

REGULAR MEETING - ZONING BOARD OF APPEALS

CITY OF NOVI

TUESDAY, SEPTEMBER 12, 2017 7:00 P.M.

Council Chambers | Novi Civic Center | 45175 W. Ten Mile Road

BOARD MEMBERS:

David M. Byrwa

Cynthia Gronachan

Linda Krieger

Siddharth Mav Sanghvi, Chairperson

ALSO PRESENT:

Beth Saarela, City Attorney

Lawrence Butler, Comm. Development, Dep. Director

Katherine Oppermann, Recording Secretary

Transcribed by: Pamela Mocerri, Certified Shorthand Reporter

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

INDEX

PAGE

PZ 17-0036	7
PZ 17-0037	13
PZ 17-0038	22
PZ 17-0039	28
PZ 17-0040	53
PZ 17-0041	59

1 Novi, Michigan  
2 September 12, 2017  
3 7:00 p.m.

4  
5 \* \* \*

6 CHAIRPERSON SANGHVI: I am calling to  
7 order the September 12, 2017, ZBA meeting for today.

8 Would you please all join me in the  
9 Pledge of Allegiance.

10 (Pledge of Allegiance recited.)

11 CHAIRPERSON SANGHVI: Thank you.

12 Please be seated.

13 Madam Secretary, please call the roll.

14 MS. OPPERMANN: Member Byrwa.

15 MR. BYRWA: Present.

16 MS. OPPERMANN: Member Ferrell is  
17 absent excused.

18 Member Gronachan.

19 MS. GRONACHAN: Yes.

20 MS. OPPERMANN: Member Krieger.

21 MS. KRIEGER: Present.

22 MS. OPPERMANN: Member Montville is  
23 absent excused.

1 Member Nafso is absent excused.

2 Member Peddiboyina is absent excused.

3 Chairperson Sanghvi.

4 CHAIRPERSON SANGHVI: Present. Thank  
5 you.

6 I think you all are aware of the format  
7 for the public hearing. Those of you who are not,  
8 the information is available near the front door,  
9 and I won't go into it again.

10 The next item on the agenda is approval  
11 of the agenda.

12 Madam Secretary, is there any change?

13 MS. OPPERMANN: Yes. In Case No. PZ  
14 17-0039, NSA Architects and City of Novi. They have  
15 reduced the number of variances they're requesting  
16 to just one which is from the Novi Zoning Ordinance  
17 Section 3.6.2.B for a 40.8 3-foot variance for  
18 proposed north front yard setback of 34.17 feet, 75  
19 feet required.

20 CHAIRPERSON SANGHVI: Okay, thank you.

21 May I entertain a motion to approve the  
22 entire agenda as amended?

23 MS. GRONACHAN: So moved.

1 MS. KRIEGER: Second.

2 CHAIRPERSON SANGHVI: The motion has  
3 been made and seconded. All those in favor of  
4 accepting the minutes please signify by saying aye.

5 THE BOARD: Aye (unanimous).

6 CHAIRPERSON SANGHVI: Those opposed  
7 same sign.

8 The next item on the agenda is the  
9 minutes for the meeting of August 2017. Are there  
10 any changes, deletions, omissions?

11 The only comment I would make is a  
12 couple places there were typo errors. Instead of PZ  
13 it is PT and it's of no significance.

14 MS. GRONACHAN: No other changes?

15 CHAIRPERSON SANGHVI: No, I don't see  
16 any other correction.

17 May I entertain a motion to approve the  
18 minutes as presented?

19 MS. GRONACHAN: So moved.

20 MR. BYRWA: Support.

21 CHAIRPERSON SANGHVI: Motion has been  
22 made and seconded. All those in favor signify by  
23 saying aye.

1 THE BOARD: Aye (unanimous).

2 CHAIRPERSON SANGHVI: Those opposed  
3 same sign. Thank you.

4 Now is the time for the public remarks.  
5 Is there anybody in the audience who'd like to make  
6 any comments to the Board about any subject other  
7 than the items on the agenda today, this is the time  
8 to do it. I don't see any so we'll move further on.

9 Before I call the first case, I just  
10 want to make an announcement that, as you all know,  
11 the Zoning Board of Appeals is a hearing body  
12 empowered by the Novi City Charter to hear appeals  
13 seeking variances from the applications of the Novi  
14 Zoning Ordinances, and it takes at least four  
15 members to approve a variance request and a majority  
16 of the present to deny a variance.

17 A full board consists of six members.  
18 As you can see today, we are a little truncated, and  
19 since we are only four members present this evening,  
20 all four votes are required. Those of the  
21 petitioners at this time who wish to have their  
22 cases tabled for the next meeting when a full Board  
23 may be present may do so now.

1           If there is any applicant here who is  
2 not happy about the situation, this is the time to  
3 speak. Seeing none, we'll carry on and start the  
4 public hearing for the first case.

5           It is PZ 17-0034, and it is located at  
6 45833 W. Twelve Mile Road, and correction on this,  
7 it is not east of Napier Road, but it is east of  
8 Beck Road and south of Twelve Mile Road, Parcel No.  
9 50-22-15-226-003.

10          The applicant is requesting a variance  
11 from the City of Novi Code of Ordinance Section 28-6  
12 to allow the installation of a 48-square foot  
13 temporary sign, 40 square foot maximum is allowed.  
14 This property is zoned Residential Acreage.

15          Is the applicant here? Will you please  
16 come forward, and if you are not an attorney, please  
17 identify yourself, your name, address and be sworn  
18 in by our secretary today. Thank you.

19          MS. DEMICO: My name is Marisa DeMico,  
20 I'm from Signarama in Troy. Our address is 1017  
21 Naughton Drive, Troy, Michigan 48083.

22          CHAIRPERSON SANGHVI: Thank you.  
23 Mr. Byrwa, swear her in, please.

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

(Ms. Marisa DeMico sworn.)

CHAIRPERSON SANGHVI: Please go ahead and make your presentation.

MS. DEMICO: We have a real estate client who is looking to maximize the visibility for their future multistory office complex so they are looking to have their sign at a larger scale to showcase the rendering of the new building.

The overall lot is 18.5 acres so they're looking to achieve the maximum exposure to future and potential tenants with the larger sign. With having a larger sign, it is ideal for advertisement and that this will read to a larger group of clientele.

It is being placed on an undeveloped parcel of land. All of the adjacent properties are also land so it's not affecting anybody in the area.

CHAIRPERSON SANGHVI: Thank you. Is there anybody in the audience who would like to make a comment about this case?

Seeing none, City, any comments?

MR. BUTLER: No comment at this time.

CHAIRPERSON SANGHVI: No comments.



1 Secretary Mr. Byrwa, do you have any  
2 correspondence?

3 MR. BYRWA: Yes. The City mailed out  
4 20 letters. Out of the 20, four letters were  
5 returned and there was zero approvals and zero  
6 objections.

7 CHAIRPERSON SANGHVI: Very good. Thank  
8 you.

9 I will open it to the Board for  
10 comments. Yes, Ms. Gronachan.

11 MS. GRONACHAN: Thank you, Chair  
12 Sanghvi. Good evening.

13 MS. DEMICO: Good evening.

14 MS. GRONACHAN: This is a pretty unique  
15 piece of property.

16 MS. DEMICO: Yes.

17 MS. GRONACHAN: And it would be great  
18 if it could be sold. It would be a definite  
19 improvement to that side of town.

20 Given the uniqueness of the shape of  
21 the property and the way it cuts in, I think that  
22 this sign is an appropriate request. It's been  
23 vacant for a long time, it needs some help.

1 Normally I'm not that crazy about huge astronomical  
2 signs, but I think that in this case you proved the  
3 need for it. Like you mentioned, in regards to the  
4 shape of the lot, the location, the setback, and  
5 also the amount of traffic that goes by there, you  
6 can't catch that small sign when you're doing 50,  
7 and they don't travel slow on that road. I'm in  
8 full support.

