRONACHAN: Okay.

Anything else?

MR. BAGNICK: One other thing I didn't mention with the signage. I know just because your neighbor has -- it doesn't mean you're entitled to it, but PNC also has signage on Grand River and Twelve Mile, and a building sign as well.

We are not asking for anything out of the ordinary, I guess.

CHAIRPERSON GRONACHAN: Thank you. Is there anything else?

MR. BAGNICK: All set.

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

Seeing none, building department.
MR. BUTLER: Just one quick comment, if I will present it, we would appreciate the fact that he does not have a rear yard to put the dumpster on. It's more of a requirement, but he's done the appropriate things, put a nice screening fence around it, keep it out of the public eye. We appreciate that. That is a good fact. That is what we normally do in cases like that. Otherwise no comments.

CHAIRPERSON GRONACHAN: Thank you. Is there any correspondence?

MR. MONTVILLE: Yes, 20 letters mailed, two letters returned, zero approvals and zero objections.


MR. SANGHVI: Thank you, ma'am. I did come and look at the site. First thing I'd like to know what kind of school is Goddard School? I am not familiar with that school.

MR. DOE: The school is designed
for children from age six weeks to six years of age. So it's a preschool, but it's also geared around infants and toddlers as well, so it's a school that will -- is designed to hold around 144 children of various ages, again from the infant room being around six weeks of age all the way up to pre-kindergarten which is around age five.

MR. SANGHVI: You mentioned about the classroom size. It's going to be of 24 children?

MR. DOE: Yes, the maximum classroom size would be the pre-k rooms, which would be 24 children, based on the student and the student teacher ratio. Depending on the different rooms, there is a different number of children that would be in each one of the rooms, a different number of teachers that would be there as well. But the largest classrooms would be our pre-kindergarten room.

We plan to have two of those and each one can have up to 24 students.
MR. SANGHVI: Did I understand correctly, you can have two classrooms at the time outside?

MR. DOE: Two classrooms, one classroom on the older playground, one classroom on the younger playground.

MR. SANGHVI: Thank you. And there will be other stuff also supervising?

MR. DOE: Yes, sir. There is actually -- when the students go outside to the playground, the teachers for each one of the classrooms are out there all the time. So the teachers lead them out, they have exercise and games that they actually conduct while they're out there. Of course, they're burning off energy as well. But the teachers are always out there supervising, making sure they are close by around the equipment, or they're doing different activities while they're out there, but at no time would there be a student outside without a teacher overseeing.

MR. SANGHVI: Thank you.
CHAIRPERSON GRONACHAN: Thank you, Member Sanghvi. Anyone else. Member Peddiboyina.

MR. PEDDIBOYINA: Thank you. I have no issue on this case. The presentation and the way you guys this is did excellent. And I got all the questions my board members asked, the same question I would like to ask, but I got all the answers. And I have no issue. Thank you.

CHAIRPERSON GRONACHAN: Thank you. Anyone else? Member Montville.

MR. MONTVILLE: Quick question on the sign. That's the Goddard School franchise sign?

MR. BAGNICK: Yes.

MR. MONTVILLE: That is the corporate, okay. I reiterate Mr. Peddiboyina's thoughts as well. Going through line-by-line, I don't see a reason not to support what's being requested, I would be in support as well.

CHAIRPERSON GRONACHAN: Okay.
Anyone else? Well, as for me, if I can have the drawing of the layout of the property again, please. We do have people at home that watch.

First of all, welcome to Novi, and congratulations that you picked such a great area. We are happy to have you.

I agree that the presentation was done very well as well as the packet. I have no objection whatsoever with the loading space or with the dumpster. I think that you handled the -- what could be objections very well, and you addressed them in your presentation.

So I just wanted to get those two right off the bat.

As far as the signs, I wanted to address the two ground signs, which is number five, and the reason why I would support them.

And the reason why I would support them is because of the two separate entrances and the two main thoroughfares.
This is a difficult intersection and I think for safety purposes there needs to be a requirement for two signs, one on Twelve Mile, as you have indicated, and then one on Grand River.

So I would be in support of that. I'm really in support of the whole thing. But I just wanted to point that out the reason why. I don't want to just hand stamp something so people don't think that we just approve it without doing our homework.

And I think that this is a unique piece of property, in its shape and its location. The angle of the property is -- warrants these variances that you have requested. I don't have any -- I think that you did well with the outdoor space. Can you point out on your drawing where the playgrounds are going to be for the children, the two separate playgrounds, please.

MR. BAGNICK: The actual play structures are smaller rectangles. The playground is the fenced in -- the larger
fenced in area. You can see there is a fence that divides the two, for the older children and the younger children.

