

REGULAR MEETING - ZONING BOARD OF APPEALS

CITY OF NOVI

October 9, 2018

Proceedings taken in the matter of the ZONING BOARD OF APPEALS, at City of Novi, 45175 West Ten Mile Road, Novi, Michigan, on Tuesday, May 14, 2019.

BOARD MEMBERS

Brent Ferrell, Chairperson

Cynthia Gronachan

David M. Byrwa

Joe Peddiboyina

Siddharth Mav Sanghvi

Kevin Sanker

Michael Longo

Linda Krieger

ALSO PRESENT:

Lawrence Butler, Community Development Deputy Director

Elizabeth Saarela, City Attorney

Katherine Oppermann, Recording Secretary

Certified Shorthand Reporter, Diane Szach

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Novi, Michigan
Tuesday, October 9, 2018
7:00 p.m.

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CHAIRPERSON FERRELL: Thank you, and
welcome to the May 14th Zoning Board of Appeals
meeting.

If you can call roll, please.

MS. OPPEMANN: Certainly.

Member Byrwa?

MR. BYRWA: Here.

MS. OPPEMANN: Member Ferrell?

CHAIRPERSON FERRELL: Here.

MS. OPPEMANN: Member Gronachan?

MS. GRONACHAN: Here.

MS. OPPEMANN: Member Krieger?

MS. KRIEGER: Here.

MS. OPPEMANN: Member Peddiboyina?

MR. PEDDIBOYINA: Yes.

MS. OPPEMANN: Member Sanker?

MR. SANKER: Here.

MS. OPPEMANN: Member Sanghvi?

MR. SANGHVI: Here.

MS. OPPEMANN: And Member Longo?

MR. LONGO: Here.

1 MS. OPPERMANN: All present.

2 CHAIRPERSON FERRELL: If we could all rise
3 for the Pledge of Allegiance led by Member Sanker.
4 (Pledge of Allegiance recited.)

5 CHAIRPERSON FERRELL: This is a public
6 hearing. The format and rules of conduct are on the
7 back. And we ask that if you have cell phones, to
8 please silence them now.

9 Moving on to the approval of the agenda.
10 Any additions or anything to the agenda?

11 MS. OPPERMANN: No changes.

12 CHAIRPERSON FERRELL: No changes. We'll
13 look for approval of the agenda. All in favor say
14 aye.

15 THE BOARD: Aye.

16 CHAIRPERSON FERRELL: Any opposed say no.
17 (No opposition.)

18 CHAIRPERSON FERRELL: We have approval of
19 the agenda.

20 Onto the minutes for the March 2019. Any
21 changes to that?

22 Seeing none.

23 MS. KRIEGER: Motion to approve.

24 MS. GRONACHAN: Second.

25 CHAIRPERSON FERRELL: We have a motion and

1 a second. All in favor say aye.

2 THE BOARD: Aye.

3 CHAIRPERSON FERRELL: We come to public
4 remarks. Anything other than the cases being heard
5 tonight, you can come up.

6 Seeing none, we'll move on to the public
7 hearing. The first case is PZ19-0015, Jeffrey Rooke,
8 1410 Paramount Street, West of Novi Road and North of
9 Thirteen Mile Road, Parcel Number 50-22-02-331-006.
10 The applicant is requesting variances from the City of
11 Novi Zoning Ordinance Section 5.11.1A to allow the
12 installation of a fence to the property line to
13 prevent unauthorized usage of existing property.
14 Fence shall not extend toward the front of the
15 property nearer than the minimum front yard setback
16 distance. R4 front setback is 30 feet minimum
17 allowed. This is property is zoned Single Family
18 Residence.

19 If that case can come on up.

20 MR. ROOKE: Up here?

21 CHAIRPERSON FERRELL: Yep, come on up to
22 the podium. If you're not an attorney, you'll be
23 sworn in by the secretary.

