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1 REGULAR MEETING - ZONING BOARD OF APPEALS

2 CITY OF NOVI

3 Tuesday, September 9, 2014

4

5 Proceedings taken in the matter of the ZONING BOARD OF
6 APPEALS, at City of Novi, 45175 West Ten Mile Road, Novi,
7 Michigan, on Tuesday, September 9, 2014

8 BOARD MEMBERS

9 Brent Ferrell, Chairperson

10 Mav Sanghvi

11 Rickie Ibe

12 James Gerblick

13 Linda Krieger

14 ALSO PRESENT: Thomas Walsh, Building Official

15 Beth Saarela, City Attorney

16 Coordinator: Angela Pawlowski, Recording Secretary

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18 REPORTED BY: Jennifer L. Wall, Certified Shorthand Reporter

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1 Novi, Michigan.

2 Tuesday, September 9, 2014

3 7:00 p.m.

5

6 CHAIRPERSON FERRELL: Good
7 evening. Welcome to the ZBA meeting, regular
8 scheduled for Tuesday, September 9, 2014.

9 If I can get everybody to stand
10 for the Pledge of Allegiance to be lead by
11 Member Ibe.

12 (Pledge recited.)

13 CHAIRPERSON FERRELL: Ms. .

14 Pawlowski, can you call the roll.

15 MS. PAWLOWSKI: Member Gerblick?
16 MR. GERBLICK: Here.
17 MS. PAWLOWSKI: Member Ghannam is
18 absent, excused.

19 Member Gronachan is absent,
20 excused.

21 Member Ibe?

22 MR. IBE: Present.

23 MS. PAWLOWSKI: Member Krieger?

24 MS. KRIEGER: Present.

25 MS. PAWLOWSKI: Member Sanghvi?

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1 MR. SANGHVI: Here.

2 MS. PAWLOWSKI: Chairperson

3 Ferrell?

4 CHAIRPERSON FERRELL: Here.

5 In the back of the room there is
6 public hearing format rules of conduct, if
7 anybody needs to get a copy or didn't get
8 one.

9 We ask that you turn any
10 cellphones or pagers off at this time.

11 Onto the approval of the agenda.

12 Is there any additions or any
13 changes?

14 MS. PAWLOWSKI: No.

15 CHAIRPERSON FERRELL: Motion?

16 MR. SANGHVI: So moved.

17 MR. IBE: Second.

18 CHAIRPERSON FERRELL: Have a
19 motion and a second. All in favor say aye.

20 THE BOARD: Aye.

21 CHAIRPERSON FERRELL: Any
22 opposed?

23 (No audible responses.)

24 CHAIRPERSON FERRELL: Seeing
25 none, we have an agenda.

0005

1 Onto minutes of July 8th, 2014.

2 Any changes to that from the city or the
3 board?

4 (No audible responses.)

5 Hear a motion?

6 MR. SANGHVI: Make a motion to
7 approve the minutes as printed.

8 MR. GERBLICK: Second.

9 CHAIRPERSON FERRELL: I have a
10 motion and second. All in favor say aye.

11 THE BOARD: Aye.

12 CHAIRPERSON FERRELL: Any
13 opposed?

14 (No audible responses.)

15 CHAIRPERSON FERRELL: Seeing
16 none.

17 Open any public remarks. Anybody
18 have anything they want to say at this time
19 to the board that's not related to a case
20 that's being heard this evening?

21 (No audible responses.)

22 CHAIRPERSON FERRELL: Seeing
23 none.

24 We ask when your case is called
25 to come up -- where is everybody sitting over

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1 there. You get called up, please raise your
2 right hand be sworn in by secretary, if
3 you're not an attorney, and state and spell
4 your name for the reporter.

Case No. PZ 14-0035, 2020 Austin

6 Drive.

7 Please come up to the podium, get
8 sworn in by the secretary and state and spell
9 your name for the reporter.

10 MR. GERBLICK: Raise your right
11 hand.

14 MR. HALVENGIS: I do.

15 MR. GERBLICK: Are you going to
16 be speaking?

17 We may both.

18 MR. GERBLICK: In Case No.
19 PZ14-0035, do you swear to tell the tr

20 MR. LEVENTIS: I do.

21 MR. HALVENGIS: My name is Bill
22 Halvengis, H-a-l-v-e-n-g-i-s.

23 MR. LEVENTIS: My name is Tom
24 Leventis, L-e-v-e-n-t-i-s. I will be the one
25 doing the construction, the general

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1 contractor.

2 MR. HALVENGIS: I and my wife
3 Karla, K-a-r-l-a, are the owners of 2020
4 Austin. We presently in Novi. We live at
5 22522 Brook Forest in Novi.

6 I had lived in Austin in 1994.

7 When we got married in 2006, we moved to
8 Brook Forest and I had -- and we rent 2020,
9 and have rented it since that time.

10 What we would like to do is put
11 on a second story. At this moment, Austin is
12 about 900 or 960 or so square feet. We would
13 like to put on a second story. We would like
14 to move there. We have two sons, 14 and 16,
15 so a two bedroom 900 square foot is not going
16 to be adequate for that.

17 And so the request for this is to
18 put on a second story. It would be a four
19 bedroom, approximately 2,000 square foot
20 house and add a carport and I'm not sure what
21 other speech I'm supposed to be giving.

22 CHAIRPERSON FERRELL: Thank you.
23 Anybody else have any questions or comments
24 related to this case? Anything from the
25 city?

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1 MR. WALSH: No comments at this
2 time.

3 CHAIRPERSON FERRELL: Secretary,
4 can you read in the correspondence.

5 MR. GERBLICK: In Case No.
6 PZ14-0035, 32 notices were mailed, three

7 notices returned, one approval letter.

8 The approval letter is from Peter
9 and Adrian Elliot at 1988 Austin Drive, dated
10 September 2nd, 2014. The approval comments
11 indicate "We have no issue with the variance
12 on the building permit for 2020 Austin Drive,
13 as long as it remains a single family
14 residence and is not being extended to create
15 a duel unit rental property. Also care needs
16 to be taken to ensure that road is not
17 blocked to traffic and does not suffer from
18 surface damage, as was the case with the
19 previous construction on Austin Drive."

20 CHAIRPERSON FERRELL: Thank you.

21 Open it up to the board for discussion.

22 MR. IBE: Just a quick comment,
23 Mr. Chair.

24 CHAIRPERSON FERRELL: Yes.

25 MR. IBE: I have no problem with
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1 this. I think the construction that you --
2 back home will actually help the property
3 value in the area.

