

MEETING - ZONING BOARD OF APPEALS

CITY OF NOVI

TUESDAY, JULY 11, 2023, 7:00 p.m.

Council Chambers|Novi Civic Center|45175 W. 10 Mile Rd

BOARD MEMBERS:

Joe Peddiboyina, Chairperson

Clift Montague

Linda Krieger

Jay McLeod

Siddharth Mav Sanghvi

ALSO PRESENT:

Alan Hall, Community Development, Deputy Director

Elizabeth Saarela, City Attorney

Sarah Fletcher, Recording Secretary

Reported by:

Sandra D. Wilson, Certified Shorthand Reporter

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Novi, Michigan

Tuesday, July 11, 2023

7:00 p.m.

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CHAIRPERSON PEDDIBOYINA: Good

evening. Today is July 11, 7-11. Thank you for coming, everybody. Somebody can close the door, if possible. Somebody? Thank you so much. Please call to order and pledge of allegiance. Please stand up, everybody. Thank you.

(Pledge of allegiance)

CHAIRPERSON PEDDIBOYINA: Thank you

so much. Please be seated. Turn off your cell phones, like in a silent mode. And if you have anything, you can, you know, please raise your hand when the time comes. And the roll-call.

MADAM SECRETARY: Chairperson

Peddiboyina.

CHAIRPERSON PEDDIBOYINA: Yes,

ma'am.

MADAM SECRETARY: Member Longo.

1 Absent, excused. Member McLeod.

2 MEMBER MCLEOD: Here.

3 MADAM SECRETARY: Member Montague.

4 MEMBER MONTAGUE: Here.

5 MADAM SECRETARY: Member Krieger.

6 MEMBER KRIEGER: Here.

7 MADAM SECRETARY: Member Sanghvi.

8 MEMBER SANGHVI: Here.

9 MADAM SECRETARY: Member Thompson.

10 Absent, excused.

11 CHAIRPERSON PEDDIBOYINA: Thank you  
12 so much. We have a quorum. Public hearing in  
13 City of Novi, you can pick up your paper  
14 so today what are the cases, we're dealing  
15 with that. As I said, when the time comes,  
16 you can speak up on the podium. And we have  
17 only limited for three minutes of time; and  
18 please, let's take that time. I really  
19 appreciate it. And if you have anything,  
20 presentations or anything, you can place on  
21 the projector and you can watch on the  
22 televisions. Thank you so much for that.

23 Approval of the agenda, somebody

1 make a motion; any changes or anything?

2 Approval of the agenda of June?

3 MEMBER MONTAGUE: I move that we  
4 approve the agenda.

5 MEMBER KRIEGER: Second.

6 CHAIRPERSON PEDDIBOYINA: Sorry,  
7 July. I'm sorry. July agenda.

8 BOARD MEMBERS: (No verbal  
9 response).

10 CHAIRPERSON PEDDIBOYINA: Okay.  
11 Thank you so much. Say aye in favor. Any  
12 changes?

13 BOARD MEMBERS: Aye.

14 CHAIRPERSON PEDDIBOYINA: Thank you.  
15 Any nays?

16 BOARD MEMBERS: (No verbal  
17 response).

18 CHAIRPERSON PEDDIBOYINA: Looks like  
19 no. Thank you. And minutes of May 2023,  
20 somebody make a motion. Any changes?

21 MEMBER SANGHVI: I make a motion to  
22 approve the minutes as presented.

23 MEMBER KRIEGER: Second.

1 CHAIRPERSON PEDDIBOYINA: Thank you.

2 Any change -- okay. Say aye in favor?

3 BOARD MEMBERS: Aye.

4 CHAIRPERSON PEDDIBOYINA: Any  
5 changes?

6 (No verbal response)

7 CHAIRPERSON PEDDIBOYINA: No?

8 MADAM SECRETARY: No changes.

9 CHAIRPERSON PEDDIBOYINA: Okay.

10 Thank you. Public remarks? Anybody wants to  
11 add anything in the public remarks; now is the  
12 time, please.

13 AUDIENCE: (No verbal response).

14 CHAIRPERSON PEDDIBOYINA: Looks like  
15 none. Thank you. Okay. Public hearing.

16 AUDIENCE: (No verbal response).

17 CHAIRPERSON PEDDIBOYINA: Okay.

18 Thank you. Today we have five cases; let's  
19 continue for the first case. PZ23-0018, James  
20 Wildman. 22635 Beckenham Court. West of Beck  
21 Road and north of Nine Mile Road. Parcel  
22 50-22-29-476-016. The applicant is requesting  
23 variance from the City of Novi Zoning

1 Ordinance Section 3.1.2 for a proposed  
2 exterior side yard setback of 19 feet, 30 feet  
3 required, variance of 11 feet. This variance  
4 would accommodate the building of a home  
5 addition. This property zoned one family  
6 addition, R-1. This applicant is present,  
7 please?

8 SPECTATOR: Yes.

9 CHAIRPERSON PEDDIBOYINA: Please  
10 come to the podium. Tell your first and last  
11 name clearly for our secretary, for the court  
12 record; then she'll take the oath if you are  
13 not an attorney.

14 MR. WILDMAN: James Wildman.

15 MS. KRIEGER: Could you spell that  
16 for our Court Recorder?

17 MR. WILDMAN: Sure. James,  
18 J-A-M-E-S. Wildman, W-I-L-D-M-A-N.

19 CHAIRPERSON PEDDIBOYINA: Are you an  
20 attorney?

21 MR. WILDMAN: No.

22 MEMBER KRIEGER: You want to raise  
23 your right hand? Do you swear to tell the

1 truth in this case?

2 MR. WILDMAN: Yes.

3 MEMBER KRIEGER: Thank you.

4 CHAIRPERSON PEDDIBOYINA: Okay. Mr.  
5 James, please go ahead where we can help you  
6 tonight in your case? Please present.

7 MR. WILDMAN: Sure.

8 CHAIRPERSON PEDDIBOYINA: Thank you.

9 MR. WILDMAN: Do you guys have the  
10 blueprints already?

11 CHAIRPERSON PEDDIBOYINA: Yes. If  
12 you have anything in the public we can look  
13 into that. It can be used with what's going  
14 on with the case.

15 MR. WILDMAN: Sure.

16 CHAIRPERSON PEDDIBOYINA: Thank you  
17 so much.

18 MR. WILDMAN: Yes. You guys have  
19 noted that this was previously approved; we're  
20 just reestablishing it because it expired.  
21 We're going to install a crawl space with a  
22 foundation. And then we're going to --  
23 basically, here's a kitchen door and another

1 sliding door. That's going to be removed, you  
2 know, with the headers that go across. And  
3 this is where the addition will be built out;  
4 mostly just with windows.

5 There will be an eight-foot entry  
6 door, exit door here and on this side. This  
7 will now become a brick paver area, and this  
8 is what it will look like. So this is the  
9 back end of the addition. And this will be  
10 the side in which you live see from the road  
11 when you drive into the cul de sac. So it  
12 will look right like that. It's within the 19  
13 foot variance approval. We have -- right here  
14 you'll see a survey that dials in exactly to  
15 the 19 foot mark. It's located right here.  
16 So this will meet the variance approval for  
17 the addition. That's, for the most part, all  
18 I have.

19 CHAIRPERSON PEDDIBOYINA: Okay.  
20 Anybody who would like join to speak on your  
21 behalf of anything to add on this case?

