REGULAR MEETING - ZONING BOARD OF APPEALS
CITY OF NOVI
November 15, 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, November 15, 2016

BOARD MEMBERS
Cindy Gronachan, Chairperson
Jonathan Montville, Secretary
Linda Krieger
Mav Sanghvi
Joe Peddiboyina

ALSO PRESENT:
Beth Saarela, City Attorney
Lawrence Butler
Coordinator: Monica Dreslinski, Recording Secretary
Carol Chaput, Recording Secretary

REPORTED BY: Jennifer L. Wall, Certified Shorthand Reporter
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Novi, Michigan.

Tuesday, November 15, 2016

7:00 p.m.

** ** **

CHAIRPERSON GRONACHAN: I would like for everybody to have a seat. I would like to call order the November 2016 Zoning Board of Appeals meeting to order.

Would you please rise for the Pledge of Allegiance.

(Pledge recited.)

CHAIRPERSON GRONACHAN: Monica, would you please call the roll.

MS. DRESLINSKI: Member Byrwa, absent, excused. Member Ferrell, absent, excused.

Member Krieger?

MS. KRIEGER: Present.

MS. DRESLINSKI: Member Montville?

MR. MONTVILLE: Here.

MS. DRESLINSKI: Member Peddiboyina?
MR. PEDDIBOYINA: Here.
MS. DRESLINSKI: Member Sanghvi?
MR. SANGHVI: Here.
MS. DRESLINSKI: Chairperson Gronachan?
CHAIRPERSON GRONACHAN: Present.

Thank you.

This evening we have a very long agenda. It looks like we have a lot of participants, so I'm going to ask that everybody at this time please turn off your cellphones.

I don't know that anybody has any pagers anymore, but if you do. I am also going to bring to everyone's attention, if you're coming to speak and you're not an applicant, you're coming to stand in front of the board to make your comments, you have three minutes to do so. Because of the length that we have, and the number of cases before us tonight, I will be monitoring that time.

If you see that there is a
resident that has shared your comments, you can come up and just tell us that you respectfully share the same comments that are previously spoken, to save us time this evening.

Also, at this point, I would like to ask if there is any changes in the agenda?

MS. DRESLINSKI: The first case PZ-0034, has been tabled to December 13, 2016.

CHAIRPERSON GRONACHAN: Case No. 1 has been tabled. Any other changes?

MS. DRESLINSKI: No, ma'am.

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

THE BOARD: Aye.

CHAIRPERSON GRONACHAN: None opposed.

We have our minutes from the September 13th meeting. Are there any changes or additions or deletions on the
minutes?

Seeing none, all those in favor of the minutes as they stand for September 13th say aye.

THE BOARD: Aye.

CHAIRPERSON GRONACHAN: None opposed. At this point, we ask if there is anyone in the audience that wishes to make remarks to the board in reference to anything other than what's on the agenda this evening, can do so now.

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

Seeing none, we will move right along to our first case, PZ16-0048, 1217 East Lake Drive, Alan DeZell.

Is the petitioner here?

Please come down to the podium.

The applicant is requesting a variance to allow for a five-foot side yard setback, 10-foot minimum allowed. The property is zoned R4.

Would you please state your
name, spell it and be sworn in by our
secretary.

MR. DEZELL: I am Alan DeZell,
it's spelled A-l-a-n, last name is DeZell, D,
as in David, e, capital Z-e-l-l.

MR. MONTVILLE: Raise your right
hand, please, sir. Do you swear to tell the
truth in the testimony you're about to
provide?

MR. DEZELL: Yes.

CHAIRPERSON GRONACHAN: You may
proceed.

MR. DEZELL: Thank you for
hearing my case today.

Essentially what I am looking
for, my family and I, is just to have a side
yard variance of five feet. It's kind of
like a re-variance of what we did back in
2000 when we built our house. We have a
50-foot wide lot, 18-foot easement. When we
built the house and the existing deck, it
already has the five feet variance for the
house and the existing deck as is.
What we are proposing to do is remove the existing deck and in it's same location, same size, is put a roof covered patio. So single story roof, it went through architectural plans, ties into the house really nicely.

The reason why we are doing is it is the existing deck is getting a little deteriorated and we have situations with animals that were burrowing underneath the deck and such, and undermining the soil, woodchucks that I've trapped every year for the past six years and releasing them, and having animals die underneath the deck then rotting.

For all those reasons, and debris on top, we said, why not put a nice foundation in, so per the architectural plans, it's a full trench footing, all the way around, tying into the existing footage, pinning to the house, and from there, essentially a roof covered patio that will tie into the existing garage, and the back of
the house, and the reason for the variance is quite simply it's the same size as what's already there, the reason going in front of the board, as Charles Boulard and the department told me, that there is little change to the structure because it has a roof on it.

Single story roof, ties in again nicely. The neighbors support it. I talked to my neighbor who is adjacent closest to it, he has no issues with it.

The neighbors on the other side, couple houses don't as well. Pine trees cover it, so the neighbors can't even see it.

A lot of variances in that area to begin with, even my neighbor next-door with 100-foot lot has a 5-foot variance for his garage, it's right up where their house is and such.

So, yes, it's a benefit to the community. It certainly improves the value of the homestead itself and surrounding area.
It's a natural extension of the existing house.

Without it, it would be a hardship that would be very narrow. It would be unsightly. You would have a very narrow type deck area.

So I did a topography of looking at our house from the top down, with an arrow pointing to the location. I believe -- I don't know if you have that in front of you.

Our house is right here, then this arrow right here is pointing to where the existing deck is in the backyard, the same location as where this would be located.

Quickly looking at the site plan, page five -- you have the architectural plans in front of you by any chance?

CHAIRPERSON GRONACHAN: We do.

MR. DEZELL: I also have a full size drawing, if you want. We can present that if you want. The architectural or the site plan itself?
CHAIRPERSON GRONACHAN: We have everything here. If the board members need to see it, they will --

MR. DEZELL: I have a site plan essentially showing the existing house here, the garage, back here is where deck already is. This back area. Again, it's going up to the same location, the roof tying in will have a similar pitch and the hip (ph) roof and such. It looks like the existing homestead.

CHAIRPERSON GRONACHAN: Anything else?

MR. DEZELL: If you have any questions, be happy to answer them.

CHAIRPERSON GRONACHAN: Thank you. Is there anyone in the audience that wishes to make comment on this case this evening?

Seeing none, building department?

MR. BUTLER: No comments.

CHAIRPERSON GRONACHAN:
Correspondence?

MR. MONTVILLE: Yes, there were 30 letters mailed, one letter returned, zero approvals and zero objections.

CHAIRPERSON GRONACHAN: Okay.

Board members? Member Sanghvi.

MR. SANGHVI: Thank you. Good evening. I came and saw your place on Saturday.

MR. DEZELL: You did, okay.

MR. SANGHVI: To be honest, the only question I have is all the material you are using, all approved for fire protection?

MR. DEZELL: Well, certainly it's a permit with the city, so it's an open covered patio --

MR. SANGHVI: Open covered means what?

MR. DEZELL: I'm sorry. It has seven posts, so it has a foundation around the perimeter, rather than just for the posts themselves, it's a full trench footing around, with brackets that hold six posts.
From there it will have a full roof like you would have on your house with the eaves troughs the same as the existing house, gutters, shingled roof, you know, standard construction material. Really at this point no insulation or anything in that fashion.

MR. SANGHVI: The reason why I am asking you is later on you might want to (unintelligible) enclose and then you want to make sure at the beginning that this is safe enough to do what you are doing.

MR. DEZELL: Yes, we are focusing on, yes, if it were to be enclosed, it will have a full structure ability as far as the load bearing. The way it is constructed with the architect, it has the load bearing with the posts, and all the construction of the -- you want to say the trusses, and the ridge and all the perimeters, all has the structure near that. There would be no more additional load bearing required if you were to enclose it later. Of course, being enclosed later, it's a secondary permit, or if that meets the
code, whether it's electrical insulation,
HVAC, it's compliant with all the city
ordinances. It actually went through the
permit process already.

So after this is approved, we
are ready to go.

MR. SANGHVI: Thank you.

CHAIRPERSON GRONACHAN: Member
Montville.

MR. MONTVILLE: I am looking at
the notes from the previous application, just
to confirm, was this a preexisting
non-conforming lot initially?

MR. DEZELL: When we built it you
mean?

MR. MONTVILLE: Correct.

MR. DEZELL: Yes, the variance
was the same variance to go from 10 feet to
five feet. So the house was already five
feet from the lot lines, the driveway is
adjacent to the other lot line because it's
an easement shared with the neighbor, the
other size is all five feet, all the way
down, and existing deck is five feet, where this is going in the same spot.

MR. MONTVILLE: Based on -- it being an existing structure of the building, its improved esthetics, the wildlife is a concern with the lot, that's another factor that the applicant has to deal with, for those reasons, I would be support of the applicant as it's being requested.

CHAIRPERSON GRONACHAN: Okay. Thank you. Anyone else? I have no problem with this.

I understand that there was a previous variance granted. And the other only reason why you need another variance is because of the roof. That's the only reason.

So it is a non-conforming lot, and I think that your request is minimal, and I will be in full support. And I would entertain a motion if anyone is ready. If there is no more discussion. Member Montville.

MR. MONTVILLE: I move that we
grant the variance requested in Case No. PZ16-0048, sought by Alan DeZell for a five foot setback variance.

As the petitioner has shown a practical difficulty using a lot as zoned with considering the improved esthetics as a priority from the current deterioration of the back deck. The surrounding wildlife is an aspect on the eastern side of the lot, and the lot is already a preexisting non-conforming lot.

The petitioner did not create these conditions. The relief will not unreasonably interfere with any adjacent or surrounding properties and will potentially add to property values, as the improved esthetics will be an improvement, positive. It is consistent with the spirt and intent of the ordinance, so for those reasons, I move that we grant the variance as it's been requested.

MS. KRIEGER:  Second.

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

Monica, would you please call

the roll.

MS. DRESLINSKI: Member Krieger?

MR. SANGHVI: Yes.

