

**Novi Zoning Meeting**

**11/18/2025**

REGULAR MEETING - ZONING BOARD OF APPEALS

CITY OF NOVI

Tuesday, November 18, 2025

Council Chambers/Novi Civic Center

41725 Novi Road

Novi, Michigan

BOARD MEMBERS:

W. Clift Montague, Chairperson  
Joe Peddiboyina, Member  
Linda Krieger, Member  
Mike Longo, Secretary  
Michael Thompson, Member  
Joe Samona, Member

ABSENT EXCUSED:

Siddharth Mav Sanghvi, Member

ALSO PRESENT:

Elizabeth Saarela, City Attorney  
Alan Hall, Deputy Community Development  
Director  
Megan Nardone, Recording Secretary

REPORTED BY:

Melinda R. Womack  
Certified Shorthand Reporter

**Novi Zoning Meeting  
11/18/2025**

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1 CHAIRPERSON MONTAGUE: Call to order  
2 Zoning Board of Appeals meeting for November  
3 18th.

4 MEMBER LONGO: Pledge of Allegiance.

5 (Pledge of Allegiance recited)

6 MS. NARDONE: Member Samona?

7 MEMBER SAMONA: Here.

8 MS. NARDONE: Chairperson Montague?

9 CHAIRPERSON MONTAGUE: Here.

10 MS. NARDONE: Member Sanghvi, absent  
11 excused. Member Thompson?

12 MEMBER THOMPSON: Here.

13 MS. NARDONE: Member Peddiboyina?

14 MEMBER PEDDIBOYINA: Yes, please.

15 MS. NARDONE: Member Longo?

16 MEMBER LONGO: Here.

17 MS. NARDONE: Member Krieger?

18 MEMBER KRIEGER: Here.

19 MS. NARDONE: Thank you. We have a  
20 quorum.

21 CHAIRPERSON MONTAGUE: Thank you.

22 Rules of the format here. Please turn off your  
23 cell phones if you would, put them on silent. The  
24 applicant will be called to the podium to present  
25 their case. They will be allowed ten minutes to

1 present. Anyone in the audience who wishes to  
2 address the board on those cases will be given --  
3 will be asked to be recognized and you will be  
4 given three minutes to respond. So do we have a  
5 motion of the approval of the minutes?

6 MEMBER PEDDIBOYINA: I approve the  
7 meeting minutes.

8 MEMBER LONGO: I second.

9 MS. NARDONE: Member Peddiboyina?

10 MEMBER PEDDIBOYINA: Yes, please.

11 MS. NARDONE: Member Longo?

12 MEMBER LONGO: Yes.

13 MS. NARDONE: Member Krieger?

14 MEMBER KRIEGER: Yes.

15 MS. NARDONE: Member Samona?

16 MEMBER SAMONA: Yes.

17 MS. NARDONE: Chairperson Montague?

18 CHAIRPERSON MONTAGUE: Yes.

19 MS. NARDONE: Member Thompson?

20 MEMBER THOMPSON: Yes.

21 MS. NARDONE: Thank you. Motion  
22 carries.

23 CHAIRPERSON MONTAGUE: Do we have any  
24 changes to the agenda tonight?

25 MR. HALL: No, Chairman, we do not.

1 CHAIRPERSON MONTAGUE: Can I entertain  
2 a motion to approve the agenda?

3 MEMBER SAMONA: I make a motion to  
4 approve.

5 MEMBER PEDDIBOYINA: I second.

6 MS. NARDONE: Member Thompson?

7 MEMBER THOMPSON: Yes.

8 MS. NARDONE: Chairperson Montague?

9 CHAIRPERSON MONTAGUE: Yes.

10 MS. NARDONE: Member Samona?

11 MEMBER SAMONA: Yes.

12 MS. NARDONE: Member Peddiboyina?

13 MEMBER PEDDIBOYINA: Yes, please.

14 MS. NARDONE: Member Longo?

15 MEMBER LONGO: Yes.

16 MS. NARDONE: Member Krieger?

17 MEMBER KRIEGER: Yes.

18 MS. NARDONE: Thank you. Motion  
19 carries.

20 CHAIRPERSON MONTAGUE: Thank you. This  
21 is our time where if there's any general comments  
22 from the public that would like to be made  
23 unrelated to the cases. Do I have anybody in the  
24 audience that has any comments. Nice, big crowd  
25 tonight.

1 MR. HALL: Mr. Chairman. I'd like to  
2 make an announcement, if that's okay.

3 CHAIRPERSON MONTAGUE: Yes.

4 MR. HALL: So we did -- I talked to  
5 everybody in the audience and from home. We are  
6 getting some cases of fraud that's coming upon us.  
7 We've had one of our applicants here received a  
8 letter from me, apparently, asking for an  
9 additional \$4,800 to attend this meeting tonight.  
10 I can see they would be distressed. The applicant  
11 did exactly the correct thing to do is call me or  
12 Megan at the office and clarify this bill, which  
13 is fraud. We notified the police department and  
14 they're doing what they can. I just want to make  
15 an announcement that we've had, the last meeting  
16 we mentioned it too, they're getting more  
17 sophisticated. This one happens to be four pages  
18 long with explanations of why the billing is the  
19 way it is. It looks pretty authentic. The logo  
20 isn't quite right. Obviously my title is not  
21 Planning Commission, but there's just some  
22 anomalies to it, so please be aware that we don't  
23 do any wire transfers ever. In this case, call  
24 the office if you have any questions or concerns  
25 about a bill you may have. So thank you for the

1 time.

2 CHAIRPERSON MONTAGUE: Yeah. The world  
3 is crazy. All right. Then we should proceed with  
4 our public hearings. On the first case you would  
5 like to do something on the record?

6 MEMBER SAMONA: Yes. I just want to  
7 put on the record that I know -- I assume it's  
8 probably one of the managing members of the  
9 Feldman Automotive Group, Jay Feldman, I know him  
10 very well. I'm friends with him on Facebook.  
11 I've texted him to the extent of related to cars  
12 and whatnot. I have zero financial interest in  
13 this. I have not spoken to Jay Feldman about  
14 this. I don't even know if he knows that I'm on  
15 the Zoning Board of Appeals. So I have zero  
16 financial interest in whichever way this goes. So  
17 I feel that I can be fair and impartial. And  
18 unless anyone has anything else to add, I will  
19 remain on the board for this hearing.

20 CHAIRPERSON MONTAGUE: Okay. Thank  
21 you.

22 MR. HALL: We concur. That's fine.

23 MEMBER SAMONA: I do want to say one  
24 more thing. I'm sorry. The only thing that I've  
25 ever gotten from him free of charge was Auto Show

1 tickets, just in case that ever comes up.

2 MEMBER LONGO: Sorry.

3 CHAIRPERSON MONTAGUE: All right. Well  
4 thank you very much. All right. So case number  
5 one. PZ25-0052 (Feldman Chevrolet) The applicant  
6 is requesting a variance from the City of Novi  
7 Zoning Ordinance Section 4.19.2.A to locate a  
8 generator at the rear west corner of the property  
9 line. The property is zoned General Business  
10 (B-3). Is the applicant here to present their  
11 case?

12 Defendant: Yes.

13 CHAIRPERSON MONTAGUE: Please step up  
14 to the podium. Introduce yourself and spell your  
15 name.

16 MR. SALTZ: Yep. Good evening. Steve  
17 Saltz. I'm the owner's rep for Feldman Automotive  
18 Group.

19 MEMBER LONGO: Steve, please spell your  
20 first and last name.

21 MR. SALTZ: First name is S-T-E-V-E-N,  
22 last name S-A-L-T-Z.

23 MEMBER LONGO: Steven are you an  
24 attorney?

25 MR. SALTZ: I am not.



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

3 MR. SALTZ: The whole truth.

4 MEMBER LONGO: Thank you.

5 CHAIRPERSON MONTAGUE: Is your compadre  
6 going to speak? Introduce yourself.

7 MR. FREE: My name is Chris Free. I am  
8 with Cityscape Architects working on the project.

9 CHAIRPERSON MONTAGUE: Spell your first  
10 and last name.

11 MR. FREE: C-H-R-I-S, F-R-E-E.

12 MEMBER LONGO: Chris, are you an  
13 attorney?

14 MR. FREE: I am not.

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

17 MR. FREE: I do.

18 MEMBER LONGO: Thank you.

19 MR. SALTZ: Also speaking will be Doug.

20 MR. FLETCHER: My name is Doug  
21 Fletcher, D-O-U-G, F-L-E-T-C-H-E-R.

22 MEMBER LONGO: Doug, are you an  
23 attorney?

24 MR. FLETCHER: No, sir.

25 MEMBER LONGO: Do you promise to tell

1 the truth in this case?

2 MR. FLETCHER: Yes, sir.

3 MEMBER LONGO: Thank you.

4 CHAIRPERSON MONTAGUE: All right. How  
5 can we help you tonight?

6 MR. SALTZ: So one correction right off  
7 the bat is that the generator is not being asked  
8 to be placed at the property line, it is being  
9 asked to be placed at the sideline of the  
10 building, which is substantially from the --

11 MR. FREE: We're locating the generator  
12 proposed exterior to the building of the southwest  
13 corner of the building. On the Community  
14 Development ZBA staff report, I just wanted to  
15 correct the sentence just below -- just above the  
16 bottom of the blue line, but the statement below  
17 the blue line is correct.

18 MR. SALTZ: It's not at the property  
19 line. So we are asking to relocate it from the  
20 rear of the building to the side of the building  
21 approximately ten feet around the corner from  
22 where we initially got approval and started  
23 installing the generator. It's been a substantial  
24 amount of money wiring to that location, pouring  
25 the concrete pad when we realized that one day we

1 may change the function of that side of the  
2 building and put a rear exit door right there and  
3 it's right in the way. So we thought it be less  
4 expensive to relocate it now before the generator  
5 actually gets installed and wired and operational.  
6 So we're going to request that we relocate it to  
7 around the side of the building.

8 CHAIRPERSON MONTAGUE: Do you have any  
9 images to show?

10 MR. FREE: In the council packet there  
11 are a few drawings included in here sheet A101  
12 shows the generator in the location proposed.

13 MR. SALTZ: There's an image on there  
14 but it's not very clear, if that helps at all.  
15 But this is the building location. We were  
16 located at the rear and we're now asking to move  
17 it to the side of the building right around the  
18 corner on the side of the building. So it's not  
19 very clear on this image. I think what you guys  
20 have is clear.

21 MR. FREE: I could unfold a full scale.

22 MR. SATLZ: So this is the Grand River  
23 Road is right here. The front of the building is  
24 here. The rear of the building is back here. We  
25 were installing it actually right here beyond at

1 the back of the building and we're asking to move  
2 it just around the corner of the building to the  
3 side, which is right there. And we are actually  
4 further away from the neighborhood by coming to  
5 the side of the building so no residential areas  
6 would be impacted. If anything, it will decrease  
7 the decibels of noise.

8 CHAIRPERSON MONTAGUE: All right.  
9 Anything further to add?

10 MR. SALTZ: Just that right now this is  
11 a service building that you can drive straight  
12 through. It has one door in the center. We may  
13 add two more doors and change the function of this  
14 in the future. We're not there yet, but we don't  
15 want to impede our option to do that by placing  
16 the generator at the exit instead of on the side  
17 of the building. That's the only purpose.

18 CHAIRPERSON MONTAGUE: All right. Is  
19 there anyone in the audience that would like to  
20 speak to this case? Going once. Going twice.  
21 Okay. Nobody. All right. City.

22 MR. HALL: Thank you, Mr. Chairman.  
23 Yes, they're asking for a dimensional variance  
24 tonight to locate the generator to where they  
25 located it. Is there a screen around the

1 generator?

2 MR. SATLZ: We have proposed a fencing  
3 around the generator.

4 MR. HALL: And how high is that  
5 screening?

6 MR. FREE: Ten feet, white vinyl.

7 MR. HALL: Thank you. With that, no  
8 questions.

9 CHAIRPERSON MONTAGUE: Correspondence?

10 MEMBER LONGO: Yes. We mailed out 20  
11 notices about this variance. None were returned.  
12 There were no objections and there were no  
13 approvals.

14 CHAIRPERSON MONTAGUE: Thank you. All  
15 right. Let's open it up to the board for  
16 discussion.

17 MEMBER THOMPSON: Silly question. Does  
18 every business that wants a generator have to get  
19 a variance in Novi?

20 MR. HALL: No. It's just a location  
21 change so depends on where it's located and the  
22 ordinance has certain restrictions on where they  
23 are so we move it to the side, but it is going to  
24 be screened.

25 MEMBER THOMPSON: So if it was in the

1 back of the building, they did not need one?

2 MR. HALL: It was already part of the  
3 plan.

4 MEMBER THOMPSON: Already part of the  
5 plan. Got it. All set.

6 MEMBER KRIEGER: Since you're  
7 putting -- stated that you're putting in  
8 screening, I also approve your request.

9 MR. SATLZ: Thank you.

10 CHAIRPERSON MONTAGUE: Anyone else?

11 MEMBER PEDDIBOYINA: What is the  
12 operational time of the generate.

13 MR. SALTZ: So there's a weekly  
14 exercise time which is programmable. Typically I  
15 always suggest Monday at around 10:00 for most  
16 of -- actually I installed quite a few generators  
17 for Novi and maintain them. So most of them are  
18 conditional, but Monday at 10:00 everybody's at  
19 work. The business is in full swing so it's not  
20 super noticeable. And just to mention about the  
21 noise, the noise calculation from the residents,  
22 the two directions, the west and to the south  
23 through the residential areas are actually quieter  
24 than the conversations we're having right here.

