

Meeting
02/13/2024

1 REGULAR MEETING - ZONING BOARD OF APPEALS

2 CITY OF NOVI

3 TUESDAY, FEBRUARY 13, 2024

4 Council Chambers/Novi Civic Center

5 41725 Novi Road

6 Novi, Michigan

7

8 BOARD MEMBERS:

9 Joe Peddiboyina, Chairperson

10 Mike Longo, Secretary

11 Siddharth Mav Sanghvi, Member

12 Linda Krieger, Member

13 Jay McLeod, Member

14 W. Clift Montague, Member

15 Larry Butler, Member

16 ALSO PRESENT:

17 Elizabeth Saarela, City Attorney

18 Alan Hall, Deputy Community Development

19 Director

20 Sarah Fletcher, Recording Secretary

21 REPORTED BY:

22 Melinda R. Womack

23 Certified Shorthand Reporter

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1 MR. PEDDIBOYINA: Good evening.
2 Welcome to the City of Novi Zoning Board of
3 Appeals. Today is February 13, 7 p.m. And call to
4 the order and Pledge of Allegiance followed by
5 Mike Longo. Please stand up.

6 (Pledge of Allegiance recited)

7 CHAIRPERSON PEDDIBOYINA: Thank you.
8 Please be seated and mute your cell phones. And
9 if you have anything, you know, once we call the
10 case you can come to the podium. Roll call,
11 please.

12 MS. FLETCHER: Chairperson Peddiboyina?

13 CHAIRPERSON PEDDIBOYINA: Yes, please.

14 MS. FLETCHER: Member Sanghvi?

15 MEMBER SANGHVI: Present.

16 MS. FLETCHER: Member Longo?

17 MEMBER LONGO: Here.

18 MS. FLETCHER: Member Montague?

19 MEMBER MONTAGUE: Here.

20 MS. FLETCHER: Member Krieger?

21 MEMBER KRIEGER: Present.

22 MS. FLETCHER: Member Butler?

23 MEMBER BUTLER: Present.

1 MS. FLETCHER: Member McLeod?

2 MEMBER McLEOD: Here.

3 MS. FLETCHER: Thank you.

4 CHAIRPERSON PEDDIBOYINA: Thank you.

5 And we have a full quorum. And public hearing and
6 format and rules, and you have a form there. And
7 today we have all of the cases we have. And you
8 can see and you can present when you have your
9 cases, come to the podium. Please tell your name,
10 first name and last name to the secretary for the
11 court record, and also, if you have any
12 presentations you can present. And the audience,
13 only three minutes time allowed. Thank you.

14 And approval of the minutes, January
15 2024. Any changes or anything, please let me
16 know, or let us know. Somebody can make a motion
17 on that?

18 MS. KRIEGER: Approval of minutes. I
19 move to approve the minutes for January 2024.

20 MEMBER LONGO: Second.

21 CHAIRPERSON PEDDIBOYINA: Thank you.

22 Looks like everything is okay and approved.

23 And board members elections, we are

1 moving to the other matters. That is the only one
2 change. Any other changes you'd like to see on
3 this today's agenda?

4 MR. HALL: Mr. Chairman, the first item
5 on the agenda for the antique barn, they would
6 like to postpone indefinitely the project. They
7 decided to go to the Planning Commission and seek
8 design consideration there. So when they come
9 back, they're going to have to pay all their fees
10 to get back on to see the Board again.

11 MR. PEDDIBOYINA: Okay. Thank you.
12 And once we come to the case and we'll see, and
13 will make a motion on that.

14 Public remarks. Anybody would like to
15 have any changes to the public remarks on decision
16 today is the time. And as our City said, you
17 know, PZ23-0061 The Antiques Barn, we are
18 postponing to that case to the next coming meeting
19 following.

20 MS. SAARELA: No. It will be
21 indefinitely. So just a motion to basically take
22 it off the agenda for now.

23 MR. PEDDIBOYINA: Okay. Anybody have

1 any objections on this?

2 MEMBER LONGO: You need a motion?

3 MR. HALL: Yes, you do.

4 MEMBER LONGO: I so move.

5 MS. KRIEGER: Second.

6 CHAIRPERSON PEDDIBOYINA: Any nays?

7 Thank you. All say aye in favor.

8 THE BOARD: Aye.

9 CHAIRPERSON PEDDIBOYINA: Thank you.

10 Case number two.

11 MS. KRIEGER: I'm sorry. I move to
12 approve the agenda as amended for 2024 with The
13 antiques Barn being moved indefinitely.

