

MEETING - ZONING BOARD OF APPEALS

CITY OF NOVI

TUESDAY, AUGUST 9, 2022 -- 7:00 p.m.

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

BOARD MEMBERS:

Joe Peddiboyina, Chairperson

Linda Krieger, Actin Secretary

Siddharth Mav Sanghvi

Michael Longo

Bob Copes

ALSO PRESENT:

Matthew J. Zalewski, City Attorney

Lawrence Butler, Comm. Development, Dep. Director

Anita Sophia Wagner, Recording Secretary

Reported by:

Darlene K. May, Certified Shorthand Reporter

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Novi, Michigan

Tuesday, August 9, 2022

7:00 p.m.

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CHAIRPERSON PEDDIBOYINA: Good evening. Today is August 9th. The time is 7:00 p.m. Welcome to the City of Novi Zoning Board.

Please, stand up, everybody, for the Pledge of Allegiance, led by Dr. Mav Sanghvi.

(Pledge of Allegiance recited.)

CHAIRPERSON PEDDIBOYINA Thank you. Please be seated.

Secretary, roll call.

MS. WAGNER: Member Krieger?

MEMBER KRIEGER: Present.

MS. WAGNER: Member Longo?

MEMBER LONGO: Here.

MS. WAGNER: Member MacLeod, absent, excused.

Member Montague, absent, excused.

Chairperson Peddiboyina?

CHAIRPERSON PEDDIBOYINA: Yes, please.

MS. WAGNER: Member Sanghvi?

MEMBER SANGHVI: Here.

MS. WAGNER: Member Thompson, absent, excused.

Member Copes?

1 MEMBER COPEL: Here.

2 MS. WAGNER: Thank you.

3 CHAIRPERSON PEDDIBOYINA: Okay. I think we have
4 enough quorum for proceeding for today's meeting. Thank you,
5 Secretary.

6 And the public hearing meeting format and Rules of
7 Conduct. And please make silent your phone calls. And if
8 you need anything, you can see on the screen there is a
9 projector and all. And also, if you have any questions or
10 anything once we -- the applicant is done, we can -- we'll
11 have a time to speak on that.

12 And apart from that, I think on that, approval of
13 agenda?

14 Somebody make an agenda approval.

15 MEMBER KRIEGER: I move to approve the agenda as
16 is.

17 MEMBER SANGHVI: Second.

18 CHAIRPERSON PEDDIBOYINA: Thank you, Linda and
19 Dr. Sanghvi.

20 Say aye in favor.

21 THE BOARD: Aye.

22 CHAIRPERSON PEDDIBOYINA: Thank you. Any nays?

23 No. Thank you.

24 Okay. And minutes of July 2022, any changes, any
25 modifications, any deletions? Can somebody make a motion on

1 that?

2 MEMBER SANGHVI: I make a motion to approve the
3 minutes as presented.

4 MEMBER KRIEGER: Second.

5 CHAIRPERSON PEDDIBOYINA: Thank you, Dr. Sanghvi
6 and Linda.

7 And any nays?

8 Say aye in favor everybody.

9 THE BOARD: Aye.

10 CHAIRPERSON PEDDIBOYINA: Any nays?

11 Looks like no. Thank you.

12 And public remarks. This is the time where you can
13 speak on the public. If you want to talk, this is the time.

14 Looks like none. Thank you.

15 For the first case for today -- I think we have
16 only one case, I believe. Okay. Today's meeting is very
17 short, I believe. It's going to be very smooth. Thank you
18 so much.

19 PZ22-0036, Frank Accardo, 44719 Eleven Mile Road,
20 Eleven Mile Road east of Taft Road, parcel 50-22-22-100-008.
21 The applicant is requesting a variance from the City of Novi
22 Zoning Ordinance from Section 3.1.5 for a reduced side yard,
23 setback of 4.72 feet on the west side of the proposed
24 property, ten feet required, variance of 5.28 feet. The
25 variance requested will accommodate building a two-car

1 garage. This property is zoned One-Family Residential, R-4.