CHAIRPERSON GRONACHAN: They're even designed safety wise in the property that they're not near any of the entrances, and that they are well protected, so I have no objection to any of that.

I would entertain a motion based on that information. Member Montville.

MR. MONTVILLE: I move that we grant the variances requested in Case No. PZ16-0055, sought by the Goddard School of Novi, as the petitioner has shown practical difficulty requiring variances outlined in the testimony. Without these variances, the petitioner will be unreasonably prevented and limited with respect to using the property due to the unique layout of the lot, the exposure to both Twelve Mile and Grand River and the entrances on both of those roadways.

And again, I'd like to reiterate the unique nature and shape of the
lot, that is not self-created in any way by
the petitioner.

The relief granted will not
unreasonably interfere with any adjacent or
surrounding properties, specifically the side
yard dumpster and the efforts made by the
petitioner to add the brick wall surrounding
the dumpster and put it in the least
sensitive area of the lot as able.

The relief granted are
consistent with the spirit and intent of the
ordinance, for those reasons, I move that we
grant the variances as requested.

MR. PEDDIBOYINA: Second.

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

MR. SANGHVI: Just one question,
are you going to use both entrances for in
and out or are you going to have one way
traffic going on Grand River in and Twelve
Mile going out?

MR. BAGNICK: We view Grand River
as being the main entrance, and as you can see, we made it three lanes wide, and that even though Twelve Mile is wide enough for in and out traffic, we see that as primarily being an exit.

CHAIRPERSON GRONACHAN: Any further discussion in regards to the motion? It's been moved and second.

Please call roll, Carol.

MS. CHAPUT: Member Byrwa?

MR. BYRWA: Yes.

MS. CHAPUT: Member Sanghvi?

MR. SANGHVI: Yes.

MS. CHAPUT: Member Montville?

MR. MONTVILLE: Yes.

MS. CHAPUT: Member Peddiboyina?

MR. PEDDIBOYINA: Yes.

MS. CHAPUT: Chairperson Gronachan?

CHAIRPERSON GRONACHAN: Yes.

MS. CHAPUT: Motion passes five to zero.

CHAIRPERSON GRONACHAN: All
right. Your variances have been granted and

good luck.

When will you be opening?

MR. DOE: Our plan is to open

right after Labor Day.

CHAIRPERSON GRONACHAN: Good luck

and again welcome. Thank you.

MR. DOE: Thank you very much.

MS. SAARELA: Before we move onto

the next case, if you could recall the

Feldman case and just do a motion to deny any

since it was a motion to pass that failed.

When something fails like that, we should

actually do both, just to make sure that it's

consistent, there is a reason to deny. You

want the reasons to deny on the record.

MR. MONTVILLE: Same motioner

make the second?

MS. SAARELA: Yes.

MR. SANGHVI: Just a question.

Should we be telling them that we need

minimum four votes and not -- we don't have a

full board tonight?
MR. BYRWA: They have the right to table.

MS. SAARELA: We have had this discussion before. We have, you know, where they can look at the rules and we can put that in the rules, so we don't have to basically read all the rules every time we start a meeting.

So would it have impacted anything, you know, I don't know. But they should be taking a look at the rules. I think we made that decision to put it in the rules for that reason.

CHAIRPERSON GRONACHAN: It's already indicated. So to reiterate it, we would have to either reiterate it for each and every case, and not just each case specific, so it was decided to put it just in the rules and be done with it.

MR. SANGHVI: I don't know that people are aware of that fact.

MS. SAARELA: They should be reading the packet that they're getting.
CHAIRPERSON GRONACHAN: So in Case No. PZ16-0034, we are going to entertain a motion to deny -- I'm sorry. PZ16-0049, entertain a motion to deny in the case.

Member Montville.

MR. MONTVILLE: I move that we deny the variance is Case No. PZ16-0049, sought by Phillips Sign and Lighting as the petitioner has not shown a practical difficulty requiring an additional sign.

The circumstances and features of the property are not unique in this position, and exist generally throughout the city and are very common. This particular request is being self-created by the petitioner, as it is nearly for a branding component and does not address any particular hardships based by the petitioner.

The failure to grant the request will not create an economic or financial loss for the petitioner. For those reasons and -- granting the variance would potentially be inconsistent with the spirit
and intent of the ordinance, as again, it is
a self-created variance that is being
requested. For those reasons, I move that we
deny the request. Is there a second?

MR. BYRWA: Second.

CHAIRPERSON GRONACHAN: Carol,
would you please call the roll.

MS. CHAPUT: Member Byrwa?

