

MEETING - ZONING BOARD OF APPEALS

CITY OF NOVI

TUESDAY, JULY 11, 2023, 7:00 p.m.

Council Chambers|Novi Civic Center|45175 W. 10 Mile Rd

BOARD MEMBERS:

Joe Peddiboyina, Chairperson

Clift Montague

Linda Krieger

Jay McLeod

Siddharth Mav Sanghvi

ALSO PRESENT:

Alan Hall, Community Development, Deputy Director

Elizabeth Saarela, City Attorney

Sarah Fletcher, Recording Secretary

Reported by:

Sandra D. Wilson, Certified Shorthand Reporter

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Novi, Michigan

Tuesday, July 11, 2023

7:00 p.m.

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CHAIRPERSON PEDDIBOYINA: Good

evening. Today is July 11, 7-11. Thank you for coming, everybody. Somebody can close the door, if possible. Somebody? Thank you so much. Please call to order and pledge of allegiance. Please stand up, everybody. Thank you.

(Pledge of allegiance)

CHAIRPERSON PEDDIBOYINA: Thank you so much. Please be seated. Turn off your cell phones, like in a silent mode. And if you have anything, you can, you know, please raise your hand when the time comes. And the roll-call.

MADAM SECRETARY: Chairperson Peddiboyina.

CHAIRPERSON PEDDIBOYINA: Yes, ma'am.

MADAM SECRETARY: Member Longo.

1 Absent, excused. Member McLeod.

2 MEMBER MCLEOD: Here.

3 MADAM SECRETARY: Member Montague.

4 MEMBER MONTAGUE: Here.

5 MADAM SECRETARY: Member Krieger.

6 MEMBER KRIEGER: Here.

7 MADAM SECRETARY: Member Sanghvi.

8 MEMBER SANGHVI: Here.

9 MADAM SECRETARY: Member Thompson.

10 Absent, excused.

11 CHAIRPERSON PEDDIBOYINA: Thank you
12 so much. We have a quorum. Public hearing in
13 City of Novi, you can pick up your paper
14 so today what are the cases, we're dealing
15 with that. As I said, when the time comes,
16 you can speak up on the podium. And we have
17 only limited for three minutes of time; and
18 please, let's take that time. I really
19 appreciate it. And if you have anything,
20 presentations or anything, you can place on
21 the projector and you can watch on the
22 televisions. Thank you so much for that.

23 Approval of the agenda, somebody

1 make a motion; any changes or anything?

2 Approval of the agenda of June?

3 MEMBER MONTAGUE: I move that we
4 approve the agenda.

5 MEMBER KRIEGER: Second.

6 CHAIRPERSON PEDDIBOYINA: Sorry,
7 July. I'm sorry. July agenda.

8 BOARD MEMBERS: (No verbal
9 response).

10 CHAIRPERSON PEDDIBOYINA: Okay.
11 Thank you so much. Say aye in favor. Any
12 changes?

13 BOARD MEMBERS: Aye.

14 CHAIRPERSON PEDDIBOYINA: Thank you.
15 Any nays?

16 BOARD MEMBERS: (No verbal
17 response).

18 CHAIRPERSON PEDDIBOYINA: Looks like
19 no. Thank you. And minutes of May 2023,
20 somebody make a motion. Any changes?

21 MEMBER SANGHVI: I make a motion to
22 approve the minutes as presented.

23 MEMBER KRIEGER: Second.

1 CHAIRPERSON PEDDIBOYINA: Thank you.

2 Any change -- okay. Say aye in favor?

3 BOARD MEMBERS: Aye.

4 CHAIRPERSON PEDDIBOYINA: Any
5 changes?

6 (No verbal response)

7 CHAIRPERSON PEDDIBOYINA: No?

8 MADAM SECRETARY: No changes.

9 CHAIRPERSON PEDDIBOYINA: Okay.

10 Thank you. Public remarks? Anybody wants to
11 add anything in the public remarks; now is the
12 time, please.

13 AUDIENCE: (No verbal response).

14 CHAIRPERSON PEDDIBOYINA: Looks like
15 none. Thank you. Okay. Public hearing.

16 AUDIENCE: (No verbal response).

17 CHAIRPERSON PEDDIBOYINA: Okay.

18 Thank you. Today we have five cases; let's
19 continue for the first case. PZ23-0018, James
20 Wildman. 22635 Beckenham Court. West of Beck
21 Road and north of Nine Mile Road. Parcel
22 50-22-29-476-016. The applicant is requesting
23 variance from the City of Novi Zoning

1 Ordinance Section 3.1.2 for a proposed
2 exterior side yard setback of 19 feet, 30 feet
3 required, variance of 11 feet. This variance
4 would accommodate the building of a home
5 addition. This property zoned one family
6 addition, R-1. This applicant is present,
7 please?

8 SPECTATOR: Yes.

9 CHAIRPERSON PEDDIBOYINA: Please
10 come to the podium. Tell your first and last
11 name clearly for our secretary, for the court
12 record; then she'll take the oath if you are
13 not an attorney.

14 MR. WILDMAN: James Wildman.

15 MS. KRIEGER: Could you spell that
16 for our Court Recorder?

17 MR. WILDMAN: Sure. James,
18 J-A-M-E-S. Wildman, W-I-L-D-M-A-N.

19 CHAIRPERSON PEDDIBOYINA: Are you an
20 attorney?

21 MR. WILDMAN: No.

22 MEMBER KRIEGER: You want to raise
23 your right hand? Do you swear to tell the

1 truth in this case?

2 MR. WILDMAN: Yes.

3 MEMBER KRIEGER: Thank you.

4 CHAIRPERSON PEDDIBOYINA: Okay. Mr.
5 James, please go ahead where we can help you
6 tonight in your case? Please present.

7 MR. WILDMAN: Sure.

8 CHAIRPERSON PEDDIBOYINA: Thank you.

9 MR. WILDMAN: Do you guys have the
10 blueprints already?

11 CHAIRPERSON PEDDIBOYINA: Yes. If
12 you have anything in the public we can look
13 into that. It can be used with what's going
14 on with the case.

15 MR. WILDMAN: Sure.

16 CHAIRPERSON PEDDIBOYINA: Thank you
17 so much.

18 MR. WILDMAN: Yes. You guys have
19 noted that this was previously approved; we're
20 just reestablishing it because it expired.
21 We're going to install a crawl space with a
22 foundation. And then we're going to --
23 basically, here's a kitchen door and another

1 sliding door. That's going to be removed, you
2 know, with the headers that go across. And
3 this is where the addition will be built out;
4 mostly just with windows.

5 There will be an eight-foot entry
6 door, exit door here and on this side. This
7 will now become a brick paver area, and this
8 is what it will look like. So this is the
9 back end of the addition. And this will be
10 the side in which you live see from the road
11 when you drive into the cul de sac. So it
12 will look right like that. It's within the 19
13 foot variance approval. We have -- right here
14 you'll see a survey that dials in exactly to
15 the 19 foot mark. It's located right here.
16 So this will meet the variance approval for
17 the addition. That's, for the most part, all
18 I have.

19 CHAIRPERSON PEDDIBOYINA: Okay.
20 Anybody who would like join to speak on your
21 behalf of anything to add on this case?

