

REGULAR MEETING - ZONING BOARD OF APPEALS

CITY OF NOVI

TUESDAY, FEBRUARY 13, 2018 7:00 P.M.

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

BOARD MEMBERS:

Cindy Gronachan, Chairperson

Brent Ferrell, Secretary

David M. Byrwa

Joe Peddiboyina

Linda Krieger

Thomas Nafso

Samuel Olsen

ALSO PRESENT:

Thomas R. Schultz, City Attorney

Lawrence Butler, Comm. Development, Dep. Director

Katherine Opperman, Recording Secretary

Reported by:

Darlene K. May, Certified Shorthand Reporter

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Novi, Michigan

Tuesday, February 13, 2018

7:00 p.m.

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CHAIRPERSON GRONACHAN: Good evening. And welcome to the City of Novi Zoning Board of Appeals February 2017 (sic) meeting.

Would you please stand for the Pledge of Allegiance.

(Pledge of Allegiance.)

CHAIRPERSON GRONACHAN: Thank you.

Katherine, would you please call the roll.

MS. OPPERMAN: Member Byrwa?

MEMBER BYRWA: Here.

MS. OPPERMAN: Member Ferrell?

MEMBER FERRELL: Here.

MS. OPPERMAN: Member Gronachan?

CHAIRPERSON GRONACHAN: Here.

MS. OPPERMAN: Member Krieger?

MEMBER KRIEGER: Here.

MS. OPPERMAN: Member Olsen?

MEMBER OLSEN: Here.

MS. OPPERMAN: Member Nafso?

1 MEMBER NAFSO: Here.

2 MS. OPPERMAN: Member Peddiboyina?

3 MEMBER PEDDIBOYINA: Yes.

4 MS. OPPERMAN: And Chairperson Sanghvi is
5 absent, excused.

6 CHAIRPERSON GRONACHAN: Thank you.

7 This evening we only have two cases so we'll
8 try to work quickly. I'm going to ask to make sure
9 that everybody has their cell phones on vibrate.

10 And the meeting will follow as this: We'll
11 call each petitioner to the podium. Make sure you
12 speak into the microphone so they can hear you at home.
13 Our audio department has requested that so they can
14 play back the meeting and get the records accurate.

15 The next thing I would like to see if -- are
16 there any changes in the agenda?

17 MS. OPPERMAN: No.

18 CHAIRPERSON GRONACHAN: Thank you. The
19 agenda stands.

20 The minutes for January 2018 were in our
21 packet. Are there any changes? Admissions?
22 Deletions?

23 Anyone?

1 All those in favor of the minutes as is for
2 January 2018 say, "Aye." Aye.

3 MEMBER BYRWA: Aye.

4 MEMBER FERRELL: Aye.

5 MEMBER KRIEGER: Aye.

6 MEMBER OLSEN: Aye.

7 MEMBER NAFSO: Aye.

8 MEMBER PEDDIBOYINA: Aye.

9 CHAIRPERSON GRONACHAN: So moved.

10 And we'll move right to our first case:
11 PZ17-0063, Berkshire eSupply, west of Haggerty Road and
12 south of 14 Mile. The applicant is requesting a
13 variance --

14 Is the applicant here?

15 Come on down.

16 -- from the City for the proposed location of
17 a loading area in the side yard, in the interior side
18 yard up to a total ratio of five square feet per front
19 foot of the building to a total area of 360 square feet
20 per building.

21 Good evening. Your name, please.

22 MR. WHITE: Yes. Good evening. My name is
23 Stephen White with Albert Kahn Associates, 7430 2nd

1 Avenue, Detroit, Michigan.

2 CHAIRPERSON GRONACHAN: And would you please
3 be sworn in by our secretary.

4 MEMBER FERRELL: Raise your right hand.
5 Do you swear to tell the truth in this case?

6 MR. WHITE: I do.

7 MEMBER FERRELL: Go ahead.

8 CHAIRPERSON GRONACHAN: You may proceed.

9 MR. WHITE: Okay. As it states, we are here
10 for the variance -- two. One is two additional flag
11 poles on the west side of the facility on M-5.

12 The second variance is for a side yard
13 setback, which has been located at the southeast
14 portion of the Filmet Lab, which is currently about 600
15 feet from the center line of Haggerty Road.

16 We're certainly here to answer any questions
17 that you have for clarification, and I believe the
18 applications are in front of you.

19 CHAIRPERSON GRONACHAN: Do you have a picture
20 of the layout with you?

21 MR. WHITE: We certainly do.

22 CHAIRPERSON GRONACHAN: Could you please put
23 it up on the ...

1 MR. WHITE: I'm just looking for the best
2 view.

3 I apologize, I thought maybe the packet might
4 be ...

5 (Document displayed.)

6 MR. WHITE: So everyone can see what I'm
7 looking at and you can hear me. The shipping and
8 receiving area, which is located -- let me try and get
9 some context for you, if this helps.

10 I can't actually -- I don't know if I can get
11 over as far as Haggerty Road which is, like I said,
12 1600 feet from this location here.

