REGULAR MEETING – ZONING BOARD OF APPEALS
CITY OF NOVI
Tuesday, March 12, 2019
Council Chambers, Novi Civic Center
45175 West Ten Mile Road, Novi, Michigan

BOARD MEMBERS:
Linda Krieger, Chairperson
Cynthia Gronachan, Acting Secretary
David Byrwa
Brent Ferrell
Kevin Sanker

ALSO PRESENT:
Charles Boulard, Community Development Director
Elizabeth Saarela, City Attorney
Katherine Oppermann, Recording Secretary

Reported by:
Suzanne Bonarek, Certified Shorthand Reporter
CHAIRPERSON KRIEGER: Good evening and welcome to the Novi Zoning Board of Appeals for Tuesday, March 12th, at 7:00 in 2019. And it will be called to order.

And if Member Farrell will lead us with the Pledge.

(Pledge of Allegiance recited)

CHAIRPERSON KRIEGER: And, Katherine, call the roll, please.

MS. OPPERMANN: Member Byrwa?
MEMBER BYRWA: Here.

MS. OPPERMANN: Member Ferrell?
MEMBER FERRELL: Here.

MS. OPPERMANN: Member Gronachan?
MEMBER GRONACHAN: Here.

MS. OPPERMANN: Chairperson Krieger?
CHAIRPERSON KRIEGER: Here.

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

MS. OPPERMANN: Member Peddiboyina and Member Sanghvi are absent, excused.
CHAIRPERSON KRIEGER: Thank you.
All right. We have a board and this is a public hearing format and rules of conduct are --
In the back, yes?
Anyhow, there -- if you could just have your phones turned to sound off.
And we'll have a public hearing wherein each case is called up; anyone can make remarks. It's on television at home. And people can come to the podium and speak. And there's an overhead that will show up on the computers for the people at home as well.
And that when people come up, to state your name, spell it for our court recorder and be sworn in by our secretary if you're not an attorney.
And then we have an agenda tonight. We have eight cases.
Approval of the agenda. Is there any changes?
MS. OPPERMANN: There's none.
CHAIRPERSON KRIEGER: All right.
MEMBER GRONACHAN: So moved.
CHAIRPERSON KRIEGER: We have a motion.
MEMBER SANKER: Second.

CHAIRPERSON KRIEGER: We have a motion and a second for our agenda.

All in favor say aye.

THE BOARD: (Simultaneously) Aye.

CHAIRPERSON KRIEGER: None opposed.

Okay. So we have an agenda.

Minutes for February 2019, are there any changes?

Do we have a motion?

MEMBER GRONACHAN: So moved.

MEMBER FERRELL: Second.

CHAIRPERSON KRIEGER: We have a motion and a second.

All in favor say aye.

THE BOARD: (Simultaneously) Aye.

CHAIRPERSON KRIEGER: Okay. Then none opposed. All right. Minutes for February 2019 are approved.

Public remarks. Anyone have anything regard -- other than the cases, have something for the ZBA, you can come up to the podium.

Seeing none, I'll close this public remarks.

Public hearing, we'll go to our first
case, PZ19-0001, Great Oaks Landscaping for
47825 Casa Loma Court, west of Beck and south of
Applicant is requesting variance from the
Novi Zoning Ordinance section 5.1(A)ii for a
fence and gate in the front yard. Property is
zoned Residential Acreage (R-A). And petitioner
is at the podium.

And go ahead.

STEVEN AHEJEW: All right. Thank you
very much. My name is Steven Ahejew. I'm with
Great Oaks Landscape. That's S-T-E-V-E-N,
A-H-E-J-E-W.

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

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

MR. AHEJEW: Yes, I do.

MEMBER GRONACHAN: You may proceed.

MR. AHEJEW: Thank you.

Firstly, I would kind of -- I would
like to start by apologizing for our presentation
last month. We had some misunderstandings as to
how this meeting was structured and what would be
digitally available for us to use. That being
said, this presentation is much more reflective
of the importance of our client's request and
will clearly present the practical difficulties
of the site and why strict compliance with
ordinance should be waived under these
circumstances.

I'm here with my colleague, Geoffrey
Fornari, and we are representing Doctors Dan and
Abby Fahim, who both are joining us today in case
you had any direct questions for them this
evening. Also joining us is their counsel,
Rich Hewlett.

The doctors have been residents of Novi
for eight years and have owned -- and own medical
practices within the community for over 15 years.

The reason that I mention this is that
in the past it is this close connection between
medical office and home that have created safety
issues for the family at their first residence.
These safety issues that have -- that they have
experienced have been related to the medical
profession and directly lead to our appeal for a
driveway gate and front property line fence to be
allowed at their new property.

Some may question the necessity of
having these safety structures in a community that is gated; however, the homeowners justly desire the safety and extra level of security that these protections will provide.

So, as mentioned, we are requesting a variance from the Novi zoning ordinance for a fence and driveway gate in the front yard. Standard Number 3, strict compliance, the homeowners are requesting a driveway gate and frontage fence to increase the level of safety and security on their property. These elements would typically be expected and allowed on a property of this size within Novi. We will kind of get into that later in the presentation.

And also due to the back facing garages, which are a subdivision standard, topography changes and the natural features that surround the site is reasonable to expect that a person looking to break into a house or possibly injuring the family would be able to park and go undetected in the area behind the house. The Fahims are requesting a gate and fence variance to eliminate this possibility.

So this is the landscape plan for the property.
My hope was that I'd have a computer in front of me and kind of be able to point some stuff out.

But on the far right side you'll see a vertical line stretching from the north to south of the property with some columns. This is the fence. And then at the driveway, the gate that is in -- that we are asking for approval this evening.

This is an elevation of what we are proposing. As you can see, the fence is approximately 36 inches in height and the gate at its very center point is approximately 6 feet 6 inches in height.

A quick perspective of what this would look like, as you can see, it's not going to be a fence that is just out near the property line; it will be screened by some landscape elements and plantings.

And then just some quick elevations and renderings of the columns.

We know that these columns are not part of the appeal but just to get a general idea of all the elements that we are proposing to install at the front property.
And then just a secondary small column.

And if any of you are wondering what type of gate we are proposing, we are just looking for a simple, non-ornate gate that matches the front subdivision gate. And, again, at the very top would be about 6 feet 6 inches in height.

And the fence that goes between the columns would be just a typical black aluminum fence that would be 36 inches in height. So nothing overwhelming to the front property.

Standard Number 1, the circumstances or physical conditions of the site that brings us here requesting this appeal. This is something we did not bring up last month and it was, it was an oversight on our part.

The main issue with this property is the shape of the lot. The property line angles as it nears the road. And I can show you this in some future slides. This creates a lot that is abnormally shaped. It's abnormally shaped and varies from the typical square or rectangular lot shape in Novi and the Casa Loma subdivision.

The lot width for nearly three-quarters of this property is 228.28 feet wide, which under
the ordinance would allow for a front yard fence and a front yard gate. However, because it angles as it nears the cul de sac, the width actually narrows to 50 percent, to approximately 114 feet, which is less than the ordinance allows, or the frontage is a smaller length than would allow this fence and gate to be installed.

This is the plot plan kind of just in its clean state. What we've done is highlighted this. So on the top and the bottom highlighted in pink you can see the side property lines that run to the front. Those are 228 feet apart. And then you can see as it enters the cul de sac it angles down to approximately 114 feet worth of frontage.

In a typical rectangular or square lot in Novi, which the majority of the lots are, and we have to assume the ordinances were written for, if you extended those side property lines forward you would have a frontage line of 228.28 feet. Again, something that would allow the fence and gate to be installed.

Overlaying that information with the landscape plan you can see the columns, the fence and the gate are highlighted in yellow. Those
property lines extended to the 228-foot frontage are also shown.

And then later in the presentation we're going to talk about the safety factor.

Those orange highlighted areas behind the garage are the main concern on why we are requesting the driveway gate as well.

So what circumstances or physical conditions about this property also brings us here. The first is that the garages face the back of the property. This is a subdivision standard. All, all houses in this subdivision have side facing garages, and it just so happens that this property, which is at the very end of Casa Loma Court on the left, has two rear facing garages.

This is a aerial which kind of shows it a little bit more clear that none of the garages face Casa Loma Court.

Secondly, the topography of the site on the south side of the house drops 6-1/2 feet from the front of the garage to the back of the garage. This further decreases visibility to the back of the property. And that is the lower driveway on the drawing.
You can see the arrow where from the front of the garage to the back of the garage there's actually 6-1/2-foot grade change. So what we've done is taken some photos to walk everyone through what we're trying to describe.

So here we are on Casa Loma Court, the cul de sac. What we're going to do first is come into the property and drive around to the south facing garage that has the topography change and then we are going to drive into the north facing garage.

So we're coming up to the property. As we enter the property we come down the topography change. And you can see that you don't see any vehicles until you're almost in the back of the property and then that is where somebody could ultimately hide and wait.

And then just a different view out.

Doing the same for the north side, we come around; you can't see any vehicles. Still can't see any vehicles. And then once you come around you can start seeing vehicles.

And as you can see from this view, if we actually pull the vehicle closer to the
garage, you would see it much later actually
turning the corner of the driveway.

Thirdly, the south and west side of the
property is surrounded by forests and the north
side of the property is surrounded by wetlands.
This leads to additional safety concerns simply,
simply because there are very few eyes looking
onto this property. There aren't any neighbors
that can really "police" this part of the
property.

So in the spring this is the forested
side of the property and you can see no neighbors
can see into this backyard. On the other side
you have wetlands. There is a neighboring
subdivision but it's a distance away, and many of
those neighbors have installed Evergreen trees to
block their view into this subdivision.

And, again, the aerial view kind of
showing the area of forest and then wetlands
surrounding this site.

That this is not self-created.
Obviously, the abnormal shape of the property is
created by the cul de sac. It's 228 feet wide
for the majority of the property, narrowing down
to 114 feet wide. The homeowners have no control
over that.

The garages face the back of the property. This is a subdivision standard; nothing that the homeowners necessarily chose in the design of their house.

Topography drops around the south garage. That's a natural phenomenon. And the lot is surrounded by forest and wetlands; also natural amenities that exist around the site.

And then to prove that minimum variances are required, as you seen on the plan, -- and we'll have a slide that shows this as well -- our gate and fence location is pushed as far to the front of the property as possible. Actually, with the pie shape of this, that is the minimum length that we could make this.

The fence is 36 inches tall. It's not a 48-inch tall fence or a 5-foot tall fence.

We are just looking for some sort of physical barrier to stop people from entering this property, and the 6 foot 6 inch tall gate is by no way excessive. It is in line with the scale and size of the house as well as the rest of the houses in the subdivision.

Here is a much simplified plan that
shows where the columns are on the property. And what is very difficult to see there is about a foot to the east of the fence there is a utility easement. We physically cannot push these any closer to the road to make them shorter.

And just again how all of this that we just discussed kind of overlays with the hidden areas behind the garages, the view lines and the fence and the column design. Again, showing the minimum fencing that we're proposing at 3 feet and the simplified, simplified, non-ornate gate and fence that is being proposed.

And, finally, will this have adverse impact on the surrounding area. As we stated before, the gate columns and fences, they esthetically match the home and the surrounding community. We tried to reflect the architecture at the front of the subdivision. We don't see any way that this would have an adverse impact on the community or the neighborhood.

I believe when we first presented last month there were no negative responses that received -- that were received from the neighboring properties. And we actually had two letters of support; one from the builder,
Compo Builders, as well as the homeowners association, Casa Loma Estates. And I believe they're part of your package, but this is the letter from Compo Builders saying that this architecture would anchor the end of the subdivision very nicely, as well as Casa Loma Estates stating the same, the same thing.

In conclusion, it is for these reasons that Great Oaks Landscaping and Dr. Abby and Dr. Dan Fahim request the fence and gate variance from the previously stated ordinance.

We respectfully believe that the city ordinance was written to allow for a fence and gate on a lot of this width and believe that the variance would preserve this right.

Because of the way that cul de sacs are structured, any width property once it narrows down to a cul de sac, even if it were 3, 400 feet, this ordinance would not allow for these type of structures on a cul de sac lot.

And, finally, this variance would also help preserve a right to personal safety and the feeling of personal safety that any citizen would expect within the city boundaries.

At this time, I believe Rich Hewlett
would like to stand up and just make a couple comments.

MR. HEWLETT: Thank you, Steve.

Again, my name is Rich Hewlett. I represent Dr. Dan and Dr. Abby.

I really don't have a whole lot to add other than the sections at issue are 511.1(B) which would allow for, without even a variance, the exception there, the exclusions, it would if it was less than 2 acres or, in this instance, 200 feet.

I don't need to repeat the arguments made here that, that this particular lot anywhere else, either in the subdivision or anywhere else here in the City of Novi, if it were the 228 feet is a rectangular lot wouldn't need any kind of variance at all. It would just meet, meet the requirements of Section 511.

One other thing that we did learn today in addition to the letters that Great Oaks had presented, the builder here is, is today David Compo. On talking to Mr. Compo, he's confirmed now that Lot 5, which is immediately adjacent to the Fahims' property, Lots 7 and 8, which are just north of the property, they've
been affirmatively talked to, contacted, and I

know there's been no letters of objection but

they've affirmatively let Mr. Compo know that

they do not have an objection to the requested
gate variance.

I don't believe I really -- I support

the presentation of Great Oaks.

If there's any questions, I can answer

those as well. Thank you.

CHAIRPERSON KRIEGER: Thank you.

Is there anyone else in the

audience that would like to speak regarding this
case?

All right. Seeing none, --

From the City?

MR. BOULARD: Nothing.

CHAIRPERSON KRIEGER: Mr. Boulard,

nothing. Okay.

Correspondence?

MEMBER GRONACHAN: Yes, Madam Chair. As

per the previous record from the last appearance of

this petitioner, there are no additional
correspondence at this time. There was no

additional mailings made.

CHAIRPERSON KRIEGER: Very good. I'll
put it up to the Board.

Questions?

MEMBER GRONACHAN: I guess I'll go first.

CHAIRPERSON KRIEGER: Okay.

MEMBER GRONACHAN: Good evening.

MR. AHEJEW: Good evening.

MEMBER GRONACHAN: I will agree, that was a great presentation.

MR. AHEJEW: Thank you.

MEMBER GRONACHAN: However, I'm still struggling, so I want to talk it out.

MR. AHEJEW: Sure.

MEMBER GRONACHAN: The thing that we talked about the last time when you were here, we kept saying about the hardship and it's actually the practical difficulty that you have to prove for this case. And I think that you've highlighted some of those difficulties given the dropping -- the drop in the back of the property.

The thing that I'm struggling with, and maybe somebody can help me with, is that I don't know that 36 inches of fence is going to keep anybody that really wants to break the law out of that property.

Now, I understand that, you know, it's
supposed to be a visible thing and we want to
keep people out. But you guys have made a pretty
big impression on me last time when you were here
in that this is a pretty serious occurrence, so
much so that these people are leaving their
current home to come here to get away from that
sort of thing. That was the impression that I,
that I received from --

MR. AHEJEW: Correct.

MEMBER GRONACHAN: -- your last
presentation.

My other concern is the fact that the
back's not fenced in. So if it's that big of a
concern, why isn't the whole piece of property
fenced in?

MR. AHEJEW: What -- where we were going
with this design is, number one, for the safety
concern was the gate. Obviously if there's a gate
on the driveway, a vehicle can't pull around and
tuck itself behind any of the garages.

The fencing being at a 36-inch height
on the front, as you said, it's not a true
physical barrier but it is a visual barrier,
saying this is private property, you must stay
out.
The number one safety issue is if somebody drives to this property and gets into the subdivision, the car would be -- then would have to stay on Casa Loma Court. There would be no way for it to come into the subdivision. And this -- or I'm sorry, into the property.

And this is a small enough subdivision, eight or nine vehicles, that if there were vehicles to be parked on the road fairly routinely, the Fahims would recognize those vehicles.

What we're trying to do is keep it so the vehicles stay out of the property. If the vehicles are out of the property and they have a concern, then they know not to enter the property.

MEMBER GRONACHAN: My other question though, in the future there's not going to be any kind of barrier in the back of this property?

There's no intent of doing any further fencing or gating behind the property?

MR. AHEJEW: Not that I know of.

MEMBER GRONACHAN: Okay, okay. I'm going to reserve my time at this point and I'll listen to my other board members.
I'm still sitting on the fence.

