

REGULAR MEETING - ZONING BOARD OF APPEALS

CITY OF NOVI

TUESDAY, JUNE 8, 2021, 7:00 P.M.

VIRTUAL MEETING VIA ZOOM

BOARD MEMBERS:

Joe Peddiboyina, Chairperson

Siddharth Mav Sanghvi

Linda Krieger

Kevin Sanker

Clift Montague

Michael Longo

ALSO PRESENT:

Elizabeth Saarela, City Attorney

Lawrence Butler, Comm. Development, Dep. Director

Katherine Oppermann, Recording Secretary

Maureen Underhill, Ordinance Officer

Reported by:

Darlene K. May, Certified Shorthand Reporter

1 Tuesday, June 10, 2021

2 7:00 p.m.

3 - - -

4 CHAIRPERSON PEDDIBOYINA: It's seven o'clock
5 and now it's time to call for order. And Pledge of
6 Allegiance by -- let's move on to Montague.

7 Member Montague?

8 (No response.)

9 MEMBER KRIEGER: Pledge.

10 MEMBER MONTAGUE: I'm sorry.

11 (The Pledge of Allegiance recited.)

12 CHAIRPERSON PEDDIBOYINA: Thank you, Member
13 Montague.

14 And roll call. Katherine, can you please
15 roll call?

16 MS. OPPERMANN: Yes, of course.

17 Chairperson Peddiboyina?

18 CHAIRPERSON PEDDIBOYINA: Yes, please.

19 MS. OPPERMANN: Member Krieger?

20 MEMBER KRIEGER: Yes.

21 MS. OPPERMANN: Member Malott is absent,
22 excused.

23 Member Montague?

1 MEMBER MONTAGUE: Here.

2 MS. OPPERMANN: Member Sanghvi?

3 MEMBER SANGHVI: Here. Novi, Oakland
4 County.

5 MEMBER KRIEGER: Oh, yeah. I forgot.

6 MS. OPPERMANN: Let me go back and we'll do
7 that again.

8 Thank you for remembering.

9 MEMBER KRIEGER: Thank you, Mav.

10 MEMBER MONTAGUE: Thanks, Mav.

11 MS. OPPERMANN: Chairperson Peddiboyina, once
12 more?

13 CHAIRPERSON PEDDIBOYINA: Yes. This is Joe
14 Peddiboyina, Novi, Michigan, Oakland County.

15 MS. OPPERMANN: Thank you. Member Krieger?

16 MEMBER KRIEGER: Linda Krieger, Novi,
17 Michigan, Oakland County.

18 MS. OPPERMANN: Member Malott is absent,
19 excused.

20 Member Montague?

21 MEMBER MONTAGUE: Clift Montague, Oakland
22 County, Novi, Michigan.

23 MS. OPPERMANN: Member Sanghvi?

1 MEMBER SANGHVI: I just said it. Novi,
2 Michigan, Oakland County.

3 MS. OPPERMANN: Yeah. Member Sanker?

4 MEMBER SANKER: Here, Novi, Michigan, Oakland
5 County.

6 MS. OPPERMANN: And Member Thompson is also
7 absent, excused.

8 CHAIRPERSON PEDDIBOYINA: Thank you,
9 Katherine. And do you have a quorum?

10 MS. OPPERMANN: Wait. Sorry. Also, Member
11 Longo?

12 MEMBER LONGO: Mike Longo, Novi Michigan,
13 Oakland County.

14 MS. OPPERMANN: Thank you.

15 CHAIRPERSON PEDDIBOYINA: Thank you,
16 Katherine. Do you have enough quorum? Can I proceed?

17 MS. OPPERMANN: Yes, we do. Yes.

18 CHAIRPERSON PEDDIBOYINA: All right. We have
19 a board enough. Let's move on today's June 8, 2021.
20 And approval of agenda.

21 MS. SAARELA: This is where we should discuss
22 moving items around if you're wanting -- if you're
23 inclined to move items.

1 CHAIRPERSON PEDDIBOYINA: Yeah. I'll do it,
2 Beth, once the approval. Do you want me to do it
3 before the approval of agenda?

4 MS. SAARELA: Yeah. If someone is proposing
5 to move one of the items to a different position, you
6 can discuss it now and then approve the agenda with
7 changes.

8 CHAIRPERSON PEDDIBOYINA: Yeah. That's true.

9 Okay. The case number, third one, they're
10 requesting PZ21-0025 (sic) to move to first today. I
11 mean, they want to have some other appointment
12 scheduled prior to that. So is it okay? For all the
13 Zoning Board members, if you can say "Aye" to
14 everything, then I can go to approval of agenda.

15 MEMBER KRIEGER: Yes.

16 MEMBER SANGHVI: No problem.

17 MS. SAARELA: You can do this as voice vote,
18 just all in favor.

19 CHAIRPERSON PEDDIBOYINA: Yes. All in favor
20 say "Aye."

21 THE BOARD: Aye.

22 CHAIRPERSON PEDDIBOYINA: Any nays?

23 (No response.)

1 MS. OPPERMANN: Okay. So that's the moving
2 of the case for the Yonos, PZ21-0026, to the first
3 case --

4 MEMBER KRIEGER: No, 25.

5 CHAIRPERSON PEDDIBOYINA: No, 25. Katherine,
6 25.

7 MS. OPPERMANN: Why would we move 25 up?

8 MEMBER KRIEGER: That's the request.

9 CHAIRPERSON PEDDIBOYINA: You sent an E-mail
10 for the request for the ...

11 MS. OPPERMANN: The request was for the
12 Yono's case.

13 MEMBER KRIEGER: What?

14 MS. OPPERMANN: The request to move the case
15 up, it came from Maria Tilmos, a neighbor. And it's
16 regarding Mr. Yono's case, which is PZ21-0026 for 1401
17 East Lake Drive. That's the case that they requested
18 to be moved to the first.

19 CHAIRPERSON PEDDIBOYINA: Oh, that is the
20 fourth case for today?

21 MS. OPPERMANN: Correct, yes.

22 CHAIRPERSON PEDDIBOYINA: Yeah. Okay. Then
23 I can take back. And we can move to the PZ21-0026 to

1 move for the first case for today and the PZ21-0022 is
2 moving the case to fourth. Is everything okay and say
3 "Aye" everybody.

4 MEMBER KRIEGER: Yeah.

5 MEMBER SANGHVI: Aye.

6 THE BOARD: Aye.

7 MS. OPPERMANN: And I did also want to
8 confirm for anyone watching, that case PZ21-0022 for
9 Dan and Wendi Williams, 1419 West Lake Drive, was
10 originally slated to be at this evening's meeting, but
11 has been postponed at the applicant's request to the
12 next meeting, July 13th, 2021.

13 CHAIRPERSON PEDDIBOYINA: Oh, there's no
14 moving to the fourth. Then it is going to the July.
15 Okay.

16 MEMBER KRIEGER: I get you.

17 CHAIRPERSON PEDDIBOYINA: Thank you.

18 Approval of agenda?

19 MEMBER SANGHVI: So moved.

20 MEMBER KRIEGER: Second.

21 CHAIRPERSON PEDDIBOYINA: Thank you.

22 Minutes of meetings for May?

23 MEMBER KRIEGER: April.

1 CHAIRPERSON PEDDIBOYINA: April?

2 Hi, Sanker.

3 MEMBER SANKER: Hello.

4 CHAIRPERSON PEDDIBOYINA: Okay. You're back.

5 Thank you.

6 Okay. Approval of meeting minutes in April?

7 MEMBER KRIEGER: No changes. So moved.

8 MEMBER SANGHVI: Second.

9 CHAIRPERSON PEDDIBOYINA: Thank you.

10 Okay. Public remarks. Anyone having any
11 other case or anything apart from the agenda and we can
12 see if anybody is raising their hand, Katherine, on the
13 Zoom.

14 MS. OPPERMANN: The two hands that are being
15 raised, I believe, are to speak on the first case
16 before us. So I'll wait until you do the public
17 comment for that.

18 CHAIRPERSON PEDDIBOYINA: Other than that, no
19 one is raising hands.

20 Okay. Any other things apart from any
21 audience or any questions before we start the case
22 number first?

23 Looking none.

1 Okay. Start the case number PZ21-0026,
2 Joseph Yono, 1401 East Lake Drive, west of Novi Road
3 and south of 14 Mile Road, parcel number
4 50-22-02-329-027. The applicant is requesting a
5 variance from the City of Novi Zoning Ordinance,
6 Section 3.1.5 for a 20.25 foot front yard setback, 30
7 feet required, a variance of 9.75 feet; an 11.75 foot
8 rear yard setback, 35 foot required, a variance of
9 23.25 feet; a side yard setback of eight feet, 10 feet
10 required, a variance of two feet; an exterior yard
11 setback of 11.08 feet, 30 feet required, a variance of
12 18.92 feet; an aggregate total side yard setback of
13 19.08 feet, 40 feet required, a variance of 20.92 feet.

14 And a proposed lot coverage of 38.16 percent,
15 25 percent maximum allowed, a variance of 13.16
16 percent. These variances would accommodate the
17 building of a new home. This property is zoned Single
18 Family Residential, R-4.

19 The applicant was previously denied on case
20 PZ21-0015 during the Zoning Board of Appeals meeting
21 April 13, 2021. They are now pursuing lesser
22 variances.

23 Is the applicant present?

1 MR. SCHAUER: Yes.

2 CHAIRPERSON PEDDIBOYINA: Hi. You can tell
3 your first and last name very clearly for the court
4 record. My acting secretary can take it up.

5 Katherine, can you take this one, please?

6 MR. SCHAUER: My name is Raymond Schauer. I
7 reside at 48854 Rex Street, Shelby Township, Michigan.

8 MS. OPPERMANN: Could you spell your last
9 name, please?

10 MR. SCHAUER: S-c-h-a-u-e-r, the third.

11 MS. OPPERMANN: Thank you. And then do you
12 swear or affirm to tell the truth in the case before
13 you?

14 MR. SCHAUER: I do.

15 MS. OPPERMANN: Thank you.

16 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.
17 And you can proceed slowly for our -- this case is
18 recording everything. And what we can help you, where
19 you want to accommodate, what is, you know, you're
20 pursuing on this case. This is your time. You can
21 speak up.

22 MR. SCHAUER: Okay. So I'm going to share my
23 screen here.

1 (Document displayed.)

2 MR. SCHAUER: Can you guys see that?

3 CHAIRPERSON PEDDIBOYINA: Yup.

4 MR. SCHAUER: Okay. So just for some context
5 here, on the left-hand side we have Walled Lake on the
6 site location and then the existing survey of the
7 existing property. So we have some existing site
8 photos here of the house that is honestly falling on
9 hard times. There's some settlement issues with the
10 house itself, floor levels kind of sagging and -- it's
11 not in disrepair, but it's on its way. Especially, if
12 you look, you know, along this kind of flat roof
13 section and the house is -- you know, it's definitely
14 aged.

15 Here's some views of the property from the
16 rear yard looking at the waterfront. And then, just
17 for some context, here's, like, the side yard from
18 Herman Street.

19 MEMBER KRIEGER: I'm only seeing one
20 picture.

21 MEMBER MONTAGUE: Yeah. We're not seeing
22 those.

23 MEMBER SANGHVI: Looks like a new house.

1 MR. SCHAUER: Hang on here.

2 CHAIRPERSON PEDDIBOYINA: Yeah, take your
3 time.

4 MR. SCHAUER: Can you see that?

5 CHAIRPERSON PEDDIBOYINA: Yup.

6 MR. SCHAUER: Okay. We'll just do it this
7 way. I'll start here again. So existing context.
8 There's the existing property on Walled Lake and then
9 we're talking about this property. This is the
10 footprint of the existing survey of the house.

11 If I scroll down here, these are the existing
12 site photos. So this would be kind of standing at the
13 corner of Herman Street right here and East Lake Drive.
14 This is looking at it from a different perspective
15 there.

16 Like I was saying, the house has seen better
17 days. It's in rough shape, a lot of sagging floors, a
18 lot of maintenance issues, especially with that flat
19 roof. So that's kind of one of the areas of concern
20 that, you know, we had with this property in
21 particular.

22 And then this would kind of be the rear
23 corner looking towards the waterfront and then this one

1 as well. And then, again, this illustrates kind of
2 that flat roof and just how this house kind of sits on
3 the property. It's, obviously, very dated.

4 So the proposed site plan that we sent in, if
5 you look -- what I'm showing you right now, this dash
6 line and this dash line represents where the current
7 house sits on the property. So we're proposing to not
8 go any closer to this side yard setback than the
9 existing house is. In fact, we're technically further
10 away because this is that corner of Lot 26 there.

