

REGULAR MEETING - ZONING BOARD OF APPEALS

CITY OF NOVI

TUESDAY, APRIL 10, 2018 7:00 P.M.

Council Chambers | Novi Civic Center | 45175 W. Ten Mile Road

BOARD MEMBERS:

Linda Krieger, Chairperson

Brent Ferrell, Secretary

Cynthia Gronachan

David M. Byrwa

Siddharth Mav

Joe Peddiboyina

Samuel Olsen

ALSO PRESENT:

Elizabeth Saarela, City Attorney

Lawrence Butler, Comm. Development, Dep. Director

Katherine Opperman, Recording Secretary

Reported by:

Darlene K. May, Certified Shorthand Reporter

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Novi, Michigan

Tuesday, April 10, 2018

7:00 p.m.

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CHAIRPERSON KRIEGER: Good evening and welcome to the Novi Zoning Board of Appeals. This is for the April 10th, 2018 board meeting. And if we will all rise for the Pledge of Allegiance.

(Pledge of Allegiance.)

CHAIRPERSON KRIEGER: All right. For our roll call, please.

MS. OPPERMAN: Member Byrwa?

MEMBER BYRWA: Here.

MS. OPPERMAN: Member Ferrell?

MEMBER FERRELL: Here.

MS. OPPERMAN: Member Gronachan?

MEMBER GRONACHAN: Here.

MS. OPPERMAN: Chairperson Krieger?

CHAIRPERSON KRIEGER: Here.

MS. OPPERMAN: Member Olsen?

MEMBER OLSEN: Here.

MS. OPPERMAN: Member Nafso is absent.

Member Peddiboyina?

1 MEMBER PEDDIBOYINA: Yes.

2 MS. OPPERMAN: Member Sanghvi?

3 MEMBER SANGHVI: Here.

4 CHAIRPERSON KRIEGER: Very good. We have a
5 full board.

6 And for public hearing format and rules of
7 conduct, there are pamphlets in the entry door. And if
8 there's -- if you could put your phones to silence so
9 we have no interruptions, I would appreciate that.
10 Thank you.

11 And for approval of the agenda, any changes?

12 MS. OPPERMAN: Case number PZ18-0006 has been
13 canceled and removed from the agenda.

14 CHAIRPERSON KRIEGER: Okay. Thank you.

15 All in favor of the change in the agenda?

16 MEMBER BYRWA: Aye.

17 MEMBER FERRELL: Aye.

18 MEMBER GRONACHAN: So moved.

19 MEMBER OLSEN: Aye.

20 MEMBER PEDDIBOYINA: Aye.

21 MEMBER SANGHVI: Aye.

22 CHAIRPERSON KRIEGER: Any denials?

23 Seeing none. Move to approve the agenda as

1 is.

2 Minutes for March 20, '18, are there any
3 changes?

4 MEMBER GRONACHAN: No changes.

5 CHAIRPERSON KRIEGER: Seeing no changes.

6 Move to approve.

7 MEMBER GRONACHAN: So moved.

8 MEMBER SANGHVI: Second.

9 CHAIRPERSON KRIEGER: Any objections?

10 Seeing none, motion to approve, say, "Aye."

11 Aye.

12 MEMBER BYRWA: Aye.

13 MEMBER FERRELL: Aye.

14 MEMBER GRONACHAN: Aye.

15 MEMBER OLSEN: Aye.

16 MEMBER PEDDIBOYINA: Aye.

17 MEMBER SANGHVI: Aye.

18 CHAIRPERSON KRIEGER: Very good. The minutes
19 are passed for March 2018.

20 Public remarks. If there is anyone in the
21 public that has a remarks for the zoning that is not
22 pertaining to any of our cases, if you can come to the
23 podium and state your name and spell it for our

1 recorder. And you have a -- for three minutes.

2 Is there anyone that would have a remark?

3 Okay.

4 MR. DUCHESNEAU: Good evening. I am Michel
5 Duchesneau. And my name is M-i-c-h-e-l,
6 D-u-c-h-e-s-n-e-a-u. I live at 1191 South Lake Drive.

7 And I'm hereto talk a little bit this
8 afternoon about a complex that is coming forward. And
9 I know it won't impact this board in the immediate
10 future, but just to make you aware of it.

11 And, in essence, what we have is there's a
12 developer, Robertson Brothers. And, basically, I have
13 taken this to the Zoning Board and I'm sure you're
14 familiar with this.

15 Basically, the developer is proposing to
16 build three-story, single family attached homes on the
17 parcel that's known as Pavilion Shore Village, south of
18 13 Mile Road -- south of 13 Mile Road on Old Novi Road.

19 In essence, they're building -- proposing
20 three-story buildings. And because they're, basically,
21 attached housing, I've attached the maximum storage
22 allowed. Basically, that makes them an RM-2 type of
23 zoning per your current ordinances. They would be

1 coming forward with an overlay.

2 And, basically, the important thing about
3 that is 75 foot front yard, rear yard and side yard
4 setbacks are required in an RM-2 zone. The parcels, to
5 be more specific, are shown on this map.

6 Basically, here is 13 Mile Road and here's
7 Old Novi Road, and Walled Lake is up here at the top.
8 And basically, there's three parcels. There's one
9 parcel that's a hundred feet deep by -- well, depending
10 on how many houses they put up, up to 560 feet
11 thereabouts.

12 The second parcel, the wet and wooded lot, is
13 144 feet of frontage on Novi Road by 200 feet deep.
14 And the third parcel is 265 feet by 200 feet.

15 The zoning ordinance, RM-2, says you need a
16 75 front yard and rear yard setback. RM-2, this lot is
17 inappropriate for building. Okay? They've got over
18 20 townhouses proposed to be built on a lot that can't
19 even meet the setbacks.

20 And the same thing applies for parcel number
21 two. It's only 144 feet deep -- or wide. And,
22 likewise, you can't meet the 150 foot required side
23 yard setback.

1 So that brings us to, basically, parcel
2 number three. And parcel number three, after you
3 subtract the 75 feet all around, you're left with an
4 area that's buildable that meets the setbacks of about
5 50 feet by 115 feet.

6 CHAIRPERSON KRIEGER: Are you summing it up?

7 MR. DUCHESNEAU: Yes.

8 CHAIRPERSON KRIEGER: Okay.

9 MR. DUCHESNEAU: And, basically, if you look
10 at your own densities of RM-2, it doesn't meet the
11 intent. It's not -- when you look at the second half
12 of the ordinance, it does not meet a buffer zone
13 between high density, commercial and other areas. It
14 specifically restricts it from residential areas.

15 So, basically, what I'm asking is please
16 enforce the Novi Zoning Ordinance if a rezoning or PRO
17 overlay is submitted to you in the Pavilion Shore
18 Village district.

19 Thank you.

20 CHAIRPERSON KRIEGER: Thank you.

21 MR. DUCHESNEAU: And I know it's not news to
22 you as far as the zoning ordinances, but I just want to
23 be on record.