MS. DRESLINSKI: Member Montville?

MR. MONTVILLE: Yes.

MS. DRESLINSKI: Member Peddiboyina?

MR. PEDDIBOYINA: Yes.

MS. DRESLINSKI: Member Sanghvi?

MR. SANGHVI: Yes.

MS. DRESLINSKI: Chairperson Gronachan?

CHAIRPERSON GRONACHAN: Yes.

MS. DRESLINSKI: Motion passes five to zero.

CHAIRPERSON GRONACHAN: Your variance has been granted. Good luck. I'm sure you will be back in contact with the building department.

MR. DEZELL: Thank you.
CHAIRPERSON GRONACHAN: Moving along, our next case Phillips Sign and Lighting. The petitioner is here? Case PZ16-0049, 42235 Grand River.

The applicant is requesting a variance to allow for the installation of an additional 5.7 square foot non-illumination sign. This is at the KIA dealership.

And you are?

MR. BRETZ: My name is Steven Bretz. I am with Phillips Sign and Lighting.

CHAIRPERSON GRONACHAN: Would you please spell your name for the recording secretary, and then raise your right hand to be sworn in.

First name is Steven, S-t-e-v-e-n, last name Bretz, B, as in boy, r-e-t-z.

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

MR. BRETZ: Yes, I do.

CHAIRPERSON GRONACHAN: You may
MR. BRETZ: Good evening. I am here representing Phillips Sign and Lighting. Unfortunately, the representative from Feldman Auto Group could not be with me, so I will do this on my own.

Our hardship is two-fold.

Number one, KIA national branding, they are intending to offer a new level of service, and in our ever busier world for all of us, they are going to be offering faster, more efficient service, truly revolutionizing the service world. The word express will be the nucleus of their new rebranding and identity with KIA.

Number two, good safe directional signage for all the visitors to the site. Our variance is not for more square footage, but for an additional sign. Please consider that the sign measures 5.7 square feet. It's only 12 inches high, 70 inches wide and non-illuminated.

Hopefully our request seems proceed.
modest and in good taste, and on behalf of
the Feldman Auto Group and Phillips Sign, I
thank you for your consideration.

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

Seeing none, building
department?

MR. BUTLER: Only comment, it is
a reasonable request. We have reviewed it
and it takes in pretty much what he has out
there. No additional comments.

CHAIRPERSON GRONACHAN: Thank
you. Is this sign -- do you have a diagram
by chance to show us where the sign exactly
is going?

MR. BRETZ: I do. You didn't
receive any of that?

CHAIRPERSON GRONACHAN: There is
a few people at home watching, so I would
like to put it up there just to clarify. And
I have some questions.

So is this sign replacing any
of the signs currently on the property?

MR. BRETZ: It is not.

CHAIRPERSON GRONACHAN: And according to our pictures, what is the purpose of the express sign, to direct them into where they can get the express service, is that what the idea is?

MR. BRETZ: Into that express area. The way I understand it, there is already a service sign up there, but again, they're moving in the direction of rebranding their image a little bit, and to do that, they're adding the word express to that lane or to that area under the service sign. They plan on doing this at all their dealerships. They're starting -- I believe this is the first one actually.


MR. MONTVILLE: Yes, there were 14 letters mailed, two letters returned, zero approvals and zero objections.
CHAIRPERSON GRONACHAN: Okay.

Board members? Member Krieger.

MS. KRIEGER: I drove all over the site, and I'm sorry, but I couldn't find the express sign, which is embarrassing.

But then my question out of that is why not if it's going to be more services, replace service with express?

MR. BRETZ: The service sign is a lit sign, number one, it's an illuminated sign. This is a non-illuminated sign, just an additional sign to go with the service message.

They really don't want to replace the word service obviously. Because that I believe that's the first word -- somebody is coming in to bring their car in, that's the first word they're going to be looking for is that word service. That needs to remain obviously.

CHAIRPERSON GRONACHAN: Member Montville?

MR. MONTVILLE: Question for the
city attorney, if they were going to take
that service sign, turn it into one new sign,
combining express service, would they need a
variance request for that?

MS. SAARELA: I would have to
know the size and how that sign was proposed.
We have to look into that.

MR. MONTVILLE: For the
applicant, when community customers and
potential clientele, from a safety
standpoint, of flow through the dealership
lot, is it going to be communicated as
safety -- excuse me, express service, like
essentially people looking for the express
sign, potential confusion and confusion on
the dealership lot, would that be fair?

MR. BRETZ: I don't believe it's
going to be a confusing -- I mean, service
and express basically go together. There are
two lanes there. I believe correctly going
through there. I didn't see it as being a
confusing issue for the customer driving
through there at this point.
MR. MONTVILLE: Okay. The reason I ask is -- the task we are assigned with is hardship or, I guess, a reason, for the sign. I understand branding. And I think it's -- just thinking of reasons why this could potentially be a hardship. I don't know if branding is one of them, if that makes sense.

MR. BRETZ: That's the direction that they gave us, that the reason to add a sign, they're changing up -- they're trying to revolutionize their service business. It's a very small change, obviously it's nothing major. But it is something that they're looking to include in all their dealerships, KIA.

MR. MONTVILLE: Again, for customers looking for the service area, potentially the express service area, I could see as a potential reason.

I will open it up to conversation to my fellow board members, hear your thoughts.

CHAIRPERSON GRONACHAN: Member
Sanghvi.

MR. SANGHVI: Thank you. It started as only a General Motors dealership Chevrolet brand, when they extended the business, becoming like a motor mall, that brand name coming in. I understand that they want their brand to be visible, and we both found out it's not easy to drive around there and find this in the first place. So I believe if there is a new sign there, it won't hurt anybody. Thank you.

CHAIRPERSON GRONACHAN: Thank you. Do you know if there was a mock-up put up?

MR. BRETZ: No.

CHAIRPERSON GRONACHAN: Nobody found it.

MR. BRETZ: There hasn't been one, to my knowledge.

MR. SANGHVI: That is why we couldn't find it.

CHAIRPERSON GRONACHAN: Member Peddiboyina.
MR. PEDDIBOYINA: As long as there are safety concerns, if everything is good, I have no issue. You need to be careful in the safety of the parking lot.

CHAIRPERSON GRONACHAN: Okay, thank you. I'm torn. And the reason why I am torn, I don't know if I have enough information to make a decision this evening based on the fact that I am not quite sure what the hardship is. I understand branding, but I am not convinced exactly what the need is and what the hardship is.

The fact there was no -- I mean, I drove around the parking lot as well. I understand what you say the goal is, but I think that -- if there had been a mock-up there of some sort to guide us, to give us an idea of just exactly, then it would have given us some information to make a decision.

I don't feel that we have enough -- looking at the shaking heads and the pause at the table tonight, I think that there is not enough information before this
board to make a decision.

Am I seeing shaking heads?

MR. SANGHVI: I agree with you. I think it would be good idea if they put a mock-up up and come back next month.

CHAIRPERSON GRONACHAN: My suggestion, and you can -- it's your decision.

My suggestion would be to tell your client that a mock-up should be put up so we can get a feel of just exactly what this sign is going to do for the business. You know, driving around and not having a feel for it, we have to come back and make a decision, give a statement as to why there is a hardship.

At this point, there is five people sitting here without coming up with a reason. I don't want to just say, no, we are going to deny it. We would like to work with the business. They're in Novi. They're a fairly large business. I think that there needs to be more homework done in this
instance.

So would you be open to accepting my suggestion of postponing it until -- can we do it next month, December 13th?

MR. BRETZ: Yes. The proposed paperwork that we sent you, the mock-up up here, that's not --

CHAIRPERSON GRONACHAN: With that, I propose -- the petitioner has accepted that we postpone this case -- I am looking for the number.

MS. DRESLINSKI: 49.

CHAIRPERSON GRONACHAN: 49 to December 13th. All those in favor?

THE BOARD: Aye.

CHAIRPERSON GRONACHAN: We will see you on December 13th.

Our next case is PZ16-0050, this is the Road Commission for Oakland County. The commission is seeking a variance from the City of Novi for a dimensional variance for a site less than three acres,
minimize size, three acres allowed.

I know there are several people here this evening to speak in regards to this.

And you are?

MR. SMITH: I am Mike Smith from the Road Commission for Oakland County and this application was made on behalf of the First Free Baptist Church.

CHAIRPERSON GRONACHAN: Who else is giving testimony in regards to this case? Just -- are you the only one?

MR. SMITH: Just myself. I brought the design engineer in case you had questions about design.

CHAIRPERSON GRONACHAN: Would you like to come down so we can swear you both in at this time.

Neither one of you are attorneys, correct?

MR. SMITH: No.

CHAIRPERSON GRONACHAN: We can get your names on the record and get you both
sworn in.

MR. RUCINSKI: My name is Alexander Rucinski. I am a project engineer at the Road Commission for Oakland County.

CHAIRPERSON GRONACHAN: Would you please spell your last name for our recording secretary.

MR. RUCINSKI: R-u-c-i-n-s-k-i.

CHAIRPERSON GRONACHAN: And your name again, if you could spell it for the recording secretary.

MR. SMITH: Michael, last name, Smith, S-m-i-t-h.

CHAIRPERSON GRONACHAN: Thank you. Would you both raise your right hands to be sworn in.

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

MR. SMITH: Yes.

MR. RUCINSKI: Yes.

CHAIRPERSON GRONACHAN: Please proceed.
MR. SMITH: The reason that we applied for the application for a dimensional variance is due to the construction that's taking place on Napier and Ten Mile Road. Their property, the church is on the southeast quadrant of that intersection, and the roundabout that will be constructed there requires for the church, the highway easement to be purchased from the church that goes through their well and the septic system and also through two buildings that's located on the property.

The request is to allow them to redevelop the remaining property which is less than 3 acres, and that's what we are seeking for them today.

CHAIRPERSON GRONACHAN: Thank you. Is there anyone in the audience that wishes to make comment on this case? Seeing none, building department?

MR. BUTLER: No comment at this time.
CHAIRPERSON GRONACHAN:

Correspondence?

