REGULAR MEETING - ZONING BOARD OF APPEALS
CITY OF NOVI
April 12, 2016

Proceedings taken in the matter of the ZONING BOARD OF APPEALS, at City of Novi, 45175 West Ten Mile Road, Novi, Michigan, on Tuesday, April 12, 2016

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

ALSO PRESENT: Charles Boulard, Building Official
Beth Saarela, City Attorney
Coordinator: Angela Pawlowski, Recording Secretary
Monica Dreslinski, Recording Secretary

REPORTED BY: Jennifer L. Wall, Certified Shorthand Reporter
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CHAIRPERSON GRONACHAN: I'd like to call the April 2016 Zoning Board of Appeals meeting to order. Would you please all rise for the Pledge of Allegiance.

(Pledge recited.)

MS. PAWLOWSKI: Member Byrwa?
MR. BYRWA: Here.

MS. PAWLOWSKI: Member Ferrell?
MR. FERRELL: Here.

MS. PAWLOWSKI: Member Krieger?
MS. KRIEGER: Here.

MS. PAWLOWSKI: Member Sanghvi?
MR. SANGHVI: Here.

MS. PAWLOWSKI: Member Montville?
MR. MONTVILLE: Here.

MS. PAWLOWSKI: Member Peddibonia?

MR. PEDDIBOYNA: Here.

MS. PAWLOWSKI: Chairperson Gronachan?
CHAIRPERSON GRONACHAN: Here.

This evening during the meeting I'm going to ask that everyone please shut off all cellphones during the meeting, so there is no interruptions.

During the time of public remarks, after the petitioner gives testimony, then we will call for anyone in the audience that wishes to make comment.

At that point, there will be a three minute time limit per resident, that wishes to make comment at that time.

Are there any changes to the agenda at this time?

MS. PAWLOWSKI: No.

CHAIRPERSON GRONACHAN: Seeing none, all those in favor of the agenda say aye.

THE BOARD: Aye.

CHAIRPERSON GRONACHAN: The agenda has been approved.

There is no minutes to be approved this evening. They were not part of the packet.

And with that we will see if
there is anyone in the audience that wishes to make comment on any cases that are not before us this evening.

Seeing none, we will move right into our first case, Michigan Beer Company PZ16-0003.

Are they here this evening?

MR. LINNEN: Yes.

CHAIRPERSON GRONACHAN: 42875 Grand River Avenue, south of Grand River west of Main Street. The applicant is requesting variances from the city to allow installation of a new oversized sign. Please come on down.

Are you the only person that's going to be giving testimony this evening?

MR. LINNEN: Yes.

CHAIRPERSON GRONACHAN: Would you please state your name, and then raise your right hand, be sworn in by our recording secretary.

MR. LINNEN: My name is Daniel Linnen, L-i-n-n-e-n.

CHAIRPERSON GRONACHAN: Please
raise your right hand and be sworn in.

MR. MONTVILLE: Do you promise to
tell the truth in the testimony that you are
about to provide?

MR. LINNEN: Yes, I do. As you
received in the package, what we're proposing
to do is replace really in effect what was
there before, that was approved back several
years in the Post Bar. It's slightly smaller
than what was there.

We have installed a temporary
sign there to -- hopefully you had a chance
to go by and see it. That's fairly
indicative of what the permanent sign will
be. Most people think it is a permanent
sign. So they come by and are complimenting
us on the sign, saying, oh, my goodness.
What a great sign, wait until it lights up.

So really what we are asking
for, I think from a standpoint of really
replacing what was there, but secondarily we
are trying to reenergize that Main Street
corridor, and various people in the city that
I had the opportunity to talk to, when they
come in the restaurant, and kind of show them
what we are trying to do by re-energizing it.

Our goal eventually is to re-activate Main Street, to bring back the festivals, bring back the Santa Claus parade, bring back those types of things, of farmers markets and whatnot.

It's definitely a crawl, walk, run scenario at this point in time. It starts basically with our core business, which is the restaurant and beer garden, trying to first off let people know that we are there.

That building has been challenged for several years, and we have the investment, Rojo out front and now the beer company in back, we really want to bring that back to life, so that's why we are asking for the variance.

CHAIRPERSON GRONACHAN: Okay. Thank you. Is there anyone in the audience that wishes to make a statement in regard to this case?

(No audible responses.)

CHAIRPERSON GRONACHAN: Seeing none, Building Department?
MR. BOULARD: Nothing to add.

Standby for questions.

CHAIRPERSON GRONACHAN: Thank you. Mr. Secretary, are there any correspondence?

MR. MONTVILLE: Fourteen letters were mailed, one was returned, zero approval and zero objections.


MR. SANGHVI: I came and saw your place a couple of days ago.

What you have got is the real sign, it's not a mockup? What you have there on the wall is the real sign, you are going to put, right?

MR. LINNEN: No, that's not correct.

MR. SANGHVI: This is a mockup?

MR. LINNEN: That's the mockup.

We had to put something up there that was indicative of what it was permanently. There is no way -- typically what we would have done, if it was a flat sign today, we just had a cutout and apply to the wall, but in
this case, really representative to you, you know, it was a fairly expensive demonstration, frankly it was --

MR. SANGHVI: It looks pretty good by itself.

MR. LINNEN: Social media, everybody comes back, oh, man, gorgeous sign. I promise you if it's approved, the permanent sign will look a lot better, look more finished and more polished.

MR. SANGHVI: It looks pretty good.

MR. LINNEN: Thank you.

MR. SANGHVI: I will support your application.

MR. LINNEN: Thank you very much.

CHAIRPERSON GRONACHAN: Anyone else? Member Montville?

MR. MONTVILLE: Would you say it would be fair to say if you didn't have that sign it would have negative impact on your business?

MR. LINNEN: I tell you what, already, you know, we've been open for three months or so already, and it's one of those
things, as a business owner, you lose sight of the little -- of course people are going to know we're there.

