

02/10/2026

1 REGULAR MEETING - ZONING BOARD OF APPEALS

2 CITY OF NOVI

3 Tuesday, February 10, 2026

4 Council Chambers/Novi Civic Center

5 41725 Novi Road

6 Novi, Michigan

7

8 BOARD MEMBERS:

9

W. Clift Montague, Chairperson

10 Linda Krieger, Member

11 Mike Longo, Secretary

12 Joe Samona, Member

Marc Jappaya, Member

12 Yogesh Kumar, Member

13 ABSENT EXCUSED:

14 Joe Peddiboyina, Member

15 Michael Thompson, Member

16 ALSO PRESENT:

17 Elizabeth Saarela, City Attorney

18 Alan Hall, Deputy Community Development

19 Director

20 Megan Nardone, Recording Secretary

21

22 REPORTED BY:

23

Melinda R. Womack

24 Certified Shorthand Reporter

25

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1 CHAIRPERSON MONTAGUE: All right. Need  
2 to call the February 10th meeting of the Zoning  
3 Board of Appeals to order. Mike, you want to do  
4 the Pledge of Allegiance?

5 MEMBER LONGO: I do.

6 CHAIRPERSON MONTAGUE: Thank you.

7 MEMBER LONGO: Please rise if you can.

8 (Pledge of Allegiance recited)

9 CHAIRPERSON MONTAGUE: Roll call,  
10 please.

11 MS. NARDONE: Member Longo?

12 MEMBER LONGO: Here.

13 MS. NARDONE: Member Krieger?

14 MEMBER KRIEGER: Here.

15 MS. NARDONE: Member Samona?

16 MEMBER SAMONA: Here.

17 MS. NARDONE: Chairperson Montague?

18 CHAIRPERSON MONTAGUE: Here.

19 MS. NARDONE: Member Jappaya?

20 MEMBER JAPPAYA: Here.

21 MS. NARDONE: Member Thompson, absent  
22 excused. Member Peddiboyina, absent excused.  
23 Member Kumar?

24 MEMBER KUMAR: Yes.

25 MS. NARDONE: Thank you. We have a

1 quorum.

2 CHAIRPERSON MONTAGUE: Thank you. Go  
3 over the rules of conduct here a little bit.  
4 We've got six. So seven members. If someone  
5 feels like that because we're missing a member  
6 they may have a hard time getting their four  
7 votes, they can ask to be put off till next month.  
8 We ask everybody to turn off their phones or put  
9 them on silence, please. We will call a case by  
10 case and the representative for the case will have  
11 ten minutes or less, hopefully, to present their  
12 case and why they need this appeal. If there's  
13 anyone in the audience that would like to speak to  
14 a case, they should raise their hand and be  
15 recognized, I'll recognize them, and they'll have  
16 three minutes to make their statements. We will  
17 also have beforehand public remarks. That's a  
18 time to do something that has nothing to do with  
19 the cases tonight, so that is that. Meeting  
20 minutes from January?

21 MEMBER SAMONA: I would like to make a  
22 motion to approve. I just want the record to  
23 reflect that just so they're not marked as any  
24 type of absent that full-term member Jappaya and  
25 the alternate were present. So just to make that

1 as part of the record. But make a motion to  
2 approve the minutes from January 2026.

3 CHAIRPERSON MONTAGUE: Do I have a  
4 second?

5 MEMBER LONGO: Second.

6 MEMBER SAMONA: Can the alternate  
7 and -- if they were not part of the meeting they  
8 can still vote?

9 MEMBER LONGO: They can vote in this,  
10 but they couldn't vote last week.

11 MEMBER SAMONA: Okay.

12 CHAIRPERSON MONTAGUE: All right. Roll  
13 Call?

14 MS. NARDONE: Member Krieger?

15 MEMBER KRIEGER: Yes.

16 MS. NARDONE: Member Samona?

17 MEMBER SAMONA: Yes.

18 MS. NARDONE: Chairperson Montague?

19 CHAIRPERSON MONTAGUE: Yes.

20 MS. NARDONE: Member Jappaya?

21 MEMBER JAPPAYA: Yes.

22 MS. NARDONE: Member Kumar?

23 MEMBER KUMAR: Yes.

24 MS. NARDONE: Member Longo?

25 MEMBER LONGO: Yes.

1 MS. NARDONE: Thank you. Motion  
2 carries.

3 CHAIRPERSON MONTAGUE: Are there any  
4 proposed revisions to the agenda?

5 MR. HALL: No, sir.

6 CHAIRPERSON MONTAGUE: Then I will  
7 entertain a motion to approve the agenda.

8 MEMBER KRIEGER: I move to approve the  
9 agenda for tonight.

10 MEMBER KUMAR: Second.

11 MS. NARDONE: Member Samona?

12 MEMBER SAMONA: Yes.

13 MS. NARDONE: Chairperson Montague?

14 CHAIRPERSON MONTAGUE: Yes.

15 MS. NARDONE: Member Jappaya?

16 MEMBER JAPPAYA: Yes.

17 MS. NARDONE: Member Kumar?

18 MEMBER KUMAR: Yes.

19 MS. NARDONE: Member Longo?

20 MEMBER LONGO: Yes.

21 MS. NARDONE: Member Krieger?

22 MEMBER KRIEGER: Yes.

23 MS. NARDONE: Thank you. Motion  
24 carries.

25 CHAIRPERSON MONTAGUE: Thank you. This

1 is the point in time where if there are any public  
2 remarks unrelated to cases tonight you could raise  
3 your hand and be recognized. Give accolades to  
4 our new members or whatever you'd like to do.

5 MEMBER SAMONA: I'd like to welcome the  
6 new members. I know she'll probably fall asleep,  
7 so I'll do it right now. I want to wish my mom a  
8 happy birthday today.

9 CHAIRPERSON MONTAGUE: Nice. Happy  
10 birthday. You're welcome. All right. Seeing  
11 nothing else, let's get into our cases for the  
12 evening. We have four cases. First case,  
13 PZ25-0069. The applicant is requesting variances  
14 from the City of Novi Sign Ordinance Section 28-  
15 5(a) chart for the RC zoning district to allow one  
16 additional wall sign; and section 28-5(a), to allow  
17 an increased height for the existing monument ground  
18 sign. This property is zoned Regional Center  
19 District (RC). Someone here to present the case?  
20 Please step to the podium, say your name, spell it for  
21 the recorder, please.

22 MR. PAISLEY: Hi. My name's Preston  
23 Paisley, P-R-E-S-T-O-N, P-A-I-S-L-E-Y.

24 MEMBER LONGO: Excuse me, Preston. Are  
25 you an attorney?

1 MR. PAISLEY: No.

2 MEMBER LONGO: Do you promise to tell  
3 the truth in this case?

4 MR. PAISLEY: Yes.

5 MEMBER LONGO: Thank you.

6 MR. PAISLEY: We're located at 27767  
7 Novi Road, and just as it states in the variance  
8 request, we're looking to raise our existing  
9 monument sign and add an additional building sign.

