

REGULAR MEETING - ZONING BOARD OF APPEALS
CITY OF NOVI
TUESDAY, SEPTEMBER 14, 2021 7:00 P.M.

Council Chambers-Novi Civic Center-45175 W. Ten Mile Rd.

BOARD MEMBERS:

Joe Peddiboyina - Chairperson
Linda Krieger
Travis Malott
Clift Montague
Siddharth Mav Sanghvi
Kevin Sanker
Michael Longo
Mav Sanghvi

ALSO PRESENT:

Elizabeth Saarela, City Attorney
Lawrence Butler, Comm. Development, Dep. Director
Katherine Oppermann, Recording Secretary

Reported By: Melinda R. Womack, CSR

1 Novi, Michigan

2 Tuesday, September 14, 2020

3 About 7:00 p.m.

4 CHAIRPERSON PEDDIBOYINA: Good evening.

5 Welcome to the Novi City Zoning Board of Appeals.

6 Today is September 14, 7 p.m. The Pledge of

7 Allegiance. Everybody can please stand up.

8 (Pledge of Allegiance recited)

9 CHAIRPERSON PEDDIBOYINA: Thank you.

10 Please be seated. We can take roll call.

11 MS. OPPERMANN: Member Krieger?

12 MEMBER KRIEGER: Present.

13 MS. OPPERMANN: Member Malott?

14 MEMBER MALOTT: Present.

15 MS. OPPERMANN: Member Montague?

16 MEMBER MONTAGUE: Here.

17 MS. OPPERMANN: Chairperson

18 Peddiboyina?

19 CHAIRPERSON PEDDIBOYINA: Yes, please.

20 MS. OPPERMANN: Member Sanker?

21 MEMBER SANKER: Here.

22 MS. OPPERMANN: Member Sanghvi?

23 MEMBER SANGHVI: Yes.

1 MS. OPPERMANN: Member Thompson is
2 absent excused. Member Longo?

3 MEMBER LONGO: Present.

4 CHAIRPERSON PEDDIBOYINA: Thank you.
5 Roll call is done. Rules and conduct. Everybody
6 knows the public rules and conduct. We have
7 enough quorum? Can you hear me? We have enough
8 quorum?

9 MS. OPPERMANN: Yes.

10 CHAIRPERSON PEDDIBOYINA: Let's move on
11 to the public hearing. Rules and conduct. All
12 right. If you phones are on, anybody's phone,
13 please make it mute, you know. We have a public
14 hearing. Whenever your case comes you can please
15 come to the podium and posit your case. And spell
16 the first and last name clearly for the court
17 records. And then we can see in the podium.
18 People can come to the podium and be sworn by
19 secretary if you're not the attorney. We have an
20 agenda today of four cases. Coming to the
21 approval of the agenda.

22 MEMBER KRIEGER: Any changes.

23 MS. OPPERMANN: No. No changes in the

1 agenda.

2 CHAIRPERSON PEDDIBOYINA: Approval of
3 the agenda, please.

4 MEMBER KRIEGER: I move to approve the
5 agenda.

6 MEMBER LONGO: Second.

7 CHAIRPERSON PEDDIBOYINA: Thank you.
8 And minutes of meeting, July, somebody can make a
9 motion.

10 MR. KRIEGER: All in favor of the
11 agenda?

12 CHAIRPERSON PEDDIBOYINA: All in favor
13 of the agenda, say aye.

14 THE BOARD: Aye.

15 CHAIRPERSON PEDDIBOYINA: Thank you.
16 Coming to the meeting minutes of July, and I guess
17 somebody make a motion for July.

18 MEMBER SANGHVI: So move to accept the
19 minutes as presented.

20 MR. KRIEGER: Second.

21 CHAIRPERSON PEDDIBOYINA: Thank you.
22 Say aye agree. Any objection?

23 THE BOARD: Aye.

1 CHAIRPERSON PEDDIBOYINA: Thank you.

2 Coming to August 2021, I was not there in the
3 meeting. Somebody can make a motion.

4 MR. KRIEGER: Move to approve the
5 August minutes.

6 CHAIRPERSON PEDDIBOYINA: Second?

7 MEMBER MONTAGUE: I'll second.

8 MEMBER KRIEGER: All in favor?

9 CHAIRPERSON PEDDIBOYINA: All in favor?

10 THE BOARD: Aye.

11 CHAIRPERSON PEDDIBOYINA: Thank you.

12 Public remarks, coming to the public remarks of
13 the meeting. Anything have anything about today's
14 cases and agenda? You can come to the podium
15 before we move to the part where we have cases.
16 Anybody can want to add anything agenda today,
17 please come forward.

18 MR. KRIEGER: Is it regarding one of
19 the cases? You can come up when we do the case.
20 We can come up for public input regarding anything
21 but the cases.

22 AUDIENCE MEMBER: Well, I have a case
23 on the agenda.

1 MS. OPPERMANN: We'll call you when
2 it's your turn for the case.

3 CHAIRPERSON PEDDIBOYINA: Thank you so
4 much, Linda. Any other things to add? Otherwise,
5 we can move. I also would like to bring under
6 today's meeting, anybody is a public, they have
7 only three minutes of time. We need to respect
8 the time, and the board members' time, and our
9 officers' time, appreciate for that, and anything
10 you want to say. Thank you. And coming to
11 today's first case, PZ21-0040, Eric & Susan
12 Colthurst. C-O-L-T-H-U-R-S-T, 1291 East Lake
13 Drive, West of Novi Road and South of 14 Mile
14 Road, Parcel Number 50-22-02-176-016. The
15 applicant is requesting variances from the City of
16 Novi Zoning Ordinance Section 3.1.5 for a side
17 yard setback of 3.85 feet (10 feet minimum
18 required, variance of 6.15 feet) and an aggregate
19 total side yard setback of 16.55 feet (25 feet
20 required, variance of 8.45 feet). This variance
21 would accommodate the building of a home addition.
22 This property is zoned Single Family Residential
23 (R-4). Is there anybody here the first case

1 applicant?

2 MEMBER KRIEGER: Can we put it to the
3 end?

4 CHAIRPERSON PEDDIBOYINA: Yeah, we can
5 put it to the end.

6 MEMBER KRIEGER: We need a motion to
7 put it to the end.

8 MS. OPPERMANN: Sure. Just move to --

9 MEMBER KRIEGER: I move the first case
10 to be put the fourth case.

11 MEMBER SANGHVI: Second.

12 CHAIRPERSON PEDDIBOYINA: Thank you.
13 All in favor?

14 THE BOARD: Aye.

15 CHAIRPERSON PEDDIBOYINA: Okay. Coming
16 to case number PZ21-0050 (Signs by Crannie/Twelve
17 Mile Crossing) 44175 Twelve Mile Road, West of
18 Novi Road and South of Twelve Mile Road, Parcel
19 50-22-15-200-112. The applicant is requesting
20 variances from The city of Novi Code of Ordinances
21 Section 28-5 and 28-5(a) for 24 square foot sign
22 faces, 84 inches tall. These signs exceed the
23 size and height originally approved by ZBA#

1 01-045. This property is zoned Regional Center
2 (RC). Spell your first and last name.

3 MEMBER KRIEGER: Yes, if you spell your
4 name, I'm sorry, and then we'll swear you in.

5 MR. GUZIK: Yes. My name is Nicholas
6 Guzik with Signs by Crannie and I represent an
7 organization called Green Earth Realty, which is
8 the property owner for the 12 Oaks Crossing.

9 MEMBER KRIEGER: So Crannie is
10 C-R-A-N-N-I-E.

11 MR. GUZIK: Correct.

12 NICHOLAS GUZIK,
13 having first been duly sworn, was examined and testified
14 on his oath as follows:

15 CHAIRPERSON PEDDIBOYINA: Thank you,
16 Linda. And thank you. And you can present your
17 case.

18 MR. GUZIK: What we are doing is we're
19 currently working with the property owner in new
20 signage for the whole property. We have some
21 entrance signs that we're redoing, we're painting,
22 putting new text and graphics. However, these
23 signs are taller than the existing signs, so we're

1 requesting a variance to allow the increase in
2 height so that why we can put all of the tenants'
3 names on it.

