

REGULAR MEETING - ZONING BOARD OF APPEALS

CITY OF NOVI

TUESDAY, SEPTEMBER 12, 2017 7:00 P.M.

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

BOARD MEMBERS:

David M. Byrwa

Cynthia Gronachan

Linda Krieger

Siddharth Mav Sanghvi, Chairperson

ALSO PRESENT:

Beth Saarela, City Attorney

Lawrence Butler, Comm. Development, Dep. Director

Katherine Oppermann, Recording Secretary

Transcribed by: Pamela Mocerri, Certified Shorthand Reporter

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

INDEX

PAGE

PZ 17-0036	7
PZ 17-0037	13
PZ 17-0038	22
PZ 17-0039	28
PZ 17-0040	53
PZ 17-0041	59

1 Novi, Michigan
2 September 12, 2017
3 7:00 p.m.

4
5 * * *

6 CHAIRPERSON SANGHVI: I am calling to
7 order the September 12, 2017, ZBA meeting for today.

8 Would you please all join me in the
9 Pledge of Allegiance.

10 (Pledge of Allegiance recited.)

11 CHAIRPERSON SANGHVI: Thank you.

12 Please be seated.

13 Madam Secretary, please call the roll.

14 MS. OPPERMANN: Member Byrwa.

15 MR. BYRWA: Present.

16 MS. OPPERMANN: Member Ferrell is
17 absent excused.

18 Member Gronachan.

19 MS. GRONACHAN: Yes.

20 MS. OPPERMANN: Member Krieger.

21 MS. KRIEGER: Present.

22 MS. OPPERMANN: Member Montville is
23 absent excused.

1 Member Nafso is absent excused.

2 Member Peddiboyina is absent excused.

3 Chairperson Sanghvi.

4 CHAIRPERSON SANGHVI: Present. Thank
5 you.

6 I think you all are aware of the format
7 for the public hearing. Those of you who are not,
8 the information is available near the front door,
9 and I won't go into it again.

10 The next item on the agenda is approval
11 of the agenda.

12 Madam Secretary, is there any change?

13 MS. OPPERMANN: Yes. In Case No. PZ
14 17-0039, NSA Architects and City of Novi. They have
15 reduced the number of variances they're requesting
16 to just one which is from the Novi Zoning Ordinance
17 Section 3.6.2.B for a 40.8 3-foot variance for
18 proposed north front yard setback of 34.17 feet, 75
19 feet required.

20 CHAIRPERSON SANGHVI: Okay, thank you.

21 May I entertain a motion to approve the
22 entire agenda as amended?

23 MS. GRONACHAN: So moved.

1 MS. KRIEGER: Second.

2 CHAIRPERSON SANGHVI: The motion has
3 been made and seconded. All those in favor of
4 accepting the minutes please signify by saying aye.

5 THE BOARD: Aye (unanimous).

6 CHAIRPERSON SANGHVI: Those opposed
7 same sign.

8 The next item on the agenda is the
9 minutes for the meeting of August 2017. Are there
10 any changes, deletions, omissions?

11 The only comment I would make is a
12 couple places there were typo errors. Instead of PZ
13 it is PT and it's of no significance.

14 MS. GRONACHAN: No other changes?

15 CHAIRPERSON SANGHVI: No, I don't see
16 any other correction.

17 May I entertain a motion to approve the
18 minutes as presented?

19 MS. GRONACHAN: So moved.

20 MR. BYRWA: Support.

21 CHAIRPERSON SANGHVI: Motion has been
22 made and seconded. All those in favor signify by
23 saying aye.

1 THE BOARD: Aye (unanimous).

2 CHAIRPERSON SANGHVI: Those opposed
3 same sign. Thank you.

4 Now is the time for the public remarks.
5 Is there anybody in the audience who'd like to make
6 any comments to the Board about any subject other
7 than the items on the agenda today, this is the time
8 to do it. I don't see any so we'll move further on.

9 Before I call the first case, I just
10 want to make an announcement that, as you all know,
11 the Zoning Board of Appeals is a hearing body
12 empowered by the Novi City Charter to hear appeals
13 seeking variances from the applications of the Novi
14 Zoning Ordinances, and it takes at least four
15 members to approve a variance request and a majority
16 of the present to deny a variance.

17 A full board consists of six members.
18 As you can see today, we are a little truncated, and
19 since we are only four members present this evening,
20 all four votes are required. Those of the
21 petitioners at this time who wish to have their
22 cases tabled for the next meeting when a full Board
23 may be present may do so now.

1 If there is any applicant here who is
2 not happy about the situation, this is the time to
3 speak. Seeing none, we'll carry on and start the
4 public hearing for the first case.

5 It is PZ 17-0034, and it is located at
6 45833 W. Twelve Mile Road, and correction on this,
7 it is not east of Napier Road, but it is east of
8 Beck Road and south of Twelve Mile Road, Parcel No.
9 50-22-15-226-003.

10 The applicant is requesting a variance
11 from the City of Novi Code of Ordinance Section 28-6
12 to allow the installation of a 48-square foot
13 temporary sign, 40 square foot maximum is allowed.
14 This property is zoned Residential Acreage.

15 Is the applicant here? Will you please
16 come forward, and if you are not an attorney, please
17 identify yourself, your name, address and be sworn
18 in by our secretary today. Thank you.

19 MS. DEMICO: My name is Marisa DeMico,
20 I'm from Signarama in Troy. Our address is 1017
21 Naughton Drive, Troy, Michigan 48083.

22 CHAIRPERSON SANGHVI: Thank you.
23 Mr. Byrwa, swear her in, please.

1 (Ms. Marisa DeMico sworn.)

2 CHAIRPERSON SANGHVI: Please go ahead
3 and make your presentation.

4 MS. DEMICO: We have a real estate
5 client who is looking to maximize the visibility for
6 their future multistory office complex so they are
7 looking to have their sign at a larger scale to
8 showcase the rendering of the new building.

9 The overall lot is 18.5 acres so
10 they're looking to achieve the maximum exposure to
11 future and potential tenants with the larger sign.
12 With having a larger sign, it is ideal for
13 advertisement and that this will read to a larger
14 group of clientele.

15 It is being placed on an undeveloped
16 parcel of land. All of the adjacent properties are
17 also land so it's not affecting anybody in the area.

18 CHAIRPERSON SANGHVI: Thank you. Is
19 there anybody in the audience who would like to make
20 a comment about this case?

21 Seeing none, City, any comments?

22 MR. BUTLER: No comment at this time.

23 CHAIRPERSON SANGHVI: No comments.

1 Secretary Mr. Byrwa, do you have any
2 correspondence?

3 MR. BYRWA: Yes. The City mailed out
4 20 letters. Out of the 20, four letters were
5 returned and there was zero approvals and zero
6 objections.

7 CHAIRPERSON SANGHVI: Very good. Thank
8 you.

9 I will open it to the Board for
10 comments. Yes, Ms. Gronachan.

11 MS. GRONACHAN: Thank you, Chair
12 Sanghvi. Good evening.

13 MS. DEMICO: Good evening.

14 MS. GRONACHAN: This is a pretty unique
15 piece of property.

16 MS. DEMICO: Yes.

17 MS. GRONACHAN: And it would be great
18 if it could be sold. It would be a definite
19 improvement to that side of town.

20 Given the uniqueness of the shape of
21 the property and the way it cuts in, I think that
22 this sign is an appropriate request. It's been
23 vacant for a long time, it needs some help.

1 Normally I'm not that crazy about huge astronomical
2 signs, but I think that in this case you proved the
3 need for it. Like you mentioned, in regards to the
4 shape of the lot, the location, the setback, and
5 also the amount of traffic that goes by there, you
6 can't catch that small sign when you're doing 50,
7 and they don't travel slow on that road. I'm in
8 full support.

