

REGULAR MEETING - ZONING BOARD OF APPEALS

CITY OF NOVI

May 9, 2017

Proceedings taken in the matter of the ZONING BOARD OF APPEALS, at City of Novi, 45175 West Ten Mile Road, Novi, Michigan, on Tuesday, May 9, 2017

BOARD MEMBERS

Cindy Gronachan, Chairperson

Jonathan Montville, Secretary

David Byrwa

Brent Ferrell

Linda Krieger

Thomas Nafso

Joe Peddiboyina

ALSO PRESENT:

Beth Saarela, City Attorney

Lawrence Butler

Coordinator: Katherine Opperman, Recording Secretary

REPORTED BY: Jennifer L. Wall, Certified Shorthand Reporter

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Tuesday, May 9, 2017
Novi, Michigan
7:00 p.m.

** ** *

CHAIRPERSON GRONACHAN: Good evening. I would like to call the May 2017 Zoning Board of Appeals meeting to order.

All rise for the Pledge of Allegiance led by Member Montville.

(Pledge recited.)

CHAIRPERSON GRONACHAN:

Katherine, will you please the call roll.

MS. OPPERMAN: Member Byrwa?

MR. BYRWA: Present.

MS. OPPERMAN: Member Ferrell?

MR. FERRELL: Here.

MS. OPPERMAN: Member Krieger?

MS. KRIEGER: Here.

MS. OPPERMAN: Member Nafso?

MR. NAFSO: Here.

MS. OPPERMAN: Member Montville?

MR. MONTVILLE: Here.

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MS. OPPERMAN: Member
Peddiboyina?

MR. PEDDIBOYINA: Here.

MS. OPPERMAN: Member Sanghvi?

MR. SANGHVI: Here.

MS. OPPERMAN: Chairperson
Gronachan?

CHAIRPERSON GRONACHAN: Present.

Thank you. This evening there is only one case, so I am not going to necessarily go through all the pomp and circumstances about turning off your cellphones and looking at the rules of conduct.

Are there any changes to the agenda this evening?

MS. OPPERMAN: No.

CHAIRPERSON GRONACHAN: Thank you. I am sure everyone has had time to review the minutes that were in our packet from the March meeting.

Are there any changes or amendments? Nothing. All those in favor of the minutes as they stand say aye.

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THE BOARD: Aye.

CHAIRPERSON GRONACHAN: None

opposed.

Is there anyone in that audience that wishes to make comment in regards to any other matters regarding things that would come before the board other than the case that's in front of us tonight?

Seeing none, we will go right to our first and only case, PZ --

MR. SANGHVI: I would like to point out that the applicant for today's case has been known to me for sometime, he's a fellow attorney. I have known him very well. I know the property as well. And I just want to know if it is all right with you and the board and the city attorney for me to continue to participate in the deliberation of this case? I have no financial interest in this.

CHAIRPERSON GRONACHAN: Thank you.

MS. SAARELA: It's my

1 understanding you're not related to the
2 applicant in any way, is that correct?

3 MR. SANGHVI: No.

4 MS. SAARELA: I don't see any
5 conflict here.

6 CHAIRPERSON GRONACHAN: Thank
7 you, I don't either.

8 Good try to get out of the big
9 case.

10 MR. SANGHVI: I just want to be
11 clear.

12 CHAIRPERSON GRONACHAN: We
13 appreciate that. So let's call PZ17-0010,
14 Spencer and Sons Construction.

15 Would you like to come to the
16 podium, please.

17 If you are both giving
18 testimony, please both state your names,
19 spell them for the secretary. I take it we
20 have the contractor and the homeowner?

21 MR. SPENCER: That's correct. I
22 am the contractor. John Spencer,
23 S-p-e-n-c-e-r.

1 I'm Gary Sobotta, the
2 homeowner.

3 CHAIRPERSON GRONACHAN:

4 Gentlemen, would you please
5 raise your right hand to be sworn in by our
6 secretary.

7 MR. MONTVILLE: Do you swear to
8 tell the truth in the testimony you are about
9 to provide?

10 MR. SPENCER: Yes.

11 MR. SOBOTTA: Yes.

12 CHAIRPERSON GRONACHAN: You may
13 proceed.

14 MR. SPENCER: Well, it's a pretty
15 simple request for a variance to allow
16 Mr. Sobotta to utilize his property to the
17 fullest to obtain a close to 25 percent lot
18 coverage.