MR. AJEHEW: If --

CHAIRPERSON KRIEGER: Oh, you're bad.

MR. AHEJEW: If I may make a comment.

CHAIRPERSON KRIEGER: Yes.

MR. AHEJEW: I forget which member kind of told us to go back and, and do our homework, and that's what we did.

And one of the things that is within the application for the Zoning Board of Appeals is, is there something about the shape of the property that makes it unique and that then puts a hardship on us to stay within the ordinance or stops us from putting amenities out that we would want, that on a typical property would be allowed.

And I think that we went back, we did our homework. We noticed that it is this pie shape.

And if this property were not a cul de sac and it were just a square, rectangular piece of property, like probably 85 or 90 percent of the properties within Novi are, we wouldn't be standing here today. This fence would be allowed whether it was esthetic, safety. The gate would
be allowed whether it was for esthetic reasons, for safety reasons, whether it was on a subdivision or a public road. We wouldn't be here today.

So, really, it is the shape of the lot, also, that we have to emphasize really creates a difficulty for the homeowners because they purchased a lot of this size 228 feet wide. If it were square, this would be accepted -- acceptable, but it's on a cul de sac which narrows to that 114 feet.

Ultimately, what this ordinance puts in place is no person in Novi on a cul de sac would be allowed to have a fence or a gate no matter the size of the property because a cul de sac is only so wide. This is -- every cul de sac property is going to narrow down to this shortened frontage no matter the width of the property.

MEMBER GRONACHAN: I appreciate you bringing that back up and that's one of the reasons why I'm half on the fence.

MR. AHEJEW: Correct.

MEMBER GRONACHAN: And it's because of the -- what you stated this evening. You did a
very good job on your homework.

What I'm struggling with and I have to noodle through, if you will, is that this is still new construction, and so we have to make sure that we're not creating something here that we have -- we, as a board, let me rephrase that, need to cross our t's and dot our i's when it comes to self-created. And so that's why I want to listen to the other board members and see what they have to offer --

MR. AHEJEW: Yes.

MEMBER GRONACHAN: -- as we go through this and work it through.

MR. AHEJEW: All right. Thank you.

MEMBER GRONACHAN: But I thank you for your input.

Madam Chair.

CHAIRPERSON KRIEGER: Thank you.

MEMBER FERRELL: Madam Chair.

CHAIRPERSON KRIEGER: Member Ferrell.

MEMBER FERRELL: So you made a comment last time we were here -- you made a comment this time that kind of refers to the last time. And, unfortunately, I don't have the --

MEMBER GRONACHAN: The minutes.
MEMBER FERRELL: -- the minutes from that meeting. But you did mention that how many --
Well, first off, how many car garage is this?

MR. AHEJEW: I believe there's five or six. Six.

MEMBER FERRELL: Six. Okay.

MR. AHEJEW: Yes.

MEMBER FERRELL: So you had mentioned the homeowners didn't want four, they wanted six, and this was the only way to build the property was to add the two wings of the garage, right?

MR. AHEJEW: I --

MEMBER FERRELL: Now, this would be what you said. And the minutes we could get back --

MR. AHEJEW: He --

MEMBER FERRELL: -- because I'm almost positive that's what you said. I just don't have the minutes in front of me.

MR. AHEJEW: Yeah. Geoff gave the presentation last month. I don't --

MEMBER FERRELL: Right.

MR. AHEJEW: Yeah. I don't remember that being stated. Do you -- yeah, it could have possibly been the builder that stated it.
MEMBER FERRELL: I don't remember, --

MR. AHEJEW: Okay.

MEMBER FERRELL: -- unfortunately. Yeah.

My point is, though, is that the house was more designed, you had mentioned -- I don't know if -- not you, but --

MR. AHEJEW: Correct.

MEMBER FERRELL: -- he had mentioned that it was designed with a gate potentially in mind. So having you saying that leads me to believe that this is self-created. You intentionally were wanting to build a house where you could put a gate for additional security.

Hold on. Hold on.

MR. AHEJEW: Correct.

MEMBER FERRELL: So that's where I had a problem last time, which is one of the elements. Obviously, it's standard to; it's not self-created. So, in that regard, I kind of disagree.

Because what was said last time -- and now you're saying this time that the homeowners didn't design the home, but last time I believe it was said that you guys did design it that way, for that purpose.

MR. AHEJEW: I --
MR. HEWLETT: Steve?

MR. AHEJEW: Yes.

MR. HEWLETT: Could I --

MR. AHEJEW: Yes.

MR. HEWLETT: Could I address that question, please?

MEMBER FERRELL: Absolutely.

MR. HEWLETT: Thank you.

Again, Rich Hewlett.

So it was contemplated by the homeowners as they were looking to move into this development and that was actually written into the contract with the builder that it would have this feature in front of it for the security reasons that have been articulated and it was in the homeowners' mind. I think they were looking at it as a 228-foot lot and, you know, not taking into consideration the deviation by the, the pie shape and the cul de sac. But, yeah, it was contemplated that this was kind of part of the overall plan to move into this home, this development, and have that feature, so --

MEMBER FERRELL: Right. Okay.

MR. HEWLETT: Yeah.

MEMBER FERRELL: Okay. Thank you.
Madam Chair.

MR. COMPO: I'd also like to speak to that.

David Compo, D-A-V-I-D C-O-M-P-O. I'm the builder of the --

MEMBER GRONACHAN: Would you raise your right hand, please, and be sworn in.

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

MR. COMPO: I do.

MEMBER GRONACHAN: Thank you.

MR. COMPO: Whether it had a three-car garage or 2 three-car garages, that does -- in this case either way because of the topography and the wetland on the north side and the topography on the -- the garages would have been hidden either way. So even if it was just one and not two, we still would have had this circumstance.

So it was the lot that created the garage design, whether it was 1 four-car, 1 three-car, or 2 three-cars. Either way, it was, it was the same element that created it, which is --

Unfortunately, I went originally to do this development in 2004, had gone through with
all the permitting process. And then the ordinances changed when I tabled it in 2006 and came back, that we had to put in that wetland over on the north side because of a -- we had less than a third of an acre of wetland replacement. So that then foreshortened that land even moreso and we have this, you know, basically an acre of wetland that would -- we actually had to make per the Novi new ordinance requirements that changed I believe in 2012. So that is what created this situation in regard to garage, garages, either way. It hadn't, hadn't anything to do with specific that we designed it that way; it had to do with the lot itself.

MEMBER FERRELL: So I could be wrong. I guess I just misunderstood. I thought it was more -- I'd have to look back at the minutes. But I had -- I was more under the impression that it was specifically built to have a gate --

MR. COMPO: As the --

MEMBER FERRELL: -- on it.

MR. COMPO: -- attorney and the Fahims as well, yes, we always thought there would not be an issue with the width of the lot to be able to have a gate.
MEMBER FERRELL: Right.

MR. COMPO: But that didn't then have us create a design that was only conducive to a gate that was specific to the lot. The gate was always something that was wanted. So both things are parallel in this case.

MEMBER FERRELL: Okay. Thank you.

MR. COMPO: Yep.

CHAIRPERSON KRIEGER: I'm trying to wrap my head around the safety and the double fence because you have the entrance fence for the subdivision and then the second request for the house. And, albeit the garages are facing back for esthetics for the subdivision and as a pre -- Member Gronachan stated, too, the fence would just be in the front and not around the back. That -- so it seems like it's mostly vehicles coming to the -- park in the front and not --

I mean if they had a camera on the -- over the garage, I would know somebody was coming, parked up around there. And if it was ADT, they would probably have security call the police and send a vehicle out.

So if breaking and entering using a vehicle versus someone that's just going to break
in, he could park out on Beck Road because it's a thoroughfare road; park somewhere along the shoulder, like it's a downed vehicle, and come in there and do their break-in without the fence all the way around, and then go back out again if the intent is that strong to break in and steal whatever they wanted to do. So --

And then it's fence and gate in the front yard.

And it is a nice argument you made that, you know, you're -- the cul de sac does shrink the size of the requirement, so that helps, in a manner, but it's still in the front.

Why -- I mean there are other places that have that as well. But then why doesn't everybody in Novi want keep out, I got a fence in the front yard or a gate, and their need being so because of previous --

Are there other -- are there police records from Tilbury or like recommendations that this gate, the second gate, the requirement for -- if you could go in and explain a little bit of that.

MR. AHEJEW: Obviously, we do not have any paperwork recommendations from the police
department on this design or whether it would keep people out.

I think the fencing in the front is a physical deterrent to, just to, to keep -- to visually say you have to stop here; do not enter this property. And the gate is actually the physical one that would stop someone.

Yes, someone could park on Beck Road and walk the quarter of a mile into the subdivision and these fences would not keep them out; but I would argue that a 4-foot fence would not, a 5-foot fence would not.

One of the reasons also for just this frontage fence goes back to the, the application itself; the need to minimize the, the requested variance.

So if we were to present that these fences would go to property line and run the entire property back and surround this property, I guess our fear could have been that you, the Council, would see that as excessive because someone could jump any of those fences if, if they wanted to. So this is a visual barrier.

The actual driveway gate is the physical barrier that would at least keep a car
out from there I think is our design intent. But I guess also our argument at this point, because I see a lot of people have questions about our safety concerns, we do believe that this would be a barrier to -- at least the first barrier to someone from entering the property. If you do not --

I would again ask you to look into the shape of the property as an impediment to us installing this fence.

If it were a rectangular fence -- I'm sorry, a rectangular property that is typical to Novi, this fence would be allowed whether it were a safety issue or an esthetic issue. We know that we designed it as a safety issue. It sounds as if you might not be in the same understanding or the same viewpoint.

But, with the way the ordinance reads and the way that typical properties are in Novi, which I have to assume the ordinance is written for, the pie-shaped lot, I would think would give enough reason to allow this variance because it is a non-client driven impediment to installing this, this fence on a property that is wide enough under typical circumstances to allow
this fence to be installed and the gate.

CHAIRPERSON KRIEGER: Okay.

Can I have any additional direction from Council or the City?

MS. SAARELA: With what; with respect to what issue?

CHAIRPERSON KRIEGER: Regarding to the -- what they're speaking of, the fence as a second barrier or the gate as the second compared to other historical cases or recommendations for us.

MR. BOULARD: I guess, I guess my, my thought is that I certainly understand the -- I certainly understand that perhaps the impetus for this is safety for this request but I don't know that the -- I don't know that the criteria necessarily are going to place a lot of emphasis on, on that.

I think the things that are really -- I mean, and so conversations about whether it goes around the side or the back or how high the fence is are really, they're, they're -- they seem to me to be at least -- and the attorney can kick me quickly if appropriate -- but it seems to be that those are, those are not necessarily -- I mean I'm not saying that those are not valid, but in
the -- I'm not sure how those necessarily fit
into the criteria for granting a variance.

The fact of the matter is, as they
pointed out, if the property was 220 feet wide
across the front, you know, it would be -- there
would be no question at all; we wouldn't be here.
And we certainly wouldn't be asking questions
about the fence and the, and the security and
things like that.

The reality is that the property is at
the end of the cul de sac. It is -- he's pointed
out that it does have a grade that drops off in
the back which further limits the site. But
that also, that also -- all those together mean
that you've got a large site that, that somehow
doesn't meet the standard normally.

And so the site is, the site is -- the
site is somewhat unique in shape. And if it was,
it was rectangular, absolutely no question.

And I'm not sure if the two lots on
either side by virtue of being tapered on just
one side meet that or not, but I'm going to
imagine they're going to be pretty close. And
certainly the other lots out towards Beck Road
are, are going to -- are also going to comply
with, with the minimum requirements.

So to me it's a question of is the lot, you know, is the lot atypical. And, if it is, then -- and, and you make -- and you come to the judgment that it meets this criteria, I would say then that yes, that would be the case.

CHAIRPERSON KRIEGER: Thank you.

MEMBER GRONACHAN: Madam Chair, I think that part of the confusion is that the first time they were -- that the petition was here confused everybody, so I'd like to kind of go back a little bit. Because when the petitioner finished his presentation without anything added, I was going to say that I would support this. Even though I said I was on the fence, I wanted to hear what everybody else had to say. But listening to everybody is only confusing the issue.

I think we need to get rid of the security issue. Let's throw that out the window.

MR. AJEHEW: Okay.

MEMBER GRONACHAN: We have an odd-shaped lot here. The petitioner is building a new home and, for whatever reason, they want this here. They have come to us and presented to us a reason why it should be there. The shape, the shape is
not -- the lot is not rectangular; that the shape is odd, that it narrows. That the garage -- where the garage is built, there's a drop in the, in the property. There is a degree of difficulty with sight. If we just use those criteria, in my opinion, then I think that we are halfway home. I think we're muddying the waters about the security issue, I really do.

Based on just what's in front of us, and if you look at our criteria about the variance, can they reasonably -- would they be reasonably prevented or limited to the respect of this property, yes. Is the property unique, yes. So I am going to come off the fence, so to speak, --

CHAIRPERSON KRIEGER: Make a motion?
MEMBER GRONACHAN: -- and I am not going to make the motion but I'm going to support whoever does make the motion. How's that?
CHAIRPERSON KRIEGER: Oh, it's still not a motion.
MEMBER GRONACHAN: Because I know that Member Ferrell's ready to do that.
MEMBER FERRELL: No. You have a lot more notes than I do.
MEMBER GRONACHAN: Oh, really. Okay.

MEMBER FERRELL: You look pretty good over there.

MEMBER GRONACHAN: Thanks a lot. Okay.

With that --

MEMBER FERRELL: But I do have, I do have a quick question for --

CHAIRPERSON KRIEGER: Go ahead.

MEMBER GRONACHAN: Go ahead.

MEMBER FERRELL: -- the attorney.

MEMBER GRONACHAN: Sorry.

MEMBER FERRELL: So the ordinance, there's nothing in the ordinance that doesn't allow double fencing in like a gated community; like houses can have more than one fence in there?

MS. SAARELA: There's nothing that would -- just because there's an exterior fence, that doesn't --

MEMBER FERRELL: Doesn't make any difference?

MS. SAARELA: No.

MEMBER FERRELL: Okay. Okay.

MEMBER GRONACHAN: I'm not ready. Give me a minute.

Okay. I move that we grant the
variance in Case Number PZ19-0001 sought by
Great Oaks Landscaping for a front yard fence and
gate -- or, I'm sorry -- for a fence and gate in
the front yard because the petitioner has shown a
practical difficulty for this request.

Without the variance the petitioner
would be unreasonably prevented or limited with
respect to use of this property because of the
shape of the lot due to the fact that the
shape -- that the lot is not a rectangle, due to
the elevation and topography of the lot, due to
the front angles and unusual lot size.

The property is unique because of the
shape of the lot, the fact that it is not
rectangle, due to the elevation, topography and
difficulty in visibility.

The petitioner did not create this
condition because this was a lot subdivided and
created by the developer.

The relief granted will not
unreasonably interfere with adjacent or
surrounding properties because of the size and
shape -- I'm sorry -- because of the size and
shape of the additional lots.

The relief is consistent with the
spirit and intent of the ordinance because it meets the requirements. This is the minimum request by petitioner of 36 inches in height and offer the additional screening that the petitioner wishes to install on their property. And that's why I move that we grant this variance.

CHAIRPERSON KRIEGER: We have a motion. Do we have a second?

MEMBER SANKER: Second.

CHAIRPERSON KRIEGER: We have a motion and second.

Any other discussion?

All right. Seeing none, if Katherine would call the roll.

MS. OPPERMANN: Member Byrwa?

MEMBER BYRWA: Yes.

MS. OPPERMANN: Member Ferrell?

MEMBER FERRELL: Yes.

MS. OPPERMANN: Member Gronachan?

MEMBER GRONACHAN: Yes.

MS. OPPERMANN: Chairman Krieger?

CHAIRPERSON KRIEGER: Yes.

MS. OPPERMANN: And Member Sanker?

MEMBER SANKER: Yes.
MS. OPPERMANN: Motion passes.

MEMBER GRONACHAN: Congratulations.

MR. AHEJEW: Thank you very much. We appreciate your time.


MR. HEWLETT: Thank you very much.

CHAIRPERSON KRIEGER: Yep.

