

REGULAR MEETING - ZONING BOARD OF APPEALS

CITY OF NOVI

Tuesday, March 12, 2019

Council Chambers, Novi Civic Center

45175 West Ten Mile Road, Novi, Michigan

BOARD MEMBERS:

Linda Krieger, Chairperson

Cynthia Gronachan, Acting Secretary

David Byrwa

Brent Ferrell

Kevin Sanker

ALSO PRESENT:

Charles Boulard, Community Development Director

Elizabeth Saarela, City Attorney

Katherine Oppermann, Recording Secretary

Reported by:

Suzanne Bonarek, Certified Shorthand Reporter

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Novi, Michigan
Tuesday, March 12, 2019
7:00 p.m.

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CHAIRPERSON KRIEGER: Good evening and welcome to the Novi Zoning Board of Appeals for Tuesday, March 12th, at 7:00 in 2019. And it will be called to order.

And if Member Farrell will lead us with the Pledge.

(Pledge of Allegiance recited)

CHAIRPERSON KRIEGER: And, Katherine, call the roll, please.

MS. OPPERMANN: Member Byrwa?

MEMBER BYRWA: Here.

MS. OPPERMANN: Member Ferrell?

MEMBER FERRELL: Here.

MS. OPPERMANN: Member Gronachan?

MEMBER GRONACHAN: Here.

MS. OPPERMANN: Chairperson Krieger?

CHAIRPERSON KRIEGER: Here.

MS. OPPERMANN: And Member Sanker?

MEMBER SANKER: Here.

MS. OPPERMANN: Member Peddiboyina and Member Sanghvi are absent, excused.

1 CHAIRPERSON KRIEGER: Thank you.

2 All right. We have a board and this is
3 a public hearing format and rules of conduct
4 are --

5 In the back, yes?

6 Anyhow, there -- if you could just have
7 your phones turned to sound off.

8 And we'll have a public hearing wherein
9 each case is called up; anyone can make remarks.
10 It's on television at home. And people can come
11 to the podium and speak. And there's an overhead
12 that will show up on the computers for the people
13 at home as well.

14 And that when people come up, to state
15 your name, spell it for our court recorder and be
16 sworn in by our secretary if you're not an
17 attorney.

18 And then we have an agenda tonight. We
19 have eight cases.

20 Approval of the agenda. Is there any
21 changes?

22 MS. OPPERMANN: There's none.

23 CHAIRPERSON KRIEGER: All right.

24 MEMBER GRONACHAN: So moved.

25 CHAIRPERSON KRIEGER: We have a motion.

1 MEMBER SANKER: Second.

2 CHAIRPERSON KRIEGER: We have a motion
3 and a second for our agenda.

4 All in favor say aye.

5 THE BOARD: (Simultaneously) Aye.

6 CHAIRPERSON KRIEGER: None opposed.
7 Okay. So we have an agenda.

8 Minutes for February 2019, are there
9 any changes?

10 Do we have a motion?

11 MEMBER GRONACHAN: So moved.

12 MEMBER FERRELL: Second.

13 CHAIRPERSON KRIEGER: We have a motion
14 and a second.

15 All in favor say aye.

16 THE BOARD: (Simultaneously) Aye.

17 CHAIRPERSON KRIEGER: Okay. Then none
18 opposed. All right. Minutes for February 2019 are
19 approved.

20 Public remarks. Anyone have anything
21 regard -- other than the cases, have something
22 for the ZBA, you can come up to the podium.

23 Seeing none, I'll close this public
24 remarks.

25 Public hearing, we'll go to our first

1 case, PZ19-0001, Great Oaks Landscaping for
2 47825 Casa Loma Court, west of Beck and south of
3 Nine Mile. Parcel Number 50-22-32-201-006.
4 Applicant is requesting variance from the
5 Novi Zoning Ordinance section 5.1(A)ii for a
6 fence and gate in the front yard. Property is
7 zoned Residential Acreage (R-A). And petitioner
8 is at the podium.

9 And go ahead.

10 STEVEN AHEJEW: All right. Thank you
11 very much. My name is Steven Ahejew. I'm with
12 Great Oaks Landscape. That's S-T-E-V-E-N,
13 A-H-E-J-E-W.

14 MEMBER GRONACHAN: Would you raise your
15 right hand to be sworn in.

16 Do you swear or affirm to tell the
17 truth in the matter before you?

18 MR. AHEJEW: Yes, I do.

19 MEMBER GRONACHAN: You may proceed.

20 MR. AHEJEW: Thank you.

21 Firstly, I would kind of -- I would
22 like to start by apologizing for our presentation
23 last month. We had some misunderstandings as to
24 how this meeting was structured and what would be
25 digitally available for us to use. That being

1 said, this presentation is much more reflective
2 of the importance of our client's request and
3 will clearly present the practical difficulties
4 of the site and why strict compliance with
5 ordinance should be waived under these
6 circumstances.

7 I'm here with my colleague, Geoffrey
8 Fornari, and we are representing Doctors Dan and
9 Abby Fahim, who both are joining us today in case
10 you had any direct questions for them this
11 evening. Also joining us is their counsel,
12 Rich Hewlett.

13 The doctors have been residents of Novi
14 for eight years and have owned -- and own medical
15 practices within the community for over 15 years.

16 The reason that I mention this is that
17 in the past it is this close connection between
18 medical office and home that have created safety
19 issues for the family at their first residence.
20 These safety issues that have -- that they have
21 experienced have been related to the medical
22 profession and directly lead to our appeal for a
23 driveway gate and front property line fence to be
24 allowed at their new property.

25 Some may question the necessity of

1 having these safety structures in a community
2 that is gated; however, the homeowners justly
3 desire the safety and extra level of security
4 that these protections will provide.

5 So, as mentioned, we are requesting a
6 variance from the Novi zoning ordinance for a
7 fence and driveway gate in the front yard.

8 Standard Number 3, strict compliance, the
9 homeowners are requesting a driveway gate and
10 frontage fence to increase the level of safety
11 and security on their property. These elements
12 would typically be expected and allowed on a
13 property of this size within Novi. We will kind
14 of get into that later in the presentation.

15 And also due to the back facing
16 garages, which are a subdivision standard,
17 topography changes and the natural features that
18 surround the site is reasonable to expect that a
19 person looking to break into a house or possibly
20 injuring the family would be able to park and go
21 undetected in the area behind the house. The
22 Fahims are requesting a gate and fence variance
23 to eliminate this possibility.

24 So this is the landscape plan for the
25 property.

1 My hope was that I'd have a computer in
2 front of me and kind of be able to point some
3 stuff out.

4 But on the far right side you'll see a
5 vertical line stretching from the north to south
6 of the property with some columns. This is the
7 fence. And then at the driveway, the gate that
8 is in -- that we are asking for approval this
9 evening.

10 This is an elevation of what we are
11 proposing. As you can see, the fence is
12 approximately 36 inches in height and the gate at
13 its very center point is approximately 6 feet
14 6 inches in height.

15 A quick perspective of what this would
16 look like, as you can see, it's not going to be a
17 fence that is just out near the property line; it
18 will be screened by some landscape elements and
19 plantings.

20 And then just some quick elevations and
21 renderings of the columns.

22 We know that these columns are not part
23 of the appeal but just to get a general idea of
24 all the elements that we are proposing to install
25 at the front property.

1 And then just a secondary small column.

2 And if any of you are wondering what
3 type of gate we are proposing, we are just
4 looking for a simple, non-ornate gate that
5 matches the front subdivision gate. And, again,
6 at the very top would be about 6 feet 6 inches in
7 height.

8 And the fence that goes between the
9 columns would be just a typical black aluminum
10 fence that would be 36 inches in height. So
11 nothing overwhelming to the front property.

12 Standard Number 1, the circumstances or
13 physical conditions of the site that brings us
14 here requesting this appeal. This is something
15 we did not bring up last month and it was, it was
16 an oversight on our part.

17 The main issue with this property is
18 the shape of the lot. The property line angles
19 as it nears the road. And I can show you this in
20 some future slides. This creates a lot that is
21 abnormally shaped. It's abnormally shaped and
22 varies from the typical square or rectangular lot
23 shape in Novi and the Casa Loma subdivision.

24 The lot width for nearly three-quarters
25 of this property is 228.28 feet wide, which under

1 the ordinance would allow for a front yard fence
2 and a front yard gate. However, because it
3 angles as it nears the cul de sac, the width
4 actually narrows to 50 percent, to approximately
5 114 feet, which is less than the ordinance
6 allows, or the frontage is a smaller length than
7 would allow this fence and gate to be installed.

8 This is the plot plan kind of just in
9 its clean state. What we've done is highlighted
10 this. So on the top and the bottom highlighted
11 in pink you can see the side property lines that
12 run to the front. Those are 228 feet apart. And
13 then you can see as it enters the cul de sac it
14 angles down to approximately 114 feet worth of
15 frontage.

16 In a typical rectangular or square lot
17 in Novi, which the majority of the lots are, and
18 we have to assume the ordinances were written
19 for, if you extended those side property lines
20 forward you would have a frontage line of
21 228.28 feet. Again, something that would allow
22 the fence and gate to be installed.

23 Overlaying that information with the
24 landscape plan you can see the columns, the fence
25 and the gate are highlighted in yellow. Those

1 property lines extended to the 228-foot frontage
2 are also shown.

3 And then later in the presentation
4 we're going to talk about the safety factor.

5 Those orange highlighted areas behind
6 the garage are the main concern on why we are
7 requesting the driveway gate as well.

8 So what circumstances or physical
9 conditions about this property also brings us
10 here. The first is that the garages face the
11 back of the property. This is a subdivision
12 standard. All, all houses in this subdivision
13 have side facing garages, and it just so happens
14 that this property, which is at the very end of
15 Casa Loma Court on the left, has two rear facing
16 garages.

17 This is a aerial which kind of shows it
18 a little bit more clear that none of the garages
19 face Casa Loma Court.

20 Secondly, the topography of the site on
21 the south side of the house drops 6-1/2 feet from
22 the front of the garage to the back of the
23 garage. This further decreases visibility to the
24 back of the property. And that is the lower
25 driveway on the drawing.

1 You can see the arrow where from the
2 front of the garage to the back of the garage
3 there's actually 6-1/2-foot grade change.

4 So what we've done is taken some photos
5 to walk everyone through what we're trying to
6 describe.

7 So here we are on Casa Loma Court, the
8 cul de sac. What we're going to do first is come
9 into the property and drive around to the south
10 facing garage that has the topography change and
11 then we are going to drive into the north facing
12 garage.

13 So we're coming up to the property. As
14 we enter the property we come down the topography
15 change. And you can see that you don't see any
16 vehicles until you're almost in the back of the
17 property and then that is where somebody could
18 ultimately hide and wait.

19 And then just a different view out.

20 Doing the same for the north side, we
21 come around; you can't see any vehicles. Still
22 can't see any vehicles. And then once you come
23 around you can start seeing vehicles.

24 And as you can see from this view, if
25 we actually pull the vehicle closer to the

1 garage, you would see it much later actually
2 turning the corner of the driveway.

3 Thirdly, the south and west side of the
4 property is surrounded by forests and the north
5 side of the property is surrounded by wetlands.
6 This leads to additional safety concerns simply,
7 simply because there are very few eyes looking
8 onto this property. There aren't any neighbors
9 that can really "police" this part of the
10 property.

11 So in the spring this is the forested
12 side of the property and you can see no neighbors
13 can see into this backyard. On the other side
14 you have wetlands. There is a neighboring
15 subdivision but it's a distance away, and many of
16 those neighbors have installed Evergreen trees to
17 block their view into this subdivision.

18 And, again, the aerial view kind of
19 showing the area of forest and then wetlands
20 surrounding this site.

21 That this is not self-created.
22 Obviously, the abnormal shape of the property is
23 created by the cul de sac. It's 228 feet wide
24 for the majority of the property, narrowing down
25 to 114 feet wide. The homeowners have no control

1 over that.

2 The garages face the back of the
3 property. This is a subdivision standard;
4 nothing that the homeowners necessarily chose in
5 the design of their house.

6 Topography drops around the south
7 garage. That's a natural phenomenon. And the
8 lot is surrounded by forest and wetlands; also
9 natural amenities that exist around the site.

10 And then to prove that minimum
11 variances are required, as you seen on the
12 plan, -- and we'll have a slide that shows this
13 as well -- our gate and fence location is pushed
14 as far to the front of the property as possible.
15 Actually, with the pie shape of this, that is the
16 minimum length that we could make this.

17 The fence is 36 inches tall. It's not
18 a 48-inch tall fence or a 5-foot tall fence.

19 We are just looking for some sort of
20 physical barrier to stop people from entering
21 this property, and the 6 foot 6 inch tall gate is
22 by no way excessive. It is in line with the
23 scale and size of the house as well as the rest
24 of the houses in the subdivision.

25 Here is a much simplified plan that

1 shows where the columns are on the property. And
2 what is very difficult to see there is about a
3 foot to the east of the fence there is a utility
4 easement. We physically cannot push these any
5 closer to the road to make them shorter.

6 And just again how all of this that we
7 just discussed kind of overlays with the hidden
8 areas behind the garages, the view lines and the
9 fence and the column design. Again, showing the
10 minimum fencing that we're proposing at 3 feet
11 and the simplified, simplified, non-ornate gate
12 and fence that is being proposed.

13 And, finally, will this have adverse
14 impact on the surrounding area. As we stated
15 before, the gate columns and fences, they
16 esthetically match the home and the surrounding
17 community. We tried to reflect the architecture
18 at the front of the subdivision. We don't see
19 any way that this would have an adverse impact on
20 the community or the neighborhood.

21 I believe when we first presented last
22 month there were no negative responses that
23 received -- that were received from the
24 neighboring properties. And we actually had two
25 letters of support; one from the builder,

1 Compo Builders, as well as the homeowners
2 association, Casa Loma Estates. And I believe
3 they're part of your package, but this is the
4 letter from Compo Builders saying that this
5 architecture would anchor the end of the
6 subdivision very nicely, as well as Casa Loma
7 Estates stating the same, the same thing.

8 In conclusion, it is for these reasons
9 that Great Oaks Landscaping and Dr. Abby and
10 Dr. Dan Fahim request the fence and gate variance
11 from the previously stated ordinance.

12 We respectfully believe that the city
13 ordinance was written to allow for a fence and
14 gate on a lot of this width and believe that the
15 variance would preserve this right.

16 Because of the way that cul de sacs are
17 structured, any width property once it narrows
18 down to a cul de sac, even if it were 3,
19 400 feet, this ordinance would not allow for
20 these type of structures on a cul de sac lot.

21 And, finally, this variance would also
22 help preserve a right to personal safety and the
23 feeling of personal safety that any citizen would
24 expect within the city boundaries.

25 At this time, I believe Rich Hewlett

1 would like to stand up and just make a couple
2 comments.

3 MR. HEWLETT: Thank you, Steve.

4 Again, my name is Rich Hewlett. I
5 represent Dr. Dan and Dr. Abby.

6 I really don't have a whole lot to add
7 other than the sections at issue are 511.1(B)
8 which would allow for, without even a variance,
9 the exception there, the exclusions, it would if
10 it was less than 2 acres or, in this instance,
11 200 feet.

12 I don't need to repeat the arguments
13 made here that, that this particular lot anywhere
14 else, either in the subdivision or anywhere else
15 here in the City of Novi, if it were the 228 feet
16 is a rectangular lot wouldn't need any kind of
17 variance at all. It would just meet, meet the
18 requirements of Section 511.

19 One other thing that we did learn today
20 in addition to the letters that Great Oaks had
21 presented, the builder here is, is today
22 David Compo. On talking to Mr. Compo, he's
23 confirmed now that Lot 5, which is immediately
24 adjacent to the Fahims' property, Lots 7 and 8,
25 which are just north of the property, they've

1 been affirmatively talked to, contacted, and I
2 know there's been no letters of objection but
3 they've affirmatively let Mr. Compo know that
4 they do not have an objection to the requested
5 gate variance.

6 I don't believe I really -- I support
7 the presentation of Great Oaks.

8 If there's any questions, I can answer
9 those as well. Thank you.

10 CHAIRPERSON KRIEGER: Thank you.

11 Is there anyone else in the
12 audience that would like to speak regarding this
13 case?

14 All right. Seeing none, --
15 From the City?

16 MR. BOULARD: Nothing.

17 CHAIRPERSON KRIEGER: Mr. Boulard,
18 nothing. Okay.

19 Correspondence?

20 MEMBER GRONACHAN: Yes, Madam Chair. As
21 per the previous record from the last appearance of
22 this petitioner, there are no additional
23 correspondence at this time. There was no
24 additional mailings made.

25 CHAIRPERSON KRIEGER: Very good. I'll

1 put it up to the Board.

2 Questions?

3 MEMBER GRONACHAN: I guess I'll go first.

4 CHAIRPERSON KRIEGER: Okay.

5 MEMBER GRONACHAN: Good evening.

6 MR. AHEJEW: Good evening.

7 MEMBER GRONACHAN: I will agree, that was
8 a great presentation.

9 MR. AHEJEW: Thank you.

10 MEMBER GRONACHAN: However, I'm still
11 struggling, so I want to talk it out.

12 MR. AHEJEW: Sure.

13 MEMBER GRONACHAN: The thing that we
14 talked about the last time when you were here, we
15 kept saying about the hardship and it's actually
16 the practical difficulty that you have to prove for
17 this case. And I think that you've highlighted
18 some of those difficulties given the dropping --
19 the drop in the back of the property.

20 The thing that I'm struggling with, and
21 maybe somebody can help me with, is that I don't
22 know that 36 inches of fence is going to keep
23 anybody that really wants to break the law out of
24 that property.

25 Now, I understand that, you know, it's

1 supposed to be a visible thing and we want to
2 keep people out. But you guys have made a pretty
3 big impression on me last time when you were here
4 in that this is a pretty serious occurrence, so
5 much so that these people are leaving their
6 current home to come here to get away from that
7 sort of thing. That was the impression that I,
8 that I received from --

9 MR. AHEJEW: Correct.

10 MEMBER GRONACHAN: -- your last
11 presentation.

12 My other concern is the fact that the
13 back's not fenced in. So if it's that big of a
14 concern, why isn't the whole piece of property
15 fenced in?

16 MR. AHEJEW: What -- where we were going
17 with this design is, number one, for the safety
18 concern was the gate. Obviously if there's a gate
19 on the driveway, a vehicle can't pull around and
20 tuck itself behind any of the garages.

21 The fencing being at a 36-inch height
22 on the front, as you said, it's not a true
23 physical barrier but it is a visual barrier,
24 saying this is private property, you must stay
25 out.

1 The number one safety issue is if
2 somebody drives to this property and gets into
3 the subdivision, the car would be -- then would
4 have to stay on Casa Loma Court. There would be
5 no way for it to come into the subdivision. And
6 this -- or I'm sorry, into the property.

7 And this is a small enough subdivision,
8 eight or nine vehicles, that if there were
9 vehicles to be parked on the road fairly
10 routinely, the Fahims would recognize those
11 vehicles.

12 What we're trying to do is keep it so
13 the vehicles stay out of the property. If the
14 vehicles are out of the property and they have a
15 concern, then they know not to enter the
16 property.

