

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

REGULAR MEETING - ZONING BOARD OF APPEALS

CITY OF NOVI

Tuesday, March 12, 2013

Proceedings had and Testimony taken in the matter of
the ZONING BOARD OF APPEALS, at City of Novi, 45175 West Ten Mile
Road, Novi, Michigan, on Tuesday, March 12, 2013

BOARD MEMBERS

Rickie Ibe, Chairman

Linda Krieger

Jeffrey Gedeon

Brent Ferrell

David Ghannam

James Gerbl ick

Mav Sanghvi

ALSO PRESENT: Charles Boulard, Building Official

Beth Saarela, City Attorney

Coordinator: Angela Pawlowski, Recording Secretary

REPORTED BY: Jennifer L. Wall, Certified Shorthand Reporter

1
2
3

INDEX

Case No. Page

PZ-13-0005 6

♀

4	130312. txt PZ-13-0007	16
5	PZ-13-0008	25
6	PZ-13-0009	35
7	PZ-13-0010	63
8	PZ-13-0011	71
9	PZ-13-0012	80
10	PZ-13-0013	104

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

♀

3

1 Novi , Mi chi gan.
2 Tuesday, March 12, 2013
3 7:00 p. m.
4 ** ** **
5 CHAIRMAN IBE: Good evening.
6 Wel come to the Tuesday, March 12, 2013
7 meeti ng of the Novi Zoni ng Board of Appeal s.
8 Can we all please rise for the

9 Pledge of Allegiance.
10 (Pledge of Allegiance recited.)
11 CHAIRMAN IBE: Thank you.
12 Ms. Pawlowski, please call the roll.
13 MS. PAWLOWSKI: Member Gedeon?
14 MR. GEDEON: Here.
15 MS. PAWLOWSKI: Member Gerbluck?
16 MR. GERBLUCK: Here.
17 MS. PAWLOWSKI: Chairman Ibe?
18 CHAIRMAN IBE: Present.
19 MS. PAWLOWSKI: Member Krieger?
20 MS. KRIEGER: Here.
21 MS. PAWLOWSKI: Member Sanghvi?
22 MR. SANGHVI: Here.
23 MS. PAWLOWSKI: Member Skelcy is
24 absent, excused.
25 Member Ferrell?

♀

4

1 MR. FERRELL: Here.
2 CHAIRMAN IBE: I would like to go
3 over some of the rules governing the meeting
4 this evening.
5 Please turn off all cell phones
6 and pagers, please.
7 The agenda for today's meeting
8 can be found in the back of the room, for
9 those of you who wish to pick up a copy for
10 the proceedings today.
11 Now, when called, when your case
12 is called, please come to the podium, state
13 your first and last name, and spell your last

14 130312.txt
name for the record.

15 And if you are not an attorney,
16 raise your right hand and be sworn in by our
17 secretary.

18 You will be allowed five minutes
19 to make a presentation and then you will get
20 a chance to be asked some questions by
21 members of the board.

22 Now, the chair, at his
23 discretion, can allow you some more time to
24 present your case.

25 Do we have any modifications to

♀

5

1 the today meeting? Yes?

2 MR. BOULARD: We do have not
3 minutes, due to the shortness of the month,
4 so we will get those to you next month.

5 CHAIRMAN IBE: Very well.

6 Are there any discussions
7 regarding today's agenda?

8 (No audible responses.)

9 CHAIRMAN IBE: In the absence of
10 any discussion or modification, I will like
11 to entertain a motion, please.

12 MR. SANGHVI: So moved.

13 MR. GHANNAM: Second.

14 CHAIRMAN IBE: All those in favor
15 say aye.

16 THE BOARD: Aye.

17 CHAIRMAN IBE: All those against?

18 (No audible responses.)

130312.txt

19 CHAIRMAN IBE: Seeing none, the
20 agenda for today's meeting is hereby adopted.

21 Now, is there anyone in the
22 public who would like to make a public remark
23 at this time?

24 A public remark is limited to
25 just what it is, a public remark. And not to

♀

6

1 any specific case that's before this board
2 this evening.

3 Is there anyone who would like to
4 make a comment at this time?

5 Well, seeing none, we will move
6 onto our first case for today.

7 That's Case No. PZ13-0005, 44225
8 Twelve Mile Road, GFS Marketplace.

9 Will the applicant please come to
10 the podium.

11 MR. SYTSMA: My name is Ryan
12 Smith with Gordon Food Service. My last name
13 is spelled S-y-t-s-m-a.

14 MS. KRIEGER: Are you an
15 attorney?

16 MR. SYTSMA: I am not. I am a
17 real estate manager for the company.

18 MS. KRIEGER: In Case No.
19 PZ13-0005, do you swear or affirm to tell the
20 truth?

21 MR. SYTSMA: I do.

22 CHAIRMAN IBE: Go ahead.

23 MR. SYTSMA: I want to thank you

24 for the ability to talk to you regarding a
25 variance request for our potential new site

1 there on Twelve Mile and Donaldson.

2 I do want to let you know that it
3 is our goal to provide a separate,
4 self-contained parcel that is designed to
5 look contiguous to the Twelve Mile Fountain
6 Walk development in terms of the parking and
7 the building layout that we are providing.

8 I do want to say it is our
9 understanding that the setbacks associated
10 with the RC zoning district are unique and
11 intended probably for more of a large retail
12 center development such as Fountain Walk
13 overall, or the Twelve Oaks Mall, where the
14 buildings are mainly located in the center of
15 the site and the parking field surrounding
16 it.

17 However, when you provide the
18 setbacks in a parcel as we are pursuing,
19 which is a 2.5-acre parcel, what happens is
20 that a 100 foot setback is very restrictive
21 as to the size of the building that you can
22 construct on it.

23 And so in making some comments to
24 the variances that we are requesting for
25 tonight, in regards to the east building

1 setback and the west parking setback, our
2 main goal in the west parking setback was

3 trying to mirror the parking field that the
4 Fountain Walk currently has on their side to
5 make it contiguous and more seamless in order
6 for the whole development to look contiguous
7 overall.

8 In doing that, we had decided to
9 eliminate the parking all together on the
10 east side of the building in order to provide
11 additional screening and green space to
12 soften the view of the building towards
13 Donaldson Drive.

14 And we are hoping that in
15 comparison to the other buildings that you
16 see on Donaldson Drive, that will be a nice
17 buffer for the traffic that goes down there.

18 In relation to the south building
19 setback and the south parking setback request
20 that we are asking, mainly this was, we felt,
21 we wanted to make that we were in compliance
22 with the north variances because we felt that
23 that was the most prominent location of the
24 entire development.

25 We wanted to make sure that we

♀

9

1 were in that 100 foot setback giving the feel
2 and the exposure to that entire development
3 overall would provide, so in doing that, what
4 we are left with was asking for those
5 variances on the south side of the building
6 where the service drive runs in the back of
7 us.

8 I do want to note that we have a
9 13-foot wide landscaping area between that
10 adjacent driveway and our parking lot that
11 will exceed a 10-foot landscape setback that
12 is already required by the ordinance itself.

13 And also as well, the entire site
14 is -- has more green space than what is to be
15 required as well.

16 So I'd be happy to answer any
17 questions that you may have at this time.
18 Thank you.

19 CHAIRMAN IBE: Thank you, sir,
20 for that presentation.

21 Is there anybody in the public
22 who would like to make a comment regarding
23 this particular case at this time?

24 (No audible responses.)

25 CHAIRMAN IBE: Seeing none, I

10

1 will turn to Madam Secretary and ask her to
2 read into the record any correspondence.

3 MS. KRIEGER: In Case No.
4 PZ13-0005, 28 were mailed, four returned,
5 zero approvals, zero objections.

6 CHAIRMAN IBE: Thank you. I'll
7 now turn to the city and ask if there are any
8 comments.

9 MS. SAARELA: I don't have any.

10 MR. BOULARD: I will stand by for
11 questions.

12 I just wanted to mention that the
Page 8

13 plan review center report from the planning
14 review is attached. The criteria for
15 dimensional variances are on the coversheet,
16 and this was approved with -- contingent upon
17 any approvals that you might grant at city
18 council last night for preliminary site plan.
19 Thank you.

20 CHAIRMAN IBE: Thank you,
21 Mr. Boulard.

22 I will now open this up to the
23 full board for discussion.

24 Yes, Member Sanghvi. Welcome
25 back.

♀

11

1 MR. SANGHVI: Thank you. Good
2 evening. My question is, what kind of
3 business is this going to be?

4 MR. SYTSMA: This will be a
5 Gordon Food Service Marketplace store. Are
6 you familiar with those stores at all?

7 MR. SANGHVI: Yes.

8 MR. SYTSMA: It's going to be
9 very similar to any other stores that you go
10 to for Gordon Food Service.

11 MR. SANGHVI: Very well. First
12 of all, sir, welcome to Novi.

13 MR. SYTSMA: We are excited about
14 it.

15 MR. SANGHVI: I looked at your
16 plot and I see you're a street on the east
17 side, that side is open.

130312.txt

18 And looking at the comments from
19 the planning commission and everything, I
20 certainly have no problem with granting your
21 variances. Thank you.

22 MR. SYTSMA: Thank you.

23 CHAIRMAN IBE: Thank you, Member
24 Sanghvi.

25 Do I have anyone else who would

12

1 I like to make a comment or ask questions of
2 the gentleman?

3 Yes, Member Ghannam.

4 MR. GHANNAM: I also have no
5 problem with this.

6 I have seen the reports of the
7 planning commission. I have been by the
8 place a million times, going in that
9 direction and that whole shopping center.

10 You are surrounded basically by
11 parking or a street, so I don't think it will
12 be out of character for that area.

13 I know they have been trying to
14 sell that lot for quite a while.

15 Did it go through lot split
16 process already?

17 MR. SYTSMA: Yes, we are going
18 through that right now. I believe the city
19 has already actually recorded the lot
20 division.

21 MR. GHANNAM: I have no problem
22 with it, sir.

130312.txt

23 MR. SYTSMA: Thank you.

24 CHAIRMAN IBE: Thank you very

25 much, Member Ghannam.

13

1 Do we have any additional --

2 yes --

3 MS. KRIEGER: I don't know if it
4 would be for the city or the applicant.

5 The anticipated intended traffic
6 flow would be on Donaldson or through the --
7 where the Dick's Sporting Good entrance is
8 at?

9 MR. SYTSMA: I believe it will be
10 a little through both, just depending on the
11 traffic flow. I know this traffic study that
12 they had done for I think a previous addition
13 to the Fountain Walk was used, they said
14 there was going to be no other impact to the
15 traffic, to Twelve Mile. I guess is that the
16 question that you're asking?

17 MS. KRIEGER: Yes. Thank you.

18 CHAIRMAN IBE: Thank you, Member
19 Krieger.

20 Do I see any additional comments?

21 (No audible responses.)

22 CHAIRMAN IBE: In the absence of
23 any other comments, I will entertain a
24 motion, please.

25 Yes, Member Ghannam.

14

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. GHANNAM: In Case No.

PZ13-0005, I will make a motion to approve the petition as requested.

The variance should be granted in this case because practical difficulties exist, due to the following: Number one, there is unique circumstances regarding the physical conditions of the property that make the applicant's -- I'm sorry, that make the need for the variance not due to the applicant's personal or economic difficulty.

The need is not self-created, as this is basically an outlot that's commonly seen in the city and the surrounding areas. And realistically it's only a grassy area right now.

Strict compliance with the regulations governing setback, frontage, so forth, will only unreasonably prevent the property owner from using the property for a permitted purpose, or will render conformity with those regulations unnecessarily burdensome.

The requested variance is the minimum variance requested to do substantial

15

justice because physically they couldn't operate a reasonable building on the premises without the necessity of this variance.

The requested variance will not cause adverse impact around the surrounding

♀

6 property areas, in fact, it will I think
7 increase it.
8 MR. SANGHVI: Second.
9 CHAIRMAN IBE: Seeing a motion
10 has been made and seconded, is there any need
11 for further discussion?
12 (No audible responses.)
13 CHAIRMAN IBE: Seeing none,
14 Ms. Pawlowski, please call the roll.
15 MS. PAWLOWSKI: Member Gedeon?
16 MR. GEDEON: Yes.
17 MS. PAWLOWSKI: Member Gerbl ick?
18 MR. GERBLI CK: Yes.
19 MS. PAWLOWSKI: Member Ghannam?
20 MR. GHANNAM: Yes.
21 MS. PAWLOWSKI: Chair man I be?
22 CHAIRMAN IBE: Yes.
23 MS. PAWLOWSKI: Member Krieger?
24 MS. KRI EGER: Yes.
25 MS. PAWLOWSKI: Member Sanghvi ?

♀

16

1 MR. SANGHVI: Yes.
2 MS. PAWLOWSKI: Member Ferrel l ?
3 MR. FERRELL: Yes.
4 MS. PAWLOWSKI: Moti on passes
5 seven to zero.
6 CHAIRMAN IBE: Congratul ati ons,
7 si r.
8 MR. SYTSMA: Thank you very much.
9 CHAIRMAN IBE: You' re wel come.
10 That brings us to our next case.

11 Case No. PZ13-0007, 156 Rexton.

12 Is the applicant here? Please
13 approach the podium.

14 Now, all the parties who will be
15 speaking today, please state their names and
16 spell their last name for the record.