22 MR. WILDMAN: Nope.

23 CHAIRPERSON PEDDIBOYINA: Okay.

1 Thank you for your blueprint presentation.

2 MR. WILDMAN: Sure.

3 CHAIRPERSON PEDDIBOYINA: Now it's
4 open to my -- sorry. Okay. Secretary.

5 MEMBER KRIEGER: In this case, 22
6 were mailed. Zero returned. Zero objections.
7 Zero approvals.

8 CHAIRPERSON PEDDIBOYINA: Any
9 comments from the city?

10 MR. HALL: Yes. Thank you, Mr.
11 Chairman. We do concur that they did have a
12 variance approved on June 8th, 2021; it was
13 for an 11 foot variance. At that point the
14 addition was a squared; this one has angles on
15 it now. So the minimum they would need for a
16 variance would be 6.4 feet. They are asking
17 for 11; that's what was approved before. I
18 just wanted to point that out.

19 CHAIRPERSON PEDDIBOYINA: Thank you.
20 Anybody in the audience would like to speak on
21 this case; this is the time to speak up.

22 AUDIENCE: (No verbal response).

23 CHAIRPERSON PEDDIBOYINA: Okay.

1 Looks like none. It's now open to the board.

2 BOARD MEMBERS: (No verbal
3 response).

4 CHAIRPERSON PEDDIBOYINA: The board,
5 anybody who would like to speak on this case,
6 please; it's open to the board?

7 MEMBER MONTAGUE: Sure. I went by
8 and took a look, and you do have a unique lot
9 there on a cul de sac. And where you're
10 putting it is unobtrusive to anybody, so I
11 would be willing to support your variance.

12 MR. WILDMAN: Thank you.

13 CHAIRPERSON PEDDIBOYINA: Thank you,
14 Montague. Okay, Mr. Mav Sanghvi.

15 MEMBER SANGHVI: I came and visited
16 your place yesterday --

17 MR. WILDMAN: Okay.

18 MEMBER SANGHVI: -- you have a
19 beautiful home there.

20 MR. WILDMAN: Thank you.

21 MEMBER SANGHVI: How big is the home
22 currently?

23 MR. WILDMAN: It's 3,325 square

1 footage.

2 MEMBER SANGHVI: How much more are
3 you adding?

4 MR. WILDMAN: This will be about
5 465, give or take.

6 MEMBER SANGHVI: I have no problem.
7 It's a very reasonable request. Thank you.

8 MR. WILDMAN: Thank you.

9 CHAIRPERSON PEDDIBOYINA: Okay.
10 Anybody? Okay. Member Linda.

11 MEMBER KRIEGER: I move that we
12 grant the variance request in Case Number
13 PZ23-0018, sought by the petitioner. The
14 petitioner has shown practical difficulty
15 requiring the change for the request. The
16 petitioner will be unreasonably prevented or
17 limited with respect to the use of the
18 property because of its position in the
19 subdivision, and it's unique because it's in a
20 cul de sac. The petitioner did not create the
21 condition because of the location of the
22 footprint of the house in this area. The
23 relief granted will not unreasonably interfere

1 with adjacent or surrounding properties
2 because it blends with the house, itself, and
3 the lot. The relief is consistent with the
4 spirit and intent of the ordinance because it
5 is a reasonable request.

6 MR. WILDMAN: Thank you.

7 MEMBER SANGHVI: I second.

8 CHAIRPERSON PEDDIBOYINA: Okay.

9 Thank you.

10 MADAM SECRETARY: Chairperson
11 Peddiboyina.

12 CHAIRPERSON PEDDIBOYINA: Yes,
13 please.

14 MADAM SECRETARY: Member Krieger.

15 MEMBER KRIEGER: Yes.

16 MADAM SECRETARY: Member McLeod.

17 MEMBER MCLEOD: Yes.

18 MADAM SECRETARY: Member Montague.

19 MEMBER MONTAGUE: Yes.

20 MADAM SECRETARY: Member Sanghvi.

21 MEMBER SANGHVI: Yes

22 MADAM SECRETARY: Motion passes five
23 to zero.

1 CHAIRPERSON PEDDIBOYINA: Good luck,
2 and thank you, James.

3 MR. WILDMAN: Thank you guys. Have
4 a good evening.

5 CHAIRPERSON PEDDIBOYINA: Case
6 Number PZ -- second case, PZ23-0020.
7 Constantine George Pappas/Armenian Cultural
8 Center. 41100 Twelve Mile Road, east of
9 Meadowbrook Road and North of 12 Mile Road.
10 Parcel #50-22-12-351-053. The applicant is
11 requesting the ZBA specify a height of 62.83
12 feet for a proposed monument structure, as
13 permitted under Section 3.32.3. of the Zoning
14 Ordinance. The structure has received special
15 land use approval from the Planning
16 Commission, and is located greater than 63
17 feet from all property lines.

18 The applicant is also requesting a
19 variance from Section 4.19.2.F for the
20 proposed location of a dumpster in the side
21 yard. This property is zoned residential
22 acreage, RA. Okay. Please, go ahead and
23 present your first and last name clearly for

1 the court record.

2 MR. PAPPAS: My first name is
3 Constantine Pappas, architect for the Armenian
4 community. And what happens is that this is
5 the second time we'll be before you; we were
6 here a few years ago.

7 MEMBER KRIEGER: Are you an
8 attorney, sir?

9 MR. PAPPAS: Pardon?

10 MEMBER KRIEGER: Are you an
11 attorney?

12 MR. PAPPAS: No. Architect.

13 MEMBER KRIEGER: Do you swear or
14 affirm to tell the truth in this case?

15 MR. PAPPAS: Yes.

16 CHAIRPERSON PEDDIBOYINA: Yes,
17 please go ahead. Thank you, Member Linda.

18 MR. PAPPAS: I do have some good
19 news; we're just about ready to start. With
20 covid and everything, that kind of put the
21 whole Armenian community behind a little bit.
22 But at this particular point, we're there.
23 We've been out for bids. We're ready to start

1 the site work, but we cannot start anything
2 until we kind of go through these two
3 variances.

4 The one variance is for the
5 dumpster. The reason we want to move the
6 dumpster, quite strangely, is to retain a lot
7 of the woodlands. The slopes along the side
8 of the property are very, very steep, which
9 would cause some major problems in trying to
10 get that dumpster in there, let alone being
11 able to service it. By moving it where we're
12 proposing on moving it, it would be closer to
13 where the proposed kitchen is located in the
14 actual community center.

15 And the second variance is for the
16 actual genocide memorial, which the memorial
17 signifies when the start of the genocide
18 actually started in 1915. It takes its height
19 to a little over 62 feet, which is based on
20 the year of 1915 in centimeters. And that's
21 how we actually kind of came up with that. It
22 represents the concept of the two communities
23 of the Armenian Cultural Center coming

1 together between Armenia and Lebanon.

2 It's going to be a very powerful,
3 powerful memorial. And it's going to be
4 literally in the center of where the building
5 is at. And we've kind of placed that to try
6 to be not exactly in the center of the
7 property, but relatively far away such that
8 it's not right up against any of the
9 residents. In fact, the closest that is to
10 the residents is like 297 feet away from where
11 the residents are; this would be to the
12 immediate, I believe, west of the property.

13 Other than that, the descriptions
14 and the reasons why we're asking for the
15 variance have been submitted, drawings have
16 been submitted, and we're here to ask (sic)
17 any questions. I may also recall -- I think
18 it was unanimously approved at the previous
19 time that we actually asked for both variances
20 before.