22 MR. WILDMAN: Nope.

23 CHAIRPERSON PEDDIBOYINA: Okay.



1 Thank you for your blueprint presentation.

2 MR. WILDMAN: Sure.

3 CHAIRPERSON PEDDIBOYINA: Now it's  
4 open to my -- sorry. Okay. Secretary.

5 MEMBER KRIEGER: In this case, 22  
6 were mailed. Zero returned. Zero objections.  
7 Zero approvals.

8 CHAIRPERSON PEDDIBOYINA: Any  
9 comments from the city?

10 MR. HALL: Yes. Thank you, Mr.  
11 Chairman. We do concur that they did have a  
12 variance approved on June 8th, 2021; it was  
13 for an 11 foot variance. At that point the  
14 addition was a squared; this one has angles on  
15 it now. So the minimum they would need for a  
16 variance would be 6.4 feet. They are asking  
17 for 11; that's what was approved before. I  
18 just wanted to point that out.

19 CHAIRPERSON PEDDIBOYINA: Thank you.  
20 Anybody in the audience would like to speak on  
21 this case; this is the time to speak up.

22 AUDIENCE: (No verbal response).

23 CHAIRPERSON PEDDIBOYINA: Okay.

1 Looks like none. It's now open to the board.

2 BOARD MEMBERS: (No verbal  
3 response).

4 CHAIRPERSON PEDDIBOYINA: The board,  
5 anybody who would like to speak on this case,  
6 please; it's open to the board?

7 MEMBER MONTAGUE: Sure. I went by  
8 and took a look, and you do have a unique lot  
9 there on a cul de sac. And where you're  
10 putting it is unobtrusive to anybody, so I  
11 would be willing to support your variance.

12 MR. WILDMAN: Thank you.

13 CHAIRPERSON PEDDIBOYINA: Thank you,  
14 Montague. Okay, Mr. Mav Sanghvi.

15 MEMBER SANGHVI: I came and visited  
16 your place yesterday --

17 MR. WILDMAN: Okay.

18 MEMBER SANGHVI: -- you have a  
19 beautiful home there.

20 MR. WILDMAN: Thank you.

21 MEMBER SANGHVI: How big is the home  
22 currently?

23 MR. WILDMAN: It's 3,325 square

1 footage.

2 MEMBER SANGHVI: How much more are  
3 you adding?

4 MR. WILDMAN: This will be about  
5 465, give or take.

6 MEMBER SANGHVI: I have no problem.  
7 It's a very reasonable request. Thank you.

8 MR. WILDMAN: Thank you.

9 CHAIRPERSON PEDDIBOYINA: Okay.  
10 Anybody? Okay. Member Linda.

11 MEMBER KRIEGER: I move that we  
12 grant the variance request in Case Number  
13 PZ23-0018, sought by the petitioner. The  
14 petitioner has shown practical difficulty  
15 requiring the change for the request. The  
16 petitioner will be unreasonably prevented or  
17 limited with respect to the use of the  
18 property because of its position in the  
19 subdivision, and it's unique because it's in a  
20 cul de sac. The petitioner did not create the  
21 condition because of the location of the  
22 footprint of the house in this area. The  
23 relief granted will not unreasonably interfere

1 with adjacent or surrounding properties  
2 because it blends with the house, itself, and  
3 the lot. The relief is consistent with the  
4 spirit and intent of the ordinance because it  
5 is a reasonable request.

6 MR. WILDMAN: Thank you.

7 MEMBER SANGHVI: I second.

8 CHAIRPERSON PEDDIBOYINA: Okay.

9 Thank you.

10 MADAM SECRETARY: Chairperson  
11 Peddiboyina.

12 CHAIRPERSON PEDDIBOYINA: Yes,  
13 please.

14 MADAM SECRETARY: Member Krieger.

15 MEMBER KRIEGER: Yes.

16 MADAM SECRETARY: Member McLeod.

17 MEMBER MCLEOD: Yes.

18 MADAM SECRETARY: Member Montague.

19 MEMBER MONTAGUE: Yes.

20 MADAM SECRETARY: Member Sanghvi.

21 MEMBER SANGHVI: Yes

22 MADAM SECRETARY: Motion passes five  
23 to zero.

1 CHAIRPERSON PEDDIBOYINA: Good luck,  
2 and thank you, James.

3 MR. WILDMAN: Thank you guys. Have  
4 a good evening.

5 CHAIRPERSON PEDDIBOYINA: Case  
6 Number PZ -- second case, PZ23-0020.  
7 Constantine George Pappas/Armenian Cultural  
8 Center. 41100 Twelve Mile Road, east of  
9 Meadowbrook Road and North of 12 Mile Road.  
10 Parcel #50-22-12-351-053. The applicant is  
11 requesting the ZBA specify a height of 62.83  
12 feet for a proposed monument structure, as  
13 permitted under Section 3.32.3. of the Zoning  
14 Ordinance. The structure has received special  
15 land use approval from the Planning  
16 Commission, and is located greater than 63  
17 feet from all property lines.

18 The applicant is also requesting a  
19 variance from Section 4.19.2.F for the  
20 proposed location of a dumpster in the side  
21 yard. This property is zoned residential  
22 acreage, RA. Okay. Please, go ahead and  
23 present your first and last name clearly for

1 the court record.

2 MR. PAPPAS: My first name is  
3 Constantine Pappas, architect for the Armenian  
4 community. And what happens is that this is  
5 the second time we'll be before you; we were  
6 here a few years ago.

7 MEMBER KRIEGER: Are you an  
8 attorney, sir?

9 MR. PAPPAS: Pardon?

10 MEMBER KRIEGER: Are you an  
11 attorney?

12 MR. PAPPAS: No. Architect.

13 MEMBER KRIEGER: Do you swear or  
14 affirm to tell the truth in this case?

15 MR. PAPPAS: Yes.

16 CHAIRPERSON PEDDIBOYINA: Yes,  
17 please go ahead. Thank you, Member Linda.

18 MR. PAPPAS: I do have some good  
19 news; we're just about ready to start. With  
20 covid and everything, that kind of put the  
21 whole Armenian community behind a little bit.  
22 But at this particular point, we're there.  
23 We've been out for bids. We're ready to start

1 the site work, but we cannot start anything  
2 until we kind of go through these two  
3 variances.

4 The one variance is for the  
5 dumpster. The reason we want to move the  
6 dumpster, quite strangely, is to retain a lot  
7 of the woodlands. The slopes along the side  
8 of the property are very, very steep, which  
9 would cause some major problems in trying to  
10 get that dumpster in there, let alone being  
11 able to service it. By moving it where we're  
12 proposing on moving it, it would be closer to  
13 where the proposed kitchen is located in the  
14 actual community center.

15 And the second variance is for the  
16 actual genocide memorial, which the memorial  
17 signifies when the start of the genocide  
18 actually started in 1915. It takes its height  
19 to a little over 62 feet, which is based on  
20 the year of 1915 in centimeters. And that's  
21 how we actually kind of came up with that. It  
22 represents the concept of the two communities  
23 of the Armenian Cultural Center coming

1 together between Armenia and Lebanon.

2 It's going to be a very powerful,  
3 powerful memorial. And it's going to be  
4 literally in the center of where the building  
5 is at. And we've kind of placed that to try  
6 to be not exactly in the center of the  
7 property, but relatively far away such that  
8 it's not right up against any of the  
9 residents. In fact, the closest that is to  
10 the residents is like 297 feet away from where  
11 the residents are; this would be to the  
12 immediate, I believe, west of the property.

13 Other than that, the descriptions  
14 and the reasons why we're asking for the  
15 variance have been submitted, drawings have  
16 been submitted, and we're here to ask (sic)  
17 any questions. I may also recall -- I think  
18 it was unanimously approved at the previous  
19 time that we actually asked for both variances  
20 before.

21 CHAIRPERSON PEDDIBOYINA: Okay.  
22 George, anybody you'd like to speak on this  
23 case, or you are the only one?



1 MR. PAPPAS: I'll be the only one.  
2 Just in case, Mr. Raffi Ourlian is the  
3 president of the Armenian Community Center;  
4 and if there's any questions, I'm sure he can  
5 answer them if I can't answer them.

