

REGULAR MEETING - ZONING BOARD OF APPEALS

CITY OF NOVI

November 15, 2016

Proceedings taken in the matter of the ZONING BOARD OF APPEALS, at City of Novi, 45175 West Ten Mile Road, Novi, Michigan, on Tuesday, November 15, 2016

BOARD MEMBERS

Cindy Gronachan, Chairperson

Jonathan Montville, Secretary

Linda Krieger

Mav Sanghvi

Joe Peddiboyina

ALSO PRESENT:

Beth Saarela, City Attorney

Lawrence Butler

Coordinator: Monica Dreslinski, Recording Secretary

Carol Chaput, Recording Secretary

REPORTED BY: Jennifer L. Wall, Certified Shorthand Reporter

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Novi, Michigan.

Tuesday, November 15, 2016

7:00 p.m.

** ** *

CHAIRPERSON GRONACHAN: I would like for everybody to have a seat. I would like to call order the November 2016 Zoning Board of Appeals meeting to order.

Would you please rise for the Pledge of Allegiance.

(Pledge recited.)

CHAIRPERSON GRONACHAN: Monica, would you please call the roll.

MS. DRESLINSKI: Member Byrwa, absent, excused. Member Ferrell, absent, excused.

Member Krieger?

MS. KRIEGER: Present.

MS. DRESLINSKI: Member Montville?

MR. MONTVILLE: Here.

MS. DRESLINSKI: Member Peddiboyina?

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MR. PEDDIBOYINA: Here.

MS. DRESLINSKI: Member Sanghvi?

MR. SANGHVI: Here.

MS. DRESLINSKI: Chairperson

Gronachan?

CHAIRPERSON GRONACHAN: Present.

Thank you.

This evening we have a very long agenda. It looks like we have a lot of participants, so I'm going to ask that everybody at this time please turn off your cellphones.

I don't know that anybody has any pagers anymore, but if you do. I am also going to bring to everyone's attention, if you're coming to speak and you're not an applicant, you're coming to stand in front of the board to make your comments, you have three minutes to do so. Because of the length that we have, and the number of cases before us tonight, I will be monitoring that time.

If you see that there is a

1 resident that has shared your comments, you
2 can come up and just tell us that you
3 respectfully share the same comments that are
4 previously spoken, to save us time this
5 evening.

6 Also, at this point, I would
7 like to ask if there is any changes in the
8 agenda?

9 MS. DRESLINSKI: The first case
10 PZ-0034, has been tabled to December 13,
11 2016.

12 CHAIRPERSON GRONACHAN: Case No.
13 1 has been tabled. Any other changes?

14 MS. DRESLINSKI: No, ma'am.

15 CHAIRPERSON GRONACHAN: Seeing
16 none, all those in favor of the agenda as it
17 stands, say aye.

18 THE BOARD: Aye.

19 CHAIRPERSON GRONACHAN: None
20 opposed.

21 We have our minutes from the
22 September 13th meeting. Are there any
23 changes or additions or deletions on the

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minutes?

Seeing none, all those in favor of the minutes as they stand for September 13th say aye.

THE BOARD: Aye.

CHAIRPERSON GRONACHAN: None opposed. At this point, we ask if there is anyone in the audience that wishes to make remarks to the board in reference to anything other than what's on the agenda this evening, can do so now.

Is there anyone in the audience that wishes to make comment?

Seeing none, we will move right along to our first case, PZ16-0048, 1217 East Lake Drive, Alan DeZell.

Is the petitioner here?
Please come down to the podium.

The applicant is requesting a variance to allow for a five-foot side yard setback, 10-foot minimum allowed. The property is zoned R4.

Would you please state your

1 name, spell it and be sworn in by our
2 secretary.

3 MR. DEZELL: I am Alan DeZell,
4 it's spelled A-l-a-n, last name is DeZell, D,
5 as in David, e, capital Z-e-l-l.

6 MR. MONTVILLE: Raise your right
7 hand, please, sir. Do you swear to tell the
8 truth in the testimony you're about to
9 provide?

10 MR. DEZELL: Yes.

11 CHAIRPERSON GRONACHAN: You may
12 proceed.

13 MR. DEZELL: Thank you for
14 hearing my case today.

15 Essentially what I am looking
16 for, my family and I, is just to have a side
17 yard variance of five feet. It's kind of
18 like a re-variance of what we did back in
19 2000 when we built our house. We have a
20 50-foot wide lot, 18-foot easement. When we
21 built the house and the existing deck, it
22 already has the five feet variance for the
23 house and the existing deck as is.

1 What we are proposing to do is
2 remove the existing deck and in it's same
3 location, same size, is put a roof covered
4 patio. So single story roof, it went through
5 architectural plans, ties into the house
6 really nicely.

7 The reason why we are doing is
8 it is the existing deck is getting a little
9 deteriorated and we have situations with
10 animals that were burrowing underneath the
11 deck and such, and undermining the soil,
12 woodchucks that I've trapped every year for
13 the past six years and releasing them, and
14 having animals die underneath the deck then
15 rotting.

16 For all those reasons, and
17 debris on top, we said, why not put a nice
18 foundation in, so per the architectural
19 plans, it's a full trench footing, all the
20 way around, tying into the existing footage,
21 pinning to the house, and from there,
22 essentially a roof covered patio that will
23 tie into the existing garage, and the back of

1 the house, and the reason for the variance is
2 quite simply it's the same size as what's
3 already there, the reason going in front of
4 the board, as Charles Boulard and the
5 department told me, that there is little
6 change to the structure because it has a roof
7 on it.

8 Single story roof, ties in
9 again nicely. The neighbors support it. I
10 talked to my neighbor who is adjacent closest
11 to it, he has no issues with it.

12 The neighbors on the other
13 side, couple houses don't as well. Pine
14 trees cover it, so the neighbors can't even
15 see it.

16 A lot of variances in that
17 area to begin with, even my neighbor
18 next-door with 100-foot lot has a 5-foot
19 variance for his garage, it's right up where
20 their house is and such.

21 So, yes, it's a benefit to the
22 community. It certainly improves the value
23 of the homestead itself and surrounding area.

1 It's a natural extension of the existing
2 house.

3 Without it, it would be a
4 hardship that would be very narrow. It would
5 be unsightly. You would have a very narrow
6 type deck area.

7 So I did a topography of
8 looking at our house from the top down, with
9 an arrow pointing to the location. I
10 believe -- I don't know if you have that in
11 front of you.

12 Our house is right here, then
13 this arrow right here is pointing to where
14 the existing deck is in the backyard, the
15 same location as where this would be located.

16 Quickly looking at the site
17 plan, page five -- you have the architectural
18 plans in front of you by any chance?

19 CHAIRPERSON GRONACHAN: We do.

20 MR. DEZELL: I also have a full
21 size drawing, if you want. We can present
22 that if you want. The architectural or the
23 site plan itself?

1 CHAIRPERSON GRONACHAN: We have
2 everything here. If the board members need
3 to see it, they will --

4 MR. DEZELL: I have a site plan
5 essentially showing the existing house here,
6 the garage, back here is where deck already
7 is. This back area. Again, it's going up to
8 the same location, the roof tying in will
9 have a similar pitch and the hip (ph) roof
10 and such. It looks like the existing
11 homestead.

12 CHAIRPERSON GRONACHAN: Anything
13 else?

14 MR. DEZELL: If you have any
15 questions, be happy to answer them.

16 CHAIRPERSON GRONACHAN: Thank
17 you. Is there anyone in the audience that
18 wishes to make comment on this case this
19 evening?

20 Seeing none, building
21 department?

22 MR. BUTLER: No comments.

23 CHAIRPERSON GRONACHAN:

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Correspondence?

MR. MONTVILLE: Yes, there were 30 letters mailed, one letter returned, zero approvals and zero objections.

CHAIRPERSON GRONACHAN: Okay. Board members? Member Sanghvi.

MR. SANGHVI: Thank you. Good evening. I came and saw your place on Saturday.

MR. DEZELL: You did, okay.

MR. SANGHVI: To be honest, the only question I have is all the material you are using, all approved for fire protection?

MR. DEZELL: Well, certainly it's a permit with the city, so it's an open covered patio --

MR. SANGHVI: Open covered means what?

MR. DEZELL: I'm sorry. It has seven posts, so it has a foundation around the perimeter, rather than just for the posts themselves, it's a full trench footing around, with brackets that hold six posts.

1 From there it will have a full roof like you
2 would have on your house with the eaves
3 troughs the same as the existing house,
4 gutters, shingled roof, you know, standard
5 construction material. Really at this point
6 no insulation or anything in that fashion.

7 MR. SANGHVI: The reason why I am
8 asking you is later on you might want to
9 (unintelligible) enclose and then you want to
10 make sure at the beginning that this is safe
11 enough to do what you are doing.

12 MR. DEZELL: Yes, we are focusing
13 on, yes, if it were to be enclosed, it will
14 have a full structure ability as far as the
15 load bearing. The way it is constructed with
16 the architect, it has the load bearing with
17 the posts, and all the construction of the --
18 you want to say the trusses, and the ridge
19 and all the perimeters, all has the structure
20 near that. There would be no more additional
21 load bearing required if you were to enclose
22 it later. Of course, being enclosed later,
23 it's a secondary permit, or if that meets the

1 code, whether it's electrical insulation,
2 HVAC, it's compliant with all the city
3 ordinances. It actually went through the
4 permit process already.

5 So after this is approved, we
6 are ready to go.

7 MR. SANGHVI: Thank you.

8 CHAIRPERSON GRONACHAN: Member
9 Montville.

10 MR. MONTVILLE: I am looking at
11 the notes from the previous application, just
12 to confirm, was this a preexisting
13 non-conforming lot initially?

14 MR. DEZELL: When we built it you
15 mean?

16 MR. MONTVILLE: Correct.

17 MR. DEZELL: Yes, the variance
18 was the same variance to go from 10 feet to
19 five feet. So the house was already five
20 feet from the lot lines, the driveway is
21 adjacent to the other lot line because it's
22 an easement shared with the neighbor, the
23 other size is all five feet, all the way

1 down, and existing deck is five feet, where
2 this is going in the same spot.

3 MR. MONTVILLE: Based on -- it
4 being an existing structure of the building,
5 its improved esthetics, the wildlife is a
6 concern with the lot, that's another factor
7 that the applicant has to deal with, for
8 those reasons, I would be support of the
9 applicant as it's being requested.

10 CHAIRPERSON GRONACHAN: Okay.
11 Thank you. Anyone else? I have no problem
12 with this.

13 I understand that there was a
14 previous variance granted. And the other
15 only reason why you need another variance is
16 because of the roof. That's the only reason.

17 So it is a non-conforming lot,
18 and I think that your request is minimal, and
19 I will be in full support. And I would
20 entertain a motion if anyone is ready. If
21 there is no more discussion. Member
22 Montville.

23 MR. MONTVILLE: I move that we

1 grant the variance requested in Case No.
2 PZ16-0048, sought by Alan DeZell for a five
3 foot setback variance.

4 As the petitioner has shown a
5 practical difficulty using a lot as zoned
6 with considering the improved esthetics as a
7 priority from the current deterioration of
8 the back deck. The surrounding wildlife is
9 an aspect on the eastern side of the lot, and
10 the lot is already a preexisting
11 non-conforming lot.

12 The petitioner did not create
13 these conditions. The relief will not
14 unreasonably interfere with any adjacent or
15 surrounding properties and will potentially
16 add to property values, as the improved
17 esthetics will be an improvement, positive.
18 It is consistent with the spirit and intent of
19 the ordinance, so for those reasons, I move
20 that we grant the variance as it's been
21 requested.

22 MS. KRIEGER: Second.

23 CHAIRPERSON GRONACHAN: It's been

1 moved and second. Any further discussion?