9 CHAIRPERSON SANGHVI: Thank you.

10 Mr. Byrwa.

11 MR. BYRWA: Yes, I was wondering, I
12 read in here that it's a temporary sign. Do you
13 have any idea how long it's going to be out for?

14 MS. DEMICO: So it is representing the
15 building that is going to be built onto the property
16 so they are looking just to advertise the leasing
17 spaces in the building, so it's kind of hard to tell
18 an exact length of time.

19 MR. BYRWA: I don't think this Board
20 has the ability, and our City Attorney can correct
21 me, to grant a variance on something temporary more
22 than a year, is it?

23 MS. SAARELA: I don't know, I'd have to

1 check that. I don't recall that in the Sign
2 Ordinance.

3 MR. BYRWA: I think after a year she
4 would have to come in and reapply.

5 MS. SAARELA: Yes, perhaps that's
6 right.

7 MS. DEMICO: Okay. That won't be an
8 issue, we can definitely do that.

9 MR. BYRWA: Thank you.

10 CHAIRPERSON SANGHVI: Yes, Ms. Krieger.

11 MS. KRIEGER: I am also in support, but
12 I agree to two years, if necessary, as I agree with
13 a temporary sign to return back and reapply to the
14 Board.

15 CHAIRPERSON SANGHVI: Well, I agree
16 with the rest of the members of the Board, a
17 temporary sign at the most for a period of one year
18 to start with and then go from there.

19 Can I entertain a motion from somebody?
20 Go ahead.

21 MS. KRIEGER: I move that we grant the
22 variance in Case No. PZ 17-0034 sought by the
23 petitioner for this parcel. Their difficulty as

1 previously mentioned is the speed on the road for
2 safety and the size of the area proportional to
3 attract the tenants that they are intending to look
4 for.

5 The property is unique because of its
6 location and topography and it's not self-created.
7 The relief will not unreasonably interfere with
8 adjacent and surrounding properties, and it is
9 consistent with the spirit and intent of the
10 ordinance, and we would grant it for one year.

11 MS. GRONACHAN: So moved.

12 CHAIRPERSON SANGHVI: Second?

13 MS. GRONACHAN: Oh, sorry. Second.

14 CHAIRPERSON SANGHVI: The motion has
15 been made and seconded. Any further discussion?

16 Seeing none, Madam Secretary, please
17 call the roll.

18 MS. OPPPERMANN: Member Byrwa.

19 MR. BYRWA: Yes.

20 MS. OPPPERMANN: Member Gronachan.

21 MS. GRONACHAN: Yes.

22 MS. OPPPERMANN: Member Krieger.

23 MS. KRIEGER: Yes.

1 MS. OPPERMANN: Chairperson Sanghvi.

2 CHAIRPERSON SANGHVI: Yes.

3 MS. OPPERMANN: Motion passes.

4 CHAIRPERSON SANGHVI: Motion passes.

5 Thank you. Go ahead.

6 MS. GRONACHAN: Thank you, good luck.

7 CHAIRPERSON SANGHVI: The next case is
8 PZ 17-0037, Rose Senior Living at 47601 Grand River,
9 west of Beck Road and south of Grand River, Parcel
10 No. 50-22-17-400-046. This, I think, is a part of
11 the Providence Hospital Park complex.

12 Is the applicant here? Please come
13 forward, identify yourself, give your name and
14 address, and if you are not an attorney, please be
15 sworn by our secretary. Thank you.

16 MR. STEVENS: Michael Stevens. I am
17 with Signarama in Troy, 1017 Naughton, Troy,
18 Michigan 48083, and I am not an attorney.

19 (Mr. Michael Stevens sworn.)

20 CHAIRPERSON SANGHVI: Thank you.

21 Please go ahead.

22 MR. STEVENS: I'm with Signorama, I'm
23 the sign contractor. We are proposing to do a

1 secondary ground sign for the Rose Senior Living
2 Community Center, 40 square feet overall with 8 foot
3 from grade. There is a secondary entrance along
4 Providence Parkway where, as you see on the site
5 plan notated, is where we plan on putting the
6 additional ground sign. There's a road that
7 stretches back to the community. There's a lot of
8 traffic that actually goes, obviously, around
9 Providence Parkway there.

10 In addition to matching some of the
11 existing -- well, the existing size that is already
12 out there for some other directional signage that's
13 on the hospital grounds there, we're also staying
14 consistent with the coloring of the blue and gray
15 scheme that the Providence signs have within the
16 complex as well to kind of keep it more uniform;
17 that's with the color as well as the overall size
18 and height of some of the existing signs out there.
19 That's how we kind of came up with the schematic of
20 the 40 square feet, 8 foot from grade, as well as
21 the color scheme just to give you a little
22 background on that.

23 This is just going to provide some

1 additional identification to the complex. As I
2 mentioned, there is a lot of traffic, heavy traffic
3 that goes through Providence Parkway, that circle
4 there, and again this is just a second entrance into
5 the property.

6 CHAIRPERSON SANGHVI: Thank you. Do
7 you have what we have got here that was sent here
8 with the packet? You can put it on the table over
9 there.

10 MR. STEVENS: Yes.

11 CHAIRPERSON SANGHVI: So everybody in
12 this room as well can see.

13 In the meantime, is there anybody in
14 the audience who would like to make a comment about
15 this case?

16 Seeing none, City, any comment,
17 Mr. Butler?

18 MR. BUTLER: No comment.

19 CHAIRPERSON SANGHVI: Thank you.

20 Yes, Mr. Butler.

21 MR. BUTLER: I said no comment.

22 CHAIRPERSON SANGHVI: No comment. Very
23 good.

1 Mr. Byrwa, do we have any
2 correspondence?

3 MR. BYRWA: Yes. The City mailed out
4 58 letters. There were three letters returned with
5 zero approvals and zero objections.

6 CHAIRPERSON SANGHVI: Very good, thank
7 you. I open it up to the Board. Yes,
8 Ms. Gronachan.

9 MS. GRONACHAN: Thank you. Good
10 evening.

11 MR. STEVENS: Good evening.

12 MS. GRONACHAN: My favorite place to
13 get lost. No, actually I think that the complex has
14 done a great job in maneuvering for the several
15 years back when it first started and it really was a
16 maze to get through. I think that the signage that
17 all of the organizations in that complex have done
18 to help identify is very helpful.

19 In this case, again, I think there is a
20 need for the sign. Is this going to be lighted?
21 You said non-lit.

22 MR. STEVENS: It's not illuminated.

23 MS. GRONACHAN: Okay, so that's even

1 more important because where this is going to be
2 it's pretty dark out there. Normally when we go out
3 and we look at signs, we look at them during the
4 day, and the other night I was driving through
5 trying to get an idea where it was going to be and
6 you almost need the size because of that area and
7 how dark it really is. I mean there are some street
8 lights, but it's a heavily lit area.

9 For brevity sake, I'm just going to say
10 that I like it and I will be supporting it based on
11 the information you provided and based on the layout
12 of the land. Thank you.

13 CHAIRPERSON SANGHVI: Yes, Ms. Krieger.

14 MS. KRIEGER: I have a question. Were
15 the other signs -- there's a second entrances off of
16 Beck Road; is that right?

17 MR. STEVENS: Correct.

18 MS. KRIEGER: Okay.

19 CHAIRPERSON SANGHVI: Yes, Mr. Byrwa.

20 MR. BYRWA: Yes, I have a question
21 about the 25-foot clear vision area there. I see
22 two of them here, one in a red and one in a green,
23 and I was wondering if the locations meet that clear

1 vision area and it's not going to obstruct any site
2 line of vehicles approaching?

