CHAIRPERSON KRIEGER: Good evening and welcome to the Novi Zoning Board of Appeals for Tuesday, April 9th, 2019. And if you could all rise for the Pledge of Allegiance.

If Kevin could do the pledge ...

(Pledge of Allegiance.)

CHAIRPERSON KRIEGER: And Katherine, call the role.

MS. OPPERMAN: Member Byrwa?

MEMBER BYRWA: Here.

MS. OPPERMAN: Member Ferrell?

MEMBER FERRELL: Here.

MS. OPPERMAN: Member Gronachan is absent, excused.

Chairperson Krieger?

CHAIRPERSON KRIEGER: Present.

MS. OPPERMAN: Member Peddiboyina?

MEMBER PEDDIBOYINA: Yes.

CHAIRPERSON KRIEGER: Member Sanker?
MEMBER SANKER: Here.

MS. OPPERMAN: Member Sanghvi?

MEMBER SANGHVI: Here.

MS. OPPERMAN: And Member Longo?

MEMBER LONGO: Here.

CHAIRPERSON KRIEGER: Very good. We have a full board, a busy one.

This is a public hearing format and Rules of Conduct are in the back. If you'd just remember to have the phones, cell phones, on vibrate, no sounds.

Thank you.

And that also that it's broadcast at home.

So if you want to put your overheads on our overhead here and people can see and hear at home.

We have an agenda. We have seven cases tonight. Is there any approval of the -- is there any changes to the agenda?

MS. OPPERMAN: There is a minor change in that on case P219-0012, the applicant's name was mistakenly written in as "Mark" when it was initially written out. His name is Philip. So that has been corrected on all of our paperwork.

CHAIRPERSON KRIEGER: Mark?
19:03:53  MS. OPPERMAN:  His name is Philip.
19:03:56  CHAIRPERSON KRIEGER:  Okay.
19:03:56  MS. OPPERMAN:  It was mistakenly Mark, previously.
19:03:59  CHAIRPERSON KRIEGER:  Very good.
19:03:59  So do we have a approval of the agenda?  Do we have a motion to approve?
19:04:02  MEMBER FERRELL:  So moved.
19:04:07  CHAIRPERSON KRIEGER:  Second?
19:04:11  CHAIRPERSON KRIEGER:  All in favor say, "Aye."
19:04:11  CHAIRPERSON KRIEGER:  None opposed?
19:04:11  So we have our agenda.
19:04:11  Minutes.  Do we have our minutes for March?
19:04:14  MS. OPPERMAN:  No.  They were not provided in time for the packet.
19:04:18  CHAIRPERSON KRIEGER:  All right.  So that will be next time.
19:04:21  And then public remarks.  Anyone that has a comment other than what the cases, they have three to five minutes to speak to ahead of time.  If not, hold
remarks until the cases. Does anyone have a comment?

Seeing none, I'll close public remarks and I'll proceed to our first case.

PZ19-0006, Francis and Pamela Schneider for 20825 Meadowbrook Road, Parcel Number 50-22-35-400-048. The applicant is requesting a variance from the Zoning Ordinance 3.1.2 D for a 2.65 foot variance for a proposed lot width of 117.35 feet, 120 feet required. Property is zoned single family residential.

And welcome back.

Do they need to be sworn in again, Beth?

MS. SAARELA: No. They were sworn in once already.

CHAIRPERSON KRIEGER: All right. Very good. You may proceed.

MR. SCHNEIDER: Hi. My name is Francis Schneider. I've been a Novi resident for 34 years. This is my wife Pam. We are requesting a dimensional variance on a lot that we want to split off. The lot that we're going to try and split off here is totally compliant and the variance would be on our existing property here of 2.65 feet. All the setbacks, square footage, frontage,
rear and everything else is compliant on this particular lot here. We want to sell. We want to split off. So that's what we're hoping to get approved today.

CHAIRPERSON KRIEGER: Okay. Is that it?

MR. SCHNEIDER: Yes.

CHAIRPERSON SANGHVI: Very good. Anyone in the audience have a comment regarding this case?

Seeing none.

From the City?

MR. BUTLER: There's no comment.

CHAIRPERSON KRIEGER: Thank you.

Correspondence?

MEMBER FERRELL: Yes, Madame Chair. There was 10 letters mailed; one letter returned, zero approvals, zero objections. The letter is from Brandy F-a-k-h-u -- H-o-u-r-y.

"To whom it may concern, I would like to submit comments regarding the case. We purchased our property and home knowing the neighboring lot would not be built on. My concerns are with the existing tree line and privacy for my property. I do not want to see destruction of any existing trees and propose
additional tree plantings for the property lines just to keep the privacy and tranquility for the area proposed and my property."

And that is it.

CHAIRPERSON KRIEGER: Very good. And we'll open it up to the Board.

Yes. Member Sanghvi?

MEMBER SANGHVI: Thank you. I came and looked at your property that Saturday and I saw a very minor variation you really need and I have no problem with it. It shouldn't effect anybody also as far as I can see. So I would be in support of your application.

Thank you.

MR. SCHNEIDER: Thank you.

CHAIRPERSON KRIEGER: Very good. And also I drove by. There's no trees. So --

MR. SCHNEIDER: No.

CHAIRPERSON KRIEGER: -- regarding that issue.

And then it says the clarification from the previous meeting for the request for the 120 feet, so that this lot is compliant instead of nonconforming.

So I also am in favor.
MR. SCHNEIDER: Thanks.

CHAIRPERSON KRIEGER: Yes?

MEMBER PEDDIBOYINA: Thank you. I drove the property and there's no issue on that. And this is a small minor thing, as my colleague said. I have no issue. Thank you.

MR. SCHNEIDER: Thank you.

CHAIRPERSON KRIEGER: Seeing any other comments. Or a motion?

MEMBER PEDDIBOYINA: Yes.

CHAIRPERSON KRIEGER: Yes, Member Peddiboyina?

MEMBER PEDDIBOYINA: Okay. Thank you. I move that we grant the variance in case number PZ19-0006 for Francis and Pamela Schneider because the petitioner has shown the practical difficulty for requesting a 2.65 foot variance for the proposed lot width of 118 feet to 120 feet minimum required. Without the variance the petitioner will be unreasonably prevented or limited with respect to the use of the property because without the 2.65 variance, the lot will not be split in two lots. The petitioner did not create the condition because of the shape of
The relief, if granted, will not unreasonably interfere with the adjacent and surrounding properties because the variance is an existing lot and the proposed lot split would create two lots. The relief is consistent with the spirit and intent of the ordinance because the proposed lot split would create two lots. The new lot would be 120 feet and another one lot the house would be 117.35 feet wide, if the motion is granted.

Thank you.

MR. SCHNEIDER: Thank you.

CHAIRPERSON KRIEGER: Do we have a second?

MEMBER FERRELL: Second.

CHAIRPERSON KRIEGER: We have a motion and a second. Any other discussion.

Seeing none, if Katherine could call the roll.

MS. OPPERMAN: Member Byrwa?

MEMBER BYRWA: Yes.

MS. OPPERMAN: Member Ferrell?

MEMBER FERRELL: Yes.

MS. OPPERMAN: Chairperson Krieger?
CHAIRPERSON KRIEGER: Yes.

MS. OPPERMAN: Member Sanker?

MEMBER SANKER: Yes?

MS. OPPERMAN: Member Peddiboyina?

MEMBER PEDDIBOYINA: Yes.

MS. OPPERMAN: And Member Sanghvi?

MEMBER SANGHVI: Yes.

MS. OPPERMAN: Motion passes.

CHAIRPERSON KRIEGER: All right.

Congratulations.

MS. SCHNEIDER: Thank you.

MR. SCHNEIDER: Thanks a lot.

CHAIRPERSON KRIEGER: We'll go to our next case. PZ19-0009, Marc Zuccato for 1189 East Lake Drive, east of East Lake and south of 14 Mile, parcel number 50-22-02-127-011. The applicant is requesting variances from the City of Novi Ordinance 4.19.E.i for a variance of 572 square feet to allow a proposed 1422 square foot garage space, 850 square feet allowed. Section 3.32-10.ii.a for the building of a proposed 160 square foot structure on the waterfront, 100 square feet allowed by code and to allow an 11 foot four inch height, eight feet allowed by code. The
property is zoned single family residential, R-4.

Are you an attorney?

MR. ZUCCATO: He's my architect, Giovanni.

CHAIRPERSON KRIEGER: Do you both want to speak?

MR. LAVIGNE: I'll speak.

CHAIRPERSON KRIEGER: All right.

MR. LAVIGNE: Can we both speak?

CHAIRPERSON KRIEGER: Sure. We just need you to spell your name for our court recorder and then swear in with our secretary.

MR. LAVIGNE: Sure. I'm Giovanni Lavigne, G-i-o-v-a-n-n-i, L-a-v-i-g-n-e.

MEMBER FERRELL: Go ahead and raise your right hand.

Are you speaking as well, sir?

MR. ZUCCATO: Possibly.

MEMBER FERRELL: Okay. Go ahead and state your name for the record.

MR. ZUCCATO: I'm Marc Zuccato, M-a-r-c.

Last name Z-u-c-c-a-t-o.

MEMBER FERRELL: Okay. Both of you raise your right hand.
1 19:12:20 Do you swear to tell the truth in the case
you're about to give testimony in?
2 19:12:24 MR. LAVIGNE: I swear.
3 19:12:24 MR. ZUCCATO: I swear.
5 19:12:26 MR. LAVIGNE: So for the first one, the
garage that is existing, you know, that's a real solid
structure. And it just seems like we'd be doing more
harm than good if we took it down. Marc's a woodworker
and it seemed like a great opportunity to have a
workshop for himself. That's one of the highlights of
buying the property.
6 19:12:54 You know, they have three -- a truck and a
couple of SUVs. So the floor plan for the house, the
garage's space, all got ate up to accommodate the cars.
So we didn't have the extra square footage in the
allowance for -- to count the existing garage in the
space. So that's why we were hoping we could save it.
7 19:12:28
8 19:12:35
9 19:12:39
10 19:12:44
11 19:12:47
12 19:12:54
13 19:12:57
14 19:13:01
15 19:13:07
16 19:13:11
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22 19:13:29
23 19:13:25
24 19:13:29

MR. ZUCCATO: Can I say something?
MR. LAVIGNE: Yeah.
MR. ZUCCATO: When the house is built, it
won't even be visible from the street. It'll be a
fence around. So nobody will -- it won't interfere
with anybody's vision or light.

MR. LAVIGNE: The property line's well treed.

It's really --

MR. ZUCCATO: It's a super deep lot.

CHAIRPERSON KRIEGER: Is that it?

MR. LAVIGNE: Yeah. Well, he plans on dressing it up to match the new house. And, you know,

if he did ever --

MR. ZUCCATO: I'll have the same siding.

MR. LAVIGNE: It would be an attractive structure.

CHAIRPERSON KRIEGER: And then regarding the lake?

MR. LAVIGNE: So for the lake one, we just wanted a few extra square feet for the structure and --

this image shows sort of a heavy looking rail. We actually would just use cable rails on the roof so it would hardly be --

MR. ZUCCATO: It would be almost nonvisible.

MR. LAVIGNE: The structure sits below the road, like four feet, and it's an eight foot tall structure so it's not very visible driving by. And we just didn't think it was an unreasonable request.
There's larger lakeside structures around us.

MR. ZUCCATO: There is some structures down there that look like houses just down the street.

And there's some photos along with a -- if you look in the packet.

MR. LAVIGNE: The one right next door to us is more than 800 feet.

CHAIRPERSON KRIEGER: So from the depth of the road, you'll be excavating from there a little bit?

MR. LAVIGNE: No. We'll just --

MR. ZUCCATO: It ...

MR. LAVIGNE: The lot drops down. You see these contour lines. Every one is a foot down. So we're -- it just sits lower because of the land slopes now.

CHAIRPERSON KRIEGER: Okay. Very good. Is that it?

MR. LAVIGNE: I believe so.

CHAIRPERSON KRIEGER: Very good. Anyone in the audience have a comment regarding this case?

MR. GALLOWAY: Yes.

CHAIRPERSON KRIEGER: Come in. If you can state your name, too.
MR. GALLOWAY: David Galloway, 1197 East Lake Drive. I am the second lot south of the applicant.

I do want to congratulate the applicant on trimming the trees that are there presently. According to his diagram, they're showing trees that are ...

If those are the same ones that are there presently?

Are you changing them?

MR. LAVIGNE: No.

MR. GALLOWAY: Because trees do -- and previously these trees have been untrimmed and they were impeding our line of sight.

MR. ZUCCATO: I trimmed them up 20 feet.

MR. GALLOWAY: Yes. The same as mine. Thank you.

MR. ZUCCATO: You're welcome.

MR. GALLOWAY: Now, I do have a problem. In the drain, the City diagram shows a drain of unknown where it goes. There are two drains on the front of the property. This house apparently goes right over the top of a drain and drains behind the first house south of the applicant and my house is the second house after the applicant. This drain comes from the school,
the Walled Lake school behind me.