17 MS. SIEMENS: Hi. My name is
18 Erin Siemens, E-r-i-n, last name is Siemens,
19 S-i-e-m-e-n-s.

20 MR. SIEMENS: Rob Siemens.

21 MS. KRIEGER: Are either of you
22 an attorney?

23 MR. SIEMENS: No.

24 MS. KRIEGER: In Case No.
25 PZ13-0007, do you swear or affirm to tell the

♀

17

1 truth?

2 MR. SIEMENS: We do.

3 MS. SIEMENS: We do.

4 CHAIRMAN IBE: Please go ahead.

5 MS. SIEMENS: Thank you for
6 reviewing our variance request today.

7 About seven years ago my husband
8 and I purchased a home in Novi in the
9 neighborhood on Rexton Street. It was a spec
10 home that was built on a lot that was divided
11 from the next-door -- the home next-door. So
12 it's kind of an odd shape lot.

13 One of the very first things that
14 we told our realtor in looking at the home,
15 it was a beautiful home, lots of windows, but

16 that we definitely need a fence, because we
17 have three dogs, and we have a daughter, we
18 knew we would have more children on the way.

19 So the realtor, of course,
20 confirmed that we could build a fence, and
21 shortly after purchasing the home, we built a
22 fence.

23 This was about six and a half
24 years ago our fence was built. Just this
25 last fall, Maurenn Underhill told me that our

♀

18

1 fence was not in compliance with the building
2 code.

3 So in talking with her about some
4 the concerns around the building code and why
5 it exists the way it did, to get together our
6 variance request, hopefully we could address
7 some of the concerns therein.

8 We have some pictures here. So
9 again, the fence is kind of a requirement for
10 us to make the home and the property useable.
11 Because we have such a large sideyard, that
12 has frontage to the road, which is actually
13 facing a wooded area, we would lose a lot of
14 the use of that yard if we were to have
15 followed the codes strictly, and so we were
16 able to enclose that sideyard and make a much
17 larger backyard for our dogs and for our kids
18 to enjoy.

19 The back -- the fence is also
20 kind of a requirement for privacy because we

21 have so many windows, and we are on a raised
22 foundation, anybody walking by our home, and
23 we have a lot of foot traffic because we're
24 right off of Walled Lake, can see directly
25 into our home.

♀

19

1 And I actually mentioned in the
2 variance request that we actually had an
3 individual who was unfortunately brought up
4 on stalking charges after quite sometime, and
5 had we not had the fence, he would have been
6 able to approach our home much more closely
7 than he was able to.

8 So the fence has been a pretty
9 good addition to our home, something we hope
10 we can keep. I thank you for considering our
11 request.

12 CHAIRMAN IBE: Thank you. You
13 plan to make any comment, sir?

14 MR. SIEMENS: No. I will answer
15 questions. Thank you.

16 CHAIRMAN IBE: Thank you very
17 much. Is there anybody in the audience who
18 would like to make a comment at this time
19 regarding this particular case?

20 (No audible responses.)

21 CHAIRMAN IBE: Seeing none, I
22 will turn to the city and ask do we have any
23 comments?

24 MS. SAARELA: I have none.

25 MR. BOULARD: No comments.

♀

1 CHAIRMAN IBE: Thank you. I will
2 now turn to Madam Secretary and ask her to
3 read into the record any correspondence.

4 MS. KRIEGER: In Case No.
5 PZ13-0007, 32 were mailed, zero returned, two
6 approvals, zero objections.

7 First approval is, "I have no
8 problem with location of fence at 156 Rexton.
9 It is placed in such a way as appropriate for
10 the use as a backyard fence on a corner lot.
11 The fence matches the esthetics and causes no
12 detriment to the neighborhood." From the
13 Sims.

14 The second one is an approval
15 from Mygal, "The Siemens family lives behind
16 us, and we do not have any problem at all
17 with the fence and hope that you accept their
18 request. The fence has been up for years and
19 I never heard any other neighbors complain."

20 That's it. Thank you.

21 CHAIRMAN IBE: Thank you, Member
22 Krieger.

23 I will now open this up to the
24 board for discussion.

25 Yes, Member Sanghvi?

1 MR. SANGHVI: Good evening.
2 Actually I was right in out in front of your
3 house, I saw you going out walking with the
4 dog on Sunday morning. You were giving me a

5 Look, who is this guy parked in front of my
6 house.

7 MR. GHANNAM: He wasn't a
8 stalker.

9 MR. SANGHVI: That's okay. I
10 looked around. I agree 100 percent with you
11 that you need a fence there and I have no
12 problem with that. Thank you.

13 CHAIRMAN IBE: Thank you, Member
14 Sanghvi. Yes, Member Ghannam?

15 MR. GHANNAM: I just have a
16 question for the city.

17 According to this, the
18 sideyard -- or the setback should be 30 feet,
19 correct? They're allowed a fence, but it
20 should be 30 feet setback, is that what I
21 read?

22 MR. BOULARD: Yes.

23 MR. GHANNAM: What is the setback
24 in this case? I didn't get that from the
25 paperwork.

♀

22

1 MR. BOULARD: I believe the
2 setback -- the existing setback for the fence
3 is nearly on the property.

4 MR. GHANNAM: So they need the
5 entire 30 feet?

6 MR. BOULARD: Yes.

7 MR. GHANNAM: I don't have any
8 other questions. Thank you.

9 CHAIRMAN IBE: Thank you, Member
Page 18

10 Ghannam.

11 Do we have any additional
12 questions or comments regarding this
13 particular case?

14 (No audible responses.)

15 Well, seeing none, I want to make
16 this quick comment, then I'll probably ask
17 for a motion.

18 I don't have any problem with
19 this as well. And what is a more -- of a
20 concern to me, was that this fence was up for
21 about six years, is that what I hear?

22 MS. SIEMENS: Yes.

23 CHAIRMAN IBE: This is the first
24 time you have been told about a fence?

25 MR. SIEMENS: Yes, last week of

♀

23

1 November. We were called -- I was called
2 about our new fence and I was quite confused.
3 When I left the house this morning, there was
4 no new fence. I don't know what happened
5 since I left, but, anyway, it turned out to
6 be the fence.

7 CHAIRMAN IBE: Very well. Thank
8 you very much.

9 In the absence of any additional
10 comments or questions, I will entertain a
11 motion if someone is wanting to take it on.

12 Yes, Member Gerblick.

13 MR. GERBLICK: In Case No.

14 PZ13-0007, 156 Rexton, I move that we approve

15 the variances as requested -- or variance, I
16 should say.

17 There are unique circumstances or
18 physical conditions of the property, such as
19 its shape, and the need for the variance is
20 not due to the applicant's personal or
21 economic difficulty.

22 The need is not self-created.
23 It's due to the size and shape of the lot on
24 this particularly large sideyard.

25 Strict compliance with the

24

1 regulations governing area setback, frontage,
2 height, bulk, density, and other dimensional
3 requirements will unreasonably prevent the
4 property owner from using the property for
5 its permitted purpose, or will render
6 conformity with those regulations
7 unnecessarily burdensome.

8 The requested variance is the
9 minimum variance necessary to do substantial
10 justice to the applicant as well as other
11 property owners in the district, and the
12 requested variance will not cause an adverse
13 impact on surrounding property, property
14 values or the use and enjoyment of the
15 property in the neighborhood or zoning
16 district as evidence of the approvals.

17 MR. FERRELL: Second.

18 CHAIRMAN IBE: Seeing a motion
19 has been made and seconded, is there any feed

20 for further discussion?
21 (No audible responses.)
22 CHAIRMAN IBE: Seeing none,
23 please call the roll.
24 MS. PAWLOWSKI: Member Gedeon?
25 MR. GEDEON: Yes.

25

1 MS. PAWLOWSKI: Member Gerbl ick?
2 MR. GERBLI CK: Yes.
3 MS. PAWLOWSKI: Member Ghannam?
4 MR. GHANNAM: Yes.
5 MS. PAWLOWSKI: Chair man I be?
6 CHAIRMAN IBE: Yes.
7 MS. PAWLOWSKI: Member Kri eger?
8 MS. KRI EGER: Yes.
9 MS. PAWLOWSKI: Member Sanghvi ?
10 MR. SANGHVI : Yes.
11 MS. PAWLOWSKI: Member Ferrel l ?
12 MR. FERRELL: Yes.
13 MS. PAWLOWSKI: Moti on passes
14 seven to zero.

15 CHAIRMAN IBE: Congratul ati ons.
16 MS. SIEMENS: Thank you very
17 much.

18 CHAIRMAN IBE: We wi ll now call
19 Case No. PZ13-0008, 40380 Grand Ri ver Avenue,
20 Big Tommy' s Parthenon. Wi ll the applicant --

21 MR. STYLI ANOU: Anthony
22 Styl ianou, spel led S-t-y-l-i-a-n-o-u.

23 MS. KRI EGER: I n Case No.
24 PZ13-0008, do you swear or affi rm to tell the
Page 21

25 truth?

26

1 MR. STYLIANOU: Yes.

2 MR. FITZGERALD: Dan Fitzgerald
3 from Classic Canopy and Signs, 19235 Smot,
4 Northville.

5 CHAIRMAN IBE: In Case No.
6 PZ13-0008, do you swear or affirm to tell the
7 truth?

8 MR. FITZGERALD: Yes.

9 MR. STYLIANOU: So we are here
10 for a variance on our sign size. As you
11 know, this establishment has been many
12 restaurants over the years, has not made it,
13 for whatever reason.

14 We strongly believe that the sign
15 has a lot to do with our business. Of
16 course, every business wants as much signage
17 as possible.

18 Our sign here, we didn't intend
19 to make it bigger. We knew the structure was
20 there, and we thought we could use the whole
21 structure.

22 Driving eastbound on Grand River,
23 you will see that our sign actually faces the
24 building next door to us. So as you're
25 driving eastbound, you hardly can see it

27

1 until you get to the building.

2 I have been with Leo's for three

3 years. I opened their store, and we had a
4 hard time for three years, Leo's is very
5 successful restaurateur with 45 restaurants
6 in Michigan, and it was a subpar restaurant
7 for three years.

8 Granted it be the sign, location,
9 I don't know what it was, but after three
10 years, he decided to sell it to me, and I'm
11 in the process of transferring everything
12 right now, so we changed the sign.

13 In the three years I was there
14 with Leo's we changed this panel three
15 different times, and still didn't have any
16 success with it.

17 So with that, we tried to upgrade
18 the restaurant in the area by putting a nice
19 sign and providing something nice to the
20 community. That's kind of where we are at
21 today.

22 We are hoping that you will grant
23 us the variance and allow us the signage.

24 CHAIRMAN IBE: Thank you, sir.

25 Is there anybody in the audience

♀

28

1 who would like to make a comment regarding
2 this particular case?

3 (No audible responses.)

4 CHAIRMAN IBE: Seeing none, I
5 will turn to the secretary to read into the
6 record any correspondence.

7 MS. KRIEGER: In Case No.

8 130312.txt
PZ13-0008, 17 were mailed, one returned, one
9 approval, zero objections.

10 The approval is from Kathleen
11 Bozack, The Conserva Electric Supply Company
12 on Grand River. That's it.

13 CHAIRMAN IBE: Thank you, Madam
14 Secretary.

15 I will now turn to the City for
16 any comments or question they may have.

17 MS. SAARELA: I don't have any.

18 MR. BOULARD: Mr. Chairman, I
19 will stand by for questions. I did want to
20 mention that if the board is inclined to
21 consider a variance, my suggestion is that
22 you consider perhaps limiting any variance to
23 this particular business. Thank you.

24 CHAIRMAN IBE: Very well. Thank
25 you, Mr. Boulard.

♀

29

1 I will now turn to the board for
2 discussion in this particular case.

3 Yes, Member Sanghvi?

4 MR. SANGHVI: I did come and look
5 at your sign and it's quite a large sign, but
6 I guess you need it because they move --
7 traffic is moving very fast on Grand River
8 there.

9 MR. STYLIANOU: Yes, it is.

10 MR. SANGHVI: I hope you do well
11 in your new surroundings.

12 MR. STYLIANOU: Thank you.

13 MR. SANGHVI: I have been here a
14 long time in Novi. A lot of restaurants have
15 changed in that location.

16 And I have no problem in hoping
17 and praying that you are successful with the
18 bigger sign.

19 MR. STYLIANOU: Thank you so
20 much.

21 CHAIRMAN IBE: Yes, Member
22 Gedeon?

23 MR. GEDEON: Well, as my fellow
24 members well know, I'm no fan of big signs.

25 But in this case, I kind of feel

♀

30

1 I like, you know, the damage has already been
2 done, you know, it's a big sign, it's big a
3 physical obstruction already. And I don't
4 really see any difference if, you know, the
5 text is bigger or not.

6 So, you know, as far as the
7 actual size of the sign, I don't have a
8 problem that.

9 I'm not sure about the
10 construction material. I guess I'd welcome
11 more information from the applicant about
12 that aspect of the variance request.

13 MR. STYLIANOU: As far as
14 material is concerned? I think Dan might --

15 MR. FITZGERALD: This is a --
16 it's called a flex panel. You would see this
17 fabric on signs like Best Buy. Best Buy at

18 Eight and Haggerty has the same fabric. And
19 it's used for large sign faces.

20 It's a 20 ounce fabric, holds up
21 to high wind. It's probably the best
22 material you could use on a sign that you can
23 get.

