

01/13/2026

1 REGULAR MEETING - ZONING BOARD OF APPEALS

2 CITY OF NOVI

3 Tuesday, January 13, 2026

4 Council Chambers/Novi Civic Center

5 41725 Novi Road

6 Novi, Michigan

7

8 BOARD MEMBERS:

9

10 W. Clift Montague, Chairperson
11 Linda Krieger, Member
11 Mike Longo, Secretary
11 Joe Samona, Member

12 ABSENT EXCUSED:

13 Joe Peddiboyina, Member
13 Michael Thompson, Member

14 ALSO PRESENT:

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

18 REPORTED BY:

19 Melinda R. Womack
19 Certified Shorthand Reporter

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1 CHAIRPERSON MONTAGUE: I'd like to call
2 to order the meeting of the Zoning Board of
3 Appeals for Tuesday, January 13th. Michael, would
4 you lead us in the Pledge of Allegiance, please.

5 (Pledge of Allegiance recited)

6 CHAIRPERSON MONTAGUE: Roll call,
7 please.

8 MS. NARDONE: Member Longo?

9 MEMBER LONGO: Here.

10 MS. NARDONE: Member Thompson, absent
11 excused. Member Peddiboyina, absent excused.
12 Member Krieger?

13 MEMBER KRIEGER: Here.

14 MS. NARDONE: Member Samona?

15 MEMBER SAMONA: Here.

16 MS. NARDONE: Chairperson Montague?

17 CHAIRPERSON MONTAGUE: Here.

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

20 CHAIRPERSON MONTAGUE: Thank you. I
21 want to go over a little bit of the format for the
22 rules of the meeting here. Please silence or turn
23 off your cell phones. As you notice, we only have
24 four members present tonight, so it will take a
25 unanimous decision on each of the cases. If you

1 are concerned about getting that, you can request
2 that your case be tabled until the next meeting.
3 We will ask the applicant representative to come
4 forward, state their name and address and then be
5 sworn in. Also spell your name for the recorder.
6 You'll be allowed ten minutes to present up to 10
7 minutes. You don't have to use them all to
8 present your case and why you are presenting for
9 the variance. Anyone in the audience that would
10 like to address should be acknowledged, asked to
11 be acknowledged and you'll have three minutes to
12 give your comments once recognized. That's pretty
13 much the rules of engagement. We talk about the
14 approval of meeting minutes.

15 MEMBER SAMONA: I'm going to make a
16 motion to amend the agenda, amend this slightly.
17 We have the approval of the meeting minutes for
18 November of 2025 also because that was not readily
19 available to us last month. So with that, I'll
20 make a motion to approve the meeting minutes of
21 December 2025, November 2025, and the agenda for
22 today.

23 MEMBER KRIEGER: Second.

24 CHAIRPERSON MONTAGUE: Wow. Good
25 stuff. Okay. Roll call, please.

1 MS. NARDONE: Member Krieger?

2 MEMBER KRIEGER: Yes.

3 MS. NARDONE: Member Longo?

4 MEMBER LONGO: Yes.

5 MS. NARDONE: Member Samona?

6 MEMBER SAMONA: Yes.

7 MS. NARDONE: Chairperson Montague?

8 CHAIRPERSON MONTAGUE: Yes.

9 MS. NARDONE: Thank you. Motion
10 carries.

11 CHAIRPERSON MONTAGUE: We now have the
12 agenda. Are there any changes to the agenda?

13 MR. HALL: No, Mr. Chairman.

14 CHAIRPERSON MONTAGUE: I'll entertain a
15 motion to approve the agenda.

16 MEMBER SAMONA: Motion to approve.

17 MEMBER KRIEGER: Second.

18 CHAIRPERSON MONTAGUE: All right.

19 MS. NARDONE: Member Krieger?

20 MEMBER KRIEGER: Yes.

21 MS. NARDONE: Member Longo?

22 MEMBER LONGO: Yes.

23 MS. NARDONE: Chairperson Montague?

24 CHAIRPERSON MONTAGUE: Yes.

25 MS. NARDONE: Member Samona?

1 MEMBER SAMONA: Yes.

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

4 CHAIRPERSON MONTAGUE: All right. At
5 this point in the meeting if we have any general
6 public comments we would entertain those, not ones
7 related to cases but just any general. Is there
8 anyone in the audience that would have anything in
9 general they'd like to bring to the floor?

