REGULAR MEETING - ZONING BOARD OF APPEALS
CITY OF NOVI
TUESDAY, SEPTEMBER 10, 2019 7:00 P.M.

Council Chambers-Nov i Civic Center-45175 W. Ten Mile Rd.

BOARD MEMBERS:

Joe Peddiboyina - Chairperson
Linda Krieger
David M. Byrwa
Siddharth Mav Sanghvi
Kevin Sanker

ALSO PRESENT:

Elizabeth Saarela, City Attorney
Lawrence Butler, Comm. Development, Dep. Director
Katherine Opperman, Recording Secretary

Reported By:        Laura J. Steenbergh, CSR
Novi, Michigan
Tuesday, September 10, 2019
7:00 p.m.

CHAIRPERSON PEDDIBOYINA: Good evening, All.
Welcome to the Novi Zoning Board of Appeals, Tuesday, September 10th, 2019. And Member Byrwa will lead for the pledge of allegiance, please stand up while we do it.

(Pledge of Allegiance.)

CHAIRPERSON PEDDIBOYINA: Thank you. Please be seated.

Katherine, can you please call roll?

MS. OPPERMAN: Member Byrwa?
MEMBER BYRWA: Present.

MS. OPPERMAN: Member Krieger?
MEMBER KRIEGER: Here.

MS. OPPERMAN: Member Longo is absent, excused.

Chairperson Peddiboyina?

CHAIRPERSON PEDDIBOYINA: Yes, please.

MS. OPPERMAN: Member Sanker?
MEMBER SANKER: Here.
MS. OPPERMANN: And Member Sanghvi?

MEMBER SANGHVI: Here.

CHAIRPERSON PEDDIBOYINA: I think we have a full quorum. Okay. Thank you.

We have a formula for two particular meetings, public hearing format and rules of conduct. If you could just have your phones to be turned off as we have the public hearing. When each case is called anyone can make remarks. It is on television at home and people can come to the podium and speak, and there's an overhead that can show up on the computers for the people at home as well.

And then when people come up, to please state your name, spell your first and last name to be clear to our secretary, and sworn by secretary if you're not the attorney, and then we have an agenda. Tonight we have two -- or we have four cases.

And there's no change in the --

MS. OPPERMANN: No changes, no.

CHAIRPERSON PEDDIBOYINA: Okay. Thank you.

MEMBER KRIEGER: I move to approve the agenda.

MEMBER BYRWA: So voted.

CHAIRPERSON PEDDIBOYINA: Seconded. Thank you
so much.

MEMBER KRIEGER:  All in favor?

CHAIRPERSON PEDDIBOYINA:  All in favor?

THE BOARD:  Aye.

CHAIRPERSON PEDDIBOYINA:  Any nays?

Okay.  Thank you.

Public remarks, anyone have anything regarding our agenda other than the cases, you know, something that deviate, can come up to the podium.  Okay.  Anyone have anything regarding the, other than the cases, have something to deviate, then they can come up about the podium.

Seeing none, I'll close the public remarks, the public hearing will go forward.

Okay.  Then we go to case one.  PZ19-0028, Louise L. Holbel, 23833 Harvest Drive, West of Novi Road, and South of Ten Mile Road, Parcel Number 50-22-27-202-023.

The applicant is requesting variances from the City of Novi Zoning Board, Ordinance Section 3.1.5 to allow a proposed rear yard setback of 16 feet, 35 minimum allowed by code.  This property is zoned Single Family Residence R-4.
He's coming up to the --

MEMBER KRIGER: IS the petitioner's here?
CHAIRPERSON PEDDIBOYINA: Is petitioner here?
MEMBER KRIGER: All those for Harvest Drive?
MR. ROSSON: Here.
CHAIRPERSON PEDDIBOYINA: Yeah. And state your full name and spell it also.
MR. ROSSON: My name is Steve Robson. I represent the contractor that's been hired by Mr. Holbels to build the remote project. The name of our company is Sun Additions.
MEMBER KRIGER: Are you an attorney?
MR. ROSSON: Yes.
MEMBER KRIGER: Okay.
CHAIRPERSON PEDDIBOYINA: Thank you.
MEMBER KRIGER: But could you spell your name at least for our court reporter?
MR. ROSSON: Oh, I'm sorry.
MEMBER KRIGER: Thank you.
MR. ROSSON: First name Steve, last name is Rosson -- R-O-S-S-O-N.
CHAIRPERSON PEDDIBOYINA: Okay. Thank you.
You can proceed.
MR. ROSSON: With me this evening is the homeowner, Louise Holbel, that owns the residence in question. And with her that also resides at the property is Robert Littlemeyer, and he would like to speak on their behalf.

MR. LITTLEMEYER: Good evening.

MEMBER KRIEGER: Good evening.

CHAIRPERSON PEDDIBOYINA: Good evening.

MEMBER BYRWA: Robert Littlemeyer. Did you need a spelling on that? Little -- M-E-Y-E-R.

MEMBER KRIEGER: Are you an attorney?

MR. LITTLEMEYER: Pardon me?

MEMBER KRIEGER: Are you an attorney?

MR. LITTLEMEYER: I'm a retired navy sailor, I don't do the law like that. Ask me about UCMJ, I'll help you out.

MEMBER KRIEGER: All right. Would you raise your right-hand, sir? I'm sorry, I'm the secretary. So we've got to swear that we're going to tell the truth, but not swear like a navy sailor.

MR. LITTLEMEYER: I swear to tell the truth.

ROBERT LITTLEMEYER, having first been duly sworn, was examined and testified
MEMBER KRIEGER: All right. Thank you. Proceed.

MR. LITTLEMEYER: And the gate's open?
MEMBER KRIEGER: Yep.
CHAIRPERSON PEDDIBOYINA: Yes.
MR. LITTLEMEYER: Anyhow, Louise and I both like to sit outside. We enjoy the outdoors. I can no longer take the sun, and neither can she, you know, knowing I had the skin cancer there, and we have an extreme westerly exposure. And what we're planning on doing is putting in a quality sun room to replace the existing pergola and deck section that we have there. What we're planning, asking to put in is in fact two feet in either direction smaller than the existing structure that is there.

There are two houses in the area that we can see right from our back that stick out just as far, if not a little bit further than ours does back to the -- on the existing property. That's basically about it really. It's a quality structure that we have contracted to put in. Hope for your approval so we can continue on with this project.
Any questions that I may help you with?

CHAIRPERSON PEDDIBOYINA: Okay. Thank you.

MEMBER KRIEGER: Do you have anything for the overhead that you can put up for families at home that are watching?

MR. LITTLEMEYER: Ma'am?

MEMBER KRIEGER: Do you have an overhead picture from like what was in our packets?

MR. LITTLEMEYER: Oh, just the picture that they have of the room itself.

MEMBER KRIEGER: Yeah.

MR. LITTLEMEYER: It is going to tie into the house. It will tie into the existing roof, it will be shingled to go with the existing home itself and not be a standout or anything else.

