

REGULAR MEETING - ZONING BOARD OF APPEALS

CITY OF NOVI

TUESDAY, JANUARY 8, 2019 7:00 P.M.

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

BOARD MEMBERS:

Linda Krieger, Chairperson

Brent Ferrell, Vice Chairperson

Cynthia Gronachan, Acting Secretary

David M. Byrwa

Joe Peddiboyina

Kevin Sanker

ALSO PRESENT:

Elizabeth Saarela, City Attorney

Lawrence Butler, Comm. Development, Dep. Director

Katherine Opperman, Recording Secretary

Reported by:

Darlene K. May, Certified Shorthand Reporter

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Novi, Michigan

Tuesday, January 8, 2019

7:00 p.m.

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CHAIRPERSON KRIEGER: Good evening. And welcome to the Novi Zoning Board of Appeals meeting for January the 8th, 2019. Happy New Year.

And if Member Gronachan would lead us with the Pledge.

All rise.

(Pledge of Allegiance.)

CHAIRPERSON KRIEGER: If Katherine could call the role.

MS. OPPERMAN: Member Byrwa?

MEMBER BYRWA: Here.

MS. OPPERMAN: Member Ferrell?

MEMBER FERRELL: Here.

MS. OPPERMAN: Member Gronachan?

MEMBER GRONACHAN: Here.

MS. OPPERMAN: Chairperson Krieger?

CHAIRPERSON KRIEGER: Here.

MS. OPPERMAN: Member Peddiboyina?

MEMBER PEDDIBOYINA: Yes.

1 MS. OPPERMAN: Member Sanker?

2 MEMBER SANKER: Here.

3 MS. OPPERMAN: And Member Sanghvi is absent,
4 excused.

5 CHAIRPERSON KRIEGER: Okay. This is a public
6 hearing format and rules of conduct are in the back.
7 And we'd appreciate if your phones are turned to
8 vibrate or just for texting.

9 And approval of the agenda. Do we have any
10 changes in the agenda, Katherine?

11 MS. OPPERMAN: Yes. Case number PZ18-0057
12 for Somnio Global regarding Nitrogen Storage tank has
13 been postponed at the request of the applicant until
14 February.

15 CHAIRPERSON KRIEGER: Okay. Do we have a
16 motion to approve the agenda?

17 MEMBER GRONACHAN: So moved.

18 MEMBER PEDDIBOYINA: Second.

19 CHAIRPERSON KRIEGER: All in favor say,
20 "Aye."

21 Aye.

22 MEMBER GRONACHAN: Aye.

23 MEMBER BYRWA: Aye.

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MEMBER FERRELL: Aye.

MEMBER PEDDIBOYINA: Aye.

MEMBER SANKER: Aye.

CHAIRPERSON KRIEGER: Any opposed? None?
Seeing none. We have an agenda tonight.
Minutes for November 2018, any changes?
Seeing none. Do we have a motion to approve?

MEMBER GRONACHAN: So moved.

MEMBER FERRELL: Second.

CHAIRPERSON KRIEGER: All in favor say,
"Aye."

Aye.

MEMBER GRONACHAN: Aye.

MEMBER BYRWA: Aye.

MEMBER FERRELL: Aye.

MEMBER PEDDIBOYINA: Aye.

MEMBER SANKER: Aye.

None opposed. Okay. Very good. We have our
minutes approved for November 2018.

Public remarks. Open it up to the public.
If there are any comments you have regarding anything
besides the cases we have in front of us, you can come
forward.

1 And seeing none, okay. Very good. Then I'll
2 close the public remarks for this time.

3 It's a public hearing. It's on cable
4 television and open. People can come as they like. We
5 have six cases tonight and we'll call the first one.

6 We have a secretary. So when you come up to
7 the podium, state your name, spell it for our court
8 recorder and proceed with your case.

9 So our first case is PZ18-0047, Coy
10 Construction for 44682 Dunbarton, east of the Taft and
11 north of Nine Mile, parcel 50-22-27-376-013. The
12 applicant is requesting a variance from the Zoning
13 Ordinance 3.1.5 to allow a 10 foot rear yard variance
14 for a proposed 25 foot setback for a proposed
15 screened-in porch, 35 feet minimum required by
16 ordinance. The property is zoned single family
17 residential, R-3.

18 Please come forward.

19 MR McCOY: My name is Mike McCoy. I'm the
20 owner of Coy Construction. And I'm here to represent
21 Gere and Tisa Sherry, customers of ours.

22 CHAIRPERSON KRIEGER: Are you an attorney?

23 MR McCOY: No.

1 CHAIRPERSON KRIEGER: Okay.

2 MEMBER GRONACHAN: Would you raise your right
3 hand to be sworn in.

4 MR. McCOY: Oh, I'm sorry.

5 MEMBER GRONACHAN: That's fine.

6 Do you swear or affirm to tell the truth in
7 this matter before you?

8 MR. McCOY: Absolutely, yes.

9 MEMBER GRONACHAN: You may proceed.

10 CHAIRPERSON KRIEGER: And if you have an
11 overhead, you can put it on for the people to see at
12 home.

13 Just right there.

14 MR McCOY: Yes. I don't know if all of you
15 had been to the site to look at it or not.

16 MS. OPPERMAN: Other way around.

17 It's upside down.

18 MR McCOY: Oh. Wow.

19 I guess than doesn't show too well.

20 I had it upside down. I'm kind of technology
21 challenged. I apologize for that.

22 This is the plot plan. And they -- this is
23 an overview of the satellite picture of that lot

1 showing the house. And as you can see in the rear
2 yard, there's a large -- just, I don't know whether
3 you'd call that a park, but there are not any homes
4 directly behind it. It's a lot of nice rooms there.

5 Here's a picture of the back were, from the
6 back of their house.

7 So it's like a big park area and on the side
8 lot to the neighbor's sides, there's like 40, 42 feet
9 on both sides. We've constructed a wood, a small
10 modest-sized wood deck that you can see over on the
11 left here. And here's a picture of the back of the
12 house.

13 (Displayed.)

14 MR. McCOY: It's a small, like 14, comes out
15 like 12 feet from the doorwall, modest-sized deck. We
16 want to build a screened-in porch on top of it that
17 would look, basically, like that. It would be he
18 shingled to match, painted to match with an octagonal
19 shape.

20 The homeowner, she has issues -- if she gets
21 bit by a mosquito or bee bite or something she's right
22 to the hospital. So this would enable them to be able
23 to use their backyard without the fear of getting bit

1 and having issues.

2 That porch -- it's roughed in and built,
3 stick built, shingled to match. So it would look
4 architecturally beautiful like this one does on the
5 back of the house, colored to match.

6 And I've been in front of your board. I
7 don't see any familiar faces so it's been a year or
8 two. But I think I've been here for this exact same
9 project six or seven times and I've always had good
10 response and I'm looking forward to -- I'm hoping that
11 you will allow us to build this porch so that my client
12 can really use their backyard.

13 CHAIRPERSON KRIEGER: Is that it?

14 MR. McCOY: I guess.

15 CHAIRPERSON KRIEGER: Okay. Is there anyone
16 in the audience has any comments regarding this case?

17 Seeing none, for the City, Mr. Butler?

18 MR. BUTLER: Yes. The heavy wooded area in
19 the back, currently there is any plans for anything to
20 be going on back there. So the bugs will be there for
21 a while.

22 CHAIRPERSON KRIEGER: Thank you. And
23 correspondence.

1 MEMBER GRONACHAN: There were 22 letters
2 mailed, zero letters returned. One approval from a
3 Terry Merritt at 44658 Dunbarton. Whatever they need
4 is fine with this neighbor.

5 And that completes the correspondence.

6 MEMBER GRONACHAN: You're welcome.

7 CHAIRPERSON KRIEGER: Okay. Thank you.

8 We'll open it up to the board.

9 Questions? Yes, Member Gronachan?

10 MEMBER GRONACHAN: Good evening. So the fact
11 that you don't recognize any of us, that means that
12 Linda and I have not aged a day. Because we've been
13 here the longest.

14 CHAIRPERSON KRIEGER: Yes.

15 MEMBER GRONACHAN: So that's a good thing.

16 MR. McCOY: It's nice seeing you again,
17 Cindy.

18 MEMBER GRONACHAN: I was out to the property
19 and it was in mid-afternoon and the sun was hitting
20 that backyard pretty good. So even if there were --
21 and if the trees were in bloom, there still would not
22 have been any shade back there.

23 MR. McCOY: Yeah. The sun beats down pretty

1 hard.

2 MEMBER GRONACHAN: And they have a side deck
3 on the side of the house which is rather small, but in
4 terms of being out and enjoying it 24 hours a day, so
5 to speak, I'm a big fan of these kinds of rooms in
6 Michigan. I think they're necessary with the kind of
7 weather, as well as the bugs, and I think that this is
8 a minimal request that you have and I'll be in full
9 support.

10 MR. McCOY: Thank you very much.

11 You know, they do have -- as you indicated,
12 Cindy, they have another deck -- the house wasn't laid
13 out very well on that lot. And the only door coming
14 into that rear yard is in the right in the corner
15 between the garage. It's a three foot entry door and
16 you couldn't -- if there was a way to build this
17 screened-in porch in that area and architecturally make
18 it look good, that's what I would have proposed to do.
19 But it just was not a good -- a viable option for them.

20 CHAIRPERSON KRIEGER: Member Peddiboyina.

21 MEMBER PEDDIBOYINA: Yeah, I visited your
22 property and there's a reason there's a lot of space on
23 the back end. I observed that. And also, as my

1 colleague said that the sun like that, they can't
2 enjoy. And I have no issue, too.