So two things possible here. Heavy construction going across that drain or a house being built on top of the drain, which is what it looks like now. So, obviously, that needs to be -- in my opinion, it needs to be cleared before a house is built.

As far as the impeding the line of sight. If they would move their lakefront part five foot closer to the road, it would then clear my line of sight.

Right now it does impede a little bit.

The lot to the north side of the building has very tall arborvitaes and also a lake house. I'm not sure what the official name is. So if there's is moved back about five foot, I would be very thankful for that line of sight.

Their lakefront needs a lot of work.

Unfortunately, the prior owners did not take care of the lakefront.

The drain that comes out into the water needs help. There's a rather dangerous rusted pipe coming out of the lot. So that needs to be improved upon as well as the riffraff in front of the lake as the only lakefront lot is moving. So it needs to be cleared or
improved upon.

And the deck, I don't know if it's just a representation, but the deck -- or the dock, I mean, is showing extending into the water which requires a DNR approval. So I don't know if that was just a representation by the computer.

They do have docks, I see, stored on their front lawn. And I hope in the future that they are going to store the boats in the back and not on the front. So I think that needs to be cleared as to whether that is intended to be a permanent dock into the water or whether that's just a blink that the computer did and then they use the temporary --

MR. ZUCCATO: We're using a removable dock.

MR. GALLOWAY: A removable and not permanent into the water?

MR. ZUCCATO: No.

MR. GALLOWAY: Okay.

MR. ZUCCATO: And we plan on putting in a sea wall. But that has nothing to do with the structure. So ...

MR. GALLOWAY: True. But I do wish you would have talked to the neighbors. Several neighbors are --
CHAIRPERSON KRIEGER: All right. Thank you, sir.
Again, just put your comments on the record.
Thank you.
Yes?
MS. CONDON: Good evening.
Hi, Marc.
MR. LAVIGNE: Hello.
MS. CONDON: My name is Jodie Condon. I live adjacent to Marc Zuccato's property. I live at 1193 East Lake Drive and I want to congratulate Marc for purchasing the home and improving the neighborhood. I'm very grateful for that, but I do have a couple of concerns.
My concerns are surrounding -- similar to what Mr. Galloway had mentioned in terms of the view of the lake. And I also wanted to ask him ...
On the garage property, you had mentioned that it's going to be a wood shop and not a quarters, like a living quarters at all.
MR. ZUCCATO: No. Right now I live -- I've lived in Novi since 1998 on Village Wood.
MS. CONDON: Yes.
MR. ZUCCATO: My garage is my workshop and my wife wants to park in the garage.

MS. CONDON: Okay.

MR. ZUCCATO: That's basically it.

MS. CONDON: Okay. And looking ...

Will this display?

CHAIRPERSON KRIEGER: I'm not sure what happened.

MR. PEDDIBOYINA: He's looking at it, I think.

CHAIRPERSON KRIEGER: We have technical difficulties. He's working on it.

MS. OPPERMAN: I believe our crew is working on it currently.

MS. CONDON: Oh, okay.

So on the woodshop and the garage, are they attached all together as one structure or will they remain separate?

MR. LAVIGNE: Just one building.

MR. ZUCCATO: Yes. That back building is there already.

MS. CONDON: So are you -- the variance, the way it's stated --
CHAIRPERSON KRIEGER: I'm sorry. This discussion, the discussion is it for comments regarding case or do they have discussion with each other during this?

MS. SAARELA: So I would recommend putting the comments on the record, all of them, and then the applicant can respond when the comments are completed. Instead of a conversation back and forth.

CHAIRPERSON KRIEGER: Okay.

MS. CONDON: Okay. So just for clarification, on the way that the document is written I received in the mail, it's mentioning that there's a variance request on square footage for the structure that's in the back of the home, like the garage. Is that the garage that's existing there that he's asking for the variance for or the proposed new structure garage that's attached to the home?

CHAIRPERSON KRIEGER: Okay. Thank you.

MR. ZUCCATO: Can I answer that?

CHAIRPERSON KRIEGER: Just wait a second until everybody's done and then we'll get back to you and you can answer all those questions.

MR. ZUCCATO: Okay. Thank you.
MS. CONDON: Thank you.

And the other issue is, again, with the line of sight and the obstructed view from having the boat house in the placement that it is on the lot. And it looks like on the rendering that it's at a certain place. I would request that it would be moved closer to the road because it blocks my view of the lake. And I did bring some pictures that I had taken and I could pass them around since this isn't working or whatever you would like.

CHAIRPERSON KRIEGER: Whatever you'd like.

Well, it looks like we're coming back.

MS. CONDON: Okay. So it's my understanding, based on the information that I was provided from the City and from the mailings, that the boat house would be sitting approximately in this position. And from my house it blocks the view of the lake.

MR. ZUCCATO: Can I just show you? Right here, it's going to be backed up to these pine trees that are taller than the structure.

MS. CONDON: Okay. And then so this is my house. And there's nothing blocking the view of the lake, because that's part of the reason why I wanted to
live there is to have a nice view of the lake. I just
wanted to point that out.

CHAIRPERSON KRIEGER: Very good. Thank you.

MR. ZUCCATO: Thank you.

CHAIRPERSON KRIEGER: All righty. So close
it for public discussion.

And from the City.

MR. BUTLER: Just wanted to make a comment
that normally your accessory structure, the garage, is
850 square feet. With the size he's putting on that,
it's going to be almost double the size. Just to make
that known for the garage structure.

And normally you only get -- normally, it's
only one structure, but if there is a structure on each
end of the garage. So just to take that in mind to
consider.

CHAIRPERSON KRIEGER: And regarding the
drainage pipe?

MR. BUTLER: That would have to be taken up.

That was not brought up for us. That would have to be
taken up with the Public Works department to make sure
it's not an issue.

CHAIRPERSON KRIEGER: Very good. And from
correspondence?

MEMBER FERRELL: Yes, Madame Chair. There was 21 letters mailed, six letters returned, zero approvals, zero objections.

CHAIRPERSON KRIEGER: All right. I'll open it up to the board.

Member Sanghvi, thank you.

MEMBER SANGHVI: Thank you. I came and visited your property on Saturday. And from what you have and what you have proposed, I think there's no comparison.

MR. ZUCCATO: I'm sorry?

MEMBER SANGHVI: I said there is no comparison between what you have and what you have proposed to do.

MR. ZUCCATO: Yes.

MEMBER SANGHVI: The only thing I wondered is how many feet drop you have got here at the water level?

MR. LAVIGNE: It's like five feet.

MEMBER SANGHVI: Five feet.

MR. LAVIGNE: From the crown of the road to the land just opposite the building.
MEMBER SANGHVI: Five feet.

Anyway, the way I look at it, these are all very small lots. They have been all along like that over the years and everybody needs a variance to bring anything worthwhile. And I have no problem with your variance. Everything looks much better and I think it will do a lot of good to your neighborhood having a house like that.

MR. ZUCCATO: Thank you.

MEMBER SANGHVI: I have no problem with your variance.

MR. ZUCCATO: Thank you very much.

CHAIRPERSON KRIEGER: Would you all like to comment regarding with the...

MR. LAVIGNE: If we could.

CHAIRPERSON KRIEGER: Yes, go ahead.

MR. LAVIGNE: So, Marc -- one of the first things he brought up when he wanted to build on the Lakeside was he said let's just keep it all the way to the north against the tree line so, you know, it's not blocking views much. So we tried to do that. We're just feet from the property line on the north and that whole property line is full of huge --
MR. ZUCCATO: Pine trees.

MR. LAVIGNE: Yeah.

MR. ZUCCATO: Which are more than twice the height of the structure.

MR. LAVIGNE: So, you know, we made that effort. I mean, if we brought it a couple of feet closer to the road, it would be fine. It wouldn't bother us.

CHAIRPERSON KRIEGER: So the increased size would you be planning on housing a boat in there as well?

MR. ZUCCATO: No.

MR. LAVIGNE: No. It's a room for them to come out of the weather for respite and there's a small storage space for just the boat toys, you know.

MR. ZUCCATO: It's, basically, the same size as the photos that's attached to the packet. It looks like a rectangular ...

It's like almost exactly the same size.

MR. LAVIGNE: The original intention was to use a shipping container and modify it, but Marc says, "No, I want to build that with my own hands."

He's a carpenter. So he's going to stick to
MR. ZUCCATO: And it'll look the same, but ...
CHAIRPERSON KRIEGER: And to clarify, the garage is going to be attached and to the rear of the house?
MR. ZUCCATO: Correct.
MR. LAVIGNE: So there is an attached grudge and we just want to be able to preserve the existing garage that sits on the back property.
MR. ZUCCATO: And here's the new garage and here's the one that's been there.
CHAIRPERSON KRIEGER: So you're going to be moving that?
MR. ZUCCATO: This is like the before and after.
CHAIRPERSON KRIEGER: Or keeping it?
MR. LAVIGNE: Keeping it. For the woodshop. So the problem is when you combine the square footage of the two garages, we're over the 850 feet allowed.
CHAIRPERSON KRIEGER: So for the City, it's working space or garage space? Is that still considered as one, as garage?
MR. BUTLER: It's a storage. It's an accessory structure. That's why it's combined. The square footage of 850. The 850 has to be the size of what is allotted. But what he is asking for is two separate buildings.

CHAIRPERSON KRIEGER: Okay.

MR. ZUCCATO: It's actually --

MR. LAVIGNE: It's a 56 percent increase.

MR. ZUCCATO: 56 percent. Because the lake lot is a separate parcel.

MR. LAVIGNE: But this garage is 480 feet.

So out of the 850 you're allowed, the new proposed garage is over -- a little over 800.

CHAIRPERSON SANGHVI: So the accessory structure that is now considered a garage will be your work space?

MR. LAVIGNE: Right.

CHAIRPERSON KRIEGER: And you won't be housing a boat or anything in there --

MR. ZUCCATO: No.

CHAIRPERSON KRIEGER: -- it would be for the woodworking?

And to create an attached garage to the
Chairperson Krieger: And then the structure for -- on the lake side, which would be up against the evergreen trees, which you've pruned?

Mr. Zuccato: Correct.

Chairperson Krieger: And that will -- as far as line of sight, it will be within the trees. The boat, I guess would be -- you would see the boat and this structure?

Mr. Zuccato: Well, the boat -- I'm new to the neighborhood. I didn't know. I saw people storing their boats on there so I figured it was okay, but some neighbors, apparently, don't like it. So I can put that in the backyard.

You can see between the house and the current structure there's a lot of --

Mr. Lavigne: There's a hundred feet.

Mr. Zuccato: -- room to store a boat right there.

Mr. Lavigne: But in the boating season, the boat is in the water on the dock. So ..

Chairperson Krieger: And it's a removable
19:29:27 dock?


19:29:29 MR. LAVIGNE: And we put in a flat roof on

19:29:31 the lake structure just so we didn't have shingles

19:29:35 climbing up.

19:29:37 CHAIRPERSON KRIEGER: And then regarding the

19:29:38 drainage pipe under the property, would it be --

19:29:41 MR. LAVIGNE: We'll have to investigate that

19:29:43 with our building permit. You know, it'll be part of

19:29:50 the process.

19:29:50 CHAIRPERSON KRIEGER: So according to what

19:29:50 the recommendation would be, because I also have a

19:29:51 sewer line behind yard, not over one. So I guess go

19:29:57 with the recommendation of that. I don't know if that

19:29:59 needs to come back to us, then, if it's going to be

19:30:02 over -- the property over a sewer line.

19:30:05 MR. BUTLER: I don't believe it needs to come

19:30:07 back, but it just has to be verified that no damage is

19:30:10 going to happen to that during the construction and

19:30:12 that it's not going to block any flow. I think they'll

19:30:16 have to confirm that. So we'll have to work with the
engineers from the Public Works Department for that.

Just to identify it.

CHAIRPERSON KRIEGER: Okay. I guess your mic

if off, too. Remember to have our mics on when we're

speaking so they can hear us at home.

And then listening to the testimony and

reading them through our presentation and going by the

site it's -- a good efforts been put into it. You've

researched it and I don't have a problem with the

application. And just to see where the sewer line is

at and go from there.

MR. ZUCCATO: Thank you.

MEMBER SANKER: I just have a couple of

questions about first the property -- or the building

that is going to be on the lake. Why can't it, I

guess, conform with the current rules as they are?

Like, why do you need the extra four feet?

MR. LAVIGNE: Okay. If I could answer that?

MEMBER SANKER: Yeah.

MR. LAVIGNE: So his wife, Alisa, she is,

like, real detail-oriented. And, like, when I'm laying

out her house, she tells me, okay, this is the amount

of cabinet space I need in the laundry room and dada...
dada, you know.

So for the pool house, you know, she's been really looking forward to that. She says, okay, so I need a little couch here for this. I need counter space for that. I need a place to keep the inner tube and stuff that I pull behind the boat. She just said I can't do it in 800 feet. You know, try to get us a little more square footage for the boat toys. So that's where that came about.

