

REGULAR MEETING - ZONING BOARD OF APPEALS

CITY OF NOVI

TUESDAY, JANUARY 11, 2022 7:00 P.M.

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

BOARD MEMBERS:

Joe Peddiboyina, Chairperson

Clift Montague, Acting Secretary

Michael Longo

Jay McLeod

ALSO PRESENT:

Elizabeth Saarela, City Attorney

Lawrence Butler, Comm. Development, Dep. Director

Katherine Oppermann, Recording Secretary

Reported by:

Darlene K. May, Certified Shorthand Reporter

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Novi, Michigan  
Tuesday, January 11, 2022  
7:00 p.m.

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CHAIRPERSON PEDDIBOYINA: Good evening.  
Today is January 11, 2022. Welcome to the Novi Zoning Board of Appeals. And a Happy New Year to all, board members and all the staff.

Can you hear me? I'm sorry.

Welcome to the Novi City Zoning Board of Appeals. Yeah 2022, January 11, 7:00 p.m. And Happy New Year to everybody. And please, all of you stand up for the Pledge of Allegiance followed by Member Longo.

(Pledge of Allegiance recited.)

CHAIRPERSON PEDDIBOYINA: Thank you. Please be seated. I would like to please make silence and turn off your cell phones. And when we call the case, each person please come up to the podium, state your first and last name very clearly so that our record, court record can record the information. And also, we can see the monitors on the inside and outside also anything.

And now is time. We have enough quorum,

1 Katherine? We have four people?

2 MS. OPPERMANN: We do have a quorum, though  
3 anything would have to be unanimous to be passed.

4 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.  
5 And please roll call.

6 MS. OPPERMANN: Member Krieger is absent  
7 excused.

8 Member Longo?

9 MEMBER LONGO: Here.

10 MS. OPPERMANN: Member McLeod?

11 MEMBER MCLEOD: Here.

12 MS. OPPERMANN: Member Montague?

13 MEMBER MONTAGUE: Here.

14 MS. OPPERMANN: Chairperson Peddiboyina?

15 CHAIRPERSON PEDDIBOYINA: Yes, please. Thank  
16 you.

17 MS. OPPERMANN: Member Sanghvi is absent,  
18 excused. Member Thompson is absent and Member Copes is  
19 absent, excused.

20 CHAIRPERSON PEDDIBOYINA: Okay. As our  
21 secretary said, we have to -- we have only four  
22 members. All the four members has to say yes for any  
23 cases. If anybody says no, it will be disqualified. I

1 mean, if that case is not approved, denied.

2 And also, if you want to withdraw voluntarily  
3 because of the quorum is not much more, it is time to  
4 volunteer. Now is the time for that. You know, more  
5 people, more opportunities. You understand what I'm  
6 saying? So if anybody?

7 And we have enough quorum. Thank you.

8 And once we have done the case, anything, any  
9 discussions or anything, please talk outside, not  
10 inside of the chamber hall. Once we take the decision  
11 on anything, we don't want to hear anything, any kind  
12 of any issues. Please come to the -- once we call,  
13 that's your time. That's all. We don't give any more  
14 time to see in the past couple of cases.

15 And also, any, you know, audience coming, you  
16 cannot talk more than three minutes. That's the time  
17 limit. Thank you for the rules and regulations. If  
18 you have anything, you can check the cases on the  
19 printed paper on the backside.

20 Thank you.

21 Okay. Approval of agenda, December 2021.

22 Can somebody make a motion for that? Any  
23 changes?

1 MEMBER MONTAGUE: I move that we approve the  
2 agenda.

3 CHAIRPERSON PEDDIBOYINA: Thank you. Second?

4 MEMBER LONGO: Second.

5 CHAIRPERSON PEDDIBOYINA: Thank you, Member  
6 Longo and Member Montague. Thank you.

7 Approval of agenda is unanimous. Anybody  
8 says no? Any yes or no? Thank you.

9 Okay. As I said, public remarks. Anybody  
10 have any public remarks apart from the four cases we  
11 have now is the time to speak on the public remarks.

12 MS. OPPERMANN: We do also need to have an  
13 approval of the minutes.

14 CHAIRPERSON PEDDIBOYINA: Approval?

15 MS. OPPERMANN: From December.

16 CHAIRPERSON PEDDIBOYINA: This is what we --

17 MEMBER MONTAGUE: You said the agenda.

18 CHAIRPERSON PEDDIBOYINA: Agenda. Oh, sorry.

19 Approval of meeting minutes on December  
20 2022 -- '21, somebody can make a motion on that, any  
21 changes?

22 MEMBER MONTAGUE: No changes. I move that we  
23 approve the minutes from the December meeting.

1 CHAIRPERSON PEDDIBOYINA: Okay. Can you turn  
2 on your mic, please?

3 Okay. Can somebody make a second?

4 MEMBER LONGO: I second that.

5 CHAIRPERSON PEDDIBOYINA: Thank you. Anybody  
6 have any questions or any objections? It looks like  
7 none. Thank you.

8 As I said, public remarks. This is the time  
9 to speak. Anything apart from all four cases for today  
10 for our agenda?

11 It looks like none. Thank you.

12 Okay. And we'll start the first case today.  
13 PZ21-0077, Metro Detroit Signs / Land Rover Jaguar,  
14 25245 Meadowbrook Road, West of Meadowbrook Road and  
15 South of Grand River Avenue, Parcel 50-22-23-251-025.  
16 The applicant is requesting a variance from the City of  
17 Novi Code of Ordinance Section 28-5(a) and  
18 28-5(b)(1)(b) for number of signs, oversized signs and  
19 over height signs. Five additional wall signs and five  
20 additional ground signs, a combination of three signs  
21 is permitted. Two wall signs are oversized by 40.44  
22 square feet and two wall signs are oversized by 12.53  
23 square feet. One ground sign is over height by two

1 feet and three ground signs are over height by 1.22  
2 feet. Six-foot height is permitted. The property is  
3 zoned Gateway East, GE.

4 Thank you. Is the applicant present?

5 Okay. Thank you. Can you please spell your  
6 first and last name clearly for our record. If you're  
7 attorney or not.

8 Our acting secretary is Montague, Member  
9 Montague, can you take the oath?

10 MEMBER MONTAGUE: I'm sorry?

11 CHAIRPERSON PEDDIBOYINA: Can you take the  
12 oath?

13 MEMBER MONTAGUE: Oh, I'm sorry. Are you an  
14 attorney?

15 MR. DETERS: No, I am not.

16 MEMBER MONTAGUE: And do you swear to tell  
17 the truth in this case?

18 MR. DETERS: Yes, I do.

19 MEMBER MONTAGUE: Thank you.

20 CHAIRPERSON PEDDIBOYINA: Okay. Please go  
21 ahead.

22 MR. DETERS: Good evening, everyone. My name  
23 is Paul Deters, D as in David, e-t-e-r-s. And I'm with

1 Metro Signs & Lighting, 11444 Kaltz Avenue in Warren.  
2 And with me here this evening as well is Mr. Ken  
3 Widerstedt. He is from the dealership. And if it's  
4 okay with the folks -- with you folks, I'll probably  
5 introduce our case and go through the technical aspects  
6 of the signs. And if you have questions particular  
7 to the dealership operation and things like that,  
8 Mr. Widerstedt would be happy to address those with  
9 you.

10 (Spelling request by court reporter.)

11 MR. DETERS: I sure can. W-e-i- -- or excuse  
12 me, W-i-d-e-r-s-t-e-d-t. If I got that correctly.

13 Well, thank you for considering our case this  
14 evening. I just wanted -- may I go through a brief  
15 summary of that, sir? Is that what you would like me  
16 to do now?

17 CHAIRPERSON PEDDIBOYINA: Yes. Please go  
18 ahead.

19 MR. DETERS: Okay. Terrific. So I think as  
20 you know, there's a beautiful new facility being built  
21 at Meadowbrook and Grand River and the dealership is  
22 going to be relocating from their current location in  
23 Farmington Hills just down the road. And I know it may

1 appear that we're asking for quite a bit of signage,  
2 but I think hopefully you take into consideration it's  
3 a very large building and I think the signage that  
4 we're proposing particularly on the building is  
5 certainly to size and to scale for that building.

6 And then a number of the ground signs that we  
7 have, just due to the nature of this lot and the berm,  
8 particularly that runs along Meadowbrook, and all of  
9 the parking is going to be behind the dealership. So  
10 there's no cars out in front or anything. It's sort of  
11 a unique circumstance for a car dealer. Most of the  
12 people who will be viewing any of the signage that's  
13 proposed inside the lot are going to be just the  
14 customers that are there. And most of those are for  
15 directional in nature; how to identify where customer  
16 parking is, where the service area might be, where you  
17 would enter for different services within the  
18 dealership and then also just to convey some of the --  
19 there's a little bit of the promise that they have.