24 They asked me to make their sign
25 look like Best Buy, his wife, she liked the

†

31

1 colors. I told them that's a flex face
2 panel, which is fabric. She says, I don't
3 care, I want it to look like that, I like the
4 black and yellow. I said, fine. That's how
5 they got that flex base.

6 MR. GEDEON: Thank you.

7 CHAIRMAN IBE: Thank you, Member
8 Gedeon.

9 Yes, Member Krieger?

10 MS. KRIEGER: In regards to the
11 structure is already there, so to enlarge to
12 the size of the sign to the structure, in
13 this case, I would be in agreement with it.
14 But also that, in previous cases, or
15 historically, in the future for considering
16 pole signs and ground signs.

17 And then also my question, I
18 guess you already answered it, for the fabric
19 that's on it, that it's okay, with high winds
20 because the Best Buy signs that I have seen
21 were on the building versus this one, it
22 would be a separate structure, so that it

23 would tolerate winds or something of that
24 nature?

25 MR. FITZGERALD: Yes, the back of

32

1 this, whatever this big thing is, somebody
2 built previously, is a solid structure, and
3 this is only a six-inch projection on a sign,
4 so it's all-welded frame anyway, all steel
5 structure welded frame. It would handle any
6 wind load, pretty much.

7 MS. KRIEGER: Thank you. I wish
8 you the best of luck with Leo's because, yes,
9 I know anywhere there is a hospital, if there
10 is a Leo's, it's full of staff. Thank you.

11 CHAIRMAN IBE: Thank you, Member
12 Krieger.

13 We have any additional comments
14 or questions?

15 MR. GHANNAM: I was going to say
16 the same thing. Normally I would not be in
17 favor of these type of large signs, but the
18 structure is there, and we are just trying to
19 utilize whatever is there.

20 It makes sense, although if this
21 was -- if this had a different type of
22 structure, I would not be in favor it that,
23 but I have no problem with this.

24 MR. STYLIANOU: Thank you.

25 MR. FITZGERALD: He's had nothing

33

1 but compliments on the sign. He really has.

2 CHAIRMAN IBE: Very well. Thank
3 you. Do we have any additional comments?

4 (No audible responses.)

5 CHAIRMAN IBE: In the absence of
6 any additional comments or questions, I will
7 entertain a motion.

8 Yes, Member Krieger.

9 MS. KRIEGER: In Case No.
10 PZ13-0008, for 40380 Grand River Avenue, Big
11 Tommy's Parthenon, in this case, I move to
12 approve the requested variance, that the
13 request is based upon the circumstance and
14 features that are exceptional and unique to
15 the property, they're on Grand River, and the
16 speed is 45 and traffic can be heavy and it
17 can be difficult for them to see, did not
18 result from conditions that exist generally
19 in the city.

20 The failure to grant relief will
21 unreasonably prevent or limit the use of the
22 property and will result in substantial --
23 more than mere a inconvenience or inability
24 to attain a higher economic or financial
25 return because of its location and the

♀

34

1 structure is already there.

2 The grant of relief will not
3 result in a use of structure that is
4 incompatible with or unreasonably interferes
5 with adjacent or surrounding properties and
6 will result in substantial justice being done

7 to both the applicant and adjacent and
8 surrounding properties and is not
9 inconsistent with the spirit of the
10 ordinance. Because it will probably increase
11 attention towards the area, and that's good
12 for business and residents as well.

13 And that this request would be to
14 this applicant.

15 MR. GEDEON: I will second that.

16 CHAIRMAN IBE: Did you want to
17 have a condition as Mr. Boulard suggested?

18 MS. KRIEGER: I said that.
19 Conditioned to this applicant.

20 CHAIRMAN IBE: Very well. Thank
21 you. Seeing a motion has been made and
22 seconded, do we have any need for further
23 discussion?

24 (No audible responses.)

25 CHAIRMAN IBE: Seeing none,

35

1 please call the roll.

2 MS. PAWLOWSKI: Member Gedeon?

3 MR. GEDEON: Yes.

4 MS. PAWLOWSKI: Member Gerbl ick?

5 MR. GERBLI CK: Yes.

6 MS. PAWLOWSKI: Member Ghannam?

7 MR. GHANNAM: Yes.

8 MS. PAWLOWSKI: Chai rman I be?

9 CHAI RMAN I BE: Yes.

10 MS. PAWLOWSKI: Member Krieger?

11 MS. KRIEGER: Yes.

130312.txt

12 MS. PAWLOWSKI: Member Sanghvi?

13 MR. SANGHVI: Yes.

14 MS. PAWLOWSKI: Member Ferrell?

15 MR. FERRELL: Yes.

16 MS. PAWLOWSKI: Motion passes
17 seven to zero.

18 CHAIRMAN IBE: Congratulations.

19 MR. STYLIANOU: Thank you very
20 much.

21 CHAIRMAN IBE: We now call Case
22 No. PZ13-0009, 39555 Ten Mile Road, Prime
23 Care Urgent Care.

24 Will the applicants please come
25 to the podium, state your name, spell your

1 last name for the record.

2 If you are not an attorney,
3 please raise your right hand and be sworn in
4 by Madam Secretary.

5 MR. SHIVELEY: Good evening. My
6 name is Dr. Theodore Shiveley,
7 S-h-i-v-e-l-e-y, DO. I am the founder,
8 member of Prime Care of Novi.

9 MR. ZAID: I am Robert R. Zaid,
10 also member/owner of Prime Care of Novi.

11 CHAIRMAN IBE: Sir, spell your
12 last name.

13 MR. ZAID: Absolutely. Z, as in
14 zebra, a-i-d, as in dog.

15 MS. ZAID: I am Edna Zaid,
16 Z-a-i-d. I'm one of the owners of the Holly

17 Hill Professional Village. Thank you.

18 MS. KRIEGER: In Case No.
19 PZ13-0009, for 39555 Ten Mile Road, Prime
20 Care Urgent Care. Do you swear or affirm to
21 tell the truth?

22 MR. ZAID: I do.

23 MR. SHIVELEY: I do.

24 MS. ZAID: I do.

25 CHAIRMAN IBE: Thank you. Please

37

1 proceed.

2 MR. SHIVELEY: Thank you for the
3 opportunity to come before the board tonight,
4 present our reasons for request for a sign
5 variance.

6 Prime Care of Novi was
7 established in 1999 in the Holly Hills
8 Professional Village. We have rapidly become
9 recognized, not only as a local, state and
10 even nationally recognized leader in
11 preventative care.

12 We are now coming before the
13 board because we are going to form an
14 additional new Prime Care Urgent Care that we
15 attached to our Prime Care office.

16 One of the difficulties that
17 organizations, such as this board have with
18 urgent care is like a box of chocolates in
19 the Forrest Gump's movie, you never know what
20 you are going to get. There is a large
21 variation between some urgent cares that are

22 simply a place for a non-clinician, makes a
23 diagnosis, follows a protocol, all the way up
24 to places where extended facilities are
25 available.

♀

38

1 Prime Care Urgent Care will be a
2 state-of-the-art urgent care. We will have
3 eight exam rooms, two surgical suites, x-ray
4 abilities, the ability to handle casting,
5 defibrillation and everything short of urgent
6 care which would require hospitalization.

7 We expect this organization to
8 handle approximately 150 visits a day. That
9 would be approximately 1,000 new patients
10 visits to this complex every week. One of
11 the difficulties that we simply have is that
12 patients who enter this complex do not have
13 direct easy access to the urgent care
14 facility.

15 This facility is unique in the
16 city in that it is -- because of its design
17 and the nature of the campus, it's impossible
18 for patients simply entering to go directly
19 to the urgent care. There are three medical
20 buildings in this complex. Patients must go
21 in, often in a hurried state of affairs, find
22 the urgent care facility. And we will also
23 have an ambulance entrance, we foresee that
24 that could cause real harm, to either the
25 patients or the other occupants of this

♀

39

1 complex.

2 So I'd like to have Dr. Zaid now
3 show you a little bit more about the specific
4 nature of this difficulty, which I think is
5 unique to the city.

6 MR. ZAID: Just to reiterate real
7 quick, we have been involved for 14 years.
8 We have a very strong relationship with the
9 hospital, and we hope that with primary care
10 we are a big part of the change in medicine.

11 With a lot of places like urgent
12 cares and emergency rooms, people are coming
13 to you in a panic and oftentimes that can
14 impair their ability to find a place, if
15 they're looking for something and driving at
16 the same time.

17 In our complex specifically, we
18 have one entrance to the entire complex, and
19 I don't know if my laser pointer -- if you
20 look here, I'm going to turn this around.

21 This is Ten Mile Road, and the
22 entrance comes in towards a first building
23 over here. Our building is all the way to
24 the east side of the road.

25 And when you're coming in there,

1 you may not know where you're going if you're
2 looking for an urgent care.

3 The other thing is we have a lot
4 of traffic within the complex, including an

5 adult day-care center, where there is a lot
6 of people standing outside at times. We
7 don't want a lot of cars going around. We
8 are worried about safety. The adult day-care
9 is right in that area, and so if cars are
10 coming around or ambulances are coming
11 around, we want people to directly find where
12 they're going.

13 I'm going to have Edna, one of
14 the owners, speak next on our behalf.

15 MS. ZAID: Good evening. Thank
16 you for hearing us tonight.

17 Providence Hospital is supporting
18 this venture, they're, in fact, investing
19 finances to get it going. The tenants in the
20 building are very happy about it. They're
21 hoping the urgent care will bring referrals
22 to everyone, which indeed it will because of
23 the different specialties that are there.

24 We are very grateful for their
25 urgent because that adds another large

♀

41

1 percentage, when we purchased the building,
2 that was not too long ago, it was 60 percent
3 occupied, this will make it maybe more than
4 70 percent occupied, and because of their
5 coming into the building, other rehab place
6 other potential people are coming, so we're
7 hoping for their success and their success is
8 going to depend a lot on the signage.

9 We have 17 suites in the three

10 buildings, and as you pull in to them, it
11 doesn't look as complicated, I think in these
12 drawings as when you do drive in. The three
13 buildings are pretty long. They are in the
14 furthest one left, and to even find their
15 building -- to find their office when I first
16 was looking at it, I started with the first
17 building and worked my way down to the third
18 building, which was fine, because I was
19 casually looking for them. But for an
20 emergency situation and somebody trying to
21 find an urgent care, looking at everybody's
22 little sign outside their door is probably
23 not going to be sufficient for safety.

24 And the adult day-care that
25 Robert referred to is an CNS network company,

♀

42

1 where they are mentally challenged adults
2 that are there, and they are outside walking
3 around quite a bit. And I think that it
4 could be detrimental both to the driver, not
5 expecting someone to be walking in front of
6 them and to the people themselves not
7 expecting someone driving in a hurry, not
8 noticing them. So I think it could be unsafe
9 for both parties, the driver and the
10 pedestrians walking around.

11 So I guess -- let's see. The
12 employment that the urgent care is going to
13 bring in, the finances that it's going to
14 bring in, it's -- it will be the only urgent

15 care other than Providence Hospital.

16 And there is one more thing, this
17 is not going to be -- in addition to signage
18 on our sign, we don't have a spot for them
19 there anyway, it will be the only sign they
20 have. So it won't be duplicating signs. Go
21 ahead.

22 MR. ZAID: I just want to
23 clarify. Providence supports our practice,
24 they do not invest in the urgent care. I
25 just wanted to make that -- because this is

43

1 public information. They do not invest in
2 the urgent care. They're just a supporter of
3 our practice.

4 MS. ZAID: Sorry. I think that's
5 all I have to say. Thank you.

6 CHAIRMAN IBE: Thank you very
7 much for that well informed and detailed
8 presentation.

9 At this time I would like to open
10 it up to anybody in the audience who would
11 like to make a comment regarding this
12 particular case.

13 (No audible responses.)

14 CHAIRMAN IBE: Seeing none, I
15 will turn to our Madam Secretary and ask her
16 to read into the record any correspondence.

17 MS. KRIEGER: In Case No.
18 PZ13-0009, 23 were mailed, five returned, one
19 approval, one objection.

20 The approval is, "Many people
21 will have difficulty locating urgent care
22 facility since it is the furthest building
23 from entrance without appropriate and easily
24 identifiable signage. Seventeen units to the
25 front and back." That's from Edna and -- I

44

1 don't know how to say this.

2 MS. ZAID: (Inaudible).

3 MS. KRIEGER: Zaid. Thank you.

4 And the second one is from -- the objection.
5 "I believe Novi city ordinances are in place
6 to protect property values and protect owners
7 from nuisances such as obstructed views. One
8 of the reasons I moved to Novi was because
9 they had stricter rules and ordinances than
10 many other cities regarding signs and blight.
11 There are many other options for this company
12 to advertise. I strongly object to more
13 signs and ask the city not to allow this.
14 Thanks for considering my opinion in this
15 matter". From Joyce Allison. That's it.
16 Thank you.

17 CHAIRMAN IBE: Thank you, Madam
18 Secretary.

19 I will now turn to the city for
20 any questions or comments that they may have.

21 MS. SAARELA: I don't have any.

22 MR. BOULARD: I will stand by for
23 questions.

24 CHAIRMAN IBE: Very well,

25

Mr. Boulard, city attorney, thank you.

45

1

I will now open it up to the board for discussion.