3 MR. STEVENS: This drawing; is that
4 correct?

5 MR. BYRWA: Right, that's correct.

6 MR. STEVENS: I know a couple ways that
7 typically the cities would do that I might just want
8 to confirm because they do do that diagonally
9 triangular type setback or they go 25 --

10 MR. BYRWA: Right, it's a clear vision
11 area so that you can see the traffic as you approach
12 the intersection.

13 MR. STEVENS: Correct. We'd be
14 maintaining that 25 foot and then 25 foot over
15 within the setback that we requested which was 1
16 foot off of the curb, actually, and that was also
17 consistent with the other directional signage that
18 was in the parkway as well.

19 MR. BYRWA: I thought the 25 foot
20 started from the curb.

21 MR. STEVENS: 25 feet over and then 25
22 foot -- it was not 25 foot setback from the curb.
23 This sign -- to your point, this sign is particular

1 just because it is on a corner. All the other
2 directional signs, I would say a majority of the
3 directional signs that are within there down the
4 street are just literally off Providence Parkway and
5 they're all set back a foot off the curb there.

6 MR. BYRWA: Okay. This is going to be
7 subject to the City's approval on the clear vision
8 area.

9 CHAIRPERSON SANGHVI: Thank you. I am
10 quite familiar with the Providence Hospital complex
11 and I know where you are and I saw this in the
12 development stage long before it was approved by the
13 Providence Hospital Board, so I know what you're
14 going to do and I like what you are doing so I have
15 no problem with the request of your sign.

16 If there is no further discussion, I
17 will entertain a motion.

18 MS. GRONACHAN: I move that we grant
19 the variance in Case No. PZ 17-0037, Signorama, Rose
20 Senior Living, at 47701 Grand River, Novi, because
21 the petitioner has shown a practical difficulty
22 requiring this variance. Without the variance, the
23 petitioner would be reasonably prevented or limited

1 with respect to the use of the property because of
2 limited size and ability for patients to find the
3 building.

4 The property is unique because of its
5 vast size and unique shape, and for lack of a better
6 description, winding roads and visibility even into
7 the late evenings or winter when it gets dark early.

8 The petitioner did not create the
9 condition because of the layout of the organization
10 and campus. The relief granted will not
11 unreasonably interfere with adjacent or surrounding
12 properties because, as the petitioner stated in his
13 testimony, this sign is consistent with the flow of
14 the other signage throughout the property.

15 The relief is consistent with the
16 spirit and intent of the ordinance because it grants
17 the petitioner to continue to do business in Novi
18 without any limitations for their clientele to
19 locate them, thus having a successful business.

20 Therefore, I move that we grant this
21 variance.

22 MS. KRIEGER: Second.

23 CHAIRPERSON SANGHVI: The motion has

1 been made and seconded. Is there any further
2 discussion?

3 Seeing none, Madam Secretary, please
4 call the roll.

5 MS. OPPERMANN: Member Byrwa.

6 MR. BYRWA: Yes.

7 MS. OPPERMANN: Member Gronachan.

8 MS. GRONACHAN: Yes.

9 MS. OPPERMANN: Member Krieger.

10 MS. KRIEGER: Yes.

11 MS. OPPERMANN: Chairperson Sanghvi.

12 CHAIRPERSON SANGHVI: Yes.

13 MS. OPPERMANN: Motion passes.

14 CHAIRPERSON SANGHVI: Thank you.

15 Congratulations.

16 MS. KRIEGER: Before we move on, I just
17 wanted to let you know that we have had a Sign
18 Ordinance amendment, and the pretty comprehensive
19 limitation on the temporary signs is not in here
20 anymore.

21 MR. BYRWA: So they're not a year
22 anymore?

23 MR. KRIEGER: No, there's nothing that

1 limits it, so put whatever limitation on it you
2 think is reasonable under the circumstances.

3 MR. BYRWA: And who determines if it's
4 reasonable or --

5 MS. KRIEGER: You just have to listen
6 to the facts of why they need a variance and you
7 make a determination. If you feel it's two years
8 because the building's not going to be constructed
9 for two years, then a two-year limitation that
10 there's no --

11 MR. BYRWA: Well, I think on that one
12 we agreed that she'd come back after a year.

13 MS. KRIEGER: Sure, that's fine. I
14 just wanted to let you know that that's not in the
15 ordinance.

16 MS. BYRWA: Good, thank you.

17 CHAIRPERSON SANGHVI: Moving on to the
18 next case. PZ 17-0038, for 49781 Leyland Circle,
19 west of Wixom Road and north of Eleven Mile Road,
20 Parcel No. 15-22-18-426-014.

21 The applicant Paul Mruk is requesting a
22 variance from the City of Novi Zoning Ordinance
23 Section 3.1.5 for a 4.5 foot rear yard setback of

1 30.5 feet, 35 feet allowed. This property is zoned
2 Single-Family Residential, R-1.

3 The applicant is already here. Please
4 identify yourself and state your address, and if
5 you're not an attorney, be sworn in by our
6 secretary.

7 MR. MRUK: Sure. I'm not an attorney.
8 My name is Paul Mruk, I live at 49781 Leyland
9 Circle, Novi, Michigan.

10 (Mr. Paul Mruk sworn.)

11 CHAIRPERSON SANGHVI: Please go ahead.

12 MR. MRUK: We purchased this property
13 many years ago with the intention of using the back
14 yard space for our enjoyment. We found it to be
15 buggy back there. We put a deck on, put a
16 screened-in porch in the back of it, and we felt it
17 would be interesting at this time to go ahead and
18 put a more secured structure back there harming no
19 one; no one can fully see the property on either
20 side of us.

21 We are fortunate enough to have our
22 neighbors approve this. Also the association has
23 graciously approved it as well, so we are here today

1 to ask for a 4.5 foot variance.

2 What this really does is it takes the
3 structure and puts it at the end of the deck. If I
4 may show you, I think you already have this visual,
5 the structure as designed by the builder -- I'll put
6 this on here if that's okay so everyone else can see
7 it -- it goes right there, I think. Anyway, the
8 structure with the variance that's not allowed would
9 be 4.5 feet or so less than the deck in the back,
10 therefore, making the deck, rest of the deck useless
11 for us. So we thought we'd put this screened-in
12 porch and still be able to utilize our deck. That's
13 all.

14 CHAIRPERSON SANGHVI: Thank you. Is
15 there anybody in the audience who would like to make
16 a comment about this case?

17 Seeing none, City?

18 MR. BUTLER: In reviewing the prints
19 with the corner, it looks like that he really tried
20 to utilize the best space that he could to put that
21 porch and we were kind of in agreement with the
22 design and how it looked.

23 It is kind of a uniquely shaped lot so

1 he's working with what he has to work with. He did
2 a very good job with it in that situation.

3 CHAIRPERSON SANGHVI: Thank you.

4 Mr. Secretary.

5 MR. BYRWA: Yes, Mr. Chairman, the City
6 mailed out 26 letters. There were zero letters
7 returned. However, there were one approval and zero
8 objections.

9 The approval was from it appears to be
10 a neighbor, Kevin McCarthy of 49769 Leyland Court,
11 and he claims that he reviewed the plans, Paul
12 reviewed the plans with him in detail, and the plans
13 for this project be fully approved.

14 MR. MRUK: He's our next door neighbor,
15 yes, sir.

16 CHAIRPERSON SANGHVI: Thank you. Very
17 nice, thank you very much.

18 I'll open up to the Board. Go ahead,
19 Ms. Krieger.

20 MS. KRIEGER: Thank you for your
21 presentation, and I can understand bugginess because
22 it's the same in my back yard area so to surround it
23 in and do it the best that you can, I'm in support

1 of this motion.