17 MEMBER GRONACHAN: My other question
18 though, in the future there's not going to be any
19 kind of barrier in the back of this property?

20 There's no intent of doing any further
21 fencing or gating behind the property?

22 MR. AHEJEW: Not that I know of.

23 MEMBER GRONACHAN: Okay, okay.

24 I'm going to reserve my time at this
25 point and I'll listen to my other board members.

1 I'm still sitting on the fence.

2 MR. AJEHEW: If --

3 CHAIRPERSON KRIEGER: Oh, you're bad.

4 MR. AHEJEW: If I may make a comment.

5 CHAIRPERSON KRIEGER: Yes.

6 MR. AHEJEW: I forget which member kind
7 of told us to go back and, and do our homework, and
8 that's what we did.

9 And one of the things that is within
10 the application for the Zoning Board of Appeals
11 is, is there something about the shape of the
12 property that makes it unique and that then puts
13 a hardship on us to stay within the ordinance or
14 stops us from putting amenities out that we would
15 want, that on a typical property would be
16 allowed.

17 And I think that we went back, we did
18 our homework. We noticed that it is this pie
19 shape.

20 And if this property were not a
21 cul de sac and it were just a square, rectangular
22 piece of property, like probably 85 or 90 percent
23 of the properties within Novi are, we wouldn't be
24 standing here today. This fence would be allowed
25 whether it was esthetic, safety. The gate would

1 be allowed whether it was for esthetic reasons,
2 for safety reasons, whether it was on a
3 subdivision or a public road. We wouldn't be
4 here today.

5 So, really, it is the shape of the lot,
6 also, that we have to emphasize really creates a
7 difficulty for the homeowners because they
8 purchased a lot of this size 228 feet wide. If
9 it were square, this would be accepted --
10 acceptable, but it's on a cul de sac which
11 narrows to that 114 feet.

12 Ultimately, what this ordinance puts in
13 place is no person in Novi on a cul de sac would
14 be allowed to have a fence or a gate no matter
15 the size of the property because a cul de sac is
16 only so wide. This is -- every cul de sac
17 property is going to narrow down to this
18 shortened frontage no matter the width of the
19 property.

20 MEMBER GRONACHAN: I appreciate you
21 bringing that back up and that's one of the reasons
22 why I'm half on the fence.

23 MR. AHEJEW: Correct.

24 MEMBER GRONACHAN: And it's because of
25 the -- what you stated this evening. You did a

1 very good job on your homework.

2 What I'm struggling with and I have to
3 noodle through, if you will, is that this is
4 still new construction, and so we have to make
5 sure that we're not creating something here that
6 we have -- we, as a board, let me rephrase that,
7 need to cross our t's and dot our i's when it
8 comes to self-created. And so that's why I want
9 to listen to the other board members and see what
10 they have to offer --

11 MR. AHEJEV: Yes.

12 MEMBER GRONACHAN: -- as we go through
13 this and work it through.

14 MR. AHEJEV: All right. Thank you.

15 MEMBER GRONACHAN: But I thank you for
16 your input.

17 Madam Chair.

18 CHAIRPERSON KRIEGER: Thank you.

19 MEMBER FERRELL: Madam Chair.

20 CHAIRPERSON KRIEGER: Member Ferrell.

21 MEMBER FERRELL: So you made a comment
22 last time we were here -- you made a comment this
23 time that kind of refers to the last time. And,
24 unfortunately, I don't have the --

25 MEMBER GRONACHAN: The minutes.

1 MEMBER FERRELL: -- the minutes from that
2 meeting. But you did mention that how many --
3 Well, first off, how many car garage is
4 this?

5 MR. AHEJEW: I believe there's five or
6 six. Six.

7 MEMBER FERRELL: Six. Okay.

8 MR. AHEJEW: Yes.

9 MEMBER FERRELL: So you had mentioned the
10 homeowners didn't want four, they wanted six, and
11 this was the only way to build the property was to
12 add the two wings of the garage, right?

13 MR. AHEJEW: I --

14 MEMBER FERRELL: Now, this would be what
15 you said. And the minutes we could get back --

16 MR. AHEJEW: He --

17 MEMBER FERRELL: -- because I'm almost
18 positive that's what you said. I just don't have
19 the minutes in front of me.

20 MR. AHEJEW: Yeah. Geoff gave the
21 presentation last month. I don't --

22 MEMBER FERRELL: Right.

23 MR. AHEJEW: Yeah. I don't remember that
24 being stated. Do you -- yeah, it could have
25 possibly been the builder that stated it.

1 MEMBER FERRELL: I don't remember, --

2 MR. AJEHEW: Okay.

3 MEMBER FERRELL: -- unfortunately. Yeah.

4 My point is, though, is that the house
5 was more designed, you had mentioned -- I don't
6 know if -- not you, but --

7 MR. AHEJEW: Correct.

8 MEMBER FERRELL: -- he had mentioned that
9 it was designed with a gate potentially in mind.
10 So having you saying that leads me to believe that
11 this is self-created. You intentionally were
12 wanting to build a house where you could put a gate
13 for additional security.

14 Hold on. Hold on.

15 MR. AHEJEW: Correct.

16 MEMBER FERRELL: So that's where I had a
17 problem last time, which is one of the elements.
18 Obviously, it's standard to; it's not self-created.
19 So, in that regard, I kind of disagree.

20 Because what was said last time -- and
21 now you're saying this time that the homeowners
22 didn't design the home, but last time I believe
23 it was said that you guys did design it that way,
24 for that purpose.

25 MR. AHEJEW: I --

1 MR. HEWLETT: Steve?

2 MR. AHEJEW: Yes.

3 MR. HEWLETT: Could I --

4 MR. AHEJEW: Yes.

5 MR. HEWLETT: Could I address that
6 question, please?

7 MEMBER FERRELL: Absolutely.

8 MR. HEWLETT: Thank you.

9 Again, Rich Hewlett.

10 So it was contemplated by the
11 homeowners as they were looking to move into this
12 development and that was actually written into
13 the contract with the builder that it would have
14 this feature in front of it for the security
15 reasons that have been articulated and it was in
16 the homeowners' mind. I think they were looking
17 at it as a 228-foot lot and, you know, not taking
18 into consideration the deviation by the, the pie
19 shape and the cul de sac. But, yeah, it was
20 contemplated that this was kind of part of the
21 overall plan to move into this home, this
22 development, and have that feature, so --

23 MEMBER FERRELL: Right. Okay.

24 MR. HEWLETT: Yeah.

25 MEMBER FERRELL: Okay. Thank you.

1 Madam Chair.

2 MR. COMPO: I'd also like to speak to
3 that.

4 David Compo, D-A-V-I-D C-O-M-P-O. I'm
5 the builder of the --

6 MEMBER GRONACHAN: Would you raise your
7 right hand, please, and be sworn in.

8 Do you swear or affirm to tell the
9 truth in the matter before you?

10 MR. COMPO: I do.

11 MEMBER GRONACHAN: Thank you.

12 MR. COMPO: Whether it had a three-car
13 garage or 2 three-car garages, that does -- in this
14 case either way because of the topography and the
15 wetland on the north side and the topography on
16 the -- the garages would have been hidden either
17 way. So even if it was just one and not two, we
18 still would have had this circumstance.

19 So it was the lot that created the
20 garage design, whether it was 1 four-car,
21 1 three-car, or 2 three-cars. Either way, it
22 was, it was the same element that created it,
23 which is --

24 Unfortunately, I went originally to do
25 this development in 2004, had gone through with

1 all the permitting process. And then the
2 ordinances changed when I tabled it in 2006 and
3 came back, that we had to put in that wetland
4 over on the north side because of a -- we had
5 less than a third of an acre of wetland
6 replacement. So that then foreshortened that
7 land even moreso and we have this, you know,
8 basically an acre of wetland that would -- we
9 actually had to make per the Novi new ordinance
10 requirements that changed I believe in 2012. So
11 that is what created this situation in regard to
12 garage, garages, either way. It hadn't, hadn't
13 anything to do with specific that we designed it
14 that way; it had to do with the lot itself.

15 MEMBER FERRELL: So I could be wrong. I
16 guess I just misunderstood. I thought it was
17 more -- I'd have to look back at the minutes. But
18 I had -- I was more under the impression that it
19 was specifically built to have a gate --

20 MR. COMPO: As the --

21 MEMBER FERRELL: -- on it.

22 MR. COMPO: -- attorney and the Fahims as
23 well, yes, we always thought there would not be an
24 issue with the width of the lot to be able to have
25 a gate.

1 MEMBER FERRELL: Right.

2 MR. COMPO: But that didn't then have us
3 create a design that was only conducive to a gate
4 that was specific to the lot. The gate was always
5 something that was wanted. So both things are
6 parallel in this case.

7 MEMBER FERRELL: Okay. Thank you.

8 MR. COMPO: Yep.

9 CHAIRPERSON KRIEGER: I'm trying to wrap
10 my head around the safety and the double fence
11 because you have the entrance fence for the
12 subdivision and then the second request for the
13 house. And, albeit the garages are facing back for
14 esthetics for the subdivision and as a pre --
15 Member Gronachan stated, too, the fence would just
16 be in the front and not around the back. That --
17 so it seems like it's mostly vehicles coming to the
18 -- park in the front and not --

19 I mean if they had a camera on
20 the -- over the garage, I would know somebody was
21 coming, parked up around there. And if it was
22 ADT, they would probably have security call the
23 police and send a vehicle out.

24 So if breaking and entering using a
25 vehicle versus someone that's just going to break

1 in, he could park out on Beck Road because it's a
2 thoroughfare road; park somewhere along the
3 shoulder, like it's a downed vehicle, and come in
4 there and do their break-in without the fence all
5 the way around, and then go back out again if the
6 intent is that strong to break in and steal
7 whatever they wanted to do. So --

8 And then it's fence and gate in the
9 front yard.

10 And it is a nice argument you made
11 that, you know, you're -- the cul de sac does
12 shrink the size of the requirement, so that
13 helps, in a manner, but it's still in the front.

14 Why -- I mean there are other places
15 that have that as well. But then why doesn't
16 everybody in Novi want keep out, I got a fence in
17 the front yard or a gate, and their need being so
18 because of previous --

19 Are there other -- are there police
20 records from Tilbury or like recommendations that
21 this gate, the second gate, the requirement
22 for -- if you could go in and explain a little
23 bit of that.

24 MR. AHEJEW: Obviously, we do not have
25 any paperwork recommendations from the police

1 department on this design or whether it would keep
2 people out.

3 I think the fencing in the front is a
4 physical deterrent to, just to, to keep -- to
5 visually say you have to stop here; do not enter
6 this property. And the gate is actually the
7 physical one that would stop someone.

8 Yes, someone could park on Beck Road
9 and walk the quarter of a mile into the
10 subdivision and these fences would not keep them
11 out; but I would argue that a 4-foot fence would
12 not, a 5-foot fence would not.

13 One of the reasons also for just this
14 frontage fence goes back to the, the application
15 itself; the need to minimize the, the requested
16 variance.

17 So if we were to present that these
18 fences would go to property line and run the
19 entire property back and surround this property,
20 I guess our fear could have been that you, the
21 Council, would see that as excessive because
22 someone could jump any of those fences if, if
23 they wanted to. So this is a visual barrier.

24 The actual driveway gate is the
25 physical barrier that would at least keep a car

1 out from there I think is our design intent. But
2 I guess also our argument at this point, because
3 I see a lot of people have questions about our
4 safety concerns, we do believe that this would be
5 a barrier to -- at least the first barrier to
6 someone from entering the property. If you do
7 not --

8 I would again ask you to look into the
9 shape of the property as an impediment to us
10 installing this fence.

11 If it were a rectangular fence -- I'm
12 sorry, a rectangular property that is typical to
13 Novi, this fence would be allowed whether it were
14 a safety issue or an esthetic issue. We know
15 that we designed it as a safety issue. It sounds
16 as if you might not be in the same understanding
17 or the same viewpoint.

18 But, with the way the ordinance reads
19 and the way that typical properties are in Novi,
20 which I have to assume the ordinance is written
21 for, the pie-shaped lot, I would think would
22 give enough reason to allow this variance because
23 it is a non-client driven impediment to
24 installing this, this fence on a property that is
25 wide enough under typical circumstances to allow

1 this fence to be installed and the gate.

2 CHAIRPERSON KRIEGER: Okay.

3 Can I have any additional direction
4 from Council or the City?

5 MS. SAARELA: With what; with respect to
6 what issue?

7 CHAIRPERSON KRIEGER: Regarding to the --
8 what they're speaking of, the fence as a second
9 barrier or the gate as the second compared to other
10 historical cases or recommendations for us.

11 MR. BOULARD: I guess, I guess my, my
12 thought is that I certainly understand the -- I
13 certainly understand that perhaps the impetus for
14 this is safety for this request but I don't know
15 that the -- I don't know that the criteria
16 necessarily are going to place a lot of emphasis
17 on, on that.

18 I think the things that are really -- I
19 mean, and so conversations about whether it goes
20 around the side or the back or how high the fence
21 is are really, they're, they're -- they seem to
22 me to be at least -- and the attorney can kick me
23 quickly if appropriate -- but it seems to be that
24 those are, those are not necessarily -- I mean
25 I'm not saying that those are not valid, but in

1 the -- I'm not sure how those necessarily fit
2 into the criteria for granting a variance.

3 The fact of the matter is, as they
4 pointed out, if the property was 220 feet wide
5 across the front, you know, it would be -- there
6 would be no question at all; we wouldn't be here.
7 And we certainly wouldn't be asking questions
8 about the fence and the, and the security and
9 things like that.

10 The reality is that the property is at
11 the end of the cul de sac. It is -- he's pointed
12 out that it does have a grade that drops off in
13 the back which further limits the site. But
14 that also, that also -- all those together mean
15 that you've got a large site that, that somehow
16 doesn't meet the standard normally.

17 And so the site is, the site is -- the
18 site is somewhat unique in shape. And if it was,
19 it was rectangular, absolutely no question.

20 And I'm not sure if the two lots on
21 either side by virtue of being tapered on just
22 one side meet that or not, but I'm going to
23 imagine they're going to be pretty close. And
24 certainly the other lots out towards Beck Road
25 are, are going to -- are also going to comply

1 with, with the minimum requirements.

2 So to me it's a question of is the lot,
3 you know, is the lot atypical. And, if it is,
4 then -- and, and you make -- and you come to the
5 judgment that it meets this criteria, I would say
6 then that yes, that would be the case.

7 CHAIRPERSON KRIEGER: Thank you.

8 MEMBER GRONACHAN: Madam Chair, I think
9 that part of the confusion is that the first time
10 they were -- that the petition was here confused
11 everybody, so I'd like to kind of go back a little
12 bit. Because when the petitioner finished his
13 presentation without anything added, I was going to
14 say that I would support this. Even though I said
15 I was on the fence, I wanted to hear what everybody
16 else had to say. But listening to everybody is
17 only confusing the issue.

18 I think we need to get rid of the
19 security issue. Let's throw that out the window.

20 MR. AJEHEW: Okay.

21 MEMBER GRONACHAN: We have an odd-shaped
22 lot here. The petitioner is building a new home
23 and, for whatever reason, they want this here.
24 They have come to us and presented to us a reason
25 why it should be there. The shape, the shape is

1 not -- the lot is not rectangular; that the shape
2 is odd, that it narrows. That the garage -- where
3 the garage is built, there's a drop in the, in the
4 property. There is a degree of difficulty with
5 sight. If we just use those criteria, in my
6 opinion, then I think that we are halfway home. I
7 think we're muddying the waters about the security
8 issue, I really do.

9 Based on just what's in front of us,
10 and if you look at our criteria about the
11 variance, can they reasonably -- would they be
12 reasonably prevented or limited to the respect of
13 this property, yes. Is the property unique, yes.

14 So I am going to come off the fence, so
15 to speak, --

16 CHAIRPERSON KRIEGER: Make a motion?

17 MEMBER GRONACHAN: -- and I am not going
18 to make the motion but I'm going to support whoever
19 does make the motion. How's that?

20 CHAIRPERSON KRIEGER: Oh, it's still not
21 a motion.

22 MEMBER GRONACHAN: Because I know that
23 Member Ferrell's ready to do that.

24 MEMBER FERRELL: No. You have a lot more
25 notes than I do.

1 MEMBER GRONACHAN: Oh, really. Okay.

2 MEMBER FERRELL: You look pretty good
3 over there.

4 MEMBER GRONACHAN: Thanks a lot. Okay.
5 With that --

6 MEMBER FERRELL: But I do have, I do have
7 a quick question for --

8 CHAIRPERSON KRIEGER: Go ahead.

9 MEMBER. GRONACHAN: Go ahead.

10 MEMBER FERRELL: -- the attorney.

11 MEMBER GRONACHAN: Sorry.

12 MEMBER FERRELL: So the ordinance,
13 there's nothing in the ordinance that doesn't allow
14 double fencing in like a gated community; like
15 houses can have more than one fence in there?

16 MS. SAARELA: There's nothing that
17 would -- just because there's an exterior fence,
18 that doesn't --

19 MEMBER FERRELL: Doesn't make any
20 difference?

21 MS. SAARELA: No.

22 MEMBER FERRELL: Okay. Okay.

23 MEMBER GRONACHAN: I'm not ready. Give
24 me a minute.

25 Okay. I move that we grant the

1 variance in Case Number PZ19-0001 sought by
2 Great Oaks Landscaping for a front yard fence and
3 gate -- or, I'm sorry -- for a fence and gate in
4 the front yard because the petitioner has shown a
5 practical difficulty for this request.

6 Without the variance the petitioner
7 would be unreasonably prevented or limited with
8 respect to use of this property because of the
9 shape of the lot due to the fact that the
10 shape -- that the lot is not a rectangle, due to
11 the elevation and topography of the lot, due to
12 the front angles and unusual lot size.

13 The property is unique because of the
14 shape of the lot, the fact that it is not
15 rectangle, due to the elevation, topography and
16 difficulty in visibility.

17 The petitioner did not create this
18 condition because this was a lot subdivided and
19 created by the developer.

20 The relief granted will not
21 unreasonably interfere with adjacent or
22 surrounding properties because of the size and
23 shape -- I'm sorry -- because of the size and
24 shape of the additional lots.

25 The relief is consistent with the

1 spirit and intent of the ordinance because it
2 meets the requirements. This is the minimum
3 request by petitioner of 36 inches in height and
4 offer the additional screening that the
5 petitioner wishes to install on their property.
6 And that's why I move that we grant this
7 variance.

8 CHAIRPERSON KRIEGER: We have a motion.
9 Do we have a second?

10 MEMBER SANKER: Second.

11 CHAIRPERSON KRIEGER: We have a motion
12 and second.

13 Any other discussion?

14 All right. Seeing none, if Katherine
15 would call the roll.

16 MS. OPPERMANN: Member Byrwa?

17 MEMBER BYRWA: Yes.

18 MS. OPPERMANN: Member Ferrell?

19 MEMBER FERRELL: Yes.

20 MS. OPPERMANN: Member Gronachan?

21 MEMBER GRONACHAN: Yes.

22 MS. OPPERMANN: Chairman Krieger?

23 CHAIRPERSON KRIEGER: Yes.

24 MS. OPPERMANN: And Member Sanker?

25 MEMBER SANKER: Yes.

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MS. OPPERMANN: Motion passes.