13 So for orientation purposes, 14 Mile Road is
14 at the top of the page. In fact, if I stop moving it
15 around -- okay. I'll stop here.

16 M-5 is where my hand is. There's a
17 headquarters building right there where my thumb is,
18 which I will fold up and you can see.

19 But the shipping and receiving area is
20 located here. This side yard being Haggerty Road, 1600
21 feet in this direction.

22 The two additional flag poles are part of the
23 four flag poles located on the west side of the Filmet

1 Lab. Approximately 150 feet from the property line.

2 CHAIRPERSON GRONACHAN: Can I ask the purpose
3 of the two additional flag poles?

4 MR. WHITE: Yeah. The client likes to fly
5 international flags. Certainly, the American flag as
6 well as their corporate flags. They have visitors from
7 around the world which they would then fly their flag
8 as well.

9 CHAIRPERSON GRONACHAN: Okay. Do you have
10 anything else to offer?

11 MR. WHITE: Not at this point other than
12 answers to any questions.

13 CHAIRPERSON GRONACHAN: Okay. Thank you.
14 Is there any correspondence?

15 MEMBER FERRELL: Yes, Madame Chair. There
16 was 36 letters mailed, 10 letters returned, zero
17 approvals and zero objections.

18 CHAIRPERSON GRONACHAN: City?

19 MR. BUTLER: Because the building is greater
20 than 200 feet in length, they are authorized to have
21 two additional flag poles. So they could have a total
22 of four.

23 CHAIRPERSON GRONACHAN: I'm sorry. Repeat

1 that again.

2 MR. BUTLER: Because the building is greater
3 than 200 feet in length, they are by code -- they're
4 allowed to have two additional flag poles. So they
5 could have a total of four.

6 CHAIRPERSON GRONACHAN: So they don't need a
7 variance, then, for the four?

8 MR. BUTLER: Not necessarily. The basis of
9 the code says they can have two additional flags.

10 CHAIRPERSON GRONACHAN: Okay.

11 MR. SCHULTZ: Just also to point out that in
12 that packet that is on your table are some actual
13 renderings that might be easier to see. Starting on
14 page four, five or six.

15 CHAIRPERSON GRONACHAN: Thank you. I was
16 hoping to get it on that thing so at home they could
17 see it as well.

18 MR. SCHULTZ: Sure. So that was material put
19 together by the planning staff and submitted to you
20 today. So ...

21 MEMBER KRIEGER: Thank you.

22 CHAIRPERSON GRONACHAN: Thank you.

23 Okay. Board members?

1 Member Byrwa?

2 MEMBER BYRWA: Yeah. What is the maximum
3 height for -- I guess that would be classified as an
4 accessory structure. How high can they go with the
5 flag pole?

6 MR. BUTLER: I'm sorry?

7 MEMBER BYRWA: I was wondering. I guess that
8 would be classified as an accessory structure and I was
9 wondering what's the maximum height that they can go
10 with a flag pole for an accessory structure.

11 MR. BUTLER: I don't have that information
12 with me at this time. That wasn't taken into
13 consideration.

14 But if it's not attached to the structure,
15 well ...

16 MEMBER BYRWA: Yeah. It's accessory to the
17 main structure.

18 MR. BUTLER: It's accessory.

19 MEMBER BYRWA: But still, there should be a
20 height limit on it. They couldn't go up to 500 feet or
21 something like that.

22 MR. BUTLER: No. I believe the flags are --
23 I believe -- and I'd have to ask the gentlemen.

1 I believe the flags are the same height as
2 the existing poles, but he would have to confirm that.

3 MR. WHITE: The top of the Filmet Lab is, I
4 believe, 38 to 42 feet?

5 UNIDENTIFIED MALE SPEAKER: Yes.

6 MR. WHITE: And certainly our flags would be
7 probably below that. So 36 foot high flag poles is
8 probably the composition that we would be looking to
9 establish off of M-5. So we're not looking at a major
10 beacon down M-5. This is certainly to be within
11 context.

12 MEMBER BYRWA: So not to exceed, like, 40
13 feet?

14 MR. WHITE: No. It wouldn't make any sense
15 to be higher than the building.

16 MEMBER BYRWA: Okay. Thank you.

17 CHAIRPERSON GRONACHAN: Anything else, Member
18 Byrwa?

19 MEMBER BYRWA: No, that would be all.

20 CHAIRPERSON GRONACHAN: Okay. Thank you.
21 Board members? Any other questions?

22 I'm curious as to why the variance for the
23 flag pole, if it isn't required. Maybe the city

1 attorney could shed some light?

2 MR. SCHULTZ: That's the first I'm hearing of
3 it so I'm looking.

4 CHAIRPERSON GRONACHAN: Oh, okay. So should
5 I sing? Dance? Tell a story? Give the Olympic
6 report?

7 MR. SCHULTZ: How about you talk about the
8 other?

9 CHAIRPERSON GRONACHAN: So we'll go to the
10 part of the loading area.

11 So you're requesting to move the loading area
12 to the other side of the building? Do I have that
13 correct?

14 MR. WHITE: No. The location of the shipping
15 is on this portion itself, but it has an east approach
16 to it. So it's considered a side yard even though
17 Haggerty Road is some 1600 linear feet away.