2 CHAIRPERSON SANGHVI: Thank you.

3 I went and visited your place on
4 Saturday and looked around. In the back you have
5 not a lot of room and it is quite the woodland, a
6 lot of trees and all that, so I understand your need
7 to escape from the mosquitos and to cover the place
8 and I have no problem with your application.

9 Any other comments from anybody?

10 MS. GRONACHAN: I concur with my Board
11 members. I think this is a minimum request and I'm
12 a big fan of screened-in rooms in Michigan.

13 CHAIRPERSON SANGHVI: I'll entertain a
14 motion.

15 MS. GRONACHAN: And with that, I will
16 attempt a motion.

17 I move that we grant the variance in
18 Case No. PZ 17-0038, Paul Mruk at 49781 Leyland
19 Circle, west of Wixom Road and north of Eleven Mile,
20 for the 4.5 foot variance in the rear setback of
21 30.5 feet, 35 feet is allowed.

22 Without the variance, the petitioner
23 would be unreasonably prevented or limited with

1 respect to use of the property given the shape of
2 the lot, the size of the lot, and also the
3 surrounding woodland area.

4 The property is unique because of the
5 aforementioned shape and topography. The petitioner
6 did not create this condition because of the lay of
7 his subdivision and wooded area. The relief granted
8 would not unreasonably interfere with adjacent and
9 surrounding properties based on testimony given by
10 the petitioner as well as the approval by the
11 neighbor.

12 The relief is consistent with the
13 spirit and intent of the ordinance because the
14 petitioner requested a minimal variance to resolve
15 his issue and, therefore, I am supporting that we
16 grant this variance.

17 MS. KRIEGER: Second.

18 CHAIRPERSON SANGHVI: Motion has been
19 made and seconded. If there is no further
20 discussion, Madam Secretary, please call the roll.

21 MS. OPPERMANN: Member Byrwa.

22 MR. BYRWA: Yes.

23 MS. OPPERMANN: Member Gronachan.

1 MS. GRONACHAN: Yes.

2 MS. OPPERMANN: Member Krieger.

3 MS. KRIEGER: Yes.

4 MS. OPPERMANN: Chairperson Sanghvi.

5 CHAIRPERSON SANGHVI: Yes.

6 MS. OPPERMANN: Motion passes.

7 CHAIRPERSON SANGHVI: Thank you.

8 Moving along. The next case is PZ
9 17-0039, 601 South Lake Drive, west of Old Novi Road
10 and south of South Lake Drive, Parcel No.
11 15-22-03-455-007.

12 The applicant is requesting a variance
13 from the City of Novi Zoning Ordinance Section
14 3.6.2.B for a 40.83 foot variance for proposed north
15 front yard setback of the 30.17 feet and 75 feet is
16 required, and proposed is 14.15 foot variance for --

17 MS. GRONACHAN: I'm sorry, Mr. Chair,
18 there's only one request.

19 CHAIRPERSON SANGHVI: Yes, now there is
20 only one request, and there I just read it.

21 The property is located at the Lake
22 Shore Park.

23 Is the applicant here? Okay, please

1 identify yourself and state your address.

2 MR. MUCK: Good evening, I'm Jeff Muck,
3 I'm the Parks, Recreation and Cultural Services
4 Director for the City of Novi. I'm actually joined
5 tonight by Frank Ray from NSA Architects, Engineers,
6 Planners, and Steve Sorenson from PEA who has been
7 acting as our consultants on this project.

8 CHAIRPERSON SANGHVI: Thank you.

9 (Mr. Jeff Muck sworn.)

10 CHAIRPERSON SANGHVI: Go ahead.

11 MR. MUCK: I'll be very brief. The
12 Lakeshore Park Project has been in development since
13 it was identified in an independent 2016 Parks and
14 Recreation Cultural Services capital needs
15 assessment as a priority.

16 The initial conceptual plan has evolved
17 based on citizen, Parks Commission and City Council
18 feedback. The plan has been reviewed and developed
19 by PRCS and facility staff, architects, city
20 planners, landscape architect and public safety
21 personnel.

22 We have received feedback from citizens
23 both in favor and opposed to the project and have

1 adjusted the plan throughout the design process.

2 The new building is intended for Parks
3 and Recreation programs, children's camps, senior
4 citizen programs, a library presence and to serve as
5 a voting location for two precincts.

6 The parking lot will be paved. The
7 large shelter and front playground will be replaced
8 and the volleyball courts will be moved to the
9 active area of the park and the soccer field.

10 The overall plan will provide safety
11 improvements for pedestrians and cyclists using the
12 park and make the park more accessible to those with
13 disabilities.

14 As indicated on the agenda approval and
15 in your packets, we have worked with the planning
16 division to modify our project negating the need for
17 variances on the east side setback and bike rack
18 location distance. We are here this evening
19 requesting a variance for the north setback and we
20 will stand by to address any questions that you have
21 on that matter.

22 CHAIRPERSON SANGHVI: Thank you. Is
23 there anybody in the audience who would like to make

1 a comment about this case? Please come forward,
2 identify yourself, give your name and address, and
3 be sworn in by our secretary. Thank you.

4 MR. THOMOPOULOS: Good evening, my name
5 is John Thomopoulos and I tend to follow Jeff when
6 he does a presentation at these meetings. I live at
7 425 South Lake Drive which is the house immediately
8 to the east of the proposed building.

9 Do I need to be sworn in? I'm not an
10 attorney.

11 MR. BYRWA: Yes. One thing, could you
12 spell your name for the record, please?

13 MR. THOMOPOULOS: It's
14 T-h-o-m-o-p-o-u-l-o-s.

15 (Mr. John Thomopoulos sworn.)

16 MR. THOMOPOULOS: So thank you for
17 taking my comments tonight. My family is most
18 affected by this zoning request because we live
19 right next to the proposed building that's going to
20 go up.

21 We had received two notifications in
22 the mail, but we just submitted one with some
23 comments and some drawings and observations. We

1 didn't want to be redundant. We have a double lot
2 so we got two letters.

3 We submitted an objection to the
4 variance request, and the reason is that we feel
5 that the zoning that's being requested is
6 inconsistent with the homes in that area and the
7 results of some errors in the zoning request, and
8 we've tried to identify some of the errors that we
9 spotted.

10 The request states that this variance
11 will positively impact the immediate area. We feel
12 that it will not. It's a park. It's going to
13 replace parkland that's often used by lots of
14 families with a large building and an even bigger
15 asphalt parking lot. I don't view that as an
16 improvement. Many families currently enjoy that
17 green space and it's going to be replaced by a
18 building and a big parking lot.

19 The front yard variance is going to
20 create a structure that's much closer to the road
21 than our home. It's going to stand out, not blend
22 in. I believe that the data packet that was
23 submitted by the City said that it was consistent

1 with the surrounding buildings. If you look at the
2 drawing that we submitted, it juts out pretty far in
3 front of our home. If it was set back 75 feet, it
4 would be consistent with our property.

5 The zoning request also states that the
6 existing building that's in the park is only 35 feet
7 from our property line. That's incorrect. It's
8 actually 180 feet away. The new building that's
9 going to be put in is approximately 75 feet from our
10 property line. So there is a lot of privacy and
11 noise issues that we're also going to be trying to
12 deal with, and I'm going to continue to try and work
13 with the City to mitigate that as best I can.

14 The park is almost 400 acres, so if you
15 think about it, it's a zoning request. They've got
16 400 acres to work with. I recognize that some of it
17 is going to be swampy, some of it's very tree
18 covered, but it's 400 acres. Why do you need to
19 have a zoning request? The only thing I can think
20 of is that the building is either way too big or
21 it's not in the right spot and it needs to be moved.

22 And then final thoughts. If a
23 developer had come in here with a similar request,

1 you know, I'd like you to consider would you grant
2 it? I recognize that this is the City of Novi
3 that's asking for the variance, but I'd like you to
4 reject the variance and take into consideration the
5 negative impacts it's going to have on my home, my
6 neighbors and the people that currently use the
7 park.