2

3

MR. SANGHVI: May I go first?

4

CHAIRMAN IBE: Absolutely, sir, you may.

5

6

MR. SANGHVI: I have a couple of questions. Number one, what are going to be your hours?

7

8

9

MR. SHIVELEY: Excellent question. We will be open from 10:00 a.m. to 9:00 p.m. to start. We anticipate extending those hours later in the evening, as indicated based on patient flow. I would point out that a lot of those hours are going to be after dark, especially in the winter months.

10

11

12

13

14

15

16

17

MR. SANGHVI: So this is a lit-up sign?

18

19

MR. SHIVELEY: I'm sorry, one more time.

20

21

MR. SANGHVI: Is your sign lit up?

22

23

MR. SHIVELEY: Yes, the sign is illuminated.

24

25

MR. SANGHVI: Second question,

46

1

what kind of facility? What are you going to provide there, EKG, x-ray, minor surgery and all of that?

2

3

4 MR. SHIVELEY: We will be able to
5 provide all of the urgent care needs that the
6 community might need, short of full treatment
7 that an emergency facility would need to be
8 attached to the hospital. So we will x-rays,
9 ability to will cast and splint. We will be
10 able to provide defibrillation, minor
11 surgical suites, all the acute illnesses and
12 injuries that the community might require.

13 MR. SANGHVI: Very good. Thank
14 you. I don't have no further questions.

15 CHAIRMAN IBE: Yes, Member
16 Ghannam?

17 MR. GHANNAM: You were talking to
18 Dr. Sanghvi. That's why he had those
19 questions.

20 But actually I have got a couple
21 of questions.

22 Number one, in one of the photos
23 you provided us, is like an aerial view, it
24 had some yellow, in fact, I think it's the
25 one you have up right now. It has some

1 yellow outline. Is that a proposed suite you
2 have right now?

3 MR. SHIVELEY: Yes, it is indeed.
4 That is the suite. Our suite is adjacent to
5 it. They will be connected through a back
6 hallway. We will actually be sharing one of
7 our surgical suites and x-ray with our Prime
8 Care practice.

9 MR. GHANNAM: So between your
10 primary practice and this urgent care, do you
11 occupy that entire building?

12 MR. SHIVELEY: No, we do not. We
13 would occupy approximately half of the
14 building. In fact, that's exactly true. If
15 you could bisect that third building in your
16 mind's eye, we would have the yellow section
17 for urgent care, and the other half of that,
18 that's exactly where our Primary Care suite
19 is located.

20 MR. ZAID: It's 6,300 square feet
21 total.

22 MR. GHANNAM: Between the two?

23 MR. ZAID: Yes, 4,900 currently
24 for Prime Care, 2,400 for the urgent care.

25 MR. GHANNAM: Then I have noticed

♀

48

1 you put up -- you gave us a proposed signage
2 with the dimensions and so forth and how it
3 sits on the roof. That was one of the
4 photographs you presented. In fact, if you
5 can put that on the overhead. That one.

6 I assume -- because I have been
7 by this place a million also. I presume this
8 sits up on the part of the building that
9 comes up that high, correct?

10 MR. ZAID: Exactly. It's not on
11 the roof, it's on a wall.

12 MR. GHANNAM: Right. In one of
13 the other photographs, if you can show that,

14 too, has those walls without the signage, if
15 you can show that photograph. That's the way
16 it currently looks, correct?

17 MR. SHIVELEY: Except it's
18 backwards, but yes.

19 MR. GHANNAM: Again, your sign
20 would basically be flush against one of those
21 walls?

22 MR. SHIFMAN: It would be flush
23 to the wall, correct, in that space right
24 there.

25 MR. GHANNAM: I mean, I noticed,

†

49

1 having gone by this place, actually my family
2 used to have an oral surgeon in that place, I
3 know they moved to I think Grand River, but
4 as I know, the signage in that area is very
5 difficult, they're very small. This is very,
6 you know, large complex. I know we have
7 given other variances, one I recall is on
8 Twelve Mile. I think there is multiple
9 buildings across from Fountain Walk, in fact.

10 But ordinarily, on this type of
11 thing, on roof signs, I wouldn't be in favor
12 of it, but because of the way this roof is
13 situated, number one, it's fairly flat or
14 slightly inclined roof, and you already have
15 that wall there, you're just simply putting
16 up a sign, to me it makes sense only because
17 it's an urgent care.

18 If you come in with another
Page 41

19 tenant, for example, you know, like a skin
20 doctor or something, I mean, that don't seem
21 as urgent where they would need to direct
22 themselves right away. I think it would look
23 unusual in the area. But under these
24 circumstances it does make sense to me, again
25 under these limited circumstances, so I would

50

1 be in favor of it.

2 CHAIRMAN IBE: Yes, Member
3 Gedeon.

4 MR. GEDEON: I would like a point
5 of clarification on the size of the sign. In
6 your mock-up, it says 39.6 square feet, and
7 in the request that we have in front of us it
8 says 37 square feet.

9 MR. ZAID: So 20 inches times
10 22 feet. So it's --

11 MR. SHIVELEY: I'm not honestly
12 sure. I know based on the linear footage in
13 front of the office, looking at the city's
14 regulations, we were within their
15 requirements, but now the question is 39
16 versus -- I'm not sure.

17 MR. ZAID: There is 37 square
18 feet, rounded up.

19 MR. GEDEON: I would echo what
20 was said by Member Ghannam, I would actually
21 clarify even more that I would be in favor of
22 specific -- under the conditions that a
23 variance is for the specific text of an

24 urgent care to avoid the, you know, slippery
25 slope of everybody wanting a sign in this

51

1 compl ex.

2 CHAIRMAN IBE: Thank you, Member
3 Gedeon.

4 Yes, Member Krieger.

5 MS. KRIEGER: For the Ten Mile
6 sign, would it also say urgent care on there,
7 so then to -- so for urgent -- this is going
8 to face south? So how would somebody know
9 there is an urgent care in there?

10 MR. SHIVELEY: This sign faces --
11 north faces Ten Mile Road, there would be no
12 signage facing south.

13 This is the only sign for this
14 business. There would not be -- we are not
15 requesting a second sign on the monument.

16 MS. KRIEGER: And then for the
17 neighboring, as you were speaking about
18 earlier, that -- the other building, if -- is
19 that normal that they -- patients are out in
20 that area, could potentially be walking the
21 parking lot?

22 MS. ZAID: Yes. It happens, it's
23 the way it is. It's a drop-in center where
24 they learn life skills, and some of them
25 smoke, so, of course, they're outside walking

52

1 around smoking.

2 Well, there is talk about
3 enforcing the non-smoking with the people
4 that are there. But they have been doing
5 that for 20 some years. They're one of the
6 original tenants of the building and we just
7 purchased, and we don't want to ruffle
8 anyone's feathers being brand new, so we are
9 trying to figure out how to handle that.
10 Even the people that own that don't want
11 everybody walking around, but right now they
12 do and there is no plans of changing it.

13 MS. KRIEGER: One other question,
14 for the urgent care, is that into the
15 future -- the change you were talking about,
16 medicine that instead of going to an ER, that
17 there would be an integral step go to urgent
18 care first, then if it's determined, they
19 would be going into --

20 MR. ZAID: Almost. We
21 envision -- urgent cares have been around for
22 a long time, but with this model, we are
23 going to have primary care physicians manning
24 the urgent care, who also work at the Prime
25 Care site. So if somebody came in with a

♀

53

1 problem and one of their doctors wasn't
2 there, they could continue their care on
3 regular business hours, on the primary care
4 side. That's what -- that's what we mean by
5 the future of medicine. With one record, one
6 electronic record. All your care could stay

7 within one place, except for, of course, if
8 you need to go to the hospital.

9 MR. SHIVELEY: If I might add,
10 with the changes coming in healthcare, there
11 are about to be several million people with
12 healthcare that currently don't have a
13 doctor. Many of those people are going to
14 end up in either emergency rooms or urgent
15 cares. We intend to help supply that need.

16 MS. KRIEGER: Now I know what to
17 tell people when they ask me. What is this
18 urgent care for. Thank you.

19 MS. ZAID: Also urgent care is
20 also more economical for people to go to, if
21 they can't afford to go to the hospital
22 emergency room. They're oftentimes -- I know
23 my Henry Ford, it's \$50 co-pay, close to \$100
24 co-pay, where people might find it more
25 affordable to go to an urgent care if it's

♀

54

1 not a life threatening emergency.

2 MS. KRIEGER: So in consideration
3 for the signage, I also am not -- as previous
4 speakers have mentioned, in agreement with
5 it.

6 CHAIRMAN IBE: Yes, ma'am?

7 MS. ZAID: I just want to let
8 everybody know that we have no plans of any
9 other tenant coming for a variance, since I
10 am one of the owners. We don't want signs up
11 on the roof. We don't want anybody else,

12 just the nature of the urgent care. But we
13 agree with the integrity of the rules of
14 Novi, and that, you know, for good reason,
15 it's just the nature of this business. You
16 don't ever have to worry about us coming back
17 for another variance for Landfall.

18 But since Member Krieger brought
19 up the second sign, I was just thinking since
20 they are going to be 50 percent of that
21 building, if we were to have room on their
22 sign, would it be a problem to add another
23 panel for the urgent care? Okay. I just
24 wondered.

25 CHAIRMAN IBE: I have some

♀

55

1 questions for you.

2 You're one of the owners of the
3 building, is that correct?

4 MS. ZAID: Yes, sir.

5 CHAIRMAN IBE: I assume you do
6 have contractual obligations with your
7 tenants currently?

8 MS. ZAID: Absolutely.

9 CHAIRMAN IBE: Do you have any
10 empty vacant spaces in the building right
11 now?

12 MS. ZAID: In that particular
13 building?

14 CHAIRMAN IBE: Or in the complex
15 itself.

16 MS. ZAID: Oh, we do, like

17
18
19
20
21
22
23
24
25

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

45 percent empty.
CHAIRMAN IBE: Let's assume hypothetically company B decides to move in there, and sees this sign up there, wow, geez, this is great visibility. The only condition upon which they can rent, how do you approach that?

MS. ZAID: I would say, I'm sorry, we can't do that.

CHAIRMAN IBE: You'd be willing to forego the economic gains?

MS. ZAID: Of course, yes.

CHAIRMAN IBE: Are you sure about that?

MS. ZAID: Absolutely. I mean, those are the rules. We feel -- we would feel very grateful if you allowed this. We don't take for granted that you're going grant it, but I think the only reason you considered it would be because it was an urgent care.

But there would be so many tenants, who to you say yes to and who do you say no to. If a new tenant wanted it, what do you say to the old ones who have been there for 30 years, how come I didn't get that opportunity.

So I want a happy family, friendly complex, and that means not alienating the old people to appease the new

♀

22

people.

23

But I was wrong. I thought you

24

were talking about all the buildings. Their

25

particular building only has one space left,

57

1

and I believe someone is taking it. And

2

that's not going to be a problem, I assure

3

you.

4

CHAIRMAN IBE: Very well. Thank

5

you. Mr. Boulard, do we have any other

6

comment?

7

MR. BOULARD: I think there may

8

be somebody in the public.

9

CHAIRMAN IBE: I will exercise a

10

discretion and call upon the young lady in

11

the back who was trying to get my attention.

12

Can you please come to the

13

podium, tell us your name, and spell your

14

last name and be sworn in by Madam Secretary.

15

MS. ALLISON: Hello. I'm Joyce

16

Allison, A-I-I-I-s-o-n. My house is directly

17

behind the doctor's office.

18

MS. KRIEGER: In Case No.

19

PZ13-0009, do you swear or affirm to tell the

20

truth?

21

MS. ALLISON: Yes.

22

CHAIRMAN IBE: Please, go ahead.

23

MS. ALLISON: I'm wondering how

24

far above the roof line right now, where the

25

roof is, how far higher the sign will be?

58

1 MR. ZAID: You won't see it, if
2 you're behind it because the sign is front of
3 the --

4 MS. ALLISON: So it won't glow
5 into my yard?

6 MR. ZAID: There is a mock-up now
7 actually. It's the exact dimension of the
8 sign. There is about a foot -- there is
9 about a foot above -- if you look here --

10 MS. ALLISON: I was just
11 wondering --

12 MR. ZAID: This is just showing
13 the dimensions.

14 MS. ALLISON: That was my only
15 confusion.

16 MR. ZAID: Come by and say hi one
17 day.

18 CHAIRMAN IBE: Very well. We
19 like to make sure we have happy neighbors.

20 MR. ZAID: Absolutely.

21 CHAIRMAN IBE: Very well, thank
22 you.

23 Since I made a discretion, is
24 there anyone else in the audience who would
25 like to make a comment at this time regarding

1 this case?

2 Well, sir, please I will
3 entertain one more at least.

4 Can you please come to the podium
5 and state your full name and be sworn in,

6 please.

7 MR. ZSCHERING: My name is Kirk
8 Zscheri ng, Z-s-c-h-e-r-i -n-n-g.

9 MS. KRIEGER: In Case No.
10 PZ13-0009, do you swear or affirm to tell the
11 truth?

12 MR. ZSCHERING: Yes. Ten Mile is
13 a very, very busy street right in that little
14 intersection. I would think that looking
15 into another driveway with the street sign
16 might be something they would entertain.
17 It's a very, very busy parking lot, which
18 they have. I think when there is street
19 signs, and without a top of the building
20 sign, that would make a little more sense,
21 maybe have a neon sign on the front of the
22 building instead of something up high. Novi
23 doesn't have a lot of the large billboard
24 signs with Joumana Kayrouz all over the
25 place, things like that. That's one of the

♀

60

1 things that is attractive to this area.