4 Since your neighbors are not
5 really concerned about it, other than traffic
6 which, of course, is something that you
7 cannot control when you're in reconstruction.

8 I'm sure you will take proper care to ensure
9 that the neighbors are not overly disturbed
10 because of the construction, so I'm sure your
11 contractor will make sure that that happens.

12 So I have no problem with that.

13 I will vote for this.

14 CHAIRPERSON FERRELL: Okay.

15 Anybody else?

16 MR. GERBLICK: I just have a
17 quick question. On that street are there any
18 other homes that have, I guess, an addition
19 to the front of the home that would decrease
20 that front yard setback to I believe it's
21 eight feet what you're requesting?

22 MR. HALVENGIS: On 2280 and 2214,
23 both of those pieces of property sit
24 approximately -- and a garage is on 2280,
25 they sit 15 feet from the actual -- from the

0010

1 road from -- for the road end, the property
2 lines, of course, is within really a couple
3 feet of that garage, and the other, 2214 is a
4 house, and that property line is probably
5 about two or three feet away from the house.

6 MR. GERBLICK: Thank you.

7 CHAIRPERSON FERRELL: Any other
8 discussion?

9 MR. HALVENGIS: All of this
10 property has an issue. You know this
11 section, it's all very, very small. I mean,
12 they're generally long and narrow. And
13 it's-- you can't do anything that would meet,
14 you know, the code on that.

15 It's all narrow and you are going
16 to need variances to put anything on it.
17 Most of the property on either side of me are
18 now two story.

19 We are now the smallest really in
20 most of that section there.

21 MR. GERBLICK: Thank you.

22 CHAIRPERSON FERRELL: Any other
23 discussion from the board?

24 MS. KRIEGER: I also am in favor
25 for it.

0011

1 I just had a question about the
2 shed, you use that for like the lawnmower?
3 In previous cases they wondered about sheds.

4 MR. LEVENTIS: It's going to be
5 built into the house. It will meet all the
6 fire codes requirements and so forth.

7 MS. KRIEGER: Thank you.

8 CHAIRPERSON FERRELL: Motion?

9 MR. GERBLICK: Case No.

PZ14-0035, I move that we grant the variances as requested, as there are unique circumstances or physical conditions of the property such as the property's narrowness and the need is not self-created, given the non-conforming structure of the existing property.

Strict compliance with regulations governing area setback, frontage or height 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.

24 The requested variance is the
25 minimum variance necessary to do substantial
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1 justice to the applicant, as well as property
2 owners in the district, and the requested
3 variance will not cause an adverse impact on
4 the surrounding property, property values or
5 the use and enjoyment of the property in the
6 neighborhood.

7 MR. SANGHVI: Second.

8 CHAIRPERSON FERRELL: Motion and
9 a second, any further discussion?

Seeing none, Ms. Pawlowski, can

11 you call the roll, please.

12 MS. PAWLOWSKI: Member Gerblick?

13 MR. GERBLICK: Yes.

14 MS. PAWLOWSKI: Member Ibe?

15 MR. IBE: Yes.

16 MS. PAWLOWSKI: Member Krieger?

17 MS. KRIEGER: Yes.

18 MS. PAWLOWSKI: Member Sanghvi?

19 MR. SANGHVI: Yes.

20 MS. PAWLOWSKI: Chairperson

21 Ferrell?

22 CHAIRPERSON FERRELL: Yes.

23 MS. PAWLOWSKI: Motion passes

24 five to zero.

25 CHAIRPERSON FERRELL:

0013

1 Congratulations.

2 Onto Case No. Case No PZ14-0036,

3 25843 Strathaven.

4 Please come forward and be sworn

5 in by the secretary.

6 MR. GERBLICK: In Case No.

7 PZ14-0036, do you swear to tell the truth?

8 MS. SCHOLTEN: Yes, I do.

9 CHAIRPERSON FERRELL: Please

10 state and spell your name.

11 MS. SCHOLTEN: My name is

12 Collette Scholton, C-o-l-l-e-t-t-e,
13 S-c-h-o-l-t-e-n.

14 I'm here basically representing
15 the owner of that lot and the builder
16 developer.

17 These lots in Pioneer Meadows, I
18 know that you've had owners appear here
19 before.

20 It is zoned for one acre lots
21 basically and all of the building lots are
22 just over a quarter of an acre. So in order
23 to build a home, we are requesting a change
24 in the setbacks.

25 Currently, the zoning is 45 feet
0014

1 front setback. We're requesting 40 feet.
2 Rear setback is currently 50, we are
3 requesting 40. And the aggregate side
4 setbacks are currently 50, we are requesting
5 41.

6 And we have the approval, as you
7 saw in your packet, from the architectural
8 control committee of Pioneer Meadows
9 subdivision, and we feel that this will only
10 enhance the property values of that area in
11 the zoning, that whole zoning district.

12 So we are requesting those

13 setbacks in order to build a home that is
14 adequate for the neighborhood.

15 CHAIRPERSON FERRELL: Okay.

16 Anybody in the audience have any questions or
17 comments pertaining to this case? Please
18 come forward and be sworn in by the secretary
19 and the state and spell your name for the
20 reporter.

21 MR. NELSON: My name is Gregory
22 Nelson. I live in Pioneer Meadows as well.

23 CHAIRPERSON FERRELL: Spell your
24 name for us.

25 MR. NELSON: G-r-e-g-o-r-y,

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1 N-e-l-s-o-n.

2 CHAIRPERSON FERRELL: Raise your
3 right hand and be sworn in by the secretary.

4 MR. GERBLICK: In Case No.

5 PZ14-0036, do you swear to tell the truth?

6 MR. NELSON: Yes.

7 I had a page I was going to
8 display, but I think since we are in this
9 room, could I hand this out tonight?

10 CHAIRPERSON FERRELL: Yes.

11 MR. NELSON: Just maybe for the
12 panel here.

13 So while you're waiting to get

14 this, what you will see here, I kind of put
15 together a little bit of history on Pioneer
16 Meadows.

17 I think as Collette indicated,
18 the lots in Pioneer Meadows are difficult to
19 build homes on with today's standard. So I'm
20 going to walk through this real quickly.

21 Point number one here is we've
22 got roughly 100, 120 lots in this
23 subdivision, most of the lots were built back
24 in the '60s or '70s. And there is about 15
25 vacant lots remaining, as you can see in

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1 point number one here.

2 Because we've had requests over
3 the past 10 to 12 years, we have done a lot
4 of work to understand the current setbacks of
5 the homes and what would fit, what may be a
6 little too big.