24 MR. SANKER: You're not an attorney?

25 MR. ROOKE: No, I'm not.

1 MR. SANKER: Please raise your right hand.
2 Do you swear to affirm and tell the truth in the
3 matter before you?

4 MR. ROOKE: Yes.

5 CHAIRPERSON FERRELL: Please state your
6 name for the record.

7 MR. ROOKE: Jeffrey Rooke.

8 CHAIRPERSON FERRELL: Can you spell it?

9 MR. ROOKE: J-e-f-f-r-e-y R-o-o-k-e.

10 CHAIRPERSON FERRELL: Okay. Go ahead.

11 MR. ROOKE: We own the property adjacent to
12 this property that I have the request in for. We're
13 on the lake. We bought the property behind us. We've
14 lived there for more than 20 years. The property has
15 laid fallow. We recently purchased it, and over the
16 years we have experienced it being used as basically a
17 parking lot during most all of the summer months. So
18 we were fortunate enough to purchase it, and what we
19 would like to do is just use it as an extended
20 backyard, put a garden in there, enjoy it. And we
21 realize that if the fence is setback 40 feet from the
22 road, it will just all of that portion to the road,
23 the 40 feet will turn into a parking lot or be
24 maintained as a parking lot as it always has.

25 So we just want the utility of putting a

1 fence to the road and we'll put nice shrubs there,
2 whatnot, and get the full utility of the property.

3 CHAIRPERSON FERRELL: Anything else?

4 MR. ROOKE: No.

5 CHAIRPERSON FERRELL: Okay. Perfect.

6 Anybody in the audience have anything that they want
7 to say on this case?

8 Seeing none, anything from the City?

9 MR. BUTLER: Yes. I believe when we spoke
10 with Mr. Rooke, he had expressed the fact that besides
11 the existing lot being utilized as parking by
12 unauthorized personnel, that household effects and
13 stuff were being left there, I believe that was the
14 case. Am I correct, sir?

15 MR. ROOKE: That is true.

16 MR. BUTLER: If I can expound on that for
17 the board. That bed and couches and stuff like that
18 would show up out of nowhere, and he's having an issue
19 of trying to keep that clean. And of course the
20 neighbors have to deal with that because they look and
21 they see that, and they think he's not maintaining his
22 property.

23 MR. ROOKE: That's true. And actually when
24 I approached the neighbors, they were quite happy to
25 think that this would kind of end that, you know,

1 people just parking there, and then people dumping
2 stuff there, because it's the only empty lot in the
3 area. It's got nice grass for parking and whatnot on
4 it. So it's really just to be able to maintain it
5 properly.

6 CHAIRPERSON FERRELL: Okay. Mr. Secretary,
7 any correspondence?

8 MR. SANKER: Yes. So there were 44 letters
9 mailed, 7 returned, and 2 approvals. The approval was
10 from Margaret Rapnicki, M-a-r-g-a-r-e-t
11 R-a-p-n-i-c-k-i at the address of 1513 East Lake
12 Drive. And it was just simply noted as approval. The
13 other approval was from Jon Hammontoer, J-o-n
14 H-a-m-m-o-n-t-o-e-r. It's not totally legible. His
15 address is 1407 Paramount. And he says, "I own the
16 property directly across the street from this
17 property, and have no objections to the variance being
18 approved for Mr. Rooke."

19 CHAIRPERSON FERRELL: Thank you. Open it
20 up to the Board for discussion.

21 Yes.

22 MS. GRONACHAN: Good evening. Do you have
23 a picture with you of this piece of property? Could
24 you put it on the overhead? Did you bring anything
25 with you?

1 MR. ROOKE: No. I thought because I
2 submitted with everything I handed in, I thought it
3 would --

4 MS. GRONACHAN: Okay. So I would like
5 clarification. Is this fence going into the easement
6 as well then? When they say to the property line, is
7 this going -- this isn't going right to the road?

8 MR. BUTLER: No. Per my conversation with
9 Mr. Rooke, it's going up to as close as he can to the
10 road but not into the easement. He's not allowed to
11 put the fence in the easement, and I explained that to
12 him before, he just didn't mention it.

13 MS. GRONACHAN: So how far back from the
14 road are you going then, do you know that?

15 MR. BUTLER: Normally you're about 12 feet.

16 MR. ROOKE: 12 feet.

17 MR. BUTLER: 12 to 15 feet back off the
18 road is what you have to be so you don't go into the
19 easement if I remember right.