MR. MONTVILLE: Yes, there were 18 letters mailed, two letters returned, one approval from Frances Ferguson, 24040 Napier, and she notes -- Frances notes his or her approval.

CHAIRPERSON GRONACHAN: Thank you. Board members. Member Sanghvi.

MR. SANGHVI: Thank you. I came and saw this property on Saturday, and my question is, what is going to happen to the building which is already existing there?

MR. SMITH: It will be -- demolition.

MR. SANGHVI: Going to get rid of the whole thing?

MR. SMITH: The Road Commission -- I'm sorry?

MR. SANGHVI: Who is going to take care of putting the church back together again?

MR. SMITH: The process -- the
property is being acquired under eminent domain, and the process requires that the Road Commission make them an offer to purchase either the total property or a partial acquisition, which is the highway easement.

The desire of the church is to have a partial acquisition because they want to remain at the current location, that's why the option to buy the total parcel is not being pursued at this time.

The lot is contingent upon if they will be allowed to develop on the remaining site.

MR. SANGHVI: I am quite sensitive to anyplace of worship being touched for -- especially public domain. That's why I am a little concerned about what's going to happen to the church. Thank you.

CHAIRPERSON GRONACHAN: Board members? Member Krieger.

MS. KRIEGER: What is the
historical value of the church? When was it built?

MR. SMITH: In the '20s, I believe.

MS. KRIEGER: Thank you.

MR. RUCINSKI: The actual structure was built, I believe in the 1920s, the information we have, the church was put into use in the mid 1970s.

As part of our process, we do a check through the state historic preservation office on any structure that is greater than 50 years old, we check with the state's historic preservation office.

They deem that the property is -- contains no historical significance in and of itself, other than the building is greater than 50 years old.

CHAIRPERSON GRONACHAN: Thank you. We have the city attorney, Beth?

MS. SAARELA: I just want to point out in considering the variance for this case, they are not here to decide
whether this roundabout is going to happen,
whether or not the -- you know, the structure
is going to be moved, yes or no, that's going
to happen.

We are here to decide whether
it's appropriate to give the property a
variance so that they can still use the
property.

So anything we decide today is
not going to impact whether this project
happens or not, it's going to happen. So I
just wanted you to be mindful of that in your
discussions.

CHAIRPERSON GRONACHAN: Thank
you. When I first read this case, I was very
familiar, my former backyard for many, many
years. But I am glad to see that the church
is working with the county and that you're
working together and that you want to stay.
And I am in full support of this request. I
think everybody did their homework, looking
at all the paperwork and the documentation, I
think it has been a long time coming. I
think because the church is being so cooperative, it's going to improve the community, and hopefully the church will grow with its members because it's keeping it's location and I understand why it wants to stay in there.

So I have no problem with supporting your request.

Is there anyone else?

Member Montville, would you like to do a motion?

MR. MONTVILLE: Yes, Madam Chair.

I move that we grant the variance in Case No. PZ16-0050, sought by the Road Commission for Oakland County, for a dimensional variance, as the petitioner has shown a practical difficulty regarding the variance that's being requested for the use of the property as a place of worship, due to the size of the lot being reduced to less than 3 miles.

Without the variance, the petitioner will be unreasonably prevented or limited with regard to the property, as the
current church involved will not meet the 3 acre minimum for zoning as a place of worship.

The petitioner did not create the condition, as reduction of the lot size was the result of the required highway easement for a nearby road project.

The relief granted will not unreasonably interfere with adjacent properties, as the lot is already used as a place of worship. Relief is consistent with the spirit and intent of the ordinance, as it allows the lot to remain in use as it is currently, improves the surrounding traffic conditions.

For those reasons, I move that we grant the variance as it's been requested.

MS. KRIEGER: Second.

CHAIRPERSON GRONACHAN: I would like to offer a friendly amendment. I think in your first sentence you put 3 miles and it should be 3 acres, correct?

MR. MONTVILLE: Yes. Excuse me,
yes.

CHAIRPERSON GRONACHAN: Okay.

It's been moved and second. Monica, would you please call the roll.

MS. DRESLINSKI: Member Krieger?

MS. KRIEGER: Yes.

MS. DRESLINSKI: Member Montville?

MR. MONTVILLE: Yes.

MS. DRESLINSKI: Member Peddiboyina?

MR. PEDDIBOYINA: Yes.

MS. DRESLINSKI: Member Sanghvi?

MR. SANGHVI: Yes.

MS. DRESLINSKI: Chairperson Gronachan?

CHAIRPERSON GRONACHAN: Yes.

MS. DRESLINSKI: Motion passes five to zero.

CHAIRPERSON GRONACHAN: Your variance has been granted. Congratulations and good luck.

MR. SMITH: Thank you.
CHAIRPERSON GRONACHAN: Our next case is No. PZ16-0051. The applicant is requesting a variance from the City of Novi for placement of a tenant's name on a business. And this is the Novi Development and Associates. Is the petitioner here?

Would you please state your name and spell it for the recording secretary, and then raise your right hand to be sworn in.

MR. AGRAWAL: My name is Sunil Agrawal, and let me spell it, S, as in Sam, u-n-i-l, and last name is Agrawal, A, as in apple, g-r-a-w-a-l.

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

MR. AGRAWAL: I do.

CHAIRPERSON GRONACHAN: You may proceed.

MR. AGRAWAL: We are here for a very specific reason. I have been in Novi for about 30 years now. We built this office
complex in 1999.

At that time our office complex, which is 150 feet wide, 850 feet long to our east, it's a very narrow lot.

When we built the building, most of our tenants at that time were high tech companies, builders, so they did not have any -- too many people visiting the facility.

But as of now, it has become kind of a medical service type park. And the number of visitors have increased significantly, and because of that reason, we need visibility. The patients come, they cannot see the sign. We have the monument, which is old style, doesn't give much visibility. When the visitors come, they miss the sign, they can't get in there and they end up going to Novi Automotive. They get upset, they have to turn around, come in here. And that's causing a real hardship.

And I want to bring one thing to the board's attention. We are not asking
the size. It's the same foundation same --
we will use the 8-foot long right now, we
will keep it 8-foot long. Instead of 4 feet,
it would become four and a half feet. That's
all we are asking, 48-inch high.

I brought two of the tenants,
who are getting effected the most, they
wanted to come here, so I brought them here,
and they would like to say a few words to the
board.

CHAIRPERSON GRONACHAN: Would you
please come up and state your name.

MR. BURNS: Robert Burns.

MS. NEWLEY: Victoria Newley. I
am a primary care physician, and I have been
at the current building for about five years,
and I have recently partnered with the local
hospital, St. John Providence. So I started
to take on a lot of -- more insurance, so I
am getting new patients, where they are
having difficulty finding the location.

So it's not getting any better
since I have been there. The problem is only
getting worse. I am getting more seniors, and it's very confusing to them, because the way the driveway is set up, it's not like we have our own driveway for our building, it's kind of like connected to the tire and service place, like he was saying. They will pass it, they will go to Nine Mile, they will call, so my staff is spending a lot of time on the phone trying to explain where we are. Because it's not a traditional -- it wasn't made -- established as a traditional medical complex. So now that there is a lot of medical business in there, because there is no sign on the street, it's difficult for patients to find it, especially the seniors. And it's becoming a problem whereas I don't want to leave the City of Novi, however, since I partnered with the hospital, if we can't, you know, make it easier for my patients to find out where we are, we are going to have to consider moving to an adjacent area.

I am getting patients as far
as Southfield, South Lyon, it's not patients who are only in Novi, and are used to the area. I accept a lot of insurances that a lot of doctors don't, Medicaid, so people are traveling to find me. It's very difficult for them to find.

CHAIRPERSON GRONACHAN: Thank you.

MR. BURNS: I would say a lot of the same things. I own a physical therapy practice and we are a private practice, so our business is dependent completely on people being able to find us and being able to locate our practice. And the way that -- the way that things are now in terms of how the sign is, we spent a lot time as well on the phone with people trying to give them direction and help them figure out which way is north, south, east and west to find the office.

And I know that signage is some of a sensitive area in a lot of cases, but the sign that we're asking for is not --
I don't believe, you know, big, dramatic, you know, Vegas type sign or something like that. We just want to be able -- we want to have people be able to find us so we can continue to thrive our business -- our business to thrive in Novi.

CHAIRPERSON GRONACHAN: Thank you.

MR. AGRAWAL: One last comment that I would like to make, our largest tenant there is an (unintelligible) center and they are also having a lot of problems. They are not able to present themselves either. But they are also having -- because when the (unintelligible) easy to deal with, and when the mother is driving with the car, they are trying to find the place and they can't find the place, and the way traffic is on Novi Road now, you miss the entry to the complex, you end up going all the way to Eight Mile or someplace else and then turn around. So it's kind of causing a real hardship on us as well as other tenants there.
We just want to increase the value of our property, so that is also -- I think should be considered, if the place is full, people are liking it, that will help everyone.

CHAIRPERSON GRONACHAN: Thank you.

MR. AGRAWAL: Other thing, many surrounding businesses, in the vicinity, they have the same kind of sign that we are asking. So we are not asking which is different.

CHAIRPERSON GRONACHAN: Okay. Is there anything else?

MR. AGRAWAL: That's it, ma'am. Thank you very much.

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

Seeing none, building department?

MR. BUTLER: No comment at this time.
CHAIRPERSON GRONACHAN: Thank you. Correspondence?

MR. MONTVILLE: Yes, Madam Chair.

Fifty letters mailed, one letter returned, zero approvals, zero objections.

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

MR. SANGHVI: I came and drove around your property a couple of days ago. And I never realized that it is as deep as it is, from the outside you can't realize how far it goes, all the way down to the railroad track out there, in the back. I can understand why visibility is necessary for the businesses that are within your complex.

MR. AGRAWAL: We have two buildings there, second building is not even visible.

MR. SANGHVI: I know, that's what I found out when I looked around there. I have no problem in supporting your application. Thank you.

MR. AGRAWAL: Thank you.
CHAIRPERSON GRONACHAN: Okay.