20 Obviously, there's nice vehicles that are  
21 sold at this facility and it sort of fits in with the  
22 standard branding that Jaguar and Land Rover have.

23 So in terms of the main ground sign that

1 we're proposing, too, just from a practical matter is  
2 it's a relatively new sign that is sitting at their  
3 dealership right now and we're hoping to just relocate  
4 that from the existing facility since it's still in  
5 really good condition. And I think, once again, it's  
6 just slightly larger or taller than -- really taller  
7 than what might be allowed in Novi and we're hoping for  
8 some consideration for that sign.

9 CHAIRPERSON PEDDIBOYINA: Okay. Anything you  
10 want to add?

11 MR. DETERS: So I don't know -- I think  
12 that's it. Or maybe if there are comments from the  
13 board that maybe Mr. Widerstedt would like to address,  
14 too, but that's all I have for now.

15 CHAIRPERSON PEDDIBOYINA: Okay. Do you have  
16 the diagrams so maybe you can present to the board?

17 MR. DETERS: Sure.

18 CHAIRPERSON PEDDIBOYINA: Please go ahead.

19 MR. DETERS: I'm sorry. Do I have the  
20 diagram in front of me of the signs?

21 CHAIRPERSON PEDDIBOYINA: Yeah.

22 MR. DETERS: Okay.

23 CHAIRPERSON PEDDIBOYINA: Can you present on

1 the screen?

2 MR. DETERS: Oh. Well, let's see. What  
3 would you like to see? The overhead or the elevation  
4 drawings?

5 CHAIRPERSON PEDDIBOYINA: All the signs.

6 MR. DETERS: All the signs?

7 CHAIRPERSON PEDDIBOYINA: Please.

8 MR. DETERS: Okay. Well, here. I'll tell  
9 you what, I'll start off with the ...

10 (Document displayed.)

11 MR. DETERS: Okay. That's better.

12 CHAIRPERSON PEDDIBOYINA: Yeah. Can you  
13 point where the signs are going on the diagram?

14 MR. DETERS: Okay. So here you can see their  
15 main -- the main signs that we have. I apologize.  
16 This doesn't come through. And hopefully you have  
17 packets as well. There's a main Jaguar and Land Rover  
18 signs facing Meadowbrook Road, and identical signs  
19 Jaguar and Land Rover facing Grand River Avenue. Those  
20 are the two main identification wall signs that they'll  
21 be having, one on each side.

22 And you can see the facility at, you know --  
23 both elevations are well over a hundred feet long. The

1 signs are really done to size or to scale and I think  
2 are appropriate for that length of a facade. And it  
3 will be legible for the traffic along both Meadowbrook  
4 and Grand River there.

5 CHAIRPERSON PEDDIBOYINA: You mean all the  
6 five signs going on the wall on the top?

7 MR. DETERS: So there's --

8 CHAIRPERSON PEDDIBOYINA: Can you point where  
9 the --

10 MR. DETERS: There's the two Jaguar signs and  
11 two Land Rover signs. And then on the elevation facing  
12 Meadowbrook, there's one sign that just says Novi.  
13 That would typically be where the dealer name is.  
14 That's how the building is set up. So we're going to  
15 have a very small sign. They're only 11-inch letters  
16 that will say Novi to just brand or identify the brand  
17 or the name of the dealership.

18 CHAIRPERSON PEDDIBOYINA: Okay. And what  
19 about the remaining on the ground signs?

20 MR. DETERS: Okay. The ground signs -- and I  
21 think maybe it would almost be easier to go through.

22 I can show you at the entrances both along  
23 Grand River and on Meadowbrook, these are

1 nonilluminated ground signs that are just directionals,  
2 entry directionals that would direct traffic as to  
3 where the customer parking would be, where the service  
4 operation would be and where the reception area is as  
5 you enter the dealership. One of those is along each  
6 of the two main entrances. One on Novi -- one on  
7 Meadowbrook and one on Grand River.

8 CHAIRPERSON PEDDIBOYINA: Okay.

9 MR. DETERS: The other ground signs  
10 that we're mentioning here.

11 (Document displayed.)

12 MR. DETERS: This is the main ground sign  
13 that is going to be relocated from the dealership down  
14 the street. So if you can see that, that's where that  
15 is. That would be moved over.

16 MEMBER LONGO: Excuse me. That's right on  
17 the corner, then, of Grand River and Meadowbrook; is  
18 that correct?

19 MR. DETERS: It's actually along Meadowbrook.

20 Let's see, I have a plan that would show.

21 Forgive me. I hope I'm holding this  
22 correctly here and that you can read this. So this  
23 area here where I'm using my pen on Meadowbrook Road

1 where the entrance is there.

2 CHAIRPERSON PEDDIBOYINA: Yes.

3 MR. DETERS: This is where that sign that is  
4 at the other dealership will be relocated to.

5 CHAIRPERSON PEDDIBOYINA: Okay.

6 MR. DETERS: All right. Then as you're  
7 inside this area here.

8 (Document displayed.)

9 MR. DETERS: And it may be easier to show  
10 this, too. Where my pens are here circling at this  
11 number 22 is at both, that area which is inside behind  
12 the berm will not be visible from the road, are going  
13 to be these signs which are just designate. These are  
14 nonilluminated as well, just identifying people --  
15 customer parking areas.

16 And then the final ground signs that you  
17 would have are within the parking lot. And I hope this  
18 can come in okay.

19 (Document displayed.)

20 MR. DETERS: These are just one for Jaguar  
21 and one for Land Rover. And it just has to do with the  
22 type of vehicles that are sold there, that they're  
23 approved and gone through inspections and it's got --

1 just speaks to the standard and the quality of the  
2 vehicles that are sold there.

3 Once again, this is -- we're in the middle of  
4 the parking lot in the back of the building. Nobody  
5 from the road will even see these.

6 CHAIRPERSON PEDDIBOYINA: Okay.

7 MR. DETERS: And the other signs that have  
8 not been shown yet are the signs that say "Service"  
9 and that's -- once again, that's on an area of the  
10 building that will not be visible from the road. So  
11 people entering into the facility, they'll have an idea  
12 of where that would go. So this would be more on -- so  
13 on the south end of the building, this area in here,  
14 these will identify -- this sign says Novi once again  
15 and this sign says service.

16 CHAIRPERSON PEDDIBOYINA: Okay.

17 MR. DETERS: So those other signs that I  
18 mentioned, the promise signs are back here. Once  
19 again, they're a long way and not even visible from the  
20 road.

21 But it just helps identify and brand the  
22 facility and provide direction for the guests who do  
23 enter within the confines of that.

1 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.

2 Would you like to add anymore thing before we go?

3 MR. DETERS: No.

4 CHAIRPERSON PEDDIBOYINA: Okay. Thank you  
5 very much. And good presentation. Appreciate. And I  
6 visited your location today. I met Ken. He's the  
7 manager I believe, the construction manager. I met  
8 you. And he showed me. And why I ask this questions  
9 and all because my board members also would like to  
10 know where exactly the signs is going. And physically  
11 I came and visited your location. And, yeah, it's a  
12 good business for us, the Novi city, and we welcome you  
13 all. And I have no objection on the signs. And I'm  
14 opening to my board members to speak on this case.  
15 Thank you.

16 Okay. And coming to Larry from the city.

17 MR. BUTLER: No comments from the city at  
18 this time.

19 CHAIRPERSON PEDDIBOYINA: Okay.  
20 Correspondence secretary, Member Montague?

21 MEMBER MONTAGUE: Yes. There were 25 letters  
22 sent, six returned, one approval and two objections.

23 Objection from Jacob Common (ph) and Sheila

1 Jacob. "I object because it will reduce the price of  
2 our home. Also, it will reduce attraction to our  
3 subdivision."

4 Objection from Harbor One Singh (ph). "This  
5 is a residential area and will spoil our landscaping."

6 And then just an approval. And those are the  
7 three that were returned.

8 (Member Thompson joined the meeting.)

9 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.

10 And it's open to the board. Anybody would  
11 like to comment on this case, please go ahead.

12 Yeah. Go ahead, Member Montague.

13 MEMBER MONTAGUE: I agree with the wall signs  
14 being appropriate to the scale of the building. It is  
15 a big building for sure. And directional signage along  
16 the -- in the site is, obviously, helpful in finding  
17 service and knowing where the entrances are also. I  
18 guess I'm in favor of this proposal.

19 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.

20 Any other board member?

21 No comment? Any?

22 Okay. It's time for the motion. Member  
23 Montague, please go ahead --

1 MS. OPPERMANN: Chairperson Peddiboyina?

2 CHAIRPERSON PEDDIBOYINA: Okay.

3 MS. OPPERMANN: I don't believe you opened  
4 this one for public comment yet.

5 CHAIRPERSON PEDDIBOYINA: Okay. And  
6 public -- anybody would like to speak on this case  
7 before going to the motion?

