

REGULAR MEETING - ZONING BOARD OF APPEALS

CITY OF NOVI

TUESDAY, JANUARY 14, 2020 7:00 P.M.

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

BOARD MEMBERS:

Joe Peddiboyina, Chairperson

Linda Krieger, Secretary

Siddharth Mav Sanghvi

Michael Longo

Kevin Sanker

Ramesh Verma

ALSO PRESENT:

Elizabeth Saarela, City Attorney

Lawrence Butler, Comm. Development, Dep. Director

Katherine Opperman, Recording Secretary

Patricial Deering, In-Training Recdg. Secretary

Reported by:

Darlene K. May, Certified Shorthand Reporter

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Novi, Michigan
Tuesday, January 14, 2020
7:00 p.m.

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CHAIRPERSON PEDDIBOYINA: Good evening,
everybody. And welcome to the Novi Zoning Board,
January 14, 2020. Welcome and Happy New Year. Please,
all of you, stand for the Pledge of Allegiance followed
by Michael.

(Pledge of Allegiance recited.)

CHAIRPERSON PEDDIBOYINA: Thank you.

Katherine, can you please roll call.

MS. OPPERMAN: Member Krieger?

MEMBER KRIEGER: Present.

MS. OPPERMAN: Member Longo?

MEMBER LONGO: Present.

MS. OPPERMAN: Member Sanker?

MEMBER SANKER: Here.

MS. OPPERMAN: Member Sanghvi?

MEMBER SANGHVI: Yes.

MS. OPPERMAN: Member Montague is absent,
excused.

Member Verma?

1 MEMBER VERMA: Here.

2 MS. OPPERMAN: And Chairperson Peddiboyina?

3 CHAIRPERSON PEDDIBOYINA: Yes. Thank you.

4 And thank you to Katherine.

5 And I would like to say sad news for one of
6 our board members. He passed away in the last month.
7 And sorry to his family and we want to send condolence
8 to his family.

9 Silence for one minute. Can you please stand
10 up.

11 (Moment of silence.)

12 CHAIRPERSON PEDDIBOYINA: Thank you so much.

13 Okay. Now, we have a full board. Enough for
14 a quorum. I think we have two cases today. And please
15 turn off or put your phones in vibrate mode so we don't
16 have any disturbances. And we have a public hearing in
17 each case where you can make remarks. It is on
18 television at home and the people can watch. The
19 applicants can come up to the podium and speak on your
20 case and show on the computer also. Please watch on
21 the computer at home as well.

22 And people come to the podium, as I said, and
23 spell your name, first name and last name, for our

1 secretary for the court record and be sworn by -- if
2 you're an attorney, you don't need to do. If you're
3 not an attorney, you can swear in for my secretary for
4 the record.

5 And we have an agenda for tonight. We have
6 two cases on the agenda.

7 Katherine, for the agenda. Any changes?

8 MS. OPPERMAN: No changes.

9 CHAIRPERSON PEDDIBOYINA: Thank you. And ...

10 MEMBER KRIEGER: Move to approve the agenda.

11 MEMBER SANKER: Second.

12 CHAIRPERSON PEDDIBOYINA: Thank you.

13 MEMBER KRIEGER: All in favor.

14 CHAIRPERSON PEDDIBOYINA: All in favor?

15 THE BOARD: Aye.

16 CHAIRPERSON PEDDIBOYINA: Thank you so much.

17 Okay. And anybody say none?

18 No.

19 Minutes for November 2019, I'm going to move
20 the motion for that. Any changes on that?

21 Anybody have changes on 2019 November meeting
22 minutes?

23 Okay. Anybody wants to make a motion for

1 that one?

2 MEMBER VERMA: So moved.

3 MEMBER KRIEGER: I'll second it.

4 CHAIRPERSON PEDDIBOYINA: Okay. Say "Aye"
5 all in favor.

6 THE BOARD: "Aye."

7 CHAIRPERSON PEDDIBOYINA: Thank you. And the
8 motion is approved.

9 And the public remarks, anybody have anything
10 apart from our two cases? And please, before moving to
11 the public hearing and the applicants if you have any
12 other things, you can come to the podium and you can
13 speak out, please.

14 Thank you.

15 MS. DUCHESNEAU: This is for the cases
16 tonight?

17 CHAIRPERSON PEDDIBOYINA: Yes. I mean, apart
18 from the agenda.

19 MS. DUCHESNEAU: Apart from the agenda.

20 CHAIRPERSON PEDDIBOYINA: Okay. Seeing none.
21 Thank you.

22 Let's move to the first case. PZ19-0049
23 Bonner Properties, LLC, Beck Road, east of Beck Road

1 and south of Nine Mile Road, parcel number
2 50-22-33-100-013.

3 The applicant is requesting a variance from
4 the City of Novi Zoning Code Section 3.1.2 for a front
5 yard setback of 19 feet -- 30 feet allowed, proposed
6 variance is 11 feet; and a rear yard setback of 15
7 feet, 35 feet allowed, proposed variance is 20 feet --
8 to accommodate the construction of a new house. This
9 property is zoned single family residential, R-1.

10 Is the applicant here?

11 Yes, please come to the podium.

12 MR. BONNER: This right here?

13 CHAIRPERSON PEDDIBOYINA: Yes, please.

14 Okay, for our secretary, please raise your
15 hand for your sworn in.

16 MEMBER KRIEGER: Are you an attorney?

17 MR. BONNER: No.

18 MEMBER KRIEGER: Okay. Do you swear or
19 affirm to tell the truth in this case?

20 MR. BONNER: Sure. Yes.

21 MEMBER KRIEGER: Thank you.

22 CHAIRPERSON PEDDIBOYINA: Thank you.

23 MEMBER KRIEGER: And spell your name.

1 MR. BONNER: Bonner, B-o-n-n-e-r, Jesse,
2 J-e-s-s-e.

3 MEMBER KRIEGER: Thank you.

4 CHAIRPERSON PEDDIBOYINA: If you don't mind
5 putting the mic closer, so she can hear clearly. Can
6 you spell it one more time.

