

REGULAR MEETING - ZONING BOARD OF APPEALS

CITY OF NOVI

TUESDAY, AUGUST 11, 2020, 7:00 P.M.

VIRTUAL MEETING VIA ZOOM

BOARD MEMBERS:

Joe Peddiboyina, Chairperson

Kevin Sanker, Vice Chairperson

Linda Krieger

Siddharth Mav Sanghvi

Michael Longo

Clift Montague

Ramesh Verma

ALSO PRESENT:

Elizabeth Saarela, City Attorney

Lawrence Butler, Comm. Development, Dep. Director

Katherine Opperman, Recording Secretary

Reported by:

David B. Yarbrough, Certified Shorthand Reporter

Transcribed by:

Darlene K. May, Certified Shorthand Reporter

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Novi, Michigan
Tuesday, August 11, 2020
7:00 p.m.

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CHAIRPERSON PEDDIBOYINA: Good evening,
everybody. And welcome to the Novi Zoning Board of
Appeals. Today is Tuesday, August 11, 7:00 p.m.
And, Katherine, can you please call for the
roll call.

MS. OPPERMAN: Yes. Certainly.

All right. Member Krieger?

MEMBER KRIEGER: Present.

MS. OPPERMAN: Member Longo?

MEMBER LONGO: Here.

MS. OPPERMAN: Member Montague?

MEMBER MONTAGUE: Here.

MS. OPPERMAN: Chairperson Peddiboyina?

CHAIRPERSON PEDDIBOYINA: Yes, ma'am.

MS. OPPERMAN: Member Sanker?

(No response.)

MS. OPPERMAN: He is not present yet.

Member Sanghvi is also currently absent.

Member Thompson is absent, excused.

1 Member Verma?

2 MEMBER VERMA: Yes, present.

3 MS. OPPERMAN: Excellent.

4 CHAIRPERSON PEDDIBOYINA: We have enough
5 quorum, Katherine?

6 MS. OPPERMAN: Yes, we do.

7 CHAIRPERSON PEDDIBOYINA: Oh, sounds good.
8 Thank you so much.

9 Thank you, Katherine, for this. All right.
10 We have a board and enough for a quorum. Public
11 hearing format and rules and conduct are not to -- to
12 just have your phones to be turned off, you know,
13 whenever you call. And please mute your Zoom call so
14 that when you talk, you can unmute. Make sure.
15 Otherwise, you talk, also we don't listen.

16 And also any applicant and people on the
17 panel, any member also, they can raise their hand. Our
18 acting secretary, Katherine, can watch you and she can
19 unmute you and she can take that off your thing.

20 And we have a public meeting. Where on each
21 call anyone can make any remarks. It is on television
22 at home and people can watch. Once you call your case,
23 you can speak out. And there is no podium right now.

1 And you will show up on the computer and the people at
2 home as well can watch.

3 And the people who come to state, please
4 raise your hand. If you're not an attorney, for the
5 board person, you can spell first and last name. And
6 speak very slowly so that our court records -- you
7 know, she can also record in steno while it is
8 recording. They can hear properly and clearly. Please
9 slowly spell first and last name clearly. And if
10 you're not an attorney, you have to be sworn by our
11 secretary.

12 And then we have an agenda tonight. We have
13 a total of three cases. Katherine, am I right?

14 MS. OPPERMAN: Sorry. Could you repeat that,
15 Joe?

16 CHAIRPERSON PEDDIBOYINA: We have three
17 cases, no? Three?

18 MS. OPPERMAN: Yes. Correct.

19 Also, if I could interrupt, it looks like
20 Member Sanghvi may have mistakenly joined as an
21 attendee. I'm not sure if he needs to be -- nope, he
22 just left. Looks like he's joining now actually.

23 CHAIRPERSON PEDDIBOYINA: Yes, once he joins

1 you can see.

2 And the approval of the agenda, are there are
3 any changes for the approval of the agenda?

4 Any board members or anything?

5 There is none. All right. We can move the
6 agenda. Somebody can move the agenda for today?

7 MEMBER VERMA: So moved.

8 MEMBER KRIEGER: I second.

9 CHAIRPERSON PEDDIBOYINA: Thank you so much
10 Ramesh and Linda for moving motion for the agenda
11 tonight.

12 And coming to the meeting minutes for the
13 July 2020. Any changes? Do you have a motion?

14 MEMBER KRIEGER: Wait a second.

15 CHAIRPERSON PEDDIBOYINA: Somebody can
16 make --

17 MEMBER KRIEGER: Joe?

18 CHAIRPERSON PEDDIBOYINA: -- a motion?

19 MEMBER KRIEGER: Joe?

20 MEMBER VERMA: I move.

21 CHAIRPERSON PEDDIBOYINA: Yeah?

22 MEMBER VERMA: I move.

23 MEMBER KRIEGER: On page 46, line 17, I said

1 "Right of a homeowner."

2 CHAIRPERSON PEDDIBOYINA: Okay.

3 MEMBER KRIEGER: They didn't have "homeowner"
4 in there.

5 CHAIRPERSON PEDDIBOYINA: Can you make a
6 note, Katherine?

7 MS. OPPERMAN: Repeat what the correction
8 would be one more time for me, Linda?

9 MEMBER KRIEGER: The word that was left out
10 is "homeowner."

11 MS. OPPERMAN: All right.

12 CHAIRPERSON PEDDIBOYINA: Left out. Okay.
13 Thank you, Linda. I appreciate for the correction
14 point. I appreciate that. Thank you so much.

