REGULAR MEETING - ZONING BOARD OF APPEALS
CITY OF NOVI
August 11, 2015

Proceedings taken in the matter of the ZONING BOARD OF APPEALS, at City of Novi, 45175 West Ten Mile Road, Novi, Michigan, on Tuesday, August 11, 2015

BOARD MEMBERS
Cindy Gronachan, Chairperson
Linda Krieger, Secretary
Brent Ferrell
David Byrwa
Jonathan Montville
Jason Richert
Mav Sanghvi

ALSO PRESENT: Thomas Walsh, Building Official
Beth Saarela, City Attorney
Coordinator: Stephanie Ramsay, Recording Secretary

REPORTED BY: Jennifer L. Wall, Certified Shorthand Reporter

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Novi, Michigan.
Tuesday, August 11, 2015
7:00 p.m.

CHAIRPERSON GRONACHAN: I'd like to call the August 11, 2015 Zoning Board of Appeals meeting to order. Stephanie, would you please call the roll.

MS. RAMSAY: Member Ferrell?
MR. FERRELL:  Here.
MS. RAMSAY:  Member Krieger?
MS. KRIEGER:  Present.
MS. RAMSAY:  Member Ibe is absent, excused.
Member Sanghvi?
MR. SANGHVI:  Here.
MS. RAMSAY:  Member Byrwa?
MR. BYRWA:  Yes.
MS. RAMSAY:  Member Richert?
MR. RICHERT:  Present.
MS. RAMSAY:  Member Montville?
MR. MONTVILLE:  Here.
MS. RAMSAY:  And Chairperson Gronachan?

CHAIRPERSON GRONACHAN:  Present.
Member Sanghvi, welcome back. Would you lead us in the pledge, please.
(Pledge recited.)
CHAIRPERSON GRONACHAN:  Zoning Board of Appeals meeting this evening. There is a list of rules of conduct in the back of the room. I'm asking everyone who is attending the meeting this evening to please obtain a copy.
At this time, I am asking everyone to please shut off your cellphones. Anyone in the audience who wishes to address the board, please let me know that you're out there, if you're sitting way in back, you want to talk to the board, come -- if you would move a little forward. Sometimes it's a little hard, there is a lot going on up at this table.

There are no minutes for this evening. Are there any changes or amendments to the agenda?
MR. WALSH:  Yes. Case number two, Metro Signs case, they have asked to be postponed to the next available meeting.
CHAIRPERSON GRONACHAN:  Okay. So case two, Metro Signs, at the Rally House will be postponed until September of 2015.

Any other changes? Seeing none, approval of the agenda, all those say aye.
THE BOARD:  Aye.
CHAIRPERSON GRONACHAN:  None opposed. The agenda has been approved.
There are no minutes tonight for review.

If there is anyone in the audience that wishes to address the board in regards to other matters than what's on the docket for this evening, you can come forward at this time.

Seeing none, we will move right ahead and call Case No. PZ15-0017, Chris and Nancy Rovik, 21494 Equestrian Parcel.
Board members will remember that this case was postponed from last month and they are back with hopefully some good news.

You were both sworn in last month, is that correct?

MR. ROVIK: Yes.

MS. ROVIK: Yes.

CHAIRPERSON GRONACHAN: Your testimony will be under that oath and you may proceed.

MR. ROVIK: Thank you for having us back. I hope tonight will be a little quicker than last meeting.

Anyway, since the last meeting, we finally, this morning reached agreement with the homeowners association regarding the request that we had made, so basically our request from the previous meeting regarding the modification to the 15-foot requirement for setback from the house to the north property line of our home remains the same.

We are requesting that relief so that we can install a walk-up stairway from the basement to the rear of the home, to allow easier egress for anyone in the basement, so that they don't have to walk up through the house if the house were on fire, they can walk up through this stairwell without having to climb up through a window.

So basically, again, the request that we are making requires a four foot pad at the bottom of the stairwell and the wall associated with the retaining of the soil on the other side or at a minimum in order for us to request the least amount of variance to that 15-foot requirement as possible.

Again, we've finally received approval from the homeowners association following updated drawings and landscape plan. And again, that was received this morning, so again our request from the previous meeting remains the same.

CHAIRPERSON GRONACHAN: Thank you. Are there any additional pieces of correspondence?

MR. FERRELL: Seventeen notices mailed, three notices returned, zero approvals, zero objection letters.

CHAIRPERSON GRONACHAN: Thank you. Building department?

MR. WALSH: No additional information at this time. Thank you.

CHAIRPERSON GRONACHAN: Thank you. Board members?

I'm sorry, is there anyone in the audience that wishes to make a comment in this -- regarding this matter?
I can turn it over to you. Welcome back, Member Sanghvi.

MR. SANGHVI: Thank you, Madam Chair. I was at your place yesterday and looked around. You have a very nice neighborhood. And I really see no problem in supporting your application. Thank you.

CHAIRPERSON GRONACHAN: Thank you.

Anyone else? Are we ready for a motion then?

MR. MONTVILLE: Madam Chair, I have given my support, as well given the agreement that we have, I'm ready to make a motion at this time.

CHAIRPERSON GRONACHAN: Go ahead, Member Montville. Thank you.

MR. MONTVILLE: In Case No. PZ15-0017, I grant that we grant the 4.5 foot variance request in the north side of the yard, sought by the applicants.

The petitioner has established the need for the variance in addition to the side of the house to help get easier access to both potential emergency situations and just convenience for the applicant to get the maximum use out of their home and their yard.

Strict compliance with dimensional regulations of the zoning ordinance has been noted that the applicant has a minimum request in order to, as I mentioned, get the most use out of their house.

The requested variance will not cause adverse impact on the surrounding yards and fellow homeowners as noted with the homeowners acceptance of the proposed plans and the lack of negative correspondence coming back from all mail outgoing.

And there are no conditions that I would like to add at this point.

CHAIRPERSON GRONACHAN: It's been moved and seconded.

I have a question for the building department at this point. Was there still something that needed to be added to this motion based on last month or has that been removed now?

MR. WALSH: It's all been resolved.

CHAIRPERSON GRONACHAN: Thank you for that clarification. It's been moved and seconded.