MEMBER GRONACHAN: Congratulations.

MR. AHEJEW: Thank you very much. We appreciate your time.

MEMBER GRONACHAN: Yep. Thank you. Good luck.

MR. HEWLETT: Thank you very much.

CHAIRPERSON KRIEGER: Yep.

All right, that brings us to our next case, PZ19-0002, Allied Signs, Inc. for Bob's Discount Furniture, 43460 West Oaks Drive, west of Novi Road and south of Twelve Mile. Parcel Number 50-22-15-200-106. Applicant is requesting variances from the Novi Code of Ordinances Section 28-5.(a)(b)(1a) and 28-5(a) to allow installation of 247.16 square foot wall sign, 150 square foot allowed based on previous variance to allow a third sign of 40 square feet, 65 square feet allowed. Property is zoned Regional Center (R-C).

Good evening.

MR. STIEBER: Good evening.

MR. WASSERSTROM: Good evening.

MR. TATE: Good evening.

MR. STIEBER: I'll start with my name.

1 My name is Patrick Stieber, S-T-I-E-B-E-R, with
2 Allied Signs.

3 MR. WASSERSTROM: Andrew Wasserstrom,
4 W-A-S-S-E-R-S-T-R-O-M, with Advanced Sign Group.

5 MR. TATE: And Andy Tate, T-A-T-E, with
6 Bob's Discount Furniture.

7 MEMBER GRONACHAN: And none of you are
8 attorneys?

9 MR. STIEBER: No.

10 MR. WASSERSTROM: No.

11 MR. TATE: We are not.

12 MEMBER GRONACHAN: Would you all raise
13 your right hand to be sworn in.

14 Do you swear or affirm to tell the
15 truth in the matter before you?

16 MR. STIEBER: I do.

17 MR. WASSERSTROM: I do.

18 MR. TATE: I do.

19 MEMBER GRONACHAN: You may proceed.

20 MR. WASSERSTROM: Do you mind if we hand
21 some documents out?

22 CHAIRPERSON KRIEGER: Sure.

23 MR. WASSERSTROM: They're printouts. And
24 then we can use this here to also show.

25 Okay. So I wanted to first thank you

1 all for hearing our variance application tonight.
2 We're seeking variance approval for a 5-foot
3 Bob's Furniture sign.

4 As you can see here from the second
5 page we've handed out, we've taken a couple
6 photos here to show the store view from
7 Novi Road; the current setback of 492 feet, with
8 multiple trees and landscaping blocking the
9 visibility. Additional -- in addition to the
10 building's perpendicular set to Novi Road
11 contributes to the weak visibility of the
12 property. So I wanted to share those photos with
13 you on that page.

14 What we've gone and, and looked at over
15 the last few days are some additional signs in
16 the area. We've gone out and actually measured
17 some of the additional signs in the adjacent
18 centers and retail locations.

19 The first one here is the Toys R Us
20 sign, which you can see has a 5-foot overall
21 letter height to match their logo.

22 The other sign that we went out and
23 measured on the next page is the Gardner-White
24 sign. This sign has an 8-foot and 11-inch tall
25 overall sign with a 51-foot 4-inch wide boxed out

1 area. This calculates to 457 square feet of sign
2 area.

3 A couple of the others. These are, you
4 know, two competitors in the area. The
5 Value City Furniture, we measured the V out in
6 the Value City, that right there is 6 feet 21
7 tall and it's approximately 222 square feet.

8 The Art Van Furniture, which has two
9 signs, measuring 5 feet x 37 feet and each at
10 185 square feet per sign.

11 Additionally, this is the 40 square
12 foot sign that we've requested as well. This is
13 a standard customer pickup sign that we install
14 at the stores for any online orders that
15 customers may be going to go pick up in the store
16 or may be picking up at a time that's convenient
17 for them, or maybe it's something that's being
18 delivered.

19 Additionally, I believe you've all had
20 a chance to go see the mock up 5-foot banner that
21 is up at the store. What we're proposing there
22 is the 5-foot Bob's. This is the standard sign
23 package that would we install for, for them
24 throughout the United States.

25 And this is their first location in

1 southeast Michigan. Their other location in the
2 State of Michigan is in Grand Rapids.

3 MR. STIEBER: So, if I may, I'm sure you
4 guys have all been out to the site and know the
5 topography out here very well.

6 You know the design of these strip
7 centers and the way that they're set back and
8 angled from the roads.

9 There's definitely some hardships here
10 for lack of identification, visibility, for
11 getting traffic flows in and out, you know.

12 We've got the Oaks Drive entrance there
13 which is what the Bob's Furniture faces. Our
14 setback there is also a great deal, not just from
15 Novi Road but also from the ingress road there.

16 But definitely the way that this
17 building faces to the east with traffic flows
18 east and west on Novi -- on Novi Road, along with
19 the traffic flows on Twelve Mile Road, there's,
20 there's no visibility to the store here at all.

21 Due to these setbacks we definitely
22 feel like there is a hardship of lack of
23 identification. Due to the setbacks, the traffic
24 flows, the fact that it faces to the east -- you
25 know, no traffic flows from the west, so the

1 larger sign that we can get is definitely going
2 to help direct traffic flows.

3 So there's definitely some hardships
4 about the property itself.

5 The outbuildings as discussed; the
6 Jared out at the corner, there's the other
7 outbuilding out in front of Bob's, these are all
8 other visible obstacles that come into play into
9 our hardship here.

10 You know, what's proposed, as you can
11 see from what you saw throughout the banner, it
12 fits well within the size of the fascia of the
13 building. We don't feel that, you know, it would
14 have any adverse effects on the area, on any of
15 the other businesses in the area.

16 As Andy showed, there are several signs
17 of like size or larger in the area of this
18 development and I believe that it's due to these
19 same type of setbacks and visibility issues with
20 the traffic flows in and out of these, you know,
21 developments. So I just wanted to add that.

22 Definitely the fact of the setbacks,
23 the way that the buildings are shaped and faced,
24 there's some definite hardships.

25 CHAIRPERSON KRIEGER: Is that everything?

1 MR. TATE: Yeah. I mean I can talk about
2 Bob's. I'm not sure if you all are familiar with
3 Bob's, but we are a national retailer with
4 111 stores across the U.S. And, like Andy said, we
5 just opened our store in Grand Rapids, Michigan in
6 February, and we'll be opening the Novi store,
7 along with Livonia, Shelby and Taylor in February
8 of next -- or I'm sorry, in May of this year.

9 So we're excited to be here and, you
10 know, Bob's is really big in community
11 engagement.

12 A lot of times during the ribbon
13 cutting ceremony we'll have a big check and they
14 do the, the whole ribbon cutting ceremony with
15 local schools and, and other non-profits.

16 And you can check out our website but
17 there's, there's a tremendous amount of community
18 engagement, you know, once Bob's is actually in
19 the community.

20 CHAIRPERSON KRIEGER: Very good. Thank
21 you.

22 Anybody in the audience have anything
23 regarding this case?

24 All right. Seeing none --

25 From the City?

1 MR. BOULARD: Just a point of
2 clarification. I think the -- there's several,
3 there's several signs in the package but just so we
4 know which ones are, which ones are which, I think
5 on the second sheet in your packet, the second
6 sheet from the petition in your packet, there's an
7 aerial photograph.

8 You see on there that there's four
9 signs total; one is under 3 square feet, does not
10 require a permit.

11 There's a 10.69 square foot sign, which
12 will actually be on the, on the east, kind of
13 behind the store on the east end, that is, that
14 is approved with a permit.

15 There is an additional sign on the back
16 that is the 40 square feet; that's actually the
17 third sign. This packet says -- it says second
18 but it'll actually be the third sign.

19 And then the big sign on the front that
20 you're seeing was -- there's a previous variance
21 allowed up to 150 square feet. Toys R Us, I
22 think, was 144. And so that's where they're
23 asking for the 247 square feet is this, this
24 front elevation. So there is an existing
25 variance for this sign but they're requesting a

1 larger -- permission to install a larger sign.

2 So I'm happy to answer any questions.

3 CHAIRPERSON KRIEGER: Thank you.

4 And correspondence?

5 MEMBER GRONACHAN: There were 37 -- 36
6 letters mailed, zero responses, zero returns.

7 CHAIRPERSON KRIEGER: All right. I'll
8 bring it up to the Board.

9 Yes?

10 MEMBER GRONACHAN: Welcome, Bob.

11 MR. TATE: Thank you. We're glad to be
12 here.

13 MEMBER GRONACHAN: And we're happy to
14 have you. So -- because that's a big empty
15 storefront right now that's, that's not good.

16 I have to say that I understand the,
17 the theory behind the sign and the requests.

18 And I can certainly support the
19 customer pick up sign. I have no problem with
20 that whatsoever, only because I'm a consumer and
21 I hate looking for the back door. And when
22 you're out there driving around, there's nothing
23 more frustrating than trying to go find something
24 and you can't.

25 However, the front, the front sign, I'd

1 like to see it a little smaller; and the reason
2 why I say that --

3 And I, and I appreciate the fact that
4 you went through all the work and, you know,
5 brought in all of these wonderful signs -- that
6 most of us people sitting at this table probably
7 approved at one point or another. And each case
8 is reviewed on its own merit.

9 And you, the challenge -- I agree with
10 your challenges that you said, that you're on the
11 side and you don't face -- you know, the front of
12 your store doesn't face the main drag, that's a
13 challenge, but I don't know that size is going to
14 solve the problem.

15 And so when I was driving down
16 Novi Road this morning, I -- your sign caught my
17 eye through the trees, through everything. And
18 I'm like oh, well, that's where it is. Because I
19 was going out to, to find it, and I found it all
20 the way down from Novi Road at Oaks Boulevard.
21 So -- and when-

22 MR. STIEBER: So it worked.

23 MEMBER GRONACHAN: It did work, yes. It
24 worked.

25 However, it's a destination. You know,

1 it's not like you're out looking for -- when
2 you're out looking for a McDonald's or a
3 restaurant or something. When you're going to
4 buy furniture you're not going around stopping, I
5 don't think. And with this day and age with the
6 Internet and everything --

7 And I just would like to see this sign
8 just a little smaller.

9 What would be the next size down?

10 MR. WASSERSTROM: Typically, it, it would
11 be in a 6-inch increment. So it -- you know, if
12 it's -- you know, 4-foot 6 to 4-foot 8 is usually
13 the next level down we have in size. I'm talking
14 about the B itself.

15 MEMBER GRONACHAN: So then the word Bob
16 would be, what, 4 feet 8 inches?

17 MR. WASSERSTROM: That would --

18 MEMBER GRONACHAN: Or 4 feet?

19 MR. WASSERSTROM: -- be our preferred.
20 That's the next we go down and that would be it.

21 I would just -- if I can comment just
22 on your ability to see the banner, which is at
23 this size we're showing on the picture --

24 MEMBER GRONACHAN: Sure.

25 MR. WASSERSTROM: -- here in front of

1 you.

2 MEMBER GRONACHAN: Sure.

3 MR. WASSERSTROM: The American
4 Transportation Administration says that you have
5 approximately less than five seconds to notice a
6 sign when you're driving by that location.

7 So the fact that you saw it worked at
8 this size because this is the recommended square
9 footage for a sign per the Transportation
10 Administration. So you're, you're seeing that
11 for a reason.

12 I think your store hours are going to
13 be until?

14 MR. TATE: Ten p.m.

15 MR. WASSERSTROM: Ten p.m.

16 So having that visibility at night is
17 critical. You probably saw it during the day.

18 And having that red illumination at
19 night -- red and white are the two most physical
20 colors -- would certainly help it. You won't
21 have as much illumination with a 4 foot 8 as you
22 would a 5. So I just wanted to share that with
23 you.

24 MEMBER GRONACHAN: Is this going to be
25 illuminated?

1 MR. TATE: Yes.

2 MR. WASSERSTROM: This will be, yes.

3 MEMBER GRONACHAN: It will be
4 illuminated?

5 MR. TATE: Right. The Bob's Furniture
6 will be; the Discount will not.

7 MR. STIEBER: The other thing that
8 happens when you scale that down is that the other
9 part of it being that big for the visibility is the
10 Discount Furniture.

11 Look at how many letters we're trying
12 to get in here to get the message out yet Toys R
13 Us had a 150 square foot but it was way less
14 letters, you know.

15 So, in order to -- for the sign to be
16 readable, it's -- it has to be of a little bit
17 larger size to even be able to read it at these
18 lengths from how far away it is. So you start
19 scaling Bob's down, the whole thing scales down,
20 not just Bob's but --

21 MEMBER GRONACHAN: Right. I understand.

22 MR. STIEBER: -- just, you know.

23 MEMBER GRONACHAN: Okay. Well, I'll wait
24 until I hear from my other board members. Thank
25 you.

1 MEMBER SANKER: Just real quick with this
2 one picture of the banner, is that essentially the
3 exact same thing that would be up there when you
4 put the illuminated sign up?

5 MR. WASSERSTROM: That is correct.

6 MEMBER SANKER: Okay. I mean just
7 esthetically I tend to think it fits like perfectly
8 in there, to be honest. I know it's like a little
9 bit huge when you drive by it but overall --

10 I mean the Toys R Us one I tend to feel
11 like they should have stretched it out and put it
12 more center.

13 So on this, on this one, you know, I
14 think it sits nicely in there and it is in line
15 with some of those other competitors that they
16 have put up there as well. So those are my
17 thoughts about that.

18 CHAIRPERSON KRIEGER: Okay.

19 Member Ferrell?

20 MEMBER FERRELL: I agree. I think what
21 it is is the font of Bob's is just so thick, it
22 like kind of scared me when I drove by it. I was
23 like oh. I think it does fit in there pretty good,
24 but I mean it almost kind of feels like it's a
25 little too big. I mean I think I'm okay with it

1 but it just does feel like it's a little excessive.

2 And you said you can't -- if you make
3 it smaller -- how would you make it smaller?

4 I mean like you couldn't keep the
5 5-foot height and make it smaller. The 46 feet,
6 we couldn't shorten that up?

7 MR. TATE: Yeah. It's the aspect ratio
8 so the --

9 MEMBER FERRELL: So when you shorten
10 this, it comes in more.

11 MR. WASSERSTROM: It kind of comes in
12 proportionately.

13 MEMBER FERRELL: So what would be the
14 next lowest down that you guys would be okay with
15 if we weren't to grant your variance for that size
16 that you want in currently?

17 MR. WASSERSTROM: A 4-foot 8 would, would
18 reduce the overall length to approximately 42 feet.
19 I'd have to check that, but I think a, you know,
20 4-foot 8.

21 MEMBER GRONACHAN: So then the Bob's
22 would be 4-foot 8?

23 MR. WASSERSTROM: Correct.

24 MEMBER GRONACHAN: Member Ferrell, if I
25 may just for clarification ask this question.

1 MEMBER FERRELL: Yes.

2 MEMBER GRONACHAN: So the 4-foot 8 --

3 So you couldn't make Bob's smaller
4 without making it shorter?

5 MR. STIEBER: Correct. The whole thing
6 shrinks down together.

7 MR. TATE: So that's kind of the part of
8 the corporate brand. They kind of have the same
9 spacing, letters, and so when it comes down, --

10 MEMBER FERRELL: Sure.

11 MR. TATE: -- it all comes down together.

12 MEMBER FERRELL: So if we weren't wanting
13 to grant it that size --

14 Would that size be acceptable to you?

15 MR. TATE: The 4-foot --

16 MEMBER FERRELL: I know it's kind of a
17 loaded question, but --

18 MR. WASSERSTROM: The 4-foot 8?

19 MEMBER FERRELL: Yeah.

20 MR. STIEBER: To like maybe change the
21 square footage from the request down to --

22 MEMBER FERRELL: Yeah, down.

23 MR. STIEBER: -- 225 square feet?

24 MEMBER FERRELL: Down to a little bit
25 more, yeah.

1 MR. STIEBER: I mean reducing the square
2 footage request down from the 250 to --

3 MEMBER FERRELL: Whatever it would be.

4 MR. STIEBER: -- to 225? I mean if we
5 can go with that number, we are showing that we're
6 making it a little bit smaller. You know,
7 obviously, we don't have the exact print of what
8 those exact measurements are, so I hate to --

9 MEMBER FERRELL: It would be smaller. So
10 I mean we can --

11 MR. STIEBER: Yeah.

12 MEMBER FERRELL: You don't have to repost
13 it or anything because it's smaller. But if we --
14 if that's -- you guys agree to it and we agree to
15 it as well.

16 MS. SAARELA: You guys can also grant it
17 whether they agree to it or not.

18 MEMBER FERRELL: No. Right. Okay. No,
19 no. Yeah, I know.

20 MEMBER GRONACHAN: Yeah. They don't have
21 to agree.

22 MR. TATE: I think at that point we would
23 agree.

24 MEMBER FERRELL: I was just trying to be,
25 I was just trying to be nice.

1 MEMBER GRONACHAN: Yeah. You're being
2 too kind.

3 MEMBER FERRELL: Be nice. Be nice.
4 Okay.

5 MEMBER BYRWA: They're not asking for
6 Robert's Furniture.

7 MEMBER GRONACHAN: Yeah.

8 MEMBER FERRELL: Right.

9 And you're not Bob, right?

10 MR. TATE: Not Bob, no, sir.

11 MEMBER FERRELL: I'm just joking.

12 MEMBER GRONACHAN: He's in buffing (ph.).

13 MR. BOULARD: If, if --

14 CHAIRPERSON KRIEGER: Yes?

15 MR. BOULARD: -- I might, I think if I
16 did my math right, reducing the, reducing the
17 height to 4-foot 8 and the width, appropriate width
18 corresponding proportion would leave us at about
19 203 square feet. Is that --

20 MR. STIEBER: Yeah. I don't, I don't --
21 when you reduce it, the width is what -- I'm not
22 sure how the scale goes down to the width. So --

23 MR. BOULARD: I think he said the
24 proportions would remain the same, right?

25 CHAIRPERSON KRIEGER: Uh-huh.

1 MR. TATE: Yeah. I mean rough, roughly
2 right within a few inches.

3 MR. STIEBER: So at what? 40 --
4 4-foot 6 x 45.

5 MR. BOULARD: Well, you said, you said
6 4-foot 8.

7 MEMBER BYRWA: 4-foot 8.

8 MR. STIEBER: 4-foot 8.

9 MR. BOULARD: Makes about 43.4 feet long.

10 MR. STIEBER: Yeah. That scale, I
11 wouldn't want to --

12 MEMBER GROCHANAN: What did he say?

13 MR. STIEBER: -- bury myself to it. I
14 think it, --

15 CHAIRPERSON KRIEGER: 225 --

16 MR. STIEBER: -- I think it's going to be
17 larger.

18 CHAIRPERSON KRIEGER: 2 -- he said 203.

19 MEMBER GRONACHAN: 203?

20 MR. BOULARD: 203.

21 CHAIRPERSON KRIEGER: Yeah.

22 MR. BOULARD: Plus or minus. I'm not --

23 MR. WASSERSTROM: Yeah. I think we'll be
24 closer to between 210 and 225 with the aspect
25 ratio; the different elements of the, the logo

1 itself.