11 Additionally, this circle, which I'm going to
12 keep referencing a couple more times here, would be
13 where we could put a house potentially if we were to
14 strictly comply with both the 10-foot and the 35-foot
15 setback requirements there. So let's say, for example,
16 we were to build a house and didn't need a variance
17 whatsoever, we could potentially put a wall there and
18 we're actually putting it further away from that to
19 maintain more of the lake view for this property to the
20 rear of Mr. and Mrs. Yono's property.

21 So I did this kind of setback diagram to
22 illustrate what we would be looking like if we were to
23 strictly comply with the front yard, the rear yard and

1 the side yard setbacks. We would have a 2020 square
2 foot footprint and that's the max footprint. So if
3 we're going to be creating any architectural interests
4 and bumpouts or projections, any of that stuff would
5 have to be taken away from that footprint. And I'll
6 kind of illustrate that on this next slide.

7 So I just kind of threw, you know, what I
8 consider to be a mocked-up floor plan if I were to
9 follow based on those setback elements. One of the
10 things that we have working against us with this
11 nonconforming lot is that this property line is not
12 parallel to that property line. And then we have these
13 two property lines that are adjoining, creating very
14 unusual setback requirements.

15 And if I go back to this image, the prior
16 one, you can see what I'm talking about here.
17 Obviously, we're not going to put a house that's that
18 shape so we would be looking for a 90 degrees, like a
19 normal, you know, standard new construction.

20 But if you look at what I have proposed here,
21 we're very limited. We would have, essentially, a flat
22 wall along Herman Street, if we were to try to maximize
23 this allowable footprint. And then, also, we would not

1 only have a pretty flat wall or pretty much a flat wall
2 along East Lake Drive, but it would be set back
3 significantly from where the existing house sits. It
4 would be about a 16.8 foot setback.

5 It's also worth noting that this shaded area
6 on this diagram is 1010 square feet approximately of
7 the current structure that is outside of the strictly
8 combined setback requirements.

9 So Mr. and Mrs. Yono, I mean, they don't --
10 it's not in their best interest to demolish a house and
11 then build one that is significantly smaller and
12 doesn't utilize as much of the area. So that's kind of
13 where we were going towards with this proposed site
14 plan.

15 So for context, we have a proposed three-car
16 garage. This would be a two-story residence. And,
17 like I said, with that diagram, the views are as
18 maintained as, we feel, more so, than what would be if
19 we were to have a property line right at that corner
20 were we to build specifically there.

21 Just go through here real quick.

22 (Scanning document.)

23 MR. SCHAUER: Just for some other context, we

1 have on the first floor plan living room, kitchen and
2 dining, library, back of house mudroom.

3 One item to note, too, is based on the
4 current -- most of the houses along on East Lake Drive
5 have high water tables. So you'll notice they have a
6 significant amount of steps going up to the front door,
7 especially, on East Lake Drive. So we're trying to
8 encompass a future elevator so that with this being
9 their forever home, they have the ability to exit and
10 enter the home with no restrictions healthwise. Like I
11 said, they plan on, you know, staying out the remainder
12 of their lives here at this property.

13 On the second floor, we have a master suite,
14 master bath, walk-in closet, bedroom two, bedroom three
15 and a suite floor encompassing above the garage,
16 proposed lakefront elevation. I mean, I think this
17 looks better than what is currently on the property.
18 Like I said, it's definitely not blight but give it a
19 couple more years of, you know, unattention and it
20 potentially could be. So we feel that this would be a
21 much better scenario and improve the lake or the curb
22 appeal of both East Lake Drive and the greater Walled
23 Lake/Novi area in general.

1 And then also here we have just a mixture of
2 brick facade and stone in the front. I didn't color
3 the side elevations, but the same things would apply.
4 So we would have all brick around here along Herman
5 Street. This would be the right side elevation. Same
6 thing, brick. We have some horizontal siding along the
7 back there and then the rear elevation.

8 You know, kind of revisiting the comments
9 that we got last time. We understand the concerns of
10 the neighbor behind them that resides at 1404
11 Paramount, but we are also -- we're providing a less
12 obstruction of that lakefront view than they currently
13 maintain.

14 If you look at the existing site plan here --
15 I'm sorry. I'm going to go back.

16 The majority of the view that they currently
17 have is directly over what kind of, we would say, the
18 left side of this house. And, like I said, that is
19 where we could build with having no variance requests
20 whatsoever.

21 What we're proposing provides more of a lake
22 view that they would have left and I've highlighted
23 kind of a generic view of that from here. So from the

1 far right corner, basically, right by this fence post,
2 there's still all of this lake view that I can still
3 see and I took those photos personally.

4 And I kind of would just like to illustrate
5 that as well with this diagram. So in the application
6 where we would be strictly complying and we would be 10
7 feet off and 35 feet from the rear setback, the views
8 are less parallel with Herman and the views would be
9 this way. In this scenario, the views are not parallel
10 with Herman. So from this property you actually get
11 more lake view than you would have in this scenario.

12 I think that kind of summarizes what we have
13 going on. So I would turn it back to the board if you
14 guys have any questions.

15 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.

16 Any other person who would like to speak on
17 behalf of your case or you're the only one?

18 MR. YONO: I don't know if you guys heard me.
19 I'm Joseph Yono, the owner of the property. What we're
20 trying to do is have a permanent resident for me and my
21 family.

22 MS. OPPERMANN: Mr. Yono?

23 MR. YONO: And --

1 MS. OPPERMANN: Mr. Yono, I'm sorry. If you
2 want to speak on the case, I'll need you to state your
3 name for the court reporter.

4 MR. YONO: Joseph Yono, Jr.

5 MS. OPPERMANN: Can you spell that for us,
6 please?

7 MR. YONO: Y-o-n-o is the last. J-o-s-e-p-h.

8 MS. OPPERMANN: And do you swear or affirm to
9 tell the truth in the case before you?

10 MR. YONO: I do.

11 MS. OPPERMANN: Thank you.

12 CHAIRPERSON PEDDIBOYINA: Thank you, Mr.
13 Yono. You can proceed.

14 MR. YONO: So I was, basically, just saying
15 that we're trying to build a nice residence along East
16 Lake Drive. To the right of us are bigger, nicer
17 homes. They're starting to build going towards
18 Thirteen Mile Road. There's one actually in progress
19 that they're putting up. Tried to comply with
20 everything that we can to make it right and make it
21 nice.

22 I understand our neighbor's concern behind
23 us. Other neighbors on East Lake Drive had concerns

1 that we've addressed and taken care of and if I'm not
2 mistaken, they have sent in letters of approval or
3 recommendation of building.

4 CHAIRPERSON PEDDIBOYINA: Okay. Any other
5 things to add before we move on?

6 MR. YONO: (No response.)

7 CHAIRPERSON PEDDIBOYINA: Mr. Yono?

8 MR. YONO: (No response.)

9 CHAIRPERSON PEDDIBOYINA: Okay. Any other
10 person would like to speak on this case before I close?

11 MS. OPPERMANN: (Raising hand.)

12 MEMBER KRIEGER: Katherine?

13 MS. OPPERMANN: I did want to point out that
14 there does appear to be an inaccuracy in certain
15 statements you just made, Mr. Schauer.

16 MR. SCHAUER: Uh-huh?

17 MS. OPPERMANN: You're stating that there'd
18 be only a 10-foot requirement for that site on the
19 Herman side. You actually are seeking a variance for
20 that because it's required to be an exterior side yard
21 setback, which would be 30 feet. Not the simple 10 of
22 a regular lot.

23 MR. SCHAUER: Okay.

1 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.

2 And I would like to speak on the City, Larry,
3 any correspondence? Would you like to speak anything
4 on this, Larry?

5 MR. BUTLER: No comments from the City at
6 this time.

7 CHAIRPERSON PEDDIBOYINA: Thank you very
8 much, Larry. I appreciate.

9 And our acting secretary, Katherine, any
10 correspondence?

11 MS. OPPERMANN: Yes, there is.

12 All right. There was 31 letters sent for
13 this case. No returns, one approval and three
14 objections.

15 The first, which is an approval, is from
16 Olivia Arnold at 1727 East Lake Drive. She says to
17 please note her approval for the requested variance for
18 1401 East Lake Drive.

19 Next is an objection from Lee Cohn, C-o-h-n.
20 And it states: "The appeal to the homes in this area
21 is the lake view. With any addition to the property
22 mentioned that takes away from the view from standing
23 on our property, which decreases the enjoyment and

1 value for us. This expansion would only add to the
2 hindrance for the three homes directly behind."

3 Next objection is from Anne Fiedor,
4 F-i-e-d-o-r. And her objection states: "I purchased
5 my property, specifically, for the lake view, not
6 the poorly maintained house built in the 1940s. I have
7 invested 50 to 60K to make the house functional and
8 aesthetically pleasing to surrounding neighbors. The
9 requested expansion at 1401 East Lake Drive will
10 obstruct and block my lake view and decrease the value
11 of my property and home."

12 And then we have an objection from Wayne and
13 Maria Tilmos, T-i-l-m-o-s. They have a rather long
14 objection and I do believe they are both waiting to
15 speak so I will let them speak for themselves on that
16 when you get to the public comments section.

17 CHAIRPERSON PEDDIBOYINA: Thank you very
18 much, Katherine. I appreciate.

19 You know, I don't know how long with this
20 pandemic in the Zoom calls. Once we come back to the
21 -- you know, in person, it will probably be less.
22 Thank you so much, Katherine.

23 MS. OPPERMANN: Certainly.

1 CHAIRPERSON PEDDIBOYINA: And coming to the
2 public hearing, Katherine, anybody is raising any
3 public remarks before I move on to the board?

4 MS. OPPERMANN: Yes. First is Maria Tilmos.

5 CHAIRPERSON PEDDIBOYINA: Yes. Please come
6 on. You know, unmute your phone and please speak
7 slowly and give your first and last name for our court
8 record.

9 Okay. Katherine, if you can take it,
10 please.

11 MS. TILMOS: Hi.

12 CHAIRPERSON PEDDIBOYINA: Please go ahead,
13 ma'am.

14 MS. TILMOS: Right. I don't see a video
15 option. Can you see me at all?

16 MEMBER KRIEGER: Nope.

17 CHAIRPERSON PEDDIBOYINA: No.

18 MS. TILMOS: Okay. Could somebody give me a
19 video? Because I would like to share my screen at some
20 point.

21 CHAIRPERSON PEDDIBOYINA: We can hear you,
22 but we can't see you in the video.

23 MS. TILMOS: Yeah. And that's because it's

1 not been given to me in the settings.

2 But my name is Maria Tilmos and I live in
3 Novi, Michigan at 1404 Paramount Street.

4 CHAIRPERSON PEDDIBOYINA: Okay.

5 MS. TILMOS: I'd love to present, but I
6 can't. I don't have any options to share my screen nor
7 do I see my video.

8 CHAIRPERSON PEDDIBOYINA: You can try calling
9 back again. I'll call another person. You can try.

10 MS. OPPERMANN: Joe, I believe the option for
11 her to share her video would have to be given to her by
12 our IT person who is currently monitoring the
13 meeting.

14 MR. PETTY: Yes. I was just about to chime
15 in. I have to promote her to a panelist. So I will do
16 that momentarily.

17 MS. TILMOS: Thank you.

18 (Court reporter timing clarification.)

19 MS. OPPERMANN: It's standard for three
20 minutes to be granted. It's at the board's discretion
21 if they want to grant longer or not.

22 CHAIRPERSON PEDDIBOYINA: Thank you,
23 Katherine.

1 MS. TILMOS: Okay. I think I am on, but I
2 just want to stop my virtual background.

3 Can you see me and hear me okay?

4 MEMBER SANGHVI: Yes.

5 MEMBER KRIEGER: Yup.

6 MS. TILMOS: Okay. I'll try to keep my head
7 blocking the sun. So I'm just sitting on the deck so
8 that you can see my view from the deck and you can see
9 the blue house behind me. That's the current home that
10 Mr. Yono owns. So if someone could help me with -- oh,
11 share screen. There we go.

12 Okay. So I'll just start with this: I
13 wanted to follow-up with what Kate said about the
14 mistake in the side yard setback. So he was going with
15 a standard side yard setback, which is ten feet. But
16 because Herman Street runs alongside the home, he has
17 to have an exterior side yard setback and the minimum
18 currently is 30 feet.

