

REGULAR MEETING - ZONING BOARD OF APPEALS

CITY OF NOVI

TUESDAY, DECEMBER 8, 2020, 7:00 P.M.

VIRTUAL MEETING VIA ZOOM

BOARD MEMBERS:

Joe Peddiboyina, Chairperson

Linda Krieger

Siddharth Mav Sanghvi

Clift Montague

Kevin Sanker

Ramesh Verma

Michael Thompson

Michael Longo

ALSO PRESENT:

Elizabeth Saarela, City Attorney

Lawrence Butler, Comm. Development, Dep. Director

Katherine Opperman, Recording Secretary

Reported by:

Darlene K. May, Certified Shorthand Reporter

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Novi, Michigan

Tuesday, December 8, 2020

7:00 p.m.

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CHAIRPERSON PEDDIBOYINA: Good evening,
everybody. Welcome to Novi Zoning Board of Appeals on
December 8th. It's seven o'clock, Tuesday.

Okay, Katherine. Can you please call for the
roll call.

MS. OPPERMAN: Yes, of course.

CHAIRPERSON PEDDIBOYINA: Thank you to our
acting secretary for tonight.

MS. OPPERMAN: Member Krieger?

MEMBER KRIEGER: Here.

MS. OPPERMAN: Member Longo?

MEMBER LONGO: Present.

MS. OPPERMAN: Member Montague?

MEMBER MONTAGUE: Here.

MS. OPPERMAN: Chairperson Peddiboyina?

CHAIRPERSON PEDDIBOYINA: Yes, please.

MS. OPPERMAN: Member Sanker?

(No response.)

MR. SANGHVI: He was there.

1 MS. OPPERMAN: He's not joined just yet, but
2 I do believe we're expecting him.

3 Member Sanghvi?

4 MEMBER SANGHVI: I'm here, thank you.

5 MS. OPPERMAN: Member Thompson?

6 MEMBER THOMPSON: Yes.

7 MS. OPPERMAN: Member Verma?

8 MEMBER VERMA: Present.

9 CHAIRPERSON KRIEGER: Thank you, Katherine.
10 And do you have enough quorum?

11 MS. OPPERMAN: Yes.

12 CHAIRPERSON KRIEGER: Okay. Sounds good.
13 Thank you so much for your time.

14 Okay. And now go for the -- all right. We
15 have a board and a quorum. And public hearing format
16 and rules and conduct, if you can just, you know,
17 please turn off -- put your phone on silent mode
18 because we're in the Zoom meeting. And we have a
19 public hearing where you can see each case called.
20 Anyone can make remarks. It's on our television at
21 home and people can come to, you know, anybody wants to
22 talk or anything, it's a Zoom call so you can raise
23 your hand and our acting secretary, Katherine, can see

1 and she can call your name at the time. And that will
2 show up on the computers at home.

3 And coming to the -- once you come to the
4 podium -- or, you know, the Zoom call, please tell us
5 your first and last name clearly for our court record's
6 purposes, you know, recording. So she can be
7 clearly -- she can type, you know. That will be
8 helpful to our staff.

9 Thank you.

10 And we have an agenda tonight. We have five
11 cases.

12 Katherine, am I right?

13 MS. OPPERMAN: Yes.

14 CHAIRPERSON PEDDIBOYINA: We have five cases.

15 Okay. Let's go to -- five cases. And let's
16 go to the approval of the agenda. Is there any changes
17 for the approval of agenda for tonight?

18 MS. OPPERMAN: There are no changes to the
19 agenda.

20 CHAIRPERSON PEDDIBOYINA: Okay. There is no
21 changes. Thank you.

22 All right. So I'll move to the -- we have a
23 motion and no changes for the agenda. Somebody can

1 make a motion to move for the agenda?

2 MEMBER SANGHVI: So moved.

3 MEMBER VERMA: Second.

4 MEMBER SANGHVI: So moved. Second.

5 CHAIRPERSON PEDDIBOYINA: Thank you so much.

6 And say "Aye" to everybody and anybody say

7 no, we can ...

8 MEMBER KRIEGER: Move to approve.

9 CHAIRPERSON PEDDIBOYINA: Thank you. Okay.

10 Minutes?

11 Okay. We have a motion and everything is

12 done.

13 All right. Public remarks, anyone having any

14 remarks or anything regarding other than the cases we

15 have on the ZBA, you can come up. Raise your hand.

16 Apart from the agenda, anybody wants to -- do we have

17 any remark on the agenda, now is the time they can

18 speak.

19 Anybody is there for the agenda, Katherine?

20 Can you look into that? Anybody's adding any agenda on

21 this public remarks.

22 MS. OPPERMAN: Yes. Mr. Joe Huang is present

23 for this case. He is the applicant. As well as

1 Katherine McNerney -- (audio dropped).

2 CHAIRPERSON PEDDIOBOYINA: Katherine, your
3 voice is breaking up.

4 (Court reporter clarification.)

5 MS. OPPERMAN: Joe, were you asking about if
6 the applicants were present for the first case?

7 CHAIRPERSON PEDDIBOYINA: No. No. No. Any
8 public remarks.

9 MS. OPPERMAN: Oh, no.

10 Wait, actually, it looks like someone has
11 raised their hand. Give me just a moment.

12 CHAIRPERSON PEDDIBOYINA: Yeah. Let's see if
13 anybody is in the public remarks.

14 MS. OPPERMAN: It looks like a gentleman from
15 Shawood. I believe he has a comment regarding the
16 case, but I'll check to see if he has a comment not
17 relating to the first case on the agenda also since
18 he's raising his hand now.

19 CHAIRPERSON PEDDIBOYINA: Okay. Please make
20 a note, Katherine, on who all raised their hand for the
21 comments on the public remarks. Thank you.

22 Apart from that, any other things before
23 going to the first case?

1 Okay. Tonight we have five cases, as I told
2 you. Coming to the first case, PZ20-0053, Z. Joe
3 Huang, Shawood Drive, west of old Novi Road and south
4 of 13 Mile Road, parcel number 50-22-10-228-018. The
5 applicant is requesting the variance from the Novi
6 Zoning Ordinance, Section 3.1.5 for a proposed lot
7 coverage of 27 percent, 25 percent required variance of
8 an increased two percent.

9 Section 3.6.2M for a watercourse setback of
10 10 feet, 25 feet minimum required, a variance of 15
11 feet.

12 This variance will accommodate the building
13 of a new home. This property is zoned single family
14 residential, R-4. Is the applicant present?

15 MR. HUANG: Yes, I am. My name is Joe.

16 CHAIRPERSON PEDDIBOYINA: Joe. Okay. That's
17 good. Go ahead and you can tell your first and last
18 name for our secretary for the court.

19 Katherine, can you take this one, please?

20 MS. OPPERMAN: Yes. I'll need you to spell
21 your name aloud for our court secretary and if you can
22 also swear or affirm to tell the truth in the case
23 before you.

1 MR. HUANG: My name is J-o-e. Last name
2 H-u-a-n-g and I'm a Novi resident. I swear to tell the
3 truth and nothing but the truth, so help me God.

4 MS. OPPERMAN: Thank you. Was Ms. McNerney,
5 the current owner, also going to speak on the case or
6 was she only available for comment, if necessary?

7 MR. HUANG: I'm -- she's not with me. She
8 may join separately. So I have no control. Maybe
9 they're running into technical difficulties, but she
10 intend to join.

11 MS. OPPERMAN: She is present. We can unmute
12 her, if needed. I just want to make sure she's also
13 sworn in if she's going to speak on the case.

14 MR. HUANG: Okay. Very good.

15 CHAIRPERSON PEDDIBOYINA: She's there?

16 MS. OPPERMAN: I believe she's muted right
17 now. She will unmute herself or perhaps one of our IT
18 can unmute her. I'm not certain.

19 (Zoom participant's connection echoing.)

20 MR. HUANG: May I start?

21 CHAIRPERSON PEDDIBOYINA: Yeah. Before you
22 start, she wants to talk. She wants to also be part of
23 this case or how you want. Do you want to talk by

1 yourself?

2 MR. HUANG: Oh, I can do it. I can start
3 myself. I want to present some background information
4 and then I think I should take around 10 minutes. I
5 prepare a presentation, visual aids for help members to
6 understand and for easy to understand my case. And
7 then we can have more like an open discussion, if
8 that's okay with everybody.

9 CHAIRPERSON PEDDIBOYINA: Okay. Sounds good,
10 Joe.

11 MR. HUANG: Very good. My name is Joe Huang,
12 and my wife is going to join me.

13 Both my wife and I moved to Novi on 2007. We
14 raised both of our kids. Graduate now from Novi High
15 School. We're long-time residence for almost 15 years
16 timewise. And we're at the point we're looking for --
17 we currently live in Liberty Park. It's a two floor
18 and we have -- I have a mother-in-law living with us.
19 She has very severe arthritis and also my wife is kind
20 of like nervous when she get her age she going to have
21 the same problem. So she, basically, make me to look
22 for a ranch, move to a ranch house. And so at this
23 point we finalized a location in the vacant lot in

1 Sherwood, which I'll bring up in a minute. It will
2 give everybody a rough idea where it is. I assume
3 everybody is a Novi resident.

4 (Document displayed.)

5 MR. HUANG: Does everybody see that? The
6 screen?

7 MS. OPPERMAN: Yes.

8 CHAIRPERSON PEDDIBOYINA: Go ahead, Joe.

9 MR. HUANG: Of course. That's the Shawood
10 Lake.

11 FEMALE SPEAKER: Do you want my computer?

12 MEMBER SANGHVI: (To female speaker) Well,
13 I'm okay here now.

14 MR. HUANG: And this is a ranch house we plan
15 to build --

16 FEMALE SPEAKER: (Inaudible.)

17 MEMBER KRIEGER: Mav, can you mute? I'm
18 sorry.

19 (Pause in record.)

20 MR. HUANG: Yeah. This is the ranch house we
21 plan to build. It's about, like, a 2,500 square feet.
22 Like, not too big, not too small. That's kind of like
23 our future retire home. The reason we want to do it

1 now is we try to accommodate our mother-in-law who has
2 very severe arthritis. She has a very difficult time
3 climbing stairs.

4 Okay. Next slide.

5 (Document displayed.)

6 MR. HUANG: We have two requests in the
7 variance that we --

8 MEMBER SANGHVI: I don't know. I can't hear
9 anything.

10 MR. HUANG: Do you hear me?

11 CHAIRPERSON PEDDIBOYINA: Yeah, we can hear
12 you now. We can hear you.

13 MR. HUANG: Okay. Request one, we reduce the
14 watercourse setback from 25 feet to 10 feet. Currently
15 waiting full compliance in the rear setback of 35 feet.
16 We're in --

17 MEMBER SANGHVI: I can't hear anything.

18 MR. HUANG: -- full compliance setback of 30
19 feet. And our basement, the current elevation, is
20 936.7 feet, which is above a couple feet -- almost
21 three feet above FEMA's floodplain. So that's the
22 request. One, we really want just a small adjustment
23 for our variance from 25 feet to 10 feet.

1 Now, you may ask, "Hey, Joe, how can you
2 comply with rear setback of 35 feet, but fail to meet
3 25 feet like watercourse setback?"

4 I will let you know in a minute. The
5 building engineer, Chris Webber (ph) asked me the same
6 question, "Joe, is your measurements right?" I say,
7 "Yeah, it is right."

8 And I'll show you a map right next to it, the
9 next page. The request to, of course, increase of a
10 lot coverage from 25 percent to 27 percent. So I
11 calculate that's about, like, 200 square footage, about
12 the size of a single car garage. That's kind of the
13 coverage we're talking about.

14 Okay. So those are two requests. Any
15 questions before I move on?

16 CHAIRPERSON PEDDIBOYINA: No. Go ahead.

17 MR. HUANG: Okay. Next page is I explained
18 why is my math is correct. So on the back, and the Lot
19 18, which is the orange part, that's a 35 setback. So
20 we're in compliance. This is the house. The footprint
21 of where we plan to build. Of course, this is the
22 property. Okay? So we're in compliance of front, of
23 rear, left, right. Everything is in compliance.

1 Now, there's a thing called waterfront.
2 Because the property is in the middle of the water,
3 there's a little inlet. Okay?

4 Now, if you class inlet as a watercourse --
5 that's not Shawood Lake. That's just a little pond
6 right adjacent to the Shawood Lake. So we kind of like
7 here on the portion (ph) side that we discussed with
8 survey engineer. So as a result of it, we classify
9 this as a watercourse, the whole edge of the
10 watercourse and you go from there to 35 -- I mean, 25
11 feet. That's where it ended up. So as you can see, we
12 are not in compliance with the watercourse setback.
13 That's where the problem is.

14 So the watercourse is the green side. Is a
15 green shade. So I hope -- this is the line -- this is
16 the survey engineer drawing. Basically, it's like a
17 actual watercourse. I mean, watercourse setback line.
18 So we're talking about we want to change this to -- in
19 this case is a yellow line. This is like -- this was
20 the 35 feet -- 25 feet setback and this is 10 feet
21 setback. And with this variance, this house is
22 complied with the rest of the code.

23 This is like an exposed version and this is,

1 basically, I cut and paste from the actual survey
2 drawing. Everything is up to the scale.

3 Okay. Any question?

4 CHAIRPERSON PEDDIBOYINA: No. Please go
5 ahead. We'll ask you to discuss later. You can
6 continue.

7 MR. HUANG: Very good.

8 CHAIRPERSON PEDDIBOYINA: Thank you.

9 MR. HUANG: So justification for this
10 variance. It's, of course, the lot is a very unique
11 feature. The property line is in the middle of the
12 water and the lot boundary is drawn probably well
13 before the watercourse setback is in effect. So that's
14 like a very, like the county couldn't find any drawing
15 regarding this lot. So it's very, very old. The lot
16 faces a lake inlet and it has a very little impact on
17 the overall Shawood Lake itself because it's a little
18 lake inside a lake.

19 And also, by strictly applying all these
20 setback rules, this single family home it's like a very
21 -- become uneconomical to built it. Just imagine the
22 house you cannot build anything in the backyard, no
23 patio, no nothing. So it is like it will be a very

1 hard to continue with the current restriction.

