

MEETING - ZONING BOARD OF APPEALS

CITY OF NOVI

TUESDAY, MAY 9, 2023 7:00 p.m.

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

BOARD MEMBERS:

Joe Peddiboyina, Chairperson

Clift Montague, Co-Chairperson

Michael Longo, Secretary

Linda Krieger

Siddharth Mav Sanghvi

Michael Thompson

Jay McLeod

ALSO PRESENT:

Elizabeth Saarela, City Attorney

Alan Hall, Deputy Community Development Director

Anita Sophia Wagner, Recording Secretary

Reported by:

Darlene K. May, Certified Shorthand Reporter

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Novi, Michigan

Tuesday, May 9, 2023

7:00 p.m.

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CHAIRPERSON PEDDIBOYINA: Good evening.

Welcome to Novi City of Zoning Board of Appeals. Today is May 9.

Please stand up for the Pledge of Allegiance, followed by Clift.

(Pledge of allegiance recited.)

CHAIRPERSON PEDDIBOYINA: Thank you. Please be seated. And mute your cell phones.

Whenever we call any person on the case, you can come to the podium and speak on that.

Roll call?

MS. WAGNER: Chairperson Peddiboyina?

CHAIRPERSON PEDDIBOYINA: Thank you, please.

MS. WAGNER: Member Krieger?

MEMBER KRIEGER: Here.

MS. WAGNER: Member Longo?

MEMBER LONGO: Here.

MS. WAGNER: Member McLeod?

MEMBER McLEOD: Here.

1 MS. WAGNER: Member Montague?

2 MEMBER MONTAGUE: Here.

3 MS. WAGNER: Member Sanghvi?

4 MEMBER SANGHVI: Here.

5 MS. WAGNER: Member Thompson?

6 MEMBER THOMPSON: Here.

7 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.

8 And public hearing and rules of conduct. We have all

9 the cases and you can speak if you want on any case.

10 If you want to speak on this case, we have three

11 minutes of time, anybody. And that's the thing. And

12 you can monitor on the TVs also.

13 Approval of agenda of April? Somebody make a
14 motion.

15 MEMBER KRIEGER: Are there any changes to the
16 agenda?

17 MS. WAGNER: There's no changes to the
18 agenda.

19 MEMBER KRIEGER: I move to accept the agenda.

20 MEMBER LONGO: Second.

21 CHAIRPERSON PEDDIBOYINA: Okay. Say "aye"
22 all in favor.

23 THE BOARD: Aye.

1 CHAIRPERSON PEDDIBOYINA: Any nays? No.

2 Thank you. Okay. And minutes of April of
3 2023, somebody make a motion.

4 MEMBER KRIEGER: I move to accept the April
5 minutes for 2023.

6 MEMBER McLEOD: Second.

7 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.
8 Public remarks?

9 MEMBER KRIEGER: Are we all in favor?

10 MEMBER MONTAGUE: Yes.

11 CHAIRPERSON PEDDIBOYINA: All in favor?

12 THE BOARD: Aye.

13 CHAIRPERSON PEDDIBOYINA: Any nays?

14 Looks like none.

15 Public remarks of the public hearing. Anyone
16 want to change anything on this, please, this is the
17 time.

18 Looks like none.

19 We have our first case. PZ23-0011, Copper
20 Rock Construction, 29580 Hudson Drive, north of West
21 Road, west of West Park Drive, parcel 50-22-04-378-004.
22 The applicant is requesting a variance from the City of
23 Novi Zoning Ordinance, Section 5.4.3 to allow two truck

1 docks to be located in the exterior side yard off of
2 Desoto Court. This property is zoned Light Industrial,
3 L-1.

4 Okay. Is the applicant is present?

5 Okay. Looks like no.

6 And let's move this case to the last. If he
7 shows, we can work on this case today.

8 And the Case Number Two, PZ23-0012, Rayburn
9 Properties, LLC, 707 South Lake Drive, between West
10 Park Drive and Old Novi Road, north of 12 1/2 Mile
11 Road, parcel 50-22-03-454-021.

12 The applicant is requesting a variance of the
13 city of Novi Zoning Ordinance Section 3.32(7) for a
14 16-foot front yard setback, 26 feet patio required, a
15 variance of 10 feet, for a proposed front patio. This
16 property is zoned single family residential, R-4.

17 Is the applicant present?

18 MS. GHANNAM: Yes.

19 CHAIRPERSON PEDDIBOYINA: Go ahead. Spell
20 your first and last name clearly for the court reporter
21 and our secretary will take the oath.

22 MS. GHANNAM: Hi, good evening. My name is
23 Nancy Ghannam. I'm here on behalf of my husband, David

1 and I. We are building a house.

2 THE COURT REPORTER: I'm sorry, please spell.

3 MS. GHANNAM: G-h-a-n-n-a-m.

4 MEMBER LONGO: Excuse me. Are you an
5 attorney?

6 MS. GHANNAM: No, I'm not.

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

9 MS. GHANNAM: I do.

10 CHAIRPERSON PEDDIBOYINA: Please go ahead and
11 present your case where we can help on this case
12 tonight.

13 MS. GHANNAM: We built the house on South
14 Lake Drive. The house is almost finished and we're in
15 the landscape phase. We're requesting a variance for
16 the front porch. Currently the ordinance allows for
17 four feet and, basically, four feet is like one chair.
18 And we would like to ask for a ten additional feet, for
19 a total of 14 feet so that we can put a front patio.