21 CHAIRPERSON PEDDIBOYINA: Okay.
22 George, anybody you'd like to speak on this
23 case, or you are the only one?

1 MR. PAPPAS: I'll be the only one.
2 Just in case, Mr. Raffi Ourlian is the
3 president of the Armenian Community Center;
4 and if there's any questions, I'm sure he can
5 answer them if I can't answer them.

6 CHAIRPERSON PEDDIBOYINA: Okay. Do
7 you have the blueprint or anything to show
8 the audience?

9 MR. PAPPAS: I don't. I had
10 everything submitted to the city. Everything
11 was within the city.

12 CHAIRPERSON PEDDIBOYINA: Yeah, we
13 have that one. In case the audience can look
14 into that; that's what I'm asking. Okay.
15 Thank you. And from the city?

16 MR. HALL: Thank you, Mr. Chairman.
17 Yes, he did have two variances previously
18 approved; one was on November 14th, 2017, and
19 the other November 10th, 2020, which was for
20 the monument. Both have expired now, and he's
21 looking for granting of the same variances
22 that were requested before. Looking at the
23 drawings that he submitted, there's no

1 deviations from the previously submittal. So
2 it's a nice job.

3 MR. PAPPAS: Thank you.

4 CHAIRPERSON PEDDIBOYINA: Thank you
5 so much. Correspondence secretary.

6 MEMBER KRIEGER: Forty-five were
7 mailed, two returned. Zero objections. One
8 approval. The approval is from Annette
9 Anderson on Summit Court. "We have property
10 adjacent to this development and approve of
11 the monument height. We moved to Novi one
12 year ago to a property, and this is the first
13 time we have heard about the proposal
14 development of -- there is opportunity to
15 comment further. We are hopeful there will be
16 a sidewalk put in to allow walking to Toll
17 Gate Farms, and that some of the natural area
18 will be preserved for the deer and turkeys
19 that live there." That's it.

20 CHAIRPERSON PEDDIBOYINA: Thank you,
21 Linda.

22 MR. PAPPAS: Can I comment on that?
23 There will be a sidewalk that's put in on 12

1 Mile Road. All that area in the front, which
2 is a -- which will be a detention pond area
3 will be enhanced from a wetlands standpoint.
4 The whole concept was to try to extend that
5 park system all along 12 Mile Road and
6 including where on your property is at.
7 Therefore, the development is really pushed
8 very much north. So the idea is to try to
9 maintain all that natural topography through
10 there. The drain is going to be there. It
11 actually will be even better than it is right
12 now.

13 CHAIRPERSON PEDDIBOYINA: Okay.
14 Thank you, Mr. George. Any other public to
15 speak on this case?

16 AUDIENCE: (No verbal response).

17 CHAIRMAN PEDDIBOYINA: Looks like
18 none. It's open to the board. Okay. Mr.
19 Montague.

20 MEMBER MONTAGUE: Good evening. I
21 support this. I appreciate your treatment and
22 your siting of the facility.

23 MR. PAPPAS: Thank you.

1 MEMBER MONTAGUE: It's very
2 sensitive to nature and it's very sensitive to
3 the residents around in terms of I appreciate
4 you getting that as far away from them as you
5 can. And also the cultural statement is
6 important. So I do support, again, this
7 variance.

8 CHAIRPERSON PEDDIBOYINA: Thank you,
9 Member Montague. Member Sanghvi.

10 MEMBER SANGHVI: Thank you. Well, I
11 think we've gone through this before, right,
12 the last time?

13 MR. PAPPAS: Yes, we have.

14 MEMBER SANGHVI: And something
15 happened along the line, and you didn't start
16 the construction.

17 MR. PAPPAS: Well, yeah, covid; it
18 was called covid.

19 MEMBER SANGHVI: I supported it last
20 time and I support it this time also.

21 MR. PAPPAS: Thank you so much.
22 Thank you.

23 CHAIRPERSON PEDDIBOYINA: Thank you,

1 Member Sanghvi. Member Linda.

2 MEMBER KRIEGER: Yes. Question.

3 Was there going to be a light at the top that
4 was lit up at night for the sky or --

5 MR. PAPPAS: Not at the top.

6 There's a light at the bottom that -- You
7 know, the memorial is designed that it's kind
8 of like split. So it's split, and the light
9 is at the very, very bottom that shoots like
10 through these two planes that come up. And
11 then at the very top, the memorial goes and
12 turns with only a little slot. So, therefore,
13 what we're trying to do is eliminate light
14 pollution per se and make sure that, you know,
15 the type of bulb that we're using has a very
16 small kind of like aperture. And it's
17 actually very narrow so the idea becomes we
18 want to shoot it like all the way up.

19 Also, at the same time it will be on
20 a photostat and on a timer such that, you
21 know, when -- depending on the time, like at
22 10:00 or 11:00 at night, it will be shut down
23 at that particular time.

1 MEMBER KRIEGER: And then for
2 comparison, is it as high as the water towers
3 or the antenna at the DPW, like for
4 comparison?

5 MR. PAPPAS: No. The water towers
6 are considerably taller than that,
7 considerably taller. And the antennas are
8 considerably taller.

9 MEMBER KRIEGER: Thank you.

10 CHAIRPERSON PEDDIBOYINA: Thank you.
11 Mr. George, thank you so much. You know, any
12 culture, any art, any, you know, community
13 live in the cultural center, the work you're
14 doing is, you know, respect all culture.
15 Thank you so much. As the fellow board
16 members also mentioned, I have no objection.
17 Thank you so much.

18 MR. PAPPAS: Thank you.

19 CHAIRPERSON PEDDIBOYINA: It's
20 motion time. Member Linda.

21 MEMBER KRIEGER: Did you want me to
22 do -- for the city attorney, to do this as two
23 separate ones?

1 MS. SAARELA: Actually, you can do
2 two motions.

3 MEMBER KRIEGER: Two motions.

4 MS. SAARELA: Yes.

5 MEMBER KRIEGER: Okay. Very good.

6 CHAIRPERSON PEDDIBOYINA: Thank you.

7 MEMBER KRIEGER: I move that we
8 grant the variance of Case Number PZ23-0020,
9 sought by the petitioner, Mr. Pappas. The
10 first request is for the dumpster, and that
11 they're going to place it near their kitchen
12 area, but still be far enough away from the
13 other areas. The variance will not -- will be
14 unreasonably prevented or limited with respect
15 to the use of the property because of the --
16 where it's located, so it's easy use and not
17 disturbing others. The property is unique
18 because of its location on 12 Mile. The
19 petitioner did not create the condition
20 because of the topography of the land. The
21 relief granted will not unreasonably interfere
22 with adjacent or surrounding properties, due
23 to the planning of this, where the front will

1 have the water and be friendly toward the
2 environment. The relief is consistent with
3 the spirit and intent of the ordinance because
4 it's -- the location of the dumpster being
5 near the area for use.