4 The property has increased how many
5 tenants it will have, so we just need larger
6 panels for way finding to make sure that the
7 guests an anybody going to the Center is able to
8 find out which way the tenant is so they don't get
9 confused, because it is a large property.

10 CHAIRPERSON PEDDIBOYINA: Okay. You
11 want to add anything more thing.

12 MR. GUZIK: We had an option of
13 reducing the size. We can reduce the size of the
14 copy on the signs. It's currently two and a half
15 inches for all of the copy. We reduced it to one
16 and an eighth inch, and any smaller than that
17 basically people wouldn't be able to drive and see
18 where it is, and it will just add confusion. So
19 there is -- we're not changing any of the signs.
20 The signs will go where the existing signage is.

21 CHAIRPERSON PEDDIBOYINA: Do you want
22 to show anything.

23 MR. GUZIK: I do have some graphics

1 here.

2 CHAIRPERSON PEDDIBOYINA: You can put
3 it on the slide. Yep. Perfect. You can point
4 and you can explain what exactly.

5 MR. GUZIK: Okay. So these are the
6 existing -- well, these are the signs that we're
7 proposing for the, for the Center. This is the
8 existing sign. You can see they're small.
9 They're kind of flag mounted, so some of them are
10 leaning over so we're going to straighten them
11 out, add a post on this side of the signs and
12 replace the panels with it, so that's what we're
13 asking for. It certainly is an improvement than
14 what currently is there.

15 CHAIRPERSON PEDDIBOYINA: Are you
16 raising the height? What do you have of the
17 height?

18 MR. GUZIK: So the current height of
19 the panels on the signs are 48 inches. We're
20 requesting 63 inches with an overall height from
21 grade to the top of the sign at 84 inches. We've
22 taken a look at the possibility of any problems or
23 issues with somebody turning, some coming in. And

1 again, it's out of the way. It's not adding any
2 more signage into the right of way to cause any
3 issues with the traffic on that street.

4 CHAIRPERSON PEDDIBOYINA: I drove this
5 several times around the places also. Do you want
6 to add anymore? Do you want to add anymore
7 things.

8 MR. GUZIK: Any questions that you may
9 have?

10 CHAIRPERSON PEDDIBOYINA: Yeah, when
11 you come back.

12 MR. GUZIK: Okay.

13 CHAIRPERSON PEDDIBOYINA: Thank you.

14 MR. GUZIK: Thank you.

15 CHAIRPERSON PEDDIBOYINA: Okay. I can
16 certainly understand your situation on the sign
17 board. You can stay there. You can stay there.
18 Certainly what we have on the board what you are
19 look. Certainly I don't know. I'm hoping the
20 board members to speak on this case. City?

21 MR. BUTLER: No comments for the City.
22 Stand by the questions.

23 CHAIRPERSON PEDDIBOYINA: Okay.

1 Correspondence.

2 MEMBER KRIEGER: I guess since there's
3 nobody in the public, the correspondence is 39
4 mailings were sent, one return, zero approval,
5 zero objections.

6 CHAIRPERSON PEDDIBOYINA: Thank you,
7 Linda. Okay. I can to the Board. The Board
8 members can speak on this case, please.

9 MEMBER MONTAGUE: So these are all
10 replacement signs? There's no new signs added to
11 the count.

12 MR. GUZIK: Correct.

13 MEMBER MONTAGUE: Would have also been
14 nice if we've seen a mock-up so we could see the
15 size of the of. I didn't see any mock-ups outer
16 there. Did you do a mock-up?

17 MR. GUZIK: We have not fabricated a
18 mock-up.

19 MEMBER MONTAGUE: Thank you.

20 MR. GUZIK: You're welcome.

21 CHAIRPERSON PEDDIBOYINA: Thank you,
22 Member Mav. Go ahead, sir.

23 MEMBER SANGHVI: Thank you. I came and

1 drove around again throughout the whole complex
2 day before yesterday, and this is the first time I
3 saw what kind you were trying to propose. This is
4 definitely an improvement of what you have got
5 there, and I think it's a good to have larger
6 signs for the people to see when they are driving
7 around the complex without causing any problem, so
8 I can support your request. Thank you.

9 MR. GUZIK: Thank you.

10 CHAIRPERSON PEDDIBOYINA: Thank you,
11 Mr. Mav. Anybody wants to speak on this case,
12 please? Okay. Clift, go ahead.

13 MEMBER LONGO: You stated that you
14 reduced the size of the -- is it reduced from the
15 one that you have now?

16 MR. GUZIK: Yes, it is.

17 MEMBER LONGO: Okay. That's getting
18 pretty small. Maybe I'm pretty old, and it's
19 pretty busy, as you know, so I wouldn't make it
20 any smaller.

21 MR. GUZIK: It's two and a half inches
22 now, and we're going to two and one eighth of an
23 inch, just so we're not moving it a lot, just to

1 accommodate not only the existing tenants,
2 however, there are I believe four new tenants
3 coming into that center. So we're allowing a
4 little room on most of the signs for new tenants
5 as they come into the Center.

6 MEMBER LONGO: Thank you.

7 MR. GUZIK: Thank you.

8 CHAIRPERSON PEDDIBOYINA: Thank you,
9 Member Long. I can see you put the tenants for
10 the future tenants. Okay. Anybody would like to
11 speak? Linda?

12 MEMBER KRIEGER: I've got a question.

13 CHAIRPERSON PEDDIBOYINA: Okay.

14 MEMBER KRIEGER: So each sign is going
15 to have tenants. Like how many tenants are going
16 to be on there? Ten or 12?

17 MR. GUZIK: They vary.

18 MEMBER KRIEGER: Or what's the max?

19 MR. GUZIK: Depending on the -- these
20 are the proposed signs, and each sign has the
21 tenants, the actual tenants that are there. So
22 you can see, some of the signs are pretty full.
23 We have room for additional tenants without having

1 to change any of the panels. Down here just
2 because of the location of the sign, we don't have
3 as many tenants listed on this panel.

4 MEMBER KRIEGER: So those panels are
5 changeable as time goes by?

6 MR. GUZIK: They can be. The intent is
7 just to add vinyl on the panels. If a tenant
8 moves, the vinyl can be removed and replaced with
9 a new tenant as opposed to replacing the whole
10 panel. However, to answer your question, the
11 panels are replaceable.

12 MEMBER KRIEGER: Okay.

13 MR. GUZIK: If somebody ran a panel
14 over, hope it never happens, the panel can be
15 replaced pretty easily.

16 MEMBER KRIEGER: Okay. And will they
17 we be lit at night?

18 MR. GUZIK: No, they will. Not
19 illuminated.

20 MEMBER KRIEGER: Okay. And then are
21 one of those panels going to have lake directional
22 you are here kind of map of the entire thing, or
23 is there going to be a mail out do you know.

1 MR. GUZIK: No, it doesn't have an
2 actual map showing you are here with the tenants
3 around it. Basically it's just a tenant name with
4 an arrow showing which direction you'll be able to
5 go. Now, these signs are double sided. So if
6 you're coming this way, you'll be able to see to
7 turn that way. If you're coming this way, it will
8 also have an arrow on which direction you should
9 proceed.

10 MEMBER KRIEGER: Directional signs.
11 Yep, I see a need because you go in and there's
12 different roads to drive and it's difficult to
13 know who and what is where, so it's good to have
14 directional signs. It's not good to have them too
15 small you need to be able to see them as well. So
16 I'd be able to support the request.