15 And, Ramesh Verma moved the motion and Linda
16 the second. Am I right?

17 MEMBER KRIEGER: Sure.

18 MEMBER VERMA: Yes.

19 CHAIRPERSON PEDDIBOYINA: Okay. Thank you
20 for the July meeting minutes. Approved.

21 Anybody wants to -- any nays?

22 Everybody say "Aye."

23 MEMBER KRIEGER: Aye.

1 CHAIRPERSON PEDDIBOYINA: Thank you.

2 And the chairperson can move on that. Okay.

3 We have approval of last month meetings.

4 And public remarks, I would like to call for

5 the public remarks. Anyone have anything regarding

6 other than the cases, have something for the ZBA

7 tonight, you can come and state. We'll give you a few

8 minutes. Raise your hand. Our acting secretary,

9 Katherine, can watch you and you can make a note.

10 This is the time for the remarks for the

11 public.

12 MS. OPPERMAN: I don't see any public raising

13 their hands currently.

14 CHAIRPERSON PEDDIBOYINA: Okay. Sounds good.

15 Thank you so much for that public hearing indicating no

16 remarks for tonight.

17 And let's move on, then, to the first case.

18 I have the case number PZ20-0022, Robert Cummings slash

19 Jim Ascencio, A-s-c-e-n-c-i-o, Maudlin Street, west of

20 Old Novi Road and south of South Lake Drive, Parcel

21 Number 50-22-03-453-011. The applicant is requesting

22 the variance from the Novi Zoning Ordinance Section

23 3.1.5 for a 9-foot variance for 16-foot aggregate total

1 side yard setback, 25 feet required. A four percent
2 increase of lot coverage for a total proposed lot
3 coverage of 29 percent, 25 percent allowed by code.

4 These variances will accommodate the building
5 of a new home. This property is zoned single family
6 residential, R-4. This case was originally heard July
7 14 and now it is tabled.

8 The applicant is present, please?

9 MS. OPPERMAN: Pardon me, Joe. There was an
10 amendment to the agenda. I'm not sure maybe if you're
11 looking at the older version. They are now requesting
12 lesser variances. The only variance they are
13 requesting is from section 3.1.5 for a separate
14 variance for a 21-foot aggregate total side yard
15 setback, 25 feet required.

16 CHAIRPERSON PEDDIBOYINA: Oh, 21 feet?

17 MS. OPPERMAN: 21 feet is now what they're
18 requesting. So a four foot variance.

19 CHAIRPERSON PEDDIBOYINA: Okay. Four feet
20 variance. Sounds good, thank you.

21 Is the applicant is present, please?

22 (No response.)

23 CHAIRPERSON PEDDIBOYINA: Call one more time.

1 Is the applicant present, please?

2 MS. OPPERMAN: That would be you,
3 Mr. Cummings.

4 MR. CUMMINGS: Oh, I am present, sir. Robert
5 Cummings.

6 CHAIRPERSON PEDDIBOYINA: All right. Thank
7 you, Robert. I appreciate it. Sounds good. And we
8 can move on that. Are you an attorney? If you're not
9 an attorney, take the oath for the secretary for the
10 court record.

11 Katherine, can you please take it?

12 MS. OPPERMAN: All right. Mr. Cummings,
13 could you please state your first and last name for our
14 court reporter?

15 MR. CUMMINGS: Yes. My first name is Robert,
16 R-o-b-e-r-t. Last name Cummings, C-u-m-m-i-n-g-s.

17 MS. OPPERMAN: Thank you. And do you swear
18 or affirm to tell the truth in the case before you?

19 MR. CUMMINGS: Yes, I do.

20 MS. OPPERMAN: Excellent.

21 CHAIRPERSON PEDDIBOYINA: Thank you.

22 Thank you, Katherine.

23 Thank you so much, Robert. I appreciate.

1 And you can move and you can present your case, sir.

2 Thank you.

3 MR. CUMMINGS: Thank you. Mr. Chairman,
4 board members, city officials and neighbors, I wanted
5 to thank you for your time tonight on this project.
6 We'll be reviewing the time from last July until
7 tonight.

8 My name is Robert Cummings. I am
9 representing Jim Ascencio for this matter on Lot 46,
10 Idamel Park (ph).

11 Tonight I will show how we listened to all
12 the persons that I mentioned and we will deliver a plan
13 to build a residential home taking all into
14 consideration. Tonight we are here requesting one
15 variance. And that is 25 foot total, two sides. We
16 have lowered our request from nine feet to four feet in
17 that area. That is a 125 percent lower request. We
18 have placed the house as central as possible. We have
19 10 feet on the south side of the property and 11 feet
20 on the north side of the property line.

21 Discussed last time was a garage issue and I
22 hope that persons will consider in the city of Novi a
23 garage as an aesthetic. It's a place to store your

1 snow blower, lawnmower and garbage cans. There are
2 garages in close neighbors at 118, 124 and 133 Maudlin.

3 We have submitted within the last, late July,
4 our new drawings where we have went from a basement to
5 a crawl space. With this, our overdig will be as
6 minimum as possible and also this will be less
7 disturbance to any tree area on the south side of the
8 project. We are hiring a builder that has been
9 building in the city in the area for over 30 years.
10 His name is Matt Thurber of Evergreen Development. And
11 I am sure that the highest percentage of people that
12 work in the building department will give him a high
13 grade.

14 There was some communication of water
15 drainage in our last meeting and the new survey that
16 was submitted in late July will show that all the water
17 will drain to the back of the east part of the
18 property.

19 In letters of opposition from our July
20 meeting, there was in discussion with neighbors six
21 individuals who had presented letters. They were
22 133 Maudlin, Victorian Garden business, Sherman Builder
23 business, Dynamic Wall business, 118 Maudlin and

1 130 Maudlin. They stated that they were not happy with
2 four feet from the south property line to the house.
3 We are not asking for any variance of that area because
4 we meet the setback and, again, our distance is 10 feet
5 from the south property line.

