REGULAR MEETING - ZONING BOARD OF APPEALS

CITY OF NOVI

TUESDAY, JANUARY 9, 2018 7:00 P.M.

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

BOARD MEMBERS:

Cindy Gronachan, Chairperson
Thomas Nafso, Secretary
Linda Krieger
David M. Byrwa

ALSO PRESENT:

Thomas R. Schultz, City Attorney
Lawrence Butler, Comm. Development, Dep. Director
Katherine Oppermann, Recording Secretary

Reported by:

Darlene K. May, Certified Shorthand Reporter
Novi, Michigan

Tuesday, January 9, 2018
7:00 p.m.

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CHAIRPERSON GRONACHAN: Good evening and Happy New Year. I would like to call the January 2018 Zoning Board of Appeals meeting to order. Please rise for the Pledge of Allegiance.

(Pledge of Allegiance.)

CHAIRPERSON GRONACHAN: Please be seated. Katherine, would you please call the roll.

MS. OPPEMAN: Member Byrwa?
MEMBER BYRWA: Here.
MS. OPPEMAN: Member Ferrell is absent, excused.

Member Gronachan?
CHAIRPERSON GRONACHAN: Here.
MS. OPPEMAN: Member Krieger?
MEMBER KRIEGER: Here.
MS. OPPEMAN: Member Nafso?
MEMBER NAFSO: Here.
MS. OPPEMAN: Member Peddiboyina is absent, excused, and Chairperson Sanghvi is absent, excused.
CHAIRPERSON GRONACHAN: The Zoning Board of
Appeals is a hearing body empowered by the Novi City
Charter to hear appeals seeking variances from the
applications of the Novi Zoning Ordinance. It takes a
vote of at least four members to approve a variance
request.

This evening we have a smaller board than
usual. We usually have six members; however, due to
the flu and some vacation, we're a little shorthanded.
Therefore, any petitioner that wishes to have their
case postponed until next month may do so now.

No one wishes to have their case postponed.
Okay, moving forward. Is there any changes or
amendments to the approval of the city agenda?

MS. OPPERMAN: Case PZ17-0063 has been
postponed by the applicant until further notice.

CHAIRPERSON GRONACHAN: Okay. So that's
going to be until next month, did you say?

MS. OPPERMAN: They haven't confirmed the
next date yet.

CHAIRPERSON GRONACHAN: Okay. Thank you.

In our packet, Board Members, we had the
minutes from December of 2017. Has everyone had time
to review them and are there any changes or amendments?

Or is there a motion to approve as is?

    MEMBER NAFSO:  Approved.
    MEMBER KRIEGER:  Second.

CHAIRPERSON GRONACHAN:  It's been moved and
seconded.  All those in favor?  Aye.

    MEMBER BYRWA:  Aye.
    MEMBER KRIEGER:  Aye.
    MEMBER NAFSO:  Aye.

CHAIRPERSON GRONACHAN:  Minutes for 2017 have
been approved.

At this time, anyone in the audience that
wishes to make a comment to the board in reference to
anything other than what is in front of us this evening
may do so now, if anyone is here for any other reason
besides the cases that are on tonight's agenda.

Seeing none.  We'll move to our first case.

    PZ17-0042, Anthony M. Virga.

    Is the petitioner here?

    Yes?  No?

    Mr. Virga is not present.

    MR. SCHULTZ:  Table until the end of the

    agenda?
CHAIRPERSON GRONACHAN: Okay. So case number PZ17-0042 evidently is not present at this time and we'll table for a recall at the end of the other cases. Moving right along. PZ17-0060, Ray Kurmas, Michigan Beer Company. Is the petitioner here?

MR. KURMAS: Yes.

CHAIRPERSON GRONACHAN: Would you like to come on down?

MR. KURMAS: Yes.

CHAIRPERSON GRONACHAN: 42875 Grand River Road, Suite 104. The applicant is requesting a variance from the Novi City Code of Ordinances for the proposed installation of an approved oversized 45.83 square foot wall sign facing the parking lot in Section 28-5 for a design variance. The property is zoned Town Center.

Good evening. If you would, state your name and indicate if you're an attorney or not.

MR. KURMAS: No. I'm Raymond Kurmas.

CHAIRPERSON GRONACHAN: Okay. And would you just --

MR. KURMAS: Address is 1508 Bauman in Royal Oak, Michigan. I'm one of the owners of Michigan Beer
CHAIRPERSON GRONACHAN: Would you spell your last name for the recording secretary.

MR. KURMAS: K-u-r-m-a-s. Sorry, I have a little bit of a cold myself.

CHAIRPERSON GRONACHAN: Well, we're glad you made it in.

MR. KURMAS: Yeah.

CHAIRPERSON GRONACHAN: Thank you. And you may proceed.

MR. KURMAS: Okay. So I just want to begin with --

CHAIRPERSON GRONACHAN: I'm sorry. You need to be sworn in. I apologize.

MR. KURMAS: That's all right.

CHAIRPERSON GRONACHAN: I'm new at this. Do you swear or affirm that the testimony that you're about to give in the matter before you is the truth?

MR. KURMAS: Yes, I do.

CHAIRPERSON GRONACHAN: All right. Now you may proceed.

MR. KURMAS: All right. So I'm here today
because we had put an addition on to Michigan Beer Company, approximately, a 960 square foot wall. The sign is sitting on it now.

We also own Rojo Mexican Bistro next door to Michigan Beer Company. And we had recently closed down Duel. Duel was in Fountain Walk. It was a piano bar.

I have an entertainment license in dancing for Michigan Beer Company. So my idea was to keep Duel in Novi and relocate it to Michigan Beer Company. So we put on an addition this year and that's the purpose for the sign. The sign has actually come from Duel. So it was more cost-effective just to take the original sign that we had and move it over to the spot that it's in now.

I have about 170 feet of frontage between Michigan Beer Company and what is, now what we'd like to be, the Duel space. So the sign might be a little bit oversized compared to what the zone is, but the actual frontage of the building and what we have on that street is so minimal with the sign compared to the frontage of the wall that we were hoping to get a variance to allow us to put that sign there and leave it there.
What we're trying to do is create, you know, a district over the last three or four years by moving Rojo there, by adding Michigan Beer Company and now by moving the piano bar. We're trying to develop our own little district of downtown Novi. I'm trying to do my part in working close with the mayor and Larry Butler and everybody I can to try and, you know, promote growth, promote other businesses to come down there.

When you come down Main Street, all's you seen was, basically, an empty patio for nine months of the year. And now you see a nice, brick building with a sign on it. So, you know, when you're coming down, you see that sign.

The parking lot's in the back. We have two main entrances to Michigan Beer Company. It's very confusing to the guests when they park in the back parking lot and they pull on the door. Maybe that half is closed at the time. There's no designated entrance other than stickers on the door.

So we're just trying to create atmosphere. Create, you know, opportunity for other business owners to come down there and say, "Hey."

You know, more businesses are moving in.
We're expanding. We're trying to develop a weekend and put more money into the downtown area and do more outdoor events. Do -- and just bring different clientele down there. So I think the look of what we're going for, to me -- more shingles, more signs -- means more business, a more real downtown.

So the size of the sign I know it was an issue. But, you know, I'm just asking for that variance so we can keep the original sign that we had at Duel. It has piano keys at the bottom of it. In order for me to have the sign up there, you know, I'd have to remove those keys to make it fit and that kind of says what it is. And I think it looks great downtown.

If you look at any other sign at any other place down there, they're all different sizes. I know Alexandria's is bigger than mine is. Oishi has got two different signs. If you compare the square footage to that to there, it's a lot bigger. So there's no real set. Everybody doesn't have the same sized sign.

Michigan Beer Company, you were gracious enough to allow us a variance to put the monument sign up there. So I think it adds the look. I think it
fits. I think anything different would just not look right.

And if any of you have any questions, I'm happy to answer.

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

Seeing none.

Building department?

MR. BUTLER: No comment from the building department at this time.

CHAIRPERSON GRONACHAN: Member Nafso, is there any correspondence?

MEMBER NAFO: There were 11 letters mailed. Zero letters returned. Zero approvals. Zero objections.

CHAIRPERSON GRONACHAN: Okay. I'm going to jump right in.

MR. KURMAS: Okay.

CHAIRPERSON GRONACHAN: I'm glad that I now know where Duel was -- is. Because we lost it there for a little while.

MR. KURMAS: Yes, we did.
CHAIRPERSON GRONACHAN: And I'm just going to tell you that when we Googled it, it gives a Grand River address.

MR. KURMAS: Right.

CHAIRPERSON GRONACHAN: Which is a little misleading.

MR. KURMAS: Right.

CHAIRPERSON GRONACHAN: So then I kind of figured that this was going to be one of the cases and I wouldn't be Googling the address for very long.

MR. KURMAS: Right.

CHAIRPERSON GRONACHAN: I'm excited and I understand your case and your suggestions. I'll be honest with you, I'm kind of disappointed that you're not going with the same type of sign that you went with with the Michigan Beer Company. And the reason why is because of visibility from Grand River.

MR. KURMAS: Right.

CHAIRPERSON GRONACHAN: I'm in support of any identification for that end because there have been many changes of hands throughout the years. Those buildings have been empty and switched ownerships and it's been a long time.
But I almost wonder if we're not rushing to
that, to what really should go up there.

MR. KURMAS: Right.

CHAIRPERSON GRONACHAN: That's my thought.

To give you some thought about that.

MR. KURMAS: Right. And to answer your
question as brief as I can, you know, we wanted to get
Duel open as fast as possible. We wanted to get that
customer base back.

Fountain Walk, we've had some challenges with
Fountain Walk. The rent was extremely high. For just
having something that's open on the weekends, it just
didn't make sense for us anymore. But we wanted to
keep it in Novi. There's a market for it in Novi. I
think it's a great addition to downtown.

We had a lot of difficulty with the Michigan
Beer Company sign. So I think that kind of steered us
away from going that direction. But I'm definitely --
you know, I don't know if it's an option to approve
this sign and then later on, you know, now that we're
open, we can actually try and get another sign. I'd be
a hundred percent for that.

Because, you know, a good friend of mine,
Joe Sheldon, who is not with Novi anymore, he says he used to sit at the firehouse on a picnic table and watch tumbleweeds roll by, and it was just such a dead area.

When you look down that street, you want to see those signs. You want to see activity. And so I think a sign is important. If you come down, you know, Market Street and Main Street right there, when you hit that corner, it was just nothing. It's just a brick wall. You know, a brick building. That really signifies what it is. I'm not opposed to that. But I think something right now to signify what that space is to get our customer base back. It's been a long time coming. as Larry would know, to get that space built and to get it moved there.

So, I mean, getting it open as fast as possible and getting identified as fast as possible, I think, is our best goal.

CHAIRPERSON GRONACHAN: What is the size of the sign? The actual sign that you're putting in? And this was the sign that you're taking off of the other building?

MR. KURMAS: This is the original, at least
32 square feet. A little over 32 square feet.

CHAIRPERSON GRONACHAN: Because it says 45.83.

MR. KURMAS: Oh, with the keys, probably, yeah.

CHAIRPERSON GRONACHAN: Okay.

MR. KURMAS: Yeah, the keys at the bottom. There's keys that go along the bottom.

CHAIRPERSON GRONACHAN: Right. We have a picture of it.

MR. KURMAS: Yes. It's the same.

CHAIRPERSON GRONACHAN: Do you have a picture with you that you can put up?

MR. KURMAS: I have a picture of everybody else's. I probably do. I at least have a panoramic.

CHAIRPERSON GRONACHAN: While you're looking for that, I'm going to ask some questions of the city attorney.

MR. SCHULTZ: Good evening.

CHAIRPERSON GRONACHAN: Good evening. It's good to see you again.

MR. SCHULTZ: It's good to see you.

CHAIRPERSON GRONACHAN: I think that you know
about the sign for Michigan Beer Company. They had it protruding off the wall?

MR. SCHULTZ: Correct.

CHAIRPERSON GRONACHAN: So if there's something that we would like to give him an option down the road, is this now time to bring that up? Or just let this go and if he decides to come back, we can look at that and treat it as a separate?

MR. SCHULTZ: I think the latter. The message has been sent.

CHAIRPERSON GRONACHAN: Okay. All right. Thank you. I just wanted to make sure.

MR. SCHULTZ: Yup.

(Document displayed.)

CHAIRPERSON GRONACHAN: Okay. So that picture actually shows in my opinion -- and I don't know what the other board members are going to say. That picture does not make that sign look oversized for that layout of the building. And that's why I'm glad that you posted that. Because the picture that we have doesn't do it justice.

MR. KURMAS: Okay.