2 MEMBER FERRELL: Do you want --

3 CHAIRPERSON KRIEGER: Huh?

4 MEMBER FERRELL: Do you want to see if
5 they want some time to discuss it and then come
6 back up to the --

7 CHAIRPERSON KRIEGER: Oh, I don't --

8 MEMBER FERRELL: -- table or --

9 CHAIRPERSON KRIEGER: I'm thinking.

10 MEMBER GRONACHAN: Let them take a break
11 and look at it and then come back; is that what
12 you're suggesting, Member Ferrell?

13 CHAIRPERSON KRIEGER: At the end of
14 the --

15 MEMBER FERRELL: Yes.

16 CHAIRPERSON KRIEGER: -- meeting?

17 MEMBER FERRELL: Yeah, just later
18 tonight. Not another meeting; like later, after,
19 if they need time to figure out numbers.

20 Do you guys need time to figure this
21 stuff out?

22 MR. TATE: Yeah. I mean we could, we
23 could pull up -- I could get that chart.

24 MEMBER FERRELL: Yeah. Do you want some
25 time to --

1 MR. TATE: Yeah.

2 MEMBER FERRELL: -- do that?

3 So we'll table this.

4 CHAIRPERSON KRIEGER: Why don't --

5 MEMBER GRONACHAN: Why don't you do that
6 and then we can -- sorry.

7 CHAIRPERSON KRIEGER: Yes.

8 MEMBER GRONACHAN: We're both talking.

9 CHAIRPERSON KRIEGER: Go ahead.

10 MEMBER GRONACHAN: Why don't they table
11 it -- or take a break and we can go into our next
12 case and then we can bring them in after our next
13 case. Would that -- is everybody in agreement to
14 that?

15 Would that give you enough time --

16 MR. TATE: Yes.

17 MR. STIEBER: Yes.

18 MEMBER GRONACHAN: -- to work on that?

19 Okay. Thank you.

20 CHAIRPERSON KRIEGER: All right. So

21 we're --

22 Do we need a motion for that?

23 MS. SAAREL: No.

24 CHAIRPERSON KRIEGER: Okay. All right.

25 So we're going to hold off a little bit on

1 PZ19-0002.

2 And we're going to PZ19-0003,
3 American Made Construction for 1185 South Lake
4 Drive, east of West Park and south of South Lake,
5 Parcel 50-22-03-377-018. Applicant is requesting
6 a variance from Novi Zoning Ordinance Section
7 3.1.5 for a third-story addition. The property
8 is zoned Single Family Residential (R-4).

9 Good --

10 MR. CREECH: Hi.

11 CHAIRPERSON KRIEGER: Good evening.

12 MR. CREECH: Sorry. Hello. I'm
13 Boyd Creech of American Made Construction.
14 B-O-Y-D, C-R double E-C-H.

15 CHAIRPERSON KRIEGER: Are you an
16 attorney?

17 MR. CREECH: No. I'm the builder --

18 CHAIRPERSON KRIEGER: Okay.

19 MR. CREECH: -- representing --

20 MEMBER GRONACHAN: You might want to pick
21 up your mics and --

22 MR. CREECH: Representing Brandon --

23 MEMBER GRONACHAN: -- bring the mics so
24 they can hear you at home a little bit.

25 MR. CREECH: Sure.

1 MEMBER GRONACHAN: Okay.

2 MR. CREECH: I'm representing Brandon and
3 Danielle.

4 MR. DAVIS: My name is Brandon Davis.
5 I'm the homeowner. D-A-V-I-S.

6 MS. FASSEEL: And I'm Danielle Fasseel,
7 his wife. F-A-S-S-E-E-L.

8 MEMBER GRONACHAN: Are you all three
9 going to testify this evening?

10 MR. CREECH: Yes.

11 MEMBER GRONACHAN: Would you please raise
12 your right hand.

13 Do you swear or affirm to give -- do
14 you swear or affirm to tell the truth in the
15 matter before you?

16 MR. DAVIS: Yes.

17 MS. FASSEEL: Yes.

18 MR. CREECH: Yes.

19 MEMBER GRONACHAN: You may proceed.

20 MR. CREECH: I think I'm a little
21 unprepared for the presentations that I've seen
22 here today. I don't have -- all I basically did
23 was give you a PDF that I was requested for and
24 other copies of the blueprints.

25 I think -- I hope that you've all had a

1 chance to see the residence, at least drive by
2 it.

3 The only thing that I have, I believe I
4 could use, help you with, an overhead view of the
5 property.

6 If you can see this -- realistically,
7 the restraints with the setbacks and the
8 odd-shaped lot, there really is no other place.

9 Basically, they have a 3,000 square
10 foot home. It's two bedrooms and one bathroom.
11 So there really is no other place for us to go
12 outbounds even with the setbacks now and
13 previously. Obviously, they've changed. The
14 garage now is within those setbacks and there is
15 a three season room that's partially taken off in
16 the back.

17 So we basically did about nine months
18 of blueprints and went through a lot of changes
19 to come up to something that we think is really
20 esthetically pleasing to the whole area, meets
21 their criteria, gives them a decent size bedroom.
22 It's not enormous; it's just going to take
23 over --

24 Basically, normally, you would allow
25 two and a half stories but there's a knee wall.

1 I don't know if you have a copy of the print
2 available. That knee wall is kind of -- is
3 rather needed with the staircase.

4 The biggest problem was trying to find
5 a good place to access this third bedroom.

6 The shape of the lot is our -- is again
7 our biggest problem.

8 A couple of the neighbors, at least
9 one, I think it's Dorothy and Mike, have a very
10 similar residence right next door. Definitely
11 not a self-created problem. This was a existing
12 home that they purchased and another builder had
13 previously owned this home. Definitely did some
14 different things.

15 I do not think that there's going to be
16 any, any negative -- was there any -- I don't
17 know if there was any letters received from any
18 of the neighbors in anything negative.

19 I basically, just due to the -- See
20 if I can get this blueprint up there.

21 Does everybody have a copy of the
22 print, or no?

23 You do. Okay. So I don't need to even
24 pull this out.

25 MEMBER GRONACHAN: Well, you may want to

1 put it on just so --

2 MR. CREECH: Okay.

3 MEMBER GRONACHAN: -- everybody can see
4 what you're --

5 MR. CREECH: Okay.

6 MEMBER GRONACHAN: -- talking about.

7 MR. CREECH: Okay. So if you can see,
8 the master bedroom itself is realistically about
9 14 x 14, the actual, with a couple little bump
10 outs. There's a few windows across the front,
11 which obviously anybody would want a view of the
12 lake. It is a lakefront lot.

13 Let me see if I can -- there's an
14 existing 12-12 and there's an existing 12-12
15 here. This is an existing structure and then we
16 want to just flow with that. So that
17 esthetically like this is not here now. I just
18 think it would flow a lot better from a curb
19 appeal factor.

20 Is there anything you want to add,
21 Brandon?

22 MR. DAVIS: Basically, we're trying to
23 add a third bedroom. We're trying to expand our
24 family. We only have one bed -- bathroom right now
25 so we're trying to get a second one. By doing this

1 it would allow us to have two bathrooms in the
2 house and three bedrooms, basically. That's really
3 what we're going for.

4 Anything to add?

5 MS. FASSEEL: I guess I just wanted to
6 say because of our growing family this is really
7 important to us. We really love our neighborhood
8 and our neighbors and where we live and, you know,
9 we don't want to have to move. We just don't have
10 enough bedrooms for children.

11 And I guess we're also not going to be
12 obstructing anyone's view. We don't have any
13 neighbors behind us that this would be blocking
14 their lake view.

15 And I guess because of the uniqueness
16 of the lot, the uniqueness of this area, because
17 it's a lake house and the circumstance, it might
18 lead to the ability to -- for this variance, I
19 guess I'm trying to say. And that's it.

20 CHAIRPERSON KRIEGER: All right. Thank
21 you.

22 MR. CREECH: Thank you.

23 MR. DAVIS: Thank you.

24 CHAIRPERSON KRIEGER: And then anybody in
25 the audience regarding this case?

1 All right. Seeing none, I'll open it
2 up to the questions from the City.

3 Any input?

4 MR. BOULARD: Just stand by for
5 questions.

6 CHAIRPERSON KRIEGER: Thank you.
7 Correspondence?

8 MEMBER GRONACHAN: There were 36
9 letters -- actually, 56 letters mailed, no returns,
10 no approvals, no objections.

11 CHAIRPERSON KRIEGER: Very good.
12 Open up to the Board.

13 Yes?

14 MEMBER FERRELL: Thanks, Madam Chair.

15 I don't see any pictures of the back
16 part of it. Why is it you can't build towards
17 the back?

18 MR. CREECH: I can show you the -- this
19 is, this is the actual property itself and the
20 existing ordinance.

21 MEMBER FERRELL: Yeah.

22 MS. FASSEEL: The line right here, this
23 is the setback line.

24 MR. CREECH: There a setback line now
25 that actually --

1 MEMBER FERRELL: Okay.

2 MR. CREECH: -- part of the existing.

3 MS. FASSEEL: It's on a diagonal.

4 MR. CREECH: It's like a three season
5 porch room.

6 MEMBER FERRELL: Okay.

7 MR. CREECH: If you want -- this is the
8 front door. You walk in, there's a big open room
9 and then the, the -- basically, this is all glass.
10 There's -- this is doors and windows.

11 MEMBER FERRELL: Right.

12 MR. CREECH: So you'd have to
13 realistically almost create like -- you'd have to
14 divide that in half more or less to even create --
15 and you have to create a hallway, and then they
16 would only be limited to this. I guess it would be
17 the size of that sunroom that we were talking
18 about; like a 10 x 12 bedroom, realistically, by
19 the time we're all said and done --

20 MEMBER FERRELL: All right. Okay.

21 MR. CREECH: -- if were to put it on
22 this. The only real place on the first floor, sir.

23 MEMBER FERRELL: Okay. Thank you.

24 MR. CREECH: You're welcome.

25 CHAIRPERSON KRIEGER: Is there a -- the

1 height requirement, so is that meeting or under --

2 MR. CREECH: We are underneath.

3 CHAIRPERSON KRIEGER: -- what the City -
4 Under?

5 MR. CREECH: We are definitely
6 underneath, yes.

7 CHAIRPERSON KRIEGER: The City?

8 MR. CREECH: Yes.

9 CHAIRPERSON KRIEGER: So even though they
10 call it a third floor, it's still under what the
11 city --

12 MR. CREECH: Yes.

13 CHAIRPERSON KRIEGER: -- asks for for
14 height?

15 MR. CREECH: Yes.

16 CHAIRPERSON KRIEGER: Okay.

17 MEMBER FERRELL: Ready for a motion?

18 CHAIRPERSON KRIEGER: Mr. Gronachan?

19 MEMBER GRONACHAN: I was just going to --

20 CHAIRPERSON KRIEGER: Go ahead.

21 MEMBER GRONACHAN: You just pulled the
22 words right out of my mouth.

23 Member Ferrell, it's your turn.

24 MEMBER FERRELL: Thank you.

25 MEMBER GRONACHAN: I'm full support.

1 And the other thing I wanted to put on
2 the record is because it does not exceed any
3 height requirements in the city and that this is
4 a unique lot, and that because the petitioner
5 really has no way to go but up and it's still
6 within height requirements, that I would be
7 supporting this.

8 CHAIRPERSON KRIEGER: Okay. Thank you.

9 MEMBER FERRELL: You might as well finish
10 it, I mean.

11 MEMBER GRONACHAN: No. That's all right;
12 I'll let you.

13 MEMBER FERRELL: All right.

14 You all set?

15 CHAIRPERSON KRIEGER: Yep.

16 MEMBER FERRELL: Okay. I move that we
17 grant the variance in Case Number PZ10-0003 sought
18 by American Made Construction for the addition of a
19 third story -- third story addition because the
20 petitioner has shown practical difficulty requiring
21 the addition of a third bedroom to expand their
22 family and to gain another bathroom.

23 Without the variance petitioner would
24 unreasonably be prevented or limited with respect
25 to use of the property because it's only a

1 two-bedroom home and are using this to try to
2 expand their family and to grow their family.

3 The property is unique because it's a
4 lakefront lot which inhibits building toward the
5 lake and there is a --

6 Was it an easement, you said?

7 MR. DAVIS: Yes.

8 MEMBER FERRELL: -- easement in the back
9 preventing that as well.

10 Petitioner did not create the condition
11 as it's an existing home and they didn't build
12 it.

13 The relief granted will not
14 unreasonably interfere with adjacent or
15 surrounding properties because that it will
16 enhance the value of other homes in the
17 neighborhood and also will not block homes' view
18 of the lake in the area.

19 Relief is consistent with the spirit
20 and intent of the ordinance.

21 MEMBER GRONACHAN: Second.

22 CHAIRPERSON KRIEGER: All right. We have
23 a motion and a second.

24 Any other discussion?

25 Seeing none, if Katherine could call

1 the roll.

2 MS. OPPERMANN: Member Sanker?

3 MEMBER SANKER: Yes.

4 MS. OPPERMANN: Chairperson Krieger?

5 CHAIRPERSON KRIEGER: Yes.

6 MS. OPPERMANN: Member Gronachan?

7 MEMBER GRONACHAN: Yes.

8 MS. OPPERMANN: Member Ferrell?

9 MEMBER FERRELL: Yes.

10 MS. OPPERMANN: Member Byrwa?

11 MEMBER BYRWA: Yes.

12 MS. OPPERMANN: Motion passes.

13 CHAIRPERSON KRIEGER: Congratulations and
14 best wishes to you.

15 MR. CREECH: Thank you so much.

16 MR. DAVIS: Thank you.

17 MR. CREECH: Appreciate your time.

18 MS. FASSEEL: Thank you.

19 MEMBER GRONACHAN: You're welcome. Good
20 luck.

21 CHAIRPERSON KRIEGER: Okay. And the
22 previous group isn't back so we'll go to the next
23 case, which is PZ19-0004. J & W Properties, LTD,
24 25814 Beck Road, east of Beck and south of
25 Eleven Mile, Parcel 50-22-21-101-003. Applicant is

1 requesting variances from the Novi Code of
2 Ordinance Section 3.1.5, a 3-foot front yard
3 variance for a proposed 42-foot setback, 10-foot
4 rear yard variance for a proposed 40-foot setback,
5 and a 5-foot side yard variance for a 15-foot
6 proposed setback, for a proposed house and garage.
7 Property is zoned Residential Acreage (R-A).

8 Good evening.

9 MR. ALLEN: Yes. Good evening. My name
10 is Wendell Allen. That's W-E-N-D-E-L-L, last
11 name's Allen, A-L-L-E-N. I'm the owner of
12 J & W Properties. I've been retained by Mr. and
13 Mrs. Njemanze here to construct a home for them on
14 Lot 13 of Pioneer Meadows Subdivision. We have --

15 Go ahead and introduce yourself.

16 MR. NJEMANZE: My name is Kenneth
17 Njemanze, I am the homeowner, with my wife,
18 Njemanze, N-J-E-M-A-N-Z-E.

19 MEMBER GRONACHAN: Gentlemen, would you
20 raise your right hand to be sworn in.

21 Do you swear or affirm to tell the
22 truth in the matter before you?

23 MR. ALLEN: Yes.

24 MR. NJEMANZE: Yes.

25 MEMBER GRONACHAN: You may proceed.

1 MR. ALLEN: Okay. First of all, this
2 site was split off from a previous site. The lot
3 size is 100 x 120. When we first got into this and
4 started designing or looking at the design after
5 finding the restrictions for the site lines, we --
6 or the side yards and the front yard and rear yard,
7 we realized we weren't going to be able to conform
8 to that. However, the clients here decided that
9 they wanted to go ahead with the design and
10 approach this board to get approval to build a
11 house. In doing so, we contacted the subdivision
12 and went through the restrictions of the
13 Pioneer Meadows Subdivision and we were able to
14 design a home that conforms to the subdivision
15 restrictions in all aspects, and we feel that it
16 conforms to the character and blends in well with
17 the subdivision community that surrounds it.

18 I understand that there's been other
19 lots that -- of this nature that have also been
20 granted variances in order to be able to build a
21 home, build a home.

22 I would be glad to answer any questions
23 you have concerning this and go from there.

24 If you want to answer, say anything, --

25 MR. NJEMANZE: Well, I'm currently a

1 registered nurse. I work just down the street from
2 the lot. I work in Providence Hospital and also
3 work in University of Michigan. My wife and I just
4 got married two years ago and we live in
5 Walled Lake currently.

6 This is going to be our first home and
7 we're pretty excited to live in Novi, so --

8 And, of course, with the size of the
9 lot, it's I think .23, and we're only building
10 less than 1,700 square feet, that's probably the
11 least we could -- the most we can do with the
12 resources available and with the lot size. Going
13 below that probably would not fit our family,
14 which is -- we're trying to build -- grow a
15 family as well. So we'll be glad to live here.

16 CHAIRPERSON KRIEGER: Very good.

17 All right. Is there anybody in the
18 audience that wishes to discuss this case?

19 Okay. Seeing none --

20 From the City?

21 MR. BOULARD: Just a couple questions, if
22 I may.

23 CHAIRPERSON KRIEGER: Yeah.

24 MR. BOULARD: Or clarifications.

25 On the application the request was for

1 42 feet of -- reduction of the front yard 42 feet
2 and rear yard 40 feet. That's how we also
3 advertised it but I noticed in preparing for the
4 meeting that the plot plan that you have is
5 different. It shows 40 feet for the front and
6 42 feet from the back.

7 So the Board, if they so choose, can
8 always approve a lesser variance, which in the
9 case of the front would be -- in the case of the
10 rear, excuse me, would be fine, I believe. But
11 it -- but basically the rear and front were, were
12 reversed from what's on the plot plan.

13 MR. ALLEN: Right. I noticed that too
14 tonight. That's the first time --

15 MR. BOULARD: Yeah.

16 MR. ALLEN: -- I've seen this and --

17 MEMBER GRONACHAN: Do we have it
18 advertised?

19 MR. BOULARD: So --

20 MR. ALLEN: So I'm not sure if that's
21 because the lot that was split was to the east and
22 then they would consider that a rear yard. I
23 wasn't sure what that was, but --

24 MR. BOULARD: So I guess my thought is
25 this; there's two, there's two -- two solutions.

1 Right? One would be to re-advertise, which would
2 mean we'd have to go -- send, send everything out
3 again and come back next month. The other would be
4 if you could live with 42 in the front and 40 in
5 the back as opposed to the 40 in front and 42 in
6 the back that's on the plot plan. If it works to
7 move the house back two feet, then you could just
8 go ahead and the variance could be heard tonight.

9 MR. ALLEN: That would be no problem as
10 far as we're concerned.

11 CHAIRPERSON KRIEGER: Okay.

12 MR. BOULARD: So really we're going
13 with what's -- we're going with the request that's
14 on the application and not what's on the plot plan.

15 MR. ALLEN: Okay.

16 MR. BOULARD: All right. And then the
17 second question I just had is the lot is fairly
18 wide and the house is pushed to -- is pushed to one
19 side. I just wondered why. I mean you've got
20 39 feet on the, on the driveway side.

21 Was there a reason that you had to
22 crowd the house in that direction?

23 MR. ALLEN: There's an existing driveway
24 approach on Beck Road, so that the surveyor felt
25 that it would be better to run that straight and

1 have a more direct route to the garage from that
2 existing approach and utilize that.

