

REGULAR MEETING - ZONING BOARD OF APPEALS

CITY OF NOVI

December 13, 2016

Proceedings taken in the matter of the ZONING BOARD OF APPEALS, at City of Novi, 45175 West Ten Mile Road, Novi, Michigan, on Tuesday, December 13, 2016

BOARD MEMBERS

Cindy Gronachan, Chairperson

Jonathan Montville, Secretary

Mav Sanghvi

Joe Peddiboyina

David Byrwa

ALSO PRESENT:

Beth Saarela, City Attorney

Lawrence Butler

Coordinator: Carol Chaput, Recording Secretary

REPORTED BY: Jennifer L. Wall, Certified Shorthand Reporter

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Novi, Michigan

Tuesday, December 13, 2016

7:00 p.m.

** ** *

CHAIRPERSON GRONACHAN: I'd like to call the December 2016 Zoning Board of Appeals meeting to order.

Please rise for the Pledge of Allegiance.

(Pledge of Allegiance recited.)

CHAIRPERSON GRONACHAN: Carol, would you please call the roll.

MS. CHAPUT: Member Byrwa?

MR. BYRWA: Here.

MS. CHAPUT: Member Krieger, absent excused.

Member Montville?

MR. MONTVILLE: Here.

MS. CHAPUT: Member Peddiboyina?

MR. PEDDIBOYINA: Yes.

MS. CHAPUT: Member Sanghvi?

MR. SANGHVI: Here.

MS. CHAPUT: Chairperson

1 Gronachan?

2 CHAIRPERSON GRONACHAN: Here.

3 Thank you. This evening we have a short
4 meeting, however, I'm going to ask everyone
5 at this time to please turn off all
6 cellphones during the meeting.

7 We will have an opportunity
8 for each petitioner to come before the board,
9 plead their case, so to speak, and if there
10 is anyone in the audience that wishes to
11 speak in regards to that case, at that time,
12 you will be asked to come down and do so.
13 There will be a time limit of three minutes
14 per resident, and that will help us keep the
15 meeting moving quickly.

16 Are there any changes to the
17 agenda this evening?

18 MS. CHAPUT: Not that I know of.

19 CHAIRPERSON GRONACHAN: Thank
20 you.

21 All those in favor of this
22 evening's agenda say aye.

23 THE BOARD: Aye.

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CHAIRPERSON GRONACHAN: Agenda
approved.

Were there any changes or
deletions or additions to the minutes from
October of 2016?

MR. SANGHVI: I don't have any.

CHAIRPERSON GRONACHAN: Anyone?

MR. SANGHVI: Motion to approve
as presented.

CHAIRPERSON GRONACHAN: All those
in favor?

THE BOARD: Aye.

CHAIRPERSON GRONACHAN: The
minutes for October of 2016 have been
approved.

Is there anyone in the
audience at this time that wishes to make
comments to the Zoning Board of Appeals in
regards to anything other than what's on the
agenda this evening?

Seeing none, we will move
right forward and call our first case,
PZ16-0034, Grand Promenade.

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Is the petitioner here?

Please come on down.

The applicant is requesting a variance from the city to allow the construction of a second monument sign, of 30 square feet.

You will remember, board members, you will recall that this petitioner was with us three months ago, I think now, and they tabled their case to this evening to present additional information.

If you both would please state your names, spell it and then raise your right hand to be sworn in.

MR. PENNA: Good evening.
Anthony Penna appearing behalf of Grand Promenade, LLC. A-n-t-h-o-n-y, P-e-n-n-a.

I am from Moore Penna Associates, 3600 Van Dyke, Sterling Heights, Michigan.

Good evening, Ivica Sinich, owner of Grand Promenade, LLC, I-v-i-c-a, S-i-n-i-c-h.

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CHAIRPERSON GRONACHAN: All the non-attorneys please raise your right hand to be sworn in.

MR. MONTVILLE: Do you promise to tell the truth in the testimony you are about to give?

MR. SINICH: Yes.

CHAIRPERSON GRONACHAN: Thank you. Please proceed.

MR. PENNA: Good evening. Unfortunately, tonight, we are here today, I think the proper course of action would be to ask for another adjournment, unfortunately. I was brought to the situation fairly recently.

The issue here, as you may know it, it's the building department's or the city's position that there is two monument signs that would possibly be placed on my client's property.

And I don't know if you're familiar with his piece, so I don't think we have to go over the location of where he's

1 at, but they just finished developing the
2 shopping center and they're in the position
3 to put up their monument sign.

4 And at that point in time,
5 the building department made the
6 determination that there already was a
7 monument sign on the property.

8 So at that point in time,
9 shortly thereafter, they contacted me, Target
10 does have a monument sign on a portion of
11 their property, and the issue here is we
12 looked at the chain of title to determine
13 whether or not they were properly on my
14 client's property, and I have been
15 communicating back and forth with Target, and
16 what they produced was an easement from the
17 prior -- the Landon Development Group, who
18 had that whole development.

19 Apparently he was granted an
20 easement from the former property owner to
21 erect a sign.

22 So we just got this
23 information, and I would like to present this

1 to the building department, so that the
2 building department can make a determination
3 on whether or not, in fact, there is going to
4 be two signs on one piece of property,
5 because we would argue that the Target
6 monument sign would be on their property
7 because my client has no use or cannot use
8 that property whatsoever, so my client would
9 only be putting a monument sign on the
10 property that he is entitled to use, so
11 therefore, there would only be one monument
12 sign on the property.

13 So I think, you know, before
14 we proceed with our variance request, which I
15 think we have, you know, merit to establish a
16 variance, I think the proper course of action
17 would be to present this to the building
18 department, explain this to them, see if we
19 even need to seek a variance.

20 And I don't know if this
21 board wants to make that determination, or if
22 we should seek that determination from the
23 building department. Because the interesting

1 thing is -- well, too, is when I look into
2 this, I pulled the building records to see,
3 you know, what type of information was
4 submitted to the city at the time when the
5 original monument sign was put up, and it did
6 show the property owner is Target, so I would
7 assume that Target provided the city with
8 this easement and that established Target as
9 the property owner.

10 So, you know, I would argue
11 then that that sign would not be on my
12 client's property, we wouldn't need to seek
13 this variance. But I am more than prepared
14 to proceed with the variance if this
15 commission --

16 CHAIRPERSON GRONACHAN: Just one
17 moment.

18 MR. PENNA: It's a little bit
19 complicated.

20 CHAIRPERSON GRONACHAN: I am
21 going to ask the city attorney what would be
22 the best way to --

23 MS. SAARELA: I think there is

1 merit to just table it, and looking at the
2 issues, seeing what documentation he has
3 reading through it, seeing what the easement
4 says, looking at what the permit application
5 from Target says in trying to figure out, you
6 know, whether there is any merit to the
7 argument without trying to make that
8 determination right here on the spot.

9 CHAIRPERSON GRONACHAN: All
10 right. So we could table this case. Do we
11 have -- would 30 days be good enough?

12 MR. PENNA: I think it would be
13 more than sufficient. I'm hopeful that we
14 could get a determination from the building
15 department fairly quick.

16 CHAIRPERSON GRONACHAN: Carol,
17 what would be the next meeting date?

18 MS. CHAPUT: January 10.

19 CHAIRPERSON GRONACHAN: So at
20 this time, in Case No. PZ16-0034, all those
21 in favor of tabling this case until
22 January 10th per the petitioner's request.

23 MR. PEDDIBOYINA: So moved.

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CHAIRPERSON GRONACHAN: It's been
so moved and we will see you next month.
Good luck.

That was record speed. So
let's move onto our next case, and that would
be PZ16-0049.

Is the petitioner here?
Phillips Sign and Lighting.

This case was tabled from
last month.

The applicant is requesting a
variance to allow installation of an
additional 5.7 square foot non-illuminated
sign on the property. Good evening.

MR. BRETZ: Good evening.

CHAIRPERSON GRONACHAN: Would you
state your name again for the recording
secretary and you were sworn in last month.

MR. BRETZ: Yes, Steven Bretz,
S-t-e-v-e-n, last name B-r-e-t-z,
representing Feldman Kia.

CHAIRPERSON GRONACHAN: You may
proceed.

1 MR. BRETZ: At the time when I
2 was here last month, I know the board
3 requested actually to see what the sign would
4 look like up there. It's a non-illuminated
5 sign, like you mentioned, just over five
6 square feet.

7 We have put a banner up
8 there, I think on the 2nd of December to show
9 you what it would look like, an exact size of
10 the letters that would be. I don't know if
11 you have those pictures or not. I brought
12 some along with me.