6 CHAIRPERSON PEDDIBOYINA: Okay. Do  
7 you have the blueprint or anything to show  
8 the audience?

9 MR. PAPPAS: I don't. I had  
10 everything submitted to the city. Everything  
11 was within the city.

12 CHAIRPERSON PEDDIBOYINA: Yeah, we  
13 have that one. In case the audience can look  
14 into that; that's what I'm asking. Okay.  
15 Thank you. And from the city?

16 MR. HALL: Thank you, Mr. Chairman.  
17 Yes, he did have two variances previously  
18 approved; one was on November 14th, 2017, and  
19 the other November 10th, 2020, which was for  
20 the monument. Both have expired now, and he's  
21 looking for granting of the same variances  
22 that were requested before. Looking at the  
23 drawings that he submitted, there's no

1 deviations from the previously submittal. So  
2 it's a nice job.

3 MR. PAPPAS: Thank you.

4 CHAIRPERSON PEDDIBOYINA: Thank you  
5 so much. Correspondence secretary.

6 MEMBER KRIEGER: Forty-five were  
7 mailed, two returned. Zero objections. One  
8 approval. The approval is from Annette  
9 Anderson on Summit Court. "We have property  
10 adjacent to this development and approve of  
11 the monument height. We moved to Novi one  
12 year ago to a property, and this is the first  
13 time we have heard about the proposal  
14 development of -- there is opportunity to  
15 comment further. We are hopeful there will be  
16 a sidewalk put in to allow walking to Toll  
17 Gate Farms, and that some of the natural area  
18 will be preserved for the deer and turkeys  
19 that live there." That's it.

20 CHAIRPERSON PEDDIBOYINA: Thank you,  
21 Linda.

22 MR. PAPPAS: Can I comment on that?  
23 There will be a sidewalk that's put in on 12

1 Mile Road. All that area in the front, which  
2 is a -- which will be a detention pond area  
3 will be enhanced from a wetlands standpoint.  
4 The whole concept was to try to extend that  
5 park system all along 12 Mile Road and  
6 including where on your property is at.  
7 Therefore, the development is really pushed  
8 very much north. So the idea is to try to  
9 maintain all that natural topography through  
10 there. The drain is going to be there. It  
11 actually will be even better than it is right  
12 now.

13 CHAIRPERSON PEDDIBOYINA: Okay.  
14 Thank you, Mr. George. Any other public to  
15 speak on this case?

16 AUDIENCE: (No verbal response).

17 CHAIRMAN PEDDIBOYINA: Looks like  
18 none. It's open to the board. Okay. Mr.  
19 Montague.

20 MEMBER MONTAGUE: Good evening. I  
21 support this. I appreciate your treatment and  
22 your siting of the facility.

23 MR. PAPPAS: Thank you.

1 MEMBER MONTAGUE: It's very  
2 sensitive to nature and it's very sensitive to  
3 the residents around in terms of I appreciate  
4 you getting that as far away from them as you  
5 can. And also the cultural statement is  
6 important. So I do support, again, this  
7 variance.

8 CHAIRPERSON PEDDIBOYINA: Thank you,  
9 Member Montague. Member Sanghvi.

10 MEMBER SANGHVI: Thank you. Well, I  
11 think we've gone through this before, right,  
12 the last time?

13 MR. PAPPAS: Yes, we have.

14 MEMBER SANGHVI: And something  
15 happened along the line, and you didn't start  
16 the construction.

17 MR. PAPPAS: Well, yeah, covid; it  
18 was called covid.

19 MEMBER SANGHVI: I supported it last  
20 time and I support it this time also.

21 MR. PAPPAS: Thank you so much.  
22 Thank you.

23 CHAIRPERSON PEDDIBOYINA: Thank you,

1 Member Sanghvi. Member Linda.

2 MEMBER KRIEGER: Yes. Question.

3 Was there going to be a light at the top that  
4 was lit up at night for the sky or --

5 MR. PAPPAS: Not at the top.

6 There's a light at the bottom that -- You  
7 know, the memorial is designed that it's kind  
8 of like split. So it's split, and the light  
9 is at the very, very bottom that shoots like  
10 through these two planes that come up. And  
11 then at the very top, the memorial goes and  
12 turns with only a little slot. So, therefore,  
13 what we're trying to do is eliminate light  
14 pollution per se and make sure that, you know,  
15 the type of bulb that we're using has a very  
16 small kind of like aperture. And it's  
17 actually very narrow so the idea becomes we  
18 want to shoot it like all the way up.

19 Also, at the same time it will be on  
20 a photostat and on a timer such that, you  
21 know, when -- depending on the time, like at  
22 10:00 or 11:00 at night, it will be shut down  
23 at that particular time.

1 MEMBER KRIEGER: And then for  
2 comparison, is it as high as the water towers  
3 or the antenna at the DPW, like for  
4 comparison?

5 MR. PAPPAS: No. The water towers  
6 are considerably taller than that,  
7 considerably taller. And the antennas are  
8 considerably taller.

9 MEMBER KRIEGER: Thank you.

10 CHAIRPERSON PEDDIBOYINA: Thank you.  
11 Mr. George, thank you so much. You know, any  
12 culture, any art, any, you know, community  
13 live in the cultural center, the work you're  
14 doing is, you know, respect all culture.  
15 Thank you so much. As the fellow board  
16 members also mentioned, I have no objection.  
17 Thank you so much.

18 MR. PAPPAS: Thank you.

19 CHAIRPERSON PEDDIBOYINA: It's  
20 motion time. Member Linda.

21 MEMBER KRIEGER: Did you want me to  
22 do -- for the city attorney, to do this as two  
23 separate ones?

1 MS. SAARELA: Actually, you can do  
2 two motions.

3 MEMBER KRIEGER: Two motions.

4 MS. SAARELA: Yes.

5 MEMBER KRIEGER: Okay. Very good.

6 CHAIRPERSON PEDDIBOYINA: Thank you.

7 MEMBER KRIEGER: I move that we  
8 grant the variance of Case Number PZ23-0020,  
9 sought by the petitioner, Mr. Pappas. The  
10 first request is for the dumpster, and that  
11 they're going to place it near their kitchen  
12 area, but still be far enough away from the  
13 other areas. The variance will not -- will be  
14 unreasonably prevented or limited with respect  
15 to the use of the property because of the --  
16 where it's located, so it's easy use and not  
17 disturbing others. The property is unique  
18 because of its location on 12 Mile. The  
19 petitioner did not create the condition  
20 because of the topography of the land. The  
21 relief granted will not unreasonably interfere  
22 with adjacent or surrounding properties, due  
23 to the planning of this, where the front will

1 have the water and be friendly toward the  
2 environment. The relief is consistent with  
3 the spirit and intent of the ordinance because  
4 it's -- the location of the dumpster being  
5 near the area for use.