8 Thank you very much for your time.

9 CHAIRPERSON SANGHVI: Thank you.

10 Anybody else? Please come forward, identify
11 yourself.

12 MR. ZACK: My name is Gary Zack, I live
13 at 359 South Lake Drive. I'm the next door neighbor
14 to John so I'm two houses away from the park.

15 Do I need to --

16 MR. BYRWA: Could you spell your name
17 for the record.

18 MR. ZACK: Z-a-c-k.

19 (Mr. Gary Zack sworn.)

20 MR. ZACK: I have the same points as
21 John, but I'll add to them. Again, I think that the
22 front setback does not allow for the building to be
23 aligned. It's going to be very much in the front of

1 the park very close to the road, and I think as far
2 as the look of the neighborhood, the building is
3 already a much more commercial looking building and
4 a very large one at that, bigger than any of the
5 houses around. I think to minimize that impact it
6 should have to meet the north or front setback at
7 least.

8 And I also agree with John that given
9 the park's size, it seems like it could be relocated
10 and not have any of these issues. The existing
11 building where that footprint is which wouldn't
12 require cutting all the trees down that this will,
13 this is going to take out a lot of trees in the
14 front of the park that are mature trees. If it were
15 going where the existing building is, there wouldn't
16 be any of those problems and it could easily be made
17 larger in that spot.

18 I also have a concern and it also
19 relates to the trees because this project in total
20 is taking about 140 trees out of the park which is a
21 very large number. Out of the area that's there,
22 it's about half, that portion. And because this
23 building is so close to the road without the

1 setback, there's no room and there's waivers
2 required for the landscaping and the trees that
3 would normally go in front of the building to soften
4 the impact again. So that's another reason that I
5 don't think that it should be allowed to be less
6 than the required variance.

7 It was also stated to the citizens that
8 this building would be built without the -- would
9 follow all the ordinances, so I guess this one sort
10 of slipped through.

11 And I would like to say when this was
12 presented to the voters, the building, before the
13 millage last year, it was shown as a 4,800 square
14 foot building with a 2,400 square foot footprint.
15 It has since changed to a 9,400 square foot building
16 with an 11,450 square foot footprint, so it's gotten
17 a lot bigger, and I think if it's going to have to
18 be this size, it shouldn't be right up in the front
19 where the houses are making it look like a
20 commercial area. So I object to the variance for
21 the north front yard setback. Thank you very much.

22 CHAIRPERSON SANGHVI: Thank you. I
23 appreciate your offering. Thank you very much.

1 Anybody else?

2 Seeing none, any comments from the
3 City?

4 MR. BUTLER: No comment at this time.

5 CHAIRPERSON SANGHVI: No comments. Is
6 there some correspondence?

7 MR. BYRWA: Yes. The City mailed out
8 33 letters, four letters were returned, zero
9 approvals and five objections.

10 CHAIRPERSON SANGHVI: Could we have the
11 applicant come back to the front here? Perhaps you
12 would like to put the picture of the building on the
13 screen and maybe enlighten us about what you plan to
14 do with it.

15 MR. MUCK: The site plan or the
16 elevation?

17 MS. GRONACHAN: I think the site plan.

18 MR. MUCK: The request for the variance
19 is to reduce the front yard setback. Our primary
20 issue that we have here has to do with the
21 topography on the site. So the 75-foot setback and
22 the 40-foot reduction that we're asking for is
23 because of a severe grade situation that we have

1 from front to rear in the front area of the site.

2 We did study other locations on the
3 park and this was ultimately the location that we
4 selected on the park. So what I'd like to do also
5 is show a site section through the front of the site
6 to show the issues.

7 If you look at the dashed line on that
8 site, this section runs north to south through the
9 arrows that we have here and we're looking to the
10 east, and the solid line that you see on that sketch
11 is the new proposed grades, the dashed line
12 represents the existing grade. And you'll see from
13 Lakeshore Drive, which is on the left side here, and
14 then as we get to the back this is the pond area
15 that you see right here. When we run into this rear
16 south side of the site, the grades in that area just
17 make it really hard for us to compress and get the
18 site on there, the site plan on the site.

19 As we work the site plan and we work
20 the building plan north to south, we have to
21 accommodate pedestrian traffic, we have vehicle
22 traffic through the -- around the drive, and the
23 north-south dimension is compressed as much as we

1 can get it to maintain safe pedestrian walking
2 grades and vehicles going around the parking lot.

3 The other accommodation was on the
4 north side of the building where we're replacing the
5 existing structure with new-like restrooms and those
6 restrooms are accommodated on the north end of the
7 site. That's one of the other points to make
8 regarding why the building is on this side of the
9 site.

10 So the grades in that area both east
11 and west and north and south make it such that the
12 building in this location is really the right
13 location to put the building. We're trying not to
14 take property away from the actual park, and the
15 farther south we locate the building, the more park
16 area we take away as well.

17 The pedestrian walkways are on the
18 north and we connect into Lakeshore Drive. We also
19 connect to the underpass that goes underneath
20 Lakeshore, and the grades in that area are very
21 steep. We finished the design and were able to do
22 it without any ramping or any stairs, and that was
23 really important to us to keep it very pedestrian in

1 that area, and that's one of the reasons why having
2 that proximity where it has allowed us to maintain a
3 balance on the site, both on Lakeshore where the
4 pedestrians are there and as we transition to the
5 actual park, and make that grade kind of a balance.

6 As you see on our diagram, again, for
7 every -- I think we calculated for every 5 feet, we
8 push this building back -- even as it is today, we
9 have a retaining wall that's about 6 feet high at
10 the south end of the parking lot right here, it
11 curves around, and if we moved this back even 5
12 feet, that retaining wall gets 5 feet taller.

13 So we really tried our best to compress
14 the building, compress the parking lot, compress the
15 pedestrian sidewalks without encroaching into that
16 low area that's there against the new pond as we're
17 trying to mitigate stormwater management as well and
18 accommodate grades there without having too severe
19 an impact on the green area in that area as we're
20 providing a new pavilion back there and we wanted to
21 have some flat areas back there and that's where the
22 retaining wall was put in to help with those grades.

23 MS. GRONACHAN: Thank you.

1 CHAIRPERSON SANGHVI: Very good, thank
2 you.

3 MR. MUCK: Do you want to look at the
4 facade as well or --

5 MS. GRONACHAN: Could you address the
6 square footage issue on the residents?

7 MR. MUCK: So we keep referring back to
8 a 4,800 square foot building, and that is true that
9 was on a 2014 conceptual plan, but as we've
10 presented it in multiple instances, that's exactly
11 what it was, it was a conceptual plan. The building
12 grew in size as the decision was made to make that a
13 polling location and to increase the library
14 presence so that we can have our library up on the
15 north end and provide some services.

16 Part of the square footage increased,
17 too, is we've designed the building and was looking
18 at indoor and outdoor bathrooms. We don't want --
19 we want to separate the beach users and their use
20 for those type of bathrooms versus interior use and
21 not mix the two. Also the square footage grew as
22 you looked at how you would queue people as it being
23 a voting precinct and queue people up throughout the

1 building as you stage them for voting.

2 So while, yes, there was an initial
3 plan that was put out in 2014 and it was exactly
4 what we've been saying from the get-go, it was a
5 conceptual plan. The plan has evolved to the point
6 where we're at today for 9,400 square feet.

7 CHAIRPERSON SANGHVI: Very good, thank
8 you.

9 Before I open up to the Board, I've
10 been going to this park for over 40 years and
11 upgrading has been overdue for a long time.
12 Notwithstanding the objections of some of the
13 residents, I think this is moving in the right
14 direction and personally I have no problem with your
15 plans. Thank you.