25 **A. They come under 50 decibels and that's a**

1 person-to-person normal conversation, 55 being a  
2 quiet office.

3 MEMBER PEDDIBOYINA: Thank you.

4 CHAIRPERSON MONTAGUE: Anybody else?

5 MEMBER SAMONA: Don't stare at me. I  
6 don't have anything on this one.

7 CHAIRPERSON MONTAGUE: Wow. All right.  
8 That's monumental. I'll entertain a motion.

9 MEMBER LONGO: I move that we grant the  
10 variance in case number PZ25-0052 sought by  
11 Feldman Chevrolet for a variance in relocating a  
12 generator because the petitioner has shown a  
13 practical difficulty freeing up the back of the  
14 building for future activities. Without the  
15 variance, the petitioner will be unreasonably  
16 prevented or limited in respect to the use of the  
17 property because the generator could cause a  
18 blockage of a future door. The property is unique  
19 because it is a car lot. The petitioner did not  
20 create the condition because this property is  
21 already existing. The relief granted will not  
22 unreasonably interfere with adjacent or  
23 surrounding properties, because it is actually the  
24 generator is farther away from the neighbors than  
25 it is currently. Relief is consistent with the

1 spirit and the intent of the ordinance because it  
2 is relocated and will have a fence around it.

3 MEMBER SAMONA: Second.

4 MS. NARDONE: Member Krieger?

5 MEMBER KRIEGER: Yes.

6 MS. NARDONE: Chairperson Montague?

7 CHAIRPERSON MONTAGUE: Yes.

8 MS. NARDONE: Member Samona?

9 MEMBER SAMONA: Yes.

10 MS. NARDONE: Member Thompson?

11 MEMBER THOMPSON: Yes.

12 MS. NARDONE: Member Peddiboyina?

13 MEMBER PEDDIBOYINA: Yes, please.

14 MS. NARDONE: Member Longo?

15 MEMBER LONGO: Yes.

16 MS. NARDONE: Thank you. Motion

17 carries.

18 MEMBER LONGO: Good luck, guys.

19 CHAIRPERSON MONTAGUE: Thank you very  
20 much. Okay. Case number two tonight. PZ25-0053  
21 (Richard Castaneda) The applicant is requesting a  
22 variance from the City of Novi Zoning Ordinance  
23 Section 5.1.3 to allow a trailer to be stored  
24 within the front yard setback. This property is  
25 zoned One Family Residential (R-4). Is the



1 applicant -- okay.

2 MR. CASTANEDA: Good evening. My name  
3 is Richard R-I-C-H-A-R-D, Castaneda,  
4 C-A-S-T-A-N-E-D-A.

5 MEMBER LONGO: Richard, are you an  
6 attorney?

7 MR. CASTANEDA: I am not.

8 MEMBER LONGO: Do you promise to tell  
9 the truth in this case?

10 MR. CASTANEDA: I do.

11 CHAIRPERSON MONTAGUE: How can we help  
12 you tonight?

13 MR. CASTANEDA: Well this is currently  
14 where the trailer was store. I since moved it to  
15 the back on the south side. It's been there for a  
16 few years. I store two motorcycles and some  
17 miscellaneous stuff. I'm asking that I can  
18 continue to leave it there. I asked the neighbors  
19 some years back would it be a problem, she said  
20 no, it wouldn't, but the city did come by and say  
21 hey, it needs to be offset 30 feet back and/or  
22 possibly moved to the rear of the property. But  
23 because of my oddly shaped property, the front is  
24 the rear the rear is the front. I think I'm one  
25 of the only ones that has some property that's, it

1 almost looks like a Big Bertha golf club. So if  
2 you look right here, you can see how the property  
3 runs front to back, and then it has this big pie  
4 wedge portion, and that's kind of the only spot  
5 that I can store it feasibly.

6 CHAIRPERSON MONTAGUE: Okay. Anything  
7 else?

8 MR. CASTANEDA: No, that's all.

9 CHAIRPERSON MONTAGUE: Anyone in the  
10 audience like to speak to this case? All right.  
11 Thank you. City.

12 MR. HALL: Thank you, Mr. Chairman.  
13 Yes. He is asking for a dimensional variance to  
14 put a covered trailer in the front yard setback  
15 and there is an open ordinance violation on this  
16 property right now. Could you show us just on the  
17 diagram you have on the screen there exactly where  
18 the trailer is?

19 MR. CASTANEDA: Yeah. It's tucked up  
20 under the pine right here.

21 MR. HALL: And which one is your house?

22 MR. CASTANEDA: This one right here.  
23 It goes like this.

24 MR. HALL: Thank you, Mr. Chairman. We  
25 don't have any further questions. Thank you.

1 CHAIRPERSON MONTAGUE: Correspondence?

2 MEMBER LONGO: Yes. We mailed out 33  
3 notices. Two were returned. There were no  
4 objections and no approvals.

5 CHAIRPERSON MONTAGUE: Thank you. Open  
6 up to the board. Yes, sir.

7 MEMBER SAMONA: I have a couple of  
8 questions. Was this simply the most convenient  
9 space for the trailer?

10 MR. CASTANEDA: Not even really  
11 convenient, just the only practical place to put  
12 it. The lion's share of the property is front  
13 where that Big Bertha spot is at. The back is  
14 rather narrow. So there's really no ideal spot to  
15 put it in the back. My back is the front and the  
16 front is the back. I think I have one of the only  
17 properties that's really such oddly shaped.

18 MEMBER SAMONA: Before I get to my  
19 second question, maybe I'll defer to Mr. Hall on  
20 this. What is -- what would the rear yard setback  
21 be?

22 MR. HALL: What do you mean?

23 MEMBER SAMONA: What's the rear yard  
24 setback for the trailer?

25 MR. HALL: I'm not sure what the

1 dimension is, but that's because of the front yard  
2 setback, so it had to be pushed back 30 feet.  
3 That's what it's for tonight. So if you put it in  
4 the rear yard, there would be a setback there as  
5 well. But this one, because the front yard has to  
6 be pushed back 30 foot to be part of the proof for  
7 the zoning ordinance.

8 MEMBER SAMONA: Got it.

9 MR. CASTANEDA: And I could easily do  
10 that, push it back 30 feet. That was some  
11 dialogue early on. I could do that easily.

12 MEMBER SAMONA: So if this was -- I  
13 just want to make sure I'm clear. If this was  
14 pushed back 30 feet then he wouldn't be here  
15 today, right?

16 MR. HALL: So there's an open ordinance  
17 violation right now and so he's seeking for  
18 approval to leave it where it is. I think it be  
19 more convenient for him to place it where he would  
20 like it so that's the decision before the board  
21 today.

22 MR. CASTANEDA: And the reason for that  
23 is the land slopes really heavy in that area.  
24 Right after that pine tree the land starts to drop  
25 significantly.

1 MEMBER SAMONA: So what would you have  
2 to do if you had to move it back 30 feet.

3 MR. CASTANEDA: I'd have to put some  
4 concrete supports to prevent it from rolling down  
5 the hill. Where it's at right now it's under the  
6 pine and it's level. If I went back -- I guess  
7 it's 30 feet from the road, it would be just a  
8 little bit back, but I just was trying to leave it  
9 where it was and not risk any rollback.

10 MEMBER SAMONA: That's all I have.

11 CHAIRPERSON MONTAGUE: Anybody else  
12 have a comment?

13 MEMBER THOMPSON: Yeah, I have  
14 questions. They're turning. It's just taking a  
15 minute. How are you? Good? Right? Great. So  
16 Novi's probably half subdivision, half individual  
17 street type houses roughly. So in a subdivision,  
18 HOA would say you could not store a trailer, and  
19 the city says that you are allowed to store a  
20 trailer at your home, it just has to be set back  
21 30 feet.

22 MR. HALL: Yeah. It's in the front  
23 yard setback. Yes.

24 MEMBER THOMPSON: And because your  
25 property is oddly shared, there's no way to create

1 something down the side and move it that way?

2 MR. CASTANEDA: Yeah. It's extremely  
3 oddly shaped. The inspector asked me to. I don't  
4 know if you have them available. That's currently  
5 where it is right now. I can't open the back  
6 tailgate to get the bikes out because there's a  
7 pine tree in the way. The land rolls down heavy  
8 again on the opposing end of the property.

9 MEMBER THOMPSON: I know it would be  
10 inconvenient. What about if you were to move it  
11 back 30 feet once it was loaded and then pull it  
12 up to load and upload.

13 MR. CASTANEDA: I could do that. I  
14 mean I'm actually pretty close right now. That's  
15 probably only moving it back like three to five  
16 feet maybe. I just never measured it and never  
17 did anything like that. I came years ago to the  
18 board here and talked to the inspectors and they  
19 checked it out. They pulled up everything and  
20 said you know what, Rich, leave it. It's good  
21 where it sits. But then just recently an  
22 inspector came by and noted the violation.

23 MEMBER THOMPSON: So would you have to  
24 make any property adjustments if you did that, if  
25 you moved it back to a point, once it was loaded

1 and everything was good, you could pull it up,  
2 drop the door, get everything in and out?

3 MR. CASTANEDA: Yep.

4 MEMBER THOMPSON: So it's more or less  
5 just an inconvenience?

6 MR. CASTANEDA: Yeah, because right now  
7 it's chucked. It won't roll back. I can drop the  
8 doors and take everything out, close the doors and  
9 drive away, right? If I go back, like I said,  
10 it's probably a matter of just kicking it back  
11 five more feet. It's really close to 30 feet from  
12 the road.

13 MEMBER THOMPSON: That's all for me.

14 CHAIRPERSON MONTAGUE: Would that get  
15 rid of the violation then if you moved it back?  
16 How would that work?

17 MR. HALL: Yeah, it's still in the  
18 front yard so you'd have to make an action anyway.  
19 The 30 foot was to set it back.

20 CHAIRPERSON MONTAGUE: So you'd still  
21 have to allow it in the front yard.

22 MR. HALL: That's correct.

23 CHAIRPERSON MONTAGUE: Your property  
24 goes through to both streets?

25 MR. CASTANEDA: It does, correct.

1 CHAIRPERSON MONTAGUE: Okay. Because I  
2 was riding around, and I'm like, I thought I was  
3 at the front. And then I went around the other,  
4 it's currently on the other side, right, or it  
5 was.

6 MR. CASTANEDA: It's the south side  
7 yesterday. It's on the opposing end right now on  
8 the north side now.

9 CHAIRPERSON MONTAGUE: It's actually in  
10 your backyard.

11 MR. CASTANEDA: My back yard but  
12 everybody else's front yard. I've got the only  
13 house that sits juts like that.

14 CHAIRPERSON MONTAGUE: It's a strange  
15 lot. Yeah.

16 MR. CASTANEDA: It is. A lot of times  
17 I get my packages delivered to my back garage.

18 CHAIRPERSON MONTAGUE: If he left it in  
19 his back yard he's okay, is that correct?

20 MR. HALL: I think that's not really  
21 being talked about today.

22 MR. CASTANEDA: That was the other  
23 option, and to appease the inspector, I moved it  
24 to the back just until we were able to talk here  
25 tonight.



1 CHAIRPERSON MONTAGUE: But you wouldn't  
2 want to leave it there.

3 MR. CASTANEDA: I can't open it. I  
4 have to hook up, pull it and move it because the  
5 pine will literally take it down to the road and  
6 come back up and it's really, really tight. I  
7 already hit my truck in the trailer because it's  
8 so close to the driveway.

9 MEMBER SAMONA: I don't necessarily  
10 have an issue with the front yard. I think one of  
11 my colleagues said here was much better worded  
12 than I said. You're wiser than I am. And that a  
13 mere inconvenience I'm struggling with the 30 foot  
14 part. I can get around the front yard, but just  
15 being inconvenient to pull it up and push it back,  
16 that's the only thing that I have. And I know you  
17 said you'd be willing to, you know, pull it up and  
18 then load it and push it back if it remained in  
19 the front yard. That wouldn't be I guess overly  
20 burdensome, would it?

21 MR. CASTANEDA: No. If it's in where  
22 it's at in the back right now, every time to get  
23 into it, I have to hook up and pull up and pull  
24 away and then come back.

25 MEMBER SAMONA: No. If you left it in

1 the front yard but adhere to the 30 feet.

2 MR. CASTANEDA: That's easily done.

3 MEMBER SAMONA: I'd be in favor of  
4 that.

5 MEMBER PEDDIBOYINA: Mr. Chair. How  
6 long are you staying in this house?

7 MR. CASTANEDA: Twenty-three years.

8 MEMBER PEDDIBOYINA: How long have you  
9 had this trailer?

10 MR. CASTANEDA: About six years.

11 MEMBER PEDDIBOYINA: Yeah, I see the  
12 practical difficulty for you. I have no objection  
13 to this. Thank you.

14 MR. CASTANEDA: Thank you.

15 CHAIRPERSON MONTAGUE: No more  
16 comments. I'll entertain a motion.

17 MEMBER THOMPSON: This is a tricky one  
18 here. There's no -- I move that we deny the  
19 variance in case PZ-250053 sought by Richard for  
20 the trailer storage because petitioner has not  
21 shown practical difficulty requiring a change to  
22 the ordinance. If there was no more feet to move  
23 it back or you had to pay to have it stored  
24 offsite over a couple feet, I'd feel bad doing  
25 that and would accept it, but it's just a matter

1 of inconvenience of moving it a couple feet. I  
2 know it's not what I'd want to hear either but  
3 you're not going to have to pay additional money,  
4 it's just going to be additional time. The  
5 circumstances and the features of the property,  
6 including the oddly shaped lot, are not unique  
7 because they exist generally throughout the city,  
8 just maybe not necessarily in your area. The  
9 circumstances and the features of the property  
10 relating to the variance request are self-created  
11 because there is room to move it back to be under  
12 code. Do we have to go through all of them?