13 CHAIRPERSON GRONACHAN: Go ahead.

14 MR. BRETZ: That's what it would
15 look like. We put that up the second of
16 December, and we will be taking it down on
17 the 14th, tomorrow actually.

18 That's the size of the
19 letters that Kia was looking to put up. It's
20 part of their new branding program, their
21 identity. They are stressing their fast
22 service, more efficient service. It's a
23 simple fabricated metal sign.

1 CHAIRPERSON GRONACHAN: Okay.

2 Anything else?

3 MR. BRETZ: No.

4 CHAIRPERSON GRONACHAN: Is there
5 anyone in the audience that wishes to make
6 comment on this case?

7 Seeing none, is there any
8 correspondence?

9 MR. MONTVILLE: Fourteen letters
10 mailed, two letters returned, zero approvals
11 and zero objections.

12 CHAIRPERSON GRONACHAN: Okay.
13 Building department?

14 MR. BUTLER: No comments.

15 CHAIRPERSON GRONACHAN: Thank
16 you. Board members? Member Sanghvi.

17 MR. SANGHVI: Yes, this time we
18 can find the place without any difficulty,
19 and I have no problem with the sign. Thank
20 you.

21 CHAIRPERSON GRONACHAN: Anyone
22 else? Member Montville.

23 MR. MONTVILLE: Touching on the

1 hardship that the dealership is facing right
2 now, as far as the need of an additional
3 sign, I know you mentioned the branding, the
4 express, talked about this previously too,
5 from a practical standpoint, is this easier
6 for people to find for the dealership, is
7 this potentially going to leave some traffic
8 congestion, or I guess, for giving us the
9 criteria that we operate on, dictated to
10 operate on, you know, is there some kind of
11 hardship or something that would require the
12 sign in addition -- I understand the branding
13 perspective and we want to work with the
14 business and best we can.

15 Any hardships you could think
16 of, maybe potentially traffic, potentially a
17 case for that?

18 MR. BRETZ: You mentioned the
19 branding part of it. It's something that Kia
20 is starting. They want to do this at all the
21 dealerships. That's number one.

22 Number two, it's just to make
23 a more efficient flow of traffic hopefully,

1 for the customer to find easier. I know the
2 service -- obviously the service word is
3 right up there already for them, but express
4 lane, easier to see, in a different color,
5 red, may be easier for them to navigate the
6 parking lot. I just hope -- I don't believe
7 it's going to be any kind of a traffic issue
8 at all. Hopefully it will increase the flow
9 or ease the flow.

10 MR. MONTVILLE: Are you
11 potentially maybe -- the dealership's
12 agreement with Kia -- would that cause
13 trouble if they don't have the proper
14 branding for the dealership?

15 MR. BRETZ: Well, for the
16 dealership?

17 MR. MONTVILLE: Sure, as far as
18 operating their business under the Kia
19 branding, if they don't align the Kia brand,
20 is that potentially a problem for the --

21 MR. BRETZ: Moving forward, this
22 is what they want to stress to the customers,
23 so it's actually almost like a test market

1 for them right now. They don't have it at
2 any of the other dealerships that I am aware
3 of.

4 It's something that they
5 would like moving forward. You know, all the
6 dealerships to have this type of branding out
7 there, to make it all uniform.

8 MR. MONTVILLE: I could go either
9 way, the more I think about this. I will
10 open it up to conversations for my board
11 members. But I think I could make a case --
12 I believe I could make a case that they are
13 facing some hardships with the sign, would be
14 some potential problems as they're operating
15 currently.

16 CHAIRPERSON GRONACHAN: Okay.
17 Member Peddiboyina.

18 MR. PEDDIBOYINA: Thank you. We
19 discussed at the last meeting also, and we
20 were mentioning the express lane, we need to
21 be -- take care of the security point, in a
22 sense all the vehicles coming very fast as
23 they pull in. We need some kind of better

1 sign, all that kind of thing. We have to be
2 careful. That's my comments about that.
3 Thank you.

4 CHAIRPERSON GRONACHAN: Okay.
5 Anyone else?

6 MR. SANGHVI: May I come back
7 again?

8 CHAIRPERSON GRONACHAN: Yes.

9 MR. SANGHVI: The primary reason
10 I have no problem, this is a safety issue as
11 well. For the customers who are coming first
12 time in the dealership.

13 And so I think that it's not
14 likely to interfere with anybody else. This
15 is an entirely internal sign. It's not
16 really that big, so I think it would --
17 safety as well as identifying the area.

18 CHAIRPERSON GRONACHAN: Okay.
19 Anyone else? I guess it's my turn, huh. I
20 am still on the fence. I don't know what the
21 hardship is. Branding is not it.

22 I don't feel -- I have been
23 out there a couple of times. I understand

1 that if it's a service they're offering, but
2 now that he is telling me that this is a
3 test, that this is not for all the stores
4 yet, I still don't understand the need for
5 the express.

6 I think my question to you is
7 that, was this a different kind of service
8 that they were doing to do if they went to
9 the express lane, they are doing something
10 else? Is that --

11 MR. BRETZ: Moving forward with
12 it, they understand that we are into a
13 service industry now. We are in a service
14 business. It's a way to stress that fast
15 efficient service that they want to put out
16 to the public.

17 CHAIRPERSON GRONACHAN: It's not
18 like if you go into this lane, it's going to
19 take 30 seconds to get an oil change, if you
20 go into this lane it's going to take 45.
21 That's not what the express part means?

22 MR. BRETZ: No. They're trying
23 to stress that they want to be the service

1 king of the auto dealership industry. And
2 they want to be the more efficient, quicker
3 efficient way to bring your car into have
4 your service done at this location, that's
5 going to be better and faster and more
6 efficient than any other location, or any
7 other dealership.

8 CHAIRPERSON GRONACHAN: Yeah, I
9 am struggling with this, guys. I really am.
10 I don't see the purpose or the hardship. In
11 fact, that it's branding, service is service,
12 and, you know, I don't know that that one
13 sign is going to make a difference in the
14 quality of this particular dealership.

15 I don't see where that sign
16 meets what the criteria, and granting a
17 variance is going to -- where the criteria is
18 in order to grant the variance, per our
19 standards.

20 So at this point, I'm just
21 going to say that I would not be able to
22 support it.

23 MR. MONTVILLE: I could make a

1 motion to approve. We can vote on it.

2 CHAIRPERSON GRONACHAN: Go ahead.

3 MR. MONTVILLE: I move that we
4 grant the variance in Case No. PZ16-0049,
5 sought by Phillips Sign and Lighting, as
6 petitioner has shown practical difficulty
7 requiring an additional 5.7 square foot sign
8 designating the express service of the
9 dealership and coordinating and directing
10 traffic flow to the service area, without the
11 variance the petitioner will be unreasonably
12 prevented or limited with respect to the use
13 of the property, as currently zoned due to
14 potential traffic concerns.

15 Property is unique due to the
16 type of business on the property, the way the
17 lot is currently laid out. Petitioner did
18 not create the layout of the lot.

19 The relief when granted will
20 not unreasonably interfere with adjacent or
21 surrounding properties as it is the minimal
22 sign size to note the express nature of --
23 that part of the dealership, and also on the

1 internal facing exposure of the dealership
2 and will not interfere with any surrounding
3 properties.

4 The relief is consistent with
5 the spirit and intent of the ordinance. And
6 those for reasons, I move that we grant the
7 variance as it has been requested.

8 MR. SANGHVI: Second.

9 CHAIRPERSON GRONACHAN: It's been
10 moved and seconded.

11 Carol, will you please
12 call -- is there any further discussion?
13 Seeing none, will you call please the roll.

14 MS. CHAPUT: Member Byrwa?

15 MR. BYRWA: No.

16 MS. CHAPUT: Member Sanghvi?

17 MR. SANGHVI: Yes.

18 MS. CHAPUT: Member Montville?

19 MR. MONTVILLE: Yes.

20 MS. CHAPUT: Member Peddiboyina?

21 MR. PEDDIBOYINA: Yes.

22 MS. CHAPUT: Chairperson

23 Gronachan?

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CHAIRPERSON GRONACHAN: Motion fails three to two. So at this point, your motion is denied. Your request is denied. You need four votes for it to pass. If there is nothing more at this point. So I'm sorry, your request for your variance has been denied.

MR. BRETZ: Thank you.

