REGULAR MEETING - ZONING BOARD OF APPEALS
CITY OF NOVI
November 18, 2014

Proceedings taken in the matter of the ZONING BOARD OF
APPEALS, at City of Novi, 45175 West Ten Mile Road, Novi,
Michigan, on Tuesday, November 18, 2014

BOARD MEMBERS
David Ghannam, Acting Chairperson
Cindy Gronachan, Acting Secretary
Linda Krieger
Mav Sanghvi

ALSO PRESENT: Thomas Walsh, Building Official
Beth Saarela, City Attorney
Coordinator: Angela Pawlowski, Recording Secretary

REPORTED BY: Jennifer L. Wall, Certified Shorthand Reporter

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Novi, Michigan.
Tuesday, November 18, 2014
7:00 p.m.

** ** **

CHAIRPERSON GHANNAM: Good evening and welcome to the November 18 Zoning Board of Appeals meeting for the City of Novi.

If we can all stand and say the Pledge.

(Pledge recited.)

CHAIRPERSON GHANNAM: Thank you.

Ms. Pawlowski, can please call the roll.

MS. PAWLOWSKI: Chairman Ghannam?

CHAIRPERSON GHANNAM: Here.

MS. PAWLOWSKI: Member Gronachan?

MS. GRONACHAN: Here.

MS. PAWLOWSKI: Member Ibe is absent, excused.

Member Krieger?

MS. KRIEGER: Present.

MS. PAWLOWSKI: Member Sanghvi?

MR. SANGHVI: Here.

MS. PAWLOWSKI: Member Ferrell is absent, excused.

CHAIRPERSON GHANNAM: This is a public hearing. We do have rules in the back that you can read at your leisure. I just ask anybody who has a cellphone or other noise making device to please shut them off so it doesn't disrupt our meeting.

Next, we have an agenda that has been presented. Is there any changes or modifications to it?

MS. PAWLOWSKI: No.

CHAIRPERSON GHANNAM: Do I hear a motion to approve the agenda?

MS. GRONACHAN: So moved.

MS. KRIEGER: Second.

CHAIRPERSON GHANNAM: Being moved and seconded, all in favor say aye.

THE BOARD: Aye.

CHAIRPERSON GHANNAM: Any opposed?

(No audible responses.)

CHAIRPERSON GHANNAM: Seeing none, our agenda is approved.

We don't have any minutes this month, do we? So there is no minutes to approve.

Next is our public remarks section. I will give an opportunity to anybody who wants to speak on a topic that is
not part of our meeting or one of the cases
that are going to be called.
    If there is anybody who would
like to make such a statement, you can --
first of all, raise your hand so I can
recognize you, then you can come to the
podium.

    (No audible responses.)
CHAIRPERSON GHANNAM: Seeing
none, I will close the public remarks section
and go to our public hearing.
We will start with the
case -- before I even start with case number
one, I do want to note to everybody, we do
only have four members here.
    The Zoning Board consists of
seven members. In order to have a motion
passed, you need a majority, which is four of
the seven.
    We have four here today.
That means in order to pass a petition, you
need all four in favor. Any opposed would
defeat any particular application.
    So if there is anybody who
wants to adjourn to another month, to get a
potentially fuller board, I will allow you to
come forward now and ask for that.
    If not, you can certainly
present your case in the order that our
agenda indicates.
    Is there anybody who wants to
ask to have your case adjourned or moved?
    (No audible responses.)
Okay. Seeing none, then we
will go onto the first case. Case No.
PZ-0041, 40800 West Thirteen Mile, Brightmoor
Christian Church.
    Can you please step forward.
    Can you please state your
name for the record, sir.
    MS. PAPPAS: Yes. Constantine
Pappas, architect for Brightmoor Christian
Church.
    CHAIRPERSON GHANNAM: Before you
start, sir, do we need to have a formal
motion to substitute in for the chair as well
as our secretary?

    MS. SAARELA: You could do it in
one motion.
    CHAIRPERSON GHANNAM: I will
entertain a motion to substitute -- have
myself substituted as the temporary chair for
today's meeting as well as have a substitute secretary. Can I hear a motion in that regard?

MR. SANGHVI: So moved.
MS. KRIEGER: Second.
CHAIRPERSON GHANNAM: All in favor say aye.
THE BOARD: Aye.
CHAIRPERSON GHANNAM: Any opposed?

(No audible responses.)
CHAIRPERSON GHANNAM: Seeing none, I will act as the temporary chair. I'm sorry, sir, you are not an attorney, are you?
MS. PAPPAS: No.
CHAIRPERSON GHANNAM: Please spell your name for the record.
MS. PAPPAS: Yes, first name is Constantine, last name Pappas, P-a-p-p-a-s.
CHAIRPERSON GHANNAM: Be sworn by our temporary secretary.
MS. GRONACHAN: Do you swear or affirm to tell the truth in the matter of Case No. PZ14-0041?
MS. PAPPAS: I do.
CHAIRPERSON GHANNAM: Go ahead, sir.
MS. PAPPAS: Thank you. Mr. Chairman, we would thank you very much for rescheduling the meeting to tonight. If you remember last time, there were a few little hiccups that we finally got straightened up with the planning department and the building department. The variance today is for two variances which come before you. First of all, the first one is to allow an accessory structure to be in the sideyard. Your current zoning ordinance requires that they only be on -- in the front yard or they may not be erected in the front yard or the sideyard.

We would like to build two storage sheds, one for one ball field, one for the other one. And therefore, what happens is that the first request we are asking before you today.

These sheds are very, very small. They're only 11 feet by 11-foot square, they're roughly around seven foot
high, and they would be used to store
athletic equipment within -- and surrounding
the ball diamonds and the soccer field as
well.

Specifics to this area by the
way, Pastor Normal Frechette is here to
answer any questions that you may have, and
Mr. Glenn Blackwell is here, the athletic
director for Brightmoor Christian Church as
well.

The second variance which
comes before you is the variance for the 75
foot setback, which is required along the
side.

In both instances, what we've
tried to do, is for the sheds as well as
the setback for the scoring -- scoreboards is
to try to move them as far as away from the
adjoining residents to the north and at the
same time try to take the scoreboards and put
them within the cone of vision and where the
athletic fields are at.

You also notice that instead
of having three scoreboards, which would have
two ball fields and one soccer field, we have
combined it such that we have tried to
eliminate one scoreboard, we placed one
scoreboard in its position to the ball
diamond and right next to the soccer field as
well.

So therefore, we hope today
that you support this variance request, and
are here to answer any additional questions
that you may have.

CHAIRPERSON GHANNAM: Thank you,
sir.

Is there anybody in the
public who would like to make a comment on
this particular case, please raise your hand
and be recognized.

(No audible responses.)

CHAIRPERSON GHANNAM: Seeing
none, I will close the public remarks section
and ask the secretary to read any
correspondence.

MS. GRONACHAN: There were 41
letters mailed, five returned, no approvals,
one objection.

The objection is from Deborah
Parker at 40751 Lennox Park Drive.
Ms. Parker indicates that she lives right
behind the baseball field, and the field
itself is already an eyesore, putting scoreboards and such increases the eye soreness, reduces the cost of my home. The church people already have abused the field, and have loud stereos generally in the spring. If they are allowed to put scoreboards, they also have to put in tall trees to hide the video room -- sorry -- Lennox Park Condominium owners.

There is no other correspondence.

CHAIRPERSON GHANNAM: Any comments from the city?

MR. WALSH: No comments at this time.

CHAIRPERSON GHANNAM: I will open it up to the board for discussion.

MS. KRIEGER: I have a question. The scoreboards, they're going to be facing so that they're to the west, so if traffic was driving north or southbound, they wouldn't see --

MS. PAPPAS: Correct, right. They're actually positioned such that when you're at home field, home plate, you're looking to the right down the first baseline in order to allow them to be seen from the person who is playing baseball.

So, yes, on the back side you would not see type of graphics whatsoever.

MS. KRIEGER: In regards to that, I don't have an issue with the request.

CHAIRPERSON GHANNAM: Member Sanghvi?

MR. SANGHVI: Just want to clarify for everybody's understanding that it's not the church who wants a scoreboard, it is the school there.

I think that needs to be clarified to everybody knows so that there is no misunderstanding.

THE BOARD: There is a church, but there is a school there as well.

MR. SANGHVI: I know, but the church has an affiliated school.

MS. PAPPAS: That's right.

MR. SANGHVI: I have no difficulty accepting your request. Thank you.

CHAIRPERSON GHANNAM: Anything else?

MS. GRONACHAN: I would just like
the neighbor that -- who filed the objection
if you could at least address that? Is that
true that they can see that from their homes?
Is there -- are you aware if they can see it
from their homes?

MR. FRECHETTE: Norm Frechette.
I'm the administrative pastor at the church,
which sort of owns the school.

CHAIRPERSON GHANNAM: If you
could spell your name and be sworn by our
secretary.

MR. FRECHETTE: First name
Norman, last name is Frechette,
F-r-e-c-h-e-t-t-e.

MS. GRONACHAN: Would you raise
your right hand, please.
Do you swear or affirm to
tell the truth in the matter before you?

MR. FRECHETTE: I do.
Again, the scoreboards are
facing directly west pretty much. And
granted, some of the residents at an angle
might be able to see the scoreboards, but the
residents are on the left field side of the
ball field and the scoreboard is going to be
at the right field foul pole, going north and
south, so that you're looking at it again --
if you're on the west side of it, you're
looking straight at it.

So it's not facing the
condominiums at all.

CHAIRPERSON GHANNAM: How close
is the scoreboard to the nearest residential?

MS. PAPPAS: Probably say at
least couple hundred feet away at least. In
fact, one of the criteria was to move them
over to that side to get them away from the
residents. That's why we placed them in the
extreme right field section of the ball
field.

CHAIRPERSON GHANNAM: Okay.
Anything else?

MS. GRONACHAN: Nothing else.

CHAIRPERSON GHANNAM: I don't
have any other questions, sir. I'll
entertain a motion on this one.

Member Krieger?

MS. KRIEGER: In Case No.
PZ14-0041, for Brightmoor Christian Church, I
move to approve the request for the two sheds
and the two setbacks for the two signs.
There are unique circumstances, physical
conditions of the property. They do not necessarily have a backyard. They have a sideyard that they were granted, such as the narrowness, shallowness, shape, water, topography and similar physical conditions and the need for the variance is not due to the applicant's personal economic difficulty. Also it's for the school at this property. The need is not self-created because as stated before, that this is a sideyard that was already there for a bit with the baseball diamond.

The strict compliance with regulations governing area setbacks, frontage, height, bulk, density or other dimensional requirements will unreasonably prevent the property owner from using the property for a permitted purpose or will render conformity with those regulations unnecessarily burdensome.

Because you can't play baseball without knowing your score with the opposing team. The requested variance is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district, because that is about -- as stated in their presentation, from the north properties they will have hundreds of feet between them.

The requested variance will not cause an adverse impact on surrounding property, property values or use and enjoyment of the property in the neighborhood or zoning district because having schools increases property value, it attracts families to the area.

MS. GRONACHAN: Second.

CHAIRPERSON GHANNAM: Having a motion and a second, any further discussion? (No audible responses.)

