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
Novi, Michigan

Tuesday, March 10, 2015

7:00 p.m.

MR. IBE: Good evening. And welcome to the March 10th, 2015 Zoning Board of Appeals for the City of Novi. Can we all please rise for the Pledge of Allegiance. And Member David Byrwa will lead us in the Pledge of Allegiance. (Pledge of Allegiance recited.) Thank you very much. Please be seated.

We'll have Stephanie Ramsay lead us in the roll call, please.

MS. RAMSAY: Member Gronachan?

MS. GRONACHAN: Here.

MS. RAMSAY: Chairperson Ibe?

MR. IBE: Present.

MS. RAMSAY: Member Krieger?

MS. KRIEGER: Present.

MS. RAMSAY: Member Sanghvi?

MR. SANGHVI: Yes.

MS. RAMSAY: Member Byrwa?

MR. BYRWA: Here.

MS. RAMSAY: Member Richert is absent.

Member Montville?

MR. MONTVILLE: Here.

MS. RAMSAY: And Member Ferrell, he said
that he was going to be running late today.

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

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

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

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

MS. GRONACHAN: So moved.
MR. SANGHVI: So moved.
MS. GRONACHAN: Second.
MR. IBE: Okay. Seeing that a motion has been made and seconded, all those in favor of approval of the agenda say aye. (All members stated aye.) Those opposed? Seeing none, the agenda is approved and adopted.

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

MS. GRONACHAN: None.
MR. IBE: Seeing none, I'll entertain a motion for approval of the minutes.

MS. GRONACHAN: So moved.

MS. KRIEGER: Second.

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

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

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


JAMES B. CLARKE,
was thereupon called as a witness herein, and after
having first been duly sworn to testify to the truth,
the whole truth and nothing but the truth, was examined
and testified as follows:

MS. GRONACHAN: Thank you.

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

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

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

Subsequent to both signs coming down, we had
a four or five month period of time where we did not
make any sales. I'm pleased to report we started our
second building there, and we have had sales, but we've
been on this agenda for a month and a half, and we're here in front of you to, I guess, petition you for the sign out on Novi Road.

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

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

Industry standards would indicate that 30 percent of your traffic for any new family, new subdivision, which is where we sell houses and bring in new taxpayers, 30 percent of those people are going to come by signage, and even in this electronic age where we have a web presence, and we buy key words, and we're
on Google, and we're on Yahoo, and we're on Bing. Still 30 to 40 percent of our buyers come because they want to be in the neighborhood. So we feel that's a substantial hardship. It may be loophole in your ordinance that does not allow condominiums to have the same signage rights that single family home platted subdivisions and/or site condominiums.

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

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

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

MS. GRONACHAN: Thank you. Mr. Chair, there
were 17 letters mailed. No returns. No approvals.


MR. CLARKE: The jeweler.

MS. GRONACHAN: Darakjian.

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

MS. GRONACHAN: Correction. Thank you.

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

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

MR. WALSH: No comments at this time.

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

MS. SAARELA: Nope. No comments.

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

MR. SANGHVI: Thank you.

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

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

MR. IBE: Absolutely. Thank you.

MR. SANGHVI: No place like home. Hi.

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

MR. CLARKE: It's terrible.

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

MR. CLARKE: Thank you.

MR. IBE: Member Krieger.

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

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

MS. KRIEGER: Okay. Thank you.

MR. IBE: Yes, Member Byrwa.

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

MR. WALSH: Unless you grant the variance
for two years, but yes.

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

MR. CLARKE: Yes.

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

MR. CLARKE: Yes.

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

MR. CLARKE: I think because of the topography, we'll be all right. We'll be all right, because the dirt road, if you will, comes down to Novi Road, and I think we're going to be high. Higher in, you know, you've got a fairly large right-of-way there. So it should be more than adequate. But, you know, we'll work certainly with the building department.
MR. BYRWA: Right. You wouldn't have to be subjected to the approval of the building department. You're not creating any kind of vehicular obstruction. And then I guess lastly, you know, I'm concerned about -- you know, I know a lot of times when businesses and things, they get into special exhibits like a Godzilla, or a King Kong, and they put it on top of their building, and they have a special promotion. Those things are anchored down for like 80 mile an hour winds, and so they're not going to blow out into traffic or anything. How do you propose to anchor this down so if we get high winds it doesn't end up in the roadway?

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

MR. BYRWA: Footings, yeah.

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

MR. BYRWA: Great. Thank you very much.

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

MR. MONTVILLE: No questions at this time.

MR. IBE: Thank you. Yes, please go ahead.
MS. GRONACHAN: I would like to -- I have a question for the building department. The petitioner mentioned that it's both sides, so that doesn't change anything, correct? I just want to clarify that.

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

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

MR. CLARKE: Me, too.

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

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

MS. GRONACHAN: I see.

