

REGULAR MEETING - ZONING BOARD OF APPEALS

CITY OF NOVI

TUESDAY, APRIL 9, 2019 7:00 P.M.

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

BOARD MEMBERS:

Linda Krieger, Chairperson

Brent Ferrell, Vice Chairperson

David M. Byrwa

Siddharth Mav Sanghvi

Joe Peddiboyina

Kevin Sanker

Michael Longo

ALSO PRESENT:

Elizabeth Saarela, City Attorney

Lawrence Butler, Comm. Development, Dep. Director

Katherine Opperman, Recording Secretary

Reported by:

Darlene K. May, Certified Shorthand Reporter

1 18:59:27 Novi, Michigan  
2 18:59:33 Tuesday, April 9, 2019  
3 18:59:37 7:00 p.m.  
4 18:57:20 - - -  
5 19:02:04 CHAIRPERSON KRIEGER: Good evening and  
6 19:02:05 welcome to the Novi Zoning Board of Appeals for  
7 19:02:08 Tuesday, April 9th, 2019. And if you could all rise  
8 19:02:14 for the Pledge of Allegiance.  
9 19:02:16 If Kevin could do the pledge ...  
10 19:02:18 (Pledge of Allegiance.)  
11 19:02:41 CHAIRPERSON KRIEGER: And Katherine, call the  
12 19:02:44 role.  
13 19:02:45 MS. OPPERMAN: Member Byrwa?  
14 19:02:46 MEMBER BYRWA: Here.  
15 19:02:46 MS. OPPERMAN: Member Ferrell?  
16 19:02:47 MEMBER FERRELL: Here.  
17 19:02:48 MS. OPPERMAN: Member Gronachan is absent,  
18 19:02:48 excused.  
19 19:02:51 Chairperson Krieger?  
20 19:02:52 CHAIRPERSON KRIEGER: Present.  
21 19:02:52 MS. OPPERMAN: Member Peddiboyina?  
22 19:02:52 MEMBER PEDDIBOYINA: Yes.  
23 19:02:53 CHAIRPERSON KRIEGER: Member Sanker?

1 19:02:57 MEMBER SANKER: Here.

2 19:02:58 MS. OPPERMAN: Member Sanghvi?

3 19:02:59 MEMBER SANGHVI: Here.

4 19:02:59 MS. OPPERMAN: And Member Longo?

5 19:03:01 MEMBER LONGO: Here.

6 19:03:01 CHAIRPERSON KRIEGER: Very good. We have a

7 19:03:02 full board, a busy one.

8 19:03:05 This is a public hearing format and Rules of

9 19:03:08 Conduct are in the back. If you'd just remember to

10 19:03:09 have the phones, cell phones, on vibrate, no sounds.

11 19:03:15 Thank you.

12 19:03:16 And that also that it's broadcast at home.

13 19:03:19 So if you want to put your overheads on our overhead

14 19:03:25 here and people can see and hear at home.

15 19:03:30 We have an agenda. We have seven cases

16 19:03:31 tonight. Is there any approval of the -- is there any

17 19:03:34 changes to the agenda?

18 19:03:37 MS. OPPERMAN: There is a minor change in

19 19:03:40 that on case PZ19-0012, the applicant's name was

20 19:03:41 mistakenly written in as "Mark" when it was initially

21 19:03:46 written out. His name is Philip. So that has been

22 19:03:52 corrected on all of our paperwork.

23 19:03:52 CHAIRPERSON KRIEGER: Mark?

1 19:03:53 MS. OPPERMAN: His name is Philip.

2 19:03:56 CHAIRPERSON KRIEGER: Okay.

3 19:03:56 MS. OPPERMAN: It was mistakenly Mark,

4 19:03:57 previously.

5 19:03:59 CHAIRPERSON KRIEGER: Very good.

6 19:03:59 So do we have a approval of the agenda? Do

7 19:04:02 we have a motion to approve?

8 19:04:06 MEMBER FERRELL: So moved.

9 19:04:07 CHAIRPERSON KRIEGER: Second?

10 19:04:11 MEMBER SANGHVI: Second.

11 19:04:11 CHAIRPERSON KRIEGER: All in favor say,

12 19:04:11 "Aye."

13 19:04:11 THE BOARD: "Aye."

14 19:04:11 CHAIRPERSON KRIEGER: None opposed?

15 19:04:11 So we have our agenda.

16 19:04:11 Minutes. Do we have our minutes for March?

17 19:04:14 MS. OPPERMAN: No. They were not provided in

18 19:04:16 time for the packet.

19 19:04:18 CHAIRPERSON KRIEGER: All right. So that

20 19:04:19 will be next time.

21 19:04:21 And then public remarks. Anyone that has a

22 19:04:23 comment other than what the cases, they have three to

23 19:04:26 five minutes to speak to ahead of time. If not, hold

1 19:04:30 remarks until the cases. Does anyone have a comment?

2 19:04:35 Seeing none, I'll close public remarks and

3 19:04:38 I'll proceed to our first case.

4 19:04:41 PZ19-0006, Francis and Pamela Schneider for

5 19:04:45 20825 Meadowbrook Road, Parcel Number 50-22-35-400-048.

6 19:04:52 The applicant is requesting a variance from the Zoning

7 19:04:57 Ordinance 3.1.2 D for a 2.65 foot variance for a

8 19:05:03 proposed lot width of 117.35 feet, 120 feet required.

9 19:05:10 Property is zoned single family residential.

10 19:05:13 And welcome back.

11 19:05:14 Do they need to be sworn in again, Beth?

12 19:05:18 MS. SAARELA: No. They were sworn in once

13 19:05:20 already.

14 19:05:23 CHAIRPERSON KRIEGER: All right. Very good.

15 19:05:23 You may proceed.

16 19:05:24 MR. SCHNEIDER: Hi. My name is Francis

17 19:05:26 Schneider. I've been a Novi resident for 34 years.

18 19:05:30 This is my wife Pam. We are requesting a dimensional

19 19:05:34 variance on a lot that we want to split off. The lot

20 19:05:40 that we're going to try and split off here is totally

21 19:05:45 compliant and the variance would be on our existing

22 19:05:50 property here of 2.65 feet.

23 19:05:53 All the setbacks, square footage, frontage,

1 19:05:58 rear and everything else is compliant on this  
2 19:06:01 particular lot here. We want to sell. We want to  
3 19:06:06 split off. So that's what we're hoping to get approved  
4 19:06:10 today.

5 19:06:13 CHAIRPERSON KRIEGER: Okay. Is that it?  
6 19:06:15 MR. SCHNEIDER: Yes.  
7 19:06:16 CHAIRPERSON SANGHVI: Very good. Anyone in  
8 19:06:17 the audience have a comment regarding this case?  
9 19:06:20 Seeing none.  
10 19:06:22 From the City?  
11 19:06:23 MR. BUTLER: There's no comment.  
12 19:06:26 CHAIRPERSON KRIEGER: Thank you.  
13 19:06:28 Correspondence?  
14 19:06:29 MEMBER FERRELL: Yes, Madame Chair. There  
15 19:06:30 was 10 letters mailed; one letter returned, zero  
16 19:06:34 approvals, zero objections. The letter is from Brandy  
17 19:06:41 F-a-k-h-u -- H-o-u-r-y.  
18 19:06:47 "To whom it may concern, I would like to  
19 19:06:47 submit comments regarding the case. We purchased our  
20 19:06:47 property and home knowing the neighboring lot would not  
21 19:06:54 be built on. My concerns are with the existing tree  
22 19:06:56 line and privacy for my property. I do not want to see  
23 19:07:00 destruction of any existing trees and propose

1 19:07:04 additional tree plantings for the property lines just  
2 19:07:06 to keep the privacy and tranquility for the area  
3 19:07:10 proposed and my property."  
4 19:07:11 And that is it.  
5 19:07:14 CHAIRPERSON KRIEGER: Very good. And we'll  
6 19:07:17 open it up to the Board.  
7 19:07:20 Yes. Member Sanghvi?  
8 19:07:52 MEMBER SANGHVI: Thank you. I came and  
9 19:07:53 looked at your property that Saturday and I saw a very  
10 19:07:58 minor variation you really need and I have no problem  
11 19:08:01 with it. It shouldn't effect anybody also as far as I  
12 19:08:05 can see. So I would be in support of your application.  
13 19:08:09 Thank you.  
14 19:08:09 MR. SCHNEIDER: Thank you.  
15 19:08:11 CHAIRPERSON KRIEGER: Very good. And also I  
16 19:08:13 drove by. There's no trees. So --  
17 19:08:15 MR. SCHNEIDER: No.  
18 19:08:16 CHAIRPERSON KRIEGER: -- regarding that  
19 19:08:16 issue.  
20 19:08:17 And then it says the clarification from the  
21 19:08:19 previous meeting for the request for the 120 feet, so  
22 19:08:24 that this lot is compliant instead of nonconforming.  
23 19:08:29 So I also am in favor.

1 19:08:31 MR. SCHNEIDER: Thanks.

2 19:08:33 CHAIRPERSON KRIEGER: Yes?

3 19:08:35 MEMBER PEDDIBOYINA: Thank you. I drove the

4 19:08:37 property and there's no issue on that. And this is a

5 19:08:40 small minor thing, as my colleague said. I have no

6 19:08:43 issue. Thank you.

7 19:08:44 MR. SCHNEIDER: Thank you.

8 19:08:50 CHAIRPERSON KRIEGER: Seeing any other

9 19:08:50 comments. Or a motion?

10 19:08:54 MEMBER PEDDIBOYINA: Yes.

11 19:08:56 CHAIRPERSON KRIEGER: Yes, Member

12 19:08:56 Peddiboyina?

13 19:08:56 MEMBER PEDDIBOYINA: Okay. Thank you. I

14 19:08:57 move that we grant the variance in case number

15 19:09:00 PZ19-0006 for Francis and Pamela Schneider because the

16 19:09:07 petitioner has shown the practical difficulty for

17 19:09:11 requesting a 2.65 foot variance for the proposed lot

18 19:09:14 width of 118 feet to 120 feet minimum required.

19 19:09:19 Without the variance the petitioner will be

20 19:09:22 unreasonably prevented or limited with respect to the

21 19:09:26 use of the property because without the 2.65 variance,

22 19:09:30 the lot will not be split in two lots. The petitioner

23 19:09:35 did not create the condition because of the shape of

1 19:09:38 the lot.

2 19:09:39 The relief, if granted, will not unreasonably

3 19:09:42 interfere with the adjacent and surrounding properties

4 19:09:46 because the variance is an existing lot and the

5 19:09:48 proposed lot split would create two lots.

6 19:09:52 The relief is consistent with the spirit and

7 19:09:53 intent of the ordinance because the proposed lot split

8 19:09:57 would create two lots. The new lot would be 120 feet

9 19:10:02 and another one lot the house would be 117.35 feet

10 19:10:08 wide, if the motion is granted.

11 19:10:10 Thank you.

12 19:10:10 MR. SCHNEIDER: Thank you.

13 19:10:11 CHAIRPERSON KRIEGER: Do we have a second?

14 19:10:13 MEMBER FERRELL: Second.

15 19:10:13 CHAIRPERSON KRIEGER: We have a motion and a

16 19:10:14 second. Any other discussion.

17 19:10:16 Seeing none, if Katherine could call the

18 19:10:17 roll.

19 19:10:18 MS. OPPERMAN: Member Byrwa?

20 19:10:19 MEMBER BYRWA: Yes.

21 19:10:21 MS. OPPERMAN: Member Ferrell?

22 19:10:21 MEMBER FERRELL: Yes.

23 19:10:23 MS. OPPERMAN: Chairperson Krieger?

1 19:10:23 CHAIRPERSON KRIEGER: Yes.

2 19:10:24 MS. OPPERMAN: Member Sanker?

3 19:10:35 MEMBER SANKER: Yes?

4 19:10:35 MS. OPPERMAN: Member Peddiboyina?

5 19:10:35 MEMBER PEDDIBOYINA: Yes.

6 19:10:35 MS. OPPERMAN: And Member Sanghvi?

7 19:10:36 MEMBER SANGHVI: Yes.

8 19:10:36 MS. OPPERMAN: Motion passes.

9 19:10:38 CHAIRPERSON KRIEGER: All right.

10 19:10:38 Congratulations.

11 19:10:39 MS. SCHNEIDER: Thank you.

12 19:10:43 MR. SCHNEIDER: Thanks a lot.

13 19:10:45 CHAIRPERSON KRIEGER: We'll go to our next

14 19:10:46 case. PZ19-0009, Marc Zuccato for 1189 East Lake

15 19:10:51 Drive, east of East Lake and south of 14 Mile, parcel

16 19:10:55 number 50-22-02-127-011. The applicant is requesting

17 19:11:00 variances from the City of Novi Ordinance 4.19.E.i for

18 19:11:07 a variance of 572 square feet to allow a proposed 1422

19 19:11:12 square foot garage space, 850 square feet allowed.

20 19:11:20 Section 3.32-10.ii.a for the building of a

21 19:11:27 proposed 160 square foot structure on the waterfront,

22 19:11:31 100 square feet allowed by code and to allow an 11 foot

23 19:11:35 four inch height, eight feet allowed by code. The

1 19:11:38 property is zoned single family residential, R-4.

2 19:11:44 Are you an attorney?

3 19:11:44 MR. ZUCCATO: He's my architect, Giovanni.

4 19:11:47 CHAIRPERSON KRIEGER: Do you both want to

5 19:11:48 speak?

6 19:11:49 MR. LAVIGNE: I'll speak.

7 19:11:50 CHAIRPERSON KRIEGER: All right.

8 19:11:50 MR. LAVIGNE: Can we both speak?

9 19:11:52 CHAIRPERSON KRIEGER: Sure. We just need you

10 19:11:52 to spell your name for our court recorder and then

11 19:11:54 swear in with our secretary.

12 19:11:56 MR. LAVIGNE: Sure. I'm Giovanni Lavigne,

13 19:11:59 G-i-o-v-a-n-n-i, L-a-v-i-g-n-e.

14 19:12:07 MEMBER FERRELL: Go ahead and raise your

15 19:12:08 right hand.

16 19:12:08 Are you speaking as well, sir?

17 19:12:11 MR. ZUCCATO: Possibly.

18 19:12:11 MEMBER FERRELL: Okay. Go ahead and state

19 19:12:11 your name for the record.

20 19:12:12 MR. ZUCCATO: I'm Marc Zuccato, M-a-r-c.

21 19:12:13 Last name Z-u-c-c-a-t-o.

22 19:12:18 MEMBER FERRELL: Okay. Both of you raise

23 19:12:20 your right hand.

1 19:12:20 Do you swear to tell the truth in the case

2 19:12:24 you're about to give testimony in?

3 19:12:24 MR. LAVIGNE: I swear.

4 19:12:24 MR. ZUCCATO: I swear.

5 19:12:25 MEMBER FERRELL: Okay. Go ahead.

6 19:12:26 MR. LAVIGNE: So for the first one, the

7 19:12:28 garage that is existing, you know, that's a real solid

8 19:12:35 structure. And it just seems like we'd be doing more

9 19:12:39 harm than good if we took it down. Marc's a woodworker

10 19:12:44 and it seemed like a great opportunity to have a

11 19:12:47 workshop for himself. That's one of the highlights of

12 19:12:54 buying the property.

13 19:12:54 You know, they have three -- a truck and a

14 19:12:57 couple of SUVs. So the floor plan for the house, the

15 19:13:01 garage's space, all got ate up to accommodate the cars.

16 19:13:07 So we didn't have the extra square footage in the

17 19:13:11 allowance for -- to count the existing garage in the

18 19:13:17 space. So that's why we were hoping we could save it.

19 19:13:22 MR. ZUCCATO: Can I say something?

20 19:13:23 MR. LAVIGNE: Yeah.

21 19:13:23 MR. ZUCCATO: When the house is built, it

22 19:13:25 won't even be visible from the street. It'll be a

23 19:13:29 fence around. So nobody will -- it won't interfere

1 19:13:32 with anybody's vision or light.

2 19:13:35 MR. LAVIGNE: The property line's well treed.

3 19:13:40 It's really --

4 19:13:40 MR. ZUCCATO: It's a super deep lot.

5 19:13:47 CHAIRPERSON KRIEGER: Is that it?

6 19:13:48 MR. LAVIGNE: Yeah. Well, he plans on

7 19:13:50 dressing it up to match the new house. And, you know,

8 19:13:55 if he did ever --

9 19:13:56 MR. ZUCCATO: I'll have the same siding.

10 19:13:57 MR. LAVIGNE: It would be an attractive

11 19:13:59 structure.

12 19:14:00 CHAIRPERSON KRIEGER: And then regarding the

13 19:14:01 lake?

14 19:14:02 MR. LAVIGNE: So for the lake one, we just

15 19:14:05 wanted a few extra square feet for the structure and --

16 19:14:13 this image shows sort of a heavy looking rail. We

17 19:14:17 actually would just use cable rails on the roof so it

18 19:14:21 would hardly be --

19 19:14:22 MR. ZUCCATO: It would be almost nonvisible.

20 19:14:25 MR. LAVIGNE: The structure sits below the

21 19:14:27 road, like four feet, and it's an eight foot tall

22 19:14:30 structure so it's not very visible driving by. And we

23 19:14:34 just didn't think it was an unreasonable request.

1 19:14:38 There's larger lakeside structures around us.

2 19:14:41 MR. ZUCCATO: There is some structures

3 19:14:43 down there that look like houses just down the street.

4 19:14:44 And there's some photos along with a -- if you look in

5 19:14:47 the packet.

6 19:14:52 MR. LAVIGNE: The one right next door to us

7 19:14:52 is more than 800 feet.

8 19:14:53 CHAIRPERSON KRIEGER: So from the depth of

9 19:14:55 the road, you'll be excavating from there a little bit?

10 19:14:59 MR. LAVIGNE: No. We'll just --

11 19:15:00 MR. ZUCCATO: It ...

12 19:15:01 MR. LAVIGNE: The lot drops down. You see

13 19:15:03 these contour lines. Every one is a foot down. So

14 19:15:08 we're -- it just sits lower because of the land slopes

15 19:15:11 now.

16 19:15:12 CHAIRPERSON KRIEGER: Okay. Very good. Is

17 19:15:13 that it?

18 19:15:13 MR. LAVIGNE: I believe so.

19 19:15:15 CHAIRPERSON KRIEGER: Very good. Anyone in

20 19:15:16 the audience have a comment regarding this case?

21 19:15:20 MR. GALLOWAY: Yes.

22 19:15:21 CHAIRPERSON KRIEGER: Come in. If you can

23 19:15:23 state your name, too.

1 19:15:31 MR. GALLOWAY: David Galloway, 1197 East Lake  
2 19:15:34 Drive. I am the second lot south of the applicant.  
3 19:15:41 I do want to congratulate the applicant on  
4 19:15:43 trimming the trees that are there presently. According  
5 19:15:48 to his diagram, they're showing trees that are ...  
6 19:15:51 If those are the same ones that are there  
7 19:15:53 presently?  
8 19:15:55 Are you changing them?  
9 19:15:56 MR. LAVIGNE: No.  
10 19:15:57 MR. GALLOWAY: Because trees do -- and  
11 19:15:58 previously these trees have been untrimmed and they  
12 19:16:02 were impeding our line of sight.  
13 19:16:06 MR. ZUCCATO: I trimmed them up 20 feet.  
14 19:16:09 MR. GALLOWAY: Yes. The same as mine. Thank  
15 19:16:11 you.  
16 19:16:12 MR. ZUCCATO: You're welcome.  
17 19:16:12 MR. GALLOWAY: Now, I do have a problem. In  
18 19:16:17 the drain, the City diagram shows a drain of unknown  
19 19:16:23 where it goes. There are two drains on the front of  
20 19:16:26 the property. This house apparently goes right over  
21 19:16:29 the top of a drain and drains behind the first house  
22 19:16:32 south of the applicant and my house is the second house  
23 19:16:35 after the applicant. This drain comes from the school,

1 19:16:37 the Walled Lake school behind me.

2 19:16:42 So two things possible here. Heavy  
3 19:16:45 construction going across that drain or a house being  
4 19:16:48 built on top of the drain, which is what it looks like  
5 19:16:50 now. So, obviously, that needs to be -- in my opinion,  
6 19:16:56 it needs to be cleared before a house is built.

