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REGULAR MEETING - ZONING BOARD OF APPEALS
CITY OF NOVI
Tuesday, June 10, 2014

Proceedings taken in the matter of the ZONING BOARD OF APPEALS, at City of Novi, 45175 West Ten Mile Road, Novi, Michigan, on Tuesday, June 10, 2014

BOARD MEMBERS
Brent Ferrell, Chairperson
Mav Sanghvi
David Ghannam
Cynthia Gronachan
James Gerbluck
Linda Krieger

ALSO PRESENT: Thomas Walsh, Building Official
Beth Saarela, City Attorney
Coordinator: Angela Pawlowski, Recording Secretary

REPORTED BY: Jennifer L. Wall, Certified Shorthand Reporter

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Novi, Michigan.
Tuesday, June 10, 2014
7:00 p.m.
** ** *

CHAIRPERSON FERRELL: Call to order the Tuesday, June 10, regular scheduled meeting of the Zoning Board of Appeals. Ms. Gronachan, can you lead us in the Pledge of Allegiance. Everybody please rise.

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(Pledge recited.)
CHAIRPERSON FERRELL:
Ms. Pawlowski, can you call
the roll, please.
MS. PAWLOWSKI: Chairperson
Ferrell?
CHAIRPERSON FERRELL: Here.
MS. PAWLOWSKI: Member Gerblick?
MR. GERBLICK: Here.
MS. PAWLOWSKI: Member Ghannam?
MR. GHANNAM: Here.
MS. PAWLOWSKI: Member Gronachan?
MS. GRONACHAN: Here.
MS. PAWLOWSKI: Member Ibe is
absent, excused.

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Member Krieger?
MS. KRIEGER: Here.
MS. PAWLOWSKI: Member Sanghvi?
MR. SANGHVI: Here.
CHAIRPERSON FERRELL: This is a
public hearing and the format, Rules of
Conduct are in the back, if you would like to
get a copy of that.
I would ask that if you have
any cellphones that you silence them now.
Also on behalf of myself and
the board members, I'd like to apologize to
the people, the petitioners that were here
last month, that meeting was canceled.
Approval of the agenda?
Is there any additions or
deletions?
MS. PAWLOWSKI: Yes, Case No.
PZ14-0011 at 1292 East Lake Drive has been
asked to be tabled to the July 8 meeting.
CHAIRPERSON FERRELL: Any other
additions?
MS. PAWLOWSKI: No.
CHAIRPERSON FERRELL: All in
favor for the approval say aye.

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THE BOARD: Aye.
CHAIRPERSON FERRELL: Any
opposed?
(No audible responses.)
CHAIRPERSON FERRELL: Seeing
none, we have an agenda.
Approval of the minutes from
January 14, 2014.
Any changes to that?
(No audible responses.)
CHAIRPERSON FERRELL: Seeing
none, all in favor?
MR. SANGHVI: So moved.
MS. GRONACHAN: Second.
CHAIRPERSON FERRELL: We have a
motion and second. All in favor say aye.
THE BOARD: Aye.
CHAIRPERSON FERRELL: Any
opposed?
(No audible responses.)
CHAIRPERSON FERRELL: That's

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passed.
Approval of the February 11,
2014 minutes.
MR. SANGHVI: I believe there is

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a correction on page 80, line 16 and 17.
Change the motion passes six to one,
actually, all seven were here for it.
CHAIRPERSON FERRELL: Any other
changes?

(No audible responses.)
CHAIRPERSON FERRELL: Hear a

motion.
MR. GHANNAM: I will move to
approve as amended.

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MS. GRONACHAN: Second.
CHAIRPERSON FERRELL: A motion
and a second, all in favor say aye.

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THE BOARD: Aye.
CHAIRPERSON FERRELL: Any
opposed?

(No audible responses.)
CHAIRPERSON FERRELL: Seeing

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none.
Okay. Approval of April 8th,
2014 minutes, any changes to that?

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MS. GRONACHAN: None.
CHAIRPERSON FERRELL: Seeing
none.

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MR. GHANNAM: I'll move to
approve those minutes as presented.
MS. KRIEGER: Second.
CHAIRPERSON FERRELL: A motion
and a second, all in favor say aye.

THE BOARD: Aye.
CHAIRPERSON FERRELL: Any

opposed?
(No audible responses.)
THE BOARD: Seeing none.
Approval of May 13th, 2014

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minutes.
Any changes to that?
MR. IBE: That was the longest
meeting in the history of Novi. No changes.

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I move that we approve the
minutes as they are.
MR. SANGHVI: Make a motion to
approve the minutes as presented.
MS. GRONACHAN: Second.

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CHAIRPERSON FERRELL: Motion and
second, all in favor say aye.
THE BOARD: Aye.
CHAIRPERSON FERRELL: Any

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opposed?
(No audible responses.)

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CHAIRPERSON FERRELL: Seeing
none, approve.
Okay. Onto public remarks.
If anybody has anything that they would like
to discuss about any cases that are not being
seen this evening, may come forward now.

7 Seeing none, takes us to our
8 first case, PZ14-0008, 42355 Grand River
9 Avenue, Feldman Automotive.

10 Please come forward, raise
11 your right hand, be sworn in if you are not
12 an attorney and spell your first and last
13 name for the court reporter.

14 MR. YBARRA: Ricky Ybarra, first
15 name R-i-c-k-y, last name Y-b-a-r-r-a.

16 MR. GHANNAM: Sir, do you swear
17 or affirm you will tell the truth in this
18 case?

19 MR. YBARRA: I do.

20 Good evening. Here tonight
21 with Marla Feldman, Feldman Automotive and
22 Ed Phillips from Phillips Signs.

23 Our hardship is the continued
24 use of a permitted ground sign at our
25 facility.

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1 The sign shown was originally
2 approved identifying our Hertz rental car
3 operation at the facility, which we no longer
4 have or are a featured Hertz rental. We
5 don't have the organization here.

6 So per our handout the new
7 faces are Quick Lube and Tire Center that we
8 are providing now, and we would like to hire
9 another 15 employees to operate that center,
10 that we never had before.

11 And we wanted to make sure
12 that the public and the community know that
13 we are to provide that service.

14 We are not asking for any
15 additional signage, only the continuation of
16 use of existing sign.

17 As shown on our drawing, sign
18 dimensions are 30 by 73 totaling 15 square
19 foot sign in size.

20 This simple face change
21 accomplishes a lot for our company. It's
22 something that we work hard at Feldman
23 Automotive to make a new brand, the logo it's
24 all new. And all of our dealerships use it.
25 It's kind of a brand for our company. So

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1 it's very important to have that logo out
2 there. We don't have the logo anywhere on
3 the property. So we'd like to have that at
4 the entrance.

5 There is really not much other
6 than we really need some help. We are
7 looking to market this to all makes and
8 models.

9 We do have a lot of other
10 marketing that we are bringing in to try and
11 bring more tire sales there, again more
12 employees to operate the facility. And we
13 feel our request is modest and in good taste
14 and your approval would be much appreciated.

15 CHAIRPERSON FERRELL: Thank you.

16 Is there anybody in the
17 audience that has any questions or comments

18 that would like to come forward now?
19 (No audible responses.)
20 CHAIRPERSON FERRELL: Seeing
21 none, City have anything to add?
22 MR. WALSH: No comments.
23 MS. SAARELA: No comments.
24 CHAIRPERSON FERRELL: Open it up
25 to the board.

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1 MR. GHANNAM: I've got to read.
2 CHAIRPERSON FERRELL: I'm sorry.
3 MR. GHANNAM: That's okay. In
4 this case, there is 19 mailed notices, one
5 return mail, zero approvals, zero objections.
6 CHAIRPERSON FERRELL: Now open it
7 up to the board.
8 MR. GHANNAM: I've got a comment.
9 Sir, I have no problem with the request. I
10 do remember a while ago when we gave you the
11 Hertz, it was a separate business there. You
12 have a sign.
13 I believe you have covered it
14 up in the meantime, have you not? If you can
15 come to the podium.
16 MR. YBARRA: Yes, sir.
17 MR. GHANNAM: Last time you were
18 here, I guess there was an issue with having
19 that sign up. You have covered it up,
20 correct?
21 MR. YBARRA: Correct.
22 CHAIRPERSON FERRELL: And ground
23 sign is already there. It only makes sense
24 that you put something else up as opposed to
25 nothing.

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1 If Hertz is gone, I have no
2 problem with this, so I will be in support of
3 it.
4 MR. YBARRA: Thank you.
5 Appreciate it.
6 CHAIRPERSON FERRELL: Anybody
7 else?
8 MR. GERBLICK: Where the Hertz
9 facility is now vacant, is this Quick Lube
10 going in the same location within your
11 facility?
12 MR. YBARRA: No. We put an
13 addition onto the dealership about two years
14 ago, and we were doing just some mechanical
15 repairs out of there, but we needed to change
16 the actual business philosophy for quicker
17 business and more vehicles, all makes and
18 models and tires and 24 hour emergency
19 services.
20 MR. GERBLICK: Thank you.
21 MS. KRIEGER: Just to clarify,
22 for the Chair.
23 This is a separate business,
24 like the Hertz business on this sign?
25 MR. YBARRA: Well, on our

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1 financial statement, it is a separate entity
2 on the financial statement, yes, treated as a

3 separate business. It's in the same company.
4 I don't exactly know how to explain that.

5 MS. KRIEGER: I guess then to the
6 city, for the question, what goes on a sign,
7 is it having the sign or what goes on the
8 sign, like for other signs that we have done,
9 Michigan craft -- Dave's burgers and said
10 underneath now serving breakfast, they
11 switched it to craft beer.

12 That was where my question was
13 coming from.

14 MS. SAARELA: I'm not sure I
15 understand what the question is.

16 MS. KRIEGER: This is a separate
17 business entity, what they put on this sign
18 versus they're having a separate sign? Like
19 what goes on the sign, is that relevant to
20 what --

21 MS. SAARELA: I don't think the
22 content is relevant, no.

23 MR. WALSH: I don't believe so.
24 Thank you.

25 CHAIRPERSON FERRELL: Any other
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1 MS. GRONACHAN: I have a problem
2 with the two signs next to each other.

3 One says service, one says
4 quick service, and it's both for the same
5 company.

6 MR. YBARRA: Actually the new
7 one, the revised says quick lube, not quick
8 service. We wanted to make it that way so
9 that it didn't confuse people.

10 Our service sign is for GM.
11 It's required for franchise and it's a
12 certified service sign that all GM dealers,
13 whether they're Chevy or Buick, is a
14 certified service that we provide our
15 customers.

16 The quick lube and tire center
17 is something that's not branded to the
18 franchise. That's why we can do all makes
19 and models, which we have already started.

20 We have done quite a bit of
21 non-GM vehicles at a very competitive price,
22 with tires as well.

23 Actually we price match Belle
24 and a lot of other companies and customers
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1 are loving it. Our tire sales have been
2 huge.

3 Again, you know, we are trying
4 to bring more students in and more jobs.

5 MS. GRONACHAN: What does the
6 sign say today out there?

7 MR. YBARRA: Open Saturdays, I
8 believe.

9 MR. PHILLIPS: Feldman logo says
10 open Saturdays.

11 MS. GRONACHAN: Respectfully,
12 this sign wasn't covered.

13 You mentioned to my board

14 member that it was covered up the last couple
15 of months.

16 MR. YBARRA: It was covered for a
17 little while, yes. I don't know if it is
18 today. I was in Lansing, but we try to keep
19 it covered for the most part. And I know
20 when they were doing the landscape around
21 there, the sprinklers, they uncovered it. We
22 will make sure it's covered until we get
23 approval, that's for sure. I will guarantee
24 you that.

25 MS. GRONACHAN: Has the

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1 building -- can I direct a question to the
2 building department.

3 Has the building department
4 been out there? Have there been any issues
5 with -- since their last visit to the Zoning
6 Board?

7 MR. WALSH: There has been no
8 outstanding issues besides the existing sign
9 that they originally came in for the last
10 request being still up, but as far as any
11 other code violations, no.

12 MS. GRONACHAN: Thank you. I'm
13 struggling with this. I will have to listen
14 to my other members before I can really -- at
15 this point I can't support it.