CHAIRPERSON GHANNAM: Seeing none, Ms. Pawlowski, can you please call the roll.

MS. PAWLOWSKI: Member Gronachan?

MS. GRONACHAN: Yes.

MS. PAWLOWSKI: Member Krieger?

MS. KRIEGER: Yes.

MS. PAWLOWSKI: Member Sanghvi?

MR. SANGHVI: Yes.

MS. PAWLOWSKI: Chairperson
CHAIRPERSON GHANNAM: Yes.
MS. PAWLOWSKI: Motion passes four to zero.
CHAIRPERSON GHANNAM: Thank you.
MS. PAPPAS: We thank you very much.
CHAIRPERSON GHANNAM: Next is Case NO. PZ14-0046, for 47190 Eleven Mile Road.

State your name, please.
MR. BRAKKE: Eric Brakke.
CHAIRPERSON GHANNAM: Spell it for the reporter.
MR. BRAKKE: E-r-i-c, B-r-a-k-k-e.
CHAIRPERSON GHANNAM: Raise your right hand and be sworn.
MS. GRONACHAN: Do you swear or affirm to tell the truth in the matter before you in Case PZ14-0046?
MR. BRAKKE: I do.
CHAIRPERSON GHANNAM: Go ahead.
MR. BRAKKE: I'm with Four Seasons Sunrooms. I'm the contractor.
What we are asking for is in that zoning district there is a 20 foot sideyard setback.
When the home was built back in the '50s, it was built at approximately 10 feet from the lot line. I think the exact number is nine foot six.
We are adding a sunroom or propose to add a sunroom on the back of the family room.

We pushed the sunroom as far east as we can until the right side wall hits the sliding door that comes out of the family room. I can't move any further east.
It puts us about 18 feet from the setback.
So we have the lot line, the nine foot six to the family room, then we went another approximately nine feet to the east, then that's where the room starts. So it puts us at 18 feet.
And according to the setback for that area, we need 20 feet.
So I'm asking for a two feet -- two foot setback -- or two feet variance on the side setback.
CHAIRPERSON GHANNAM: Anything
else? You don't have to.

MR. BRAKKE: No.

CHAIRPERSON GHANNAM: Is there anybody in the public who would like to make a comment on this particular case?

(No audible responses.)

CHAIRPERSON GHANNAM: Seeing none, I will close the public remarks section and ask our secretary to read any correspondence.

MS. GRONACHAN: There were 20 letters mailed, zero returned, zero approvals, zero objections.

CHAIRPERSON GHANNAM: Any comments from the city?

MR. WALSH: Not at this time. Thank you.

CHAIRPERSON GHANNAM: Open it up to the board for discussion. Member Gronachan?

MS. GRONACHAN: Good evening. I believe that is a minimal request and I'm all about less is better, so after looking at your proposal and looking at the fact that this was a pre-existing condition, that you can't very well add 10 feet on where that 9.6 is, I think that you've done your due diligence and I'm in support of your request.

CHAIRPERSON GHANNAM: I just have a question.

How old is the house?

MR. BRAKKE: It was built in the mid '50s.

CHAIRPERSON GHANNAM: So it's older house, older lot, so forth.

I agree with Member Gronachan. Because of these older, narrower lots, it's sometimes more difficult to comply with current zoning issues. So it is a minimal requirement and request and I have no problem with it.

Anybody else?

(No audible response.)

CHAIRPERSON GHANNAM: Seeing none, I will entertain a motion. Member Gronachan, please.

MS. GRONACHAN: I move that in Case No. PZ14-0046, that the request for a variance of 2.5 -- I'm sorry. That the request for a 2.6 setback be approved based on the following information.

That this is a unique
circumstance and that the physical condition
of the property in this case, such as the
narrowness, is -- request is causing the need
for this variance, that strict compliance and
regulations governing the area, setback,
front, height, bulk, density, and other
dimensional requirements will unreasonably
prevent the property owner from using the
property for a permitted purpose.
And will render conformity
with these regulations unnecessarily
burdensome because then the sunroom would not
be able to be installed.
The requested variance is the
minimum variance necessary as given in
testimony both by the petitioner and
questioned by this board, and that the
requested variance will not cause an adverse
impact on the surrounding property, property
values or the use and enjoyment of the
property in the neighborhood or zoning
district.
MR. SANGHVI: Second.
CHAIRPERSON GHANNAM: We will
have Member Krieger have that second.
Seeing a motion and a second,
any further discussion?
(No audible responses.)
CHAIRPERSON GHANNAM: Seeing
none, Ms. Pawlowski, can you call the roll.
MS. PAWLOWSKI: Member Gronachan?

MS. GRONACHAN: Yes.
MS. PAWLOWSKI: Member Krieger?
MS. KRIEGER: Yeah.
MS. PAWLOWSKI: Member Sanghvi?
MR. SANGHVI: Yes.
MS. PAWLOWSKI: Chairperson
Ghannam?
CHAIRPERSON GHANNAM: Yes.
MS. PAWLOWSKI: Motion passes
four to zero.
CHAIRPERSON GHANNAM: Thank you,
sir.
MR. BRAKKE: Thank you.
CHAIRPERSON GHANNAM: The next
item is item number three, Case No.
PZ14-0047, Dunbarton Pines.
Can you state your name, sir.
MR. CARLSTEIN: Chris Carlstein.
CHAIRPERSON GHANNAM: Spell it.
MR. CARLSTEIN: C-h-r-i-s,
C-a-r-l-s-t-e-i-n.
MS. GRONACHAN: Do you swear or affirm to tell the truth in the matter of Case No. PZ14-0047.

MR. CARLSTEIN: I do.

CHAIRPERSON GHANNAM: Please proceed.

MR. CARLSTEIN: As president of the Dunbarton Pines Homeowners Association, representing both the homeowners and the residents, we would like to request a variance of the City of Novi, code of ordinance Section 2513, variance from that, allowing the entrance (unintelligible) signs within the corner clearance zone area.

We'd also like to request a variance from 28-52D.3 to allow the placement of the entrance of the monument sign within the required right-of-way setback on all four of our entrances.

Our property is located on the east side of Taft, and the north side of Nine Mile.

Due to a stolen sign that we had on our White Pines entrance approximately a year ago, we initiated a project within our neighborhood board to replace that sign. We thought we would take this opportunity, since we are incurring the expense of replacing that sign with upgrading all four signs, making them more consistent in look and style with the other neighboring neighborhoods, one of a cultured stone, sandstone type entrance.

The intent is to keep the same foundation, the same structure and just build with that same support structure the cultured sandstone sign.

So there is a -- the intent is to keep the pre-existing condition, just replacing it with a -- what might be more esthetically pleasing 21st century look similar to our neighboring neighborhoods.

So this would beautify and enhance the appearance of our neighborhood to our own residents, but also to the visitors and to the other city members that would pass by our neighborhoods and hence have a beautification effect to the entire City of Novi.

That concludes my comments.
CHAIRPERSON GHANNAM: Thank you, sir.

Anybody in the public who would like to make a comment on this particular case?

(No audible responses.)

CHAIRPERSON GHANNAM: Seeing none, I will close the public remarks section and ask our secretary to read any correspondence.

MS. GRONACHAN: There were 99 letters mailed, zero returned, three approvals.

First approval is from Charles and Victoria Moss at 45358 White Pines Drive, "We have no problem with the request as outlined".

Second approval is Shannon and Matt Curdshill (ph) 45107, Court View Trail.

And the final is from our petitioner, Chris Carlstein, basically repeating what he just presented to us this evening.

CHAIRPERSON GHANNAM: Thank you. Anything from the city further?

MR. WALSH: No comments.

CHAIRPERSON GHANNAM: Okay. I'll open it up to the board then for discussion.

Member Sanghvi?

MR. SANGHVI: I think this is a change for the better. And I am always in favor of a change for the better, and I appreciate your efforts to improve things around. Thank you.

CHAIRPERSON GHANNAM: Member Gronachan.

MS. GRONACHAN: Good evening. I just want clarification. I understand -- first of all, I think it's a great move that you're doing this.

But I just want to verify that the height of the sign is not going to be increased, is that correct?

MR. CARLSTEIN: The height of the sign would be the same as our existing sign, when the wood piece was on top. The current was a monument structure, then had a -- kind of a faux wood, kind of a foam board with our sign, the signage. And then that's the way the previous signs were.

This one would have build --
upon that on the sides so there would be
cultured stone with the sign in the middle,
the sandstone in the middle, but it is no
higher and no longer than the existing signs.

MS. GRONACHAN: I couldn't really
tell from the pictures and I was out there,
so I wasn't quite sure.

My concern, the reason I'm
asking the questions, just for the record, is
that although there didn't appear to be any
safety issues, I didn't want there to be a
height issue when you were driving in or
driving out trying to make a left-hand turn
so that you couldn't see.

MR. CARLSTEIN: No higher than
what had been there. The foam board or the
faux wood board has been removed on those
signs currently. So if you drove by
recently, you wouldn't see that.

MS. GRONACHAN: Thank you. I
have no further questions.

CHAIRPERSON GHANNAM: Anything
else?

(No audible responses.)

CHAIRPERSON GHANNAM: If there is
no other comments, I'll entertain a motion.

Member Krieger?

MS. KRIEGER: In Case No.
PZ14-0047, for Dunbarton Pines, I move to
approve the request for the four signs that
they have.

The request is based upon
circumstances or features that are
exceptional and unique to the property.

This was a subdivision that
had two parts, now it's all one, so they're
taking advantage in his presentation to make
them all four the same. And do not result
from conditions that exist generally in the
city or are self-created.

The failure to grant relief
will unreasonably prevent or limit the use of
the property and will result in substantial
more than a mere inconvenience or inability
to attain a higher economic or financial
return, because it will enhance the Novi
neighborhoods by being a -- like as he
presented.

The grant of relief will not
result in a use of structure that is
incompatible with or unreasonably interferes
with adjacent or surrounding properties, will result in substantial justice being done to both the applicant and adjacent or surrounding properties and is not inconsistent with the spirit of the ordinance because they will be more attractive signs, not as a safety issue.

MS. GRONACHAN: Second.

CHAIRPERSON GHANNAM: Seeing a motion and a second, any further discussion?

(No audible responses.)

CHAIRPERSON GHANNAM: Seeing none, Ms. Pawlowski, can you call the roll.

MS. PAWLOWSKI: Member Gronachan?

MS. GRONACHAN: Yes.

MS. PAWLOWSKI: Member Krieger?

MS. KRIEGER: Yes.

MS. PAWLOWSKI: Member Sanghvi?

MR. SANGHVI: Yes.

MS. PAWLOWSKI: Chairperson Ghannam?

CHAIRPERSON GHANNAM: Yes.

MS. PAWLOWSKI: Motion passes four to zero.

CHAIRPERSON GHANNAM: Next item on the agenda is Case No. PZ14-0048, Roho Mexican Bistro.

Go ahead and state your name, sir.

MR. LINNEN: My name is Dan Linnen, L-i-n-n-e-n, for Rojo Mexican Bistro.

CHAIRPERSON GHANNAM: Please raise your right hand and be sworn.

MS. GRONACHAN: Do you swear or affirm to tell the truth in Case No. PZ14-0048.