And I can't tell you -- the temporary sign has been up all of maybe 10 days and already just people coming in, oh, my goodness, we were waiting for you to open, when did you open, last week, no, a few months ago.

And it's just one of those things you want to, you know, smack yourself in the head, I didn't think it was that important.

I will tell you that unequivocally it's that important. Even for that street to come back, and to -- when you go down Grand River, you look to the right, and you look down that corridor, should be vibrant, should be lively, it should be -- that's Main Street, and it looks like it's a closed pedestrian thoroughfare, it looks like it's basically just a driveway, maybe it's apartments or something, and we want to change that.

We want to reenergize, not in
a nightclub way, not in that type of way. You know, I think those that I have had the pleasure of meeting in the restaurant and explaining, you know, probably in -- they are out for dinner, you know, with their spouses, significant others and friends, taking the opportunity to explain what we are trying to do and it's something that is -- I think is going to be a bonus, a benefit to them, that Main Street corridor.

MR. MONTVILLE: Thank you. I would agree. The location is unique, for some positive and some negative reasons, being setback in the corner like that, and clearly with the turnover in that particular spot, there is economic difficulty and I would agree with the petitioner, I would be in full support.

CHAIRPERSON GRONACHAN: Thank you. Anyone else?

Welcome to Novi, first of all. And I was driving home on Friday night when I saw the sign, I was at Grand River and right at that intersection, and went, wow, that's an expensive mockup.
MR. LINNEN: I said the same thing.

CHAIRPERSON GRONACHAN: I am sure you did. When I drove around a little bit, because, you know, when you come in front of the Zoning Board, it's important to state why a variance.

And as you so eloquently stated about the identification, but I think it's because of the layout of that Main Street that it's so important to have a sign as unique as this.

The height is important because of the flat layout of the buildings. As you said, you can't put a flat sign on that building. It wouldn't you do any good, there wouldn't be any identification. To bring back that corner, to let people know there is nothing there again, I am in full support of the uniqueness of this sign, because of the uniqueness of the corner.

MR. LINNEN: I appreciate that.

We are going to do everything we can to reenergize that, that Main Street.

CHAIRPERSON GRONACHAN: All
right. Let's see if we can get you on your way here. Is there a motion? Member Krieger.

MS. KRIEGER: In Case No. PZ16-0003, sought by Michigan Beer Company, I move to grant the request.

The variance for the -- will not unreasonably prevent or limit with respect to the property because as stated the street itself is difficult to see and draw attention to this place is open or not open. In that it's unique and did not create the condition because the layout of the streets themselves.

The relief granted will not unreasonably interfere with adjacent surrounding properties, will probably enhance and draw attention to businesses and thrive or be reenergized as stated.

And relief is consistent with the spirit and intent of the ordinance because they reduce the size of the sign and it is in that way in the spirit of the ordinance.

MR. BYRWA: Second.
CHAIRPERSON GRONACHAN: It's been moved and second. Any further discussion?

(No audible responses.)

CHAIRPERSON GRONACHAN:

Ms. Pawlowski, please call the roll.

MS. PAWLOWSKI: Member Byrwa?
MR. BYRWA: Yes.

MS. PAWLOWSKI: Member Ferrell?
MR. FERRELL: Yes.

MS. PAWLOWSKI: Member Krieger?
MS. KRIEGER: Yes.

MS. PAWLOWSKI: Member Sanghvi?
MR. SANGHVI: Yes.

MS. PAWLOWSKI: Member Montville?
MR. MONTVILLE: Yes.

MS. PAWLOWSKI: Member Peddiboyna?
MR. PEDDIBOYNA: Yes.

MS. PAWLOWSKI: Chairperson Gronachan?
CHAIRPERSON GRONACHAN: Yes.

MS. PAWLOWSKI: Motion passes seven to zero.

CHAIRPERSON GRONACHAN:
Congratulations. Your motion has been granted.

MR. LINNEN: Thank you so much.

CHAIRPERSON GRONACHAN: Our next case, PZ16-0008, at 319 Elm Court. The petitioner here? Please come on down.

The applicant is requesting variances --

MS. SAARELA: Madam Chair, may I just point out something before we go forward.

Since we have all regular members present today, Mr. Peddiboyna can't vote because he is the alternate. He has to be here (unintelligible), but he can't vote. We are missing someone?

MR. BOULARD: Yes, we are.

MS. SAARELA: Okay.

CHAIRPERSON GRONACHAN: We were confused as well.

There is a full board.

The applicant is requesting variances to allow construction on the second floor addition and attached garage with reduced sideyard setbacks, and reduced front
Good evening. Sorry for the interruption.

And please are you both going to be giving testimony?

MR. SESSIONS: I'm the contractor partner half. If she has questions, she is going to help out.

CHAIRPERSON GRONACHAN: Then would you please both state your names, spell it for the recording secretary, and then both raise your right hands and be sworn in by our secretary.

MS. LEE: My name is Cora Leah Lee, C-o-r-a hyphen L-e-a-h, L-e-e.

MR. SESSIONS: My name is Artmio Sessions, A-r-t-m-i-o, S-e-s-s-i-o-n-s.

CHAIRPERSON GRONACHAN: Raise your hands to be sworn in.

MR. MONTVILLE: Do you promise to tell the truth in the testimony that you are about to provide?

MS. LEE: Yes.

MR. SESSIONS: Yes.

CHAIRPERSON GRONACHAN: You may
MR. SESSIONS: We purchased a piece of property at 319 Elm. If you look at the survey, I don't know if you guys have it, but the survey shows that the existing house is five or six feet and nine inches off of the property line.

We are not proposing to change that, what it is the house is already an existing two story home. The back of it has a slant and we are just asking to give -- raise it up, keeping the same parameters of the wall going up.