MR. BYRWA: Yes.

MS. CHAPUT: Member Sanghvi?

MR. SANGHVI: No.

MS. CHAPUT: Member Montville?

MR. MONTVILLE: No.

MS. CHAPUT: Member Peddiboyina?

MR. PEDDIBOYINA: No.

MS. CHAPUT: Chairperson Gronachan?

CHAIRPERSON GRONACHAN: Yes.

MS. CHAPUT: Motion to deny
passes three to two.

CHAIRPERSON GRONACHAN: Two to
three.

MS. SAARELA: Three to two.
CHAIRPERSON GRONACHAN: Didn't I say yes?

MR. PEDDIBOYINA: You said yes.

CHAIRPERSON GRONACHAN: Yes, it's all reversed.

MS. SAARELA: Actually did you guys say it reverse? So motion to deny, should be -- everybody that denied raise your hand.

(Board indicating.)

CHAIRPERSON GRONACHAN: So it's two to three.

MS. SAARELA: So --

MR. SANGHVI: It would be the same.

MS. SAARELA: So that fails, too. I guess there is nothing you can do. It just has to fail on that one.

CHAIRPERSON GRONACHAN: Moving ahead, thank you for your patience.

Case No. PZ16-0058, Sign Works of Michigan. Is the petitioner present? Please come down.
The applicant is requesting a variance from the City of Novi to allow two -- I understand the number is wrong -- 174 square feet wall.

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

MS. FRASS: Sure. My name is Ann Frass. I'm with Sign Works of Michigan. Ann is A-n-n, Frass, F-r-a-s-s.

I am representing Comau Industries of 44000 Grand River Avenue. Our request is for the installation of two flex space illuminated wall cabinets.

CHAIRPERSON GRONACHAN: I'm sorry. Excuse me. You need to raise your right hand and be sworn in before you proceed.

MS. FRASS: I'm sorry I missed a step. Thank you.

MR. MONTVILLE: Do you swear to tell the truth in the testimony you're about to give?
MS. FRASS: Absolutely.

CHAIRPERSON GRONACHAN: Please proceed.

MS. FRASS: I put this drawing up here, so that you can see our request is for the installation of the two illuminated flex space cabinets at Comau Industries.

Comau Industries has been growing and expanded in the Detroit area. They have a branded logo and they have created a consistent appearance with multiple locations across Detroit and other areas.

They like to keep this uniformity and increase visibility and that's why we are proposing to add some signage along 96. Currently this building has none.

Now, for the purposes of this meeting, if you were to have driven by in the last ten days, you would have seen the temporary signage that we did install for the requirements of this meeting.

This is a layout of their property. This would be highway 96 over
here. And you can see from the Novi site --
I am just wondering, if you don't mind does
this fit on here.

CHAIRPERSON GRONACHAN: We have a
stand right here you can put it on.

MS. FRASS: On the easel here, I
have got this property. So you can see their
footprint here. They have got three
buildings. This is one, this actually is
one, here is one, then together, they're
almost 500 square feet.

This building is called the
auto tech -- this one is called the Novi
Industries building. This is a T shape.
That building is 380,000 feet. This distance
along 96 is just under 3/16th of a mile,
855 feet, the length here is just short of a
quarter mile, 1,120 feet. The auto tech
building over here has over 107,000 square
feet and the quality building is 10,000
square feet.

Due to the nature of this
footprint here, in Novi, the vast nature of
it, and the building size, we are requesting
two signs. The ordinance allows one, we are
requesting two.

The other reason is, the
positioning of this along 96 facing the
northeast elevations, we are requesting
signage here and here is where this is
detailed.

If we were to put it here --
on each of the elevations, so the vehicular
traffic from either direction would be able
to see, we wouldn't miss anyone.

We are proposing on this
drawing that I had earlier, I can set up
here, the signage proposed is 12 feet wide,
14 and a half feet tall for increased
visibility. That is what you would see if
you drove by the 12 by 14 and a half.

Comau Industries, again, this
is large area of Novi. It has substantial
employment opportunities and we really would
like to increase the visibility.

Currently, they just have one
sign and that's the standard monument, that
is over here, their driveway on Grand River
Avenue. So we requesting sign and quantity
variance tonight for this location.

Does anyone have any
questions for me?

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

Seeing none, building
department?

MR. BUTLER: No comment.

CHAIRPERSON GRONACHAN: Thank
you. Is there any correspondence?

MR. MONTVILLE: Yes, 26 letters
mailed, two letters returned, zero approvals
and zero objections.

CHAIRPERSON GRONACHAN: Okay.