1 CHAIRPERSON KRIEGER: All right. I
2 appreciate it. Thank you.

3 Is there anyone else?

4 All right. Come in.

5 MR. ANGUS: Hello. How are you doing?

6 I'm a 19-year resident of Novi. My name's
7 Steve Angus. I live up on 145 Linhart. I actually
8 live right next to this property right here.

9 So I have been in the three previous meetings
10 regarding the Robertson property that, you know, was
11 just spoke about. I'm also concerned about it. I am
12 not supportive of the proposal to put 57 shoebox-style
13 apartment homes in this area due to a number of
14 reasons. Right?

15 And I also support, you know, the earlier
16 statement that we should not rezone this to allow for
17 these. You can kind of see what these apartment homes
18 look like over in Royal Oak. There's no parking for
19 them. They're 35 foot tall. They tower over the
20 existing homes in the area.

21 Imagine these residents. This area is
22 actually 30 feet above where my house is. So 30 feet
23 plus, you know, 35 puts them about 50 to 60 feet above

1 where my house is. They're going to be looking down in
2 my backyard. Right?

3 So they do not conform to the existing
4 park-light setting. I think we did a great job at Novi
5 with the Pavilion Shores. It's beautiful. We love it
6 up there. We just don't want this, you know,
7 shoebox-style, apartment-looking homes to kind of
8 destroy it up in that area.

9 So this small area with only three acres,
10 it's also not designed properly to exit all the cars
11 for the guests, if there's a Super Bowl party or
12 anything. The builder plans to exit it out on these
13 side streets. And we already have issues with people
14 cutting through the back streets. There's no
15 sidewalks. It's not well lit.

16 As I mentioned, I have three children. I
17 have a daughter as well and a lot of kids walk to the
18 park through that area. So it effects -- my wife, you
19 know, wanted to be here. But she's concerned about our
20 children.

21 I have a daughter, you know, Brent, a very
22 similar age to your daughter. And I'm concerned about
23 that. Right?

1 So the exit vehicle is poor. The other thing
2 is this property here, there's a pond here. They plan
3 on filling in the pond in that area. I actually have a
4 picture of the pond, if you want to see it.

5 There's the pond. Right? So that's actually
6 where the second property is planning to go. So I have
7 a concern about water as well. So when they fill in
8 that pond, where do you think all the water's going to
9 go?

10 I'm 30 feet below this property, and they
11 showed us at the three previous meetings no plan for
12 water management. And I'm concerned about my backyard.

13 So thank you for your time. I appreciate it.
14 And I guess when it does come to you, just make sure
15 you consider some of these concerns that residents
16 have. Thank you.

17 CHAIRPERSON KRIEGER: Thank you very much.

18 Anybody else have a concern regarding
19 anything besides the cases?

20 All right. Seeing none, we'll close the --

21 MEMBER GRONACHAN: Wait.

22 CHAIRPERSON KRIEGER: I'm sorry.

23 MS. SINES: I am here also for the same

1 issue. My name is Rachel Sines. I'm at 2219 Austin
2 Drive. My last name is S-i-n-e-s.

3 And this happens to be my house right there
4 (pointing).

5 It's the same issue with these developments.
6 These homes that are proposed are going to be literally
7 just feet from my house in my back yard. I have a
8 one-story ranch. These are three-story buildings.
9 There's going to be no privacy.

10 I have a little girl at home as well that we
11 like to use our backyard, and it's going to be very
12 invasive not only to the homes that are on these roads
13 but to the area in general. When I bought the house,
14 you can see right behind me there is a house there. So
15 there was no question when I purchased the home about
16 zoning of the homes. It's R-4. And now they're going
17 to tear down the homes to build these multi-family,
18 three-story buildings.

19 With the overlay that's been proposed from
20 the City, the master plan, they're proposing R-4 --
21 from R-4 to 7.3 acre -- or homes per acre. This
22 developer is proposing 20 per acre.

23 So we're just asking when it comes to you,

1 please keep in mind the residents in the area. And we
2 would love to see it remain R-4. And that's pretty
3 much what I have right now.

4 Thank you.

5 CHAIRPERSON KRIEGER: Thank you.

6 MR. KING: One more.

7 CHAIRPERSON KRIEGER: Yup. Come in.

8 MR. KEEN: Good evening, members, zoning
9 board members. My name is Todd Keen. I live at 2300
10 Austin Drive. I have lived at that location for about
11 25 years. I am here also ...

12 Thank you. My assistant.

13 I am here also in regards to the proposed
14 development along Old Novi Road and 13 Mile, which is
15 the Pavilion Shore Village. Actually, I live right
16 about there, right on the corner there. So I'm --
17 there is actually a little canal that runs through
18 here, and I am pretty close to the water level. So as
19 some of the concerns that some of my neighbors talked
20 about, I will also be experiencing some of those
21 issues.

22 This development, especially on this hill,
23 is -- I mean, I look up at it right now. So it's

1 pretty -- you know, you put 35 feet on top of that and
2 I'm going to be looking at some pretty -- it's not
3 going to be good.

4 So the reason I mention that is because the
5 master plan, on a couple of pages -- which I don't have
6 listed right here -- but I do recall them talking about
7 trying to keep the character of that area into that
8 single family home, the character, the different styles
9 of houses, but not 35 foot, three-story, multiple
10 family home villas.

11 I've spent a lot of hours and money and
12 blood, sweat and tears on my house. When I bought it,
13 it was about 900 square feet. It's about 2,000 square
14 feet now. So I've got a lot at stake and I don't think
15 that this is going to increase the value of my home. I
16 think it's going to drop the value. And not that
17 that's -- well, nobody likes that anyways. But ...

18 So I stand before you. My neighbors stand
19 before you. And we don't come here because we like to
20 feel nervous and uncomfortable, and we don't like to
21 debate. Well, anyway.

22 But because it's not good for us. You know,
23 this is planned development. It's not. If it was in

1 your backyards or homes or near it, you would be up
2 here doing the same thing.

3 It's not good for the area. I don't think
4 it's good for Novi. Please do not let this happen when
5 it comes up. And please do not approve any other
6 zoning other than the current zoning.

7 Thank you.

8 CHAIRPERSON KRIEGER: Thank you very much.

9 Anybody else on anything other than the cases
10 tonight?

11 Okay. So I'll close the public remarks area.

12 Now for our public hearings, we have four
13 cases and to reiterate: To come up to the podium,
14 present your case. Say your name, spell your last name
15 for the court recorder and present your case and we'll
16 go from there. Thank you.

17 So the first case is PZ18-0002 for ID
18 Enterprises, 41875 Carousel Drive, east of Novi Road
19 and north of 12 Mile Road on 13 Mile.

20 MR. FRASIER: My name is Eric Frasier from
21 ID Enterprises, F-r-a-s-i-e-r.

22 MEMBER FERRELL: Are you an attorney?

23 MR. FRASIER: No, I'm not.

1 MEMBER FERRELL: Okay. Raise your hand and
2 be sworn in. Do yo swear to tell the truth in the case
3 you're about to give testimony in?

