

MEETING - ZONING BOARD OF APPEAL

CITY OF NOVI

TUESDAY, APRIL 12, 2022 7:00 p.m.

Council Chambers | Novi Civic Center | 45175 W. Ten Mile Road

BOARD MEMBERS:

Linda Krieger, Acting Chairperson

Clift Montague, Secretary

Siddharth Mav Sanghvi

Michael Longo

Jay McLeod

ALSO PRESENT:

Elizabeth Saarela, City Attorney

Lawrence Butler, Comm. Development, Dep. Director

Anita Sophia Wagner, Recording Secretary

Katherine Oppermann

Reported by:

Darlene K. May, Certified Shorthand Reporter

1 Novi, Michigan

2 Tuesday, April 12, 2022

3 7:00 p.m.

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5 CHAIRPERSON KRIEGER: Good evening and welcome to
6 the Novi Zoning Board of Appeals for Tuesday, April 12, 2022.

7 And if we could all rise and say the Pledge of
8 Allegiance, led by Member Sanghvi.

9 (Pledge of Allegiance recited.)

10 CHAIRPERSON KRIEGER: And have roll call.

11 MS. WAGNER: Acting Chair Krieger?

12 CHAIRPERSON KRIEGER: Present.

13 MS. WAGNER: Member Longo?

14 MEMBER LONGO: Here.

15 MS. WAGNER: Member McLeod?

16 MEMBER McLEOD: Here.

17 MS. WAGNER: Member Montague?

18 MEMBER MONTAGUE: Here.

19 MS. WAGNER: Chairperson Peddiboyina absent,
20 excused.

21 Member Sanghvi?

22 MEMBER SANGHVI: Here.

23 MS. WAGNER: Member Thompson absent, excused.

24 Alternate Member Copes absent, excused.

25 CHAIRPERSON KRIEGER: All right. So we have a

1 quorum. And we have our roll call. And it's a public
2 hearing format. In the back are the rules. If your phones
3 are on -- making sound, if you could put them to vibrate,
4 that helps. And for Rules of Conduct, that's there as well.
5 And when you hear your case called, just come up to the
6 podium, state your name, spell your name for our court
7 reporter and go ahead and present the case.

8 We have two cases tonight. Unless the -- any
9 changes to the addenda?

10 MS. WAGNER: No changes.

11 CHAIRPERSON KRIEGER: Very good.

12 MEMBER SANGHVI: May I make a motion to adopt the
13 agenda as presented?

14 CHAIRPERSON KRIEGER: Very good. Do we have a
15 second?

16 MEMBER MONTAGUE: Second.

17 CHAIRPERSON KRIEGER: All right. We have a first
18 and second for our agenda. All in favor say "aye."

19 THE BOARD: Aye.

20 CHAIRPERSON KRIEGER: No opposed. Very good. We
21 have an agenda.

22 Minutes for March 2022, any changes or a motion?

23 MS. WAGNER: No changes.

24 CHAIRPERSON KRIEGER: No changes. Okay.

25 MEMBER SANGHVI: I make a motion to adopt the

1 minutes as presented.

2 MEMBER LONGO: Second.

3 CHAIRPERSON KRIEGER: We have a motion and second
4 for our agenda. All in favor say "aye."

5 THE BOARD: Aye.

6 CHAIRPERSON KRIEGER: Any opposed?

7 None opposed. Our minutes are approved.

8 Public remarks. That would be -- okay. Anybody in
9 the public if they have a remark regarding anything other
10 than our cases?

11 Seeing none. We'll go on to our public hearings.

12 So our first case is PZ22-0008, Creative Brick
13 Paving & Landscaping, for 112 North Haven Drive. At the
14 north end of our city. And the applicant is requesting
15 variance from the City of Novi Ordinance Section 3.1.5 for a
16 proposed rear yard setback of 12.33 feet, 35 required,
17 variance of 22.67 feet. This variance would accommodate a
18 roof over the rear deck. Property is zoned One-Family
19 Residential.

20 Very good.

21 MR. BONAMY: Hey, there. I'm Stephen Bonamy from
22 Creative Brick. The last name spelling is B-o-n-a-m-y.

23 CHAIRPERSON KRIEGER: Are you an attorney?

24 MR. BONAMY: No.

25 CHAIRPERSON KRIEGER: Okay. So you'll swear in

1 with our secretary.