7 You can see here that we came up
8 and looked at the data for the current homes.
9 And the average setback is about 43 feet in
10 the front, 45 in the rear.

11 And we took that and we try to be
12 somewhat reasonable for builders that want to
13 have a bigger home today, to today's standard
14 because a lot of the homes in the Pioneer

15 Meadows are a little bit smaller, we came up
16 with a compromise and thought that 40 feet
17 front and rear setback was a big compromise.

18 I will emphasize that that's
19 minimum. So what we desire is a little bit
20 bigger, to be consistent with the current
21 homes, we did say we would allow 40 in the
22 front, 40 in the rear, for a standard lot
23 like 100 by 120, which are the majority of
24 these lots.

25 So as you can see in .2C, it

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1 allows for a bit larger home, right in -- it
2 still doesn't obstruct the views of the other
3 surrounding homes.

4 We did also update the bylaws and
5 I think some of the information we submitted,
6 you will see in there that we have made it
7 very clear that the desire of setbacks are
8 again 40 in the front, 40 in the rear
9 minimum.

10 There are times when we have
11 clear hardships, so point E talks about lot
12 15, which is in the bottom left. And that's
13 kind of an odd shaped lot, so you may or may
14 not recall, but last month there was a case
15 that came in, and you did approve that, we

16 did support that because it was an odd shaped
17 lot. We worked with the applicant to come up
18 with the home, you know, it was their design,
19 but we thought it was a good fit, so when we
20 have cases like that, we will approve them.

21 When we have homes that are on
22 standard lots, so in the case of lot 59,
23 which is tonight, you will see in the chart
24 here that we put together, you will see all
25 the pink homes are existing, the green are

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1 builds that are either new in the past 10, 15
2 years or in the case of 15 approved last
3 month, then the two blue here you will see
4 here on the agenda for tonight.

5 Lot No. 59, which was just
6 reviewed, we are in favor of. We have no
7 problem with the 40 and the 40. We think
8 it's consistent with the by-laws and you can
9 also see the other homes that are kind of
10 shaded in green there, over the past again,
11 ten years or so, we have been able to come up
12 with solutions that are consistent with a
13 minimum 40 in the front, 40 in the rear.

14 So we are here just to support
15 and appreciate the applicant working with us.
16 It took a couple of iterations, but she is

17 very cooperative, and I think came up with a
18 home we are excited to have in the
19 neighborhood with lot No. 59, so we endorse
20 the project.

21 CHAIRPERSON FERRELL: Thank you.

22 So you're only refering to lot
23 59, not 61? Is that another case?

24 MR. NELSON: 61 is another case.
25 I think it's the next case. So right now lot

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1 59.

2 CHAIRPERSON FERRELL: Thank you.

3 Anything from the city?

4 MR. WALSH: No comments.

5 CHAIRPERSON FERRELL: Any
6 correspondence?

7 MR. GERBLICK: In Case No.
8 PZ14-0036, 30 notices were mailed, zero
9 notices were returned, two approval letters
10 received and zero denial letters.

11 The approval letter from Gregory
12 M. Nelson and Ron Odenwald (ph) of the
13 Pioneer Meadows architectural committee,
14 summarized, "We request that you approve this
15 variance and thank the applicant for working
16 within the association."

17 The second approval letter, dated

18 September 2nd, 2014 from Greg Nelson at 25870
19 Strathaven, indicates approval. "Thank you
20 for the wonderful design that is 100 percent
21 compliant with the by-laws. We look forward
22 to the addition of this home in our
23 neighbourhood."

24 CHAIRPERSON FERRELL: Open it up
25 to the board for discussion.

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1 MR. SANGHVI: I have no problem
2 with the variance requested. It's a very
3 small lot. All these ordinances are made
4 after these laws were created over 30 years
5 ago. No way they comply. This is a
6 reasonable request. Thank you.

7 CHAIRPERSON FERRELL: I also
8 agree with you as well.

9 Do I hear a motion?

10 MR. IBE: I'll take it.

11 Mr. Chair, in Case No. PZ14-0036,
12 I move that the board approve the applicant's
13 request for the following reasons.

14 One, there are unique
15 circumstances regarding the physical
16 condition of the property itself, such as the
17 narrowness and the shape or topography of the
18 lot itself.

19 And that warrants for the board
20 to approve the request.

0021

1 applicant can have anything done is for a
2 variance to be granted. Therefore, the need
3 is certainly not the creation of the
4 applicants.

15 So this here, the request that's
16 being made, clearly meets with what the
17 neighborhood association actually approves.

20 surrounding property values of the use or the
21 enjoyment of the property in the neighborhood
22 or zoning district.

23 Again, a new home such as the one
24 proposed by the applicant will only enhance
25 the property values.

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1 I think in the last few years,
2 few homes have been built in this
3 subdivision, that helps the existing homes in
4 that subdivision, so granting this variance
5 will only make it better for that
6 subdivision.

7 Therefore, based on the evidence
8 presented by the applicant, the comments made
9 by the Pioneer Meadows Association and all
10 other application documentation submitted, I
11 move that we grant the variance as requested.

12 MS. KRIEGER: Second.

13 CHAIRPERSON FERRELL: Motion and
14 a second, any further discussion?

15 (No audible responses.)

16 CHAIRPERSON FERRELL: Seeing
17 none, Ms. Pawlowski, can you call the roll,
18 please.

19 MS. PAWLOWSKI: Member Gerblick?

20 MR. GERBLICK: Yes.

21 MS. PAWLOWSKI: Member Ibe?

22 MR. IBE: Yes.

23 MS. PAWLOWSKI: Member Krieger?

24 MS. KRIEGER: Yes.

25 MS. PAWLOWSKI: Member Sanghvi?

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1 MR. SANGHVI: Yes.

2 MS. PAWLOWSKI: Chairperson

3 Ferrell?

4 CHAIRPERSON FERRELL: Yes.

5 MS. PAWLOWSKI: Motion passes

6 five to zero.

7 CHAIRPERSON FERRELL: Thank you.

8 Case No. PZ-14-0037, 25885

9 Strathaven.

10 MR. GERBLICK: Case No.

11 PZ14-0037, do you swear to tell the truth?

12 MS. MCHUGH: I do.

13 CHAIRPERSON FERRELL: State and

14 spell your name.

15 MS. MCHUGH: Charlene McHugh,

16 M-c-h-u-g-h. So at the request of the

17 Pioneer Meadows architectural committee and

18 because some new information has come to

19 light to me, would it be possible to table

20 this motion until next month so I have more

21 time to confer with the architectural

22 committee?