4 MR. FRASIER: Yes.

5 MEMBER FERRELL: All right.

6 MR. FRASIER: So we are working with Emeritus
7 Communities up on Carousel Drive to install new
8 entrance signs. Currently they have entrance signs on
9 two posts. Typically, what we as a sign company, it's
10 a post and panel sign. It's a lower class sign that
11 doesn't really meet the standards of the area and
12 Emeritus, a new ownership, is looking to improve the
13 looks of their site, gain visibility and return on
14 their investment.

15 And their east entrance sign is what we would
16 like to see a variance for as there's a right-of-way
17 that makes the current entrance sign just a few feet
18 out of what is allowed.

19 And really, just again, with the surrounding
20 communities, I believe they deserve that upscale look
21 to really compete and have their residents actually see
22 where their entrance is and their potential residents
23 to see it as well.

1 Again, their current sign is all we would
2 like to replace, same relative size, same location.
3 And it's in the middle of a boulevard, not in the way
4 of driving visibility as it isn't currently.

5 Yeah, that's all.

6 CHAIRPERSON KRIEGER: That's it?

7 MR. FRASIER: Yeah.

8 CHAIRPERSON KRIEGER: Okay.

9 MR. FRASIER: Do I sit down?

10 CHAIRPERSON KRIEGER: All righty. Is there
11 anyone in the audience that has anything to say
12 regarding this case?

13 Seeing none. For the City?

14 MR. BUTLER: Due to the fact that the sign
15 that they're replacing is going into the same location,
16 it was already approved once, the right-of-way has
17 grown over the years. So that is a concern, but we
18 have no problems with them replacing the sign in the
19 same location.

20 CHAIRPERSON KRIEGER: Very good. Thank
21 you.

22 And correspondence?

23 MEMBER FERRELL: Yes, Madame Chair, 81

1 letters mailed, seven letters returned, zero approvals,
2 four objections.

3 The first one is from Lawrence A. Kilgore,
4 K-i-l-g-o-r-e.

5 Um, Wait. Hang on one second. That might
6 not be the right one.

7 Nope. Scratch that. The first one is from
8 Singh Development. It says, "Please be advised that we
9 oppose this variance request."

10 The second one is ...

11 They're all the same.

12 MS. OPPERMAN: Same for the several parcels.

13 MEMBER FERRELL: So they sent four?

14 MS. OPPERMAN: Yes. Because they have
15 several parcels they own.

16 MEMBER FERRELL: Okay. They oppose all. I
17 don't know how to say that. There's four that denied.
18 Or objections.

19 That's it.

20 CHAIRPERSON KRIEGER: Thank you. And before
21 I open it to the board, member -- for counsel, since we
22 don't have a member, so then the person that's the
23 alternate, can they ask questions? Or can they vote or

1 just ask questions?

2 MS. SAARELA: Yes. Both.

3 CHAIRPERSON SANGHVI: So Member Olsen can --

4 MS. SAARELA: Participate fully as a member.

5 CHAIRPERSON KRIEGER: All right. Very good.

6 So I'll anticipate that, too.

7 All right. I'll open it up to the board for

8 questions.

9 Yes, Member Sanghvi?

10 MEMBER SANGHVI: Thank you. I came and saw
11 your sign over a month ago when you were planning to be
12 here last month.

13 Anyway, the sign that I saw is it the real
14 sign or is it a mockup?

15 MR. FRASIER: In the printout that you see?

16 MEMBER SANGHVI: Yeah. The sign that is
17 there now, is it the new sign?

18 MR. FRASIER: The sign that is there ...

19 MEMBER SANGHVI: I came to see your place
20 over a month ago because you were planning to be here
21 last month.

22 MR. FRASIER: Correct.

23 MEMBER SANGHVI: I have not been there since,

1 but the sign that I saw, is that the new sign or mockup
2 or just old sign?

3 MR. FRASIER: The sign that's been there has
4 been there for a number of years. Before the current
5 ownership and before I, obviously was a part of
6 project. I'd say it's been there -- just from the
7 makeup of the sign, I can tell that there's been a sign
8 in that location for at least five years.

9 MEMBER SANGHVI: Thank you. I don't think I
10 have anything else. Thank you very much.

11 CHAIRPERSON KRIEGER: Yes, member Gronachan?

12 MEMBER GRONACHAN: Thank you.

13 Do you have the diagram of the sign with you
14 this evening that you can put up so everybody can see,
15 perhaps, what we're talking about.

16 MR. FRASIER: I do.

17 MEMBER GRONACHAN: I think you want to put
18 it ...

19 There you go.

20 So -- and I'm not sure that I heard this in
21 your testimony that you gave. Is this changing the
22 size of it at all?

23 MR. FRASIER: It is changing in some ways.

1 So the actual sign face, which is what I
2 consider, like, the burgundy that you see, that is
3 about the current size of the current sign. And it's,
4 I believe, the maximum allowed.

5 So it's as if I was designing to meet your
6 ordinances. Which is what I do, typically, obviously.
7 And then the natural stone structure is kind of if
8 you -- it's about the same size of what their current
9 landscaping is that kind of decorates their current
10 sign. So it takes about the same amount of space. And
11 the actual sign face is -- again, I'm a hundred percent
12 sure -- within your sign allowance.

13 MEMBER GRONACHAN: So it's going back in the
14 same exact place where it is currently? It's just
15 going to be a new face, basically.

16 MR. FRASIER: Exactly.

17 MEMBER GRONACHAN: And because it's not going
18 to go 10 feet further back, that's what the variance is
19 for. Correct?

20 MR. FRASIER: Exactly.

21 MEMBER GRONACHAN: I just wanted to clarify
22 that for everybody.

23 So I have no problem with this. I drive down

1 that road all the time. Thirteen Mile is -- in that
2 particular stretch, is kind of dangerous, quite
3 frankly. Making a left-hand turn into the park it
4 causes a traffic backup. During the winter, 13 Mile is
5 very dangerous. It's not very wide. So I don't see
6 how this sign would actually have a negative impact on
7 anything surrounding it, number one.

8 Number two, the visibility is very important
9 and given the lay of 13 Mile, again, it's all about the
10 road and the topography out there. It's very difficult
11 to see when you're coming in or when you're going --
12 when you're heading -- I don't want to use that
13 terminology, let me correct that.

14 When you're heading west or when you're going
15 east. When you're heading west, you're right on top of
16 it before you get to the sign. So the improvement of
17 the visual of the sign is going to help. And when
18 you're going east, it's set far pretty back -- set back
19 pretty far now.

20 MR. FRASIER: Yeah.

21 MEMBER GRONACHAN: And given the way that
22 that road lays, it makes visibility very difficult. So
23 I am in support of this, given that -- the statements

1 that I just made.

2 MR. FRASIER: Thank you. Yeah, I would also
3 say Emeritus, the new ownership of this community, I
4 work with them all over the state and they're pretty
5 committed and they really invest in their mobile home
6 communities. And I would say as a city -- and I grew
7 up in Novi. That if you're going to have mobile home
8 parks, you'd want Emeritus to be owning them because
9 they really try to improve the quality of them, keep
10 them safe, spend money to keep the roads safe. They
11 spend money to put in stop signs and traffic signs that
12 weren't there before.