MR. LINNEN: I do.

CHAIRPERSON GHANNAM: Please proceed.

MR. LINNEN: We are basically asking for -- this particular location has always had a second floor sign.

The nuance now is the fact that we don't occupy the second floor of this space. It's going to be offices for the property owner.

He has no objection to us putting a sign on that. He doesn't anticipate putting any sign up for his office. And, you know, the reason for the request first and foremost is really visibility. That's why the sign has always
existed for that restaurant on the second
floor. So proximity to Grand River. So we
feel that it's -- visibility is really
critical to our success at that location,
so --

CHAIRPERSON GHANNAM: Thank you, sir. Is there anybody in the public who
would like to make a comment on this
particular case?

Seeing none, I will close the
public remarks section and ask the secretary
to read any correspondence.

MS. GRONACHAN: There were six
letters mailed, zero returned, zero
approvals, zero objections.

CHAIRPERSON GHANNAM: I will open
it up to the board for discussion.

Member Gronachan?

MS. GRONACHAN: Hi. Good
evening. I remember when that building was
first made -- first built and I was on the
board when the first sign was approved. So
does that bring back memories.

My only concern on this sign
is that it's too big. And the size, this
area, I understand that there is a visibility
issue given the speeds of Grand River and
also the layout of that building and the
setback, from the road.

However, some of the signs in
that strip, I don't feel that this particular
size that you're asking for would be in
conjunction with the other signs in the
building.

I just wondered if there was
a less is better approach on this sign.

MR. LINNEN: Well, the less is
better approach really is meant because it's
under the square footage that's allowed. We
are allowed 65 square foot sign. We are
doing 64.75, so we are not asking for a
larger sign than what is allowed. We are
just asking for the normal sign that we are
allowed instead of having it be above the
front door, perhaps, to be up to 18 feet and
on the top -- on the building.

So it's in same lineal
structure of the building, it's just the
positioning of it is such where it's on the
same floor. We could within our -- within
the zone -- within our current requirements,
we could actually take that same sign, put it
above the front door, then I think it would look pretty goofy.
I think the scale of it on the second floor I think reduces actually any potential for, I guess, too big.
We are not asking for something that's not allowed in terms of size-wise.

MS. GRONACHAN: That was my mistake that I missed that part of it and I apologize.
But I was concerned looking at the mock -- or the pictures that you have, because I didn't see a mockup up there.
Did you have a mockup on the building?

MR. LINNEN: I will be honest with you, I'm not sure if they did that not, through our sign contractor.
I know that -- if I'm not mistaken, I'm actually fairly certain that the Gus O'Connors sign was more square footage than that. They actually went in for a variance to get increased square footage. It would be smaller than the sign that was -- I can't speak to the Blue Fin or whatever was just previously there, but I know that Gus O'Connors had come in for a variance in sizing, if I'm not mistaken.

MS. GRONACHAN: So you feel that your sign from the first floor would not be visible from the road?

MR. LINNEN: It would not be visible from the road. Because of the trees on Grand River, as well as the corner -- that decorative pieces there, even if you stopped at a light, going -- you literally will not see that space.

MS. GRONACHAN: I have no further questions. Thank you.

MS. KRIEGER: The sign is going to have the white letters with the red behind it then all be back lit?

MR. LINNEN: It will be like a halo, which is fairly common with wall signs, so back lit, yes.

MS. KRIEGER: To be consistent, I guess, with the rest of the buildings and previous owners, and the speed of Grand River, I don't really have an issue with this sign in this particular -- because it's consistent with the other signs on the second
And as you drive by, they kind of look towards the top, when I have driven by, I always look at the top, so that's my comments. Thanks.

CHAIRPERSON GHANNAM: Member Sanghvi?

MR. SANGHVI: Wasn't there a restaurant at the same site before?

MR. LINNEN: Was there a restaurant at this site?

MR. SANGHVI: Yes.

MR. LINNEN: Yes, sir. There was two previous -- Gus O'Connors originally. That's the one I'm more familiar with because they had a larger sign up there on the second floor.

Then Blue Fin, which I think their sign was up there as well.

MR. SANGHVI: They had the sign in the same location --

MR. LINNEN: The difference is, we are not occupying the second floor. It's a scaled-down restaurant on the first floor. That's why, the need for the variance because we don't actually occupy that space that's up there.

We occupy the footprint, but not the second floor space.

MR. SANGHVI: Thank you.

MR. LINNEN: Thank you.

CHAIRPERSON GHANNAM: Actually I have got a few questions. I've got one for the city.

If they were entitled to a sign on the second floor, what's the size of it?

MR. WALSH: 65 square feet.

CHAIRPERSON GHANNAM: On the second floor?

MR. WALSH: Yes.

CHAIRPERSON GHANNAM: Because in the materials we received it said a first floor sign would be -- they would be entitled to 65 foot, but they want this on the second floor.

MR. WALSH: If it's typically a second floor sign, it would be for a separate tenant.

CHAIRPERSON GHANNAM: If they were a second floor tenant, they would be entitled to 65 foot?
MR. WALSH: Yes.

MR. LINNEN: If I may. My understanding is that there could conceivably be -- you know, there won't be, if this passes, two signs, one on the first floor and one on the second floor.

CHAIRPERSON GHANNAM: I follow you on that. My concern was, you say the -- you said the landlord is going to have offices upstairs?

MR. LINNEN: It's a continuation of their office, Luna, which is the owner of the property. It's Mr. Chelani's personal office in that, so they don't have any desire, nor -- that's why they signed off on the request, they have no desire to put signs --

CHAIRPERSON GHANNAM: That's currently. What if there is a tenant in the future that occupies the upstairs and they need a sign for the upstairs. I mean, how would that affect you and your sign?

MR. LINNEN: I guess, then --

CHAIRPERSON GHANNAM: I mean, that becomes a problem.

MR. LINNEN: As part of our lease we have it, so I guess once our lease expires, they would -- we have to take that sign down, they could put their sign up, I guess, for the allowance.

MS. KRIEGER: So good for while you have the lease. Then I guess the sign, we could make a condition.

CHAIRPERSON GHANNAM: Do you have an existing sign? Remind me.

MR. LINNEN: For this particular space? No. We are not operating at that location yet.

We are operating across -- at Fountain Walk right now. We are moving across the expressway to Main Street.

CHAIRPERSON GHANNAM: What's your intended occupancy date?

MR. LINNEN: January 1st.

CHAIRPERSON GHANNAM: Yeah, I agree. I mean, it makes more sense, especially since the upstairs is not going to be requiring a sign that you put this size sign on the top floor versus the bottom, that would be very unusual.

So I have no problem with it. I do recommend any motion require that it
only be good for this particular tenant
during their occupancy.

Any other discussion? If
not, I will entertain a motion.

MR. SANGHVI: Is the request for
a different location on the second floor
(unintelligible)?

CHAIRPERSON GHANNAM: I
understand. If there is no other discussion,
I will entertain a motion.

Member Gronachan, please.

MS. GRONACHAN: In Case No.
PZ14-0048, I move that we approve the
applicant's request for a variance to allow a

64.75 square foot sign on the second floor of
the first floor business, for the first floor
business.

I also move that we limit the
approval of this sign, just to this tenant
only, while they are occupying the first
floor.

The request is based upon
circumstances and features that are unique to
this property as stated in the testimony and
the questions of this board, the trees
blocking the view of the building, the speeds
in which Grand River, that the traffic is
traveling, the setback of the building.

Failure to grant relief of --
would be unreasonably -- would be -- I will
try that again.

The failure to grant relief
will unreasonably prevent and limit the use
of the property and will result in
substantially more than a mere inconvenience
and inability to attain a higher economic or
financial return because of the possibility
of decrease in business due to lack of
visibility of the building.

The grant of relief will not
result in a use of the structure that is
incompatible or unreasonably interferes with
adjacent or surrounding properties, and will
result in substantial justice being done to
both the applicant and adjacent or
surrounding properties and it is not
inconsistent with the spirit of the ordinance
because of consistency of this sign along
with the others in the other businesses in
this complex.

CHAIRPERSON GHANNAM: Did you
limit it to this particular tenant?
MS. GRONACHAN: I did right at the beginning.
CHAIRPERSON GHANNAM: Do I hear a second?
MS. KRIEGER: Second.
CHAIRPERSON GHANNAM: Any further discussion?
(No audible responses.)
CHAIRPERSON GHANNAM: Seeing none, Ms. Pawlowski, can you call the roll.
MS. PAWLOWSKI: Member Gronachan?
MS. GRONACHAN: Yes.
MS. PAWLOWSKI: Member Krieger?
MS. KRIEGER: Yes.
MS. PAWLOWSKI: Member Sanghvi?
MR. SANGHVI: Yes.
MS. PAWLOWSKI: Chairperson Ghannam?
CHAIRPERSON GHANNAM: Yes.
MS. PAWLOWSKI: Motion passes four to zero.
CHAIRPERSON GHANNAM: Thank you.
Next is item number five, Case No. PZ14-0049 for 28350 Cabot Drive.
Can you state your name, sir.
MR. NAGLE: My name is Mike Nagle, N-a-g-l-e.
CHAIRPERSON GHANNAM: Please raise your right hand and be sworn.
MS. GRONACHAN: Do you swear or affirm to tell the truth in the matter of PZ14-0049?
MR. NAGLE: I do.
CHAIRPERSON GHANNAM: Please proceed.
MR. NAGLE: We are here tonight to ask for your permission to install two wall signs at 28350 Cabot Drive.
The building as it stands now was designed as a single tenant building. It is now a two tenant building with one main common entrance vestibule in the front. That being said, they are allowed to have one sign on the front of the building. The vestibule does have a door for both tenants to enter.
We were asking for one sign on the south side of the building and one on the west side of the building for both tenants.
Both the signs are combined less than the square footage allowed. We are
allowed 65 square feet, we are at I think at 57.

CHAIRPERSON GHANNAM: Anything else?

MR. NAGLE: That's it.

CHAIRPERSON GHANNAM: Thank you. Anybody in the public who would like to make a comment on this particular case? (No audible responses.)

CHAIRPERSON GHANNAM: Seeing none, I will close the public remarks section and ask our secretary to read the correspondence.

MS. GRONACHAN: There were nine letters mailed, zero returned mil, zero approvals, zero objections. CHAIRPERSON GHANNAM: Any comments from the city?

MR. WALSH: Not at this time.

CHAIRPERSON GHANNAM: I will open it up to the board.

MS. KRIEGER: I drove by today and I saw the two mockup proposed signs. So you have the one sign by right, then the second sign on -- those are where you wanted them?

MR. NAGLE: That's exactly where we are going to place them. That's the exact size we are going to put up there.

MS. KRIEGER: I drove by. It doesn't look unreasonable. We have other offices that have a second sign, and so I have no issue with this. That's it.

CHAIRPERSON GHANNAM: I have a question, sir.

Is the intent for these two units to be permanently separated as opposed to having one unit for this building?

MR. NAGLE: Yes, it's completely separated. And they don't want to have one sign where they look like a joint venture together. They want to be complete, separate entities.