20 The patio does not obstruct anybody's view of
21 the lake. Most of the houses on South Lake Drive have
22 front patios. It's part of the cachet of living on the
23 lake. It's one of the reasons that we built our house

1 on that lake. I don't believe anybody has objected to
2 it. All of our neighbors have similar patios, all up
3 and down both sides of the lake. So we're requesting a
4 10-foot variance.

5 CHAIRPERSON PEDDIBOYINA: Okay. Any other
6 thing you would like to speak? You want to present any
7 background diagram tonight?

8 MS. GHANNAM: I have a picture of what we're
9 going to do.

10 (Diagram displayed.)

11 MS. GHANNAM: So this is our house here. You
12 step down right here. This is going to be the patio
13 we're requesting. And then there will be some
14 shrubbery here and a walkway to walk up to the house.

15 So this is, basically, the variance that
16 we're requesting for 10 feet.

17 CHAIRPERSON PEDDIBOYINA: Okay. It's a
18 beautiful deck.

19 MS. GHANNAM: Thank you.

20 CHAIRPERSON PEDDIBOYINA: From the City?
21 Any comments?

22 MR. HALL: Mr. Chairman, there's no comments.
23 Just here for questions.

1 CHAIRPERSON PEDDIBOYINA: Thank you. Anybody
2 in the audience would like to speak on this case?

3 MEMBER MONTAGUE: Correspondence?

4 CHAIRPERSON PEDDIBOYINA: Yes.
5 Correspondence, Secretary?

6 MR. LONGO: Mailed 24, none were returned.

7 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.
8 Anybody in the audience would like to speak on this
9 case? Now is the time.

10 Looks like none.

11 Okay. That's a beautiful presentation. I
12 see the deck and all. It's a beautiful deck. I put it
13 onto my board and let them speak on this and I'm open
14 to the board.

15 MEMBER SANGHVI: Mr. Chair?

16 CHAIRPERSON PEDDIBOYINA: Yes, please go
17 ahead, Dr. Sanghvi.

18 MEMBER SANGHVI: Thank you. Good evening. I
19 saw your property the other day and I think I saw your
20 old deck.

21 MS. GHANNAM: Needs cleaning.

22 MEMBER SANGHVI: And you already got some
23 construction going on already there, right?

1 MS. GHANNAM: Not for a deck, no.

2 MEMBER SANGHVI: Next to your deck.

3 MS. GHANNAM: I'm sorry?

4 MEMBER SANGHVI: 707?

5 MS. GHANNAM: Yes. We're not -- I mean,
6 we're building the house, but we haven't done anything
7 with the landscape yet. We're waiting to make sure
8 that we have approval.

9 MEMBER SANGHVI: You're putting something
10 right in the front of South Lake.

11 MS. GHANNAM: I'm sorry.

12 MEMBER SANGHVI: I say you are putting this
13 -- the variation --

14 MS. GHANNAM: In the front.

15 MEMBER SANGHVI: -- you're asking for, just
16 the front patio?

17 MS. GHANNAM: Yes. That's it, just the
18 front.

19 MEMBER SANGHVI: I'm sorry. They can't do
20 anything without any variance. I have no problem with
21 your request. Thank you.

22 CHAIRPERSON PEDDIBOYINA: Thank you, Dr.
23 Sanghvi.

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Anybody?

Nobody would like to speak on anything?

Okay. Ready to make a motion. Linda?

MEMBER KRIEGER: In Case Number PZ23-0012 Rayburn properties, 707 South Lake Drive, the applicant is requesting a variance. I move to approve -- grant the request for the petitioner has shown practical difficulty requiring the petition. It's unreasonably prevented or limited with respect to the use of the property because of its topography and location and, previously, the site -- or is not for homes as such to allow for a porch. The property is unique because it's lakefront. The petitioner did not create the condition because it is pre-existing. The relief granted will not unreasonably interfere with adjacent or surrounding properties because they have approval from the neighbors and will not impede traffic flow. The relief is consistent with the spirit and intent of the ordinance because it is a reasonable request. And that's it.

MEMBER SANGHVI: Second.

CHAIRPERSON PEDDIBOYINA: Thank you. Roll call?

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MS. WAGNER: Chairperson Peddiboyina?
CHAIRPERSON PEDDIBOYINA: Yes, please.
MS. WAGNER: Member Krieger?
MEMBER KRIEGER: Yes.
MS. WAGNER: Member Longo?
MEMBER LONGO: Yes.
MS. WAGNER: Member McLeod?
MEMBER MCLEOD: Yes.
MS. WAGNER: Member Montague?
MEMBER MONTAGUE: Yes.
MS. WAGNER: Member Sanghvi?
MEMBER SANGHVI: Yes.
MS. WAGNER: Member Thompson?
MEMBER THOMPSON: Yes.
MS. WAGNER: Motion passes.
MS. GHANNAM: Thank you.
CHAIRPERSON PEDDIBOYINA: And Case Number --
next case three, PZ23-0013, Vivek and Preethi Patil,
41935 Woodglen Drive, west of Meadowbrook, south of Ten
Mile, parcel 50-22-26-201-014. The applicant is
requesting variance from the city of Novi Zoning
Ordinance Section 3.1.5 for a rear yard setback of
27.95 feet, 35 feet required variance of 7.05 feet, for

1 a lot coverage of 27 percent. Twenty-five percent
2 allowed, a variance of two percent, for a proposed
3 covered porch.

4 This property is zoned one family,
5 residential, R-4. The applicant -- okay.

6 Okay. Please go ahead and spell your first
7 and last name clearly. Are you are presenting both of
8 you or is only one person presenting?