6 In a letter, a neighbor had communicated that
7 the deer and the cranes could not have ample space to
8 pass. Well, there's going to be at least 50 feet on
9 the east and the west side of the property, with 25
10 feet on the north and south. And I think we all can
11 reasonably agree that deers and cranes will have room
12 to roam freely.

13 We have spoken with the neighbor to the north
14 at 123 Maudlin and he has told me he is in favor of our
15 project. He has told me that in the last week he has
16 submitted a letter and in that letter he will tell of
17 how our project will beautify the street of Maudlin.
18 And in a conversation, a brand new home will grace and
19 beautify the street and it will add property values to
20 the neighborhood. I want to thank everyone for your
21 time this evening.

22 CHAIRPERSON PEDDIBOYINA: Thank you very
23 much, Robert. A nice presentation.

1 Is there anybody who would like to speak on
2 behalf of you on this case?

3 (No response.)

4 CHAIRPERSON PEDDIBOYINA: Robert?

5 MR. CUMMINGS: Say that again, sir.

6 CHAIRPERSON PEDDIBOYINA: Is there anybody
7 else who would like to speak on this case?

8 MR. CUMMINGS: No, sir.

9 CHAIRPERSON PEDDIBOYINA: No. Okay. Thank
10 you so much.

11 Secretary Katherine, would anybody ...

12 Okay. Thank you for that. And let's move on
13 to the first case regarding the person.

14 From the City, Larry, anything?

15 MR. BUTLER: There's no comments from the
16 City at this time. Standing by for questions.

17 CHAIRPERSON PEDDIBOYINA: Okay. And
18 Katherine, any correspondence?

19 MS. OPPERMAN: Certainly. We sent out a
20 second mailing as a courtesy to the neighbors. There
21 were 52 letters sent. Two returned. We did receive
22 one disapproval. Objection rather. From the neighbor
23 at 133 Maudlin once more just stating they're still

1 very concerned of the tree line and extremely concerned
2 with drainage issues. They ask that, you know, please
3 build a house that follows the rules. And that she
4 believes that a suitable house can be built that still
5 follows the rules created by the City.

6 That was Tina Ziegler at 133 Maudlin.

7 CHAIRPERSON PEDDIBOYINA: Okay. Thank you
8 very much, Katherine.

9 And thank you, Mr. Larry, for the
10 communication.

11 Anybody for public remarks? Anybody you can
12 see on this, Katherine?

13 MS. OPPERMAN: I don't see that anyone's
14 raising their hands.

15 CHAIRPERSON PEDDIBOYINA: Okay, sounds good.
16 Thank you so much.

17 And okay, let me put it on the board and see.
18 And then I'll speak on the case. It's open to the
19 board if anybody would like to speak on this case,
20 please, you can talk. It's open for the board.

21 Linda, are you there?

22 Linda?

23 Is she muted or what?

1 MEMBER KRIEGER: Yeah, I'm muted, sorry.

2 CHAIRPERSON PEDDIBOYINA: Okay, you can talk.

3 With everybody else we cannot hear, board
4 members, you know, mute your mic now, please. Thank
5 you.

6 MEMBER KRIEGER: I appreciate the new input
7 and I'm waiting to hear from other board members.

8 CHAIRPERSON PEDDIBOYINA: Sounds good, thank
9 you.

10 Okay, anybody else on the board members,
11 please?

12 MEMBER SANGHVI: Yes. Mr. Chair?

13 CHAIRPERSON PEDDIBOYINA: Oh, welcome, Mav.
14 Thank you so much. Your comment?

15 MEMBER SANGHVI: I would like to compliment
16 Mr. Cummings for getting together with the neighbors
17 and getting some feedback and improving the plans he
18 had presented previously. I also note the reduction in
19 the requirement of the setbacks also. So I think now I
20 have reached a point that I can support this project.
21 Thank you.

22 CHAIRPERSON PEDDIBOYINA: Thank you, Mr. Mav
23 I appreciate it, board member.

1 Any other board member would like to speak,
2 please?

3 MEMBER MONTAGUE: Yes, I would. I appreciate
4 it also. I think that centering the house and getting
5 the setbacks more reasonable on the side. And also
6 noticed that the crawl space was turned into what I
7 would consider a crawl space. It's only five foot now
8 and not what it was before.

9 So thank you, Mr. Cummings. And to your
10 owner for listening and working this out. I think you
11 did a good job, and I would be in support of it now,
12 too.

13 CHAIRPERSON PEDDIBOYINA: Thank you so much,
14 Mr. Board Member.

15 Any other board member, please?

16 MEMBER SANKER: Yeah, I'll just make a quick
17 comment. Hey, how's it going, guys?

18 CHAIRPERSON PEDDIBOYINA: Okay, go ahead,
19 please.

20 MEMBER SANGHVI: Yeah, well, I just want to
21 reiterate what the previous board members have said. I
22 think the petitioner did a lot of work and was very
23 considerate of listening to the neighbors and trying to

1 get in compliance with the zoning code. And I think,
2 you know, with the small -- or the narrow lot size and
3 the very small four-foot variance requested, I would
4 easily support this.

5 And that's really all I have to say about it.

6 CHAIRPERSON PEDDIBOYINA: Thank you, Board
7 Member Sanker. I appreciate it.

8 Any other board member who would like to
9 speak, please?

10 Okay. I think, seeing nobody, I'd like to
11 comment on everything.

12 Mr. Cummings, I really appreciate it. We did
13 not intend to call you again for a second time. I know
14 your reports are appreciated and what you presented in
15 your case is absolutely right.

16 And one of my board members said you're
17 coming to the common ground by making, you know, a
18 setback variance of something, whatever. And impressed
19 with the changes you made. Excellent how you have put
20 this house on that. And I agree. And one of the board
21 members said and you can -- umm. I am very happy from
22 my side. I have no objection.