2 Is the applicant present?

3 MS. ACCARDO: Here.

4 CHAIRPERSON PEDDIBOYINA: Please come to the podium
5 and spell your first and last name clearly for our secretary
6 for the court record and then our acting secretary will take
7 the oath on that. Thank you.

8 MS. ACCARDO: So my name is Sara Accardo.

9 MR. ACCARDO: And Frank Accardo.

10 MS. ACCARDO: I'm sorry. What was the other?

11 MEMBER KRIEGER: Are you attorneys?

12 MS. ACCARDO: Are we attorney. No, husband and
13 wife.

14 MEMBER KRIEGER: Okay. And could you spell your
15 name for our court recorder?

16 MS. ACCARDO: It's S-a-r-a and the last name is
17 A-c-c-a-r-d, as in David, O.

18 CHAIRPERSON PEDDIBOYINA: Thank you.

19 MEMBER KRIEGER: And yours, sir? I'm sorry.

20 MS. ACCARDO: Frank.

21 MR. ACCARDO: Spell it?

22 MEMBER KRIEGER: Yeah, spell it.

23 MR. ACCARDO: Francesco, F-r-a-n-c-e-s-c-o.

24 MEMBER KRIEGER: Thank you. And you both swear or
25 affirm to tell the truth in this case?

1 MS. ACCARDO: We swear to tell the truth.

2 MR. ACCARDO: (Nods.)

3 MEMBER KRIEGER: Thank you.

4 CHAIRPERSON PEDDIBOYINA: Thank you so much. Keep
5 your mic closer so that way everybody can hear --

6 MS. ACCARDO: I'm sorry?

7 CHAIRPERSON PEDDIBOYINA: -- and we can -- yeah.

8 (The Court Reporter requested clarification.)

9 MS. ACCARDO: Say yes to swear.

10 MR. ACCARDO: Oh, okay.

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

13 MR. ACCARDO: Yes.

14 MEMBER KRIEGER: Thank you.

15 CHAIRPERSON PEDDIBOYINA: Yeah. Please proceed
16 what you want exactly where we can help on the City of Novi
17 Zoning Board. We try to help on that. Thank you. Please go
18 ahead and present your case clearly.

19 MS. ACCARDO: So my husband and I purchased a
20 house. It was built like in the '50s. And we're working on
21 making it a really beautiful home. This is our life savings
22 and wish and home to be. We are extending one wall to where
23 now it will be where the garage was originally. We're making
24 that into a living space and we're extending the side of the
25 garage wall to come further towards the driveway so that that

1 can become the garage.

2 The house is actually going to be -- we're adding
3 an area in the back and it's going to be a beautiful home.

4 So that's kind of our dream home. So we're asking
5 you to give us permission to build the extended wall so that
6 we can get going and get the permits and get started.

7 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.

8 What do you want to speak? Anything on this case,
9 sir?

10 MR. ACCARDO: No. I agree with everything she
11 said.

12 CHAIRPERSON PEDDIBOYINA: Do you have any
13 presentation to show?

14 Nothing?

15 MS. ACCARDO: We have -- well, we have our plans
16 but I think we sent those in.

17 MR. ACCARDO: We submitted plans.

18 MS. ACCARDO: But if you'd like to see them, we'd
19 love to show them to you.

20 CHAIRPERSON PEDDIBOYINA: Yeah. Please go ahead
21 and present.

22 MS. ACCARDO: Sure. You would like to see them?

23 MEMBER KRIEGER: For the people at home on the
24 overhead.

25 CHAIRPERSON PEDDIBOYINA: Yeah. Yeah.

1 MEMBER KRIEGER: Do you have something smaller?

2 MS. ACCARDO: I do not. I didn't know if -- I
3 think we sent everything in so I assume that everything was
4 already on your --