9 MS. PATIL: Preethi Patil present. I'm the
10 co-owner.

11 CHAIRPERSON PEDDIBOYINA: Okay. And spell
12 your first and last name clearly for our secretary.

13 MS. PATIL: Preethi Patil, P-r-e-e-t-h-i,
14 last name is P-a-t-i-l.

15 MEMBER LONGO: Are you an attorney?

16 MS. PATIL: No, I'm not.

17 MEMBER LONGO: Do you promise to tell the
18 truth in this case?

19 MS. PATIL: I do.

20 MEMBER LONGO: Thank you.

21 CHAIRPERSON PEDDIBOYINA: Go ahead with
22 anyway we can help you tonight and you can present the
23 case. Go ahead.

1 MR. DUGGAN: I am Brian Duggan, D-u-g-g-a-n.
2 I am a member of DS Homes and we are building the house
3 for the petitioner. And, no, I'm not an attorney. I'm
4 a real estate agent, past politician, but I still tell
5 you the truth.

6 CHAIRPERSON PEDDIBOYINA: Thank you. Go
7 ahead, Brian, and present your case.

8 MR. DUGGAN: My client has a child that just
9 has special needs and they designed this house with a
10 two-bedroom down footprint because he can't climb
11 stairs. And then they needed a covered patio so he can
12 go outside and sit. That's pretty much the only reason
13 why they decided to move from their current condo in
14 Novi to a house which has two master suites and a
15 covered patio, and then we found out that we needed to
16 come to the Zoning Board, that we were short two
17 percent, seven feet shy of a covered porch. So we're
18 asking this body to approve us.

19 CHAIRPERSON PEDDIBOYINA: Brian, Do you have
20 any diagram that you can present to the audience?

21 MR. DUGGAN: Just what we sent in.

22 CHAIRPERSON PEDDIBOYINA: Yeah. You can show
23 to the audience now.

1 We have a document, but maybe the other
2 people, so they can see.

3 MR. DUGGAN: Okay. So for some reason I
4 thought you guys had that up there, too.

5 CHAIRPERSON PEDDIBOYINA: No, no, we have
6 that, too.

7 MR. DUGGAN: Well, this is the plot plan. We
8 want to go from this point on and we're 20 -- to do the
9 deck, we're going to be seven feet shy of being close
10 to the backyard. So all we're asking for is just to
11 extend the covered patio with a variance of two percent
12 just to the backyard. We did talk to the owner right
13 behind us today, and she was nice, no problem. I did
14 not hear back from any of the neighbors in a negative
15 response. So I assume that they're all in favor of
16 it.

17 CHAIRPERSON PEDDIBOYINA: Okay. Good.

18 Do you want to say something?

19 MS. PATIL: No. The same thing what Brian
20 said. Because it's not a big plot and it has two
21 bedrooms we needed down. So it did not give us much
22 space for the patio, hence the reason for the variance.

23 MR. LONGO: Sounds good.

1 From the city?

2 MR. HALL: Mr. Chairman, I believe there's
3 going to be two variances being requested. One is for
4 the lot size, which is a two percent the applicant has
5 mentioned. There's also a dimensional variance, a 7.05
6 for the covered roof area. So the patio itself is fine
7 as a footprint, but we need a variance for the lot
8 coverage of an extra two percent and a variance of 7.05
9 to the real structure.

10 CHAIRPERSON PEDDIBOYINA: Okay. You mean
11 that you want me to count it as two proposals on this?

12 MR. HALL: That's correct.

13 CHAIRPERSON PEDDIBOYINA: Sounds good. Thank
14 you.

15 Correspondence, Secretary?

16 MEMBER LONGO: Yes. There were 26 sent out,
17 one returned and that was an objection by Katherine Nay
18 (phonetic). She was concerned about the tree removals
19 that were messy and left branches and things of that
20 nature and her real issue was that this was not
21 discussed with her by the owners and, therefore, she
22 does not approve.

23 CHAIRPERSON PEDDIBOYINA: Any other things?

1 MEMBER LONGO: That's the only one.

2 CHAIRPERSON PEDDIBOYINA: From the audience,
3 this is the time to speak.

4 MR. DUGGAN: May I add that that person just
5 bought the house and she said she wasn't informed by
6 the owner. That was the owner that sold this property
7 to them years ago and nobody told them that it was
8 split. The real estate agent, not me, but the real
9 estate agent didn't inform them either. So they were
10 kind of surprised that there was a house going up. We
11 all know that happens a lot when a developer comes in.
12 Not on our part that we do anything wrong.

13 CHAIRPERSON PEDDIBOYINA: Anybody in the
14 audience, please?

15 What about the tree things she mentioned on
16 the trees; are you removing any trees or anything?
17 What is that she commented on the letter?

18 MR. DUGGAN: We had to remove the trees
19 because, once again, it was a small lot and a big
20 footprint for the first floor, but we applied for the
21 tree permits and removals and we are following those
22 procedures and we'll replace them for the City of Novi.

23 CHAIRPERSON PEDDIBOYINA: Sounds good. I see

1 that. I have no objection, and I'm open to the Board
2 and they can speak.

3 Okay. Go ahead, sir.

4 MEMBER MONTAGUE: So what are the dimensions
5 of the porch?

6 MR. DUGGAN: Just one second. It was not a
7 good time to get my reading glasses. I apologize.

8 So the patio is 18 by 12. The covered porch
9 only went up to 7.98 feet.

10 MEMBER MONTAGUE: So you're saying the first
11 portion of the patio is covered and then there's more
12 patio beyond that?