All right, that brings us to our next case, PZ19-0002, Allied Signs, Inc. for Bob's Discount Furniture, 43460 West Oaks Drive, west of Novi Road and south of Twelve Mile. Parcel Number 50-22-15-200-106. Applicant is requesting variances from the Novi Code of Ordinances Section 28-5.(a)(b)(1a) and 28-5(a) to allow installation of 247.16 square foot wall sign, 150 square foot allowed based on previous variance to allow a third sign of 40 square feet, 65 square feet allowed. Property is zoned Regional Center (R-C).

Good evening.

MR. STIEBER: Good evening.

MR. WASSERSTROM: Good evening.

MR. TATE: Good evening.

MR. STIEBER: I'll start with my name.
My name is Patrick Stieber, S-T-I-E-B-E-R, with Allied Signs.


MR. TATE: And Andy Tate, T-A-T-E, with Bob's Discount Furniture.

MEMBER GRONACHAN: And none of you are attorneys?

MR. STIEBER: No.

MR. WASSERSTROM: No.

MR. TATE: We are not.

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

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

MR. STIEBER: I do.

MR. WASSERSTROM: I do.

MR. TATE: I do.

MEMBER GRONACHAN: You may proceed.

MR. WASSERSTROM: Do you mind if we hand some documents out?

CHAIRPERSON KRIEGER: Sure.

MR. WASSERSTROM: They're printouts. And then we can use this here to also show.

Okay. So I wanted to first thank you
all for hearing our variance application tonight. We're seeking variance approval for a 5-foot Bob's Furniture sign.

As you can see here from the second page we've handed out, we've taken a couple photos here to show the store view from Novi Road; the current setback of 492 feet, with multiple trees and landscaping blocking the visibility. Additional -- in addition to the building's perpendicular set to Novi Road contributes to the weak visibility of the property. So I wanted to share those photos with you on that page.

What we've gone and, and looked at over the last few days are some additional signs in the area. We've gone out and actually measured some of the additional signs in the adjacent centers and retail locations.

The first one here is the Toys R Us sign, which you can see has a 5-foot overall letter height to match their logo.

The other sign that we went out and measured on the next page is the Gardner-White sign. This sign has an 8-foot and 11-inch tall overall sign with a 51-foot 4-inch wide boxed out
area. This calculates to 457 square feet of sign area.

A couple of the others. These are, you know, two competitors in the area. The Value City Furniture, we measured the V out in the Value City, that right there is 6 feet 21 tall and it's approximately 222 square feet.

The Art Van Furniture, which has two signs, measuring 5 feet x 37 feet and each at 185 square feet per sign.

Additionally, this is the 40 square foot sign that we've requested as well. This is a standard customer pickup sign that we install at the stores for any online orders that customers may be going to go pick up in the store or may be picking up at a time that's convenient for them, or maybe it's something that's being delivered.

Additionally, I believe you've all had a chance to go see the mock up 5-foot banner that is up at the store. What we're proposing there is the 5-foot Bob's. This is the standard sign package that would we install for, for them throughout the United States.

And this is their first location in
southeast Michigan. Their other location in the State of Michigan is in Grand Rapids.

MR. STIEBER: So, if I may, I'm sure you guys have all been out to the site and know the topography out here very well.

You know the design of these strip centers and the way that they're set back and angled from the roads.

There's definitely some hardships here for lack of identification, visibility, for getting traffic flows in and out, you know.

We've got the Oaks Drive entrance there which is what the Bob's Furniture faces. Our setback there is also a great deal, not just from Novi Road but also from the ingress road there.

But definitely the way that this building faces to the east with traffic flows east and west on Novi -- on Novi Road, along with the traffic flows on Twelve Mile Road, there's, there's no visibility to the store here at all.

Due to these setbacks we definitely feel like there is a hardship of lack of identification. Due to the setbacks, the traffic flows, the fact that it faces to the east -- you know, no traffic flows from the west, so the
larger sign that we can get is definitely going
to help direct traffic flows.

So there's definitely some hardships
about the property itself.

The outbuildings as discussed; the
Jared out at the corner, there's the other
outbuilding out in front of Bob's, these are all
other visible obstacles that come into play into
our hardship here.

You know, what's proposed, as you can
see from what you saw throughout the banner, it
fits well within the size of the fascia of the
building. We don't feel that, you know, it would
have any adverse effects on the area, on any of
the other businesses in the area.

As Andy showed, there are several signs
of like size or larger in the area of this
development and I believe that it's due to these
same type of setbacks and visibility issues with
the traffic flows in and out of these, you know,
developments. So I just wanted to add that.

Definitely the fact of the setbacks,
the way that the buildings are shaped and faced,
there's some definite hardships.

CHAIRPERSON KRIEGER: Is that everything?
MR. TATE: Yeah. I mean I can talk about Bob's. I'm not sure if you all are familiar with Bob's, but we are a national retailer with 111 stores across the U.S. And, like Andy said, we just opened our store in Grand Rapids, Michigan in February, and we'll be opening the Novi store, along with Livonia, Shelby and Taylor in February of next -- or I'm sorry, in May of this year.

So we're excited to be here and, you know, Bob's is really big in community engagement.

A lot of times during the ribbon cutting ceremony we'll have a big check and they do the, the whole ribbon cutting ceremony with local schools and, and other non-profits.

And you can check out our website but there's, there's a tremendous amount of community engagement, you know, once Bob's is actually in the community.

CHAIRPERSON KRIEGER: Very good. Thank you.

Anybody in the audience have anything regarding this case?

All right. Seeing none --

From the City?
MR. BOULARD: Just a point of clarification. I think the -- there's several, there's several signs in the package but just so we know which ones are, which ones are which, I think on the second sheet in your packet, the second sheet from the petition in your packet, there's an aerial photograph.

You see on there that there's four signs total; one is under 3 square feet, does not require a permit.

There's a 10.69 square foot sign, which will actually be on the, on the east, kind of behind the store on the east end, that is, that is approved with a permit.

There is an additional sign on the back that is the 40 square feet; that's actually the third sign. This packet says -- it says second but it'll actually be the third sign.

And then the big sign on the front that you're seeing was -- there's a previous variance allowed up to 150 square feet. Toys R Us, I think, was 144. And so that's where they're asking for the 247 square feet is this, this front elevation. So there is an existing variance for this sign but they're requesting a
larger -- permission to install a larger sign.

So I'm happy to answer any questions.

CHAIRPERSON KRIEGER: Thank you.

And correspondence?

MEMBER GRONACHAN: There were 37 -- 36 letters mailed, zero responses, zero returns.

CHAIRPERSON KRIEGER: All right. I'll bring it up to the Board.

Yes?

MEMBER GRONACHAN: Welcome, Bob.

MR. TATE: Thank you. We're glad to be here.

MEMBER GRONACHAN: And we're happy to have you. So -- because that's a big empty storefront right now that's, that's not good.

I have to say that I understand the, the theory behind the sign and the requests.

And I can certainly support the customer pick up sign. I have no problem with that whatsoever, only because I'm a consumer and I hate looking for the back door. And when you're out there driving around, there's nothing more frustrating than trying to go find something and you can't.

However, the front, the front sign, I'd
like to see it a little smaller; and the reason why I say that --

And I, and I appreciate the fact that you went through all the work and, you know, brought in all of these wonderful signs -- that most of us people sitting at this table probably approved at one point or another. And each case is reviewed on its own merit.

And you, the challenge -- I agree with your challenges that you said, that you're on the side and you don't face -- you know, the front of your store doesn't face the main drag, that's a challenge, but I don't know that size is going to solve the problem.

And so when I was driving down Novi Road this morning, I -- your sign caught my eye through the trees, through everything. And I'm like oh, well, that's where it is. Because I was going out to, to find it, and I found it all the way down from Novi Road at Oaks Boulevard.

So -- and when--

MR. STIEBER: So it worked.

MEMBER GRONACHAN: It did work, yes. It worked.

However, it's a destination. You know,
it's not like you're out looking for -- when
you're out looking for a McDonald's or a
restaurant or something. When you're going to
buy furniture you're not going around stopping, I
don't think. And with this day and age with the
Internet and everything --

And I just would like to see this sign
just a little smaller.

What would be the next size down?

MR. WASSERSTROM: Typically, it, it would
be in a 6-inch increment. So it -- you know, if
it's -- you know, 4-foot 6 to 4-foot 8 is usually
the next level down we have in size. I'm talking
about the B itself.

MEMBER GRONACHAN: So then the word Bob
would be, what, 4 feet 8 inches?

MR. WASSERSTROM: That would --

MEMBER GRONACHAN: Or 4 feet?

MR. WASSERSTROM: -- be our preferred.

That's the next we go down and that would be it.

I would just -- if I can comment just
on your ability to see the banner, which is at
this size we're showing on the picture --

MEMBER GRONACHAN: Sure.

MR. WASSERSTROM: -- here in front of
MEMBER GRONACHAN: Sure.

MR. WASSERSTROM: The American Transportation Administration says that you have approximately less than five seconds to notice a sign when you're driving by that location.

So the fact that you saw it worked at this size because this is the recommended square footage for a sign per the Transportation Administration. So you're, you're seeing that for a reason.

I think your store hours are going to be until?

MR. TATE: Ten p.m.

MR. WASSERSTROM: Ten p.m.

So having that visibility at night is critical. You probably saw it during the day.

And having that red illumination at night -- red and white are the two most physical colors -- would certainly help it. You won't have as much illumination with a 4 foot 8 as you would a 5. So I just wanted to share that with you.

MEMBER GRONACHAN: Is this going to be illuminated?
MR. TATE: Yes.

MR. WASSERSTROM: This will be, yes.

MEMBER GRONACHAN: It will be illuminated?

MR. TATE: Right. The Bob's Furniture will be; the Discount will not.

MR. STIEBER: The other thing that happens when you scale that down is that the other part of it being that big for the visibility is the Discount Furniture.

Look at how many letters we're trying to get in here to get the message out yet Toys R Us had a 150 square foot but it was way less letters, you know.

So, in order to -- for the sign to be readable, it's -- it has to be of a little bit larger size to even be able to read it at these lengths from how far away it is. So you start scaling Bob's down, the whole thing scales down, not just Bob's but --

MEMBER GRONACHAN: Right. I understand.

MR. STIEBER: -- just, you know.

MEMBER GRONACHAN: Okay. Well, I'll wait until I hear from my other board members. Thank you.
MEMBER SANKER: Just real quick with this one picture of the banner, is that essentially the exact same thing that would be up there when you put the illuminated sign up?

MR. WASSERSTROM: That is correct.

MEMBER SANKER: Okay. I mean just esthetically I tend to think it fits like perfectly in there, to be honest. I know it's like a little bit huge when you drive by it but overall --

I mean the Toys R Us one I tend to feel like they should have stretched it out and put it more center.

So on this, on this one, you know, I think it sits nicely in there and it is in line with some of those other competitors that they have put up there as well. So those are my thoughts about that.

CHAIRPERSON KRIEGER: Okay.

Member Ferrell?

MEMBER FERRELL: I agree. I think what it is is the font of Bob's is just so thick, it like kind of scared me when I drove by it. I was like oh. I think it does fit in there pretty good, but I mean it almost kind of feels like it's a little too big. I mean I think I'm okay with it
but it just does feel like it's a little excessive.

And you said you can't -- if you make it smaller -- how would you make it smaller?

I mean like you couldn't keep the 5-foot height and make it smaller. The 46 feet, we couldn't shorten that up?

MR. TATE: Yeah. It's the aspect ratio so the --

MEMBER FERRELL: So when you shorten this, it comes in more.

MR. WASSERSTROM: It kind of comes in proportionately.

MEMBER FERRELL: So what would be the next lowest down that you guys would be okay with if we weren't to grant your variance for that size that you want in currently?

MR. WASSERSTROM: A 4-foot 8 would, would reduce the overall length to approximately 42 feet. I'd have to check that, but I think a, you know, 4-foot 8.

MEMBER GRONACHAN: So then the Bob's would be 4-foot 8?

MR. WASSERSTROM: Correct.

MEMBER GRONACHAN: Member Ferrell, if I may just for clarification ask this question.
MEMBER FERRELL: Yes.

MEMBER GRONACHAN: So the 4-foot 8 --
So you couldn't make Bob's smaller
without making it shorter?

MR. STIEBER: Correct. The whole thing
shrinks down together.

MR. TATE: So that's kind of the part of
the corporate brand. They kind of have the same
spacing, letters, and so when it comes down, --

MEMBER FERRELL: Sure.

MR. TATE: -- it all comes down together.

MEMBER FERRELL: So if we weren't wanting
to grant it that size --

Would that size be acceptable to you?

MR. TATE: The 4-foot --

MEMBER FERRELL: I know it's kind of a
loaded question, but --

MR. WASSERSTROM: The 4-foot 8?

MEMBER FERRELL: Yeah.

MR. STIEBER: To like maybe change the
square footage from the request down to --

MEMBER FERRELL: Yeah, down.

MR. STIEBER: -- 225 square feet?

MEMBER FERRELL: Down to a little bit
more, yeah.
MR. STIEBER: I mean reducing the square footage request down from the 250 to --

MEMBER FERRELL: Whatever it would be.

MR. STIEBER: -- to 225? I mean if we can go with that number, we are showing that we're making it a little bit smaller. You know, obviously, we don't have the exact print of what those exact measurements are, so I hate to --

MEMBER FERRELL: It would be smaller. So I mean we can --

MR. STIEBER: Yeah.

MEMBER FERRELL: You don't have to repost it or anything because it's smaller. But if we -- if that's -- you guys agree to it and we agree to it as well.

MS. SAARELA: You guys can also grant it whether they agree to it or not.


MEMBER GRONACHAN: Yeah. They don't have to agree.

MR. TATE: I think at that point we would agree.

MEMBER FERRELL: I was just trying to be, I was just trying to be nice.
MEMBER GRONACHAN: Yeah. You're being
too kind.

MEMBER FERRELL: Be nice. Be nice.

Okay.

MEMBER BYRWA: They're not asking for
Robert's Furniture.

MEMBER GRONACHAN: Yeah.

MEMBER FERRELL: Right.

And you're not Bob, right?

MR. TATE: Not Bob, no, sir.

MEMBER FERRELL: I'm just joking.

MEMBER GRONACHAN: He's in buffing (ph.).

MR. BOULARD: If, if --

CHAIRPERSON KRIEGER: Yes?

MR. BOULARD: -- I might, I think if I
did my math right, reducing the, reducing the
height to 4-foot 8 and the width, appropriate width
corresponding proportion would leave us at about
203 square feet. Is that --

MR. STIEBER: Yeah. I don't, I don't --
when you reduce it, the width is what -- I'm not
sure how the scale goes down to the width. So --

MR. BOULARD: I think he said the
proportions would remain the same, right?

CHAIRPERSON KRIEGER: Uh-huh.
MR. TATE: Yeah. I mean rough, roughly right within a few inches.

MR. STIEBER: So at what? 40 --

4-foot 6 x 45.

MR. BOULARD: Well, you said, you said 4-foot 8.

MEMBER BYRWA: 4-foot 8.

MR. STIEBER: 4-foot 8.

MR. BOULARD: Makes about 43.4 feet long.

MR. STIEBER: Yeah. That scale, I wouldn't want to --

MEMBER GROCHANAN: What did he say?

MR. STIEBER: -- bury myself to it. I think it, --

CHAIRPERSON KRIEGER: 225 --

MR. STIEBER: -- I think it's going to be larger.

CHAIRPERSON KRIEGER: 2 -- he said 203.

MEMBER GRONACHAN: 203?

MR. BOULARD: 203.

CHAIRPERSON KRIEGER: Yeah.

MR. BOULARD: Plus or minus. I'm not --

MR. WASSERSTROM: Yeah. I think we'll be closer to between 210 and 225 with the aspect ratio; the different elements of the, the logo
itself.

MEMBER FERRELL: Do you want --

CHAIRPERSON KRIEGER: Huh?

MEMBER FERRELL: Do you want to see if

they want some time to discuss it and then come

back up to the --

CHAIRPERSON KRIEGER: Oh, I don't --

MEMBER FERRELL: -- table or --

CHAIRPERSON KRIEGER: I'm thinking.

MEMBER GRONACHAN: Let them take a break

and look at it and then come back; is that what

you're suggesting, Member Ferrell?

CHAIRPERSON KRIEGER: At the end of

the --

MEMBER FERRELL: Yes.

