

ZONING BOARD OF APPEALS
CITY OF NOVI
COMMUNITY DEVELOPMENT DEPARTMENT

IN RE:

CITY OF NOVI ZONING BOARD OF APPEALS

The Zoning Board of Appeals Meeting

Taken at 45175 West Ten Mile Road

Novi, Michigan

Commencing at 7:00 p.m.

Tuesday, March 10, 2015

Before Joanne Marie Bugg, CSR-2592, RPR, RMR, CRR

CHAIRPERSON: Rickie Ibe
Cindy Gronachan
Linda Krieger
Mav Sanghvi
David M. Byrwa
Jonathan Montville
Jason Richert
Thomas M. Walsh - Building Official
Elizabeth Saarela - City Attorney
Stephanie Ramsay - Recording Secretary
Angela Pawlowski - Recording Secretary

1 Novi, Michigan

2 Tuesday, March 10, 2015

3 7:00 p.m.

4 MR. IBE: Good evening. And welcome to the
5 March 10th, 2015 Zoning Board of Appeals for the City
6 of Novi. Can we all please rise for the Pledge of
7 Allegiance. And Member David Byrwa will lead us in the
8 Pledge of Allegiance. (Pledge of Allegiance recited.)

9 Thank you very much. Please be seated.
10 We'll have Stephanie Ramsay lead us in the roll call,
11 please.

12 MS. RAMSAY: Member Gronachan?

13 MS. GRONACHAN: Here.

14 MS. RAMSAY: Chairperson Ibe?

15 MR. IBE: Present.

16 MS. RAMSAY: Member Krieger?

17 MS. KRIEGER: Present.

18 MS. RAMSAY: Member Sanghvi?

19 MR. SANGHVI: Yes.

20 MS. RAMSAY: Member Byrwa?

21 MR. BYRWA: Here.

22 MS. RAMSAY: Member Richert is absent.
23 Member Montville?

24 MR. MONTVILLE: Here.

25 MS. RAMSAY: And Member Ferrell, he said

1 that he was going to be running late today.

2 MR. IBE: Thank you very much, Ms. Ramsay.
3 Appreciate that. And welcome to the ZBA. This is your
4 first day, and we appreciate you being here.

5 For those of you who are in the audience, if
6 you need to follow the agenda for today, you may find
7 the agenda in the back of the room. And please do feel
8 free to pick up an agenda while you're there.

9 And for all intents and purposes, will
10 everyone please mute your cell phones and electronic
11 devices so that it doesn't interrupt with the meeting.

12 Do we have any comments or remarks regarding
13 the agenda for today? Seeing none, do I get a motion
14 to approve the agenda?

15 MS. GRONACHAN: So moved.

16 MR. SANGHVI: So moved.

17 MS. GRONACHAN: Second.

18 MR. IBE: Okay. Seeing that a motion has
19 been made and seconded, all those in favor of approval
20 of the agenda say aye. (All members stated aye.) Those
21 opposed? Seeing none, the agenda is approved and
22 adopted.

23 Also, the minutes from the last meeting, do
24 we have any comments or corrections?

25 MS. GRONACHAN: None.

1 MR. IBE: Seeing none, I'll entertain a
2 motion for approval of the minutes.

3 MS. GRONACHAN: So moved.

4 MS. KRIEGER: Second.

5 MR. IBE: Seeing that we have a motion and
6 seconded, all those in favor say aye. (All members
7 stated aye.) All these opposed? Seeing none, the
8 minutes shall be approved and adopted.

9 We'll now entertain any public remarks from
10 members of the public. If you choose to have a remark
11 regarding anything other than what is on the agenda for
12 today, please feel free to come to the podium now and
13 address the board.

14 Well, seeing none, I will then go right to
15 first case that is scheduled today, which is case
16 number PZ15-0002. Is the petitioner here? Yes, please
17 come to the podium. And when you come to the podium,
18 sir, state your name, your address. Also spell your
19 name for the record. And if you're not an attorney,
20 raise your right hand to be sworn in by our secretary.
21 Thank you.

22 MR. CLARKE: In order, James B. Clarke,
23 C-L-A-R-K-E. Robertson Brothers Company, 6905
24 Telegraph Road, Bloomfield Hills, Michigan 48302.

25 JAMES B. CLARKE,

1 was thereupon called as a witness herein, and after
2 having first been duly sworn to testify to the truth,
3 the whole truth and nothing but the truth, was examined
4 and testified as follows:

5 MS. GRONACHAN: Thank you.

6 MR. CLARKE: I am here tonight for a
7 variance to allow us to erect a sign on it would be the
8 southwest corner of 12 and a Half Mile and Novi Road.

9 We purchased what was a failed condominium
10 project called Charneth Fen in 2013. It got approvals
11 from not this body, but your planning and your counsel,
12 and started construction on our first building. We had
13 great success, and were able to sell the first building
14 out without having any signage.

15 In fact, we did actually, we did put up a
16 signage, a sign in violation, and we were told to take
17 it down. We then sought approval to put a sign on our
18 neighbor's property, because we felt we fell underneath
19 the subdivision regulations and/or site condominium
20 regulations in your zoning ordinance, and were told we
21 did not. And so that sign came down.