2 Monica, would you please call
3 the roll.

4 MS. DRESLINSKI: Member Krieger?

5 MR. SANGHVI: Yes.

6 MS. DRESLINSKI: Member
7 Montville?

8 MR. MONTVILLE: Yes.

9 MS. DRESLINSKI: Member
10 Peddiboyina?

11 MR. PEDDIBOYINA: Yes.

12 MS. DRESLINSKI: Member Sanghvi?

13 MR. SANGHVI: Yes.

14 MS. DRESLINSKI: Chairperson
15 Gronachan?

16 CHAIRPERSON GRONACHAN: Yes.

17 MS. DRESLINSKI: Motion passes
18 five to zero.

19 CHAIRPERSON GRONACHAN: Your
20 variance has been granted. Good luck. I'm
21 sure you will be back in contact with the
22 building department.

23 MR. DEZELL: Thank you.

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CHAIRPERSON GRONACHAN: Moving along, our next case Phillips Sign and Lighting. The petitioner is here? Case PZ16-0049, 42235 Grand River.

The applicant is requesting a variance to allow for the installation of an additional 5.7 square foot non-illumination sign. This is at the KIA dealership.

And you are?

MR. BRETZ: My name is Steven Bretz. I am with Phillips Sign and Lighting.

CHAIRPERSON GRONACHAN: Would you please spell your name for the recording secretary, and then raise your right hand to be sworn in.

First name is Steven, S-t-e-v-e-n, last name Bretz, B, as in boy, r-e-t-z.

MR. MONTVILLE: Do you swear to tell the truth in the testimony you are about to provide?

MR. BRETZ: Yes, I do.

CHAIRPERSON GRONACHAN: You may

1 proceed.

2 MR. BRETZ: Good evening. I am
3 here representing Phillips Sign and Lighting.
4 Unfortunately, the representative from
5 Feldman Auto Group could not be with me, so I
6 will do this on my own.

7 Our hardship is two-fold.
8 Number one, KIA national branding, they are
9 intending to offer a new level of service,
10 and in our ever busier world for all of us,
11 they are going to be offering faster, more
12 efficient service, truly revolutionizing the
13 service world. The word express will be the
14 nucleus of their new rebranding and identity
15 with KIA.

16 Number two, good safe
17 directional signage for all the visitors to
18 the site. Our variance is not for more
19 square footage, but for an additional sign.
20 Please consider that the sign measures 5.7
21 square feet. It's only 12 inches high,
22 70 inches wide and non-illuminated.

23 Hopefully our request seems

1 modest and in good taste, and on behalf of
2 the Feldman Auto Group and Phillips Sign, I
3 thank you for your consideration.

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

7 Seeing none, building
8 department?

9 MR. BUTLER: Only comment, it is
10 a reasonable request. We have reviewed it
11 and it takes in pretty much what he has out
12 there. No additional comments.

13 CHAIRPERSON GRONACHAN: Thank
14 you. Is this sign -- do you have a diagram
15 by chance to show us where the sign exactly
16 is going?

17 MR. BRETZ: I do. You didn't
18 receive any of that?

19 CHAIRPERSON GRONACHAN: There is
20 a few people at home watching, so I would
21 like to put it up there just to clarify. And
22 I have some questions.

23 So is this sign replacing any

1 of the signs currently on the property?

2 MR. BRETZ: It is not.

3 CHAIRPERSON GRONACHAN: And
4 according to our pictures, what is the
5 purpose of the express sign, to direct them
6 into where they can get the express service,
7 is that what the idea is?

8 MR. BRETZ: Into that express
9 area. The way I understand it, there is
10 already a service sign up there, but again,
11 they're moving in the direction of rebranding
12 their image a little bit, and to do that,
13 they're adding the word express to that lane
14 or to that area under the service sign. They
15 plan on doing this at all their dealerships.
16 They're starting -- I believe this is the
17 first one actually.

18 CHAIRPERSON GRONACHAN: Okay.
19 Thank you. Board members? Correspondence.
20 Sorry.

21 MR. MONTVILLE: Yes, there were
22 14 letters mailed, two letters returned, zero
23 approvals and zero objections.

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CHAIRPERSON GRONACHAN: Okay.

Board members? Member Krieger.

MS. KRIEGER: I drove all over the site, and I'm sorry, but I couldn't find the express sign, which is embarrassing.

But then my question out of that is why not if it's going to be more services, replace service with express?

MR. BRETZ: The service sign is a lit sign, number one, it's an illuminated sign. This is a non-illuminated sign, just an additional sign to go with the service message.

They really don't want to replace the word service obviously. Because that I believe that's the the first word -- somebody is coming in to bring their car in, that's the first word they're going to be looking for is that word service. That needs to remain obviously.

CHAIRPERSON GRONACHAN: Member Montville?

MR. MONTVILLE: Question for the

1 city attorney, if they were going to take
2 that service sign, turn it into one new sign,
3 combining express service, would they need a
4 variance request for that?

5 MS. SAARELA: I would have to
6 know the size and how that sign was proposed.
7 We have to look into that.

8 MR. MONTVILLE: For the
9 applicant, when community customers and
10 potential clientele, from a safety
11 standpoint, of flow through the dealership
12 lot, is it going to be communicated as
13 safety -- excuse me, express service, like
14 essentially people looking for the express
15 sign, potential confusion and confusion on
16 the dealership lot, would that be fair?

17 MR. BRETZ: I don't believe it's
18 going to be a confusing -- I mean, service
19 and express basically go together. There are
20 two lanes there. I believe correctly going
21 through there. I didn't see it as being a
22 confusing issue for the customer driving
23 through there at this point.

1 MR. MONTVILLE: Okay. The reason
2 I ask is -- the task we are assigned with is
3 hardship or, I guess, a reason, for the sign.
4 I understand branding. And I think it's --
5 just thinking of reasons why this could
6 potentially be a hardship. I don't know if
7 branding is one of them, if that makes sense.

8 MR. BRETZ: That's the direction
9 that they gave us, that the reason to add a
10 sign, they're changing up -- they're trying
11 to revolutionize their service business.
12 It's a very small change, obviously it's
13 nothing major. But it is something that
14 they're looking to include in all their
15 dealerships, KIA.

16 MR. MONTVILLE: Again, for
17 customers looking for the service area,
18 potentially the express service area, I could
19 see as a potential reason.

20 I will open it up to
21 conversation to my fellow board members, hear
22 your thoughts.

23 CHAIRPERSON GRONACHAN: Member

1 Sanghvi.

2 MR. SANGHVI: Thank you. It
3 started as only a General Motors dealership
4 Chevrolet brand, when they extended the
5 business, becoming like a motor mall, that
6 brand name coming in. I understand that they
7 want their brand to be visible, and we both
8 found out it's not easy to drive around there
9 and find this in the first place. So I
10 believe if there is a new sign there, it
11 won't hurt anybody. Thank you.

12 CHAIRPERSON GRONACHAN: Thank
13 you. Do you know if there was a mock-up put
14 up?

15 MR. BRETZ: No.

16 CHAIRPERSON GRONACHAN: Nobody
17 found it.

18 MR. BRETZ: There hasn't been
19 one, to my knowledge.

20 MR. SANGHVI: That is why we
21 couldn't find it.

22 CHAIRPERSON GRONACHAN: Member
23 Peddiboyina.

1 MR. PEDDIBOYINA: As long as
2 there are safety concerns, if everything is
3 good, I have no issue. You need to be
4 careful in the safety of the parking lot.

5 CHAIRPERSON GRONACHAN: Okay,
6 thank you. I'm torn. And the reason why I
7 am torn, I don't know if I have enough
8 information to make a decision this evening
9 based on the fact that I am not quite sure
10 what the hardship is. I understand branding,
11 but I am not convinced exactly what the need
12 is and what the hardship is.

13 The fact there was no -- I
14 mean, I drove around the parking lot as well.
15 I understand what you say the goal is, but I
16 think that -- if there had been a mock-up
17 there of some sort to guide us, to give us an
18 idea of just exactly, then it would have
19 given us some information to make a decision.

20 I don't feel that we have
21 enough -- looking at the shaking heads and
22 the pause at the table tonight, I think that
23 there is not enough information before this

1 board to make a decision.

2 Am I seeing shaking heads?

3 MR. SANGHVI: I agree with you.

4 I think it would be good idea if they put a
5 mock-up up and come back next month.

6 CHAIRPERSON GRONACHAN: My
7 suggestion, and you can -- it's your
8 decision.

9 My suggestion would be to tell
10 your client that a mock-up should be put up
11 so we can get a feel of just exactly what
12 this sign is going to do for the business.
13 You know, driving around and not having a
14 feel for it, we have to come back and make a
15 decision, give a statement as to why there is
16 a hardship.

17 At this point, there is five
18 people sitting here without coming up with a
19 reason. I don't want to just say, no, we are
20 going to deny it. We would like to work with
21 the business. They're in Novi. They're a
22 fairly large business. I think that there
23 needs to be more homework done in this

1 instance.

2 So would you be open to
3 accepting my suggestion of postponing it
4 until -- can we do it next month,
5 December 13th?

6 MR. BRETZ: Yes. The proposed
7 paperwork that we sent you, the mock-up up
8 here, that's not --

9 CHAIRPERSON GRONACHAN: With
10 that, I propose -- the petitioner has
11 accepted that we postpone this case -- I am
12 looking for the number.

13 MS. DRESLINSKI: 49.

14 CHAIRPERSON GRONACHAN: 49 to
15 December 13th. All those in favor?

16 THE BOARD: Aye.

17 CHAIRPERSON GRONACHAN: We will
18 see you on December 13th.

19 Our next case is PZ16-0050,
20 this is the Road Commission for Oakland
21 County. The commission is seeking a variance
22 from the City of Novi for a dimensional
23 variance for a site less than three acres,

1 minimize size, three acres allowed.

2 I know there are several
3 people here this evening to speak in regards
4 to this.

5 And you are?

6 MR. SMITH: I am Mike Smith from
7 the Road Commission for Oakland County and
8 this application was made on behalf of the
9 First Free Baptist Church.

10 CHAIRPERSON GRONACHAN: Who else
11 is giving testimony in regards to this case?
12 Just -- are you the only one?

13 MR. SMITH: Just myself. I
14 brought the design engineer in case you had
15 questions about design.

16 CHAIRPERSON GRONACHAN: Would you
17 like to come down so we can swear you both in
18 at this time.

19 Neither one of you are
20 attorneys, correct?

21 MR. SMITH: No.

22 CHAIRPERSON GRONACHAN: We can
23 get your names on the record and get you both

1 sworn in.

2 MR. RUCINSKI: My name is
3 Alexander Rucinski. I am a project engineer
4 at the Road Commission for Oakland County.

5 CHAIRPERSON GRONACHAN: Would you
6 please spell your last name for our recording
7 secretary.

8 MR. RUCINSKI: R-u-c-i-n-s-k-i.

9 CHAIRPERSON GRONACHAN: And your
10 name again, if you could spell it for the
11 recording secretary.

12 MR. SMITH: Michael, last name,
13 Smith, S-m-i-t-h.

14 CHAIRPERSON GRONACHAN: Thank
15 you. Would you both raise your right hands
16 to be sworn in.

17 MR. MONTVILLE: Do you swear to
18 tell the truth in the testimony you're about
19 to provide?

20 MR. SMITH: Yes.

21 MR. RUCINSKI: Yes.

22 CHAIRPERSON GRONACHAN: Please
23 proceed.

1 MR. SMITH: The reason that we
2 applied for the application for a dimensional
3 variance is due to the construction that's
4 taking place on Napier and Ten Mile Road.
5 Their property, the church is on the
6 southeast quadrant of that intersection, and
7 the roundabout that will be constructed there
8 requires for the church, the highway easement
9 to be purchased from the church that goes
10 through their well and the septic system and
11 also through two buildings that's located on
12 the property.

13 The request is to allow them
14 to redevelop the remaining property which is
15 less than 3 acres, and that's what we are
16 seeking for them today.

17 CHAIRPERSON GRONACHAN: Thank
18 you. Is there anyone in the audience that
19 wishes to make comment on this case?

20 Seeing none, building
21 department?

22 MR. BUTLER: No comment at this
23 time.

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CHAIRPERSON GRONACHAN:

Correspondence?

MR. MONTVILLE: Yes, there were 18 letters mailed, two letters returned, one approval from Frances Ferguson, 24040 Napier, and she notes -- Frances notes his or her approval.

CHAIRPERSON GRONACHAN: Thank you. Board members. Member Sanghvi.