10 CHAIRPERSON MONTAGUE: Do you have any  
11 graphics you can put on the screen?

12 MR. PAISLEY: I believe they were in  
13 there, but I don't have them printed. Can you  
14 guys not display them?

15 CHAIRPERSON MONTAGUE: Yes, she can.

16 MR. PAISLEY: I'm sorry. Thank you.  
17 So start with our wall signs. We feel that the  
18 wall signs play an integral role in displaying  
19 what we truly are. They're very modest. They're  
20 nothing crazy. Feel like across the street our  
21 competitor, Chick-fil-A, they have four signs on  
22 all four sides. That's pretty much it. Don't  
23 really have much else to say.

24 If you look, I think that's the south  
25 side of our building that currently doesn't have

1 it. It's just -- it's very plain. Naked. If  
2 you're driving that way you have no way of knowing  
3 what we are unless, you know, you go past and then  
4 you see it. Yeah.

5           And then our second case for a monument  
6 sign, this is currently what it looks like.  
7 That's our transformer. We can't move the  
8 transformer just due to zoning, utilities. It's  
9 completely blocked, you know. We display stuff on  
10 there. We spent close to a hundred grand on a  
11 sign and it's blocked. I know you guys are  
12 probably thinking well, why did you put it there  
13 in the first place. That's where the city wanted  
14 us to put it and it's really the only spot to put  
15 it, unfortunately. I think, their city  
16 requirement is nothing higher than six feet. So  
17 we're looking to raise it an additional four feet  
18 eight inches I think, which will allow greater  
19 clearance and, you know, can be able to see it.

20           On the opposite side of that sign it's  
21 also blocked by a traffic light controller. I  
22 don't have a picture of it, but it looks  
23 essentially the same. You can't see the sign at  
24 all. We feel that raising it would benefit anyone  
25 trying to see what we display like our features,

1 our flavor of the day. I believe that's really  
2 all I have to say. It's all spelled out, so.

3 CHAIRPERSON MONTAGUE: All right.

4 MR. PAISLEY: Thank you, guys.

5 CHAIRPERSON MONTAGUE: Hang in there in  
6 case we've got some questions here. City?

7 MR. HALL: Thank you, Mr. Chair. This  
8 case was actually postponed from a previous case.  
9 So case number PZ25-0065 was postponed to February  
10 10, which is today's date. It was taken off the  
11 agenda at that time. They needed to revise the  
12 actual submittal so we had to repost it and  
13 publish it in the paper. So that case was  
14 canceled. And now this case is PZ25-0069, which  
15 is the new case. So it's the same case, just one  
16 was canceled because they changed it a little bit  
17 and move this one before today. Just trying to  
18 clear that up so you remember that from last time.  
19 That's why we're here today.

20 They are asking for two variances, one  
21 variance to allow an additional wall sign, another  
22 one to allow a height grade increase. Could you  
23 put up the first picture you had with three  
24 elevations or four elevations there?

25 MR. PAISLEY: Of the wall sign?

1 MR. HALL: Yes, please.

2 MR. PAISLEY: Sure.

3 MR. HALL: So you're asking for one  
4 additional sign. Of those elevations, which one  
5 is the added sign?

6 MR. PAISLEY: It would be the one on  
7 the north end of our building. So it would be  
8 this one right here on top. That's our main  
9 entrance that people come into. That's the main  
10 parking lot and we don't have a sign there. We  
11 currently have a sign here on the front of our  
12 building, and here on the south side of our  
13 building.

14 MR. HALL: And is that sign going to be  
15 illuminated?

16 MR. PAISLEY: It would be, yes.

17 MR. HALL: Is it going to have  
18 backlighting or is it illuminated itself?

19 MR. PAISLEY: It's illuminated itself.

20 MR. HALL: Is there any kind of  
21 animation effects or any blinking or any of that  
22 kind of stuff?

23 MR. PAISLEY: No, sir.

24 MR. HALL: Okay. Do you have a picture  
25 of the monument sign?

1 MR. PAISLEY: The elevation?

2 MR. HALL: Yes, please.

3 MR. PAISLEY: So this is the proposed  
4 elevation of the new monument sign. Currently it  
5 looks the exact same as you saw in this picture  
6 here except this one is just raised.

7 MR. HALL: So the request for that  
8 sign, the monument sign is going to be a height  
9 increase. He is correct, the maximum height the  
10 zoning ordinance allows is six feet. They want to  
11 increase that four feet eight inches to a total  
12 ten feet eight inches in height to see above the  
13 transformer as he said. With that, I have nothing  
14 else to add. Thank you.

15 CHAIRPERSON MONTAGUE: Correspondence.

16 MEMBER LONGO: Yes. We mailed out 25  
17 notices, three were returned. There were no  
18 objections and no approvals.

19 CHAIRPERSON MONTAGUE: Okay. At this  
20 point, is there anyone in the audience that would  
21 like to speak to this case? Okay. Seeing none, I  
22 will open it up to the board. Yes.

23 MEMBER SAMONA: I don't have any issue  
24 with the additional wall sign because I think it's  
25 needed for wayfinding. Couple of questions that I

1 have, and I drive by this probably more times than  
2 I can remember, and I actually drove by it  
3 specifically for this purpose. One of the things  
4 that I couldn't do is get out of the car and  
5 measure. Do you know or maybe Alan, do you know  
6 the height of the transformer?

7 MR. HALL: I believe it's close to five  
8 feet. Five feet I think.

9 MR. PAISLEY: Probably a little over  
10 five feet.

11 MEMBER SAMONA: What's the height of  
12 the current sign?

13 MR. PAISLEY: It currently sits just  
14 below six feet. I don't have a current elevation  
15 but I'm certain it sits just below six feet.

16 MEMBER SAMONA: So the actual --  
17 besides the, I guess I'll refer to the brick --

18 MR. PAISLEY: That would be what's  
19 increased.

20 MEMBER SAMONA: So that physical sign,  
21 that's going to be the exact same.

22 MR. PAISLEY: Yes, sir. The digital  
23 display and the Culver's sign itself, none of that  
24 changes, just the stonework. We would just be  
25 building up the current sign.

1 MEMBER SAMONA: That's all I have. I  
2 mean I understand what's --

3 MR. PAISLEY: Sorry to interrupt. You  
4 mentioned you drove by the site.

5 MEMBER SAMONA: Correct.

6 MR. PAISLEY: Did you view that  
7 monument sign?

8 MEMBER SAMONA: I see what the issue  
9 is. My thought is, does it need everything that's  
10 being asked for, it's not does it need something.  
11 I understand the basis if asking and the basis of  
12 potentially granting something. I don't know  
13 that, and I'm not saying I'm against it, and  
14 perhaps any comments from my colleagues may be  
15 beneficial. I'm just -- my question is more, is  
16 this the minimum of what we need in order to be  
17 able to have it functional or used for its  
18 intended purposes.

19 MR. PAISLEY: Right. You're saying  
20 could we get away with raising it maybe a little  
21 less than we're asking for and still have the same  
22 effect.

23 MEMBER SAMONA: That's the exact  
24 question that I'm asking.

25 MR. PAISLEY: Right. I don't have an

1 exact answer for that. What I can tell you is,  
2 you know, we got like our sign company behind this  
3 thing with all the elevations, and they seem to  
4 think that this proposed height would be the way  
5 to go, like I said.