22 Subsequent to both signs coming down, we had
23 a four or five month period of time where we did not
24 make any sales. I'm pleased to report we started our
25 second building there, and we have had sales, but we've

1 been on this agenda for a month and a half, and we're
2 here in front of you to, I guess, petition you for the
3 sign out on Novi Road.

4 So the practical difficulty and the hardship
5 may be self-created in that we bought a failed project.
6 But it is down a natural beauty road. It's a very
7 heavily treed natural beauty road, and it is also a
8 dirt, dirt road.

9 Secondarily, we're not able to find anywhere
10 in your ordinances where you make a similar provision
11 for condominium developments to single family platted
12 subdivisions, or single family developments. So as a
13 matter of right under your zoning ordinance, we would
14 be allowed a 64 square foot off-site construction sign
15 or builder's sign if we were a subdivision, or we were
16 a site condominium. We would be allowed, if we got
17 permission from the neighboring property owner, which
18 we did get. But because we are designated as a
19 condominium, we are precluded from having any signage.

20 Industry standards would indicate that 30
21 percent of your traffic for any new family, new
22 subdivision, which is where we sell houses and bring in
23 new taxpayers, 30 percent of those people are going to
24 come by signage, and even in this electronic age where
25 we have a web presence, and we buy key words, and we're

1 on Google, and we're on Yahoo, and we're on Bing.
2 Still 30 to 40 percent of our buyers come because they
3 want to be in the neighborhood. So we feel that's a
4 substantial hardship. It may be loophole in your
5 ordinance that does not allow condominiums to have the
6 same signage rights that single family home platted
7 subdivisions and/or site condominiums.

8 Additionally, in the case number it says
9 that we're looking for a 24 foot sign. We'd be looking
10 for a 24 foot square foot sign, but two sided, so
11 traffic going both north and south would be able to see
12 it. So I don't know if that's -- when it says 24, I'd
13 want both sides of it so I could capture traffic going
14 north and south.

15 I think that's my hardship. I didn't have
16 any hardship with the weather coming in here, I'll say
17 that, and there was no practical difficulties. So with
18 that, I'll wrap up my presentation and answer
19 questions.

20 MR. IBE: Thank you very much. Is there
21 anyone in the audience who would like to make a remark
22 regarding this particular case? Well, seeing none, I
23 will now turn to our secretary to read us any
24 correspondence regarding this case.

25 MS. GRONACHAN: Thank you. Mr. Chair, there

1 were 17 letters mailed. No returns. No approvals.
2 And in the file, I will note that the approval from
3 Darakjian. It's D-A-R-A-K-J-I-A-N.

4 MR. CLARKE: The jeweler.

5 MS. GRONACHAN: Darakjian.

6 MR. CLARKE: It's Darakjian, the jeweler.

7 MS. GRONACHAN: Correction. Thank you.

8 Granted permission to attach the sign at the corner of
9 12 Mile, 12 and a Half Mile and Novi Road.

10 MR. IBE: Thank you, madam secretary. I
11 will now turn to the city, and any comments.

12 MR. WALSH: No comments at this time.

13 MR. IBE: Very well. Does your attorney
14 have any suggestions?

15 MS. SAARELA: Nope. No comments.

16 MR. IBE: None. Thank you very much. I
17 will now open it up to the board for discussion.
18 Member Sanghvi, please.

19 MR. SANGHVI: Thank you.

20 MR. IBE: And welcome back, by the way.

21 MR. SANGHVI: Thank you so much. Nice to be
22 back.

23 MR. IBE: Absolutely. Thank you.

24 MR. SANGHVI: No place like home. Hi.

25 MR. CLARKE: Hi.

1 MR. SANGHVI: I saw your place yesterday.
2 It's not easy place to get to, even in this kind of
3 weather and your dirt road.

4 MR. CLARKE: It's terrible.

5 MR. SANGHVI: It was worth my time by the
6 time I go down there. But anyway, I know you well, and
7 anybody will recognize your place from where you are.
8 And I have personally no problem in supporting your
9 application. Thank you.

10 MR. CLARKE: Thank you.

11 MR. IBE: Member Krieger.

12 MS. KRIEGER: Do you know how many years
13 you'd like for it, two years or three, the sign?

14 MR. CLARKE: In my fantasy world, a couple
15 of months. I mean, we've been -- we started selling
16 again fast. I would imagine six months to a year, and
17 hope that it's closer to the six months.

18 MS. KRIEGER: Okay. Thank you.

19 MR. IBE: Yes, Member Byrwa.

20 MR. BYRWA: Yeah. My understanding is
21 should a variance be granted, it would only be good for
22 a year. And if he wanted to do it next spring, he
23 would have to come back to the board for another
24 variance. Would that be correct?

25 MR. WALSH: Unless you grant the variance

1 for two years, but yes.

2 MR. BYRWA: Okay. So the most it would be
3 granted for, unless otherwise tonight, it'd be one
4 year. A couple of concerns I have is this is like
5 approximately a four by six?

6 MR. CLARKE: Yes.

7 MR. BYRWA: Okay. And it's located
8 completely on private property, not in any right-of-way
9 or anything?

10 MR. CLARKE: Yes.

11 MR. BYRWA: Yeah. The concern I have is
12 that it doesn't create any kind of obstruction. We've
13 got a couple of streets converging there, and we
14 wouldn't want to create any kind of obstruction,
15 vehicular traffic obstruction, where somebody
16 approaching the intersection wouldn't be able to see
17 the oncoming traffic because of the location of the
18 sign.