20 MR. ROOKE: Yes.

21 MS. GRONACHAN: So he would not be going
22 into the easement?

23 MR. BUTLER: Not into the easement.

24 MS. GRONACHAN: Okay. That wasn't clear
25 for me. I don't know if I just read it too fast or

1 what. And I'll be honest with you, when I saw it, I
2 was going to deny it based on the fact that I thought
3 you were putting it right up to the road.

4 MR. ROOKE: No, no.

5 MS. GRONACHAN: Okay. So -- and I thought
6 why not just post no parking and that sort of thing,
7 but I understand up there it's a different world and
8 there's different streets and different lot
9 configuration and just a different mindset. So
10 congratulations on your new parcel first of all.

11 MR. ROOKE: Thank you.

12 MS. GRONACHAN: And under the circumstances
13 being that the configuration of the lot, the history
14 of the lot, and the fact that there is a safety issue
15 as far as I'm concerned. You mentioned your kids, the
16 backyard, somebody coming in and dumping whatever they
17 want to do. That's just health, safety and welfare.
18 So for those reasons, I would be in support of your
19 request.

20 MR. ROOKE: Thank you.

21 MR. PEDDIBOYINA: Mr. Secretary?

22 CHAIRPERSON FERRELL: Yes.

23 MR. PEDDIBOYINA: Yes, I visited your
24 property and I've gone through your document also, and
25 there is no issue. And, yes, you have a concern, and

1 there is no issue on that, and I'm okay.

2 MR. ROOKE: Thank you.

3 CHAIRPERSON FERRELL: Anyone else?

4 MR. SANGHVI: Thank you, Mr. Chair.

5 Jeffrey, I met you on Saturday when I came
6 to see the property, and I looked at it, and I think
7 one of the things that needs to be pointed out this is
8 your backyard. Your house is on the East Lake Drive.

9 MR. ROOKE: Yes.

10 MR. SANGHVI: And this is just a
11 continuation of the same property on the back side
12 which faces the Paramount Street.

13 MR. ROOKE: Yes.

14 MR. SANGHVI: And so all you're trying to
15 do is just maintain the privacy of your own property
16 in the back. Actually I'm very happy that you're not
17 trying to build a bigger house there in the back like
18 most the people in that area are trying to do these
19 days, and you are leaving an open space. So I want to
20 commend you for leaving an open space and make sure
21 that it remains open. I have no problem supporting
22 your application. Thank you.

23 MR. ROOKE: Thank you very much.

24 CHAIRPERSON FERRELL: Yes, Member Krieger.

25 MS. KRIEGER: I agree with the previous

1 speakers, and just to add, the relief granted will not
2 unreasonably interfere with adjacent or surrounding
3 properties. That you have two fronts in a sense,
4 Paramount and East Lake, but then again it's your
5 backyard. But then the adjacent neighbors, also there
6 are some similarities, so it would blend in, and so
7 there shouldn't be any interference. So for that I
8 support it as well.

9 MR. ROOKE: Thank you.

10 CHAIRPERSON FERRELL: Anyone else?

11 Yes.

12 MR. SANKER: I just have a question. So
13 unfortunately when the packet, it didn't come -- we
14 didn't get all of some of the standards that were --
15 that you fill out when you submit the application. So
16 like for example on standard one it just says, you
17 know, what are the circumstances or physical
18 conditions in your property, right, and we only saw
19 shape of lot, and it says not applicable. But what
20 was the one you filled out, do you remember? Some of
21 the other ones were environmental conditions and/or
22 abutting the property.

23 MR. ROOKE: I felt like I had done it right
24 when I submitted it because we went through it, but my
25 whole focus was on the fact that the lot itself was

1 being used by others, and if I'm not able to fence it
2 off, it will continue, so my ownership will be kind of
3 a mute point when I look at -- I can't police it all
4 the time, and it -- I don't know if any of you have
5 experienced what it is like around the lake in the
6 summertime, but there is so many people, and it's on
7 any given weekend -- I'll look at it during the week,
8 people will just park their boat trailers there,
9 they'll put they're boats in and go boating and
10 whatnot. So it's just a matter of having some control
11 over the property as much as anything else.

