

Meeting
01/09/2024

1 REGULAR MEETING - ZONING BOARD OF APPEALS

2 CITY OF NOVI

3 TUESDAY, JANUARY 9, 2024

4 Council Chambers/Novi Civic Center

5 41725 Novi Road

6 Novi, Michigan

7

8 BOARD MEMBERS:

9 Joe Peddiboyina, Chairperson

10 Mike Longo, Secretary

11 Linda Krieger, Member

12 Jay McLeod, Member

13 W. Clift Montague, Member

14

15 ALSO PRESENT:

16 Elizabeth Saarela, City Attorney

17 Alan Hall, Deputy Community Development

18 Director

19 Sarah Fletcher, Recording Secretary

20

21 REPORTED BY:

22 Cynthia Ann Chyla

23 Certified Shorthand Reporter

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1 CHAIRPERSON PEDDIBOYINA: Okay. Can
2 somebody close that door, please.
3 Thank you so much.
4 Okay. Call to order.
5 Pledge of Allegiance followed by our mike off.
6 (Pledge of Allegiance)
7 CHAIRPERSON PEDDIBOYINA: Thank you.
8 Please be seated and this is the first meeting
9 in 2024. Happy New Year to everybody, and please mute
10 your cell phones.
11 Okay. And once we call the case the client or
12 whoever is presenting please come to the podium and
13 present your case. If you have any slides, please
14 present that one. And if anybody from the audience
15 would like to speak they have only 3 minutes allowed.
16 Please follow the guidelines. If you want to see
17 anything there is an agenda in the back you can collect
18 it. And that's all.
19 And the roll call.
20 MS. FLETCHER: Chairperson Peddiboyina.
21 CHAIRPERSON PEDDIBOYINA: Yes, please.
22 MS. FLETCHER: Member Sanghvi, absent.
23 Member Thompson, absent, excused.

1 Member Longo.
2 MEMBER LONGO: Here.
3 MS. FLETCHER: Member Montague.
4 MEMBER MONTAGUE: Here.
5 MS. FLETCHER: Member Krieger.
6 MEMBER KRIEGER: Here.
7 MS. FLETCHER: Member McLeod.
8 MEMBER McLEOD: Here.
9 CHAIRPERSON PEDDIBOYINA: Thank you.
10 And we have the agenda and we have a quorum.
11 Okay.
12 Public hearing format and rules of conduct.
13 And the agenda from December, somebody make a
14 motion for the approval of the agenda in December.
15 MEMBER LONGO: So moved.
16 MEMBER KRIEGER: Wait, wait, wait.
17 MEMBER LONGO: I'm sorry.
18 MR. HALL: I'd like to for today's agenda for
19 the -- the first one, Antique's Barn, I would like to
20 postpone that to February's meeting.
21 CHAIRPERSON PEDDIBOYINA: Which one is that?
22 MR. HALL: The very first one, that's
23 PZ23-0061.

1 CHAIRPERSON PEDDIBOYINA: Okay. Postponed.
2 Okay.
3 MR. HALL: That's postponed until February's
4 meeting.
5 MS. SAARELA: What's the date of the February
6 meeting so it can be reposted?
7 MR. HALL: February 13th.
8 MS. SAARELA: February 13th? Okay.
9 CHAIRPERSON PEDDIBOYINA: Okay. February
10 13th. Okay. Thank you --
11 MR. HALL: Thank you.
12 CHAIRPERSON PEDDIBOYINA: -- city manager.
13 Okay. And if somebody can make a motion for
14 that and approve the agenda.
15 MEMBER KRIEGER: I move to approve the agenda
16 as amended.
17 MEMBER LONGO: I second.
18 CHAIRPERSON PEDDIBOYINA: Thank you.
19 Anybody miss?
20 Say all in favor aye.
21 Any nays?
22 Thank you.
23 Roll call. You want anything? Okay.

1 Minutes are done.
2 Public remarks. Anybody wants to change
3 anything on this meeting agenda?
4 It looks like none.
5 And somebody make an agenda (sic) for this to
6 approve to accept this postponed case PZ23-0061 as from
7 the city manager and postpone to the February 13th.
8 You want to make a motion, somebody?
9 MEMBER KRIEGER: Wait a minute. I'm confused.
10 I approved the agenda. Are you talking about the
11 minutes now?
12 CHAIRPERSON PEDDIBOYINA: No, the minutes is
13 over.
14 MEMBER KRIEGER: I didn't do the minutes. I
15 did the agenda.
16 CHAIRPERSON PEDDIBOYINA: Okay. Go ahead
17 and --
18 MEMBER KRIEGER: I move to accept the
19 December 2023 minutes.
20 MR. MONTAGUE: Second.
21 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.
22 Any objections? Any nays?
23 Say all in favor aye.

1 Thank you.
2 Okay. And any public remarks? Any changes?
3 Anything? No?
4 Okay. As per the city manager today's first
5 case is postponed to -- PZ23-0061 postponed to February
6 13th.
7 And you want to make any motion for this one.
8 (Discussion had between Mr. Hall and Ms.
9 Saarela)
10 CHAIRPERSON PEDDIBOYINA: Make a motion.
11 Is everything okay?
12 MR. HALL: Yeah. We're trying to --
13 CHAIRPERSON PEDDIBOYINA: Okay. We're waiting
14 for you both.
15 MR. HALL: Yeah. Thank you. We were
16 discussing.
17 CHAIRPERSON PEDDIBOYINA: Oh. Okay. And
18 today's first case for the PZ23-0066 (Primrose & Swim
19 School), 43455 Ten Mile Road, south of Ten Mile Road,
20 west of Novi Road, Parcel 50-22-27-200-003. The
21 applicant is requesting variance from the City of Novi
22 Zoning Ordinance 3.1.12.D for a reduction in the
23 required side yard parking setbacks to 0 feet (10 feet

1 minimum, a variance of 10 feet). This variance will
2 enable a proposed lot split in which the proposed
3 parking lot will be divided between the two parcels.
4 This property is zoned office-Service (OS-1).
5 Is anyone present, please.
6 Yeah. Come to the podium, tell your first and
7 last name clearly for our record and if you're not an
8 attorney our secretary will take the oath.
9 MS. KOZLOWSKI: Good evening. Samantha
10 Kozlowski with 814 Development --
11 THE COURT REPORTER: I'm sorry. Could you
12 spell your last name.
13 MS. KOZLOWSKI: It's Samantha Kozlowski,
14 K-O-Z-L-O-W-S-K-I, and the company is 814 Development.
15 MEMBER LONGO: Samantha, are you an attorney?
16 MS. KOZLOWSKI: I am not. I'm a development
17 manager.
18 MEMBER LONGO: Do you promise to tell the
19 truth in this case?
20 MS. KOZLOWSKI: I do.
21 MEMBER LONGO: Thank you.
22 THE COURT REPORTER: Wait a minute. I didn't
23 see who was speaking. You'll have to ask again.

