

06/10/2025

REGULAR MEETING - ZONING BOARD OF APPEALS

CITY OF NOVI

Tuesday, June 10, 2025

Council Chambers/Novi Civic Center

41725 Novi Road

Novi, Michigan

BOARD MEMBERS:

W. Clift Montague, Chairperson
Mike Longo, Secretary
Linda Krieger, Member
Michael Thompson, Member
Joe Samona, Alternate Member

ABSENT UNEXCUSED:

Larry Butler, Member
Joe Peddiboyina, Member

ALSO PRESENT:

Elizabeth Saarela, City Attorney
Alan Hall, Deputy Community Development
Director
Sarah Fletcher, Recording Secretary

REPORTED BY:

Melinda R. Womack
Certified Shorthand Reporter

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1 CHAIRPERSON MONTAGUE: Call to order.
2 The Zoning Board of Appeals meeting for June 10th.
3 Start with Pledge of Allegiance.

4 (Pledge of Allegiance recited)

5 CHAIRPERSON MONTAGUE: Thank you. Roll
6 call, please.

7 MS. FLETCHER: Member Butler? Absent.
8 Unexcused. Joe Samona?

9 MEMBER SAMONA: Here.

10 MS. FLETCHER: Joe Peddiboyina?
11 Absent. Unexcused. Chairperson Montague?

12 CHAIRPERSON MONTAGUE: Here.

13 MS. FLETCHER: Member Longo?

14 MEMBER LONGO: Here.

15 MS. FLETCHER: Member Krieger?

16 MEMBER KRIEGER: Here.

17 MS. FLETCHER: Member Thompson?

18 MEMBER THOMPSON: Here.

19 MS. FLETCHER: Thank you. We have a
20 quorum.

21 CHAIRPERSON MONTAGUE: Thank you.
22 Rules of conduct. Anybody in the room please put
23 your phone on silence or turn it off. We do have
24 a quorum. If it looks sketchy in terms of yea,
25 you have the opportunity to postpone if you want

1 because we don't have all seven members here
2 tonight, but we can approve. So that's all right.
3 We will call each case. You will please say and
4 spell your name for the recorder and take the
5 pledge from the secretary. You'll have ten
6 minutes to present your case. If there's anyone
7 in the audience that would like to speak to a
8 case, they should do the same, say their name,
9 spell their name and take an oath, and then they
10 will have three minutes to give their comments on
11 the case. So we have -- we should do the approval
12 of the minutes from last month's meeting.

13 MEMBER SAMONA: Motion to approve.

14 MEMBER KRIEGER: Second.

15 CHAIRPERSON MONTAGUE: All in favor
16 aye.

17 THE BOARD: Aye.

18 CHAIRPERSON MONTAGUE: No opposed, so
19 motion passed. The agenda. Do we have any
20 revisions to the agenda tonight?

21 MR. HALL: No, sir. Agenda stands.

22 CHAIRPERSON MONTAGUE: Motion, please.

23 MEMBER KRIEGER: I move to approve the
24 agenda as offered for tonight.

25 MEMBER THOMPSON: Second.

1 CHAIRPERSON MONTAGUE: Thank you. All
2 in favor aye.

3 THE BOARD: Aye.

4 CHAIRPERSON MONTAGUE: Any opposed.
5 No? With that, the agenda is approved. We have
6 an opportunity for any public remarks not related
7 to the cases. If there's any general public
8 remarks that people would like to make, you're
9 welcome to do that now. All right. Seeing none,
10 we'll move on.

11 We have four cases before us tonight.
12 The first, PZ25-0018. 41725 Sycamore Drive. The
13 Applicant is requesting a variance from the City
14 of Novi Zoning Ordinance Section 3.1.5 for a 29.27
15 foot rear yard setback. 35 feet is required. So
16 it would be a variance of 5.73 feet. This
17 property is zoned One-Family Residential (R-4).
18 Is the Applicant here? Please come up. Say your
19 name. Spell your name.

20 MR. SCHLIE: First name William,
21 W-I-L-L-I-A-M. Last name Schlie, S-C-H-L-I-E. I
22 am the homeowner.

23 MEMBER LONGO: William, are you an
24 attorney?

25 MR. SCHLIE: No, I am not.

1 MEMBER LONGO: Do you promise to tell
2 the truth in this case?

3 MR. SCHLIE: I do.

4 CHAIRPERSON MONTAGUE: Thank you. All
5 right. How can we help you tonight in the case,
6 please?

7 MR. SCHLIE: I brought along Brian
8 Kolody from Miles Bradley. He is going to be the
9 builder if I get the approval. And the reason I
10 brought him along is if there's any technical
11 questions about the building I can't answer, he's
12 going to be more than happy to.

13 I am the person asking for the 5.73
14 variance. I back a controlled wetland, and
15 there's a fence along there going the whole length
16 of those homes on Sycamore. So I have a neighbor
17 to the right and a neighbor to the left, and the
18 packet that you are supplied on the drive, both of
19 the neighbors approved so --

20 CHAIRPERSON MONTAGUE: Excuse me for a
21 second. Do you have a copy of that drawing you
22 put on the screen? Put it on there and that will
23 project. That will be nice. Thank you.

24 MR. SCHLIE: And then Jenny Lewis, her
25 signature's right there, and then the Schaefer's

1 is down here. I'm not looking to expand the
2 current foot plan that was there. That is a
3 patio, a raised patio that I'm asking to enclose
4 that with a porch. And I'm just doing it as a
5 home improvement. There are homes in the
6 subdivision that have enclosed patios. So that's
7 basically all I'm asking for.

8 CHAIRPERSON MONTAGUE: All right.
9 Nothing else to add? You're all good? All right.
10 Is there anyone in the audience that would like to
11 speak to this case? City?

12 MR. HALL: Mr. Chairman. Yes. They're
13 asking for a single variance tonight for a 5.73
14 rear yard variance. They are enclosing an
15 existing patio constructed of 15 foot four inch by
16 12 foot three-season room in the back. And the
17 architecture is in keeping with the homes existing
18 in the area and it does line up with the side of
19 the house, and it doesn't project into the side
20 yards anymore than the house already does. So
21 with that, we have no other conditions. Thank
22 you.

23 CHAIRPERSON MONTAGUE: Correspondence?

24 MEMBER LONGO: Yes. We mailed out 24
25 notices. None were returned. There were no

1 objections. There was one approval by Mel
2 Zachary, the neighbor. That's it.

3 CHAIRPERSON MONTAGUE: Okay. Any
4 comments?

5 MEMBER SAMONA: Yeah. So I drove by
6 this. I don't have an issue with it. But a
7 couple of the questions that I have maybe to Alan
8 is, I understand that the petitioner has said that
9 all they're doing is enclosing the space that's
10 already there. If memory serves me correctly,
11 which is possible that I'm wrong, wouldn't be the
12 first time, probably won't be the last, but if
13 memory serves me correctly, there's something in
14 the ordinance about wetlands and if it's an
15 attached accessory structure about the setback
16 from the wetland. So I guess the reason that I'm
17 asking that, is that something we need to consider
18 today? Because if it serves me correct, it's 25
19 feet from the edge of the wetland or the high
20 watermark. Am I correct in that?

21 MR. HALL: So that -- you're on the
22 right track, but this is part of the house. It's
23 a three-season room so it wouldn't be considered
24 an accessory, and it's on an existing patio. So
25 the construction of the ground has already been

1 kind of laid out at this point.

2 MEMBER SAMONA: Got it. And I guess my
3 last question is, like I said, I don't have a
4 problem with this, they asked for a very, very
5 specific amount of feet, and what if by chance
6 they have to put a little bit more of a
7 foundation, even though they only asked for 5.73
8 feet can we grant 7 feet? No. That's it.

9 CHAIRPERSON MONTAGUE: Someone else? I
10 have a question more for the future probably than
11 now. It shows a 6-foot easement on the back of
12 the property. Is it set back from the easement of
13 the property?

14 MR. HALL: It's part of the property
15 line and the easement is part of that.

16 CHAIRPERSON MONTAGUE: Okay. Just for
17 my future life. No problem with this one. All
18 right. If there's no more comments, motion will
19 be in order.

20 MEMBER THOMPSON: I move that we grant
21 the variance in case PZ25-0018 sought for by
22 William Schlie for the 5.73 yard setback because
23 the petitioner has shown difficulty working with a
24 35-foot setback. Without the variance the
25 petitioner would be unreasonably prevented or

1 limited with respect to the use of the property
2 with the current -- with the current extension
3 already going on to some pavers or patio that was
4 already laid. The property is unique because it
5 does back to the wetlands. It's not going to
6 affect any other neighbors. The petitioner did
7 not create the condition because of the lot
8 dimensions. The relief granted will not
9 unreasonably interfere with adjacent or
10 surrounding properties. They're not going to see
11 it. The main one would be, again, the wetlands
12 back there, like you said, both your neighbors
13 approved it, so the people that are going to see
14 it the most have no problem with it. The relief
15 is consistent with the spirit and the intent of
16 the ordinance, again, mainly just back up to the
17 woods and being a small setback.

