

REGULAR MEETING - ZONING BOARD OF APPEALS

CITY OF NOVI

TUESDAY, DECEMBER 12, 2017 7:00 P.M.

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

BOARD MEMBERS:

Siddharth Mav Sanghvi, Chairperson

Brent Ferrell, Secretary

Linda Krieger

Cindy Gronachan

Joe Peddiboyina

David M. Byrwa

Thomas Nafso

ALSO PRESENT:

Elizabeth Saarela, City Attorney

Lawrence Butler, Comm. Development, Dep. Director

Katherine Opperman, Recording Secretary

Reported by:

Darlene K. May, Certified Shorthand Reporter

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23

Novi, Michigan

Tuesday, December 12, 2017

7:00 p.m.

- - -

CHAIRPERSON SANGHVI: Good evening. It's 7:00 p.m. and it's time to call to order the meeting of the Zoning Board of Appeals of Novi, Tuesday, December 12, 2017.

Would you please all rise and join me in the Pledge of Allegiance.

(Pledge of Allegiance.)

CHAIRPERSON SANGHVI: Thank you. Please be seated.

Madame Secretary, please call the roll.

MS. OPPERMAN: Member Byrwa?

MEMBER BYRWA: Present.

MS. OPPERMAN: Member Ferrell?

MEMBER FERRELL: Here.

MS. OPPERMAN: Member Gronachan?

MEMBER GRONACHAN: Present.

MS. OPPERMAN: Member Krieger?

MEMBER KRIEGER: Here.

MS. OPPERMAN: Member Nafso?

1 MEMBER NAFSO: Here.

2 MS. OPPERMAN: Member Peddiboyina?

3 MEMBER PEDDIBOYINA: Yeah.

4 MS. OPPERMAN: And Chairperson Sanghvi?

5 CHAIRPERSON SANGHVI: Here.

6 Thank you. Now, the public hearing format  
7 and Rules of Conduct are available in the front there,  
8 if anybody wants to know, and I won't go into the  
9 details of it.

10 As far as I know, there is no agenda today.

11 Is there? I mean, no minutes today?

12 MS. OPPERMAN: No. There's two sets of  
13 minutes.

14 CHAIRPERSON SANGHVI: Okay. May I have a  
15 motion to approve the minutes?

16 MEMBER GRONACHAN: So moved.

17 MEMBER KRIEGER: So moved.

18 CHAIRPERSON SANGHVI: All those in favor?

19 MEMBER BYRWA: Aye.

20 MEMBER FERRELL: Aye.

21 MEMBER GRONACHAN: Aye.

22 MEMBER KRIEGER: Aye.

23 MEMBER PEDDIBOYINA: Aye.

1 MEMBER NAFSO: Aye.  
2 CHAIRPERSON SANGHVI: Aye.  
3 Opposed, same sign.  
4 Do we have the November minutes?  
5 I didn't see them.  
6 MEMBER GRONACHAN: They're here.  
7 CHAIRPERSON SANGHVI: Any comments about the  
8 minutes?  
9 MEMBER GRONACHAN: No changes.  
10 CHAIRPERSON SANGHVI: No changes?  
11 MEMBER KRIEGER: I'm good. Thank you.  
12 CHAIRPERSON SANGHVI: Okay. May I have a  
13 motion to approve the minutes of November?  
14 MEMBER GRONACHAN: So moved.  
15 MEMBER KRIEGER: Second.  
16 MEMBER FERRELL: Second.  
17 CHAIRPERSON SANGHVI: All those in favor  
18 signify by saying "Aye."  
19 MEMBER BYRWA: Aye.  
20 MEMBER FERRELL: Aye.  
21 MEMBER GRONACHAN: Aye.  
22 MEMBER KRIEGER: Aye.  
23 MEMBER PEDDIBOYINA: Aye.

1 MEMBER NAFSO: Aye.

2 CHAIRPERSON SANGHVI: Aye.

3 Those opposed, same sign.

4 Moving on to the public remarks.

5 Is there anybody in the audience who would  
6 like to address the board regarding any subject other  
7 than the cases which are on the agenda tonight?

8 Seeing none. We close the public remark  
9 section.

10 And we'll start with the first case:  
11 PZ17-0055, Adrienne Lenda of 1209 East Lake Drive, west  
12 of Novi Road and south of Fourteen Mile Road, parcel  
13 number 50-22-02-127-019.

14 The applicant is requesting a variance from  
15 the City of Novi Zoning Ordinance, Section  
16 3.32-10.ii.a, for the building of a proposed 400 square  
17 foot shed on the waterfront, 100 square feet allowed by  
18 code. And also, Section 3.32-10.ii.b to allow a 10.5  
19 foot height, eight foot allowed by code. This property  
20 is zoned single family residential.

21 Is the applicant here? Will you please come  
22 forward to the podium. Identify yourself with your  
23 name and address.

1 MS. LENDA: Yes.

2 CHAIRPERSON SANGHVI: And if you are not an  
3 attorney, be sworn in by our secretary.

4 MS. LENDA: I am not an attorney.

5 CHAIRPERSON SANGHVI: Go ahead.

6 MS. LENDA: My name is Adrienne Lenda. I  
7 live at 120 -- well, 1209 East Lake Drive is the  
8 property that I'm here for.

9 MEMBER FERRELL: Do you swear to tell the  
10 truth in this case?

11 MS. LENDA: I do.

12 MEMBER FERRELL: Okay. Go ahead.

13 MS. LENDA: Thank you for hearing me out  
14 today.

15 Okay. So, I'd like to start with the -- this  
16 is a sketch of our new home-to-be on 1209 East Lake  
17 Drive. We have two pieces of property on this  
18 property. There's two pieces of land.

19 Back here is our house to be built, which is  
20 being built now. There is a road here. This is East  
21 Lake Drive. And then on the other side of the road in  
22 front of the house is a lakefront property. The  
23 lakefront property is across the street from the house

1 and sits eight feet below road elevation. So it is a  
2 unique piece of property.

3 The lot size here is 100 feet wide by 57 feet  
4 deep. This is a double size lot. The neighbors around  
5 me have similar elevations to the road.

6 I'm going to give you kind of a better  
7 picture of what it actually looks like.

8 So, this is a picture of the lake side  
9 looking at the elevation going up the road. And back  
10 here, this is an existing retaining wall. So we are  
11 proposing to build -- let me give you another, a  
12 panoramic view of this piece of property.

13 One second.

14 To give you an idea of what the whole lot  
15 size is, a panoramic here of where the lot line ends  
16 all the way to this side. There's a little debris.

17 So the property hasn't been taken care of in  
18 many, many, many years, as you can see. So our goal is  
19 to update it and make it look more modern and more  
20 beautiful. So we're asking for the 25 by 20 by 10 and  
21 a half feet structure.

22 Our lot is 60 feet wider than many of the  
23 lots here in Walled Lake. If I understand it

1           correctly, you can have a 10 by 10 accessories  
2           structure on a single 40-foot lot. I have two and a  
3           half times size that original ordinance. So the 25 by  
4           20 is keeping with that guideline and seems a  
5           reasonable request.

6                        So Igor and I -- my other half -- we've taken  
7           our neighbor's view into great consideration when  
8           planning this area. We have had numerous meetings and  
9           E-mails back and forth with our landscaper and  
10          architect and builder to make sure this structure would  
11          not block any of their view of the lake. In fact, we  
12          purposefully planned to set back the shed toward the  
13          road so when you're looking at the lake from the  
14          neighbor's house, more of the lake and shoreline is  
15          visible. And when you're in the lakefront property,  
16          the shed won't stick out toward the waterfront so that  
17          your panoramic view is not obstructed.

18                       Let me kind of give you an understanding of  
19          what that means.

20                       So this is the existing shed. And this is  
21          the neighbor's shed over here. So the proposal to  
22          build would not exceed any farther than where the  
23          existing shed is. It would be built back.



1                   Maybe I can give you another picture.

2                   It would be toward the road.

3                   So this existing shed would stay there. It  
4 would all be knocked down. Start here and then go  
5 backwards toward the house. So we would excavate 10  
6 feet of property.