3 MR. McCOY: Thank you.

4 CHAIRPERSON KRIEGER: I agree that in
5 Michigan you can't have a backyard without a
6 screened-in porch. So I would be in favor as well.

7 MR. McCOY: Would you like me to give you a
8 bid, I'll give you a free design.

9 CHAIRPERSON KRIEGER: I'm tempted.

10 Anybody else? Or a motion?

11 Yes?

12 MEMBER PEDDIBOYINA: I move that we grant the
13 variance in case number PZ18-0047 sought by Coy
14 Construction, Inc. of Michael McCoy. Because the
15 petitioner has shown a practical difficulty to allow a
16 10 foot rear yard variance for a proposed 25 feet
17 setback for a screened in porch.

18 Without the variance the petitioner will
19 unnecessarily be prevented or limited with respect to
20 the use of the property because the homeowner is
21 allergic to mosquito bites. In addition, the screen
22 porch will enhance the architectural appeals of the
23 property and increase the value of the home. The

1 petitioner did not create the condition because it's an
2 existing condition.

3 The relief, if granted, will not
4 unnecessarily interfere with the additional surrounding
5 properties because of the condition for an existing
6 structure. The relief is consistent with the spirit
7 and intent of the ordinance because of the -- the
8 ordinance is for an existing structure and the addition
9 will not impede public safety.

10 CHAIRPERSON KRIEGER: We have a motion?

11 And a second?

12 MEMBER GRONCHAN: Move -- second.

13 CHAIRPERSON KRIEGER: We have a motion and a
14 second. Any other discussion?

15 Seeing none, if Katherine would call the
16 role.

17 MS. OPPERMAN: Member Peddiboyina?

18 MEMBER PEDDIBOYINA: Yes.

19 MS. OPPERMAN: Member Sanker?

20 MEMBER SANKER: Yes.

21 MS. OPPERMAN: Chairperson Krieger?

22 CHAIRPERSON KRIEGER: Yes.

23 MS. OPPERMAN: Member Gronachan?

1 MEMBER GRONACHAN: Yes.

2 MS. OPPERMAN: Member Ferrell?

3 MEMBER FERRELL: Yes.

4 MS. OPPERMAN: And Member Byrwa?

5 MEMBER BYRWA: Yes.

6 MS. OPPERMAN: Motion passes.

7 CHAIRPERSON KRIEGER: Congratulations.

8 MR. McCOY: Thank you very much.

9 Go State. Nine o'clock. So you want to get
10 this moving here.

11 CHAIRPERSON KRIEGER: All right. We'll call
12 for our second case. It is PZ18-0055, Chris
13 Ketzler/Toll Brothers for 20857 Dunhill Drive, west of
14 Beck and north of Eight Mile, parcel number
15 50-22-32-402-004. The applicant is requesting a two
16 percent variance from the City of Novi Ordinance from
17 Section 3.1.2 to allow the 27 percent proposed lot
18 coverage for a new home, 25 percent allowed. The
19 property is zoned single family residential, R-1.

20 MR. KETZLER: Yes. Chris Ketzler,
21 K-e-t-z-l-e-r, representing Toll Brothers.

22 MEMBER GRONACHAN: Would you raise your right
23 hand, please?

1 Do you swear or affirm to tell the truth in
2 the matter before you?

3 MR. KETZLER: Yes, I do.

4 MEMBER GRONACHAN: You may proceed.

5 MR. KETZLER: Okay. To get started, this is
6 a community plan of Dunhill Park. There are multiple
7 builders within the community. It was a Hunter Pasteur
8 community developed and we purchased 19 lots. We grand
9 opened in July of this past year and our sales have
10 been strong. The community has taken off. And as a
11 result, I see activity from other builders in the
12 community.

13 In the first couple of weeks we had a flurry.
14 We had people that had been waiting and looking towards
15 this piece of property to build a home. And one of
16 those customers was on our Lot Four. On Lot Four, I
17 have the plot plan, we designed and they chose a home.
18 The home that they had been looking to build for quite
19 some time. It's our Fenway product on Lot Four here.

20 And this was drawn up for their home. As you
21 can see, it does fit in the setback lines. And I am
22 compliant -- we are compliant in that respect. We had
23 an oversight of a lot coverage of no greater than 25

1 percent, which equals about 300 square feet that we're
2 over.

3 I have met with the customers. We have
4 discussed different areas in the home that we could
5 potentially make smaller, but for them and the number
6 the people that are moving in, it would have been quite
7 a compromise and not to mention when -- this is the
8 front elevation of the proposed home.

9 As you can see, the front elevation and the
10 look of the home is very, very similar to all of the
11 other homes existing in the community and currently
12 being built. So it does blend with the community and
13 the adjacent communities up and down Eight Mile.

14 When initially looking at downsizing the
15 blueprint, you can see the roof plan is quite involved.
16 To take a slice out of any portion of the roof or any
17 portion of the home would be quite -- it would alter
18 the plans so significantly and structurally that we'd
19 have to start over. We looked at different plans on
20 that particular home site. They had their heart set on
21 this plan. They've actually started scheduling people
22 to come in from across the world. Some of our
23 customers have people all over the world that come and

1 see them for religious ceremonies and things like that
2 when they break ground and move in, et cetera.

3 And I brought the customers in and looked at
4 different areas. After fighting through the tears they
5 couldn't figure anything on the interior of the home.

6 So what I'm asking is for that two percent
7 variance. It's a very small amount on the lot
8 coverage. What we have done as a company to safeguard
9 going forward -- and we have sold four more homes out
10 at the community and are actively picking up permits, I
11 believe tomorrow. And we've got the process in place
12 to where this will never happen again as long as we go
13 through and build the community. We have eight sold
14 and we've got four on the ground right now. And, like
15 I said, we're picking up two more tomorrow, I believe
16 tomorrow. So that safeguard is there and we thought we
17 were covered and we just weren't.

18 The hardship, I guess, would be my customer
19 is completely heartbroken about the news. And they
20 fell in love with the community and the location.

21 CHAIRPERSON SANGHVI: Is that it?

22 MR. KETZLER: That's it.

23 CHAIRPERSON KRIEGER: Anybody in the audience

1 have a comment regarding this case?

2 Seeing none, I'll open it up to the City.

3 Mr. Butler?

4 MR. BUTLER: Just looking at what the
5 coverage was, being the 25 percent, we did review it
6 and saw that the two percent increase is a minimum
7 impact but it still requires a variance for that.

8 CHAIRPERSON SANGHVI: Okay. Thank you.

9 And correspondence?

10 MEMBER GRONACHAN: Yes. Madame Chair,
11 there's 22 letters mailed, one letter returned, zero
12 approvals, one objection from a Tom Loncor (ph) at
13 20940 Dunhill.

14 "The proposed lot coverage increase will
15 result in one or more reduced setbacks, easement
16 distances from neighboring structures, street and
17 property lines. It also sets a precedent for other
18 future similar variance requests."

19 And that is it for correspondence.

20 CHAIRPERSON KRIEGER: All right. Thank you.

21 And open up to the Board.

22 Yes, Member Peddiboyina?

23 MEMBER PEDDIBOYINA: For the City, the

1 property that they proposed, is there a homeowners
2 association?

3 MR. BUTLER: Is there an association?

4 MEMBER PEDDIBOYINA: Yeah. A homeowners
5 association.

6 MS. SAARELA: Probably not yet. It's
7 probably controlled by the developer.

8 MR. KETZLER: It's controlled by the
9 developer. The homeowners association, I inquired with
10 the association and I do have a letter of their
11 approval as well in moving forward with it.

12 MEMBER PEDDIBOYINA: Yes. Thank you.

13 MR. KETZLER: And I believe I do have a copy
14 of that. But I can certainly provide it, if I need
15 it.

16 CHAIRPERSON GRONACHAN: Yes, Member
17 Gronachan?

18 MEMBER GRONACHAN: This is never the easy
19 part of this job.

20 So I went back out there and drove the entire
21 lot, if you will, or the entire section of all the
22 houses that are out there, Dunhill and the other
23 streets, Dunhill Court.

1 This used to be an old trucking company,
2 along with an old horse barn that I spent a great many
3 years on as a matter of fact.

4 MR. KETZLER: Yes, it did.

5 MEMBER GRONACHAN: Because we had a carriage
6 business on that very site, oddly enough. There's a
7 little bit of history.

8 When I went down Dunhill, I saw that there
9 was some houses already built with three car garages
10 and thought what was it that this lot offered. I mean,
11 there's some beautiful homes out there. I could not
12 figure out -- first of all, we did not get the lot
13 number in our packet. We got an address. So I was
14 confused with that. And then later on they gave me the
15 lot number so I went back out there to make sure I had
16 it right.

17 And I'm just going to say it for brevity. I
18 cannot support this. There is not enough grounds to
19 establish a variance based on the testimony given that
20 a client is emotionally tied to this piece of property.
21 I get it. I get emotional. I understand that part.
22 But, unfortunately, I can't rule my -- or make my
23 decision based on an emotion. I have to rule my

1 decision -- or make my decision based on the rules and
2 regulations of the ordinances in the city of Novi.

3 So I've spent a great deal of time out on
4 those lots driving around trying to figure something
5 out. I thought maybe the lot was smaller than most of
6 them and I thought that, perhaps, the petitioner was
7 going to come back and give us some more insight, which
8 is what we asked for the last time he was here, and he
9 has not changed anything.