10 MEMBER SAMONA: I'd just like to
11 welcome our new full-term member and our new
12 alternate member here tonight.

13 CHAIRPERSON MONTAGUE: Welcome. Look
14 forward to working with you.

15 MEMBER LONGO: Be patient with us.

16 CHAIRPERSON MONTAGUE: Anybody else out
17 there? All right. With that being said, we will
18 move on to our public hearings. Case number one.
19 PZ25-0066 (Dick's Sporting Goods). The applicant
20 is requesting variances from the City of Novi Sign
21 Ordinance Section 28-5(b)(1) to allow 3 additional
22 wall signs(1 sign so allowed, a variance of 3
23 additional signs); and section 28-5(b)(1)a for a
24 sign square footage of 199.21 square feet. 65
25 foot is the maximum by code, a variance of 134.21

1 square feet. This property is zoned Regional
2 Center (R-C). Is the applicant here to present?
3 Come forward, state your name and spell it,
4 please, for the court reporter.

5 MR. BONGIORNO: Bob Bongiorno,
6 B-O-N-G-I-O-R-N-O.

7 MEMBER LONGO: Bob, are you an
8 attorney?

9 MR. BONGIORNO: No, I'm not.

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

12 MR. BONGIORNO: Yes, I do.

13 MEMBER LONGO: Thank you.

14 CHAIRPERSON MONTAGUE: What can we do
15 for you this evening?

16 MR. BONGIORNO: I'm here on behalf of
17 Dick's Sporting Goods located at 27600 Novi Road
18 requesting a variance for additional wall signage
19 for that location. I would like to notify the
20 board that the third sign on the east elevation
21 has been removed from the scope of work. So we're
22 actually requesting one variance for an additional
23 sign on the north elevation -- I'm sorry, west
24 elevation for 240 additional square footage of
25 signs. I'd like to let the board know that that

1 Dick's Sporting Goods location in the Novi Twelve
2 Oaks Mall is 1200 feet away from Novi Road, which
3 is the setback pretty far for visibility with
4 traffic and consumers, and they are also a big
5 footprint of that mall being a major tenant
6 leasing space there. They have almost 300 feet of
7 frontage of building. So the request for the
8 additional 240 square feet of signage for
9 visibility at that location of the mall I think is
10 a very reasonable request from the board for a
11 variance. And like I said, they are eliminating a
12 third wall sign on the east elevation.

13 CHAIRPERSON MONTAGUE: So you're saying
14 they're now requesting two additional wall signs?
15 You eliminated one. You were requesting
16 originally three.

17 MR. BONGIORNO: Yes, originally three.
18 Now the request is for two, and that is going on
19 the west elevation, which is one of the main
20 entrances into Dick's.

21 CHAIRPERSON MONTAGUE: Two total or two
22 additional?

23 MR. BONGIORNO: Well the second sign is
24 kind of like a tagline. This Dick's location is
25 starting something new. They're actually having

1 House of Sport so this is something unique that
2 they're trying. It's a test thing that there's
3 going to be an area inside Dick's where people can
4 participate in some sport activity, wall climbing
5 and stuff like that. So it's not your standard
6 Dick's Sporting Goods store. They are going to
7 have some activities available for the consumers.
8 So it's kind of like a new thing that they're
9 trying. So a second wall sign is basically the
10 tagline underneath the main Dick's sign.

11 CHAIRPERSON MONTAGUE: All right.

12 Anything else to add?

13 MR. BONGIORNO: Unless you have any
14 questions, I'd be more than happy to answer any of
15 them.

16 CHAIRPERSON MONTAGUE: All right.

17 Anybody in the audience want to speak to this?

18 Seeing none. City.

19 MR. HALL: Thank you, Mr. Chairman. I
20 do have some clarification questions. So do you
21 have a graphic that shows the signs with you, that
22 shows what the signs look like on the building?

23 MR. BONGIORNO: Yes, I do have that.

24 Here is the sign design for the west elevation
25 that we're requesting a variance for. What you

1 see on the sign band area that building of that
2 size is well proportioned. Plus as far as that
3 building sits from Novi Road, you need to have
4 some type of size for the signage to be visible
5 for traffic and consumers.

6 MR. HALL: So as I'm looking at this
7 graphic, it looks like the sign that says Dick's,
8 that is the area increase. So that's going to be
9 199.21 square feet, is that correct?

10 MR. BONGIORNO: That's correct.

11 MR. HALL: So he is asking for a
12 variance for that sign to be larger than what the
13 ordinance requires. So that would be a 206.55
14 increase from what the 65 square feet that's
15 required it's because distance to see it. So
16 that's one variance is the size.