19 MR. CLARKE: I think because of the
20 topography, we'll be all right. We'll be all right,
21 because the dirt road, if you will, comes down to Novi
22 Road, and I think we're going to be high. Higher in,
23 you know, you've got a fairly large right-of-way there.
24 So it should be more than adequate. But, you know,
25 we'll work certainly with the building department.

1 MR. BYRWA: Right. You wouldn't have to be
2 subjected to the approval of the building department.
3 You're not creating any kind of vehicular obstruction.

4 And then I guess lastly, you know, I'm
5 concerned about -- you know, I know a lot of times when
6 businesses and things, they get into special exhibits
7 like a Godzilla, or a King Kong, and they put it on top
8 of their building, and they have a special promotion.
9 Those things are anchored down for like 80 mile an hour
10 winds, and so they're not going to blow out into
11 traffic or anything. How do you propose to anchor this
12 down so if we get high winds it doesn't end up in the
13 roadway?

14 MR. CLARKE: We use a professional sign
15 company, so he will put it on four by four posts in
16 concrete base footings.

17 MR. BYRWA: Footings, yeah.

18 MR. CLARKE: Footings. So what he'll do --
19 he's not going to go down 42 inches, but he'll go
20 down enough that it won't blow over.

21 MR. BYRWA: Great. Thank you very much.

22 MR. IBE: Thank you, Member Byrwa. Do we
23 have any further comments or questions?

24 MR. MONTVILLE: No questions at this time.

25 MR. IBE: Thank you. Yes, please go ahead.

1 MS. GRONACHAN: I would like to -- I have a
2 question for the building department. The petitioner
3 mentioned that it's both sides, so that doesn't change
4 anything, correct? I just want to clarify that.

5 MR. WALSH: It does not, that's correct.

6 MS. GRONACHAN: Okay. My only concern about
7 this sign if I was out there shopping, is that there's
8 no address. That's my biggest thing. I mean,
9 something to say where I can find this place. If the
10 sign is for truly to assist them to get there, and this
11 place is hidden, I would contemplate changing the name
12 of the complex. Just kidding.

13 MR. CLARKE: Me, too.

14 MS. GRONACHAN: Yeah, really. I just
15 wondered if there wouldn't -- if they would have
16 entertained the thought of some sort of specific
17 address or street to help with the identification a
18 little more.

19 MR. CLARKE: I will look -- I'll talk to the
20 marketing people. I mean, usually less is more.

21 MS. GRONACHAN: I see.

22 MR. BYRWA: At 50 miles an hour, or whatever
23 they decide the speed limit is there. The less you put
24 on there, you just want to catch attention to say
25 there's something going on here. So I think it has an

1 arrow which, you know, if you put too much, then you
2 can't read any of it. So I'm always arguing for
3 obnoxious colors and less words just to get the
4 attention, and hopefully get people to stop.

5 MS. GRONACHAN: That was my only concern.

6 MR. CLARKE: Okay. Thank you.

7 MS. GRONACHAN: Thank you.

8 MR. CLARKE: That's a good question.

9 MR. IBE: Thank you. I just have a few
10 questions for you if it's okay.

11 MR. CLARKE: Yes.

12 MR. IBE: How many units are we talking
13 about over here?

14 MR. CLARKE: When the project's complete,
15 there'll be 25. There were five original units that
16 were built, I think only one of which was sold before
17 the foreclosure. The rest were rented, and now
18 subsequently sold. We came in and re-approved the
19 project for 20 new units.

20 MR. IBE: Okay. And of that 20, how many
21 have you sold so far?

22 MR. CLARKE: I think we have six left.

23 MR. IBE: Six?

24 MR. CLARKE: Yes. Depends on whether
25 something came in today or not.

1 MR. IBE: So what form of other marketing do
2 you have?

3 MR. CLARKE: So we've got a billboard on
4 I-96 when we weren't able to get any -- which is
5 terribly expensive. But the billboard on 96 before the
6 Novi Road exit does show Charneth Fen. I'm not sure
7 how effective it's been. And most of what we're doing
8 or able to do is newspaper advertisements. And then on
9 our web page, and then, you know, buying key words that
10 say condos in Novi, anything, buying our competitor's
11 name. If they want to buy condos from our competitor,
12 Robertson will pop up as a paid advertisement, so
13 shameless stuff.

14 MR. IBE: So prior to you seeking this
15 variance, 14 units were sold very easily without a need
16 for this variance; is that correct?

17 MR. CLARKE: Six units sold immediately, and
18 then we waited four and a half months. And I said this
19 is crazy. We're going to be the second failure here.
20 We've waited two months because of the rhythm of
21 meetings and submissions. And, you know, I'm happy to
22 report that we've actually had good success while
23 getting to this body. But still 30 to 40 percent of
24 all traffic does want to know where they're living.
25 They drive by, and that's how they figure it out, and

1 they just sort of start driving around. So it's a
2 terrible hardship to any developer.