CHAIRPERSON KRIEGER: -- meeting?

MEMBER FERRELL: Yeah, just later

tonight. Not another meeting; like later, after,

if they need time to figure out numbers.

Do you guys need time to figure this

stuff out?

MR. TATE: Yeah. I mean we could, we

could pull up -- I could get that chart.

MEMBER FERRELL: Yeah. Do you want some

time to --
MR. TATE: Yeah.

MEMBER FERRELL: -- do that?

So we'll table this.

CHAIRPERSON KRIEGER: Why don't --

MEMBER GRONACHAN: Why don't you do that and then we can -- sorry.

CHAIRPERSON KRIEGER: Yes.

MEMBER GRONACHAN: We're both talking.

CHAIRPERSON KRIEGER: Go ahead.

MEMBER GRONACHAN: Why don't they table it -- or take a break and we can go into our next case and then we can bring them in after our next case. Would that -- is everybody in agreement to that?

Would that give you enough time --

MR. TATE: Yes.

MR. STIEBER: Yes.

MEMBER GRONACHAN: -- to work on that?

Okay. Thank you.

CHAIRPERSON KRIEGER: All right. So we're --

Do we need a motion for that?

MS. SAAREL: No.

CHAIRPERSON KRIEGER: Okay. All right.

So we're going to hold off a little bit on
PZ19-0002.

And we're going to PZ19-0003, American Made Construction for 1185 South Lake Drive, east of West Park and south of South Lake, Parcel 50-22-03-377-018. Applicant is requesting a variance from Novi Zoning Ordinance Section 3.1.5 for a third-story addition. The property is zoned Single Family Residential (R-4).

Good --

MR. CREECH: Hi.

CHAIRPERSON KRIEGER: Good evening.


CHAIRPERSON KRIEGER: Are you an attorney?

MR. CREECH: No. I'm the builder --

CHAIRPERSON KRIEGER: Okay.

MR. CREECH: -- representing --

MEMBER GRONACHAN: You might want to pick up your mics and --

MR. CREECH: Representing Brandon --

MEMBER GRONACHAN: -- bring the mics so they can hear you at home a little bit.

MR. CREECH: Sure.
MEMBER GRONACHAN: Okay.

MR. CREECH: I'm representing Brandon and Danielle.

MR. DAVIS: My name is Brandon Davis. I'm the homeowner. D-A-V-I-S.

MS. FASSEEL: And I'm Danielle Fasseel, his wife. F-A-S-S-E-E-L.

MEMBER GRONACHAN: Are you all three going to testify this evening?

MR. CREECH: Yes.

MEMBER GRONACHAN: Would you please raise your right hand.

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

MR. DAVIS: Yes.

MS. FASSEEL: Yes.

MR. CREECH: Yes.

MEMBER GRONACHAN: You may proceed.

MR. CREECH: I think I'm a little unprepared for the presentations that I've seen here today. I don't have -- all I basically did was give you a PDF that I was requested for and other copies of the blueprints.

I think -- I hope that you've all had a
chance to see the residence, at least drive by it.

The only thing that I have, I believe I could use, help you with, an overhead view of the property.

If you can see this -- realistically, the restraints with the setbacks and the odd-shaped lot, there really is no other place.

Basically, they have a 3,000 square foot home. It's two bedrooms and one bathroom. So there really is no other place for us to go outbounds even with the setbacks now and previously. Obviously, they've changed. The garage now is within those setbacks and there is a three season room that's partially taken off in the back.

So we basically did about nine months of blueprints and went through a lot of changes to come up to something that we think is really esthetically pleasing to the whole area, meets their criteria, gives them a decent size bedroom. It's not enormous; it's just going to take over --

Basically, normally, you would allow two and a half stories but there's a knee wall.
I don't know if you have a copy of the print available. That knee wall is kind of -- is rather needed with the staircase.

The biggest problem was trying to find a good place to access this third bedroom. The shape of the lot is our -- is again our biggest problem.

A couple of the neighbors, at least one, I think it's Dorothy and Mike, have a very similar residence right next door. Definitely not a self-created problem. This was a existing home that they purchased and another builder had previously owned this home. Definitely did some different things.

I do not think that there's going to be any, any negative -- was there any -- I don't know if there was any letters received from any of the neighbors in anything negative.

I basically, just due to the -- See if I can get this blueprint up there.

Does everybody have a copy of the print, or no?

You do. Okay. So I don't need to even pull this out.

MEMBER GRONACHAN: Well, you may want to
MR. CREECH: Okay.

MEMBER GRONACHAN: -- everybody can see what you're --

MR. CREECH: Okay.

MEMBER GRONACHAN: -- talking about.

MR. CREECH: Okay. So if you can see, the master bedroom itself is realistically about 14 x 14, the actual, with a couple little bump outs. There's a few windows across the front, which obviously anybody would want a view of the lake. It is a lakefront lot.

Let me see if I can -- there's an existing 12-12 and there's an existing 12-12 here. This is an existing structure and then we want to just flow with that. So that esthetically like this is not here now. I just think it would flow a lot better from a curb appeal factor.

Is there anything you want to add, Brandon?

MR. DAVIS: Basically, we're trying to add a third bedroom. We're trying to expand our family. We only have one bed -- bathroom right now so we're trying to get a second one. By doing this
it would allow us to have two bathrooms in the
house and three bedrooms, basically. That's really
what we're going for.

Anything to add?

MS. FASSEEL: I guess I just wanted to
say because of our growing family this is really
important to us. We really love our neighborhood
and our neighbors and where we live and, you know,
we don't want to have to move. We just don't have
enough bedrooms for children.

And I guess we're also not going to be
obstructing anyone's view. We don't have any
neighbors behind us that this would be blocking
their lake view.

And I guess because of the uniqueness
of the lot, the uniqueness of this area, because
it's a lake house and the circumstance, it might
lead to the ability to -- for this variance, I
guess I'm trying to say. And that's it.

CHAIRPERSON KRIEGER: All right. Thank
you.

MR. CREECH: Thank you.

MR. DAVIS: Thank you.

CHAIRPERSON KRIEGER: And then anybody in
the audience regarding this case?
All right. Seeing none, I'll open it up to the questions from the City.

Any input?

MR. BOULARD: Just stand by for questions.

CHAIRPERSON KRIEGER: Thank you.

Correspondence?

MEMBER GRONACHAN: There were 36 letters -- actually, 56 letters mailed, no returns, no approvals, no objections.

CHAIRPERSON KRIEGER: Very good.

Open up to the Board.

Yes?

MEMBER FERRELL: Thanks, Madam Chair.

I don't see any pictures of the back part of it. Why is it you can't build towards the back?

MR. CREECH: I can show you the -- this is, this is the actual property itself and the existing ordinance.

MEMBER FERRELL: Yeah.

MS. FASSEEL: The line right here, this is the setback line.

MR. CREECH: There a setback line now that actually --
MEMBER FERRELL: Okay.

MR. CREECH: -- part of the existing.

MS. FASSEEL: It's on a diagonal.

MR. CREECH: It's like a three season porch room.

MEMBER FERRELL: Okay.

MR. CREECH: If you want -- this is the front door. You walk in, there's a big open room and then the, the -- basically, this is all glass. There's -- this is doors and windows.

MEMBER FERRELL: Right.

MR. CREECH: So you'd have to realistically almost create like -- you'd have to divide that in half more or less to even create -- and you have to create a hallway, and then they would only be limited to this. I guess it would be the size of that sunroom that we were talking about; like a 10 x 12 bedroom, realistically, by the time we're all said and done --

MEMBER FERRELL: All right. Okay.

MR. CREECH: -- if were to put it on this. The only real place on the first floor, sir.

MEMBER FERRELL: Okay. Thank you.

MR. CREECH: You're welcome.

CHAIRPERSON KRIEGER: Is there a -- the
height requirement, so is that meeting or under --

MR. CREECH: We are underneath.

CHAIRPERSON KRIEGER: -- what the City -

Under?

MR. CREECH: We are definitely underneath, yes.

CHAIRPERSON KRIEGER: The City?

MR. CREECH: Yes.

CHAIRPERSON KRIEGER: So even though they call it a third floor, it's still under what the city --

MR. CREECH: Yes.

CHAIRPERSON KRIEGER: -- asks for for height?

MR. CREECH: Yes.

CHAIRPERSON KRIEGER: Okay.

MEMBER FERRELL: Ready for a motion?

CHAIRPERSON KRIEGER: Mr. Gronachan?

MEMBER GRONACHAN: I was just going to --

CHAIRPERSON KRIEGER: Go ahead.

MEMBER GRONACHAN: You just pulled the words right out of my mouth.

Member Ferrell, it's your turn.

MEMBER FERRELL: Thank you.

MEMBER GRONACHAN: I'm full support.
And the other thing I wanted to put on
the record is because it does not exceed any
height requirements in the city and that this is
a unique lot, and that because the petitioner
really has no way to go but up and it's still
within height requirements, that I would be
supporting this.

CHAIRPERSON KRIEGER: Okay. Thank you.
MEMBER FERRELL: You might as well finish
it, I mean.
MEMBER GRONACHAN: No. That's all right;
I'll let you.
MEMBER FERRELL: All right.
You all set?
CHAIRPERSON KRIEGER: Yep.
MEMBER FERRELL: Okay. I move that we
grant the variance in Case Number PZ10-0003 sought
by American Made Construction for the addition of a
third story -- third story addition because the
petitioner has shown practical difficulty requiring
the addition of a third bedroom to expand their
family and to gain another bathroom.
Without the variance petitioner would
unreasonably be prevented or limited with respect
to use of the property because it's only a
two-bedroom home and are using this to try to
expand their family and to grow their family.

The property is unique because it's a
lakefront lot which inhibits building toward the
lake and there is a --

Was it an easement, you said?

MR. DAVIS: Yes.

MEMBER FERRELL: -- easement in the back
preventing that as well.

Petitioner did not create the condition
as it's an existing home and they didn't build
it.

The relief granted will not
unreasonably interfere with adjacent or
surrounding properties because that it will
enhance the value of other homes in the
neighborhood and also will not block homes' view
of the lake in the area.

Relief is consistent with the spirit
and intent of the ordinance.

MEMBER GRONACHAN: Second.

CHAIRPERSON KRIEGER: All right. We have
a motion and a second.

Any other discussion?

Seeing none, if Katherine could call
the roll.

MS. OPPERMANN: Member Sanker?
MEMBER SANKER: Yes.
MS. OPPERMANN: Chairperson Krieger?
CHAIRPERSON KRIEGER: Yes.
MS. OPPERMANN: Member Gronachan?
MEMBER GRONACHAN: Yes.
MS. OPPERMANN: Member Ferrell?
MEMBER FERRELL: Yes.
MS. OPPERMANN: Member Byrwa?
MEMBER BYRWA: Yes.
MS. OPPERMANN: Motion passes.
CHAIRPERSON KRIEGER: Congratulations and best wishes to you.
MR. CREECH: Thank you so much.
MR. DAVIS: Thank you.
MR. CREECH: Appreciate your time.
MS. FASSEEL: Thank you.
MEMBER GRONACHAN: You're welcome. Good luck.
CHAIRPERSON KRIEGER: Okay. And the previous group isn't back so we'll go to the next case, which is PZ19-0004. J & W Properties, LTD, 25814 Beck Road, east of Beck and south of Eleven Mile, Parcel 50-22-21-101-003. Applicant is
requesting variances from the Novi Code of
Ordinance Section 3.1.5, a 3-foot front yard
variance for a proposed 42-foot setback, 10-foot
rear yard variance for a proposed 40-foot setback,
and a 5-foot side yard variance for a 15-foot
proposed setback, for a proposed house and garage.

Property is zoned Residential Acreage (R-A).

Good evening.

MR. ALLEN: Yes. Good evening. My name
is Wendell Allen. That's W-E-N-D-E-L-L, last
name's Allen, A-L-L-E-N. I'm the owner of
J & W Properties. I've been retained by Mr. and
Mrs. Njemanze here to construct a home for them on
Lot 13 of Pioneer Meadows Subdivision. We have --

Go ahead and introduce yourself.

MR. NJEMANZE: My name is Kenneth
Njemanze, I am the homeowner, with my wife,

MEMBER GRONACHAN: Gentlemen, would you
raise your right hand to be sworn in.

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

MR. ALLEN: Yes.

MR. NJEMANZE: Yes.

MEMBER GRONACHAN: You may proceed.
MR. ALLEN: Okay. First of all, this site was split off from a previous site. The lot size is 100 x 120. When we first got into this and started designing or looking at the design after finding the restrictions for the site lines, we -- or the side yards and the front yard and rear yard, we realized we weren't going to be able to conform to that. However, the clients here decided that they wanted to go ahead with the design and approach this board to get approval to build a house. In doing so, we contacted the subdivision and went through the restrictions of the Pioneer Meadows Subdivision and we were able to design a home that conforms to the subdivision restrictions in all aspects, and we feel that it conforms to the character and blends in well with the subdivision community that surrounds it.

I understand that there's been other lots that -- of this nature that have also been granted variances in order to be able to build a home, build a home.

I would be glad to answer any questions you have concerning this and go from there.

If you want to answer, say anything, --

MR. NJEMANZE: Well, I'm currently a
registered nurse. I work just down the street from the lot. I work in Providence Hospital and also work in University of Michigan. My wife and I just got married two years ago and we live in Walled Lake currently.

This is going to be our first home and we're pretty excited to live in Novi, so --

And, of course, with the size of the lot, it's I think .23, and we're only building less than 1,700 square feet, that's probably the least we could -- the most we can do with the resources available and with the lot size. Going below that probably would not fit our family, which is -- we're trying to build -- grow a family as well. So we'll be glad to live here.

CHAIRPERSON KRIEGER: Very good.

All right. Is there anybody in the audience that wishes to discuss this case?

Okay. Seeing none --

From the City?

MR. BOULARD: Just a couple questions, if I may.

CHAIRPERSON KRIEGER: Yeah.

MR. BOULARD: Or clarifications.

On the application the request was for
42 feet of -- reduction of the front yard 42 feet and rear yard 40 feet. That's how we also advertised it but I noticed in preparing for the meeting that the plot plan that you have is different. It shows 40 feet for the front and 42 feet from the back.

So the Board, if they so choose, can always approve a lesser variance, which in the case of the front would be -- in the case of the rear, excuse me, would be fine, I believe. But it -- but basically the rear and front were, were reversed from what's on the plot plan.

MR. ALLEN: Right. I noticed that too tonight. That's the first time --

MR. BOULARD: Yeah.

MR. ALLEN: -- I've seen this and --

MEMBER GRONACHAN: Do we have it advertised?

MR. BOULARD: So --

MR. ALLEN: So I'm not sure if that's because the lot that was split was to the east and then they would consider that a rear yard. I wasn't sure what that was, but --

MR. BOULARD: So I guess my thought is this; there's two, there's two -- two solutions.
Right? One would be to re-advertise, which would
mean we'd have to go -- send, send everything out
again and come back next month. The other would be
if you could live with 42 in the front and 40 in
the back as opposed to the 40 in front and 42 in
the back that's on the plot plan. If it works to
move the house back two feet, then you could just
go ahead and the variance could be heard tonight.

MR. ALLEN: That would be no problem as
far as we're concerned.

CHAIRPERSON KRIEGER: Okay.

MR. BOULARD: So really we're going
with what's -- we're going with the request that's
on the application and not what's on the plot plan.

MR. ALLEN: Okay.

MR. BOULARD: All right. And then the
second question I just had is the lot is fairly
wide and the house is pushed to -- is pushed to one
side. I just wondered why. I mean you've got
39 feet on the, on the driveway side.

Was there a reason that you had to
crowd the house in that direction?

MR. ALLEN: There's an existing driveway
approach on Beck Road, so that the surveyor felt
that it would be better to run that straight and
have a more direct route to the garage from that
existing approach and utilize that.

    But, you know, again, if it means
getting approval, we have no problem moving that
over 5 feet.

    MR. BOULARD: So your basic intent is not
have to move the approach.

    MR. ALLEN: Correct.


I'll stand by for questions. Thank you.

    CHAIRPERSON KRIEGER: Okay.

Correspondence?

    MEMBER GRONACHAN: There were 23 letters
mailed, no letters returned, no approvals, no
objections. Quiet neighborhood tonight.

    CHAIRPERSON KRIEGER: No kidding.

