

Meeting
04/09/2024

1 REGULAR MEETING - ZONING BOARD OF APPEALS

2 CITY OF NOVI

3 TUESDAY, APRIL 9, 2024

4 Council Chambers/Novi Civic Center

5 41725 Novi Road

6 Novi, Michigan

7 BOARD MEMBERS:

8 Joe Peddiboyina, Chairperson

9 Mav Sanghvi, Member

10 Linda Krieger, Member

11 Jay McCleod, Member

12 W. Clift Montague, Member

13
14 ALSO PRESENT:

15 Elizabeth Saarela, City Attorney

16 Alan Hall, Deputy Community Development Director

17 Sarah Fletcher, Recording Secretary

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19
20
21
22
23 REPORTED BY:

24 Theresa L. Roberts, CSR-4870

25 Certified Shorthand Reporter

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1 Novi, Michigan

2 Tuesday, April 9, 2024

3 (At about 7:00 p.m.)

4 — — —

5 CHAIRPERSON PEDDIBOYINA: Good evening.

6 Today is April 9th, 7 p.m. Welcome to the Novi City

7 Zoning Board of Appeals. Please, all of you stand

8 up for the Pledge of Allegiance followed by

9 Member Montague.

10 (Pledge of Allegiance recited)

11 CHAIRPERSON PEDDIBOYINA: Thank you.

12 Please be seated. We'll call to the order. Roll

13 call.

14 MS. FLETCHER: Chairperson Peddiboyina.

15 CHAIRPERSON PEDDIBOYINA: Yes, ma'am.

16 MS. FLETCHER: Member Sanghvi.

17 MEMBER SANGHVI: Here.

18 MS. FLETCHER: Member Montague.

19 MEMBER MONTAGUE: Here.

20 MS. FLETCHER: Member Krieger.

21 MEMBER KRIEGER: Here.

22 MS. FLETCHER: Member McCleod.

23 MEMBER McCLEOD: Here.

24 MS. FLETCHER: Thank you.

25 CHAIRPERSON PEDDIBOYINA: Thank you. We

1 have a quorum in the public hearing and format and
2 rules of conduct. Minutes before us, any changes,
3 any modifications? Somebody can make a motion
4 further.

5 MEMBER KRIEGER: I saw in the beginning
6 -- in the beginning it said Clift Montague, but it
7 didn't put that he was vice chair. So do I add
8 that?

9 CHAIRPERSON PEDDIBOYINA: Yeah, please.

10 MEMBER KRIEGER: Okay. Otherwise, I move
11 to approve the February 2024 minutes with the
12 change.

13 MEMBER McCLEOD: Second.

14 CHAIRPERSON PEDDIBOYINA: Thank you. Any
15 changes? Okay. Roll call, you want to do roll
16 call?

17 MS. FLETCHER: Sure.

18 CHAIRPERSON PEDDIBOYINA: Yeah, please.

19 MS. FLETCHER: Chairperson Peddiboyina.

20 CHAIRPERSON PEDDIBOYINA: Yeah, ma'am.

21 MS. FLETCHER: Member Sanghvi.

22 MEMBER SANGHVI: Yes.

23 MS. FLETCHER: Member Montague.

24 MEMBER MONTAGUE: Yes.

25 MS. FLETCHER: Member Krieger.

1 MEMBER KRIEGER: Yes.

2 MS. FLETCHER: Member McCleod.

3 MEMBER McCLEOD: Yes.

4 MS. FLETCHER: Thank you, motion passes.

5 CHAIRPERSON PEDDIBOYINA: Thank you so
6 much. And approval of agenda. Any changes subject
7 to this meeting of the approval of agenda?

8 MEMBER MONTAGUE: We approve the agenda
9 as presented.

10 MEMBER KRIEGER: Second.

11 CHAIRPERSON PEDDIBOYINA: Thank you.

12 Public remarks?

13 MEMBER KRIEGER: All in favor?

14 CHAIRPERSON PEDDIBOYINA: Yeah. Any
15 changes, say, aye. All in favor?

16 MEMBER MONTAGUE: Aye.

17 CHAIRPERSON PEDDIBOYINA: Any changes?
18 No? Thank you. Public remarks. Public hearing is
19 the time to change anything in the public remarks
20 and public hearing is the time. Okay, public
21 hearing and public comments, if anybody wants to
22 talk, there is a three minutes of time. Please come
23 to the podium and spell your first and last name
24 clearly for our secretary.