12 MR. SANKER: And then --

13 MS. OPPERMANN: He addresses Standard 1B.

14 MS. KRIEGER: If I understand it right, 3,
15 4 and 5 are the small print is his answers.

16 MS. GRONACHAN: Right. That wasn't in
17 our -- Standard 1 and 2 were not in our pack.

18 MR. SANKER: But so maybe it was just --

19 MS. OPPERMANN: I apologize.

20 MR. SANKER: But he clarified. That's why
21 we have the hearings.

22 One last question. So why do you think
23 that not complying with the zoning ordinance as it
24 sits, which I think requires you to be like 30 feet
25 back is -- won't resolve your current situation that

1 you're experiencing with the --

2 MR. ROOKE: So if the fence is back
3 30 feet, everybody will still just park there. So
4 I'll lose the utility of half of my property. It's
5 just the way it goes on that back street. On any
6 given day there will be cars parked all along there
7 because people want to come out. And I can't blame
8 them, they want to enjoy the lake, they want to go out
9 and they want to walk and cycle, do whatever they want
10 to do around the lake, but for me to live there, it
11 becomes problematic.

12 MR. SANKER: Is it possible that putting
13 like a no-trespassing sign on there would do that?

14 MR. ROOKE: Oh, I could, and I don't know
15 whether it would work or not to be honest with you.
16 And if I can't put the fence out there, then what I
17 would to do is put shrubs out to the property line and
18 then there is just shrubs in there and I can't really
19 use it, nobody can use it. So it's kind of lost
20 utility to me to prevent people driving in there and
21 making a mess of all the grass all over the place.

22 MR. SANKER: Okay. I'm good.

23 CHAIRPERSON FERRELL: So I have a question,
24 too. Looking at the picture you submitted with the
25 fence, and you have the setback -- that is not over

1 the top of the easement, how many -- what is that,
2 like 10, 15 feet about?

3 MR. BUTLER: Yes, pretty close to it.

4 CHAIRPERSON FERRELL: So how are you going
5 to stop people from parking on that?

6 MR. ROOKE: Oh, I won't be able to, of
7 course they'll just park there.

8 CHAIRPERSON FERRELL: I'm just saying that
9 fence I don't really think is going to totally stop
10 people from parking specifically there just because
11 there is still at least enough of a spot car for a car
12 to park.

13 MR. ROOKE: Yes. I'm just trying to
14 prevent them from using it as a parking lot per se.
15 They can always park along the road to your point, but
16 I'm just trying to maximize the utility.

17 CHAIRPERSON FERRELL: When they do park,
18 how far up into the property do they usually go?

19 MR. ROOKE: Well, they come right up to the
20 back of my garage. If you look at the --

21 CHAIRPERSON FERRELL: Really?

22 MR. ROOKE: Oh, yeah. And they make no
23 bones about it and they'll look at me and go, well,
24 there is nothing here, why can't I park here.

25 CHAIRPERSON FERRELL: Right, right.

1 MR. ROOKE: And it actually becomes a
2 little bit contentious when my neighbors have guests
3 over and they all park in there, and it's like, you
4 know, it's difficult because what do you say. You
5 know, you have to get along with your neighbors. But
6 fences make good neighbors as they say.

7 CHAIRPERSON FERRELL: Okay. Thank you.

8 Anybody else?

9 Are we ready for a motion?

10 MR. PEDDIBOYINA: I move that we grant the
11 variance in Case Number PZ19-0015 sought by Jeffrey
12 Rooke because the petitioner has shown a practical
13 difficulty for the variance. Petitioner has shown the
14 practical difficulty regarding the variance to allow
15 the installation of the fence to the property line to
16 prevent unauthorized usage of existing property.
17 Without the variance petitioner will be unreasonably
18 prevented or limited with respect to use of the
19 property because, one, is planning to use the lot as a
20 play or safe area for his family. The petitioner did
21 not create this condition because the lot is existing
22 without the fence.

23 The relief granted will not unreasonably
24 interfere with adjacent or surrounding property
25 because the fencing to the property line will ensure

1 the control or unauthorized parking. The relief is
2 consistent with the spirit and the intent of the
3 ordinance because many homes on the same street have
4 fencing lining the property line.