16 I will open it up to the Board. Oh, do
17 we have any correspondence?

18 MR. BYRWA: Yes, we did it.

19 CHAIRPERSON SANGHVI: May I hear any
20 comments from anybody on the Board? Yes, Mr. Byrwa.

21 MR. BYRWA: Yes, this was already at
22 the City's Planning Board. How was it modified or
23 you came to this final design; how was it modified

1 at the Planning Board?

2 MR. MUCK: That would be in regards to
3 the side setback. We've listened to the residents.
4 We noticed that we did need to improve that, and
5 we've been trying to work, especially with
6 Mr. Thomopoulos, in regards to the issues in regards
7 to his side of the building and the screening, so
8 that was something that we did shrink the footprint
9 of the patio so that we could meet that side
10 setback, and then also in regard to that we did
11 address the bike rack issue as well.

12 MR. BYRWA: Thank you.

13 CHAIRPERSON SANGHVI: Thank you. Yes,
14 Ms. Krieger.

15 MS. KRIEGER: Since it's closer up to
16 the road, it's up where the berm is at, is that
17 right, where the road goes up before you turn left
18 into it and where those tennis/volleyball courts are
19 at; is that where the building is going to sit at?

20 MR. MUCK: Correct.

21 MS. KRIEGER: So you'll have
22 landscaping to the east for the residents to address
23 the concerns of trees and buffer area between the

1 two?

2 MR. MUCK: The existing -- what we're
3 trying to do is we want to maintain the existing
4 vegetation that's in that area. There's a lot of
5 heavy vegetation so we're trying to stay out of that
6 area and not disrupt it, and then we're going to
7 supplement probably during our (inaudible) space
8 with the neighbor, we're going to walk the site and
9 make sure any open areas will be filled in with any
10 additional landscaping as required. That was the
11 commitment we made in Planning Commission.

12 MS. KRIEGER: And then how would people
13 using -- would there be directional signs to keep
14 people using the beach area bathrooms from the
15 people going into the building for --

16 MR. MUCK: Yes, absolutely, we'll have
17 a full signage plan for directing traffic throughout
18 that. As we've mentioned before, moving people
19 through this park in a more safe manner and
20 providing that disability/handicap accessibility has
21 been a key feature of this project right from the
22 get-go.

23 If you look at the existing layout of

1 the park, we have basically the drive passing
2 through the park, bisecting the park. We're
3 eliminating that and trying to provide those safe
4 pathways and so we'll have plenty of signage in
5 regards to directing people to the trails and the
6 shelters.

7 MS. KRIEGER: And then the old building
8 used to have an area where the police could stop. I
9 don't know if they have that open now. Would they
10 also be able to participate in this new building?

11 MR. MUCK: We haven't really discussed
12 that option with the police, but they've been very
13 good partners with us on every project that we do
14 and so we could definitely have that conversation
15 with them.

16 MS. KRIEGER: And then for noise as it
17 is now sun up to sun down, is there a concern about
18 the time somebody needs for sleeping, the residents'
19 concerns?

20 MR. MUCK: So there's been a lot of
21 misconceptions about what this building is supposed
22 to be. The term banquet center and reception hall
23 has been thrown out numerous occasions, but not by

1 City staff since we've had these in discussions with
2 City Council and came forward to Parks Commission,
3 Planning Commission and now to you. So this is not
4 a reception hall, it's not a banquet center. This
5 is strictly for Parks and Recreation programs and
6 usage for all ages. So we are very cognizant of
7 what level of noise those kind of activities
8 generate and will be very cognizant of the
9 neighbors.

10 MS. KRIEGER: Thank you. And as
11 brought to our attention in our packet that it's
12 zoning, so it's mostly for Planning and the City,
13 and that our address is for the residents to go back
14 to Planning and City Council and then also your
15 department for concerns and then we address the
16 zoning part of it?

17 MR. MUCK: Yes.

18 MS. KRIEGER: Thank you.

19 CHAIRPERSON SANGHVI: Very good.
20 Anything else? Yes, Ms. Gronachan.

21 MS. GRONACHAN: Thank you. Wow, what a
22 project and congratulations.

23 So I understand that there's quite a

1 lot of heat, if you will, a lot of discussion, and I
2 actually got contacted by some of the residents at
3 that end and I'm going to share these answers with
4 them because I think it would help some of the
5 people here.

6 This is a very well thought-out
7 long-run project. Our job tonight is to make a
8 recommendation to the City Council. It is not to
9 vote on if this passes or not. We make a
10 recommendation, it goes to City Council, and then
11 they make the final approval. Is that correct?

12 MR. MUCK: That is correct.

13 MS. GRONACHAN: So I'm glad that you
14 clarified a lot of things because I'll be honest
15 with you, the banquet hall, it's not going to be --
16 it's actually going to be a great building for that
17 end, for the north end of town, and it's exciting
18 for everyone.

19 My first question for you, though, is
20 -- and this comes from the residents that I talked
21 to this weekend -- on the other side of the street,
22 there is a bunch of trees. Are those coming down?

23 MR. MUCK: We have no intention to take

1 those down unless those are needed due to disease
2 and that would be determined by our forester.

3 MS. GRONACHAN: Okay. So those trees
4 on the other side of the street, and I hope these
5 residents are listening, they have nothing to do
6 with this project and it will not affect that
7 project?

8 MR. MUCK: Absolutely, thank you. The
9 beach has nothing and the beach side has nothing to
10 do with this project.

11 MS. GRONACHAN: That will bring a lot
12 of peace, let me tell you.

13 MR. MUCK: Great.

14 MS. GRONACHAN: My second question is
15 to clarify again because we're all talking and I
16 want this to sink in, maybe this will calm some
17 nerves, is that there is not going to be any bands
18 playing or wedding receptions or that kind of stuff;
19 that's not what the purpose of this building is,
20 correct?

21 MR. MUCK: Correct. We've been
22 specifically directed by City Council to not rent
23 this building for those type of purposes.

1 MS. GRONACHAN: Okay. And then
2 finally, anyone within the city of Novi, will they
3 be able to come and use that building for their
4 personal use? Will they be able to rent space or
5 use it for other than like a wedding reception or --

6 MR. MUCK: The direction we have from
7 City Council is nonprofit organizations. So
8 homeowners' association meetings, scout groups and
9 such would be able to use it for those purposes, but
10 not for private events.

11 MS. GRONACHAN: Okay. So that clears
12 up a lot and I appreciate that, and I did that with
13 a purpose because I know that there's people at home
14 watching tonight and those were the questions and
15 the rumors if you would.

16 So I think that if you continue to work
17 with the resident that's next door, that's my number
18 one concern, and with the rest of it, I think that
19 you did your homework, and with the map that you
20 showed, thank you for that, for showing us that
21 there really isn't anyplace else to put it without
22 taking up more land because the other part of it
23 is -- and you all know this, that once they go in

1 for construction, it's going to use more property;
2 it's not just going to be 2 acres, it's going to be
3 4, and so I appreciate the fact that you want to do
4 minimal damage to a 400-acre park, and that's what
5 we definitely need in Novi.

6 So I'm in full support of this and my
7 recommendation will be to move forward. Thank you.

8 CHAIRPERSON SANGHVI: Thank you. I
9 know it has nothing to do with this project, but I
10 just want to make a pitch.

11 Will you please make provision for some
12 handicap people, wheelchairs to go across to the
13 sand when you do this?

14 MR. MUCK: We have heard that request
15 and that is on our radar.

16 CHAIRPERSON SANGHVI: Thank you. Well,
17 I'll entertain a motion for recommendation.

18 MS. GRONACHAN: Give me a minute. I
19 may need help.

20 In case PZ 17-0039, NSA Architects and
21 the City of Novi, at 601 South Lake Drive, west of
22 Old Novi Road, south of South Lake Drive, I move
23 that we recommend to City Council that the variance

1 requested by the City of Novi for Ordinance Section
2 3.6.2.B for a 40.83 foot variance for the proposed
3 north front yard setback of 34.17 feet, 75 required,
4 be approved by the City Council for the following
5 reasons:

6 1. The petitioner indicated on their
7 site plan that thorough investigation minimal impact
8 on the property was done; topography, safety was
9 taken into consideration.