18 CHAIRPERSON GRONACHAN: Okay.

19 MR. WHITE: Just the configuration of the
20 piece of property on 14 and M-5 and Haggerty is a
21 unique shape. We tried to tuck the shipping/receiving
22 up into the building so that it certainly wasn't
23 visible from 14. And we really wanted to minimize its

1 visibility from M-5 so we placed it in the orientation
2 to place Haggerty, being the furthest distance from
3 the facility, requiring a side yard variance for
4 receiving.

5 CHAIRPERSON GRONACHAN: Okay. Thank you. I
6 see. I was a little confused here reading this.
7 That's why I needed clarification. So bear with me one
8 moment.

9 MEMBER KRIEGER: May I?

10 CHAIRPERSON GRONACHAN: Member Krieger, yes.

11 MEMBER KRIEGER: So by the extreme topography
12 you're saying that the -- if you could explain, like,
13 distances between areas and altitudes and give a
14 visualization and that would probably help as well.

15 Since it looks like the addition that is
16 coming south for the loading area, that would also be
17 part of, like, the ship -- receiving part of the
18 shipping. So the vehicles themselves will be behind
19 the building and M-5 drivers won't see what's behind
20 the building because the building forms a facade?

21 MR. WHITE: That is correct. It is a
22 depressed shipping/receiving area. So the vehicles
23 will be sliding into that area coming from the east,

1 dropping down into the dock. So we would be well
2 oriented to be hidden from M-5.

3 Keeping in mind that, while this drawing may
4 not be showing it, this line here, which is an existing
5 wood lot around a sensitive wetland area is not being
6 altered in any way or shape. So all of that existing
7 buffer and vegetation material is remaining.

8 As well, if you go to the east of the
9 property, if you go beyond the banked parking line
10 where my hand is -- and if you can see where Haggerty
11 Road is -- there's a significant amount of natural
12 vegetation that is remaining undisturbed as well in
13 that area. So there's currently two --

14 MEMBER KRIEGER: So would there be a drop?
15 Like, if you're looking in the wintertime, you can see
16 through. But in the summer, the trees, would they be
17 in the same elevation as some of the building area or
18 is it all dropping so you would see or not see?

19 MR. WHITE: Well, we're not altering its
20 topography anywhere east of the parking field that is
21 there. So, yeah, as you know, there is a fair amount
22 of topography going from Haggerty Road to the facility.

23 MEMBER KRIEGER: Yeah. I can appreciate that

1 from the other surrounding neighbors.

2 MR. WHITE: Right. Right.

3 MEMBER KRIEGER: I can understand. And then
4 you explained the flag pole as well so I would support
5 your request.

6 MR. WHITE: Thank you.

7 CHAIRPERSON GRONACHAN: Back to me. I just
8 want to clarify that. In the request, there is only to
9 allow a fourth flag pole. So not two flag poles?

10 MR. BUTLER: Right.

11 CHAIRPERSON GRONACHAN: So I just want to get
12 clearance. It's not two more flag poles. It's just
13 actually a variance for one more flag pole?

14 MR. BUTLER: That is correct.

15 CHAIRPERSON GRONACHAN: So they can have two.
16 Correct?

17 MR. BUTLER: (Nods.)

18 CHAIRPERSON GRONACHAN: And then you're
19 saying that there's two more because of the size of the
20 building?

21 MR. BUTLER: Yes. Because of the building
22 they're allowed two additional. If they need two
23 additional.

1 CHAIRPERSON GRONACHAN: So, in essence,
2 there's no variance requested at this point unless the
3 city attorney finds something different.

4 MR. SCHULTZ: I'm still looking.

5 CHAIRPERSON GRONACHAN: I'm just trying to
6 bide you time. I'm trying to stretch it.

7 MR. SCHULTZ: You can open the public
8 hearing.

9 CHAIRPERSON GRONACHAN: I'm sorry?

10 MR. SCHULTZ: You can open the public
11 hearing.

12 CHAIRPERSON GRONACHAN: Is there anyone else
13 in the audience that wishes to make comment?

14 Okay. Come on up.

15 MR. SOSIN: Thank you.

16 Hi. Matthew Sosin, 39000 Country Club Drive,
17 Farmington Hills, Michigan. I am the president of
18 Northern Equities Groups, the owner and developer for
19 the Haggerty Corridor Corporate Park, which is the
20 class A office park to the south of this parcel.

21 First of all, I didn't receive any of the
22 notices that were sent out for either this hearing or
23 for the site plan hearing. I've been talking to

1 Charles about that. So, hopefully, we can get that
2 straightened out.

3 I've reached out to the applicant at least
4 three or four times through the City. The E-mail to
5 their -- to Manic (ph), and I haven't gotten -- no
6 one's called me back. So I felt like I had to come
7 here and at least talk about this. It would have been
8 nice if somebody had called me back.