6 MEMBER SAMONA: I understand, and I'll  
7 leave it at this comment. The fact is, did we  
8 explore, and it seems like the answer is no, but  
9 were the options of alternate heights explored.  
10 So that's all I have to say and have to add to  
11 this.

12 CHAIRPERSON MONTAGUE: There's a good  
13 picture in the packet to see that right now. This  
14 angle the transformer is about top to the existing  
15 sign.

16 MEMBER SAMONA: Can't tell by the  
17 angle. I don't know if there's a foot left.

18 MR. PAISLEY: It's essentially within a  
19 couple, a few inches.

20 MEMBER JAPPAYA: Preston, do you have a  
21 rendering of the new sign, the new measurements?  
22 Do you have a rendering showing it in the place  
23 that it's going to go so that we can see how far  
24 above the transformer it's going to be?

25 MR. PAISLEY: No. I don't have

1 anything like that. I could get you the current  
2 elevations of the sign and the current brickwork,  
3 but I don't have like a rendering of the  
4 transformer, you know what I mean?

5 MEMBER JAPPAYA: Got it.

6 MEMBER KUMAR: I have questions. We  
7 have some traffic lights over there. So will this  
8 height of where you have the display, will there  
9 be any way it will impede the drivers?

10 MR. PAISLEY: I don't think so. This  
11 sign that we're proposing would be smaller in  
12 height than the 12 Oaks sign. They're two  
13 different signs. I'm not trying to compare them.  
14 But if anyone knows where we currently sit, we  
15 were right there. We're both right across the  
16 street from each other, and yeah.

17 MEMBER KUMAR: Thank you.

18 MR. PAISLEY: Of course.

19 MEMBER KRIEGER: The changeable copy  
20 sign, I notice when it first came out that it was  
21 changing quickly. So is there a certain amount of  
22 times it changes a day, because if it's just too  
23 much then it's just going to --

24 MR. PAISLEY: We're within the city  
25 code currently.

1 MEMBER KRIEGER: Okay. And then that's  
2 part of the sign to have the --

3 MR. PAISLEY: Yeah.

4 MEMBER KRIEGER: Okay.

5 MR. PAISLEY: I think the city code is  
6 you can't display an image for longer than 30  
7 seconds at a time or maybe it's 15. Otherwise,  
8 it's considered animated and you guys don't allow  
9 animations. So we just have still images  
10 displayed, our flavor of the day features, like  
11 right now we've got walleye up there and our  
12 flavor of the day and just some other features.  
13 Each image runs at 30 seconds. I believe the city  
14 code is 15 seconds.

15 MEMBER KRIEGER: Yeah, I notice now  
16 that it's different than before Christmas.

17 MR. PAISLEY: Yeah. It's constantly  
18 changing.

19 MEMBER KRIEGER: Right. Now it's  
20 better. I drive by there plenty of times and I  
21 was wondering why the transformer was there and  
22 the sign, but then I figured out after if somebody  
23 is staying at a hotel visiting for Christmas and  
24 looking for somewhere to stop and get a meal, I  
25 can understand your need. And then for the height

1 because the transformer, it's far enough back that  
2 I don't think it will obstruct traffic and the  
3 changeable is not going to be a distraction  
4 because it's as we just discussed. And it's set  
5 back farther from the road so that that also  
6 helps. If somebody is driving by to look for  
7 something that you need the identification so I  
8 would be able to support your request.

9 MR. PAISLEY: Thank you.

10 MEMBER SAMONA: I have one more  
11 question. And sorry, I'm drawing a blank here so  
12 it's going to be maybe Alan or Beth. Granting --  
13 granting a request, does it run with the property?

14 MS. SAARELA: Yes.

15 MEMBER SAMONA: I would make -- I would  
16 make this, I guess, proposal to the board prior to  
17 any motion. And if this is something that is too  
18 tricky or we're not able to do, then please  
19 interject me. I wouldn't have an issue supporting  
20 it, however, I would like an additional condition  
21 that this is specific to Culver's at this specific  
22 location. Are we able to do something like that?

23 MS. SAARELA: We typically don't advise  
24 against making to a specific applicant because it  
25 is supposed to run with the property, but since it

1 is a sign, it has been done before, you need to  
2 put a good justification on the record of why.  
3 Why does the condition need to be attached to this  
4 request in order to protect the public health,  
5 safety and welfare.

6 MEMBER KUMAR: I have another question.  
7 On the basis of the transformer being there, and  
8 if I look at Google Maps, this transformer was  
9 there before the Culver's came up.

10 MR. PAISLEY: That is correct.

11 MEMBER KUMAR: Any point in time in the  
12 future if there is a change in the utility  
13 transmission line or transformer is removed or  
14 change the location, so will that in any way this  
15 request is tied up because we are granting this  
16 approval only because the transformer?

17 MS. SAARELA: You could make that a  
18 condition. The likelihood that that transformer  
19 gets moved is low, but you could attach that.  
20 You'd have to specify on the record the reason why  
21 you're requesting that.

22 MR. PAISLEY: I'm sorry.

23 MEMBER SAMONA: No, please. Go ahead.

24 MR. PAISLEY: Our first thought was to  
25 move the transformer, obviously. We're like oh,

1 we're just going to move this. It can't be done  
2 at this point in time. That's all I have to say,  
3 unfortunately.

4 MEMBER SAMONA: I would say that the  
5 way that, only way I'd be able to support this,  
6 and I'm for supporting it, is with the condition  
7 that we -- that it's specific to Culver's at this  
8 location because we don't know if there's another  
9 tenant there, another user, what the intended use  
10 is, and it's not like everybody may need a sign  
11 like that or that big. And yes, what if the  
12 transformer is moved and another user or another  
13 business comes in there and the transformer is no  
14 longer an issue. Well then we still -- now we  
15 have this ginormous sign.

16 CHAIRPERSON MONTAGUE: You probably  
17 should tie it to a specific client.

18 MEMBER SAMONA: That's a more  
19 appropriate way to do it, and I'm fine with that  
20 as well.

21 MR. HALL: That would be prudent  
22 because a transformer change would be a material  
23 change to the property, you'll actually change the  
24 approval, the site plan approval plan so that  
25 would be appropriate.

1 CHAIRPERSON MONTAGUE: It doesn't show  
2 deference to particular business per se.

3 MR. HALL: Yeah. Then a client would  
4 come in, a name change or a face change, that  
5 wouldn't affect the height. That wouldn't be a  
6 part of -- that would be not germane to what we're  
7 talking about. We're talking about a transformer  
8 trying to see it.