5 MEMBER KRIEGER: Yes, it's in our packet.

6 MS. ACCARDO: On your packet. But I would like to
7 show you what the house is actually going to look like.

8 MEMBER KRIEGER: Sure.

9 CHAIRPERSON PEDDIBOYINA: Please go ahead.

10 MS. ACCARDO: I'm not sure. Do I put it in here?

11 CHAIRPERSON PEDDIBOYINA: Yeah.

12 MS. ACCARDO: Okay. I've never done this before,
13 so please forgive me.

14 CHAIRPERSON PEDDIBOYINA: Okay. We try to help
15 you, if you don't know. That's fine.

16 MS. ACCARDO: I'm a director of senior housing so I
17 don't usually do this, but my husband has broken English so
18 he wanted -- he elected me to be the speaker because he knows
19 how much I love microphones.

20 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.

21 MR. ACCARDO: So let's see if we can get this --
22 all right.

23 (Document displayed.)

24 CHAIRPERSON PEDDIBOYINA: Yeah. You know.

25 MS. ACCARDO: There you go. So --

1 MR. ACCARDO: This, basically -- I can explain now
2 if you want.

3 MS. ACCARDO: Yes.

4 Oh, see. Now he wants to take over.

5 MR. ACCARDO: No, no. That's okay. This,
6 basically, is the plan for the foundation.

7 MS. ACCARDO: So this right here is the existing
8 wall of the garage. So we are extending that to add this
9 garage. Because this is now going to be living space instead
10 of where the garage is. So we're just keeping the same line.
11 We're not going off anywhere. We're keeping the same exact
12 line and we're just extending it to make a two-car 23.10
13 by -- I don't know how long it is. So that would be --

14 MR. ACCARDO: 22 by 20.

15 MS. ACCARDO: (Demonstrating) So that would be a
16 two-car garage. So that's exactly -- that's where we're
17 extending.

18 The house right now is this area over here. We are
19 keeping this. We're not demolishing this at all, but this
20 area will be all new with high ceilings.

21 This, we're adding, this area over here, which this
22 is going to be our kind of Florida room with a pizza oven in
23 the back.

24 This area over here will be new. And so it's going
25 to be a very beautiful home with probably an addition of

1 maybe, what, 1,200 square feet --

2 MR. ACCARDO: Yes.

3 MS. ACCARDO: -- from what it was before. So we're
4 really putting all our life savings into this. This is our
5 dream home. So we're just asking for a variance for us to
6 build this wall over here.

7 CHAIRPERSON PEDDIBOYINA: Okay.

8 MR. ACCARDO: The thing is that if we -- I'm sorry.
9 Since we already have an architectural drawing that I
10 submitted to the city, if we would not get the five feet, we
11 have to redo something else because it will --

12 MS. ACCARDO: We won't be able to do it.

13 MR. ACCARDO: We won't be able to build the way it
14 is. So the front door will have to be -- I don't know what
15 we'll have to do. It's very important that the wall stays
16 there.

17 MS. ACCARDO: So when we started this protect, we
18 really didn't know that our line -- because there's nothing
19 on that side. We didn't know that the variance that we were
20 already not in variance. The house was already there. And
21 so we didn't find out until we turn in the permits and that's
22 when they told us. And we already have waited like eight
23 months for these prints to be done. So everything now is a
24 wait.

25 And so that's where we're at right now. We're

1 asking you to give us the variance so that way we can proceed
2 and not have to go back to the drawing board.

3 CHAIRPERSON PEDDIBOYINA: Okay. Thank you so much.

4 MS. ACCARDO: Thank you.

5 CHAIRPERSON PEDDIBOYINA: From the audience, would
6 you like to speak on that?

7 Yeah, please. Tell your first and last name
8 clearly for our court record.

9 MR. SEIDL: Sure. My first name is Ray, R-a-y,
10 last name is Seidl. And I'm a homeowner that --

11 (The Court Reporter requested clarification.)