25 I need to take a vote and let's take a

1 roll and proceed. I'll separately take a vote and
2 we need to proceed. And anything you want to
3 present is a presenter. You can put it under the
4 presenter. And you can present your case and all
5 the board members can -- they can tell you what
6 they're looking at. But today we have two cases. I
7 go from first case PZ24-002 StoryPoint Senior
8 Living, 42400 Twelve Mile Road, north of Twelve Mile
9 Road, east of Novi Road. Parcel 50-22-11-300-009.

10 The applicant is requesting variances
11 from the City of Novi Sign Ordinance Section
12 28-5(b)(2)a to be allowed a 46 square foot
13 illuminated ground sign (45 square feet allowed,
14 variance of one square feet) and to allow additional
15 92 square feet of contrasting background panels
16 without any signage (zero square feet allowed,
17 variance 92 square feet). The property is zoned
18 Office Service OS-1. Is the presenter present?

19 MEMBER BRUNER: Yes.

20 CHAIRPERSON PEDDIBOYINA: Please come to
21 the podium. Present your case clearly and tell your
22 first and last name clearly so my secretary can take
23 that.

24 MR. BRUNER: Yes, I'm Russ Bruner.
25 That's, R-U-S-S B-R-U-N-E-R.

1 MEMBER KRIEGER: For this case, do you
2 swear or affirm to tell the truth?

3 MR. BRUNER: I do.

4 MEMBER KRIEGER: Okay. Thank you.

5 CHAIRPERSON PEDDIBOYINA: Please proceed
6 where we can help you tonight on this case. You can
7 present your case now.

8 MR. BRUNER: First of all, the sign that
9 we are proposing is 44 square feet, not 46. So
10 we're really not seeking that variance. We are
11 within the sign brackets for that one. As far as
12 the other -- what we are asking for -- and you
13 mentioned a projector. Was this -- can I put
14 something here?

15 CHAIRPERSON PEDDIBOYINA: Yeah, yeah, you
16 can put it on the projector. It will come
17 automatically to the team.

18 MR. BRUNER: Just to sum it up real
19 quickly, it was a couple pages.

20 CHAIRPERSON PEDDIBOYINA: Can you -- you
21 flip that -- you can present 46 feet to get the same
22 44 square feet.

23 MS. SAARELA: Yes, it's less.

24 MR. BRUNER: Yes, less.

25 CHAIRPERSON PEDDIBOYINA: Okay, less.

1 Thank you.

2 MR. BRUNER: This was the sign from the
3 individuals that owned it prior to StoryPoint. What
4 they did is they have this big concrete wall, as you
5 can see, and they have their channel letters going
6 all the way across with the logo. All those had to
7 come down. What that's done is left just pockmarks
8 up and down the wall. This will give you an idea --
9 this is the banner that's there right now, but this
10 is basically where the sign is going to go. I'll
11 put it where it's not so shiny.

12 CHAIRPERSON PEDDIBOYINA: Can you put it
13 down, so we can see it? Okay, that's fine.

14 MR. BRUNER: Yeah, I wish you could see
15 this. Because this --

16 CHAIRPERSON PEDDIBOYINA: Yeah, you can
17 put that there so, yeah.

18 MR. BRUNER: Is that a little better?

19 CHAIRPERSON PEDDIBOYINA: That's better.

20 MR. BRUNER: Anyway, you can see --

21 CHAIRPERSON PEDDIBOYINA: Yeah, I can see
22 that.

23 MR. BRUNER: Yeah. Is the sign would be
24 in the middle. You're going to have beat-up
25 concrete on each side.

1 CHAIRPERSON PEDDIBOYINA: Okay.

2 MR. BRUNER: That is what would be
3 allowed. This is what we're asking to do.
4 Basically putting aluminum panel on each side here
5 to give you that look. It's not panels that can
6 have additional signage. We're not asking for any
7 more signage. Just trying to, you know, make that
8 entryway more attractive. I understand the purposes
9 behind the sign ordinance is to make sure that we
10 have continuity and good looks, excuse me. This we
11 feel would look a lot nicer than this, and that's
12 why we're asking for the variance.