6 MEMBER SANGHVI: Second.

7 CHAIRPERSON PEDDIBOYINA: Thank you,
8 both of you.

9 MADAM SECRETARY: Chairperson
10 Peddiboyina?

11 CHAIRPERSON PEDDIBOYINA: Yes,
12 ma'am.

13 MADAM SECRETARY: Member Krieger.

14 MEMBER KRIGER: Yes.

15 MADAM SECRETARY: Member McLeod.

16 MEMBER MCLEOD: Yes.

17 MADAM SECRETARY: Member Montague.

18 MEMBER MONTAGUE: Yes.

19 MADAM SECRETARY: Member Sangvhi.

20 MEMBER SANGVHI: Yes.

21 MADAM SECRETARY: Motion passes five
22 to zero.

23 CHAIRPERSON PEDDIBOYINA: Thank you.

1 Good luck to you. Congratulations.

2 MR. PAPPAS: Thank you very much.

3 Getting close --

4 MEMBER KRIEGER: Next motion.

5 MR. PAPPAS: Yes.

6 MEMBER KRIEGER: In Case Number -- I
7 move to grant the request for Case Number
8 PZ23-0020, sought by the petitioner for the
9 height of 63 feet -- no. The petitioner's
10 request for the 62.83 feet for the proposed
11 monument structure. That the petitioner has
12 shown practical difficulty relating to this
13 because of its meaning to the site, itself,
14 for the culture. The property is unique
15 because its position will be away from the
16 neighboring sites and centrally located,
17 mostly. The petitioner did not create the
18 condition because this is a cultural icon of
19 the area of the cultural center. The relief
20 granted will not unreasonably interfere with
21 adjacent or surrounding properties because it
22 will be unobtrusive as compared to other
23 taller structures in the area. And that the

1 lighting will be, as the petitioner stated,
2 with the timers. And the relief is consistent
3 with the spirit and intent of the ordinance
4 because it matches the area.

5 CHAIRPERSON PEDDIBOYINA: Thank you.
6 Somebody can make a motion, second?

7 MEMBER SANGHVI: Second.

8 CHAIRPERSON PEDDIBOYINA: Okay.

9 MADAM SECRETARY: Chairperson
10 Peddiboyina.

11 CHAIRPERSON PEDDIBOYINA: Yes,
12 please.

13 MADAM SECRETARY: Member Krieger.

14 MEMBER KRIEGER: Yes.

15 MADAM SECRETARY: Member McLeod.

16 MEMBER MCLEOD: Yes.

17 MADAM SECRETARY: Member Montague.

18 MEMBER MONTAGUE: Yes.

19 MADAM SECRETARY: Member Sanghvi.

20 MEMBER SANGHVI: Yes.

21 MADAM SECRETARY: Thank you. Motion
22 passes five to zero.

23 CHAIRPERSON PEDDIBOYINA: Thank you

1 and good luck. Congratulations.

2 MR. PAPPAS: Thank you so much.
3 Shovel in the ground soon. Thanks again.

4 CHAIRPERSON PEDDIBOYINA: Thank you.
5 Good luck. Coming to Case Number PZ23-0021.
6 Brian Wilson. 24451 Christina Lane. East of
7 Taft Road, North of 10 Mile. Parcel
8 50-22-22-378-008. The applicant is requesting
9 a use variance from the City of Novi Zoning
10 Ordinance Section 5.1.9 to allow parking of a
11 commercial vehicle in a residentially zoned
12 property. This property is zoned one family
13 residential, R-4. Okay. Please, go ahead and
14 spell your first and last name clearly for the
15 court record. And if you're not an attorney,
16 please, our secretary will take the oath.
17 Thank you. Good luck.

18 MR. WILSON: Good evening. My name
19 is Brian Wilson. That's B-R-I-A-N. Wilson,
20 W-I-L-S-O-N.

21 MEMBER KRIEGER: You're not an
22 attorney?

23 MR. WILSON: No.

1 MEMBER KRIEGER: Do you swear or
2 affirm to tell the truth in this case?

3 MR. WILSON: Yes.

4 MEMBER KRIEGER: Thank you.

5 CHAIRPERSON PEDDIBOYINA: Okay. Mr.
6 Wilson, go ahead and where we can help you
7 tonight.

8 MR. WILSON: Yes. I work for
9 Spectrum, the cable company. I'm a
10 maintenance technician. One of the benefits
11 of working with the company is I can take my
12 commercial vehicle home; I don't have to leave
13 it at the office. I've lived in the City of
14 Novi for the past 11 years. I've worked for
15 Spectrum for 15, and I've always had a
16 commercial vehicle parked in my residence
17 since I've lived in the City of Novi.
18 Recently, at the beginning of the year, I did
19 switch my primary shift to midnights; so my
20 vehicle, I'm assuming, kind of threw up a red
21 flag because it's there during the day more
22 than it's ever been.

23 What I'm asking for is -- first off,

1 it's my primary mode of transportation. And I
2 am on-call two weeks out of the month. And if
3 I'm not eligible to have my -- all access to
4 my vehicle at all times, I will lose the
5 ability to be on call; which is 30 to 40
6 percent of my income, which is, obviously, a
7 huge financial hit for myself and my family.

8 My vehicle, I back in my driveway.
9 Doesn't impede with the sidewalk at all.
10 Fully backs into -- you know, up to my garage.
11 The vehicle weighs about 7,000 pounds, but there
12 is a bucket on the back, which I believe is
13 the issue. The bucket does sit in a cradle,
14 so it is not high off the ground or anything;
15 it is, you know, lower in the back of the
16 truck. So I'm just asking to be able to park
17 my vehicle there.

18 CHAIRPERSON PEDDIBOYINA: Okay, Mr.
19 Wilson. Do you have a picture of the vehicle,
20 how -- the bucket and the front?

21 MR. WILSON: I did send them in. I
22 don't have one on me.

23 CHAIRPERSON PEDDIBOYINA: On your

1 cell phone or anything?

2 MR. WILSON: Maybe. The vehicle is
3 in the parking lot; I did bring it just in
4 case.

5 CHAIRPERSON PEDDIBOYINA: No. No.
6 So that way we can see visual with no
7 difficulty.

8 MR. WILSON: There is -- when you
9 come in off Christina, there is quite a bit of
10 tree coverage coming north, where you really
11 don't see it until you get on top of it.
12 Coming south on Christina, I did have a tree
13 that went down in the storm recently, that was
14 covering the vehicle. Which is now, the tree
15 is not there anymore. But --

16 (Pause).

17 MR. WILSON: I don't believe I do
18 have a picture. I submitted, I don't know,
19 two months ago or so to the city.

20 (Pause)

21 MR. WILSON: I don't believe I have
22 a picture.

23 CHAIRPERSON PEDDIBOYINA: Okay.

1 It's okay, Mr. Wilson. Okay. Thank you. You
2 said your shift has shifted from day to night
3 shift?

4 MR. WILSON: Yes. So I've been on
5 day shift for the last 11 years. The
6 beginning of this year I did switch to
7 midnight shift.

8 CHAIRPERSON PEDDIBOYINA: Okay. The
9 daytime, the truck is going to be in the
10 driveway?

11 MR. WILSON: I'm sorry?

12 CHAIRPERSON PEDDIBOYINA: The
13 daytime, the truck is on the driveway?

14 MR. WILSON: Correct. I am on-call
15 once every, like I said, twice a month, so I'm
16 coming and going constantly. But primarily it
17 is sitting there during the day, yes.

18 CHAIRPERSON PEDDIBOYINA: Any
19 comments from the city?

20 MR. HALL: Yes. Thank you, Mr.
21 Chairman. Yeah. This is a request for a use
22 variance. This is not a dimensional variance,
23 so this requires a significantly higher

1 threshold to show hardship than what is
2 normally provided for a variance.

3 MS. SAARELA: And just for the
4 standards, you look at the standards as you
5 make the motion, make sure they're using the
6 right language.

