

MEETING - ZONING BOARD OF APPEALS

CITY OF NOVI

TUESDAY, JULY 12, 2022 7:00 p.m.

Council Chambers|Novi Civic Center|45175 W. 10 Mile Rd

BOARD MEMBERS:

Joe Peddiboyina, Chairperson

Clift Montague, Secretary

Linda Krieger

Siddharth Mav Sanghvi

Michael Thompson

Michael Longo

Jay McLeod

ALSO PRESENT:

Elizabeth Saarela, City Attorney

Lawrence Butler, Comm. Development, Dep. Director

Anita Sophia Wagner, Recording Secretary

Reported by:

Sandra D. Wilson, Certified Shorthand Reporter

Novi, Michigan

Tuesday, July 12, 2022

7:00 p.m.

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CHAIRMAN PEDDIBOYINA: The time is 7:00 p.m. Welcome to Novi City Zoning Board of Appeals. Please all stand up for the Pledge of Allegiance, followed by Clift Montague.

(Pledge of Allegiance)

CHAIRMAN PEDDIBOYINA: Thank you. Please be seated. Roll call, Anita.

MADAM SECRETARY: Member Krieger.

MEMBER KRIEGER: Present.

MADAM SECRETARY: Member Longo.

MEMBER LONGO: Present.

MADAM SECRETARY: Member McLeod.

MEMBER MCLEOD: Present.

MADAM SECRETARY: Member Montague.

MEMBER MONTAGUE: Here.

MADAM SECRETARY: Chairperson Peddiboyina.

MEMBER PEDDIBOYINA: Yes, please.

MADAM SECRETARY: Member Sanghvi.

MEMBER SANGHVI: Yeah, here.

MADAM SECRETARY: Member Thompson.

MEMBER THOMPSON: Yes, here.

MADAM SECRETARY: Alternate Member Copes is absent and excused.

CHAIRMAN PEDDIBOYINA: Okay. Thank you, Anita. I hope that we have today enough quorum. Public hearing, please mute your cell phones. Once we call for the case, please come to the podium and state your first name and last name clearly for the Court Reporter and the Secretary. Once we've -- (indiscernible) -- please make it silent. I really appreciate in the audience not more than three minutes allowed to talk on the podium. Coming to the -- I think we have three cases, Anita?

MADAM SECRETARY: Three cases.

CHAIRMAN PEDDIBOYINA: Okay. Any changes on that or no?

MADAM SECRETARY: No.

CHAIRMAN PEDDIBOYINA: Okay. The agenda in June, any changes or anything? Any board members, any objections or anything? Any comments on that?

MEMBER KRIEGER: I move to approve

the agenda for tonight.

CHAIRMAN PEDDIBOYINA: Thank you.

And somebody can make a second?

MEMBER SANGHVI: I second it.

CHAIRMAN PEDDIBOYINA: All in favor,
say aye.

BOARD MEMBERS: Aye.

CHAIRMAN PEDDIBOYINA: Thank you,
everybody.

MEMBER KRIEGER: The minutes -- I'm
sorry. I move to approve the minutes for June
2022 as is.

CHAIRMAN PEDDIBOYINA: Yeah.

MEMBER KRIEGER: Any second?

MEMBER SANGHVI: I'll second.

CHAIRMAN PEDDIBOYINA: Thank you.
All in favor say aye?

BOARD MEMBERS: Aye.

CHAIRMAN PEDDIBOYINA: Any nays?

BOARD MEMBERS: (No verbal response)

CHAIRMAN PEDDIBOYINA: No. Thank
you, everybody. Okay. Public remarks. As I
told you, make sure I can see -- if you have
any presentations or anything, you can bring
your presentations to the projector and you

can place it on the projector. As I told you, if you are not an attorney, you don't have to pledge anything. If you are not an attorney, you need to make sure -- (indiscernible).

Coming to the first case tonight. PZ22-0028, RN Construction. 41034 Aspen Drive, West of Meadowbrook Road and south of 10 Mile Road. Parcel 50-22-26-254-001. The applicant is requesting a variance from the City of Novi Zoning Ordinance Section 3.1. for a rear yard setback of 21.74 feet. 35 feet required, variance of 13.26 feet. This variance will accommodate the building of a new screened-in porch. This property is zoned single family residential R-4. Is the applicant present?

(Pause)

CHAIRMAN PEDDIBOYINA: Looks like he's not there. Oh. You're the applicant?

MS. KNOY: I'm a little hard of hearing. I can't hear a word you're saying.

CHAIRMAN PEDDIBOYINA: Oh. Are you the owner of 41934 Aspen Drive, west of Meadowbrook?

MS. KNOY: 41934 Aspen Drive, right.

CHAIRMAN PEDDIBOYINA: Yeah. Can you please come to the podium and present your case, where we can help you on this tonight, please?

MS. KNOY: Well, my contractor was supposed to be here but I don't see him. And I don't know, exactly --

CHAIRMAN PEDDIBOYINA: Do you want to wait for a few more minutes and I can call you last case?

MS. KNOY: Okay. And how many cases do we have?

CHAIRMAN PEDDIBOYINA: We have two more cases to conduct.

MS. KNOY: Okay. Let's wait a little while. Let's wait just a little while.

CHAIRMAN PEDDIBOYINA: Yeah, you can wait until the contractor comes and we can allow you to talk.

MS. KNOY: Okay. Thank you.

CHAIRMAN PEDDIBOYINA: Thank you so much. Is there everything -- (indiscernible) -- board members.

BOARD MEMBERS: Yes.

CHAIRMAN PEDDIBOYINA: Thank you.

I'm going to go to the second case. PZ -- can you hear everybody?

AUDIENCE: Yes.