9 But -- so as I'm sure you know, there is a
10 building that site plan approved just to the south of
11 this. It's a four-story building. It's a little less
12 than a thousand feet to the south. The finished floor
13 elevation is about the same. It's within four feet of
14 the finished floor elevation of this building.

15 I guess I just wanted somebody to show me,
16 given the topography -- you know, it goes down and then
17 comes back up. You know, my building will be at least,
18 you know, 60 feet high, if this is a four-story
19 building. So I'm just afraid that, you know, from the
20 top floor of that building I'll be able to see the
21 loading dock.

22 I understand all the issues about the side
23 yard and front yard on these sites. I have these same

1 issues. I think I have been before this board for the
2 same variance. So I'm not necessarily saying that they
3 shouldn't be given the variance. I'd just like -- you
4 know, I haven't been given any information about, you
5 know, what my site lines from the building that's been
6 site plan approved is going to be. If the screening
7 that is there is going to be enough. They've proposed
8 some arborvitaes there, but -- you know, three or four
9 arborvitaes.

10 And, obviously, you know, we can talk about
11 that at the site plan approval meeting as to whether
12 that meets the landscape requirements. But, you know,
13 this project for us came as a surprise. There's some
14 significant changes that will be required from our, you
15 know, future planning. So I just felt like it was
16 important to come and at least get on the record just
17 to say that I would like some more information from the
18 applicants.

19 And I tried before the meeting. I don't like
20 being up here talking about somebody else's
21 development. I think, obviously, it's a very
22 well-known company and will be a good development here,
23 but just would like some more information from the

1 applicants. That's all.

2 CHAIRPERSON GRONACHAN: Thank you, Mr. Sosin.

3 Before you go, though, I just want to
4 clarify. Hang on one second. I just want to clarify
5 for the record. The specifics that you're looking for
6 is the screening?

7 MR. SOSIN: Yes.

8 CHAIRPERSON GRONACHAN: Around the loading
9 area. That's your number one concern, correct?

10 MR. SOSIN: Yes. Yes.

11 CHAIRPERSON GRONACHAN: And what was your
12 second concern?

13 MR. SOSIN: That's it. I mean, you know,
14 this is -- there are buildings in the park that we
15 built that have truck docks in them. Not as many as
16 this building. So that's a little bit of a change from
17 the -- you know, from the aesthetics of the park.
18 So there's just a -- there's just a different type of
19 building that's being put here than is normally done.
20 So I'm worried about the screening, yes.

21 CHAIRPERSON GRONACHAN: So I'm going to break
22 a little bit here while we're looking for this
23 clarification on the flag pole.

1 MR. SOSIN: Yes.

2 CHAIRPERSON GRONACHAN: Can I have the
3 petitioner come up, please?

4 If we called for a five-minute postponement
5 and the two of you could step away and you could show
6 him the plans and the explanation of addressing his
7 concerns, we could go on to the next case.

8 MR. WHITE: Sure. I'd love to.

9 CHAIRPERSON GRONACHAN: Would you be in
10 agreement with that?

11 MR. WHITE: Sure. Absolutely.

12 CHAIRPERSON GRONACHAN: I'm not sure why no
13 one got contacted. And that way we can get the
14 communication and then we'll have the flag pole
15 resolved by that point as well.

16 Are the board members in agreement to that?

17 MEMBER NAFSO: Yeah.

18 MEMBER BYRWA: Yes.

19 CHAIRPERSON GRONACHAN: So why don't, if you
20 could, you take the plans. You guys could go out in
21 the hallway, if you would, and have a little
22 conversation and that way we won't have any lack of
23 communication or miscommunication among business owners

1 and good neighbors. And while we take that minute,
2 we'll have our next petitioner come up and then we can
3 help them and move along. How's that?

4 MR. SCHULTZ: Madame Chair?

5 CHAIRPERSON GRONACHAN: Yes?

6 MR. SCHULTZ: Just to formalize, a motion to
7 table and then go on to the next case and then call
8 them back.

9 CHAIRPERSON GRONACHAN: Okay.

10 MEMBER KRIEGER: Motion to table.

11 MEMBER BYRWA: Support.

12 CHAIRPERSON GRONACHAN: Okay. We'll see you
13 in five minutes or ten.

14 MEMBER SCHULTZ: And a vote, Madame Chair.

15 CHAIRPERSON GRONACHAN: Oh, we have to do a
16 vote?

17 MEMBER SCHULTZ: Yes. I'm sorry.

18 CHAIRPERSON GRONACHAN: All right. Thank
19 you. I'm so glad Mr. Schultz is here.

20 All those in favor? Aye.

21 MEMBER BYRWA: Aye.

22 MEMBER FERRELL: Aye.

23 MEMBER KRIEGER: Aye.

1 MEMBER OLSEN: Aye.

2 MEMBER NAFSO: Aye.

3 MEMBER PEDDIBOYINA: Aye.

4 CHAIRPERSON GRONACHAN: No opposed.

5 All those in favor.

6 So our next case, PZ17-0064, Alice and Jason
7 Bertschi. I hope I'm pronouncing that correctly.

8 Please forgive me if I'm not.

9 And it's 23661 E. LeBost, east of Meadowbrook
10 Road and south of Ten Mile. The applicant is
11 requesting variances for a front yard setback of
12 20 feet, 30 feet minimum as required by code. A rear
13 yard setback of 32 feet. This is for a proposed
14 garage.