MEMBER SANKER: Okay. And what about the height aspect of it?

MR. LAVIGNE: So for the height, they said lookit, we want to live lightly on the land and be as unobtrusive as possible and not block views. So I said, okay. How about a flat roof instead of a pitched roof and they said fine.

So, you know, we're only building the structure eight feet. The ceiling space inside is going to be less, you know. I said, is that all right? Because we were going to do the shipping container. And they said, yeah, that's cozy. We just want a place to come out of the sun for 20 minutes.

MR. ZUCCATO: For entertaining.
MS. CONDON: Wait. You said it's eight feet, but in the variance you're asking for 11 feet, four inches.

MR. LAVIGNE: That's because of the railing on the roof is higher.

MR. ZUCCATO: The halo railing around.

CHAIRPERSON KRIEGER: Excuse me. We can't have conversation like that.

MR. LAVIGNE: Yeah. The variance was not for the structure. It was for the railing on top. We're going to have cable railing going around. Because as long as it's flat, we figured, well, you know, his daughters can go up there and sun and stuff.

MR. ZUCCATO: And you can see from Jodi's photos that the pine trees were way higher than the structure so I'm not blocking anything.

MEMBER SANKER: Um-hmm. So really it's just the railings that are causing you to be over?

MR. LAVIGNE: Right.

MR. ZUCCATO: And it's a cable railing so it's almost transparent.

MEMBER SANKER: Um-hmm. But the roof itself is eight feet?
MR. LAVIGNE: Flat, yes.

MR. ZUCCATO: Yes.

MR. SANKER: And then with regard to the garage in the back, what exactly is the practical difficulty that you guys are experiencing with it? Because you're almost doubling the accessory square footage.

MR. LAVIGNE: Okay. So one of the things that his wife said to me was we bought this lot because it's got that garage. Because even if his shop is in our attached garage, I get dust in the house. She says I can't live with that and he can't live without his woodworking. So I need this to save our marriage. So, you know, I said I think we can try to save it. So that's where we're at.

It's just if we use the -- if we didn't have room for the three cars in the garage, you know, then someone's parking outside and I don't know if that is any less unsightly than having a structure in the backyard.

MR. ZUCCATO: Plus, I mean, where it is located on the lot line, it's not bothering anybody.

MR. SANKER: It's tucked back there. I
agree. Is there a lot of noise related to welding and woodworking?

MR. ZUCCATO: I mean, no more than if I did it in my other garage.

MEMBER SANKER: And the same with the dust that's created from that?

MR. ZUCCATO: This is actually a better scenario for that.

MEMBER SANKER: Okay.

MR. LAVIGNE: Yeah. He doesn't do production work, you know.

MR. ZUCCATO: No, I don't. It's like a hobby.

MR. LAVIGNE: He's the weekend guy.

MEMBER SANKER: Builds rocking chairs and whatnot?

MR. ZUCCATO: You know the Northville work station in Northville, I don't know if you know about it, but I belong to that.

MEMBER SANKER: Okay.

Okay, I'm good.

CHAIRPERSON KRIEGER: Any other questions or comments? Or somebody to entertain a motion?
MEMBER FERRELL: I do.

CHAIRPERSON KRIEGER: Go ahead.

MEMBER FERRELL: So if you were going to move accessory structure that is by the water closer to the road to satisfy some people, is that really going to make that much of a difference --

MR. LAVIGNE: It wouldn't make much difference at all.

MEMBER FERRELL: -- for the view? Because I can't really see it at all.

MR. LAVIGNE: No. It wouldn't at all.

We went to the most level spot we could on that sideline. So if we went closer to the road, we'll just have to cut and fill some of the hill.

MEMBER FERRELL: Some of the hill, okay.

MR. LAVIGNE: Which isn't a big deal.

MEMBER FERRELL: Okay.

That's all. Thank you.

CHAIRPERSON KRIEGER: Um-hmm.

MEMBER SANKER: Okay. I'm ready to do a motion.

CHAIRPERSON KRIEGER: Okay. Go ahead.

MEMBER SANKER: I move that we grant the
variance in case number PZ-19009 sought by Mr. Zuccato
for the requested variances because the petitioner has
shown practical difficulty requiring these variances.
Without the variance the petitioner will
unreasonably be prevented or limited with respect to
the use of the property because he won't be able to use
the property for his hobbies and ...
We'll leave it at that.
The property is unique because of the
topography. The petitioner did not create the
condition because the owner didn't divide the lot. The
relief granted will not unreasonably interfere with
adjacent or surrounding properties because the building
will be have a low profile and the additional accessory
use will be in the back of the lot.
And the relief is consistent with the spirit
and intent of the ordinance because the owner will use
and enjoy his property.
And should we subject it to being pushed back
close to the road on the front lot?

CHAIRPERSON KRIEGER: (Nods.)
MEMBER SANKER: We don't need to do that?
MEMBER FERRELL: Unless you guys are willing
to push it back a little bit?

MR. LAVIGNE: I think so.

Huh?

MR. ZUCCATO: I mean, how much?

MEMBER SANKER: Would it be worth ...

MEMBER FERRELL: I mean, how much space from

the structure from the hill start to the road?

MR. LAVIGNE: The hill starts --

MEMBER FERRELL: Do you have a picture by any

chance? You just showed it.

MR. ZUCCATO: Yeah.

MR. LAVIGNE: Someone ...

(To Ms. Condon) I think you took my -- the

one I had the contours --

(Document passed) Yeah, thank you.

So you can see the land contours here. So it
drops one foot, two foot, three foot, four foot. And
this is the fifth foot that it drops from the crown of
the road. So, you know, if we went back four or five
feet, I don't think it would make an issue.

MEMBER SANKER: Would it make a difference in

the height of that structure in the front if you moved

it back 45 feet?
MR. ZUCCATO: Where it sits now it would be lower. It would be closer to the lake.

MEMBER SANKER: Then, no, not subject to being pushed back.

CHAIRPERSON KRIEGER: That's it?

MEMBER SANKER: That's it.

CHAIRPERSON KRIEGER: Do I have a second?

MEMBER PEDDIBOYINA: Yeah, I second.

CHAIRPERSON KRIEGER: Great. Any other discussion?

Just to clarify, that the eight feet that the extended feet above is for the cabling and not for structure and to investigate the sewer line. On the motion.

MEMBER SANKER: Oh.

CHAIRPERSON KRIEGER: Your motion.

MEMBER SANKER: Yeah. Subject to?

CHAIRPERSON KRIEGER: Yeah. Subject to ... Subject to the additional review of the sewer line underneath the building. And the fact that the structure in front of the lake does not include -- or is for the cabling railing only and not for part of the structure.
CHAIRPERSON KRIEGER: For the height.
MEMBER SANKER: For the height.
CHAIRPERSON KRIEGER: Thank you. And you second it?
MEMBER PEDDIBOYINA: Yeah. I second it.
CHAIRPERSON KRIEGER: Katherine, if you would call the roll.
MS. OPPERMAN: Member Sanghvi?
MEMBER SANGHVI: Yes.
MS. OPPERMAN: Member Peddiboyina?
MEMBER PEDDIBOYINA: Yes.
MS. OPPERMAN: Member Sanker?
MEMBER SANKER: Yes.
MS. OPPERMAN: Chairperson Krieger?
CHAIRPERSON KRIEGER: Yes.
MS. OPPERMAN: Member Ferrell?
MEMBER FERRELL: Yes.
MS. OPPERMAN: And Member Byrwa?
MEMBER BYRWA: Yes.
MS. OPPERMAN: Motion passes.
CHAIRPERSON KRIEGER: Congratulations.
MR. ZUCCATO: Thank you very much.
CHAIRPERSON KRIEGER: Now we go on to our
next case, PZ19-0010, Mark and Karen Lustig, 42496 13 Mile, Parcel number 50-22-02-382-002. The applicant is requesting a variance from the City of Novi ordinance 5.1 to park a recreational vehicle over six feet tall in the side yard and extending six feet into the front yards. Property is zoned single family residential R-4.

If you could state your name, spell your last name and if you're not attorneys, be sworn in by our secretary.

MS. LUSTIG: My name is Karen Lustig,

L-u-s-t-i-g.

MR. LUSTIG: Mark Lustig, L-u-s-t-i-g.

MEMBER FERRELL: Go ahead and raise your right hand.

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

MS. LUSTIG: Yes.

MR. LUSTIG: Yes.

MEMBER FERRELL: Okay. Go ahead.

MS. LUSTIG: Good evening. And thank you to the members for taking your time to listen to our case.

And thank you for your guidance, staff. This
process is new to us. We have never done anything like this before.

That being said is it okay if I read a statement?

CHAIRPERSON KRIEGER: Yup.

MS. LUSTIG: Thank you.

"We've lived in our home for over 30 years. Our home is one of the handful in its own little enclave. We've watched the area around us develop and change and we've loved raising our family in Novi.

"Our lot is uniquely situated in that there is a large change in the elevation from the front to the back of our home. I'm not sure that the pictures do justice to our hill, but it's a seven-foot slope. And trust me, chasing our children and climbing up and down our hills' degree of elevation change quickly becomes apparent.

"Our property is also characterized by a wetland area at the far rear of the slope as well as large existing trees near the beginning of the natural area. Both of these conditions have proved problematic when it comes to using our property for the permitted purpose of parking our RV. We have both recently
retired and look forward to many days on the road
seeing friends and family that are no longer close and
enjoying the years that we have left together.
"We've made no changes in the slope of our
lot or the wetlands since we have lived there. The
unique characteristics are what is driving us to
request --"
"Is driving us to this request and it is not
self-created.
"The assurance of our request variance will
not impact light or air that is provided to the
adjacent properties nor will it increase fire danger or
a public safety. We are requesting a variance simply
to allow our RV to be parked in our driveway in our
side yard and extending six feet into our front yard.
The unique circumstances of our property are driving
this request. Certainly we would park our RV in a
conforming location, if we had one, but the slope,
combined with the wetland area and trees, make this
impossible. We have taken great pride in the ownership
of our home for 30 years. We have maintained it and we
have been good neighbors to our community.
"Our requested variance will leave no impact
on the property value, which will make no negative impact on property values, which we worked hard over the years to keep preserved. Finally, the zoning ordinance permits the parking of an RV. We're just asking for the necessary variance based on our property's unique conditions to allow us to benefit from that use.

"Finally, we have talked with all of our neighbors about this request and asked for their input with no one taking issue with it, we believe that approval would ensure the spirit of the ordinance is observed.

"Thank you for allowing me to read this and thank you for your consideration."

CHAIRPERSON KRIEGER: That's it?

MS. LUSTIG: That's it.

CHAIRPERSON KRIEGER: Okay. Thank you.

Anyone in the audience have any comment regarding this case?

Seeing none. From the City?

MR. BUTLER: We just noted that when they presented it to us that the location awarded parking RV is pretty well shaded from the back by landscaped trees
that they have around it and we considered a pretty reasonable request for that. It didn't seem to stick out or it was overbearing or not in a sight line.

MS. LUSTIG: Thank you.

CHAIRPERSON KRIEGER: Thank you. And from correspondence?

MEMBER FERRELL: Yes, Madame Chair. There was 27 letters mailed, two letters returned, one approval, zero objections. The first letter is from D-a ...

Looks like F-i-l-i-p-i-a-k. At 42600 Faulkner Drive. An approve.

It says, "I live directly across from the applicants' address and have no problem with what they're requesting to do on the property. If I remember correctly, I believe an RV was parked there last summer. It was neither offensive or eyesore at the time. I do not expect it to be so in the future."

And that is it.

CHAIRPERSON KRIEGER: Very good. I'll open up to the board?

Yes, Member Byrwa first and then Member Sanghvi.
MEMBER BYRWA: Yeah. I have a quick question. This is going to be used for, like, unoccupied storage only? You wouldn't have relatives over spending a couple of nights there or whatever?

MS. LUSTIG: Oh, no.

MEMBER BYRWA: So unoccupied storage only?

MS. LUSTIG: Yes, sir.

MR. LUSTIG: Yes.

CHAIRPERSON KRIEGER: Member Sanghvi?

MEMBER SANGHVI: Yes. Thank you.

I came and visited your place and looked around this former Saturday. I don't think anybody saw me.

But anyway, you have nowhere to go except to keep it there in your drive.

MS. LUSTIG: Yes.

MEMBER SANGHVI: I can understand your dilemma of where to keep it. So having no other choice, I agree with your dilemma.

MS. LUSTIG: Thank you so much.

MEMBER SANGHVI: And hope that you get your variance. Thank you.

MS. LUSTIG: Thank you.
MR. LUSTIG: Thank you.

CHAIRPERSON KRIEGER: Yes?

MEMBER FERRELL: Yes, Madame Chair.

Do you have any photos of where it is going to be parked?

MS. LUSTIG: I turned some in.

MEMBER FERRELL: Did you?

MS. LUSTIG: I have some with me.

MEMBER FERRELL: If you've got them with you and you can show it on the overhead.