7 MR. HALL: Right. Right. And you
8 have to have two-thirds of the vote, not just
9 a thing (sic). So the petitioner said that
10 the vehicle is 7,000 pounds, is what you said?

11 MR. HALL: Correct.

12 MR. HALL: The threshold for the
13 ordinance is 7,000 pounds. Our best analysis
14 that we could use with the truck, with the
15 boom is significantly higher than that; it's
16 closer to 8,200, 8,600, depending on the model
17 and that kind of thing. So if the petitioner
18 were to have it weighed by Weigh Master with a
19 witness, then there wouldn't be a need for a
20 variance because we're below the 7,000 square
21 feet -- 7,000 pounds. If it is above, then we
22 don't support it. It's not a -- this request
23 doesn't meet the threshold, we believe, for

1 undue hardship. Any home can reasonably use
2 this for tenant purposes without this
3 variance, so we don't support this action.

4 CHAIRPERSON PEDDIBOYINA: Okay.
5 Correspondence secretary.

6 MEMBER KRIEGER: Thirty-eight were
7 mailed, one returned. Two objections, one
8 approval. The first one is from a home on
9 Christina Lane. "Objection. No variance
10 should be granted for the renter of this
11 property." Sarah Fletcher, with the City of
12 Novi, states in her email that:

13 "This variance will -- " quote,
14 "Variance will stay with the property for
15 the life of the property. Since this is
16 a rental property and the commercial
17 vehicle already is not in accordance with
18 the city ordinance, this should
19 absolutely not been granted for ever and
20 for every rental tenant that lives there
21 in the future.

22 "This vehicle already has been
23 parked here for over a year. I have

1 lived across the street in my house for
2 15 years, and no other large commercial
3 vehicle with a man lift and large tool
4 side boxes on it and large Spectrum
5 lettering is parked in Cedar Springs. If
6 this is allowed, other people will
7 reference this case and ask to be allowed
8 to park campers, boats, and other large
9 commercial vehicles in their driveways.
10 One, the renter admits in his response
11 that it is an F-350 and that it is a
12 Class 2 commercial vehicle. Absolutely
13 it is in violation of the ordinance. The
14 weight limit is not part of the
15 commercial truck violation.

16 "Number 2, the question states in
17 part and it's not due to the applicant's
18 personal or economic hardship. The
19 renter answers the question in that it
20 is, in part, due to part of an economic
21 issue. The issue is, is unfortunately,
22 relevant to the city ordinance. For the
23 record, this is not a personal issue with

1 the renter, but is objection to changing
2 the city ordinance.

3 "Three, I disagree with the answer.
4 I am not aware of any other large vehicle
5 parked in Cedar Springs. The truck does
6 alter the character of the neighborhood.
7 Again, they are renting. Not even the
8 homeowner has been for 15 years, and will
9 continue to live in my home for many
10 years to come.

11 "Four, the fact that the landlord
12 does not reside there or live in Cedar
13 Springs is irrelevant. This issue, per
14 the city, is a violation, and this
15 variance should not be awarded for the
16 life of the property."

17 The second one is from another one
18 on Christina Lane.

19 "I live a few doors down from Brian
20 and have rarely spoken to him. I'm
21 assuming that someone has complained
22 about his work truck being parked in the
23 driveway. There are many work vehicles

1 in people's driveways in this
2 neighborhood, his is just the most
3 obvious one. It seems that this variance
4 should be granted if for no other reason
5 than environmental protection. If his
6 company does not have an issue with him
7 taking the truck home, why should we? As
8 our planet warms because of all the
9 fossil fuels we are burning and the
10 traffic in our city right now is a total
11 mess, does it make sense for him to drive
12 one vehicle to his workplace and then
13 drive the truck potentially right past
14 where he came from to complete his work,
15 then drive the truck back to the shop and
16 drive his car back home. This makes no
17 sense if he has the option given to him
18 by his company. P.S.: I don't get the
19 reference to the notice. His house isn't
20 a single structure containing more than
21 than four dwelling units."

22 And the other one is from another
23 resident on Christina Lane.

1 "The truck parked at the house is a
2 large work truck with a cherry picker
3 bucket on the back, not visible in the
4 pictures submitted in the application.
5 There used to be a van Spectrum parked
6 there, that is fine. The heavy equipment
7 is not acceptable. Ordinances are
8 written there for a reason. We should
9 not make an exception." That's it.

10 CHAIRPERSON PEDDIBOYINA: Thank you,
11 Linda. From the audience, any comments?

12 AUDIENCE: (No verbal response).

13 CHAIRPERSON PEDDIBOYINA: Okay.
14 Looks like none. Is this a mandatory -- Mr.
15 Wilson, is it mandatory to travel from your
16 work to your home? What is the issue?

17 MR. WILSON: So the issue is when
18 I'm on call, I have to respond to my calls
19 within 45 minutes. I've already talked to
20 work. If I have to travel from home to work
21 and then back out to Novi, I'm not going to
22 meet that criteria, which I won't be eligible
23 to be on-call anymore.

1 CHAIRPERSON PEDDIBOYINA: How far is
2 your work office?

3 MR. WILSON: We're at Schoolcraft
4 and Farmington. I think it's a milage thing
5 they look at. There is one other option; I
6 don't know if this is one that was presented.
7 The church right two doors down from me, on
8 the south side, did grant me permission to
9 park my truck in their back parking lot. If I
10 can get something from work saying they're not
11 liable for break-ins or somebody climbing on
12 it or something along those lines. I have not
13 presented that to my work yet because I
14 wondered if that's even an option or not.

15 CHAIRPERSON PEDDIBOYINA: Okay.
16 It's open to the board. Okay. Member
17 Montague.

18 MEMBER MONTAGUE: Did you say that
19 if it was 7,000 pounds or less, that he didn't
20 need a variance?

21 MR. HALL: That's correct; that's
22 what the ordinance states.

23 MEMBER MONTAGUE: But he -- you've

1 not -- have you thought about getting a
2 weighed?

3 MR. HALL: I believe the weight is,
4 actually, on the registration.

5 MEMBER MONTAGUE: Well, I think
6 they're requesting you get it weighed.

7 MR. HALL: So I -- yeah. If that's
8 something that would allow it --

9 MEMBER MONTAGUE: Unfortunately,
10 economic hardship is not acceptable in a use
11 variance. It's unfortunate in your case, but
12 that's not a reason to give a variance.

13 MR. HALL: Okay.

14 MEMBER MONTAGUE: So I guess my
15 recommendation is if you think it's 7,000 or
16 under, I would get it weighed and ask this to
17 be put off to another meeting. That would be
18 the easiest way out, unless you want to talk
19 to your church; because I won't be able to
20 support it, based on the criteria, for giving
21 the use variance.

22 MR. HALL: Okay. That's understood.
23 The church, is that an option with the city or

1 do we -- is that -- would be another meeting?

2 MS. SAARELA: You have to meet with
3 the city and go over the ordinance.

4 MR. HALL: So that would be another
5 --

6 MS. SAARELA: I don't think we know
7 that off the top of our head. We have to know
8 more about the church and the location and
9 what the zoning is.

10 MR. HALL: Yes. That would be a
11 planning issue too, so they would have to look
12 at that.

13 MR. HALL: Yeah. So that would be
14 something completely separate?

15 MS. SAARELA: Right.

16 CHAIRPERSON PEDDIBOYINA: Attorney,
17 I have a question. Can I give a chance to
18 reduce the weight of something to come back on
19 this applicant and he should have approve or
20 deny; can you give a chance to think about it
21 or no?