17 MR. GUZIK: Thank you.

18 CHAIRPERSON PEDDIBOYINA: Thank you,
19 Linda.

20 MEMBER SANKER: So is it just for these
21 particular signs, or is it all of the ones in the
22 application that the variance is for?

23 MR. GUZIK: I'm not sure. There are

1 six signs that we're replacing that currently are
2 at the location. So these are the signs that
3 we're asking for a variance. The existing
4 monument signs, there are three existing monument
5 signs in place that are the large masonry signs,
6 and what we're doing is we're pulling the letters
7 off of it and putting a panel on it. However,
8 we're using the existing signage, so there's no
9 variance required for those signs.

10 MEMBER SANKER: I think it's just
11 limited to these signs. You said it was 84, this
12 says 84 inches. So in any event, I think it's a
13 reasonable request and I think it is improving the
14 area, so I'd be able support it.

15 MR. GUZIK: Thank you.

16 CHAIRPERSON PEDDIBOYINA: Before I
17 move, anyone wants to speak on this case? Looks
18 like none. Okay. Yeah. I said, you know, what
19 we what we need to improve the remaining, call on
20 Mike to make a motion on this case, please?

21 MEMBER LONGO: Thank you. I move that
22 we grand variance in case number PZ21-0050 sought
23 by Signs by Crannie for oversized signs because

1 Petitioner has shown practical difficulty
2 requiring more signage to show the directions and
3 for the number of tenants. Without the variance,
4 Petitioner would be unreasonably prevented or
5 limited with respect to use of the property
6 because the number of tenants, and the streets,
7 the and size of the complex in general.

8 The property is unique because it is a
9 large complex, multiple tenants, multiple streets.
10 Petitioner did not create the condition because
11 the complex has been in place for several years.

12 The relief granted will not
13 unreasonably interfere with the adjacent or
14 surrounding properties because they are simply
15 replacing existing signs with taller signs.
16 Relief is consistent with the spirit and intent of
17 the ordinance because the signs are not too large
18 for the circumstance.

19 MEMBER SANGHVI: Second.

20 CHAIRPERSON PEDDIBOYINA: Thank you.

21 Please roll call, Katherine.

22 MS. OPPERMANN: Yes. Chairperson
23 Peddiboyina?

1 CHAIRPERSON PEDDIBOYINA: Yes, please.

2 MS. OPPERMANN: Member Krieger?

3 MEMBER KRIEGER: Yes.

4 MS. OPPERMANN: Member Malott?

5 MEMBER MALOTT: Yes.

6 MS. OPPERMANN: Member Montague?

7 MEMBER MONTAGUE: Yes.

8 MS. OPPERMANN: Member Sanghvi?

9 MEMBER SANGHVI: Yes.

10 MS. OPPERMANN: Member Sanker.

11 MEMBER SANKER: Yes.

12 MS. OPPERMANN: Member Longo?

13 MEMBER LONGO: Yes.

14 MS. OPPERMANN: Motion passes.

15 MR. GUZIK: Thank you, very much. We
16 appreciate. Thank you. And you'll see some new
17 signs out there probably three or four weeks.

18 CHAIRPERSON PEDDIBOYINA: That brings
19 us to the first case tonight. Coming to the third
20 one. PZ21-0051. (Acquire Realty Holdings) 44244
21 Twelve Mile Road, Parcel 50-22-10-400-067. The
22 applicant is requesting variance from the City of
23 Novi Zoning Ordinance Sec. 4.19.2.F to allow the

1 placement of two dumpsters in the interior side
2 yard. This property is zoned Office Service
3 (OS-1). Okay. You're the applicant? Okay.
4 Please spell your first and last name for.

5 MR. SCHIMIZZI: Sure. First name is
6 Joe, last name is Schimizzi, spelled Joe,
7 S-C-H-I-M-I-Z-Z-I.

8 JOE SCHIMIZZI,
9 having first been duly sworn, was examined and testified
10 on his oath as follows:

11 CHAIRPERSON PEDDIBOYINA: Thank you,
12 Linda. You can proceed.

13 MR. SCHIMIZZI: Is it possible at all
14 to pull up the site plans on the screen or no?

15 MS. OPPERMANN: I believe the way they
16 have it set up is that is that they can only
17 currently utilize the screen there. I could
18 potentially pull the site plan out of file, if
19 you'd like, but. . .

20 MEMBER SANKER: Okay. I'm going to do
21 the best I can. I apologize. My civil engineer
22 was supposed to be here tonight. I'm here on his
23 behalf. I'm the property owner at 44244 West

1 Twelve Mile Road. It's Fountain View Professional
2 Center, which is a new development in for site
3 plan approving. We are seeking a variance for
4 dumpsters. It's an odd-shaped parcel that kind of
5 a wraps around the Level One Bank on 12 Mile Road.
6 We proposed a dumpster on the west side of the
7 parcel adjacent to the dumpster kind of in line or
8 parallel with the dumpster next to Level One Bank,
9 or adjacent to Level One Bank.

10 We also have in the rear yard, which is
11 a wetlands. We do have and we designed around the
12 wetland to preserve the wetland. We do have a
13 dumpster parcel or dumpster gate back there also.
14 The one on the western side of the parcel for
15 which we are seeking the variance is, like I said,
16 in line with Level One Bank. That is the dumpster
17 parcel we're seeking the variance for.

18 In addition, we did very tactfully
19 design around the wetland, which is in the rear
20 yard, and we cannot without disturbing the
21 wetland, cannot reasonably extend the dumpster
22 gate in the back without having the one on the
23 west side of parcel unless we receive the

1 variance.

2 I did, and I apologize, I don't have
3 the site plan to make it visible. I don't think
4 this is going to do it justice, so forgive me.
5 But I can try and point to the best of my ability.
6 Back here is the wetland, which is the rear yard.
7 The proposed dumpster gate that we are proposing
8 is right there, which is in line with the dumpster
9 gate on the adjacent property, and that's the area
10 that we are seeking the variance for. I
11 apologize. I know that's not doing it much
12 justice.

13 CHAIRPERSON PEDDIBOYINA: Anything you
14 want to add more?

15 MEMBER SANKER: Unless there are any
16 question.

17 CHAIRPERSON PEDDIBOYINA: Okay. How
18 big is the dumpster?

19 MEMBER SANKER: The dumpster gate it 17
20 by 53 and a half. That's the loading area.

21 CHAIRPERSON PEDDIBOYINA: You are
22 replacing the two dumpsters?

23 MEMBER SANKER: I'm sorry.

1 CHAIRPERSON PEDDIBOYINA: You're
2 including the two dumpsters.

3 MEMBER SANKER: Two dumpsters there and
4 then two dumpsters in the rear yard. The one
5 we're seeking the variance for is the one on the
6 western parcel, the western side of the parcel.

7 CHAIRPERSON PEDDIBOYINA: Okay.
8 Anything you want to add?

9 MEMBER SANKER: Unless there's any
10 questions that I can address.

11 CHAIRPERSON PEDDIBOYINA: Okay. From
12 City?

13 MR. BUTLER: No comments from the City.

14 CHAIRPERSON PEDDIBOYINA: Thank you.
15 Questions from the Secretary? Linda?

16 MEMBER KRIEGER: For this case, twenty
17 letters were sent, zero returns, zero objections.

18 CHAIRPERSON PEDDIBOYINA: Thank you.
19 Okay. I'll put to the Board. Anybody can speak
20 on this Board. Any questions?

21 MEMBER SANGHVI: Thank you. I came and
22 visited your site there, and I think it makes
23 sense to put it next to the bank's dumpsters. It

1 easier for removing and also it doesn't crowd up
2 the side of the old property. So I think if you
3 make it a lot and it's it not easy to put it in
4 the back as is required by the ordinance, so I can
5 support your application.

6 MR. SCHIMIZZI: Thank you, sir.

7 CHAIRPERSON PEDDIBOYINA: Thank you.

8 Okay. Linda?

9 MEMBER KRIEGER: What do you have
10 around the concrete that protects the dumpsters?
11 Are you going to have landscaping?