7                   We've also put a lot of time and effort into  
8 planning this structure to match the architecture of  
9 the house with our architect EZD and our landscaper  
10 West Oaks. The shed is designed to match the house  
11 structure and to use the same materials of stone and  
12 wood.

13                   There are many similar structures now going  
14 up around the lake and it's only improving the look of  
15 the neighborhood and increasing the values of our  
16 homes. I have many letters of support, which I think  
17 you have, from the surrounding neighbors and some of  
18 who are actually here and who came to support me in  
19 this matter.

20                   Thank you very much. That'll do it.

21                   CHAIRPERSON SANGHVI: Thank you.

22                   MS. LENDA: Thank you.

23                   CHAIRPERSON SANGHVI: Is there anybody in the

1 audience who would like to address the board regarding  
2 this case? This is the time to come forward.

3 Would you please come to the podium.  
4 Identify yourself with your name and address.

5 MR. DEZELL: Thank you. I'm Allen Dezell.  
6 This is my wife Nicole. We're the neighbors at  
7 1217 East Lake Drive who live next door to Igor and  
8 Adrienne.

9 We certainly realize -- we know Igor and  
10 Adrienne are building a beautiful new home. It's  
11 definitely going to help with the area and we support  
12 that.

13 As such, we feel badly coming in front of the  
14 board today. This is not how we want to start a  
15 relationship with our neighbors but, unfortunately, we  
16 find ourselves in this position as we feel the need to  
17 protect the beauty of Walled Lake and the neighborhood  
18 outweighs all else in this case.

19 We appreciate that the City of Novi has taken  
20 the time to develop and enforce its municipal code of  
21 ordinances. This particular ordinance, as well as many  
22 others, allows for aesthetics and consistency within  
23 the community. It ensures that there are unobstructed

1 views of our pristine Walled Lake.

2 Walled Lake is a jewel for the city, for the  
3 lakefront owners and for those who walk around and  
4 enjoy the beauty and the community as a whole. Given  
5 these standards, we are reasonable and understand that  
6 variances within the neighborhood are certainly needed  
7 in many cases. Most are due to unique circumstances  
8 that cause a hardship which in turn constitutes a need  
9 for a variance.

10 This request, however, does not fit the  
11 criteria for a variance since it falls into the "want"  
12 category. The need for this variance has not been  
13 demonstrated.

14 We would also like to note that the current  
15 approved site plan shows a 25 by 20 structure at the  
16 lakefront property which actually equates to 500 square  
17 feet. So I'm assuming that is probably in error and  
18 that they want a structure measuring 400 square feet.  
19 So we're questioning if that was an error.

20 Additionally, the approved plot plan  
21 indicates that the new home's first floor finished  
22 grade will be built high enough to look above the  
23 proposed boat house roof line. For already existing

1 homes in the area, this is not an option and views will  
2 be impeded.

3 So we encourage this board, if they haven't  
4 done so already, to see what other owners along the  
5 lakefront have built in this area. Our understanding  
6 is that written notice for variance is provided to  
7 property owners within 300 feet of the address, but we  
8 took the time to notice that all the structures going  
9 approximately 1,500 square feet north to the Walled  
10 Lake border and Fourteen Mile and even farther to the  
11 south was noted that all the households in question  
12 have sheds that are either very near or in compliance  
13 to this ordinance.

14 No one in the area has a boat house or shed  
15 that is even remotely comparable to the structure  
16 requested in this variance.

17 We'd also want to note that there is  
18 certainly plenty of room. People park their boats in  
19 the back of their yards. Even after their house is  
20 built, they'll have over 11,400 square feet of space in  
21 the back yard to build a place to store a boat. We  
22 store ours in the backyard as well as most of our  
23 neighbors and most of the people on the lakefront.

1                   We'd like to emphasize to this board that  
2                   this request does not fit the criteria outlined for a  
3                   successful dimensional property variance. Answering  
4                   these questions, many of which are shown on the City of  
5                   Novi ZBA, supports this fact.

6                   "Do you really need a variance or just want  
7                   one?" This request is clearly a want.

8                   "Talk to your neighbors." They never talked  
9                   to us about this.

10                  "Look, see and observe that similar variances  
11                  have been granted." They have not.

12                  "State specifically why you need the  
13                  variance, what your hardship is and why this ordinance  
14                  unfairly effects you." There is no hardship and this  
15                  ordinance does not unfairly cause a concern.

16                  "Demonstrate why the hardship is unique to  
17                  your situation because of land shape, size,  
18                  topography." There are no unique situations or  
19                  hardships in this case.

20                  "Point out that the variance is the bare  
21                  needed minimum to correct the problem." There is no  
22                  demonstrative problem to correct.

23                  "Suggest that the variance will not

1 negatively impact any neighbor or will it alter the  
2 essential character of the land." The request, if  
3 approved, will most certainly negatively impact the  
4 neighborhood. It alters the essential character of the  
5 land both by blocking the view of Walled Lake and by  
6 being inconsistent with other properties in this area.

7 So thank you for your time and consideration  
8 in this matter.

9 CHAIRPERSON SANGHVI: Thank you.

10 I don't see anybody else. So we'll close the  
11 public remark sections.

12 Mr. Secretary, do we have any correspondence?

13 MEMBER FERRELL: No. None.

14 MEMBER KRIEGER: Wait a minute.

15 MEMBER GRONACHAN: Wait. We have another.

16 CHAIRPERSON SANGHVI: Oh, hi.

17 MR. LANGAN: Hi. Mike Langan, 1225 East Lake  
18 Drive, also neighbors to both.

19 I am actually in favor of this a hundred  
20 percent. I don't see anything that has any negative  
21 impact, not only on the house, the shed, what they're  
22 doing there. I think it's all a positive impact on the  
23 neighborhood for everyone. I thinks its size, their

1 lot, is definitely large enough to withstand a  
2 structure of this size and they're not asking for  
3 anything that's over and above. They're not asking for  
4 a 20 foot high structure, something like that. There  
5 will still be people around who can see the lake and  
6 view the lake. Most importantly, I think they'll be  
7 taking care of a distressed property, which has been  
8 distressed for many years.

9 So I am actually in support of it a hundred  
10 percent, and I just wanted to let you know that.

11 MEMBER GRONACHAN: Thank you.

12 CHAIRPERSON SANGHVI: Is there anybody else  
13 who would like to address the board?

14 This is public remark section only. Thank  
15 you.

16 Okay, Mr. Secretary?

17 MEMBER FERRELL: Yes, Mr. Chair. There was  
18 33 letters mailed, 10 letters returned, two approvals  
19 and zero objections. The first is by Gordon Wilson,  
20 W-i-l-s-o-n, at 1345 East Lake Drive, Novi.

21 "My name is Gordon Wilson. I live at 1345  
22 East Lake Drive, Novi, Michigan. After receiving the  
23 drawings with Ms. Lenda, I am for support of this

1 project and granting her a variance. This parcel is  
2 approximately 100 feet in width and can easily handle  
3 the proposed structure. Also, with the structure being  
4 several feet below the road, it will not obstruct the  
5 view of the lake. This is exactly the type of project  
6 East Lake Drive needs. Thank you for talking -- or  
7 taking the time to read my letter. Gordie Wilson"

8 The second letter is: "To whom it may  
9 concern. My name is Jodie Condon. I live at 1193 East  
10 Lake Drive. In regard to lakefront property at 1209  
11 East Lake Drive, I believe that the proposed plans to  
12 build a 20 by 25 parcel by the water would be a  
13 beautiful addition to the lakefront home. The  
14 architecture nicely matches the design of the new  
15 house. It does not obstruct the view of the lake from  
16 our house or any property nearby. I agree to all the  
17 plans they have proposed. I believe this is a very  
18 good addition to the neighborhood. Sincerely, Jodie  
19 Condon."

20 And that's it.

21 CHAIRPERSON SANGHVI: Thank you.

22 Thank you for your presentation, which was  
23 very nice. And the photographs, they really help. I



1 know the area and I have seen your house. And all I  
2 can say is you did a great job presenting your case.