18 MEMBER KRIEGER: Second.

19 MS. FLETCHER: Member Samona?

20 MEMBER SAMONA: Yes.

21 MS. FLETCHER: Chairperson Montague?

22 CHAIRPERSON MONTAGUE: Yes.

23 MS. FLETCHER: Member Longo?

24 MEMBER LONGO: Yes.

25 MS. FLETCHER: Member Krieger?

1 MEMBER KRIEGER: Yes.

2 MS. FLETCHER: Member Thompson?

3 MEMBER THOMPSON: Yes.

4 MS. FLETCHER: Thank you. Motion
5 carries.

6 MR. SCHLIE: Thank you very much.

7 CHAIRPERSON MONTAGUE: All right. The
8 next case. PZ25-0019. 1241 East Lake Drive. The
9 applicant is requesting variances from the City of
10 Novi Zoning Ordinance Section 3.32.10.A.ii.a to
11 allow a 560 square foot floating deck accessory
12 structure on the lake lot. 100 square foot is
13 allowed. It's a variance of 460 square feet.
14 Also a variance from Section 3.32.10.A.ii.b to
15 allow 35% lot coverage. 5% allowed. Variance of
16 30%. This property is zoned One-Family
17 Residential (R-4). Is the Applicant here? Please
18 step to the mic and state your name.

19 MS. GALLOWAY: Tracy Galloway.

20 CHAIRPERSON MONTAGUE: Spell it for the
21 recorder.

22 MS. GALLOWAY: Oh, sorry. T-R-A-C-Y --
23 GALLOWAY --

24 MEMBER LONGO: Tracy, are you an
25 attorney?

1 MS. GALLOWAY: No.

2 MEMBER LONGO: Do you promise to tell
3 the truth in this case?

4 MS. GALLOWAY: Yes, of course.

5 MEMBER LONGO: Thank you.

6 MS. GALLOWAY: Joining me tonight is
7 Bryan. He's the contractor. Bryan did a deck
8 recently on my home around the house and it turned
9 out beautiful. And I just thought it would be
10 nice to have a space down there. So that's why
11 we're here today just seeking approval for a
12 variance.

13 The current terrain you can see here is
14 really characterized by uneven grounds covered in
15 gravel, cement pads, and it really poses some
16 safety concerns for me having family and guests
17 over. My family ranges from 85 years to four
18 years. And even myself as I'm aging, I'm not as
19 stable as I once used to be. So the having a deck
20 there would mitigate some of the unstable ground
21 and would provide a really nice solid landing
22 space for family to come down.

23 Personally I have fibromyalgia and
24 arthritis and it's really difficult to get down
25 and manage the weeds in this area that come up

1 through the gravel. So the proposed deck would
2 actually help with some of the maintenance of the
3 weeds and the grass as well.

4 Part of the plan would include removing
5 this old deck. This was here when I first
6 initially moved in. I didn't have the money to do
7 anything about it at that time. I do have a
8 little bit of money now that I can do some
9 repairs. But the stairs coming down are really
10 unsafe. The railing around is not safe. You
11 can't lean on it. And besides improving just the
12 maintenance and the safety issue, this project
13 would also align with Novi's beatification
14 initiative because it would become a much more
15 appealing area for me and my neighbors, family to
16 enjoy. Also the view from the lake, Bryan took
17 one shot from the dock that you can see and it's
18 just embarrassing. So now that I have some money,
19 I want to take a minute and improve it.

20 On a very personal note, my parents
21 were David and Nancy Galloway. My dad was the
22 chair of the Walled Lake Lake Board here and sat
23 in these rooms conducting meetings. My mom was a
24 member of the LAHA Association. So my family's
25 been very active in Novi. Unfortunately, my

1 parents both recently passed. They lived eight
2 houses down from me. We had family gatherings at
3 their place all the time. So for me, just on a
4 personal note, I would love to have an area that
5 is just going to be nice for my family to come
6 over so we can continue those family traditions.
7 And now I'll give a moment for Bryan to tell you
8 about the actual construction.

9 MR RAY: B-R-Y-A-N, last name R-A-Y.

10 MEMBER LONGO: Bryan, are you an
11 attorney?

12 MR RAY: I am not.

13 MEMBER LONGO: Do you promise to tell
14 the truth in this case.

15 MR RAY: I promise. Just a couple
16 things from my side to try to expand. Number one
17 is the ADA rail and stuff that's compliant, the
18 treks. It's an eyesore right now from the lake.
19 So that all goes and becomes more natural with
20 just the staircase coming down. You know, Tracy
21 putting treks on. As you guys know, treks
22 enhances everything because of the cost, the
23 beatification. So the staircase coming down would
24 be very nice from the lake side also downside.

25 The finished product would look

1 something like this, which we'll call a
2 floating -- it's basically a floating deck. I'm
3 not going into the soil. I'm not digging holes.
4 I have two types of foundations. One are
5 platforms that basically the deck just sits on.
6 We basically put some crushed stone down. We
7 level everything out. So it's actually kind of a
8 removable structure. It's not going to be
9 permanent, per se. It will only be about eight
10 inches off the ground. If you guys take a look,
11 the actual vegetation kind of hides it, but that
12 whole area now becomes really a nice feature
13 because it's going to be a deck. It's going to be
14 noticeable when you're on the lake. If you go
15 from the Walled Lake side, I was looking at some
16 of the Walled Lake stuff as you move forward and
17 then it starts to get really pretty as you get
18 into Novi. So I think this enhances, like she
19 said, the beautification.

20 The platform up here for the staircase
21 to get us down, again, we're going to use four of
22 these. They're called diamond piers. They came
23 out last year. We've really kind of started to
24 move towards them. There's no disruption of soil.
25 Those four rods just kind of go in. They can be

1 removed. So we don't have to worry about water
2 runoff or anything where we're changing the
3 elevation or landscape. And then again, the deck
4 just sits on those piers and so we're not doing a
5 ton of excavation because, again, we know we're
6 along the lake and we have to worry about that.
7 So we try to do as much as we can from a
8 contracting standpoint to simplify the deck, make
9 it safe, bring it up to date. Yes, we're asking,
10 but it's really just to make the ground more
11 usable down there with the size of the deck that
12 she wants for both entertaining on one side, and
13 then laying out in the sun or reading a book. You
14 can imagine the sun on East Lake Drive as you're
15 sitting there.

16 You know, she talked to me in December
17 about this, and so we kind of -- again, I see her
18 vision and just want to try to help her out.

19 CHAIRPERSON MONTAGUE: Does that got
20 you covered? Anything else to add?

21 MS. GALLOWAY: No.

22 CHAIRPERSON MONTAGUE: Anybody in the
23 audience would like to speak to this case? All
24 right. Seeing none. City.

25 MR. HALL: Thank you, Mr. Chairman.

1 Would you put that picture back up that shows the
2 dock in the water. So just so we understand the
3 deck dock, or whatever you want to call it, that
4 you're going to be proposing is going to be on the
5 land, not water, is that correct?

6 MS. GALLOWAY: Correct.

7 MR. HALL: And the dock that we see in
8 the water will remain the same.

9 MS. GALLOWAY: Correct.

10 MR. HALL: And then the stairs coming
11 down from the deck, existing deck, are going to be
12 replaced and modified to attach to this new deck
13 dock kind of thing, whatever you got on the beach.

14 MR RAY: It will rest on it. I don't
15 think it will be attached.

16 MR. HALL: So it's going to float kind
17 of like a dock on the ground.

18 MR RAY: Yep.

19 MR. HALL: And then the deck above,
20 that's going to remain as is.

21 MR RAY: That's going to be gone, and
22 then she'll have the landscape on both sides. Can
23 see the right side. From my opinion looking at it
24 the way it is now, the left side of the stairs
25 will look very similar. And she has some ideas

1 for vegetation to get some roots in there, and
2 things like that. So it will be basically she
3 kind of sees it as nature on the both sides with
4 just the staircase splitting down.

5 MR. HALL: So the dock or deck that we
6 see now, that gets removed. It becomes nature on
7 both sides of the stairs coming down to a deck
8 that's on the beach kind of area that's kind of
9 floating.

10 MS. GALLOWAY: Yes.

11 MR RAY: And that deck right now is
12 200, about 230 to 240 square feet. So we're just
13 asking to kind of take that deck in half and then
14 add a little to balance it out so it's
15 symmetrical. So we are going to lose that area.

16 MR. HALL: All right. And then the
17 break wall that's at the water, you're not
18 changing that break wall or the water's edge at
19 all.

20 MR RAY: Not touching it.

21 MR. HALL: So yes. Today they're
22 coming for two variances. They're asking for a
23 size variance to allow a 460 square foot variance,
24 100 square foot allowed. But, you know, in view
25 of what we just talked about, seems reasonable.

1 The lot coverage variance to decrease to 30%. 5%
2 of allowed to make this happen to get what they
3 want. If anybody has any questions. Thank you.