9 CHAIRPERSON SANGHVI: Thank you.

10 Mr. Byrwa.

11 MR. BYRWA: Yes, I was wondering, I  
12 read in here that it's a temporary sign. Do you  
13 have any idea how long it's going to be out for?

14 MS. DEMICO: So it is representing the  
15 building that is going to be built onto the property  
16 so they are looking just to advertise the leasing  
17 spaces in the building, so it's kind of hard to tell  
18 an exact length of time.

19 MR. BYRWA: I don't think this Board  
20 has the ability, and our City Attorney can correct  
21 me, to grant a variance on something temporary more  
22 than a year, is it?

23 MS. SAARELA: I don't know, I'd have to

1 check that. I don't recall that in the Sign  
2 Ordinance.

3 MR. BYRWA: I think after a year she  
4 would have to come in and reapply.

5 MS. SAARELA: Yes, perhaps that's  
6 right.

7 MS. DEMICO: Okay. That won't be an  
8 issue, we can definitely do that.

9 MR. BYRWA: Thank you.

10 CHAIRPERSON SANGHVI: Yes, Ms. Krieger.

11 MS. KRIEGER: I am also in support, but  
12 I agree to two years, if necessary, as I agree with  
13 a temporary sign to return back and reapply to the  
14 Board.

15 CHAIRPERSON SANGHVI: Well, I agree  
16 with the rest of the members of the Board, a  
17 temporary sign at the most for a period of one year  
18 to start with and then go from there.

19 Can I entertain a motion from somebody?  
20 Go ahead.

21 MS. KRIEGER: I move that we grant the  
22 variance in Case No. PZ 17-0034 sought by the  
23 petitioner for this parcel. Their difficulty as

1 previously mentioned is the speed on the road for  
2 safety and the size of the area proportional to  
3 attract the tenants that they are intending to look  
4 for.

5 The property is unique because of its  
6 location and topography and it's not self-created.  
7 The relief will not unreasonably interfere with  
8 adjacent and surrounding properties, and it is  
9 consistent with the spirit and intent of the  
10 ordinance, and we would grant it for one year.

11 MS. GRONACHAN: So moved.

12 CHAIRPERSON SANGHVI: Second?

13 MS. GRONACHAN: Oh, sorry. Second.

14 CHAIRPERSON SANGHVI: The motion has  
15 been made and seconded. Any further discussion?

16 Seeing none, Madam Secretary, please  
17 call the roll.

18 MS. OPPPERMANN: Member Byrwa.

19 MR. BYRWA: Yes.

20 MS. OPPPERMANN: Member Gronachan.

21 MS. GRONACHAN: Yes.

22 MS. OPPPERMANN: Member Krieger.

23 MS. KRIEGER: Yes.

1 MS. OPPERMANN: Chairperson Sanghvi.

2 CHAIRPERSON SANGHVI: Yes.

3 MS. OPPERMANN: Motion passes.

4 CHAIRPERSON SANGHVI: Motion passes.

5 Thank you. Go ahead.

6 MS. GRONACHAN: Thank you, good luck.

7 CHAIRPERSON SANGHVI: The next case is  
8 PZ 17-0037, Rose Senior Living at 47601 Grand River,  
9 west of Beck Road and south of Grand River, Parcel  
10 No. 50-22-17-400-046. This, I think, is a part of  
11 the Providence Hospital Park complex.

12 Is the applicant here? Please come  
13 forward, identify yourself, give your name and  
14 address, and if you are not an attorney, please be  
15 sworn by our secretary. Thank you.

16 MR. STEVENS: Michael Stevens. I am  
17 with Signarama in Troy, 1017 Naughton, Troy,  
18 Michigan 48083, and I am not an attorney.

19 (Mr. Michael Stevens sworn.)

20 CHAIRPERSON SANGHVI: Thank you.

21 Please go ahead.

22 MR. STEVENS: I'm with Signorama, I'm  
23 the sign contractor. We are proposing to do a

1 secondary ground sign for the Rose Senior Living  
2 Community Center, 40 square feet overall with 8 foot  
3 from grade. There is a secondary entrance along  
4 Providence Parkway where, as you see on the site  
5 plan notated, is where we plan on putting the  
6 additional ground sign. There's a road that  
7 stretches back to the community. There's a lot of  
8 traffic that actually goes, obviously, around  
9 Providence Parkway there.

10 In addition to matching some of the  
11 existing -- well, the existing size that is already  
12 out there for some other directional signage that's  
13 on the hospital grounds there, we're also staying  
14 consistent with the coloring of the blue and gray  
15 scheme that the Providence signs have within the  
16 complex as well to kind of keep it more uniform;  
17 that's with the color as well as the overall size  
18 and height of some of the existing signs out there.  
19 That's how we kind of came up with the schematic of  
20 the 40 square feet, 8 foot from grade, as well as  
21 the color scheme just to give you a little  
22 background on that.

23 This is just going to provide some

1 additional identification to the complex. As I  
2 mentioned, there is a lot of traffic, heavy traffic  
3 that goes through Providence Parkway, that circle  
4 there, and again this is just a second entrance into  
5 the property.

6 CHAIRPERSON SANGHVI: Thank you. Do  
7 you have what we have got here that was sent here  
8 with the packet? You can put it on the table over  
9 there.

10 MR. STEVENS: Yes.

11 CHAIRPERSON SANGHVI: So everybody in  
12 this room as well can see.

13 In the meantime, is there anybody in  
14 the audience who would like to make a comment about  
15 this case?

16 Seeing none, City, any comment,  
17 Mr. Butler?

18 MR. BUTLER: No comment.

19 CHAIRPERSON SANGHVI: Thank you.

20 Yes, Mr. Butler.

21 MR. BUTLER: I said no comment.

22 CHAIRPERSON SANGHVI: No comment. Very  
23 good.

1                   Mr. Byrwa, do we have any  
2                   correspondence?

3                   MR. BYRWA:    Yes.    The City mailed out  
4                   58 letters.    There were three letters returned with  
5                   zero approvals and zero objections.

6                   CHAIRPERSON SANGHVI:   Very good, thank  
7                   you.    I open it up to the Board.    Yes,  
8                   Ms. Gronachan.

9                   MS. GRONACHAN:   Thank you.    Good  
10                  evening.

11                 MR. STEVENS:    Good evening.

12                 MS. GRONACHAN:   My favorite place to  
13                 get lost.    No, actually I think that the complex has  
14                 done a great job in maneuvering for the several  
15                 years back when it first started and it really was a  
16                 maze to get through.    I think that the signage that  
17                 all of the organizations in that complex have done  
18                 to help identify is very helpful.

19                 In this case, again, I think there is a  
20                 need for the sign.    Is this going to be lighted?  
21                 You said non-lit.

22                 MR. STEVENS:    It's not illuminated.

23                 MS. GRONACHAN:   Okay, so that's even



1 more important because where this is going to be  
2 it's pretty dark out there. Normally when we go out  
3 and we look at signs, we look at them during the  
4 day, and the other night I was driving through  
5 trying to get an idea where it was going to be and  
6 you almost need the size because of that area and  
7 how dark it really is. I mean there are some street  
8 lights, but it's a heavily lit area.

9 For brevity sake, I'm just going to say  
10 that I like it and I will be supporting it based on  
11 the information you provided and based on the layout  
12 of the land. Thank you.

13 CHAIRPERSON SANGHVI: Yes, Ms. Krieger.

14 MS. KRIEGER: I have a question. Were  
15 the other signs -- there's a second entrances off of  
16 Beck Road; is that right?

17 MR. STEVENS: Correct.

18 MS. KRIEGER: Okay.

19 CHAIRPERSON SANGHVI: Yes, Mr. Byrwa.

20 MR. BYRWA: Yes, I have a question  
21 about the 25-foot clear vision area there. I see  
22 two of them here, one in a red and one in a green,  
23 and I was wondering if the locations meet that clear

1 vision area and it's not going to obstruct any site  
2 line of vehicles approaching?