2 Thank you.

3 CHAIRMAN IBE: Very well. Thank
4 you very much, sir, for that comment.

5 I must state to you,
6 unfortunately it's beyond the scope of this
7 board to address the concerns you've raised.
8 But I'm quite sure there are other avenues
9 that you can take to address that, that
10 particular comment.

11 I'm sure Mr. Boulard will take
12 that into consideration as well and pass it
13 on.

14 All right. In the absence of any
15 additional discussion, I will now entertain a
16 motion, please.

17 Yes, Member Gedeon.

18 MR. GEDEON: In Case No.
19 PZ13-0009, 39555 Ten Mile Road, Prime Care
20 Urgent Care, I move to approve the variance
21 as requested under the condition that the
22 text of the sign is limited to the text
23 presented in the application.

24 The request is based upon
25 circumstances or features that are

♀

61

1 exceptional and unique to the property and do
2 not result in conditions that are -- that
3 exist generally in the city or that are
4 self-created. Specifically, there are
5 multiple properties that share one driveway,
6 and the applicant indicated that it may be
7 difficult for patients under duress to find
8 the location they're trying to get amongst
9 the multiple buildings.

10 Additionally, the sign will
11 actually mount on the wall that extends above
12 the roof line and not attached to the roof
13 itself.

14 The failure to grant relief will
15 unreasonably prevent or limit the use of the

16 property and will result in substantially
17 more than a mere inconvenience or an
18 inability to attain a higher economic or
19 financial return.

20 The grant of relief will not
21 result in a use of structure that is
22 incompatible with or unreasonably interferes
23 with adjacent or surrounding properties, will
24 result in substantial justice being done to
25 both the applicant and adjacent or

♀

62

1 surrounding properties and is not
2 inconsistent with the spirit of the
3 ordinance.

4 MS. KRIEGER: Second.

5 MR. GHANNAM: If I can just make
6 a comment in addition, that it can be limited
7 to this particular tenant.

8 MR. GEDEON: I will adopt that
9 condition that the variance is limited to the
10 particular business occupant.

11 MS. KRIEGER: Second.

12 CHAIRMAN IBE: Thank you. Seeing
13 that a motion has been made and seconded, do
14 we have any need for further discussion?

15 (No audible responses.)

16 CHAIRMAN IBE: Seeing none,
17 please call the roll.

18 MS. PAWLOWSKI: Member Gedeon?

19 MR. GEDEON: Yes.

20 MS. PAWLOWSKI: Member Gerbl ick?

21 MR. GERBLICK: Yes.
22 MS. PAWLOWSKI: Member Ghannam?
23 MR. GHANNAM: Yes.
24 MS. PAWLOWSKI: Chairman Ibe?
25 CHAIRMAN IBE: Yes.

63

♀

1 MS. PAWLOWSKI: Member Krieger?
2 MS. KRIEGER: Yes.
3 MS. PAWLOWSKI: Member Sanghvi?
4 MR. SANGHVI: Yes.
5 MS. PAWLOWSKI: Member Ferrell?
6 MR. FERRELL: Yes.
7 MS. PAWLOWSKI: Motion passes
8 seven to zero.
9 CHAIRMAN IBE: Congratulations.
10 MR. SHIVELEY: Thank you.
11 CHAIRMAN IBE: We will now call
12 Case No. PZ13-0010, 24926 Bloomfield Court.
13 Will the applicant please come to
14 the podium.
15 MR. MUNDT: Good evening. I'm
16 John Mundt from Singh Homes. Last name is
17 spelled M-u-n-d-t.
18 Along with me, I have Mr. Sandhu.
19 MR. SANDHU: My name is Veant,
20 V-e-a-n-t, last name is S-a-n-d-h-u.
21 MS. KRIEGER: In Case No.
22 PZ13-0010, do you both swear or affirm to
23 tell the truth?
24 MR. MUNDT: Yes.
25 MR. SANDHU: Yes.

1 MR. MUNDT: We are here tonight
2 to request a variance for Novi's ordinance
3 that limits residential garages to the size
4 of 850 square feet.

5 Our main hardship lies within the
6 size and the shape of Mr. Sandhu's future
7 lot.

8 As you will see in the attached
9 plot plan, what you have in your packet
10 there, the lot is very narrow, long and it
11 actually curves. And to accommodate a
12 three-stall garage for Mr. Sandhu, we
13 actually had to create a bend in the garage.

14 This bend created some additional
15 square footage in the garage, which just the
16 three-stall garage alone exceeded the 850
17 square feet.

18 We'd also like to incorporate
19 some space for him to store his lawn
20 equipment, lawn supplies, things of that
21 nature. So there isn't, you know, a
22 secondary structure on the lot, as far as a
23 shed or something like that.

24 CHAIRMAN IBE: Very well. Would
25 the other gentleman like to make any

1 comments?

2 MR. SANDHU: You know, the way
3 the house -- because of the irregular shape

4 of the lot, the first door of -- the garage
5 door, from the front of the house is only
6 four feet. So you can barely turn the car
7 in, and that's why the garage had to be posted
8 away from the house, so that created that
9 space. So we will do that as storage. But
10 it was the nature of the lot that we had to
11 do this.

12 And first of all, I'm very sorry
13 for the phone because this is not my phone
14 and I didn't know how to turn it off.

15 I am a 20 year resident of Novi,
16 and I have three -- we have three children,
17 seven grandchildren, our residents of Novi
18 and we plan to stay here, if you grant us the
19 variance and we build this house, we will
20 plan to stay in this house for the rest of
21 our lives. Thank you.

22 CHAIRMAN IBE: Thank you, sir.
23 Is there anybody in the audience who would
24 like to make a comment regarding this
25 particular case?

1 (No audible responses.)

2 CHAIRMAN IBE: Well, seeing none,
3 I will turn to Madam Secretary and ask her to
4 read into the record any correspondence.

5 MS. KRIEGER: In Case No.
6 PZ13-0010, 11 were mailed, zero returned,
7 zero approvals, zero objections. Thank you.

8 CHAIRMAN IBE: Thank you. I will

9 now turn to the city and ask for any comments
10 they may have.

11 MS. SAARELA: I have none.

12 MR. BOULARD: Nothing to add.

13 CHAIRMAN IBE: Thank you very
14 much.

15 I will open it up to the board
16 for discussion. Member Sanghvi?

17 MR. SANGHVI: I just have one
18 question for Mr. Boulard. How is this
19 different than when they came previous time?

20 MR. BOULARD: The garage design
21 is different than when they came previously
22 for the setbacks and so on.

23 MR. SANGHVI: Thank you. I
24 remember going to the same site before.

25 Very good. I have no more

♀

67

1 questions. Thank you.

2 CHAIRMAN IBE: Thank you very
3 much, Member Sanghvi.

4 Yes, Member Ghannam?

5 MR. GHANNAM: Are you saying the
6 necessity to have a larger garage is because
7 of the turning radius to get in there?

8 MR. SANDHU: Yes, if you look at
9 the plan, you know, like from the front of
10 the house, the first garage door to turn the
11 car in, okay, it's only four feet from the
12 front of the house, okay, that's pretty much
13 minimum. And the house with the garage, it

14 sits back. So if that's what's added, that
15 area.

16 MR. GHANNAM: You are something
17 to the effect that you would have to make
18 two, like almost like a three-point turn, you
19 turn in, reverse and go in, is that how you
20 would have to do it if you didn't have a
21 larger garage? Is that what you're
22 suggesting?

23 MR. MUNDT: Let me reiterate what
24 he's saying. You know, because it's actually
25 a courtyard entry on the garage, so you would

68

1 have two cars that will actually pull in
2 towards each other.

3 So there had to be some
4 additional square footage to allow those two
5 cars to pull in, so they would not hit.

6 So that's mainly what predicated
7 the larger garages, you know. The bend, to
8 accommodate those two cars, and the ability
9 to turn into the garage without a three-point
10 turn, due to the courtyard entry.

11 MR. GHANNAM: I understand. I
12 just didn't get that from the paperwork that
13 was submitted to us. That's all. I was just
14 trying to figure out what was the necessity
15 of that.

16 So I have no problem with that
17 either.

18 CHAIRMAN IBE: Thank you, Member

19
20
21
22
23
24
25

Ghannam.

Do we have any additional
comments or questions from the members?

(No audible responses.)

CHAIRMAN IBE: Very well, in the
absence of any questions or comments, I will
entertain a motion.

♀

69

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

Yes, Member Krieger?

MS. KRIEGER: In Case No.
PZ13-00010, for 24926 Bloomfield Court, I
move to approve the requested variance.

There are unique circumstances
and physical conditions of the property, that
it's narrow in shallow, shape, water,
topography and other similar physical
conditions. The need for the variance is not
due to the applicant's personal or economic
difficulty, because of the location and it
being in a court that it's made it difficult
to put the garage architecture together, as
the applicant spoke about.

The need is not self-created.
The strict compliance with regulations
governing area setback, frontage, height,
bulk, density or other dimensional
requirements will unreasonably prevent the
property owner from using the property for a
permitted purpose or will render conformity
with these regulations unnecessarily
burdensome.

24 Because of what was in our packet
25 as well, that this one area of garage will be

70

1 for the storage, and the requested variance
2 is the minimum variance requested due to
3 substantial justice to the applicant as well
4 as to other property owners in the district
5 and will actually increase other values of
6 the neighbors.

7 The requested variance will not
8 cause an adverse impact on surrounding
9 property, property values or the use and
10 enjoyment of the property in the neighborhood
11 or its zoning district.

12 MR. FERRELL: Second.

13 CHAIRMAN IBE: Well, seeing a
14 motion has been made and duly seconded, is
15 there any need for further discussion?

16 (No audible responses.)

17 CHAIRMAN IBE: Seeing none,
18 please call the roll.

19 MS. PAWLOWSKI: Member Gedeon?

20 MR. GEDEON: Yes.

21 MS. PAWLOWSKI: Member Gerbl ick?

22 MR. GERBLI CK: Yes.

23 MS. PAWLOWSKI: Member Ghannam?

24 MR. GHANNAM: Yes.

25 MS. PAWLOWSKI: Chai rman Ibe?

71

1 CHAIRMAN IBE: Yes.

2 MS. PAWLOWSKI: Member Kri eger?

130312.txt

3 MS. KRIEGER: Yes.
4 MS. PAWLOWSKI: Member Sanghvi?
5 MR. SANGHVI: Yes.
6 MS. PAWLOWSKI: Member Ferrell?
7 MR. FERRELL: Yes.
8 MS. PAWLOWSKI: Motion passes
9 seven to zero.
10 CHAIRMAN IBE: Congratulations.
11 That brings us to our next case.
12 Case PZ13-0011, 42400 Grand River, Access
13 Point.
14 Will the applicant please come to
15 the podium, state your full and correct name,
16 spell your last name of the record. If you
17 are not an attorney, raise your right hand
18 and be sworn in.
19 MR. SOAVE: Good evening
20 everyone. Enrico Soave on behalf of the
21 applicant, Infinity, 4240 Grand River, LLC.
22 With me tonight is Lori from
23 Gardener Signs.
24 MS. YARMY: Lori Yarmy, last name
25 is Y-a-r-m-y.

♀

72

1 MR. KRIEGER: In Case No.
2 PZ13-0011, do you both swear or affirm to
3 tell the truth?
4 MR. SOAVE: I do.
5 MS. YARMY: Yes.
6 MR. SOAVE: Some additional
7 information other than what was presented as
Page 60

8 part of the application materials in the
9 packet, some salient points in regards to the
10 building itself.

11 The applicant purchased this
12 building about a year ago. When he bought
13 the building, there was about just shortly
14 under 50 percent occupied. Mostly that was
15 due to -- well, the occupancy that were on
16 month-to-month status, and the status of the
17 landlord was in receivership, so that's
18 another reason why most of the tenants were
19 on month-to-month status.

20 Bring us, fast forward to today,
21 the occupancy there is probably about
22 85 percent. And that's accredited to the
23 landlord's work and commitment to making
24 renovations in the building, which include,
25 and are limited to a new roof, a new parking

♀

73

1 lot, and is scheduled to do interior
2 modifications and remodeling, which
3 calculating to estimate over 250,000.

4 However, as it relates to Access
5 Point, the remaining condition for them to
6 fully execute an additional lease on this
7 particular building which they occupy almost
8 the majority of the second floor. This
9 building is a two-story, multi-tenant
10 building, which is about 35,000 square feet
11 in total. They're requiring wall signage. I
12 believe, their letter was also attached and

13 included as part of the application
14 materials.

15 Out of the tenants, Access Point
16 makes up about 40 percent of the 85 percent
17 occupancy. And the fear is if they can't get
18 wall signage, as they indicated in the
19 letter, they're going to be finding a place
20 to do business elsewhere, and that's the main
21 reason why the applicant, the building owner,
22 is here tonight.

23 CHAIRMAN IBE: Thank you.

24 Is there anyone in the audience
25 who would like to make a comment regarding

1 this particular case?

2 (No audible responses.)