4 CHAIRPERSON MONTAGUE: Correspondence?

5 MEMBER LONGO: So we sent out 23
6 notices. Three were returned for wrong address.
7 There were no objections. There were six
8 approvals. One of them was kind of interesting
9 because they thought the whole thing was aesthetic
10 and allowed for proper consideration for runoff.
11 I just have a quick question for the city. The
12 lot coverage, is that the whole lot, or are you
13 just talking about that area?

14 MR. HALL: It's just the area. That's
15 why it's so high.

16 CHAIRPERSON MONTAGUE: Yeah. It just
17 seems really high, but I assumed that.

18 MR. HALL: That's correct.

19 MEMBER SAMONA: Are we allowed to ask
20 for business cards? I'm kidding.

21 MS. GALLOWAY: You should see the deck
22 he did around the house.

23 MEMBER SAMONA: I've driven around that
24 and I drove around that. I think that's -- I
25 think that's a great improvement. And I think

1 we're seeing some really really nice things to
2 kind of enhance the beauty and the look of East
3 Lake Drive. So I personally wouldn't have any
4 issue with it whatsoever.

5 MEMBER KRIEGER: How long would the
6 crushed floating deck last? Do you have to
7 maintain for the gravel underneath and the
8 leveling of it?

9 MR RAY: Because there's no structural
10 wood touching the ground, in theory it will last
11 forever. Where you have to worry about wood is
12 where you get wet/dry, wet/dry where it hits the
13 ground. The organisms like that ten inches and
14 it's all going to be floating above. So there's
15 going to be no wood that is touching that kind of
16 wet/dry area.

17 MEMBER KRIEGER: And it's treks versus
18 aluminum?

19 MR RAY: No. It's just treks versus
20 wood. Treks is a composite. It's got a 50-year
21 warranty on it. Like I said, I mean I've done
22 enough in the neighborhoods out here. Everybody's
23 kind of your values of your home go up, and it's
24 just a maintenance free for her so.

25 MEMBER KRIEGER: Thank you.

1 MEMBER SAMONA: How far is the
2 closest -- how many feet off of the ground level
3 is the wood going to be or treks, or anything,
4 even though it was floating?

5 MR RAY: About five inches.

6 MEMBER SAMONA: About five inches off
7 the ground.

8 MR RAY: Yep.

9 MEMBER SAMONA: And how close to the
10 lake will this be going? I'm just saying what if
11 there's a -- again, I don't have an issue, but
12 what if there's like a storm or something that
13 throws the water over the seawall?

14 MS. GALLOWAY: The plants that I have
15 there on the seawall, those are all daylilies.
16 They capture a lot of that water. So I have to go
17 down there and clean out a lot of stuff that comes
18 up being on the west side. But I think we talked
19 about like four or five feet away from the actual
20 water.

21 MEMBER SAMONA: Got it. I see. Okay.

22 MR RAY: Also just one other thing I
23 was planning to do because I know water mitigation
24 is a huge issue. When I do build the structure,
25 foot and a half out from the deck all the way

1 around, we're going to dig out about a foot and a
2 half and put pea gravel in there. So if there is
3 any water, there's a drainage, kind of like a
4 French drain system. So it won't get to the lake.
5 It will kind of all be stopped by the deck. So in
6 a sense, the deck will keep any of the runoff away
7 from the lake because the deck fascia will actually
8 be an inch in the ground so it will hit the deck
9 and just kind of disperse up there instead of down
10 by the lake. So there is some environmental kind
11 of nice things that will happen.

12 MEMBER THOMPSON: Some questions on
13 this one. We haven't seen it like even if it was
14 a quick sketch of what this would look like from
15 the side going down the hill. We're keeping the
16 stairs?

17 MR RAY: I'm going to rebuild the
18 staircase with all new structures. Right now they
19 only have two stringers. We're going to add for
20 safety reasons, we're going to have seven
21 stringers. And then what we do for our staircase
22 is we cut them an inch and a half low. Then we
23 put a two-by-ten on top of them, put all that in
24 structurally and then put the treks on top. So
25 the staircase, you're going to be able to have an

1 elephant go down. Again, it's all going to be
2 customized and it's all going to be individual
3 pieces. She's spending some money to get the
4 customization look, so it will be almost like a
5 piece of art.

6 MEMBER THOMPSON: From the picture it's
7 tough to tell. I'm sorry. I wish I would have
8 gone by the site to answer a few more of these
9 questions even for myself that there's six feet,
10 eight feet between where the current deck is and
11 where the new one's going to go?

12 MS. GALLOWAY: No. It like 20 feet.

13 MR. THOMPSON: Of height of like down.

14 MR RAY: Yeah. I would say probably
15 roughly you're about right. Yeah.

16 MEMBER THOMPSON: Is there going to be
17 a way to get to the deck from your yard without
18 going down the stairs or do you have to go down
19 the stairs to get to it.

20 MS. GALLOWAY: Yes.

21 MEMBER THOMPSON: You have to go down
22 the stairs get to it.

23 MR RAY: It's pretty steep.

24 MS. GALLOWAY: I was told I'm one of
25 the highest parts of the lake.

1 MR. THOMPSON: Okay.

2 MR RAY: And we're also going to expand
3 it just a little bit to make it about 51 inches
4 going down because when you're carrying picnic,
5 coolers and stuff down, we don't have to worry
6 about tripping hazards. And I'm going to try to
7 divide it the best I can when I get it opened up
8 to try to make it so we split off and only have
9 six or seven steps on each platform right there,
10 so it's not all at that end right there. I'm
11 going to try to divide that a little better
12 because I think there's five at the top. And if
13 you guys count, there's like nine. So I'm going
14 to try to make it seven, seven, six and six if I
15 can possibly do it to make it where if you do
16 happen to slip, you're not falling nine steps or
17 ten steps down. We're going to try, again, to
18 factor that into safety there.

19 MEMBER THOMPSON: My other struggle,
20 maybe it's just a me thing, this is five times
21 more than what's allowed by the city. One of my
22 kids asked me, hey, can I have a cookie for
23 dinner. I said yes. Can I have five? No.
24 Right?

25 MR RAY: Again, you're assuming it's a

1 negative externality. It's a cookie. I'm five
2 times positive externality because I think that
3 this spillover cost to the neighbor's yard to the
4 lake side to their value of their home. If
5 somebody said, hey, you can have this, and you're
6 going to get more money because it's going to be a
7 positive externality, so that's how I would
8 counter your argument.

9 MR. THOMPSON: You've got me stumped
10 because I've never heard the word externality.

11 MR RAY: It's a spillover cost.

12 MEMBER THOMPSON: Just trying to make
13 light of it. We've had some other people who have
14 tried to do secondary structures on the lake and
15 they came through with the same thing. As a board
16 we had a problem with a 500 foot shed, the 500
17 square foot shed.

18 MS. GALLOWAY: I would like to refer to
19 Morgan Creek Estates. I don't know if you've seen
20 their waterfront. The whole thing is deck. The
21 entire landing for Morgan Creek Estates is deck.

22 MEMBER KRIEGER: Is that Novi or Walled
23 Lake?

24 MS. GALLOWAY: Novi. It's down from
25 me.

1 MS. SAARELA: And you have to look at
2 each case on a case-by-case basis. You can't just
3 look at these cases and say because we've done
4 something on another case, we can't do it on this
5 case. You have to look at the individual facts in
6 each case.

7 MEMBER SAMONA: Great point by madam
8 city attorney. I remember the case that everybody
9 is referencing, and although every case is a
10 case-by-case basis, I still have that vividly in
11 my head. This property is similar, again, not
12 that because one was granted another has to, but
13 this property similar to that property that I
14 believe you're referencing, which was like January
15 or February, was just as large, and this is one of
16 the larger, if I'm right, waterfront properties
17 over there, and I think that this one is actually
18 even steeper and less visible from the road unless
19 you're looking for it. Obviously, you're going to
20 be able to see it. Doesn't take much to see it,
21 but I know we look at everything on a case-by-case
22 basis, but just my opinion, for whatever it
23 matters, if you were even comparing it, I think
24 there's more reason to grant this. It's a larger
25 property. I think good point with the five times

1 bigger, but I personally think that five, you
2 know, to maybe think that five times more than the
3 allowed space might be, maybe in my opinion, a
4 stronger, stronger I guess defense or whatnot if
5 it was a smaller property. It's a rather larger
6 lakefront lot. That's the only thing I wanted to
7 add to this.

8 CHAIRPERSON MONTAGUE: You're not going
9 to have a railing around this.

10 MR RAY: No.

11 CHAIRPERSON MONTAGUE: So there is that
12 benefit too, the railing, which is definitely, I
13 won't call it an eyesore, that you're looking
14 through, that will go away. It's almost an
15 improvement to what we were worried about the
16 structure blocking the view of the lake. This is
17 almost an improvement of the view of the lake. So
18 I think that makes it a little different as well.