19 So, basically, what I did was I took this
20 little distance of ten feet and I drew over it in red
21 and then I tripled it to get this distance here of 30
22 feet. The 35 feet from the back of the property is
23 correct. So what that does is it moves the circle

1 which he had had here, all the way over to here. And
2 what you can see is that that's pretty consistent with
3 the existing footprint for the current home. And if he
4 were to build, you know, the back corner of his
5 property at that green circle, we would have no issue
6 whatsoever. That would not be a concern. So I just
7 wanted to put that out there to you.

8 I'm sorry. I'm trying to move you around so
9 I can find ...

10 So, basically, I'll start with my objection
11 to standard number five, because this is what we're
12 talking about. He states in the second paragraph, "It
13 would also not impact any adjacent properties any more
14 than if the side yard --" which is on the north side.

15 "And rear yard setbacks were strictly
16 complied and no variance request was needed at the
17 northeast corner of the property."

18 So this is just quoting what he stated in the
19 second paragraph of standard number five. He said, "It
20 would also not impact any adjacent properties anymore
21 than if the side yard, north, and the rear yard
22 setbacks were strictly complied and no variance request
23 was needed at the northeast corner of the property."

1 And like you just said, this is not true
2 because of the existing exterior side yard minimum
3 setback of 30 feet and an existing rear yard setback of
4 35 feet. So that's what drew me to that circle.

5 And, of course, here are the -- this is from
6 the City's website: Rear yard setback 35. Minimum
7 side yard, he was using the ten feet, but the notes
8 below say, "All exterior side yards abutting a street
9 shall be provided with a setback equal to the front
10 yard setback." And that was, according to this, 30
11 feet.

12 So I already talked about the green circle on
13 the diagram. So if no variance is requested, that's
14 where the northeast corner would be. And like I said,
15 if that were the case, our views would be only slightly
16 altered and we'd be satisfied with that. We bought our
17 house because of its lake and sunset views and we are
18 very concerned about how Mr. Yono's proposed home would
19 negatively impact the resale value of it.

20 And then based on -- basically, from the last
21 time we were here to now, Mr. Yono has basically,
22 inched in the back of the house, the side of the house
23 and -- the two sides of the house and the back of the

1 house. So the back of the house is east and this side
2 is north. Those are the two sides that impact us the
3 most and he's inched them in by three and three
4 quarters of a foot and three and a half feet. So it's
5 not really a big difference. It's not going to make
6 much of an impact.

7 MEMBER KRIEGER: Ma'am?

8 MS. TILMOS: Yeah?

9 MEMBER KRIEGER: If you could just make it
10 more concise.

11 MS. TILMOS: Yeah. Okay. Let me come back
12 to number four because I haven't talked about this
13 yet.

14 I just wanted to -- so in number four he
15 stated that the variances requested are "kept to an
16 absolute minimum to allow for a moderately-sized home
17 based on the price point of the zip code and
18 surrounding new construction along East Lake Drive over
19 the last two decades."

20 So I took these photographs here and I just
21 want to point out that the blue house is his. The one
22 to the right is Lauren Pober's. Her's is 1500 square
23 feet. The one behind is mine. You can see the canopy.

1 That's 1600 square feet and then I'll just move it
2 down. And we can see Herman Street here. And the
3 house over here on this side is 2314, 2314 square feet.
4 It belongs to Dave and Carolyn.

5 What Mr. Yono is proposing is a home greater
6 than 5000 square feet. So I don't think that's really
7 a moderately-sized home compared to the surrounding
8 homes in our neighborhood.

9 His current lot allowance is 25 percent and
10 he's requesting to increase that to 38.1, percent,
11 which represents more than a 50 percent increase over
12 what is currently allowed. So we don't feel this -- we
13 feel that this request is extreme and doesn't represent
14 the best interest of the neighbors.

15 And I think that's pretty much all I had to
16 cover except for the photos that I'll show you very
17 quickly. I did this last time.

18 (Photographs displayed.)

19 MS. TILMOS: But, this is the photo from the
20 master bedroom of our home. There are three windows
21 that have lake views and this is our whole view, but
22 this is my son standing at the new proposed northeast
23 corner and here is a highlight that shows you that the

1 home would extend all the way here and we'd only have a
2 little sliver of a view.

3 And here is another view. And you can see,
4 again, we're losing all of this view, and we have a
5 little bit through the neighbor's deck.

6 And here's the last one. So here we have a
7 little bit more of a view left, but it's still cutting
8 off a significant portion of our current view.

9 So I think that's all I have to present. So
10 thank you very much for your time. I appreciate it.

11 CHAIRPERSON PEDDIBOYINA: Yeah.

12 Katherine, I think any audience is not
13 allowed more than three minutes to speak. And this is
14 taken up more than eight minutes, it looks like.

15 Any other audience raising their hand,
16 Katherine?

17 MS. OPPERMANN: Yes. There is a Wayne
18 raising his hand.

19 CHAIRPERSON PEDDIBOYINA: I'm sorry?

20 MR. TILMOS: Hello, my name is Wayne Tilmos.
21 Can you hear me?

22 CHAIRPERSON PEDDIBOYINA: Yeah. I request,
23 Wayne, only three minutes allowed for the audience.

1 Because we have a lot to take care. I request, please,
2 for the time.

3 MR. TILMOS: Sure thing. I will take one
4 minute. I'm a man of few words.

5 I want to thank Mr. Yono for trying to
6 accommodate. I saw -- I'm an engineer myself and I
7 respect what he was trying to do and his architect were
8 trying to do. I get it and I appreciate that. I just
9 want to say, as my wife has said, the house, in our
10 view, is too big for the area. It's going to be, in
11 our viewpoint, a mansion, not a modest house.

12 So I think if we can come to a compromise
13 like move things over back to where it is right now,
14 come out a few feet if you want, whatever. But I think
15 you can build a house that you want to live in, if you
16 can put it in a long rectangle. And that's all I want
17 to say.

18 CHAIRPERSON PEDDIBOYINA: Thank you so much.
19 Any other audience, Katherine?

20 MS. OPPERMANN: Yes. There is a Kimberly
21 Levy raising their hand.

22 CHAIRPERSON PEDDIBOYINA: Yes. Please go
23 ahead.

1 MS. LEVY: Good evening. My name is Kimberly
2 Levy and I am also a neighbor. We live on Paramount
3 Street and also own a home on East Lake near Lashbrook.

4 Our lot is a similar size to the Yonos and --
5 our lake lot, I should say.

6 And we have also tried to at one point build
7 a larger home there. So we totally understand the
8 variance constraints. We support the Yonos in building
9 a beautiful home on the lake. It will benefit
10 everybody in the neighborhood, but we'd like to
11 maintain the character of the neighborhood. We
12 understand variances are needed, you know, to build a
13 home that meets today's standards, but we don't think a
14 10-foot setback on the side yard where Herman Street
15 lies is really required to build a nice home on that
16 lot.

17 While I think neighbors appreciate nice homes
18 in the neighborhood, this is not a neighborhood for big
19 foot homes and mansions. And, you know, everyone in
20 Novi really appreciates enjoying the lake and it should
21 not come at the cost of other neighbors.

22 CHAIRPERSON PEDDIBOYINA: Thank you.

23 Any other audience, please, before I close?

1 MS. OPPERMANN: There's no one else raising
2 their hands.

3 CHAIRPERSON PEDDIBOYINA: Okay. Thank you so
4 much, Katherine. I appreciate.

5 And it's open to the board. Anybody who
6 would like to speak on this board on this case, please?

7 MEMBER KRIEGER: I have a question.

8 MEMBER LONGO: Yes, I have a question.

9 MEMBER KRIEGER: Oh, go ahead, Clift.

10 Or Mike.

11 MEMBER LONGO: Katherine, do you have a
12 signed application for this one, for the zoning appeal?
13 It wasn't in our records.

14 MS. OPPERMANN: That is actually my error.
15 It does look like I missed getting one that was
16 properly signed by the applicant and property owner. I
17 should have caught that previously. I do -- both the
18 applicant and the property owner are here and they also
19 signed the previous one. I'm sure I can get an updated
20 one from them.

21 MEMBER LONGO: So you have -- okay, that's
22 fine. Thank you.

23 CHAIRPERSON PEDDIBOYINA: Thank you, Michael.

1 Thank you, Linda, please. Member Linda.

2 MEMBER KRIEGER: What is the height that is
3 being requested and what is the height that is asked of
4 in the City, if you could repeat that?

5 MR. SCHAUER: The height, let me see.

6 MEMBER KRIEGER: It's going to be two story
7 but then the --

8 MR. SCHAUER: It's 33 feet to the midpoint of
9 the roof. So I think max is 35.

10 MEMBER KRIEGER: Okay. And I totally
11 understand where the neighbors are coming from, but
12 then I also see where you're trying to come from and
13 it's only fair for it all to come together. Because in
14 neighboring streets in that area there are people
15 building homes and all the new homes are similar to
16 what you're proposing.

17 MR. SCHAUER: Sure.

18 MEMBER KRIEGER: And in neighboring
19 communities, even, you look at homes and the same thing
20 is happening. So the older Walled Lake homes in Novi
21 are growing in size as well.

22 So, Mr. Yono, are you also understanding the
23 atmosphere that's created? You're build- -- it looks

1 like you want to build a nice home. It'll fit. It
2 will affect the neighbors in the back. But you go on
3 any street in Novi that has a street that is not
4 accessible to a lake view, that is always the risk.
5 And Mr. Yono, he moves in and plans on staying there
6 with the feeling of his neighbors are, he's got to live
7 with that.

8 How are you willing to negotiate? I mean,
9 you made a request to reduce and that's only fair. So
10 I want to support you, but I feel bad for the feeling
11 that's going to be created in the sub.

12 MR. YONO: Well, we're not building a 5000
13 square foot home like she's saying. We had a proposal.
14 The first one was a little bit over 5000. This home
15 that we're proposing now is 4300 and some change. It's
16 not 5000 square feet like she's saying. And no house
17 on Paramount Street has lake view, if you drive down
18 that street at all.

19 MEMBER KRIEGER: Yes. I have been down it a
20 million times. So I understand.

21 MR. YONO: So our variances was to, you know,
22 build -- and we shrunk it down more than what she said.
23 We went down almost 1200 square feet from our proposal

1 that we did last time. So where she got 5000 square
2 feet, I don't know. You guys have the proposed -- the
3 first floor is about 1900 square feet, if I'm not
4 mistaken, R.J.?

5 MR. SCHAUER: That's correct. It's 1906.

6 MR. YONO: And the second level is about
7 2200, R.J.?

8 MR. SCHAUER: Yeah. And I'd also like to
9 point out, too, one of the items I forgot to mention is
10 the minimum lot size for an R-4 is 10,000 square feet
11 and we are 7744 here. So that, coupled with two front
12 streets, it creates an unusual scenario. If the lot
13 was 10,000 square feet, then we could probably build a
14 -- you know, closer to this size house but we're fairly
15 restricted with what's going on here.

16 And also, the existing house sits outside of
17 these restraints currently. So we're just looking to
18 kind of meet somewhere in the middle which is I feel
19 like what we're proposing here.

20 MR. YONO: And another thing --

21 MEMBER KRIEGER: That's -- oh, go ahead.

22 MR. YONO: I'm sorry. We have a double lot
23 there. Normally, the lots are single with 33 foot

1 front. We have a 64 foot front and 82, I believe, in
2 the back. So the property sits like a pie shape. I
3 have a bigger lot than -- you know, more of the ones
4 going towards 13 Mile than their houses that sit there.

5 There's one going up that literally is about
6 10 feet from the road and about 10 feet from his rear
7 driveway that was approved -- I don't know the address
8 right off the bat. But he had to go through this
9 variance stuff also.

10 MEMBER KRIEGER: Well, considering that
11 you've made an adjustment, you've taken other people
12 into consideration. I have seen other homes in Novi
13 that are like a box shape. It's not aesthetically
14 pleasing. You're creating something that is more
15 aesthetically pleasing and you've down-sized and you've
16 said that your topography, the shape of the lot, the
17 size of the lot is different than others. So I would
18 be able to support your request for this case.

19 That's it. Thank you, Chair.

20 CHAIRPERSON PEDDIBOYINA: Thank you, Linda.

21 MEMBER MONTAGUE: I'd like to ask a couple of
22 questions if I could. Member Montague.

23 Okay. So what I'd like to ask is, yeah,

1 could you summarize the changes you've made?

