## Meeting 09/09/2025

1	REGULAR MEETING - ZONING BOARD OF APPEALS
2	CITY OF NOVI
3	Tuesday, September 9, 2025
4	Council Chambers/Novi Civic Center
5	41725 Novi Road
6	Novi, Michigan
7	
8	BOARD MEMBERS:
9	
10	W. Clift Montague, Chairperson Linda Krieger, Member
11	Mike Longo, Secretary Michael Thompson, Member Joe Samona, Member
12	ABSENT EXCUSED: Siddharth Mav Sanghvi, Member Joe Peddiboyina, Member
14	ALSO PRESENT:
15 16	Elizabeth Saarela, City Attorney Alan Hall, Deputy Community Development
17	Director Sarah Fletcher, Recording Secretary Megan Nardone, Recording Secretary
18	REPORTED BY:
19	Melinda R. Womack
20	Certified Shorthand Reporter
21	
22	
23	
24	
25	



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- 1 CHAIRPERSON MONTAGUE: I'd like to call
- 2 to order the Zoning Board of Appeals meeting for
- 3 Tuesday, September 9th.
- 4 (Pledge of Allegiance recited)
- 5 CHAIRPERSON MONTAGUE: Thank you, sir.
- 6 Roll call, please.
- 7 MS. NARDONE: Member Samona?
- 8 MEMBER SAMONA: Here.
- 9 MS. NARDONE: Chairperson Montague?
- 10 CHAIRPERSON MONTAGUE: Here.
- 11 MS. NARDONE: Member Sanghvi, absent
- 12 excused. Member Thompson?
- 13 MEMBER THOMPSON: Here.
- MS. NARDONE: Member Peddiboyina,
- 15 absent excused. Member Longo?
- 16 MEMBER LONGO: Present.
- 17 MS. NARDONE: Member Krieger?
- 18 MEMBER KRIEGER: Here.
- MS. NARDONE: Thank you. We have a
- 20 quorum.
- 21 CHAIRPERSON MONTAGUE: I'd like to
- 22 start off with the format rules and conduct and
- 23 start with reading a little announcement for
- 24 everyone to hear. Take a moment to address an
- 25 issue that's recently come to the attention of the



- 1 Board. Several individuals have reported
- 2 receiving fraudulent emails that appear to come
- 3 from the City of Novi. These emails include fake
- 4 invoices or payment requests in a design to
- 5 collect personal or financial information. Please
- 6 note, the City of Novi does not send invoices or
- 7 request payments via email. Any such messages
- 8 should be treated as suspicious. If you receive
- 9 one of these emails, do not click on any of the
- 10 links or reply. Instead, please contact city
- 11 staff, recording secretary, or the building
- 12 official so the matter can be reported and
- investigated appropriately. We appreciate your
- 14 vigilance as we continue to ensure security and
- 15 trustworthy communication within our community and
- 16 our Board.
- 17 Rules of conduct. We ask everybody to
- 18 please turn off your cell phones or put them on
- 19 silent. Looks like we have four cases tonight.
- 20 The applicants will be given a chance to speak,
- 21 address their needs. They'll have ten minutes.
- 22 Anyone in the audience that would like to address
- 23 another case will have two minutes and ask to be
- 24 recognized, please, by the Board. There are -- I
- 25 must note there are only five tonight, which means



- 1 on the kind of cases we have tonight, two denials
- 2 will effectively deny your case. So if you're
- 3 worried about that, I would suggest you ask to be
- 4 postponed. Only two votes tonight will
- 5 effectively deny your case. With that, do we have
- 6 any changes to the agenda?
- 7 MR. HALL: No, sir.
- 8 CHAIRPERSON MONTAGUE: Then I will
- 9 entertain a motion to approve the agenda.
- 10 MEMBER KRIEGER: I move to approve the
- 11 agenda for this evening.
- 12 MEMBER LONGO: I second.
- 13 CHAIRPERSON MONTAGUE: All in favor say
- 14 aye.
- 15 THE BOARD: Aye.
- 16 CHAIRPERSON MONTAGUE: Any nays? Okay.
- 17 The agenda is approved. Approval of the minutes
- 18 from last month's meeting?
- 19 MEMBER SAMONA: Mr. Chair, I have a
- 20 correction to the minutes. The minutes omit the
- 21 motion made by Dr. Sanghvi in the case PZ25-0041
- 22 prior to me making a motion to postpone. To the
- 23 best of my knowledge, Dr. Sanghvi had made a
- 24 motion to approve, and I looked at it, for the
- 25 life of me, and I could not see that Dr. Sanghvi's



- 1 motion to approve. So I just ask that the minutes
- 2 be corrected and move that I would make a motion
- 3 to approve as amended.
- 4 MS. NARDONE: Yes. I will look into
- 5 that, okay?
- 6 MEMBER LONGO: I second.
- 7 CHAIRPERSON MONTAGUE: All in favor?
- 8 MEMBER KRIEGER: I was looking for it,
- 9 on page 59 line 13, when it came around back from
- 10 the back, is when I came around back from the back
- 11 you could really, etcetera. Thank you.
- 12 MS. NARDONE: I will also look into
- 13 that. Yes.
- 14 CHAIRPERSON MONTAGUE: Thank you. All
- 15 right.
- MEMBER SAMONA: Motion to approve as
- 17 amended.
- 18 MEMBER LONGO: Second.
- 19 CHAIRPERSON MONTAGUE: All in favor,
- 20 aye, please.
- THE BOARD: Aye.
- 22 CHAIRPERSON MONTAGUE: Any opposed?
- 23 All right. With that, the minutes as amended are
- 24 approved. So do we have any -- we have a little
- 25 bit of time for anyone from the public to have any



- 1 general comments, not a comment on a case. Does
- 2 anyone in the audience have a general comment that
- 3 they would like to make? All right. Seeing none,
- 4 we will move forward.
- 5 The first case of the night.
- 6 PZ25-0032, Brian Sears. The applicant is
- 7 requesting a variance from the City of Novi Zoning
- 8 Ordinance Section 5.11.1.A.ii to allow a 6 foot
- 9 fence in the interior side yard setback on the
- 10 north and west property lines (not permitted for
- 11 this property). The property is zoned One-Family
- 12 Residential (R-1). Is the applicant here? Step
- 13 forward, please. State your name. Spell your
- 14 name.
- MR. SEARS: My name is Brian Sears,
- 16 B-R-I-A-N, S-E-A-R-S.
- 17 MEMBER LONGO: Brian, are you an
- 18 attorney?
- MR. SEARS: No.
- 20 MEMBER LONGO: Do you promise to tell
- 21 the truth in this case?
- MR. SEARS: Yes.
- 23 MEMBER LONGO: Thank you.
- 24 CHAIRPERSON MONTAGUE: All right. How
- 25 can we help you, Brian?