    MEMBER GRONACHAN: Nobody's responding.

It's been a rough winter.

    CHAIRPERSON KRIEGER: Well, yes.

All right. I'll open it up to the
Board.

    MEMBER GRONACHAN: I, --

    CHAIRPERSON KRIEGER: Yes.

    MEMBER GRONACHAN: Madam Chair,

Mr. Boulard, I just want to verify. So what's on
our application is what we're actually working
with, correct?

    MR. BOULARD: Yeah. The application
which shows -- is requesting variances for a
42 front setback and a rear setback of 40 feet, and
the side yard of 15 feet, that's what was
advertised and that's what the petitioner is going
to go forward with.

    MEMBER GRONACHAN: And don't pay any
attention to the map?

    MR. BOULARD: You can pay attention, just
don't, don't look at the numbers.

    MEMBER GRONACHAN: Okay. That's fine.
Thank you. I just -- okay.

    I feel that these are minimum requests
and I don't really need to ask any questions.
I'm familiar with the area.

    I think that when you're out there
trying to -- I mean the lot is pretty square but
the subdivision is different and it is unique.

    And I think that just hearing you do
your presentation, you have -- you're pretty
cooperative and pretty easy going and I don't
think that I need to ask you 50,000 questions. I
think you answered everything and I'd be in
support of this because these are minimum requests.

MR. ALLEN: Thank you.

CHAIRPERSON KRIEGER: Okay.

MEMBER GRONACHAN: Thank you.

CHAIRPERSON KRIEGER: Thanks.

MEMBER SANKER: I second that.

CHAIRPERSON KRIEGER: So we got a motion and a second today.

MEMBER GRONACHAN: Is that -- can we do that as a motion? No?

CHAIRPERSON KRIEGER: No.

MEMBER GRONACHAN: Are you doing the motion?

CHAIRPERSON KRIEGER: Do you have any questions?

MEMBER FERRELL: I don't.

CHAIRPERSON KRIEGER: Okay.

Member Byrwa?

MEMBER BYRWA: No.

CHAIRPERSON KRIEGER: Okay.

MEMBER GRONACHAN: Are you doing the motion? Want to do the motion?

MEMBER SANKER: Not particularly, no.

MEMBER GRONACHAN: I know. But --
MEMBER SANKER: Okay. All right. I will make the motion.

CHAIRPERSON KRIEGER: Very good.

MEMBER GRONACHAN: With a little arm twisting.

MEMBER SANKER: Yeah, right. All right. Bear with me here.

So I move that we grant the variance in Case Number PZ19-0004 sought by the homeowner for the variances listed in the application because the petitioner has shown practical difficulty requiring such variance.

Without the variance the petitioner would be unreasonably prevented or limited with respect to the property because he would not be able to adequately build his home.

The property is unique because it was split from a previous parcel. He did not create the condition because it was split from a previous parcel, and the relief granted would not unreasonably interfere with adjacent or surrounding properties as indicated with a lack of response from the various homeowners.

And the relief is consistent with the
spirit and intent of the ordinance.

MEMBER GRONACHAN: Second.

CHAIRPERSON KRIEGER: All right. We have a motion and a second.

Any other additions?

Okay. Seeing none, if Katherine would call the roll.

MS. OPPERMANN: Member Byrwa?

MEMBER BYRWA: Yes.

MS. OPPERMANN: Member Ferrell?

MEMBER FERRELL: Yes.

MS. OPPERMANN: Member Gronachan?

MEMBER GRONACHAN: Yes.

MS. OPPERMANN: Chairperson Krieger?

CHAIRPERSON KRIEGER: Yes.

MS. OPPERMANN: Member Sanker?

MEMBER SANKER: Yes.

MS. OPPERMANN: Motion passes.

CHAIRPERSON KRIEGER: Congratulations.

And welcome, and --

MR. NJEMANZE: Thank you.

MR. ALLEN: Thank you.

CHAIRPERSON KRIEGER: -- to your new home.

All right. The previous petitioner is
not back. Okay. So we'll go to the next --

MEMBER GRONACHAN: No. I think they are back.

MEMBER FERRELL: No.

CHAIRPERSON KRIEGER: Are they back?

MEMBER GRONACHAN: They're back.

CHAIRPERSON KRIEGER: Oh, come on back.

We have --

MEMBER GRONACHAN: They snuck in.

CHAIRPERSON KRIEGER: We have signs for Bob's Discount Furniture.

MR. WASSERSTROM: Sorry, that took us a moment. We had to find the chart here. There we go.

So 4-foot 10 was not the right size down; the 4-foot 11 is the next size down. It's 225 square feet. And the overall width of that sign would be 45 feet 9 inches. The 5-foot 2 is at 48 feet 5 inches. And we're currently proposing the 5-foot at 46 feet 5 inches overall width.

MR. STIEBER: So essentially reducing the variance request by 22.16 square feet; from 246 -- 247.16 to 225.

MEMBER FERRELL: And so that means that
Bob's is one foot smaller?

MR. TATE: One, that'd be one inch.
MEMBER GRONACHAN: One inch.
CHAIRPERSON KRIEGER: So it'll still jump at you but it wouldn't glare at you.
MR. STIEBER: Right.
CHAIRPERSON KRIEGER: Okay.
MR. STIEBER: But it is a significant difference in square footage from that standpoint--
MR. TATE: Yeah.
MR. STIEBER: -- just because of how -- the length of it.
MEMBER FERRELL: What is the length of it again?
MEMBER GRONACHAN: 225 from --
MR. STIEBER: 45-foot 9.
MEMBER FERRELL: 45-foot 9. It's still --
MEMBER GRONACHAN: Instead of 46.5, it's 49 -- 45.9.
MEMBER FERRELL: So not much difference.
MEMBER GRONACHAN: Uh-huh.
MEMBER FERRELL: What's the next step down below that one?
MR. STIEBER: Well, it is a lot if you
look at the square footage number. I mean from 247 -- 247 to 225. I know it doesn't seem like much when you're looking at it --

MEMBER FERRELL: Yeah.

MR. STIEBER: -- from a one inch standpoint.

MEMBER FERRELL: Right.

MR. STIEBER: But the overall is -- it's a significant difference.

MEMBER GRONACHAN: Uh-huh. Can I --

CHAIRPERSON KRIEGER: Yeah.

MEMBER GRONACHAN: I believe that to be 4 feet 11 inches.

MEMBER FERRELL: So it's 4-foot 11 x 45-9?

MR. STIEBER: Correct. 225 total square feet.

MEMBER GRONACHAN: I know we're only talking inches but it just seems to me like that would be a little bit -- a little less would be a -- better.

MEMBER SANKER: Yeah. I mean it's hard to conceptualize how much of a difference it's going to make but I was generally okay with the original size. So I think that this slight
reduction will make it more esthetically appealing to the city if it's just a little bit smaller.

CHAIRPERSON KRIEGER: Yes, Member Byrwa?

MEMBER BYRWA: Yeah, I got a quick question.

For some reason I'm not following the math on that. If you shrunk it down by one inch and the sign width is 47 feet, wouldn't that be a 47-inch reduction?

And then, and then my understanding is there's 144 inches in one square foot.

MR. TATE: Correct.

MEMBER BYRWA: So how do you --

MR. STIEBER: 4 -- 4-foot 11 inches times 45-foot 9 inches is actually 224.93 square feet.

MEMBER BYRWA: Well, I don't know. I think I need to stay in inches first here. You got -- you're shrinking it down by one inch and you're 47 feet wide. That's 47 inches -- or 46.

MR. STIEBER: No. It's 45 foot 9 inches.

MEMBER BYRWA: So say 46.

MEMBER GRONACHAN: 45 foot.

MEMBER BYRWA: So that's 46 inches is what I'm looking at, and then I don't know where that --
MR. STIEBER: 46 inches, where are you --
MEMBER GRONACHAN: No.
MR. STIEBER: Where are you getting that?
MEMBER GRONACHAN: No.
MEMBER BYRWA: What?
MEMBER GRONACHAN: It's not 46 inches.
It's 46 --
MR. STIEBER: 45 feet 9 inches wide.
MEMBER GRONACHAN: It's 45 feet --
MEMBER BYRWA: 45 feet.
MEMBER GRONACHAN: -- 9 inches wide, the width.
MEMBER BYRWA: Okay.
MEMBER GRONACHAN: So currently at the way they're looking at it, this is 46 feet --
MEMBER BYRWA: All right.
MEMBER GRONACHAN: -- 5 inches. That's the width of the -- that's the width of the sign.
MEMBER BYRWA: Okay. All right.
MEMBER GRONACHAN: Okay?
MEMBER BYRWA: All right.
MEMBER GRONACHAN: We're not dealing in inches.
MEMBER BYRWA: All right.
MEMBER GRONACHAN: Okay. I know it's a
little confusing.

MR. TATE: Yeah. There's a lot of numbers up there.

MEMBER GRONACHAN: Yeah.

MR. TATE: You only need the -- I guess two of them.

MEMBER GRONACHAN: Yeah.

MR. BYRWA: I see it. Oh, yeah, uh-huh.

MEMBER GRONACHAN: Does that clear it up?

MEMBER BYRWA: Yeah.

MEMBER GRONACHAN: Clarify it for you?

Okay. I wouldn't want to get my yardstick out at this point. It's left in the car. Okay.

MR. TATE: It's 38 inches.

MEMBER GRONACHAN: Yeah.

Are we on board?

CHAIRPERSON KRIEGE: Yep.

MEMBER FERRELL: Yes.

MEMBER GRONACHAN: Who's going to make the motion?

MEMBER FERRELL: I got it.

MEMBER GRONACHAN: Okay.

CHAIRPERSON KRIEGER: Okay.
MEMBER FERRELL: I move that we grant the variance in Case Number PZ19-0002 sought by Allied Signs for a wall sign and a third -- from a wall sign and a third wall sign.

Is that correct? I guess I was a little confused.

MEMBER GRONACHAN: Say that again.

MEMBER FERRELL: A main wall sign and a third.

MR. BOULARD: Yes, an oversized --

MEMBER FERRELL: Okay. Because one is --

MR. BOULARD: -- wall sign and a third wall sign.

MEMBER FERRELL: One is the -- they're entitled to the one. Okay.

Because petitioner has shown practical difficulty requiring a larger sign due to the size of the building. Without the variance petitioner will be unreasonably prevented or limited with respect to the use of the property. Having a small sign on the building would make it difficult to see, especially when the building faces to the side and not the main road.

The property is unique because the location for pick up is around the back and the
vast size of the strip mall along with the difficulty of seeing the storefront from the front on the main road, on the -- having to go back to the back of the building for pick up. The petitioner did not create the condition as it was built prior to Bob's Furniture moving in. The relief granted will not unreasonably interfere with adjacent or surrounding properties because there are other properties in the immediate area with similar sized signs and this one is proportionate to the building. And this also will include a reduction of size of sign as what the petitioner initially requested to 4 feet 11 inches by 45 feet 9 inches.

MR. STIEBER: Correct.

MEMBER FERRELL: 225 square feet total. For that reason I believe we should grant this request.

CHAIRPERSON KRIEGER: Uh-huh.

MEMBER GRONACHAN: Second.

CHAIRPERSON KRIEGER: All right. We have a motion and a second.

Yes, Mr. Boulard?

MR. BOULARD: If I might, could I suggest
clarifying that the third sign is 40 square feet.

MEMBER FERRELL: Yes. Adopt that into
the motion as well.

MEMBER GRONACHAN: And I second that
amendment.

CHAIRPERSON KRIEGER: All right. Have a
motion, a second and amendment agreed to as well.

Katherine, if you would call the roll.

MS. OPPERMANN: Member Sanker?

MEMBER SANKER: Yes.

MS. OPPERMANN: Chairperson Krieger?

CHAIRPERSON KRIEGER: Yes.

MS. OPPERMANN: Member Gronachan?

MEMBER GRONACHAN: Yes.

MS. OPPERMANN: Member Ferrell?

MEMBER FERRELL: Yes.

MS. OPPERMANN: Member Byrwa?

MEMBER BYRWA: Yes.

MS. OPPERMANN: Motion passes.

CHAIRPERSON KRIEGER: Congratulations.

MR. STIEBER: Thank you.

CHAIRPERSON KRIEGER: And thank you for
being amenable --

MR. WASSERSTROM: Thank you.

MR. TATE: Thanks for your time.
CHAIRPERSON KRIEGER: Yep.

MEMBER FERRELL: Welcome, Bob.

MR. TATE: We do go up to 6-foot 5. If that changes, the tarp goes up.

CHAIRPERSON KRIEGER: All right.

MEMBER GRONACHAN: Tell Bob we say hey.

MR. TATE: We will. Thank you.

CHAIRPERSON KRIEGER: Can we take a five-minute break?

Is that okay with Mr. Boulard?

MR. BOULARD: Fine with me.

CHAIRPERSON KRIEGER: All right. We're going to take a five-minute break.

MEMBER FERRELL: Let's take five.

CHAIRPERSON KRIEGER: Yep. So be back here at 8:38. Thanks.

(Brief recess taken)

CHAIRPERSON KRIEGER: All righty. I'll call us back to order and I'll call up our next case.

We have PZ19-0005. Mark and Elizabeth Adams, 1811 East Lake Drive, east of East Lake Drive and north of Thirteen Mile. Parcel 50-22-02-356-004 and 50-22-02-356-005. Applicant is requesting variances from the
City of Novi Code of Ordinances for the
following: A side yard variance of 5 feet for a
proposed 10 left and 10 feet right setback,
25 feet total required; a front yard variance of
11 feet for proposed 19-foot setback, 30 feet
required; a rear yard variance of 21 feet for a
proposed 14 feet setback, 35 feet required; max
lot variance of 3.6 percent for a proposed
29 percent coverage, 25 percent required; and a
foot front porch 13-foot variance for a proposed
12-foot setback. This property is zoned Single
Family Residential and definitely around the
lake.

MEMBER GRONACHAN: Chairman, before we
proceed, --

CHAIRPERSON KRIEGER: Yes.

MEMBER GRONACHAN: -- I just want to put
on the record -- and if the City Attorney can
advise as such -- I work for State Farm. Mr. Adams
and his wife have been my client in the past. We
are not in any type of business relationship at
this point.

This particular piece of property was
involved with State Farm Com -- State Farm
Insurance Companies were involved in it. I again
had nothing to do with it. So there is no conflict of interest I feel on my part but I wanted to put it on the record that I'm totally -- I can review this case and be objective.

CHAIRPERSON KRIEGER: Okay.

MEMBER GRONACHAN: Are we okay with that?

MS. SAARELA: Yes, that's fine.

MEMBER GRONACHAN: Thank you.

CHAIRPERSON KRIEGER: Thank you.

MEMBER GRONACHAN: Thank you.

CHAIRPERSON KRIEGER: And you may proceed.


MEMBER GRONACHAN: Raise your right hand, please --

MR. ADAMS: Oh.

MEMBER GRONACHAN: -- to be sworn in.

MR. ADAMS: I'm sorry.

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

MR. ADAMS: Yes, I do.

MEMBER GRONACHAN: You may proceed.

MR. ADAMS: Okay. I have nothing to
refute myself. I'm Mark Adams. Adams is A-D-A-M-S.

So we're proposing a new home on the lot. And as -- I'll go on a limb and say, as I'm sure you know, all -- virtually all the new construction on Walled Lake requires variances because of the small lots. And, with the depth of that lot, you know, being 80 feet to meet the front yard of 30 feet and the backyard at 35, you know, you can only have a house that would be 15 feet deep, which just isn't going to work.

There's an exist, existing garage still on the property, which I'm propo -- if you look at my drawings it, you know, rides the rear lot line right up against the street. So I'm proposing removing that garage.

So the current garage has, you know, probably less than a one-foot setback from the road. So I'm going with a -- you know, going down to a vacant lot.

I'm actually moving the house back further than the house that existed on the property. The porch will be back further than the previous porch.

And, like I say, I'm demolishing the
existing garage to move the new garage -- what do I got here? 14 feet from, from the road easement.

You know, the -- I'm trying not to, you know, build a monstrosity. You know, the house will be less than 2,000 square feet with side yards of 10 feet, which it's pretty, pretty common in that block, and the next block that the side yards are less than 5 feet. So I'm two to two and a half times the side backs -- set, setback.

Let me see here.