23 CHAIRPERSON PEDDIBOYINA: Any board member

1 can speak on the motion on this case, please.

2 Any board member can make a motion on this,
3 please.

4 MEMBER SANKER: Yeah, I can do a motion.

5 CHAIRPERSON PEDDIBOYINA: Okay, go ahead,
6 sir. Sanker.

7 MEMBER SANKER: Yeah, I move we grant the
8 variance in case number PZ20-0022 sought by petitioner
9 for the four-foot variance which is a 21-foot aggregate
10 total side yard setback. Because the petitioner has
11 shown practical difficulty requiring this variance.

12 Without it, the petitioner is unreasonably
13 prevented or limited with respect to the use of the
14 property because he will not be able to build a house
15 of appropriate size to live in.

16 The property's unique because it's narrow.
17 The petitioner did not create the condition because he
18 purchased the property in its narrow condition or
19 narrow shape and size. And the relief granted is
20 not -- will not unreasonably interfere with adjacent or
21 surrounding properties because they centered it, the
22 structure, as much as they could in the middle of the
23 property and have used a minimum variance request in

1 order to accomplish this.

2 The relief is consistent with the spirit and
3 intent of the ordinance because it respects the
4 distance between various houses while at the same time
5 allowing a vacant lot to be built on.

6 CHAIRPERSON PEDDIBOYINA: Thank you, Member
7 Sanker. I appreciate it. And somebody can make a
8 second, please?

9 MEMBER SANGHVI: I second it.

10 CHAIRPERSON PEDDIBOYINA: Thank you, Mr. Mav.
11 I appreciate it.

12 Okay. The motion is passed unanimously.

13 I'm sorry. Katherine, call for the roll for
14 the secretary.

15 MS. OPPERMAN: Certainly. Member Krieger?

16 MEMBER KRIEGER: Yes.

17 MS. OPPERMAN: Member Longo?

18 MEMBER LONGO: Yes.

19 MS. OPPERMAN: Member Montague?

20 MEMBER MONTAGUE: Yes.

21 MS. OPPERMAN: Chairperson Peddiboyina?

22 CHAIRPERSON PEDDIBOYINA: Yes, please.

23 MS. OPPERMAN: Member Sanghvi?

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MEMBER SANGHVI: Yes.

MS. OPPERMAN: Member Sanker?

MEMBER SANKER: Yes.

MS. OPPERMAN: And Member Verma?

MEMBER VERMA: Yes.

MS. OPPERMAN: Motion passes.

CHAIRPERSON PEDDIBOYINA: Thank you so much
Katherine, I appreciate it. And motion is passed.

Good luck, Mr. Cummings, and enjoy the
property.

MR. CUMMINGS: Thank you very much.

CHAIRPERSON PEDDIBOYINA: Thank you.

MEMBER MONTAGUE: Good job, Robert.

CHAIRPERSON PEDDIBOYINA: Good job. Thank
you.

Okay. Let's move to the second case of
tonight. PZ20-0026, Freda, F-r-e-d-a, Ansara slash
Faces by Freda, F-r-e-d-a, 41460 Grand River Avenue.
West of Meadowbrook Road and north of Grand River
Avenue, parcel number 50-22-23-2- -- what is that
number? I missed it. 22 ...

Can somebody can help me? What is it,
Katherine?

1 UNIDENTIFIED MALE SPEAKER: Two three.

2 CHAIRPERSON PEDDIBOYINA: Two three. I think
3 my printer, I did not print properly on there. I'm
4 sorry about that.

5 MS. OPPERMAN: Oh, no.

6 CHAIRPERSON PEDDIBOYINA: I'm sorry?

7 MS. OPPERMAN: If you'd like, it's
8 50-22-23-228-002.

9 CHAIRPERSON PEDDIBOYINA: Okay. Somehow my
10 printing is missing there. Thank you so much,
11 Katherine. I appreciate that.

12 The applicant is requesting the variance from
13 the City of -- variance from the Novi Code of
14 Ordinance ...

15 Section again is missing.

16 Two? What is that, two?

17 MS. OPPERMAN: Dash 5(a).

18 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.

19 For the addition of one additional wall sign.
20 One 250 square feet allowed by code. This property is
21 zoned non-center commercial, NCC.

22 Is the applicant is present, please?

23 MS. ANSARA: Here.

1 CHAIRPERSON PEDDIBOYINA: Oh, thank you.
2 Thank you so much. And you can spell your first and
3 last name very slowly for our court records. And my
4 secretary can take care of that.

5 Katherine, can you please take it down?

6 MS. ANSARA: Sure. I just want to make sure
7 you can understand me. Can you hear me clearly?

8 MS. OPPERMAN: Yes.

9 MS. ANSARA: Perfect.

10 Hi, Katherine.

11 So it's Freda. F as in Frank. R as in
12 Roger. E as in Edward. D as in dog. A as in apple.
13 Last name is A as in apple. N as in Nancy. S as in
14 Sam. A as in apple. R as in Roger. A as in apple.

15 MS. OPPERMAN: Excellent. And do you swear
16 or affirm to tell the truth in the case before you?

17 MS. ANSARA: I do.

18 CHAIRPERSON PEDDIBOYINA: Okay. Thank you so
19 much, ma'am. I appreciate it. And you can present
20 your case tonight for our board members and public.
21 Thank you. This is your podium now. You can go ahead.

22 MS. ANSARA: Thank you. So, first of all, I
23 want to say thank you for taking the time to hear my

1 story. I don't know if everyone had a chance to read
2 my letter and if you know exactly what my story is.