17 MR. BONGIORNO: Yes.

18 MR. HALL: The other variance is a
19 quantity of signs. So you're asking just for the
20 sign underneath Dick's that says the House of
21 Sport, just the one?

22 MR. BONGIORNO: That's correct.

23 MR. HALL: So that would be a size for
24 the big sign that says Dick's. The sign below it
25 says House of Sport. That would be an additional

1 sign, and that is less than what the request for
2 variance that was published. What was published
3 was asking for two -- three total signs that were
4 required or additionally only asking for one now.
5 So just this graphic is what you're asking for.

6 MR. BONGIORNO: Yes, that's correct.

7 On the west elevation.

8 MR. HALL: Mr. Chairman, does that make
9 sense to what he's asking?

10 CHAIRPERSON MONTAGUE: So we can move
11 forward because it's less.

12 MR. HALL: Right. So he's asking less
13 than what was published that was fine. And so
14 what you see before you in the graphic is what
15 he's asking for, just those two signs. One's
16 bigger than what is allowed, the other one is
17 additional.

18 CHAIRPERSON MONTAGUE: Excellent.

19 MR. HALL: With that, I have no other
20 further questions. Thank you.

21 CHAIRPERSON MONTAGUE: Correspondence.

22 MEMBER LONGO: Yes. We mailed out 21
23 notices, four of them were returned, but there
24 were no objections and no approvals.

25 CHAIRPERSON MONTAGUE: Thank you. Open

1 it up to the board for comments, questions.

2 MEMBER SAMONA: This question is
3 directed to the city. Mr. Hall, so the ordinance
4 is written in a way where the square footage
5 maximum is 65 square feet per sign, assuming you
6 get a variance for a subsequent sign, correct?

7 MR. HALL: Yeah. It's based on a
8 calculation, a formula for how big it's going to
9 be. In this case they want a larger sign than
10 what would be allowed, but based on distance
11 because they are a ways from the road and they're
12 trying to get it so you can actually see it, am I
13 correct?

14 MR. BONGIORNO: That's correct.

15 MEMBER SAMONA: I understand. I'm
16 excited for this to come. I remember when they
17 came in front of us for the lighting a few months
18 ago, so I'm excited for this to come and maybe
19 I'll shoot under a 200 for golf after I go there.

20 MR. BONGIORNO: You can always hope.

21 MEMBER SAMONA: Yeah, well, you need a
22 lot of that.

23 MEMBER KRIEGER: Considering your
24 decrease in request and the distance from the
25 building itself to the road, I can support your

1 request.

2 CHAIRPERSON MONTAGUE: Anything else?

3 All right. I think we're ready for a motion.

4 MEMBER SAMONA: Mr. Chair, I move that
5 we grant the variance in case number PZ25-0066
6 sought by Dick's Sporting Goods for two additional
7 wall signs on the west elevation and an increase
8 in the wall sign area. Because the petitioner has
9 demonstrated a practical difficulty, Including the
10 exceptional size, mall type frontage orientation
11 in a substantial setback of the building within
12 the Twelve Oaks Mall site, which these conditions
13 do not generally apply to other properties in the
14 city. And the failure to grant the variance would
15 unreasonably limit effective building
16 identification and wayfinding for a large format
17 retail use and would result in more than a mere
18 inconvenience. The variance is not self-created,
19 is not self-created, will not adversely impact
20 surrounding properties and is consistent with the
21 spirit and intent of the ordinance.

22 CHAIRPERSON MONTAGUE: I think it's one
23 additional wall sign. One is okay. One he wants
24 bigger and one he wants to add, so instead of
25 adding one side, he wants two, and then a bigger

1 for the Dick's.

2 MEMBER SAMONA: So they reduced it from
3 three wall signs to two. All right. So I'll
4 amend my motion to a cumulative of two wall signs,
5 One additional wall sign.