3 But, you know, again, if it means
4 getting approval, we have no problem moving that
5 over 5 feet.

6 MR. BOULARD: So your basic intent is not
7 have to move the approach.

8 MR. ALLEN: Correct.

9 MR. BOULARD: Okay. Okay. That's it.
10 I'll stand by for questions. Thank you.

11 CHAIRPERSON KRIEGER: Okay.

12 Correspondence?

13 MEMBER GRONACHAN: There were 23 letters
14 mailed, no letters returned, no approvals, no
15 objections. Quiet neighborhood tonight.

16 CHAIRPERSON KRIEGER: No kidding.

17 MEMBER GRONACHAN: Nobody's responding.
18 It's been a rough winter.

19 CHAIRPERSON KRIEGER: Well, yes.

20 All right. I'll open it up to the
21 Board.

22 MEMBER GRONACHAN: I, --

23 CHAIRPERSON KRIEGER: Yes.

24 MEMBER GRONACHAN: Madam Chair,
25 Mr. Boulard, I just want to verify. So what's on

1 our application is what we're actually working
2 with, correct?

3 MR. BOULARD: Yeah. The application
4 which shows -- is requesting variances for a
5 42 front setback and a rear setback of 40 feet, and
6 the side yard of 15 feet, that's what was
7 advertised and that's what the petitioner is going
8 to go forward with.

9 MEMBER GRONACHAN: And don't pay any
10 attention to the map?

11 MR. BOULARD: You can pay attention, just
12 don't, don't look at the numbers.

13 MEMBER GRONACHAN: Okay. That's fine.
14 Thank you. I just -- okay.

15 I feel that these are minimum requests
16 and I don't really need to ask any questions.
17 I'm familiar with the area.

18 I think that when you're out there
19 trying to -- I mean the lot is pretty square but
20 the subdivision is different and it is unique.

21 And I think that just hearing you do
22 your presentation, you have -- you're pretty
23 cooperative and pretty easy going and I don't
24 think that I need to ask you 50,000 questions. I
25 think you answered everything and I'd be in

1 support of this because these are minimum
2 requests.

3 MR. ALLEN: Thank you.

4 CHAIRPERSON KRIEGER: Okay.

5 MEMBER GRONACHAN: Thank you.

6 CHAIRPERSON KRIEGER: Thanks.

7 MEMBER SANKER: I second that.

8 CHAIRPERSON KRIEGER: So we got a motion
9 and a second today.

10 MEMBER GRONACHAN: Is that -- can we do
11 that as a motion? No?

12 CHAIRPERSON KRIEGER: No.

13 MEMBER GRONACHAN: Are you doing the
14 motion?

15 CHAIRPERSON KRIEGER: Do you have any
16 questions?

17 MEMBER FERRELL: I don't.

18 CHAIRPERSON KRIEGER: Okay.

19 Member Byrwa?

20 MEMBER BYRWA: No.

21 CHAIRPERSON KRIEGER: Okay.

22 MEMBER GRONACHAN: Are you doing the
23 motion? Want to do the motion?

24 MEMBER SANKER: Not particularly, no.

25 MEMBER GRONACHAN: I know. But --

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(unintelligible)

MEMBER SANKER: Okay. All right. I will make the motion.

CHAIRPERSON KRIEGER: Very good.

MEMBER GRONACHAN: With a little arm twisting.

MEMBER SANKER: Yeah, right. All right. Bear with me here.

So I move that we grant the variance in Case Number PZ19-0004 sought by the homeowner for the variances listed in the application because the petitioner has shown practical difficulty requiring such variance.

Without the variance the petitioner would be unreasonably prevented or limited with respect to the property because he would not be able to adequately build his home.

The property is unique because it was split from a previous parcel. He did not create the condition because it was split from a previous parcel, and the relief granted would not unreasonably interfere with adjacent or surrounding properties as indicated with a lack of response from the various homeowners.

And the relief is consistent with the

1 spirit and intent of the ordinance.

2 MEMBER GRONACHAN: Second.

3 CHAIRPERSON KRIEGER: All right. We have
4 a motion and a second.

5 Any other additions?

6 Okay. Seeing none, if Katherine would
7 call the roll.

8 MS. OPPERMANN: Member Byrwa?

9 MEMBER BYRWA: Yes.

10 MS. OPPERMANN: Member Ferrell?

11 MEMBER FERRELL: Yes.

12 MS. OPPERMANN: Member Gronachan?

13 MEMBER GRONACHAN: Yes.

14 MS. OPPERMANN: Chairperson Krieger?

15 CHAIRPERSON KRIEGER: Yes.

16 MS. OPPERMANN: Member Sanker?

17 MEMBER SANKER: Yes.

18 MS. OPPERMANN: Motion passes.

19 CHAIRPERSON KRIEGER: Congratulations.

20 And welcome, and --

21 MR. NJEMANZE: Thank you.

22 MR. ALLEN: Thank you.

23 CHAIRPERSON KRIEGER: -- to your new
24 home.

25 All right. The previous petitioner is

1 not back. Okay. So we'll go to the next --

2 MEMBER GRONACHAN: No. I think they are
3 back.

4 MEMBER FERRELL: No.

5 CHAIRPERSON KRIEGER: Are they back?

6 MEMBER GRONACHAN: They're back.

7 CHAIRPERSON KRIEGER: Oh, come on back.
8 We have --

9 MEMBER GRONACHAN: They snuck in.

10 CHAIRPERSON KRIEGER: We have signs for
11 Bob's Discount Furniture.

12 MR. WASSERSTROM: Sorry, that took us a
13 moment. We had to find the chart here. There we
14 go.

15 So 4-foot 10 was not the right size
16 down; the 4-foot 11 is the next size down. It's
17 225 square feet. And the overall width of that
18 sign would be 45 feet 9 inches. The 5-foot 2 is
19 at 48 feet 5 inches. And we're currently
20 proposing the 5-foot at 46 feet 5 inches overall
21 width.

22 MR. STIEBER: So essentially reducing the
23 variance request by 22.16 square feet; from 246 --
24 247.16 to 225.

25 MEMBER FERRELL: And so that means that

1 Bob's is one foot smaller?

2 MR. TATE: One, that'd be one inch.

3 MEMBER GRONACHAN: One inch.

4 CHAIRPERSON KRIEGER: So it'll still jump
5 at you but it wouldn't glare at you.

6 MR. STIEBER: Right.

7 CHAIRPERSON KRIEGER: Okay.

8 MR. STIEBER: But it is a significant
9 difference in square footage from that standpoint--

10 MR. TATE: Yeah.

11 MR. STIEBER: -- just because of how --
12 the length of it.

13 MEMBER FERRELL: What is the length of it
14 again?

15 MEMBER GRONACHAN: 225 from --

16 MR. STIEBER: 45-foot 9.

17 MEMBER FERRELL: 45-foot 9. It's
18 still --

19 MEMBER GRONACHAN: Instead of 46.5, it's
20 49 -- 45.9.

21 MEMBER FERRELL: So not much difference.

22 MEMBER GRONACHAN: Uh-huh.

23 MEMBER FERRELL: What's the next step
24 down below that one?

25 MR. STIEBER: Well, it is a lot if you

1 look at the square footage number. I mean from
2 247 -- 247 to 225. I know it doesn't seem like
3 much when you're looking at it --

4 MEMBER FERRELL: Yeah.

5 MR. STIEBER: -- from a one inch
6 standpoint.

7 MEMBER FERRELL: Right.

8 MR. STIEBER: But the overall is -- it's
9 a significant difference.

10 MEMBER GRONACHAN: Uh-huh. Can I --

11 CHAIRPERSON KRIEGER: Yeah.

12 MEMBER GRONACHAN: I believe that to be
13 4 feet 11 inches.

14 MEMBER FERRELL: So it's 4-foot 11 x
15 45-9?

16 MR. STIEBER: Correct. 225 total square
17 feet.

18 MEMBER GRONACHAN: I know we're only
19 talking inches but it just seems to me like that
20 would be a little bit -- a little less would be
21 a -- better.

22 MEMBER SANKER: Yeah. I mean it's hard
23 to conceptualize how much of a difference it's
24 going to make but I was generally okay with the
25 original size. So I think that this slight

1 reduction will make it more esthetically appealing
2 to the city if it's just a little bit smaller.

3 CHAIRPERSON KRIEGER: Yes, Member Byrwa?

4 MEMBER BYRWA: Yeah, I got a quick
5 question.

6 For some reason I'm not following the
7 math on that. If you shrunk it down by one inch
8 and the sign width is 47 feet, wouldn't that be a
9 47-inch reduction?

10 And then, and then my understanding is
11 there's 144 inches in one square foot.

12 MR. TATE: Correct.

13 MEMBER BYRWA: So how do you --

14 MR. STIEBER: 4 -- 4-foot 11 inches times
15 45-foot 9 inches is actually 224.93 square feet.

16 MEMBER BYRWA: Well, I don't know. I
17 think I need to stay in inches first here. You
18 got -- you're shrinking it down by one inch and
19 you're 47 feet wide. That's 47 inches -- or 46.

20 MR. STIEBER: No. It's 45 foot 9 inches.

21 MEMBER BYRWA: So say 46.

22 MEMBER GRONACHAN: 45 foot.

23 MEMBER BYRWA: So that's 46 inches is
24 what I'm looking at, and then I don't know where
25 that --

1 MR. STIEBER: 46 inches, where are you --
2 MEMBER GRONACHAN: No.
3 MR. STIEBER: Where are you getting that?
4 MEMBER GRONACHAN: No.
5 MEMBER BYRWA: What?
6 MEMBER GRONACHAN: It's not 46 inches.
7 It's 46 --
8 MR. STIEBER: 45 feet 9 inches wide.
9 MEMBER GRONACHAN: It's 45 feet --
10 MEMBER BYRWA: 45 feet.
11 MEMBER GRONACHAN: -- 9 inches wide, the
12 width.
13 MEMBER BYRWA: Okay.
14 MEMBER GRONACHAN: So currently at the
15 way they're looking at it, this is 46 feet --
16 MEMBER BYRWA: All right.
17 MEMBER GRONACHAN: -- 5 inches. That's
18 the width of the -- that's the width of the sign.
19 MEMBER BYRWA: Okay. All right.
20 MEMBER GRONACHAN: Okay?
21 MEMBER BYRWA: All right.
22 MEMBER GRONACHAN: We're not dealing in
23 inches.
24 MEMBER BYRWA: All right.
25 MEMBER GRONACHAN: Okay. I know it's a

1 little confusing.

2 MR. TATE: Yeah. There's a lot of
3 numbers up there.

4 MEMBER GRONACHAN: Yeah.

5 MR. TATE: You only need the -- I guess
6 two of them.

7 MEMBER GRONACHAN: Yeah.

8 MR. BYRWA: I see it. Oh, yeah,
9 uh-huh.

10 MEMBER GRONACHAN: Does that clear it up?

11 MEMBER BYRWA: Yeah.

12 MEMBER GRONACHAN: Clarify it for you?

13 Okay. I wouldn't want to get my
14 yardstick out at this point. It's left in the
15 car. Okay.

16 MR. TATE: It's 38 inches.

17 MEMBER GRONACHAN: Yeah.

18 Are we on board?

19 CHAIRPERSON KRIEGER: Yep.

20 MEMBER FERRELL: Yes.

21 MEMBER GRONACHAN: Who's going to make
22 the motion?

23 MEMBER FERRELL: I got it.

24 MEMBER GRONACHAN: Okay.

25 CHAIRPERSON KRIEGER: Okay.

1 MEMBER FERRELL: I move that we grant the
2 variance in Case Number PZ19-0002 sought by
3 Allied Signs for a wall sign and a third -- from a
4 wall sign and a third wall sign.

5 Is that correct? I guess I was a
6 little confused.

7 MEMBER GRONACHAN: Say that again.

8 MEMBER FERRELL: A main wall sign and a
9 third.

10 MR. BOULARD: Yes, an oversized --

11 MEMBER FERRELL: Okay. Because one is --

12 MR. BOULARD: -- wall sign and a third
13 wall sign.

14 MEMBER FERRELL: One is the -- they're
15 entitled to the one. Okay.

16 Because petitioner has shown practical
17 difficulty requiring a larger sign due to the
18 size of the building. Without the variance
19 petitioner will be unreasonably prevented or
20 limited with respect to the use of the property.
21 Having a small sign on the building would make it
22 difficult to see, especially when the building
23 faces to the side and not the main road.

24 The property is unique because the
25 location for pick up is around the back and the

1 vast size of the strip mall along with the
2 difficulty of seeing the storefront from the
3 front on the main road, on the -- having to go
4 back to the back of the building for pick up.
5 The petitioner did not create the condition as it
6 was built prior to Bob's Furniture moving in.

7 The relief granted will not
8 unreasonably interfere with adjacent or
9 surrounding properties because there are other
10 properties in the immediate area with similar
11 sized signs and this one is proportionate to the
12 building. And this also will include a reduction
13 of size of sign as what the petitioner initially
14 requested to 4 feet 11 inches by 45 feet 9
15 inches.

16 MR. STIEBER: Correct.

17 MEMBER FERRELL: 225 square feet total.
18 For that reason I believe we should grant this
19 request.

20 CHAIRPERSON KRIEGER: Uh-huh.

21 MEMBER GRONACHAN: Second.

22 CHAIRPERSON KRIEGER: All right. We have
23 a motion and a second.

24 Yes, Mr. Boulard?

25 MR. BOULARD: If I might, could I suggest

1 clarifying that the third sign is 40 square feet.

2 MEMBER FERRELL: Yes. Adopt that into
3 the motion as well.

4 MEMBER GRONACHAN: And I second that
5 amendment.

6 CHAIRPERSON KRIEGER: All right. Have a
7 motion, a second and amendment agreed to as well.
8 Katherine, if you would call the roll.

9 MS. OPPERMANN: Member Sanker?

10 MEMBER SANKER: Yes.

11 MS. OPPERMANN: Chairperson Krieger?

12 CHAIRPERSON KRIEGER: Yes.

13 MS. OPPERMANN: Member Gronachan?

14 MEMBER GRONACHAN: Yes.

15 MS. OPPERMANN: Member Ferrell?

16 MEMBER FERRELL: Yes.

17 MS. OPPERMANN: Member Byrwa?

18 MEMBER BYRWA: Yes.

19 MS. OPPERMANN: Motion passes.

20 CHAIRPERSON KRIEGER: Congratulations.

21 MR. STIEBER: Thank you.

22 CHAIRPERSON KRIEGER: And thank you for
23 being amenable --

24 MR. WASSERSTROM: Thank you.

25 MR. TATE: Thanks for your time.

1 CHAIRPERSON KRIEGER: Yep.

2 MEMBER FERRELL: Welcome, Bob.

3 MR. TATE: We do go up to 6-foot 5. If
4 that changes, the tarp goes up.

5 CHAIRPERSON KRIEGER: All right.

6 MEMBER GRONACHAN: Tell Bob we say hey.

7 MR. TATE: We will. Thank you.

8 CHAIRPERSON KRIEGER: Can we take a
9 five-minute break?

10 Is that okay with Mr. Boulard?

11 MR. BOULARD: Fine with me.

12 CHAIRPERSON KRIEGER: All right. We're
13 going to take a five-minute break.

14 MEMBER FERRELL: Let's take five.

15 CHAIRPERSON KRIEGER: Yep. So be back
16 here at 8:38. Thanks.

17 (Brief recess taken)

18 CHAIRPERSON KRIEGER: All righty. I'll
19 call us back to order and I'll call up our next
20 case.

21 We have PZ19-0005. Mark and
22 Elizabeth Adams, 1811 East Lake Drive, east of
23 East Lake Drive and north of Thirteen Mile.
24 Parcel 50-22-02-356-004 and 50-22-02-356-005.
25 Applicant is requesting variances from the

1 City of Novi Code of Ordinances for the
2 following: A side yard variance of 5 feet for a
3 proposed 10 left and 10 feet right setback,
4 25 feet total required; a front yard variance of
5 11 feet for proposed 19-foot setback, 30 feet
6 required; a rear yard variance of 21 feet for a
7 proposed 14 feet setback, 35 feet required; max
8 lot variance of 3.6 percent for a proposed
9 29 percent coverage, 25 percent required; and a
10 foot front porch 13-foot variance for a proposed
11 12-foot setback. This property is zoned Single
12 Family Residential and definitely around the
13 lake.

14 MEMBER GRONACHAN: Chairman, before we
15 proceed, --

16 CHAIRPERSON KRIEGER: Yes.

17 MEMBER GRONACHAN: -- I just want to put
18 on the record -- and if the City Attorney can
19 advise as such -- I work for State Farm. Mr. Adams
20 and his wife have been my client in the past. We
21 are not in any type of business relationship at
22 this point.

23 This particular piece of property was
24 involved with State Farm Com -- State Farm
25 Insurance Companies were involved in it. I again

1 had nothing to do with it. So there is no
2 conflict of interest I feel on my part but I
3 wanted to put it on the record that I'm
4 totally -- I can review this case and be
5 objective.

6 CHAIRPERSON KRIEGER: Okay.

7 MEMBER GRONACHAN: Are we okay with that?

8 MS. SAARELA: Yes, that's fine.

9 MEMBER GRONACHAN: Thank you.

10 CHAIRPERSON KRIEGER: Thank you.

11 MEMBER GRONACHAN: Thank you.

12 CHAIRPERSON KRIEGER: And you may
13 proceed.

14 MR. ADAMS: Yeah. My name is Mark Adams.
15 That's A-D-A-M-S.

16 MEMBER GRONACHAN: Raise your right hand,
17 please --

18 MR. ADAMS: Oh.

19 MEMBER GRONACHAN: -- to be sworn in.

20 MR. ADAMS: I'm sorry.

21 MEMBER GRONACHAN: Do you swear or affirm
22 to tell the truth in the matter before you?

23 MR. ADAMS: Yes, I do.

24 MEMBER GRONACHAN: You may proceed.

25 MR. ADAMS: Okay. I have nothing to

1 refute myself. I'm Mark Adams. Adams is
2 A-D-A-M-S.

3 So we're proposing a new home on the
4 lot. And as -- I'll go on a limb and say, as I'm
5 sure you know, all -- virtually all the new
6 construction on Walled Lake requires variances
7 because of the small lots. And, with the depth
8 of that lot, you know, being 80 feet to meet the
9 front yard of 30 feet and the backyard at 35, you
10 know, you can only have a house that would be
11 15 feet deep, which just isn't going to work.

12 There's an exist, existing garage still
13 on the property, which I'm propo -- if you look
14 at my drawings it, you know, rides the rear lot
15 line right up against the street. So I'm
16 proposing removing that garage.

17 So the current garage has, you know,
18 probably less than a one-foot setback from the
19 road. So I'm going with a -- you know, going
20 down to a vacant lot.

21 I'm actually moving the house back
22 further than the house that existed on the
23 property. The porch will be back further than
24 the previous porch.

25 And, like I say, I'm demolishing the

1 existing garage to move the new garage -- what do
2 I got here? 14 feet from, from the road
3 easement.

4 You know, the -- I'm trying not to, you
5 know, build a monstrosity. You know, the house
6 will be less than 2,000 square feet with side
7 yards of 10 feet, which it's pretty, pretty
8 common in that block, and the next block that the
9 side yards are less than 5 feet. So I'm two
10 to two and a half times the side backs -- set,
11 setback.