MS. LUSTIG: During the summer we were parked there. We thought it was okay to do so. So I have pictures of that time frame.

(Displayed.)

This is one side of the drive.

And a front view of the house and drive.

The cars are moved aside so you can see the RV. I moved the car on the side for the photo.

MEMBER FERRELL: Is that your garage?

MS. LUSTIG: There is no garage.

MEMBER FERRELL: You don't have a garage.

The structure that's next to?

MS. LUSTIG: That's a house.
MEMBER FERRELL: That's a house.

MS. LUSTIG: That's our neighbor's carport.

MR. LUSTIG: From the front of her house to the front of our house there's, like, 19 feet difference. I mean, we're setback. So we're not going to be interfering with her property.

MEMBER FERRELL: Okay.

MS. LUSTIG: Does that help?

MEMBER FERRELL: Yes.

MS. LUSTIG: To give you a visual.

MEMBER FERRELL: Yes. Thank you.

MS. LUSTIG: I also have a photo of the backyard. Would you like to see that?

MEMBER FERRELL: Yes. If you have that.

MS. LUSTIG: So these don't do much justice. But from this tree to our basement door is a seven foot slope.

MR. LUSTIG: I mean, it's a walkout basement.

MS. LUSTIG: Yeah. We've never had any issues with flooding or -- and to change the landscape, I just wouldn't want to change anything. I wouldn't want to have that problem.

MEMBER FERRELL: Thank you.
MR. LUSTIG: Thank you.

MS. LUSTIG: Thank you.

CHAIRPERSON KRIEGER: I'm impressed that you're -- you couldn't ask me to back it up and put it there because I would probably put it in the house. So I can appreciate your putting it there and having it placed next to the house. And then, I guess, as you said to the previous speaker, it will be there just as storage and not for having overnight parties or anything?

MS. LUSTIG: No.

MR. LUSTIG: No.

MS. LUSTIG: Absolutely not.

CHAIRPERSON KRIEGER: And it comes to the front of your house six feet which is still behind the neighbor's house so they won't be seeing it. They'll be seeing the cars. And across the street, there's the pine trees in the front?

MS. LUSTIG: Yes.

CHAIRPERSON SANGHVI: They looked like healthy trees when I drove by.

MS. LUSTIG: They are very beautiful. Thank you.
CHAIRPERSON KRIEGER: So considering all the testimony, I would be able to -- and then this would be left there for how long?

MS. LUSTIG: When we're not traveling. Which we hope to travel often.

CHAIRPERSON KRIEGER: Okay. And I was wondering that too is how long it was planning on being there, like six months or ...

MS. LUSTIG: Well, our plans are to travel, you know, throughout the year. We're retired now.

Allowing us to park in the driveway will give us a little bit more funds in order to do that traveling.

So it won't be parked when we're not home. We will be in it.

CHAIRPERSON KRIEGER: Very good.

Enjoying the country.

MS. LUSTIG: Yes.

MR. LUSTIG: Hopefully.

MS. LUSTIG: Absolutely.

CHAIRPERSON KRIEGER: All right. Considering the testimony and the application, I will be able to support the petitioner.

MS. LUSTIG: Thank you.
CHAIRPERSON KRIEGER: Yes. Member Peddiboyina?

MEMBER PEDDIBOYINA: Thank you. I have no issue. But what about the wintertime? Are you going to keep that one or are you going to travel in the wintertime?

MS. LUSTIG: I'm sorry?

MEMBER PEDDIBOYINA: In the wintertime?

MS. LUSTIG: Yes. We would like to. We would like to go to Florida or somewhere warm in the winter. Absolutely.

But some of the time it will also be parked. We're not full-time travelers.

MEMBER PEDDIBOYINA: Okay. Make sure watch it all the time when you're parked where nobody can stay on the vacant lot.

MS. LUSTIG: No. No problems.

MEMBER PEDDIBOYINA: For security reason purposes.

MS. LUSTIG: Okay.

MEMBER FERRELL: A motion.

CHAIRPERSON KRIEGER: Okay.

MEMBER FERRELL: All right.
CHAIRPERSON KRIEGER: Go ahead.

MEMBER FERRELL: Very good. I move that we

grand the variance in the case number PZ19-0010 sought

By the petitioner, Mark and Karen Lustig, for the

ability to park a recreational vehicle on the property

because the petitioner has shown practical difficult

requiring the storage of the recreational vehicle.

Without the variance, the petitioner will be

unreasonably prevented or limited with respect to the

use of the property due to the wetlands in the rear of

the property. Correct?

MS. LUSTIG: Yes.

MEMBER FERRELL: And the hill topography of

the property with the hills in it.

The property is unique because of the slope

and the wetlands. The petitioner did not create the

condition. The relief granted will not unreasonably

interfere with adjacent or surrounding properties

because there's plenty of tree coverage and not an

eyesore to its location, which is due to their house

sitting back a little farther than their neighbor's

home.

The relief is consistent with the spirit and
19:51:31  intent of the ordinance and this is a minimal request
19:51:34  allowing required storage of the recreational vehicle
19:51:37  in the property next to their home.
19:51:40  CHAIRPERSON KRIEGER: Okay. We have a motion
19:51:41  and a second.
19:51:43  Any other discussion?
19:51:44  Seeing none, if Katherine could call the
19:51:46  roll.
19:51:47  MS. OPPERMAN: Member Byrwa?
19:51:49  MEMBER BYRWA: Yes.
19:51:49  MS. OPPERMAN: Member Ferrell?
19:51:50  MEMBER FERRELL: Yes.
19:51:52  MS. OPPERMAN: Chairperson Krieger?
19:51:52  CHAIRPERSON KRIEGER: Yes.
19:51:53  MS. OPPERMAN: Member Sanker?
19:51:54  MEMBER SANKER: Yes.
19:51:55  MS. OPPERMAN: Member Peddiboyina?
19:51:57  MEMBER PEDDIBOYINA: Yes.
19:51:59  MS. OPPERMAN: And Member Sanghvi?
19:51:59  MEMBER SANGHVI: Yes.
19:52:00  MS. OPPERMAN: Motion Passes.
MS. LUSTIG: Thank you very much.

MR. LUSTIG: Thank you.

CHAIRPERSON KRIEGER: The next case is PZ19-0011, Mark Zawaideh, 40020 Twelve Mile Road, parcel number 50-22-12-400-063. The applicant is requesting a variance from the City of Novi Code of Ordinance 28-5(d)(7) for a second 72 square foot south facing wall sign. One wall sign facing each thoroughfare permitted by code. The property is zoned office service technology, OST.

Are either of you attorneys?

MR. ZAWAIDEH: No.

MR. LUSTIG: No, ma'am.

CHAIRPERSON KRIEGER: Are you both going to be speaking?

MR. MANSOUR: I'm the sign guy. I don't know.

CHAIRPERSON KRIEGER: Then I'll have you both swear in with our court recorder.

MEMBER FERRELL: Go ahead and state your name.

MR. ZAWAIDEH: Mark Zawaideh.

MEMBER FERRELL: Spell it for her.
MR. ZAWAIDEH: M-a-r-k. Last name
Don't ask me how to pronounce it.

MR. MANSOUR: Kal Mansour, K-a-l. Last name
Mansour, M-a-n-s-o-u-r.

MEMBER FERRELL: Okay. Both of you raise your right hands for me.

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

MR. ZAWAIDEH: I do.
MR. MANSOUR: Yes, sir.

MEMBER FERRELL: Go ahead.

MR. ZAWAIDEH: I'm here to apply for a variance. I've just bought this building maybe about a year and a half ago and there's just a lot of hardships with the building, mainly due to the trees. As you can see in the photos, those trees block both sides of the building from the west and the complete southern side of the building for a good part of the year. And then -- if you see this photo right here. I don't know if you guys have this photo. But this big electrical thing with the green fence that goes right around here blocks where my
current sign is right now. There's not a day that goes
by that we try -- that we don't have clients trying to
find the building and they continuously pass it.
Twelve Mile, as you know, has to have that turnaround
in order for them to come back around. The only way we
can get people to find the building is by advertising
Starbucks on every commercial or every conversation
saying, you know, we're right next door to the
Starbucks.

You know, I came to Novi and I was excited
about this building because rather than going inside an
office building because I thought I would have some
exposure, some sign exposure. So the sign we're
requesting, it's a second sign, which is allowed, but
the variance is for it to face the thoroughfare which
would be visible as you're entering M-5 and then also
on Twelve Mile. Hoping that it's going to be visible
in areas that you can't see the sign against the
building. The dome is a lot higher than the building.
It surpasses the trees in some cases. I'm just looking
for some exposure. The building just has a lot of
hardships on almost every side of the building because
of the trees.
I'm not asking -- I'm a tree fan so I'm not asking to cut down the trees. They're protected woodlands. So I'm just asking that when we wrap the sign around the dome that it can be seen from both sides, if that makes sense.

CHAIRPERSON KRIEGER: Okay. Is that it?

MR. ZAWAIDEH: I believe so.

MR. MANSOUR: I just want to add.

CHAIRPERSON KRIEGER: Go ahead.

MR. MANSOUR: I just want to add that about 30 percent of the sign will be visible where the ordinance says you cannot -- only 30 percent of that sign is really visible from Twelve Mile. The majority of the sign is still facing almost the opposite side of the building.

Thank you.

CHAIRPERSON KRIEGER: Okay. Anyone in the audience have any comment regarding this case?

Seeing none, I'll close it for the public.

And then from the City?

MR. BUTLER: No comments for this case.

Stand by for questions.

CHAIRPERSON KRIEGER: Okay.
19:56:25 Correspondence?
19:56:26 MEMBER FERRELL: Yes, Madame Chair, there was
19:56:26 seven letters mailed, two letters returned. Zero
19:56:34 CHAIRPERSON KRIEGER: Open it up to the
19:56:35 board.
19:56:36 Yes, Member Sanghvi?
19:56:38 MEMBER SANGHVI: Thank you. I came and
19:56:39 visited your site. I drove around. And I have no
19:56:44 problems with the sign. And I know it's none of my
19:56:50 business, that you know your business better, but if
19:56:51 you move that sign three or four feet further toward
19:56:54 the north side in that secular tower, you will have M-5
19:56:59 as well as the corner of the Twelve Mile Road will be
19:57:03 visible also and you won't lose so much visibility and
19:57:06 create the problem you have that you're coming for a
19:57:08 variance.
19:57:10 It's just a thought.
19:57:12 Thank you.
19:57:13 MR. ZAWAIDEH: Move the sign you're saying
19:57:15 more north?
19:57:16 MEMBER SANGHVI: Rotate it further towards
19:57:18 the north side of your tower. See, you're seeing it in
MR. ZAWAIDEH: Right.
MEMBER SANGHVI: If you rotate it further on the other side, you might catch Empire traffic also. It would be visible to them as well.
MR. ZAWAIDEH: Right. That's what I'm asking. That's what I'm trying to accomplish.
MEMBER SANGHVI: The way you have shown in the picture, I don't think it is quite representative of what you have at the present, at the mockup sign there.
MR. ZAWAIDEH: Right. That's ultimately what I'm going for is to have that presence on M-5 like all the other buildings do that are along that thoroughfare.
You're absolutely right. The sign in reality should be facing the thoroughfare, but then the other part of the sign, the number part, should be --
MEMBER SANGHVI: You're moving more towards the --
MR. ZAWAIDEH: More towards Twelve Mile.
You're right.
MEMBER SANGHVI: Twelve Mile.
MR. ZAWAIDEH: You're right. To get the best of both worlds it should be split instead of all connected to get what I want. Yes, you're right.

CHAIRPERSON KRIEGE: Very good.

Yes?

MEMBER PEDDIBOYINA: Yeah. I saw this sign.

The one thing you mentioned there is the pine trees and I noticed that also. And you moved this business to Novi, you had mentioned. Welcome to Novi.

MR. ZAWAIDEH: Thank you. It's been great so far.

MEMBER PEDDIBOYINA: I don't have any objection. And also, as my colleague said, the visibility of the sign showing in the mock up is what we have. A little bit projecting to M-5 and that's the only thing.

And what about the second sign? Are you leaving the existing one, what you mentioned?

MR. ZAWAIDEH: Correct. Yeah. I'm leaving the one that is on the building. The whole reason I'm doing this is to try to get some exposure out of it.

MEMBER PEDDIBOYINA: Are you seeking the vinyl one? What is that sign? Is it a radium sticker?
What kind of sign is it? Is it a digital one that you're planning?

MR. ZAWAIDEH: Not digital.

Kal, maybe you can speak to this.

MR. MANSOUR: No, sir. They're going to be individual letters on that dome at the very top.

They're going to be up front, not back. But they'll be flush mounted to the building itself.

MEMBER PEDDIBOYINA: Okay.

MR. MANSOUR: It'll be tastefully done. I mean, you've seen the banner that is up there right now.

MEMBER PEDDIBOYINA: Um-hmm.

MR. MANSOUR: And to get back to the question this gentleman had a minute ago, the name "Mark Z" is facing M-5.