9 MEMBER SAMONA: That's appropriate.  
10 I'd be satisfied with that. I knew that. I was  
11 trying to test him.

12 CHAIRPERSON MONTAGUE: All right. You  
13 want to take care of it?

14 MEMBER KRIEGER: I move that we grant  
15 the variance in case number PZ25-0069 sought by  
16 Culver's, for the added wall sign to the north and  
17 the monument sign addition up to an additional  
18 four feet eight inches due to the transformer, and  
19 it would be conditional because of the  
20 transformer, that if at any time the transformer  
21 was moved or changed that this would be re-looked  
22 at on the basis of any following. The request is  
23 based upon circumstances and features that are  
24 exceptional and unique to the property. The  
25 topography actually, as well, in this area does

1 not result in conditions that exist generally in  
2 the city or that are self-created. Failure to  
3 grant relief will unreasonably prevent or limit  
4 the use of the property and will result in  
5 substantially more than mere inconvenience or  
6 inability to attain a higher economic or financial  
7 return because of the interference of the  
8 transformer location at this time. Granting  
9 relief would offset other improvements or actions,  
10 such as increased setbacks or increased  
11 landscaping. The construction of a conforming  
12 sign would require the removal or significant  
13 alteration of the natural features on the property  
14 because of the transformer. The grant of relief  
15 will not result in a use or structure that is  
16 incompatible with, or unreasonably interferes with  
17 adjacent or surrounding properties. It will  
18 result in substantial justice being done to both  
19 the applicant and adjacent or surrounding  
20 properties, attracting attention whether customers  
21 come to Culver's or are visiting other nearby  
22 shops and come to Culver's. It is not  
23 inconsistent with the spirit and intent of this  
24 chapter.

25 MEMBER SAMONA: I would just like to

1 say if the transformer is moved, we're not going  
2 to -- just because the transformer is moved, we're  
3 not going to go back and say hey, now you guys got  
4 to change your sign. I just want to say that.

5 MS. SAARELA: I think she said it will  
6 be reconsidered.

7 MEMBER SAMONA: Correct. Reconsidered  
8 if there's like a modification to the sign or  
9 something. But if they have the sign up, and then  
10 if the transformer is moved.

11 MS. SAARELA: I think what she said was  
12 clear.

13 MEMBER SAMONA: Got it.

14 MS. SAARELA: That if the transformer  
15 is moved it will be re-looked at.

16 MEMBER KRIEGER: Yes.

17 MEMBER SAMONA: Got it.

18 MEMBER LONGO: I second.

19 CHAIRPERSON MONTAGUE: It's seconded.

20 Roll call, please.

21

22

23

24

25

1 MS. NARDONE: Member Kumar?

2 MEMBER KUMAR: Yes.

3 MS. NARDONE: Member Longo?

4 MEMBER LONGO: Yes.

5 MS. NARDONE: Member Krieger?

6 MEMBER KRIEGER: Yes.

7 MS. NARDONE: Member Samona?

8 MEMBER SAMONA: Yes.

9 MS. NARDONE: Chairperson Montague?

10 CHAIRPERSON MONTAGUE: Yes.

11 MS. NARDONE: Member Jappaya?

12 MEMBER JAPPAYA: Yes.

13 MS. NARDONE: Thank you. Motion

14 carries.

15 MEMBER LONGO: I've been there three

16 times and never saw that sign.

17 MEMBER SAMONA: I'm just saying, when I

18 go to Dairy Queen I usually get a peanut buster

19 parfait and it's usually -- no.

20 MR. PAISLEY: You guys. We're very

21 happy to be a part of the community. That piece

22 of property is second to none in Novi.

23 MEMBER SAMONA: Which one, the

24 transformer property?

25 CHAIRPERSON MONTAGUE: The second case

1 for the evening PZ25-0070 (Catholic Central). The  
2 applicant is requesting a variance from the City  
3 of Novi Zoning Ordinance Section 5.7.3.F to allow  
4 use of CCT 4000 Kelvin lighting fixtures. 3000  
5 Kelvin lighting fixtures are allowed. So this is  
6 a variance, if we're doing the math, of 1000  
7 Kelvin. The property is zoned One Family  
8 Residential (R-1). Somebody here to present the  
9 case?

10 MEMBER SAMONA: May I make a statement  
11 before they begin?

12 CHAIRPERSON MONTAGUE: You betcha.

13 MEMBER SAMONA: I have no financial  
14 interest in this. I do want to indicate to  
15 everyone that I did contact Mr. -- I did contact  
16 Catholic Central High School and Mr. Wilson when I  
17 was going out there because it is a school  
18 property and I wanted to let them know that I was  
19 going to be walking on the property and I was put  
20 in contact with Mr. Wozniak. There was no  
21 influence or anything. And I do personally know  
22 the assistant principal of Catholic Central, Mitch  
23 Hancock. He wrestled with my brothers when my  
24 brothers went to Brother Rice. We won't hold that  
25 against CC. But I have no financial interest to

1 this and I have no bias to it whatsoever. So with  
2 that, I'll remain on this hearing. I just wanted  
3 to make that disclosure.

4 MEMBER LONGO: Amen.

5 MEMBER SAMONA: Very appropriate for  
6 this.

7 CHAIRPERSON MONTAGUE: Please introduce  
8 yourself and spell your last name, please.

9 MR. WOZNIAK: My name's Andy Wozniak,  
10 W-O-Z-N-I-A-K.

11 MEMBER LONGO: Andy, are you an  
12 attorney?

13 MR. WOZNIAK: I am not.

14 MEMBER LONGO: Do you promise to tell  
15 the truth in this case?

16 MR. WOZNIAK: I do.

17 MEMBER LONGO: Thank you.

18 MR. WOZNIAK: I'm here with Michael  
19 Wilson from Catholic Central. Start with the  
20 slides. The red dot that you see right there,  
21 that's where the classroom addition is going, and  
22 you'll be able to see that the nearest residents  
23 are over here, so it's no not going to be visible  
24 from offsite.

25 Again, there is where the addition is

1 going to be. And you can see it's kind of faint,  
2 but there's two light poles that are needed to  
3 light this path. And then there's some building  
4 mounted lighting as well. This is an example of  
5 what the light pole will look like. The  
6 photometric study, you can't see the numbers, nor  
7 can I because of my eyes. But again, the lighting  
8 from these two poles and the building mounted  
9 lighting, the photometric study shows that by the  
10 time it gets to the Hall of Science parking lot is  
11 down to zero, so there will be no spillage onto  
12 the parking lot, let alone offsite.

13 This is a picture, it was in your  
14 packets. It's kind of hard to see but this is the  
15 4000 Kelvin lighting that just went in with the  
16 Hall of Science addition. And then it's also  
17 going in with the North Athletic Campus that's  
18 being built currently.

19 In this final picture just from the  
20 plans, this is just a rendering of what the  
21 building addition will look like. This is from  
22 the woods in the rear. This is from the east, and  
23 then this is an overhead that gives you an idea  
24 that it's located again behind the Hall of  
25 Science. You can see the greenhouse over here.