14 CHAIRPERSON PEDDIBOYINA: Thank you.

15 Second?

16 MEMBER LONGO: Second.

17 CHAIRPERSON PEDDIBOYINA: Mr. Longo.

18 Thank you, so much. Anybody, any objections on
19 that? No? Okay.

20 Case number two for tonight, PZ24-0001

21 Trek Inc 46470 Desoto Court, north of West Road,
22 west of West Park Drive, Parcel 50-22-04-379-002.

23 The applicant is requesting a variance from the

1 City of Novi Zoning Ordinance Section 5.2.12.E for
2 a reduction in required parking spaces to 66. 90
3 parking spaces required a reduction variance of 24
4 parking spaces. This variance will eliminate the
5 need for additional parking for the proposed
6 warehouse addition. This property is zoned Light
7 Industrial. I-I. Parties present, please come to
8 the podium and present your case. If you have
9 any -- group got anything you can put it in the
10 projector so the audience and members can see that
11 one. You can tell your first and last name
12 clearly for our secretary.

13 MR. PRUSS: My name is Allan Pruss with
14 Monument Engineering. Address is 298 Veterans
15 Drive in Fowlerville.

16 MEMBER LONGO: Are you an attorney?

17 MR. PRUSS: Pardon me?

18 MEMBER LONGO: Are you an attorney?

19 MR. PRUSS: No, sir. I'm the civil
20 engineer and surveyor for the project.

21 MEMBER LONGO: You promise to tell the
22 truth in this case?

23 MR. PRUSS: Yes.

1 MEMBER LONGO: Thank you.

2 CHAIRPERSON PEDDIBOYINA: Please go
3 ahead and proceed on this case.

4 MR. PRUSS: Okay. I'm going to rotate
5 this so it's kind of orientated for everybody
6 properly. Thank you. We are proposing a building
7 addition here. This is addition building here.
8 We are asking for relief from the required number
9 of parking spaces. We are not able to physically
10 meet the zoning ordinance for the number of
11 parking spaces. The ordinance doesn't allow for
12 parking in the front yard in an industrial
13 setting. And the east side of the building, or
14 the side yard, we need to be 100 feet setback from
15 the residential property to our east.

16 Any additional parking that we would
17 place on the north side of the building for the
18 addition would create another issue with the fire
19 department. They have the international fire code
20 requires that any dead-ends longer than 150 feet
21 have a turnaround. In this case, so we create
22 that issue there, but on the east side, I'm going
23 to switch sheets here. There's a -- I apologize.

1 You can't really see on the overhead, but there is
2 a large hill here about 15 to 20 feet in some
3 places, so we handle a number of existing
4 easements and utilities. So we're seeking the
5 variance. I do have, if I could approach the
6 Chairman, I do have something from the Condominium
7 Association with no objections to the request for
8 the variance.

9 CHAIRPERSON PEDDIBOYINA: You can put
10 it on the projector. The secretary can read on
11 that.

12 MR. PRUSS: Absolutely.

13 CHAIRPERSON PEDDIBOYINA: I can read
14 from there.

15 MR. PRUSS: Can everybody read that
16 okay? So this is from the President of the
17 Condominium Association. We are part of the
18 Condominium.

19 CHAIRPERSON PEDDIBOYINA: Thank you.

20 MR. PRUSS: And we are here to answer
21 any questions. Have representative from Trek and
22 from the contractor.

23 CHAIRPERSON PEDDIBOYINA: Would you

1 like to speak anything on this case please,
2 tonight?

3 MR. PRUSS: I do apologize this is the
4 addition is for warehousing only. And we plan on
5 having no new employees. The current operations
6 has sufficient parking.

7 CHAIRPERSON PEDDIBOYINA: Okay. From
8 City?

9 MR. HALL: Mr. Chairman. So yes,
10 you're increasing the building just for warehouse
11 purposes and there's no offices or anything inside
12 the warehouse. That's correct.

13 MR. PRUSS: Correct.

14 MR. HALL: And there's no increase for
15 number employees, there's no reason to increase
16 the parking because it's already sufficient.

17 MR. PRUSS: That's correct.

18 MR. HALL: The planning department, I
19 spoke with them. They're in favor because it does
20 reduce the impervious area on the site to increase
21 storm water advantages. We have no objections.

22 CHAIRPERSON PEDDIBOYINA: Thank you.

23 Mr. Secretary?

1 MEMBER LONGO: There were 29 mailed
2 out. None returned. One objection and one
3 approval. The objection was still opposing this
4 addition as it will impact the value of our
5 neighborhood with close proximity of another
6 structure in the back of it. Unless it is not
7 totally invisible from our neighborhood, I'm
8 objecting. This is from Laurent Curtil.

9 MR. PRUSS: Comment on that. As I
10 pointed out earlier, the east side has an existing
11 hill or berm that is part of the screening
12 process, but we are also being required to replace
13 the original landscape trees on top of the hill.
14 So we'll be providing additional landscaping
15 screening to help address the adjoining resident
16 issues.