- 1 MR. SEARS: Thanks for having me back.
- 2 I just kind of want to recap what's going on last
- 3 time. Pull this up. So the dash line is where
- 4 you set on the north and west side of the
- 5 property. This is where we're going to put this
- 6 fence. This is a follow-up from the last meeting
- 7 where the key item that we were concerned about
- 8 was how this fence was going to appear and the
- 9 maintenance of such fence. We already covered the
- 10 aspects of privacy and why we wanted the fence in
- 11 the first place.
- 12 Another one of the issues that we were
- 13 concerned about was you wanted to know who was
- installing the fence, what the fence would look
- 15 like in general. I'm going to be using a
- 16 contractor, Cornerstone Fencing. They're out of
- 17 Brownstown. They are like the highest rated in
- 18 all of Southeast Michigan. This is just an
- 19 example from their website. The type of fence
- 20 that I would be having installed is a white vinyl
- 21 fence, six foot high. This is very similar to
- 22 what we'd be getting done.
- One of the requests was we were trying
- 24 to look at having a contractor come and give us
- 25 some sort of rendering. I did have multiple



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- 1 contractors come out over like the time span of
- 2 like two weeks. Those first two weeks. That's
- 3 when they were first available. Unfortunately,
- 4 they were telling me it was going to be about a
- 5 30-day span before they could get anything back to
- 6 me, and they were looking to charging me into the
- 7 four figures just for this rendering. I managed
- 8 to hopefully come up with a solution that kind of
- 9 lets you visualize what's going on here. I know
- 10 this first one looks a little crude, but this one,
- 11 I want to show you the layout where we're at right
- 12 now. What is grass, the house, where the trees
- 13 currently are, and anything in brown, this brown
- 14 area here is kind of a like the thick brush of
- 15 thing. And these two areas here I talked to Rick
- 16 in the past. He wanted us to keep those. There
- 17 will be pictures accompanying this as well. Those
- 18 are areas he requested I keep these trees.
- 19 So I want to kind of give you an
- 20 example of the current view and what we're kind of
- 21 thinking what they will look like in the future.
- 22 This is an area where those trees are on the left
- 23 and the right. Those trees that I was identifying
- 24 that Rick had he request me keep, that's kind of
- 25 what we're looking at right now. And this is kind



- 1 of what the visual would look like with the fence
- 2 in place. We would get rid of the weeds and such.
- 3 We'd bring the grass up the fence in the area
- 4 where there's just low cut weeds. The trees would
- 5 remain.
- I know we're worried about the
- 7 maintenance. The fence is low maintenance itself.
- 8 It just needs to be cleaned every now and then.
- 9 In terms of the grass cutting, the city already
- 10 maintains all of that grass. I would come out and
- 11 I would be doing the weed trimming along the fence
- on both the side facing public property and my
- 13 side, so it would be grass off of that point.
- I have a few more examples just showing
- 15 how that would look. Again, no fence in the area.
- 16 This is more of those trees that we're looking at.
- 17 And then it's kind of hard to see this image, but
- 18 the fence is in the background there blocking it
- 19 on the other side of trees. Those are along Ten
- 20 Mile. This here is along Beck. This is kind of
- 21 what we're looking at right now. The property
- 22 line goes up to pretty much that treeline there,
- 23 so the fence would be right up against that. Some
- 24 of the trees are on the city side. Those would
- 25 remain, so the fence would go into that groove.



- 1 This isn't going to kind of do it justice, but the
- 2 fence would be set back a little bit further, but
- 3 this is kind of what would be going through the
- 4 back side of Beck Road there. There is some
- 5 brush, pretty thick amount of brush along the Ten
- 6 Mile side. This would be something that we'd have
- 7 to work with the city upon. I would probably
- 8 consult Rick on this. This is the thick brush
- 9 area along -- it's about 15 feet deep on Ten Mile
- 10 closer to Beck Road. Just simply putting a fence
- 11 there, I don't think is the most appealing, but
- 12 this would be kind of be up to the city and what
- 13 they want to do. I would be happy to work with
- 14 them, whether they want to take the grass all the
- 15 way, if they want this brush there. It's not the
- 16 most appealing to me.
- 17 So that is what I've come back with.
- 18 Like I said, maintenance, I would be the one that
- 19 would be trimming the grass up through it. The
- 20 city already cuts the grass all the way up to that
- 21 point.
- 22 CHAIRPERSON MONTAGUE: All right.
- 23 Anything else to add?
- 24 MR. SEARS: No. These other ones are
- 25 kind of views of my property just kind of like



- 1 demonstrated that gap of, you can see on the left
- 2 and right, those are those trees that will be
- 3 keeping where there's this kind of like weed
- 4 growth that's currently on the city side.
- 5 CHAIRPERSON MONTAGUE: Well, thank you
- 6 for your efforts to show the fence. Appreciate
- 7 that a lot. City?
- 8 MR. HALL: Thank you, Mr. Chairman.
- 9 Yes, he's before us again tonight. He was
- 10 postponed last time because we needed more
- 11 information to make a determination of what the
- 12 fence is going to look like. So that's what he's
- 13 presenting tonight. The case is still open to any
- 14 comments to be made by you at this time if you'd
- 15 like.
- Just to clarify, he mentioned Rick in
- 17 his conversation. Rick is the city landscape
- 18 architect so he could help him with those kinds of
- 19 decisions, and Keith is the city forester if you
- 20 needed his information too. But it's probably
- 21 going to be that Rick would be the one to talk to,
- 22 so just to clarify that. Thank you.
- 23 CHAIRPERSON MONTAGUE: Correspondence?
- 24 MEMBER LONGO: The city, we mailed out
- 25 17 notices, two were returned. There were no



- 1 objections and no approvals.
- 2 CHAIRPERSON MONTAGUE: All right. I'll
- 3 open it up to the Board for any comments.
- 4 MEMBER SAMONA: I just want to say I
- 5 appreciate what you brought in front of us that we
- 6 were able to actually visualize and see it. I
- 7 know that was one of the things we asked about
- 8 last time, so that's a lot of helpful information.
- 9 MEMBER THOMPSON: Could you please,
- 10 just like Joe just said, the last time was a
- 11 little wide open. This is definitely more
- 12 detailed. Could you put up the one slide again
- 13 with your back yard?
- 14 MR. SEARS: The open, that's like open
- 15 view? You want the bird's-eye view.
- 16 MEMBER THOMPSON: That whole brown
- 17 patch is wetlands, is that what you're saying?
- 18 MR. SEARS: Woodlands currently. There
- 19 are some large trees back there, but there's a lot
- 20 of overgrowth and brush.
- 21 MEMBER THOMPSON: So obviously nothing
- 22 the kids are going to play soccer in?
- 23 MR. SEARS: Part of the next steps for
- 24 this is we want to redo the back yard. This has
- 25 to be the first step. Then the second step is



- 1 we're going to remove the trees, and we're going
- 2 to repurpose the back yard. We're working on
- 3 that, getting a permit and approval from the city
- 4 to chop down the trees and plant new trees to make
- 5 it a usable space.
- 6 MEMBER THOMPSON: Okay. Just for my
- 7 point of view, I understand the vinyl fence is a
- 8 lot more cost effective. When it's brand new it
- 9 looks good, but with a weedwhacker over time, it
- 10 does scratch it, damage it. Is there a way, would
- 11 you be willing to put it within like five feet of
- 12 woods in front of sidewalk, five feet of bushes,
- 13 wetlands in the fence inside that where you'd like
- 14 you'd never have to weed whack it or anything like
- 15 that, or would that throw off your backyard plan?
- MR. SEARS: No. I'm happy to pull the
- 17 fence in a little more on my side. Is that kind
- 18 of what you're saying, pull it in a little more?
- 19 MEMBER THOMPSON: You're not going to
- 20 see it from the street. The kids are not going to
- 21 graffiti it.
- MR. SEARS: No, I'm not too worried
- 23 about that. Happy to move this into the property
- 24 a little more, especially at the back end like
- 25 what you're saying. At the back end, I mean grass