13 So they really don't treat them as trailer
14 parks in much larger neighborhoods. And I think this
15 sign, obviously, is that type of improvement, like you
16 said, to make the visibility corrected based on the
17 speed of the road.

18 MEMBER GRONACHAN: Okay.

19 CHAIRPERSON KRIEGER: Any other questions?

20 Yes, Member Byrwa?

21 MEMBER BYRWA: I have a question for our city
22 attorney. On page 11 of 12 on what was submitted, it
23 shows a smaller version and I was wondering if what he

1 is asking for now is a larger version, is that a
2 substantial enough difference where we should
3 re-advertise the larger sign?

4 MS. SAARELA: So, I don't -- as far as what
5 he is showing as long as what we have advertised is the
6 same as what the request here is -- the applicant is
7 requesting a variance from the City of Novi Code to
8 allow a proposed sign 10 foot from the right of way.

9 So this is just about where it's located.
10 This is not about the size. The size has been looked
11 at by our building ...

12 MR. BUTLER: Ordinance.

13 MS. SAARELA: The ordinance department. They
14 have confirmed that the size is correct. So the size
15 has no relevance with respect to the notice in this
16 case. Only the location. That's only what the
17 variance is about.

18 MEMBER BYRWA: So he's within the sign limits
19 on the larger version, then?

20 MS. SAARELA: That's correct. That's not
21 what the variance is about, the size. It's about where
22 it's placed.

23 MEMBER BYRWA: Okay. Thank you.

1 MS. SAARELA: Okay.

2 CHAIRPERSON KRIEGER: When I drove by there,
3 there's one that was covered up this week. Is that
4 just to help specify which one you're talking about?
5 You're going to leave both signs?

6 MR. FRASIER: The west entrance was already
7 approved.

8 CHAIRPERSON KRIEGER: Yes.

9 MR. FRASIER: So we're working on that
10 currently.

11 CHAIRPERSON KRIEGER: Okay. Thank you.

12 MR. FRASIER: So we're digging the footings
13 and stuff. It's a little cold. So we had to cover it
14 overnight.

15 CHAIRPERSON KRIEGER: Very good.

16 Then no other questions, then a motion to
17 approve.

18 MEMBER FERRELL: I've got it.

19 CHAIRPERSON KRIEGER: Oh, you have a
20 question?

21 MEMBER FERRELL: No. I was going to make a
22 motion.

23 CHAIRPERSON KRIEGER: All right. Very good.

1 Go ahead.

2 MEMBER FERRELL: For which one? The motion?

3 CHAIRPERSON KRIEGER: Yeah. I love a
4 comedian.

5 MEMBER FERRELL: Everybody does, right?

6 I move that we grant the variance in case
7 number PZ18-0002 sought by the petitioner for a newer
8 sign because the petitioner has shown practical
9 difficulty requiring a new sign would enhance the look
10 of the property. Without the variance, the petitioner
11 would be unreasonably prevented or limited with respect
12 to the use of the property. Which by moving the sign
13 back further would constrict the view of the entrance
14 to the property and making it more difficult for
15 residents and visitors to find the entrance.

16 The property is unique because there is a
17 middle boulevard with the sign in it and setting it
18 back further would make it more difficult to view the
19 sign.

20 The petitioner did not create the condition.
21 The relief granted will not unreasonably interfere with
22 adjacent or surrounding properties as it will improve
23 the look of the property. The relief is consistent

1 with the spirit and intent of the ordinance as this
2 allows the sign to stay in its original location which
3 will allow for easier visibility to residents and
4 visitors.

5 MEMBER PEDDIBOYINA: Second.

6 CHAIRPERSON KRIEGER: With a friendly
7 amendment regarding what we were talking about, the
8 speed of the road and driving by?

9 MEMBER FERRELL: Yes. I'll add that.

10 MEMBER PEDDIBOYINA: Second.

11 CHAIRPERSON KRIEGER: If you can call the
12 roll, please.

13 MS. OPPERMAN: Certainly. Member Byrwa?

14 MEMBER BYRWA: Yes.

15 MS. OPPERMAN: Member Ferrell?

16 MEMBER FERRELL: Yes.

17 MS. OPPERMAN: Member Gronachan?

18 MEMBER GRONACHAN: Yes.

19 MS. OPPERMAN: Chairperson Krieger?

20 CHAIRPERSON KRIEGER: Yes.

21 MS. OPPERMAN: Member Olsen?

22 MEMBER OLSEN: Yes.

23 MS. OPPERMAN: Member Peddiboyina?

1 MEMBER PEDDIBOYINA: Yes.

2 MS. OPPERMAN: And Member Sanghvi?

3 MEMBER SANGHVI: Yes.

4 MS. OPPERMAN: Motion passes.

5 CHAIRPERSON KRIEGER: All right. Motion is
6 approved. So you may see the Planning Department and
7 congratulations.

8 MR. FRASIER: Thank you.

9 CHAIRPERSON KRIEGER: Now for our second case
10 PZ18-0004, Zack Gielow. I hope I'm saying that
11 right.

12 MR. GIELOW: Yes.

13 CHAIRPERSON KRIEGER: Okay. 6263 South Lake
14 Drive, east of West Lake Drive and south of South Lake
15 Drive.

16 MR. GIELOW: Good evening, my name is Zachary
17 Gielow. I live at 623 South Lake Drive.

18 MEMBER FERRELL: Can you spell your last
19 name?

20 MR. GIELOW: My last name is spelled
21 G-i-e-l-o-w.

22 MEMBER FERRELL: Are you an attorney?

23 MR. GIELOW: I am not, no.

1 MEMBER FERRELL: Go ahead and raise your
2 right hand.

3 Do you swear to tell the truth in the
4 testimony you're about to give on this case?

5 MR. GIELOW: I do.

6 MEMBER FERRELL: Okay.

7 MR. GIELOW: Okay. So I'm here today to just
8 request a proposed side yard variance of five feet, an
9 aggregate side yard variance of nine feet and then
10 proposed lot coverage of 36 percent. And really what
11 that all boils down to is just a small addition on the
12 front of the house which is going to enclose the porch,
13 the porch up on the bottom floor and the second floor.
14 Just to make it a more useable living space all year
15 round.

16 Just to give you a quick idea, if you haven't
17 seen the place before. So this is the -- I'm the
18 little guy between these two big houses here.

19 This porch -- you can't really see it very
20 well in the pictures because it's black and white, but
21 there's a porch that extends eight feet and it sits on
22 top of a poured foundation right now.

23 So the plan is just to take that eight feet

1 and to convert it to a livable space so we can use it
2 just for our growing family house.

3 And then I have an additional photo here just
4 to kind of give you more of an aerial view of where
5 that porch comes out to. So that eight feet is where
6 the end of the house would rest.