Member Krieger?

MS. KRIEGER: I agree. Thank you.

MR. PEDDIBOYINA: Same thing. I came to your site. One side, I came back, the same thing, dimension, the hardship, I have no issue. I can vote for that.

CHAIRPERSON GRONACHAN: Member Montville?

MR. MONTVILLE: Nothing.

CHAIRPERSON GRONACHAN: I can appreciate the frustration of trying to look for something and I think that the most important point is that everybody that's coming to your business is not in Novi. That's very important to remember.

So as the city grows and as the businesses grow, we do want people to come not just from Novi. And so that was a very good point by your tenants that they brought.

My question is, how many
tenants do you have in your building?

MR. AGRAWAL: We have six tenants.

CHAIRPERSON GRONACHAN: All right. And so I have no problem with this. I think that the testimony that was given this evening was done wholeheartedly and I think that you have done your homework, and so I have no problem supporting your request.

Member Sanghvi?

MR. SANGHVI: Just one question. Is this sign going to be lit up?

MR. AGRAWAL: Yes, a lighted sign, sir.

CHAIRPERSON GRONACHAN: Okay. I would entertain a motion.

MS. KRIEGER: In Case No. 16-0051, sought by petitioner, I move to approve or grant the request. The property is unique, in its narrow topography, narrow and deep and the confusion with the driveway that unreasonably prevents and limits the property use, because it confuses between the
two businesses. And the condition is not self-created.

The relief will not unreasonably interfere with adjacent or surrounding properties, will help with directions and relief is consistent with the spirit and intent of the ordinance.

MR. SANGHVI: Second.

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

Seeing none, Monica, will you please call the roll.

MS. DRESLINSKI: Member Krieger?

MS. KRIEGER: Yes.

MS. DRESLINSKI: Member Montville?

MR. MONTVILLE: Yes.

MS. DRESLINSKI: Member Peddiboyina?

MR. PEDDIBOYINA: Yes.

MS. DRESLINSKI: Member Sanghvi?

MR. SANGHVI: Yes.

MS. DRESLINSKI: Chairperson
Gronachan?

CHAIRPERSON GRONACHAN: Yes.

MS. DRESLINSKI: Motion passes five to zero.

CHAIRPERSON GRONACHAN:

Congratulations. Your variance has been granted. Please see the building department. Good luck.

Our next Case PZ16-0052, 27212 Beck Road. The applicant is requesting a variance to allow three additional wall signs. I believe this is the Starbucks. Is the petitioner here this evening?

Good evening. Could you state and spell your name it for the recording secretary, and then raise your right hand to be sworn in.

MR. STIEBER: Patrick Stieber, S-t-i-e-b-e-r.

CHAIRPERSON GRONACHAN: Would you raise your right hand.

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

MR. STIEBER: I do.

CHAIRPERSON GRONACHAN: You may proceed.

MR. STIEBER: So there is a new Starbucks going in here at the corner of Beck Road and City Gate Drive. Hopefully you all had an opportunity to go by and look at the mock-up signs that are there.

We currently, just so you guys are fully aware of what's going on with this sign, it's not in the variance, because we already permitted it, but this is the front elevation, and we have currently already permitted the Starbucks letters that are on the front there.

We tried to -- in Starbucks' eyes, this is one sign. It's a branding thing. We are putting the drive-thru on the elevation, their main elevation, with their sign to direct people to the drive-thru. It's kind of a directory type sign. It's not a branded sign, just a directional type sign.
But you know how they have to box out the sign, if we put a box around the whole thing, you know, we would be over the square footage. So as you can see, the Starbucks letter is at 17.16 square feet and the drive-thru actual square foot is at 6.96. But basically that sign is an important sign for them due to the ingress and egress and the traffic flow of the lot. Having these signs on the building like this, it's really helped them flow the traffic to the drive-thru so we really feel like there is a hardship or lack of identification for these traffic flows without this sign. They have ingress off of both Beck Road and two ingress and egress off City Gate Drive.

And if you kind of look at the site plan there, you can kind of see, you know, where the traffic needs to get to the drive-thru. And this sign will alleviate that from the main entrance, which they feel is going to get a lot of the traffic there at City Gate Drive.
So that's the gist of what we are asking for on the front elevation.

The side elevation and rear elevation again, they feel that there is lack of identification due to the ingresses and egresses, and the fact that the main parking for this development is in the rear of the property. So having branding on the rear of the property they feel is definitely needed and there is a hardship of lack of identification, due to the fact that there is the ingress and egress at the rear and the parking in the rear.

Same thing on the side, you know, trying to get that branding there, you know, the size of these signs are not excessive.

So we just are here to get your feedback on, you know, what we are seeing, the size of things, kind of get your feedback on what you're thinking.

Like I said, that front elevation is a very important thing. It's a
directory type thing to get the cars through
the property to the drive-thru.

CHAIRPERSON GRONACHAN: Anything
else?

MR. STIEBER: No.

CHAIRPERSON GRONACHAN: Is there
anyone in the audience that wishes to make
testimony on this case?

Seeing none, building
department?

MR. BUTLER: The only comment I
would say, that is a very busy intersection,
especially certain times of day, so any
way-finding signs to help traffic move along,
to stop a backup, probably be a good idea.
That is a reasonable request.

CHAIRPERSON GRONACHAN:
Correspondence?

MR. MONTVILLE: Yes, 20 letters
mailed, six letters returned, zero approvals
and zero objections.

CHAIRPERSON GRONACHAN: Thank
you. Board members. Member Sanghvi.
MR. SANGHVI: I came there and drove around there. I have been there on that site before, other signs as well. If you don't know, it's a very tough lot to get around. And I understand the need for a directional sign.

And I guess you want your logo around, so I don't know. I'm not so sure whether you need your logo everywhere, but on the directional sign you need it definitely.

Thank you.

CHAIRPERSON GRONACHAN: Member Krieger?

MS. KRIEGER: I have a question about the east sign, how necessary that is. Because once they're into -- they see the Starbucks and they're headed in the drive-thru, they already know that they're on the road and going around.

MR. STIEBER: Side elevation?

MS. KRIEGER: The east side.

MR. STIEBER: On the rear you mean?
MS. KRIEGER: Yes.

MR. STIEBER: Well, again, their thought process is there is the parking, you know, you can get into that parking lot, both from the Beck Road egress and you're getting in there and parking. The way that building is angled, having that additional branding there would help them.

If you look at the way the building is angled, versus Beck Road, and if you're coming in off the ingress and egress from Beck, you're not even going to really see the front of that building, until you're actually in the drive, then get back to the parking area, which is located in the rear.

MS. KRIEGER: So the front is on the west side or the north side?

MR. STIEBER: Front would be west. That's the elevation right here.

MS. KRIEGER: Okay. Thanks.
organized. This is for a bigger sign on the west?

MR. STIEBER: It's for an additional sign on the west, which is the directional sign on the west, the front.

MR. MONTVILLE: Right now the only approval is on the south?

MR. STIEBER: No. The only one that's approved is this one right here, the Starbucks sign right there. That's the main entrance, front elevation of the building that faces Beck Road kind of on an diagonal.

CHAIRPERSON GRONACHAN: The north side would be the drive-thru?

MR. STIEBER: Correct. Which they're calling the side.

MR. MONTVILLE: Can I make a comment or two just on as far as the minimum necessary for those signs going on, as far as design and the size of the building?

MR. STIEBER: Yes. I mean, looking at the size of the building, the size of the walls and size of the signs
themselves, you know, they're not excessive in size. You know, they're standard circle, you know, Starbucks logo. They felt that doing this type of sign rather than a longer, bigger channel letter set sign, the board might feel that that sign is less excessive.

MR. MONTVILLE: Based on the traffic flow at that intersection, it is a safety concern for the visibility and potential exits. You want to avoid -- people see it at the last minute and make aggressive turns. I think it is a minimum necessary that's being requested. I would open it up to the board. But at this point I would be in a position to approve personally.

CHAIRPERSON GRONACHAN: Save the best for last, right?

I am not in support. Such a party killer, you know.

Let me just say this. I spent a lot of time at that intersection. I will be honest with you, I knew it was a Starbucks building before it was done. So I knew that
this was coming before us. I have been
driving out there.

Yes, I agree about the
directional sign. I am in full support of
that. As long as there is no additional
ground signs to add up to telling everybody
where to go.

The problem that I have is
with the north sign. I think -- I agree with
the rear of the building, because I don't
know what future construction and future
changes are going to be, in that, or if there
is going to be traffic coming from that
direction, so I am in favor of the back of
the building.

I have a problem with the
north sign. I don't feel -- you have got the
logo in the front. You have got Starbucks.
You have got the drive-thru. I mean, once
you're in -- and to be honest with you, I
didn't see that anybody had any problem
identifying that it was a Starbucks building
when they were going down the road. I really
didn't.

I will be honest with you, I kind of asked a couple of people because I am not -- I am sorry, I am not a Starbucks fan, so I don't go looking for Starbucks stores. But I am being honest. So I asked other people that are Starbucks users, and what they do to identify your store, and nobody had a problem finding this building. It's not even done yet.

So I can appreciate the branding. I can appreciate the request for branding, but I think it's overuse. I think that the -- I am not in favor of, like I said, the north, but I am in favor of the drive-thru. I think your testimony proved that there is a need for it. I think that your testimony proved that for the east that there is a need for that. That I can't support the north.

And my suggestion -- that's my -- those are my comments.

I have spent a lot of time out
there. I am surprised I'm still living for
all the traffic out there. I'm just kidding.

There is a lot of traffic and
there is a lot of confusion. But I think
once you get into that complex, especially,
let's face it, when you're coming off that
freeway, you can see it. That's where most
of the people are coming from, to be honest
with you.

The people that are going to
be coming from Beck, they can see you. I
mean, they have got the front of the building
and the Starbucks. I mean, I did every angle
possible to --

MR. STIEBER: I hear you. Again,
that's why we are here to get feedback for
sure.

CHAIRPERSON GRONACHAN: You know,
we joke about the amount of driving around.
I am surprised I didn't run into these two.
I usually do.