CHAIRMAN PEDDIBOYINA: Thank you.
PV 22-0029, Steve Kolis. 23956 Presidio Lane, west of Beck Road and south of 10 Mile Road. Parcel 50-22-29-227-051. The applicant is requesting variance from the City of Novi Zoning Ordinance Section 3.1.5 for a rear yard setback of 30.27 feet, 35 feet required, variance of 4.73 feet. This variance will accommodate the building of a new screened-in porch. This property is zoned single-family residential R-3. Is the applicant there?

MR. KOLIS: Yes.

CHAIRMAN PEDDIBOYINA: Please come to the podium and spell your first and last name clearly for our Court Reporter and our Secretary.

MR. KOLIS: Steve Kolis. S-T-E-V-E. K-O-L-I-S.

CHAIRMAN PEDDIBOYINA: Okay.
Secretary, can you take the oath, please?

MEMBER MONTAQUE: Are you an attorney?

MR. KOLIS: No, homeowner.

MEMBER MONTAQUE: Do you swear to tell the truth in this case?

MR. KOLIS: Yes, sir.

MEMBER MONTAQUE: Thank you.

MR. KOLIS: Thank you.

CHAIRMAN PEDDIBOYINA: Yeah. Please go ahead and where we can help you, Steve. If you have any presentations, take your own time and present your case clearly and legibly so that everybody can understand, the board also. Thank you.

MR. KOLIS: Sure. So we are looking for a variance, as you explained, for a rear setback. This is an illustration of our -- basically, essentially our plot plan. The highlighted area in yellow right here is showing what we would like to do for a screened-in porch that is off of our sunroom that is just right here in our house. And I have a few photos to illustrate that here in just a second.

The main reason for this -- for us is to comfortably seat our family in this covered porch area. As you'll note, our

property kind of angles on the rear setback or the rear side of our house, which is to the east. So which is what's giving us this 35 foot setback, which kind of angles towards our house kind of awkwardly in the corner, I guess. So that is the reason for our setback.

Most of our property isn't affected, it's just this left-hand side corner, as you kind of see it in this illustration. We designed everything kind of the best we could, as tight as we could to not go into the setback but it just wasn't working. This is an illustration -- or a picture, I should say, of looking out of our sunroom. Sorry, the glare is pretty good on here compared to the picture. But you'll see it's all kind of wooded behind us. And then I have two more photos to the left and to the right. For whatever it matters, this is not, we think, really affecting anybody or anything for this four, five foot variance request that we're asking for.

So that's looking to the left. The screened-in porch we're looking at doing is just straight out kind of where you're looking

towards the right in this photo. And this one is looking to the right, where we just have wetlands kind of behind us.

CHAIRMAN PEDDIBOYINA: Okay. Anything you would like to add?

MR. KOLIS: I don't think so.

CHAIRMAN PEDDIBOYINA: Okay. Thank you so much. From the City?

MR. BUTLER: I have no comments from the City; it's pretty cut and dry.

CHAIRMAN PEDDIBOYINA: Secretary.

MEMBER MONTAQUE: There were 29 letters mailed, three returned, and three approvals. The first is just circled approval from Anita Helmle. H-E-L-M-L-E. The second is just circled approval from Johnny Zankg, Z-A-N-K-G. The third states "I'm in agreement to Steve's request for this variance," from Sitaron (phonetic) Emani. E-M-A-N-I.

CHAIRMAN PEDDIBOYINA: That's it?

MEMBER MONTAQUE: That's it.

CHAIRMAN PEDDIBOYINA: Thank you. Public, anybody would like to speak on this case? Any objection from anybody? This is the time you can speak on this case.

AUDIENCE: (No verbal response).

CHAIRMAN PEDDIBOYINA: Okay. Looks like none. Thank you so much. Okay. Steve, we appreciate your presentation and congratulations on the house that you're asking for the permit. Before I go, I would like to speak out my board members and I put it on the board. It's open to the board; anybody can discuss on this case. Yes. Oh, Dr. Sanghvi, please go ahead.

MR. SANGHVI: Thank you. I came and visited your place last week.

MR. KOLIS: Okay.

MR. SANGHVI: I saw that you have a beautiful home.

MR. KOLIS: Thank you.

MR. SANGHVI: You also have almost like a cul de sac there, and you have something like wetlands behind you. And your requirement is very small. I have no problem supporting your application. Thank you.

MR. KOLIS: Thank you.

CHAIRMAN PEDDIBOYINA: Thank you, Dr. Sanghvi. Any other board members? Yes. Michael Longo.

MEMBER LONGO: Yes, I saw it too, and it looks like it's not really going to be intrusive to anyone. And by the way, taking these pictures, I think, was very effective in showing what you see there. I think that's a great idea. More people should do that; it gives us an idea of that lack of intrusion on other people's space. So I'm definitely in support.

MR. KOLIS: Thank you.

CHAIRMAN PEDDIBOYINA: Thank you.
Any other board member?

BOARD MEMBERS: (No verbal response).

CHAIRMAN PEDDIBOYINA: Okay. Looks like none. Yeah, I have no objection on this case, and I open to the motion time. And Michael Longo --

MEMBER LONGO: Yes.

CHAIRMAN PEDDIBOYINA: -- please go ahead with a motion.

MEMBER LONGO: Yes, I will. I move that we grant the variance in Case Number PZ22-0029 for Steve Kolis, for the rear yard setback of 30 feet .27, which is a four plus

foot variance, because the petitioner has shown practical difficulty requiring the slight variance.

Without the variance, the petitioner will be unreasonably prevented or limited with respect to the use of the property because the porch would not accommodate a family. The property is unique because of the odd shape, particularly back in the back corner of the backyard. The petitioner has not created the condition because it purchased the lot, which is, again, oddly shaped.