10 So given the past testimony, this evening's
11 testimony, my drive out there and my time spent on the
12 site, I am not going to be able to support this tonight
13 as well.

14 Thank you.

15 CHAIRPERSON KRIEGER: Yes, Member Byrwa?

16 MEMBER BYRWA: Yes. I was wondering if there
17 was something else other than -- you mentioned a
18 potential homeowner was heartbroken. If there's
19 anything else that would be a practical difficulty on
20 why you couldn't comply with the ordinance?

21 MR. KETZLER: As far as the practical
22 difficulty, I wouldn't say so. Other than, like I
23 said, it was an oversight. It's something that we've

1 corrected and it's 300 square feet. We looked at the
2 garage and we started pulling small amounts of square
3 footage in different areas out of the home. The garage
4 we were able to pull, I think, 40 square feet out of.
5 So limiting the side from the opening to the usable
6 side on the other side of the opening, for lack of a
7 better way to put it.

8 But to come up with the 300, it would have
9 been shrinking down the house in its entirety.

10 MEMBER BYRWA: Because, see, this falls into
11 the category of self-created. The house wasn't built
12 yet so you can build it to really any size that you
13 want.

14 MR. KETZLER: Right.

15 MEMBER BYRWA: And when it's a self-created
16 situation, it's very difficult to grant the variance in
17 a self-created situation.

18 MR. KETZLER: Okay.

19 CHAIRPERSON KRIEGER: I agree. I don't
20 understand why there's no there different testimony
21 that could have been offered from last time than this
22 time.

23 MR. KETZLER: I didn't realize I was bringing

1 more testimony. I took it that you were needing more
2 time to look at it because of the fact it was new
3 construction.

4 CHAIRPERSON KRIEGER: I also drove the site
5 and I was looking for an address and just saw lot
6 numbers and saw the other homes that are being built
7 there. And I don't know how it can't be done to create
8 a proportional that would fit -- house to fit the size
9 of the lot according to what the ordinance recommends.
10 So it's -- I also -- it's self-created and I can't
11 support this. Because there's nothing unique about
12 this site. There's no woodland or protected waterway.

13 MEMBER GRONACHAN: Madame Chair, if there is
14 no further discussion, I would like to make a motion to
15 see how the board would follow.

16 I move that we deny the variance in case
17 number PZ18-0055 sought by Toll Brothers for 20857
18 Dunhill because the petitioner has not established a
19 practical difficulty. The petitioner has not
20 established a compliance with the strict letter of the
21 restrictions of the ordinance would unreasonably
22 prevent the use of the property or be unnecessarily
23 burdensome because the petitioner can comply with the

1 ordinance by decreasing the size of the proposed
2 variance and still have a large residence consistent
3 with the surrounding properties.

4 The petitioner has not established unique
5 circumstances regarding the area of the subject
6 property because the petitioner is able to build
7 residents on the adjacent lots which lots are
8 substantially similar in size. The proposed user is
9 merely seeking residence that is oversized for the
10 proposed lot and can reduce the size for consistency
11 with surrounding residents.

12 The petitioner has not established that the
13 proposed use improvement will not unreasonably impact
14 the surrounding property because the proposed residents
15 will be bigger than the surrounding residences. The
16 petitioner has not established, even with a grant of
17 the variance, the spirit of the ordinance will be
18 observed, public safety secured and substantial justice
19 done because there is nothing about the size or area of
20 the parcel and all surrounding lots are the same or
21 substantially similar in size. All other neighbors
22 will be required to limit the size of their residence
23 to fit the lot.

1 A lesser variance consisting of a smaller
2 residence would do substantial justice to the
3 petitioner and surrounding property owners because it
4 will fit the lot and be consistent with surrounding
5 residences.

6 The petitioner has not established that the
7 need for the variance is not self-created because
8 petitioner is seeking a residence that is not
9 consistent with surrounding residences and can be
10 reduced to fit the lot size and still be used for
11 residential purposes consistent with surrounding
12 residential structures.

13 The lot is no different than the surrounding
14 lots. And therefore, those are my reasons that we deny
15 this motion -- this request.

16 MEMBER BYRWA: I second it.

17 CHAIRPERSON KRIEGER: We have a motion and a
18 second.

19 No other discussion, if Katherine could call
20 the role.

21 MS. OPPERMAN: Member Peddiboyina?

22 MEMBER PEDDIBOYINA: Yes.

23 MS. OPPERMAN: Member Sanker?

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MEMBER SANKER: Yes.

MS. OPPERMAN: Chairperson Krieger?

CHAIRPERSON KRIEGER: Yes.

MS. OPPERMAN: Member Gronachan?

MEMBER GRONACHAN: Yes.

MS. OPPERMAN: Member Ferrell?

MEMBER FERRELL: Yes.

MS. OPPERMAN: Member Byrwa?

MEMBER BYRWA: Yes.

MS. OPPERMAN: Motion passes.

CHAIRPERSON KRIEGER: Okay. You can see the Building Department and see what's next.

Moving to our next case for PZ18-0059, Brian Luke, for 41032 South McMahon Circle, east of Meadowbrook and south of Ten Mile, parcel 50-22-25-104-016. The applicant is requesting a variance from the Novi Code of Ordinance, Section 3.1.5 for a 21 foot variance for a proposed front yard variance of nine feet to allow for a new carport addition, 30 feet minimum required. The property is zoned single family residential, R-4.

MEMBER GRONACHAN: Madame Chair, excuse me. Before I proceed, I need to disclose something to the

1 board. I am the president of this homeowners
2 association, which is Willowbrook. These are my
3 neighbors and I would like to state that there is no
4 conflict here. We did review the plans, the board
5 reviewed the plans. I had no conversation with these
6 residents in regards to this case and feels that there
7 is no conflict at this time and if it's okay with the
8 city attorney I will be sitting in on the case.

9 MS. SAARELA: That's fine.

10 CHAIRPERSON KRIEGER: Okay. Very good.

11 MEMBER GRONACHAN: And if you would, raise
12 your right hand and be sworn in.

13 Do you swear or affirm to tell the truth in
14 the matter before you?

15 MR. LUKE: Yes.

16 MS. LUKE: Yes.

17 CHAIRPERSON KRIEGER: You may proceed.

18 MS. LUKE: We didn't bring papers.

19 MR. LUKE: This is new to us.

20 MS. LUKE: Yeah. We thought that you would
21 have already reviewed everything.

22 This is a photo of our home in Willowbrook
23 Estates. We purchased the home about four years ago

1 with the plans of hoping to add a garage. We did not
2 realize the limits of our unique property shape at the
3 time. Have since had the property stake surveyed,
4 which we turned in a survey to the City to look at.

5 We had a survey done on the property to show
6 us exactly how many feet we need to build this garage
7 because the City did not have accurate measurements for
8 us to use.

9 As you can see, that's our Expedition and our
10 car parked along the front of our home. We would like
11 to enclose the carport to add some additional square
12 footage to our home and then add a garage on the end of
13 that property.

14 The reason: These homes were built in the
15 '50s. They're very small. We do not have a basement
16 or a garage and we have two kids. So you can imagine
17 the limitations that that brings to us. But we love
18 the school and we love our neighbors. We have had our
19 tires slashed since we've lived in this home. So,
20 obviously, securing our vehicles in the garage would be
21 beneficial for that reason.

22 Here's a copy of the survey just to show that
23 we had it done by a professional. The City has

1 reviewed it for accuracy purposes. It kind of shows
2 how many feet we're asking for.

3 MR. LUKE: It's nine feet. And, again, the
4 uniqueness of our property is we have two side yards
5 and a very long front yard. So most houses you're
6 going to build a garage on, you're going to build
7 toward your side yard and because we're on the curve
8 there, we're building towards our front yard.

9 We talked to all of our neighbors, plus the
10 articles that were sent out and no one is against it.
11 The variance for our side yard, I guess it would be on
12 the northeast corner, is still in compliance. It's
13 building toward the City's right of way that is not in
14 compliance.

15 MS. LUKE: And we think it's important to add
16 we're really not encroaching on a neighbor. We're
17 mostly encroaching on the right of way of the road
18 there. It's very wide. But as you can see here, it's
19 not real uncommon. Those are two houses side by side
20 and you could probably touch or at least draw a laundry
21 line between the two houses. So we won't be doing that
22 to add our garage. We'll just be using a little bit of
23 that easement there.

1 MR. LUKE: And if you go and drive through
2 our neighborhood, the other thing that is unique is
3 pretty much a lot of those houses were carports and
4 everyone has moved into the garage addition or enclosed
5 the carport. So this is a picture. You can see it.

6 MS. LUKE: Kind of what we would like to do.

7 MR. LUKE: Our goal is enclosing the carport
8 and scroll over and see the garage. We wanted a two
9 car garage with a little extra storage because, again,
10 we don't have a basement. So we're very limited.

11 I think that's it.

12 MS. LUKE: That's it. Yeah.

13 CHAIRPERSON KRIEGER: Okay. That's it.

14 Thank you.

15 Anybody in the audience have any comments
16 regarding this case?

17 Seeing none, I'll open it up to the City.

18 Mr. Butler?

19 MR. BUTLER: No comments at this time. Stand
20 by for questions.

21 CHAIRPERSON KRIEGER: Thank you.

22 And from correspondence?

23 MEMBER GRONACHAN: Yes, Madame Chair. There

1 were 35 letters mailed. Zero letters returned, three
2 approvals. The first approval from Michael Flaherty,
3 that's F-l-a-h-e-r-t-y, at 41011 South McMahon Circle.