2 Also, we -- it's only -- there's 15 feet,
3 which we'll show you in the picture, there is nothing
4 in that area. It's happen to be just wild bushes. The
5 environmental impact is very minimal. It's very dense
6 wood and the deer wouldn't even go near that. It's a
7 very difficult place. Which I'll show you in a minute.

8 Also, there's another thing I want to
9 emphasize. This is a little outside this variance and
10 we -- while we purchased Lot 18, we also purchased the
11 next lot which is called Lot 17. We use, basically,
12 for conservation purpose. And so we're -- as a result
13 of it, we would like to increase the coverage slightly
14 such that we have entire Lot 17 will stay vacant for
15 preservation purpose.

16 Okay. No visual. I would say very minimal
17 impact on the surrounding neighborhood because the
18 front of the house is about 46 feet.

19 Next page, this is the one I took a picture
20 of the variance. It's about 15 feet. I used the tape
21 measure. Because you see two red lines, that's
22 where -- 15 feet is about the size of a Civic, the
23 length of a Honda Civic. Okay?

1 So this is all dense wood. There's no big
2 tree, no nothing. Everything is there all the way grow
3 until the neighbor's fence. There's a six foot fence
4 in the neighbor next door. So there's really nothing
5 there. It's very rough terrain. I mean, I don't think
6 a wild animal would want to go there.

7 So this is -- to give you an idea, this is
8 from the property line of 17 to 18 look up that way.
9 Okay? That's the direction.

10 So this is the area, the area we're seeking
11 relief. It's a 15 feet strip. It's about a total
12 square footage of about 1,000 square feet.

13 And the last page I have is here's the little
14 map about 17. This is a little outside this variance,
15 but I want -- the members know it. Again, understand I
16 want to preserve the nature and also have the least
17 impact on the neighbors. As a result of it, we decided
18 that we going to purchase the second lot next and we
19 gonna -- all the area that -- this is right adjacent to
20 Lakeshore Park and this is the area we're talking
21 about. The red line is corresponding to this red line.
22 So all these swamp is going to stay as it is. We're
23 not going to touch it, okay, forever.

1 And also on the front, which it does show the
2 picture, that's where the most, like, people -- driver
3 will see on the road. It's a very nice street side
4 wood. So, overall, it's going to be an L-shape and
5 we're going to preserve that as well as it is. We're
6 not going to touch it. So as a result of it, we only
7 want -- as a preservation effort, we only going to do
8 Lot 18.

9 And the Lot 17, we're going to keep as it is
10 and we'll -- there is like a little area like this.
11 This is, like -- how shall I say? This is almost show
12 up as a Disney horror movie, a horror scene. It's like
13 bare. I don't know what happened. I mean, the soil is
14 bare. I think there's quite a few soil erosion. And
15 we'll figure out -- I'm going to hire some land escape
16 expert to figure out what is wrong with it. We're not
17 going to plant just regular grass. That's not what I
18 meant. We tried to see if we can do something.

19 It might cost a little more, but I think I
20 understand. I'm willing to invest such that it's more
21 native to Lakeshore Boulevard -- I mean, Lakeshore
22 Park. So we're going to put some vegetation on it to
23 try to restore its natural state. But currently

1 there's quite a few soil erosion right here in this
2 area.

3 So this is the preservation we plan to do.
4 That's part of in the submission. This presentation
5 is -- I submit as part of in this variance request.
6 And overall, just give you -- the bottom line is this:
7 By factoring in 18 and 17, the coverage -- now I'm
8 requesting the 27 percent coverage. If you take out
9 the 27 and divide by half of that -- I mean, 17, 18 is
10 about the same size. So the coverage really is 13.5
11 percent. Strictly speaking.

12 Because from that -- I mean, it's just one
13 house sitting the other side of the lot. And also, the
14 watercourse offset. I mean, I'm taking away 1,000
15 feet, but the entire Lot 17 is like more than -- it's
16 a quarter acre. It's about more than 10,000 feet.

17 Those are wild -- like a nature woods. We're
18 going to preserve it. So you take it out 1,000 feet.
19 I help the neighborhood gain 10,000 feet. Simple math.
20 So that's, basically, as a part of a variance request I
21 want to present, basically, for your consideration.

22 And that conclude my -- the main part of
23 presentation. Now, I guess I'm open for comment.

1 CHAIRPERSON PEDDIBOYINA: Okay, thank you,
2 Joe. Anybody would like to talk on this case?

3 Can you hear me?

4 MS. OPPERMAN: Yes. If you're looking for
5 the public comments. The first individual we have is
6 Katherine McNerney.

7 CHAIRPERSON PEDDIBOYINA: Katherine, before
8 that I want to ask you a quick question. Did we do the
9 approval of last month's meeting?

10 Did we move the motion for the approval of
11 the meeting minutes last month, November?

12 MS. OPPERMAN: I thought we did that at the
13 beginning of the meeting.

14 MEMBER VERMA: Yeah. Linda proposed it.

15 CHAIRPERSON PEDDIBOYINA: I want to make sure
16 that November monthly meeting minutes are approved.

17 MEMBER VERMA: Yes.

18 CHAIRPERSON PEDDIBOYINA: Anybody have any
19 comments?

20 Seeing none. And let's move on that. Thank
21 you.

22 Okay. And Katherine, we can see anybody in
23 the comments, public remarks or anything want to say

1 anything on this case?

2 MS. OPPERMAN: Yes. We have a few people
3 that are waiting to remark on this case.

4 Let's see. I know Ms. McNerney was raising
5 her hand a moment ago. It doesn't look like she is any
6 longer. She is the current owner of the property.

7 Right now the only individual raising their
8 hand is Karina Urm, if you could allow her to speak.

9 CHAIRPERSON PEDDIBOYINA: Yes, please. Go
10 ahead.

11 KARINA URM: (Garbled audio.)

12 (Court reporter interposing for
13 clarification.)

14 CHAIRPERSON PEDDIBOYINA: I'm sorry. We are
15 not able to hear you, Karina.

16 KARINA URM: (Garbled audio.)

17 MEMBER KRIEGER: I'm not hearing you.

18 CHAIRPERSON PEDDIBOYINA: Can you move to the
19 next thing, Katherine? Anybody is there?

20 MS. OPPERMAN: I --

21 MR. URM: Can you hear me? Hello, can you
22 hear me now?

23 CHAIRPERSON PEDDIBOYINA: Yeah, we can hear

1 you.

2 MR. URM: I'm sorry. The setup is --
3 actually Karina is my daughter's name. I'm sorry. I'm
4 using her school Zoom. My name is Calmer (ph) Urm and
5 my wife here is next to me, Christi. And I'm trying to
6 see. I was going to show you myself.

7 Can you see us or no?

8 CHAIRPERSON PEDDIBOYINA: No.

9 MEMBER SANGHVI: We can't see you.

10 MR. URM: Okay. So I don't know what is
11 going on with that.

12 Okay. That's fine. So we are the neighbors
13 across the street, a little bit to the right from this
14 development and we lived here for five years. And
15 we're really concerned because this house going to be
16 really long going to the -- we're going to be looking
17 at the extra feet on the side. It's going to be the
18 biggest house in this neighborhood.

19 And it is in a corner, corner of a lake which
20 is really quiet right now and there is nothing other
21 than wildlife. And we realized when we moved there
22 five years ago it's going to be a house built there.
23 Right. And, you know, whatever the zoning laws on it,

1 I mean, it's fine, for the size of it.

2 I saw the presentation from Mr. Joe and it
3 seems like he's very passionate and he wants to move to
4 the neighborhood and, you know, it's good to hear. But
5 I'm really concerned why he wants to build a house --
6 he buys two lots and why he wants to move the house
7 right --

8 CHRISTI URM: At the very edge.

9 MR. URM: At the very edge of two lots. And
10 it's just next door to my neighbor John. Because that
11 would make this corner really crowded and it's a huge
12 house. So preservation is all nice, but, you know,
13 this house, if he wants to build a bigger house, it
14 should be positioned in the middle of these two lots
15 and it would be much -- the neighborhood would be much
16 better deserved because it is kind of in the wooded
17 area and it would fit nicely in. Because this makes
18 this corner very crowded.

19 And this lake, this is a nice lake. It is,
20 you know, a little bit grown in and it's kind of
21 natural preserve and there's a lot of wildlife there.
22 It's just -- visually this house, talking to the
23 neighbors, it's not a good fit here.

1 And I don't know, you know, I guess, you
2 know, you have to kind of be here and see it because in
3 the plans it's difficult to kind of explain it.
4 Because, you know, on the lakeside all the houses are
5 smaller. And especially kind of in our area, there is
6 a brand new house got built in our street here by code
7 and it fits nicely in. So we're really concerned about
8 the size and the visual effect it has to this corner.
9 Because a lot of people -- all our neighborhood uses
10 that corner to enter to the park. That's also the
11 entrance to the city park and that house is going to be
12 right on the corner of that and it's going to look more
13 of a city development with no greenery around it.
14 Because that one corner is green already where he's
15 talking about saving --

16 CHRISTI URM: The other tree is going to be
17 cut down.

18 MR. URM: Yeah. The other tree is going to
19 be cut down.

20 But I'd rather to have a compromise. If he
21 wants to have a same size of a house, that should be
22 moved to that other lot or closer to the other lot so
23 this lot can really not be developed ever. Because

1 right now the promise is this lot is going to be saved
2 by the nature preserve. We're going to have a next
3 meeting when we're talking about the variance to build
4 another big house on that lot and now the neighbor
5 would be all for it. So we are kind of concerned about
6 all the development here.

7 CHAIRPERSON PEDDIBOYINA: Thank you.

8 Katherine, can you see anybody raising their
9 hand?

10 Yes. There is Mr. George Doulaveris, I
11 believe.

12 MR. DOULAVERIS: Can you guys hear me?

13 CHAIRPERSON PEDDIOBYINA: Yeah.

14 MR. DOULAVERIS: I'm sorry. I shut my phone
15 off.

16 CHAIRPERSON PEDDIBOYINA: Go ahead.

17 MR. DOULAVERIS: Okay. My name is George
18 Doulaveris. I live directly across from the property
19 that's asking for the variance in that 2477 Shawood.
20 For one, I don't know that it's that important, but all
21 that area that has no grass and all that, it's all deer
22 and all animals that are there. So if Mr. Huang is
23 concerned about the animals, I'm thinking he probably

1 wouldn't even want to build over there because it's a
2 trail that goes right through there.

3 But regardless of that, guys, I don't think
4 that's a problem. I think the point is the house is,
5 like Cal said, a little oversized. I don't know that
6 he -- there is a hardship on him. I think he can meet
7 the requirements of the ordinances if he either makes
8 the house smaller and/or uses both lots to accommodate
9 what he's trying to do.

10 So that's why I would think we would go ahead
11 and I would ask -- I don't support this and I don't
12 think anybody -- we submitted all our paperwork in the
13 area. We all had concerns and we all sent in
14 objections to this item for multiple reasons.

15 I mean, it's a self-induced hardship. He's
16 the one that put the plan on. If he needs the square
17 footage, it can go multiple floors and/or he can build
18 on both lots like Cal said. I mean, that's -- it's
19 probably worse for me because I'm directly in front and
20 I've got a second floor living area and it's going to
21 basically block -- I'll be looking at a roof either
22 way.

23 But I'm more concerned that it's too big.

1 And in the reference in his application, he brings up
2 one of the variances that was approved a while back,
3 Warner house, and, you know, that place is an eyesore.
4 It's just too big compared to everything else that's
5 over there.

6 And all the other houses that are on that
7 side have a lot smaller footprint. So it's
8 definitely -- besides crowding out John, who was the
9 neighbor on the -- I guess I want to say the north
10 side. If I'm right, maybe I'm wrong.

11 But it's, basically, the only house on the
12 same side of the lake. It's going to be, you know,
13 blocking his view and if he moves it front toward more
14 to me, I'm going to be looking at more of a house and
15 it's going to block more of our views, too. So for
16 that reason I'm thinking I would like to see him, you
17 know, come across with something else.

18 I don't think anybody is objecting to the
19 building. I just think we want him to meet the code
20 that is there. And, you know, he's buying the lot.
21 It's not like he had the lot and the lot was shrunk
22 down where it is causing a hardship. This is something
23 he's going into with it. So ...

1 If anything, if you guys feel the need to
2 approve this as is, I'm thinking I would ask that maybe
3 we table this thing and try to get a deed restriction
4 put on the other lot so another house doesn't go in
5 prior to approving it. But I guess I'll let everybody
6 else go into it and get their opinions.

7 CHAIRPERSON PEDDIBOYINA: Okay. Thank you,
8 George.

9 MR. DOULAVERIS: Thank you.

10 CHAIRPERSON PEDDIBOYINA: Katherine, the
11 public remarks is the maximum a three-minute limit?

12 MS. OPPERMAN: Per person, I believe. But
13 I'd have to confirm that with Beth.

14 CHAIRPERSON PEDDIBOYINA: Yeah, please, Beth,
15 can you answer that?

16 MS. SAARELA: You guys have that in your
17 rules. I know City Council has that. I don't know if
18 you guys have a three-minute time limit.

19 CHAIRPERSON PEDDIBOYINA: Yeah. We used to
20 do three minutes on public remarks.

21 Am I right, Larry?

22 MR. BUTLER: You are correct, Joe. It is a
23 three limit time frame.

1 CHAIRPERSON PEDDIBOYINA: Yeah, three
2 minutes. Anybody want remarks, you know, public, not
3 more than three minutes. Please make a note, thank
4 you.

5 Any other, Katherine, public remarks on this
6 case, please?

7 MS. OPPERMAN: Yes. There's Shelley Stenger,
8 I believe, is the next one.

9 CHAIRPERSON PEDDIBOYINA: Can you make a note
10 on the timing also, Katherine? Please follow-up on
11 that. Thank you.

12 MS. STENGER: Hello?

13 CHAIRPERSON PEDDIBOYINA: Yes, Shelley.
14 Please go ahead.

15 MS. STENGER: Hi. How are you? I'm Shelley
16 Stenger. I'm the listing agent for the property and I
17 have spoken to a handful of the neighbors since last
18 May when I first listed the properties. They're the
19 two lots. They are listed -- they're owned by two
20 people, two separate people. And when I first put up
21 my signs, I did speak with George, the gentleman that
22 just spoke. And his home is actually several square
23 feet larger than this ranch home they're preparing to

1 build on the lot.