- 1 would be first choice, but ultimately back there,
- 2 I still might have evergreens and such. I said
- 3 the problem that kind of exists is to pay a
- 4 company I have to pull for five grand to design my
- 5 back yard. But if I tell them how to design for
- 6 the fence, and then he gets denied here, I got to
- 7 go back then and say all right, now I need you to
- 8 design it with evergreens or some sort. So with
- 9 the fence approved, yes, I could move it back more
- 10 and just have evergreens. And yeah, we don't have
- 11 to worry about this grass, it will be kind of an
- 12 overgrowth. Is that kind of what you're referring
- 13 to?
- 14 MEMBER THOMPSON: Yeah. To me it is,
- 15 you could do it along the Ten Mile way, and you
- 16 could do it along the back way and it wouldn't
- 17 affect kids play space and things of that nature,
- 18 it would actually end up being less maintenance
- 19 for you down the road as there wouldn't be -- you
- 20 wouldn't have to go weed whacking or any of that
- 21 stuff.
- MR. SEARS: I see what you're saying.
- 23 I'm happy to explore that route. I think the big
- 24 thing would be this probably working with Rick,
- 25 the landscape architect, make sure he's happy



- 1 what's on the city side.
- 2 MEMBER THOMPSON: Okay.
- 3 MR. SEARS: I can't control what he
- 4 wants to do on the city side. Like you said, if
- 5 he's just like I want planted grass here and grass
- 6 grows up my fence then --
- 7 MEMBER THOMPSON: Okay. That is all
- 8 for me.
- 9 MEMBER KRIEGER: The corner for line of
- 10 sight, did you have any information regarding
- 11 that?
- MR. SEARS: I do not have any new
- 13 information regarding that. I heard 15 feet.
- 14 That time I did measure, I'm beyond that. I'm
- 15 also happy if we think it's better for that
- 16 intersection, I'm still happy to chamfer off that
- 17 corner, take a chunk out of that. Even if I did
- 18 that, that area is grass currently.
- 19 MEMBER KRIEGER: Thank you.
- 20 CHAIRPERSON MONTAGUE: That line of
- 21 sight, the city would be working with that?
- 22 MR. HALL: That's correct. It's 25
- 23 feet along the sidewalk both directions and 45.
- 24 CHAIRPERSON MONTAGUE: So that will be
- 25 resolved.



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- That would need to be 1 MR. HALL:
- 2. resolved.
- 3 MEMBER THOMPSON: As a Board, if we
- approve the fence, it's zoned that they can't have 4
- 5 The Board can approve it and then the city
- 6 would say more of the specs than us, correct?
- 7 MR. HALL: That's correct. So if you
- 8 approve it.
- 9 MEMBER THOMPSON: The concept.
- The concept. And then if 10 MR. HALL:
- you approve it based on what he's mentioning, Rick 11
- 12 would be the landscape architect based on his
- 13 approval, then that would be another layer of
- 14 approval that you'd have to go through.
- 15 MEMBER THOMPSON: With that, I'd have
- 16 no problem supporting it.
- 17 CHAIRPERSON MONTAGUE: All right.
- think we're ready for a motion. 18
- 19 MEMBER LONGO: I move that we grant the
- variance in case number PZ25-0032 sought by Brian 20
- Sears for a fence variance because the petitioner 21
- has shown particular difficulty requiring 2.2
- 23 difficulty protecting his pool. Without the
- 24 variance, the petitioner will be unreasonably
- prevented or limited with respect to the use of 25



- 1 the property because the pool needs and must have
- 2 a fence around it. Petitioner did not create the
- 3 condition.
- 4 CHAIRPERSON MONTAGUE: Wrong fence.
- 5 There's no pool.
- 6 MEMBER LONGO: Scratch pool. Start
- 7 over?
- 8 MEMBER SAMONA: Yeah. Let's just start
- 9 over.
- 10 MEMBER LONGO: I move that we grant the
- 11 variance in the case of PZ25-0032, sought by Brian
- 12 Sears for a fence variance because the petitioner
- 13 has shown a particular difficulty requiring in
- 14 protecting his property. Without the variance the
- 15 petitioner will be unreasonably prevented or
- 16 limited with respect to the use of his property,
- 17 because the fence is useful in protecting his
- 18 property. The petitioner did not create the
- 19 condition, because the house was set on the
- 20 property, and the ordinance that he violated was
- 21 not part of his idea. The relief granted will not
- 22 reasonably interfere with the adjacent or
- 23 surrounding properties, because it does not
- 24 interfere with any neighbors. Relief is
- 25 consistent with the spirit and intent of the



- 1 ordinance because the fence is not objective.
- 2 MEMBER KRIEGER: Second.
- 3 CHAIRPERSON MONTAGUE: Roll call,
- 4 please?
- 5 MS. NARDONE: Chairperson Montague?
- 6 CHAIRPERSON MONTAGUE: Yes.
- 7 MS. NARDONE: Member Thompson?
- 8 MEMBER THOMPSON: Yes.
- 9 MS. NARDONE: Member Longo?
- 10 MEMBER LONGO: Yes.
- 11 MS. NARDONE: Member Krieger?
- 12 MEMBER KRIEGER: Yes.
- MS. NARDONE: Member Samona?
- 14 MEMBER SAMONA: Yes.
- MS. NARDONE: Motion carries.
- 16 CHAIRPERSON MONTAGUE: All right. Case
- 17 number two tonight. PZ25-0041. The applicant is
- 18 requesting a variance from the City of Novi Zoning
- 19 Ordinance Section 5.11.1.A.ii to allow a fence in
- 20 the exterior side yard setback (not permitted for
- 21 this property). This property is zoned One-Family
- 22 Residential (R-3). Please introduce yourself and
- 23 spell your name.
- 24 MS. WAGNON: Hi. My name is Shelley
- 25 Wagnon. It's S-H-E-L-L-E-Y, W-A-G-N-O-N.



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- 1 MEMBER LONGO: Shelley, are you an
- 2 attorney?
- MS. WAGNON: I am not.
- 4 MEMBER LONGO: Do you promise to tell
- 5 the truth in this case?
- 6 MS. WAGNON: I do.
- 7 MEMBER LONGO: Thank you.
- 8 CHAIRPERSON MONTAGUE: How may we help
- 9 you?
- 10 MS. WAGNON: So this is just a
- 11 continuation from last month where I talked in
- 12 pretty great detail about our situation, but I'll
- 13 give you a little recap. When I first came before
- 14 you last month, I explained that the fence
- 15 extension request is about creating a safe,
- 16 functional space for our family. Our corner lot
- 17 presents unique challenges. The back yard is
- 18 almost entirely taken up by an in-ground pool
- 19 installed by the previous owner, and the front and
- 20 side yards border two busy streets at the entrance
- 21 to the neighborhood with no sidewalks. Because of
- these conditions, there's simply no safe outdoor
- 23 play area for our three young children and small
- 24 dog. We installed the fence extension in good
- 25 faith after receiving guidance that lead us to



- 1 believe it was within the rules, and we've
- 2 carefully designed it to remain tucked behind our
- 3 home far from the street without obstructing sight
- 4 lines or creating any negative impact in our
- 5 neighborhood.
- 6 The fence matches our current one and
- 7 blends naturally into the property and provides
- 8 much needed safety, privacy and security while
- 9 protecting property values by maintaining a
- 10 cohesive, well-kept appearance. Many of our
- 11 immediate neighbors have expressed their support
- 12 recognizing the safety concerns we face and
- 13 understand that this request is about addressing a
- 14 genuine hardship, not aesthetics. We had one of
- 15 our neighbors here last time we spoke on it as
- 16 well.
- 17 So I'm back tonight to bring you
- 18 mockups of what it will look like with landscaping
- 19 and paint. I did a couple mockups of the main
- 20 part of the fence. They're all very similar.
- 21 Here's the first one. The fence is just a dark
- 22 brown. And then we're going to put plants across
- 23 the front, some lower bushes in the front, and
- 24 then some taller arborvitaes on the end. So
- 25 that's the plan for the long side of the fence