3 MR. IBE: And I know you said, you know, of
4 course, in a perfect world this will be disposed of by
5 six months. Realistically, what do you think you need,
6 what time?

7 MR. CLARKE: The year would be adequate.

8 MR. IBE: Twelve months?

9 MR. CLARKE: Yes.

10 MR. IBE: Very well, sir. Thank you so
11 much.

12 MR. CLARKE: Thank you.

13 MR. IBE: Do we have any further questions
14 or comments? Seeing none, I will entertain a motion,
15 if any of the members will be willing to propose one.

16 MS. GRONACHAN: That would be me.

17 MR. IBE: Oh, very well. Please go ahead.

18 MS. GRONACHAN: I move that in case number
19 PZ15-0002, Charneth Fen, that the request for a
20 variance to allow placement of a 24 foot square foot
21 off-premise sign for an attached condominium
22 subdivision be approved based on the following
23 criteria. The request is based upon circumstances and
24 features that are exceptional and unique to the
25 property as stated by the petitioner this evening.

1 It does not result from conditions that
2 exist generally in the city as so stated through the
3 testimony given here this evening.

4 The failure to grant relief will
5 unreasonably prevent or limit the use of the property,
6 and could result in substantially more than mere
7 inconvenience or inability to attain a higher economic
8 or financial return.

9 The grant of relief will not result in a use
10 of structure that is incompatible with or unreasonably
11 interferes with the adjacent or surrounding properties.

12 Side note, the petitioner did his due
13 diligence, and talked to area property owners, and
14 received permission in attempts to identify this
15 property. And that's all I have.

16 MS. KRIEGER: Second.

17 MR. IBE: Seeing that -- I'm sorry. Yes,
18 sir, Mr. Sanghvi.

19 MR. SANGHVI: For consideration, you want to
20 put a time limit in whatever we have here?

21 MS. GRONACHAN: Yes. I accept that friendly
22 amendment. And the length of time for this sign is one
23 year.

24 MR. SANGHVI: Or earlier.

25 MS. GRONACHAN: Or earlier once all units

1 are sold.

2 MR. SANGHVI: Thank you.

3 MS. KRIEGER: Second.

4 MR. IBE: Seeing that the motion has been
5 made and seconded, do we have any comments, or do we
6 have any motion or further questions?

7 Well, seeing none, I will ask Ms. Ramsay to
8 please call the roll for us, please.

9 MS. RAMSAY: Member Gronachan?

10 MS. GRONACHAN: Yes.

11 MS. RAMSAY: Chairperson Ibe?

12 MR. IBE: Yes.

13 MS. RAMSAY: Member Krieger?

14 MS. KRIEGER: Yes.

15 MS. RAMSAY: Member Sanghvi?

16 MR. SANGHVI: Yes.

17 MS. RAMSAY: Member Byrwa?

18 MR. BYRWA: Yes.

19 MS. RAMSAY: Member Montville?

20 MR. MONTVILLE: Yes.

21 MS. RAMSAY: Motion passes six to zero.

22 MR. IBE: Thank you very much. My pleasure.

23 MR. CLARKE: Thank you.

24 MS. GRONACHAN: Good luck.

25 MR. IBE: Thank you. That takes us to our

1 second case. Calling case number PZ15-0003 39750 Grand
2 River, Woodbury Commerce Park. Is the applicant here?

3 MR. RICHERT: I'm not sure. My name is
4 Jason Richert. I got out of work. I'm supposed to be
5 over here. I wasn't sure.

6 MS. GRONACHAN: Come on over, Jason. Come
7 on down.

8 MR. RICHERT: I didn't want to interrupt.

9 MR. IBE: Okay. That's okay. Are you the
10 applicant, too?

11 MR. WOZNIAK: Yes, I'm a little shorter, so
12 I'll move this down.

13 MR. IBE: That's okay. Please state your
14 name, and your address. Also spell your last name for
15 the record. And if you're not an attorney, please
16 raise your right hand and be sworn in. Thank you.

17 MR. WOZNIAK: My name is David Wozniak. I
18 work for Woodbury Management, Incorporated. We're
19 located in Birmingham, Michigan 48009. We're on Brown
20 Street, 260, Suite 200.

21 MS. GRONACHAN: Would you raise your right
22 hand. Thank you.

23 DAVID WOZNIAK,
24 was thereupon called as a witness herein, and after
25 having first been duly sworn to testify to the truth,

1 the whole truth and nothing but the truth, was examined
2 and testified as follows:

3 MS. GRONACHAN: Go ahead.

4 MR. WOZNIAK: I'd like to thank everyone
5 here for taking their time tonight. I'm here on behalf
6 of the Woodbury Management Group to propose a variance
7 to the sign ordinance for the City of Novi for a
8 property that we recently acquired just west of
9 Haggerty on Grand River. It's on the north side of
10 Grand River. And there's an existing structure for
11 signage, which is located on the southeast portion of
12 the property.

13 The ordinance allows for 30 square feet of
14 signage on each side of a structure. However, if
15 there's separation of more than two feet at any point
16 of that structure, then the amount of coverage you're
17 allowed on that structure is 15 square feet.

18 For safety reasons, and for branding, and
19 compatibility reasons, and also compliance reasons with
20 the rest of the signs in the area, we would like to
21 apply for a variance in order to have 30 square feet of
22 signage on both sides of the structure.