7 MR. BONNER: Jesse, J-e-s-s-e, Bonner,
8 B-o-n-n-e-r.

9 CHAIRPERSON PEDDIBOYINA: Thank you. The
10 applicant can proceed what you want to say to the board
11 and public in the presentation of your case.

12 MR. BONNER: Well, we're requesting a
13 variance on the setbacks so that we can build a house
14 that goes along with the rest of the subdivision or the
15 houses in the area. The property is -- it's been made
16 smaller because of the deed of right-of-way from
17 earlier in the '70s or '90s. I think the '90s is when
18 they deeded the road -- when they paved the road. So
19 it makes it difficult to get a house that would go
20 along with the rest of the houses that are there. So
21 we are requesting a variance on the front and back
22 setback and also on the sides.

23 CHAIRPERSON PEDDIBOYINA: Anything else you

1 want to say?

2 MR. BONNER: That's what we're proposing.

3 CHAIRPERSON PEDDIBOYINA: Did you want to
4 present any photos or any slides you want to show?

5 MR. BONNER: I'm sorry?

6 THE COURT: Do you have any documentation you
7 want to show in the presentation?

8 MR. BONNER: I presented all the documents to
9 you when we submitted the application.

10 CHAIRPERSON PEDDIBOYINA: Okay. Apart from
11 that, you don't want to say anything else?

12 MR. BONNER: I guess, once I hear what you
13 have to say.

14 CHAIRPERSON PEDDIBOYINA: Okay. Because I
15 want to ask you that. Thank you.

16 And audience, anybody wants to ...

17 Okay, please come, ma'am. Come to the
18 podium, ma'am.

19 You can stay back, sir.

20 MS. DUCHESNEAU: My name is Dorothy
21 Duchesneau, D-u-c-h-e-s-n-e-a-u.

22 I live at 1191 South Lake Drive. I do have
23 one page I would like to kind of show off. It's from

1 the City websites.

2 The idea of building a home on that property
3 and making it useful, no objections with that.
4 However, I do hope that the applicant is aware that
5 Beck Road has a target on its back. It is one of the
6 few viable roads that can be widened in the city of
7 Novi to improve traffic flow. And it's on the very,
8 very short list. And at that point in time, all 66
9 foot of that right of way, if it goes into a five-lane
10 road, will be used up.

11 My other thing is that within the city of
12 Novi, since 2016, which was the latest map that I could
13 find, they're indicating on both the left and the right
14 sides of Beck Road outside of this 60 foot right of
15 way, major future sidewalks. Now, in the meetings I've
16 attended with walkable Novi, major translates to wider
17 than usual. That 16 foot that he has left over is
18 going to get awful tight to his front door.

19 With the elementary school being in what I
20 would consider a targeted walkable area and with Beck
21 Road being a major northbound flow to 696, Beck Road is
22 going to happen sooner than you might think.

23 Thank you.

1 CHAIRPERSON PEDDIBOYINA: Thank you. Anybody
2 in the audience, please?

3 Yeah, please come to the podium. Please
4 spell your name for my secretary.

5 MR. BONNER: Yes. Thanks. My name is Brett,
6 B-r-e-t-t, Cheaney, C-h-e-a-n-e-y.

7 I submitted a form of a formal objection in
8 writing yesterday as well. I'm here representing
9 myself and also my mother, who is the property owner of
10 22200 Beck Road, which borders this parcel on the east
11 and north.

12 If people aren't familiar with the area, I do
13 have this visualization here, which shows how small
14 this parcel is deemed to the rest of the residential
15 properties. It is an R-1 district, which, I believe,
16 is a low density district. So adding another home on a
17 small parcel of land could potentially diminish the
18 property values. Especially, of my mother's home with
19 a 15 foot setback.

20 As you can imagine, that's a very, very small
21 backyard especially since the front of our home would
22 look almost directly into the back of that home. There
23 would be a minimal buffer for noise. You can imagine

1 if you put a patio or deck, that would come almost
2 absolutely to that fence line. And the experience of
3 living in an area where one has rolling lots and open
4 lands -- most of the lots there are one acre plus or
5 more. And to have a home kind of -- you know, to put
6 it lightly, crammed onto a small piece of property,
7 would really change the sense of, you know, seclusion
8 and privacy and peace that you get in that area, which
9 is really unique to have that really sense of open land
10 cover and trees and also accessible to the amenities of
11 the city of Novi.

12 So I think it is a really special part in a
13 little corner of the city and to add more homes in
14 there would really change the dynamic and the feel. So
15 primarily, in the area of standard number five, for the
16 review standards of altered property values of
17 surrounding properties, that's my main objection.

18 Thank you.

19 CHAIRPERSON PEDDIBOYINA: Thank you. Anybody
20 in the audience for the last call?

21 Oh, please come on to the podium. You can
22 spell your name.

23 MS. CHEANEY: Hi.

1 CHAIRPERSON PEDDIBOYINA: Say your name.

2 MS. CHEANEY: I'm Deborah Cheaney,

3 D-e-b-o-r-a-h, C-h-e-a-n-e-y.

4 I'm the owner of the property directly behind

5 the proposed property to be built on. I personally

6 stand to lose the most in property value along with my

7 neighbors up and down Beck Road. But also very

8 important to me is the loss of the beauty of my land.

9 I have so enjoyed living here for 30 years. My husband

10 Don for 20 years before he passed and Mr. and Mrs.

11 Wallace Cheaney for almost 60 years.

12 In building this home, I will be looking

13 directly at the back of this new home from my beautiful

14 front porch, which is on an acre of property, the large

15 properties which many people have enjoyed on Beck Road

16 for many years. Also unusual is for any person having

17 to face the back of a home from the front of their

18 home. I ask that you please do not allow the building

19 of this home on this property that has been vacant for

20 almost 50 years.