Any further discussion in regards to this matter?

(No audible responses.)
CHAIRPERSON GRONACHAN: Stephanie, would you please call the roll.

MS. RAMSAY: Member Ferrell?
MR. FERRELL: Yes.
MS. RAMSAY: Member Krieger?
MS. KRIEGER: Yes.
MS. RAMSAY: Member Sanghvi?
MR. SANGHVII: Yes.
MS. RAMSAY: Member Byrwa?
MR. BYRWA: Yes.
MS. RAMSAY: Member Richert?
MR. RICHERT: Yes.
MS. RAMSAY: Member Montville?
MR. MONTVILLE: Yes.
MS. RAMSAY: Member Gronachan?
CHAIRPERSON GRONACHAN: Yes.
MS. RAMSAY: Motion passes seven to zero.
CHAIRPERSON GRONACHAN: Congratulations. And I'm sure you will be seeing the building department after this. Moving right along, since case two has been postponed until next month.
Case three, Curtis, Case No. PZ15-0020, Richard Curtis at 1320 West Lake Drive. The applicant is requesting a variance from the City of Novi of 15.5 in the required front yard setback, in order to allow construction of a new covered porch, addition on an existing non-conforming parcel.

And petitioner -- you are the petitioner -- you are Mr. Curtis?
MR. CURTIS: Yes.
CHAIRPERSON GRONACHAN: Would you please raise your right hand be sworn in by our secretary.
MR. FERRELL: Do you affirm the testimony you are about to give in this case is the truth?
MR. CURTIS: Yes.
CHAIRPERSON GRONACHAN: State your full name for the recording secretary please and spell it.
MR. CURTIS: Richard Sean Curtis, R-i-c-h-a-r-d, C-u-r-t-i-s.
CHAIRPERSON GRONACHAN: Thank you. You may proceed.
MR. CURTIS: I was here a few months ago and got approved for an addition. I appreciate that.
I did not realize that I didn't create a porch to my front entry, and so I'm requesting a variance so I can have a covered porch. It's a wood deck, which is just six feet by 10 feet wide.
CHAIRPERSON GRONACHAN: Anything else?

MR. CURTIS: I have made a small drawing, if you need to see it. I'm sure you may have that already. No, that was it.

CHAIRPERSON GRONACHAN: Thank you. Anyone in the audience that wishes to make comment on the matter in this case?

(No audible responses.)

CHAIRPERSON GRONACHAN: Seeing none, is there any correspondence?

MR. FERRELL: Twenty notices mailed, zero notices returned, one approval letter, zero objections received.

Approval letter is from Brian, B-r-i-a-n, Kosian, K-o-s-i-a-n, at 1251 West Lake Drive. They say, "I approve Mr. Curtis' request. He is doing a great job improving his property." That's it.

CHAIRPERSON GRONACHAN: Building department?

MR. WALSH: Just one comment. Due to the skewed front yard lot line, the proposed addition won't be any closer than exists out there. There is an existing wood deck however. It's approximately 14 and a half feet from the front yard lot line and a new covered porch would be approximately the same distance. Thank you.

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

MS. KRIEGER: I drove by today, and I saw that you have already excavated, but in the front it looks very nice and considering the non-conforming, I don't see any issues with this. Thank you.


MR. SANGHVI: Well, I saw your place yesterday. I chose a bad time to come because the (unintelligible). You almost got flooded out there, that area yesterday. But you have a nice looking home, I have no problem supporting your application.

MR. CURTIS: Thank you very much.

CHAIRPERSON GRONACHAN: Anyone else? I will concur with the other two members. I think that you're doing a great job. You have your challenges, that's for sure. So but to live on the lake that's passion and love or something.

So I will be supporting this as well.

Does anyone have a motion?

Member Krieger?

MS. KRIEGER: In Case No. PZ15-0020, by the petitioner, I move to grant the request, that the petitioner has established the property is unique, being on West Lake Drive and around Walled Lake, that every single home there is -- has some
non-conforming existence, it's therefore not self-created.

The strict compliance with the dimensional regulation of the zoning ordinance will make this unreasonably burdensome to comply with regulation, because of its conformity.

Petitioner has established that the variance is a minimum request necessary, is making a six by ten wood deck, and the requested variance will not cause an adverse impact on surrounding property, property values and actually probably enhance it, and that's it.

B:\\\Ms. Ramsay will you please call the roll.

MR. BYRWA: I was wondering if we could add to that motion, the irregular shape of the lot lends itself to, you know, a variance, because it's not a regular shape lot. It's an irregular shaped lot.

MS. KRIEGER: Sure.

CHAIRPERSON GRONACHAN: So Member Byrwa is going to add a friendly amendment to the words of irregular shaped lot to Member Krieger's motion.

Member Ferrell will second that as well?

MR. FERRELL: Second that as well.

CHAIRPERSON GRONACHAN: Okay.

Ms. Ramsay, please call the roll.

MS. RAMSAY: Member Ferrell?

MR. FERRELL: Yes.

MS. RAMSAY: Member Krieger?

MS. KRIEGER: Yes.

MS. RAMSAY: Member Sanghvi?

MR. SANGHVI: Yes.

MS. RAMSAY: Member Byrwa?

MR. BYRWA: Yes.

MS. RAMSAY: Member Richert?

MR. RICHERT: Yes.

MS. RAMSAY: Member Montville?

MR. MONTVILLE: Yes.

MS. RAMSAY: Chairperson Gronachan?

CHAIRPERSON GRONACHAN: Yes.

MS. RAMSAY: Motion passes seven to zero. Your variance has been granted. I'm sure you will be seeing the building department sometime soon. So good luck and congratulations.
CHAIRPERSON GRONACHAN: Our next case is Case No. PZ15-0022, Richard Jaster on behalf of Bottlz, 31260 Wakefield Drive. This applicant is requesting a variance for a proposed ground sign within the future of the right-of-way line.

Our petitioner is here. And you are?

MR. JASTER: I am Richard Jaster.

CHAIRPERSON GRONACHAN: Mr. Jaster, would you please spell your name for the one recording secretary and then be sworn in by our other recording secretary.