2 And, by the way, on a 10,000 square foot lot
3 you would be allowed 2500 square feet, just to get the
4 numbers correctly. Could you summarize the changes
5 you've made because -- what's different than the last
6 time when we denied the request, please?

7 MR. SCHAUER: Yes. Can I share my screen
8 again real quick? It might be easier to do that.

9 And I agree with you there about the 2500
10 square foot, but that would also be including the
11 porches, the garage. So that wouldn't necessarily be
12 the square footage of the house itself. I'm talking
13 about total lot coverage.

14 So I want to go back to this plot plan here
15 and just zoom in. A couple of things, previously, we
16 had the house situated at the existing front of the
17 house, which is this dash line here. So we shifted the
18 house -- the main foundation wall of the house back
19 five feet. We also added a jog in the garage with the
20 door here so that it pushes the house closer towards
21 the side yard this way.

22 Previously, this number was five feet that we
23 were requesting. And like I said, now, we are not

1 asking to go any closer to the property line than the
2 current house already is. So this dash line represents
3 the existing structure. We have it set at this corner
4 and it does not go any closer to this property line
5 than the existing house currently is.

6 Also, we pulled this back, I think it was
7 about four feet. It was the distance that we adjusted
8 through here. And then with that, also, you know, I
9 struck about 18 inches this way, 18 inches through the
10 middle, two feet here and kind of reduced the plan.

11 And like Mr. Yono said, we were about 1250
12 square feet taller or larger. So, you know, times two
13 floors previously. And I think that answers your
14 question.

15 MEMBER MONTAGUE: Yes, it does. What is your
16 current lot coverage percentage with the new plan?

17 MR. SCHAUER: Hang on one second here.

18 MS. OPPERMAN: 38.16.

19 MR. SCHAUER: Correct.

20 MEMBER MONTAGUE: Is that the correct one?
21 Because I didn't know if that works out. So it is
22 38.16 right now?

23 CHAIRPERSON PEDDIBOYINA: Yeah. That's what

1 they requested.

2 MR. SCHAUER: Oh, the current you mean? I'm
3 sorry. With the existing on the property, you mean?

4 MEMBER MONTAGUE: Yeah. That's what I'm
5 asking, the existing.

6 MR. SCHAUER: I can pull that up for you.
7 Hang on one second. I had this drawn up.

8 So the existing footprint is 1996 and divided
9 by 7744.

10 The existing is 25.77 square feet.

11 MEMBER MONTAGUE: Or percent, you mean?

12 MR. SCHAUER: Yeah, 25.77 percent. I'm sorry
13 about that.

14 MEMBER MONTAGUE: Okay. Thank you.

15 CHAIRPERSON PEDDIBOYINA: Thank you. Any
16 other board member?

17 Dr. Mav Sanghvi, please go ahead.

18 MEMBER SANGHVI: Thank you very much. This
19 has been a nonconforming lot and the house is also
20 nonconforming and it is equally true for more than 90
21 percent of the homes in this area. Because all the
22 changes about the side yards and back yard setbacks all
23 came about since these places were built a long time

1 ago.

2 I used to live in Woodward (ph) and Lake
3 Village (ph) and I have gone through here for 40 years
4 up and down in this area.

5 Not a single new improvement or new house can
6 be built on this lot without variances. And whenever
7 you build anything, you're going to need variances
8 which are going to be very different than what is
9 allowed by the new ordinances of the City. And it is
10 the same situation here. It's a pie-shaped lot. It's
11 an irregular, small lot and if you want to make a
12 livable home, which the current applicant is trying to
13 do, you are going to need variances and you are also
14 going to need a lot more lot coverage than which is
15 allowed by the ordinance.

16 Considering everything and the amount of
17 changes they have made from the previous application, I
18 think they went a long way in trying to satisfy the
19 needs of the neighbors. And as my colleague, Ms.
20 Krieger, said, I can support this because of the
21 changes that has taken place in the previous time.

22 Thank you.

23 CHAIRPERSON PEDDIBOYINA: Thank you, Member

1 Sanghvi.

2 Any other board members would like to speak
3 before I move?

4 MEMBER SANKER: Yeah. I would like to, I
5 guess.

6 CHAIRPERSON PEDDIBOYINA: Member Sanker. Go
7 ahead.

8 MEMBER SANKER: Yeah. Just make a few
9 comments here. And I appreciate both sides of the
10 argument here. And, you know, this is a challenging
11 one in that the variances requested are somewhat
12 numerous and larger than maybe most of the types of
13 variances we see. But at the same time, you know, it
14 is a lakefront property and part of the reason that
15 this particular lot is the way it is is because the
16 lake is there. And, you know, that's one of the
17 reasons that they -- that we do have variances is to --
18 you know, the variances are made to govern every single
19 parcel in Novi. And every single parcel is essentially
20 different and unique. And so I think they -- you know,
21 both the presentation from the applicant was very good
22 and I think they've definitely shown that the shape of
23 the lot is unique, and same with the square footage.

1 And a lot of that has to do with, you know, because
2 it's by the lake as opposed to out in the, you know,
3 flat farmland area.

4 And at the same time, you know, I think the
5 person behind them has shown some legitimate concerns
6 relating to the new house. It does look quite a bit
7 larger than the area. And so, ultimately, you know,
8 I -- this is a tough variance request and I appreciate
9 both sides. And, you know, ultimately, I think they
10 have shown practical difficulty in building on this lot
11 and so I tend to agree with Member Sanghvi and Krieger
12 regarding the variances requested.

13 And just one more thing, they did show, you
14 know, if they followed the strict variances that are
15 required, they are very limited in what they can build.
16 And given, you know, today's modern needs and what
17 houses are being built with these days, it is -- you
18 know, they would be left with a very, I guess,
19 insignificant or rather small house that would be
20 almost -- I don't want to say not livable, but
21 certainly not in with modern times.

22 You know, so, ultimately, I think there is a
23 practical difficulty here. I think they've done a good

1 job trying to limit it, the variances, to as small as
2 possible.

3 CHAIRPERSON PEDDIBOYINA: And you have
4 something to add, Member Sanker, or you're done?

5 MEMBER SANKER: That was it.

6 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.

7 Okay. I think it's my turn. And I seen all
8 the board decides and as they mention, all the board
9 members and the board parties. I don't want to take
10 much time. And let's open for the motion. You know,
11 Member Montague, can you make a motion for this?

12 MEMBER MONTAGUE: Yes. I guess I'd like to
13 recognize that they've made significant tries to
14 minimize the variances. So I would like to make a
15 motion to grant the variance in case number PZ21-0026.
16 Without the variance, the participant is restricted in
17 the use of their property because of the lot size and
18 orientation. The property is unique for that same
19 reason, where it's located, the property size is
20 smaller than what would be.

21 They did not create the condition because the
22 property exists and they're replacing a structure on
23 the house with what I think is a nicer looking

1 structure.

2 The relief granted, they have tried to
3 minimize the interference to the extent they can based
4 on these big constraints they have. And the relief is
5 consistent with the intent of the ordinance because it
6 is minimizing the variance requests.

7 MEMBER SANGHVI: Second.

8 CHAIRPERSON PEDDIBOYINA: Thank you.

9 Katherine, please roll call.

10 MS. OPPERMANN: Certainly. Member Longo?

11 MEMBER LONGO: I approve.

12 MS. OPPERMANN: Member Sanker?

13 MEMBER SANKER: Yes.

14 MS. OPPERMANN: Member Sanghvi?

15 MEMBER SANGHVI: Yes.

16 MS. OPPERMANN: Member Montague?

17 MEMBER MONTAGUE: Yes.

18 MS. OPPERMANN: Member Krieger?

19 MEMBER KRIEGER: Yes.

20 MS. OPPERMANN: And Chairperson Peddiboyina?

21 CHAIRPERSON PEDDIBOYINA: Yes, please.

22 MS. OPPERMANN: Motion passes.

23 CHAIRPERSON PEDDIBOYINA: Congratulations.

1 Thank you, Joseph Yono. Good luck.

2 MR. YONO: Thank you, guys. Thanks for your
3 time.

4 CHAIRPERSON PEDDIBOYINA: Okay. And moving
5 on to the case number -- I have a quick question, Beth,
6 our attorney. Do we have to make it this -- PZ21-0022
7 to make the -- any motion for July 13th or just leave
8 it out?

9 MS. OPPERMANN: There doesn't need to be a
10 motion for that, I don't believe, since it was a formal
11 request for postponement and we already stated that it
12 will be on the July 13th meeting.

13 CHAIRPERSON PEDDIBOYINA: Meeting agenda.
14 Yes. Thank you.

15 Let's move on to PZ21-0024, Abdul Al-Khafaji,
16 41321 Llewelyn Drive, East of Meadowbrook Road and
17 North of Eight Mile Road, parcel number
18 50-22-36-352-004. The applicant is requesting a
19 variance from the City of Novi Zoning Ordinance Section
20 3.1.1 for a proposed rear yard setback of 46.7 feet, 50
21 feet required, a variance of 33.3 feet. I'm sorry.
22 3.3 feet. This variance would accommodate the
23 rebuilding of a home and a new addition. This property

1 is zoned Residential Acreage, RA. This case was tabled
2 from the May 11 meeting. No applicant was present.

3 Is the applicant present today?

4 Mr. Abdul is there?

5 MEMBER SANGHVI: Yes, I can see him.

6 MS. OPPERMANN: I can see that he's there.
7 It looks like he needs to unmute.

8 CHAIRPERSON PEDDIBOYINA: Mr. Abdul, can you
9 unmute?

10 (No audio response.)

11 CHAIRPERSON PEDDIBOYINA: Mr. Abdul?

12 MEMBER SANGHVI: He's not responding.

13 CHAIRPERSON PEDDIBOYINA: Yeah, I think he's
14 back. Mr. Abdul?

15 MEMBER SANGHVI: No, he's there.

16 MS. OPPERMANN: Yeah. It looks like they're
17 trying to fix it. I can see that they're kind of
18 working on the computer there.

19 MEMBER SANGHVI: Oh, yeah. Yeah.

20 MR. ALAHWAO: Yes. Yes. I'm the
21 architectural designer and I'm working with Mr. Abdul.
22 So I think he's muted.

23 Mr. Abdul, could you please unmute?

1 CHAIRPERSON PEDDIBOYINA: Okay. Let's wait
2 for a few minutes. I mean --

3 MR. ALAHWAO: The bottom corner on your
4 left-hand, unmute. The left bottom corner.

5 MR. AL-KHAFAJI: Now it's okay? Do you hear
6 us?

7 MR. ALAHWAO: Okay, ladies and gentlemen,
8 we're ready.

9 MR. AL-KHAFAJI: Do you hear us?

10 MS. OPPERMANN: Yes.

11 CHAIRPERSON PEDDIBOYINA: Is it Mr. Abdul?

12 MR. AL-KHAFAJI: Yes.

13 CHAIRPERSON PEDDIBOYINA: Mr. Abdul, can you
14 please spell your first and last name very slowly for
15 our court record and our secretary will take your oath.
16 And Katherine, please take it.

17 MR. AL-KHAFAJI: Abdul Amir Al-Khafaji.

18 MS. OPPERMANN: And if you could please spell
19 that, sir.

20 MR. AL-KHAFAJI: It's A-b-d-u-l, A-m-i-r.
21 Last name A-l, space, K-h-a-f-a-j-i.

22 MS. OPPERMANN: Thank you. And do you swear
23 or affirm to tell the truth in the case before you,

1 sir?

2 MR. AL-KHAFAJI: Yes.

3 MS. OPPERMANN: Thank you.

4 CHAIRPERSON PEDDIBOYINA: Please go ahead,
5 Mr. Abdul.

6 MEMBER SANGHVI: Make your presentation.

7 MR. AL-KHAFAJI: I don't understand what you
8 say.

9 CHAIRPERSON PEDDIBOYINA: Yeah. Please
10 present --

11 UNIDENTIFIED MALE SPEAKER: I am going -- I
12 am going to help him to translate. His English is not
13 very good. If it's okay with you.

14 MR. ALAHWAO: Would please present why you
15 are asking for -- why you are requesting a variance,
16 please?

17 (Simultaneous interpretation crosstalk.)

18 MR. AL-KHAFAJI: We correct the variance --
19 can he help me translate?

20 UNIDENTIFIED MALE SPEAKER: He believes that
21 the architect who is present, Mr. Moneer Alahwao --

22 MS. OPPERMANN: I'm sorry. Can I -- Beth, do
23 we need to swear in the translator or can he just be

1 marked down as translator for the applicant?