3 But I opened up in Novi 16 years ago. I
4 started with Faces by Freda. It was a makeup and brow
5 studio. It's something that I've been doing my whole
6 life. And my main clientele was in Birmingham, but I
7 grew up here in Novi. So it was important to me to
8 kind of just -- I thought our community really needed
9 it and I just left my clientele in Birmingham and came
10 here in Novi to open up the store.

11 Long story short, I found an opportunity in
12 2010 two doors down to open up Salon Freda. So with
13 that being said, I have two of the businesses here in
14 Novi and was building a strong, global community online
15 with all the different social media platforms as well
16 as our online stores and all the different ways that we
17 can, you know, connect with clients now.

18 So with that being said, I decided to put
19 both -- just more out of convenience and control. Just
20 to put everything under one roof. So I took the salon
21 space, which is -- technically, it would have been two
22 suites, but I kept it -- I just didn't use the wall
23 separating the two business, but they are separated.

1 If you were to walk in, there's two doors. And I put
2 everything under one roof.

3 So I'm really asking for me to be able to
4 move the Faces by Freda sign over to stand over the
5 Faces by Freda door. And it's just -- it's really
6 important because we have such a huge clientele that
7 come from out of town. Not just from out of town, but
8 like other cities, surrounding areas.

9 I just took three clients today which were
10 from Chicago, Florida and Grand Rapids. And people
11 don't all know that I own Salon Freda and Faces by
12 Freda. So some people come looking just for Faces by
13 Freda or Salon Freda. So it's really important for the
14 survival of my business to have both identities on the
15 door.

16 CHAIRPERSON PEDDIBOYINA: Anything else you'd
17 like to add?

18 (Telephone ringing.)

19 MS. ANSARA: I just hope you really take into
20 consideration the importance of -- you know.

21 CHAIRPERSON PEDDIBOYINA: Can somebody can
22 mute their phone, please?

23 (Muted.)

1 CHAIRPERSON PEDDIBOYINA: Thank you.

2 I'm sorry, ma'am.

3 MS. ANSARA: Oh, that's okay. Just to please
4 take into consideration the importance of the sign
5 being over the door. That's crucial to my business.

6 CHAIRPERSON PEDDIBOYINA: Okay, thank you.
7 Anybody would like to speak on this on your behalf or
8 are you the only one person?

9 MS. ANSARA: It's just me.

10 CHAIRPERSON PEDDIBOYINA: Okay, sounds good.
11 Thank you.

12 Katherine, are you seeing any public on this
13 case; to talk on this, anybody?

14 MS. OPPERMAN: No. There's no one that's
15 raising their hand for this case.

16 CHAIRPERSON PEDDIBOYINA: Okay, sounds good.
17 Thank you so much.

18 And from the City, Larry, anything you would
19 like to speak on this case, Larry?

20 MR. BUTLER: There's no comments from the
21 City on this case. It's pretty clear. Standing by for
22 questions.

23 CHAIRPERSON PEDDIBOYINA: Okay. Sounds good.

1 Thank you so much.

2 And acting madame secretary, Katherine, can
3 you say what is the correspondence on this case,
4 please?

5 MS. OPPERMAN: Certainly. There were 37
6 letters sent out. Two were returned. No approvals and
7 no objections.

8 CHAIRPERSON PEDDIBOYINA: Thank you so much.
9 Okay. And am I pronouncing your name
10 properly, Fred-a?

11 MS. ANSARA: Freda. Yes.

12 CHAIRPERSON PEDDIBOYINA: Freda. I'm sorry.
13 Yes. Freda, thank you so much. And it's not
14 too far my house and your shop and I saw that. And you
15 have a reasonable request what you're asking. I have
16 no other thing to say. And you presented very good.
17 And you said you've grown up here and you want to show
18 the business to here in Novi. We really appreciate you
19 for that. And thank you so much.

20 So I'll open to the board members and they
21 can speak on this case, please.

22 Thank you. It's open to the board.

23 MEMBER SANGHVI: Thank you.

1 CHAIRPERSON PEDDIBOYINA: Thank you, Mr. Mav.
2 Go ahead, sir. Member.

3 MEMBER SANGHVI: I went and saw your place,
4 Freda, and really, literally, you've got two store
5 fronts. And I have no problem that you need a sign on
6 the top of the second one.

7 MS. ANSARA: Thank you.

8 MEMBER SANGHVI: Yeah. I would like you to
9 show the people what kind of a sign you are proposing
10 to put there. Which would make it easier for people to
11 understand. Thank you.

12 MS. ANSARA: Okay. Well, it's up right now.

13 MEMBER SANGHVI: I didn't want to bring it
14 up.

15 MS. ANSARA: Okay. Did you want me to -- um.

16 MEMBER SANGHVI: People at home don't know
17 what is up there. I have seen it, but I'd like
18 everybody else to know what is there.

19 If you had a photograph or an image?

20 MEMBER MONTAGUE: There is a photograph in
21 the packet.

22 MS. ANSARA: You know what?

23 MEMBER SANGHVI: I have seen it.

1 MS. ANSARA: You know what, can I ...

2 Okay, so I did send pictures. Did you not
3 receive them?

4 CHAIRPERSON PEDDIBOYINA: No, no. We have.
5 We have them.

6 MEMBER KRIEGER: Is there any way to put it
7 up for the people at home to see on our screen here?

8 MS. ANSARA: Umm, yeah, you know what? Let
9 me just ...

10 Can I walk outside?

11 MEMBER KRIEGER: Sure.

12 MS. ANSARA: All right.

13 I'll be back, girls.

14 MEMBER SANGHVI: Go ahead and show the store
15 front.

16 MS. ANSARA: Okay. It's always something new
17 and exciting happening nowadays.

18 (Demonstrating.)