MEMBER KRIEGER: Okay.

CHAIRPERSON PEDDIBOYINA: Can you display this?

MR. SANGHVI: Will you put it on the screen there so everybody can see the picture?

MR. ROSSON: Yeah. The picture that you have there now is probably a better representation than this line drawing that's there, but it's -- yes, let's look
Again, basically what we're proposing here is
a, it's not going to be a heated year-round type of
addition, nothing that adds square footage, just what's
referred to as a seasonal-type porch, to replace an
existing pergola and larger deck that's already on the
back there. The pergola provides absolutely no
protection, you know, from the sun, be it any other
weather conditions and so forth that has been plaguing
them for some time.

I've been in the business myself for 33 years
so I know people in your position take these type of
things very seriously when it comes to granting special
permission to approve such structures. The main point
that I see that would be in their favor is both houses
just to the south of them, and particularly the one
listed on the application that we had submitted, extends
every bit as far or further into that setback than what
they're proposing here. Initially the thought was to
make the existing -- I mean, the new structure larger
than what it is. With one look at the lot I knew there
might be a potential issue so we had downsized it to
something that's still livable, but not gigantic. So as
far as an intrusion to the neighbors and whatnot, I
don't really see that, because it's just -- it's no more
obtrusive than, you know, what's there now. But that's
very much what it would look like when finished. And
quality construction, wood roof tied into the house,
shingled. Make it look like part of the house. It
would certainly not be any kind of a detriment to the
neighborhood or property, it's in fact enhancing it.

CHAIRPERSON PEDDIBOYINA: Okay. Thank you.

Anything else? Is there anyone in the
audience who'd like to speak regarding the case?

Seeing none, from the city?

MR. BUTLER: Just wanted to mention that due
to the fact that they are reducing their square footage
of the setback by reducing the dimensions of the new --
or the existing structure to the new one, that was
appreciated by the city that they're doing that, not
generating any visual effects from any neighbors on
either side.

And due to the fact that they are in extreme
southerly exposure to the sun, which is an extreme
hardship for them with their skin conditions and all, so
that would definitely be helpful to their quality of
life. Thank you.

   CHAIRPERSON PEDDIBOYINA: Thank you.

   And the correspondence, Secretary?

   MEMBER KRIEGER: Yep. In this case there were 39 letters sent, zero returned, two approvals. The approvals are -- the first one's from Robert and Betty Hagopian on Hickory Grove Lane; and the second one is approval from Mohamed Afana I think -- A-F-A-N-A -- on Harvest Drive. That's it.

   CHAIRPERSON PEDDIBOYINA: Thank you. Okay. Seeing the presentation and the other points you mentioned, and I came to the property also, and I don't have any issue on this, and I'll leave it up to my board.

   Anybody want to say -- okay, Mr. Sanghvi, go ahead, please.

   MR. SANGHVI: Thank you. Good evening.

   MR. LITTLEMEYER: Hi.

   MR. SANGHVI: I came here to visit your place.

   MR. LITTLEMEYER: Yes, sir.

   MR. SANGHVI: I did get out and go through the yard --

   MR. LITTLEMEYER: Yes.
MR. SANGHVI: -- but I came there and I looked around. And I really have no problem. You had a non-conforming larger structure and you are reducing the size, which is a real world situation in every respect, and I would be very strongly supporting your application. Thank you.

MR. LITTLEMEYER: Thank you.

Is now a good time to say that I really like your dog?

CHAIRPERSON PEDDIBOYINA: Thank you, Sanghvi.

Anyone on the board, please?

Okay. Go ahead.

MEMBER KRIEGER: The footprint of the pergola now then, this new building will be -- attachment will be annexed for its support and then attached to the home?

MR. LITTLEMEYER: No. That existing pergola is going to be removed.

MEMBER KRIEGER: Right.

MR. LITTLEMEYER: As a larger structure.

MEMBER KRIEGER: But the base, is that on a cement pad or you're making it?

MR. LITTLEMEYER: Well, currently it's on a
wood deck. The pergola?

MEMBER KRIEGER: Yes.

MR. LITTLEMEYER: Our plan is to put in a regular full-fledged foundation or continuous footings just as if you were building a home. In fact, my experience in Novi here was that that was the preferred method of construction from the building department, the poured continuous footing versus the pier type footings that decks are typically made on.

MEMBER KRIEGER: Okay. I also drove by, and went around the other street as well, and I can see you've got full sun, so I can appreciate it and I can support your request.

MR. ROSSON: Great.

CHAIRPERSON PEDDIBOYINA: Thank you.

Anyone else? Kevin?

MEMBER SANKER: Just one question about the sun exposure. How is it different from other houses that are next to it? I guess, what makes it a little more unique?

MR. ROSSON: All of the houses on that side of the street, I mean, they all have the same issue. In fact, the two to the south, they have rooms or additions
on there, the one very right next door is some type of
addition as well, and that could be why that was added,
because of the current unfavorable conditions.

I wanted to add, too, that we did vote and
we've got the homeowner's association approval of the
project and they signed off on that.

MEMBER SANKER: Thank you.

CHAIRPERSON PEDDIBOYINA: Thank you. Anyone
else on the board, please? Okay.

MEMBER KRIEGER: I'm ready to make a motion.

CHAIRPERSON PEDDIBOYINA: Okay. You can make
a motion.

MEMBER KRIEGER: In case number PZ19-0028 for
Louise L. Holbel on 23833 Harvest Drive, west of Novi
Road, south of 10 Mile, parcel number 50-22-27-202-023,
applicant is requesting variances from the city zoning
ordinance 3.1.5 to allow a proposed barrier yard setback
of 16 feet 35 feet minimum allowed to code.

Property is zoned single family residential.
And I move that we grant the request in this case. The
petitioner has shown practical difficulty requiring
assistance from their westerly-facing home because of
the environment. The seasons, our Michigan seasons,
when it's hot it's super hot, and when it's cold you've
got to have some kind of protection, so without the
variance the petitioner will be unreasonably prevented
or limited with respect to use of their property because
of the weather.

And the house is unique because it is
westerly-facing for the addition, which already has a
pergola on it and the addition will be enclosed and
allow for more of an outside feel without feeling the
weather. Petitioner did not create the condition
because of the house, its position when it was purchased
on the street, the backyard is facing the west during
the most hottest part of the day, in the evening, and
the relief granted will not unreasonably interfere with
adjacent or surrounding properties because they're
similar and others as well on that same street have the
same issues with westerly-facing backyards, and there
are two neighborhood -- neighbors supporting this
request and the relief is consistent with the spirit and
intent of the ordinance because it is a minimum request,
they will be making it smaller than the current pergola
and sitting in that area. Thank you.

CHAIRPERSON PEDDIBOYINA: Thank you, Linda.
MEMBER BYRWA: Second.

CHAIRPERSON PEDDIBOYINA: Second. Okay. The motion is seconded. Any other discussions?