21 Thank you.

22 CHAIRPERSON PEDDIBOYINA: Thank you very

23 much.

1 Anyone in the audience for the last thought,
2 please?

3 MS. DROGOSCH: Hello, my name is Wendy
4 Drogosch, D-r-o-g-o-s-c-h. I live next door to Deborah
5 at 22250 Beck Road. And, yes, I'm concerned. I agree
6 with everything the last two people just said -- or
7 three, actually. I object to the variance. I do have
8 the aerial footage, unfortunately, in black and white.
9 I'm not sure how that's going to look. You can see the
10 parcel of land. The home would be literally built in
11 front of her house. Where the large arrow is, is her
12 home. I live next door to that. Just to the north.

13 But the house, I believe would be a big loss
14 on the resale value of her home which also effects my
15 home and others. The house would be intrusive to me.
16 The view from my front porch, which is on the south
17 side of my house, that house would be on top of me when
18 I'm on my front porch. There's just a small bit of
19 land. We have her driveway and you can see the fence
20 line of the parcel.

21 We live in areas with stand alone homes with
22 large acreage. We're not on city street blocks with
23 houses on top of each other. The parcel has an acreage

1 of 0.19. The house would be so close to Beck Road.
2 The proposed build is 19 feet from the road and I do
3 believe that new builds have to put in a sidewalk. And
4 what if Beck Road does expand, the house would get even
5 closer to the road. Who would want to live 19 feet
6 from Beck Road. I feel a new build that close to our
7 properties will greatly hinder the resale value of our
8 houses.

9 Over the years there's been a progressive
10 loss of woodlands and farmland to development which
11 causes fragmented habitat. When less land is available
12 to wildlife, natural habitat like older wood lots and
13 hollow land and hollow trees may not be readily
14 available for the wildlife. Lack of traditional den
15 sites may cause wild animals to use chimneys and attics
16 as alternate shelter. That patch of woods is home to
17 countless animals, bird, insects. Fragmented habitat
18 restricts wildlife access to basic life requirements.

19 It also helps to lower the noise level and
20 dust and reduces water runoff. There -- I looked at
21 the regulated woodland map. There are two streams.
22 One directly across the street from me with wetlands
23 and one down on the adjacent corner of Beck and Nine.

1 Disruption to the land could cause soil erosion issues.

2 On our map, the regulated woodland map, it's
3 not going to show up well here. Unfortunately, it's
4 very small, squeezed in. The city of Novi, this is a
5 map of the regulated woodland areas. The red mark,
6 number 33, that section is where our home is. There's
7 a small blue X where our home is right here. And if
8 you look at Beck Road on the East Side of Beck from
9 Eight to 10, there is a lack of regulated woodland area
10 there.

11 So one of the things I want to say that I did
12 read in preparing for this is the wildlife habitat
13 plan.

14 MEMBER KRIEGER: Are you summing up?

15 MS. DROGOSCH: The ability of wildlife for
16 the 21st Century. It was created by the wildlife
17 management services.

18 CHAIRPERSON PEDDIBOYINA: Okay. Okay.

19 MS. DROGOSCH: And I can just tell Novi does
20 care about its wildlife so I want to personally propose
21 and say that the city of Novi buys the land. Takes
22 away the residential zoning and makes it a regulated
23 woodland area.

1 CHAIRPERSON PEDDIBOYINA: Okay, ma'am.

2 MS. DROGOSCH: I think that would be
3 beautiful. When sidewalks get created, it would be
4 lovely to walk by.

5 CHAIRPERSON PEDDIBOYINA: Thank you.

6 MS. DROGOSCH: All set.

7 CHAIRPERSON PEDDIBOYINA: And anybody in the
8 audience I would like to say you cannot give no more
9 than three minutes of time. Please note on that. I
10 forgot to mention that. We'd appreciate it. Anybody
11 wants to come to the podium the only allowed time is
12 three minutes. Thank you.

13 Anybody wants to say anything? Final?

14 Do you want to say anything, ma'am?

15 MS. CHEANEY: I just have one question.

16 CHAIRPERSON PEDDIBOYINA: Please come to the
17 podium.

18 MS. CHEANEY: I saw in the paperwork that the
19 last time the property itself was surveyed was, I
20 believe, in 1972 and I just want to know when the last
21 time the City has been out to observe and if they have
22 before they even approve or think of approving. That
23 is what I really want to know is when the last time

1 somebody physically looked at the situation. Thank
2 you.

3 CHAIRPERSON PEDDIBOYINA: Thank you so much.

4 And also once the motion and everything is
5 done, nobody can talk inside the hall. Once the motion
6 is done, please decline talking. That is also one more
7 thing I would like to bring to the audience. Thank you
8 so much.

9 From the City?

10 MS. SAARELA: I do have just some brief
11 comments regarding the issue of the future road
12 improvements and future sidewalk improvements. So
13 there may well be plans in the future, but that's not
14 something that you can take into consideration in
15 deciding whether to grant variances tonight. That's
16 something that would be considered, would have to be
17 dealt with in the future if and when those plans come
18 to fruition. Michigan law is very clear on the fact
19 that in making zoning decisions that the City cannot
20 make a determination based on what the future
21 right-of-way might be or future plans for, you know,
22 City projects might be. So just as you consider this
23 based on Gordon versus City of Warren you have to stick

1 with what the actual property right-of-way is now.

2 CHAIRPERSON PEDDIBOYINA: Thank you very
3 much, Elizabeth.

4 From the City?

5 MR. BUTLER: No comment.

6 CHAIRPERSON PEDDIBOYINA: No comment. Okay.

7 MR. BONNER: Am I able to submit a letter
8 that I have from the building officials or show a
9 letter that is from the building officials?

10 CHAIRPERSON PEDDIBOYINA: Okay. You have the
11 letter?

12 MR. BONNER: Yes, I do.

13 CHAIRPERSON PEDDIBOYINA: Please do.

14 (Documents displayed.)