23 MS. SAARELA: Yes.

24 MR. GERBLICK: Make a motion to
25 table the case until next month.

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1 MS. PAWLOWSKI: October 14th.

2 MR. GERBLICK: October 14
3 meeting.

4 CHAIRPERSON FERRELL: Do I hear a
5 second?

6 MR. IBE: Second.

7 CHAIRPERSON FERRELL: Hearing a
8 motion and a second, all in favor say aye.

9 THE BOARD: Aye.

10 CHAIRPERSON FERRELL: Any
11 opposed?

12 (No audible responses.)

13 CHAIRPERSON FERRELL: Seeing
14 none.

15 MS. MCHUGH: Thank you very much.

16 CHAIRPERSON FERRELL: Case No.
17 PZ14-0039, parcel 5022-32-401-044.

18 MR. GERBLICK: In Case No.

19 PZ14-0039, do you swear to tell the truth?

20 MR. WINDINGLAND: I do.

21 MR. GERBLICK: Thank you.

22 MR. WINDINGLAND: Good evening.

23 I 'm Greg Windingland with Cranbrook Talcom
24 Homes. W-i-n-d-i-n-g-l-a-n-d. It took me
25 until seventh grade to learn that.

0025

1 Good evening. Thank you for
2 allowing me to appear before you tonight. We
3 have a sign at the entrance of Mayberry Park
4 at Eight Mile Road that we would like to
5 receive an extension of the allowable time.
6 The community is past the 80 percent
7 certificate of occupancy point, which now
8 makes that sign expired.

9 We would like to request a six
10 month extension of that sign. We still have
11 two homes, two vacant home sites within the
12 community that we are marketing as well as
13 the model.

14 Once we get closer to being
15 finished there, then we would certainly pull
16 that sign out and restore that area.

17 CHAIRPERSON FERRELL: Thank you.
18 Anybody in the audience have any comments on
19 this case?

20 (No audible responses.)

21 CHAIRPERSON FERRELL: Seeing
22 none, city?

23 MR. WALSH: No comments at this

24 time.

25 CHAIRPERSON FERRELL: Any

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1 correspondence?

2 MR. GERBLICK: In Case No.

3 PZ14-0039, 50 notices were mailed, five
4 notices returned, one approval letter was
5 received and one denial letter was received.

6 The denial letter reads, from
7 Gaudino, that's G-a-u-d-i-n-o at 21029
8 Richmond Drive, dated September 8, 2014, "We
9 object because it causes additional
10 subdivision traffic which creates a safety
11 issue with all the small children in the
12 neighborhood. The benefit outweighs the risk
13 with only one lot left. We object."

14 The approval letter from Mark
15 Merncer (ph) at 21067 Mayberry Park Drive
16 dated August 23rd, 2014, indicates, "I have
17 no problem with this. It's called progress.
18 Those residential subs are going fast, this
19 is not a permanent situation, so I have no
20 problem."

21 CHAIRPERSON FERRELL: Okay. Open
22 it up to the board for discussion.

23 MR. IBE: Sir, how long have you
24 had a sign out there?

25 MR. WINDINGLAND: That's a good
0027

1 question. It expired August 10th of this
2 year.

I don't know what the original date that was installed was.

12 MR. WINDINGLAND: Yes, that is
13 correct.

14 MR. IBE: I was there last
15 weekend. I have been there quite a few
16 times. I have friends that live there. I
17 know that subdivision is quite developed,
18 so -- do you think that the sign out there
19 will make it easier for you to sell the two
20 lots that are remaining as well as the model?

21 MR. WINDINGLAND: Absolutely.

With the amount of drive-by traffic it
certainly is helpful. Also I neglected to
mention earlier. The sign has been
well-maintained. It's not neglected.

0028

1 MR. IBE: I see. Don't you have
2 a permanent sign out there already for
3 Mayberry Park? I see one when you pull up in
4 the front.

5 MR. WINDINGLAND: There is
6 permanent signage as part of the entrance
7 amenities for Mayberry Park, yes, that's
8 correct. But they are not a marketing type
9 sign.

10 MR. IBE: Do you have any other
11 kind of marketing mediums that you are using
12 other than the sign?

13 MR. WINDINGLAND: We certainly
14 have other means. We use the internet. We
15 also use radio and we use printed media.

16 MR. IBE: Do you think that
17 someone driving down Eight Mile Road and sees
18 the sign, oh, let me go there and buy a lot.

19 You think that's the best way to
20 market those two lots?

21 MR. WINDINGLAND: It's a very
22 good way to market it, again, because of the
23 traffic traveling on Eight Mile Road, they
24 see the community, they see the sign, they
25 see the community and certainly an inviting

0029

1 community, so by having the sign there, and
2 having the ability to go in and look, we do
3 think it's very beneficial.

4 MR. IBE: Well, very well. I
5 must tell you right now, based on my history
6 in the past on the board here, with
7 subdivisions that are completely built up, I
8 am not very receptive to having signs, you
9 know, the marketing signs sit out, especially
10 because you only have two lots and the model
11 itself. I think that you have a better way
12 to market those two lots, other than the
13 sign.

14 The sign definitely will not -- I
15 drive past that place quite a few times to go
16 to the sports park down the street as well as
17 friends that live at Tuscany, as well as your
18 place, never even noticed that sign out
19 there.

20 So really if you had one, I had
21 no way of knowing it because I see the
22 permanent sign all the time.

23 Based on my -- on the history of
24 that other places completely developed
25 really, I have a problem until I hear from

0030

1 the other members as to whether I will be in

2 support of this or not.

3 Thank you, sir.

4 CHAIRPERSON FERRELL: Any others?

5 MS. KRIEGER: I also was opposed,
6 but you had mentioned six months, so I would
7 be allowable to let you have it for six
8 months.

9 But then because it's 80 percent
10 occupied to have it removed after that for
11 sure.

12 MR. WINDINGLAND: Mr. Chairman,
13 may I respond?

14 CHAIRPERSON FERRELL: Absolutely.

15 MR. WINDINGLAND: With that, if
16 we are able to have the six months put it on
17 record, I will not come back and ask for
18 another extension to that. I certainly would
19 not insult you folks by doing that.