13 MR. DUGGAN: Yeah. The patio total is --
14 well, seven and an eighth -- 18 by 12.

15 MEMBER MONTAGUE: So it's 12 foot to the rear
16 and eight foot of it is covered; is that correct?

17 MR. DUGGAN: Yeah.

18 MEMBER MONTAGUE: Yeah. I was having a hard
19 time reading the drawing. Okay. Thank you.

20 CHAIRPERSON PEDDIBOYINA: Any other board
21 member?

22 Go ahead.

23 MEMBER LONGO: So is this -- you purchased

1 this house and modified it or is this a new home?

2 MS. PATIL: It's a new home.

3 MEMBER LONGO: Thank you.

4 CHAIRPERSON PEDDIBOYINA: Dr. Sanghvi, no
5 comments?

6 MEMBER SANGHVI: I went and saw the place but
7 there's nothing to comment about. It's a very small
8 lot and considering everything and they cannot build
9 anything without a variance. So I can understand their
10 need. Thank you.

11 CHAIRPERSON PEDDIBOYINA: Thank you.

12 Member Thompson?

13 MEMBER THOMPSON: No.

14 CHAIRPERSON PEDDIBOYINA: Okay. It's motion
15 time.

16 MEMBER LONGO: Yes. I move that we approve
17 the request for PZ23-0013 of Vivek and Preethi Patil.

18 CHAIRPERSON PEDDIBOYINA: Patil.

19 MEMBER LONGO: Thank you.

20 CHAIRPERSON PEDDIBOYINA: Yeah.

21 MEMBER LONGO: For a rear yard variance of
22 7.05 feet and for a total lot coverage and exceeding
23 slightly by two percent. Without the variance, the

1 petitioner would be unreasonably prevented or limited
2 with respect to the use of the property because the
3 patio is really required for their family. The
4 petitioner did not create the condition. They
5 purchased this lot. The relief granted will not
6 unreasonably interfere with the adjacent or surrounding
7 properties because it's such a minimal variance, two
8 minimal variances.

9 The relief is consistent with the spirit and
10 the intent of the ordinances because it is a minimal
11 variance.

12 MEMBER SANGHVI: Second.

13 CHAIRPERSON PEDDIBOYINA: Okay.

14 MS. WAGNER: Chairperson Peddiboyina?

15 CHAIRPERSON PEDDIBOYINA: Yes, please.

16 MS. WAGNER: Member Krieger?

17 MEMBER KRIEGER: Yes.

18 MS. WAGNER: Member Longo?

19 MEMBER LONGO: Yes.

20 MS. WAGNER: Member McLeod?

21 MEMBER mcLeod: Yes.

22 MS. WAGNER: Member Montague?

23 MEMBER Montague. Yes.

1 MS. WAGNER: Member Sanghvi?

2 MEMBER SANGHVI: Yes.

3 MS. WAGNER: Member Thompson?

4 MEMBER THOMPSON: Yes.

5 MS. WAGNER: Motion passes.

6 CHAIRPERSON PEDDIBOYINA: Congratulations.

7 And Case Number PZ-23-0014, Ann Arbor

8 Sunrooms, Robert Clark, 24732 Kings Point Drive, north

9 of Ten Mile, west of Meadowbrook Road, parcel

10 50-22-23-431-011. The applicant is requesting a

11 variance from the city of Novi Zoning Ordinance Section

12 3.1.5 for a side yard setback of 7.5 feet, 10 feet

13 required variance of 2.5 feet for a proposed sunroom

14 addition. This property is zoned one family,

15 residential R-4.

16 Please go ahead and spell your first and last

17 name clearly for the court record and for our

18 secretary, who will take an oath.

19 MR. CLARK: Robert, R-o-b-e-r-t, Clark,

20 C-l-a-r-k.

21 MEMBER LONGO: Robert, are you an attorney?

22 MR. CLARK: No, I'm not.

23 MEMBER LONGO: Do you promise to tell the

1 truth in this case?

2 MR. CLARK: Absolutely.

3 MEMBER LONGO: Thank you.

4 MR. CLARK: You're welcome.

5 CHAIRPERSON PEDDIBOYINA: Are you also
6 presenting, sir, in the back of the gentleman?

7 UNIDENTIFIED MALE: I'm sorry?

8 MEMBER SANGHVI: Is he going to talk?

9 UNIDENTIFIED MALE: As the owner? I'm the
10 owner.

11 CHAIRPERSON PEDDIBOYINA: You are the owner.
12 Are you going to talk on this case or just to standing
13 there?

14 UNIDENTIFIED MALE: He's just on this case.

15 CHAIRPERSON PEDDIBOYINA: Okay. Please, go
16 ahead, sir.

17 (Document displayed.)

18 MR. CLARK: So I submitted everything to the
19 City and I was made aware that there's a 10-foot
20 setback to the side yard. I have to assume -- and it's
21 an assumption, and I'm not big on assumptions -- that
22 it used to be 10 feet because the house is built at 7.5
23 feet from the lot line. We're not going beyond the

1 building envelope on the house.

2 As you can see, our patio is here. Our
3 sunroom is there. This is 7.5 feet and we're proposing
4 that we need two and-a-half feet to get this approved.

5 I would understand if I was like trying to
6 jet off the side of the house and maybe go two feet
7 beyond, which I have done many times, but in this case
8 we're not. We're staying within the line of the house.
9 We will not give any detriment to either neighbor. One
10 picture I have -- I'll put it up here.

11 Is he has a large shed that we avoided.

12 So you see the shed here. This patio is 16
13 feet out. We're only going out 13 feet. So it's going
14 to be three feet shy and not in line with the shed.