13 CHAIRPERSON PEDDIBOYINA: Okay. Thank
14 you for the presentation. This is a senior living?

15 MR. BRUNER: Yes.

16 CHAIRPERSON PEDDIBOYINA: Assistant
17 living, senior living?

18 MR. BRUNER: Yes, yep.

19 CHAIRPERSON PEDDIBOYINA: How many people
20 there are senior citizens?

21 MR. BRUNER: I don't have that
22 information. It's quite a bit, but this is right
23 on --

24 CHAIRPERSON PEDDIBOYINA: Twelve Mile.

25 MR. BRUNER: Twelve Mile Road, yeah.

1 Yeah, it's loud and proud right out there. This not
2 only is the calling card for Senior Point [sic], but
3 anyone who drives through that area looks over and
4 either sees, you know, something like that or
5 something like this. And we just think doing
6 something like this not only is better for the
7 community, it's nicer tones. But you give that
8 continuity all the way across.

9 CHAIRPERSON PEDDIBOYINA: Okay, sounds
10 good. And there's no -- we have a print pages of
11 mistake why this -- is 44 and, yeah. And let me put
12 it on to my board. Okay. Let's open to the board.
13 Anybody who would like to speak on this?

14 MEMBER McCLEOD: Question from the City.

15 CHAIRPERSON PEDDIBOYINA: From the City,
16 yeah, from the City.

17 MR. HALL: Thank you, Mr. Chairman.
18 Yeah, so we did have an ordinance officer go out and
19 measure the area that the sign would be, and that's
20 where that 46 number came from. So we think that we
21 shouldn't go for the one foot variance just in case
22 we do have to use that. We don't want to leave this
23 room and not keep the variance and have them go back
24 and actually measure the sign. So that's that part.

25 The background are two panels on either

1 side of the -- that sign there, and the idea is that
2 we want to make sure that the blank panels are not
3 for signs. He's attesting to that, but that's part
4 of the variance is that -- it's not one sign that's
5 that long. But it's a sign in the middle of two
6 blank panels on either side, because it is an
7 existing condition and is something that we're
8 trying to -- we agree that it's six panels that need
9 to be covered up -- or one concrete panel needs to
10 be covered up because of the holes and some things
11 that well, would look nicer this way.

12 So the variance would be a little bigger
13 for the sign, that's the 46. And then make sure
14 that the background or panels are blank panels and
15 not signage or for future signage.

16 CHAIRPERSON PEDDIBOYINA: Okay. Anybody
17 in the public? Okay. Secretary?

18 MEMBER FLETCHER: Thirteen were mailed
19 for this case, zero returned, zero objections, zero
20 approvals.

21 CHAIRPERSON PEDDIBOYINA: Thank you. And
22 it's open to the board. If you'd like to speak.
23 Dr. Sanghvi.

24 MEMBER SANGHVI: Thank you. Again, I
25 visited at your site and looked at that wall, it's a

1 huge wall.

2 MR. BRUNER: It's a big wall.

3 MEMBER SANGHVI: And I don't know whether
4 those side panels you can call a sign or not because
5 you are just covering it up to make it more
6 aesthetically acceptable, the appearance of the
7 sign. And I was also happy that you were putting a
8 mock-up sign there too, so we can see what the real
9 thing is likely to look like.

10 MR. BRUNER: Right.

11 MEMBER SANGHVI: And I like what I saw.
12 And I have no problem supporting your application.
13 Thank you.

14 MR. BRUNER: Thank you.

15 CHAIRPERSON PEDDIBOYINA: Okay. Anybody?

16 MEMBER McCLEOD: Yes, just a question for
17 I think the City. I'm trying to dig back into my
18 history of cases that we looked at, and I recall
19 there being submissions with illuminated signs in
20 the past. Is that not in play here, illuminated
21 versus not illuminated?

22 MS. SAARELA: What's the question about
23 it though?

24 MEMBER McCLEOD: Illuminated signs are
25 permitted?

1 MS. FLETCHER: They're allowed.

2 MEMBER McCLEOD: Okay.

3 MS. FLETCHER: Flashing, like the
4 flashing.

5 MEMBER McCLEOD: That might be where I'm
6 getting it.

7 MS. FLETCHER: Yeah.

8 MEMBER McCLEOD: Okay. Just wanted to
9 confirm. Thank you.

10 CHAIRPERSON PEDDIBOYINA: You mean
11 reflecting of the sun on the aluminum?

12 MEMBER McCLEOD: That was the flashing
13 signs. I was trying to get that illuminated versus
14 flashing versus what's appropriate.