3 I open it up to the board for a decision.

4 Yes. Member Byrwa?

5 MEMBER BYRWA: I have a question to the  
6 petitioner.

7 Is there a reason why you chose the -- is it  
8 500 square feet and not something less? That's pretty  
9 extreme compared to what the ordinance allows.

10 MS. LENDA: Because we're in a situation  
11 where the house is behind the road and the lakefront  
12 property is across the road, dealing with the new water  
13 sports and things that are going on. Like wind  
14 surfing, the wind surfer is 15 feet high by 10 feet  
15 wide. The board itself is 10 feet long.

16 It's kind of dangerous to bring that back and  
17 forth across the road and store it behind the house,  
18 keep bringing it back and forth. I am small. I would  
19 need somebody to help me. There's not always that  
20 person there.

21 It would just provide ample space for larger  
22 toys, let's say. And maybe some shade, if we want to  
23 sit under the shade in the extreme heat.

1           The property sits below the road. So to  
2           build the extra-large structure, it won't be as visible  
3           as most -- I would say 90 percent of the other  
4           properties. Don't quote me on that.

5           But since we're below, as you drive by the  
6           road, you really can't see the shed and the structure.  
7           So if it's more -- kind of fits the size of the lot,  
8           then we can put more of the stuff inside there and  
9           maybe enjoy the lake more and bring the family down  
10          there and provide some shade and provide space for all  
11          this larger equipment.

12          That's just why we built the house on the  
13          lake. We want to enjoy all of its goodness and  
14          amenities. And, you know, we didn't buy it to sit  
15          inside the house. We did it to sit by the lakefront  
16          and play and -- you know.

17                 MEMBER BYRWA: Thank you.

18                 MS. LENDA: Stuff like that. Yeah.

19                 MEMBER BYRWA: Thank you.

20                 MS. LENDA: (To Igor) Do you have anything  
21          you want to add?

22                 This is my husband. He might want to say  
23          something as well.

1                   MEMBER KRIEGER: I don't know if this is for  
2 you or for the City. For excavating back, does that  
3 effect the road stability in any way?

4                   MS. LENDA: No. The landscaper already had  
5 some permits pulled and checked what the variances on  
6 that are and it's 10 feet from the road toward the land  
7 that we cannot touch. So it was going to be done 12  
8 feet past the road.

9                   MEMBER KRIEGER: Okay. I just wanted to  
10 clarify. And then 400 or 500 square feet?

11                   MS. LENDA: We're asking for an additional  
12 400. So it's a hundred that is granted. It's a total  
13 of 500.

14                   MEMBER KRIEGER: Okay. That's my questions  
15 right now. Thank you.

16                   MEMBER GRONACHAN: I have a question for the  
17 City. So the way this reads this says, "Proposed 400  
18 square foot" and they're asking for a 500 square  
19 feet.

20                   MR. BUTLER: It's a 100 square foot allowed  
21 and they're asking for a 400 square foot variance.

22                   MEMBER GRONACHAN: Right. But that's not how  
23 it reads.

1 MS. SAARELA: But what matters is what it  
2 reads in the notice. So you have to look at the notice  
3 that went out and posted. It doesn't matter what is in  
4 the City's report. Their application says, "Shed  
5 square footage variance of 400 square feet."

6 So as long as the notice that went out said  
7 variance of 400 square feet, then it's fine. It  
8 doesn't matter what the City's summary report said.

9 MEMBER GRONACHAN: My question for the  
10 petitioner, if I can. So this is going to strictly be  
11 for storage; is that correct? This is not going to be  
12 a gazebo later on or any kind of kitchen added or a bar  
13 or anything? It's strictly for storage based on your  
14 testimony, correct?

15 MS. LENDA: Well, I mean, they'll be a little  
16 bit of room in there for shade so we can sit for some  
17 shade, but its majority of it is for storage. Like to  
18 have enough of a comfort zone so we can sit and provide  
19 shade. But its main utility is for storage of large  
20 water toys, water structures. Yes.

21 CHAIRPERSON SANGHVI: Anybody else?

22 Yes, Mr. Peddiboyina.

23 MEMBER PEDDIBOYINA: Yeah. I have no

1 objections and you have given a good presentation. And  
2 I can understand that with the space issue, and I have  
3 no issue.

4 Thank you.

5 CHAIRPERSON SANGHVI: Thank you.

6 MS. LENDA: I do have a quick -- if I can --  
7 to add? There was some talk about that there's no  
8 other structures like this built on the lake. And just  
9 down the street there is a 20 by 20. It's actually  
10 already built right now on East Lake Drive down towards  
11 the south and their's is only 80 feet wide by 16 feet  
12 deep. And that variance was passed this past summer  
13 and that shed is now existing.

14 CHAIRPERSON SANGHVI: Thank you.

15 No more? Any further discussion?

16 Seeing none. May I entertain a motion?

17 MEMBER KRIEGER: I'm not very happy.

18 MEMBER GRONACHAN: No. I have a couple of  
19 concerns. I'm just trying to ...

20 So I can appreciate the fact of the  
21 uniqueness of the lot, but I'm not convinced that  
22 there's a hardship here and that's what I'm struggling  
23 with.

1                   And if my other board members want to jump  
2                   in, I would appreciate any kind of help or guidance at  
3                   the other end of the table.

4                   So I don't know that not having the shed that  
5                   size would prevent you from using the property, number  
6                   one. So I'm struggling with that.

7                   Number two, I don't know that not having a  
8                   10.5 foot height variance would prevent you from using  
9                   the property. And I think that a lesser variance could  
10                  still meet the needs without having a negative impact.  
11                  I understand your testimony about the size of the lot,  
12                  and I understand that things have changed in terms of  
13                  what kind of toys we all use.

14                  And I don't know about the case on further  
15                  down that's 20 by 20. Because when we're looking at  
16                  your case, we have to look at your criteria. And we  
17                  don't really use other cases to make a determination.  
18                  And I know a lot of people all come up here and say  
19                  that, but Walled Lake, because of the lot size and the  
20                  variations over there, every lot needs a variance of  
21                  some sort when it comes to building. Ninety percent of  
22                  them, anyway.

23                  But each case has to prove their viability to

1 why they need that variance. So if there is something  
2 that you could offer -- because I'm looking at the  
3 shaking of the heads here. I think there's more  
4 information that you need to offer to us as to why this  
5 particular size and why not less and why the height  
6 variance. I understand about the wind sailer. Is  
7 that -- the wind sail?

8 MS. LENDA: Um-hmm.

9 MEMBER GRONACHAN: But, again, I don't know  
10 that that's criteria for a hardship. So if you can  
11 help us out here, I would certainly appreciate it.

12 MS. LENDA: Okay. As far as the height  
13 variance you're talking about?

14 MEMBER GRONACHAN: Um-hmm.

15 (Image displayed.)

16 MS. LENDA: This is the view from the  
17 neighbor who came to object this. It's from his  
18 driveway, which is right by his house. His house  
19 elevates and sits up about three and a half feet from  
20 elevation.

21 This is his shed here and this is his boat  
22 house. Like, the covering of his boat which sits there  
23 nine months of the year.

1           Our proposed shed would be over here and  
2           somewhere just about the height of this. Where the tip  
3           of this is, that's where the tip of our shed would be  
4           and maybe one foot higher. So as it's closer to the  
5           road, you can't really -- it's not obstructing the view  
6           of the lake no more than his is. Or his storage of his  
7           boat canopy.

8           Our neighbors to the north and south of us  
9           have bushes that are four feet tall and fences that are  
10          four feet tall here that would obstruct the view more  
11          so than the current shed that we're planning to build.  
12          That's the neighbor to --

13                   MEMBER GRONACHAN: I'm sorry. Maybe let me  
14                   just clarify. Maybe I didn't make myself clear.

15                   MS. LENDA: Yup.

16                   MEMBER GRONACHAN: I'm talking about your  
17                   property.

18                   MS. LENDA: Okay.

19                   MEMBER GRONACHAN: And what is your hardship.

20                   MS. LENDA: Okay.

21                   MEMBER GRONACHAN: And I'm not talking about  
22                   visibility. What I'm looking for is guidance as to why  
23                   you think yours is a hardship. Why you need this size



1 of a building on this piece of property. Okay?