15 MR. BONNER: Is that legible?

16 CHAIRPERSON PEDDIBOYINA: If you can read
17 that, that would be nice.

18 MR. BONNER: If I can read it?

19 CHAIRPERSON PEDDIBOYINA: Yes.

20 MR. BONNER: It says: "You have requested
21 verification that you will be able to rebuild --"

22 CHAIRPERSON PEDDIBOYINA: Excuse me. Can you
23 put the mic near your mouth.

1 Thank you.

2 MR. BONNER: "You have requested verification
3 that you will be able to rebuild should you deed the
4 westerly 33 feet of your property to the city of Novi.
5 Your property is presently zoned R-1, family
6 residential district. This district requires that your
7 proposed residence be located in such a manner that
8 there will be maintained 30 foot front yard, 35 foot
9 rear yard, a 10 foot side yards. The district also
10 requires your property to have 120 foot frontage and be
11 one-half acre in area. However, because this lot
12 presently is a lot of record, a single family dwelling
13 together with its customary accessory buildings may be
14 erected even though your parcel fails to meet the
15 requirements of width and area provided further with
16 the yard dimensions and other requirements not
17 involving area or width of the lot shall conform to the
18 regulation of R-1 district. The yard requirement
19 variances may be obtained by the approval of the Zoning
20 Board of Appeals."

21 This was the opinion of the building official
22 in 1985.

23 CHAIRPERSON PEDDIBOYINA: Thank you.

1 Correspondence, Secretary?

2 MS. SAARELA: Mr. Chair, I just want to
3 comment on that, too. As you know, you have a letter
4 in your packet regarding that same issue and we do
5 agree with that statement of that letter.

6 MEMBER KRIEGER: For correspondence, 15
7 letters were sent. Zero returns, zero approvals, two
8 objections.

9 First one is, "Hello, Katherine. On behalf
10 of myself and Deborah Cheaney, the property owner of
11 22200 Beck Road, please note the following objections
12 related to the requested dimensional variance of Beck
13 Road parcel 50-22-33-100-013. The 22200 Beck Road
14 parcel is a 2,123 square feet home constructed on
15 1.1 acres in 1983 and borders the parcel in question
16 directly to the north and east. The primary objection
17 is related to standard number five of the review
18 standards. The first impact on surrounding area. If
19 the variance is approved and the proposed home is
20 constructed, I believe there will be a negative impact
21 on the surrounding property values as well as the
22 overall enjoyment of surrounding properties. The
23 proposed 15 feet rear setback is less than 50 percent

1 of the minimum distance for R-1 standards and would put
2 the rear of the home extremely close to the property
3 line and front yard of the existing home at 22200 Beck
4 Road. This would create a very limited buffer for
5 distance and noise between the two homes and would no
6 doubt alter the look and feel and general appeal of the
7 home at the 22200 since the view from the front porch
8 and yard would be directly into the rear of the home
9 and backyard of the new residence. This could
10 significantly impact the property value of the 22200
11 Beck Road in a negative way and create a less appealing
12 property since the privacy and peaceful setting that
13 currently exists would be lost.

14 "Another concern is related to the overall
15 size of the parcel in question and the proposed size of
16 the home. R-1 is low density district and this parcel
17 is significantly smaller than the minimum standard
18 listed. Actual area of 11,020 square feet versus
19 21,780 square feet minimum and a lot width of 95 feet
20 versus 120 feet. As outlined in the map below, this
21 parcel is radically smaller than the existing parcels
22 with homes constructed in the immediate area which are
23 all on large pieces of property. Generally, one acre

1 plus, that offer a sense of seclusion with wide open
2 spaces and large yards. It is easy to see that the
3 proposed construction would not fit into the historical
4 look and feel of this neighborhood and alter property
5 values and the experience of all surrounding
6 properties.

7 "Thank you for your time and I look forward
8 to reviewing the matter in the upcoming hearing.
9 Regards, Brett Cheaney."

10 And the second one is objection. "This will
11 look out of place, too close to front lot line and the
12 rear lot line. This will impact my value. I own two
13 properties on Beck Road. Michael Storm on 22126 Beck."

14 That's it.

15 CHAIRPERSON PEDDIBOYINA: Thank you, Linda.

16 Let me put this on the board. Anybody wants
17 to talk on this case, please?

18 Mr. Mav, please go ahead.

19 MEMBER SANGHVI: Thank you, Mr. Chair. I
20 came and visited your area and looked around at your
21 lot yesterday. And indeed your lot is very small as
22 compared to the other lots in the area, but the way I
23 feel is it is really an eyesore the way it is now. And

1 the other thing I want to observe is we live in a
2 wonderful country where everybody has rights. And I
3 know there is a lot of people out front that this may
4 not be a good idea to let you build on your property,
5 but we on this board -- and I'm speaking hopefully for
6 all the members here -- is we have certain constraints
7 and we are to go by the rules. And living in a country
8 like ours I think everybody has the right to build on
9 their property. We can't deny that right ourselves.
10 So in spite of all the position, I feel that I should
11 support your request for the variance and uphold your
12 right.

13 MR. BONNER: Thank you.

14 MEMBER SANGHVI: So I will be supporting your
15 application for the variance in spite of the opposition
16 by your neighbors. Thank you.

17 MR. BONNER: Thank you.

18 CHAIRPERSON PEDDIBOYINA: Thank you, Mav.
19 Anybody in the board, please?

20 MEMBER KRIEGER: I have a question for the
21 City.

22 There were two other homes that are similar
23 to this. The one that is on Napier and Nine Mile.

1 MR. BUTLER: Right.

2 MEMBER KRIEGER: And on Nine Mile and
3 Meadowbrook, those are, like, closer to the road and
4 then similar -- dissimilar, I suppose. And I agree
5 with the previous speaker that every property owner has
6 a right to do what they like on their property.