15 CHAIRPERSON PEDDIBOYINA: Thank you.
16 Anybody else? Okay, go ahead.

17 MEMBER MONTAGUE: When you measured the
18 sign? What did you measure, did you measure the
19 letters or -- because their drawing is showing 48
20 for the panel. It's 12 by actually 3, yeah.

21 MR. HALL: Yeah. So there's a box that
22 goes around the text, and it's a simple box. It's
23 not a per letter box, but a simple box.

24 MEMBER MONTAGUE: Okay.

25 MR. HALL: And that box measured out to

1 be 46 square feet.

2 MEMBER MONTAGUE: Forty-six, okay.

3 All right, thanks.

4 CHAIRPERSON PEDDIBOYINA: Yeah, still
5 require senior living 42400 West Telegraph.

6 MEMBER SANGHVI: Side panel is a sign?

7 CHAIRPERSON PEDDIBOYINA: Any other board
8 member? Okay, Linda, please go ahead.

9 MEMBER KRIEGER: So to confirm, just
10 where the lettering is at, is -- that's where I'm a
11 little bit confused. He's just putting where the
12 lettering is smaller than his request, though is
13 encouraging -- including two other panels, but
14 they're going to be blank, so that makes it a bigger
15 sign?

16 MR. HALL: That's correct. So that's
17 what we're trying to say, it's not. So the sign
18 itself is actually the letters with a simple box --
19 imaginary box goes around the whole thing. That's
20 the 46 square feet. The blank panels on the side
21 are to cover up an existing condition.

22 MEMBER KRIEGER: Right.

23 MR. HALL: And we're saying it's not a
24 sign, it's an architectural element. But it's not a
25 blank panel for a future sign either, and he's

1 attesting for that. That's why we want to make sure
2 it's not -- if it was all one black panel and one
3 sign, it would be way too big. But he's not saying
4 he's doing that. So, he's trying to cover up an
5 existing condition.

6 MEMBER KRIEGER: Yep. And then the
7 StoryPoint, the lettering is going to be eliminated
8 or the whole sign is going to be eliminated?

9 MR. BRUNER: Just the lettering, just
10 where you see StoryPoints in your lettering. And
11 that's all backlit, you know, so as far as any
12 concern about light flashing everywhere or whatever,
13 that's not the case. It just lights up the letters.
14 It's all aglow.

15 MEMBER KRIEGER: I go by and I agree the
16 -- it's aesthetically appealing, and the extra will
17 definitely make the cement look better.

18 CHAIRPERSON PEDDIBOYINA: Thank you. You
19 want to make a motion?

20 MEMBER KRIEGER: I move for Case Number
21 PZ24-0002, StoryPoint Senior Living, that we grant
22 the variance request sought by the petitioner
23 because he has shown a practical difficulty
24 requiring the size of the sign. His lettering is
25 going to be smaller for the one panel, and then the

1 other two panels will be blank as he stated. But to
2 cover the concrete to make it aesthetically pleasing
3 but not printing as a sign, and that will be at the
4 46 square feet.

5 And the request is based upon
6 circumstances or features that are exceptional and
7 unique to the property and do not result from
8 conditions that exist generally in the city or are
9 self-created, including that this was preexisting
10 structure. And the -- when the lettering came down
11 from the previous that the concrete became less
12 appealing, and so this new coverage will assist the
13 StoryPoint building.

14 The failure to grant relief will
15 unreasonably prevent or limit the use of the
16 property and result in substantially more than mere
17 inconvenience or inability to attain a higher
18 economic or financial return because the -- not
19 having it covered as presented would make it less
20 appealing for those driving by, and 12 Oaks is a
21 major national tourist attraction, so this would add
22 to that as well.

23 That the grant or relief would be offset
24 by other improvements or actions such as increased
25 setbacks or increased landscaping such as the net

1 effect will result in an improvement of the property
2 or the project. That the paneling to the side of
3 the panel with the letterings that will be lit at
4 night, that those will remain blank but for the
5 aesthetic pleasing of the structure itself.

6 The construction of a conforming sign
7 would require the removal or significant alteration
8 of natural features on the property, because this
9 structure does assist with the slope and the area.
10 The grant or leave will not result in a use or
11 structure that is incompatible with -- or
12 unreasonably interferes with adjacent or surrounding
13 properties.