1 MEMBER LONGO: Ask her again?
2 THE COURT REPORTER: Please.
3 MEMBER LONGO: Sure. I'm sorry.
4 Samantha, are you an attorney?
5 MS. KOZLOWSKI: No.
6 MEMBER LONGO: Still not an attorney.
7 Would you promise to tell the truth in this
8 case?
9 MS. KOZLOWSKI: Yes.
10 MEMBER LONGO: Thank you.
11 CHAIRPERSON PEDDIBOYINA: Yeah. Please go
12 ahead, Samantha, and I know if we can help you tonight,
13 and you can explain to the Board and we'll see.
14 MS. KOZLOWSKI: Absolutely.
15 Good evening. I'm a development manager for
16 814 Development. We are working on this Primrose & Swim
17 School project on Ten Mile Road. I know that this
18 project has been in front of you before, in front of the
19 ZBA, and there were a couple of different variances that
20 we've received on this property in the past.
21 We are now in front of you this evening for a
22 variance that would be required for the parking setback,
23 and the reason that we're asking for this variance is so

1 that we can split this parcel into two separate parcels.
2 Basically what we're looking to accomplish is
3 to have the child care parcel and the swim school parcel
4 separate from one another. In doing that we will have
5 cross access and cross parking across the entirety of
6 the two parcels. So as you'll notice the drive aisles
7 are -- the curb cuts are both shown on the parcel where
8 the swim school will be located -- I'm sorry, where the
9 child care will be located.

10 So they will both have access to those drive
11 aisles or all the parking spaces will be able to be
12 utilized by both users and the clients of both of those
13 businesses.

14 So it's our intention to create a cohesive
15 multi-tenant development that will have use between the
16 parcels and then we will have the shared access,
17 maintenance and then parking agreements as well in
18 place. Those drafts are already in review with the City
19 of Novi's Legal Department at this time.

20 CHAIRPERSON PEDDIBOYINA: Okay. I know you
21 have that, and do you have anything to show to public
22 tonight on the projector?

23 MS. KOZLOWSKI: We do not have anything in

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1 addition to show other than that what was submitted with
2 the package, so that being the site plan showing the
3 depiction of the actual lot split line. As you can see,
4 we have that located on the west side of one of the curb
5 cuts off of Ten Mile Road.

6 CHAIRPERSON PEDDIBOYINA: Okay. Anything you
7 would like to add?

8 MS. KOZLOWSKI: We've appreciated working with
9 the City of Novi with this project so far. We're very
10 well into our final site plan review and we feel that
11 we've made a lot of changes to this property, a lot of
12 revisions and improvements for the better just working
13 through the city's engineering and building department
14 trying to come up with an excellent cohesive development
15 that we think can really benefit the community.

16 We know that there is an existing vacant
17 retirement home on this property and we would love to
18 redevelop it into something that is of a great use for
19 the families of the City of Novi. We think that both a
20 child care center and a swim school would be a benefit
21 to all in the community.

22 So we thank you for your support in this
23 project and I'm happy to answer any questions that you

1 might have.

2 CHAIRPERSON PEDDIBOYINA: Okay. Excellent.
3 Thank you so much.

4 From the City any comments?

5 MR. HALL: Thank you, Mr. Chairman.

6 This is the property where the Whitehall
7 Healthcare Center is now. That's scheduled to be
8 demo'ed and these two buildings are going to go up as
9 she suggested. They're here for a 0 lot line setback
10 for both properties, so each property would be required
11 to have a 0 set line -- 0 line setback variance. So
12 that makes sense. But we don't have the properties yet
13 because it's not split, so what we're doing tonight is
14 approving the split that they'll have those variances
15 put in when we need them if that makes sense.

16 CHAIRPERSON PEDDIBOYINA: Okay. Sounds good.
17 Thank you so much. Okay.

18 All right. And correspondence, secretary.

19 MEMBER LONGO: There were 23 mailed out, three
20 returned, no objections and no approvals.

21 CHAIRPERSON PEDDIBOYINA: Thank you so much.

22 Okay. So open to the Board. Anybody would
23 like to comment on this case, please open to the Board.

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1 Yeah. Linda, please go ahead.

2 MEMBER KRIEGER: And you've been to the
3 Planning Commission with this already?

4 MS. KOZLOWSKI: Yes, we have.

5 MEMBER KRIEGER: Okay. Thank you.

6 CHAIRPERSON PEDDIBOYINA: Okay. Michael.

7 MEMBER MONTAGUE: Are these going to be
8 separate owners of the property or are they one -- I
9 mean same owner of property and two different tenants?

10 MS. KOZLOWSKI: It would be the same owner of
11 property but two different tenants with separate leases.

12 MEMBER MONTAGUE: Thank you.

13 CHAIRPERSON PEDDIBOYINA: Okay. Michael, do
14 you have any comments on this?

15 MEMBER LONGO: I guess to cover his point I
16 understand what you're doing and I approve and I think
17 it's great. I don't understand why you separate. Why
18 can't it just be one property?

19 MS. KOZLOWSKI: For us on the ownership side
20 it is better for tax purposes to have the property taxes
21 allocated to --

22 MEMBER LONGO: Say no more.

23 MS. KOZLOWSKI: -- specific tenants. Just

1 kind of keeping things separate, keeping the tenants
2 separate on their own parcel. They can have their own
3 address instead of their own suite number, something
4 like that. So for us it's just more clarity and it's
5 just a little bit cleaner of a process when we're
6 communicating a parcel or transferring a parcel over to
7 another tenant for their use.
8 MEMBER LONGO: Thank you.
9 MS. KOZLOWSKI: Yeah.
10 CHAIRPERSON PEDDIBOYINA: Okay. This is your
11 swim school, no?
12 MS. KOZLOWSKI: Yes.
13 CHAIRPERSON PEDDIBOYINA: Okay. Do you know
14 that tenant, what is that business?
15 Ms. KOZLOWSKI: I'm sorry?
16 CHAIRPERSON PEDDIBOYINA: The other tenant
17 business.
18 MS. KOZLOWSKI: Oh, it's a daycare facility.
19 CHAIRPERSON PEDDIBOYINA: Oh, the daycare
20 facility and also swimming?
21 MS. KOZLOWSKI: Yes.
22 CHAIRPERSON PEDDIBOYINA: Is the swimming for
23 the kids or adults also?