So that we would a true two story instead of (inaudible).

I believe we are actually going to meet all the requirements for the setbacks, so we are not really asking for anything there.

We are going to move it back further, so that it's 30 feet from the street line and 30 feet from the water, 40 from the water actually. That's about all we have.

CHAIRPERSON GRONACHAN: Okay. Do we have anything to add?
MS. LEE: I just feel that it's a good opportunity to enhance the community there, and actually increases the square footage of the living area, seeing that most homes are a minimum of about 14,1,600, so we need that opportunity to be able to make it a full family home.

CHAIRPERSON GRONACHAN: Okay. Thank you. Is there anyone in the audience that wishes to make comment in regard to this case? Please come on down.

If you could step aside so he can --

MR. DUBERON: My name is Terry Duberon, D-u-b-e-r-o-n. I'm the owner two doors down at 313 Elm Court, and I love that these guys are doing this project. We fully support the project.

CHAIRPERSON GRONACHAN: Okay. Thank you. Is there anyone else?

(No audible responses.)

CHAIRPERSON GRONACHAN: Seeing none, Building Department?

MR. BOULARD: Nothing to add.
Other than the fact that this is just the existing footprint, but it's because of the existing building, it is very close to the property line that there is a requirement for the variance because the volume of the non-conformity (inaudible). I just want to make sure so you're comfortable, you don't need -- you can get the garage -- another 11 feet?

MR. SESSIONS: Yes, correct.

MR. BOULARD: We don't need that part. Better to advertise for too much than not enough.

I will stand by for questions. Thank you.

CHAIRPERSON GRONACHAN:

Mr. Secretary, is there any correspondence?

MR. MONTVILLE: Yes, there was 35 letters mailed, eight were returned. There was one approval letter from Robert and Judy Thompson.

CHAIRPERSON GRONACHAN: Thank you. Board members? Mr. Sanghvi.

MR. SANGHVI: Good evening. I
came and visited your place a couple days ago. Pretty small.

MS. LEE: It's a very small lot.

MR. SANGHVI: I don't think you can do anything very much without variances, and the variances you requested are quite reasonable. I am quite happy to support your application.

CHAIRPERSON GRONACHAN: Anyone else? Mr. Boulard.

MR. BOULARD: I have one question.

Are you -- do you know where the boundary of the flood plane is for the home?

MR. SESSIONS: Actually I do. I don't have the survey with me. I do know where the flood plane is.

MR. BOULARD: I want to make sure that -- I mean, whatever -- if the board were to approve the request, it would still be subject to -- the construction still be subject to any requirements of the flood plane.

MR. SESSIONS: Correct.
MR. BOULARD: Just wanted to clarify that. Thank you very much.

CHAIRPERSON GRONACHAN: Any other board members? Member Montville.

MR. MONTVILLE: I agree with Member Sanghvi. I am support of the variance request. It's a non-conforming lot, it's on an existing footprint, previous structure, they are going to build, so like I said, I am in support.

CHAIRPERSON GRONACHAN: Okay. Thank you.

Pretty quiet group tonight. So it is unique up there because the lot is non-conforming. The actual residence is non-conforming and we are not negatively impacting anyone by doing this. You're just going up, you're not going really out. So that's why the variances are needed, just for any of you that are listening in. I am in full support.

So if anyone would like to make a motion, we can move along.

Member Ferrell.

MR. FERRELL: Thank you, Madam
Chair.

I will move that we grant the variance in Case No. PZ16-0008, sought by the petitioner for the construction of the second floor addition to the house.

The petitioner has shown practical difficulty requiring the variance due to the size of the lot, and non-conformity of the lots in the area.

Without the variance, the petitioner is unreasonably prevented or limited to respective use of the property.

The property is unique because it is set along with the non-conformity.

The petitioner has not created the condition. The relief granted will not unreasonably interfere with adjacent or surrounding properties, due to the construction actually going up and not to the sides.

It is consistent with the spirit and intent of the ordinance due to the property's non-conforming lot, and also add that this would be subject to -- still
subject to the requirements of the flood plane.

MR. SANGHVI: Support.

CHAIRPERSON GRONACHAN: It's been moved and second. Is there any further discussion?

(No audible responses.)

CHAIRPERSON GRONACHAN:

Ms. Pawlowski, will you please call the roll.

MS. DRESLINSKI: Member Byrwa?

MR. BYRWA: Yes.

MS. DRESLINSKI: Member Ferrell?

MR. FERRELL: Yes.

MS. DRESLINSKI: Member Krieger?

MS. KRIEGER: Yes.

MS. DRESLINSKI: Member Sanghvi?

MR. SANGHVI: Yes.

MS. DRESLINSKI: Member Montville?

MR. MONTVILLE: Yes.

MS. DRESLINSKI: Member Peddiboyna?

MR. PEDDIBOYNA: Yes.

MS. DRESLINSKI: Chairperson Luzod Reporting Service, Inc.
313-962-1176
Gronachan?

CHAIRPERSON GRONACHAN: Yes.

MS. DRESLINSKI: Motion passes seven to zero.

CHAIRPERSON GRONACHAN: Your variances have been granted. I'm sure you will be in touch with the Building Department, good luck.

Moving right along. We are going to our next case, Riverbridge Condominium Homeowners Association, PZ16-0009, east of Novi Road and north of Eight Mile.

The applicant is requesting to allow installation of two new neighborhood signs, within 10 feet of the city right-of-way.

Good evening and you are?

MR. MCCURE: Randall McCure, R-a-n-d-a-l-l, M-c-c-u-r-e.

CHAIRPERSON GRONACHAN: Would you please raise your right hand and be sworn in by our secretary.

MR. MONTVILLE: Do you promise to tell the truth in the testimony you are about
to give?