6 MEMBER LONGO: I second.

7 CHAIRPERSON MONTAGUE: All right.

8 MS. NARDONE: Member Samona?

9 MEMBER SAMONA: Yes.

10 MS. NARDONE: Member Krieger?

11 MEMBER KRIEGER: Yes.

12 MS. NARDONE: Chairperson Montague?

13 CHAIRPERSON MONTAGUE: Yes.

14 MS. NARDONE: Member Longo?

15 MEMBER LONGO: Yes.

16 MS. NARDONE: Thank you. Motion
17 carries.

18 MR. BONGIORNO: Thank you very much.

19 Everyone have a good evening.

20 CHAIRPERSON MONTAGUE: All right. Case
21 number two. PZ25-0067 (Grand Beck Development).
22 The applicant is requesting a variance from the
23 City of Novi Zoning Ordinance Section 3.1.12.D for
24 a building height of 35 feet 6 inches. (30 foot
25 maximum is allowed, so that would be a variance of

1 5 feet 6 inches.); and Section 5.4.2 to locate the
2 loading zone in the front yard (loading zones
3 required in the rear yard by code). This property
4 is zoned General Business (B-3).

5 MR. LANDRY: Good evening. My name is
6 David Landry and I represent Grand Beck
7 Development. I am an attorney. I also reside in
8 Novi. We are here with respect to the property on
9 the southeast corner of Grand River and Beck
10 seeking the two variances, as the Chairperson just
11 mentioned, for a loading zone and a building
12 height. The zoning of this property is B-3. The
13 property really has a long history in that it's
14 been vacant forever, and anybody who has lived in
15 this town for a long time has wondered why hasn't
16 anything been built on this property. Well I can
17 tell you it's because a particular person owned
18 it, bought it in the 1940s. You can imagine if
19 they sold it what the capital gains tax would be
20 on this property. So that person died a couple
21 years ago and the property has now been sold to my
22 client. We have been approved by the Planning
23 Commission for the construction of a gas station
24 and convenience store on this property.

25 The first variance we are seeking is a

1 loading zone. This is a corner lot, and the
2 loading zone ordinance with respect to the B-3
3 district indicates that loading zone should be in
4 the rear. Well it's a unique parcel because as to
5 Grand River, the rear is actually a side yard to
6 Beck. As to Beck, the rear is the side yard to
7 Grand River. So when you get to these corner
8 parcels it becomes ambiguous, but that's really
9 not the important issue. The important issue is
10 when it comes to gas stations, you have to have a
11 loading zone close to the fueling pumps. That's
12 for safety issue. So I'm sure the board's dealt
13 with this issue before. It's not unusual with gas
14 stations. What we have done is we put it first of
15 all as far away from the adjacent properties as
16 possible. Here are the fueling pumps. It's
17 close. We've also there is a 36-inch masonry wall
18 on this side of it, and on the other side of this
19 parcel there are shrubberies and there are trees,
20 and it's really screened from view in that sense.
21 And as I said, it's located as far away from the
22 neighboring properties as possible. So we would
23 request a variance for the loading zone.

24 With respect to the building height on
25 this property, the ordinance sets a maximum of 30

1 feet. We are requesting 5.6 inches but only for a
2 portion of the building, not the entire building.
3 The southeast corner of Grand River and Beck has
4 been held out of the City West Ordinance. City
5 West Ordinances just got passed about a year ago,
6 and they particularly kept this parcel out because
7 the use. The business use is consistent with the
8 other corner parcels. We are well aware that this
9 parcel is really a prominent parcel in the city.
10 It really is. It's almost like a gateway parcel.
11 Therefore, the architecture calls for a more
12 prominent or distinctive appearance than just a
13 regular gas station. Therefore, the architecture
14 calls for something more and we are delivering it.
15 In fact, when we were before the city
16 administration at our pre-application meeting, the
17 first response we got was wow, we've never seen a
18 gas station look like this, okay? So we have gone
19 the extra mile. We have designed this project so
20 that it meets with City West, and that's really
21 why we need the extra height.

22 In particular, there's only one
23 building that is 30 foot six inches, and that's
24 this building right here. The average height of
25 all of the buildings is 28 feet seven inches, so

1 that's less than the requirement. Some are 21 to
2 23 feet. So it's only the one part of this
3 complex that exceeds the city ordinance. And as I
4 said, the Planning Commission approved it and we
5 are really doing our best to try to make something
6 that really fits in with City West, which has a
7 height far higher than 30 feet. You can go as
8 high as 110 feet. So the city gave us the zoning.
9 We're trying to give the city the architecture,
10 and we think that this will blend in very well
11 with City West and that entire corner. And so we
12 are asking for this variance with respect to the
13 building height and the loading zone and we're
14 happy to answer any questions. Thank you.