1 MSS. KOZLOWSKI: They have all ages, so
2 different classes for all ages. And the daycare is I
3 believe 6 weeks to 6 years of age.
4 CHAIRPERSON PEDDIBOYINA: Okay. Any other
5 comments on anything, anybody on the Board?
6 Okay. Looks like none.
7 Michael, make a motion, please.
8 MEMBER LONGO: I move that we approve the --
9 grant the variance in Case Number PZ23-0066 sought by
10 Primrose School for a 0 setback variance for both
11 properties because the petitioner has shown practical
12 difficulty in addressing -- in addresses, tax issues,
13 and so forth. The variant -- excuse me, without the
14 variance the petitioner will be unreasonably
15 permitted -- or limited with respect to the use of the
16 property because of being only one property.
17 The property is unique because it is offering
18 two separate issues -- two separate businesses when they
19 get restarted. The petitioner did not create the
20 condition because the property was already sitting
21 there, is already sitting there.
22 The relief granted will not unreasonably
23 interfere with the adjacent or surrounding properties

1 because it really doesn't have any effect on the
2 associated or nearby businesses or homes.
3 The relief is consistent with the spirit and
4 the intent of the ordinance because it is -- while the
5 variance is there it doesn't really create a problem for
6 anyone else.
7 CHAIRPERSON PEDDIBOYINA: Okay. Somebody
8 can --
9 MEMBER KRIEGER: Second.
10 CHAIRPERSON PEDDIBOYINA: Okay. Thank you,
11 Linda.
12 MEMBER KRIEGER: Second with the amendment,
13 from the amendment to include the parking, that it
14 alleviates the parking requirements and the wetland
15 area.
16 CHAIRPERSON PEDDIBOYINA: Okay.
17 MEMBER KRIEGER: Do you accept that?
18 MEMBER LONGO: Absolutely. Very good. Thank
19 you.
20 CHAIRPERSON PEDDIBOYINA: Okay. Roll call,
21 please.
22 MS. FLETCHER: Chairperson Peddiboyina.
23 CHAIRPERSON PEDDIBOYINA: Yes, please.

1 MS. FLETCHER: Member McLeod.
2 MEMBER McLEOD: Yes.
3 MS. FLETCHER: Member Montague?
4 MEMBER MONTAGUE: Yes.
5 MS. FLETCHER: Member Krieger.
6 MEMBER KRIEGER: Yes.
7 MS. FLETCHER: Member Longo.
8 MEMBER LONGO: Yes.
9 MS. FLETCHER: Thank you.
10 Motion passes.
11 CHAIRPERSON PEDDIBOYINA: Go on to the next
12 matter.
13 MEMBER LONGO: Good luck.
14 CHAIRPERSON PEDDIBOYINA: And today's Case
15 Number PZ23-0067 (Orchard Development & Construction,
16 LLC), 30551 Novi Road, south of Fourteen Mile Road, west
17 of Novi Road, Parcel 50-22-02-177-037. The applicant is
18 requesting variance from the City of Novi Zoning
19 Ordinance Section 4.19.1.E.i for an increase in garage
20 square foot coverage to 1,559 square feet (850 square
21 feet maximum, variance of 709 square feet). This
22 variance would accommodate a garage addition. This
23 property is zoned One-Family Residential (R-4).

1 The applicant, please. Please come to the
2 podium. Please spell your first and last name clearly
3 for our record. And if you're not an attorney our
4 secretary will take the oath.

5 And who is presenting come to the podium and
6 one of you can talk.

7 MR. COWAN: Thank you very much, Mr.
8 Chairman, and Zoning Board Members. My name is Dennis
9 Cowan. That's C-O-W-A-N. I'm an attorney with Plunkett
10 Cooney and I promise to tell the truth.

11 With me this evening are Tom Shaffou of
12 Orchard Construction who is the builder of the proposed
13 home. He is technically the applicant but the variance
14 will benefit the owners which Mr. Kashat is here, Eddie
15 Kashat, and his wife who are residents of Novi. They
16 live -- they have lived for 12 years in the Ten Mile and
17 Beck area on Broadmoor Street.

18 We are proposing to build a special home for a
19 special family. This is, in essence, a request to have
20 a garage which will facilitate two vans to transport
21 their disabled adult children who are 28 and 32 years
22 old; also to allow a ramp to be built within the garage
23 to then allow them to be transferred in and out of the

1 home.

2 Both suffer from a very rare disease which
3 Dr. Delly, I have attached in the letter, his letter of
4 diagnosis that they've had for several years. It's
5 called generalized severe dystonia. It causes severe
6 muscle spasms that result in repetitive and twisting
7 movements which cannot be controlled by either of the
8 children and it significantly interferes with their
9 normal life activities. They must have 24/7 care that's
10 provided by the parents and others.

11 As a result of one of -- the son can only be
12 moved on what's called a medical stretcher which has a
13 padding on it, and the daughter, Natalia, is wheelchair-
14 bound at this time.

15 So the new home -- and I included a letter
16 from Mr. Shaffou to show that -- you know, to
17 demonstrate the needs that the family has. In addition
18 to the garage to accommodate two vans, handicapped vans,
19 we also have the ramp, but we also have an elevator in
20 the home. All the passage ways will be wider. This
21 will be a totally accessible home to accommodate the two
22 children and to assist the family in their care.

23 From the background in terms of the variance

1 we're only asking for a single variance. We
2 respectfully request that variance. The practical
3 difficulty results if the variance is denied they have
4 nowhere to go in Novi. They would love to stay in Novi
5 and they want to build this home in Novi at the site
6 that they've chosen.

7 If the variance were denied and they were to
8 build at this site they would have no choice but to have
9 the ramp outside of the home and expose their children
10 and themselves when they are doing the transfer for
11 medical reasons or to the hospital for therapy or to
12 visit friends, or the daughter likes to come to the Novi
13 library, would expose them to rain, snow, wind, kind of
14 a day like today that none of us like and it would be an
15 additional imposition on them.

16 This is not a self-created variance. It's not
17 a matter of convenience. It really is the minimum
18 variance necessary. The good news is is that this isn't
19 causing any other request for a variance or a
20 nonconformity. The lot, if you're familiar with it, is
21 a very large lot. It's wooded. The woods are going to
22 stay -- that's correct? -- the woods are going to stay
23 so this doesn't create any, you know, setback problems

1 or anything of that nature, and there is separation from
2 that home with the rest of the subdivision and it's
3 adjacent to I think it's called Hickory Woods School is
4 right nearby.

5 We also and most importantly I think to you
6 and to Novi this request and your granting of it would
7 be very consistent with the Fair Housing Act and the
8 Americans with Disabilities Act which does promote and
9 require decisions that allow medical conditions to have
10 accommodations. This is clearly one of those
11 situations. The need for the family is something
12 greater than the normal general public and it would not
13 result in any type of fundamental change in your
14 rezoning ordinance.

15 So we respectfully request this variance for
16 the reasons stated and we agree with the staff report
17 that was submitted to you.

18 CHAIRPERSON PEDDIBOYINA: Thank you, Dennis.
19 I appreciate the case, this thing, on this neurology
20 problem, and I saw the medical report also.