23 We have a temporary sign right now standing
24 that has been there to be seen for the past ten days if
25 you all had a chance to look at that.

1 The property we acquired on December 3rd
2 from a lender is very close to the city limit, and
3 people entering the City of Novi are going to be seeing
4 a lot of signs for the first time that are actually
5 within the city. And in order to give the right
6 impression of the city, we'd like things to look great.
7 I'm sure you would, too.

8 And in order for a sign to look appropriate,
9 it needs to look proportionate. The wording on the
10 sign needs to be proportional to the structure, and
11 with 30 square feet we believe that's true. With 15
12 square feet, we believe that's untrue.

13 I'm just going to go back and look at the
14 rest of the comments in my application here. There are
15 also a few other signs located in close proximity to
16 the sign that I'm describing on our property, and they
17 are also 30 square feet on both sides, so we won't be
18 creating anything extraordinary or out of the ordinary.

19 The fact of the matter is that this was an
20 existing structure when we bought the property. And
21 because the structure does have more than two feet of
22 separation in the back, we're supposed to follow the
23 ordinance that says we may have no more than 15 square
24 feet.

25 But, like I said, in order to have our sign

1 conform with the rest of the signs in the general area,
2 we'd like it to look appropriate, and we'd like the
3 general public to think the same. So in that case, we
4 would like to apply for a variance of a sign that
5 allows for 30 square feet on both sides of the existing
6 structure at this time. Are there any questions?

7 MR. IBE: Thank you very much. Appreciate
8 your presentation. Is there anyone in the audience who
9 would like to make a comment regarding this particular
10 case? Well, seeing none, I'll turn it over to our
11 secretary to read our correspondence.

12 MS. GRONACHAN: Okay. Thank you. There
13 were 21 letters mailed. Three returned. One approval.
14 The approval reads as following: Please note my
15 approval to a sign variance as cited in case number
16 PZ15-0003 for 39750 Grand River, Woodbury Commerce
17 Park. A sign variance is necessary in order to improve
18 exposure to businesses along Grand River and
19 consequently increase traffic to businesses. Thank you
20 for your support. All the businesses of Novi have been
21 working together, and our city will continue to thrive.
22 Respectfully, Ali F. Fayz, F-A-Y-Z, Pheasant Run Plaza,
23 Inc., Post Office Box 1178, Dearborn Heights, Michigan.
24 And that's all I have.

25 MR. IBE: Thank you, madam secretary. Does

1 the city have any comments or questions?

2 MR. WALSH: Just one comment. If you look
3 at the applicant's packet.

4 MR. IBE: Yes.

5 MR. WALSH: He has option one and option
6 two. Option one shows you a conforming sign, and
7 option two is the requested sign. So you can kind of
8 compare the two, and see what a conforming sign looks
9 like to the sign he's asking for.

10 MR. WOZNIAK: Thank you for adding that.

11 MR. IBE: Thank you very much. Well, I will
12 now open it up for the board for questions or comments.
13 Yes, Member Sanghvi.

14 MR. SANGHVI: I'll have a question for the
15 city. How different is this sign as compared to the
16 old sign?

17 MR. WOZNIAK: I can interject.

18 MR. IBE: That was for the city for now.
19 We'll come back to you in a minute.

20 MR. WALSH: As compared to the existing
21 sign? The existing sign's conforming. It's just
22 actually a little smaller than what the ordinance
23 requires.

24 MR. SANGHVI: It is smaller?

25 MR. WALSH: Yes.

1 MR. SANGHVI: Thank you. I saw your sign.
2 It looks very good. You can see it very clear, and
3 it's good for the business, in my opinion.

4 MR. WOZNIAK: Thank you.

5 MR. SANGHVI: So I have no problem
6 supporting your application.

7 MR. WOZNIAK: I appreciate that. Thank you.

8 MR. IBE: Thank you, Member Sanghvi. Yes,
9 Member Krieger?

10 MS. KRIEGER: For the city, the previous
11 Botsford sign, would they -- if this new business, the
12 maintenance of the brickwork, if we approve it, then
13 it's with what's already there. If they wanted to
14 change that, then they'd have to come back to us, or
15 how would that work?

16 MR. WALSH: The brickwork on the V-shaped
17 sign?

18 MS. KRIEGER: Yes. If they want to say,
19 okay, we're not going to keep the V. We're going to
20 change it to make it something else instead of brick,
21 then they put it down and put up something else like
22 marble?

23 MR. WALSH: I would say no. I'd say if
24 they're going to change the structure itself, as far as
25 configuration, maybe go to a wider V, or a smaller V,

1 or a straight parallel sign then, yes, they'd have to
2 come back.

3 MS. KRIEGER: Okay.

4 MR. WALSH: As far as materials.

5 MS. KRIEGER: Yeah.

6 MR. WALSH: I would say no.

7 MS. KRIEGER: Okay. And I also drove up and
8 down Grand River, and it's -- because it's previously
9 with Botsford, and you're keeping that sign, that I was
10 fine with seeing it. It's easy to see for the speeds
11 on Grand River, so I don't have a problem with it.