The phone number is a part of his national branding and slogan. A portion of that is wrapped around, facing Twelve Mile. So the name, actually, is facing the M-5 view and a part of the number, the last, I believe, five numbers, are facing Twelve Mile. But the majority of the sign is facing M-5.

MEMBER PEDDIBOYINA: Okay. And what about
the whole building is your building? Are any neighbors on the building? The business? The whole building is yours? The business?

MR. ZAWAIDEH: That's correct.

MEMBER PEDDIBOYINA: I have no other objection. Thank you so much.

CHAIRPERSON KRIEGER: I have a question for the City.

Could he put a flag on the top of the turret?

MR. BUTLER: I don't believe so. He would have to try to request that, but I don't believe so.

CHAIRPERSON KRIEGER: Okay. It would look kind of neat, but anyway.

MR. MANSOUR: We looked at that and they said no.

CHAIRPERSON KRIEGER: Okay. Yeah, I would say a flag would look almost like a castle kind of.

MR. MANSOUR: It would be ideal.

MR. ZAWAIDEH: I might be back next month.

CHAIRPERSON KRIEGER: I could still see putting a flag up front would help, too. And I do see there's a difficulty. When I drove back and forth from going from one side, it looks like duplication. So I
guess the turn on the turret where the sign would be,
if you could put it so you can catch it better coming
from west to east, then people, too, also coming on M-5
would see it better. Because otherwise the Cabot Drive
it's difficult to see. And then also going up M-5 you
see the turret, but you only see the part of the name
on the turret. So I can see your need for having a
second sign.

Do you have any ground sign?

MR. ZAWAIDEH:  No.
MR. MANSOUR:  No.
CHAIRPERSON KRIEGER:  I don't remember seeing
it.
MR. MANSOUR:  No.
CHAIRPERSON KRIEGER:  So I would be in favor
of the second sign and it wouldn't hurt to have a flag,
too. I'm the one with the flag.
MR. ZAWAIDEH:  I love it.
CHAIRPERSON KRIEGER:  Any other?
MEMBER SANKER:  I just have a question.
CHAIRPERSON KRIEGER:  Go ahead.
MEMBER SANKER:  What would be the issue
with -- so you said that the sign is approximately
30 percent, creating the variance that's on the south side of the building or whatever. So what would be wrong with just turning your proposed sign so that zero percent was now crossing over on to the south side of the building and it was not all facing, like he was saying earlier, M-5? Would that be a problem?

MR. ZAWAIDEH: Because I'm trying to get --

do you see this picture right here?

MEMBER SANKER: Um-hmm.

MR. ZAWAIDEH: You can't see the sign on the building because of that big electrical monstrosity.

And the fence, that fence is like 10 feet high. So I'm trying to get some exposure. You can see through that electrical and you can see the dome. So I'm trying to get some exposure from Twelve Mile. So as you're coming down Twelve Mile going from east to west, you can see the building.

The worst was -- what caused me to come here was about three months ago a client was coming. She passed the building numerous times and called us. She made that turnaround.

And I don't know if you guys know, but there's a lot of accidents at that turnaround because
people don't realize, when you're in the outside lanes -- it's two cars' width. When you're in the outside lane, you can't just turn because the inside lane has the right to go straight and she ended up getting into an accident and had she not been circling around two or three times and just seen the building. And that's what caused me to say, "I've got to do something about this." So that's why I'm standing here today.

MEMBER SANKER: Yeah, I see. That picture helps.

MR. MANSOUR: Also, the fence that is there, if you're coming at one point to the building, it eliminates its existing sign completely. If you've driven --

MEMBER SANKER: Is that the green?

MR. MANSOUR: Yes, sir. It eliminates that because his building is not that tall from that view. The road is low. You've got a berm that is up there. That green fence at some point that sign is irrelevant. It's completely irrelevant until you get right on his exit and by that time you have already driven past it.

MEMBER SANKER: I see that.
CHAIRPERSON KRIEGER: Very good.

MEMBER PEDDIBOYINA: I'll make a motion.

CHAIRPERSON KRIEGER: Any other questions?

Comments?

All right. Go ahead.

MEMBER PEDDIBOYINA: Thank you.

CHAIRPERSON KRIEGER: Member Peddiboyina.

MEMBER PEDDIBOYINA: I move that we grant a variance in case number PZ19-0011 sought by Mark Z-a-w-a-i-d-e-n, written by Mark Z Real Estate because the petitioner has shown the practical difficulty requiring the variance for the requiring the variance for the second south facing wall sign.

Without the variance the petitioner will be unreasonably prevented or limited with respect to the use of the property because the building is very hard to see from the roadways. The existing sign was covered 50 percent and he wants to put the sign on the front of the building.

The property is unique because of the shape of the lot and the placement of the existing structure. The petitioner did not create any -- did not create the condition because the surrounding trees were existing
and not planted by the applicant. The plants were existing before that.

The relief granted will not unreasonably interfere with the existing and surrounding properties because the sign size is within the ordinance.

The relief is consistent with the spirit and intent of the ordinance because of the sign that's been in the center will be given to placing to look for the building and also give relief to the customers. Thank you.

CHAIRPERSON KRIEGER: Okay. We have a motion.

MEMBER FERRELL: Second.

CHAIRPERSON KRIEGER: We have a motion and a second. Any other discussion?

Seeing none, if Katherine could call the roll.

MS. OPPERMAN: Member Sanghvi:

MEMBER SANGHVI: Yes.

MS. OPPERMAN: Member Peddiboyina?

MEMBER PEDDIBOYINA: Yes.

MS. OPPERMAN: Member Sanker?

MEMBER SANKER: Yes.
MS. OPPERMANN: Chairperson Krieger?

CHAIRPERSON KRIEGER: Yes.

MS. OPPERMANN: Member Ferrell?

MEMBER FERRELL: Yes.

MS. OPPERMANN: And Member Byrwa?

MEMBER BYRWA: Yes.

CHAIRPERSON KRIEGER: Motion passes.

MR. MANSOUR: Thank you.

CHAIRPERSON KRIEGER: Congratulations and best wishes.

MR. ZAWAIDEH: Thank you.

MR. MANSOUR: By the way, the coffee is delicious.

CHAIRPERSON KRIEGER: Very good. That brings us to our next case, PZ19-0012 for Philip and Jessica Haapala for 41414 Broquet Drive, Parcel Number 50-22-35-429-004. The applicant is requesting variance from section 5.11(A)(ii) to allow a fence to extend past the exterior side yard setback. The property is zoned single family residential, R-1.


MR. HAAPALA: And my name is Philip Haapala,
P-h-i-l-i-p, same last name spelling.

MEMBER FERRELL: Go ahead and raise your right -- are either of you attorneys?

MS. HAAPALA: No.

MR. HAAPALA: No.

MEMBER FERRELL: Do you swear to tell the truth in the testimony you're about to give in this case?

MS. HAAPALA: Yes.

MR. HAAPALA: Yes.

MEMBER FERRELL: Go ahead.

MS. HAAPALA: So we just bought this house and we found out that right now we have like a deck here. This is our house and, basically, the line that we want to put a fence up goes adjacent to the house. So it just has to stay right along the house. There's more land here and a sidewalk here and we just want to extend a fence over to the sidewalk permitting, you know, how far it can go feetwise. And the reason we want to put a fence is we have three small kids. And Meadowbrook is a little bit of a busier street. Not a main road, but I need to contain my children. So I would like to keep them off
the road. So we would like a fence there.
MR. HAAPALA: In addition to that, we would
like to put a garden on our property and probably a
trainpoling and a climber as well. And without the
variance, I'm not sure we can do all that.
CHAIRPERSON KRIEGER: Okay.
MS. HAAPALA: That's it.
CHAIRPERSON KRIEGER: All right. Very good.
Anyone in the audience have any comment
regarding this case?
Yes. State your name.
MR. ADAMS: Dan Adams.
CHAIRPERSON KRIEGER: Up at the podium where
the microphone is at.
Name, address and give your comment.
MR. ADAMS: My name is Dan Adams, A-d-a-m-s.
I live next door at 41440 Broquet.
And I just was talking to the neighbor last
night and they said something about got a letter about
a fence and I remember vaguely seeing something, but I
got so much mail, I didn't pay any attention. I
thought it was down further on Meadowbrook Road. So I
came in today to check on this proposed fence. And I
have no objection.

Here's a map of the -- this is my house. And this is the house that they're going to put the fence in this area. But as you can see, the property line is about 12 foot off of their house and the proposed proposal I saw in the office earlier today, it shows the fence coming out to the west and then along this row of pine trees.

Those are spruce trees and they're spread out. And I measured on the plot map here 68 foot from the corner of my house to the property line. I drove a stake in there this evening before I came. And if they bring the fence out like this and then down here, they'll have to cut a lot of the pine trees away to bring the fence on the west side of the pine trees. And if they could -- if possibly they could run instead of coming this way -- there's only 12 foot here according to the map and the survey.

If they could run the fence right back from this corner of their house, I wouldn't have any objection. It's just a six foot high fence, by the time they cut the spruce away to run the fence on the west side of the pine trees, it would be kind of ugly.
You know, you're cutting -- well, you're going to have to cut more than six foot to run this fence because it's a -- unless it's one of those plastic solid fences with poles and, you know. And if they could -- I object to it being run the way it shows on the plan I saw. If it could be moved to the east so it's in line with the corner of the house here and then straight back on the east side of the pine trees, you know, it would look a lot better from my point of view there.

CHAIRPERSON SANGHVI: All right.

MS. HAAPALA: May I say something?

CHAIRPERSON KRIEGER: No. Hang on a second.

You'll be able to address your concerns.

That's your comments, sir?

MR. ADAMS: Yeah.

CHAIRPERSON KRIEGER: All right. Very good.

MR. ADAMS: And I'm sorry I'm not really prepared. I didn't find out -- I didn't realize what was going on until late last night and I had business to take care of and I was late getting into the office today to figure out what's going on.

But that's the only objection I have, is
they'd have to -- if they ran it on the west side of
these pine trees, they would have to cutback quite a
bit of the pine trees to run it in almost. And the
trunk is maybe four or five feet off my property line.
So they would have to cut quite a ways back in.
CHAIRPERSON KRIEGER: All right. Very good.
We'll get back to that.
Anybody else in the audience have a comment
regarding this case?
All right. Seeing none.
From the City?
MR. BUTLER: No comments.
CHAIRPERSON KRIEGER: From correspondence?
MEMBER FERRELL: Yes, Madame Chair. There
were 21 letters mailed. One letter returned. One
objection. The objection is from Mr. Adams that just
spoke. So do I need to read that letter?
MS. SAARELA: No.
CHAIRPERSON KRIEGER: All right. We'll open
it up to the board.
Member Sanghvi?
MEMBER SANGHVI: Thank you. I came and
visited your property on Saturday and looked around. I
am not quite sure where exactly you are trying to put the fence and what kind of fence it is going to be. So could you tell me how high and what kind of fence and where you're going to put it.

MR. HAAPALA: If we could use the photo?

MS. HAAPALA: So right now, we want to extend -- right now the fence has to stay along the side of the house. We want to add the fence over here to go towards the sidewalk.

MEMBER SANGHVI: All the way to the sidewalk on Meadowbrook Road?

MS. HAAPALA: Correct.

MEMBER SANGHVI: And how far in front?

MS. HAAPALA: Probably just right up to the house line. Again --

MR. HAAPALA: No. So it would go back here, basically. So it's, basically, a big rectangle.

MS. HAAPALA: Oh, I see. I see what you're saying.

MR. HAAPALA: So right now there is a lot of trees back there. Obviously, we'd have to remove those.

MEMBER SANGHVI: You have a fire hydrant not
20:14:26 too far from your property on the side there. I was
20:14:26 just wondering how far you were going to come in front
20:14:28 there.
20:14:33 MS. HAAPALA: I mean, as long as it's up to
code. Like what he was saying, we'll take the fence
20:14:39 over to here. I mean, the fire hydrant is over here
20:14:43 so, obviously, we would have to follow the code.
20:14:45 MEMBER SANGHVI: Thank you. I'm all in favor
20:14:47 of a fence when you have young children. How young are
20:14:50 your children?
20:14:51 MS. HAAPALA: Three under three. Three, two,
20:14:54 one.
20:14:57 MEMBER SANGHVI: So you need some protection
20:14:58 and I have no problem. Thank you.
20:15:05 CHAIRPERSON KRIEGER: Okay. Regarding the
20:15:06 fence towards the neighbor with the pine trees, you're
20:15:09 going to go by there as well?
20:15:12 MR. HAAPALA: You know, I haven't really
decided what I want to do with those pine trees. I am
20:15:16 leaning to taking them out completely. I don't really
20:15:20 like them myself.
20:15:22 CHAIRPERSON KRIEGER: Are they six-inch
MS. HAAPALA: I'm not sure. We just bought the house. So we haven't, like, looked around a lot. We were just trying to get this proposal done before we actually bought the house, but was not able to be done and we had to buy the house and we're now in the process of getting the proposals passed.