8 No comments on the public. Thank you.

9 Okay. Member Montague?

10 MEMBER MONTAGUE: All righty. I move that we  
11 grant the variance in case number PZ21-0077, sought by  
12 Metro Detroit Signs/Land Rover Jaguar, for the number  
13 of signs and oversized signs.

14 Without the variance, I think the petitioner  
15 is unreasonably prevented because it is a busy corner.  
16 The signs are appropriate for the size of the building.  
17 Directional signage is important when you're running  
18 vehicles through there.

19 The property is unique because of its  
20 location on the corner, its use and the speed of Grand  
21 River and the confusion of that intersection.

22 Petitioner did not create the condition  
23 because they purchased the property. I don't believe

1 the relief granted will unnecessarily interfere with  
2 any adjacent or surrounding properties in that  
3 location. And the relief is consistent with the spirit  
4 and intent of the ordinance because it allows a  
5 business that will be good for the community to operate  
6 safely and properly.

7 CHAIRPERSON PEDDIBOYINA: Thank you.

8 If somebody can make a second?

9 MEMBER LONGO: I second.

10 CHAIRPERSON PEDDIBOYINA: Okay. Katherine,  
11 please roll call.

12 MS. OPPERMANN: Certainly. Chairperson  
13 Peddiboyina?

14 CHAIRPERSON PEDDIBOYINA: Yes, please.

15 MS. OPPERMANN: Member Longo?

16 MEMBER LONGO: Yes.

17 MS. OPPERMANN: Member McLeod?

18 MEMBER MCLEOD: I have to abstain because I  
19 work for a competitor.

20 MS. SAARELA: Unless you have a direct  
21 financial interest, I don't think you need to abstain.

22 MEMBER MCLEOD: They write my paycheck.

23 UNIDENTIFIED SPEAKER: That's no big deal.

1                   MEMBER MCLEOD: Oh, it isn't? Okay. In that  
2 case, I approve.

3                   CHAIRPERSON PEDDIBOYINA: Thank you.

4                   MS. OPPERMANN: Member Montague?

5                   MEMBER MONTAGUE: Yes.

6                   MS. OPPERMANN: All right. And I assume  
7 Member Thompson will be recusing as he wasn't present  
8 for the majority of the case?

9                   MEMBER THOMPSON: I looked through it. But  
10 you're right.

11                   MS. OPPERMANN: Motion passes four to zero.

12                   CHAIRPERSON PEDDIBOYINA: Okay.  
13 Congratulations.

14                   MR. DETER: Thank you.

15                   CHAIRPERSON PEDDIBOYINA: Good luck.  
16 Congratulations.

17                   And moving to case number two, PZ21-0079,  
18 Metro Detroit Signs/Sleep Number, 26222 Novi Road 100,  
19 East of Novi Road and North of Grand River Avenue,  
20 Parcel 50-22-14-352-002. The applicant is requesting  
21 the variance from the City of Novi Code of Ordinance  
22 Section 28-5(d)(2) for the installation of a 52.87  
23 square foot illuminated wall sign on the east elevation

1 of the building, 24 square feet allowed, variance of  
2 28.87 square feet. This property is zoned Town Center,  
3 TC.

4 Is the applicant -- okay.

5 Can you please spell your first and last name  
6 clearly for our court record?

7 MR. DETERS: Sure. Paul Deters, D as in  
8 David, e-t-e-r-s. I'm with Metro Signs and Lighting,  
9 11444 Kaltz Avenue in Warren.

10 CHAIRPERSON PEDDIBOYINA: Okay. Our acting  
11 secretary Montague, can you take the oath on this,  
12 please?

13 MEMBER MONTAGUE: You're not an attorney,  
14 correct?

15 MR. DETERS: Correct.

16 MEMBER MONTAGUE: Do you swear to tell the  
17 truth in this case?

18 MR. DETERS: Yes, I do.

19 MEMBER MONTAGUE: Thank you.

20 CHAIRPERSON PEDDIBOYINA: Yeah. Please go  
21 ahead, Paul, where we can help you tonight on this  
22 case.

23 MR. DETERS: Terrific. Well, thank you for

1 your consideration of this case as well. It's sort of  
2 a unique circumstance here. As you know, this a new  
3 building. It replaced where the bank was located. And  
4 it changed the ingress for this location such as now  
5 that the parking for the facility is only available on  
6 the south and the east side. You know, however, the  
7 west side of the building which faces Novi Road along  
8 here is considered the front of the building.

9 But everyone who enters this business is  
10 going to either come in off of Crowe Drive here from  
11 the south or more likely they'll come around here from  
12 Crescent Drive and Ingersol and come back in this way.  
13 And in all likely, this is where they're going to park.  
14 This half of the building here is going to be an Aspen  
15 Dental location. So the Sleep Number's door, an entry  
16 door is going to be over here. So everybody who enters  
17 this building is going to come in the door here where  
18 the proposed sign will be located. Otherwise, to get  
19 in what they consider the front door, you would have to  
20 walk entirely around the building and pass the other  
21 business. And I just don't think -- that's not going  
22 to be practical.

23 So based on this and the size of the facade,

1 they're allowed a 55 square foot sign. They proposed a  
2 sign on the west elevation facing Novi Road which we  
3 have been approved for. The variance for this evening  
4 is to have an identical sign on the east side which is  
5 really what they would consider for all intents and  
6 purposes the way the lot is laid out from a really  
7 unique way. That's going to be their front door. And  
8 they're hoping especially there that they'll have some  
9 adequate identification there for folks to be able to  
10 see that, not only as they enter in there, but for  
11 people who are driving along Ingersol to the east to be  
12 able to look because that -- the building is going to  
13 sit quite a bit back from there as well. There's quite  
14 a significant parking lot there. And I think for the  
15 size of the building, that you could see here the Sleep  
16 Number lettering is once again, it's not overpowering.  
17 It's to size and really to scale of the building and I  
18 think it will be a nice enhancement for that.

19 Another thing is it will provide a  
20 consistency. The opposite side of the building is the  
21 exact same size and configuration and that sign fits  
22 within it as well.

23 Just, there is a quirk in this particular

1 space in that the reason it doesn't have frontage along  
2 Ingersol is -- and we're not quite sure what the  
3 rationale was for this.

4 This is the Boston Market that's next door.  
5 This is -- when it was the bank, here's what the layout  
6 looked like. The line around the perimeter here,  
7 instead of stopping here at this entry drive to get  
8 into the back where the Boston Market is, their  
9 property extends all the way through here, through some  
10 sort of easement agreement. So as a result, there's  
11 this sliver of land here that prevents this facility  
12 from having frontage back here. And so really that's  
13 -- that can't developed. I'm not sure what happened or  
14 how that came to be, but it's creating this issue of  
15 sort of a unique circumstance where really this is  
16 going to be the front of this business, but they don't  
17 have frontage because of this unusual easement that  
18 took place many years ago we think. An irregular  
19 configuration for that lot.

20 So what they're just hoping for here is just  
21 that they'd be able to have a sign that will serve the  
22 needs and be comparable to the one that's already  
23 allowed on the other side of the building.

1 CHAIRPERSON PEDDIBOYINA: Okay. Anything you  
2 would like to add?

3 MR. DETERS: No, sir. Not at this time.

4 CHAIRPERSON PEDDIBOYINA: Okay. And thank  
5 you.

6 From the city?

7 MEMBER LONGO: You have to ask the audience.

8 CHAIRPERSON PEDDIBOYINA: Okay. Any public  
9 remarks?

10 Looks like none.

11 Larry?

12 MR. BUTLER: No comments from the city.

13 CHAIRPERSON PEDDIBOYINA: Okay.

14 Correspondence?

15 MEMBER MONTAGUE: Correspondence. There were  
16 40 letters sent, no letters returned, three approvals  
17 and no objections.

18 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.

19 Yeah, Paul, thank you and very good  
20 presentation. Also, I visited your location. I met  
21 your Keith, he's the superintendent. And he showed  
22 there are two businesses in the same building. One is  
23 the Sleep and one is the dental, as you explained. And

1 I see the difficulties on the signs and all you needed,  
2 what your business thing. I have no objection. And  
3 it's open to the board.

4 MS. OPPERMANN: Pardon me. Member Montague,  
5 could you confirm that the one your read corresponds  
6 with the accurate case, because I believe that may  
7 be --

8 MEMBER MONTAGUE: Oops. Did I get the wrong  
9 one?

10 MS. OPPERMANN: -- the one for Coy  
11 Construction that had the three approvals.

12 CHAIRPERSON PEDDIBOYINA: The case number is  
13 0079.

14 MS. OPPERMANN: It should be 79.

15 MEMBER MONTAGUE: Oh. They're in a different  
16 order -- yeah. They were in a different order here.  
17 I'm sorry.

18 MS. OPPERMANN: Not a problem.

19 MEMBER MONTAGUE: I'm a rookie here.

20 All right. Let's go back to this one. All  
21 right. 32 -- correction here. 32 letters sent, six  
22 letters returned, no approvals, no objections.