CHAIRPERSON GRONACHAN: Thank you. Let's go to our next case, PZ16-0055, the Goddard School of Novi. Is the petitioner present. Come on down.

The applicant is requesting a variance from the City of Novi to allow a 113.04 square feet recreational space to omit separate loading space 4.19.2 feet to allow dumpster and side front yard and 4.19 to allow excess play structures in side and front yard.

So we have three variances this evening. Good evening, gentlemen.

Would you please state your names and then spell it for our recording

1 secretary.

2 And if you are not an
3 attorney, raise your right hand to be sworn
4 in.

5 MR. DOE: My name is Derick Doe,
6 D-e-r-i-c-k, D-o-e.

7 MR. BAGNICK: My name is Brian
8 Bagnick. I'm with Hobbs and Black
9 Architects. B-r-i-a-n, B-a-g-n-i-c-k.

10 CHAIRPERSON GRONACHAN: Would you
11 both raise your right hands to be sworn in by
12 our secretary.

13 MR. MONTVILLE: Do you promise to
14 tell the truth in the testimony you are about
15 to provide?

16 MR. BAGNICK: Yes.

17 MR. DOE: Yes.

18 CHAIRPERSON GRONACHAN: Please
19 proceed.

20 MR. DOE: Thank you for an
21 opportunity to speak this evening. Again, my
22 name is Derick Doe.

23 My wife and I are looking to

1 open a Goddard School located here in Novi,
2 Michigan. We're thrilled to have an
3 opportunity to start off on this endeavor,
4 appreciate the opportunity to speak with you
5 this evening.

6 We are actually joined by
7 Brian, he is our architect, also have a team,
8 our civil engineer Tim Story and Levi with
9 Goddard Systems who actually represents our
10 Goddard franchise. He is our Goddard
11 franchisor.

12 At this time we have five
13 zoning ordinance variance requests, and I
14 will turn it over to Brian to speak a little
15 bit more about this.

16 MR. BAGNICK: I think there were
17 three -- we actually have five items here.
18 We reviewed them. But I just want to kind of
19 touch base on each one very briefly.

20 The loading space, because we
21 are a preschool, we don't need a loading
22 space. When kids are dropped off in the
23 morning, the parents park in the lot, they

1 bring the children into the school. They get
2 back in their cars, they then drive away.

3 The lot is essentially empty
4 all day long. There is only cars in the lot
5 when it's drop-off and pick-up, so at the
6 beginning of the day and at the end of the
7 day.

8 It doesn't really need a
9 loading space, plus any deliveries that they
10 have are very small box trucks, the size of a
11 Fed Ex truck would typically be the largest
12 truck that would come into the parking lot.

13 The other one that we were
14 requesting is a dumpster. The dumpster it's
15 an interesting issue, because
16 (unintelligible) we have to put it in the
17 rear yard.

18 If you look at the
19 configuration of our site, we have frontage
20 on both Twelve Mile Road and Grand River
21 Road, so we don't really have a rear yard.
22 We kind of placed the dumpster in the side
23 where it's least visible from either road,

1 and where it's more concealed on the site.
2 We built nice decorative walls around it and
3 some plantings around to help conceal it.

4 The third point that I have
5 on my list is the two accessory play
6 structures.

7 Again, the ordinance allows
8 only one accessory structure. We have two
9 because we have different age groups of
10 children and we have different age
11 appropriate equipment.

12 You don't want the younger
13 kids playing on older children's equipment
14 and vice-versa. So there is two different
15 play structures in two different play areas
16 to help -- for the safety of the children.

17 The size of the play area was
18 another thing that was questioned. It seems
19 to me the ordinance is kind of written around
20 an elementary school or a regular type of
21 school, or they ask for a certain amount of
22 square footage for each child in the entire
23 school.

1 The way that Goddard
2 functions is that they never have more than
3 24 children in a play area at any one time.
4 And with 24 children in a play area, it's --
5 we greatly exceed the capacity for that.

6 We have tried to maximize it
7 also. We have some site constraints with
8 storm water detention and some other issues
9 and we have maximized the play areas as much
10 as we could. We have almost 17,000 square
11 feet, so you can imagine 17,000 square feet
12 when you only have 48 children out there at
13 any one time.

14 So it is also a safety issue,
15 because they like to have the smaller groups
16 of kids out there so that they have proper
17 supervision, and they like to have the
18 playground nice and safe and secure so they
19 can see all corners of the playground, so
20 then again, that's the reason for that one.

21 And then, this signage one is
22 kind of broken down into a couple of issues
23 there.

1 One is that we have got
2 multiple signs we are requesting. Again,
3 that's a function of our property and
4 configuration of our property, having
5 frontage on Grand River and on Twelve Mile
6 Road, we will like to put a sign on both
7 locations. We think that helps the flow of
8 traffic, helps reduce the traffic on either
9 one of those roads, and it helps from a
10 safety standpoint while reducing the traffic
11 on those roads.

12 The other one is the sign on
13 the building exceeds the allowable square
14 footage for a sign. But if you look in your
15 packet, you will see the design for that sign
16 is really two parts.

17 And the way the ordinance is
18 worded, is the ordinance draws a geometric
19 shape, which is a rectangle around both parts
20 and says that we are over area.

21 If you look at the two parts
22 individually, we are actually below the
23 required amount of signage. Part of that is

1 branding for the Goddard schools, part of
2 that is the interpretation of what --

3 CHAIRPERSON GRONACHAN: Do you
4 have the picture of it with you so that you
5 could put it up on the --

6 MR. BAGNICK: So the sign we are
7 talking about is on the wall right here. If
8 you draw a large rectangle around the entire
9 area, it exceeds the square footage.

10 If you draw a rectangle
11 around each individual -- the logo itself
12 being a circle, with about a three, four inch
13 diameter is probably about nine square feet,
14 and then the other sign is 17 feet long and
15 two feet high, so that's 34. So 34 and nine
16 is about 43 square feet. It would be low --
17 it would be below the allowable 51 square
18 feet for us, if you looked at it that way.

19 If you draw some strange
20 polygon shape around it like this, you could
21 also get -- so again it's subject to
22 interpretation of what geometric shape.

23 So, again, if you have any

1 questions, Levi is here, he's with the
2 Goddard people and our civil engineer Tim is
3 here as well.

4 CHAIRPERSON GRONACHAN: Okay.
5 Anything else that you would like to add?

6 MR. BAGNICK: I think we
7 talked -- we touched on the dumpster because
8 you really have no rear yard. Those are the
9 major reasons for the variances. There is
10 other smaller reasons.

11 CHAIRPERSON GRONACHAN: Do you
12 have the site plan there? Do you have a
13 picture of the layout of the property?

14 MR. BAGNICK: It should be in
15 your packet, but you can see we have frontage
16 on Grand River, we have frontage on Twelve
17 Mile Road.

18 We have placed the dumpster
19 kind of back near the detention basin, and we
20 put a big screen wall around it.

21 There really isn't a rear
22 yard to put the dumpster in. We tried to put
23 it in the location that's least

1 objectionable. The PNC Bank next to us,
2 their main entrance is here, so we wanted to
3 kind of keep it away from their entrance as
4 well. Be a good neighbor and tuck it away in
5 a location where it doesn't bother anybody.

6 CHAIRPERSON GRONACHAN: Okay.
7 Anything else?

8 MR. BAGNICK: One other thing I
9 didn't mention with the signage. I know just
10 because your neighbor has -- it doesn't mean
11 you're entitled to it, but PNC also has
12 signage on Grand River and Twelve Mile, and a
13 building sign as well.

14 We are not asking for
15 anything out of the ordinary, I guess.

16 CHAIRPERSON GRONACHAN: Thank
17 you. Is there anything else?

18 MR. BAGNICK: All set.

19 CHAIRPERSON GRONACHAN: Is there
20 anyone in the audience that wishes to make
21 comment on this case?

22 Seeing none, building
23 department.

1 MR. BUTLER: Just one quick
2 comment, if I will present it, we would
3 appreciate the fact that he does not have a
4 rear yard to put the dumpster on. It's more
5 of a requirement, but he's done the
6 appropriate things, put a nice screening
7 fence around it, keep it out of the public
8 eye. We appreciate that. That is a good
9 fact. That is what we normally do in cases
10 like that. Otherwise no comments.

11 CHAIRPERSON GRONACHAN: Thank
12 you. Is there any correspondence?

13 MR. MONTVILLE: Yes, 20 letters
14 mailed, two letters returned, zero approvals
15 and zero objections.

16 CHAIRPERSON GRONACHAN: Okay.
17 Board members? Member Sanghvi.

18 MR. SANGHVI: Thank you, ma'am.
19 I did come and look at the site. First thing
20 I'd like to know what kind of school is
21 Goddard School? I am not familiar with that
22 school.