13 MEMBER SAMONA: I think Alan was trying  
14 to get our attention on something.

15 MR. HALL: The question is, I think the  
16 trailer is still in the front yard.

17 MS. SAARELA: Even if it's moved back  
18 30 feet.

19 MR. HALL: It's still in the front  
20 yard. Being pushed back --

21 MS. SAARELA: Still doesn't make it  
22 legal under the ordinance, just two front yards.  
23 There's no legal stop for it pushing it back 30  
24 feet. He still needs a variance.

25 MEMBER THOMPSON: So the variance is

1 for getting the trailer being allowed to stay at  
2 his home or not.

3 MS. SAARELA: Because he's got two  
4 front yards, fronts on two streets.

5 MEMBER THOMPSON: Okay.

6 MEMBER SAMONA: So could a motion be  
7 made to approve it contingent on the fact,  
8 contingent on the fact that it be at least 30 feet  
9 back from the -- if that's something you're  
10 inclined to do, you can do that.

11 MEMBER THOMPSON: Yes. I do not want  
12 to have to see him pay to go store it somewhere  
13 else.

14 MEMBER SAMONA: There are no complaints  
15 from the neighbors.

16 MEMBER THOMPSON: Okay.

17 MS. SAARELA: So maybe somebody just  
18 doesn't second that motion and someone does  
19 another motion.

20 MEMBER SAMONA: Can he rescind his  
21 motion?

22 MS. SAARELA: He can.

23 MEMBER THOMPSON: I will rescind my  
24 motion.

25 MEMBER LONGO: I second that.

1           MEMBER THOMPSON: I move that we grant  
2     the variance in case PZ25-0053, sought by Richard,  
3     for having the trailer in the front yard being set  
4     back 30 feet from the road because the petitioner  
5     has shown difficulty with his lot size and  
6     dimensions. Without the variance, the petitioner  
7     would be unreasonably prevented or limited with  
8     respect to the use of the property, as he would  
9     have to pay storage elsewhere. The property is  
10    unique because of the front yard and back yard  
11    issues; like you said, even package delivery  
12    people don't know where to go. The petitioner did  
13    not create the condition with the surrounding lots  
14    being so narrow and unable to drive down the side.  
15    The relief granted would not unreasonably  
16    interfere with adjacent or surrounding properties,  
17    because none of the neighbors complained about it.  
18    The relief is consistent with the spirit and the  
19    intent of the ordinance, being pushed back the 30  
20    feet.

21           MEMBER KRIEGER: Second.

22           MEMBER SAMONA: The only thing I want  
23    to say is a matter of technicality is the relief  
24    sought was not for a trailer and 30 feet back  
25    because there was only one variance sought. So

1 could we grant -- could we possibly amend it to be  
2 allow the trailer in the front yard and make the  
3 30 foot setback as Part F, which is the variance  
4 granted is subject to the trailer being 30 feet  
5 back? I don't know if that makes --

6 MS. SAARELA: Conditioned on the  
7 trailer being set back.

8 MEMBER SAMONA: Exactly. Yes.

9 MEMBER KRIEGER: Accept that? That's  
10 accepted? There you go.

11 MEMBER PEDDIBOYINA: Who seconded it?

12 MEMBER KRIEGER: I seconded.

13 MEMBER SAMONA: I seconded as amended.

14 MS. NARDONE: Member Krieger?

15 MEMBER KRIEGER: Yes.

16 MS. NARDONE: Member Samona?

17 MEMBER SAMONA: Yes.

18 MS. NARDONE: Chairperson Montague?

19 CHAIRPERSON MONTAGUE: Yes.

20 MS. NARDONE: Member Thompson?

21 MEMBER THOMPSON: Yes.

22 MS. NARDONE: Member Peddiboyina?

23 MEMBER PEDDIBOYINA: Yes, please.

24 MS. NARDONE: Member Longo?

25 MEMBER LONGO: Yes.

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

3 MR. CASTANEDA: Thank you very much.

4 MEMBER PEDDIBOYINA: Good luck.

5 CHAIRPERSON MONTAGUE: All right. Case  
6 number three. PZ25-0054 (Noah Boehm). The  
7 applicant is requesting variances from the City of  
8 Novi Zoning Ordinance Section 4.19.1.E.i to allow  
9 construction of a 576 square foot structure.  
10 There is an existing 360 square foot garage on the  
11 property (allowed aggregate for accessory  
12 structures: 850 square feet, variance of 86  
13 square feet); and Section 4.19.1.G to allow the  
14 structure to be located 3 feet from the rear  
15 property line (6 feet required, so it would be a  
16 variance of 3 feet). The property is zoned  
17 One-Family Residential (R-3). The applicant is  
18 here. Your name and spell it for us, please.

19 MR. BOEHM: My name is Noah, N-O-A-H,  
20 last name is Boehm, B-O-E-H-M. I'm not an  
21 attorney.

22 MEMBER LONGO: Excuse me. Noah, are  
23 you an attorney?

24 MR. BOEHM: No, I am not an attorney.

25 MEMBER LONGO: Do you promise to tell

1 the truth in this case?

2 MR. BOEHM: Yes, sir.

3 MEMBER LONGO: Thank you.

4 CHAIRPERSON MONTAGUE: How can we help  
5 you there?

6 MR. BOEHM: So I wrote this down  
7 because I've never spoken in front of this kind of  
8 platform before, so pardon me. So as mentioned, I  
9 have two requests, the one is to allow three feet  
10 from the property line on the east side of the  
11 yard instead of the usual six feet. The second  
12 one is to allow for the 86 square foot overage in  
13 square footage.

14 Regarding number one, on the west side  
15 of the yard due to the services, electrical, gas  
16 and others are all being located on that side of  
17 the yard. I feel that the chosen placement makes  
18 the best logical sense. The requests are due to  
19 if placing the structure in this location  
20 accessing the yard will be a challenge if placed  
21 six feet since it is closer to the home. Also if  
22 it's six feet out from the property line, it is  
23 more out into this middle of the yard and I think  
24 it is kind of not fitting with the property  
25 layout.



1           The second one is based on all of my  
2   research that I've been doing and guidance from  
3   others at the Novi Building Department standard  
4   type of the structure is usually 20 foot by 24, a  
5   variance of 86 square feet. There's currently an  
6   eight-by-ten shed which holds all of the yard  
7   equipment and accessories and things like that for  
8   maintaining the property. My goal is to  
9   maintain -- keep the space because the shed would  
10  be gone if I built it this way.

11           So the 86 square feet is roughly the  
12  size of the bathroom in most of the houses in  
13  Village Oaks. And I guess I'm here because I want  
14  to buy once cry once. If I can do this this way,  
15  then I will not have to try and plan or make  
16  arrangements to modify things or in the future  
17  have to change things around. So the plan I've  
18  provided each packet, which I believe everybody  
19  has.

20           CHAIRPERSON MONTAGUE: Excuse me. Can  
21  you put that on the screen?

22           MR. BOEHM: I think all of my research  
23  is here.

24           CHAIRPERSON MONTAGUE: I think the plan  
25  is what I'd like to personally see on the screen.

1 We've got a plan where you're rotating the  
2 structure in the yard. Yeah, that's good.

3 MR. BOEHM: So this is Oakwood Drive.  
4 This is the street. And then the driveway is  
5 right in here. This is to the garage at the front  
6 of the house. So if at any point it would need to  
7 access back here. This is already here. This is  
8 just a grass way into the neighbor's side lot.  
9 The red line is the property line, the dotted red  
10 line.

11 So I've spoken to the neighbors direct  
12 east and direct west, and I provided all of this  
13 documentation and my research and everything, and  
14 both of them are okay. They approved on that as  
15 well. And then I guess my overall goal if I can  
16 do this is I want to make it as discrete as  
17 possible. I keep the house well maintained  
18 because it's a lot of money, and I think that in  
19 that every time I wanted to leave, I would want to  
20 get my money back out of it. So I don't want to  
21 have any eyesore or things like that. So that's  
22 my goal. Is there any questions? What questions  
23 can I answer?

24 CHAIRPERSON MONTAGUE: Hang on a  
25 second. Have you pretty much presented your case?

1 MR. BOEHM: Yes.

2 CHAIRPERSON MONTAGUE: Is there anybody  
3 in the audience that would like to speak to this  
4 case? Please come up there. Introduce yourself.

5 MS. WOLSTENCROFT: Hi. My name is  
6 Panagiota, Wolstencroft, P-A-N-A-G-I-O-T-A,  
7 Wolstencroft, W-O-L-S-T-E-N-C-R-O-F-T. That's a  
8 doozy of a name.

9 MEMBER LONGO: Are you an attorney?

10 MS. WOLSTENCROFT: No, I am not an  
11 attorney.

12 MEMBER LONGO: Do you promise to tell  
13 the truth in this case?

14 MS. WOLSTENCROFT: I do.

15 MEMBER LONGO: Thank you.

16 MS. WOLSTENCROFT: I am Noah's  
17 neighbor. I live directly west of him. And my  
18 husband and I both approve this project of his.  
19 Noah does maintain his property. It is beautiful.  
20 He's always willing to help everybody. He helps  
21 maintain other people's property on the street.  
22 He will do anything for anybody and I think that  
23 this is -- you do. He -- I think this is a good  
24 addition for him. He's always working on his  
25 yard, he's working on his cars and he has a big

1 privacy fence. It will be behind the privacy  
2 fence, so if anybody has problems with the cars,  
3 they won't have to see it anymore.

4 MEMBER SAMONA: Can he get Auto Show  
5 tickets?

6 CHAIRPERSON MONTAGUE: Thank you.  
7 Appreciate your input. Anyone else in the  
8 audience? City.

9 MR. HALL: Mr. Chairman. Yes, he is  
10 seeking two dimensional variances tonight, and one  
11 is for three foot side yard setback closer than  
12 six feet in the rear. And you are removing the  
13 existing shed and putting those new accessory  
14 structures, is that correct?

15 MR. BOEHM: Yes. My understanding is  
16 there's only one allowance of one accessory  
17 structure, so the shed will have to go.

18 MR. HALL: That is correct. Thank you.  
19 So adding his existing garage with his new  
20 accessory structure he would be required to have  
21 86 square foot increase for variance. And you do  
22 have a fence around the entire property, is that  
23 correct? So it will screen the accessory  
24 structure.

25 MR. BOEHM: Yes. 2023 we put up a

1 privacy fence.

2 MR. HALL: Okay. Thank you. Nothing  
3 further. Thank you.

4 CHAIRPERSON MONTAGUE: Correspondence?

5 MEMBER LONGO: Yes. We mailed out 34  
6 notices, none were returned. There were no  
7 objections and no approvals.

8 CHAIRPERSON MONTAGUE: Open it up to  
9 the board for comments.

10 MEMBER KRIEGER: For the shed, the  
11 building that you wish to build, are you going to  
12 have -- what kind of equipment, like gasoline or  
13 anything that you'd need like an escape door?

14 MR. BOEHM: It will have a door, yes.  
15 There will be -- I mean it's basically it will be  
16 a shed because I work in the garage that's on the  
17 front of the house so it will be easier for me to  
18 do what I need to do, my projects and things like  
19 that, my hobbies that I do in this garage. If I  
20 have the storage in the back garage, workshop  
21 area, then -- so there will be doors. There will  
22 be access. I have other pictures in here as well  
23 in the packet.

24 MS. KRIEGER: Okay.

25 MEMBER PEDDIBOYINA: Mr. Chair.

1 CHAIRPERSON MONTAGUE: Yes.

2 MEMBER PEDDIBOYINA: Okay. Good  
3 presentation and also neighbor also mentioned a  
4 good thing and you're doing a good job. And  
5 coming the siding now you mentioned the picture,  
6 you're using the same color on the siding.

7 MR. BOEHM: Everything -- my dream  
8 would be to have it match it exactly. I found  
9 matching materials and everything.

10 MEMBER PEDDIBOYINA: Thank you so much.

11 MEMBER THOMPSON: The shed that's there  
12 now, it looks like it is on the opposite side of  
13 the house that the new two-car garage is going to  
14 go in.

15 MR. BOEHM: Correct.

16 MEMBER THOMPSON: So the shed comes  
17 down, you're allowed one secondary structure. Are  
18 you doing any sort of driveway? How are we  
19 getting materials and cars and such back to that  
20 shop?

21 MR. BOEHM: There's a path that's here  
22 already and the fence will be modified to open.  
23 It won't be something that will be driving back  
24 and forth daily.

25 MEMBER THOMPSON: Is the path just

1 grass or gravel?

2 MR. BOEHM: It's blacktop. It's the  
3 same as the driveway, so there's a blacktop path.

4 MEMBER THOMPSON: I see the driveway,  
5 and then it looks like there's grass on the side  
6 of the house.

7 MR. BOEHM: Yeah, there's grass on the  
8 side of the house. There's a path. There's a  
9 small walk like a walkway kind of thing that goes  
10 around the perimeter of the house. I don't know  
11 that I have a picture of that.

12 MEMBER THOMPSON: I see it on Google  
13 Earth. So you don't plan on putting cars and  
14 stuff back there, it's just more or less like hand  
15 carrying items.

16 MR. BOEHM: Possibly it would be a car  
17 in there too as well at some point, but it's  
18 again, it's not going to be something that would  
19 be driving in and out all of the time. Main hobby  
20 that I have is doing automotive work. So it would  
21 be something maybe that goes in there and then  
22 stays in there for a period of time.