CHAIRPERSON GHANNAM: I understand that. But if this is approved, and we approve a second sign, this would be good for potentially indefinitely, unless we limit it to a particular time frame or to a particular --

MR. NAGLE: This building is going to stay as a two unit building, as far as I know, at this point. It's been a single
stand alone unit for years, which I just
recently -- they got approval to make it a
two unit building.

CHAIRPERSON GHANNAM: When was
that changed?

MR. NAGLE: Three months ago.

CHAIRPERSON GHANNAM: There is a
permanent separation between the two units?

MR. NAGLE: Yes, other than the
main entrance, which is a vestibule.

CHAIRPERSON GHANNAM: I
understood that. You said that when you
entered the vestibule there is --

MR. NAGLE: Door for each, yes.

CHAIRPERSON GHANNAM: Entrance
for each tenant?

MR. NAGLE: That's correct.

CHAIRPERSON GHANNAM: I don't
have a problem with your request, sir. Thank
you.

Any other comments?

(No audible responses.)

CHAIRPERSON GHANNAM: Seeing
none, I will entertain a motion.

Member Krieger?

MS. KRIEGER: In Case No.
PZ14-0049 for Boge on Cabot Drive, I move to
approve the second wall sign request on this
address. The request is based upon
circumstances or features that are
exceptional and unique to the property. It
went from a three business building, as I
understood in the document, to a two business

that will permanently be that way, so it
would be one sign by right and the other sign
unique to this property and will not result
from conditions that exist generally in the
city, or are self-created.

Failure to grant relief will
unreasonably prevent or limit the use of the
property and will result in substantially
more than mere inconvenience or inability to
attain a higher economic or financial return
because people may be confused by the one
sign that's on the building when, in fact,
it's two businesses.

The grant of relief will not
result in a use of structure that is
incompatible with or unreasonably interferes
with adjacent or surrounding properties, will
result in substantial justice being done to
both the applicant and adjacent or
surrounding properties and is not inconsistent with the spirit of the ordinance because they match their neighboring office neighbors on Cabot Drive.

MS. GRONACHAN: Mr. Chair, do we want to put time limit to just the two businesses in the building?

CHAIRPERSON GHANNAM: I don't have a problem with that. I mean, as further discussion, I would not have a problem that. I mean, even though the applicant states that it is intended to be permanent.

MR. SANGHVI: He said it's not a problem (inaudible).

Because where you have this common entrance and different tenants in there, and so instead of just restricted to this, just make amendment so you don't have --

CHAIRPERSON GHANNAM: I will go either way. I have no problem with either one. If you want to make an amendment or just let the motion stand, it's up to you.

MS. GRONACHAN: I will let the motion stand.

CHAIRPERSON GHANNAM: Do I hear a second?

MS. GRONACHAN: Second.

CHAIRPERSON GHANNAM: Any further discussion?

(No audible responses.)

CHAIRPERSON GHANNAM: Seeing none, Ms. Pawlowski, can you call the roll.

MS. PAWLowski: Member Gronachan?

MS. GRONACHAN: Yes.

MS. PAWLowski: Member Krieger?

MS. KRIEGER: Yes.

MS. PAWLowski: Member Sanghvi?

MR. SANGHVI: Yes.

MS. PAWLowski: Chairperson Ghannam?

CHAIRPERSON GHANNAM: Yes.

MS. PAWLowski: Motion passes four to zero.

CHAIRPERSON GHANNAM: Thank you, sir.

Next item is Case PZ14-0050.

Please come to the podium.

MS. BERISHAJ: Good evening, Council Members. Katrina Berishaj.

CHAIRPERSON GHANNAM: Can you spell your name for the court reporter.
MS. BERISHAJ: B, as in boy, e-r-i-s-h-a-j.

CHAIRPERSON GHANNAM: Raise your right hand and be sworn.

MS. GRONACHAN: Do you swear or affirm to tell the truth in Case No. PZ14-0050?

MS. BERISHAJ: Yes, I do.

CHAIRPERSON GHANNAM: Please proceed.

MS. BERISHAJ: So I'm the applicant requesting a variance from the city regarding Section 24 to allow for a development split of four lots from the required 150-foot minimum requirement to 1.75.

This is a unique parcel in the fact that it's almost a perfect square. You got 550 front by 563.

Dinser is a residential road and there is only one other house on Dinser that has 150 feet. The average on Dinser Road is about 150 feet, so this is -- this request is well above the average of a residential house frontage on Dinser Road.

CHAIRPERSON GHANNAM: Thank you, ma'am.

Is there anybody in the public who would like to make a comment on this case?

Sir, can you please step forward. Spell your name.

MR. ZAHIR: M-o-m-o-w-a-r, Z-a-h-i-r.

CHAIRPERSON GHANNAM: Ma'am, can you give him a little room to speak at the podium.

Go ahead and raise your right hand to be sworn.

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

MR. ZAHIR: I do.

CHAIRPERSON GHANNAM: Go ahead, sir.

MR. ZAHIR: I just have a couple of sentences to tell in favor of this variance request.

I moved into Novi under a job relocation about a year ago. And I have been trying to find a home here, but we couldn't find anything because of the short supply of
Anyhow, I desire to build a home, and getting a house in Novi -- getting land in Novi is very hard to find.

So I did some investigation, some research and what I actually found is pretty amazing. What I have found is like all the majority of houses in Novi was built between 1970 and 2000. And the population growth of Novi is almost 20 percent since then, where the construction actually went down by almost 84 percent.

But anyhow, what I'm trying to make my motive here is this specific property is zoned as RA, and if the zoning ordinances are met, we will need three houses, could be built on this house. Considering the landscape in the City of Novi, if the variance is approved, an additional house could be built on the same property.

So that should be a good utilization of the land and the size of the lot would be big enough to have enough light and air to this property and the surrounding properties. And this lot has been undeveloped for a long, long time. So if it is divvied up, then the whole neighborhood will be enhanced, so the property values would go up.

And I'd also like to say, like this -- if the variance is approved, this should be a very fair justice to the petitioner. The city will be benefited from the enhanced property taxes, and probably I will get a piece of land, you know, to build my dream home in the City of Novi.

So I would request the honorable members of the board to approve the variance.

CHAIRPERSON GHANNAM: This was more than a couple of sentences here. Just kidding.

So, as a proposed homeowner -- to build a home there, you have no problem with the slightly shortened lot, do you?

MR. ZAHIR: That's what --

CHAIRPERSON GHANNAM: You don't
have a problem with the proposed dimensions of the lots?

MR. ZAHIR: No.

CHAIRPERSON GHANNNAM: Okay.

Thank you, sir. Anything else?

Is there anybody else in the public who would like to make a comment on this particular case?

Sir, can you please step forward. Give him slightly a little room.

Go ahead and state your name.

MR. SHUNIA: Alex Shunia.

CHAIRPERSON GHANNNAM: Spell it, please.

MR. SHUNIA: S-h-u-n-i-a. I just had a quick question.

CHAIRPERSON GHANNNAM: Raise your right hand and be sworn.

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

MR. SHUNIA: Yes.

CHAIRPERSON GHANNNAM: Go ahead, sir.

MR. SHUNIA: I'm just wondering, how close are these houses going to be together? Like when you start making them?

CHAIRPERSON GHANNNAM: You're looking at the wrong people to answer that question.

We are just here looking at proposed dimensions of lots to be split. I'm sure when the applicants move to build and go through their construction drawings and so forth, they would have to comply with other city ordinances about setbacks and so forth. You're really asking the wrong people that.

MR. SHUNIA: This is just for like lot sizes pretty much?

CHAIRPERSON GHANNNAM: Correct. It's about lot width and really it's what, 8.25 feet shorter of what it should be.

MR. SHUNIA: Wouldn't you determine the lot width before you determine like the house size? So like if I was building a house, like wouldn't I want to find out how big of a house I want to build before I like find out the lot size?

CHAIRPERSON GHANNNAM: You're posing questions to us that we really are not
here to answer. You need to potentially ask the city.

MR. SHUNIA: Thanks.

CHAIRPERSON GHANAM: Thank you.

Is there anybody else who has a comment on this particular case?

(No audible responses.)

CHAIRPERSON GHANAM: Seeing none, I will close the public remarks section and ask our secretary to read any correspondence.

MS. GRONACHAN: There were 22 letters mailed, nine returned, two objections.

First objection is from Frank Damanskas, it's D-a-m-a-n-s-k-a-s, at 48835 Thornberry Drive, Novi.

"I would like to ask that the Zoning Board reject the appeals case listed above. The reduced lot size proposed for this property coupled with the increased number of new homes from the Toll Brother project has increased -- has caused an increase in traffic on Dinser Drive and a safety concern to the residents of Pebble Creek. The proposed lot size would further decimate natural wild life and echo setting of the area. There has been many deer and rabbits that frequent the property that would be displaced. As a forester, I can say with confidence that there are many 40 plus year-old trees that would be destroyed if this was to be approved. Additionally, the proposed lot configuration of the narrow and long lots would only detract from the appearance of the neighborhood and I feel further erode the country setting of the area."

The next letter is from James Coffelt, C-o-f-f-e-l-t, of 48849 Thornberry. It's an objection. "I live behind this property that wishes to have a variance. I am against this. The lots are very deep and very narrow and they would be an eyesore to look at. Very oddly shaped. They would not profit -- they would not fit into the layout of the area. Please do not grant their variance. Thank you very much."

That's it for correspondence,

Mr Chair.

CHAIRPERSON GHANAM: Any comments from the City?
MR. WALSH: Just one comment.
The sideyard setback would be the minimum --
would be 20 for a total of 50, so basically
50 feet between homes.

CHAIRPERSON GHANNAM: Okay.
That's relatively large, isn't it?

MR. WALSH: Yes.

CHAIRPERSON GHANNAM: I will open
it up to the board for discussion.

Then as I do, I have got a
couple comments I will make while everybody
else is thinking.

Some of the comments that
were just made by the objection to me really
don't apply.

Number one, it's your
property, you can do whatever you want with
it. So as long as it complies with our
zoning, which it does, so you can build
homes, the only question is how many. Do you
want to build three, build four and so forth.

So the minimal -- in my
opinion, the minimal variance you're
requesting is relatively reasonable, given
the other dimensions of these particular
properties, issues about traffic and wild
life, I mean, building one extra home is not
going to -- I don't think jam this area.

I don't think it's the
neighbor's obligation to look at the beauty
of it and watch the rabbits and so forth.
They want to, but you're entitled to do with
it whatever you want.

So given the minimal nature
of the request, I have no problem with it.

So any other comments?

Member Sanghvi?

MR. SANGHVI: One question for
the city, there are no wetlands or any other
problems?

MR. WALSH: Doesn't appear to be.
MR. SANGHVI: Thank you.

CHAIRPERSON GHANNAM: Member
Krieger?

MS. KRIEGER: I'm curious how you
came up with the four?

MS. BERISHAJ: That was maximum
basically, it's just how the math worked.

MS. KRIEGER: Okay.

CHAIRPERSON GHANNAM: Any other
comments?