MR. SANGHVI: Thank you. I came and saw this property on Saturday, and my question is, what is going to happen to the building which is already existing there?

MR. SMITH: It will be -- demolition.

MR. SANGHVI: Going to get rid of the whole thing?

MR. SMITH: The Road Commission -- I'm sorry?

MR. SANGHVI: Who is going to take care of putting the church back together again?

MR. SMITH: The process -- the

1 property is being acquired under eminent
2 domain, and the process requires that the
3 Road Commission make them an offer to
4 purchase either the total property or a
5 partial acquisition, which is the highway
6 easement.

7 The desire of the church is to
8 have a partial acquisition because they want
9 to remain at the current location, that's why
10 the option to buy the total parcel is not
11 being pursued at this time.

12 The lot is contingent upon if
13 they will be allowed to develop on the
14 remaining site.

15 MR. SANGHVI: I am quite
16 sensitive to anyplace of worship being
17 touched for -- especially public domain.
18 That's why I am a little concerned about
19 what's going to happen to the church. Thank
20 you.

21 CHAIRPERSON GRONACHAN: Board
22 members? Member Krieger.

23 MS. KRIEGER: What is the

1 historical value of the church? When was it
2 built?

3 MR. SMITH: In the '20s, I
4 believe.

5 MS. KRIEGER: Thank you.

6 MR. RUCINSKI: The actual
7 structure was built, I believe in the 1920s,
8 the information we have, the church was put
9 into use in the mid 1970s.

10 As part of our process, we do
11 a check through the state historic
12 preservation office on any structure that is
13 greater than 50 years old, we check with the
14 state's historic preservation office.

15 They deem that the property
16 is -- contains no historical significance in
17 and of itself, other than the building is
18 greater than 50 years old.

19 CHAIRPERSON GRONACHAN: Thank
20 you. We have the city attorney, Beth?

21 MS. SAARELA: I just want to
22 point out in considering the variance for
23 this case, they are not here to decide

1 whether this roundabout is going to happen,
2 whether or not the -- you know, the structure
3 is going to be moved, yes or no, that's going
4 to happen.

5 We are here to decide whether
6 it's appropriate to give the property a
7 variance so that they can still use the
8 property.

9 So anything we decide today is
10 not going to impact whether this project
11 happens or not, it's going to happen. So I
12 just wanted you to be mindful of that in your
13 discussions.

14 CHAIRPERSON GRONACHAN: Thank
15 you. When I first read this case, I was very
16 familiar, my former backyard for many, many
17 years. But I am glad to see that the church
18 is working with the county and that you're
19 working together and that you want to stay.
20 And I am in full support of this request. I
21 think everybody did their homework, looking
22 at all the paperwork and the documentation, I
23 think it has been a long time coming. I

1 think because the church is being so
2 cooperative, it's going to improve the
3 community, and hopefully the church will grow
4 with its members because it's keeping it's
5 location and I understand why it wants to
6 stay in there.

7 So I have no problem with
8 supporting your request.

9 Is there anyone else?

10 Member Montville, would you
11 like to do a motion?

12 MR. MONTVILLE: Yes, Madam Chair.
13 I move that we grant the variance in Case No.
14 PZ16-0050, sought by the Road Commission for
15 Oakland County, for a dimensional variance,
16 as the petitioner has shown a practical
17 difficulty regarding the variance that's
18 being requested for the use of the property
19 as a place of worship, due to the size of the
20 lot being reduced to less than 3 miles.

21 Without the variance, the
22 petitioner will be unreasonably prevented or
23 limited with regard to the property, as the

1 current church involved will not meet the 3
2 acre minimum for zoning as a place of
3 worship.

4 The petitioner did not create
5 the condition, as reduction of the lot size
6 was the result of the required highway
7 easement for a nearby road project.

8 The relief granted will not
9 unreasonably interfere with adjacent
10 properties, as the lot is already used as a
11 place of worship. Relief is consistent with
12 the spirit and intent of the ordinance, as it
13 allows the lot to remain in use as it is
14 currently, improves the surrounding traffic
15 conditions.

16 For those reasons, I move that
17 we grant the variance as it's been requested.

18 MS. KRIEGER: Second.

19 CHAIRPERSON GRONACHAN: I would
20 like to offer a friendly amendment. I think
21 in your first sentence you put 3 miles and it
22 should be 3 acres, correct?

23 MR. MONTVILLE: Yes. Excuse me,

1 yes.

2 CHAIRPERSON GRONACHAN: Okay.

3 It's been moved and second. Monica, would
4 you please call the roll.

5 MS. DRESLINSKI: Member Krieger?

6 MS. KRIEGER: Yes.

7 MS. DRESLINSKI: Member
8 Montville?

9 MR. MONTVILLE: Yes.

10 MS. DRESLINSKI: Member
11 Peddiboyina?

12 MR. PEDDIBOYINA: Yes.

13 MS. DRESLINSKI: Member Sanghvi?

14 MR. SANGHVI: Yes.

15 MS. DRESLINSKI: Chairperson
16 Gronachan?

17 CHAIRPERSON GRONACHAN: Yes.

18 MS. DRESLINSKI: Motion passes
19 five to zero.

20 CHAIRPERSON GRONACHAN: Your
21 variance has been granted. Congratulations
22 and good luck.

23 MR. SMITH: Thank you.

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CHAIRPERSON GRONACHAN: Our next case is No. PZ16-0051. The applicant is requesting a variance from the City of Novi for placement of a tenant's name on a business. And this is the Novi Development and Associates. Is the petitioner here?

Would you please state your name and spell it for the recording secretary, and then raise your right hand to be sworn in.

MR. AGRAWAL: My name is Sunil Agrawal, and let me spell it, S, as in Sam, u-n-i-l, and last name is Agrawal, A, as in apple, g-r-a-w-a-l.

MR. MONTVILLE: Do you promise to tell the truth in the testimony you're about to provide?

MR. AGRAWAL: I do.

CHAIRPERSON GRONACHAN: You may proceed.

MR. AGRAWAL: We are here for a very specific reason. I have been in Novi for about 30 years now. We built this office

1 complex in 1999.

2 At that time our office
3 complex, which is 150 feet wide, 850 feet
4 long to our east, it's a very narrow lot.

5 When we built the building,
6 most of our tenants at that time were high
7 tech companies, builders, so they did not
8 have any -- too many people visiting the
9 facility.

10 But as of now, it has become
11 kind of a medical service type park. And the
12 number of visitors have increased
13 significantly, and because of that reason, we
14 need visibility. The patients come, they
15 cannot see the sign. We have the monument,
16 which is old style, doesn't give much
17 visibility. When the visitors come, they
18 miss the sign, they can't get in there and
19 they end up going to Novi Automotive. They
20 get upset, they have to turn around, come in
21 here. And that's causing a real hardship.

22 And I want to bring one thing
23 to the board's attention. We are not asking

1 the size. It's the same foundation same --
2 we will use the 8-foot long right now, we
3 will keep it 8-foot long. Instead of 4 feet,
4 it would become four and a half feet. That's
5 all we are asking, 48-inch high.

6 I brought two of the tenants,
7 who are getting effected the most, they
8 wanted to come here, so I brought them here,
9 and they would like to say a few words to the
10 board.

11 CHAIRPERSON GRONACHAN: Would you
12 please come up and state your name.

13 MR. BURNS: Robert Burns.

14 MS. NEWLEY: Victoria Newley. I
15 am a primary care physician, and I have been
16 at the current building for about five years,
17 and I have recently partnered with the local
18 hospital, St. John Providence. So I started
19 to take on a lot of -- more insurance, so I
20 am getting new patients, where they are
21 having difficulty finding the location.

22 So it's not getting any better
23 since I have been there. The problem is only

1 getting worse. I am getting more seniors,
2 and it's very confusing to them, because the
3 way the driveway is set up, it's not like we
4 have our own driveway for our building, it's
5 kind of like connected to the tire and
6 service place, like he was saying. They will
7 pass it, they will go to Nine Mile, they will
8 call, so my staff is spending a lot of time
9 on the phone trying to explain where we are.
10 Because it's not a traditional -- it wasn't
11 made -- established as a traditional medical
12 complex. So now that there is a lot of
13 medical business in there, because there is
14 no sign on the street, it's difficult for
15 patients to find it, especially the seniors.
16 And it's becoming a problem whereas I don't
17 want to leave the City of Novi, however,
18 since I partnered with the hospital, if we
19 can't, you know, make it easier for my
20 patients to find out where we are, we are
21 going to have to consider moving to an
22 adjacent area.

23 I am getting patients as far

1 as Southfield, South Lyon, it's not patients
2 who are only in Novi, and are used to the
3 area. I accept a lot of insurances that a
4 lot of doctors don't, Medicaid, so people are
5 traveling to find me. It's very difficult
6 for them to find.

7 CHAIRPERSON GRONACHAN: Thank
8 you.

9 MR. BURNS: I would say a lot of
10 the same things. I own a physical therapy
11 practice and we are a private practice, so
12 our business is dependent completely on
13 people being able to find us and being able
14 to locate our practice. And the way that --
15 the way that things are now in terms of how
16 the sign is, we spent a lot time as well on
17 the phone with people trying to give them
18 direction and help them figure out which way
19 is north, south, east and west to find the
20 office.

21 And I know that signage is
22 some of a sensitive area in a lot of cases,
23 but the sign that we're asking for is not --

1 I don't believe, you know, big, dramatic, you
2 know, Vegas type sign or something like that.
3 We just want to be able -- we want to have
4 people be able to find us so we can continue
5 to thrive our business -- our business to
6 thrive in Novi.

7 CHAIRPERSON GRONACHAN: Thank
8 you.

9 MR. AGRAWAL: One last comment
10 that I would like to make, our largest tenant
11 there is an (unintelligible) center and they
12 are also having a lot of problems. They are
13 not able to present themselves either. But
14 they are also having -- because when the
15 (unintelligible) easy to deal with, and when
16 the mother is driving with the car, they are
17 trying to find the place and they can't find
18 the place, and the way traffic is on Novi
19 Road now, you miss the entry to the complex,
20 you end up going all the way to Eight Mile or
21 someplace else and then turn around. So it's
22 kind of causing a real hardship on us as well
23 as other tenants there.

1 We just want to increase the
2 value of our property, so that is also -- I
3 think should be considered, if the place is
4 full, people are liking it, that will help
5 everyone.

6 CHAIRPERSON GRONACHAN: Thank
7 you.

8 MR. AGRAWAL: Other thing, many
9 surrounding businesses, in the vicinity, they
10 have the same kind of sign that we are
11 asking. So we are not asking which is
12 different.

13 CHAIRPERSON GRONACHAN: Okay. Is
14 there anything else?

15 MR. AGRAWAL: That's it, ma'am.
16 Thank you very much.

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

20 Seeing none, building
21 department?

22 MR. BUTLER: No comment at this
23 time.

1 CHAIRPERSON GRONACHAN: Thank
2 you. Correspondence?

3 MR. MONTVILLE: Yes, Madam Chair.
4 Fifty letters mailed, one letter returned,
5 zero approvals, zero objections.

6 CHAIRPERSON GRONACHAN: Thank
7 you. Board members? Member Sanghvi.

8 MR. SANGHVI: I came and drove
9 around your property a couple of days ago.
10 And I never realized that it is as deep as it
11 is, from the outside you can't realize how
12 far it goes, all the way down to the railroad
13 track out there, in the back. I can
14 understand why visibility is necessary for the
15 businesses that are within your complex.

16 MR. AGRAWAL: We have two
17 buildings there, second building is not even
18 visible.

19 MR. SANGHVI: I know, that's what
20 I found out when I looked around there. I
21 have no problem in supporting your
22 application. Thank you.

23 MR. AGRAWAL: Thank you.

1 CHAIRPERSON GRONACHAN: Okay.

2 Member Krieger?

3 MS. KRIEGER: I agree. Thank
4 you.

5 MR. PEDDIBOYINA: Same thing. I
6 came to your site. One side, I came back,
7 the same thing, dimension, the hardship, I
8 have no issue. I can vote for that.