Board members? Member Sanghvi.

MR. SANGHVI: I came and saw your
place before the storm came. It's really a
huge place that is not really easy visible to
anybody because of the bridge and everything
else. And especially they expanded and became almost completely concealed from the main Grand River. I know it's visible from I-96, but people coming, there is no entrance from I-96 to come there. You need to have some identification and visibility. So I have no difficulty for your signs because the size of your property and the kind of business you are in, I think you deserve better signage than what you have currently got. Thank you.

MS. FRASS: I appreciate that.

Thank you.

CHAIRPERSON GRONACHAN: Thank you. Anyone else? Member Peddiboyina?

MR. PEDDIBOYINA: Thank you. I also state the same thing, before the storm, your place. Business point of view, we need a bigger sign, and visibility is more important. And I have no comments. I wish you good luck.

MS. FRASS: Thank you, sir.

CHAIRPERSON GRONACHAN: Member
Byrwa?

MR. BYRWA: These are non-illuminated signs or is that a light off to the side there that directs lighting onto the sign?

MS. FRASS: The signs that are being proposed, sir, have an aluminum cabinet and a flex space, think of it as a banner face, and the entire interior is filled with LEDs. So at night this will be illuminated, the entire face will be illuminated.

CHAIRPERSON GRONACHAN: Member Montville, do you have anything to add?

MR. MONTVILLE: No.

CHAIRPERSON GRONACHAN: You could see that sign during the snow storm, just saying. For those of us who didn't get out before the storm.

I think that due to the uniqueness of this lot, and the size, and the size of the buildings, and the location and the layout, I have no problem submitting -- supporting this request. Evidently I have a
problem talking tonight.

And I will make out, I will state this. The size, when I first saw it, although they just changed it, I thought it was like excessive, you know, when you're reading it. That's why it's important to go out and look at it. But I think that this request is in scale to the buildings that are there and present and that is why I would be in full support of this particular size and this particular property for this particular business.

If there is nothing further, I would entertain a motion. Member Montville. You're up tonight.

MR. MONTVILLE: I move that we grant the variance being requested in Case No. PZ16-0058, sought by Sign Works of Michigan as the petitioner has shown a practical difficulty requiring additional size to their sign request, and also due to the unique location of the lot in question, the additional sign is warranted.
Without the variance, petitioner will be unreasonably prevented and limited in terms of getting the proper visibility for their business.

The property is unique due to both the -- being on the north side of the building, I-96, then also on the south side of the building, their entrance right off Grand River, and also due to the large size of the building, the proper scale for these signs would require additional square footage.

The petitioner did not create those conditions and the relief granted will not reasonably interfere with any adjacent or surrounding properties and as it is consistent with the type of business, manufacturing facility, and then again, the dimensions being used are the proper scale relative to the size of the building.

For those reasons, I move that we grant the variances as they have been requested.
MR. PEDDIBOYINA: Second.

CHAIRPERSON GRONACHAN: It's been moved and second.

Is there any further discussion? Seeing none, Carol, would you please call the roll.

MS. CHAPUT: Member Byrwa?

MR. BYRWA: Yes.

MS. CHAPUT: Member Sanghvi?

MR. SANGHVI: Yes.

MS. CHAPUT: Member Montville?

MR. MONTVILLE: Yes.

MS. CHAPUT: Member Peddiboyina?

MR. PEDDIBOYINA: Yes.

MS. CHAPUT: Chairperson Gronachan?

CHAIRPERSON GRONACHAN: Yes.

MS. CHAPUT: Motion passes five to zero.

CHAIRPERSON GRONACHAN: Your variance has been granted. And congratulations and good luck.

MS. FRASS: Just because there
was a discrepancy, this is the size that we had been approved at?

CHAIRPERSON GRONACHAN: Correct.

Our next case is Community Network Services, is the petitioner present?

MR. BOYNTON: Present.

CHAIRPERSON GRONACHAN: Case No. PZ16-0059.

The applicant is requesting variances to allow a wall sign in addition to an existing ground sign, for two oversized identification driveway signs. The property is zoned office service.

Would you please go ahead, gentlemen, state your names, spell them for our recording secretary. And then if you are not an attorney, raise your right hand and be sworn in, please.

MR. BOYNTON: To this honorable board, my name is Darnell Boynton. I am the chief corporate compliance officer and general counsel for Community Network Services. That's Darnell, D-a-r-n-e-l-l,
Boynton, B, as in boy, o-y-n-t-o-n.

MR. JACKSON: My name is Anthony Jackson. I am the facility manager for the company. My name is spelled A-n-t-h-o-n-y, last name Jackson, J-a-c-k-s-o-n.