15 CHAIRPERSON MONTAGUE: Thank you.

16 Anybody in the audience wish to speak to this
17 case?

18 MR. JAPPAYA: Can you tell us more
19 about the loading zone, because you said there was
20 a concern with regard to safety? Is this where
21 the fuel trucks will come in to refill the
22 underground fuel tanks or is this a loading zone
23 where delivery trucks are going to stop and
24 deliveries being rolled into the front door?

25 MR. LANDRY: It's a fueling loading

1 zone. It has to be as close as possible. You
2 don't want large hoses with gasoline, somebody
3 with a cigarette or something, so you want it to
4 be as close to the fueling island as possible.

5 MR. JAPPAYA: Understood. Thank you.

6 CHAIRPERSON MONTAGUE: Anybody else?

7 Seeing none. City.

8 MR. HALL: Thank you, Mr. Chairman.

9 Yes, they are coming before you tonight for two
10 dimensional variances. As articulated, one is for
11 the zoning loading zone the front yard setback and
12 the other is the five and a half foot height
13 increase for architectural allowance. Thank you.

14 CHAIRPERSON MONTAGUE: Correspondence.

15 MEMBER LONGO: Yes. We mailed out 13
16 notices, two were returned, but there were no
17 objections and no approvals.

18 CHAIRPERSON MONTAGUE: Thank you. Open
19 it up to the board here for questions, comments.

20 MEMBER SAMONA: I think the conditions
21 that necessitate the variances requested would
22 apply to any developer of this site. I would even
23 possibly go as far as saying regardless of the
24 use, let alone a gas station, so I would
25 definitely be in favor of this. I also believe

1 that the approval allows reasonable use of the
2 property while still maintaining the spirit and
3 the intent of the ordinance, so I would absolutely
4 be in favor of this.

5 MEMBER KRIEGER: I move that we grant
6 the variance in Case Number PZ25-067 sought by
7 Grand Beck Development for their building height
8 to request for five foot six inches since it will
9 be a portion of the building and the loading in
10 the front of the building because the petitioner
11 has shown practical difficulty requiring these
12 needs. Without the variance, the petitioner will
13 be unreasonably prevented or limited with respect
14 to the use of the property because of the safety
15 of the loading of the gasoline near the pumps as
16 stated by the petitioner. In the loading they
17 have two fronts, so that also assists them for
18 both those. The property is unique because it's
19 on a corner lot. It's in the wast zone area as
20 well, the City West. And the property is unique
21 because also it's because of being on the west it
22 will be proportional with the heights in that
23 area.

24 Petitioner did not create the condition because it's not
25 a lot split. The relief granted will not unreasonably

1 interfere with adjacent or surrounding properties
2 because the way it has been put together with their
3 masonry wall to protect the west and the shrubberies to
4 the north that will assist them and the public as well.
5 The relief granted will not unreasonably interfere with
6 adjacent or surrounding properties because of these two
7 requests. The relief is consistent with the spirit and
8 intent of the ordinance because it matches with the City
9 West intent.

10 MEMBER SAMONA: Second.

11 MS. NARDONE: Member Longo?

12 MEMBER LONGO: Yes.

13 MS. NARDONE: Member Samona?

14 MEMBER SAMONA: Yes.

15 MS. NARDONE: Member Krieger?

16 MEMBER KRIEGER: Yes.

17 MS. NARDONE: Chairperson Montague?

18 CHAIRPERSON MONTAGUE: Yes.

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

21 MR. LANDRY: Thank you. Very much.

22 CHAIRPERSON MONTAGUE: Thank you for
23 your presentation. Appreciate it. All right.

24 Our third and last case of the night. PZ25-0068
25 (Consumer's Energy). The applicant is requesting

1 a variance from the City of Novi Zoning Ordinance
2 Section 3.1.19.D for an east side setback of 9
3 feet (50 feet is required so this would be a
4 variance of 41 feet); and a west side setback of
5 16 feet 4 inches. (50 feet required, and that
6 would be a variance of 33 feet 6 inches). This
7 property is zoned General Industrial (I-2).