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- 1 closest to the street.
- I did a couple other options that are
- 3 just instead of some of the -- to add some color,
- 4 maybe put some flowers in there, or we can do
- 5 rounder bushes on the end. This is just kind of
- 6 what we were thinking to keep it -- to kind of
- 7 keep it organized with all smaller bushes and the
- 8 arborvitaes higher on the ends.
- 9 And then the back side of the fence,
- 10 which is the next picture you guys will see, is
- 11 close to the neighbor's property line, and we do
- 12 not have enough space really here to build, active
- 13 plant anything because their property line starts
- 14 right there. So I showed you that when I did it,
- 15 and made it look a little bit weird on the side
- 16 here. But that will be the whole fence that's
- 17 already -- we have part of the fence is already
- 18 existing, and the new fence will all be painted to
- 19 match the dark brown.
- Then on the front side of the house we
- 21 would add just some hostas down here, cleanup this
- 22 flower bed to kind of match, and the same brown
- 23 fencing there. So our goal -- the dark brown we
- 24 chose because it kind of blends in more and it
- 25 kind of matches the tone in our brick. So that's



- 1 what I chose there for that.
- 2 So we're hoping this will solve any
- 3 appearance of the fence and have it fit in with
- 4 the neighborhood better. And it's not that close
- 5 to the street either. The whole fence is, this
- 6 tree is farther out. I'll show you the original
- 7 picture. The software I use obviously moves
- 8 things around a little bit. So you can see the
- 9 trees here are much farther away from the fence.
- 10 CHAIRPERSON MONTAGUE: Thank you for
- 11 your work to give us a much better view
- 12 potentially what it will look like. City?
- MR. HALL: Thank you, Mr. Chairman.
- 14 Yes, sir. Before you today it was postponed last
- 15 time and they were to provide more information on
- 16 the fence and the landscaping about that, which
- 17 they're showing you now. This is the one that had
- 18 some objections from the HOA, strong concerns
- 19 about making precedent in the area. And this
- 20 fence is already up, so there was an enforcement
- 21 on that, but they're here to clear it up tonight.
- 22 CHAIRPERSON MONTAGUE: Correspondence?
- 23 MEMBER LONGO: Yes. We mailed out 83
- 24 notices, seven were returned wrong address, one
- 25 objection, three approvals. One of the objections



- 1 was from the homeowners board, and then they later
- 2 wrote a letter that didn't object, but expressed
- 3 some concerns. So I don't even know if that's an
- 4 objection since they wrote a subsequent letter.
- 5 MS. WAGNON: I did in my last long
- 6 spiel talk about their objections for precedence,
- 7 one of their main concerns. There are already
- 8 homes in our neighborhood who have fences like
- 9 this, and things like that. So I did address that
- 10 last time. I didn't know you guys wanted me to go
- 11 into all that detail again.
- 12 CHAIRPERSON MONTAGUE: No. Precedence
- doesn't matter to us anyway. Each case is
- 14 considered individually. And homeowner's
- 15 association is the same. It's a separate entity
- 16 we don't deal with. So I think it's addressed.
- 17 MEMBER LONGO: Thank you.
- 18 CHAIRPERSON MONTAGUE: Comments from
- 19 the Board? Joe?
- 20 MEMBER SAMONA: Did you guys end up
- 21 using fiverr?
- 22 MS. WAGNON: I didn't. I ended up
- 23 using Chatgpt actually. But I was working with --
- 24 I work at a college, and so I was working with our
- 25 architecture school.



- 1 MEMBER SAMONA: I drove by it again on
- 2 Labor Day. I was hoping to stop in for a burger,
- 3 but I decided not. This is like night and day
- 4 from what we were presented before and makes our
- 5 job, my job at least, easier. So this is -- this
- 6 is something that I would absolutely support given
- 7 what -- given what you've shown here on these
- 8 images on any one of these images, really.
- 9 MS. WAGNON: Thank you.
- 10 MEMBER SAMONA: Welcome.
- 11 MEMBER THOMPSON: I understand the
- 12 picture with the pavers in it, okay? What I don't
- 13 understand is the one with the chimney in it
- 14 because I can't figure out the angle of where that
- 15 appeared from.
- MS. WAGNON: That's from the street.
- 17 That's right here. So that right there where the
- 18 pavers is is my driveway that you're seeing. That
- 19 right there is this part of the street here. This
- 20 is the street view, this is our driveway, and that
- 21 is the big, long start on the street. That's
- 22 where all the planting will go. And then on the
- 23 shorter part --
- 24 MEMBER THOMPSON: More or less, this is
- 25 that.



- 1 MS. WAGNON: Yes. Over here.
- 2 MEMBER THOMPSON: So the way the
- 3 picture is, there's a chimney that would make it
- 4 look like it's a very different angle.
- 5 MS. WAGNON: Yeah. I think Chatgpt
- 6 moved some weird things, and also put a random car
- 7 in our driveway.
- 8 MEMBER THOMPSON: That angle just had
- 9 me thrown for the last couple minutes.
- 10 MS. WAGNON: If you look on the back
- 11 side of the fence, that's the chimney on our house
- 12 right there. So this whole wall here.
- 13 MEMBER THOMPSON: Google Earth and that
- 14 chimney didn't match up.
- 15 MEMBER LONGO: You okay now?
- 16 MEMBER THOMPSON: I'm better. We still
- 17 didn't talk about what kind of material you plan
- 18 to use.
- 19 MS. WAGNON: It's already up with
- 20 wood. The whole fence was previously wood, so
- 21 it's the same material that the fence was made of
- 22 previously. We just extended it. Because we
- 23 didn't replace the whole fence. The fence was all
- 24 the way around our property. We didn't replace
- 25 the whole fence all the way around our back yard.



- 1 We didn't replace it all, we just moved it out
- 2 using the same material.
- 3 MEMBER THOMPSON: Okay. And then I
- 4 have a question for the city again. So in concept
- 5 if we approve the fence, and the fence nine years
- 6 from now is rotting, and this and that, that would
- 7 be a code violation and have to be repaired.
- 8 MR. HALL: That's correct. It would be
- 9 a property maintenance violation. They would be
- 10 written up for a property maintenance and given a
- 11 timeline to fix it.
- 12 MEMBER THOMPSON: We're just approving
- 13 the concept again.
- MR. HALL: Well, you're actually
- 15 approving the actual fence. It's already up.
- 16 They're going to paint it, I believe.
- 17 MEMBER THOMPSON: But if it needs
- 18 repair.
- 19 MR. HALL: If it comes in disarray,
- 20 then the city would have means to --
- 21 MEMBER THOMPSON: That's my biggest
- 22 concern.
- 23 CHAIRPERSON MONTAGUE: Any other
- 24 comments? Then I think we are ready for a motion.
- 25 MEMBER THOMPSON: I move that we grant



- 1 the variance in case PZ25-0041 sought by Shelley
- 2 Wagnon for the fence variance because the
- 3 petitioner has shown practical difficulty
- 4 requiring fencing coverage on a corner lot with a
- 5 pool. Without the variance, the petitioner would
- 6 be unreasonably prevented or limited with respect
- 7 to the use of the property being on a corner lot
- 8 with a busy street. The property is unique for
- 9 the same reasons being on a corner lot with a busy
- 10 street. The petitioner did not create the
- 11 condition. From where the house is set, the
- 12 relief granted will not unreasonably interfere
- 13 with adjacent or surrounding properties because,
- 14 again, being a corner lot, so there's less of it.
- 15 And the relief is consistent with the spirit and
- 16 the intent of the ordinance, as it is
- 17 aesthetically pleasing and matches stuff within
- 18 the neighborhood.
- 19 MEMBER SAMONA: Second.
- MS. NARDONE: Member Thompson?
- 21 MEMBER THOMPSON: Yes.
- MS. NARDONE: Member Longo?
- 23 MEMBER LONGO: Yes.
- MS. NARDONE: Member Krieger?
- 25 MEMBER KRIEGER: Yes.