7 And so looking at this, it's difficult to
8 take everything into consideration. Yes, the property
9 is small, but the variance he's trying to fit them as
10 well as can be into it. So I also need to listen to
11 other board members.

12 CHAIRPERSON PEDDIBOYINA: Okay. Thank you,
13 Linda. Anybody on the board?

14 Okay. Mr. Kevin?

15 MEMBER SANKER: Have you considered other
16 alternatives? I guess, why is this the least variance
17 that you need when designing the house? Could you do
18 it smaller?

19 MR. BONNER: We wouldn't be here if we just
20 wanted to just rebuild a house on the footprint that
21 was there. We would just apply for the building
22 permit. It looks as if it's permitted. We wanted to
23 have a better house or a house that fit better into the

1 neighborhood so that's why we're in front of the board
2 right now. Otherwise, I don't know that we would need
3 to be here. We would just apply for our building
4 permit.

5 MEMBER SANKER: Um-hmm.

6 MR. St. JOHN: Maybe I can speak to that?

7 CHAIRPERSON PEDDIBOYINA: Sure.

8 MEMBER SANKER: Sure.

9 MEMBER KRIEGER: Are you an attorney?

10 MR. ST. JOHN: I am not.

11 MEMBER KRIEGER: If you could state your name
12 for the court recorder (sic.)

13 MR. St. JOHN: My name is Jason St. John,
14 J-a-s-o-n. S-t period space J-o-h-n.

15 MEMBER KRIEGER: Raise your right hand.

16 Do you swear or affirm to tell the truth in
17 this case?

18 MR. St. JOHN: Yes, I do.

19 MEMBER KRIEGER: Thank you.

20 MR. St. JOHN: So to address your question
21 specifically, would this be, you know, the minimal
22 acceptable? My background is engineering and for me to
23 say it's absolutely the minimum, I can't say that.

1 Because you can always tweak. You can always look at
2 things here and there. What I can speak to this
3 parcel, if you were to follow the existing setbacks,
4 would allow a home to be built without any variance
5 requested that would be 18 feet wide by 55 feet wide
6 and would also allow an accessory building to be built
7 six feet from the property line. So when we were
8 looking for plans to what we could put on this
9 property, knowing that, as the neighbors have stated,
10 they don't want something right on their property.
11 Right?

12 MEMBER SANKER: Um-hmm.

13 MR. ST. JOHN: So instead of building a
14 detached garage that would be six feet from the
15 property line, which you would be forced to do to try
16 to get it 10 feet away from the home, the thought was
17 that in this drawing here, this is shown as a carport,
18 but this would be a garage. So you move that further
19 away from the property line. And to fit with the
20 concerns about property values, if you build an 18 foot
21 by 50 foot house, it's going to look like a single wide
22 trailer sitting on that property. Nobody wants that.
23 So we tried to fit something that was architecturally

1 more in line with the area.

2 In addition, the Novi standards call for an
3 attempt for a side entry garage so you're not looking
4 at somebody's junk all the time if you happen to drive
5 by and the garage is open. The same thing, this would
6 be a side entry garage.

7 So, basically, it was kind of the best we
8 could find of a plan that made sense architecturally
9 for the lot and that fit within trying to make some of
10 the concerns that the neighbors had voiced. Keep it
11 away as much as possible from the neighbors and do that
12 in a package that's possible.

13 In addition, it's not a McMansion. I don't
14 remember if it was one of the neighbors or one of
15 the -- I think it was the comment that was read, quoted
16 it as like a 2000 square foot. The footprint that's
17 shown includes the garage. So the first floor of the
18 home is only, I believe -- it's right around a 1,000
19 square feet. You know, that doesn't include any of the
20 bedrooms in the second floor. But it's not asking for
21 a 5,000 square foot footprint of a home that is going
22 to be a 10 bedroom and five bath. It's in keeping with
23 the scale of the property that exists.

1 And I guess to recap. It's the best
2 compromise that we could come up with that fits the
3 regulations that are there and doesn't build something
4 that I think nobody wants, which would be allowed and
5 nobody would have a say in it, if we just went in and
6 applied for a permit for an 18 foot by 50 foot single
7 wide trailer with a detached garage six foot from the
8 property line.

9 MEMBER SANKER: Um-hmm.

10 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.

11 MEMBER SANKER: So that's essentially what it
12 would have been, 18 feet wide is how wide the house
13 would have been?

14 MR. St. JOHN: It would be 18 feet deep and
15 it would be 55 foot long along the property line. So I
16 can show you a ...

17 I don't know if I can zoom this or not.

18 Actually, that doesn't do it justice either.

19 So, yeah, this is Beck Road here. And the
20 dotted line is what the actual zoning would allow. So
21 it would be -- you know, as you faced it it would be 55
22 feet wide and it would be 18 feet deep.

23 MEMBER SANKER: Um-hmm.

1 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.

2 Did you want to say anything, Kevin? Do you
3 want to make a motion?

4 Oh, sorry.

5 MEMBER LONGO: Yeah, I also visited the site
6 and it is a small lot as has been pointed out. It is a
7 gorgeous neighborhood, as the neighbors have pointed
8 out. I think that you're doing everything you can
9 under the circumstances. It's a very nice home and
10 anything less than that would not fit in that
11 neighborhood. That would be unacceptable regardless of
12 the size of the lot. So I think you're doing
13 everything that you can within the constraints that
14 Novi has put on you and I support this.

15 CHAIRPERSON PEDDIBOYINA: Anybody on the
16 board, please?

17 Okay. Time for motion.

18 MEMBER SANKER: Okay. I think I'm ready.

19 CHAIRPERSON PEDDIBOYINA: Okay. Go ahead.

20 MEMBER SANKER: All right. And I agree with
21 all our board members who have spoken and I'm going to
22 move that we grant the variance in case number
23 PZ19-0049 sought by the petitioner for the front and

1 backyard setbacks for the variance in section 3.2.1
2 because petitioner has shown a practical difficulty
3 requiring the variance. Without the variance, the
4 petitioner would be unreasonably prevented or limited
5 with respect to the use of the property because he
6 would not be able to build a modern home. And if he
7 were to be within the constraints of the variance, he
8 would only have a very small, limited use -- or
9 building footprint which would be approximately 18 feet
10 by 50 feet.