The relief granted will not unreasonably interfere with adjacent or surrounding properties because the home backs up to a wooded area. The relief is consistent with the spirit and intent of the ordinance because the variance does not interfere with any neighbors.

MEMBER SANGHVI: Second.

CHAIRMAN PEDDIBOYINA: Thank you very much, Mr. Longo and Dr. Sanghvi. Please time for the roll call.

MADAM SECRETARY: Chairman Peddiboyina.

CHAIRMAN PEDDIBOYINA: Yes, please.

MADAM SECRETARY: Member Krieger

MEMBER KRIEGER: Yes.

MADAM SECRETARY: Member Longo.

MEMBER LONGO: Yes.

MADAM SECRETARY: Member McLeod.

MEMBER MCLEOD: Yes.

MADAM SECRETARY: Member Montague.

MEMBER MONTAGUE: Yes.

MADAM SECRETARY: Member Sanghvi.

MEMBER SANGHVI: Yes.

MADAM SECRETARY: Member Thompson.

MEMBER THOMPSON: Yes.

MADAM SECRETARY: The motion passes.

CHAIRMAN PEDDIBOYINA: Thank you so much, and congratulations.

MR. KOLIS: Thank you.

CHAIRMAN PEDDIBOYINA: All right.

This brings us to our third case. PZ22-0030, Singh Development. East of Novi Road and south of Grand River Avenue. Parcel 50-22-23-151-039, 50-22-23-176-035. The applicant is requesting variance from the City of Novi Zoning Ordinance from Section 3.6.2.H to allow a 20-foot building setback adjacent

to the RM-2 District, 117 feet required variance of 97 feet. And Section 5.10 to allow perpendicular parking on a major driveway, which is not permitted. This property is zoned Town Center-1, TC-1. Is the applicant -- okay. Go ahead and spell your first and last name clearly for our secretary and for the Court Reporter.

MIKE NELES: Thank you. My name is Mike Noles. M-I-K-E. N-O-L-E-S.

MEMBER MONTAQUE: Are you an attorney?

MR. NOLES: I am not an attorney.

MEMBER MONTAQUE: Do you swear to tell the truth in this case?

MR. NOLES: I do.

MEMBER MONTAQUE: Thank you, sir.

MR. NOLES: Thank you.

CHAIRMAN PEDDIBOYINA: Michael -- Mike, please go ahead and present your case clearly and legibly to our board and audience. And you can present whatever you have on our projector. And -- (indiscernible) -- and where we can help you tonight. Thank you.

MR. NOLES: Thank you, chairman.

Good evening. The Towns at Main Street will be an exciting modern addition to the Main Street area. The Towns at Main Street will provide 192 stylish, modern townhomes that complement the area. The site will harmonize with the existing architecture to actualize Novi's Main Street vision.

The Planning Commission unanimously recommended approval on 4-27, 2022, including about a dozen waivers. City Council unanimously approved the site plan on May 23rd this year, also including all of the required waivers. The request for variance in this package is a matter for the Zoning Board of Appeals, which could not be approved by the Planning Commission or Council, despite their unanimous support for the project.

The City of Novi planning staff identified the following two zoning matters for your consideration tonight. Number 1, the variance from Section 3.6.2H to allow a 20 foot building setback adjacent to RM-2 District, where 117 would normally be required. And the second, a variance from Section 5.1 to allow perpendicular parking on

a major drive. We respectfully request the variances above. At this site these are impractical standards to meet.

With regard to the setback, requiring a 117 foot setback between two residential districts does not appear anywhere else in Novi's ordinance. The reason it is written for a TC-1 zoning district is because TC-1 also permits commercial uses. No commercial uses are proposed at this site. The variance requested is supported by the City of Novi staff.

Perpendicular parking. Enforcing this rule would eliminate the only ADA accessible spaces in the project. Since all of the drives within the neighborhood are considered major drives, we would not be allowed perpendicular parking visitor spaces anywhere on the site. This is the reason the applicant had to eliminate all of the off-street parking that we had previously planned. We could not eliminate the last two remaining places -- which I will show you on another slide -- because they're required for ADA accessibility, and also the city staff

supports the variance. The following pages are the required narratives in accordance with the City of Novi ZBA application rules.

The second slide. As you can see here, the property is depicted in green. The TC-1 zoning district is depicted in orange. And the whole green property would also be orange if it were just a zoning map, but I wanted to distinguish the property -- the subject property for you. You can also see to the south there is an industrial property here in purple. And then over here is a residential multi-family property in yellow.

So you have several zoning districts all come together at this one location. You can see the shape, configuration, and location of this property is extremely unique. The need for a variance is in large part due to the unique shape and circumstances of the particular property. These conditions create an unnecessary hardship that requires relief.

The property, as you can see, is a jig-saw puzzle piece shaped property, located in the center of the City of Novi Town Center area. Since TC permits both commercial and

residential, the only residential is proposed at this location, so the additional setback is an unnecessary burden.

You can see -- I put together this little slide over here. You can see the neighboring property. Here's a photograph. Let me zoom in on that so you can see it a little bit more clearly, slide this over for you. So the Towns at Main Street are here on the left. The existing multi-family residential are here on the right. The red line that I have drawn between them show the property line. So the additional setback was created so that residential properties would have a separation from a commercial business. We're not proposing a commercial business.

Whenever you have two residential zoning next to each other, there is no additional requirement for this additional separation. But because it's technically designated TC, despite the fact that we're using it for 100 percent residential, that's the reason that we have to come before you for a variance this evening for the setback requirement.

Okay. Next. The situation was not self-created. The applicant's problem is not self-created. The problem is an unnecessary hardship. The applicant had no hand in creating the TC-1 ordinance, did not create the unusual property configuration, and did not create the ADA parking standards that created the conflict with these particular zoning ordinances. Enforcing those standards would be unreasonable and impractical under the circumstances.