20 The six month period would very
21 likely help us to sell those last two
22 remaining home sites.

23 The other issue is, sir, you
24 mentioned, or you questioned how long that
25 sign had been up.

0031

1 When we first obtained Mayberry
2 Park, it was during the recession, so part of

3 that time was still just getting traction.
4 Certainly we have had success recently, but
5 part of the time that that sign has been up
6 was during a very challenging time, so maybe
7 that's part of the reason for the extended
8 period.

9 But certainly six months would be
10 wonderful and I will not come back and ask
11 for an extension beyond that.

12 MR. IBE: Supposing that a
13 developer would come in there, still
14 interested in adding some additional tax base
15 for the city, that also would be an
16 inclination if someone drives by, they're
17 looking for a house for sale versus an
18 unfinished development, that would is why, my
19 thinking, to allow them to have the six
20 months as well. That's it.

21 CHAIRPERSON FERRELL: Yes?

22 MR. GERBLICK: Sir, so we have
23 pretty strict standards, I would say, about
24 what we are able to pass here as a board and
25 what we are not.

0032

1 Other than a higher economic
2 return by selling these two properties, what
3 other unique or exceptional conditions are

4 there to the property that would allow us to
5 grant the sign?

6 MR. WINDINGLAND: Your first
7 letter that you read, the letter of
8 objection, cited objecting to the sign
9 because of increased traffic, as I believe
10 you guys discussed with the first applicant
11 tonight, there was also a concern about
12 safety on the roads and construction,
13 traffic, things like that.

14 The reality is at some point
15 those two home sites will be built, whether
16 it's within the next several months, whether
17 it's a couple years down the road, so at some
18 point there is going to be that construction
19 traffic.

20 Our view would be, let's get that
21 construction traffic in, let's get it over
22 with, let's get the community 100 percent
23 done and get us out of there.

24 So, I guess to the first letter
25 of objection, we pound into our trades

0033

1 traffic safety, cleanliness, all those type
2 of things.

3 Building a house obviously is a
4 messy, noisy process, but I think the sooner

5 we can build those two homes and be out of
6 the community entirely, is -- obviously it's
7 a financial benefit to us, but I think it's a
8 benefit to the community of Mayberry Park by
9 having their community 100 percent completed.

10 MR. GERBLICK: All right. Thank
11 you.

12 CHAIRPERSON FERRELL: Any further
13 discussion?

14 MR. SANGHVI: Apart from not
15 being able to sell without the sign, what is
16 your hardship?

17 I'm not quite convinced by your
18 hardship for this sign.

19 MR. WINDINGLAND: The hardship is
20 just the delay-ability to sell these two home
21 sites.

22 MR. SANGHVI: That's marketing.
23 Thank you.

24 CHAIRPERSON FERRELL: Any other
25 discussion?

0034

1 MR. NELSON: Is it possible to
2 talk? I mean, you kind went by the audience
3 feedback, if not, I understand.

4 CHAIRPERSON FERRELL: Are you
5 part of this subdivision?

6 MR. NELSON: No. I'm part of the
7 city. If not, I understand, no problem.

8 CHAIRPERSON FERRELL: If you can
9 limit what you say.

10 You are still sworn in, just so
11 you know.

12 MR. NELSON: I need to swear
13 again or no?

14 CHAIRPERSON FERRELL: No.

15 MR. NELSON: It's interesting
16 when I heard this because it kind of struck a
17 bit of a cord with me.

18 So there is a sign on the
19 southwest corner of Beck and Eleven Mile for
20 Asberry Park. I got to tell you, as an 18
21 year resident, every time I drive by that
22 sign, it just looks like clutter to me.

23 So it reminded me that I needed
24 to call because I think periodically to find
25 out, you know, what's the state of that

0035

1 subdivision. I look forward to the day that
2 that sign can be taken down because it's
3 just -- I take pride in keeping my home and
4 the city and the surroundings free of, you
5 know, distractions.

6 So I have nothing else against

7 this person's sign, but just as a resident, I
8 want to tell you, that I don't support those
9 signs staying up, you know, longer than
10 necessary.

11 I just think it distracts from
12 the city.

13 CHAIRPERSON FERRELL: Thank you.

14 Any more discussion?

15 My comments, I'm in favor for the
16 six months, that would be my limit. And I
17 definitely would not approve it if you came
18 back.

19 MR. WINDINGLAND: I won't be
20 back.

21 CHAIRPERSON FERRELL: Other than
22 that --

23 MR. GERBLICK: So, sir, in order
24 to pass a motion here, you would need a
25 quorum, which I believe is four members.

0036

1 I'm not sure we are quite there.
2 We would be happy to take a vote and see
3 where we're at.

4 Would you like us to proceed with
5 taking a vote?

6 MS. SAARELA: I just want to
7 clarify for a sign variance, you just need a

8 majority of the present.

9 MR. GERBLICK: So three.

10 I can make a motion. In Case No.

11 PZ14-0039, I move that we grant the requested
12 variance for the six month period or until
13 the properties sell, whichever is sooner.

14 The requested variance is based
15 on circumstances or features that are
16 exceptional or unique to the property and do
17 not result in conditions that generally exist
18 in the city, or that are self-created, given
19 the location of the subdivision on Eight
20 Mile, the traffic, which is quite heavy on
21 Eight Mile, and the location of these
22 properties within that community.

23 The failure to grant relief will
24 unreasonably prevent or limit the use of the
25 property or will result in substantially more

0037

1 than a mere inconvenience or inability to
2 attain a higher economic return.

3 The grant of relief will not
4 result in a use of the structure that is
5 incompatible with or unreasonably interferes
6 with adjacent or surrounding properties, and
7 will result in substantial justice being done
8 to both the applicant and adjacent or

9 surrounding properties and is not
10 inconsistent with the spirit of the
11 ordinance.

12 MS. KRIEGER: Second.

13 CHAIRPERSON FERRELL: Motion and
14 a second, any further discussion?

15 (No audible responses.)

16 CHAIRPERSON FERRELL: Seeing
17 none, Ms. Pawlowski will you call the roll,
18 please.

19 MS. PAWLOWSKI: Member Gerblick?

20 MR. GERBLICK: Yes.

21 MS. PAWLOWSKI: Member Ibe?

22 MR. IBE: Yes.

23 MS. PAWLOWSKI: Member Krieger?

24 MS. KRIEGER: Yes.

25 MS. PAWLOWSKI: Member Sanghvi?

0038

1 MR. SANGHVI: No.

2 MS. PAWLOWSKI: Chairperson
3 Ferrell?

4 CHAIRPERSON FERRELL: Yes.

5 MS. PAWLOWSKI: Motion passes
6 four to one.

7 MR. WINDINGLAND: Thank you,
8 folks. Good evening.

9 CHAIRPERSON FERRELL: Moving onto

10 Case No. PZ14-0040, 27793 Novi Road, Eyeglass
11 World.

12 MR. GERBLICK: In Case No.
13 PZ14-0040, do you swear to tell the truth?

14 MR. HUYGE: My name is Patrick
15 Huyge, H-u-y-g-e. I work for Site
16 Enhancement Services located at 6001 Mince
17 Parkway, South~Bend, Indiana 46628.