19 MS. ANSARA: So can you see okay?

20 MEMBER SANGHVI: There it is.

21 MS. ANSARA: Wait, hold on. Can you see that
22 okay?

23 MEMBER SANGHVI: Yes, I do indeed.

1 MS. ANSARA: All right. So that's the
2 current location. So I'm just going to bring it
3 over here. Okay.

4 (Demonstrating.)

5 MEMBER SANGHVI: Thank you.

6 CHAIRPERSON PEDDIBOYINA: Thank you so much.

7 MEMBER SANGHVI: And if I may add, it's quite
8 aesthetically acceptable and it's quite pleasant
9 looking. And I would support this.

10 MS. ANSARA: It's where I would like to hang
11 the sign.

12 MEMBER SANGHVI: Okay. Very good. Thank
13 you.

14 MEMBER MONTAGUE: Yeah. I think that the
15 mitigating factor is she's just moving a piece of her
16 store.

17 MS. ANSARA: Right.

18 MEMBER MONTAGUE: So she's moving the sign
19 with it. That's why the sign is already up. It's not
20 that she's got it up and we're having to approve it,
21 which we've had some problems with in the past. So
22 this is a little different situation I think. So I'm
23 in support of it.

1 CHAIRPERSON PEDDIBOYINA: Okay, Mr. Mav and
2 Mr. Montague, thank you.

3 Any others?

4 MEMBER KRIEGER: Yes. Mav?

5 CHAIRPERSON PEDDIBOYINA: Okay.

6 MEMBER KRIEGER: Or, I'm sorry. Joe.

7 So there are going to be two signs? One over
8 each --

9 MS. ANSARA: Correct.

10 MEMBER KRIEGER: Right. And so it's the same
11 owner, but each store is separate so I -- I was a bit
12 confused why you'd want a second a sign because each
13 one is for each business. So I have no difficulty
14 supporting this.

15 CHAIRPERSON PEDDIBOYINA: Okay. Anybody
16 would like to speak on this case, please?

17 Thank you, Linda.

18 Any other board member, please?

19 MEMBER SANKER: I'll just share that I share
20 the same sentiments as my other fellow board members
21 who have spoken on the matter.

22 CHAIRPERSON PEDDIBOYINA: Okay. Thank you
23 Mr. Board Member Sanker.

1 Any other board member would like to speak on
2 this case, please?

3 MEMBER LONGO: I'd like to make a motion.

4 CHAIRPERSON PEDDIBOYINA: Before a motion,
5 one second please, Michael.

6 MEMBER LONGO: Sure.

7 CHAIRPERSON PEDDIBOYINA: Anybody else would
8 like to speak on this case? Let me give you a chance
9 for about two seconds.

10 MEMBER LONGO: Okay.

11 CHAIRPERSON PEDDIBOYINA: Thank you. Okay,
12 nobody's saying anything.

13 Yes, you can go ahead. It's your time,
14 Mr. Longo.

15 MEMBER LONGO: I move that we grant the
16 variance for case number PZ20-0026 sought by Freda
17 Ansara for a sign verification because the petitioner
18 has shown practical difficulty requiring signage for
19 both businesses because she markets them separately.

20 Without the variance, petitioner will be
21 unreasonably prevented or limited with respect to the
22 use of the property because she -- because it is two
23 businesses even though there's no wall between them.

1 The property is unique because Freda is in
2 two units, but with no wall. It is deemed by Novi as
3 one business. The petitioner did not create the
4 condition because she is leasing two units, but they
5 are tangent.

6 The relief granted will not unreasonably
7 interfere with the adjacent or surrounding properties
8 because all other units have their own sign and it
9 appears to be very ...

10 MEMBER KRIEGER: Oh, we lost you.

11 CHAIRPERSON PEDDIBOYINA: Member Longo?

12 (No response.)

13 CHAIRPERSON PEDDIBOYINA: Member Longo?

14 Can you hear us? We can't hear you. Maybe
15 it's muted.

16 MEMBER LONGO: What did you say?

17 MS. OPPERMAN: Oh, I think we can hear him.

18 Can you start again from D, "The relief
19 granted will not unreasonably interfere."

20 MEMBER LONGO: I would be happy to.

21 D, the relief granted will not unreasonably
22 interfere with the adjacent or surrounding properties
23 because all the other units have their own signage.

1 The relief is consistent with the spirit and
2 intent of the ordinance because it is two signs for two
3 businesses.

4 CHAIRPERSON PEDDIBOYINA: Thank you, Member
5 Longo and somebody can make a second?

6 MEMBER KRIEGER: I'll second.

7 CHAIRPERSON PEDDIBOYINA: Okay. Thank you,
8 Linda.

9 And Katherine, can you please call for the
10 roll?

11 MS. OPPERMAN: Certainly. Member Verma?

12 MEMBER VERMA: Yes.

13 MS. OPPERMAN: Member Sanker?

14 MEMBER SANKER: Yes.

15 MS. OPPERMAN: Member Sanghvi?

16 MEMBER SANGHVI: Yes.

17 MS. OPPERMAN: Chairperson Peddiboyina?

18 CHAIRPERSON PEDDIBOYINA: Yes, please.

19 MS. OPPERMAN: Member Montague.

20 MEMBER MONTAGUE: Yes.

21 MS. OPPERMAN: Member Longo?

22 MEMBER LONGO: Yes.

23 MS. OPPERMAN: And Member Krieger?

1 MEMBER KRIEGER: Yes.

2 MS. OPPERMAN: Motion passes.

3 MEMBER KRIEGER: Congratulations.

4 MS. ANSARA: Oh, my god, you guys. Thank you
5 so much.

6 CHAIRPERSON PEDDIBOYINA: Thank you and good
7 luck for your business, ma'am.

8 MS. ANSARA: Thank you so much. Is this
9 where I exit now?

10 MS. OPPERMAN: You do.

11 CHAIRPERSON PEDDIBOYINA: Yeah. You can.

12 MEMBER KRIEGER: Yup.

13 MS. ANSARA: Thank you so much. God bless
14 you all.

15 MEMBER KRIEGER: You, too.

16 MS. ANSARA: Thank you.

17 CHAIRPERSON PEDDIBOYINA: Case number -- our
18 final case tonight, P20-0027, Jodi Middleton, 123
19 Charlotte Street, west of Old Novi Road and south of
20 South Lake Drive, parcel 50-22-03-483-005.