7 19:17:02 As far as the impeding the line of sight. If  
8 19:17:06 they would move their lakefront part five foot closer  
9 19:17:12 to the road, it would then clear my line of sight.  
10 19:17:16 Right now it does impede a little bit.

11 19:17:19 The lot to the north side of the building has  
12 19:17:22 very tall arborvitaes and also a lake house. I'm not  
13 19:17:30 sure what the official name is. So if there's is moved  
14 19:17:35 back about five foot, I would be very thankful for that  
15 19:17:40 line of sight.

16 19:17:41 Their lakefront needs a lot of work.  
17 19:17:43 Unfortunately, the prior owners did not take care of  
18 19:17:47 the lakefront.

19 19:17:48 The drain that comes out into the water needs  
20 19:17:52 help. There's a rather dangerous rusted pipe coming  
21 19:17:55 out of the lot. So that needs to be improved upon as  
22 19:18:02 well as the riffraff in front of the lake as the only  
23 19:18:04 lakefront lot is moving. So it needs to be cleared or

1 19:18:08 improved upon.

2 19:18:13 And the deck, I don't know if it's just a  
3 19:18:16 representation, but the deck -- or the dock, I mean, is  
4 19:18:22 showing extending into the water which requires a DNR  
5 19:18:26 approval. So I don't know if that was just a  
6 19:18:31 representation by the computer.

7 19:18:36 They do have docks, I see, stored on their  
8 19:18:40 front lawn. And I hope in the future that they are  
9 19:18:43 going to store the boats in the back and not on the  
10 19:18:48 front. So I think that needs to be cleared as to  
11 19:18:51 whether that is intended to be a permanent dock into  
12 19:18:54 the water or whether that's just a blink that the  
13 19:18:56 computer did and then they use the temporary --

14 19:19:05 MR. ZUCCATO: We're using a removable dock.

15 19:19:05 MR. GALLOWAY: A removable and not permanent  
16 19:19:05 into the water?

17 19:19:06 MR. ZUCCATO: No.

18 19:19:06 MR. GALLOWAY: Okay.

19 19:19:06 MR. ZUCCATO: And we plan on putting in a sea  
20 19:19:08 wall. But that has nothing to do with the structure.

21 19:19:12 So ...

22 19:19:12 MR. GALLOWAY: True. But I do wish you would  
23 19:19:14 have talked to the neighbors. Several neighbors are --

1 19:19:15 CHAIRPERSON KRIEGER: All right. Thank you,  
2 19:19:17 sir.  
3 19:19:18 Again, just put your comments on the record.  
4 19:19:20 Thank you.  
5 19:19:24 Yes?  
6 19:19:24 MS. CONDON: Good evening.  
7 19:19:25 Hi, Marc.  
8 19:19:26 MR. LAVIGNE: Hello.  
9 19:19:27 MS. CONDON: My name is Jodie Condon. I live  
10 19:19:30 adjacent to Marc Zuccato's property. I live at 1193  
11 19:19:34 East Lake Drive and I want to congratulate Marc for  
12 19:19:37 purchasing the home and improving the neighborhood.  
13 19:19:40 I'm very grateful for that, but I do have a couple of  
14 19:19:43 concerns.  
15 19:19:45 My concerns are surrounding -- similar to  
16 19:19:48 what Mr. Galloway had mentioned in terms of the view of  
17 19:19:52 the lake. And I also wanted to ask him ...  
18 19:19:54 On the garage property, you had mentioned  
19 19:19:56 that it's going to be a wood shop and not a quarters,  
20 19:20:03 like a living quarters at all.  
21 19:20:03 MR. ZUCCATO: No. Right now I live -- I've  
22 19:20:06 lived in Novi since 1998 on Village Wood.  
23 19:20:09 MS. CONDON: Yes.

1 19:20:10 MR. ZUCCATO: My garage is my workshop and my  
2 19:20:12 wife wants to park in the garage.  
3 19:20:15 MS. CONDON: Okay.  
4 19:20:15 MR. ZUCCATO: That's basically it.  
5 19:20:23 MS. CONDON: Okay. And looking ...  
6 19:20:23 Will this display?  
7 19:20:25 CHAIRPERSON KRIEGER: I'm not sure what  
8 19:20:27 happened.  
9 19:20:27 MR. PEDDIBOYINA: He's looking at it, I  
10 19:20:27 think.  
11 19:20:27 CHAIRPERSON KRIEGER: We have technical  
12 19:20:27 difficulties. He's working on it.  
13 19:20:27 MS. OPPERMAN: I believe our crew is working  
14 19:20:29 on it currently.  
15 19:20:31 MS. CONDON: Oh, okay.  
16 19:20:31 So on the woodshop and the garage, are they  
17 19:20:34 attached all together as one structure or will they  
18 19:20:39 remain separate?  
19 19:20:39 MR. LAVIGNE: Just one building.  
20 19:20:41 MR. ZUCCATO: Yes. That back building is  
21 19:20:45 there already.  
22 19:20:45 MS. CONDON: So are you -- the variance, the  
23 19:20:45 way it's stated --

1 19:20:45 CHAIRPERSON KRIEGER: I'm sorry. This  
2 19:20:46 discussion, the discussion is it for comments regarding  
3 19:20:51 case or do they have discussion with each other during  
4 19:20:55 this?

5 19:20:56 MS. SAARELA: So I would recommend putting  
6 19:20:57 the comments on the record, all of them, and then the  
7 19:21:01 applicant can respond when the comments are completed.  
8 19:21:06 Instead of a conversation back and forth.

9 19:21:10 CHAIRPERSON KRIEGER: Okay.

10 19:21:10 MS. CONDON: Okay. So just for  
11 19:21:12 clarification, on the way that the document is written  
12 19:21:14 I received in the mail, it's mentioning that there's a  
13 19:21:18 variance request on square footage for the structure  
14 19:21:22 that's in the back of the home, like the garage. Is  
15 19:21:27 that the garage that's existing there that he's asking  
16 19:21:29 for the variance for or the proposed new structure  
17 19:21:33 garage that's attached to the home?

18 19:21:37 CHAIRPERSON KRIEGER: Okay. Thank you.

19 19:21:39 MR. ZUCCATO: Can I answer that?

20 19:21:41 CHAIRPERSON KRIEGER: Just wait a second  
21 19:21:42 until everybody's done and then we'll get back to you  
22 19:21:45 and you can answer all those questions.

23 19:21:47 MR. ZUCCATO: Okay. Thank you.

1 19:21:47 MS. CONDON: Thank you.

2 19:21:48 And the other issue is, again, with the line  
3 19:21:49 of sight and the obstructed view from having the boat  
4 19:21:53 house in the placement that it is on the lot. And it  
5 19:21:55 looks like on the rendering that it's at a certain  
6 19:21:58 place. I would request that it would be moved closer  
7 19:22:03 to the road because it blocks my view of the lake. And  
8 19:22:06 I did bring some pictures that I had taken and I could  
9 19:22:10 pass them around since this isn't working or whatever  
10 19:22:14 you would like.

11 19:22:16 CHAIRPERSON KRIEGER: Whatever you'd like.

12 19:22:16 Well, it looks like we're coming back.

13 19:22:34 MS. CONDON: Okay. So it's my understanding,  
14 19:22:35 based on the information that I was provided from the  
15 19:22:36 City and from the mailings, that the boat house would  
16 19:22:41 be sitting approximately in this position. And from my  
17 19:22:43 house it blocks the view of the lake.

18 19:22:47 MR. ZUCCATO: Can I just show you?

19 19:22:49 Right here, it's going to be backed up to  
20 19:22:51 these pine trees that are taller than the structure.

21 19:22:54 MS. CONDON: Okay. And then so this is my  
22 19:22:57 house. And there's nothing blocking the view of the  
23 19:23:00 lake, because that's part of the reason why I wanted to

1 19:23:02 live there is to have a nice view of the lake. I just  
2 19:23:05 wanted to point that out.

3 19:23:07 CHAIRPERSON KRIEGER: Very good. Thank you.

4 19:23:10 MR. ZUCCATO: Thank you.

5 19:23:12 CHAIRPERSON KRIEGER: All righty. So close  
6 19:23:13 it for public discussion.

7 19:23:15 And from the City.

8 19:23:17 MR. BUTLER: Just wanted to make a comment  
9 19:23:19 that normally your accessory structure, the garage, is  
10 19:23:22 850 square feet. With the size he's putting on that,  
11 19:23:26 it's going to be almost double the size. Just to make  
12 19:23:28 that known for the garage structure.

13 19:23:33 And normally you only get -- normally, it's  
14 19:23:36 only one structure, but if there is a structure on each  
15 19:23:40 end of the garage. So just to take that in mind to  
16 19:23:43 consider.

17 19:23:44 CHAIRPERSON KRIEGER: And regarding the  
18 19:23:46 drainage pipe?

19 19:23:48 MR. BUTLER: That would have to be taken up.  
20 19:23:50 That was not brought up for us. That would have to be  
21 19:23:53 taken up with the Public Works department to make sure  
22 19:23:56 it's not an issue.

23 19:23:57 CHAIRPERSON KRIEGER: Very good. And from

1 19:23:59                   correspondence?

2 19:24:00                   MEMBER FERRELL:  Yes, Madame Chair.  There

3 19:24:02                   was 21 letters mailed, six letters returned, zero

4 19:24:07                   approvals, zero objections.

5 19:24:09                   CHAIRPERSON KRIEGER:  All right.  I'll open

6 19:24:09                   it up to the board.

7 19:24:15                   Member Sanghvi, thank you.

8 19:24:17                   MEMBER SANGHVI:  Thank you.  I came and

9 19:24:18                   visited your property on Saturday.  And from what you

10 19:24:23                   have and what you have proposed, I think there's no

11 19:24:28                   comparison.

12 19:24:29                   MR. ZUCCATO:  I'm sorry?

13 19:24:30                   MEMBER SANGHVI:  I said there is no

14 19:24:32                   comparison between what you have and what you have

15 19:24:35                   proposed to do.

16 19:24:36                   MR. ZUCCATO:  Yes.

17 19:24:37                   MEMBER SANGHVI:  The only thing I wondered is

18 19:24:39                   how many feet drop you have got here at the water

19 19:24:42                   level?

20 19:24:43                   MR. LAVIGNE:  It's like five feet.

21 19:24:46                   MEMBER SANGHVI:  Five feet.

22 19:24:46                   MR. LAVIGNE:  From the crown of the road to

23 19:24:48                   the land just opposite the building.

1 19:24:53

MEMBER SANGHVI: Five feet.

2 19:24:55

Anyway, the way I look at it, these are all

3 19:24:58

very small lots. They have been all along like that

4 19:25:01

over the years and everybody needs a variance to bring

5 19:25:05

anything worthwhile. And I have no problem with your

6 19:25:09

variance. Everything looks much better and I think it

7 19:25:13

will do a lot of good to your neighborhood having a

8 19:25:15

house like that.

9 19:25:17

MR. ZUCCATO: Thank you.

10 19:25:18

MEMBER SANGHVI: I have no problem with your

11 19:25:19

variance.

12 19:25:26

MR. ZUCCATO: Thank you very much.

13 19:25:26

CHAIRPERSON KRIEGER: Would you all like to

14 19:25:27

comment regarding with the ...

15 19:25:28

MR. LAVIGNE: If we could.

16 19:25:32

CHAIRPERSON KRIEGER: Yes, go ahead.

17 19:25:32

MR. LAVIGNE: So, Marc -- one of the first

18 19:25:34

things he brought up when he wanted to build on the

19 19:25:36

Lakeside was he said let's just keep it all the way to

20 19:25:40

the north against the tree line so, you know, it's not

21 19:25:44

blocking views much. So we tried to do that. We're

22 19:25:49

just feet from the property line on the north and that

23 19:25:52

whole property line is full of huge --

1 19:25:56 MR. ZUCCATO: Pine trees.

2 19:25:57 MR. LAVIGNE: Yeah.

3 19:25:58 MR. ZUCCATO: Which are more than twice the

4 19:26:02 height of the structure.

5 19:26:02 MR. LAVIGNE: So, you know, we made that

6 19:26:03 effort. I mean, if we brought it a couple of feet

7 19:26:06 closer to the road, it would be fine. It wouldn't

8 19:26:08 bother us.

9 19:26:09 CHAIRPERSON KRIEGER: So the increased size

10 19:26:15 would you be planning on housing a boat in there as

11 19:26:15 well?

12 19:26:16 MR. ZUCCATO: No.

13 19:26:16 MR. LAVIGNE: No. It's a room for them to

14 19:26:18 come out of the weather for respite and there's a small

15 19:26:21 storage space for just the boat toys, you know.

16 19:26:24 MR. ZUCCATO: It's, basically, the same size

17 19:26:26 as the photos that's attached to the packet. It looks

18 19:26:30 like a rectangular ...

19 19:26:34 It's like almost exactly the same size.

20 19:26:36 MR. LAVIGNE: The original intention was to

21 19:26:38 use a shipping container and modify it, but Marc says,

22 19:26:42 "No, I want to build that with my own hands."

23 19:26:46 He's a carpenter. So he's going to stick to

1 19:26:49 it.

2 19:26:50 MR. ZUCCATO: And it'll look the same,

3 19:26:51 but ...

4 19:26:52 CHAIRPERSON KRIEGER: And to clarify, the  
5 19:26:53 garage is going to be attached and to the rear of  
6 19:26:56 the house?

7 19:26:59 MR. ZUCCATO: Correct.

8 19:26:59 MR. LAVIGNE: So there is an attached grudge  
9 19:27:01 and we just want to be able to preserve the existing  
10 19:27:06 garage that sits on the back property.

11 19:27:07 MR. ZUCCATO: And here's the new garage and  
12 19:27:08 here's the one that's been there.

13 19:27:11 CHAIRPERSON KRIEGER: So you're going to be  
14 19:27:13 moving that?

15 19:27:13 MR. ZUCCATO: This is like the before and  
16 19:27:14 after.

17 19:27:15 CHAIRPERSON KRIEGER: Or keeping it?

18 19:27:18 MR. LAVIGNE: Keeping it. For the woodshop.  
19 19:27:19 So the problem is when you combine the square footage  
20 19:27:23 of the two garages, we're over the 850 feet allowed.

21 19:27:28 CHAIRPERSON KRIEGER: So for the City, it's  
22 19:27:31 working space or garage space? Is that still  
23 19:27:35 considered as one, as garage?

1 19:27:37 MR. BUTLER: It's a storage. It's an  
2 19:27:37 accessory structure. That's why it's combined. The  
3 19:27:42 square footage of 850. The 850 has to be the size of  
4 19:27:46 what is allotted. But what he is asking for is two  
5 19:27:50 separate buildings.

6 19:27:52 CHAIRPERSON KRIEGER: Okay.

7 19:27:52 MR. ZUCCATO: It's actually --

8 19:27:53 MR. LAVIGNE: It's a 56 percent increase.

9 19:27:58 MR. ZUCCATO: 56 percent. Because the lake  
10 19:28:00 lot is a separate parcel.

11 19:28:02 MR. LAVIGNE: But this garage is 480 feet.  
12 19:28:08 So out of the 850 you're allowed, the new proposed  
13 19:28:14 garage is over -- a little over 800.

14 19:28:19 CHAIRPERSON SANGHVI: So the accessory  
15 19:28:21 structure that is now considered a garage will be your  
16 19:28:23 work space?

17 19:28:24 MR. LAVIGNE: Right.

18 19:28:27 CHAIRPERSON KRIEGER: And you won't be  
19 19:28:28 housing a boat or anything in there --

20 19:28:31 MR. ZUCCATO: No.

21 19:28:32 CHAIRPERSON KRIEGER: -- it would be for the  
22 19:28:32 woodworking?

23 19:28:32 And to create an attached garage to the

1 19:28:34 property, to the house?

2 19:28:36 MR. LAVIGNE: Right.

3 19:28:37 CHAIRPERSON KRIEGER: And then the structure

4 19:28:40 for -- on the lake side, which would be up against the

5 19:28:46 evergreen trees, which you've pruned?

6 19:28:49 MR. ZUCCATO: Correct.

7 19:28:52 CHAIRPERSON KRIEGER: And that will -- as far

8 19:28:53 as line of sight, it will be within the trees. The

9 19:28:59 boat, I guess would be -- you would see the boat and

10 19:28:59 this structure?

11 19:29:00 MR. ZUCCATO: Well, the boat -- I'm new to

12 19:29:03 the neighborhood. I didn't know. I saw people storing

13 19:29:06 their boats on there so I figured it was okay, but some

14 19:29:10 neighbors, apparently, don't like it. So I can put

15 19:29:13 that in the backyard.

16 19:29:15 You can see between the house and the current

17 19:29:17 structure there's a lot of --

18 19:29:20 MR. LAVIGNE: There's a hundred feet.

19 19:29:21 MR. ZUCCATO: -- room to store a boat right

20 19:29:21 there.

21 19:29:21 MR. LAVIGNE: But in the boating season, the

22 19:29:23 boat is in the water on the dock. So ..

23 19:29:25 CHAIRPERSON KRIEGER: And it's a removable

1 19:29:27 dock?

2 19:29:27 MR. ZUCCATO: Yes.

3 19:29:28 MR. LAVIGNE: Yeah.

4 19:29:29 CHAIRPERSON KRIEGER: Okay.

5 19:29:29 MR. LAVIGNE: And we put in a flat roof on

6 19:29:31 the lake structure just so we didn't have shingles

7 19:29:35 climbing up.

8 19:29:37 CHAIRPERSON KRIEGER: And then regarding the

9 19:29:38 drainage pipe under the property, would it be --

10 19:29:41 MR. LAVIGNE: We'll have to investigate that

11 19:29:43 with our building permit. You know, it'll be part of

12 19:29:50 the process.

13 19:29:50 CHAIRPERSON KRIEGER: So according to what

14 19:29:50 the recommendation would be, because I also have a

15 19:29:51 sewer line behind yard, not over one. So I guess go

16 19:29:57 with the recommendation of that. I don't know if that

17 19:29:59 needs to come back to us, then, if it's going to be

18 19:30:02 over -- the property over a sewer line.

19 19:30:05 MR. BUTLER: I don't believe it needs to come

20 19:30:07 back, but it just has to be verified that no damage is

21 19:30:10 going to happen to that during the construction and

22 19:30:12 that it's not going to block any flow. I think they'll

23 19:30:16 have to confirm that. So we'll have to work with the

1 19:30:19 engineers from the Public Works Department for that.

2 19:30:22 Just to identify it.

3 19:30:31 CHAIRPERSON KRIEGER: Okay. I guess your mic

4 19:30:32 if off, too. Remember to have our mics on when we're

5 19:30:35 speaking so they can hear us at home.

6 19:30:35 And then listening to the testimony and

7 19:30:36 reading them through our presentation and going by the

8 19:30:39 site it's -- a good efforts been put into it. You've

9 19:30:43 researched it and I don't have a problem with the

10 19:30:47 application. And just to see where the sewer line is

11 19:30:50 at and go from there.

12 19:30:55 MR. ZUCCATO: Thank you.

13 19:30:56 MEMBER SANKER: I just have a couple of

14 19:30:58 questions about first the property -- or the building

15 19:31:03 that is going to be on the lake. Why can't it, I

16 19:31:05 guess, conform with the current rules as they are?

17 19:31:09 Like, why do you need the extra four feet?

18 19:31:12 MR. LAVIGNE: Okay. If I could answer that?

19 19:31:15 MEMBER SANKER: Yeah.

20 19:31:16 MR. LAVIGNE: So his wife, Alisa, she is,

21 19:31:17 like, real detail-oriented. And, like, when I'm laying

22 19:31:20 out her house, she tells me, okay, this is the amount

23 19:31:23 of cabinet space I need in the laundry room and dada

1 19:31:26           dada, you know.

2 19:31:31                       So for the pool house, you know, she's been  
3 19:31:31           really looking forward to that. She says, okay, so I  
4 19:31:32           need a little couch here for this. I need counter  
5 19:31:35           space for that. I need a place to keep the inner tube  
6 19:31:37           and stuff that I pull behind the boat. She just said I  
7 19:31:40           can't do it in 800 feet. You know, try to get us a  
8 19:31:46           little more square footage for the boat toys. So  
9 19:31:50           that's where that came about.

10 19:31:54                      MEMBER SANKER: Okay. And what about the  
11 19:31:56           height aspect of it?