MR. BYRWA: At 50 miles an hour, or whatever they decide the speed limit is there. The less you put on there, you just want to catch attention to say there's something going on here. So I think it has an
arrow which, you know, if you put too much, then you can't read any of it. So I'm always arguing for obnoxious colors and less words just to get the attention, and hopefully get people to stop.

MS. GRONACHAN: That was my only concern.

MR. CLARKE: Okay. Thank you.

MS. GRONACHAN: Thank you.

MR. CLARKE: That's a good question.

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

MR. CLARKE: Yes.

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

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

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

MR. CLARKE: I think we have six left.

MR. IBE: Six?

MR. CLARKE: Yes. Depends on whether something came in today or not.
MR. IBE: So what form of other marketing do you have?

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

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

MR. CLARKE: Six units sold immediately, and then we waited four and a half months. And I said this is crazy. We're going to be the second failure here. We've waited two months because of the rhythm of meetings and submissions. And, you know, I'm happy to report that we've actually had good success while getting to this body. But still 30 to 40 percent of all traffic does want to know where they're living. They drive by, and that's how they figure it out, and
they just sort of start driving around. So it's a terrible hardship to any developer.

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

MR. CLARKE: The year would be adequate.

MR. IBE: Twelve months?

MR. CLARKE: Yes.

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

MR. CLARKE: Thank you.

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

MS. GRONACHAN: That would be me.

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

MS. GRONACHAN: I move that in case number PZ15-0002, Charneth Fen, that the request for a variance to allow placement of a 24 foot square foot off-premise sign for an attached condominium subdivision be approved based on the following criteria. The request is based upon circumstances and features that are exceptional and unique to the property as stated by the petitioner this evening.
It does not result from conditions that exist generally in the city as so stated through the testimony given here this evening.

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

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

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

MS. KRIEGER: Second.

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

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

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

MR. SANGHVI: Or earlier.

MS. GRONACHAN: Or earlier once all units
are sold.

MR. SANGHVI: Thank you.

MS. KRIEGER: Second.

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

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

MS. RAMSAY: Member Gronachan?

MS. GRONACHAN: Yes.

MS. RAMSAY: Chairperson Ibe?

MR. IBE: Yes.

MS. RAMSAY: Member Krieger?

MS. KRIEGER: Yes.

MS. RAMSAY: Member Sanghvi?

MR. SANGHVI: Yes.

MS. RAMSAY: Member Byrwa?

MR. BYRWA: Yes.

MS. RAMSAY: Member Montville?

MR. MONTVILLE: Yes.

MS. RAMSAY: Motion passes six to zero.

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

MR. CLARKE: Thank you.

MS. GRONACHAN: Good luck.

MR. IBE: Thank you. That takes us to our
second case. Calling case number PZ15-0003 39750 Grand River, Woodbury Commerce Park. Is the applicant here?

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

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

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

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

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

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

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

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

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

    MS. GRONACHAN: Go ahead.

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

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

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

    We have a temporary sign right now standing that has been there to be seen for the past ten days if you all had a chance to look at that.
The property we acquired on December 3rd from a lender is very close to the city limit, and people entering the City of Novi are going to be seeing a lot of signs for the first time that are actually within the city. And in order to give the right impression of the city, we'd like things to look great. I'm sure you would, too.

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

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

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

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

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

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

MR. IBE: Thank you, madam secretary. Does
the city have any comments or questions?

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

MR. IBE: Yes.

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

MR. WOZNIAK: Thank you for adding that.

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

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

MR. WOZNIAK: I can interject.

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

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

MR. SANGHVI: It is smaller?

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

MR. WOZNIAK: Thank you.

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

MR. WOZNIAK: I appreciate that. Thank you.

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

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

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

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

MR. WALSH: I would say no. I'd say if they're going to change the structure itself, as far as configuration, maybe go to a wider V, or a smaller V,
or a straight parallel sign then, yes, they'd have to come back.

MS. KRIEGER: Okay.

MR. WALSH: As far as materials.

MS. KRIEGER: Yeah.

MR. WALSH: I would say no.

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

MR. WOZNIAK: Thank you very much.

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

MR. WOZNIAK: We're hoping for a higher
occupancy just as much as you are, so thank you for that.

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

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

The request is based upon circumstances and features that are exceptional and unique to the property. They're on Grand River with the speed of 45 miles per hour. And with heavy traffic, or higher speeds, that makes this exceptional, and not result from the 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.

The grant of relief will not result in a use of structure that is incompatible with 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 is not inconsistent with the spirit of the
ordinance. And with one or two, limit it to this business. Okay. That's it.

MS. GRONACHAN: Second.

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

MS. RAMSAY: Member Gronachan?

MS. GRONACHAN: Yes.

MS. RAMSAY: Chairperson Ibe?

MR. IBE: Yes.

MS. RAMSAY: Member Krieger?

MS. KRIEGER: Yes.