6 MEMBER SANGHVI: Second.

7 CHAIRPERSON PEDDIBOYINA: Thank you,  
8 both of you.

9 MADAM SECRETARY: Chairperson  
10 Peddiboyina?

11 CHAIRPERSON PEDDIBOYINA: Yes,  
12 ma'am.

13 MADAM SECRETARY: Member Krieger.

14 MEMBER KRIGER: Yes.

15 MADAM SECRETARY: Member McLeod.

16 MEMBER MCLEOD: Yes.

17 MADAM SECRETARY: Member Montague.

18 MEMBER MONTAGUE: Yes.

19 MADAM SECRETARY: Member Sangvhi.

20 MEMBER SANGVHI: Yes.

21 MADAM SECRETARY: Motion passes five  
22 to zero.

23 CHAIRPERSON PEDDIBOYINA: Thank you.



1 Good luck to you. Congratulations.

2 MR. PAPPAS: Thank you very much.

3 Getting close --

4 MEMBER KRIEGER: Next motion.

5 MR. PAPPAS: Yes.

6 MEMBER KRIEGER: In Case Number -- I  
7 move to grant the request for Case Number  
8 PZ23-0020, sought by the petitioner for the  
9 height of 63 feet -- no. The petitioner's  
10 request for the 62.83 feet for the proposed  
11 monument structure. That the petitioner has  
12 shown practical difficulty relating to this  
13 because of its meaning to the site, itself,  
14 for the culture. The property is unique  
15 because its position will be away from the  
16 neighboring sites and centrally located,  
17 mostly. The petitioner did not create the  
18 condition because this is a cultural icon of  
19 the area of the cultural center. The relief  
20 granted will not unreasonably interfere with  
21 adjacent or surrounding properties because it  
22 will be unobtrusive as compared to other  
23 taller structures in the area. And that the

1 lighting will be, as the petitioner stated,  
2 with the timers. And the relief is consistent  
3 with the spirit and intent of the ordinance  
4 because it matches the area.

5 CHAIRPERSON PEDDIBOYINA: Thank you.  
6 Somebody can make a motion, second?

7 MEMBER SANGHVI: Second.

8 CHAIRPERSON PEDDIBOYINA: Okay.

9 MADAM SECRETARY: Chairperson  
10 Peddiboyina.

11 CHAIRPERSON PEDDIBOYINA: Yes,  
12 please.

13 MADAM SECRETARY: Member Krieger.

14 MEMBER KRIEGER: Yes.

15 MADAM SECRETARY: Member McLeod.

16 MEMBER MCLEOD: Yes.

17 MADAM SECRETARY: Member Montague.

18 MEMBER MONTAGUE: Yes.

19 MADAM SECRETARY: Member Sanghvi.

20 MEMBER SANGHVI: Yes.

21 MADAM SECRETARY: Thank you. Motion  
22 passes five to zero.

23 CHAIRPERSON PEDDIBOYINA: Thank you

1 and good luck. Congratulations.

2 MR. PAPPAS: Thank you so much.  
3 Shovel in the ground soon. Thanks again.

4 CHAIRPERSON PEDDIBOYINA: Thank you.  
5 Good luck. Coming to Case Number PZ23-0021.  
6 Brian Wilson. 24451 Christina Lane. East of  
7 Taft Road, North of 10 Mile. Parcel  
8 50-22-22-378-008. The applicant is requesting  
9 a use variance from the City of Novi Zoning  
10 Ordinance Section 5.1.9 to allow parking of a  
11 commercial vehicle in a residentially zoned  
12 property. This property is zoned one family  
13 residential, R-4. Okay. Please, go ahead and  
14 spell your first and last name clearly for the  
15 court record. And if you're not an attorney,  
16 please, our secretary will take the oath.  
17 Thank you. Good luck.

18 MR. WILSON: Good evening. My name  
19 is Brian Wilson. That's B-R-I-A-N. Wilson,  
20 W-I-L-S-O-N.

21 MEMBER KRIEGER: You're not an  
22 attorney?

23 MR. WILSON: No.

1 MEMBER KRIEGER: Do you swear or  
2 affirm to tell the truth in this case?

3 MR. WILSON: Yes.

4 MEMBER KRIEGER: Thank you.

5 CHAIRPERSON PEDDIBOYINA: Okay. Mr.  
6 Wilson, go ahead and where we can help you  
7 tonight.

8 MR. WILSON: Yes. I work for  
9 Spectrum, the cable company. I'm a  
10 maintenance technician. One of the benefits  
11 of working with the company is I can take my  
12 commercial vehicle home; I don't have to leave  
13 it at the office. I've lived in the City of  
14 Novi for the past 11 years. I've worked for  
15 Spectrum for 15, and I've always had a  
16 commercial vehicle parked in my residence  
17 since I've lived in the City of Novi.  
18 Recently, at the beginning of the year, I did  
19 switch my primary shift to midnights; so my  
20 vehicle, I'm assuming, kind of threw up a red  
21 flag because it's there during the day more  
22 than it's ever been.

23 What I'm asking for is -- first off,

1 it's my primary mode of transportation. And I  
2 am on-call two weeks out of the month. And if  
3 I'm not eligible to have my -- all access to  
4 my vehicle at all times, I will lose the  
5 ability to be on call; which is 30 to 40  
6 percent of my income, which is, obviously, a  
7 huge financial hit for myself and my family.

8 My vehicle, I back in my driveway.  
9 Doesn't impede with the sidewalk at all.  
10 Fully backs into -- you know, up to my garage.  
11 The vehicle weighs about 7,000 pounds, but there  
12 is a bucket on the back, which I believe is  
13 the issue. The bucket does sit in a cradle,  
14 so it is not high off the ground or anything;  
15 it is, you know, lower in the back of the  
16 truck. So I'm just asking to be able to park  
17 my vehicle there.

18 CHAIRPERSON PEDDIBOYINA: Okay, Mr.  
19 Wilson. Do you have a picture of the vehicle,  
20 how -- the bucket and the front?

21 MR. WILSON: I did send them in. I  
22 don't have one on me.

23 CHAIRPERSON PEDDIBOYINA: On your

1 cell phone or anything?

2 MR. WILSON: Maybe. The vehicle is  
3 in the parking lot; I did bring it just in  
4 case.

5 CHAIRPERSON PEDDIBOYINA: No. No.  
6 So that way we can see visual with no  
7 difficulty.

8 MR. WILSON: There is -- when you  
9 come in off Christina, there is quite a bit of  
10 tree coverage coming north, where you really  
11 don't see it until you get on top of it.  
12 Coming south on Christina, I did have a tree  
13 that went down in the storm recently, that was  
14 covering the vehicle. Which is now, the tree  
15 is not there anymore. But --

16 (Pause).

17 MR. WILSON: I don't believe I do  
18 have a picture. I submitted, I don't know,  
19 two months ago or so to the city.

20 (Pause)

21 MR. WILSON: I don't believe I have  
22 a picture.

23 CHAIRPERSON PEDDIBOYINA: Okay.

1 It's okay, Mr. Wilson. Okay. Thank you. You  
2 said your shift has shifted from day to night  
3 shift?

4 MR. WILSON: Yes. So I've been on  
5 day shift for the last 11 years. The  
6 beginning of this year I did switch to  
7 midnight shift.

8 CHAIRPERSON PEDDIBOYINA: Okay. The  
9 daytime, the truck is going to be in the  
10 driveway?

11 MR. WILSON: I'm sorry?

12 CHAIRPERSON PEDDIBOYINA: The  
13 daytime, the truck is on the driveway?

14 MR. WILSON: Correct. I am on-call  
15 once every, like I said, twice a month, so I'm  
16 coming and going constantly. But primarily it  
17 is sitting there during the day, yes.

18 CHAIRPERSON PEDDIBOYINA: Any  
19 comments from the city?

20 MR. HALL: Yes. Thank you, Mr.  
21 Chairman. Yeah. This is a request for a use  
22 variance. This is not a dimensional variance,  
23 so this requires a significantly higher

1 threshold to show hardship than what is  
2 normally provided for a variance.

3 MS. SAARELA: And just for the  
4 standards, you look at the standards as you  
5 make the motion, make sure they're using the  
6 right language.

7 MR. HALL: Right. Right. And you  
8 have to have two-thirds of the vote, not just  
9 a thing (sic). So the petitioner said that  
10 the vehicle is 7,000 pounds, is what you said?