9 CHAIRPERSON GRONACHAN: Member
10 Montville?

11 MR. MONTVILLE: Nothing.

12 CHAIRPERSON GRONACHAN: I can
13 appreciate the frustration of trying to look
14 for something and I think that the most
15 important point is that everybody that's
16 coming to your business is not in Novi.
17 That's very important to remember.

18 So as the city grows and as
19 the businesses grow, we do want people to
20 come not just from Novi. And so that was a
21 very good point by your tenants that they
22 brought.

23 My question is, how many

1 tenants do you have in your building?

2 MR. AGRAWAL: We have six
3 tenants.

4 CHAIRPERSON GRONACHAN: All
5 right. And so I have no problem with this.
6 I think that the testimony that was given
7 this evening was done wholeheartedly and I
8 think that you have done your homework, and
9 so I have no problem supporting your request.

10 Member Sanghvi?

11 MR. SANGHVI: Just one question.
12 Is this sign going to be lit up?

13 MR. AGRAWAL: Yes, a lighted
14 sign, sir.

15 CHAIRPERSON GRONACHAN: Okay. I
16 would entertain a motion.

17 MS. KRIEGER: In Case No.
18 16-0051, sought by petitioner, I move to
19 approve or grant the request. The property
20 is unique, in its narrow topography, narrow
21 and deep and the confusion with the driveway
22 that unreasonably prevents and limits the
23 property use, because it confuses between the

1 two businesses. And the condition is not
2 self-created.

3 The relief will not
4 unreasonably interfere with adjacent or
5 surrounding properties, will help with
6 directions and relief is consistent with the
7 spirit and intent of the ordinance.

8 MR. SANGHVI: Second.

9 CHAIRPERSON GRONACHAN: It's been
10 moved and seconded. Any further discussion?

11 Seeing none, Monica, will you
12 please call the roll.

13 MS. DRESLINSKI: Member Krieger?

14 MS. KRIEGER: Yes.

15 MS. DRESLINSKI: Member

16 Montville?

17 MR. MONTVILLE: Yes.

18 MS. DRESLINSKI: Member

19 Peddiboyina?

20 MR. PEDDIBOYINA: Yes.

21 MS. DRESLINSKI: Member Sanghvi?

22 MR. SANGHVI: Yes.

23 MS. DRESLINSKI: Chairperson

1 Gronachan?

2 CHAIRPERSON GRONACHAN: Yes.

3 MS. DRESLINSKI: Motion passes
4 five to zero.

5 CHAIRPERSON GRONACHAN:

6 Congratulations. Your
7 variance has been granted. Please see the
8 building department. Good luck.

9 Our next Case PZ16-0052, 27212
10 Beck Road. The applicant is requesting a
11 variance to allow three additional wall
12 signs. I believe this is the Starbucks. Is
13 the petitioner here this evening?

14 Good evening. Could you state
15 and spell your name it for the recording
16 secretary, and then raise your right hand to
17 be sworn in.

18 MR. STIEBER: Patrick Stieber,
19 S-t-i-e-b-e-r.

20 CHAIRPERSON GRONACHAN: Would you
21 raise your right hand.

22 MR. MONTVILLE: Do you promise to
23 tell the truth in the testimony you're about

1 to give?

2 MR. STIEBER: I do.

3 CHAIRPERSON GRONACHAN: You may
4 proceed.

5 MR. STIEBER: So there is a new
6 Starbucks going in here at the corner of Beck
7 Road and City Gate Drive. Hopefully you all
8 had an opportunity to go by and look at the
9 mock-up signs that are there.

10 We currently, just so you guys
11 are fully aware of what's going on with this
12 sign, it's not in the variance, because we
13 already permitted it, but this is the front
14 elevation, and we have currently already
15 permitted the Starbucks letters that are on
16 the front there.

17 We tried to -- in Starbuck's
18 eyes, this is one sign. It's a branding
19 thing. We are putting the drive-thru on the
20 elevation, their main elevation, with their
21 sign to direct people to the drive-thru.
22 It's kind of a directory type sign. It's not
23 a branded sign, just a directional type sign.

1 But you know how they have to
2 box out the sign, if we put a box around the
3 whole thing, you know, we would be over the
4 square footage. So as you can see, the
5 Starbucks letter is at 17.16 square feet and
6 the drive-thru actual square foot is at 6.96.

7 But basically that sign is an
8 important sign for them due to the ingress
9 and egress and the traffic flow of the lot.
10 Having these signs on the building like this,
11 it's really helped them flow the traffic to
12 the drive-thru so we really feel like there
13 is a hardship or lack of identification for
14 these traffic flows without this sign. They
15 have ingress off of both Beck Road and two
16 ingress and egress off City Gate Drive.

17 And if you kind of look at the
18 site plan there, you can kind of see, you
19 know, where the traffic needs to get to the
20 drive-thru. And this sign will alleviate
21 that from the main entrance, which they feel
22 is going to get a lot of the traffic there at
23 City Gate Drive.

1 So that's the gist of what we
2 are asking for on the front elevation.

3 The side elevation and rear
4 elevation again, they feel that there is lack
5 of identification due to the ingresses and
6 egresses, and the fact that the main parking
7 for this development is in the rear of the
8 property. So having branding on the rear of
9 the property they feel is definitely needed
10 and there is a hardship of lack of
11 identification, due to the fact that there is
12 the ingress and egress at the rear and the
13 parking in the rear.

14 Same thing on the side, you
15 know, trying to get that branding there, you
16 know, the size of these signs are not
17 excessive.

18 So we just are here to get
19 your feedback on, you know, what we are
20 seeing, the size of things, kind of get your
21 feedback on what you're thinking.

22 Like I said, that front
23 elevation is a very important thing. It's a

1 directory type thing to get the cars through
2 the property to the drive-thru.

3 CHAIRPERSON GRONACHAN: Anything
4 else?

5 MR. STIEBER: No.

6 CHAIRPERSON GRONACHAN: Is there
7 anyone in the audience that wishes to make
8 testimony on this case?

9 Seeing none, building
10 department?

11 MR. BUTLER: The only comment I
12 would say, that is a very busy intersection,
13 especially certain times of day, so any
14 way-finding signs to help traffic move along,
15 to stop a backup, probably be a good idea.
16 That is a reasonable request.

17 CHAIRPERSON GRONACHAN:
18 Correspondence?

19 MR. MONTVILLE: Yes, 20 letters
20 mailed, six letters returned, zero approvals
21 and zero objections.

22 CHAIRPERSON GRONACHAN: Thank
23 you. Board members. Member Sanghvi.

1 MR. SANGHVI: I came there and
2 drove around there. I have been there on
3 that site before, other signs as well. If
4 you don't know, it's a very tough lot to get
5 around. And I understand the need for a
6 directional sign.

7 And I guess you want your logo
8 around, so I don't know. I'm not so sure
9 whether you need your logo everywhere, but on
10 the directional sign you need it definitely.
11 Thank you.

12 CHAIRPERSON GRONACHAN: Member
13 Krieger?

14 MS. KRIEGER: I have a question
15 about the east sign, how necessary that is.
16 Because once they're into -- they see the
17 Starbucks and they're headed in the
18 drive-thru, they already know that they're on
19 the road and going around.

20 MR. STIEBER: Side elevation?

21 MS. KRIEGER: The east side.

22 MR. STIEBER: On the rear you
23 mean?

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MS. KRIEGER: Yes.

MR. STIEBER: Well, again, their thought process is there is the parking, you know, you can get into that parking lot, both from the Beck Road egress and you're getting in there and parking. The way that building is angled, having that additional branding there would help them.

If you look at the way the building is angled, versus Beck Road, and if you're coming in off the ingress and egress from Beck, you're not even going to really see the front of that building, until you're actually in the drive, then get back to the parking area, which is located in the rear.

MS. KRIEGER: So the front is on the west side or the north side?

MR. STIEBER: Front would be west. That's the elevation right here.

MS. KRIEGER: Okay. Thanks.

CHAIRPERSON GRONACHAN: Board members? Anybody else? Member Montville.

MR. MONTVILLE: Just so I am

1 organized. This is for a bigger sign on the
2 west?

3 MR. STIEBER: It's for an
4 additional sign on the west, which is the
5 directional sign on the west, the front.

6 MR. MONTVILLE: Right now the
7 only approval is on the south?

8 MR. STIEBER: No. The only one
9 that's approved is this one right here, the
10 Starbucks sign right there. That's the main
11 entrance, front elevation of the building
12 that faces Beck Road kind of on an diagonal.

13 CHAIRPERSON GRONACHAN: The north
14 side would be the drive-thru?

15 MR. STIEBER: Correct. Which
16 they're calling the side.

17 MR. MONTVILLE: Can I make a
18 comment or two just on as far as the minimum
19 necessary for those signs going on, as far as
20 design and the size of the building?

21 MR. STIEBER: Yes. I mean,
22 looking at the size of the building, the size
23 of the walls and size of the signs

1 themselves, you know, they're not excessive
2 in size. You know, they're standard circle,
3 you know, Starbucks logo. They felt that
4 doing this type of sign rather than a longer,
5 bigger channel letter set sign, the board
6 might feel that that sign is less excessive.

7 MR. MONTVILLE: Based on the
8 traffic flow at that intersection, it is a
9 safety concern for the visibility and
10 potential exits. You want to avoid -- people
11 see it at the last minute and make aggressive
12 turns. I think it is a minimum necessary
13 that's being requested. I would open it up
14 to the board. But at this point I would be
15 in a position to approve personally.

16 CHAIRPERSON GRONACHAN: Save the
17 best for last, right?

18 I am not in support. Such a
19 party killer, you know.

20 Let me just say this. I spent
21 a lot of time at that intersection. I will
22 be honest with you, I knew it was a Starbucks
23 building before it was done. So I knew that

1 this was coming before us. I have been
2 driving out there.

3 Yes, I agree about the
4 directional sign. I am in full support of
5 that. As long as there is no additional
6 ground signs to add up to telling everybody
7 where to go.

8 The problem that I have is
9 with the north sign. I think -- I agree with
10 the rear of the building, because I don't
11 know what future construction and future
12 changes are going to be, in that, or if there
13 is going to be traffic coming from that
14 direction, so I am in favor of the back of
15 the building.

16 I have a problem with the
17 north sign. I don't feel -- you have got the
18 logo in the front. You have got Starbucks.
19 You have got the drive-thru. I mean, once
20 you're in -- and to be honest with you, I
21 didn't see that anybody had any problem
22 identifying that it was a Starbucks building
23 when they were going down the road. I really

1 didn't.

2 I will be honest with you, I
3 kind of asked a couple of people because I am
4 not -- I am sorry, I am not a Starbucks fan,
5 so I don't go looking for Starbucks stores.
6 But I am being honest. So I asked other
7 people that are Starbucks users, and what
8 they do to identify your store, and nobody
9 had a problem finding this building. It's
10 not even done yet.

11 So I can appreciate the
12 branding. I can appreciate the request for
13 branding, but I think it's overuse. I think
14 that the -- I am not in favor of, like I
15 said, the north, but I am in favor of the
16 drive-thru. I think your testimony proved
17 that there is a need for it. I think that
18 your testimony proved that for the east that
19 there is a need for that. That I can't
20 support the north.

21 And my suggestion -- that's
22 my -- those are my comments.

23 I have spent a lot of time out

1 there. I am surprised I'm still living for
2 all the traffic out there. I'm just kidding.

3 There is a lot of traffic and
4 there is a lot of confusion. But I think
5 once you get into that complex, especially,
6 let's face it, when you're coming off that
7 freeway, you can see it. That's where most
8 of the people are coming from, to be honest
9 with you.

10 The people that are going to
11 be coming from Beck, they can see you. I
12 mean, they have got the front of the building
13 and the Starbucks. I mean, I did every angle
14 possible to --

15 MR. STIEBER: I hear you. Again,
16 that's why we are here to get feedback for
17 sure.

18 CHAIRPERSON GRONACHAN: You know,
19 we joke about the amount of driving around.
20 I am surprised I didn't run into these two.
21 I usually do.

22 But that's my take on it, and
23 I feel that I would hold back on the third

1 because that corner is changing and you don't
2 know what you are going to need down the
3 road. That would be my -- that's my
4 perception of it.