15 Correct?

16 MS. BERTSCHI: That is. Attached garage.

17 I'm filling -- I apologize. I don't have all
18 the paperwork. I'm filling in last minute. My builder
19 had a medical emergency in the family come up so he
20 asked me to come

21 CHAIRPERSON GRONACHAN: Before you continue.

22 Please state your name and spell it for our secretary.

23 MS. BERTSCHI: Okay. Alice Bertschi,

1 B-e-r-t-s-c-h-i.

2 CHAIRPERSON GRONACHAN: Okay. And we need to
3 swear you in.

4 So this secretary is going to swear you.

5 MEMBER FERRELL: Raise your right hand.

6 Do you swear to tell the truth on the case?

7 MS. BERTSCHI Yes.

8 MEMBER FERRELL: Okay. Go ahead.

9 CHAIRPERSON GRONACHAN: Okay. So now, give
10 us what you got.

11 MS. BERTSCHI: We need to have an addition to
12 the house, a garage. The addition we would like to
13 have is like 22 by 26. We had the concrete poured in
14 October 2013 and it was 22 by 26. At that time we
15 didn't realize our yard was setback. So we had a
16 survey done recently and it showed that there's a ditch
17 in front of our house and our property comes this side
18 of the ditch, which takes away a lot of the footage,
19 you know. So we realized that we just didn't have the
20 footage to put that size of garage in unless we get a
21 variance.

22 And we don't have a basement. So we really
23 need the storage for the house, you know, because it

1 would take up clutter in the backyard or anyplace like
2 that.

3 CHAIRPERSON GRONACHAN: So you don't have a
4 garage at the current time, correct?

5 MS. BERTSCHI No. When we bought the house,
6 they had just torn down a carport that had been there.
7 It was taken down. We had concrete poured, new
8 concrete poured, and that was approved and everything
9 by the City, a 22 by 26.

10 And the garage, we would like to have 22 by
11 26. Otherwise, we would have to have a smaller one put
12 in. But the larger one would make the house look more,
13 you know, attractive and just add extra storage for us.
14 And it would be nice to have a two-car garage.

15 CHAIRPERSON GRONACHAN: I can appreciate
16 that.

17 Is there anyone in the audience that wishes
18 to make comment on this case?

19 Seeing none, is there any correspondence?

20 MEMBER FERRELL: Yes, Madame Chair. There
21 was 40 letters mailed, zero letters returned. One
22 approval, zero objections.

23 The approval is from Greg M. Klaber,

1 K-l-a-b-e-r, 23656 E. LeBost L-e B-o-s-t, Novi,
2 Michigan 48375.

3 "I reside at 23656 E. LeBost, which is
4 directly across from the subject property. I'm
5 familiar with the proposed building improvement from
6 discussing it at length with our neighbor, Alice.
7 While I understand it does not meet current setback
8 regulations, I, nevertheless, believe it will be an
9 improvement to the appearance of our neighborhood; and,
10 therefore, wholeheartedly support the variance
11 request."

12 That's it.

13 CHAIRPERSON GRONACHAN: Okay.

14 The City, do you have anything to offer?

15 MR. BUTLER: Nothing to offer.

16 CHAIRPERSON GRONACHAN: Okay. Thank you.

17 Board members?

18 A talkative group tonight.

19 Member Krieger?

20 MEMBER KRIEGER: I can appreciate the need
21 for a garage, having one myself. And then also it
22 would improve the neighborhood and values of the
23 property to offer a garage so that, you know, if you

1 were to sell and someone was interested in buying it, a
2 garage encloses and protects your vehicle.

3 MS. BERTSCHI: Exactly.

4 MEMBER KRIEGER: And then easements, I can
5 appreciate that as well. It's the minimum that you
6 had, the cement slab poured where the carport was, then
7 it's the attachment and the roof over it. That would
8 be the most needs. I can appreciate that.

9 Being myself, if I wanted to do an addition,
10 then I've got easement with Edison and the City sewer
11 as well. So I would support your request.

12 MS. BERTSCHI: Great. Thank you.

13 CHAIRPERSON GRONACHAN: Member Peddiboyina?

14 MEMBER PEDDIBOYINA: Yeah. I appreciate your
15 presentation. Are you constricting the same material
16 or same kind of color and brick or siding? Are you
17 constricting the same thing or any other color?

18 MS. BERTSCHI: Pardon? I didn't hear. The
19 word?

20 MEMBER PEDDIBOYINA: The color.

21 MS. BERTSCHI: The color? We decided on the
22 roof. It's the color that goes with the house. We
23 have a brick house, but we were going to use the shade.