3 MR. STEVENS: This drawing; is that  
4 correct?

5 MR. BYRWA: Right, that's correct.

6 MR. STEVENS: I know a couple ways that  
7 typically the cities would do that I might just want  
8 to confirm because they do do that diagonally  
9 triangular type setback or they go 25 --

10 MR. BYRWA: Right, it's a clear vision  
11 area so that you can see the traffic as you approach  
12 the intersection.

13 MR. STEVENS: Correct. We'd be  
14 maintaining that 25 foot and then 25 foot over  
15 within the setback that we requested which was 1  
16 foot off of the curb, actually, and that was also  
17 consistent with the other directional signage that  
18 was in the parkway as well.

19 MR. BYRWA: I thought the 25 foot  
20 started from the curb.

21 MR. STEVENS: 25 feet over and then 25  
22 foot -- it was not 25 foot setback from the curb.  
23 This sign -- to your point, this sign is particular

1 just because it is on a corner. All the other  
2 directional signs, I would say a majority of the  
3 directional signs that are within there down the  
4 street are just literally off Providence Parkway and  
5 they're all set back a foot off the curb there.

6 MR. BYRWA: Okay. This is going to be  
7 subject to the City's approval on the clear vision  
8 area.

9 CHAIRPERSON SANGHVI: Thank you. I am  
10 quite familiar with the Providence Hospital complex  
11 and I know where you are and I saw this in the  
12 development stage long before it was approved by the  
13 Providence Hospital Board, so I know what you're  
14 going to do and I like what you are doing so I have  
15 no problem with the request of your sign.

16 If there is no further discussion, I  
17 will entertain a motion.

18 MS. GRONACHAN: I move that we grant  
19 the variance in Case No. PZ 17-0037, Signorama, Rose  
20 Senior Living, at 47701 Grand River, Novi, because  
21 the petitioner has shown a practical difficulty  
22 requiring this variance. Without the variance, the  
23 petitioner would be reasonably prevented or limited

1 with respect to the use of the property because of  
2 limited size and ability for patients to find the  
3 building.

4 The property is unique because of its  
5 vast size and unique shape, and for lack of a better  
6 description, winding roads and visibility even into  
7 the late evenings or winter when it gets dark early.

8 The petitioner did not create the  
9 condition because of the layout of the organization  
10 and campus. The relief granted will not  
11 unreasonably interfere with adjacent or surrounding  
12 properties because, as the petitioner stated in his  
13 testimony, this sign is consistent with the flow of  
14 the other signage throughout the property.

15 The relief is consistent with the  
16 spirit and intent of the ordinance because it grants  
17 the petitioner to continue to do business in Novi  
18 without any limitations for their clientele to  
19 locate them, thus having a successful business.

20 Therefore, I move that we grant this  
21 variance.

22 MS. KRIEGER: Second.

23 CHAIRPERSON SANGHVI: The motion has

1           been made and seconded. Is there any further  
2           discussion?

3                       Seeing none, Madam Secretary, please  
4           call the roll.

5                       MS. OPPERMANN: Member Byrwa.

6                       MR. BYRWA: Yes.

7                       MS. OPPERMANN: Member Gronachan.

8                       MS. GRONACHAN: Yes.

9                       MS. OPPERMANN: Member Krieger.

10                      MS. KRIEGER: Yes.

11                      MS. OPPERMANN: Chairperson Sanghvi.

12                      CHAIRPERSON SANGHVI: Yes.

13                      MS. OPPERMANN: Motion passes.

14                      CHAIRPERSON SANGHVI: Thank you.

15           Congratulations.

16                      MS. KRIEGER: Before we move on, I just  
17           wanted to let you know that we have had a Sign  
18           Ordinance amendment, and the pretty comprehensive  
19           limitation on the temporary signs is not in here  
20           anymore.

21                      MR. BYRWA: So they're not a year  
22           anymore?

23                      MR. KRIEGER: No, there's nothing that

1 limits it, so put whatever limitation on it you  
2 think is reasonable under the circumstances.

3 MR. BYRWA: And who determines if it's  
4 reasonable or --

5 MS. KRIEGER: You just have to listen  
6 to the facts of why they need a variance and you  
7 make a determination. If you feel it's two years  
8 because the building's not going to be constructed  
9 for two years, then a two-year limitation that  
10 there's no --

11 MR. BYRWA: Well, I think on that one  
12 we agreed that she'd come back after a year.

13 MS. KRIEGER: Sure, that's fine. I  
14 just wanted to let you know that that's not in the  
15 ordinance.

16 MS. BYRWA: Good, thank you.

17 CHAIRPERSON SANGHVI: Moving on to the  
18 next case. PZ 17-0038, for 49781 Leyland Circle,  
19 west of Wixom Road and north of Eleven Mile Road,  
20 Parcel No. 15-22-18-426-014.

21 The applicant Paul Mruk is requesting a  
22 variance from the City of Novi Zoning Ordinance  
23 Section 3.1.5 for a 4.5 foot rear yard setback of

1 30.5 feet, 35 feet allowed. This property is zoned  
2 Single-Family Residential, R-1.

3 The applicant is already here. Please  
4 identify yourself and state your address, and if  
5 you're not an attorney, be sworn in by our  
6 secretary.

7 MR. MRUK: Sure. I'm not an attorney.  
8 My name is Paul Mruk, I live at 49781 Leyland  
9 Circle, Novi, Michigan.

10 (Mr. Paul Mruk sworn.)

11 CHAIRPERSON SANGHVI: Please go ahead.

12 MR. MRUK: We purchased this property  
13 many years ago with the intention of using the back  
14 yard space for our enjoyment. We found it to be  
15 buggy back there. We put a deck on, put a  
16 screened-in porch in the back of it, and we felt it  
17 would be interesting at this time to go ahead and  
18 put a more secured structure back there harming no  
19 one; no one can fully see the property on either  
20 side of us.

21 We are fortunate enough to have our  
22 neighbors approve this. Also the association has  
23 graciously approved it as well, so we are here today

1 to ask for a 4.5 foot variance.

2 What this really does is it takes the  
3 structure and puts it at the end of the deck. If I  
4 may show you, I think you already have this visual,  
5 the structure as designed by the builder -- I'll put  
6 this on here if that's okay so everyone else can see  
7 it -- it goes right there, I think. Anyway, the  
8 structure with the variance that's not allowed would  
9 be 4.5 feet or so less than the deck in the back,  
10 therefore, making the deck, rest of the deck useless  
11 for us. So we thought we'd put this screened-in  
12 porch and still be able to utilize our deck. That's  
13 all.

14 CHAIRPERSON SANGHVI: Thank you. Is  
15 there anybody in the audience who would like to make  
16 a comment about this case?

17 Seeing none, City?

18 MR. BUTLER: In reviewing the prints  
19 with the corner, it looks like that he really tried  
20 to utilize the best space that he could to put that  
21 porch and we were kind of in agreement with the  
22 design and how it looked.

23 It is kind of a uniquely shaped lot so



1 he's working with what he has to work with. He did  
2 a very good job with it in that situation.

3 CHAIRPERSON SANGHVI: Thank you.

4 Mr. Secretary.

5 MR. BYRWA: Yes, Mr. Chairman, the City  
6 mailed out 26 letters. There were zero letters  
7 returned. However, there were one approval and zero  
8 objections.

9 The approval was from it appears to be  
10 a neighbor, Kevin McCarthy of 49769 Leyland Court,  
11 and he claims that he reviewed the plans, Paul  
12 reviewed the plans with him in detail, and the plans  
13 for this project be fully approved.

14 MR. MRUK: He's our next door neighbor,  
15 yes, sir.

16 CHAIRPERSON SANGHVI: Thank you. Very  
17 nice, thank you very much.

18 I'll open up to the Board. Go ahead,  
19 Ms. Krieger.

20 MS. KRIEGER: Thank you for your  
21 presentation, and I can understand bugginess because  
22 it's the same in my back yard area so to surround it  
23 in and do it the best that you can, I'm in support

1 of this motion.

2 CHAIRPERSON SANGHVI: Thank you.

3 I went and visited your place on  
4 Saturday and looked around. In the back you have  
5 not a lot of room and it is quite the woodland, a  
6 lot of trees and all that, so I understand your need  
7 to escape from the mosquitos and to cover the place  
8 and I have no problem with your application.