23 CHAIRPERSON PEDDIBOYINA: Thank you,

1 Montague.

2 Okay. It's opened to the board. Anybody  
3 would like to speak on this case?

4 MEMBER MONTAGUE: Yes.

5 CHAIRPERSON PEDDIBOYINA: All right. Member  
6 Montague, please go ahead.

7 MEMBER MONTAGUE: Yes. I think on the east  
8 side there your setback from the road that they will be  
9 entering from and the distance and the obstruction I  
10 think warrants a sign there, so. And I think the sign  
11 is appropriately sized for the distance from the road.  
12 So I support this request.

13 CHAIRPERSON PEDDIBOYINA: Thank you, Member  
14 Montague.

15 Any other board member would like to speak on  
16 this?

17 Okay. Looks like none.

18 Member Longo, can you make a motion on this  
19 case?

20 MEMBER LONGO: I can. I move that we grant  
21 the variance in case number PZ21-0079, sought by Metro  
22 Detroit Signs/Sleep Number, for a 52.87 square  
23 foot wall sign variance because the petitioner has

1 shown particular difficulty requiring visibility for  
2 customers to see the business.

3 Without the variance, the petitioner would be  
4 unreasonably prevented or limited with respect to the  
5 use of the property because it would be difficult to  
6 find the business.

7 The property is unique because the building  
8 disposition on that lot was -- creates a bit of an  
9 issue in terms of visibility.

10 The petitioner did not create the condition  
11 because the lot size and the location of the building  
12 on the lot is similar to the previous building.

13 The relief granted will not unreasonably  
14 interfere with adjacent or surrounding properties  
15 because the sign size is commensurate with the building  
16 size and the distance from the street. The relief is  
17 consistent with the spirit and intent of the ordinance  
18 because the sign does not obstruct any visibility.

19 CHAIRPERSON PEDDIBOYINA: Thank you, Member  
20 Longo.

21 Okay. Katherine, can you please roll call.

22 MS. OPPERMANN: Do we have a second?

23 CHAIRPERSON PEDDIBOYINA: Sorry. Second on

1 the motion?

2 MEMBER MONTAGUE: I'll second.

3 CHAIRPERSON PEDDIBOYINA: Thank you, Member  
4 Longo. Member Montague and Member Longo.

5 And, Katherine, can you please roll call.

6 MS. OPPERMANN: Certainly. Chairperson  
7 Peddiboyina?

8 CHAIRPERSON PEDDIBOYINA: Yes, please.

9 MS. OPPERMANN: Member Longo?

10 MEMBER LONGO: Yes.

11 MS. OPPERMANN: Member McLeod?

12 MEMBER MCLEOD: Yes.

13 MS. OPPERMANN: Member Montague?

14 MEMBER MONTAGUE: Yes.

15 MS. OPPERMANN: And Member Thompson?

16 MEMBER THOMPSON: Yes.

17 MS. OPPERMANN: Motion passes five to zero.

18 CHAIRPERSON PEDDIBOYINA: Thank you.

19 Congratulations.

20 MR. DETERS: Thank you so much.

21 CHAIRPERSON PEDDIBOYINA: Okay. And case  
22 number three for tonight, PZ21-0078, Coy Construction,  
23 22230 Meridian Lane, East of Meadowbrook Road and South

1 of Nine Mile Road, Parcel 50-22-36-102-014. The  
2 applicant is requesting variances from the City of Novi  
3 Zoning Ordinance Section 3.1.4 for a proposed rear yard  
4 setback of 30 feet, 35 feet minimum required, variance  
5 of five feet. This variance would accommodate the  
6 building of a screen porch on the existing deck. The  
7 property is zoned Single Family Residential, R-3.

8 Okay. The applicant is here? Okay.

9 Yeah. Please go ahead and spell your first  
10 and last name clearly for our record.

11 MR. MCCOY: Yes. My name is Mike McCoy. I'm  
12 the owner of Coy Construction. And we specialize in  
13 designing and building decks and two and three seasons.  
14 I've been before this board a number -- probably 30  
15 times in the past doing exactly what we're asking for  
16 here and that is to build a --

17 MEMBER MONTAGUE: Hang on a second.

18 MR. MCCOY: I'm sorry.

19 MEMBER MONTAGUE: Are you an attorney?

20 MR. MCCOY: No.

21 MEMBER MONTAGUE: Okay. Do you swear to tell  
22 the truth in this case?

23 MR. MCCOY: Of course. Yes, I do.

1 MEMBER MONTAGUE: Thank you.

2 CHAIRPERSON PEDDIBOYINA: Please proceed.

3 Thank you, Member Longo -- Montague.

4 MR. MCCOY: And so the -- what we're asking  
5 for is a five-foot variance. We want to -- we always  
6 build these porches on a deck floor for the foundation.  
7 The existing deck is coming out 35 -- 30 feet from the  
8 house which is fine for the deck, but the requirement  
9 for the screened-in porch, you want a 35 foot variance.  
10 35 feet from the lot line. So in order for us to build  
11 this 12 foot by 16 foot modestly sized screen porch on  
12 this existing deck, we would need to get a five-foot  
13 variance.

14 When this job is done, it will be shingled to  
15 match. It will look like the builder built it on the  
16 house when the house was built. The homeowners now  
17 will be able to use their backyard. Because mosquitoes  
18 and stuff, they just can't sit out there at night. And  
19 we've probably done about -- probably been before you  
20 guys 20 times in the past for this exact same kind of  
21 situation and you've allowed us to build these rooms on  
22 decks and we certainly hope we can get this five-foot  
23 variance tonight for these folks.

1 CHAIRPERSON PEDDIBOYINA: Anything you would  
2 like to show?

3 MR. MCCOY: Well, I can show you. That's the  
4 back of the house and you can see what's the existing  
5 deck and where that porch would be sitting on top of  
6 that existing deck.

7 Now, this is not a great picture here. But  
8 that's kind of how the -- that porch would look  
9 shingled to match the house. The exterior painted a  
10 solid color to match the trim. The knee wall from the  
11 deck floor up would be tempered glass and then from  
12 that point up removable screens. They're beautiful  
13 rooms. They're trimmed inside with cedar tongue and  
14 groove in the ceiling. And the neighbors would -- will  
15 enjoy looking at this beautiful new room on this deck.  
16 And hopefully we'll be able to build a few more because  
17 their neighbors are going to want one, too.

18 CHAIRPERSON PEDDIBOYINA: Okay. Anything you  
19 would like to add?

20 MR. MCCOY: Oh, I'm sorry. No. I think I've  
21 said it all right there.

22 CHAIRPERSON PEDDIBOYINA: Thank you.

23 MR. MCCOY: It will be a nice improvement for

1 that subdivision. And we've done a number of these in  
2 Novi and they're beautiful rooms. In fact, if any of  
3 you would like a free design and estimate, I'll build  
4 one for you guys, too.

5 CHAIRPERSON PEDDIBOYINA: Thank you,  
6 Mr. McCoy.

7 Okay. Anyone in the audience? Anybody in  
8 the audience to speak on this case?

9 Looks like none.

10 Okay. From the city, Larry?

11 MR. BUTLER: No comments from the city at  
12 this time.

13 CHAIRPERSON PEDDIBOYINA: Thank you.

14 Correspondent acting secretary, Member  
15 Montague?

16 MEMBER MONTAGUE: Yes. There were 40 letters  
17 sent, none returned, three approvals. First approval  
18 is from Charles Bovair, B-o-v-a-i-r.

19 CHAIRPERSON PEDDIBOYINA: Remember Member  
20 Montague, can you speak on the mic, please so she can  
21 record all that. Thank you.

22 MEMBER MONTAGUE: I'm sorry, B-o-v-a-i-r.  
23 Indicates that he lives behind the property and

1 approves the request for variance.

2 And then just an approval.

3 And then from Lauren and Sherry Konkus,  
4 K-o-n-k-u-s. "We live back of the property and are  
5 most likely impacted by the variance. We have no  
6 problem with the five-foot variance."

7 CHAIRPERSON PEDDIBOYINA: That's it?

8 MEMBER MONTAGUE: That's it.

9 CHAIRPERSON PEDDIBOYINA: Thank you, Member  
10 Montague.

11 Okay. Yeah. I visited this place and rang  
12 the bell. The owner did not open the door. And I went  
13 back. I saw the small deck. Three, four feet height.  
14 It's new. I saw that. And there's a back, there are  
15 houses also there. And looks good. I have no  
16 objection on this case. I'm opening to the board to  
17 speak on this case.