16 And the reason I can't support
17 it is that I don't see the purpose of the two
18 signs side-by-side being that one is -- even
19 if it's corporate generated, it's still the
20 same company.

21 I'm having a problem wrapping
22 my head around as to why there should be two
23 signs side-by-side. And I live in that area,
24 I drive by it every day. And it has not been
25 covered up.

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1 And so I have an issue with
2 following the rules based on our last
3 conversation with Feldman, that they didn't
4 follow the procedure as the board requested.

5 So I will wait to hear from
6 other members. Thank you.

7 CHAIRPERSON FERRELL: Any other
8 questions or discussion?

9 MR. GHANNAM: I will make a
10 motion.

11 In Case PZ14-0008, for 42355
12 Grand River Avenue, I move that we approve
13 the petition as requested for the following
14 reasons.

15 The request is based upon
16 circumstances or features that are
17 exceptional and unique to this property and
18 do not result from conditions that exist
19 generally in the city.

20 This is a large facility with
21 multiple sources of revenue. Even though
22 it's technically not a separate business
23 entity, it basically and effectively acts
24 like one.

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The failure to grant relief

1 will unreasonably prevent or limit the use of
2 the property and will result in substantially
3 more than a mere inconvenience or inability
4 to attain a higher economic or financial
5 return.

6 The grant of relief will not
7 result in the use of the structure that is
8 incompatible or unreasonably interferes with
9 adjacent or surrounding properties. It will
10 result in substantial justice being done to
11 the applicant as well as surrounding
12 property, and it is not inconsistent with the
13 spirit of the ordinance.

14 MR. SANGHVI: Second.

15 CHAIRPERSON FERRELL: Seeing a
16 motion and second, Ms. Pawlowski, will you
17 call the roll.

18 MS. PAWLOWSKI: Chairperson

19 Ferrell?

20 CHAIRPERSON FERRELL: Yes.

21 MS. PAWLOWSKI: Member Gerbluck?

22 MR. GERBLUCK: Yes.

23 MS. PAWLOWSKI: Member Ghannam?

24 MR. GHANNAM: Yes.

25 MS. PAWLOWSKI: Member Gronachan?

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1 MS. GRONACHAN: No.

2 MS. PAWLOWSKI: Member Krieger?

3 MS. KRIEGER: Yes.

4 MS. PAWLOWSKI: Member Sanghvi?

5 MR. SANGHVI: Yes.

6 MS. PAWLOWSKI: Motion passes

7 five to one.

8 MR. YBARRA: Thank you. I

9 appreciate it.

10 CHAIRPERSON FERRELL: Case
11 PZ14-0009, Novi Corporate Park Parcel
12 5022-09-451-028.

13 MR. QUINN: Good evening, Ladies
14 and gentlemen. Matthew Quinn appearing on
15 behalf of Amsom Dembs Company, the owner of
16 Novi Corporation Park.

17 This is a request to extend
18 the time to allow a sales trailer to be on
19 site.

20 We have been operating under a
21 two-year permit from the building official.
22 The site is not yet developed. It's two
23 large parcels of industrial zoned property.
24 Things look like it's picking up, and
25 therefore, the need for this trailer, at

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1 least for another two years, is anticipated.

2 If it's not going to be used
3 as a sales trailer, and actual activity
4 occurs on site, then it will be converted to
5 a construction trailer.

6 If any of you have been out
7 there, you will see how it's been upgraded,
8 it's brick. It looks good. It's just not a
9 typical, you know, mobile home sales office

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sitting out there.
So in order to help market this property, and to allow it to develop, we would request an additional two years.
CHAIRPERSON FERRELL: Thank you.
ANYBODY from the audience have any comments they would like to make at this time?
(No audible responses.)
CHAIRPERSON FERRELL: Read correspondence from the secretary.
MR. GHANNAM: There were 16 mailed notices that went out, one return mail, zero approvals, and zero objections.
CHAIRPERSON FERRELL: Anything from the City?

MR. WALSH: I will just want to add, if the board is inclined to consider the extension, staff suggests limiting it to two years.

CHAIRPERSON FERRELL: Thank you.
MR. QUINN: Great minds think alike.
CHAIRPERSON FERRELL: I open it up to the board for further discussion.

MR. SANGHVI: One question, Mr. Quinn, what else are they doing for finding some customers for these places, other than keeping the trailer up there?

MR. QUINN: Well, you know part of it is hoping from some spill-over from the Beck Road north industrial developments.

You know, working together with people that come to look at that. We also have another site to show them. So that's the other marketing technique that's being done.

MR. SANGHVI: I think the sign has been -- the trailer has been there quite a while.

MR. QUINN: Yes, the client has owned the property five to six years, but as

you can see, we went through a downturn when there really wasn't a great demand for industrial property anywhere in this region. It looks like it's picking up a little bit. That's why it's time to keep this temporary building at the site.

MR. SANGHVI: You are looking for a further extension of two more years?

MR. QUINN: Correct.
MR. SANGHVI: I have no problem with it.

CHAIRPERSON FERRELL: Anybody else? Hear a motion?

MR. GERBLICK: I'll make a motion. In Case No. PZ14-0009, Novi Corporate Park, I move that we grant the variance as requested.

The variance is based on unique circumstances or physical conditions of the property, so much as its shape and

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topography or physical conditions.
The need for the variance is not due to the applicant's personal or economic difficulty.
The need is not self-created

and strict compliance with regulations governing area setback, frontage, height, bulk, density and other dimensional requirements will require -- will unreasonably prevent the property owner from using the property for a permitted purpose and will render conformity with those regulations unnecessarily burdensome.

The requested variance is the minimum variance necessary to do substantial justice to the applicant as well as other property owners in the district, and the requested variance will not cause an adverse impact on surrounding property, property values or the use and enjoyment of the property in the neighborhood or zoning district.

I would add that the variance would be limited to two years for the temporary structure.

MS. GRONACHAN: Second.
CHAIRPERSON FERRELL: A motion and a second, Ms. Pawlowski, can you call the roll.
MS. PAWLOWSKI: Chairperson

Ferrell?
CHAIRPERSON FERRELL: Yes.
MS. PAWLOWSKI: Member Gerbllick?
MR. GERBLICK: Yes.
MS. PAWLOWSKI: Member Ghannam?
MR. GHANNAM: Yes.
MS. PAWLOWSKI: Member Gronachan?
MS. GRONACHAN: Yes.
MS. PAWLOWSKI: Member Krieger?
MS. KRIEGER: Yes.
MS. PAWLOWSKI: Member Sanghvi?
MR. SANGHVI: Yes.
MS. PAWLOWSKI: Motion passes six

to zero.
MR. QUINN: Thank you very much.
I appreciate it.

CHAIRPERSON FERRELL: Takes us to Case No. PZ14-0010, Beck North Lot 56, Parcels Nos. 5022-04-151-028, 031, 032, and part of 016.

MR. QUINN: Good evening, once again, Matthew Quinn on behalf of Amsom Dembs, Beck North Corporate Park.

A little bit handicapped, I see because the overhead isn't working

tonight. I know you have a package for this requested variance in your packet.
We are requesting two variances for this light industrial property.
The first I know you have a

6 picture of -- this is a 75, 80,000
7 speculative industrial building that will be
8 constructed on this particular lot. This
9 particular lot is on the north end on Cartier
10 Drive where Hudson drive ends.

11 The two variances that we
12 need, and I must say they are recommended by
13 the planning staff, both of them, because of
14 the uniqueness of this project, is first of
15 all, the building height is in an industrial
16 zone, when it's adjacent to residential,
17 you're allowed a 25-foot high building.

18 The way modern industrial
19 office buildings are constructed that height
20 really doesn't get it. It's just not what's
21 an acceptable norm anymore.

22 And with the rooftop
23 appurtenances that puts us up to requesting a
24 variance of 10.6 inches for the height of the
25 building.

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1 The second variance is the
2 overhead doors and truck loading area facing
3 residential.

4 In your packet I know you have
5 this map, that shows two main things.

6 Number one, the back of this
7 building is over 800 feet from the closest
8 residential property. The City of Novi has a
9 50-foot easement all around Beck North
10 Corporate Park.

11 Then there is a required
12 50-foot setback for any construction from
13 that easement. Then there is 700 feet to the
14 apartment that lie to the north where
15 Wellington Drive is located so, in effect, we
16 have 800 feet and mostly all wooded between
17 that residential use and this particular
18 building.

19 And on top of that, one of the
20 other exhibits you will see in the drawings
21 is, within the buffer, it's two on the
22 property, that's adjacent to the 60-foot
23 buffer, it's heavily planted with trees.

24 So there will be a screening
25 effect of really this entire building from

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1 those apartments that are over 800 feet away.

2 And the planning staff noted
3 that, that it was something that can't be
4 avoided, and in order to have the quality of
5 building that is required in this market and
6 that actually goes along with the quality of
7 the other buildings in Beck North Corporate
8 Park, this is something that is necessary.

9 It will have absolutely no
10 effect on the surrounding property.

11 Certainly, we own the sides of
12 our properties and the adjacent residential
13 will hardly not even know the building is
14 there nor the corporate park itself.

15 And therefore, we are asking
16 your affirmative vote for these two

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variances.
CHAIRPERSON FERRELL: Thank you.
Anybody in the audience have any questions or
comments they would like to come forward now
and ask?
(No audible responses.)
Seeing none. I will have the
secretary read any correspondence.
MR. GHANNAM: There were ten

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notices mailed, one return mail, zero
approvals, zero objections.
CHAIRPERSON FERRELL: Ask the
city if they have any additions comments.
MR. WALSH: No comments.
MS. SAARELA: I have nothing.
CHAIRPERSON FERRELL: Open it up
to the board for discussion.
MR. SANGHVI: Thank you,
Mr. Chair.

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I was just looking for those
departments, I couldn't see them on the
property line. I don't think that would make
much difference, so I have no problem
supporting your request. Thank you.
MS. KRIEGER: Mr. Quinn, the
deliveries be in the daytime?
MR. QUINN: Most of them, yes.
Most of the industrial businesses are typical
normal building business hours. Perhaps a
little extended, but there is no anticipation
you will end up with an owner of the building
or tenant that's going to be operating any
time at night.

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MS. KRIEGER: I also am in favor
of this.
CHAIRPERSON FERRELL: Entertain a
motion.
MS. KRIEGER: In Case No.
PZ14-0010, Beck Road Lot Five, Parcel Nos.
5022-04-151, 028, 031, 032, and part of 016, I
move to approve the request and two -- the
height request for 10.6 inches and the
overhead doors facing into the buffer zone,
and that there are unique circumstances or
physical conditions of the property, such as
the narrowness, shallowness, shape, water,
topography, the nature of this site, the
buffer of the trees between the apartments
and the building itself that's going to be
constructed will protect and buffer each
other.

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The similar physical -- or
similar physical conditions and the need for
the variance is not due to the applicant's
personal or economic difficulty.
The need is not self-created.
Strict compliance with regulations governing
area setback, frontage, height, bulk, density
or other dimensional requirements will

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unreasonably prevent the property owner from

2 using the property for a permitted purpose,
3 or will render conformity with those
4 regulations unnecessarily burdensome.

5 By putting the -- constructing
6 it as they have requested, it complies with
7 their neighbors in this office park.

8 The requested variance is the
9 minimum variance necessary to do substantial
10 justice to the applicant as well as to the
11 property owners.

12 The requested variance will
13 not cause an adverse impact on surrounding
14 property, property values or the use and
15 enjoyment of the property in the neighborhood
16 or zoning district.

17 MR. SANGHVI: Second.

18 CHAIRPERSON FERRELL: We have a
19 motion and a second. Any further discussion
20 from the board?

21 Seeing none, Ms. Pawlowski,
22 can you call the roll.

23 MS. PAWLOWSKI: Chairperson
24 Ferrell?

25 CHAIRPERSON FERRELL: Yes.

0031
1 MS. PAWLOWSKI: Member Gerbluck?