23 MEMBER THOMPSON: Okay. Just one more  
24 technicality question. That is pretty tight from  
25 the house to the side. We approve this, it then

1 goes to Building, and that's when they're  
2 comfortable with the fire department being able to  
3 get a truck back there.

4 MR. HALL: That's correct. Yes.

5 MR. BOEHM: I actually have a comment  
6 as well speaking of that. So with the privacy  
7 fence, it does back up to Nine Mile. And when I  
8 was thinking to put the fence in we have a panel  
9 that's removable in the fence that accesses --  
10 that can access to Nine Mile. It's not something  
11 that opens up and it's not traveled frequently or  
12 anything like that, but there is access also from  
13 Nine Mile Road. The house backs up to Nine Mile.

14 MEMBER THOMPSON: Okay. Removing one,  
15 making a nicer one. Thank you.

16 CHAIRPERSON MONTAGUE: All right.  
17 Anything else? Motion time.

18 MEMBER SAMONA: Mr. Chair, I move that  
19 we grant the variances in case PZ25-0054 sought by  
20 Noah Boehm for an accessory structure that exceeds  
21 the maximum aggregate size by 86 square feet, and  
22 for a reduced rear setback of three feet because  
23 the petitioner has shown practical difficulty  
24 requiring these variances. Without the variances,  
25 the petitioner would be unreasonably limited in



1 the use of the property as the lot's utility  
2 layout and existing structures restrict feasible  
3 placement options. The property has unique  
4 conditions, including utility locations and the  
5 existing smaller attached garage, which limits  
6 compliance. The applicant did not create these  
7 conditions, as the garage size and the utility  
8 layout predate the applicant. The request will  
9 not interfere with the adjacent or surrounding  
10 properties, as we have seen, approvals by a  
11 neighbor and the HOA, and it will be screened by a  
12 six-foot privacy fence. The variance is  
13 consistent with the spirit and intent of the  
14 ordinance, as the structure remains residential in  
15 nature, maintains required height limitations, and  
16 does not negatively affect the safety, welfare, or  
17 otherwise of this subdivision.

18 MR. HALL: Mr. Chairman, I have a  
19 question. Would you mind amending your motion to  
20 say a side yard setback rather than rear yard  
21 setback?

22 MEMBER SAMONA: I amend the motion, and  
23 I apologize for that mishap.

24 MEMBER PEDDIBOYINA: I second.

25 CHAIRPERSON MONTAGUE: All right.

1 MS. NARDONE: Member Thompson?

2 MEMBER THOMPSON: Yes.

3 MS. NARDONE: Member Peddiboyina?

4 MEMBER PEDDIBOYINA: Yes, please.

5 MS. NARDONE: Member Longo.

6 MEMBER LONGO: Yes.

7 MS. NARDONE: Member Krieger?

8 MEMBER KRIEGER: Yes.

9 MS. NARDONE: Member Samona?

10 MEMBER SAMONA: Yes.

11 MS. NARDONE: Chairperson Montague?

12 CHAIRPERSON MONTAGUE: Yes.

13 MS. NARDONE: Thank you. Motion

14 carries.

15 MEMBER KRIEGER: Best wishes.

16 MEMBER THOMPSON: Good luck.

17 CHAIRPERSON MONTAGUE: Next case.

18 PZ25-0055 (Novi Oaks Plaza). The applicant is  
19 requesting variances from the City of Novi Sign  
20 Ordinance Section 28-5(a) chart for the "TC"  
21 zoning district to allow a 9-foot in height  
22 illuminated ground sign (6 feet maximum allowed,  
23 variance of 3 feet); and Section 28-5(b)(2)a for  
24 an oversized sign area of 47 square, 31 square  
25 feet allowed, so that's a variance of 16 square

1 feet). The property is zoned Town Center (TC).

2 Applicant, step forward, please.

3 MR. HOUBBA: Good evening, Chair, and  
4 also the board. Mike Houbba, M-I-K-E,  
5 H-O-U-B-B-A.

6 MEMBER LONGO: Mike, are you an  
7 attorney?

8 MR. HOUBBA: No.

9 MEMBER LONGO: Do you promise to tell  
10 the truth in this case?

11 MR. HOUBBA: Yes.

12 CHAIRPERSON MONTAGUE: Hello, Mike.  
13 How can we help you?

14 MR. HOUBBA: So today I'm here to ask  
15 request your approval for a monument sign that's  
16 slightly higher than the current code allows. Our  
17 shopping center that my brother and I just  
18 recently acquired back in September, it's the  
19 Lover's Lane Plaza at 26103 Novi Road. It sits  
20 back, significantly back from Novi Road. With the  
21 speed and the flow of traffic, the allowed height  
22 does not give drivers enough time to identify the  
23 tenants and make a safe turn or even recognize  
24 them.

25 We have six to seven tenants. They

1 depend heavily on visibility. The modest height  
2 increase is not intended to be excessive, just  
3 functional. It allows the sign to be seen at a  
4 safe distance and helps maintain the viability of  
5 each business in the plaza while still fitting the  
6 aesthetic character of the corridor, which we  
7 pride ourselves on. We have ten shopping centers  
8 in eight different cities. So we're happy to be  
9 here in Novi. We've been treated very nicely so  
10 far.

11           So this request, it's not for a large  
12 or intrusive sign, just a modest increase to  
13 achieve basic visibility. Other signs along this  
14 corridor are closer to the road so they naturally  
15 have better visibility because ours sits farther  
16 back. The small height increase allows us to stay  
17 competitive without altering the character of the  
18 area and also allows each business in there, which  
19 mostly are mom and pop shops. They're not big  
20 franchises. It will help them also.

21           In our case, the slightly taller sign  
22 will actually improve safety when drivers can see  
23 who's in the center earlier, they can make  
24 decisions sooner reducing sudden braking or last  
25 minute turns. The goal is safety and function,

1 not size.

2 So this is a rendering of the new sign.  
3 We did not bring what it looks like now but that's  
4 what it is now, Lover's Lane Plaza. There's, like  
5 I said, six or seven tenants in the plaza. So  
6 this sign doesn't do it justice. Obviously this  
7 is out of ordinance. It's not in code, and a  
8 monument sign like this is more -- more  
9 acceptable. But, like I said, it's slightly  
10 higher. So this is from the ground to the very  
11 top is 106 inches. I hope you guys will consider  
12 it.

13 CHAIRPERSON MONTAGUE: Anyone in the  
14 audience like to speak on this case? Seeing none.  
15 City.

16 MR. HALL: Thank you, Mr. Chairman.  
17 Yes, he is looking for two dimensional variances  
18 tonight, one is for three foot height increase to  
19 make a nine foot high sign, and a 16 foot variance  
20 to a foot oversize sign. The existing location is  
21 where he's going to put this new sign, and it's  
22 not in the vision triangles for the driveway going  
23 into Novi Road. So if he places it where he shows  
24 he's placing it, it would be within regulation for  
25 that. I do have a question for you. You said

1 it's illuminated. Is it illuminated from the  
2 inside? Do you have light shining on it? How is  
3 it illuminated?

4 MR. HOUBBA: Inside.

5 MR. HALL: Inside?

6 MR. HOUBBA: Yes.

7 MR. HALL: And each panel will be a  
8 change copy where you can change the different  
9 applicants?

10 MR. HOUBBA: Yes.

11 MR. HALL: There's no animation, no  
12 kind of moving parts to the sign?

13 MR. HOUBBA: No.

14 MR. HALL: It's just basically  
15 illuminated.

16 MR. HOUBBA: That's it.

17 MR. HALL: Okay. We have no further  
18 questions.

19 CHAIRPERSON MONTAGUE: Thank you.  
20 Correspondence.

21 MEMBER LONGO: Yes. We mailed out 32  
22 notices. There were five returned. There were no  
23 objections and no approvals.

24 MEMBER PEDDIBOYINA: Mr. Chair?

25 CHAIRPERSON MONTAGUE: Yes, sir.

1 MEMBER PEDDIBOYINA: How bright is this  
2 sign coming, the new one?

3 MR. HOUBBA: How big?

4 MEMBER PEDDIBOYINA: No, brightness,  
5 the illumination.

6 MR. HOUBBA: Not sure about that, but  
7 we will follow, obviously, go in for permits.  
8 Vital Sign is who we use. They're out of Livonia.  
9 They're very reputable. He'll know all of the  
10 codes.

11 MEMBER PEDDIBOYINA: Yes. It would be  
12 good just for the remaining business people  
13 putting this sign. And also welcome to Novi. You  
14 bought the new business you mentioned.

15 MR. HOUBBA: We just bought this plaza  
16 in September.

17 MEMBER PEDDIBOYINA: Welcome to Novi.

18 MR. HOUBBA: We want to remodel it a  
19 little bit and this is part of that.

20 MEMBER PEDDIBOYINA: Okay. Only the  
21 brightness, the traffic, there's some very flowing  
22 traffic in Novi. We have no objection.

23 MR. HOUBBA: We will abide by whatever  
24 the city allows us.

25 MEMBER PEDDIBOYINA: I have no

1 objection. Thank you, Mike.

2 MR. HOUBBA: You're welcome.

3 MS. KRIEGER: I believe also that from  
4 grade, the road grade, that if you dig down as  
5 well, so you probably need that height?

6 MR. HOUBBA: If I'm allowed to do that,  
7 I wouldn't object.

8 MS. KRIEGER: No. What is it you're  
9 asking for? Is it nine feet?

10 MEMBER SAMONA: I think what she's  
11 saying is you're asking for that height because it  
12 dips a little bit?

13 MR. HOUBBA: I mean sort of, not  
14 necessarily. We just need a larger sign to fit  
15 all of the tenants and for the way traffic flows.

16 MEMBER KRIEGER: Right, because the  
17 previous sign up there now is nonconforming.

18 MR. HOUBBA: Correct.

19 MEMBER KRIEGER: So I would find it  
20 acceptable for what you're intending to put in.

21 MR. HOUBBA: Thank you.

22 MEMBER SAMONA: I can't tell you how,  
23 and I'm going to say this loosely, how excited I  
24 was to kind see this because I probably drive by  
25 that plaza twice a day, and the only place that I



1 know in there, which has been the reason why I  
2 probably need to exercise, is Maisano's, which is  
3 absolutely amazing. And I'm always looking, and  
4 because of the way that the plaza is laid out, you  
5 can't see even the store signs from, you know,  
6 above the stores or the business signs above the  
7 businesses, depending on which direction that  
8 you're coming. I assume with a new, you know,  
9 owner they're working on things to increase their  
10 occupancy, get more people in there, I would  
11 absolutely be in support of this.

12 MR. HOUBBA: Thank you. And that is a  
13 good point. Our plaza not only sits back, it sits  
14 lower than most other plazas, and we'll work on  
15 that in the future. But in the meantime, we did  
16 sign three new leases so the vacancies are filled  
17 up, but we need to keep them in business so I'm  
18 trying my best.

19 MEMBER THOMPSON: If you were to take  
20 the name of the plaza off, right, you would not  
21 need either, correct? You probably wouldn't need  
22 the surface space or the height space, would you.

23 MR. HOUBBA: I think that's fair to  
24 say.

25 MEMBER THOMPSON: We're teaching our

1 kids to drive, which is exciting. They put  
2 everything in Waze or Google something. The name  
3 of the plaza, I know it's important to you, I love  
4 that it says Novi. Just wondering if we took that  
5 top part off.

6 MR. HOUBBA: I haven't thought about  
7 that for too long, but it is important to us. I  
8 think it adds. It's an important addition for  
9 even the tenants.

10 MEMBER THOMPSON: Thank you.

11 MEMBER SAMONA: I considered that as  
12 well. And then I looked at it, looked at what  
13 I've seen driving by places and I think if it  
14 was -- if that was off and not there, that, you  
15 know, if it was just a bland sign that people may  
16 not -- it may not grab people's attention, not to  
17 necessarily reel them in but to kind of show them  
18 what's in that plaza. So I think the color scheme  
19 and whatnot kind of grabs the attention but I  
20 considered that as well.

21 CHAIRPERSON MONTAGUE: Yeah. It's sort  
22 of an orientation thing anyway. The stores can  
23 say they're in whatever you're calling it, Novi  
24 Oaks Plaza, so that makes a little safer to know  
25 you're headed to there I think, that don't need

1 all the signs and find individual stores.

2 MR. HOUBBA: Not to mention, it adds  
3 decoration. My sign designer intentionally did  
4 the flower right there next to Novi just to create  
5 some --

6 MEMBER SAMONA: You guys doing anything  
7 about the wait time at Maisano's?

8 MR. HOUBBA: I can talk to them.

9 MEMBER SAMONA: No. I'm kidding.

10 CHAIRPERSON MONTAGUE: Anything else?

11 All right. Motion time.

12 MEMBER LONGO: I move that we grant the  
13 variance in the case number PZ25-0055, sought by  
14 Novi Oaks Plaza for the sign height and total sign  
15 size variance because the petitioner has shown  
16 practical difficulty requiring displaying all the  
17 tenant information, on the basis of the following:  
18 That the failure to grant the relief will  
19 unreasonably prevent and limit the use of the  
20 property and will result in a substantially more  
21 than mere inconvenience or inability to attain a  
22 higher economic and financial return, because the  
23 tenant information will be difficult to read.