18 Anybody would like to speak?

19 Okay. Go ahead, sir.

20 MEMBER THOMPSON: So I have a question. I  
21 don't know if it's more for the applicant or for the  
22 city. So the deck that you're showing, this is from  
23 the house?

1 MR. MCCOY: The deck. That's an existing  
2 deck.

3 MEMBER THOMPSON: Okay. So that doesn't look  
4 level in the picture.

5 MR. MCCOY: It is level. It's all one  
6 level.

7 MEMBER THOMPSON: The deck itself doesn't  
8 look level.

9 MR. MCCOY: Oh, it is level, but when we do  
10 this -- when we redeck the surface, we're going to be  
11 redecking the surface and we're going to be modifying  
12 the substructure underneath. It will be perfectly  
13 level. But the picture might be deceiving. It's  
14 level.

15 MEMBER THOMPSON: Okay. So then are there  
16 permits that need to -- does the city have to issue  
17 permits to build that?

18 MR. BUTLER: Yes. They would require  
19 permits. Yes.

20 MR. MCCOY: And we have a permit to do the --  
21 to redeck the surface and to modify that substructure  
22 underneath that existing deck surface. We already have  
23 that permit. We just don't have the permit to build

1 the room on top of it.

2 MEMBER THOMPSON: So it looks like it's going  
3 to turn out real nice so I can get behind that.

4 MR. MCCOY: Thank you.

5 CHAIRPERSON PEDDIBOYINA: Anything you would  
6 like to add?

7 Okay. Anybody would like to speak on this  
8 case? Any board member?

9 Looks like none.

10 Okay. Member Michael, can you please make a  
11 motion?

12 MEMBER LONGO: Sure.

13 CHAIRPERSON PEDDIBOYINA: Please go ahead.

14 MEMBER LONGO: I move that we grant the  
15 variance in case number PZ21-0078, Coy Construction,  
16 for a five-foot rear setback variance. Otherwise they  
17 couldn't fit this particular porch on the back of the  
18 house without that variance.

19 Without the variance, the petitioner would be  
20 unreasonably prevented or limited with respect to the  
21 use of the property because it cannot -- they could not  
22 add this porch.

23 The property is unique because the home is

1 situated on the lot the way it is and that's the way it  
2 was purchased. The petitioner did not create the  
3 condition, again, because they purchased the home with  
4 the lot -- with the home situated on the lot as it is.

5 The relief granted will not unreasonably  
6 interfere with adjacent or surrounding properties  
7 because it does not interfere with the neighborhood  
8 visibility. The relief is consistent with the spirit  
9 and intent of the ordinance because the five-foot --  
10 the additional five foot does not compromise the  
11 neighborhood visibility in the backyards.

12 CHAIRPERSON PEDDIBOYINA: Thank you, Member  
13 Longo.

14 Anybody -- somebody can make a second?

15 MEMBER THOMPSON: I would second that.

16 CHAIRPERSON PEDDIBOYINA: Thank you.

17 Katherine, can you please roll call.

18 MS. OPPERMANN: Um-hmm. Chairperson  
19 Peddiboyina?

20 CHAIRPERSON PEDDIBOYINA: Yes, please.

21 MS. OPPERMANN: Member Longo?

22 MEMBER LONGO: Yes.

23 MS. OPPERMANN: Member McLeod?

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MEMBER MCLEOD: Yes.

MS. OPPERMANN: Member Montague?

MEMBER MONTAGUE: Yes.

MS. OPPERMANN: And Member Thompson?

MEMBER THOMPSON: Yes.

MS. OPPERMANN: Motion passes five to zero.

CHAIRPERSON PEDDIBOYINA: Congratulations.  
Michael, congratulations. Thank you.

MR. MCCOY: Thank you, board.

CHAIRPERSON PEDDIBOYINA: Good luck.  
Okay. And today for the final case,  
PZ21-0080, Cambridge of Novi LLC / Terra, West of Beck  
Road and North of Eight Mile Road, Parcel number  
50-22-32-402-036. The applicant is requesting an  
extension to a variance from the City of Novi Code of  
Ordinance Section 28-6 for a temporary sign beyond 64  
days. The sign is located at the northwest corner of  
the intersection at Eight Mile Road and Beck Road. The  
maximum display time of freestanding temporary sign is  
64 days. The board previously approved this and one  
other, since removed sign, on June 11, 2019, in case  
PZ19-0020 "for the duration of two years or, if sooner,  
until 75 percent of Certificates of Occupancy have been

1 issued." This property is zoned Single Family  
2 Residential, R-1.

3 Is the applicant present?

4 Okay. Please spell your first and last name  
5 clearly for our record purposes.

6 MR. ROTT: My name is Sheldon Rott, R-o-t-t.  
7 I'm the sales and marketing manager for Cambridge  
8 Homes.

9 CHAIRPERSON PEDDIBOYINA: Okay. Please, can  
10 you hold for our secretary -- acting secretary.

11 Member Montague, can you take the oath,  
12 please?

13 MEMBER MONTAGUE: Are you an attorney?

14 MR. ROTT: No.

15 MEMBER MONTAGUE: Do you swear to tell the  
16 truth in this case?

17 MR. ROTT: Yes.

18 MEMBER MONTAGUE: Thank you.

19 CHAIRPERSON PEDDIBOYINA: Thank you. Please  
20 proceed, sir.

21 MR. ROTT: We have a sign on -- a directional  
22 sign on Eight Mile and -- I'm sorry. On Eight Mile and  
23 Beck. It's for our development called Terra which

1 was -- which is in a very beautiful section of Novi.  
2 However, the hardship is, we have no marketing window.  
3 The only visibility we have from any kind of a major  
4 road is Nine Mile Road which is gravel that doesn't get  
5 a lot of traffic. And the hardship now is that the  
6 road's been closed for approximately two years. The --  
7 so in order to generate some type of traffic there, we  
8 have that sign at Eight Mile that directs people to  
9 Garfield and then to Nine Mile.

10 The -- to complicate things even more, since  
11 we started, the -- with our permission, of course, the  
12 city has been dumping and pumping water onto our site,  
13 flooding the site, which is also causing a negative as  
14 far as the sales. We anticipated being 75 percent sold  
15 by this time. We're less than 50 percent sold.

16 So we'd like to have the sign extended. We  
17 do have permission from the county because it's in  
18 their right-of-way. And we'd like the city to grant us  
19 another two years to leave the temporary sign there  
20 until -- for two years or until we're 75 percent sold.

21 So we're -- we just don't have -- and I've  
22 been selling new construction for over 35 years. It's  
23 one of the prettiest sites I've ever had, but it's also

1 one of the worst marketing windows I've ever had. So  
2 we're just requesting that this variance be carried on  
3 for another two years.

4 CHAIRPERSON PEDDIBOYINA: Okay.

5 MR. ROTT: I could add that when I -- I  
6 personally am on site selling and when I tell people  
7 we're on Garfield and Nine Mile, they actually  
8 sometimes think we're on the East Side in Macomb  
9 Township. So ...

10 Or Macomb County, rather. But this is -- we  
11 have such a beautiful site and beautiful product.

12 And Mark Guidobono, the owner of Cambridge  
13 Homes has done a nice job for the city of Novi and for  
14 the residents. And I think he's taken -- with  
15 Bellagio, he's taken Novi to a new level. And I think  
16 with Terra, it's a very unique development. It's  
17 taking Novi to the next level. So we just like to have  
18 the sign that's there.

19 It's not an offensive sign. It's 45 inches  
20 wide by 42 inches tall, plus the overall height is six  
21 feet, but -- I'm sorry. Five feet. It's 60 inches.  
22 And it's been there for two years. I don't find it  
23 objectionable. Other people might, but this is the

1 situation we're in right now.

2 CHAIRPERSON PEDDIBOYINA: Okay. Would you  
3 like to add anymore thing?

4 MR. ROTT: Oh, I'm sorry. No.

5 CHAIRPERSON PEDDIBOYINA: All done?

6 MR. ROTT: Yes.

7 CHAIRPERSON PEDDIBOYINA: Okay. Audience,  
8 anybody would like to speak on this case, please?  
9 Yeah. Please come to the podium. Please tell your  
10 first and last name clearly. And we have three minutes  
11 of each audience. Thank you.

12 MR. RANCOUR: Good evening. My name is Tom  
13 Rancour. It's spelled R-a-n-c-o-u-r. And I'm  
14 representing a homeowner's association. So I would  
15 please ask the board for ten minutes to address this  
16 issue as it's in the procedure.

17 CHAIRPERSON PEDDIBOYINA: Oh, you want 10  
18 minutes?

19 MR. RANCOUR: Yes, please. I'll be brief.  
20 It will probably be less than that, but that is --

21 CHAIRPERSON PEDDIBOYINA: No. We have only  
22 audience is maximum is three minutes limit.

23 MR. RANCOUR: Okay. When you're representing

1 multiple people, I understood the rules to say you  
2 could have more time.