7 And I went through the variance request
8 requirements and I just jotted down five things that I
9 thought would meet the requirements. Number one, it's
10 not really just something that we want. It's something
11 that we kind of need the additional space to make it
12 more of a comfortable home for our growing family.

13 There isn't a basement in this house so a lot
14 of the square footage that we have is spent on
15 utilities and the utility room and storage. The
16 basement is one thing that I never really took for
17 granted until I moved out into this place.

18 Number two, the property is unique in nature.
19 It's a very narrow lot.

20 And you can see there, it's close to both
21 sides of the property which makes it hard to build or
22 do any sort of improvement without going through this
23 variance request.

1 Number three, we didn't create the situation.
2 It's a house from the early 1900s and it was built on a
3 very small plot of land and it hasn't really been
4 developed a bunch. There was an addition at one point,
5 but it's still -- much of the house is very old.

6 Four, it wouldn't reasonably interfere with
7 the surrounding properties. I did talk to the
8 neighbors on both sides and they were fine with the
9 drawings that I showed them.

10 I'm not sure, sir, what responses you got
11 back written. But in terms of the neighbors that I did
12 talk to they were fine with it.

13 And then I don't think just coming out the
14 additional eight feet -- as you can see in the picture,
15 I don't think it interferes with any views.

16 And I think the request is reasonable just
17 because it is only that eight feet. We're not trying
18 to add a significant portion of, you know, entirely new
19 rooms. We're just trying to extend and make that space
20 a little bit more useable.

21 Another thing to consider is the safety
22 measures. Just because the neighbor to the east, which
23 is on the left side of the house is very close to the

1 property line, and one thing that's required when
2 you're building these houses with the close proximity
3 is to have a fire rated exterior wall. So that would
4 be required in the addition portion. And what I talked
5 about with the neighbor is that, if I'm going to be
6 redoing the siding while I'm improving the addition,
7 I'm also going to try and make that a fire rated the
8 interior length of the house so it's not just the front
9 view portion that is fire rated.

10 And right now it's built in -- we're not even
11 sure the year it's built, early 1900s. It's not up to
12 code in terms of fire standards. So I think that would
13 actually be a plus if we were able to build out on this
14 and kind of improve it overall.

15 And then the fifth point I had here was just
16 reading through the terms of the variances. It is
17 consistent with spirit and intent of the ordinance due
18 to the fact that it is an older property. And when it
19 was built, it didn't meet any of the current
20 ordinances. If the variance wasn't granted, then these
21 improvements, they wouldn't be available.

22 So to me I think it's a very reasonable
23 request that meets all of the guidelines. And I do

1 have additional documentation if there is any questions
2 on exactly what it would look like or what we're
3 building.

4 CHAIRPERSON KRIEGER: Very good. That's it?

5 MR. GIELOW: Yup.

6 CHAIRPERSON KRIEGER: Anybody notice
7 audience?

8 Yes?

9 MR. ANGUS: Nice job.

10 My name is Dorothy Duchesneau. I own the
11 house at 125 Henning and I am here to support his
12 request for the side yard variances in order to expand
13 the front living area of his home, since that will help
14 match the existing front yard setbacks of the neighbors
15 along South Lake Drive.

16 In this area many of the houses were built on
17 small lots over many areas. And this improvement does
18 fit in with the City and similar and yet dissimilar
19 ordinance as to the front yard setbacks of the
20 neighboring homes. It also falls in line with the City
21 policy of neighborhood preservation, allows the
22 improvement and the expansion of the home without
23 sacrificing any of the existing shoreline character.

1 It will increase the value of the home and of the
2 neighborhood.

3 I'm all for it. Thank you.

4 CHAIRPERSON KRIEGER: Thank you.

5 Yes?

6 MR. DUCHESNEAU: Michel Duchesneau, 1191
7 South Lake Drive. And I'm in support of granting this
8 variance. It does improve the neighborhood. It's
9 consistent with the intent of the master plan to find a
10 way to revitalize the older areas. And I do not see
11 any issues with bringing this closer to the road to be
12 consistent with the neighbors.

13 Thank you.

14 CHAIRPERSON KRIEGER: Thank you.

15 From the City?

16 MR. BUTLER: No comment.

17 CHAIRPERSON KRIEGER: Okay. Thank you.

18 From the correspondence?

19 MEMBER FERRELL: Yes, Madame Chair, we had
20 31 letters mailed, one letter returned. Zero
21 approvals. Zero objections.

22 CHAIRPERSON KRIEGER: Thank you very much.

23 And open it up to the board for questions.

1 Yes, Member Sanghvi?

2 MEMBER SANGHVI: Thank you. I came and
3 visited your whole area the other day and I agree it's
4 a very small lot and even smaller house there. And if
5 you need more space, I can understand that. So really
6 I have no objection to your request. Thank you.

7 MEMBER GRONACHAN: Anyone else?

8 CHAIRPERSON KRIEGER: I agree.

9 I drove by myself and there's not very much
10 space to work with and it sounds like you got an
11 excellent plan. So I'm also in support.

12 MR. GIELOW: Thank you.

13 CHAIRPERSON KRIEGER: Hear a motion, then.
14 Or any other questions?

15 MEMBER GRONACHAN: I'll do the motion.

16 CHAIRPERSON KRIEGER: Okay.

17 MEMBER GRONACHAN: In case number ...

18 MEMBER SANGHVI: PZ18-0004.

19 MEMBER GRONACHAN: I got it. I got it.

20 In case number PZ18-0004 for Zack Gielow, I
21 move that we grant the variance for the 5.05 feet side
22 yard variance. The aggregate for the side yard of 9.05
23 and the proposed lot coverage of 30 percent.

1 MEMBER SANGHVI: 36 percent.

2 MEMBER GRONACHAN: Is it 30 percent or 36?

3 MEMBER PEDDIBOYINA: 36.

4 MEMBER GRONACHAN: 36 percent?

5 MS. OPPERMAN: Um-hmm.

6 MEMBER GRONACHAN: Because the petitioner has
7 shown a practical difficulty requiring -- I'm sorry.

8 Because the petitioner has shown a practical
9 difficulty due to lot size, uniqueness and shape.

10 Without the variance, the petitioner will be
11 unreasonably prevented or limited with respect to the
12 use of the property because, again, of the unusual
13 shape of the lot, the narrowness and, basically, no
14 other place to go as given in his testimony. Example,
15 no basement.

16 The property is unique because of the size of
17 the lot, the shape of the lot and the depth of the lot.
18 The petitioner did not create the condition because the
19 lot shaped about -- because of the lot's shape and
20 size.

21 The relief granted will not unreasonably
22 interfere with adjacent or surrounding parties (sic)
23 because it fits with the other unique lot sizes and

1 shapes.

2 The relief is consistent with the spirit and
3 intent of the distant and the -- I'm sorry.

4 Is consistent with the spirit and intent of
5 the ordinance because of the various shapes and sizes
6 of the other homes and, as given in previous testimony,
7 the similar, dissimilar part of the ordinance.

8 Therefore, I move that this variance be
9 granted based on this given testimony of the petitioner
10 and these instances so stated in my motion.