2 George does have a large home. I know he's
3 in construction, a very nice man. And he actually
4 spoke with me about purchasing the lots initially for
5 quite a low price. He wanted to pay 35,000 to buy the
6 one lot that we're talking about this evening and so he
7 could put a garage up and also park -- a parking area
8 so can he park his construction vehicles and so forth
9 and make a garage there.

10 I told him that we weren't going to sell it
11 for 35,000 because that was really low and I didn't
12 think a garage would be nice on the lake. I didn't
13 think the neighbors would appreciate looking at a
14 garage and a bunch of trucks.

15 So the fact that the buyers would like to put
16 a custom ranch home on there that is smaller than
17 George's home and some of the other homes on the
18 street, I think is a really -- I think it's a good idea
19 to put a ranch because that is a much nicer profile for
20 the lot and it doesn't obstruct a lot of the view and
21 you can't -- the fact that they want to keep the second
22 lot open.

23 I mean, they could put two houses on both

1 lots. That's their right if they're purchasing both
2 lots, but they just want to put one house. And it's
3 not a huge house. I don't know why everyone thinks
4 under 2,500 square feet is a big house.

5 The other thing I did speak with John, who
6 filed the initial complaint, and he was also interested
7 in purchasing the lots as he spoke to me back in May,
8 but he said he couldn't afford to buy them. I know
9 that a lot of the neighbors are using the properties,
10 from what I have seen evidence of it -- I haven't seen
11 people on the properties. But there are several boats
12 that are parked there that the neighbors are using,
13 apparently. And there is some trails on there from
14 other people using the properties and also a trail
15 going to John's property where there's a pile of yard
16 waste, tree branches and so forth that it looks like
17 he's been putting on my client's property as well, bird
18 feeders and so forth.

19 So I think a lot of the neighbors use my
20 client's property as they wish and they want to keep it
21 that way. They don't want anyone to build a house
22 there because then they won't be able to keep their
23 boats there or use it as they wish. So I don't think

1 that's right. And the fact that this is going to be a
2 beautiful custom ranch home. And it's not that large,
3 I don't see why people are complaining about that.

4 CHAIRPERSON PEDDIBOYINA: Thank you. Anybody
5 else can talk. Katherine, can you see anybody?

6 MS. OPPERMAN: Yes. There's Mr. John
7 Karakian. Again, forgive me if I've mispronounced
8 that last name.

9 CHAIRPERSON PEDDIBOYINA: Hi, John. Are you
10 there?

11 MR. KARAKIAN: Yes. Can you hear me?

12 CHAIRPERSON PEDDIBOYINA: John, yeah, we can
13 hear you. You have three minutes to talk, please.

14 MR. KARAKIAN: Okay. First of all, there's a
15 lot of mistaken comments going. Number one, Shelley
16 just spoke. I never told her I wanted to buy that lot.
17 I called her up one time. I asked her how much the
18 lots were going for. She told me. She asked me if I
19 wanted to buy 'em. I said no, I don't want to buy 'em.
20 She asked me. I didn't ask her. That's number one.

21 Number two, she talks about all those tree
22 limbs in there. Those are falling from the branches in
23 the lot onto my property and I throw them back on that

1 property. That's not no yard waste that the neighbors
2 are throwing over there like we'd like to have that lot
3 for our own personal yard waste area. That's another
4 misnomer. So that's two misnomers she said right
5 there.

6 Also, as far as Joe, the applicant, saying
7 that he wants to buy this -- the lot that is a little
8 pond connected to a lake or a little lake inside a
9 lake, none of that's true. That's all part of Shawood
10 Lake and I think all the zoning board members know that
11 when he says that.

12 Also, how about he said it's a -- he said
13 that property is a Disney horror show. Why would he
14 want to buy a Disney horror show if it's that bad? Who
15 would want to buy a Disney horror show? How could you
16 sell a Disney horror show. He said there's no animals
17 in there because it's a Disney horror show. There's
18 all kind of deer and sand cranes and ducks and geese
19 and you name it. It's like a wildlife preserve there.
20 It's not no Disney horror show.

21 Also, the area that he said is a -- Lot 17
22 soil erosion, it's not soil erosion. It's ground,
23 regular ground over there. And so I -- it's just a lot

1 of misnomers that are being said. Apparently, out of a
2 passion to, like, make a sell. And whatever the zoning
3 members do is fine, but I think you've got the 25-foot
4 variance there.

5 And like George says, there's no hardship
6 other than induced hardship that the applicant wants to
7 make it 27. A hardship on him because he wants to make
8 it 27 because it's 25. So I don't see any already
9 existing hardship and I think he's going into it eyes
10 wide open knowing it's a 25-foot variance.

11 Also, he wants to set back closer to the lake
12 is what I understand. Which would cut down on the
13 privacy of my backyard because my deck is setback. And
14 also my neighbor's backyard, his deck is setback.
15 We're behind the tree line. And Joe would be closer to
16 the lake past the tree line. He could look right in
17 our backyards and all that. So we'd lose our privacy.

18 So me and my three minutes are about up. I
19 hope you could hear me okay.

20 Are you there?

21 CHAIRPERSON PEDDIBOYINA: Yeah. Yeah. Go
22 ahead.

23 MR. KARAKIAN: Could you hear me okay so far?

1 MEMBER KRIEGER: Yes.

2 CHAIRPERSON PEDDIBOYINA: Yes, we can. We
3 can hear you, John. So go ahead.

4 MR. KARAKIAN: That's about it. You heard me
5 and I agree with the other comments said by Cal across
6 the street and George next door to him. So I wanted to
7 bring attention to the misnomers stated by Shelley and
8 also embellishments by Joe and Shelley. Those are not
9 correct comments they're making about Disney horror
10 show and I called up and asked if I can buy. None of
11 that is true. She asked me. I didn't ask her.

12 That's all. I'm done. Thank you.

13 CHAIRPERSON PEDDIBOYINA: Thank you, John.
14 Thanks for your time. And Katherine, anybody other
15 than this gentleman?

16 MS. OPPERMAN: It does look like Shelley's
17 raising her hand again. It's up to the board's
18 discretion if they want to call her back now that she's
19 already had her three minutes.

20 CHAIRPERSON PEDDIBOYINA: No. No. Apart
21 from Shelley, any other?

22 MS. OPPERMAN: No one else is raising their
23 hand.

1 Oh. Again, there's someone that has spoken
2 again.

3 No their hand has gone down. No one else has
4 raised their hand.

5 CHAIRPERSON PEDDIBOYINA: Thank you so much,
6 Katherine. I appreciate your time on this.

7 Okay. Thank you so much for Joe and your
8 presentation. And the remaining members on what they
9 say, we are going to look into that.

10 And let me see. Apart from that, I would
11 like to ask Larry, any comments from the City, please?

12 MR. BUTLER: (No audio response.)

13 MEMBER KRIEGER: Larry?

14 CHAIRPERSON PEDDIBOYINA: Larry, can you
15 unmute?

16 MR. BUTLER: (No audio response.)

17 CHAIRPERSON PEDDIBOYINA: Larry, we can't
18 hear you, Larry.

19 MR. BUTLER: (No audio response.)

20 MR. PETERSON: Hello, can you hear me now?

21 CHAIRPERSON PEDDIBOYINA: Yup.

22 MR. PETERSON: This is Jerry Peterson.

23 CHAIRPERSON PEDDIBOYINA: No, no. I'm asking

1 Larry.

2 MR. PETERSON: Larry. Are you not hearing
3 me, Jerry Peterson? Because my red mute has finally
4 come off.

5 MEMBER KRIEGER: Where are you from, Jerry?

6 MR. PETERSON: I am the owner of the
7 property, number 17. And I'm at Katie's house right
8 now. She is not able to get the Zoom working, but she
9 can talk on my space right here.

10 MR. HUANG: Just for the members, the two
11 lots owned by two different people.

12 FEMALE SPEAKER: Hello?

13 CHAIRPERSON PEDDIBOYINA: One second. No,
14 no. One at a time. No, don't talk, please, anybody.

15 Just going back with Jerry.

16 Jerry?

17 MR. PETERSON: Yes. My comments are, you
18 know, there's a bunch of rowboats and stuff on the
19 property and there is a number of yard waste things
20 that's dumped on the property from I don't know who
21 else is taking it back there, I would imagine it would
22 be from neighbors. I don't think people are going out
23 of their way to look for that property to dump on. I

1 know we're not putting things on the property. Katie
2 and I know each other. We're neigh- -- we each own one
3 of the lots.

4 MEMBER KRIEGER: So you own Lot 17, Jerry?

5 MR. PETERSON: Yes.

6 MR. KRIEGER: And you're selling it?

7 MR. PETERSON: Yes.

8 MEMBER KRIEGER: Okay.

9 CHAIRPERSON PEDDIBOYINA: Okay. Go ahead.

10 MS. McNERNEY: I'm here, too. I'm Katie. I
11 own the Lot 18.

12 MR. PETERSON: And she can't get the Zoom to
13 work.

14 MS. McNERNEY: But I couldn't get my Zoom to
15 work so I'm using Jerry's.

16 MEMBER KRIEGER: That's fine. We can hear
17 you.

18 CHAIRPERSON PEDDIBOYINA: Go ahead, Kate.

19 MS. McNERNEY: So I guess there was
20 complaints that our property is the way they get on to
21 the park property, but there's a trail just on the road
22 that I've gone on many times. So they don't need to
23 access our property to go on to the park. I mean, it

1 is a beautiful corner, but, you know, it's a property
2 that needs a home. And John -- Joe's building a
3 beautiful home there. And, you know, maybe these
4 people are not happy to not be able to use that
5 property as their own anymore but, you know, we have
6 the right to sell it and we need to. You know, it's
7 hard times so let someone enjoy that property. It's
8 beautiful.

9 I can't think of what else really needs to be
10 said about that.

11 MEMBER KRIEGER: Thank you.

12 CHAIRPERSON PEDDIBOYINA: Thank you.

13 MS. McNERNEY: Okay. Sure.

14 CHAIRPERSON PEDDIBOYINA: Okay. Katherine,
15 there's no more comments. We don't allow anymore and
16 we're closing the public remarks, am I right?

17 Katherine?

18 MS. McNERNEY: Me?

19 CHAIRPERSON PEDDIBOYINA: I can't hear you,
20 Katherine.

21 MS. McNERNEY: Me? Are you talking to me,
22 Katherine?

23 MEMBER KRIEGER: You're all set. No,

1 Katherine from the City.

2 MS. McNERNEY: Okay.

3 CHAIRPERSON PEDDIBOYINA: Okay. Katherine,
4 thank you.

5 And all right. We have -- what about the
6 City? Larry, can you hear me? Larry?

7 MR. BUTLER: (No audio response.)

8 CHAIRPERSON PEDDIBOYINA: Larry?

9 MEMBER KRIEGER: We can't hear you, Larry.

10 MEMBER KRIEGER: So we can see if there's
11 correspondence and then let Larry come back to us.

12 MEMBER SANGHVI: Yes. Go ahead.

13 CHAIRPERSON PEDDIBOYINA: Larry? Okay,
14 Larry, we can't hear you. We're moving to the
15 correspondence.

16 Katherine, acting secretary for today's
17 meeting, any correspondence on this case, please?

18 MS. OPPERMAN: Yes. In this case there were
19 19 letters mailed out. There were none that were
20 returned. We had 12 objections. Of those, five were
21 not included in the original mailing. They were other
22 neighbors that weren't within the 300 foot buffer, and
23 there were no approvals.

1 Let's see. So we had a letter from Mr. John
2 Karakian. I apologize for any mispronunciation of
3 names. He had spoken.

4 His letter is quite long so I'm going to
5 summarize it briefly. Essentially, he's concerned that
6 the dwelling will be too large. He believes that the
7 zoning code should be strictly followed. So, you know,
8 25 percent without the setback.

9 He's concerned about the new home
10 overwhelming the property and about the current maple
11 (ph) state and about it potentially devaluing other
12 homes due to it being larger scale than them.

13 Let's see. There's a second one. This is
14 also from a gentleman who spoke, Mr. Urm. His
15 statement is, "The proposed house is too big for the
16 location and will negatively effect the surrounding
17 area."

18 There's one again from Mr. George, who is at
19 2477, who spoke. His objection as written is: "The
20 footprint is too large and out of place for the
21 location."

22 We have a -- Mr. and Mrs. Minis (ph) at 240
23 Pleasant Cove they say they object and recommend

1 following the current zoning regulations.

2 Mr. Damon Brown, he objects because it will
3 disrupt the wildlife, view of the woods and the lake,
4 interfere with his privacy, will reduce the light and
5 overshadow the home. That there will be additional
6 noise and disturbance, loss of trees and potentially
7 more traffic and roadblocks.

8 Mr. Ethan Fuller, his objection is that the
9 structure may be too large for the lot and cluttered
10 for the street.

11 Mr. Tom Krom at 2320 Crowne Drive. His
12 objection is the proposed home is a little large.
13 Reduce the size for neighbor's visibility of the lake.

14 Patricia Gibson, her objection is the
15 building would be way too big, blocking the view of the
16 lake. Too much building and the wildlife will have no
17 place to go.

18 Mr. and Mrs. Kean, the lot is too small to
19 support such a large house.

20 Troy Grappin (ph) the objection is the codes
21 are put into effect for a reason. If you change one,
22 there will always be someone else wanting the same
23 treatment. It is not a large lot and it's on the water

1 so the codes need to be followed.

2 Cory Caucus (ph) simply circled objection and
3 did not write any comments.

4 And then the last one is from Marc Adams. He
5 believes the vacant land should be put into a
6 conservation easement and he has some concerns
7 regarding the soil condition and the builder is aware
8 of what is going to be required for building the
9 foundation on the lot.

