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MEETING - ZONING BOARD OF APPEALS
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                                    CITY OF NOVI
    TUESDAY, APRIL 11, 2023 7:00 p.m.
Council Chambers | Novi Civic Center | 45175 W. Ten Mile Road

BOARD MEMBERS :

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    Joe Peddiboyina, Chairperson
    Clift Montague, Co-Chairperson
    Linda Krieger, Secretary
    Siddharth Mav Sanghvi
    Michael Thompson
    Jay McLeod
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ALSO PRESENT:

Elizabeth Saarela, City Attorney Charles Boulard, Community Development Director Alan Hall, Deputy Community Development Director Anita Sophia Wagner, Recording Secretary

Reported by:

Darlene K. May, Certified Shorthand Reporter

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| Tuesday, April 11, 2023 |  |
| $7: 00$ p.m. |  |

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    CHAIRPERSON PEDDIBOYINA: Good evening and welcome to Novi City of Zoning Board of Appeals. Today is April 11, 7:00 p.m.

Call to order and Pledge of Allegiance.
Please stand everybody for the pledge.
(Pledge of Allegiance recited.)
CHAIRPERSON PEDDIBOYINA: Thank you. Please be seated. And also, please make sure your cell phones to the silent mode. And we have three minutes of time for the audience.

Roll call.
MS. WAGNER: Chairperson Peddiboyina?
CHAIRPERSON PEDDIBOYINA: Yes, please.

MS. WAGNER: Member Longo is absent, excused.
Member McLeod?

MEMBER McLEOD: Here.

MS. WAGNER: Member Montague?
MEMBER MONTAGUE: Here.
MS. WAGNER: Member Krieger?

MEMBER KRIEGER: Here.
MS. WAGNER: Member Sanghvi?
MEMBER SANGHVI: Yes.
MS. WAGNER: Member Thompson?
MEMBER THOMPSON: Yes.
CHAIRPERSON PEDDIBOYINA: Thank you. I think we have a quorum. Okay.

And public hearing and rules of conduct, you see all the cases we have. And you can see -- once we call the case, by case, present your case at the podium. And any comments or any audience, you have three minutes of time, you can present also. And when somebody's talking, please don't interrupt. Not more than three minutes for the audience. Thank you.

And approval of agenda. Somebody make a motion for the approval of agenda for the March.

MEMBER KRIEGER: Are there any changes, though?

CHAIRPERSON PEDDIBOYINA: Any changes?
MS. WAGNER: No changes.
CHAIRPERSON PEDDIBOYINA: No changes.
MEMBER KRIEGER: I move to approve the agenda.

MEMBER SANGHVI: Second.
CHAIRPERSON PEDDIBOYINA: Okay. Any nays, any objections?

Say aye.
THE BOARD: Aye.
MEMBER KRIEGER: All in favor aye.
CHAIRPERSON PEDDIBOYINA: Thank you. Okay.
Approval of agenda.
And minutes of March, somebody make a motion for that.

MEMBER KRIEGER: I move to approve the minutes for March 2023.

MEMBER SANGHVI: Second.
CHAIRPERSON PEDDIBOYINA: Thank you. Any nays?

Say aye all in favored.
THE BOARD: Aye.
CHAIRPERSON PEDDIBOYINA: Thank you.
Public remarks and public hearing.
Okay. And today we have two cases. For the first case, PZ23-0007, Richard Bohl Architects LLC, 111 Austin Drive, west of Old Novi Road and south of Thirteen Mile Road, Parcel 50-22-10-278-013.


MEMBER KRIEGER: Okay. Could you spell your
name for our court recorder?
MR. BOHL: Sure. It's B-o-h-l. It's my last name. First name is Richard.

MEMBER KRIEGER: Raise your right hand.
Do you swear or affirm to tell the truth in
this case?
MR. BOHL: Yes.
MEMBER KRIEGER: Thank you. Proceed.
CHAIRPERSON PEDDIBOYINA: Thank you, Linda. Thank you.