CHAIRPERSON GRONACHAN:

Mr. Jackson, you are not an attorney, correct?

MR. JACKSON: Correct.

CHAIRPERSON GRONACHAN: Please raise your right hand and be sworn in.

MR. MONTVILLE: Do you promise to tell the truth in the testimony you are about to provide?

MR. JACKSON: I do.

CHAIRPERSON GRONACHAN: Thank you. Please proceed.

MR. BOYNTON: Again, to this honorable board, we thank you for this opportunity to come before you. We stand before you very excited about being in the City of Novi. We are a behavioral healthcare company that has served the citizens of
Oakland County for over 20 years, and earlier this summer, we were fortunate enough to buy the building located at 24230 Karim Boulevard.

With that being said, we serve and we probably serve a very vulnerable population. We serve those who have serious mental illness and developmental disabilities.

And with that being said, we are asking for this variance because we feel that it is vitally important that those consumers that we serve be able to distinctively identify our building. Our building, we believe is unique and requires us to ask for this variance because currently, once the renovations are completed, and CNS actually takes possession of the building, there will be two tenants that occupy that building.

Currently Diverse Health Services occupies the building and they have a very distinct and different clientele than
Community Networking Services.

And with that being said, we will think that it is very important for our consumers to be able to not only identify the proper entrances in which they need to go into, but we think that it is also important for their own well-being, because we have taken great strides in making our logo a logo that they can recognize as a place that is welcoming and a place that they can receive the kind of services that they need to receive to be better citizens in society.

So with that being said, we also -- we believe that we meet the requirements of one of the exceptions to the variance and that is I believe it's 2853F, where two or more separately owned and operated businesses occupy the same space, on a single parcel of land, each having separate exterior.

Each business is entitled to a single identification wall sign, if not otherwise entitled to a wall sign under the
current chapter.

So with that being said, we would ask that you would grant the variance. We.

Surveyed, you know, our neighbors directly adjacent to us. You know, they have a wall sign, so we don't believe the addition of this wall sign, you know, would create, you know, any kind of hardship to our neighbors, or value to their property in any way.

If I might just take a little side note, we also have another variance request at this time, I think we are prepared to withdraw that requests as it relates to the entrance signs.

When we bought the building, we inherited the entrance signs and they were out of compliance with the code. We were able to go back, meet with our facility department, and our contractors and we are able to conform to the proper code requirements for the driveway entrance signs.
So at this time, we are prepared to actually withdraw that request for a variance and proceed with the request for the wall sign.

CHAIRPERSON GRONACHAN: Okay. Thank you. Do you have anything to add?

MR. JACKSON: I do not.

CHAIRPERSON GRONACHAN: Thank you.

Is there anyone in the audience that wishes to make comment in regards to this case?

Seeing none, building department?

MR. BUTLER: No comment at this time.

CHAIRPERSON GRONACHAN: Okay. Correspondence?

MR. MONTVILLE: Yes, 19 letters mailed, two letters returned, one approval from Joseph Debrincat -- excuse me. There was a -- I think we have the wrong letter. Nineteen letters mailed, two letters
returned. I believe one approval was mistakenly added to the folder. Zero objections.

CHAIRPERSON GRONACHAN: Thank you. All right. Board members. Member Sanghvi.

MR. SANGHVI: I came and saw your place a couple days ago. And it used to be some other medical facility there, if my memory serves me right.

MR. BOYNTON: That is correct.

MR. SANGHVI: You had two businesses over here, DH something and you. You both have separate entrances?

MR. BOYNTON: Yes, we do.

MR. SANGHVI: I have no problem with your sign. You need to be recognized. I know you don't have a Ten Mile Road address, but at least you're physically there, your visibility is needed. Thank you.

CHAIRPERSON GRONACHAN: Anyone else? Member Montville.

MR. MONTVILLE: That location, it
is unique and I know a case back with a
similar type of situation, but you really
don't even notice it as much in the winter
with all those trees with no leaves, again,
not a self-created condition by the
applicants, specifically entirely to the
summer, that's an issue.

   It really takes up all the
visibility of the building, and to have that
sign, it does help notify the business and
their customers where the location is.
Especially coming down Ten Mile. That's a 45
mile a hour pass-way, it's pretty quick,
highly congested, it doesn't take much to
drive right by the building.

   I would be in support of this
request.

CHAIRPERSON GRONACHAN: Anyone
else? Member Peddiboyina.

   MR. PEDDIBOYINA: Thank you. I
wish you good luck. I don't have any
concerns. That are two business, so you
definitely need identification for the
business also. I approve that. I don't have an issue.