19 We're requesting a 3.25-foot
20 setback variance, so that would be 16.9 feet
21 from the side setback and eight feet variance
22 so that we can be at 42 feet setback in the
23 rear of the property, not that it necessarily

1 has merit, but an existing deck structure is
2 already there in that footprint, although
3 it's different than, you know, an addition to
4 a home, would be the footprint utilized for
5 the addition.

6 We have received approval from
7 the Pioneer Meadows Association as well as
8 support from one of the neighbors in favor of
9 allowing the variance to happen, so that we
10 can put an addition for a family room, living
11 space on the existing home.

12 CHAIRPERSON GRONACHAN: Do you
13 have your plans with you or a picture of the
14 property. If you would like to share with
15 us, please, on the overhead, that would be
16 great.

17 MR. SPENCER: So this is the
18 existing home right here, and part of this
19 deck structure that's shown there is also
20 where the proposed addition would be.

21 And so at the closest point to
22 the side lot, would be 16.9, if the variance
23 was granted, and at the furthest distance is

1 17.4, and then again in the rear, utilizing
2 that same structure footprint of the deck we
3 would be 42 feet from the rear setback, if
4 the variance was granted and allowed for the
5 addition to be put on.

6 So it's just open living
7 space, living room, if you will. Gary is
8 moving onto to his eighth grandchild, just to
9 allow for some extra space utilizing the
10 existing deck space, that's only been able to
11 be utilized in good weather, turning it into
12 a four season room to be utilized all year
13 round.

14 CHAIRPERSON GRONACHAN: Okay. Is
15 there anything else you would like to add?

16 MR. SOBOTTA: No, not at this
17 point. I mean, it's -- you know, like I
18 said, we basically do have permission from
19 the association. I mean, you know, meets
20 their variance.

21 CHAIRPERSON GRONACHAN: Thank
22 you. There clearly is no one in the audience
23 that wishes to make any comment.

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Is there any correspondence?

MR. MONTVILLE: Yes, there was 34 letters mailed, zero letters returned, two approvals, zero objections. And the only written approval is from Travis Millot, at 25731 Glamorgan Morgan and he mentions he spoke to the neighbors, has no problem with what they are doing and mentioned that they are good neighbors.

CHAIRPERSON GRONACHAN: All right. Thank you. Building department, do you have anything to offer?

MR. BUTLER: No, nothing to offer from the building department.

CHAIRPERSON GRONACHAN: Board members? Member Sanghvi.

MR. SANGHVI: I know this property quite well. And what they are trying to do is just make more living space. I don't think it is a case, in spirit of the ordinance the kind of variance they are requesting, so I have no problem with it. Thank you.

1 CHAIRPERSON GRONACHAN: Thank
2 you. Anyone else? Member Montville.

3 MR. MONTVILLE: When looking at
4 the case, with the new structure being within
5 the footprint, and just trying to improve the
6 house, improve the property value, if you're
7 going to do anything you would have to
8 request a variance.

9 So, you know, in my eyes,
10 they're improving the property value, the
11 esthetics of the home and surrounding areas,
12 and I have no problem with supporting the
13 variance requested as well.

14 CHAIRPERSON GRONACHAN: Okay.
15 Thank you. Anyone else?

16 MR. BYRWA: I was wondering how
17 did you come up with the size of the
18 addition?

19 MR. SOBOTTA: I came up with it
20 based on our current deck size.

21 MR. BYRWA: Yeah, because my
22 experience is that it kind of can be less
23 expensive to build in even numbers. Like it

1 costs you just as much to probably build an
2 18 by 18, than it would be to have an odd
3 size like a 17.

4 MR. SOBOTTA: I think what we
5 tried to do, we are trying to meet the side
6 of the house so it would be straight, it
7 would be flat rather than kind of indented,
8 or you know, pushed out.

9 And then also there was a --
10 on the back of the house, it kind of meets
11 the side that -- there is a bit of what they
12 call a bump-out, that's on the house. The
13 only question was how far do we want the
14 depth of the house. It was basically to make
15 it look esthetically pleasing.