19 MEMBER KRIEGER: It made me think of in
20 the future if someone wished to purchase the
21 property and then build on it and enclose a
22 portion of the deck, would you be able to do that
23 or you need to come back and --

24 MR RAY: I would, yeah, just because of
25 the foundation you need to come back. It's a

1 gazebo, like an aluminum gazebo or something like
2 that, you would have no issues. But if you're
3 talking like the earlier gentleman that was here
4 before us they wanted to put like a three-room
5 sunroom or something where it's got a roof,
6 definitely. And again, a contractor would know
7 that right away.

8 MEMBER KRIEGER: Cool. Thank you.

9 MEMBER SAMONA: May I ask one more
10 question?

11 CHAIRPERSON MONTAGUE: Absolutely.

12 MEMBER SAMONA: Thank you. It's 560
13 square feet. Is that inclusive of the square
14 footage of the stairs also? And also, how big is
15 the current deck, and is that not inclusive of the
16 stairs and any landing as well?

17 MR RAY: The one you have does include
18 the platform, the staircase. Our deck down there
19 might be 415, 410 square feet. We were talking
20 about it the other night. We're right around
21 that. And then other hundred comes up from the
22 staircase, and then there's a platform, like I
23 said, to break the steps apart. So everything
24 that we have for your number is inclusive of the
25 staircase and the floating deck.

1 MEMBER SAMONA: So 560 square feet is
2 inclusive of the staircase and the floating deck,
3 however what would you even estimate the square
4 footage of the current deck and stairs?

5 MR RAY: Probably close to 400 because
6 you got about a four foot by maybe 30 staircase.
7 So you got 120 there. You got about 220, 30
8 depending on how you measure it for the deck. So
9 you add those two together, you're getting upwards
10 close to probably 400 right now.

11 MEMBER SAMONA: I think the changes
12 requested are de minimus, so I don't have an issue
13 with it.

14 MEMBER THOMPSON: Before we vote, could
15 you put the picture what the new project would
16 look like back up? I would have loved to have
17 seen what the whole project looked like with the
18 deck and stairs going out to the yard. We take
19 this, the deck's going to go down here where these
20 stones are, right? And then this is going to go
21 away, and these are going to be removed and new
22 ones put in, but they're not drawn up there.

23 MR RAY: Again, I can send you a
24 picture. I mean it's aluminum composite railing.
25 It's just the treks she's spending very, very big

1 money on. Just the staircase alone is -- and
2 material, she's spending almost five grand. So
3 you're adding huge amounts of material where she
4 could have said no, she's not doing that. She
5 understands it's a lake property. She understands
6 she's going to get value back in her house. So
7 she's not cutting any corners. I think the post
8 rail looked amazing when you look at it from the
9 lake.

10 MEMBER KRIEGER: Are the stairs going
11 to come straight down or turn?

12 MR RAY: No. They'll come straight
13 down. What it is right now, it's just --

14 MEMBER SAMONA: You're going to have a
15 landing from what it appeared, correct?

16 MS. GALLOWAY: Yeah.

17 MEMBER THOMPSON: It's not showing
18 there.

19 MR RAY: On the packet it was.

20 MS. GALLOWAY: I wanted to be able to
21 put maybe like a chair there or something for
22 people if they were carrying too much, maybe put
23 something down, a spot to rest, whatever.

24 MEMBER THOMPSON: So there's a
25 difference. Again, this has 12 steps going from

1 the current platform down to the lake. Then it
2 looks to be another seven or eight. So probably a
3 total of 20 steps to go down. The drawing is
4 showing 12. There's like a seven step difference
5 between what's there in the drawing.

6 MR RAY: Like right now, again, she's
7 got an eight and a quarter. Some of them are
8 eight and a half. Some of them are seven.
9 There's no code. I have to wait till I get the
10 math. Everything when you do a step is based on
11 that. To tell you right now it's going of be
12 exactly this, it doesn't tell me until I figure
13 out the math. I may be a couple short. My job is
14 to make it safe and do those things that protect
15 me and protect you guys and protect her. So when
16 I get it opened up and I can figure out my math
17 and I can figure out my dimensions. I get you
18 want, hey, it's going to look exactly like this.
19 But as a contractor, you know, I -- you don't know
20 what you don't know until you open it up.
21 Especially when you're doing a demo job. So to
22 the best of my knowledge, I put the staircase
23 there, and I'm going to try to make it as safe as
24 possible for her. So that's where my kind of
25 angle is. And I understand your angle is

1 different from mine.

2 MEMBER KRIEGER: If it helps you, my
3 deck in the back, it goes down and then it goes
4 sideways. So there's more steps. But then the
5 number of steps doesn't matter because it eases
6 the going up and down the stairs. So numbers
7 shouldn't matter.

8 MR. THOMPSON: Right. So on the
9 staircase, the staircase will have a footing.

10 MR RAY: Yeah.

11 MS. SAARELA: Can I ask you? Is the
12 staircase part of this variance request though?

13 MR. HALL: Yes. It's part of the
14 square footage.

15 MS. SAARELA: Okay.

16 MR RAY: The platforms will have
17 foundation. Those diamond piers that I showed you
18 earlier, these right here. The platform has to
19 have a foundation because again, you're holding --
20 the structural point holds up people walking down,
21 which is a huge issue. So these platforms will
22 have diamond piers so they handle loads going up
23 and down. The staircases themselves will sit on
24 those platforms. The stringers aren't, you know,
25 there's no foundation, just for the platform.

1 MR. THOMPSON: The last question for
2 the city would be will the city come by and
3 inspect that?

4 MR. HALL: Yes. He'll have to get a
5 building permit to put it in. We'll look at the
6 footings, we'll look at the risers, the handrails
7 and that kind of stuff so we'll evaluate that, the
8 inspectors.

9 MR RAY: Chris loves my stuff. I mean
10 the condos over at Applegate I'm the contractor
11 that's redoing all those to update them. And then
12 I've done five over here off of Ten Mile Road back
13 in those subs right there off West Mound stuff.
14 I'm very familiar with all your inspectors. They
15 like our work. We over build.

16 MR. THOMPSON: I'm not trying to give
17 you a hard time. We have a house with a walkout
18 basement. The stairs are like this big and we put
19 a gate over it because we don't want our kids
20 walking up and down them. It was just a really,
21 really steep deal. It is -- sure.

22 MEMBER SAMONA: Are you going to have
23 wider steps for -- I guess let me rephrase the
24 question. Unless I -- unless I didn't hear it
25 correctly, or I'm not looking at it correctly,

1 from the sounds of it, you're going to have wider
2 steps to provide it but more I guess make it
3 easier to walk down the steps and wider steps
4 essentially add more square footage as well
5 because they're bigger steps. So, you know, yeah.
6 That's where I'm at. I don't have an issue.

7 MEMBER KRIEGER: I move that we grant
8 the variance in case number PZ25-0019 for BSR Deck
9 Construction on 1241 East Lake Drive. The
10 applicant is requesting variances to allow 560
11 square foot floating deck accessory structure on
12 the lake encompassing the deck, the floating deck
13 and the stairs. 100 square feet is allowed
14 variance of 460 for an allowed variance request of
15 30%. The petitioner has shown practical
16 difficulty from the given data and the
17 presentation. That the current deck will be
18 removed and staircase and replaced to encompass
19 the newer area, which will be aesthetically
20 pleasing to the surrounding neighborhood. The
21 area is a very steep area, but has the best sunset
22 pictures.

23 MS. GALLOWAY: Sure does.

24 MEMBER KRIEGER: Oh, yes. Without the
25 variance petitioner will be unreasonably prevented

1 or limited with respect to use of the property
2 because it be more unsafe to encompass a smaller
3 area for the stairs and deck together. As
4 explained, the floating deck will not -- will be
5 better lasting. The property is unique because it
6 is on one of the higher parts of the lake causing
7 the steepness of this from the street line to the
8 waterline. The petitioner did not create the
9 condition because as explained. The relief
10 granted will not unreasonably interfere with
11 adjacent or surrounding properties. It will
12 enhance the area. And the relief is consistent
13 with the spirit and intent of the ordinance.
14 Because the petitioner it will be consistent with
15 the street level, the home, and the water level,
16 and neighboring areas, and that's it.

17 MEMBER SAMONA: Second.

18 MS. FLETCHER: Member Thompson?

19 MEMBER THOMPSON: Yes.

20 MS. FLETCHER: Member Krieger?

21 MEMBER KRIEGER: Yes.

22 MS. FLETCHER: Member Longo?

23 MEMBER LONGO: Yes.

24 MS. FLETCHER: Chairperson Montague?

25 CHAIRPERSON MONTAGUE: Yes.

1 MS. FLETCHER: Member Samona?

2 MEMBER SAMONA: Yes.

3 MS. FLETCHER: Thank you. Motion
4 carries.

5 CHAIRPERSON MONTAGUE: Next case.
6 PZ25-0021. 41800 Ten Mile Road. The applicant is
7 requesting a variance from the City of Novi Sign
8 Ordinance Section 28-5(a) to allow two additional
9 wall signs on the east elevation. One sign is
10 allowed. So it's a variance of two signs. The
11 property is zoned General Business (B-3). Want to
12 step up and give your name and spell it.