11 MR. HALL: Correct.

12 MR. HALL: The threshold for the  
13 ordinance is 7,000 pounds. Our best analysis  
14 that we could use with the truck, with the  
15 boom is significantly higher than that; it's  
16 closer to 8,200, 8,600, depending on the model  
17 and that kind of thing. So if the petitioner  
18 were to have it weighed by Weigh Master with a  
19 witness, then there wouldn't be a need for a  
20 variance because we're below the 7,000 square  
21 feet -- 7,000 pounds. If it is above, then we  
22 don't support it. It's not a -- this request  
23 doesn't meet the threshold, we believe, for



1 undue hardship. Any home can reasonably use  
2 this for tenant purposes without this  
3 variance, so we don't support this action.

4 CHAIRPERSON PEDDIBOYINA: Okay.  
5 Correspondence secretary.

6 MEMBER KRIEGER: Thirty-eight were  
7 mailed, one returned. Two objections, one  
8 approval. The first one is from a home on  
9 Christina Lane. "Objection. No variance  
10 should be granted for the renter of this  
11 property." Sarah Fletcher, with the City of  
12 Novi, states in her email that:

13 "This variance will -- " quote,  
14 "Variance will stay with the property for  
15 the life of the property. Since this is  
16 a rental property and the commercial  
17 vehicle already is not in accordance with  
18 the city ordinance, this should  
19 absolutely not been granted for ever and  
20 for every rental tenant that lives there  
21 in the future.

22 "This vehicle already has been  
23 parked here for over a year. I have

1 lived across the street in my house for  
2 15 years, and no other large commercial  
3 vehicle with a man lift and large tool  
4 side boxes on it and large Spectrum  
5 lettering is parked in Cedar Springs. If  
6 this is allowed, other people will  
7 reference this case and ask to be allowed  
8 to park campers, boats, and other large  
9 commercial vehicles in their driveways.  
10 One, the renter admits in his response  
11 that it is an F-350 and that it is a  
12 Class 2 commercial vehicle. Absolutely  
13 it is in violation of the ordinance. The  
14 weight limit is not part of the  
15 commercial truck violation.

16 "Number 2, the question states in  
17 part and it's not due to the applicant's  
18 personal or economic hardship. The  
19 renter answers the question in that it  
20 is, in part, due to part of an economic  
21 issue. The issue is, is unfortunately,  
22 relevant to the city ordinance. For the  
23 record, this is not a personal issue with

1 the renter, but is objection to changing  
2 the city ordinance.

3 "Three, I disagree with the answer.  
4 I am not aware of any other large vehicle  
5 parked in Cedar Springs. The truck does  
6 alter the character of the neighborhood.  
7 Again, they are renting. Not even the  
8 homeowner has been for 15 years, and will  
9 continue to live in my home for many  
10 years to come.

11 "Four, the fact that the landlord  
12 does not reside there or live in Cedar  
13 Springs is irrelevant. This issue, per  
14 the city, is a violation, and this  
15 variance should not be awarded for the  
16 life of the property."

17 The second one is from another one  
18 on Christina Lane.

19 "I live a few doors down from Brian  
20 and have rarely spoken to him. I'm  
21 assuming that someone has complained  
22 about his work truck being parked in the  
23 driveway. There are many work vehicles

1           in people's driveways in this  
2           neighborhood, his is just the most  
3           obvious one. It seems that this variance  
4           should be granted if for no other reason  
5           than environmental protection. If his  
6           company does not have an issue with him  
7           taking the truck home, why should we? As  
8           our planet warms because of all the  
9           fossil fuels we are burning and the  
10          traffic in our city right now is a total  
11          mess, does it make sense for him to drive  
12          one vehicle to his workplace and then  
13          drive the truck potentially right past  
14          where he came from to complete his work,  
15          then drive the truck back to the shop and  
16          drive his car back home. This makes no  
17          sense if he has the option given to him  
18          by his company. P.S.: I don't get the  
19          reference to the notice. His house isn't  
20          a single structure containing more than  
21          than four dwelling units."

22                   And the other one is from another  
23           resident on Christina Lane.

1                   "The truck parked at the house is a  
2                   large work truck with a cherry picker  
3                   bucket on the back, not visible in the  
4                   pictures submitted in the application.  
5                   There used to be a van Spectrum parked  
6                   there, that is fine. The heavy equipment  
7                   is not acceptable. Ordinances are  
8                   written there for a reason. We should  
9                   not make an exception." That's it.

10                   CHAIRPERSON PEDDIBOYINA: Thank you,  
11                   Linda. From the audience, any comments?

12                   AUDIENCE: (No verbal response).

13                   CHAIRPERSON PEDDIBOYINA: Okay.  
14                   Looks like none. Is this a mandatory -- Mr.  
15                   Wilson, is it mandatory to travel from your  
16                   work to your home? What is the issue?

17                   MR. WILSON: So the issue is when  
18                   I'm on call, I have to respond to my calls  
19                   within 45 minutes. I've already talked to  
20                   work. If I have to travel from home to work  
21                   and then back out to Novi, I'm not going to  
22                   meet that criteria, which I won't be eligible  
23                   to be on-call anymore.

1 CHAIRPERSON PEDDIBOYINA: How far is  
2 your work office?

3 MR. WILSON: We're at Schoolcraft  
4 and Farmington. I think it's a milage thing  
5 they look at. There is one other option; I  
6 don't know if this is one that was presented.  
7 The church right two doors down from me, on  
8 the south side, did grant me permission to  
9 park my truck in their back parking lot. If I  
10 can get something from work saying they're not  
11 liable for break-ins or somebody climbing on  
12 it or something along those lines. I have not  
13 presented that to my work yet because I  
14 wondered if that's even an option or not.

15 CHAIRPERSON PEDDIBOYINA: Okay.  
16 It's open to the board. Okay. Member  
17 Montague.

18 MEMBER MONTAGUE: Did you say that  
19 if it was 7,000 pounds or less, that he didn't  
20 need a variance?

21 MR. HALL: That's correct; that's  
22 what the ordinance states.

23 MEMBER MONTAGUE: But he -- you've

1 not -- have you thought about getting a  
2 weighed?

3 MR. HALL: I believe the weight is,  
4 actually, on the registration.

5 MEMBER MONTAGUE: Well, I think  
6 they're requesting you get it weighed.

7 MR. HALL: So I -- yeah. If that's  
8 something that would allow it --

9 MEMBER MONTAGUE: Unfortunately,  
10 economic hardship is not acceptable in a use  
11 variance. It's unfortunate in your case, but  
12 that's not a reason to give a variance.

13 MR. HALL: Okay.

14 MEMBER MONTAGUE: So I guess my  
15 recommendation is if you think it's 7,000 or  
16 under, I would get it weighed and ask this to  
17 be put off to another meeting. That would be  
18 the easiest way out, unless you want to talk  
19 to your church; because I won't be able to  
20 support it, based on the criteria, for giving  
21 the use variance.

22 MR. HALL: Okay. That's understood.  
23 The church, is that an option with the city or

1 do we -- is that -- would be another meeting?

2 MS. SAARELA: You have to meet with  
3 the city and go over the ordinance.

4 MR. HALL: So that would be another  
5 --

6 MS. SAARELA: I don't think we know  
7 that off the top of our head. We have to know  
8 more about the church and the location and  
9 what the zoning is.

10 MR. HALL: Yes. That would be a  
11 planning issue too, so they would have to look  
12 at that.

13 MR. HALL: Yeah. So that would be  
14 something completely separate?

15 MS. SAARELA: Right.

16 CHAIRPERSON PEDDIBOYINA: Attorney,  
17 I have a question. Can I give a chance to  
18 reduce the weight of something to come back on  
19 this applicant and he should have approve or  
20 deny; can you give a chance to think about it  
21 or no?