MR. JASTER: It's Richard Jaster, R-i-c-h-a-r-d, J-a-s-t-e-r.

MR. FERRELL: Raise your right hand. Do you affirm to tell the truth in the case and the testimony you are about to give?

MR. JASTER: Yes.

MR. FERRELL: You may proceed.

MR. JASTER: I have been here before. And I'm here to get a variance for our sign and there was some miscommunication on my part about that.

Tom and Charles were very accommodating to me when we were trying to come up with a solution as to my sign for Bottlz for visibility purposes. And when we looked at the drawing actually, I have it on the screen behind you there. Right here is the existing -- that's the existing right-of-way on it.

And so when we talked about it, I was led to the impression that that's where they will put -- my sign outside of that, and so we quickly put together an application, while I stood there at the desk using a piece of site plan that I had in my file, it was an original site plan from the original building plans.

And the line that I had there, I was assuming that it was this line here, that is the existing right-of-way. And then when we went to pull the sign permit, we were told that there was a potential future right-of-way issue.

You know, when I have been told initially to put the sign out, I had to put a temporary sign out, I have it right where it's at now, that's what everybody looked at and was approved.

So Tom told me I needed to come back and apply for a front yard variance setback, is that what it is, for that additional area to put in front of the sidewalk between the sidewalk and the existing right-of-way.

CHAIRPERSON GRONACHAN: Anything
else?

MR. JASTER: I don't think so.

One of the other things I was told I had to
go to Oakland County and get, you know, their
approval as well.

I did go to them and they
looked totally confused, when I showed them
this picture. The person I talked to, I
don't know if that was the regular person
there or not. They didn't seem to be very
knowledgeable at the time.

They said, well, you know, we
can't do anything until you get the variance
from the city. Anyway, he goes, I don't know
if any future -- you know, like I said, I'm
not sure that person was very knowledgable,

would be looking for, too, is to be allowed
to have my sign, if it's approved tonight, be
kept there until I am able to get the Oakland
County approval, if that's what I need.

CHAIRPERSON GRONACHAN: Okay. Is
there anyone in the audience that wishes to
have any comments in regards to this case?

(No audible responses.)

CHAIRPERSON GRONACHAN: Seeing
none -- I'm sorry. Come on down. I told
you, it's hard for me to see you guys. I'm
sorry. Please come down.

Would you please state your
name and spell it for the secretary.

MR. WALLACE: My name is Robert
Wallace, R-o-b-e-r-t, W-a-l-l-a-c-e. I live
at 31061 Tanglewood Drive in Novi. I am on
the board of directors of Maple Green
condominium association, which is attached to
the Bottlz restaurant.

The president of our board has
asked me to speak to you tonight on behalf of
our condominium association and insure you we
are in favor of this sign. We see when it's
in operation, the Bottlz parking lot has many
cars. And when it's not in operation, there
are few cars in the Bottlz parking lot.

It's clear to us that the
success of the Bottlz restaurant may be
critically dependent upon this sign. And we
want Bottlz to succeed. That place has been
abandoned for ten years. We want it to be a
going business for a tax base for Novi, and
we also want it to be a building that is a
going business that people see when they
enter our complex.

We want Bottlz to succeed. If
they do, Novi gets tax money and our property
values go up. If they do not, we will have
an abandoned building rotting at the entrance
of our condominium complex.

We don't want that, so we are
really in favor of this sign. Thank you.
you. Yes, sir, please come on down.

MR. KUNKEL: Good evening. I'm

Rob Kunkel, representing the Maples Club. My

partner (unintelligible) and I are the owners

of the facility. Rick is one of our good

landlords who rents the restaurant bar from

us.

We have had a very strong

working relationship with Rick in building

out the facility, and I take great pride

tonight in coming to you that we would like

to make the Maples Club, the golf course, the

pool, the restaurant a jewel in Novi.

I think Bob was very clear,

the facility sat dormant. I personally led a

group of people to try to buy it over five

years. Year and a half ago we were fortunate

enough to be able to do that.

The golf course has been

rejuvenated. We take great pride and even

had some Novi management people there today

playing golf, that takes great pride in it.

The pool has been operational, it's been a

great success. Rick put a lot of love and

care in that restaurant in building it out.

And I think the facility is a compliment to

the community, and it's consistent with the

master plan of that community.

When the original builder

built it, that was a country club setting,

homeowners, golf course, pool, restaurant, a

community center.

It's our hopes to realize

that, and I think we made great strides to

that. I'd like to second the fact that

anything you could do to help us support our

success, I think it's fruitful for --

obviously we own the building, for Rick who

runs the restaurant, for the homeowners, and

I think it is very important to us that we

can do anything as a group to be a jewel of

Novi.

I thank you for your time. If

anybody has any questions on our goals, or

what our future plans are, feel free to ask

any questions.

CHAIRPERSON GRONACHAN: Thank you

very much, sir.

Correspondence, please.

MR. FERRELL: Yes, Madam Chair.

There was 553 notices mailed, 24 notices

returned, nine approval letters received, and

two objection letters.

First one is an objection from

Patricia Munson, M-u-n-s-o-n.

First one is the objection

from Patricia Munson, M-u-n-s-o-n, at 296

Winslow Circle. "This is a residential area

on both sides of Fourteen Mile Road." That's

all for that one.
The other objection from Maurice W. Sanders, 41606 Kentworth Lane, Novi, Michigan 48377. "The Bottlz restaurant golf course has two signs already, I do not believe they need more."

This is an approval from L-o-u-i-e and Paula Dorka, D-o-r-k-a, 30930 Collin Lane, "It's a great restaurant, let everyone know, sign no problem with us".

Another approval from Gerald B-o-r-e-l-a-n-d, 30804 Golden Ridge 48377. "The success of this business will add value to all the homes in Maples and nearby homes and businesses. To help this business succeed is all what we should join in. It's a classy business and has first class ownership. Help them succeed, please".

Next approval is from William Chalmers, C-h-a-l-m-e-r-s, at 41840 Canterbury Drive. "We need to help support to new restaurant and golf course. It was down five years and affected our property values. We support this variance."