9 Any other comments from anybody?

10 MS. GRONACHAN: I concur with my Board  
11 members. I think this is a minimum request and I'm  
12 a big fan of screened-in rooms in Michigan.

13 CHAIRPERSON SANGHVI: I'll entertain a  
14 motion.

15 MS. GRONACHAN: And with that, I will  
16 attempt a motion.

17 I move that we grant the variance in  
18 Case No. PZ 17-0038, Paul Mruk at 49781 Leyland  
19 Circle, west of Wixom Road and north of Eleven Mile,  
20 for the 4.5 foot variance in the rear setback of  
21 30.5 feet, 35 feet is allowed.

22 Without the variance, the petitioner  
23 would be unreasonably prevented or limited with

1 respect to use of the property given the shape of  
2 the lot, the size of the lot, and also the  
3 surrounding woodland area.

4 The property is unique because of the  
5 aforementioned shape and topography. The petitioner  
6 did not create this condition because of the lay of  
7 his subdivision and wooded area. The relief granted  
8 would not unreasonably interfere with adjacent and  
9 surrounding properties based on testimony given by  
10 the petitioner as well as the approval by the  
11 neighbor.

12 The relief is consistent with the  
13 spirit and intent of the ordinance because the  
14 petitioner requested a minimal variance to resolve  
15 his issue and, therefore, I am supporting that we  
16 grant this variance.

17 MS. KRIEGER: Second.

18 CHAIRPERSON SANGHVI: Motion has been  
19 made and seconded. If there is no further  
20 discussion, Madam Secretary, please call the roll.

21 MS. OPPERMANN: Member Byrwa.

22 MR. BYRWA: Yes.

23 MS. OPPERMANN: Member Gronachan.

1 MS. GRONACHAN: Yes.

2 MS. OPPERMANN: Member Krieger.

3 MS. KRIEGER: Yes.

4 MS. OPPERMANN: Chairperson Sanghvi.

5 CHAIRPERSON SANGHVI: Yes.

6 MS. OPPERMANN: Motion passes.

7 CHAIRPERSON SANGHVI: Thank you.

8 Moving along. The next case is PZ  
9 17-0039, 601 South Lake Drive, west of Old Novi Road  
10 and south of South Lake Drive, Parcel No.  
11 15-22-03-455-007.

12 The applicant is requesting a variance  
13 from the City of Novi Zoning Ordinance Section  
14 3.6.2.B for a 40.83 foot variance for proposed north  
15 front yard setback of the 30.17 feet and 75 feet is  
16 required, and proposed is 14.15 foot variance for --

17 MS. GRONACHAN: I'm sorry, Mr. Chair,  
18 there's only one request.

19 CHAIRPERSON SANGHVI: Yes, now there is  
20 only one request, and there I just read it.

21 The property is located at the Lake  
22 Shore Park.

23 Is the applicant here? Okay, please

1 identify yourself and state your address.

2 MR. MUCK: Good evening, I'm Jeff Muck,  
3 I'm the Parks, Recreation and Cultural Services  
4 Director for the City of Novi. I'm actually joined  
5 tonight by Frank Ray from NSA Architects, Engineers,  
6 Planners, and Steve Sorenson from PEA who has been  
7 acting as our consultants on this project.

8 CHAIRPERSON SANGHVI: Thank you.

9 (Mr. Jeff Muck sworn.)

10 CHAIRPERSON SANGHVI: Go ahead.

11 MR. MUCK: I'll be very brief. The  
12 Lakeshore Park Project has been in development since  
13 it was identified in an independent 2016 Parks and  
14 Recreation Cultural Services capital needs  
15 assessment as a priority.

16 The initial conceptual plan has evolved  
17 based on citizen, Parks Commission and City Council  
18 feedback. The plan has been reviewed and developed  
19 by PRCS and facility staff, architects, city  
20 planners, landscape architect and public safety  
21 personnel.

22 We have received feedback from citizens  
23 both in favor and opposed to the project and have

1 adjusted the plan throughout the design process.

2 The new building is intended for Parks  
3 and Recreation programs, children's camps, senior  
4 citizen programs, a library presence and to serve as  
5 a voting location for two precincts.

6 The parking lot will be paved. The  
7 large shelter and front playground will be replaced  
8 and the volleyball courts will be moved to the  
9 active area of the park and the soccer field.

10 The overall plan will provide safety  
11 improvements for pedestrians and cyclists using the  
12 park and make the park more accessible to those with  
13 disabilities.

14 As indicated on the agenda approval and  
15 in your packets, we have worked with the planning  
16 division to modify our project negating the need for  
17 variances on the east side setback and bike rack  
18 location distance. We are here this evening  
19 requesting a variance for the north setback and we  
20 will stand by to address any questions that you have  
21 on that matter.

22 CHAIRPERSON SANGHVI: Thank you. Is  
23 there anybody in the audience who would like to make

1 a comment about this case? Please come forward,  
2 identify yourself, give your name and address, and  
3 be sworn in by our secretary. Thank you.

4 MR. THOMOPOULOS: Good evening, my name  
5 is John Thomopoulos and I tend to follow Jeff when  
6 he does a presentation at these meetings. I live at  
7 425 South Lake Drive which is the house immediately  
8 to the east of the proposed building.

9 Do I need to be sworn in? I'm not an  
10 attorney.

11 MR. BYRWA: Yes. One thing, could you  
12 spell your name for the record, please?

13 MR. THOMOPOULOS: It's  
14 T-h-o-m-o-p-o-u-l-o-s.

15 (Mr. John Thomopoulos sworn.)

16 MR. THOMOPOULOS: So thank you for  
17 taking my comments tonight. My family is most  
18 affected by this zoning request because we live  
19 right next to the proposed building that's going to  
20 go up.

21 We had received two notifications in  
22 the mail, but we just submitted one with some  
23 comments and some drawings and observations. We

1 didn't want to be redundant. We have a double lot  
2 so we got two letters.

3 We submitted an objection to the  
4 variance request, and the reason is that we feel  
5 that the zoning that's being requested is  
6 inconsistent with the homes in that area and the  
7 results of some errors in the zoning request, and  
8 we've tried to identify some of the errors that we  
9 spotted.

10 The request states that this variance  
11 will positively impact the immediate area. We feel  
12 that it will not. It's a park. It's going to  
13 replace parkland that's often used by lots of  
14 families with a large building and an even bigger  
15 asphalt parking lot. I don't view that as an  
16 improvement. Many families currently enjoy that  
17 green space and it's going to be replaced by a  
18 building and a big parking lot.

19 The front yard variance is going to  
20 create a structure that's much closer to the road  
21 than our home. It's going to stand out, not blend  
22 in. I believe that the data packet that was  
23 submitted by the City said that it was consistent



1 with the surrounding buildings. If you look at the  
2 drawing that we submitted, it juts out pretty far in  
3 front of our home. If it was set back 75 feet, it  
4 would be consistent with our property.

5 The zoning request also states that the  
6 existing building that's in the park is only 35 feet  
7 from our property line. That's incorrect. It's  
8 actually 180 feet away. The new building that's  
9 going to be put in is approximately 75 feet from our  
10 property line. So there is a lot of privacy and  
11 noise issues that we're also going to be trying to  
12 deal with, and I'm going to continue to try and work  
13 with the City to mitigate that as best I can.

14 The park is almost 400 acres, so if you  
15 think about it, it's a zoning request. They've got  
16 400 acres to work with. I recognize that some of it  
17 is going to be swampy, some of it's very tree  
18 covered, but it's 400 acres. Why do you need to  
19 have a zoning request? The only thing I can think  
20 of is that the building is either way too big or  
21 it's not in the right spot and it needs to be moved.

22 And then final thoughts. If a  
23 developer had come in here with a similar request,

1 you know, I'd like you to consider would you grant  
2 it? I recognize that this is the City of Novi  
3 that's asking for the variance, but I'd like you to  
4 reject the variance and take into consideration the  
5 negative impacts it's going to have on my home, my  
6 neighbors and the people that currently use the  
7 park.