14 Will result in substantial justice being
15 done to both the participant and adjacent or
16 surrounding properties and is not inconsistent with
17 the spirit and intent of this chapter because the
18 speed of the Twelve Mile, the amount of traffic
19 during holidays, the general population of the area
20 and in spirit and intent it is a reasonable request.

21 MEMBER SANGHVI: Second.

22 CHAIRPERSON PEDDIBOYINA: Thank you.
23 Okay. Roll call.

24 MS. FLETCHER: Chairperson Peddiboyina.

25 CHAIRPERSON PEDDIBOYINA: Yes, please.

1 MS. FLETCHER: Member Sanghvi.

2 MEMBER SANGHVI: Yes.

3 MS. FLETCHER: Member Montague.

4 MEMBER MONTAGUE: Yes.

5 MS. FLETCHER: Member Krieger.

6 MEMBER KRIEGER: Yes.

7 MS. FLETCHER: Member McCleod.

8 MEMBER McCLEOD: Yes.

9 MS. FLETCHER: Thank you. Motion passes.

10 CHAIRPERSON PEDDIBOYINA: Thank you,
11 congratulations.

12 MR. BRUNER: Thank you very much.

13 CHAIRPERSON PEDDIBOYINA: Okay. I'm
14 coming to the second case, and to Mr. DeFrancisco's
15 case. I want to read that case PZ24-003,
16 DeFrancisco Renovation, 43825 Nine Mile Road, south
17 of 9 Mile Road, west of Novi Road.
18 Parcel 50-22-34-201-024. The applicant is
19 requesting variance from the City of Novi Zoning
20 Ordinance Section 4.19.1.E.i for an increase in
21 garage square foot coverage to 1,125 square feet,
22 850 square feet maximum variance of 275 square feet.
23 This variance would accommodate a garage addition.
24 This property is zoned One-Family Residential (R-3).
25 Please go ahead and tell your first and last name

1 clearly.

2 MR. DeFRANCISCO: John DeFrancisco.

3 CHAIRPERSON PEDDIBOYINA:

4 John DeFrancisco, okay. Please go ahead and where
5 we can help you tonight and present your case. And
6 are you an attorney?

7 MR. DeFRANCISCO: No, sir, I'm just a
8 homeowner.

9 CHAIRPERSON PEDDIBOYINA: Take the oath
10 then.

11 MEMBER KRIEGER: Do you swear to tell the
12 truth in this case?

13 MR. DeFRANCISCO: I do swear to tell the
14 truth. Thank you.

15 CHAIRPERSON PEDDIBOYINA: Thank you.
16 Please proceed where we can help you tonight on this
17 case. And if you have a diagram, you can present it
18 on the projector. That will be helpful for all
19 board members too and the audience that are online
20 who are looking at this.

21 MR. DeFRANCISCO: So I think two of the
22 board members came out to the property.

23 CHAIRPERSON PEDDIBOYINA: What is this
24 light, sir?

25 MR. DeFRANCISCO: No, it's my phone. I

1 thought that the documentation I submitted to the
2 City would be presented, so I did not bring it -- a
3 diagram. I do apologize. So the proposed garage
4 addition is shown here. The existing garage is down
5 at the bottom and then the second garage is
6 going --

7 CHAIRPERSON PEDDIBOYINA: Can you put
8 your finger and show the point?

9 MR. DeFRANCISCO: The existing garage is
10 right there and this is the existing house.

11 CHAIRPERSON PEDDIBOYINA: Yeah.

12 MR. DeFRANCISCO: And so the renovation
13 -- the addition is going to be this part over here,
14 and in question right there is that second garage.
15 The two combined garages would be the 1,125 square
16 feet. And so the issue with the property is that
17 it's actually three and a half acres. So when you
18 only have just a two-car garage, you have enough
19 room for two vehicles and a little bit of equipment.
20 But with three and a half acres, I need lots of
21 equipment to maintain the property.

22 I do have a tractor, I have a snowplow
23 and the various tools that a property like this
24 requires. Since I acquired the property, the
25 property was overrun with buckthorn. And so we've

1 been -- you know, we've been removing the buckthorn
2 and trying to restore the property to its original
3 nature. You know, buckthorn is an invasive species.
4 I'm sure you guys are all aware of it. So that's
5 the purpose of the second garage. I do have an
6 aerial view.