The next approval is from Anthony C-i-p-i-c-c-h-i-o, 31138 Seneca, S-e-n-e-c-a, Lane, "Bottlz and golf club have done a great job so far. I support this sign. Great neighbors", Susan, same last name, C-i-p-i-c-c-h-i-o.

Next approval is from William Sumerton, S-u-m-e-r-t-o-n, at 30939 Tanglewood Drive, Novi, 48377. Just says "none".

Next approval is from Curtis R. Peck, P-e-c-k at 41626 Sleepy Hollow Drive, "I have no objection".

That is it.

CHAIRPERSON GRONACHAN: Thank you. Building department?

MR. WALSH: Couple of things. The gentleman has spoke in favor of the request, recording secretary didn't get a chance to get his name. If you come back up and spell his name.

MR. KUNKEL: I'm sorry. I am Bob Kunkel, K-u-n-k-e-l, and just for some additional information, I have had facilities similar to this in Dearborn, Livonia, Northville and now Novi. I think if you did any reference on our facility, did any -- city council and (unintelligible) speak
Chairperson Gronachan: Thank you. One other item. There was a motion this evening for an approval, it should be subject, if the county widens the road, at any future time that the cost of moving the sign will be totally on the applicant, owner of the facility, and at no cost to the city or to the county.

Chairperson Gronachan: Thank you. Anything else?

Mr. Walsh: That's it. Thank you.

Chairperson Gronachan: You took the words right out of my mouth though. Now I don't have any questions.

Okay. Board members? Member Byrwa.

Mr. Byrwa: This is going to be an illuminated ground sign?

Mr. Jaster: Correct. The sign that you saw there at the road is the sign. It's just there temporarily, it's not permanently affixed to the --

Mr. Byrwa: But it's going to be. Is there some kind of -- you shut it off like a half hour after closing, or you leave it go all night or --

Mr. Jaster: At this point because it's temporary, it's just plugged in, but at my last variance, it was required that I shut it off by midnight or an hour after closing.

Mr. Byrwa: You wouldn't object to that?

Mr. Jaster: No.

Chairperson Gronachan: That's been --

Mr. Jaster: It's part of the approval already.

Mr. Byrwa: Okay.

Chairperson Gronachan: Just to refresh the board members' memory, the only thing we're voting on this evening is where the sign can actually be and that's in the future right-of-way. Everything that we approved at our previous meeting still stands. None of that changes, just for clarification purposes. Anyone else?

Mr. Ferrell: I have a question for the city or city attorney.

He's requesting that the sign that is currently up stay in place until the county approves or denies it? Is that something that would be acceptable for us to vote on, approve, or is that something that's --

Ms. Saarela: Is that something
MR. WALSH: I don't know.

MS. SAARELA: I don't know if we
even get notification of that. We can make
it a condition that he submits something to
the city, when he gets approval from the
county.

MR. FERRELL: Okay, thank you.

MR. JASTER: The ordinance
officer said that I had to have approval
before she would give the sign permit.

CHAIRPERSON GRONACHAN: Member
Montville?

MR. MONTVILLE: Madam Chair, two
quick questions. Just looking at the map,
I'm familiar with the location.

Do you know how many feet
exactly north we would be moving the sign?
There is not a ton of space. I'm just
trying -- in the current position it is,
towards Fourteen Mile --

MR. JASTER: No, actually where
it is sitting, where you saw it sitting today
or wherever, when you looked at it, is the
exact location it will be permanently placed.

MR. MONTVILLE: Thank you. And
also since the new sign went in, would you
say it's got a pretty positive economic
impact to your business?

MR. JASTER: Oh, my gosh, yes.

MR. MONTVILLE: Thank you.

CHAIRPERSON GRONACHAN: Anyone
else?

I spent so much time on
Fourteen Mile that I'm surprised the
neighbors didn't call the police and accuse
me of stalking. I have driven up Fourteen
Mile, down Fourteen Mile, into the parking
lot, on the road, from the drugstore,
because, you know, I was the one that said
the sign should be there, first of all, and
you have been extremely cooperative with the
city in answering all -- everything that this
board has requested.

When I looked at it
originally, I believe it was -- it wasn't
this way going from property line to road, it
was running east and west, was it or no?

MR. JASTER: It was exactly --

when you looked at it the last time, it was
in the exact same position this way, it was
about five feet to the east of that, but
there is an AT & T line there, so we had to
move it over five feet. Other than that, it
was running.

CHAIRPERSON GRONACHAN: That was
the difference, okay.

MR. JASTER: It just moved over
to the west about five feet from where we had
it prior.

CHAIRPERSON GRONACHAN: That's
too bad because I liked it over there better. Again, when I first saw this, I was startled because of the right-of-way. I certainly don't want to set precedent, but this is an unusual piece of property. And it is dipped right at that point, and with the -- I go by the statement from the previous minutes when you're coming down Fourteen Mile, it's difficult, if you set it any further back, you will not catch that sign because you can't catch the other sign when you're coming west on Fourteen Mile. When you're going east, you can catch that sign, and I have to admit that I did go at night as well, and it seems to me like you can see that sign more at night than you can during the day. I question the black backing but that's just me. I don't know that I would have done that, only because if I'm trying to illuminate, even during the day, it is a golf course, you want people there during the day, unless you're doing moonlight golfing, I don't know.

MR. JASTER: The golf course has their sign by the entrance still.

CHAIRPERSON GRONACHAN: I'm saying that people that are looking for it, that was my only thing. I have to say that this is a highly unusual case. I think that if you are in agreement to accepting the fact that if and when Oakland County decides to widen that, that you are going to take up the cost of removing the sign and not affect the city, the city will not have any costs, I would not be opposed to this -- to this request.

MR. JASTER: I have no problem with that.

CHAIRPERSON GRONACHAN: Is there any other further discussion?

(No audible responses.)

CHAIRPERSON GRONACHAN: Okay, then would someone like to make a motion?

MS. KRIEGER: Sure.

CHAIRPERSON GRONACHAN: Member Krieger?

MS. KRIEGER: I move that we grant the variance in Case No. PZ15-0022, sought by our petitioner, that the petitioner has definitely explained the nature of the difficulty especially with the berm, heading west, you can't see it until you're right on top of it. If you're coming east, little bit different, but still difficult, if you don't -- if that sign wasn't there, you would miss it. You would have to do a couple of trips back and forth. Without the petitioner will unreasonably prevent or limit the respect to use the property.