13 MR. KLOKA: My name is Kurt Kloka,
14 K-U-R-T, K-L-O-K-A. National Sign Company.

15 MEMBER LONGO: Are you an attorney?

16 MR. KLOKA: No.

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

19 MR. KLOKA: Yes.

20 MEMBER LONGO: Thank you.

21 MR. KLOKA: Approximately 30 years ago
22 I started working for Aco Hardware. I'm saying
23 approximately. I've been doing all their signage.
24 And in 2014 they dropped the name Aco and went to
25 Great Lakes Ace Hardware. 2014 we installed this

1 sign currently that was currently up there, and I
2 think it's 186 square feet. That was legal back
3 in 2014.

4 So what happened was the landlord
5 currently, I don't know, eight months ago, he did
6 a significant renovation to beautify the property.
7 And if you look at the current picture, they have
8 a bump out right here. So I can't make this sign
9 one continuous sign all the way across because
10 that bump out. So to buy time, we put up the Ace,
11 and Great Lakes Ace is currently remodeling
12 interior. This is a long time go. The reduction
13 in the building sign square footages as well as
14 the brand recognition could significantly impact
15 the sales of location. Great Lakes Ace has also
16 been serviced the community in Novi since 1983.
17 If we just leave the Ace up, we'd penalize about
18 70% of signage. They would like to get rid of the
19 Great Lakes name and put up Benjamin Moore and
20 Stihl. What else do I want to say?

21 Before the remodel, let's say we're at
22 186 square feet, currently what we're proposing
23 with Benjamin Moore, we're going 113 square feet.
24 So I am reducing the square footage due to the
25 fact that bump out. That's what kind of screwed

1 us all up. These are all new signs. All LED. I
2 did obviously get a final inspection on the Ace
3 sign, and your city inspector was very happy. He
4 said electrical was perfect, blah, blah, blah. So
5 he was happy with that.

6 Not that this would be, but this did
7 happen to me the other day. I was in Saline
8 driving down Michigan Avenue and I shouldn't say
9 this, but I was looking for a McDonald's to eat,
10 garbage food, and I didn't see the sign. And all
11 of a sudden I jam on the brakes, turn. You know,
12 signage does help public safety, but can impede
13 traffic. You know, someone's looking for this
14 sign, Stihl dealership, and we would like to put
15 that up. That's where we're at. So we're not
16 really asking for more square footage, we're
17 actually reducing it just because they remodelled
18 it.

19 CHAIRPERSON MONTAGUE: Anybody?
20 Anybody in the audience wish to speak to it?
21 Seeing none. City?

22 MR. HALL: Thank you, Mr. Chairman.
23 Yes. So they're here to have a variance on a
24 number of signs. They're allowed one and they're
25 asking for two additional signs for three total.

1 The size that he mentioned would be for the one
2 sign so we don't break up the square footages, but
3 he's asking for the signs, two extra signs. The
4 signs would be within the size limits but it's for
5 the number of signs that they're asking for
6 tonight. I have some questions for you. The two
7 signs that are on the either side of Ace, they're
8 on a sloped roof. How are they going to be
9 structurally, on sticks?

10 MR. KLOKA: No. There's angle iron
11 bracing, aluminum iron angle. And if you look to
12 the right, my picture, you'll see how we're --
13 there's letters. There's a raceway, and then
14 you'll see the brackets going through into the
15 building.

16 MR. HALL: The brackets are going to be
17 somewhat invisible or are we going to see these as
18 part of the sign, or are they going to be behind
19 the letters? How do you imagine?

20 MR. KLOKA: They'll be behind the sign
21 because that's the sign you're looking at right
22 there. And then for structural reasons, we tie it
23 in with the structure of the building. Every 16
24 inches is two-by-four. Then we'll put iron back
25 there so it won't fall down.

1 MR. HALL: I can understand it on the
2 right side. The left side, the text is smaller.
3 I don't know if we're going to see that angle iron
4 which becomes part of the sign. I'll just bring
5 that forward to the Board so you can consider the
6 letters are the letters but there might be some
7 structures.

8 MEMBER SAMONA: Could you repeat that,
9 please, the last part?

10 MR. HALL: So there might be -- the way
11 the lettering is shown there may be some
12 structural things you might see too that are
13 holding the letters up, just so you're aware. You
14 may see something. They're not just floating, if
15 that makes sense. These signs that are LED lit?

16 MR. KLOKA: Yes, sir.

17 MR. HALL: They're backlit with LED, or
18 are they lit internally.

19 MR. KLOKA: Internally.

20 MR. HALL: Okay. And there's no halo
21 lighting?

22 MR. KLOKA: No.

23 MR. HALL: There's no animation or any
24 kind of flashing lights?

25 MR. KLOKA: No, sir.

1 MR. HALL: So we also I believe in the
2 ordinance division they had an application for
3 some signage on the glass. So in the glass areas
4 where the doors on either side, I believe there's
5 a plan to put some black film on the glass and
6 have the upper areas like 25% of that glass as
7 signage, different decals and that kind of thing,
8 is that correct?

9 MR. KLOKA: I have no knowledge of
10 that. I'm more the big commercial part of it.
11 I'll go to Al. He's the manager there. He knows
12 about that. But going back to the original
13 signage, see how the angle the roof slopes there
14 too. The iron hit.

15 MR. HALL: That's what I'm hoping. I
16 just don't know about the smaller sign, if you can
17 do that or not.

18 MR. KLOKA: In the old days we used to
19 use angle iron. It would rust. So we use
20 aluminum now.

21 MR. HALL: That's great. I don't
22 challenge that. I just want to make sure that if
23 you're looking on the side view you might see
24 something besides letters.

25 MR. KLOKA: I'm not that familiar with

1 that plaza, but I believe most of the roofs are
2 angled there.

3 MR. HALL: I think where Ace is I think
4 it's pretty straight.

5 MR. KLOKA: Yeah. The only ones that
6 have a bump out is Bushes and Ace, more the anchor
7 tenants.

8 MR. HALL: That's correct.

9 MR. KLOKA: Al will take the podium I
10 guess for the window.

11 MR. MOHAMMED: Hi. My name is Ali
12 Mohammed and I'm the manager of the Ace in Novi.

13 MEMBER LONGO: Are you an attorney?

14 MR. MOHAMMED: No.

15 MEMBER LONGO: Do you promise to tell
16 the truth in this case?

17 MR. MOHAMMED: I do.

18 MEMBER LONGO: Thank you.

19 MR. MOHAMMED: Welcome. Now, regarding
20 the signage on the front, that's already done
21 yesterday. And I believe Becky from our marketing
22 department took care of that with the city. It's
23 basically we cover the bottom of that, except the
24 left side of the door, if you look at that section
25 here, because we have all the like the shelves.

1 And the back of the shelf looks from the back so
2 it doesn't look good, so that's why we put that
3 in. And on the top, only on the top in there I
4 would say probably about four. Basically this is
5 what we have. That's like all covered and these
6 are the only signs that we have up there. And the
7 rest is all glass. And we have uncovered because
8 we have shelf behind the registers. And these are
9 covered just the shelves, and that's the back
10 office down there.

11 MR. HALL: Thank you. So the left side
12 is going to have film with decals and some signage
13 on the glass, which is allowed. It's allowed to
14 have 25% there. On the right side of the Ace
15 there is some decal above that one panel. You're
16 not going to carry that all the way down. That
17 won't have that same look with the taller black
18 with decals all the way across.

19 MR. MOHAMMED: No. It's all set,
20 actually. If you passed by like yesterday they're
21 done. So if you drive in today you'll see that's
22 only on the lower side exactly like the picture in
23 here. And then we have that one covered too.
24 It's still see-through too. It's not dark glass
25 that's from the inside you cannot see.

1 MR. HALL: Just to block the shelving.

2 MR. MOHAMMED: Yeah.

3 MR. HALL: Yeah. So I just wanted to
4 highlight that for the Board so they understand
5 when they're approving two signs and other signage
6 that might be in consideration and look at the
7 glass as well. With that --

8 MR. MOHAMMED: Also the sign, the and
9 Benjamin Moore, Stihl is one of the new products
10 that we're carrying at our store, and it's a
11 product that's more commercial. They use it for
12 landscaping. And we would love to have this on
13 our building because it will bring us a lot of the
14 business because people look for that product.

15 MR. HALL: Thank you.

16 MR. MOHAMMED: Thank you.

17 MR. KLOKA: That's going back to my
18 McDonald's statement. If they're looking for it
19 and all of a sudden they don't see it, if they
20 don't have a good visual of the sign, they could
21 slam on their brakes. I'm getting off on a
22 tangent here, so. . .

23 CHAIRPERSON MONTAGUE: Is that other
24 signage acceptable, or does that need to be part
25 of this variance?

1 MR. HALL: No. I think the 25% is
2 acceptable. But when you're making a decision on
3 signage that's going to be extra, I just want to
4 make sure you understand the whole picture. There
5 could be some graphics on there. I don't want you
6 to approve something and go out in field and say
7 what in the world is all this. So you have some
8 understanding of the full picture, the full
9 project.