3 CHAIRMAN IBE: Seeing none, I
4 will ask Madam Secretary to read into the
5 record any correspondence.

6 MR. KRIEGER: In Case No.
7 PZ13-0011, 18 were mailed, one returned.
8 That's it.

9 CHAIRMAN IBE: Thank you. I will
10 now turn to the city for any comments.

11 MS. SAARELA: I don't have any.

12 MR. BOULARD: Mr. Chairman, if I
13 might pose a question.

14 I wanted to verify, I believe, we
15 had a telephone conversation last week, in
16 which you indicated that this would be the
17 only -- there would be no other requests, as

18 the owner of the building that you would be
19 coming forward for other requests for
20 exterior signage?

21 MR. SOAVE: Correct. Since I am
22 under oath, Mr. Chair, I believe that was my
23 brother you spoke to, Reno. I didn't want to
24 speak on his behalf.

25 MR. BOULARD: Will you confirm

75

1 that?

2 MR. SOAVE: That is correct.

3 MR. BOULARD: Thank you.

4 MR. SOAVE: The majority tenant
5 and any and all signage would be limited to
6 this one here before you tonight, for Access
7 Point.

8 CHAIRMAN IBE: Very well. Thank
9 you, Mr. Boulard, for that clarification.

10 I will now open it up to the
11 board for discussion.

12 Yes, Member Ferrell?

13 MR. FERRELL: So you said Access
14 Point is occupying about 40 percent of the
15 building?

16 MR. SOAVE: Forty percent of the
17 occupancy of 85 percent. So they're the
18 majority tenant here, correct.

19 MR. FERRELL: So about half --

20 MR. SOAVE: Correct.

21 MR. FERRELL: So I definitely
22 don't want to see a business leave the city,

23 especially when they're occupying that much
24 of a large building like that.

25 You definitely have my support on

76

1 the signage for that.

2 MR. SOAVE: Thank you.

3 CHAIRMAN IBE: Thank you, Member
4 Ferrell.

5 Yes, Member Gerblick?

6 MR. GERBLICK: What is currently
7 on the existing signage on the property? Is
8 there an existing ground sign, I believe?

9 MR. SOAVE: There is an existing
10 ground sign, and sadly to say since my
11 brother has only been in that office once and
12 I have driven there twice, one being earlier
13 today. They have a ground sign, which when
14 you pull up to Grand River, I have poor
15 vision to begin with, even with these goggles
16 on, I had a hard time ascertaining what
17 particular tenants were involved in that
18 building, and I drove past it the first time.
19 The only thing that marks that building is
20 the address digits themselves.

21 So my question -- I'm sorry, the
22 question again?

23 MR. GERBLICK: What was on the
24 ground sign?

25 MR. SOAVE: The ground sign is

77

1 just individual plaques of the other tenants
2 in there, which were they're limited in size
3 and scope, if you have driven by there
4 yourself.

5 MR. GERBLICK: Thank you.

6 CHAIRMAN IBE: Thank you.

7 Yes, Member Ghannam?

8 MR. GHANNAM: I understand the
9 need to have like a signature tenant and have
10 signage for that signature tenant. I
11 understand that.

12 I guess, in my opinion, when I
13 evaluate these matters, it really does depend
14 on the size of the building, the way the
15 building is situated.

16 We have had cases, where
17 something is on the highway, the sign only
18 faces that highway, that makes sense to me.

19 This one, again, I have gone up
20 and down Grand River 1,000 times. This has
21 always stuck out, it's a large building.
22 There is really not that many large buildings
23 in this area, such as this office building.

24 It does make sense to have this
25 particular sign in this location, so I have

♀

78

1 no problem with it.

2 CHAIRMAN IBE: Thank you very
3 much.

4 Do we have any additional
5 comments or questions?

130312.txt
(No audible responses.)

6

7

CHAIRMAN IBE: Very well. I will

8

entertain a motion, please.

9

MR. FERRELL: I move to approve

10

PZ13-0011 42400 Grand River, Access Point.

11

The request is based upon

12

circumstances or features that are

13

exceptional and unique to the property and do

14

not result in conditions that exist in the

15

city or that are self-created.

16

The failure to grant relief will

17

unreasonably prevent or limit the use of the

18

property, will not result in substantially

19

more than mere inconvenience or ability to

20

attain a higher economic or financial return.

21

The grant of relief will not

22

result in a use of the structure that is

23

incompatible with or unreasonably interferes

24

with adjacent or surrounding properties, will

25

result in substantial justice being done to

♀

79

1

both the applicant and adjacent properties

2

and is not inconsistent with the spirit of

3

the ordinance, especially due to having a

4

signature client that actually occupies more

5

than half of the business that's in the

6

building.

7

And I think it's appropriate to

8

have the sign that names their business that

9

they conduct in this building.

10

MR. GEDEON: Second.

11 CHAIRMAN IBE: Seeing that a
12 motion has been made -- I'm sorry, Member
13 Krieger has a question regarding the motion?

14 MR. KRIEGER: Would that be for
15 just this tenant?

16 MR. FERRELL: Yes. In addition
17 to that, it would be for this tenant, only
18 for that building.

19 CHAIRMAN IBE: Is that seconded?

20 MR. GEDEON: I'll second that
21 addition.

22 CHAIRMAN IBE: Very well. Seeing
23 that a motion has made, and modification
24 made, as well as duly seconded, is there any
25 need for further discussion?

♀

80

1 (No audible responses.)

2 CHAIRMAN IBE: Seeing none,
3 please call the roll.

4 MS. PAWLOWSKI: Member Gedeon?

5 MR. GEDEON: Yes.

6 MS. PAWLOWSKI: Member Gerbl ick?

7 MR. GERBLI CK: Yes.

8 MS. PAWLOWSKI: Member Ghannam?

9 MR. GHANNAM: Yes.

10 MS. PAWLOWSKI: Chair man I be?

11 CHAIRMAN IBE: Yes.

12 MS. PAWLOWSKI: Member Krieger?

13 MR. KRIEGER: Yes.

14 MS. PAWLOWSKI: Member Sanghvi ?

15 MR. SANGHVI: Yes.

130312.txt

16 MS. PAWLOWSKI: Member Ferrell?

17 MR. FERRELL: Yes.

18 MS. PAWLOWSKI: Motion passes
19 seven to zero.

20 CHAIRMAN IBE: Congratulations.

21 MR. SOAVE: Thank you.

22 CHAIRMAN IBE: That bring us to
23 our next case. Case No. PZ13-0012 48100 and
24 46080 Grand River and 26925 Taft Road.

25 MR. BOWMAN: Good evening. Blair

♀

81

1 Bowman, B-o-w-m-a-n, representing TBON, LLC.

2 Good evening. I'm here before
3 you tonight for several signs. I think it's
4 a total of nine is identified. And I know
5 that that sounds like a lot of signs.

6 But I think that if you consider
7 the complex, and I think if you consider the
8 main core sign that we are looking for, as
9 far as for the hotel, that exemplifies the
10 hardship pretty apparently.

11 When applying for site plan,
12 gaining approval, we actually had multiple
13 signs on the building in accordance with
14 Hyatt, it is a Hyatt Place hotel, their
15 minimum standard, brand standards.

16 Frankly, did not expect to get
17 all of their required signage, and have to
18 get a waiver from them, but I came to find
19 out frankly that in the interpretation of the
20 ordinance administratively, we were allowed

21 no signs at all for the hotel.

22 And that is resulting from --
23 certainly Mr. Boulard can comment on this
24 further, that because we are an individual
25 owner of a single parcel, I believe that we

82

1 are entitled to only one sign, technically,
2 for the entire complex.

3 And again, I believe hardship is
4 clearly demonstrated that it's nearing on --
5 it's over 400,000 square feet of complex,
6 three different buildings, two smaller ones,
7 and the main building, 55 acres in size,
8 multiple uses within the complex, even being
9 effectuated and operated, frankly, in the
10 epic Wisne family operating our Diamond
11 Center banquet facility, separate entrances,
12 the main showplace having even multiple
13 individual entrances. And of course, the
14 hotel being what we believe is shaping up as
15 a very fine addition, reasonably well
16 located, but simply because connected and
17 individually owned, it puts us in a position
18 of not technically being in compliance with
19 the ordinances.

20 So at the time we looked to then
21 maybe, I will use the term clean up, even
22 some long-term signage issues that we have
23 been confronted with, simple directional
24 signage, and that I say that there is nine
25 signs, but if you look at it, three of them

1 are modestly sized directional signages,
2 entranceway signages, just merely directing
3 traffic to where items within the complex are
4 located.

5 One of them is an existing
6 landscape wall sign, which is something that
7 I honestly thought was already approved, and
8 apparently was not.

9 It is more of a landscape feature
10 with a couple of identification signage,
11 indicating exposition halls in one direction
12 Diamond Center in the other direction, and
13 the overall facility identification on the
14 garden wall.

15 And then the main signage
16 package, as I described originally, was three
17 signs for the hotel, each north, south, and
18 east faces of the hotel, with directional
19 signage. That is the minimum requirement
20 under the Hyatt brand standards.

21 We have scaled that back, if you
22 would, to where I think, as you might have
23 seen, if you have transported down 96 the
24 visual presence of the facility on 96, we
25 have identified one of the smaller scale

♀

1 brand standard signs on the east face, and
2 then discretely located within the existing
3 confines of the square footage of the pylon
4 sign, the pylon portion of marquis on the

5 expressway, two faces, indicating again Hyatt
6 Place.

7 The additional two major signs
8 that we are requesting is one over the main
9 showplace entrance, that has been lacking,
10 frankly, from when we opened, just simply
11 parking attendance, literally, are faced with
12 force, turning around, saying, okay, the
13 middle class entrance doors, versus or saying
14 the canopy entrance for the banquet center.
15 If we simply now have the ability to put on
16 the facility, what the two components are,
17 the Diamond Banquet and Conference Center and
18 the Showplace as the main entrances, with the
19 hotel signage, again, it will be on the east
20 side, with a modest directional sign in the
21 parking lot. We should very, very cleanly
22 and clearly be able to direct safely public
23 and pedestrian traffic and vehicle traffic as
24 to where they're going.

25 I do have a layout that I can,

‡

85

1 you know, go through, which would -- which
2 way does it go. As far as the different
3 signs are concerned, we will be happy to
4 answer any questions.

5 I know there is a lot of them,
6 maybe we can address them each as you might
7 have questions.

8 One final thing I need to
9 clarify, and Mr. Boulard showed me the errors

10 of my signage company's ways. The Diamond
11 Center sign was supposed to be consistently
12 sized with regards to the showplace sign, and
13 even slightly smaller. It turned out, I
14 think actually with the company, it's a
15 Canadian company that Hyatt sources their
16 signs through, so we are working with them
17 for all the signs.

18 Instead of decimal points, they
19 put in commas, so I think we were technically
20 looking for 150,000 square foot sign, which
21 was unintended. But we will cut it in half,
22 for something of that nature, if you would
23 like us to.

24 So sincerely there, I have
25 brought another rendering, where it's just

♀

86

1 under 100 total square feet for the Diamond
2 Center sign. That is not supposed to be --
3 prominent sign it is just to be identifying
4 and directional in nature.

5 So with that, I will be happy to
6 answer any questions.

7 CHAIRMAN IBE: Very well. Thank
8 you very much, Mr. Bowman. It's a pleasure
9 to see you again.

10 MR. BOWMAN: Thank you.

11 CHAIRMAN IBE: Is there anyone in
12 the audience who would like to make a comment
13 regarding this particular case?

14 (No audible responses.)

130312.txt

15 CHAIRMAN IBE: Well, seeing none
16 I will turn to Madam Secretary to read into
17 the record any correspondence.

18 MR. KRIEGER: In Case No.
19 PZ13-0012, 39 were mailed, eight returned,
20 zero approvals, zero objections.

21 CHAIRMAN IBE: Thank you, Madam
22 Secretary.

23 I will now to turn the city for
24 any comments or questions?

25 MS. SAARELA: I have none.

♀

87

1 MR. BOULARD: Just a couple of
2 points, if I could.

3 CHAIRMAN IBE: Very well,
4 Mr. Boulard.

5 MR. BOULARD: It is indeed, by
6 intension that there is so many signs, I
7 asked Mr. Bowman to present a package for the
8 entire site, so that there would be the
9 context of how they're related.

10 One question. You had mentioned,
11 I think when we advertised for the Diamond
12 Center sign based on the 30 foot by 12-foot
13 dimensions was 375 feet. You had mentioned
14 100 square feet? That would be sufficient to
15 get the signage that you need or that you're
16 asking for?

17 MR. BOWMAN: You know, frankly,
18 again the signage company is saying that it
19 really won't deliver a dramatic presence, but

20 for me, it is one which, if we simply can
21 have a presence, it will be dimensionally
22 correct with the logo size.

23 Let me just even put this up.
24 This is now I believe at 99 -- just over 99
25 square feet, just under a 100 total, that

†

88

1 would be more than satisfactory to me.

2 That is not intended to be a
3 prominent situation, it was just simply for
4 identification and letting, frankly our
5 customers, brides and things like this, I
6 hate to say it, we think we have got a
7 wonderful facility, but a lot of times, you
8 know, a bride looking at the Showplace, quote
9 unquote, is where they're getting married,
10 you know, many times people don't understand,
11 that we have a beautiful banquet and
12 conference center and it is branded
13 separately and it's operated through a
14 licensed arrangement with a very fine food
15 service, but we'd at least like to have that
16 modest differentiation and identification on
17 the building.