11 MEMBER SANGHVI: Second.

12 CHAIRPERSON KRIEGER: All right. We have a
13 motion and a second.

14 If you could call the roll, please.

15 MS. OPPERMAN: Member Sanghvi?

16 MEMBER SANGHVI: Yes.

17 MS. OPPERMAN: Member Peddiboyina?

18 MEMBER PEDDIBOYINA: Yes.

19 MS. OPPERMAN: Member Olsen?

20 MEMBER OLSEN: Yes.

21 MS. OPPERMAN: Chairperson Krieger?

22 CHAIRPERSON KRIEGER: Yes.

23 MS. OPPERMAN: Member Gronachan?

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MEMBER GRONACHAN: Yes.

MS. OPPERMAN: Member Ferrell?

MEMBER FERRELL: Yes.

MS. OPPERMAN: Member Byrwa?

MEMBER BYRWA: Yes.

MS. OPPERMAN: Motion passes.

CHAIRPERSON KRIEGER: Congratulations.

MR. GIELOW: Thank you.

CHAIRPERSON KRIEGER: You can see the
planning department.

MR. GIELOW: Thank you.

CHAIRPERSON KRIEGER: And we look forward to
that.

All right. The next case is PZ18-0007,
Robert Brand's Environments for 21651 Fenway Drive,
west of Novi Road and south of Nine Mile. The
applicant is requesting a variance from the ordinance
4.19.E.I. for a 682 square foot variance for a proposed
accessory structure of 1,532 square feet, 850 feet
allowed by code. The property is zoned single family
resident.

Yes, sir?

MR. BRAND: Yes. Robert Brand, B-r-a-n-d,

1 32212 Westlady in Beverly Hills, 48025.

2 MEMBER FERRELL: Are you an attorney?

3 MR. BRAND: I am not.

4 MEMBER FERRELL: Okay. Raise your right
5 hand.

6 Do you swear to tell the truth in the
7 testimony you're about to give in this case.

8 MR. BRAND: I do. I do. My client would like
9 to build a detached garage. I've got the site plan up
10 on the board. This is kind of an unusual situation.
11 I'm going to turn this so you can see. Orient it more
12 north and south.

13 So the southern -- the bottom property line
14 abuts the Westridge Downs subdivision where the houses
15 are a third to a quarter of an acre. The property on
16 the north is another large parcel that has quite a few
17 garages and outbuildings.

18 Just to clarify, in the way the variance is
19 worded, I just want to make sure you clearly understand
20 that we're not looking for an accessory structure of
21 1500 square. The garage is actually 832 square feet.
22 So the 1532 is the aggregate of the existing garage
23 that's attached to the house and the new structure. So

1 the new structure is 850 square feet.

2 This is just a quick overview of the property
3 that abuts them on the north side. It's zoned exactly
4 the same, and it's got a total of 2650 more square feet
5 of garages.

6 This is what the current house looks like.
7 The architecture of the proposed garage is identical.
8 The brick will be the same. The siding will be the
9 same. The shingles will be the same. And the new
10 garage sits forward and to your left of the existing
11 garage and the elevation is two feet lower in the
12 ground. So it's nestled into the woods that's
13 surrounding the property.

14 I think that's about it.

15 CHAIRPERSON KRIEGER: Okay. Does anybody in
16 the audience have any participation?

17 Okay. No participation.

18 From the City?

19 MR. BUTLER: No comments from the City at
20 this time.

21 CHAIRPERSON KRIEGER: Okay. Correspondence?

22 MEMBER FERRELL: Yes, Madame Chair, there was
23 31 letters mailed, zero letters returned. Zero

1 approvals and one objection.

2 The objection is from Patrick and Catherine
3 Gibson, G-i-b-s-o-n, at 43988 Foothills Court,
4 Northville, Michigan 48168.

5 "The variance proposed a near doubling of the
6 allowed square footage for a residential accessory
7 structure. The ordinance was established for a reason.
8 This is a single-family residency, not a commercial or
9 multi-family lot. Adding a 1532 square foot structure
10 is equivalent to a medium-sized second house.

11 "We feel the structure is excessive for the
12 area, damages esthetic beauty, and will negatively
13 impact surrounding property values and lead to
14 excessive noise after completion, roaring engines or
15 loud entertainment space.

16 "We feel the property owner should limit any
17 accessory structure to the Novi Zoning limit as
18 established, 850 feet."

19 That is it.

20 CHAIRPERSON KRIEGER: Very good. I'll open
21 it up to the board.

22 Yes, Member Sanghvi.

23 MEMBER SANGHVI: Thank you.

1 I came and visited your property the other
2 day.

3 MR. BRAND: Oh, did you?

4 MEMBER SANGHVI: Are you the only house on
5 that street?

6 MR. BRAND: Yes. There's a stub of a road
7 that comes off of Westridge that apparently at some
8 point in history was going to be an extension, but
9 their driveway, the Arneys' driveway, actually is the
10 extension of the road. And there's some empty parcels
11 to the east of their driveway and then, like I said,
12 there's a large multi-acre piece to the north. And
13 then their property is 1.7 about nine acres.

14 And this is just -- anyone, obviously, has a
15 right to object. I just want to point out that if you
16 look real, real, real closely at the tip of my finger,
17 the picture is taken from the spot of the building
18 envelope, and that is the neighbor's house that sent
19 the objection.

20 So it's pretty far off of the sight lines of
21 any the building.

22 MEMBER SANGHVI: How large is your property?

23 MR. BRAND: 1.79 acres.

1 It's actually more in line with the -- what
2 is it? The R-1 or R-2 zoning.

3 Yeah, it's actually more -- it's zoned R-3,
4 but it's more in keeping of R-A or R-1 in terms of the
5 size of the lot.

6 MEMBER SANGHVI: When I came there and looked
7 at it and tried to visualize where you're putting your
8 new garage, it looks like it's probably going to be --
9 you had a very small house for the size of the property
10 there and you have a lot of space to put this new
11 garage. So I personally have no problem with your
12 requirements. Thank you.

13 MR. BRAND: Thank you.

14 CHAIRPERSON KRIEGER: Thank you.

15 Other questions?

16 MEMBER GRONACHAN: Oh, yeah. Can I begin?

17 CHAIRPERSON KRIEGER: Yes.

18 MEMBER GRONACHAN: Good evening. I thought
19 that the information in the packet that you provided --
20 and I'm going to reiterate some of it because I would
21 like it to part of the testimony.

22 MR. BRAND: Okay.

23 MEMBER GRONACHAN: And the part I would like

1 to bring forth is the fact that the current garage is
2 very outdated.

3 MR. BRAND: Correct.

4 MEMBER GRONACHAN: And in this day and age,
5 there are a lot of vehicles, as you mentioned in the
6 case, that are a lot larger and can't fit in the
7 current garage. And I think that's important because,
8 given the size of your lot, I don't feel that this
9 structure is in excess. I use the word similar,
10 dissimilar, but this is consistent with the property
11 that you have. And given that the hardship would be
12 that the house -- the current house that you have
13 really couldn't be used because of the current day
14 vehicle's, as given in the case, I would tend to
15 support the additional garage.