MR. MCCURE: I do. One technicality, we are only requesting for a the variance of the north sign. The south sign lies 17 feet off the curb, so I do not believe -- we're requesting the variance because the north sign will lie within the right-of-way easement, and it will be off of our property. That doesn't really apply, or it does not apply to the south side. So we have permission from the parks department for the south sign in writing.

So for the north sign, we're doing the sign project. We are replacing the north and south signs. We applied for a beautification project. And on the north side, we looked at a location that was on our property and out of the right-of-way, it didn't work very well.

In Riverbridge the road kind of curves through and we don't have a true entranceway like a lot of neighborhoods, the road just kind of runs through it and it curves through it. And there is no really nice place to put it on our property.
So the north -- so we just propose and are requesting to leave the north sign right where it is right now as it has been for about 15 years. We just don't want to move it. It's a good location. It's very easy to see, and we're going to -- we are doing a great way design, which is required of the sign.

We are meeting the requirements for the square footage of the sign, and it will just be a nice, new modern colorful artistic looking sign north and south, identical one to the north end and south end. So we are simply requesting a variance for the location of the north sign to remain where it is.

CHAIRPERSON GRONACHAN: Okay.

Thank you. Building department?

MR. BOULARD: I will standby for questions. I just want to clarify one. So both signs are indeed not on your property?

MR. MCCURE: Correct.

MR. BOULARD: That's one of the reason they require a variance, they're both (inaudible).
CHAIRPERSON GRONACHAN: Is there anyone in the audience that wishes to make comment on this case?

(No audible responses.)

CHAIRPERSON GRONACHAN: Seeing none, correspondence?

MR. MONTVILLE: There were 31 letters mailed, one was returned and four approvals.

All four approvals, just reiterate they're in support. Nothing in addition.

CHAIRPERSON GRONACHAN: Board members? Member Sanghvi.

MR. SANGHVI: I drove around yesterday a very winding road. And it's very hard to locate anything to be visible there when you drive.

So I can understand your difficulty in getting a different location for your sign. You have an old sign there. This one is much better looking.

MR. MCCURE: Thank you.

MR. SANGHVI: I think you are doing a great job of creating a better sign.
Thank you.

CHAIRPERSON GRONACHAN: Okay.

Anyone else? Member Krieger.

MS. KRIEGER: I always thought that your sub was part of Chase Farms when I went through that road, so to go by and then see the signs again for -- appreciate it.

And I am also in support of the signage.

MR. MCCURE: Thank you very much.

CHAIRPERSON GRONACHAN: Anyone else?

(No audible response.)

CHAIRPERSON GRONACHAN:

Is there a motion?

MR. MONTVILLE: I'm prepared to make a motion.

CHAIRPERSON GRONACHAN: Member Montville.

MR. MONTVILLE: I move that we grant the variance requested in Case No. PZ16-0009, sought by the Riverbridge Homeowners Association for the installation of two signs on both north and south ends.

This particular instance, petitioner has shown practical difficulty for
the following reasons, without the variance request the petitioner and homeowners association will have difficulty identifying and providing signage for their neighborhood.

The property is unique for a couple of different reasons. The curvature of the preexisting road, the bridge on the north entrance, the waterfront and also the trees and the forest, provided difficulty to try to find the location to put these signs, hence the request for the variances.

The petitioner did not create the pre-mentioned feature of the landscape and the relief granted with these requests will not interfere with the surrounding properties and the relief is consistent with the spirit and intent of the ordinance, as the signs are professionally esthetically designed and appealing.

MS. KRIEGER: Second.

CHAIRPERSON GRONACHAN: It's been moved and second. Any further discussion?

(No audible responses.)

CHAIRPERSON GRONACHAN: Seeing none, Ms. Pawlowski, will you please call the
roll.

MS. PAWLOWSKI: Member Byrwa?
MR. BYRWA: Yes.

MS. PAWLOWSKI: Member Ferrell?
MR. FERRELL: Yes.

MS. PAWLOWSKI: Member Krieger?
MS. KRIEGER: Yes.

MS. PAWLOWSKI: Member Sanghvi?
MR. SANGHVI: Yes.

MS. PAWLOWSKI: Member Montville?
MR. MONTVILLE: Yes.

MS. PAWLOWSKI: Member Peddiboyna?
MR. PEDDIBOYNA: Yes.

MS. PAWLOWSKI: Chairperson Gronachan?
CHAIRPERSON GRONACHAN: Yes.

MS. PAWLOWSKI: Motion passes seven to zero.
CHAIRPERSON GRONACHAN: Thank you very much. Your variance has been granted. Congratulations and good luck.

Our next case is PZ16-0010, 1075 East Lake Drive, Ehlers. Come on down.
The applicant is requesting
variances to allow construction of a second
floor addition to an existing non-conforming
residence, with reduced sideyard setbacks and
an aggregate sideyard setback.

Good evening. Would you
please state your name, spell it for the
secretary and then be sworn in.

MR. EHLERS: My name is Gary
Ehlers and that's E-h-l-e-r-s.

CHAIRPERSON GRONACHAN: Raise
your right hand to be sworn in.

MR. MONTVILLE: Do you promise to
tell the truth in the testimony that you are
about to provide?

MR. EHLERS: Yes.

CHAIRPERSON GRONACHAN: You may
proceed.

MR. EHLERS: Let's see. Where do
I begin.

We bought this cottage in
2011, as a cottage, and we moved into it in
'13.

And in 2014 we decided we
wanted to come to you and have a deck put on
the front of the cottage, which is across the
road, from where we also own property across the road, which we came in front of you in 2014. And that was a very good thing, and I think it really was -- added some value, and last year we came to you for another variance asking to put a second bedroom on the back of the house, you know, and a full bathroom. I mean, we had a half bath up there, which turned out to be exceptional. And we are coming today because the first bedroom near the -- I guess you will call it the deck on the second floor, is a shrunken actually bedroom, it's actually three feet to the windows, and then goes up in the corner.