23 MR. DOE: The school is designed

1 for children from age six weeks to six years
2 of age. So it's a preschool, but it's also
3 geared around infants and toddlers as well,
4 so it's a school that will -- is designed to
5 hold around 144 children of various ages,
6 again from the infant room being around six
7 weeks of age all the way up to
8 pre-kindergarten which is around age five.

9 MR. SANGHVI: You mentioned about
10 the classroom size. It's going to be of 24
11 children?

12 MR. DOE: Yes, the maximum
13 classroom size would be the pre-k rooms,
14 which would be 24 children, based on the
15 student and the student teacher ratio.
16 Depending on the different rooms, there is a
17 different number of children that would be in
18 each one of the rooms, a different number of
19 teachers that would be there as well. But
20 the largest classrooms would be our
21 pre-kindergarten room.

22 We plan to have two of those
23 and each one can have up to 24 students.

1 MR. SANGHVI: Did I understand
2 correctly, you can have two classrooms at the
3 time outside?

4 MR. DOE: Two classrooms, one
5 classroom on the older playground, one
6 classroom on the younger playground.

7 MR. SANGHVI: Thank you. And
8 there will be other stuff also supervising?

9 MR. DOE: Yes, sir. There is
10 actually -- when the students go outside to
11 the playground, the teachers for each one of
12 the classrooms are out there all the time.
13 So the teachers lead them out, they have
14 exercise and games that they actually conduct
15 while they're out there. Of course, they're
16 burning off energy as well. But the teachers
17 are always out there supervising, making sure
18 they are close by around the equipment, or
19 they're doing different activities while
20 they're out there, but at no time would there
21 be a student outside without a teacher
22 overseeing.

23 MR. SANGHVI: Thank you.

1 CHAIRPERSON GRONACHAN: Thank
2 you, Member Sanghvi. Anyone else. Member
3 Peddiboyina.

4 MR. PEDDIBOYINA: Thank you. I
5 have no issue on this case. The presentation
6 and the way you guys this is did excellent.
7 And I got all the questions my board members
8 asked, the same question I would like to ask,
9 but I got all the answers. And I have no
10 issue. Thank you.

11 CHAIRPERSON GRONACHAN: Thank
12 you. Anyone else? Member Montville.

13 MR. MONTVILLE: Quick question on
14 the sign. That's the Goddard School
15 franchise sign?

16 MR. BAGNICK: Yes.

17 MR. MONTVILLE: That is the
18 corporate, okay. I reiterate
19 Mr. Peddiboyina's thoughts as well. Going
20 through line-by-line, I don't see a reason
21 not to support what's being requested, I
22 would be in support as well.

23 CHAIRPERSON GRONACHAN: Okay.

1 Anyone else? Well, as for me, if I can have
2 the drawing of the layout of the property
3 again, please. We do have people at home
4 that watch.

5 First of all, welcome to
6 Novi, and congratulations that you picked
7 such a great area. We are happy to have you.

8 I agree that the presentation
9 was done very well as well as the packet. I
10 have no objection whatsoever with the loading
11 space or with the dumpster. I think that you
12 handled the -- what could be objections very
13 well, and you addressed them in your
14 presentation.

15 So I just wanted to get those
16 two right off the bat.

17 As far as the signs, I wanted
18 to address the two ground signs, which is
19 number five, and the reason why I would
20 support them.

21 And the reason why I would
22 support them is because of the two separate
23 entrances and the two main thoroughfares.

1 This is a difficult intersection and I think
2 for safety purposes there needs to be a
3 requirement for two signs, one on Twelve
4 Mile, as you have indicated, and then one on
5 Grand River.

6 So I would be in support of
7 that. I'm really in support of the whole
8 thing. But I just wanted to point that out
9 the reason why. I don't want to just hand
10 stamp something so people don't think that we
11 just approve it without doing our homework.

12 And I think that this is a
13 unique piece of property, in its shape and
14 its location. The angle of the property
15 is -- warrants these variances that you have
16 requested. I don't have any -- I think that
17 you did well with the outdoor space. Can you
18 point out on your drawing where the
19 playgrounds are going to be for the children,
20 the two separate playgrounds, please.

21 MR. BAGNICK: The actual play
22 structures are smaller rectangles. The
23 playground is the fenced in -- the larger

1 fenced in area. You can see there is a fence
2 that divides the two, for the older children
3 and the younger children.

4 CHAIRPERSON GRONACHAN: They're
5 even designed safety wise in the property
6 that they're not near any of the entrances,
7 and that they are well protected, so I have
8 no objection to any of that.

9 I would entertain a motion
10 based on that information. Member Montville.

11 MR. MONTVILLE: I move that we
12 grant the variances requested in Case No.
13 PZ16-0055, sought by the Goddard School of
14 Novi, as the petitioner has shown practical
15 difficulty requiring variances outlined in
16 the testimony. Without these variances, the
17 petitioner will be unreasonably prevented and
18 limited with respect to using the property
19 due to the unique layout of the lot, the
20 exposure to both Twelve Mile and Grand River
21 and the entrances on both of those roadways.

22 And again, I'd like to
23 reiterate the unique nature and shape of the

1 lot, that is not self-created in any way by
2 the petitioner.

3 The relief granted will not
4 unreasonably interfere with any adjacent or
5 surrounding properties, specifically the side
6 yard dumpster and the efforts made by the
7 petitioner to add the brick wall surrounding
8 the dumpster and put it in the least
9 sensitive area of the lot as able.

10 The relief granted are
11 consistent with the spirit and intent of the
12 ordinance, for those reasons, I move that we
13 grant the variances as requested.

14 MR. PEDDIBOYINA: Second.

15 CHAIRPERSON GRONACHAN: It's been
16 moved and second. Is there any other further
17 discussion?

18 MR. SANGHVI: Just one question,
19 are you going to use both entrances for in
20 and out or are you going to have one way
21 traffic going on Grand River in and Twelve
22 Mile going out?

23 MR. BAGNICK: We view Grand River

1 as being the main entrance, and as you can
2 see, we made it three lanes wide, and that
3 even though Twelve Mile is wide enough for in
4 and out traffic, we see that as primarily
5 being an exit.

6 CHAIRPERSON GRONACHAN: Any
7 further discussion in regards to the motion?

8 It's been moved and second.
9 Please call roll, Carol.

10 MS. CHAPUT: Member Byrwa?

11 MR. BYRWA: Yes.

12 MS. CHAPUT: Member Sanghvi?

13 MR. SANGHVI: Yes.

14 MS. CHAPUT: Member Montville?

15 MR. MONTVILLE: Yes.

16 MS. CHAPUT: Member Peddiboyina?

17 MR. PEDDIBOYINA: Yes.

18 MS. CHAPUT: Chairperson

19 Gronachan?

20 CHAIRPERSON GRONACHAN: Yes.

21 MS. CHAPUT: Motion passes five
22 to zero.

23 CHAIRPERSON GRONACHAN: All

1 right. Your variances have been granted and
2 good luck.

3 When will you be opening?

4 MR. DOE: Our plan is to open
5 right after Labor Day.

6 CHAIRPERSON GRONACHAN: Good luck
7 and again welcome. Thank you.

8 MR. DOE: Thank you very much.

9 MS. SAARELA: Before we move onto
10 the next case, if you could recall the
11 Feldman case and just do a motion to deny any
12 since it was a motion to pass that failed.
13 When something fails like that, we should
14 actually do both, just to make sure that it's
15 consistent, there is a reason to deny. You
16 want the reasons to deny on the record.

17 MR. MONTVILLE: Same motioner
18 make the second?

19 MS. SAARELA: Yes.

20 MR. SANGHVI: Just a question.
21 Should we be telling them that we need
22 minimum four votes and not -- we don't have a
23 full board tonight?

1 MR. BYRWA: They have the right
2 to table.

3 MS. SAARELA: We have had this
4 discussion before. We have, you know, where
5 they can look at the rules and we can put
6 that in the rules, so we don't have to
7 basically read all the rules every time we
8 start a meeting.

9 So would it have impacted
10 anything, you know, I don't know. But they
11 should be taking a look at the rules. I
12 think we made that decision to put it in the
13 rules for that reason.

14 CHAIRPERSON GRONACHAN: It's
15 already indicated. So to reiterate it, we
16 would have to either reiterate it for each
17 and every case, and not just each case
18 specific, so it was decided to put it just in
19 the rules and be done with it.