Seeing none, Katherine, please call the role.

MS. OPPERMAN: Member Byrwa?

MEMBER BYRWA: Yes.

MS. OPPERMAN: Member Krieger?

MEMBER KRIEGER: Yes.

MS. OPPERMAN: Member Sanghvi?

MEMBER SANGHVI: Yes.

MS. OPPERMAN: Chairperson Peddiboyina?

CHAIRPERSON PEDDIBOYINA: Yes.

MS. OPPERMAN: And Member Sanker?

MEMBER SANKER: Yes.

MS. OPPERMAN: Motion passes.

CHAIRPERSON PEDDIBOYINA: Okay. Then we are going to case number two, PZ19-0029, 1310 East Lake Drive, West of Novi Road and North of Thirteen Mile Road, Parcel Number 50-22-02-151-033.

The applicant is requesting variances from the City of Novi Zoning, Section 4.19 East(i), for a 173 square foot variance for the proposed 1,023 square foot garage, 850 square foot allowed by code. Section 3.1.5
for a 25 foot total combined side yard aggregates. This property is zoned Single Family Residential, R-4.

The applicant is here. Okay. Yeah, please state your name, full name, for our Secretary.

MR. VARTO. Robert Varto -- R-O-B-E-R-T, last name is V, in as Victor, A-R-T-O.

MEMBER KRIEGER: Are you an attorney?

MR. VARTO: I am not.

MEMBER KRIEGER: Okay. And you're both speaking.


MEMBER KRIEGER: So you both --

MR. THOMPSON: Not an attorney.

ROBERT VARTO,

having first been duly sworn, was examined and testified on his oath as follows:

MICHAEL THOMPSON,

having first been duly sworn, was examined and testified on his oath as follows:

MEMBER KRIEGER: Thank you. Proceed.

CHAIRPERSON PEDDIBOYINA: Please go ahead.

MR. VARTO: Good evening. Thank you for your
I'm here with Mr. Thompson to propose a rework of our garage roof and mudroom addition to the house. Here with my wife and son. We moved to this house on East Lake Drive in the middle of June. Love the house, love the area. It's been fantastic. We do have some functional issues with the home that we're looking to correct that would not only help us for storage, but will also make the outside more aesthetically pleasing. So I'm just going to take you through a series of slides, if that's okay, and show you kind of what we have.

CHAIRPERSON PEDDIBOYINA: Please go ahead.

MR. VARTO: So I'm going to try it make this really quick. Okay. You guys have it.

Okay. So this is our home. As you can see, we have a detached garage. The home is new, it's two years old. The garage we figure is between 20 and 25 years old, detached.

Is this is sort of the current state of affairs of our garage. It's loaded with stuff since we've moved in. There's really no opportunity to optimize this just yet because of the tools, the things
that we have. In addition to this I have a 16-foot pod
that's still in storage that I'm paying monthly on. It
has my family's keepsakes, it has all my tools, and it
has all of our holiday stuff in it, so this is super
important to get that stuff back into our home.

This is essentially the closet space that we
have in our home. This is where we keep our coats. Not
proud to show this, but this is kind of how it looks on
a daily basis, right. The kids' book bags and our coats
and shoes. So with the mudroom addition we could solve
this problem.

This is a view from across the street. This
type of shows how the structure is viewed relative to
the lake behind us.

And this view shows how the garage would
impact the view. You can see minimally because we have
such a large tree existing here, that the garage goes
up, but doesn't take away from the square footage view
on either side.

And then this view shows just quite simply
that we're offering up a change of the pitch of the
roof, right? The red is the existing and the design, of
course, is what's new there. It matches the house at a
12/12 pitch with dormers.

And this picture here, I just want to point out, where we would offer the mudroom, that would be the connecting piece. Functionally we have to go outside every day, whether the weather's nice, cold, warm, raining. Every day my wife and daughter, they both drive, right, they're going outside, bringing groceries inside in the rain. Putting this mudroom between, getting us in and out of the garage, allows me to park inside it, as well as not deal with the elements.

And then I'll let Mr. Thompson talk you through the technical portion of it. Thank you.

MR. THOMPSON: Okay. So the Vartos are very happy to live in Novi, especially on the lake. This house has some problems with it. They contacted me and asked me how they can solve some of these issues. They have almost no capacity for storage because the house is, it's a slab on grade and the garage is a slab. So they're shoehorning any storage they can get. The garage is full of boxes.

So how can I work with your zoning ordinance and minimize any variances and not affect any neighboring lots with the design. So tonight we're here
for two variances with our proposed design.

So the yellow box is the existing garage. It was built in about 1995. It's a concrete block, eight-inch block painted, and it has a low-slope roof on it. And this mudroom that we're proposing doesn't exist. Right now it's a detached garage and a single-family house with a gap in between the two of them. So like Bob was saying, you have to go out and then -- outside to get into the garage. So the mudroom would solve that by having a space instead of going directly into the kitchen like you do now that you can go into a proposed mudroom that connects right into the garage.

And then solving the storage issue we're proposing to remove the roof off of the garage, keep the eight-foot high block walls, and build a new structure on top of the roof or a new roof structure that's a 12/12 pitch that's steeper and that's -- that we can efficiently use for storage. We'll have a hole in the floor and a pull-down stair to get up there and put boxes and that on up on the upper level.

This is a more blowup floor plan of a proposed in-filled mudroom. So it works well with this. As you
come in there's a landing here, so -- and as you go through the garage. So it works great. It's almost at the same elevation, just fractions of an inch. So we're proposing to cut a hole in the garage, connect through a mudroom, and have separate lockers for all four members of the family and have conditioned space that you can, in Michigan, you can get in and out of the garage.

The garage would be empty with only vehicles because we would propose to put enough structure with rafters above, that's all storage, fully loaded. And it has the same look of the house, so it's an extension of -- this house was recently remodeled a couple years ago, so it's really a contemporary beautiful house with these dormers and these metal features that are on it and the Hardie board and the color. So it's one of the nicest houses on lake.

And then the back, the back sits into the lot, it's kind of peaked toward the lake side, so it's even lower. So the whole idea with this design was to treat this garage as if it was detached, even though it would be attached now with the mudroom, but respect the City of Novi 14-foot high height fit point for detached garages, even though we're attaching it to keep the
height down and push these dormers back. They're set back six feet from the front so to minimize, as Bob showed you, the view from across the street as well.

CHAIRPERSON PEDDIBOYINA: Anything else you want to add?

MR. VARTO: There is one other thing. As we showed the backyard picture. It's over here. But relative to the backyard, I showed the picture earlier. Yeah, this one right here. We have a lot of green space directly behind the garage. My only other alternative would be to blow this garage back. There's a large tree, there's decks, green space for our family. I don't want to do that. I desperately need this space, but the last thing I want to do is have to tear out trees and blow the back of my garage out and take up that space with that type of structure. So going up is -- it actually would make this much more aesthetically pleasing and keep the green space in our backyard as well.