15 So nobody from this view can see it. They
16 can see the shed. And on the next view is right here.
17 So you see the walk gate here. This is the 7.5 feet
18 right here. So we're here to hopefully have your
19 approval for a 2.5 foot variance to build a sunroom so
20 that they can sit in their backyard without bugs. What
21 I always tell people bugs are very good
22 (indiscernible). That's what sells a lot of my
23 products.

1 It's going to be all glass, so if there is
2 anybody that wants to look through it, they're going to
3 be able to look straight through it. It's actually
4 even going to have a glass roof. I don't know if you
5 guys got the prints, but it's a glass roof, glass
6 walls.

7 If there is any questions I can answer, I'm
8 here to help.

9 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.
10 Okay. From the city, any comments?

11 MR. HALL: Mr. Chairman, yes, the property
12 line running along the side the house is diagonal to
13 it. That's why he needs a variance. So what he's
14 proposing is in line with the house. So I have no
15 further comments and here for questions.

16 CHAIRPERSON PEDDIBOYINA: Secretary.

17 MEMBER LONGO: Yes, there were 29 mailings,
18 none returned.

19 CHAIRPERSON PEDDIBOYINA: Thank you. Anybody
20 in the audience, any comments? This is the time where
21 you can speak on this.

22 Okay. Looks like none.

23 It's open to the Board. Yes, Dr. Sanghvi?

1 MEMBER SANGHVI: Thank you. I came and
2 visited your place the other day, and I understand your
3 need for the variance because there is nowhere else you
4 can go and you just need a minimal variance. So I have
5 no difficulty in supporting your request. Thank you.

6 MR. CLARK: Thank you.

7 CHAIRPERSON PEDDIBOYINA: Thank you, Dr.
8 Sanghvi.

9 Okay.

10 MEMBER MONTAGUE: The dimensions of the
11 sunroom, could you tell us?

12 MR. CLARK: Sure. The sunroom itself is, if
13 I remember it, if you'll forgive me, get to the plans.

14 UNIDENTIFIED MALE: Thirteen by thirteen 13,
15 I believe.

16 MR. CLARK: So it's not like it's -- yeah,
17 floor base is 13 feet and the projection on this is 13
18 feet. So it's a 13 by 13.

19 MEMBER MONTAGUE: Thank you.

20 MR. CLARK: And it's actually a straight A,
21 so it's not like a cathedral going up on above the roof
22 line and all that. It's not doing that. It's in line
23 with the roof line of the house.

1 CHAIRPERSON PEDDIBOYINA: What about the
2 tiles, are they matching the same tiles with the roof,
3 the house roof?

4 MR. CLARK: There's no shingles. It's all
5 glass.

6 CHAIRPERSON PEDDIBOYINA: Okay.
7 Anybody on the Board?

8 It's time to motion. Please go ahead,

9 MEMBER MONTAGUE: I move that we grant
10 the variance in Case Number PZ23-0014 for a side-yard
11 setback of 7.35 feet, a variance of two and-a-half-feet
12 for a sunroom addition. Without the variance the
13 petitioner would be prevented or limited with respect
14 to his property because it's a tight site and he has a
15 reasonable sized sunroom proposed. The property is
16 unique because it is tight and has a nonsquare, it's a
17 strange-shaped lot.

18 The petitioner did not create the situation
19 because the house exists and he's lining up with the
20 existing house.

21 The relief granted will not unreasonably
22 interfere with the surrounding properties. There's
23 good screening and the infringement is no larger than

1 the house. And the relief is consistent with the
2 spirit and intent of the ordinance because it allows
3 the resident good use of his house.

4 MEMBER SANGHVI: Second.

5 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.

6 MS. WAGNER: Chairperson Peddiboyina?

7 CHAIRPERSON PEDDIBOYINA: Yes, please.

8 MS. WAGNER: Member Krieger?

9 MEMBER KRIEGER: Yes.

10 MS. WAGNER: Member Longo?

11 MEMBER LONGO: Yes.

12 Ms. WAGNER: Member Mcleod?

13 MEMBER MCLEOD: Yes.

14 MS. WAGNER: Member Montague?

15 MEMBER MONTAGUE: Yes.

16 Ms. WAGNER: Member Sanghvi?

17 MEMBER SANGHVI: Yes.

18 MS. WAGNER: Member Thompson?

19 MEMBER THOMPSON: Yes.

20 MS. WAGNER: Motion passes.

21 CHAIRPERSON PEDDIBOYINA: Congratulations.

22 Thank you.

23 MR. CLARK: Thank you very much.

1 CHAIRPERSON PEDDIBOYINA: PZ23-0015, Magna
2 Lighting - Philip Raubinger, 39550 Orchard Hill Place,
3 west of Haggerty Road, North of Eighth Mile, parcel
4 50-22-36-400-017. The applicant is requesting a
5 variance from the city of Novi Sign Ordinance, Section
6 28-5(f)(1) to allow a monument sign within the road
7 right-of-way, Section 28-7B-2 for a directional sign of
8 eight feet, three square feet permitted, for a variance
9 of five feet.

10 This property is zoned Office Services,
11 Commercial, 4-SC.

12 Okay. Please go ahead and spell your first
13 and last name clearly, and for our secretary who will
14 take the oath.

15 MR. RAUBINGER: Hi, my name is Philip
16 Raubinger with Magna Lighting. P-h-i-l-i-p, last name
17 is R-a-u-b-i-n-g-e-r.

18 MEMBER LONGO: Are you an attorney?

19 MR. RAUBINGER: No, I am not.

20 MEMBER LONGO: Do you promise to tell the
21 truth in this case?

22 MR. RAUBINGER: Yes.

23 MEMBER LONGO: Thank you.

1 MR. RAUBINGER: I'm a facility administrator
2 with Magna Lighting Division. We recently moved into
3 this location on January 9 of 2023. At this point
4 we're still doing some of the renovations and finishing
5 things off outside.