21 MR. COWAN: Yes.

22 CHAIRPERSON PEDDIBOYINA: The doctor specialty
23 in neurology.

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1 Okay. And let's see how things will go.
 2 Do you want to add any more things on this
 3 case?
 4 MR. COWAN: No. I think we're -- you know,
 5 again, they've lived here for many years and hope to
 6 live here the rest of their lives with their children.
 7 CHAIRPERSON PEDDIBOYINA: Sorry. Okay. Thank
 8 you.
 9 MR. COWAN: Okay.
 10 CHAIRPERSON PEDDIBOYINA: And anybody would
 11 like to join in this case to talk about anything, or no?
 12 Okay. So from the City.
 13 MR. HALL: Mr. Chairman, yes, they are asking
 14 for a large garage variance. It is on a 3-acre parcel
 15 and we have no objections.
 16 CHAIRPERSON PEDDIBOYINA: Thank you so much.
 17 I appreciate.
 18 Okay. And from the secretary, correspondence,
 19 please. Okay.
 20 067, the case number 067.
 21 MEMBER LONGO: Sorry.
 22 Twenty-eight were mailed out, two were
 23 returned, no objections and no approvals.

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1 CHAIRPERSON PEDDIBOYINA: Thank you so much.
 2 I appreciate it. Okay.
 3 And public hearing, anybody would like to
 4 comment on this case, this is the time where you can
 5 speak on this before going to the Board.
 6 Okay. Looks like none.
 7 Yeah, before I open the Board I would like to
 8 comment. Dennis, can you please stand and come to the
 9 podium until this case is done. I appreciate it, thank
 10 you so much.
 11 MR. COWAN: Okay.
 12 CHAIRPERSON PEDDIBOYINA: Okay. And, yeah,
 13 you present very well. I have nothing to say, and let
 14 me open to my Board on what they say decision, I open
 15 that.
 16 MR. COWAN: Sure.
 17 CHAIRPERSON PEDDIBOYINA: Board Members.
 18 MEMBER MONTAGUE: Thank you. Very clear
 19 presentation. I did go and walk the site. It is a
 20 large site. The siting of the site plan is done very
 21 well in terms of screening so definitely I'll be in
 22 support of this.
 23 MR. COWAN: Thank you very much.

1 CHAIRPERSON PEDDIBOYINA: Thank you.
 2 Anybody?
 3 Okay. Looks like none.
 4 And I open for the motion, Clift Montague.
 5 MEMBER MONTAGUE: All right. I move that we
 6 grant the variance in Case Number PZ23-0067, sought by
 7 Orchard Development & Construction for an increase in
 8 garage square footage to 1559 square feet which is a
 9 variance of 709 square feet.
 10 Without the variance the petitioner would be
 11 unreasonably prevented or limited with respect to use of
 12 the property because of the special medical condition of
 13 the children which requires a special accommodation and
 14 would potentially expose the children to unsafe
 15 conditions if they had to transfer outside.
 16 The property is unique. It's a large lot, lot
 17 of woods and there's a well-planned for large setback.
 18 The petitioner did not create the condition because of
 19 the new facility to accommodate the existing medical
 20 conditions.
 21 The relief granted will not unreasonably
 22 interfere with the surrounding properties because of the
 23 size of the lot, a very nice site plan and more than

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1 adequate setbacks.
 2 The relief is consistent with the spirit and
 3 intent of the ordinance because it allows the use of
 4 this in a proper and important accommodation of medical
 5 issues.
 6 MEMBER KRIEGER: Second.
 7 CHAIRPERSON PEDDIBOYINA: Thank you so much,
 8 Linda, and I appreciate it.
 9 And roll call, please.
 10 MS. FLETCHER: Chairperson Peddiboyina.
 11 CHAIRPERSON PEDDIBOYINA: Yes, please.
 12 MS. FLETCHER: Member Longo.
 13 MEMBER LONGO: Absolutely yes.
 14 MS. FLETCHER: Member Montague.
 15 MEMBER MONTAGUE: Yes.
 16 MS. FLETCHER: Member Krieger.
 17 MEMBER KRIEGER: Yes.
 18 MS. FLETCHER: Member McLeod.
 19 MEMBER McLEOD: Yes.
 20 MS. FLETCHER: Thank you. Motion passes.
 21 CHAIRPERSON PEDDIBOYINA: Congratulations,
 22 Dennis. I appreciate it. Thank you so much.
 23 MR. COWAN: Mr. Chairman and Board Members, I

1 just want to tell you for Tom and I and others who have
 2 been involved in this it's really been a special event.
 3 We both know the family, and I just want to tell you
 4 that I know Mr. Kashat can't wait to get home. You've
 5 made a family very happy tonight. They can build their
 6 dream special home here in Novi.
 7 Thank you.
 8 CHAIRPERSON PEDDIBOYINA: Thank you so much.
 9 Good luck. I appreciate it.
 10 MR. COWAN: Thank you.
 11 CHAIRPERSON PEDDIBOYINA: And Case Number
 12 PZ23-0068 (V's Barbershop) 47972 Grand River Avenue,
 13 north of Grand River Avenue, west of Beck Road, Parcel
 14 50-22-17-226-020. The applicant is requesting variance
 15 from the City of Novi Sign Ordinance Section 28-5(a) to
 16 allow an additional wall sign (maximum of one wall sign
 17 is allowed for this tenant, a variance of one additional
 18 wall sign), Section 28-10(b)(4) to allow an animated
 19 sign (animated signs are prohibited). This variance
 20 would accommodate an animated barber pole sign. This
 21 property is zoned Community Business (B-2).
 22 Is applicant present, please. Come to the
 23 podium. Please tell your first and last name clearly

1 for the record and if you're not an attorney my
 2 secretary will take the oath. Thank you.
 3 MS. MILAN: Good evening. My name is Carolyn
 4 Milan. My last name is spelled M as in Mary I-L-A-N.
 5 I'm with SEM1, LLC and that's -- and I'm a co-owner of
 6 V's Barbershop at 47972 Grand River Avenue.
 7 MEMBER LONGO: Excuse me. Are you an
 8 attorney?
 9 MS. MILAN: I'm not an attorney.
 10 MEMBER LONGO: Do you promise to tell the
 11 truth in this case?
 12 MS. MILAN: I do.
 13 MEMBER LONGO: Thank you.
 14 CHAIRPERSON PEDDIBOYINA: Thank you so much.
 15 And, Carolyn, please go ahead and proceed where we can
 16 help you tonight on this case.
 17 MS. MILAN: Yeah. We are a new business
 18 opened for just under a month at the West Market Square
 19 strip mall, which is a fairly lage strip mall. We're
 20 kind of off to the side a little bit and we're
 21 requesting a -- respectfully requesting a variance to
 22 the zoning ordinances saying that we're not allowed to
 23 have a barber pole there because -- for a couple of