5 So having said that, if
6 anybody would like to -- I would entertain
7 motions separate -- I'm sorry -- Member
8 Peddiboyina.

9 MR. PEDDIBOYINA: I agree with
10 you, Madam Chairperson, what you are saying.
11 Starbucks is a known brand name. They have a
12 main entrance. I'll go with my chairperson.

13 CHAIRPERSON GRONACHAN: All
14 right. Thank you. Why don't we start with
15 the motion, then we can --

16 MS. KRIEGER: I am looking
17 forward to the other entrance being opened
18 there.

19 CHAIRPERSON GRONACHAN: Let's not
20 go down the road too fast. Stick with what's
21 in front of us.

22 Who is going to do the
23 motions. Member Montville, did I see your

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hand up?

MR. MONTVILLE: Yes.

CHAIRPERSON GRONACHAN: We will do one at a time.

MR. MONTVILLE: For the first motion, we will focus on the northern sign.

Specific to the northern sign, in Case No. PZ16-0052, sought by Allied Signs, Inc. I move that we deny the variance as requested, as the petitioner has not shown practical difficulty requiring the additional sign to properly use the lot as is currently zoned.

The circumstances and features of the property are not unique to warrant the additional sign on the northern exposure of the building. The condition is not -- is self-created, as applied for currently by the application.

The failure to grant relief will result in a little inconvenience and little ability to continue to properly use the lot as currently zoned. From an esthetic

1 standpoint, it would be an additional
2 unnecessary sign.

3 Granting the variance would be
4 consistent with spirit and intent of the
5 ordinance, as it would allot for additional
6 signage not currently written within the
7 ordinance.

8 Those reasons, I move that we
9 deny that sign on the northern exposure of
10 the building.

11 MR. SANGHVI: Second.

12 CHAIRPERSON GRONACHAN: It's been
13 moved and second. Any other further
14 discussion?

15 Seeing none, Monica, would you
16 please call the roll.

17 MS. DRESLINSKI: Member Krieger?

18 MS. KRIEGER: Yes.

19 MS. DRESLINSKI: Member
20 Montville?

21 MR. MONTVILLE: Yes.

22 MS. DRESLINSKI: Member
23 Peddiboyina?

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MR. PEDDIBOYINA: Yes.

MS. DRESLINSKI: Member Sanghvi?

MR. SANGHVI: Yes.

MS. DRESLINSKI: Chairperson

Gronachan?

CHAIRPERSON GRONACHAN: Yes.

MS. DRESLINSKI: Motion to deny
is approved five to zero.

MS. SAARELA: I just wanted to
point out, I don't necessarily know that it's
really impacting your motion, but on the
application, it looks like the wrong
application was used for the variance. It's
got the standards for the use variance
instead of the sign variance standards.

I just wanted you to be
mindful that the standards from the sign
ordinance for the variance would apply and
not what is stated here as far as a non-use
variance.

CHAIRPERSON GRONACHAN: I don't
think we were using that one.

MS. SAARELA: At some point the

1 word zoning was mentioned in the motion and a
2 sign ordinance is not in the zoning
3 ordinance.

4 CHAIRPERSON GRONACHAN: Can you
5 read back that motion? Is that possible?

6 THE REPORTER: It was hard to
7 hear. Not at this point, I couldn't.

8 CHAIRPERSON GRONACHAN: Shall we
9 amend it?

10 MS. SAARELA: I mean, I can tell
11 you what the standard should be. I didn't
12 hear all what he was saying because I was
13 looking to compare at the two standards were
14 in the ordinance versus on the application.

15 Do you have the standards for
16 the sign variance?

17 MR. MONTVILLE: If you could read
18 them allowed.

19 MS. SAARELA: So to grant relief
20 from the provision of the sign ordinance, it
21 may be granted by the Zoning Board of Appeals
22 upon the following affirmative findings of
23 practical difficulty. The request is based

1 upon circumstances or features that are
2 exceptional and unique to the property, and
3 do not result from conditions that exist
4 generally in the city or that are
5 self-created. B, that the failure to grant
6 relief will unreasonably prevent or limit the
7 use of the property, will result in
8 substantially more than mere inconvenience or
9 inability to attain a higher economic or
10 financial return. And C, that the grant of
11 relief will not result in a use of structure
12 that is incompatible with or unreasonably
13 interferes with adjacent or surrounding
14 properties, will result in substantial
15 justice being done to both the applicant in
16 adjacent or surrounding properties, and is
17 not inconsistent with the spirit and intent
18 of this chapter.

19 CHAIRPERSON GRONACHAN: We were
20 close. You didn't add that last part to it.
21 So I think it needs to be amended.

22 MR. MONTVILLE: I'm sorry, you
23 say the last part one more time.

1 MS. SAARELA: Subsection C, which
2 is the third variance standard, that the
3 grant of relief will not result in a use of
4 structure that is incompatible with or
5 unreasonably interferes with adjacent or
6 surrounding properties, will result in
7 substantial justice being done to both the
8 applicant and adjacent or surrounding
9 original properties, and is not inconsistent
10 with the spirit and intent of this chapter.

11 CHAIRPERSON GRONACHAN: Can we --
12 this is a question for the city attorney.
13 Can we strike the last motion and reword it?

14 MS. SAARELA: I didn't hear how
15 far you went with it. Did you already vote
16 on it?

17 CHAIRPERSON GRONACHAN: Yes.

18 MS. SAARELA: Someone would have
19 to move to reconsider. At this point, I
20 think you would have move to reconsider the
21 motion and start it over.

22 CHAIRPERSON GRONACHAN: You got
23 to say that on record. I can't. You have to

1 do a move to reconsider.

2 MS. SAARELA: It might be
3 difficult because if it passed five to zero,
4 there was no one opposing it in order to
5 reconsider. I think you're going to have to
6 rely on what was stated at this point.

7 CHAIRPERSON GRONACHAN: We will
8 use this one for the next two.

9 MS. SAARELA: That's why I wanted
10 you to be mindful that you're using the right
11 standard for the next two.

12 CHAIRPERSON GRONACHAN: All
13 right. Next one. You are going to do the
14 front, front elevation.

15 MR. MONTVILLE: The drive-thru
16 next. I move that we grant the variance in
17 Case No. PZ16-0052, sought by Allied Signs,
18 Inc., for the inclusion of a drive-thru
19 addition on the east side frontage of the
20 business and the building.

21 Without the variance, the
22 petitioner will be unreasonably prevented
23 with respect to the use of the property due

1 to visibilty and safety concerns. The relief
2 granted will not unreasonably interfere with
3 surrounding areas of properties, as it is the
4 minimum necessary to display the drive-thru
5 properties of the business. The relief is
6 consistent with the spirit and intent of the
7 ordinance, as again it allows the business to
8 safely indicate the drive-thru and the use of
9 the business currently.

10 So for those reasons, I move
11 that we grant the variance as requested.

12 MR. SANGHVI: Make a friendly
13 amendment to add words that it will allow for
14 a safe traffic flow.

15 MR. MONTVILLE: Sure. Again, I
16 would agree with that amendment.

17 MR. SANGHVI: I second the
18 motion. Thank you.

19 CHAIRPERSON GRONACHAN: It's been
20 moved and second. Any further discussion?

21 Monica, would you please call
22 the roll.

23 MS. DRESLINSKI: Member Krieger?

1 MS. KRIEGER: Yes.

2 MS. DRESLINSKI: Member

3 Montville?

4 MR. MONTVILLE: Yes.

5 MS. DRESLINSKI: Member

6 Peddiboyina?

7 MR. PEDDIBOYINA: Yes.

8 MS. DRESLINSKI: Member Sanghvi?

9 MR. SANGHVI: Yes.

10 MS. DRESLINSKI: Chairperson

11 Gronachan?

12 CHAIRPERSON GRONACHAN: Yes.

13 MS. DRESLINSKI: Motion passes

14 five to zero.

15 CHAIRPERSON GRONACHAN: Okay.

16 Now the third one, rear elevation of the

17 building.

18 MR. MONTVILLE: Specific to the

19 rear elevation signage being requested by the

20 applicant, I move that we deny the variance

21 as requested in No. PZ16-0052 -- excuse me --

22 0052, sought by Allied Signs, as the

23 petitioner has not shown practical difficulty

1 requiring the sign.

2 I apologize, I would defer, if
3 anyone else is better prepared to make this
4 motion.

5 MS. SAARELA: I just want to note
6 that you can move to reconsider on the first
7 one within this meeting, someone who voted in
8 favor of the motion to pass has to make the
9 motion to reconsider. So you could re-do
10 that one in this meeting, or you could wait
11 until the next meeting after you see how it
12 was written, you move to rescind it at that
13 point if you don't agree with it, but then
14 you have the applicant not necessarily here,
15 so --

16 CHAIRPERSON GRONACHAN: So was
17 it -- Member Montville, was it your intent to
18 deny the rear building? There was only one.
19 We were going to move for two. Two, we
20 approved, one we didn't.

21 MR. MONTVILLE: Correct. So
22 looking at the building --

23 MS. SAARELA: Can I just make a

1 suggestion. Do we know who is in concurrence
2 with what signage -- approving what
3 signage -- it might be easier to just to make
4 one motion, if everybody is in agreement with
5 the same signage, to just say two signs are
6 approved, one is not versus trying to make
7 three separate motions at this point.

8 I don't know how -- if you're
9 able to tell how everybody feels about each
10 one based all the member's comments.

11 MS. KRIEGER: Then they would
12 decide where they want to go.

13 MS. SAARELA: No. You would just
14 say which ones you're -- all in the scope of
15 the same motion.

16 So at this point you could
17 move to reconsider that original motion and
18 just amend it at that point, amend the motion
19 and talk about all the signage. If you think
20 that everybody is on board.

21 CHAIRPERSON GRONACHAN: I think
22 that's a good idea.

23 MR. MONTVILLE: Based on that

1 information, I would move that we review the
2 first motion that was presented and
3 rephrase --

4 MS. SAARELA: You have to first
5 move to reconsider.

6 MR. MONTVILLE: I move that we
7 reconsider the first motion that was
8 presented.

9 MS. KRIEGER: Second.

10 CHAIRPERSON GRONACHAN: Okay.
11 It's been moved and second. So now we need a
12 new motion. Are you ready? I told you guys
13 we should have a motion making class. This
14 is it.

15 MS. KRIEGER: In Case No.
16 PZ16-0052, sought by Allied Signs, I move to
17 reconsider what we were discussing
18 previously, and for the denial to recant
19 that.

20 MS. SAARELA: No, it's already
21 passed a motion to reconsider. You're on a
22 new motion.

23 MS. KRIEGER: I move for the

1 Starbucks drive-thru sign to be approved, and
2 the east wall sign to be approved, and the
3 north wall to be denied and the petitioner
4 has --

5 CHAIRPERSON GRONACHAN: Wait.
6 That's the wrong --

7 MS. KRIEGER: The petitioner did
8 not create the condition because of the
9 location, and the relief granted will not
10 unreasonably interfere with adjacent and
11 surrounding properties. That per discussion,
12 that Starbucks is well-known and because for
13 safety and drive-thru that the traffic flow
14 that these two signs will be sufficient for
15 traffic.

16 The relief is consistent with
17 the spirit and intent of the ordinance,
18 because of Novi's intent to be with the
19 signs, but not overdone.

20 CHAIRPERSON GRONACHAN: Do we
21 have to cover the denial, too?

22 MS. SAARELA: Yes, you have to
23 say why you're denying.

1 CHAIRPERSON GRONACHAN: Denying
2 the third sign.

3 MS. KRIEGER: For the
4 circumstances and features of the property,
5 including the third sign on the north side
6 are not unique. Once you see the directional
7 Starbucks sign that it does not interfere
8 with traffic flow, that it also -- the safety
9 that people will get there -- to the
10 building, through the building. The
11 circumstances and features of the property
12 relating to the variance request are
13 self-created by the way the building is --

14 CHAIRPERSON GRONACHAN: They
15 wanted it just for branding.

16 MS. KRIEGER: Then for branding,
17 it's just labeling the building more.

18 The failure and grant will not
19 merely inconvenience the ability to attain a
20 higher economic or financial return.
21 Starbucks will do well either way.