22 MS. SAARELA: To reduce the weight.
23 We can table it. He can go get it weighed if

1 he wants to.

2 CHAIRPERSON PEDDIBOYINA: Yeah,
3 that's what I mean. Mr. Wilson, do you want
4 to think on that and table this case and you
5 want to come back; I don't know how you want
6 to do, you know?

7 MR. WILSON: Okay. So I get it
8 weighed and --

9 CHAIRPERSON PEDDIBOYINA: Let us
10 know -- yeah, you know.

11 MS. SAARELA: If you get it weighed
12 and it comes back under the ordinance
13 criteria, just contact the city offices and
14 somebody will have you come in and verify it
15 or something.

16 MR. HALL: Yeah, we were --
17 (indiscernible) -- by the DBW; you can go
18 ahead and get it weighed, but they wanna
19 witness it, because we want to have a witness
20 there as a city representative.

21 MR. WILSON: Somebody from the city?

22 CHAIRPERSON PEDDIBOYINA: Yeah.

23 MR. HALL: Yeah, so they can see.

1 MR. WILSON: To come in and verify
2 it or something.

3 MR. WILSON: So just set that up
4 with you guys?

5 CHAIRPERSON PEDDIBOYINA: You want
6 to table that case what do you want to do?

7 MR. WILSON: If it's not getting
8 approved today, then yes.

9 CHAIRPERSON PEDDIBOYINA: We don't
10 know. No, I'm not saying -- I'm giving you an
11 option as the chair to take an advantage, you
12 know. That's your call if that's what you
13 want.

14 MS. SAARELA: Well, it takes five --
15 it will take five votes; and I think Mr.
16 Montague has already said his position. So
17 you might want to --

18 MR. WILSON: Okay. So it has to be
19 5-0; it's not -- I thought you said
20 two-thirds.

21 CHAIRPERSON PEDDIBOYINA: I'm giving
22 a chance to you.

23 MR. WILSON: I'm sorry?

1 CHAIRPERSON PEDDIBOYINA: I'm giving
2 you a chance to --

3 MR. WILSON: Yes, I would like to do
4 that then, yes.

5 CHAIRPERSON PEDDIBOYINA: That's
6 what I'm giving you. Any how, thank you so
7 much. Somebody can make a motion to table
8 this case, please. Dr. Sanghvi.

9 MEMBER SANGHVI: May I make a motion
10 to table this case until the next week?

11 CHAIRPERSON PEDDIBOYINA: Okay.
12 Somebody make a second?

13 MS. SAARELA: Can you say the exact
14 date of the next meeting, and then that way we
15 won't have to re-notice it?

16 MEMBER SANGHVI: Whenever it's
17 convenient.

18 MADAM SECRETARY: Is the 8th of
19 August?

20 MS. SAARELA: Is that April --
21 August the 8th.

22 MADAM SECRETARY: No. August 8th, I
23 think; I believe. Yeah, I think it's August

1 8th.

2 CHAIRPERSON PEDDIBOYINA: What are
3 the date and how many cases is there; and we
4 don't know. It depends on the cases.

5 MS. SAARELA: Otherwise, we have to
6 re-notice it.

7 MADAM SECRETARY: August 8th is the
8 next meeting.

9 CHAIRPERSON PEDDIBOYINA: Okay.
10 Yeah, you can coordinate with the city and
11 they can come back and schedule you on this
12 case.

13 MR. WILSON: Okay.

14 CHAIRPERSON PEDDIBOYINA: Somebody
15 can make a second, please.

16 MEMBER MONTAGUE: I'll second it.

17 CHAIRPERSON PEDDIBOYINA: Thank you.

18 MS. SAARELA: Call the roll.

19 CHAIRPERSON PEDDIBOYINA: Roll-call,
20 please.

21 MADAM SECRETARY: Chairperson
22 Peddiboyina.

23 CHAIRPERSON PEDDIBOYINA: Yes,

1 please.

2 MADAM SECRETARY: Member Krieger.

3 MEMBER KRIEGER: Yes.

4 MADAM SECRETARY: Member McLeod.

5 MEMBER MCLEOD: Yes.

6 MADAM SECRETARY: Member Montague.

7 MEMBER MONTAGUE: Yes.

8 MADAM SECRETARY: Member Sanghvi.

9 MEMBER SANGHVI: Yes.

10 CHAIRPERSON PEDDIBOYINA: Okay. The
11 motion will be tabled; it passes 5-0.

12 CHAIRPERSON PEDDIBOYINA: Okay, Mr.
13 Wilson. Good luck and we'll see you next
14 case -- next time.

15 MEMBER MONTAGUE: Good luck.

16 MR. WILSON: Thank you.

17 CHAIRPERSON PEDDIBOYINA: Okay.

18 Coming back to the fourth case. PZ23-0022,
19 Steven Erskins. 47770 Alpine Drive, west of
20 Beck Road, south of 10 Mile. Parcel
21 50-22-29-227-042. The applicant is requesting
22 variance from the City of Novi Zoning
23 Ordinance Section 3.1.4 for a proposed rear

1 yard setback of 19.24 feet. Thirty-five feet
2 required, variance of 15.76 feet. This
3 variance will accommodate the building of a
4 new deck. This property is zoned one family
5 residential R-3. Thank you. Please, go
6 ahead, your first and last name clearly for
7 the court record. And if you're not an
8 attorney, our secretary will take the oath.

9 MR. ERKINS: Okay. My name is
10 Steven Erkins. First name, S-T-E-V-E-N. Last
11 name spelled E-R-K-I-N-S. And I am not an
12 attorney.

13 MEMBER KRIEGER: So this case, do
14 you swear or affirm to tell the truth?

15 MR. ERKINS: Yes, I do.

16 MEMBER KRIEGER: Thank you.

17 CHAIRPERSON PEDDIBOYINA: Okay. Mr.
18 Steven, please go ahead and tell me how we can
19 help you tonight and your case, please?

20 MR. ERKINS: Okay. My home was
21 built in 2020. And my home is right at the 35
22 foot setback. And I'm requesting to build a
23 covered deck at that end; so I would need a

1 dimensional variance of 16 feet.

2 CHAIRPERSON PEDDIBOYINA: 15.76

3 feet, you --

4 MR. ERKINS: Okay. Here's my home,
5 and this is the -- a proposed deck. And this
6 is -- it's 16 feet out. And this portion will
7 have a roof over it. And I have pictures of
8 the -- of what the roof would look like.
9 That's Picture 1. And then I also have a
10 second photo.

11 MEMBER KRIEGER: That's it?

12 CHAIRPERSON PEDDIBOYINA: I just
13 have one thing to add. I don't think that the
14 project will adversely affect any of the
15 surrounding homes. There's two other homes in
16 the community that have similar structures,
17 and one home is approximately three lots away
18 from mine.

19 CHAIRPERSON PEDDIBOYINA: Okay. Any
20 other thing you'd like to add before we move?

21 MR. ERKINS: No.

22 CHAIRPERSON PEDDIBOYINA: Thank you
23 so much, Mr. Steven. Nice presentation. From

1 the city?

2 MR. HALL: Thank you, Mr. Chairman.
3 Yeah, this property does have a road that
4 surrounds two sides, so it does kind of have
5 like two front facades. So it does seem to be
6 a logical placement to put the deck, so we
7 have no objection.