12 Let me see here.

13 So my wife and I went through, you
14 know, probably hundreds of home plans and this is
15 what we're proposing. You know, we picked a
16 premium builder from, from Milford and we're just
17 looking for your approval on the setbacks at this
18 point. Thank you.

19 CHAIRPERSON KRIEGER: Very good. Thank
20 you.

21 Anybody in the audience commenting
22 regarding this case?

23 All right. Seeing none --

24 From the City?

25 MR. BOULARD: Just a couple, just a

1 couple things to confirm.

2 Number one, there's currently two lots
3 and they are going to be combined, they'll need
4 to be combined, and so the setbacks are for the
5 combined lot?

6 MR. ADAMS: Correct.

7 MR. BOULARD: We can't have the -- we
8 couldn't issue permits for a new house with a lot
9 line up and down the middle.

10 MR. ADAMS: Yeah. It's noted in my
11 application.

12 MR. BOULARD: Yep. I saw that at the
13 top. I just wanted to make sure we got it on the
14 record.

15 And then the --

16 MR. ADAMS: Sure.

17 MR. BOULARD: -- existing garage is going
18 to be -- is gone, right, --

19 MR. ADAMS: Correct.

20 MR. BOULARD: -- with this plan?

21 So okay. Wonderful. Thank you.

22 CHAIRPERSON KRIEGER: Thank you.

23 From correspondence?

24 MEMBER GRONACHAN: Sixteen letters
25 mailed, one letter returned and one approval by the

1 petitioner himself.

2 CHAIRPERSON KRIEGER: Okay. Very good.

3 And I'll open it up to the Board.

4 MEMBER GRONACHAN: Madam Chair?

5 CHAIRPERSON KRIEGER: Yes.

6 MEMBER GRONACHAN: So, Mark, you're going
7 to use the two lots; you're combining the two lots?

8 MR. ADAMS: Correct.

9 MEMBER GRONACHAN: And you don't have
10 actual, actual plans yet of which house you're
11 going to build. So you're just looking for the
12 setbacks at this point?

13 MR. ADAMS: Well, we have -- you know,
14 that's our, our front elevation.

15 The floor plan, you know, you can go
16 online and, you know, look at house plans. We're
17 going to change around the interior, you know,
18 layout of this house.

19 MEMBER GRONACHAN: Okay.

20 MR. ADAMS: And our builder has included,
21 you know, the full set of plans in his price.

22 So, you know, we're just at the point
23 we can't draw up the plans until, you know, we
24 have our setbacks.

25 MEMBER GRONACHAN: Okay.

1 MR. ADAMS: But you're looking at the
2 house and I included, you know, the dimensions of
3 the garage, the, you know, location of the
4 driveway.

5 MEMBER GRONACHAN: So the garage is going
6 to be setting right on the property line again?

7 MR. ADAMS: No, no, no, no.

8 MEMBER GRONACHAN: My picture's not --
9 the drawing I have is a little confusing.

10 There we go.

11 MR. ADAMS: Okay. So, you know, the
12 porch is the front of the house.

13 MEMBER GRONACHAN: Right.

14 MR. ADAMS: So the existing house, you
15 know, I've got the -- or the previous house was at
16 about 12 feet. So I'm actually moving the new
17 house back approximately 7 feet.

18 And the existing garage, which is still
19 on the lot, rides right along Chapman Drive, so
20 I'm going to demolish the garage.

21 Let me see here. And --

22 MEMBER GRONACHAN: All right. I got
23 that. I just couldn't see the property line on my
24 drawing.

25 MR. ADAMS: Yeah.

1 MEMBER GRONACHAN: So that's what was
2 confusing. Okay.

3 So you're coming 14 feet in off the
4 property line?

5 MR. ADAMS: Correct. So --

6 MEMBER GRONACHAN: And that's a two-car
7 garage?

8 MR. ADAMS: Just a conventional two-car
9 garage.

10 MEMBER GRONACHAN: Okay.

11 MR. ADAMS: You know, I'm -- the existing
12 garage on the lot, you know, I know it's, is
13 a -- you know, here it lists it as a three-car
14 garage but you can see it rides right on, you know,
15 the back property line, and that's Chapman Drive
16 behind it.

17 MEMBER GRONACHAN: Right.

18 MR. ADAMS: So, you know, it would be
19 advantageous to me to keep that garage but it's not
20 advantageous, you know, maybe for the esthetics of
21 the community. So I'm going to remove this garage
22 and so then the existing garage will be back, you
23 know, what is it? 14 feet, 15 -- 14, 15 feet from
24 the roadway. So I'm doing that, you know, to
25 upgrade the community and go for all new

1 construction, so --

2 MEMBER GRONACHAN: Well, it's going to be
3 quite a unique challenge on that lot. It is
4 unfortunate under the circumstances but I think
5 that these are minimum requests given that shape of
6 the lot, that location as well.

7 And as long as the existing garage is
8 coming down, I don't have any objections to the
9 requests of this petitioner.

10 Thank you, Madam Chair.

11 CHAIRPERSON KRIEGER: Yes, Member Byrwa?

12 MEMBER BYRWA: Yes, just a point.

13 The new garage is slightly larger than
14 the standard two-car garage. A standard two-car
15 garage is a 20 x 20 and this is proposed to be
16 25 x 23. So it's just slightly bigger than a
17 two-car garage.

18 MR. ADAMS: What I'm trying to allow for
19 is because I'm going to have the garage sit a
20 little lower than, than the house. The garage will
21 be at grade. The house is going to be a little bit
22 above grade. So I'm trying to allow some space for
23 some, you know, stairs up into the house, so I gave
24 myself a little extra room in the garage.

25 MEMBER BYRWA: Okay.

1 MR. ADAMS: But that's the intention.

2 MEMBER BYRWA: That's still quite a
3 considerable difference from what you're removing.

4 MR. ADAMS: Well, but the garage I'm
5 removing, it says three-car on the, on the survey.
6 It's actually, you know, closer to a four-car
7 garage that I'm removing and replacing it with a
8 two-car garage. If you -- you know, I'm sure if we
9 broke down the footprint of the existing garage and
10 what I'm proposing, I'm building a smaller garage.

11 MEMBER BYRWA: Oh, exactly.

12 MR. ADAMS: Yes, definitely.

13 CHAIRPERSON KRIEGER: Okay. Member --
14 Yeah?

15 MEMBER FERRELL: Motion? Motion?

16 CHAIRPERSON KRIEGER: Sure.

17 MEMBER FERRELL: I'm ready.

18 CHAIRPERSON KRIEGER: Do you have any
19 questions?

20 MEMBER SANKER: I do not. I also support
21 the proposed variances.

22 CHAIRPERSON KRIEGER: Very good.

23 Yeah, I agree it's hard to have two
24 streets and try and put a house, a new house,
25 together in there. That requires a lot of

1 creativity, so --

2 MR. ADAMS: It's going to be a beautiful
3 house.

4 CHAIRPERSON KRIEGER: Yep. All right.
5 So Member Ferrell?

6 MEMBER FERRELL: Thank you, Madam Chair.

7 I move that we grant the variance in
8 Case Number PZ19-0005 sought by Mark and
9 Elizabeth Adams for a side yard variance of
10 5 feet for a proposed 10 left and 10-foot right
11 setback, 25-foot required; a front yard variance
12 of 11 feet for a proposed 19-foot setback,
13 30 feet required; a rear yard variance of 21 feet
14 for a proposed 14 feet setback, 35 feet required;
15 a max lot variance of 3.6 percent for a proposed
16 29 percent coverage, 25 percent required; and the
17 front and a foot front porch 13-foot variance for
18 a proposed 12-foot setback.

19 Because the petitioner has shown
20 practical difficulty requiring these variances,
21 without the variance the petitioner will be
22 unreasonably prevented or limited with respect to
23 the use of the property due to the shallow and
24 narrowness of the lot.

25 The property is unique due to the size

1 and shape; and that being a lot -- lake lot,
2 across the street from the lake, and it is a
3 double lot.

4 Petitioner did not create the condition
5 because the plots were done long ago. The relief
6 granted will not reasonably interfere with the
7 adjacent or surrounding properties. This would
8 only enhance the neighborhood value and make the
9 community look better.

10 The relief is consistent with the
11 spirit and intent of the ordinance because this
12 is the minimal request to build an adequate size
13 home on these lots.

14 MEMBER BYRWA: Second.

15 CHAIRPERSON KRIEGER: All right. We have
16 a motion and a second. No further discussion.

17 Have Katherine call the roll.

18 MS. OPPERMANN: Member Byrwa?

19 MEMBER BYRWA: Yes.

20 MS. OPPERMANN: Member Ferrell?

21 MEMBER FERRELL: Yes.

22 MS. OPPERMANN: Member Gronachan?

23 MEMBER GRONACHAN: Yes.

24 MS. OPPERMANN: Chairperson Krieger?

25 CHAIRPERSON KRIEGER: Yes.

1 MS. OPPERMANN: Member Sanker?

2 MEMBER SANKER: Yes.

3 MS. OPPERMANN: Motion passes.

4 CHAIRPERSON KRIEGER: Congratulations.

5 MR. ADAMS: Thank you very much.

6 CHAIRPERSON KRIEGER: All righty. That
7 brings us to PZ19-0006, Francis and Pamela
8 Schneider on 20825 Meadowbrook Road, west of
9 Meadowbrook and north of Eight Mile, Parcel
10 50-22-35-400-048. Applicant is requesting variance
11 from Novi Code of Ordinance Section 3.1.2.D for a
12 2-foot variance for a proposed lot width of
13 118 feet, 120 feet minimum required. Property
14 zoned Single Family Residential (R-1).

15 MR. SCHNEIDER: Hi.

16 CHAIRPERSON KRIEGER: Hi.

17 MR. SCHNEIDER: My name is Francis
18 Schneider. That's S-C-H-N-E-I-D-E-R. Thanks for
19 hearing our variance request today.

20 MEMBER GRONACHAN: Would you raise your
21 right hand, please.

22 MR. SCHNEIDER: Yeah.

23 MEMBER GRONACHAN: Do you swear or affirm
24 to tell the truth in the matter before you?

25 MR. SCHNEIDER: I do.

1 MEMBER GRONACHAN: You may proceed.

2 MR. SCHNEIDER: Okay. Well, first of
3 all, we've been residents of Novi for almost
4 40 years. We're requesting a variance of
5 2.65 feet. This variance will be on the lot with
6 the existing house. The lot that I want to split
7 off will be totally compliant. Square footage,
8 setbacks, everything else will, will be okay as far
9 as that's concerned.

10 The property that's going to be -- I
11 don't know if you can see that.

12 The property with the house with the
13 variance request is bordered to the north by a
14 pond, wetlands, and then the -- this is a
15 overhead view, of course. And then the property
16 that I want to split off is this lot here.
17 Here's the dimensions. It's 120 feet, square
18 foot.

19 I'm 62 now and nearing retirement.

20 We bought this property in 1993. We
21 built a house on the one side of the property
22 for -- to hope day -- some, some day be able to
23 do this. It's -- cut grass for 25 years on this
24 piece of property, and that's what I'm
25 requesting.

1 CHAIRPERSON KRIEGER: Now you don't have
2 to cut the grass anymore.

3 MR. SCHNEIDER: Yeah, right. Exactly,
4 yeah.

5 Any questions I'd be happy to answer.

6 CHAIRPERSON KRIEGER: Okay.

7 From anybody else in the audience wish
8 to comment regarding this case?

9 Seeing none --

10 From the City?

11 MR. BOULARD: I just want to point out
12 the requested is about two percent --

13 CHAIRPERSON KRIEGER: Two percent.

14 MR. BOULARD: A reduction of two percent
15 in the lot width, so --

16 CHAIRPERSON KRIEGER: Okay.

17 And correspondence?

18 MEMBER GRONACHAN: We have 10 letters
19 mailed, zero letters returned and one
20 correspondence from a Brandy -- I'm going to spell
21 the last name, F as in Frank -- A-K-H-O-U-R-Y, at
22 41520 Eight Mile.

23 "To whom it may concern, I would like to
24 submit comments regarding this case. We
25 purchased our property and home knowing that the

1 neighboring lot would be not built on -- would
2 not be built on. My concern's with an existing
3 tree line and privacy for my property. I do not
4 want to see any destruction of any existing trees
5 and proposed additional tree plantings for the
6 property lines. This will keep the privacy and
7 tranquility for the area proposed in my property."

8 And that's the only correspondence.

9 CHAIRPERSON KRIEGER: Okay.

10 And open up to the Board.

11 MEMBER GRONACHAN: Umm.

12 CHAIRPERSON KRIEGER: Yes, Member
13 Gronachan?

14 MEMBER GRONACHAN: This is for the City.

15 So, Mr. Boulard, did the rules change
16 for the width of the properties since the time
17 that this petitioner bought this parcel or was it
18 always 120 feet width?

19 MR. BOULARD: I can't answer that right
20 now. It's 1993 was when -- yeah, I can't.
21 Unfortunately, I can't answer that.

22 MEMBER GRONACHAN: And maybe the
23 petitioner --

24 Do you know that answer to that
25 question, what the width was to -- for the front

1 -- frontage for a lot at the time that you
2 purchased this?

3 MR. SCHNEIDER: No, I don't.

4 But I'd like to add that the lot that
5 borders her property is totally compliant. It's
6 120 feet. There's nothing that prevents that lot
7 from being improved that I, you know.

8 MEMBER GRONACHAN: Right. That's not my
9 question, though.

10 MR. SCHNEIDER: Okay. Yeah. No, I don't
11 know what the --

12 MEMBER GRONACHAN: Okay. So I'm going to
13 come right out of the gate and say this. I have a
14 problem supporting this. I would need to do some
15 research to see if the ruling changed because when
16 you bought the property the width was the width.
17 And so we're creating a non-conforming lot by
18 approving this variance; and so, therefore, I'm
19 having an issue with the Zoning Board creating a
20 non-conforming lot if we approve this.

21 So I understand that the lot that he's
22 going for is 120 feet but by approving this then
23 the lot that's in existence that is conforming
24 today will not be -- would not be conforming,
25 would not be -- would be non-conforming after our

1 approval.

2 Am I saying that right?

3 MS. SAARELA: Well, I guess the one thing
4 I just would point out is that any variance you
5 grant to creating a non-conforming of the
6 ordinance.

7 MEMBER GRONACHAN: Yeah, but it --
8 there's none right now.

9 MS. SAARELA: And that's true of those
10 properties that come in requesting a variance. So
11 if there's none, got the variance and put in
12 improvement.

13 MEMBER GRONACHAN: Yeah. I don't -- I
14 can't --

15 MR. SCHNEIDER: I mean can I talk, speak,
16 please? No?

17 MEMBER GRONACHAN: So I mean did you
18 know -- for the City Attorney -- do you know what
19 the --

20 MS. SAARELA: I don't know and I
21 wasn't -- I don't know what it was at the time that
22 he purchased the property.

23 MEMBER GRONACHAN: Has it been changed
24 then since, do you think?

25 MS. SAARELA: I don't know.

1 MEMBER GRONACHAN: Okay.

2 MS. SAARELA: It hasn't been changed
3 since 1993.

4 MEMBER GRONACHAN: Because that's what I
5 was looking for.

6 So if it hadn't changed, then thinking
7 that you're going to split it knowing that there
8 wasn't enough to begin with, that's what I'm
9 struggling with.

10 Yes?

11 MR. BOULARD: So I guess the point, you
12 can see the, you can see the request for the split,
13 that goes to the assessor and they say -- you know,
14 and then they come to community development and
15 they look at, you know, the width. And they say
16 was this a grade conforming lot, and we say no,
17 then they're right back. And this is the venue
18 for -- this is the only real venue for an appeal
19 and decision. So it is part of the -- what
20 is -- you know, hearing this appeal is this is the
21 right place, I guess.

22 MEMBER GRONACHAN: No. I know it's the
23 right place. No, no. I know it's the right place.

24 It was just that my point was that if I
25 bought a piece of property, my thought process is

1 that if I decide that I'm going to go split it,
2 that I would make sure that I had enough frontage
3 to do so. Am I making myself -- am I confusing
4 the issue or am I --

5 MS. SAARELA: I mean I guess you could
6 say that with any. If I bought this property I'd
7 make sure I could put a house on it that fits
8 within the setbacks. So, in any case, that's the
9 same.

10 MEMBER GRONACHAN: Well, not necessarily.
11 I mean I have to buy enough property in order to
12 split it, otherwise, I would -- I'm not going to
13 buy 60 feet width property. I would need to know.
14 That's my thought process.

15 MS. SAARELA: Okay.

16 MEMBER GRONACHAN: So we can wait for the
17 other board members.

18 CHAIRPERSON KRIEGER: So if somebody
19 wanted to come and build on that property in the
20 future, they'd need a var -- they wouldn't
21 necessarily need a variance?

22 MEMBER SANKER: Not if it complies.

23 MEMBER BYRWA: The new one being created
24 is to standard. The one that it's going to be
25 impacted is where his current house is.

1 MEMBER SANKER: Yeah. He wants to move
2 the lines. So now his --

3 MEMBER GRONACHAN: He's shrinking down
4 his current property --

5 MEMBER SANKER: The north parcel would
6 be --

7 MEMBER GRONACHAN: -- where his house is
8 now.

9 MEMBER SANKER: Right.

10 MEMBER GRONACHAN: To make this split
11 happen.

12 MEMBER SANKER: So that the new one won't
13 have an issue at all.

14 CHAIRPERSON KRIEGER: So in a way
15 somebody that wants to do something with the
16 proper -- one of the properties, they need a
17 variance?

18 MEMBER GRONACHAN: No, not on the new
19 property that's split.

20 CHAIRPERSON KRIEGER: The new one, no.

21 MEMBER SANKER: He wants to make the new
22 one clean and free of --

23 MEMBER GRONACHAN: The new one's not
24 going to need --

25 MEMBER SANKER: -- any issues. I mean I

1 tend to think that it could be self-created but, at
2 the same time, the miniscule amount of the variance
3 makes me feel like it might be okay to grant that
4 because it's just not -- I just don't see how it
5 would be impactful to that land or to the concerned
6 neighbor. And so, I don't know, we'll have to -- I
7 guess it's our call as the Board, right, if we can
8 approve that variance. So I'm of the opinion that
9 this small request that he's asking for would be
10 okay.

11 CHAIRPERSON KRIEGER: Okay.

12 Member Ferrell?

13 MEMBER FERRELL: Thanks, Madam Chair.

14 Can you re-go over exactly what it is
15 you're trying to do? I guess I just got
16 confused. I don't -- I want to make sure I'm
17 clear before I decide on what I want to do.

18 MR. SCHNEIDER: Okay. This is all one
19 piece of property right now. Okay?

20 MEMBER FERRELL: Yep.

21 MR. SCHNEIDER: What I wanted to do is
22 split it between the south and north parcel.

23 MEMBER FERRELL: Okay.

24 MR. SCHNEIDER: It comes up 2.65 feet
25 short of being 120 frontage for each lot.

1 MEMBER GRONACHAN: See, but this says
2 2 feet.

3 MR. SCHNEIDER: This 2.65 feet shortage
4 would be on my existing, where our house is, and
5 then that would make this south parcel -- which
6 borders the neighbor over here -- totally compliant
7 as far as square footage, setbacks and frontage.