18 I am here tonight representing
19 Eyeglass World. We are requesting a third
20 sign on a building where only one is allowed.

21 We are actually here -- back in
22 December -- I actually was here in December
23 of 2013 to request a second wall sign for the
24 property.

25 We feel that this sign is
0039

1 necessary in order to make actually the
2 building look nicer.

3 If you look at and drive by the
4 building right now, it almost looks
5 unoccupied, and quite honestly, it looks out
6 of place because the blank facade and
7 actually the two blank facades, I should say
8 that one faces West Oaks Road, one faces the
9 parking lot.

10 In our original request, back in

11 December we felt that one wall sign that we
12 were requesting on the north elevation, which
13 actually is our entrance to our building
14 would help, not only with the business
15 itself, but also make the building look a
16 little nicer and we thought that would be the
17 minimum relief necessary in order to properly
18 advertise this site.

19 This request is to give motorists
20 who are coming in on West Oaks Drive a little
21 advance notification and make the building
22 not look so unoccupied.

23 Does the board have artwork? I
24 have artwork with me, if you don't mind me
25 passing it out.

0040

1 CHAIRPERSON FERRELL: Not at all.
2 MR. HUYGE: Still keep it brief
3 and we will just walk through it.

4 I will walk you guys through the
5 artwork.

6 If you turn to page two, what we
7 have done is we've taken the site plan and
8 showed obviously where we are within the
9 existing shopping center and showed the
10 proposed sign. It is a 22 square foot sign,
11 22.25 square feet, excuse me.

12 So we feel that, you know, this
13 is the minimum relief necessary in order --
14 in regards to the square footage, to make the
15 sign legible, but also make the building look
16 occupied, and I know within the city of Novi,
17 obviously you want to keep buildings looking
18 nice and keep the property values up and we
19 feel that a blank looking building actually
20 might deter from people within the city.

21 So this request is to not only
22 put up a sign to give motorists that
23 notification that Eyeglass World is here, but
24 also make the building look a little more
25 little nice. Excuse me. And less

0041

1 unoccupied.

2 In conclusion, we have others
3 within the surrounding corridor that have
4 similar circumstances, such as the Starbucks
5 and Jared which have three wall signs on
6 their building. Obviously two is Jared and
7 one is Starbucks, if I'm not mistaken.

8 And then also driving throughout
9 the corridor there is the Sears outlet, which
10 is right around the corner from our proposed
11 location, they have three wall signs, one
12 facing each parking lot that they have.

13 Then there is also the Gander
14 Mountain, which is just off West Oaks Drive
15 there kitty-corner from the ABC Warehouse,
16 which has a wall sign facing their parking
17 lot. Then also a wall sign facing West Oaks
18 Drive.

19 I know that, you know, in order
20 to have the variance granted the board has to
21 see a hardship.

22 We feel there is a hardship here
23 in regards to our building looking rather
24 blank and unoccupied. And it is unique in
25 the fact that we're a freestanding building

0042

1 within the shopping center whereas most
2 everybody else within that shopping center is
3 an in-line tenant, which only has one
4 frontage whereas we have three.

5 And others within the surrounding
6 corridor have similar circumstances and have
7 similar signage to what's being requested, so
8 we feel that this will not -- will not hurt
9 the corridor and will actually fit in with
10 others in the surrounding corridor.

11 Thank you for your time and I'm
12 happy to answer any questions you may have at
13 this time.

14 CHAIRPERSON FERRELL: Thank you.

15 Anybody in the audience have any comments or
16 questions?

17 (No audible responses.)

18 CHAIRPERSON FERRELL: Seeing
19 none, secretary, can you read any
20 correspondence.

21 MR. GERBLICK: In Case No.
22 PZ14-0040, 38 notices were mailed, two
23 notices returned, zero approval letters and
24 zero denials.

25 CHAIRPERSON FERRELL: Anything
0043

1 from the city?

2 MR. WALSH: No comments.

3 CHAIRPERSON FERRELL: Open it up
4 to the board.

5 MS. KRIEGER: In this case, I
6 can't support the request for a third sign
7 because you came back for the second one, so
8 now it's a matter of where do you want those
9 two signs to get your best advantage. Not
10 have the third sign.

11 Because diamond -- I believe we
12 have turned that one down for Jared. They
13 might have had that diamond shape on the west
14 side, but they only have the two Jared

15 diamond and they chose where they want to put
16 those two signs.

17 So I believe the same thing
18 should go for here, is that you wanted -- if
19 you want -- which way you want it faced, or
20 get the attention of is the drive or by the
21 stores, that's a matter for you to discuss,
22 but, I'm sorry, I can't support the third
23 sign.

24 MR. HUYGE: May I respond?

25 MS. KRIEGER: You may.

0044

1 MR. HUYGE: In response to that,
2 Jared actually has frontage along Novi Road
3 where we are within the shopping center, so
4 the only traffic we are really going to get
5 is somebody who is driving along West Oaks
6 Drive or has turned in off Novi Road.

7 This sign will help people who
8 are on West Oaks Drive know that this
9 building is occupied. Without this third
10 sign that we are requesting, it will look
11 unoccupied.

12 Now, the placement of the two
13 signs we have right now, one is over the
14 entrance of the building in the number one --
15 in the signage industry, the number one rule

16 for businesses is you got to have a sign over
17 your entrance. That's actually the variance
18 we requested in December was to have a sign
19 over our entrance because our code allowed
20 sign actually faces that drive aisle, which
21 is directly east of our property.

22 We felt that, you know,
23 obviously, the code allowed sign is -- we are
24 going to utilize that because obviously it's
25 allowed by code.

0045

1 We wanted to utilize this sign
2 over the front of our -- over the entrance
3 because like I stated, you got to have a sign
4 over the entrance to your building to notify
5 it.

6 Now, the third sign is something
7 that's needed for motorists coming the other
8 way.

9 Now, Jared is a different unique
10 circumstance, in the fact that their traffic
11 is coming from Novi Road.

12 We have traffic coming from
13 different sections and different roadways.

14 MS. KRIEGER: I appreciate your
15 comments.

16 I have a question regarding

17 something. They have a sign by right. That
18 sign by right, can they put it anywhere on
19 that building or I know they want to intend
20 to put one over their door, entrance.