MR. THOMPSON: I'd just to just add one more item, too, please. This is an existing survey showing the detached garage and existing house and the gap. So we want put a mudroom in here. So by doing that we're
now attaching both of these, and we fall into the much stricter setbacks where you need a 25 aggregate and a 10 minimum. And right now we've got the 5.6, 6.6, 6.5 and 5.1, so just putting that connecting mudroom put us into a special variance now for setbacks. As well as the square footage, we're at 577.5 square feet with the garage on that footprint of 22-by-26 on the detached, so the aggregate of the added storage upstairs for all their belongings bumps it up above the allowable 850. So that's the second variance that we're asking.

CHAIRPERSON PEDDIBOYINA: Okay. Thank you. Anyone in the audience about this case who is present? Seeing none. From the city?

MR. BUTLER: I have no comments. Thank you.

CHAIRPERSON PEDDIBOYINA: Thank you. Madam Secretary, any --

MEMBER KRIEGER: Correspondence?

CHAIRPERSON PEDDIBOYINA: -- correspondence?

Thank you.

MEMBER KRIEGER: Letters sent, 30; returns zero, approvals zero, objections zero. Thank you.

CHAIRPERSON PEDDIBOYINA: Thank you.
Thanks for the --

MR. THOMPSON: Sir, we do have two letters we brought ourselves that are originals.

MR. VARTO: I just wanted to reach out to my neighbors. I wasn't sure of the process. But I did reach out to my neighbors on either side and they both approved, you know, relative to this project they're okay with this. You know, I talked them through, showed them the designs, they both signed off. So, if that helps.

MR. THOMPSON: So these are signed letters from both sides if you want copies of these.

CHAIRPERSON PEDDIBOYINA: Would you like to see the letters, city attorney?

MS. SAARELA: If you could please get a copy of those.

MR. THOMPSON: Sure.

MS. SAARELA: That would be very much appreciated. Thank you.

CHAIRPERSON PEDDIBOYINA: Okay. Thank you.

And after seeing the presentation and the case like you laid out, I have no objections, and I'm opening to my board what they say.
Please go ahead, anybody for -- Mr. Sanghvi, please go ahead.

MEMBER SANGHVI: Thank you, Mr. Chair. I came and visited your property I think on Saturday, I was there in the afternoon.

MR. VARTO: Okay.

MEMBER SANGHVI: And if may memory serves me right you had a black pickup in your drive.

MR. VARTO: Yes.

MEMBER SANGHVI: And I noticed -- I have driven on East Lake Drive for over 500 times, I used to live on Green Road in the village about 45 years ago. And things haven't changed as far as your house in that area is concerned. And if the house in your area needs variation, some kind of variances, without that they can't update it or improve it.

MR. VARTO: Right.

MEMBER SANGHVI: And I understand the problem. It's one of the old looking houses along the road there on East Lake Drive with the grass sitting here and pieces of land in between and then the house.

MR. VARTO: Right.

MEMBER SANGHVI: With some degree of variance,
difference also between the house and the garage and all that. So when I saw this I got quite excited actually to see what you are doing. And I really want to congratulate you on how you have found a way of solving the problem and making the, not only the appearance, but the utilization of your property much better than how it exists. And all I can say is congratulations. It's a win/win situation for you, for your neighborhood, and probably for the city because they really improve their tax base. So thank you for doing it, and I will be supporting your application. Thank you.

MR. VARTO: Okay. Thank you.

CHAIRPERSON PEDDIBOYINA: Thank you, Sanghvi.

Any other -- okay, Linda.

MEMBER KRIEGER: I agree with our previous speaker, that I drove -- I drive by a lot, too -- that it would be an improvement that -- the word that was used in there was renovation. So the renovation will help yourselves and the neighbors and you can still keep your backyard, like you're saying, you've got your tree and the yard to play in for the kids, so I'm also in favor of your request.

MR. VARTO: Excellent. Thank you.
CHAIRPERSON PEDDIBOYINA: Okay. Kevin?

MEMBER SANKER: I just wanted some clarification on, it sounds like you put a lot of thought into figuring out how to keep the variance requests minimal and also providing what you need for your house. So can you just explain briefly again about that? Like why do you think it's the best way for you guys to build the house and the minimum zoning variance required?

MR. VARTO: Well, I think from the perspective that we can't go outward, and I don't want to impact the green space rearward, the only way to go is up. The house is built on slab. I literally have nowhere in the home to put anymore storage. And the amount of things that we have, and trusted me my family purged when we moved here. We purged. And we are at the point now where it's literally things that are, you know, we hold most important to our family that we're keeping, so the only way to go is up. And if it were up to me I'd go up three stories, right, and match the house, but that's not practical and Mr. Thompson has guided me to where we're at now. The 14 feet respecting everybody's view. I mean, directly across from me there is an empty lot,
so practically speaking they wouldn't see that. There
would be nobody affected by that. But I am respectful
of my neighbors across and adjacent from that, and
there's only one way to go and that's up.

MEMBER SANKER: All right. Thank you.

CHAIRPERSON PEDDIBOYINA: Thank you.

Mr. Byrwa, please go ahead.

MEMBER BYRWA: Yeah, I have a comment there.

So basically we're keeping the same footprint other than
the breezeway on the property --

MR. VARTO: Correct.

MEMBER BYRWA: -- which has a minimal effect
other than we're going up and keeping it well below the
height limitation of an attached --

MR. VARTO: Correct.

MEMBER BYRWA: -- structure on there.

MR. VARTO: Yes.

MEMBER BYRWA: So it looks like it's a win/win
for everybody there.

MR. VARTO: I agree with that.

CHAIRPERSON PEDDIBOYINA: Thank you, David.

Is it motion time?

MEMBER SANKER: Yep, I'm ready.
CHAIRPERSON PEDDIBOYINA: Okay. Go ahead.

MEMBER SANKER: I move that we grant the variance in case number PZ-190029, sought by the homeowner Robert Varto because petitioner has shown practical difficulty requiring the variances. Without the variance the petitioner would be unreasonably prevented or limited with respect to the use of his property because he won't be able to store or -- store their property or otherwise use their home adequately.

The property is unique because it was built with inadequate storage for the needs of this particular family and the shape of the lot is narrow. And the petitioner did not create the condition because he purchased the building as is and didn't build the house.

The relief granted will not unreasonably interfere with adjacent or surrounding properties because it is built with minimal height and in addition no neighbors objected to the building.

The relief is consistent with the spirit and intent of the ordinance because they now can provide adequate storage for their family while at the same time minimally impacting the view of the lake.