10 CHAIRPERSON PEDDIBOYINA: Thank you so much,
11 Katherine.

12 And coming back to the City. Larry, any
13 comments from the City, please?

14 MR. BUTLER: No comments from the City at
15 this time. Standing by for questions.

16 MEMBER KRIEGER: Good to hear you.

17 CHAIRPERSON PEDDIBOYINA: Thank you so much,
18 Larry. I appreciate it.

19 MR. HUANG: Mr. Chairman, can I make a
20 comment before we go any further? There's a few
21 neighbors, my future neighbor's comment I do want to
22 have an opportunity to respond to that, if I may? Five
23 minutes.

1 CHAIRPERSON PEDDIBOYINA: No. No. We can't
2 right now. We already took enough time and we are late
3 enough for so many people. I put it on the board and
4 the board can decide it.

5 MR. HUANG: Okay.

6 CHAIRPERSON PEDDIBOYINA: Okay. Thank you,
7 Joe, for your presentation at today's meeting. And,
8 you know, due to the COVID, you know, personally we're
9 not able to meet in person at all the meetings.

10 And all the remaining neighbors and all the
11 people and the realtor and the homeowners, thank you
12 for your joining the call. I seen all those things and
13 I'll keep this case in front of the board members,
14 their comments, and we can move from there.

15 I'm open to the board. They can talk. Thank
16 you.

17 Any comments from the board, please?

18 Michael?

19 MEMBER THOMPSON: Does it seem like moving
20 the house over to the left would cure a lot of the
21 problems?

22 MR. HUANG: You're asking me?

23 CHAIRPERSON PEDDIBOYINA: Yeah, Joe, you have

1 to answer this question for Mike, for the board
2 member.

3 MR. HUANG: As a matter of fact, there was
4 original like a proposal from the architect. We merge
5 like 17 and 18 together and then we build a -- you
6 think about just current house and you rotate it like a
7 90 degree and then, as a matter of fact, we did not
8 adopt it just for the very reason we concerned impact
9 the neighbors. That's one primary reason.

10 Because when you do that, the house looks
11 much bigger than today because right now it's about 46
12 feet of the front. If you rotate that and add all the
13 three-car garage and all these nicety, then it become
14 almost like double the size. So we think it's like
15 enormous. And the other thing is a concern about
16 environment. I mean, we're thinking, hey, if we rotate
17 that it's gorgeous. The house going to be gorgeous,
18 don't get me wrong. We're going to love it. The
19 problem is I think the backyard is going to be all --
20 the lake is going to be all to ourself, which we don't
21 have a problem. The wildlife can still come here.
22 That's not a problem. It's just like a human activity
23 in us we kind of like intrude to animals like a

1 territory, their existing feeding ground. So that's
2 why we come up with this idea. Just the very reason we
3 try to be friendly to the neighbors, friendly to the
4 environment and friendly to the wildlife.

5 To the neighbor, the house looks smaller. I
6 hear a lot of complaining about oversized. Right now
7 it's about -- I mean, 46 feet and then if you rotate it
8 to take up two lots, it's going to be a lot bigger.
9 I'm probably going to have a much bigger complaint.

10 But, again, this is fully compliant with the
11 zoning law when we combine the lot together and we do
12 it. And it's just like we feel -- I mean, we want -- I
13 mean, the animal -- I mean, if we would put the Lot 17
14 vacant on the side, nobody going to interfere with it.
15 I mean, there's one member saying are you going to do
16 anything with that? I say, well, you have my sworn
17 testimony for this board, we're not going to build
18 anything most likely in our lifetime and we also have a
19 fully submitted site plan already have this Lot 17
20 included. We're going to leave as a -- like a weld
21 (ph).

22 And also to -- again, I feel sorry like if I
23 say it's a Disney horror movie. It's just like a very

1 little portion of it. I would say like less than one
2 fifth it's pretty bad.

3 CHAIRPERSON PEDDIBOYINA: Michael?

4 MR. HUANG: And we went to restore the
5 vegetation. I mean, it's like it become nice and
6 we're --

7 MEMBER KRIEGER: Excuse me. Through the
8 Chair, I'm sorry, sir, but you're repeating and it's
9 distracting from our ability to participate.

10 CHAIRPERSON PEDDIBOYINA: Yes. Member
11 Thompson, do --

12 MR. HUANG: I apologize.

13 CHAIRPERSON PEDDIBOYINA: Member Thompson, do
14 you have any other questions on this?

15 MEMBER THOMPSON: Well, the first one wasn't
16 really answered. I didn't say rotate it. I just said
17 move it over to the left.

18 MEMBER KRIEGER: I think that would be a
19 question for Larry in the City, if those two things
20 would be -- if the two lots would be merged together.
21 Otherwise, it's one lot and we're interfering with side
22 lots. So I think that would be a Larry question.

23 MR. HUANG: If why move it? I mean, I will

1 violate of a side setback. The lot line is through
2 there, right? Right now I'm in perfect compliance of
3 Lot 18. I mean, it's like right now it's like -- I
4 think combined it's like 25 feet. I'm in perfect
5 compliance. If I move in the middle, then I'm in
6 violation of the side setback then I can come to this
7 board again.

8 CHAIRPERSON PEDDIBOYINA: Okay.

9 MEMBER MONTAGUE: Larry, could I ask
10 something?

11 CHAIRPERSON PEDDIBOYINA: Well, one second --

12 MEMBER MONTAGUE: There's a process by which
13 he can combine the lots, right?

14 MR. BUTLER: Who is asking the question?

15 MEMBER MONTAGUE: I am, Clift. Clift is
16 asking the question.

17 MR. BUTLER: Okay.

18 MEMBER MONTAGUE: He can combine those lots,
19 which would mean -- one of the concerns I heard was we
20 approve this, somebody builds there, he sells off the
21 one lot and he says he's not going to, but they'd build
22 another. If he combines the lots, then it's tied to
23 this one development. And you can look at other

1 options, obviously, but what would he have to do to
2 combine the lots.

3 MR. BUTLER: He would have to go back to the
4 City with that and first he would have to see if he can
5 combine the lots and build the property on both lots.
6 Normally, the property is on one lot. So if he's going
7 to combine it into one lot, he's going to have to go
8 back and start all over again at the drawing board,
9 basically.

10 MEMBER MONTAGUE: Okay.

11 CHAIRPERSON PEDDIBOYINA: Let me talk to the
12 members one second, everybody. Before finishing one
13 board member, let's go to the other board member as we
14 should. I request of everybody.

15 Member Thompson, are you done with talking or
16 do you have any other questions, going back to you?

17 MEMBER THOMPSON: That would be my only
18 question.

19 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.
20 What about Member Krieger. Do you have any other
21 question?

22 MEMBER KRIEGER: I do.

23 CHAIRPERSON PEDDIBOYINA: Go ahead, please.

1 MEMBER KRIEGER: I'm concerned about when
2 you're building in the back that the water -- you spoke
3 nothing of the foundation. I'm not familiar with
4 foundations. I am familiar with water and flooding and
5 how that changes the foundation. That it might cause
6 cracks and what impact that would be for us to allow
7 such a thing. And then also the height, I can't
8 understand the height of the building. So would it be
9 the height of a two-story house or -- because I can't
10 find it.

11 So those two are my concerns, two beginning
12 concerns. And then the third one is the question about
13 Lot 17, if he owns that lot, that -- and he's saying
14 that he won't, but as time goes by people change and
15 things happen, what would be done regarding that. And
16 so I have -- I guess, too many concerns and I don't
17 know if the neighbors were all participating. So
18 I'd -- if those things can be addressed or table it,
19 but I have too many concerns to approve anything
20 tonight.

21 CHAIRPERSON PEDDIBOYINA: Thank you, Member
22 Krieger.

23 And going back to Member Montague, do you

1 have any other question, please?

2 MEMBER MONTAGUE: No. No. I was following
3 up on their talk about moving it on the lot is why I
4 put it in. I apologize, but that was my question.

5 CHAIRPERSON PEDDIBOYINA: Yeah. Thank you,
6 Member Montague. Thank you so much.

7 Any other -- okay. Member Mav, okay, you're
8 raising your hand. Please go ahead, Member Sanghvi.

9 MEMBER SANGHVI: Hi. Thank you, Mr. Chair.
10 Can you hear me?

11 CHAIRPERSON PEDDIBOYINA: Yes, sir. Thank
12 you so much. Go ahead.

13 MEMBER SANGHVI: Well, I went and visited
14 this area the other day and it's always difficult when
15 the lots have been vacant for so long and when you
16 build on it, it's not a very popular thing to do when
17 you see new people coming in. But every lot, whenever
18 they build anything in this area or renovate anything,
19 they always require quite a lot of variances because
20 these variances were -- these ordinances were developed
21 long after these lots were made. So you cannot build
22 anything without variances at all.

23 And so I know there are a lot of questions

1 about it. But looking at the size of the plot, I think
2 they cannot build anything without variances and we
3 have been granting variances in the entire in this near
4 the Walled Lake for many, many years. I have been on
5 the board here for almost 20 years and this is going to
6 be a problem every time anybody wants to build a new
7 thing or renovate anything. Thank you.

8 CHAIRPERSON PEDDIBOYINA: Thank you, Member
9 Sanghvi.

10 Any other board member would like to speak
11 tonight, please?

12 Okay, Member Verma, please go ahead.

13 MEMBER VERMA: My question is in the back,
14 there's a -- the owner says it's a pond and one of
15 the person on the other side said it's a part of the
16 lake. Is it a lake or is it a small pond?

17 MR. HUANG: It's called inlet. I can pull up
18 the Google map, if that's what you want.

19 MEMBER KRIEGER: There's Shawood Lake and
20 Walled Lake.

21 MR. HUANG: It's Shawood Lake. Just hold on
22 a second it's very simple.

23 It's hard to describe it. I can zoom in very

1 closely. I get into the satellite thanks for the
2 modern technology.

3 And I'm going to share that picture. That's
4 a classic case of a picture is worth a thousand words.

5 Let me share this.

6 (Document displayed.)

7 MR. HUANG: Okay. See, everybody? So this
8 is where the vacant lot. So this is called an inlet.
9 And this is a little land, as little like a stream.
10 This is the entire Shawood. So this is a little pond.
11 This is the proposed like the construction.

12 Does that make sense?

13 MEMBER VERMA: Thank you.

14 MEMBER KRIEGER: Yup.

15 CHAIRPERSON PEDDIBOYINA: Thank you. Thank
16 you, Joe.

17 And any other board member who would like to
18 speak tonight on this case, please?

19 MEMBER SANKER: Yeah. I just have a real
20 quick question.

21 CHAIRPERSON PEDDIBOYINA: Go ahead.

22 MEMBER SANKER: I appreciate the comments and
23 I appreciate the presentation. That was very helpful.

1 So thank you.

2 So have you tried to build -- I know you can
3 combine the two lots and build it sideways or turn it
4 90 degrees and fit without any variances, but when you
5 try to build it with the 25-foot minimum setback from
6 the water side, I guess, have you attempted to draw out
7 a house that you can use within the variance of Lot 18?

8 MR. HUANG: We try it. None of them is -- I
9 guess it's like satisfactory. Because the waterfront,
10 I mean, I read -- there's a strict interpretation.
11 Basically, you cannot do anything with the backyard,
12 not even a deck. So a house without a deck, that's
13 a -- and a patio, anything like this. Basically,
14 nothing in there, according to the code. So that's
15 kind of like where the hardship is. Does that make
16 sense?

17 MR. SANKER: It does make sense. And I tend
18 to agree with Member Mav and his sentiments that that
19 area is tough because of the lake. And, you know, the
20 two percent increase on the square footage, you know,
21 isn't that huge? And because of the, you know, lot's
22 configuration, you know, it's hard to fit anything that
23 is adequate in this day and age on a lot like that.

1 And so I tend to approve it.

2 MR. HUANG: Yeah, there's a precedent in
3 2006, if you may, and that's in the same street on
4 Austin. I believe it's this zoning board approved the
5 variance. You guess where the 27 percent coming from.
6 That's where I got it. I say, "Hey, I'm not asking
7 anything like extraordinary."

8 There's a precedent in 2006. This particular
9 zoning board approved a front setback as well as a 27
10 percent like increase coverage from 25 percent
11 coverage. So ...

12 MEMBER SANKER: Thanks. I appreciate that.

13 CHAIRPERSON PEDDIBOYINA: Thank you, Member
14 Sanker.

15 And anybody would like to speak on this?

16 Member Krieger, you're saying something?

17 MEMBER KRIEGER: Through the chair, the
18 precedent in every case is reviewed uniquely. So to
19 say that we're setting a precedent is like a rubber
20 stamp and that's not true. We look at each individual
21 case and that -- I guess to go back to the 100 year
22 flood. I have a stream in my background. I know all
23 about water and worrying water about coming in the

1 house. So, yes, that area needs variances. I just
2 have a --

3 MR. HUANG: As a matter of fact, if I may,
4 the builder going to put some structure sand in there.
5 He told me you don't even need to put a sump pump in
6 there. You know why, because the low land. So we
7 going to put the sand and raise the floor up a bit. So
8 because the sand will serve a very nice drain. So you
9 never going to see -- the sump pump never going to
10 work. That's according to -- my builder told me
11 that.

12 MEMBER KRIEGER: So you're increasing your --
13 you're changing the topography. So what's your height
14 going to be?

15 MR. HUANG: I have on the presentation --
16 I'll give you the exact figure.

17 It's 9 -- (audio dropped) -- feet
18 elevation.

19 MEMBER KRIEGER: I'm sorry. I can't hear
20 you.

21 CHAIRPERSON PEDDIBOYINA: We can't hear you.
22 Can you speak one more time?

23 MR. HUANG: Yeah. It's nine 936.7 feet above

1 the sea level.

2 MEMBER KRIEGER: Yeah. Above sea level.

3 MR. HUANG: The water -- I mean, the FEMA is
4 934. So, in other words, we're three feet above the
5 flooding. One hundred year FEMA flooding, the actual
6 water level going to be even a couple foot lower than
7 that. It's going to be probably 933 or 932, something
8 like that.