2 MR. ALAHWAO: No. I can -- I can represent
3 him.

4 MS. SAARELA: Yeah --

5 MR. ALAHWAO: I can represent him if that's
6 fine.

7 UNIDENTIFIED MALE SPEAKER: Mr. Moneer
8 Alahwao is the architect who is present. We're both
9 not very technical as good as he is. And
10 Mr. Al-Khafaji is saying he does not believe he's
11 requesting variance because that was adjusted in the
12 first round of objection by the City. It was adjusted
13 by the architect. So I think --

14 MR. ALAHWAO: No. No, I'm sorry. No, Mr.
15 Al-Khafaji, there is --

16 MS. SAARELA: I don't know --

17 MR. ALAHWAO: Yeah. There was a request for
18 a variance --

19 MEMBER KRIEGER: Beth --

20 MS. OPPERMANN: The architect can speak on
21 behalf of the owner --

22 MR. ALAHWAO: Okay.

23 MS. OPPERMANN: -- if you would so choose.

1 The architect can represent the owner as his agent and
2 explain what the variances --

3 MR. ALAHWAO: Okay. I will.

4 MR. AL-KHAFAJI: Thank you.

5 MS. OPPERMANN: Sir, if I could please have
6 you state your name, that you're the architect for the
7 case and then I'll swear you in.

8 MR. ALAHWAO: Sure. My name is Moneer
9 Alahwao. I can spell that. M-o-n-e-e-r, last name
10 Alahwao, A-l-a-h-w-a-o.

11 And I will present --

12 MS. OPPERMANN: Are you an attorney, sir?

13 MR. ALAHWAO: Excuse me?

14 MS. OPPERMANN: Are you an attorney?

15 MR. ALAHWAO: No. I'm the architectural
16 designer that I work for the addition. Remodeling --

17 MS. OPPERMANN: Thank you. Do you swear or
18 affirm to tell the truth in the case before you?

19 MR. ALAHWAO: Yes, I swear.

20 MS. OPPERMANN: Thank you. You may now
21 proceed.

22 CHAIRPERSON PEDDIBOYINA: Okay. Slowly --
23 please talk very slowly for our court record.

1 MR. ALAHWAO: Okay. The owner is planning to
2 remodel the existing house, but he also wants to keep
3 the rear part of the house, which is the sleeping area
4 and the existing basement. There's not any changes in
5 that area. There will not be any remodeling. He will
6 just renovate that area, like three bedrooms and three
7 bathrooms in that area with the existing basement.

8 So he's requesting a variance. After, he
9 decide to remodel the house, now all the sides are
10 accommodating, you know, with the variances. It's
11 complying with -- I'm sorry, with the ordinance. And
12 he request a variance for the setback which should be
13 50 feet from the rear property line. And the existing
14 house sits on 46.7 feet from the rear set -- from the
15 rear property line.

16 So, hopefully, you can approve this variance
17 for him or he can get this variance to be granted for
18 him.

19 MS. SAARELA: So let me just clarify because
20 I'm pretty familiar with what's going on in this case.
21 When they submitted plans to remodel this house, the
22 City discovered in its plan review that the existing
23 structure was not within the -- within the required

1 setbacks. So the variance is to retain part of the
2 existing structure that's built outside of the prior
3 setbacks. So this variance isn't going to result in
4 anything changing. It would just result in retaining
5 an existing part of the existing structure.

6 MR. ALAHWAO: Correct.

7 CHAIRPERSON PEDDIBOYINA: Okay. Any other
8 thing you would like to add before I move to this?

9 MR. ALAHWAO: No, thank you.

10 CHAIRPERSON PEDDIBOYINA: Thank you so much.
11 I appreciate.

12 And Larry, City, any --

13 MR. BUTLER: No comment at this time.

14 CHAIRPERSON PEDDIBOYINA: Thank you.

15 Correspondence, acting secretary, Katherine?

16 MS. OPPERMANN: Certainly.

17 All right. There were 22 letters sent for
18 this case, one return, no approvals and six objections.

19 The first objection is from Terry Chenault,
20 C-h-e-n-a-u-l-t. Their objection is: "I am opposed to
21 changing the 50 foot ordinance. This property has been
22 allowed to deteriorate for so many years and is now an
23 eye-sore and has been a health hazard as well. It is

1 very disappointing that the City allows this to
2 continue."

3 The next objection is from Candace Day,
4 D-a-y. She says: "To the Novi Zoning Board of
5 Appeals: My name is Candace Day and I have lived at
6 41366 Llewelyn Drive for the past 27 years. I have
7 watched with growing horror the neglect and
8 deterioration of the property at 41321 Llewelyn Drive
9 during the past eight years. For example, the former
10 owner completely neglected his yard to the point that
11 the City of Novi or a neighbor had to step in to mow
12 the developing prairie. Both the exterior and the
13 interior of the house are rundown and decaying --"

14 (Interpreter Interruption.)

15 MEMBER KRIEGER: Can you put it on mute?

16 MR. ALAHWAO: Dr. Al-Khafaji, please mute
17 yourself because other people is talking.

18 CHAIRPERSON PEDDIBOYINA: Thank you.
19 Katherine.

20 MS. OPPERMANN: Yes. Let me go back. "Both
21 the exterior and the interior of the house are rundown
22 and decaying. The pool in the back yard has been
23 filled with debris, fetid water, and dead animals. In

1 short, this property has been neglected, dilapidated,
2 and practically abandoned for eight years. It's an
3 eye-sore which stands in sharp contrast to the way the
4 other homeowners in the neighborhood maintain their
5 properties. This is why the residents of the
6 neighborhood were hopeful when Mr. Al-Khafaji purchased
7 the property earlier this year. We are waiting to see
8 whether the new owner will quickly and adequately
9 remedy these issues.

10 "Recently I learned from the City of Novi
11 that Mr. Al-Khafaji has requested variances to reduce
12 the 50-foot setback requirements. Many of my neighbors
13 and I are opposed to the granting of these variances
14 and would be willing to address the Board, if so
15 desired. The requirement is sound and has helped to
16 maintain the uniformity of the neighborhood, ensuring a
17 proper amount of spacing between properties.
18 Furthermore, the granting of these variances would set
19 a serious adverse precedent for our neighborhood.

20 I appreciate your time in considering my
21 concerns, and will be at the meeting should you have
22 any questions."

23 The next objection is from Alan and Karen

1 Freedman, F-r-e-e-d-m-a-n. They state: "To whom it
2 may concern: Complaint concerning the condition of the
3 home and property located at 41321 Llewelyn Drive,
4 Northville, Michigan.

5 This property has been an eye-sore in the
6 Meadowbrook Manor subdivision for seven years.

7 My husband and I understand the property was
8 recently sold to an acquaintance of the previous owner,
9 who had never lived in the home after purchasing and
10 rarely maintained the property.

11 We feel the new owners request for additional
12 footage on the home is just another stall tactic to do
13 nothing to the property or home because it will take
14 time to be approved by the City, contractors, et
15 cetera, et cetera.

16 More time wasted as we and our neighbors look
17 at this dump.

18 The owner of this property should be working
19 on what is already there to be fixed before adding on
20 square footage.

21 This is totally ridiculous. This property is
22 a safety hazard and is affecting all of our property
23 values within Meadowbrook Manor subdivision.

1 Please do not allow the expansion request on
2 this property until we see some progress made on the
3 existing property."

4 And the next objection is from Mike and Karen
5 Bulbuk, B-u-l-b-u-k. They state: "To whom it may
6 concern: We are residents of the Meadowbrook Manor
7 Association of which the above-referenced property is
8 located. We live two doors away at 41365 Llewelyn
9 Drive.

10 Despite being recent homeowners and members
11 in good standing with the HOA, we have landed in a
12 maelstrom. We are aware that the above-referenced
13 property has been a repeated trial, both to the
14 longsuffering neighbors and a drag on the
15 jurisdictional process. And despite the full
16 involvement of both the Novi Ordinance Department and
17 the 52-1 District Court, these owners have abdicated
18 their responsibility to maintain this property, upkeep
19 the home or show any pride of civic appreciation for
20 those who dwell around this debacle.

21 And now, it would appear that a new owner has
22 miraculously appeared on the scene, requesting a
23 variance. Adding insult to injury, this new owner

1 chose not to be present for the last Zoom meeting in
2 which they were requesting a variance approval. We
3 were beyond dismayed.

4 We are disheartened to think that the sham of
5 the first owner is now being continued by the second.
6 Who is the new owner and how did this transaction
7 occur? He would like approval from us for a variance
8 but what assurance do we as an association have that he
9 will be vastly improved from the last owners? The lack
10 of citizenship exhibited by owners of this home has
11 impacted our real estate value and released a plethora
12 of rodents into our surrounding plots.

13 Please be stalwart in your decision, giving
14 no wiggle to their unlawful and careless behavior
15 regarding 41321 Llewelyn Drive."

16 The next objection is from Ronald and Janet
17 Wysocki, W-y-s-o-c-k-i. They state: "The City of Novi
18 Zoning Board. In regards to the 41321 Llewelyn
19 property. The Zoning Board of Appeals meeting on May
20 11th, was a total waste of time in regards to this
21 issue. The new homeowner did not bother to even show
22 up. We as neighbors are not in agreement to grant this
23 new owner the few extra feet he is requesting.

1 It is also apparent that the court hearing we
2 attended back in August 2020 was a total waste of our
3 time and the Court's time. The court orders were that
4 the original owner had a deadline of November 2020 to
5 repair the roof that was falling in, repair the porch
6 that has crumbled away, repair the gutters and
7 downspouts. He was supposed to put up a \$50,000 bond.

8 He was then given a deadline of June 2021 to
9 have the home in a saleable condition.

10 How did he bypass the court orders and sell
11 the home as is? We were told it was a hazmat
12 situation. In May 2021, we physically viewed the new
13 owner's house plans. He did approximately -- when did
14 approximately 20 pages of house plans come into play?
15 Having house plans drawn up and then moving forward for
16 City approval doesn't happen overnight.

17 When was this house sold behind the
18 neighbors' backs? We do not trust the original owner.
19 We do not trust the new owner and we have totally lost
20 faith in the City of Novi for allowing this to happen.

21 Manipulation by the original owner
22 continues."

23 And the last objection is from Diane and Joe

1 Pace, P-a-c-e. They state: "To the City of Novi: It
2 has been seven long years we have been dealing with
3 41321 Llewelyn with the disgrace that it looks like and
4 unsafe state that it is in. It has many live animals
5 living among it but it had a dead deer in the back yard
6 also attracting even more bugs than you can imagine and
7 the odor was terrible. We thought when a new owner
8 took over things would change but really he needs
9 approximately 3.5 bigger house and then doesn't show up
10 to the meeting. How important it is to him.

11 How much longer do we have to put up with
12 this track record because this is just what the
13 previous owner did. Made false promises and the City
14 let him have extensions one after another.

15 We are tired of looking at this house. You
16 can see by my pictures everyone has a nice house but
17 his. We shouldn't have to deal with this any longer.
18 It is unsafe for kids and the smell is awful at
19 times.

20 We understand there are procedures to follow
21 but seven years later and we are no further ahead on
22 this house then when it was first bought. It is a
23 shame it has taken this long because it was a nice

1 house and now it's a dump in a nice neighborhood. It
2 is making our houses look not so nice and we all try
3 hard to keep them up.

4 If the owners can't show up or complete what
5 the City is asking for, I disagree with giving them a
6 few feet. I feel that we have been patient enough and
7 we want a guarantee that construction will be started
8 on that house as soon as possible."

9 And that's all of them.

10 CHAIRPERSON PEDDIBOYINA: Oh, my God.
11 Katherine, thank you.

12 Okay. And turning to the public, anybody
13 raising their hand in public, Katherine?

14 MS. OPPERMANN: I don't see that anyone is
15 raising their hand currently.

16 CHAIRPERSON PEDDIBOYINA: Okay. Thank you so
17 much. I appreciate. And let's move to, you know, open
18 it to the board.

19 Let's open it to the board. Anybody would
20 like to speak on this case?

21 MEMBER KRIEGER: Did Larry have anything to
22 say?

23 MR. BUTLER: There was no comments from the

1 City.

2 CHAIRPERSON PEDDIBOYINA: No. He said.

3 MEMBER KRIEGER: Okay. Sorry. I missed that
4 then.

5 CHAIRPERSON PEDDIBOYINA: Go ahead, Linda.

6 MEMBER KRIEGER: The question would be is, so
7 according to all this commentary from the other members
8 in the subdivision, this is the person that's
9 presenting is the owner of the house now; is that
10 correct?