3 CHAIRPERSON PEDDIBOYINA: Yes. My thing, I  
4 can go for the max is five minutes. As per my board  
5 members has to approve on the two more minutes.

6 MR. RANCOUR: Okay. Thank you. I'll do the  
7 best I can.

8 CHAIRPERSON PEDDIBOYINA: Anything else  
9 anybody wants to?

10 MS. SAARELA: Let me check the rules of  
11 procedure on that.

12 CHAIRPERSON PEDDIBOYINA: Yeah, please. Go  
13 ahead.

14 MR. RANCOUR: So as I mentioned, we would  
15 like to strongly object to this application filed by  
16 Cambridge Homes. And I'll explain in great detail why  
17 they failed to meet standards one, two and three of the  
18 Zoning Board of Appeals requirements.

19 Before I start, I want to highlight a few  
20 things. The percentage of Dunhill Park residents that  
21 have filed and taken the time to file a written  
22 objective is 62 percent. And those are in your  
23 E-packet and I would hope that the board would look at

1 each and every one of those homeowner comments because  
2 this sign as small as it's represented to be does  
3 impact our property, our property value, and the value  
4 of that whole corner which is across from Maybury State  
5 Park.

6 A couple of things. It has been as mentioned  
7 been in place for two years. It's actually two years  
8 and seven months. And the board did approve a two-year  
9 variance previously. So we are seven months out of  
10 compliance, okay? And that's 846 days. That's 13  
11 times. 13 times the normal 64 day temporary sign  
12 allowance.

13 This is not a temporary sign. This is a  
14 permanent sign and it has to go.

15 Standard one for granting sign variance talks  
16 about extraordinary circumstances or conditions. And  
17 the applicant has mentioned about Nine Mile Road in  
18 their application. They basically said there's limited  
19 exposure to the project, and the sewer project is  
20 either closed or limited traffic on Nine Mile.

21 Well, that alleged special condition no  
22 longer applies. Let me repeat that. That special  
23 condition no longer applies. And the reason is that

1 posted on the website for the City of Novi where as of  
2 December 28th -- I have a handout for you if you'd  
3 like, the city engineers indicated that the sewer  
4 project is 100 percent complete. There are some  
5 cleanup type things that have to be done. But I talked  
6 to the city engineer and he actually provided an E-mail  
7 to the effect that pipe installation has been complete  
8 and that the road, the remaining work will be done as  
9 long as there's no frozen conditions continuing, we  
10 expect fully to open later this months. Talking  
11 January.

12 So your own city engineer saying that that  
13 Nine Mile Road will open to traffic and therefore the  
14 hardship that was in the application no longer exists.  
15 That sign could be relocated to Nine Mile and to the  
16 Beck area. It's one mile away from Terra. The sign  
17 that currently exists is two miles away.

18 So that is a lot closer and we feel that that  
19 condition does not exist anymore.

20 When we look at the -- looking at -- moving  
21 on with the association. One of the things that was in  
22 the application was that the Terra sign was granted  
23 approval by Toll Brothers. There's a letter. It's

1 undated in the application that says, "go ahead. We  
2 consent to it." Well, we're here to tell you that Toll  
3 Brothers does not represent the homeowner's association  
4 in any way, shape or form. And we object to that  
5 letter and we object to the concept of putting it into  
6 an application.

7 Standard two talks about limited use of  
8 property. And Cambridge states it meets the standard.  
9 There's a remote location without any traffic exposure  
10 and signage is one of the most important elements to  
11 attract customers.

12 Let's review some facts. Terra already the  
13 sign at Eight Mile and Garfield, one mile away for the  
14 project. They can move the existing sign at Eight and  
15 Beck down to Nine and Beck, okay? And they also have  
16 vacant land over there to do it with.

17 Right now they're two miles away with their  
18 sign. They have plenty of exposure. And we note that  
19 Cambridge has an extensive marketing campaign. Terra  
20 website, routine open houses, realtor networking, print  
21 ads and other communications. So the sign in front of  
22 our neighborhood at Eight Mile and Beck is very distant  
23 from the project and it actually limits our use of our

1 property, not the limitation of their property.

2 So one of the things I want to point out is,  
3 we have a green belt that we spent tens of thousands of  
4 dollars at Eight Mile and Beck. Deciduous trees,  
5 evergreens, all kinds of installed sod, sprinkler  
6 systems, ornamental apple trees. That is getting  
7 spoiled by this one sign. It's the only sign. It's a  
8 commercial sign in the right-of-way, which is a whole  
9 other point.

10 We feel that right-of-ways should be for  
11 public use. Utilities, bike paths, turn lanes, that  
12 type of thing for public use. Here we have in the  
13 right-of-way a private sign for a commercial  
14 enterprise. It just doesn't -- it's just not right.

15 CHAIRPERSON PEDDIBOYINA: Excuse me, Tom.

16 MR. RANCOUR: Yeah.

17 CHAIRPERSON PEDDIBOYINA: Beth?

18 MS. SAARELA: It's not in our Rules of  
19 Procedure. It's in the Rules of Conduct that were  
20 adopted by City Council for conducting public hearings.  
21 It does allow for ten minutes when they're speaking for  
22 multiple people.

23 CHAIRPERSON PEDDIBOYINA: Yeah, please.

1 Okay.

2 MR. RANCOUR: So just to continue. I'll wind  
3 this up. In terms of standard number three, which is  
4 granting the sign if there's an adverse impact on a  
5 surrounding area. In the application, Cambridge says  
6 that, quote unquote, "Terra is an empty nester gated  
7 community and Dunhill Park is a single family sub."  
8 That's what they say. That does not address the issue  
9 of adverse impact on a surrounding area. In fact, that  
10 statement is really nonsensical and it's unfair. It's  
11 unfair to us in that, you know, the statement is  
12 implying that some developer of a empty nester  
13 community has the right to post a sign in front of a  
14 residential R-1 area. It impacts their business.  
15 Their business is being impacting us for our  
16 residential appearance.

17 So it's an unbelievable kind of injustice  
18 here. So we mentioned the impact on the green belt.  
19 There's also impact in front of our subdivision. The  
20 appearance of Maybury State Park where people are  
21 trying to go to recreate, use the entrance across the  
22 street for bikes and walking, the first thing they see  
23 is a sign.

1           We also feel a sign presents a distraction to  
2 drivers. That Eight Mile and Beck corner is already  
3 called a collision crash reduction area by public  
4 safety. So I think if you ask them, they wouldn't have  
5 a problem with that sign going away. It's a  
6 distraction when people see that kind of sign. It's  
7 the only sign that's in that area. The only sign in  
8 that area. So special consideration. Again, it's been  
9 there for two years and seven months.

10           So in summary, I think that Cambridge has  
11 failed to meet Zoning Board Appeal standards one, two  
12 and three for granting of this sign variance. And  
13 Dunhill Park is really a truly a residential area.  
14 It's not a commercial district, wide open for putting  
15 up signs. We think that you should summarily take that  
16 sign down, reject this request and encourage Terra to  
17 go ahead and post something at Nine Mile and Beck  
18 instead.

19           Thank you.

20           CHAIRPERSON PEDDIBOYINA: Thank you very  
21 much, Tom. I appreciate.

22           Okay. Anybody who would like to speak on  
23 this case in the audience, please?

1                   Please go ahead. Spell your first and last  
2 name clearly.

3                   MR. HILTZ: My name is Peter Hiltz,  
4 H-i-l-t-z. Yes, I am an attorney. Do you want my P  
5 number or not?

6                   CHAIRPERSON PEDDIBOYINA: No. Thank you,  
7 Peter.

8                   MEMBER MONTAGUE: He's already sworn to tell  
9 the truth.

10                  CHAIRPERSON PEDDIBOYINA: Yeah. Thank you,  
11 Peter. And appreciate if you can limit your time.

12                  MR. HILTZ: Yeah. I will be very quick.

13                  CHAIRPERSON PEDDIBOYINA: Thank you so much.

14                  MR. HILTZ: First, as Tom said, 62 percent of  
15 the residents at Dunhill Park have objected. And they  
16 all feel that, you know, there is an adverse impact on  
17 the beauty of the subdivision and, you know, the life  
18 there. The fact that the application merely said with  
19 respect, you know, to impact, that Terra is an empty  
20 nester and Dunhill Park is single family residents. I  
21 have absolutely no idea what they're saying. And  
22 seriously, I think that a reason like that put on the  
23 application is not taking this board seriously.

1           Second, as Tom said, you know, the city  
2 engineers have said that the problem with the roads is  
3 going to be done -- you know, completed at the end of  
4 this month. They do not need another two-year  
5 extension.