You know, had I been smarter I would have said, I should have done -- the deck -- the second bedroom about the height of the second bedroom to the first, but all I'm trying to do now -- I got a visual picture, if that helps, sometimes the drawings are a little tougher. But all I'm actually trying to do is a little bedroom because it's three feet in some spots -- you can't get a -- I was trying to raise the back. I should have done it all at once, if
I was smart, but, you know --

CHAIRPERSON GRONACHAN: I think with the amount of time that you spent here coming to see us every year, we do have an opening on the board, maybe you should think about applying.

MR. EHLERS: I know Angie and Chris Webber very well.

If you can look, it's a little cottage only 30-foot, but the last 2015, in the summer, the back end is where the second bedroom went on, if you look straight ahead, you can see the deck on the first floor, right near the road, you want to get off the road and have a deck, but the first bedroom right there has only got three feet. If you want to put a dresser or you want to put a bed in there, there is no room. Had I been smarter, I would have said, let's just take it there, go all the way to the front.

However, last year when I made this decision, we were in California for three months, so I wasn't there to watch it, otherwise, I would have said it. We had our
first grandkid out there. I'm just asking.

Is there any motions? I'm
tired of coming in front of you.

It will bring the value up.

I mean, really. What we have done on it, I
think it would enhance the value. Actually
the property owners around us are starting to
pay attention to theirselves.

CHAIRPERSON GRONACHAN: Okay.

Thank you. Is there anyone in the audience
that wishes to make comment?

(No audible responses.)

CHAIRPERSON GRONACHAN: Seeing

none, Building Department?

MR. BOULARD: Nothing to add,
just increase -- raising the roof, increase
the volume, and all the work they have done
so far looks really good. I would standby
for questions.

CHAIRPERSON GRONACHAN: Member
Montville, correspondence?

MR. MONTVILLE: There were 41
letters mailed, two returned, one objection.
Noting a disagreement with the addition
upstairs.
CHAIRPERSON GRONACHAN: Can you read that.

MR. MONTVILLE: This is from Amy Weston, W-e-s-t-o-n, at West 1715 Paramount.

CHAIRPERSON GRONACHAN: Okay.

Board members? Member Sanghvi.

MR. SANGHVI: Thank you. I remember coming to your place two years ago.

MR. EHLERS: Sorry to drag you guys out.

MR. SANGHVI: It's very new looking as it is now. How big are you going to do your new bedroom?

MR. EHLERS: Actually it's not going to be any bigger. It's just the walls are going to go straight up. It's just that when you are in that room, if you want to put anything in there, a desk or whatever the case may be, because of the size of the wall are three feet, and they go up like this, we are just going to raise it straight up like we did in the back, straight up on the same foundation.

Like I said, I should have done this -- you know, should have come and
did all of this once last year when I did the back. You know, it just wasn't there, things -- other things were going on now we're ready to finish it off. Hopefully got more room to do anything.

MR. SANGHVI: You will be able to stand up, right?

MR. EHLERS: Yes.

MR. SANGHVI: With the new bedroom? It will be a bedroom?

MR. EHLERS: It will have an office, a rec room, it will have two bedrooms, and full bath and I think it's now very useable.

MR. LINNEN: Very good. Good luck to you. You're doing a good job of extending it up.

MR. EHLERS: Thank you.

CHAIRPERSON GRONACHAN: Anyone else? Member Montville.

MR. MONTVILLE: Just as far as the professional design of it, I would imagine just if you can confirm or maybe deny, the design esthetically would match the previous layout of the house and the
MR. EHLERS: It's going to match the roof and same siding. More than likely have the same contractor do it that did it this past summer. That is the savings in the whole thing. Should have convinced me to do the first time.

MR. MONTVILLE: I understand.

MR. EHLERS: I was preoccupied.

MR. MONTVILLE: I am in support of the request.

CHAIRPERSON GRONACHAN: Is that a motion?

MR. MONTVILLE: It can be.

I move that we grant the variance requested in Case No. PZ16-0010, sought by Gary Ehlers at 1705 East Lake Drive.

The petitioner has shown a practical difficulty due to the existing footprint of the house and the existing non-conforming nature of the lot.

The variance being granted in this particular case is not an additional variance request. It's from the pre-existing
request of the original construction.

This particular variance request is not self-created and due to the non-conforming lot, the addition will be a value added to the market value of the property, will maintain the esthetic appeal of the neighborhood as currently is designed, will not have a negative impact on surrounding properties.

For those reasons, I move that we grant the variance as requested.

MS. KRIEGER: Second.

CHAIRPERSON GRONACHAN: It's been moved and second. Any further discussion?

(No audible responses.)

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

MS. DRESLINSKI: Member Byrwa?

MR. BYRWA: Yes.

MS. DRESLINSKI: Member Ferrell?

MR. FERRELL: Yes.

MS. DRESLINSKI: Member Krieger?

MS. KRIEGER: Yes.

MS. DRESLINSKI: Member Sanghvi?

MR. SANGHVI: Yes.
MS. DRESLINSKI: Member Montville?

MR. MONTVILLE: Yes.

MS. DRESLINSKI: Member Peddibonya?

MR. PEDDIBOYNA: Yes.

MS. DRESLINSKI: Chairperson Gronachan?

CHAIRPERSON GRONACHAN: Yes.

MS. DRESLINSKI: Motion passes seven to zero.

CHAIRPERSON GRONACHAN: Congratulations. Your variance has been granted.

MR. EHLERS: Thank you.

CHAIRPERSON GRONACHAN: Our final case for this evening is Case No. PZ16-0011, for Primanti Brothers. Are they here this evening?

MR. SMITH: Yes, ma'am.

CHAIRPERSON GRONACHAN: Are you the only one giving testimony this evening?

MR. SMITH: To my knowledge.

CHAIRPERSON GRONACHAN: Would you please spell it for our recording secretary
and be sworn in.