Please go ahead and proceed what we can help you tonight on this case.

MR. BOHL: Well, we're seeking a variance to build an addition to an existing residence at 111 Austin Drive. The addition comprises of a garage and a dog kennel room and a exterior porch.

The ordinance I believe it's Section 4.19(E), subsection I, limits the accessory building square footage on each site to 850 square feet and we're proposing an attached garage that would make the sum of the existing garage and the attached garage 1200 square feet, which exceeds the zoning ordinance limitations. And the reason for the hardship is we think it is an
unnecessary hardship to limit the garage square footage for that. That limits the parking on the site to two interior garages and we're seeking a third.

Would you like to add something to that?
MS. LOW: Yeah. So --
MEMBER KRIEGER: I'm sorry. But you need to spell your name for our court recorder and swear in.

MS. LOW: My name is Eunice, E-u-n-i-c-e, last name Low, L-o-w.

MEMBER KRIEGER: Are you an attorney?
MS. LOW: No. I'm the homeowner.
MEMBER KRIEGER: Okay. Can you raise your hand?

Do you swear or affirm to tell the truth in this case?

MS. LOW: Yes.
MEMBER KRIEGER: Thank you.
CHAIRPERSON PEDDIBOYINA: Please go ahead.
MS. LOW: So last year my father-in-law passed away so our mother-in-law has come to live with our family and so I just -- we just really want to take good care of her and I don't want her outside in the snow and ice and rain and everything. So we're seeking
a larger garage so she can be safe there as well. And so we'll be able to safely go into the cars and out without her risking a trip or a fall or anything like that.

CHAIRPERSON PEDDIBOYINA: Okay. Do you want to speak, any other?

MS. LOW: No.
CHAIRPERSON PEDDIBOYINA: Okay. Do you have any diagram or anything you want to present on this case? We can show on the projector.

And you can explain clearly, you know, so that everybody can see in the audience also.

MR. BOHL: I don't see it on the screen. Do I have to --

MS. WAGNER: It'll set it in just a moment. CHAIRPERSON PEDDIBOYINA: You can leave it. It takes a few seconds.

MR. BOULARD: They're working on it.
(Brief pause.)
CHAIRPERSON PEDDIBOYINA: Anita, can you help them?

MS. WAGNER: It's -- they're trying to find the right camera.

CHAIRPERSON PEDDIBOYINA: Yeah.
MS. WAGNER: So ...
CHAIRPERSON PEDDIBOYINA: Give me a few
minutes. Our city person is taking -- Charles.
(Pause.)
(Document displayed.)
CHAIRPERSON PEDDIBOYINA: Yeah. There you go. Sorry for the interruption. And thank you, Charles.

Yeah. Please go ahead and explain.
MR. BOHL: All right. This drawing is the overall site plan. And if you look at the area that is lighter, that is the existing residence and this area right here is the existing garage. This area is the proposed addition which will be the new garage, the new attached garage.

And then this is an enlarged drawing of the same thing.

This is the existing garage and then this is the garage addition. The garage in front, that dog kennel room, and a outdoor covered patio.

The sum of these two equals 1200 square feet. CHAIRPERSON PEDDIBOYINA: Okay.

MR. BOHL: Any questions?
CHAIRPERSON PEDDIBOYINA: Thank you. From the audience, anybody would like to speak on this case?

Looks like none.

Okay. From the city, Charles, any comments?
MR. BOULARD: Nothing to add. I'll standby for questions. Thank you.

CHAIRPERSON PEDDIBOYINA: Thank you, Charles.
I appreciate.
Okay. And so open to the board, anybody would like to speak?

MEMBER MONTAGUE: Correspondence?
CHAIRPERSON PEDDIBOYINA: I'm sorry?
Oh. Secretary, correspondence.
MEMBER KRIEGER: In this case -- okay. In this case -- thank you -- 47 were mailed, two returned, zero objections, one approval. The approval is from Kathy and Tom Stillman: "We support the variance request at 111 Austin, Novi, Michigan, variance request number PZ23-0007."