CHAIRPERSON GRONACHAN: And then when I drove
by and I was looking at things, and being that this is
at an angle and you're coming down that one street and
then you're turning — or you can you turn into the
apartment.

MR. KURMAS: Um-hmm.

CHAIRPERSON GRONACHAN: And when you're
coming down from Grand River, I'm a big proponent. I'm
a big supporter of this. I would love to see this
corner take off. So I'm not going to talk anymore
except to say congratulations.

MR. KURMAS: Thank you.

CHAIRPERSON GRONACHAN: Welcome back. And
I'm in full support.

MR. KURMAS: I appreciate that. Thank you.

CHAIRPERSON GRONACHAN: Board members?

MEMBER KRIEGER: I'm sorry. I'm not familiar
with Duel. What entertainment is that? Like the
Library Club where they do karaoke?

MR. KURMAS: No. It's a dueling pianos. So
it's an entire show. We have two shows at night. We
have an early dinner show and then a later show. The
later show is a little more adult-themed as opposed to
the jokes. But they're comedians. They're MCs. It's
a crowd-interactive piano show of dueling pianos. So it's not a band. It's pretty controlled.

I mean, we did bands there before and we got a lot of complaints from noise from the neighbors. The atrium, essentially, is a plastic and glass house. So the sound just carried. So by closing in that patio and moving the entertainment to that section, there's zero noise now. No matter how loud it gets in there. But it's definitely an interactive piano experience.

And there's dancing. They get you to come up and dance. And a lot of birthday parties and stuff like that. And it's a good banquet space for us, too, when the pianos aren't playing.

MEMBER KRIEGER: All right. Cool. Thank you.

I drove by and I agree -- so you own all of those?

MR. KURMAS: Correct.

MEMBER KRIEGER: And, of course, I saw the clock up there. It says Gus O'Connors on it. You're going to keep your clock?

MR. KURMAS: Yeah.

MEMBER KRIEGER: Can you put it with the
right time?

MR. KURMAS: I think. Yes. It still says Gus O'Connors. I think we've got to apply to get that face changed on the clock.

MEMBER KRIEGER: Okay. And then Michigan Beer and then the -- Duel. When I drove down Main Street that, yeah, it catches you, the building. And then when you see Duel, that it's proportional. So you're lucky the sign matches the Duel with the building itself.

MR. KURMAS: Right.

MEMBER KRIEGER: And then at this time, yeah, it doesn't -- if you're coming from Grand River, it doesn't jump out at you because it's against the wall but on Main Street. So I think each sign, if you want Michigan Beer, you're probably there. But then you're walking around and you might see Duel and then you might check that out or Rojos. So I'm in full support.

MR. KURMAS: Thank you.

CHAIRPERSON GRONACHAN: Thank you, Member Krieger.

MEMBER NAFSO: And just briefly, without the size being the size of the sign that you're proposing
and it being as high up as it is there, there would be
some obstruction if you're coming down Main based on
those canopies and the roof of the adjacent buildings.

MR. KURMAS: Correct.

MEMBER NAFSO: Correct?

MR. KURMAS: Yeah. And the belt that goes
around, that brick belt, that tan-colored brick belt,
had to match the existing building and that just
happened to be where it was. So it'd either have to be
kind of above that or below that. Otherwise, it would
just look weird, too. And that's up in the parapet
wall. So, you know, there's a four-foot parapet wall
there. So the total height is 22 feet. So it's a
pretty tall wall. And it's 43 feet wide. So it's a
massive wall.

But, yeah, too close to the windows. And
there's an awning over the beer garden entrance there.
And if it goes any lower, that awning will completely
block the sign.

MEMBER NAFSO: Okay. Is this a rendering or
is that ...

MR. KURMAS: That's an actual mock. That's
an actual sign. For the mockup, there's no power going
to it. It's just the actual sign we took from Fountain Walk. We had it in storage and we just bolted it up to the wall temporarily so you could look at it. But it's not permanently installed and it's not wired.

MEMBER NAFSO: Okay. When was this picture taken, roughly? Within the last couple of weeks?

MR. KURMAS: Oh, yeah. Like, I think the date is on there. Just a couple of days ago.

MEMBER NAFSO: 1-6.

MR. KURMAS: 1-6, yeah.

MEMBER NAFSO: All right. Thank you.

MR. KURMAS: You're welcome. Thank you.

CHAIRPERSON GRONACHAN: Member Byrwa, do you have anything to offer?

MEMBER BYRWA: No, I don't.

CHAIRPERSON GRONACHAN: I'll entertain a motion.

Anyone?

Member Nafso?

MEMBER NAFSO: Thank you. I move that we grant the variance in case number PZ17-0060 in regards to Ray Kurmas and Michigan Beer Company because the petitioner has shown practical difficulty requiring a
variance from the City of Novi Code of Ordinance
Section 28-5(1)(c)(d) for the proposed installation of
an approved oversized 45.83 square foot wall sign
facing the parking lot; and section 28-5(1)(c)(2)(B)
for design variance. This property is zoned Town
Center-1.

Without the variance, the petitioner will be
unreasonably prevented or limited with respect to use
of the property because of the visibility of the sign
coming down Main Street from Grand River. The property
is unique in the way that that portion of the building
is oriented in relation to the other buildings. And,
again, coming down Main Street there are several
buildings that are before it. The petitioner did not
create the condition. This building was there and
existing. And the relief granted will not unreasonably
interfere with adjacent or surrounding properties
because it is a sign that will in no way encroach on
the other buildings or any other properties. And the
relief is consistent with the spirit and intent of the
ordinance because it does not provide for a sign that
is overbearing or encroaches and it does seem to fit
nicely on that building in proportion to the remainder
of the building.

MEMBER KRIEGER: Second.

CHAIRPERSON GRONACHAN: It's been moved and seconded. Any further discussion in regards to the motion?

Seeing none, Katherine, please call the role.

MS. OPPERMAN: Member Byrwa?

MEMBER BYRWA: Yes.

MS. OPPERMAN: Chairperson Gronachan?

CHAIRPERSON GRONACHAN: Yes.

MS. OPPERMAN: Member Krieger?

MEMBER KRIEGER: Yes.

MS. OPPERMAN: Member Nafso?

MEMBER NAFSO: Yes.

MS. OPPERMAN: Motion passes.

MR. KURMAS: Thank you very much.

CHAIRPERSON GRONACHAN: Congratulations and welcome home.

MR. KURMAS: And I will definitely be coming back, too.

CHAIRPERSON GRONACHAN: And when are you opening?

MR. KURMAS: We're open. We opened two days
ago.

CHAIRPERSON GRONACHAN: Okay.

MR. KURMAS: So we're open right now.

CHAIRPERSON GRONACHAN: Our next case is PZ17-0061 Euko Design Signs.

Is the petitioner here? Okay.

On 43825 West Oaks Drive, west of Novi Road and south of Twelve Mile. The applicant is requesting a variance from the City of Novi Code of Ordinances for the proposed installation of four signs totaling 641.26 square feet, a maximum of 65 square feet allowed by code. This property is zoned RC or Regional Center.

Good evening. Are both of you going to be testifying this evening?

MR. DIACHENKO: Yes.

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

MR. DIACHENKO: Eugene Diachenko.

CHAIRPERSON GRONACHAN: Can you move up to the mic a little so they can hear you at home.

MR. DIACHENKO: Eugene Diachenko, Euko Design
Signs. Last name is D-i-a-c-h-e-n-k-o.

CHAIRPERSON GRONACHAN: Thank you.

And your name?

MS. DIACHENKO: And Eva Diachenko, D-i-a-c-h-e-n-k-o, with Euko Design Signs.

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

Do you swear or affirm to tell the truth in regards to the case before you?

MR. DIACHENKO: Yes.

MS. DIACHENKO: Yes.

CHAIRPERSON GRONACHAN: Thank you. You may proceed.

MS. DIACHENKO: We have some additional pictures that we brought along. Copies for you guys. Hard copies, if you want.

(Photos distributed.)

MS. DIACHENKO: So on behalf of Gardner-White Furniture, as you can see from the drawings that we submitted to the building department, we are requesting to install a 641.26 square foot wall sign on the east face of their building, along with three decorative squares, I would call them, which might be considered
signage. So these are approximately two feet by two feet, which would bring us to a total of 653.26 square feet of signage, minus the 65 square feet allowed by code, and that would be a variance request for 588.26 square feet of signage.

As you can see on slide two here, this is a close-up of the logo, which is Gardner-White's corporate logo. This was on the drawings that the planning department reviewed and this size was not rejected.

On slide three here, we have a close-up of how the sign will be manufactured. If there's any questions about that, we can answer that during this presentation.

When considering how large of a sign to design and install, of course we tried to work within the city code. But in this case, 65 square feet is very inadequate for their location. The lack of readability of a 65 square foot sign is important to note because it in turn could create a danger for motorists trying to read a sign to find where Gardner-White is located.

Here is an example of what a 65 square foot
sign would look like on the facade of the building. The smaller letters, "Furniture and Mattresses", would be approximately 14 inches tall, which is honestly just a little bit taller than a sheet of paper. So the readability just isn't there.

In addition to looking at what the code says for the size of the sign, we have to compare it to the previous tenant in Gardner-White's location, which was Gander Mountain. And the City records show that they had a sign that was 282 square feet. When we look at that, however, and we use the proper square foot calculation of drawing a rectangle around the entire logo and lettering, it appears that they actually had 552.78 square foot of signage. Apparently, they had measured two rectangles, as this drawing indicates, which is perhaps where they got the 282 square foot measurement there.

So when we drew out Gardner-White's logo, if we also do that and draw two rectangles around each line of copy, the square footage of the sign decreases by 89.2 square feet. So it's important to note that, because even though a sign that is 653.26 square feet may look and appear like an enormous sign on paper, it
really has a lot of negative space within the logo and, visually, it's not that large in person.

We also have to look at nearby businesses. And several of them have more than 65 square feet of signage. One in particular is two doors down from Gardner-White, and that's the Nordstrom Rack store there. And these drawings indicate that they got a variance for 189 square feet of signage on the front, plus two additional signs, 65.5 square feet. So 320 square feet of signage.

However, we also look at this ribbon element that they have on the east face of the building. Which is 299 square feet.

And here's some additional photos of that ribbon band, if you're not familiar with it.

When we take a closeup look at it, it's constructed like a sign. It has plastic faces. It's made out of metal. So it's really a modern graphic signage element on the face of this building. So if we consider that Nordstrom Rack, a neighbor two doors down, has 488 square feet of signage on the east face. And then in total, they have 619 square feet of signage. So that kind of explains where we got this
number for what size sign to put on the face of Gardner-White.

We also have a photo of the Nordstrom Rack ribbons illuminated, too, at night here, as you can see.

But more specific to where Gardner-White is located within West Oaks, their location is truly a hardship for them when it becomes -- when we consider designing signage. They're located in the southwest corner of the complex. And one of the many hardships is the distance from Novi Road.

Their location is located approximately 1,250 feet from Novi Road, from the center line. And this truly hinders peoples' visibility of the front of the building and the sign that would be on the building.

And this photo here shows the intersection of Novi Road and West Oaks Drive approaching the complex as if you're coming from Twelve Oaks Mall.

Another hardship that this location faces is the winding curve of West Oaks Drive, as you see noted on this diagram. If you drive westward towards that area, I think there's three driveways that you can turn in to the complex. But as motorists are driving
westward, if they're looking for Gardner-White, that
curve in the road really focuses their vision towards
the right towards Bed, Bath and Beyond, towards Joann
Fabrics, which is located on a higher elevation than
where Gardner-White's store front is.

And here's just a picture of the curve in
that road. And as you can see, some trees also hinder
the visibility of where a sign is on the building.

This photo shows trees that are planted going
north and south parallel to the east face of
Gardner-White's location. So this also blocks signage.
So if we had a 65 square foot wall sign, it probably
would be blocked just purely by the trees.

Here's another picture as well of the trees.

We're just asking for one sign. When we look
at the rear side of the building, there's really not as
good of a visibility on the outcome for a sign there.
And also, when we determine how traffic is flowing to
locate Gardener White, if you're driving eastbound on
West Oaks Drive, you really don't see any of the fronts
of the buildings there of Gardner-White, of David's
Bridal, of Nordstrom Rack. So we also have to keep
that in mind as far as what side of the building is
best for signage, which would be the side facing Novi Road.

This is the first driveway that you would see going eastbound on West Oaks Drive. And as you turn right here, you can see all the store fronts with the north facing signs. But the visibility for Gardner-White is not as good.

There's more trees, if you are looking from the north towards Gardner-White's location, that do block visibility for people, including these pine trees.