9 MEMBER KRIEGER: So to the City, what does --
10 I mean, in comparison to the rest of the area of the
11 street, across the street, where does that -- does it
12 all come to 934?

13 MR. HUANG: 934 is the FEMA. I mean,
14 basically, the --

15 MEMBER KRIEGER: Right. Right. I understand
16 that. I'm talking about if I have a house across the
17 street and I look across the street --

18 MS. SAARELA: Let me.

19 CHAIRPERSON PEDDIBOYINA: Beth, you can go
20 ahead.

21 MS. SAARELA: We're getting in to flood plain
22 regulations here. That's governed by the building
23 code.

1 MEMBER KRIEGER: All right.

2 MS. SAARELA: Yeah. The building plans are
3 going to be reviewed as a separate issue by the
4 building department. It's going to have to meet code
5 as far as foundation requirements for that area and
6 also as far as what kind of construction would need to
7 be done in the floodplain.

8 Larry, I would assume at this point if there
9 is any height variances needed, we would have looked at
10 that already.

11 MR. BUTLER: Yes, we would.

12 MS. SAARELA: I think this might not be
13 relevant to the variances that are in front of the
14 board today. Two of them, the potential for flooding,
15 foundation and the construction that needs to be done
16 as far as a floodplain, that's all building related.

17 MR. BUTLER: It's, basically, if he hasn't
18 really had a chance to look at the soil, he's going to
19 have other options where he may have to put in pylons
20 or whatever. But that's something he has to come back
21 to the City for with his design and stuff later down
22 the road. Instead of putting sand, you're going to
23 have to put pylons in or something just to keep the

1 house from sinking and allow water to go through. But
2 that would be at another meeting at another time.

3 But you're correct, Beth. Thank you.

4 CHAIRPERSON PEDDIBOYINA: Thank you, Larry.

5 Linda, are you done?

6 MEMBER KRIEGER: Yes, thank you, Joe.

7 CHAIRPERSON PEDDIBOYINA: Thank you.

8 And Mr. Sanghvi? Member Sanghvi, you're
9 raising your hand?

10 MEMBER SANGHVI: Yeah. I just wanted to
11 point out that in this area the water table will be
12 very high and sometimes you find water getting up to
13 five or seven feet underneath.

14 CHAIRPERSON KRIEGER: Okay. Thank you,
15 Member Sanghvi.

16 Any other board member before I close this up
17 on members speaking?

18 And other than that, I can call for a motion.
19 For Michael, Member Longo?

20 MEMBER LONGO: Yes. Thank you. I move that
21 we grant the variance for the case for the things that
22 we need to look at here for the PZ20-0053 sought by
23 Mr. Joe Z. Huang for the -- for the coverage issue as

1 well as the watercourse.

2 Because the petitioner has shown practical
3 difficulty requiring fitting a home on those lots,
4 which is pretty typical. Without the variance the
5 petitioner would be unreasonably prevented or limited
6 with the respect to the use of the property because the
7 size of the house would have to be much smaller.

8 The property is unique because of the water.
9 The water line that comes and cuts, frankly, at an
10 angle. So it really makes it a much smaller depth that
11 he has. The petitioner did not create the condition,
12 because he's purchasing a predefined lot or parcel.

13 The relief granted will not unreasonably
14 interfere with the adjacent or surrounding properties
15 because it fits in very nicely. I drove by there. It
16 fits in very nicely with the neighborhood. It's narrow
17 so it doesn't cut down the view of the lake.

18 MEMBER SANGHVI: Second.

19 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.

20 And Katherine, can you please call for the
21 roll call.

22 MS. OPPERMAN: Yes. Give me just one moment.
23 I just have to finish my note real fast.

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CHAIRPERSON PEDDIBOYINA: Okay.

(A brief pause.)

MS. OPPERMAN: Calling roll. Chairperson
Peddiboyina?

CHAIRPERSON PEDDIBOYINA: No.

MS. OPPERMAN: Member Krieger?

MEMBER KRIEGER: No.

MS. OPPERMAN: Member Longo?

MEMBER LONGO: Yes.

MS. OPPERMAN: Member Montague?

MEMBER MONTAGUE: No.

MS. OPPERMAN: Member Sanghvi?

MEMBER SANGHVI: Yes.

MS. OPPERMAN: Member Sanker?

MEMBER SANKER: Yes.

MS. OPPERMAN: Member Thompson?

MEMBER THOMPSON: No.

MS. OPPERMAN: And Member Verma?

MEMBER VERMA: Yes.

MS. OPPERMAN: That is ...

Beth?

MS. SAARELA: Yup.

MS. OPPERMAN: My apologies. I've got four

1 yesses and five (sic) noes of the full eight-person
2 board. I know it takes four to pass, but seeing that
3 there's five noes, is that a fail?

4 MS. SAARELA: Yes. That's going to fail. So
5 we probably should have a motion to deny, then.

6 MR. SANKER: Someone who said no should make
7 a motion to deny.

8 MS. SAARELA: Correct. And what the basis is
9 for the denial.

10 MEMBER KRIEGER: Joe?

11 CHAIRPERSON PEDDIBOYINA: Yeah.

12 MEMBER KRIEGER: I move that we deny the
13 variance to case number PZ20-0054 sought by the
14 petitioner because of not showing a practical
15 difficulty regarding the setback to the rear. The
16 circumstances and features of the property, including
17 the topography, location, are not unique. They exist
18 through the city -- or a lot of areas that have water
19 issues and percent of distances, that the percent
20 increase have not shown practical difficulties. The
21 circumstances and features of the property relating to
22 the variance request are self-created because they
23 were -- the house could be built within the ordinance

1 as designed.

2 The failure to grant relief will result in
3 mere inconvenience or inability to obtain a higher
4 income or financial return based on the petitioner's
5 statements that the -- that they would be able to with
6 the lesser -- without the variance and as done by
7 ordinance.

8 The variance would result in interference
9 with adjacent and surrounding properties because of the
10 increase in the percentage. And granting the variance
11 would be inconsistent with the spirit and intent of the
12 ordinance because it would be different to the
13 neighboring properties.

14 CHAIRPERSON PEDDIBOYINA: And somebody can
15 make a second.

16 MEMBER THOMPSON: I would second that.

17 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.

18 Katherine, any other things you want to on
19 this case?

20 MS. OPPERMAN: We would have to take a vote
21 again on the motion, correct, Beth?

22 MS. SAARELA: Yes. You would have to call a
23 roll on the motion to deny.

1 MS. OPPERMAN: Okay. Also, I did misspeak
2 when I spoke earlier, it was four to four. It was dead
3 even.

4 MS. SAARELA: That still fails and the motion
5 to deny is still necessary.

6 MS. OPPERMAN: All right. So Chairperson
7 Peddiboyina?

8 CHAIRPERSON PEDDIBOYINA: Yes.

9 MS. OPPERMAN: Member Krieger?

10 MEMBER KRIEGER: Yes.

11 MS. OPPERMAN: Member Longo?

12 (No audio response.)

13 CHAIRPERSON PEDDIBOYINA: You're on mute.
14 Can you unmute, please?

15 MEMBER LONGO: Thank you.

16 MS. OPPERMAN: I didn't catch your response,
17 Member Longo. Could you please repeat it?

18 MEMBER LONGO: Yes. In favor of the denial.

19 MS. OPPERMAN: Member Montague?

20 MEMBER MONTAGUE: Yes.

21 MS. OPPERMAN: Member Sanghvi?

22 MEMBER SANGHVI: No.

23 MS. OPPERMAN: Member Sanker?

1 MEMBER SANKER: No.

2 MS. OPPERMAN: Member Thompson?

3 MEMBER THOMPSON: Yes.

4 MS. OPPERMAN: And Member Verma?

5 MEMBER VERMA: No.

6 MS. OPPERMAN: That is a five to four vote,
7 five to three vote for denial. The motion passes.

8 CHAIRPERSON PEDDIBOYINA: Thank you.

9 MR. HUANG: Thank you everybody for your
10 time.

11 CHAIRPERSON PEDDIBOYINA: Thank you so much.

12 All right. That brings us to -- I know this
13 case took a long time. And let's move to the next case
14 for tonight.

15 PZ20-0054, C-o-y Construction, Coy
16 Construction, 23403 Mystic Forest Drive, west of Novi
17 Road and a south of Ten Mile Road, parcel number
18 50-22-27-429-006. The applicant is requesting a
19 variance from the Novi Zoning Ordinance, Section 3.1.5
20 for a proposed 30-foot rear yard setback, 35 feet
21 required, a variance of five feet.

22 This variance will accommodate the building
23 of a new deck and sunroom. This property is zoned

1 single family residential, R-4.

2 Is the applicant present, sir?

3 (No response.)

4 CHAIRPERSON PEDDIBOYINA: The applicant is
5 present?

6 (No response.)

7 CHAIRPERSON PEDDIBOYINA: Katherine?

8 MS. OPPERMAN: Pardon me just a moment.

9 CHAIRPERSON PEDDIBOYINA: Can you see the
10 applicant? Maybe he's on mute.

11 MS. OPPERMAN: I'm happy to check.

12 CHAIRPERSON PEDDIBOYINA: Coy Construction.

13 MEMBER SANGHVI: Coy Construction.

14 CHAIRPERSON PEDDIBOYINA: If he's not there,
15 I'll move to the second case and we'll bring back if
16 he's available in the final. Is it okay, Board?

17 THE BOARD: Yes.

18 CHAIRPERSON PEDDIBOYINA: Thank you.

19 Okay. Going to case number three, PZ20-0055,
20 Cambridge of Novi, LLC 49305 Villa Drive, west of Beck
21 Road and north of Nine Mile Road, parcel number
22 50-22-29-326-040. The applicant is requesting a
23 variance from the City of Novi Code of Ordinance,

1 Section 28-5(a) footnote 3, for a proposed 51 square
2 foot, eight-foot-tall neighborhood entryway ground
3 sign. The sign is oversized by 31.57 square feet and
4 over height by three feet. This property is zoned
5 residential acreage, RA.

6 Is the applicant present, Cambridge of Novi,
7 LLC?

8 MEMBER KRIEGER: Mr. Guidobono?

9 MS. OPPERMAN: It looks like there's a
10 Mr. Jeff Wild, who I know is the designer for that
11 sign. And, yes, Mr. Guidobono is also present.

12 MR. GUIDOBONO: Yes. I am present. Can you
13 hear me?

14 MS. OPPERMAN: Yes.

15 CHAIRPERSON PEDDIBOYINA: Oh, you are there?
16 Okay. You are the Cambridge of Novi, LLC?

17 MR. GUIDOBONO: Yes.

18 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.
19 Sorry for keeping you long day. I know for the first
20 case, it took me a long time. I'm watching you, you're
21 going and coming back in your house. Thank you so much
22 and now you can proceed to what you want to say and
23 what we can help on the board.

1 MS. OPPERMAN: I'll need him to state his
2 name and be sworn in.

3 MR. GUIDOBONO: Yes. My name is Mark
4 Guidobono. I live at 47765 Bellagio Drive in Novi.
5 I'm the owner of Cambridge Homes and I'd be happy to
6 make this presentation to the ZBA today.

7 MS. OPPERMAN: Pardon. My apologies. Do you
8 swear or affirm to the tell the truth in the case
9 before you?

10 MR. GUIDOBONO: I do.

11 MS. OPPERMAN: Thank you.

12 CHAIRPERSON PEDDIBOYINA: Thank you,
13 Katherine. I appreciate your time of reminding me on
14 sworn.

15 And Mark, please go ahead. What do you want
16 to do the presentation or whatever. You have a couple
17 minutes and move on that and where we can help you on
18 the board.

19 MR. GUIDOBONO: Thank you. I'm going to
20 share the screen here.

21 So let's see where I want to start on this.

22 And hit share.

23 (Document displayed.)

1 MR. GUIDOBONO: Okay. The location of the
2 wall -- and I don't even know if I want to start there.
3 I think I'd like to start here. Can everybody see the
4 sign here?

5 I feel there is community value to adding our
6 name or developer and builder of Bellagio and Tuscany
7 Reserve. Terra was just -- won the award for
8 development of the year in Southeastern Michigan. I
9 think this is a value to the community and in reality,
10 we're only asking for five square feet to be able to
11 have our name right there on this sign.

12 The second thing that I would like to point
13 out is the height of the sign is the second thing we're
14 asking for on the variance the -- of the wall, I should
15 say. Not the sign.

16 Our wall here at this point is eight foot.
17 At this point it's four feet. At this point it's three
18 feet. And what we've done is -- I'm going to go to
19 this document here.

20 We're almost 70 feet to the center line of
21 the wall with this wall. We put in a lot of
22 landscaping including a bunch of evergreens to screen
23 this from the neighbor to the west, and I can show you

1 a photograph here. Let's find it.

2 (Document displayed.)

3 MR. GUIDOBONO: The wall is in already. We
4 were going to put either cedar or what is called
5 longboard in this location with our sign. We're using
6 natural materials to blend in with the community. To
7 blend in with the theme of this community, which is
8 taking a -- using a Frank Lloyd Wright designs. So
9 we're trying to blend this wall in with the types of
10 houses that are going on in this community.

11 So here is our model. The wall is designed
12 after our model and it just blends in with the natural
13 surroundings. We're using a lot of natural materials
14 and we believe this would be a benefit. We didn't
15 realize at the time when we designed this, that there
16 was an eight-foot requirement. And we put in the
17 masonry portion of the wall already.

18 We respectfully request your approval, but
19 this development will be an asset to the city of
20 Novi.

21 MR. WILD: I don't believe they can see the
22 photo, Mark.

23 MR. GUIDOBONO: Can you see the -- yeah, you

1 can't see the photo with the wall and the landscaping
2 behind it?

3 MR. WILD: That is correct.

4 MR. GUIDOBONO: Yeah, so that -- and there's
5 going to be indirect lighting on this wall. It's
6 actually going to have rope lighting. Underneath this
7 edge of the limestone, there will be rope lighting
8 which will be shining a mood type lighting along this
9 whole wall to make it kind of glow at night, this
10 little stone wall area right here.