MEMBER KRIEGER: I'd like to --
CHAIRPERSON PEDDIBOYINA: Thank you. Okay.
The motion is passed.
And do you have any other -- any other
discussions?
Seeing none. Okay. So all in favor?
MEMBER SANKER: We didn't vote. We have to
vote on it.
CHAIRPERSON PEDDIBOYINA: Yeah. Please call
the roll. Sorry.
MS. OPPERMAN: Member Sanghvi?
MEMBER SANGHVI: Yes.
MS. OPPERMAN: Member Sanker?
MEMBER SANKER: Yes.
MS. OPPERMAN: Chairman Peddiboyina?
CHAIRPERSON PEDDIBOYINA: Yes, please.
MS. OPPERMAN: Member Krieger?
MEMBER KRIEGER: Yes.
MS. OPPERMAN: And Member Byrwa?
MEMBER BYRWA: Yes.
MS. OPPERMAN: Motion passes.
CHAIRPERSON PEDDIBOYINA: Thank you.
MR. VARTO: Thank you. Thank you very much.
Appreciate it.
CHAIRPERSON PEDDIBOYINA: Okay. Case number three, PZ19-0030, Tri-County Builders, 22995 Beck Road, West of Beck Road and North of Nine Mile Road, Parcel Number 50-22-29-400-016.

Applicant is requesting a variance from the City of Novi Zoning Ordinance Section 4.19.1.E.iii for the additional 160 square foot variance for a proposed 1380 square foot accessory structure. 1500 square feet allowed by code, Section 4.19.1.1 to allow for a 3 foot height variance, one story of 14 feet allowed by code. Building shall be set one foot for each foot the building exceeds 14 feet in height. This property is zoned Single Family Residential, R-1.

The applicant is here. Okay. Please state your name fully and spell it then for my secretary.

MR. CHILDS: I'm Chris Childs -- C-H-R-I-S, C-H-I-L-D-S. And this is John Whalen.


MEMBER KRIEGER: Are either of you attorneys?

MR. CHILDS: No.

MR. WHALEN: No. I'm the homeowner.

MEMBER KRIEGER: Okay.
CHRIS CHILDS,

having first been duly sworn, was examined and testified on his oath as follows:

JOHN WHALEN,

having first been duly sworn, was examined and testified on her oath as follows:

MEMBER KRIEGER: Thank you very much.

CHAIRPERSON PEDDIBOYINA: Please go ahead.

MR. CHILDS: So with this -- with this project we are looking to -- his current garage is small. There's living space that intrudes into the garage area, and so that's why we're looking to -- and then he also has an existing structure that will be removed on the property where he is storing another -- another vehicle where he doesn't have enough space even in his existing garage. So that will be removed, the new garage will be built. And when they built that house next to it --

How many years ago?

MR. WHALEN: Probably six years ago.

MR. CHILDS: Okay.

MR. WHALEN: The house next to it.

MR. CHILDS: So when I went to look at the site it was a very low area, and I could clearly tell
that when they built the house next to it they built it
way too high for there and it was creating a very low
flooding area. So my suggestion to him was let's put it
higher up on block, that will clear out that issue, then
we can grade the -- and then we can create a swale and
push it back towards the natural grade of the land,
which was towards the front. So there is currently a
swale, but when they built that house up so much it just
wouldn't allow it and it was puddling in that area in
his backyard.

MR. WHALEN: Yeah, I get tremendous flooding
in the area in the backyard, and that would alleviate
it. I think the builder actually filled a wetland that
was next to the property, it was a pond before, and he
built the up like three feet higher than my property.
And the property behind it was about three foot higher.
But the guy behind me built like a berm along the
backside of the -- his house, and his house doesn't, you
know, drain water into my yard, but, you know, I have
ducks in my yard in the springtime. It's pretty bad.

CHAIRPERSON PEDDIBOYINA: Okay. Anything else
you want to say? Do you have any kind of presentation?

MR. CHILDS: I do have just to show where it's
going to sit on the property. There is -- I brought a full-size print, so let's see if this works. Yes, no?

MS. OPPERMANN: It will just take a second.

MR. CHILDS: Okay. So where it sits on the property, it is behind the house. There is no windows to the neighbor's house. The neighbor next to him cannot see it. And like you just stated, there's a big berm in the backyard where the newer development division and it's covered in a bunch of trees, there is no view, no line of sight issue whatsoever.

The only neighbor that it would impact did write a letter in agreeance with the project in support of it to help the issue that their house created.

We do have that, too, but I think that's on file? The letter.

MS. SAARELA: We received two letters. I believe one was an approval and one was a conditional approval because they had some concerns they wanted to address.

CHAIRPERSON PEDDIBOYINA: Yeah, we called them. Yeah, please go ahead.

MR. CHILDS: Okay. Perfect.

CHAIRPERSON PEDDIBOYINA: Any other questions?
Anybody else want to say anything?

MR. CHILDS: No.

MR. WHALEN: Yeah. Well, I did want to mention, that, you know, my house was built in 1977, and there really isn't much storage in the house at all. There's no basement in it, it's built on a slab. And, you know, it's just -- I like to restore car, you know, like I have a small car that I'm restoring right now. And I'm going to be retiring soon and that's something that I'd like to continue to do, and I think a larger garage would just keep everything inside the garage. I can piddle around with the cars or do whatever I want to do when I retire. I've worked 60 years and -- or 50 -- 58 years.

MEMBER KRIEGER: And stay in Novi.

MR. WHALEN: I want to stay in Novi.

MR. CHILDS: Yeah, that's exactly it. All the other houses in the area are newer and updated, and this was his big option. We are going to -- it is going to fit the new look of all the houses, it's going to match the, you know, current siding and everything else, so it will look just like the home.

MR. WHALEN: Yeah. It matches the roof line
of the properties in the area, too. And a lot -- the houses that are next door to me are, you know, much higher than my house, so I think it --

CHAIRPERSON PEDDIBOYINA: Thank you.

Anyone --

MR. WHALEN: -- fits right in.

CHAIRPERSON PEDDIBOYINA: Thank you.

Anyone in the audience about this case want to comment, please come to the podium.

MEMBER KRIEGER: Sure.

CHAIRPERSON PEDDIBOYINA: Anyone in the audience to speak about the case?

MEMBER KRIEGER: Do you want to come up and speak about the case?

UNIDENTIFIED SPEAKER: No. I just can't hear you all.

CHAIRPERSON PEDDIBOYINA: Can you hear me now?

UNIDENTIFIED SPEAKER: Yes.

CHAIRPERSON PEDDIBOYINA: Okay. Thank you.

Okay. Seeing none. From the city?

MR. BUTLER: No comment at this time, standing by questions.

CHAIRPERSON PEDDIBOYINA: Okay. Any
correspondence?

MEMBER KRIEGER: Letters sent 29, returned one, approvals two, objections zero. The first one is Marina Ufimzeff and Daniel Ufimzeff -- I hope this is right.

I live at 22975 Beck Road, directly next door to Tracy and John Whelan, to the north. They have told my husband and I about the variance issue of two foot four inch in height of the garage they wish to construct. We have no issue with them doing so. All the homes in this area have roof lines that are much higher than the one they propose and totally in style of our home's roof. There are no other homes in the area that could even see their garage as we are their only direct neighbors. We have no windows on the south side of our home, so our only partial view of the garage would be from our backyard.