21 The applicant is requesting the variance from
22 the City of Novi Zoning Ordinance Section 5.11 to allow
23 for the installation of a fence in the front yard

1 setback of a corner lot. Fence shall not extend toward
2 the front of the property nearer than the minimum front
3 yard setback distance by code. The property is zoned
4 single family residential, R-4.

5 If the applicant is there, please?

6 MS. MIDDLETON: Yes, I am here.

7 CHAIRPERSON PEDDIBOYINA: Oh, thank you,
8 ma'am. I appreciate it. Okay. And you are present.

9 Okay. You know what you're watching. What
10 you're doing, and you can now talk to my secretary and
11 say, you know, first and last name for our court
12 records very slowly.

13 And Katherine, can you take care of this one,
14 please?

15 MS. MIDDLETON: Yeah, it's Jodi, J-o-d-i,
16 Middleton, M-i-d-d-l-e-t-o-n.

17 MS. OPPERMAN: And do you swear or affirm to
18 tell the truth in the case before you?

19 MS. MIDDLETON: Yes, I do.

20 MS. OPPERMAN: Thank you.

21 CHAIRPERSON PEDDIBOYINA: Thank you,
22 Katherine. I appreciate it.

23 And Jodi, this is your time. And you can

1 present your case clearly so that we can understand and
2 we can take the decision what we need to do next.

3 Thank you.

4 MS. MIDDLETON: So I submitted a letter and
5 the biggest thing is is the amount of traffic that we
6 are seeing due to the fact that the Walled Lake park
7 has shut down and the Novi park is closed. And on the
8 weekends, there is literally 12 to 15 cars parked up
9 and down my street. I have no privacy. I -- nothing
10 at all.

11 I mean, there's people everywhere. And when
12 I did the fence, there was already a fence when I
13 bought the house. So I didn't think that it was an
14 issue and I used the existing poles of the fence that
15 was there already. So I didn't think -- I didn't even
16 think that I had to get a permit or, you know, I had to
17 go through the City to rebuild the fence. I just made
18 the fence better than what it was before.

19 CHAIRPERSON PEDDIBOYINA: Okay. Any other
20 thing you would like to add, Jodi?

21 MS. MIDDLETON: No, no. It's just mainly the
22 amount of traffic due to the amount of people at the
23 park. It's, umm -- it's very overwhelming and it's,

1 umm -- I just wanted a little bit of privacy and that's
2 why we decided to build the fence.

3 CHAIRPERSON PEDDIBOYINA: Okay. Thank you so
4 much. Anybody would like to speak on this case on
5 behalf of you Jodi at this time?

6 You're the only one? Person?

7 (No response.)

8 CHAIRPERSON PEDDIBOYINA: Okay. And
9 Katherine, anybody in the public remarks? Anybody's
10 raising any hands on the Zoom call?

11 MS. OPPERMAN: No, there are no hands being
12 raised at this time.

13 CHAIRPERSON PEDDIBOYINA: Okay. That sounds
14 good.

15 And okay from the City, any, anything?

16 MR. BUTLER: No comments from the City. Just
17 due to the fact that a fence was existing and that they
18 rebuilt it to make it look good. It would probably be
19 a bit of a hardship if the fence had to come down due
20 to the amount of traffic that she's dealing with. No
21 additional comments.

22 CHAIRPERSON PEDDIBOYINA: Thank you very
23 much, Larry. I appreciate for your time.

1 And our acting secretary, Katherine, any
2 correspondence on this case, please?

3 MS. OPPERMAN: Yes. There were 36 letters
4 sent out. One returned and one approval. The approval
5 was just a simple circling of the approval by Adrian
6 and Peter Elliot at 1988 Austin.

7 CHAIRPERSON PEDDIBOYINA: Okay. Thank you so
8 much, Katherine. I appreciate for your time. Very
9 good.

10 And, yeah, Jodi, again, I saw your property
11 and the people, whatever it is with this pandemic
12 situation, too much traffic due to the shutdown of the
13 park. And you mentioned -- and I know, I can
14 understand your privacy and those things. And let us
15 put on this board and let me take the decision.

16 It's open to the board members.

17 MEMBER KRIEGER: I also drove by your house
18 and it looks like it's two fronts. You've got the
19 front yard and then the other side where the fence is
20 at also could be regarded as a front yard. But because
21 you had the previous fence and used the same posts and
22 it looks well, I have no problem supporting it.

23 MS. MIDDLETON: Thank you.

1 CHAIRPERSON PEDDIBOYINA: Thank you very
2 much, Linda.

3 Any other member would like to speak on this
4 case, please?

5 MEMBER SANGHVI: Yes, Mr. Chair.

6 CHAIRPERSON PEDDIBOYINA: Thank you,
7 Mr. Member Mav. Go ahead, sir.

8 MEMBER SANGHVI: Well, I went and visited the
9 place. I drove around and this is a corner lot at
10 Austin and Hall (ph) Road and the privacy problem is
11 probably likely to get worse once the Lakeshore Park is
12 open also. So I understand her dilemma and I support
13 her application for a variance, thank you.