And the slope of the land is another hardship that they face. It just seems like all of the other businesses are located on higher grounds and that southwest corner of the complex really does go down.

Another hardship is around sunset time. It's very blinding, as you can see in this picture.

So we just want to focus on visibility. So that's why the sign is proposed at such a large size. We also need to focus on assisting the public to safely maneuver their vehicles to find Gardner-White. If it was a 65 square foot sign, they might not see it as well and they might panic and it could be a distraction.
to their driving turning into this complex. So a larger sign will allow the public adequate time to see where Gardner-White is in West Oaks and to approach it safely.

And this area is highly congested. I mean, it seems like it's within the center of the hub of Novi. It's between Twelve Oaks Mall and Fountain Walk. So we really need to focus on the visual communication with what size sign to install at this particular area. And a larger sign will truly minimize chances of accidents happening for drivers approaching it.

There's more people driving to their location, we think, than walking. If it's within an area with more sidewalks for people walking, maybe a smaller sign could work. But we really think a larger sign like this will be a benefit.

CHAIRPERSON GRONACHAN: Okay. Anything else?

MS. DIACHENKO: That's about all.

CHAIRPERSON GRONACHAN: Okay. Thank you.

MS. DIACHENKO: Unless you have more questions or any other clarifications.

CHAIRPERSON GRONACHAN: We'll get back to you on that. We'll let you know.
MS. DIACHENKO: Okay.

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

Seeing none.

Building department?

MR. BUTLER: Gardner-White is a new tenant. Yes, we do understand that. But we did take note that that is an extremely large sign and we did not support that.

CHAIRPERSON GRONACHAN: Okay. Is there any correspondence?

MEMBER NAFSO: There were 33 letters mailed. One letter returned. Zero approvals. Zero objections.

CHAIRPERSON GRONACHAN: Okay. Thank you.

Board members?

Member Krieger?

MEMBER KRIEGER: I appreciate your presentation. It was very thorough. I was looking all over the place today for where the Gardner-White sign was. I'm sorry that there wasn't a mockup so I could have a feel for it. When I was on Novi Road turning
left, I was reminded of the Sears Outlet Store and its size. The Powerhouse Gym's request. I was wondering who was going to go into Gander Mountain. Now I know.

So I'm at a difficulty at the recommendations that it's large, that there's four of them. I don't know what you want to do with the other three. That if it's like Nordstrom Rack having decoration on the squares, are they going to be decoration? Is there going to be something on it? It's not really for us to say what goes on it. But if it's four more signs of Gardner-White, I wouldn't be in support of so many. Four signs is a lot. In Novi, we don't ever really approve that many signs. So I'd appreciate more in that regard.

MS. DIACHENKO: As far as the decorative squares or the three additional signs, I guess, basically, it's just one main sign. The other three signs that we considered for signage are just two by two foot squares. There was some --

MR. DIACHENKO: It is just a G, W.

MS. DIACHENKO: There was some discussion of putting G, W, Gardner-White, on there or leaving it blank. We don't know how that would be fabricated yet
in terms of material.

MEMBER KRIEGER: And have you looked at other sizes in proportion to viewing from Novi Road to the -- you're looking toward the building or towards the main entrance area?

MS. DIACHENKO: Towards the building and main entrance. That would be where the main sign is located.

MEMBER KRIEGER: Have you looked at other sizes? If we were asking you to review sizes?

MS. DIACHENKO: We did try to look at other sizes. We felt that this size was more proportionate to the size of the building. A smaller sign just seemed a little awkward-looking. And it does utilize their corporate logo standard, which they're trying to incorporate into all their locations in Michigan.

MEMBER KRIEGER: Thank you. I'll listen to what my other members say. Thanks.

CHAIRPERSON GRONACHAN: Did you say -- is this the corporate size, this sign?

MR. DIACHENKO: Yes, it is.

CHAIRPERSON GRONACHAN: Okay. So what would be the next size down?
MR. DIACHENKO: At five foot for the cap, the large letters would still be proportionate for the building. It would reduce the square footage, obviously. Mathematically, I don't think it comes down 20 percent.

CHAIRPERSON GRONACHAN: While you're looking that up, I will concur with my previous board member that your presentation was very thorough. And I'm sure that these -- this board is very familiar with that complex. And so you know, we've reviewed various businesses that have come in and out of there through the years, but each case still is reviewed independently. So that's why I'm asking if there is another size down. What would be the next square footage down for that building?

MR. DIACHENKO: That's a five-foot level. At a five foot level -- we did do the math. And I'm sorry that we're asking for the moon and the stars on this. We do come down almost 200 square feet and that's including the negative space.

CHAIRPERSON GRONACHAN: And what would the square footage be then?

MR. DIACHENKO: We have it up on the screen.
MS. DIACHENKO: 472.37 square feet, approximately.

CHAIRPERSON GRONACHAN: I left my seeing eye dog at home. 472?

MR. DIACHENKO: Correct.

CHAIRPERSON GRONACHAN: And this sign was not entertained by anyone because the original sign is the corporate's logo?

MR. DIACHENKO: And the architectures drew that up for the proportions of the building.

CHAIRPERSON GRONACHAN: I'm going to reserve my decision on this until I hear from my board members, but you may want to entertain -- because there is no mockup; is that correct?

MR. DIACHENKO: Correct. Yeah. There was no structure there for us to have a mockup.

CHAIRPERSON GRONACHAN: Okay.

MR. DIACHENKO: They have been demo'ing the whole front of the old building.

CHAIRPERSON GRONACHAN: Okay. So maybe -- this is just a suggestion. And we can work together, maybe, with the building department to entertain the
smaller square footage, the 472 -- possibly, a table of the case. So maybe we can get a mockup of that size somewhere. And I'm sure the building department can help you because we have come across those challenges in the past.

MR. DIACHENKO: Can we do a photoshop? I'm sorry to interrupt.

CHAIRPERSON GRONACHAN: Yeah, whatever. I just come up with the ideas. They come up with the solutions.

But, perhaps that would be something better and we'd have a full board when you come back, and that would give a better picture. We want to give your business the best shot possible.

MR. DIACHENKO: Sure.

CHAIRPERSON GRONACHAN: And I think it's going to go that your request is rather large. And that's just two members out of four so far. So that's not looking really good.

MR. DIACHENKO: Okay.

CHAIRPERSON GRONACHAN: So as opposed to just going, "No, we're not going to do that," I would like to give you some options. Okay? Because we do like
new businesses in Novi and we want to support them and work with them as much as possible.

    So having said -- and, you know, I've been on this board for a long time. I'm very familiar with that center. I'm very familiar with the challenges, and we would like to see businesses stay longer than a couple of years and move out. I don't know if it's the economy. I don't know if it's the shopping trend. I don't know. I can't answer that. I'm not the marketing expert.

    But I'm not so sure that it's identification in that particular area that it would have to be 600 and some odd square foot. And in this day and age, most people Google everything. They know everything. They just Google it. We have a joke in my office. If somebody doesn't know anything, we go to Google Mary because she's got all the answers.

    So those are just some of my thoughts that you may want to entertain while we hear from the other board members.

    MR. DIACHENKO: Can we discuss it with Gardner-White, the general contractor right now? They're here.
CHAIRPERSON GRONACHAN: Oh, they are.

MR. DIACHENKO: Yes.

CHAIRPERSON GRONACHAN: Okay. So you may want to. Let's see what the other board members have to say and then we might want to maybe table it so you guys can discuss it.

MR. DIACHENKO: We have a concern with the time schedules as far as how long it takes to build a sign. And being tabled, I mean, it's 30 days later before we start on it.

CHAIRPERSON GRONACHAN: Okay. Well, let's see what the other board members have to say.

Board members, I hope you have something to say.

MEMBER NAFSO: Yeah. Just a couple of things.

I want to thank you also for the professional presentation. You did a really good job, a really thorough presentation. It's apparent you put a lot of thought into this. I think that what I have the most heartburn with is, really, this in relation to the other signs does look a little bit overpowering and overbearing compared to the other signs.
Your point about the logo on Gander Mountain, as well as the ribbon band on Nordstrom Rack is well taken. I understand what you're saying just looking at the letter of the language in the ordinance. But I think we can get those with a practical eye. I mean, I think I see a lot of differences between Gander Mountain's copy, supplemented with a logo that is similar to what you would propose putting above each of the other areas on the building, which I think is less of an issue. It's more of identification, more of that doesn't really have a bearing on the surrounding. Logos are takeaway or draw the eye directly to this logo versus those other ones.

And I'd have to say on Nordstrom Rack, I mean, when you look at that logo in relation to the surrounding facade, you don't get the feeling that it's overpowering. You look at that as almost a design element that is incorporated into the facade more than you see it as a part of the sign itself that would detract from the other surrounding businesses. So I think that that's really the perceived issue here is really how this may be much larger. And if your eyes is going toward that -- looking for that building, that
may be the only thing you see.

So I would encourage you to consider the recommendation of Member Gronachan with regard to the smaller -- considering the smaller sign size.

CHAIRPERSON GRONACHAN: Thank you, Member Nafso.

Member Byrwa, do you have anything to offer?

MEMBER BYRWA: Yes. I'm really not in favor of supporting it as submitted. I do think it's a bit excessive and I don't believe it has been demonstrated why, basically, you can't live with something a bit less. It seems to be overpowering to me.

MR. DIACHENKO: Part of our approach was none of these hardships as far as the road and setback were created by Gardner-White. They are the conditions on the property that are --

CHAIRPERSON GRONACHAN: Can you move up to your mic, please, because they can't hear you at home.

MR. DIACHENKO: Sorry. My voice is going, too.

All the conditions we discussed as far as the road, the setback, are not conditions that Gardner-White created, as far as the safety aspects for
the signage being large for readability, for safety. And also the neighbors having their graphics, in our opinion, totally not included in their signage square footage when it is a contemporary graphic.

But if we can take a brief recess and discuss it with ownership and construction, maybe we can. It should only take us a few minutes.

CHAIRPERSON GRONACHAN: I'm not worried about that. I'm just going to mark the time. So it's 7:45. How about would 10 minutes give you enough time?

MR. DIACHENKO: Yes.

CHAIRPERSON GRONACHAN: And we'll move on to the next case?

MR. DIACHENKO: Sure.

CHAIRPERSON GRONACHAN: Would that be all right?

MR. DIACHENKO: Sure. That would be great.

CHAIRPERSON GRONACHAN: So at this point, on case number PZ17-0061, I move that we grant a 15-minute conference with Gardner-White, and we will -- this board will move on to our next case.

All those in favor?

MEMBER BYRWA: Aye.
MEMBER KRIEGER: Sure.

MEMBER NAFSO: Aye.

CHAIRPERSON GRONACHAN: Okay. So we will revisit that at eight o'clock or we're done with their's.

So our next case is PZ17-0062, 4 Tech Signs, 30700 Beck Road, east of Beck and south of West Pontiac Trail.

The applicant is here?

Come on down.

The applicant is requesting a variance from the City of Novi for a three-foot height variance for the proposed installation of a nine-foot high ground sign. Six-foot height allowed by code. A variance of 48.5 square feet for the proposed installation of a 90 square foot internally LED lit sign. Maximum calculated allowed is 41.5.

Good evening. And how are you?

MR. ZACKS: Good evening. How are you?

Thank you for the opportunity to present the case.

CHAIRPERSON GRONACHAN: Would you please state your name. Spell it for our recording secretary, and then we'll swear you in, if you're not an attorney.
MR. ZACKS: My name is Michael Zacks, Z-a-c-k-s. I'm the general manager at 4 Tech Signs in Detroit, Michigan.

CHAIRPERSON GRONACHAN: All right. Would you raise your right hand, please.

Do you swear or affirm to tell the truth in the matter before you?

MR. ZACKS: I do.

CHAIRPERSON GRONACHAN: Thank you. You may proceed.

MR. ZACKS: Thank you. What you have before you is a request for signage and lighting of Beck Village Plaza. I'm sure that you're all familiar with that plaza.

I also have the owner of the plaza with me tonight. His name is Johnny Beshi. He took over ownership of the plaza in August of 2017.

For those of you who were familiar with it, it was a very distressed property. It had been rundown for a number of years, and the prior ownership hadn't paid attention to updating it, upgrading it and taking care of it in a proper fashion. In the few short months that Mr. Beshi has owned the property, he has
put in new LED parking lot overhead lighting. There are 57 lights there. When he took it over, there was only 13 that were operational. Rather than repairing it and having a mismatched system of lighting, he replaced them all at a great expense. There are now 57 operational parking lot lighting.