16 I do want to verify that there's not going to
17 be any business use; is that correct?

18 MR. BRAND: That's correct.

19 MEMBER GRONACHAN: This is strictly for
20 personal use?

21 MR. BRAND: Absolutely.

22 MEMBER GRONACHAN: And, again, I want to
23 clarify. Because I think that a lot of people thought

1 that this was going to be a 1500 foot garage.

2 MR. BRAND: That's -- I want to make sure
3 that that was -- you read it clearly. It's just 1532
4 square foot.

5 MEMBER GRONACHAN: So I thank you for that.

6 MR. BRAND: And I'm sure that's what perhaps
7 the neighbor who objected. Sounds like they read it
8 that way also.

9 MEMBER GRONACHAN: Right. So I want to make
10 sure that's clarified and that there's not going to be
11 any living space above the garage. It's going to be a
12 one-story and it's strictly used for storage?

13 MR. BRAND: Correct.

14 MEMBER GRONACHAN: Given on that, I have no
15 problem with this request and I think it's minimal and
16 it meets the spirit of the ordinance and I will be
17 supporting your request.

18 MR. BRAND: I thank you.

19 CHAIRPERSON KRIEGER: Yes?

20 MEMBER FERRELL: I have a question for the
21 city attorney.

22 Was it posted at 1532 square feet?

23 MS. SAARELA: Even if it was posted that way,

1 because he's building something smaller it doesn't
2 matter.

3 MEMBER FERRELL: Okay.

4 MS. SAARELA: You only have to renote if
5 you're proposing something larger than what was
6 noticed.

7 MEMBER FERRELL: Okay. All right. Thank
8 you.

9 CHAIRPERSON KRIEGER: Yes?

10 MEMBER PEDDIBOYINA: I have no objections.
11 And with the limits of what you said and what you
12 mentioned in the testimony, I have no objections.

13 MR. BRAND: Thank you.

14 CHAIRPERSON KRIEGER: Cool.

15 MEMBER GRONACHAN: Do I hear a motion?

16 CHAIRPERSON KRIEGER: Meanwhile, is this
17 going to be for a two-car garage?

18 MR. BRAND: Yes.

19 CHAIRPERSON KRIEGER: And through your
20 testimony and what was presented, I also have no
21 objection with that.

22 MEMBER GRONACHAN: I'll step up. I'll make
23 the motion.

1 Madame Chair, I would like to move that we
2 grant the variance in case number PZ18-0007 sought by
3 Robert Brand's Environment for 21651 Fenway Drive, Novi
4 for the 800 -- for the -- I'm sorry.

5 For the 682 square foot variance for a
6 proposed accessory structure of 1532 feet total.

7 Because the petitioner has shown practical
8 difficulty during his testimony and in our packet, as
9 so stated at this table. Indicating one, that the
10 house is outdated and cannot house the current type of
11 vehicles that are made today.

12 MEMBER SANGHVI: The garage is outdated.

13 MEMBER GRONACHAN: Oh, well, the house, too.
14 Who knows.

15 I'm sorry. The garage is outdated. Without
16 the variance the petitioner would be unreasonably
17 prevented or limited with respect to the use of the
18 property because, as mentioned, storage is a problem
19 and this will help him utilize his 1.79 acres to his
20 advantage.

21 The property is unique, again, as given in
22 the testimony based on size and shape and uniqueness in
23 the neighborhood.

1 The petitioner did not create this condition
2 because of the type of dwelling that is currently on
3 the property.

4 The relief granted would not unreasonably
5 interfere with the adjacent and surrounding properties,
6 again, as given in testimony here this evening that
7 there are really not a lot of surrounding properties to
8 the property in question and that there is a big
9 distance in between the property lines.

10 The relief is consistent with the spirit and
11 intent of this ordinance because, by building this
12 garage, the petitioner can use this property as he sees
13 fit. There would be no commercial use in this building
14 and that there is no living quarters in this building
15 and is it strictly a one-story building.

16 MEMBER SANGHVI: Second.

17 CHAIRPERSON KRIEGER: There's a motion and
18 second.

19 If you could call the roll, please.

20 MS. OPPERMAN: Member Byrwa?

21 MEMBER BYRWA: Yes.

22 MS. OPPERMAN: Member Ferrell?

23 MEMBER FERRELL: Yes.

1 MS. OPPERMAN: Member Gronachan?

2 MEMBER GRONACHAN: Yes.

3 MS. OPPERMAN: Chairperson Krieger?

4 CHAIRPERSON KRIEGER: Yes.

5 MS. OPPERMAN: Member Olsen?

6 MEMBER OLSEN: Yes.

7 MS. OPPERMAN: Member Peddiboyina?

8 MEMBER PEDDIBOYINA: Yes.

9 MS. OPPERMAN: And Member Sanghvi?

10 MEMBER SANGHVI: Yes.

11 MS. OPPERMAN: Motion passes.

12 MR. BRAND: Thanks for your time. Appreciate
13 it.

14 MEMBER GRONACHAN: Thank you.

15 CHAIRPERSON KRIEGER: And before I call the
16 last one, if for counsel, I have a counsel. If I
17 received a letter, because I'm in 300 feet from the
18 city, regarding the case, do I have to recuse myself?

19 MS. SAARELA: Yes, you should. That would be
20 impacting your property. It would be someone with an
21 interest potentially in the outcome of the variance.

22 You can recuse yourself if you think you
23 can't make an impartial decision.

1 CHAIRPERSON KRIEGER: I guess either I would
2 like to in this next case I would like to recuse
3 myself, if somebody else can run the case.

4 MEMBER GRONACHAN: Sure. Vice chair.

5 MEMBER FERRELL: Sure.

6 CHAIRPERSON KRIEGER: Thank you, sir.

7 (Chairperson Krieger exits hearing room.)

8 MEMBER FERRELL: The next case is PZ18-0008,
9 Metro Signs at 44840 North Hills Drive, east of Taft
10 and south of Nine Mile Road. Parcel number
11 5-22-34-127-002.

12 The applicant is requesting a variance from
13 the City of Novi Code Ordinance, Section 28.5(f), for
14 the installation of a new proposed sign, one foot from
15 the right of way, 10 feet required by code. This
16 proposal is zoned low density multi-family, R-1-1.

17 MR. FERGUSON: Good evening.

18 MEMBER FERRELL: Go ahead and state your name
19 and spell it.

20 MR. FERGUSON: Yes, Paul Ferguson,
21 F-e-r-g-u-s-o-n, 11144 Kaltz, K-a-l-t-z, Warren,
22 Michigan 48089.

23 MEMBER FERRELL: Okay. Are you an attorney?

1 MR. FERGUSON: I am not.

2 MEMBER FERRELL: Go ahead and raise your
3 right hand.

4 Do you swear to tell the truth in the case
5 you're about to give testimony in?

6 MR. FERGUSON: Yes, sir. I do.

7 MEMBER FERRELL: Okay. Go ahead.

8 MR. FERGUSON: I'm the sign guy. I am not
9 the property owner. I'm familiar very much with this
10 detail. And it's in regards to, if I'm not mistaken,
11 the east entrance where the topography has a really
12 ridiculous slope.