1 reasons. One is that we have low visibility and the
 2 other is that we have nothing eye- catching to people
 3 that are driving past us that communicates to people the
 4 type of -- the particular type of business we are.
 5 So regarding the visibility issue we are
 6 located on a very busy road that's 50 miles per hour.
 7 There's quite a bit of vegetation right on the road
 8 that's pretty mature and then when it's leafed out it's
 9 especially really difficult to see. We have -- we're a
 10 small storefront, kind of sandwiched between a lot of
 11 other small storefronts as well.
 12 Adding a barber pole on the outside of the
 13 shop would attract attention in a couple different ways.
 14 Most of the traffic that goes by us is heading to Home
 15 Depot, and, so, having something there would be
 16 eye-catching enough that it would draw people to our
 17 store, and that's kind of the closest entrance that
 18 we're by. But for people just driving past on Grand
 19 River they really wouldn't see that we're here -- we're
 20 there.
 21 And then the second issue as far as
 22 communicating the type of business we are, I've put a
 23 bunch of, you know, pictures of, you know, just how

1 universal the barber pole symbol is. It's been used for
 2 hundreds of years. Everybody knows what it means across
 3 every -- across the globe. It's used actually for a
 4 couple barber shops in Novi at Meadowbrook and Ten Mile.
 5 One has a traditional barber pole. That's Novi Family
 6 Barbers. The other is kind of using the barber pole
 7 image on flags and graphics on top of the store.
 8 And, so, we're asking that, you know, that we
 9 be able to communicate the very traditional type of
 10 barbershop that we are. We're different than a salon
 11 and other types of places that also give, you know,
 12 haircuts to men but we are more like a hot
 13 lather/straight razor/shave. We also provide haircuts
 14 but the barber pole would help us to communicate that
 15 we're, you know, that we're a little bit different than
 16 those around us and kind of put us on a -- more like an
 17 even with the other barbershops in town.
 18 So, yeah, I don't have -- you know, it would
 19 just help us draw more traffic to us.
 20 CHAIRPERSON PEDDIBOYINA: Okay, Carolyn, thank
 21 you.
 22 And do you have any presentation or anything
 23 you want to show to the audience?

1 MS. MILAN: One thing that is not in my packet
 2 is the two other barbershops.
 3 CHAIRPERSON PEDDIBOYINA: Yeah, you can on the
 4 slide -- under the -- yeah.
 5 (Document displayed)
 6 MS. MILAN: These are the ones that I
 7 mentioned earlier.
 8 There is also another V's Barbershop which
 9 is -- it's a franchise. It's in Royal Oak. They also
 10 have a barber pole and it's just, you know, every other
 11 V's Barbershop -- there's about 60 in the country -- has
 12 a barber pole as well.
 13 CHAIRPERSON PEDDIBOYINA: Is it a franchise
 14 one or by your own?
 15 MS. MILAN: V's Barbershop is a franchise.
 16 CHAIRPERSON PEDDIBOYINA: Okay. They have
 17 their own standard signs?
 18 MS. MILAN: Yes.
 19 CHAIRPERSON PEDDIBOYINA: Okay. From the
 20 City.
 21 MR. HALL: Thank you, Mr. Chairman.
 22 Do you have a photo of the sign you're going
 23 to be using with you?

1 MS. MILAN: Yeah. I'm sorry, I thought it
 2 would be --
 3 MR. HALL: No, that's fine. I just want to
 4 put it on so they can see it.
 5 MS. MILAN: Okay.
 6 (Document displayed)
 7 MS. MILAN: This is the proposed mock-up.
 8 Currently our storefront looks exactly like that except
 9 for the barber pole.
 10 CHAIRPERSON PEDDIBOYINA: Okay.
 11 MR. HALL: So I do want to make some comments.
 12 So the -- she's seeking a variance for two
 13 additional variances, one is for an additional sign and
 14 the other that the barbershop is animated in the sense
 15 that -- I'm going to try to explain this so we
 16 understand each other -- it's going to be inside a lens
 17 and the cylinder spins and it looks like the barbershop
 18 is going like a candy cane kind of look.
 19 Is that correct.
 20 MS. MILAN: Yes.
 21 MR. HALL: So it's not extra verbiage, it's
 22 just -- that is considered a sign projected from the
 23 wall and it's actually doing a screw.

1 So just for the record there's not going to be
 2 any words or text or any kind of animated graphics that
 3 would be beyond this description; is that correct?
 4 MS. MILAN: That's correct, yeah.
 5 MR. HALL: Otherwise we have no -- we're good.
 6 CHAIRPERSON PEDDIBOYINA: Are there any
 7 animated signs allowed in the City of Novi?
 8 MR. HALL: They're not allowed but this is a
 9 lesser animation, if you want to say that. It's not
 10 something that's going to catch your eye in the sense of
 11 graphics, fireworks, these kind of things, LEDs flashing
 12 and things that would be a nuisance. This is a
 13 screw-type typical barbershop-type thing. But it is
 14 considered animated and animated is prohibited in the
 15 zoning districts so it has to have a variance.
 16 CHAIRPERSON PEDDIBOYINA: Okay. Thank you. I
 17 appreciate it.
 18 Okay. Correspondence, secretary.
 19 MEMBER LONGO: Fifty were mailed out, three
 20 were returned, and no objections and no approvals.
 21 CHAIRPERSON PEDDIBOYINA: Thank you so much.
 22 Okay. Open to the public. Anybody would like
 23 to comment on this, please?

1 Looks like none.
 2 Okay. As per my City Manager mentioned
 3 animated are not appropriate -- not allowed in the City
 4 of Novi. And I don't know how to say that, and it's
 5 open to the Board what the Board decision and open to
 6 the Board.
 7 MEMBER McLEOD: I have two questions based on
 8 what you commented on.
 9 You said that it would be -- having the
 10 barber, the traditional barber spiral there would be
 11 eye- catching to draw people to the store from the lot.
 12 So you mean when people drive into you said Home Depot?
 13 MS. MILAN: Yeah.
 14 MEMBER McLEOD: Do you think that would
 15 attract more attention, that sign, versus the barbershop
 16 on the top of the store?
 17 MS. MILAN: Yes. There's a -- what you can't
 18 see in the picture that -- of our storefront there is
 19 that there's a lot of small shops all in a row and the
 20 storefront signs that are lit kind of keep you from
 21 distinguishing each as you're driving past it, you know.
 22 It is a bit on the smaller side, our sign as well, as
 23 are the other signs adjacent to us.

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1 MEMBER McLEOD: Do you have any, continuing on
2 the first question, do you have any evidence or
3 indication that when people drive by the place like the
4 barbershop that they have the inclination Oh, I know
5 what this is, I should, you know, now go there, versus
6 people in 2024, people use their phones, people Google
7 barbershop near me, hair salon near me, Google those
8 terms and go to those stores directly as opposed to just
9 happening to drive by a place and feel the interest to
10 go?