10 MEMBER SAMONA: So if we approved it,
11 we'd only be approving the two signs, the two new
12 additional ones as presented, the Benjamin Moore
13 and the Stihl. We're not approving anything to do
14 with windows, are we?

15 MR. HALL: That's correct. The
16 ordinance allows a 25% where they can do graphics
17 on glass, but that may affect your decision or not
18 of what that might be for adding more, you know,
19 advertisement or not. That's up to you. Thank
20 you.

21 CHAIRPERSON MONTAGUE: Correspondence?

22 MEMBER LONGO: Yes. We sent out 32
23 notices, two were returned for address. There
24 were no objections and no approvals.

25 CHAIRPERSON MONTAGUE: Okay.

1 MEMBER THOMPSON: I'm familiar with
2 that plaza. The Ace is roughly -- There's a
3 couple pizza stores and Maria's Bakery in there
4 and that kind of stuff. Really good place for
5 lunch. Better than McDonalds. The Ace is as big
6 as three of the regular stores in there so it's
7 not going to look out of place. I have no problem
8 with this.

9 MEMBER SAMONA: I also have no problem
10 with it. From the road, I don't -- it doesn't
11 appear the lights on the, the LED lights on the
12 sign are going to be bright enough where it's
13 going to distract people, and I can't tell you how
14 many times that I've almost walked into Ace
15 because I was confused if it was Ace or if it was
16 Bushes. Unfortunately, if I go to Bushes, I
17 usually have no money to go to Ace even if I'm
18 getting a spare key, but I actually like that
19 signage because the other side of the plaza is
20 pretty busy. Sometimes the parking lot could be
21 busy and it could get confusing on where you're
22 at. So I don't have an issue with that
23 whatsoever.

24 MEMBER KRIEGER: For the putting up the
25 Stihl and then the Benjamin Moore, so it be like

1 previously with the Great Lakes that you'll have
2 for wintertime, the ice when it melts or if
3 there's like ice or snow falling.

4 MR. KLOKA: They would. You go out
5 there and maintain that snow, snow management.
6 They would put the clear -- that would be the roof
7 pitch. They would have a clear damper like that
8 would catch the snow that would be falling. I'm
9 not worried about that because it's engineered for
10 if the snow builds up behind there, the sign is
11 not going to fall down, no.

12 MEMBER KRIEGER: Okay. And then at
13 night it's usually I notice that they put lights
14 lower, so when they're lit, they have all these
15 lit up at night or --

16 MR. KLOKA: They'll probably just shut
17 off at 10:00.

18 MEMBER KRIEGER: And then I had a
19 question for the city. I'd forgotten about the
20 Great Lakes Ace Hardware, the whole signage, so
21 because they're decreasing their request, it's a
22 decrease and reduction of the square footage but
23 because it's two more signs, it has to be
24 approved.

25 MR. HALL: Yes. You can consider the

1 signs, but the size is for one sign. So if you
2 were allowed to put a 500 square foot sign, you
3 would only have the one sign. So you can't take
4 the number and divide it. So that's why they've
5 come here before you to ask for two additional
6 signs. And then you can consider that it was
7 pretty much like a first sign.

8 MEMBER KRIEGER: And you can have the
9 two signs, and then actually put up as you -- I
10 mean if the business has a different -- instead of
11 Stihl selling something else, you can switch it to
12 that but fit in that square footage.

13 MS. FLETCHER: It would have to go back
14 to ZBA if they change the sign.

15 MEMBER KRIEGER: Put the information in
16 it?

17 MS. SAARELA: I think you can set up
18 the exact same size.

19 MR. HALL: You can reface it, yes.
20 That's correct.

21 MEMBER KRIEGER: And then in the
22 windows, is it going to be repetitive for Moore
23 Stihl and Benjamin Moore and the windows?

24 MR. MOHAMMED: No. For the windows
25 it's got just for the Weber. It's a different

1 sign, basically.

2 MEMBER KRIEGER: And then protection
3 from the sun as well?

4 MR. MOHAMMED: Yes.

5 MEMBER KRIEGER: And then Weber, yes
6 for the current, for the summer season.

7 MR. MOHAMMED: Yes. I don't believe
8 we're going to change any of these signs. Like
9 these is going to stay. It's basically it's going
10 to be with the design itself. These are not
11 removable signs like when we put them. I don't
12 believe we change out until like they faded and
13 just to look good. Maybe that's the only time
14 we're going change them.

15 MEMBER KRIEGER: I understand, and I'll
16 be able to approve their request.

17 CHAIRPERSON MONTAGUE: All set. Motion
18 time.

19 MEMBER LONGO: I move that we grant the
20 variance in case number PZ25-0021 sought by Great
21 Lakes Ace Hardware for a two sign variance because
22 petitioner has shown practical difficulty,
23 including making one sign and not more square
24 footage requiring two additional individual signs
25 on the basis of the following. That the failure

1 to grant relief will unreasonably prevent or limit
2 the use of the property and will result in
3 substantially more not -- and substantially more
4 than mere inconvenience or inability to attain a
5 higher economic or financial return because the
6 store's frontage is wide enough that the two
7 additional signs present no problem. The grant of
8 the relief will not result in the use of structure
9 that is incompatible or unreasonably interferes
10 with the adjacent or surrounding properties and
11 will result in substantial justice being done to
12 both the applicant and the adjacent surrounding
13 properties and is not inconsistent with the spirit
14 and intent of this chapter, and the signs present
15 no distraction.

16 MEMBER SAMONA: Second.

17 MS. FLETCHER: Member Thompson?

18 MEMBER THOMPSON: Yes.

19 MS. FLETCHER: Chairperson Montague.

20 CHAIRPERSON MONTAGUE: Yes.

21 MS. FLETCHER: Member Samona?

22 MEMBER SAMONA: Yes.

23 MS. FLETCHER: Member Longo?

24 MEMBER LONGO: Yes.

25 MS. FLETCHER: Member Krieger?

1 MEMBER KRIEGER: Yes.

2 MS. FLETCHER: Thank you. Motion
3 carries.

4 CHAIRPERSON MONTAGUE: PZ25-0022.
5 49805 Nine Mile Road. The applicant is requesting
6 variances from the City of Novi Zoning Ordinance
7 Section 3.1.1 for a side yard setback of 10 feet.
8 20 feet is required. So this would be a variance
9 of 10 feet. The aggregate side yard setback of 30
10 feet. 50 feet is required. So it results in a
11 variance of 20 feet. This property is zoned
12 Residential Acreage (R-A). Applicant?

13 MR. MOORE: Yes. My name is William
14 Moore, W-I-L-L-I-A-M, Moore, M-O-O-R-E.

15 MEMBER LONGO: William, are you an
16 attorney?

17 MR. MOORE: No, I am not.

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

20 MR. MOORE: I do.

21 MEMBER LONGO: Thank you.

22 MR. MOORE: So the property that is
23 zoned residential currently a structure on the
24 home which does not actually conform to its
25 current zoning. The structure is pretty much

1 dilapidated. I know that there's been some
2 complaints from some of the neighbors in the area.
3 And so we recently purchased the property. We
4 built the house right adjacent to the west of this
5 property and we thought that we could do the
6 subject property some justice by removing it and
7 putting up a new structure.

8 When talking to the building department
9 was under also our impression that even if we were
10 to use the same footprint of the house, that we
11 would still need to come in front of the Zoning
12 Board because it does not conform to the actual
13 zoning which is actually there. So the hardship
14 for us is not created by us. We're actually just
15 trying to make a better structure on the property
16 there requesting this variance. I do believe that
17 the ask is very reasonable in my opinion because
18 the plot or the, I guess you'd say, not the
19 building envelope, but the structure itself,
20 measures approximately 55 feet in width. And our
21 zoning variance that we're asking for is in
22 accordance basically I think we're point ten feet
23 shy of what the current structure is on the
24 property.

25 Don't really have much more to say.

1 The only thing is, I was trying to be very
2 reasonable. I would love to have asked for more,
3 but I didn't want to push the envelope on it. I
4 think we do side to the City of Novi so where
5 we're asking for the ten feet, it shouldn't be
6 encroaching on anybody except for city land, and
7 then we also back to the ITC land as well. So the
8 only property that we would really directly be
9 changing a variance where it would have an issue
10 with is the neighboring property which we've built
11 and the property is currently for sale.

12 CHAIRPERSON MONTAGUE: Do you have a
13 site plan you can put on the view for us? The
14 site plan?

15 MR. MOORE: I do not. I did not bring
16 one. I actually printed it, but I forgot to take
17 it off the printer. I noticed that when I was
18 driving here.

19 CHAIRPERSON MONTAGUE: Because that
20 kind of helps explain.

21 MR. MOORE: Yeah. It's a very narrow
22 lot. So the width at the front at the street is
23 angled, so that's the widest spot. But once you
24 get back probably about ten, 20 feet, that's when
25 it gets even narrower to just over 85 feet in

1 width. And we'd be looking to move the subject
2 property back kind of in accordance with some of
3 the newer homes are going on there, approximately
4 100 feet, 90 to 100 feet back off the road.