17 CHAIRPERSON PEDDIBOYINA: Are you done?

18 MEMBER LONGO: Yes. That's the only
19 one.

20 CHAIRPERSON PEDDIBOYINA: Okay. From
21 public hearing anybody would like to comment?
22 Anybody online or any way. Looks like none.

23 Can you show me, you want one mark

1 objection where you want to put the landscaping in
2 the background? Can you show me, please?

3 MR. PRUSS: Sure. So along this, along
4 this edge here, we will be replacing any trees.

5 CHAIRPERSON PEDDIBOYINA: Pine trees?

6 MR. PRUSS: Yes. So any trees that
7 were part of the original landscaping plan from
8 2010 that have not survived to this day are being
9 replaced in kind. So we'll be adding, I can't
10 remember the exact number of trees, I think it's
11 about 15 or 16 trees along that berm to fill in
12 the gaps.

13 CHAIRPERSON PEDDIBOYINA: What are the
14 areas there you are going to fill up with pine
15 trees or some trees.

16 MR. PRUSS: Correct.

17 CHAIRPERSON PEDDIBOYINA: Thank you.
18 Have nothing to say. Open to the board. Dr.
19 Sanghvi?

20 MEMBER SANGHVI: Thank you. I came and
21 visited your place last week and drove around. I
22 have a couple of questions. How many people on an
23 average visit your facility every day?

1 MR. PRUSS: I'm going to turn this over
2 to Tim. He's with Trek.

3 CHAIRPERSON PEDDIBOYINA: Can you
4 please tell your name for the record.

5 TIM: My name is Tim. I'm from Trek
6 Inc.

7 MEMBER LONGO: Tim, are you an
8 attorney?

9 TIM: No.

10 MEMBER LONGO: Do you promise to tell
11 the truth in this case?

12 TIM: I do.

13 MEMBER LONGO: Thank you.

14 MEMBER SANGHVI: How many people on an
15 average visit your facility every day?

16 TIM: The only people that -- on
17 average? Less than one, probably.

18 MEMBER SANGHVI: Less than one.

19 TIM: Yeah, because we don't see
20 customers there where it's only a shipping and
21 receiving and a warehouse. So we don't have --

22 MEMBER SANGHVI: That was the only
23 thing I wanted to know. I drove around there and

1 saw what's going on.

2 TIM: Yeah.

3 MEMBER SANGHVI: You don't need more
4 parking spots than what you already have.

5 TIM: We don't really need them.

6 MEMBER SANGHVI: You got only one or
7 two people coming there every day.

8 TIM: That's correct.

9 MEMBER SANGHVI: I wanted to know that
10 before supporting your request, okay? I have no
11 problem.

12 TIM: Thank you.

13 MEMBER LONGO: In addition to what he
14 was asking, how many employees do you have,
15 roughly?

16 TIM: In the building?

17 MEMBER LONGO: That work there, yes.
18 That work there.

19 TIM: Like eight.

20 MEMBER LONGO: So 66 is way enough.

21 TIM: Yes.

22 MEMBER LONGO: Thank you.

23 CHAIRPERSON PEDDIBOYINA: Any other

1 Board members?

2 MR. McLEOD: Question. Don't know if
3 this is for the City or for them. But if you're
4 maintaining the same number of parking spots that
5 you have currently, what triggered the need for
6 this discussion? Was it to -- were they
7 noncompliant before?

8 MS. SAARELA: No. They're adding on to
9 the building.

10 MR. McLEOD: So the additional square
11 footage of building it triggered parking spaces.

12 MS. SAARELA: Correct.

13 MR. HALL: They're increasing their
14 warehouse activity.

15 CHAIRPERSON PEDDIBOYINA: Do you have
16 any future plan hiring more employees when you're
17 doing this expanding your warehouse?

18 TIM: Not at this time. I mean there's
19 always that possibility you might add one or two,
20 you know, right now we're adequate staffing
21 levels.

22 CHAIRPERSON PEDDIBOYINA: Anybody ask
23 any questions?

1 MS. KRIEGER: How high is the other
2 building going to be?

3 MR. PRUSS: How high is it?

4 MS. KRIEGER: The addition?

5 MR. PRUSS: I believe it's 23 feet or
6 24 feet.

7 MR. SCHWARTZ: Good evening, Jon
8 Schwartz BRIVAR Construction, general contractor
9 for the building. I'm not an attorney.

10 MEMBER LONGO: Do you promise to tell
11 the truth?

12 DEFENDANT: I do. I do.

13 MEMBER LONGO: Thank you.

14 MR. SCHWARTZ: The east elevation here
15 will be less than the current east elevation of
16 the existing building, which I believe is
17 approximately 30 feet. I believe we started
18 approximately 29 and tail off to a 27 on the eve,
19 on the east eve. So it's a continuously slope
20 from this location out to this corner.

21 MS. KRIEGER: So sloping down from the
22 three story to a two story so light would go into
23 the neighboring subdivisions.