4 "I live across the street from Brian and
5 Debbie Luke and it is okay with me if they wish to
6 build another garage or expand their dwelling."

7 The next letter is from Janet Johnson. She
8 lives at 41025, across the street. And they're --
9 she's totally in favor of their plan.

10 "This couple is constantly working to make
11 additions to their home that are important for their
12 comfort and attractive to our neighborhood. I've lived
13 here for 40 years and have watched many changes to
14 homes. The neighborhood is about 63 years old. Often
15 it is difficult to remain in compliance with Novi's
16 newer homes or current city rules. I do hope that the
17 City and Zoning Board help this young couple."

18 And then our final letter is from Joyce and
19 Matthew Tunnard. It's T-u-n-n-a-r-d. At 41087 North
20 McMahon Circle.

21 "Brian and Debbie Luke have been great
22 neighbors and we are in complete support of this
23 variance. They have worked to improve their home and

1 have helped to increase the value of the neighborhood.
2 They have been supportive of others in the area and
3 both great members of the city community."

4 And that's it for correspondence.

5 CHAIRPERSON KRIEGER: Thank you. I'll open
6 it up to the board.

7 Yes, Member Peddiboyina?

8 MEMBER PEDDIBOYINA: Nice presentation. I
9 toured your property two days back. In this Michigan
10 weather, we need a car garage. It's useful and also as
11 you mentioned you have two kids and there's a lot of
12 stuff. I have no issue in this case.

13 CHAIRPERSON KRIEGER: Thank you.

14 Member Byrwa?

15 MEMBER BYRWA: Yeah. I did have the
16 opportunity this weekend to drive by and I noticed you
17 had it staked off and the street is kind of an unusual
18 shaped lot where the street does a 90 degree turn, a
19 circle turn, right in front of your house and I think
20 it was helpful having the stake there.

21 But I'm looking at the site plan here and you
22 mentioned that part of it was going to be a carport and
23 part was going to be a garage?

1 MS. LUKE: Our carport is going to become
2 additional square footage.

3 MEMBER BYRWA: Of the garage?

4 MR. LUKE: We're going to enclose it.

5 MS. LUKE: We're going to enclose it and add
6 it to our home. A lot of our neighbors have done that.

7 MEMBER BYRWA: Okay.

8 MS. LUKE: Use it as like an additional
9 living room or play area for the kids.

10 MEMBER BYRWA: Okay. Good. Thank you.

11 CHAIRPERSON KRIEGER: Yes?

12 MEMBER GRONACHAN: I think that this
13 neighborhood is unique. It is one of the oldest
14 neighborhoods in Novi and I would like to point out
15 that they're all ranch homes without basements because
16 of the water issues that we have going on in that
17 section of town. Plus the uniqueness of the lots that
18 are out there, the angles. There's a lot of pie shape.

19 We've had other cases in terms of the shape
20 come before us and that's the real big uniqueness in
21 this particular subdivision. So I commend that these
22 residents are wanting to improve their home and I'll be
23 in full support.

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CHAIRPERSON KRIEGER: Thank you.

I also drove around to your north -- to your east. There's plenty of room. It looks like you can add and with the topography of it going around the corner, that gives your uniqueness.

So I would be able to support you, too.

You have a motion.

Very good.

MEMBER PEDDIBOYINA: I move that we grant the variance in case number PZ18-0059 sought by Brian Luke, because the petitioner has shown a practical difficulty requiring to allow a 21 foot variance for a proposed front yard variance of nine feet to allow for a new carport addition.

Without the variance, the petitioners will be prevented or limited with respect to the use of the property because the current there do not have the garage.

The property is unique because this lot is in a corner and it has a unique shape. The petitioner did not create the condition because it has an established subdivision.

The relief, if granted, will not unreasonably

1 interfere with adjacent property. Because on the side
2 of the proposed garage addition there is a road. The
3 relief is consistent with the spirit and intent of the
4 ordinance because the house do not have a garage which
5 has caused many hardship.

6 MEMBER FERRELL: Second.

7 CHAIRPERSON KRIEGER: We have a motion and a
8 second. Any other discussion?

9 Seeing none, if Katherine could call the
10 role?

11 MS. OPPERMAN: Member Byrwa?

12 MEMBER BYRWA: Yes.

13 MS. OPPERMAN: Member Ferrell?

14 MEMBER FERRELL: Yes.

15 MS. OPPERMAN: Member Gronachan?

16 MEMBER GRONACHAN: Yes.

17 MS. OPPERMAN: Chairperson Krieger?

18 CHAIRPERSON KRIEGER: Yes.

19 MS. OPPERMAN: Member Sanker?

20 MEMBER SANKER: Yes.

21 MS. OPPERMAN: Member Peddiboyina?

22 MEMBER PEDDIBOYINA: Yes.

23 MS. OPPERMAN: Motion passes.

1 CHAIRPERSON KRIEGER: Congratulations.

2 MEMBER GRONACHAN: We'll see you at the
3 February meeting.

4 MS. LUKE: Yes.

5 CHAIRPERSON KRIEGER: That brings us to our
6 next case, PZ18-0061, Jenny Griffith for east of Old
7 Novi Road and south of East Lake for parcel
8 50-22-02-357-010. The applicant is requesting
9 variances from the Novi Code of Ordinance Section 3.1.5
10 for a 16 feet front yard variance for a proposed 14
11 feet setback, 30 feet required.

12 A 25 foot variance for a proposed 10 foot
13 rear yard setback, 35 feet required. A six and 11 foot
14 variance for a proposed four feet by four feet side
15 yard setback, 25 feet allowed total.

16 A 26 percent variance for a proposed 51
17 percent max lot coverage, 25 percent required. And a
18 19 foot front deck variance for a proposed six foot
19 deck, 25 feet required. The property is zoned single
20 family, residential R-4.

21 MS. GRIFFITH: Hi, I'm Jenny Griffith and I
22 have a signed purchase agreement and have made a
23 deposit on the two parcels that are mentioned here.

1 MEMBER GRONACHAN: Would you raise --

2 CHAIRPERSON KRIEGER: Oh, yeah. Wait a
3 second.

4 MS. GRIFFITH: Oh, I'm sorry.

5 MEMBER GRONACHAN: Would you raise your right
6 hand to be sworn in.

7 Do you swear or affirm to tell the truth in
8 the matter before you?

9 MS. GRIFFITH: I'm do.

10 MEMBER GRONACHAN: Thank you.

11 MS. GRIFFITH: So I have a signed purchase
12 agreement for this particular lot and this is zoned
13 R-4. And if I followed the zoning, R-4, my house would
14 only be five feet wide so I'm putting in for a variance
15 really on all parts of the lot. I measured the
16 neighbors yards for the front setback and I made mine
17 equal to theirs, 14 feet. And then the houses on these
18 lake lots, they're all different, I think, in depth.
19 The house directly beside mine, which would be in this
20 scenario, 65 ...

21 I want to make sure of that.

22 Lot 65. I mean, you see a lot of different
23 houses, but this particular house covers the entire --

1 I mean, it goes all the way back to the street. Where
2 I just want a 10 foot setback and I'm going to have a
3 garage. The coverage of the area is 51 percent. The
4 house would be 56 feet deep, 22 feet across. And, as I
5 said, I've looked at all neighboring houses and made
6 sure that it fits in and a new house would add to the
7 value of the other houses as well.

8 So I'm requesting a variance, quite a few of
9 them, so that I can build on this lot.

10 CHAIRPERSON KRIEGER: Okay. Is that it?

11 MS. GRIFFITH: I've got more pictures if you
12 want to see them.

13 CHAIRPERSON KRIEGER: Sure. Go ahead. Put
14 them up.

15 MS. GRIFFITH: Okay. There's a second lot
16 that is also for sale. The lot I'm purchasing --- I
17 would like to purchase is lot one. The second lot is
18 identical to the lot I would like to purchase and it's
19 the same owner as well.

20 I don't know if you want to know the owner's
21 name of this property.

22 Okay. So there are two lots for sale and I'm
23 interested in buying the lot on the right, if you're

1 facing the house.

2 I just need to put a simple house on this
3 lot. It's going to be a rectangle, but an open space
4 rectangle. And I have two top choices to put on the
5 lot. I actually photoshopped my two top choices right
6 on the lot beside the neighbor's house so you can get a
7 better idea.

8 So this would be one of my top two choices.
9 It's a photoshop, so it's not going to look perfect.
10 But it's 22 feet wide. And as I said, it doesn't go as
11 far back as some of the other houses, a lot of the
12 other houses. It's just a lot of different -- I think
13 they are older homes so you see a lot of different
14 coverage of the lots.

15 And then my second choice where I
16 photoshopped it in would look like this. And I think
17 it adds to the beauty of the neighborhood and the
18 beauty of the lake. And, of course, the glass is
19 beautiful to see the beautiful Walled Lake. And this
20 is where I want to retire. So I'm hoping that this
21 would be possible.

22 CHAIRPERSON KRIEGER: Very good. Thank you.

23 Is there anyone in the audience that would

1 like to make a comment regarding it?

2 Yes. Come on up.

3 MR. EHLERS: I'm --

4 CHAIRPERSON KRIEGER: Oh, you have to come to
5 the podium.

6 MR. EHLERS: I do?

7 CHAIRPERSON KRIEGER: Just state your name.
8 That way everybody can hear.

9 MR. EHLERS: I'm a neighbor, Gary Ehlers and
10 I've been here probably four years in a row asking for
11 a variance on my cottage, which is about three away
12 from her.