As discussed by the previous
speakers, with the -- from the audience, that
because of this sign, there are more -- there
is more traffic to this restaurant and it has
enhanced the subdivision in the condominium
complex, they're more in favor from the
homeowners association from Tanglewood
condominium and the landlord. That it is a
jewel for Novi from the Maples, and that this
will enhance the property values in the
surrounding areas as well.

That it is unique because of
said berm and nature of the roadway. The
petitioner did not create this condition, and
the relief granted will not unreasonably
interfere with adjacent or surrounding
properties.

That as previously discussed,
the relief is consistent with the spirit
intent of the ordinance, and then also as
previously discussed, that the -- once you
get notification from the county, that you
notify the city that you received such
approval, and also that it will be subject
to -- if they get a letter from the county
stating that they wish to widen Fourteen
Mile, that it would be at no additional cost
to the city or the county, and it is, as you
have already discussed, that you are willing
to accept that.

So I move, therefore, in favor
to leave the sign as placed until such
potential purpose.

Anything else?

CHAIRPERSON GRONACHAN: Is there
a second?

MR. RICHERT: Second.

CHAIRPERSON GRONACHAN: It's been
moved and seconded. Is there any other
further discussion in regards to the motion?

MR. FERRELL: Is there a time
limit on the county? If they don't ever get
back, if he never fills out the paperwork or
sends it in for some reason, not saying if he
won't, but if he doesn't, is there a time
limit when we would say that the sign has to
be removed from the property?

MR. WALSH: The county typically
would turn something over within 30 days,
approval or no objection or disapproval. So
if it's disapproved, then it will be back in
front of the board.

MS. KRIEGER: So he could make it
a nature to this particular case, for Bottlz,
and then the next future person that comes
through with the business, if it changes,
then they will have to reapply?

CHAIRPERSON GRONACHAN: We can't
change it -- we can't change it because the
previous variance that we granted is specific
to this business only. So again, this change
would be -- correct, this would take it as well. The only thing we are voting on tonight is where this sign is going. All the other agreements that we made in the previous appearance still stands.

MR. FERRELL: So would 30, 60 days or six months? How long would something be acceptable to say if you say about 30 days, the county gets back?

MR. WALSH: Typically 30 days.

MR. FERRELL: The board feels is an acceptable amount of time?

MS. KRIEGER: Give them 60?

MR. WALSH: Sure.

MS. KRIEGER: So 60 days.

CHAIRPERSON GRONACHAN: So it's been moved and seconded, with a friendly amendment of adding a 60 day time limit. Is there any further discussion?

MR. BYRWA: If the restaurant is sold or whatever, if a new restaurant took over, the sign would have to go?

MR. JASTER: That was in the first one.

CHAIRPERSON GRONACHAN: Yes.

Anything else? (No audible responses.)

CHAIRPERSON GRONACHAN: Ms. Ramsay, would you please call the roll.

MS. RAMSAY: Member Ferrell?

MR. FERRELL: Yes.

MS. RAMSAY: Member Krieger?

MS. KRIEGER: Yes.

MS. RAMSAY: Member Sanghvi?

MR. SANGHVI: Yes.

MS. RAMSAY: Member Byrwa?

MR. BYRWA: Yes.

MS. RAMSAY: Member Richert?

MR. RICHERT: Yes.

MS. RAMSAY: Member Montville?

MR. MONTVILLE: Yes.

MS. RAMSAY: Chairperson Gronachan?

CHAIRPERSON GRONACHAN: Yes.

MS. RAMSAY: Motion passes seven to zero.

CHAIRPERSON GRONACHAN: Congratulations. Your variance has been granted.

MR. JASTER: Will I get something that shows that I have approval so I can get back to the county?

MR. WALSH: Yes, within the next day or so.

MR. JASTER: Okay. Thank you. I have seen some of you at the restaurant eating, so I appreciate that.

CHAIRPERSON GRONACHAN: Our next case, PZ15-0025, John Nagel with Image on behalf of Diversified Member Credit Union at
The applicant is requesting a variance from the city to allow an additional ground sign. I'm sorry. To allow additional ground and three wall signs, two wall signs that are in the Town Center district.

Good evening, would you please state your name and spell it for the secretary and then raise your right hand and be sworn in.

MR. NAGEL: John Nagel, J-o-h-n, N-a-g-e-l.

MR. FERRELL: Do you affirm to tell the truth in the testimony you are about to give in this case?

MR. NAGEL: Yes. I'm here on behalf of Diversified Credit Union, who is currently constructing a building on the corner of Novi Road and Main Street. We are requesting that we get an additional wall sign, monument sign.

I'm not sure if you have your documents in front of you as far as the description of the signs with what we are planning on doing.

CHAIRPERSON GRONACHAN: We have that in our packet, yes.

If you have something to show, you can put it on there for the people at home that are watching, you can add that information.

MR. NAGEL: Okay. I have placed the site plan on here, which shows the location of the four signs. The south wall will be a wall sign of 24 square feet, along with the north side of the building. The west side will have 65 square foot sign, then they'd like to add a monument sign to the landscape wall here in front of the fountain that will be non-illuminated. It will just be aluminum letters that are individually cut and mounted to the face of the brick wall, that kind of surrounds the fountain that they are constructing.

The reason for the three signs on the wall, which are all illuminated, are what we call a reverse channel illumination, where the face of the sign does not light, but the actual LED light comes out the back of the sign, they are all aluminum construction, so no light comes out the face. It's a halo lit effect. It's a very attractive look. It enhances the look of the building, and the architecture of the building, it kind of fits for what the design of the building is.

Put up a photo of that. This would be the west sign, which is the larger sign, 64 square feet. The only illumination in the sign, again, is the letters, DMCU,
The lower portion of the sign is aluminum cabinet, that is about two inches thick, that has acrylic letters mounted to the face that is about three inches thick. They're not asking for that to be illuminated. That's more of just an additional showpiece to go along with the sign, and the letters are just too small to even think of illuminating.