CHAIRPERSON KRIEGER: And then the kind of fence that you wanted to put in was this -- the complete enclosure? There's going to be no air going through?

MS. HAAPALA: Yeah. It's a vinyl fence.

CHAIRPERSON KRIEGER: And then it enclosed from the entire back lot and then to the side lot?

MS. HAAPALA: Correct.

CHAIRPERSON KRIEGER: All right. Then the fire hydrant as well, we're considering that. And then the pines for -- have you considered pruning them or adjusting the fence along so that you can keep them?

MR. HAAPALA: Yeah. We're probably going to prune them most definitely, if we decide to keep, you know, the current proposal where the fence is going. I just feel like if we, you know, move the
fence to the other side, it's dead space there and I'm trying to avoid that. We're trying to utilize my entire backyard.

MS. HAAPALA: I guess, we just haven't really thought about what to do with these fences because our proposal was to add the fence over here. So we didn't -- we were just going to take the trees out. We didn't really focus on these trees because we were focusing on this area of adding to our backyard.

CHAIRPERSON KRIEGER: All right.

MEMBER FERRELL: So the trees are on your property, right?

MR. HAAPALA: Yeah.

MS. HAAPALA: Um-hmm.

MEMBER FERRELL: So you can remove them if you choose to or however you decide to go. I just wanted to make sure they weren't on the neighbor's property.

MS. HAAPALA: Yeah.

MEMBER FERRELL: That's all. Thank you.

CHAIRPERSON KRIEGER: Yes?

MEMBER PEDDIBOYINA: Yeah. I understand your
concern. You have small kids and also the house is on
the road and they need protection and they can enjoy
outside and what they are doing.
And how tall are you putting this fence? Six
feet or eight feet?

MR. HAAPALA: I think it's six feet.
MEMBER PEDDIBOYINA: Six feet. And you
mentioned vinyl fencing.
MS. HAAPALA: Um-hmm.
MR. HAAPALA: Yes.
MEMBER PEDDIBOYINA: I have no objection.
Thank you.
CHAIRPERSON KRIEGER: Yes, sir?
MR. ADAMS: Can I speak again.
CHAIRPERSON KRIEGER: You can have a comment.
I'll listen to your comment.
CHAIRPERSON KRIEGER: Just keep it three
minutes and at the microphone.
MR. ADAMS: I took some pictures on my cell
phone. I don't know if you can see them or not.
But I drove a stake in here and that's
approximately 68 foot four inches from the corner of my
house on the mortgage survey. That's what it said it
was. And as you can see, the trees hang on my property a lot. And, you know, I'm just concerned, you know, if they try to cut -- there's 12 foot, according to this survey, from their house to my property line.

CHAIRPERSON KRIEGER: Okay. I understand your concern, but the trees are on his lot so he can --

MR. ADAMS: If he wants to cut them down, that's fine.

CHAIRPERSON KRIEGER: -- do with them as he chooses. You can do with what you want on your property. So that's all I can -- I appreciate your comment.

MR. ADAMS: How far off the property line does the fence have to run?

CHAIRPERSON KRIEGER: That'll be determined by the City.

MR. ADAMS: Is there a minimum setback off the property line on the fence?

MR. BUTLER: As long as it's not over on your property. It has to be on the line. He can be up to six inches right on that property line.

MR. ADAMS: Okay. I was concerned with the way the picture I saw it showed it coming out right to
the property line and running down right through the pine trees. Now, if they want to cut the trees down, that's fine. I can't do anything about that. And it isn't going to offend me have them cut down.

CHAIRPERSON KRIEGER: All right. Thank you, sir.

MR. ADAMS: Thank you.

CHAIRPERSON KRIEGER: Anyone else from the board?

Yes, Member Peddiboyina?

MEMBER PEDDIBOYINA: Actually, no. I don't have anymore.

CHAIRPERSON KRIEGER: From the City? The kind of fence, are there others in the City with the vinyl fencing that goes around the entire property?

MR. BUTLER: That's allowed. I don't believe they're in an association. The association would depict the type of fence. But, yes, we have them around the city, to answer your question.


MEMBER PEDDIBOYINA: I can make a motion.

CHAIRPERSON KRIEGER: Yeah. If you'd like.
MEMBER PEDDIBOYINA: Okay. I move that we grant the variance in case number PZ19-0012, for Philip and Jessica, H-a-a-p-a-l-a, Haapala. Because the petitioner has shown the practical difficulty for a variance to allow the fence to extend past the exterior side of the yard setback.

Without the variance, petitioner will be unreasonably prevented or limited with respect to the use of the property because of the current fence locations split the backyard in half and the side yard would limit the full use of the space because of having the kids show the practical difficulty and the house was faced in the Meadowbrook Road.

The petitioner did not create the condition because of the existing fence. The relief granted will not unreasonably limit the conditions surrounding the property because of the proposal. The proposed existing fence site is within the defined property boundaries.

The relief is consistent with the spirit and intent of the ordinance because it will be giving the homeowner the ability to fit all the items in the large space and the kids can play.
Thank you.

CHAIRPERSON KRIEGER: All right. I have a motion.

MEMBER SANKER: Second.

MEMBER SANGHVI: Second.

CHAIRPERSON KRIEGER: I have a motion and a second. Any other discussion?

All right. If Katherine could call the roll?

MEMBER BYRWA: Yes.

MEMBER FERRELL: Yes.

CHAIRPERSON KRIEGER: Yes.

MEMBER SANKER: Yes?

MEMBER PEDDIBOYINA: Yes.

MS. OPPERMAN: And Member Sanghvi?

MEMBER SANGHI: Yes.

MS. OPPERMAN: Motion passes.

CHAIRPERSON KRIEGER: All right. Best wishes.
MR. HAAPALA: Thank you.

CHAIRPERSON KRIEGER: That brings us to our next case, PZ19-0013 Interior Environments, 48700 Grand River Avenue, east of Wixom and north of Grand River, parcel number 50-22-17-126-009. The applicant is requesting variances from the City of Novi ordinance, Section 3.1.23.D for parking setbacks of less than 20 feet on the Twelve Mile Road, zero feet requested side, and Grand River Avenue, 16 feet requested. And a variance requested from zoning ordinance, Section 5.3.12 for an end island less than three feet shorter than the adjacent parking space. The property is zoned general business, B-3.

MR. CAPELLA: Good evening.

CHAIRPERSON KRIEGER: Good evening, Mr. Capella.

MR. CAPELLA: Kim Capella 26444 Taft Road, Novi, Michigan. I'm here on behalf of Interior Environments. Interior Environments is an interior commercial and design firm. As part of their business, they do sell office furniture, but really what they have to market to customers is their design services.

This property is actually located between
Don's Diner -- I think it's got a new name now -- and
the new PNC building and Twelve Mile Road which used to
be the entrance onto 96 which now dead ends at the Home
Depot and Grand River Avenue.
This building was originally built by Jimmies Rustics to sell outdoor furniture. Jimmies had a store
Downriver. That was their main store and the
warehousing store. This store was only built to do
more of a sales and marketing store. No warehousing.
Just a little bit of office, but mostly displaying
outdoor furniture. As such, when they built the
building, they had adequate parking.
The City did not require them to do any land
bend parking (ph) as they did to the old Scott
Shuptrine building over there by Art Van. So there
wasn't any additional parking for reuse at this
building. Jimmies went out of business and the
building sat vacant for many years.
Interior Environments is owned by two
gentlemen. They're both Novi residents. When their
building expanded -- I believe it was in Southfield
where they were leasing. They both wanted to look to
Novi. Their families were here. Their kids went to
Novi schools. They wanted their building and their business to be in Novi.

Jimmies Rustics turned out to be a good fit for them. At the time it was their only office. The original design, 20 percent was going to be reception area, display marketing area, kitchen, a conference room; 20 percent was going to be for storage and the rest was for offices. They had another area offsite where they actually warehoused -- short periods of time warehoused the furniture as it came in waiting to get installed in the customer's office.

As their business expanded, they now have branch offices in Ann Arbor, in Livonia and Detroit. And they recently opened up an office in downtown Denver Colorado. The Novi office remains their headquarters, their world headquarters. The small offices in the Detroit area are satellite offices.

Ironically, they don't need to expand their building. Their business has expanded. They have more employees. I think 50 or 60 percent more employees, in this location than they had when they built the building. They don't need to expand the building. The way their type of business has changed, there's only
about four permanent desks in the office here. That's for the two owners, financial and an office manager. All of the other desks, tables, chairs, conference areas are utilized by various people at various times. These -- I call them kids because they're much younger than me. These kids operate out of their backpack with a laptop. They might have a locker in this building. I think there's 15 lockers. They have a locker like in high school and that's their desk. They can come in. They can sit down at a desk like you do here with a screen. They plug in their laptop. The next time they come in, they might sit at a high top. They might sit at a kitchen table, in a conference room. They even got a couple of, I call them phone booths. Small soundproof phone booths if you want to take your cell phone in and have a little privacy with your conversation. That's how they operate their business. So they're not out of room at all for this big expanse of employees. They're out parking. This is especially true because this is their main headquarters. This is where they display most of their furniture. They probably redo their entranceway,
kitchen area, every four or five months to redesign with new furniture, new ideas and new concepts for the customers to come in. This is the location where they have the biggest conference room. Sometimes they have round theater-type couches with a screen so the team can sit down and, like we do here, put up on the screen to see what we're talking about, put the plans up and things like that.

So sometimes they're very crowded and they run out of parking. Other times they're not.

Sometimes you drive by their building on Grand River and they're double parked, as they are now. Sometimes they're not. Mondays it's especially crowded. Almost every Monday they're out of parking because the teams go there to start their week, start their plans, schedule their meetings, schedule who is going to be in the office at the time.

They have nowhere to expand their parking.

They want to stay in Novi. They want to stay in this location. On Twelve Mile Road they're asking to utilize the full 20 feet. On Twelve Mile Road across the street is the Varsity Lincoln and then the new Wilson's Marine where General -- not General Tire.
General RV used to be.

So it's all parking of vehicles across the street off of Twelve Mile Road. On Grand River they're going to be setting back 16 feet and that's one of the variances they're asking for. And the other variance is very minor and it, actually, I think traffic agrees, they're just cutting down the circulation coming into the entrance and it makes it easier for the cars to go around. It's safer for how it's designed now.

Planning Commission has approved it. We're waiting for your variances and then if you'll do such, I'll move forward to begin the parking lot expansion.

CHAIRPERSON KRIEGER: Very good.

MR. CAPELLA: That's it. That's all I got.

CHAIRPERSON KRIEGER: Anybody in the audience have any comment regarding this case?

All right. Seeing none. From the City?

MR. BUTLER: The City just considers it a reasonable request. They did go through planning and it was approved for them to allow for additional parking. They kind of agreed that, yes, they need it, but they need to come to the board to get it approved.

CHAIRPERSON KRIEGER: Okay. Thank you.
Correspondence?

MEMBER FERRELL: Yes, Madame Chair, 18 letters mailed. Zero letters returned, one approval and one objection. Zero objections. I'm sorry. I apologize.

The approval is from Dan D. Valentine, V-a-l-e-n-t-i-n-e, at 48075 Grand River, Novi, 48374.

"This is the second approval that I have sent to Zoning Board. I do not know of any reason to object to their property request."

That's it.

CHAIRPERSON KRIEGER: Very good. We'll open it up to the board.

Member Sanghvi?

MEMBER SANGHVI: Thank you.

CHAIRPERSON KRIEGER: You're our leader.

Thank you.

MEMBER SANGHVI: First a question for the City. Do we have any study of how much traffic really goes through that part of Novi Road?

CHAIRPERSON KRIEGER: Yeah.

MR. BUTLER: The City doesn't, but the Public Works probably does.
20:30:56 MEMBER SANGHVI: Any kind of traffic study?
20:30:58 MR. BUTLER: They may. I cannot actually say they do or not. If they did, normally there's some studies done on traffic patterns. I can double check and insert it into the record.
20:31:09 MEMBER SANGHVI: Thank you.
20:31:11 Because it's almost a cul-de-sac really that part of Twelve Mile Road and hardly anything goes through there from the highway.
20:31:19 And I came and looked at this place. You ingress and egress on both sides. And I have no problem guaranteeing your variance because I don't think it's going to make any difference one way or the other. Thank you.
20:31:37 MR. CAPELLA: Thank you.
20:31:41 CHAIRPERSON KRIEGER: I agree. Since Twelve Mile has been there forever and it's a cul-de-sac now and nobody uses it. So the amount of usage of it -- I don't think in the future they're not going to open it up to anything.
20:31:50 Correct?
20:31:52 MR. BUTLER: Not that I'm aware of.
20:31:54 CHAIRPERSON KRIEGER: So we have it for
parking, like you said. So I also would be in favor of your request.

MR. CAPELLA: Thank you.

MEMBER SANKER: I'm ready to grant the motion.

CHAIRPERSON KRIEGER: Go ahead.