12 19:31:57                      MR. LAVIGNE: So for the height, they said  
13 19:31:59           lookit, we want to live lightly on the land and be as  
14 19:32:04           unobtrusive as possible and not block views. So I  
15 19:32:05           said, okay. How about a flat roof instead of a pitched  
16 19:32:10           roof and they said fine.

17 19:32:12                      So, you know, we're only building the  
18 19:32:13           structure eight feet. The ceiling space inside is  
19 19:32:17           going to be less, you know. I said, is that all right?  
20 19:32:18           Because we were going to do the shipping container.

21 19:32:21                      And they said, yeah, that's cozy. We just  
22 19:32:24           want a place to come out of the sun for 20 minutes.

23 19:32:25                      MR. ZUCCATO: For entertaining.

1 19:32:27 MS. CONDON: Wait. You said it's eight feet,  
2 19:32:29 but in the variance you're asking for 11 feet, four  
3 19:32:33 inches.

4 19:32:35 MR. LAVIGNE: That's because of the  
5 19:32:36 railing on the roof is higher.

6 19:32:37 MR. ZUCCATO: The halo railing around.

7 19:32:37 CHAIRPERSON KRIEGER: Excuse me. We can't  
8 19:32:39 have conversation like that.

9 19:32:41 MR. LAVIGNE: Yeah. The variance was not for  
10 19:32:44 the structure. It was for the railing on top. We're  
11 19:32:47 going to have cable railing going around. Because as  
12 19:32:50 long as it's flat, we figured, well, you know, his  
13 19:32:51 daughters can go up there and sun and stuff.

14 19:32:55 MR. ZUCCATO: And you can see from Jodi's  
15 19:32:57 photos that the pine trees were way higher than the  
16 19:33:03 structure so I'm not blocking anything.

17 19:33:04 MEMBER SANKER: Um-hmm. So really it's just  
18 19:33:06 the railings that are causing you to be over?

19 19:33:07 MR. LAVIGNE: Right.

20 19:33:13 MR. ZUCCATO: And it's a cable railing so  
21 19:33:13 it's almost transparent.

22 19:33:13 MEMBER SANKER: Um-hmm. But the roof itself  
23 19:33:13 is eight feet?

1 19:33:13 MR. LAVIGNE: Flat, yes.

2 19:33:13 MR. ZUCCATO: Yes.

3 19:33:13 MR. SANKER: And then with regard to the

4 19:33:16 garage in the back, what exactly is the practical

5 19:33:21 difficulty that you guys are experiencing with it?

6 19:33:24 Because you're almost doubling the accessory square

7 19:33:30 footage.

8 19:33:32 MR. LAVIGNE: Okay. So one of the things

9 19:33:33 that his wife said to me was we bought this lot because

10 19:33:37 it's got that garage. Because even if his shop is in

11 19:33:38 our attached garage, I get dust in the house. She says

12 19:33:42 I can't live with that and he can't live without his

13 19:33:44 woodworking. So I need this to save our marriage. So,

14 19:33:50 you know, I said I think we can try to save it. So

15 19:33:52 that's where we're at.

16 19:33:55 It's just if we use the -- if we didn't have

17 19:33:59 room for the three cars in the garage, you know, then

18 19:34:04 someone's parking outside and I don't know if that is

19 19:34:07 any less unsightly than having a structure in the

20 19:34:11 backyard.

21 19:34:12 MR. ZUCCATO: Plus, I mean, where it is

22 19:34:18 located on the lot line, it's not bothering anybody.

23 19:34:19 MR. SANKER: It's tucked back there. I

1 19:34:20 agree. Is there a lot of noise related to welding and  
2 19:34:24 woodworking?  
3 19:34:25 MR. ZUCCATO: I mean, no more than if I did  
4 19:34:28 it in my other garage.  
5 19:34:29 MEMBER SANKER: And the same with the dust  
6 19:34:30 that's created from that?  
7 19:34:32 MR. ZUCCATO: This is actually a better  
8 19:34:34 scenario for that.  
9 19:34:40 MEMBER SANKER: Okay.  
10 19:34:40 MR. LAVIGNE: Yeah. He doesn't do production  
11 19:34:40 work, you know.  
12 19:34:40 MR. ZUCCATO: No, I don't. It's like a  
13 19:34:40 hobby.  
14 19:34:40 MR. LAVIGNE: He's the weekend guy.  
15 19:34:44 MEMBER SANKER: Builds rocking chairs and  
16 19:34:45 whatnot?  
17 19:34:45 MR. ZUCCATO: You know the Northville work  
18 19:34:47 station in Northville, I don't know if you know about  
19 19:34:54 it, but I belong to that.  
20 19:34:56 MEMBER SANKER: Okay.  
21 19:34:56 Okay, I'm good.  
22 19:34:58 CHAIRPERSON KRIEGER: Any other questions or  
23 19:34:59 comments? Or somebody to entertain a motion?

1 19:35:04 MEMBER FERRELL: I do.

2 19:35:07 CHAIRPERSON KRIEGER: Go ahead.

3 19:35:09 MEMBER FERRELL: So if you were going to move

4 19:35:11 accessory structure that is by the water closer to the

5 19:35:13 road to satisfy some people, is that really going to

6 19:35:16 make that much of a difference --

7 19:35:18 MR. LAVIGNE: It wouldn't make much

8 19:35:19 difference at all.

9 19:35:21 MEMBER FERRELL: -- for the view? Because I

10 19:35:22 can't really see it at all.

11 19:35:22 MR. LAVIGNE: No. It wouldn't at all.

12 19:35:30 We went to the most level spot we could on

13 19:35:33 that sideline. So if we went closer to the road, we'll

14 19:35:37 just have to cut and fill some of the hill.

15 19:35:40 MEMBER FERRELL: Some of the hill, okay.

16 19:35:43 MR. LAVIGNE: Which isn't a big deal.

17 19:35:52 MEMBER FERRELL: Okay.

18 19:35:52 That's all. Thank you.

19 19:35:52 CHAIRPERSON KRIEGER: Um-hmm.

20 19:35:52 MEMBER SANKER: Okay. I'm ready to do a

21 19:35:52 motion.

22 19:35:55 CHAIRPERSON KRIEGER: Okay. Go ahead.

23 19:35:56 MEMBER SANKER: I move that we grant the

1 19:35:57 variance in case number PZ-19009 sought by Mr. Zuccato  
2 19:36:04 for the requested variances because the petitioner has  
3 19:36:08 shown practical difficulty requiring these variances.

4 19:36:12 Without the variance the petitioner will  
5 19:36:14 unreasonably be prevented or limited with respect to  
6 19:36:17 the use of the property because he won't be able to use  
7 19:36:20 the property for his hobbies and ...

8 19:36:27 We'll leave it at that.

9 19:36:28 The property is unique because of the  
10 19:36:31 topography. The petitioner did not create the  
11 19:36:35 condition because the owner didn't divide the lot. The  
12 19:36:38 relief granted will not unreasonably interfere with  
13 19:36:43 adjacent or surrounding properties because the building  
14 19:36:45 will be have a low profile and the additional accessory  
15 19:36:49 use will be in the back of the lot.

16 19:36:52 And the relief is consistent with the spirit  
17 19:36:54 and intent of the ordinance because the owner will use  
18 19:36:57 and enjoy his property.

19 19:37:02 And should we subject it to being pushed back  
20 19:37:04 close to the road on the front lot?

21 19:37:09 CHAIRPERSON KRIEGER: (Nods.)

22 19:37:10 MEMBER SANKER: We don't need to do that?

23 19:37:12 MEMBER FERRELL: Unless you guys are willing

1 19:37:13 to push it back a little bit?

2 19:37:16 MR. LAVIGNE: I think so.

3 19:37:17 Huh?

4 19:37:17 MR. ZUCCATO: I mean, how much?

5 19:37:20 MEMBER SANKER: Would it be worth ...

6 19:37:22 MEMBER FERRELL: I mean, how much space from

7 19:37:24 the structure from the hill start to the road?

8 19:37:26 MR. LAVIGNE: The hill starts --

9 19:37:27 MEMBER FERRELL: Do you have a picture by any

10 19:37:29 chance? You just showed it.

11 19:37:35 MR. ZUCCATO: Yeah.

12 19:37:35 MR. LAVIGNE: Someone ...

13 19:37:36 (To Ms. Condon) I think you took my -- the

14 19:37:39 one I had the contours --

15 19:37:42 (Document passed) Yeah, thank you.

16 19:37:48 So you can see the land contours here. So it

17 19:37:51 drops one foot, two foot, three foot, four foot. And

18 19:37:56 this is the fifth foot that it drops from the crown of

19 19:38:03 the road. So, you know, if we went back four or five

20 19:38:06 feet, I don't think it would make an issue.

21 19:38:10 MEMBER SANKER: Would it make a difference in

22 19:38:12 the height of that structure in the front if you moved

23 19:38:16 it back 45 feet?

1 19:38:17 MR. ZUCCATO: Where it sits now it would be  
2 19:38:19 lower. It would be closer to the lake.  
3 19:38:24 MEMBER SANKER: Then, no, not subject to  
4 19:38:27 being pushed back.  
5 19:38:32 CHAIRPERSON KRIEGER: That's it?  
6 19:38:33 MEMBER SANKER: That's it.  
7 19:38:33 CHAIRPERSON KRIEGER: Do I have a second?  
8 19:38:35 MEMBER PEDDIBOYINA: Yeah, I second.  
9 19:38:44 CHAIRPERSON KRIEGER: Great. Any other  
10 19:38:44 discussion?  
11 19:38:44 Just to clarify, that the eight feet that the  
12 19:38:45 extended feet above is for the cabling and not for  
13 19:38:49 structure and to investigate the sewer line. On the  
14 19:38:57 motion.  
15 19:39:00 MEMBER SANKER: Oh.  
16 19:39:00 CHAIRPERSON KRIEGER: Your motion.  
17 19:39:02 MEMBER SANKER: Yeah. Subject to?  
18 19:39:05 CHAIRPERSON KRIEGER: Yeah. Subject to ...  
19 19:39:06 MEMBER SANKER: Subject to the additional  
20 19:39:08 review of the sewer line underneath the building. And  
21 19:39:11 the fact that the structure in front of the lake does  
22 19:39:18 not include -- or is for the cabling railing only and  
23 19:39:26 not for part of the structure.

1 19:39:29 CHAIRPERSON KRIEGER: For the height.  
2 19:39:32 MEMBER SANKER: For the height.  
3 19:39:32 CHAIRPERSON KRIEGER: Thank you. And you  
4 19:39:33 second it?  
5 19:39:34 MEMBER PEDDIBOYINA: Yeah. I second it.  
6 19:39:38 CHAIRPERSON KRIEGER: Katherine, if you would  
7 19:39:38 call the roll.  
8 19:39:38 MS. OPPERMAN: Member Sanghvi?  
9 19:39:38 MEMBER SANGHVI: Yes.  
10 19:39:38 MS. OPPERMAN: Member Peddiboyina?  
11 19:39:41 MEMBER PEDDIBOYINA: Yes.  
12 19:39:41 MS. OPPERMAN: Member Sanker?  
13 19:39:42 MEMBER SANKER: Yes.  
14 19:39:43 MS. OPPERMAN: Chairperson Krieger?  
15 19:39:43 CHAIRPERSON KRIEGER: Yes.  
16 19:39:45 MS. OPPERMAN: Member Ferrell?  
17 19:39:45 MEMBER FERRELL: Yes.  
18 19:39:47 MS. OPPERMAN: And Member Byrwa?  
19 19:39:47 MEMBER BYRWA: Yes.  
20 19:39:48 MS. OPPERMAN: Motion passes.  
21 19:39:51 CHAIRPERSON KRIEGER: Congratulations.  
22 19:39:52 MR. ZUCCATO: Thank you very much.  
23 19:39:53 CHAIRPERSON KRIEGER: Now we go on to our

1 19:39:54 next case, PZ19-0010, Mark and Karen Lustig, 42496 13  
2 19:40:01 Mile, Parcel number 50-22-02-382-002. The applicant is  
3 19:40:06 requesting a variance from the City of Novi ordinance  
4 19:40:11 5.1 to park a recreational vehicle over six feet tall  
5 19:40:15 in the side yard and extending six feet into the front  
6 19:40:19 yards. Property is zoned single family residential  
7 19:40:23 R-4.  
8 19:40:26 If you could state your name, spell your last  
9 19:40:27 name and if you're not attorneys, be sworn in by our  
10 19:40:31 secretary.  
11 19:40:31 MS. LUSTIG: My name is Karen Lustig,  
12 19:40:41 L-u-s-t-i-g.  
13 19:40:41 MR. LUSTIG: Mark Lustig, L-u-s-t-i-g.  
14 19:40:43 MEMBER FERRELL: Go ahead and raise your  
15 19:40:43 right hand.  
16 19:40:45 Do you swear to tell the truth in the  
17 19:40:45 testimony you're about to give in this case?  
18 19:40:45 MS. LUSTIG: Yes.  
19 19:40:46 MR. LUSTIG: Yes.  
20 19:40:47 MEMBER FERRELL: Okay. Go ahead.  
21 19:40:48 MS. LUSTIG: Good evening. And thank you to  
22 19:40:50 the members for taking your time to listen to our case.  
23 19:40:55 And thank you for your guidance, staff. This

1 19:40:58 process is new to us. We have never done anything like  
2 19:41:01 this before.

3 19:41:03 That being said is it okay if I read a  
4 19:41:05 statement?

5 19:41:06 CHAIRPERSON KRIEGER: Yup.

6 19:41:06 MS. LUSTIG: Thank you.

7 19:41:08 "We've lived in our home for over 30 years.  
8 19:41:11 Our home is one of the handful in its own little  
9 19:41:14 enclave. We've watched the area around us develop and  
10 19:41:17 change and we've loved raising our family in Novi.

11 19:41:22 "Our lot is uniquely situated in that there  
12 19:41:25 is a large change in the elevation from the front to  
13 19:41:27 the back of our home. I'm not sure that the pictures  
14 19:41:30 do justice to our hill, but it's a seven-foot slope.  
15 19:41:36 And trust me, chasing our children and climbing up and  
16 19:41:40 down our hills' degree of elevation change quickly  
17 19:41:46 becomes apparent.

18 19:41:47 "Our property is also characterized by a  
19 19:41:50 wetland area at the far rear of the slope as well as  
20 19:41:54 large existing trees near the beginning of the natural  
21 19:41:57 area. Both of these conditions have proved problematic  
22 19:42:00 when it comes to using our property for the permitted  
23 19:42:03 purpose of parking our RV. We have both recently

1 19:42:08 retired and look forward to many days on the road  
2 19:42:11 seeing friends and family that are no longer close and  
3 19:42:14 enjoying the years that we have left together.  
4 19:42:17 "We've made no changes in the slope of our  
5 19:42:20 lot or the wetlands since we have lived there. The  
6 19:42:23 unique characteristics are what is driving us to  
7 19:42:29 request --"  
8 19:42:30 "Is driving us to this request and it is not  
9 19:42:33 self-created.  
10 19:42:36 "The assurance of our request variance will  
11 19:42:41 not impact light or air that is provided to the  
12 19:42:45 adjacent properties nor will it increase fire danger or  
13 19:42:49 a public safety. We are requesting a variance simply  
14 19:42:53 to allow our RV to be parked in our driveway in our  
15 19:42:57 side yard and extending six feet into our front yard.  
16 19:43:01 The unique circumstances of our property are driving  
17 19:43:04 this request. Certainly we would park our RV in a  
18 19:43:08 conforming location, if we had one, but the slope,  
19 19:43:13 combined with the wetland area and trees, make this  
20 19:43:16 impossible. We have taken great pride in the ownership  
21 19:43:20 of our home for 30 years. We have maintained it and we  
22 19:43:26 have been good neighbors to our community.  
23 19:43:29 "Our requested variance will leave no impact

1 19:43:32 on the property value, which will make no negative  
2 19:43:37 impact on property values, which we worked hard over  
3 19:43:39 the years to keep preserved. Finally, the zoning  
4 19:43:43 ordinance permits the parking of an RV. We're just  
5 19:43:44 asking for the necessary variance based on our  
6 19:43:49 property's unique conditions to allow us to benefit  
7 19:43:52 from that use.

8 19:43:55 "Finally, we have talked with all of our  
9 19:43:57 neighbors about this request and asked for their input  
10 19:44:01 with no one taking issue with it, we believe that  
11 19:44:03 approval would ensure the spirit of the ordinance is  
12 19:44:06 observed.

13 19:44:08 "Thank you for allowing me to read this and  
14 19:44:12 thank you for your consideration."

15 19:44:14 CHAIRPERSON KRIEGER: That's it?  
16 19:44:15 MS. LUSTIG: That's it.  
17 19:44:16 CHAIRPERSON KRIEGER: Okay. Thank you.  
18 19:44:17 Anyone in the audience have any comment  
19 19:44:18 regarding this case?  
20 19:44:21 Seeing none. From the City?  
21 19:44:23 MR. BUTLER: We just noted that when they  
22 19:44:24 presented it to us that the location awarded parking RV  
23 19:44:27 is pretty well shaded from the back by landscaped trees

1 19:44:31 that they have around it and we considered a pretty  
2 19:44:35 reasonable request for that. It didn't seem to stick  
3 19:44:38 out or it was overbearing or not in a sight line.  
4 19:44:42 MS. LUSTIG: Thank you.  
5 19:44:43 CHAIRPERSON KRIEGER: Thank you. And from  
6 19:44:45 correspondence?  
7 19:44:45 MEMBER FERRELL: Yes, Madame Chair. There  
8 19:44:48 was 27 letters mailed, two letters returned, one  
9 19:44:52 approval, zero objections. The first letter is from  
10 19:44:54 D-a ...  
11 19:45:00 Looks like F-i-l-i-p-i-a-k. At 42600  
12 19:45:06 Faulkner Drive. An approve.  
13 19:45:09 It says, "I live directly across from the  
14 19:45:12 applicants' address and have no problem with what  
15 19:45:14 they're requesting to do on the property. If I  
16 19:45:17 remember correctly, I believe an RV was parked there  
17 19:45:20 last summer. It was neither offensive or eyesore at  
18 19:45:24 the time. I do not expect it to be so in the future."  
19 19:45:28 And that is it.  
20 19:45:30 CHAIRPERSON KRIEGER: Very good. I'll open  
21 19:45:30 up to the board?  
22 19:45:32 Yes, Member Byrwa first and then Member  
23 19:45:36 Sanghvi.

1 19:45:38 MEMBER BYRWA: Yeah. I have a quick  
2 19:45:39 question. This is going to be used for, like,  
3 19:45:39 unoccupied storage only? You wouldn't have relatives  
4 19:45:42 over spending a couple of nights there or whatever?  
5 19:45:42 MS. LUSTIG: Oh, no.  
6 19:45:45 MEMBER BYRWA: So unoccupied storage only?  
7 19:45:49 MS. LUSTIG: Yes, sir.  
8 19:45:49 MR. LUSTIG: Yes.  
9 19:45:50 CHAIRPERSON KRIEGER: Member Sanghvi?  
10 19:45:51 MEMBER SANGHVI: Yes. Thank you.  
11 19:45:51 I came and visited your place and looked  
12 19:45:55 around this former Saturday. I don't think anybody saw  
13 19:45:58 me.  
14 19:46:00 But anyway, you have nowhere to go except to  
15 19:46:05 keep it there in your drive.  
16 19:46:07 MS. LUSTIG: Yes.  
17 19:46:07 MEMBER SANGHVI: I can understand your  
18 19:46:09 dilemma of where to keep it. So having no other  
19 19:46:14 choice, I agree with your dilemma.  
20 19:46:17 MS. LUSTIG: Thank you so much.  
21 19:46:19 MEMBER SANGHVI: And hope that you get your  
22 19:46:22 variance. Thank you.  
23 19:46:22 MS. LUSTIG: Thank you.

1 19:46:24 MR. LUSTIG: Thank you.

2 19:46:25 CHAIRPERSON KRIEGER: Yes?

3 19:46:26 MEMBER FERRELL: Yes, Madame Chair.

4 19:46:28 Do you have any photos of where it is going

5 19:46:30 to be parked?

6 19:46:31 MS. LUSTIG: I turned some in.

7 19:46:33 MEMBER FERRELL: Did you?

8 19:46:33 MS. LUSTIG: I have some with me.

9 19:46:35 MEMBER FERRELL: If you've got them with you

10 19:46:35 and you can show it on the overhead.