11 MS. OPPERMANN: The presenter was the
12 architect for the owner, but the owner is also present.
13 That was Mr. Al-Khafaji.

14 MEMBER KRIEGER: So he probably had technical
15 difficulties which we can all relate to. And it's the
16 variance according to what I understand is something
17 that's not really his doing, so. And it's one variance
18 for three and a half feet and he's willing to redo this
19 house. So I have no problem with the request. Thank
20 you.

21 CHAIRPERSON PEDDIBOYINA: Thank you, Member
22 Linda.

23 Any other board member would like to speak,

1 please?

2 MEMBER SANGHVI: Yes.

3 CHAIRPERSON PEDDIBOYINA: Yeah, Member
4 Sanghvi?

5 MEMBER SANGHVI: Thank you. I went and seen
6 this -- saw this place over a month ago because they
7 were going to come here last month. But anyway, to cut
8 the long story short, this place needs fixing and I
9 think that's what they are trying to do. And as our
10 City Attorney very wisely pointed out, this was a
11 nonconforming part of the variance and they are just
12 trying to make it legal by asking this part of the
13 variance and I have no difficulty in agreeing and
14 granting that variance. Thank you.

15 CHAIRPERSON PEDDIBOYINA: Thank you, Member
16 Sanghvi.

17 Any other board member?

18 MEMBER MONTAGUE: Yeah. I'll make a comment.
19 I was by there as well and it is unfortunate. It looks
20 like it could use a nice renovation and hopefully he's
21 going to do that. Unfortunately, our only -- the only
22 matter before us is the 3. -- is a three and a half
23 foot setback. So we just need to consider that. The

1 rest is another issue for a different group of people.

2 MEMBER SANGHVI: For sure. Thank you.

3 CHAIRPERSON PEDDIBOYINA: Thank you, sir.

4 Any other board member, please?

5 MEMBER SANKER: Yeah. I'll make a quick
6 comment as well and piggyback off of what Mr. Member
7 Montague was saying. That a lot of the -- I don't
8 think any of the objections really addressed the true
9 issue. It was more of a chance for them to complain
10 about the condition of the property. And so it's hard
11 to, I guess, include that into our analysis here. But
12 in any event, the setback requirement's 50 feet and
13 they're only over 3.3 feet and it's an extremely small
14 percentage and doesn't appear to have any significant
15 impact. And so for those reasons, I would be in
16 approval of it.

17 CHAIRPERSON PEDDIBOYINA: Thank you, Member
18 Sanker.

19 Any other board member, please?

20 Okay. Actually, I also drove by this
21 property and I saw. And I see all the other neighbors
22 given you know, the chance for the variance for the
23 different three feet.

1 And apart from that, I have no objection to
2 grant this variance.

3 And so motion time. Member Sanker, can you
4 make a motion -- or Montague already did.

5 Is it okay, Member Sanker?

6 MEMBER SANKER: Okay.

7 CHAIRPERSON PEDDIBOYINA: Thank you.

8 MEMBER SANKER: I move that we grant the
9 variance in case number PZ21-0024 sought by the
10 petitioner for the 46.7 foot rear yard setback, which
11 is a variance of 3.3 feet, because the petitioner has
12 shown practical difficulty requiring this variance.
13 The petitioner -- without the variance, the petitioner
14 will be unreasonably prevented with respect to the use
15 of the property because they won't be able to build
16 their addition. The property is unique because of the
17 oddly shaped lot in the back. How it comes in at the
18 back. It's not a straight line in the back. The
19 petitioner did not create the condition because they
20 purchased the property as it is.

21 And the relief granted would not unreasonably
22 interfere with adjacent or surrounding properties
23 because the setback requirement is a very small one.

1 And the relief is consistent with the spirit and intent
2 of the ordinance because the petitioner will be able to
3 redevelop and enhance the property.

4 MEMBER KRIEGER: Second.

5 CHAIRPERSON PEDDIBOYINA: Thank you.

6 Katherine, can you please roll call?

7 MS. OPPERMANN: Yes.

8 All right. Chairperson Peddiboyina?

9 CHAIRPERSON PEDDIBOYINA: Yes, please.

10 MS. OPPERMANN: Member Krieger?

11 MEMBER KRIEGER: Yes.

12 MS. OPPERMANN: Member Montague?

13 MEMBER MONTAGUE: Yes.

14 MS. OPPERMANN: Member Sanghvi?

15 MEMBER SANGHVI: Yes.

16 MS. OPPERMANN: Member Sanker?

17 MEMBER SANKER: Yes.

18 MS. OPPERMANN: Member Longo?

19 MEMBER LONGO: Yes.

20 MS. OPPERMANN: Motion passes.

21 CHAIRPERSON PEDDIBOYINA: Thank you.

22 MEMBER KRIEGER: Good luck.

23 MR. ALAHWAO: Thank you so much. I

1 appreciate it. Thank you so much for your assistance
2 and thank you for your time.

3 CHAIRPERSON PEDDIBOYINA: Thank you so much.
4 Appreciate. Good luck.

5 And case number PZ21-0025, James Wildman,
6 22635 Beckenham Court, West of Beck Road and North of
7 Nine Mile Road, parcel number 50-22-29-476-016. The
8 applicant is requesting a variance from the City of
9 Novi Zoning Ordinance Section 3.1.2 for a proposed
10 exterior side yard setback of 19 feet, 30 feet
11 required, a variance of 11 feet. This variance would
12 accommodate the building of a home addition. The
13 property is zoned Single Family Residential, R-1.

14 Is the applicant present? James? Mr.
15 James?

16 MR. WILDMAN: Yes, I'm here.

17 CHAIRPERSON PEDDIBOYINA: Okay. Sounds good.
18 Mr. James, it's your turn. And talk -- speak slowly
19 and spell your first and last name for our court record
20 and my acting secretary, Katherine, to take down.

21 MR. WILDMAN: First name is James, J-a-m-e-s.
22 Last name is Wildman, W-i-l, D as in David, m-a-n.

23 MS. OPPERMANN: Thank you. And do you swear

1 or affirm to tell the truth in the case before you?

2 MR. WILDMAN: Yes.

3 MS. OPPERMANN: Thank you.

4 CHAIRPERSON PEDDIBOYINA: Thank you,
5 Katherine.

6 And Mr. James, please explain how we can help
7 you on this case tonight.

8 MR. WILDMAN: Sure. So we're looking to do
9 an addition on the back side of our home and it,
10 basically, will allow us to extend our livable square
11 footage, as we plan on putting in a crawl space with
12 concrete foundation, heating and cooling. And it would
13 be basically almost like a rectangle design. 19 feet
14 out, approximately 26 feet in length. We would work
15 towards getting matching brick and, basically, look --
16 make it appear as if it was part of the original build
17 of the home. It will allow us to have more square
18 footage, add value to the property, as well as I
19 believe not really obstruct anybody's view or cause any
20 type of interference in their perception of what they
21 see when they look outside their windows.

22 CHAIRPERSON PEDDIBOYINA: Okay. Any other
23 thing you would like to add, James?

1 MR. WILDMAN: No. It's a fairly easy add-on.

2 CHAIRPERSON PEDDIBOYINA: Okay. Yeah, before
3 I move, is there any person would like to speak on
4 you -- on behalf of you?

5 MR. WILDMAN: No.

6 CHAIRPERSON PEDDIBOYINA: Thank you, James.
7 I appreciate.

8 And City? Mr. Larry?

9 MR. BUTLER: Nothing from the City.

10 CHAIRPERSON PEDDIBOYINA: Thank you, Mr.
11 Larry.

12 And acting secretary for tonight, Katherine,
13 any correspondence tonight, please?

14 MS. OPPERMANN: For this case there were 23
15 letters sent, no returns, no approvals and no
16 objections.

17 CHAIRPERSON PEDDIBOYINA: Thank you so much.
18 And you're so lucky. Thank you so much. Okay. And --

19 MEMBER KRIEGER: That's the truth.

20 CHAIRPERSON PEDDIBOYINA: I'm sorry?

21 MEMBER KRIEGER: That's the truth.

22 CHAIRPERSON PEDDIBOYINA: Sometimes we need
23 be happy. It's okay. Secretary's done, Katherine.

1 And any public, they're raising any hand or
2 anything, messages, Katherine?

3 MS. OPPERMANN: Pardon me? What was that
4 question?

5 CHAIRPERSON PEDDIBOYINA: Public.

6 MS. OPPERMANN: No. There's no one raising
7 their hand.

8 CHAIRPERSON PEDDIBOYINA: Do you see anybody
9 raising their hand on the Zoom call?

10 MS. OPPERMANN: No. No one is raising their
11 hand at this time.

12 CHAIRPERSON PEDDIBOYINA: Thank you so much
13 for your time. Thank you.

14 Anyhow, coming to the board. It's open to
15 the board. They can speak on that case. Who wants to
16 go?

17 Okay. Member Sanghvi?

18 MEMBER SANGHVI: Thank you. I went and saw
19 this place a couple of days ago and it's a very
20 beautiful home. And this is a little addition
21 requiring a very small variance and I have no problem
22 in granting the variance. Thank you.

23 CHAIRPERSON PEDDIBOYINA: Thank you, Member

1 Sanghvi.

2 Any other board member, please?

3 MEMBER MONTAGUE: Sure. I would like to. I
4 guess they're calling this the side yard. It's kind of
5 hard to tell because the house is on a corner. But
6 that property line is very nicely treed with, you know,
7 pine trees. So I don't think it's going to be an
8 obstruction to anybody. So I think it's a very doable
9 variance.

10 CHAIRPERSON PEDDIBOYINA: Thank you so much.
11 Any other board member?

12 Seeing none. Okay. That's fine. And I see
13 there's no letters, you know, no objections. And this
14 is following my fellow board members, you know, what
15 they say. And I see these document and I'll -- and
16 that there's no objection on this to grant this. And I
17 would like to call Member Linda to make a motion.

18 MEMBER KRIEGER: Okay. I move that we grant
19 the variance in case number PZ21-0025 sought by the
20 petitioner. Without the variance, the petitioner would
21 be unreasonably prevented or limited with respect to
22 the use of their property because of its unique
23 location, being on a regular road and then into a

1 cul-de-sac so that exterior yards, side yard, back
2 yard, you can't really tell what's what. The property
3 is unique because of that. Petitioner did not create
4 the condition because when he purchased the property
5 that's how the development was created.

6 The relief granted will not unreasonably
7 interfere with adjacent or surrounding properties
8 because it's a minimum request and is consistent with
9 the spirit and intent of the ordinance because of its
10 aesthetic pleasing and use to the homeowner and
11 appealing to the other neighbors.

12 MEMBER SANGHVI: Second.

13 CHAIRPERSON PEDDIBOYINA: Thank you. And
14 please roll call, Katherine.

15 MS. OPPERMANN: I'm sorry, who had seconded
16 that one?

17 MEMBER SANGHVI: I second.

18 MS. OPPERMANN: It was Dr. Sanghvi, okay. I
19 thought so.

20 Member Longo?

21 MEMBER LONGO: Yes.

22 MS. OPPERMANN: Member Sanker?

23 MEMBER SANKER: Yes.

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MS. OPPEMANN: Member Sanghvi?

MEMBER SANGHVI: Yes.

MS. OPPEMANN: Member Montague?

MEMBER MONTAGUE: Yes.

MS. OPPEMANN: Member Krieger?

MEMBER KRIEGER: Yes.

MS. OPPEMANN: And Chairperson Peddiboyina?

CHAIRPERSON PEDDIBOYINA: Yes, please.

MS. OPPEMANN: Motion passes.

CHAIRPERSON PEDDIBOYINA: Thank you and good luck. Congratulations.

And moving to case number on Nine Mile Road, parcel number 50-22-31-100-001. The applicant is requesting a variance from the City of Novi Zoning Ordinance Section 5.11 to install a four-foot front yard fence and driveway gate. By code a fence shall not extend toward the front of the lot nearer than the minimum front yard setback. This property is zoned Residential Acreage, RA.

Is the applicant present?

MR. BRICENO: Yes, we are.

CHAIRPERSON PEDDIBOYINA: Okay. Go ahead.

And please tell your name very slowly, clearly to our

1 court record and our acting secretary will take it from
2 there.