8 CHAIRPERSON PEDDIBOYINA: Thank you
9 so much. Correspondence secretary.

10 MEMBER KRIEGER: In this case 31
11 were mailed, zero returned. One objection,
12 one approval. First one approval on Procidio
13 Lane, it's just marked "approval." The second
14 one, objection. On Forest Park Drive.

15 "Any practical difficulty was known
16 when the property was developed and
17 built. The homeowner's problem was
18 self-created with the purchase. The
19 setback and lot sizes were extensively
20 debated during the approval process.
21 This is a self-developed problem that
22 should not be granted any variance.

23 "As a neighbor abutting the

1 conservation easement and with the
2 citizens development disagreements,
3 during that process, I strongly urge ZBA
4 to deny this variance request. The
5 homeowner states no practical or
6 compelling reason this request.
7 Information was known upon purchase by
8 the homeowner." That's it.

9 CHAIRPERSON PEDDIBOYINA: Thank you.

10 Linda. Public remarks?

11 AUDIENCE: (No verbal response).

12 CHAIRPERSON PEDDIBOYINA: Okay.

13 Looks like none. Yeah, the presentation is
14 good, Steven, really good. It's a nice deck.
15 And it's open to the board.

16 MEMBER KRIEGER: Did the city say
17 something? Did anything --

18 MR. HALL: Yeah.

19 CHAIRPERSON PEDDIBOYINA: Yeah. He
20 already mentioned. Okay, Dr. Sanghvi.

21 MEMBER SANGHVI: Thank you. I came
22 and visited your place yesterday. Yours is
23 almost a corner lot.

1 MR. ERKINS: Yes.

2 MEMBER SANGHVI: It's very hard to
3 know which is the side yard and the back yard.
4 I can understand your need for a variance to
5 put a deck there, and I can support you.

6 MR. ERKINS: Thank you.

7 CHAIRPERSON PEDDIBOYINA: Thank you
8 Dr. Sanghvi. Member Montague.

9 MEMBER MONTAGUE: So I didn't see a
10 site plan. How close is your deck to -- it
11 looked like there was a deck up there on the
12 next neighbor's house -- I don't know if it
13 was or not; how close are you to that?

14 MR. ERKINS: There's a -- there's an
15 easement that goes in between our two
16 properties. And so I'm approximately -- and
17 don't quote me exactly on this.

18 MEMBER MONTAGUE: No. No.

19 MR. ERKINS: But I'm
20 approximately -- I would say probably 40 to 50
21 feet away from that neighbor's deck.

22 MR. MONTAGUE: Okay. I didn't walk
23 in your backyard, I just looked from the road.

1 So the perception is hard to see from there
2 because you're right on the corner lot, it's
3 hard to get at. Did you look at what you're
4 going to do with that 16 foot section in terms
5 of what kind of furniture you're gonna put out
6 there so you kind of minimize the size of that
7 deck for your use?

8 MR. ERKINS: Yes. There's just
9 gonna be a couch, an outdoor couch, and two
10 chairs. And then the other portion that goes
11 closer to the sidewalk, that part, that's not
12 going to be covered, it's just gonna have a
13 table and four chairs.

14 MEMBER MONTAGUE: Okay. Yeah,
15 that's not really going towards there, that's
16 going toward the other side of the road,
17 really.

18 MR. ERKINS: Correct.

19 MEMBER MONTAGUE: It's the other
20 part that's kind of going towards the neighbor
21 that I was concerned about. Okay. Thank you.

22 CHAIRPERSON PEDDIBOYINA: Thank you,
23 Member Montague. Member Linda.

1 MEMBER KRIEGER: Yep. I drove
2 through the sub and it's a very nice
3 subdivision. And the homes that's similar, I
4 looked in your backyard and it's like where
5 everybody else had a deck except you. And
6 then the back sliding door, a deck belongs
7 there. And it's full sun since it's south, so
8 I can understand why you would want a covering
9 over it as well, similar to the neighboring
10 homes there. So I can support your request.

11 MR. ERKSIN: Thank you.

12 CHAIRPERSON PEDDIBOYINA: Thank you,
13 Member Linda. Thank you so much. Member
14 Montague, go ahead with the motion.

15 MEMBER MONTAGUE: Yes. I move that
16 we grant the variance in case PZ23-0022 -- I
17 almost did the wrong one again -- sought by
18 Steven Erkins for a rear yard setback of 19.24
19 feet. Thirty-five feet required, so that
20 would be a variance of 15.76 feet. Without
21 the variance, he would be prevented -- he has
22 two front yards, and this is really the only
23 location for him to have a deck. The property

1 is unique because of this orientation. He did
2 not create the condition because the house was
3 sited by a developer and not by him. So he
4 didn't have the opportunity to site the house;
5 he just deserves a deck like everybody else.

6 It will not unnecessarily interfere.
7 He has looked at it and it's a minimal size,
8 so he's looked at the -- tried to intrude as
9 little as you can. And the relief is
10 consistent with the spirit of the ordinance
11 because it allows at the property owner to use
12 his property in a manner that is pleasurable
13 and has a deck. So I support.

14 MEMBER KRIEGER: Second.

15 CHAIRPERSON PEDDIBOYINA: Thank you.
16 Thank you, both of you. Roll-call, please.

17 MADAM SECRETARY: Chairperson
18 Peddiboyina.

19 CHAIRPERSON PEDDIBOYINA: Yes,
20 please.

21 MADAM SECRETARY: Member Krieger.

22 MEMBER KRIEGER: Yes.

23 MADAM SECRETARY: Member McLeod.

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MEMBER MCLEOD: Yes.

MADAM SECRETARY: Member Montague.

MEMBER MONTAGUE: Yes.

MADAM SECRETARY: Member Sanghvi.

MEMBER SANGHVI: Yes.

MADAM SECRETARY: Thank you. The motion passes 5-0.

CHAIRPERSON PEDDIBOYINA: Thank you.

MEMBER KRIEGER: Enjoy.

MR. ERKSINS: Thank you.

CHAIRPERSON PEDDIBOYINA: Good luck, Steven.

MR. ERKINS: Thank you.

CHAIRPERSON PEDDIBOYINA: The final case. PZ23-023, Extra Space Self-Storage. 21700 Novi Road, east of Novi Road and south of Nine Mile Road. Parcel 50-22-35-101-016. The applicant is requesting a variance from the City of Novi Zoning Ordinance Section 4.19.2.F for the proposed location of a dumpster in the interior side yard. This property is zoned light industrial, 1-1. Thank you, Mr. -- (indiscernible).

1 MR. LANDRY: Thank you. My name is
2 David Landry. I am an attorney. And I
3 represent the applicant, Extra Space
4 Self-Storage. We're here tonight asking for a
5 variance from the zoning ordinance which
6 requires dumpsters to be in the rear yard.

7 I have to tell you at the outset
8 that I am very pleased to be here tonight
9 because this is, hopefully, the last stage in
10 a very long process that we've had. This
11 project is an adaptive reuse of the existing
12 Novi Bowl Building. We approached the
13 administration about a year ago. Extra Space
14 Self-Storage is building an indoor
15 self-storage climate-controlled facility.
16 It's different than the traditional elongated
17 garages, you know, with the garage doors and
18 the outdoors; those are the traditional
19 self-storage. But what's opening out of the
20 market now are indoor climate controlled
21 self-storage.