10 2. Safe walking grades for the
11 residents will be continued, and the petitioner
12 indicated that if this building was placed other
13 places it would take up more space or eat up more
14 parkland and that would have a negative impact on
15 the park.

16 3. That the petitioner indicated they
17 have been working with the neighbor to reduce the
18 negative impact for that neighbor and indicated also
19 that they will continue to work with that said
20 neighbor.

21 4. That there will be connection to
22 the underground passage to the beach. There will be
23 no ramps and no stairs and easy access and a smooth

1 transition to this building. That they confirmed
2 that this building would not be used as a banquet
3 center or restaurant of any type, they clarified the
4 use of this building.

5 Therefore, this Board is showing a
6 positive recommendation to the City Council.

7 CHAIRPERSON SANGHVI: A second?

8 MR. BYRWA: Second.

9 CHAIRPERSON SANGHVI: All right. The
10 recommendation has been made and seconded.

11 Seeing no further discussion, Madam
12 Secretary.

13 MS. OPPERMANN: Member Byrwa.

14 MR. BYRWA: Yes.

15 MS. OPPERMANN: Member Gronachan.

16 MS. GRONACHAN: Yes.

17 MS. OPPERMANN: Member Krieger.

18 MS. KRIEGER: Yes.

19 MS. OPPERMANN: Chairperson Sanghvi.

20 CHAIRPERSON SANGHVI: Yes.

21 MS. OPPERMANN: Motion passes.

22 CHAIRPERSON SANGHVI: Thank you. Good
23 luck.

1 Moving on to the next case, PZ 17-0040,
2 Mr. Andris, at 1103 East Lake Drive, south of
3 Fourteen Mile Road and east of East Lake Drive,
4 Parcel No. 50-22-02-126-001.

5 The applicant is requesting a variance
6 from the City of Novi Zoning Ordinance Section 5.4.1
7 for a proposed 49 square foot variance for the full
8 466 loading area and 515 square feet is required for
9 location in the front yard setback. This property
10 is zoned General Business, B-3.

11 If the applicant is here, please
12 identify yourself and state your name and address.

13 MR. SEIVER: My name is Cliff Seiver
14 representing Theodore Andris, the owner. My address
15 is 100 Main Center, Suite 10, Northville.

16 CHAIRPERSON SANGHVI: Are you an
17 attorney?

18 MR. SEIVER: I am not an attorney.

19 CHAIRPERSON SANGHVI: Will you please
20 be sworn in by our secretary? Thank you.

21 (Mr. Cliff Seiver sworn.)

22 CHAIRPERSON SANGHVI: Go ahead.

23 MR. SEIVER: This case has been before

1 you at least once before. About three years ago,
2 Mr. Andris was trying to reconstruct his parking
3 lot, expand it. Currently there's a problem with
4 the site. It has been there for many years,
5 actually since before 1949, where vehicles have
6 parked at the restaurant, backed into East Lake
7 Drive and the back end of Fourteen Mile Road when
8 they exit their parking spaces.

9 Well, this project is proposed to
10 eliminate that problem thereby increasing safety.
11 We are before you tonight asking for a variance on
12 the loading setback in the loading area which,
13 actually, I'm a little bit surprised that I'm even
14 here before you for that because that loading area
15 location has been there and the size has been
16 essentially the same since 1949 long before you had
17 a Zoning Ordinance and long before the City of Novi
18 was a city, but in any case, we're here asking for
19 those variances.

20 Failure to secure such variances would
21 really terminate the parking lot project because if
22 we were required to move the loading area to an area
23 other than next to the kitchen where it is now, I

1 would put it in the dining area and require
2 materials to be loaded and hauled through the dining
3 area and bar area into the kitchen.

4 So for that reason, we're asking for
5 the two variances, one for the setback, one for the
6 area, and really what we're asking for is to
7 maintain the existing loading area where it has been
8 for over 68 years.

9 So with that, I'd be glad to answer any
10 questions you may have.

11 CHAIRPERSON SANGHVI: Thank you. Is
12 there anybody in the audience who would like to
13 address the Board regarding this case?

14 Seeing none, we will close the public
15 remarks. City, Mr. Butler.

16 MR. BUTLER: After reviewing, it's not
17 really self-created because it's been in existence
18 for so long. It's kind of practical that he would
19 ask to do that. He really has no place else to be
20 with it coming in trying to offload trucks in there
21 so we kind of support it.

22 CHAIRPERSON SANGHVI: Thank you.
23 Mr. Secretary, do you have any correspondence for

1 us?

2 MR. BYRWA: Yes, we do. The City
3 mailed out 26 letters, two letters were returned
4 with zero approvals and zero objections.

5 CHAIRPERSON SANGHVI: Good. Yes, I
6 went and visited your place. I realized that I've
7 been there before a few times and I know you have a
8 very special kind of problem. Thank you.

9 Open it up to the Board.

10 Ms. Gronachan.

11 MS. GRONACHAN: Is the only reason why
12 this came about now is because the change of
13 whatever it was to the driftwood; is that what
14 brought this about?

15 MR. SEIVER: No, this is the variance
16 required because we're reconstructing the parking
17 lot. We're deleting the parking spaces next to the
18 building and adjacent to the roadways and moving it
19 to the back of the parcel.

20 MS. GRONACHAN: Okay. This is, as you
21 say, a very unique piece of property. They seem to
22 do a great business and the parking is definitely an
23 issue, and I have no problem being that this is a

1 longstanding business in Novi, and the two requests
2 that they are making are minimal in my book, and for
3 a business that's been around -- or this piece of
4 property, since 1949, I'm going to let sleeping dogs
5 lie and I'll be supporting those requests.

6 CHAIRPERSON SANGHVI: Very good. Yes.

7 MS. KRIEGER: I agree.

8 CHAIRPERSON SANGHVI: Very good. Yes,
9 Mr. Byrwa.

10 MR. BYRWA: Is there a net gain or loss
11 of the parking there or is it a wash? Are you
12 keeping the same amount of spaces?

13 MR. SEIVER: No, a very large increase
14 in parking. The parking now actually meets the
15 Zoning Ordinance requirements for a restaurant which
16 in its current condition it does not, so it is
17 bringing it up to the current City standards for
18 parking.

19 MR. BYRWA: Any estimate on how much it
20 would increase the parking?

21 MR. SEIVER: 40 percent, perhaps. I'm
22 just guessing offhand, but I think probably in that
23 range.

1 MR. BYRWA: Thank you.

2 CHAIRPERSON SANGHVI: And I have no
3 further comments. I'll entertain a motion.
4 Ms. Krieger.

5 MS. KRIEGER: I move that we grant the
6 variance in Case No. PZ 17-0040 for 1103 East Lake
7 Drive, south of Fourteen and east of East Lake
8 Drive.

9 This property is very unique. For the
10 request they need the setback for 449 square feet
11 variance for 466 loading area. And the second
12 request that the variance is -- the petitioner will
13 unreasonably be prevented and limited with respect
14 to the property which has been there since 1949 so
15 it is also not self-created because of its own
16 existence.

17 The relief will not unreasonably
18 interfere with adjacent or surrounding properties.
19 There is enough buffer from the residents and the
20 petitioner not to interfere, and it is consistent
21 with the spirit and intent of the ordinance because
22 it is a minimal request and is consistent with an
23 already existing restaurant.