So my wife and I went through, you know, probably hundreds of home plans and this is what we're proposing. You know, we picked a premium builder from, from Milford and we're just looking for your approval on the setbacks at this point. Thank you.

CHAIRPERSON KRIEGER: Very good. Thank you.

Anybody in the audience commenting regarding this case?

All right. Seeing none -- From the City?

MR. BOULARD: Just a couple, just a
couple things to confirm.

Number one, there's currently two lots and they are going to be combined, they'll need to be combined, and so the setbacks are for the combined lot?

MR. ADAMS: Correct.

MR. BOULARD: We can't have the -- we couldn't issue permits for a new house with a lot line up and down the middle.

MR. ADAMS: Yeah. It's noted in my application.

MR. BOULARD: Yep. I saw that at the top. I just wanted to make sure we got it on the record.

And then the --

MR. ADAMS: Sure.

MR. BOULARD: -- existing garage is going to be -- is gone, right, --

MR. ADAMS: Correct.

MR. BOULARD: -- with this plan?

So okay. Wonderful. Thank you.

CHAIRPERSON KRIEGER: Thank you.

From correspondence?

MEMBER GRONACHAN: Sixteen letters mailed, one letter returned and one approval by the
petitioner himself.

CHAIRPERSON KRIEGER: Okay. Very good.
And I'll open it up to the Board.

MEMBER GRONACHAN: Madam Chair?

CHAIRPERSON KRIEGER: Yes.

MEMBER GRONACHAN: So, Mark, you're going
to use the two lots; you're combining the two lots?

MR. ADAMS: Correct.

MEMBER GRONACHAN: And you don't have
actual, actual plans yet of which house you're
going to build. So you're just looking for the
setbacks at this point?

MR. ADAMS: Well, we have -- you know,
that's our, our front elevation.
The floor plan, you know, you can go
online and, you know, look at house plans. We're
going to change around the interior, you know,
layout of this house.

MEMBER GRONACHAN: Okay.

MR. ADAMS: And our builder has included,
you know, the full set of plans in his price.
So, you know, we're just at the point
we can't draw up the plans until, you know, we
have our setbacks.

MEMBER GRONACHAN: Okay.
MR. ADAMS: But you're looking at the house and I included, you know, the dimensions of the garage, the, you know, location of the driveway.

MEMBER GRONACHAN: So the garage is going to be setting right on the property line again?

MR. ADAMS: No, no, no, no.

MEMBER GRONACHAN: My picture's not -- the drawing I have is a little confusing.

There we go.

MR. ADAMS: Okay. So, you know, the porch is the front of the house.

MEMBER GRONACHAN: Right.

MR. ADAMS: So the existing house, you know, I've got the -- or the previous house was at about 12 feet. So I'm actually moving the new house back approximately 7 feet.

And the existing garage, which is still on the lot, rides right along Chapman Drive, so I'm going to demolish the garage.

Let me see here. And --

MEMBER GRONACHAN: All right. I got that. I just couldn't see the property line on my drawing.

MR. ADAMS: Yeah.
MEMBER GRONACHAN: So that's what was confusing. Okay.

So you're coming 14 feet in off the property line?

MR. ADAMS: Correct. So --

MEMBER GRONACHAN: And that's a two-car garage?

MR. ADAMS: Just a conventional two-car garage.

MEMBER GRONACHAN: Okay.

MR. ADAMS: You know, I'm -- the existing garage on the lot, you know, I know it's, is a -- you know, here it lists it as a three-car garage but you can see it rides right on, you know, the back property line, and that's Chapman Drive behind it.

MEMBER GRONACHAN: Right.

MR. ADAMS: So, you know, it would be advantageous to me to keep that garage but it's not advantageous, you know, maybe for the esthetics of the community. So I'm going to remove this garage and so then the existing garage will be back, you know, what is it? 14 feet, 15 -- 14, 15 feet from the roadway. So I'm doing that, you know, to upgrade the community and go for all new
construction, so --

MEMBER GRONACHAN: Well, it's going to be quite a unique challenge on that lot. It is unfortunate under the circumstances but I think that these are minimum requests given that shape of the lot, that location as well.

And as long as the existing garage is coming down, I don't have any objections to the requests of this petitioner.

Thank you, Madam Chair.

CHAIRPERSON KRIEGER: Yes, Member Byrwa?

MEMBER BYRWA: Yes, just a point.

The new garage is slightly larger than the standard two-car garage. A standard two-car garage is a 20 x 20 and this is proposed to be 25 x 23. So it's just slightly bigger than a two-car garage.

MR. ADAMS: What I'm trying to allow for is because I'm going to have the garage sit a little lower than, than the house. The garage will be at grade. The house is going to be a little bit above grade. So I'm trying to allow some space for some, you know, stairs up into the house, so I gave myself a little extra room in the garage.

MEMBER BYRWA: Okay.
MR. ADAMS: But that's the intention.

MEMBER BYRWA: That's still quite a considerable difference from what you're removing.

MR. ADAMS: Well, but the garage I'm removing, it says three-car on the, on the survey. It's actually, you know, closer to a four-car garage that I'm removing and replacing it with a two-car garage. If you -- you know, I'm sure if we broke down the footprint of the existing garage and what I'm proposing, I'm building a smaller garage.

MEMBER BYRWA: Oh, exactly.

MR. ADAMS: Yes, definitely.

CHAIRPERSON KRIEGER: Okay. Member --

Yeah?

MEMBER FERRELL: Motion? Motion?

CHAIRPERSON KRIEGER: Sure.

MEMBER FERRELL: I'm ready.

CHAIRPERSON KRIEGER: Do you have any questions?

MEMBER SANKER: I do not. I also support the proposed variances.

CHAIRPERSON KRIEGER: Very good.

Yeah, I agree it's hard to have two streets and try and put a house, a new house, together in there. That requires a lot of
creativity, so --

MR. ADAMS: It's going to be a beautiful house.

CHAIRPERSON KRIEGER: Yep. All right.
So Member Ferrell?

MEMBER FERRELL: Thank you, Madam Chair.

I move that we grant the variance in Case Number PZ19-0005 sought by Mark and Elizabeth Adams for a side yard variance of 5 feet for a proposed 10 left and 10-foot right setback, 25-foot required; a front yard variance of 11 feet for a proposed 19-foot setback, 30 feet required; a rear yard variance of 21 feet for a proposed 14 feet setback, 35 feet required; a max lot variance of 3.6 percent for a proposed 29 percent coverage, 25 percent required; and the front and a foot front porch 13-foot variance for a proposed 12-foot setback.

Because the petitioner has shown practical difficulty requiring these variances, without the variance the petitioner will be unreasonably prevented or limited with respect to the use of the property due to the shallow and narrowness of the lot.

The property is unique due to the size
and shape; and that being a lot -- lake lot, across the street from the lake, and it is a double lot.

Petitioner did not create the condition because the plots were done long ago. The relief granted will not reasonably interfere with the adjacent or surrounding properties. This would only enhance the neighborhood value and make the community look better.

The relief is consistent with the spirit and intent of the ordinance because this is the minimal request to build an adequate size home on these lots.

MEMBER BYRWA: Second.

CHAIRPERSON KRIEGER: All right. We have a motion and a second. No further discussion.

Have Katherine call the roll.

MS. OPPERMANN: Member Byrwa?

MEMBER BYRWA: Yes.

MS. OPPERMANN: Member Ferrell?

MEMBER FERRELL: Yes.

MS. OPPERMANN: Member Gronachan?

MEMBER GRONACHAN: Yes.

MS. OPPERMANN: Chairperson Krieger?

CHAIRPERSON KRIEGER: Yes.
MS. OPPERMANN: Member Sanker?
MEMBER SANKER: Yes.
MS. OPPERMANN: Motion passes.
CHAIRPERSON KRIEGER: Congratulations.
MR. ADAMS: Thank you very much.
CHAIRPERSON KRIEGER: All righty. That brings us to PZ19-0006, Francis and Pamela Schneider on 20825 Meadowbrook Road, west of Meadowbrook and north of Eight Mile, Parcel 50-22-35-400-048. Applicant is requesting variance from Novi Code of Ordinance Section 3.1.2.D for a 2-foot variance for a proposed lot width of 118 feet, 120 feet minimum required. Property zoned Single Family Residential (R-1).
MR. SCHNEIDER: Hi.
CHAIRPERSON KRIEGER: Hi.
MR. SCHNEIDER: My name is Francis Schneider. That's S-C-H-N-E-I-D-E-R. Thanks for hearing our variance request today.
MEMBER GRONACHAN: Would you raise your right hand, please.
MR. SCHNEIDER: Yeah.
MEMBER GRONACHAN: Do you swear or affirm to tell the truth in the matter before you?
MR. SCHNEIDER: I do.
MEMBER GRONACHAN: You may proceed.

MR. SCHNEIDER: Okay. Well, first of all, we've been residents of Novi for almost 40 years. We're requesting a variance of 2.65 feet. This variance will be on the lot with the existing house. The lot that I want to split off will be totally compliant. Square footage, setbacks, everything else will, will be okay as far as that's concerned.

The property that's going to be -- I don't know if you can see that.

The property with the house with the variance request is bordered to the north by a pond, wetlands, and then the -- this is a overhead view, of course. And then the property that I want to split off is this lot here. Here's the dimensions. It's 120 feet, square foot.

I'm 62 now and nearing retirement.

We bought this property in 1993. We built a house on the one side of the property for -- to hope day -- some, some day be able to do this. It's -- cut grass for 25 years on this piece of property, and that's what I'm requesting.
CHAIRPERSON KRIEGER: Now you don't have to cut the grass anymore.

MR. SCHNEIDER: Yeah, right. Exactly, yeah.

Any questions I'd be happy to answer.

CHAIRPERSON KRIEGER: Okay.

From anybody else in the audience wish to comment regarding this case?

Seeing none --

From the City?

MR. BOULARD: I just want to point out the requested is about two percent --

CHAIRPERSON KRIEGER: Two percent.

MR. BOULARD: A reduction of two percent in the lot width, so --

CHAIRPERSON KRIEGER: Okay.

And correspondence?

MEMBER GRONACHAN: We have 10 letters mailed, zero letters returned and one correspondence from a Brandy -- I'm going to spell the last name, F as in Frank -- A-K-H-O-U-R-Y, at 41520 Eight Mile.

"To whom it may concern, I would like to submit comments regarding this case. We purchased our property and home knowing that the
neighboring lot would be not built on -- would not be built on. My concern's with an existing tree line and privacy for my property. I do not want to see any destruction of any existing trees and proposed additional tree plantings for the property lines. This will keep the privacy and tranquility for the area proposed in my property."

And that's the only correspondence.

CHAIRPERSON KRIEGER: Okay.

And open up to the Board.

MEMBER GRONACHAN: Umm.

CHAIRPERSON KRIEGER: Yes, Member Gronachan?

MEMBER GRONACHAN: This is for the City.

So, Mr. Boulard, did the rules change for the width of the properties since the time that this petitioner bought this parcel or was it always 120 feet width?

MR. BOULARD: I can't answer that right now. It's 1993 was when -- yeah, I can't. Unfortunately, I can't answer that.

MEMBER GRONACHAN: And maybe the petitioner --

Do you know that answer to that question, what the width was to -- for the front
-- frontage for a lot at the time that you purchased this?

MR. SCHNEIDER: No, I don't.

But I'd like to add that the lot that borders her property is totally compliant. It's 120 feet. There's nothing that prevents that lot from being improved that I, you know.

MEMBER GRONACHAN: Right. That's not my question, though.

MR. SCHNEIDER: Okay. Yeah. No, I don't know what the --

MEMBER GRONACHAN: Okay. So I'm going to come right out of the gate and say this. I have a problem supporting this. I would need to do some research to see if the ruling changed because when you bought the property the width was the width. And so we're creating a non-conforming lot by approving this variance; and so, therefore, I'm having an issue with the Zoning Board creating a non-conforming lot if we approve this.

So I understand that the lot that he's going for is 120 feet but by approving this then the lot that's in existence that is conforming today will not be -- would not be conforming, would not be -- would be non-conforming after our
approval.

Am I saying that right?

MS. SAARELA: Well, I guess the one thing I just would point out is that any variance you grant to creating a non-conforming of the ordinance.

MEMBER GRONACHAN: Yeah, but it -- there's none right now.

MS. SAARELA: And that's true of those properties that come in requesting a variance. So if there's none, got the variance and put in improvement.

MEMBER GRONACHAN: Yeah. I don't -- I can't --

MR. SCHNEIDER: I mean can I talk, speak, please? No?

MEMBER GRONACHAN: So I mean did you know -- for the City Attorney -- do you know what the --

MS. SAARELA: I don't know and I wasn't -- I don't know what it was at the time that he purchased the property.

MEMBER GRONACHAN: Has it been changed then since, do you think?

MS. SAARELA: I don't know.
MEMBER GRONACHAN: Okay.

MS. SAARELA: It hasn't been changed since 1993.

MEMBER GRONACHAN: Because that's what I was looking for.

So if it hadn't changed, then thinking that you're going to split it knowing that there wasn't enough to begin with, that's what I'm struggling with.

Yes?

MR. BOULARD: So I guess the point, you can see the, you can see the request for the split, that goes to the assessor and they say -- you know, and then they come to community development and they look at, you know, the width. And they say was this a grade conforming lot, and we say no, then they're right back. And this is the venue for -- this is the only real venue for an appeal and decision. So it is part of the -- what is -- you know, hearing this appeal is this is the right place, I guess.

MEMBER GRONACHAN: No. I know it's the right place. No, no. I know it's the right place.

It was just that my point was that if I bought a piece of property, my thought process is
that if I decide that I'm going to go split it, that I would make sure that I had enough frontage to do so. Am I making myself -- am I confusing the issue or am I --

MS. SAARELA: I mean I guess you could say that with any. If I bought this property I'd make sure I could put a house on it that fits within the setbacks. So, in any case, that's the same.

MEMBER GRONACHAN: Well, not necessarily. I mean I have to buy enough property in order to split it, otherwise, I would -- I'm not going to buy 60 feet width property. I would need to know. That's my thought process.

MS. SAARELA: Okay.

MEMBER GRONACHAN: So we can wait for the other board members.

CHAIRPERSON KRIEGER: So if somebody wanted to come and build on that property in the future, they'd need a var -- they wouldn't necessarily need a variance?

MEMBER SANKER: Not if it complies.

MEMBER BYRWA: The new one being created is to standard. The one that it's going to be impacted is where his current house is.
MEMBER SANKER: Yeah. He wants to move the lines. So now his --

MEMBER GRONACHAN: He's shrinking down his current property --

MEMBER SANKER: The north parcel would be --

MEMBER GRONACHAN: -- where his house is now.

MEMBER SANKER: Right.

MEMBER GRONACHAN: To make this split happen.

MEMBER SANKER: So that the new one won't have an issue at all.

CHAIRPERSON KRIEGER: So in a way somebody that wants to do something with the proper -- one of the properties, they need a variance?

MEMBER GRONACHAN: No, not on the new property that's split.

CHAIRPERSON KRIEGER: The new one, no.

MEMBER SANKER: He wants to make the new one clean and free of --

MEMBER GRONACHAN: The new one's not going to need --

MEMBER SANKER: -- any issues. I mean I
tend to think that it could be self-created but, at the same time, the miniscule amount of the variance makes me feel like it might be okay to grant that because it's just not -- I just don't see how it would be impactful to that land or to the concerned neighbor. And so, I don't know, we'll have to -- I guess it's our call as the Board, right, if we can approve that variance. So I'm of the opinion that this small request that he's asking for would be okay.

CHAIRPERSON KRIEGER: Okay.

Member Ferrell?

MEMBER FERRELL: Thanks, Madam Chair.

Can you re-go over exactly what it is you're trying to do? I guess I just got confused. I don't -- I want to make sure I'm clear before I decide on what I want to do.

MR. SCHNEIDER: Okay. This is all one piece of property right now. Okay?

MEMBER FERRELL: Yep.

MR. SCHNEIDER: What I wanted to do is split it between the south and north parcel.

MEMBER FERRELL: Okay.

MR. SCHNEIDER: It comes up 2.65 feet short of being 120 frontage for each lot.
MEMBER GRONACHAN:  See, but this says 2 feet.

MR. SCHNEIDER:  This 2.65 feet shortage would be on my existing, where our house is, and then that would make this south parcel -- which borders the neighbor over here -- totally compliant as far as square footage, setbacks and frontage.