8 Please introduce yourself.

9 MR. GILPIN: Amy Gilpin, G-I-L-P-I-N.

10 I'm with Consumers Energy, One Energy Plaza,
11 Jackson, Michigan.

12 MEMBER LONGO: Are you an attorney?

13 MR. GILPIN: I am not.

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

16 MR. GILPIN: Yes.

17 MEMBER LONGO: Thank you.

18 MR. GILPIN: I'm here to introduce the
19 Novi Wixom City Gate Project at 44488 Grand River
20 Avenue. I wanted to start first with what a City
21 Gate is. Basically a City Gate is where you -- so
22 we start with a gas and like the storage fields,
23 and then it goes to a compression station, and
24 then it gets reduced down even more and it goes to
25 a City Gate. And at the City Gate the gas gets

1 cleaned, it gets heated, and they use the City
2 Gate to turn off the gas if they need to in case
3 of emergency. They meter the gas so that they can
4 look at the usage. And then from there it goes
5 out and it goes to another facility, which is a
6 regulator station where the pressure is dropped
7 even more, and then it will be ready to go to your
8 house or your residence. So that's what a City
9 Gate is. It's basically just like a stepdown
10 facility for the gas pressure.

11 So this particular facility, you've
12 probably been by it numerous times and maybe not
13 noticed it because it sits kind of back off the
14 road, but it's a very narrow site. It's only
15 about 50 feet wide. What we plan to do here is we
16 want to demo the existing building, we want to
17 construct a new regulation building. We want to
18 replace the underground piping, relocate a portion
19 of the existing fence, install a swing gate,
20 relocate the existing heater, and again, that
21 heater is not for the building, it's for the gas,
22 install a filter separator and expand the driveway
23 area to the west side of the site. And we're also
24 going to include landscaping to meet the ordinance
25 requirements from the city. And we plan to do

1 this work starting in July and it will last
2 through September.

3 So here's a look at what our proposed
4 site plan is. So this is Grand River right here.
5 And as you can see, our site is very narrow. This
6 is where the regulator building is going to go.
7 It's about four feet different from the current
8 building. So we're really not changing the
9 footprint much as far as the location goes, but
10 this building is about double the size, and I'll
11 talk about that here in a second.

12 So this is what our current site looks
13 like, and like I mentioned, it's pretty small.
14 It's 50 feet wide. The I-2 setback requirements
15 for this zoning district is that you have to have
16 100 feet from the front. You have to have 50 feet
17 from each side and 50 feet from the rear. The
18 front and the rear not a problem because this is a
19 very long property, but the side is definitely an
20 issue for us because being that the site is only
21 50 feet wide and your setbacks total 100, you
22 actually have to have a parcel about three times
23 the size to build anything here. Our existing
24 building is about 400 square feet. We're going to
25 be putting up a building that's just under 8,000

1 square feet. And then there's like an aerial of
2 the site itself so you can see like in comparison
3 it is pretty narrow there.

4 But we believe that we qualify for a
5 dimensional variance off of the five
6 characteristics and the first one is the physical
7 circumstances. The property is 50 feet wide. The
8 side yard setback requirements total 100. This
9 was not self-created. Consumers Energy bought
10 this property way back in 1956, and the purpose
11 then was for gas. We are in strict compliance.
12 Our strict compliance prevents property use. No
13 building can be built on this site without a
14 variance. Minimal variance is necessary or we
15 have requested a minimal variance of distance.
16 And what went into the placement of this building,
17 we have safety standards for our crew members for
18 their working conditions. We also have distance
19 requirements between the equipment. And we are
20 moving equipment that used to be outside, we're
21 moving it into the building. Again, this building
22 does not have any plumbing or anything like that.
23 It's basically just an enclosure for the equipment
24 to ensure longevity and safety for our crews while
25 they're working.

1 And then impact on the surrounding
2 properties, we don't see any kind of negative
3 impact here because again, this is already an
4 existing site. It's going to look better. It
5 already doesn't look that bad right now, but it's
6 going to look even better. And we've been working
7 with the neighbor on the west. We got a 15-foot
8 easement from him to allow us to have a little
9 drive along the side. So we've been working with
10 him and he's fine. And then the other building on
11 the east, that's a parking lot. We have
12 arborvitae there and they really don't have any
13 windows or anything there to look out onto our
14 site.

15 So we are requesting a variance for the
16 east side of not less than 9 feet, and we are
17 requesting a variance on the west side of not less
18 than 16 feet 4 inches. Thank you.

19 CHAIRPERSON MONTAGUE: You got it
20 covered or do you have anything else to add?

21 MR. GILPIN: No, that's it.

22 CHAIRPERSON MONTAGUE: Anyone in the
23 audience like to speak to this case? Seeing none.
24 City.

25 MR. HALL: Thank you, Mr. Chairman.

1 Yes, they are seeking two dimensional variances
2 tonight. Both are side yard setbacks. One is a
3 41-foot east side yard setback, the other is a 33
4 and a half foot side yard setback. I do have a
5 question for you. The width of the existing
6 building, does that remain the same? You're just
7 going longer when you double the size or does it
8 get a little wilder also?