- 1 MS. NARDONE: Member Samona?
- 2 MEMBER SAMONA: Yes.
- 3 MS. NARDONE: Chairperson Montague?
- 4 CHAIRPERSON MONTAGUE: Yes.
- 5 MS. NARDONE: Motion carries.
- 6 MS. WAGNON: Thank you so much.
- 7 MR. WAGNON: Stop by for that burger.
- 8 MEMBER SAMONA: We're on the record.
- 9 CHAIRPERSON MONTAGUE: All right.
- 10 Third case of the night. PZ25-0046. Illuum
- 11 Cosmetic Surgery. The applicant is requesting a
- 12 variance from the City of Novi Sign Ordinance
- 13 Section 28-5(a) to allow an additional wall sign
- 14 for this tenant (1 sign allowed variance of. 1
- 15 sign). This property is zoned Office Service
- 16 (OS-1). Applicant represented here?
- 17 MS. CLAES: My name is Marissa Claes,
- M-A-R-I-S-S-A, C-L-A-E-S.
- 19 MEMBER LONGO: Marissa, are you an
- 20 attorney?
- MS. CLAES: I am not.
- 22 MEMBER LONGO: Do you promise to tell
- 23 the truth in this case?
- MS. CLAES: Yes, I do.
- 25 MEMBER LONGO: Thank you.



- 1 MS. CLAES: Yes. Good evening. I'm
- 2 here on behalf of Dr. Gregory Lakin and Illuum
- 3 Cosmetic Surgery. They're located on 24245 Karim
- 4 Boulevard. And we are requesting a sign variance
- 5 to allow a small additional wall sign to be
- 6 installed above the south entrance doors. They
- 7 currently have an existing illuminated sign on the
- 8 same side, south side of the building. I can show
- 9 you the current sign. So we currently have an
- 10 illuminated sign there and they're looking to add
- 11 some small six-inch high dimensional lettering
- 12 directly above the door entrance. This would
- 13 serve the purpose of helping direct patients to
- 14 the proper entrance.
- 15 So the need for this variance comes
- 16 from the unique way the medical facility operates.
- 17 They have two distinct entrances. So one entrance
- is on the north side of the building, which is
- 19 their pre-op entrance. So the pre-op patients go
- 20 for consultations on that side. And the south
- 21 side of the building that's shown is for their
- 22 surgery and post-op entrance. So patients and
- 23 caregivers are also often arriving for
- 24 appointments under stress, and the existing
- 25 signage, there's no permanent existing signage



- 1 that directs them to the proper entrance that's
- 2 currently in place.
- 3 So the proposed sign would be made of
- 4 dimensional PVC lettering, exterior grade
- 5 segmented into the side of the building and it
- 6 would be just a standard block font so it would
- 7 kind of blend in and not be too obtrusive.
- 8 And then the challenge isn't created by
- 9 us because it comes with a specialized medical
- 10 services offered with the building due to how they
- 11 operate and how they direct their patients. So
- 12 the minimal impact of this would be the proposed
- 13 sign is very modest, so letters are only six
- inches high. And actually, even though it's an
- 15 additional sign which is not allowed, it would
- 16 fall within the overall square footage of their
- 17 allowance when outside of the building. And
- they're unlit letters and they're placed directly
- 19 over the entrance itself to avoid any confusion.
- 20 And then they're strictly for informational
- 21 purpose. So it's not to promote the business
- 22 itself, just to help guide the patients to the
- 23 correct doors. And then we believe it doesn't add
- 24 any clutter or impact the neighboring properties
- 25 in any negative way and should be consistent with



- 1 the rest of the branding on the property.
- 2 So in summary, we're requesting
- 3 approval for this variance so we can provide
- 4 patients and their families with clear, safe and
- 5 stress reducing directions to the correct
- 6 entrance. And we believe this is a reasonable
- 7 request to address the operational hardship,
- 8 allows practical use of the property and does not
- 9 negatively impact the community.
- 10 And then I also have an overhead map
- 11 just to give a little more context to the layout
- 12 of the building. So the pre-op entrance is over
- 13 here, and then the post-op entrance where their
- 14 existing sign is and the additional dimensional
- 15 letters are off of West Ten Mile Road there. So
- 16 I'd be happy to answer any questions that anybody
- 17 has.
- 18 CHAIRPERSON MONTAGUE: City?
- 19 MR. HALL: Thank you, Mr. Chair. Yes.
- 20 They are coming before us for additional wall sign
- 21 variance. I do have a question for you. This was
- 22 a multi-tenant building before. Are you taking
- 23 the entire building now?
- MS. CLAES: Yes. They would have the
- 25 entire where it was previously multi-tenant.



- 1 MR. HALL: So it's always going to be
- 2 one tenant now. It won't have someone else come
- in and that would be over somebody else's door?
- 4 MS. CLAES: I believe the plan is for
- 5 it to be a single tenant going forward.
- DR. LAKIN: Yeah. Currently we own the
- 7 entire building, and we built out. The building
- 8 that's labeled pre-op is an unfinished half of the
- 9 building. If anybody ever wants that to build,
- 10 they can talk with us and we can discuss that
- 11 separately. But nobody can use this half where
- 12 this door is going to be having -- if you guys
- 13 approve it, this lettering, it's impossible. It's
- 14 all completely built out the surgery center.
- 15 CHAIRPERSON MONTAGUE: Would you step
- 16 to the mic and please say your name and spell your
- 17 name?
- DR. LAKIN: Dr. Gregory G-R-E-G-O-R-Y,
- 19  $I_1-A-K-T-N$ .
- 20 MEMBER LONGO: Dr. Gregory, you're not
- 21 an attorney.
- DR. LAKIN: No. I'm almost, but no.
- 23 MEMBER LONGO: Do you promise to tell
- 24 the truth in this case?
- DR. LAKIN: Yeah.



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- 1 MEMBER LONGO: Thank you.
- 2 MR. HALL: Just to reiterate, you're
- 3 not going to have a multi-tenant. This is going
- 4 to be a single-tenant building. If there is a
- 5 multi-tenant, you're going to look at another
- 6 entry, or something like that, at that time, is
- 7 that correct?
- DR. LAKIN: We'd never enter a
- 9 multi-tenant on this side. If we did, it would be
- 10 on the other side.
- 11 MR. HALL: And they would create their
- 12 own door?
- Dr. LAKIN: Yeah there's a separate
- 14 door on the north side, like she was saying,
- 15 totally unused. They could have their sign up
- 16 there.
- 17 MR. HALL: And then you said that the
- 18 sign is not lit? So at night, is their building
- 19 lights on it, or how do people see those way
- 20 finding signs?
- 21 MS. CLAES: So I think the patients are
- 22 primarily arriving during daytime, so it wouldn't
- 23 be -- I think the appointment hours are during
- 24 daylight primarily, so that would help direct them
- 25 to the front doors.



- 1 MR. HALL: So in the wintertime it gets
- 2 darker early. Is that okay, like 5:00?
- 3 DR. LAKIN: We operate till 3.
- 4 MR. HALL: Okay. That's fine. So this
- 5 is an additional sign for a way finding. They're
- 6 trying to simplify the site so people understand
- 7 how to enter and exit the building, and pick up
- 8 patients, drop off patients. We have no further
- 9 questions. Thank you.
- 10 CHAIRPERSON MONTAGUE: Correspondence?
- 11 MEMBER LONGO: Yes. We mailed out 22
- 12 notices, two were returned. There were no
- 13 objections and one approval of a nearby neighbor.
- 14 CHAIRPERSON MONTAGUE: Thank you.
- 15 Board, comments?
- 16 MEMBER SAMONA: How much more beautiful
- 17 can you make me look?
- DR. LAKIN: Abs and pecs.
- 19 CHAIRPERSON MONTAGUE: Before or after
- 20 the hamburger?
- 21 MEMBER SAMONA: Before or after the
- 22 hamburger, at normal rates.
- 23 MEMBER LONGO: Not in your case.
- 24 MEMBER SAMONA: That's because I take
- 25 extra work.