12 MR. WOZNIAK: Thank you very much.

13 MR. IBE: Thank you, Member Krieger. Any
14 additional questions or comments? Well, seeing none, I
15 would just like to commend obviously the new owners of
16 this particular place, considering that the -- the
17 vacancy rate in that area for a while. And the fact
18 that good faith effort has been made to redevelop this
19 particular place, I think, speaks well for the company,
20 as well as what will benefit for the city, as well as
21 the surrounding properties in the area. Based on that,
22 I will have no problem just giving this particular
23 occupant a chance to see what it can do. So I will be
24 in support of it as well.

25 MR. WOZNIAK: We're hoping for a higher

1 occupancy just as much as you are, so thank you for
2 that.

3 MR. IBE: Well, thank you. Do we have any
4 motion? Yes, madam Krieger, please.

5 MS. KRIEGER: Okay. In case number
6 PZ15-0003 Woodbury Commerce Park, I move to approve the
7 request.

8 The request is based upon circumstances and
9 features that are exceptional and unique to the
10 property. They're on Grand River with the speed of 45
11 miles per hour. And with heavy traffic, or higher
12 speeds, that makes this exceptional, and not result
13 from the conditions that exist generally in the city or
14 are self-created.

15 Failure to grant relief will unreasonably
16 prevent or limit the use of the property, and will
17 result in substantially more than mere inconvenience or
18 inability to attain a higher economic or financial
19 return.

20 The grant of relief will not result in a use
21 of structure that is incompatible with or unreasonably
22 interferes with adjacent or surrounding properties, and
23 will result in substantial justice being done to both
24 the applicant and adjacent or surrounding properties,
25 and is not inconsistent with the spirit of the

1 ordinance. And with one or two, limit it to this
2 business. Okay. That's it.

3 MS. GRONACHAN: Second.

4 MR. IBE: Seeing that a motion has been made
5 and seconded, and do we have any further discussion?
6 Seeing none, Mr. Ramsay, please call the roll.

7 MS. RAMSAY: Member Gronachan?

8 MS. GRONACHAN: Yes.

9 MS. RAMSAY: Chairperson Ibe?

10 MR. IBE: Yes.

11 MS. RAMSAY: Member Krieger?

12 MS. KRIEGER: Yes.

13 MS. RAMSAY: Member Sanghvi?

14 MR. SANGHVI: Yes.

15 MS. RAMSAY: Member Byrwa?

16 MR. BYRWA: Yes.

17 MS. RAMSAY: Member Richert?

18 MR. RICHERT: Yes.

19 MS. RAMSAY: Member Montville?

20 MR. MONTVILLE: Yes.

21 MS. RAMSAY: Motion passes seven to zero.

22 MR. IBE: Congratulations.

23 MR. WOZNIAK: Thank you very much.

24 MS. GRONACHAN: Good luck.

25 MR. IBE: Now we get to our final case of

1 the day, case number PZ15-0004 45674 Cider Mill Road.
2 Please state your name and address. Also spell your
3 last name for the record. And if you're not an
4 attorney, please raise your right hand to be sworn in.

5 MS. OSTERKAMP: Okay. Hello and good
6 evening. My name is Kristin Osterkamp, K-R-I-S-T-I-N.
7 Last name Osterkamp, O-S-T-E-R-K-A-M-P. Address 45674
8 Cider Mill Road in Novi, Michigan 48374.

9 MS. GRONACHAN: Raise your right hand.

10 KRISTIN OSTERKAMP,
11 was thereupon called as a witness herein, and after
12 having first been duly sworn to testify to the truth,
13 the whole truth and nothing but the truth, was examined
14 and testified as follows:

15 MS. OSTERKAMP: Yes, I do.

16 MS. GRONACHAN: Thank you. You may proceed.

17 MS. OSTERKAMP: Great. Well, again, hello
18 and good evening. I appreciate you hearing my case.
19 As I mentioned, my name is Kristin Osterkamp, and I
20 have been a Novi resident living in my current home,
21 which is my starter home, and finishing home it looks
22 like, for the last 18 years. We love living in Novi.
23 Our kids go to Novi schools. However, the size of our
24 family has grown, where our house is just too small,
25 and we developed the need for additional livable space.

1 So our existing deck that came with the house is over
2 18 years old. And it is deteriorating, so it needs to
3 be removed. Our plan is to remove the existing deck,
4 and then build a room addition in its place.

5 When we started planning this project over,
6 I guess, it was two years ago, we did not foresee any
7 issues, because the room addition did not extend any
8 further back than the existing deck does. So I am here
9 tonight to request a minimum rear setback variance of
10 2.64 feet from the 35 foot rear yard setback
11 requirement. We could not go wider with this room,
12 because if we would have went wider versus back, it
13 would have blocked our existing living room windows.
14 So the building itself would have blocked that, which
15 is why we're requesting the variance.

16 Both of our next door neighbors on both
17 sides are very supportive of this project, and as well
18 as our homeowners association. Simmons Orchard
19 Homeowners Association has given us an approval letter,
20 and we really do feel that this room addition will
21 provide us with much additional livable space. And
22 also allow us to view the beauty of our woods which are
23 back up to our house; just see the woods from our
24 backyard there. And then so that way we can enjoy the
25 beauty year round. And I do think it will enhance the

1 beauty of our home, as well as our subdivision in Novi.