12 MR. SCHIMIZZI: It's a green space,
13 yes. There's a green space around the dumpsters,
14 so the loading area -- this is the subject
15 dumpster area that we're seeking here. So there's
16 a loading area right here. That dark line right
17 here is the, I believe that to be the property
18 line for the Level One Bank. And there are, to my
19 knowledge, there are masonry walls around the
20 dumpster gates naturally with landscaping and
21 green space around the perimeter parcel.

22 MEMBER KRIEGER: Thank you. I can
23 support.

1 CHAIRPERSON PEDDIBOYINA: Thank you,
2 Linda. Any other Board members would like to
3 speak?

4 MEMBER SANKER: Do you have to have the
5 two dumpsters? I guess you have the one in the
6 back, right?

7 MR. SCHIMIZZI: Yep.

8 MEMBER SANKER: And then is the second
9 one like do you need it because of the square
10 footage?

11 MR. SCHIMIZZI: That's a great
12 question. If the particular front buildings, the
13 one closest to 12 Mile would be 350 feet from the
14 rear yard to get to that back dumpster, and to
15 preserve the wetland, we can really realistically
16 only place two dumpster parcels back there. So we
17 were talking about a total of about 50,000 square
18 foot of total building -- excuse me 50,000 square
19 feet roughly amongst three different buildings
20 over five acres, five and a half acres, excluding
21 about have an acre of the wetland in the back. So
22 it would be a long distance from that front
23 building to the rear yard to get to the two

1 dumpsters that are available. So four total
2 dumpsters amongst two different dumpster parcels.

3 MEMBER SANKER: Okay. And you want to
4 add this there for convenience?

5 MR. SCHIMIZZI: It's not a convenience.
6 Yeah. It's not a convenience thing. It's not
7 necessarily a convenience thing. It's really
8 because we really can't place anymore dumpster
9 area in the back without disturbing the wetland.
10 I mean there is a convenience also because we'd be
11 350 feet from the front of the building to that
12 rear, to that rear dumpster yard, yeah.

13 So we were very careful when we
14 designed this, and the design team was very
15 careful, understanding that this would need a
16 variance, so we purposely place the dumpster in
17 question right now in line with the rear yard of
18 Level One Bank because the part of this particular
19 one also includes the land behind Level One Bank
20 too. It's an odd-shaped parcel. Kind of wraps
21 around, if you will, onto Dixon Road.

22 MEMBER SANKER: That makes sense.
23 Thanks for clarifying.

1 CHAIRPERSON PEDDIBOYINA: Thank you.
2 Anyone on the Board would like to speak? Seeing
3 none. Okay. Motion time.

4 MEMBER SANKER: I move we grant the
5 variance in case number PZ21-0051 sent by
6 petitioner for the variance of placing two
7 dumpsters on the interior side yard because the
8 petitioner showed practical difficulty requiring
9 this variance. Without it, it would be
10 unreasonably prevented or limited with respect to
11 the use of the property because the square footage
12 requires additional space. And the property is
13 unique because of its shape and the adjacent
14 wetlands. Petitioner did not create the
15 conditions because the wetlands existed there
16 before. The relief granted will not unreasonably
17 interfere with adjacent or surrounding properties
18 because it's really in line with the adjacent
19 property's current dumpster and then there's
20 wetlands.

21 The relief is consistent with the
22 spirit and intent of the ordinance because it
23 preserves wetlands and allows them to more

1 efficiently use their property.

2 MEMBER KRIEGER: Second.

3 MEMBER SANKER: Thank you.

4 CHAIRPERSON PEDDIBOYINA: Thank you.

5 Roll call? Kathy?

6 MS. OPPERMANN: Certainly.

7 CHAIRPERSON PEDDIBOYINA: Thank you.

8 MS. OPPERMANN: Chairperson

9 Peddiboyina?

10 CHAIRPERSON PEDDIBOYINA: Yes, please.

11 MS. OPPERMANN: Member Krieger.

12 MEMBER KRIEGER: Yes.

13 MS. OPPERMANN: Member Malott.

14 MEMBER MALOTT: Yes.

15 MS. OPPERMANN: Member Montague.

16 MEMBER MONTAGUE: Yes.

17 MS. OPPERMANN: Member Sanghvi?

18 MEMBER SANGHVI: Yes.

19 MS. OPPERMANN: Member Sanker.

20 MEMBER SANKER: Yes.

21 MS. OPPERMANN: Member Longo?

22 MEMBER LONGO: Yes.

23 MS. OPPERMANN: Motion passes.

1 MR. SCHIMIZZI: Thank you guys very
2 much. I appreciate it.

3 CHAIRPERSON PEDDIBOYINA: Thank you so
4 much.

5 MR. SCHIMIZZI: Thank you.

6 CHAIRPERSON PEDDIBOYINA: Good luck.

7 Coming to PZ21-0044 (Scott & Lisa Hoag)
8 21850 Garfield Road, East of Napier Road and South
9 of Nine Mile Road, Parcel 50-22-32-100-017. The
10 applicant is requesting variances from The City of
11 Novi Zoning Ordinance Section 2.1.1.E for two lots
12 with less than the required 150-foot minimum lot
13 width (30-foot lot width proposed for each,
14 variance of 120 feet) and 3.6.2.A.i for two flag
15 shaped lots (by code flag shaped lots are not
16 permitted). There variances are for the splitting
17 of an existing 5.97-acre lot into three new lots.
18 This property is zoned Residential Acreage (RA).
19 This case was tabled from the August 10, 2021
20 meeting. Is applicant present? Okay. Please
21 spell your first and last name clearly for our
22 Secretary.

23 MEMBER KRIEGER: Do they have to do

1 that, since he's already done it before.

2 CHAIRPERSON PEDDIBOYINA: Yes.

3 MEMBER KRIEGER: Well, you're an
4 attorney, so go right ahead.

5 MR. MYERS: Good evening. Roger Myers,
6 M-Y-E-R-S, 915 Michigan Avenue in Howell. I am
7 the attorney representing the applicants, and I'm,
8 obviously, here again this evening for our
9 follow-up presentation. So I don't know if I need
10 to be sworn in.

11 MEMBER KRIEGER: No. I think you swore
12 to the State, right?

13 MR. MYERS: That's right. Absolutely.

14 CHAIRPERSON PEDDIBOYINA: Is she going
15 to join the meeting. Is she going to present.

16 MR. MYERS: She's here to answer
17 questions, and I'm going to be addressing any
18 follow-up issues. Obviously, we were here last
19 time. I know a few of you were not here. We went
20 through the grounds for the application.
21 Ultimately it was tabled, primarily because there
22 had -- several of the neighbors had sent emails or
23 thought they sent emails in support of the

1 application. They apparently had not been
2 received by the City. It's my understanding that
3 they have now been re-sent. I did bring extra
4 hard copies. There are about seven or eight that
5 were received. So we tabled it last time so that
6 that information in support of the application
7 could be considered and, of course, provide the
8 entire Board the opportunity to review this. So
9 it has been presented, and certainly is part of
10 the record and is further reason why we were
11 asking for the support.

12 Just to kind of recap briefly, I know
13 that a few of you were not here last time.

14 MEMBER KRIEGER: Can I interrupt you
15 for a second?

16 MR. MYERS: Sure.

17 MEMBER KRIEGER: We have to do the
18 correspondence in the City, or is that from the
19 same?

20 MS. SAARELA: Let him recap.

21 MEMBER KRIEGER: Thank you.

22 MR. MYERS: Sure. Absolutely.

23 So just to recap, what I have here on

1 the screen is the existing parcel that's
2 highlighted. As you can see, it's basically a
3 two-flag hot parcel. You have essentially two
4 flags and two staffs. This property has been
5 owned by my clients since 1999. It's the same
6 configuration, same size as it has been since
7 they've owned it since 1999. They are looking
8 to -- and the reason really we're here is they're
9 looking to split this parcel into three separate
10 parcels. And, unfortunately, because of the City
11 Zoning Ordinances, they are not able to do that
12 without the variances that are being requested.