22 They will get plenty of
23 traffic flow and financial gain. The

1 variance would result in interference with
2 adjacent or surrounding property. It's a
3 distraction because of speeds in this area.
4 Granting the variance would be not
5 inconsistent with the spirit and intent of
6 the ordinance. Keep Novi the way it is.

7 CHAIRPERSON GRONACHAN: Okay.

8 MS. KRIEGER: Is there an
9 amendment?

10 MS. SAARELA: You don't have to
11 change anything. I guess I just wanted to
12 point out all you're really doing is granting
13 less relief than was requested. So you
14 didn't really need to go through every single
15 standard again, and for the reason why you
16 weren't granting the full request. It's
17 fine.

18 CHAIRPERSON GRONACHAN: It's been
19 moved and is there a second?

20 MR. SANGHVI: Second.

21 CHAIRPERSON GRONACHAN: It's been
22 moved and second. Any further discussion?

23 Seeing none, Monica, would you

1 please call the roll.

2 MS. DRESLINSKI: Member Krieger?

3 MS. KRIEGER: Yes.

4 MS. DRESLINSKI: Member

5 Montville?

6 MR. MONTVILLE: Yes.

7 MS. DRESLINSKI: Member

8 Peddiboyina?

9 MR. PEDDIBOYINA: Yes.

10 MS. DRESLINSKI: Member Sanghvi?

11 MR. SANGHVI: Yes.

12 MS. DRESLINSKI: Chairperson

13 Gronachan?

14 CHAIRPERSON GRONACHAN: Yes.

15 MS. DRESLINSKI: Motion to

16 approve as amended passes five to zero.

17 CHAIRPERSON GRONACHAN: Okay.

18 That was a long way to get there, but we

19 appreciate your patience and congratulations

20 and welcome to Novi.

21 We look forward to --

22 MR. STIEBER: Thank you for your

23 time. Have a good evening.

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CHAIRPERSON GRONACHAN: We still have a couple more cases here.

Our next case is Roger and Doreen Ong, Case No. PZ16-0053. The applicant is requesting a variance to allow 4 feet from the rear corner of a shed, six feet is allowed to the interior of rear lot. This property is zoned R4.

And you are?

MS. ONG: I am Noreen. It's mistyped. It says Doreen, but I'm Noreen with an N.

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

Noreen Ong, N-o-r-e-e-n,
O-n-g.

MR. DILLON: Jim Dillon.

MR. MONTVILLE: Do you promise to tell the truth in the testimony you're about to provide?

MS. ONG: I do.

1 MR. DILLON: I do.

2 CHAIRPERSON GRONACHAN: You may
3 proceed.

4 MS. ONG: I am just requesting a
5 4-foot variance from the rear corners -- both
6 the rear corners of my shed that I'm building
7 on the back of my property.

8 CHAIRPERSON GRONACHAN: Is there
9 anything else you can add to tell us why --

10 MS. ONG: Well, the property is a
11 little small. The previous owners had put on
12 an addition so the backyard is small. And if
13 I moved it up, then it would kind of be in
14 the middle of the backyard.

15 Just to have it so it's in the
16 corner of the yard, I have two children, so I
17 didn't want it in the middle of the backyard.

18 CHAIRPERSON GRONACHAN: So
19 basically your lot shape is what you're
20 trying to tell us is unique.

21 MS. ONG: Yes. The previous
22 owners put a large addition on, pretty much
23 doubled the size of the house. It took up

1 half the backyard. So if I put the shed all
2 the way up, with the proper variance, it
3 would be pretty much near my patio. So I
4 just -- to put it in the corner of the yard,
5 it just comes close to my fence.

6 CHAIRPERSON GRONACHAN: All
7 right. Thank you. Is there anyone in the
8 audience that wishes to make testimony on
9 this case? Please come on down.

10 If you two could just step
11 aside and we will let them --

12 MS. WHITE: Good evening. My
13 name is Chevette White, and I am the
14 next-door neighbor. And I basically came
15 here to note my approval for this, if the
16 board would accept that. I don't see any
17 problems with their shed. It is behind their
18 privacy fence. So it's not obstructing any
19 view and it's obstructing any of the
20 next-door neighbors adjacent to them.

21 CHAIRPERSON GRONACHAN: Thank
22 you.

23 MR. DANIEL SMITH: I'm Daniel

1 Smith. I'm an adjacent property owner as
2 well. And I just want to mention a few
3 things on this.

4 I think the board is aware
5 probably of the information here. Not that I
6 have a big opposition, I think it's really
7 two feet is maybe what it works out to, after
8 the variance, or actually four. But I did
9 speak with the gentleman that was building
10 the shed and the structure was put up before
11 a permit was pulled. So I just wanted to,
12 you know, let you guys be aware of the facts
13 of this. You know, I did have a conversation
14 with them. They did not have a permit at the
15 time. I guess you got advised and a couple
16 of months later, I received this in the mail.

17 The decision is ultimately up
18 to you guys. I just didn't want to take
19 light, as far as you know, there is a
20 violation here, as far as not pulling a
21 permit. I just don't think that should be
22 looked at too lightly. I mean, I have got a
23 shed on my yard as well. It's got a permit,

1 it's got the proper six feet, you know, I
2 just want you guys to be aware of that.

3 CHAIRPERSON GRONACHAN: Thank
4 you.

5 MR. DANIEL SMITH: Once again, it
6 is behind a privacy fence. They put a fence
7 up, their yard is pretty tight back there.
8 So that -- I mean, that's the decision they
9 made. But I don't think, once again, the
10 2 feet or 4 feet is going to an issue it's
11 within their boundaries.

12 CHAIRPERSON GRONACHAN: Thank
13 you. Is there anyone else?

14 Any correspondence?

15 MR. MONTVILLE: Yes. There were
16 91 letters mailed, zero letters returned,
17 zero approvals, zero objections.

18 CHAIRPERSON GRONACHAN: Building
19 department?

20 MR. BUTLER: No comments.

21 CHAIRPERSON GRONACHAN: City
22 attorney, would you like to clarify that our
23 jurisdiction really -- we don't have anything

1 to do with the permit, is that correct? We
2 don't have any --

3 MS. SAARELA: I mean, the fact
4 that there may be a zoning ordinance -- a
5 code violation isn't really part of the
6 standards to be considered at this point.

7 It's not part of the variance
8 standards that you're looking at. There is
9 no, I guess, standard that's applicable to --
10 punish type aspect.

11 CHAIRPERSON GRONACHAN: That's
12 not within our purview?

13 MS. SAARELA: No. There can
14 still be independent of this -- there could
15 be have been a ticket written, but that
16 wouldn't have been your consideration, that
17 would have been for district court
18 consideration.

19 CHAIRPERSON GRONACHAN: Thank
20 you. Board members? Member Montville.

21 MR. MONTVILLE: The use of the
22 shed?

23 MS. ONG: The use of the shed,

1 would be, I have two small children, bikes,
2 yard equipment. The garage is small, so with
3 a minivan and patio furniture and just things
4 that we accumulate in our lifestyle, the shed
5 would be to store things, you know, seasonal
6 things, like switch back and forth to the
7 winter and summer.

8 MR. MONTVILLE: I'll open it up
9 back to the board at this time.

10 CHAIRPERSON GRONACHAN: Member
11 Sanghvi?

12 MR. SANGHVI: I came and saw your
13 place. And first when I saw the University
14 of Michigan paraphernalia out in front, I
15 thought, wow, they are a supporter of U of M
16 here. Because I am a supporter of U of M,
17 too. But that is besides the point.

18 The point is, you will see the
19 pie-shaped lot and difficult to store things.
20 I understand your need for the shed. So I
21 have no difficulty in supporting your shed.

22 CHAIRPERSON GRONACHAN: Anyone
23 else? Member Peddiboyina.

1 MR. PEDDIBOYINA: I have no
2 issue.

3 CHAIRPERSON GRONACHAN: All
4 right. Thank you. Member Krieger?

5 MS. KRIEGER: How old is the
6 fence? You have to replace the fence?

7 MS. ONG: The fence is two years
8 old. It's a vinyl fence. We have lived
9 there two years. It was put in actually two
10 years ago this month.

11 MS. KRIEGER: And the shed will
12 be four feet?

13 MS. ONG: Four foot variance from
14 the -- from just the back two corners.

15 MS. KRIEGER: Thank you.

16 CHAIRPERSON GRONACHAN: I don't
17 have an objection. The only thing is, the
18 fact that the resident mentioned about
19 building it without a permit. I don't
20 promote that. I don't encourage that. It's
21 out of our jurisdiction, but I would wish
22 that residents would go to the building
23 department, and seek information before they

1 go and build things so that we can help. The
2 City of Novi and the building department,
3 they're great people, they are very
4 knowledgable, and nine times out of ten, they
5 offer great advice.

6 MS. ONG: I apologize for that.
7 Two years ago when I put the fence up, I
8 contacted my subdivision like three times,
9 and nobody responded back. So it didn't
10 occur to me that it would be -- you know, I
11 thought that would be a much bigger deal than
12 a small shed because it's a large fence and
13 nobody responded back to any emails, so I
14 guess it didn't occur to me. I apologize for
15 that.

16 CHAIRPERSON GRONACHAN: So in the
17 future, you always check the building
18 department if you decide to build anything
19 else. But I have no problem, given the
20 configuration of the lot, and that it's a
21 minimal request, that there is really no
22 objections to the neighbors. Most of
23 these -- your lot is pie shaped, and so I

1 have no objections to this. So I would be in
2 support of your request.

3 If anybody would like to
4 entertain a motion. Member Montville?

5 MR. MONTVILLE: I move that we
6 grant the variance in Case No. PZ16-0053,
7 sought by the petitioner for a 4-foot rear
8 corner, where six is required, as this
9 property -- as petitioner has shown practical
10 difficulty due to the unique layout of the
11 property. The variance -- without the
12 variance, the petitioner will be unreasonably
13 prevented or limited with respect to the use
14 of the property, due to necessary storage and
15 with the shed being, and the lot, the
16 previous owner add to the house and made the
17 lot difficult to operate within. The
18 property is unique.

19 For those reasons, including
20 again to reiterate the shape of the lot, the
21 petitioner did not create the shape of the
22 lot, as it is a pre-existing condition.

23 The relief granted will not

1 unreasonably interfere with adjacent or
2 surrounding properties, due to the privacy
3 fence currently surrounding the lot. The
4 relief is consistent with the spirit and
5 intent of the ordinance. For those reasons,
6 I move that we grant the variance that has
7 been requested.

8 MR. PEDDIBOYINA: I second.

9 CHAIRPERSON GRONACHAN: It's been
10 moved and second. Any further discussion?

11 Seeing none, Monica, would you
12 please call the roll.

13 MS. DRESLINSKI: Member Krieger?

14 MS. KRIEGER: Yes.

15 MS. DRESLINSKI: Member

16 Montville?

17 MR. MONTVILLE: Yes.

18 MS. DRESLINSKI: Member

19 Peddiboyina?

20 MR. PEDDIBOYINA: Yes.

21 MS. DRESLINSKI: Member Sanghvi?

22 MR. SANGHVI: Yes.

23 MS. DRESLINSKI: Chairperson

1 Gronachan?

2 CHAIRPERSON GRONACHAN: Yes.

3 MS. DRESLINSKI: Motion passes
4 five to zero.

5 CHAIRPERSON GRONACHAN: Your
6 variance has been granted and I'm sure you
7 will be seeing the building department for
8 some other wonderful project.

9 MS. ONG: Thank you.

10 CHAIRPERSON GRONACHAN: Our next
11 case is David and Colleen Bouren. Are the
12 petitioners here. 1391 East Lake Drive.

13 The applicant is requesting a
14 variance to allow 31-foot rear yard variance,
15 35 feet is required, a side yard variance of
16 1.5 feet, 10 feet is required. And a total
17 aggregate variance of 4.5 feet. And a front
18 yard variance of 14.5 feet, 30 feet is
19 required. This property is zoned R4.