11 19:46:37 MS. LUSTIG: During the summer we were parked

12 19:46:38 there. We thought it was okay to do so. So I have

13 19:46:42 pictures of that time frame.

14 19:46:48 (Displayed.)

15 19:46:48 This is one side of the drive.

16 19:46:53 And a front view of the house and drive.

17 19:46:56 The cars are moved aside so you can see the

18 19:46:59 RV. I moved the car on the side for the photo.

19 19:47:04 MEMBER FERRELL: Is that your garage?

20 19:47:05 MS. LUSTIG: There is no garage.

21 19:47:08 MEMBER FERRELL: You don't have a garage.

22 19:47:08 The structure that's next to?

23 19:47:11 MS. LUSTIG: That's a house.

1 19:47:12 MEMBER FERRELL: That's a house.

2 19:47:12 MS. LUSTIG: That's our neighbor's carport.

3 19:47:14 MR. LUSTIG: From the front of her house to

4 19:47:16 the front of our house there's, like, 19 feet

5 19:47:17 difference. I mean, we're setback. So we're not going

6 19:47:21 to be interfering with her property.

7 19:47:26 MEMBER FERRELL: Okay.

8 19:47:26 MS. LUSTIG: Does that help?

9 19:47:28 MEMBER FERRELL: Yes.

10 19:47:29 MS. LUSTIG: To give you a visual.

11 19:47:31 MEMBER FERRELL: Yes. Thank you.

12 19:47:32 MS. LUSTIG: I also have a photo of the

13 19:47:34 backyard. Would you like to see that?

14 19:47:36 MEMBER FERRELL: Yes. If you have that.

15 19:47:38 MS. LUSTIG: So these don't do much justice.

16 19:47:40 But from this tree to our basement door is a seven foot

17 19:47:48 slope.

18 19:47:49 MR. LUSTIG: I mean, it's a walkout basement.

19 19:47:53 MS. LUSTIG: Yeah. We've never had any

20 19:47:56 issues with flooding or -- and to change the landscape,

21 19:47:59 I just wouldn't want to change anything. I wouldn't

22 19:48:02 want to have that problem.

23 19:48:05 MEMBER FERRELL: Thank you.

1 19:48:05 MR. LUSTIG: Thank you.

2 19:48:06 MS. LUSTIG: Thank you.

3 19:48:14 CHAIRPERSON KRIEGER: I'm impressed that

4 19:48:15 you're -- you couldn't ask me to back it up and put it

5 19:48:19 there because I would probably put it in the house. So

6 19:48:22 I can appreciate your putting it there and having it

7 19:48:25 placed next to the house. And then, I guess, as you

8 19:48:27 said to the previous speaker, it will be there just as

9 19:48:31 storage and not for having overnight parties or

10 19:48:39 anything?

11 19:48:40 MS. LUSTIG: No.

12 19:48:40 MR. LUSTIG: No.

13 19:48:41 MS. LUSTIG: Absolutely not.

14 19:48:42 CHAIRPERSON KRIEGER: And it comes to the

15 19:48:44 front of your house six feet which is still behind the

16 19:48:46 neighbor's house so they won't be seeing it. They'll

17 19:48:50 be seeing the cars. And across the street, there's the

18 19:48:53 pine trees in the front?

19 19:48:54 MS. LUSTIG: Yes.

20 19:48:55 CHAIRPERSON SANGHVI: They looked like

21 19:48:57 healthy trees when I drove by.

22 19:48:58 MS. LUSTIG: They are very beautiful. Thank

23 19:49:01 you.

1 19:49:01 CHAIRPERSON KRIEGER: So considering all the  
2 19:49:02 testimony, I would be able to -- and then this would be  
3 19:49:05 left there for how long?

4 19:49:09 MS. LUSTIG: When we're not traveling. Which  
5 19:49:11 we hope to travel often.

6 19:49:15 CHAIRPERSON KRIEGER: Okay. And I was  
7 19:49:15 wondering that too is how long it was planning on being  
8 19:49:17 there, like six months or ...

9 19:49:20 MS. LUSTIG: Well, our plans are to travel,  
10 19:49:22 you know, throughout the year. We're retired now.  
11 19:49:25 Allowing us to park in the driveway will give us a  
12 19:49:29 little bit more funds in order to do that traveling.  
13 19:49:31 So it won't be parked when we're not home. We will be  
14 19:49:35 in it.

15 19:49:37 CHAIRPERSON KRIEGER: Very good.  
16 19:49:39 Enjoying the country.

17 19:49:48 MS. LUSTIG: Yes.

18 19:49:48 MR. LUSTIG: Hopefully.

19 19:49:48 MS. LUSTIG: Absolutely.

20 19:49:48 CHAIRPERSON KRIEGER: All right. Considering  
21 19:49:49 the testimony and the application, I will be able to  
22 19:49:52 support the petitioner.

23 19:49:55 MS. LUSTIG: Thank you.

1 19:49:55 CHAIRPERSON KRIEGER: Yes. Member  
2 19:49:55 Peddiboyina?  
3 19:49:56 MEMBER PEDDIBOYINA: Thank you. I have no  
4 19:49:56 issue. But what about the wintertime? Are you going  
5 19:49:59 to keep that one or are you going to travel in the  
6 19:50:00 wintertime?  
7 19:50:00 MS. LUSTIG: I'm sorry?  
8 19:50:01 MEMBER PEDDIBOYINA: In the wintertime?  
9 19:50:04 MS. LUSTIG: Yes. We would like to. We  
10 19:50:05 would like to go to Florida or somewhere warm in the  
11 19:50:08 winter. Absolutely.  
12 19:50:11 But some of the time it will also be parked.  
13 19:50:13 We're not full-time travelers.  
14 19:50:16 MEMBER PEDDIBOYINA: Okay. Make sure watch  
15 19:50:17 it all the time when you're parked where nobody can  
16 19:50:18 stay on the vacant lot.  
17 19:50:23 MS. LUSTIG: No. No problems.  
18 19:50:26 MEMBER PEDDIBOYINA: For security reason  
19 19:50:27 purposes.  
20 19:50:29 MS. LUSTIG: Okay.  
21 19:50:34 MEMBER FERRELL: A motion.  
22 19:50:36 CHAIRPERSON KRIEGER: Okay.  
23 19:50:37 MEMBER FERRELL: All right.

1 19:50:38 CHAIRPERSON KRIEGER: Go ahead.

2 19:50:39 MEMBER FERRELL: Very good. I move that we  
3 19:50:40 grand the variance in the case number PZ19-0010 sought  
4 19:50:45 By the petitioner, Mark and Karen Lustig, for the  
5 19:50:48 ability to park a recreational vehicle on the property  
6 19:50:51 because the petitioner has shown practical difficult  
7 19:50:54 requiring the storage of the recreational vehicle.

8 19:50:58 Without the variance, the petitioner will be  
9 19:50:59 unreasonably prevented or limited with respect to the  
10 19:50:59 use of the property due to the wetlands in the rear of  
11 19:51:04 the property. Correct?

12 19:51:05 MS. LUSTIG: Yes.

13 19:51:06 MEMBER FERRELL: And the hill topography of  
14 19:51:08 the property with the hills in it.

15 19:51:10 The property is unique because of the slope  
16 19:51:12 and the wetlands. The petitioner did not create the  
17 19:51:15 condition. The relief granted will not unreasonably  
18 19:51:16 interfere with adjacent or surrounding properties  
19 19:51:19 because there's plenty of tree coverage and not an  
20 19:51:22 eyesore to its location, which is due to their house  
21 19:51:25 sitting back a little farther than their neighbor's  
22 19:51:28 home.

23 19:51:29 The relief is consistent with the spirit and

1 19:51:31 intent of the ordinance and this is a minimal request  
2 19:51:34 allowing required storage of the recreational vehicle  
3 19:51:37 in the property next to their home.  
4 19:51:40 MEMBER SANGHVI: Second.  
5 19:51:40 CHAIRPERSON KRIEGER: Okay. We have a motion  
6 19:51:41 and a second.  
7 19:51:43 Any other discussion?  
8 19:51:44 Seeing none, if Katherine could call the  
9 19:51:46 roll.  
10 19:51:47 MS. OPPERMAN: Member Byrwa?  
11 19:51:49 MEMBER BYRWA: Yes.  
12 19:51:49 MS. OPPERMAN: Member Ferrell?  
13 19:51:50 MEMBER FERRELL: Yes.  
14 19:51:52 MS. OPPERMAN: Chairperson Krieger?  
15 19:51:52 CHAIRPERSON KRIEGER: Yes.  
16 19:51:53 MS. OPPERMAN: Member Sanker?  
17 19:51:54 MEMBER SANKER: Yes.  
18 19:51:55 MS. OPPERMAN: Member Peddiboyina?  
19 19:51:57 MEMBER PEDDIBOYINA: Yes.  
20 19:51:59 MS. OPPERMAN: And Member Sanghvi?  
21 19:51:59 MEMBER SANGHVI: Yes.  
22 19:52:00 MS. OPPERMAN: Motion Passes.  
23 19:52:04 CHAIRPERSON KRIEGER: Okay. Congratulations.

1 19:52:04 MS. LUSTIG: Thank you very much.

2 19:52:06 MR. LUSTIG: Thank you.

3 19:52:07 CHAIRPERSON KRIEGER: The next case is

4 19:52:08 PZ19-0011, Mark Zawaideh, 40020 Twelve Mile Road,

5 19:52:16 parcel number 50-22-12-400-063. The applicant is

6 19:52:22 requesting a variance from the City of Novi Code of

7 19:52:25 Ordinance 28-5(d)(7) for a second 72 square foot south

8 19:52:30 facing wall sign. One wall sign facing each

9 19:52:35 thoroughfare permitted by code. The property is zoned

10 19:52:39 office service technology, OST.

11 19:52:42 Are either of you attorneys?

12 19:52:43 MR. ZAWAIDEH: No.

13 19:52:44 MR. LUSTIG: No, ma'am.

14 19:52:45 CHAIRPERSON KRIEGER: Are you both going to

15 19:52:46 be speaking?

16 19:52:46 MR. MANSOUR: I'm the sign guy. I don't

17 19:52:48 know.

18 19:52:49 CHAIRPERSON KRIEGER: Then I'll have you both

19 19:52:50 swear in with our court recorder.

20 19:52:54 MEMBER FERRELL: Go ahead and state your

21 19:52:54 name.

22 19:52:56 MR. ZAWAIDEH: Mark Zawaideh.

23 19:52:57 MEMBER FERRELL: Spell it for her.

1 19:52:57 MR. ZAWAIDEH: M-a-r-k. Last name  
2 19:53:00 Z-a-w-a-i-d, like David. E like Edward. H like Henry.  
3 19:53:06 Don't ask me how to pronounce it.  
4 19:53:10 MR. MANSOUR: Kal Mansour, K-a-l. Last name  
5 19:53:10 Mansour, M-a-n-s-o-u-r.  
6 19:53:19 MEMBER FERRELL: Okay. Both of you raise  
7 19:53:22 your right hands for me.  
8 19:53:22 Do you swear to tell the truth in the  
9 19:53:22 testimony you're about to give in this case?  
10 19:53:22 MR. ZAWAIDEH: I do.  
11 19:53:22 MR. MANSOUR: Yes, sir.  
12 19:53:23 MEMBER FERRELL: Go ahead.  
13 19:53:24 MR. ZAWAIDEH: I'm here to apply for a  
14 19:53:26 variance. I've just bought this building maybe about a  
15 19:53:30 year and a half ago and there's just a lot of hardships  
16 19:53:33 with the building, mainly due to the trees. As you can  
17 19:53:36 see in the photos, those trees block both sides of the  
18 19:53:44 building from the west and the complete southern side  
19 19:53:53 of the building for a good part of the year. And  
20 19:53:57 then -- if you see this photo right here. I don't know  
21 19:54:01 if you guys have this photo.  
22 19:54:04 But this big electrical thing with the green  
23 19:54:09 fence that goes right around here blocks where my

1 19:54:13 current sign is right now. There's not a day that goes  
2 19:54:16 by that we try -- that we don't have clients trying to  
3 19:54:18 find the building and they continuously pass it.  
4 19:54:23 Twelve Mile, as you know, has to have that turnaround  
5 19:54:25 in order for them to come back around. The only way we  
6 19:54:28 can get people to find the building is by advertising  
7 19:54:32 Starbucks on every commercial or every conversation  
8 19:54:34 saying, you know, we're right next door to the  
9 19:54:37 Starbucks.

10 19:54:39 You know, I came to Novi and I was excited  
11 19:54:42 about this building because rather than going inside an  
12 19:54:45 office building because I thought I would have some  
13 19:54:47 exposure, some sign exposure. So the sign we're  
14 19:54:50 requesting, it's a second sign, which is allowed, but  
15 19:54:57 the variance is for it to face the thoroughfare which  
16 19:54:59 would be visible as you're entering M-5 and then also  
17 19:55:05 on Twelve Mile. Hoping that it's going to be visible  
18 19:55:08 in areas that you can't see the sign against the  
19 19:55:11 building. The dome is a lot higher than the building.  
20 19:55:14 It surpasses the trees in some cases. I'm just looking  
21 19:55:19 for some exposure. The building just has a lot of  
22 19:55:23 hardships on almost every side of the building because  
23 19:55:26 of the trees.

1 19:55:28 I'm not asking -- I'm a tree fan so I'm not  
2 19:55:30 asking to cut down the trees. They're protected  
3 19:55:33 woodlands. So I'm just asking that when we wrap the  
4 19:55:39 sign around the dome that it can be seen from both  
5 19:55:42 sides, if that makes sense.

6 19:55:51 CHAIRPERSON KRIEGER: Okay. Is that it?  
7 19:55:52 MR. ZAWAIDEH: I believe so.  
8 19:55:54 MR. MANSOUR: I just want to add.  
9 19:55:56 CHAIRPERSON KRIEGER: Go ahead.

10 19:55:56 MR. MANSOUR: I just want to add that about  
11 19:55:59 30 percent of the sign will be visible where the  
12 19:56:02 ordinance says you cannot -- only 30 percent of that  
13 19:56:05 sign is really visible from Twelve Mile. The majority  
14 19:56:08 of the sign is still facing almost the opposite side of  
15 19:56:11 the building.  
16 19:56:12 Thank you.

17 19:56:12 CHAIRPERSON KRIEGER: Okay. Anyone in the  
18 19:56:13 audience have any comment regarding this case?  
19 19:56:18 Seeing none, I'll close it for the public.  
20 19:56:18 And then from the City?

21 19:56:20 MR. BUTLER: No comments for this case.  
22 19:56:22 Stand by for questions.  
23 19:56:23 CHAIRPERSON KRIEGER: Okay.

1 19:56:25 Correspondence?

2 19:56:26 MEMBER FERRELL: Yes, Madame Chair, there was  
3 19:56:26 seven letters mailed, two letters returned. Zero  
4 19:56:30 approvals. Zero objections. That's it.

5 19:56:34 CHAIRPERSON KRIEGER: Open it up to the  
6 19:56:35 board.

7 19:56:36 Yes, Member Sanghvi?

8 19:56:38 MEMBER SANGHVI: Thank you. I came and  
9 19:56:39 visited your site. I drove around. And I have no  
10 19:56:44 problems with the sign. And I know it's none of my  
11 19:56:50 business, that you know your business better, but if  
12 19:56:51 you move that sign three or four feet further toward  
13 19:56:54 the north side in that secular tower, you will have M-5  
14 19:56:59 as well as the corner of the Twelve Mile Road will be  
15 19:57:03 visible also and you won't lose so much visibility and  
16 19:57:06 create the problem you have that you're coming for a  
17 19:57:08 variance.

18 19:57:10 It's just a thought.

19 19:57:12 Thank you.

20 19:57:13 MR. ZAWAIDEH: Move the sign you're saying  
21 19:57:15 more north?

22 19:57:16 MEMBER SANGHVI: Rotate it further towards  
23 19:57:18 the north side of your tower. See, you're seeing it in

1 19:57:21 the corner there?

2 19:57:21 MR. ZAWAIDEH: Right.

3 19:57:21 MEMBER SANGHVI: If you rotate it further on

4 19:57:23 the other side, you might catch Empire traffic also.

5 19:57:26 It would be visible to them as well.

6 19:57:30 MR. ZAWAIDEH: Right. That's what I'm

7 19:57:31 asking. That's what I'm trying to accomplish.

8 19:57:33 MEMBER SANGHVI: The way you have shown in

9 19:57:35 the picture, I don't think it is quite representative

10 19:57:37 of what you have at the present, at the mockup sign

11 19:57:42 there.

12 19:57:43 MR. ZAWAIDEH: Right. That's ultimately what

13 19:57:44 I'm going for is to have that presence on M-5 like all

14 19:57:47 the other buildings do that are along that

15 19:57:50 thoroughfare.

16 19:57:51 You're absolutely right. The sign in reality

17 19:57:54 should be facing the thoroughfare, but then the other

18 19:57:57 part of the sign, the number part, should be --

19 19:58:01 MEMBER SANGHVI: You're moving more towards

20 19:58:03 the --

21 19:58:03 MR. ZAWAIDEH: More towards Twelve Mile.

22 19:58:06 You're right.

23 19:58:07 MEMBER SANGHVI: Twelve Mile.

1 19:58:07 MR. ZAWAIDEH: You're right. To get the best  
2 19:58:08 of both worlds it should be split instead of all  
3 19:58:10 connected to get what I want. Yes, you're right.

4 19:58:17 CHAIRPERSON KRIEGER: Very good.  
5 19:58:18 Yes?

6 19:58:19 MEMBER PEDDIBOYINA: Yeah. I saw this sign.  
7 19:58:20 The one thing you mentioned there is the pine trees and  
8 19:58:24 I noticed that also. And you moved this business to  
9 19:58:27 Novi, you had mentioned. Welcome to Novi.

10 19:58:30 MR. ZAWAIDEH: Thank you. It's been great so  
11 19:58:32 far.

12 19:58:33 MEMBER PEDDIBOYINA: I don't have any  
13 19:58:34 objection. And also, as my colleague said, the  
14 19:58:37 visibility of the sign showing in the mock up is what  
15 19:58:40 we have. A little bit projecting to M-5 and that's the  
16 19:58:45 only thing.

17 19:58:48 And what about the second sign? Are you  
18 19:58:49 leaving the existing one, what you mentioned?

19 19:58:50 MR. ZAWAIDEH: Correct. Yeah. I'm leaving  
20 19:58:52 the one that is on the building. The whole reason I'm  
21 19:58:55 doing this is to try to get some exposure out of it.

22 19:59:01 MEMBER PEDDIBOYINA: Are you seeking the  
23 19:59:02 vinyl one? What is that sign? Is it a radium sticker?

1 19:59:06 What kind of sign is it? Is it a digital one that  
2 19:59:09 you're planning?

3 19:59:11 MR. ZAWAIDEH Not digital.

4 19:59:12 Kal, maybe you can speak to this.

5 19:59:13 MR. MANSOUR: No, sir. They're going to be  
6 19:59:15 individual letters on that dome at the very top.  
7 19:59:18 They're going to be up front, not back. But they'll be  
8 19:59:19 flush mounted to the building itself.

9 19:59:21 MEMBER PEDDIBOYINA: Okay.

10 19:59:22 MR. MANSOUR: It'll be tastefully done. I  
11 19:59:23 mean, you've seen the banner that is up there right  
12 19:59:25 now.

13 19:59:25 MEMBER PEDDIBOYINA: Um-hmm.

14 19:59:26 MR. MANSOUR: And to get back to the question  
15 19:59:29 this gentleman had a minute ago, the name "Mark Z" is  
16 19:59:36 facing M-5.

17 19:59:38 The phone number is a part of his national  
18 19:59:40 branding and slogan. A portion of that is wrapped  
19 19:59:44 around, facing Twelve Mile. So the name, actually, is  
20 19:59:48 facing the M-5 view and a part of the number, the last,  
21 19:59:54 I believe, five numbers, are facing Twelve Mile. But  
22 19:59:57 the majority of the sign is facing M-5.