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- 1 CHAIRPERSON MONTAGUE: Any other
- 2. I guess we are ready for a motion. comments?
- MEMBER SAMONA: I move that we grant 3
- the variance in case number PZ25-0046 by Illuum 4
- 5 Cosmetic Surgery. Did I say that correctly? For
- one additional wall sign for a total of two 6
- 7 because petitioner has shown practical difficulty
- including issues regarding way finding requiring 8
- direction for access, which in turn requires the 9
- additional sign on the basis that the request is 10
- based upon circumstances or features that are 11
- 12 exceptional and unique to the -- I'm sorry. All
- 13 five of them or just one?
- 14 CHAIRPERSON MONTAGUE: You don't have
- 15 to.
- 16 MEMBER SAMONA: Only do one?
- 17 MS. SAARELA: Do as many as you can.
- MEMBER SAMONA: Got it. Can I strike 18
- 19 that and start over? I apologize.
- 20 MS. SAARELA: Sure.
- 21 MEMBER SAMONA: I move that we grant
- the variance in case number PZ25-0046 sought by 2.2
- 23 Illuum Cosmetic Surgery for one additional wall
- 2.4 sign because petitioner has shown practical
- difficulty including way finding issues requiring 25



- 1 directional signage for people to know where the
- 2 entrances are and where the access points are.
- 3 The request is based upon circumstances or
- 4 features that are exceptional and unique to the
- 5 property, and do not result from conditions that
- 6 generally exist in the city or that are
- 7 self-created, including the fact that the property
- 8 has two entrances on opposite sides of the
- 9 building not commonly found. The granting -- that
- 10 the granting of the relief would be offset by
- 11 other improvements or actions, such as increased
- 12 setbacks or increased landscaping, such that the
- 13 net effect will result in an improvement of the
- 14 property or the project, such as the additional
- 15 wall sign will enhance way finding and will potentially
- 16 reduce confusion and potentially reduce safety issues
- 17 for visitors, which complements the existing site. The
- 18 granting of relief will not result in the use or
- 19 structure that is incompatible with, or unreasonably
- 20 interferes with adjacent or surrounding properties. It
- 21 will result in substantial justice being done to both
- 22 the applicant and the adjacent surrounding properties
- 23 and is not inconsistent with the spirit and intent of
- 24 this chapter because the additional sign is modest,
- 25 consistent with nearby signage, will not impact



- 1 surrounding properties, ensures fair use of the building
- 2 and aligns with the ordinance's intent for clear
- 3 identification and aesthetics.
- 4 MEMBER KRIEGER: Second.
- 5 CHAIRPERSON MONTAGUE: All right.
- 6 MS. NARDONE: Member Longo?
- 7 MEMBER LONGO: Yes.
- 8 MS. NARDONE: Member Krieger?
- 9 MEMBER KRIEGER: Yes.
- 10 MS. NARDONE: Member Samona?
- 11 MEMBER SAMONA: Yes.
- 12 MS. NARDONE: Chairperson Montague?
- 13 CHAIRPERSON MONTAGUE: Yes.
- MS. NARDONE: Member Thompson?
- 15 MEMBER THOMPSON: Yes.
- MS. NARDONE: Motion carries.
- 17 MS. CLAES: Thank you so much.
- DR. LAKIN: Thank you so much.
- 19 MEMBER SAMONA: Remember, beauty is in
- 20 the eye of the beholder.
- 21 CHAIRPERSON MONTAGUE: All right. The
- 22 final case for tonight PZ25-0047 Michelle Lim.
- 23 The applicant is requesting a variance from the
- 24 City of Novi Ordinance Section 5.11.1.A.ii to
- 25 allow a 6 foot fence to encroach into the front



- 1 and exterior side yard setbacks. This property is
- 2 zoned One- Family Residential (R-4). I see a
- 3 representative here. Please state and spell your
- 4 name.
- 5 MS. LIM: Michele Lim, M-I-C-H-E-L-E.
- 6 Last name, L-I-M as in Mary.
- 7 MEMBER LONGO: Michele, are you an
- 8 attorney?
- 9 MS. LIM: No.
- 10 MEMBER LONGO: Do you promise to tell
- 11 the truth in this case?
- MS. LIM: Yes.
- 13 CHAIRPERSON MONTAGUE: How can we help
- 14 you?
- MS. LIM: I am petitioning on the owner
- of the property. I am on behalf of my mother due
- 17 to some language issues and communication
- 18 barriers. I'm here to represent her case. So I
- 19 am requesting an extension of the six-foot fence
- 20 along the exterior side yard of our property. We
- 21 had initially received a violation notice in terms
- 22 of uniformity of the fence, and also asking us to
- 23 maintain and update our current fence. Upon
- 24 trying to address those repairs and maintenance,
- 25 we had realized that there was an issue with the



- 1 previous fence that we previously had, that it
- 2 extended past the front of our house. So we are
- 3 requesting to keep that extension.
- 4 So currently this is like -- I'll
- 5 present you with the house. This is currently the
- 6 bird's eye view of the house. What I have
- 7 highlighted in pink right here is the current
- 8 fencing that has been allowed for this lot that we
- 9 are addressing. The dotted dash blue line is what
- 10 we are requesting a variance for, as you can see a
- 11 section does extend past the front of our house.
- So the issue that we previously have
- 13 was, we have bought this house back in 2005. This
- 14 is the earliest Google image I could find of our
- 15 house. The issue that we had been told was that
- 16 we had a long lack of uniformity across our
- 17 fencing. As you can see right here, we do have
- 18 like a shadowboxing fence here and right here we
- 19 have a split rail fence. This house was bought in
- 20 2005 and we had previously had this existing split
- 21 rail fence, and we at the time had not known that
- 22 this was not aligned with the code of the city
- 23 ordinances. So when we first received the notice
- 24 to repair our fence to make sure that it's uniform
- 25 in style, material and color, we started with



- 1 repair on this side right here, and that is what
- 2 we attempted to do. After further communication
- 3 with the code, the city code, like ordinance
- 4 officer, we had realized that this part of the
- 5 fence is actually not allowed to city code because
- of the fence extending past the front of our yard.
- 7 So currently, this is what the fence
- 8 looks like when we have started the repairs for
- 9 our house replacing that front section of the --
- 10 the split rail fencing. And we have put pauses on
- 11 the current construction in review of this case
- 12 currently to see if we could possibly keep this
- 13 area that extends past the front of our house.
- 14 Upon completion of it, we would ensure
- 15 that this fence would continue all along the
- 16 border to be matching in style. We would be
- 17 continuing to use wood but we would paint it white
- 18 all evenly across to maintain the uniformity of
- 19 it.
- 20 And then this is also previously part
- 21 of the fencing that had a gate towards the front
- 22 of the house. This is what it looked like before,
- 23 and we are currently in the middle of repairing
- 24 it. So as you can see right here, that has been
- 25 updated. Again, this would be painted all in