11 I'm happy to answer any questions that any of
12 you may have, but you can notice all the landscaping
13 that we put in here in the wintertime. We still have
14 blockage from the neighbor to the west.

15 MR. WILD: Do you mind resharing that photo
16 that everybody can see?

17 MR. GUIDOBONO: People can't see this photo?

18 MEMBER KRIEGER: Just the diagram with the
19 circle of the trees.

20 MR. GUIDOBONO: Okay. I got to figure out
21 how to do this, then.

22 Let's see, new share.

23 Can you see it now?

1 MEMBER VERMA: No.

2 MR. GUIDOBONO: Could you see the model?

3 MEMBER KRIEGER: Just in our own computers.

4 MR. GUIDOBONO: Okay. So let's go to the
5 model and see if this works.

6 (Document displayed.)

7 MEMBER VERMA: Yes.

8 MEMBER SANGHVI: Yes, we can see.

9 MR. GUIDOBONO: Here's the materials that
10 we're using on the sign to blend in with the community.
11 This is all tied in to blend in with nature. When we
12 develop this site, we put in smaller sites to preserve
13 50 percent of the trees on the site. This is something
14 the City of Novi approved and it's all styled under the
15 Frank Lloyd Wright blend-in-with-nature type of feel.
16 These are ranch homes. This is geared towards empty
17 nesters. The name of the community is called Terra.

18 And the other thing I wanted to show you was
19 the ...

20 Here it is. This is the actual wall that's
21 already built. It's the same stone that you saw in
22 that last house and we're going to put some cedar in
23 this area with the Scienterra that I showed you. We'll

1 either be using cedar or longboard, which gives us the
2 exact same look. So it will be a cedar look right here
3 in stone that will match what we have going on in the
4 community. These are columns that host the gate here.
5 And at the time we put this doggone wall in, we didn't
6 realize, but with this distance from the wall scale is
7 important. We feel this is appropriate for this
8 location and for this size. It's not overpowering and
9 it will blend right in with nature.

10 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.
11 Any other things before you conclude?

12 MR. GUIDOBONO: I would be happy to answer
13 any questions anyone may have.

14 CHAIRPERSON PEDDIBOYINA: Okay. Thank you so
15 much.

16 And, Katherine, is there any in the audience
17 would like to speak on this case or anybody raising any
18 hand or anything? Can you watch on the Zoom?

19 MS. OPPERMAN: Yes. It does looks like
20 there's one person. They're listed only as Zoom User.

21 CHAIRPERSON PEDDIBOYINA: Okay. Can you take
22 off your screen, please, the sharing one?

23 MR. GUIDOBONO: Oh, okay.

1 CHAIRPERSON PEDDIBOYINA: Katherine, you're
2 seeing somebody raising their hand in the Zoom or
3 there's nobody?

4 MS. OPPERMAN: Yes. There's someone listed
5 as "Zoom User" that's raising their hand.

6 (No response.)

7 MS. OPPERMAN: It looks like they're still on
8 mute.

9 CHAIRPERSON PEDDIBOYINA: Hello, audience.
10 Anybody would like to speak on this case before we
11 move? Can you unmute yourself? Thank you.

12 (No response.)

13 CHAIRPERSON PEDDIBOYINA: Okay. City, Larry?

14 MR. BUTLER: No comments from the City.

15 CHAIRPERSON PEDDIBOYINA: Thank you. Okay.
16 Our acting secretary, Katherine, any correspondence for
17 this case, please?

18 MS. OPPERMAN: For this case there were 12
19 letters mailed. No letters returned. No objections.
20 There were six approvals mailed and five of those were
21 not in the mailing list but I believe they're future
22 homeowners of the properties, and have no comments.

23 First approval is from Jessica Shehab. She

1 says she is in favor of the new entrance sign to Terra.
2 She will be building a home in the subdivision and the
3 sign is classy and aesthetically pleasing in its
4 current size.

5 And there Howard and Jean Bleiwas. They
6 approve the proposed signage at the entrance of Terra.
7 They have purchased lot number six in the subdivision.

8 Ann Richards, she and her husband are also
9 going to be future homeowners in the development. They
10 heartily approve of and endorse the proposed signage in
11 the entryway.

12 Dave and Annette Mullett, they are building a
13 home in the subdivision. The sign Cambridge Homes is
14 proposing to build will be beautiful and fit in
15 appropriately with the surrounding environment and will
16 further enhance the plan to make this subdivision one
17 of the premier developments in the area.

18 Andy and Diane Denny. "As future residents
19 and current lot owners, we support the proposed design
20 of the Terra Development entrance sign."

21 And last one is from I believe a Mr. Valente.
22 It says they support the request of a sign variance by
23 Cambridge Homes. They have observed the progress of

1 the development and know the signage will be in keeping
2 with beautifying the area.

3 CHAIRPERSON PEDDIBOYINA: Thank you so much,
4 Katherine. I appreciate it.

5 And thank you, Mark. You did a wonderful
6 presentation. I saw the beautiful, you know, layout
7 and everything and all this. And also I visited your
8 property and I thank you so much. Other than that, I
9 nothing to say and I will open for my board for any
10 comments on my board members.

11 Member Sanghvi, please go ahead, sir.

12 MEMBER SANGHVI: Thank you. I went and
13 visited this site. It's not very easy to find, but
14 eventually I did find it. And it's a beautiful
15 neighborhood it's going to be and this sign looks quite
16 aesthetically beautiful and I have no problem in
17 granting their variance. They need to put this
18 particular sign up. Thank you.

19 CHAIRPERSON PEDDIBOYINA: Thank you, Member
20 Sanghvi.

21 Okay. Mr. Verma, Member Verma, please go
22 ahead.

23 MEMBER VERMA: Thank you, Mr. Chairman.

1 My question is do we need that big sign
2 there? This is first question; and secondly, what type
3 of landscaping they're proposing around this sign?

4 CHAIRPERSON PEDDIBOYINA: Mark, can you
5 answer to my Member Verma?

6 MR. GUIDOBONO: Yes. We are using a lot of
7 ornamental grasses with which fits the prairie style.
8 This is prairie style architectural and the ornamental
9 grasses will be coming out of the ground and they can
10 get -- there's different types. Some are 12 inches and
11 some are two feet. And they -- and you cut them at the
12 end of the year. But they're these ornamental grasses
13 that come up. They're almost like bushes, but they're
14 tall grass that grow straight and they're like bushes
15 or a couple of feet apart and they add a little
16 interest in front of the sign and throughout the
17 neighborhood.

18 We're also planning a bunch of birch trees.
19 Most of them are planted. The rest of them are not in
20 yet.

21 MEMBER VERMA: First question was do you need
22 this big 40 feet wide sign there?

23 MR. GUIDOBONO: Well, the sign is not 40

1 feet. The sign is a lot less than that. Now, the wall
2 itself that the -- the masonry wall that the sign sits
3 on is prob- -- I'm not sure if it's 40 feet or a little
4 less than that. I'll have to check. I think we might
5 have shrunk it a little bit. So I don't know if that's
6 an updated drawing. Jeff is here with me. He's the
7 designer of the sign and he can talk to that maybe a
8 little bit and answer your question, if we can get him
9 on. He's one of the participants here. He designed it
10 and he'll explain why this size sign is appropriate for
11 this location.

12 MEMBER VERMA: Okay. Is he there?

13 MR. WILD: Yes. Good evening, everyone.

14 MS. OPPERMAN: If I could, very briefly,
15 Mr. Wild, I'll just need you to state your name and
16 swear or affirm to the tell the truth in the case.

17 MR. WILD: My name is Jeff Wild. I am the
18 graphic designer on this project and I swear to tell
19 the truth.

20 CHAIRPERSON PEDDIBOYINA: Go ahead. Please
21 proceed on that.

22 Thank you, Katherine.

23 MR. WILD: In proportion to the -- if you're

1 driving down Garfield Road and approaching Nine Mile
2 where that intersection of where the entrance of the
3 sub is, it is pertinent to have a wall and a sign of
4 that size. The sign itself does fit within the
5 parameters, outside of the exception of the Cambridge
6 Homes community. But the wall itself does need to have
7 some sustenance to it to be able to see it from a
8 distance. And if I'm not mistaken, one of the board
9 members did mention that location was a bit hard to
10 find and that's why it is important to have something
11 of that scale. But it does blend in nicely with its
12 natural backdrop, including all the materials it will
13 be built with.

14 CHAIRPERSON PEDDIBOYINA: Member Verma?

15 MEMBER VERMA: I still feel that 40 feet on
16 that masonry work and then the 24 feet, eight inches is
17 the sign. Under the Terra, you can put the Cambridge
18 under the Terra thing. You can bring it smaller. Why
19 you have to spread so much?

20 MR. WILD: Part of that is the
21 architectural -- the architectural style. If you look
22 at the architecture of the homes that are being built
23 there, prairie home, Frank Lloyd Wright style are very

1 linear and that lends itself with the architectural
2 style of the homes that are being built.

3 If you do something against that and were to
4 bring that lettering underneath it and shorten that,
5 that's conducive to the architectural style.

6 MEMBER VERMA: Thank you.

7 MR. WILD: Thank you for the question.

8 CHAIRPERSON PEDDIBOYINA: Thank you, Jeff,
9 and thank you, Member Verma.

10 And any other board member would like to
11 speak on this case tonight?

12 MEMBER KRIEGER: Yes, question. So the -- I
13 drove by and I couldn't perceive that the -- the longer
14 end is three feet high and then the shorter of the
15 masonry is four feet; is that correct?

16 MEMBER VERMA: Yeah.

17 MEMBER KRIEGER: Okay. So from a distance it
18 was hard to tell. And then the wood that you want to
19 use, the cedar, is that treated? Because wasps really
20 like cedar.

21 MR. GUIDOBONO: We're going back and forth
22 between cedar and longboard. Cedar, it will be stained
23 on all four sides and it has to be. Because any

1 moisture that gets into it, it will rot over time.

2 MEMBER KRIEGER: Oh, yeah. And then, of
3 course, by approving the part -- the Terra and then the
4 Cambridge, according to the new sign, if I believe from
5 what Beth told us previously, you put what you like,
6 then we're just approving the size.

7 Is that right, Beth?

8 MS. SAARELA: So, yeah. You're not only
9 looking at the content of what the sign says, you're
10 looking at the dimensions.

11 MR. GUIDOBONO: Yes, the word "Terra" meets
12 the ordinance. So the size of the Terra sign meets the
13 ordinance. It's adding the Cambridge Homes Community,
14 which adds another five square feet, that does not.

15 So that's what we're asking for on the
16 one-half of the ...

17 MEMBER KRIEGER: From a distance, how far
18 back can -- how tall are the letters "Cambridge
19 Community?"

20 MR. GUIDOBONO: Jeff, that's your question.
21 I don't know.

22 MR. WILD: They are five and a quarter inches
23 tall.

1 MEMBER SANGHVI: They're not very big.

2 MEMBER KRIEGER: Right. So it seems that the
3 majority of the sign is the architecture and the wood
4 versus actual lettering. And it blends in with the
5 area and you said you're going to have flowers and you
6 have the landscaping around it. So it would be a good
7 blend. Even though it's approved for a larger size,
8 it's not going to appear -- it will be an illusion.
9 It'll blend.

10 MR. GUIDOBONO: Right. It will blend in with
11 the landscaping very nicely.

12 MEMBER KRIEGER: All right. Thank you.

13 CHAIRPERSON PEDDIBOYINA: Thank you, Member
14 Krieger.

15 Any other board member would like to speak?

16 MEMBER SANKER: I just want to make a quick
17 comment.

18 CHAIRPERSON PEDDIBOYINA: Okay.

19 MEMBER SANKER: No questions. But I think
20 because this is far out west and in a less populated
21 area, the zoning may not be as important here regarding
22 the square footage and the height. Because if this was
23 on, like, Meadowbrook Road between Nine and Ten Mile, a

1 size this big would be a monster and just unsightly.

2 And then the other thing is I think they're
3 doing a good job of blending in. So it will be huge,
4 but it won't be obnoxious because of the way it's
5 designed.

6 CHAIRPERSON PEDDIBOYINA: Okay, thank you,
7 Member Sanker.

8 Any other board member?

9 Okay. Looks like seeing none.

10 And, Member Krieger, can you make a motion on
11 this, please?

12 MEMBER KRIEGER: Okay. I move that we grant
13 their request to case number PZ20-0055 sought by the
14 petitioner for the practical difficulty requiring their
15 size. That the proportion and the blend will assist
16 them with the nature of the subdivision.

17 That without the variance, the petitioner
18 will be unreasonably prevented and limited with respect
19 to the use of their property because of its junction
20 with Nine Mile and Garfield and its position with that
21 area. The property is unique because of its being on
22 the west side of Novi still on a dirt road, which is
23 fine with me.

1 Petitioner did not create the condition
2 because of its location and where it's positioned on
3 the property. The relief granted will not unreasonably
4 interfere with adjacent or surrounding properties
5 because of its position, landscaping, the proposed
6 dimensions of it, that it will blend correctly. And
7 the relief is consistent with the spirit and intent of
8 the ordinance because of the approval of the neighbors
9 and the and the blend with the area.

10 MEMBER SANGHVI: Second.

11 CHAIRPERSON PEDDIBOYINA: Thank you. Who did
12 second?

13 MEMBER SANGHVI: Yes, second.

14 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.
15 Katherine, can you please call roll call?