2 MEMBER MONTAGUE: Do you swear to tell the truth in
3 this case?

4 MR. BONAMY: Yes.

5 MEMBER MONTAGUE: Thank you.

6 CHAIRPERSON KRIEGER: All right. Go ahead.

7 MR. BONAMY: So I'm here on behalf of 112 North
8 Haven Drive. The homeowner previously came to the zoning
9 board, was approved for a reduced setback for a proposed deck
10 and the variance was granted. We're here tonight as we are
11 seeking to put a roof structure on the deck that was
12 approved. The proposed plan does not extend beyond the deck
13 variance that was previously granted. The unique shape of
14 the lot is very rare and limits functionality, which is why
15 the deck variance was ultimately granted.

16 The roof structure would extend the use of the deck
17 space and would also offer refuge from the sun. There is no
18 negative impact to adjacent neighbors as the roof is on the
19 previously approved deck and does not obstruct anyone's view
20 of the lake.

21 For these reasons, we feel the variance is
22 justified and the lesser variance would not be adequate based
23 on the unique shape and the proposed use of the owner.

24 At this time, I can answer any questions.

25 CHAIRPERSON KRIEGER: Do you have a copy you could

1 put up on the overhead?

2 MR. BONAMY: Of what I just read?

3 CHAIRPERSON KRIEGER: No. The picture of the
4 schematics --

5 MR. BONAMY: Sure.

6 (Document displayed.)

7 CHAIRPERSON KRIEGER: Then everybody at home and we
8 all can have a look at it.

9 MR. BONAMY: So this is the deck layout here. And
10 that's the -- the orange is the roof structure going on top
11 of it.

12 CHAIRPERSON KRIEGER: Very good.

13 If you want to leave it there, that's fine.

14 MR. BONAMY: There's like -- this will show you a
15 good representation of the lot.

16 CHAIRPERSON KRIEGER: Okay.

17 (Document displayed.)

18 MR. BONAMY: So it's not just a pie shape, it's
19 more of an L and it has a jog in there. So the area here I
20 can't really do any work in or any kind of building or
21 structure, so we're just simply building it right in here.
22 And then we also have limitations based on this being a
23 corner lot as well.

24 CHAIRPERSON KRIEGER: All right. If you could just
25 leave that there.

1 MR. BONAMY: Sure.

2 CHAIRPERSON KRIEGER: Anybody in the public have
3 any comments regarding this case?

4 All right. Seeing none. From the city?

5 MR. BUTLER: No comments from the city at this
6 time.

7 CHAIRPERSON KRIEGER: Very good. And from
8 correspondence?

9 MEMBER MONTAGUE: There were 24 letters mailed,
10 zero returned, no objections, no approvals.

11 CHAIRPERSON KRIEGER: Very good. And open up to
12 the board. Questions?

13 Yes, Mr. Sanghvi.

14 MEMBER SANGHVI: Thank you. Good evening. I went
15 and visited your place I think it was last week. I see you
16 have just redone this house recently?

17 MR. BONAMY: We did some work on the front.

18 MEMBER SANGHVI: It looks like it's brand new now.

19 MR. BONAMY: Yeah.

20 MEMBER SANGHVI: And you have got a lot of room
21 between you and the water in the back, so I don't think there
22 is any problem. My only question: You still don't have a
23 deck there, have you?

24 MR. BONAMY: There's not -- the deck is currently
25 being installed now.

1 MEMBER SANGHVI: What size of deck are you putting
2 there?

3 MR. BONAMY: It comes out -- there's an addition on
4 the home and then it extends beyond that.

5 Twelve feet is the total deck distance there. You
6 can see here. Twelve foot six total.

7 MEMBER SANGHVI: I can't see the size.

8 MR. BONAMY: Yeah. Twelve foot six.

9 MEMBER SANGHVI: Twelve? Okay. Thank you. So how
10 far is the overhang of the roof?

11 MR. BONAMY: It's going to be the same as the deck.

12 MEMBER SANGHVI: About four feet?

13 MR. BONAMY: Correct.

14 MEMBER SANGHVI: Okay. All right. I have no
15 problem. You have enough room behind you and only the water
16 behind you. So you've got a very nice location there. I
17 have no problem. I'll support your application. Thank you.