6           Third, with respect to the safety issues that  
7 the traffic safety authorities have put cameras and  
8 designated the intersection as a safety issue. It does  
9 not need any additional visual distractions. Either  
10 the sign is big enough to actually make a difference  
11 from a business perspective marking in which case it is  
12 a visual distraction, or it's too small to be a visual  
13 distraction and therefore has no impact on their  
14 marketing.

15           I will comment that, yes, the sign is one  
16 foot inside the Oakland County right-of-way, but it is  
17 on the inside of the sidewalk, not on the outside of  
18 the sidewalk. So unless you, like Tom and I did, went  
19 out and took a tape measure to Eight Mile, it does look  
20 like it's on, you know, the HOA's property.

21           These days, you know, the way that marketing  
22 runs with an Internet, et al, I don't think the signage  
23 is as critical. And as Tom said, the most appropriate

1 place for this sign is not two miles away catty-corner.  
2 It is at Nine Mile and Beck instead of Eight Mile and  
3 Beck.

4 And finally, this is a bad precedent for just  
5 continuing to roll over variances for billboards, which  
6 let's be honest, this is a billboard.

7 CHAIRPERSON PEDDIBOYINA: Thank you, Peter.  
8 I appreciate.

9 Anybody in the -- please go ahead, sir.

10 MR. LAURA: Good evening. My name is Joe  
11 Laura. I'm a resident of Dunhill Park. Do you need my  
12 address or?

13 No? Okay.

14 CHAIRPERSON PEDDIBOYINA: Go ahead, sir.

15 MR. LAURA: I'll be very brief. The zoning  
16 board is constituted and the primary thing that they  
17 look at is one thing from their petitioners, is there a  
18 hardship? There is no hardship on this. I've done  
19 some investigation on this. Those properties are  
20 averaging about 2.3 to 2.4 million. They are sought  
21 out. One, because of the location in Novi and the five  
22 subdivisions that kind of corner there. The second one  
23 is Mr. Guidobono who has an excellent reputation.

1                   Empty nesters, absolutely. They're looking  
2                   for one for seniors pretty much that are retiring.  
3                   When I went up there and talked extensively to the  
4                   individuals that work there, they said we stopped phase  
5                   two. We're just stopping it. Right now we're delaying  
6                   it. And they had five lots. This is about 30 days ago  
7                   in phase one.

8                   So the fact that the gentleman said, hey, we  
9                   have a lot more to go. That's their own conclusion.

10                  Mr. Guidobono has done two excellent  
11                  subdivisions right where we are. One's Bellagio and  
12                  one's Tuscany. If he really needs a sign or wants a  
13                  sign -- and certainly, signs are -- they're super. If  
14                  he could, he would probably put a sign on every lot  
15                  going up to his subdivision east and west and north and  
16                  south. Why doesn't he put one at Bellagio where he  
17                  lives and he developed the subdivision? That's right  
18                  on Beck Road. The second sign he could put is right at  
19                  Tuscany. Again, he developed the subdivision. You  
20                  take a little bit road down there and you turn right  
21                  and you go up to Garfield.

22                  So you'll see from our -- there are no  
23                  approvals from any of our residents there. And I -- I

1 would stress, really stress, basis for ZBA, no  
2 hardship. No hardship.

3 And this has been -- it blows my mind and I'm  
4 very familiar with city government, that this  
5 variance -- I'm not even sure you can call it a  
6 variance, lasted two plus years. I've never heard of  
7 that before.

8 And I really appreciate your time. Thank you  
9 for listening to us. And I would end up with one  
10 question.

11 If you find it that you -- there is no  
12 hardship and you deny this, what I would like for you  
13 to say in the remarks is when this sign is to be  
14 removed. How long does it have to be removed.  
15 Appreciate your time. Thank you so much.

16 CHAIRPERSON PEDDIBOYINA: Thank you, very  
17 much, Joe. Appreciate your time.

18 Anybody board -- any audience?

19 Looks like none.

20 Okay. City?

21 MR. BUTLER: No comments from the city.

22 CHAIRPERSON PEDDIBOYINA: Thank you.

23 Correspondence secretary, Member Montague?

1 MEMBER MONTAGUE: Yes. This is going to be  
2 long.

3 CHAIRPERSON PEDDIBOYINA: Please go ahead.

4 MEMBER MONTAGUE: There were 52 letters sent,  
5 one returned, and 18 objections.

6 MS. SAARELA: You don't have to read them all  
7 word for word. You can summarize them.

8 MEMBER MONTAGUE: Could be a long night if I  
9 did. Let's see who this one's from.

10 MS. OPPERMANN: The first one is from the  
11 HOA.

12 MEMBER MONTAGUE: That's from the HOA?

13 MS. OPPERMANN: Yes.

14 MEMBER MONTAGUE: They point out the sign  
15 directly abuts their condominium association.  
16 Additional variance would set danger precedent. Favors  
17 special commercial entrance.

18 The Terra sign has significant adverse impact  
19 on Dunhill Park and the surrounding.

20 That's the three major categories. I think  
21 you've heard a lot of that from the homeowner's  
22 association representative there.

23 Robbie Amuthan. Sorry about pronouncing the

1 words. I'm writing to object --

2 (The Reporter asked for clarification.)

3 MEMBER MONTAGUE: A-m-u-t-h-a-n. In summary,  
4 the sign has been there for two years which I believe  
5 is sufficient duration. Locating it around Garfield  
6 and Nine Mile would be more useful. The sign is a  
7 distraction to drivers and it will set a bad precedent  
8 if it's allowed to remain.

9 From Ashley Lambrix, L-a-m-b-r-i-x.

10 Objection. Specifically distracts from the visual  
11 appeal of the community. It is a residential  
12 neighborhood, not a commercial district.

13 Daniel Hodor, H-o-d-o-r. Just an objection.

14 Palava and Arjun (ph) Khullar, K-h-u-l-l-a-r.  
15 Unacceptable and effects the aesthetics of the  
16 property.

17 Timothy and Bridgette Smith. A distraction  
18 to a very busy intersection. It's been there far too  
19 long.

20 Sadarshin (ph) Mhatre, M-h-a-t-r-e.

21 Objection. Already have an advertising sign for two  
22 years. And its adverse effect on the aesthetics of  
23 their community.

1 Jim Sutton for Kramer-Triad Property  
2 Management. Again, been in for two years. Takes away  
3 from the beauty of Dunhill Park community. And a  
4 safety issue for the drivers.

5 Thomas and Nancy Rancour, R-a-n-c-o-u-r.  
6 Just an objection.

7 Fred and Judy (ph) Timpner, T-i-m-p-n-e-r.  
8 Takes away from the natural setting of the area.  
9 Maybury State Park is directly across. And creates a  
10 traffic hazard.

11 Lesh and Kasan (ph) Angle, A-n-g-l-e. Terra  
12 is located on Nine Mile, not Eight Mile so the location  
13 is inappropriate. Been in place for two years.  
14 Concerned about the prime spot and setting a precedent  
15 for other builders to want to make that a billboard  
16 area. Busy intersection.

17 I've already read this one because it's the  
18 same name as I said before.

19 Jarred and Beth Reepmeyer, R-e-e-p-m-e-y-e-r.  
20 Does not fit with the appearance of our subdivision.  
21 Gives precedent to free advertisement. Does not fit  
22 the ambiance with Maybury State Park. Negatively  
23 impacts pedestrian and traffic safety.

1 Shirley Worth (ph) and Peter Hiltz,  
2 H-i-l-t-z. Detracts from the appearance of our  
3 property. Distraction for drivers at a busy  
4 intersection. We do not want our property to become a  
5 kiosk for advertising signs.

6 Anthony and Jennifer Beal, B-e-a-l. We've  
7 been forced to see this sign for over two years. It is  
8 unsightly and detracts from the appearance of our sub.

9 Adam Boucher, B-o-u-c-h-e-r. Visual clutter.  
10 Detracts from the appearance of the overall property.  
11 Dangerous precedent. Safety concern. Distraction from  
12 Maybury Park.

13 Darius and Farrell (ph) Gilvydis,  
14 G-i-l-v-y-d-i-s. Eight Mile and Beck are busy and  
15 increased accidents they feel because of this sign.  
16 Intersection is on the way to Maybury Park.

17 I think that's it.

18 CHAIRPERSON PEDDIBOYINA: I know, Member  
19 Montague. Thank you so much for today, you know,  
20 acting secretary. I really appreciate for that.

21 And it's the time for the board to speak on  
22 this case. Anybody would like to speak on this case?

23 MEMBER MCLEOD: Am I allowed to ask a

1 question?

2 Who owns the -- or manages the property that  
3 the sign is on? Is that managed by the homeowner's  
4 association or the city?