3 Katherine, can you please?

4 MS. OPPERMANN: Yeah. Were both of you going
5 to speak on the case or just one of you?

6 MR. BRICENO: Both.

7 MS. OPPERMANN: Okay. Then I'll need each of
8 you to in turn state and spell your name, please.

9 MR. BRICENO: Francisco Briceno,
10 B-r-i-c-e-n-o.

11 MS. RUESGA: And my name is Marie Ruesga,
12 R-u-e-s-g-a.

13 MS. OPPERMANN: Thank you. And then I'll
14 need each of you to swear or affirm to tell the truth
15 in the case before you.

16 MS. RUESGA: I do.

17 MR. BRICENO: I do.

18 MS. OPPERMANN: Thank you.

19 CHAIRPERSON PEDDIBOYINA: Thank you,
20 Katherine.

21 Thank you both of you. And know you are
22 watching since seven o'clock. I saw that. And you can
23 see what we can help you on this case tonight. You can

1 speak slowly. Thank you. Go ahead.

2 MS. RUESGA: We would like to share our
3 screen really quick. I guess I would like to start by
4 saying that we just moved to this property, I want to
5 say like a month and a half ago. Can everybody see my
6 screen?

7 CHAIRPERSON PEDDIBOYINA: Yeah.

8 MS. RUESGA: Okay. So we just moved about a
9 month and a half ago. This property right here, 51285.
10 As you can see, our lot is -- basically, our house is
11 the only one on this sidewalk.

12 On both sides, basically. We don't have
13 neighbors in the front and our neighbors on the sides
14 are facing the other side of -- I mean, I guess the
15 other road behind us. So we really have no neighbors.
16 And the reason we -- I mean, we would like to install a
17 four-foot fence in the front for security. We -- since
18 the moment that we moved in, the first day, we noticed
19 that a lot of people was using our driveway as a
20 turnaround. And this is because -- likely, because the
21 house was vacant for a long time when they were
22 building it. So, you know, multiple cars every single
23 day, they enter our driveway to turn around. Even

1 USPS, they go in all the way to here, which is where
2 like our -- basically, our garage doors are, every
3 single time. And other miscellaneous multiple cars.

4 I want to say a month ago, was it March --
5 April 30th, a car actually -- oh, how can I -- okay.
6 I'm sorry. Let me share again.

7 Okay. Can everybody see, like, a back yard?

8 CHAIRPERSON PEDDIBOYINA: Yeah.

9 MEMBER KRIEGER: Yeah.

10 MS. RUESGA: So can you all see this car
11 right here?

12 CHAIRPERSON PEDDIBOYINA: Yeah.

13 MS. RUESGA: So this car pulled in all the
14 way to our -- like, to the end of our driveway and this
15 man came out of the car. I don't know who he was, but
16 then we do have a camera in the back. So when he saw
17 that camera, he turned around and left. We had to
18 place a report with the police and they even said,
19 like, that's a classic burglar move because if they see
20 a camera, they just back away. They recommended
21 actually that we fenced the front of our house. And we
22 feel that if we're able to fence also like in the front
23 of our front door, that's also going to make it safer

1 for us.

2 We have one child and another on the way so
3 we -- you know, safety is, obviously, a priority. And
4 I would like to quickly -- super quickly share.

5 Okay. So this is, basically, the -- where
6 the fence we're proposing would go along the sidewalk.
7 And there would be a gate here for the driveway. This
8 is more or less what the fence would look like. This
9 is a picture that the fencing company provided. The
10 measurements is just a four-foot fence and this is what
11 the gate would look like.

12 Do you have anything to add?

13 MR. BRICENO: No. You pretty much covered
14 everything.

15 MS. RUESGA: Okay. Yeah. That's from our
16 side at this point. Thank you.

17 MR. BRICENO: Thank you.

18 CHAIRPERSON PEDDIBOYINA: Thank you so much.
19 And I appreciate.

20 Okay. Coming to the City. Larry, are you
21 there?

22 MR. BUTLER: Yeah. No comment at this time.

23 CHAIRPERSON PEDDIBOYINA: Thank you so much.

1 Our acting secretary, Katherine, any
2 correspondence on this case, please?

3 MS. OPPERMANN: Yes. There were 14 letters
4 sent, no returns, no approvals and no objections.

5 CHAIRPERSON PEDDIBOYINA: Thank you so much.
6 Any other audience watching in the Zoom call raising
7 their hand, any other persons?

8 MS. OPPERMANN: There is someone raising
9 their hand just listed as Long.

10 CHAIRPERSON PEDDIBOYINA: Okay. He wants to
11 speak. Can you allow him?

12 MR. LONG: Can you hear me?

13 MEMBER KRIEGER: Yup.

14 CHAIRPERSON PEDDIBOYINA: Yeah.

15 MR. LONG: Hi. My name is Derek Long. I live
16 at 22315 Waterland Drive. I'm on the back side of the
17 proposed applicant's property. I strongly disapprove
18 of their fence because of the reason for security to
19 put it across the front. So what's going to stop
20 someone from going and just walking around the fence?
21 That doesn't make sense to me either.

22 But that's not my main issue that I have.
23 The main issue I have would be the look. And with

1 their house being brand new, I don't understand why
2 they would be asking for a variance for a security
3 reason for a fence in the front. We don't have any
4 other new constructions that I can think of that has
5 new constructions in their front yard. I don't want to
6 be coming, driving down my street looking across and
7 seeing a fence out in someone's front yard because then
8 it's making a projection to my neighbors or guests that
9 we might have a crime issue. I think that should be
10 something, as she brought up, that she should notify
11 the police and maybe get more patrols or something if
12 she's really interested about security.

13 I don't agree on her wanting the fence in the
14 front yard. I understand they didn't build the house
15 and there is restrictions that they got variances for
16 before in the past and it is a nonconforming lot. I
17 understand all of that. But to grant the variance to
18 cosmetically make the house not appealing to the next
19 people for resale value would be very tough.

20 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.
21 Any other people raising their hand, Katherine?

22 MS. OPPERMANN: No. There is no one else
23 raising their hand.

1 CHAIRPERSON PEDDIBOYINA: Thank you so much.
2 Appreciate. And open to the board.

3 MEMBER KRIEGER: Did you just want a fence in
4 the front or not on the side yards? 'Cause your little
5 kids could go around the side and into the street, too.

6 MS. RUESGA: Yes. So, actually, around the
7 house there's a lot of greenery and we were -- we're
8 actually starting to plant more, like, evergreens and
9 that kind of trees.

10 MEMBER KRIEGER: Trees, yeah.

11 MS. RUESGA: So that it's, you know, a little
12 bit more private and a little bit more, I guess,
13 covered.

14 And we also -- you know, for the same reason
15 we didn't think of -- we didn't propose building a
16 fence around the house because we didn't want to bother
17 or disturb our neighbors in their surrounding yards.
18 And I think -- so we didn't show it in the pictures
19 because it's not built yet, but we would like to
20 install some pillars on the sides of the fence so that
21 would make it look more aesthetically appealing and
22 more, you know, nicer. We don't want to just, you
23 know -- I don't know how to say it.

1 MR. BRICENO: Look like a fort or something
2 like that.

3 MS. RUESGA: Yeah. It's just a short fence.
4 It's four feet. And we want to make it look nice, but
5 we also want to feel safer, at least to a degree. You
6 know, at least to know that a car is not going to -- he
7 just pull in to all the way to our driveway and easily
8 just, you know, be able to grab a kid or just fast, you
9 know. You know what I mean, like?

10 MEMBER KRIEGER: Yup. For this case, I
11 understand -- I -- the house and how it was left and
12 the previous development that the previous owner was
13 able to develop it to a house. That Napier Road is a
14 dividing line between two counties and two cities so
15 that you could have -- actually, it's like the
16 difference between Southfield and Farmington. You
17 know, police departments fighting over who's going to
18 show up and then plus the sheriff as well.

19 So because it's -- and then Napier is now a
20 thoroughfare so the speeds of the road. I would
21 have -- I would be able to support the request because
22 they're the first driveway to encounter for a
23 turnaround for drivers. So it would be a

1 discouragement. It would be for safety for future kids
2 playing in the yard. That they had plans for making it
3 aesthetically pleasing with the plants or some kind
4 of -- for side yard.

5 That it is comparable to other situations in
6 our city where people are putting aesthetically
7 pleasing -- what are you going to call it? Something
8 that deters people from just jumping in a yard.
9 There's other subdivisions that have gated communities.
10 So it would become more just an aesthetic pleasing as
11 you pass by and also create a safety for a family
12 living there. And that was it.

13 CHAIRPERSON PEDDIBOYINA: Thank you, Linda.
14 Any other board member?

15 MEMBER SANGHVI: Yes, Mr. Chair?

16 CHAIRPERSON PEDDIBOYINA: Go ahead, sir.

17 MEMBER SANGHVI: Yeah. I would like to make
18 a comment. I went and saw this site. When you come,
19 this is the only house that is there on Nine Mile Road.
20 It's pretty isolated. And I understand their fear
21 about the security living in the particular setup they
22 have got. I also understand their concern about the
23 safety of the children. And I have no problem

1 whatsoever in accepting their request for a fence, as
2 well as a gate. Because people tend to trespass
3 without realizing it any time day or night in an
4 isolated area like this. And as Ms. Krieger pointed
5 out, this is a borderline place. Novi is more or less
6 a no man's land for the police or anybody else to
7 patrol very often. And there is very little other
8 traffic in that area also toward for anything that's
9 going in. So because of the isolation of this site, I
10 have no problem whatsoever and I wholeheartedly support
11 their request. Thank you.

12 CHAIRPERSON PEDDIBOYINA: Thank you, Dr. Mav
13 Sanghvi. And any other board member, please?

14 MEMBER SANKER: Yeah. I'll quickly say
15 something just to resonate what Member Sanghvi said.
16 That this house -- I mean, the biggest distinguishing
17 factor is that it's not in the subdivision. And it's
18 like Mav was just saying, it sits on an island
19 essentially right off Nine Mile Road. And it's an
20 obvious choice for people to turn around in. And it's
21 an easy target for, you know, trespassers essentially.
22 And since it's not in a neighborhood where other people
23 can keep an eye on the house easily, a fence does make

1 sense at this property.

2 CHAIRPERSON PEDDIBOYINA: Thank you, Sanker.
3 Member. Any other board member, please?

4 Okay. Looks like none. And it's motion
5 time. And Montague, are you able to make a motion?
6 Member Montague?

7 MEMBER MONTAGUE: Sure.

8 CHAIRPERSON PEDDIBOYINA: Thank you.

9 MEMBER MONTAGUE: I move that we grant the
10 variance in case number PZ21-0027. Without the
11 variance, the petitioner is unreasonably prevented in
12 use of their property because of their security
13 concerns and their isolation. The property is unique
14 because it sits kind of on an island by itself without
15 neighbors around it to help keep an eye on the house.
16 The petitioner did not create the condition because
17 they purchased the house.

18 The relief granted will not unreasonably
19 interfere with any surrounding properties. There's
20 nobody across the road and actually nobody on either
21 side of them. And I believe the relief is consistent
22 with the spirit and intent of the ordinance in having
23 safe and happy residents of our community.

1 MEMBER SANGHVI: Second.

2 CHAIRPERSON PEDDIBOYINA: Thank you, Member
3 Montague. And Katherine, can you please roll call?

4 MS. OPPERMANN: Yes. Chairperson
5 Peddiboyina?

6 CHAIRPERSON PEDDIBOYINA: Yes, please.

7 MS. OPPERMANN: Member Krieger?

8 MEMBER KRIEGER: Yes.

9 MS. OPPERMANN: Member Montague?

10 MEMBER MONTAGUE: Yes.

11 MS. OPPERMANN: Member Sanghvi?

12 MEMBER SANGHVI: Yes.

13 MS. OPPERMANN: Member Sanker?

14 MEMBER SANKER: Yes.

15 MS. OPPERMANN: Member Longo?

16 MEMBER LONGO: Yes.

17 MS. OPPERMANN: Motion passes.

18 CHAIRPERSON PEDDIBOYINA: Thank you. Good
19 luck and congratulations.

20 MEMBER KRIEGER: Best wishes.

21 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.

22 And let's move on to the PZ21-0028, Joye Harris, 1256
23 East Lake Drive, West of Novi Road and South of

1 Fourteen Mile Road, parcel number 50-22-02-151-018.

2 The applicant is requesting a variance from the City of
3 Novi Zoning Code Section 5.14.10.A for a permanent
4 backup generator creating sound over 55 decibels and up
5 to 85 decibels during limited times of charging and
6 while being used during a power outage. This property
7 is zoned Single Family Residential, R-4.