13 MS. GRIFFITH: Nice to meet you.

14 MR. EHLERS: And I appreciate the Zoning
15 Board of Appeals and what they do going forward, but I
16 would love to see this happen. The lots, as they are
17 right now, don't get taken care of as well as if
18 someone built a house on. And I think she's measured
19 just about everything you can possibly measure around
20 here that would qualify. And I'm just a neighbor who
21 would like to see the home values go up and keep it
22 going. So that's my comment.

23 MS. GRIFFITH: Thank you.

1 CHAIRPERSON KRIEGER: Thank you.

2 MS. GRIFFITH: And I've already spoken to the
3 direct neighbor and we talked about things that, you
4 know, the building site and everything. He seems
5 pretty positive about it as well, as well as an
6 additional neighbor. I have never met this gentleman,
7 but another one I think of your neighbors I talked with
8 and they all seem very positive.

9 CHAIRPERSON KRIEGER: Okay. Thank you.

10 From the City, Mr. Butler?

11 MR. BUTLER: Just want to indicate that
12 there's no driveway indicated in that area. There is
13 no parking in that street so I was just kind of
14 wondering how that is going to impact.

15 CHAIRPERSON KRIEGER: Okay. Very good.

16 Correspondence?

17 MEMBER GRONACHAN: Yes, Madame Chair. There
18 was 56 letters mailed. Four letters returned, one
19 approval and one objection.

20 The approval is from Gary Ehlers. He just
21 spoke. His address is 1705 East Lake Drive and he has
22 just given his testimony. The letter echoes those
23 sentiments.

1 And then the objection is from an Amy J.
2 Westin at 1715 Paramount.

3 "The nature of the East Lake Drive nearest
4 Pavilion Park will change if this proposal is approved.
5 While an added six foot to the docket and two foot
6 variance on the front simply enhances the nature of the
7 lakeside living that is so apparent to all walking,
8 biking and driving along East Lake Drive from Herman
9 Street to the park, the whole structure enlargement
10 encompassing all but four feet on each side and 10 feet
11 along. Chatman will be shoehorned in a bulging house
12 among present --"

13 I apologize.

14 "Individual homes that meet guidelines.

15 "The size dwelling will set a precedent for
16 future remodels of the affordable housing along East
17 Lake Drive nearest the park. Please decline the side
18 and rear proposals to maintain current ordinances."

19 And that concludes the correspondence in this
20 matter.

21 CHAIRPERSON KRIEGER: Thank you. I'll open
22 it up to the board.

23 Yes, Member Byrwa?

1 MEMBER BYRWA: Yeah. I did have the
2 opportunity to visit, you know, that East Lake Drive.
3 And, you know, I noticed seemed like almost every house
4 on that side of the street was existing, nonconforming.

5 MS. GRIFFITH: Correct.

6 MEMBER BYRWA: Where you're not building
7 really any closer than the neighboring houses down the
8 street each way.

9 MS. GRIFFITH: Exactly.

10 MEMBER BYRWA: That's a very narrow lot. You
11 know, I missed part of the conversation with the
12 building official about the offstreet parking. You're
13 going to be able to get at least one offstreet parking
14 spot there?

15 MS. GRIFFITH: Well, I'm going to have a
16 garage in the back of the house and 10 feet will be a
17 driveway behind the garage.

18 MEMBER BYRWA: Okay.

19 MS. GRIFFITH: So I won't have any cars on
20 the street.

21 MEMBER BYRWA: Very good. But the point I
22 want to mentioned is it's not like it's anything out of
23 character, the setbacks that you're proposing, because

1 the neighboring houses are all existing, nonconforming,
2 you know.

3 MS. GRIFFITH: Right.

4 MEMBER BYRWA: Thank you.

5 CHAIRPERSON KRIEGER: Yes. Member Gronachan?

6 MEMBER GRONACHAN: Welcome to the
7 neighborhood. A great place to retire, right?

8 I do agree that these lots are a challenge up
9 there and have been for many years. And on any lot up
10 there on East Lake Drive or South Lake or that area,
11 you are going to need some sort of variance. As a
12 board member, I would have liked to have actually seen
13 the drawings of the house on your plan. And the reason
14 why is that I have a problem with 51 percent maximum
15 lot coverage.

16 There are some houses that do exceed some of
17 the lot coverage up there, but I think 51 percent is
18 way over excessive. Even for that area. And my
19 suggestion, because this board usually is pretty
20 cooperative when it comes to up there, is that I'd like
21 to see a little more detail. Like, I'd like to see
22 plans of the house on the property. I realize this is
23 a speck, but there might be something out there. I'd

1 like to see the driveway. I'd like to see less than
2 51 percent max lot coverage. I believe that there's a
3 lot of houses out there. If you talk to some of them,
4 there are a lot less than 51 percent lot coverage out
5 there. And then I can get a better handle on what it
6 is that I'm voting on. And so I can't propose -- I
7 can't support this request tonight, but I would
8 recommend that we postpone it so we could get more
9 detail. And that's my opinion for this evening to the
10 board and I will wait until I hear from the rest of the
11 board members. But that's where I stand at this point.

12 MS. GRIFFITH: Could I make a comment to that
13 comment?

14 MEMBER GRONACHAN: At this point you got to
15 wait until the board finishes the discussion.

16 MS. GRIFFITH: Okay.

17 MEMBER GRONACHAN: Thank you, Madame Chair.

18 CHAIRPERSON KRIEGER: Member Peddiboyina?

19 MEMBER PEDDIBOYINA: Yes. I agree with my
20 colleague and what she says. And we need the proper,
21 full layout and what it is exactly so we can move and
22 that's my opinion. Thank you.

23 CHAIRPERSON KRIEGER: That would be a good

1 prospect. If you had two choices, if you can go back
2 and then we'll postpone and come back with your idea
3 where your driveway is supposed to be and then we can
4 make a better decision for you.

5 MS. GRIFFITH: May I ask how detailed?
6 Because in order to -- the point is that I have a
7 contingency on this purchase agreement, that if the
8 variances aren't approved, then I can't -- I don't
9 really want to hire an architect and pay an architect
10 and surveyor because it's \$5,000 for the different
11 surveys alone and if I'm not sure it's going to work
12 that's \$5,000 down the drain for me.

13 So I'm asking how detailed do you want this
14 drawing? I'm not going to be able to pay an architect
15 until I know about the lot coverage. I don't want to
16 put all that money in to those services.

17 MEMBER GRONACHAN: Through the Chair, if I
18 may?

19 CHAIRPERSON KRIEGER: Yes.

20 MEMBER GRONACHAN: My suggestion would be
21 that it sounds like you have some neighbors in the
22 neighborhood that are willing to assist you on this.
23 You may want to talk to them. They have all been where

1 you are. And I'm not asking for an architectural
2 rendering at this point, but we need to have something
3 laid out. Because, again, you're looking for a 51
4 percent maximum lot coverage. And if you could narrow
5 that down, I think that house -- this premise that
6 you've got going on here, I think it's a great idea,
7 but you need to --

8 MS. GRIFFITH: How far do you want to
9 narrowed down?

10 MEMBER GRONACHAN: Well, I don't know. I'm
11 not an architect. So I'm just a zoning person. So I
12 think that if you look around the neighborhood and see
13 the houses that are consistent, that that might help
14 you. And you may want to talk to the neighbors and
15 see. I know there are a great group of people out
16 there and they're willing to help a lot of people. I
17 mean, this gentleman came for your support and you two
18 don't even know each other.

19 MS. GRIFFITH: Yeah.

20 MEMBER GRONACHAN: So you may have a cup of
21 coffee and he may offer you some guidance.

22 MS. GRIFFITH: Right. I just want to share
23 with you the neighbor's house covers a lot more of his

1 lot than mine does, the direct neighbor.

2 MEMBER GRONACHAN: Well, again, each case is
3 viewed on individual basis. So I can't speak to what
4 your neighbor did. I don't have it -- he's not before
5 me and I don't have his specifics here.

6 I have your lot in front of me and I know
7 that the way this board rules that the 51 percent lot
8 coverage is excessive based on the years that I have at
9 this table. So that's my recommendation. I think that
10 there's going to be a little more homework to do before
11 you can get this worked out.

12 So I think that if you go back to the seller
13 and explain that to him and, if he's been there awhile,
14 then he'll understand that this is what the Zoning
15 Board usually does. And you can probably work with the
16 Building Department and they can possibly get you back
17 here next month. I can't speak to that for sure, but
18 that might be a possibility.

19 MS. GRIFFITH: So you would like me to go
20 back -- I didn't hear that. Who do you want me to go
21 back to?

22 MEMBER GRONACHAN: Go back to the building so
23 you can get this postponed until ...

1 Can you postpone it until next month,
2 Katherine?

3 MS. OPPERMAN: Yes.

4 MEMBER GRONACHAN: So you can come back here
5 next month.

6 MS. GRIFFITH: Okay. Is that what everyone
7 agrees to, then?

8 MEMBER GRONACHAN: Well, that's what we have
9 to get you to agree to and then we'll rule on -- and
10 then we'll make a motion to postpone it. If you're in
11 agreement to that, then that's what we will do.

12 MS. GRIFFITH: I don't think I have a choice,
13 right?

14 CHAIRPERSON KRIEGER: Is that a motion?

15 MEMBER GRONACHAN: I move that in case
16 number -- as soon as I find the number. PZ18--0061 for
17 Jenny Griffith, I move that we postpone the case until
18 March of 2019.