2 MS. LENDA: Um-hmm.

3 MEMBER GRONACHAN: So that's what I'm looking  
4 for is some explanation from you to help us understand  
5 what is the need. And to quote the neighbor, but that  
6 it's not a want. That it -- what is the need and what  
7 does it need to meet the criteria for the hardship?

8 MS. LENDA: Well, mainly it's the safety and  
9 security of myself and our children as we're crossing  
10 the road with toys, with drinks, with life vests, with  
11 everything that would go on our boat, and we have to  
12 carry that across the road. It's an increasingly  
13 busier road than normal. And we'd prefer to have all  
14 of the storage right in front of the lakefront  
15 property. It's unfortunate that we are -- that the  
16 road separates these two parcels of land and that it's  
17 not in our backyard. It happens to be across the road.  
18 So this is a hardship that was given to us when we  
19 bought the land. We didn't create that the lake is in  
20 front of the house and that there is a road separating  
21 us. This is what we bought into. So that is kind of  
22 our hardship there.

23 You know, we want to enjoy all of the

1 benefits and use the lake. If it was attached into the  
2 backyard of my home, I wouldn't be asking for this  
3 variance. But because it is across the road, it's not  
4 as easy access for everything we want to use inside of  
5 the lake.

6 The -- I'm just trying to think about all of  
7 the questions you were asking me. I'm sorry.

8 MEMBER NAFSO: Ms. Lenda, if I may?

9 MS. LENDA: Yes.

10 MEMBER NAFSO: The area that the shed is on  
11 is eight feet below --

12 MS. LENDA: Correct.

13 MEMBER NAFSO: -- the road level. And so if  
14 you're transporting certain things from the shed or  
15 from the house back and forth, then you're coming from  
16 the shed and you're actually going up eight feet and  
17 then you're crossing the road and then you're going to  
18 your home?

19 MS. LENDA: Yes.

20 MEMBER NAFSO: And then, if you're coming  
21 back, you're crossing the road and then you're --

22 MS. LENDA: Going down eight feet.

23 MEMBER NAFSO: -- going down eight feet?

1 MS. LENDA: Yes.

2 MEMBER NAFSO: And then coming back?

3 MS. LENDA: Yes.

4 MEMBER NAFSO: Is that correct?

5 MS. LENDA: Yes. Yes. It's a hike. It's a  
6 haul. It's not easy to do. It's not safe to do, to  
7 cross the road. This is the picture of where we are.

8 MALE SPEAKER: Theft.

9 MS. LENDA: Yeah. That's another issue.  
10 Theft is another issue why we need to -- we had a lot  
11 of break-ins in the area the past few summers. And if  
12 we just leave things laying around, they do get stolen.  
13 You can't leave them in the boat anymore even with the  
14 boat covered. So everything things need to get locked  
15 up and it's much easier to lock it up right by the  
16 water than bring it back and forth across the road.  
17 Again, back to safety and security.

18 MEMBER NAFSO: Do you know, other areas of  
19 the lake ...

20 MEMBER GRONACHAN: Yes.

21 MEMBER NAFSO: Does every shed on that lake  
22 sit below road level?

23 MS. LENDA: Not every shed.

1 MEMBER NAFSO: Okay.

2 MS. LENDA: There's just a few of us on East  
3 Lake right across where we are --

4 (To Igor) I don't know. How many houses  
5 would you say?

6 Seven. Eight.

7 MEMBER NAFSO: So there may be some houses  
8 that are at the same level of the road and that are  
9 10 feet high?

10 MS. LENDA: The majority of the houses on  
11 East Lake Drive are on road elevation and they look  
12 straight out into the lake and their structures are  
13 10 feet high. And then there are others who have  
14 variances that are even higher than that.

15 Now, if we put this variance of 10 and a half  
16 feet high here, we're only going four feet above the  
17 road elevation. So you won't see even near -- like,  
18 that's half. That's less than half of what existing  
19 structures are on both sides.

20 And we put landscaping in front to make it  
21 look pretty. So typical structures on the lake or  
22 where the road elevation is consistent with the water  
23 are 10 feet high. Ours would only come from road

1 elevation four feet high. So it's six feet less than  
2 other existing structures that are at road elevation.

3 MEMBER NAFSO: Thank you.

4 CHAIRPERSON SANGHVI: Thank you.

5 Yes, Mr. Ferrell?

6 MEMBER FERRELL: Thank you, Mr. Chair.

7 So I have a question.

8 MS. LENDA: Yes.

9 MEMBER FERRELL: So why do you need it so  
10 big?

11 MS. LENDA: Well, the size of the --

12 MEMBER FERRELL: Wait. Before you answer  
13 that, let me say this, though. So here's my concern  
14 why I'm -- your size of it. So the other people that  
15 have the same situation, you know, I mean, they're  
16 going to be like, "Oh, she got 500 square feet so we  
17 can go back and get 500 square feet." Then everybody  
18 will get 500 feet.

19 It's not the height I'm concerned about that  
20 you're wanting. I think the height is probably pretty  
21 okay with me, but it's the size of the structure that  
22 you want to build. I think it's excessive. And when  
23 she asked you -- the other board member asked you if

1 you were going to use it for partying type of stuff,  
2 whatever, I mean, I don't know if that's even something  
3 that we need to be concerned about or not.

4 MS. LENDA: Um-hmm.

5 MEMBER NAFSO: I have no idea. But that does  
6 concern me that that's what you're going to use it for.

7 So I don't know. Is that why you want it so  
8 big or is it legitimately because you want to store --  
9 and what's the size of the structure? Not the square  
10 foot but actually the dimensions.

11 MS. LENDA: 25 feet wide by 20 feet deep.

12 MEMBER FERRELL: 25 by 20 feet deep. Okay.  
13 So you have a boat that's 25 feet wide that you want to  
14 pull up on to the shore and drag it into the shed?

15 MS. LENDA: Well, no. We don't have a boat  
16 that we want to put in there.

17 MEMBER FERRELL: Okay. Well, that's what I'm  
18 wondering. If you have, like, a sailboat that you're  
19 going to drag on to the shore that's 25 feet long or 20  
20 feet long, I maybe would see some need for that, but I  
21 don't really see that this is a hardship for you.

22 MS. LENDA: Um-hmm.

23 MEMBER FERRELL: I really don't. I see the

1 hardship, like the other member said, with climbing  
2 down the stairs and if you're carrying large items up  
3 and down I totally get that, hundred percent understand  
4 and I'm on board with that. But if you don't have  
5 something that that's size that you need to store in  
6 that shed that you're not going to drag across, I don't  
7 really see the --

8 MS. LENDA: Well, we do. We have a wind  
9 surfer.

10 MEMBER FERRELL: Yeah. And how long is that?

11 MS. LENDA: Fifteen feet long.

12 MEMBER FERRELL: Right. So why not have a  
13 shed that is only maybe 15 feet wide or 20 feet wide?

14 MS. LENDA: Well ...

15 MEMBER FERRELL: You know what I mean?

16 MS. LENDA: The idea was to have a --

17 MEMBER FERRELL: I'm just trying to ask you.

18 MS. LENDA: I know.

19 MEMBER FERRELL: I'm just trying to ask you.

20 MS. LENDA: I know. And I'm just trying to  
21 help you understand.

22 MEMBER FERRELL: No. I understand. Because  
23 everybody wants something super big. Like, I would

1 want something bigger than that even to store all my  
2 cool stuff in.

3 MS. LENDA: Yeah.

4 MEMBER FERRELL: But we can't do that,  
5 unfortunately, with this. So that's why I'm trying to  
6 see if there is something that you guys can minimize  
7 the size of the shed that you want I would be more in  
8 support. But as it right now, that's the one thing  
9 that I wouldn't be in support of is the size of the  
10 actual structure.