2 MR. GERBLUCK: Yes.

3 MS. PAWLOWSKI: Member Ghannam?

4 MR. GHANNAM: Yes.

5 MS. PAWLOWSKI: Member Gronachan?

6 MS. GRONACHAN: Yes.

7 MS. PAWLOWSKI: Member Krieger?

8 MS. KRIEGER: Yes.

9 MS. PAWLOWSKI: Member Sanghvi?

10 MR. SANGHVI: Yes.

11 MS. PAWLOWSKI: Motion passes six
12 to zero.

13 MR. QUINN: Thank you very much.
14 Have a good evening.

15 CHAIRPERSON FERRELL: Case No. 5,
16 PZ14-0012, 44050 Twelve Mile Road, Stone
17 Ridge Office Park.

18 Please come forward.

19 MS. KRIEGER: Put them at the
20 end?

21 CHAIRPERSON FERRELL: Do we do a
22 motion for that or just put them to the end?

23 MS. SAARELA: You don't need a
24 motion. You just check back and see if
25 they're here.

0032
1 Moving onto Case No. 6,
2 PZ14-0013, 301 Duana Avenue.

3 MR. HEARN: My name is Robert
4 Hearn, R-o-b-e-r-t, last name H-e-a-r-n.

5 CHAIRPERSON FERRELL: Please
6 raise your right hand be sworn by the
7 secretary.

8 MR. GHANNAM: Do you swear or
9 affirm you will tell the truth in Case
10 PZ14-0013?

11 MR. HEARN: I do.
12 I'm here representing Aaron

13 and Teresa Hearn. They would have been here,
14 they lost a friend this weekend, they're at
15 the funeral tonight. So I'm a little not as
16 prepared as I could be.

17 We are looking to get a
18 variance under a back deck. They purchased
19 the house a year ago, the back deck has no
20 stairs down. The house has a front door, and
21 a side door into the garage.

22 The only way out of the garage
23 is through a garage door, that if a power
24 failure happened, it wouldn't be useful.

25 So in an emergency there would
0033 be front door exit only.

1 What we are looking for is to
2 get a variance, if possible get an extra four
3 feet of width with a stair going down away
4 from the easement side towards their
5 backyard.
6

7 And the type of property, if
8 you have the drawing there, it's an unusual
9 shape property. There is -- it shouldn't
10 impact the neighbor on their left side and
11 the neighbor on the right side it shouldn't
12 either because the stairs should come down in
13 front of the deck itself.

14 So what we are asking for is
15 the variance for the width and stairs.

16 CHAIRPERSON FERRELL: Thank you.
17 Anyone in the audience have any comments at
18 this time?

19 (No audible responses.)

20 CHAIRPERSON FERRELL: Seeing
21 none, open it up to the secretary to read any
22 correspondence.

23 MR. GHANNAM: We had 24 notices
24 that were mailed, three returned mail, zero
25 approvals and one objection.

0034 1 The objection we have of
2 record is from Sharon James of looks like
3 16570 Owosso Road, Fowlerville, Michigan.

4 It says, "we do not agree with
5 this. She has already cut down one of our
6 trees without asking. It sounds as if her
7 money can buy anything she wants. We would
8 not have allowed her to cut our tree either.
9 We never heard from her. As for the
10 variance, absolutely, no". Dated April 29,
11 2014.

12 MR. HEARN: Well, that doesn't
13 apply to this property because --

14 MR. GHANNAM: You can't ask
15 questions, sir, at this time.

16 CHAIRPERSON FERRELL: Up to the
17 city, any comments?

18 MR. WALSH: No, comments.

19 MS. SAARELA: No.

20 CHAIRPERSON FERRELL: Open it up
21 to the board for any discussion.

22 MR. SANGHVI: You were supposed
23 to have six different buildings there, how

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many of them are built?

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MR. HEARN: Six different

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buildings?

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MR. SANGHVI: If you look at the previous minutes here. That is what we had talked about. Six different units at this property.

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MR. HEARN: I'm just talking about a deck extension on a single user house.

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MR. SANGHVI: You don't know about it?

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MR. HEARN: No.

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MS. GRONACHAN: Secretary, could you clarify the letter that we got from that residence?

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Did she clarify where -- does she own a piece of property next to it? I understand that there is an address in Fowlerville, but did she indicate what property she owns, or where she resides, or is there any clarification?

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MR. GHANNAM: I'm looking at it right now. I'm looking at the form that was sent in in terms of requesting comment and they're just general forms. They're not addressed to anybody.

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But it is regarding this case. I'm not sure why.

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MS. GRONACHAN: Is there a neighbor that they're having any problems with or a tree in question that was --

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MR. HEARN: No. I know for sure that in the year that they lived there they have never cut down a tree.

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I can't even picture a tree that would have been cut down or how it could be. Because on the side of the house is the public easement, and the other part is a neighbor who is right up with the fence. There couldn't have been a tree there.

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Like I said, I'm not even sure what that's all about.

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MR. GHANNAM: Just in terms of my comments, I have looked at the request, even though it does increase non-conformity, I still have no problem with it.

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I think the request for a variance is reasonable under the circumstances. I know this house was built, I think back in '97, does that make sense?

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MR. HEARN: Yes.

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MR. GHANNAM: It's to the rear of the property. I don't think it effects any of the neighbors, so I have no problem with it.

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CHAIRPERSON FERRELL: Is that a

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motion? MR. GHANNAM: If there is no other comments, I do have a motion.

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In Case PZ14-0013, for 301 Duana Avenue, I move that we approve the petition as requested for a number of reasons.
There are unique circumstances or physical conditions of this property, such as the narrowness, shape and so forth.
And the need for the variance is not due to the applicant's personal or economic difficulty.
The need is certainly not self-created because of the unusual nature of the lot. Strict compliance with the regulations governing the area setback and so forth will unreasonably prevent the property owner from using the property for a permitted purpose.

The requested variance is the minimum variance necessary to do substantial justice to the applicant, and the requested variance will not cause adverse impact on surrounding properties. In fact, I think it would enhance surrounding properties.
MS. GRONACHAN: Second.
CHAIRPERSON FERRELL: A motion and a second. Any further discussion?
(No audible responses.)
CHAIRPERSON FERRELL: Seeing none, Ms. Pawlowski, can you call the roll.
MS. PAWLOWSKI: Chairperson Ferrell?
CHAIRPERSON FERRELL: Yes.
MS. PAWLOWSKI: Member Gerbllick?
MR. GERBLICK: Yes.
MS. PAWLOWSKI: Member Ghannam?
MR. GHANNAM: Yes.
MS. PAWLOWSKI: Member Gronachan?
MS. GRONACHAN: Yes.
MS. PAWLOWSKI: Member Krieger?
MS. KRIEGER: Yes.
MS. PAWLOWSKI: Member Sanghvi?
MR. SANGHVI: Yes.

MS. PAWLOWSKI: Motions passes six to zero.
CHAIRPERSON FERRELL: Moves us to Case No. PZ14-0014, 42990 Grand River, Discount Tire.
Please come forward, state your name, spell it and be sworn in by the secretary.
MR. LEWIS: My name is Tom Lewis. I'm with Walton Signage out of San Antonio, Texas. I am the program director for Discount Tire.
MR. GHANNAM: We have to swear you in.
CHAIRPERSON FERRELL: Spell your name first.
MR. LEWIS: Lewis, L-e-w-i-s, Thomas, T-h-o-m-a-s.
MR. GHANNAM: Raise your right

20 hand. Do you solemnly swear or affirm in
21 Case PZ14-0014 you will tell the truth?

22 MR. LEWIS: Yes.

23 MR. GHANNAM: Please proceed.

24 MR. LEWIS: I am here with both
25 Ken Cane, who is from the regional office for

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1 Discount Tire and Jeff Hamilton, the store
2 manager for the location.

3 Also with me is John Carol,
4 who is our partner in signage with Walton on
5 the project.

6 My understanding of the
7 variance is that in visiting with them also
8 is that Discount Tire has been before the
9 board on occasions to get additional signage
10 approved with no success.

11 I think they're kind of coming
12 back to the board again because they're
13 looking at a number of their close
14 businesses, Tony's Pizza, Steve and Rockys.

15 I also kind of walked the
16 entire site, you know, Pei Wei, the Big
17 Salad, number of locations that have more
18 than one sign on their building.

19 The Discount Tire is set back,
20 it's rather hidden. There is numerous trees.
21 The monument provides them a certain amount
22 of visibility, but, you know, with nothing on
23 the building it really looks like an empty
24 space.

In walking the property, I

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1 noticed that they had put up some temporary
2 banners. I can tell you in conversation with
3 them, they have helped sales. Banners were
4 not installed by our company.

5 They face a certain amount of
6 competition in the area. Firestone across
7 the street has multiple signs.

8 So what they're really looking
9 to do is put a professional image on the
10 front of their building, make it look more
11 like the surrounding tenants, get the
12 advertising value they feel is necessary for
13 the success of the business.

14 With the Wal-mart behind them,
15 there is quite a bit of traffic flowing down
16 the back side of that property, being able to
17 identify their business on that side does
18 help it.

19 CHAIRPERSON FERRELL: Is that it?

20 MR. LEWIS: Yes.

21 CHAIRPERSON FERRELL: Anybody in
22 the audience have any comments?

(No audible responses.)

23 CHAIRPERSON FERRELL: Mr.
24 Secretary, can you read any correspondence.
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1 MR. GHANNAM: Yes. We have 18
2 mailed notices, two return mail, zero
3 approvals, zero objections.

4 CHAIRPERSON FERRELL: Mr. Walsh,

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anything to add?
MR. WALSH: Nothing to add.
Thank you.
CHAIRPERSON FERRELL: Open it up to the board for any discussion.
MR. GHANNAM: My problem with this one, you want two additional signs in addition to your ground sign, correct?
MR. LEWIS: Yes.
MR. GHANNAM: First of all, number one, I do understand the request. We have handled a number of these in this area, this Grand River, Novi Road area.
These buildings are situated a little bit differently because you have got a strip center behind you, major strip center and other retail. And you do have a narrow lot with one little sign -- or I shouldn't say little, but one sign at the front.
I wouldn't be in favor of two signs though. I mean, you do have the one ground sign you're entitled to as of right.
I wouldn't be in favor of two additional signs. I would be in favor of one additional sign.
And although I don't want to necessarily tell you where to put it, my thinking would be to be the traffic behind you, coming from that parking lot area.
I guess if you wanted it in a different spot, I mean, that's your choice.
I don't want to my micro manage those issues, in but terms in two additional signs, keep in mind our job is not to give you as many signs as you can so it increases your business.
That's not part of the standards that we go by.
If you heard some of the previous motions where we did approve, we have various standards that we have to meet and I don't think -- I think you meet them for one sign, but not for multiple signs.
MR. LEWIS: Question, in the case of Steve and Rockys --
MR. GHANNAM: That's all my comments.
I'm not necessarily fielding questions, but that's what my comments are on this particular motion.
CHAIRPERSON FERRELL: Anybody else?
MR. SANGHVI: Quite honestly, I don't see any hardship or practical difficulty.
It's a pretty well mapped place. Discount Tire, it's not hard to find.
But I see Mr. Ghannam's point, and yes maybe you need one sign coming from the other side, but although there is a lot of traffic on the other sign at the moment

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that are in that mall.
So if you would like to have one on the north side, I can understand that, but two signs I think are one too many.
Thank you.
CHAIRPERSON FERRELL: Thank you.
Anybody else?
MR. GERBLICK: Question for the applicant.
Can you explain your need for the two signs as opposed to the one sign that is --
MR. LEWIS: With the setback of the building, once you come up that driveway, you really -- without the sign on the front of the building, you get no reference from, I turned into the driveway, where is the Discount Tire. Is it on the left, it is on the -- you know, is that the building in front of me.
Because without a sign there, it's really just a blank facade.
The rear signage, yes, there is a lot of traffic that moves across the back. It's a much more open area.
MR. GERBLICK: So is the ground sign not directing any traffic towards the building?
MR. LEWIS: It brings people in off the street because of how far the building is set back.
Once you come onto the drive, when you are coming down the street, what you see is the long driveway, you see a lot of trees and through the trees you see the front of the building, but it is obscured.
MR. GERBLICK: I would have to agree with my board members here. In fact, that I have driven Grand River numerous times. Once you see that Discount Tire sign, you turn into that drive, the building is right in front of you essentially. So from an identification of the building and directionally for traffic on Grand River there, I can't see a need for an additional sign there.
Again, a sign elsewhere in the building, even if you choose to put it on the front of the building, I think another sign on the property for the 360 degrees around the property where traffic can come from makes sense, given the area and the other businesses in that area that also have multiple signs.
MR. LEWIS: Question, I guess, in the case of Steve and Rockys, who has two wall signs, and a monument sign and multiple directional signs, what makes them different from a business like Discount Tire?
It seems as I walked the

1 property, that if you're a restaurant, you
2 get extra signs. If you're a business, you
3 don't.