1 MR. SCHWARTZ: Light?

2 MS. KRIEGER: Daylight.

3 MR. SCHWARTZ: Daylight? Our building
4 is set back such that there's no shadow line to
5 any structure or to the subdivision road or
6 anything. But, again, this, this gradient rises
7 up almost 15 feet.

8 MS. KRIEGER: That clarifies the
9 concerns. And then the other one, the loading is
10 all going to occur on the west side of the
11 building?

12 MR. SCHWARTZ: The loading occurs, the
13 existing loading occurs here. The new dock, the
14 second dock will be right here. They'll be a
15 green belt in between.

16 MS. KRIEGER: Curious. Is Trek related
17 to the bicycle company?

18 TIM: No, ma'am.

19 MS. KRIEGER: That's all. Thank you.

20 CHAIRPERSON PEDDIBOYINA: Thank you.
21 Any other board members would like to ask? Okay.
22 Looks like none. Okay. Linda, can you make a
23 motion?

1 MS. KRIEGER: In case number PZ24-0001
2 Trek for 46470 Desoto Court, I move to grant the
3 variance for this case because the Petitioner has
4 shown practical difficulty for requiring this
5 need. Without the variance, the Petitioner will
6 be unreasonably prevented or limited with respect
7 to use of their property because of their not
8 needing as many parking spaces as related to the
9 business, so gives more green space. The property
10 is unique because it's in a cul-de-sac and
11 abutting other easements. Petitioner did not
12 create the condition because the location is a
13 condominium complex for businesses. The relief
14 granted will not unreasonably interfere with
15 adjacent or surrounding properties because they
16 are keeping the buffer zone with the landscaping
17 cared for and will not interfere with residential
18 areas. And the relief is consistent with the
19 spirit and intent of the ordinance because it is a
20 reasonable request.

21 MEMBER LONGO: I second that.

22 CHAIRPERSON PEDDIBOYINA: Thank you.

23 MEMBER SANGHVI: Second.

1 CHAIRPERSON PEDDIBOYINA: Roll call?
2 MS. FLETCHER: Chairperson Peddiboyina?
3 CHAIRPERSON PEDDIBOYINA: Yes, please.
4 MS. FLETCHER: Member Sanghvi?
5 MEMBER SANGHVI: Yes.
6 MS. FLETCHER: Member Longo?
7 MEMBER LONGO: Yes.
8 MS. FLETCHER: Member Montague?
9 MEMBER MONTAGUE: Yes.
10 MS. FLETCHER: Member Krieger?
11 MEMBER KRIEGER: Yes.
12 MS. FLETCHER: Member McLeod?
13 MEMBER McLEOD: Yes.
14 MS. FLETCHER: Member Butler?
15 MEMBER BUTLER: Yes.
16 MS. FLETCHER: Thank you. Motion
17 passes.
18 CHAIRPERSON PEDDIBOYINA:
19 Congratulations.
20 TIM: Thank you, very much.
21 CHAIRPERSON PEDDIBOYINA: Thank you,
22 very much. The cases coming back to board member
23 selection. Would you like to any changes? You

1 want to say? It's open to the board. Go ahead

2 Dr. Sanghvi.

3 MEMBER SANGHVI: As far as I can see,
4 the current officers have no problem to continue.
5 But then I don't believe in fixing something that
6 ain't broke. So I suggest that we continue with
7 the same slate, unless you don't want to continue
8 any one of you.

9 CHAIRPERSON PEDDIBOYINA: Thank you,
10 Dr. Sanghvi?

11 MEMBER SANGHVI: That includes the
12 chairperson, vice chair, secretary.

13 CHAIRPERSON PEDDIBOYINA: Any other
14 board member?

15 MS. KRIEGER: Are you okay with that,
16 Clift?

17 MR. MONTAGUE: Yeah.

18 MS. KRIEGER: All right. Cool.

19 CHAIRPERSON PEDDIBOYINA: Thank you.

20 MS. SAARELA: My motion, the motion to
21 approve that slate.

22 MS. KRIEGER: I second that motion.

23 CHAIRPERSON PEDDIBOYINA: Thank you so

1 much.

2 MS. SAARELA: All in favor.

3 CHAIRPERSON PEDDIBOYINA: All in favor

4 say aye.

5 THE BOARD: Aye.

6 CHAIRPERSON PEDDIBOYINA: Any nays?

7 Thank you. And that is before I adjourn any other

8 things? Looks like none. Before I adjourn say

9 all in favor aye.

10 MS. KRIEGER: Of what.

11 CHAIRPERSON PEDDIBOYINA: Adjourn.

12 MS. KRIEGER: I move to adjourn.

13 CHAIRPERSON PEDDIBOYINA: Thank you.

14 (The meeting was adjourned at 7:20 p.m.)

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