11 MS. LENDA: Um-hmm.

12 MEMBER FERRELL: The height I'm okay with,  
13 but not the size of it. So if there's any way that you  
14 can come smaller that the board could agree on, I would  
15 be in support of that.

16 I don't know if that is something you need to  
17 think about with time. It's not something you can,  
18 maybe, easily snap out of your head right now or if you  
19 need to talk about it, but I'm just not in support of  
20 that.

21 Thank you, Mr. Chair.

22 CHAIRPERSON SANGHVI: All right.

23 Anyone else?



1                   As you can see, there is a problem about the  
2 hardship and the size.

3                   MS. LENDA: Um-hmm.

4                   CHAIRPERSON SANGHVI: And there are two ways  
5 to do it. We go ahead and vote or we can table it and  
6 you can come up with some compromise about the size.  
7 Because this is five times the size of what the  
8 ordinance allows.

9                   And so you can see the situation is difficult  
10 for us to justify because we haven't seen any immediate  
11 hardship other than you bringing stuff back and forth.  
12 And I agree that there is a gradient and you go down  
13 the steps. And maybe there is an issue of some degree  
14 of safety about doing all this kind of thing, but from  
15 what I hear from the board members here, is that if you  
16 go and try and make a kind of any kind of resolution of  
17 this, rather than denying it. I would rather that not  
18 happen and give you an opportunity to rethink and see  
19 that you can live with a smaller size of this shed than  
20 what you have proposed.

21                   MS. LENDA: Um-hmm.

22                   CHAIRPERSON SANGHVI: So I'm giving you a  
23 choice.

1 MEMBER NAFSO: If I may, I just have one  
2 thing to add.

3 Do you mind putting the photo back up where  
4 you can see the shed?

5 (Photo displayed.)

6 MEMBER NAFSO: And that is the current shed,  
7 correct?

8 MS. LENDA: That is the current shed that is  
9 there, yes.

10 MEMBER NAFSO: Okay. I personally think it  
11 would be a good idea to see a rendering of what that --  
12 what it looks like or whatever you're going to end up  
13 proposing actually looks like. I mean, you have very  
14 nice renderings of the house and I think what everyone  
15 is struggling with is what does this thing really look  
16 like? I mean, it's five times the permissible size.

17 (Additional photo displayed)

18 MEMBER NAFSO: Yeah. I see that there, but  
19 I'm saying in --

20 MS. LENDA: Like an actual photo?

21 MEMBER NAFSO: I mean, I'm sure you have a  
22 talented architect, it looks like. I'm sure he can  
23 render it --

1 MS. LENDA: Yup.

2 MEMBER NAFSO: -- you know, into the photo  
3 that you have there so we can see what the frontage  
4 looks like and what this thing looks like. Because I  
5 don't think we're getting -- I mean, it just sounds so  
6 much larger than what -- it is much larger than what is  
7 permitted. So I think it would behoove you to create a  
8 rendering that shows the angle that you have of the  
9 actual photo. Taking that and putting that in that  
10 actual photo and then we can see, you know, what that  
11 actually looks like.

12 I'd urge you to take the advice of the Chair.

13 MS. LENDA: Yeah. Okay.

14 Okay. So we will table that. We will come  
15 back with a better solution for you. Hopefully.

16 CHAIRPERSON SANGHVI: That's what we'll do,  
17 right? Come back with a compromised site and you'll  
18 come back again?

19 That's what you want to do?

20 MS. LENDA: Yes.

21 CHAIRPERSON SANGHVI: Okay.

22 May I have a motion to table this?

23 MEMBER GRONACHAN: I move that in case

1 PZ17-0055, based on the petitioner's agreement, that we  
2 table the case until --

3 Can we do it for January of 2018?

4 MS. OPPERMAN: It would have to be February.  
5 The deadline for the newspaper is this Thursday.

6 MEMBER GRONACHAN: Okay. So for February.  
7 Will that work for you, February of 2018?

8 MS. LENDA: Um, we will be at the Olympics,  
9 training. We have five teams going to the Olympics in  
10 figure skating so we will not be here pretty much the  
11 whole month of February.

12 MEMBER GRONACHAN: So March would be better?

13 MS. LENDA: I guess so.

14 MEMBER GRONACHAN: Or one of us can go and  
15 fill in for the figure skating. I can do it. I'm  
16 available.

17 So then, I move that we do it for March of  
18 2018.

19 MEMBER FERRELL: Second.

20 MEMBER NAFSO: Second.

21 CHAIRPERSON SANGHVI: Any further discussion  
22 on the motion?

23 MEMBER GRONACHAN: No.

1 CHAIRPERSON SANGHVI: Seeing none, Madame  
2 Secretary, please call the roll.

3 MS. OPPERMAN: Member Byrwa?

4 MEMBER BYRWA: Yes.

5 MS. OPPERMAN: Member Ferrell?

6 MEMBER FERRELL: Yes.

7 MS. OPPERMAN: Member Gronachan?

8 MEMBER GRONACHAN: Yes.

9 MS. OPPERMAN: Member Krieger?

10 MEMBER KRIEGER: Yes.

11 MS. OPPERMAN: Member Nafso?

12 MEMBER NAFSO: Yes.

13 MS. OPPERMAN: Member Peddiboyina?

14 MEMBER PEDDIBOYINA: Yes.

15 MS. OPPERMAN: And Chairperson Sanghvi?

16 CHAIRPERSON SANGHVI: Yes.

17 MS. OPPERMAN: Motion passes.

18 CHAIRPERSON SANGHVI: Okay. We'll see you in  
19 March.

20 MS. LENDA: Thank you.

21 MEMBER GRONACHAN: And good luck at the  
22 Olympics.

23 MS. LENDA: Thank you.

1 CHAIRPERSON SANGHVI: Moving along. The next  
2 case is PZ17-0057, Image360, located at 39711 Grand  
3 River Avenue, west of Haggerty Road and south of Grand  
4 River Avenue. Parcel number 50-22-24-476-025.

5 The applicant is requesting a variance from  
6 the City of Novi, Code of Ordinance, Section 28-5.g.1  
7 for the proposed modification of an existing ground  
8 sign with the installation of a new changeable copy  
9 sign. The base will remain for reuse. The property is  
10 zoned general business.

11 Is the applicant here?

12 Will you please come to the podium, identify  
13 yourself with your name and address. And if you're not  
14 an attorney, please be sworn in by our secretary.

15 MR. BERTAN: My name is Nathan Bertan,  
16 9874 Mavis Drive, Brighton, Michigan 48114.

17 MEMBER FERRELL: Do you swear to tell the  
18 truth in this case?

19 MR. BERTAN: I do.

20 MEMBER FERRELL: Go ahead.

21 CHAIRPERSON SANGHVI: Go ahead.

22 MR. BERTAN: So I am here on behalf of  
23 Fayz Properties to attempt to get the variance for the

1 ground sign that is currently at the Pheasant Run  
2 Shopping Plaza.

3 Basically, our hardship in this case is the  
4 uniqueness of the layout of the buildings and the  
5 property. As you go eastbound down Grand River Avenue,  
6 there is a building that is almost completely  
7 perpendicular to the road and the driveway falls after  
8 this building is viewable. At least the frontage of  
9 the building is viewable. And the tenants inside that  
10 space have absolutely no exposure on Grand River to be  
11 able to have people, passersbys, see that there are  
12 businesses there.

13 So we are attempting to in the most minimal  
14 way possible use the existing sign and advertise that  
15 there are businesses there that are open that can  
16 receive customers. And we're trying to recycle the  
17 base that is already there, use the pole that is  
18 already there, reuse the power and put in a sign that  
19 is half the height of the current sign; that is also  
20 less wide than the current sign and service all the  
21 tenants in a smaller package. Basically, not -- not  
22 causing a distraction by having a sign so large.

23 If there are any other questions, I'll

1 answer.