He put in new building fascia repairs and painted the entire fascia of all of the stores. Complete new asphalt parking lot. As opposed to patching and doing an insufficient job, he decided to cap the entire parking lot and restripe it. There's new concrete walkways in front of all the stores. They were all broken and in disrepair. The old concrete was broken up and removed and there's an entire new sidewalk along the whole frontage of all the stores. Windows were replaced in some of the units that were broken and security lighting was added in the back of the plaza because there was refuse and drug needles and paraphernalia. It was just a very rundown property.

He added a significant amount of dirt, shrub and landscaping to the property. I have a photo here of what the sign theoretically will look like. It's super imposed from the green belt front. The sign is
only 90 square feet. It's ten foot by nine foot. It
would allow for presentation of the tenants.

One of the issues and sufferings of the
tenants, and probably the reason that property was
rundown, there was a rapid turnover of tenants. One of
the reasons were not self-imposed, but the fact that
the property sits back so far from Beck Road. We've
interviewed some of the tenants there and they
constantly get feedback that people didn't even know
they were there.

The Subway said how long they'd been here?
We drive this road all the time and didn't even know
they were there. So the frontage signs, you can barely
read them from Beck Road due to the setback.

So this is the super-imposed version. We did
do a full-sized mockup at the site to give you an idea
of what that might look like in the area that we
determined would make the most sense.

This marquee would give the tenants --
there's 14 spaces there. The tenant's spaces are
actually only 10 inches by five foot. So it would just
strictly be the name of the tenant, whoever was in the
space.
You can't tell now because of the ice, rain, sleet and snow, but I'll just show you some improvements for those of you who aren't that familiar with it -- all new landscaping, all new lighting, new asphalt, new striping. The frontage restored, painted, patched where necessary, and a new drive.

I have some photos, also, of the accessory lighting to the building fascia. And, again, we think it's tasteful. We think it's aesthetically pleasing. Just hopefully draws some additional attention to the center and allows recognition of it. Again, a lot of the tenants in there over the years have suffered because they weren't recognized due to the setback.

So this gives you an idea of some of the strip lighting on just five sections of the building. And again, we thought was tastefully done, aesthetically pleasing, not garish. And we feel that the sign request and the lighting doesn't violate the spirit of the ordinance. And again, it's just 90 square foot that we're requesting for the signage.

If you have any questions for the signage, I can try to answer them. I also have the building owner, if you have any specific questions to his
ownership or the tenants.

CHAIRPERSON GRONACHAN: Okay. Thank you very much.

Is there anyone in the audience that wishes to make a comment on this case? Please come forward.

MS. KLAUSING Do you want me to go to the microphone?

CHAIRPERSON GRONACHAN: Please. There's all those thousands of people at home watching on cable. So, please step up to the mic. And you don't need to be sworn in. But if you would state your name and spell it for our recording secretary.

MS. KLAUSING My name is Carol Klausing, K-l-a-u-s-i-n-g. I live in Point Park Condominiums, which is directly behind the plaza. And I'm president of our association and I happen to own -- I live in one condo and I own four others that I rent out. And I'm trying to keep my community in very good light for the possible residents, tenants to be that we would sell our property or rent our property to.

I don't have a problem with the LED lights that go across the top of the buildings. I think that looks great. I don't have a problem with signage on
Beck Road. I don't like the fact that the sign would be so much bigger and would have individual -- the tenants of the stores, their names on the sign. I don't think that's necessary. You can see those stores very well from Beck Road.

If you go just further north, behind the CVS, the strip mall that is there, they're further off of Beck Road than this mall is and they don't have any signs out on Beck Road or on Pontiac Trail listing the individual signs -- the individual tenants that are within that building.

A sign that says the name of the plaza, people can see the plaza and they can see the names of stores from Beck Road without any problem. And I am so glad that they have cleaned up the property because it has been an eyesore. Our brick fence is between them and the property's always been a mess, and hoping we can clean it up. And if I can exchange names and phone numbers with these people, I would be more than glad to.

CHAIRPERSON GRONACHAN: Okay. Thank you.

MS. KLAUSING: Thank you.

CHAIRPERSON GRONACHAN: Do we have somebody
else in the audience?

Please come down.

Again, please state your name. Spell your last name and your address.

MR. AJLUNI: My first name is Mar, M-a-r.

Last name Ajluni, A-j-l-u-n-i.

We own the strip center next door to the proposed signage plaza here. We are the Cannes Plaza on Beck Road. I think our main address is 30900 Beck Road. That's the first tenant there.

First of all, I want to commend this gentlemen and the owners of the building for their improvements. It's very well done. However, I do object to the signage. Although we do have signage with names on them; however, we did -- when we did it, we went through the proper channels and have -- and met the ordinance of -- the sign ordinance of the city.

I don't object to having their sign; however, I do object to the variance. We would like to be at the same playing field level. And if you do approve this, that would in the future, set a precedence for other buildings in the general area to get variances. And that would be a disadvantage, we feel, with us.
Unless, then we would have to go through the whole thing. And, you know, no one wants to do that, you know.

So that is my points here. I hope you take that under consideration.

CHAIRPERSON GRONACHAN: Sir, I have a question for you.

MR. AJLUNI: Sure.

CHAIRPERSON GRONACHAN: How large is your complex?

MR. AJLUNI: Our complex is approximately the same size, I believe. We're about, let's see, between 18 and 20,000 square feet.

CHAIRPERSON GRONACHAN: And how many businesses do you have in your building right now?

MR. AJLUNI: How many tenants?

CHAIRPERSON GRONACHAN: Um-hmm. Sorry. Yes.

MR. AJLUNI: Let me count on my fingers real quick. We have the dentist. We have, what do you call it, a cleaning facility. You know, dry cleaning, Allstar Cleaners. We have Boost Mobile.

CHAIRPERSON GRONACHAN: So, like, five?
MR. AJLUNI: So we have a tailor shop. So that's five, I guess. So that's the dentist, the cleaners, Boost, the tailor, a beauty salon. That's five. Burrito King, six. A party store, seven. And Farm Grill, eight. So eight or nine.

CHAIRPERSON GRONACHAN: Thank you.

MR. ZACKS: Just for the board's edification --

CHAIRPERSON GRONACHAN: Hang on. Hang on. You'll have your opportunity.

Okay. That was my question.

MR. AJLUNI: Okay.

CHAIRPERSON GRONACHAN: Thank you for coming forward.

MR. AJLUNI: Thank you.

CHAIRPERSON GRONACHAN: Anyone else in the audience? Is there any correspondence?

MEMBER NAFSO: Yes. There were 86 letters mailed, 13 letters returned, three approvals and zero objections.

And one approval here from Scott Thomas, scott@novifarmers.com, dated January 9, 2018. And he
indicates his support for the variance. He states that he's been a residence of Novi for 25 years. That he is a big supporter of the city and the happenings in the city. He says the plaza wasn't in a very good condition and states that he's generally happy with what is happening with the property and that the current sign is well past the property entrance and doesn't show well the strip mall. A new sign is needed. It would be a plus for Novi.

In addition, there's a letter from Mary Ann -- L-o-r-e-l-w-a-r. The owner's Maid Aide, M-a-i-d, space, A-i-d-e, dated January 5, 2018. And they state they have been in business here for four years. Came to Novi and wanted to be here in Novi, chose to be in Novi. And they selected the Beck Village Plaza due to its high volume of traffic on Beck Road and Pontiac Trail and thought it would be good for visibility, but realized they didn't have a good amount of visibility and a road sign would help with the issue tremendously. They also thought it would help with other strip malls down the road, as people ask us where it is located.

And they also say that the LED lighting that
has been installed on the building, as it relates to that, they would like additional LED signs shining all over the parking lot as they spend their evening on these spots.

And then lastly, there is an E-mail dated January 3rd, 2018 from Break Time Billiards, Novi MSF.com (ph). It's signed Sam Shaffou, S-h-a-f-f-o-u. First name S-a-m.

Mr. Shaffou has been a tenant in Beck Village Plaza for the last 16 years and writes his support. He says that many clients and new customers say that they don't really know where the location is when they're driving by. And so they want to attract more paying customers and believes the most effective way is a street sign.

It will do the business a lot of good to have a new street sign, and also the lights on the building at night will also attract people to the attention of the building.

Nothing further.

CHAIRPERSON GRONACHAN: Thank you.

MS. KLAUSING: May I ask a question? Did you say how many objections there were?
CHAIRPERSON GRONACHAN: He did.

MEMBER NAFSO: There were no written objections.

MS. KLAUSING: I sent in four. I sent in five and my neighbors sent in some. They E-mailed them on Friday or Saturday.

CHAIRPERSON GRONACHAN: Do we need to pursue that? Where they're at?

MS. OPPERMAN: Yeah. I can double check to see.

CHAIRPERSON GRONACHAN: Did you E-mail them to the City of Novi, to the website?

MS. KLAUSING: Yes, I did. I E-mailed them to you. I talked to you on Friday.

MS. OPPERMAN: Okay. Yes, I remember talking to you. I'll double check my folder.

CHAIRPERSON GRONACHAN: Okay. So with that, the City, do you have anything to offer?

MR. BUTLER: Basically, the only thing that we really had an objection to was the strip lighting, which is prohibited by code and not supported.

CHAIRPERSON GRONACHAN: The strip lighting of the building?
MR. BUTLER: Yeah.

CHAIRPERSON GRONACHAN: That everybody seems to be happy about, that strip lighting?

MR. BUTLER: That strip lighting.

CHAIRPERSON GRONACHAN: Okay, thank you.

Board members?

Member Nafso?

MEMBER NAFSO: Yes. How much of a difference has -- if I understood you correctly, you said that there was LED parking lot lights, LED lighting that was added already?

MR. ZACKS: There are 57 parking lot lights. There were 13 that were actually working. So they went ahead and replaced all 57 of them.

MEMBER NAFSO: Okay. Besides the 13, is it better illumination from the ones outside of the 13? I mean, now?

MR. ZACKS: Yes. It lights up like a football field. So safety and aesthetically pleasing.

Just for the board's edification, this is a 40,000 square foot strip center and there's 14 stores there.

MEMBER NAFSO: Okay. And does that
lighting -- I mean, I think I know the answer to this. But presumably, that lighting now increases the visibility to the locations that are back in the strip center?

MR. ZACKS: Well, it adds ambient light to the surrounding parking area rather than showering light on the store fronts.

MEMBER NAFSO: Okay.

MR. ZACKS: If that's what you're asking.

MEMBER NAFSO: So it would account for light on the store fronts. So you were thinking, well, let's add the LED stream lighting?

MR. ZACKS: Correct.

MEMBER NAFSO: Okay. The only issue I think I'm having with the LED stream lighting I think is -- it's hard to take a position that it is within the spirit of the ordinance because it's just such an express provision. It's a prohibition provision that just expressly states, you know, that there shall not be this type of lighting. It's not like -- I think there's less of an issue with the street sign. And I can see the value for something that is that large or with that many tenants. And then you've articulated
well why that's within the spirit of the ordinance.

But I think that's where we're going to have the most difficulty.

I would also state that with all the great things that they're doing to the center and to the plaza, I think that it will just naturally go to create more attention even just with the lighting and the better landscaping and the thickness of the concrete. I think it's naturally going to just do much better for the center.

And also, there's currently no sign; is that correct? No sign at the curb?

MR. ZACKS: There is a small ground sign on the north end of the property, but it's, perhaps, 20 or 25. So you can't really see it.

MEMBER NAFSO: I must have missed it, then, myself.

MR. ZACKS: Right. You could easily miss it, yes.

MEMBER NAFSO: Okay. All right. That's all I have.

CHAIRPERSON GRONACHAN: Member Krieger?

MEMBER. KRIEGER: How many tenants do you
have now?

MR. BESHI: Sorry. I can answer that.

CHAIRPERSON GRONACHAN: All right. Would you please state your name.

MR. BESHI: Johnny Beshi.

CHAIRPERSON GRONACHAN: And spell your last name.

MR. BESHI: B-e-s-h-i.

CHAIRPERSON COUNSEL: Did you get that?

Would you raise your right hand and be sworn in.

Do you swear or affirm that the testimony you're about to give is the truth?

MR. BESHI: Yes, I do.

CHAIRPERSON GRONACHAN: Thank you. Now you may proceed.

MR. BESHI: Sure. There are seven tenants right now.

MEMBER KRIEGER: Seven?

MR. BESHI: Yeah.

MEMBER KRIEGER: So for the sign, as previous members were speaking, could you use a smaller sign and have -- like, in Town Center, they don't have every
single tenant having the opportunity to have the
signage, but they use the bigger ones as a draw. So
would you be able to consider shrinking your sign?