12 MR. SEIDL: S-e-i-d-l.

13 So my home abuts to their property. They have a
14 barn in the back of the property and my house is to the east
15 of that barn.

16 So when Frank and Sara bought the property, there
17 was -- actually, the previous owner owned two lots, their lot
18 that they're on and the lot that was immediately west of the
19 lot. So it was not -- I mean, I've lived there since '91, I
20 never knew where their lot line was. And so then, when that
21 previous owner sold it to another party, who Frank and Sara
22 bought it from, I think his intention was to come in and put
23 a little small sub in there and then I think the city may
24 have told him there's not enough space to put a street down
25 there so then he kind of lost interest in it.

1 And so he actually then from the previous owner
2 ended up splitting the two lots. So that's now the conundrum
3 that they're in. When the previous owner owned the empty lot
4 next to them, you know, there was a full lot to the west of
5 them that there was no, you know, setback issue whatsoever.
6 But now that the lot is split, it has become an issue.

7 And then, you know, my wife has said, why is that
8 wall still up there in their garage? I said, well, that's
9 going to become the west wall of their family room and they
10 just want to -- I explained to my wife they just want to run
11 their garage -- the west wall of their garage to tie into the
12 west wall of the old garage. They're not going any further
13 west. They're just staying right along that line to go
14 through it.

15 And I know all the neighbors are thrilled. That
16 house has been neglected for a long time and to have someone
17 come in and kind of fix it up is we're all, you know,
18 favored. Hopefully you receive some comments from some of
19 the neighbors that, you know, we approve of this request to
20 go through it, so.

21 THE COURT: Okay. Thank you so much.

22 MR. SEIDL: Thank you.

23 CHAIRPERSON PEDDIBOYINA: Okay. Thank you. And
24 from the city, Larry?

25 MR. BUTLER: No comments from the city at this

1 time.

2 CHAIRPERSON PEDDIBOYINA: Thank you.

3 Correspondence, Acting Secretary Linda?

4 MEMBER KRIEGER: For this case, 33 were mailed and
5 there's three approvals. First one is approval. Hi, Larry.
6 I have talked with Frank Accardo and have reviewed his house
7 plans. This is a very nice improvement to what was an
8 eyesore of a house as I view his house from my backyard. I
9 can wholeheartedly approve the dimensional variance and have
10 no issues with Frank moving forward with his plans. From
11 Robert Anderson.

12 The next one is an approval.

13 "Frank and Sara's request should be approved. They
14 are taking a neighborhood eyesore and are
15 responding to transform its appearance. The
16 existing west side of the structure is not
17 changing. From Ray and Molly Seidl."

18 Our speaker.

19 And then from Daniel Doss (ph):

20 "This property abuts our property. No objection
21 whatsoever."

22 And that's an approval. And that's it.

23 CHAIRPERSON PEDDIBOYINA: Thank you, Linda.

24 Okay. Thank you so much for, you know, the new
25 construction and the garage and what we are looking.

1 Let's open to the board and see what they say.

2 And it's open to the board. And please go ahead.

3 Would you like to speak on this, Mr. -- Dr.

4 Sanghvi? Please go ahead.

5 MEMBER SANGHVI: I came and visited this property
6 last week.

7 MR. ACCARDO: Oh, did you?

8 MEMBER SANGHVI: And whatever you do to it is going
9 to be an improvement. The way it is now it's not inhabitable
10 anyway.

11 MR. ACCARDO: Right.

12 MEMBER SANGHVI: So I have no problem that you are
13 going to improve it and it will be good for the neighborhood
14 and everybody else. You can bet. It will be a win-win
15 situation for everybody all around.

16 MR. ACCARDO: Thank you.

17 MEMBER SANGHVI: So I have no problem in supporting
18 your request for a variance. Thank you.

19 MR. ACCARDO: Thank you.

20 MS. ACCARDO: Thank you.

21 CHAIRPERSON PEDDIBOYINA: Thank you, Dr. Sanghvi.

22 Any other board member who would like to speak on
23 this case, please?

24 Okay. Looks like none.

25 Okay. I have no objection on this case. And, you

1 know, Linda, can you make a motion on this case for tonight?