18 MR. BOULARD: Just one more
19 clarification. If you could go back to the
20 previous layout.

21 I believe -- just for
22 clarification, I believe the sign G2, where
23 there is actually two labeled that?

24 MR. BOWMAN: I'm sorry. There is
Page 74

25 a G4.

89

1 MR. BOULARD: I just want to
2 confirm that.

3 MR. BOWMAN: There is, and that
4 is -- G4 is the directional signage for just
5 the Hyatt Place.

6 I will tell you, I'm sorry, that
7 it is -- let me just make sure here. G2, let
8 me make sure -- one is G4. I will just show
9 you the two of them.

10 G2 is the -- I have one other
11 point of clarification. G2 would be non --
12 internally illuminated reflective lettering
13 at the entrance on Grand River, the main
14 entrance, what would be the east side of the
15 entrance drive.

16 It would be simply to direct to
17 both the Hyatt Place, Diamond Center, and the
18 other sign of the package, or the two items
19 that I failed to mention, our sign number
20 eight, is for a future tenant of the small
21 building, that is technically off of Taft
22 Road, which was on its own parcel, but has
23 now been combined for the ride and drive
24 research lot, and is being looked at from a
25 rental car program that would have a kiosk

90

1 inside the hotel, and have a modest amount of
2 inventory on-site and a desk inside of the

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

that building.

They have indicated that they would like to have a sign as well. And if it were again an independent facility, which it is, in essence, it's just again under the same ownership and combined, it would obviously be entitled to, under normal circumstances a sign.

So that main sign at the entrance, that G2 sign at the entrance and then G4 is again, not -- I think it's a total is 12 square feet, again not a very big sign, but a critical one. On the far west entrance, we have nothing. Literally it is a combined entrance to the Bell Fork Truck, but it is an active entrance for us, and it's something that if a group of persons traveling down Grand River traveling eastbound, they first come to that entrance point, and many times it's difficult, they all come to the main traffic light entrance.

Now, once they start going into the west entrance, it's a single lane

♀

1
2
3
4
5
6
7

normally over for us, it may tend to back up a little bit, but it is one that we constantly see that the main entrance is being used and really for our traffic flow to function well, an even distribution or as much of an even distribution as we can possibly get, so having just the entrances

8 identified is what we were looking to do
9 there.

10 Again, non-illuminating from an
11 internal perspective, reflective lettering,
12 just have to little directional traffic
13 control.

14 MR. BOULARD: Lastly I wanted
15 just to confirm the point Mr. Bowman made
16 earlier. This is a unique site with unique
17 uses, that's why it's entirely appropriate
18 that it would be here. And that's why this
19 board has granted variances in the past, the
20 question for us is what's the appropriate
21 amount of signage.

22 I will stand by for questions.
23 Thank you.

24 MR. BOWMAN: I just would
25 conclude that as far as -- to Mr. Boulard's

♀

92

1 Last point, if you look at any other complex
2 of the multiple tenant business nature within
3 this community, anywhere even nearing this
4 size of this complex, again, we did at
5 multiple buildings, multiple occupants,
6 certainly multiple uses, there would be, you
7 know, many, many more signs, frankly. Of
8 course, the key thing that brought this up
9 into the foreground now is the hotel and the
10 really important factor would allow that to
11 have some reasonable identification, so that
12 travelers into the area that we're attracting

130312.txt

13 many more of, thank goodness, and having the
14 intended effect, are able to see it, navigate
15 to it and know what it is.

16 CHAIRMAN IBE: Thank you very
17 much. I will now open it up to the board.
18 Member Gedeon?

19 MR. GEDEON: Thank you. Earlier
20 in the year I received in the mail a
21 year-long 2013 pass for all public events to
22 the Showplace.

23 And I wanted to see if you could
24 clarify how it was determined who would
25 receive those free passes. And I would also

♀

93

1 appreciate you confirming that those were not
2 sent in any way trying to influence the
3 decision here.

4 MR. BOWMAN: Oh, no. In fact,
5 frankly, all bodies and members are sent
6 them, and certainly if any individuals
7 desired to return them for any concern --
8 what I'm hoping to do is allow for
9 particularly like this body, first of all, I
10 know you guys get overpaid for these meetings
11 and things like that, but in seriousness, you
12 know, having the ability to attend an event,
13 see how we are operating, we came to this
14 community and asked for some significant
15 assistance from the standpoint of, you know,
16 public/private partnership and a tax
17 abatement was enacted not only for the

18 original construction but for the hotel,
19 which took reasonable efforts in not only
20 Lansing but here locally, and to be able to
21 come, and the economic development folks and
22 city administration, boards and commissions
23 that rule on and deal with these things and
24 see it in action, come in, and have the
25 opportunity to review the fruits of our

†

94

1 efforts collectively, is what that was
2 intended for. No further purpose than that.

3 It certainly was intended to be
4 distributed to not only this board, but all
5 boards and commissions, I think even down to
6 the recs and so forth.

7 We work closely with various
8 components of this community and want the
9 facility to be used in a public/private way
10 as much as we possibly can.

11 MR. GEDEON: Thank you for
12 explaining that.

13 To the other board members, I
14 would state that in general, I don't have any
15 problem with the request. I think it's very
16 comparable to the package of variances that
17 we approved for the hotel, I don't remember
18 the name of the hotel, but the hotel outside
19 of Twelve Oaks Mall.

20 MR. KRIEGER: Regency.

21 MR. GEDEON: Right, the Regency,
22 the renovations a couple of years ago.

23 CHAIRMAN IBE: Thank you, Member

24 Gedeon.

25 Yes, Member Sanghvi ?

95

1 MR. SANGHVI: Thank you. Good
2 evening, Mr. Bowman. Looks very different
3 situation from the last time I was in there
4 in.

5 You should call it a complex
6 also, not just -- you got three different
7 kinds of businesses going in the same place,
8 the hotel coming in and all of that.

9 I drove around and I tried to
10 visualize where you are putting it. May I
11 trouble you to take me down, show me where
12 it's going.

13 MR. BOWMAN: Absolutely. So the
14 first initial directional sign would be in
15 what is labeled here as G2, but that is
16 actually G4, okay.

17 You would then be directed both
18 by our main sign, that it is the showplace
19 and information might be on there about
20 what's going on. And that is a changeable
21 letter sign subject to a prior variance.

22 And then it would direct you into
23 both the Showplace, the Diamond Center and
24 the Hyatt Place hotel.

25 Then you would come onto the site

96

1 and then what is labeled here as G3, a simple
Page 80

2 pointing arrow off to the hotel, because in
3 all reality from Grand River, there is no
4 hotel signage. I mean, I think it kind of
5 says what it is by its own construction and
6 with that arrow and angle sign. Of course, a
7 lot of times we are going to be there
8 directing people, so that will be, I think,
9 very sufficient.

10 And then the two key things would
11 be at location H and I would be over the
12 areas in which they are, the Diamond Center,
13 our banquet and conference and meeting space,
14 and then the Showplace.

15 Again, there are three distinct
16 entrances, but this is over the main entrance
17 for the Showplace, okay?

18 Picture if you're driving in,
19 you're paying your parking, you're going to
20 the -- you know, to the boat show this
21 weekend, you would be directed to the
22 Showplace entrance, without even having to
23 turn, you will be able, you know, my parking
24 attendants will be able to direct those
25 people, if they are coming in for, you know,

♀

97

1 the Kroger function that's there, that will
2 be going on Friday during the same time
3 frame, they will be able to be directed to
4 the Diamond Center and to park off to the
5 east.

6 So that's the primary thing is
Page 81

7 that each of these segments of the building
8 can be identified.

9 And then the G2 sign is where --
10 that would be the other west entrance
11 directional sign, showing that the west
12 entrance is there and the main entrance is
13 further to the east, okay.

14 Then the hotel signage on sign A,
15 that would be on the main east face. If
16 you're driving westbound, as the hotel rises
17 up, that would be on the top of the hotel, in
18 the east face, that would be only building
19 applied signage.

20 And then finally is sign E, which
21 is inside of the pylon already within the
22 structure of the sign itself, just two simple
23 illuminated Hyatt Place identifiers.

24 And then a future sign either
25 building or ground based, depending on what

♀

98

1 that particular tenant might be, within the
2 limits as allowed under the ordinance.

3 So that's the package.

4 MR. SANGHVI: Thank you. One
5 more question. None of these are flashing
6 signs?

7 MR. BOWMAN: None of them are
8 flashing signs, no. We have our current
9 marquis sign, okay, we do have that
10 currently. And, you know, we are looking at,
11 you know, either a maintenance of that, or

12 maybe coming in, some upgrade to that would
13 be something we would propose, but that's a
14 future point and very likely will just be an
15 item that we'll just continue to maintain the
16 single color, changing of the letter program
17 on there.

18 MR. SANGHVI: Thank you, sir.

19 CHAIRMAN IBE: Thank you very
20 much.

21 Do we have any additional
22 questions or comments?

23 MR. FERRELL: Just more of a
24 statement. I agree that having this amount
25 of signage on the property is definitely

99

1 acceptable, it would be silly to actually
2 have less signs on the property than what you
3 are requesting.

4 Because it is appropriate when
5 people are on the property to know where they
6 need to go and how to get there.

7 So you definitely have my support
8 on that.

9 MR. BOWMAN: Thank you.

10 CHAIRMAN IBE: Thank you. Yes,
11 Member Krieger?

12 MS. KRIEGER: I was curious about
13 your sign that you have on the expressway
14 side, that's on the building that's not on
15 the pylon. I think it's also a changeable
16 sign. Is that from the state?

17 MR. BOWMAN: Well, there is a
18 couple of expressway billboards, smaller
19 versions that have been in existence on the
20 site for, you know, even since we bought it
21 and are maintained under a lease.

22 There are, on the back of the
23 building, are panel signs for the individual
24 events. Is that maybe what you were
25 thinking?

†

100

1 MR. KRIEGER: The one that's
2 towards -- on the expressway side, closer to
3 Beck, a big sign, I think it's changeable as
4 well.

5 MR. BOWMAN: You know, that is
6 not our site. I know what you are speaking
7 of. That's much closer to Beck Road, and
8 it's a large expressway, full --

9 MR. KRIEGER: No, on your
10 building.

11 MR. BOWMAN: This sign E is an
12 existing marquis sign. That's in place.
13 That was the subject of another variance and
14 is where we are planning on the pylon
15 portion. That's where we are looking to put
16 what would be our sign E, that's to put
17 identifiers for Hyatt Place on each of those,
18 keeping it within the confines of the already
19 existing sign structure.

20 MR. KRIEGER: Then the G4, says
21 G2, would be additional to the changeable

22 sign where the light is on under Grand River?

23 MR. BOWMAN: Correct, and it
24 would be just a simple 12 -- just a
25 directional with arrows only, static in

101

1 nature, and non-illuminated from inside.

2 MR. KRIEGER: I also agree that
3 having directional signs, considering the
4 traffic and volume, that would ease some of
5 the congestion at times. That's it. Thank
6 you.

7 CHAIRMAN IBE: Thank you, Member
8 Krieger.

9 Well, it appears all that can be
10 said has been said about this. I don't think
11 I will add any additional comments to this.
12 You do have my support.

13 In the absence of any additional
14 comments or questions, I would entertain a
15 motion, please.

16 Yes, Member Ghannam?

17 MR. GHANNAM: In Case No.
18 PZ13-0012, for 46100 Grand River and Taft, I
19 move that we approve all of the requested
20 sign variances as requested.

21 This property is extremely unique
22 in this city and I kind of analogize it to
23 almost like a Providence Hospital, where
24 there is so many entrances and there is so
25 many things, they need directional signs.

102

1 That need certainly signage for the new hotel
2 and so forth, and because there is multiple
3 venues with under one roof clearly, this is a
4 unique and exceptional property in the city,
5 and the need is not self-created. That's
6 just the way this premises is designed.

7 I believe that the failure to
8 grant relief will unreasonably prevent or
9 limit the use of the property, and will
10 result in substantially more than a mere
11 inconvenience or inability to attain a higher
12 economic or financial return.

13 The grant of relief will not
14 result in a use of the structure that is
15 incompatible with or unreasonably interferes
16 with the adjacent or surrounding properties.

17 It will result in substantial
18 justice being done to both the applicant and
19 the surrounding properties.

20 These are very, as I mentioned,
21 very complicated properties, that need these
22 types of directional and identifying signs.

23 CHAIRMAN IBE: We have more much
24 people raising their hands.

25 Let me have someone first second

♀

103

1 that, then I will call --

2 MR. FERRELL: I will second it.

3 CHAIRMAN IBE: Now --

4 MR. GERBLICK: I was just going

5 to ask to include the change in the request
6 to the 100 square feet for the Diamond Center
7 sign.

8 MR. GHANNAM: I apologize. I
9 forgot. I made a note, but I did forget. I
10 will amend the motion to add that particular
11 modification.

12 MR. FERRELL: Second.

13 CHAIRMAN IBE: Very well.

14 Mr. Boulard, did you have a comment or was
15 that what you were going to say?

16 MR. BOULARD: Same thing.

17 CHAIRMAN IBE: Very well. Well,
18 seeing that a motion has been made and duly
19 seconded, is there any need for further
20 discussion?