11 The property is unique because the parcel
12 dimensions are extremely small when compared to other
13 parcels in the area. The petitioner did not create the
14 condition because he purchased the property with the
15 small dimensions.

16 And the relief granted would not unreasonably
17 interfere with the adjacent or surrounding properties
18 because the buildings height and length will not alter
19 or otherwise obstruct the neighboring properties which
20 are setback from these boundaries and for those
21 reasons.

22 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.

23 MS. SAARELA: Can I suggest an addition to

1 that that we just acknowledge that the property was an
2 existing buildable lot on the date the zoning ordinance
3 was passed? So it is a buildable lot.

4 MEMBER SANKER: Do I need to add that?

5 MS. SAARELA: Yes. If you'll just agree to
6 add that to the end of the motion, please.

7 CHAIRPERSON PEDDIBOYINA: Yes.

8 MEMBER LONGO: Second.

9 CHAIRPERSON PEDDIBOYINA: Thank you. Who
10 will second it?

11 MEMBER LONGO: I seconded it.

12 CHAIRPERSON PEDDIBOYINA: Oh, you already
13 did. I did not hear. Thank you.

14 Any other discussion apart from that?

15 Seeing none. Katherine, please call roll
16 call.

17 MS. SAARELA: Member Verma?

18 MEMBER VERMA: Yes.

19 MS. OPPERMAN: Member Sanker?

20 MEMBER SANKER: Yes?

21 MS. OPPERMAN: Member Sanghvi?

22 MEMBER SANGHVI: Yes.

23 MS. OPPERMAN: Member Longo?

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MEMBER LONGO: Yes.

MS. OPPERMAN: Member Krieger?

MEMBER KRIEGER: Yes.

MS. SAARELA: And Chairperson Peddiboyina?

CHAIRPERSON PEDDIBOYINA: Yes, please.

MS. SAARELA: Motion passes.

CHAIRPERSON PEDDIBOYINA: Thank you.

Congratulations.

And moving to the second case. And
PZ19-0051, Araneae, A-r-a-n-e-a-e, Inc. Ascension
Providence Hospital, 47601 Grand River Avenue, west of
Beck Road and South of Grand River Avenue, parcel
number 50-22-17-400-046.

The applicant is requesting a variance from
the city of Novi ...

Okay. Sorry. The applicant is requesting a
variance from the City of Novi Code of Ordinance,
Section 28-5(a) and 28-5(b)(1)(B) for a 263 square foot
illuminated sign on the north elevation of the
building. This sign exceeds number of signs permitted
and area of wall sign permitted based on the setback
from Providence Parkway Drive.

This property is zoned office services

1 commercial, OSC.

2 The applicant is here.

3 MEMBER KRIEGER: Before you start, I would
4 like to state that I work at Providence Hospital but I
5 have no financial gain, but if I need to recuse myself.
6 I'd like to bring it up.

7 MS. SAARELA: I think you can recuse yourself
8 in this case and that's because you work for the
9 petitioner.

10 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.
11 Granted.

12 MS. SAARELA: You guys should do a vote.
13 Just do a voice vote. It doesn't have to be a roll
14 call.

15 CHAIRPERSON PEDDIBOYINA: Okay.

16 MEMBER SANKER: So all in favor.

17 CHAIRPERSON PEDDIBOYINA: All in favor,
18 "Aye."

19 THE BOARD: Aye.

20 (Board Member Krieger exits room.)

21 CHAIRPERSON PEDDIBOYINA: Thank you. And the
22 applicant is here, please.

23 And, Kevin, if you can take on the roll of

1 the secretary.

2 MEMBER SANKER: Oh, yeah. Sure.

3 CHAIRPERSON PEDDIBOYINA: Please spell your
4 first name and last name for the record.

5 MR. BOWMAN: Sure. It's Blair, B-l-a-i-r,
6 Bowman B-o-w-m-a-n.

7 And, thank you.

8 Mr. Secretary, Kevin.

9 MEMBER SANKER: Are you an attorney?

10 MR. BOWMAN: I am not.

11 MEMBER SANKER: Can you state your name,
12 spell your name for the record.

13 MR. BOWMAN: Sure. Blair Bowman, B-l-a-i-r,
14 B-o-w-m-a-n.

15 MEMBER SANKER: Raise your right.

16 Do you swear or affirm to tell the truth in
17 the matter before you?

18 MR. BOWMAN: I do.

19 MEMBER SANKER: Thanks.

20 CHAIRPERSON PEDDIBOYINA: Thank you. And you
21 can present your case, please.

22 MR. BOWMAN: Sure. In a very brief
23 presentation, if you would, or statement, I have been

1 asked on behalf of the system. You know, here before
2 you this evening is a quintessential example of where
3 the practical and the technical meet and, you know, in
4 the term of what this body has to deal with. You know,
5 the practical and sincere hardship exists.

6 This is sincerely a symbol related to what
7 will be integrated within the campus of this,
8 obviously, important and incredibly high quality
9 institution that we have within our borders. It's one
10 thing that probably should have been even integrated
11 with the original construction, but now it's coming
12 before you. And, you know, in reading the technicality
13 of the size of how the reading of the ordinance looks
14 at it, you know, over 250 square feet. But in reality,
15 the symbol itself is dimensionally even actually within
16 the square footage of the dimensional requirements from
17 the standpoint of even the standards.

18 And the practicality and the technicality,
19 again, from the hardship standpoint, if you look at the
20 size and the scale of this complex and the enormity of
21 the building, how far it is set back from the road
22 systems and the purpose for this element, to
23 technically meet the requirements, it would put it into

1 such a small scale, it would literally be postage stamp
2 style in view.