In summary, we have no issue and agree that their decision to build a garage will be an improvement to the area.

And there's another one from Tischler, in Beckenham Court. We object to the late notice and insufficient time to review the details of the request
or attend the meeting. Notification had been after deadline. We can't agree or object based on limited access to this request and have no preexisting reasons for concern. The due diligence we wish to have done is as follows. One setback from residential property line to the west, 22712 Beckingham Court, will be maintained per code and not part of the exception being requested.

Two, confirm that the use of requiring a 17-foot high garage is consistent with residential use and noise level.

Three, the new lighting will not be excessive or beyond current level for aesthetic appearances not inconsistent with current and surrounding structures.

And it's T-I-S-C-H-L-E-R, David and Yoshiko.

MR. CHILDS: So we're good within the setbacks for the rear.

MEMBER KRIEGER: So wait a second.

Can he address that?

MR. CHILDS: Can I?

MEMBER KRIEGER: One second.

MR. BUTLER: If they want to.

MR. CHILDS: It was sent -- there was sufficient time, correct? It gets --
MS. SAARELA: Yes, I'm not sure, but I did speak to them on the phone today. I think they had wanted to be able to come to the meeting, but couldn't. So they had asked if it could be postponed and I expressed that no, the meeting would not be able to be postponed, unfortunately.

MR. CHILDS: Yeah. We did turn in all information within the, you know, within the time frame. And there were -- he did ask neighbors. He assumed there would be absolutely no problem with it.

Did anybody go out to his property to see the overgrowth, the trees in the backyard for the --

CHAIRPERSON PEDDIBOYINA: Yeah, we come up on that. Once you finish your thing, then we will --

MR. CHILDS: Yes, we do meet the rear setbacks and side setbacks. And as far as lighting, I mean, at this time there is only a storage area on what is the attic area is only storage, so there is nothing up there, and then there will be no rear lights or anything, so, I mean, we can make a note of that, that there will be no spotlights or anything else in the rear that should impact anybody 's view or anything, or --

CHAIRPERSON PEDDIBOYINA: Anything else you
wanted to say for now?

    MR. CHILDS: No. I'll keep quiet.

    CHAIRPERSON PEDDIBOYINA: Okay. Thank you.

    Yeah. I see your presentation, and we were
testing the practicalities, I have no objection, and I'm
keeping my board to open to speak up.

    Anyone on the board?

    Yeah, Mr. Sanghvi, please go ahead.

    MR. SANGHVI: Thank you, Mr. Chair.

    I came and visited your place on Saturday
afternoon. I think it was the wrong time to come, it
was so busy, I overshot a little bit, causing me to turn
around, but ultimately I found your house.

    MR. WHALEN: Yeah, it's hard to find.

    MEMBER SANGHVI: It's not very easy to the
number around there on that part of Beck Road there.

    But anyway, I see what your problem is and I
understand your hardship. To be quite honest, I have no
problem supporting your application. Thank you.

    MR. WHALEN: Okay.

    CHAIRPERSON PEDDIBOYINA: Okay. Any other
questions for the board?

    MR. BUTLER: Mr. Chair? I just wanted to say
that due to the fact that they had a question about the lighting that it's not a factor as long as they meet the proper luminaires required for how much light comes out of the building. That's all they have to really rely on. So they can have a light up in their garage, it just can't be an extremely bright light that shines on the whole neighborhood, it just has to meet the luminaire standards.

CHAIRPERSON PEDDIBOYINA: Thank you. Okay, Mr. Byrwa.

MEMBER BYRWA: Yeah, I had a question for the city. The building height of 14 feet, that's measured to the midpoint of the gable?

MR. BUTLER: To the midpoint, yes.

MEMBER BYRWA: So theoretically he'd be allowed to go 18 feet to the ridge.

MR. BUTLER: Pretty much, yes.

MEMBER BYRWA: Okay. Thank you.

CHAIRPERSON PEDDIBOYINA: Mr. Sanghvi?

MR. SANGHVI: No.


MEMBER KRIEGER: So to continue with that
thought, the homes on Beckingham Court appear to be
taller than that, am I right, that even if he was doing
18 feet he'd still be under?

MR. BUTLER: Right.

MEMBER KRIEGER: Okay. Thank you.

I drove by was well, and same thing as Member
Sanghvi, that the homes are set back from the righted
road so you kind of have to slow down and look and then
I think there's three homes there. So then I went
around behind in the back and I could see the berm and
the homes are taller in the back and they're obviously
newer, so that your request would be minimum, and the --
I guess the cars, if you're working with cars it would
be mostly during the daytime?

MR. WHALEN: No. I mean, I don't -- I'm not
like a heavy mechanic or anything like that. I like to
--

MEMBER KRIEGER: Just like an air compressor?

MR. WHALEN: -- polish them up and clean them
up and, you know, do things like that. It's just a

MEMBER KRIEGER: That wouldn't sound like a, I
don't know what you call it when they're using their air
compressor and their machine.

MR. WHALEN: No, it's not.

MEMBER KRIEGER: So the berm and the trees in the back would create another berm for sound and any kind of light that they're concerned about.

MR. WHALEN: Right.

MEMBER KRIEGER: You don't foresee any of their concerns being an issue.

MR. WHALEN: No.

MEMBER KRIEGER: Okay.

MR. WHALEN: No, I don't -- I can't even see the back of the house of the guy behind me, let alone, you know, I don't know where other --

MEMBER KRIEGER: So it would be vice-versa.

MR. WHALEN: Yeah, right.

MR. CHILDS: Yeah.

MEMBER KRIEGER: Right? And then the swale, I can understand that, the water from Thornton Creek comes from that area and it makes its way all the way as it keeps going to the Rouge.

MR. WHALEN: Right.

MEMBER KRIEGER: So any kind of water's going to build up and go where it can. So having -- being
with a -- being on a slab you can see your not having a basement, probably because of the water issue --

MR. WHALEN:  Right.

MEMBER KRIEGER:  -- that your request is reasonable, so I would be able to support your request.

CHAIRPERSON PEDDIBOYINA:  Okay.  Anyone else?
Okay.  Make a motion, please.

MEMBER KRIEGER:  In Case Number -- where am I?

CHAIRPERSON PEDDIBOYINA:  PZ.

MEMBER KRIEGER:  I gotcha.

PZ19-0030, for Tri-County Builders, 22955 Beck Road, Parcel 50-22-29-400-016, applicant is requesting variances from City of Novi Zoning Ordinance 4.19.1.E.iii for the additional 160 square foot variance for a proposed 1380 square foot accessory structure.  1500 square feet allowed by code, Section 4.19.1.1, to allow for a 3 foot height variance, one story of 14 feet allowed by code. Building shall be set one foot for each foot the building exceeds 14 feet in height. This property is zoned Single Family Residential.