13 I think what's really important to just
14 to really simplify what the request is,
15 ultimately, what my clients want to do is take
16 this existing double flag lot and split this one
17 staff into its own standalone parcel, which will
18 be the parcel C that is going to be sought to be a
19 new parcel. That parcel will meet all the
20 requirements. There really isn't a variance
21 that's required for that parcel. It on its own
22 meets all of the City's zoning requirements. But
23 in doing so, it then creates a -- the

1 non-conformities that is the basis of the request.

2 So what ultimately then my clients are
3 seeking to do is in splitting this off, they will
4 be creating this Parcel C, which, as I indicated,
5 is in full conformity with City Zoning Ordinance,
6 and then rather than having what was a parcel, a
7 dual flag parcel with two staffs, they're
8 essentially now going to have two parcels, the
9 same two flags, if you will, but served by a
10 single staff.

11 So that's really in terms of looking at
12 how the configuration of the lots will be, they're
13 going from two flag lots with two staffs, to one
14 standalone fully-compliant parcel with the two
15 flags served by a single staff. That in a
16 nutshell is what we're looking to accomplish.

17 When we were here last time, I went
18 through all of the various factors that this Board
19 has to consider in passing on a variance. It's
20 not self-created. The parcel has been that way
21 throughout the time that my client has owned the
22 parcel, and it was in compliance at the time that
23 the parcel was created. It is consistent with the

1 zoning spirit and intent of the ordinance. It's
2 already an existing flag, so there not creating a
3 flag that doesn't already otherwise exist, and the
4 size of the parcels are consistent with an
5 actually larger than some of the other parcels in
6 the surrounding area.

7 They are unreasonably prevented from
8 accomplishing the split because of the uniqueness
9 of this property. I mean I'm not aware of -- I
10 venture to guess there isn't a single parcel
11 anywhere in the city that is currently consistent
12 of two flag lots combined into a single parcel.
13 So it's certainly unique from that standpoint. It
14 doesn't unreasonably interfere with the use of the
15 adjacent parcels. Obviously, we've indicated we
16 have multiple -- all of the neighbors that have
17 submitted input are all in support of this
18 application. We're not aware of any objections by
19 any of the neighbors as well.

20 So for all of those reasons, we request
21 that the Board grant the variances and allow
22 ultimately the parcel to be split into the three
23 proposed parcels, A, B, and C. So I'm happy to

1 answer any other questions anyone might have.

2 CHAIRPERSON PEDDIBOYINA: Making three
3 of them, A, B, and C.

4 MR. MYERS: That's correct. So what
5 will result ultimately if the variances are
6 granted with A, B, and C, A will be one acre.
7 That's the one that -- I'm sorry. C will be one
8 acre, that's this one here, which is fully
9 compliant with the Zoning Ordinance. This one
10 will be 2.031 acres, and this parcel B, which is
11 the one that has their current residence, that
12 will be 2.951. Acres so that will be the
13 composition in terms of size of the three
14 resulting parcels.

15 CHAIRPERSON PEDDIBOYINA: Okay. Thank
16 you. I don't see anybody in the public. Nobody.
17 Okay. Any other thing you want to add tonight?

18 MR. MYERS: Nothing further. I
19 appreciate your time and happy to answer any
20 questions.

21 CHAIRPERSON PEDDIBOYINA: Thank you so
22 much. I'll put it to the Board. Anybody can
23 speak on the case, the Board members. Before

1 going to the City?

2 MR. BUTLER: No comments from the City.

3 CHAIRPERSON PEDDIBOYINA: Secretary?

4 Linda?

5 MEMBER KRIEGER: First mailing, 20 were
6 sent, one returned, one approval, zero objections.
7 Second mailing, 20 sent, one returned, seven
8 approvals, one objection.

9 CHAIRPERSON PEDDIBOYINA: Thank you,
10 Linda.

11 MEMBER KRIEGER: Hang on. First one is
12 from Remko Atteveld and Teresa Cheung. Mr. Butler
13 residence of 21975 Garfield. I am here providing
14 notice that I do not support requested variance
15 for the aforementioned property. Splitting the
16 parcels will likely lead to two additional homes
17 resulting in increased traffic on an already
18 heavily-traveled road. With the addition of the
19 development on Garfield and Nine Mile regarding
20 Terra, we have seen an increase in volume and
21 speed on our road. This road was never meant to
22 handle the amount of traffic and speed it does
23 today. Without the proper infrastructure adding

1 more traffic will lead to a devaluation of the
2 area, and it's a matter of time before an accident
3 will place one of the residents in harms way. The
4 neck one is from Larry Edson, 21880 Garfield. He
5 circled approval. No comments. The next one is
6 from Janet Thurber Center Street, 21668 Garfield.
7 To whom it may concern, please accept this email
8 as my acknowledgement of the Scott and Lisa Hoag's
9 request for variances with no objections. The
10 next one is from, our names are Robyn and Gordie
11 Marcotte, and we live at 49425 Deer Run. This is
12 the corner of Garfield and Deer Run, Northville.
13 We have Novi property. We have no concerns about
14 variance that the Hoags are requesting for their
15 property. The next one is from Taylor Fouts. We
16 live at 21760 Garfield Road and have no concerns
17 about the variance request submitted by Scott and
18 Lisa Hoag. This one is from Sara Liska 21801
19 Garfield, Northville. Approval, and no comments.
20 This one is from Karen Annis, A-N-N-I-S, 21791
21 Garfield Road, and wanted to end support for the
22 variances requested by Lisa and Scott Hoag for
23 division of their property. This one is from

1 Brian D. Brenton, 21820 Garfield Road. I am
2 writing in support of the variances requested by
3 Scott and Lisa Hoag located at 21850 Garfield. My
4 wife and I live at 21820 Garfield immediately
5 adjacent to the Hoag's driveway and between their
6 house and Garfield. We have been neighbors over
7 22 years and are entirely supportive of the zoning
8 variances they have requested. Please feel free
9 to contact me with any questions. And that's it.

10 CHAIRPERSON PEDDIBOYINA: Thank you,
11 Linda. Thank you so much for your time. Open for
12 the board. Member Sanghvi?

13 MEMBER SANGHVI: Thank you. I came and
14 visited your property the other day, and I came
15 through the narrow street between the two houses,
16 and I could see the building and all that. And my
17 question is, how is your parcel A is going to
18 access the Garfield Road unless they use the same
19 street where the building is now?

20 MR. MEYERS: Yeah. So that will be a,
21 that will be a shared driveway. So there will be
22 this existing driveway that currently serves the
23 only parcel right now. There will be a split

1 here, and so they'll be just a single shared
2 driveway that will provide access to parcel A and
3 B.

4 MEMBER SANGHVI: Who owns that strip
5 between the two houses now?

6 MR. MYERS: Well, that's ultimately
7 what -- once the variances are granted, we will
8 then submit the lot split application. There's a
9 variety of ways that that can be done. The
10 property can be divided and there being a shared
11 driveway that is on each side.

12 MEMBER SANGHVI: My question is with
13 the shared driveway, who is going to own that
14 shared strip between the two houses to access both
15 these parcels?

16 MR. MYERS: There will be a shared
17 easement. So there would be to the extent that
18 this would be the driver that would be used by the
19 owner of parcel B is located on parcel A. There
20 would be an easement for parcel B, and vice versa.
21 There would be an easement for the benefit of
22 parcel A, to the extent that any part of the drive
23 is over parcel B. So the logistics of that we'll

1 to work out with the assessor's office when we
2 submit, because right now there's no formal lot
3 split application pending because we have to come
4 here first, but that's how it will get worked out.
5 It will be worked out through the easements and a
6 shared right to use that driveway between the two
7 parcels.