6 (Document displayed.)

7 MR. RAUBINGER: This just gives you a little
8 bit of land, where the building is at and the look of
9 the building for those of you who have not been by it.
10 We're located right off Haggerty and Eight Mile. I
11 think you have in your packet there, this is the
12 renovation by Johnson Sign Company to kind of give you
13 an idea what of the monument sign looks like at the
14 roadside.

15 There's also a simulated view of that sign
16 with a car so you can kind of get, you know, the size
17 of the sign comparative to the vehicle there.

18 You also have in your packet there the
19 rendering and the structure of the sign as well.

20 This is where the pad is located, directly
21 out front. It is on the curb. From my understanding
22 the pad that's there is within the right-of-way of the
23 road. So the pad used to have this sign there, was a

1 former tenant which was Cooper Standard.

2 This was the sign that was there through, I
3 believe, 2019. So there is a cement pad there. There
4 is already electricity with lights that shine on the
5 sign that's present as well. We did put a rendering up
6 per your request. If you got an opportunity to drive
7 by, this is what that looks like.

8 As I stated, this is the mockup sign. We're
9 utilizing just a monument sign pad. And then there's
10 really limited locations there where even if it was
11 going to be located elsewhere, really this could be,
12 just because the place of it and directly behind that
13 you can see in the picture, there's a pond, which is
14 the drainage pond for the site.

15 So we have that piece there and then also on
16 the property, we did place a directional sign, which
17 that sign, looking at the building on the right, the
18 directional sign telling us where our visitor parking,
19 where their employees are at as well as our shipping
20 and receiving. And then you can see off there far to
21 the left is where the monument sign is.

22 So what we're requesting there is, obviously,
23 to be within the roads right-of-way for the monument

1 sign and we would like to keep placement of that
2 directional sign just because we have delivery trucks
3 come to the front door, the lobby door, which they
4 don't know to pull around to the back of the building.
5 So that's what our request is this evening.

6 CHAIRPERSON PEDDIBOYINA: Okay. Good.
7 From the city?

8 MR. HALL: Thank you, Mr. Chairman. Yes,
9 both signs' locations are existing. They just want a
10 size increase for both. So we're here for questions.

11 MR. RAUBINGER: Thank you.

12 MS. SAARELA: May I make one comment?

13 CHAIRPERSON PEDDIBOYINA: Yes, please.

14 MS. SAARELA: If you can make any condition
15 on the relocation or removal of the sign at the
16 applicant's expense in the event the City has to do any
17 work on the public right of way.

18 CHAIRPERSON PEDDIBOYINA: Thank you. Thank
19 you, Beth, good point. I appreciate it.

20 Correspondence?

21 MEMBER LONGO: We mailed out 30, four were
22 returned. There were no objections and no approvals.

23 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.

1 Good presentation and as I noted, I have no
2 objection on this. It's a commercial building and you
3 moved in January, right? You said you moved to the
4 office in January?

5 MR. RAUBINGER: Yes. January 9 is when we
6 moved in, correct.

7 CHAIRPERSON PEDDIBOYINA: Welcome.

8 MR. RAUBINGER: Thank you.

9 CHAIRPERSON PEDDIBOYINA: Go ahead.

10 MEMBER MONTAGUE: Thank you for putting a
11 mockup.

12 MR. RAUBINGER: That's an expensive mockup.

13 MEMBER MONTAGUE: I saw it.

14 MR. RAUBINGER: It's \$2,700 to put that two
15 piece of canvas and two by fours to anchor it in. They
16 are very expensive.

17 MEMBER MONTAGUE: I appreciate that because
18 it gives us a real chance it look it. Pictures, the
19 scale is hard to see.

20 MR. RAUBINGER: Yeah.

21 MEMBER MONTAGUE: So it really is helpful.
22 So thank you. I did notice, you know, you are on a
23 curve, so that makes the sign size appropriate because

1 people are taking that turn. So we don't want to, you
2 know, distract them by trying to look at a little sign.
3 So I think the size is appropriate for where it was.
4 Thank you.

5 CHAIRPERSON PEDDIBOYINA: Yeah. It's a big
6 company. Any other?

7 Dr. Sanghvi?

8 MEMBER SANGHVI: Yeah. I went and visited
9 your place a couple of days ago, and I agree with what
10 my colleagues just said. Because it's a huge place and
11 you do need kind of an identification sign which is
12 more or less in keeping with the size of your building
13 and the property. And I also understand that you need
14 a directional sign to go around over there because I
15 had a hard time finding certain things when I drove
16 around. So I am glad you are doing it, and especially,
17 I agree also it's nice to see a mockup so we know what
18 we are talking about. Thank you so much for all your
19 efforts. Thank you.

20 MEMBER MONTAGUE: Thank you, Dr. Sanghvi.
21 Any other board member?

22 MEMBER KRIEGER: I also agree with the mockup
23 and appreciate that. I drove by and I was like what is

1 the right-of-way. It looks like it's been there as a
2 previous sign, so the only question is if the city has
3 to work on it anytime, that whatever necessary needs
4 that you'd be willing to help with that?

5 MR. RAUBINGER: So like in regards to have a
6 trench through there or what have you?

7 MEMBER KRIEGER: Yeah. I don't know what the
8 right-of-way is.

9 MS. SAARELA: So in order to place any
10 obstruction in the City right-of-way, they will have to
11 sign a license agreement that says the city can
12 terminate the license for the sign to be there with 30
13 days prior notice. So if the city was to do any road
14 work, they would have to move it and be able to move it
15 back depending on what the work is, but anything that
16 needs to be done in order for the city to access the
17 public right-of-way, they would have to do that at
18 their expense.