MR. SMITH: Daniel Smith with Foremark Real Estate, 8235 Douglas Avenue, Suite 945, Dallas, Texas.

MR. MONTVILLE: Do you swear to tell the truth in the testimony that you are about to provide?

MR. SMITH: Yes, sir.

CHAIRPERSON GRONACHAN: Proceed.

MR. SMITH: Charles, was there by chance -- do we have the presentation put up?

As I mentioned just a second ago, Daniel Smith with Foremark, representing Primanti Brothers.

Primanti Brothers is going into Novi Town Center.

First of all, I just wanted to let you guys know how excited Primanti Brothers is to come to the State of Michigan.

This particular location is kind of competing currently with the other location in Taylor, Michigan at Southland Mall. We got a work crew out there right now. They started construction earlier this week. And this one in Taylor is kind of
going side-by-side, which one is going to actually kind of get that golden ticket as the first Primanti Brothers Michigan.

The concept was borne out of Pittsburgh in the strip district. Joe Primanti started selling sandwiches at 3:00 a.m -- from 3:00 a.m. to 3:00 p.m. to truck drivers that were driving really late at night, so it has been around during the great depression.

So that particular piece of the concept is what makes it particularly unique for most of the locations that Primanti Brothers pursues.

It is a casual sitdown full service restaurant. It is not a bar or a nightclub. There are 36 locations currently in seven states. Some of those are under construction. There will be a total of 36 locations in the near future.

This concept was actually featured on Man Versus Food, the first season, so you can go back and watch it. It's pretty neat. Also it is the number one rated concession at three
professional sports arenas.

The Primanti concept is unique also in that the particular sandwich that makes them famous in the City of Pittsburgh is a sandwich that's in between fresh Italian bread with french fries and coleslaw. So the fact that it has french fries and coleslaw makes it particularly unique.

There is no other concept like this in the City of Novi. Again, this could be first or second location in the State of Michigan.

This site address is 43335 Crescent Boulevard, it's east of Novi Road, north of Grand River Avenue. I'm sure you're all familiar with it. It's 4,700 square foot within a 7,000 square foot two tenant building, that is the location of the building, if you're not familiar. It's the west side of that particular part of the town Center.

This is the sign package. I believe each one of you has a copy of the front view. That's the west elevation facing
Novi Road.

So I will focus a little bit on this particular slide, because this is the basis of the variance that we are requesting today.

So the east -- I will start with the west facade. The west facade faces Novi Road. When you approach this space from a visibility perspective from the south and the north, it is extremely difficult to see that particular side of the building.

When I was out here, and currently the building actually -- when I was out here, I took pictures, it was extremely hard to see based off the mature trees that exist along the roadway. There also in a setback difficulty as well, in addition to the visibility difficulty. That's approximately 350 to 375 depending on where you measure from Novi Road.

That particular sign is extremely important to Primanti, mainly due to the fact that that is -- Primanti's advertisement to the motorists along Novi Road.
When you enter into the center, that's not the main reason why we need that sign. The main reason why we need that sign is to advertise to people along Novi Road.

The fact that this is a restaurant, I'm sure each one of you are familiar with it, signage for restaurants is extremely important from a functional and economic perspective, it help drives traffic to the restaurant, helps drive sales as well.

So switching over to the east side, there is an even greater setback difficulty in visibility from within the center. So if you enter from the south or from the north you will notice that these kind of light blue lines indicate 780 foot visibility angled and a 760 visibility angle from as you approach that part of the center, once you get passed the corners of each one of those buildings. So if anybody comes in goes to Wal-mart and drives past the restaurant a 65-foot sign is going to be extremely difficult for any motorist to see from within the center as well as along Novi
Road.

Another difficulty is the fact that we're not -- Primanti pursues panel opportunities and free standing signage in any jurisdiction that they can get it in. This particular case, we cannot get a panel sign, and we are not allowed a free standing sign, so that makes it extremely difficult for us as well.

So with that, I don't really have anything else to really address. I will open it up to any questions.

CHAIRPERSON GRONACHAN: Is there anyone in the audience that wishes to make comment on this case? Okay. Building Department?

MR. BOULARD: I just want to point out one point. There is some discrepancy in the way that the area of the sign was measured. And typically the way that the city measures signs draw rectangles around those.

In this case, I think you come up with a hexagon that kind of shows the lesser area. I think the size of the -- you
know, how the area is measured was not as important as if the board is inclined to grant the variance, for this kind of unique location, that the variance refer -- any variance referred to this configuration of signs. Other than that, I will standby for questions.

CHAIRPERSON GRONACHAN: Thank you. Member Montville, is there any correspondence?

MR. MONTVILLE: Yes, 78 letters were mailed, 12 were returned, zero approvals, zero objections.

CHAIRPERSON GRONACHAN: Okay. Could you go back in your presentation to the actual signage itself. Clarification, if you don't mind.

Thank you. Would you again for clarification purposes explain which signs and what sizes they are for each elevation, if you don't mind.

MR. SMITH: So this is the entrance, this particular sign they're both the exact same size, so the way -- the reason why we measured this the way we did, the
reason the variance request that was mailed out to everybody reads the way it did, because we went back and looked at the definition of the sign area, within code.

On the first page, code section 28-1 under definition defines the area of the sign as the entire area within the small circle, triangle, parallelogram or -- this is the key phrase -- other geometric shape. A hexagon is considered a polygon, which is considered a geometric shape, as noted within the sign code.

We wanted to make sure that we weren't asking for too much signage, so it would get approved. So this -- I'm sorry, this sign area of this particular slide is the exact same size. The size of that sign is the same size as the original submittal we made with 139 square foot sign area as noted within the variance that was mailed out to everybody. So the actual -- the actual surface area of the sign itself is not changed. It's just the way that we measured it.

CHAIRPERSON GRONACHAN: So this
sign is on the east?