1 So you won't be able to see it from anywhere from  
2 offsite.

3 So the reasons that our request for a  
4 dimensional variance meets the required standards  
5 for approval, standard number one, circumstance or  
6 physical conditions, extraordinary situations on  
7 the land, building or structure. The  
8 extraordinary situation of the building addition  
9 is that it's located behind the existing school,  
10 and the proposed lighting is adjacent to the  
11 recently installed lighting for the Hall of  
12 Science. Standard number two, not self-created.  
13 There's an immediate practical difficulty causing  
14 the need for a dimensional variance that is not  
15 self-created. The ordinance which requires color  
16 temperature 3000 Kelvin lighting was adopted in  
17 July 2024. 4000 Kelvin lighting for the entire  
18 campus was installed or approved to be installed  
19 prior to that date, and there are approximately 95  
20 light poles on the campus. Standard number three,  
21 strict compliance. Conformity with the ordinance  
22 will be unnecessarily burdensome. All exterior  
23 lighting on the Catholic Central Campus is color  
24 temperature 4000 Kelvin, which by definition  
25 provides balanced white light and approved safety

1 and alertness. The new ordinance requires color  
2 temperature 3000 Kelvin lighting, which reduces  
3 glare and light pollution. Introducing a  
4 different color temperature is not recommended.  
5 According to the Illuminating Engineering Society,  
6 uniform lighting minimizes dark spots and is  
7 crucial for safety. Furthermore, lighting  
8 uniformity is how humans perceive how evenly  
9 lighting is distributed throughout an area.  
10 Standard number four. Minimum variance necessary.  
11 The building mounted lighting and the two light  
12 poles are the minimum number of poles required to  
13 light the proposed sidewalk. Standard five.  
14 Adverse impact on surrounding areas. The proposed  
15 lighting will not cause adverse impact to the  
16 surrounding property. The lighting is located  
17 behind the recently completed Hall of Science and  
18 will not be visible from the adjacent properties.  
19 The proposed lighting will match the existing  
20 lighting on the campus. We ask that you grant our  
21 request for a dimensional variance to allow color  
22 temperature 4000 Kelvin exterior lighting for  
23 Catholic Central classroom addition. I'm here for  
24 questions.

25 CHAIRPERSON MONTAGUE: That's it.

1 City?

2 MR. HALL: Thank you, Mr. Chairman.  
3 Yes, they are asking for a dimensional variance  
4 based on the color temperature of the light. So  
5 Kelvin, if you're not familiar with that, Kelvin a  
6 temperature rating so it's how much yellow is in  
7 the light versus how much white is in the light.  
8 So 3000 Kelvin, which is what the ordinance has,  
9 is more of a residential lower Kelvin or a  
10 yellower light. He's asking for 1000 degrees  
11 more, which is barely enough to see but it has  
12 more white in that sense. It doesn't affect the  
13 intensity of the light, doesn't talk about the  
14 appearance where they're located in the site, it's  
15 only color the temperature they're asking for,  
16 which is consistent with what's on the property  
17 right now. With that, I don't have anything else.

18 CHAIRPERSON MONTAGUE: Thank you.

19 Correspondence?

20 MEMBER LONGO: Yes. We mailed out  
21 eight notifications. None were returned. There  
22 were no approvals and no objections.

23 CHAIRPERSON MONTAGUE: All right.  
24 Anyone in the audience like to speak to this? All  
25 right. Then I will open it up to the board.

1 MEMBER SAMONA: This is probably one of  
2 the easiest ones for me because of how everything  
3 was presented and how it was submitted. If you  
4 don't mind, Mr. Wozniak, can you put the  
5 photometric study back on because I did review  
6 that and the -- I guess would it be appropriate to  
7 say the leakage from the light?

8 MR. WOZNIAK: It's called -- I don't  
9 know the term. I think -- I had the term.  
10 Spillage.

11 CHAIRPERSON MONTAGUE: Scatter.

12 MEMBER SAMONA: The scatter from the  
13 additional lights ends before you even get to the  
14 parking lot where they already have 4000 Kelvin  
15 lights there. So it has zero affect on any type  
16 of scatter, any type of leakage, anything, and  
17 it's probably the most magnificent campus that  
18 I've seen. I would see absolutely no reason not  
19 to support this. I would have every support  
20 imaginable.

21 MEMBER KRIEGER: Is that a motion?

22 MEMBER SAMONA: I can make a motion if  
23 we're ready.

24 MEMBER KUMAR: I support.

25 MEMBER SAMONA: He supports my motion.

1 I didn't even make it.

2 MEMBER KUMAR: I support the proposal.  
3 I'm sorry.

4 MEMBER SAMONA: Mr. Chair, I move that  
5 we grant the variance in Case PZ25-0070 sought by  
6 Catholic Central High School to allow the use of  
7 4000 Kelvin exterior lighting fixtures where 3000  
8 Kelvin is currently permitted under the City of  
9 Novi Zoning Ordinance because the petitioner has  
10 demonstrated a practical difficulty requiring the  
11 variance. Without the variance, the petitioner  
12 would be unreasonably limited in the use of the  
13 property, as the proposed lighting is intended to  
14 match existing site lighting that was previously  
15 approved prior to adoption of the current  
16 ordinance, and strict compliance would result in  
17 inconsistent lighting across the campus. The  
18 property is unique due to its size, existing  
19 institutional development, and established  
20 lighting conditions, which differ from typical  
21 residential or commercial properties within many  
22 zoning districts. The petitioner did not create  
23 the condition, as the existing 4000 Kelvin  
24 lighting on the site was approved before the  
25 ordinance limiting color temperature was adopted.

1 The relief granted will not unreasonably interfere  
2 with adjacent or surrounding properties, as the  
3 submitted photometric plan demonstrates full  
4 cut-off fixtures with no increase in light levels  
5 at the property line, and compliance with glare  
6 and spillover controls. The relief is consistent  
7 with the spirit and intent of the ordinance as the  
8 proposed lighting meets the ordinance's objectives  
9 related to safety, light control and protection of  
10 neighboring properties, with the only deviation  
11 being color temperature.

12 MEMBER KRIEGER: Second.

13 MS. NARDONE: Member Jappaya?

14 MEMBER JAPPAYA: Yes.

15 MS. NARDONE: Chairperson Montague?

16 CHAIRPERSON MONTAGUE: Yes.

17 MS. NARDONE: Member Kumar?

18 MEMBER KUMAR: Yes.

19 MS. NARDONE: Member Longo?

20 MEMBER LONGO: Yes.

21 MS. NARDONE: Member Krieger?

22 MEMBER KRIEGER: Yes.

23 MS. NARDONE: Member Samona?

24 MEMBER SAMONA: Yes.

25 MS. NARDONE: Thank you. Motion

1 carries.

2 MR. WOZNIAK: Thank you.

3 MEMBER SAMONA: Brother Rice is still  
4 the best.

5 MR. WOZNIAK: For the record, I went to  
6 Brother Rice.

7 CHAIRPERSON MONTAGUE: We usually have  
8 his mic cut off. Sorry I missed it that time.  
9 All right. Next case. PZ25-0071. Renaissance  
10 Hotel. The applicant is requesting variances from  
11 the City of Novi Sign Ordinance Section 28-5(b)(1)  
12 b to allow two additional wall signs. This  
13 property is zoned Residential Commercial (R-C).  
14 We have a presenter here. Step to the podium and  
15 say and spell your last name, please.

16 MS. LONG: My name is Tammy Long,  
17 T-A-M-M-Y, L-O-N-G. I work for Northern Sign  
18 Company. We've been contracted by the Renaissance  
19 Hotel to do their signs.

20 MEMBER LONGO: Tammy, are you an  
21 attorney?

22 MS. LONG: No, sir.

23 MEMBER LONGO: Do you promise to tell  
24 the truth in this case?

25 MS. LONG: Yes, I do.

1 MEMBER LONGO: Thank you.

2 CHAIRPERSON MONTAGUE: Tell us how we  
3 can help you.

4 MS. LONG: The Renaissance Hotel, their  
5 signs right now do not mention that they're a  
6 hotel, just Renaissance and Baronette.