MR. BESHI: That's more of a mall. This is
more of a plaza. Most of them, my tenants are small
businesses. So I don't have, like, a Kroger or a
Meijer or a Wal-Mart or a CVS that's an anchor tenant
there that I could just put their logo there and
everybody will feed off of it. These are all anywhere
between one thousand square feet to three thousand
square feet mom and pop shops.

So that's why we made it so small to be fair
for all of our tenants. There are 14 places there.
I'm at 50 percent occupancy there. And really there
haven't been any new tenants in a long time. So that's
why that's the way we divided that sign. There's 14
small spaces there.

MEMBER KRIEGER: Would that be a prelit sign
or would that be lit as well?

MR. BESHI: Oh, yes. Yes.

MEMBER KRIEGER: Okay. I appreciate your
difficulty. I drove by there. I did see the smaller
monument sign. I could see that it was under the
MR. BESHI: Yes.

MEMBER KRIEGER: And over time it can't be helped that it would disappear. So this other sign would be more helpful. I appreciate your input into the property, with the investment into the property with the lighting and the concrete. And that by increasing lighting that diminishes -- I went for a ride-along in the '90s and it was always across the street in Wixom the problem with the Village tenants. And now it seems like it's still an issue. So I don't know with the police support between both cities that they could have more patrol, but the lighting definitely is a help there.

The only other question is for the placement of it, it didn't seem an issue for -- what's the word I want?

For the main road on Beck Road? The placement of it?

MR. BUTLER: That is 83 feet off the road.

MEMBER KRIEGER: Okay. So it's not an issue?

MR. BUTLER: Not an issue.

MEMBER KRIEGER: And then -- and then driving
by there, the speed is higher. So driving by it is --
the buildings itself are set back and then there's the
other three malls. So if you miss an entrance, there's
a potential for having to go and turn around. And with
the higher speed, I can see the necessity for a sign.
I'm just not sure about the -- nine feet high is pretty
high.

So that's where I'm at right now.

CHAIRPERSON GRONACHAN: Okay. Thank you.

I'm very familiar with that corner because my
business is not far from there. And I commend you for
the improvements that you have put in there. Because
it was not so good. I also commend the businesses that
have gone through the rough spot and that are still
there. So hats off to them for mom and pop operations.
And I think the one business said he was there for 14
years. So that's a long road and it's pretty
dedicated.

As Member Nafso spoke about the strip
lighting, I too cannot find a hardship, if you will. I
think that the strip lighting is premature. And the
reason why I think that is because that area was in
such bad shape with all the other lights broken and it
was just not anything -- it wasn't very appealing. And
now that you have changed all that, I don't see the
need for that. That strip lighting is going to bring
in five more clients or 50 more clients. I don't think
that's what the issue was. So I'm having a hard
time -- I echo about the comments of Member Nafso,
which justifying the spirit of the ordinance.

In terms of the sign, I struggle with these
because times are changing. Speeds are changing.
Traffic amount is changing. It's a different area and
I -- even though I'm struggling with it, I see the need
for it. I have listened to what everybody is saying.
And as the petitioner spoke, this is not a Kroger that
you're going to. This is 14 different businesses. And
I hope there will be 14 businesses in there.

To some of the people that are objecting, I
hear you loud and clear. But change is coming within
the city and we don't want to be holding back those
businesses. We have a business person who has invested
a large amount of money into this strip mall. It could
have stayed where it was, which would have been a real
eyesore for Novi, and it didn't. The increased
lighting, I'm sure is going to increase it.
I'm torn -- I'll be honest with you. I'm torn about reducing the size of the sign to see what the improvement of the complex is going to do. But then, if you've got seven other businesses coming in and they don't get that identification, is that going to hold you back? So that's where I'm torn.

Does that make sense?

MR. BESHI: Yes.

CHAIRPERSON GRONACHAN: So I just don't want to see that this size of the sign, that it's going to be in any kind of disrepair later on down the road, or that it's going to be half-filled. I would almost like to see it while you have -- so you have seven businesses there now?

MR. BESHI: Yes.

CHAIRPERSON GRONACHAN: That all seven businesses fill that whole sign if we're going to go with the sign. And then as you get those other tenants, adjust it. I don't know if that's possible. Is that something that you can do so it doesn't look empty?

MR. BESHI: Well, I mean, if you take a look at the sign, it's only one by five. One by five
it's ...

CHAIRPERSON GRONACHAN: Not that big.

MR. BESHI: I mean, it's not very big when you're going at 45 miles. Or I don't know what the speed limit is.

CHAIRPERSON GRONACHAN: Fast.

MR. BESHI: It's fast.

CHAIRPERSON GRONACHAN: But I'm just saying, if there was some way that you could put in all those businesses so it doesn't look empty until you get those other tenants. That's just a suggestion. Do you see what I'm saying?

MR. BESHI: I'm sure we can do that. Yes.

CHAIRPERSON GRONACHAN: Okay. So I don't want to see half of a sign for a year and a half.

MR. BESHI: We can take the retainers off and make it five by two for now to fill up the whole sign. And then when we fill up the sign -- it's going to be more expensive, of course, because we're going to have to redo the sign, you know. But I'm sure we can do that.

CHAIRPERSON GRONACHAN: Okay. That's my concern. I want the sign to represent the new and
improved.

MR. BESHI: Sure.

CHAIRPERSON GRONACHAN: That's my recommendation.

MR. BESHI: Sure. So what we could do is we could take out the dividers. Instead of having it one-by-five, we could do a two-by-five and fill in six spaces for now. And once they come in, we can take out the smaller one and put two of them there.

CHAIRPERSON GRONACHAN: Hey, you never know. Maybe Kroger's going to move there.

MR. BESHI: Maybe. From your mouth to God's ears.

CHAIRPERSON GRONACHAN: Yeah. You have to think big. I am going to support this. Those are the reasons why I'm supporting it.

I wanted to address before me, Board Members, I have been handed to me by Katherine, our secretary, the letters from Katherine Klausing. They are the same. She did file objections for each property that she owns and she did give testimony earlier. Her letters, basically, represent the same sentiment that she had. She is in objection of the three foot height
variance and the variance of the total square foot of
the sign. So I wanted to add that these letters will
be entered into the record and I wanted to address
that.

Having said all that, is there any further
discussion or questions for the petitioner? Does
anybody have anything?

MEMBER BYRWA: I would just say that I am in
favor of the sign.

The strip lighting, I definitely have issues
with the strip lighting. I don't think it's
appropriate for the area or to start a new precedent in
the city here.

CHAIRPERSON GRONACHAN: Okay. I do have a
question for the city attorney.

MR. SCHULTZ: Yes.

CHAIRPERSON GRONACHAN: Would you recommend
two separate motions at this point?

MR. SCHULTZ: Yes. One for the sign and one
for the string lighting.

CHAIRPERSON GRONACHAN: So, Board Members,
we're going to do two separate. One for the strip
lighting and then one for the sign. Whoever is going
to jump in and do that.

I see your hand raised.

Shall I flip a coin? It's a new year. Let's start. So how about one of each?

MEMBER NAFSO: You want to do the string lighting and I'll do the sign?

CHAIRPERSON GRONACHAN: Yeah. Let's do that.

MEMBER KRIEGER: In case number PZ17-0062 for 4 Tech Signs on 30700 Beck Road, east of Beck, South of Pontiac Trail, parcel number 50-22-04-100-032, in regards to Section 28-10(b)(3), the proposed installation of a 510 linear foot LED strip lighting to at this time deny the request. That the practical difficulty is not shown. That it's very new to that area and it would set a precedent for others. That at this time is not in the spirit of the ordinance. That the circumstance and features of the property are not unique. They're at the neighboring market -- businesses as well.

The circumstance features of the property relating to the variance request are self-created in that the string lighting is not necessary to make this property function. That with the lights already
installed on the building and for the back and the 
front of the parking lot, that that would be 
sustainable. And failure to grant relief will result 
in mere inconvenience or inability to obtain higher 
economic or financial return based on the petitioner's 
statements that the plaza is -- would continue because 
of installing the lights.

They put in the 57 new LED lights in front 
and back and that this will help the building. And 
variance would result in interference with adjacent and 
surrounding properties since it's string lighting. And 
it is inconsistent with the spirit and intent of the 
ordinance to have string lighting on buildings versus 
parking lot lighting.

Do I need to add something else?

MR. SCHULTZ: No. I just would note just for 
the board's information, the provision on string 
lighting, when council amended this sign ordinance last 
year, one of the things that they specifically added 
was a more clear statement than the string lighting is 
prohibited and it is not favorable. So it doesn't need 
to be added in the motion, but it just really supports 
the comments that you've made.
Thank you.

MEMBER KRIEGER: So I include that?

MR. SCHULTZ: No, you don't.

MEMBER NAFSO: So I don't have to include that information?

MR. SCHULTZ: No. Your motion is fine.

MEMBER NAFSO: Okay.

CHAIRPERSON GRONACHAN: So it's a motion. Could I have a second?

MEMBER BYRWA: Second.

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

Seeing none, Ms. Opperman, would you please call the roll.

MS. OPPERMAN: Member Byrwa?

MEMBER BYRWA: This is not approved. No.

CHAIRPERSON GRONACHAN: No. No. This is a -- we're voting to not approve it.

MEMBER BYRWA: So it would be a yes, then?

CHAIRPERSON GRONACHAN: It's a denial.

MEMBER BYRWA: Yes. It's a denial.

CHAIRPERSON GRONACHAN: Okay.

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

MS. OPPERMAN: Member Krieger?

MEMBER KRIEGER: Yes.

MS. OPPERMAN: Member Nafso?

MEMBER NAFSO: Yes.

MS. OPPERMAN: Motion passes.

CHAIRPERSON GRONACHAN: Okay. So the string lighting has been denied. We need a second motion for the sign itself.

MEMBER NAFSO: Thank you.

CHAIRPERSON GRONACHAN: Member Nafso?

MEMBER NAFSO: Thank you. I move that we grant the variance in case number PZ17-0062 sought by 4 Tech Signs for a three-foot height variance for the proposed installation of a nine-foot ground sign, six foot height allowed by the code. For a variance of 48.5 square feet for the proposed installation of a 90 square foot internally lit LED sign. The maximum calculated allowed amount is 41.5 square feet.

Because the petitioner has shown a practical difficulty without the variance, the petitioner would be unreasonably prevented or limited with respect to use of the property because there are 14 parcels on
that property and it's necessary to have a larger sign
so that those tenants can be properly displayed.

The property is unique because of the setback
of each of the individual tenants and the inability to
potentially be able to see those locations coming
either direction down Beck Road. So it's necessary to
have a larger sign.

The petitioner did not create the condition
because, as stated, the petitioner purchased the
property recently. And as a side note, the petitioner
has made several other improvements to the property.

The relief granted will not unreasonably
interfere with adjacent or surrounding properties
because this sign doesn't obstruct the view of any
other signs. The sign of the shopping center that's to
the north down Beck Road is far enough away from this
sign that it would not obstruct the view of that sign
or those tenants. And the relief is consistent with
the spirit and intent of the ordinance. Again, because
the ordinance does consider signage and it takes into
account the ability for the signage to properly reflect
the other businesses -- the tenants within the shopping
center and to not obstruct the view of other shopping
centers, which this property is consistent with.

Nothing further. Thank you.

CHAIRPERSON GRONACHAN: Thank you. It's been
moved. Is there a second?

MEMBER KRIEGER: Second.

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

Seeing none, Ms. Opperman, would you please
call the roll?

MS. OPPERMAN: Member Byrwa?

MEMBER BYRWA: Yes.

MS. OPPERMAN: Chairperson Gronachan?

CHAIRPERSON GRONACHAN: Yes.

MS. OPPERMAN: Member Krieger?

MEMBER KRIEGER: Yes.

MS. OPPERMAN: Member Nafso?

MEMBER NAFSO: Yes.

MS. OPPERMAN: Motion passes.

CHAIRPERSON GRONACHAN: Good luck. And we
hope to see you around for many years.

MR. BESHI: Thank you.

CHAIRPERSON GRONACHAN: Okay. So I see that
our members from Gardner-White have returned.
Have you had a chance to discuss this with the owners of the business?

MR. DIACHENKO: Yes.

CHAIRPERSON GRONACHAN: And what have you -- what have you concluded?

MR. DIACHENKO: We're going to go with the smaller sign.

CHAIRPERSON GRONACHAN: Okay. So you are in agreement to the 472 square foot?

MR. DIACHENKO: Correct.

CHAIRPERSON GRONACHAN: From originally requested?

MR. DIACHENKO: Correct.

CHAIRPERSON GRONACHAN: Okay.

MR. DIACHENKO: And if you -- I hate to throw this in. If you mathematically figure it out like Gander Mountain was with the negative space taken out, we were actually smaller than what we were requesting, if you interpret it that way.