MEMBER FERRELL:  So the south, for the south one to be compliant --

MR. SCHNEIDER:  Yeah.

MEMBER FERRELL:  -- the north, the north one would be under?

MR. SCHNEIDER:  Right.

MEMBER FERRELL:  Okay.

MR. SCHNEIDER:  And that's where I live. That's where we live now.

MEMBER FERRELL:  And you're staying there; you're not building?

MR. SCHNEIDER:  No, no, no.

MEMBER FERRELL:  You're doing it because you want to sell off that property?

MR. SCHNEIDER:  Yes, correct. Yes.

MEMBER FERRELL:  Okay. Okay. I gotcha now.

MEMBER GRONACHAN:  In our notice it only
sends 2 feet, though, but they're asking for 2.65 feet.

MR. BOULARD: Yeah. The information on the application is not consistent.

MEMBER GRONACHAN: With what they're requesting?

MR. BOULARD: Right.

MEMBER GRONACHAN: So is that an issue?

MS. SAARELA: It can only be 2 feet at this point is what was noticed. So if they want more than 2 feet, we have to re-notice it for the next meeting.

CHAIRPERSON KRIEGER: Do you want 2 feet or 2.65?

MR. SCHNEIDER: The application I submitted had 2.65 feet on it.

CHAIRPERSON KRIEGER: Do a re-notice?

MR. BOULARD: I guess if I might offer a suggestion.

CHAIRPERSON KRIEGER: Yep.

MR. BOULARD: I guess my suggestion would be that we would -- we could re-notice for the next meeting. At the same time we could look at the -- we could review the history and find out when and if the ordinance changed, if it happened
after or before 1993, if that would assist in the
decision.

MEMBER FERRELL: Just to clarify, what's
the purpose of that? I guess I missed -- that's
the other part that I'm a little confused on.

Why does it matter if it changed?

CHAIRMAN KRIEGER: He must --

MEMBER GRONACHAN: If it's self-created.

CHAIRPERSON KRIEGER: Yeah.

MEMBER FERRELL: And that's the only
reason?

City Attorney, that's the only reason?

MS. SAARELA: I'm not -- that's --

MEMBER GRONACHAN: I'm the one that asked
it before.

MEMBER FERRELL: Yeah, exactly. She --

MS. SAARELA: In your mind it would be
self-

MEMBER FERRELL: Okay. Okay.

MEMBER GRONACHAN: In my mind, I think
this is self-created. If the rule changed -- I
lived out in this area and I had acreage, and so to
split, you have to know what your frontage is. And
I can't remember because I was gone for a while, I
thought it was 110. That's why I'm asking the
question. So if it increased, if it was changed, then I would approve this. If it didn't change then I have a problem with it.

MEMBER FERRELL: Okay.

MEMBER GRONACHAN: But then we also have

2 feet on our notice but he's got 2.65, so we have to, we have to re-advertise, anyways.

MEMBER FERRELL: Sure. Okay.

MEMBER GRONACHAN: So that's the reasoning behind my thought process.

MEMBER FERRELL: Okay.

MEMBER GRONACHAN: So they were suggesting that because we have to re-notify, we could look that history up, and if it is -- if it changed from 110 to 120, then it would be --

CHAIRPERSON KRIEGER: So, Katherine, would it fit on the April schedule?

MS. OPPERMANN: Yes, it could be put on the April schedule.

CHAIRPERSON KRIEGER: Okay.

MEMBER FERRELL: Well, do you want to ask if he just wants to do 2 feet because it would have to be re-noticed.

CHAIRPERSON KRIEGER: Would you like 2 feet or --
MS. SAARELA: Would it be compliant with those 2 feet or would it be a little bit --

MR. BOULARD: Then both would be --

MEMBER FERRELL: Both would be --

MEMBER GRONACHAN: No. Then both would be non-compliant. You can't do it.

MS. SAARELA: (Unintelligible) if it was 2 feet.

MR. BOULARD: Both would be --

MEMBER GRONACHAN: That's why he needs the 2.65. So the one would be, would be compliant.

MS. SAARELA: One would comply and one wouldn't.

MEMBER FERRELL: That's how it would be with the 2 feet, would still be like that.

MS. SAARELA: But if it was 2 feet, they both would be non-compliant.

MEMBER FERRELL: Oh, they both would.

Oh, I see. I see what you're saying. Okay. Okay.

MS. SAARELA: Yeah. The one would be more -- or the one would be more non-compliant, I guess.

MEMBER FERRELL: Okay. So, you know.

CHAIRPERSON KRIEGER: All right.

Would you be amenable to us tabling it
until April?

MR. SCHNEIDER: No. But I just would like to point out that the application I submitted did have 2.65 feet on that.

MEMBER GRONACHAN: I see that.

CHAIRPERSON KRIEGER: Yes. But the notice to the -- did not.

MR. SCHNEIDER: Okay.

MS. OPPERMANN: We apologize. There was a clerical error on -- in that regard.

MR. SCHNEIDER: Okay. So that was your fault; not mine. Okay.

MR. BOULARD: Well, the application --

MEMBER FERRELL: It says 2 feet.

MR. BOULARD: Maybe the application was incomplete. At one point the application says 2, it says 2 feet, --

MEMBER FERRELL: That's what I have.

MR. BOULARD: -- but then -- and maybe it was left, maybe that was not, because it's a different color, so maybe it just wasn't complete and somebody tried to complete it.

MEMBER GRONACHAN: Right.

MR. BOULARD: Then the notes say 2.65, so okay.
MEMBER GRONACHAN: Well, but, at any rate, the City wants to do the right thing for him. So if we re-advertise, then we can get it back out there for the right thing and be back here next month.

We're a friendly group to come see.

MR. SCHNEIDER: Okay.

MEMBER GRONACHAN: Okay.

MR. SCHNEIDER: Thanks for your time.

MEMBER GRONACHAN: Thank you.

MEMBER SANKER: Thank you.

MEMBER GRONACHAN: Okay.

CHAIRPERSON KRIEGER: Do we need a motion for that? Do we need a motion for that?

MS. SAARELA: Table.

MEMBER GRONACHAN: Table.

CHAIRPERSON KRIEGER: Yeah.

MS. SAARELA: To the April -- What is it, the 4th?

MS. OPPERMANN: 9th.

MS. SAARELA: 9th. Table, yes.

CHAIRPERSON KRIEGER: Okay. Is there a motion?

MEMBER GRONACHAN: So moved to move -- so moved to table this on Case PZ19-006 to April 2019
meeting for it to be re-advertised.

CHAIRPERSON KRIEGER: Second?

MEMBER SANKER: Second.

CHAIRPERSON KRIEGER: Okay. We have a motion and a second.

All in favor?

THE BOARD: (Simultaneously) Aye.

CHAIRPERSON KRIEGER: None opposed.

Okay. So it will be on the April meeting.

Next, PZ19-0007, Singh Homes for 43482 Ellesmere Circle, Lot 28 of Bolingbrooke, west of Novi Road and north of Twelve and a half Mile, Parcel 50-22-10-281-028. Applicant is requesting variance from Novi Code of Ordinance Section 3.5.1 for a 240 square foot variance for a proposed 1090 square foot garage, 850 square feet allowed. The property is zoned Single Family Residential (R-4).

MR. ANDERSON: Good evening. My name is Kyle Anderson, A-N-D-E-R-S-O-N. And, well, like you said, we're here to request a 250-foot variance.

CHAIRPERSON KRIEGER: Are you an attorney?

MR. ANDERSON: I am not.
CHAIRPERSON KRIEGER: Okay.

MEMBER GRONACHAN: Would you raise your right hand to be sworn in, please.

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

MR. ANDERSON: I do.

MEMBER GRONACHAN: You may proceed.

MR. ANDERSON: So, as I was saying, R-4 residential allows a maximum of 850 square feet for an access rear structure whether it's attached or detached; in other words, your garage space. Your standard R-4 lot is 10,000 square feet, 80 feet wide, about 125 feet deep.

The lot that we are working with on Lot 28 -- okay. So the homestead that we're working with right now is 98 feet wide versus 125 feet deep. So we have 18 extra feet of width on this lot versus the R-4 standard that we're being zoned by. So, with that, with those new dimensions, homestead 28 is 20 -- is 2,170 square feet larger than the standard R-4 zone.

I want to point out the exact space that we're trying to -- that we're asking the variance for, it's highlighted here in red. You can see the garage -- or the driveway line which
would be leading to 2 two-car garage doors. In essence, this is a four-car garage with storage space that really does not have enough room for a vehicle or anything in that matter. This is strictly going to be for lawnmower, children's toys, tools, whatever the case may be.

We wanted to incorporate this design in a manner where we stay true to the community, and not only the community but also as much R-4 zoning regulations that we possibly could.

So if you point out, because it's a corner lot, right here you can see that we have a 30-foot setback on front end of the home and then we also have a 30-foot setback on the other, on the other front end of the home. Because this is a corner lot we have two streets; that, in itself, is what gives us the extra square footage on this lot. So we were able to maximize the lot coverage due to that additional 2,170 square feet.

So as we used as much space as we possibly could on the lot, we then minimized this accessory structure to fit within all setbacks, to fit within lot coverage. And, at the end of the day, it blends in with the home. We designed
it in a manner.

Let me show you in plan about a little bit more.

You can see this dashed line leading all the way around this space right here. That is ultimately where a majority of this is, is going to go.

There's a small area in the front of the home, too, which could host a ball rack or something like that for children but majority of the space is going to be in the back end here.

I want to point out that we incorporated a second floor above to make it seem like this was a liveable space from the outside. We didn't want to give the esthetic that we have this giant accessory structure on this site. We incorporated an exterior door and a window.

So from your, from your exterior viewpoint, you would actually see something like this rather than the entire brick wall or another garage door or something like that.

Really, really what -- what this is leading to is that Lot 28 in Bolingbrooke is a unique home site. It's much larger than what the zoning restrictions are calling out for in a R-4
lot.

And it's creating a hardship as far as offering a storage space beyond a four-car garage. Your standard four-car garage is 850 square feet. This community comes standard with a three-car garage, which ultimately gives, what, 200 square feet of allowance for anybody to play with an accessory structure.

Due to the additional square footage that we have on the lot, it would -- we're asking for almost relief from this R-4 zoning restriction of only 850 square feet allowed on the lot.

We've put a lot of consideration into the esthetics in this community and we wanted to honor it by making sure that the design of this space will not affect any of the neighbors, any future buyers, any of the land around it. This is something that we wanted to have fully integrated into the design of the home. That way from, from the curb appeal, it's almost nonexistent. That's it.

CHAIRPERSON KRIEGER: Okay. Very good.

Anybody in the audience need to discuss -- have a comment for this case? Seeing
none --

From the City?

MR. BOULARD: I'll just stand by for questions.

CHAIRPERSON KRIEGER: Thank you.

And from correspondence?

MEMBER GRONACHAN: Twenty-three letters mailed, no letters returned, no approvals, no objections. Quiet neighborhood.

CHAIRPERSON KRIEGER: Yep. All righty.

Open up to the Board.

Can you start by explaining how it's not self-created?

MR. ANDERSON: The issue at hand is that anything beyond a four-car garage technically exceeds R-4 standards. A four-car garage is typically 850 square feet. This community, being a high end community in Novi, it comes standard with a three-car garage. So buyers typically are in more cases than not asking for four- and five-car garages.

This case, it happened to be a four-car garage with an additional storage attached to it, and come to find out that it is raw space that is technically being included as the accessory
structure square footage.

So we're here asking, due to it being a unique lot, a little bit of relief in the fact that a garage this size can almost be sustained on a home site we're looking at 12,000 square feet. That's larger than, than even an R-3 home site, so --

CHAIRPERSON KRIEGER: Do you have a buyer for this site as well?

MR. ANDERSON: We do.

CHAIRPERSON KRIEGER: Okay.

MR. ANDERSON: We do have a buyer.

CHAIRPERSON KRIEGER: All right.

Member Ferrell? No?

Anybody else?

MEMBER SANKER: Well, I tend to share your concern about it being self-created.

It seems like the argument that the square footage is so much larger on this particular lot, that kind of like goes against it because you have so much square footage to work with and you're still butting up against the square footage for the accessory building. So I guess I don't fully understand how --

MR. ANDERSON: But that's exactly what I
mean, is if we were to have taken this space --

MEMBER SANKER: Uh-huh.

MR. ANDERSON: -- with livable space, we

would not -- we wouldn't be here.

MEMBER SANKER: Right.

MR. ANDERSON: The footprint of the

building would be --

MEMBER SANKER: That becomes part of the

kitchen you're saying, right?

MR. ANDERSON: Exactly. So if this

building footprint was the exact same size and that

had full foundation below it, it would be no

problem at all.

MEMBER GRONACHAN: But because it's a
garage, that's why you're here.

MR. ANDERSON: But because it's

considered an accessory structure it's part of the

square footage that is accounted for in that, in

that particular category, yes.

MEMBER SANKER: Right.

CHAIRPERSON KRIEGER: Yes?

MR. BOULARD: I guess the intent of the

ordinance limitation depending on the size of the

lot and the zoning, there are exceptions that allow

larger, you know, larger accessories. But in this
zoning the intent is that someone doesn't build a accessory structure or accessory that's out of, out of scale. So you don't build a 1,200 square foot house and a 2,400 square foot garage, that kind of thing. So that's the intent of the ordinance is, and it is, it is a number. It's a number that was chosen when the ordinance was written, but the intent is to keep things in scale in relation to one another, so --

MR. ANDERSON: And, if I may add to that, you know, that that was part of the intention. When we, when we incorporated this design, we minimized it and we brought it almost back to -- my word -- integrated in within the house, so it didn't stick out and we didn't create exactly what, what Charles was mentioning.

CHAIRPERSON KRIEGER: Okay. Thank you.

MEMBER SANKER: Well, if that's the intent of the ordinance, I feel like they're within it, right? Because you basically put that window there and the door. It's pretty much -- might as well be a kitchen, right?

CHAIRPERSON KRIEGER: Yep.

MEMBER GRONACHAN: You and your kitchens.

MEMBER SANKER: That's what it looks
like. Isn't that where the kitchen is off of houses, usually, like behind the garage like that.

MR. ANDERSON: Definitely. Definitely.

MEMBER SANKER: Well, with that said, I tend, I tend to support the variance based off what I heard.

CHAIRPERSON KRIEGER: Yes.

MEMBER GRONACHAN: Madam Chair, I don't spend much time in the kitchen, so I would, I would like a bigger garage.

I think that given the petition -- the testimony given by the petitioner, number one; number two, the statement of keeping the entire site in scale and that it's integrated into the house --

And in this day and age, the size of the house, how many people -- you know, people don't have two cars. If you've got kids, you got four kids. And then people are complaining about the cars parked on the street and in these types of developments it's really not set up that way.

So to be able to integrate -- just because the ordinance doesn't meet the need of today's new resident, so to speak, and that the builder has gone and integrated it into the home
itself, and it's not having a negative impact in
terms of asking for anything further, I would --
I could support -- excuse me -- I could support
this based on the testimony that's been given,
the input from the City and my previous speaker's
comments about that it looks like a kitchen but
it's -- but I mean it doesn't look like a garage,
you know, so it flows in with the house.

MEMBER SANKER: Yeah.

MEMBER GRONACHAN: I mean I wouldn't want
to see another garage door there, so -- and I get
the fact that we're struggling with the
self-created statement tonight all through the
evening, but I think that in this case with what
the builder did, I think it was smart and I think
it's creative. He's not coming in and asking for,
you know, a bunch of --

MR. ANDERSON: Thank you.

MEMBER GRONACHAN: -- variances. He
stayed well within for the size of the lot, and I
think on this type of lot it works.

So I, you know, I'm not going to vote
for five-car garages all through Novi, but on
this particular case, for this criteria, I think
he's met it and he's meeting the spirit of the
ordinance.

CHAIRPERSON KRIEGER: Yes, Member Byrwa?

MEMBER BYRWA: Yeah. The house area

3,092 square feet.

Does that include the square footage of
the garage?

MR. ANDERSON: Correct. So that number
that you see up there is the, is the total building
footprint, front porch, rear porch, garage,
everything.

MEMBER BYRWA: Okay. So it's still if
you subtract it out, the thousand or so square feet
for the garage, the house would still be over
2,000 square feet, twice the size of the garage?