21 MR. WALSH: Just the one sign,
22 yes, by right.

23 MS. KRIEGER: Can go anywhere?

24 MR. WALSH: Yes, just one sign.

25 MR. HUYGE: Right, we are allowed
0046

1 one sign. When we actually brought that up,
2 when we started permitting the sign, we were
3 told that we cannot put it over the entrance.

4 Because that's exactly what we
5 would have done and not requested the
6 variance in 2013.

7 But when we had correspondence
8 with the city, we were told that the sign
9 that we were allowed by code can only face
10 the artillery drive directly east of our
11 building.

12 MR. WALSH: I would have to look.

13 MR. HUYGE: Otherwise we would
14 have just to put a sign over the front of our
15 entrance and not even put a sign along the
16 artillery drive directly east.

17 MR. GERBLICK: Sir, based on

18 those comments, if that east facing sign that
19 you are saying you never really wanted, was
20 able to be moved to the south facing facade,
21 would that solve your hardship or
22 inconvenience?

23 MR. HUYGE: It wouldn't solve the
24 hardship in the fact the building looks
25 unoccupied. And we still wouldn't have that

0047

1 visibility along -- from West Oaks Drive, the
2 motorists who are turning left onto West Oaks
3 Drive into the shopping center there, would
4 see no signs on a building, which, in
5 essence, makes it look unoccupied.

6 Now, the sign on the side serves
7 a purpose for motorists turning in from off
8 of Novi Road.

9 My comment, what I meant, I guess
10 I should clarify. Was given the choice of
11 having the sign over our entrance, or having
12 the sign over the side of our side -- side
13 face that artillery drive, Eyeglass World
14 would have chosen over their entrance.

15 So if that would have been the
16 code allowed option, that would have been
17 what they would have done.

18 Now, hypothetically speaking

19 obviously, if that was allowed, we would have
20 put the sign over the front, over the
21 entrance. I don't know if they would have
22 wanted us to come back and request a variance
23 along the side.

24 Obviously that's a hypothetical
25 situation that I do not know the answer to
0048
1 unfortunately.

2 MR. GERBLICK: Appreciate your
3 honesty. Thank you.

4 MS. KRIEGER: Yours has a sign
5 three -- the one facing west -- is there one
6 on the west building, west side.

7 CHAIRPERSON FERRELL: I got a
8 question. So if you were to put a sign on
9 the north and south side of the building --

10 MR. HUYGE: Correct, so the north
11 elevation, which is where our entrance, the
12 south is where we are requesting tonight.

13 CHAIRPERSON FERRELL: So if you
14 took the sign that you have on the east side,
15 that you're not really sure you guys even
16 wanted, you put it on the south, I guess I'm
17 confused, unless you can explain it to me,
18 how do you not see that sign if you pull into
19 the parking lot by the strip mall part, or if

20 you pull in say where like the Art Van and
21 Jared is and you come down that way, I think
22 anywhere you're at on those two spots you're
23 going to see something on that building.

24 MR. HUYGE: No. Without -- you
25 mean on the north and south?

0049

1 CHAIRPERSON FERRELL: On the
2 north and south, if you just switched that
3 east one and put it on the south, you had
4 them both there, north and south -- anyway
5 you come in, I feel like you would see the
6 sign no matter where you're at.

7 MR. HUYGE: So if we come off --
8 come in -- if a motorist turns in off of Novi
9 Road there, that sign on the south elevation
10 is actually parallel. So that sign wouldn't
11 necessarily be visible to a motorist who
12 is --

13 CHAIRPERSON FERRELL: You
14 wouldn't really see your sign until you got
15 kind of close to anyway because Jared would
16 kind of block your view as to make that turn,
17 you have to be kind of close to your
18 building.

19 MR. HUYGE: Jared?

20 CHAIRPERSON FERRELL: You know

21 where Jared is on the corner?

22 MR. HUYGE: Isn't Jared off on
23 Novi Road there, all the way over to the
24 east?

25 CHAIRPERSON FERRELL: Yes.

0050

1 MR. HUYGE: So as a motorists
2 turns left off of Novi --let's say a motorist
3 is heading north on Novi Road --

4 CHAIRPERSON FERRELL: What I'm
5 saying, if you come off here onto that strip
6 here, you put a sign on the south part of the
7 building, how are you not going to see that
8 if you're driving right here?

9 MR. HUYGE: Because it's parallel
10 and that building setback is only -- I mean,
11 I wish I had a number, but that building
12 setback is not far away from that driveway.

13 CHAIRPERSON FERRELL: Like if
14 somebody is driving through there, they
15 happened to see your building, are they going
16 to go, oh, there is an eyeglass place, I'm
17 going to go there. Or are they already going
18 to know that you're there to come to your
19 place. You know what I'm saying. It's not
20 like you're a retail store.

21 MR. HUYGE: Where you rely on

22 impulse purchases.

23 CHAIRPERSON FERRELL: When you
24 get close enough to the building, you would
25 be able to see the sign and know, okay, next
0051

1 time I'll make an appointment to go here, eye
2 doctor, get my glasses so I know where the
3 building is at.

4 I don't really feel you would
5 need to have that much exposure with your
6 signage to actually go to an eyeglass place.

7 MR. HUYGE: I understand your
8 concerns and kind of our thinking here is we
9 are trying to get those motorists who are
10 along West Oaks Drive who might not
11 necessarily get to the east side of the
12 shopping center. If they don't get to the
13 east side of the shopping center right now,
14 they don't know that's an Eyeglass World.

15 I understand, you know, Novi is a
16 small town, you have -- but it is a
17 destination.

18 CHAIRPERSON FERRELL: But when
19 you come off this road, you're almost right
20 by your building before you can turn in.
21 There is an entrance right here to get into
22 this parking lot. So you are pretty close.

23 I kind of feel you would see it from there.
24 I would have to actually go to
25 really tell. I feel like from being in that
0052

1 area quite a bit, that you would still kind
2 of see it. If you pull in off the upper
3 part, I think anywhere in here you're going
4 to see it.

5 MR. HUYGE: You're going to see
6 the northern wall sign.

7 CHAIRPERSON FERRELL: I think
8 without a problem. I think having three
9 signs, in my opinion, may be a little to
10 much. We are kind of big of not having like
11 a ton of signs.