If that makes sense?

MS. DIACHENKO: I guess that is something that we have to clarify with the sign code.

Are we to draw one rectangle around the
entire logo or can we separate it?

CHAIRPERSON GRONACHAN: That question is
going to have to go to the City?

MR. BUTLER: Yeah. It would have to go to
the City, yeah.

But I believe that you'd square it off. I
believe that you cited a rectangle around each
individual letter of that; is that correct?

MR. DIACHENKO: No. We drew it as one big
sign including the negative space in our initial
drawing here.

MR. BUTLER: Okay. But in your application,
you said four signs. So that was counted as one sign
and then the logo was on the --

MR. DIACHENKO: That was three logos on the
columns, yes.

MR. BUTLER: That's what was accepted, then.

CHAIRPERSON GRONACHAN: So when they go to
recalculate this, is that two squares around just this
sign, plus the logo?

MR. BUTLER: Yes.

CHAIRPERSON GRONACHAN: What would be the
final? That would be the 472?
MR. DIACHENKO: Actually, if we go with the negative space taken out, we're at 411 feet for the sign, plus the 24 feet ...
Is it 24? No.
MS. DIACHENKO: Twelve.
MR. DIACHENKO: Twelve square feet for the three logo emblems. If that makes sense.
423 square feet.
CHAIRPERSON GRONACHAN: Right.
MR. DIACHENKO: Correct.
CHAIRPERSON GRONACHAN: 423 is the final variance?
MR. SCHULTZ: And we do have an elevation with the sign to scale on that?
MR. DIACHENKO: And I can pass it around. I'm sorry, I only have one drawing.
MR. SCHULTZ: Madame Chair, can I?
CHAIRPERSON GRONACHAN: Yes. City attorney?
MR. SCHULTZ: As I read the ordinance, there is a box drawn around the entire -- all of the writing. One box.
CHAIRPERSON GRONACHAN: That's what I thought. I didn't think it was two separate boxes.
MR. SCHULTZ: So I don't know how they're calculating it.

MR. DIACHENKO: We're going back to what the drawing says.

MR. SCHULTZ: Okay. So do we know the square footage of that?

CHAIRPERSON GRONACHAN: That's what we need the square footage of. The way the ordinance reads is that the boxes have to be drawn around the whole entire --

MR. DIACHENKO: The whole, including the negative space.

CHAIRPERSON GRONACHAN: Right.

MR. DIACHENKO: So that would be the 472.37.

CHAIRPERSON GRONACHAN: That's what I thought.

MR. DIACHENKO: Plus our 12 square feet of three plaques.

MS. DIACHENKO: Which would bring us to 484.37.

CHAIRPERSON GRONACHAN: Okay. So 472.37 plus the 12 square foot?

MR. DIACHENKO: Correct.
MR. SCHULTZ: Can they clarify the height of the letters?

MR. DIACHENKO: They're at 61.7 ...

MS. DIACHENKO: Seven-nine. 61.79 for the Gardner-White.

MR. SCHULTZ: So slightly more than five feet?

MR. DIACHENKO: Correct. Two inches over five feet.

MS. DIACHENKO: And 38.26 for the furniture and mattresses.

MR. DIACHENKO: That would give us proper readability for three quarters of the distance to Novi Road.

CHAIRPERSON GRONACHAN: And do you have the mockup of the final?

MS. DIACHENKO: Yes. Do you want me to carry that around? Can you see it?

CHAIRPERSON GRONACHAN: No. You're fine where you are.

Okay. Is there any further discussion? To the city attorney, do we have all the measurements down, what we need?
MR. BUTLER: I can give you copies of this.

MR. SCHULTZ: I guess that's a question for the board. Are you comfortable with those?

CHAIRPERSON GRONACHAN: I just want to make sure you get want you need.

Board members, are we on board? No pun intended. Does anybody have any further questions?

MEMBER KRIEGER: Well, they were amenable to decreasing. So I'm okay with that.

CHAIRPERSON GRONACHAN: Okay. Good. I'm glad you're happy.

Anybody else?

MEMBER NAFSO: No.

CHAIRPERSON GRONACHAN: Okay. Is there a motion?

MEMBER KRIEGER: I move that we grant the variance request for case number for PZ17-0061, Euko Design Signs for 43825 West Oaks Drive, west of Novi Road south of Twelve Mile, parcel 50-22-15-200-101 for variance request 28-5(b)(1)(a) and 28-5(a) for the proposed installation of the sign.

The main sign being 472.37 square feet with the letters being 61.79 for Gardner-White and 38.26 for...
furniture and mattresses, and the additional 12 square feet for the three additional signs, being a total of 472.37.

484.37 square feet.

That the petitioner has shown practical difficulty. That it's not self-created by the landscaping position of the building, the topography and location of where the store is going to be at. That the petitioner will be unreasonably prevented and limited with respect to the use of the property because of its positioning in the L-shape of the building. It's in the corner and it's at a distance from the roads.

That it's unique for the same reasons. That it's not -- did not create the condition because, as previously stated through their presentation, the drive and the landscaping.

That the relief granted will not unreasonably interfere with adjacent or surrounding properties because they accepted a reduction. And the size of the sign would still be proportional and pleasing for the neighboring buildings and including the whole site.

And the relief is consistent with the spirit
and intent of the ordinance because they had a reduced request that is more near what the variance asked for.

CHAIRPERSON GRONACHAN: Do I have a second?

MEMBER BYRWA: Second.

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

Seeing none. Ms. Opperman, would you please call the roll?

MS. OPPERMAN: Member Byrwa?

MEMBER BYRWA: Yes.

MS. OPPERMAN: Chairperson Gronachan?

CHAIRPERSON GRONACHAN: Yes.

MS. OPPERMAN: Member Krieger?

MEMBER KRIEGER: Yes.

MS. OPPERMAN: Member Nafso?

MEMBER NAFSO: Yes.

MS. OPPERMAN: Motion passes.

MEMBER KRIEGER: Good luck.

MR. DIACHENKO: Thank you.

MS. DIACHENKO: Thank you.

CHAIRPERSON GRONACHAN: Good luck and welcome to Novi. And we hope you're here a long time.
And the longer you're here the more people will know that Gardner-White is here.

When do you open?

MS. DIACHENKO: Optimistically mid-March.

CHAIRPERSON GRONACHAN: Mid-March. Well, we'll be optimistic for you. How's that?

MEMBER KRIEGER: Yup.

MS. DIACHENKO: Thank you. They're telling me very optimistic.

CHAIRPERSON GRONACHAN: You're welcome.

Okay, board members, if you remember our first case, PZ17-0042 is now here at the time. And I know that the attorney is now here for the petition. If Mr. Landry would like to step down. Come on down or saunter down.

MR. LANDRY: My name is David Landry and I represent Mr. Anthony Virga. When I was last before this board, we made a presentation and had a number of photographs for this issue. This board was prepared to approve all requested variances. Every member of the board that was present voiced support for what my client was doing. A motion was made and was about to be passed. The city attorney intervened and pointed
out to the board that the City had not sent out the
proper notices with respect to this one aspect, being
the size of the pergola.

This board was prepared to approve it had it
not been for the city attorney intervening. The city
attorney was correct, the notice was not correct. So
this board had postponed this matter.

That was fine. I did not receive notice of
tonight's meeting. I am literally at home flipping
through the television channels -- I'm not going to
tell you what I was wearing -- when I see this matter
before the ZBA. I brushed my teeth, put on a coat and
tie, and rushed up here.

Now, I believe based on the minutes and the
record that this board has, that this board has
everything that it needs to approve this last variance.

However, if there's any member of this board
that has any hesitancy, I would ask that you postpone
it. We'll come back, I'll bring all the photographs
back, we'll go through everything again. I think the
board has everything. I don't know, quite frankly,
whether Member Nafso was there.

MEMBER NAFSO: I don't believe I was.
MR. LANDRY: But the minutes are there and I think the board has everything it needs. But I would merely ask if you're not prepared to do that, to postpone. I'm here to answer any questions, if Mr. Nafso has any questions about this.

It comes down to simply this: There's a pre-existing shed, enclosed shed, and my client, among other things which has already received approval, is merely putting a lattice work pergola top and he's nailing it to the shed. Technically, the city administration is taking the position that enlarges the shed. It's an enclosed shed with a pergola top. Fine. We're here asking, therefore, for a variance. Again, I think the City has -- this board has everything it needs. But if there is any question, I would ask to postpone it.

CHAIRPERSON GRONACHAN: Before you do, I have a question for Mr. Landry. Wasn't there another building that there was a discussion on about the storage?

MR. LANDRY: I believe the only matter that is left is the matter of the City's position that the pergola enlarges the size of the shed. Everything else
CHAIRPERSON GRONACHAN: Okay. And then the right-of-way?

MR. LANDRY: That I have to deal with the County on. Not the City.

CHAIRPERSON GRONACHAN: And that has not been --

MR. LANDRY: No. We're waiting for the City. So I can go to the County and say I've got everything I need from the City. But there's no sense in me going to the county, if I don't have City approval.

CHAIRPERSON GRONACHAN: Okay.

MR. LANDRY: So this is all we're waiting for from the City.

CHAIRPERSON GRONACHAN: Okay. I needed to fast forward.

Member Nafso?

MEMBER NAFSO: Yeah, I just wanted to say, I appreciate that. I had an opportunity to review this, of course, before the meeting, so I would be prepared to proceed at this time.

MR. LANDRY: That's fine with me then, if you're prepared.
CHAIRPERSON GRONACHAN: Okay. So do you have anything else to add at this point?

MR. LANDRY: Nothing to add. I don't know what you're looking at. I assume there's a report and I know the three members saw the photographs and everything else. And I believe you will recall that everyone even voiced support for this. And had it not been for the attorney intervening, which the attorney was correct, I believe it would have been approved.

CHAIRPERSON GRONACHAN: Okay. Board Members, do you --

Does the City have anything else to offer at this point?

MR. BUTLER: Nothing else to offer at this point. I'm satisfied with the information provided.

CHAIRPERSON GRONACHAN: This is a new mailing, correct?

MS. OPPERMAN: Yes. It was advertised in the papers.

MEMBER NAFSO: There were 60 letters mailed, one letter returned, zero approvals, zero objections.

CHAIRPERSON GRONACHAN: Having said that, Board Members, do you have anything to offer?
Member Byrwa?

MEMBER BYRWA: Yes. I have a question for the City. How would this be treated if it was not attached to the shed?

MR. BUTLER: Then it would be just a pergola. Because it does not increase the size of the shed.

MEMBER BYRWA: Yeah, but how does it increase the size of the shed even being attached?

MR. BUTLER: Because it's attached.

MEMBER BYRWA: There was -- a little background.

There was a publication we get from time to time. It's the Planning and Zoning News. There was a case in there about what constituted a building. All right. And to me this pergola, being that you're not protecting anything from the elements, it's more of a structure than a building. But the case in that Planning and Zoning News, it dealt with a community who had an ordinance, a maximum building height of 30 feet. And what happened was the gas station, they put up a canopy over the gas pumps at 40 feet and the community said, "Hey, you have to lower it to 30 feet. That's, you know, in our building code. The building height
can't be over 30 feet."

Well, they said, "We're not doing it. We're not lowering it." So it goes to court. And what the court ruled was that being that it protects something or someone or somebody's car from the elements, because the canopy is solid over the gas pumps, it's a building. Even though it doesn't have any walls, it's a building.

So here, we have a structure that is not protecting anybody from the elements, but just because it's attached to something that does protect something or somebody from the elements, you're deeming it as a building, which I don't necessarily agree with that. Or part of a building.

MR. SCHULTZ: If I can talk?

CHAIRPERSON GRONACHAN: Absolutely.

MR. SCHULTZ: I think we're comfortable with the building department's determination that that's part of the building because it's attached. I think what Board Member Byrwa just did was make an argument as to why he might vote for a variance. So I don't want to say that the building department is wrong and you don't consider this to be as they did. I think you
should start with the premise that the building
department has properly applied the ordinance, but
Member Byrwa may have the basis now for his
determination to grant a variance.

CHAIRPERSON GRONACHAN: Okay. Thank you.

So we are going with what the ordinance calls
for right now. And I appreciate Member Byrwa's insight
on that and I wish we all got that magazine in our
folders every month.

Having said that, is there anything else to
add?

I'm going to support this. I think that now
that -- I got to be honest with you, when you first
walked in, I had it confused with another case, even
though I read it. But that's what happens after a few
years.

I don't have -- I think there was also an
issue about the fence and the wall?

MR. LANDRY: Yes, which was approved.

CHAIRPERSON GRONACHAN: So it was just left
down to the pergola at this point?

MR. LANDRY: That's it.