2 CHAIRPERSON SANGHVI: Thank you.

3 Is there anybody in the audience who would  
4 like to address the board regarding this case?

5 Okay. Please come forward to the podium.

6 Sir, identify yourself and your address.

7 MR. FAYZ: Good evening, ladies and  
8 gentlemen. My name is Allie Fayz. I'm from Pheasant  
9 Run Plaza.

10 MEMBER FERRELL: Can you spell your last  
11 name?

12 MR. FAYZ: F-a-y-z.

13 MEMBER FERRELL: Thank you.

14 MR. FAYZ: The center was built in '86. It's  
15 a very difficult to show the entire center from Grand  
16 River when you're heading east. On the back of the  
17 center is facing west and the stores are not being  
18 exposed to the road when you're traveling east.

19 You have a picture of the center, please.

20 We tried about seven years ago to have a list  
21 of the stores in the back to show. It was not accepted  
22 by you at that time because that will not be -- will  
23 not be accepted. So where we are right now we have



1 something that is very unique and very attractive that  
2 can be helpful to the stores. Because we are -- we  
3 happen to be across the street from Farmington Hills  
4 shopping area and our centers -- one of the first  
5 centers was built in '86. And we have a real hardship  
6 right now.

7 We would like to ask you to consider it  
8 because of the changes of ownerships. And in some of  
9 the locations we have had as much as six tenants in the  
10 same location in 10 years time. We just -- we need  
11 help. We need some help in this area so it can be  
12 attractive and helpful to the businesses on Grand  
13 River.

14 And especially coming from Haggerty that  
15 would not be seen too well with the brushes and trees  
16 that are being obstacles for our center.

17 We need your help and consideration. Please.

18 CHAIRPERSON SANGHVI: Okay. Very good.

19 Thank you.

20 Anybody else?

21 Seeing nobody there.

22 MR. AGIUS: Excuse me.

23 CHAIRPERSON SANGHVI: Go ahead. Do you want

1 to say something?

2 MR. AGIUS: Hi. I'm Joe Agius. I work for  
3 Image360. We're presenting the sign today. I am an  
4 electronic message center specialist with the luminous  
5 at night and how bright they are as well as the content  
6 for these signs.

7 This, as you saw, it's a unique situation  
8 where you've got a lot of great clients inside Allie's  
9 strip mall there, but very little frontage on there.

10 I believe you have copies of -- there's their  
11 existing sign. But we're not talking about -- this  
12 would be cut out of metal. Very beautiful. And at the  
13 top it could give these tenants a bit of face on it.  
14 This is not any motion. We're going to go underneath  
15 the guidelines of four per 15 minutes.

16 MR. BERTAN: I believe the ordinance is four.

17 MR. AGUIS: Four per 15 minutes.

18 Electromatic is the only Michigan made LED  
19 message company. We go by high standards. I keep a  
20 light meter with me. Matter of fact, I have done it  
21 for the City of Milford. I've got signs in downtown  
22 Milford and all over Michigan. Even from down in  
23 Detroit.

1                   But some of these businesses are way in the  
2 back, around corners, are -- on there.

3                   These would give them a nice chance over the  
4 course of a period of time. As you drive by throughout  
5 the year, people will find out that these businesses  
6 are back there. Not only are the ones -- I mean, the  
7 ones that are opposite direction than the traffic, but  
8 even the ones that are parallel are at the very back of  
9 that parking lot.

10                  This is one of the unique situations where  
11 you can give these beautiful clients an opportunity.

12                  These are just static pictures of their logos  
13 and it kind of makes it available so Allie can keep his  
14 business full as well as attract tenants to this area.

15                  I've been driving by it my whole life and  
16 not -- you just don't see every one of those businesses  
17 back there. And this is a part of subliminal  
18 advertising. When you're driving by or either on your  
19 way to work or on your way to a restaurant, you may  
20 just say, "Hey, there's an Allstate agent on there" or  
21 "I didn't know that Pho Lucky was back there." Of  
22 course, I knew that Pho Lucky is back there because I  
23 go there all the time.

1           But the other tenants, even a little book  
2 shop back there, it kind of gives them a front and  
3 center sign. And these things goes to a nice, slow,  
4 couple of seconds dissolve between them. So they're  
5 not really attracting -- a big distraction from the  
6 city -- or from drivers-by.

7           Also, I am a -- I am just obsessed with  
8 overbright signs. This sign operates at a hundred  
9 percent during bright light but then goes to five  
10 percent at night. It's very low luminous.

11           Like I said, I have been hired by companies  
12 for Milford to go out there and do my light meters. I  
13 carry a light meter with me all the time.

14           These signs are totally adjustable. In 30  
15 days afterwards you say, "Boy, that sign was bright," I  
16 can go out there and change it. But I have not had to  
17 change one yet with Electromatic. We have done other  
18 companies, but we've found out that this Farmington  
19 Hills based company, Eletromatic, is who we're  
20 representing. Image360, we're installers and content  
21 designers for it.

22           My name is Joe Agius, by the way, at 522  
23 Wishake Trail (ph).

1                   Agius, A-g-i-u-s. Like "I haven't seen you  
2                   in ages."

3                   All right. Any questions?

4                   CHAIRPERSON SANGHVI: How long are these  
5                   signs going to stay on the screen?

6                   MR. AGUIS: These signs -- how long is their  
7                   longevity?

8                   MR. BERTAN: No. They cycle through.

9                   CHAIRPERSON SANGHVI: The cycle through?

10                  MR. BERTAN: They conform to the ordinance.  
11                  I believe the ordinance is four per minute?

12                  MR. AGUIS: I have the ordinance with me.  
13                  It's four per 15 minute on there.

14                  MEMBER GRONACHAN: 15 seconds or 15 minutes?

15                  MR. BERTAN: I believe it's -- it would  
16                  conform to the ordinance. I believe it's every 15  
17                  minutes.

18                  MR. AGUIS: I have it. I can give you an  
19                  exact.

20                  MR. BERTAN: The scrolling is changing. It's  
21                  not a permanent set.

22                  CHAIRPERSON SANGHVI: So if you're driving by  
23                  at 50 miles an hour over there, the businesses are --

1 MR. BERTAN: If you were driving by 50 miles  
2 an hour, you would only see one picture. It would  
3 change after that.

4 MR. AGUIS: This is something that is over a  
5 period of time when you're driving by you're going to  
6 find out a new gem that is back there that you did not  
7 know was back there.

8 It's four times per minute. Excuse me.

9 CHAIRPERSON SANGHVI: Fifteen seconds.

10 MR. AGUIS: Once every 15 seconds.

11 CHAIRPERSON SANGHVI: Yeah.

12 MR. AGUIS: And only point five-foot candles.

13 Every one of these Electromatic signs -- and  
14 I have installed, what, seven or eight in the last  
15 couple of months?

16 MR. BERTAN: Yes.

17 MR. AGUIS: I'm at .45. So I'm actually  
18 under at night. And I go by the International Sign  
19 Association, what the foot candles are, at the exact  
20 distances and heights that we measure them by.

21 CHAIRPERSON SANGHVI: Thank you. And how  
22 many businesses are there in the complex?

23 MR. FAYZ: Fifteen.

1 MR. BERTAN: Fifteen.

2 CHAIRPERSON SANGHVI: Fifteen businesses.

3 MR. FAYZ: Yes.

4 CHAIRPERSON SANGHVI: Thank you.

5 Okay. Now, the City? Any comments?

6 MR. BUTLER: No comments.

7 CHAIRPERSON SANGHVI: No comments. Thank

8 you.

9 Mr. Secretary, do you have any  
10 correspondence?

11 MEMBER FERRELL: Yes. There was 21 letters  
12 mailed. Two letters returned. Two approvals.

13 The first approval is from --

14 I'm not really sure if it's -- it says the  
15 name is -- I don't know the names. I'll just read it.

16 "Mr. Butler, the request for the better  
17 signage with message board is to get the attention of  
18 the heavy traffic on Grand River. The businesses need  
19 customers after the lunch hour, and as of now have  
20 unlimited exposure. It is difficult to see what  
21 businesses are located within the plaza especially  
22 being on the edge of the city limit with Farmington  
23 Hills. Please consider approval of the new signage.

1 Pheasant Run, 39711 Grand River."

2 It's an approval.

3 The second one says: "Gentlemen --"

4 This is from Burger King, 39711 Grand River.

5 It says: "Gentlemen, would appreciate your

6 consideration to this request that is badly needed.