22 MS. SAARELA: To reduce the weight.  
23 We can table it. He can go get it weighed if



1 he wants to.

2 CHAIRPERSON PEDDIBOYINA: Yeah,  
3 that's what I mean. Mr. Wilson, do you want  
4 to think on that and table this case and you  
5 want to come back; I don't know how you want  
6 to do, you know?

7 MR. WILSON: Okay. So I get it  
8 weighed and --

9 CHAIRPERSON PEDDIBOYINA: Let us  
10 know -- yeah, you know.

11 MS. SAARELA: If you get it weighed  
12 and it comes back under the ordinance  
13 criteria, just contact the city offices and  
14 somebody will have you come in and verify it  
15 or something.

16 MR. HALL: Yeah, we were --  
17 (indiscernible) -- by the DBW; you can go  
18 ahead and get it weighed, but they wanna  
19 witness it, because we want to have a witness  
20 there as a city representative.

21 MR. WILSON: Somebody from the city?

22 CHAIRPERSON PEDDIBOYINA: Yeah.

23 MR. HALL: Yeah, so they can see.

1 MR. WILSON: To come in and verify  
2 it or something.

3 MR. WILSON: So just set that up  
4 with you guys?

5 CHAIRPERSON PEDDIBOYINA: You want  
6 to table that case what do you want to do?

7 MR. WILSON: If it's not getting  
8 approved today, then yes.

9 CHAIRPERSON PEDDIBOYINA: We don't  
10 know. No, I'm not saying -- I'm giving you an  
11 option as the chair to take an advantage, you  
12 know. That's your call if that's what you  
13 want.

14 MS. SAARELA: Well, it takes five --  
15 it will take five votes; and I think Mr.  
16 Montague has already said his position. So  
17 you might want to --

18 MR. WILSON: Okay. So it has to be  
19 5-0; it's not -- I thought you said  
20 two-thirds.

21 CHAIRPERSON PEDDIBOYINA: I'm giving  
22 a chance to you.

23 MR. WILSON: I'm sorry?

1 CHAIRPERSON PEDDIBOYINA: I'm giving  
2 you a chance to --

3 MR. WILSON: Yes, I would like to do  
4 that then, yes.

5 CHAIRPERSON PEDDIBOYINA: That's  
6 what I'm giving you. Any how, thank you so  
7 much. Somebody can make a motion to table  
8 this case, please. Dr. Sanghvi.

9 MEMBER SANGHVI: May I make a motion  
10 to table this case until the next week?

11 CHAIRPERSON PEDDIBOYINA: Okay.  
12 Somebody make a second?

13 MS. SAARELA: Can you say the exact  
14 date of the next meeting, and then that way we  
15 won't have to re-notice it?

16 MEMBER SANGHVI: Whenever it's  
17 convenient.

18 MADAM SECRETARY: Is the 8th of  
19 August?

20 MS. SAARELA: Is that April --  
21 August the 8th.

22 MADAM SECRETARY: No. August 8th, I  
23 think; I believe. Yeah, I think it's August

1 8th.

2 CHAIRPERSON PEDDIBOYINA: What are  
3 the date and how many cases is there; and we  
4 don't know. It depends on the cases.

5 MS. SAARELA: Otherwise, we have to  
6 re-notice it.

7 MADAM SECRETARY: August 8th is the  
8 next meeting.

9 CHAIRPERSON PEDDIBOYINA: Okay.  
10 Yeah, you can coordinate with the city and  
11 they can come back and schedule you on this  
12 case.

13 MR. WILSON: Okay.

14 CHAIRPERSON PEDDIBOYINA: Somebody  
15 can make a second, please.

16 MEMBER MONTAGUE: I'll second it.

17 CHAIRPERSON PEDDIBOYINA: Thank you.

18 MS. SAARELA: Call the roll.

19 CHAIRPERSON PEDDIBOYINA: Roll-call,  
20 please.

21 MADAM SECRETARY: Chairperson  
22 Peddiboyina.

23 CHAIRPERSON PEDDIBOYINA: Yes,

1 please.

2 MADAM SECRETARY: Member Krieger.

3 MEMBER KRIEGER: Yes.

4 MADAM SECRETARY: Member McLeod.

5 MEMBER MCLEOD: Yes.

6 MADAM SECRETARY: Member Montague.

7 MEMBER MONTAGUE: Yes.

8 MADAM SECRETARY: Member Sanghvi.

9 MEMBER SANGHVI: Yes.

10 CHAIRPERSON PEDDIBOYINA: Okay. The  
11 motion will be tabled; it passes 5-0.

12 CHAIRPERSON PEDDIBOYINA: Okay, Mr.  
13 Wilson. Good luck and we'll see you next  
14 case -- next time.

15 MEMBER MONTAGUE: Good luck.

16 MR. WILSON: Thank you.

17 CHAIRPERSON PEDDIBOYINA: Okay.

18 Coming back to the fourth case. PZ23-0022,  
19 Steven Erskins. 47770 Alpine Drive, west of  
20 Beck Road, south of 10 Mile. Parcel  
21 50-22-29-227-042. The applicant is requesting  
22 variance from the City of Novi Zoning  
23 Ordinance Section 3.1.4 for a proposed rear

1 yard setback of 19.24 feet. Thirty-five feet  
2 required, variance of 15.76 feet. This  
3 variance will accommodate the building of a  
4 new deck. This property is zoned one family  
5 residential R-3. Thank you. Please, go  
6 ahead, your first and last name clearly for  
7 the court record. And if you're not an  
8 attorney, our secretary will take the oath.

9 MR. ERKINS: Okay. My name is  
10 Steven Erkins. First name, S-T-E-V-E-N. Last  
11 name spelled E-R-K-I-N-S. And I am not an  
12 attorney.

13 MEMBER KRIEGER: So this case, do  
14 you swear or affirm to tell the truth?

15 MR. ERKINS: Yes, I do.

16 MEMBER KRIEGER: Thank you.

17 CHAIRPERSON PEDDIBOYINA: Okay. Mr.  
18 Steven, please go ahead and tell me how we can  
19 help you tonight and your case, please?

20 MR. ERKINS: Okay. My home was  
21 built in 2020. And my home is right at the 35  
22 foot setback. And I'm requesting to build a  
23 covered deck at that end; so I would need a

1 dimensional variance of 16 feet.

2 CHAIRPERSON PEDDIBOYINA: 15.76

3 feet, you --

4 MR. ERKINS: Okay. Here's my home,  
5 and this is the -- a proposed deck. And this  
6 is -- it's 16 feet out. And this portion will  
7 have a roof over it. And I have pictures of  
8 the -- of what the roof would look like.  
9 That's Picture 1. And then I also have a  
10 second photo.

11 MEMBER KRIEGER: That's it?

12 CHAIRPERSON PEDDIBOYINA: I just  
13 have one thing to add. I don't think that the  
14 project will adversely affect any of the  
15 surrounding homes. There's two other homes in  
16 the community that have similar structures,  
17 and one home is approximately three lots away  
18 from mine.

19 CHAIRPERSON PEDDIBOYINA: Okay. Any  
20 other thing you'd like to add before we move?

21 MR. ERKINS: No.

22 CHAIRPERSON PEDDIBOYINA: Thank you  
23 so much, Mr. Steven. Nice presentation. From

1 the city?

2 MR. HALL: Thank you, Mr. Chairman.  
3 Yeah, this property does have a road that  
4 surrounds two sides, so it does kind of have  
5 like two front facades. So it does seem to be  
6 a logical placement to put the deck, so we  
7 have no objection.