CHAIRPERSON GRONACHAN: And I have no
objections to that. I think the petitioner and you
presented it well to us the last time and it is duly
noted in our minutes. And, therefore, I would support
this variance. If the other board members want to move
forward, and a motion I would entertain.

Member Krieger?

MEMBER KRIEGER: In case number PZ17-0042 for
Anthony M. Virga on 1607 East Lake Drive for parcel
number 50-22-02-355-018 for variance 3.32.10 I move to
approve the proposed 12 by 13 foot pergola on the
existing 10 by 12 foot shed for a total of 260 square
feet. That the petitioner has shown practical
difficulty requiring this as shown in their previous
presentation.

That without the variance, the petitioner
will be unreasonably prevented and limited with respect
to the use of their property because the shed was
already there and this is an enhancement.

The property is unique because of its site on
Walled Lake. That each house is unique in its location
and for visual ability. The request is not an
interference of that. The petitioner did not create
the condition because the shed was already there.
The relief granted will not unreasonably interfere with adjacent or surrounding properties because it's a minimum request and the pergola you can see through the structure. And it will also enhance, probably, the property — it will enhance property values in surrounding and adjacent neighbors.

The relief is consistent with the spirit and intent of the ordinance because the structure is a visual enhancement to the area.

MR. BUTLER: Second.

CHAIRPERSON GRONACHAN: It's been moved and seconded. Do I hear any further discussion?

Seeing none. Ms. Opperman, please call the roll.

MS. OPPERMANN: Member Byrwa?

MEMBER BYRWA: Yes.

MS. OPPERMANN: Chairperson Gronachan?

CHAIRPERSON GRONACHAN: Yes.

MS. OPPERMANN: Member Krieger?

MEMBER KRIEGER: Yes.

MS. OPPERMANN: Member Nafso?

MEMBER NAFSO: Yes.

MS. OPPERMANN: Motion passes.
MR. LANDRY: Thank you very much.

CHAIRPERSON GRONACHAN: I don't know what you were watching, but I hope you DVR'd it.

MR. LANDRY: I can go back to dinner. Thank you very much.

CHAIRPERSON GRONACHAN: Thank you. And Happy New Year.

MR. LANDRY: Thank you.

CHAIRPERSON GRONACHAN: And that concludes this evening's entertainment, ladies and gentlemen. I know we have one more person out in the audience. I think she's ...

MS. OPPERMAN: She's a guest.

Thanks for being here.

CHAIRPERSON GRONACHAN: Is there anything to add this evening?

Anything?

I would entertain a motion to adjourn.

MEMBER KRIEGER: Move.

MEMBER BYRWA: Support.

CHAIRPERSON GRONACHAN: It's been moved and supported to adjourn the meeting. The meeting is adjourned.
(At 8:40 p.m., matter concluded.)
CERTIFICATE

STATE OF MICHIGAN)

COUNTY OF OAKLAND)

I, Darlene K. May, do hereby certify that I have recorded stenographically the proceedings had and testimony taken in the above-entitled matter at the time and place hereinbefore set forth, and I do further certify that the foregoing transcript, consisting of ninety-four (94) typewritten pages, is a true and correct transcript of my said stenographic notes.

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

January 31, 2017
(Date)
FOR: City of Novi Zoning Board of Appeals  
ZONING BOARD APPEALS DATE: January 9, 2018

REGARDING: Parcels # 50-22-01-200-027, 50-22-01-200-026, 50-22-01-200-018 (PZ17-0063)

BY: Larry Butler, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant
Berkshire eSupply

Variance Type
Dimensional Variance

Property Characteristics
Zoning District: Office Service Technology
Location: West of Haggerty Road and South of Fourteen Mile Road
Parcel #: 50-22-01-200-027, 50-22-01-200-026, 50-22-01-200-018

Request
The applicant is requesting a variance from the City of Novi Code of Ordinances Sections 5.4.1 for the proposed location of a loading area in the side yard, in the interior side yard up to a total of ratio of 5 square foot per front foot of building to a total area of 360 square feet per building.
Section 28.7 for the proposed installation of a forth flag pole, two additional flag poles allowed by code.
This property is zoned Office Service Technology (OST).

II. STAFF COMMENTS:

Two additional flags poles allowed on buildings with a length greater than 200 feet

III. RECOMMENDATION:

The Zoning Board of Appeals may take one of the following actions:

1. I move that we **grant** the variance in Case No. **PZ17-0063**, sought by _____________________________, because Petitioner has shown practical difficulty requiring _____________________________.
   
   (a) Without the variance Petitioner will be unreasonably prevented or limited with respect to use of the property because _____________________________
       _____________________________
   
   (b) The property is unique because ____________________________
       ____________________________.
(c) Petitioner did not create the condition because
_____________________________________________________________________.

(d) The relief granted will not unreasonably interfere with adjacent or surrounding properties because
_____________________________________________________________________.

(e) The relief if consistent with the spirit and intent of the ordinance because
_____________________________________________________________________.

(f) The variance granted is subject to:

1. _________________________________________________.
2. _________________________________________________.
3. _________________________________________________.
4. _________________________________________________.

2. I move that we deny the variance in Case No. PZ17-0063, sought by
_____________________________________________________________________, for
_____________________________________________________________________, because Petitioner has not shown
practical difficulty requiring _____________________________________________.

(a) The circumstances and features of the property including
_____________________________________________________________________, are not unique because they
exist generally throughout the City.

(b) The circumstances and features of the property relating to the variance request are
self-created because
_____________________________________________________________________.

(c) The failure to grant relief will result in mere inconvenience or inability to attain higher
economic or financial return based on Petitioners statements that
_____________________________________________________________________.

(d) The variance would result in interference with the adjacent and surrounding properties by
_____________________________________________________________________.

(e) Granting the variance would be inconsistent with the spirit and intent of the ordinance
to
_____________________________________________________________________.

Should you have any further questions with regards to the matter please feel free to contact me at
(248) 347-0417.

Larry Butler
Deputy Director Community Development
City of Novi
I. PROPERTY INFORMATION (Address of subject ZBA Case)

PROJECT NAME / SUBDIVISION
Berkshire-eSupply HQ Building & Fulfillment Center

ADDRESS W/A
LOT/SUITE/SPACE #

SIDEWELL #
50-22- 01- 200 -027

CROSS ROADS OF PROPERTY
56 - 22-01-200-026, 50-22-01-200-018

IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION?
☐ YES ☐ NO

REQUEST IS FOR: ☐ RESIDENTIAL ☑ COMMERCIAL ☐ VACANT PROPERTY ☐ SIGNAGE

DOES YOUR APPEAL RESULT FROM A NOTICE OF VIOLATION OR CITATION ISSUED?
☐ YES ☑ NO

II. APPLICANT INFORMATION

A. APPLICANT

EMAIL ADDRESS
cfishel@pta-tools.com

NAME
Craig Fishel

ORGANIZATION/COMPANY
Berkshire eSupply

ADDRESS
8655 East 8 Mile Road

CITY
Warren

STATE
MI

ZIP CODE
48089

B. PROPERTY OWNER

☐ CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER

EMAIL ADDRESS
mmw@corepartners.net

NAME
Marlin M. Wroubel

ORGANIZATION/COMPANY
Sehn Novi LLC

ADDRESS
30100 Telegraph Rd., Ste 366

CITY
Bingham Farms

STATE
MI

ZIP CODE
48025

III. ZONING INFORMATION

A. ZONING DISTRICT

☐ R-A ☐ R-1 ☐ R-2 ☐ R-3 ☐ R-4 ☐ RM-1 ☐ RM-2 ☐ MH

☐ I-1 ☐ I-2 ☐ RC ☐ TC ☐ TC-1 ☑ OTHER OST

B. VARIANCE REQUESTED

INDICATE ORDINANCE SECTION(S) AND VARIANCE REQUESTED:

1. Section 320.2: A 5.4.1 Variance requested
2. Section 28-7 Variance requested
3. Section Variance requested
4. Section Variance requested

IV. FEES AND DRAWINGS

A. FEES

☐ Single Family Residential (Existing) $200 ☐ With Violation $250 ☐ Single Family Residential (New) $250

☐ Multiple/Commercial/Industrial $300 ☐ With Violation $400 ☐ Signs $300 ☐ (With Violation) $400

☐ House Moves $300 ☐ Special Meetings ($1 discretion of Board) $600

B. DRAWINGS

1-COPY & 1 DIGITAL COPY SUBMITTED AS A PDF

- Dimensioned Drawings and Plans
- Site/Plot Plan
- Existing or proposed buildings or addition on the property
- Number & location of all on-site parking, if applicable

Special Notice: For testing: proposing a landing area in this side yard.
for visual screening of dock, due to natural topography and distance.
to allow a forth flag pole.
V. VARIANCE

A. VARIANCE (S) REQUESTED

☐ DIMENSIONAL ☑ USE ☐ SIGN

There is a five-(5) hold period before work/action can be taken on variance approvals.

B. SIGN CASES (ONLY)

Your signature on this application indicates that you agree to install a Mock-Up Sign ten-(10) days before the scheduled ZBA meeting. Failure to install a mock-up sign may result in your case not being heard by the Board, postponed to the next scheduled ZBA meeting, or cancelled. A mock-up sign is NOT to be actual sign. Upon approval, the mock-up sign must be removed within five-(5) days of the meeting. If the case is denied, the applicant is responsible for all costs involved in the removal of the mock-up or actual sign (if erected under violation) within five-(5) days of the meeting.

C. ORDINANCE

City of Novi Ordinance, Section 3107 - Miscellaneous

No order of the Board permitting the erection of a building shall be valid for a period longer than one-(1) year, unless a building permit for such erection or alteration is obtained within such period and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

No order of the Board permitting a use of a building or premises shall be valid for a period longer than one-hundred and eighty-(180) days unless such use is established within such a period; provided, however, where such use permitted is dependent upon the erection or alteration of a building such order shall continue in force and effect if a building permit for such erection or alteration is obtained within one-(1) year and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

D. APPEAL THE DETERMINATION OF THE BUILDING OFFICIAL

PLEASE TAKE NOTICE:
The undersigned hereby appeals the determination of the Building Official / Inspector or Ordinance made

☐ CONSTRUCT NEW HOME/BUILDING ☐ ADDITION TO EXISTING HOME/BUILDING ☐ SIGNAGE

☐ ACCESSORY BUILDING ☐ USE ☐ OTHER

VI. APPLICANT & PROPERTY SIGNATURES

A. APPLICANT

[Signature]

GFO

Date: 11/10/2017

B. PROPERTY OWNER

If the applicant is not the owner, the property owner must read and sign below:
The undersigned affirms and acknowledges that he, she or they are the owner(s) of the property described in this application, and is/are aware of the contents of this application and related enclosures.

[Signature]

Agent / Member John Novi, LLC

Date: 11/12/17

VII. FOR OFFICIAL USE ONLY

DECISION ON APPEAL:

☐ GRANTED ☐ DENIED

The Building Inspector is hereby directed to issue a permit to the Applicant upon the following and conditions:

Chairperson: Zoning Board of Appeals

Date
The Zoning Board of Appeals (ZBA) will review the application package and determine if the proposed Dimensional Variance meets the required standards for approval. In the space below, and on additional paper if necessary, explain how the proposed project meets each of the following standards. (Increased costs associated with complying with the Zoning Ordinance will not be considered a basis for granting a Dimensional Variance.)

**Standard #1. Circumstances or Physical Conditions.**

Explain the circumstances or physical conditions that apply to the property that do not apply generally to other properties in the same zoning district or in the general vicinity. Circumstances or physical conditions may include:

a. **Shape of Lot.** Exceptional narrowness, shallowness or shape of a specific property in existence on the effective date of the Zoning Ordinance or amendment. **Describe below:**

   The lot has frontages on M-5, 14 Mile Road and Haggerty Road. As 14 Mile Road is being developed as the site’s frontage, M-5 and Haggerty Road are being treated as “Exterior Side Yards”. Given the size and shape of the lot / 68 Acre HQ Office and FC Property, natural topography, woodland and distance to adjacent lots and/or public roadways we request a variance for visual screening of the “side yard” loading zone per section 320.2.4.A, for the Haggerty Road Side Yard. Please refer to further explanation provided below and per Mannik-Smith Group letter dated December 8, 2017.

   **OR**

b. **Environmental Conditions.** Exceptional topographic or environmental conditions or other extraordinary situations on the land, building or structure. **Describe below:**

   **OR**

c. **Abutting Property.** The use or development of the property immediately adjacent to the subject property would prohibit the literal enforcement of the requirements of the Zoning Ordinance or would involve significant practical difficulties. **Describe below:**
**Standard #2. Not Self-Created.**
Describe the immediate practical difficulty causing the need for the Dimensional Variance, that the need for the requested variance is not the result of actions of the property owner or previous property owners (i.e., is not self-created).