8 MEMBER FERRELL: So the south, for the
9 south one to be compliant --

10 MR. SCHNEIDER: Yeah.

11 MEMBER FERRELL: -- the north, the north
12 one would be under?

13 MR. SCHNEIDER: Right.

14 MEMBER FERRELL: Okay.

15 MR. SCHNEIDER: And that's where I live.
16 That's where we live now.

17 MEMBER FERRELL: And you're staying
18 there; you're not building?

19 MR. SCHNEIDER: No, no, no.

20 MEMBER FERRELL: You're doing it because
21 you want to sell off that property?

22 MR. SCHNEIDER: Yes, correct. Yes.

23 MEMBER FERRELL: Okay. Okay. I gotcha
24 now.

25 MEMBER GRONACHAN: In our notice it only

1 says 2 feet, though, but they're asking for
2 2.65 feet.

3 MR. BOULARD: Yeah. The information on
4 the application is not consistent.

5 MEMBER GRONACHAN: With what they're
6 requesting?

7 MR. BOULARD: Right.

8 MEMBER GRONACHAN: So is that an issue?

9 MS. SAARELA: It can only be 2 feet at
10 this point is what was noticed. So if they want
11 more than 2 feet, we have to re-notice it for the
12 next meeting.

13 CHAIRPERSON KRIEGER: Do you want 2 feet
14 or 2.65?

15 MR. SCHNEIDER: The application I
16 submitted had 2.65 feet on it.

17 CHAIRPERSON KRIEGER: Do a re-notice?

18 MR. BOULARD: I guess if I might offer a
19 suggestion.

20 CHAIRPERSON KRIEGER: Yep.

21 MR. BOULARD: I guess my suggestion would
22 be that we would -- we could re-notice for the next
23 meeting. At the same time we could look at
24 the -- we could review the history and find out
25 when and if the ordinance changed, if it happened

1 after or before 1993, if that would assist in the
2 decision.

3 MEMBER FERRELL: Just to clarify, what's
4 the purpose of that? I guess I missed -- that's
5 the other part that I'm a little confused on.

6 Why does it matter if it changed?

7 CHAIRMAN KRIEGER: He must --

8 MEMBER GRONACHAN: If it's self-created.

9 CHAIRPERSON KRIEGER: Yeah.

10 MEMBER FERRELL: And that's the only
11 reason?

12 City Attorney, that's the only reason?

13 MS. SAARELA: I'm not -- that's --

14 MEMBER GRONACHAN: I'm the one that asked
15 it before.

16 MEMBER FERRELL: Yeah, exactly. She --

17 MS. SAARELA: In your mind it would be
18 self-

19 MEMBER FERRELL: Okay. Okay.

20 MEMBER GRONACHAN: In my mind, I think
21 this is self-created. If the rule changed -- I
22 lived out in this area and I had acreage, and so to
23 split, you have to know what your frontage is. And
24 I can't remember because I was gone for a while, I
25 thought it was 110. That's why I'm asking the

1 question. So if it increased, if it was changed,
2 then I would approve this. If it didn't change
3 then I have a problem with it.

4 MEMBER FERRELL: Okay.

5 MEMBER GRONACHAN: But then we also have
6 2 feet on our notice but he's got 2.65, so we have
7 to, we have to re-advertise, anyways.

8 MEMBER FERRELL: Sure. Okay.

9 MEMBER GRONACHAN: So that's the
10 reasoning behind my thought process.

11 MEMBER FERRELL: Okay.

12 MEMBER GRONACHAN: So they were
13 suggesting that because we have to re-notify, we
14 could look that history up, and if it is -- if it
15 changed from 110 to 120, then it would be --

16 CHAIRPERSON KRIEGER: So, Katherine,
17 would it fit on the April schedule?

18 MS. OPPERMANN: Yes, it could be put on
19 the April schedule.

20 CHAIRPERSON KRIEGER: Okay.

21 MEMBER FERRELL: Well, do you want to ask
22 if he just wants to do 2 feet because it would have
23 to be re-noticed.

24 CHAIRPERSON KRIEGER: Would you like
25 2 feet or --

1 MS. SAARELA: Would it be compliant with
2 those 2 feet or would it be a little bit --

3 MR. BOULARD: Then both would be --

4 MEMBER FERRELL: Both would be --

5 MEMBER GRONACHAN: No. Then both would
6 be non-compliant. You can't do it.

7 MS. SAARELA: (Unintelligible) if it was
8 2 feet.

9 MR. BOULARD: Both would be --

10 MEMBER GRONACHAN: That's why he needs
11 the 2.65. So the one would be, would be compliant.

12 MS. SAARELA: One would comply and one
13 wouldn't.

14 MEMBER FERRELL: That's how it would be
15 with the 2 feet, would still be like that.

16 MS. SAARELA: But if it was 2 feet, they
17 both would be non-compliant.

18 MEMBER FERRELL: Oh, they both would.
19 Oh, I see. I see what you're saying. Okay. Okay.

20 MS. SAARELA: Yeah. The one would be
21 more -- or the one would be more non-compliant, I
22 guess.

23 MEMBER FERRELL: Okay. So, you know.

24 CHAIRPERSON KRIEGER: All right.

25 Would you be amenable to us tabling it

1 until April?

2 MR. SCHNEIDER: No. But I just would
3 like to point out that the application I submitted
4 did have 2.65 feet on that.

5 MEMBER GRONACHAN: I see that.

6 CHAIRPERSON KRIEGER: Yes. But the
7 notice to the -- did not.

8 MR. SCHNEIDER: Okay.

9 MS. OPPERMANN: We apologize. There was a
10 clerical error on -- in that regard.

11 MR. SCHNEIDER: Okay. So that was your
12 fault; not mine. Okay.

13 MR. BOULARD: Well, the application --

14 MEMBER FERRELL: It says 2 feet.

15 MR. BOULARD: Maybe the application was
16 incomplete. At one point the application says 2,
17 it says 2 feet, --

18 MEMBER FERRELL: That's what I have.

19 MR. BOULARD: -- but then -- and maybe it
20 was left, maybe that was not, because it's a
21 different color, so maybe it just wasn't complete
22 and somebody tried to complete it.

23 MEMBER GRONACHAN: Right.

24 MR. BOULARD: Then the notes say 2.65, so
25 okay.

1 MEMBER GRONACHAN: Well, but, at any
2 rate, the City wants to do the right thing for him.
3 So if we re-advertise, then we can get it back out
4 there for the right thing and be back here next
5 month.

6 We're a friendly group to come see.

7 MR. SCHNEIDER: Okay.

8 MEMBER GRONACHAN: Okay.

9 MR. SCHNEIDER: Thanks for your time.

10 MEMBER GRONACHAN: Thank you.

11 MEMBER SANKER: Thank you.

12 MEMBER GRONACHAN: Okay.

13 CHAIRPERSON KRIEGER: Do we need a motion
14 for that? Do we need a motion for that?

15 MS. SAARELA: Table.

16 MEMBER GRONACHAN: Table.

17 CHAIRPERSON KRIEGER: Yeah.

18 MS. SAARELA: To the April --

19 What is it, the 4th?

20 MS. OPPERMANN: 9th.

21 MS. SAARELA: 9th. Table, yes.

22 CHAIRPERSON KRIEGER: Okay. Is there a
23 motion?

24 MEMBER GRONACHAN: So moved to move -- so
25 moved to table this on Case PZ19-006 to April 2019

1 meeting for it to be re-advertised.

2 CHAIRPERSON KRIEGER: Second?

3 MEMBER SANKER: Second.

4 CHAIRPERSON KRIEGER: Okay. We have a
5 motion and a second.

6 All in favor?

7 THE BOARD: (Simultaneously) Aye.

8 CHAIRPERSON KRIEGER: None opposed.

9 Okay. So it will be on the April meeting.

10 Next, PZ19-0007, Singh Homes for
11 43482 Ellesmere Circle, Lot 28 of Bolingbrooke,
12 west of Novi Road and north of Twelve and a half
13 Mile, Parcel 50-22-10-281-028. Applicant is
14 requesting variance from Novi Code of Ordinance
15 Section 3.5.1 for a 240 square foot variance for
16 a proposed 1090 square foot garage, 850 square
17 feet allowed. The property is zoned Single
18 Family Residential (R-4).

19 MR. ANDERSON: Good evening. My name is
20 Kyle Anderson, A-N-D-E-R-S-O-N. And, well, like
21 you said, we're here to request a 250-foot
22 variance.

23 CHAIRPERSON KRIEGER: Are you an
24 attorney?

25 MR. ANDERSON: I am not.

1 CHAIRPERSON KRIEGER: Okay.

2 MEMBER GRONACHAN: Would you raise your
3 right hand to be sworn in, please.

4 Do you swear or affirm to tell the
5 truth in the matter before you?

6 MR. ANDERSON: I do.

7 MEMBER GRONACHAN: You may proceed.

8 MR. ANDERSON: So, as I was saying, R-4
9 residential allows a maximum of 850 square feet for
10 an access rear structure whether it's attached or
11 detached; in other words, your garage space. Your
12 standard R-4 lot is 10,000 square feet, 80 feet
13 wide, about 125 feet deep.

14 The lot that we are working with on
15 Lot 28 -- okay. So the homestead that we're
16 working with right now is 98 feet wide versus
17 125 feet deep. So we have 18 extra feet of width
18 on this lot versus the R-4 standard that we're
19 being zoned by. So, with that, with those new
20 dimensions, homestead 28 is 20 -- is 2,170 square
21 feet larger than the standard R-4 zone.

22 I want to point out the exact space
23 that we're trying to -- that we're asking the
24 variance for, it's highlighted here in red. You
25 can see the garage -- or the driveway line which

1 would be leading to 2 two-car garage doors. In
2 essence, this is a four-car garage with storage
3 space that really does not have enough room for a
4 vehicle or anything in that matter. This is
5 strictly going to be for lawnmower, children's
6 toys, tools, whatever the case may be.

7 We wanted to incorporate this design in
8 a manner where we stay true to the community, and
9 not only the community but also as much R-4
10 zoning regulations that we possibly could.

11 So if you point out, because it's a
12 corner lot, right here you can see that we have a
13 30-foot setback on front end of the home and then
14 we also have a 30-foot setback on the other, on
15 the other front end of the home. Because this is
16 a corner lot we have two streets; that, in
17 itself, is what gives us the extra square footage
18 on this lot. So we were able to maximize the lot
19 coverage due to that additional 2,170 square
20 feet.

21 So as we used as much space as we
22 possibly could on the lot, we then minimized this
23 accessory structure to fit within all setbacks,
24 to fit within lot coverage. And, at the end of
25 the day, it blends in with the home. We designed

1 it in a manner.

2 Let me show you in plan about a little
3 bit more.

4 You can see this dashed line leading
5 all the way around this space right here. That
6 is ultimately where a majority of this is, is
7 going to go.

8 There's a small area in the front of
9 the home, too, which could host a ball rack or
10 something like that for children but majority of
11 the space is going to be in the back end here.

12 I want to point out that we
13 incorporated a second floor above to make it seem
14 like this was a liveable space from the outside.
15 We didn't want to give the esthetic that we have
16 this giant accessory structure on this site. We
17 incorporated an exterior door and a window.

18 So from your, from your exterior
19 viewpoint, you would actually see something like
20 this rather than the entire brick wall or another
21 garage door or something like that.

22 Really, really what -- what this is
23 leading to is that Lot 28 in Bolingbrooke is a
24 unique home site. It's much larger than what the
25 zoning restrictions are calling out for in a R-4

1 lot.

2 And it's creating a hardship as far as
3 offering a storage space beyond a four-car
4 garage. Your standard four-car garage is
5 850 square feet. This community comes standard
6 with a three-car garage, which ultimately gives,
7 what, 200 square feet of allowance for anybody to
8 play with an accessory structure.

9 Due to the additional square footage
10 that we have on the lot, it would -- we're asking
11 for almost relief from this R-4 zoning
12 restriction of only 850 square feet allowed on
13 the lot.

14 We've put a lot of consideration into
15 the esthetics in this community and we wanted to
16 honor it by making sure that the design of this
17 space will not affect any of the neighbors, any
18 future buyers, any of the land around it. This
19 is something that we wanted to have fully
20 integrated into the design of the home. That way
21 from, from the curb appeal, it's almost
22 inexistent. That's it.

23 CHAIRPERSON KRIEGER: Okay. Very good.
24 Anybody in the audience need to
25 discuss -- have a comment for this case? Seeing

1 none --

2 From the City?

3 MR. BOULARD: I'll just stand by for
4 questions.

5 CHAIRPERSON KRIEGER: Thank you.

6 And from correspondence?

7 MEMBER GRONACHAN: Twenty-three letters
8 mailed, no letters returned, no approvals, no
9 objections. Quiet neighborhood.

10 CHAIRPERSON KRIEGER: Yep. All righty.
11 Open up to the Board.

12 Can you start by explaining how it's
13 not self-created?

14 MR. ANDERSON: The issue at hand is that
15 anything beyond a four-car garage technically
16 exceeds R-4 standards. A four-car garage is
17 typically 850 square feet. This community, being a
18 high end community in Novi, it comes standard with
19 a three-car garage. So buyers typically are in
20 more cases than not asking for four- and five-car
21 garages.

22 This case, it happened to be a four-car
23 garage with an additional storage attached to it,
24 and come to find out that it is raw space that is
25 technically being included as the accessory

1 structure square footage.

2 So we're here asking, due to it being a
3 unique lot, a little bit of relief in the fact
4 that a garage this size can almost be sustained
5 on a home site we're looking at 12,000 square
6 feet. That's larger than, than even an R-3 home
7 site, so --

8 CHAIRPERSON KRIEGER: Do you have a buyer
9 for this site as well?

10 MR. ANDERSON: We do.

11 CHAIRPERSON KRIEGER: Okay.

12 MR. ANDERSON: We do have a buyer.

13 CHAIRPERSON KRIEGER: All right.

14 Member Ferrell? No?

15 Anybody else?

16 MEMBER SANKER: Well, I tend to share
17 your concern about it being self-created.

18 It seems like the argument that the
19 square footage is so much larger on this
20 particular lot, that kind of like goes against it
21 because you have so much square footage to work
22 with and you're still butting up against the
23 square footage for the accessory building. So I
24 guess I don't fully understand how --

25 MR. ANDERSON: But that's exactly what I

1 mean, is if we were to have taken this space --

2 MEMBER SANKER: Uh-huh.

3 MR. ANDERSON: -- with livable space, we
4 would not -- we wouldn't be here.

5 MEMBER SANKER: Right.

6 MR. ANDERSON: The footprint of the
7 building would be --

8 MEMBER SANKER: That becomes part of the
9 kitchen you're saying, right?

10 MR. ANDERSON: Exactly. So if this
11 building footprint was the exact same size and that
12 had full foundation below it, it would be no
13 problem at all.

14 MEMBER GRONACHAN: But because it's a
15 garage, that's why you're here.

16 MR. ANDERSON: But because it's
17 considered an accessory structure it's part of the
18 square footage that is accounted for in that, in
19 that particular category, yes.

20 MEMBER SANKER: Right.

21 CHAIRPERSON KRIEGER: Yes?

22 MR. BOULARD: I guess the intent of the
23 ordinance limitation depending on the size of the
24 lot and the zoning, there are exceptions that allow
25 larger, you know, larger accessories. But in this

1 zoning the intent is that someone doesn't build a
2 accessory structure or accessory that's out of, out
3 of scale. So you don't build a 1,200 square foot
4 house and a 2,400 square foot garage, that kind of
5 thing. So that's the intent of the ordinance is,
6 and it is, it is a number. It's a number that was
7 chosen when the ordinance was written, but the
8 intent is to keep things in scale in relation to
9 one another, so --

10 MR. ANDERSON: And, if I may add to that,
11 you know, that that was part of the intention.

12 When we, when we incorporated this
13 design, we minimized it and we brought it almost
14 back to -- my word -- integrated in within the
15 house, so it didn't stick out and we didn't
16 create exactly what, what Charles was mentioning.

17 CHAIRPERSON KRIEGER: Okay. Thank you.

18 MEMBER SANKER: Well, if that's the
19 intent of the ordinance, I feel like they're within
20 it, right? Because you basically put that window
21 there and the door. It's pretty much -- might as
22 well be a kitchen, right?

23 CHAIRPERSON KRIEGER: Yep.

24 MEMBER GRONACHAN: You and your kitchens.

25 MEMBER SANKER: That's what it looks

1 like. Isn't that where the kitchen is off of
2 houses, usually, like behind the garage like that.

3 MR. ANDERSON: Definitely. Definitely.

4 MEMBER SANKER: Well, with that said, I
5 tend, I tend to support the variance based off what
6 I heard.

7 CHAIRPERSON KRIEGER: Yes.

8 MEMBER GRONACHAN: Madam Chair, I don't
9 spend much time in the kitchen, so I would, I would
10 like a bigger garage.

11 I think that given the petition -- the
12 testimony given by the petitioner, number one;
13 number two, the statement of keeping the entire
14 site in scale and that it's integrated into the
15 house --

16 And in this day and age, the size of
17 the house, how many people -- you know, people
18 don't have two cars. If you've got kids, you got
19 four kids. And then people are complaining about
20 the cars parked on the street and in these types
21 of developments it's really not set up that way.

22 So to be able to integrate -- just
23 because the ordinance doesn't meet the need of
24 today's new resident, so to speak, and that the
25 builder has gone and integrated it into the home

1 itself, and it's not having a negative impact in
2 terms of asking for anything further, I would --
3 I could support -- excuse me -- I could support
4 this based on the testimony that's been given,
5 the input from the City and my previous speaker's
6 comments about that it looks like a kitchen but
7 it's -- but I mean it doesn't look like a garage,
8 you know, so it flows in with the house.

9 MEMBER SANKER: Yeah.

10 MEMBER GRONACHAN: I mean I wouldn't want
11 to see another garage door there, so -- and I get
12 the fact that we're struggling with the
13 self-created statement tonight all through the
14 evening, but I think that in this case with what
15 the builder did, I think it was smart and I think
16 it's creative. He's not coming in and asking for,
17 you know, a bunch of --

18 MR. ANDERSON: Thank you.

19 MEMBER GRONACHAN: -- variances. He
20 stayed well within for the size of the lot, and I
21 think on this type of lot it works.

22 So I, you know, I'm not going to vote
23 for five-car garages all through Novi, but on
24 this particular case, for this criteria, I think
25 he's met it and he's meeting the spirit of the

1 ordinance.

2 CHAIRPERSON KRIEGER: Yes, Member Byrwa?

3 MEMBER BYRWA: Yeah. The house area
4 3,092 square feet.

5 Does that include the square footage of
6 the garage?

7 MR. ANDERSON: Correct. So that number
8 that you see up there is the, is the total building
9 footprint, front porch, rear porch, garage,
10 everything.

11 MEMBER BYRWA: Okay. So it's still if
12 you subtract it out, the thousand or so square feet
13 for the garage, the house would still be over
14 2,000 square feet, twice the size of the garage?

15 MR. ANDERSON: Exactly.

16 MEMBER BYRWA: So in accordance with
17 Mr. Boulard was stating, the principal use, which
18 is the house, is twice the size of the accessory as
19 the garage. So it meets that criteria for not
20 having the accessory use the dominant use.