9 MR. GILPIN: The existing is 15-by-26
10 and the proposed is 32 by roughly 25.

11 MR. HALL: So it is a little wider and
12 longer.

13 MR. GILPIN: Um-hum.

14 MR. HALL: Just point of clarification.
15 And just for a full disclosure, this is their
16 first step in the design approval process, so they
17 haven't got the Planning Department's approval or
18 Planning Commission's approval yet. So they're
19 here before you to get this step out of the way so
20 when they pursue the next step, they won't have
21 that lingering approval for this step. With that,
22 I have no more questions. Thank you.

23 CHAIRPERSON MONTAGUE: Correspondence.

24 MEMBER LONGO: Yes. We mailed out 32
25 notices. Four were returned. We did have one

1 objection by City LTD basically said I don't see
2 any reason to make an exception.

3 CHAIRPERSON MONTAGUE: Open it up to
4 the board.

5 MEMBER SAMONA: Sure. So maybe an echo
6 off of Mr. Hall. I understand the variances that
7 are being requested today. What is the -- how far
8 is the current building setback now?

9 MR. HALL: How wide was it?

10 MS. GILPIN: I think it's four feet.
11 Five feet.

12 MEMBER SAMONA: So you don't need to be
13 exact, but you're requesting essentially an
14 additional five feet on each side or cumulative?

15 MR. GILPIN: The existing building is
16 like -- I think there's a five-foot difference is
17 what it was. So the existing building was like
18 ten feet or something from the side, and now --

19 MEMBER SAMONA: From which side because
20 we have a east and a west side setback, right?

21 MR. GILPIN: It's being reduced to nine
22 feet.

23 MEMBER SAMONA: So the east side is
24 currently at 13 feet and it's being reduced to
25 nine. And what about the wast side?

1 CHAIRPERSON MONTAGUE: Please state
2 your name and spell it.

3 MS. GRESS: Katie Gress, G-R-E-S-S.
4 I'm with Sidock Group. I'm the engineer of
5 record.

6 MEMBER LONGO: You're not an attorney?

7 MS. GRESS: No.

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

10 MS. GRESS: Yes.

11 MEMBER LONGO: Thank you.

12 MS. GRESS: So on the wast side the
13 proposed building would be 16.33 feet from the
14 property line. And then I'll look up the existing
15 right now.

16 MS. GILPIN: So again, we're doubling
17 the size of the building because we're bringing a
18 lot of the equipment inside. So right now, a lot
19 of the equipment is on the outside of the
20 building, and that doesn't really meet our
21 standards anymore so we're bringing it inside so
22 we need a bigger building. And it just promotes
23 longevity and helps our crews with safety while
24 they're working.

25 MS. GRESS: And the existing building

1 is 21.3 feet from the west property line.

2 MEMBER SAMONA: So based on what I'm
3 hearing, the east went from 13 feet to 19 feet
4 roughly. The west is going from 16.3 feet to
5 21.33. In essence if you're looking at what's
6 already there, it's almost a wash if you're
7 looking at the setbacks like that. So there's not
8 much more of a variance being sought than what is
9 already there. I guess to my calculation, there
10 might be less than two feet additional. But my
11 question is, I understand you're going to use that
12 to store some of the equipment. I guess maybe the
13 more technical answer to if this wasn't granted,
14 essentially what would the alternative be for you?
15 Would the property be completely unusable?

16 MR. GILPIN: Yeah. We would have no
17 other options to be able to upgrade this site
18 because of the current standards that Consumers
19 Energy has to follow.

20 MEMBER SAMONA: And those are standards
21 set internally or by the state?

22 MR. GILPIN: We follow the TSE
23 guidelines for one, and then we have requirements
24 that the -- do they set requirements for the
25 distances and everything between equipment?

1 MR. BRISTOW: That's yes and no. Very
2 broad questions.

3 CHAIRPERSON MONTAGUE: If you're going
4 to speak, could you come up and introduce yourself
5 and answer questions? I'd appreciate it.