3 So, certainly, you know, representatives here
4 from the system can certainly answer questions that you
5 might have. I am just here as a long-time supporter
6 for the system and asked to make a comment or two.
7 Also, have several properties that we own and represent
8 that we received letters and submitted letters of
9 support to you as well, fully supporting this very
10 worthy effort and respectfully request that you approve
11 the variance.

12 CHAIRPERSON PEDDIBOYINA: Thank you, Mr.
13 Blair.

14 And anybody wants to present?

15 Okay. Spell your first name, please.

16 MS. TYLE: Kim Tyle, K-i-m, T-y-l-e.

17 CHAIRPERSON PEDDIBOYINA: And for our
18 secretary you can --

19 MEMBER SANKER: Raise your right hand,
20 please.

21 Do you swear or affirm to tell the truth in
22 the matter before you?

23 MS. TYLE: Sure. Yes.

1 CHAIRPERSON PEDDIBOYINA: Okay.

2 MS. TYLE: So I did want to present the new
3 drawing of the cross. When we originally submitted the
4 paperwork, we actually took the rectangle that the
5 cross sits within and we had it minimalized. So it
6 sits up 48.9 square feet for just the dimensions of the
7 cross. It's still really beautiful. It is 20 feet
8 tall by 13 feet wide and it's illuminated. So it will
9 look very nice from the road.

10 And this is what it will look like. So I
11 just wanted to include those details as well that we
12 did modify so that it did fit within the 65 square feet
13 as required.

14 CHAIRPERSON PEDDIBOYINA: Thank you, ma'am.

15 MS. TYLE: You're welcome.

16 CHAIRPERSON PEDDIBOYINA: Anybody wants to
17 speak on this case, please? Anybody in the audience,
18 please?

19 Seeing none.

20 Okay, from the City?

21 MR. BUTLER: No comments from the City.

22 Standing by for questions.

23 CHAIRPERSON PEDDIBOYINA: Okay.

1 Correspondence, acting secretary, Mr. Kevin?

2 MEMBER SANKER: Yes. 57 letters were sent.
3 Four were returned. Two approvals. No objections.

4 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.

5 MEMBER SANKER: I forget. Do I have to read
6 the approvals?

7 CHAIRPERSON PEDDIBOYINA: Yeah. You have to
8 read the approvals, please.

9 MEMBER SANKER: This is from Grand Beck
10 Ventures Group, LLC. "Please consider this
11 correspondence as our strong support and encouragement
12 for the requested sign variance for the hospital. Very
13 truly yours, Susan M. Moore on behalf of Grand Beck,
14 Ventures Group, LLC."

15 The second letter is from Central Park
16 Management Company. And it says, "Please consider this
17 correspondence as our strong support and encouragement
18 for the requested sign variance for the hospital. Very
19 truly yours, Peter Scodeller, S-c-o-d-e-l-l-e-r."

20 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.

21 A solid presentation, Mr. Blair, and other
22 team members. You did a wonderful presentation. Apart
23 from that I have no objection on this case. I'll

1 support on this case.

2 And anybody want to speak on the board, you
3 can speak.

4 Okay, Mr. Longo?

5 MEMBER LONGO: I would pass the site up close
6 to the parking lot is one thing, but going down Grand
7 River, quite frankly, that cross is not that large. I
8 mean, it's -- a postage stamp would have been a good
9 term had you stated that. Furthermore, the number of
10 signs -- well, you know, we have a lot of ordinances.
11 The fact is this is a campus. So there are no signs
12 that are visible when I came down Grand River looking
13 at that particular part of the building.

14 Now, as you go down Grand River and you go
15 down Beck, of course, there are other signs. Which you
16 really need to know what this big place is. I totally
17 support your view.

18 CHAIRPERSON PEDDIBOYINA: Okay. Thank you,
19 Michael.

20 Okay. Member Sanghvi?

21 MEMBER SANGHVI: Thank you, Mr. Chair. I
22 have known the presence of Providence Hospital complex
23 for over 20 years in this community. We started with a

1 very small place on Ten Mile and Meadowbrook as the
2 pediatric unit, which some of you may not even remember
3 or know. It has now grown into a very viable and
4 creditable institute in our city.

5 This particular request for an additional
6 sign on that wall is not really that large.

7 And I have a question for the City, is the
8 new revised calculation, does it fit into the normal
9 size of the city ordinance?

10 MR. BUTLER: It does not. The fact that they
11 are already above what they already have been
12 authorized to have. So it falls just within that as an
13 extra sign that they're asking for.

14 MEMBER SANGHVI: Thank you.

15 MR. BUTLER: You're welcome.

16 MEMBER SANGHVI: I have no problem with this
17 particular sign on this particular wall. I have known
18 this complex for many years and I always wondered why
19 they didn't have a sign on that wall for all this time.
20 Because people coming east on Grand River have no way
21 of recognizing what this big building is until they
22 have almost gone past it.

23 And adding this sign -- which I know it is a

1 cross, but in a way I consider it as a corporate logo
2 of the national brand of the Ascension Group of
3 hospitals, not only here in Michigan but all over the
4 place. And to recognize that as a national brand and
5 as a logo and to put it on this wall, I think it is a
6 natural sequence of events which has been around for a
7 few years, if not longer.