MS. GRONACHAN: I will be the
devil's advocate here. I have to ask the
question for the rabbits and the deer, sorry.
So basically if you created three parcels, you wouldn't need a variance, correct?
MS. BERISHAJ: Correct.
MS. GRONACHAN: So I need help here, guys.
I'm on a zoning board and my feeling is that you go for the least that you need.
And in this case, if there were three parcels, there would be no variances requested.
And so I go back to old school. Those are my comments. If you have something else to offer.
CHAIRPERSON GHANNAM: Member Sanghvi?
MR. SANGHVI: I am also struggling with this idea.
But the fact of the matter is, they have to bring the utilities in there and it costs a lot of money, and if you make it into four, four people will be sharing the (inaudible).
CHAIRPERSON GHANNAM: You need to speak up into the microphone.
MR. SANGHVI: What I'm trying to say is that in this particular spot, they have to bring the utilities in, and if you're going to only have three homes, three people will be able to share the expense of that, while this would be divided into four different property owners to share the same expense, which makes it a little easier to bring these homes there and makes it more affordable. Thank you.
CHAIRPERSON GHANNAM: A couple other things, like the gentleman who also spoke.
Thank God we have a recovery in our economy. There is a shortage of housing, especially new housing that people desire. I think that one extra make sense.
Plus to me what really sells it is, number one, it's zoned properly.
Number two, it's a minimal -- you know, 8.25 is really the difference they're asking, instead of being required to have a 150 lot width, they are asking for 141.75. And correct me if I'm wrong, each lot -- did I
get this right, each lot will be 1.79 acres?

MS. BERISHAJ: Correct.

CHAIRPERSON GHANNAM: It's still a huge lot, so if you divided it by three, so if you have 1.8 times four lots versus, you know, that total acreage divided by three, you're going to have to huge lots, which some people --

MS. BERISHAJ: 2.39.

CHAIRPERSON GHANNAM: You already did the math, so it will be about 2.4 acres per lot, which is relatively large, especially for Novi.

Some people may prefer it, but then again, if you divide it into four and people are satisfied with 1.79 acres, then they can buy it, if they're not satisfied, they don't have to buy it.

So I think this eight, nine foot difference is very, very minimal. Go ahead.

MS. BERISHAJ: Can I make two comments.

I'm also a realtor in the Novi market and I do know that anything over one acre lots is not as desirable. I mean, people are going away from, you know, the acreage as opposed to just being on a residential street. And Dinser doesn't have the traffic.

To refute the comments of the two people who actually are gardening -- have been gardening on this property for the past 15 years is quite interesting.

CHAIRPERSON GHANNAM: That's a good point. The larger the lot, the more land you have to take care of or cut the grass or rake the leaves, so forth. I mean, you do make a good point.

Any further discussion or comments?

MS. GRONACHAN: I would just like to clarify then that that is a good point. I think it does need to be made. That the marketability of two acres anymore in Novi is not necessary.

So this is not necessarily about an economic gain, which needs to be stated. It's about the need and the necessity and what this is creating because there is -- two acres is no longer desirable in this area. Thank you.
CHAIRPERSON GHANNAM: If there is no further discussion, I will entertain a motion.

MS. GRONACHAN: I will do it.

CHAIRPERSON GHANNAM: Member Gronachan.

MS. GRONACHAN: I move that we approve Case No. PZ14-0050, that the variance be granted for four parcels with the reduced lot width of 141.75, where 150 is required. These are unique circumstances and the physical condition of the property, such as narrowness in this case, topography and other physical conditions and the need for the variance is not due to the applicant's personal or economic difficulty, because, as stated in the testimony, there is not a need for larger lots in this day and age. The need is not self-created because of the existing ordinances of the 150-foot requirement, and again stating that the larger lots are not needed in this day and age in Novi. Nobody wants a two acre lot anymore.

The requested variance is the minimum variance necessary to do substantial justice to the applicant, as well as to the other property owners in the district, and this was highlighted in Member Ghannam's testimony given that there is not a negative impact on the neighborhood. There is less grass to cut, there is more affordability to the lots in this area, and there is a need with the growing population of Novi.

The requested variance will not cause an adverse impact on surrounding property, property values or the use and enjoyment of the property in the neighborhood or the zoning district.

MR. SANGHVI: Second.

CHAIRPERSON GHANNAM: We have a motion and a second. Just in terms of the slight further discussion. In our materials, in one section you indicate that there is a reduced lot with 141.75, in another area, this is 141.76.

I'm not sure how this was noticed, but Member Gronachan mentioned 141.75, is that an issue?

MS. SAARELA: As long as the notice --
MR. WALSH: Point 75.

CHAIRPERSON GHANNAM: That's what she mentioned. I just wanted to make sure because there was a slight discrepancy.

So any further discussion? We have a motion and second.

Member Krieger?

MS. KRIEGER: I will agree because of Mav's discussion about sharing the burden of cost, and also the -- what you were discussing.

CHAIRPERSON GHANNAM: Okay.

Seeing no further discussion, Ms. Pawlowski, can you call the roll.

MS. PAWLOWSKI: Member Gronachan?

MS. GRONACHAN: Yes.

MS. PAWLOWSKI: Member Krieger?

MS. KRIEGER: Yes.

MS. PAWLOWSKI: Member Sanghvi?

MR. SANGHVI: Yes.

MS. PAWLOWSKI: Chairperson Ghannam?

CHAIRPERSON GHANNAM: Yes.

MS. PAWLOWSKI: Motion passes four to zero.

CHAIRPERSON GHANNAM: Thank you. Next on the agenda is item seven, Case PZ14-0051, 45605 Nine Mile Road.

Will you please state your name.

MS. CERGET: Stacy Cerget, C-e-r-g-e-t.

CHAIRPERSON GHANNAM: Raise your right hand and be sworn.

MS. GRONACHAN: Do you swear or affirm to tell the truth in the matter PZ14-0051?

MS. CERGET: I do.

CHAIRPERSON GHANNAM: Please proceed.

MS. CERGET: Before you tonight I have a request for a detached accessory structure on the property on Nine Mile, 45605 Nine Mile Road.

The applicant has recently built a home on the property, and would like to add an accessory structure in the rear of the property.

As you can see in the attachments that were submitted to you, the proposed location of the accessory structure is at the lowest point of the lot, so the
request for a variance is four feet for the roof of the garage, but it actually will sit about four feet above grade level from the street. So from the street, you will only see about four feet at the top of the garage because it's so far down into the lot. The finished floor elevation of the house is at 916, and the finished floor elevation of the proposed garage is at 950. So you have a bit of a hole in the backyard with regard to topography. There is a home behind this lot, which is a couple hundred feet away, which is also up at 10 feet higher than the finished floor of the garage. So from an esthetic point of view, the average grade around the lot is much higher than this specific location of where the proposed accessory structure is going to be located. So therefore, we are asking for the variance request.

CHAIRPERSON GHANNAH: Thank you, ma'am.

Is there anybody in the public who would like to make a comment on this particular case?

(No audible responses.)

CHAIRPERSON GHANNAH: Seeing none, I will close the public remarks section and ask our secretary to read any correspondence.

MS. GRONACHAN: There were 10 letters mailed, one return, no approvals, no objections.

CHAIRPERSON GHANNAH: Any comments from the city?

MR. WALSH: No comments at this time.

CHAIRPERSON GHANNAH: I'll open it up to the board for discussion.

Member Sanghvi?

MR. SANGHVI: I have no difficulty in supporting the application because there is almost a valley there, no way you can do anything level without doing this kind of thing.

So I appreciate your problem and I have no difficulty in supporting your application. Thank you.
CHAIRPERSON GHANNAM: I just have a question. This is going to be a garage basically?
MS. CERGET: Yes.
CHAIRPERSON GHANNAM: The home already has a garage?
MS. CERGET: Yes.
CHAIRPERSON GHANNAM: A two car garage or more?
MS. CERGET: I think it's a three car.
CHAIRPERSON GHANNAM: What's the purpose of this particular structure? Why wasn't it petitioned when the home was built?
MS. CERGET: He had recently purchased a commuter van and it will not fit in his existing garage facility, so we wanted to build a structure to put the commuter van in it.

It's just slightly higher than a regular van. It won't fit in his existing garage.
CHAIRPERSON GHANNAM: Is this a commercial vehicle?
MS. CERGET: It's not a commercial vehicle, it's for his private use, but it's taller and it will not fit in the existing garage.
CHAIRPERSON GHANNAM: Explain to me what a commuter van is then.
MS. CERGET: It's a little bit taller than a regular van. It's got -- maybe Defrim, the owner, could explain a little better.
CHAIRPERSON GHANNAM: If he wants to come up, he can be sworn.  
MS. GRONACHAN: Raise your right hand. Do you swear or affirm to tell the truth in Case P214-0051?
MR. CIZMJA: Yes, ma'am.
CHAIRPERSON GHANNAM: State your name and spell it, please.
MR. CIZMJA: My name is Defrim, D-e-f-r-i-m, last name is C-i-z-m-j-a. I own the property.

The commuter van, if you see those Mercedes vans, those big ones.
CHAIRPERSON GHANNAM: What kind of vans?
MR. CIZMJA: Mercedes, the big ones.
CHAIRPERSON GHANNAM: Mercedes?
MR. CIZMJA: Yes. The problem with those, they got the air conditioning on the top. Those are big one, big van. They got those -- those are about 12 feet and top of those, they got air conditioning. Because those are bigger, they put two different air conditioner, put one on the top, one on the top of the van.

CHAIRPERSON GHANNAM: To me that sounds like a commercial vehicle.
MR. CIZMJA: It's not commercial. You can use it for -- it's kind of smaller. It's a small kind of small RV. Like you can take it, you can go to the lake, or you can go -- they got all things inside. It's not commercial. It's like -- on Sunday you can use it.

But they don't fit in this garage.

CHAIRPERSON GHANNAM: How far off the road -- off of Nine Mile will this be built? Do you know what the distance is?
MS. CERGET: 260 feet and 10 feet lower.

CHAIRPERSON GHANNAM: Ten feet lower than the street grade?
MS. CERGET: Yes. I'm sorry.
Excuse me. It's lower than the street grade.
But 10 feet lower than the average grade around the house.

CHAIRPERSON GHANNAM: How long have you lived there, sir?
MR. CIZMJA: About two years, two and a half years.

CHAIRPERSON GHANNAM: You have to speak up.
MR. CIZMJA: About two and a half years.

CHAIRPERSON GHANNAM: I just have a question for the city.
In this -- for his zoning, is he entitled to an accessory structure?
MR. WALSH: Yes.
CHAIRPERSON GHANNAM: Then the question is just one of dimension?
MR. WALSH: Building height.
CHAIRPERSON GHANNAM: Just the building height, okay. He's saying you need the building height because of this particular van.
MR. CIZMJA: Actually got to put the roof more kind of this because they got
CHAIRPERSON GHANNAM: I'm sure I've seen vans like that before. I don't see a picture -- you haven't supplied us with a picture of it, have you?

MR. CIZMJA: They didn't request.

CHAIRPERSON GHANNAM: I understand. I just have to confirm. You haven't supplied us with a picture.

MR. CIZMJA: No. I can go -- I can pull it up for you.

CHAIRPERSON GHANNAM: The question becomes one of necessity.

I mean, you may need it for your particular van, but what is -- you know, is that consistent with the neighborhood, is that consistent with, you know, things that are unique to this particular property.

I mean, you're entitled to a structure, the only question is one of height.