7 CHAIRPERSON MONTAGUE: Do you have  
8 visuals?

9 MS. LONG: Yes, I do.

10 CHAIRPERSON MONTAGUE: Can you put  
11 those up.

12 MS. LONG: Yes, I can.

13 CHAIRPERSON MONTAGUE: Sorry to  
14 interrupt.

15 MS. LONG: The one here to the left or  
16 the right it says Renaissance Baronette. What  
17 they want to do is add the little word hotel  
18 underneath it so they can establish they they are  
19 a hotel and not just a conference room and  
20 everything. Marriott's trying to redo all their  
21 signs. The signs are being redone with no  
22 problems, it's just because of the extra square  
23 footage on these wall signs that we had to go  
24 through this. One is being put on one side is  
25 going to be eight square foot. That's the west

1 elevation. And I've got another picture here.  
2 Give me a minute. And on the south elevation  
3 there's going to be a three square foot sign going  
4 up. And they are channel letters that are going  
5 there.

6 CHAIRPERSON MONTAGUE: All right. Does  
7 that pretty much cover it?

8 MS. LONG: Yes.

9 CHAIRPERSON MONTAGUE: City.

10 MR. HALL: Mr. Chairman. I do have a  
11 couple of questions for you. So the channel  
12 letters, are they backlit so it's illuminated?

13 MS. LONG: They're face lit.

14 MR. HALL: So you can see the glowing  
15 letters. Is there a halo lighting to it at all or  
16 just the glowing letters?

17 MS. LONG: No. It's just the glowing  
18 letters.

19 MR. HALL: Is there any animation  
20 effects like blinking or any of that kind of  
21 stuff?

22 MS. LONG: No.

23 MR. HALL: So yes. They're seeking two  
24 sign variances tonight. One variance is to allow  
25 illuminated sign that's three foot eight inches

1 long by nine and a half inches high, which is 2.9  
2 square foot is one variance. That's the size  
3 within the size standard of the ordinance. The  
4 second variance was to allow additional  
5 illuminated sign that's six foot zero and three  
6 quarters of an inch long and one foot four inches  
7 high, which is 8.08 square feet. This size is  
8 also within the zoning standards. And as she said  
9 that it's for identification for the business to  
10 say what's going on inside. With that, we have  
11 nothing to add. Thank you.

12 CHAIRPERSON MONTAGUE: Thank you.  
13 Correspondence?

14 MEMBER LONGO: Yes. We mailed out 24  
15 notices. Three were returned. There were no  
16 approvals and no objections.

17 CHAIRPERSON MONTAGUE: Thank you.  
18 Anybody in the audience, either one of you, like  
19 to speak to this case? All right. I will open it  
20 up to the board.

21 MEMBER SAMONA: Don't look at me. I  
22 didn't mean it like that.

23 CHAIRPERSON MONTAGUE: Congratulations.  
24 Total silence.

25 MS. LONG: I think this is a

1 no-brainer.

2 CHAIRPERSON MONTAGUE: Anybody else  
3 want to comment? Joe?

4 MEMBER SAMONA: We'll go discuss it at  
5 Toasted Oak after.

6 CHAIRPERSON MONTAGUE: All right.  
7 Motion away.

8 MEMBER LONGO: I move that we grant the  
9 variance for Case Number PZ25-0071, sought by the  
10 Renaissance Hotel for the additional wall signs,  
11 because the petitioner has shown practical  
12 difficulty, including clarification of the purpose  
13 of the building, requiring more exposure to the  
14 public, on the basis that the failure to grant the  
15 relief will unreasonably prevent or limit the use  
16 of the property and will result in substantially  
17 more than mere inconvenience or inability to  
18 attain the higher economic or financial return  
19 because finding the reason for the building is  
20 difficult. Also, the grant of relief will not  
21 result in the use or structure that is  
22 incompatible with, or unreasonably interferes with  
23 the adjacent or surrounding properties. It will  
24 result in substantial justice being done to both  
25 the applicant and the adjacent or surrounding

1 properties and is not inconsistent with the spirit  
2 and intent of the chapter because the signs do not  
3 cause any distraction to traffic or public.

4 MEMBER SAMONA: Second. Sorry.

5 MR. HALL: Can I add one thing? Will  
6 the petitioner consider adding the terms 2.9  
7 square feet for the one and 8.08 square feet for  
8 the other? 2.9 square feet for the one and 8.08  
9 square feet for the other?

10 CHAIRPERSON MONTAGUE: Thank you.

11 MEMBER SAMONA: I second as amended.

12 MS. NARDONE: Member Longo?

13 MEMBER LONGO: Yes.

14 MS. NARDONE: Member Krieger?

15 MEMBER KRIEGER: Yes.

16 MS. NARDONE: Member Samona?

17 MEMBER SAMONA: Yes.

18 MS. NARDONE: Chairperson Montague?

19 CHAIRPERSON MONTAGUE: Yes.

20 MS. NARDONE: Member Jappaya?

21 MEMBER JAPPAYA: Yes.

22 MS. NARDONE: Member Kumar?

23 MEMBER KUMAR: Yes.

24 MS. NARDONE: Thank you. Motion

25 carries.

1 CHAIRPERSON MONTAGUE: Thank you very  
2 much.

3 MS. LONG: Thank you.

4 CHAIRPERSON MONTAGUE: Enjoy the rest  
5 of your evening.

6 MS. LONG: You too.

7 CHAIRPERSON MONTAGUE: Be careful.  
8 It's warm out there. All right. So for our final  
9 case of the night. PZ26-0001. Auspicious number.  
10 Chamberlin Crossing. The applicant is requesting  
11 variances from the City of Novi Sign Ordinance  
12 Section 28-1(7) for two nonconforming monumental  
13 ground signs which do not meet the design  
14 standards per the definitions of a "ground sign"  
15 in that they do not contain a monument base and  
16 have support poles visible. This property is  
17 zoned Residential Acreage (RA). Applicants here  
18 to present. Step forward, both of you your name.  
19 Just one. Name and spell it for the recorder,  
20 please.

21 MR. BEWERSDORF: My name is Asher  
22 Bewersdorf, A-S-H-E-R, B-E-W-E-R-S-D-O-R-F.

23 MEMBER LONGO: Asher, are you an  
24 attorney?

25 MR. BEWERSDORF: I am not.

1 MEMBER LONGO: Do you promise to tell  
2 the truth in this case?

3 MR. BEWERSDORF: I do.

4 MEMBER LONGO: Thank you.

5 MR. BEWERSDORF: I am the owner of  
6 Uprise Landscaping & Construction. We were  
7 contracted at the beginning of the season to  
8 install new landscape.