11 MS. MILAN: Yeah. We've been keeping track of
12 how people find us, actually, and I'm surprised at how
13 many people are telling me, you know, I just happened to
14 be walking by on foot and, you know, I saw that there
15 was something new there. Although we do get a lot of
16 traffic from Google, I would say it's not our
17 predominant -- predominantly how we get most of our
18 clients. We're doing a lot of marketing.

19 MEMBER McLEOD: And then my second question
20 is: You mentioned that the pole communicates the type
21 of business?

22 MS. MILAN: Yeah.

23 MEMBER McLEOD: The name of the place is V's

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1 Barbershop.

2 MS. MILAN: Yes.

3 MEMBER McLEOD: The barbershop in the name I
4 think communicates the type of business.

5 MS. MILAN: You're right. What the barber
6 pole -- the difference between our barbershop and many
7 other barbershops is that we do quite a few -- we're
8 very traditional looking on the inside. We have six
9 antique totally refurbished chairs. We're really trying
10 to go for that very traditional look, and the barber
11 pole is just a universal symbol of a very traditional
12 barbershop. There's not a lot of shops that really do
13 that. It's more of an experience than, you know, check
14 off your list type of thing; it's very -- a lot of hot
15 lather/straight razor shaves versus other barbershops in
16 town which are maybe 1 percent shaves and mostly just
17 haircuts.

18 MEMBER McLEOD: Okay.

19 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.
20 Any other --

21 MEMBER LONGO: Yeah. I'm a customer of the
22 pet store a couple doors down and I never noticed you
23 were there. To your point it does say barbershop, but I

1 also know if I see that thing -- if I see that thing

2 I'll know immediately what it is, Number 1.

3 Number 2, it's kind of mentioned Novi doesn't

4 want these things that attract, particularly out on

5 Grand River, you can't see -- well, you can see that

6 from Grand River but you're not going to be distracting.

7 It's a very -- it's called animated but it's not really

8 animated.

9 I really see absolutely no problem. I think

10 that it will help you. You will get a few more

11 customers. Like you said, you're going to get Google

12 and all those other things but this is just another way.

13 And I personally would notice that even though I didn't

14 notice the barbershop thing running in and out of the

15 pet store. I have no problem with this.

16 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.

17 Linda.

18 MEMBER KRIEGER: For clarification, on one of

19 the parts of information that were given to us the pole

20 model number 88, 60-watt bulb, so that would be -- it

21 could go for LED because it would be less expensive

22 which is smart, but for clarification of it's the LED

23 light, the bulb light on the interior and then the red

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1 and blue swirls around it?

2 MS. MILAN: Right.

3 MEMBER KRIEGER: And then would that be on
4 just your opening hours?

5 MS. MILAN: That's correct, yeah.

6 MEMBER KRIEGER: Okay. And, also, for --
7 Olga's is right there and people coming -- going to Home
8 Depot, it would be an attraction for more customers, and
9 then the majority of people coming in and out of the
10 Olga's have grubs so they're coming from across the
11 street as well, so that would be an enhancement and
12 attraction so I would be in support as well.

13 CHAIRPERSON PEDDIBOYINA: Thank you, Linda.
14 Any other Board Member, please.

15 Okay. Motion.

16 MEMBER McLEOD: I'm outvoted on this one. I
17 move that we deny the variance in Case Number PZ23-0068
18 sought by V's Barbershop for an extra sign that is
19 animated because the petitioner has not shown practical
20 difficulty because the sign that currently exists is
21 plenty visible to customers even from the street. The
22 new sign would be very low on the building and seems
23 duplicative and unnecessary.

1 The failure to grant the relief will not
2 unreasonably prevent or limit the use of the property
3 and will not result in substantially more than a mere
4 inconvenience or an ability to obtain higher economic or
5 financial return because there's not really evidence
6 that shows an additional sign will drive incremental --
7 that much incremental walk-in traffic, and in 2024 you
8 can find problems -- solutions to problems that are
9 newer than 1950. I think it's an outdated solution.
10 CHAIRPERSON PEDDIBOYINA: Do you need to have
11 two -- there are two variances mentioned and do you
12 propose two of them or --
13 MR. HALL: It's two but I think they're --
14 CHAIRPERSON PEDDIBOYINA: Motions instead of
15 one motion?
16 MR. HALL: There are two variances but --
17 MS. SAARELA: So, yeah, you can put them in a
18 motion, you don't have to make separate motions.
19 CHAIRPERSON PEDDIBOYINA: Yeah, that's what
20 I'm thinking.
21 MR. HALL: Because I think the extra sign
22 actually is the animated sign.
23 CHAIRPERSON PEDDIBOYINA: Yeah. The animated

1 one is one and the other one is a regular one.
2 Can you make that one?
3 MEMBER McLEOD: I'm sorry, what is the
4 request?
5 CHAIRPERSON PEDDIBOYINA: There are two
6 variances on this. One is animated and the other one is
7 a regular one.
8 MEMBER McLEOD: There's no reason to have an
9 animated sign if the extra sign is declined; right? Are
10 you requesting that I purposely do them separate?
11 MS. SAARELA: They don't have to be separate.
12 They can be one motion.
13 MEMBER McLEOD: So -- and to confirm, so, with
14 them together, as I have, and the motion is denied --
15 MS. SAARELA: You can say motion to deny the
16 variances requested.
17 MEMBER McLEOD: Right. Okay. But the
18 question is if then that proposal is rejected by the
19 council -- a motion to deny, they project a denial, both
20 considerations would pass or do we need to go to another
21 --
22 MS. SAARELA: No, you have to -- somebody
23 would have to vote to approve them still.

1 MEMBER KRIEGER: So we need two-thirds for
2 five people tonight?
3 MR. HALL: No, it's a majority.
4 CHAIRPERSON PEDDIBOYINA: Okay. The majority
5 is -- yeah, two-thirds of the vote. Okay.
6 We're all set for that one.
7 Somebody make a second.
8 No.
9 Okay. Roll call, please.
10 MR. HALL: We can't, we don't have a second.
11 MEMBER KRIEGER: No, you can't, there's no
12 second.
13 MR. HALL: There's no second.
14 MEMBER KRIEGER: So that motion dies.
15 MS. SAARELA: There's no second so you don't
16 need to vote on it.
17 MR. HALL: There is no motion.
18 CHAIRPERSON PEDDIBOYINA: Roll call?
19 MR. HALL: No.
20 MS. FLETCHER: We're not voting.
21 MS. SAARELA: So there's no second. Then it
22 fails.
23 MR. HALL: So now we need a motion.