8 MEMBER SANGHVI: Jointly owned by both
9 parcel A and B.

10 MR. MYERS: Correct.

11 MEMBER SANGHVI: I see. You don't want
12 to make this into a private road in the city at
13 any point.

14 MR. MYERS: Oh, no.

15 MEMBER SANGHVI: I just want to make
16 sure.

17 MR. MYERS: That's definitely not the
18 plan.

19 MEMBER SANGHVI: Because a small trip,
20 I'm sure you realize it because there's hardly any
21 room for one car.

22 MR. MYERS: Right. It will be four
23 these two neighbors that live next to each other.

1 MEMBER SANGHVI: Jointly owned by both
2 the property owners of A and B both.

3 MR. MYERS: Yes.

4 MEMBER SANGHVI: Thank you.

5 MR. MYERS: Sure.

6 CHAIRPERSON PEDDIBOYINA: Thank you
7 Member Sanghvi. Any other board members like to
8 speak on this case, please.

9 MEMBER MONTAGUE: Yes.

10 CHAIRPERSON PEDDIBOYINA: Yeah, Mr.
11 Montague. Go ahead.

12 MEMBER MONTAGUE: What is the width of
13 the existing driveway?

14 MR. MYERS: The existing driveway?

15 MEMBER MONTAGUE: Yeah. The one that's
16 going to be shared now.

17 MR. MYERS: Well, the existing drive is
18 I believe 30 feet. Is that correct?

19 MEMBER MONTAGUE: 30 feet wide?

20 MR. MYERS: 30 feet. The existing
21 drive. Correct. So what we would like to do is
22 double the width of that so you'd have a 60-foot
23 wide drive, if that would be something -- again,

1 this would all be something that would be subject
2 to the review and approval by the assessor's
3 office and, you know, obviously the building
4 department. You know, the logistics and the width
5 and, obviously, the ultimate approval for the
6 construction would be something that we would
7 address if we're able to get the variances. I
8 mean that's the first step in the process.

9 MEMBER MONTAGUE: The asphalt paving is
10 30 foot wide. The asphalt itself is 30 foot wide?

11 MR. MYERS: That's my understanding.
12 The current existing drive.

13 MEMBER MONTAGUE: And the property line
14 on the road is 60 foot?

15 MEMBER LONGO: I think if you look at
16 it it's really 60 feet is that whole thing. The
17 driveway is only like eight feet wide.

18 MR. MYERS: I apologies.

19 MEMBER LONGO: I'm estimating.

20 MEMBER MONTAGUE: A guess. A guess.
21 So I think you know before I was having some
22 issues with it, with the whole safety thing, which
23 was highlighted by one of the comments. Parcel C

1 is going to be combined, that I understand, and
2 now I understand what will be parcel B was -- is
3 using an existing condition, it's grandfathered
4 because there is a driveway there now that is
5 accessible. So the only change will be you're
6 asking for parcel A, and you're saying you're
7 going to share the driveway.

8 MR. MYERS: Correct.

9 MEMBER MONTAGUE: So in that case, it
10 seems to me that that traffic will be controlled
11 because, obviously, I didn't like the two because
12 I didn't want two cars, you know, there, making
13 this traffic thing worse. So if I would like to
14 see that shared driveway be a part of this, part
15 of this variance.

16 MR. MYERS: We have no objection to
17 that. That's perfectly fine. The driveway's
18 going to have to be widened. I mean I don't think
19 there's any question about that. And you're
20 talking about two houses. It's not 30 houses
21 where they're trying to access a narrow drive. So
22 they're going to be next door neighbors.
23 Absolutely. That's not a problem at all to make a

1 condition of the variance that there be a shared
2 drive.

3 MEMBER MONTAGUE: Thank you.

4 CHAIRPERSON PEDDIBOYINA: Any other
5 board member before I close? Member Sanker.

6 MEMBER SANKER: Really a comment, help
7 clarify. My understanding is splitting lots that
8 then create variances is a self-created situation.
9 And I'm all for splitting lots and creating more
10 parcels, but this particular situation appears to
11 be exactly a self-created event. And so I guess
12 if you want to help clarify that for me, I would
13 appreciate it.

14 MR. MYERS: So the notion of the self
15 creation is, is, is the hardship that is the basis
16 of the request is that self-created. I mean
17 ultimately what my client wants to do is split the
18 parcel into these three parcels. That's going to
19 be what they're going to do. But the splitting of
20 the parcel is not the hardship. The hardship that
21 we're asking relief from, which is what is the
22 question about whether it's self created is not
23 what they ultimately want to do, it's the

1 configuration of -- these properties are already
2 flag lots. You know, there's basically two flags
3 with two staffs. They didn't create that. That's
4 what creates the hardship because you have an
5 existing flag lot. They're asking for the
6 variance to overcome that hardship and that
7 hardship is not self-created. So I certainly
8 understand in terms of --

9 MEMBER SANKER: In terms of the Nuances
10 there.

11 MR. MYERS: Exactly. Right. That's
12 the way we have to look at it. It's the hardship,
13 whether the hardship was self created. The
14 hardship isn't ultimately what they want to do to
15 split the property, that's what they ultimately --
16 that's their end use, the hardship is existing
17 configuration of the property as to flag lots
18 basically with that single staff that they want
19 used for the shared driveway.

20 CHAIRPERSON PEDDIBOYINA: Okay. Thank
21 you Sanker. Any other Board members?

22 MEMBER MONTAGUE: The point being
23 however that that'S an existing condition they

1 DON'T need a variance for; that the only reason
2 for the variance would be to split this lot and
3 get another lot out there, which that still has me
4 the same as him wondering what is the hardship.

5 MR. MYERS: Well, I think it goes back
6 to, and I'll just use it as an analogy. The
7 matter that was before us with the wetlands, I
8 mean ultimately that gentleman wanted to put the
9 dumpsters on the side yard that isn't otherwise
10 allowed because of the uniqueness of the property
11 beaver the rear wetlands and didn't want to
12 encroach on the wetlands. He was asking for a
13 relief to do something that isn't permitted by the
14 ordinance because of the configuration of the
15 property, in that case, the wetlands. Here, my
16 clients want to -- the properties are big enough
17 to be split. They went to exercise the right to
18 split the property for permissible size, just like
19 any other property owner would do. They can't do
20 that because of the configuration of the property,
21 which was not self-created. They didn't -- just
22 like that gentleman didn't created the wetlands,
23 they didn't create the existing configuration of

1 the property.

2 So that's conceptual, you know,
3 analysis of, you know, contrasting the ultimate
4 relief that isn't otherwise permissible without
5 the variance versus the existing conditions that
6 create hardship, and whether those are or are not
7 self-created. So hopefully that analogy helps
8 explain our position.

9 MEMBER MONTAGUE: Let me see if I can
10 paraphrase something. So the idea here is that
11 people are allowed to subdivide their parcels, and
12 the hardship is here because of the shape of the
13 property, that right is getting overturned. Can't
14 do it, right?

15 MS. HOAG: May I swear in and make a
16 comment?

17 CHAIRPERSON PEDDIBOYINA: Spell your
18 first and last name clearly. The Secretary please
19 take it. Linda?

20 MEMBER KRIEGER: It's in the record.

21 MS. OPPERMANN: You can go ahead and
22 swear her in.

23 LISA HOAG,

1 having first been duly sworn, was examined and testified
2 on her oath as follows:

3 CHAIRPERSON PEDDIBOYINA: Spell your
4 first and last name clearly.

5 MS. HOAG: L-I-S-A, Lisa, last name
6 Hoag -- HOAG.

7 CHAIRPERSON PEDDIBOYINA: Thank you.
8 You can proceed.

9 MS. HOAG: Thank you. Maybe to help
10 answer the question, when we purchased the
11 property, we were excited that it had six acres on
12 it, and we also investigated with the City that if
13 it was splittable. At that time, there were
14 available splits on the property. This was a
15 large farm property that was split many different
16 times, and I think there were five or six splits
17 that were available on the property. I can't
18 remember the exact number.