But that's my take on it, and
I feel that I would hold back on the third
because that corner is changing and you don't
know what you are going to need down the
road. That would be my -- that's my
perception of it.

So having said that, if
anybody would like to -- I would entertain
motions separate -- I'm sorry -- Member
Peddiboyina.

MR. PEDDIBOYINA: I agree with
you, Madam Chairperson, what you are saying.
Starbucks is a known brand name. They have a
main entrance. I'll go with my chairperson.

CHAIRPERSON GRONACHAN: All
right. Thank you. Why don't we start with
the motion, then we can --

MS. KRIEGER: I am looking
forward to the other entrance being opened
there.

CHAIRPERSON GRONACHAN: Let's not
go down the road too fast. Stick with what's
in front of us.

Who is going to do the
motions. Member Montville, did I see your
hand up?

MR. MONTVILLE: Yes.

CHAIRPERSON GRONACHAN: We will do one at a time.

MR. MONTVILLE: For the first motion, we will focus on the northern sign.

Specific to the northern sign, in Case No. PZ16-0052, sought by Allied Signs, Inc. I move that we deny the variance as requested, as the petitioner has not shown practical difficulty requiring the additional sign to properly use the lot as is currently zoned.

The circumstances and features of the property are not unique to warrant the additional sign on the northern exposure of the building. The condition is not -- is self-created, as applied for currently by the application.

The failure to grant relief will result in a little inconvenience and little ability to continue to properly use the lot as currently zoned. From an esthetic
standpoint, it would be an additional
unnecessary sign.

Granting the variance would be
consistent with spirit and intent of the
ordinance, as it would allot for additional
signage not currently written within the
ordinance.

Those reasons, I move that we
deny that sign on the northern exposure of
the building.

MR. SANGHVI:  Second.

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

Seeing none, Monica, would you
please call the roll.

MS. DRESLINSKI:  Member Krieger?

MS. KRIEGER:  Yes.

MS. DRESLINSKI:  Member
Montville?

MR. MONTVILLE:  Yes.

MS. DRESLINSKI:  Member
Peddiboyina?
MR. PEDDIBOYINA: Yes.

MS. DRESLINSKI: Member Sanghvi?

MR. SANGHVI: Yes.

MS. DRESLINSKI: Chairperson Gronachan?

CHAIRPERSON GRONACHAN: Yes.

MS. DRESLINSKI: Motion to deny is approved five to zero.

MS. SAARELA: I just wanted to point out, I don't necessarily know that it's really impacting your motion, but on the application, it looks like the wrong application was used for the variance. It's got the standards for the use variance instead of the sign variance standards. I just wanted you to be mindful that the standards from the sign ordinance for the variance would apply and not what is stated here as far as a non-use variance.

CHAIRPERSON GRONACHAN: I don't think we were using that one.

MS. SAARELA: At some point the
word zoning was mentioned in the motion and a
sign ordinance is not in the zoning
ordinance.

CHAIRPERSON GRONACHAN: Can you
read back that motion? Is that possible?

THE REPORTER: It was hard to
hear. Not at this point, I couldn't.

CHAIRPERSON GRONACHAN: Shall we
amend it?

MS. SAARELA: I mean, I can tell
you what the standard should be. I didn't
hear all what he was saying because I was
looking to compare at the two standards were
in the ordinance versus on the application.

Do you have the standards for
the sign variance?

MR. MONTVILLE: If you could read
them allowed.

MS. SAARELA: So to grant relief
from the provision of the sign ordinance, it
may be granted by the Zoning Board of Appeals
upon the following affirmative findings of
practical difficulty. The request is based
upon circumstances or features that are
typical and unique to the property, and
do not result from conditions that exist
generally in the city or that are
self-created. B, that the failure to grant
relief will unreasonably prevent or limit the
use of the property, will result in
substantially more than mere inconvenience or
inability to attain a higher economic or
financial return. And C, that the grant of
relief will not result in a use of structure
that is incompatible with or unreasonably
interferes with adjacent or surrounding
properties, will result in substantial
justice being done to both the applicant in
adjacent or surrounding properties, and is
not inconsistent with the spirit and intent
of this chapter.

CHAIRPERSON GRONACHAN: We were
close. You didn't add that last part to it.
So I think it needs to be amended.

MR. MONTVILLE: I'm sorry, you
say the last part one more time.
MS. SAARELA: Subsection C, which is the third variance standard, that the grant of relief will not result in a use of structure that is incompatible with or unreasonably interferes with adjacent or surrounding properties, will result in substantial justice being done to both the applicant and adjacent or surrounding original properties, and is not inconsistent with the spirit and intent of this chapter.

CHAIRPERSON GRONACHAN: Can we -- this is a question for the city attorney. Can we strike the last motion and reword it?

MS. SAARELA: I didn't hear how far you went with it. Did you already vote on it?

CHAIRPERSON GRONACHAN: Yes.

MS. SAARELA: Someone would have to move to reconsider. At this point, I think you would have move to reconsider the motion and start it over.

CHAIRPERSON GRONACHAN: You got to say that on record. I can't. You have to
do a move to reconsider.

MS. SAARELA: It might be
difficult because if it passed five to zero,
there was no one opposing it in order to
reconsider. I think you're going to have to
rely on what was stated at this point.

CHAIRPERSON GRONACHAN: We will
use this one for the next two.

MS. SAARELA: That's why I wanted
you to be mindful that you're using the right
standard for the next two.

CHAIRPERSON GRONACHAN: All
right. Next one. You are going to do the
front, front elevation.

MR. MONTVILLE: The drive-thru
next. I move that we grant the variance in
Case No. PZ16-0052, sought by Allied Signs,
Inc., for the inclusion of a drive-thru
addition on the east side frontage of the
business and the building.

Without the variance, the
petitioner will be unreasonably prevented
with respect to the use of the property due
to visibility and safety concerns. The relief granted will not unreasonably interfere with surrounding areas of properties, as it is the minimum necessary to display the drive-thru properties of the business. The relief is consistent with the spirit and intent of the ordinance, as again it allows the business to safely indicate the drive-thru and the use of the business currently.

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

MR. SANGHVI: Make a friendly amendment to add words that it will allow for a safe traffic flow.

MR. MONTVILLE: Sure. Again, I would agree with that amendment.

MR. SANGHVI: I second the motion. Thank you.

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

Monica, would you please call the roll.

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

MS. DRESLINSKI: Member

Montville?

MR. MONTVILLE: Yes.

MS. DRESLINSKI: Member

Peddiboyina?

MR. PEDDIBOYINA: Yes.

MS. DRESLINSKI: Member Sanghvi?

MR. SANGHVI: Yes.

MS. DRESLINSKI: Chairperson

Gronachan?

CHAIRPERSON GRONACHAN: Yes.

MS. DRESLINSKI: Motion passes five to zero.

CHAIRPERSON GRONACHAN: Okay.

Now the third one, rear elevation of the building.

MR. MONTVILLE: Specific to the rear elevation signage being requested by the applicant, I move that we deny the variance as requested in No. PZ16-0052 -- excuse me -- 0052, sought by Allied Signs, as the petitioner has not shown practical difficulty
requiring the sign.

    I apologize, I would defer, if anyone else is better prepared to make this motion.

    MS. SAARELA: I just want to note that you can move to reconsider on the first one within this meeting, someone who voted in favor of the motion to pass has to make the motion to reconsider. So you could re-do that one in this meeting, or you could wait until the next meeting after you see how it was written, you move to rescind it at that point if you don't agree with it, but then you have the applicant not necessarily here, so --

    CHAIRPERSON GRONACHAN: So was it -- Member Montville, was it your intent to deny the rear building? There was only one. We were going to move for two. Two, we approved, one we didn't.

    MR. MONTVILLE: Correct. So looking at the building --

    MS. SAARELA: Can I just make a
suggestion. Do we know who is in concurrence with what signage -- approving what signage -- it might be easier to just to make one motion, if everybody is in agreement with the same signage, to just say two signs are approved, one is not versus trying to make three separate motions at this point.

I don't know how -- if you're able to tell how everybody feels about each one based all the member's comments.

MS. KRIEGER: Then they would decide where they want to go.

MS. SAARELA: No. You would just say which ones you're -- all in the scope of the same motion.

So at this point you could move to reconsider that original motion and just amend it at that point, amend the motion and talk about all the signage. If you think that everybody is on board.

CHAIRPERSON GRONACHAN: I think that's a good idea.

MR. MONTVILLE: Based on that
information, I would move that we review the first motion that was presented and rephrase --

MS. SAARELA: You have to first move to reconsider.

MR. MONTVILLE: I move that we reconsider the first motion that was presented.

MS. KRIEGER: Second.

CHAIRPERSON GRONACHAN: Okay. It's been moved and second. So now we need a new motion. Are you ready? I told you guys we should have a motion making class. This is it.

MS. KRIEGER: In Case No. PZ16-0052, sought by Allied Signs, I move to reconsider what we were discussing previously, and for the denial to recant that.

MS. SAARELA: No, it's already passed a motion to reconsider. You're on a new motion.

MS. KRIEGER: I move for the
Starbucks drive-thru sign to be approved, and
the east wall sign to be approved, and the
north wall to be denied and the petitioner
has --

CHAIRPERSON GRONACHAN: Wait.

That's the wrong --

MS. KRIEGER: The petitioner did
not create the condition because of the
location, and the relief granted will not
unreasonably interfere with adjacent and
surrounding properties. That per discussion,
that Starbucks is well-known and because for
safety and drive-thru that the traffic flow
that these two signs will be sufficient for
traffic.

The relief is consistent with
the spirit and intent of the ordinance,
because of Novi's intent to be with the
signs, but not overdone.

CHAIRPERSON GRONACHAN: Do we
have to cover the denial, too?

MS. SAARELA: Yes, you have to
say why you're denying.
Chairperson Gronachan: Denying the third sign.