I understand your need. I'm just struggling with whether you comply with our standards is all.

MS. CERGET: If I may. I think the height is mitigated by the fact that the surrounding properties are so much higher and you really can't see it from the road.

CHAIRPERSON GHANNAM: I follow you on that. If you read some of our standards that you must comply with, then you start to question.

For instance, are there conditions unique to this particular property that prevents you from using it for a particular purpose, if you simply complied with our ordinances. Is the need self-created. You know, I mean it's his van, he can buy another van, you know, another type of vehicle. In any event, those are my concerns.

MS. CERGET: It's a vehicle that he uses for his family. He uses it regularly.

CHAIRPERSON GHANNAM: Thank you.

I don't have further questions. Any other questions or comments?
MS. GRONACHAN: I have a question for the city attorney. I'm struggling with this as well. So if someone owns a vehicle that doesn't -- that the size of the vehicle doesn't meet our ordinances, wouldn't something like this need to go back for ordinance review perhaps.

MS. SAARELA: What do you mean the size of the vehicle doesn't -- MS. GRONACHAN: He's saying that the reason why he wants to build this garage is because the vehicle doesn't fit into his regular garage. That's why he needs the height of this garage.

MS. SAARELA: Yes.

MS. GRONACHAN: To me, help me here, struggling, but that would almost be like self-created, in my opinion as well.

MS. SAARELA: I mean, he could park outside. I mean, that's the alternative.

MS. GRONACHAN: I mean, if there is other vehicles -- MS. SAARELA: You could argue that it's self-created. You know, that's a factual determination that you can make.

MS. GRONACHAN: Okay.

MS. KRIEGER: Have you considered parking it like in a recreational area or just having it covered like another area, if you have a boat or some other vehicle that you decided you need a whole structure for this van?

The other question is, do you own it or lease it? After a certain amount of time --

MR. CIZMJA: The reason why (unintelligible) if I got to build garage first, I can go ahead and buy that. But the point is, I got to figure out -- because I can -- I use this almost every day. This is the reason why, and I can't park it.

MS. CERGET: So the height of the actual roof determines the height of the garage door which determines the height of the roof, which is what is raising it up to the point where it necessitated the variance.

CHAIRPERSON GHANNAM: How tall is this van?

MR. CIZMJA: I think almost 13 feet, but if you got -- it's a bit higher,
you got the garage door --

CHAIRPERSON GHANNAM: I'm just

asking the van. How tall is the van?

MR. CIZMJIA: Almost 12 feet.

CHAIRPERSON GHANNAM: I mean, that's double my size.

MR. CIZMJIA: Because it's high

roof.

CHAIRPERSON GHANNAM: I figured

that.

MR. CIZMJIA: You got extended on the top.

CHAIRPERSON GHANNAM: I mean, again, that's not something found commonly on the street, a 12-foot high van for, you know, non-commercial use. That's why I'm struggling.

I don't think the intent of the ordinances are to house commercial type vehicles. Even though this may be a personal vehicle --

MR. CIZMJIA: That commercial is licensed -- anything over feet over 10,000 pounds you get a commercial vehicle.

CHAIRPERSON GHANNAM: I'm not arguing with you on that. I'm just saying I don't think the ordinances were intended to house commercial vehicles.

I know this is a personal vehicle.

You're claiming relief, so --

I follow you, especially in our winters you want to garage your vehicles and so forth. I mean, I get all of that. This is pretty unique to you.

How many passengers does this van hold?

MR. CIZMJIA: That hold eight.

CHAIRPERSON GHANNAM: Eight

people.

MR. CIZMJIA: You can put for eight, sometimes we don't use the eight.

CHAIRPERSON GHANNAM: Is there three rows --

MR. CIZMJIA: You can alter with three, but I'm not going to -- yes, three.

CHAIRPERSON GHANNAM: Just let us finish our questions before you answer, so we are not interrupting each other.

There are three rows?

MR. CIZMJIA: Yes.

CHAIRPERSON GHANNAM: All right.
MS. GRONACHAN: I have a suggestion. I'm going to make a suggestion to the petitioner because I'm not going to be in favor of this, and before I recommend that we deny it, I'm going to recommend to the petitioner that he table this case and bring back more information for this board. If there is a need for the van right now the way this is going, to me it's leaning towards self-created. I can't justify a 14-foot higher building in that area regardless what the lay of the land is, if you will. So I believe that if you go back to the drawing board and do some more homework to substantiate to this board what the need is for that building with us, it's not up to us to figure out what a commercial vehicle is, or if it's -- if it's a motor home, or what it is, okay, respectfully, that's your homework that you need to do. And I feel that because of the lack of homework that you have done to bring to us tonight, you may not get a positive vote on this.

So I don't know how you feel about that, but that would be my recommendation, and I got a feeling that I have got some members on this side of the table that would probably agree with me. How do you feel about that?

MS. CERGET: If I may just say one thing before he answers. The request is for four feet, not 14 feet.

CHAIRPERSON GHANNAM: You are entitled to 14, you're asking for 18.

MS. CERGET: I just wanted to make that clear.

MS. GRONACHAN: Sorry.

MR. CIZMJA: The point is, first time when I applied for it, nobody asked me for that, from the beginning. It's not my fault.

The second one, I can park the van on the front of the house. Nobody can say anything, so I can do something for the city and me too because home (unintelligible) not good to park the van in the front of the house.

If I park in front of the
house, nobody can say anything. Now I'm
spending some more money, put the van on the
back of the house, and make it more kind for
the city.

That's my point, if you don't
agree to that, I can bring more information
next time, then you can see it.

But I mean, if you guys not
going to let me do that, I got no other
choice but to park in the front of the house.

CHAIRPERSON GHANNAM: You make a
good point, in my opinion. We don't
certainly want eyesores, you know, staring at
the road especially on Nine Mile, a heavily
traveled road.

We just have to make sure,
sir, that you comply with our standards in
order to grant relief.

As you can see, we are not
necessarily opposed to it, you know, I
haven't seen the van. I know it's going to
be a couple 100 plus feet off the road.
Maybe if you can bring us also pictures maybe
like internet or Google type map pictures of
nearby neighbors behind you.

I'm not sure -- I still don't
grasp where everybody is in in relationship
to where this particular structure will go.
You follow?

MS. CERGET: Yes.
CHAIRPERSON GHANNAM: Maybe give
us pictures from the road back to where it
might be, just to give us an idea because as
we sit here, we don't have any of that.
We have a request. I
understand the need. It's only four feet,
but we do want to make sure that it complies.

MS. CERGET: We will come back to
the next meeting.

MR. CIZMJAJA: We agree about that.
CHAIRPERSON GHANNAM: Someone has
to make a motion and that has to be approved
to be adjourned.

If you're okay with that.
Member Sanghvi?

MR. SANGHVJ: Just like it may be
a bigger vote, might a different opinion as
well.

CHAIRPERSON GHANNAM: As we
mentioned at the beginning, we only have four
here. You need all four votes. We don't
want you to be upset if you don't get all
four and get your relief tonight. That's our
suggestion I guess.

MR. SANGHVI: Our suggestion is
to table to the next meeting when a full
board is present.

MS. KRIEGER: Then, too, if you
could bring pictures like in previous cases,
other people -- petitioners come up, they
have pictures of driving by on the road, what
does it look like, this is why I need the
sign.

So if you could take some
picture and then show us, then that also will
help.

MR. CIZMJA: It's going to be
help for me and help for everybody if you
guys -- you need pictures with other things.

MS. CERGET: I'll explain it to
you.

CHAIRPERSON GHANNAM: These are
just suggestions. We may have other members
at the next meeting that are lacking
information.

I can't speak for anybody,
but as a suggestion, satellite type views,
maybe street views, give us an idea what --
who is around you, proximity of neighbors and
so forth. And pictures of the van, I think
that would be helpful.

Are you interested in the
December meeting, or would you need more
time?

MR. CIZMJA: I just -- what day
is it?

MS. PAWLOWSKI: December 9.

CHAIRPERSON GHANNAM: December
9th would be our next meeting.

MR. CIZMJA: Yes, sir.

CHAIRPERSON GHANNAM: Okay. So I
will entertain a motion to adjourn, if
interested, to the December 9 meeting.

In Case No. PZ14-0051, I move
that we postpone this case to December 9,
based on the discussion with the petitioner,
so he can come back and provide additional
information to the board and we'll have more
members present.

MR. SANGHVI: Second.

CHAIRPERSON GHANNAM: And if
there is no other discussion, Ms. Pawlowski,
can you call the roll.

MS. PAWLOWSKI: Member Gronachan?
MS. GRONACHAN: Yes.
MS. PAWLOWSKI: Member Krieger?
MS. KRIEGER: Yes.
MS. PAWLOWSKI: Member Sanghvi?
MR. SANGHVI: Yes.
MS. PAWLOWSKI: Chairperson Ghannam?
CHAIRPERSON GHANNAM: Yes.
MS. PAWLOWSKI: Motion passes four to zero.
CHAIRPERSON GHANNAM: So we will see you at the next board meeting and you can present whatever you want at that time.
MR. CIZMJA: Thank you.
CHAIRPERSON GHANNAM: Next is item number eight, Case PZ14-0052, Pinnacle Homes.

State your name, please.
MR. SANTOMAURO: First name Todd, last name, Santomauro, S-a-n-t-o-m-a-u-r-o.

CHAIRPERSON GHANNAM: Raise your right hand and be sworn, please.
MS. GRONACHAN: Do you swear or affirm to tell the truth in Case No. PZ14-0052.
MR. SANTOMAURO: Yes.
CHAIRPERSON GHANNAM: Go ahead.
MR. SANTOMAURO: Good evening.

What we are looking at doing here is a simple awning structure outside our sales entrance above. And it's going to serve two purposes basically. The big thing, especially with weather, it's going to keep the rain off the clients and snow off the clients. That's one thing.

The second thing is, due to the location of our sales model there, we have a lot of park lands in our community there, which is very nice. But we had to off center our model, which normally would be right when you enter the sub, right in front, this particular model is off to the side a little bit.

So the other purpose of the awning, and it's a very small awning, doesn't come out too far or anything like that, it just has our name logo on it, so people recognize it as, in fact, an awning throughout the model as opposed to a residence.

So again, the size of the awning, the depth of it, I should say is not
that great. It's maybe, I would say two feet deep, and the width is the width of our doors going into the sales center.

CHAIRPERSON GHANNAM: Thank you, sir.

Anybody from the public like to make a comment on this particular case?

(No audible responses.)

CHAIRPERSON GHANNAM: Seeing none, I will close the public remarks and ask our secretary to read the correspondence.

MS. GRONACHAN: There were 19 letters mailed, eight returned, no approvals, no objections.

CHAIRPERSON GHANNAM: Any comments from the city?

MR. WALSH: No comments.

CHAIRPERSON GHANNAM: I will open it up to the board for discussion.

Member Krieger?

MS. KRIEGER: Usually when I have gone through subdivisions looking at models, just the nature of the door in the garage area, then it says little entrances that say open, then also here I notice that you had the sign on the property.

Why did you feel that you need this extra sign over the garage?

MR. SANTOMAURO: Again, the sign on the property and, you know, back to your view of the -- you know, going through models, Novi is very unique.