8 Thank you very much for your time.

9 CHAIRPERSON SANGHVI: Thank you.

10 Anybody else? Please come forward, identify  
11 yourself.

12 MR. ZACK: My name is Gary Zack, I live  
13 at 359 South Lake Drive. I'm the next door neighbor  
14 to John so I'm two houses away from the park.

15 Do I need to --

16 MR. BYRWA: Could you spell your name  
17 for the record.

18 MR. ZACK: Z-a-c-k.

19 (Mr. Gary Zack sworn.)

20 MR. ZACK: I have the same points as  
21 John, but I'll add to them. Again, I think that the  
22 front setback does not allow for the building to be  
23 aligned. It's going to be very much in the front of

1 the park very close to the road, and I think as far  
2 as the look of the neighborhood, the building is  
3 already a much more commercial looking building and  
4 a very large one at that, bigger than any of the  
5 houses around. I think to minimize that impact it  
6 should have to meet the north or front setback at  
7 least.

8 And I also agree with John that given  
9 the park's size, it seems like it could be relocated  
10 and not have any of these issues. The existing  
11 building where that footprint is which wouldn't  
12 require cutting all the trees down that this will,  
13 this is going to take out a lot of trees in the  
14 front of the park that are mature trees. If it were  
15 going where the existing building is, there wouldn't  
16 be any of those problems and it could easily be made  
17 larger in that spot.

18 I also have a concern and it also  
19 relates to the trees because this project in total  
20 is taking about 140 trees out of the park which is a  
21 very large number. Out of the area that's there,  
22 it's about half, that portion. And because this  
23 building is so close to the road without the

1 setback, there's no room and there's waivers  
2 required for the landscaping and the trees that  
3 would normally go in front of the building to soften  
4 the impact again. So that's another reason that I  
5 don't think that it should be allowed to be less  
6 than the required variance.

7 It was also stated to the citizens that  
8 this building would be built without the -- would  
9 follow all the ordinances, so I guess this one sort  
10 of slipped through.

11 And I would like to say when this was  
12 presented to the voters, the building, before the  
13 millage last year, it was shown as a 4,800 square  
14 foot building with a 2,400 square foot footprint.  
15 It has since changed to a 9,400 square foot building  
16 with an 11,450 square foot footprint, so it's gotten  
17 a lot bigger, and I think if it's going to have to  
18 be this size, it shouldn't be right up in the front  
19 where the houses are making it look like a  
20 commercial area. So I object to the variance for  
21 the north front yard setback. Thank you very much.

22 CHAIRPERSON SANGHVI: Thank you. I  
23 appreciate your offering. Thank you very much.

1 Anybody else?

2 Seeing none, any comments from the  
3 City?

4 MR. BUTLER: No comment at this time.

5 CHAIRPERSON SANGHVI: No comments. Is  
6 there some correspondence?

7 MR. BYRWA: Yes. The City mailed out  
8 33 letters, four letters were returned, zero  
9 approvals and five objections.

10 CHAIRPERSON SANGHVI: Could we have the  
11 applicant come back to the front here? Perhaps you  
12 would like to put the picture of the building on the  
13 screen and maybe enlighten us about what you plan to  
14 do with it.

15 MR. MUCK: The site plan or the  
16 elevation?

17 MS. GRONACHAN: I think the site plan.

18 MR. MUCK: The request for the variance  
19 is to reduce the front yard setback. Our primary  
20 issue that we have here has to do with the  
21 topography on the site. So the 75-foot setback and  
22 the 40-foot reduction that we're asking for is  
23 because of a severe grade situation that we have

1 from front to rear in the front area of the site.

2 We did study other locations on the  
3 park and this was ultimately the location that we  
4 selected on the park. So what I'd like to do also  
5 is show a site section through the front of the site  
6 to show the issues.

7 If you look at the dashed line on that  
8 site, this section runs north to south through the  
9 arrows that we have here and we're looking to the  
10 east, and the solid line that you see on that sketch  
11 is the new proposed grades, the dashed line  
12 represents the existing grade. And you'll see from  
13 Lakeshore Drive, which is on the left side here, and  
14 then as we get to the back this is the pond area  
15 that you see right here. When we run into this rear  
16 south side of the site, the grades in that area just  
17 make it really hard for us to compress and get the  
18 site on there, the site plan on the site.

19 As we work the site plan and we work  
20 the building plan north to south, we have to  
21 accommodate pedestrian traffic, we have vehicle  
22 traffic through the -- around the drive, and the  
23 north-south dimension is compressed as much as we

1 can get it to maintain safe pedestrian walking  
2 grades and vehicles going around the parking lot.

3 The other accommodation was on the  
4 north side of the building where we're replacing the  
5 existing structure with new-like restrooms and those  
6 restrooms are accommodated on the north end of the  
7 site. That's one of the other points to make  
8 regarding why the building is on this side of the  
9 site.

10 So the grades in that area both east  
11 and west and north and south make it such that the  
12 building in this location is really the right  
13 location to put the building. We're trying not to  
14 take property away from the actual park, and the  
15 farther south we locate the building, the more park  
16 area we take away as well.

17 The pedestrian walkways are on the  
18 north and we connect into Lakeshore Drive. We also  
19 connect to the underpass that goes underneath  
20 Lakeshore, and the grades in that area are very  
21 steep. We finished the design and were able to do  
22 it without any ramping or any stairs, and that was  
23 really important to us to keep it very pedestrian in

1 that area, and that's one of the reasons why having  
2 that proximity where it has allowed us to maintain a  
3 balance on the site, both on Lakeshore where the  
4 pedestrians are there and as we transition to the  
5 actual park, and make that grade kind of a balance.

6 As you see on our diagram, again, for  
7 every -- I think we calculated for every 5 feet, we  
8 push this building back -- even as it is today, we  
9 have a retaining wall that's about 6 feet high at  
10 the south end of the parking lot right here, it  
11 curves around, and if we moved this back even 5  
12 feet, that retaining wall gets 5 feet taller.

13 So we really tried our best to compress  
14 the building, compress the parking lot, compress the  
15 pedestrian sidewalks without encroaching into that  
16 low area that's there against the new pond as we're  
17 trying to mitigate stormwater management as well and  
18 accommodate grades there without having too severe  
19 an impact on the green area in that area as we're  
20 providing a new pavilion back there and we wanted to  
21 have some flat areas back there and that's where the  
22 retaining wall was put in to help with those grades.

23 MS. GRONACHAN: Thank you.



1 CHAIRPERSON SANGHVI: Very good, thank  
2 you.

3 MR. MUCK: Do you want to look at the  
4 facade as well or --

5 MS. GRONACHAN: Could you address the  
6 square footage issue on the residents?

7 MR. MUCK: So we keep referring back to  
8 a 4,800 square foot building, and that is true that  
9 was on a 2014 conceptual plan, but as we've  
10 presented it in multiple instances, that's exactly  
11 what it was, it was a conceptual plan. The building  
12 grew in size as the decision was made to make that a  
13 polling location and to increase the library  
14 presence so that we can have our library up on the  
15 north end and provide some services.

16 Part of the square footage increased,  
17 too, is we've designed the building and was looking  
18 at indoor and outdoor bathrooms. We don't want --  
19 we want to separate the beach users and their use  
20 for those type of bathrooms versus interior use and  
21 not mix the two. Also the square footage grew as  
22 you looked at how you would queue people as it being  
23 a voting precinct and queue people up throughout the

1 building as you stage them for voting.

2 So while, yes, there was an initial  
3 plan that was put out in 2014 and it was exactly  
4 what we've been saying from the get-go, it was a  
5 conceptual plan. The plan has evolved to the point  
6 where we're at today for 9,400 square feet.

7 CHAIRPERSON SANGHVI: Very good, thank  
8 you.

9 Before I open up to the Board, I've  
10 been going to this park for over 40 years and  
11 upgrading has been overdue for a long time.  
12 Notwithstanding the objections of some of the  
13 residents, I think this is moving in the right  
14 direction and personally I have no problem with your  
15 plans. Thank you.