CHAIRPERSON GRONACHAN: Thank you. Did you have something?

MR. BYRWA: No.

CHAIRPERSON GRONACHAN: I just want to reiterate that the petitioner is withdrawing the request for the ground signs.

MR. BOYNTON: That is correct.

CHAIRPERSON GRONACHAN: It would just be a request for the one sign on the building.

MR. BOYNTON: That is correct. If you like, we have the new ground signs that is -- meet the conformity to the code.

MR. JACKSON: There is actually ground signs on the north end of the building.

These would be on the south end or our driveway entrance, then the north end will have their driveway entrance, which is this sign. Both signs will stay -- you know, that is for DHS and our entrance will
CHAIRPERSON GRONACHAN: There is no variance request needed for those signs because now you're compliant.

MR. BOYNTON: Correct.

CHAIRPERSON GRONACHAN: So in regards to the one sign on the building, I have no problem with the request. I think it meets the spirit of the ordinance, quite frankly, because given the location of the building and the difficulty seeing it, not just during the winter, but given the traffic flow and the speeds, people need to find it and we need to make it as easy as possible. So I have no objections and I will be supporting your request tonight.

MR. BOYNTON: Thank you.

CHAIRPERSON GRONACHAN: I would entertain a motion, if somebody -- Member Montville.

MR. MONTVILLE: If I could ask the City Attorney. Do we need to modify the
motion as far as removing for the two signs?

MS. SAARELA: You wouldn't want to say as requested, you would want to say the specific variances that you are granting.

MR. MONTVILLE: Do we have to mention the ones that we are not granting or just specify the ones that are being granted?

MS. SAARELA: Right.

MR. MONTVILLE: I'm prepared.

CHAIRPERSON GRONACHAN: Good.

MR. MONTVILLE: I move that we grant the wall sign variance being requested in Case No. PZ16-0059, sought by Community Network Services, as petitioner has shown a practical difficulty requiring the wall sign on the front of the building. Without this particular variance, the petitioner will be prevented and limited with respect to the use of the property, due to lack of visibility and potential traffic and safety concerns with the lack of visibility and customers of the business trying to find the location.

The property is unique due to
the current layout and the shrubbery and four stations limiting the visibility in the front of the building to passengers on Ten Mile.

The petitioner did not create those conditions as they were pre-existing. The relief will not unreasonably interfere with any surrounding or adjacent properties as the design of the sign is professionally done, it fits within the proper scale due to the frontage of the building, and from an aesthetic perspective is an enhancement.

The relief is consistent with the spirit and intent of the ordinance, and for those reasons, I move that we grant the wall sign variance request.

MR. SANGHVI: Second.

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

Seeing none, Carol, would you please call the roll.

MS. CHAPUT: Member Byrwa?

MR. BYRWA: Yes.

MS. CHAPUT: Member Sanghvi?
MR. SANGHVI: Yes.

MS. CHAPUT: Member Montville?

MR. MONTVILLE: Yes.

MS. CHAPUT: Member Peddiboyina?

MR. PEDDIBOYINA: Yes.

MS. CHAPUT: Chairperson Gronachan?

CHAIRPERSON GRONACHAN: Yes.

MS. CHAPUT: Motion passes five to zero.

CHAIRPERSON GRONACHAN: Your variances have been granted and I'm sure you will be in touch with the building department. Congratulations and welcome to Novi.


The applicant is requesting a variance to allow an 11.42-foot encroachment of the building second floor to the rear yard setback. Good evening.

MR. COLTHURST: Good evening. My name is Eric Colthurst. I am a retired
attorney, stressing retired. This is my
daughter, Audrey Wilson.

MS. WILSON: I am Audrey Wilson,
homeowner, A-u-d-r-e-y, W-i-l-s-o-n.

MR. COLTHURST: If it's okay, I'm
here to testify tonight because I am over at
this lot a lot using it.

CHAIRPERSON GRONACHAN: They're
going to assist us so we can hear you at
home.

Would you please raise your
right hands and be sworn in by our secretary.

MR. MONTVILLE: Do you promise to
tell the truth in the testimony you're about
to provide?

MS. WILSON: I do.

MR. COLTHURST: Yes.

CHAIRPERSON GRONACHAN: Please
proceed.

MR. COLTHURST: We have two
approvals from the adjoining neighbors. They
decided to give them to us instead of sending
them to Novi.
CHAIRPERSON GRONACHAN: We got them.

MR. COLTHURST: You got the one from Joe. Did you get the one from Brent Westbrook?

MR. MONTVILLE: We do not have those two.