5 MR. HALL: We're going to try to see if
6 we can get a graphic up.

7 MR. MOORE: Awesome. Thank you.
8 Appreciate it.

9 CHAIRPERSON MONTAGUE: So the red is
10 the proposed new structure, correct?

11 MR. MOORE: It's the idea, because what
12 we're looking, since it is so narrow, we're
13 looking to have a side entry garage. So in all
14 reality, the ask that we're doing what we build
15 will most likely not be as wide. And the reason
16 being is when you have a side entry garage, you're
17 supposed to have like a 20 foot pad going into it.
18 So we'd have to get another variance if we wanted
19 to make that shorter. And then we need three feet
20 of green space. So that brings us to 23 feet. So
21 the ask, we're actually going to have to build,
22 unless we ask for another variance, you know, not
23 20 feet from the property line, but most likely 23
24 feet from the property line. So it would have
25 been better if I would have came in and said, hey,

1 can we be seven feet on the east side of the
2 property. But I know once you get like around
3 five feet you got to do the fire blocking. And
4 our whole idea is for the house, for the design,
5 since we back up the ITC inside the wooded and
6 wetlands of Novi, we really wanted to have that be
7 the focal view for the back of the house for the
8 people living in the house to enjoy that space,
9 and then side entry garage would make it more
10 private. And it would also give a little bit more
11 piece to the house that we just built adjacent to
12 the property so that way, kind of privacy for both
13 sides as well.

14 CHAIRPERSON MONTAGUE: But you realize
15 if you went down to seven feet on that side, you'd
16 have to come back.

17 MR. MOORE: No. I know now. But yes.
18 The idea is I wanted to kind of be fair and easy
19 and that's where I thought well, if we're at ten
20 here and 20 on the other, it's reasonable. On
21 lake lots, I know that it seems to be a little bit
22 more I guess easier to try to get the really small
23 setbacks, and I didn't want to push the envelope.
24 So I thought that within this element, we could
25 design a very desirable home.

1 CHAIRPERSON MONTAGUE: I just wanted
2 you to be aware of that.

3 MR. MOORE: Correct. Yes.

4 CHAIRPERSON MONTAGUE: You won't be
5 able to make that less if this gets approved
6 tonight at ten foot.

7 MR. MOORE: Correct.

8 CHAIRPERSON MONTAGUE: Okay. Just so
9 you understand that. Seeing nobody in the
10 audience, I guess there's nobody to talk to that.
11 City.

12 MR. HALL: Thank you, Mr. Chairman. I
13 have a couple questions for you. So he is asking
14 for two variances tonight, one is for the ten foot
15 setback, and the other is for the 20 foot side
16 yard area reduction. So could you just kind of
17 with your finger draw the driveway from Nine Mile
18 to the side entry drive. How does the car enter
19 the site into the house?

20 MR. MOORE: So on the west side of the
21 property, we'd be looking going right kind of
22 following the property line, but allowing for the
23 green space be three feet from there. And then
24 this the, I guess you'd say rectangle going back
25 is where we're thinking of having the side entry

1 garage.

2 MR. HALL: I can't see that offset from
3 right there. What is that offset from the
4 property line to your house? Is that 24 feet?

5 MR. MOORE: That's saying 20 right
6 there for the setback.

7 MR. HALL: Okay. 20 feet. So that's
8 pretty tight to make the turn from your, like if
9 you have a pickup truck or something going in
10 there, that's a pretty tight turn to get into the
11 garage.

12 MR. MOORE: We're currently doing --
13 not to interrupt.

14 MR. HALL: Yeah.

15 MR. MOORE: We're currently doing one
16 on 11 Mile that --

17 MR. HALL: That turns. Going straight
18 in is one, but turning --

19 MR. MOORE: No. It's a side entry,
20 and they actually did a variance to get their
21 driveway at 18. I wouldn't do that, because I
22 just think that's tight.

23 MR. HALL: So then the drive itself,
24 just so I understand, it's going to be what, two
25 feet off of the house on one side and maybe three

1 foot off the property line and the other, that's
2 how wide it's going to be, do you think, as it
3 goes past there, or how do you foresee that drive?
4 Can't go right to the property line.

5 MR. MOORE: It has to be three feet off
6 the property line.

7 MR. HALL: So that's how you envision,
8 it's going to be three feet off the property line
9 and then somewhat off the house a little bit,
10 little green area there too you think, or it goes
11 right hard to the house?

12 MR. MOORE: Well, in front where the
13 garage is, yeah, I mean we're probably going to
14 have a little bit of green space there, but once
15 you get in front of the garage, that's where you
16 need --

17 MR. HALL: I'm just kind of thinking of
18 that front corner. I don't want you to nick it on
19 the way in trying to get there. It's tight. So
20 it's going to be 17 feet wide if you go with full
21 max. If you go three feet away from the house too
22 you're going by there and making that turn. It's
23 tight. You're getting 18 feet, so I guess that
24 would be appropriate. But it looks like it's
25 comparable side of the house that's kind of there

1 now that you're putting, and so we have no other
2 questions. Thank you.

3 MR. MOORE: But it would allow for the
4 at that point the 20 foot -- well with the three
5 foot green space that you're talking about, but so
6 that's sort of like on variance. But as I
7 mentioned before, what I really think is that it's
8 going to be three feet shorter the house width
9 because of that green space.

10 MR. HALL: If you're at three feet,
11 you're actually 17. You're at 18 on the one
12 you're saying is tight. Now it's 17 here. It's
13 getting tighter with your actual pavement area.
14 I'm just trying to get so the Board understands
15 what the application looks like.

16 MR. MOORE: In being it is a spec, it
17 would be a spec home. And so for us to shorten
18 the driveway to get a variance to do that, that's
19 not going to be a good resale factor on it, so
20 that's where I think where we're going to have to
21 kind of eat it and lose three feet and do the
22 garage to move it over.

23 MR. HALL: Thank you.

24 CHAIRPERSON MONTAGUE: Correspondence?

25 MEMBER LONGO: Yes. We mailed out nine

1 notices. We had none returned for address. There
2 were no objections and no approvals.

3 CHAIRPERSON MONTAGUE: All right. The
4 Board?

5 MEMBER SAMONA: Why is everyone looking
6 at me?

7 MEMBER THOMPSON: Because there's not a
8 drawing of the proposed house or anything close to
9 it, the house is currently built that there are
10 pictures of. You drive straight into the garage,
11 correct?

12 MR. MOORE: Correct. Yes.

13 MEMBER THOMPSON: And this one you're
14 saying you need to go next to the house and back
15 up?

16 MR. MOORE: No, not back up, just side
17 to the garage. You're not going to have to back
18 up to get into the garage. To get out, you would
19 just like you would any other garage. Mini
20 Cooper's only.

21 MEMBER THOMPSON: There's going to be a
22 total of like 17 feet of driveway then.

23 MR. MOORE: That's not our plan, no.
24 Our plan is to keep a full driveway. Yeah, when
25 you do the math, but for us to do 17 feet, I would

1 have to come and get another variance. You cannot
2 have a 17 foot driveway on a side entry garage
3 unless you get a variance. So I would have to
4 come back to get a variance to shorten the
5 driveway at the side entry garage.

6 MR. THOMPSON: So there's going to be
7 the cement of the driveway and then three feet to
8 the property line.

9 MR. MOORE: Correct. Yes.

10 MR. THOMPSON: Okay.

11 MEMBER SAMONA: I don't particularly
12 have an issue with this. I actually don't. But
13 my colleague over here brought up a great point.
14 One of the things that I'm thinking about is if it
15 comes back to us, it sounds like it's going to
16 come back to us for a variance because of the
17 driveway size, unless I'm mistaken. The only
18 question that I have, and I'll maybe defer to the
19 board, or to whomever, or to the builder, property
20 owner for comments is if it's going to come -- if
21 it's likely to come back to us because of a
22 reduced driveway size, because of this variance
23 that we're granting so they can put essentially
24 the side car garage in, are we -- is it wrong to
25 look at it and say, well wait a minute, are we

1 going to have them build this house with the side
2 car garage, then they're going to come back and
3 basically, for lack of better words, our hands are
4 going to be tied? The house is built. What are
5 you going to do? Make them tear it down?

6 MR. MOORE: To get a garage side car
7 entry variance for the driveway, you do not need
8 to go in front of the ZBA. So that's something
9 that I can do inside the Novi office. As long as
10 I'm requesting it, they will approve.

11 MEMBER SAMONA: I knew that, I was just
12 trying to see if you did.

13 MEMBER THOMPSON: We've had some of
14 this before. The Chevrolet Suburban, common
15 enough car, right, is 19 feet long. But that's
16 also not -- that's bumper to bumper. For the
17 person that's going to pull out of the driveway
18 and then back up from the rear of the rear wheel
19 to the bumper is a couple feet. So it is
20 possible, it's just going to be tight.