4 Even to the case of -- there
5 is an exercise building in the -- within the
6 property, a fitness center, and they have two
7 signs.

8 So we are kind of -- I guess
9 it's a little bit of semantics of two signs
10 or three signs. I mean, would a smaller sign
11 on the front make you feel better that we are
12 bringing people in off -- you know, we are
13 directing them from the monument to the --
14 you know, if the monument sign sat right
15 where the building was right up by it, it
16 would be less of an issue.

17 I have seen a number of
18 properties where that's possible.

19 But with the way this property
20 is set, and the way the building is set so
21 far back off the road, and the tree canopy
22 across the front, it really does leave you to
23 wonder is that the building.

24 And I get where people come
25 from, everybody should know where the

0048
1 Discount Tire is because it's only local
2 people that are coming there.

3 But they have evidence that
4 they put two banners up and their sales
5 increased.

6 I think that's what we are
7 really talking about, is the success of
8 business inside that development. If it
9 helps some and it makes more successful, I
10 think that's what we are looking to do.

11 CHAIRPERSON FERRELL: If the
12 board was inclined to grant one sign, would
13 you be in favor of that motion?

14 MR. LEWIS: Yes, I'd rather have
15 two. I would allow, if we could do a smaller
16 sign in front.

17 I mean, if you are unhappy
18 with the 72 square feet, you're right, the
19 rear sign is read from a much greater
20 distance.

21 But it would be nice to -- it
22 would be nice to mark the front of the
23 building with something more than, you know,
24 pencil and cardboard in the windows that
25 says, Discount Tire.

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1 CHAIRPERSON FERRELL: I have a
2 question. On the front picture on sheet four
3 of five, is that a final sign that you have
4 on the front window? It says, Discount Tire.

5 MR. LEWIS: I believe that was a
6 picture taken, yes, this winter. That was
7 some sort of temporary sign that was placed
8 in the window.

9 CHAIRPERSON FERRELL: Is that
10 still there?

11 MR. LEWIS: Yes.

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CHAIRPERSON FERRELL: I have a question for the city.
Are they allowed to have that sign? Is that considered a sign, having it in the window?
MR. WALSH: It's considered a sign.
CHAIRPERSON FERRELL: Okay. So that would have to be removed if they --
MR. WALSH: That's correct.
MR. GHANNAM: I just have another quick question for the city. If we grant the sign, is -- or let me -- strike that.
If he was entitled to one

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sign, which he is, what would the square footage be if it was on the wall? He's asking for 72 and a half square feet.
MR. WALSH: Good question. I believe it's 35 square feet.
MR. GHANNAM: This would be more than double than what would be required. Or what he would be entitled to?
If the board were inclined, sir, to grant one sign, would you rather have the south or the north elevation?

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CHAIRPERSON FERRELL: Sir? Did you hear the question?
MR. LEWIS: Yes. Well, as I understand the -- how we closed out the sign, it's a total of 45 square foot sign roughly, unless you -- depending on how the city -- we mapped it out as one box around Discount, one box around Tire.

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MR. GHANNAM: I don't think that's the way they measured it.
MR. LEWIS: You penalized them for empty space, but yes, I understand that there are different ways of doing it.
MR. GHANNAM: Well, the city has

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ordinances as to how it's calculated.
But my question is, if the board were to grant one sign, would you rather have the north or the south elevation?
MR. LEWIS: I would have to kind of ask them that question. I would have to get with the ownership of Discount and ask them that.
Now, question --

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MR. GHANNAM: Do we have to select an elevation?
MS. SAARELA: You don't. You could grant one sign, leave it up to them, if the north or the south.
MR. GHANNAM: My only question -- or my only problem, I should say is if it's in the front, I mean, to me 72.5 square feet seems to be a lot. If it's in the back, I kind of understand because there is tons of space back there, people will be driving and it makes more sense to have a larger sign in the back. I have no other comments.

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MR. LEWIS: What if you wanted --

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CHAIRPERSON FERRELL: Hold on a

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second.

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Mr. Walsh, was he approved for the Discount Tire sign in the window?

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MR. WALSH: He was approved for temporary signage.

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The one in the window, it's hard to tell from the photograph, if that is actually the temporary signage.

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I have to -- I misspoke, 24 square feet, not 35.

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CHAIRPERSON FERRELL: When was that supposed to expire, that temporary sign?

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MR. WALSH: I'm sorry. I don't have that information.

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CHAIRPERSON FERRELL: Do you know when that was supposed to expire?

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MR. LEWIS: No, I do not. Like I said, we didn't put it up.

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CHAIRPERSON FERRELL: How long has it been there, would you say?

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MR. LEWIS: Do you know how long your temporary sign has been up?

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UNIDENTIFIED: They're actually stickers.

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MR. LEWIS: Do you know how long they have been there?

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UNIDENTIFIED: Couple years.

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MR. LEWIS: Question. Would the board grant us 72 square feet and let us decide how to best apply the signage to the building, not putting a requirement on the number of signs, but limiting it to three?

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MS. KRIEGER: We would have to re-advertise all of that, change numbers and that.

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MS. SAARELA: Or you can grant a lesser variance without re-advertising. So if he's asking for a lesser variance, if you're considering a lesser variance, you can also grant it without them saying this is what I want.

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So if you feel it's appropriate to do two smaller signs, you can grant two smaller signs if you feel you don't have to get --

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MR. GHANNAM: I think what he wanted was multiple, like three signs, but that equated to what he's asking.

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MS. SAARELA: Or did he mean the existing monument and the two wall signs?

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MR. LEWIS: No, 72 square feet of

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additional signage, but no restrictions.

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What I would like to be able to do is go back to Discount Tire, and probably put a smaller sign up front and see how that manages the back sign.

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Ultimately if it's their choice to do one sign, per the drawing, then

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8 they will come back with just the 72 square
9 foot sign.

10 I'm trying to give them some
11 freedom to make some decisions --

12 MS. SAARELA: You could table it
13 and you want to meet with them and discuss
14 the proposal.

15 MR. LEWIS: I have traveled a
16 long way. I'd like to kind of be done. I'm
17 sure you guys would, too.

18 MR. GHANNAM: We are struggling,
19 as you can see. My theory is I would grant
20 one, and if it was in the front, I don't know
21 that I would grant it at 72 and a half square
22 feet. If it was in the back, I would
23 consider it.

24 That's my take on it.

25 MS. GRONACHAN: Thank you, Mr.

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1 Chair. I concur with my fellow board member.
2 I think that more homework needs to be done.
3 Nobody wants to leave here with an unhappy
4 business person.

5 Novi stands on supporting
6 their businesses, and I can appreciate that
7 you're from a different area, but each city
8 does things differently.

9 This building has been there a
10 while. There obviously is a sign in the
11 window that has been there for a while and
12 it's supposed to be temporary.

13 So I think that this
14 presentation needs to be neatened up a little
15 bit and brought back to the board. I
16 apologize for the inconvenience.

17 But I think that you could do
18 better if a little more homework was done.

19 Let me tell you that I would
20 recommend a smaller sign in the front. And
21 do your homework on the sign in the back.
22 Then come back in front of the board and ask
23 if they can support it.

24 I will give you kudos on your
25 presentation when you indicated that people

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1 can't identify the building. I would use
2 that in terms of your presentation.

3 I would also do my homework a
4 little further and bring some proof of that.
5 You could be creative with however way you
6 want.

7 I would love to help this
8 business. But there is not enough here for
9 me to make a decision tonight. I can't
10 support any of this without further research.

11 I cannot support 72 square
12 feet in the front window. That temporary
13 window sticker, sticker or not, would have to
14 be removed.

15 And then I would like to
16 support the back, but I can't support both
17 72.

18 So I just feel that, and being

19 on this board before, and served for a few
20 years, I just feel if you did a little more
21 work, a little more homework and came back
22 with a little cleaner presentation, and took
23 those stickers off the window, you might see
24 a better result.

25 MR. LEWIS: Okay.

0057 1 MS. GRONACHAN: That's all I have
2 to say.

3 CHAIRPERSON FERRELL: Thank you.
4 Any other discussion?

5 MS. KRIEGER: Motion to table.

6 MS. GRONACHAN: Second.

7 MS. KRIEGER: For the July
8 meeting?

9 MS. GRONACHAN: Is that enough
10 time for you to come back in July?

11 MR. LEWIS: Yes, definitely.

12 CHAIRPERSON FERRELL: We have a
13 date of the July meeting?

14 MS. PAWLOWSKI: The 8th.

15 CHAIRPERSON FERRELL: Motion and
16 a second.

17 Any other discussion on this?
18 (No audible responses.)

19 CHAIRPERSON FERRELL: Ms.

20 Pawlowski, can you call the roll.

21 MS. PAWLOWSKI: Chairperson

22 Ferrell?

23 CHAIRPERSON FERRELL: Yes.

24 MR. GHANNAM: Member Gerblick?

25 MR. GERBLICK: Yes.

0058 1 MS. PAWLOWSKI: Member Ghannam?
2 MR. GHANNAM: Yes.
3 MS. PAWLOWSKI: Member Gronachan?
4 MS. GRONACHAN: Yes.
5 MS. PAWLOWSKI: Member Krieger?
6 MS. KRIEGER: Yes.
7 MS. PAWLOWSKI: Member Sanghvi?
8 MR. SANGHVI: Yes.
9 MS. PAWLOWSKI: Motion passes six
10 to zero.

11 MR. LEWIS: Thank you.

12 CHAIRPERSON FERRELL: Takes us to
13 Case No. 8, PZ14-00015, 1361 East Lake Drive.

14 Please come forward and state
15 and spell your name for the reporter then be
16 sworn in by the secretary.

17 MR. METTE: My name is name is
18 Bruce Mette, M-e-t-t-e.

19 MR. GHANNAM: In Case PZ14-0015,
20 do you swear or affirm to tell the truth?

21 MR. METTE: Yes, I do.

22 CHAIRPERSON FERRELL: Thank you.

23 MR. METTE: My wife and I
24 purchased the home at 1361 East Lake Drive
25 seven years ago when our older son was single

0059 1 at the time and looking for a place to live.
2 It was small, but fine for a

3 single guy. He lived there for three years

4 when he was transferred to California for his
5 job.

6 Our youngest son and his
7 fiancée have recently both graduated from
8 college and got married two years ago and
9 moved into the home on East Lake. It is the
10 perfect location because both of them work in
11 Novi.

12 Our son is a senior manager at
13 Ryder at M5 and Thirteen Mile Road, and his
14 wife is the store manager the Old Navy in
15 Novi.

16 After living in the house for
17 two years, they have found the house, which
18 is only 750 square feet, very cramped. It's
19 too small, since the house is only -- only
20 has one bedroom and one closet in the
21 bedroom, a bathroom and a small kitchen in
22 the living room.

23 There is no other storage
24 space in the house or even a second bedroom
25 for a child if they want to start a family.

0060
1 With the addition, we are
2 looking to add a bedroom, closet, bathroom
3 and a coat closet.

4 That is why we are requesting
5 a variance to add an additional 336 square
6 feet, a 16 by 21 foot room on the house. The
7 rooms would be built by a licensed building
8 contractor, and will be built over a crawl
9 space and will conform with the City of Novi
10 codes.

11 It will be built -- it will be
12 built onto the existing house, with the same
13 exterior siding, color, and some additional
14 landscaping.

15 It is our hope that we can
16 build this room so that we will -- it will be
17 a little more liveable and hopefully a
18 grandchild in the future.

19 We have had conversations with
20 our neighbors, and they all seem to be on
21 board with the addition of the house.

22 In fact, our neighbor next
23 door to the north did the same addition, very
24 similar, years ago to make their house a
25 little more liveable as well.

0061
1 As we all -- we also are not
2 blocking anyone's views on either side of the
3 property or to the rear as that land behind
4 us has been vacated, and the stream that
5 feeds Walled Lake.