We operate in a lot of different cities and townships and Novi is very unique in the fact, flags and so forth aren't really allowed at entrances.

So it's difficult for us to get important messages out to the public to draw them into our community, bootlegs, for instance, or bandit sign on the weekends, aren't allowed.

So the sign that we have in front of the model, it's probably -- it's really a quarter of the size that we would normally do at any other city or township and we want to make sure we adhere to any Township ordinances.

We've got actually two communities in Novi. And we enjoy being here.

And earlier, one of the cases involved that there wasn't any new
construction homes in Novi, we are trying to solve that problem.

But the idea of having this other awning isn't just for us to put, you know, sales things on there or anything. It's simply our logo, that's all it is, very clean looking.

But really the other purpose is to shelter the customers coming in. If we didn't have that, they would be inundated with whatever type of adverse weather we would have coming in.

MS. KRIEGER: The awning is the sign?

MR. SANTOMAURO: It's a dual purpose.

MS. KRIEGER: On the picture it looks like it's two separate things. It looks like you have an awning and then on top of it is a sign.

MR. SANTOMAURO: No, no, it's one in the same. The awning is the sign.

CHAIRPERSON GHANNAM: I don't see that. That was my problem with the photo. First of all, it's sideways and we are trying to look at our Ipads.

MS. GRONACHAN: It looks like a sign instead of an awning.

CHAIRPERSON GHANNAM: It does. It looks like there is some kind of covering and this is sitting on top of the covering.

MR. SANTOMAURO: The awning itself, and I apologize for the bad picture. I don't know if I can take a look at it with you at all? Is that okay?

CHAIRPERSON GHANNAM: If you want to come take a look at we have.

MS. GRONACHAN: It almost looks like a drapery -- you know, like when you have curtains, you put the band in front of the drapes. It doesn't look like an awning.

MR. SANGHVI: It looks like a sign on the wall.

MR. SANTOMAURO: It's hard to see. But if there were sides -- it would actually -- this comes out to cover the doors.

So the depth of it is roughly about probably a foot and a half, two feet deep. So it also covers -- I think the back over there.

If you had a side view of it,
you would be able to see that there is a depth to it. It's not just a flat sign.

CHAIRPERSON GHANNAM: You can go back to the podium so everybody can hear you. Is there -- I can kind of see when I blow up the picture a little bit, it does extend from the wall. Isn't there something underneath that also? It looks like there is a brick that's kind of like in -- almost like half circle underneath that.

MR. SANTOMAURO: Yes, that's correct. There is half circle underneath that, but that is flat -- that's flat.

CHAIRPERSON GHANNAM: That's against the wall?

MR. SANTOMAURO: The brick part actually is -- kind of hard to explain. The brick part has no depth to it, so it doesn't cover anybody coming in whatsoever.

CHAIRPERSON GHANNAM: How far does this awning extend from the wall?

MR. SANTOMAURO: Roughly about a foot and a half to two feet.

CHAIRPERSON GHANNAM: So realistically that's not going to provide cover for if it's raining or snow?

MR. SANTOMAURO: It does. Normally what we would normally do, is we would actually have something that would come out four to five feet off of a door like that, but with the restrictions within Novi, unfortunately, we weren't allowed to do anything close to that.

But this does have an affect absolutely.

CHAIRPERSON GHANNAM: You mean in terms of helping people going in and out?

MR. SANTOMAURO: Absolutely.

CHAIRPERSON GHANNAM: Is the area that's glassed in, that sits underneath the sign, is that what's going to be the garage?

MR. SANTOMAURO: Yes.

CHAIRPERSON GHANNAM: You kind of work as an office out of there?

MR. SANTOMAURO: Yes, sir.

CHAIRPERSON GHANNAM: Don't you have a sign next to this garage area that is a sign that indicates it's Pinnacle Homes?

MR. SANTOMAURO: Very small sign. Normally that sign would be about 48-inch,
4-foot sign by 4-foot sign. But we were very restricted on what we could do there.

So again, this really helps us draw attention to the fact that this is a model, and also helps the customer being covered. It helps us -- the location that we are in over there is off the beaten path, so to speak, so it's not a location that you have really great traffic from a major road.

So to get to us, you got to kind of go down a dirt road. Then when you pull into that community, normally we would have a model that would be right in front of you.

In this case, because of park lands, we had to shift over several home sites.

CHAIRPERSON GHANNAM: And that makes sense. How many homes do you have in this sub?

MR. SANTOMAURO: I would say -- we are just opening the new phase up. I would say we probably -- at least 200 homes minimal.

CHAIRPERSON GHANNAM: Is this your only model?

MR. SANTOMAURO: In that community, yes.

CHAIRPERSON GHANNAM: When you say that community, what are you referring to?

MR. SANTOMAURO: That particular subdivision.

CHAIRPERSON GHANNAM: How many subs are compiled these 200 plus homes?

MR. SANTOMAURO: That's just one sub. I'm sorry, we have another location at Ten Mile and Beck.

CHAIRPERSON GHANNAM: I'm not talking about that. In this Twelve and Napier area, you have 200 plus homes?

MR. SANTOMAURO: Yes.

CHAIRPERSON GHANNAM: This is your only model in that home?

MR. SANTOMAURO: Yes, sir.

CHAIRPERSON GHANNAM: I understand your request. I think you have explained it well. I don't have any problem with this. Thank you.

Any other discussion or comments or questions?

MS. GRONACHAN: I have a
question. CHAIRPERSON GHANNAM: Member Gronachan.

MS. GRONACHAN: I guess I don't understand why the awning as opposed to just a sign, so help me out here.

MR. SANTOMAURO: Very good question. Actually a sign would cost a lot less money, but the awning definitely it does help out the customers, when they're coming in because you -- I mean, just that roughly foot and a half, two feet makes a big difference.

MS. GRONACHAN: The fact that it comes off the building, that's what you are saying is making it more visible to the people that are driving in? Am I understanding you correctly at all or --

MR. SANTOMAURO: No, no, not at all. It doesn't make it more visible. No, the fact that it comes out, this actually costs us substantially more - a lot more than just a flat board to have some coverage for the customers, so it wasn't just to draw attention to the model.

It's also to have some sort of cover for adverse weather.

So I'd much rather do a flat sign, but --

MS. GRONACHAN: I guess I missed something in that picture. I don't see where there is coverage there for people when they walk in, that's why --

MR. SANTOMAURO: It is. We should probably have a side view picture and that would probably solve a lot of the questions. I apologize.

MS. GRONACHAN: My only concern is that -- this is for you as well as my fellow members of the board is that we don't allow awning signs, and my concern is that I understand the petitioner's challenge in this subdivision.

And some of the challenges that he stated in his testimony, however, my concern is that we are going to be opening a can of worms with an awning sign.

CHAIRPERSON GHANNAM: I follow that. And that was my initial hesitation. I know this is a newer sub, correct, you're still building.
MR. SANTOMAURO: We probably have sold -- I would roughly guess we probably have sold about 28 to 30 homes, we have got some time to go.

CHAIRPERSON GHANNAM: You've got some time.

You're right. Residential neighborhoods, no one has an awning sign. That's not proper.

Here is the distinction, it would be that it is a model home.

I assume you intend to have this the model until towards the end when things are sold, once you get of rid of these last --

MR. SANTOMAURO: Correct. That would be the final, final home, the model, sir.

CHAIRPERSON GHANNAM: I do think they need to be distinguishable clearly from the rest because you don't want neighbors being knocked on.

I don't know if there is homes nearby, but eventually there will be. You don't want people driving around and walking through people's, you know, yards.

So I think -- I follow all of that. I think it does need to be clearly distinguished, and I see the need, if someone is inclined to move to approve this it would have to be limited to this particular home and for a period of time, you know, whatever that time may be, a year or two years, whatever it is.

Any other discussion? Member Krieger?

MS. KRIEGER: For the city. When we have previous subdivisions, they had model open, did any other people that were building have awning signs?

MR. WALSH: This is first as far as an awning sign above a model.

MS. KRIEGER: And then model open to distinguish a model from the neighboring house. I guess, generally use the garage door as their glass door, that people would know that's the model or model open?

MR. WALSH: Typically, yes.

MS. KRIEGER: Okay. I'm still
having difficulty with this.

CHAIRPERSON GHANNAM: Member

Sanghvi?

MR. SANGHVI: I have a problem with whether this is a place of business or this is a model home. A place of business needs identification. A place of business has no place, in my opinion, in a subdivision where there are homes. And it's just a question I need to define this as a model home. There are various other ways of doing that, than just be an awning sign on it.

CHAIRPERSON GHANNAM: First of all, is there anything that prohibits them from operating out of this garage as an office? Like I know people have trailers sometimes, some people -- I have seen many times people use garages. Is there anything that prohibit them from doing that here?

MR. WALSH: No.

CHAIRPERSON GHANNAM: I didn't think so. So the only question is an awning sign appropriate or some other identification. Clearly they need some identification, but I guess it's up for question whether you want to approve an awning sign or not.

MR. SANGHVI: The sign there is a temporary sign until so many homes are sold, but I have difficulty putting up an awning sign and not knowing how long it's going to be there in a residential area.

MS. GRONACHAN: I agree.

MS. KRIEGER: How many signs do you have?

You have the one on Twelve Mile. There is that construction area sign and Pinnacle Homes, and then as you enter the sub, I believe I saw another one, and then these two on the -- this property --

MR. SANTOMAURO: The one -- if I can backup for one second to answer your question about awnings.

There has been awnings before in Novi. Liberty Park is a prime example by Pulte Homes had a very large awning for many years.

But to answer your question in regards to the signage, the Twelve Mile sign is what's called an A frame. That's a temporary sign that we have to take off of the road. So it's not a permanent sign by
any means, that sign. So that's something
that we have to take down on a regular basis.
It's just a standalone -- what's called an A
frame sign.

Then when you come into the
sub -- the community there, really the only
thing that we have, when you come in, if I'm
not mistaken, is a very, very small sign in
front of that model. And by small I mean,
it's literally a quarter of the size that we
normally operate in any of our communities.
So there is really not much
for us to draw people to the model. I mean,
we certainly could do something on the
window, but I think that would look
extremely, extremely tacky to do something
like that, that's in poor taste.
And by having the awning
there, again, it's a dual purpose, it draws
attention, but it also covers customers
coming in.

MS. KRIEGER: Would they be able
to have some kind of signage on the glass, if
they didn't get the awning sign?
MR. WALSH: No.
MS. GRONACHAN: I have -- this is
for Mr. Walsh.

What type of identification
can they have on the house if they can't have
an awning, what is within ordinance to
identify the model home?

MR. WALSH: The street address.
MS. GRONACHAN: Okay.
CHAIRPERSON GHANNAM: Yeah. Just
in my opinion, a simple street address would
be insufficient, I mean, given the nature and
the size of the sub. I think you would be
entitled to something. The question is what
the board would be inclined to do.
So that's where we're at. If
anybody has any further comments or
questions?