22 When we approached the
23 administration, we looked at the existing I-1

1 ordinance. And it allowed for self-storage,
2 but it had a five acre minimum. With building
3 up instead of out, you don't need five acres.
4 And so we talked to the administration, and
5 you're going to need a number of variances.
6 They actually suggested that we take the lead
7 to see if we can get the ordinance amended,
8 and so we did. And we I wrote a new section
9 for climate-controlled indoor self-storage
10 facilities.

11 And that took about six months. And
12 we went through the administration, the
13 Planning Commission, up to City Council, first
14 reading, second reading. Everything passed.
15 It worked great with the administration. Then
16 came the site plan. We've been at the site
17 plan for about six months. And what we have
18 found on the site plan is formerly there was
19 all parking lot. And this is the Novi Bowl
20 Building.

21 And what is being proposed is that
22 there will be an additional new building on
23 the rear, and there will be a drive-in area

1 covered. So a vehicle will come in, drive
2 here, the door will close, total privacy.
3 Large elevators to go up to both buildings,
4 the front and the rear, and then the vehicles
5 will exit and leave.

6 The new ordinance is written so that
7 it closes at 10:00 at night. The former Novi
8 Bowl was open until 2:00 a.m. Obviously,
9 there's liquor served. Not a bad thing, but
10 there is a less intense use because it closes
11 at 10:00 and it's very minimal traffic.

12 However, the old Novi Bowl did not store any
13 storm water. So we have to abide by that
14 because we have to bring it up to the current
15 ordinances. So we have to put two very large
16 storm water detention ponds. There's wetlands
17 back here in the back, so we have some
18 practical difficulties, is probably a better
19 one. People would enter here, drive through,
20 and leave.

21 Of course, the fire department
22 requires access to the back. The dumpster
23 we're proposing is right here. There's a

1 storm water detention pond here and here.
2 Wetlands back here. Retaining walls back
3 here. So from the criterion of variances, we
4 believe there is practical difficulties
5 because of the physical condition, the
6 wetlands. Strict compliance doesn't make --
7 is not feasible because of the location of the
8 storm water ponds as well as the adaptive
9 reuse of the existing building in the fire
10 department lanes. It's not self-created
11 because it's a building we're bringing up to
12 code and we're reusing it. A minimum amount
13 necessary.

14 The location of this is over 200
15 feet from Novi Road, so no one's going to see
16 it. And you can see that there is landscaping
17 with trees all around it. There is also a --
18 the wall for the storm water detention pond
19 continues past the dumpster location and so
20 will be fully screened.

21 And we believe the administration
22 supports this; and so we would ask the Zoning
23 Board of Appeals to find the practical

1 difficulties and approve the location of the
2 dumpster on the side of the building. And I
3 believe this is supported by the
4 administration. And I'm happy to answer any
5 questions.

6 CHAIRPERSON PEDDIBOYINA: Thank you,
7 Mr. Landry. A good presentation and I really
8 appreciate it. From the city?

9 MR. HALL: Mr. Chairman yes, we are
10 in support; and good job.

11 CHAIRPERSON PEDDIBOYINA: Thank you
12 so much. Correspondence Secretary Linda.

13 MEMBER KRIEGER: Eighteen were
14 mailed, zero returned. Zero objection, zero
15 approval.

16 CHAIRPERSON PEDDIBOYINA: Thank you.
17 Anyone in the audience would like to speak on
18 this case, please?

19 AUDIENCE: (No verbal response).

20 CHAIRPERSON PEDDIBOYINA: Thank you.
21 Looks like none. Thank you so much, Mr.
22 Landry. I really appreciate for your
23 presentation. I have no objection to approve

1 of this case, and it is open to the board.

2 Dr. Sanghvi.

3 MEMBER SANGHVI: Thank you. I know
4 this place for over the years, a long time.
5 And I understand the problem. And it's pretty
6 well screened and camouflaged; you can't see
7 anything. So I have no problem supporting
8 your request. Thank you.

9 MR. LANDRY: Thank you.

10 CHAIRPERSON PEDDIBOYINA: Thank you
11 Dr. Sanghvi. Any other board member?

12 MEMBER MONTAGUE: Yeah, I'd like to.

13 CHAIRPERSON PEDDIBOYINA: Go ahead,
14 Member --

15 MEMBER MONTAGUE: I'd like to say
16 yes. I really support adaptive reuse. That's
17 the most sustainable thing that we can do in
18 this world today, is reuse existing
19 structures. And it is well set back from the
20 street, so I think I would be able to support
21 as well.

22 MR. LANDRY: Thank you.

23 CHAIRPERSON PEDDIBOYINA: Any other

1 board member?

2 BOARD MEMBERS: (No verbal
3 response).

4 CHAIRPERSON PEDDIBOYINA: Thank you,
5 Member Montague. It's none. For the motion,
6 Member Montague?

7 MEMBER MONTAGUE: Sure. I move that
8 we grant the variance in Case PZ23-023,
9 sought by Extra Space Self-Storage for a
10 location of the dumpster in a side yard.
11 Without the variance, the petitioner would be
12 unreasonably prevented or limited in use of
13 property because of the building
14 characteristics on the rear of the property.
15 The property is unique because of those
16 characteristics and the requirement of storm
17 water retention.

18 The petitioner did not create this
19 condition because this site did exist and was
20 not currently treating the storm water
21 properly. So that has been corrected, which
22 is very nice. The relief granted will not
23 interfere unreasonably with the surroundings.

1 The nature of the surrounding environment is
2 consistent. It backs up to another storage
3 facility, so the dumpster is really not
4 encroaching upon another kind of use; it's
5 actually the same use. The relief is
6 consistent with the spirit and intent of the
7 ordinance because it supports that. And there
8 is an extra setback from the front property,
9 so it's appropriate use.

10 MEMBER SANGHVI: Second.

11 CHAIRPERSON PEDDIBOYINA: Thank you,
12 both of you. Roll-call, please.

13 MADAM SECRETARY: Chairperson
14 Peddiboyina.

15 CHAIRPERSON PEDDIBOYINA: Yes,
16 ma'am.

17 MADAM SECRETARY: Member Krieger.

18 MEMBER KRIEGER: Yes.

19 MADAM SECRETARY: Member McLeod.

20 MEMBER MCLEOD: Yes.

21 MADAM SECRETARY: Member Montague.

22 MEMBER MONTAGUE: Yes.

23 MADAM SECRETARY: Member Sanghvi.

1 MEMBER SANGHVI: Yes.

2 MADAM SECRETARY: Thank you. The
3 motion passes 5-0.

4 MR. LANDRY: Thank you so much.

5 CHAIRPERSON PEDDIBOYINA: Thank you,
6 Mr. Landry. Congratulations. Good luck.
7 Okay. Any other matters before I adjourn?

8 MEMBER KRIEGER: I move to adjourn.

9 MEMBER SANGHVI: Second.

10 CHAIRPERSON PEDDIBOYINA: Say all in
11 favor.

12 BOARD MEMBERS: Aye.

13 CHAIRPERSON PEDDIBOYINA: Any nays?

14 BOARD MEMBERS: (No verbal
15 response).

16 CHAIRPERSON PEDDIBOYINA: Looks like
17 none.

18 MEMBER SANGHVI: Bye. Aye and bye.

19 MEMBER KRIEGER: Aye and bye.

20 MEMBER MONTAGUE: Aye and bye.

21 CHAIRPERSON PEDDIBOYINA: Let's
22 adjourn.

23 (Hearing adjourned at 7:53 p.m.)