The parcel is surrounded on three sides by primary roads. This and the other constraints on the site (ITC easement, Seeley Drain, extreme topography) make this a very challenging site to develop. In addition, the location of the Seeley Drain and associated high quality wetlands along the south side of the parcel restrict how trucks can be circulated throughout the site.

**Standard #3. Strict Compliance.**
Explain how the Dimensional Variance in strict compliance with regulations governing area, setback, frontage, height, bulk, density or other dimensional requirements will unreasonably prevent the property owner from using the property for a permitted purpose, or will render conformity with those regulations unnecessarily burdensome.

The Applicant's operations require separate loading areas on two sides of the building. Essentially an in/out circulation through the building allowing for a flow of materials into the site via large semis and out through the use of smaller "UPS" style delivery trucks. As the two functions can not mix cleanly within the building, and being only one side of the building can be utilized as a loading area per the ordinance, the Applicant requests a variance on the zoning ordinance restricting loading areas in a side yard setback. Due to the presence of the ITC easement, screening for a side yard loading zone is not possible to the east.

**Standard #4. Minimum Variance Necessary.**
Explain how the Dimensional Variance requested is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district.

The Applicant originally identified the large truck dock area at the northeast corner of the building but has since revised the truck docks to be in the rear yard to come as close as possible to meeting the ordinance while still allowing for the required operation. In addition the easterly side of the facility is already naturally screened by the topography and the presence of thick natural woodlands between the facility and Haggerty Road.

**Standard #5. Adverse Impact on Surrounding Area.**
Explain how the Dimensional Variance will not cause an adverse impact on surrounding property, property values, or the use and enjoyment of property in the neighborhood or zoning district.

Due to the east side of the building being 1300 feet from Haggerty Road and any adjacent land use to the east, and due to the extreme topography of the site and the presence of thick woodland over the easterly half of the site, the east side of the building will not be easily visible from properties to the east.
FOR: City of Novi Zoning Board of Appeals
ZONING BOARD APPEALS DATE: February 13, 2018

REGARDING: 23661 E Le Bost Dr, Parcels #50-22-25-151-013 (PZ17-0064)
BY: Larry Butler, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant
Alice & Jason Bertschi

Variance Type
Dimensional Variance

Property Characteristics
Zoning District: Single Family Residential (R-4).
Location: East of Meadowbrook Road and South of Ten Mile Road
Parcel #: 50-22-25-151-013

Request
The applicant is requesting a variance from the Novi Zoning Code of Ordinance Section 3.1.5 for a front yard setback of 20 feet, 30 feet minimum setback required by code and rear yard setback of 32 feet, 35 feet minimum setback required. Setbacks are for a proposed garage. This property is zoned Single Family Residential (R-4).

II. STAFF COMMENTS:

This property has a unique shaped lot.

III. RECOMMENDATION:

The Zoning Board of Appeals may take one of the following actions:

1. I move that we grant the variance in Case No. PZ17-0064, sought by _______________________________ because Petitioner has shown practical difficulty requiring _______________________________.

   (a) Without the variance Petitioner will be unreasonably prevented or limited with respect to use of the property because _______________________________.

   (b) The property is unique because _______________________________.

   (c) Petitioner did not create the condition because _______________________________.
(d) The relief granted will not unreasonably interfere with adjacent or surrounding properties because___________________________________________________.

(e) The relief if consistent with the spirit and intent of the ordinance because___________________________________________________.

(f) The variance granted is subject to:
1._________________________________________________________________.
2._________________________________________________________________.
3._________________________________________________________________.
4._________________________________________________________________.

2. I move that we deny the variance in Case No. PZ17-0064, sought by_____________________________________________________________________________, for_________________________________________________ because Petitioner has not shown practical difficulty requiring___________________________________________________.

(a) The circumstances and features of the property including_____________________________________________ are not unique because they exist generally throughout the City.

(b) The circumstances and features of the property relating to the variance request are self-created because___________________________________________________.

(c) The failure to grant relief will result in mere inconvenience or inability to attain higher economic or financial return based on Petitioners statements that__________________________________________.

(d) The variance would result in interference with the adjacent and surrounding properties by__________________________________________.

(e) Granting the variance would be inconsistent with the spirit and intent of the ordinance to_____________________________________________________.

Should you have any further questions with regards to the matter please feel free to contact me at (248) 347-0417.

Larry Butler
Deputy Director Community Development
City of Novi
ZONING BOARD OF APPEALS
APPLICATION

APPLICATION MUST BE FILLED OUT COMPLETELY

I. PROPERTY INFORMATION (Address of subject ZBA Case)

PROJECT NAME / SUBDIVISION: Willowbrook Estates 2,3

ADDRESS: 23661 Elbest

LOT/SUITE/SPACE #: 24

SIDEWELL #: May be obtained from Assessing Department (248) 347-0465

CROSS ROADS OF PROPERTY: Malott / Elbest

IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION? [X] YES ☐ NO

REQUESTS FOR: ☐ RESIDENTIAL ☐ COMMERCIAL ☐ VACANT PROPERTY ☐ SIGNAGE

DOES YOUR APPEAL RESULT FROM A NOTICE OF VIOLATION OR CITATION ISSUED? ☐ YES [X] NO

Application Fee: $200.00

Meeting Date: Feb. 13th 2018

ZBA Case #: PZ 17-0064

II. APPLICANT INFORMATION

A. APPLICANT

NAME: Alice Bertschi

EMAIL ADDRESS: jbertschi@outlook.com

CELL PHONE NO.: 810-394-2833

ADDRESS: 23661 Elbest

CITY: Novi

STATE: MI

ZIP CODE: 48375

B. PROPERTY OWNER

[☐] CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER

NAME: Jason Bertschi

ORGANIZATION/COMPANY:

EMAIL ADDRESS: jbertschi@mac.com

CELL PHONE NO.: 1-810-814-1249

ADDRESS: 142 maple st, #1307

CITY: Riverview City

STATE: CA

ZIP CODE: 94263

III. ZONING INFORMATION

A. ZONING DISTRICT

☐ R-A ☐ R-1 ☐ R-2 ☐ R-3 ☐ R-4 ☐ R-M ☐ R-M ☐ MH

☐ L-1 ☐ L-2 ☐ RC ☐ TC ☐ IC-1 ☐ OTHER

B. VARIANCE REQUESTED

INDICATE ORDOINANCE SECTION (S) AND VARIANCE REQUESTED:

1. Section 3.1.5 Variance requested

2. Section 3.1.5 Variance requested

3. Section Variance requested

4. Section Variance requested

Front Required 30' Requesting 30'

Ren Required 35' Requesting 35'

IV. FEES AND DRAWINGS

A. FEES

☒ Single Family Residential (Existing) $200 ☐ (With Violation) $250 ☐ Single Family Residential (New) $350

☒ Multi/Commercial/Industrial $300 ☐ (With Violation) $400 ☐ Signs $300 ☐ (With Violation) $400

☒ House Moves $300 ☐ Special Meetings (At discretion of Board) $600

B. DRAWINGS 1-COPY & 1 DIGITAL COPY SUBMITTED AS A PDF

☒ Dimensioned Drawings and Plans

☒ Existing & proposed distance to adjacent property lines

☒ Location of existing & proposed signs, if applicable

☒ Floor plans & elevations

☒ Number & location of all on-site parking, if applicable

☒ Any other information relevant to the Variance application

101 ZBA Application Revised 10/14
V. VARIANCE
A. VARIANCE (S) REQUESTED
☑ DIMENSIONAL ☐ USE ☐ SIGN
There is a five-(5) hold period before work/action can be taken on variance approvals.

B. SIGN CASES (ONLY)
Your signature on this application indicates that you agree to install a Mock-Up Sign ten (10) days before the schedule ZBA meeting. Failure to install a mock-up sign may result in your case not being heard by the Board, postponed to the next schedule ZBA meeting, or cancelled. A mock-up sign is NOT to be actual sign. Upon approval, the mock-up sign must be removed within five-(5) days of the meeting. If the case is denied, the applicant is responsible for all costs involved in the removal of the mock-up or actual sign (if erected under violation) within five-(5) days of the meeting.

C. ORDINANCE
City of Novi Ordinance, Section 3107 – Miscellaneous
No order of the Board permitting the erection of a building shall be valid for a period longer than one-(1) year, unless a building permit for such erection or alteration is obtained within such period and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

No order of the Board permitting a use of a building or premises shall be valid for a period longer than one-hundred and eighty-(180) days unless such use is establish within such a period; provided, however, where such use permitted is dependent upon the erection or alteration or a building such order shall continue in force and effect if a building permit for such erection or alteration is obtained within one-(1) year and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

D. APPEAL THE DETERMINATION OF THE BUILDING OFFICIAL
PLEASE TAKE NOTICE:
The undersigned hereby appeals the determination of the Building Official / Inspector or Ordinance made
☐ CONSTRUCT NEW HOME/BUILDING ☐ ADDITION TO EXISTING HOME/BUILDING ☐ SIGNAGE
☐ ACCESSORY BUILDING ☐ USE ☐ OTHER:

VI. APPLICANT & PROPERTY SIGNATURES
A. APPLICANT

[Signature]
12/16/2017

B. PROPERTY OWNER
If the applicant is not the owner, the property owner must read and sign below:
The undersigned affirms and acknowledges that he, she or they are the owner(s) of the property described in this application, and is/are aware of the contents of this application and related enclosures.

[Signature]
12/22/2017

VII. FOR OFFICIAL USE ONLY
DECISION ON APPEAL:
☐ GRANTED ☐ DENIED

The Building Inspector is hereby directed to issue a permit to the Applicant upon the following and conditions:

Chairperson, Zoning Board of Appeals
The Zoning Board of Appeals (ZBA) will review the application package and determine if the proposed Dimensional Variance meets the required standards for approval. In the space below, and on additional paper if necessary, explain how the proposed project meets each of the following standards. (Increased costs associated with complying with the Zoning Ordinance will not be considered a basis for granting a Dimensional Variance.)

**Standard #1. Circumstances or Physical Conditions.**

Explain the circumstances or physical conditions that apply to the property that do not apply generally to other properties in the same zoning district or in the general vicinity. Circumstances or physical conditions may include:

**a. Shape of Lot.** Exceptional narrowness, shallowness or shape of a specific property in existence on the effective date of the Zoning Ordinance or amendment.

- [ ] Not Applicable
- [x] Applicable

If applicable, describe below:

"This is a corner lot with irregular corners. Corner E Le Bost and Malott DR."

and/or

**b. Environmental Conditions.** Exceptional topographic or environmental conditions or other extraordinary situations on the land, building or structure.

- [ ] Not Applicable
- [ ] Applicable

If applicable, describe below:

and/or

**c. Abutting Property.** The use or development of the property immediately adjacent to the subject property would prohibit the literal enforcement of the requirements of the Zoning Ordinance or would involve significant practical difficulties.

- [ ] Not Applicable
- [ ] Applicable

If applicable, describe below:
Standard #2. Not Self-Created.
Describe the immediate practical difficulty causing the need for the Dimensional Variance, that the need for the requested variance is not the result of actions of the property owner or previous property owners (i.e., is not self-created).

The need is caused by the irregular dimensions of the property. It narrows in certain places.

Explain how the Dimensional Variance in strict compliance with regulations governing area, setback, frontage, height, bulk, density or other dimensional requirements will unreasonably prevent the property owner from using the property for a permitted purpose, or will render conformity with those regulations unnecessarily burdensome.

To be compliant, only 16' X 22' garage could be built attached to the house. This leaves 10' of the house and concrete leftover.

Explain how the Dimensional Variance requested is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district.
The home has new cement, the house and size of the garage would allow for extra storage and accommodate 2 cars.
The finished garage should add to the desirability of the neighborhood and add to property values.

Standard #5. Adverse Impact on Surrounding Area.
Explain how the Dimensional Variance will not cause an adverse impact on surrounding property, property values, or the use and enjoyment of property in the neighborhood or zoning district. The variance will not cause any adverse impact on surrounding properties. It should add to the value of surrounding properties.
LEGAL DESCRIPTION:
LOT 18—WILLOWBROOK ESTATES SUBDIVISION #2, CITY OF NOVI,
OAKLAND COUNTY, MICHIGAN. AS RECORDED IN LIBER 77, PAGES 4
OF PLATS, OAKLAND COUNTY RECORDS
PARCEL: 22-25-151-013
CLIENT: JASON BERTSCHI SURVEY#37-176 DATE:NOVEMBER 24, 2017