19 Do you understand that?

20 MR. RAUBINGER: And understand we are tenants
21 at the building, Friedman Property Management.

22 MS. SAARELA: So the property management who
23 will be signing the agreement, the owner of the

1 property. So you're a lessor.

2 MR. RAUBINGER: Understood.

3 MS. SAARELA: So that's there, so just so you
4 know. I've already seen the agreement. That'll be out
5 there. So it may at some point removal, replacement,
6 relocation.

7 MR. RAUBINGER: Okay.

8 MEMBER KRIEGER: The road looks good now.
9 I'm in favor of your request.

10 MR. RAUBINGER: Thank you.

11 CHAIRPERSON PEDDIBOYINA: Thank you, Linda,
12 Any other board member?

13 Okay. It's motion time.

14 Member Thompson.

15 MEMBER THOMPSON: I move that we grant the
16 variance in case PZ23-0015 to Magna Lighting because
17 the petitioner has shown difficulty, including -- well,
18 for the sign location on the basis of being in the
19 right-of-way.

20 And you were saying we only had to do the
21 ones that applied to it. To me it would be that the
22 grant of relief would be offset by other improvements
23 or actions such as increased setbacks or increased

1 landscaping, such the net effect will result in
2 improvement of the property or project or if the city
3 needs to use it because the sign is in the
4 right-of-way.

5 The grant of relief will not result in the
6 use of structure -- well, that is not one of the ones
7 that go to it. The only other one that went to it I
8 thought was B, that the failure to grant relief will
9 unreasonably prevent or limit the use of the property
10 and result in sustainably more than inconvenience or
11 inability to obtain a higher economic or financial
12 return because you're trying to route traffic to the
13 right way and put people in the right spot. And
14 because of that, I am in favor of it.

15 MEMBER KRIEGER: Second.

16 CHAIRPERSON PEDDIBOYINA: Thank you.

17 MS. WAGNER: Chairperson Peddiboyina?

18 CHAIRPERSON PEDDIBOYINA: Yes, please.

19 MS. WAGNER: Member Krieger?

20 MEMBER KRIEGER: Yes.

21 MS. WAGNER: Member Longo?

22 MEMBER LONGO: Yes.

23 MS. WAGNER: Member McLeod?

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MEMBER MCLEOD: Yes.

MS. WAGNER: Member Montague?

MEMBER MONTAGUE: Yes.

MS. WAGNER: Member Sanghvi?

MEMBER SANGHVI: Yes.

MS. WAGNER: Member Thompson?

MEMBER THOMPSON: Yes.

MS. WAGNER: Motion passes.

CHAIRPERSON PEDDIBOYINA: Okay.

MR. RAUBINGER: Thank you.

MEMBER LONGO: Welcome to Novi.

CHAIRPERSON PEDDIBOYINA: Okay. Is the first case person present, anybody, PZ23-0011? Anybody, Copper Rock?

Anybody on the case PZ23-0011?

MR. MATTHEW HALL: Yup.

CHAIRPERSON PEDDIBOYINA: Okay. Go ahead.

I'll read the case number, PZ23-0011, Copper Rock Construction, 29580 Hudson Drive, north of West Road, west of West Park Drive, parcel 50-22-04-378-004. The applicant is requesting a variance from the city of Novi Zoning Ordinance from Section 5.4.3 to allow two truck docks to be located in the exterior side yards

1 off of Desoto Court. This property is zoned Light
2 Industrial, L-1.

3 Please go ahead and spell your first and last
4 name clearly for our secretary and the court reporter.

5 MR. MATTHEW HALL: Matthew Hall.

6 M-a-t-t-h-e-w, H-a-l-l.

7 MEMBER LONGO: Matthew, are you an attorney?

8 MR. HALL: No.

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

11 MR. MATTHEW HALL: Yes, sir.

12 MEMBER LONGO: Thank you.

13 CHAIRPERSON PEDDIBOYINA: Go ahead, Matthew,
14 and present your case where we can help you tonight.

15 (Document displayed.)

16 MR. MATTHEW HALL: So we're building an 8400
17 square foot footprint building for Gabriel Group, which
18 is an equipment and, basically, all things kitchen,
19 dishware supplier for restaurants.

20 Hudson Drive here, the southwest corner is
21 the main entrance to Industrial Drive and they do have
22 a need for a truck dock ever so often. One of the
23 issues with this property, just tight as far as acreage

1 goes to the industrial property, but it's a corner
2 piece so we have two forty-foot front yard setbacks
3 here to work with it. And then we're also required to
4 connect up with this neighboring parking lot here.

5 And the way their packing lot is shaped, we
6 configured this was the only shot that was left. So
7 there's no shared access.

8 So we're looking at a truck dock in
9 Industrial Drive as many of the other buildings do. So
10 we wanted to keep the front of the building oriented
11 towards the main entrance and try to hide them as much
12 as possible, just keeping it kind of in the side yard
13 as much as we could.

14 And then we also have 50 feet within the
15 setback. So his trucks that he uses are 40-foot
16 trailers from Old Dominion, typically. So our goal was
17 to have, when the trucks were in the dock, that those
18 were also in the setback as well and that there would
19 be no truck or trailer within the setback or in the
20 right-of-way while in use, although rare.

21 (Document displayed.)

22 MR. MATTHEW HALL: And I have a colored
23 rendering as well just to show some of the landscape

1 around. And then it's going to be pretty well hidden
2 from view, especially as this is the main entrance
3 there.