7 So, the aerial view is there, so you can
8 see the vehicle's parked outside. I think Member
9 Linda came through today and she wasn't able to
10 access the loop to turn around because there was a
11 car parked in the loop. I just -- I don't have
12 enough room to put everything in the garage and
13 vehicles, so that would be the purpose of the second
14 garage perpendicular to the existing garage.

15 And then I do have an elevation diagram
16 as well. Let's see here. I'll try it again, having
17 trouble with that elevation. Here we go. So this
18 would be the view of the front of the house with the
19 garage that's going to be added. The windows that
20 you see there, the smaller windows, those are the
21 windows in the existing garage.

22 CHAIRPERSON PEDDIBOYINA: Okay. Go
23 ahead. Any other things?

24 MR. DeFRANCISCO: No. No, I mean that's
25 basically it. It's just a -- you know, the property

1 is large and the smaller garage is very difficult to
2 store everything out of the elements and out of the
3 driveway. And when there's vehicles parked in the
4 circle, it's hard to -- hard for anybody to turn
5 around or come in and out of the property. So I'd
6 like to, you know, park the vehicles in the garage
7 and then use the second garage for, you know, the
8 maintenance of the land.

9 CHAIRPERSON PEDDIBOYINA: Okay. From the
10 City.

11 MR. HALL: Thank you, Chairman. I do
12 have a couple of questions for you. You are on a
13 three and a half acre parcel of land, that's
14 correct. Based on your diagrams there, you have two
15 garages. There is no intention of attaching the
16 garages together, it would be two separate garages,
17 right?

18 MR. DeFRANCISCO: Correct, two separate
19 garages.

20 MR. HALL: So there's no future plans of
21 -- in your future to connect the two, to make it
22 even a larger garage?

23 MR. DeFRANCISCO: No, absolutely not,
24 it's not possible. In the space between the two
25 garages, it's actually home space. So there would

1 be a laundry room and a hallway connecting the rest
2 of the house. So you wouldn't be able to connect
3 both garages.

4 MR. HALL: Thank you. It looks like it's
5 keeping with the rest of the house, it's a nice
6 design. I don't have any further questions.

7 MR. DeFRANCISCO: Thank you so much.

8 CHAIRPERSON PEDDIBOYINA: Okay. Thank
9 you. Respondents?

10 MEMBER KRIEGER: For this case, 22 were
11 mailed, 2 returned. Zero objections, one approval.
12 Approval is from Joel Garcia on Nine Mile.
13 43825 shares a sewer line which runs through my
14 front yard. On several occasions 43825 has had
15 issues with plumbing. My concern is that the
16 addition and increased square footage may increase
17 the burden on our shared sewer line, but he's
18 approving the request.

19 CHAIRPERSON PEDDIBOYINA: Thank you. Any
20 comments on land, anybody? Looks like none. Okay.

21 Are you the owner of this property?

22 MR. DeFRANCISCO: I am, sir. Yes.

23 CHAIRPERSON PEDDIBOYINA: How big is the
24 property, square footage?

25 MR. DeFRANCISCO: Existing?

1 CHAIRPERSON PEDDIBOYINA: Yes.

2 MR. DeFRANCISCO: Existing is 2,950.
3 Two thousand nine hundred and fifty square feet.

4 CHAIRPERSON PEDDIBOYINA: Square feet,
5 okay. And you have a two-car garage?

6 MR. DeFRANCISCO: Two-car garage,
7 correct.

8 CHAIRPERSON PEDDIBOYINA: And you
9 are seeking a second garage?

10 MR. DeFRANCISCO: A second additional
11 garage with two bays, so a second two-car garage.

12 CHAIRPERSON PEDDIBOYINA: As my city
13 manager mentioned, there are not going to be any
14 extend or anything on the property, they're not
15 going to develop anything on that?

16 MR. DeFRANCISCO: No, no, sir, it's not
17 the type of property you would develop. There's a
18 lot of trees, a lot of nature. You know a lot of
19 animals come through there. So this is just my
20 home. I plan on keeping it for the next, you know,
21 20 to 30 years.

22 CHAIRPERSON PEDDIBOYINA: Okay. Okay,
23 let's open to the board. Yes, please.

24 MEMBER KRIEGER: You want to address the
25 sign that he was asking about, the concern about

1 sewer line even though he's approving?