- 1 white and would be matching in one style to
- 2 maintain the uniformity. We do not believe that
- 3 there would be concerns in terms of blocking the
- 4 front entrance of our neighborhood by having this
- 5 fence. As you can see, this is where it used to
- 6 be right here with that split rail fencing, and
- 7 this is what it looks like with it being replaced.
- 8 Currently, this fence does go along the side of
- 9 Ten Mile right here. The is a very busy
- 10 intersection and street. We frequently have a lot
- 11 of people walking by on the sidewalk. I would
- 12 like to maintain that fence due to the perimeter
- 13 of our house having a lot of bushes and trees, and
- 14 we would like to have that fence so that we can
- 15 continue to have a barrier, especially during the
- 16 winter months where we have a lot of falling
- 17 leaves and branches to maintain the city sidewalk
- 18 clearance as well as also prevent -- we've had a
- 19 lot of people walking by the street, their dogs
- 20 kind of encroaching into our front yard or having
- 21 a lot of people walking back from the area with a
- lot of trash that also gets kind of pushed into
- 23 our front yard, so we would like to maintain that
- 24 barrier as well. That is currently what I have
- 25 for you guys. If you guys have any questions or



- 1 need anymore clarification.
- 2 CHAIRPERSON MONTAGUE: All right.
- 3 Anything else to add at this time? Okay. City?
- 4 MR. HALL: Thank you, Mr. Chairman.
- 5 Could you put the top view on again from the site
- 6 plan? So looking at the plan, I'm just trying to
- 7 understand the fence, how it's going to be in the
- 8 end when it's finished.
- 9 MS. LIM: Yes.
- 10 MR. HALL: So it follows the pink line
- 11 all the way around. It goes to the front of the
- 12 sidewalk. It continues down the sidewalk to the
- 13 little blue line there. Could you trace your
- 14 finger exactly where the lines -- where the fence
- 15 is going to end up?
- 16 MS. LIM: So it would end up right
- 17 here. So it would be before the very front of the
- 18 entrance to the neighborhood right here.
- 19 MR. HALL: So does it go down to, I see
- 20 like the line here, does it come down towards the
- 21 stop right at the corner there? It stops right
- 22 there?
- MS. LIM: It would stop at the corner
- 24 right there.
- MR. HALL: So it doesn't come down



- 1 more.
- MS. LIM: It doesn't come all the way
- 3 down to the end that right there.
- 4 MR. HALL: And then I see a pink line
- 5 going vertical from your house up. Does that stay
- 6 or does that come out?
- 7 MS. LIM: So this right here is
- 8 actually we have like a gate to our yard right
- 9 here, so that's where kind of that fencing is
- 10 right there.
- 11 MR. HALL: So the back or pink, that's
- 12 kind of an enclosed area, so the other side is
- 13 going to be open, there's just going to be a fence
- 14 coming down and it will be open on the front side,
- 15 is that correct?
- MS. LIM: Are you talking about in this
- 17 area?
- MR. HALL: Yeah.
- 19 MS. LIM: Yeah. It would just have
- 20 more or less going across this way.
- 21 MR. HALL: So it's open there and then
- 22 closed in the back. So the whole back where the
- 23 pink is, that's all enclosed. You can have a dog
- 24 run around in there and he can't get out, is that
- 25 right? Where the pink line is, it looks like



- 1 that's all enclosed in the one area.
- MS. LIM: Yes. We have a lot of people
- 3 passing by that will enter this portion of it with
- 4 their dogs.
- 5 MR. HALL: So then I think -- so I just
- 6 want to mention to the board. So there is two
- 7 issues here. She's already mentioned it, but
- 8 there's a property maintenance issue, which we
- 9 discussed in the previous case, that's been
- 10 brought to the attention of the owner that there's
- 11 different materials, different profiles, different
- 12 colors. There's some lattice work and some other
- things in there, so they're trying go down to one
- 14 consistent material, one consistent height, one
- 15 consistent color, that's correct. And what I'm
- 16 understanding you're going to go with white as the
- 17 color?
- MS. LIM: Yes.
- 19 MR. HALL: The profile is going to be a
- 20 shadowbox.
- 21 MS. LIM: There was a slight
- 22 miscommunication. We will try to maintain
- 23 shadowboxing all around of white and wooden
- 24 material.
- MR. HALL: What about that vertical



- 1 piece going forward? Is all the fence going to be
- 2 one product I guess is the question?
- 3 MS. LIM: This part of it is shared
- 4 with our neighbor, so that one we kind of can't
- 5 change. They already have the fence right here,
- 6 but this portion going all across we will maintain
- 7 the uniformity of one height, six-foot fence white
- 8 wooden shadowbox.
- 9 MR. HALL: And then that vertical piece
- 10 going down, what is that going to be, that's going
- 11 from the fence to your house?
- 12 MS. LIM: This right here?
- 13 MR. HALL: The same thing? It's going
- 14 to be a white shadowbox?
- MS. LIM: Yeah.
- MR. HALL: Same height?
- MS. LIM: Um-hum.
- 18 MR. HALL: So we're just looking for
- 19 consistency. So I think that's going to solve a
- 20 couple issues. So one is going to be the property
- 21 maintenance issue, which she's trying to resolve
- 22 right now. Part of that research was we found out
- 23 that the fence was in the side yard and the front
- 24 yard setbacks. So she's here before the Board
- 25 tonight to get approval to keep some of that, add



- 1 a little more but in the front exterior side yard
- 2 and the front yard setback.
- 3 MS. LIM: Yeah. So essentially we do
- 4 have like two projects going on. We are just
- 5 trying to make it completely uniform. We are
- 6 asking to just have that blue line extension right
- 7 there where we previously did have a fence that we
- 8 were not aware was out of code with that split
- 9 railing that's actually in the previous photo.
- 10 MR. HALL: I just want to make sure
- 11 that this approval is going to be all the fence,
- is going to be the same, no lattice, it's all
- 13 going to be the same material, same height, same
- 14 color.
- MS. LIM: Yes.
- MR. HALL: With that, I don't have any
- 17 other questions. Thank you.
- 18 CHAIRPERSON MONTAGUE: Does the
- 19 variance apply only to the blue dotted line,
- 20 because that's the part that's extending in a
- 21 sense?
- 22 MR. HALL: I think it's going to be the
- 23 one -- adding it along the front. The whole
- 24 front.
- MS. LIM: The exterior side.



- 1 CHAIRPERSON MONTAGUE: That's what I
- 2 was trying to see. Correspondence.
- 3 MEMBER LONGO: All right. We did 22
- 4 notices mailed out, two returned. There was one
- 5 approval by a neighbor Ramos, neighbor.
- 6 CHAIRPERSON MONTAGUE: All right.
- 7 Board, comments?
- 8 MEMBER SAMONA: I drove by this
- 9 property. I'm a Realtor, and I actually ran
- 10 across an extremely similar situation not within
- 11 the city, so I can understand the need for this.
- 12 I need to defer to the Board maybe for their
- 13 comments or maybe they have some follow-up
- 14 questions that will help, I quess, to answer my
- 15 questions. The applicant is saying that they will
- 16 try to match the material. They will try to do
- 17 this. I guess with this, can we make it -- what's
- 18 the thought of making it a requirement that the
- 19 material that's visible, for example, on Ten Mile
- 20 Road from this street view that has to be uniform,
- 21 and the color has to be uniform? The word,
- 22 although I don't think that the applicant is being
- 23 disingenuous in saying they're going to try, the
- 24 fact of we are going to try kind of leaves it open
- 25 and maybe slightly above my comfort level. So I