6 Thank you for your time and
7 consideration in this matter, as we love the
8 family environment, school and parks that
9 Novi has to offer.

10 CHAIRPERSON FERRELL: Thank you.
11 Are you finished?

12 MR. METTE: I am.

13 CHAIRPERSON FERRELL: Anybody in
14 the audience have any comments?

(No audible responses.)

CHAIRPERSON FERRELL: Seeing none, Mr. Secretary can you read the correspondence.

MR. GHANNAM: Yes. We have 15 mailed notices, three return mail and one approval.

Approval is from Anthony Hopeck, H-o-p-e-c-k, 1354 East Lake, Novi, dated 5/24/14 and it indicates, "they have my full approval", with this signature.

CHAIRPERSON FERRELL: Anything from the city?

MR. WALSH: No comments.

CHAIRPERSON FERRELL: Open it up to the board for discussion.

MR. GHANNAM: Firstly, sir, I have no problem with the request. I mean, I have looked at it. It seems like you're trying to do the best under the circumstances.

We have dealt with a number of lots along East Lake Drive. They are old lots, they're not consistent with the current lots if land was to be split up, so you're dealing with a tight space and certainly you need to make these homes liveable.

We have had requests for garages and outdoor storage and so forth. So I understand the need for the request, I have no problem with it.

MR. SANGHVI: Like Mr. Ghannam said, there is nothing else you can do that isn't already a variance. I have no problem supporting your application.

Thank you, sir.

MR. GERBLICK: I'd like to make a motion.

In Case No. PZ14-0015, 1361 East Lake Drive, I move that we grant the variance as requested, given there are unique circumstances or physical conditions of the property, such as the narrowness of the lot and shape of the existing structure and lot.

That the need for the variance is not due to the applicant's personal or economic difficulty. The need is not self-created and strict compliance with regulations governing area, setback, frontage would unreasonably prevent the property owner from using the property for a permitted purpose or render conformity with those regulations unnecessarily burdensome, given the size of the existing home on the lot.

The requested variance is the minimum variance necessary to do substantial justice to the applicant as well as other property owners in the district.

The requested variance will not cause an adverse -- will not cause an adverse impact on surrounding property,

0064

1 property values or the use and enjoyment of
2 the property in the neighborhood.
3 MS. GRONACHAN: Second.
4 CHAIRPERSON FERRELL: We have a
5 motion and a second. Any further discussion?
6 (No audible responses.)
7 CHAIRPERSON FERRELL: Seeing
8 none, Ms. Pawlowski, can you call the roll.
9 MS. PAWLOWSKI: Chairperson
10 Ferrell?
11 CHAIRPERSON FERRELL: Yes.
12 MS. PAWLOWSKI: Member Gerbluck?
13 MR. GERBLICK: Yes.
14 MS. PAWLOWSKI: Member Ghannam?
15 MR. GHANNAM: Yes.
16 MS. PAWLOWSKI: Member Gronachan?
17 MS. GRONACHAN: Yes.
18 MS. PAWLOWSKI: Member Krieger?
19 MS. KRIEGER: Yes.
20 MS. PAWLOWSKI: Member Sanghvi?
21 MR. SANGHVI: Yes.
22 MS. PAWLOWSKI: Motion passes six
23 to zero.
24 CHAIRPERSON FERRELL:
25 Congratulations. Good luck on

0065

1 your grandchild.
2 MR. METTE: Thank you.
3 CHAIRPERSON FERRELL: Brings us
4 to Case No. 9, PZ14-0016, Glens of
5 Northville.
6 Come forward, state and spell
7 your name for the reporter and raise your
8 right hand to be sworn in by the secretary.
9 MR. BARBAS: Hello. My name is
10 Andrew Barbas.
11 MR. GHANNAM: Are you an
12 attorney, sir?
13 MR. BARBAS: Yes.
14 MR. GHANNAM: You don't need to
15 be sworn.
16 CHAIRPERSON FERRELL: Please
17 spell your name for the court reporter.
18 MR. BARBAS: B-a-r-b-a-s. I am
19 not here as an attorney.
20 I am manager of -- as a
21 managing member of the Glens of Northville.
22 We are, as a company, an
23 established long-term apartment community
24 owner and operator, as some of you may recall
25 three years ago, we acquired another

0066

1 apartment community in Novi. It's currently
2 known as the Heights of Novi. We made a
3 significant investment and are repairing and
4 renovating the community.
5 We are proud of the results we
6 achieved and I hope you're pleased with our
7 efforts.
8 Last December we acquired
9 another apartment community in Novi, that
10 once again, we are repairing and renovating.

11 As you know, this community is
12 Glens of Northville Apartments, formerly
13 known as Woodland Glens Apartments.

14 Since it will become relevant
15 to my remarks, let me first explain why the
16 community has remained and why it is now
17 called the Glens of Northville rather than
18 Woodland Glens Apartments, the Glens of Novi
19 Apartments, or some other name.

20 Like our previous acquisition,
21 the Glens is a property that had been
22 foreclosed by the lender, in this case,
23 Fannie Mae.

24 There had been multiple
25 management companies involved over the past

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1 several years, none of which had an economic
2 interest in the community.

3 As a result, the physical
4 condition and operations of the property were
5 significantly inadequate.

6 When we acquired the
7 community, it did not have a great
8 reputation.

9 In addition, the former name
10 of the community was dated.

11 In changing the perception of
12 the community, we are renovating it and
13 adding value, we have found that changing the
14 name is very helpful. It conveys in our
15 marketing that something new and better is
16 coming.

17 Because the community had
18 Northville rather than a Novi mailing
19 address, we concluded that Glens of
20 Northville would be more appropriate because
21 Glens of Novi would have been very confusing.

22 As with the Heights of Novi,
23 we have been making significant improvements
24 for the conditions and appearance of the
25 exterior portions of the property, as well as

0068
1 the apartment homes themselves.

2 We have been somewhat delayed
3 in the process because of the wonderful
4 weather we have had this past winter, but we
5 are now working diligently to do this
6 extensive work.

7 I was going to give -- you, I
8 understand, the monitor is not working. I
9 was going to give you an overview of the
10 front landscape design. You do have one in
11 your packets and the signage that we are
12 requesting tonight.

13 Basically what we are
14 requesting, that the sign be 36 square feet
15 as opposed to 24 square feet, and that the
16 height of the sign be six foot three rather
17 than five feet.

18 As you're aware, the sign
19 ordinance sets forth several purposes for
20 standards established. As the ordinance
21 states, the standards are designed to promote

22 the public health, safety and welfare of
23 persons within the community, including the
24 promotion of traffic safety and esthetics and
25 to aid in the development, promotion of

0069

1 business and industry by providing sign
2 regulations that encourage creativity,
3 effectiveness and flexibility and design and
4 use of such devices without creating a
5 detriment to the general public.

6 The standards for, as you
7 know, a variance from the sign, have three --
8 the sign ordinance have three requirements.

9 The first is that the request
10 be based upon circumstances or features that
11 are exceptional and unique to the property
12 and do not result from conditions that
13 generally exist in the city or are
14 self-created.

15 The reason for our variance
16 request is that because of the topography and
17 the width of Eight Mile Road, it is important
18 to create a more noticeable sign than a
19 current sign, which is very difficult to see
20 and read from the road.

21 Because of the setback and
22 landscaping of the front of the community, it
23 is very difficult to realize that the
24 property is an apartment community, and
25 unlike the residential community immediately

0070

1 east of the Glens, or the apartment community
2 across Eight Mile Road, there is only one
3 entrance. They have multiple entrances.

4 More over, and more
5 importantly, Eight Mile Road slopes down from
6 the property in both directions, which makes
7 it difficult to see the property until you
8 are at the entrance.

9 The circumstances are also
10 unique because Eight Mile Road is a five lane
11 road, which generally only occurs in Novi, I
12 believe on parts of Haggerty Road and around
13 the Twelve Oaks Mall.

14 The second standard
15 established for granting a variance is that
16 the failure to grant relief will unreasonably
17 prevent or limit the use of the property and
18 will result in substantially more than a mere
19 inconvenience or inability to change or to
20 attain a higher economic or financial return.

21 As I have already described,
22 the failure to grant our request is more than
23 a mere inconvenience.

24 When looked at in light of the
25 extent of the request we are making, the

0071

1 failure to grant the request we feel will
2 unreasonably limit the use of the property.

3 And the final standard
4 established for granting the variance is that
5 the grant of relief will not result in the
6 use of a structure that is incompatible with,

7 or unreasonably interferes with adjacent or
8 surrounding properties and will result in
9 substantial justice being done to both the
10 applicants and adjacent or surrounding
11 properties, and is not inconsistent with the
12 spirit and intent of the ordinance.

13 The sign we are requesting you
14 approve is compatible with the adjacent
15 properties. It does not create any injustice
16 to the surrounding properties.

17 As I noted in my introductory
18 remarks, this request certainly is consistent
19 with the spirit and intent of the sign
20 ordinance.

21 For these reasons, I would
22 respectfully request that the board grant our
23 request. Thank you.

24 CHAIRPERSON FERRELL: Excellent.
25 Thank you. Anybody in the audience have any

0072
1 comments?

2 (No audible responses.)

3 CHAIRPERSON FERRELL: Seeing
4 none, Mr. Secretary, can you read in the
5 correspondence.

6 MR. GHANNAM: Yes. We have 36
7 mailed notices, two return mail, zero
8 approvals and zero objections.

9 CHAIRPERSON FERRELL: Anything
10 from the city?

11 MR. WALSH: No.

12 CHAIRPERSON FERRELL: Open it up
13 to the board for discussion.

14 MS. GRONACHAN: Thank you.
15 Excellent presentation. Everything that you
16 said is true. And I moved back here to
17 Michigan two years ago.

18 I was going down Eight Mile
19 and drove right past that complex and ended
20 up renting someplace else.

21 MR. BARBAS: So did we, including
22 our landscape designer.

23 MS. GRONACHAN: I do agree with
24 this and so as the petitioner made reference
25 to the difficulty of the lay of the land, so

0073
1 to speak, Eight Mile being it's challenges,
2 it definitely does need a bigger sign.

3 Visibility is very difficult
4 in that area. And I would like to duly note
5 for the record that everything that you
6 presented would be the reasonable why I would
7 support this request. Thank you.

8 CHAIRPERSON FERRELL: Thank you.
9 Anybody else?

10 MS. KRIEGER: I agree.

11 CHAIRPERSON FERRELL: I agree as
12 well. Ready for a motion.

13 MR. GERBLICK: In Case No.
14 PZ14-0016, Glens of Northville, I move that
15 we grant the variances as requested.

16 As the request is based on
17 circumstances or features that are

18 exceptional and unique to the property and do
19 not result in conditions that exist generally
20 in city and that are not self-created,
21 specifically the topography of where this
22 complex is located, the width of Eight Mile
23 Road, the setback of the community from the
24 road, as well as the fact that this is the
25 only entrance to the property along a busy

0074

1 Eight Mile Road.
2 The failure to grant relief
3 will unreasonably prevent or limit the use of
4 the property and will result in substantially
5 more than a mere inconvenience or inability
6 to attain a higher economic or financial
7 return.

8 Again, the visibility from
9 Eight Mile Road is difficult with both sides
10 sloping down from the property, visibility of
11 the sign is difficult.

12 The grant of relief not will
13 result in a use of the structure that is
14 incompatible with or unreasonably interferes
15 with adjacent or surrounding properties and
16 will result in substantial justice being done
17 to both the applicant and adjacent and
18 surrounding properties and is not
19 inconsistent with the spirit of the
20 ordinance.

21 MS. KRIEGER: Second.
22 CHAIRPERSON FERRELL: Having a
23 motion and a second, any further discussion?
24 (No audible responses.)

25 CHAIRPERSON FERRELL: Seeing

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1 none, Ms. Pawlowski, can you call the roll?

2 MS. PAWLOWSKI: Chairperson

3 Ferrell?

4 CHAIRPERSON FERRELL: Yes.

5 MS. PAWLOWSKI: Member Gerbluck?

6 MR. GERBLICK: Yes.

7 MS. PAWLOWSKI: Member Ghannam?

8 MR. GHANNAM: Yes.

9 MS. PAWLOWSKI: Member Gronachan?

10 MS. GRONACHAN: Yes.

11 MS. PAWLOWSKI: Member Krieger?

12 MS. KRIEGER: Yes.

13 MS. PAWLOWSKI: Member Sanghvi?

14 MR. SANGHVI: Yes.

15 MS. PAWLOWSKI: Motion passes six

16 to zero.