16 I will open it up to the Board. Oh, do  
17 we have any correspondence?

18 MR. BYRWA: Yes, we did it.

19 CHAIRPERSON SANGHVI: May I hear any  
20 comments from anybody on the Board? Yes, Mr. Byrwa.

21 MR. BYRWA: Yes, this was already at  
22 the City's Planning Board. How was it modified or  
23 you came to this final design; how was it modified

1 at the Planning Board?

2 MR. MUCK: That would be in regards to  
3 the side setback. We've listened to the residents.  
4 We noticed that we did need to improve that, and  
5 we've been trying to work, especially with  
6 Mr. Thomopoulos, in regards to the issues in regards  
7 to his side of the building and the screening, so  
8 that was something that we did shrink the footprint  
9 of the patio so that we could meet that side  
10 setback, and then also in regard to that we did  
11 address the bike rack issue as well.

12 MR. BYRWA: Thank you.

13 CHAIRPERSON SANGHVI: Thank you. Yes,  
14 Ms. Krieger.

15 MS. KRIEGER: Since it's closer up to  
16 the road, it's up where the berm is at, is that  
17 right, where the road goes up before you turn left  
18 into it and where those tennis/volleyball courts are  
19 at; is that where the building is going to sit at?

20 MR. MUCK: Correct.

21 MS. KRIEGER: So you'll have  
22 landscaping to the east for the residents to address  
23 the concerns of trees and buffer area between the

1 two?

2 MR. MUCK: The existing -- what we're  
3 trying to do is we want to maintain the existing  
4 vegetation that's in that area. There's a lot of  
5 heavy vegetation so we're trying to stay out of that  
6 area and not disrupt it, and then we're going to  
7 supplement probably during our (inaudible) space  
8 with the neighbor, we're going to walk the site and  
9 make sure any open areas will be filled in with any  
10 additional landscaping as required. That was the  
11 commitment we made in Planning Commission.

12 MS. KRIEGER: And then how would people  
13 using -- would there be directional signs to keep  
14 people using the beach area bathrooms from the  
15 people going into the building for --

16 MR. MUCK: Yes, absolutely, we'll have  
17 a full signage plan for directing traffic throughout  
18 that. As we've mentioned before, moving people  
19 through this park in a more safe manner and  
20 providing that disability/handicap accessibility has  
21 been a key feature of this project right from the  
22 get-go.

23 If you look at the existing layout of

1 the park, we have basically the drive passing  
2 through the park, bisecting the park. We're  
3 eliminating that and trying to provide those safe  
4 pathways and so we'll have plenty of signage in  
5 regards to directing people to the trails and the  
6 shelters.

7 MS. KRIEGER: And then the old building  
8 used to have an area where the police could stop. I  
9 don't know if they have that open now. Would they  
10 also be able to participate in this new building?

11 MR. MUCK: We haven't really discussed  
12 that option with the police, but they've been very  
13 good partners with us on every project that we do  
14 and so we could definitely have that conversation  
15 with them.

16 MS. KRIEGER: And then for noise as it  
17 is now sun up to sun down, is there a concern about  
18 the time somebody needs for sleeping, the residents'  
19 concerns?

20 MR. MUCK: So there's been a lot of  
21 misconceptions about what this building is supposed  
22 to be. The term banquet center and reception hall  
23 has been thrown out numerous occasions, but not by

1 City staff since we've had these in discussions with  
2 City Council and came forward to Parks Commission,  
3 Planning Commission and now to you. So this is not  
4 a reception hall, it's not a banquet center. This  
5 is strictly for Parks and Recreation programs and  
6 usage for all ages. So we are very cognizant of  
7 what level of noise those kind of activities  
8 generate and will be very cognizant of the  
9 neighbors.

10 MS. KRIEGER: Thank you. And as  
11 brought to our attention in our packet that it's  
12 zoning, so it's mostly for Planning and the City,  
13 and that our address is for the residents to go back  
14 to Planning and City Council and then also your  
15 department for concerns and then we address the  
16 zoning part of it?

17 MR. MUCK: Yes.

18 MS. KRIEGER: Thank you.

19 CHAIRPERSON SANGHVI: Very good.  
20 Anything else? Yes, Ms. Gronachan.

21 MS. GRONACHAN: Thank you. Wow, what a  
22 project and congratulations.

23 So I understand that there's quite a

1 lot of heat, if you will, a lot of discussion, and I  
2 actually got contacted by some of the residents at  
3 that end and I'm going to share these answers with  
4 them because I think it would help some of the  
5 people here.

6 This is a very well thought-out  
7 long-run project. Our job tonight is to make a  
8 recommendation to the City Council. It is not to  
9 vote on if this passes or not. We make a  
10 recommendation, it goes to City Council, and then  
11 they make the final approval. Is that correct?

12 MR. MUCK: That is correct.

13 MS. GRONACHAN: So I'm glad that you  
14 clarified a lot of things because I'll be honest  
15 with you, the banquet hall, it's not going to be --  
16 it's actually going to be a great building for that  
17 end, for the north end of town, and it's exciting  
18 for everyone.

19 My first question for you, though, is  
20 -- and this comes from the residents that I talked  
21 to this weekend -- on the other side of the street,  
22 there is a bunch of trees. Are those coming down?

23 MR. MUCK: We have no intention to take

1 those down unless those are needed due to disease  
2 and that would be determined by our forester.

3 MS. GRONACHAN: Okay. So those trees  
4 on the other side of the street, and I hope these  
5 residents are listening, they have nothing to do  
6 with this project and it will not affect that  
7 project?

8 MR. MUCK: Absolutely, thank you. The  
9 beach has nothing and the beach side has nothing to  
10 do with this project.

11 MS. GRONACHAN: That will bring a lot  
12 of peace, let me tell you.

13 MR. MUCK: Great.

14 MS. GRONACHAN: My second question is  
15 to clarify again because we're all talking and I  
16 want this to sink in, maybe this will calm some  
17 nerves, is that there is not going to be any bands  
18 playing or wedding receptions or that kind of stuff;  
19 that's not what the purpose of this building is,  
20 correct?

21 MR. MUCK: Correct. We've been  
22 specifically directed by City Council to not rent  
23 this building for those type of purposes.



1 MS. GRONACHAN: Okay. And then  
2 finally, anyone within the city of Novi, will they  
3 be able to come and use that building for their  
4 personal use? Will they be able to rent space or  
5 use it for other than like a wedding reception or --

6 MR. MUCK: The direction we have from  
7 City Council is nonprofit organizations. So  
8 homeowners' association meetings, scout groups and  
9 such would be able to use it for those purposes, but  
10 not for private events.

11 MS. GRONACHAN: Okay. So that clears  
12 up a lot and I appreciate that, and I did that with  
13 a purpose because I know that there's people at home  
14 watching tonight and those were the questions and  
15 the rumors if you would.

16 So I think that if you continue to work  
17 with the resident that's next door, that's my number  
18 one concern, and with the rest of it, I think that  
19 you did your homework, and with the map that you  
20 showed, thank you for that, for showing us that  
21 there really isn't anyplace else to put it without  
22 taking up more land because the other part of it  
23 is -- and you all know this, that once they go in

1 for construction, it's going to use more property;  
2 it's not just going to be 2 acres, it's going to be  
3 4, and so I appreciate the fact that you want to do  
4 minimal damage to a 400-acre park, and that's what  
5 we definitely need in Novi.

6 So I'm in full support of this and my  
7 recommendation will be to move forward. Thank you.

8 CHAIRPERSON SANGHVI: Thank you. I  
9 know it has nothing to do with this project, but I  
10 just want to make a pitch.

11 Will you please make provision for some  
12 handicap people, wheelchairs to go across to the  
13 sand when you do this?