20 MR. SANGHVI: I don't know that
21 people are aware of that fact.

22 MS. SAARELA: They should be
23 reading the packet that they're getting.

1 CHAIRPERSON GRONACHAN: So in
2 Case No. PZ16-0034, we are going to entertain
3 a motion to deny -- I'm sorry. PZ16-0049,
4 entertain a motion to deny in the case.
5 Member Montville.

6 MR. MONTVILLE: I move that we
7 deny the variance is Case No. PZ16-0049,
8 sought by Phillips Sign and Lighting as the
9 petitioner has not shown a practical
10 difficulty requiring an additional sign.

11 The circumstances and
12 features of the property are not unique in
13 this position, and exist generally throughout
14 the city and are very common. This
15 particular request is being self-created by
16 the petitioner, as it is nearly for a
17 branding component and does not address any
18 particular hardships based by the petitioner.

19 The failure to grant the
20 request will not create an economic or
21 financial loss for the petitioner. For those
22 reasons and -- granting the variance would
23 potentially be inconsistent with the spirit

1 and intent of the ordinance, as again, it is
2 a self-created variance that is being
3 requested. For those reasons, I move that we
4 deny the request. Is there a second?

5 MR. BYRWA: Second.

6 CHAIRPERSON GRONACHAN: Carol,
7 would you please call the roll.

8 MS. CHAPUT: Member Byrwa?

9 MR. BYRWA: Yes.

10 MS. CHAPUT: Member Sanghvi?

11 MR. SANGHVI: No.

12 MS. CHAPUT: Member Montville?

13 MR. MONTVILLE: No.

14 MS. CHAPUT: Member Peddiboyina?

15 MR. PEDDIBOYINA: No.

16 MS. CHAPUT: Chairperson

17 Gronachan?

18 CHAIRPERSON GRONACHAN: Yes.

19 MS. CHAPUT: Motion to deny

20 passes three to two.

21 CHAIRPERSON GRONACHAN: Two to

22 three.

23 MS. SAARELA: Three to two.

1 CHAIRPERSON GRONACHAN: Didn't I
2 say yes?

3 MR. PEDDIBOYINA: You said yes.

4 CHAIRPERSON GRONACHAN: Yes, it's
5 all reversed.

6 MS. SAARELA: Actually did you
7 guys say it reverse? So motion to deny,
8 should be -- everybody that denied raise your
9 hand.

10 (Board indicating.)

11 CHAIRPERSON GRONACHAN: So it's
12 two to three.

13 MS. SAARELA: So --

14 MR. SANGHVI: It would be the
15 same.

16 MS. SAARELA: So that fails, too.
17 I guess there is nothing you can do. It just
18 has to fail on that one.

19 CHAIRPERSON GRONACHAN: Moving
20 ahead, thank you for your patience.

21 Case No. PZ16-0058, Sign
22 Works of Michigan. Is the petitioner
23 present? Please come down.

1 The applicant is requesting a
2 variance from the City of Novi to allow
3 two -- I understand the number is wrong --
4 174 square feet wall.

5 Would you please state your
6 name and spell it for our recording secretary
7 and then be sworn in by our secretary.

8 MS. FRASS: Sure. My name is Ann
9 Frass. I'm with Sign Works of Michigan. Ann
10 is A-n-n, Frass, F-r-a-s-s.

11 I am representing Comau
12 Industries of 44000 Grand River Avenue. Our
13 request is for the installation of two flex
14 space illuminated wall cabinets.

15 CHAIRPERSON GRONACHAN: I'm
16 sorry. Excuse me. You need to raise your
17 right hand and be sworn in before you
18 proceed.

19 MS. FRASS: I'm sorry I missed a
20 step. Thank you.

21 MR. MONTVILLE: Do you swear to
22 tell the truth in the testimony you're about
23 to give?

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MS. FRASS: Absolutely.

CHAIRPERSON GRONACHAN: Please proceed.

MS. FRASS: I put this drawing up here, so that you can see our request is for the installation of the two illuminated flex space cabinets at Comau Industries.

Comau Industries has been growing and expanded in the Detroit area. They have a branded logo and they have created a consistent appearance with multiple locations across Detroit and other areas.

They like to keep this uniformity and increase visibility and that's why we are proposing to add some signage along 96. Currently this building has none.

Now, for the purposes of this meeting, if you were to have driven by in the last ten days, you would have seen the temporary signage that we did install for the requirements of this meeting.

This is a layout of their property. This would be highway 96 over

1 here. And you can see from the Novi site --
2 I am just wondering, if you don't mind does
3 this fit on here.

4 CHAIRPERSON GRONACHAN: We have a
5 stand right here you can put it on.

6 MS. FRASS: On the easel here, I
7 have got this property. So you can see their
8 footprint here. They have got three
9 buildings. This is one, this actually is
10 one, here is one, then together, they're
11 almost 500 square feet.

12 This building is called the
13 auto tech -- this one is called the Novi
14 Industries building. This is a T shape.
15 That building is 380,000 feet. This distance
16 along 96 is just under 3/16th of a mile,
17 855 feet, the length here is just short of a
18 quarter mile, 1,120 feet. The auto tech
19 building over here has over 107,000 square
20 feet and the quality building is 10,000
21 square feet.

22 Due to the nature of this
23 footprint here, in Novi, the vast nature of

1 it, and the building size, we are requesting
2 two signs. The ordinance allows one, we are
3 requesting two.

4 The other reason is, the
5 positioning of this along 96 facing the
6 northeast elevations, we are requesting
7 signage here and here is where this is
8 detailed.

9 If we were to put it here --
10 on each of the elevations, so the vehicular
11 traffic from either direction would be able
12 to see, we wouldn't miss anyone.

13 We are proposing on this
14 drawing that I had earlier, I can set up
15 here, the signage proposed is 12 feet wide,
16 14 and a half feet tall for increased
17 visibility. That is what you would see if
18 you drove by the 12 by 14 and a half.

19 Comau Industries, again, this
20 is large area of Novi. It has substantial
21 employment opportunities and we really would
22 like to increase the visibility.

23 Currently, they just have one

1 sign and that's the standard monument, that
2 is over here, their driveway on Grand River
3 Avenue. So we requesting sign and quantity
4 variance tonight for this location.

5 Does anyone have any
6 questions for me?

7 CHAIRPERSON GRONACHAN: Thank
8 you. Is there anyone in the audience that
9 wishes to make comment on this case?

10 Seeing none, building
11 department?

12 MR. BUTLER: No comment.

13 CHAIRPERSON GRONACHAN: Thank
14 you. Is there any correspondence?

15 MR. MONTVILLE: Yes, 26 letters
16 mailed, two letters returned, zero approvals
17 and zero objections.

18 CHAIRPERSON GRONACHAN: Okay.
19 Board members? Member Sanghvi.

20 MR. SANGHVI: I came and saw your
21 place before the storm came. It's really a
22 huge place that is not really easy visible to
23 anybody because of the bridge and everything

1 else. And especially they expanded and
2 became almost completely concealed from the
3 main Grand River. I know it's visible from
4 I-96, but people coming, there is no entrance
5 from I-96 to come there. You need to have
6 some identification and visibility. So I
7 have no difficulty for your signs because the
8 size of your property and the kind of
9 business you are in, I think you deserve
10 better signage than what you have currently
11 got. Thank you.

12 MS. FRASS: I appreciate that.
13 Thank you.

14 CHAIRPERSON GRONACHAN: Thank
15 you. Anyone else? Member Peddiboyina?

16 MR. PEDDIBOYINA: Thank you. I
17 also state the same thing, before the storm,
18 your place. Business point of view, we need
19 a bigger sign, and visibility is more
20 important. And I have no comments. I wish
21 you good luck.

22 MS. FRASS: Thank you, sir.

23 CHAIRPERSON GRONACHAN: Member

1 Byrwa?

2 MR. BYRWA: These are
3 non-illuminated signs or is that a light off
4 to the side there that directs lighting onto
5 the sign?

6 MS. FRASS: The signs that are
7 being proposed, sir, have an aluminum cabinet
8 and a flex space, think of it as a banner
9 face, and the entire interior is filled with
10 LEDs. So at night this will be illuminated,
11 the entire face will be illuminated.

12 CHAIRPERSON GRONACHAN: Member
13 Montville, do you have anything to add?

14 MR. MONTVILLE: No.

15 CHAIRPERSON GRONACHAN: You could
16 see that sign during the snow storm, just
17 saying. For those of us who didn't get out
18 before the storm.