23 20:00:01 MEMBER PEDDIBOYINA: Okay. And what about

1 20:00:03 the whole building is your building? Are any neighbors  
2 20:00:05 on the building? The business? The whole building is  
3 20:00:09 yours? The business?  
4 20:00:12 MR. ZAWAIDEH: That's correct.  
5 20:00:14 MEMBER PEDDIBOYINA: I have no other  
6 20:00:14 objection. Thank you so much.  
7 20:00:16 CHAIRPERSON KRIEGER: I have a question for  
8 20:00:18 the City.  
9 20:00:18 Could he put a flag on the top of the turret?  
10 20:00:23 MR. BUTLER: I don't believe so. He would  
11 20:00:24 have to try to request that, but I don't believe so.  
12 20:00:27 CHAIRPERSON KRIEGER: Okay. It would look  
13 20:00:29 kind of neat, but anyway.  
14 20:00:31 MR. MANSOUR: We looked at that and they said  
15 20:00:33 no.  
16 20:00:34 CHAIRPERSON KRIEGER: Okay. Yeah, I would  
17 20:00:34 say a flag would look almost like a castle kind of.  
18 20:00:37 MR. MANSOUR: It would be ideal.  
19 20:00:38 MR. ZAWAIDEH: I might be back next month.  
20 20:00:42 CHAIRPERSON KRIEGER: I could still see  
21 20:00:43 putting a flag up front would help, too. And I do see  
22 20:00:46 there's a difficulty. When I drove back and forth from  
23 20:00:49 going from one side, it looks like duplication. So I

1 20:00:51 guess the turn on the turret where the sign would be,  
2 20:00:56 if you could put it so you can catch it better coming  
3 20:00:57 from west to east, then people, too, also coming on M-5  
4 20:01:01 would see it better. Because otherwise the Cabot Drive  
5 20:01:07 it's difficult to see. And then also going up M-5 you  
6 20:01:10 see the turret, but you only see the part of the name  
7 20:01:14 on the turret. So I can see your need for having a  
8 20:01:19 second sign.  
9 20:01:20 Do you have any ground sign?  
10 20:01:21 MR. ZAWAIDEH: No.  
11 20:01:22 MR. MANSOUR: No.  
12 20:01:23 CHAIRPERSON KRIEGER: I don't remember seeing  
13 20:01:23 it.  
14 20:01:24 MR. MANSOUR: No.  
15 20:01:25 CHAIRPERSON KRIEGER: So I would be in favor  
16 20:01:26 of the second sign and it wouldn't hurt to have a flag,  
17 20:01:30 too. I'm the one with the flag.  
18 20:01:34 MR. ZAWAIDEH: I love it.  
19 20:01:36 CHAIRPERSON KRIEGER: Any other?  
20 20:01:37 MEMBER SANKER: I just have a question.  
21 20:01:39 CHAIRPERSON KRIEGER: Go ahead.  
22 20:01:39 MEMBER SANKER: What would be the issue  
23 20:01:39 with -- so you said that the sign is approximately

1 20:01:44 30 percent, creating the variance that's on the south  
2 20:01:49 side of the building or whatever. So what would be  
3 20:01:53 wrong with just turning your proposed sign so that zero  
4 20:01:57 percent was now crossing over on to the south side of  
5 20:02:01 the building and it was not all facing, like he was  
6 20:02:05 saying earlier, M-5? Would that be a problem?

7 20:02:09 MR. ZAWAIDEH: Because I'm trying to get --  
8 20:02:10 do you see this picture right here?

9 20:02:12 MEMBER SANKER: Um-hmm.

10 20:02:12 MR. ZAWAIDEH: You can't see the sign on the  
11 20:02:13 building because of that big electrical monstrosity.  
12 20:02:19 And the fence, that fence is like 10 feet high. So I'm  
13 20:02:23 trying to get some exposure. You can see through that  
14 20:02:27 electrical and you can see the dome. So I'm trying to  
15 20:02:30 get some exposure from Twelve Mile. So as you're  
16 20:02:34 coming down Twelve Mile going from east to west, you  
17 20:02:36 can see the building.

18 20:02:38 The worst was -- what caused me to come here  
19 20:02:39 was about three months ago a client was coming. She  
20 20:02:42 passed the building numerous times and called us. She  
21 20:02:46 made that turnaround.

22 20:02:47 And I don't know if you guys know, but  
23 20:02:48 there's a lot of accidents at that turnaround because

1 20:02:50 people don't realize, when you're in the outside  
2 20:02:53 lanes -- it's two cars' width. When you're in the  
3 20:02:57 outside lane, you can't just turn because the inside  
4 20:02:59 lane has the right to go straight and she ended up  
5 20:03:02 getting into an accident and had she not been circling  
6 20:03:05 around two or three times and just seen the building.  
7 20:03:08 And that's what caused me to say, "I've got to do  
8 20:03:13 something about this." So that's why I'm standing here  
9 20:03:16 today.

10 20:03:17 MEMBER SANKER: Yeah, I see. That picture  
11 20:03:17 helps.

12 20:03:18 MR. MANSOUR: Also, the fence that is there,  
13 20:03:20 if you're coming at one point to the building, it  
14 20:03:22 eliminates its existing sign completely. If you've  
15 20:03:25 driven --

16 20:03:25 MEMBER SANKER: Is that the green?

17 20:03:25 MR. MANSOUR: Yes, sir. It eliminates that  
18 20:03:32 because his building is not that tall from that view.  
19 20:03:34 The road is low. You've got a berm that is up there.  
20 20:03:36 That green fence at some point that sign is irrelevant.  
21 20:03:40 It's completely irrelevant until you get right on his  
22 20:03:43 exit and by that time you have already driven past it.

23 20:03:53 MEMBER SANKER: I see that.

1 20:03:57 CHAIRPERSON KRIEGER: Very good.

2 20:04:01 MEMBER PEDDIBOYINA: I'll make a motion.

3 20:04:02 CHAIRPERSON KRIEGER: Any other questions?

4 20:04:02 Comments?

5 20:04:03 All right. Go ahead.

6 20:04:06 MEMBER PEDDIBOYINA: Thank you.

7 20:04:07 CHAIRPERSON KRIEGER: Member Peddiboyina.

8 20:04:09 MEMBER PEDDIBOYINA: I move that we grant a

9 20:04:13 variance in case number PZ19-0011 sought by Mark

10 20:04:22 Z-a-w-a-i-d-e-n, written by Mark Z Real Estate because

11 20:04:30 the petitioner has shown the practical difficulty

12 20:04:34 requiring the variance for the requiring the variance

13 20:04:44 for the second south facing wall sign.

14 20:04:46 Without the variance the petitioner will be

15 20:04:49 unreasonably prevented or limited with respect to the

16 20:04:54 use of the property because the building is very hard

17 20:04:58 to see from the roadways. The existing sign was

18 20:05:04 covered 50 percent and he wants to put the sign on the

19 20:05:09 front of the building.

20 20:05:10 The property is unique because of the shape

21 20:05:12 of the lot and the placement of the existing structure.

22 20:05:16 The petitioner did not create any -- did not create the

23 20:05:20 condition because the surrounding trees were existing

1 20:05:24 and not planted by the applicant. The plants were  
2 20:05:32 existing before that.

3 20:05:33 The relief granted will not unreasonably  
4 20:05:35 interfere with the existing and surrounding properties  
5 20:05:40 because the sign size is within the ordinance.

6 20:05:43 The relief is consistent with the spirit and  
7 20:05:45 intent of the ordinance because of the sign that's been  
8 20:05:50 in the center will be given to placing to look for the  
9 20:05:57 building and also give relief to the customers. Thank  
10 20:06:06 you.

11 20:06:06 CHAIRPERSON KRIEGER: Okay. We have a  
12 20:06:07 motion.

13 20:06:08 MEMBER FERRELL: Second.

14 20:06:08 CHAIRPERSON KRIEGER: We have a motion and a  
15 20:06:09 second. Any other discussion?

16 20:06:10 Seeing none, if Katherine could call the  
17 20:06:11 roll.

18 20:06:12 MS. OPPERMAN: Member Sanghvi:

19 20:06:13 MEMBER SANGHVI: Yes.

20 20:06:15 MS. OPPERMAN: Member Peddiboyina?

21 20:06:15 MEMBER PEDDIBOYINA: Yes.

22 20:06:16 MS. OPPERMAN: Member Sanker?

23 20:06:17 MEMBER SANKER: Yes.

1 20:06:18 MS. OPPERMAN: Chairperson Krieger?  
2 20:06:18 CHAIRPERSON KRIEGER: Yes.  
3 20:06:19 MS. OPPERMAN: Member Ferrell?  
4 20:06:20 MEMBER FERRELL: Yes.  
5 20:06:20 MS. OPPERMAN: And Member Byrwa?  
6 20:06:21 MEMBER BYRWA: Yes.  
7 20:06:21 CHAIRPERSON KRIEGER: Motion passes.  
8 20:06:23 MR. MANSOUR: Thank you.  
9 20:06:25 CHAIRPERSON KRIEGER: Congratulations and  
10 20:06:26 best wishes.  
11 20:06:26 MR. ZAWAIDEH: Thank you.  
12 20:06:27 MR. MANSOUR: By the way, the coffee is  
13 20:06:29 delicious.  
14 20:06:31 CHAIRPERSON KRIEGER: Very good. That brings  
15 20:06:32 us to our next case, PZ19-0012 for Philip and Jessica  
16 20:06:37 Haapala for 41414 Broquet Drive, Parcel Number  
17 20:06:44 50-22-35-429-004. The applicant is requesting variance  
18 20:06:50 from section 5.11(A)(ii) to allow a fence to extend  
19 20:06:55 past the exterior side yard setback. The property is  
20 20:07:00 zoned single family residential, R-1.  
21 20:07:02 MS. HAAPALA: Hi. My name is Jessica  
22 20:07:06 Haapala, J-e-s-s-i-c-a H-a-a-p-a-l-a.  
23 20:07:08 MR. HAAPALA: And my name is Philip Haapala,

1 20:07:11 P-h-i-l-i-p, same last name spelling.

2 20:07:15 MEMBER FERRELL: Go ahead and raise your

3 20:07:15 right -- are either of you attorneys?

4 20:07:16 MS. HAAPALA: No.

5 20:07:17 MR. HAAPALA: No.

6 20:07:18 MEMBER FERRELL: Do you swear to tell the

7 20:07:19 truth in the testimony you're about to give in this

8 20:07:19 case?

9 20:07:19 MS. HAAPALA: Yes.

10 20:07:20 MR. HAAPALA: Yes.

11 20:07:21 MEMBER FERRELL: Go ahead.

12 20:07:22 MS. HAAPALA: So we just bought this house

13 20:07:23 and we found out that right now we have like a deck

14 20:07:27 here. This is our house and, basically, the line that

15 20:07:30 we want to put a fence up goes adjacent to the house.

16 20:07:35 So it just has to stay right along the house. There's

17 20:07:39 more land here and a sidewalk here and we just want to

18 20:07:42 extend a fence over to the sidewalk permitting, you

19 20:07:47 know, how far it can go feetwise.

20 20:07:49 And the reason we want to put a fence is we

21 20:07:52 have three small kids. And Meadowbrook is a little bit

22 20:07:56 of a busier street. Not a main road, but I need to

23 20:08:00 contain my children. So I would like to keep them off

1 20:08:06 the road. So we would like a fence there.

2 20:08:07 MR. HAAPALA: In addition to that, we would

3 20:08:09 like to put a garden on our property and probably a

4 20:08:12 trampoline and a climber as well. And without the

5 20:08:15 variance, I'm not sure we can do all that.

6 20:08:22 CHAIRPERSON KRIEGER: Okay.

7 20:08:24 MS. HAAPALA: That's it.

8 20:08:24 CHAIRPERSON KRIEGER: All right. Very good.

9 20:08:25 Anyone in the audience have any comment

10 20:08:27 regarding this case?

11 20:08:30 Yes. State your name.

12 20:08:34 MR. ADAMS: Dan Adams.

13 20:08:36 CHAIRPERSON KRIEGER: Up at the podium where

14 20:08:38 the microphone is at.

15 20:08:41 Name, address and give your comment.

16 20:08:46 MR. ADAMS: My name is Dan Adams, A-d-a-m-s.

17 20:08:48 I live next door at 41440 Broquet.

18 20:08:57 And I just was talking to the neighbor last

19 20:08:59 night and they said something about got a letter about

20 20:09:04 a fence and I remember vaguely seeing something, but I

21 20:09:08 get so much mail, I didn't pay any attention. I

22 20:09:11 thought it was down further on Meadowbrook Road. So I

23 20:09:15 came in today to check on this proposed fence. And I

1 20:09:28 have no objection.

2 20:09:28 Here's a map of the -- this is my house. And  
3 20:09:32 this is the house that they're going to put the fence  
4 20:09:35 in this area. But as you can see, the property line is  
5 20:09:39 about 12 foot off of their house and the proposed  
6 20:09:44 proposal I saw in the office earlier today, it shows  
7 20:09:48 the fence coming out to the west and then along this  
8 20:09:55 row of pine trees.

9 20:09:59 Those are spruce trees and they're spread  
10 20:10:06 out. And I measured on the plot map here 68 foot from  
11 20:10:14 the corner of my house to the property line. I drove a  
12 20:10:22 stake in there this evening before I came. And if they  
13 20:10:23 bring the fence out like this and then down here,  
14 20:10:26 they'll have to cut a lot of the pine trees away to  
15 20:10:30 bring the fence on the west side of the pine trees.  
16 20:10:34 And if they could -- if possibly they could run instead  
17 20:10:40 of coming this way -- there's only 12 foot here  
18 20:10:44 according to the map and the survey.

19 20:10:47 If they could run the fence right back from  
20 20:10:49 this corner of their house, I wouldn't have any  
21 20:10:52 objection. It's just a six foot high fence, by the  
22 20:10:57 time they cut the spruce away to run the fence on the  
23 20:11:02 west side of the pine trees, it would be kind of ugly.

1 20:11:07 You know, you're cutting -- well, you're going to have  
2 20:11:10 to cut more than six foot to run this fence because  
3 20:11:16 it's a -- unless it's one of those plastic solid fences  
4 20:11:20 with poles and, you know.  
5 20:11:21 And if they could -- I object to it being run  
6 20:11:24 the way it shows on the plan I saw. If it could be  
7 20:11:31 moved to the east so it's in line with the corner of  
8 20:11:36 the house here and then straight back on the east side  
9 20:11:41 of the pine trees, you know, it would look a lot better  
10 20:11:47 from my point of view there.  
11 20:11:51 CHAIRPERSON SANGHVI: All right.  
12 20:11:56 MS. HAAPALA: May I say something?  
13 20:11:58 CHAIRPERSON KRIEGER: No. Hang on a second.  
14 20:11:59 You'll be able to address your concerns.  
15 20:12:01 That's your comments, sir?  
16 20:12:03 MR. ADAMS: Yeah.  
17 20:12:04 CHAIRPERSON KRIEGER: All right. Very good.  
18 20:12:04 MR. ADAMS: And I'm sorry I'm not really  
19 20:12:05 prepared. I didn't find out -- I didn't realize what  
20 20:12:08 was going on until late last night and I had business  
21 20:12:12 to take care of and I was late getting into the office  
22 20:12:15 today to figure out what's going on.  
23 20:12:18 But that's the only objection I have, is

1 20:12:20 they'd have to -- if they ran it on the west side of  
2 20:12:25 these pine trees, they would have to cutback quite a  
3 20:12:27 bit of the pine trees to run it in almost. And the  
4 20:12:35 trunk is maybe four or five feet off my property line.  
5 20:12:40 So they would have to cut quite a ways back in.  
6 20:12:45 CHAIRPERSON KRIEGER: All right. Very good.  
7 20:12:48 We'll get back to that.  
8 20:12:48 Anybody else in the audience have a comment  
9 20:12:51 regarding this case?  
10 20:12:53 All right. Seeing none.  
11 20:12:56 From the City?  
12 20:12:57 MR. BUTLER: No comments.  
13 20:12:58 CHAIRPERSON KRIEGER: From correspondence?  
14 20:13:00 MEMBER FERRELL: Yes, Madame Chair. There  
15 20:13:00 were 21 letters mailed. One letter returned. One  
16 20:13:02 objection. The objection is from Mr. Adams that just  
17 20:13:05 spoke. So do I need to read that letter?  
18 20:13:09 MS. SAARELA: No.  
19 20:13:09 CHAIRPERSON KRIEGER: All right. We'll open  
20 20:13:11 it up to the board.  
21 20:13:14 Member Sanghvi?  
22 20:13:14 MEMBER SANGHVI: Thank you. I came and  
23 20:13:16 visited your property on Saturday and looked around. I

1 20:13:22 am not quite sure where exactly you are trying to put  
2 20:13:27 the fence and what kind of fence it is going to be. So  
3 20:13:31 could you tell me how high and what kind of fence and  
4 20:13:36 where you're going to put it.

5 20:13:41 MR. HAAPALA: If we could use the photo?  
6 20:13:44 MS. HAAPALA: So right now, we want to  
7 20:13:47 extend -- right now the fence has to stay along the  
8 20:13:50 side of the house. We want to add the fence over here  
9 20:13:54 to go towards the sidewalk.

10 20:13:56 MEMBER SANGHVI: All the way to the sidewalk  
11 20:13:57 on Meadowbrook Road?  
12 20:13:59 MS. HAAPALA: Correct.

13 20:14:00 MEMBER SANGHVI: And how far in front?  
14 20:14:04 MS. HAAPALA: Probably just right up to the  
15 20:14:05 house line. Again --  
16 20:14:06 MR. HAAPALA: No. So it would go back here,  
17 20:14:08 basically. So it's, basically, a big rectangle.

18 20:14:14 MS. HAAPALA: Oh, I see. I see what you're  
19 20:14:16 saying.  
20 20:14:17 MR. HAAPALA: So right now there is a lot of  
21 20:14:18 trees back there. Obviously, we'd have to remove  
22 20:14:22 those.  
23 20:14:23 MEMBER SANGHVI: You have a fire hydrant not

1 20:14:26 too far from your property on the side there. I was  
2 20:14:26 just wondering how far you were going to come in front  
3 20:14:28 there.

4 20:14:32 MS. HAAPALA: Okay.

5 20:14:33 MS. HAAPALA: I mean, as long as it's up to  
6 20:14:34 code. Like what he was saying, we'll take the fence  
7 20:14:39 over to here. I mean, the fire hydrant is over here  
8 20:14:43 so, obviously, we would have to follow the code.

9 20:14:45 MEMBER SANGHVI: Thank you. I'm all in favor  
10 20:14:47 of a fence when you have young children. How young are  
11 20:14:50 your children?

12 20:14:51 MS. HAAPALA: Three under three. Three, two,  
13 20:14:54 one.

14 20:14:57 MEMBER SANGHVI: So you need some protection  
15 20:14:58 and I have no problem. Thank you.

16 20:15:05 CHAIRPERSON KRIEGER: Okay. Regarding the  
17 20:15:06 fence towards the neighbor with the pine trees, you're  
18 20:15:09 going to go by there as well?

19 20:15:12 MR. HAAPALA: You know, I haven't really  
20 20:15:13 decided what I want to do with those pine trees. I am  
21 20:15:16 leaning to taking them out completely. I don't really  
22 20:15:20 like them myself.

23 20:15:22 CHAIRPERSON KRIEGER: Are they six-inch

1 20:15:24 pines?

2 20:15:24 MS. HAAPALA: I'm not sure. We just bought

3 20:15:27 the house. So we haven't, like, looked around a lot.

4 20:15:33 We were just trying to get this proposal done before we

5 20:15:36 actually bought the house, but was not able to be done

6 20:15:39 and we had to buy the house and we're now in the

7 20:15:42 process of getting the proposals passed.

8 20:15:45 CHAIRPERSON KRIEGER: And then the kind of

9 20:15:46 fence that you wanted to put in was this -- the

10 20:15:52 complete enclosure? There's going to be no air going

11 20:15:55 through?

12 20:15:56 MS. HAAPALA: Yeah. It's a vinyl fence.

13 20:15:59 CHAIRPERSON KRIEGER: And then it enclosed

14 20:16:01 from the entire back lot and then to the side lot?

15 20:16:04 MS. HAAPALA: Correct.

16 20:16:07 CHAIRPERSON KRIEGER: All right. Then the

17 20:16:09 fire hydrant as well, we're considering that. And then

18 20:16:16 the pines for -- have you considered pruning them or

19 20:16:18 adjusting the fence along so that you can keep them?

20 20:16:22 MR. HAAPALA: Yeah. We're probably going to

21 20:16:24 prune them most definitely, if we decide to keep, you

22 20:16:27 know, the current proposal where the fence is going.