24 MEMBER SAMONA: Support.

25 MS. NARDONE: Member Thompson?

1 MEMBER THOMPSON: Yes.

2 MS. NARDONE: Chairperson Montague?

3 CHAIRPERSON MONTAGUE: Yes.

4 MS. NARDONE: Member Peddiboyina?

5 MEMBER PEDDIBOYINA: Yes, please.

6 MS. NARDONE: Member Longo?

7 MEMBER LONGO: Yes.

8 MS. NARDONE: Member Krieger?

9 MEMBER KRIEGER: Yes.

10 MS. NARDONE: Member Samona?

11 MEMBER SAMONA: Yes.

12 MS. NARDONE: Thank you. Motion

13 carries.

14 MEMBER KRIEGER: Best wishes.

15 MEMBER LONGO: Welcome to Novi.

16 CHAIRPERSON MONTAGUE: Glad to have

17 you. Okay. Next case. PZ25-0056 applicant is

18 requesting variances from the City of Novi Zoning

19 Ordinance Section 4.19.1.G. to allow an accessory

20 building 0 feet from the lot line (6 feet

21 required, variance of 6 feet); to allow a proposed

22 accessory structure 4 feet away from the house,

23 (10 feet minimum required, variance of 6 feet);

24 and Section 3.1.5 for a minimum side yard setback

25 of 5 feet (10 feet required; variance of 5 feet);

1 to allow a lot coverage of 33% (25% allowed,  
2 variance of 8%); and to allow a 3.25 foot setback  
3 to a new accessory addition (6 feet required,  
4 variance of 2.75 feet); for 2296 Austin Drive  
5 Section 3.1.5.D to allow a structure with a side  
6 yard setback of 8.5 feet minimum (10 feet  
7 required, variance of 1.5 feet); and to allow a  
8 lot area reduction to 6,533 square feet (10,000  
9 square feet required, variance of 3,467 square  
10 feet); to allow a reduced lot width of 42 feet (80  
11 feet required, variance of 18 feet); that doesn't  
12 add up, and Section 4.19.1.G to allow an accessory  
13 building 0 feet from the lot line (6 feet  
14 required, variance of 6 feet). This property is  
15 zoned One-Family Residential (R-4).

16 MEMBER SAMONA: Motion for second  
17 reading. No, I'm kidding. Take a breath. Wow.

18 CHAIRPERSON MONTAGUE: All right.  
19 Let's sort this out here. Applicant, your name.

20 MR. LEINEKE: Chris Leineke, C-H-R-I-S  
21 L-E-I-N-E-K-E.

22 MEMBER LONGO: Chris, are you an  
23 attorney?

24 MR. LEINEKE: No, sir.

25 MEMBER LONGO: Do you promise to tell

1 the truth in this case?

2 MR. LEINEKE: Yes, sir.

3 MEMBER LONGO: Thank you.

4 CHAIRPERSON MONTAGUE: All right. So  
5 explain.

6 MR. LEINEKE: She's a mouthful. So I  
7 was here quite a bit. We tore a house down, built  
8 a house on this lot, so there is a new house  
9 there, two-story residence. It did have on the  
10 plan that was submitted to the city a future  
11 garage expansion. But as we got into the building  
12 of the house and going through everything, we had  
13 to do a topographic survey. We had to have the  
14 property surveyed. And then we found out that  
15 there was an existing garage that was located on  
16 the neighbor's property. So the garage that  
17 belongs to me ended up being on the neighbor's  
18 property, and you can see it right here where the  
19 dash line is the existing property line. So this  
20 long dash here is the existing property line. And  
21 what we're proposing is simply a lot line  
22 revision. We're going to move the property line  
23 between the garage and then my neighbor has an  
24 existing shed that her father built quite some  
25 time ago. So that has sentimental reasons to her.

1 She does not want the shed torn down and I don't  
2 want the garage torn down. But the neighbor does  
3 not want the garage on her property anymore,  
4 which -- and I don't want my garage on her  
5 property. So we came up with a lot line revision  
6 where we show it now moving between the garage and  
7 the shed. This is quite an old property as far as  
8 I think it was built around 1930. And probably  
9 the neighbor's house was probably built around the  
10 same time. But anyways, the garage ended up being  
11 on the neighbor's property. We're trying to  
12 remedy that.

13 At the same time, there's a proposed  
14 garage addition that should be shown out on the  
15 front. It's in the plans somewhere on my house.  
16 But there's a garage addition coming off the front  
17 of the building, which is in this area right here.  
18 Would be right in here that is 20 feet extended  
19 towards the road by 16 feet wide.

20 And so all that mouthful that you just  
21 read was prepared by the architects and engineers  
22 over in Eastpointe, Michigan, Kem-Tec Engineering.  
23 So it's way above my pay grade to try to figure  
24 out what this whole lot cut up.

25 But that in a nutshell is what we're

1 asking for. My neighbors are here, Pat and Dean.

2 It's really between my property and their

3 property. Does anybody have any questions?

4 CHAIRPERSON MONTAGUE: Not yet.

5 MR. LEINEKE: Okay.

6 CHAIRPERSON MONTAGUE: That's pretty

7 much your case.

8 MR. LEINEKE: Yes.

9 CHAIRPERSON MONTAGUE: Your diagram  
10 doesn't show the new garage is what the deal is.

11 MR. LEINEKE: It's on the old plan of  
12 the house. I can find it real quick.

13 CHAIRPERSON MONTAGUE: In the meantime,  
14 anyone like to comment on this case? Neighbors or  
15 anybody. All right. Thank you. To the city,  
16 while he's looking.

17 MR. HALL: Thank you, Mr. Chairman. So  
18 yes. This is to rectify an existing condition on  
19 two properties. So I'll just name them. I'll try  
20 to do this again the things that we listed. The  
21 one property is going to ask for five requested  
22 variances. This is on 2292 Austin Drive. The  
23 first will be for a six foot reduction side yard  
24 variance for a zero foot lot line setback to the  
25 garage structure. Second would be to allow a six



1 foot separation distance variance from the garage  
2 structure and the house. Number three, a five  
3 foot reduced side yard setback variance for the  
4 two-story house. Number four, to allow an 8%  
5 increase in overall lot coverage. And number  
6 five, a 2.75 foot reduced side yard setback to a  
7 new accessory addition. So those five variances  
8 are for the property of 2292 Austin Drive.

9 Because this is a lot line being recreated between  
10 two existing properties, we're allowing both cases  
11 to be heard on the one variance or one hearing,  
12 but it will affect two properties.

13 So the second property 2296 Austin  
14 Drive. This has four requested variances for this  
15 property. It will be nine in total with both  
16 properties, but this is for this one. Now the one  
17 and a half foot reduced side yard variance to the  
18 existing house and new property line to allow a  
19 3,467 square foot overall lot area reduction for  
20 an R4 zoned property, to allow a 18 foot reduced  
21 lot width variance for a lot in R4 zoning  
22 property, a six foot reduction side yard variance  
23 for a zero foot lot line setback to the existing  
24 shed. That's a mouthful. But that will rectify  
25 the situation to the new -- his property and the

1 neighbor's property. The new garage is not shown  
2 in this plan, it's not part of consideration for  
3 this.

4 CHAIRPERSON MONTAGUE: Oh, it's not  
5 part of this?

6 MR. LEINEKE: Yeah, it is. It is part  
7 of this.

8 MR. HALL: So these calculations are  
9 for the new garage as well?

10 MR. LEINEKE: Yes, because it's been  
11 submitted to the city already. The garage is  
12 already on the city's plans. It's under the  
13 proposed addition. So that was part of my plan to  
14 the city quite a while go.

15 MR. HALL: I didn't see it on this site  
16 plan.

17 CHAIRPERSON MONTAGUE: It's not on the  
18 site plan. Would that mean he had two accessory  
19 structures?

20 MR. HALL: That wasn't looked at in  
21 this case. We only looked at these nine items  
22 with the property. I think we're going to have to  
23 go with these nine items as tonight, and then if  
24 we're going to do the additional items, we're  
25 going to have to come back, I believe, because

1 it's not been published.

2 MR. LEINEKE: For a variance on the  
3 garage?

4 MR. HALL: Yes, for the new garage.  
5 There's new variances for that or how close that  
6 garage is to the house.

7 MR. LEINEKE: I can take that up with  
8 the city.

9 MR. HALL: Yeah, I think you might want  
10 to because that's not published. I'm sorry but  
11 that's not before us.

12 CHAIRPERSON MONTAGUE: So we won't be  
13 dealing with the new garage tonight.

14 MR. HALL: Just these nine items for  
15 the two properties. And with that, I have no  
16 further questions. Thank you.

17 CHAIRPERSON MONTAGUE: Correspondence?

18 MEMBER LONGO: Yes. We mailed out 47  
19 notices, six were returned. There were no  
20 objections and no approvals.

21 CHAIRPERSON MONTAGUE: All right.  
22 Well, let's open it up to the board here.

23 MEMBER SAMONA: When will the I guess  
24 engineering or whomever it is -- I've dealt with  
25 Kem-Tec more times than I can remember. But when

1 do you anticipate having that recorded as far as  
2 the property lines are now changing? Did I  
3 understand that correctly?

4 MR. LEINEKE: You did, yes.

5 MEMBER SAMONA: When do you anticipate  
6 doing that?

7 MR. LEINEKE: As soon as it's approved  
8 by the city and recorded.

9 MEMBER SAMONA: Got it.

10 MR. LEINEKE: That's really what's  
11 stopping. I can't do it until you guys approve  
12 it. So I mean if you guys approve it tonight, I  
13 would imagine it's recorded as soon as possible.

14 MEMBER SAMONA: So you're only doing  
15 that if you get approved. You're only getting  
16 that portion of the lot as far as resurveying it  
17 or whatnot only if you get approved.

18 MR. LEINEKE: No. It's already done  
19 surveying. I paid for this like five years ago.

20 MEMBER SAMONA: Beth, I don't know if  
21 I'm just talking out loud here. Does this have  
22 any effect like as far as it's on the property  
23 line, it may be on the property? Does adverse  
24 possession have anything do with this?

25 MS. SAARELA: That wouldn't be a

1 consideration for you, no.

2 MEMBER SAMONA: Like if we make a  
3 decision on this hypothetically if it was in favor  
4 of this and, you know, we couldn't be held, I  
5 guess, liable.

6 MS. SAARELA: No. No.

7 MR. LEINEKE: Just so you know, this is  
8 a real survey. It's not proposed. This was  
9 actually surveyed quite some time ago. And then  
10 the house got a little out of control. I'm a  
11 homeowner, I'm not a general contractor, you know,  
12 so it's my first real house where I built a whole  
13 house. But I had this part of it done, and then  
14 it just kind of fell between the cracks as far as  
15 the actual survey getting turned in to the city  
16 and the variances. We had all this variance at  
17 the onset of this building project, and this part  
18 actually fell between the cracks. So we had  
19 variances. It's what the Building Department told  
20 me that expired on the garage a year after they  
21 were issued. So that's probably my fault.

22 MEMBER KRIEGER: Did you have your  
23 other picture that you want to show us?

24 MR. LEINEKE: No. I'll take that up  
25 with the city.

1 MEMBER KRIEGER: For Alan, if I may.

2 So we give him the variances to give him the  
3 property line, and then he can get the variance to  
4 build a new garage.

5 MR. HALL: This variance he's asking  
6 for is kind of like you say, dimensions changed a  
7 little bit, but this is rectifying a property.  
8 Right now it's going through Building. This is  
9 changing it so it's not going through Building so  
10 the neighbor and he can be in harmony with each  
11 other. So that's what this is doing right now.

12 MR. LEINEKE: I'm going to tell you,  
13 it's kind of frustrating because the whole thing  
14 started with the garage. And at one point I was  
15 told to build the garage and it had to be done  
16 before I got occupancy, Al. I'm just voicing my  
17 frustration. So this whole thing tonight was  
18 about this garage. I mean to the point where I  
19 was told to build the garage, everything was  
20 approved and I had to build before occupancy. I  
21 mean I built cement walls. This is already  
22 partially built. So there was a big  
23 miscommunication, and I'm not a miscommunication  
24 person. I talk to people and then I come into the  
25 City of Novi. I live ten minutes from this

1 building here. So I don't just talk to you guys  
2 on the phone. I'm not trying to do stuff  
3 illegally but I'm going to tell you, this has  
4 turned into one major problem, this garage. So  
5 it's very not only frustrating, but surprising.

6 Now I've waited after you guys told me  
7 to build the garage, I got material sitting in the  
8 driveway right now rotting literally \$2,000 worth  
9 of trusses in my driveway rotting, and I've  
10 already built cement walls for this garage five  
11 feet tall. So then I submit a plan for the garage  
12 because I talked to Mike, who's a great guy, down  
13 at the Building Department. I submit the plan and  
14 then all kinds of -- it's just -- this is just  
15 crazy. So I would like to just get it over with,  
16 you know, it just --

17 CHAIRPERSON MONTAGUE: I'm sorry. I  
18 apologize. We can only deal with what's in front  
19 of us. Frustrations come and it's a very  
20 complicated property, obviously.

21 MR. LEINEKE: I mean if you guys drive  
22 by there, I don't want you calling me tomorrow  
23 going, you know, we told you we're giving you a  
24 variance for the property line, here you are  
25 building a garage. Garage has been built for

1 quite a while.

2 CHAIRPERSON MONTAGUE: Already saw  
3 that.

4 MR. LEINEKE: So I'll take it up with  
5 Building again on the garage and try to figure it  
6 out.

7 CHAIRPERSON MONTAGUE: Hang in there.  
8 It's a very complicated issue here, so sorry for  
9 your frustrations. Anybody have any other  
10 comments before we entertain a motion?