MR. SANGHVI: As I said, I really
cannot support putting an awning sign in a
residential area.
MR. SANTOMAURO: I would request
to table this then, with all six members.
Again, it's very -- we could
have done this much a different, less
expensive way to say the least.
CHAIRPERSON GHANNAM: And I have
no problem supporting tabling this,
especially if you want to wait for a larger board or present maybe -- or think about different ideas that you can do to identify this home. I think personally you need some identification because you don't want this -- I mean, aside from the garage area being glassed in. You don't want this looking like every other home in the neighborhood. You want to draw people to it, so they can question and hopefully buy it. So maybe you want to come with those ideas. If you want to table it and someone is willing to move to do that, I have no problem supporting that.

MR. SANTOMAURO: I think especially again, we have a very large presence in Novi amounting to several hundred homes.

So I think at this point, if possible I -- it looks like we are not going to have an approval unfortunately. I request to table.

CHAIRPERSON GHANNAM: You're interested in December or you want something later?

MR. SANTOMAURO: I think -- what is the date in December?

MS. PAWLOWSKI: December 9 or January 13th.

MR. SANTOMAURO: Perhaps January 13th would be better.

CHAIRPERSON GHANNAM: Anybody interested in making the motion to table?

MS. GRONACHAN: Sure. In Case No. PZ14-0052, for Pinnacle Homes, I move that we postpone this meeting to the January 13th, 2015 meeting night per the petitioner's request.

MS. KRIEGER: Second.

CHAIRPERSON GHANNAM: Seeing a motion and a second, any further discussion?

(No audible responses.)

CHAIRPERSON GHANNAM: Ms. Pawlowski, can you call the roll.

MS. PAWLOWSKI: Member Gronachan?

MS. GRONACHAN: Yes.

MS. PAWLOWSKI: Member Krieger?

MS. KRIEGER: Yes.

MS. PAWLOWSKI: Member Sanghvi?

MR. SANGHVI: Yes.

MS. PAWLOWSKI: Chairperson
Ms. Pawlowski: Motion passes four to zero.

Chairperson Ghannam: You can present whatever you want at that time.

Mr. Santomauro: Have a good night.

Chairperson Ghannam: Last but not least, item number nine. Sir, you have been waiting a long time for this one.

Case PZ14-0053, for Shiro Restaurant at 43180 Nine Mile Road.

Mr. Arkin: Good evening. I'm Irwin Arkin, I-r-w-i-n, A-r-k-i-n.

Ms. Gronachan: Raise your right hand. Do you swear or affirm to tell the truth in matter PZ14-0053?

Mr. Arkin: I do.

Ms. Gronachan: Thank you.

Mr. Arkin: I am here tonight requesting the continued placement of the off premise Shiro Restaurant sign as it has existed in 2006 and is on-site today at the northeast corner of Nine Mile Road and Novi Road.

The existing signage has made a significant and positive difference. Shiro Restaurant represents a hardship. It is extremely well hidden in an industrial area, wooded area. The restaurant sits back 265 feet from Nine Mile Road and 600 feet from Novi Road. It cannot be seen north or south on Novi Road or east or west.

Here is a picture looking down looking on Nine Mile Road, that's looking east. This picture shows us looking west. This pictures shows us looking north. This picture shows us looking south.

Directional signage isn't new to Novi and is needed as illustrated by the following few examples.

There is Rotary Park, Novi Ice Arena, Sports Club, CVS. Also Meadowbrook, Orchard Hills subdivision. The landmark is not on Grand River in full view, but rather hidden in an industrial wooden area. No matter how good a restaurant may be, it needs directional assistance and impulse patrons.
Discontinuing the off-premise restaurant sign could result in a devastating loss of customer base, as restaurant patrons could interpret the absence of the sign as a restaurant being closed. These are no times to be out of sight and out of mind. I feel it's important that we as a community support the business with the aids of the signage requested to insure the continued existence of this unique landmark location.

As I mentioned before, the signage has made a positive difference in the restaurant performance. The sign works just like it is, what's the old cliche, if it isn't broken, don't fix it.

The signage request will not negatively impact any neighbor or alter the character of the land.

Thank you for your time and much needed consideration.

CHAIRPERSON GHANNAM: Thank you, sir. Since we have no one in the public, I would assume we have no public comments on this particular case.

I will ask our secretary to read any correspondence.

MS. GRONACHAN: We have 11 letters mailed, one returned mail, four approvals.

First approval by Irwin Arkin. I believe that's our petitioner.

Our second approval, I guess I should have read these ahead of time. These are all from Mr. Arkin, the petitioner.

There are no other letters.

CHAIRPERSON GHANNAM: Okay. Any comments from the city?

MR. WALSH: No comments at this time.

CHAIRPERSON GHANNAM: I will open it up to the board.

Before I do, first of all, sir, I enjoy the restaurant. My daughter Olivia loves the sushi there. My wife loves it.

In any event, that aside, my recollection is, because I have been on the board a few times since you have come back and forth for these particulars. I know we have limited it to time.

But my recollection is from
previous meetings is that the corner of Nine and Novi that this sign sits on is either owned or controlled by some common interest of Shiro Restaurant, is that true?

MR. ARKIN: Me.

CHAIRPERSON GHANNAM: I have no problem instead of granting a request for limited to time to keep you coming in here, granting some kind of -- you know -- I don't necessarily want to make it permanent, but I don't have a problem recommending some kind of approval that keeps this sign so long as you're in possession or control of both lots.

MR. ARKIN: That would be nice.

CHAIRPERSON GHANNAM: Instead of going through this exercise every two years or however long you have limited to. I think you're right. This isn't an industry type area. I live just down the street from you, that's one of the reasons why we go to this restaurant, it's so close and it's so good.

But it is tucked away. It's an old beautiful mansion, and I think that sign does do you some help from people going on Novi Road.

And it's not obnoxious. It's not out of the character or ordinary, you know, character of the area.

I have no problems supporting it, if the board is so inclined. I have no problem.

Any other comments? Member Gronachan.

MS. GRONACHAN: I'd like to comment on your homework. I think you did a great job on your presentation.

Although from the looks of it, you have had some practice, because you have been here a couple times.

I have been a long time member, left, and came back and I'm glad to see that the Shiro Restaurant is still in operation.

I understand -- I remember the challenges of that property that it has had in the past years. And I also remember the years that it stood empty.

So I do think that this sign has made a difference, and especially -- I'm going to throw this out here.

I don't know if this is -- but, you know, with the Suburban Showcase on
Grand River, there are various venues that list restaurants for places to go eat. And they list out various hotels. And I was just at a venue there and somebody was asking me where your restaurant was. And I pointed out the sign. So, any other way, that was just an extreme. Then they called me and told me they had a great experience at your restaurant. So I had not opened up my packet yet. I didn't even know this was going on. So, I guess that was a sign for me to pay attention to when I saw Shiro. So, I am in support of this. I would recommend that this sign be approved for as long as Shiro is in --
     MR. SANGHVI: As long as the owner stays the same.
     MS. GRONACHAN: Yes. As long as the owner stays the same and that Shiro is Shiro for the length of the business, continues at that location and that would be my recommendation.
     CHAIRPERSON GHANNAM: And there be some type of ownership between the two lots.
     Because there is a lot in between that that is not owned by yourself, isn't that true or it's all one piece?
     MR. ARKIN: If two different serial numbers, but I own both of them.
     CHAIRPERSON GHANNAM: Then that would be my recommendation, so long as these two parcels are under common ownership or control.
     Member Sanghvi?
     MR. SANGHVI: I just want to add more or less the same thing. I have known this gentlemen for over 30 plus years and gone through this kind of ritual and I think the time has come to combine this so he doesn't have to come back every three years.
     MS. KRIEGER: Of course we missed you though.
     MS. GRONACHAN: I just thought he was going to bring some food tasting. That's what I thought.
     MR. SANGHVI: I have tasted. I don't need a sample.
     MS. GRONACHAN: I would go ahead and make a motion.
     CHAIRPERSON GHANNAM: Please.
MS. GRONACHAN: In Case No. PZ14-0053, for Shiro Restaurant, I move that we approve the applicant's request for a variance from Section 28-8 to allow the continued placement sign of a 36 square foot off premise pole sign for an existing restaurant business.

I move that we -- I move that we extend this variance and grant the length of the variance for the length of the owner and for as long as this petitioner owns the property of both locations where the sign is as well as the business, and that Shiro Restaurant is still in business at the location of said address.

The request is based upon circumstances and features that are exceptional and unique to the property, and do not result from conditions that are existed generally in the city. The failure to grant relief as given by the petitioner in his testimony will unreasonably prevent or limit the use of the property due to its uniqueness, location and setback from Nine Mile and will result in substantially more than a mere inconvenience or inability to attain a economic or financial return.

The grant of relief will not result in a use of a structure that is incompatible or unreasonably interferes with adjacent or surrounding properties being that this is an industrial area, and will result in substantial justice being done to both the applicant and the adjacent or surrounding properties and that is not consistent with the spirit of the ordinance because of the unique circumstances or location of this building.

MS. KRIEGER: Second.

CHAIRPERSON GHANNAM: Seeing a motion and a second, any further discussion? (No audible responses.)

CHAIRPERSON GHANNAM: Seeing one -- MS. KRIEGER: I'm going to say yes and I wish you all the best, Mr. Arkin. MR. ARKIN: Thank you very much. CHAIRPERSON GHANNAM: Seeing no other further discussion, Ms. Pawlowski, can you call the roll.

MS. PAWLOWSKI: Member Gronachan?
MS. GRONACHAN: Yes.

MS. PAWLOWSKI: Member Krieger?

MS. KRIEGER: Yes.

MS. PAWLOWSKI: Member Sanghvi?

MR. SANGHVI: Yes.

MS. PAWLOWSKI: Chairperson Ghannam?

CHAIRPERSON GHANNAM: Yes.

MS. PAWLOWSKI: Motion passes four to zero.

CHAIRPERSON GHANNAM: Thank you, sir.

Are there any other matters that need to be addressed?

MS. GRONACHAN: Mr. Chair, first of all, I have two things.

In our packet tonight we lost one of our members, Member Gerblick resigned and I just -- I don't know if he's watching, but maybe we will get to him, I want to thank him for his service and I will miss him, I'm sure we all will.

And to let anybody out there know that we have openings on the board, and that if people know of someone that would like to come and join this fun packed filled second Tuesday of the month, we would love to have them.

David even said that he would do the training like he helped me when I came back.

And lastly I would like to wish everybody a Happy Thanksgiving.

CHAIRPERSON GHANNAM: Thank you.

Any other matters that need to be discussed?

(No audible responses.)

CHAIRPERSON GHANNAM: Seeing none, I will entertain a motion to adjourn.

MR. SANGHVI: Make a motion to adjourn, sir.

MS. GRONACHAN: Second.

CHAIRPERSON GHANNAM: Seeing a motion and a second, all of favor say aye.

THE BOARD: Aye.

CHAIRPERSON GHANNAM: Any opposed?

(No audible responses.)

CHAIRPERSON GHANNAM: Seeing none, we are adjourned.

(The meeting was adjourned at 8:45 p.m.)

** ** **
STATE OF MICHIGAN   
COUNTY OF OAKLAND   

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

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

IN WITNESS THEREOF, I have hereunto set my hand at the City of Walled Lake, County of Oakland, State of Michigan, this 11 day of December, 2014

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