1 And I think it's like ...

2 Do you remember the color, Jonquil?

3 MEMBER PEDDIBOYINA: Is it matching the same
4 thing?

5 MS. BERTSCHI: It will match the house, yes.

6 MEMBER PEDDIBOYINA: I have no objection.

7 MS. BERTSCHI: Definitely. And then we're
8 going to do the trim of the house.

9 MEMBER PEDDIBOYINA: Thank you.

10 MS. BERTSCHI: But it's going to be, like, a
11 light color.

12 FEMALE SPEAKER: It's coordinating.

13 MEMBER PEDDIBOYINA: I have no objection.

14 CHAIRPERSON GRONACHAN: Anyone else?

15 I live in your neck of the woods.

16 MS. BERTSCHI: Oh.

17 CHAIRPERSON GRONACHAN: So I am well aware of
18 a one-story house with a one-car garage and no
19 basement.

20 MS. BERTSCHI: Right.

21 CHAIRPERSON GRONACHAN: So I can appreciate a
22 two-car garage. One of the things that I think that
23 should be brought out for your case to help your plate,

1 if you will, is the odd-shaped lot.

2 MS. BERTSCHI: Yes, it is.

3 CHAIRPERSON GRONACHAN: And that presents a
4 lot of problems. And in that particular neighborhood
5 there is a lot of that.

6 MS. BERTSCHI: Um-hmm.

7 CHAIRPERSON GRONACHAN: And also in that
8 neighborhood it's not likely that you have a basement
9 because of the water issues.

10 MS. BERTSCHI: Right.

11 CHAIRPERSON GRONACHAN: So there's
12 topography. There's a whole list of reasons as to why
13 I would support this. Given the odd shape of the
14 lot.

15 MS. BERTSCHI: Um-hmm.

16 CHAIRPERSON GRONACHAN: The need for it. And
17 I think that this is a minimum request that you're
18 coming before us for. So I would be in full support.

19 And I would entertain a motion at this time,
20 if anybody would have one.

21 MS. BERTSCHI: My ...

22 CHAIRPERSON GRONACHAN: Member Olsen.

23 MEMBER OLSEN: Motion to approve.

1 CHAIRPERSON GRONACHAN: Okay. We have to add
2 a few things to do that. So we have to -- when we're
3 making a motion to approve on a variance, we have to
4 list the specific reasons. And I think maybe in your
5 folder is a guideline. We can have you take a look at
6 this sheet.

7 MEMBER NAFSO: I'll go ahead and do it and
8 then he can see how.

9 CHAIRPERSON GRONACHAN: Member Nafso will
10 help you out there.

11 MEMBER NAFSO: All right. Let's see.

12 I move that we grant the variance in case
13 number PZ17-0064, sought by Alice and Jason Bertischi
14 (sic).

15 Did I say that right?

16 MS. BERTSCHI: Bertschi.

17 CHAIRPERSON GRONACHAN: Bertschi.

18 MEMBER NAFSO: For a variance from the Novi
19 section -- code of ordinance section 3.1.5 for a front
20 yard setback of 20 feet, 30 feet minimum setback
21 required by code. And rear yard setback of 32 feet,
22 35 feet minimum setback required.

23 The setback is for a proposed garage. This

1 property is zoned residential R-4.

2 Because petitioner has shown practical
3 difficulty. Without the variance, the petitioner will
4 be unreasonably prevented or limited with respect to
5 the use of the property because the applicant would be
6 limited to a carport of sorts and not a full garage.

7 In addition, it's a one-story structure.
8 There's a lack of storage causing severe limitation.
9 There is a necessity to have that storage. The
10 property is unique because it is a corner lot and the
11 way the lot is laid out, certain angles are simply
12 closer to the road. It's really hard to put a garage
13 anywhere on the property without it being less than the
14 minimum setback requirement.

15 The petitioner did not create the condition.
16 It's something that it's a limitation that existed in
17 the property, and the relief granted will not
18 unreasonably interfere with adjacent or surrounding
19 properties because it doesn't -- simply doesn't
20 infringe on anyone else's property rights or anyone
21 else's use or enjoyment of their property.

22 The relief is consistent with the spirit and
23 intent of the statute. Again, really, for a lot of the

1 reasons -- I'm sorry. With the ordinance. I'm sorry.

2 For a lot of the reasons already stated, but
3 simply the ordinance is not meant to prevent a lot that
4 is shaped in the way that this one is shaped from
5 having a garage.