2 MEMBER KRIEGER: In case number PZ22-0036 for Frank
3 Accardo, I move to grant the variance for the petitioner has
4 shown practical difficulty requiring the request for the
5 variance of 5.28 feet, ten required. They need the setback
6 of 4.72 feet on the west side because of a previous lot
7 split.

8 The petitioner will be unreasonably prevented or
9 limited with respect to the use of the property because of
10 this. The property is unique because it was previously a
11 larger lot and now less. The petitioner did not create the
12 condition because they purchased the house after this
13 occurred. The relief granted will not unreasonably interfere
14 with adjacent or surrounding properties because it will
15 definitely be an improvement, as people have mentioned.

16 And the relief is consistent with the spirit and
17 intent of the ordinance because it is a reasonable request.

18 MEMBER SANGHVI: Second.

19 CHAIRPERSON PEDDIBOYINA: Thank you. Linda and
20 Dr. Sanghvi.

21 Roll call, please.

22 MS. WAGNER: Chairperson Peddiboyina?

23 CHAIRPERSON PEDDIBOYINA: Yes, please.

24 MS. WAGNER: Member Krieger?

25 MEMBER KRIEGER: Yes.

1 MS. WAGNER: Member Longo?

2 MEMBER LONGO: Yes.

3 MS. WAGNER: Member Sanghvi?

4 MEMBER SANGHVI: Yes.

5 MS. WAGNER: Member Copes?

6 MEMBER COPEs: Yes.

7 MS. WAGNER: Motion passes.

8 MEMBER KRIEGER: Congratulations.

9 CHAIRPERSON PEDDIBOYINA: Congratulations. Good
10 luck.

11 MS. ACCARDO: Thank you, so much. You are all
12 welcome to come and look at the progress.

13 CHAIRPERSON PEDDIBOYINA: Thank you so much.

14 MR. ACCARDO: And having pizza after.

15 CHAIRPERSON PEDDIBOYINA: Okay. And thank you so
16 much for all the -- you know, today's very short meeting and
17 we only took 15 minutes. I have only one thing, I want to
18 invite all the board members and city, we are celebrating
19 India Independence 75th celebration at Suburban Showplace.

20 I would like to invite all our board members and
21 city clerk and Darlene and my secretary. Please participate
22 on the 20th of August at 9:30. Everybody will be there and
23 lunch will be there. I'll be there. I'm the vice-president
24 for the organization.

25 Thank you for this opportunity giving this city to

1 allow me to announce this message.

2 Thank you.

3 And that comes to today's meeting and I would like
4 to adjourn. Any other things before I adjourn the meeting?

5 MEMBER SANGHVI: May I make a motion?

6 CHAIRPERSON PEDDIBOYINA: Yes, please.

7 MEMBER SANGHVI: I make a motion to adjourn the
8 meeting for the day?

9 MEMBER KRIEGER: Second.

10 CHAIRPERSON PEDDIBOYINA: Thank you.

11 Say "Aye" all in favor.

12 THE BOARD: Aye.

13 CHAIRPERSON PEDDIBOYINA: Any nays?

14 Meeting adjourned. Thank you very much.

15 (At 7:16 p.m., meeting adjourned.)

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C E R T I F I C A T E

STATE OF MICHIGAN)

) ss

COUNTY OF OAKLAND)

I, Darlene K. May, Notary Public within and for the County of Oakland, do hereby certify that I have recorded stenographically the proceedings had and testimony taken in the above-entitled matter at the time and place hereinbefore set forth, and I do further certify that the foregoing transcript, consisting of eighteen (18) typewritten pages, is a true and correct transcript of my said stenographic notes.

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

August 12, 2022
(Date)