8 CHAIRPERSON PEDDIBOYINA: Thank you  
9 so much. Correspondence secretary.

10 MEMBER KRIEGER: In this case 31  
11 were mailed, zero returned. One objection,  
12 one approval. First one approval on Procidio  
13 Lane, it's just marked "approval." The second  
14 one, objection. On Forest Park Drive.

15 "Any practical difficulty was known  
16 when the property was developed and  
17 built. The homeowner's problem was  
18 self-created with the purchase. The  
19 setback and lot sizes were extensively  
20 debated during the approval process.  
21 This is a self-developed problem that  
22 should not be granted any variance.

23 "As a neighbor abutting the



1 conservation easement and with the  
2 citizens development disagreements,  
3 during that process, I strongly urge ZBA  
4 to deny this variance request. The  
5 homeowner states no practical or  
6 compelling reason this request.  
7 Information was known upon purchase by  
8 the homeowner." That's it.

9 CHAIRPERSON PEDDIBOYINA: Thank you.

10 Linda. Public remarks?

11 AUDIENCE: (No verbal response).

12 CHAIRPERSON PEDDIBOYINA: Okay.

13 Looks like none. Yeah, the presentation is  
14 good, Steven, really good. It's a nice deck.  
15 And it's open to the board.

16 MEMBER KRIEGER: Did the city say  
17 something? Did anything --

18 MR. HALL: Yeah.

19 CHAIRPERSON PEDDIBOYINA: Yeah. He  
20 already mentioned. Okay, Dr. Sanghvi.

21 MEMBER SANGHVI: Thank you. I came  
22 and visited your place yesterday. Yours is  
23 almost a corner lot.

1 MR. ERKINS: Yes.

2 MEMBER SANGHVI: It's very hard to  
3 know which is the side yard and the back yard.  
4 I can understand your need for a variance to  
5 put a deck there, and I can support you.

6 MR. ERKINS: Thank you.

7 CHAIRPERSON PEDDIBOYINA: Thank you  
8 Dr. Sanghvi. Member Montague.

9 MEMBER MONTAGUE: So I didn't see a  
10 site plan. How close is your deck to -- it  
11 looked like there was a deck up there on the  
12 next neighbor's house -- I don't know if it  
13 was or not; how close are you to that?

14 MR. ERKINS: There's a -- there's an  
15 easement that goes in between our two  
16 properties. And so I'm approximately -- and  
17 don't quote me exactly on this.

18 MEMBER MONTAGUE: No. No.

19 MR. ERKINS: But I'm  
20 approximately -- I would say probably 40 to 50  
21 feet away from that neighbor's deck.

22 MR. MONTAGUE: Okay. I didn't walk  
23 in your backyard, I just looked from the road.

1 So the perception is hard to see from there  
2 because you're right on the corner lot, it's  
3 hard to get at. Did you look at what you're  
4 going to do with that 16 foot section in terms  
5 of what kind of furniture you're gonna put out  
6 there so you kind of minimize the size of that  
7 deck for your use?

8 MR. ERKINS: Yes. There's just  
9 gonna be a couch, an outdoor couch, and two  
10 chairs. And then the other portion that goes  
11 closer to the sidewalk, that part, that's not  
12 going to be covered, it's just gonna have a  
13 table and four chairs.

14 MEMBER MONTAGUE: Okay. Yeah,  
15 that's not really going towards there, that's  
16 going toward the other side of the road,  
17 really.

18 MR. ERKINS: Correct.

19 MEMBER MONTAGUE: It's the other  
20 part that's kind of going towards the neighbor  
21 that I was concerned about. Okay. Thank you.

22 CHAIRPERSON PEDDIBOYINA: Thank you,  
23 Member Montague. Member Linda.

1                   MEMBER KRIEGER:   Yep.  I drove  
2                   through the sub and it's a very nice  
3                   subdivision.  And the homes that's similar, I  
4                   looked in your backyard and it's like where  
5                   everybody else had a deck except you.  And  
6                   then the back sliding door, a deck belongs  
7                   there.  And it's full sun since it's south, so  
8                   I can understand why you would want a covering  
9                   over it as well, similar to the neighboring  
10                  homes there.  So I can support your request.

11                  MR. ERKSIN:   Thank you.

12                  CHAIRPERSON PEDDIBOYINA:  Thank you,  
13                  Member Linda.  Thank you so much.  Member  
14                  Montague, go ahead with the motion.

15                  MEMBER MONTAGUE:   Yes.  I move that  
16                  we grant the variance in case PZ23-0022 -- I  
17                  almost did the wrong one again -- sought by  
18                  Steven Erkins for a rear yard setback of 19.24  
19                  feet.  Thirty-five feet required, so that  
20                  would be a variance of 15.76 feet.  Without  
21                  the variance, he would be prevented -- he has  
22                  two front yards, and this is really the only  
23                  location for him to have a deck.  The property

1 is unique because of this orientation. He did  
2 not create the condition because the house was  
3 sited by a developer and not by him. So he  
4 didn't have the opportunity to site the house;  
5 he just deserves a deck like everybody else.

6 It will not unnecessarily interfere.  
7 He has looked at it and it's a minimal size,  
8 so he's looked at the -- tried to intrude as  
9 little as you can. And the relief is  
10 consistent with the spirit of the ordinance  
11 because it allows at the property owner to use  
12 his property in a manner that is pleasurable  
13 and has a deck. So I support.

14 MEMBER KRIEGER: Second.

15 CHAIRPERSON PEDDIBOYINA: Thank you.  
16 Thank you, both of you. Roll-call, please.

17 MADAM SECRETARY: Chairperson  
18 Peddiboyina.

19 CHAIRPERSON PEDDIBOYINA: Yes,  
20 please.

21 MADAM SECRETARY: Member Krieger.

22 MEMBER KRIEGER: Yes.

23 MADAM SECRETARY: Member McLeod.

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MEMBER MCLEOD: Yes.

MADAM SECRETARY: Member Montague.

MEMBER MONTAGUE: Yes.

MADAM SECRETARY: Member Sanghvi.

MEMBER SANGHVI: Yes.

MADAM SECRETARY: Thank you. The motion passes 5-0.

CHAIRPERSON PEDDIBOYINA: Thank you.

MEMBER KRIEGER: Enjoy.

MR. ERKSINS: Thank you.

CHAIRPERSON PEDDIBOYINA: Good luck, Steven.

MR. ERKINS: Thank you.

CHAIRPERSON PEDDIBOYINA: The final case. PZ23-023, Extra Space Self-Storage. 21700 Novi Road, east of Novi Road and south of Nine Mile Road. Parcel 50-22-35-101-016. The applicant is requesting a variance from the City of Novi Zoning Ordinance Section 4.19.2.F for the proposed location of a dumpster in the interior side yard. This property is zoned light industrial, 1-1. Thank you, Mr. -- (indiscernible).

1 MR. LANDRY: Thank you. My name is  
2 David Landry. I am an attorney. And I  
3 represent the applicant, Extra Space  
4 Self-Storage. We're here tonight asking for a  
5 variance from the zoning ordinance which  
6 requires dumpsters to be in the rear yard.

7 I have to tell you at the outset  
8 that I am very pleased to be here tonight  
9 because this is, hopefully, the last stage in  
10 a very long process that we've had. This  
11 project is an adaptive reuse of the existing  
12 Novi Bowl Building. We approached the  
13 administration about a year ago. Extra Space  
14 Self-Storage is building an indoor  
15 self-storage climate-controlled facility.  
16 It's different than the traditional elongated  
17 garages, you know, with the garage doors and  
18 the outdoors; those are the traditional  
19 self-storage. But what's opening out of the  
20 market now are indoor climate controlled  
21 self-storage.