23 20:16:33 I just feel like if we, you know, move the

1 20:16:37 fence to the other side, it's dead space there and I'm  
2 20:16:42 trying to avoid that. We're trying to utilize my  
3 20:16:46 entire backyard.

4 20:16:47 MS. HAAPALA: I guess, we just haven't really  
5 20:16:48 thought about what to do with these fences because our  
6 20:16:51 proposal was to add the fence over here. So we  
7 20:16:52 didn't -- we were just going to take the trees out. We  
8 20:16:52 didn't really focus on these trees because we were  
9 20:16:52 focusing on this area of adding to our backyard.

10 20:17:03 CHAIRPERSON KRIEGER: All right.

11 20:17:04 I'll let it for other -- yes?

12 20:17:05 MEMBER FERRELL: So the trees are on your  
13 20:17:07 property, right?

14 20:17:08 MR. HAAPALA: Yeah.

15 20:17:08 MS. HAAPALA: Um-hmm.

16 20:17:09 MEMBER FERRELL: So you can remove them if  
17 20:17:09 you choose to or however you decide to go. I just  
18 20:17:13 wanted to make sure they weren't on the neighbor's  
19 20:17:16 property.

20 20:17:18 MS. HAAPALA: Yeah.

21 20:17:19 MEMBER FERRELL: That's all. Thank you.

22 20:17:21 CHAIRPERSON KRIEGER: Yes?

23 20:17:22 MEMBER PEDDIBOYINA: Yeah. I understand your

1 20:17:23 concern. You have small kids and also the house is on  
2 20:17:26 the road and they need protection and they can enjoy  
3 20:17:30 outside and what they are doing.  
4 20:17:32 And how tall are you putting this fence? Six  
5 20:17:35 feet or eight feet?  
6 20:17:36 MR. HAAPALA: I think it's six feet.  
7 20:17:39 MEMBER PEDDIBOYINA: Six feet. And you  
8 20:17:39 mentioned vinyl fencing.  
9 20:17:41 MS. HAAPALA: Um-hmm.  
10 20:17:44 MR. HAAPALA: Yes.  
11 20:17:44 MEMBER PEDDIBOYINA: I have no objection.  
12 20:17:45 Thank you.  
13 20:17:59 CHAIRPERSON KRIEGER: Yes, sir?  
14 20:18:00 MR. ADAMS: Can I speak again.  
15 20:18:01 CHAIRPERSON KRIEGER: You can have a comment.  
16 20:18:03 I'll listen to your comment.  
17 20:18:07 CHAIRPERSON KRIEGER: Just keep it three  
18 20:18:08 minutes and at the microphone.  
19 20:18:13 MR. ADAMS: I took some pictures on my cell  
20 20:18:17 phone. I don't know if you can see them or not.  
21 20:18:26 But I drove a stake in here and that's  
22 20:18:30 approximately 68 foot four inches from the corner of my  
23 20:18:34 house on the mortgage survey. That's what it said it

1 20:18:39 was. And as you can see, the trees hang on my property  
2 20:18:47 a lot. And, you know, I'm just concerned, you know, if  
3 20:18:53 they try to cut -- there's 12 foot, according to this  
4 20:18:58 survey, from their house to my property line.

5 20:19:08 CHAIRPERSON KRIEGER: Okay. I understand  
6 20:19:08 your concern, but the trees are on his lot so he can --

7 20:19:10 MR. ADAMS: If he wants to cut them down,  
8 20:19:11 that's fine.

9 20:19:12 CHAIRPERSON KRIEGER: -- do with them as he  
10 20:19:13 chooses. You can do with what you want on your  
11 20:19:14 property. So that's all I can -- I appreciate your  
12 20:19:19 comment.

13 20:19:20 MR. ADAMS: How far off the property line  
14 20:19:22 does the fence have to run?

15 20:19:25 CHAIRPERSON KRIEGER: That'll be determined  
16 20:19:27 by the City.

17 20:19:28 MR. ADAMS: Is there a minimum setback off  
18 20:19:30 the property line on the fence?

19 20:19:32 MR. BUTLER: As long as it's not over on your  
20 20:19:36 property. It has to be on the line. He can be up to  
21 20:19:39 six inches right on that property line.

22 20:19:42 MR. ADAMS: Okay. I was concerned with the  
23 20:19:43 way the picture I saw it showed it coming out right to

1 20:19:49 the property line and running down right through the  
2 20:19:52 pine trees. Now, if they want to cut the trees down,  
3 20:19:57 that's fine. I can't do anything about that. And it  
4 20:20:00 isn't going to offend me have them cut down.  
5 20:20:04 CHAIRPERSON KRIEGER: All right. Thank you,  
6 20:20:06 sir.  
7 20:20:07 MR. ADAMS: Thank you.  
8 20:20:09 CHAIRPERSON KRIEGER: Anyone else from the  
9 20:20:11 board?  
10 20:20:12 Yes, Member Peddiboyina?  
11 20:20:15 MEMBER PEDDIBOYINA: Actually, no. I don't  
12 20:20:16 have anymore.  
13 20:20:26 CHAIRPERSON KRIEGER: From the City? The  
14 20:20:27 kind of fence, are there others in the City with the  
15 20:20:31 vinyl fencing that goes around the entire property?  
16 20:20:35 MR. BUTLER: That's allowed. I don't believe  
17 20:20:37 they're in an association. The association would  
18 20:20:41 depict the type of fence. But, yes, we have them  
19 20:20:44 around the city, to answer your question.  
20 20:20:47 CHAIRPERSON KRIEGER: Okay. Thank you. Very  
21 20:20:47 good. Great.  
22 20:20:54 MEMBER PEDDIBOYINA: I can make a motion.  
23 20:20:54 CHAIRPERSON KRIEGER: Yeah. If you'd like.

1 20:20:58 MEMBER PEDDIBOYINA: Okay. I move that we  
2 20:20:59 grant the variance in case number PZ19-0012, for Philip  
3 20:21:13 and Jessica, H-a-a-p-a-l-a, Haapala. Because the  
4 20:21:14 petitioner has shown the practical difficulty for a  
5 20:21:19 variance to allow the fence to extend past the exterior  
6 20:21:24 side of the yard setback.

7 20:21:27 Without the variance, petitioner will be  
8 20:21:28 unreasonably prevented or limited with respect to the  
9 20:21:29 use of the property because of the current fence  
10 20:21:35 locations split the backyard in half and the side yard  
11 20:21:35 would limit the full use of the space because of having  
12 20:21:43 the kids show the practical difficulty and the house  
13 20:21:48 was faced in the Meadowbrook Road.

14 20:21:53 The petitioner did not create the condition  
15 20:21:56 because of the existing fence. The relief granted will  
16 20:21:58 not unreasonably limit the conditions surrounding the  
17 20:22:01 property because of the proposal. The proposed  
18 20:22:05 existing fence site is within the defined property  
19 20:22:10 boundaries.

20 20:22:17 The relief is consistent with the spirit and  
21 20:22:19 intent of the ordinance because it will be giving the  
22 20:22:23 homeowner the ability to fit all the items in the large  
23 20:22:23 space and the kids can play.

1 20:22:24 Thank you.

2 20:22:34 CHAIRPERSON KRIEGER: All right. I have a

3 20:22:34 motion.

4 20:22:34 MEMBER SANKER: Second.

5 20:22:36 MEMBER SANGHVI: Second.

6 20:22:36 CHAIRPERSON KRIEGER: I have a motion and a

7 20:22:38 second. Any other discussion?

8 20:22:41 All right. If Katherine could call the roll?

9 20:22:41 MS. OPPERMAN: Member Byrwa?

10 20:22:43 MEMBER BYRWA: Yes.

11 20:22:44 MS. OPPERMAN: Member Ferrell?

12 20:22:45 MEMBER FERRELL: Yes.

13 20:22:46 MS. OPPERMAN: Chairperson Krieger?

14 20:22:54 CHAIRPERSON KRIEGER: Yes.

15 20:22:54 MS. OPPERMAN: Member Sanker?

16 20:22:54 MEMBER SANKER: Yes?

17 20:22:54 MS. OPPERMAN: Member Peddiboyina?

18 20:22:54 MEMBER PEDDIBOYINA: Yes.

19 20:22:54 MS. OPPERMAN: And Member Sanghvi?

20 20:22:54 MEMBER SANGHVI: Yes.

21 20:22:55 MS. OPPERMAN: Motion passes.

22 20:22:56 CHAIRPERSON KRIEGER: All right. Best

23 20:22:57 wishes.

1 20:22:59 MR. HAAPALA: Thank you.

2 20:23:00 CHAIRPERSON KRIEGER: That brings us to our  
3 20:23:01 next case, PZ19-0013 Interior Environments, 48700 Grand  
4 20:23:12 River Avenue, east of Wixom and north of Grand River,  
5 20:23:15 parcel number 50-22-17-126-009. The applicant is  
6 20:23:20 requesting variances from the City of Novi ordinance,  
7 20:23:24 Section 3.1.23.D for parking setbacks of less than  
8 20:23:29 20 feet on the Twelve Mile Road, zero feet requested  
9 20:23:33 side, and Grand River Avenue, 16 feet requested.

10 20:23:37 And a variance requested from zoning  
11 20:23:38 ordinance, Section 5.3.12 for an end island less than  
12 20:23:44 three feet shorter than the adjacent parking space.  
13 20:23:47 The property is zoned general business, B-3.

14 20:23:54 MR. CAPELLA: Good evening.

15 20:23:55 CHAIRPERSON KRIEGER: Good evening, Mr.  
16 20:23:55 Capella.

17 20:23:55 MR. CAPELLA: Kim Capella 26444 Taft Road,  
18 20:23:57 Novi, Michigan. I'm here on behalf of Interior  
19 20:24:01 Environments. Interior Environments is an interior  
20 20:24:05 commercial and design firm. As part of their business,  
21 20:24:07 they do sell office furniture, but really what they  
22 20:24:09 have to market to customers is their design services.

23 20:24:13 This property is actually located between

1 20:24:16 Don's Diner -- I think it's got a new name now -- and  
2 20:24:20 the new PNC building and Twelve Mile Road which used to  
3 20:24:24 be the entrance onto 96 which now dead ends at the Home  
4 20:24:29 Depot and Grand River Avenue.

5 20:24:32 This building was originally built by Jimmies  
6 20:24:32 Rustics to sell outdoor furniture. Jimmies had a store  
7 20:24:39 Downriver. That was their main store and the  
8 20:24:40 warehousing store. This store was only built to do  
9 20:24:42 more of a sales and marketing store. No warehousing.  
10 20:24:46 Just a little bit of office, but mostly displaying  
11 20:24:50 outdoor furniture. As such, when they built the  
12 20:24:52 building, they had adequate parking.

13 20:24:54 The City did not require them to do any land  
14 20:24:58 bend parking (ph) as they did to the old Scott  
15 20:25:03 Shuptrine building over there by Art Van. So there  
16 20:25:06 wasn't any additional parking for reuse at this  
17 20:25:07 building. Jimmies went out of business and the  
18 20:25:10 building sat vacant for many years.

19 20:25:17 Interior Environments is owned by two  
20 20:25:18 gentlemen. They're both Novi residents. When their  
21 20:25:21 building expanded -- I believe it was in Southfield  
22 20:25:23 where they were leasing. They both wanted to look to  
23 20:25:25 Novi. Their families were here. Their kids went to

1 20:25:28 Novi schools. They wanted their building and their  
2 20:25:31 business to be in Novi.

3 20:25:33 Jimmies Rustics turned out to be a good fit  
4 20:25:35 for them. At the time it was their only office. The  
5 20:25:39 original design, 20 percent was going to be reception  
6 20:25:44 area, display marketing area, kitchen, a conference  
7 20:25:47 room; 20 percent was going to be for storage and the  
8 20:25:51 rest was for offices. They had another area offsite  
9 20:25:55 where they actually warehoused -- short periods of time  
10 20:25:58 warehoused the furniture as it came in waiting to get  
11 20:26:02 installed in the customer's office.

12 20:26:06 As their business expanded, they now have  
13 20:26:10 branch offices in Ann Arbor, in Livonia and Detroit.  
14 20:26:12 And they recently opened up an office in downtown  
15 20:26:14 Denver Colorado. The Novi office remains their  
16 20:26:17 headquarters, their world headquarters. The small  
17 20:26:21 offices in the Detroit area are satellite offices.

18 20:26:26 Ironically, they don't need to expand their  
19 20:26:26 building. Their business has expanded. They have more  
20 20:26:29 employees. I think 50 or 60 percent more employees, in  
21 20:26:35 this location than they had when they built the  
22 20:26:37 building. They don't need to expand the building. The  
23 20:26:42 way their type of business has changed, there's only

1 20:26:45 about four permanent desks in the office here. That's  
2 20:26:48 for the two owners, financial and an office manager.  
3 20:26:51 All of the other desks, tables, chairs, conference  
4 20:26:57 areas are utilized by various people at various times.  
5 20:27:03 These -- I call them kids because they're  
6 20:27:05 much younger than me. These kids operate out of their  
7 20:27:08 backpack with a laptop. They might have a locker in  
8 20:27:15 this building. I think there's 15 lockers. They have  
9 20:27:16 a locker like in high school and that's their desk.  
10 20:27:18 They can come in. They can sit down at a  
11 20:27:18 desk like you do here with a screen. They plug in  
12 20:27:21 their laptop. The next time they come in, they might  
13 20:27:23 sit at a high top. They might sit at a kitchen table,  
14 20:27:26 in a conference room. They even got a couple of,  
15 20:27:29 I call them phone booths. Small soundproof phone  
16 20:27:33 booths if you want to take your cell phone in and have  
17 20:27:35 a little privacy with your conversation.  
18 20:27:37 That's how they operate their business. So  
19 20:27:37 they're not out of room at all for this big expanse of  
20 20:27:40 employees. They're out parking.  
21 20:27:43 This is especially true because this is their  
22 20:27:46 main headquarters. This is where they display most of  
23 20:27:49 their furniture. They probably redo their entranceway,

1 20:27:54 kitchen area, every four or five months to redesign  
2 20:27:59 with new furniture, new ideas and new concepts for the  
3 20:28:00 customers to come in. This is the location where they  
4 20:28:02 have the biggest conference room. Sometimes they have  
5 20:28:03 round theater-type couches with a screen so the team  
6 20:28:06 can sit down and, like we do here, put up on the screen  
7 20:28:11 to see what we're talking about, put the plans up and  
8 20:28:14 things like that.

9 20:28:15 So sometimes they're very crowded and they  
10 20:28:17 run out of parking. Other times they're not.  
11 20:28:21 Sometimes you drive by their building on Grand River  
12 20:28:23 and they're double parked, as they are now. Sometimes  
13 20:28:26 they're not. Mondays it's especially crowded. Almost  
14 20:28:28 every Monday they're out of parking because the teams  
15 20:28:31 go there to start their week, start their plans,  
16 20:28:31 schedule their meetings, schedule who is going to be in  
17 20:28:36 the office at the time.

18 20:28:39 They have nowhere to expand their parking.  
19 20:28:40 They want to stay in Novi. They want to stay in this  
20 20:28:43 location. On Twelve Mile Road they're asking to  
21 20:28:47 utilize the full 20 feet. On Twelve Mile Road across  
22 20:28:50 the street is the Varsity Lincoln and then the new  
23 20:28:57 Wilson's Marine where General -- not General Tire.

1 20:28:58 General RV used to be.

2 20:29:02 So it's all parking of vehicles across the  
3 20:29:04 street off of Twelve Mile Road. On Grand River they're  
4 20:29:07 going to be setting back 16 feet and that's one of the  
5 20:29:10 variances they're asking for. And the other variance  
6 20:29:13 is very minor and it, actually, I think traffic agrees,  
7 20:29:15 they're just cutting down the circulation coming into  
8 20:29:18 the entrance and it makes it easier for the cars to go  
9 20:29:21 around. It's safer for how it's designed now.

10 20:29:25 Planning Commission has approved it. We're  
11 20:29:26 waiting for your variances and then if you'll do such,  
12 20:29:30 I'll move forward to begin the parking lot expansion.

13 20:29:35 CHAIRPERSON KRIEGER: Very good.

14 20:29:38 MR. CAPELLA: That's it. That's all I got.

15 20:29:40 CHAIRPERSON KRIEGER: Anybody in the audience  
16 20:29:41 have any comment regarding this case?

17 20:29:43 All right. Seeing none. From the City?

18 20:29:46 MR. BUTLER: The City just considers it a  
19 20:29:48 reasonable request. They did go through planning and  
20 20:29:51 it was approved for them to allow for additional  
21 20:29:54 parking. They kind of agreed that, yes, they need it,  
22 20:29:57 but they need to come to the board to get it approved.

23 20:30:00 CHAIRPERSON KRIEGER: Okay. Thank you.

1 20:30:03 Correspondence?

2 20:30:03 MEMBER FERRELL: Yes, Madame Chair, 18

3 20:30:06 letters mailed. Zero letters returned, one approval

4 20:30:09 and one objection. Zero objections. I'm sorry. I

5 20:30:11 apologize.

6 20:30:11 The approval is from Dan D. Valentine,

7 20:30:17 V-a-l-e-n-t-i-n-e, at 48075 Grand River, Novi, 48374.

8 20:30:26 "This is the second approval that I have sent to Zoning

9 20:30:29 Board. I do not know of any reason to object to their

10 20:30:33 property request."

11 20:30:37 That's it.

12 20:30:37 CHAIRPERSON KRIEGER: Very good. We'll open

13 20:30:38 it up to the board.

14 20:30:42 Member Sanghvi?

15 20:30:42 MEMBER SANGHVI: Thank you.

16 20:30:43 CHAIRPERSON KRIEGER: You're our leader.

17 20:30:44 Thank you.

18 20:30:45 MEMBER SANGHVI: First a question for the

19 20:30:46 City. Do we have any study of how much traffic really

20 20:30:49 goes through that part of Novi Road?

21 20:30:51 CHAIRPERSON KRIEGER: Yeah.

22 20:30:52 MR. BUTLER: The City doesn't, but the Public

23 20:30:54 Works probably does.

1 20:30:56 MEMBER SANGHVI: Any kind of traffic study?

2 20:30:58 MR. BUTLER: They may. I cannot actually say

3 20:30:59 they do or not. If they did, normally there's some

4 20:31:02 studies done on traffic patterns. I can double check

5 20:31:07 and insert it into the record.

6 20:31:09 MEMBER SANGHVI: Thank you.

7 20:31:11 Because it's almost a cul-de-sac really that

8 20:31:14 part of Twelve Mile Road and hardly anything goes

9 20:31:17 through there from the highway.

10 20:31:19 And I came and looked at this place. You

11 20:31:22 ingress and egress on both sides. And I have no

12 20:31:28 problem guaranteeing your variance because I don't

13 20:31:32 think it's going to make any difference one way or the

14 20:31:36 other. Thank you.

15 20:31:37 MR. CAPELLA: Thank you.

16 20:31:41 CHAIRPERSON KRIEGER: I agree. Since Twelve

17 20:31:41 Mile has been there forever and it's a cul-de-sac now

18 20:31:44 and nobody uses it. So the amount of usage of it -- I

19 20:31:48 don't think in the future they're not going to open it

20 20:31:50 up to anything.

21 20:31:52 Correct?

22 20:31:52 MR. BUTLER: Not that I'm aware of.

23 20:31:54 CHAIRPERSON KRIEGER: So we have it for

1 20:31:56 parking, like you said. So I also would be in favor of  
2 20:31:58 your request.

3 20:31:59 MR. CAPELLA: Thank you.

4 20:32:06 MEMBER SANKER: I'm ready to grant the  
5 20:32:08 motion.

6 20:32:09 CHAIRPERSON KRIEGER: Go ahead.

7 20:32:09 MEMBER SANKER: I move we grant the variance  
8 20:32:11 in case number PZ19-0013 sought by Interior  
9 20:32:15 Environments for the aforementioned request because the  
10 20:32:19 petitioner has shown practical difficulty requiring the  
11 20:32:23 need for this variance.

12 20:32:25 Without the variance the petitioner would be  
13 20:32:27 unreasonably prevented or limited with respect to the  
14 20:32:30 use of the property because employees and guests will  
15 20:32:33 not be able to park at the property. The property is  
16 20:32:36 unique because of the lot, shape and location between  
17 20:32:39 two major thoroughfares. The petitioner did not create  
18 20:32:46 the condition because it didn't divide the lot in this  
19 20:32:46 way.