19 So we bought the land. We stayed
20 there. We love it. We're staying there for as
21 many years enjoying ourselves. Now we're looking
22 at splitting it. So the hard -- at the time when
23 we bought it, the flag lot variance was not there.

1 So in that way the splitting and the flag lot is a
2 hardship that was not there when we purchased the
3 property with our intent to purchase it and
4 ultimately split it in accordance with the
5 residential acreage. Maybe that helps answer the
6 question.

7 CHAIRPERSON PEDDIBOYINA: Thank you.
8 You're saying your property self-created, and also
9 A and B, they are the two big lots, two point
10 something acres, some acres, and in the future do
11 you have anything against splitting on these
12 things?

13 MS. HOAG: We don't have any other
14 plans to split them. When we first moved in, we
15 had talked about many different things, but living
16 there in that environment, it's very rural. We
17 like the feel of openness and the acreage lots
18 that are there, so our intention is to just go for
19 the split that's requested, then we will sell it
20 when we're ready to move. We're not ready to move
21 yet, but we just want to get everything prepared.
22 In that case, what happens with the second owners
23 after it's purchased, I can't speak to.

1 CHAIRPERSON PEDDIBOYINA: Okay. Member
2 Sanghvi, you want to say something?

3 MEMBER SANGHVI: Just question. How
4 long have you had this property?

5 MS. HOAG: Since 1998.

6 MEMBER SANGHVI: '99?

7 MS. HOAG: '98 is when we bought it.

8 MEMBER SANGHVI: When did you think
9 about splitting it?

10 MS. HOAG: We talked about it when we
11 purchased it as something to do in the future, and
12 we had not defined what the future date was. We
13 recently started thinking about splitting it in
14 the last year right before 20 -- right before
15 COVID, frankly. And then as we were there and
16 COVID, we said we want to split it sometime. We
17 started the process so we wanted to just get it
18 finalized so that when we're ready to sell it and
19 make a move, we will, but we're not going to sell
20 it right away.

21 MEMBER SANGHVI: When you bought this
22 property you only had this narrow strip from the
23 Garfield Road to go inside your property as it is.

1 MS. HOAG: Correct.

2 MEMBER SANGHVI: And now you make two
3 other lots out of it. That is the problem we are
4 all dealing with here, how you are going to
5 organize that, and that's why I asked you, who is
6 going to own the strip? Is it going to be with
7 parcel A or parcel B, the one which is your access
8 road now?

9 MS. HOAG: And as Roger said, we're
10 willing to look at all sorts of considerations.
11 There's lots of things you can do with the entry
12 to change the driveway, share it, change the
13 configuration.

14 MEMBER SANGHVI: Okay. Thank you.

15 MS. HOAG: You're welcome.

16 CHAIRPERSON PEDDIBOYINA: Thank you
17 Member Sanghvi.

18 MEMBER SANKER: I have one.

19 CHAIRPERSON PEDDIBOYINA: Yeah, Mr.
20 Sanker, go ahead.

21 MEMBER SANKER: Just real quick from
22 that. They have an easement there.

23 MEMBER SANGHVI: It's a tricky

1 situation.

2 MEMBER SANKER: Have you considered
3 doing if you did two lots? Can you make two lots
4 that are compliant with all these other
5 requirements. Have you looked at that?

6 MS. HOAG: You cannot do that, because
7 what happens is the parcel B, the original parcel
8 is compliant because of parcel C, the frontage on
9 Garfield Road. So if you take it into two lots,
10 you could take parcel C, but you've got a flag lot
11 which is A and B combined, which is the condition
12 that's today. And if you took the parcel A and
13 combined A, B, and C, it would make B compliant,
14 but A would be noncompliant.

15 MEMBER SANKER: Okay. Thank you.

16 MS. HOAG: You're welcome.

17 CHAIRPERSON PEDDIBOYINA: Okay. Member
18 Sanker. Finally, anybody in Board member would
19 like to speak? Okay. Member Linda?

20 MEMBER KRIEGER: For the driveway, the
21 curb cut then is eight feet now, but then it could
22 potentially it's going to go to 60 feet or 30 feet
23 per driveway, or no? I misunderstood that.

1 MS. HOAG: We have not configured a
2 driveway. There's room there to do -- when we
3 looked at the driveway, there's room to double the
4 current width of the driveway, so that's one
5 option. There's an option to make it -- you know,
6 there's a whole 60 feet there. You wouldn't want
7 to do it 60 and 60. It wouldn't be very goods for
8 the environment. Lots of different sizes that you
9 could do. There's lots of different sort of
10 entrances in that easement, you just have to work,
11 like Roger said, when we get this Board approved
12 and get it documented what we do with it.

13 MEMBER KRIEGER: So any future issues
14 between who owns A and B is between them, and does
15 it involve the City?

16 MS. SAARELA: So it looks like they're
17 planning on proposing splitting it. They could
18 either split it down the middle so they could each
19 own half of it. That's what they're saying.
20 They'll do whatever assessing. They'll come up
21 with a plan, and then they'll split it with how
22 they want the driveway to go. So right now it
23 looks like it's down the middle of the line so

1 that each would own half, and then the driveway
2 would be on each side so that they'd be giving
3 cross easements to each other to use the full
4 driveway. So they both -- they'd each own half of
5 it, but then they could both use the middle
6 section, the actual paved portion of the easement.
7 That's what I'm hearing.

8 CHAIRPERSON PEDDIBOYINA: Beth I have a
9 question. Assessment team, are they going to come
10 to a city.

11 MS. SAARELA: So once this goes to
12 assessing, they'll propose where they want to
13 split it. It will get split. But any driveway
14 they put it still going to have to meet City
15 standards. So there's design standards for width
16 of paving. Fire is still going to have look at
17 that make and sure that it's big enough for a fire
18 truck, you know, it's going to be stable enough
19 for a fire truck. So all that still would have to
20 go through City approval through the building
21 department.

22 CHAIRPERSON PEDDIBOYINA: Thank you.

23 MEMBER KRIEGER: Okay. So then to

1 finish. The configuration of this entire lot is
2 dependent on the that one driveway, and it's three
3 lots. While it was bought with the intent of big
4 acreage for intent of investment, so I understand
5 that from my family in South America and what
6 happened with my grandparents property. So it's
7 all about the driveway so -- which can be worked
8 out. And since the neighbors are all in awareness
9 of it and there's a majority supportment of it, I
10 can support their request. Thank you.

11 CHAIRPERSON PEDDIBOYINA: Thank you,
12 Linda. Any other Board member? This is final
13 call. On to motion time. Clift, can you maybe a
14 motion on this case, please?

15 MEMBER MONTAGUE: Sure.

16 CHAIRPERSON PEDDIBOYINA: Thank you.

17 MEMBER SANGHVI: I just had a question
18 for the City attorney. So we don't worry about
19 accessibility of the fire truck and safety and all
20 this at this point in time.

21 MS. SAARELA: That's correct. They'll
22 have to submit a plan. Whenever somebody's coming
23 in to build on parcel A, or build on parcel C,

1 there's going to have to be a plan going to the
2 building department, and all that will have to be
3 reviewed for meeting code at that time.

4 CHAIRPERSON PEDDIBOYINA: It's not our
5 responsibility.

6 MEMBER SANGHVI: I have no issue with
7 parcel C, I was just worried about what's going to
8 happen with B. And if that is not our concern at
9 this point, I have no problem. Thank you.