The reason we did not make those individual letters is because the structure of the building, the brick face, the split face brick, or the type they have gone with, does not allow us to put individuals letters underneath it, so we had to place those onto a cap end. That's just the larger face of it. The purple and green, that's their company colors. This is just a diagram side section, showing the location of the back of the sign, this lower piece just mounted directly, no lighting.

Their biggest concern is exposure. One of the largest reasons for additional signage, the traffic count, the amount of traffic coming up and down Novi Road does not allow a lot of time for the west side exposure for that sign to be seen, so like the north side -- adding the north side would give additional exposure as the vehicles are traveling southbound.

So that would give them additional basically exposure, plus the north side is where a lot of the customer parking is, so it's also directional type purposes. It is only 24 square feet in size. It is not a huge sign.

So it's not going to -- again, it is halo lit. It's not going to blast. It's more of a feature of the building as well. The south side is going to -- is on Main Street and that will give exposure from the traffic coming up and down Main Street.

And the monument sign, I'm not quite sure, I didn't get quite clear. I thought they were allowed a monument sign on that. But when I turned it in, I was denied for the monument sign. Are they not allowed?

CHAIRPERSON GRONACHAN: We will address your questions. If you have anything else, then we will address that.

MR. NAGEL: No. That's it. They are just trying to build -- they are building a beautiful facility. They have added a lot of landscaping to the property, and they have dressed it up and they think this is going to be an added feature to the building as well, give them exposure, given that it is halo lit. It is on the higher side of sign packages. This is not an every day light box with vinyl graphics. This does add to the building.
CHAIRPERSON GRONACHAN: Thank you. There is clearly no one in the audience to make any comments. Secretary, will you please indicate if there is any correspondence.

MR. FERRELL: Yes, Madam Chair. There was 15 notices mailed, three notices returned, zero approval letters received, zero objection letters received.

CHAIRPERSON GRONACHAN: Okay. Building department?

MR. WALSH: Yes, the ground sign is approved, so there is no variance for the ground sign. I cleared up in the staff report, so the west elevation, north elevation and the south elevation ground signs -- or excuse me, wall signs require a variance and the ground sign or slash monument sign is approved.

CHAIRPERSON GRONACHAN: Just for clarification purposes, the request then is only going to be for three wall signs and no ground sign at this time?

MR. WALSH: That is correct.

CHAIRPERSON GRONACHAN: Thank you. I was confused. Again, you must be a mind reader.

Board members? Member Sanghvi.

MR. SANGHVI: Thank you, ma'am.

How many entrances have you got for this building?

MR. NAGEL: Pardon?

MR. SANGHVI: Entry doors, entrances to go to the building?

MR. NAGEL: Oh, how many entrances. I believe it's just the one off Main Street.

CHAIRPERSON GRONACHAN: Is there only one door going into the building?

MR. NAGEL: Oh, no. Entrances into the building, there is two. I thought you meant the traffic.

MR. SANGHVI: It's open on all three sides? I never seen a bank that's open on three sides?

MS. KRIEGER: Novi Road really doesn't have a door.

MR. NAGEL: There is no entrance on Novi Road. There is an entrance -- the main entrance is on the south side. Well, the building is kind of on an angle in the parking lot. We have the north entrance and there is, I believe, just an employee entrance on the south side. I'm sorry. I didn't bring my glasses with me today. We have the north entrance and south entrance is just employees from what I can tell.
MR. SANGHVI: That is not something I was expecting to answer. Sorry about that.

MR. WALSH: One on the north side, one on the south side.

MR. NAGEL: Here on the south elevation.

CHAIRPERSON GRONACHAN: There is one on the north and one on the south. There is two.

MR. SANGHVI: That makes sense, okay. I just haven't understood your practical difficulty in having three wall signs. Why do you need them?

MR. NAGEL: For exposure. The property has frontage on two sides on the road frontage, they are on Main Street and on Novi Road. Then Novi Road, because of the amount of the traffic and the speed of the vehicles going by, does not need a lot of exposure, as far as far traffic going by, seeing the sign, so putting one on that north side people can pick up the sign from a farther distance traveling down the road.

The other thought was with any expansion to that Paul Bunyan Drive, any future -- not sure what is in store for that, that driveway there, but, obviously needs to be some sort of development in there. If there is any future development on that, it would also give them on Paul Bunyan Drive as well for the future.

MR. SANGHVI: Thank you.

MR. MONTVILLE: So the monument sign will not be lighted, which of the three wall signs would be illuminated?

MR. NAGEL: All three of the wall signs will be illuminated. They will all be halo lit. They are all identical in sign.

MR. MONTVILLE: The monument sign will not be?

MR. NAGEL: The monument sign is not.

MR. MONTVILLE: So traffic heading south will have difficulty by seeing that.

MR. NAGEL: That monument sign really won't be of any exposure to any traffic going. It's more of again design feature and landscape, since they're putting that nice fountain in and everything, just kind of want people to recognize, hey, we built that corner up for you. Walking traffic is about all that is going to pick that up.

MR. MONTVILLE: Sure.

MR. MONTVILLE: Anyone else? Member Krieger.
MS. KRIEGER: I can see your north and south, but if you have the monument sign on Novi Road, you don't really need the one there because there is no entrance there as well. Then you said the one on the north side will be smaller, so that is understandable, so I can see those, but three signs is a lot. 

MR. NAGEL: Again, the monument sign won't get any traffic exposure or won't be recognized from Novi Road.

MS. KRIEGER: But as you are driving Novi Road north you will see the --

as you come to Main Street, you will able to see up on the wall, and as you are coming south, depending on what is built on -- in the neighboring property, whether they will see that or not you should be able to see the monument before they whiz by and not see the wall. That's where I'm thinking.

MR. NAGEL: Okay.

CHAIRPERSON GRONACHAN: Member Montville?

MR. MONTVILLE: My opinion, it's just for esthetics, so my concern is especially during the night, coming down south, that that west sign as proposed on the west side of the building could potentially make it easier to find, especially with the high traffic volumes. I just have concerns with especially the traffic volume how quickly, I think it's 45 miles, since it's farther than it's been in the past, making sure that the monument sign is not a factor when deciding the visibility of the building. That's my opinion.