21 MEMBER GRONACHAN: Is that -- are you
22 creating a motion?

23 MEMBER BYRWA: We can give it a try here.

24 MEMBER GRONACHAN: Okay.

25 MEMBER FERRELL: Okay. In Case Number

1 PZ19-0007 sought by Singh Homes, LLC, I move that
2 we grant the variance for a 200 -- or 240 square
3 foot variance for a proposed attached garage of
4 1,090 square feet in deviation of the 850 square
5 foot maximum allowed.

6 I think the variance is within
7 character. It does not come close to being the
8 dominant use of the property.

9 And, yeah, I'd be open to any
10 further --

11 MEMBER GRONACHAN: Do you have your
12 sheet, your guide, your guide sheet? Do you have
13 one of these?

14 MEMBER BYRWA: I didn't fill that out but
15 you can read through it.

16 MEMBER GRONACHAN: Yeah, you can read
17 through it and answer it.

18 MEMBER BYRWA: Let me see here. Okay.
19 We move that we granted it. Yeah.

20 The property -- I would say the
21 property's unique. The property does not
22 create - okay. The relief granted does not
23 unreasonably interfere with adjacent or
24 surrounding properties.

25 The relief is consistent with the

1 spirit and intent of the ordinance.

2 And I don't have any subject other than
3 a maximum of 1,090 square foot of attached garage
4 would be the maximum.

5 CHAIRPERSON KRIEGER: All right. We have
6 a motion.

7 Do we have a second?

8 MEMBER GRONACHAN: Second.

9 CHAIRPERSON KRIEGER: We have a motion
10 and a second.

11 Any other discussion?

12 Seeing none, if Katherine could call
13 the roll.

14 MS. OPPERMANN: Member Sanker?

15 MEMBER SANKER: Yes.

16 MS. OPPERMANN: Chairperson Krieger?

17 CHAIRPERSON KRIEGER: Yes.

18 MS. OPPERMANN: Member Gronachan?

19 MEMBER GRONACHAN: Yes.

20 MS. OPPERMANN: Member Ferrell?

21 MEMBER FERRELL: Yes.

22 MS. OPPERMANN: Member Byrwa?

23 MEMBER BYRWA: Yes.

24 MS. OPPERMANN: Motion passes.

25 CHAIRPERSON KRIEGER: Congratulations.

1 MR. ANDERSON: Thank you. Thank you for
2 your time.

3 MEMBER GRONACHAN: Good luck. Thank you.

4 CHAIRPERSON KRIEGER: And We come to
5 PZ19-0008, Ronald Johnston for 1502 Lebenta, west
6 of West Lake Drive and south of West Pontiac Trail,
7 Parcel 50-22-03-129-007. Applicant is requesting
8 variances from the Novi Code of Ordinance Section
9 4.19 1(B)(C)(E)v(1) for an exterior side yard
10 variance of 24-foot for a proposed 6-foot setback,
11 accessory structure variance of 36 percent for a
12 proposed rear yard lot coverage of 61 percent, 25
13 percent required, a variance for a proposed 20-foot
14 max height, 14 max allowed. Property is zoned
15 Single Family Residential (R-4).

16 Good evening.

17 MR. JOHNSTON: Hi, my name is
18 Ron Johnston. I am not an attorney, so --

19 MEMBER GRONACHAN: Very good. You've
20 been paying attention.

21 MR. JOHNSTON: I have, as of right now.

22 MEMBER GRONACHAN: Do you swear or affirm
23 to tell the truth in the matter before you?

24 MR. JOHNSTON: I do.

25 MEMBER GRONACHAN: Okay. You might want

1 to pick up that mic a little closer to you; that
2 might help.

3 MR. JOHNSTON: This one here?

4 MEMBER GRONACHAN: Yeah.

5 MR. JOHNSTON: Okay.

6 MEMBER GRONACHAN: There you go. So we
7 can hear you. Thank you.

8 MR. JOHNSTON: Okay. So I guess to
9 address first a couple of the variances that I
10 have. I have a -- excuse me -- a corner lot which
11 makes it much more difficult. That means this --
12 Faywood basically runs parallel to my entire
13 property, including the garage, which is the
14 backyard of the home. There is an existing
15 building there, it's an 18 x 18 garage. It's
16 pretty dilapidated. I don't know if you've seen
17 pictures of it or not, but I have some here. So
18 that's my current situation.

19 What I'd like to do is park those
20 vehicles inside my new garage and not create such
21 an eyesore. The reason why I need the length is
22 because of the boat and to fit it inside the
23 garage; the height as well.

24 But, as far as the setback, I'm good on
25 the setbacks as far as away from the other

1 properties. I think the requirements are 6 feet
2 that you are supposed to be from adjoining
3 properties. Currently, I think I'm 7-foot 8 on
4 one side, 7-foot here.

5 And, of course, the one variance that
6 I'm not compliant with is the one to the road,
7 but neither is the current building. In fact,
8 I'm pushing my structure 2 feet into my property
9 to help kind of buffer that from the road. I
10 really don't have any other way of doing that.

11 And, actually, the garage door faces
12 the road in the current building. I'd like to
13 face the building -- or garage door towards the
14 house, which I think esthetically would be more
15 pleasing to the eye. I do have a picture of the
16 building.

17 And what I did, too, was I did the roof
18 and the little dormer to kind of accent the
19 home -- or the garage, excuse me.

20 MEMBER GRONACHAN: You need to turn it --

21 MR. JOHNSTON: The other way.

22 MEMBER GRONACHAN: There you go.

23 MR. JOHNSTON: Better. Okay.

24 So that actually will match the
25 roofline of the home.

1 So the home's a bungalow style home and
2 you know how it has those roof lines on it, I
3 thought that esthetically that this roof line
4 would match that of the home and be a little more
5 eye pleasing as they're going to be, actually be
6 sitting one in front of the other on Faywood.

7 Lebenta's a very small street. In
8 fact, it's like maybe one car can fit down that
9 street.

10 I have spoken to my neighbors. The one
11 neighbor that's actually on the fence line with
12 my home, I spoken to him on the phone. He said
13 he was fine with it. I showed him what the print
14 looked like.

15 The neighbor across the street, I spoke
16 to him. In fact, he may build it for me if I get
17 approved.

18 And the one behind me, he had seen the
19 surveyors out there --

20 I had to have the property surveyed
21 because I did not have a complete survey and I
22 really didn't know where my lot lines were, so I
23 paid to have it surveyed.

24 So I kind of squared it up on the
25 property and I got a better drawing of that. So

1 you can kind of see better with those, where the
2 lines are. You can see where the existing
3 structure is compared to my proposed structure.
4 And I tried to square it onto the lot a little
5 better and make it a little more squared up with
6 the house. So that's kind of the -- what I'm
7 trying to attempt to do.

8 My hardships are the lots and, you
9 know, the lots around the lake, they're all
10 different sizes and it's hard to fit whatever
11 structure you want on them.

12 I had thought about doing the home, but
13 then look where the home sits, it's right on the
14 property line. I would have to do -- I'd be in
15 front of you asking for variances on that as
16 well.

17 So, my thought is I don't have a lot of
18 storage in the house, so that's why I made the
19 garage a little bigger than you normally do. And
20 that gives me more storage, you know, out there,
21 and so that it doesn't seem so crowded in the
22 home. It will also take care of what's actually
23 sitting outside, which is the boat and the
24 trailer. And it will look a lot more eye
25 pleasing, so --

1 CHAIRPERSON KRIEGER: Okay. Thank you.

2 MR. JOHNSTON: Uh-huh.

3 CHAIRPERSON KRIEGER: And the audience
4 has disappeared, so we'll go to the City.

5 Mr. Boulard?

6 MR. BOULARD: Nothing to add. I'll stand
7 by for questions.

8 CHAIRPERSON KRIEGER: All right. Very
9 good.

10 Correspondence?

11 MEMBER GRONACHAN: Forty-four letters
12 mailed, two letters returned, no approvals, no
13 objections.

14 CHAIRPERSON KRIEGER: Very good.

15 And I'll open up to the Board.

16 MR. JOHNSTON: And of course I'm going to
17 remove the current structure.

18 CHAIRPERSON KRIEGER: Yep.

19 MEMBER GRONACHAN: Oh, now I don't have
20 any questions.

21 CHAIRPERSON KRIEGER: Silly.

22 MEMBER GRONACHAN: Madam Chair.

23 CHAIRPERSON KRIEGER: Yes.

24 MEMBER GRONACHAN: I don't have any
25 questions now that you --

1 Well, of course you're going to move --
2 remove the current garage because you wouldn't be
3 able to build the new one --

4 MR. JOHNSTON: That's right.

5 MEMBER GRONACHAN: -- over it. I think
6 it's great that you're doing this and that you're
7 improving the neighborhood.

8 And I don't know what you're using that
9 current garage for but I'm going to say that I
10 wouldn't go in there too often; it doesn't look
11 very safe.

12 MR. JOHNSTON: No, no, it's not.

13 MEMBER GRONACHAN: So you're correct in
14 your testimony in that you gave that the lots are
15 very unusual up there. We have spent a great deal
16 of time up there. It's not -- each case is on its
17 own merit but yet --

18 MR. JOHNSTON: Sure.

19 MEMBER GRONACHAN: -- you spend all that
20 time up there and you know that it's a challenge.

21 MR. JOHNSTON: It is.

22 MEMBER GRONACHAN: So I think that your
23 presentation answered all of my questions and I
24 will be in full support of this.

25 MR. JOHNSTON: Thank you very much.

1 MEMBER GRONACHAN: That's all I got.

2 CHAIRPERSON KRIEGER: Yes, Member Byrwa?

3 MEMBER BYRWA: Yeah, I got a question.

4 MR. JOHNSTON: Sure.

5 MEMBER BYRWA: It says here that you're
6 proposing a maximum of 20-foot height. Is that
7 going to be for storage or what --

8 MR. JOHNSTON: Yeah. There's -- you
9 know, of course I made it esthetically pleasing as
10 far as the roof line was concerned. But, yeah,
11 that -- so then I could throw things up in the
12 rafters or whatever, you know, that kind of thing,
13 sure, yes.

14 MEMBER BYRWA: Okay. So your over like
15 storage trusses that are --

16 MR. JOHNSTON: Yeah. Yes. Correct.

17 MEMBER BYRWA: All right. And then I got
18 a question for Mr. Boulard on that.

19 When he states on here a maximum
20 height, is that a building height which would be
21 measured to the midpoint of the gable, or the
22 20-foot would go to the peak or the ridge?

23 MR. BOULARD: Building height is defined
24 in the zoning ordinance as midpoint of the,
25 midpoint of --

1 MEMBER BYRWA: So in this case he'd be
2 able to go to like maybe 25 feet or so, --

3 MR. BOULARD: Yeah. I think if you
4 look --

5 MEMBER BYRWA: -- the actual height?

6 MR. BOULARD: -- at sheet A4, if you
7 scroll down, he's got on sheet A4, I believe that
8 dimension is there.

9 MR. JOHNSTON: Yeah. Actually, I spoke
10 to Chris Webber and he made sure that, you know,
11 when I did my drawing that it was at the mean; the
12 20 feet was at the mean. That's what he explained
13 to me, anyway.

14 MEMBER BYRWA: Yeah, the midpoint of the
15 gable.

16 MR. JOHNSON: Yeah.

17 MEMBER BYRWA: Okay. All right. Very
18 good. Thank you.

19 MR. JOHNSTON: Thank you very much.

20 CHAIRPERSON KRIEGER: Member Sanker?

21 MEMBER SANKER: Not questions, really. I
22 guess my only concern is the lot coverage. It just
23 seems like a gigantic structure on there, but as
24 far as the footprint goes, I mean it looks like
25 it's bigger than his house. But, with that, that's

1 just a concern I have. But it -- I think overall
2 it would be good for the City to grant the
3 variance, so I'm in support of it.

4 CHAIRPERSON KRIEGER: Is that a motion?

5 MEMBER GRONACHAN: Well, that's a -- I'm
6 sorry.

7 CHAIRPERSON KRIEGER: No. Pardon?

8 MEMBER GRONACHAN: I have a question.

9 So it's not bigger than your house;
10 it's just it's the drawing?

11 MR. JOHNSTON: The square footage of the
12 house is bigger than the garage but it's -- the
13 house is longer.

14 MEMBER GRONACHAN: Yeah.

15 MEMBER SANKER: It's a rectangular
16 structure.

17 MR. JOHNSTON: Yeah.

18 MEMBER GRONACHAN: Right.

19 MEMBER FERRELL: It's actually not much.

20 MEMBER GRONACHAN: As opposed to the --

21 MR. JOHNSTON: Yeah.

22 MEMBER GRONACHAN: Yeah.

23 MEMBER FERRELL: It's not much.

24 MEMBER GRONACHAN: Yeah.

25 MEMBER FERRELL: 35 x 20, and the garage

1 is 28 x 30. So it's not --

2 CHAIRPERSON KRIEGER: It's for the boat,
3 though.

4 MEMBER GRONACHAN: Right, but it's
5 because of the boat.

6 CHAIRPERSON KRIEGER: Yep.

7 MEMBER GRONACHAN: Yes.

8 MEMBER FERRELL: Yeah. But I'm saying --

9 MEMBER GRONACHAN: Yeah.

10 MEMBER FERRELL: -- if you want to know.

11 MEMBER SANKER: It's pretty close.

12 MEMBER GRONACHAN: Yeah, it's pretty
13 close.

14 MEMBER SANKER: It's like two houses.

15 MEMBER FERRELL: Five feet --

16 MEMBER SANKER: Yeah.

17 MEMBER FERRELL: -- smaller --

18 MEMBER GRONACHAN: Right.

19 MEMBER FERRELL: -- than the house.

20 MR. JOHNSTON: And, and it's a bungalow;
21 it has a second story, so --

22 But that's what I -- my whole thing
23 was, make sure those roof lines, so it would look
24 cool. You know what I mean? They, they matched
25 and --

1 MEMBER SANKER: Right.

2 MEMBER GRONACHAN: Sorry. Okay, I'm
3 fine.

4 MS. SAARELA: I was just going to say,
5 and add this, --

6 CHAIRPERSON KRIEGER: Yes.

7 MS. SAARELA: The proposal actually makes
8 it a lot more conforming than it currently is, if
9 that helps with the size.

10 MEMBER GRONACHAN: I'm sorry, say that
11 again.

12 MS. SAARELA: The proposal now makes the
13 lot more conforming than it currently is.

14 MEMBER GRONACHAN: Okay.

15 MEMBER SANKER: Oh, even better.

16 MEMBER GRONACHAN: Okay. Let's not all
17 fight on who's going to do the last --

18 MEMBER SANKER: I wasn't sure if there
19 was any other questions.

20 MEMBER GRONACHAN: Oh, are you doing --

21 MEMBER SANKER: No, not from me.

22 CHAIRPERSON KRIEGER: Okay. I think
23 we're all set.

24 MEMBER GRONACHAN: Okay. I'll make a
25 motion.

1 In Case PZ19-0008 for Ronald Johnston,
2 Junior at 1502 Lebenta, west of West Lake Drive
3 and south of West Pontiac, I move that -- I'm
4 sorry -- for the following variances: An
5 exterior side yard variance of 24-foot, proposed
6 6-foot setback, an accessory structure variance
7 of 36 percent for a proposed rear yard lot
8 coverage of 61 percent, 25 percent required, and
9 a variance for a proposed 20-foot maximum height,
10 14 max allowed, because the petitioner has shown
11 practical difficulty requiring these variances.

12 Without the variance, without the
13 variance, the petitioner would be unreasonably
14 prevented or limited to respect to use of his
15 property because of the unique size and shape of
16 this lot. The property is unique because of its
17 width and depth. And the petitioner did not
18 create this condition because this lot again is
19 of unique size and shape.

20 The relief granted would not
21 unreasonably interfere with adjacent surrounding
22 properties because the actual replacement of this
23 garage would make this property more conforming
24 than current.

25 The relief if consistent with the

1 spirit -- the relief is consistent with the
2 spirit and intent of the ordinance because it
3 actually improves the surrounding area and
4 improves the safety for the removal of the old
5 garage and replacement of the new. And that's
6 why I move that we grant this variance.

7 MEMBER BYRWA: Second.

8 CHAIRPERSON KRIEGER: Okay. We have a
9 motion and a second.

10 Have Katherine call the roll.

11 MS. OPPERMANN: Member Sanker?

12 MEMBER SANKER: Yes.

13 MS. OPPERMANN: Chairperson Krieger?

14 CHAIRPERSON KRIEGER: Yes.

15 MS. OPPERMANN: Member Gronachan?

16 MEMBER GRONACHAN: Yes.

17 MS. OPPERMANN: Member Ferrell?

18 MEMBER FERRELL: Yes.

19 MS. OPPERMANN: Member Byrwa?

20 MEMBER BYRWA: Yes.

21 MS. OPPERMANN: Motion passes.

22 CHAIRPERSON KRIEGER: Congratulations.

23 MR. JOHNSTON: Thank you so much. I
24 appreciate it.

25 CHAIRPERSON KRIEGER: Yep.

1 All right. That brings us to the end.

2 Other matters?

3 MEMBER GRONACHAN: Member Chair, I would
4 just like to ask that maybe next month we have
5 elections or put it on our agenda for next month.
6 I think everybody would be back. And usually
7 generally we have elections in February --

8 CHAIRPERSON KRIEGER: Yeah.

9 MEMBER GRONACHAN: -- and now it's March,
10 and now it will be April, so I think it's time. I
11 think Member Sanghvi and Member Peddiboyina will be
12 returned. So if Katherine can put that on the
13 agenda for next month, that would be great.

14 CHAIRPERSON KRIEGER: Yep.

15 MEMBER GRONACHAN: And somebody can think
16 about being a secretary.

17 CHAIRPERSON KRIEGER: Okay. And that
18 brings us to conclusion.

19 Do we have a motion to adjourn?

20 MEMBER FERRELL: Do they all need to be
21 here for that or is that something we can do?

22 MEMBER GRONACHAN: Well, we have to have
23 everybody vote.

24 CHAIRPERSON KRIEGER: Yes.

25 MEMBER FERRELL: Is everybody coming in

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April?

CHAIRPERSON KRIEGER: Yeah.

MEMBER GRONACHAN: Yeah. We have to have
a full board.

CHAIRPERSON KRIEGER: Yeah. Correct. So
motion to adjourn.

MEMBER BYRWA: Second.

CHAIRPERSON KRIEGER: Okay. We're
adjourned.

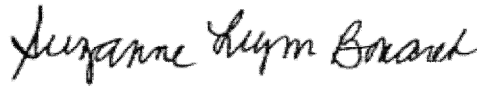
(At 9:39 p.m. meeting adjourned)

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C E R T I F I C A T E

I, Suzanne L. Bonarek, do hereby
certify that I have recorded stenographically the
proceedings had and testimony taken in the
above-entitled matter at the time and place
hereinbefore set forth, and I do further certify
that the foregoing transcript, consisting of
(151) pages, is a true and correct transcript of
my said stenographic notes.



SUZANNE LYNN BONAREK, CSR-3086

Wayne County, Michigan

My Commission Expires: 3-27-20