16 MR. BYRWA: Thank you.

17 CHAIRPERSON GRONACHAN: Member
18 Peddiboyina?

19 MR. PEDDIBOYINA: I don't see any
20 problem. I approve. I have no issue.

21 CHAIRPERSON GRONACHAN: Thank
22 you. Anyone else?

23 Table would entertain a

1 motion, if there is -- Member Krieger.

2 MS. KRIEGER: In Case No.
3 PZ17-0010, with Spencer and Sons Construction
4 on 25678 Glamogran Drive, I move that we
5 grant the variance in this case, sought by
6 the petitioner for the reasons and practical
7 difficulty, and as have shown the easements
8 of the -- have been approved through their
9 homeowners association, and the footprint of
10 the addition will be the same size as the
11 deck, and that this allows for a compatible
12 adjustment on the house, that at night it's
13 better for them.

14 Without the variance,
15 petitioner will be unreasonably prevented or
16 limited with respect to the use of the
17 property because of the additional members
18 that they were speaking about.

19 The property is unique because
20 it's on the corner, so it has two fronts, but
21 it is fenced in, and will be esthetically
22 pleasing. The petitioner did not create the
23 condition because of its location. The

1 relief granted will not unreasonably
2 interfere with adjacent or surrounding
3 properties, as evidenced by letters sent by
4 neighbors saying that they're fine with that.

5 The relief is consistent with
6 the spirit and intent of the ordinance
7 because of the fellowship with neighbors.

8 MR. FERRELL: Second.

9 CHAIRPERSON GRONACHAN: It's been
10 moved and seconded. Is there any further
11 discussion on the motion?

12 Seeing none, Katherine, would
13 you please call the roll.

14 I'm sorry, Member Byrwa.

15 MR. BYRWA: Thought one of the
16 important considerations is also the
17 placement of the house on the lot, in
18 relation to the septic field, it limits the
19 area where you can actually -- add onto your
20 house, the way that septic field is and the
21 way the house is placed on the lot.

22 CHAIRPERSON GRONACHAN: Are you
23 offering that as a friendly amendment to --

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MR. BYRWA: I would.

MS. KRIEGER: Okay.

CHAIRPERSON GRONACHAN: Member
Krieger, you're accepting that?

MS. KRIEGER: Yes.

CHAIRPERSON GRONACHAN: Thank
you, guys. Katherine, would you please call
the roll.

MS. OPPERMAN: Member Byrwa?

MR. BYRWA: Yes.

MS. OPPERMAN: Member Ferrell?

MR. FERRELL: Yes.

MS. OPPERMAN: Member Krieger?

MS. KRIEGER: Yes.

MS. OPPERMAN: Member Nafso?

MR. NAFSO: Yes.

MS. OPPERMAN: Member Sanghvi?

MR. SANGHVI: Yes.

MS. OPPERMAN: Member Montville?

MR. MONTVILLE: Yes.

MS. OPPERMAN: Member
Peddiboyina?

MR. PEDDIBOYINA: Yes.

1 MS. OPPERMAN: Chairperson
2 Gronachan?

3 CHAIRPERSON GRONACHAN: Yes.

4 MS. OPPERMAN: Motion passes
5 eight to none.

6 CHAIRPERSON GRONACHAN: I am
7 going to amend that. Member Nafso, because
8 we have a full board tonight.

9 MS. SAARELA: His just doesn't
10 count.

11 CHAIRPERSON GRONACHAN: We are
12 glad to have him, nonetheless. He's a valued
13 member of our board. Nonetheless, his vote
14 does not count as an alternate.

15 In the meantime your variance
16 has been granted and congratulations and good
17 luck.

18 MR. SPENCER: Thank you.

19 CHAIRPERSON GRONACHAN: Okay.
20 Under other matters this evening, we have
21 elections finally. I will open the floor for
22 nominations for chairman. Member Ferrell.

23 MR. FERRELL: Thank you, Madam

1 Chair. I nominate Mav Sanghvi for chair.

2 MR. PEDDIBOYINA: I second.

3 CHAIRPERSON GRONACHAN: Are you
4 accepting the nomination?

5 MR. SAFIR: With the caveat that
6 I am only here for about three months in a
7 year.

8 MR. FERRELL: That's why we have
9 a vice chair. The vice chair can pick up
10 when you're not here.

11 MR. SANGHVI: I will be drafted.
12 Thank you.

13 CHAIRPERSON GRONACHAN: Are there
14 any other nominations?

15 Seeing none, Katherine, call
16 the roll.

17 MS. OPPERMAN: Member Byrwa?

18 MR. BYRWA: Yes.

19 MS. OPPERMAN: Member Ferrell?

20 MR. FERRELL: Yes.

21 MS. OPPERMAN: Member Krieger?

22 MS. KRIEGER: Yes.

23 MS. OPPERMAN: Member Nafso?

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MR. NAFSO: Yes.