I move to support the -- grant the request in this case because the petitioner has shown practical difficulty requiring the building of this attached
accessory -- garage or accessory structure?

MR. BUTLER: Accessory structure.

MEMBER KRIEGER: -- accessory structure.

Without the variance petitioner will be unreasonably prevented or limited with respect to the use of their property because of during his request that he stated about the swale that there is the water coming in, being a house on a slab there's limited space for him to have his garage for the storage of his vehicles, and then also to be staying in Novi versus moving on so it would be a retirement place.

And the property is unique because of the swale and back berm that was created from the new sub to the west. The petitioner did not create the condition because the house was built in '77 on a slab and the new home will -- or the new addition will have matching roof line. The petitioner did not create the condition because of the neighboring -- the neighboring areas, the construction and to the north the increase of water flow to the front yard or the neighbor's yard and in the back, the new subdivision.

The petitioner -- the relief granted will not unreasonably interfere with adjacent or surrounding
properties because it's a minimal request and will enhance the value, property values, the improvement, for the petitioner and the neighboring homes and the city. The relief is consistent with the spirit and intent of the ordinance because it is a minimal request.

MEMBER SANGHVI: Second.

CHAIRPERSON PEDDIBOYINA: Thank you. Any other discussions? Seeing none, Katherine, please roll call.

MS. OPPERMANN: Member Byrwa?

MEMBER BYRWA: Yes.

MS. OPPERMANN: Member Krieger?

MEMBER KRIEGER: Yes.

MS. OPPERMANN: Chairperson Peddiboyina?

CHAIRPERSON PEDDIBOYINA: Yes, please.

MS. OPPERMANN: Member Sanghvi?

MEMBER SANGHVI: Yes.

MS. OPPERMANN: Member Sanker?

MEMBER SANKER: Yes.

MS. OPPERMANN: Motion passes.

MR. WHALEN: Thank you, Board. Have a good evening.

CHAIRPERSON PEDDIBOYINA: Okay. Case number
Cherryhill Road, East of Meadowbrook Road and South of Grand River Avenue, Parcel Number 50-22-23-409-017.

The applicant is requesting a variance from the City of Novi Zoning Ordinance, Section 4.19.i.J for a variance to build a proposed second accessory structure, one 850 square foot accessory structure is allowed by code. This property is zoned Single Family Residential, R-4.

Okay. Please state your name and spell your name for the secretary.

MR. SMOLAREK: My name is a Donald Smolarek -- S-M-O-L-A-R-E-K.

MRS. SMOLAREK: And I'm Sheryl -- S-H-E-R-Y-L -- same last name.

MEMBER KRIEGER: Are either of you attorneys?

MR. SMOLAREK: We're not.

MRS. SMOLAREK: No.

MEMBER KRIEGER: If you could raise your right-hand.

SHERYL SMOLAREK, having first been duly sworn, was examined and testified on her oath as follows:
DONALD SMOLAREK,

having first been duly sworn, was examined and testified on his oath as follows:

MEMBER KRIEGER: Thank you. Proceed.

CHAIRPERSON PEDDIBOYINA: Please proceed.

MR. SMOLAREK: Good evening, everyone. We are here to request a variance to get a second structure for storage in our backyard. We’ve been Novi residents for 21 years, we live in Meadowbrook Glens. It’s an older subdivision, our house was built in 1979. And the garage is just small. The inside of the garage measures 18-and-a-half-by-19 feet, so it's 350 square feet, and it's very difficult when it comes to just the build-up everything, of tools and lawnmower, gardening equipment, sporting equipment, bicycles. Let alone I like to try to have my wife park in the garage in the wintertime. It's helpful --

MRS. SMOLAREK: No auto start on the car. And we have a 14-year-old -- 15-year-old daughter who has lots of sports equipment also in the garage and we're kind of stuck.

MR. SMOLAREK: And we did have a -- what turned into a shed in our backyard. We had a hot tub
with an enclosure in the backyard in the past. The hot
tub met its end of life so we just got rid of it. But
we kept the enclosure and that's when we started using
it as storage. And it was very, very handy at the time,
it kept us from tripping over everything. And if had to
get one thing out of the garage you had to move two
things to get to it, so it really, really helps become
-- being organized. I took that down this spring, the
bottom of it was starting to decay and I just didn't
feel it was safe.

So at that time we started shopping and
decided to do a major renovation of our backyard. We
ripped out our deck that was there and we put in a nice
patio. Our house backs up to some woods. There's
nobody behind us, and it goes down to an Edison
easement, so there won't be anybody behind us. And it's
-- it was just time to get some updating on our yard.

MRS. SMOLAREK: We plan to stay in Novi. Our
daughter, she's in high school here, and I really like
the area. I love our sub. At first I thought, you
know, we're in the old sub, but I really love it. The
trees are mature, it's beautiful. I just want to stay
there. But now our backyard's beautiful, but we figured
if we're going to stay there we really want to update
the backyard so we can -- I can sit out on the patio.
We had five families of ducks that grew up in our
backyard this spring from the -- there's like a --

    MR. SMOLAREK: It's the 100-yard creek or --

    MRS. SMOLAREK: Marsh area down that has,
like, a drain from the city right there, so water builds
up there at the bottom. So there's ducks and different
kinds of animals. So I just like to sit out and enjoy
the backyard. So we figured if we're going to stay here
we really want to, you know, make it more usable, make
it beautiful, so --

    MR. SMOLAREK: So we put our patio in. It's
still in the process of going in. It's been a long,
long drawn-out process. We're about two and a half
months behind with all the rain in the spring. We're
the second on the books for our contractor, and it got
delayed over two months. And then just other factors it
got delayed a bit more. So he's finally coming close to
getting the finishing grade on it and getting sod, and
we'll be done with him.

    And then we had talked to both our neighbors,
our adjacent neighbors, we don't have anyone behind us,
again, we just have two neighbors on the sides. They both are all for it. I showed them the plan, showed them the pictures of what we're putting in and they're excited for us.

And we also sent it to the homeowners association and we got the same response from them. They're excited for us to get it done and have everything go through.

And the structure that we're proposing putting in, it's a kit made by Weaver Barns.

It's right here (indicating). So it's not a plastic kit or something from Lowe's or Home Depot to build it yourself that's going to be an eyesore to anyone.

MRS. SMOLAREK: And it's 10 --

MR. SMOLAREK: It's 10 foot-by-12 foot, which is only 120 square feet, but it's going to help us tremendously.

MRS. SMOLAREK: And the reason it's a second structure is because when we updated the patio or took out the deck and put in the patio we weren't aware that a --

MR. SMOLAREK: We put a pavilion on --
MRS. SMOLAREK: -- pavilion was a second structure. So we added a really, really nice pavilion that will help with the sun and really add to the value of the home. I will say that that was inspected and everything was approved for that. But we didn't realize that putting that and then replacing the shed was going to be a problem.

That's the structure that's there (indicating).