5 MR. SANGHVI: Second.

6 CHAIRPERSON FERRELL: We have a motion and
7 second. Any further discussion?

8 MS. KRIEGER: If you can add what he was
9 discussing earlier that the fence that he's putting up
10 won't go into the easement of the road.

11 MR. PEDDIBOYINA: Okay.

12 CHAIRPERSON FERRELL: So an amendment,
13 motion and second as amended?

14 MR. SANGHVI: Yes.

15 CHAIRPERSON FERRELL: Kathy, could you call
16 roll, please.

17 MS. OPPERMANN: Certainly.

18 Member Byrwa?

19 MR. BYRWA: Yes.

20 MS. OPPERMANN: Chairperson Ferrell?

21 CHAIRPERSON FERRELL: Yes.

22 MS. OPPERMANN: Member Gronachan?

23 MS. GRONACHAN: Yes.

24 MS. OPPERMANN: Member Krieger?

25 MS. KRIEGER: Yes.

1 MS. OPPERMANN: Member Sanker?

2 MR. SANKER: Yes.

3 MS. OPPERMANN: Member Peddiboyina?

4 MR. PEDDIBOYINA: Yes.

5 MS. OPPERMANN: Member Sanghvi?

6 MR. SANGHVI: Yes.

7 MS. OPPERMANN: Motion passes.

8 CHAIRPERSON FERRELL: Thank you. Good
9 luck.

10 Now onto the next Case PZ19-0016, ITC
11 Holdings Corp, 27175 Energy Way, west of Haggerty Road
12 and south of Twelve Mile Road, Parcel Number
13 50-22-13-200-037. The applicant is requesting a
14 variance from the Novi Code of Ordinance Section
15 4.19.1.j to allow for the building of a 2900 square
16 foot accessory structure, no more than two
17 structures -- accessory structures are allowed per lot
18 for lots over 21,700 square feet. This property is
19 zoned Office Service Technology, OST.

20 If the applicant can come up, and if you're
21 not an attorney, be sworn in by the secretary.

22 MR. BISHOP: I'm not an attorney, no.

23 CHAIRPERSON FERRELL: Okay. State and
24 spell your name and then be sworn in by the secretary.

25 MR. BISHOP: Sure. My name is Neal Bishop,

1 N-e-a-l B-i-s-h-o-p.

2 MR. SANKER: Raise your right hand. Do you
3 swear or affirm to tell the truth in the matter before
4 you?

5 MR. BISHOP: I do.

6 CHAIRPERSON FERRELL: All right. Go ahead.

7 MR. BISHOP: Well, like I said, my name is
8 Neal Bishop. I'm an area manager with ITC Holdings.
9 At ITC we own and operate the high voltage electric
10 transmission system throughout the lower peninsula,
11 midwest and great plain states. We're the largest
12 independent high voltage electric transmission company
13 in the United States, and we're proud to be housed
14 right here in Novi on Energy Way.

15 This project that we're planning is called
16 Project Starlight, and it is to build on our campus
17 within our campus there by our headquarters a solaray,
18 a battery storage facility, and a solaray carport that
19 you can actually park under, and that's the 2900
20 square foot accessory structure is the carport. We're
21 building this so that we can study the impact of new
22 energy generators on the grid in realtime so we can
23 study battery storage and new solar fields, how they
24 impact the grid, and we're going to be able to see
25 that in realtime at our headquarters.

1 The ordinance does call for no more than
2 two accessory structures on any lot over 21,700 square
3 feet, which is roughly -- well, not roughly, it is a
4 half an acre. Our lot there is just over 2.5 million
5 square feet. So we recognize that we're asking for
6 one additional structure on such a large lot, and
7 that's why we've come before you today. It was
8 offered when we met with City Planning and Engineering
9 staff that it would be a reasonable request to come
10 before you and ask for the variance because of the
11 size of the lot and the location of the structure
12 would be contained wholly within our campus.