21 (No audible responses.)

22 Well, please call the roll.

23 MS. PAWLOWSKI: Member Gedeon?

24 MR. GEDEON: Yes.

25 MS. PAWLOWSKI: Member Gerbluck?

♀

104

1 MR. GERBLICK: Yes.

2 MS. PAWLOWSKI: Member Ghannam?

3 MR. GHANNAM: Yes.

4 MS. PAWLOWSKI: Chairman Ibe?

5 CHAIRMAN IBE: Yes.

6 MS. PAWLOWSKI: Member Krieger?

7 MS. KRIEGER: Yes.

8 MS. PAWLOWSKI: Member Sanghvi?

9 MR. SANGHVI: Yes.

130312.txt

10 MS. PAWLOWSKI: Member Ferrell?

11 MR. FERRELL: Yes.

12 MS. PAWLOWSKI: Motion passes
13 seven to zero.

14 CHAIRMAN IBE: Thank you.
15 Congratulations.

16 MR. BOWMAN: Thank you very, very
17 much.

18 CHAIRMAN IBE: Now to our final
19 case for today. That is Case No. PZ13-0013
20 21373 Bridle Run.

21 MS. JANISSE: Hello. My name is
22 Heather Janisse, J-a-n-i-s-s-e.

23 MR. JANISSE: I am James Janisse,
24 J-a-n-i-s-s-e.

25 MR. KRIEGER: In Case No.

♀

105

1 PZ13-0013, do you swear or affirm to tell the
2 truth?

3 MR. JANISSE: I do.

4 MS. JANISSE: I do.

5 Okay. So we own the property in
6 Mayberry Home Park Estates. We were very
7 happy to get this property in the City of
8 Novi. It's a very beautiful neighborhood.

9 We are a family with two young
10 boys, a four and an eight year-old. We are
11 really looking forward to building something
12 and having a property we can enjoy in Novi
13 for a long time to come.

14 And for us, one of the, you know,

15 things that I think is important for enjoying
16 a family home is to have a bit of a backyard
17 for a patio and pool.

18 Unfortunately, this particular
19 property has some unique circumstances that
20 make it particularly shallow.

21 As you can see on the image, also
22 you have our plot plan with the house
23 placement that we are proposing with you,
24 although the property itself is 291 feet
25 deep, the back 156 feet are a restricted

♀

106

1 conservation easement, so we can't build or
2 do anything with that property.

3 So it really only leaves 135 foot
4 depth for building. In addition, the current
5 setback, which is 45 feet, which I believe is
6 increased from many of the properties in the
7 neighborhood, because of the size of the
8 property, although the conservation easement
9 takes up a larger portion of that. So given
10 the conservation easement and the current
11 setback, it really only leaves about 90 feet
12 depth for building, which is rather shallow,
13 for, you know, homes the size that are built
14 in Mayberry Park Estates.

15 We actually have worked quite
16 hard with our builder and architect to design
17 a home that would be relatively shallow in
18 depth, so that we could hopefully get, you
19 know, a little bit of useable backyard. But

20 despite those efforts, we are still left with
21 about 35 feet, before we hit the conservation
22 tree line.

23 So if we were able to move the
24 house 15 feet forward, that would give us
25 approximately 50 feet behind the house, which

♀

107

1 would allow for a modest, you know, sized
2 pool, patio, how you have surround and
3 fencing all of those kinds of things behind
4 the house.

5 So we really don't believe that
6 this request to change the 30 feet will
7 significantly impact the neighborhood in any
8 way.

9 Based on the information we have
10 been given, of the 106 lots in the
11 subdivision, 96 have a 30 foot setback, which
12 is what we are asking for, we are not asking
13 for, you know, to be any closer to the road
14 than those homes.

15 There is only ten that have the
16 45-foot setback that we do because of the
17 overall size of their lots and the majority
18 of those, just ours and on other one are the
19 only ones that haven't already been built on.

20 In addition, we believe that
21 because the lot is wide, at 150 feet, we are
22 going to be a pretty good distance from our
23 neighbors. Our neighbor that's built on, lot
24 91 he will be 90 or so feet from our house,

25 so I think the elbow room will minimize the

108

1 appearance of the difference, as well as the
2 curve of that particular road, it's kind of
3 curving from here, then curving forward as it
4 goes out.

5 So I think visually it will keep
6 the house in line, and again, we are not
7 asking for a set, you know, to move forward
8 any closer than the majority of the homes in
9 the neighborhood.

10 We have spoken to our immediate
11 neighbor and he did provide a letter of
12 support, you know, he has no problems with
13 the change.

14 We have also spoken with
15 developer, who also deems that this should
16 fit in just fine with the neighborhood, and
17 hopefully you also have his letter of
18 support.

19 So basically we just believe that
20 this lot has some particularly unique
21 challenges with the large conservation
22 easement, plus the added setback, and we are
23 just hoping to, you know, get a modest amount
24 of space there to be able to use our
25 backyard.

109

1 CHAIRMAN IBE: Thank you. Well,
2 is there anybody in the audience who would
3 like to make a comment regarding this

4 particular case at this time?

5 (No audible responses.)

6 CHAIRMAN IBE: Very well. I will
7 turn to Madam Secretary to read into the
8 record any correspondence.

9 MR. KRIEGER: In Case No.
10 PZ13-0013, 23 were mailed, two returned,
11 three approvals, zero objections.

12 First approval is, "We would
13 prefer the house move forward in lieu of
14 trees being removed from the back of the
15 property". And that's from
16 Michael O'Sullivan.

17 The second one is, "We have
18 reviewed the modification request and the
19 developer supports changing the setback on
20 lot 90 in Mayberry Park Estates from 45 feet
21 to 30 feet." Sincerely, Sebastian Lombardo,
22 president, Cranbrook Custom Homes.

23 The third one is, "I am writing
24 this letter in support of James and Heather
25 Janisse, application for building variance to

♀

110

1 the City of Novi, I understand that they have
2 requested to reduce their front yard setback
3 from 45 to 30 feet. I live back at 21341
4 Bridle Run, which is right next to the lot
5 James and Heather will be building on. I
6 have met the Janisses a couple of times and
7 we have discussed their building plans. I
8 believe their request is reasonable, and I

9 have no objection to the requested placement
10 of their house on lot 90. I believe their
11 building plans are well suited to the
12 community." Sincerely, Hazime Georges.

13 That's it.

14 CHAIRMAN IBE: Thank you, Madam
15 Secretary. I will now turn to the city
16 attorney for any comments or questions.

17 MS. SAARELA: I don't have
18 anything to add. You will note that there is
19 an RUD agreement. If you have any questions
20 about that, I would be happy to answer them.

21 CHAIRMAN IBE: Thank you.

22 Mr. Boulard?

23 MR. BOULARD: I will also stand
24 by for questions. Thank you.

25 CHAIRMAN IBE: I will now open it

♀

111

1 up to the board for discussion.

2 Yes, Member Sanghvi?

3 MR. SANGHVI: Do you currently
4 live in Novi?

5 MS. JANISSE: We do not. We both
6 work in the United States, and are currently
7 in Canada, although I am American and my
8 children are American. We have been looking
9 to move back, and specifically to the Novi
10 area for a number of years. I will say it's
11 literally been years of looking for property,
12 and so we were, you know, very happy to find
13 this one and wanted to, you know, work with

14 the challenges and hopefully get a home we
15 can really love.

16 MR. SANGHVI: Well, welcome to
17 Novi. It's a nice place to live and raise
18 children.

19 I have one question for
20 Mr. Boulard. There is no wetland issue in
21 the back, no?

22 MR. BOULARD: No, the
23 conservation easement was recorded as part of
24 the original development and part of the RUD
25 agreement, but to my knowledge there are no

♀

112

1 wetlands on this property.

2 MR. SANGHVI: Thank you. I have
3 no problem with what you are requesting. I
4 know your house will be jutting out a little
5 more than the rest of the buildings around
6 there, but it looks like your neighbors have
7 no problem and I have no problem. Thank you.

8 CHAIRMAN IBE: Thank you, Member
9 Sanghvi.

10 Do we have any additional
11 questions or comments from anyone?

12 (No audible responses.)

13 CHAIRMAN IBE: Well, looks like
14 in the absence of none, I'll just make a
15 quick comment.

16 I think that what you propose is
17 actually very nice. You know, some may
18 suggest that you put it based on the size of

19 the lot, that you can put it to the side. I
20 think a pool is better off in the back, than
21 the side, esthetically looks very ugly,
22 really. I mean, for a custom home, you put a
23 pool to the side, it's not even worth
24 building one.

25 So I think from an esthetic point

♀

113

1 of view and for someone to enjoy a beautiful
2 home, I think that makes a lot of sense.

3 I will entertain a motion in the
4 absence of any questions or comments.

5 MR. GERBLICK: In Case No.
6 PZ13-0013, 21373 Bridle Run, I move that we
7 approve the variance as requested, as there
8 are unique circumstances or physical
9 conditions of the property, such as its
10 conservation easement on the rear of the
11 property, which occupies the rear 150 so feet
12 of the property.

13 The need is not self-created,
14 because of the topography of the lot. Strict
15 compliance with the regulations governing
16 area setback, frontage, height, bulk, density
17 and other dimensional requirements will
18 unreasonably prevent the property owner from
19 using the property for a permitted purpose or
20 will render conformity of those regulations
21 unnecessarily burdensome.

22 The requested variance is the
23 minimum variance necessary to do substantial

24 justice to the applicant as well as other
25 property owners in the district.

114

1 As the applicant mentioned, the
2 front yard setback will be similar to
3 properties in the surrounding community.

4 The requested variance will not
5 cause an adverse impact to the surrounding
6 property, property values, or the use and
7 enjoyment of the property in the neighborhood
8 or zoning district.

9 MS. KRIEGER: Second.

10 CHAIRMAN IBE: Member Krieger, we
11 will give that to you.

12 Seeing a motion has been made and
13 duly seconded, is there any need for further
14 discussion?

15 (No audible responses.)

16 CHAIRMAN IBE: Seeing none,
17 please call the roll.

18 MS. PAWLOWSKI: Member Gedeon?

19 MR. GEDEON: Yes.

20 MS. PAWLOWSKI: Member Gerbl ick?

21 MR. GERBLICK: Yes.

22 MS. PAWLOWSKI: Member Ghannam?

23 MR. GHANNAM: Yes.

24 MS. PAWLOWSKI: Chairman Ibe?

25 CHAIRMAN IBE: Yes.

115

1 MS. PAWLOWSKI: Member Krieger?

130312.txt

2

MS. KRIEGER: Yes.

3

MS. PAWLOWSKI: Member Sanghvi?

4

MR. SANGHVI: Yes.

5

MS. PAWLOWSKI: Member Ferrell?

6

MR. FERRELL: Yes.

7

MS. PAWLOWSKI: Motion passes

8

seven to zero.

9

CHAIRMAN IBE: Congratulations.

10

Welcome to Novi.

11

MS. JANISSE: Thank you.

12

CHAIRMAN IBE: That concludes the

13

last case on the agenda for today.

14

And that brings us to other

15

matters that the board needs to take up.

16

Do we have any matters that needs

17

to be addressed at this time?

18

MR. BOULARD: Mr. Chairman, it

19

was pointed out that it's the time of year

20

for the election of officers, and so it will

21

be my intention to put it on the agenda for

22

the next month.

23

CHAIRMAN IBE: Very well. Very

24

well. And I know I state to you that I will

25

be absent. I have a trial in Baltimore

♀

116

1

during that week.

2

So I will be gone for that

3

meeting. Please excuse my absence.

4

Is there any additional matters?

5

Let me again extend a welcome

6

back to Member Sanghvi. You have been gone

7 for awhile, welcome back, sir.

8 MR. SANGHVI: Thank you very much

9 indeed.

10 CHAIRMAN IBE: In the absence of

11 any additional matters, I will entertain a

12 motion for adjournment.

13 MR. SANGHVI: May I make a motion

14 to adjourn, sir.

15 MR. GERBLICK: Second.

16 CHAIRMAN IBE: Seeing a motion

17 has been made and seconded, all those in

18 favor say aye.

19 THE BOARD: Aye.

20 CHAIRMAN IBE: All those opposed?

21 (No audible responses.)

22 CHAIRMAN IBE: Seeing none, the

23 meeting is hereby adjourned at 8:52 p.m.

24 (Meeting concluded at 8:52 p.m.)

25 ** ** **

♀

1 STATE OF MICHIGAN)

2) ss.

3 COUNTY OF OAKLAND)

4 I, Jennifer L. Wall, Notary Public within and for the

5 County of Oakland, State of Michigan, do hereby certify that the

6 proceedings were taken before me in the above entitled matter was

7 stenographically recorded in the presence of said persons and

8 afterward transcribed by computer under my personal supervision,

9 and that the said proceedings are a full, true and correct

10 transcript.

11 I further certify that I am not connected by blood or

12 marriage with any of the parties or their attorneys, and that I
13 am not an employee of either of them, nor financially interested
14 in the proceedings.

15 IN WITNESS THEREOF, I have hereunto set my hand at the
16 City of Walled Lake, County of Oakland, State of Michigan.

17

18

19

_____ Date

Jennifer L. Wall CSR-4183
Oakland County, Michigan
My Commission Expires 11/12/15

20

21

22

23

24

25

†