10 CHAIRPERSON PEDDIBOYINA: Me too. The
11 same thing. Thank you, Member Sanghvi. And we
12 have the motion, please.

13 MEMBER MONTAGUE: Certainly. I move
14 that we grant the variance in case number
15 PZ21-0044. Without the variance, the petitioner
16 is unreasonably prevented and limited with respect
17 to use of their property because they cannot split
18 their property like anyone with this size property
19 would be able to do. The property is unique
20 because of the shape, and it's a nonconforming
21 grandfathered in site as it exists now.

22 The petitioner didn't really create the
23 condition because they purchased this property

1 when the flag ordinance was not in place,
2 therefore, it was not a consideration when they
3 looked at how they might in the future use that
4 property.

5 The relief granted will not
6 unreasonably interfere with an adjacent
7 surrounding property because they're not changing
8 the existing condition. I'm going to put a
9 subject to on the end of this motion. The relief
10 is consistent with the spirit intent of the
11 ordinance because a person is able to use their
12 property as other people would, so the variance is
13 allowing them to do that.

14 I propose the variance be granted
15 subject to a single shared driveway.

16 CHAIRPERSON PEDDIBOYINA: Also can you
17 add that lot A an B, the assessment comes under
18 the City of Novi Ordinance.

19 MEMBER MONTAGUE: Yes. Obviously the
20 development of the driveway is per the City of
21 Novi Ordinance.

22 MEMBER SANGHVI: Can I just add a
23 little addendum to your motion, and that is that

1 the current access strip will remain a private
2 strip and will not be given to the City to
3 maintain later.

4 MEMBER MONTAGUE: Okay. Yes.

5 CHAIRPERSON PEDDIBOYINA: Thank you.

6 Okay. Somebody --

7 MEMBER KRIEGER: Is there a second
8 we're agreeable to that.

9 MEMBER LONGO: Yes, I agree to that.
10 Still second.

11 MEMBER KRIEGER: Okay.

12 CHAIRPERSON PEDDIBOYINA: And is the
13 time for the roll call.

14 MS. OPPERMANN: Chairperson
15 Peddiboyina?

16 CHAIRPERSON PEDDIBOYINA: Yes, please.

17 MS. OPPERMANN: Member Krieger?

18 MEMBER KRIEGER: Yes.

19 MS. OPPERMANN: Member Malott?

20 MEMBER MALOTT: Yes.

21 MS. OPPERMANN: Member Montague?

22 MEMBER MONTAGUE: Yes.

23 MS. OPPERMANN: Member Sanghvi?

1 MEMBER SANGHVI: Yes.

2 MS. OPPERMANN: Member Sanker.

3 MEMBER SANKER: No.

4 MS. OPPERMANN: And Member Longo?

5 MEMBER LONGO: Yes.

6 MS. OPPERMANN: Motion passes 6 TO 1.

7 MEMBER KRIEGER: Best wishes. Thank
8 you for coming.

9 MR. MYERS: Thank you very much. Thank
10 you for your time.

11 CHAIRPERSON PEDDIBOYINA: Lisa Hoag,
12 thank you. Okay.

13 I want to talk a few minutes all the
14 Board members. It's not urgent. I need to talk
15 before this. I want to come to the first case.
16 The first case, the person, anybody is there the
17 first case, PZ21-0040 is absent. I think we need
18 to move this case on not October, November. I
19 believe we have a lot of case on October.

20 MS. OPPERMANN: We do have quite a
21 number of cases on October.

22 MR. LONGO: Is this the second time
23 they haven't shown up?

1 MS. OPPERMANN: No. Previously they
2 have requested postponement.

3 MEMBER LONGO: Oh, they requested.
4 Thank you.

5 CHAIRPERSON PEDDIBOYINA: Somebody can
6 make a motion?

7 MEMBER KRIEGER: I move to take the
8 first case, PZ21-0040 for Eric and Susan
9 Colthurst, for 1291 East Lake Drive to move their
10 case to the next available meeting, which would be
11 November.

12 MS. OPPERMANN: November would be --
13 check the calender. That would be November 9th, I
14 believe.

15 CHAIRPERSON PEDDIBOYINA: Yeah.
16 November 9th. The difference in the case, there
17 is more case we need to move.

18 MS. SAARELA: We have to have the
19 specific date so we don't have to re-notice it.
20 So is it November 9th?

21 CHAIRPERSON PEDDIBOYINA: 9th. Okay.
22 Somebody can make a second.

23 MEMBER SANGHVI: Second.

1 CHAIRPERSON PEDDIBOYINA: Say all in
2 favor.

3 THE BOARD: Aye.

4 CHAIRPERSON PEDDIBOYINA: Thank you. I
5 have a couple of other things.

6 MEMBER SANGHVI: I was going to raise
7 another matter. I just want to propose a word of
8 thanks to Kathy for being our secretary for all
9 these four years, and so polite and helpful, so I
10 just wanted to say thank you.

11 CHAIRPERSON PEDDIBOYINA: Thank you. I
12 have another matter. It's not urgent. I was
13 absent on the last meeting. Unfortunately, I was
14 on a flight, apologize for that, and also
15 something happened on the day that case was leave
16 open something. Can I discuss on this case?

17 MS. SAARELA: It's reset for next
18 month, so we shouldn't discuss it till next month.

19 CHAIRPERSON PEDDIBOYINA: Okay. Thank
20 you. Apart from that, also there are ten cases I
21 believe next month.

22 MS. OPPERMANN: I believe that'S
23 accurate. I'll have to double-check.

1 CHAIRPERSON PEDDIBOYINA: I would like
2 to take a break after five case, ten to 15
3 minutes.

4 MS. SAARELA: You have that authority
5 to decide whenever you want to take a break.

6 CHAIRPERSON PEDDIBOYINA: At the time I
7 want to bring in food. We can have in the
8 backroom. Is everybody okay?

9 MS. SAARELA: Sure.

10 MEMBER KRIEGER: Sure. Whenever.

11 CHAIRPERSON PEDDIBOYINA: After five
12 case we can have a break 15 to 20 minutes, and we
13 can have a small snack because it's a long night.
14 We don't want to be mad at other.

15 MEMBER KRIEGER: So the participants
16 will have coffee?

17 CHAIRPERSON PEDDIBOYINA: Coffee and
18 water.

19 MEMBER KRIEGER: Oh, up front?

20 MR. BUTLER: They no longer do coffee
21 and stuff up front.

22 MEMBER KRIEGER: Gotcha.

23 MR. BUTLER: I checked into it.

1 MEMBER KRIEGER: So in fairness in the
2 break to the participants, how do we time
3 something like that?

4 CHAIRPERSON PEDDIBOYINA: I asked the
5 director, and she said okay, because ten cases is
6 long night. We need to have us a break too, a
7 light snack kind of thing. And also if everybody
8 is okay, just bring from my restaurant. I some
9 plates and napkins. Somebody can take bottles,
10 pop something, put it in the back. Okay.

11 Any other things before I adjourn the
12 meeting. Anybody have any other matters, please
13 before, I close? No? Okay.

14 That brings today's night meeting
15 adjourn. Say all in favor aye.

16 THE BOARD: Aye.

17 CHAIRPERSON PEDDIBOYINA: Thank you,
18 and have a good night. Thank you so much.

19 (The meeting was adjourned at 8:07 p.m.)
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CERTIFICATE OF NOTARY

STATE OF MICHIGAN)

) SS

COUNTY OF OAKLAND)

I, Melinda R. Womack, Certified
Shorthand Reporter, a Notary Public in and for the
above county and state, do hereby certify that I
have recorded stenographically the proceedings had
and testimony taken in the above-entitled matter at
the time and place hereinbefore set forth, and I do
further certify that the foregoing transcript,
consisting of sixty-four page (64) typewritten
pages, is a true and correct transcript of my said
stenographic notes.

ss/Melinda R. Womack

Melinda R. Womack, CSR-3611
Notary Public
Oakland County, Michigan

My Commission expires: 06-22-2025