Ms. Krieger: For the circumstances and features of the property, including the third sign on the north side are not unique. Once you see the directional Starbucks sign that it does not interfere with traffic flow, that it also -- the safety that people will get there -- to the building, through the building. The circumstances and features of the property relating to the variance request are self-created by the way the building is --

Chairperson Gronachan: They wanted it just for branding.

Ms. Krieger: Then for branding, it's just labeling the building more.

The failure and grant will not merely inconvenience the ability to attain a higher economic or financial return. Starbucks will do well either way. They will get plenty of traffic flow and financial gain. The
variance would result in interference with adjacent or surrounding property. It's a distraction because of speeds in this area. Granting the variance would be not inconsistent with the spirit and intent of the ordinance. Keep Novi the way it is.

CHAIRPERSON GRONACHAN: Okay.

MS. KRIEGER: Is there an amendment?

MS. SAARELA: You don't have to change anything. I guess I just wanted to point out all you're really doing is granting less relief than was requested. So you didn't really need to go through every single standard again, and for the reason why you weren't granting the full request. It's fine.

CHAIRPERSON GRONACHAN: It's been moved and is there a second?

MR. SANGHVI: Second.

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

Seeing none, Monica, would you
please call the roll.

MS. DRESLINSKI: Member Krieger?

MS. KRIEGER: Yes.

MS. DRESLINSKI: Member Montville?

MR. MONTVILLE: Yes.

MS. DRESLINSKI: Member Peddiboyina?

MR. PEDDIBOYINA: Yes.

MS. DRESLINSKI: Member Sanghvi?

MR. SANGHVI: Yes.

MS. DRESLINSKI: Chairperson Gronachan?

CHAIRPERSON GRONACHAN: Yes.

MS. DRESLINSKI: Motion to approve as amended passes five to zero.

CHAIRPERSON GRONACHAN: Okay.

That was a long way to get there, but we appreciate your patience and congratulations and welcome to Novi.

We look forward to --

MR. STIEBER: Thank you for your time. Have a good evening.
CHAIRPERSON GRONACHAN: We still have a couple more cases here.

Our next case is Roger and Doreen Ong, Case No. PZ16-0053. The applicant is requesting a variance to allow 4 feet from the rear corner of a shed, six feet is allowed to the interior of rear lot. This property is zoned R4.

And you are?

MS. ONG: I am Noreen. It's mistyped. It says Doreen, but I'm Noreen with an N.

CHAIRPERSON GRONACHAN: Would you both state your names, spell them for the recording secretary, and then raise your right hand to be sworn.

Noreen Ong, N-o-r-e-e-n, O-n-g.

MR. DILLON: Jim Dillon.

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

MS. ONG: I do.
MR. DILLON: I do.

CHAIRPERSON GRONACHAN: You may proceed.

MS. ONG: I am just requesting a 4-foot variance from the rear corners -- both the rear corners of my shed that I'm building on the back of my property.

CHAIRPERSON GRONACHAN: Is there anything else you can add to tell us why --

MS. ONG: Well, the property is a little small. The previous owners had put on an addition so the backyard is small. And if I moved it up, then it would kind of be in the middle of the backyard.

Just to have it so it's in the corner of the yard, I have two children, so I didn't want it in the middle of the backyard.

CHAIRPERSON GRONACHAN: So basically your lot shape is what you're trying to tell us is unique.

MS. ONG: Yes. The previous owners put a large addition on, pretty much doubled the size of the house. It took up
half the backyard. So if I put the shed all the way up, with the proper variance, it would be pretty much near my patio. So I just -- to put it in the corner of the yard, it just comes close to my fence.

CHAIRPERSON GRONACHAN: All right. Thank you. Is there anyone in the audience that wishes to make testimony on this case? Please come on down.

If you two could just step aside and we will let them --

MS. WHITE: Good evening. My name is Chevette White, and I am the next-door neighbor. And I basically came here to note my approval for this, if the board would accept that. I don't see any problems with their shed. It is behind their privacy fence. So it's not obstructing any view and it's obstructing any of the next-door neighbors adjacent to them.

CHAIRPERSON GRONACHAN: Thank you.

MR. DANIEL SMITH: I'm Daniel
Smith. I'm an adjacent property owner as well. And I just want to mention a few things on this.

I think the board is aware probably of the information here. Not that I have a big opposition, I think it's really two feet is maybe what it works out to, after the variance, or actually four. But I did speak with the gentleman that was building the shed and the structure was put up before a permit was pulled. So I just wanted to, you know, let you guys be aware of the facts of this. You know, I did have a conversation with them. They did not have a permit at the time. I guess you got advised and a couple of months later, I received this in the mail.

The decision is ultimately up to you guys. I just didn't want to take light, as far as you know, there is a violation here, as far as not pulling a permit. I just don't think that should be looked at too lightly. I mean, I have got a shed on my yard as well. It's got a permit,
it's got the proper six feet, you know, I just want you guys to be aware of that.

CHAIRPERSON GRONACHAN: Thank you.

MR. DANIEL SMITH: Once again, it is behind a privacy fence. They put a fence up, their yard is pretty tight back there. So that -- I mean, that's the decision they made. But I don't think, once again, the 2 feet or 4 feet is going to an issue it's within their boundaries.

CHAIRPERSON GRONACHAN: Thank you. Is there anyone else? Any correspondence?

MR. MONTVILLE: Yes. There were 91 letters mailed, zero letters returned, zero approvals, zero objections.

CHAIRPERSON GRONACHAN: Building department?

MR. BUTLER: No comments.

CHAIRPERSON GRONACHAN: City attorney, would you like to clarify that our jurisdiction really -- we don't have anything
to do with the permit, is that correct? We
don't have any --

    MS. SAARELA: I mean, the fact
that there may be a zoning ordinance -- a
code violation isn't really part of the
standards to be considered at this point.

    It's not part of the variance
standards that you're looking at. There is
no, I guess, standard that's applicable to --
punish type aspect.

    CHAIRPERSON GRONACHAN: That's
not within our purview?

    MS. SAARELA: No. There can
still be independent of this -- there could
be have been a ticket written, but that
wouldn't have been your consideration, that
would have been for district court
consideration.

    CHAIRPERSON GRONACHAN: Thank
you. Board members? Member Montville.

    MR. MONTVILLE: The use of the
shed?

    MS. ONG: The use of the shed,
would be, I have two small children, bikes, yard equipment. The garage is small, so with a minivan and patio furniture and just things that we accumulate in our lifestyle, the shed would be to store things, you know, seasonal things, like switch back and forth to the winter and summer.

MR. MONTVILLE: I'll open it up back to the board at this time.

CHAIRPERSON GRONACHAN: Member Sanghvi?

MR. SANGHVI: I came and saw your place. And first when I saw the University of Michigan paraphernalia out in front, I thought, wow, they are a supporter of U of M here. Because I am a supporter of U of M, too. But that is besides the point.

The point is, you will see the pie-shaped lot and difficult to store things. I understand your need for the shed. So I have no difficulty in supporting your shed.

CHAIRPERSON GRONACHAN: Anyone else? Member Peddiboyina.
MR. PEDDIBOYINA: I have no issue.

CHAIRPERSON GRONACHAN: All right. Thank you. Member Krieger?

MS. KRIEGER: How old is the fence? You have to replace the fence?

MS. ONG: The fence is two years old. It's a vinyl fence. We have lived there two years. It was put in actually two years ago this month.

MS. KRIEGER: And the shed will be four feet?

MS. ONG: Four foot variance from the -- from just the back two corners.

MS. KRIEGER: Thank you.

CHAIRPERSON GRONACHAN: I don't have an objection. The only thing is, the fact that the resident mentioned about building it without a permit. I don't promote that. I don't encourage that. It's out of our jurisdiction, but I would wish that residents would go to the building department, and seek information before they
go and build things so that we can help. The City of Novi and the building department, they're great people, they are very knowledgable, and nine times out of ten, they offer great advice.

MS. ONG: I apologize for that. Two years ago when I put the fence up, I contacted my subdivision like three times, and nobody responded back. So it didn't occur to me that it would be -- you know, I thought that would be a much bigger deal than a small shed because it's a large fence and nobody responded back to any emails, so I guess it didn't occur to me. I apologize for that.

CHAIRPERSON GRONACHAN: So in the future, you always check the building department if you decide to build anything else. But I have no problem, given the configuration of the lot, and that it's a minimal request, that there is really no objections to the neighbors. Most of these -- your lot is pie shaped, and so I
have no objections to this. So I would be in support of your request.

If anybody would like to entertain a motion. Member Montville?

MR. MONTVILLE: I move that we grant the variance in Case No. PZ16-0053, sought by the petitioner for a 4-foot rear corner, where six is required, as this property -- as petitioner has shown practical difficulty due to the unique layout of the property. The variance -- without the variance, the petitioner will be unreasonably prevented or limited with respect to the use of the property, due to necessary storage and with the shed being, and the lot, the previous owner add to the house and made the lot difficult to operate within. The property is unique.

For those reasons, including again to reiterate the shape of the lot, the petitioner did not create the shape of the lot, as it is a pre-existing condition.

The relief granted will not
unreasonably interfere with adjacent or
surrounding properties, due to the privacy
fence currently surrounding the lot. The
relief is consistent with the spirit and
intent of the ordinance. For those reasons,
I move that we grant the variance that has
been requested.

MR. PEDDIBOYINA: I second.

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

Seeing none, Monica, would you
please call the roll.

MS. DRESLINSKI: Member Krieger?

MS. KRIEGER: Yes.

MS. DRESLINSKI: Member
Montville?

MR. MONTVILLE: Yes.

MS. DRESLINSKI: Member
Peddiboyina?

MR. PEDDIBOYINA: Yes.

MS. DRESLINSKI: Member Sanghvi?

MR. SANGHVI: Yes.

MS. DRESLINSKI: Chairperson
Gronachan?

CHAIRPERSON GRONACHAN: Yes.

MS. DRESLINSKI: Motion passes five to zero.

CHAIRPERSON GRONACHAN: Your variance has been granted and I'm sure you will be seeing the building department for some other wonderful project.

MS. ONG: Thank you.