9 CHAIRPERSON MONTAGUE: Do you got any  
10 visuals there?

11 MR. BEWERSDORF: I believe I emailed  
12 them in for the presentation.

13 MEMBER KRIEGER: For the people at  
14 home.

15 CHAIRPERSON MONTAGUE: Sorry to  
16 interrupt.

17 MR. BEWERSDORF: So right here is the  
18 entrance of the Chamberlin HOA. We were  
19 contracted to do a full redesign on the front  
20 landscape, on the center island as well as the two  
21 outer islands, this being the end result, which is  
22 a major upgrade from what was previously there.  
23 There was a white vinyl fence. We've installed  
24 these steel signs, which are considered  
25 nonconforming due to the fact that there are poles

1 in the construction. It's not a monument sign.  
2 We are asking for a variance in that because the  
3 landscape does go around and does go around the  
4 sign. The poles are not visible from traffic or  
5 people walking by. These signs are on both sides  
6 of the entrance and the lengths themselves don't  
7 exceed 18 inches in height.

8 CHAIRPERSON MONTAGUE: Does that pretty  
9 much cover it?

10 MR. BEWERSDORF: For the most part.

11 CHAIRPERSON MONTAGUE: City?

12 MR. HALL: Thank you, Mr. Chairman. If  
13 you could leave that picture up, that be good. So  
14 there is an open code enforcement on the property  
15 for not obtaining proper sign permits and  
16 constructing this nonconforming sign as it is. As  
17 he mentioned, nonconformance means that there's no  
18 proper base so you can see the structural posts,  
19 and the ordinance wants it to have some kind of a  
20 base, other brick or stone or something like that  
21 to have some kind of base to it, not just a post  
22 on it. The applicant is seeking variances on two  
23 sides. There's two of these signs that are  
24 showing nonconforming to the signs the way they  
25 are with the excuse that the landscaping covers up

1 the posts so you can't see them. In this case,  
2 looks like you might be able to see parts of the  
3 tops. The plant material in front of the signs.  
4 What is that material?

5 MR. BEWERSDORF: Boxwoods in front of  
6 the signs, and in front of the boxwoods would be  
7 end of summer hydrangeas.

8 MR. HALL: Okay. So the boxwoods would  
9 retain their green through the winter.

10 MR. BEWERSDORF: Yes.

11 MR. HALL: And the hydrangeas wouldn't  
12 but the boxwoods would probably have green and  
13 protect some of the sign.

14 MR. BEWERSDORF: Here I have a image of  
15 our architectural plan showing the installation of  
16 these signs. They are on a 42-inch footing and  
17 the sign is removable and both down on that  
18 footing. By not doing any brickwork we're able to  
19 keep the landscape and the same footprint as the  
20 previous landscape was, and therefore our design  
21 would not overflow into conservation easements and  
22 wetlands.

23 CHAIRPERSON MONTAGUE: Anything else  
24 from the city?

25 MR. HALL: No. We're set from the

1 city.

2 CHAIRPERSON MONTAGUE: Correspondence?

3 MEMBER LONGO: Yes. Mailed out 24  
4 notices, two were returned. There were no  
5 approvals and no objections.

6 CHAIRPERSON MONTAGUE: All right. Do  
7 you have anything to add?

8 MR. KELLEHER. Sure.

9 CHAIRPERSON MONTAGUE: Okay. Step up  
10 to the podium and state and spell your name.

11 MR. KELLEHER: Sure. Good evening.  
12 Patrick Kelleher, P-A-T-R-I-C-K, K-E-L-L-E-H-E-R.

13 MEMBER LONGO: Patrick, are you an  
14 attorney?

15 MR. KELLEHER: I am not.

16 MEMBER LONGO: Do you promise to tell  
17 the truth in this case?

18 MR. KELLEHER: I do.

19 MEMBER LONGO: Thank you.

20 MR. KELLEHER: So I'm a resident at  
21 Chamberlin Crossing and I represent the 11 other  
22 residents of the Association. And first of all,  
23 thank you for your leadership. Really appreciate  
24 it. We are prepared to adjust the sign if it's  
25 necessary and we apologize for not following the

1 ordinance. We do however like the way the sign  
2 looks and request your approval for the variance,  
3 and that's all I have to say.

4 CHAIRPERSON MONTAGUE: Thank you.

5 MR. KELLEHER: Thank you.

6 CHAIRPERSON MONTAGUE: All right. Open  
7 it up to Joe.

8 MEMBER SAMONA: I'm going to defer to  
9 my colleague here.

10 MEMBER KUMAR: I have a question. You  
11 have a box landscaping in front of the sign?

12 MR. BEWERSDORF: The boxwoods?

13 MEMBER KRIEGER: So is that you are  
14 making sure that at any point in time in the  
15 landscaping or trimming it will not go down by  
16 certain --

17 MR. BEWERSDORF: No.

18 MEMBER KRIEGER: So again, that's not  
19 exposed because we are seeing this is stopping the  
20 exposure of those pillars.

21 MR. BEWERSDORF: For sure. The  
22 boxwoods will maintain their height. They were  
23 just planted in June or July. And as we go  
24 through the maintenance season after season  
25 keeping them well trimmed and everything they will

1 continue to increase in height as well.

2 MEMBER KUMAR: Thank you.

3 MEMBER KRIEGER: Who's going to  
4 maintain both those signs and the boxwoods so that  
5 the posts are not visible?

6 MR. BEWERSDORF: The HOA is in charge  
7 of contracting a maintenance firm every season,  
8 but as of now, we're the ones doing the  
9 maintenance and we installed the landscaping  
10 signs.

11 MEMBER KRIEGER: This is the exhibit  
12 that everyone agreed with, and then it's unique  
13 from the other surrounding subdivisions that have  
14 monument signs in the area, but overall in the  
15 city there are others similar to that, so I'm not  
16 opposed to it. And as long as it's maintained, go  
17 from there and hear from my other colleagues.

18 MEMBER SAMONA: I have a few questions.  
19 My first one is, did -- had you known before you  
20 built, before you constructed this sign about what  
21 the ordinance currently is, would the  
22 Association -- or would the sign have been built  
23 differently to comply with the ordinance or would  
24 you still be in front of us asking for a variance  
25 to build the sign?

1 MR. BEWERSDORF: The design concept  
2 would remain somewhat the same, but the execution  
3 would be different.

4 MR. KELLEHER: Can I speak to that?  
5 The Association would have come in here and  
6 presented a request for a variance and we would  
7 have requested the signs be the way that we have  
8 them currently. That's all.

9 MEMBER SAMONA: The issue that I have  
10 with this is, this is a HOA who sometimes people  
11 have to get -- people have to request permission  
12 to install different doorknobs on their doors and  
13 the HOA didn't come to the city for permission.  
14 That's the issue that I have. And correct me if  
15 I'm wrong, and I'm okay with being wrong, what I  
16 read, I believe, was that the burden of not  
17 granting this would be more a financial burden  
18 than anything. So could the sign have been --  
19 could the sign be constructed and still be  
20 aesthetically pleasing with the way that the  
21 ordinance is written?

22 MR. KELLEHER: Could it be done? Yes,  
23 of course. Agree it is a financial burden and  
24 perhaps some of you are familiar with our issues  
25 of the homestead. And this young man actually did

1 our landscaping. We owe him, I don't know how  
2 much money, \$25,000 and he's still here today. So  
3 thank you. Really appreciate that. Says a lot  
4 about him as a business owner. Our -- the  
5 homestead has locked our account. We don't have  
6 access to our funds. We're rectifying that and  
7 resolving that, but that is part of the issue.  
8 And you know, it's 12 residents in the Association  
9 and there's a few of my neighbors that are quite  
10 upset. Some of us, it's not an issue, but some of  
11 my neighbors it is a big issue.