CHAIRPERSON PEDDIBOYINA: Okay. Anything else you want to say to the public?

MR. SMOLAREK: No. I think we're all set.

CHAIRPERSON PEDDIBOYINA: Okay. Thank you.

Anyone in the audience want to say anything? Seeing none. From the city?

MR. BUTLER: No comment at this time.

CHAIRPERSON PEDDIBOYINA: Thank you.

And correspondence separately?

MEMBER KRIEGER: 37 letters were sent, returned one, approvals two, objections zero.

The first one is please note approval. It is from Charles and Becky Staab -- S-T-A-A-B -- on Cherryhill. And we have reviewed the plans and approve.
We look forward to seeing the project completed.

And the second one is Roger Armstrong -- A-R-M-S-T-R-O-N-G. My name is Roger Armstrong, and I have lived at Cherryhill next door to Donald Smolarek. He is requesting variance which would allow him to replace the structure which he tore down due to its condition. I live just east of his property and would be the closest individual affected by the variance.

I have seen the plans and know the exact location of the structure and have no objection to its construction.

Thank you. That's it.

CHAIRPERSON PEDDIBOYINA: Thank you.

And I've seen your presentation and the way your present it, and also I have question. Is this roof is matching your current house roofing?

MR. SMOLAREK: It is.

MRS. SMOLAREK: Yes. And it matches the roofing of the pavilion that's also there.

CHAIRPERSON PEDDIBOYINA: Okay. Thank you.

And I have no issue.

Anything on the board? Mr. -- David?

MEMBER BYRWA: Yes I had a quick question.
Was the pool removed along with the deck?

MRS. SMOLAREK: No.

MR. SMOLAREK: No. The pool caved in 15 years ago.

MEMBER BYRWA: Okay.

MR. SMOLAREK: So that part of the deck was removed at that time. There was decking all the way around the pool. And we just graded the backyard, just filled the pool in.

MEMBER BYRWA: Okay.

MR. SMOLAREK: And just have grass there.

MEMBER BYRWA: The floor was busted up for drainage or --

MR. SMOLAREK: Was semi dug in, and over time it just pushed in and it caved in on the top part, so --

MEMBER BYRWA: Okay.

MRS. SMOLAREK: So everything was removed and then they just brought in dirt, and it was kind of was a hill like --

MR. SMOLAREK: It would have been easier to replace it.

CHAIRPERSON PEDDIBOYINA: Thank you.

Mr. Sanghvi, please go ahead.
MR. SANGHVI: Thank you, Mr. Chairman.

First of all, I want to congratulate you for a complete application with everything you ever want to see on that application. You did a great job.

MR. SMOLAREK: Thank you.

MR. SANGHVI: Number two, I came and saw your place on Saturday afternoon, and looked around and see. And I have two questions. Are you just replacing the old shed or you are doing something more than that?

MR. SMOLAREK: We’re just replacing the old shed. Everything else is just the patio.

MR. SANGHVI: Just as it was.

MR. SMOLAREK: Yes, sir.

MR. SANGHVI: That's what I thought, it looked like it, but I just wanted to make sure.

MR. SMOLAREK: Yeah. The patio and everything's brand new and they want to be finished.

MR. SANGHVI: Yeah. I understand you need room to put other things in Michigan weather and all kind of things, so really all you need is the replacement and I have no problem with it. Thank you.

MR. SMOLAREK: Thank you.

CHAIRPERSON PEDDIBOYINA: Any other board
members?

Okay. Yes, go ahead, Linda.

MEMBER KRIEGER: I went by on your street and it's a bonus to have the backyard as a -- you've got a lot of pluses for the easement with Edison, plus the wetland because then it -- you don't have to worry about what's in the back, except the wildlife. And then the shed, the previous shed, do you have a slab for that?

MR. SMOLAREK: There's a slab that is there, yes. It's --

MEMBER KRIEGER: So then the new one will fit right on top of it?

MR. SMOLAREK: Yes, it will.

MEMBER KRIEGER: Oh bonus. Okay. I understand as well the need for -- you stay somewhere over time and you're going through and you're trying to organize, and it helps to have a secondary spot that you can use to store stuff, so -- and it will be aesthetically pleasing and matching the rest of the home, and so I have no objection to it. Thank you.

CHAIRPERSON PEDDIBOYINA: Thank you, Linda.

Any other board members with questions?

Motion time. David, go ahead.
MEMBER BYRWA: Yes. I would move that we grant the variance in Case Number PZ19-031 sought by Mr. Donald Smolarek of 41932 Cherryhill Road. This is a detached accessory structure. It's within the area and height limitations. I think it's sought by the petitioner because petitioner has shown a practical difficulty with the limited storage that he has on his site. Without the variance the petitioner would be unreasonably prevented and limited with respect to the use of the property.

The property is unique because of the shape of the lot, I think the wetlands and the wet areas of the property, this is pretty much a replacement of an existing detached accessory structure. The relief granted is not unreasonable or would interfere with the surrounding properties based on the testimony from the neighbors, and the association voted to approve, you know, what you're doing out there.

It is within the maximum limitations of 850 square feet and the relief is consistent with the spirit and intent of the ordinance because denial would be based on an unreasonable ability to store equipment and various other articles of the property. I don't think
the good variance is granted to any special conditions, it's within the height and area limitations, and I would make a motion -- well, we're not at that point yet, but I think that would, if anybody has anything to add to that or whatever, you know, this is an 850 square foot accessory structure, it's a replacement, and it should be approved.

MEMBER KRIEGER: Second.
CHAIRPERSON PEDDIBOYINA: Okay. Any other discussions?

Seeing none, Katherine, please call the roll.

MS. OPPERMAN: Member Sanker?
MEMBER SANKER: Yes.

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

MS. OPPERMAN: Chairperson Peddiboyina?
CHAIRPERSON PEDDIBOYINA: Yes, please.

MS. OPPERMAN: Member Krieger?
MEMBER KRIEGER: Yes.

MS. OPPERMAN: And Member Byrwa?
MEMBER BYRWA: Yes.

MS. OPPERMAN: Motion passes.
MEMBER KRIEGER: Congratulations.
MR. SMOLAREK: Thank you.

CHAIRPERSON PEDDIBOYINA: Okay. That brings to an end of today's issues.

And motion?

MEMBER KRIEGER: Motion to adjourn.

MEMBER SANKER: Motion seconded.

CHAIRPERSON PEDDIBOYINA: And seconded.

All right. Thank you, motion granted.

(The proceeding was concluded at 8:10 p.m.)
CERTIFICATE OF REPORTER

STATE OF MICHIGAN )
      ) SS
COUNTY OF MACOMB )

I HEREBY CERTIFY that I reported stenographically the foregoing proceedings and testimony under oath at the time and place hereinbefore set forth; that thereafter the same was reduced to computer transcription under my supervision; and that this is a full, true, complete and correct transcription of said proceedings.

Laura J. Steenbergh

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Laura J. Steenbergh,
CSR-3707