18 MR. BONAMY: Thank you.

19 MEMBER McLEOD: Quick question. So when I look at
20 the schematics that you had up there before, I was a little
21 confused about when you're adding a roof on top of a deck
22 about the support beam structure and how well and what would
23 that be. Is it still designed to be an outdoor use deck or
24 are you actually putting walls and adding, like, the HVACs
25 and stuff --

1 MR. BONAMY: There's no -- it's an unconditioned
2 space so it would be -- there's still a deck space.

3 MEMBER McLEOD: Okay.

4 MR. BONAMY: The structure is there -- I can show
5 you on this plan here.

6 (Document displayed.)

7 MR. BONAMY: So there's just three posts on the
8 exterior and then so it would still be visible. And so
9 technically if someone was looking from the side, you would
10 still see through the deck and there's no permanent walls or
11 any kind of structures going to be added --

12 MEMBER McLEOD: Got it. Thank you.

13 MR. BONAMY: -- blocking the view.

14 CHAIRPERSON KRIEGER: Very good. Any other
15 comments or else a motion?

16 MEMBER LONGO: I'd like to propose a motion.

17 That we approve the -- that we grant the variance
18 in case number PZ22-0008 sought by Creative Brick Paving &
19 Landscaping on behalf of the homeowner for a rear yard
20 setback of 12.33 feet, because the petitioner has shown a
21 practical difficulty with having a deck without the cover
22 over the top.

23 Without the variance, the petitioner would be
24 unreasonably prevented or limited with respect to the use of
25 the property because of the deck's being wide open in terms

1 of weather.

2 The property is unique because of the irregular
3 shape. The petitioner did not create the condition because
4 the shape of the lot was unique and there are portions of
5 property that cannot be -- that cannot have a structure on
6 it.

7 The relief is granted -- the relief granted will
8 not unreasonably interfere with the adjacent or surrounding
9 properties because no one's view is bothered in any way. The
10 relief is consistent with the spirit and the intent of the
11 ordinance because there is plenty of room behind and there is
12 no one that lives immediately behind.

13 CHAIRPERSON KRIEGER: Yes?

14 MEMBER SANGHVI: Yeah. May I make a suggestion
15 that we include the two variances, the side yard variance, as
16 well as the overhang of the roof four foot variance.

17 CHAIRPERSON KRIEGER: We need a second for that.
18 So you're seconding and then amending?

19 MEMBER SANGHVI: Would you mind if we add that?

20 CHAIRPERSON KRIEGER: Member Sanghvi?

21 MEMBER SANGHVI: I know it's not over there, but
22 it's in the application.

23 MEMBER LONGO: I don't mind at all.

24 CHAIRPERSON KRIEGER: So you're seconding as well?

25 MEMBER SANGHVI: Yes, I second.

1 CHAIRPERSON KRIEGER: And then your amendment --
2 you're amenable to the amendment?

3 MEMBER LONGO: Yes.

4 CHAIRPERSON KRIEGER: Okay. So we have a first --
5 a motion, a second and an amendment. Any other additions?
6 Seeing none, if you can call the roll.

7 MS. WAGNER: Member Krieger?

8 CHAIRPERSON KRIEGER: Yes.

9 MS. WAGNER: Member Longo?

10 MEMBER LONGO: Yes.

11 MS. WAGNER: Member McLeod?

12 MEMBER McLEOD: Yes.

13 MS. WAGNER: Member Montague?

14 MEMBER MONTAGUE: Yes.

15 MS. WAGNER: Member Sanghvi?

16 MEMBER SANGHVI: Yes.

17 MS. WAGNER: Motion passes.

18 MR. BONAMY: Thank you very much.

19 CHAIRPERSON KRIEGER: Yeah. Congratulations and
20 enjoy.

21 All right. That brings us to our next case,
22 PZ22-0009, Garret and Ashley Mette, on 1361 East Lake Drive.
23 The applicant is requesting a variance from the City of Novi
24 Ordinance Section 3.1.5 for a rear yard setback of 23 feet,
25 12 foot variance, 35 feet required by code, a side yard

1 setback of three feet, seven feet -- seven foot variance, ten
2 feet required by code, an aggregate side yard setback of 9.4
3 feet, variance of 15.6 feet, 25 feet required by code, and an
4 increased lot cover of 39 percent, a variance of 14 percent,
5 25 percent maximum allowed by code. These variances would
6 accommodate a new 500 square foot, two-story addition on the
7 rear of the home. The property is zoned Single-Family
8 Residential.