The intent of the ordinance is to create adequate separations between different types of uses; however the residential uses are both the same, making the requirement impractical. The proposed Towns at Main Street plan meets the intended goal. The city staff has indicated their support for these variances, and the applicant had no hand in creating this impractical situation.

Slide 3. The property is in strict compliance with the permitted uses outlined in the City of Novi zoning maps and ordinances for the TC-1 District. Strict compliance with the setback or parking configuration

requirements detailed above would create an unnecessary hardship.

The project, as I mentioned, is entirely residential; requiring a commercial or industrial style setbacks between residential properties is impractical. Strict compliance would be prevent development at the density desired by the city and written into the TC-1 Code. For example, there were 192 units on this property. The TC-1 District would allow double that number of units on this property. But, of course, there are other dimensional constraints. You have to have certain separations and you have to have access drives and those types of things, so going to higher density is impractical. This density works with the ordinance, is in compliance with the ordinance, and was unanimously approved by the Planning Commission and the City Council but for these two issues.

Let me show you a little bit closer about where these occur. The parking occurs on the site. So if you zoom in, I highlighted them here for you. So you see this little

yellow -- right above my finger, you see this little yellow piece right here, that's the parking. Right next to it is the community mail kiosk, so where all of these residents are going to come and pick up their mail. To not have a couple of parking spaces next to the mail kiosk seems unreasonable.

Now, I did say that it's handicap. There are three handicap spaces in this particular location, there are also two non-handicap spaces at this location. I don't want to mislead you to say that it's all ADA accessible. If we were going for the variance to have the ADA spaces, we thought it would be practical to have a couple of spaces that folks could park and get their mail.

You can also see here is the community play area, so it's one of the common amenities for the community. So 192 units will be using that, and there may be a call for somebody to drive over to pick up their kids, to drop off their kids; so it makes sense to have the parking at this location.

The other location is on the north side. You can see the site is bifurcated by

Main Street; half of it's on the north, half of it's on the south. So there's a second community mail kiosk here at this location, and that's where the other parking space is. So there are two parking spaces, two parking bays with ADA spaces, a couple of regular spaces so that people can go and pick up their mail at this community.

I also want to point out one other thing while we're looking at this slide. Let me zoom out a little bit more. Oops. Wrong way. All of these streets in here are designated as major streets, every single one; so you can't have parking anywhere. You can't have perpendicular parking anywhere.

When we first started site planning this site, we had about a dozen of these little parking spaces throughout the community, places where visitors could come if you're having a gathering. We still meet all the parking requirements because there's two spaces in every driveway and two spaces in every garage; four times 192, we meet the threshold for the City of Novi requirement for parking. But we wanted to add some extra

spaces that would be sort of a courtesy for our residents here. We had to eliminate all of them except for these two -- we just couldn't bring ourselves to eliminate these -- which is why this is the minimum variance necessary.

So another one of your standards, Number 4, is that are we only asking for the minimum variance necessary? We are, otherwise we would be asking you for 12 locations for these, how we originally wanted to have it with the additional parking spaces. Okay. That's Slide 3.

Slide 4 and final slide. And I know this is very important to you. It's Standard Number 5, the adverse impact on the surrounding areas. The variance will not affect the character of the area. It will not reduce property values or the use and enjoyment of the property in the neighborhood or in the TC-1 Zoning District. In fact, just the opposite is true.

Development of the Towns at Main Street will create a dynamic attractive city core that provides unique opportunities to

participate in active community life and meet the need for goods, services, housing, and entertainment. Increasing the permanent residential population living within the Main Street area will support the Main Street businesses.

The Towns at Main Street will be an important addition to the Main Street core by providing permanent residence to the area, which will help bring the city's stated vision to life. Development will have a positive social impact, and providing an unnecessary setback or preventing a few ADA parking spaces would create a negative environment. Approving the variance will allow the residents -- will allow residents that are in compliance with all other TC-1 District requirements to be built on the parcel, which will provide substantial justice to the petitioner and to the surrounding property owners.

The petitioner has met all five of the requirements set forth in the ordinance to grant a variance. All the elements of the practical difficulty exist, and we

respectfully request your support for these two variances. Thank you very much.

CHAIRMAN PEDDIBOYINA: Thank you very much, Mike. That's a lot of good presentation. Let's see how things will move further. I want to talk to the city. Larry.

MR. BUTLER: No comments from the City.

CHAIRMAN PEDDIBOYINA: Thank you. Comments from the secretary.

MEMBER MONTAQUE: Twenty-six letters were mailed, three letters returned. No approvals, no objections.

CHAIRMAN PEDDIBOYINA: Thank you so much. The public, anybody who would like to speak on this case? This is the time to utilize your time.

AUDIENCE: (No verbal response).

CHAIRMAN PEDDIBOYINA: It looks like no one. Thank you so much. It's open to the board. Please, go ahead and -- okay.

MEMBER MCLEOD: Actually, two questions, first for the city. There were claims made that this was unanimously approved by the city council. Can you confirm that

yes, that those things are correct?

MEMBER KRIEGER: We can look it up.

CHAIRMAN PEDDIBOYINA: Okay. And also you mentioned that the City Council and the Planning also?

MR. NELES: Yes, sir; both have approved.

CHAIRMAN PEDDIBOYINA: He mentioned two of them, Planning and City Council.

MR. NELES: Both have approved.

MEMBER KRIEGER: What's the name of the project?

MR. NELES: The Towns at Main Street.

CHAIRMAN PEDDIBOYINA: You have a question?

MR. MCCLEOD: Secondly, while they're looking that up. You mentioned that there are five parking spots in that one spot, three of which are ADA and two non?