8 And I personally have no problem about
9 granting this variance to this institution.

10 Thank you.

11 CHAIRPERSON PEDDIBOYINA: Thank you, Mr. Mav.

12 Anybody in the board, please?

13 Mr. Rameesh, go ahead, sir.

14 MEMBER VERMA: Just curiosity. This sign is
15 made of what? What type of metal you are using?

16 MR. CARROLL: John Carroll, C-a-r-r-o-l-l.

17 MEMBER SANKER: Can you raise your right
18 hand, please?

19 Do you swear or affirm to tell the truth in
20 the matter before you?

21 MR. CARROLL: I do.

22 CHAIRPERSON PEDDIBOYINA: Thank you.

23 Proceed.

1 MR. CARROLL: It's an aluminium frame cabinet
2 with a plexiglas vase and internally illuminated with
3 LED.

4 MEMBER VERMA: How is it illuminated? From
5 inside?

6 MR. CARROLL: Inside.

7 MEMBER VERMA: There's another sign also on
8 the other building. It is similar to that?

9 MR. CARROLL: Is the letters on top of the
10 building?

11 MEMBER VERMA: Uh-huh.

12 MR. CARROLL: Same thing.

13 MEMBER VERMA: Same thing?

14 MR. CARROLL: Yeah.

15 MEMBER VERMA: Thank you.

16 CHAIRPERSON PEDDIBOYINA: Okay. Mr. Rameesh,
17 anything else you want to say?

18 MEMBER VERMA: No, thank you.

19 CHAIRPERSON PEDDIBOYINA: Thank you very
20 much. Anybody else on the board, final call?

21 Okay. Mr. Sanghvi?

22 MEMBER SANGHVI: Mr. Chair, may I make a
23 motion?

1 CHAIRPERSON PEDDIBOYINA: Yeah, sure, sir.
2 Please go ahead.

3 MEMBER SANGHVI: Thank you. I move that we
4 grant the variance in case number PZ19-0051 sought by
5 the Araneae and Ascension Providence Hospital for an
6 additional illuminated full side wall sign because the
7 petitioner has shown practical difficulty requiring
8 installation of the additional signage on the basis of
9 the following.

10 A, that failure to grant relief will
11 unreasonably prevent or limit the use of the property
12 and will result in substantially more than mere
13 inconvenience or inability to obtain a higher
14 economical or financial return because petitioner is a
15 unique faith-based hospital organization with 175 year
16 history in the area.

17 The sign is needed to identify petitioner as
18 part of the system of unique faith-based institution.
19 And it is consistent with the branding of the other
20 hospitals operated by Ascension Providence in the Metro
21 Detroit area and the branding is unique in that it is
22 necessary to identify the petitioner in its mission.

23 Number two, that the request is based upon

1 circumstance or features that are exceptional and
2 unique to the property and do not result from
3 conditions that exist generally in the city or that are
4 self-created because the patients and the visitors may
5 have difficulty recognizing and accessing the campus
6 safely and efficiently. The property is unique because
7 of the large size and bulk and extended size of the
8 site and multiple directions of approach on several
9 roadways and plethora of services offered by this
10 institution.

11 Number three, the relief granted will not
12 unreasonably interfere with adjacent or surrounding
13 properties because the sign location is located a
14 significant distance from the address and surrounding
15 properties.

16 And D, the relief is consistent with the
17 spirit and intent of the ordinance because the
18 requested sign is visible for the use and function of
19 the property as well as the nature of the hospital,
20 patients, visitors and the community of Novi.

21 Thank you.

22 CHAIRPERSON PEDDIBOYINA: Thank you very
23 much.

1 MEMBER VERMA: I second.

2 CHAIRPERSON PEDDIBOYINA: Thank you, Rameesh.

3 Motion done.

4 And, please, Katherine, roll call.

5 MS. OPPERMAN: Chairperson Peddiboyina?

6 CHAIRPERSON PEDDIBOYINA: Yes, please.

7 MS. OPPERMAN: Member Longo?

8 MEMBER LONGO: Yes.

9 MS. OPPERMAN: Member Sanghvi?

10 MEMBER SANGHVI: Yes.

11 MS. OPPERMAN: Member Sanker?

12 MEMBER SANKER: Yes.

13 MS. OPPERMAN: And Member Verma?

14 MEMBER VERMA: Yes.

15 MS. OPPERMAN: Motion passes.

16 CHAIRPERSON PEDDIBOYINA: Thank you.

17 And congratulations, Mr. Blair and team.

18 Good luck.

19 And Linda, please come back up.

20 (Member Krieger resumes position.)

21 CHAIRPERSON PEDDIBOYINA: Any other things

22 anybody would like to?

23 MEMBER KRIEGER: Training class?

1 CHAIRPERSON PEDDIBOYINA: Training class
2 thing? Anybody want to say the date and time for the
3 training?

4 MR. BUTLER: We haven't put that out yet
5 because we were waiting until after the holidays? Did
6 you get the flier that Charles sent out about classes?

7 MS. OPPERMAN: They received the mailing.
8 I'm sending them the one from Charles. Tomorrow
9 morning.

10 MR. BUTLER: Tomorrow morning.

11 MEMBER KRIEGER: All right. Very good.

12 MR. BUTLER: There is a group of classes that
13 are offered. Charles would like for you to take a look
14 at those and we're going to see the participation we
15 may get on those and that may substitute for our
16 training, but everybody please take a look at it and
17 then respond back to me or Charles if you think it's a
18 good idea and you see any classes you would like to
19 take.

20 CHAIRPERSON PEDDIBOYINA: Thank you, Mr.
21 Butler.

22 And anything else? And I would like to say
23 motion to adjourn. And with that would you like to

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proceed?

MEMBER KRIEGER: Motion to adjourn.

MEMBER SANGHVI: So moved.

CHAIRPERSON PEDDIBOYINA: Thank you. All in favor say "Aye."

THE BOARD: Aye.

CHAIRPERSON PEDDIBOYINA: Thank you. We're adjourned.

(At 7:51 p.m., matter concluded.)

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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, Notary Public within and for the County of Oakland (Acting in Oakland), do hereby certify that I have recorded stenographically the proceedings had and testimony taken in the above-entitled matter at the time and place hereinbefore set forth, and I do further certify that the foregoing transcript, consisting of forty-eight (48) typewritten pages, is a true and correct transcript of my said stenographic notes to the best of my ability.

/s/ Darlene K. May
Darlene K. May, RPR/CSR-6479

February 17, 2020
(Date)