1 CHAIRPERSON PEDDIBOYINA: Thank you.
2 MS. SAARELA: So you'll still need four votes
3 of approval. Nonuse variance requires four votes so not
4 just the majority.
5 MR. HALL: Okay.
6 MEMBER KRIEGER: I move that we grant the
7 request in Case Number PZ23-0068 sought by the
8 petitioner for V's Barbershop.
9 The petitioner has shown practical difficulty
10 for needing two signs. She's in a strip mall with very
11 monotonous and hard to get attention, so the second sign
12 will -- based on the following the request is based upon
13 circumstances and features that are exceptional and
14 unique to this property, the strip mall, and the
15 monotony and the increased visual stimulation and
16 need of a specific to draw attention. The failure to
17 grant relief will unreasonably prevent or limit the use
18 of the property and result in substantially more than
19 mere inconvenience or inability to attain a higher
20 economic or financial return because although Google
21 searches for the site helps the amount of traffic would
22 also increase, would create a higher financial return
23 for this participant -- petitioner and certainly the

1 neighbors.
2 The grant of relief would be offset by other
3 improvements or actions such as increased setbacks or
4 increased landscaping such as a net effect resulting in
5 improvement of the property. It's a well-known symbol
6 for a barbershop. It will be unobtrusive with no strong
7 LED flashing lights or -- and on during working hours.
8 The construction of a conforming sign would
9 require the removal or significant alteration of natural
10 features on the property. A conforming sign would
11 probably be bigger or not as helpful.
12 The grant or relief will not result in the use
13 of structure that is incompatible with or unreasonably
14 interferes with adjacent or surrounding properties, will
15 result in substantial justice being done to both the
16 applicant and the adjacent or surrounding properties and
17 is not inconsistent with the spirit and intent of the
18 chapter because it will increase traffic flow by its
19 nature. It will -- the neighboring ones, the people
20 coming and going from Olga's across the street, Home
21 Depot, all the neighboring ones, it will draw them to
22 there as well, and then people that are at this
23 barbershop also could go next door to the other and help

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1 their neighbors.
2 That's it.
3 MEMBER LONGO: I second.
4 CHAIRPERSON PEDDIBOYINA: Thank you. Okay.
5 MS. FLETCHER: Chairperson Peddiboyina.
6 CHAIRPERSON PEDDIBOYINA: Yes, please.
7 MS. FLETCHER: Member Krieger.
8 MS. KRIEGER: Yes.
9 MS. FLETCHER: Member Longo.
10 MEMBER LONGO: Yes.
11 MS. FLETCHER: Member Montague.
12 MEMBER MONTAGUE: Yes.
13 MS. FLETCHER: Member McLeod.
14 MEMBER McLEOD: No.
15 MS. FLETCHER: Thank you. Motion passes.
16 MS. MILAN: Thank you so much.
17 MEMBER KRIEGER: Yeah, thank you very much.
18 CHAIRPERSON PEDDIBOYINA: Okay. Today's final
19 case, PZ23-0070 (Colucci Properties, LLC), 40255 Grand
20 River Avenue, south of Grand River Avenue, east of
21 Haggerty Road, Parcel 50-22-24-451-005. The applicant
22 is requesting a variance from the City of Novi Zoning
23 Ordinance Section 4.19.2.f.iv to allow the location of a

1 dumpster enclosure within the required 10 feet rear yard
2 setback. The existing dumpster from the adjacent
3 property encroaches 2.5 feet onto the property. This
4 variance would clarify the location of the dumpster for
5 any further project proposal. The property is zoned
6 Non-Center Commercial (NCC).
7 Okay. Please go ahead and spell your first
8 and last name clearly for the record and if you're not
9 an attorney and my secretary will take the oath.
10 MR. COLUCCI: Certainly. My name is John
11 Colucci. I am an attorney and I'm appearing in
12 connection with the variance request.
13 MS. SAARELA: Is there someone -- my
14 understanding is someone might have a conflict so it
15 should be disclosed at the beginning of the case if
16 there is one.
17 MEMBER MONTAGUE: Yeah, whenever you want to
18 do it.
19 MS. SAARELA: It has to be the beginning of
20 the case.
21 MEMBER MONTAGUE: Okay.
22 MS. SAARELA: You need to disclose it to the
23 Board.

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1 MEMBER MONTAGUE: Yes, it's a repeat from last
2 month. My brother-in-law. I understand. I got to go
3 in the back room. So somebody let me back in when it's
4 over.
5 (Member Montague left the Dais)
6 CHAIRPERSON PEDDIBOYINA: Thank you. Thank
7 you so much.
8 THE COURT REPORTER: Sir, could you spell your
9 last name.
10 MR. COLUCCI: Certainly. I'm John Colucci,
11 C-O-L-U-C-C-I. And I'm appearing in connection with the
12 requested variance for 40255 Grand River.
13 This variance request is really a continuation
14 of the variance request from December's meeting in which
15 the front portion of the dumpster enclosure --
16 CHAIRPERSON PEDDIBOYINA: Yeah, John, it takes
17 time a little bit. Just leave it.
18 MR. COLUCCI: Ah, there we go.
19 (Document displayed)
20 MR. COLUCCI: -- in which the front portion
21 of the dumpster enclosure depicted here is very faint
22 but the property line comes across the back 2.4 feet of
23 the dumpster enclosure so you can see the two dumpsters

1 in the enclosure, and the enclosure encroaches upon
2 40255 Grand River, and the property which has the
3 predominant portion of the enclosure is 40245, both of
4 which have been owned by the Colucci family for many
5 years.

6 We are preparing to sell the properties
7 independently and, therefore, want to clean up a common
8 use area which is the dumpster corral. So in our last
9 meeting we did point out the things that make this a
10 very challenging site to locate a dumpster. In order
11 really to service a dumpster we need a runway to get to
12 the dumpster and lift the containers, so on and so
13 forth, and, really, the best and perhaps only spot
14 available once the adjoining property was developed,
15 which was developed after, was in this area and there
16 really isn't 10 feet between the curb and the back of
17 the dumpster corral.

18 So in our last presentation the Board did
19 approve the front approximately 10 feet of the dumpster
20 corral but we needed to re-notice with respect to the
21 40255 property that there was the encroachment, so it
22 really encompassed both properties and the original
23 notice only covered one, so we're back now to handle the

1 remainder of the same corral.

2 For the reasons we discussed last time on the
3 record, it's a very unique site, very challenging. The
4 dumpster corral has been there for about 30 years
5 without disruption to the community. It doesn't
6 decrease surrounding property values. It really has
7 been a benefit to both properties, and we are looking at
8 selling the 40245 property, which is this one here, to a
9 veterinarian who is in the process of going through his
10 expected use and site planning and all of that, and that
11 would put a veterinarian clinic there.

12 In this particular building, we have a
13 dentist, Novi Dentist. They're been there for close to
14 30 years. They're the original tenant in the center
15 section and over time they've expanded really into the
16 whole building so they want to purchase that building.
17 And the preference is that we use the dumpster in
18 common. We have developed and had approved by
19 engineering and legal a cross easement to facilitate use
20 of the dumpsters as well some utilities that crisscross
21 back and forth across the property line.