11 MEMBER KRIEGER: I move that we grant  
12 the variance in case number PZ25-0056 for Chris  
13 Leineke at 2292 Austin Drive and 2296 for Austin  
14 Drive, west of Old Novi Road and south of 13 Mile,  
15 which the petitioner has shown practical  
16 difficulty requiring the information needed, that  
17 it's already been done previously for the  
18 realignment of the property line to be able to  
19 have proper ownership of each side and not because  
20 of previous buildings being on opposite lots.  
21 Without the variance, the petitioner will be  
22 unreasonably prevented or limited with respect to  
23 the use of his property because of the previous  
24 issue of the property line. The property is  
25 unique because of the situation of being on



1 Shawood Lake, which is a very old subdivision  
2 built in the 1930s and 40s. The petitioner did not  
3 create the condition because it's previously  
4 created. The relief granted will not unreasonably  
5 interfere with adjacent or surrounding properties  
6 because the two neighbors created the line and the  
7 variances have already been discussed and are in  
8 agreement. The relief is consistent with the  
9 spirit and intent of the ordinance because of the  
10 necessity to bring previous issues to current date  
11 and time.

12 MEMBER SAMONA: I would like to make a  
13 proposed amendment to that, unless I'm just not  
14 thinking right. I would ask that that be granted  
15 subject to 2296 filling out a rescind and a new  
16 PRE form once it's assigned. This would also be  
17 contingent on a signed deed from 2296 transferring  
18 that portion to 2294. However --

19 MS. SAARELA: I don't think we're going  
20 to give them legal advise on property ownership.

21 MEMBER SAMONA: Is what's in the packet  
22 from the -- from the city or from the owner, the  
23 last page about all owners of both parcels will  
24 need to fill out/sign applications?

25 MS. SAARELA: This is not from the

1 city.

2 MEMBER SAMONA: That is not from the  
3 city?

4 MS. SAARELA: No. We're not going to  
5 tell them what to do.

6 MEMBER SAMONA: I'm going to withdraw  
7 what I just said.

8 MR. LEINEKE: Part of what you're  
9 talking about is there is a part of one property  
10 being conveyed to another and that is spelled out  
11 by Kem-Tec.

12 MR. HALL: Can we just verify the  
13 original motion that it entails the nine variances  
14 discussed?

15 MS. KRIEGER: Yes.

16 MS. SAARELA: The nine variances as  
17 presented.

18 MS. KRIEGER: To incorporate for the  
19 variance to grant for the nine variances that were  
20 requested.

21 MR. HALL: On both properties.

22 MEMBER KRIEGER: On both properties.

23 MEMBER SAMONA: I second that. The  
24 only question I have is, we don't need the second  
25 application from the second from 2296? Some of

1 the variances are from them? They both signed the  
2 one.

3 MR. HALL: That's correct because the  
4 property line is being adjusted. It affects both  
5 properties so they both signed the document when  
6 they came in so that's actually representing both  
7 he and his neighbor.

8 MEMBER SAMONA: I second the motion to  
9 approve.

10 MS. NARDONE: Member Samona?

11 MEMBER SAMONA: Yes.

12 MS. NARDONE: Chairperson Montague?

13 CHAIRPERSON MONTAGUE: Yes.

14 MS. NARDONE: Member Thompson?

15 MEMBER THOMPSON: Yes.

16 MS. NARDONE: Member Peddiboyina.

17 MEMBER PEDDIBOYINA: Yes, please.

18 MS. NARDONE: Member Longo?

19 MEMBER LONGO: Yes.

20 MS. NARDONE: Member Krieger?

21 MEMBER KRIEGER: Yes.

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

24 CHAIRPERSON MONTAGUE: Thank you.

25 MEMBER SAMONA: Who did you deal with

1 there, Stephanie, at Kem-Tec?

2 MR. LEINEKE: Renate.

3 CHAIRPERSON MONTAGUE: All right. Our  
4 next case. PZ25-0057 (Darrell Robertson). The  
5 applicant is requesting variances from the City of  
6 Novi Zoning Ordinance Section 3.1.5 to allow an  
7 existing single-family home addition with a 7 foot  
8 side yard setback (10 feet required, so that would  
9 be a variance of 3 feet); and for a 16.5 foot  
10 aggregate side yard setback allowance (required  
11 aggregate of 25 feet, so that would be a variance  
12 of 8.5 feet). This property is zoned One-Family  
13 Residential (R-4).

14 MR. STREHL: My name is Mike Strehl,  
15 M-I-K-E, S-T-R-E-H-L. Mr. Robertson is out of the  
16 country. I'm his builder.

17 MEMBER LONGO: Mike, are you an  
18 attorney?

19 MR. STREHL: No.

20 MEMBER LONGO: Do you promise to tell  
21 the truth in this case?

22 MR. STREHL: Yes.

23 MEMBER LONGO: Thank you.

24 MR. STREHL: So right now the front of  
25 the garage is rotting and has to be repaired so

1 looks like this. You can see it right here, the  
2 damage. We need to repair the garage. So instead  
3 of doing that, we decided to leave the garage  
4 alone, repair it, of course, and just add on above  
5 it, and that's what they want to add, it's eight  
6 fee. Existing foundation is already there. We're  
7 not increasing the size of it or anything, just  
8 upper structure. Neighbors agree. They don't  
9 have any complaints about it. It's a two-bedroom  
10 house. Now he's trying to get three bedrooms.

11 MEMBER KRIEGER: Is there a copy of  
12 that in the packet?

13 MR. STREHL: Should be.

14 MS. NARDONE: They were just sent in  
15 today. So I reviewed them today.

16 CHAIRPERSON MONTAGUE: Anything else to  
17 add?

18 MR. STREHL: I think that's pretty much  
19 it.

20 CHAIRPERSON MONTAGUE: Anyone in the  
21 audience like to address this case? Step on up.  
22 State and spell your name, please.

23 MS. MILLAR: Hi. My name is Tina  
24 Millar, T-I-N-A, M-I-L-L-A-R.

25 MEMBER LONGO: Tina, are you an

1 attorney?

2 MS. MILLAR: I am not.

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

5 MS. MILLAR: I do. I'm the neighbor  
6 immediately adjacent to the home that they plan to  
7 renovate. Mr. Robertson is a great neighbor,  
8 takes good care of his property, and then a very  
9 good builder and we support his project. My  
10 apologies for not submitting anything in writing  
11 prior to this after receiving the notification.

12 CHAIRPERSON MONTAGUE: Thank you.  
13 City.

14 MR. HALL: Thank you Mr. Chair. He is  
15 seeking two dimensional variances tonight, and the  
16 reason why he has to have a variance is because  
17 the use in the house is required to have  
18 variances, so he has to continue those variances  
19 for the addition. The addition is going on top of  
20 an outdoor deck concurrently, and the outside  
21 perimeter is exactly the same. It's not changing  
22 whatsoever. So he's only going up, so it doesn't  
23 change the footprint of the house in the first  
24 floor at all, is that correct?

25 MR. STREHL: Correct.

1 MR. HALL: So the one variance is going  
2 to be for a three foot side yard setback variance.  
3 Again. This is lining with the garage walls  
4 below, and then an eight and a half foot side yard  
5 setback aggregate variance between the two sides.  
6 And with that, we have no further questions.  
7 Thank you.

8 CHAIRPERSON MONTAGUE: So they had the  
9 variance originally for the garage.

10 MR. HALL: For the original house, yes.  
11 Now this is just a continuation.

12 CHAIRPERSON MONTAGUE: Correspondence.

13 MEMBER LONGO: Correspondence we mailed  
14 out 36 notices, zero return. There were no  
15 objections, one approval, which is in our packet,  
16 Douglas Simms did the approval with no comments.

17 MEMBER SAMONA: Not that anything sets  
18 a precedence, but we had one just like this like  
19 last month or the month before where somebody was  
20 still staying within the building frame of the  
21 home. I still remember that one. Have absolutely  
22 no issue with this, the only question I have might  
23 be for Alan. I assume there's measures in place  
24 which will -- which will help the construction  
25 crew manage the construction on this site lot to

1 avoid the impact on traffic and the roads, right?

2 MR. HALL: That's correct. When he  
3 gets a building permit for that then there's  
4 ordinances that say you can disrupt the property  
5 line.

6 MEMBER SAMONA: Got it. I have no  
7 issue.

8 MEMBER PEDDIBOYINA: You are the  
9 contractor?

10 MR. STREHL: I'm the contractor. The  
11 owner got called out of town on business and he  
12 asked me to represent him and I said I would do  
13 it. So been here before many times. Been working  
14 in Novi for 30 plus years. And then the setback  
15 in the front yard, there's no problem with that so  
16 there's plenty of room for construction and  
17 trusses in the driveway not to affect impeding  
18 traffic or anything.

19 MEMBER PEDDIBOYINA: Currently how many  
20 bedrooms in this house?

21 MR. STREHL: It's two right now and  
22 he's trying to go to three.

23 MEMBER PEDDIBOYINA: Thank you.

24 CHAIRPERSON MONTAGUE: Anything else?  
25 Motion time.



1 MS. KRIEGER: I move that we grant the  
2 variance in case number PZ25-0057 for Darrell  
3 Robertson, 1953 West Lake Drive, for the applicant  
4 for his petition for a continuing of a 7 foot side  
5 yard setback variance of 3 feet and for a 16.5  
6 foot aggregate side yard setback allowance  
7 aggregate of 25 feet, variance of 8.5 feet to  
8 continuation of what is previously existing.  
9 Without this, the petitioner will be unreasonably  
10 prevented or limited with respect to the use of  
11 his property because the variances allow for the  
12 addition for the house on previous variances. The  
13 property is unique because all the homes on West  
14 Lake are unique. The petitioner did not create  
15 the condition because the houses are already in  
16 place. The relief granted will not unreasonably  
17 interfere with adjacent or surrounding properties  
18 because of the position of the neighboring homes  
19 and the relief is consistent with the spirit and  
20 intent of the ordinance because it is a minimal  
21 request.

22 MEMBER SAMONA: Second.

23 MS. NARDONE: Member Thompson?

24 MEMBER THOMPSON: Yes.

25 MS. NARDONE: Member Samona?

1 MEMBER SAMONA: Yes.

2 MS. NARDONE: Chairperson Montague?

3 CHAIRPERSON MONTAGUE: Yes.

4 MS. NARDONE: Member Peddiboyina?

5 MEMBER PEDDIBOYINA: Yes, please.

6 MS. NARDONE: Member Longo?

7 MEMBER LONGO: Yes.

8 MS. NARDONE: Member Krieger?

9 MEMBER KRIEGER: Yes.

10 MS. NARDONE: Thank you. Motion

11 carries.

12 MR. STREHL: Thank you.

13 CHAIRPERSON MONTAGUE: Case PZ25-0058.

14 (Linda Laplatt). The applicant is requesting  
15 variances from the City of Novi Zoning Ordinance  
16 Section 3.1.5 to allow construction of a new  
17 single-family home with lot coverage of 31% (25%  
18 is allowed, so it's a variance of 6%); to allow a  
19 front yard setback of 10.4 feet (30 feet required,  
20 with a variance of 19.6 feet); to allow a rear  
21 yard setback of 29.8 feet (35 feet required, a  
22 variance of 5.2 feet); to allow a side yard  
23 setback of 3.4 feet (required 10 feet, so variance  
24 of 6.6 feet); and to allow a minimum aggregate of  
25 the exterior side yard, and opposite side yard of

1 11.6 feet (required aggregate of 40 feet, variance  
2 of 28.4 feet). This property is zoned One-Family  
3 Residential (R-4).

4 MEMBER SAMONA: Before we begin, do we  
5 need to put anything on the record for this one  
6 because this is the one where the review standard  
7 was out of order on the website? So do we need to  
8 put anything on the record about that?

9 MR. HALL: It was published correctly,  
10 so I think we're fine.

11 MS. SAARELA: The public hearing notice  
12 went out correctly, so it's fine.

13 MEMBER SAMONA: That's fine. Sorry for  
14 interrupting.

15 CHAIRPERSON MONTAGUE: All right. I'm  
16 sorry. Go ahead.

17 MR. KNOST: I'm Josh Knost, J-O-S-H,  
18 K-N-O-S-T. I represent Linda. I'm a designer at  
19 TK Design.

20 MEMBER LONGO: Excuse me. Are you an  
21 attorney?

22 MR. KNOST: I'm not.

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

25 MR. KNOST: I do.

1 MEMBER LONGO: Thank you.

2 MR. KNOST: Unfortunately I was hoping  
3 someone else would use the computer before me so I  
4 can see how it was done, but no one has. I have a  
5 PowerPoint presentation. Is there any way I can  
6 get it on the screen? All right. All right.  
7 Sorry about that.

8 So my client, Linda Laplatt, owns the  
9 lot located 1701 East Lake Drive, and she's owned  
10 it for quite a few years. Recently she decided  
11 she'd like to develop it a little bit further, put  
12 a new home on there. There currently exists a  
13 home that is on the property, has been for many  
14 years. She would like to construct a new home,  
15 use this as her primary residence.

16 So unfortunately as we were looking  
17 into the lot as we started to dig into this we  
18 found that it has frontage on both Monticello  
19 Street as well as East Lake Drive, making it a  
20 corner lot. The lot is 30 feet wide. It was two  
21 front setbacks on those two frontage to streets  
22 meaning that the setbacks cross. There is no  
23 usable building envelope.

24 So in seeking this variance, we would  
25 like to adjust these setbacks so that they match

1 the existing building. We would like to construct  
2 a new home that matches the existing footprint of  
3 that house. So we're not asking for any  
4 additional space. We'd like to construct a new  
5 home that fits the home style as it exists on East  
6 Lake Drive.