6 MR. BRISTOW: My name is Scott Bristow.
7 I'm the mechanical engineer on the project. This
8 is my project.

9 MEMBER LONGO: Scott, do you promise to
10 tell the truth in this case?

11 MR. BRISTOW: Of course.

12 MEMBER LONGO: Thank you.

13 MR. BRISTOW: As far as what would
14 happen if we did not do it, we actually have a
15 pretty poor condition on the inside as far as our
16 operator safety is concerned. We have a lot of
17 equipment that is very cramped and tight that we
18 struggle to get to and struggle to maintain. So
19 those ergo requirements, I guess guidelines, to be
20 in the side of work zone, to pick up these
21 80-pound plates, tops of these regulators when
22 we're maintaining them. On an annual basis and if
23 there's ever a problem, they go out there. They
24 have to actually maintain these pieces of
25 equipment. It's outside of work zones, you know.

1 You want to be right around this area. We have
2 some down here and we have some up here. We have
3 some vertically challenged mechanics that up here,
4 honestly, it's too high for them to be working up
5 here picking an 80-pound plate up off of there.
6 They got to look down inside there. They're
7 cleaning it all out. They're maintaining their
8 equipment.

9 So as it stands, that's why I pushed,
10 even though I knew this was a challenging variance
11 to get. I was pushing for the variance for that
12 reason. Inside of the design on all the piping
13 and those pieces of equipment inside of that
14 building, I shrunk everything up as much as I
15 absolutely could because, as you can see, I have
16 very little space to work with. We have a
17 pipeline running through there, then we have all
18 these types of have to run around to different
19 pieces of equipment. We're trying to
20 strategically locate those pieces of equipment so
21 that we can get to them with trucks so that
22 they're not necessarily visible from the road and
23 so that's kind of how the entire site got laid
24 out.

25 So directly to answer your question, I

1 wouldn't be able to rebuilt it. We would continue
2 on with some ergo concerns and some safety
3 concerns driven by that.

4 MEMBER SAMONA: I thought about this a
5 lot yesterday, and I know there's rules and
6 regulations that you all have to follow, should
7 follow for the safety, so I wanted to make it part
8 of the record. But I agree that after looking at
9 it some more that it definitely does need the
10 change that you're suggesting. I wouldn't have
11 any issue supporting this.

12 MEMBER KRIEGER: I appreciate your
13 explanation. It makes it more comprehensible.
14 And because of the narrowness and the length of
15 time this has been here, I'll be able to support
16 your request.

17 CHAIRPERSON MONTAGUE: Okay.

18 MEMBER LONGO: Yes. I move that we
19 grant the variance in case number PZ25-0068 sought
20 by Consumer Energy for two setback variances
21 because the petitioner has shown practical
22 difficulty requiring space to put a building on
23 that lot. Without the variance, the petitioner
24 will be unreasonably prevented or limited in
25 respect to the use of the property because no

1 building could be located on that. The property
2 is unique because the property is only 50 feet
3 wide. The petitioner did not create this
4 condition because the property was purchased as
5 is. The relief granted will not unreasonably
6 interfere with the adjacent or surrounding
7 properties because no close neighbors face any
8 issue or problem. The relief is consistent with
9 the spirit and intent of the ordinance because the
10 building presents no problem to the neighbors nor
11 to the street.

12 MEMBER KRIEGER: Second.

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 Longo?

20 MEMBER LONGO: Yes.

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

23 CHAIRPERSON MONTAGUE: Thank you very
24 much.

25 MEMBER SAMONA: With that, I'll make a

1 motion to adjourn.

2 MEMBER KRIEGER: Second.

3 CHAIRPERSON MONTAGUE: Just welcome our
4 new member and our alternate. Looking forward to
5 working with you next week. Thank you very much
6 for signing up to help us out. All right. Now
7 motion to adjourn.

8 MEMBER SAMONA: Motion to adjourn.

9 MEMBER LONGO: Second.

10 MS. NARDONE: Member Longo?

11 MEMBER LONGO: Yes.

12 MS. NARDONE: Member Krieger?

13 MEMBER KRIEGER: Yes.

14 MS. NARDONE: Member Samona?

15 MEMBER SAMONA: Absolutely.

16 MS. NARDONE: Chairperson Montague?

17 CHAIRPERSON MONTAGUE: Yes, please.

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

20 (The meeting was adjourned at 7:57 p.m.)

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25

1 CERTIFICATE OF NOTARY

2

3 STATE OF MICHIGAN)

4) SS

5 COUNTY OF OAKLAND)

6

7 I, Melinda R. Womack, Certified

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

21



22

23 Melinda R. Womack, CSR-3611

24

Notary Public, Jackson County

25

My Commission expires: 06-22-2032

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