22 When we approached the  
23 administration, we looked at the existing I-1

1 ordinance. And it allowed for self-storage,  
2 but it had a five acre minimum. With building  
3 up instead of out, you don't need five acres.  
4 And so we talked to the administration, and  
5 you're going to need a number of variances.  
6 They actually suggested that we take the lead  
7 to see if we can get the ordinance amended,  
8 and so we did. And we I wrote a new section  
9 for climate-controlled indoor self-storage  
10 facilities.

11 And that took about six months. And  
12 we went through the administration, the  
13 Planning Commission, up to City Council, first  
14 reading, second reading. Everything passed.  
15 It worked great with the administration. Then  
16 came the site plan. We've been at the site  
17 plan for about six months. And what we have  
18 found on the site plan is formerly there was  
19 all parking lot. And this is the Novi Bowl  
20 Building.

21 And what is being proposed is that  
22 there will be an additional new building on  
23 the rear, and there will be a drive-in area



1 covered. So a vehicle will come in, drive  
2 here, the door will close, total privacy.  
3 Large elevators to go up to both buildings,  
4 the front and the rear, and then the vehicles  
5 will exit and leave.

6 The new ordinance is written so that  
7 it closes at 10:00 at night. The former Novi  
8 Bowl was open until 2:00 a.m. Obviously,  
9 there's liquor served. Not a bad thing, but  
10 there is a less intense use because it closes  
11 at 10:00 and it's very minimal traffic.

12 However, the old Novi Bowl did not store any  
13 storm water. So we have to abide by that  
14 because we have to bring it up to the current  
15 ordinances. So we have to put two very large  
16 storm water detention ponds. There's wetlands  
17 back here in the back, so we have some  
18 practical difficulties, is probably a better  
19 one. People would enter here, drive through,  
20 and leave.

21 Of course, the fire department  
22 requires access to the back. The dumpster  
23 we're proposing is right here. There's a

1 storm water detention pond here and here.  
2 Wetlands back here. Retaining walls back  
3 here. So from the criterion of variances, we  
4 believe there is practical difficulties  
5 because of the physical condition, the  
6 wetlands. Strict compliance doesn't make --  
7 is not feasible because of the location of the  
8 storm water ponds as well as the adaptive  
9 reuse of the existing building in the fire  
10 department lanes. It's not self-created  
11 because it's a building we're bringing up to  
12 code and we're reusing it. A minimum amount  
13 necessary.

14 The location of this is over 200  
15 feet from Novi Road, so no one's going to see  
16 it. And you can see that there is landscaping  
17 with trees all around it. There is also a --  
18 the wall for the storm water detention pond  
19 continues past the dumpster location and so  
20 will be fully screened.

21 And we believe the administration  
22 supports this; and so we would ask the Zoning  
23 Board of Appeals to find the practical

1 difficulties and approve the location of the  
2 dumpster on the side of the building. And I  
3 believe this is supported by the  
4 administration. And I'm happy to answer any  
5 questions.

6 CHAIRPERSON PEDDIBOYINA: Thank you,  
7 Mr. Landry. A good presentation and I really  
8 appreciate it. From the city?

9 MR. HALL: Mr. Chairman yes, we are  
10 in support; and good job.

11 CHAIRPERSON PEDDIBOYINA: Thank you  
12 so much. Correspondence Secretary Linda.

13 MEMBER KRIEGER: Eighteen were  
14 mailed, zero returned. Zero objection, zero  
15 approval.

16 CHAIRPERSON PEDDIBOYINA: Thank you.  
17 Anyone in the audience would like to speak on  
18 this case, please?

19 AUDIENCE: (No verbal response).

20 CHAIRPERSON PEDDIBOYINA: Thank you.  
21 Looks like none. Thank you so much, Mr.  
22 Landry. I really appreciate for your  
23 presentation. I have no objection to approve

1 of this case, and it is open to the board.

2 Dr. Sanghvi.

3 MEMBER SANGHVI: Thank you. I know  
4 this place for over the years, a long time.  
5 And I understand the problem. And it's pretty  
6 well screened and camouflaged; you can't see  
7 anything. So I have no problem supporting  
8 your request. Thank you.

9 MR. LANDRY: Thank you.

10 CHAIRPERSON PEDDIBOYINA: Thank you  
11 Dr. Sanghvi. Any other board member?

12 MEMBER MONTAGUE: Yeah, I'd like to.

13 CHAIRPERSON PEDDIBOYINA: Go ahead,  
14 Member --

15 MEMBER MONTAGUE: I'd like to say  
16 yes. I really support adaptive reuse. That's  
17 the most sustainable thing that we can do in  
18 this world today, is reuse existing  
19 structures. And it is well set back from the  
20 street, so I think I would be able to support  
21 as well.

22 MR. LANDRY: Thank you.

23 CHAIRPERSON PEDDIBOYINA: Any other

1 board member?

2 BOARD MEMBERS: (No verbal  
3 response).

4 CHAIRPERSON PEDDIBOYINA: Thank you,  
5 Member Montague. It's none. For the motion,  
6 Member Montague?

7 MEMBER MONTAGUE: Sure. I move that  
8 we grant the variance in Case PZ23-023,  
9 sought by Extra Space Self-Storage for a  
10 location of the dumpster in a side yard.  
11 Without the variance, the petitioner would be  
12 unreasonably prevented or limited in use of  
13 property because of the building  
14 characteristics on the rear of the property.  
15 The property is unique because of those  
16 characteristics and the requirement of storm  
17 water retention.

18 The petitioner did not create this  
19 condition because this site did exist and was  
20 not currently treating the storm water  
21 properly. So that has been corrected, which  
22 is very nice. The relief granted will not  
23 interfere unreasonably with the surroundings.

1 The nature of the surrounding environment is  
2 consistent. It backs up to another storage  
3 facility, so the dumpster is really not  
4 encroaching upon another kind of use; it's  
5 actually the same use. The relief is  
6 consistent with the spirit and intent of the  
7 ordinance because it supports that. And there  
8 is an extra setback from the front property,  
9 so it's appropriate use.

10 MEMBER SANGHVI: Second.

11 CHAIRPERSON PEDDIBOYINA: Thank you,  
12 both of you. Roll-call, please.

13 MADAM SECRETARY: Chairperson  
14 Peddiboyina.

15 CHAIRPERSON PEDDIBOYINA: Yes,  
16 ma'am.

17 MADAM SECRETARY: Member Krieger.

18 MEMBER KRIEGER: Yes.

19 MADAM SECRETARY: Member McLeod.

20 MEMBER MCLEOD: Yes.

21 MADAM SECRETARY: Member Montague.

22 MEMBER MONTAGUE: Yes.

23 MADAM SECRETARY: Member Sanghvi.

1 MEMBER SANGHVI: Yes.

2 MADAM SECRETARY: Thank you. The  
3 motion passes 5-0.

4 MR. LANDRY: Thank you so much.

5 CHAIRPERSON PEDDIBOYINA: Thank you,  
6 Mr. Landry. Congratulations. Good luck.  
7 Okay. Any other matters before I adjourn?

8 MEMBER KRIEGER: I move to adjourn.

9 MEMBER SANGHVI: Second.

10 CHAIRPERSON PEDDIBOYINA: Say all in  
11 favor.

12 BOARD MEMBERS: Aye.

13 CHAIRPERSON PEDDIBOYINA: Any nays?

14 BOARD MEMBERS: (No verbal  
15 response).

16 CHAIRPERSON PEDDIBOYINA: Looks like  
17 none.

18 MEMBER SANGHVI: Bye. Aye and bye.

19 MEMBER KRIEGER: Aye and bye.

20 MEMBER MONTAGUE: Aye and bye.

21 CHAIRPERSON PEDDIBOYINA: Let's  
22 adjourn.

23 (Hearing adjourned at 7:53 p.m.)