12 CHAIRPERSON MONTAGUE: Can I just say  
13 you've done a good job with the landscaping and  
14 could be some people that would say the  
15 landscaping is aesthetically more pleasing than a  
16 brick wall sitting there. Just an observation  
17 from my point.

18 MEMBER JAPPAYA: If I may. I would  
19 agree, Clift. I think it looks fantastic. I  
20 don't know what it looked like before. You did a  
21 great job.

22 MR. BEWERSDORF: I do have a picture of  
23 the before.

24 MEMBER JAPPAYA: I will say, however, I  
25 believe the ordinance is written the way it's

1 written for the aesthetic, right? And my biggest  
2 concern, we have a community next door to ours  
3 with a number of boxwoods that were devastated  
4 recently by a pest, an invasive pest, the box tree  
5 moth. So my concern is, what happens if those  
6 boxwoods die? How do we ensure that something is  
7 put in place, you know, to keep that aesthetic the  
8 way that it is now?

9 MR. KELLEHER: We will maintain the  
10 boxwoods. If they die, we will replace them. I'm  
11 okay with that being a condition.

12 MEMBER JAPPAYA: Is that something we  
13 could do? Could we write that in?

14 MS. SAARELA: You could make that a  
15 condition to maintain the landscaping in a certain  
16 way. Yeah.

17 MEMBER LONGO: The city will be  
18 inspecting that, and if that happens, I think the  
19 city would give them a warning.

20 MR. HALL: If it's a condition you  
21 make, then the ordinance officers can make that as  
22 a requirement to make sure that's enforced. So if  
23 it's not a condition then maybe not so much with  
24 the landscaping, but maybe if it's a condition,  
25 yes.

1 MEMBER LONGO: Thank you.

2 MEMBER SAMONA: I just have one more  
3 question. Was it only after the violation or at  
4 what point were you all made aware that it  
5 required approval from the Zoning Board of  
6 Appeals?

7 MR. BEWERSDORF: After code enforcement  
8 reached out to us.

9 CHAIRPERSON MONTAGUE: I'd just like to  
10 reiterate that generally we don't like people  
11 coming after they've done it so there has to be a  
12 stern lashing for that. That's not something we  
13 like to see happen. I do applaud the landscaping  
14 and how it looks. That's very nice. It doesn't  
15 necessarily excuse the fact that it was done  
16 inappropriately so that needs to be on the record  
17 that that is not an acceptable condition coming to  
18 this board.

19 MEMBER SAMONA: And I agree with the  
20 Chairman. Furthermore, it's a Homeowner's  
21 Association who usually has an architectural  
22 control committee that people have to go for  
23 approval in front of to get certain things  
24 granted. Something like this should have  
25 definitely been before the city before. I'd

1 support it with the condition of what Marc added  
2 regarding the landscaping.

3 CHAIRPERSON MONTAGUE: Me also. Me  
4 also. Any further comment? All right. Volunteer  
5 for a motion?

6 MEMBER SAMONA: I nominate Linda.

7 CHAIRPERSON MONTAGUE: Okay. Linda.

8 MEMBER SAMONA: For the ice bucket  
9 challenge. No, I'm kidding.

10 MEMBER KRIEGER: I move that we grant  
11 the variance in Case Number PZ26-0001, sought by  
12 Chamberlin Crossing. The petitioner has shown  
13 practical difficulty, including coming up with the  
14 architecture for the subdivision sign. They did  
15 it with landscaping at the base of it. The  
16 request is based upon circumstances and features  
17 that are exceptional and unique to the property.  
18 It used to be a farm there, and now it is a  
19 subdivision. It is unique in its location and  
20 unique properties, so this entranceway speaks to  
21 that in its own way. The boxwoods will be  
22 maintained to make up for the post not being a  
23 monument sign, according to the ordinance.  
24 Failure to grant relief will unreasonably prevent  
25 or limit the use of the property and result in

1 substantially more than mere inconvenience or  
2 inability to attain a higher economic or financial  
3 return because it is very attractive. The grant  
4 of relief would be offset by other improvements or  
5 actions, such as increased setbacks or increased  
6 landscaping. They have done the landscaping, so  
7 it is a matter of maintaining the landscaping for  
8 the sake of the sign. The construction of a  
9 conforming sign would require the removal of  
10 current conditions and natural features that have  
11 been provided. The grant of relief will not  
12 result in a use of structure that is incompatible  
13 with or unreasonably interferes with adjacent or  
14 surrounding properties and will result in  
15 substantial justice being done to both the  
16 applicant and adjacent or surrounding properties.  
17 It is consistent with the spirit and intent of the  
18 chapter. Because of its uniqueness in the area  
19 and location on Napier, along with the landscaping  
20 and the HOA's maintenance of it, it will be  
21 appropriate.

22 MEMBER SAMONA: I'll second.

23 MS. NARDONE: Member Krieger?

24 MEMBER KRIEGER: Yes.

25 MS. NARDONE: Member Samona?

1 MEMBER SAMONA: Yes.

2 MS. NARDONE: Chairperson Montague?

3 CHAIRPERSON MONTAGUE: Yes.

4 MS. NARDONE: Member Jappaya?

5 MEMBER JAPPAYA: Yes.

6 MS. NARDONE: Member Kumar?

7 MEMBER KUMAR: Yes.

8 MS. NARDONE: Member Longo?

9 MEMBER LONGO: Yes.

10 MS. NARDONE: Thank you. Motion

11 carries.

12 MEMBER KRIEGER: Best wishes.

13 MR. BEWERSDORF: Thank you.

14 MR. KELLEHER: Thank you.

15 MEMBER KRIEGER: Are we adjourned yet?

16 MEMBER SAMONA: I would defer to one of

17 my new colleagues for a motion to adjourn.

18 MEMBER JAPPAYA: Motion to adjourn.

19 MEMBER KRIEGER: Second.

20 CHAIRPERSON MONTAGUE: All in favor.

21 THE BOARD: Aye.

22 CHAIRPERSON MONTAGUE: Any opposed?

23 (The Meeting was adjourned at 8:05 p.m.)

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CERTIFICATE OF NOTARY

STATE OF MICHIGAN )  
 ) SS  
COUNTY OF OAKLAND )

I, Melinda R. Womack, Certified  
Shorthand Reporter, a Notary Public in and for the  
above county and state, do hereby certify that the  
above deposition was taken before me at the time  
and place hereinbefore set forth; that the witness  
was by me first duly sworn to testify to the  
truth, and nothing but the truth, that the  
foregoing questions asked and answers made by the  
witness were duly recorded by me stenographically  
and reduced to computer transcription; that this  
is a true, full and correct transcript of my  
stenographic notes so taken; and that I am not  
related to, nor of counsel to either party nor  
interested in the event of this cause.

*Melinda R. Womack*

Melinda R. Womack, CSR-3611  
Notary Public, Jackson County

My Commission expires: 06-22-2032

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**zoned** 7:18 25:7 34:13 40:17

**zoning** 3:2 7:15 9:8 12:10 25:3  
32:9,22 37:8 50:5