6 I have nothing further.

7 MEMBER KRIEGER: Second.

8 CHAIRPERSON GRONACHAN: It's been moved and
9 second. Anything further?

10 Katherine, would you please call the roll.

11 MS. OPPERMAN: Member Byrwa?

12 MEMBER BYRWA: Yes.

13 MS. OPPERMAN: Member Ferrell?

14 MEMBER FERRELL: Yes.

15 MS. OPPERMAN: Member Gronachan?

16 CHAIRPERSON GRONACHAN: Yes.

17 MS. OPPERMAN: Member Krieger?

18 MEMBER KRIEGER: Yes.

19 MS. OPPERMAN: Member Olsen?

20 MEMBER OLSEN: Yes.

21 MS. OPPERMAN: Member Nafso?

22 MEMBER NAFSO: Yes.

23 MS. OPPERMAN: Member Peddiboyina?

1 MEMBER PEDDIBOYINA: Yes.

2 MS. OPPERMAN: Motion passes.

3 CHAIRPERSON GRONACHAN: Your variances have
4 been granted. Congratulations and good luck.

5 MS. BERTSCHI: Thank you so much. That's
6 wonderful. Thank you so much.

7 CHAIRPERSON GRONACHAN: You're welcome. Tell
8 your builder I'd hate to see you with a hammer if you
9 did this well tonight.

10 MS. BERTSCHI: I'm telling you. I'm 75 and I
11 still get out there with my tools.

12 MEMBER KRIEGER: Oh, sweet.

13 CHAIRPERSON GRONACHAN: Well, good luck to
14 you.

15 MS. BERTSCHI: My son lives in California and
16 he bought the home for me to live in. So he's the one
17 that is taking care of all this. But we have a great
18 builder and it's going to look beautiful when it's
19 done. Thank you so much.

20 CHAIRPERSON GRONACHAN: Congratulations.

21 MEMBER BYRWA: Good luck.

22 CHAIRPERSON GRONACHAN: We'll be driving by
23 and taking a look.

1 Have a good evening. Be careful going home.

2 Okay. If somebody would like to go tell the
3 previous case that they can return.

4 (Pause.)

5 MR. SCHULTZ: While they're entering the room
6 still. So everybody was right. Mr. Butler was right,
7 the note from the Planning Department is right and the
8 applicant is right. It's just a question of how you
9 read -- where you put the commas in what is in front of
10 you. So they're permitted. The United States flag,
11 which is one of their flags, that's excluded. So
12 there's one.

13 CHAIRPERSON GRONACHAN: Okay.

14 MR. SCHULTZ: They are then allowed two
15 additional flag poles. So it is the fourth flag
16 pole --

17 CHAIRPERSON GRONACHAN: That they need the
18 variance for?

19 MR. SCHULTZ: -- that they need the variance
20 for.

21 CHAIRPERSON GRONACHAN: Okay. So our
22 paperwork was right. So it's actually the fourth and
23 not two more?

1 MEMBER NAFSO: It's a sign?

2 MR. BUTLER: Sign, yeah.

3 CHAIRPERSON GRONACHAN: What was your
4 question?

5 MEMBER NAFSO: It's a sign ordinance.

6 MR. SCHULTZ: Yeah. And I'm sorry. In
7 response to Member Byrwa's comments, the height is 65
8 feet.

9 MEMBER BYRWA: 65. Thank you.

10 CHAIRPERSON GRONACHAN: 65 feet.

11 Okay. Would the petitioner like to approach
12 and bring us up-to-date?

13 MR. WHITE: (To Mr. Sosin) I don't want to
14 speak for you, but come on up here and join me.

15 I think we had a productive, quick
16 five-minute session there. I think we're beginning to
17 understand the issues at hand.

18 MR. SOSIN: I think I'm comfortable that the
19 applicant, you know, will get me some sections on, you
20 know, the views from the building that have been
21 approved and that -- you know, that at site plan
22 approval, we can talk about the landscape plan and if
23 there is any additional screening that can be added.

1 And they're going to try and reach out to their client
2 and see if we can set up a meeting so that we can all
3 talk. Which is what I wanted in the first place. So I
4 appreciate that.

5 CHAIRPERSON GRONACHAN: Okay. Great. Good
6 news.

7 MR. SCHULTZ: Madame Chair?

8 CHAIRPERSON GRONACHAN: Yes.

9 MR. SCHULTZ: So, just for clarification.
10 Next week this is going to the Planning Commission.
11 One of the things that the Planning Commission will
12 look at is specifically the landscaping in the area
13 where Mr. Sosin is concerned about.

14 CHAIRPERSON GRONACHAN: Okay.

15 MR. SCHULTZ: There's a waiver required.
16 Right now the planning staff is okay with it, but this
17 will give them an opportunity now to have more
18 conversation about it at the staff level and with the
19 applicant. So it will get addressed.

20 CHAIRPERSON GRONACHAN: Okay. Thank you for
21 that. So it's all good.

22 Is there any further discussion from the
23 board members at this point? Any other questions?

1 MEMBER BYRWA: No.

2 CHAIRPERSON GRONACHAN: I will entertain a
3 motion at this point.

4 I realize that you all want to do it, but I
5 can only pick one of you to make the motion.

6 MEMBER NAFSO: I've already had one.

7 CHAIRPERSON GRONACHAN: I think it's Member
8 Nafso, he wants to do another one.

9 MEMBER NAFSO: NO.

10 CHAIRPERSON GRONACHAN: Okay. Member
11 Krieger.

12 MEMBER KRIEGER: I move in case number
13 PZ17-0063, Berkshire eSupply, west of Haggerty and
14 south of 14 Mile, the applicant's request for the
15 loading area in the side yard, as explained, and in the
16 interior yard up to a total ratio of five square feet
17 per front foot of building to a total square area of
18 360 square feet per building.