13 So did any board member, by chance, take a
14 look? Drive by it? Because I don't know if my words
15 can kind of describe it and I don't think there was a
16 photo kind of showing the slope of the entrance. And
17 there's an existing sign that was the original sign to
18 the property that is there right now.

19 It does lie parallel to the street. But
20 that's kind of right where the setback is where we're
21 looking to put our new sign because of what the slope
22 is. If we move the sign back to the -- the leading
23 edge of the new sign to the 10-foot setback, we would

1 be kind o -- the top of our sign would be just buried
2 on the traffic traveling east and west of Nine Mile
3 Road.

4 So we kind of have a hardship just by the
5 existing property and the slope. It would just be
6 nonexistent if we would utilize the 10-foot setback.
7 So we are requesting a variance to put the sign where
8 the existing sign is sitting.

9 MEMBER FERRELL: All set?

10 MR. FERGUSON: Yes, sir.

11 MEMBER FERRELL: Anything from the City?

12 MR. BUTLER: Nothing from the City.

13 MEMBER FERRELL: Correspondence. 54 letters
14 mailed, one letter returned, zero approvals and zero
15 objections.

16 MEMBER GRONACHAN: Check the audience.

17 MEMBER FERRELL: Anybody in the audience have
18 anything they want to come up and talk about this case?

19 Seeing none. Open it up to the board.

20 MEMBER PEDDIBOYINA: Yeah. I would state
21 this sign board and I see the slope on the area. I can
22 see that. I have no objections.

23 MR. FERGUSON: Thank you. I appreciate that.

1 MEMBER FERRELL: Anybody else?

2 MEMBER SANGHVI: I came and visited your sign
3 and the area that you're trying to propose and all
4 that. I agree there is a big gradient there and the
5 old building is at a different level than the road and
6 all kinds of problems with the visibility. So I agree
7 with your request. Thank you.

8 MR. FERGUSON: Thank you.

9 MEMBER FERRELL: Yes?

10 MEMBER BYRWA: I have a question on the
11 intensity of illumination. Is there any kind of
12 measurement or any way of controlling?

13 MR. FERGUSON: You know, I actually have the
14 drawing here with a packet I printed out, and I'll put
15 it up on the screen really quickly for you.

16 So this sign as it's designed it, is
17 internally illuminated. It will be with LEDs. They're
18 commercial grade, 3405s. They are white. They're not
19 the high powered white ones but where you see the green
20 that spells out "North Village" and "Apartment", that's
21 the only part of the sign that illuminates. You can
22 see in the upper right-hand corner that's what it will
23 look like at nighttime. So it's not going to be a --

1 it's not going to look like Las Vegas.

2 MEMBER BYRWA: Okay. Is that controlled by,
3 like, a light sensor where it is going to be on during
4 evening hours?

5 MR. FERGUSON: Actually, what we're going to
6 do -- yes. So it will be a timer, a digital timer
7 where we can physically set the time as the -- you
8 know, as the months change and the light is changing so
9 we don't have to deal with photocells and all that kind
10 of stuff. It will be physically controlled in the main
11 office area. So only at nighttime and they'll kind of
12 be watching that to make sure it just illuminates when
13 it's dark.

14 MEMBER BYRWA: Thank you.

15 MR. FERGUSON: Yes, sir.

16 MEMBER FERRELL: Anybody else?

17 A motion? Yes.

18 MEMBER PEDDIBOYINA: Okay. I move that we
19 grant the variance in case number PZ18-0008 sought by
20 Paul Ferguson for Detroit Metro Signs because the
21 petitioner has shown a practical difficulty requiring a
22 variance from the City of Novi Code of Ordinance
23 Section 28.5(f) for the installation of the new sign

1 one foot from the right-of-way.

2 Without the variance, the petitioner will be
3 unvisibly prevented or limited with respect to the use
4 of the property because of the shape of the lot. It is
5 a slope that is naturally part of the topography. As
6 of right now this sign is 18 inches below the grade.

7 The property is unique because the slope is
8 present in the lot. The petitioner did not create the
9 condition because the slope is part of the natural land
10 shape. This lot was there and existing.

11 The relief granted will not unreasonably
12 interfere with adjacent and surrounding properties
13 because it is a sign that will in no way invade on any
14 other properties.

15 The relief is consistent with the spirit and
16 intent of the ordinance because it is not a sign that
17 is ward (ph) bearing and fits with the proportion of
18 the apartment complex, is clearly a visible sign that
19 isn't commanding for its surroundings. The variance is
20 granted.

21 MEMBER GRONACHAN: Second.

22 MEMBER FERRELL: The motion is seconded. Any
23 other discussion?

1 Seeing none. Will you call the roll.
2 MS. OPPERMAN: Member Sanghvi?
3 MEMBER SANGHVI: Yes.
4 MS. OPPERMAN: Member Peddiboyina?
5 MEMBER PEDDIBOYINA: Yes.
6 MS. OPPERMAN: Member Olsen?
7 MEMBER OLSEN: Yes.
8 MS. OPPERMAN: Member Gronachan?
9 MEMBER GRONACHAN: Yes.
10 MS. OPPERMAN: Member Ferrell?
11 MEMBER FERRELL: Yes.
12 MS. OPPERMAN: And Member Byrwa?
13 MEMBER BYRWA: Yes.
14 MS. OPPERMAN: Motion passes.
15 MR. FERGUSON: Thank you very much.
16 MEMBER FERRELL: Congratulations.
17 MR. FERGUSON: Thank you.
18 MEMBER FERRELL: Member Byrwa, can you grab
19 the chairperson, please.
20 (Member Krieger re-enters hearing room.)
21 CHAIRPERSON KRIEGER: All set. So we're
22 finished with all our cases tonight. Appreciate
23 everyone coming. So a motion to adjourn.

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MEMBER FERRELL: So moved.

MEMBER PEDDIBOYINA: So moved.

CHAIRPERSON KRIEGER: All in favor? Aye.

MEMBER SANGHVI: Aye.

MEMBER PEDDIBOYINA: Aye.

MEMBER OLSEN: Aye.

MEMBER GRONACHAN: Aye.

MEMBER FERRELL: Aye.

MEMBER BYRWA. Aye.

CHAIRPERSON KRIEGER: We're adjourned. Thank
you.

(At 8:00 p.m., meeting concluded.)

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C E R T I F I C A T E

STATE OF MICHIGAN)

) ss

COUNTY OF OAKLAND)

I, Darlene K. May, do hereby certify that I have recorded stenographically the proceedings had and testimony taken in the above-entitled matter at the time and place hereinbefore set forth, and I do further certify that the foregoing transcript, consisting of fifty-seven (57) typewritten pages, is a true and correct transcript of my said stenographic notes.

/s/ Darlene K. May
Darlene K. May, RPR/CSR-6479

April 24, 2018
(Date)