13 CHAIRPERSON FERRELL: Thank you. Anybody
14 from the audience wish to speak about the case come up
15 now.

16 Seeing none, anything from the City?

17 MR. BUTLER: No comments from the City.
18 We'll stand by for questions.

19 CHAIRPERSON FERRELL: Mr. Secretary, any
20 correspondence?

21 MR. SANKER: So there were 14 letters
22 mailed, zero returned. Zero approvals and zero
23 objections.

24 CHAIRPERSON FERRELL: Thank you. Open it
25 up to the Board for discussion.

1 Yes.

2 MS. GRONACHAN: Good evening.

3 MR. BISHOP: Good evening.

4 MS. GRONACHAN: How exciting, huh, solar
5 panels to park the car underneath.

6 MR. BISHOP: Yes.

7 MS. GRONACHAN: So is this building going
8 to be a permanent building if this is testing that
9 you're doing? Will this be the permanent use of this
10 building I guess would be my question?

11 MR. BISHOP: Yes. And we're calling it an
12 accessory structure. It's really -- I mean, you can
13 picture in your mind what a solar panel might look
14 like, you know, the two legs and the solar panels.
15 It's just that 14 feet up in the air. You're parking
16 underneath a solar panel. So that will be the
17 permanent use of it. And we're doing it so that we
18 can study the impact. So we -- it's not just the
19 immediate impact, but it's the long-term effects on
20 the grid as well. So, yes, it is a permanent-use
21 structure.

22 MS. GRONACHAN: So these are the actual
23 solar panels that you're putting up?

24 MR. BISHOP: Yes.

25 MS. GRONACHAN: That are part of -- that

1 would be considered an accessory structure and not an
2 actual building?

3 MR. BISHOP: Yes. It's not a carport with
4 solar panels on the roof.

5 MS. GRONACHAN: Okay.

6 MR. BISHOP: It is the actually -- you're
7 actually parking under the solar panels themselves.

8 MS. GRONACHAN: Okay. I'm glad I clarified
9 that. So what if it doesn't work?

10 MR. BISHOP: What if?

11 MS. GRONACHAN: What if this doesn't prove
12 to be advantageous to have this? Is there something
13 like that that would happen?

14 MR. BISHOP: You mean advantageous to the
15 grid, the impact on the grid?

16 MS. GRONACHAN: Yes.

17 MR. BISHOP: So we're setting -- as new
18 generation sources come online all over the country,
19 we're seeing people put up windmills or wind turbines,
20 solar projects, battery storage, and, you know, our
21 mission at ITC is to build the grid of the future. So
22 it's beneficial that we do study this. If we find
23 that it has a minimal impact on the grid, at the very
24 least it will still be a cost savings and a reduction
25 in our carbon footprint at the building. These

1 solarays and the battery storage will actually be used
2 to power ITC headquarters here in Novi.

3 MS. GRONACHAN: Okay. Thank you very much.
4 I don't have any further questions at this time.

5 CHAIRPERSON FERRELL: Thank you. Anybody
6 else?

7 Yes.

8 MS. KRIEGER: Just to clarify again, the
9 structure, that isn't where the battery housing is,
10 it's the solar panels, and then you park under them,
11 so that's regarding the structure that we're
12 approving?

13 MR. BISHOP: So the two structures that
14 would be allowed within the ordinance is the solar
15 field which is being counted as one structure, and
16 then the battery storage house, which is the second
17 structure. So the third additional structure that
18 we're asking for the variance is the canopy, the car
19 canopy, yes.

20 MS. KRIEGER: And just to clarify, I read
21 through and I asked questions about it, for the
22 battery storage, for safety, is there anything for
23 that to worry about?

24 MR. BISHOP: No, they're safe. We wouldn't
25 build it at our headquarters where we house hundreds

1 of employees and have visitors if it wasn't safe.
2 There is a fire detection and a fire restraint system
3 that we will have within the battery storage itself,
4 and we have -- that we explained at the planning
5 commission last week, we'll have an emergency
6 preparedness plan submitted to the City of Novi as
7 well for an emergency response.

8 MS. KRIEGER: I'm just asking to clarify
9 for if there are any questions from viewers, and that
10 just helps. Thank you.

11 MR. BISHOP: Sure.

12 CHAIRPERSON FERRELL: Do you have any
13 pictures of what it's going to look like other than
14 what you submitted in the packet?