MR. NELES: Yes.

MEMBER MCLEOD: Does that allocation make sense? Is it the design for these particular homes for the elderly, or why is it that particular breakup?

MR. NELES: No, it's not. It is not necessarily a good representation of what we think the demographic is going to be to purchase homes in here. So we believe that the demographic will be diverse, and we think that it will appeal to millennials and to young families. There might be also some single household smaller families.

The units, themselves, are really cool; they have cantilever decks off of the back, they have a rooftop deck option. So we think that we will appeal more to a millennial crowd that will be more active in the night life, the restaurants and the things going on around the community.

The reason for the parking spaces was because we wanted to have parking spaces at the mail kiosk and at the play area. And there are two on the north side for ADA, and three on the south side for ADA. And it just worked out that way for -- you know, we threw in a couple of extra spaces so that people could also park there; but, really, our goal was to provide ADA access and a couple of extra rider spaces for, you know, drop off and

pick up to grab your mail. So it doesn't necessarily -- it's not an age targeted or assisted living type of development in any way, shape, or form.

MEMBER MCLEOD: As you say, I've lived in a place that had similar allocation, and it is frustrating for those of us who are struggling to find a parking spot.

MR. NELES: Absolutely 100 percent. And I'd like to point out, Mr. McCleod, that we meet all the parking requirements; so every unit, all 192 units, has four parking spaces attributed to it.

The other thing I'd like to point out is that we have -- I want to say there is probably a dozen locations throughout the community where we have bike racks. Some of them are the covered bike racks. We have sidewalks throughout the whole neighborhood. And the concept here is that this is a walking community. You're living right in Downtown Novi. You're gonna walk over to BD's Mongolian Barbecue and get yourself some lunch, and maybe stop off at the store nextdoor and, you know, grab a few items. But

the concept is a pedestrian-friendly center core; which is how it's depicted in the City of Novi master plan for the vision for this area.

CHAIRMAN PEDDIBOYINA: Okay. Thank you. Any other board member? Mr. -- Dr. Sanghvi?

MEMBER SANGHVI: Thank you. I just have a question for you, for the city. If this was zoned residential, how many residents would there be?

MR. BUTLER: It depends. I would have to see what the grouping would be for the amount of houses as to how many residences they would need.

MEMBER SANGHVI: Because there are 190 units.

MR. NELES: 192, yes, sir.

MEMBER SANGHVI: How big are the units?

MR. NELES: The size is, I believe, is around -- do you know the square feet of the the units, Todd?

SPECTATOR: I believe it's 1,800 to 2,400 square feet.

MR. NELES: They're 1,800 to 2,400 square foot units, and they are on -- basically, a three-story unit. You've got your garage on the first floor with an entry and then sort of a first floor living space above that, and then an upstairs with an optional loft. So a lot of steps, tall units. Relatively -- they're reasonably sized, but 1,800 and 2,400 is not a monstrous unit by any means.

MEMBER SANGHVI: What I'm trying to understand is, how many people are you going to put there in that, population-wise, with walking you are talking about?

MR. NELES: Oh. Well, yes. So I would say, you know, generally for population equivalence, a single-family home, you estimate 3.5 residents per single-family home. For a townhome of this nature, generally it's 2.5 is what you figure would be the average. But I think you're right, sir, I think that you'll see, you know, perhaps divorcees or widowers or widows or some single-family type of residents or young professionals that, maybe, move in that are alone or starting out

a family.

MEMBER SANGHVI: Thank you.

CHAIRMAN PEDDIBOYINA: Thank you,
Dr. Sanghvi. Member Thompson.

MEMBER THOMPSON: Did I hear you say
you're not allowed to park on the street?

MR. NELES: You could technically
park on the street because it's 27 feet
back-to-back; and in the City of Novi you're
permitted to park on one side of the street
with 27 feet. However, there are so many
driveways and fire hydrants in this
neighborhood; if you look at the layout, there
is really no place to fit a car in parking on
the street.

So here's the layout again. You
could probably get some parking right along
here, technically. This is a main drag.
There are parallel spots on Main Street, but
all of these -- these are all rear-entry
garages, so these are all driveways back here
to enter the back of these units. You can't
park on that street because you'll be blocking
somebody's driveway. So there really are, you
know, very, very limited opportunities to park

on the street; and you probably wouldn't catch me doing it.

MEMBER THOMPSON: Okay. So I guess is the next question, you know, we have three kids and they have all grown up in Novi; they're still growing up in Novi.

MR. NELES: Yeah.

MEMBER THOMPSON: A single-family home. We're gonna have -- half of the garage is going to bicycles, strollers, wagons.

MR. NELES: True.

MEMBER THOMPSON: And we're gonna to put mom's car on the other side. Right?

MR. NELES: Right.

MEMBER THOMPSON: Dad's in the driveway. We have one spot left. What happens when grandma or grandpa come over?

MR. NELES: Yeah. Absolutely, which is why we started with a bunch of visitor parking. But there is a solution to your dilemma because this parking lot over here is on our property, and so this could be permitted overflow parking over here, shared parking. And then this parking lot over here that services this commercial is on our

parking, and there is a shared parking agreement for there. So we do have two areas for larger overflow crowds.

And as I pointed out, on Main Street, both sides of the road, there are parallel spaces along Main Street on both sides, so you can park cars on Main Street. You could still do a modest get-together with some additional parking there. It would be a little bit of a walk to the units, for sure.

MEMBER THOMPSON: So would that -- that lot that's there, that's connected to the property?

MR. NELES: Yes, it is.

MEMBER THOMPSON: The one up at the top?

MR. NELES: Yes, it is; it's on the property. So the red outline is the outline of the property, so it's on the property. And there is a shared parking agreement over that which allows both this development and like BD's Mongolian Barbecue that I mentioned before, the folks in that particular building to also use that parking. There is also a city-owned parking lot that is -- let's see.