5 MR. ROTT: It's my understanding the -- it's  
6 county property.

7 MR. RANCOUR: I can address that? The sign  
8 is on the right-of-way. Our property line is right up  
9 as far as it can be to be on the right-of-way but right  
10 on our property line, as best as we can determine. So  
11 it's essentially as Peter was saying, the sign is  
12 actually on the inside of the public sidewalk which we  
13 installed at our costs. A five-foot wide sidewalk.  
14 It's a beautiful sidewalk. A lot of people use it.  
15 It's right on the corner. When people make that corner  
16 on the sidewalk, too, they have to go around the sign.  
17 And, you know, there might be some obstruction there.

18 The other point I want to mention is that we  
19 mow the grass and trim around that sign at our costs --

20 CHAIRPERSON PEDDIBOYINA: Okay, Tom. I  
21 appreciate. Thank you so much.

22 Okay. Any other board member would like to  
23 speak on this case?

1 MEMBER MONTAGUE: I sure would.

2 CHAIRPERSON PEDDIBOYINA: Okay. Member  
3 Montague, please go ahead, sir.

4 MEMBER MONTAGUE: Yeah. I guess I'm afraid I  
5 feel that, yeah, two years seven months is long enough.  
6 It's wanting to become a permanent sign. And we must  
7 remember that economics is not a variance reason.

8 CHAIRPERSON PEDDIBOYINA: Thank you, Member  
9 Montague.

10 Any other board member?

11 Please, Michael Longo.

12 MEMBER LONGO: Yeah. I agree with what was  
13 just said. An interesting thing that was presented  
14 though is for us to put if we -- if we deny, the date  
15 that that sign should come down. And since the city  
16 has said your -- Nine Mile is an issue. Nine Mile will  
17 be open by the end of the month. We could put in that  
18 the sign has to come down by February 1st, 2022.

19 MEMBER MONTAGUE: Is that for us to do,  
20 Larry, or is that a city enforcement thing?

21 MS. SAARELA: I would think that's code  
22 enforcement. They're going to look at when the permit  
23 to have it there expires and then they can enforce

1 after that expiration.

2 CHAIRPERSON PEDDIBOYINA: Okay. That is  
3 going to take the city, I mean, commission,  
4 enforcement?

5 MR. BUTLER: When the permit expires or can  
6 we do that before? It's up to the board basically.

7 MS. OPPERMANN: It's a temporary sign. It's  
8 not issued a sign permit the way that a permanent sign  
9 would be.

10 MS. SAARELA: So if the variance is expired,  
11 then the code enforcement can enforce against that as  
12 soon as the variance is lapsed.

13 CHAIRPERSON PEDDIBOYINA: Okay. Thank you,  
14 Beth.

15 Okay. You want to continue, Member Longo?  
16 Anything you'd like to speak?

17 MEMBER LONGO: No. That answered my  
18 question. Thank you.

19 CHAIRPERSON PEDDIBOYINA: Thank you very  
20 much. Anybody would like to speak on this? Mike, you  
21 want to speak? Go ahead.

22 MEMBER THOMPSON: Yeah. So I understand  
23 where the 18 people and everyone is coming from. Just

1 a side note them a little. We've been down -- we take  
2 our kids down that bike trail, okay, and that -- over  
3 the last two years. I get that they've needed some  
4 help with their sign only from the fact of there's  
5 equipment and material and stuff that's been in the way  
6 of getting in their sub. So I do understand that  
7 you've had some hard times getting that up, but I think  
8 we should give them -- if we're able to give them a  
9 slight extension, like a month or two, then I think the  
10 board should maybe put that into -- also, they've had a  
11 pretty complicated site with the equipment and material  
12 that have been in the way of getting in a subdivision  
13 that nice.

14 CHAIRPERSON PEDDIBOYINA: Thank you, Mike.

15 Anybody would like to speak?

16 Okay. Looks like none. And it's my turn.

17 And, yeah. I seen this case, you know,  
18 several times. And also, on the public hearings and  
19 other people and my fellow board members so what the  
20 council and what the -- you know, talking. I don't  
21 know where it's coming. And I'm not happy on this.

22 Okay. Somebody can make a motion. Member  
23 Montague?

1                   MEMBER MONTAGUE: I move that we deny the  
2                   variance in case number PZ21-0080, sought by Cambridge  
3                   of Novi for time extension of the temporary sign.

4                   The failure to grant relief is a mere  
5                   inconvenience. Financial is not an acceptable variance  
6                   reason. The variance would result in interference with  
7                   the adjacent and surrounding properties. It is  
8                   detrimental to the appearance of the neighborhood. And  
9                   probably have some effect on safety on that corner.  
10                  Granting a variance would be inconsistent with the  
11                  spirit and intent of the ordinance due to the intrusion  
12                  on other properties.

13                  I think two years and seven months to this  
14                  date is long enough and it's in danger of becoming a  
15                  permanent sign and that's not something that we want  
16                  there.

17                  CHAIRPERSON PEDDIBOYINA: Okay. Thank you.  
18                  Somebody can make a second?

19                  MEMBER LONGO: I second.

20                  CHAIRPERSON PEDDIBOYINA: Thank you, Member  
21                  Michael Longo.

22                  And it's time for the roll call, Katherine.

23                  MS. OPPERMANN: Chairperson Peddiboyina?

1 CHAIRPERSON PEDDIBOYINA: Yes. I'll deny.

2 MS. OPPERMANN: Member Longo?

3 MEMBER LONGO: Yes, deny.

4 MS. OPPERMANN: Member McLeod?

5 MEMBER MCLEOD: Deny.

6 MS. OPPERMANN: Member Montague?

7 MEMBER MONTAGUE: Yes to the motion to deny.

8 MS. OPPERMANN: And Member Thompson?

9 MEMBER THOMPSON: Is it too late to add an  
10 amendment or no?

11 MS. SAARELA: Yes.

12 MEMBER THOMPSON: It is too late?

13 MS. SAARELA: Yeah.

14 MEMBER THOMPSON: Okay. Then I would have to  
15 deny.

16 MS. OPPERMANN: Motion to deny the case is  
17 passed five to zero.

18 CHAIRPERSON PEDDIBOYINA: Thank you,  
19 Katherine.

20 Sorry about that.

21 Okay. And today's cases are all done. Thank  
22 you so much for your time, audience, and all the  
23 members.

1                   And we have other matters. Officer  
2                   elections. It's chair and secretary. And I would like  
3                   to continue. Somebody can make a motion on this. If  
4                   anybody is interested, please let me know. Montague?

5                   MEMBER MONTAGUE: I would like to nominate  
6                   Mr. Peddiboyina for continuing to be chairman.

7                   MEMBER LONGO: I second that.

8                   CHAIRPERSON PEDDIBOYINA: Anybody else? No?  
9                   Okay. Thank you. And secretary, who wants  
10                  to be secretary?

11                  MEMBER MONTAGUE: She's not here anymore.

12                  CHAIRPERSON PEDDIBOYINA: No, no. Who wants  
13                  to be out of us? Do you want to continue as the  
14                  secretary?

15                  MEMBER MONTAGUE: I can, if you like. Sure.

16                  CHAIRPERSON PEDDIBOYINA: Okay. Member  
17                  Montague wants to continue. I propose.

18                  MEMBER LONGO: I second.

19                  CHAIRPERSON PEDDIBOYINA: Thank you.  
20                  Anybody? Any objections? No? Thank you.

21                  MS. OPPERMANN: Oh. Vice chair.

22                  CHAIRPERSON PEDDIBOYINA: Vice chair. Yeah,  
23                  vice chair. Who wants to be? Mike, you want to be

1 vice chair if I am absent? You want to be vice chair?

2 MEMBER THOMPSON: Vice chair.

3 CHAIRPERSON PEDDIBOYINA: Okay. Go ahead.

4 Thank you.

5 I propose vice chair Mike vice chair.

6 MEMBER LONGO: I second.

7 CHAIRPERSON PEDDIBOYINA: Thank you. Okay.

8 And I would like to welcome our new board member.

9 What's his name?

10 MR. BUTLER: Jay McLeod.

11 CHAIRPERSON PEDDIBOYINA: Jay McLeod. And I  
12 welcome you and thank you so much for, you know,  
13 volunteering for this board and we'll work together and  
14 I appreciate it.

15 Anybody have any other things, any other  
16 matters?

17 Seeing none. Okay. Motion is adjourned.

18 Everybody say aye everybody.

19 THE BOARD: Aye.

20 CHAIRPERSON PEDDIBOYINA: Say no.

21 Okay. Motion is adjourned. Thank you.

22 (At 8:20 p.m., meeting adjourned.)

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C E R T I F I C A T E

STATE OF MICHIGAN)

) ss

COUNTY OF OAKLAND)

I, Darlene K. May, Notary Public within and for the County of Oakland, do hereby certify that I have recorded stenographically the proceedings had and testimony taken in the above-entitled matter at the time and place hereinbefore set forth, and I do further certify that the foregoing transcript, consisting of sixty-seven (67) typewritten pages, is a true and correct transcript of my said stenographic notes.

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

January 20, 2022  
(Date)