20 Good evening. Would you
21 please state your names, spell it for the
22 recording secretary and then raise your right
23 hands to be sworn.

1 MR. BOUREN: David Bouren,
2 D-a-v-i-d, B-o-u-r-e-n.

3 MS. BOUREN: Colleen Bouren,
4 C-o-l-l-e-e-n, B-o-u-r-e-n.

5 MR. MONTVILLE: Do you swear to
6 tell the truth in the testimony you are about
7 to provide?

8 MR. BOUREN: Yes.

9 MS. BOUREN: Yes.

10 CHAIRPERSON GRONACHAN: You may
11 proceed.

12 MR. BOUREN: First off, there was
13 a revised update to the variance request.
14 You did not list all the ones requested.

15 CHAIRPERSON GRONACHAN: They're
16 posted, that's okay. I just read through.

17 MR. BOUREN: So we want to tear
18 down our existing house on East Lake Drive
19 and build a new one. Footprint is almost
20 identical. We are going to get a little bit
21 longer and a little bit narrower than our
22 current house. The lot has obvious
23 difficulties because of the size of it. The

1 house was built a long time ago. There is
2 variances up and down the street, many other
3 people here tonight are on the same street
4 for variances.

5 MS. BOUREN: It's a 33-foot lot.

6 MR. BOUREN: If you follow the
7 variances, for all the setbacks, you end up
8 with like a 7-foot wide house or something,
9 which isn't practical.

10 MS. BOUREN: So the house is
11 getting five feet longer to accommodate the
12 stairs. We are going to be two stories.
13 Right now it's 850 square feet. It's one of
14 the original cottages on the lake. We would
15 like to update it, make it nicer, things like
16 that.

17 And then the carport on the
18 side is in the same position. We are going
19 to make it a little bit longer, at least
20 10 feet longer, to accommodate two full cars
21 instead of like one and a half cars.

22 And then we were looking for
23 an additional deck on the front. And then we

1 had a deck on the back, so it would be moving
2 that back, farther back.

3 CHAIRPERSON GRONACHAN: Okay.
4 Anything else? Is there anyone in the
5 audience that wishes to make comment on this
6 case?

7 Seeing none, correspondence?

8 MR. MONTVILLE: Yes, there were
9 31 letters mailed, one letter returned, one
10 approval, six objections. The first
11 objection is from Angela Maher at 1375 East
12 Lake Drive. She notes a previous reply. She
13 comments on the modular home, a setback too
14 close to road in her opinion, and a rear
15 setback that is too close to a telephone
16 pole. She notes the neighbor's telephone
17 caught on fire at one point after being
18 struck by lightning, it took the fire
19 department six hours to put out the fire.

20 The second objection is from
21 Carl Ingling (ph) at 1389 East Lake Drive.
22 He notes that he approves of the few
23 variances requested, but asks that we note

1 his overall objection to the requested
2 variance. He objects to the north side
3 property line as it borders his property.
4 Objection is to the front yard variance, as
5 he believes it would allow the home to set
6 too close to the road. He notes he has no
7 objection to the lot coverage 39 percent, no
8 objection to the south property line, no
9 objection to the rear setback variance.

10 The third objection is from
11 Brent Brashears (ph) at 1395 East Lake Road.
12 He objects to the front yard setback at
13 9.5 feet, and he believes it goes against
14 case law for lake front homes, obstructing a
15 neighbor's view of the water, 45-degree
16 radius. And he notes that he doesn't believe
17 the applicant provided an adequate site plan
18 illustrating the house. He sent in an
19 additional objection, noting the metal frame
20 of the structure and notes the attempt to
21 expand the original footprint, and he doesn't
22 believe the hardship.

23 The last objection is from

1 Angela Maher. Reiterating some of her
2 initial concerns and the traveling of the
3 modular home upon installation.

4 And then the approval is from
5 Ed Peters at 1393 East Lake Drive. He notes
6 that he lives next-door on the south side,
7 has no objections to the plans they have
8 submitted.

9 That's the only approval.

10 CHAIRPERSON GRONACHAN: Thank
11 you. Building department?

12 MR. BUTLER: No comment.

13 CHAIRPERSON GRONACHAN: Okay.
14 Board members. Member Sanghvi.

15 MR. SANGHVI: Thank you. I came
16 and saw your property there and looked
17 around, and as far as I am concerned, you're
18 asking for a smaller house than you started
19 with. I have no difficulty in it.

20 MR. BOUREN: Smaller, yes.

21 CHAIRPERSON GRONACHAN: Member
22 Peddiboyina?

23 MR. PEDDIBOYINA: I have no

1 objections.

2 CHAIRPERSON GRONACHAN: Thank
3 you. Member Montville?

4 MR. MONTVILLE: Can you speak to
5 the improved esthetic value of the proposed
6 house versus what you currently own? What
7 kind of process you went through to improve
8 on that?

9 MR. BOUREN: The current house is
10 pretty old, has ceramic insulators in it.
11 That kind of dates it. We don't use exposed
12 wires anymore. It's old. I don't think it
13 has a full foundation. It has cinder blocks
14 that only go so deep. We have looked at many
15 different options to improve the house,
16 shoring up the foundation, lifting it,
17 building onto our existing structure. We
18 thought the modular house is a good build.
19 They do them very efficiently now. And we
20 thought that would be less hardship on the
21 neighbors, tearing our house down and
22 bringing in one in like that.

23 MR. MONTVILLE: I would note, the

1 information provided, it's clearly -- the
2 focus was an improved esthetic component, and
3 I would also be in support of the request as
4 it's been submitted.

5 CHAIRPERSON GRONACHAN: Okay,
6 thank you. Anyone else?

7 I have some questions about
8 the deck. Since there has been issues
9 from -- in the picture that you provided of
10 the house, I think is going to look -- is
11 that the blue -- blue and white house --

12 MR. BOUREN: That's similar to
13 what we are looking for. It's a rectangle,
14 it's kind of like that.

15 CHAIRPERSON GRONACHAN: So the
16 deck, if you can go back to your blueprint,
17 the deck in the front is the 9 feet, is that
18 to the road?

19 MR. BOUREN: Yes.

20 CHAIRPERSON GRONACHAN: You
21 mentioned that you have a deck now?

22 MR. BOUREN: We have a deck in
23 the rear of the house. We don't have one on

1 the front. Our current entry on the front is
2 on the side, in the driveway, which kind of
3 makes it very tight driving cars through and
4 getting through. So we wanted to move the
5 front door to the front of the house and we
6 wanted some type of deck to --

7 MS. BOUREN: Because it's raised
8 up.

9 MR. BOUREN: From the front of
10 the house. We didn't want to run across
11 grass.

12 CHAIRPERSON GRONACHAN: So what
13 is the size of the front deck?

14 MR. BOUREN: That one is 6 feet.

15 CHAIRPERSON GRONACHAN: How wide?

16 MR. BOUREN: As wide as the
17 house. We have it drawn there. The house is
18 15 feet, 15 and a half feet wide.

19 CHAIRPERSON GRONACHAN: And then
20 the back deck that's going to be new? You
21 were adding the back deck on for the --

22 MR. BOUREN: We have an existing
23 back deck now. That's where our rear entry

1 is. We have steps to get up there. So the
2 back deck is farther rearward because we are
3 adding five feet to the length of the house.
4 The house we have planned is getting
5 narrower, but it's longer. When you add the
6 stairs into the floor plan, it just crowds
7 everything, so we added some additional
8 length.

9 CHAIRPERSON GRONACHAN: Okay.
10 Then the carport that you mentioned, that's
11 now going to be for two cars, correct? And
12 then actually you don't have the storage,
13 there is no basement, so the carport will
14 also be, I would assume, lawnmowers and that
15 sort of thing?

16 MS. BOUREN: No, we have a shed
17 back there.

18 CHAIRPERSON GRONACHAN: Just one,
19 is there just one shed?

20 MR. BOUREN: I have a portable
21 canopy in the backyard where I store my boat
22 and stuff.

23 CHAIRPERSON GRONACHAN: So those

1 are staying, the two sheds?

2 MR. BOUREN: Yes.

3 CHAIRPERSON GRONACHAN: Question
4 for the city. In regards to the canopy shed,
5 I thought this was -- because there was an
6 objection about that. Is there any
7 regulation in regards to that, do they --

8 MR. BUTLER: Actually, in that
9 area I have seen several of them. They don't
10 have an HOA out there, association, so there
11 is no association that prevents them from
12 something like that. But there is nothing
13 that says they cannot have that cover for
14 their boat.

15 CHAIRPERSON GRONACHAN: Just
16 checking. I have no objections to any of
17 this, now that I've asked all my questions.
18 I will be in full support of your request.

19 I think they're minimal. I
20 think given the lot size and the improvements
21 that you're making to your property, I think
22 its going to be better for your neighborhood.

23 So I would entertain a motion

1 from someone. Member Montville?

2 MR. MONTVILLE: I move that we
3 grant the variance as being requested in Case
4 No. PZ16-0054, sought by David and Colleen
5 Bouren, as the petitioner has shown practical
6 difficulty requiring the variances, in order
7 to properly use the lot as currently zoned.
8 Without the variances, the petitioner will be
9 unreasonably prevented or limited with
10 respect to the use of the property, as is
11 currently a non-conforming lot, requires the
12 variances being requested. The property is
13 unique, again due to it's non-conforming
14 nature. Petitioner did not create that
15 condition.

16 The relief granted will not
17 unreasonably interfere with adjacent or
18 surrounding properties as it is very near to
19 the current foundation of the current
20 structure and will increase in esthetic
21 values and hopefully add to the value to the
22 surrounding properties as well.

23 The relief is consistent with

1 the spirit and intent of the ordinance.

2 For those reasons, I move that
3 we grant the variances as they have been
4 requested.

5 MR. SANGHVI: Second.

6 CHAIRPERSON GRONACHAN: It's been
7 moved and second. Any further discussion in
8 regard to this?

9 Seeing none, Monica, would you
10 please call the roll.

11 MS. DRESLINSKI: Member Krieger?

12 MS. KRIEGER: Yes.

13 MS. DRESLINSKI: Member
14 Montville?

15 MR. MONTVILLE: Yes.

16 MS. DRESLINSKI: Member
17 Peddiboyina?

18 MR. PEDDIBOYINA: Yes.

19 MS. DRESLINSKI: Member Sanghvi?

20 MR. SANGHVI: Yes.

21 MS. DRESLINSKI: Chairperson
22 Gronachan?

23 CHAIRPERSON GRONACHAN: Yes.

1 MS. DRESLINSKI: Motion passes
2 five to zero.

3 CHAIRPERSON GRONACHAN: Your
4 variance has been granted. Good luck. I am
5 sure you will be seeing the building
6 department.

7 MR. BOUREN: Thank you.

8 CHAIRPERSON GRONACHAN: Our last
9 case for the evening is Future Homes and
10 Design, PZ16-0056. The petitioner is here.

11 MR. JESHUIUN: Good evening,
12 board members. I have some papers that I
13 printed out for each one to explain a little
14 better. We wanted to make sure you had hard
15 copies.

16 CHAIRPERSON GRONACHAN: Before
17 you get started, gentlemen, I need you to
18 state your names and then be sworn in by our
19 secretary, please.

20 MR. JESHUIUN: My name is Matthew
21 Jeshuiun, J-e-s-h-i-u-n. This is my
22 associate.

23 MR. TISHNER: My name is John

1 Tishner (ph). I am just helping him.

2 CHAIRPERSON GRONACHAN: Are you
3 giving testimony this evening?

4 MR. TISHNER: No. I was just
5 helping set things up.

6 CHAIRPERSON GRONACHAN: Would you
7 raise your right hand, sir, and be sworn in
8 by our secretary.

9 MR. MONTVILLE: Do you promise to
10 tell the truth in the testimony you are about
11 to provide?

12 MR. JESHUIUN: Yes.

13 CHAIRPERSON GRONACHAN: You may
14 proceed.

15 MR. JESHUIUN: I don't know if
16 you remember, but I came before you about
17 year and a half ago with Ms. Harris for this
18 property. You can actually see the top
19 blueprint copy you have, that's labeled
20 original, is the house we became before you
21 asking for variances in April 2015.