7                   Unfortunately I have no photos to show  
8 you guys. But if you cruise down East Lake, we're  
9 hoping to construct a home that matches the  
10 quality of the homes that exist. We would like to  
11 construct a home that matches the existing  
12 character of the neighborhood, has the same  
13 timeless charm and design qualities that exist  
14 today, and then would continue to add to the  
15 fabric of the community for many years to come.

16                   CHAIRPERSON MONTAGUE: Does that pretty  
17 much cover it?

18                   MR. KNOST: Yes, that pretty much  
19 covers it.

20                   CHAIRPERSON MONTAGUE: All right.  
21 Anybody in the audience?

22                   MS. LAPLATT: Good evening. I'm Linda  
23 Laplatt. I'm the owner of 1701 East Lake Drive.

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

1 MS. LAPLATT: No, I am not.

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

4 MS. LAPLATT: Yes.

5 MEMBER LONGO: Thank you.

6 MS. LAPLATT: This house has been in my  
7 family since 1973. It was probably built in the  
8 '30s or '40s. It's one of the few houses that  
9 nothing's ever happened to on East Lake Drive.  
10 It's not -- it's about 800 square feet footprint,  
11 and it's not really movable space. Still has a  
12 well. So I'm hoping to retire there. I live in  
13 Lyon Township now, but I'm selling my house,  
14 building a home there, which has a much more  
15 manageable yard for me. I'm retired and  
16 entrusting the design company here, TK, to come up  
17 with a design. Actually, I lived in there for  
18 three years as a newlywed and both my daughters  
19 lived there for a couple years before they got  
20 married.

21 MR. KNOST: Sorry. I do have here  
22 existing home on the left, and then the proposed  
23 design on the right. So these dimensions match  
24 the footprint of the home that exists on the lot  
25 today, and these are the dimensions that we would

1 like to continue forward with.

2 MEMBER SAMONA: Can you repeat what the  
3 images are one more time?

4 MR. KNOT: Yep. So to the left here  
5 we have the existing home on the property. And  
6 then to the right here we have the proposed design  
7 for plans. And then we have as well an exterior  
8 photo of what that home would look like. So as  
9 you cruise down East Lake drive, plenty of  
10 cottages that all have very similar styles to  
11 this. We would like to match the exist footprint  
12 of the home and put up something that's beautiful,  
13 has a lot of charm, a lot of character, will  
14 continue to beautify the environment around it.

15 CHAIRPERSON MONTAGUE: Anyone else in  
16 the audience? I see a person standing. Come on  
17 down.

18 MR. BROWN: I'm Don Brown, D-O-N,  
19 B-R-O-W-N. I own the property behind this.

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

22 MR. BROWN: No.

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

25 MR. BROWN: Yes.

1 MEMBER LONGO: Thank you.

2 MR. BROWN: When I saw this asked for a  
3 variance, I was really shocked. There's already  
4 been construction done on the property. What was  
5 that?

6 MR. KNOT: We have not done any  
7 construction.

8 MR. BROWN: It had maybe a one story  
9 garage previously?

10 MR. KNOT: The existing home is a one  
11 story home.

12 MR. BROWN: Then there's a two-story  
13 garage?

14 MS. WEABER: There is no garage.

15 MR. BROWN: Pardon?

16 MS. WEABER: There is no garage. It's  
17 an 800 square foot cottage. I think you might be  
18 thinking of the wrong house, sir.

19 CHAIRPERSON MONTAGUE: I'm sorry.  
20 Could you introduce yourself and tell us what's  
21 going on here?

22 MS. WEABER: Allison Weaber,  
23 A-L-L-I-S-O-N, W-E-A-B-E-R.

24 MEMBER LONGO: Allison, are you an  
25 attorney?



1 MS. WEABER: No.

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

4 MS. WEABER: Yes.

5 MEMBER LONGO: Thank you.

6 MS. WEABER: No work has been done on  
7 the house ever. It's been that way since I was a  
8 child, so in the '90s. But there's no garage.  
9 It's just a --

10 MR. BROWN: That's the house that's  
11 existing now?

12 MS. WEABER: Yeah.

13 MR. BROWN: Is there a house next door  
14 that's being worked on?

15 MS. WEABER: There's a house a couple  
16 doors down, but it's not our property.

17 MR. BROWN: Oh, okay.

18 CHAIRPERSON MONTAGUE: All set?

19 MR. BROWN: Yeah.

20 CHAIRPERSON MONTAGUE: Thank you.

21 Thank you for getting that cleaned up. Appreciate  
22 that.

23 MEMBER SAMONA: Can we see the other  
24 side of that poster? I thought we were about to  
25 see a live proposal on the city.

1 CHAIRPERSON MONTAGUE: I was wondering  
2 when we're going to have a wedding here shortly.

3 MS. WEABER: Already happened.

4 CHAIRPERSON MONTAGUE: Anybody else?  
5 Anybody else got posters?

6 MS. WEABER: That's the property.

7 MS. MILLAR: Tina Millar, T-I-N-A,  
8 M-I-L-L-A-R.

9 MEMBER LONGO: We already know you,  
10 Tina.

11 MS. MILLAR: Thank you. I'm at 1957  
12 West Lake Drive. I'm also the chairperson for the  
13 Walled Lake Lake Improvement Board. And so I  
14 guess I would like to applaud you for taking the  
15 investment and it looks like it will be a great  
16 addition to the appearance on the that side.

17 CHAIRPERSON MONTAGUE: All right.  
18 Thank you. We're running out of people, but does  
19 anybody else want to say anything? All right.  
20 Thank you. City.

21 MR. HALL: Thank you, Mr. Chairman.  
22 They are requesting five dimensional variances  
23 tonight on a very tight lot. We have no further  
24 questions. Thank you.

25 CHAIRPERSON MONTAGUE: Correspondence.

1 MEMBER LONGO: We mailed out 65  
2 notices, four returned. There was one objection  
3 and one approval. The objection was Don Brown who  
4 said that the Zoning Board should enforce the  
5 ordinances.

6 CHAIRPERSON MONTAGUE: All right.  
7 Comments from the board? None. Everybody is  
8 getting tired.

9 MEMBER SAMONA: I'm good for like one  
10 out of every 300. That's two of them today.

11 CHAIRPERSON MONTAGUE: All right. Then  
12 I guess we're looking for a motion.

13 MEMBER THOMPSON: I move that we grant  
14 the variance in the case PZ25-0058, sought by  
15 Linda Laplatt, for the five dimensional variances  
16 because the petitioner has shown practical  
17 difficulty requiring construction of a new home.  
18 Without the variance, the petitioner would be  
19 unreasonably prevented or limited with respect to  
20 use of the property because of the property's  
21 shape. The property is unique because it is a  
22 corner lot. The petitioner did not create the  
23 condition because the property was purchased in  
24 the 1970s. The relief granted would not  
25 unreasonably interfere with adjacent or

1 surrounding properties, as the lake is across the  
2 street, and the relief is consistent with the  
3 spirit and the intent of the ordinance, because it  
4 will be conforming with the current homes around  
5 it.

6 MEMBER KRIEGER: Second.

7 MS. NARDONE: Member Thompson?

8 MEMBER THOMPSON: Yes.

9 MS. NARDONE: Chairperson Montague?

10 CHAIRPERSON MONTAGUE: Yes.

11 MS. NARDONE: Member Samona?

12 MEMBER SAMONA: Yes.

13 MS. NARDONE: Member Peddiboyina?

14 MEMBER PEDDIBOYINA: Yes, please.

15 MS. NARDONE: Member Krieger?

16 MEMBER KRIEGER: Yes.

17 MS. NARDONE: Member Longo?

18 MEMBER LONGO: Yes.

19 MS. NARDONE: Motion carries.

20 CHAIRPERSON MONTAGUE: Thank you. The  
21 last case of the night. PZ25-0059 (Waltonwood at  
22 Twelve Oaks) The applicant is seeking amendment to  
23 remove the condition of the mandated 150-foot  
24 building separation from Waltonwood. The property  
25 previously has an approved variance from Section

1 3.6.2.B of the City of Novi Zoning Ordinance that  
2 permitted a deficiency of 14-feet in the rear yard  
3 setback (75 feet required, 61 feet approved); with  
4 the condition mandating a 150-foot separation from  
5 Waltonwood. This property is zoned Low-Density  
6 Multiple-Family (RM-1).

7 MR. DELAPPA. Good evening. My name is  
8 Matt Delappa, M-A-T-T, D-E-L-A-P-P-A.

9 MEMBER LONGO: Matt, are you an  
10 attorney?

11 MR. DELAPPA: I am not.

12 MEMBER LONGO: Do you promise to tell  
13 the truth in this case?

14 MR. DELAPPA: Yes, sir.

15 MEMBER LONGO: Thank you.

16 MR. DELAPPA: I'm with Singh  
17 Development, the owners and operators of  
18 Waltonwood at 12 Oaks. I'm here tonight with  
19 somewhat of a unique request because I'm not  
20 requesting a variance, but rather an amendment to  
21 the variance that was granted for the Waltonwood  
22 12 Oaks project when Phase 2 was being approved  
23 all the way back in 2003.

24 This was the original plan for  
25 Waltonwood 12 Oaks that was approved in 1997.

1 It's a two-phase senior living facility. This  
2 part right here was Phase 1, independent living  
3 facility. It was constructed in 1999. And during  
4 the first few years of operation, we realized that  
5 we'd have a few problems with the build out from  
6 Phase 2 as it was designed. So we put our heads  
7 together and redesigned Phase 2 and submitted it  
8 back to the city for approval to try to address  
9 those problems. And essentially what we did was  
10 rotate that building 90 degrees. So instead of  
11 being perpendicular to the independent living  
12 facility, it was a similar size and ended up  
13 flipping the other way. And this was done for a  
14 few key reasons. Namely, we wanted to add an  
15 entrance here. Because this is an assisted living  
16 and memory care facility, there's a decent demand  
17 for emergency vehicle access and we wanted to  
18 create a clearly and easily identifiable access  
19 point for those emergency vehicles. We also  
20 wanted to circumvent Huron Circle because during  
21 the first few years of operation we had noticed  
22 that it basically had become a mall cut through  
23 and there was a lot of traffic, so we didn't want  
24 elderly residents having to drive around that road  
25 to get into the assisted living or memory care

1 facility and then the same for emergency vehicles.

2 And then lastly, the redesign also  
3 improves circulation in the building, which  
4 improves safety. The original design had a lot of  
5 dead-end corridors so this shortened walking  
6 distances and evacuation rounds in a time of  
7 crisis.

8 So all good things for operation. The  
9 only problem that we had was the building was now  
10 a little bit closer to that rear setback than it  
11 was on the original plans. So the required  
12 setback was 75 feet, and with this plan we ended  
13 up at 61 feet. So in 2003 we came here seeking a  
14 variance for a 14 foot deviation, and that was  
15 ultimately granted. But there was a condition  
16 placed upon that approval that required us to put  
17 a deed restriction on the adjacent property to the  
18 north, which we also own and still own today,  
19 requiring 150 foot building separation.

20 At the time we were planning to develop  
21 that property into a multiple-story mixed use  
22 development known as Uptown Place. You can see  
23 Waltonwood and 12 Oaks right next to that planned  
24 project. And it was ultimately approved but we  
25 never commenced with construction based on around

1 the time it was approved we were right about to  
2 roll into the financial crisis so this ended up  
3 getting shelved, then ultimately we turned a  
4 different direction.

5 But just to give you the size and scale  
6 of what this project was going to be, this is the  
7 rear elevation of Uptown Place. So if you were  
8 standing at the Waltonwood looking to the north,  
9 this is what you'd be seeing. And then I know  
10 it's a little bit hard to see, so I printed off  
11 kind of an enlarged version of that. So it's four  
12 stories on the back, the grade drop, so it ends up  
13 being five stories visible. I believe the height  
14 on this building, I didn't have a spec from grade  
15 at the back to the top, but the average height  
16 from grade around the whole building was 48 feet,  
17 so I can safely say it's well over 50 feet from  
18 grade in the rear.

19 This product was being developed under  
20 the PD-2 option. It's zoned regional commercial,  
21 but with the PD-2 overlay we were allowed to  
22 propose and ultimately get approved this type of a  
23 project.

24 And that brings us to today. We've  
25 since gone a different direction. And a couple



1 months ago we received preliminary site plan  
2 approval for a townhouse project tentatively known  
3 as 12 Mile Towns on the property.

4 Here's kind of a general review. You  
5 can see all the townhouses. This is obviously  
6 significantly less dense in terms of the number of  
7 units than the previously approved Uptown Place,  
8 and it is also much less intensive. You can see  
9 example of the elevations on the rear obviously  
10 there's different clusters with different amounts  
11 of units, but this is a rough idea of what the  
12 fronts of the units will look like.

13 So the reason that we're here today is  
14 to request the ZBA to amend that previous approval  
15 to rescind the condition requiring us to place  
16 that deed restriction on the adjacent property to  
17 allow us to proceed with this plan as approved.  
18 And we think that the 150 foot building separation  
19 is no longer necessary for the following reasons.  
20 First the idea of requiring 150 foot setback is  
21 assuming that you would have 75 on either side,  
22 right? So because the Waltonwood at 12 Oaks  
23 shifted a little bit, you're still maintaining  
24 artificial separation even though Waltonwood has a  
25 deviation.

1           The old assumption no longer applies  
2    though because the PD-2 option that Uptown Place  
3    was being developed with has been amended since  
4    2003, which allows us to build standalone lower  
5    density multi-family developments such as 12 Mile  
6    Towns. It's a reduced density, lower intensity  
7    type of project that would not have been  
8    anticipated in 2003 when that deed referred to  
9    when it was required to have taken place. So in  
10   essence, if we would have proposed 12 Mile Towns  
11   in 2003, it would have been denied because it  
12   wasn't what the city was looking for at the time.