14 MR. MUCK: We have heard that request  
15 and that is on our radar.

16 CHAIRPERSON SANGHVI: Thank you. Well,  
17 I'll entertain a motion for recommendation.

18 MS. GRONACHAN: Give me a minute. I  
19 may need help.

20 In case PZ 17-0039, NSA Architects and  
21 the City of Novi, at 601 South Lake Drive, west of  
22 Old Novi Road, south of South Lake Drive, I move  
23 that we recommend to City Council that the variance

1 requested by the City of Novi for Ordinance Section  
2 3.6.2.B for a 40.83 foot variance for the proposed  
3 north front yard setback of 34.17 feet, 75 required,  
4 be approved by the City Council for the following  
5 reasons:

6 1. The petitioner indicated on their  
7 site plan that thorough investigation minimal impact  
8 on the property was done; topography, safety was  
9 taken into consideration.

10 2. Safe walking grades for the  
11 residents will be continued, and the petitioner  
12 indicated that if this building was placed other  
13 places it would take up more space or eat up more  
14 parkland and that would have a negative impact on  
15 the park.

16 3. That the petitioner indicated they  
17 have been working with the neighbor to reduce the  
18 negative impact for that neighbor and indicated also  
19 that they will continue to work with that said  
20 neighbor.

21 4. That there will be connection to  
22 the underground passage to the beach. There will be  
23 no ramps and no stairs and easy access and a smooth

1 transition to this building. That they confirmed  
2 that this building would not be used as a banquet  
3 center or restaurant of any type, they clarified the  
4 use of this building.

5 Therefore, this Board is showing a  
6 positive recommendation to the City Council.

7 CHAIRPERSON SANGHVI: A second?

8 MR. BYRWA: Second.

9 CHAIRPERSON SANGHVI: All right. The  
10 recommendation has been made and seconded.

11 Seeing no further discussion, Madam  
12 Secretary.

13 MS. OPPERMANN: Member Byrwa.

14 MR. BYRWA: Yes.

15 MS. OPPERMANN: Member Gronachan.

16 MS. GRONACHAN: Yes.

17 MS. OPPERMANN: Member Krieger.

18 MS. KRIEGER: Yes.

19 MS. OPPERMANN: Chairperson Sanghvi.

20 CHAIRPERSON SANGHVI: Yes.

21 MS. OPPERMANN: Motion passes.

22 CHAIRPERSON SANGHVI: Thank you. Good  
23 luck.

1 Moving on to the next case, PZ 17-0040,  
2 Mr. Andris, at 1103 East Lake Drive, south of  
3 Fourteen Mile Road and east of East Lake Drive,  
4 Parcel No. 50-22-02-126-001.

5 The applicant is requesting a variance  
6 from the City of Novi Zoning Ordinance Section 5.4.1  
7 for a proposed 49 square foot variance for the full  
8 466 loading area and 515 square feet is required for  
9 location in the front yard setback. This property  
10 is zoned General Business, B-3.

11 If the applicant is here, please  
12 identify yourself and state your name and address.

13 MR. SEIVER: My name is Cliff Seiver  
14 representing Theodore Andris, the owner. My address  
15 is 100 Main Center, Suite 10, Northville.

16 CHAIRPERSON SANGHVI: Are you an  
17 attorney?

18 MR. SEIVER: I am not an attorney.

19 CHAIRPERSON SANGHVI: Will you please  
20 be sworn in by our secretary? Thank you.

21 (Mr. Cliff Seiver sworn.)

22 CHAIRPERSON SANGHVI: Go ahead.

23 MR. SEIVER: This case has been before

1           you at least once before. About three years ago,  
2           Mr. Andris was trying to reconstruct his parking  
3           lot, expand it. Currently there's a problem with  
4           the site. It has been there for many years,  
5           actually since before 1949, where vehicles have  
6           parked at the restaurant, backed into East Lake  
7           Drive and the back end of Fourteen Mile Road when  
8           they exit their parking spaces.

9                       Well, this project is proposed to  
10           eliminate that problem thereby increasing safety.  
11           We are before you tonight asking for a variance on  
12           the loading setback in the loading area which,  
13           actually, I'm a little bit surprised that I'm even  
14           here before you for that because that loading area  
15           location has been there and the size has been  
16           essentially the same since 1949 long before you had  
17           a Zoning Ordinance and long before the City of Novi  
18           was a city, but in any case, we're here asking for  
19           those variances.

20                      Failure to secure such variances would  
21           really terminate the parking lot project because if  
22           we were required to move the loading area to an area  
23           other than next to the kitchen where it is now, I

1 would put it in the dining area and require  
2 materials to be loaded and hauled through the dining  
3 area and bar area into the kitchen.

4 So for that reason, we're asking for  
5 the two variances, one for the setback, one for the  
6 area, and really what we're asking for is to  
7 maintain the existing loading area where it has been  
8 for over 68 years.

9 So with that, I'd be glad to answer any  
10 questions you may have.

11 CHAIRPERSON SANGHVI: Thank you. Is  
12 there anybody in the audience who would like to  
13 address the Board regarding this case?

14 Seeing none, we will close the public  
15 remarks. City, Mr. Butler.

16 MR. BUTLER: After reviewing, it's not  
17 really self-created because it's been in existence  
18 for so long. It's kind of practical that he would  
19 ask to do that. He really has no place else to be  
20 with it coming in trying to offload trucks in there  
21 so we kind of support it.

22 CHAIRPERSON SANGHVI: Thank you.  
23 Mr. Secretary, do you have any correspondence for

1 us?

2 MR. BYRWA: Yes, we do. The City  
3 mailed out 26 letters, two letters were returned  
4 with zero approvals and zero objections.

5 CHAIRPERSON SANGHVI: Good. Yes, I  
6 went and visited your place. I realized that I've  
7 been there before a few times and I know you have a  
8 very special kind of problem. Thank you.

9 Open it up to the Board.

10 Ms. Gronachan.

11 MS. GRONACHAN: Is the only reason why  
12 this came about now is because the change of  
13 whatever it was to the driftwood; is that what  
14 brought this about?

15 MR. SEIVER: No, this is the variance  
16 required because we're reconstructing the parking  
17 lot. We're deleting the parking spaces next to the  
18 building and adjacent to the roadways and moving it  
19 to the back of the parcel.

20 MS. GRONACHAN: Okay. This is, as you  
21 say, a very unique piece of property. They seem to  
22 do a great business and the parking is definitely an  
23 issue, and I have no problem being that this is a



1 longstanding business in Novi, and the two requests  
2 that they are making are minimal in my book, and for  
3 a business that's been around -- or this piece of  
4 property, since 1949, I'm going to let sleeping dogs  
5 lie and I'll be supporting those requests.

6 CHAIRPERSON SANGHVI: Very good. Yes.

7 MS. KRIEGER: I agree.

8 CHAIRPERSON SANGHVI: Very good. Yes,  
9 Mr. Byrwa.

10 MR. BYRWA: Is there a net gain or loss  
11 of the parking there or is it a wash? Are you  
12 keeping the same amount of spaces?

13 MR. SEIVER: No, a very large increase  
14 in parking. The parking now actually meets the  
15 Zoning Ordinance requirements for a restaurant which  
16 in its current condition it does not, so it is  
17 bringing it up to the current City standards for  
18 parking.

19 MR. BYRWA: Any estimate on how much it  
20 would increase the parking?

21 MR. SEIVER: 40 percent, perhaps. I'm  
22 just guessing offhand, but I think probably in that  
23 range.

1 MR. BYRWA: Thank you.

2 CHAIRPERSON SANGHVI: And I have no  
3 further comments. I'll entertain a motion.  
4 Ms. Krieger.

5 MS. KRIEGER: I move that we grant the  
6 variance in Case No. PZ 17-0040 for 1103 East Lake  
7 Drive, south of Fourteen and east of East Lake  
8 Drive.

9 This property is very unique. For the  
10 request they need the setback for 449 square feet  
11 variance for 466 loading area. And the second  
12 request that the variance is -- the petitioner will  
13 unreasonably be prevented and limited with respect  
14 to the property which has been there since 1949 so  
15 it is also not self-created because of its own  
16 existence.

17 The relief will not unreasonably  
18 interfere with adjacent or surrounding properties.  
19 There is enough buffer from the residents and the  
20 petitioner not to interfere, and it is consistent  
21 with the spirit and intent of the ordinance because  
22 it is a minimal request and is consistent with an  
23 already existing restaurant.