2 So I do -- I wanted to thank you for hearing
3 my request, and I am happy to answer any questions.

4 MR. IBE: Thank you very much. Do we have
5 anyone in the audience who would like to make a remark?
6 Well, unfortunately, there's no one in the audience.
7 Madam secretary, please read any correspondence we may
8 have.

9 MS. GRONACHAN: There were 17 letters
10 mailed. No returns. No approvals. No objections.
11 And the approval from the homeowners association is
12 part of the file that we -- in our packet this evening.

13 MR. IBE: Thank you, madam secretary. Do we
14 have any questions or comments from the city?

15 MR. WALSH: No comments.

16 MS. SAARELA: No.

17 MR. IBE: Thank you. And I will now open it
18 up to the board. And obviously would like to call on
19 Member Sanghvi, please. Please go ahead.

20 MR. SANGHVI: Thank you. Thank you.

21 MR. IBE: Thank you.

22 MR. SANGHVI: I was there on your street,
23 and saw your place yesterday. And I want to commend
24 you for your reputation [sic]. I think it's very well
25 done.

1 MS. OSTERKAMP: Thank you very much. I've
2 worked hard on it.

3 MR. SANGHVI: As far as your variance and
4 your request, I have no problem whatsoever with it. Go
5 ahead. Best of luck. Thank you.

6 MS. OSTERKAMP: Thank you.

7 MR. IBE: Thank you, Member Sanghvi. Yes,
8 go ahead.

9 MS. GRONACHAN: Good evening.
10 Congratulations. We had openings on the board. I think
11 you should have applied. Keep that in mind in the
12 future. You did a great job on your packet. I think
13 that your request is a minimal request. I think it
14 fits within the spirit of the ordinance.

15 There is an easement in the back that you
16 took great care and consideration, and I fully support
17 your request.

18 MS. OSTERKAMP: Thank you.

19 MR. IBE: Very well. Any additional
20 questions or comments? Well seeing none, I think this
21 is an easy one. Anyone, do you wish to make a motion?
22 Oh, by all means.

23 MS. GRONACHAN: Okay. I have become the
24 motion queen here. Okay. In case number PZ15-0004, I
25 move that we approve the request for the reduced rear

1 yard setback of 31. I'm sorry. 32.5 feet from the 35
2 feet. The unique circumstances and physical conditions
3 of the property, such as narrowness, shallowness, and
4 easement topography, and similar conditions, and the
5 need for the variance is not due to the applicant's
6 personal or economic difficulty, as so eloquently
7 stated in the packet that the petitioner provided the
8 board this evening.

9 Strict compliance and regulations governing
10 area, setback, frontage, height, bulk, density and
11 other dimensional requirements will unreasonably
12 prevent the property owner from using this property for
13 permitted use.

14 Again, the petitioner indicated that with
15 changing the dimensions, or moving it to width instead
16 of setback, she would block the actual use of her
17 living room.

18 The requested variance is the minimum
19 variance necessary to do substantial justice to the
20 applicant, as well as to the other property owners in
21 the district, and the requested variance will not cause
22 an adverse impact on surrounding properties, property
23 values or, the use and enjoyment of the property in the
24 neighborhood or zoning district as so presented by the
25 petitioner this evening.

1 MR. IBE: Second?

2 MR. SANGHVI: Yes.

3 MR. IBE: All right. Seeing that a motion
4 has been made and seconded by Member Sanghvi, very
5 well, do we have a need for further discussion? Seeing
6 none, I'll call on Stephanie Ramsay to please call the
7 roll.

8 MS. RAMSAY: Member Gronachan?

9 MS. GRONACHAN: Yes.

10 MS. RAMSAY: Chairperson Ibe?

11 MR. IBE: Yes.

12 MS. RAMSAY: Member Krieger?

13 MS. KRIEGER: Yes.

14 MS. RAMSAY: Member Sanghvi?

15 MR. SANGHVI: Yes.

16 MS. RAMSAY: Member Byrwa?

17 MR. BYRWA: Yes.

18 MS. RAMSAY: Member Richert?

19 MR. RICHERT: Yes.

20 MS. RAMSAY: Member Montville?

21 MR. MONTVILLE: Yes.

22 MS. RAMSAY: Motion passes seven to zero.

23 MR. IBE: Great. Congratulations.

24 MS. OSTERKAMP: Thank you very much. I
25 appreciate it.

1 MR. IBE: You're welcome.

2 MS. GRONACHAN: Good luck.

3 MS. OSTERKAMP: Thank you.

4 MR. IBE: Well, that concludes the cases
5 before us today, and brings us to other matters. And
6 before I call on anyone for other matters, let me first
7 welcome our newest members, Member John Richert, David
8 Byrwa, as well as, let me see, no, Jonathan Montville.
9 Jason Richert, and David Byrwa, and welcome aboard, and
10 we'll look forward to working with you.

11 MR. BYRWA: Thank you.

12 MR. IBE: You're welcome. Do we have any
13 other matters that we need to take up before going into
14 the elections from the city?

15 MR. WALSH: No other matters.

16 MS. GRONACHAN: I have a question though for
17 the building department. Is the meeting set for next
18 Wednesday, has that been confirmed for the 18th?