19 MS. OPPERMAN: February.

20 MEMBER GRONACHAN: Sorry. February of 2019.
21 Boy I'm all over the place tonight.

22 CHAIRPERSON KRIEGER: Is that a second?

23 MEMBER PEDDIBOYINA: I second.

1 CHAIRPERSON KRIEGER: If you can call the
2 role.

3 What?

4 MEMBER FERRELL: I have a discussion.

5 CHAIRPERSON KRIEGER: Any further discussion?

6 MEMBER FERRELL: Yes, Madame Chair.

7 CHAIRPERSON KRIEGER: Oh. Go ahead.

8 MEMBER FERRELL: Madame Chair, I just want to
9 be clear I'm not saying I would say I would or would
10 not vote if it was 51 percent or not. If there is
11 other houses that have that percentage and you can get
12 some of the drawings and the renderings of that stuff
13 that shows that, that would be something that I would
14 like to see and look at as well.

15 MS. GRIFFITH: If I'm hearing -- I'm sorry. I
16 can barely hear you.

17 MEMBER FERRELL: I'm sorry. I'm sick.

18 MEMBER GRONACHAN: So I think he's saying
19 he's not ruling out 51 percent -- I'm speaking on
20 behalf of Member Ferrell. I'm just repeating what he
21 said.

22 MEMBER FERRELL: Thank you.

23 MEMBER GRONACHAN: He said that he would not

1 be opposed to 51 percent if you can bring renderings of
2 other houses to show that to reflect that.

3 MS. GRIFFITH: Thank you.

4 MEMBER GRONACHAN: So that's what I'm saying
5 is what you need to do a little research on it as
6 opposed to just this.

7 MS. GRIFFITH: Right.

8 MEMBER GRONACHAN: As opposed to just this.
9 And I think that if you reach out to the neighbors, you
10 will be well on your way.

11 MS. GRIFFITH: Okay. Very good. Thank you.

12 MEMBER GRONACHAN: So we'll see you next
13 month.

14 CHAIRPERSON KRIEGER: Katherine, call the
15 role.

16 MS. OPPERMAN: Member Byrwa?

17 MEMBER BYRWA: Yes.

18 MS. OPPERMAN: Member Ferrell?

19 MEMBER FERRELL: Yes.

20 MS. OPPERMAN: Member Gronachan?

21 MEMBER GRONACHAN: Yes.

22 MS. OPPERMAN: Chairperson Krieger?

23 CHAIRPERSON KRIEGER: Yes.

1 MS. OPPERMAN: Member Sanker?

2 MEMBER SANKER: Yes.

3 MS. OPPERMAN: And Member Peddiboyina?

4 MEMBER PEDDIBOYINA: Yes.

5 MS. OPPERMAN: Motion passes.

6 CHAIRPERSON KRIEGER: Very good. That goes
7 to the next case, PZ18-0062, Nancy Simmons for 117
8 Maudlin Street, west of Old Novi Road and south of
9 South Lake Drive, parcel 50-22-03-453-007. Applicant
10 is requesting variances from the Novi Code of
11 Ordinance, Section 2.2 to allow accessory use on parcel
12 50-22-03-453-016 absent a primary use, Section 4.19
13 parcel 50-22-03-453-016 absent a primary use and allow
14 a structure in the rear setback, Section 3.32 to allow
15 a structure in the rear setback. The property is zoned
16 Single Family Residential, R-4.

17 MS. GRIFFITH: Hello. I'm Nancy Simmons,
18 S-i-m-m-o-n-s.

19 MEMBER GRONACHAN: Would you please raise
20 your right hand to be sworn in.

21 Do you swear or affirm to tell the truth in
22 the matter before you?

23 MS. GRIFFITH: Yes.

1 MEMBER GRONACHAN: You may proceed.

2 MS. GRIFFITH: Well, I have a complicated
3 lot, like you said. I'm off South Lake Drive. I live
4 off Maudlin here. My home right here is the only one
5 that sets back from Maudlin Street. So most of my
6 property lies in the front of my home. And behind me
7 is an empty lot which is owned by the Fishers. And the
8 Fishers and I have a property lease agreement. They
9 have no issues with me building a new deck.

10 But the issue, I believe with the City of
11 Novi, is not just variances, it's -- perhaps, when I
12 purchased the home right here I have had the land
13 surveys give me a survey and it's very close to what it
14 is here on the land survey map.

15 My home encroaches on the empty lot behind
16 me. Okay.

17 So I did get a lease agreement from the
18 Fishers. They don't have an issue.

19 All right. The current deck that is on my
20 home was already built on the home when I purchased it
21 in '05. I have issues, safety issues, with it right
22 now. It is currently 10 by 14. It is rotted and I
23 have fallen through it personally while I was grilling.

1 I want to make it safe. My mother, my
2 76-year-old mother lives with me. She has ailments.
3 She uses a crutch. I would like to be able to build a
4 deck so she can walk out on to an even surface. I
5 would like to be able to enjoy my lake view. I do not
6 use it. I know there's a table on it, but I don't use
7 it.

8 I have done many improvements to the front of
9 my home right now. It's looking really nice. I will
10 be living there for a long time.

11 The Fishers have insured me that they have
12 owned the land for 40 years, they never use it. They
13 own a kid's camp, a summer camp out in Commerce and
14 they bring the kids there Monday through Friday during
15 the summer and they have a lake lot as well. So they
16 bring them boating every day.

17 Actually, I have been there since '05. I
18 take care of their lot. I keep all the branches from
19 the woods right there to the right side of my back
20 yard, which is owned by the City. So I keep that whole
21 lot cleaned up with branches and trash. And, you know,
22 I would just like to improve the safety reasons and
23 just be able to go out there and enjoy the lake view,

1 have family members over for barbecues. So that's
2 about it.

3 CHAIRPERSON KRIEGER: Very good. Thank
4 you.

5 Anybody in the audience wish to speak to this
6 case?

7 Seeing none. To the City, Mr. Butler?

8 MR. BUTLER: No comment at this time.

9 CHAIRPERSON KRIEGER: All right.

10 Correspondence.

11 MEMBER GRONACHAN: There were 52 letters
12 mailed, four letters returned, one approval. And that
13 is from a Terry -- I'm just going to spell the last
14 name G-a-r-i-e-p-y, at 109 Maudlin with no comments
15 except approval.

16 CHAIRPERSON KRIEGER: Okie doke. Member
17 Byrwa?

18 MEMBER BYRWA: Yeah. I had the opportunity
19 on Sunday to visit the property and I was a bit
20 confused. Somehow there's several issues that I didn't
21 understand. You back up to a large lot that runs out
22 to South Lake Drive?

23 MS. GRIFFITH: Correct.

1 MEMBER BYRWA: Right. And you're asking to
2 allow the shed to remain there?

3 MS. GRIFFITH: No. I'm asking to rebuild the
4 current deck. The deck is rotted.

5 MEMBER BYRWA: Okay. So that is what is
6 deemed as the accessory use or whatever.

7 Well, the problem I have is that what should
8 be happening is the person who owns the property that
9 you're building on, they should be the ones, in my
10 opinion, that would be coming in asking for the
11 variance.

12 Yeah, if the City ...

13 MS. SAARELA: From what I understand, she has
14 a license agreement to build on their property.

15 MEMBER BYRWA: Correct.

16 MS. SAARELA: So as long as they're
17 authorizing it, you can grant the variance. I would
18 recommend that you make the variance subject to the
19 term of the license agreement. But if she's authorized
20 by the property owner -- we have that a lot. We have
21 shopping centers. We have someone coming in for a
22 variance. They're not the property owner. They just
23 get signed off from the property owner. This would be

1 a similar scenario where she's getting a license or an
2 easement from the property owner to get the variance.

3 MEMBER BYRWA: Okay. What about there's a
4 shed out there that was -- it looks like it was
5 recently built and that looks like it encroaches on
6 that property also.

7 MS. GRIFFITH: It is actually kitty korner.
8 So that is part of my property.

9 MEMBER BYRWA: Do you know when the fence was
10 put up? Did you buy the property with the privacy
11 fence?

12 MS. GRIFFITH: No. I put fence in.

13 MEMBER BYRWA: Was there a permit on that, do
14 you know, Larry?

15 MR. BUTLER: I don't know.

16 MEMBER BYRWA: Because it's like a six-foot
17 privacy fence and it runs throughout the front yard on
18 there and I know most communities have rules about
19 front yard fencing shouldn't be six foot and all and
20 solid and everything.

21 But, yeah, that's just a little confusing
22 when somebody's asking for a variance to build on
23 somebody else's property.

1 Go ahead.

2 MS. GRIFFITH: Well, as far as the privacy
3 fence, the two homes that are next to me, they've been
4 rentals forever.

5 MEMBER BYRWA: Okay.

6 MS. GRIFFITH: They do not upkeep their
7 homes, their yards.

8 MEMBER BYRWA: Yeah. I had the opportunity
9 on Sunday to meet the person buying the property to the
10 south of you.

11 MS. GRIFFITH: Correct. Okay.

12 MEMBER BYRWA: She --

13 MS. GRIFFITH: At 119?

14 MEMBER BYRWA: It was directly to the house.
15 It's a white house.

16 MS. GRIFFITH: Yes.

17 MEMBER BYRWA: And I got the impression it
18 was going be a tear down and build something else there
19 next to you there.

20 MS. GRIFFITH: Right.

21 MEMBER BYRWA: Most communities don't allow
22 six foot fencing to go beyond the front wall of the
23 house into your front yard.