CHAIRPERSON GRONACHAN: Our next case is David and Colleen Bouren. Are the petitioners here. 1391 East Lake Drive.

The applicant is requesting a variance to allow 31-foot rear yard variance, 35 feet is required, a side yard variance of 1.5 feet, 10 feet is required. And a total aggregate variance of 4.5 feet. And a front yard variance of 14.5 feet, 30 feet is required. This property is zoned R4.

Good evening. Would you please state your names, spell it for the recording secretary and then raise your right hands to be sworn.
MR. BOUREN: David Bouren,
D-a-v-i-d, B-o-u-r-e-n.

MS. BOUREN: Colleen Bouren,
C-o-l-l-e-e-n, B-o-u-r-e-n.

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

MR. BOUREN: Yes.

MS. BOUREN: Yes.

CHAIRPERSON GRONACHAN: You may
proceed.

MR. BOUREN: First off, there was
a revised update to the variance request.
You did not list all the ones requested.

CHAIRPERSON GRONACHAN: They're
posted, that's okay. I just read through.

MR. BOUREN: So we want to tear
down our existing house on East Lake Drive
and build a new one. Footprint is almost
identical. We are going to get a little bit
longer and a little bit narrower than our
current house. The lot has obvious
difficulties because of the size of it. The
house was built a long time ago. There is
variances up and down the street, many other
people here tonight are on the same street
for variances.

MS. BOUREN: It's a 33-foot lot.

MR. BOUREN: If you follow the
variances, for all the setbacks, you end up
with like a 7-foot wide house or something,
which isn't practical.

MS. BOUREN: So the house is
getting five feet longer to accommodate the
stairs. We are going to be two stories.
Right now it's 850 square feet. It's one of
the original cottages on the lake. We would
like to update it, make it nicer, things like
that.

And then the carport on the
side is in the same position. We are going
to make it a little bit longer, at least
10 feet longer, to accommodate two full cars
instead of like one and a half cars.

And then we were looking for
an additional deck on the front. And then we
had a deck on the back, so it would be moving that back, farther back.

CHAIRPERSON GRONACHAN: Okay.

Anything else? Is there anyone in the audience that wishes to make comment on this case?

Seeing none, correspondence?

MR. MONTVILLE: Yes, there were 31 letters mailed, one letter returned, one approval, six objections. The first objection is from Angela Maher at 1375 East Lake Drive. She notes a previous reply. She comments on the modular home, a setback too close to road in her opinion, and a rear setback that is too close to a telephone pole. She notes the neighbor's telephone caught on fire at one point after being struck by lightning, it took the fire department six hours to put out the fire.

The second objection is from Carl Ingling (ph) at 1389 East Lake Drive. He notes that he approves of the few variances requested, but asks that we note
his overall objection to the requested variance. He objects to the north side property line as it borders his property. Objection is to the front yard variance, as he believes it would allow the home to set too close to the road. He notes he has no objection to the lot coverage 39 percent, no objection to the south property line, no objection to the rear setback variance.

The third objection is from Brent Brashears (ph) at 1395 East Lake Road. He objects to the front yard setback at 9.5 feet, and he believes it goes against case law for lake front homes, obstructing a neighbor's view of the water, 45-degree radius. And he notes that he doesn't believe the applicant provided an adequate site plan illustrating the house. He sent in an additional objection, noting the metal frame of the structure and notes the attempt to expand the original footprint, and he doesn't believe the hardship.

The last objection is from
Angela Maher. Reiterating some of her initial concerns and the traveling of the modular home upon installation.

And then the approval is from Ed Peters at 1393 East Lake Drive. He notes that he lives next-door on the south side, has no objections to the plans they have submitted.

That's the only approval.

CHAIRPERSON GRONACHAN: Thank you. Building department?

MR. BUTLER: No comment.

CHAIRPERSON GRONACHAN: Okay.

Board members. Member Sanghvi.

MR. SANGHVI: Thank you. I came and saw your property there and looked around, and as far as I am concerned, you're asking for a smaller house than you started with. I have no difficulty in it.

MR. BOUREN: Smaller, yes.

CHAIRPERSON GRONACHAN: Member Peddiboyina?

MR. PEDDIBOYINA: I have no
objections.

CHAIRPERSON GRONACHAN: Thank you. Member Montville?

MR. MONTVILLE: Can you speak to the improved esthetic value of the proposed house versus what you currently own? What kind of process you went through to improve on that?

MR. BOUREN: The current house is pretty old, has ceramic insulators in it. That kind of dates it. We don't use exposed wires anymore. It's old. I don't think it has a full foundation. It has cinder blocks that only go so deep. We have looked at many different options to improve the house, shoring up the foundation, lifting it, building onto our existing structure. We thought the modular house is a good build. They do them very efficiently now. And we thought that would be less hardship on the neighbors, tearing our house down and bringing in one in like that.

MR. MONTVILLE: I would note, the
information provided, it's clearly -- the focus was an improved esthetic component, and I would also be in support of the request as it's been submitted.

CHAIRPERSON GRONACHAN: Okay, thank you. Anyone else?

I have some questions about the deck. Since there has been issues from -- in the picture that you provided of the house, I think is going to look -- is that the blue -- blue and white house --

MR. BOUREN: That's similar to what we are looking for. It's a rectangle, it's kind of like that.

CHAIRPERSON GRONACHAN: So the deck, if you can go back to your blueprint, the deck in the front is the 9 feet, is that to the road?

MR. BOUREN: Yes.

CHAIRPERSON GRONACHAN: You mentioned that you have a deck now?

MR. BOUREN: We have a deck in the rear of the house. We don't have one on
the front. Our current entry on the front is on the side, in the driveway, which kind of makes it very tight driving cars through and getting through. So we wanted to move the front door to the front of the house and we wanted some type of deck to --

MS. BOUREN: Because it's raised up.

MR. BOUREN: From the front of the house. We didn't want to run across grass.

CHAIRPERSON GRONACHAN: So what is the size of the front deck?

MR. BOUREN: That one is 6 feet.

CHAIRPERSON GRONACHAN: How wide?

MR. BOUREN: As wide as the house. We have it drawn there. The house is 15 feet, 15 and a half feet wide.

CHAIRPERSON GRONACHAN: And then the back deck that's going to be new? You were adding the back deck on for the --

MR. BOUREN: We have an existing back deck now. That's where our rear entry
is. We have steps to get up there. So the back deck is farther rearward because we are adding five feet to the length of the house. The house we have planned is getting narrower, but it's longer. When you add the stairs into the floor plan, it just crowds everything, so we added some additional length.

CHAIRPERSON GRONACHAN: Okay.

Then the carport that you mentioned, that's now going to be for two cars, correct? And then actually you don't have the storage, there is no basement, so the carport will also be, I would assume, lawnmowers and that sort of thing?

MS. BOUREN: No, we have a shed back there.

CHAIRPERSON GRONACHAN: Just one, is there just one shed?

MR. BOUREN: I have a portable canopy in the backyard where I store my boat and stuff.

CHAIRPERSON GRONACHAN: So those
are staying, the two sheds?

MR. BOUREN: Yes.

CHAIRPERSON GRONACHAN: Question

for the city. In regards to the canopy shed, I thought this was -- because there was an objection about that. Is there any regulation in regards to that, do they --

MR. BUTLER: Actually, in that area I have seen several of them. They don't have an HOA out there, association, so there is no association that prevents them from something like that. But there is nothing that says they cannot have that cover for their boat.

CHAIRPERSON GRONACHAN: Just checking. I have no objections to any of this, now that I've asked all my questions. I will be in full support of your request. I think they're minimal. I think given the lot size and the improvements that you're making to your property, I think its going to be better for your neighborhood. So I would entertain a motion
from someone. Member Montville?

MR. MONTVILLE: I move that we
grant the variance as being requested in Case
No. PZ16-0054, sought by David and Colleen
Bouren, as the petitioner has shown practical
difficulty requiring the variances, in order
to properly use the lot as currently zoned.
Without the variances, the petitioner will be
unreasonably prevented or limited with
respect to the use of the property, as is
currently a non-conforming lot, requires the
variances being requested. The property is
unique, again due to it's non-conforming
nature. Petitioner did not create that
condition.

The relief granted will not
unreasonably interfere with adjacent or
surrounding properties as it is very near to
the current foundation of the current
structure and will increase in esthetic
values and hopefully add to the value to the
surrounding properties as well.

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

For those reasons, I move that we grant the variances as they have been requested.

MR. SANGHVI: Second.
CHAIRPERSON GRONACHAN: It's been moved and second. Any further discussion in regard to this?

Seeing none, Monica, would you please call the roll.

MS. DRESLINSKI: Member Krieger?
MS. KRIEGER: Yes.
MS. DRESLINSKI: Member Montville?
MR. MONTVILLE: Yes.
MS. DRESLINSKI: Member Peddiboyina?
MR. PEDDIBOYINA: Yes.
MS. DRESLINSKI: Member Sanghvi?
MR. SANGHVI: Yes.
MS. DRESLINSKI: Chairperson Gronachan?
CHAIRPERSON GRONACHAN: Yes.
MS. DRESLINSKI: Motion passes five to zero.

CHAIRPERSON GRONACHAN: Your variance has been granted. Good luck. I am sure you will be seeing the building department.

MR. BOUREN: Thank you.

CHAIRPERSON GRONACHAN: Our last case for the evening is Future Homes and Design, PZ16-0056. The petitioner is here.

MR. JESHUIUN: Good evening, board members. I have some papers that I printed out for each one to explain a little better. We wanted to make sure you had hard copies.

CHAIRPERSON GRONACHAN: Before you get started, gentlemen, I need you to state your names and then be sworn in by our secretary, please.

MR. JESHUIUN: My name is Matthew Jeshuiun, J-e-s-h-i-u-n. This is my associate.

MR. TISHNER: My name is John
Tishner (ph). I am just helping him.

CHAIRPERSON GRONACHAN: Are you giving testimony this evening?

MR. TISHNER: No. I was just helping set things up.

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

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

MR. JESHUIUN: Yes.

CHAIRPERSON GRONACHAN: You may proceed.