4 CHAIRPERSON PEDDIBOYINA: Anything else?

5 MR. MATTHEW HALL: I think that's all I got,
6 unless you have any questions.

7 CHAIRPERSON PEDDIBOYINA: Thank you for the
8 presentation.

9 From the City.

10 MR. ALAN HALL: Yes. I have a question for
11 the applicant. The truck dock, there's two area for
12 trucks there. Is there one that has a dock number and
13 the other one is the grade or how does that work?

14 MR. MATTHEW HALL: Correct. One is just an
15 overhead door at grade.

16 MR. ALAN HALL: And the grade is for queue
17 trucks or what do you perceive?

18 MR. MATTHEW HALL: Yes. Just box trucks,
19 vans going in and out. Some of the stuff is like
20 plates and dishware and stuff like that. It's not
21 always coming in a semi thing.

22 MR. ALAN HALL: Nothing is going to be
23 stored, like sitting there for a while?

1 MR. MATTHEW HALL: Correct.

2 MR. ALAN HALL: So there will be a time
3 limit?

4 MR. MATTHEW HALL: Yeah. They will not have
5 any company trucks there all day long or overnight. So
6 the only use is going to be shipping and receiving,
7 where a truck comes in, immediately loads or unloads,
8 and then out.

9 MR. ALAN HALL: The site is a corner lot and
10 is unique and we have no objection. So I'm here for
11 questions. Thank you.

12 CHAIRPERSON PEDDIBOYINA: Okay. From the
13 correspondence?

14 MEMBER LONGO: We mailed out 22, two were
15 returned. One was an approval by Scott Gabriel and he
16 just approved.

17 CHAIRPERSON PEDDIBOYINA: Okay. Thank you,
18 Secretary.

19 Anybody in the audience who would like to
20 speak on the case today?

21 MEMBER SANGHVI: Nobody's there.

22 CHAIRPERSON PEDDIBOYINA: Okay. Looks like
23 none.

1 Go ahead. It's motion time. Board members.

2 Yes, Dr. Sanghvi.

3 MEMBER SANGHVI: I came and visited your
4 place. I see Desoto and all that. You've got two
5 front lots and very hard to put anything in any other
6 way, so I can understand your problem. And you need
7 enough room for the trucks to turn around in that
8 corner, so I understand the difficulty you're having.
9 So I can support your request for the variance. Thank
10 you.

11 CHAIRPERSON PEDDIBOYINA: Thank you, Dr.
12 Sanghvi.

13 MEMBER LONGO: I have a question for Alan.
14 They're asking for a variance for two truck docks.
15 With the ordinances there are no truck docks or --

16 MR. ALAN HALL: Its just the location.

17 MEMBER LONGO: Okay. And the City is fine
18 with this?

19 MR. ALAN HALL: That's correct.

20 MEMBER LONGO: I'm going to approve I think.

21 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.

22 Any other board member?

23 Okay. Make the motion.

1 MEMBER MONTAGUE: I move that we grant the
2 variance in Case PZ23-0011. The variance to allow two
3 truck docks to be located in the exterior side yards.
4 Without the variance, the petitioner will be
5 unreasonably prevented or limited in use of the
6 property because his business requires the use of
7 trucking and truck docks. The property is unique
8 because it has two front yards with the appropriate
9 setbacks. It's a tight lot relative to this use due to
10 the truck maneuvering that's required. The petitioner
11 did not create the condition because of the existing
12 piece of the property that he is building on. The
13 relief granted will not unreasonably interfere with the
14 adjacent and surrounding properties because it is
15 consistent, I think, with what's going on in that area.
16 The landscaping, he's done a nice job of putting in a
17 lot of landscaping to screen it.

18 It's shipping only. There will be no outside
19 storage, so that will keep it from interfering. The
20 relief is consistent with the spirit and intent of the
21 ordinance because it is consistent with the area and it
22 allows for the commercial needs for this business.

23 MEMBER SANGHVI: Second.

1 CHAIRPERSON PEDDIBOYINA: Okay. Anita?

2 MS. WAGNER: Chairperson Peddiboyina?

3 CHAIRPERSON PEDDIBOYINA: Yes, please.

4 MS. WAGNER: Member Krieger?

5 MEMBER KRIEGER: Yes.

6 MS. WAGNER: Member Longo?

7 MEMBER LONGO: Yes.

8 MS. WAGNER: Member McLeod?

9 MEMBER MCLEOD: Yes.

10 Ms. WAGNER: Member Montague?

11 MEMBER MONTAGUE: Yes.

12 MS. WAGNER: Member Sanghvi?

13 MEMBER SANGHVI: Yes.

14 MS. WAGNER: Member Thompson?

15 MEMBER THOMPSON: Yes.

16 MS. WAGNER: Motion passes.

17 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.

18 Good luck to you.

19 MR. HALL: Thank you, guys. Appreciate it.

20 CHAIRPERSON PEDDIBOYINA: I think we did all
21 the cases. Any other matters before I adjourn the case
22 tonight?

23 Okay. Somebody make a move to adjourn.

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MEMBER SANGHVI: I make a motion to adjourn
the meeting.

MEMBER KRIEGER: Second.

CHAIRPERSON PEDDIBOYINA: All in favor.

THE BOARD: Aye.

CHAIRPERSON PEDDIBOYINA: Any nays?

Okay. Thank you.

(At 7:44 p.m., meeting adjourned.)

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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 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-five (45) typewritten pages, is a true and correct transcript of my said stenographic notes.

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

May 17, 2023
(Date)