16 MS. OPPERMAN: Member Verma?

17 MEMBER VERMA: Yes.

18 MS. OPPERMAN: Member Thompson?

19 MEMBER THOMPSON: Yes.

20 MS. OPPERMAN: Member Sanker?

21 MEMBER SANKER: Yes.

22 MS. OPPERMAN: Member Sanghvi?

23 MEMBER SANGHVI: Yes.

1 MS. OPPERMAN: Member Montague?
2 MEMBER MONTAGUE: Yes.
3 MS. OPPERMAN: Member Longo?
4 MEMBER LONGO: Yes.
5 MS. OPPERMAN: Member Krieger?
6 MEMBER KRIEGER: Yes.
7 MS. OPPERMAN: Chairperson Peddiboyina?
8 CHAIRPERSON PEDDIBOYINA: Yes, please.
9 MS. OPPERMAN: All in favor. Motion
10 passes.
11 MR. GUIDOBONO: Thank you everyone.
12 MEMBER KRIEGER: Best wishes.
13 CHAIRPERSON PEDDIBOYINA: Congratulations.
14 MR. GUIDOBONO: Happy holidays, everyone.
15 MEMBER KRIEGER: You, too.
16 MR. GUIDOBONO: Thank you.
17 CHAIRPERSON PEDDIBOYINA: Let's go to the
18 fourth case, PZ20-0057, LaVanway -- LaVanway Sign
19 Company, 43043 Grand River Avenue, east of Novi Road
20 and south of Grand River Avenue, parcel number
21 50-22-23-104-010. The applicant is requesting the
22 variance from the City of Novi Code of Ordinance,
23 Section 28-5(b)(1)(A) for a proposed 39.5 square foot

1 wall sign, based on the setback from the centerline of
2 Grand River Avenue. The sign is oversized by two
3 square feet. The property is zoned Town Center one,
4 TC-1.

5 Is the applicant here?

6 MR. DILLON DENHA: Yes. I'm here. Dillon
7 Denha and my brother, Landon Denha.

8 CHAIRPERSON PEDDIBOYINA: Okay, both of you.
9 How are you?

10 MR. DILLON DENHA: Okay. How are you?

11 CHAIRPERSON PEDDIBOYINA: Before I proceed, I
12 want to ask Katherine, my acting secretary, to take
13 your first name and last name.

14 Go ahead, Kathy.

15 MS. OPPERMAN: Will both you and your brother
16 be speaking?

17 MR. DILLON DENHA: Yes. And I believe Mike
18 Kean is here. He'll be speaking.

19 MS. OPPERMAN: Yes, from LaVanway Sign. So
20 I'll need each of you to state your name and swear or
21 affirm to tell the truth.

22 MR. DILLON DENHA: Dillon Denha, I swear to
23 tell the truth and nothing but the truth.

1 MR. LANDON DENHA: And Landon Denha, I swear
2 to tell the truth.

3 MR. KEAN: My name is Michael Kean
4 representing LaVanway Sign company in this case and I
5 swear to tell the truth.

6 CHAIRPERSON PEDDIBOYINA: Thank you.

7 Thank you, Katherine. I appreciate your
8 time.

9 And Michael and Dillon Denha and Denha again.
10 You may proceed. And talk slowly and proceed. Thank
11 you.

12 MR. KEAN: Dillon, would you like me to speak
13 first?

14 MR. DILLON DENHA: Yeah. You can speak
15 first.

16 MR. KEAN: Okay. Very good. Again, my name
17 is Mike Kean. I represent LaVanway Sign Company.
18 Dillon and his brother had approached us to install a
19 sign from a previous location that they were vacating.
20 We proceeded to secure the proper permits and were
21 denied because we were over on square footage by just
22 barely two square feet, about five and a half, a little
23 less percent of the total sign area.

1 We're here to seek relief from that. It's
2 been pretty tough times for small businesses and I
3 believe Dillon would like to reuse this sign. It's in
4 good continue. It's a UL listed sign. The size of it
5 for the building is commiserate and it's to scale.
6 It's appropriate. I don't feel there would be any
7 negative impact to the surrounding businesses. Rather,
8 it would provide a nice varied mix of retail there in
9 that small strip along Grand River. And we hope that
10 you agree with us.

11 Dillon, would you like to add any?

12 MR. DILLON DENHA: Yeah. So just a little
13 back story.

14 My name is Dillon Denha, by the way. So just
15 a little back story about it. So May 1st, 2020, we
16 purchased the existing location, which was the Pod
17 Drop. We relocated that sign from Southfield. And
18 initially we were working with Radiant Sign Company to
19 get the sign up. It was his responsibility to get the
20 permits and everything. They sent out a guy in July to
21 hang the sign. It was stopped in the process by
22 Maureen, who works for the City. And she at that point
23 let us know there was no permit. We were not aware of

1 that, but she measured the sign. And I know it wasn't
2 like, you know, black or white or anything like that,
3 it wasn't a final answer, but she did do a quick
4 measurement and she let us know that it looks good.
5 Just go ahead and get your permits passed.

6 So we went back and forth with our Radiant
7 Sign Company. He never ended up getting the permit.
8 That's when we hired LaVanway and LaVanway applied in
9 September and then it got denied because of the two
10 square feet, which, you know, we're hoping is not an
11 issue. We would like to reuse the sign.

12 And currently we have the store open. The
13 store has been open, but we don't have a sign up. I
14 don't know if anybody has passed by. We're open until
15 seven o'clock at night. The sign that's up there right
16 now has no light on it. So, like, four or five o'clock
17 it's getting dark out. There's no way of anybody
18 knowing that we're open. And our sign is still -- the
19 current sign that we picked up from our last location
20 is still sitting inside of our store.

21 So we're hoping that you guys can grant us
22 the permission to hang the sign and just, you know,
23 move on from this.

1 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.
2 Your brother wants to talk, too, on this case?

3 MR. LANDON DENHA: My name is Landon Denha.
4 He pretty much covered everything. It's not much of a
5 difference in the sign. The sign is -- our stores are
6 pretty nice stores. So I think for the City it'll, you
7 know, bring some light in that area. And, you know,
8 it's not asking for too much and, hopefully, you guys
9 will be able to side with us on this.

10 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.
11 Before moving and before I conclude, the
12 three of you, anything you want to add or this is the
13 final one?

14 MR. KEAN: Well, as someone mentioned
15 earlier, a picture is a worth a thousand words. If I
16 may share my screen, I've got a rendering that shows
17 the whole store front of all four businesses side by
18 side just to get a size and sense of, you know, how it
19 will look when it's completed, if that's all right?

20 MEMBER KRIEGER: Yup.

21 CHAIRPERSON PEDDIBOYINA: Okay. Please, go
22 ahead. You want to share any screen or you have any
23 other thing, Michael?

1 MR. KEAN: Yes. Let me see if I can get this
2 to ...

3 (Photo displayed.)

4 CHAIRPERSON PEDDIBOYINA: Please go ahead and
5 explain, Michael. I see the picture for the city, you
6 know, Novi Party Store.

7 MEMBER KRIEGER: Your building -- or store is
8 on the far right?

9 MR. DILLON DENHA: Yes.

10 CHAIRPERSON PEDDIBOYINA: Michael, you can
11 move it and you can explain on this.

12 (Video momentarily frozen.)

13 MR. KEAN: Is that better?

14 CHAIRPERSON PEDDIBOYINA: Yeah. Go ahead.

15 MR. KEAN: Okay. I might be running into a
16 little lag here.

17 So everybody can see the screen, correct,
18 with the proposed sign to the right?

19 MEMBER VERMA: Yes.

20 MR. KEAN: Yeah. If you look at the --
21 you've got a nice variety of businesses there and the
22 existing sign, the sign that Dillon and his brother
23 currently have in their position, like the previous

1 case, there's some what we call dead space or empty
2 space in the layout. And the way the ordinance
3 calculates square footage, it includes that dead space.
4 It's making one single geometric shape around the whole
5 sign and encompasses all the elements.

6 If we were to apply an alternate method like
7 the previous board, you would see that we're really not
8 using 39.5 square feet, because the far upper right
9 corner, and then the upper left and right corner -- I'm
10 sorry. The bottom left and top left corners are also
11 empty space because of the design.

12 So, you know, we hope that the board agrees
13 with us. It fits the space really quite nicely and
14 balances out those four businesses along that frontage
15 very well along Grand River. Good sight lines for
16 clients to see the business in enough time and, you
17 know, make the appropriate turn whether they're coming
18 from the east or west.

19 Okay. Dillon, do you have anymore to add?

20 MR. DILLON DENHA: No. I think we covered
21 everything.

22 MR. KEAN: Okay. Would you guys like me to
23 stop sharing the screen?

1 CHAIRPERSON PEDDIBOYINA: Yes, please.

2 Okay. Thank you so much and nice
3 presentation. Let me move to the City.

4 Larry, are you there?

5 MR. BUTLER: There are no comments from the
6 City at this time.

7 CHAIRPERSON PEDDIBOYINA: Thank you, Larry.
8 And acting secretary, any correspondence,
9 Katherine?

10 MS. OPPERMAN: Yes. In this case there were
11 22 letters mailed, two letters returned, no objections
12 and no approvals.

13 CHAIRPERSON PEDDIBOYINA: Thank you. And
14 Dillon and Michael, you made a good presentation. I
15 live in Novi, too. I see these stores and very good
16 presentation and let me put it on the board and what
17 they decide and we can move from there.

18 And I'll open to the board and anybody can
19 speak one at time, I really appreciate it.

20 Mr. Sanghvi, you're raising your hand. You
21 can go ahead and move on that, please.

22 MEMBER SANGHVI: Thank you, Mr. Chair. I
23 visited -- we all visited this place. It is a busy one

1 in a small strip mall and they are moving from the
2 other side of the -- into this new evidence location,
3 which is across from the Steve and Rocky's restaurant.
4 Considering the size of the store front, this sign
5 doesn't look too big at all and I have no difficulty
6 supporting the request for the variance. Thank you.

7 CHAIRPERSON PEDDIBOYINA: Thank you, Member
8 Sanghvi.

9 Any other board member would like to speak,
10 please?

11 MEMBER SANKER: I'll say something real
12 quick. I agree with what was just said and also the
13 fact that it is not a completely filled out sign like
14 with the background, white and the entire space was
15 filled with white and then that blue wording in there,
16 that would be a little different. So for that reason
17 it should be okay.

18 CHAIRPERSON PEDDIBOYINA: Thank you, Member
19 Sanker.

20 And Member Montague, please go ahead. And
21 unmute your phone.

22 MEMBER MONTAGUE: Yes. Got it.

23 CHAIRPERSON PEDDIBOYINA: Go ahead, sir.

1 MEMBER MONTAGUE: (Audio garbled.)

2 CHAIRPERSON PEDDIBOYINA: Member Montague,
3 your voice is breaking. Sorry. Can you speak clearly,
4 please? Your network is lagging.

5 MEMBER MONTAGUE: It is on Grand River, which
6 is a fast-moving street, so, again, I support it.

7 CHAIRPERSON PEDDIBOYINA: Thank you, Member
8 Montague. I appreciate it.

9 Any other board member?

10 Okay. And coming to my conclusion. I know
11 this, you know, business. I know the location. And
12 thank you so much for your presentations. I have no
13 objection.

14 And anybody move -- do you have anything?

15 Apart from that, I'm calling for the motion.
16 Linda? Member Krieger?

17 MS. OPPERMAN: If I could interrupt briefly.

18 MEMBER KRIEGER: Yeah.

19 MS. OPPERMAN: I don't think you asked for
20 the public comment on this. I do see a Zoom User
21 raising their hand.

22 CHAIRPERSON PEDDIBOYINA: Thank you,
23 Katherine. Anybody in the public comments?

1 (No response.)

2 CHAIRPERSON PEDDIOBOYINA: Nobody is raising
3 their hand?

4 MS. OPPERMAN: Again, like last time, it
5 looks like they've been added but they've not unmuted.

6 CHAIRPERSON PEDDIBOYINA: Anybody in the
7 public can you unmute your phone and can you please
8 speak what you would like to on this case.

9 (No response.)

10 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.
11 And I can move for the motion, Member Krieger.

12 MEMBER KRIEGER: Yup.

13 CHAIRPERSON PEDDIBOYINA: Thank you.

14 MEMBER KRIEGER: In case number PZ20-0057 for
15 LaVanway Signs, I move we grant the request. The
16 petitioner has shown practical difficulty. Requiring
17 the request for the sign the petitioner will be
18 unreasonably prevented or limited with respect to the
19 use of the property because of its setback from the
20 road and the speed of the road and location. And that
21 is also it's unique in that way as well.

22 The petitioner didn't -- bought the store
23 where it's at, which is setback. And the petitioner

1 did not create the condition because of the location
2 and speed.

3 The relief granted will not unreasonably
4 interfere with the adjacent or surrounding properties
5 because the sign is similar to the other signs on the
6 neighboring property. And the relief is consistent
7 with the spirit and intent of the ordinance because of
8 the times and being able to use the sign over. And
9 it's matching with its neighbors.

10 That's it.

11 MEMBER SANGHVI: Second.

12 CHAIRPERSON PEDDIBOYINA: Thank you, Member
13 Krieger.

14 And a second, Mav. Thank you.

15 Katherine, can you please roll call?

16 MS. OPPERMAN: Whoever seconded, could you
17 repeat it. I didn't quite catch it.

18 MEMBER KRIEGER: Mav.

19 CHAIRPERSON PEDDIBOYINA: Member Sanghvi.

20 MEMBER SANGHVI: Yes.

21 MS. OPPERMAN: Chairperson Peddiboyina?

22 CHAIRPERSON PEDDIBOYINA: Yes.

23 MS. OPPERMAN: Member Krieger?

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MEMBER KRIEGER: Yes.

MS. OPPERMAN: Member Longo?

MEMBER LONGO: Yes.

MS. OPPERMAN: Member Montague?

MEMBER MONTAGUE: Yes.

MS. OPPERMAN: Member Sanghvi?

MEMBER SANGHVI: Yes.

MS. OPPERMAN: Member Sanker?

MEMBER SANKER: Yes.

MS. OPPERMAN: Member Thompson?

MEMBER THOMPSON: Yes.

MS. OPPERMAN: Member Verma?

MEMBER VERMA: Yes.

MS. OPPERMAN: Motion passes.

CHAIRPERSON PEDDIBOYINA: Okay.

Congratulations, Dillon and brother, and Michael. Good luck.

MR. DILLON DENHA: Thank you.

MR. KEAN: Very good. Thank you for your time this evening.

CHAIRPERSON PEDDIBOYINA: Thank you so much. Sorry for keeping you so long.