That's it.
CHAIRPERSON PEDDIBOYINA: Thank you very much, Linda. I appreciate.

Okay. It's open to the board. Anybody would like to speak on this case, it's open to them.

MEMBER SANGHVI: May I?
CHAIRPERSON PEDDIBOYINA: Okay. Dr. Sanghvi, go ahead.

MEMBER SANGHVI: Good evening. I came and visited your home on Saturday and looked around. It looks like a very beautiful home to me, if I was at the right place. And there is a steep hill on the other side. And is the garage already built?

MR. BOHL: No. The proposed addition is yet to be built.

MEMBER SANGHVI: So you are going to dig out all the ground there and build it?

MR. BOHL: The hill that is on the east side of the house gets cut back and it gets retained with a landscaping retaining wall.

MEMBER SANGHVI: I see. Thank you.
CHAIRPERSON PEDDIBOYINA: Thank you, Dr. Sanghvi.

Any board member?
Okay. Looks like none. I see that -- oh, go ahead.

MEMBER THOMPSON: So the only variance they're going for is for more garage space. It doesn't encroach on the setbacks or anything, correct?

MS. WAGNER: That is correct.
CHAIRPERSON PEDDIBOYINA: Yeah. That's true.

MR. BOULARD: That's correct.
MEMBER THOMPSON: It's just the garage variance?

MR. BOULARD: Yes. The zoning ordinance has -- depending on the zoning district, has some limitations. For example, at a -- you know, at the far range some -- it would prevent me from building a 1500 square foot house and a 4000 square foot garage. So there are limitations based on the zoning which would reflect in the lot size of how much accessories you can have. And so this is a -- exceeds that. The request exceeds that amount that's in the ordinance. That's why they're here.

MEMBER THOMPSON: Okay.
CHAIRPERSON PEDDIBOYINA: Okay. Thank you.
Do you have any other question, Charles?
MEMBER THOMPSON: So this would make it a
four car total, correct?
MR. BOHL: Three and a half probably. The intent is three cars and then bicycles and miscellaneous equipment.

Yeah. You probably could get four cars in there.

MEMBER THOMPSON: The drawing shows two, two car doors.

MR. BOHL: Correct.
MEMBER SANGHVI: He already has two car garage.

MR. BOHL: Yes.
MEMBER THOMPSON: That's all I have. I'm sorry.

MR. BOHL: All right. Thank you.
CHAIRPERSON PEDDIBOYINA: Okay. Thank you.
MEMBER MONTAGUE: One more.

CHAIRPERSON PEDDIBOYINA: Yeah. Go ahead.
MEMBER MONTAGUE: There's a -- there's like a fence there, a shaded fence there now on the side it's going on?

MR. BOHL: Correct.
MEMBER MONTAGUE: Okay. So it's going in
that area, but it's cutting into the hill a little more to the side?

MR. BOHL: It is. That's correct.
MEMBER MONTAGUE: Okay. And it's down and there's a vacant lot next door, by the way, so. There's no -- they're not encroaching on --

MR. BOHL: It actually belongs to the homeowner next door, but there's a large side yard -MEMBER MONTAGUE: Okay. That's a -MR. BOHL: -- on that side of the house. MEMBER MONTAGUE: It looks like a vacant lot because it's so large.

MR. BOHL: Yes.
MEMBER MONTAGUE: Okay. Thank you.
CHAIRPERSON PEDDIBOYINA: Okay. Linda, you have any questions?

MEMBER KRIEGER: No.
CHAIRPERSON PEDDIBOYINA: Okay. Looks like it's my turn. And I would like to see -- I don't see any issue on that. And whatever you show the diagram and the presentation, $I$ have no objection on that.