- 1 can defer to --
- MS. SAARELA: It's required by code, so
- 3 if they didn't match it, they'd still get a
- 4 ticket.
- 5 MEMBER SAMONA: If they didn't match
- 6 the material or the color?
- 7 MR. HALL: Both.
- 8 MEMBER SAMONA: Both?
- 9 MR. HALL: It's a property violation.
- 10 MS. LIM: It's the violation we
- 11 received that made us aware of the situation.
- 12 MEMBER SAMONA: Got it. Thank you for
- 13 the clarification. Thank you very much.
- 14 CHAIRPERSON MONTAGUE: Anybody else,
- 15 comments?
- 16 MEMBER THOMPSON: The, it would be in
- 17 your first picture, the wood part that's already
- 18 up, you said construction was paused. Is that
- 19 already up?
- 20 MS. LIM: So when we first received the
- 21 notice of getting the repair, we were starting the
- 22 repairs in order to match it to make sure that was
- 23 uniform. So the first thing that we had
- 24 removed -- the first thing we had removed to start
- 25 the repair was the split rail fencing right over



- 1 here, so that is why you see this portion right
- 2 here. I will say I know right now this is privacy
- 3 fencing. There was a miscommunication with our
- 4 contractor, but we will be in touch with him to
- 5 make sure that his will be shadow boxing all the
- 6 way through. We will repair that. But this is
- 7 currently the fence that is in place because this
- 8 is us -- this is private to us. The violations
- 9 extended pass our front of the house.
- 10 MEMBER THOMPSON: Okay. Is the
- 11 other -- the railroad ties, or whatever that's
- 12 called, is that considered a fencing?
- 13 MR. HALL: The split rail fencing you
- 14 mean?
- 15 MEMBER THOMPSON: If it's split rail
- 16 fencing, I guess it's fencing?
- 17 MR. HALL: Yeah. Yeah, it's fencing.
- 18 So I think the question is what's up there, the
- 19 gray that's existing down farther in the picture
- 20 and the new, they're different materials and
- 21 different profiles. I think what you're asking
- that's going to be rectified, that's going to be
- 23 the same materials.
- 24 MS. LIM: We'll ensure that that is all
- 25 across the same material of wood, white, and same



- 1 style, shadowboxing.
- 2 MEMBER THOMPSON: I get the original
- 3 homeowner probably put the split rail fencing in
- 4 this to avoid like the dog walking through your
- 5 yard, bike riding through the yard. That was also
- 6 lower. That was three feet, and this other fence
- 7 is put up it's like six feet, you know. Okay.
- 8 MEMBER KRIEGER: I don't remember
- 9 seeing it or not, for line of sight for leaving
- 10 and entering Quince Drive onto Ten Mile because
- 11 the speed there is really sharp, and then there's
- 12 the dip in the road. Is there any difficulty with
- 13 line of sight?
- 14 MS. LIM: So as you can see, this is
- 15 kind of like the corner of the lot where it would
- 16 be. This is the -- this is Ten Mile right here
- 17 and this is the entrance into Quince Drive, if
- 18 you're able to see that. So currently it does not
- 19 block anymore than it was previously.
- 20 MR. HALL: The city can make a check
- 21 when they do the property maintenance to finish it
- 22 when all the material is put in. We can look at
- 23 that at that time and see and make sure there's no
- 24 vision clearance issues.
- 25 MEMBER KRIEGER: So if it's in the



- 1 variance for the front yard, and she wants to go,
- 2 then there's the easement with the city, so she
- 3 can only go so far as well to the front.
- 4 MR. HALL: That's correct.
- 5 CHAIRPERSON MONTAGUE: All right.
- 6 Ready for a motion?
- 7 MEMBER KRIEGER: Sure. In case number
- 8 PZ25-0047 for Michelle Lim and her mom on 4118
- 9 Quince Drive, the applicant is requesting variance
- 10 for the city to allow a six-foot fence to encroach
- into the front and exterior side yard setbacks,
- 12 and the petitioner needs assistance with the
- variance because she's shown practical difficulty
- 14 with having two front yards in a way. I move to
- 15 grant the variance that, the petitioner has two
- 16 front yards in a way. She's got the front yard on
- 17 Ouince and then Ten Mile with the traffic in the
- 18 road is also a front yard. And so the fence that
- 19 she needs the fence to extend beyond the front
- 20 yard, the petitioner will be unreasonably
- 21 prevented or limited with respect to the use of
- 22 the property because of the safety and privacy
- 23 facing Ten Mile. And that the property is unique
- 24 because of the side yard. It's like having a second
- 25 front yard facing Ten Mile. And petitioner did not



- 1 create the condition because there was a kind of fencing
- 2 in the front, but now it will be made more uniform
- 3 according to the petitioner, and will be with city
- 4 assistance to, checking all that is necessary. The
- 5 relief granted will not unnecessarily interfere with
- 6 adjacent or surrounding properties. It will be a
- 7 continuation of aesthetics of fencing in this area at
- 8 Ten Mile. The relief is consistent with the spirit and
- 9 intent of the ordinance, because the intent is to
- 10 maintain the aesthetics of the area and for safety.
- 11 MEMBER LONGO: Second.
- 12 CHAIRPERSON MONTAGUE: All right. Roll
- 13 call, please.
- MS. NARDONE: Member Longo?
- 15 MEMBER LONGO: Yes.
- MS. NARDONE: Member Thompson?
- 17 MEMBER THOMPSON: Yes.
- 18 MS. NARDONE: Chairperson Montague?
- 19 CHAIRPERSON MONTAGUE: Yes.
- 20 MS. NARDONE: Member Krieger?
- 21 MEMBER KRIEGER: Yes.
- 22 MS. NARDONE: Member Samona?
- 23 MEMBER SAMONA: Yes.
- MS. NARDONE: Motion carries.
- 25 CHAIRPERSON MONTAGUE: Congratulations.



- 1 MS. LIM: Thank you.
- 2 CHAIRPERSON MONTAGUE: Do we have any
- 3 other matters that need to be addressed tonight.
- 4 MEMBER SAMONA: May I say one thing?
- 5 This is not related to ZBA at all, but I just want
- 6 to take this opportunity to keep in mind all those
- 7 that we lost on September 11th now that the
- 8 anniversary is coming up, the 24-year anniversary.
- 9 And although it's not our city, but one of our
- 10 neighboring cities, West Bloomfield, today marks
- 11 the 13-year anniversary that Officer Patrick
- 12 O'Rourke was killed in the line of duty as a West
- 13 Bloomfield Township Police Officer. So I just
- 14 publically want to say that we're thinking about
- 15 and praying for everyone, especially this week as
- 16 a country.
- 17 CHAIRPERSON MONTAGUE: Thank you.
- 18 Anything else? I will entertain a motion to
- 19 adjourn.
- 20 MEMBER THOMPSON: Motion to adjourn.
- 21 MEMBER KRIEGER: Second.
- 22 CHAIRPERSON MONTAGUE: All in favor
- 23 aye.
- THE BOARD: Aye.
- 25 CHAIRPERSON MONTAGUE: Any opposed?



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2			(The	meeting	was	adjourned	at	8:03	p.m.)
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1	CERTIFICATE OF NOTARY
2	
3	STATE OF MICHIGAN )
4	) SS
5	COUNTY OF OAKLAND )
6	
7	I, Melinda R. Womack, Certified
8	Shorthand Reporter, a Notary Public in and for the
9	above county and state, do hereby certify that the
10	above deposition was taken before me at the time
11	and place hereinbefore set forth; that the witness
12	was by me first duly sworn to testify to the
13	truth, and nothing but the truth, that the
14	foregoing questions asked and answers made by the
15	witness were duly recorded by me stenographically
16	and reduced to computer transcription; that this
17	is a true, full and correct transcript of my
18	stenographic notes so taken; and that I am not
19	related to, nor of counsel to either party nor
20	interested in the event of this cause.
21	Melencle R. Domoch
22	Forseuce M. Donwer
23	Melinda R. Womack, CSR-3611
24	Notary Public, Jackson County



My Commission expires: 06-22-2032

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**Zoning** 3:2 7:7 19:18