2 MR. DeFRANCISCO: I do. There is a
3 recorded easement. Thank you for bringing that up.
4 So there is a recorded easement for the entire
5 ten-acre parcel. Originally the parcel that I live
6 on was originally ten acres, and at some point in
7 time in the past somebody subdivided it and then
8 granted an easement for the existing acreage. So my
9 -- the other property on the -- to the east of me,
10 they're actually still on a septic field.

11 And I find it very difficult for them to
12 ever use the easement that they were granted as I
13 was granted. So -- in actuality while he has a
14 concern, I don't know that my addition is going to
15 change that because the occupancy of my home is not
16 going to increase while I am the owner. Maybe
17 perhaps down the line there may be more occupancy
18 that using the sewer line, but I don't know that my
19 renovations directly affect the sewer line that's
20 operable.

21 And the plumbing issues that he mentioned
22 was because my son flushed something down the sewer
23 line that we had to retrieve out. So I was a little
24 newer to the property, and I wasn't sure how the --
25 how everything worked. But we got out there and I

1 understood that we got everything cleaned out and I
2 haven't had any issues since that isolated incident.

3 MEMBER KRIEGER: Is the pond yours or
4 his?

5 MR. DeFRANCISCO: There is a pond on the
6 property. The front pond is on my parcel, and then
7 there is a pond on his parcel as well. It's just
8 off of Nine Mile.

9 MEMBER KRIEGER: Okay. And then I know
10 -- I'm not -- question, is it regulated woodland?

11 MR. DeFRANCISCO: It is.

12 MEMBER KRIEGER: It is regulated, okay.
13 So with the topography and the slope and the trees
14 to the north and the wildlife that comes through,
15 but you have a nice piece in the back that you can
16 upgrade as you wish and the trees getting around
17 that loop without trying not to --

18 MR. DeFRANCISCO: Sorry.

19 MEMBER KRIEGER: I can appreciate that,
20 and it's a very nice addition that you're putting.
21 And we've explained how that you're using it for --
22 that they're not going to be connected and that the
23 garage site would be able to approve the request.

24 MR. DeFRANCISCO: Thank you.

25 CHAIRPERSON PEDDIBOYINA: Okay, before

1 Dr. Sanghvi, is this pond is a wetland, a common
2 area to the city?

3 MR. HALL: It's regulated. Yes, it is.

4 CHAIRPERSON PEDDIBOYINA: Thank you.

5 Dr. Sanghvi, please go ahead.

6 MEMBER SANGHVI: Thank you. We met on
7 Sunday when I came to look at your place. It's not
8 a very easy place to find. And I looked around the
9 property from the back from the Center Street and
10 all around, and I was right inside there. You
11 showed me where you were trying to bring the
12 existing building. My question was, why do you need
13 such a big thing?

14 MR. DeFRANCISCO: Oh, the garage or the
15 home?

16 MEMBER SANGHVI: Okay. And the second
17 question, are you going to cut any trees?

18 MR. DeFRANCISCO: No. No, no, there's no
19 trees being removed at all.

20 MEMBER SANGHVI: So there is no woodland
21 or wetland involved in this?

22 MR. DeFRANCISCO: No, none at all, sir.

23 MEMBER SANGHVI: I have no problem then.
24 Thank you.

25 MR. DeFRANCISCO: Thank you very much.

1 MEMBER McCLEOD: I guess my only comment
2 is that I drive by down Nine Mile every day. I
3 barely see a house there. I see lots of deer that
4 try to get hit by cars, but I never see the house.
5 I have no problem with this expansion.

6 MR. DeFRANCISCO: Thank you. Lots of
7 wildlife, deer, turkey, foxes. It's in abundance.
8 It's a very interesting property. I'm very thankful
9 for it. And, you know, I'm glad I maintain it
10 properly.

11 CHAIRPERSON PEDDIBOYINA: You mean
12 there's foxes?

13 MR. DeFRANCISCO: Yeah, yeah, foxes.

14 CHAIRPERSON PEDDIBOYINA: Any other board
15 member would like to speak on this case? Okay, if
16 not, Member Montague, please make a motion.

17 MEMBER MONTAGUE: I move that we grant
18 the variance in Case Number PZ24-0003 sought by
19 John DeFrancisco to increase the garage square
20 footage and combine with the two garages to
21 1,125 square feet. Without the variance there is
22 some limitations. The lot size and layout will
23 accommodate the larger and the limitations on the
24 maintenance of the property. The property is unique
25 because it is a large lot. Very screened from the

1 roadway.