20 20:32:47 The relief granted would not unreasonably  
21 20:32:50 interfere with adjacent or surrounding properties  
22 20:32:53 because the variance will not create safety issues to  
23 20:32:56 any of the nearby properties and the relief is

1 20:32:59 consistent with the spirit and intent of the ordinance  
2 20:33:02 because the increased parking spaces will allow the  
3 20:33:05 owner to use and enjoy the property as its  
4 20:33:09 headquarters.  
5 20:33:12 CHAIRPERSON KRIEGER: I have a motion. Do we  
6 20:33:14 have a second?  
7 20:33:15 MEMBER PEDDIBOYINA: I second.  
8 20:33:15 CHAIRPERSON KRIEGER: We have a motion and  
9 20:33:16 second.  
10 20:33:17 If Katherine could call the roll.  
11 20:33:19 MS. OPPERMAN: Member Sanghvi?  
12 20:33:19 MEMBER SANGHVI: Yes.  
13 20:33:22 MS. OPPERMAN: Member Peddiboyina?  
14 20:33:22 MEMBER PEDDIBOYINA: Yes.  
15 20:33:23 MS. OPPERMAN: Member Sanker?  
16 20:33:23 MEMBER SANKER: Yes.  
17 20:33:24 MS. OPPERMAN: Chairperson Krieger?  
18 20:33:24 CHAIRPERSON KRIEGER: Yes.  
19 20:33:26 MS. OPPERMAN: Member Ferrell?  
20 20:33:26 MEMBER FERRELL: Yes.  
21 20:33:28 MS. OPPERMAN: And Member Byrwa?  
22 20:33:28 MEMBER BYRWA: Yes.  
23 20:33:28 MS. OPPERMAN: Motion passes.

1 20:33:29 MR. CAPELLA: Thank you very much.

2 20:33:31 CHAIRPERSON KRIEGER: Congratulations.

3 20:33:32 MR. CAPELLA: Thank you.

4 20:33:33 CHAIRPERSON KRIEGER: We come to our last

5 20:33:35 case PZ19-0014 Robertson Brothers homes for regarding

6 20:33:42 2293 and 2295 Austin Drive, west of Old Novi Road and

7 20:33:47 south of 13. Parcel numbers 50-22-10-231-019 and

8 20:33:54 50-22-10-231-008. The applicant is requesting

9 20:34:00 variances from Zoning Ordinance Section 3.1.5.D for

10 20:34:05 2293 Austin Drive to allow 21 foot rear yard setback,

11 20:34:09 35 feet allowed. And to allow a 6,550 square foot

12 20:34:15 minimum lot area 10,000 square feet allowed.

13 20:34:20 The applicant is requesting variances from

14 20:34:22 Zoning Ordinance Section 3.1.5.D for 2295 Austin Drive

15 20:34:30 to allow 29 percent lot coverage and 25 percent

16 20:34:34 allowed. And to allow a minimum lot area of 6,951

17 20:34:41 square feet, 10,000 square feet allowed. The

18 20:34:45 properties are zoned single family residential, R-4.

19 20:34:48 Are you an attorney?

20 20:34:50 MR. LOUGHRIN: No, I'm not.

21 20:34:52 CHAIRPERSON KRIEGER: Okay. Spell your name

22 20:34:52 and swear in with our court recorder.

23 20:34:55 MR. LOUGHRIN: Tim Loughrin

1 20:34:56 L-o-u-g-h-r-i-n.

2 20:35:00 MEMBER FERRELL: Go ahead and raise your

3 20:35:00 right hand.

4 20:35:00 Do you swear to tell the truth in the

5 20:35:00 testimony you're about to give?

6 20:35:00 MR. LOUGHRIN: I do.

7 20:35:02 MEMBER FERRELL: Go ahead.

8 20:35:03 MR. LOUGHRIN: So thank you for your time

9 20:35:04 this evening. I'm Tim Loughrin again, Robertson

10 20:35:07 Brothers Homes, 6905 Telegraph Road, Bloomfield Hills,

11 20:35:14 48301.

12 20:35:14 So I guess I want to first take a step back

13 20:35:17 and just kind of explain how we got there. Would you

14 20:35:21 mind if I handed out just a couple of things?

15 20:35:24 CHAIRPERSON KRIEGER: Sure.

16 20:35:25 MR. LOUGHRIN: I'll show you on the screen as

17 20:35:27 well.

18 20:36:32 (Documents passed out.)

19 20:36:39 MR. LOUGHRIN: So, again, if I can just take

20 20:36:41 a step back. Really, this request is directly relating

21 20:36:45 to the Lakeview development. This is a project that

22 20:36:48 we've been working on for almost two years now. It is

23 20:36:51 at, basically, both sides of Old Novi Road.

1 20:36:59 Both sides of Old Novi Road, south of 13  
2 20:37:02 Mile. Essentially, the west side. Lots fronting on  
3 20:37:05 Old Novi Road and then lots fronting on to Wainwright  
4 20:37:08 and Linhart on the east side of Novi Road.  
5 20:37:14 So, essentially, again, we've been working on  
6 20:37:15 this for about two years, this project. Originally, we  
7 20:37:15 got the land tied up, three different sellers, and we  
8 20:37:22 had proposed 70 townhomes on the site, just over three  
9 20:37:26 acres. This was actually encouraged by the City  
10 20:37:29 because it met the guidelines of the Lakeshore Pavilion  
11 20:37:34 overlay district which really encourages density, wants  
12 20:37:38 to bring people to this area, adds some mixed use,  
13 20:37:39 retail in addition to the residences and townhomes were  
14 20:37:45 specifically called out.  
15 20:37:47 So that was actually November 2017 that we  
16 20:37:49 had a preapplication meeting and, again, staff did like  
17 20:37:52 what we were proposing because it meant that overlay  
18 20:37:57 district.  
19 20:37:58 As we normally do, we met with the  
20 20:38:00 neighborhood and they certainly didn't have the same  
21 20:38:03 views that staff had. So we, actually, had a couple of  
22 20:38:06 meetings with the neighborhood and ultimately we  
23 20:38:10 submitted six months later in April of 2018 for 32

1 20:38:16 townhomes and six single family. So we reduced it  
2 20:38:19 quite a bit from 70 townhomes down to 32 townhomes and  
3 20:38:23 six single family.

4 20:38:23 And then that was, basically, a year ago from  
5 20:38:24 this point. So we've had several meetings. We met  
6 20:38:29 with the zoning master plan committee, the planning  
7 20:38:31 commission, several hearings, several hearings of the  
8 20:38:32 City Council. So very long story short, we did receive  
9 20:38:38 this past February a final PRO agreement and final  
10 20:38:43 concept plan for what you see here, essentially, with  
11 20:38:46 20 single family homes.

12 20:38:49 The reason I'm here tonight. A portion of  
13 20:38:52 the two Austin lots -- there are two homes on Austin --  
14 20:38:55 they actually extend all the way out to old Novi Road.  
15 20:38:59 So it's these two lots here.

16 20:39:04 So in order -- this was always part of the  
17 20:39:05 plan. In order to, essentially, provide for the  
18 20:39:08 Lakeview development as one cohesive project as much as  
19 20:39:12 it could be, those two lots, the rear portion of those  
20 20:39:14 lots, would essentially become part of Lakeview and,  
21 20:39:17 again, that was always envisioned.

22 20:39:19 We had hoped to include those deviations in  
23 20:39:21 the PRO agreements. The staff felt it was more

1 20:39:24 appropriate to do a variance rather than on the lots as  
2 20:39:28 part of the PRO agreement.

3 20:39:29 So that's why I'm here tonight. It didn't  
4 20:39:33 really make sense, I guess in the staff's view, to  
5 20:39:35 extend the PRO zoning on to Austin. So ZBA really was  
6 20:39:41 the course of action for that.

7 20:39:44 I mention all that not just to explain the  
8 20:39:46 purpose of tonight. I'll go a little bit more into  
9 20:39:49 detail of that. But really to kind of show the  
10 20:39:51 neighborhood respond since we started this project two  
11 20:39:54 years ago.

12 20:39:55 And one of the reasons I bring that up, there  
13 20:39:58 was an objection letter in the packets and I read your  
14 20:40:01 couple of times. I'm fairly certain that it really  
15 20:40:05 envisions us still proposing the 70 townhomes.

16 20:40:09 We do not have a three-story product. In  
17 20:40:12 fact, our product as you can see in the handout I gave  
18 20:40:17 you is essentially single family, two-story max  
19 20:40:26 residential.

20 20:40:28 So I just want to point that out. I think  
21 20:40:30 the letter, actually, came from this individual down  
22 20:40:34 here in the corner that was mentioning 35-foot rear  
23 20:40:38 setback, maintained the 35-foot yard setback. No

1 20:40:43 headlights. Those sorts of things. Really, those were  
2 20:40:47 issues when we had the townhome plans. So that's why I  
3 20:40:50 bring that up. In fact, I think the plan right now  
4 20:40:53 that house would be about almost 50 feet to the rear  
5 20:40:56 property line.

6 20:40:57 So I don't want to say just completely  
7 20:40:57 disregard the letter because somebody took the time,  
8 20:41:00 but I think it was not specific to what the plan is  
9 20:41:02 today.

10 20:41:06 I also want to point out since, again, two  
11 20:41:08 years ago, I'd say we have had overwhelming support for  
12 20:41:14 this plan as compared to the previous plans. Now,  
13 20:41:16 there's still things that we're working through as we  
14 20:41:18 go through development with our neighbors. And they  
15 20:41:22 have me on speed dial so I have a very good  
16 20:41:26 relationship with a lot of the neighbors. So I want to  
17 20:41:28 point that out that this has been a very long process  
18 20:41:31 and it's really the end of the road, fortunately. You  
19 20:41:36 know, three years at the end of the process.

20 20:41:38 So why do we need the variance? It's really  
21 20:41:40 only needed in order to configure the lake -- these two  
22 20:41:45 lots for the Lakeview development. These lots -- and I  
23 20:41:51 can show you in a separate exhibit, which you have.

1 20:42:03                    These lots actually go straight to Old Novi  
2 20:42:05                    Road right now. So 2293 Austin on the north side and  
3 20:42:07                    2295 Austin, this is, actually, a double lot. The  
4 20:42:12                    house is over the property line, currently. And then  
5 20:42:16                    this Austin actually goes from Austin all the way over  
6 20:42:19                    to Old Novi Road. This was a very large right-of-way,  
7 20:42:23                    by the way, which was part of our long process in  
8 20:42:25                    getting the approvals because of that. But it does  
9 20:42:28                    actually front on to Old Novi Road. So there is a lot  
10 20:42:33                    of space there, but that is a right-of-way to Old Novi  
11 20:42:36                    Road. And I mention that because there is no other  
12 20:42:38                    condition anywhere in that area where you have a double  
13 20:42:40                    fronted lot.

14 20:42:44                    So that's really the reason for it. The  
15 20:42:47                    staff felt it was best plan of action for the lot  
16 20:42:49                    split. I do want to point out that the City Council  
17 20:42:51                    did specifically call out this process that we're here  
18 20:42:55                    today to go through the ZBA. And I highlighted it in  
19 20:43:04                    your packet that I had provided the letter.

20 20:43:06                    "The City Council does not object to the  
21 20:43:08                    Zoning Board of Appeals granting variances for the two  
22 20:43:11                    lots fronting on Austin Drive. They will be altered  
23 20:43:13                    dimensionally when portions of the lots are combine and

1 20:43:14 split to create new lots in the proposed development."

2 20:43:17 So, again, since the City Council had no  
3 20:43:20 purview over the two lots because it wasn't part of the  
4 20:43:21 zoning, they still recognize the need that this the  
5 20:43:24 various would be needed for the Lakeview Development.  
6 20:43:27 So they called that out, specifically, in the PRO which  
7 20:43:30 is actually quite rare.

8 20:43:32 So the justification for the variance really,  
9 20:43:35 specifically, R-4, is simply not an appropriate zoning  
10 20:43:38 category for the area. Many homes such as 2293 Austin  
11 20:43:41 were built in the 1930s, long before the City annexed  
12 20:43:46 the property. Long before an R-4 zoning category even  
13 20:43:48 existed.

14 20:43:49 Really, the area is unique. This is not an  
15 20:43:52 area that you find in other areas of Novi. So it's a  
16 20:43:57 unique area. There is no really zoning category that  
17 20:44:01 would fit any part of the lake area.

18 20:44:10 This just gives a little more reference on  
19 20:44:13 the lots in particular. Sorry. It's a little out of  
20 20:44:17 focus.

21 20:44:17 So most of the homes are nowhere close to  
22 20:44:18 R-4. Rear setbacks along this area are actually less  
23 20:44:22 than 10 feet in some areas. And really I only found

1 20:44:26 one or two lots that even met the 10,000 square foot  
2 20:44:30 minimum area. So, basically, the built environment out  
3 20:44:34 there does not meet the R-4 zoning whatsoever. You  
4 20:44:38 probably seen variances over the years in this area,  
5 20:44:40 specifically, because of that.

6 20:44:43 There's also a unique reason for the rear  
7 20:44:45 variance on 2293 because it has such a large front  
8 20:44:57 setback.

9 20:44:58 (Document displayed.)

10 20:44:58 MR. LOUGHRIN: This is 2293. It's hard to  
11 20:45:05 read this, but you do have 157 feet and 169 feet.  
12 20:45:07 That's very deep. This is after the lot configuration.  
13 20:45:11 And where the actual home rests right now, because it  
14 20:45:15 is over the property line, it rests all the way back  
15 20:45:18 here. So it's 93 feet back. That is not what you see  
16 20:45:21 in that area whatsoever. So it's really a unique  
17 20:45:24 situation when the fact that that house is buried so  
18 20:45:25 back far on that lot.

19 20:45:30 It's actually very unique circumstances  
20 20:45:31 relating to that property because it currently goes  
21 20:45:33 over the property line, as I had mentioned.

22 20:45:42 This is actually the property line today and  
23 20:45:46 this is the house. So, currently, it's a zero setback.

1 20:45:49 In fact, it's a negative setback, if you can have such  
2 20:45:52 a thing.

3 20:45:54 So even, again, with the variance, the lots  
4 20:45:55 will be deeper than most of the lots in the Shawood  
5 20:45:59 (ph) Walled Lake Heights subdivision. The variances  
6 20:46:01 will not alter the area, the essential character of the  
7 20:46:05 area whatsoever. In fact, granting the variances will  
8 20:46:09 only impact the future Lakeview homeowners on lots four  
9 20:46:13 and five.

10 20:46:20 So, again, these are the two lots right here.  
11 20:46:23 The only people that will ever know that there would be  
12 20:46:26 a variance, in any case, would be lots four and five.  
13 20:46:30 These homeowners are going to know that going in.  
14 20:46:32 They're going to purchase those lots knowing that those  
15 20:46:33 homes are existing.

16 20:46:34 We are providing for an over 20-foot setback  
17 20:46:38 for this property here. Again, the one that is setback  
18 20:46:41 so far. We're not requesting a rear setback for this  
19 20:46:43 property. I think we have about 47 feet. So we meet  
20 20:46:47 the 35 foot rear setback requirement for the southern  
21 20:46:48 lot, 2295.

22 20:46:52 There will be a positive impact from the  
23 20:46:54 increased property values from the Lakeview

1 20:46:57 development. Also, several homes will be removed from  
2 20:47:02 along Old Novi that are closer to existing homeowners.  
3 20:47:06 This project will clean that up. So if I can just go  
4 20:47:09 back to this map.

5 20:47:12 Again, this is the property line. That's the  
6 20:47:15 house that goes over. This -- these homes will be  
7 20:47:19 coming down. You can see they're actually only five  
8 20:47:21 feet from the property line right now. We're actually  
9 20:47:23 removing those and this is what you will see behind  
10 20:47:28 those homes. So we think we're cleaning up the area  
11 20:47:32 quite a bit.

12 20:47:34 Lastly, it's really impractical to have  
13 20:47:35 access all the way through to Old Novi Road. You don't  
14 20:47:38 see that anywhere along any of this area. So the  
15 20:47:41 unique circumstances on these two lots is that they go  
16 20:47:44 to Old Novi Road, which just is simply impractical. It  
17 20:47:48 really reduces any kind of development potential in  
18 20:47:50 that area and there's no reason -- there's actually a  
19 20:47:54 garage that's access right now to Old Novi Road that  
20 20:47:57 just seems impractical to have an Austin Road house  
21 20:48:01 accessing off of Old Novi Road.

22 20:48:04 So in closing we feel that we meet the intent  
23 20:48:06 of the City's criteria for variance certification due

1 20:48:07 to the unique area of the nature and existing home  
2 20:48:11 configurations in relation to the inappropriately  
3 20:48:14 designated zoning as well as meeting the City Council's  
4 20:48:15 desire to reconfigure these two lots in order to allow  
5 20:48:19 for the development of Lakeview community as agreed to  
6 20:48:21 in the PRO agreement.

7 20:48:24 So I'm happy to answer any questions you have  
8 20:48:24 as to these two lots.

9 20:48:28 CHAIRPERSON KRIEGER: Thank you very much.

10 20:48:29 MR. LOUGHRIN: Sure.

11 20:48:30 CHAIRPERSON KRIEGER: Is there anyone in the  
12 20:48:31 audience that would like to comment regarding this  
13 20:48:45 case?

14 20:48:47 MS. SAENZ: Hi. I'm Rachel Saenz and I  
15 20:48:47 actually live at this property right here that is next  
16 20:48:54 to 2293 Austin Drive. And as Mr. Loughrin has  
17 20:49:01 mentioned, right now there's a driveway that's accessed  
18 20:49:05 from Old Novi Road. So in eliminating the access, the  
19 20:49:09 driveway access, there is no parking or driveway in  
20 20:49:13 front of 2293 now currently.

21 20:49:16 So I just want to ensure that the driveway is  
22 20:49:26 taken into consideration because they're going to have  
23 20:49:28 to access from Austin Road now. The lot is extremely

1 20:49:32 narrow. My fear is if they bring the driveway up next  
2 20:49:36 to my property line, because this house is set so far  
3 20:49:40 back, that that driveway will extend past my house and  
4 20:49:43 into my backyard and will eventually cover nearly all  
5 20:49:48 of the property.

6 20:49:51 So I just want clarification on how at least  
7 20:49:54 that 2293 will be accessed. That's it. Thank you.

8 20:49:58 CHAIRPERSON KRIEGER: Thank you.

9 20:50:05 Yes, come to the podium.

10 20:50:12 MR. DUCHESNEAU: Mike Duchesneau,  
11 20:50:13 D-u-c-h-e-s-n-e-a-u, 1191 South Lake Drive. And as  
12 20:50:21 Mr. Loughrin has stated, it's pretty accurate that  
13 20:50:26 everything he said. The counsel approved the project  
14 20:50:31 five to two so it was not a unanimous decision.  
15 20:50:37 Robertson Brothers has done an exceptional job of  
16 20:50:40 trying to accommodate the neighbors.

17 20:50:43 The gal that just spoke that is to the north  
18 20:50:45 of him has had probably more concerns than anybody  
19 20:50:52 because she's probably the most effected. And I would  
20 20:50:55 just hope that Robertson Brothers continues to work  
21 20:50:58 with her as far as her issues. Especially with this  
22 20:51:02 lot split. Ms. Saenz has one of the largest lots in  
23 20:51:06 that area and she is the one that's been most effected.

1 20:51:10 In the past she's had concerns about shading and  
2 20:51:15 potential for two-story homes that would block her  
3 20:51:19 sunlight due to the houses to the east. And I would  
4 20:51:22 just hope that Robertson Brothers continue to work with  
5 20:51:27 the previous speaker to make sure she's satisfied with  
6 20:51:35 this repartioning. Thank you.

7 20:51:48 CHAIRPERSON KRIEGER: Thank you.

8 20:51:51 MR. ROBINS: How are y'all doing?

9 20:51:51 CHAIRPERSON KRIEGER: Good evening.

10 20:51:51 MR. ROBINS: I'm Mark Robins. I actually  
11 20:51:53 lived in those houses for 25 years. I've watched this  
12 20:51:55 neighborhood and seen it grow. I've seen folks come  
13 20:51:58 down here and say a lot of things. Over the last two  
14 20:52:01 years it's been a long process for me.