17 MR. BARBAS: Thank you very much.

18 CHAIRPERSON FERRELL: Brings us

19 to Case No. PZ14-0017, 23940 Forest Park

20 Drive.

21 Come forward, state and spell

22 your name for the reporter, then raise your

23 right hand to be sworn in by our secretary.

24 MR. ROSE: Good evening. My name

25 is Stacy, S-t-a-c-y, last name, Rose,

0076 R-o-s-e.

1 MR. GHANNAM: I'm just looking

2 Page 31

3 for the file. I don't appear to have this
4 file.

5 All I have left is Case No. 12
6 and 20. Should we proceed?

7 (A pause was had in the proceedings.)

8 CHAIRPERSON FERRELL: Just one
9 minute.

10 MR. ROSE: If it's helpful, I
11 provided a plot of the lot and then a two
12 page summary. It's just only three pages.

13 MR. GHANNAM: In Case No.
14 PZ14-0017, do you solemnly swear or affirm to
15 tell the truth?

16 MR. ROSE: Yes, I do.

17 MR. GHANNAM: Please proceed.

18 MR. ROSE: Have you been able to
19 see my packet?

20 MR. GHANNAM: We have your
21 packet. We just didn't have the city file.

22 MR. ROSE: Great. Okay. Well, I
23 did provide a detailed explanation of my
24 variance request, and I will give you a quick
25 overview of it.

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1 Basically, I set out to build
2 a garage and I did it based upon the City of
3 Novi summary sheet for accessory building.
4 And I should have looked at the ordinance
5 because what I missed was the minimum lot
6 size exception to the allowed garage sizes.

7 But anyway, the proposed
8 garage was well in compliance with all other
9 aspects of the city code. I couldn't find
10 any other negatives. So I decided to pursue
11 a variance based on my need for the garage.

12 And I guess I'm ready to
13 answer any questions you may have.

14 CHAIRPERSON FERRELL: Thank you.
15 Anybody from the audience have any comments?

16 (No audible responses.)

17 CHAIRPERSON FERRELL: Seeing
18 none, can you read the correspondence,
19 Mr. Secretary.

20 MR. GHANNAM: In this matter 16
21 mailed notices, zero return mail, two
22 approvals, zero objections.

23 The first approval is from Dan
24 and Janet Bennett, 23883 Forest Park Drive
25 East dated 6/9/2014. It indicates, "this is

0078
1 a nice plan for a better land area."

2 The second one is from Gerald
3 Harris, 23918 Forest Park Drive East, dated
4 5/28/14, and it indicates, "I believe this
5 request meets the spirit of the prevailing
6 ordinances and that this Novi citizen has
7 been very diligent in communicating with his
8 neighbors and the City of Novi entities
9 needed to make the request a reality. I am
10 in full support of granting this request".
11 It's signed by Gerald Harris and it says
12 immediate neighbor.

13 CHAIRPERSON FERRELL: Mr. Walsh,

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anything from the city?
MR. WALSH: No additional
comments.
CHAIRPERSON FERRELL: Open it up
to the board for discussion.
MR. SANGHVI: I have a couple
questions. Who owns the open field behind
your property?
MR. ROSE: It's Dr. Michael
Balan. He's the house behind me to the right
where Dr. Balan lives.
MR. SANGHVI: I was there this
afternoon. I noted a sign for a rezoning
same area.
MR. ROSE: He still owns it. I
believe there is a purchase agreement. I
believe there is probably another purchase
agreement for somebody to purchase that
purchase agreement if the zoning goes. It's
complicated. The developers are definitely
chasing that land. That's one of the few
remaining open areas in Novi.
MR. SANGHVI: I have a question
for the city. What kind of rezoning are we
talking about in that area?
MR. WALSH: I'm not sure. I
don't have that information in front of me.
MR. SANGHVI: It's a huge sign
east of this subdivision saying rezoning
requested.
MR. ROSE: I could answer that
for you.
MR. SANGHVI: This is just east
of the backyard.
MR. ROSE: They're trying to
rezone it from R3 to R1.
MR. SANGHVI: Okay, thank you.
CHAIRPERSON FERRELL: Thank you.
Anybody else?
MR. GHANNAM: Sir, in general, I
don't have any problem with this request
myself.
I noticed, which is I mean I
appreciate the various approvals from your
neighbors, which you have attached and given
to the board. It's somewhat helpful.
It's also seems to be signed
by your subdivision board.
MR. ROSE: That was necessary for
city approval before I could get a permit.
MR. GHANNAM: That is also
constructive. But in terms of your request,
I think it's reasonable under the
circumstances, so I have no problem with it.
CHAIRPERSON FERRELL: Motion?
MR. GHANNAM: I will make a
motion, if no one has any comments.
In Case PZ14-0017, I move that
we approve the petition as requested. There
are unique circumstances and physical
conditions of the property. And the need for

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the variance is not due to the applicant's

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personal or economic difficulty.
The request for -- the need is not self-created. Strict compliance with government regulations regarding setbacks, frontage, height, bulk density and so forth will reasonably prevent the property owner from using the property for a permitted purpose.

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The requested variance is a minimum variance necessary to do substantial justice to the applicant as well as to the other property owners in the district and it will not cause an adverse effect on the surrounding properties. In fact, I think it will enhance them.

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MR. SANGHVI: Second.
CHAIRPERSON FERRELL: A motion and a second, any further discussion?
(No audible responses.)
CHAIRPERSON FERRELL: Seeing none, Ms. Pawlowski, can you call the roll.
MS. PAWLOWSKI: Chairperson Ferrell?

CHAIRPERSON FERRELL: Yes.
MS. PAWLOWSKI: Member Gerbluck?

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MR. GERBLICK: Yes.
MS. PAWLOWSKI: Member Ghannam?
MR. GHANNAM: Yes.
MS. PAWLOWSKI: Member Gronachan?
MS. GRONACHAN: Yes.
MS. PAWLOWSKI: Member Krieger?
MS. KRIEGER: Yes.
MS. PAWLOWSKI: Member Sanghvi?
MR. SANGHVI: Yes.
MS. PAWLOWSKI: Motion passes six

to zero.
MR. ROSE: Thank you very much.
CHAIRPERSON FERRELL: Thank you.

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Brings us to Case No. 11,
PZ14-0018, Sky Zone, 46890 Magellan Drive.
Please state and spell your name and raise your right hand and be sworn in by the secretary.

MS. DAGOSTINI: My name is Maria, M-a-r-i-a Dagostini, D-a-g-o-s-t-i-n-i.
MR. GHANNAM: Are you an attorney?

MS. DAGOSTINI: I am.
MR. GHANNAM: See, I can pick them out. You don't need to be sworn.

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MS. DAGOSTINI: I'm not here in an official capacity.
MR. GHANNAM: It doesn't matter, you took your oath after the bar exam, you're fine.
MS. DAGOSTINI: Good evening. I'm here representing Dagostini Land Company, who is the landlord of the proposed 80,000 square foot building located off Magellan

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Drive.
Dagostini Land Company is requesting a variance from Section 2505 to allow for a reduction in parking to -- for the proposed site plan.
The building that's proposed is a multi -- it's a two-unit industrial building. Sky Zone would be occupying 25,600 square feet approximately.
The remaining space is speculative building. There has not been a user identified for the remaining 48,000 square feet.
That 48,000 square feet is comprised of approximately 80,000 square feet of office, which is two floors, two floors

once a user is identified, may not be constructed, but as it's proposed, it's proposed with two floors. And then there is the remaining 39,698 square feet of shop on the speculative side.
When going through the plan review and building review process, the building department initially determined that the Sky Zone portion of the building, based on it's unique -- Sky Zone is an indoor trampoline park, in case you didn't know. Sky Zone's unique assembly use, they determined that it would require -- the site would require in its entirety 290 spaces.
However, included in your packet, Sky Zone submitted a study concluded that only three spaces for every 1,000 square feet of space would be necessary, and contractually they only required us to provide them 100 spaces for their portion.
One hundred and ten spaces were provided for the Sky Zone portion. If you look on -- at the bottom of the site plan that was also included in your packet, there is a little parking lot breakdown on page two

of the site plan. It's towards the bottom middle portion.
So with that said, 110 spaces were provided for the Sky Zone portion. With respect to the speculative portion of the building, parking was calculated for ordinance, which for the shop warehouse is 700 -- the space divided by 700 square feet, which yields 57 spaces for the industrial warehouse shop portion, and based off the ordinance, 38 spaces for the office.
So with the -- considering the Sky Zone study, along with the ordinance calculations, 205 spaces were required for the site, 230 spaces were provided in our proposed site plan.
So we're asking or we're respectfully requesting a reduction to those 230 spaces.

21 indicated in its plan review reports that
22 they would support a variance for same, so we
23 respectfully ask that a variance be granted.

24 CHAIRPERSON FERRELL: Thank you.
25 Anybody in the audience have any comments?

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1 (No audible responses.)

2 CHAIRPERSON FERRELL: Seeing
3 none, Mr. Secretary, can you read any
4 correspondence.

5 MR. GHANNAM: We have eight
6 mailed notices, zero returns, zero approvals,
7 zero objections.

8 CHAIRPERSON FERRELL: Mr. Walsh,
9 anything from the city?

10 MR. WALSH: No comments at this
11 time.

12 CHAIRPERSON FERRELL: Open it up
13 to the board for discussion.

14 MR. SANGHVI: I just had one
15 question or a comment. How can you
16 extrapolate all your findings from California
17 to Michigan?

18 MS. DAGOSTINI: That is a good
19 question. Sky Zone has indicated to us that
20 all their users, they have the same hours,
21 same -- their model for their business has
22 been proven.

23 She, Colleen Fitzgerald, who
24 unfortunately isn't here tonight, she uses
25 this formula for all her locations in

0087

1 southeastern Michigan and in -- she has space
2 or facilities in New York, and they have
3 proven to work for her. Sky Zone stands by
4 their requirements and that's what they ask
5 for, that's what we --

6 MR. SANGHVI: Are you from here,
7 this area?

8 MS. DAGOSTINI: Yes, I'm from
9 southeastern Michigan.

10 MR. SANGHVI: Then you know what
11 happens in the winter here, as opposed to
12 what happens in the winter in Sacramento or
13 some such place like that.

14 MS. DAGOSTINI: Sure, no. It
15 definitely gets cold and it snows. But keep
16 in mind that his site has 230 spaces
17 proposed.

18 The adjacent user will likely,
19 very likely have hours that don't coincide
20 with the Sky Zone's use. Sky Zone, their
21 busiest time is on the weekends. And they
22 have indicated in that study that the
23 majority of their patrons come in groups,
24 whether they be, you know, school buses, or
25 just carpools. They don't have a lot of cars

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1 that frequent the facility, so --

2 MR. SANGHVI: Thank you. Welcome
3 to Novi.

4 MS. DAGOSTINI: Thank you.

5 MR. GHANNAM: I have reviewed

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everything. I have no problem with the request. I think it was very well put together and presented.
Also I do know that the plan review also recommended final approval of your site plan, assuming you get the variance from the zoning board.
So with that in mind, I have no problem with it and I will be supporting it.

MS. DAGOSTINI: Thank you.
CHAIRPERSON FERRELL: Entertain a

motion?
MR. GERBLICK: In Case No. PZ14-0018, Sky Zone, I move that we grant the variance as requested for 230 spaces on the property, as there is unique circumstances or physical conditions of the property such as the shape and unique occupant of the building, that the need of the variance is

not due to the applicant's personal and economic difficulty.
The need is not self-created and strict compliance with regulations governing area setback, frontage, height, bulk, density and other dimensional requirements will unreasonably prevent the property owner from using the property for a permitted purpose, or will render conformity with those regulations unnecessarily burdensome. The requested variance is the minimum variance necessary to do substantial justice to the applicant as well as other property owners in the district.

And the requested variance will not cause an adverse impact on surrounding property, property values or the use and enjoyment of the property in the neighborhood and zoning district.

MR. GHANNAM: Second.
CHAIRPERSON FERRELL: Motion and a second, any further discussion?