MEMBER SANKER: I move we grant the variance in case number PZ19-0013 sought by Interior Environments for the aforementioned request because the petitioner has shown practical difficulty requiring the need for this variance.

Without the variance the petitioner would be unreasonably prevented or limited with respect to the use of the property because employees and guests will not be able to park at the property. The property is unique because of the lot, shape and location between two major thoroughfares. The petitioner did not create the condition because it didn't divide the lot in this way.

The relief granted would not unreasonably interfere with adjacent or surrounding properties because the variance will not create safety issues to any of the nearby properties and the relief is
consistent with the spirit and intent of the ordinance
because the increased parking spaces will allow the
owner to use and enjoy the property as its
headquarters.
CHAIRPERSON KRIEGER: I have a motion. Do we
have a second?
MEMBER PEDDIBOYINA: I second.
CHAIRPERSON KRIEGER: We have a motion and
second.
If Katherine could call the roll.
MS. OPPERMAN: Member Sanghvi?
MEMBER SANGHVI: Yes.
MS. OPPERMAN: Member Peddiboyina?
MEMBER PEDDIBOYINA: Yes.
MS. OPPERMAN: Member Sanker?
MEMBER SANKER: Yes.
MS. OPPERMAN: Chairperson Krieger?
CHAIRPERSON KRIEGER: Yes.
MS. OPPERMAN: Member Ferrell?
MEMBER FERRELL: Yes.
MS. OPPERMAN: And Member Byrwa?
MEMBER BYRWA: Yes.
MS. OPPERMAN: Motion passes.
MR. CAPELLA: Thank you very much.

CHAIRPERSON KRIEGER: Congratulations.

MR. CAPELLA: Thank you.

CHAIRPERSON KRIEGER: We come to our last case PZ19-0014 Robertson Brothers homes for regarding 2293 and 2295 Austin Drive, west of Old Novi Road and south of 13. Parcel numbers 50-22-10-231-019 and 50-22-10-231-008. The applicant is requesting variances from Zoning Ordinance Section 3.1.5.D for 2293 Austin Drive to allow 21 foot rear yard setback, 35 feet allowed. And to allow a 6,550 square foot minimum lot area 10,000 square feet allowed. The applicant is requesting variances from Zoning Ordinance Section 3.1.5.D for 2295 Austin Drive to allow 29 percent lot coverage and 25 percent allowed. And to allow a minimum lot area of 6,951 square feet, 10,000 square feet allowed. The properties are zoned single family residential, R-4.

Are you an attorney?

MR. LOUGHRIN: No, I'm not.

CHAIRPERSON KRIEGER: Okay. Spell your name and swear in with our court recorder.

MR. LOUGHRIN: Tim Loughrin
L-u-g-h-r-i-n.

MEMBER FERRELL: Go ahead and raise your right hand.

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

MR. LOUGHRIN: I do.

MEMBER FERRELL: Go ahead.

MR. LOUGHRIN: So thank you for your time this evening. I'm Tim Loughrin again, Robertson Brothers Homes, 6905 Telegraph Road, Bloomfield Hills, 48301.

So I guess I want to first take a step back and just kind of explain how we got there. Would you mind if I handed out just a couple of things?

CHAIRPERSON KRIEGER: Sure.

MR. LOUGHRIN: I'll show you on the screen as well.

(Documents passed out.)

MR. LOUGHRIN: So, again, if I can just take a step back. Really, this request is directly relating to the Lakeview development. This is a project that we've been working on for almost two years now. It is at, basically, both sides of Old Novi Road.
Both sides of Old Novi Road, south of 13 Mile. Essentially, the west side. Lots fronting on Old Novi Road and then lots fronting on to Wainwright and Linhart on the east side of Novi Road.

So, essentially, again, we've been working on this for about two years, this project. Originally, we got the land tied up, three different sellers, and we had proposed 70 townhomes on the site, just over three acres. This was actually encouraged by the City because it met the guidelines of the Lakeshore Pavilion overlay district which really encourages density, wants to bring people to this area, adds some mixed use, retail in addition to the residences and townhomes were specifically called out.

So that was actually November 2017 that we had a preapplication meeting and, again, staff did like what we were proposing because it meant that overlay district.

As we normally do, we met with the neighborhood and they certainly didn't have the same views that staff had. So we, actually, had a couple of meetings with the neighborhood and ultimately we submitted six months later in April of 2018 for 32
townhomes and six single family. So we reduced it
quite a bit from 70 townhomes down to 32 townhomes and
six single family.

And then that was, basically, a year ago from
this point. So we've had several meetings. We met
with the zoning master plan committee, the planning
commission, several hearings, several hearings of the
City Council. So very long story short, we did receive
this past February a final PRO agreement and final
concept plan for what you see here, essentially, with
20 single family homes.

The reason I'm here tonight. A portion of
the two Austin lots -- there are two homes on Austin --
they actually extend all the way out to old Novi Road.
So it's these two lots here.

So in order -- this was always part of the
plan. In order to, essentially, provide for the
Lakeview development as one cohesive project as much as
it could be, those two lots, the rear portion of those
lots, would essentially become part of Lakeview and,
again, that was always envisioned.

We had hoped to include those deviations in
the PRO agreements. The staff felt it was more
appropriate to do a variance rather than on the lots as part of the PRO agreement.

So that's why I'm here tonight. It didn't really make sense, I guess in the staff's view, to extend the PRO zoning on to Austin. So ZBA really was the course of action for that.

I mention all that not just to explain the purpose of tonight. I'll go a little bit more into detail of that. But really to kind of show the neighborhood respond since we started this project two years ago.

And one of the reasons I bring that up, there was an objection letter in the packets and I read your couple of times. I'm fairly certain that it really envisions us still proposing the 70 townhomes.

We do not have a three-story product. In fact, our product as you can see in the handout I gave you is essentially single family, two-story max residential.

So I just want to point that out. I think the letter, actually, came from this individual down here in the corner that was mentioning 35-foot rear setback, maintained the 35-foot yard setback. No
headlights. Those sorts of things. Really, those were issues when we had the townhome plans. So that's why I bring that up. In fact, I think the plan right now that house would be about almost 50 feet to the rear property line.

So I don't want to say just completely disregard the letter because somebody took the time, but I think it was not specific to what the plan is today.

I also want to point out since, again, two years ago, I'd say we have had overwhelming support for this plan as compared to the previous plans. Now, there's still things that we're working through as we go through development with our neighbors. And they have me on speed dial so I have a very good relationship with a lot of the neighbors. So I want to point that out that this has been a very long process and it's really the end of the road, fortunately. You know, three years at the end of the process.

So why do we need the variance? It's really only needed in order to configure the lake -- these two lots for the Lakeview development. These lots -- and I can show you in a separate exhibit, which you have.
These lots actually go straight to Old Novi Road right now. So 2293 Austin on the north side and 2295 Austin, this is, actually, a double lot. The house is over the property line, currently. And then this Austin actually goes from Austin all the way over to Old Novi Road. This was a very large right-of-way, by the way, which was part of our long process in getting the approvals because of that. But it does actually front on to Old Novi Road. So there is a lot of space there, but that is a right-of-way to Old Novi Road. And I mention that because there is no other condition anywhere in that area where you have a double fronted lot.

So that's really the reason for it. The staff felt it was best plan of action for the lot split. I do want to point out that the City Council did specifically call out this process that we're here today to go through the ZBA. And I highlighted it in your packet that I had provided the letter. "The City Council does not object to the Zoning Board of Appeals granting variances for the two lots fronting on Austin Drive. They will be altered dimensionally when portions of the lots are combine and
split to create new lots in the proposed development."

So, again, since the City Council had no purview over the two lots because it wasn't part of the zoning, they still recognize the need that this the various would be needed for the Lakeview Development.

So they called that out, specifically, in the PRO which is actually quite rare.

So the justification for the variance really, specifically, R-4, is simply not an appropriate zoning category for the area. Many homes such as 2293 Austin were built in the 1930s, long before the City annexed the property. Long before an R-4 zoning category even existed.

Really, the area is unique. This is not an area that you find in other areas of Novi. So it's a unique area. There is no really zoning category that would fit any part of the lake area.

This just gives a little more reference on the lots in particular. Sorry. It's a little out of focus.

So most of the homes are nowhere close to R-4. Rear setbacks along this area are actually less than 10 feet in some areas. And really I only found
one or two lots that even met the 10,000 square foot minimum area. So, basically, the built environment out there does not meet the R-4 zoning whatsoever. You probably seen variances over the years in this area, specifically, because of that.

There's also a unique reason for the rear variance on 2293 because it has such a large front setback.

MR. LOUGHRIN: This is 2293. It's hard to read this, but you do have 157 feet and 169 feet. That's very deep. This is after the lot configuration. And where the actual home rests night now, because it is over the property line, it rests all the way back here. So it's 93 feet back. That is not what you see in that area whatsoever. So it's really a unique situation when the fact that that house is buried so back far on that lot.

It's actually very unique circumstances relating to that property because it currently goes over the property line, as I had mentioned. This is actually the property line today and this is the house. So, currently, it's a zero setback.
In fact, it's a negative setback, if you can have such a thing.

So even, again, with the variance, the lots will be deeper than most of the lots in the Shawood (ph) Walled Lake Heights subdivision. The variances will not alter the area, the essential character of the area whatsoever. In fact, granting the variances will only impact the future Lakeview homeowners on lots four and five.

So, again, these are the two lots right here. The only people that will ever know that there would be a variance, in any case, would be lots four and five. These homeowners are going to know that going in. They're going to purchase those lots knowing that those homes are existing.

We are providing for an over 20-foot setback for this property here. Again, the one that is setback so far. We're not requesting a rear setback for this property. I think we have about 47 feet. So we meet the 35 foot rear setback requirement for the southern lot, 2295.

There will be a positive impact from the increased property values from the Lakeview
development. Also, several homes will be removed from along Old Novi that are closer to existing homeowners. This project will clean that up. So if I can just go back to this map.

Again, this is the property line. That's the house that goes over. This -- these homes will be coming down. You can see they're actually only five feet from the property line right now. We're actually removing those and this is what you will see behind those homes. So we think we're cleaning up the area quite a bit.

Lastly, it's really impractical to have access all the way through to Old Novi Road. You don't see that anywhere along any of this area. So the unique circumstances on these two lots is that they go to Old Novi Road, which just is simply impractical. It really reduces any kind of development potential in that area and there's no reason -- there's actually a garage that's access right now to Old Novi Road that just seems impractical to have an Austin Road house accessing off of Old Novi Road.

So in closing we feel that we meet the intent of the City's criteria for variance certification due
to the unique area of the nature and existing home configurations in relation to the inappropriately designated zoning as well as meeting the City Council's desire to reconfigure these two lots in order to allow for the development of Lakeview community as agreed to in the PRO agreement.

So I'm happy to answer any questions you have as to these two lots.

CHAIRPERSON KRIEGER: Thank you very much.
MR. LOUGHRIN: Sure.
CHAIRPERSON KRIEGER: Is there anyone in the audience that would like to comment regarding this case?

MS. SAENZ: Hi. I'm Rachel Saenz and I actually live at this property right here that is next to 2293 Austin Drive. And as Mr. Loughrin has mentioned, right now there's a driveway that's accessed from Old Novi Road. So in eliminating the access, the driveway access, there is no parking or driveway in front of 2293 now currently.

So I just want to ensure that the driveway is taken into consideration because they're going to have to access from Austin Road now. The lot is extremely
narrow. My fear is if they bring the driveway up next
to my property line, because this house is set so for
back, that that driveway will extend past my house and
into my backyard and will eventually cover nearly all
of the property.

So I just want clarification on how at least
that 2293 will be accessed. That's it. Thank you.

CHAIRPERSON KRIEGER: Thank you.

Yes, come to the podium.

MR. DUCHESNEAU: Mike Duchesneau,
D-u-c-h-e-s-n-e-a-u, 1191 South Lake Drive. And as
Mr. Loughrin has stated, it's pretty accurate that
everything he said. The counsel approved the project
five to two so it was not a unanimous decision.

Robertson Brothers has done an exceptional job of
trying to accommodate the neighbors.

The gal that just spoke that is to the north
of him has had probably more concerns than anybody
because she's probably the most effected. And I would
just hope that Robertson Brothers continues to work
with her as far as her issues. Especially with this
lot split. Ms. Saenz has one of the largest lots in
that area and she is the one that's been most effected.
In the past she's had concerns about shading and potential for two-story homes that would block her sunlight due to the houses to the east. And I would just hope that Robertson Brothers continue to work with the previous speaker to make sure she's satisfied with this repartioning. Thank you.

CHAIRPERSON KRIEGER: Thank you.

MR. ROBINS: How are y'all doing?

CHAIRPERSON KRIEGER: Good evening.

MR. ROBINS: I'm Mark Robins. I actually lived in those houses for 25 years. I've watched this neighborhood and seen it grow. I've seen folks come down here and say a lot of things. Over the last two years it's been a long process for me.

I've, actually, moved out to Milford now and left Novi, but I wanted to address something that Rachel has said and she was talking about the driveway.