14 CHAIRPERSON PEDDIBOYINA: Thank you, Member
15 Mav, appreciate it.

16 And any other board member would like to
17 speak, please?

18 Mr. Sanker? Member Sanker?

19 Montague?

20 Mr. Longo?

21 Mr. Verma?

22 MEMBER SANKER: I'll just make a quick
23 comment in that I'd be in support of it, you know,

1 primarily because she just rebuilt what was already
2 there and so I'd be in support of approving the
3 variance.

4 CHAIRPERSON PEDDIBOYINA: Thank you, Member
5 Sanker.

6 MEMBER LONGO: I'd like to get clarification
7 probably from Larry Butler. You know, she has her
8 front yard and the fence is not in what I would call
9 the front yard, which is facing the lake and the front
10 door and her bench and so forth. This is on what she
11 probably considers her side yard. But since there's a
12 road there, we consider that as frontage; is that
13 correct?

14 MR. BUTLER: That is correct. That would be
15 considered two front yards.

16 MEMBER LONGO: Yeah. And, furthermore, she
17 doesn't have to get a permit. We've been through this
18 before. But I can see where you would get confused
19 because you would think that that's her side yard.
20 Furthermore, she's replacing the fence. I have no
21 problems supporting this.

22 CHAIRPERSON PEDDIBOYINA: Thank you,
23 Mr. Member Longo. I appreciate for your time. Thank

1 you.

2 Any other member, please?

3 Member Montague? Are you there?

4 MEMBER MONTAGUE: Yes. I agree with
5 everything they said. It was an existing situation and
6 therefore she didn't -- she thought she was replacing
7 it. So the misunderstanding of putting it in place
8 before asking for the variance I think is excusable.

9 CHAIRPERSON PEDDIBOYINA: Okay. Montague,
10 are you speaking?

11 Hello? Hello?

12 Member Montague, are you there?

13 MS. OPPERMAN: We can still hear you, Joe.
14 It looks like your video is off, but no one else is
15 speaking currently.

16 CHAIRPERSON PEDDIBOYINA: Oh, okay. Members,
17 I'm sorry. Because why I mentioned names because this
18 Zoom call, sometimes, you know, you guys want to talk
19 so it might be muted. So that's where I'm waiting on
20 you guys intentionally. I don't want to call each by
21 name. I hope you guys understand. That's all.

22 Thank you so much. And, okay, it's the
23 motion time. Somebody can make a motion, please?

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MEMBER KRIEGER: I'll make a motion.

CHAIRPERSON PEDDIBOYINA: Thank you, Linda.

MEMBER KRIEGER: I move that we grant the variance in case number about PZ20-0027 sought by the petitioner for practical difficulty requiring the replacement of the fence in the side yard. Which it's set as a front yard, but it's really a side yard because it's on a corner lot.

Without the variance petitioner will be unreasonably prevented or limited with respect to the use of her property because of it being on two -- a corner lot and the amount of traffic that is increased in the area.

The property is unique because it's on this corner and there was already a fence in place with posts, which she used to replace the fence. And she did not create the condition because this property was, umm -- the home was placed this way.

And the relief granted will not unreasonably interfere with adjacent or surrounding properties because it is on a corner lot. It is matching with surrounding properties and consistent with the spirit and intent of the ordinance because it's a minimum

1 request and she did not intentionally put up a fence
2 without a request.

3 CHAIRPERSON PEDDIBOYINA: Somebody can make a
4 second, please?

5 MEMBER SANGHVI: Second.

6 CHAIRPERSON PEDDIBOYINA: Thank you, Member
7 Mav, I appreciate it.

8 And thank you, Linda.

9 And okay, our secretary, Katherine, can you
10 roll call, please?

11 MS. OPPERMAN: Certainly. Member Krieger?

12 MEMBER KRIEGER: Yes.

13 MS. OPPERMAN: Member Longo?

14 MEMBER LONGO: Yes.

15 MS. OPPERMAN: Member Montague?

16 MEMBER MONTAGUE: Yes.

17 MS. OPPERMAN: Chairperson Peddiboyina?

18 CHAIRPERSON PEDDIBOYINA: Yes, please.

19 MS. OPPERMAN: Member Sanghvi?

20 MEMBER SANGHVI: Yes.

21 MS. OPPERMAN: Member Sanker?

22 MEMBER SANKER: Yes.

23 MS. OPPERMAN: And Member Verma?

1 MEMBER VERMA: Yes.

2 MS. OPPERMAN: Motion passes.

3 CHAIRPERSON PEDDIBOYINA: Thank you, ma'am.
4 And good luck.

5 MS. MIDDLETON: Thank you guys so much. I
6 appreciate you.

7 CHAIRPERSON PEDDIBOYINA: Any other matters
8 for tonight before adjourning the meeting?

9 MS. MIDDLETON: No. We're all good. Thank
10 you so much. I appreciate everything you've done.

11 CHAIRPERSON PEDDIBOYINA: Not you, ma'am.
12 You are done. Jodi, you are all done. Thank you.

13 MS. MIDDLETON: Cool. Very good. Take
14 care.

15 CHAIRPERSON PEDDIBOYINA: Okay, Members, any
16 other matters for today before I adjourn the meeting?

17 MEMBER SANGHVI: No. Move to adjourn the
18 meeting.

19 MEMBER VERMA: Second.

20 CHAIRPERSON PEDDIBOYINA: All right. All say
21 "Aye."

22 THE BOARD: Aye.

23 CHAIRPERSON PEDDIBOYINA: Okay. Any nays?

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Okay. Meeting is adjourned. And thank you
so much. Thank you.

(At 7:47 p.m., hearing 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-six (46) 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,
RMR, CRR

July 30, 2020
(Date)