I want to get it right. This parking lot right over here is the City of Novi parking lot, so that's a public parking lot. So, yes, there are other opportunities to park nearby; but you're right, it's tight.

MS. SAARELA: So can I interject for a couple of things here?

CHAIRMAN PEDDIBOYINA: Yes, go ahead.

MS. SAARELA: So first of all, it was recommended approval to -- by the Planning Commission to City Council on April 27th. City Council did approve it on 5-23. The shared parking agreement was also a condition of that approval.

I just want to re-direct everything here because he's not asking for a variance for deficient parking right now. So our full investigation into whether or not he has enough parking for this development is not relevant to the question that's being asked right now. So I think if we're looking at denying this because you feel this doesn't have enough parking, that really isn't what we're looking at here today. We need to focus

back on what his request for the variance is.

CHAIRMAN PEDDIBOYINA: Thank you.

MR. NELES: Thank you, Ms. Saarela.

CHAIRMAN PEDDIBOYINA: Okay.

Thompson, any other questions before we move to another board member?

MEMBER THOMPSON: No.

CHAIRMAN PEDDIBOYINA: Okay. Linda.

MEMBER KRIEGER: If it's relevant, for wintertime, when the snow plow goes by for parallel parking, is it going to be -- Singh owns the property, so then the roads would be for Novi to plow? Are these going to be private roads?

MR. NELES: No, they will be private roads, so they won't be public roads for Novi to plow. The homeowners' association for The Towns at Main Street will plow the roads.

MS. KRIEGER: Okay.

MR. NELES: Yes.

CHAIRMAN PEDDIBOYINA: As you mentioned, how many parking lots that are there that are empty ones that guests, grandma; approximately how many parking lots?

MR. NELES: There are -- I believe

there's one, two, three, four, five on the south, and I think there's three on the north. So I think there's eight parking spots that we're talking about here that are off of, quote, unquote, main drives.

CHAIRMAN PEDDIBOYINA: Okay. Any other board member before we move?

BOARD MEMBERS: (No verbal response).

CHAIRMAN PEDDIBOYINA: Okay. Looks like now it's time for the motion. Linda, please, go ahead.

MEMBER KRIEGER: Okay. In case Number PZ22-0030, Singh Development, east of Novi Road and south of Grand River, parcel 50-22-23-151-039 and 50-22-23-176-035, that we approve the request to allow a 20 foot building setback adjacent to the RM-2 District. 117 feet required variance of 97 feet. There will be residence next to residence versus having a buffer. And Section 5.10 to allow perpendicular parking on a major drive, which is not permitted. This property is zoned Town Center-1.

The petitioner has shown practical

difficulty requiring this. It has a unique shape of this property. He did an excellent presentation regarding the needs for this area to allow perpendicular parking to assist ADA compliance. Without, the petitioner would be unreasonably prevented or limited with the use to the property because it's commercial versus residential; which in this case it will be residential versus residential. No buffer needed in the TC-1 area, which is unique in Novi and in no other area, for this setback requirement.

The property is unique because it is in the TC-1 area, to make it a Main Street downtown field in Novi, which will be residential and not need buffer separation setback. To purchase this site and then try and make it work to help Novi's master plan is quite an accomplishment.

The petitioner did not create the condition because the property was delegated as a downtown area years ago. The relief granted will not unreasonably interfere with adjacent or surrounding properties because it will inspire people to come to a downtown

field Novi and have residential and walking distance to the shopping areas. There will be allowed for ADA compliance for visitors if there's need for that.

The relief is consistent with the spirit and intent of the ordinance because it works with Novi's intent and master plan of downtown field with shops and residents.

CHAIRMAN PEDDIBOYINA: Thank you, Member Krieger.

MEMBER SANGHVI: Second.

CHAIRMAN PEDDIBOYINA: Thank you, Dr. Sanghvi. Roll-call, Anita.

MADAM SECRETARY: Chairperson Peddiboyina.

CHAIRMAN PEDDIBOYINA: Yes, please.

MADAM SECRETARY: Member Krieger.

MEMBER KRIEGER: Yes.

MADAM SECRETARY: Member Longo.

MEMBER LONGO: Yes.

MADAM SECRETARY: Member McLeod.

MEMBER MCLEOD: Yes.

MADAM SECRETARY: Member Montague.

MEMBER MONTAGUE: Yes.

MADAM SECRETARY: Member Sanghvi.

MEMBER SANGHVI: Yes.

MADAM SECRETARY: Member Thompson.

MEMBER THOMPSON: Yes.

MADAM SECRETARY: The motion passes.

CHAIRMAN PEDDIBOYINA: Good luck and congratulations, Mike.

MR. NELES: Thank you very much. I appreciate your attention and your support.

CHAIRMAN PEDDIBOYINA: Thank you. Okay. Let's go back to the first case. PZ22-0028, RN Construction. 41934 Aspen Drive, west of Meadowbrook Road and south of 10 Mile Road. Parcel 50-22-26-254-001. The applicant is requesting a variance from the City of Novi Zoning Ordinance Section 3.1.5 for a rear yard setback of 21.74 feet. 35 feet required variance of 13.26 feet. This variance will accommodate the building of a new screened-in porch. This property is zoned single family residential R-4. Is the applicant present?

MR. NEFF: Yes.

CHAIRMAN PEDDIBOYINA: Please come to the podium. Spell your first and last name clearly?

MR. NEFF: I'm sorry.

CHAIRMAN PEDDIBOYINA: That's okay.

MR. NEFF: Yeah. This is for Amy
Knoy, for 41934 --

CHAIRMAN PEDDIBOYINA: Yeah. Please
spell your first and last name clearly for our
Court Reporter and for the Secretary.