Thank you. Somebody make a motion.
Linda?

MEMBER KRIEGER: Okay. For this case, PZ23-0007, for 111 Austin Drive, I move to approve the request of the petitioner. She has shown practical difficulty requiring the necessity from the zoning ordinance, that there -- without the -- the variance the petitioner will be unreasonably prevented or limited with respect to use of the property because of the location and topography and the siding where the house -- the slope.

The property is unique because of these features and location in the city. The petitioner did not create the condition because it's been preexisting.

The relief granted will not unreasonably interfere with adjacent or surrounding properties because it is a reasonable request and will enhance the property values. The relief is consistent with the spirit and intent of the ordinance because it is a minimal request.

MEMBER SANGHVI: Second.
CHAIRPERSON PEDDIBOYINA: Thank you.
Okay. Roll call.
MS. WAGNER: Chairperson Peddiboyina?
CHAIRPERSON PEDDIBOYINA: Yes, please.

MS. WAGNER: Member Krieger?
MEMBER KRIEGER: Yes.

MS. WAGNER: Member Longo? Sorry. Absent excused.

Member McLeod?

MEMBER MCLEOD: Yes.
MS. WAGNER: Member Montague?
MEMBER MONTAGUE: Yes.
MS. WAGNER: Member Sanghvi?
MEMBER SANGHVI: Yes.
MS. WAGNER: Member Thompson?
MEMBER THOMPSON: Yes.
MS. WAGNER: Motion passes.
CHAIRPERSON PEDDIBOYINA: Thank you. Good
luck. Congratulations.
Okay. And the final case tonight, PZ23-0008, Nowak and Fraus Engineers, 24305 Haggerty Road, west of Haggerty Road, north of Ten Mile Road, Parcel 50-22-24-476-022.

The applicant is requesting a variance from the City of Novi Zoning Ordinance Section 3.10.3.A to allow an overhead door to face a major thoroughfare, Haggerty Road.

This property is zoned General Business (B-3).

Is the applicant present?
Please come to the podium and tell me what we can help you tonight on this case.

And please tell your first and last name clearly for our court record and secretary will take the oath if you're not an attorney. Thank you.

MR. BURLEY: My name is Shane Burley.
S-h-a-n-e B-u-r-l-e-y. I'm with Studio Detroit
Architects, representing Lithia (phonetic).
MEMBER KRIEGER: Are you an attorney?
MR. BURLEY: I am not.
MEMBER KRIEGER: Okay. Raise your right hand.

Do you swear or affirm to tell the truth in this case?

MR. BURLEY: Yes.
MEMBER KRIEGER: Thank you.
CHAIRPERSON PEDDIBOYINA: Please go ahead and where we can help you tonight in this case.

MR. BURLEY: We are proposing a ground up new Porsche dealership, which we were here last month for
site plan approval we did past with that. Part of our variance has to deal with a service drive for the reception of vehicles trying to get service work done. Part of that service drive, the overhead door faces east, which is Haggerty Road over there.

I'd like to point out that the building design and configuration and the Porsche image, we did recess this service drive in and it also has a large overhang, which I can show you.
(Document displayed.)
Mr. BURLEY: So this service drive door is right here. You can see that the building facade overhang. So there was a good attempt to minimize this.

I would also like to point out that the existing dealership to the north, which is also under Lithia's ownership, the Infinity store does have overhead doors facing Haggerty, as well as the proposed Audi dealership just to the south. We were here a couple month's ago seeking the same variance for the overhead doors there.

Additionally, that site sits about four feet lower than Haggerty Road so there is a, you know,
visual block.
And that's about it.
CHAIRPERSON PEDDIBOYINA: Okay. You want to speak anything on this?

MR. BURLEY: No.
CHAIRPERSON PEDDIBOYINA: No? Okay. Sounds good.

Okay. It looks like any other audience? No.