1 MS. GRIFFITH: Well, that's my main property.

2 MS. SAARELA: I mean, this is something, I
3 guess, that can be asked if you have a concern about
4 the legality of something that is there to the building
5 department. I don't think the question about the fence
6 is --

7 MEMBER BYRWA: Right. It is off the subject
8 here.

9 MS. SAARELA: -- relevant to the variance
10 that's in front of us right now.

11 MEMBER BYRWA: Okay. That's all. Thank you.

12 CHAIRPERSON KRIEGER: Member Gronachan?

13 MEMBER GRONACHAN: Thank you, Madame Chair.
14 I just want to clarify because there seems to be
15 confusion. So I'm going to be the clarifying moment
16 here. So you bought this house in 2005?

17 MS. GRIFFITH: Correct.

18 MEMBER GRONACHAN: And the house had this
19 deck?

20 MS. GRIFFITH: Correct.

21 MEMBER GRONACHAN: The deck is not on the
22 your property, it is on someone else's -- a portion of
23 the deck is not on your property. It is on someone

1 else's property?

2 MS. GRIFFITH: Correct.

3 MEMBER GRONACHAN: And you knew that when you
4 bought the house?

5 MS. GRIFFITH: I really wasn't -- I didn't
6 realize that, no.

7 MEMBER GRONACHAN: Well, regardless if you
8 knew it or not, that's how it was sold.

9 MS. GRIFFITH: Correct.

10 MEMBER GRONACHAN: Then comes the repair of
11 the deck.

12 MS. GRIFFITH: Correct.

13 MEMBER GRONACHAN: And there's a survey done
14 at some point which you learn that this deck is on
15 someone else's property?

16 MS. GRIFFITH: Correct.

17 MEMBER GRONACHAN: You go to the owner and
18 you have an agreement with that owner that instead of
19 removing that deck off the back of your house and not
20 having any deck, they're allowing you to keep the deck,
21 a portion of it on their property, and that is the
22 variance that you're requesting here tonight do I have
23 it clear?

1 MS. GRIFFITH: Well, clarification, I would
2 like to tear that deck down and rebuild a new one.

3 MEMBER GRONACHAN: I'm sorry, correct.

4 I don't know what I just said, but that's
5 what I meant to say, at any rate.

6 So, first of all, I think we've been out to
7 that address before. It's a very nice piece of
8 property. I know that there's been a lot of work done
9 on that house and it's quite obvious that you do keep
10 it up. It's a very, very nice addition to that
11 particular street.

12 MS. GRIFFITH: Thank you.

13 MEMBER GRONACHAN: There have been many
14 challenges on that street throughout the years.

15 MS. GRIFFITH: Yes.

16 MEMBER GRONACHAN: And being a long time
17 member of this board, I'm well aware of most of them,
18 and I have a long memory.

19 So getting back to your request, I don't have
20 a problem. This is a very unique request. I don't
21 think we've ever come across where somebody needed a
22 variance on somebody else's property. So it's a first
23 for me after 14 years. And given the testimony of the

1 petitioner, given the lay of the property, the
2 configuration of the lot, the clarification that there
3 is a licensed agreement between the petitioner and the
4 owner of the property where the portion of the deck is,
5 I feel that all requirements have been met and I would
6 be in support of this request, Madame Chair.

7 CHAIRPERSON KRIEGER: Thank you.

8 To add to that, I drove by on your street and
9 yours is very unique because it sets so far back
10 compared to the two side neighbors. So that
11 automatically pushes you into the neighbor's yard.
12 That you have the deck encroaching, but you have this
13 lease agreement. So if you would just bring that to
14 the City, a copy of that, then I also would be in
15 favor.

16 MS. GRIFFITH: And they do have that.

17 CHAIRPERSON KRIEGER: Okay. Cool.

18 And Member Peddiboyina?

19 MEMBER PEDDIBOYINA: Thank you, Chair.

20 Yeah. A nice presentation and also you
21 mentioned that there's a deck issue. And you have a
22 mother and it's not good to keep the old deck. If you
23 replace and she can enjoy also. We have only a few

1 months in the summertime and I have no issue. Thank
2 you. Good luck.

3 MS. GRIFFITH: Thank you.

4 CHAIRPERSON KRIEGER: Would you like to make
5 a motion?

6 MEMBER GRONACHAN: I'll do the motion.

7 CHAIRPERSON KRIEGER: Thank you.

8 MEMBER GRONACHAN: If I can find the sheet.
9 I have too much paper going on over here. I forget
10 what it was like to be secretary.

11 I move that we grant the variance in case
12 number PZ18-0062 sought by Nancy Simmons of 117 Maudlin
13 Street for -- to allow the accessory use of a parcel
14 absent a primary use based on Section 4.9. And to
15 allow a structure in the rear setback, Section 3.32, to
16 allow a structure in the rear setback.

17 Because the petitioner has shown a practical
18 difficulty, requiring the request for this variance.

19 Without the variance, the petitioner would be
20 unreasonably prevented or limited with respect to use
21 of the property because this is a pre-existing
22 condition that existed prior to her actually purchasing
23 the property.

1 The property is unique because of lot size
2 and shape. The petitioner did not create this
3 condition as given in her testimony based on the sale
4 and purchase. And again, the license agreement between
5 her and the owner of the actual property.

6 The relief granted would not unreasonably
7 interfere with adjacent or surrounding properties
8 because of the improvement of the deck along with
9 increasing the safety of the deck as given -- as
10 testimony given by the petitioner indicating that she
11 actually fell and sustained an injury due to the
12 condition of the deck.

13 The relief is consistent with the spirit and
14 intent of the ordinance because it is a minimum
15 request given on -- because it is a minimum request
16 based on the location of the property, the location of
17 the deck, the lot size and the uniqueness.

18 Therefore, I move that the variance be
19 granted on this case.

20 MEMBER PEDDIBOYINA: I second.

21 MS. SAARELA: I recommend that the variance
22 be subject to the terms of the licensing agreement.

23 MEMBER GRONACHAN: As the attorney just

1 stated.

2 MEMBER PEDDIBOYINA: I second it.

3 MEMBER GRONACHAN: I'll accept that friendly
4 amendment.

5 MEMBER PEDDIBOYINA: I second it.

6 CHAIRPERSON KRIEGER: Okay. So we have a
7 motion and a second with the amendment. Katherine, if
8 you could ...

9 Is there any other discussion?

10 Nope. All right. Call the role?

11 MS. OPPERMAN: Member Peddiboyina?

12 MEMBER PEDDOBYINA: Yes.

13 MS. OPPERMAN: Member Sanker?

14 MEMBER SANKER: Yes.

15 MS. OPPERMAN: Chairperson Krieger?

16 CHAIRPERSON KRIEGER: Yes.

17 MS. OPPERMAN: Member Gronachan?

18 MEMBER GRONACHAN: Yes.

19 MS. OPPERMAN: Member Ferrell?

20 MEMBER FERRELL: Yes.

21 MS. OPPERMAN: And Member Byrwa?

22 MEMBER BYRWA: No.

23 MS. OPPERMAN: Motion passes.

1 MS. GRIFFITH: Thank you.

2 CHAIRPERSON KRIEGER: Congratulations.

3 MS. GRIFFITH: Thank you.

4 MEMBER GRONACHAN: Good luck.

5 CHAIRPERSON KRIEGER: That brings us to our
6 last case, PZ18-0063 for Chris Ketzler/Toll Brothers
7 20735 Dunhill Drive, west of Beck and north of Eight
8 Mile, parcel 50-22-32-400-013. The applicant is
9 requesting a variance from the City of Novi Ordinance
10 Section 28-6 for a 44 square foot variance to allow
11 installation of a 64 square foot temporary sign, 20
12 square feet allowed.

13 Section 28.6 for a three foot sign variance
14 for a proposed nine foot high sign, six feet allowed.
15 The property is zoned single family residential R-1.

16 Welcome back.

17 MEMBER GRONACHAN: Good evening again.

18 MR. KETZLER: I'm back.

19 MEMBER GRONACHAN: It's been a long time.

20 MR. KETZLER: I'm still Chris.

21 MEMBER GRONACHAN: Raise your right hand.

22 MR. KETZLER: And I'm still telling the
23 truth.

1 MEMBER GRONACHAN: Do you swear or affirm to
2 tell the truth in the matter before you?

3 MR. KETZLER: Yes, I do.

4 MEMBER GRONACHAN: You may proceed.

5 MR. KETZLER: Same community, Dunhill Park.
6 We have two marketing signs that service the community.
7 One on Eight Mile and one on Beck. The signs are
8 identical and they are already in place. They were
9 installed by Hunter Pasteur. And recently, before the
10 holidays, I received a phone call from Hunter Pasteur
11 indicating that the signs were in violation. It was
12 not my knowledge that they were in violation, but it
13 was brought to my attention.

14 So my immediate reaction was to come to the
15 city of Novi and I met with Maureen. And she
16 encouraged me to get an extension on the variance.
17 They are temporary signs. The signs do serve as a
18 location mark for our community and also serve to
19 advertise to passing traffic, as you are aware. There
20 is plenty of traffic on Beck and Eight Mile in that
21 area.

22 Like I said, the signs are existing. We're
23 requesting that the variance be granted for another

1 year as we sell out the community. But as you can see
2 they are very tasteful. They are in roughly seven to
3 800 lineal feet landscaped areas. And, like I said,
4 they are there. They have been approved and we are
5 seeking the extension as we sell out our community.