13           Second, we've oriented the townhouses  
14   to face the Waltonwood. The townhouses are rear  
15   loaded so the garages face the street. So the  
16   most visually appealing part of the buildings will  
17   actually be facing on the Waltonwood at 12 Oaks.  
18   And on top of that, they're being constructed with  
19   high quality building material such as fiber  
20   cement siding, manufactured stone and brick.

21           Additionally, in terms of the site plan  
22   for 12 Mile Towns itself, we're required to  
23   provide a 35 foot setback, and we've provided a 40  
24   foot setback so we added a little bit of cushion  
25   on top of what the ordinance requires there.

1           There's also an existing mature  
2   landscaping buffer in place, and I highlighted the  
3   existing trees, probably hard to see on this plan.  
4   Kind of blew it up there a little bit. But all  
5   those trees highlighting the arena are existing,  
6   they're pretty mature. And on top of that, we are  
7   proposing a pretty substantial additional buffer  
8   with all of these proposed additional trees to  
9   help with the transition.

10           And lastly, the neighbor most affected  
11   by what we're proposing here today is going to be  
12   Waltonwood at 12 Oaks. And I can assure you we  
13   wouldn't be proposing this if we felt that it  
14   would negatively impact the quality of life for  
15   our residents. And we are very confident with the  
16   reduced density, with the amended PD-2 option and  
17   with the existing buffer and the additional buffer  
18   that we're providing that it will not have any  
19   negative impacts whatsoever. So with that, I  
20   would thank you for your time, and I would love to  
21   open it up for any questions.

22           CHAIRPERSON MONTAGUE: All right.  
23   Anything else to add at this point?

24           MR. DELAPPA: No.

25           CHAIRPERSON MONTAGUE: Anyone in the

1 audience there? City.

2 MR. HALL: Thank you, Mr. Chairman. So  
3 yes, they are seeking an amendment to a previous  
4 ZBA case with their findings. I do have a  
5 question, though. So the graphic that you have up  
6 right now, this is a project you're going to  
7 build, correct?

8 MR. DELAPPA: Correct.

9 MR. HALL: The first project that you  
10 had up originally, the bigger building, how does  
11 that relate to this drawing?

12 MR. DELAPPA: The subject for the  
13 variance that was granted was for Waltonwood at 12  
14 Oaks.

15 MR. HALL: Where does that fit in that?  
16 Where is that so they understand where that is?

17 MR. DELAPPA: It's confusing. Here.  
18 This is a good way to show it. So this is the  
19 Waltonwood property that the variance was granted  
20 for. The condition required us to put a deed  
21 restriction on this property to the north, which  
22 is a very unique condition. Only possible because  
23 we owned both properties at the time.

24 MR. HALL: So this project's been  
25 scrapped. We're going to the new plan.

1 MR. DELAPPA: Yes.

2 MR. HALL: Okay. I just wanted to make  
3 sure I understand, because the graphics were kind  
4 of confusing to me. So that's scrapped now. That  
5 top part is going to have multi --

6 MR. DELAPPA: Townhouses.

7 MR. HALL: Townhouses and that kind of  
8 stuff.

9 MR. DELAPPA: Correct.

10 MR. HALL: And the variance because the  
11 building to the south has the 150 foot part that  
12 you're saying that you want --

13 MR. DELAPPA: Yeah. So the townhouses  
14 as proposed are not 150 feet away from Walton at  
15 12 Oaks. And that's in a recorded deed  
16 restriction that we put in place to comply with  
17 the previous ZBA and approval.

18 MR. HALL: So then the original -- I  
19 mean you're contending that the original ZBA  
20 approval and that motion for this requirement is  
21 now not germane to the project you're doing now.

22 MR. DELAPPA: Yes.

23 MR. HALL: With that, I have no further  
24 questions. Thank you, sir.

25 CHAIRPERSON MONTAGUE: Correspondence.

1 MEMBER LONGO: We mailed out 13  
2 notices. Two returned. There were no approvals  
3 and no objections. Thank you.

4 MEMBER SAMONA: I have 11 questions.  
5 I'm just kidding. It's actually just -- I just  
6 want to be clear. The 150 foot separation  
7 requirement, that was the requirement of the  
8 city's approval back in 2023, correct, or was that  
9 their proposal?

10 MR. HALL: That was part of the ZBA  
11 approval then. The project's changed now and so  
12 now they're looking for relief.

13 MEMBER SAMONA: Sure. What was the  
14 requirement for the separate -- I guess what I'm  
15 getting at is I have absolutely no issue with  
16 this, but I guess what I'm getting at is if this  
17 separation, given a hypothetical, if the  
18 requirement the standard was 200 feet, and they  
19 agreed to 150 feet, could it be considered, not  
20 that I have an issue with it regardless, but could  
21 it be considered a self-created issue? That's the  
22 only thing I'm getting at.

23 MR. HALL: I think we'll let the  
24 applicant answer that question.

25 MR. DELAPPA: Sure. Yeah. The 150

1 foot it's somewhat arbitrary because a building  
2 separation requirement will only come into place  
3 based on what you're building on the adjacent  
4 property. So it's kind of a blanket ballpark  
5 guess. We think you're going to build something  
6 with high a intensity use that will require 75  
7 feet away from the property line. And as I was  
8 saying in my speech, because of the PD-2 option  
9 that was amended to allow reduced to lower  
10 intensity development, that couldn't have been  
11 anticipated. So I think in hindsight the  
12 condition somewhat makes sense, but now that we're  
13 allowed to build reduced density product, they can  
14 be closer to the property line, the additional  
15 separation isn't justified.

16 MEMBER SAMONA: Got it. So if I  
17 understand it correctly, and I'm probably  
18 repeating exactly what you just said, but that was  
19 a great explanation, is that the separation  
20 distance would have been necessary if you were  
21 maybe building two of the same things or whatever.  
22 However, what you're building in any event, no  
23 matter what it was, what you're going to be  
24 building right now does not require this  
25 separation buffer.

1 MR. DELAPPA: Correct.

2 MEMBER SAMONA: I get it. Thank you.

3 CHAIRPERSON MONTAGUE: Anybody else?

4 What's the height of the new structures?

5 MR. DELAPPA: 37 feet.

6 CHAIRPERSON MONTAGUE: 37 versus what  
7 was the other one?

8 MR. DELAPPA: I don't have the exact.  
9 These are 20 year old construction drawings. But  
10 the average height of the building all the way  
11 around is 47 feet 10 inches, but at the back, the  
12 grade drops down to add an additional story, so my  
13 best guess is it's well over 50 feet.

14 CHAIRPERSON MONTAGUE: Just wondering  
15 about not having a relationship to setback line.  
16 That's all.

17 MR. DELAPPA: There is a requirement  
18 for setback is impacted by the building height,  
19 and for the product that we're proposing, we are  
20 in compliance with that.

21 MS. SAARELA: So before anybody makes a  
22 motion, I just want to indicate that this isn't  
23 really a question of a practical difficulty at  
24 this point, it's a question of amending a prior  
25 ZBA variance approval. So the motion would really



1 be to amend the prior ZBA approval, which looks  
2 like it was amended 2003 ZBA approval for 14 foot  
3 rear yard setback variance for Waltonwood at 12  
4 Oaks case number 02-111 to remove the condition  
5 requiring seeing the place and deed restriction on  
6 the adjacent property requiring 150 foot building  
7 separation from Waltonwood. And just say why.  
8 Why. Because the new project proposed no longer  
9 requires a 150 foot building separation due to the  
10 change in density in the new project. So it's not  
11 really a question of meeting practical difficulty  
12 standards, it's a question of conditions having  
13 changed and you're amending a prior motion.

14 MEMBER SAMONA: Got it. So it wouldn't  
15 be an issue to amend the prior motion if it's not  
16 the same border, right?

17 MS. SAARELA: It doesn't matter.

18 MEMBER SAMONA: Got it. Thank you.

19 CHAIRPERSON MONTAGUE: All right. What  
20 she said. Who's going to do the amendment?

21 MS. SAARELA: So if you go to their  
22 application you can read what I basically just  
23 said.

24 MEMBER SAMONA: Can we just copy and  
25 paste?

1 MS. SAARELA: You can adopt what I just  
2 said if it's in the record.

3 MEMBER LONGO: It's in the record.

4 MR. HALL: It's going to be in the  
5 application if you want to read it.

6 MEMBER PEDDIBOYINA: Somebody can read  
7 that and I can continue with the motion, what she  
8 mentioned?

9 MS. SAARELA: It's in the packet.

10 MEMBER SAMONA: You want me to read the  
11 beginning part?

12 MEMBER PEDDIBOYINA: Yeah, the  
13 beginning part, ZBA, what they mentioned.

14 MEMBER SAMONA: So you want me to read  
15 number one. Just number one. Is that what you're  
16 saying?

17 MR. HALL: Like little tan lines? Do  
18 you see the tan graphic lines?

19 MEMBER THOMPSON: Do you want me to  
20 read the motion first?

21 MEMBER PEDDIBOYINA: You can make a  
22 motion.

23 MS. SAARELA: Well it's a motion to  
24 amend the 2003 ZBA approval for a 14 foot rear  
25 yard setback variance for Waltonwood at 12 Oaks,

1 case number 02111 to remove the condition  
2 requiring seeing the place and deed restriction on  
3 the adjacent property requiring 150 foot building  
4 separation from Waltonwood because, and whatever  
5 your reason is for agreeing to that.

6 MEMBER THOMPSON: Can we just make a  
7 motion to adopt what Ms. Saarela just said?

8 MS. SAARELA: Then you'd have to add to  
9 it your because part, your facts.

10 MEMBER THOMPSON: Joe, if you're making  
11 the motion, if you want, we make a motion to adopt  
12 what Beth just said and then add onto it. If  
13 someone wants to go ahead. I'm equally confused.

14 CHAIRPERSON MONTAGUE: Well, the motion  
15 is to grant dimensional variance to remove the  
16 previous -- previously approved condition  
17 mandating 150 foot building separation from  
18 Waltonwood in a previous approved ZBA hearing held  
19 on June 3rd, 2023. This amendment seeks to align  
20 the project with the current site conditions on  
21 the adjacent property due to the changing in the  
22 nature of the project, 2003.

23 MEMBER PEDDIBOYINA: Okay. I continue  
24 with that motion. I move that we grant the  
25 variance in the case PZ25-0059 Waltonwood at 12

1 Oaks. The applicant is requesting to amend, the  
2 previous, approved. Variance for the property  
3 located 27495 Huron Circle, zoned (RM-1)  
4 Low-Density Multiple-Family residential. The  
5 property previously received a variance from  
6 section 3.6.2.B the City of Zoning Ordinance  
7 permitting 14 foot rear yard setback, 75 foot  
8 required variance of 61 foot approved with the  
9 added condition requiring a 150 foot building  
10 separation of existing two developments. And  
11 Whereas the applicant is now requesting to move the  
12 condition, Mandating the 150 foot building separation  
13 while maintaining the previously approved setback  
14 variance. Finding the facts The Zoning Board of appeals  
15 makes the following finding based on the information  
16 presented. Practical difficulties. The condition is  
17 required 150 feet building separation is not  
18 Standard ordinance. The properties maintaining this  
19 condition created the practical difficulty prevents the  
20 reasonable development the zoning district itself  
21 created. The difficulty actually created a 150 feet  
22 separation was imposed as a condition of the earlier  
23 variance approval and not required by ordinance but  
24 created for applicants. No determination of the health,  
25 safety and welfare of the community. The condition will

1 not be determined. The spirit of intent of the  
2 ordinance allow the multiple additional development.  
3 The amendment maintains the appropriate setbacks and  
4 ensured the capabilities with the surrounding uses.

5 MEMBER SAMONA: Second.

6 MS. NARDONE: Member Krieger?

7 MEMBER KRIEGER: Yes.

8 MS. NARDONE: Member Thompson?

9 MEMBER THOMPSON: Yes.

10 MS. NARDONE: Chairperson Montague?

11 CHAIRPERSON MONTAGUE: Yes.

12 MS. NARDONE: Member Samona?

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1 MEMBER SAMONA: Yes.

2 MS. NARDONE: Member Peddiboyina?

3 MEMBER PEDDIBOYINA: Yes, please.

4 MS. NARDONE: Member Longo?

5 MEMBER LONGO: Yes.

6 MS. NARDONE: Thank you. Motion

7 carries.

8 MEMBER PEDDIBOYINA: Good luck.

9 CHAIRPERSON MONTAGUE: Any matters  
10 anybody would like to bring up.

11 MEMBER SAMONA: I want to wish  
12 everybody a Happy Thanksgiving coming up and  
13 everyone be safe out there.

14 CHAIRPERSON MONTAGUE: Entertain a  
15 motion to adjourn.

16 MEMBER PEDDIBOYINA: Motion.

17 MEMBER SAMONA: Second.

18 CHAIRPERSON MONTAGUE: All in favor  
19 aye?

20 THE BOARD: Aye.

21 CHAIRPERSON MONTAGUE: Any opposed? If  
22 you are, you're in trouble.

23 (The meeting was adjourned at 9:04 p.m.)

24

25

## CERTIFICATE OF NOTARY

STATE OF MICHIGAN )  
 ) SS  
COUNTY OF OAKLAND )

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



Melinda R. Womack, CSR-3611

Notary Public, Jackson County

My Commission expires: 06-22-2032

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