7 Restaurants especially need to show their names and

8 services to increase evening business. Especially

9 being set so far back from the road. This will help

10 the operations a great deal."

11 It's an approval as well.

12 And that's it.

13 CHAIRPERSON SANGHVI: Thank you.

14 MR. AGUIS: Can I make one other comment?

15 CHAIRPERSON SANGHVI: Yes.

16 MR. AGUIS: Allie and I did a ground

17 research. We went to each one of his tenants that were

18 out there and unanimously each tenant said --

19 MR. FAYZ: "Please."

20 MR. AGUIS: "Please. We can't -- nobody

21 knows we're back here."

22 And it was the exact same answer from each

23 one from the dry cleaner to each one of those.



1 CHAIRPERSON SANGHVI: Thank you.

2 MR. FAYZ: Thank you.

3 CHAIRPERSON SANGHVI: Open it up to the  
4 board.

5 Yes, Ms. Gronachan?

6 MEMBER GRONACHAN: Who is going to do the  
7 questions; the question and answer period?

8 MR. BERTAN: I will.

9 MEMBER GRONACHAN: Thank you. So is it my  
10 understanding that the size of the sign is going to be  
11 the same?

12 Can you put that back up for me, please?

13 MR. BERTAN: Oh, I'm sorry.

14 MEMBER GRONACHAN: That's all right.

15 MR. BERTAN: The size of the sign compared to  
16 what is currently there?

17 MEMBER GRONACHAN: Yes.

18 MR. BERTAN: No. It will be smaller.

19 MEMBER GRONACHAN: It's going to be smaller?

20 MR. BERTAN: It will be half the height.

21 MEMBER GRONACHAN: Half the height.

22 MR. BERTAN: Currently the sign is 66 inches  
23 tall by 72 inches wide. And what we are proposing is

1 three feet tall by 66 and, you know, roughly an eighth  
2 wide.

3 MEMBER GRONACHAN: So wider but not taller?

4 MR. BERTAN: No. Less wide and less tall.

5 MEMBER GRONACHAN: Okay.

6 MR. BERTAN: Only less wider by four inches.

7 MEMBER GRONACHAN: Really? It doesn't look  
8 like that visually, though.

9 MR. BERTAN: It's because this is taken much  
10 further away.

11 MEMBER GRONACHAN: Oh.

12 MR. BERTAN: So, yeah. I apologize for that.

13 MEMBER GRONACHAN: Smoking mirrors.

14 MR. BERTAN: Not intentionally.

15 MEMBER GRONACHAN: Okay.

16 Secondly, so the -- you addressed the  
17 lighting. Where the bottom part of the brick that says  
18 "Pheasant Run Plaza", will that be lit up at night  
19 as --

20 MR. BERTAN: No. That is not illuminated.  
21 I'm sorry. I didn't mean to cut you off.

22 MEMBER GRONACHAN: So there's not going to be  
23 any flood light or anything to identify that?

1 MR. BERTAN: No.

2 MEMBER GRONACHAN: That's a concern with me.

3 MR. BERTAN: Really.

4 MEMBER GRONACHAN: Yes. And I'll tell you  
5 why. So, I'm an average consumer out there in Novi and  
6 I'm looking -- definitely not for an Allstate agent.  
7 If it was a State Farm agent in there, chances were.  
8 That, I'd be looking for.

9 And it says, "We're in Pheasant Run." And  
10 I'm driving down Grand River at eight o'clock at night  
11 and it's 19 degrees, going 50 miles an hour, and I  
12 can't see that that's the Pheasant Run Plaza.

13 MR. BERTAN: Okay.

14 MEMBER GRONACHAN: So that's the concern I  
15 have with this change.

16 MR. BERTAN: May I pose a question?

17 MEMBER GRONACHAN: Certainly.

18 MR. BERTAN: Would we have to alter the  
19 variance to install two flood lights?

20 MEMBER GRONACHAN: That would go to the  
21 people to the left, those experts sitting over there.

22 MR. BUTLER: Not to install two flood  
23 lights.

1 MEMBER GRONACHAN: I'm sorry?

2 MR. BUTLER: Not to install two flood  
3 lights.

4 MEMBER GRONACHAN: So two flood lights would  
5 not effect the variance.

6 MR. BERTAN: Then we would absolutely agree  
7 to do that.

8 MEMBER GRONACHAN: That would be my only  
9 concern. I'm glad that you're doing less. I  
10 understand the need for the identification in this day  
11 and age in technology. I think that we do need  
12 something of this nature these days to get people's  
13 attention. I'm guilty of it myself. Probably because  
14 I'm not paying attention when I'm driving around.

15 MEMBER KRIEGER: Don't say that.

16 MEMBER GRONACHAN: Unless it's on a Sunday  
17 before a ZBA meeting.

18 MR. BERTAN: Yeah. I've got three kids in  
19 the back of my car. I'm not either.

20 MEMBER GRONACHAN: So unless I'm looking for  
21 something specific, then I need a little help.

22 MR. BERTAN: Right.

23 MEMBER GRONACHAN: And I think that this is

1 going to have little impact. You stated that there is  
2 a uniqueness to the shape of the property. That we  
3 need better identification. There's a difficulty. We  
4 need visible -- to improve the visibility and also to  
5 increase the exposure to the businesses. And for those  
6 reasons, if you agree to the flood lights and if my  
7 fellow board members agree with it as well, I would be  
8 in full support of this.

9 MR. BERTAN: We would absolutely put the  
10 lighting on there to identify the plaza. No problem.

11 CHAIRPERSON SANGHVI: Yes, Mr. Byrwa?

12 MEMBER BYRWA: Yes. I have a couple of  
13 questions.

14 MR. BERTAN: Sure.

15 MEMBER BYRWA: Number one: I have a hard  
16 time understanding why he is here. Is he over the size  
17 requirements for a B-3 zoned district?

18 MR. BUTLER: He's here for the changeable  
19 copy sign.

20 CHAIRPERSON SANGHVI: Changeable copy.

21 MEMBER BYRWA: Oh, changeable copy. Okay.

22 And then I see a dimension on there in the  
23 middle of -- at 43 and then at the top at 66.

1 MR. BERTAN: Yes.

2 MEMBER BYRWA: What is the actual width of  
3 the sign?

4 MR. BERTAN: Okay. So the 66.13 is the  
5 actual size of the message center. The 43, that's just  
6 the width of the "Pheasant Run" underneath.

7 MEMBER BYRWA: It looks like it's the same,  
8 though.

9 CHAIRPERSON SANGHVI: Yeah, it does.

10 MR. BERTAN: That is just, literally, the  
11 "Pheasant Run". That doesn't include the bird.

12 MEMBER BYRWA: Well, I think, doesn't --

13 I guess another question for our  
14 administration is: Doesn't the sign ordinance require  
15 that you square off the Pheasant Run portion and that's  
16 included as a sign, a part of the sign?

17 MR. BUTLER: The base for the sign is the  
18 existing base. That base is already there.

19 MEMBER BYRWA: Yeah. But if it's conveying a  
20 message, it should be included as a sign.

21 MR. BERTAN: Can I? May I?

22 MEMBER GRONACHAN: Hang on.

23 MR. BERTAN: Oh, I'm sorry.

1 CHAIRPERSON SANGHVI: Just please.

2 Go ahead.

3 MEMBER BYRWA: Yeah. So my understanding of  
4 another community I work for where anything that really  
5 conveyed a message or was designed to grab somebody's  
6 attention was considered a sign. And when it came to  
7 lettering, it would be squared off and included as a  
8 square footage of the sign, the lettering that said  
9 "Pheasant Run Plaza."

10 MR. BUTLER: Yes. That is normal. Yes. The  
11 lettering is all part of the sign, too.

12 MEMBER BYRWA: So he still wouldn't be over  
13 the sign requirements, including the changeable  
14 message, and the Pheasant Run would still be within, I  
15 guess, the maximum allowable for a B-3 zoned district?