CHAIRPERSON GRONACHAN: Thank you. Member Ferrell?

MR. FERRELL: Thank you. I support Member Krieger's view on that as well. Three signs is too many, regardless of a monument sign as being counted or not it's still a sign. Obviously Novi is really strict with their signs. But I feel that the two signs on the north and south sign sides are in the best interest for the business. But I would not support three signs on this building at all. So thank you.

MR. NAGEL: I think they would probably opt for the west side and the south side and leave the north side off.

The west side would be the larger sign that fits more appropriately than the size, and I think it will get more constant exposure, no matter what direction you are going up and down Novi Road. I don't know that I'm allowed to put two signs, which side of the building does it matter or not?

CHAIRPERSON GRONACHAN: You're saying that you would go with the west side
sign and the south sign, so the west sign, for clarification purposes, Board Members, that would be the Novi Road sign, is that correct?

MR. NAGEL: Yes.

CHAIRPERSON GRONACHAN: And the south sign would be the Main Street sign, correct?

MR. NAGEL: Yes.

CHAIRPERSON GRONACHAN: Okay.

MR. FERRELL: The size of the sign, Madam Chair, for the west side, how big is it compared to --

CHAIRPERSON GRONACHAN: Well, you want to ask those questions or do you want me to go -- are you done?

That's where I was going. So I think that -- first of all, I'd like to put my comments on the record. I think this is a beautiful building. I think that you're building on a unique location, and that as you mentioned in your testimony, that the building is on an angle. But it sets back from Novi Road.

Despite those minimal challenges, I don't feel that three signs, three building signs are necessary in this case.

I do feel that the Novi Road, the side of the building, the west side, should be identified. I agree with Member Montville that the land -- that the ground sign is not going to identify the building as such.

I do agree with the south side because as you're coming up Main Street, and we hope that Main Street grows, there is going to be more traffic and that will generate people and identification purposes.

The north side, I don't agree with at all. The reason why is because we don't know what's going to go on the north side. And I don't believe that you can see it from Grand River. You can't see it coming down Novi Road, and if they build anything there, you're really not going to see it.

If at some point that this building, this business feels that they need additional identification, as we approach the changes in that area, I mean, we're here, we are not going anywhere. You can always come back.

But I feel that less is better, and I feel that three signs is too excessive. Having said that, the petitioner has agreed, I just want to reiterate, you have agreed that you would remove the north sign and you would go with the west sign and the south sign. How big is the west sign?

MR. NAGEL: That's 64.12 square
8             feet. Which I believe 65 is the max.
9             within our --
10             MR. NAGEL: It's within the
11             ordinance, correct. Now, the secondary sign,
12             what is the max I can have as far as square
13             footage for the secondary sign?
14             MR. WALSH: You are only allowed
15             one sign. Any sign that you go over the
16             ground sign requires a variance.
17             MR. NAGEL: I see. The second
18             sign would be the 24 square foot on the south
19             side.
20             CHAIRPERSON GRONACHAN: What's
21             the -- what is the -- bear with me on my
22             questions, because -- this my weak spot on
23             these signs. What is the minimum on -- at 64
24             square foot sign, what's the next size down
25             that you could do on that building?
26             MR. NAGEL: Everything is custom
27             manufactured, so there really is no set size
28             of parts. We fabricate to what is necessary.
29             So my --
30             CHAIRPERSON GRONACHAN: You are
31             saying it couldn't be made smaller?
32             MR. NAGEL: It could be made
33             smaller, yes. So what would be the next
34             size? I mean, you know the lay of the
35             building. And that's why I'm asking for your
36             expertise.
37             CHAIRPERSON GRONACHAN: What is
38             the next size smaller that you could go in
39             that building so it's not so obtrusive?
40             MR. NAGEL: My biggest is concern
41             with that is that Diversified Members Credit
42             Union, or if we scale down the size of the
43             letters to keep everything proportion to
44             their logo and -- to their image, right now
45             we are already pushing only six and a half
46             inch letters.
47             So if I scaled down the D to
48             36-inch, that's going to push that into a
49             four and a half inch letter, now they really
50             are not getting any visibilty as far as name
51             brand.
52             CHAIRPERSON GRONACHAN: Is there
53             any way to change just the letters and not
54             the Diversified Members Credit Union on the
55             bottom? There is where my area, I'm gray in
56             this area.
57             MR. NAGEL: Not from a
58             proportional. It would change the whole look
59             of the sign. So to scale down DMCU smaller
60             you have to scale -- shrink --
61             CHAIRPERSON GRONACHAN:
62             Everything has got to go?
63             MR. NAGEL: Yes. The face of the
64             building is 75 feet in width. This is not
65             over and above -- or over -- it's not
66             overpowering the building.
67             Again, it's only the wall
that's going to be illuminated at night with the halo effect. It's really a neat looking effect. During the day, it's -- you know, the letters will stand out. And again, they're individually mounted. Diversified Members Credit Union, it's kind of a thin thought that they have selected as well.

That's part of their branding. So when you shrink that, we're really shrinking not only the height but the width of the letter. That would be my concern.

CHAIRPERSON GRONACHAN: Given the discussion at this table, I would support the two signs as is, and my thought process on that 65 or 64 square foot sign is this. The uniqueness of the property and where it lays. And that is such a busy corner. And it's at a different angle. You know when you're coming down Novi Road, heading north, and, you know, Main Street is there, you have got construction going on to the west, we don't really know what that's going to be. It's going to be built up and there could be a lot more distraction where I think that the size, given the size of the building, given the petitioner's willingness to reduce the number of signs, given the uniqueness of the property, I think that these signs would meet, or I think that these signs should go with the variance under the circumstances. That's my opinion.

I will wait to hear from other board members.

MR. MONTVILLE: Madam Chair, I would just follow with that.

I think it's pretty clear, the professional designer, DMC has put a lot of time in making sure signs those esthetically look pleasing. It's in their best interest. They don't want overbound signs as well, so I think they put their time and due diligence into it. Again, given the heavy volume of traffic on that intersection, I'd be very hesitant to reduce the size of the sign as well.

CHAIRPERSON GRONACHAN: Member Richert.