19 MR. WALSH: Yes.

20 MR. IBE: Yes, Member Sanghvi.

21 MR. SANGHVI: I was going to suggest, but
22 before I do that, I wanted a clarification from the
23 attorney, city attorney. Can I suggest all three names
24 for the three positions at the same time, or do we want
25 to do separately?

1 MS. SAARELA: You could suggest but, you
2 know, I would rather have separate motions. You said
3 could you suggest who you would recommend, but I would
4 rather when you're approving them to do them one by
5 one.

6 MR. SANGHVI: Okay. Well, I'm going to
7 suggest that Ms. Gronachan for the chair, and Ms.
8 Krieger for the vice chair, and Rickie Ibe as the
9 secretary. But if you guys have no problem, I can make
10 a motion separately.

11 MR. IBE: I think Brent is already --

12 MR. SANGHVI: Oh, Brent is already lined up?

13 MR. IBE: Yes.

14 MR. SANGHVI: That is wonderful. You said
15 you need to elect somebody who is not present?

16 MS. GRONACHAN: We did that to the last guy,
17 and he resigned.

18 MR. SANGHVI: Okay. May I make a motion
19 that -- may I make a motion to propose Cindy Gronachan
20 as the chair.

21 MS. GRONACHAN: First of all, I accept.
22 Thank you.

23 MR. IBE: Wonderful.

24 MS. GRONACHAN: Go ahead.

25 MR. IBE: Is the motion seconded by anyone?

1 MS. KRIEGER: Second.

2 MR. IBE: Okay. Seeing that a motion has
3 been made to have Cindy become our new chair, and duly
4 seconded, do we have any further discussion regarding
5 who the chair should be? Seeing none, I think we can
6 do a vote at this time. Very well. All those in favor
7 of seeing Cindy Gronachan as new chair say aye. (All
8 stated aye.) All those opposed? Well, seeing none,
9 Cindy Gronachan is elected as our new chair.
10 Congratulations.

11 MS. GRONACHAN: Thank you.

12 MR. IBE: We'll vote for the next position.
13 Please make a motion.

14 MR. SANGHVI: May I propose the name of
15 Linda Krieger as the vice chair.

16 MS. GRONACHAN: Second.

17 MS. KRIEGER: That was quick.

18 MR. IBE: That was one of the fastest
19 seconds we've ever had for elections. Well, seeing
20 that a motion has been made to appoint Linda Krieger as
21 the vice chair, and duly seconded, is there a need for
22 further discussion regarding that position? Well,
23 seeing none, all those in favor of Linda Krieger
24 becoming our vice chair, please say aye. (All stated
25 aye.) All those opposed? Well, the ayes have it.

1 Congratulations, Linda. You're hereby appointed.

2 Thank you.

3 MS. GRONACHAN: I propose that we appoint or
4 vote for Brent Ferrell as the secretary for the board.

5 MS. KRIEGER: Second.

6 MR. IBE: That was seconded by Sanghvi?

7 MR. SANGHVI: Yes.

8 MS. KRIEGER: Yes, that's fine.

9 MR. IBE: You seconded, okay. Very well.

10 Seeing that a motion has been made to appoint Member
11 Brent Ferrell as our secretary for this year, and duly
12 seconded, is there need for further discussion? Seeing
13 none, though Mr. Ferrell is not here today, I must say
14 it was stated at the last meeting he did give consent
15 that he will, in fact, take up that position. So he's
16 not been appointed in absentia. We'll take a vote.
17 All those in favor say aye. (All stated aye.) All
18 those opposed? Seeing none, congratulations, Member
19 Ferrell. Although you're not here, congratulations.
20 You are the new secretary. Wonderful.

21 Do we have any further business before the
22 board? Seeing none, is there motion to adjourn?

23 MR. SANGHVI: So moved.

24 MS. GRONACHAN: So moved.

25 MR. IBE: Second?

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MR. BYRWA: Second.

MR. IBE: A motion has been made to adjourn the meeting and seconded. I hereby determine the meeting is adjourned until April.

MR. BYRWA: 14th.

MR. IBE: April 14th, 2015.

MS. KRIEGER: Hi secretary.

MS. GRONACHAN: Hi secretary.

MR. IBE: It's April 7th?

MS. PAWLOWSKI: I believe it is April 7th.

MR. WALSH: It's April 7th.

MR. IBE: April 7th, 2015. Thank you.

(The Hearing was concluded at 7:40 p.m.)

1 STATE OF MICHIGAN)

2) SS

3 COUNTY OF WAYNE)

4 I, Joanne Marie Bugg, certify that this
5 proceeding was taken before me on the date hereinbefore
6 set forth; that the foregoing statements were recorded
7 by me stenographically and reduced to computer
8 transcription; that this is a true, full and correct
9 transcript of my stenographic notes so taken.

10 I further certify that I am not connected by
11 blood or marriage with any of the parties, and that I
12 am not an employee of them, nor financially interested
13 in the action.

14 IN WITNESS WHEREOF, I have hereunto set my
15 hand at the City of Detroit, County of Wayne, State of
16 Michigan, this 18th day of March, 2015

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Joanne Marie Bugg, CSR-2592
Wayne County, Michigan
My Commission expires: 2-26-19