MS. RAMSAY: Member Sanghvi?

MR. SANGHVI: Yes.

MS. RAMSAY: Member Byrwa?

MR. BYRWA: Yes.

MS. RAMSAY: Member Richert?

MR. RICHERT: Yes.

MS. RAMSAY: Member Montville?

MR. MONTVILLE: Yes.

MS. RAMSAY: Motion passes seven to zero.

MR. IBE: Congratulations.

MR. WOZNIAK: Thank you very much.

MS. GRONACHAN: Good luck.

MR. IBE: Now we get to our final case of
the day, case number PZ15-0004 45674 Cider Mill Road.

Please state your name and address. Also spell your last name for the record. And if you're not an attorney, please raise your right hand to be sworn in.


MS. GRONACHAN: Raise your right hand.

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

MS. OSTERKAMP: Yes, I do.

MS. GRONACHAN: Thank you. You may proceed.

MS. OSTERKAMP: Great. Well, again, hello and good evening. I appreciate you hearing my case. As I mentioned, my name is Kristin Osterkamp, and I have been a Novi resident living in my current home, which is my starter home, and finishing home it looks like, for the last 18 years. We love living in Novi. Our kids go to Novi schools. However, the size of our family has grown, where our house is just too small, and we developed the need for additional livable space.
So our existing deck that came with the house is over 18 years old. And it is deteriorating, so it needs to be removed. Our plan is to remove the existing deck, and then build a room addition in its place.

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

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

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

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

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

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

MR. WALSH: No comments.

MS. SAARELA: No.

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

MR. SANGHVI: Thank you. Thank you.

MR. IBE: Thank you.

MR. SANGHVI: I was there on your street, and saw your place yesterday. And I want to commend you for your reputation [sic]. I think it's very well done.
MS. OSTERKAMP: Thank you very much. I've worked hard on it.

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

MS. OSTERKAMP: Thank you.

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

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

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

MS. OSTERKAMP: Thank you.

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

MS. GRONACHAN: Okay. I have become the motion queen here. Okay. In case number PZ15-0004, I move that we approve the request for the reduced rear
yard setback of 31. I'm sorry. 32.5 feet from the 35 feet. The unique circumstances and physical conditions of the property, such as narrowness, shallowness, and easement topography, and similar conditions, and the need for the variance is not due to the applicant's personal or economic difficulty, as so eloquently stated in the packet that the petitioner provided the board this evening.

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

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

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 the requested variance will not cause an adverse impact on surrounding properties, property values or, the use and enjoyment of the property in the neighborhood or zoning district as so presented by the petitioner this evening.
MR. IBE: Second?

MR. SANGHVI: Yes.

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

MS. RAMSAY: Member Gronachan?

MS. GRONACHAN: Yes.

MS. RAMSAY: Chairperson Ibe?

MR. IBE: Yes.

MS. RAMSAY: Member Krieger?

MS. KRIEGER: Yes.

MS. RAMSAY: Member Sanghvi?

MR. SANGHVI: Yes.

MS. RAMSAY: Member Byrwa?

MR. BYRWA: Yes.

MS. RAMSAY: Member Richert?

MR. RICHERT: Yes.

MS. RAMSAY: Member Montville?

MR. MONTVILLE: Yes.

MS. RAMSAY: Motion passes seven to zero.

MR. IBE: Great. Congratulations.

MS. OSTERKAMP: Thank you very much. I appreciate it.
MR. IBE: You're welcome.

MS. GRONACHAN: Good luck.

MS. OSTERKAMP: Thank you.

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

MR. BYRWA: Thank you.

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

MR. WALSH: No other matters.

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

MR. WALSH: Yes.

MR. IBE: Yes, Member Sanghvi.

MR. SANGHVI: I was going to suggest, but before I do that, I wanted a clarification from the attorney, city attorney. Can I suggest all three names for the three positions at the same time, or do we want to do separately?
MS. SAARELA: You could suggest but, you know, I would rather have separate motions. You said could you suggest who you would recommend, but I would rather when you're approving them to do them one by one.

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

MR. IBE: I think Brent is already --

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

MR. IBE: Yes.

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

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

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

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

MR. IBE: Wonderful.

MS. GRONACHAN: Go ahead.

MR. IBE: Is the motion seconded by anyone?
MS. KRIEGER: Second.

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

MS. GRONACHAN: Thank you.

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

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

MS. GRONACHAN: Second.

MS. KRIEGER: That was quick.

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

Thank you.

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

MS. KRIEGER: Second.

MR. IBE: That was seconded by Sanghvi?

MR. SANGHVI: Yes.

MS. KRIEGER: Yes, that's fine.

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

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

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

MR. SANGHVI: So moved.

MS. GRONACHAN: So moved.

MR. IBE: Second?
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.)
STATE OF MICHIGAN )

COUNTY OF WAYNE    ) SS

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

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

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

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