MS. OPPERMAN: Member Montville?

MR. MONTVILLE: Yes.

MS. OPPERMAN: Member

Peddiboyina?

MR. PEDDIBOYINA: Yes.

MS. OPPERMAN: Member Sanghvi?

MR. SANGHVI: I am going to
abstain.

MS. OPPERMAN: Chairperson

Gronachan?

CHAIRPERSON GRONACHAN: Yes.

Next I will open the floor
for -- congratulations. I note you're a
little flawed there. The party will be at
9:00 tonight.

Nominations for vice chair?
Member Montville.

MR. MONTVILLE: I would like to
nominate Cindy Gronachan as vice chair.

CHAIRPERSON GRONACHAN: You're
not going to let me go, are you.

MR. MONTVILLE: We are going to

1 need you for --

2 MR. BYRWA: I would second,
3 support.

4 CHAIRPERSON GRONACHAN: Okay.
5 It's been moved and seconded. Are there any
6 other further discussions? All these heads
7 over here -- look over here. All right.

8 Katherine, please -- I accept
9 the nomination, because Mav Sanghvi will be
10 here most of the year, so I still get a
11 break.

12 Katherine, please call the
13 roll.

14 MS. OPPERMAN: Member Byrwa?

15 MR. BYRWA: Yes.

16 MS. OPPERMAN: Member Ferrell?

17 MR. FERRELL: Yes.

18 MS. OPPERMAN: Member Krieger?

19 MS. KRIEGER: Yes.

20 MS. OPPERMAN: Member Nafso?

21 MR. NAFSO: Yes.

22 MS. OPPERMAN: Member Montville?

23 MR. MONTVILLE: Yes.

1 MS. OPPERMAN: Member

2 Peddiboyina?

3 MR. PEDDIBOYINA: Yes.

4 MS. OPPERMAN: Member Sanghvi?

5 MR. SANGHVI: Yes.

6 CHAIRPERSON GRONACHAN: That's
7 been moved and approved.

8 Now for secretary. Don't
9 everybody jump at once. Can I make a
10 nomination?

11 MS. SAARELA: Sure.

12 CHAIRPERSON GRONACHAN: I would
13 like to nominate Dave Byrwa as secretary. He
14 knew that was coming. Anybody going to
15 second?