1 MS. GRONACHAN: Support.

2 CHAIRPERSON SANGHVI: Thank you. Any
3 other comments?

4 Seeing none, Madam Secretary, please
5 call the roll.

6 MS. OPPERMANN: Member Byrwa.

7 MR. BYRWA: Yes.

8 MS. OPPERMANN: Member Gronachan.

9 MS. GRONACHAN: Yes.

10 MS. OPPERMANN: Member Krieger.

11 MS. KRIEGER: Yes.

12 MS. OPPERMANN: Chairperson Sanghvi.

13 CHAIRPERSON SANGHVI: Yes. Thank you.

14 Moving along. The last case on the
15 list is PZ 17-0041, Giffels Webster, 40150 Grand
16 River, east of Wixom Road and north of Grand River,
17 Parcel No. 50-22-17-226-003.

18 The applicant is requesting a variance
19 from the City of Novi Zoning Ordinance Section
20 5.11.2 to extend the fence into the front yard,
21 Section 3.1.22D for a 15-foot reduction in the rear
22 parking setback and 20 foot minimum is allowed.

23 This property is zoned Office Service

1 Commercial and therefore most of the people -- these
2 are the premises next to the district court.

3 The applicants are here. Please go
4 ahead. Both of you are attorneys?

5 MR. DARGA: No.

6 CHAIRPERSON SANGHVI: Please identify
7 yourselves and make your presentation.

8 MR. DARGA: Michael Darga with Giffels
9 Webster, 28 W. Adams, Detroit 48226.

10 MR. HOLDSWORTH: Oakland County
11 facilities management director, address 4350 Savoy
12 Trail, W. Bloomfield, Michigan.

13 (Mr. Michael Darga and Mr. Holdsworth sworn.)

14 CHAIRPERSON SANGHVI: Please go ahead.

15 MR. DARGA: Essentially the project is
16 a security upgrade for the courthouse. We've been
17 doing these projects throughout the county and it is
18 just a way of hardening and securing the employee
19 parking and separating it more from the public
20 parking.

21 So there is an addition of parking in
22 the back as one of the variances that there's six
23 spots being added along the north fence line, one on

1 the west fence line. Those are following the
2 existing line of parking, so the setback there has
3 already been varied from so we're just extending
4 that, not making that condition any worse, and
5 that's along the north side.

6 On the west side, we are running a
7 security fence along the north property line and the
8 west property line which abuts the ITC property
9 transmission line corridor and that extends past the
10 front of the building, hence the variance for
11 bringing a fence past the front setback of the
12 building, and there it connects into a retaining
13 wall which will separate that from Grand River so
14 that basically it's securing the employee parking
15 from any intrusions from the three sides facing it.

16 CHAIRPERSON SANGHVI: Thank you. Is
17 there anybody in the audience who would like to make
18 a comment about this case?

19 Seeing none, we close the public
20 remarks session. City, Mr. Butler?

21 MR. BUTLER: No comment.

22 CHAIRPERSON SANGHVI: No comments.

23 Mr. Secretary, is there any correspondence regarding

1 this?

2 MR. BYRWA: Yes. There were 15 letters
3 mailed, one letter returned, zero approvals and zero
4 objections.

5 CHAIRPERSON SANGHVI: Thank you. I
6 came and visited this and I admit it is the first
7 time ever I went on the property, but anyway, yes, I
8 looked at it and I understand why you would need
9 this. Thank you.

10 I will open it up to the Board. Any
11 comments by anybody? Yes, Ms. Gronachan.

12 MS. GRONACHAN: I have never been
13 there. That could always change. I might work
14 there some day, and if I did, I would want to be
15 safe and I understand the security upgrade and I'm
16 in full support. And I like your presentation, by
17 the way, very good job.

18 CHAIRPERSON SANGHVI: Anybody? Yes,
19 Ms. Krieger.

20 MS. KRIEGER: On the west side where
21 the fence comes, it's not going to come on Grand
22 River, it's just going to face north-south?

23 MR. DARGA: Correct. It's basically

1 securing the border along the ITC transmission line.
2 It stops shy of Grand River, and then a retaining
3 wall landscape comes along the Grand River frontage.

4 MS. KRIEGER: I've been in there, but
5 for the Citizens Police Academy.

6 MS. GRONACHAN: Really?

7 MS. KRIEGER: Yes.

8 MS. GRONACHAN: Thank you for that
9 clarification.

10 CHAIRPERSON SANGHVI: Mr. Butler?

11 MR. BUTLER: I don't have anything.

12 CHAIRPERSON SANGHVI: No, I know you
13 haven't been there either.

14 Anyway, there is no further discussion,
15 I'll entertain a motion, please.

16 MS. KRIEGER: I move that we grant the
17 variance in Case No. PZ 17-0041 sought by Giffels
18 Webster for 48150 Grand River, east of Wixom and
19 north of Grand River.

20 The applicant is requesting a variance
21 from the City to extend the fence into the front
22 yard. I move that we approve, and also for the 15-
23 foot reduction in rear parking setback. It will

1 unreasonably prevent and limit the respective use of
2 the property as they had explained in their
3 presentation for the securing of the court, that
4 this is necessary, it is unique because of the
5 property and its location and abutments and it's not
6 self-created because of those.

7 The relief granted will not
8 unreasonably interfere with adjacent or surrounding
9 properties. It's a matter just of safety for
10 employees, and relief is consistent with the intent
11 of the ordinance because it is a minimal request, it
12 doesn't go the entire area of the court.

13 MS. GRONACHAN: Second.

14 CHAIRPERSON SANGHVI: Thank you. If
15 there is no further discussion, Madam Secretary,
16 please call the roll.

17 MS. OPPERMANN: Member Byrwa.

18 MR. BYRWA: Yes.

19 MS. OPPERMANN: Member Gronachan.

20 MS. GRONACHAN: Yes.

21 MS. OPPERMANN: Member Krieger.

22 MS. KRIEGER: Yes.

23 MS. OPPERMANN: Chairperson Sanghvi.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

CHAIRPERSON SANGHVI: Yes.

MS. OPPERMANN: Motion passes.

CHAIRPERSON SANGHVI: Thank you.

Congratulations.

Do I have a motion to adjourn?

MS. GRONACHAN: So moved.

MS. KRIEGER: Second.

CHAIRPERSON SANGHVI: We have a motion
and it has been seconded. All those in favor please
signify by saying aye.

THE BOARD: Aye (unanimous).

Chairperson SANGHVI: All those opposed
same sign.

Seeing none, we can adjourn. Thank
you.

* * *

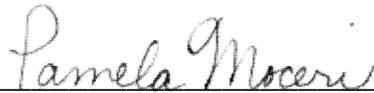
(Meeting concluded.)

1 STATE OF MICHIGAN)
) SS.
2 COUNTY OF OAKLAND)

4 CERTIFICATE OF NOTARY PUBLIC

5
6 I, PAMELA MOCERI, CSR-2285, a Notary Public in
7 and for the above county and state, do hereby certify that
8 the Zoning Board of Appeals Regular Meeting was transcribed
9 by me; that thereupon the foregoing record was later reduced
to typewritten form; and I certify that this is a true and
correct transcript to the best of my ability of the audio CD
so recorded.

10 I do further certify that I am not connected by
11 blood or marriage to any of the parties or their agents; that
12 I am not an employee of them, nor am I interested directly or
13 indirectly in the aforementioned matters of interest.

14
15 

16 _____
PAMELA MOCERI, CSR-2285
Certified Shorthand Reporter

17
18 Notary Public, Oakland County
Michigan

19 My Commission Expires:
20 08/09/2023

21
22
23