19 I think that due to the
20 uniqueness of this lot, and the size, and the
21 size of the buildings, and the location and
22 the layout, I have no problem submitting --
23 supporting this request. Evidently I have a

1 problem talking tonight.

2 And I will make out, I will
3 state this. The size, when I first saw it,
4 although they just changed it, I thought it
5 was like excessive, you know, when you're
6 reading it. That's why it's important to go
7 out and look at it. But I think that this
8 request is in scale to the buildings that are
9 there and present and that is why I would be
10 in full support of this particular size and
11 this particular property for this particular
12 business.

13 If there is nothing further,
14 I would entertain a motion. Member
15 Montville. You're up tonight.

16 MR. MONTVILLE: I move that we
17 grant the variance being requested in Case
18 No. PZ16-0058, sought by Sign Works of
19 Michigan as the petitioner has shown a
20 practical difficulty requiring additional
21 size to their sign request, and also due to
22 the unique location of the lot in question,
23 the additional sign is warranted.

1 Without the variance,
2 petitioner will be unreasonably prevented and
3 limited in terms of getting the proper
4 visibility for their business.

5 The property is unique due to
6 both the -- being on the north side of the
7 building, I-96, then also on the south side
8 of the building, their entrance right off
9 Grand River, and also due to the large size
10 of the building, the proper scale for these
11 signs would require additional square
12 footage.

13 The petitioner did not create
14 those conditions and the relief granted will
15 not reasonably interfere with any adjacent or
16 surrounding properties and as it is
17 consistent with the type of business,
18 manufacturing facility, and then again, the
19 dimensions being used are the proper scale
20 relative to the size of the building.

21 For those reasons, I move
22 that we grant the variances as they have been
23 requested.

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MR. PEDDIBOYINA: Second.

CHAIRPERSON GRONACHAN: It's been moved and second.

Is there any further discussion? Seeing none, Carol, would you please call the roll.

MS. CHAPUT: Member Byrwa?

MR. BYRWA: Yes.

MS. CHAPUT: Member Sanghvi?

MR. SANGHVI: Yes.

MS. CHAPUT: Member Montville?

MR. MONTVILLE: Yes.

MS. CHAPUT: Member Peddiboyina?

MR. PEDDIBOYINA: Yes.

MS. CHAPUT: Chairperson Gronachan?

CHAIRPERSON GRONACHAN: Yes.

MS. CHAPUT: Motion passes five to zero.

CHAIRPERSON GRONACHAN: Your variance has been granted. And congratulations and good luck.

MS. FRASS: Just because there

1 was a discrepancy, this is the size that we
2 had been approved at?

3 CHAIRPERSON GRONACHAN: Correct.

4 Our next case is Community
5 Network Services, is the petitioner present?

6 MR. BOYNTON: Present.

7 CHAIRPERSON GRONACHAN: Case No.
8 PZ16-0059.

9 The applicant is requesting
10 variances to allow a wall sign in addition to
11 an existing ground sign, for two oversized
12 identification driveway signs. The property
13 is zoned office service.

14 Would you please go ahead,
15 gentlemen, state your names, spell them for
16 our recording secretary. And then if you are
17 not an attorney, raise your right hand and be
18 sworn in, please.

19 MR. BOYNTON: To this honorable
20 board, my name is Darnell Boynton. I am the
21 chief corporate compliance officer and
22 general counsel for Community Network
23 Services. That's Darnell, D-a-r-n-e-l-l,

1 Boynton, B, as in boy, o-y-n-t-o-n.

2 MR. JACKSON: My name is Anthony
3 Jackson. I am the facility manager for the
4 company. My name is spelled A-n-t-h-o-n-y,
5 last name Jackson, J-a-c-k-s-o-n.

6 CHAIRPERSON GRONACHAN:

7 Mr. Jackson, you are not an
8 attorney, correct?

9 MR. JACKSON: Correct.

10 CHAIRPERSON GRONACHAN: Please
11 raise your right hand and be sworn in.

12 MR. MONTVILLE: Do you promise to
13 tell the truth in the testimony you are about
14 to provide?

15 MR. JACKSON: I do.

16 CHAIRPERSON GRONACHAN: Thank
17 you. Please proceed.

18 MR. BOYNTON: Again, to this
19 honorable board, we thank you for this
20 opportunity to come before you. We stand
21 before you very excited about being in the
22 City of Novi. We are a behavioral healthcare
23 company that has served the citizens of

1 Oakland County for over 20 years, and earlier
2 this summer, we were fortunate enough to buy
3 the building located at 24230 Karim
4 Boulevard.

5 With that being said, we
6 serve and we probably serve a very vulnerable
7 population. We serve those who have serious
8 mental illness and developmental
9 disabilities.

10 And with that being said, we
11 are asking for this variance because we feel
12 that it is vitally important that those
13 consumers that we serve be able to
14 distinctively identify our building. Our
15 building, we believe is unique and requires
16 us to ask for this variance because
17 currently, once the renovations are
18 completed, and CNS actually takes possession
19 of the building, there will be two tenants
20 that occupy that building.

21 Currently Diverse Health
22 Services occupies the building and they have
23 a very distinct and different clientele than

1 Community Networking Services.

2 And with that being said, we
3 will think that it is very important for our
4 consumers to be able to not only identify the
5 proper entrances in which they need to go
6 into, but we think that it is also important
7 for their own well-being, because we have
8 taken great strides in making our logo a logo
9 that they can recognize as a place that is
10 welcoming and a place that they can receive
11 the kind of services that they need to
12 receive to be better citizens in society.

13 So with that being said, we
14 also -- we believe that we meet the
15 requirements of one of the exceptions to the
16 variance and that is I believe it's 2853F,
17 where two or more separately owned and
18 operated businesses occupy the same space, on
19 a single parcel of land, each having separate
20 exterior.

21 Each business is entitled to
22 a single identification wall sign, if not
23 otherwise entitled to a wall sign under the

1 current chapter.

2 So with that being said, we
3 would ask that you would grant the variance.
4 We.

5 Surveyed, you know, our
6 neighbors directly adjacent to us. You know,
7 they have a wall sign, so we don't believe
8 the addition of this wall sign, you know,
9 would create, you know, any kind of hardship
10 to our neighbors, or value to their property
11 in any way.

12 If I might just take a little
13 side note, we also have another variance
14 request at this time, I think we are prepared
15 to withdraw that requests as it relates to
16 the entrance signs.

17 When we bought the building,
18 we inherited the entrance signs and they were
19 out of compliance with the code. We were
20 able to go back, meet with our facility
21 department, and our contractors and we are
22 able to conform to the proper code
23 requirements for the driveway entrance signs.

1 So at this time, we are
2 prepared to actually withdraw that request
3 for a variance and proceed with the request
4 for the wall sign.

5 CHAIRPERSON GRONACHAN: Okay.
6 Thank you. Do you have anything to add?

7 MR. JACKSON: I do not.

8 CHAIRPERSON GRONACHAN: Thank
9 you.

10 Is there anyone in the
11 audience that wishes to make comment in
12 regards to this case?

13 Seeing none, building
14 department?

15 MR. BUTLER: No comment at this
16 time.

17 CHAIRPERSON GRONACHAN: Okay.
18 Correspondence?

19 MR. MONTVILLE: Yes, 19 letters
20 mailed, two letters returned, one approval
21 from Joseph Debrincat -- excuse me. There
22 was a -- I think we have the wrong letter.
23 Nineteen letters mailed, two letters

1 returned. I believe one approval was
2 mistakenly added to the folder. Zero
3 objections.

4 CHAIRPERSON GRONACHAN: Thank
5 you. All right. Board members. Member
6 Sanghvi.

7 MR. SANGHVI: I came and saw your
8 place a couple days ago. And it used to be
9 some other medical facility there, if my
10 memory serves me right.

11 MR. BOYNTON: That is correct.

12 MR. SANGHVI: You had two
13 businesses over here, DH something and you.
14 You both have separate entrances?

15 MR. BOYNTON: Yes, we do.

16 MR. SANGHVI: I have no problem
17 with your sign. You need to be recognized.
18 I know you don't have a Ten Mile Road
19 address, but at least you're physically
20 there, your visibility is needed. Thank you.

21 CHAIRPERSON GRONACHAN: Anyone
22 else? Member Montville.

23 MR. MONTVILLE: That location, it

1 is unique and I know a case back with a
2 similar type of situation, but you really
3 don't even notice it as much in the winter
4 with all those trees with no leaves, again,
5 not a self-created condition by the
6 applicants, specifically entirely to the
7 summer, that's an issue.