12 MR. HUYGE: I know sign clutter
13 definitely -- we just felt like each sign
14 serves a unique purpose in the fact, you
15 know, each way somebody is coming in or
16 approaching the building, we would like to
17 have that visibility. And I completely
18 understand your concerns at the same time.

19 MS. SAARELA: We don't see
20 anything that would limit it from being over
21 the main entrance.

22 CHAIRPERSON FERRELL: So they
23 could put it -- it already is over the main

24 entrance anyway?

25 MR. WALSH: Yes.

0053

1 MR. HUYGE: Can I clarify what we
2 were told then?

3 CHAIRPERSON FERRELL: Yes, go
4 ahead.

5 MR. HUYGE: Yes, because we have
6 frontage along that access drive, we had to
7 put our code allowed sign along that
8 frontage, even though our entrance faced the
9 the parking lot. That's what we were told.
10 I know. It might not be what the code
11 states. We tried making that argument as
12 well. But that was the ruling we got.

13 MR. IBE: Well, based on what
14 you've said, sir, I think that regardless
15 of -- I think you have a sign already over
16 your front entrance, which is really the most
17 important.

18 Now, the one facing the parking
19 lot, it's just a parking lot. If somebody is
20 going to pull up to an Eyeglass World and see
21 a sign on the front door, they are not going
22 to pull up into the parking lot and say, oh,
23 wow, that's not the same building, my eyes
24 must be deceiving me. That should be a good

25 marketing tool for you.

0054

1 So, based on that, I don't think
2 you need a third sign. I think you have just
3 been offered two. And I know way -- I don't
4 need the eyeglasses, but I have seen the
5 sign. The parking lot is not a distraction.
6 Your view of it is very visible and the color
7 that you have for your sign, I mean, it's
8 really beautiful. I don't think a third line
9 will serve you any good.

10 Unfortunately, I don't believe I
11 would be in support of it. We have a very
12 strict standard regarding signs. And what
13 stops you from asking for a fourth sign,
14 after all, you have the four corners. I mean
15 you could ask for a fourth one this week.

16 MR. HUYGE: We wouldn't have an
17 argument for that.

18 MR. IBE: I don't believe you
19 have showed any exceptional and unique
20 reasons why this should be granted, and based
21 on that, I'm simply not going to be in favor
22 of it. Thank you.

23 CHAIRPERSON FERRELL: Any further
24 discussion? Ready for a motion.

25 MR. IBE: Mr. Chair, in Case No.

0055

1 PZ14-0040, Eyeglass World, located at 27793
2 Novi Road, I move that we deny the
3 applicant's request for the following
4 reasons, that one, the applicant has not or
5 has failed to show circumstances of features
6 that are exceptional, unique to the property,
7 and that do not currently exist in the city.

8 And also the applicant's request
9 is more of something that is self-created.
10 The applicant is asking for a third sign that
11 is not really necessary. The applicant is
12 entitled to one sign, however, the applicant
13 was given a second sign to allow for more
14 visibility.

15 Now the applicant comes to us,
16 and asks for a third one that the applicant
17 feels is necessary.

18 However, suggestions have been
19 made to the applicant that they can move a
20 current sign, the second line they have
21 facing the parking lot to the south elevation
22 where they currently are requesting a new
23 sign.

24 Also failure to grant relief will
25 not prevent this applicant from using the

0056

1 property as intended.

2 And finally the grant of relief
3 is consistent with the zoning ordinance and
4 will also do substantial justice to the
5 surrounding property in the area.

6 Based on this and based on the
7 presentation made by the applicant, based on
8 the arguments presented by the members, as
9 well as the documents that was submitted by
10 the applicant, I move that we deny the
11 applicant's request.

12 MR. SANGHVI: Second.

13 CHAIRPERSON FERRELL: Motion and
14 a second. Any further discussion?

15 (NO audible responses.)

16 CHAIRPERSON FERRELL: Ms.
17 Pawlowski, can you call the roll, please.

18 MS. PAWLOWSKI: Member Gerblick?

19 MR. GERBLICK: Yes.

20 MS. PAWLOWSKI: Member Ibe?

21 MR. IBE: Yes.

22 MS. PAWLOWSKI: Member Krieger?

23 MS. KRIEGER: Yes.

24 MS. PAWLOWSKI: Member Sanghvi?

25 MR. SANGHVI: Yes.

0057

1 MS. PAWLOWSKI: Chairperson

2 Ferrell?

3 CHAIRPERSON FERRELL: Yes.

4 MS. PAWLOWSKI: Motion passes

5 five to zero.

6 MR. HUYGE: Can I ask for a
7 clarification. In the motion, was stated --
8 I guess are we allowed to move the sign then?

9 MR. WALSH: It all depends on how
10 the previous motion was made.

11 MR. HUYGE: We have to pull up
12 the previous minutes.

13 MS. SAARELA: Yes.

14 MR. HUYGE: Thank you for your
15 time. It is appreciated.

16 CHAIRPERSON FERRELL: Any other
17 matters?

18 MS. KRIEGER: Regarding the sign
19 that the Pioneer Meadows person, wasn't that
20 for Asberry, didn't we fail that then
21 Mr. Bosco allowed the sign to be put on his
22 property?

23 MR. WALSH: Not sure.

24 MR. IBE: That's the one on
25 Eleven Mile Road.

0058

1 MS. KRIEGER: I think we denied
2 it.

3 MR. IBE: That's been there
4 forever.

5 MS. KRIEGER: I believe we denied
6 it.

7 MR. IBE: It's a big eyesore.

8 CHAIRPERSON FERRELL: Any other
9 matters?

10 MS. KRIEGER: No. Thank you.

11 CHAIRPERSON FERRELL: Anything
12 else from the board?

13 MR. GERBLICK: Motion to adjourn.

14 MR. SANGHVI: Second.

15 CHAIRPERSON FERRELL: Motion and
16 a second, all in favor say aye.

17 THE BOARD: Aye.

18 CHAIRPERSON FERRELL: Any
19 opposed?

20 (No audible responses.)

21 CHAIRPERSON FERRELL: Seeing
22 none, we are adjourned.

23 (The meeting was adjourned at 7:57 p.m.)

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1 STATE OF MICHIGAN)
2) ss.
3 COUNTY OF OAKLAND)

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

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

17 IN WITNESS THEREOF, I have hereunto set my hand at the
18 City of Walled Lake, County of Oakland, State of Michigan.

19

20

21

Date Jennifer L. Wall CSR-4183

22 Oakland County, Michigan

My Commission Expires 11/12/15

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