MR. NEFF: I am sorry. I couldn't
--

MEMBER MONTAGUE: Please say your
first and last name and spell it?

MR. NEFF: Oh. My name is Rick Neff
from RN Construction. We are proposing --

MEMBER MONTAGUE: Spell it, please?

MR. NEFF: What was that?

MEMBER MONTAGUE: Spell the name,
please?

MR. NEFF: R-I-C-K. N-E-F-F.

MEMBER MONTAGUE: Thank you.

MR. NEFF: RN Construction.

MEMBER MONTAGUE: Are you an
attorney?

MR. NEFF: No.

MEMBER MONTAGUE: Do you swear to
tell the truth in this case?

MR. NEFF: Yes.

MEMBER MONTAGUE: Thank you.

CHAIRMAN PEDDIBOYINA: Yeah, please go ahead and present your case, where we can help you tonight.

MR. NEFF: Okay.

CHAIRMAN PEDDIBOYINA: And if you have any presentation, you can pull down the projector, and you can zoom in. That black one, you can move up and down.

MR. NEFF: One minute, trying to find the plans. Okay. What we're proposing is a screened porch in this area here. There's an existing deck here right now.

CHAIRMAN PEDDIBOYINA: Can you speak in the mic so that everybody can hear you?

MR. NEFF: Oh, I'm sorry.

CHAIRMAN PEDDIBOYINA: You can turn the mic if you want.

MR. NEFF: I'm sorry.

CHAIRMAN PEDDIBOYINA: That's okay.

MR. NEFF: There's a deck -- there's an existing deck right here now, and we're proposing a screened porch, putting a roof over the top of it. The back is -- there's a

school behind it, which is -- I think there's a school back there, isn't it?

MS. KNOY: It's an elementary school.

MR. NEFF: An elementary school. But there's a space for the storm drain and everything. We're not extending the deck, what we're doing is trying to propose to take the deck down, rebuild a deck that will structurally hold the porch. And she wanted a screened-in porch so that she can go out and enjoy it without the bugs and everything, and a roof over top of it.

CHAIRMAN PEDDIBOYINA: Any other thing you'd like to add?

MR. NEFF: What?

CHAIRMAN PEDDIBOYINA: Do you want to say anything?

MR. NEFF: (No verbal response).

CHAIRMAN PEDDIBOYINA: No?

MR. NEFF: (No verbal response).

CHAIRMAN PEDDIBOYINA: Ma'am, did you want to add anything?

MS. KNOY: I'm sorry. I didn't -- I can't --

MR. NEFF: Did you want to add anything?

CHAIRMAN PEDDIBOYINA: Do you want to speak or anything on this case?

MS. KNOY: Basically, what I'm doing is --

CHAIRMAN PEDDIBOYINA: Can you come to the podium and tell your first and last name?

MR. NEFF: I'm not used to this.

CHAIRMAN PEDDIBOYINA: Can you put the mic lower, please? Yeah. Go ahead. Tell your first and last name clearly?

MS. KNOY: Amy. Last name is Knoy, K-N-O-Y.

CHAIRMAN PEDDIBOYINA: Secretary, can you take the oath, please?

MEMBER MONTAQUE: Are you an attorney?

MS. KNOY: (No verbal response).

MEMBER MONTAQUE: Are you an attorney?

MS. KNOY: No.

MEMBER MONTAQUE: Do you swear to tell the truth in this case?

MS. KNOY: Yeah.

CHAIRMAN PEDDIBOYINA: Please go ahead, ma'am; you can tell where we can help you tonight.

MS. KNOY: Huh?

CHAIRMAN PEDDIBOYINA: Yeah, you can say what you want to say.

MS. KNOY: What I want to do is -- the deck that I have now is not going to be any bigger. But because of the fact that it wasn't built to hold a roof, it needs to be taken down and reinforced in order to put the roof on there.

I can't even go out on my deck at night because the mosquitoes carry me away. There's no one behind me, there's big pine trees there. There's a piece of land before the walkway goes -- it goes up to the school. And the school is quite a ways from me because it backs up again to a parking lot. I'm sure I won't be interfering with anyone; there's no houses behind me.

The man next door to me just put a similar addition on his house, and I don't -- his lot may be just a tad bit bigger than

mine; not much, though, but that was all approved. And I don't know if he had to have a variance or not; I'm not sure about that. But basically I just want to redo my deck and have it screened in.

CHAIRMAN PEDDIBOYINA: Thank you, Amy.

MS. KNOY: And that's what it is.

CHAIRMAN PEDDIBOYINA: Okay. From the City?

MR. BUTLER: No comments from the City.

CHAIRMAN PEDDIBOYINA: Thank you, Larry. And secretary, any correspondence?

MEMBER MONTAQUE: There were 32 letters mailed, zero returned. No approvals, no objections.

CHAIRMAN PEDDIBOYINA: Okay. Thank you. Any audience would like to speak on this case; anybody in the audience?

AUDIENCE: (No verbal response).

CHAIRMAN PEDDIBOYINA: Okay. Looks like none. Okay. Looks like everything is good, Amy. And you and the presentation the practical difficulty what she has mentioned.

And I have nothing to say, and I'm open to the board. Please present anybody would like to speak on the board. Dr. Sanghvi, please go ahead.

MEMBER SANGHVI: Thank you. I came and saw your property last week and looked around there. You have a very nice home; it's a beautiful neighborhood there. And my only comment was that there is -- you already have a deck?

MR. NEFF: Yes, she has a deck, yes.

MEMBER SANGHVI: So you just want a covering?

MR. NEFF: Yes. She wants a roof over top of it, yes.

MEMBER SANGHVI: A roof over it. Okay. I have no problem with it. Thank you.