MR. RICHERT: I just had a question. Is this the same size and design that the Diversified uses on any other buildings?

MR. NAGEL: This is their new branding. This is only the second facility. So this is every building from now on that's constructed is going to be constructed to this one.

MR. RICHERT: Thank you.

CHAIRPERSON GRONACHAN: Member Krieger?

MS. KRIEGER: Two questions. The
hours of operation that you needed, I guess
in the wintertime, I can understand where you
would want it to be lit, but then like hours
now, what hours do they -- are you
anticipating?

MR. NAGEL: I don't know what
their hours of operation are, so I can't
answer that question. But typically, we shut
these off around 10:00, they are usually on
timers.

MS. KRIEGER: Okay.

MR. NAGEL: I'm sure they
wouldn't have a problem with setting it to
whatever time you feel was appropriate.

MS. KRIEGER: Thank you.

Mr. Walsh, the entrance is
going to be on the north side, as I
understand correctly, the parking lot.

CHAIRPERSON GRONACHAN: South.

MS. KRIEGER: Either one. So the
north side, can they put on the door, on the
entrance door can they put a little print
that says, DMC on it? If somebody is parking
on the north side?

MR. WALSH: They can. There is a
certain size allowed for it. Unfortunately,
without looking at it, don't know the size.
But there is some kind of signage they can
put in the window there. However, it's going
to be a single use facility, there is not
going to be any other tenant, so if you're
going to the bank or credit union, that's
where you're going.

MS. KRIEGER: Thank you.

CHAIRPERSON GRONACHAN: Any other
discussion? Member Sanghvi.

MR. SANGHVI: Well, I think we
need to establish that we are going to
approve a sign which is facing Novi Road and
Main Street.

CHAIRPERSON GRONACHAN: Yes.

MR. SANGHVI: Secondly the size
of the sign, especially facing Novi Road.
Depending upon the side of the fronting of
the building, this sign should be
proportional to that. And looking at the
size of the fronting and sign, the sign
proposed, it looks like it is a pretty good
size. It is quite elegant and esthetically
acceptable.

So I have no difficulty in
approving the west side sign, which is
larger. Thank you.

CHAIRPERSON GRONACHAN: Thank
you. Anyone else?

Is there a motion to be made
by someone?

MR. MONTVILLE: Madam Chair, I
would be more than happy to.

CHAIRPERSON GRONACHAN: Member
Montville, please.
MR. MONTVILLE: In Case PZ15-0025, sought by John Nagel on behalf of Detroit Metropolitan Credit Union, I move that we grant the variance, given the two signs, not all three, specifically this will be the west facing side on Novi Road, and then also the south facing side on Main street with the same proposed dimensions as proposed by the applicant.

Given the location of the lot, being farther setback to Novi Road, if the high traffic going by the applicants has shown that there is difficulty and the additional signs are necessary for the applicant at the Detroit Metropolitan Credit Union to have the full function and most impact on their business and the location. We have established that the two signs are the minimal variance necessary for the applicant to again get the most value and use out of their property.

And lastly, the variance request that I'm proposing is within the spirit of the ordinance.

CHAIRPERSON GRONACHAN: It's been moved. Is there a second? Member Byrwa?

MR. BYRWA: Madam Chair, wouldn't we have to reject the three signs original variance and then it will be up to the petitioner to modify it to two signs?

CHAIRPERSON GRONACHAN: No.

MS. SAARELA: No. You can approve any variance request lesser than -- you know, than has been proposed.

CHAIRPERSON GRONACHAN: As long as we are not increasing the variance, we can always approve a lesser, but we can never change it to increase it. So as long as we are -- because due to the fact that we're decreasing what originally was requested, and so stating it, then we can do this without --

MR. BYRWA: It would be up to the petitioner after listening to testimony before the vote to decrease it on his.

CHAIRPERSON GRONACHAN: Oh, he did earlier. I verified all of that.

MS. SAARELA: Even though, you can still grant a lesser variance that is requested even without the consent of the petitioner.

CHAIRPERSON GRONACHAN: It's been moved, is there a second?

MR. SANGHVI: Second.

CHAIRPERSON GRONACHAN: It's been moved by Member Montville, seconded by Member Sanghvi.

Any further discussion in regards to this?

(No audible responses.)

CHAIRPERSON GRONACHAN: Seeing none, Ms. Ramsay would you please call the
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roll.

MS. RAMSAY: Member Ferrell?
MR. FERRELL: Yes.
MS. RAMSAY: Member Krieger?
MS. KRIEGER: Yes.
MS. RAMSAY: Member Sanghvi?
MR. SANGHVI: Yes.
MS. RAMSAY: Member Byrwa?
MR. BYRWA: Yes.
MS. RAMSAY: Member Richert?
MR. RICHERT: Yes.
MS. RAMSAY: Member Montville?
MR. MONTVILLE: Yes.
MS. RAMSAY: Chairperson Gronachan?
CHAIRPERSON GRONACHAN: Yes.
MS. RAMSAY: Motion passes seven to zero.
CHAIRPERSON GRONACHAN: Your two variances have been granted.
Congratulations. We wish you the best and welcome to Novi.
MR. NAGEL: Thank you.
CHAIRPERSON GRONACHAN: Are there any other matters before we adjourn this evening?
I guess everybody wants to go home and watch the final New City Housewives. Is there a motion to adjourn?
MR. SANGHVI: So moved.
CHAIRPERSON GRONACHAN: This meeting is adjourned.
(The meeting was adjourned at 8:10 p.m.)

STATE OF MICHIGAN )
) ss.
COUNTY OF OAKLAND )
I, Jennifer L. Wall, Notary Public within and for the County of Oakland, State of Michigan, do hereby certify that the witness whose attached deposition was taken before me in the above entitled matter was by me duly sworn at the aforementioned time and place; that the testimony given by said witness was stenographically recorded in the presence of said witness and afterward transcribed by computer under my personal supervision,
and that the said deposition is a full, true and correct
transcript of the testimony given by the witness.

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, this
31st day of August 2015.

____________________________
Jennifer L. Wall CSR-4183
Oakland County, Michigan
My Commission Expires 11/12/15