22 We have the same four
23 variances that we are requesting for this

1 evening. They were all granted. It was
2 basically a remodel. She had a current --
3 existing home. We tore the second story
4 down, we ended up running into a bunch of
5 foundation issues and things that we
6 addressed. You know, you guys granted the
7 four variances and we built the house. It
8 took about seven, eight months with all the
9 issues we had, which is actually why I have
10 the beard, because winter came and we worked
11 all the way through winter and I kind of
12 joked and said I wasn't going to shave the
13 beard until the project was complete and
14 unfortunately on April of 23rd of this year,
15 the neighbor's house to the right caught fire
16 and caught our house that was freshly built
17 caught on fire also.

18 Ms. Harris, unfortunately
19 wasn't able to be here this evening, she is
20 at her other home in Washington D.C.
21 obviously being displaced from the fire and
22 the house being burned down. So I am
23 essentially representing her this evening.

1 With that being said, upon the
2 fire of April of 2015, this year, the
3 insurance company said we should bring in
4 structural engineers to deem whether or not
5 the house was salvagable.

6 Basically the roof of the new
7 home caught fire. We still have the first
8 and second floor and the basement level
9 somewhat intact, but the fire department put
10 about 200,000 gallons of water into the
11 house. At one point the basement was
12 completely filled. I was there for the
13 whole -- from an hour after the fire started,
14 I was there for the day. I witnessed and
15 walked through all this.

16 Structurally, an engineer
17 basically said, we need to tear it down,
18 water damage, you know, building products
19 there mostly, you know, wall sheathing, the
20 floor sheathing, all that swells when it gets
21 wet. So we just determined to take the house
22 down.

23 Building department pointed

1 out that we are in somewhat of a unique
2 situation, that due not to Ms. Harris' fault,
3 of the situation, she would be able to
4 possibly keep her existing footprint, if the
5 existing foundation was suitable to rebuild
6 on.

7 The structural engineer said,
8 you know, let's tear down the house. At the
9 point of getting the house tore down, I will
10 come back out and reassess the foundation and
11 make a determination on whether or not it's
12 suitable to rebuild on.

13 So we got the house tore down
14 a couple of months ago, he came back out.
15 And, you know, he said more or less, we can
16 rebuild on it. It's going to need a little
17 bit of reinforcement. Basically, everyone's
18 consensus, mine, the homeowner's, the
19 building department, structural engineer, the
20 architect, everybody agrees, we are building
21 a new home, why would we build it on top of a
22 100 year old Michigan foundation. That's
23 been somewhat hodgepodes over the past 60

1 years. You know, it's a partial foundation
2 basement with partial crawl, and, you know,
3 all these things work together. It's going
4 to be the value of the future home along with
5 surrounding properties, why would we build on
6 it.

7 The answer to that is, well,
8 if we can't get the variances, we are
9 requesting this evening, her house is going
10 to become so small that it would be pointless
11 to build.

12 So, essentially we still have
13 this existing foundation sitting in the
14 ground waiting to hear whether or not we will
15 get the approval from you guys and whether or
16 not we can put a new foundation in the
17 ground. Essentially, what we are asking for
18 is almost identical to what we have already
19 built. That's why I gave you the original
20 and the proposed, so you can see the house
21 has exactly gotten narrower. Because before
22 on the north side, she was only a foot and a
23 half off the property line, and that was

1 grandfathered in. You can see that that
2 shaded in area is actually where the second
3 floor came in, we actually stepped in a foot
4 and a half, because as I have been told all
5 along from the building department, that
6 anything that's closer than three feet to the
7 property line has to have a one hour rating,
8 therefore, you can't have windows. So we
9 have operated from the beginning that we are
10 going to be 3 feet off the property line.
11 She obviously is on a lake, she wants to have
12 views of the lake. She doesn't want her
13 north and south side to have no windows,
14 especially with bedrooms. You know, you have
15 to have egress. It don't make much sense.

16 So our new proposed foundation
17 is actually a foot and a half narrower on the
18 north side and I think eight inches narrower
19 on the south side, from what we already
20 built.

21 As far as everything else,
22 it's basically the same. You know, we have a
23 tower on the back. We have stretched a

1 little bit further towards the root side, but
2 she still is well within the normal setback.
3 That wasn't even something we needed to ask
4 for. Essentially she is just trying to get
5 the same square footage for this new build as
6 opposed to what we had just built. So the
7 house getting narrower 3 feet in length we
8 stretched a little closer to the road.

9 Also with an opportunity to do
10 a completely new foundation, we will be able
11 to address some things that we were somewhat
12 handcuffed on the first time around, which
13 was the stairway, which was in a very odd
14 location, and the elevator, which we ended up
15 sticking on the outside of the building.

16 With the new foundation, we
17 will able to address that, get the elevator
18 into the inside, put the stairway in a better
19 location, and, you know, that's really all
20 that we have to say about it.

21 I mean, I could obviously go
22 through all the reasons that she requested it
23 the first time around, you know, those same

1 hardships still apply. She is an elderly
2 woman, she is 69. She is looking to build,
3 you know, her final home. She wants to stay
4 here, she loves it in Novi. She obviously
5 has another home in Washington DC, but she
6 only spends winters there. She spends the
7 other eight, nine months of the year here in
8 Novi. She wants to build the house that she
9 can in the future, if she needs to have care,
10 she will have the elevator. You know, all
11 those things.

12 Also we have signatures from
13 neighbors of everyone that was okay with the
14 build. That's basically the last page.

15 I think that's really all I
16 have to say. Really the hardship this time
17 comes around to the fact that she had a fire
18 that was no fault of her own and her house
19 had to be torn down. We are just looking to
20 basically rebuild the same thing that she
21 already had.

22 CHAIRPERSON GRONACHAN: Okay.
23 Anything else? Is there anyone in the

1 audience that wishes to make comment on this
2 case?

3 Seeing none, is there any
4 correspondence?

5 MR. MONTVILLE: Yes, there were
6 45 letters mailed, four letters returned,
7 zero approvals, and two objections.

8 The first objection comes from
9 Chris Branmild (ph) at 1255 East Lake Road,
10 notes he understands lake lots, the way
11 things used to be. He says, that he believes
12 when there is an opportunity to create more
13 space between houses, that's what should be
14 done. He notes the previous fire and he
15 notes he has photos from the fire.

16 Second objection is from
17 Robert Andrews at 1262 East Lake Drive. He
18 objects to the setback on the north and
19 south. He notes a 40 foot wide lot, which
20 should be at least five feet on each side and
21 the house on the lake side should be no
22 closer to the lake than 25 feet.

23 CHAIRPERSON GRONACHAN: Okay.

1 Building department?

2 MR. BUTLER: No comment.

3 CHAIRPERSON GRONACHAN: Thank
4 you. Board members. Member Sanghvi?

5 MR. SANGHVI: Thank you. I came
6 and saw your property. It's a very small
7 lot. What you are asking to do is basically
8 reconstruct the house that used to be there.
9 Footprint being the same in every other
10 respect. I have no difficulty supporting
11 your application. Thank you.

12 CHAIRPERSON GRONACHAN: Anyone
13 else? I have no objection to this. I think
14 it was very tragic and I am grateful no one
15 was hurt.

16 And under the circumstances,
17 being that these variances were previously
18 granted, and as you gave testimony to through
19 no fault of the petitioner's, the house needs
20 to be rebuilt.

21 So I think that these
22 variances are within the spirit of the
23 ordinance, given the lot size, given the

1 conditions and that they were granted before,
2 I think that because you addressed the --
3 brought it in a little bit off the lot line,
4 was a good thing.

5 Therefore, I will be in full
6 support of your request.

7 Member Krieger?

8 MR. SANGHVI: Did you want to
9 address the objections?

10 MR. JESHUIUN: I forgot to say in
11 my statement that basically what we are
12 asking for has been, you know, pretty much
13 applied up and down the street and granted.
14 There is three new houses that have been
15 built in the past year. One is less than
16 25 feet off the water, they're all like three
17 foot off the property line. You know, the
18 first time around I took pictures of all the
19 houses up and down. I didn't feel that I
20 needed to do it a second time being that
21 we're essentially asking for what we had
22 already been granted the first time.

23 CHAIRPERSON GRONACHAN: Okay.

1 Member Peddiboyina?

2 MR. PEDDIBOYINA: I have no
3 objections. You being a good homeowner in
4 getting the signature of the neighbors. Good
5 luck.

6 CHAIRPERSON GRONACHAN: Thank
7 you. I would like to entertain a motion.
8 Anyone ready? Member Krieger.

9 MS. KRIEGER: In Case No.
10 PZY16-0056, for Future Homes and Design, I
11 move to approve the request for the
12 variance -- for variances requested, that the
13 petitioner has shown practical difficulty and
14 due to the topography and limited use of
15 space on each house on East Lake Drive,
16 around the whole Walled Lake, have shown
17 evidence of doing their homework for what is
18 best that would fit in with the site, that
19 the property is unique and they did not
20 create this condition. The relief will not
21 unreasonably interfere with adjacent or
22 surrounding properties, or will actually
23 increase potential sale values in the

1 neighborhood, and it is in the spirit and
2 intent of the ordinance.

3 MR. PEDDIBOYINA: Second.

4 CHAIRPERSON GRONACHAN: It's been
5 moved and second. Is there any further
6 discussion?

7 Monica, would you please call
8 the roll.

9 MS. DRESLINSKI: Member Krieger?

10 MR. SANGHVI: Yes.

11 MS. DRESLINSKI: Member
12 Montville?

13 MR. MONTVILLE: Yes.

14 MS. DRESLINSKI: Member
15 Peddiboyina?

16 MR. PEDDIBOYINA: Yes.

17 MS. DRESLINSKI: Member Sanghvi?

18 MR. SANGHVI: Yes.

19 MS. DRESLINSKI: Chairperson
20 Gronachan?

21 CHAIRPERSON GRONACHAN: Yes.

22 MS. DRESLINSKI: Motion passes
23 five to zero.

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CHAIRPERSON GRONACHAN: Your variances have been granted. I'm sure you will be working with the building department and good luck this time.

MR. JESHUIUN: Thank you so much.

CHAIRPERSON GRONACHAN: That concludes this evening. Does anyone have anything else to add to the board, or bring in front of the board?

I would like to remind everybody of the Christmas party on December 9. Please check your email for your invitation and respond to Cheryl Walsh. So I would like to see all the board members there. Some of you didn't make it last year, you were missed. We all talked about because you weren't there. This year I don't want that to happen again, Member Montville. Just kidding.

Is there anything else?

MR. SANGHVI: Wish you a very Happy Thanksgiving.

CHAIRPERSON GRONACHAN: Happy

1 Holidays. For this year, now that Member
2 Sanghvi brought this up, I'd like to say a
3 special thanks to the building department.
4 They do a great job. Monica is going to be
5 moving into something else. We have Carol
6 our new girl, and we have a city attorney
7 that works very hard. We have Larry our new
8 member. We are very lucky to have such a
9 wonderful group in the City of Novi. And
10 that's what we have -- one more thing to be
11 thankful for this year. I want to thank you
12 all of you on behalf of this board. You took
13 calls, you take emails, you follow-up. It's
14 not easy working with a group of volunteers,
15 but you manage to get it done. It's always
16 on a professional level. And so I take this
17 motion to thank you all now.

18 With that, I would like --

19 MR. SANGHVI: Amen to whatever
20 you said. We should adjourn.

21 CHAIRPERSON GRONACHAN: All those
22 in favor.

23 THE BOARD: Aye.

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(The meeting was adjourned at 8:50 p.m.)

** ** *

STATE OF MICHIGAN)
)
) ss.
COUNTY OF OAKLAND)

I, Jennifer L. Wall, Notary Public within and for the County of Oakland, State of Michigan, do hereby certify that the meeting was taken before me in the above entitled matter at the aforementioned time and place; that the meeting was stenographically recorded and afterward transcribed by computer under my personal supervision, and that the said meeting is a full, true and correct transcript.

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

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

12-30-16

Jennifer L. Wall
Date Jennifer L. Wall CSR-4183
Oakland County, Michigan