Okay. And from the city, any comments?
MR. BOULARD: Just one question, if I could.
I just want to confirm. This door entrance is for service when people bring the vehicles in? This is not -- this is no way going to be open to the service area where you would have the noise and stuff like that?

MR. BURLEY: No. The service department is actually disconnected off of the rear of the building with those doors facing to the west. The service drive is its own portion of the building for reception. Customers drive in, get out of the vehicle, talk to the service advisor, and then go have a seat in the lounge.

MR. BOULARD: Thank you. I'll standby for questions.

CHAIRPERSON PEDDIBOYINA: Thank you, Charles.

Okay. From the secretary, any correspondence on this case, please?

MEMBER KRIEGER: Seventeen cases were mailed, three returned, zero objections, zero approvals.

CHAIRPERSON PEDDIBOYINA: Okay. Thank you, Linda.

Okay. It's open to the board.
Dr. Sanghvi?
MEMBER SANGHVI: Thank you. I came and visited your site and drove around. Wasn't there a dealership before in the same site?

MR. BURLEY: I believe it was an old used car lot and then there was an existing Chrysler store way in the back.

MEMBER SANGHVI: You have a corner -- yeah. You have a corner lot and major road on each side so there is no way you can put that door without facing a major road. So I have no problem with granting your thing. Thank you.

MR. BURLEY: Thank you.
CHAIRPERSON PEDDIBOYINA: Thank you, Dr.
Sanghvi.
Any other board member, please?
Okay. Linda?
MEMBER KRIEGER: Just to confirm. So the door facing Haggerty is for the person to drive their Porsche into the building?

MR. BURLEY: Correct.
MEMBER KRIEGER: Okay. And then the -- as
Mr. Boulard asked, the work area then is in a separate area?

MR. BURLEY: Yes. I can show you that. (Document displayed.)

MR. BURLEY: This is the service drive right here, the door that's in question. The whole service department where the work is actually performed is off the back end of the building facing west. So our service drive is in and out. After the customer gets out of the vehicle, a porter will take the car and go park it on site. Or if there's availability in the service department, they'll bring it around into the back for the service work to be performed.

MEMBER KRIEGER: And then to return the vehicle to the owner, does it come back out that same door?

MR. BURLEY: Not in this case. We have a single drive, so the vehicle will be parked on site and the owner will walk out and grab their vehicle.

MEMBER KRIEGER: Okay. And the bay door, it will be oblique or -- versus clear?

MR. BURLEY: It's a full glass door.
MEMBER KRIEGER: Right.
MR. BURLEY: So you can see through the entire --

MEMBER KRIEGER: You can see through it?
MR. BURLEY: Yeah.
MEMBER KRIEGER: Okay. So -- and you'll be keeping it closed unless someone shows up?

MR. BURLEY: Correct. It's a high speed door. These things go up and down very quickly. That's in an effort to maintain the cooling environment inside.

MEMBER KRIEGER: Okay. Considering all those things and that you did say it's lower than Haggerty Road, then I also would have no objections to this
request.
CHAIRPERSON PEDDIBOYINA: Okay. Thank you.
Any other board member, please?
MEMBER MONTAGUE: Yeah.
CHAIRPERSON PEDDIBOYINA: Yeah. Go ahead.
MEMBER MONTAGUE: So the traffic flow on the site, you come off of Haggerty Road and would be -- go in front of the building. I guess that would be the front edge on Haggerty Road and then enter to the -- to the service in a one way thing? It won't be going both directions is what you're saying, right?

MR. BURLEY: No. We are using the existing access drive right now.

MEMBER MONTAGUE: Where is that?
MR. BURLEY: Right here.
MEMBER MONTAGUE: Okay.
MR. BURLEY: No new curb cut proposed.
MEMBER MONTAGUE: All right.
MR. BURLEY: Currently you come in and if you hang a right, you head north to the Infinity store, which is existing. Right here there's that small old used car building that will be demolished as part of this project.