15 MR. BISHOP: No, I don't believe other than
16 we submitted in the packet there were any pictures.
17 It won't be any -- it will be very similar to -- the
18 solarays anyways, will be very similar to what you see
19 on 96 when you're sort of heading west, that would be
20 west, but again you can image that 14 feet, enough to
21 park a car under.

22 CHAIRPERSON FERRELL: Okay. Thank you.

23 Anyone else?

24 Do I hear a motion?

25 MR. SANKER: I can fire off a motion. I

1 move that we grant the variance in Case Number
2 PZ19-0016 sought by ITC Holdings Corp for allowing a
3 third accessory use structure because the petitioner
4 has shown practical difficulty requiring such
5 variance. Without the variance, petitioner will be
6 unreasonably prevented or limited with respect to the
7 use of the property because it will not be able to
8 build solar panels or otherwise use and enjoy the
9 property.

10 The property is unique because of the
11 property's large amount of square feet. Petitioner
12 did not create the condition because the zoning
13 ordinance did not contemplate such a large property
14 with large amounts of square feet.

15 The relief granted will not unreasonably
16 interfere with adjacent or surrounding properties
17 because the accessory use fits well within the
18 property, and the relief is consistent with the spirit
19 and intent of the ordinance because the accessory use
20 improves the property and generates clean energy.

21 MS. GRONACHAN: Second.

22 CHAIRPERSON FERRELL: Motion and second.
23 Any further discussion?

24 Yes.

25 MS. KRIEGER: I'm sorry, just to add that

1 it's their minimum request. They're asking for one
2 versus two. Just --

3 MR. SANKER: Do I have to make it subject
4 to that?

5 MS. KRIEGER: No, just add that on.

6 MR. SANKER: An addendum, an addendum to
7 add they can't --

8 MS. KRIEGER: No, not that they can't.
9 That they're request -- we are approving because of
10 their asking minimum versus maximum. So it's easier
11 to approve their request.

12 MR. SANKER: Okay.

13 CHAIRPERSON FERRELL: Do you adopt that?

14 MR. SANKER: I do adopt that.

15 MS. GRONACHAN: I approve that.

16 CHAIRPERSON FERRELL: Motion and second.

17 Any further discussion?

18 Katherine, can you call roll, please.

19 MS. OPPERMANN: Member Sanghvi?

20 MR. SANGHVI: Yes.

21 MS. OPPERMANN: Member Peddiboyina?

22 MR. PEDDIBOYINA: Yes.

23 MS. OPPERMANN: Member Sanker?

24 MR. SANKER: Yes.

25 MS. OPPERMANN: Member Krieger?

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MS. KRIEGER: Yes.

MS. OPPERMANN: Member Gronachan?

MS. GRONACHAN: Yes.

MS. OPPERMANN: Chairperson Ferrell?

CHAIRPERSON FERRELL: Yes.

MS. OPPERMANN: Member Byrwa?

MR. BYRWA: Yes.

MS. OPPERMANN: Motion passes.

MS. GRONACHAN: Congratulations.

MR. BISHOP: Thanks very much.

CHAIRPERSON FERRELL: That moves us to
other matters. Anything else?

MS. GRONACHAN: You're not going to Sing
Sunshine of My Life?

CHAIRPERSON FERRELL: I'm not a good singer
no. It's not going to happen.

MS. KRIEGER: Motion to adjourn.

CHAIRPERSON FERRELL: There is a motion to
adjourn.

MS. GRONACHAN: Second.

CHAIRPERSON FERRELL: All in favor.

THE BOARD: Aye.

CHAIRPERSON FERRELL: We're adjourned.

(Meeting adjourned at 7:26 p.m.)

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C E R T I F I C A T E

I, Diane L. Szach, do hereby certify that I have recorded stenographically the proceedings had and testimony taken in the above-entitled matter at the time and place hereinbefore set forth, and I do further certify that the foregoing transcript, consisting of (27) pages, is a true and correct transcript of my said stenograph notes.

Diane L. Szach

Diane L. Szach, CSR-3170
(Acting in Wayne County)
Oakland County, Michigan
My Commission Expires: 3/9/24