16 MR. PEDDIBOYINA: I would second.

17 MR. BYRWA: No. I would like to
18 decline on that. My work schedule and
19 everything.

20 MR. SANGHVI: I don't know if he
21 is a regular member or not.

22 CHAIRPERSON GRONACHAN: He is a
23 regular member.

1 MR. PEDDIBOYINA: How about Brent
2 for secretary.

3 CHAIRPERSON GRONACHAN: Would you
4 accept as secretary?

5 MR. FERRELL: I would, yes,
6 unless somebody else wants it.

7 MR. BYRWA: I would support that.

8 CHAIRPERSON GRONACHAN: It's been
9 moved and seconded. Katherine, please call
10 the roll.

11 MS. OPPERMAN: Member Byrwa?

12 MR. BYRWA: Yes.

13 MS. OPPERMAN: Member Krieger?

14 MS. KRIEGER: Yes.

15 MS. OPPERMAN: Member Nafso?

16 MR. NAFSO: Yes.

17 MS. OPPERMAN: Member Montville?

18 MR. MONTVILLE: Yes.

19 MS. OPPERMAN: Member

20 Peddiboyina?

21 MR. PEDDIBOYINA: Yes.

22 MS. OPPERMAN: Member Sanghvi?

23 MR. SANGHVI: Yes.

1 MS. OPPERMAN: Chairperson

2 Gronachan?

3 CHAIRPERSON GRONACHAN: Yes.

4 That was worse than last

5 November, guys.

6 All right. Congratulations
7 all the new officers, and I get to step down.

8 This is my last call the meeting to order.

9 Are there any other subjects or topics to
10 discuss?

11 MR. FERRELL: Isn't your last
12 meeting today? We are sad to see you leave.

13 MS. DRESLINSKI: Yes. It takes
14 me two hours to get home. Thank you Novi
15 traffic.

16 CHAIRPERSON GRONACHAN: You're
17 not leaving Novi?

18 MS. DRESLINSKI: No, I am not
19 leaving Novi. But the drive is killing me.

20 MR. FERRELL: You're still going
21 to come to meetings on your own time?

22 CHAIRPERSON GRONACHAN: I have
23 the extra room at my house.

1 MS. DRESLINSKI: The drive kills
2 me.

3 CHAIRPERSON GRONACHAN: I have a
4 tent in the backyard.

5 MR. FERRELL: Thank you for
6 everything.

7 MS. DRESLINSKI: You're welcome.

8 CHAIRPERSON GRONACHAN: Monica, I
9 have thoroughly enjoyed working with you. I
10 have worked with you on and off throughout
11 the years. And you are going to be missed,
12 but I know that Katherine has been grasping
13 onto this job and is very excited. We look
14 forward to working with her in the future.
15 Thank you both.

16 Is there anything else?

17 MR. SANGHVI: I just want to
18 thank the chair for working almost two and a
19 half years and doing a wonderful job. Thank
20 you.

21 CHAIRPERSON GRONACHAN: Okay.
22 Anything else?

23 MR. PEDDIBOYINA: Thank you so

1 much.

2 CHAIRPERSON GRONACHAN: I really
3 have enjoyed it.

4 MR. PEDDIBOYINA: Monica, thank
5 you. Welcome to Katherine.

6 CHAIRPERSON GRONACHAN: You know
7 I have to say, that this board in particular
8 now that we have gotten settled, and I feel
9 like we have all improved and we are all
10 growing, and I am excited to continue with
11 our new chair and to see where the --

12 MR. SANGHVI: I won't be here
13 next month anyway.

14 CHAIRPERSON GRONACHAN: So don't
15 give too long of a goodbye speech.

16 MR. SANGHVI: My grandchildren
17 are graduating from high school.

18 CHAIRPERSON GRONACHAN: So you
19 won't be here next month, is that what you're
20 telling me?

21 MR. SANGHVI: You're not gone
22 yet.

23 CHAIRPERSON GRONACHAN: Well,

1 obviously I will not be forgotten either, and
2 you won't be either.

3 Actually I do enjoy doing this
4 and that's what makes being chair easy. I
5 will say that a couple years ago when I came
6 back here, I was a little overwhelmed with
7 the way things were going. We have great
8 members from the city that help us and I
9 think they should be commended.

10 I think that the city attorney
11 has made -- has helped turn us around. Beth
12 is just one of my favs, whenever I call her,
13 she's always there. Seriously, it's very
14 encouraging.

15 So it's not that hard to take
16 this position for those of who you want this
17 position in the future. Seriously, it is a
18 good position. You do learn a lot.

19 So don't be afraid to
20 volunteer for something. That's fine, you
21 have got great people to work with.

22 All right. I will be back
23 here next month.

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So having said that, all those
in favor -- wait a minute.

Is there a motion to adjourn
the meeting?

MR. PEDDIBOYINA: I would like to
get a picture of the board.

CHAIRPERSON GRONACHAN: We will
do that after. Don't nobody run out of the
room.

Is there a motion to adjourn
the meeting?

MR. SANGHVI: So moved.

CHAIRPERSON GRONACHAN: Meeting
adjourned.

(The meeting was adjourned at 7:19 p.m.)

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** ** *

STATE OF MICHIGAN)
)
COUNTY OF OAKLAND)


ss.

I, Jennifer L. Wall, Notary Public within and for the County of Oakland, State of Michigan, do hereby certify that the meeting was taken before me in the above entitled matter at the aforementioned time and place; that the meeting was stenographically recorded and afterward transcribed, and that the said meeting is a full and correct transcript.

I further certify that I am not connected by blood or marriage with any of the parties or their attorneys, and that I am not an employee of either of them, nor financially interested in the action.

IN WITNESS THEREOF, I have hereunto set my hand at the City of Walled Lake, County of Oakland, State of Michigan.

6-1-17



Date

Jennifer L. Wall CSR-4183
Oakland County, Michigan
My Commission Expires 11/12/22