16 CHAIRPERSON SANGHVI: Combination of the two  
17 signs.

18 MR. BERTAN: May I comment on this?

19 MR. BUTLER: With the combination of the  
20 letters plus the sign, I don't believe it is. I think  
21 it would still fall within.

22 MR. BERTAN: We are at 25.33 --

23 MEMBER GRONACHAN: Hang on. Let them.

1 MR. BERTAN: I'm sorry.

2 MEMBER GRONACHAN: It's at the table now.

3 You've got to wait.

4 CHAIRPERSON SANGHVI: We'll ask you when we  
5 need you.

6 MR. BERTAN: I'm sorry.

7 MEMBER BYRWA: So you're saying that it would  
8 be within the requirements of the B-3 zone district?

9 MR. BUTLER: Yes.

10 MEMBER BYRWA: Okay. Good. Thank you.

11 CHAIRPERSON SANGHVI: Okay.

12 Member Ferrell?

13 MEMBER FERRELL: Is that considered, like,  
14 two signs? Two separate signs? One is a flashing sign  
15 and one's the Pheasant Run; is that what you're getting  
16 at? I guess I'm confused with this.

17 MR. BUTLER: Well, the signage is also  
18 overall square footage also. The overall square  
19 footage of the sign which is the dimension of the  
20 letters plus the dimension of the changeable copy  
21 sign.

22 MEMBER BYRWA: And then they're attached  
23 together.



1 MR. BUTLER: Right.

2 MEMBER FERRELL: I feel like we had a case  
3 like that and they were considered separate signs.

4 MS. SAARELA: You have business center signs,  
5 though. You have a bunch and those are usually stacked  
6 on top of each other.

7 MEMBER FERRELL: Right.

8 MS. SAARELA: And those are not considered  
9 separate signs.

10 CHAIRPERSON SANGHVI: Anybody else?

11 Yes, Ms. Krieger?

12 MEMBER KRIEGER: Just to clarify the brick  
13 footprint. The brick is the same as before, you're  
14 going to keep that and then just change the top?

15 MR. BERTAN: Yes. We're not altering the  
16 brick itself at all. We're even reusing the pole that  
17 is holding up the current sign. So, no. The brick  
18 will not change in anyway. Other than putting the  
19 letters in.

20 MEMBER KRIEGER: Okay. I am in favor as well  
21 including the spotlights. And then also so at night  
22 when the business is closed, the changeable copy will  
23 be on or off?

1 MR. BERTAN: It will still run.

2 MEMBER KRIEGER: It will still run?

3 MR. BERTAN: Yes.

4 MEMBER BYRWA: But it's at a lower intensity  
5 then?

6 MR. BERTAN: Yes.

7 MEMBER PEDDIBOYINA: You mean it's like a  
8 24 by seven?

9 MR. BERTAN: Yes. It will run 24 hours a  
10 day, seven days a week, 365 days a year.

11 CHAIRPERSON SANGHVI: Anybody else?

12 MEMBER KRIEGER: That's it. Thank you.

13 CHAIRPERSON SANGHVI: Well, then, I will  
14 entertain a motion.

15 MEMBER GRONACHAN: Don't everybody jump at  
16 once.

17 MEMBER KRIEGER: Don't worry.

18 MEMBER GRONACHAN: Really?

19 MEMBER KRIEGER: Yeah.

20 CHAIRPERSON SANGHVI: Go ahead.

21 MEMBER GRONACHAN: It could be my last one,  
22 you guys. Better make it a memorable one.

23 Okay. In case number PZ17-0057, I move that

1 we grant the variance that the applicant is requesting  
2 for the existing ground sign to be installed to be  
3 changed with installation of a new changeable copy  
4 sign. The base will remain and also that two flood  
5 lights will be installed to light up the bottom of the  
6 sign.

7 Without this variance, the petitioner will be  
8 reasonably prevented or limited with respect to use of  
9 the property, based on the testimony that was given by  
10 the property occupant and the sign company.

11 The property is unique because of the shape,  
12 the location of the building, causing a difficulty for  
13 visible exposure of each business, which there are six  
14 of them in this mall.

15 CHAIRPERSON SANGHVI: Complex.

16 MEMBER GRONACHAN: The petitioner in the  
17 complex.

18 Thank you.

19 The petitioner did not create the condition.  
20 This building has been a long-standing business and  
21 times have changed with the increase in traffic and the  
22 increase of growth throughout the city, the need for  
23 additional exposure is necessary.

1           The relief granted will not unreasonably  
2           interfere with adjacent or surrounding properties.  
3           Again, based on the longevity of this business. The  
4           relief is consistent with the spirit and intent of the  
5           ordinance because there is no change -- there is no  
6           change in the size of the sign as given by the  
7           petitioner. The size is actually being decreased which  
8           is meeting the spirit of the ordinance. And that is  
9           why I move that this variance be granted?

10           MEMBER KRIEGER: Second.

11           CHAIRPERSON SANGHVI: The motion has been  
12           made and seconded.

13           I just have one question before we have a  
14           vote.

15           What are the hours of this sign going to be  
16           on?

17           MEMBER GRONACHAN: 24 hours.

18           MR. BERTAN: 24/7, yes.

19           CHAIRPERSON SANGHVI: 24/7. Thank you.

20           All right. Any further discussion on the  
21           motion?

22           Seeing none, Madame Secretary, please call  
23           the roll.

1 MS. OPPERMAN: Member Byrwa?  
2 MEMBER BYRWA: Yes.  
3 MS. OPPERMAN: Member Ferrell?  
4 MEMBER FERRELL: Yes.  
5 MS. OPPERMAN: Member Gronachan?  
6 MEMBER GRONACHAN: Yes.  
7 MS. OPPERMAN: Member Krieger?  
8 MEMBER KRIEGER: Yes.  
9 MS. OPPERMAN: Member Nafso?  
10 MEMBER NAFSO: Yes.  
11 MS. OPPERMAN: Member Peddiboyina?  
12 MEMBER PEDDIBOYINA: Yes.  
13 MS. OPPERMAN: Chairperson Sanghvi?  
14 CHAIRPERSON SANGHVI: Yes.  
15 MS. OPPERMAN: Motion passes.  
16 MEMBER KRIEGER: Congratulations.  
17 CHAIRPERSON SANGHVI: Congratulations.  
18 MR. BERTAN: Thank you all.  
19 MEMBER GRONACHAN: Good luck.  
20 MR. FAYZ: That's a good gift for Christmas.  
21 MEMBER GRONACHAN: There you go. Merry  
22 Christmas.  
23 CHAIRPERSON SANGHVI: Before we adjourn, I

1 want to wish everybody a very happy holiday and very  
2 peaceful, joyous and safe holidays for everybody.

3 MEMBER KRIEGER: You too.

4 MEMBER FERRELL: Thank you.

5 MEMBER PEDDIBOYINA: Thank you. You, too.

6 MEMBER GRONACHAN: Thank you. Good luck.

7 CHAIRPERSON SANGHVI: And we'll see you in  
8 the next year. If there is no other business to be  
9 discussed, may I have a motion to adjourn?

10 MEMBER GRONACHAN: So moved.

11 MEMBER NAFSO: Second.

12 CHAIRPERSON SANGHVI: Motion has been made  
13 and seconded.

14 All those in favor of adjournment signify by  
15 saying "Aye."

16 MEMBER KRIEGER: Aye.

17 MEMBER GRONACHAN: Aye.

18 CHAIRPERSON SANGHVI: Aye.

19 MEMBER FERRELL: Aye.

20 MEMBER BYRWA: Aye.

21 MEMBER PEDDIBOYINA: Aye.

22 MEMBER NAFSO: Aye.

23 CHAIRPERSON SANGHVI: Aye.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23

All opposed, same sign.

Meeting adjourned.

(At 8:04 p.m., hearing concluded.)

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23

C E R T I F I C A T E

STATE OF MICHIGAN)

) ss

COUNTY OF OAKLAND)

I, Darlene K. May, 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 sixty-four (64) typewritten pages, is a true and correct transcript of my said stenographic notes.

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

December 19, 2017  
(Date)