MR. SMITH: Yes, ma'am, that's on east side.

CHAIRPERSON GRONACHAN: That's what I wanted is clarification. Because when you're driving around your building it is very confusing the fact that there is two tenants.

So this is the east side, which means you're coming from down Crescent Boulevard heading towards Novi Road, do I have that correct?

MS. KRIEGER: Or is it north?

CHAIRPERSON GRONACHAN: Are you going north?

MR. SMITH: If you notice here, on the upper left-hand corner of this picture, some people will enter in this way, and entering from along Town Center Drive, go west, then come down south along Crescent Boulevard.

This particular sign is crucial for those motorists as well as those that enter in the center over by Wal-mart.

So that is -- yes, you're correct, that is
the east side, east facade.

CHAIRPERSON GRONACHAN: Then the
north sign is the same size that you're
requesting -- no, it's a little smaller, is
that correct?

MR. SMITH: There is no sign on
the north facade.

CHAIRPERSON GRONACHAN: Where is
the second?

MR. SMITH: The second is on the
west side, on this particular plan south
facing Novi Road.

CHAIRPERSON GRONACHAN: Can you
go back to that sign as well. I'm sorry.

MR. SMITH: That's the east sign, that's our entrance, facing to the interior part of the center. This is the west facade, that is facing Novi Road.

CHAIRPERSON GRONACHAN: Okay.

MR. SMITH: They're both the same exact size sign.

CHAIRPERSON GRONACHAN: Board
members? Member Sanghvi?

MR. SANGHVI: Thank you. I visited your place a few days ago. The only
sign I saw was in the windows, Primanti Brothers. I didn't see any mockup or anything. Is it on or not. Anyway that's beside the point now.

If you take away the hamburger, there is no way of knowing the restaurant. And so with the hamburger and the name and everything when you combine, you require a lot of area to be visible.

So I can understand the size of the sign you want. And I don't know, you want this size, it would be visible from Novi Road. Because the location is at an angle there from Novi Road. But I wish you luck. Thank you.

CHAIRPERSON GRONACHAN: Anyone else? Member Krieger?

MS. KRIEGER: I had a question, which was the -- how was the building divided? You have two tenants? I'm sort of confused. I thought you were the north side versus the south, so that you were looking for a north side and east, but now it looks like --

MR. SMITH: At one point early on
in the process we asked for a small sign for
the north facade --

MS. KRIEGER: You have the whole
building?

MR. SMITH: No, we have the north
portion of the site. I will go back to this.

MS. KRIEGER: On Crescent Boulevard you're driving by, you do have the
sign. So you're already coming in from Novi Road coming south, if you're coming from out
of town, usually you come 96 down Novi Road into Crescent Boulevard, and that's where you
would see the sign on the west, so for sure -- you will need it there.

And then if you're -- if you
are looking for customers from Wal-mart who
are looking for lunch or dinner, then to go
from the east, so the size of the -- I guess
because it's two separate -- is it going to
be two separate signs?

MR. SMITH: It's considered an
oversized sign.

MS. KRIEGER: But the back facade
will be open to the brick? You can see the
wall?
MR. SMITH: Yes, ma'am.

MS. KRIEGER: Considering the difficulty of the amount of the traffic going in there, and the other distractions, I will be able to support this.

CHAIRPERSON GRONACHAN: Member Byrwa.

MR. BYRWA: Yes, it appears that we are talking, there is two signs, advertising a name of the business and two signs that show the graphics of the burger or whatever.

And the signs to me are independent of each other, they're not -- yeah, they're in the same general area, but we still have the ability to grant, you know, a variance for four signs, which I think would more accurately describe what's going on, rather than just two, and you're grouping them together.

CHAIRPERSON GRONACHAN: City Attorney, please.

MS. SAARELA: We only advertised for two signs. The ordinance reads you put a geometric shape around them, they can
constitute one -- you know, one size for two pieces.

MR. BYRWA: But they're not even touching each other. They're independent, they will probably go up independent of each other. You know, I'm all in favor of calling a spade a spade here. To me it's four signs that we have.

MR. BOULARD: I think the -- if I could.

I think the challenge is that you probably would -- either of them -- would either of them function without the other? They're kind of independent, so what we would get if we go down that road, we would have asked -- advertised for three signs, three additional signs, with one being allowed by right.

So three additional signs and that they can be in the area individually. So just like we do when we call a -- when you channel letters, we build a box around them.

MR. BYRWA: I guess the question would be, when it's being constructed, they would go up independently. It's not all on
one sign board or --

MR. SMITH: They will be erected at the same time. All four signs are going to be fabricated at the same time and erected at the same time.

MR. BYRWA: Well, I know what you are saying, but they will still go up independently. They're independent signs. They would go up, one would go up, then maybe name of the company would go up and five minutes later the graphics of the burger would go up.

But they're -- to me they're independent signs. They're not on one sign board or there is nothing joining them together, that would -- to me that would physically make it one sign.

MS. SAARELA: I'm not sure how that's relevant to the standards, how does that relate to the standards for the practical difficulty?

MR. BYRWA: Well, it kind of clouds the accuracy of the variance that's being applied for. I think --

MR. SMITH: That's the way the
code reads. The code reads that an oversized sign is determined by the boundary that's within that sign area.

So regardless of whether it's one sign or it's two signs, that boundary that dictates the sign area, that determines whether or not that's two signs, or in this particular case, four signs.

MR. BYRWA: Who is the other tenant?

MR. SMITH: It was going to be Chipotle, but they backed out.

MR. BYRWA: My understanding, the intent of that was that if you had Primanti Brothers, one underneath the other, then you would put a box around them and that would be one sign.

But when you have an independent item that's not physically attached to it is what I have a problem with.