Coming to the fifth case tonight. PZ20-0060,

1 Collins Construction, 319 Elm Court, west of old Novi
2 Road and south of South Lake Drive, parcel number
3 50-22-03-481-002. The applicant is requesting the
4 variance from the City of Novi Zoning Ordinance,
5 Section 3.1.5 for a side yard setback of seven feet, 10
6 feet required, a variance of three feet; an aggregate
7 total side yard setback of 20 feet and 25 feet,
8 required variance of five feet.

9 These variances would accommodate building a
10 new home. This property is zoned single family
11 residence, R-4.

12 Is the applicant present?

13 MR. COLLINS: Yes.

14 CHAIRPERSON PEDDIBOYINA: Oh, Jeffrey.

15 MR. COLLINS: Yes, I'm here. Jeffrey
16 Collins.

17 CHAIRPERSON PEDDIOBOYINA: Okay. Please tell
18 your first and last name clearly to my acting
19 secretary, Katherine.

20 Katherine, can you please take it.

21 MR. COLLINS: Yes. This is Jeffrey Collins
22 and I swear to tell the truth.

23 MS. OPPERMAN: Thank you.

1 CHAIRPERSON PEDDIBOYINA: Thank you. You may
2 proceed, Jeffrey.

3 MR. COLLINS: Hi. Yes, this case, I believe,
4 is pretty simple. My customer has a home that exceeds
5 the current variance by feet five feet. With our front
6 setbacks and rear setbacks, we have no problem with.
7 We're easily within those. He just needs an extra five
8 feet for the side setbacks.

9 The home -- the home we just took out was a
10 two-story. The new home is a one-story and we're just
11 hoping to get it in a dead-end street. We're not
12 blocking any views. We're not blocking any view of any
13 lakes, any neighbors. There's only one house next door
14 and that one is vacant. The other side is empty.

15 Any questions?

16 CHAIRPERSON PEDDIBOYINA: Okay. Thank you,
17 Jeffrey. Do you want to show any presentation at this
18 moment before I move to ...

19 MR. COLLINS: Okay. I did send -- I did send
20 in drawings so hopefully somebody has a drawing of what
21 I propose to do. This is my first Zoom call. I'm
22 sitting in my truck on the side the road trying to get
23 it to work. So I'm not able to pull anything up on my

1 phone at the moment. As you can see, I'm in my
2 vehicle.

3 CHAIRPERSON PEDDIBOYINA: Thank you, Jeffrey.
4 And coming to the public audience, anybody is
5 raising in the Zoom, Katherine? Can you please look
6 into that?

7 MS. OPPERMAN: Again, Zoom User is raising
8 their hand.

9 CHAIRPERSON PEDDIBOYINA: Audience, anybody
10 would like to speak on this case, please, at this time.
11 You can unmute your phones and speak out.

12 (No response.)

13 CHAIRPERSON PEDDIBOYINA: Okay. Looks like
14 none. Thank you so much.

15 From the City, Larry?

16 MR. BUTLER: There are no comments from the
17 City at this time. Standing by for questions.

18 CHAIRPERSON PEDDIBOYINA: Thank you so much,
19 Larry.

20 And, Katherine, can you please tell the
21 correspondence, our acting secretary?

22 MS. OPPERMAN: Yes. Of course. There were
23 31 letters mailed for this. There was one letter

1 returned and one objection. The objection is from
2 someone on 1498 North Pontiac Trail. I can't quite
3 make out their name. But it's 319 Elm Court is a
4 double lot. The lot is narrow and they have concerns
5 with water drainage and saturation.

6 CHAIRPERSON PEDDIBOYINA: Okay. Thank you,
7 Katherine.

8 Okay. Jeffrey, and thank you and you're in a
9 truck and I can see you and let us see and put it on to
10 the board and what they can speak tonight about your
11 case and then we can move from there. And this is open
12 for the board members can speak on this case. Thank
13 you.

14 MR. COLLINS: Thank you. Thank you very
15 much.

16 CHAIRPERSON PEDDIBOYINA: Member Sanghvi,
17 please go ahead.

18 MEMBER SANGHVI: Sure. I went and visited
19 this site and like all the places around that
20 neighborhood, it's always a very small plot, almost the
21 size of a postage stamp. And whether they need to do
22 any renovation or rebuilding, they always require
23 variances and the variances requested by the applicant

1 are reasonable and minimal to create this property.

2 So I have no objection to it. Thank you.

3 CHAIRPERSON PEDDIBOYINA: Thank you, Member
4 Sanghvi.

5 Any other board member would like to speak?

6 MEMBER KRIEGER: A question.

7 CHAIRPERSON PEDDIBOYINA: Okay. Member
8 Krieger.

9 MEMBER KRIEGER: Why is it on one side 13
10 feet and the other side seven feet and your decision to
11 put it on the property that way?

12 MR. COLLINS: Well, we only needed five feet.
13 So I was just trying to center it between the two. We
14 do not have to go with seven and 13. I can go with
15 five and 15, if the City requires that.

16 I was just trying to center it on the lot.
17 Borrowing a little bit from each side. That was my
18 only attempt. We are not married to that location. If
19 we need to shift it right or left, we can.

20 CHAIRPERSON PEDDIBOYINA: Okay. Member
21 Krieger, any other question?

22 MEMBER KRIEGER: So you can do 10 feet on the
23 one side and 10 feet on the other?

1 MR. COLLINS: Yes. Absolutely.

2 MEMBER KRIEGER: Okay. All right. So, wait,
3 does that then still need a variance?

4 MR. COLLINS: Yes, it does. We still need
5 the five.

6 MEMBER SANGHVI: Both sides would need it?

7 MR. COLLINS: Yeah, you require 25 feet.

8 MEMBER KRIEGER: All right. Thank you.

9 MEMBER SANKER: For the aggregate.

10 MEMBER KRIEGER: Okay. Thank you.

11 CHAIRPERSON PEDDIBOYINA: Thank you, Member
12 Krieger.

13 Any other board member?

14 MS. SAARELA: So if you're going to grant a
15 different variance, though, if you're going to make him
16 recenter it, if it increases the variance on one side,
17 it will have to - (audio dropped.)

18 I just want to put that out there.

19 CHAIRPERSON PEDDIBOYINA: Thank you, Beth.

20 Any other board member would like to speak?

21 MEMBER SANKER: A real quick question about
22 the house size. If it was -- if you met the five foot
23 variance and didn't need it, what would the house look

1 like?

2 MR. COLLINS: Well, the house is a 28 by 64
3 ranch, five-twelve pitch, one story.

4 MEMBER SANKER: No, I know. But if you
5 shrunk it to fit the 25 --

6 MR. COLLINS: The house is a modular home.

7 MEMBER SANKER: What's that?

8 MR. COLLINS: The house is a modular home.

9 MEMBER SANKER: Oh.

10 MR. COLLINGS: It's prebuilt. It's not a
11 manufactured, not a trailer, modular.

12 Right. I know you know the difference. So
13 it's prebuilt and the homeowner already owns the
14 home.

15 FEMALE SPEAKER: (Laughter) Weird.

16 MR. COLLINS: I heard that.

17 CHAIRPERSON PEDDIBOYINA: Okay. Member
18 Sanker, any other question tonight?

19 MEMBER SANKER: No. That's it.

20 CHAIRPERSON PEDDIBOYINA: Thank you.

21 Any other board member, final call?

22 (No response.)

23 CHAIRPERSON PEDDIBOYINA: Okay. It's time

1 for the motion.

2 Member Sanker, can you make a motion on this
3 case, please?

4 MR. SANKER: Sure.

5 CHAIRPERSON PEDDIBOYINA: Thank you.

6 MEMBER SANKER: I move that we grant the
7 variance in case number PZ20-0060 sought by the
8 petitioner for the three-foot side variance setback and
9 the five-foot aggregate side variance -- side yard
10 setback. Because the petitioner has shown practical
11 difficulty requiring these variances. Without them
12 they won't be able to -- they will be unreasonably
13 prevented or limited with respect to use of the
14 property because it will not be able to fit their house
15 on the lot. The property is unique because it is
16 narrow in size and surrounded by water, it looks like,
17 on one of the drawings.

18 The petitioner did not create the condition
19 because the lot shape and condition existed prior to
20 purchasing the lot, and the relief granted will not
21 unreasonably interfere with adjacent or surrounding
22 properties because it's a relatively small house and it
23 fits nicely on the property. The relief is consistent

1 with the spirit and intent of the ordinance because the
2 petitioner can put the home of an adequate size on the
3 lot with a minimum variance at the same time.

4 CHAIRPERSON PEDDIBOYINA: Thank you, Member
5 Sanker.

6 Any other would like to make a second on this
7 case, please?

8 MEMBER SANGHVI: Second.

9 CHAIRPERSON PEDDIBOYINA: Thank you, Member
10 Sanghvi.

11 MEMBER SANGHVI: Thank you.

12 CHAIRPERSON PEDDIBOYINA: Katherine, can you
13 please roll call.

14 MS. OPPERMAN: Yes. Member Verma?

15 MEMBER VERMA: Yes.

16 MS. OPPERMAN: Member Thompson?
17 Thompson?

18 MEMBER THOMPSON: Yes.

19 MS. OPPERMAN: Member Sanker?

20 MEMBER SANKER: Yes.

21 MS. OPPERMAN: Member Sanghvi?

22 MEMBER SANGHVI: Yes.

23 MS. OPPERMAN: Member Montague?

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MEMBER MONTAGUE: Yes.

MS. OPPERMAN: Member Longo?

MEMBER LONGO: Yes.

MS. OPPERMAN: Member Krieger?

MEMBER KRIEGER: Yes.

MS. OPPERMAN: And Chairperson Peddiboyina?

CHAIRPERSON PEDDIBOYINA: Yes, please.

MS. OPPERMAN: Motion passes.

CHAIRPERSON PEDDIBOYINA: Congratulations,
Jeffrey. Drive safe. Thank you.

MR. COLLINS: Thank you very much, everybody.
Have a good evening.

MEMBER KRIEGER: You too.

MS. OPPERMAN: You also.

CHAIRPERSON PEDDIBOYINA: Coming back to the
case number -- you know, today's case number two. Is
the applicant is present, Katherine? I can go ahead
and see?

MEMBER SANGHVI: Maybe leave it for next
time.

MS. OPPERMAN: No. I don't see that anyone
from either Coy Construction or the homeowner is
present.

1 CHAIRPERSON PEDDIBOYINA: Okay. I'll call
2 for the final call.

3 Coy Construction, are you present?

4 (No response.)

5 CHAIRPERSON PEDDIBOYINA: Can you unmute, Coy
6 Construction? Can you raise your hand or can you
7 unmute and speak tonight, please?

8 (No response.)

9 CHAIRPERSON PEDDIBOYINA: This is the final
10 call for you tonight. Coy Construction?

11 (No response.)

12 CHAIRPERSON PEDDIBOYINA: Thank you. I don't
13 see.

14 And this brings us to our -- and all the
15 cases is done and all the matters. Any other matters?

16 Nothing.

17 MEMBER KRIEGER: Oh, we have to table it. We
18 have to do something with that.

19 MS. SAARELA: Agreed. You'll have to table
20 it or otherwise it has to be renoticed.

21 CHAIRPERSON PEDDIBOYINA: Okay. On the case
22 number two, you want me to read or it's already there?
23 What is it you want me to do, Beth? Do you want me to

1 read the number again?

2 MS. SAARELA: Somebody should move to table
3 it to the January -- what is the date of the January
4 meeting?

5 CHAIRPERSON PEDDIBOYINA: Yeah. Okay.
6 Somebody can make a motion on that and table it or
7 something.

8 MEMBER KRIEGER: Yeah. I move to table the
9 meeting until January, but what's the date.

10 MS. OPPERMAN: January 12th, 2021.

11 MEMBER KRIEGER: January 12th, 2021 for the
12 Mystic Forest Drive petition.

13 MEMBER SANGHVI: I second it.

14 CHAIRPERSON PEDDIBOYINA: Thank you, Member
15 Krieger and Member Sanghvi, for both of you.

16 Okay. That's all for today's business and
17 any other things before I go -- you know, call for the
18 adjournment?

19 (No response.)

20 CHAIRPERSON PEDDIBOYINA: Okay. There is no
21 matters. The meeting is adjourned. All say "Aye."

22 THE BOARD: Aye.

23 MEMBER KRIEGER: In favor to adjourn, yes.

1 MEMBER SANGHVI: Thank you.

2 CHAIRPERSON PEDDIBOYINA: So the meeting
3 is --

4 MEMBER THOMPSON: I have a question.

5 MEMBER KRIEGER: What's your question?

6 MS. SAARELA: Do you want to email the
7 question to somebody or is it something to do with the
8 meeting?

9 MEMBER THOMPSON: No. It would be just a
10 question to, like, what happens to the homeowner with
11 the two lots. Like, what happens from here? What are
12 his choices?

13 MS. SAARELA: I think that you could call
14 Larry and he can --

15 MR. BUTLER: Yeah. They can reapply again
16 and they could change up the plans, relook at it and
17 come back with a different plan and go before the ZBA
18 again.

19 MEMBER THOMPSON: Good. So I think he was
20 close. He was just missing it by a little bit.

21 MS. SAARELA: Okay. We can't continue to
22 talk about this. It's on the record. If you have some
23 questions for Larry, you can give him a call.

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MEMBER THOMPSON: I will do that. Thank you.

CHAIRPERSON PEDDIBOYINA: Thank you.

And, Beth, I appreciate for your time and everybody. And stay safe and happy holidays. Okay. Apart from that, meeting adjourned.

THE BOARD: Aye.

(At 9:14 p.m., meeting adjourned.)

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C E R T I F I C A T E

STATE OF MICHIGAN)

) ss

COUNTY OF OAKLAND)

I, Darlene K. May, Notary Public within and for the County of Oakland, do hereby certify that I have recorded stenographically the proceedings had and testimony taken in the above-entitled matter at the time and place hereinbefore set forth, and I do further certify that the foregoing transcript, consisting of one hundred twelve (112) typewritten pages, is a true and correct transcript of my said stenographic notes.

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

January 4, 2020
(Date)