19 And for the installation of the fourth flag
20 pole as requested. Two additional allowed by code. So
21 the fourth one is the request since the American flag
22 is by right. And then as per ordinance, the 65 max
23 height on a flag pole.

1 The applicant also, regarding the
2 landscaping, to review for area and topography dealing
3 with the heights and neighbors, the visualization since
4 it's complicated with the topography and shape of the
5 area, to have enough landscaping or buffer area for
6 neighbors.

7 That without the variance, the petitioner
8 will unreasonably be prevented and limited from the use
9 of their property because of said topography of this
10 area on 14 Mile between M-5 and Haggerty. That the
11 property is unique because of the different heights and
12 difficulty in landscaping with the winter and summer
13 seen through the area and loading area, that not to
14 have as much visualization toward M-5 or Haggerty or
15 neighbor to the south.

16 The petitioner did not create the condition
17 because of the area. The relief granted will not
18 unreasonably interfere with adjacent or surrounding
19 properties because, as discussed, they will meet
20 regarding the topography for the southern loading area
21 for sounds, light at night or et cetera.

22 The relief is consistent with the spirit and
23 intent of the ordinance because the petitioner has put

1 in a -- their request to be close to what the city
2 ordinances are.

3 MEMBER FERRELL: Second.

4 CHAIRPERSON GRONACHAN: It's been moved and
5 second. Any further ...

6 MEMBER KRIEGER: Yes.

7 CHAIRPERSON GRONACHAN: City attorney?

8 MR. SCHULTZ: Just one item, a condition,
9 since this has not yet gone to the Planning Commission.

10 CHAIRPERSON GRONACHAN: Okay.

11 MR. SCHULTZ: Just that the variances be
12 conditioned upon Planning Commission granting site plan
13 approval for the overall site plan.

14 MEMBER KRIEGER: Yes.

15 MR. SCHULTZ: Okay. Thank you.

16 CHAIRPERSON GRONACHAN: It's been moved and
17 seconded and amended and accepted. Any further
18 discussion?

19 Seeing none, Katherine, would you please call
20 the roll?

21 MS. OPPERMAN: Member Byrwa?

22 MEMBER BYRWA: Yes.

23 MS. OPPERMAN: Member Ferrell?

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MEMBER FERRELL: Yes.

MS. OPPERMAN: Member Gronachan?

CHAIRPERSON GRONACHAN: Yes.

MS. OPPERMAN: Member Krieger?

MEMBER KRIEGER: Yes.

MS. OPPERMAN: Member Olsen?

MEMBER OLSEN: Yes.

MS. OPPERMAN: Member Nafso?

MEMBER NAFSO: Yes.

MS. OPPERMAN: Member Peddiboyina?

MEMBER PEDDIBOYINA: Yes.

MS. OPPERMAN: Motion passes.

MEMBER KRIEGER: Congratulations.

MR. WHITE: Thank you.

CHAIRPERSON GRONACHAN: Congratulations.

Your variance has been granted. It's always good to be a good neighbor. So good luck to you and we wish you the best.

MEMBER KRIEGER: And welcome to Novi.

CHAIRPERSON GRONACHAN: Yeah.

MR. WHITE: Thank you.

CHAIRPERSON GRONACHAN: You're welcome.

Is there any other discussion for the board

1 this evening?

2 MEMBER KRIEGER: Welcome to Member Olsen.

3 MEMBER FERRELL: That's what I was going to
4 say. Second.

5 MEMBER KRIEGER: I was there before.

6 CHAIRPERSON GRONACHAN: So we would like to
7 welcome our alternate, Sam Olsen.

8 And next month we will have a full board, I'm
9 hoping. So I've asked Katherine in Chairman Mav's
10 absence to get the election ready. So everybody think
11 about what position you would like to volunteer for,
12 for the board.

13 MEMBER NAFSO: It's already that time.

14 CHAIRPERSON GRONACHAN: I'm sorry?

15 MEMBER NAFSO: It's already that time.

16 CHAIRPERSON GRONACHAN: It's already that
17 time. Yes. I count to the days.

18 So I'm hoping that all of you will seriously
19 consider the positions.

20 Is there a motion to adjourn?

21 MEMBER KRIEGER: I move to adjourn.

22 MEMBER BYRWA: Second.

23 CHAIRPERSON GRONACHAN: All those in favor.

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Aye.

MEMBER BYRWA: Aye.

MEMBER FERRELL: Aye.

MEMBER KRIEGER: Aye.

MEMBER OLSEN: Aye.

MEMBER NAFSO: Aye.

MEMBER PEDDIBOYINA: Aye.

CHAIRPERSON GRONACHAN: Meeting adjourned.

(At 7:39 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, 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-one (41) typewritten pages, is a true and correct transcript of my said stenographic notes.

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

February 23, 2018
(Date)