MR. ANDERSON: Exactly.

MEMBER BYRWA: So in accordance with
Mr. Boulard was stating, the principal use, which
is the house, is twice the size of the accessory as
the garage. So it meets that criteria for not
having the accessory use the dominant use.

MEMBER GRONACHAN: Is that -- are you
creating a motion?

MEMBER BYRWA: We can give it a try here.

MEMBER GRONACHAN: Okay.

MEMBER FERRELL: Okay. In Case Number
PZ19-0007 sought by Singh Homes, LLC, I move that we grant the variance for a 200 -- or 240 square foot variance for a proposed attached garage of 1,090 square feet in deviation of the 850 square foot maximum allowed.

I think the variance is within character. It does not come close to being the dominant use of the property.

And, yeah, I'd be open to any further --

MEMBER GRONACHAN: Do you have your sheet, your guide, your guide sheet? Do you have one of these?

MEMBER BYRWA: I didn't fill that out but you can read through it.

MEMBER GRONACHAN: Yeah, you can read through it and answer it.

MEMBER BYRWA: Let me see here. Okay. We move that we granted it. Yeah.

The property -- I would say the property's unique. The property does not create - okay. The relief granted does not unreasonably interfere with adjacent or surrounding properties.

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

And I don't have any subject other than
a maximum of 1,090 square foot of attached garage
would be the maximum.

CHAIRPERSON KRIEGER: All right. We have
a motion.

Do we have a second?

MEMBER GRONACHAN: Second.

CHAIRPERSON KRIEGER: We have a motion
and a second.

Any other discussion?

Seeing none, if Katherine could call
the roll.

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

MS. OPPERMANN: Chairperson Krieger?
CHAIRPERSON KRIEGER: Yes.

MS. OPPERMANN: Member Gronachan?
MEMBER GRONACHAN: Yes.

MS. OPPERMANN: Member Ferrell?
MEMBER FERRELL: Yes.

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

MS. OPPERMANN: Motion passes.

CHAIRPERSON KRIEGER: Congratulations.
MR. ANDERSON: Thank you. Thank you for your time.

MEMBER GRONACHAN: Good luck. Thank you.

CHAIRPERSON KRIEGER: And we come to PZ19-0008, Ronald Johnston for 1502 Lebenta, west of West Lake Drive and south of West Pontiac Trail, Parcel 50-22-03-129-007. Applicant is requesting variances from the Novi Code of Ordinance Section 4.19 1(B)(C)(E)v(1) for an exterior side yard variance of 24-foot for a proposed 6-foot setback, accessory structure variance of 36 percent for a proposed rear yard lot coverage of 61 percent, 25 percent required, a variance for a proposed 20-foot max height, 14 max allowed. Property is zoned Single Family Residential (R-4).

Good evening.

MR. JOHNSTON: Hi, my name is Ron Johnston. I am not an attorney, so --

MEMBER GRONACHAN: Very good. You've been paying attention.

MR. JOHNSTON: I have, as of right now.

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

MR. JOHNSTON: I do.

MEMBER GRONACHAN: Okay. You might want
to pick up that mic a little closer to you; that might help.

MR. JOHNSTON:  This one here?
MEMBER GRONACHAN:  Yeah.
MR. JOHNSTON:  Okay.
MEMBER GRONACHAN:  There you go. So we can hear you. Thank you.
MR. JOHNSTON:  Okay. So I guess to address first a couple of the variances that I have. I have a -- excuse me -- a corner lot which makes it much more difficult. That means this -- Faywood basically runs parallel to my entire property, including the garage, which is the backyard of the home. There is an existing building there, it's an 18 x 18 garage. It's pretty dilapidated. I don't know if you've seen pictures of it or not, but I have some here. So that's my current situation.

What I'd like to do is park those vehicles inside my new garage and not create such an eyesore. The reason why I need the length is because of the boat and to fit it inside the garage; the height as well.

But, as far as the setback, I'm good on the setbacks as far as away from the other
properties. I think the requirements are 6 feet that you are supposed to be from adjoining properties. Currently, I think I'm 7-foot 8 on one side, 7-foot here.

And, of course, the one variance that I'm not compliant with is the one to the road, but neither is the current building. In fact, I'm pushing my structure 2 feet into my property to help kind of buffer that from the road. I really don't have any other way of doing that.

And, actually, the garage door faces the road in the current building. I'd like to face the building -- or garage door towards the house, which I think esthetically would be more pleasing to the eye. I do have a picture of the building.

And what I did, too, was I did the roof and the little dormer to kind of accent the home -- or the garage, excuse me.

MEMBER GRONACHAN: You need to turn it --
MR. JOHNSTON: The other way.
MEMBER GRONACHAN: There you go.
MR. JOHNSTON: Better. Okay. So that actually will match the roofline of the home.
So the home's a bungalow style home and you know how it has those roof lines on it, I thought that esthetically that this roof line would match that of the home and be a little more eye pleasing as they're going to be, actually be sitting one in front of the other on Faywood.

Lebenta's a very small street. In fact, it's like maybe one car can fit down that street.

I have spoken to my neighbors. The one neighbor that's actually on the fence line with my home, I spoken to him on the phone. He said he was fine with it. I showed him what the print looked like.

The neighbor across the street, I spoke to him. In fact, he may build it for me if I get approved.

And the one behind me, he had seen the surveyors out there --

I had to have the property surveyed because I did not have a complete survey and I really didn't know where my lot lines were, so I paid to have it surveyed.

So I kind of squared it up on the property and I got a better drawing of that. So
you can kind of see better with those, where the lines are. You can see where the existing structure is compared to my proposed structure. And I tried to square it onto the lot a little better and make it a little more squared up with the house. So that's kind of the -- what I'm trying to attempt to do.

My hardships are the lots and, you know, the lots around the lake, they're all different sizes and it's hard to fit whatever structure you want on them.

I had thought about doing the home, but then look where the home sits, it's right on the property line. I would have to do -- I'd be in front of you asking for variances on that as well.

So, my thought is I don't have a lot of storage in the house, so that's why I made the garage a little bigger than you normally do. And that gives me more storage, you know, out there, and so that it doesn't seem so crowded in the home. It will also take care of what's actually sitting outside, which is the boat and the trailer. And it will look a lot more eye pleasing, so --
CHAIRPERSON KRIEGER: Okay. Thank you.

MR. JOHNSTON: Uh-huh.

CHAIRPERSON KRIEGER: And the audience has disappeared, so we'll go to the City.

Mr. Boulard?

MR. BOULARD: Nothing to add. I'll stand by for questions.

CHAIRPERSON KRIEGER: All right. Very good.

Correspondence?

MEMBER GRONACHAN: Forty-four letters mailed, two letters returned, no approvals, no objections.

CHAIRPERSON KRIEGER: Very good.

And I'll open up to the Board.

MR. JOHNSTON: And of course I'm going to remove the current structure.

CHAIRPERSON KRIEGER: Yep.

MEMBER GRONACHAN: Oh, now I don't have any questions.

CHAIRPERSON KRIEGER: Silly.

MEMBER GRONACHAN: Madam Chair.

CHAIRPERSON KRIEGER: Yes.

MEMBER GRONACHAN: I don't have any questions now that you --
Well, of course you're going to move -- remove the current garage because you wouldn't be able to build the new one --

MR. JOHNSTON: That's right.

MEMBER GRONACHAN: -- over it. I think it's great that you're doing this and that you're improving the neighborhood.

And I don't know what you're using that current garage for but I'm going to say that I wouldn't go in there too often; it doesn't look very safe.

MR. JOHNSTON: No, no, it's not.

MEMBER GRONACHAN: So you're correct in your testimony in that you gave that the lots are very unusual up there. We have spent a great deal of time up there. It's not -- each case is on its own merit but yet --

MR. JOHNSTON: Sure.

MEMBER GRONACHAN: -- you spend all that time up there and you know that it's a challenge.

MR. JOHNSTON: It is.

MEMBER GRONACHAN: So I think that your presentation answered all of my questions and I will be in full support of this.

MR. JOHNSTON: Thank you very much.
MEMBER GRONACHAN: That's all I got.

CHAIRPERSON KRIEGER: Yes, Member Byrwa?

MEMBER BYRWA: Yeah, I got a question.

MR. JOHNSTON: Sure.

MEMBER BYRWA: It says here that you're proposing a maximum of 20-foot height. Is that going to be for storage or what --

MR. JOHNSTON: Yeah. There's -- you know, of course I made it esthetically pleasing as far as the roof line was concerned. But, yeah, that -- so then I could throw things up in the rafters or whatever, you know, that kind of thing, sure, yes.

MEMBER BYRWA: Okay. So your over like storage trusses that are --


MEMBER BYRWA: All right. And then I got a question for Mr. Boulard on that.

When he states on here a maximum height, is that a building height which would be measured to the midpoint of the gable, or the 20-foot would go to the peak or the ridge?

MR. BOULARD: Building height is defined in the zoning ordinance as midpoint of the, midpoint of --
MEMBER BYRWA: So in this case he'd be able to go to like maybe 25 feet or so, --

MR. BOULARD: Yeah. I think if you look --

MEMBER BYRWA: -- the actual height?

MR. BOULARD: -- at sheet A4, if you scroll down, he's got on sheet A4, I believe that dimension is there.

MR. JOHNSTON: Yeah. Actually, I spoke to Chris Webber and he made sure that, you know, when I did my drawing that it was at the mean; the 20 feet was at the mean. That's what he explained to me, anyway.

MEMBER BYRWA: Yeah, the midpoint of the gable.

MR. JOHNSON: Yeah.

MEMBER BYRWA: Okay. All right. Very good. Thank you.

MR. JOHNSTON: Thank you very much.

CHAIRPERSON KRIEGER: Member Sanker?

MEMBER SANKER: Not questions, really. I guess my only concern is the lot coverage. It just seems like a gigantic structure on there, but as far as the footprint goes, I mean it looks like it's bigger than his house. But, with that, that's
just a concern I have. But it -- I think overall it would be good for the City to grant the variance, so I'm in support of it.

CHAIRPERSON KRIEGER: Is that a motion?

MEMBER GRONACHAN: Well, that's a -- I'm sorry.

CHAIRPERSON KRIEGER: No. Pardon?

MEMBER GRONACHAN: I have a question. So it's not bigger than your house; it's just it's the drawing?

MR. JOHNSTON: The square footage of the house is bigger than the garage but it's -- the house is longer.

MEMBER GRONACHAN: Yeah.

MEMBER SANKER: It's a rectangular structure.

MR. JOHNSTON: Yeah.

MEMBER GRONACHAN: Right.

MEMBER FERRELL: It's actually not much.

MEMBER GRONACHAN: As opposed to the --

MR. JOHNSTON: Yeah.

MEMBER GRONACHAN: Yeah.

MEMBER FERRELL: It's not much.

MEMBER GRONACHAN: Yeah.

MEMBER FERRELL: 35 x 20, and the garage
is 28 x 30. So it's not --

CHAIRPERSON KRIEGER: It's for the boat, though.

MEMBER GRONACHAN: Right, but it's because of the boat.

CHAIRPERSON KRIEGER: Yep.

MEMBER GRONACHAN: Yes.

MEMBER FERRELL: Yeah. But I'm saying --

MEMBER GRONACHAN: Yeah.

MEMBER FERRELL: -- if you want to know.

MEMBER SANKER: It's pretty close.

MEMBER GRONACHAN: Yeah, it's pretty close.

MEMBER SANKER: It's like two houses.

MEMBER FERRELL: Five feet --

MEMBER SANKER: Yeah.

MEMBER FERRELL: -- smaller --

MEMBER GRONACHAN: Right.

MEMBER FERRELL: -- than the house.

MR. JOHNSTON: And, and it's a bungalow; it has a second story, so --

But that's what I -- my whole thing was, make sure those roof lines, so it would look cool. You know what I mean? They, they matched and --
MEMBER SANKER: Right.

MEMBER GRONACHAN: Sorry. Okay, I'm fine.

MS. SAARELA: I was just going to say, and add this, --

CHAIRPERSON KRIEGER: Yes.

MS. SAARELA: The proposal actually makes it a lot more conforming than it currently is, if that helps with the size.

MEMBER GRONACHAN: I'm sorry, say that again.

MS. SAARELA: The proposal now makes the lot more conforming than it currently is.

MEMBER GRONACHAN: Okay.

MEMBER SANKER: Oh, even better.

MEMBER GRONACHAN: Okay. Let's not all fight on who's going to do the last --

MEMBER SANKER: I wasn't sure if there was any other questions.

MEMBER GRONACHAN: Oh, are you doing --

MEMBER SANKER: No, not from me.

CHAIRPERSON KRIEGER: Okay. I think we're all set.

MEMBER GRONACHAN: Okay. I'll make a motion.
In Case PZ19-0008 for Ronald Johnston, Junior at 1502 Lebenta, west of West Lake Drive and south of West Pontiac, I move that -- I'm sorry -- for the following variances: An exterior side yard variance of 24-foot, proposed 6-foot setback, an accessory structure variance of 36 percent for a proposed rear yard lot coverage of 61 percent, 25 percent required, and a variance for a proposed 20-foot maximum height, 14 max allowed, because the petitioner has shown practical difficulty requiring these variances.

Without the variance, without the variance, the petitioner would be unreasonably prevented or limited to respect to use of his property because of the unique size and shape of this lot. The property is unique because of its width and depth. And the petitioner did not create this condition because this lot again is of unique size and shape.

The relief granted would not unreasonably interfere with adjacent surrounding properties because the actual replacement of this garage would make this property more conforming than current.

The relief if consistent with the
spirit -- the relief is consistent with the spirit and intent of the ordinance because it actually improves the surrounding area and improves the safety for the removal of the old garage and replacement of the new. And that's why I move that we grant this variance.

MEMBER BYRWA: Second.

CHAIRPERSON KRIEGER: Okay. We have a motion and a second.

Have Katherine call the roll.

MS. OPPERMANN: Member Sanker?

MEMBER SANKER: Yes.

MS. OPPERMANN: Chairperson Krieger?

CHAIRPERSON KRIEGER: Yes.

MS. OPPERMANN: Member Gronachan?

MEMBER GRONACHAN: Yes.

MS. OPPERMANN: Member Ferrell?

MEMBER FERRELL: Yes.

MS. OPPERMANN: Member Byrwa?

MEMBER BYRWA: Yes.

MS. OPPERMANN: Motion passes.

CHAIRPERSON KRIEGER: Congratulations.

MR. JOHNSTON: Thank you so much. I appreciate it.

CHAIRPERSON KRIEGER: Yep.
All right. That brings us to the end.

Other matters?

MEMBER GRONACHAN: Member Chair, I would just like to ask that maybe next month we have elections or put it on our agenda for next month. I think everybody would be back. And usually generally we have elections in February --

CHAIRPERSON KRIEGER: Yeah.

MEMBER GRONACHAN: -- and now it's March, and now it will be April, so I think it's time. I think Member Sanghvi and Member Peddiboyina will be returned. So if Katherine can put that on the agenda for next month, that would be great.

CHAIRPERSON KRIEGER: Yep.

MEMBER GRONACHAN: And somebody can think about being a secretary.

CHAIRPERSON KRIEGER: Okay. And that brings us to conclusion.

Do we have a motion to adjourn?

MEMBER FERRELL: Do they all need to be here for that or is that something we can do?

MEMBER GRONACHAN: Well, we have to have everybody vote.

CHAIRPERSON KRIEGER: Yes.

MEMBER FERRELL: Is everybody coming in
April?

CHAIRPERSON KRIEGER: Yeah.

MEMBER GRONACHAN: Yeah. We have to have a full board.

CHAIRPERSON KRIEGER: Yeah. Correct. So motion to adjourn.

MEMBER BYRWA: Second.

CHAIRPERSON KRIEGER: Okay. We're adjourned.

(At 9:39 p.m. meeting adjourned)

*   *   *
CERTIFICATE

I, Suzanne L. Bonarek, do hereby certify that I have recorded stenographically the proceedings had and testimony taken in the above-entitled matter at the time and place hereinbefore set forth, and I do further certify that the foregoing transcript, consisting of (151) pages, is a true and correct transcript of my said stenographic notes.

Suzanne Lynn Bonarek

SUZANNE LYNN BONAREK, CSR-3086
Wayne County, Michigan
My Commission Expires: 3-27-20