CHAIRMAN PEDDIBOYINA: Thank you, Dr. Sanghvi. Yeah, please go ahead.

MEMBER MCLEOD: Sir, just to confirm. When you say you're screening it in, you're just putting up some like screens along the edges or does this screening turn into like a sunroom?

MR. NEFF: We build it like a

sunroom. If I can find another picture. Let me just see. I have one more plan right here. Let me try to lay it flat, like that. Okay. What we do is we put four by fours on the side and then we screen and then glass on the bottom. Actually, you have rail and screen -- I'm sorry. I've done a lot of porches. You have screen on the top, and the rail and screen on the bottom. And you have four by four posts. We build the roof to match the house so it looks -- everything resembles the house so it doesn't look like an addition on.

And then one area -- oh, let me go to the deck plan that they had originally. On the basic outline of the -- the room would be closed in here, going this way, and then this would be like an open area, you get out onto the deck so she could put her grill right here; so she's able to do it under a cover. If she wants to grill to -- the grill sets outside of the roof line. The roof line would go from here to over here and then just screened in around the walls. Screen with glass and try to make it match the house so it doesn't look like an addition onto the house.

Basically, just a covering so she has somewhere screened in to go to.

MEMBER MCLEOD: Are you modifying the HVAC so it's being heated in the area --

MR. NEFF: Not heated. It's going to have, actually, a deck flooring, a Trex deck flooring with screen underneath the decking. So it's not getting any heating no anything else added on to it. Just, basically, a room -- we would have to have low lighting for light for the door to be able to go out to exit in the Novi areas. We would have to have a low voltage lighting so you can see going outside that door, that's the only thing.

MEMBER MCLEOD: For the City, is there any functional difference in the regulations between having a sunroom versus a deck, or are they --

MR. NEFF: No. It's all in the same -- sunroom -- well, it's a screened-in room. It isn't a sunroom. It isn't glassed in, it just has all screens on the sides.

MR. BUTLER: That's correct.

MEMBER MCLEOD: Okay. Thank you.

CHAIRMAN PEDDIBOYINA: Thank you.
Any other board member?

BOARD MEMBERS: (No verbal
response).

CHAIRMAN PEDDIBOYINA: Okay. Mr.
Thompson.

MEMBER THOMPSON: I move that we
grant the variance in Case Number PZ22-0028
sought by RN Construction for the rear yard
setback because the petitioner has shown
difficulty requiring the variance for the
porch. Without the variance the petitioner
will be unreasonably prevented or limited with
respect to use of the property. Because
there's already a deck there, we're just
trying to reinforce and add some screening.
The property is unique because it does back up
to a parking lot, a school. The petitioner
did not create the condition. It looks like
the house was built on the school's parking
lot. It almost looks like it's gotten bigger.

MS. KNOY: Say that again?

MR. NEFF: Did the parking lot get
bigger or was it --

MS. KNOY: Oh, no, the parking lot

hasn't changed.

MR. NEFF: It has been there? They built it right from the original that way.

MEMBER THOMPSON: It's still there.

MR. NEFF: It's still there.

MEMBER THOMPSON: The relief granted will not unreasonably interfere with the adjacent or surrounding properties; again, backing up to the woods and with the neighbor having a similar setup. The relief is consistent with the spirit and the intent of the ordinance because this does help the homeowner.

MEMBER KRIEGER: Second.

CHAIRMAN PEDDIBOYINA: Thank you, Linda, and thank you, Thompson. Roll call, secretary?

MADAM SECRETARY: Chairperson Peddiboyina.

CHAIRMAN PEDDIBOYINA: Yes, please.

MADAM SECRETARY: Member Krieger.

MEMBER KRIEGER: Yes.

MADAM SECRETARY: Member Longo.

MEMBER LONGO: Yes.

MADAM SECRETARY: Member McLeod.

MEMBER MCLEOD: Yes.

MADAM SECRETARY: Member Montague.

MEMBER MONTAGUE: Yes.

MADAM SECRETARY: Member Sanghvi.

MEMBER SANGHVI: Yes.

MADAM SECRETARY: Member Thompson.

MEMBER THOMPSON: Yes.

MADAM SECRETARY: Motion passes.

CHAIRMAN PEDDIBOYINA: Thank you.

Congratulations, Amy. Good luck.

MR. NEFF: Thank you very much.

MS. KNOY: Thank you.

CHAIRMAN PEDDIBOYINA: Okay. That completes or three cases tonight. Any other matters? Apart from that, we want to adjourn before that. Say all in favor aye -- before we move --

MEMBER KRIEGER: Move to adjourn?

CHAIRMAN PEDDIBOYINA: Yeah.

MEMBER KRIEGER: Move to adjourn.

MEMBER SANGHVI: Second.

CHAIRMAN PEDDIBOYINA: Say all in favor, aye?

BOARD MEMBERS: Aye.

CHAIRMAN PEDDIBOYINA: Any nays?

BOARD MEMBERS: (No verbal
response).

CHAIRMAN PEDDIBOYINA: Thank you.
Meeting is adjourned.

(Meeting adjourned at 7:52 p.m.)

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C E R T I F I C A T E

STATE OF MICHIGAN)

) ss

COUNTY OF OAKLAND)

I, Sandra D. Wilson, Notary Public within and for the County of Oakland, do hereby certify that I have recorded stenographically the proceedings had and testimony taken in the above-entitled matter at the time and place hereinbefore set forth; and I do further certify that the foregoing transcript, consisting of 54 typewritten pages, is a true and correct transcript of my said stenographic notes.

/s/ Sandra D. Wilson
Sandra D. Wilson, CSR
Notary Public
Oakland County, Michigan
My commission expires: 05-09-25

July 25, 2022