2 Didn't create the condition because
3 obviously it was an existing piece of property. And
4 he's adding on to the house. The relief granted
5 will not unreasonably interfere with any surrounding
6 properties because of the layout, the lot size and
7 the vegetation. The relief is consistent with the
8 spirit and intent of the ordinance because it allows
9 the owner to use his property in an appropriate
10 manner and allows for storage of his maintenance
11 equipment of this large lot.

12 MEMBER KRIEGER: Second.

13 CHAIRPERSON PEDDIBOYINA: Thank you.

14 Roll call, please.

15 MS. FLETCHER: Chairperson Peddiboyina.

16 CHAIRPERSON PEDDIBOYINA: Yes.

17 MS. FLETCHER: Member Sanghvi.

18 MEMBER SANGHVI: Yes.

19 MS. FLETCHER: Member Montague.

20 MEMBER MONTAGUE: Yes.

21 MS. FLETCHER: Member Krieger.

22 MEMBER KRIEGER: Yes.

23 MS. FLETCHER: Member McCleod.

24 MEMBER McCLEOD: Yes.

25 MS. FLETCHER: Thank you. Motion passes.

1 MR. DeFRANCISCO: Thank you.

2 MS. FLETCHER: Enjoy.

3 CHAIRPERSON PEDDIBOYINA: Violations in
4 general.

5 MR. DeFRANCISCO: Thank you. I have an
6 unrelated question since I'm here. The wetlands in
7 the front of the property, I'm not sure if Mr. Hall
8 may be familiar with them. Do you know what I'm
9 referring to?

10 MR. HALL: I just know they're there.

11 MR. DeFRANCISCO: So, okay. There is a
12 sewer line under Nine Mile that goes across -- under
13 Nine Mile and into Montebello that is supposed to
14 drain into the creek there. And it looks like at
15 some point in time it was replaced from the
16 Montebello side through about the half side of
17 Nine Mile. But because over the years the buckthorn
18 occupied my parcel, I don't know that anybody ever
19 looked at opening that up so that some of that
20 wetland could drain during the heavy rains. During
21 the winter that pond can get so large, you know.

22 MR. HALL: We'll make a note about that.

23 MR. DeFRANCISCO: Is there a department
24 in the city that I can inquire about that at some
25 point?

1 MR. HALL: Yeah, it would probably be --

2 MS. KRIEGER: Engineering.

3 MR. HALL: -- yeah, probably engineering
4 would be a person to contact for that, and then
5 Rick Meager would be the landscape architect that
6 would look into the nature of the buckthorn.

7 MR. DeFRANCISCO: Okay. Well, it's
8 pretty much gone at this point. There's still some
9 in the back part of the parcel, but we've cleaned it
10 up as best as possible at this point. All right.
11 Well thank you very much, everybody. I thank you
12 for your time.

13 CHAIRPERSON PEDDIBOYINA: Thank you, good
14 luck.

15 MR. DeFRANCISCO: Yes. Thanks so much.

16 CHAIRPERSON PEDDIBOYINA: Okay. Before I
17 adjourn, any other matters? Okay, looks like
18 today's a beautiful day also and one or two cases.
19 The last one we don't have any meeting. And enjoy
20 the beautiful weather. Okay. And before I adjourn
21 say, aye. All in favor?

22 MEMBER MONTAGUE: Aye. I make a motion.

23 MEMBER KRIEGER: I move to adjourn.

24 CHAIRPERSON PEDDIBOYINA: Have a nice
25 day. Good job. Thank you.

1 (Hearing concluded about 7:32 p.m.)

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1 CERTIFICATE OF NOTARY PUBLIC - COURT REPORTER

2

3 I do certify that the attached
4 proceedings were taken before me in the
5 above-entitled matter; that the proceedings
6 contained herein was by me reduced to writing by
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8 upon a computer. The attached pages are a true and
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10 I do further certify that I am not
11 connected by blood or marriage with any of the
12 parties, their attorneys or agents, and that I am
13 not an employee of either of them, nor interested,
14 directly or indirectly, in the matter of
15 controversy.

16 IN WITNESS WHEREOF, I have hereunto set
17 my hand and affixed my notarial seal at West
18 Bloomfield, Michigan, County of Oakland, this 20th
19 day of April 2024.

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