(NO audible responses.)
CHAIRPERSON FERRELL: Seeing none, Ms. Pawlowski, can you call the roll.

MS. PAWLOWSKI: Chairperson Ferrell?
CHAIRPERSON FERRELL: Yes.
MS. PAWLOWSKI: Member Gerbl ick?
MR. GERBLICK: Yes.
MS. PAWLOWSKI: Member Ghannam?
MR. GHANNAM: Yes.
MS. PAWLOWSKI: Member Gronachan?
MS. GRONACHAN: Yes.
MS. PAWLOWSKI: Member Kri eger?
MS. KRI EGER: Yes.
MS. PAWLOWSKI: Member Sanghvi ?
MR. SANGHVI: Yes.
MS. PAWLOWSKI: Motion passes six

to zero.
MS. DAGOSTINI: Thank you.

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CHAIRPERSON FERRELL: You are welcome.
Brings us to Case No. PZ14-0019, 44725 Grand River, Suite 204 Croskey Lanni.
Come forward and state your name and spell it for the court reporter and then be sworn in by the secretary.
MR. SCHAFER: Maurice Schaefer, S-c-h-a-f-e-r.
MR. GHANNAM: Do you swear to tell the truth in Case PZ14-0019?
MR. SCHAFER: Yes, I do.
MR. GHANNAM: Please proceed.
MR. SCHAFER: We are requesting a sign up for the front of the building for reading Croskey Lanni and Company, PC.
They are -- originally they are right now in Rochester, and they're expanding out here and they would like to have a nice presence on their building to grow their company out in the west area.
We are asking for a 36.66 square foot of signage.
This type of signage would be the reverse channel or a halo-lit sign, which is more of an architectural look, where the light comes out of the sign and reflects onto the wall behind it.
There is no face lighting on the sign at all, and this is with LED lighting.
We're just trying to get a presence on the building for visibility, you know, for this tenant that would be coming in, or that is in there now. They would like to build business in this area.
I have one of the owners here, if you would like to hear from her.
CHAIRPERSON FERRELL: Your presentation is done?
MR. SCHAFER: Yes.
CHAIRPERSON FERRELL: Thank you. Anybody from the audience have any comments or questions?
(No audible responses.)
CHAIRPERSON FERRELL: Seeing none, Mr. Secretary can you read any correspondence.
MR. GHANNAM: Yes. There were 14 mailed notices, three returns, zero approvals, zero objections.
CHAIRPERSON FERRELL: Mr. Walsh, anything from the city?
MR. WALSH: No comments.
CHAIRPERSON FERRELL: Open it up to the board for discussion.
MR. SANGHVI: I just have one question. Who is or what is Croskey Lanni?
MS. JONES: May I speak?

2 MR. GHANNAM: You want to speak,
3 just come to the podium, state your name and
4 spell it, please.

5 MS. JONES: Carolyn Jones,
6 C-a-r-o-l-y-n, J-o-n-e-s.

7 MR. GHANNAM: Can you raise your
8 right hand. Do you swear or affirm you will
9 tell the truth in this case?

10 MS. JONES: I do.

11 MS. GRONACHAN: Thank you.

12 MS. JONES: We are a 50 period
13 CPA firm, been in the Rochester area for 25
14 years. We have a prominent client base in
15 the west side of town and we are anxious to
16 exert our present here in town.

17 MR. SANGHVI: Welcome to Novi.

18 MS. KRIEGER: Will you be
19 occupying all of the building?

20 MS. JONES: We are occupying the
21 majority of the second floor and right where
22 the sign is located.

23 MS. KRIEGER: Thank you.

24 CHAIRPERSON FERRELL: Anybody
25 else? Entertain a motion?

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1 MS. GRONACHAN: I have a question
2 for the building department, Mr. Walsh.

3 What is the the minimum sign
4 that they would be allowed?

5 MR. WALSH: One sign by right, 24
6 square feet.

7 MS. GRONACHAN: That could be a
8 ground sign or a building sign, correct?

9 MR. WALSH: That's correct.

10 MS. PAWLOWSKI: But there is
11 going to be multiple tenants in this
12 building?

13 MR. WALSH: My understanding,
14 yes.

15 MS. GRONACHAN: So I need clarity
16 in terms of what if the other tenant on the
17 first floor wants a sign as well? So that's
18 my -- that's where I'm having a problem with
19 this. You're saying 24?

20 MR. WALSH: Twenty-four square
21 feet.

22 MS. GRONACHAN: Back to what was
23 the reasoning for the size of the lettering
24 that you chose, for that size?

25 MR. SCHAFER: Well, we tried to

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1 keep it down, we are trying to get it down
2 into the 24 square foot, but it's such a long
3 name, and they're only 15-inch high letters.
4 So they are small. That's one reason why,
5 too, we are using the reverse channel and the
6 halo light so that it's not pushing out at
7 the light. It's suddenly against the wall.
8 So that's kind of halo lighting around each
9 letter.

10 It's more architectural for
11 this type of a building, than what you would
12 use at a party store or any other, you know,

13 commercial restaurant, stuff like that. They
14 all have face lit letters, where this is an
15 architectural design so it comes out to the
16 back.

17 MS. GRONACHAN: Thank you. I
18 have no further questions.

19 MR. GHANNAM: Can't you get rid
20 of one of the partners to put this name, or
21 something?

22 Actually, I don't have a
23 problem necessarily with the size.

24 The problem, as I recall on
25 this one, remind me, don't you have a ground

0096
1 sign?

2 MR. SCHAFER: Yes, we do.

3 MR. GHANNAM: You have names of
4 tenants on that ground sign?

5 MS. ROSINSKI: Correct.

6 MR. GHANNAM: That faces Grand
7 River, if I recall?

8 MS. ROSINSKI: Yes.

9 MS. GRONACHAN: I understand this
10 is going to be -- well, let me ask you this.
11 What percentage of the space of this tenant
12 is occupying relative to the entire building?

13 MR. SCHAFER: I'm not sure. I
14 think what they're trying to do -- it's
15 not -- they're not, you know, the whole
16 place, they're not the largest, but they're
17 going to grow.

18 MR. GHANNAM: We can assume that.
19 Our problem is, I mean, I understand
20 everybody wants signs. A lot of cities
21 including Novi have restrictive sign
22 ordinances. My question becomes what makes
23 this property unique. It's not supposed to
24 be for economic return. It's supposed to be
25 for other reasons that you have been hearing

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1 us, you know, repeat all night.

2 Because if you have other
3 tenants, whether it be larger or even smaller
4 ones, as the other board member says, what's
5 to prevent them from coming and saying, I
6 want my sign, too. That becomes very
7 oppressive at that point, you follow?

8 MR. SCHAFER: Yes. The owner of
9 the building itself is approving of this, to
10 bring more business in for that tenant.

11 MS. GRONACHAN: I don't doubt
12 that. What makes this particular tenant
13 building location different to require to
14 request not only a ground sign, that you're
15 entitled to, but a wall sign?

16 MR. SCHAFER: Right now they're
17 occupying 15 percent of the building. But
18 there is a lot of other tenants in there.
19 And most of them are identified on the small
20 ground sign also.

21 MR. GHANNAM: So it's relatively
22 a small percentage of the building?

23 MR. SCHAFER: Yes, but there is

24 quite a few tenants in the building also.

25 MS. GRONACHAN: I understand

0098

1 that. Do you have larger tenants than this
2 one?

3 UNIDENTIFIED: I believe there is
4 one. There is one.

5 MR. SCHAFER: They're not looking
6 for added identification. They have been
7 here a while. This tenant, they're just
8 trying to get known more out in this area
9 because they're mainly in Rochester.

10 MR. GHANNAM: I understand that.
11 I understand all of that, to be honest. Once
12 we grant -- if the board grants a wall sign,
13 it runs with the land and it's good
14 indefinitely.

15 Do you know what the term of
16 this lease, of this particular tenant
17 approximately?

18 CHAIRPERSON FERRELL: Ma'am,
19 state your name and spell it for the
20 reporter.

21 MS. TRUPIANO: My name is Sue,
22 S-u-e, Trupiano, T-r-u-p-i-a-n-o.

23 MS. GRONACHAN: Raise your right
24 hand. Do you swear or affirm to tell the
25 truth in this case?

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1 MS. TRUPIANO: Yes, I do.

2 MS. GRONACHAN: Give me an
3 idea --

4 MS. TRUPIANO: I actually work
5 for the owner of the building and basically
6 we would be happy to take their name off the
7 billboard sign that's in the front, the
8 monument sign, to have them on the building.

9 Basically they have a big
10 presence over on the east side, and they have
11 a clientele base here currently which
12 there -- because we're -- where our building
13 is placed, we are kind of like in the
14 industrial part of Grand River and we are an
15 office building that's sitting in there, so
16 people just have to pass us right by.
17 They're not looking for an office building to
18 be where we are.

19 So when they came on board,
20 you guys have a ten year lease with three
21 five-year options. And basically, what
22 they're looking to do is they're looking to
23 establish a presence on the east side.

24 MS. GRONACHAN: I understand all
25 of that. My reservation is you have got a

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1 relatively small tenant in this larger
2 building. You have larger tenants and you're
3 entitled to one ground sign. I understand
4 that.

5 And the question becomes if we
6 grant a variance, then that is good for this
7 particular property indefinitely is my
8 understanding.

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We are not supposed to grant them simply for economic gain and to draw in business.

The question is the uniqueness, other factors that we look at. That's what I'm trying to figure out.

MS. TRUPIANO: They have come into the building basically looking to take more space, but in order for them to do that, they need to create a bigger client base on this side, the west side, so --

MR. GHANNAM: Thank you.

CHAIRPERSON FERRELL: Any other discussion?

MS. KRIEGER: For the city, for the Croskey Lanni, can we grant the 26 by 15, and if they at some point in time, they

decide that they're not going to be in this area, that some other business can fit their lettering into that area?

MS. SAARELA: I don't believe the request is specifically relating to size, it's for an additional sign. So what we are granting is an additional sign.

I don't think the size is what's -- the relevant issue here. You are able to limit it to this tenant for signage purposes.

CHAIRPERSON FERRELL: I thought the sign -- the maximum size was 24 square feet, they're asking for 32 square feet, it would be a bigger sign, correct?

MS. GRONACHAN: Is the variance -- they are asking for a variance in the size as well, and for an additional sign.

MS. SAARELA: So I mean, you can reduce the size. I mean, it's not something that has to be agreed to by the applicant.

So if you felt the 24 was appropriate, you just want to grant the variance for the additional sign, that would be something that you could do without

getting an approval.

CHAIRPERSON FERRELL: I have one question.

The size of the sign -- of the address on the building, how much difference is it with the lettering that you're -- pretty similar with the same size? Are they letters with the bigger --

MR. SCHAFER: The address is smaller in height-wise than what the letters are, yes.

MS. GRONACHAN: My recommendation to the board would be this. Something for the petitioner to ponder or to consider, if you will.

My recommendation would be to have the sign removed, have your name removed off the ground sign, and add your name onto the building for the 24 square feet, based on

20 your presentation before us this evening,
21 stating that you're trying for
22 identification.

23 I understand that this is an
24 office building in an industrial area, and if
25 you're trying to bring people into it,

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1 unidentifying the building for the business,
2 I get that.

3 What I can't support is for
4 the economic reason.

5 I can support identification,
6 the uniqueness of the building. I can
7 support a reduced signage, if you remove it
8 off the ground sign, to the 24 square feet.
9 And that's what I would recommend to my
10 fellow board members.

11 CHAIRPERSON FERRELL: Thank you.
12 I agree with removing the sign from the
13 monument sign.

14 The size of the lettering, I
15 mean, you want to name the building, then you
16 can be stuck with that on it. I guess that
17 is up to you guys, it's your building. The
18 size might be a little too big.

19 I would be in favor of
20 reducing it at least a little even down to
21 four feet, maybe a little bit bigger. I
22 think esthetically it would look better, if
23 it was a little bit larger. How large, I'm
24 not sure.

25 If you guys would be willing,

0104
1 I know we can pretty much give off for
2 something, if you want to approve it. If
3 there is something, you would be willing to
4 take a little bit lesser of a size, let us
5 know, maybe work with that.