8 It really takes up all the
9 visibility of the building, and to have that
10 sign, it does help notify the business and
11 their customers where the location is.
12 Especially coming down Ten Mile. That's a 45
13 mile a hour pass-way, it's pretty quick,
14 highly congested, it doesn't take much to
15 drive right by the building.

16 I would be in support of this
17 request.

18 CHAIRPERSON GRONACHAN: Anyone
19 else? Member Peddiboyina.

20 MR. PEDDIBOYINA: Thank you. I
21 wish you good luck. I don't have any
22 concerns. That are two business, so you
23 definitely need identification for the

1 business also. I approve that. I don't have
2 an issue.

3 CHAIRPERSON GRONACHAN: Thank
4 you. Did you have something?

5 MR. BYRWA: No.

6 CHAIRPERSON GRONACHAN: I just
7 want to reiterate that the petitioner is
8 withdrawing the request for the ground signs.

9 MR. BOYNTON: That is correct.

10 CHAIRPERSON GRONACHAN: It would
11 just be a request for the one sign on the
12 building.

13 MR. BOYNTON: That is correct.
14 If you like, we have the new ground signs
15 that is -- meet the conformity to the code.

16 MR. JACKSON: There is actually
17 ground signs on the north end of the
18 building.

19 These would be on the south
20 end or our driveway entrance, then the north
21 end will have their driveway entrance, which
22 is this sign. Both signs will stay -- you
23 know, that is for DHS and our entrance will

1 stay for CNS.

2 CHAIRPERSON GRONACHAN: There is
3 no variance request needed for those signs
4 because now you're compliant.

5 MR. BOYNTON: Correct.

6 CHAIRPERSON GRONACHAN: So in
7 regards to the one sign on the building, I
8 have no problem with the request.

9 I think it meets the spirit
10 of the ordinance, quite frankly, because
11 given the location of the building and the
12 difficulty seeing it, not just during the
13 winter, but given the traffic flow and the
14 speeds, people need to find it and we need to
15 make it as easy as possible. So I have no
16 objections and I will be supporting your
17 request tonight.

18 MR. BOYNTON: Thank you.

19 CHAIRPERSON GRONACHAN: I would
20 entertain a motion, if somebody -- Member
21 Montville.

22 MR. MONTVILLE: If I could ask
23 the City Attorney. Do we need to modify the

1 motion as far as removing for the two signs?

2 MS. SAARELA: You wouldn't want
3 to say as requested, you would want to say
4 the specific variances that you are granting.

5 MR. MONTVILLE: Do we have to
6 mention the ones that we are not granting or
7 just specify the ones that are being granted?

8 MS. SAARELA: Right.

9 MR. MONTVILLE: I'm prepared.

10 CHAIRPERSON GRONACHAN: Good.

11 MR. MONTVILLE: I move that we
12 grant the wall sign variance being requested
13 in Case No. PZ16-0059, sought by Community
14 Network Services, as petitioner has shown a
15 practical difficulty requiring the wall sign
16 on the front of the building. Without this
17 particular variance, the petitioner will be
18 prevented and limited with respect to the use
19 of the property, due to lack of visibility
20 and potential traffic and safety concerns
21 with the lack of visibility and customers of
22 the business trying to find the location.

23 The property is unique due to

1 the current layout and the shrubbery and four
2 stations limiting the visibilty in the front
3 of the building to passengers on Ten Mile.

4 The petitioner did not create
5 those conditions as they were pre-existing.
6 The relief will not unreasonably interfere
7 with any surrounding or adjacent properties
8 as the design of the sign is professionally
9 done, it fits within the proper scale due to
10 the frontage of the building, and from an
11 esthetic perspective is an enhancement.

12 The relief is consistent with
13 the spirt and intent of the ordinance, and
14 for those reasons, I move that we grant the
15 wall sign variance request.

16 MR. SANGHVI: Second.

17 CHAIRPERSON GRONACHAN: It's been
18 moved and second. Any further discussion?

19 Seeing none, Carol, would you
20 please call the roll.

21 MS. CHAPUT: Member Byrwa?

22 MR. BYRWA: Yes.

23 MS. CHAPUT: Member Sanghvi?

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MR. SANGHVI: Yes.

MS. CHAPUT: Member Montville?

MR. MONTVILLE: Yes.

MS. CHAPUT: Member Peddiboyina?

MR. PEDDIBOYINA: Yes.

MS. CHAPUT: Chairperson

Gronachan?

CHAIRPERSON GRONACHAN: Yes.

MS. CHAPUT: Motion passes five
to zero.

CHAIRPERSON GRONACHAN: Your
variances have been granted and I'm sure you
will be in touch with the building
department. Congratulations and welcome to
Novi.

Okay. Our final case of the
evening, Audrey and Gordy Wilson PZ16-0060.

The applicant is requesting a
variance to allow an 11.42-foot encroachment
of the building second floor to the rear yard
setback. Good evening.

MR. COLTHURST: Good evening. My
name is Eric Colthurst. I am a retired

1 attorney, stressing retired. This is my
2 daughter, Audrey Wilson.

3 MS. WILSON: I am Audrey Wilson,
4 homeowner, A-u-d-r-e-y, W-i-l-s-o-n.

5 MR. COLTHURST: If it's okay, I'm
6 here to testify tonight because I am over at
7 this lot a lot using it.

8 CHAIRPERSON GRONACHAN: They're
9 going to assist us so we can hear you at
10 home.

11 Would you please raise your
12 right hands and be sworn in by our secretary.

13 MR. MONTVILLE: Do you promise to
14 tell the truth in the testimony you're about
15 to provide?

16 MS. WILSON: I do.

17 MR. COLTHURST: Yes.

18 CHAIRPERSON GRONACHAN: Please
19 proceed.

20 MR. COLTHURST: We have two
21 approvals from the adjoining neighbors. They
22 decided to give them to us instead of sending
23 them to Novi.

1 CHAIRPERSON GRONACHAN: We got
2 them.

3 MR. COLTHURST: You got the one
4 from Joe. Did you get the one from Brent
5 Westbrook?

6 MR. MONTVILLE: We do not have
7 those two.

8 MR. COLTHURST: Joe was in that
9 other file before us.

10 MR. MONTVILLE: We have
11 Mr. Debrincat's.

12 MR. COLTHURST: We have Brent
13 Westbrook and Josh and Erin Robinson.

14 CHAIRPERSON GRONACHAN: We don't
15 have those.

16 MR. COLTHURST: We can give them
17 to the secretary. Did you need copies of
18 these or just give the originals?

19 CHAIRPERSON GRONACHAN: We will
20 get the originals.

21 MR. COLTHURST: I also brought
22 pictures of the property, and it's on three
23 pages. And I have copies for everybody. We

1 can put them up here. If you want to look at
2 them all at the same time, we would be glad
3 to give you a copy.

4 CHAIRPERSON GRONACHAN: Let's
5 start up here. Let's see how that works.

6 MR. COLTHURST: Let's do the --
7 it's hard to see those. I can give you the
8 prints, if you want them.

9 CHAIRPERSON GRONACHAN: We have
10 got some drawings here, so if you tell us
11 what you're going for, then if anybody has
12 got any question --

13 MR. COLTHURST: The bottom
14 picture on number one there then is a picture
15 of the side door that was put into the
16 kitchen when the house was remodeled two
17 years ago. The idea was to make a deck off
18 of that door. On the inside that door goes
19 to the kitchen. This picture is taken from
20 the south facing north.

21 Then if you go to the top
22 pictures, you have got a picture in the
23 backyard, on the back property line facing

1 the west. If you will notice right there
2 between the houses, that's Walled Lake beyond
3 the house.

4 And the addition is going to
5 go into that notch there. And it will come
6 straight off from the wall on the right.
7 Then the picture on the right up there, is
8 facing south, and it's the kitchen. This is
9 the kitchen here, and then if you see the
10 trampoline there, and that cement pad, the
11 addition is going to come out about to the
12 end of that cement pad. Then it will go into
13 the indentation.

14 Any questions on those
15 pictures?

16 CHAIRPERSON GRONACHAN: No, not
17 at this time.

18 MR. COLTHURST: So this is
19 looking out from the kitchen on the second --
20 on this house, the first floor is a walkout
21 basement, so I'm going to call the second
22 floor the main floor.