MS. KRIEGER: There is a restaurant --

MS. SAARELA: At this point this is how it was advertised. I don't think it makes a difference one way or the other of --
all you're really asking for is that be readvertised a different way. I don't think it really impacts the standards.

CHAIRPERSON GRONACHAN: Anyone else?

I spent quite an amount of time driving around your building. And this is going to be a first for me. I have been doing this for a long time. I don't think these signs are going to be big enough. That's a big statement.

And the reason why I say that, I'm not going to think you should make them bigger, but I think you have quite a challenge in this building. We have been waiting for a long time for this building to get finished, we have been out there. It's a shame there was no mockups. When I was out there, there weren't any either.

I wish they would have put them up because I think it would clarify a lot of this misconception when you're driving around.

When you're coming in from Novi Road, or if you're coming down Crescent,
but the biggest part that I think that you have a challenge on, is when you're in the parking lot, driving from the other locations, and I think that's going to be a challenge.

So having said that, given the uniqueness of the building, the uniqueness of the layout of your location, that this is not -- everything is at an angle. I hope everybody understands what I mean by that. This building is not dead on anything. The roads are at an angle, coming in and out is at an angle, so you have -- you definitely, if anybody, has a unique situation here for signage.

And I'm going to be in support of this. When I first looked at it, I thought perhaps the size should go down, but when I went back out there and looked, I don't think from Crescent, I don't think from Wal-mart, I don't think coming from Town Center and coming down, I think you're going to have a very unique challenge.

I think that you did an excellent job in your presentation. I am
full in support of this, be it three or four
signs or whatever -- how we advertised it. I
wish you all the luck when you get here. I
hope that Novi is first.

MR. SMITH: Thank you.

CHAIRPERSON GRONACHAN: Having
said that, would anyone like to make a motion
or anything else additional to add?

Member Krieger.

MS. KRIEGER: In Case No.
PZ16-0011, for Primanti Brothers I move to
grant the request.

The petitioner has shown a
practical difficulty just by the nature --
the layout of the roads and the layout of the
buildings. The variance -- this is what
makes it extremely unique. And they did not
create this condition, and the relief will
not unreasonably interfere with adjacent or
surrounding properties.

It will enhance by attracting
attention and other revenues to the city.

The relief will be consistent
with the spirit and intent of the ordinance,
that it is -- the sign has been carefully
considered.

MR. FERRELL: Second.

CHAIRPERSON GRONACHAN: It's been moved and second. Is there any further discussion?

(No audible responses.)

CHAIRPERSON GRONACHAN: No further discussion.

MS. DRESLINSKI: Member Byrwa?

MR. BYRWA: Yes.

MS. DRESLINSKI: Member Ferrell?

MR. FERRELL: Yes.

MS. DRESLINSKI: Member Krieger?

MS. KRIEGER: Yes.

MS. DRESLINSKI: Member Sanghvi?

MR. SANGHVI: Yes.

MS. DRESLINSKI: Member Montville?

MR. MONTVILLE: Yes.

MS. DRESLINSKI: Member Peddibonya?

MR. PEDDIBOYNA: Yes.

MS. DRESLINSKI: Chairperson Gronachan?

CHAIRPERSON GRONACHAN: Yes.
MS. DRESLINSKI: Motion passes seven to zero.

CHAIRPERSON GRONACHAN:

Congratulations. Welcome to Novi.

MR. SMITH: This is just the approved square footage, approved the sign area, is it approved as --

CHAIRPERSON GRONACHAN: As advertised.

MR. BOULARD: Yes, the way I understood it, was approved as advertised. As requested, the drawing that you requested, that's what's approved.

MR. SMITH: Perfect. Thank you.

CHAIRPERSON GRONACHAN: Thank you. Are there any other matters for discussion this evening?

Member Sanghvi.

MR. SANGHVI: I'd like to propose a vote of thanks to the City Attorney and the staff for hosting the training session, doing such a good job. Thank you very much.

CHAIRPERSON GRONACHAN: For those at home, the Zoning Board met two weeks ago,
and we had our own training session. Our
city attorney Beth Saarela oversaw that
training session, which was extremely
beneficial and I think that we all -- I'm
speaking for everybody I'm sure, we all feel
this way, that we learned a lot and it was
very enlightening, and we appreciate the
support from the city and always the city
attorney to our left, when she will keep us
out of trouble for sure. That's a good
thing. Thank you. Dinner was excellent,
Charles, you did a great job of cooking.

We look forward to at least a
brush up once in a year.

I would like to take a moment
to welcome our newest member, and before I --
I want to take the pleasure of being able to
say it, so Joe Peddibonya is our newest
alternate to the board. He was appointed by
City Council. This is his first meeting. We
welcome you and wish you all the best. We
are very happy to see you and I hope that you
learned a lot tonight.

MR. PEDDIBOYNA: Thank you.

CHAIRPERSON GRONACHAN: There is
still an opening. We did lose -- Member Reichert resigned due to a work commitment. So there is still an opening. I know that the city clerk is posting that position. So having said that, is there anything further? Member Ferrell?

MR. FERRELL: I would like also to introduce our new recording secretary, Monica Dreslinski, welcome to the board.

MS. DRESLINSKI: Thank you.

CHAIRPERSON GRONACHAN: Anything else?

(No audible responses.)

CHAIRPERSON GRONACHAN: Seeing none, is there a motion to adjourn?

MR. SANGHVI: Move to adjourn.

CHAIRPERSON GRONACHAN: All those in favor?

THE BOARD: Aye.

CHAIRPERSON GRONACHAN: Meeting adjourned.

(The meeting was adjourned at 8:00 p.m.)

** ** **
STATE OF MICHIGAN  )
    ) ss.
COUNTY OF OAKLAND  )

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

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

       IN WITNESS THEREOF, I have hereunto set my hand at the City of Walled Lake, County of Oakland, State of Michigan, this 16TH day of May 2016.

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

Jennifer L. Wall
4/12/2016