MR. COLTHURST: Joe was in that other file before us.

MR. MONTVILLE: We have Mr. Debrincat's.

MR. COLTHURST: We have Brent Westbrook and Josh and Erin Robinson.

CHAIRPERSON GRONACHAN: We don't have those.

MR. COLTHURST: We can give them to the secretary. Did you need copies of these or just give the originals?

CHAIRPERSON GRONACHAN: We will get the originals.

MR. COLTHURST: I also brought pictures of the property, and it's on three pages. And I have copies for everybody. We
can put them up here. If you want to look at them all at the same time, we would be glad to give you a copy.

CHAIRPERSON GRONACHAN: Let's start up here. Let's see how that works.

MR. COLTHURST: Let's do the -- it's hard to see those. I can give you the prints, if you want them.

CHAIRPERSON GRONACHAN: We have got some drawings here, so if you tell us what you're going for, then if anybody has got any question --

MR. COLTHURST: The bottom picture on number one there then is a picture of the side door that was put into the kitchen when the house was remodeled two years ago. The idea was to make a deck off of that door. On the inside that door goes to the kitchen. This picture is taken from the south facing north.

Then if you go to the top pictures, you have got a picture in the backyard, on the back property line facing
the west. If you will notice right there between the houses, that’s Walled Lake beyond the house.

And the addition is going to go into that notch there. And it will come straight off from the wall on the right. Then the picture on the right up there, is facing south, and it’s the kitchen. This is the kitchen here, and then if you see the trampoline there, and that cement pad, the addition is going to come out about to the end of that cement pad. Then it will go into the indentation.

Any questions on those pictures?

CHAIRPERSON GRONACHAN: No, not at this time.

MR. COLTHURST: So this is looking out from the kitchen on the second -- on this house, the first floor is a walkout basement, so I'm going to call the second floor the main floor.

So that's looking from the
main floor kitchen window to the property to
the north, and that's a garage, that's Joe's
garage, that approval you had. He's to the
left and to the east of us, and then on the
left side of that picture is his house.

If you go turn the other way,
then that picture is taken from the doorway
of the kitchen where the deck -- that would
be the entranceway to the deck.

And if you look, you can see
that's the property to the south, that person
has also given approval.

If you look farther, just to
the left side of the picture, you will see
the storage. I believe that's of his pontoon
there. They have got their play structure
out there.

Then if you go to the bottom
picture, that's taken from the kitchen,
straight to the east, and it shows to the
left or what would be to the north, those
houses are on a separate row, and they face
straight -- the back of them faces straight
east -- or excuse me, straight south.

And looking at those pictures, if you go back to the one on the top right, to the left of that, and to the right of the trees on the back of that house, on the east side is a wetland and an area that collects water that empties out into the Walled Lake.

And that's one of the major reasons we want this variance because we need to put screens on this deck. We are worried about the bugs.

I mean, I mentioned the Zika virus in the application, but it's really all types of bugs. That's a wetland back there and not buildable. So there is nothing behind us really except on that lower picture where you see the house to the left us.

This is standing where you would be underneath the addition. It's the first picture on the top left, where you see the deck over there. That's looking straight south, and then if you turn around, the
picture on the top right is looking to the north, and then if you turn around and face the east, then that trampoline wasn't there, that would be the straight east.

Again, shows a view from the ground -- from the basement floor.

So other than that, I have got one correction in the application somewhere in there, I referred I think it's to No. 4, where I referred to a 25-foot setback. I believe the setback is 35 feet.

So we are taking up 11.425 feet of that setback if this is approved.

CHAIRPERSON GRONACHAN: Do you have anything else?

MR. COLTHURST: No, ma'am.

CHAIRPERSON GRONACHAN: Do you have the picture of the plans, the actual plans of the house?

MR. COLTHURST: I have two sets, I have the survey or the drawing. Want to do the drawing first?

CHAIRPERSON GRONACHAN: Drawing
would be great. That's perfect. There you go, okay.

MR. COLTHURST: On the left, that's facing -- well, it's east to west. So the garage here in the front, that's on the Walled Lake side, which is to the east -- to the west, and then that addition on the back right is the east.

That's the addition, that 25, 20 feet. Then I believe, even though it doesn't affect the variance, request, you see that, it's like a walkway that goes right here, that's not going to be there.

They're not going to build -- this part right here.

CHAIRPERSON GRONACHAN: Okay. Clearly there is no one in the audience to give any testimony on the matter of this case.

So we will turn it over to the building department. Did do have anything to add?

MR. BUTLER: Nothing to add.
CHAIRPERSON GRONACHAN: Thank you. Is there any correspondence?