15 20:52:03 I've, actually, moved out to Milford now and  
16 20:52:05 left Novi, but I wanted to address something that  
17 20:52:08 Rachel has said and she was talking about the driveway.

18 20:52:11 So I granted an easement back in 1997. There  
19 20:52:15 is -- this is a shared drive in front to that house.  
20 20:52:17 2293, 2295, 2297 all have access using these driveways.  
21 20:52:23 It's a paved driveway. I paved it for all my  
22 20:52:26 neighbors. I made sure that we had a nice area to go  
23 20:52:30 to. In fact, the lady I bought the home from back in

1 20:52:32 the early 2000s stopped by recently to get a last  
2 20:52:37 walk-through before everything happens. And we were  
3 20:52:41 laughing about the easements because we had heard that  
4 20:52:43 it was something that came up in City Council or  
5 20:52:45 somewhere that there were pictures taken that there  
6 20:52:47 wasn't a driveway.

7 20:52:49 There is access. The house is -- has zoned  
8 20:52:52 driveway from Austin Drive. It's on the left-hand  
9 20:52:56 side. There's some stairs there that go right up to  
10 20:52:58 that house. So I want to make sure you understand  
11 20:53:00 there is a driveway there.

12 20:53:02 Okay. I do support this project. I think  
13 20:53:04 what they have done has been fantastic. I've always  
14 20:53:07 wondered what they would do about that house that is  
15 20:53:09 sitting on the property and they're actually fixing  
16 20:53:12 that issue. Robinson Brothers by providing with a  
17 20:53:17 backyard, actually, you know, gives it what it really  
18 20:53:19 needs which is its own environment.

19 20:53:22 The issue about those other houses that  
20 20:53:25 they're cleaning up, I mean, seriously. It was five  
21 20:53:29 feet from the property line. I cleaned up so much  
22 20:53:33 garbage over the years back there; their water heaters,  
23 20:53:36 tires and all these different things long before Rachel

1 20:53:38 and some of the other folks actually came to that  
2 20:53:39 neighborhood. It's changed so much. So I really  
3 20:53:43 support what these folks are doing with their property.  
4 20:53:45 So it's going to be a pretty cool project. So thank  
5 20:53:50 you.

6 20:53:54 CHAIRPERSON KRIEGER: Thank you.  
7 20:53:55 Anybody else?  
8 20:53:59 All set?  
9 20:54:00 All right. I'll close for public hearing.  
10 20:54:01 From the City?

11 20:54:03 MR. BUTLER: Just to let you know, this was  
12 20:54:07 approved by the Planning Commission and the City  
13 20:54:09 Council and the parcels are in the legal description of  
14 20:54:12 the PRO. I just wanted to note that the developer,  
15 20:54:17 without these variances not being completely -- to  
16 20:54:21 complete the development. So that's just a note.

17 20:54:26 MS. SAARELA: I just wanted to add in  
18 20:54:29 retrospect the legal descriptions would have been  
19 20:54:32 included in the PRO on these variances. Here it would  
20 20:54:35 not have been necessary because they would have been no  
21 20:54:36 approved as part of overall plan. The plot, the lot  
22 20:54:39 layout as proposed has been approved as being  
23 20:54:43 consistent with the surrounding area by City Council.

1 20:54:51 CHAIRPERSON KRIEGER: Very good.  
2 20:54:57 From correspondence?  
3 20:54:58 MEMBER FERRELL: Yes, Madame Chair. There  
4 20:54:58 was 30 letters mailed. Zero letters returned. Zero  
5 20:55:02 approvals and two objections. One objection is  
6 20:55:03 actually already included in the packet. So I'm not  
7 20:55:05 going to read that one.  
8 20:55:09 This one is from Daniel Kevin Toma, maybe.  
9 20:55:22 CHAIRPERSON KRIEGER: Daniel Kevin Toma.  
10 20:55:25 MEMBER FERRELL: Daniel Kevin Toma at 2154  
11 20:55:26 Austin Drive. It's an objection.  
12 20:55:27 "They shouldn't be able to build. Nobody who  
13 20:55:31 lives in the area wants this. They're terrible  
14 20:55:34 builders and have communities they built in Wixom and  
15 20:55:37 Royal Oak and White Lake Township. I've attached  
16 20:55:39 several complaints from actual homeowners of these  
17 20:55:41 shoddy builders. Wixom is currently looking at a class  
18 20:55:46 suit. Beware."  
19 20:55:48 That is it.  
20 20:55:51 CHAIRPERSON KRIEGER: All right. We'll open  
21 20:55:52 it up to the board.  
22 20:55:57 Member Sanghvi?  
23 20:56:02 MEMBER SANGHVI: Thank you. I came and

1 20:56:02 visited your area. I have been there many times in the  
2 20:56:04 past.

3 20:56:05 MR. LOUGHRIN: Sure.

4 20:56:06 MEMBER SANGHVI: All the lots there are very  
5 20:56:08 narrow and one of them is much deeper than the other  
6 20:56:11 one. I think the one on the north side is shallower  
7 20:56:15 than some. You have two different houses and two  
8 20:56:17 properties you are talking about.

9 20:56:19 MR. LOUGHRIN: Right.

10 20:56:21 MEMBER SANGHVI: And how much is the  
11 20:56:22 difference in the gradient between the east side of the  
12 20:56:25 street and the west side of the street over the lake?

13 20:56:28 MR. LOUGHRIN: You know, that's a great  
14 20:56:30 question. There's a lot grade out there which is going  
15 20:56:33 to be somewhat of a challenge in development. So, you  
16 20:56:36 know, it kind of crests in the center. So it goes to  
17 20:56:40 the north here down and then it kind of crests down  
18 20:56:43 here and then comes back down this way. So, you know,  
19 20:56:46 it's going to be a challenge in that respect.

20 20:56:48 But in regard to these two homes,  
21 20:56:50 specifically, there are grading challenges here as  
22 20:56:53 well. Mr. Robins had kind of talked about this little  
23 20:56:57 driveway, which is correct. If anything, we might move

1 20:57:00 that up a little bit to the north. But we've got a  
2 20:57:02 retaining wall. Frankly, we're proposing -- and this  
3 20:57:07 really doesn't answer the question as far as grading,  
4 20:57:07 but we are proposing to really leave that condition as  
5 20:57:11 it is because it does have a room for parking.

6 20:57:14 But, specifically, to what you're talking  
7 20:57:15 about because of grading issues there is quite a bit of  
8 20:57:20 grade as it goes to the north there.

9 20:57:23 MEMBER SANGHVI: All right. Thank you.  
10 20:57:28 Well, whatever you do there is going to be better for  
11 20:57:31 the neighborhood. I can't see you doing anything else.  
12 20:57:35 And I wish I had your plots here before when I went to  
13 20:57:38 see the place.

14 20:57:39 MR. LOUGHRIN: Oh, sure.

15 20:57:40 MEMBER SANGHVI: So I could have tried to  
16 20:57:41 visualize it better what it was likely to look like.  
17 20:57:45 But it looks good to me. Thank you.

18 20:57:47 MR. LOUGHRIN: Thank you.

19 20:57:51 CHAIRPERSON KRIEGER: Yup?

20 20:57:52 MEMBER SANKER: I just had a couple of  
21 20:57:53 questions to clarify.

22 20:57:54 MR. LOUGHRIN: Of course.

23 20:57:56 MEMBER SANKER: Everything you're doing, and

1 20:57:57 I think the City, obviously, thinks so, too. But I'm  
2 20:58:01 not totally clear on what the variance -- what we're  
3 20:58:03 asking for here. Is it lots four and five that just  
4 20:58:09 had lower setbacks or is it lots 2293 and 2295?  
5 20:58:14 MR. LOUGHRIN: Yes. It's the Austin lots.  
6 20:58:18 MEMBER SANKER: Okay. And I guess, so  
7 20:58:20 currently, that 2293, is that a zero setback; is what  
8 20:58:25 you're saying, right?  
9 20:58:26 MR. LOUGHRIN: Correct. It goes over a  
10 20:58:28 property.  
11 20:58:28 MEMBER SANKER: And you want to push that  
12 20:58:32 property line back?  
13 20:58:33 MR. LOUGHRIN: Yeah. I'm glad you mentioned  
14 20:58:33 that.  
15 20:58:33 MEMBER SANKER: I guess the legal  
16 20:58:33 description, this is the official new picture of what  
17 20:58:35 it would look like? I guess, is what that legal  
18 20:58:38 description is?  
19 20:58:39 MR. LOUGHRIN: Yeah. And just to go back  
20 20:58:40 real quick. So four and five, yes, they are shallower.  
21 20:58:42 We did that so we can provide some backyard as much as  
22 20:58:47 possible on these two existing. Because remember these  
23 20:58:49 lots right now go all the way through. So we were

1 20:58:52 trying to create a backyard here. This was approved as  
2 20:58:54 part of the PRO. So these are not part of the variance  
3 20:58:58 requests. That is how it was approved in the PRO.

4 20:59:01 Specifically, which is a great question, what  
5 20:59:04 are we requesting tonight? So essentially this house  
6 20:59:09 was not coming out very well on this, but this is the  
7 20:59:11 smaller house, 2293.

8 20:59:15 MEMBER SANKER: Yes.

9 20:59:15 MR. LOUGHRIN: Essentially, this is how it  
10 20:59:18 sits. And you can see it sets back 96 feet. So what  
11 20:59:23 we're providing is a 21 foot setback for that lot four  
12 20:59:25 is right here. Or lot five I think it is.

13 20:59:28 So what we're asking for is whereas R-4  
14 20:59:31 requires the 35 foot rear setback, again, it's not  
15 20:59:34 really followed much in the area whatsoever. We're  
16 20:59:36 requesting a 21.2 foot rear setback for this particular  
17 20:59:41 lot and we're also requesting a square footage  
18 20:59:45 reduction from 10,000 square feet. Again, none of the  
19 20:59:48 homes have 10,000 square feet. We're requesting that  
20 20:59:52 one to be about 6,519. So those are the requests for  
21 20:59:57 that particular lot.

22 20:59:59 And the other one, which is 2295, which is  
23 21:00:09 the southern lot. Again, it doesn't come up, but this

1 21:00:09 is how it actually exists. It's not setback as far.  
2 21:00:13 It's a actually a deeper house. It's setback 54 feet  
3 21:00:17 it allows us to have actually from where the new  
4 21:00:20 property line will be 45 feet. So we're not requesting  
5 21:00:23 a rear setback here. There is a detached garage here  
6 21:00:28 it. Which is a 22 feet, but that doesn't have the same  
7 21:00:31 rear feet setback requirement of 35 feet.  
8 21:00:33 So we're not requesting a rear setback on  
9 21:00:35 this one. We are requesting -- since it's a 10,000  
10 21:00:39 square feet, we are requesting from 10,000 square feet  
11 21:00:40 to 6,950 square feet lot area. And this one, just  
12 21:00:45 because the house is bigger, we're requesting a lot  
13 21:00:48 coverage increase to 29 percent from 25 percent.  
14 21:00:55 MEMBER SANKER: Thank you.  
15 21:00:56 MR. LOUGHRIN: Sure.  
16 21:00:56 CHAIRPERSON KRIEGER: Do you own the homes on  
17 21:00:57 Austin, 2293 and 2295?  
18 21:00:57 MR. LOUGHRIN: We will after our final  
19 21:00:59 approvals in the next couple of weeks. So Mr. Robins  
20 21:01:05 does own these currently and we'll be purchasing them.  
21 21:01:07 And the whole intent is to purchase them, get the lot  
22 21:01:09 split and then sell the two homes to end buyers.  
23 21:01:13 CHAIRPERSON KRIEGER: So, then, the backyards

1 21:01:15 for lots four and five will be smaller to accommodate  
2 21:01:20 the homes that already exist on Austin?  
3 21:01:22 MR. LOUGHRIN: Yes.  
4 21:01:23 CHAIRPERSON KRIEGER: So they have backyards.  
5 21:01:24 And then, as far as a driveway that the neighbor to the  
6 21:01:27 north is concerned about?  
7 21:01:28 MR. LOUGHRIN: Correct. So what Ms. Saenz is  
8 21:01:34 talking about is right now this house, since it's set  
9 21:01:37 back so far -- it actually has a garage right here.  
10 21:01:40 We'll be taking down the garage. The access will no  
11 21:01:42 longer be coming off Old Novi Road. The access for  
12 21:01:42 this house, basically, will be a driveway. There is a  
13 21:01:44 driveway already existing. You can see -- there's  
14 21:01:47 actually a car right here. So there is room for a  
15 21:01:52 driveway. It actually exists. So the access off  
16 21:01:55 Austin does exist.  
17 21:01:57 We may actually widen this driveway a little  
18 21:01:58 bit if we can work with the grade, but the access would  
19 21:01:59 be right there and her house is actually here.  
20 21:02:06 CHAIRPERSON KRIEGER: I have driven up and  
21 21:02:08 down a number of times to picture it. From even where  
22 21:02:10 they sit and how they stand up near Old Novi Road is  
23 21:02:18 interesting because they're almost right on top of

1 21:02:24 Austin as well. But now I have a better idea of how  
2 21:02:26 this whole picture is coming together. So thank you.  
3 21:02:27 Thank you for working with the residents and  
4 21:02:29 trying to accomplish what you want to accomplish and  
5 21:02:32 have the City and Planning already approved. It's much  
6 21:02:36 appreciated.  
7 21:02:38 MR. LOUGHRIN: You're welcome.  
8 21:02:40 MEMBER PEDDIBOYINA: In addition to that,  
9 21:02:43 I've now seen such a wonderful presentation. I looked  
10 21:02:47 at your home and you did your homework. I wish you  
11 21:02:51 good luck.  
12 21:02:52 MR. LOUGHRIN: Thank you.  
13 21:02:52 CHAIRPERSON KRIEGER: And, Beth, did you have  
14 21:02:54 something to add?  
15 21:02:56 MS. SAARELA: No. I added it and I think I  
16 21:02:58 have a draft motion there, if you need any help with  
17 21:03:02 that.  
18 21:03:02 CHAIRPERSON KRIEGER: Okay. Cool.  
19 21:03:04 All right. Any other comments regarding this  
20 21:03:06 case?  
21 21:03:07 Seeing none.  
22 21:03:07 MEMBER FERRELL: I'll do it. I move in  
23 21:03:11 casing in PZ19-0014 to approve the applicant's request

1 21:03:16 for a variance in section 3.1.5.D of the Zoning  
2 21:03:21 Ordinance to allow a 21 foot rear yard setback and 35  
3 21:03:26 foot is required.

4 21:03:27 And a variance from 2295 Austin Drive from  
5 21:03:30 section 3.1.5.D. The zoning ordinance to allow 29  
6 21:03:36 percent lot coverage, 25 percent is permitted and to  
7 21:03:41 allow a 6,951 square foot lot when a minimum of 10,000  
8 21:03:48 square feet is required.

9 21:03:50 The lots are part of the Lakeview Development  
10 21:03:53 which has been approved by City Council and as a single  
11 21:03:57 family residential development subject to a planned  
12 21:03:59 rezoning.

13 21:04:01 The petitioner has shown a practical  
14 21:04:02 difficulty that would prevent then from constructing an  
15 21:04:06 approved single family development. The public hearing  
16 21:04:09 notices for approval of the pro plan had included the  
17 21:04:14 two lots in their descriptions. The variances would  
18 21:04:20 have already have been granted as part of the pro plan  
19 21:04:25 approval. The project is unique because it is part of  
20 21:04:28 an approved pro plan. The two lots that require  
21 21:04:35 variances are excessively small lake lots.

22 21:04:36 The relief will not unreasonably interfere  
23 21:04:39 with adjacent or surrounding properties. Because the

1 21:04:41 surrounding lots are also small lots and the lot sizes  
2 21:04:44 are consistent with those lots generally.

3 21:04:49 The relief is consistent with the spirit and  
4 21:04:50 intent of the ordinance because the City Council has  
5 21:04:53 considered the lot sizes as part of overall development  
6 21:04:56 and has found them to be consistent. The petitioner  
7 21:04:59 did not create the conditions because the lots were  
8 21:05:02 left out of the pro unintentionally.

9 21:05:08 MEMBER BYRWA: Second.

10 21:05:09 CHAIRPERSON KRIEGER: We have a motion and a  
11 21:05:10 second. Any other comments?

12 21:05:11 All right. Seeing none, Katherine, if you  
13 21:05:13 could call the roll.

14 21:05:13 MS. OPPERMAN: Member Byrwa?

15 21:05:13 MEMBER BYRWA: Yes.

16 21:05:13 MS. OPPERMAN: Member Ferrell?

17 21:05:22 MEMBER FERRELL: Yes.

18 21:05:22 MS. OPPERMAN: Chairperson Krieger?

19 21:05:22 CHAIRPERSON KRIEGER: Yes.

20 21:05:22 MS. OPPERMAN: Member Sanker?

21 21:05:22 MEMBER SANKER: Yes.

22 21:05:22 MS. OPPERMAN: Member Peddiboyina?

23 21:05:22 MEMBER PEDDIBOYINA: Yes.

1 21:05:23 MS. OPPERMAN: And Member Sanghvi?

2 21:05:23 MEMBER SANGHVI: Yes.

3 21:05:24 MS. OPPERMAN: Motion Passes.

4 21:05:26 CHAIRPERSON KRIEGER: Congratulations. And

5 21:05:26 welcome to Novi.

6 21:05:27 MR. LOUGHRIN: Thank you very much. I

7 21:05:28 appreciate it.

8 21:05:31 CHAIRPERSON KRIEGER: That leads us to other

9 21:05:38 matters which is officer elections.

10 21:05:45 So for officer elections we have president,

11 21:05:45 vice president and secretary. So for secretary we'll

12 21:05:56 have Kevin Sanker. Any other elections for secretary?

13 21:06:05 All right. Do we call roll for that?

14 21:06:07 MS. SAARELA: You don't have to call roll.

15 21:06:09 You can just do a voice.

16 21:06:09 CHAIRPERSON KRIEGER: So all in favor say,

17 21:06:13 "Aye."

18 21:06:13 BOARD MEMBERS: "Aye."

19 21:06:13 CHAIRPERSON KRIEGER: None opposed. Very

20 21:06:15 good.

21 21:06:16 And for vice president, Member Peddiboyina,

22 21:06:22 would you like to be vice president?

23 21:06:25 MEMBER PEDDIBOYINA: Yes.

1 21:06:25 CHAIRPERSON KRIEGER: Accepted. All right.  
2 21:06:28 All in favor?  
3 21:06:30 BOARD MEMBERS: "Aye."  
4 21:06:30 CHAIRPERSON KRIEGER: None opposed.  
5 21:06:33 And president, Brent Ferrell?  
6 21:06:38 MEMBER FERRELL: Yes.  
7 21:06:38 CHAIRPERSON KRIEGER: All right. All in  
8 21:06:40 favor?  
9 21:06:41 BOARD MEMBERS: "Aye."  
10 21:06:41 CHAIRPERSON KRIEGER: None opposed. Great.  
11 21:06:44 There's our president.  
12 21:06:44 MEMBER SANGHVI: Congratulation.  
13 21:06:49 CHAIRPERSON KRIEGER: Any other matters?  
14 21:06:51 For the next count, we have our mandatory  
15 21:06:54 class that we're supposed to take for the year.  
16 21:06:58 MS. SAARELA: You had that already. We DO  
17 21:07:03 have some new people that would benefit from taking it.  
18 21:07:07 CHAIRPERSON KRIEGER: All right. Motion to  
19 21:07:09 adjourn.  
20 21:07:09 MEMBER SANGHVI: So moved.  
21 21:07:10 MEMBER PEDDIBOYINA: So moved.  
22 21:07:11 CHAIRPERSON KRIEGER: All in favor. Aye?  
23 21:07:13 BOARD MEMBERS: "Aye."

1 21:07:13

CHAIRPERSON KRIEGER: We're adjourned.

2 21:07:28

(At 9:07 p.m., matter concluded.)

3 20:30:10

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C E R T I F I C A T E

STATE OF MICHIGAN)

) ss

COUNTY OF OAKLAND)

I, Darlene K. May, 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 one hundred twenty-one (121) typewritten pages, is a true and correct transcript of my said stenographic notes.

/s/ Darlene K. May  
Darlene K. May, RPR/CSR-6479

May 13, 2019  
(Date)