21 MR. MOORE: Well, the other thing too
22 is you're assuming that they're only going to be
23 turning once they get out of the garage. Do you
24 back up completely straight, and then once you're
25 completely out of your garage do you then turn

1 your wheel? You actually usually start your turn
2 when you're partially out of the garage.

3 MEMBER THOMPSON: Is it going to be a
4 two-car garage house?

5 MR. MOORE: I'm looking for most likely
6 a four-car garage.

7 MEMBER THOMPSON: Okay. You normally
8 have to get out before you start turning. You're
9 going to hit the other car or the garage.

10 CHAIRPERSON MONTAGUE: That ends up
11 being a marketing problem. It's not a code issue.
12 We're dealing with the code issues. So that's
13 going to be not a very good feature of the house.

14 MR. MOORE: Or I can build an unsalable
15 house, right? It would be better than what's
16 there.

17 MR. HALL: So in line of just what
18 we're trying to approve this variance, is your
19 intention that the car would drive in forward and
20 then back all the way out, or do they turn the car
21 around and come forward out?

22 MR. MOORE: I don't know if it really
23 matters because either they're backing into the
24 garage or they pull in. They're still going to
25 have to make whatever turn they do whether you're

1 coming in or leaving.

2 MR. HALL: What I'm trying to get at is
3 they're not trying to turn the car around, they're
4 going to go in forward and back out, or back in
5 and come forward out, right? That's what's you're
6 thinking. Because I think part of it is that
7 you're thinking he's going to go and turn around
8 and then come straight out again always going
9 forward to the driveway. That may not be the case
10 if it's tight like that.

11 CHAIRPERSON MONTAGUE: I would think
12 he's got a four-car garage. You won't put four
13 cars in there because you'll need to turn in your
14 garage. He makes it pretty darn big. I know it's
15 not our issue. I'm just responding.

16 MR. HALL: I have another question.
17 You mentioned that you can go to the city and you
18 would get the variance. Is that Construction
19 Board of Appeals? Is that what you're referring
20 to?

21 MR. MOORE: You don't even need to do
22 that. You really just fill out a form if you're
23 requesting for a driveway because it's not
24 structural. So like I said, we're doing one that
25 we had a client had a house designed, and it's on

1 11 Mile. The lot is a 100 feet wide, so it's one
2 of the wider ones, and they're basically building
3 from setback to setback. But to be able to get
4 the house even wider than they wanted to, they
5 needed to request a variance to shorten the
6 driveway width. It is a side entry garage. It's
7 really you fill out a form, the same day it's
8 either same day or next day you get approval.

9 MR. HALL: So I think the question what
10 I'm driving at I think is we don't want you to go
11 into the property line of the neighbor next door.
12 If you drive out and then by circumstance you just
13 back and go, you could be in the neighbors yard at
14 some point because it's only three foot from there
15 to the property line. So if the neighbor put a
16 fence there could be some -- or they just go into
17 the yard. I think that's part of the variance the
18 Board should consider, the tightness of that and
19 what that looks like.

20 MR. MOORE: That's on any property.
21 The three feet is kind of regardless of whatever
22 property you're talking about in Novi.

23 MR. HALL: Most of the times the lake
24 house that you're referring to were straight in
25 drives, not really turn in.

1 MR. MOORE: I'm saying whether it's any
2 lot in Novi, you're going to have that three foot
3 green space. So that would apply to anybody
4 backing up out of any side entry garage.

5 MR. HALL: That's true if it's that
6 tight. That's correct.

7 CHAIRPERSON MONTAGUE: On the positive
8 side, he's increased the front setback quite a
9 bit. Throw some positive. All right. Anything
10 else?

11 MEMBER SAMONA: I move that we grant
12 the variance in case PZ25-0022 sought by J Michael
13 Homes for the dimensional variance as requested.
14 Ten foot side yard setback variance, 20 foot side
15 yard aggregate reduction variance because the
16 petitioner has shown practical difficulty
17 requiring the variances for a garage due to the
18 lot dimensions and the layout of the home.
19 Without the variance, the petitioner will be
20 unreasonably prevented or limited with respect to
21 the use of the property because the narrow lot
22 which would otherwise not allow for a side car
23 entry garage and very limited space for any
24 garage. The property is unique because of the lot
25 dimensions, location and main road frontage.

1 Petitioner did not create the condition because
2 the necessity for a variance has been there prior
3 to this owner owning the home. The lot size
4 already would require a variance regardless of
5 what the size of the home was. The relief granted
6 will not unreasonably interfere with adjacent or
7 surrounding properties because it sides to
8 wetlands and backs to the ITC. The relief is
9 consistent with the spirit and intent of the
10 ordinance because it is consistent with adjoining
11 properties and the lot would not be usable if a
12 variance was not granted because of the width.

13 MEMBER KRIEGER: Second.

14 MS. FLETCHER: Member Longo?

15 MEMBER LONGO: Yes.

16 MS. FLETCHER: Member Krieger?

17 MEMBER KRIEGER: Yes.

18 MS. FLETCHER: Member Samona?

19 MEMBER SAMONA: Yes.

20 MS. FLETCHER: Member Thompson?

21 MEMBER THOMPSON: Yes.

22 MS. FLETCHER: And Chairperson

23 Montague?

24 CHAIRPERSON MONTAGUE: Yes.

25 MS. FLETCHER: Thank you. Motion

1 carries.

2 CHAIRPERSON MONTAGUE: Thank you.

3 MEMBER SAMONA: Before we adjourn, I
4 want to say happy Father's Day to all those
5 celebrating, and those that are no longer with us.
6 And just wondering if we could come check out your
7 deck, Linda, when you have a barbecue going on.

8 MEMBER KRIEGER: Sure.

9 MEMBER SAMONA: I'm sure my mom's
10 watching. My parents -- my dad passed about two
11 years ago. My parents would have been celebrating
12 their 49th wedding anniversary on Thursday so
13 there's a special moment for them also. I'm sure
14 my mom will be giving me hugs and kisses in like
15 12 minutes so.

16 MEMBER KRIEGER: We send hugs back.

17 CHAIRPERSON MONTAGUE: Anything else?

18 MEMBER SAMONA: Motion to adjourn.

19 MR. HALL: I've got one more thing. So
20 we want to talk about some kind of training.

21 MS. FLETCHER: So go ahead and put on
22 your guys' schedule for July 15th. We are going
23 to do the yearly ZBA training.

24 CHAIRPERSON MONTAGUE: I will not be
25 here on the 15th. I will be in Costa Rica.

1 MS. FLETCHER: Lucky you.

2 MEMBER SAMONA: I will be chaperoning.

3 MEMBER KRIEGER: That's where the
4 meeting's at.

5 MS. FLETCHER: So it will be July 15th.
6 If we could possibly look at other days, we could
7 probably try to do that, but tentatively it's
8 going to be July 15th. And then we'll send out an
9 email with all the official details this week. If
10 you have any topics that you would like to talk
11 about those, Beth is going to get all the
12 information for us. But if you have any topics
13 that you want to talk about, just shoot us an
14 email, not everybody together, just one individual
15 email to myself or Al. And then we'll let Beth
16 know. We'll get it all together.

17 CHAIRPERSON MONTAGUE: I'm gone from
18 the 13th to the 23rd if you need another date.

19 MEMBER SAMONA: We're not allowed to
20 make motions to have that in Costa Rica, right?

21 MEMBER KRIEGER: I don't think counsel
22 will approve.

23 CHAIRPERSON MONTAGUE: Our budget's
24 pretty small here.

25 MR. HALL: I think we should

1 requisition it and see what happens.

2 CHAIRPERSON MONTAGUE: What form do I
3 fill out, right?

4 MR. HALL: Yeah, right.

5 MEMBER SAMONA: I move that we grant
6 that motion.

7 MS. FLETCHER: We could talk about this
8 more off the record about dates and stuff.

9 MEMBER SAMONA: Motion to adjourn.

10 MR. THOMPSON: Second.

11 MEMBER KRIEGER: Second. Third.

12 CHAIRPERSON MONTAGUE: All in favor?

13 THE BOARD: Aye.

14 CHAIRPERSON MONTAGUE: No opposed. We
15 are adjourned.

16 (The meeting was adjourned at 8:23 p.m.)

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CERTIFICATE OF NOTARY

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STATE OF MICHIGAN)
) SS
COUNTY OF OAKLAND)

I, Melinda R. Womack, Certified
Shorthand Reporter, a Notary Public in and for the
above county and state, do hereby certify that the
above deposition was taken before me at the time
and place hereinbefore set forth; that the witness
was by me first duly sworn to testify to the
truth, and nothing but the truth, that the
foregoing questions asked and answers made by the
witness were duly recorded by me stenographically
and reduced to computer transcription; that this
is a true, full and correct transcript of my
stenographic notes so taken; and that I am not
related to, nor of counsel to either party nor
interested in the event of this cause.



Melinda R. Womack, CSR-3611

Notary Public, Oakland County, Michigan

My Commission expires: 06-22-2025

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