6 CHAIRPERSON KRIEGER: Very good. Anyone in
7 the audience have any comment for this case?

8 Very good.

9 From the City, Mr. Butler?

10 MR. BUTLER: From my discussion with the
11 ordinance officers for the signage, they concur that
12 the sign was located in that location. Due to the fact
13 there is not a lot of signage around and it did enhance
14 the area a little bit.

15 CHAIRPERSON KRIEGER: Thank you.

16 From correspondence?

17 MEMBER GRONACHAN: Yes, Madame Chair. There
18 were 13 letters mailed, nine letters returned, no
19 approvals, no objections.

20 CHAIRPERSON KRIEGER: Very good. Open it up
21 to the Board.

22 MEMBER GRONACHAN: Since I gave the bad news
23 on the last one, I would like to give some positive.

1 Finish the evening on a lighter note.

2 MR. KETZLER: Thank you.

3 MEMBER GRONACHAN: So this area that I talked
4 about, I spent a great deal, like 30 years living out
5 in that neighborhood and Eight Mile is a challenge.
6 When I was first coming back out there on Sunday when I
7 was driving out to look at the other location, I
8 noticed this sign. This sign oddly enough did not jump
9 out at me. And the reason is because the lay of the
10 land, so to speak, is so wide and open out there that
11 you barely have visible -- you barely see that sign
12 until you're on top of it.

13 So it's just so cleared out. I don't know
14 what other words to use except that the width of Eight
15 Mile and the speed that you're going and the lighting
16 and those trees, there is not anything to really, you
17 know, hold that sign or draw your attention to that
18 sign. So I think that it does need to be that big for
19 where it's located.

20 The one on Beck, I don't think it had to be
21 that big. But the one on Eight Mile, this one on Eight
22 Mile -- this is the Eight Mile sign; is that correct?

23 MR. KETZLER: This is the Eight Mile sign,

1 correct.

2 MEMBER GRONACHAN: This is the Eight Mile
3 sign. I'm in full support of that.

4 My only question is if we can amend that
5 either one year or sellout would be my recommendation
6 for these signs because they are so large. And for the
7 quality of what those houses are, they don't need that
8 kind of sign for that long. Once they sell out, it
9 should be taken down as soon as that division is sold
10 out. And the way -- when I was out there on Sunday, it
11 looked like it was going to be sell out pretty soon.
12 So I wouldn't like to see the signs linger.

13 And that's my two cents for what it's worth.

14 CHAIRPERSON KRIEGER: Thank you.

15 Anyone else?

16 Yes. Member Peddiboyina?

17 MEMBER PEDDIBOYINA: Oh, thank you. Yes. I
18 saw this. The Toll Brothers are very famous and very
19 expensive properties. And I have no objection. And
20 you guys can see what you can sell in one year. I wish
21 you good luck.

22 MR. KETZLER: Thank you.

23 CHAIRPERSON KRIEGER: Member Ferrell?

1 MEMBER FERRELL: Yes, thanks, Madame Chair.

2 I agree with Member Gronachan about that.

3 But I think I wouldn't extend it over a year, if it
4 took over a year to sell out. I'm sure it's probably
5 not going to, but whoever makes a motion, I would want
6 to have that added to it.

7 MEMBER GRONACHAN: To come back in a year,
8 Member Ferrell?

9 MEMBER FERRELL: If it sold out in a year,
10 they'd have it removed. If it's not, it stays a year
11 then they come back in a year. It doesn't continue
12 past a year.

13 MEMBER GRONACHAN: Is that a motion?

14 MEMBER FERRELL: I can try. I don't know if
15 you'll be able to hear me.

16 MEMBER GRONACHAN: You sound a little better.
17 I think it was all that medical advice that Member
18 Krieger and I gave you earlier.

19 MR. KETZLER: I'm going on day number 10 of
20 that cold. It's a fun one.

21 MEMBER FERRELL: It's been a over a week.

22 MR. KETZLER: Yes. A great New Year's for
23 the family and I.

1 MEMBER FERRELL: Unless Member Byrwa would
2 like to do it.

3 MEMBER PEDDIBOYINA: Do you want me to?

4 CHAIRPERSON KRIEGER: Okay.

5 MEMBER GRONACHAN: Go ahead.

6 CHAIRPERSON KRIEGER: You can do it.

7 MEMBER PEDDIBOYINA: I move that we grant the
8 variance in case number PZ18-0063 sought by Chris
9 K-e-t-z-l-e-r because the petitioner has shown the
10 practical difficulty for a 44 square feet variance to
11 allow the installation of 64 square foot of temporary
12 sign and a three foot sign variance for the proposed
13 nine feet high sign.

14 Without the variance, the petitioner will be
15 unreasonably prevented or limited with respect to use
16 the property because the sign is for a marketing
17 purpose for the building.

18 The petitioner did not create the condition
19 because it is a temporary sign for marketing purpose.
20 And after that one year the petitioner should show up
21 to the Building.

22 If relief is granted it will not unreasonably
23 interfere with adjacent and surrounding properties

1 because the sign is located in the area that is common
2 to the community and the landscape area and it does not
3 interfere with the adjacent property.

4 The relief is consistent with the spirit and
5 intent of the ordinance because a temporary sign is
6 located in the landscape area.

7 Thank you.

8 MEMBER GRONACHAN: Before I second that,
9 Member Peddiboyina, did you say one year or sell out?

10 MEMBER PEDDIBOYINA: One year, yeah.

11 MEMBER GRONACHAN: Or sellout?

12 MEMBER PEDDIBOYINA: He has to come back.

13 MEMBER GRONACHAN: No. So what my
14 recommendation was that we can put the sign up, but as
15 soon as all the properties sell out the sign has to
16 come down if it's before the one year. Would you
17 accept that as a friendly amendment?

18 MEMBER PEDDIBOYINA: Yes. I accept that.

19 MEMBER GRONACHAN: And if they don't sell out
20 within a year, they would have to come back.

21 MEMBER PEDDIBOYINA: Yes.

22 MEMBER GRONACHAN: Then I second that and the
23 friendly amendment.

1 CHAIRPERSON KRIEGER: Is there any
2 discussion?

3 Okay. Very good. Member Katherine, if you
4 can call the role.

5 MS. OPPERMAN: I've been promoted.

6 CHAIRPERSON KRIEGER: Come on, be a member.

7 MS. OPPERMAN: Member Byrwa?

8 MEMBER BYRWA: Yes.

9 MS. OPPERMAN: Member Ferrell?

10 MEMBER FERRELL: Yes.

11 MS. OPPERMAN: Member Gronachan?

12 MEMBER GRONACHAN: Yes.

13 MS. OPPERMAN: Chairperson Krieger?

14 CHAIRPERSON KRIEGER: Yes.

15 MS. OPPERMAN: Member Sanker?

16 MEMBER SANKER: Yes.

17 MS. OPPERMAN: Member Peddiboyina?

18 Yes.

19 MS. OPPERMAN: Motion passes.

20 CHAIRPERSON KRIEGER: Congratulations. I
21 hope they all sell out for you.

22 MR. KETZLER: Thank you.

23 CHAIRPERSON KRIEGER: That concludes to our

1 other matters. So we're to adjournment.

2 MEMBER GRONACHAN: I do have a question,
3 Member Chair?

4 In regards to the case of PZ18-0057, the
5 Somnio Global on West Twelve Mile, could we get
6 clarification for next month that when the gate is
7 going to be open so we can get on the property.

8 MR. BUTLER: The gates are open during the
9 week and they're closed on weekends. They're locked on
10 weekends. But you can drive right through during the
11 week.

12 MEMBER GRONACHAN: Do we know what the hours
13 are?

14 MR. BUTLER: He never said they were closed
15 after hours, I believe they're 8:00 to 5:00.

16 MEMBER GRONACHAN: So maybe we can get like
17 an extension because most of us work until 5:00 to get
18 there.

19 MR. BUTLER: I can talk to him. He's a very
20 nice gentleman and I'll talk to him and find out. It
21 can be open later than that because I don't know what
22 type of shifts they work over there.

23 MEMBER GRONACHAN: If we can have that back

1 in our packet next month, that would be very helpful.

2 CHAIRPERSON KRIEGER: And is it the next
3 month we'll do the election of officers.

4 MEMBER GRONACHAN: Is Mav back?

5 CHAIRPERSON KRIEGER: Is Mav back next month?

6 MS. OPPERMAN: I don't believe he'll be back
7 until April.

8 CHAIRPERSON KRIEGER: Okay. We'll discuss it
9 then.

10 Thank you. We'll have a motion to adjourn.

11 MEMBER GRONACHAN: So moved.

12 CHAIRPERSON KRIEGER: All in favor say, Aye."

13 MEMBER BYRWA: Aye.

14 MEMBER FERRELL: Aye.

15 MEMBER GRONACHAN: Here.

16 CHAIRPERSON KRIEGER: Aye.

17 Member Peddiboyina Aye.

18 MEMBER SANKER: Aye.

19 CHAIRPERSON KRIEGER: We're adjourned.

20 (At 8:18 a.m., meeting adjourned.)

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C E R T I F I C A T E

STATE OF MICHIGAN)

) ss

COUNTY OF OAKLAND)

I, Darlene K. May, do hereby certify that I have recorded stenographically the proceedings had and testimony taken in the above-entitled matter at the time and place hereinbefore set forth, and I do further certify that the foregoing transcript, consisting of seventy-six (76) typewritten pages, is a true and correct transcript of my said stenographic notes.

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

January 31, 2018
(Date)

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