23 So that's looking from the

1 main floor kitchen window to the property to
2 the north, and that's a garage, that's Joe's
3 garage, that approval you had. He's to the
4 left and to the east of us, and then on the
5 left side of that picture is his house.

6 If you go turn the other way,
7 then that picture is taken from the doorway
8 of the kitchen where the deck -- that would
9 be the entranceway to the deck.

10 And if you look, you can see
11 that's the property to the south, that person
12 has also given approval.

13 If you look farther, just to
14 the left side of the picture, you will see
15 the storage. I believe that's of his pontoon
16 there. They have got their play structure
17 out there.

18 Then if you go to the bottom
19 picture, that's taken from the kitchen,
20 straight to the east, and it shows to the
21 left or what would be to the north, those
22 houses are on a separate row, and they face
23 straight -- the back of them faces straight

1 east -- or excuse me, straight south.

2 And looking at those
3 pictures, if you go back to the one on the
4 top right, to the left of that, and to the
5 right of the trees on the back of that house,
6 on the east side is a wetland and an area
7 that collects water that empties out into the
8 Walled Lake.

9 And that's one of the major
10 reasons we want this variance because we need
11 to put screens on this deck. We are worried
12 about the bugs.

13 I mean, I mentioned the Zika
14 virus in the application, but it's really all
15 types of bugs. That's a wetland back there
16 and not buildable. So there is nothing
17 behind us really except on that lower picture
18 where you see the house to the left us.

19 This is standing where you
20 would be underneath the addition. It's the
21 first picture on the top left, where you see
22 the deck over there. That's looking straight
23 south, and then if you turn around, the

1 picture on the top right is looking to the
2 north, and then if you turn around and face
3 the east, then that trampoline wasn't there,
4 that would be the straight east.

5 Again, shows a view from the
6 ground -- from the basement floor.

7 So other than that, I have
8 got one correction in the application
9 somewhere in there, I referred I think it's
10 to No. 4, where I referred to a 25-foot
11 setback. I believe the setback is 35 feet.

12 So we are taking up 11.425
13 feet of that setback if this is approved.

14 CHAIRPERSON GRONACHAN: Do you
15 have anything else?

16 MR. COLTHURST: No, ma'am.

17 CHAIRPERSON GRONACHAN: Do you
18 have the picture of the plans, the actual
19 plans of the house?

20 MR. COLTHURST: I have two sets,
21 I have the survey or the drawing. Want to do
22 the drawing first?

23 CHAIRPERSON GRONACHAN: Drawing

1 would be great. That's perfect. There you
2 go, okay.

3 MR. COLTHURST: On the left,
4 that's facing -- well, it's east to west. So
5 the garage here in the front, that's on the
6 Walled Lake side, which is to the east -- to
7 the west, and then that addition on the back
8 right is the east.

9 That's the addition, that 25,
10 20 feet. Then I believe, even though it
11 doesn't affect the variance, request, you see
12 that, it's like a walkway that goes right
13 here, that's not going to be there.

14 They're not going to build --
15 this part right here.

16 CHAIRPERSON GRONACHAN: Okay.
17 Clearly there is no one in the audience to
18 give any testimony on the matter of this
19 case.

20 So we will turn it over to
21 the building department. Did do have
22 anything to add?

23 MR. BUTLER: Nothing to add.

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CHAIRPERSON GRONACHAN: Thank you. Is there any correspondence?

MR. MONTVILLE: There were 35 letters mailed out, two letters returned, two approvals. First is from Joseph Debrincat at 1339 East Lake Drive. He notes his approval and that he will -- his view will not be hindered or restricted in any way.

And the second is from Cicely Thustail (phonetic) at 1317 East Lake Drive. She notes her approval. And she notes she lives adjacent to the house, and the structure would not hinder anyone's views of the neighborhood.

MR. COLTHURST: You should have one more.

CHAIRPERSON GRONACHAN: Carol, you have the other two letters. Should we add those onto our -- for the record.

MR. MONTVILLE: First additional approval is from Josh and Erin Robinson at 42755 Morlan Creek Court, they note their approval.

1 And the second additional one
2 is from Brent Westbrook and he notes he has
3 no issues with the addition of the deck. In
4 his view, the lake experience will not be
5 effected.

6 CHAIRPERSON GRONACHAN: Thank
7 you. Board members? Member Sanghvi.

8 MR. SANGHVI: Thank you. I came
9 and visited your property four or five days
10 ago I think, last week sometime, looked at
11 it. Most of the houses over there are so
12 small, they always need a variance to do
13 anything to it. You are no exception and I
14 have no problem. Thank you.

15 CHAIRPERSON GRONACHAN: Board
16 members? Member Montville.

17 MR. MONTVILLE: I would just note
18 to the unique nature of the wetlands behind
19 the residence. If they were to do anything
20 outside of the property, which most residents
21 have that right, it's certainly a hinderance
22 to them.

23 Then also the -- which has

1 also been noted, a lot of correspondence,
2 this isn't going to affect any of the
3 surrounding properties, so I would be in
4 favor as well.

5 CHAIRPERSON GRONACHAN: All
6 right. I would entertain a motion, if there
7 is no further discussion.

8 MR. MONTVILLE: I move that we
9 grant the variance being requested in Case
10 No. PZ16-0060, sought by Audrey and Gordy
11 Wilson, as the petitioner has shown a
12 practical difficulty requiring a reduced
13 rear-yard setback.

14 Without this variance the
15 petitioner will be unreasonably prevented and
16 limited use of their property. Again, due to
17 the unique nature of the wetlands and the bug
18 features that accompanies it.

19 This property is unique due
20 to the wetlands in the back as well. The
21 petitioner did not create that condition, and
22 its relief, when granted, will not
23 unreasonably interfere with any adjacent or

1 surrounding properties as noted by several of
2 the surrounding neighbors, noting their
3 approval and their belief, and their view is
4 not being affected and negative to their
5 property.

6 The relief is consistent with
7 the spirit and intent of the ordinance. For
8 those reasons, I move that we grant the
9 variance as requested.

10 MR. SANGHVI: Second.

11 CHAIRPERSON GRONACHAN: It's been
12 moved and second. Any further discussion?

13 Seeing none, Carol, would you
14 please call the roll.

15 MS. CHAPUT: Member Byrwa?

16 MR. BYRWA: Yes.

17 MS. CHAPUT: Member Sanghvi?

18 MR. SANGHVI: Yes.

19 MS. CHAPUT: Member Montville?

20 MR. MONTVILLE: Yes.

21 MS. CHAPUT: Member Peddiboyina?

22 MR. PEDDIBOYINA: Yes.

23 MS. CHAPUT: Chairperson

1 Gronachan?

2 CHAIRPERSON GRONACHAN: Yes.

3 MS. CHAPUT: Motion passes five
4 to zero.

5 CHAIRPERSON GRONACHAN: So your
6 variances have been granted.
7 Congratulations. Good luck on your
8 construction.

9 MR. COLTHURST: I wanted to bring
10 up today on something. About a year ago, I
11 was in here we got a variance to build a ramp
12 to that six foot first floor, I guess you
13 would call it, six foot high. And since then
14 we have used that ramp, it's problem free,
15 rather than having a lift that I always had
16 to worry about the mechanical part. Plus the
17 ramp, I made it so when we leave we can take
18 it with us. It's not attached to the
19 structure, other than at the top, so thank
20 you.

21 CHAIRPERSON GRONACHAN: Pleased
22 to hear a success story. So good luck and
23 Merry Christmas and Happy New Year.

1 Is there anything further to
2 discuss this evening from anyone? Member
3 Peddiboyina.

4 MR. PEDDIBOYINA: Everybody Merry
5 Christmas and Happy New Years. Next meeting
6 I won't be here.

7 CHAIRPERSON GRONACHAN: Safe
8 travel and enjoy your holiday. I would like
9 to take a moment.

10 Sadly, we don't have Member
11 Krieger here this evening. She is dealing
12 with some personal things. She's probably
13 keeping an eye on the meeting, because I hear
14 about it.

15 I wish her and her family a
16 speedy recovery. And I wish all of you a
17 very Merry Christmas and very Happy New Year.

18 I cannot thank the city and
19 the city employees enough, along with the
20 city attorney for their hard work and their
21 ability to answer our questions and assist us
22 so we can do this on a monthly basis.

23 So the very best to

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everybody. And would entertain a motion to adjourn this meeting.

MR. SANGHVI: So moved.

CHAIRPERSON GRONACHAN: All those in favor.

THE BOARD: Aye.

(The meeting was adjourned at 8:19 p.m.)

** ** *