1 MS. GRONACHAN: Support.

2 CHAIRPERSON SANGHVI: Thank you. Any  
3 other comments?

4 Seeing none, Madam Secretary, please  
5 call the roll.

6 MS. OPPERMANN: Member Byrwa.

7 MR. BYRWA: Yes.

8 MS. OPPERMANN: Member Gronachan.

9 MS. GRONACHAN: Yes.

10 MS. OPPERMANN: Member Krieger.

11 MS. KRIEGER: Yes.

12 MS. OPPERMANN: Chairperson Sanghvi.

13 CHAIRPERSON SANGHVI: Yes. Thank you.

14 Moving along. The last case on the  
15 list is PZ 17-0041, Giffels Webster, 40150 Grand  
16 River, east of Wixom Road and north of Grand River,  
17 Parcel No. 50-22-17-226-003.

18 The applicant is requesting a variance  
19 from the City of Novi Zoning Ordinance Section  
20 5.11.2 to extend the fence into the front yard,  
21 Section 3.1.22D for a 15-foot reduction in the rear  
22 parking setback and 20 foot minimum is allowed.

23 This property is zoned Office Service

1 Commercial and therefore most of the people -- these  
2 are the premises next to the district court.

3 The applicants are here. Please go  
4 ahead. Both of you are attorneys?

5 MR. DARGA: No.

6 CHAIRPERSON SANGHVI: Please identify  
7 yourselves and make your presentation.

8 MR. DARGA: Michael Darga with Giffels  
9 Webster, 28 W. Adams, Detroit 48226.

10 MR. HOLDSWORTH: Oakland County  
11 facilities management director, address 4350 Savoy  
12 Trail, W. Bloomfield, Michigan.

13 (Mr. Michael Darga and Mr. Holdsworth sworn.)

14 CHAIRPERSON SANGHVI: Please go ahead.

15 MR. DARGA: Essentially the project is  
16 a security upgrade for the courthouse. We've been  
17 doing these projects throughout the county and it is  
18 just a way of hardening and securing the employee  
19 parking and separating it more from the public  
20 parking.

21 So there is an addition of parking in  
22 the back as one of the variances that there's six  
23 spots being added along the north fence line, one on

1 the west fence line. Those are following the  
2 existing line of parking, so the setback there has  
3 already been varied from so we're just extending  
4 that, not making that condition any worse, and  
5 that's along the north side.

6 On the west side, we are running a  
7 security fence along the north property line and the  
8 west property line which abuts the ITC property  
9 transmission line corridor and that extends past the  
10 front of the building, hence the variance for  
11 bringing a fence past the front setback of the  
12 building, and there it connects into a retaining  
13 wall which will separate that from Grand River so  
14 that basically it's securing the employee parking  
15 from any intrusions from the three sides facing it.

16 CHAIRPERSON SANGHVI: Thank you. Is  
17 there anybody in the audience who would like to make  
18 a comment about this case?

19 Seeing none, we close the public  
20 remarks session. City, Mr. Butler?

21 MR. BUTLER: No comment.

22 CHAIRPERSON SANGHVI: No comments.

23 Mr. Secretary, is there any correspondence regarding

1 this?

2 MR. BYRWA: Yes. There were 15 letters  
3 mailed, one letter returned, zero approvals and zero  
4 objections.

5 CHAIRPERSON SANGHVI: Thank you. I  
6 came and visited this and I admit it is the first  
7 time ever I went on the property, but anyway, yes, I  
8 looked at it and I understand why you would need  
9 this. Thank you.

10 I will open it up to the Board. Any  
11 comments by anybody? Yes, Ms. Gronachan.

12 MS. GRONACHAN: I have never been  
13 there. That could always change. I might work  
14 there some day, and if I did, I would want to be  
15 safe and I understand the security upgrade and I'm  
16 in full support. And I like your presentation, by  
17 the way, very good job.

18 CHAIRPERSON SANGHVI: Anybody? Yes,  
19 Ms. Krieger.

20 MS. KRIEGER: On the west side where  
21 the fence comes, it's not going to come on Grand  
22 River, it's just going to face north-south?

23 MR. DARGA: Correct. It's basically

1           securing the border along the ITC transmission line.  
2           It stops shy of Grand River, and then a retaining  
3           wall landscape comes along the Grand River frontage.

4                       MS. KRIEGER: I've been in there, but  
5           for the Citizens Police Academy.

6                       MS. GRONACHAN: Really?

7                       MS. KRIEGER: Yes.

8                       MS. GRONACHAN: Thank you for that  
9           clarification.

10                      CHAIRPERSON SANGHVI: Mr. Butler?

11                      MR. BUTLER: I don't have anything.

12                      CHAIRPERSON SANGHVI: No, I know you  
13           haven't been there either.

14                      Anyway, there is no further discussion,  
15           I'll entertain a motion, please.

16                      MS. KRIEGER: I move that we grant the  
17           variance in Case No. PZ 17-0041 sought by Giffels  
18           Webster for 48150 Grand River, east of Wixom and  
19           north of Grand River.

20                      The applicant is requesting a variance  
21           from the City to extend the fence into the front  
22           yard. I move that we approve, and also for the 15-  
23           foot reduction in rear parking setback. It will

1           unreasonably prevent and limit the respective use of  
2           the property as they had explained in their  
3           presentation for the securing of the court, that  
4           this is necessary, it is unique because of the  
5           property and its location and abutments and it's not  
6           self-created because of those.

7                         The relief granted will not  
8           unreasonably interfere with adjacent or surrounding  
9           properties. It's a matter just of safety for  
10          employees, and relief is consistent with the intent  
11          of the ordinance because it is a minimal request, it  
12          doesn't go the entire area of the court.

13                        MS. GRONACHAN: Second.

14                        CHAIRPERSON SANGHVI: Thank you. If  
15          there is no further discussion, Madam Secretary,  
16          please call the roll.

17                        MS. OPPERMANN: Member Byrwa.

18                        MR. BYRWA: Yes.

19                        MS. OPPERMANN: Member Gronachan.

20                        MS. GRONACHAN: Yes.

21                        MS. OPPERMANN: Member Krieger.

22                        MS. KRIEGER: Yes.

23                        MS. OPPERMANN: Chairperson Sanghvi.



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

CHAIRPERSON SANGHVI: Yes.

MS. OPPERMANN: Motion passes.

CHAIRPERSON SANGHVI: Thank you.

Congratulations.

Do I have a motion to adjourn?

MS. GRONACHAN: So moved.

MS. KRIEGER: Second.

CHAIRPERSON SANGHVI: We have a motion  
and it has been seconded. All those in favor please  
signify by saying aye.

THE BOARD: Aye (unanimous).

Chairperson SANGHVI: All those opposed  
same sign.

Seeing none, we can adjourn. Thank  
you.

\* \* \*

(Meeting concluded.)

1 STATE OF MICHIGAN)  
 ) SS.  
2 COUNTY OF OAKLAND)

3

4

CERTIFICATE OF NOTARY PUBLIC

5

6

I, PAMELA MOCERI, CSR-2285, a Notary Public in  
and for the above county and state, do hereby certify that  
7 the Zoning Board of Appeals Regular Meeting was transcribed  
by me; that thereupon the foregoing record was later reduced  
8 to typewritten form; and I certify that this is a true and  
correct transcript to the best of my ability of the audio CD  
9 so recorded.

10

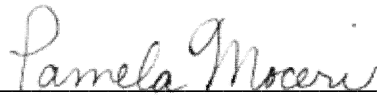
I do further certify that I am not connected by  
blood or marriage to any of the parties or their agents; that  
11 I am not an employee of them, nor am I interested directly or  
indirectly in the aforementioned matters of interest.

12

13

14

15



16

\_\_\_\_\_  
PAMELA MOCERI, CSR-2285  
Certified Shorthand Reporter

17

18

Notary Public, Oakland County  
Michigan

19

20

My Commission Expires:  
08/09/2023

21

22

23