So I granted an easement back in 1997. There is -- this is a shared drive in front to that house.

2293, 2295, 2297 all have access using these driveways. It's a paved driveway. I paved it for all my neighbors. I made sure that we had a nice area to go to. In fact, the lady I bought the home from back in
the early 2000s stopped by recently to get a last
walk-through before everything happens. And we were
laughing about the easements because we had heard that
it was something that came up in City Council or
somewhere that there were pictures taken that there
wasn't a driveway.

There is access. The house is -- has zoned
driveway from Austin Drive. It's on the left-hand
side. There's some stairs there that go right up to
that house. So I want to make sure you understand
there is a driveway there.

Okay. I do support this project. I think
what they have done has been fantastic. I've always
wondered what they would do about that house that is
sitting on the property and they're actually fixing
that issue. Robinson Brothers by providing with a
backyard, actually, you know, gives it what it really
needs which is its own environment.

The issue about those other houses that
they're cleaning up, I mean, seriously. It was five
feet from the property line. I cleaned up so much
garbage over the years back there; their water heaters,
tires and all these different things long before Rachel
and some of the other folks actually came to that neighborhood. It's changed so much. So I really support what these folks are doing with their property.

So it's going to be a pretty cool project. So thank you.

CHAIRPERSON KRIEGER: Thank you.

Anybody else?

All set?

All right. I'll close for public hearing.

From the City?

MR. BUTLER: Just to let you know, this was approved by the Planning Commission and the City Council and the parcels are in the legal description of the PRO. I just wanted to note that the developer, without these variances not being completely -- to complete the development. So that's just a note.

MS. SAARELA: I just wanted to add in retrospect the legal descriptions would have been included in the PRO on these variances. Here it would not have been necessary because they would have been no approved as part of overall plan. The plot, the lot layout as proposed has been approved as being consistent with the surrounding area by City Council.
CHAIRPERSON KRIEGER:  Very good.

From correspondence?

MEMBER FERRELL:  Yes, Madame Chair.  There

was 30 letters mailed.  Zero letters returned.  Zero

approvals and two objections.  One objection is

actually already included in the packet.  So I'm not

going to read that one.

This one is from Daniel Kevin Toma, maybe.

CHAIRPERSON KRIEGER:  Daniel Kevin Toma.

MEMBER FERRELL:  Daniel Kevin Toma at 2154

Austin Drive.  It's an objection.

"They shouldn't be able to build.  Nobody who

lives in the area wants this.  They're terrible

builders and have communities they built in Wixom and

Royal Oak and White Lake Township.  I've attached

several complaints from actual homeowners of these

shoddy builders.  Wixom is currently looking at a class

suit.  Beware."

That is it.

CHAIRPERSON KRIEGER:  All right.  We'll open

it up to the board.

Member Sanghvi?

MEMBER SANGHVI:  Thank you.  I came and
visited your area. I have been there many times in the past.

MR. LOUGHRIN: Sure.

MEMBER SANGHVI: All the lots there are very narrow and one of them is much deeper than the other one. I think the one on the north side is shallower than some. You have two different houses and two properties you are talking about.

MR. LOUGHRIN: Right.

MEMBER SANGHVI: And how much is the difference in the gradient between the east side of the street and the west side of the street over the lake?

MR. LOUGHRIN: You know, that's a great question. There's a lot grade out there which is going to be somewhat of a challenge in development. So, you know, it kind of crests in the center. So it goes to the north here down and then it kind of crests down here and then comes back down this way. So, you know, it's going to be a challenge in that respect.

But in regard to these two homes, specifically, there are grading challenges here as well. Mr. Robins had kind of talked about this little driveway, which is correct. If anything, we might move
that up a little bit to the north. But we've got a
retaining wall. Frankly, we're proposing -- and this
really doesn't answer the question as far as grading,
but we are proposing to really leave that condition as
it is because it does have a room for parking.

But, specifically, to what you're talking
about because of grading issues there is quite a bit of
grade as it goes to the north there.

MEMBER SANGHVI: All right. Thank you.

Well, whatever you do there is going to be better for
the neighborhood. I can't see you doing anything else.
And I wish I had your plots here before when I went to
see the place.

MR. LOUGHRIN: Oh, sure.

MEMBER SANGHVI: So I could have tried to
visualize it better what it was likely to look like.

But it looks good to me. Thank you.

MR. LOUGHRIN: Thank you.

CHAIRPERSON KRIEGER: Yup?

MEMBER SANKER: I just had a couple of
questions to clarify.

MR. LOUGHRIN: Of course.

MEMBER SANKER: Everything you're doing, and
I think the City, obviously, thinks so, too. But I'm not totally clear on what the variance -- what we're asking for here. Is it lots four and five that just had lower setbacks or is it lots 2293 and 2295?

MR. LOUGHRIN: Yes. It's the Austin lots.

MEMBER SANKER: Okay. And I guess, so currently, that 2293, is that a zero setback; is what you're saying, right?

MR. LOUGHRIN: Correct. It goes over a property.

MEMBER SANKER: And you want to push that property line back?

MR. LOUGHRIN: Yeah. I'm glad you mentioned that.

MEMBER SANKER: I guess the legal description, this is the official new picture of what it would look like? I guess, is what that legal description is?

MR. LOUGHRIN: Yeah. And just to go back real quick. So four and five, yes, they are shallower. We did that so we can provide some backyard as much as possible on these two existing. Because remember these lots right now go all the way through. So we were
trying to create a backyard here. This was approved as part of the PRO. So these are not part of the variance requests. That is how it was approved in the PRO.

Specifically, which is a great question, what are we requesting tonight? So essentially this house was not coming out very well on this, but this is the smaller house, 2293.

MEMBER SANKER: Yes.

MR. LOUGHRIN: Essentially, this is how it sits. And you can see it sets back 96 feet. So what we're providing is a 21 foot setback for that lot four is right here. Or lot five I think it is.

So what we're asking for is whereas R-4 requires the 35 foot rear setback, again, it's not really followed much in the area whatsoever. We're requesting a 21.2 foot rear setback for this particular lot and we're also requesting a square footage reduction from 10,000 square feet. Again, none of the homes have 10,000 square feet. We're requesting that one to be about 6,519. So those are the requests for that particular lot.

And the other one, which is 2295, which is the southern lot. Again, it doesn't come up, but this
is how it actually exists. It's not setback as far.

It's a actually a deeper house. It's setback 54 feet

it allows us to have actually from where the new

property line will be 45 feet. So we're not requesting

a rear setback here. There is a detached garage here

it. Which is a 22 feet, but that doesn't have the same

rear feet setback requirement of 35 feet.

So we're not requesting a rear setback on

this one. We are requesting -- since it's a 10,000

square feet, we are requesting from 10,000 square feet

to 6,950 square feet lot area. And this one, just

because the house is bigger, we're requesting a lot

coverage increase to 29 percent from 25 percent.

MEMBER SANKER: Thank you.

MR. LOUGHRIN: Sure.

CHAIRPERSON KRIEGER: Do you own the homes on

Austin, 2293 and 2295?

MR. LOUGHRIN: We will after our final

approvals in the next couple of weeks. So Mr. Robins

does own these currently and we'll be purchasing them.

And the whole intent is to purchase them, get the lot

split and then sell the two homes to end buyers.

CHAIRPERSON KRIEGER: So, then, the backyards
for lots four and five will be smaller to accommodate the homes that already exist on Austin?

MR. LOUGHRIN: Yes.

CHAIRPERSON KRIEGER: So they have backyards.

And then, as far as a driveway that the neighbor to the north is concerned about?

MR. LOUGHRIN: Correct. So what Ms. Saenz is talking about is right now this house, since it's set back so far -- it actually has a garage right here.

We'll be taking down the garage. The access will no longer be coming off Old Novi Road. The access for this house, basically, will be a driveway. There is a driveway already existing. You can see -- there's actually a car right here. So there is room for a driveway. It actually exists. So the access off Austin does exist.

We may actually widen this driveway a little bit if we can work with the grade, but the access would be right there and her house is actually here.

CHAIRPERSON KRIEGER: I have driven up and down a number of times to picture it. From even where they sit and how they stand up near Old Novi Road is interesting because they're almost right on top of...
Austin as well. But now I have a better idea of how this whole picture is coming together. So thank you. Thank you for working with the residents and trying to accomplish what you want to accomplish and have the City and Planning already approved. It's much appreciated.

MR. LOUGHRIN: You're welcome.

MEMBER PEDDIBOYINA: In addition to that, I've now seen such a wonderful presentation. I looked at your home and you did your homework. I wish you good luck.

MR. LOUGHRIN: Thank you.

CHAIRPERSON KRIEGER: And, Beth, did you have something to add?

MS. SAARELA: No. I added it and I think I have a draft motion there, if you need any help with that.

CHAIRPERSON KRIEGER: Okay. Cool.

All right. Any other comments regarding this case?

Seeing none.

MEMBER FERRELL: I'll do it. I move in casing in PZ19-0014 to approve the applicant's request
for a variance in section 3.1.5.D of the Zoning Ordinance to allow a 21 foot rear yard setback and 35 foot is required.

And a variance from 2295 Austin Drive from section 3.1.5.D. The zoning ordinance to allow 29 percent lot coverage, 25 percent is permitted and to allow a 6,951 square foot lot when a minimum of 10,000 square feet is required.

The lots are part of the Lakeview Development which has been approved by City Council and as a single family residential development subject to a planned rezoning.

The petitioner has shown a practical difficulty that would prevent then from constructing an approved single family development. The public hearing notices for approval of the pro plan had included the two lots in their descriptions. The variances would have already have been granted as part of the pro plan approval. The project is unique because it is part of an approved pro plan. The two lots that require variances are excessively small lake lots.

The relief will not unreasonably interfere with adjacent or surrounding properties. Because the
surrounding lots are also small lots and the lot sizes are consistent with those lots generally. The relief is consistent with the spirit and intent of the ordinance because the City Council has considered the lot sizes as part of overall development and has found them to be consistent. The petitioner did not create the conditions because the lots were left out of the pro unintentionally.

MEMBER BYRWA: Second.

CHAIRPERSON KRIEGER: We have a motion and a second. Any other comments?

All right. Seeing none, Katherine, if you could call the roll.

MS. OPPERMAN: Member Byrwa?

MEMBER BYRWA: Yes.

MS. OPPERMAN: Member Ferrell?

MEMBER FERRELL: Yes.

MS. OPPERMAN: Chairperson Krieger?

CHAIRPERSON KRIEGER: Yes.

MS. OPPERMAN: Member Sanker?

MEMBER SANKER: Yes.

MS. OPPERMAN: Member Peddiboyina?

MEMBER PEDDIBOYINA: Yes.
MS. OPPERMANN: And Member Sanghvi?

MEMBER SANHVI: Yes.

MS. OPPERMANN: Motion Passes.

CHAIRPERSON KRIEGER: Congratulations. And welcome to Novi.

MR. LOUGHRIN: Thank you very much. I appreciate it.

CHAIRPERSON KRIEGER: That leads us to other matters which is officer elections.

So for officer elections we have president, vice president and secretary. So for secretary we'll have Kevin Sanker. Any other elections for secretary?

All right. Do we call roll for that?

MS. SAARELA: You don't have to call roll.

You can just do a voice.

CHAIRPERSON KRIEGER: So all in favor say, "Aye."

BOARD MEMBERS: "Aye."

CHAIRPERSON KRIEGER: None opposed. Very good.

And for vice president, Member Peddiboyina, would you like to be vice president?

MEMBER PEDDIBOYINA: Yes.
21:06:25 CHAIRPERSON KRIEGER: Accepted. All right.
21:06:28 All in favor?
21:06:30 BOARD MEMBERS: "Aye."
21:06:30 CHAIRPERSON KRIEGER: None opposed.
21:06:33 And president, Brent Ferrell?
21:06:38 MEMBER FERRELL: Yes.
21:06:38 CHAIRPERSON KRIEGER: All right. All in
21:06:40 favor?
21:06:41 BOARD MEMBERS: "Aye."
21:06:44 There's our president.
21:06:44 MEMBER SANGHVI: Congratulations.
21:06:49 CHAIRPERSON KRIEGER: Any other matters?
21:06:51 For the next count, we have our mandatory
21:06:54 class that we're supposed to take for the year.
21:06:58 MS. SAARELA: You had that already. We DO
21:07:03 have some new people that would benefit from taking it.
21:07:07 CHAIRPERSON KRIEGER: All right. Motion to
21:07:09 adjourn.
21:07:09 MEMBER SANGHVI: So moved.
21:07:10 MEMBER PEDDIBOYINA: So moved.
21:07:11 CHAIRPERSON KRIEGER: All in favor. Aye?
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<td>21:07:13</td>
<td>CHAIRPERSON KRIEGER: We're adjourned.</td>
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CERTIFICATE

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 one hundred twenty-one (121) typewritten pages, is a true and correct transcript of my said stenographic notes.

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

May 13, 2019
(Date)