9 MR. METTE: Thank you, city council. My name is
10 Garret Mette, G-a-r-r-e-t, M-e-t-t-e.

11 CHAIRPERSON KRIEGER: Are you an attorney?

12 MR. METTE: I am not.

13 CHAIRPERSON KRIEGER: Okay. Do you want to speak
14 in the -- oh.

15 MEMBER MONTAGUE: Do you swear to tell the truth in
16 this case?

17 MR. METTE: Yes, I do.

18 CHAIRPERSON KRIEGER: Go ahead.

19 MR. METTE: Thank you. With me is my wife Ashley
20 and my daughter Lily. We live at 1361 East Lake Drive. We
21 are here to seek approval for a home addition on the rear of
22 our home resulting in four required variances due to the
23 uniqueness and complexity of our lot size on East Lake Road.
24 As stated, we are looking to build a two-story addition on
25 the rear of the house. It is a 20 by 25 footprint. Our

1 neighbors have expressed support for this project while
2 understanding our situation with a growing family and look
3 forward to the continued value and beautification we are
4 bringing to the neighborhood. Two of which have wrote
5 letters in support.

6 I have brought some visuals that I would like to
7 share with council.

8 CHAIRPERSON KRIEGER: Yeah. Go ahead.

9 (Document displayed.)

10 MR. METTE: Although it's tough to see, the current
11 home, as by satellite on Google Earth, does show on the left.
12 We did put the plot site of what it would look like on the
13 right. So the red box does represent -- for the most part it
14 is accurate to size and placement of what our home addition
15 would be.

16 Just a brief timeline of what the home has gone
17 through. Originally built in 1962, my parents purchased it
18 in 2007. They came before you I believe in 2015 requesting a
19 remodel, which we did a full lift on the house and built a
20 first floor underneath. Quite a complex project for what we
21 went through. We then bought it from my parents in 2017.
22 We've lived there ever since and we are hoping to continue
23 growing and developing this house for the area.

24 Briefly, first floor addition, 20 feet by 25 feet.
25 It is roughly 500 square feet. It is an open floor plan on

1 the first floor. It does sit on a crawl space foundation.
2 We plan to match the current home exterior with siding and
3 design. And it will be entered through the first floor rear
4 of the current home. There's a 3D rendering of the proposed
5 space on the first floor.

6 For the second floor, it will be a continued 20
7 feet by 25 feet, 500 square foot. We will have two bedrooms
8 with two closets up there, a hallway to enter both bedrooms.
9 The exterior will continue to match the current home siding
10 and design. It will maintain the current roof pitch and
11 design as well. And it will be entered through the second
12 floor rear of the current home.

13 And that is the 3D rendering of the second floor.
14 And I believe with that, I will open to questions.

15 CHAIRPERSON KRIEGER: Very good.

16 Any other comments from the public?

17 MEMBER SANGHVI: There's nobody there.

18 CHAIRPERSON KRIEGER: Would you like to speak?

19 You're good? Okay.

20 CHAIRPERSON KRIEGER: From the city?

21 MR. BUTLER: Just one quick question I noticed on
22 there. Are you going to be putting in any laboratory
23 facilities on the second floor in that addition?

24 MR. METTE: No. There's already one on the
25 existing that will share that bathroom.

1 MR. BUTLER: Thank you.

2 MR. METTE: Yeah. No additional.

3 MR. BUTLER: That is all from the city.

4 CHAIRPERSON KRIEGER: Very good. From
5 correspondence?

6 MEMBER MONTAGUE: There were 19 letters mailed,
7 four returned, no objections, and two approvals.

8 We have an approval letter from an Erin Robinson
9 who is -- says the house is attractive and will help the
10 values of their property.