MR. JESHUIUN: I don't know if you remember, but I came before you about year and a half ago with Ms. Harris for this property. You can actually see the top blueprint copy you have, that's labeled original, is the house we became before you asking for variances in April 2015.

We have the same four variances that we are requesting for this
evening. They were all granted. It was 
basically a remodel. She had a current -- 
existing home. We tore the second story 
down, we ended up running into a bunch of 
foundation issues and things that we 
addressed. You know, you guys granted the 
four variances and we built the house. It 
took about seven, eight months with all the 
issues we had, which is actually why I have 
the beard, because winter came and we worked 
all the way through winter and I kind of 
joked and said I wasn't going to shave the 
beard until the project was complete and 
unfortunately on April of 23rd of this year, 
the neighbor's house to the right caught fire 
and caught our house that was freshly built 
caught on fire also.

Ms. Harris, unfortunately 
wasn't able to be here this evening, she is 
at her other home in Washington D.C. 
obviously being displaced from the fire and 
the house being burned down. So I am 
especially representing her this evening.
With that being said, upon the fire of April of 2015, this year, the insurance company said we should bring in structural engineers to deem whether or not the house was salvagable.

Basically the roof of the new home caught fire. We still have the first and second floor and the basement level somewhat intact, but the fire department put about 200,000 gallons of water into the house. At one point the basement was completely filled. I was there for the whole -- from an hour after the fire started, I was there for the day. I witnessed and walked through all this.

Structurally, an engineer basically said, we need to tear it down, water damage, you know, building products there mostly, you know, wall sheathing, the floor sheathing, all that swells when it gets wet. So we just determined to take the house down.

Building department pointed
out that we are in somewhat of a unique situation, that due not to Ms. Harris' fault, of the situation, she would be able to possibly keep her existing footprint, if the existing foundation was suitable to rebuild on.

The structural engineer said, you know, let's tear down the house. At the point of getting the house tore down, I will come back out and reassess the foundation and make a determination on whether or not it's suitable to rebuild on.

So we got the house tore down a couple of months ago, he came back out. And, you know, he said more or less, we can rebuild on it. It's going to need a little bit of reinforcement. Basically, everyone's consensus, mine, the homeowner's, the building department, structural engineer, the architect, everybody agrees, we are building a new home, why would we build it on top of a 100 year old Michigan foundation. That's been somewhat hodgepodge over the past 60
years. You know, it's a partial foundation basement with partial crawl, and, you know, all these things work together. It's going to be the value of the future home along with surrounding properties, why would we build on it.

The answer to that is, well, if we can't get the variances, we are requesting this evening, her house is going to become so small that it would be pointless to build.

So, essentially we still have this existing foundation sitting in the ground waiting to hear whether or not we will get the approval from you guys and whether or not we can put a new foundation in the ground. Essentially, what we are asking for is almost identical to what we have already built. That's why I gave you the original and the proposed, so you can see the house has exactly gotten narrower. Because before on the north side, she was only a foot and a half off the property line, and that was
grandfathered in. You can see that that shaded in area is actually where the second floor came in, we actually stepped in a foot and a half, because as I have been told all along from the building department, that anything that's closer than three feet to the property line has to have a one hour rating, therefore, you can't have windows. So we have operated from the beginning that we are going to be 3 feet off the property line. She obviously is on a lake, she wants to have views of the lake. She doesn't want her north and south side to have no windows, especially with bedrooms. You know, you have to have egress. It don't make much sense.

So our new proposed foundation is actually a foot and a half narrower on the north side and I think eight inches narrower on the south side, from what we already built.

As far as everything else, it's basically the same. You know, we have a tower on the back. We have stretched a
little bit further towards the root side, but she still is well within the normal setback. That wasn't even something we needed to ask for. Essentially she is just trying to get the same square footage for this new build as opposed to what we had just built. So the house getting narrower 3 feet in length we stretched a little closer to the road.

Also with an opportunity to do a completely new foundation, we will be able to address some things that we were somewhat handcuffed on the first time around, which was the stairway, which was in a very odd location, and the elevator, which we ended up sticking on the outside of the building.

With the new foundation, we will able to address that, get the elevator into the inside, put the stairway in a better location, and, you know, that's really all that we have to say about it.

I mean, I could obviously go through all the reasons that she requested it the first time around, you know, those same
hardships still apply. She is an elderly
woman, she is 69. She is looking to build,
you know, her final home. She wants to stay
here, she loves it in Novi. She obviously
has another home in Washington DC, but she
only spends winters there. She spends the
other eight, nine months of the year here in
Novi. She wants to build the house that she
can in the future, if she needs to have care,
she will have the elevator. You know, all
those things.

Also we have signatures from
neighbors of everyone that was okay with the
build. That's basically the last page.

I think that's really all I
have to say. Really the hardship this time
comes around to the fact that she had a fire
that was no fault of her own and her house
had to be torn down. We are just looking to
basically rebuild the same thing that she
already had.

CHAIRPERSON GRONACHAN: Okay.

Anything else? Is there anyone in the
audience that wishes to make comment on this case?

Seeing none, is there any correspondence?

MR. MONTVILLE: Yes, there were 45 letters mailed, four letters returned, zero approvals, and two objections.

The first objection comes from Chris Branmild (ph) at 1255 East Lake Road, notes he understands lake lots, the way things used to be. He says, that he believes when there is an opportunity to create more space between houses, that's what should be done. He notes the previous fire and he notes he has photos from the fire.

Second objection is from Robert Andrews at 1262 East Lake Drive. He objects to the setback on the north and south. He notes a 40 foot wide lot, which should be at least five feet on each side and the house on the lake side should be no closer to the lake than 25 feet.

CHAIRPERSON GRONACHAN: Okay.
Building department?

MR. BUTLER: No comment.

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

MR. SANGHVI: Thank you. I came and saw your property. It's a very small lot. What you are asking to do is basically reconstruct the house that used to be there. Footprint being the same in every other respect. I have no difficulty supporting your application. Thank you.

CHAIRPERSON GRONACHAN: Anyone else? I have no objection to this. I think it was very tragic and I am grateful no one was hurt.

And under the circumstances, being that these variances were previously granted, and as you gave testimony to through no fault of the petitioner's, the house needs to be rebuilt.

So I think that these variances are within the spirit of the ordinance, given the lot size, given the
conditions and that they were granted before,
I think that because you addressed the --
brought it in a little bit off the lot line,
was a good thing.

Therefore, I will be in full
support of your request.

Member Krieger?

MR. SANGHVI: Did you want to
address the objections?

MR. JESHUIUN: I forgot to say in
my statement that basically what we are
asking for has been, you know, pretty much
applied up and down the street and granted.
There is three new houses that have been
built in the past year. One is less than
25 feet off the water, they're all like three
foot off the property line. You know, the
first time around I took pictures of all the
houses up and down. I didn't feel that I
needed to do it a second time being that
we're essentially asking for what we had
already been granted the first time.

CHAIRPERSON GRONACHAN: Okay.
Member Peddiboyina?

MR. PEDDIBOYINA: I have no objections. You being a good homeowner in getting the signature of the neighbors. Good luck.

CHAIRPERSON GRONACHAN: Thank you. I would like to entertain a motion. Anyone ready? Member Krieger.

MS. KRIEGER: In Case No. PZY16-0056, for Future Homes and Design, I move to approve the request for the variance -- for variances requested, that the petitioner has shown practical difficulty and due to the topography and limited use of space on each house on East Lake Drive, around the whole Walled Lake, have shown evidence of doing their homework for what is best that would fit in with the site, that the property is unique and they did not create this condition. The relief will not unreasonably interfere with adjacent or surrounding properties, or will actually increase potential sale values in the
neighborhood, and it is in the spirit and intent of the ordinance.

MR. PEDDIBOYINA: Second.

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

Monica, would you please call the roll.

MS. DRESLINSKI: Member Krieger?

MR. SANGHVI: Yes.

MS. DRESLINSKI: Member Montville?

MR. MONTVILLE: Yes.

MS. DRESLINSKI: Member Peddiboyina?

MR. PEDDIBOYINA: Yes.

MS. DRESLINSKI: Member Sanghvi?

MR. SANGHVI: Yes.

MS. DRESLINSKI: Chairperson Gronachan?

CHAIRPERSON GRONACHAN: Yes.

MS. DRESLINSKI: Motion passes five to zero.
CHAIRPERSON GRONACHAN: Your variances have been granted. I'm sure you will be working with the building department and good luck this time.

MR. JESHUIUN: Thank you so much.

CHAIRPERSON GRONACHAN: That concludes this evening. Does anyone have anything else to add to the board, or bring in front of the board?

I would like to remind everybody of the Christmas party on December 9. Please check your email for your invitation and respond to Cheryl Walsh. So I would like to see all the board members there. Some of you didn't make it last year, you were missed. We all talked about because you weren't there. This year I don't want that to happen again, Member Montville. Just kidding.

Is there anything else?

MR. SANGHVI: Wish you a very Happy Thanksgiving.

CHAIRPERSON GRONACHAN: Happy
Holidays. For this year, now that Member Sanghvi brought this up, I'd like to say a special thanks to the building department. They do a great job. Monica is going to be moving into something else. We have Carol our new girl, and we have a city attorney that works very hard. We have Larry our new member. We are very lucky to have such a wonderful group in the City of Novi. And that's what we have -- one more thing to be thankful for this year. I want to thank you all of you on behalf of this board. You took calls, you take emails, you follow-up. It's not easy working with a group of volunteers, but you manage to get it done. It's always on a professional level. And so I take this motion to thank you all now.

With that, I would like --

MR. SANGHVI: Amen to whatever you said. We should adjourn.

CHAIRPERSON GRONACHAN: All those in favor.

THE BOARD: Aye.
(The meeting was adjourned at 8:50 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 meeting was taken before me in the above entitled matter at the aforementioned time and place; that the meeting was stenographically recorded and afterward transcribed by computer under my personal supervision, and that the said meeting is a full, true and correct transcript.

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.

12-30-16

Jennifer L. Wall CSR-4183
Oakland County, Michigan