MR. MONTVILLE: There were 35 letters mailed out, two letters returned, two approvals. First is from Joseph Debrincat at 1339 East Lake Drive. He notes his approval and that he will -- his view will not be hindered or restricted in any way.

And the second is from Cicely Thustail (phonetic) at 1317 East Lake Drive. She notes her approval. And she notes she lives adjacent to the house, and the structure would not hinder anyone's views of the neighborhood.

MR. COLTHURST: You should have one more.

CHAIRPERSON GRONACHAN: Carol, you have the other two letters. Should we add those onto our -- for the record.

MR. MONTVILLE: First additional approval is from Josh and Erin Robinson at 42755 Morlan Creek Court, they note their approval.
And the second additional one is from Brent Westbrook and he notes he has no issues with the addition of the deck. In his view, the lake experience will not be effected.

CHAIRPERSON GRONACHAN: Thank you. Board members? Member Sanghvi.

MR. SANGHVI: Thank you. I came and visited your property four or five days ago I think, last week sometime, looked at it. Most of the houses over there are so small, they always need a variance to do anything to it. You are no exception and I have no problem. Thank you.

CHAIRPERSON GRONACHAN: Board members? Member Montville.

MR. MONTVILLE: I would just note to the unique nature of the wetlands behind the residence. If they were to do anything outside of the property, which most residents have that right, it's certainly a hinderance to them.

Then also the -- which has
also been noted, a lot of correspondence, this isn't going to affect any of the surrounding properties, so I would be in favor as well.

CHAIRPERSON GRONACHAN: All right. I would entertain a motion, if there is no further discussion.

MR. MONTVILLE: I move that we grant the variance being requested in Case No. PZ16-0060, sought by Audrey and Gordy Wilson, as the petitioner has shown a practical difficulty requiring a reduced rear-yard setback.

Without this variance the petitioner will be unreasonably prevented and limited use of their property. Again, due to the unique nature of the wetlands and the bug features that accompanies it.

This property is unique due to the wetlands in the back as well. The petitioner did not create that condition, and its relief, when granted, will not unreasonably interfere with any adjacent or
surrounding properties as noted by several of
the surrounding neighbors, noting their
approval and their belief, and their view is
not being affected and negative to their
property.

The relief is consistent with
the spirit and intent of the ordinance. For
those reasons, I move that we grant the
variance as requested.

MR. SANGHVI: Second.

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

Seeing none, Carol, would you
please call the roll.

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

MS. CHAPUT: Member Sanghvi?
MR. SANGHVI: Yes.

MS. CHAPUT: Member Montville?
MR. MONTVILLE: Yes.

MS. CHAPUT: Member Peddiboyina?
MR. PEDDIBOYINA: Yes.

MS. CHAPUT: Chairperson
Gronachan?

CHAIRPERSON GRONACHAN: Yes.

MS. CHAPUT: Motion passes five to zero.

CHAIRPERSON GRONACHAN: So your variances have been granted.

Congratulations. Good luck on your construction.

MR. COLTHURST: I wanted to bring up today on something. About a year ago, I was in here we got a variance to build a ramp to that six foot first floor, I guess you would call it, six foot high. And since then we have used that ramp, it's problem free, rather than having a lift that I always had to worry about the mechanical part. Plus the ramp, I made it so when we leave we can take it with us. It's not attached to the structure, other than at the top, so thank you.

CHAIRPERSON GRONACHAN: Pleased to hear a success story. So good luck and Merry Christmas and Happy New Year.
Is there anything further to discuss this evening from anyone? Member Peddiboyina.

MR. PEDDIBOYINA: Everybody Merry Christmas and Happy New Years. Next meeting I won't be here.

CHAIRPERSON GRONACHAN: Safe travel and enjoy your holiday. I would like to take a moment.

Sadly, we don't have Member Krieger here this evening. She is dealing with some personal things. She's probably keeping an eye on the meeting, because I hear about it.

I wish her and her family a speedy recovery. And I wish all of you a very Merry Christmas and very Happy New Year.

I cannot thank the city and the city employees enough, along with the city attorney for their hard work and their ability to answer our questions and assist us so we can do this on a monthly basis.

So the very best to
everybody. And would entertain a motion to adjourn this meeting.

MR. SANGHVI: So moved.

CHAIRPERSON GRONACHAN: All those in favor.

THE BOARD: Aye.

(The meeting was adjourned at 8:19 p.m.)

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

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 by computer under my personal supervision, and that the said meeting is a full, true 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.

________________     _________________________
Date              Jennifer L. Wall CSR-4183

1-18-17

Date

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