11 We have an approval from Gordy Wilson. Said
12 they've done a nice job on their home so far and they think
13 the value and view will be good.

14 So there are two approvals.

15 CHAIRPERSON KRIEGER: Thank you. Open up to the
16 board.

17 Yes, Member Sanghvi?

18 MEMBER SANGHVI: Thank you. I came and visited
19 your place. I got a couple of questions. I see here that
20 you are -- first question is, it's a two-story addition or
21 you're just adding one story onto the house?

22 MR. METTE: It's a two-story addition. So --

23 MEMBER SANGHVI: So how high is it going to be when
24 you finish with it?

25 MR. METTE: It's going to match the current roof

1 pitch line and it's just going to maintain. So it's going to
2 continue the length of the house towards --

3 MEMBER SANGHVI: Yeah. And what is the size of the
4 current house?

5 MR. METTE: 1,450 square feet.

6 MEMBER SANGHVI: Oh, so you are adding one-third or
7 a little more to --

8 MR. METTE: Correct. A thousand square feet.

9 MEMBER SANGHVI: -- to the original house.

10 MR. METTE: Correct.

11 MEMBER SANGHVI: Very good. Well, I wish you luck.
12 You made a great representation and all the diagrams and
13 everything which is very nice. And I wish you luck. Thank
14 you.

15 MR. METTE: Thank you very much.

16 CHAIRPERSON KRIEGER: All right. Anyone else?

17 Or a motion?

18 MEMBER MONTAGUE: I will make a motion.

19 CHAIRPERSON KRIEGER: Very good.

20 MEMBER MONTAGUE: I move that we grant the variance
21 in case PZ22-0009 sought by Garret and Ashley Mette for a
22 variance of a side yard setback of three feet, which is a
23 seven foot variance, an aggregate side yard setback of 9.4
24 feet, which is a variance 15.6 feet, and increase lot
25 coverage of 39 percent, which is a variance of 14 percent.

1 Without the variance, the petitioner is
2 unreasonably prevented or limited with the use of his
3 property because of the unique lot configuration. The
4 property is unique because of that configuration. The
5 petitioner did not create the condition. The lot was already
6 plotted when he bought the property. The relief granted will
7 not unnecessarily interfere with adjacent or surrounding
8 properties 'cause basically he's making the size of his back
9 yard smaller. His choice to use his property.

10 The relief is consistent with the spirit and intent
11 of the ordinance because it allows him to use his property
12 and grow his family. Get more people in Novi. It's a very
13 nice thing.

14 That's it.

15 MEMBER SANGHVI: Second.

16 CHAIRPERSON KRIEGER: There's a motion and a
17 second. Any other comments?

18 Seeing none. Roll call from the -- go ahead. Roll
19 call, please.

20 MS. WAGNER: Oh, I'm sorry.

21 CHAIRPERSON KRIEGER: That's okay.

22 MS. WAGNER: Okay. Member Krieger?

23 CHAIRPERSON KRIEGER: Yes.

24 MS. WAGNER: Member Longo?

25 MEMBER LONG: Yes.

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MS. WAGNER: Member McLeod?

MEMBER McLEOD: Yes.

MS. WAGNER: Member Montague?

MEMBER MONTAGUE: Yes.

MS. WAGNER: Member Sanghvi?

MEMBER SANGHVI: Yes.

MS. WAGNER: Motion passes.

MR. METTE: Thank you, counsel.

CHAIRPERSON KRIEGER: Congratulations. Best wishes.

MEMBER SANGHVI: Good luck.

CHAIRPERSON KRIEGER: Very good. Other matters?

No other matters. Motion to adjourn?

MEMBER SANGHVI: Make a motion to adjourn the meeting for tonight.

CHAIRPERSON KRIEGER: Okay. All in favor of a motion to adjourn?

THE BOARD: Aye.

CHAIRPERSON KRIEGER: None opposed.

We're adjourned 7:18.

(At 7:18 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 nineteen (19) typewritten pages, is a true and correct transcript of my said stenographic notes.

/s/Darlene K. May
Darlene K. May, Notary Public
Oakland County, Michigan
My commission expires: 01-13-2024

April 17, 2022
(Date)