22 It's a little hard to see but in this area
23 there's a very significant DTE transformer and that

1 supplies power to both the buildings so the power comes
2 underground to the transformer and goes back out to each
3 of the buildings.

4 So for all the reasons that we stated before,
5 the additional encroachment of 2 1/2 feet would be part
6 of our request for an overall variance that allows us to
7 keep the sited dumpster in its current location with the
8 hope that it continues to be shared in the future.
9 Although I will say we have been asked to see if we can
10 put a dumpster corral on the other property also, so we
11 sent a little drawing over to Planning for that purpose,
12 nothing other than an inquiry at this point.

13 But we did at one point since our initial
14 submission have a nighttime issue with people trying to
15 get into that transformer, and they were actually caught
16 by the cleaning crew who came in at midnight and they
17 hid in that dumpster corral. So now the cleaning lady
18 is a little bit afraid of going into the dumpster corral
19 for reasons that I think we can all figure out, so
20 they've kind of thought about maybe we should have our
21 own directly under the lights in the parking lot. So
22 that's a possibility for the future, but none of that
23 would affect the need to have the variance that is at

1 issue tonight and which was approved in part last
2 meeting.

3 So I'm happy to address any questions that the
4 Board may have.

5 CHAIRPERSON PEDDIBOYINA: Okay. John,
6 appreciate it. Thank you so much for your explanation
7 on this project and the presentation.

8 And I'll ask the City.

9 MR. HALL: Mr. Chairman, this is a follow-up
10 hearing of the previous meeting. The dumpster does sit
11 on the property line, so the first hearing was the
12 granting of a 0 lot line for 40245. This now -- it
13 wasn't advertised at that time so now we're doing 40255
14 for the 0 lot line which would be consistent with what
15 we looked at last time. And the dumpster does reside in
16 the easement. We have no objections.

17 Thank you.

18 CHAIRPERSON PEDDIBOYINA: Okay. Thank you so
19 much. I appreciate it.

20 And the secretary, correspondence, any ...

21 MEMBER LONGO: Sixty-seven were mailed out,
22 six were returned, no objections and no approvals.

23 CHAIRPERSON PEDDIBOYINA: Thank you so much.

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1 Anybody in the audience on the

2 Looks like none. Okay.

3 Yeah. Thank you for your explanation and

4 presentation, I have no objection, and I'm open to the

5 Board.

6 Anybody would like any comments on the Board?

7 If not, Linda can make a motion.

8 MEMBER KRIEGER: Yeah. For this case I move

9 that we grant the request for PZ23-0070 sought by the

10 petitioner for the second part of the request regarding

11 the dumpster and the easement that the petitioner has

12 shown practical difficulty.

13 The petitioner would be unreasonably prevented

14 and limited with respect to the use of the property if

15 it's changed. It has been functioning well for the last

16 30 years. It's in a unique location and fits well with

17 both properties. It does not interfere with neighboring

18 -- the neighbors to the south.

19 The petitioner did not create the condition

20 because it has been in existence as such and does not

21 interfere and it makes it easier for the GFL to -- or

22 whoever to pick up the refuse.

23 The relief granted will not unreasonably

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1 interfere with adjacent or surrounding properties

2 because the both properties are under the same location

3 where it was. The relief is consistent with the spirit

4 and intent of the ordinance because it is a minimum

5 request.

6 CHAIRPERSON PEDDIBOYINA: Thank you.

7 Somebody can make a second, please.

8 MEMBER LONGO: I second.

9 CHAIRPERSON PEDDIBOYINA: Thank you.

10 Roll call, please, secretary.

11 MS. FLETCHER: Chairperson Peddiboyina.

12 CHAIRPERSON PEDDIBOYINA: Yes, please.

13 MS. FLETCHER: Member Longo.

14 MEMBER LONGO: Yes.

15 MS. FLETCHER: Member McLeod.

16 MEMBER McLEOD: Yes.

17 MS. FLETCHER: Member Krieger.

18 MEMBER KRIEGER: Yes.

19 MS. FLETCHER: Thank you. Motion passes.

20 CHAIRPERSON PEDDIBOYINA: Thank you, John. I

21 appreciate and congratulations.

22 MR. COLUCCI: Thank you very much. I

23 appreciate your attention.

1 CHAIRPERSON PEDDIBOYINA: Thank you.

2 And any other matters before I adjourn?

3 MEMBER LONGO: You want to get Clift back?

4 CHAIRPERSON PEDDIBOYINA: Yes.

5 MEMBER McLEOD: I'll let Mr. Montague back in.

6 MEMBER KRIEGER: Thank you.

7 MEMBER LONGO: Seriously, or no?

8 CHAIRPERSON PEDDIBOYINA: What kind of

9 attorney are you?

10 MR. COLUCCI: Real estate and corporate

11 matters.

12 CHAIRPERSON PEDDIBOYINA: Okay. Thank you so

13 much.

14 MR. COLUCCI: Thank you.

15 (Mr. Montague returns to the dais)

16 MEMBER KRIEGER: Welcome back, Clift.

17 CHAIRPERSON PEDDIBOYINA: Okay. Welcome back.

18 MEMBER KRIEGER: You've been welcomed back.

19 CHAIRPERSON PEDDIBOYINA: Welcome back.

20 MEMBER KRIEGER: Now we can move to -- I move

21 to adjourn.

22 CHAIRPERSON PEDDIBOYINA: Okay. Before we

23 adjourn, any other matters because he was not here at

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1 the time?

2 MEMBER KRIEGER: Oh, do you have any other

3 matters?

4 CHAIRPERSON PEDDIBOYINA: Yeah, any other

5 matters?

6 MEMBER MONTAGUE: No.

7 CHAIRPERSON PEDDIBOYINA: Okay. I adjourn the

8 meeting. Before I adjourn the meeting and say all you

9 in favor.

10 Any nays?

11 MEMBER KRIEGER: I'm in favor.

12 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.

13 (The meeting adjourned at 7:54 p.m.)

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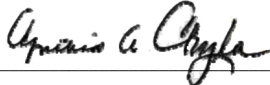
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4) SS
5 COUNTY OF OAKLAND)
6
7 I, Cynthia Ann Chyla, hereby certify that I
8 reported stenographically the foregoing proceedings and
9 testimony under oath at the time and place hereinbefore
10 set forth; that thereafter the same was reduced to
11 computer transcription under my supervision; and that
12 this is a full, true, complete and correct transcription
13 of said proceedings.
14
15 
16 _____
17 Cynthia Ann Chyla, CSR 0092
18 Notary Public
19 Oakland County, Michigan
20 My Commission expires: May 12, 2029
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