6 MR. SCHAFER: We could probably
7 work with 30 square foot.

8 MS. KRIEGER: We have to revise
9 for that?

10 CHAIRPERSON FERRELL: No.

11 MS. JONES: Could I offer, we are
12 known as Croskey Lanni, PC. If we took the
13 company off, could we take the same height
14 and then bring it down, so it's less
15 obtrusive.

16 CHAIRPERSON FERRELL: Say it
17 again, I'm sorry.

18 MS. JONES: We are known as
19 Croskey Lanni PC. If we had to leave the
20 company off to have that increased size, and,
21 you know, we wouldn't be as obtrusive, maybe
22 our lettering could be the same size, but it
23 wouldn't cover such as a large --

24 CHAIRPERSON FERRELL: The picture
25 I have here doesn't have the PC part on it.

0105
1 That's what you're talking about?

2 MS. JONES: It should. And
3 company.

4 MR. SCHAFER: What she would like

5 to do is take and company off, which would
6 reduce it down well below --
7 CHAIRPERSON FERRELL: I don't
8 have a copy of the picture you're looking at.
9 MS. TRUPIANO: Can I say
10 something. It is just Croskey Lanni. It's
11 not Croskey Lanni --
12 CHAIRPERSON FERRELL: Is that it,
13 just 32 square feet?
14 MS. TRUPIANO: See, this is
15 just --
16 MS. GRONACHAN: If you could hold
17 on one second. Whoever put these packets
18 together, they just -- in the upper left it's
19 entitled option B. What was given to us in
20 our packets says option C. And the one that
21 gave us, just handed to us now, it says
22 29-foot by 4 inches by 15 inches, versus 26
23 that came with our packets.
24 CHAIRPERSON FERRELL: So option B
25 is bigger, but I don't know how many square
0106 foot that is.

1
2 MR. WALSH: Option C is what they
3 submitted.
4 MR. GHANNAM: That references the
5 32.5?
6 MR. WALSH: That's correct.
7 MR. GERBLICK: That's what you
8 guys wanted was --
9 MS. JONES: Yes.
10 MR. GERBLICK: Just this, okay.
11 MR. SCHAFER: I'm sure that will
12 be in the area.
13 MS. TRUPIANO: This is an
14 established logo for them on the east side.
15 You know, it's present on their current
16 buildings that they have over there.
17 So that's why we can't fit from
18 this, and obviously, we took like basically a
19 photo image of what they had on their
20 building there. And we had cut this down,
21 and obviously, the original copy they
22 submitted to us, I sent it back and said, no,
23 we want to go with exactly what their logo is
24 on the east side.

25 CHAIRPERSON FERRELL: For the
0107 board, I don't know what anybody wants to
1 discuss. Like what size would be acceptable.
2 You guys' opinions.
3 MS. KRIEGER: I'm okay with
4 Croskey Lanni.
5 CHAIRPERSON FERRELL: At 32
6 square feet?
7 MS. KRIEGER: Yes.
8 MS. GRONACHAN: Well, the
9 petitioner already said that he would go down
10 to 30. If that was possible, I would like to
11 see less, with the petitioner removing their
12 name off the ground sign, if this is going to
13 be on the front of the building. He already
14 agreed to it.
15

16 CHAIRPERSON FERRELL: I agree
17 with the agreement removing on the ground
18 sign.
19 MR. GERBLICK: I would be in
20 favor of limiting the sign to this tenant as
21 well for the term of the lease.
22 CHAIRPERSON FERRELL: I'm okay
23 with the 30 square feet, it's less, removing
24 the name off the ground sign.
25 Anybody else? Make a motion?

0108

1 MR. GERBLICK: It Case No.
2 PZ14-0019, Croskey Lanni, I move that we
3 grant a variance restricted to a 30 square
4 foot wall sign limited to the lease term of
5 this tenant as well as the condition of
6 removing the existing sign off the ground
7 sign for this business.
8 I move we grant this variance
9 based on circumstances or features that are
10 exceptional and unique to the property and do
11 not result in conditions that exist generally
12 in the city, or that are self-created.
13 This building is located in an
14 industrial area, as well as on Grand River
15 Road, which has low traffic and difficulty
16 for visibility.
17 The failure to grant relief
18 will unreasonably prevent or limit the use of
19 the property and will result in substantially
20 more than a mere inconvenience or inability
21 to attain economic or financial return.
22 And the grant of the relief
23 will not result in a use of the structure
24 that is incompatible with or unreasonably
25 interferes with adjacent or surrounding

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1 properties and will result in substantial
2 justice being done to both the applicant and
3 adjacent and surrounding properties and is
4 not inconsistent with the spirit of the
5 ordinance.
6 CHAIRPERSON FERRELL: Did you add
7 it's limited to just this tenant?
8 MR. GERBLICK: Yes.
9 MS. GRONACHAN: Second.
10 CHAIRPERSON FERRELL: Motion and
11 a second, any further discussion?
12 (NO audible responses.)
13 CHAIRPERSON FERRELL: Seeing
14 none, Ms. Pawlowski can you call the roll.
15 MS. SAARELA: Was there someone
16 that stated ground sign versus wall sign?
17 MR. GERBLICK: For this business,
18 removal of the ground sign to limit the
19 business to one sign.
20 MS. PAWLOWSKI: Chairperson
21 Ferrell?
22 CHAIRPERSON FERRELL: Yes.
23 MS. PAWLOWSKI: Member Gerbllick?
24 MR. GERBLICK: Yes.
25 MS. PAWLOWSKI: Member Ghannam?

0110

1 MR. GHANNAM: Yes.
2 MS. PAWLOWSKI: Member Gronachan?
3 MS. GRONACHAN: Yes.
4 MS. PAWLOWSKI: Member Krieger?
5 MS. KRIEGER: Yes.
6 MS. PAWLOWSKI: Member Sanghvi?
7 MR. SANGHVI: Yes.
8 MS. PAWLOWSKI: Motion passes six
9 to zero.
10 MR. SCHAFFER: One sign 30 square
11 feet?
12 CHAIRPERSON FERRELL: Yes.
13 MR. SCHAFFER: Thank you very
14 much.
15 CHAIRPERSON FERRELL: And removal
16 of the ground sign.
17 MS. TRUPIANO: The 15-inch
18 lettering is okay?
19 CHAIRPERSON FERRELL: As long as
20 it's within the square footage, 30 square
21 feet.
22 MR. SCHAFFER: Thank you for
23 working with us.
24 CHAIRPERSON FERRELL: No problem.
25 Have a good night.

0111

1 Moves us to Case No. 13,
2 PZ14-0020, 1171 East Lake Drive.
3 State your name and spell it
4 for the reporter. Then be sworn in by the
5 secretary.
6 MR. KWAPIS: My name is Eric
7 Kwapis, Kwapis, K-w-a-p-i-s.
8 MR. GHANNAM: Sir, in Case
9 PZ14-0020, do you swear or affirm to tell the
10 truth?
11 MR. KWAPIS: Yes.
12 MR. GHANNAM: Please proceed.
13 MR. KWAPIS: I am the architect
14 representing McDonalds. We came before the
15 board a couple months ago and had approval of
16 keeping and doing an addition to this
17 existing house.
18 At the time, we are advised as
19 part of our written statement that if there
20 was an issue with the foundation, we would
21 have to come back before the board.
22 In further exploration of the
23 existing foundation, we are trying to
24 accommodate the expansion with the use of
25 existing foundation, but we found that it was

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1 going to be difficult, expensive -- well,
2 anyhow at least difficult for that use. And
3 if you're going to construct and spend all of
4 this money and time, to redo this whole
5 house, we thought it would better to have a
6 better foundation for the construction
7 purposes of the house. So that's why we are
8 back here before the board at this time.
9 CHAIRPERSON FERRELL: Thank you.
10 Anybody in the audience have any comments?
11 (No audible responses.)

12 CHAIRPERSON FERRELL: Seeing
13 none, Mr. Secretary, can you read in the
14 correspondence.

15 MR. GHANNAM: Yes. We have 15
16 mailed notices, zero return mail, two
17 approvals, and zero objections.

18 The approvals are from the
19 following. The first one is from Mike
20 Milazzo, M-i-l-a-z-z-o, 1175 East Lake Drive,
21 dated 6/6/14. "I, Michael Milazzo approve of
22 Anne Marie and Chris McDonald's construction
23 of a new single family home on 1171 East Lake
24 Drive. Understanding that they will be using
25 the existing footprint, I have no objections

0113
1 and have reviewed the plans with Anne Marie
2 and Chris, the homeowners". Signed.

3 The second one is from Carol
4 Kernan, K-e-r-n-a-n, 1167 East Lake Drive,
5 dated 6/10/2014.

6 It indicates, "I, Carol
7 Kernan, have reviewed the plans for the
8 construction of a new single family home at
9 1171 East Lake Drive.

10 I understand that Chris and
11 Anne Marie McDonald will be using the
12 existing footprint and attached the existing
13 garage. I approve the construction of their
14 new home".

15 CHAIRPERSON FERRELL: Mr. Walsh,
16 any comments from the city?

17 MR. WALSH: I just wanted to ask
18 the petitioner to come back to the board due
19 to the -- as you recall, earlier this year,
20 they came in for an addition and the existing
21 foundation wasn't capable to support the new
22 loads, so basically, we are going to have a
23 new house, existing footprint, what's out
24 there today.

25 CHAIRPERSON FERRELL: Open it up
0114
1 to the board for discussion.

2 MR. GHANNAM: Yes. I personally
3 have reviewed this. I see no problem with
4 it.

5 Again, I mentioned to you
6 before, we have had a few on East Lake
7 tonight. But we have had a number in the
8 past and we understand that narrowness of
9 these lots they are old, they don't really
10 comply with the new ordinances, setbacks and
11 so forth, it's impossible to build a new
12 house and comply with the current ordinances.

13 So given what you have
14 presented seems appropriate under the
15 circumstances, so I will be in support.
16 Thank you.

17 CHAIRPERSON FERRELL: I am as
18 well, since you're using the same footprint,
19 I have no problem supporting it.

20 Anybody else?

(No audible responses.)

21 CHAIRPERSON FERRELL: A motion?
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MR. GERBLICK: In Case No. PZ14-0020, 1171 East Lake Drive, I move that we grant the variance as requested, and there

are unique circumstances or physical conditions of the property such as narrowness and shape, and the need of the variance is not due to the applicant's personal or economic difficulty. The need is not self-created and strict compliance with regulations governing area, setback, frontage, height, bulk, density and other dimensional requirements will unreasonably prevent the property owner from using the property for its permitted purpose or render conformity with those regulations unnecessarily burdensome.

The requested variance is the minimum variance necessary to do substantial justice to the applicant as well as other property owners in the district and the requested variance will not cause an adverse impact on the surrounding property or property values use and enjoyment of the property.

MS. GRONACHAN: Second.
CHAIRPERSON FERRELL: Motion and a second. Any further discussion?
(No audible responses.)

CHAIRPERSON FERRELL: Seeing none, Ms. Pawlowski, can you call the roll.
MS. PAWLOWSKI: Chairperson Ferrell?
CHAIRPERSON FERRELL: Yes.
MS. PAWLOWSKI: Member Gerbllick?
MR. GERBLICK: Yes.
MS. PAWLOWSKI: Member Ghannam?
MR. GHANNAM: Yes.
MS. PAWLOWSKI: Member Gronachan?
MS. GRONACHAN: Yes.
MS. PAWLOWSKI: Member Krieger?
MS. KRIEGER: Yes.
MS. PAWLOWSKI: Member Sanghvi?
MR. SANGHVI: Yes.
MS. PAWLOWSKI: Motion passes six

to zero.
CHAIRPERSON FERRELL: Thank you. Take us back to Case No. 5, PZ14-0012, for 44050 Stone Ridge Office Park. So we table that --

MR. GHANNAM: I will make a motion to move it to the July 8 meeting.
MR. GERBLICK: Second.
CHAIRPERSON FERRELL: Motion and

a second, all in favor say aye.
THE BOARD: Aye.
CHAIRPERSON FERRELL: All opposed?
(NO audible responses.)
CHAIRPERSON FERRELL: Seeing none, it's tabled.

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Date

Jennifer L. Wall CSR-4183
Oakland County, Michigan
My Commission Expires 11/12/15