MEMBER MONTAGUE: Okay.
MR. BURLEY: So you would come in and make
that left-hand turn, head over here in this way. Porter takes the car out and parks until it's ready for service.

MEMBER MONTAGUE: Got you. Okay. Thank you.

MR. BURLEY: Yeah.
CHAIRPERSON PEDDIBOYINA: Okay. Thank you.
Any other board member before I speak?
Thank you.
I have no objections and I see the -- all the -- my board members what they spoken and I go with that. Thank you.

And it's motion time.
MEMBER MONTAGUE: All right. I move that we grant the variance in case PZ23-0007 (sic) for allowing an overhead door. A variance from ordinance Section 3.10.3.A.

Without the variance, the petitioner would be prevented from using their site in an efficient manner. (Clarification was requested.)

MEMBER MONTAGUE: 008. I'm sorry. I said
the wrong. Yes. That was the first case one. Okay. 008. I'm sorry.

The property is unique. It's on a corner lot and will require circulation around. Didn't create the condition because the lot is there. It's going on an existing lot. They will not interfere with adjacent or surrounding because of the traffic flow and the way it's contained. It is consistent with the ordinance and consistent with the area it's in as it's in an area where these kind of uses are there.

MEMBER SANGHVI: Second.
CHAIRPERSON PEDDIBOYINA: Okay. Thank you.
Roll call, please.
MS. WAGNER: Chairperson Peddiboyina?
CHAIRPERSON PEDDIBOYINA: Yes, please.
MS. WAGNER: Member Krieger?
MEMBER KRIEGER: Yes.

MS. WAGNER: Member McLeod?

MEMBER MCLEOD: Yes.

MS. WAGNER: Member Montague?
MEMBER MONTAGUE: Yes.
MS. WAGNER: Member Sanghvi?
MEMBER SANGHVI: Yes.

MS. WAGNER: Member Thompson?
MEMBER THOMPSON: Yes.
MS. WAGNER: Motion passes.
CHAIRPERSON PEDDIBOYINA: Okay.
Congratulations. Good Luck. Thank you.
MR. BURLEY: Thank you very much.
CHAIRPERSON PEDDIBOYINA: Okay. Any other
matters before $I$ adjourn today's meeting?
MR. BOULARD: Mr. Chairman?
CHAIRPERSON PEDDIBOYINA: Yeah, please. Go ahead.

MR. BOULARD: If I might just -- I was able to make some introductions before the meeting. I just wanted to introduce Alan Hall, our new deputy director of the Community Development Department.

MR. HALL: Hi.
MR. BOULARD: So wanted to welcome and introduce him. And over the next few months he'll be picking up the reins and you'll see him here. Much better looking than me, so. Thank you.

CHAIRPERSON PEDDIBOYINA: Okay. Thank you, sir. You want to introduce our names?

Okay. My name is Jo Peddiboyina. I live in

Novi at Ten Mile and Meadowbrook. Been 22 -- 27 years I'm in Novi, Michigan. Thank you.

Yeah. Go ahead.

MEMBER MONTAGUE: Oh. We introduced, but Clift Montague. I live in Island Lake and Novi over there.

MEMBER SANGHVI: Okay. Make a motion now. CHAIRPERSON PEDDIBOYINA: Okay. We're all done?

Okay. Somebody can make a motion to adjourn this today.

MEMBER SANGHVI: I make a motion to adjourn the meeting.

MEMBER KRIEGER: Second.

CHAIRPERSON PEDDIBOYINA: Second. Say all in favor aye.

THE BOARD: Aye.
CHAIRPERSON PEDDIBOYINA: Thank you.
(At 7:24 p.m., meeting adjourned.)

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STATE OF MICHIGAN)

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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 twenty-eight (28) typewritten pages, is a true and correct transcript of my said stenographic notes.
/s/Darlene K. May Darlene K. May, RMR, CRR, RPR/CSR-6479

April 13, 2023
(Date)