8 Is the applicant present, please? Joye?

9 MS. OPPELMANN: Joye, you'll need to unmute.

10 MEMBER SANGHVI: Unmute.

11 CHAIRPERSON PEDDIBOYINA: Joye, we can't hear
12 you.

13 MEMBER SANGHVI: Unmute.

14 MS. OPPELMANN: In the lower left-hand
15 corner, Joye, there should be kind of a microphone --

16 MS. HARRIS: I got it. I got it.

17 CHAIRPERSON PEDDIBOYINA: Yeah. Yeah.

18 MEMBER KRIEGER: Oh, there you go.

19 MS. HARRIS: Thank you very much.

20 CHAIRPERSON PEDDIBOYINA: Yeah, yeah. You're
21 unmuted now.

22 MS. HARRIS: Thank you.

23 In early March of --

1 CHAIRPERSON PEDDIBOYINA: Okay. Thank you
2 and I appreciate.

3 MS. HARRIS: In early March --

4 CHAIRPERSON PEDDIBOYINA: Okay. Joye, can
5 you please tell your -- I'm sorry. Joye, can you
6 please spell your first and last name clearly for our
7 court record and our secretary will take it from there.

8 Katherine, can you please take it?

9 MS. HARRIS: My name is J.T. Harris,
10 H-a-r-r-i-s.

11 MS. OPPERMANN: And then do you swear or
12 affirm to tell the truth in the case before you?

13 MS. HARRIS: I do.

14 MS. OPPERMANN: Thank you.

15 CHAIRPERSON PEDDIBOYINA: Thank you, Joye.
16 And appreciate. And you can present the case and maybe
17 we can help you tonight on this case.

18 MS. HARRIS: Okay. In early March 2014 I
19 returned from the Christmas holiday, having spent it
20 with my family. And when I walked into my house, I
21 realized in the basement that the ceiling and the wall
22 were all caving in. And in the -- it had collapsed due
23 to running water caused by frozen, broken pipes. There

1 had been an electrical outlet -- outage of record while
2 I was away.

3 It was recommended by my homeowners insurance
4 company to invest in a generator. I consulted the City
5 of Novi. I called to find out what I needed to do to
6 be approved with a generator. And I -- Oak Electric
7 did the installation. I was assured that I was in
8 compliance with all the requests from the City,
9 requirements from the City. And it has been maintained
10 by Oak Electric ever since. And a permit was issued in
11 2014 upon installation. It continues today to rest on
12 the concrete slab behind my garage.

13 In the years 2000 to 2005, the City of Novi
14 finally brought city water and sewage to our street,
15 East Lake Drive. Since that time, regardless of the
16 ups and downs with the stock market, our street has
17 undergone much gentrification. We no longer have the
18 800 square foot cottages of yesteryear. They've been
19 replaced with 3,000, 4,000, 5,000 square foot permanent
20 residences built on the same small lots and equipped
21 with all the updated modern technologies of today.

22 In order to protect -- the main problem that
23 we all suffer on our street is the antiquated power

1 grid. We've got all these power lines hanging all over
2 us and when we have a storm, things fall down and I
3 don't think it's ever going to be corrected. But in
4 order to protect our valuable investments for which we
5 are taxed quite heavily in Novi, a generator is an
6 insurance policy against electrical outages -- (Audio
7 dropped) -- antiquated system which is our only source
8 of electrical energy. Generators are necessary -- are
9 a necessary commodity in Novi on Walled Lake.

10 I've had the engineers of Oak Electric review
11 the situation and the fact is, according to them, all
12 generators in my neighborhood -- and there are many --
13 operate at the same decibel output when charging as
14 well as when fully operating during an outage. It
15 cannot be lowered. The generators must recharge once a
16 week for 12 minutes.

17 I've offered to set the charging time to
18 accommodate my neighbor; however, he firmly rejected my
19 offer.

20 Many of my neighbors are listening tonight
21 because they either own a generator, are about to
22 purchase one to protect their families and their
23 investments.

1 I've submitted 40 signatures with addresses
2 on East Lake Drive who stand with me tonight against
3 this, understanding the need for generators. We all
4 have to live with the recharging noises of our
5 generators on our street without having registered a
6 single complaint ever. And this is the first of any
7 complaints. I don't believe the City has ever had a
8 complaint about a generator. But you know what, if our
9 power grid would accommodate the houses here and all
10 the modern technologies, nobody would want to invest in
11 a generator. But until our -- we can -- we have that,
12 what are we to do? Unless the City has a better idea
13 to help us. I mean, you can't leave your property
14 because you don't know what's going to happen. You
15 don't know what you're going to find when you come
16 back.

17 It's been brought to my attention that there
18 are, in fact, no noise restrictions in Novi designated
19 for generators. You have a noise restriction, but it
20 doesn't say -- it encompasses generators I guess. I
21 don't know.

22 I would suggest that when one compares 12
23 minutes of recharging time to revved up

1 motorcycle engines left unattended, idling in the
2 driveway. Or the noise of loud talk radio blaring from
3 outdoor speakers all day in wintertime when no one's
4 out there. Being forced to listen to Bluetooth
5 amplified personal phone conversations generated from
6 one's car while the speaker is walking around the yard.
7 The noise of airplanes taking off and landing on Walled
8 Lake every Saturday, Sunday, all day. And super loud
9 noise of hydroplane boat races on Walled Lake in Novi
10 lasting an entire weekend. Ladies and gentlemen, all
11 of this is noise. All of it is noise and all of it is
12 louder and lasts longer than my generator.

13 How do you possibly measure against all of
14 that? Now, will the City of Novi deny its tax paying
15 citizens the right to protect their property from loss
16 due to annual power outages? My generator's currently
17 recharging in the evening during rush hour when the car
18 traffic is louder than my generator. That's what I've
19 chosen to do. And if generators are a form of
20 insurance and are not allowed in Novi, who will want to
21 risk living here?

22 Thank you.

23 CHAIRPERSON PEDDIBOYINA: Thank you, ma'am.

1 I appreciate for your presentation. Okay. Thank you.

2 Public hearing. Sorry. City?

3 CHAIRPERSON PEDDIBOYINA: Larry?

4 MS. OPPERMANN: Larry, you're muted.

5 MEMBER KRIEGER: Larry, you're muted.

6 MR. BUTLER: Yeah, yeah. I got it. Yeah.

7 It keeps going in and out. I try to keep it on.

8 I'm going to defer to our ordinance officer,
9 Maureen Underhill, since she's more familiar with the
10 case than I am. And direct your questions towards her
11 at this time.

12 MS. UNDERHILL: Hello, folks. Can you hear
13 me?

14 MEMBER KRIEGER: Hi, Maureen. Thanks for
15 waiting with us.

16 MS. UNDERHILL: Hi. Hello. Hello everyone.
17 Good evening.

18 Basically, what Joye said, I mean, I can let
19 you ask your questions of me, but we were called out on
20 a concern about the noise of the generator and
21 indeed -- I'm not sure what to say here other than the
22 generator is -- you know, there's RPMs and things. And
23 this generator has been modified from once a week of

1 its charging mode to every other week, I understand.
2 And it is 12 minutes a week. However, the generator
3 will run at the 3800 RPMs during times of power
4 outages. So you will have noise during those times.

5 And those were the two differences, the
6 charging time once every other week versus the time
7 while it's really in use is going to be the louder
8 decibel reading. Which is beyond our -- you know, our
9 normal decibel reading in the city for equipment and
10 things like that.

11 So feel free to ask me any questions about
12 what we did with the readings and so forth and I'll
13 leave it up to you guys.

14 MS. HARRIS: May I interrupt and say
15 something?

16 Hello?

17 MS. UNDERHILL: Yes. Hi, Joye.

18 MS. HARRIS: Hi. I just wanted you to know
19 that I have all these signatures from the people on my
20 street, plus others who didn't get to sign my paper and
21 called me and wanted their names added. Most of these
22 people have generators. So it's not like I am the only
23 one. And Oak Electric says they all run at the same

1 decibel when they're running. When they're charging
2 and when they're running. They can't be lowered. So
3 either we give up having these insurance -- how are we
4 supposed to protect our homes?

5 MEMBER KRIEGER: You have a copy of the
6 letter with the signatures you can give in to the City?

7 MS. HARRIS: I gave it to the -- I gave a
8 copy of it to the City in my letter.

9 MS. OPPERMANN: Yes. It is in the packet,
10 Linda.

11 CHAIRPERSON PEDDIBOYINA: Okay. We'll come
12 to, Linda, that thing and let's continue the City and
13 we'll come to the correspondence.

14 Yeah, please go ahead.

15 MS. HARRIS: That's all. I just wanted to
16 let you know that I am not the only one. And these
17 people are listening tonight and they're paying
18 attention to what's going to happen because it's going
19 to -- it's going to affect everybody in the city of
20 Novi who has a generator. And I think that should be
21 understood.

22 CHAIRPERSON PEDDIBOYINA: Thank you, Joye.
23 Appreciate. Let City people continue.

1 Maureen, can you continue or are you done
2 with that?

3 MS. UNDERHILL: I think I'm all set, but I'm
4 ready to answer any questions that the board may have.

5 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.
6 And coming to the correspondence. Our acting
7 secretary, Katherine, any correspondence on this case,
8 please?

9 MS. OPPERMANN: Yes. The City sent out 29
10 letters for this case, none returned, no approvals and
11 one objection.

12 The objection comes from Stephen Beasley at
13 1254 East Lake Drive. His objection states, "The
14 generator on the above property is right on the
15 property line and extremely close to our front door.
16 It's sufficiently away from Ms. Harris' house that it
17 does not disturb her. I work from home as a salesman,
18 constantly on the phone and I have to stop my calls
19 when the generator goes off as the study and office is
20 right next to it. We cannot hold a conversation
21 outside our own house when it is going because it is
22 too noisy. The noise decibel, sometimes 84. Is a
23 disturbance for us and therefore we believe it a

1 reasonable request to ask for the generator to be moved
2 further onto the property and away from us."

3 CHAIRPERSON PEDDIBOYINA: Okay. Thank you,
4 Katherine. I have a quick question. And Linda or
5 somebody is asking, did you get the signed letter and
6 signatures from the client? Can you show that --

7 MS. OPPERMANN: Yes. As --

8 CHAIRPERSON PEDDIBOYINA: -- one? Linda can
9 see that. She is mentioning she sent a copy.

10 MS. OPPERMANN: The copy is --

11 CHAIRPERSON PEDDIBOYINA: I'm sorry.

12 MS. OPPERMANN: -- on the last page of the
13 packet.

14 MEMBER KRIEGER: Yeah, yeah. It seemed like
15 she had more. That's why I was confused.

16 CHAIRPERSON PEDDIBOYINA: Thank you.

17 MS. HARRIS: I do -- I did. There were
18 people that came forward and wanted to add their --
19 after I had to submit it, they wanted to come forward
20 and sign the paper.

21 CHAIRPERSON PEDDIBOYINA: Ma'am, sorry to
22 interrupt you. Let's conclude and we'll give a chance
23 to talk to you, ma'am. I appreciate.

1 MS. HARRIS: Okay.

2 CHAIRPERSON PEDDIBOYINA: Okay. Linda, are
3 you comfortable with what Katherine --

4 MEMBER KRIEGER: Yeah.

5 CHAIRPERSON PEDDIBOYINA: -- mentioned that
6 we have --

7 MEMBER KRIEGER: Thank you, Joe.

8 CHAIRPERSON PEDDIBOYINA: -- in our packet?

9 MEMBER KRIEGER: Yeah, yeah.

10 CHAIRPERSON PEDDIBOYINA: And you are okay
11 with that, no?

12 MEMBER KRIEGER: Yeah. Thank you.

13 CHAIRPERSON PEDDIBOYINA: Okay. Sounds good.
14 And any other, you know, audience is looking on the
15 Zoom call raising their hand, Katherine?

16 MS. OPPERMANN: Yes. There's Catherine
17 Beasley who is raising her hand.

18 CHAIRPERSON PEDDIBOYINA: Only Catherine.
19 Okay. Any other people, only one?

20 MS. OPPERMANN: Just the one.

21 CHAIRPERSON PEDDIBOYINA: Okay. Can you
22 allow her, please? Yeah. She has only three minutes
23 to talk on this case.

1 MR. BEASLEY: Hello. Good evening. How are
2 you?

3 CHAIRPERSON PEDDIBOYINA: Good. Thank you.
4 Go ahead, sir.

5 MR. BEASLEY: It's actually, Mr. Beasley.
6 I'm talking on behalf of Mrs. Beasley and myself. I
7 just got a couple of points, actually. You know, I
8 actually don't have any issue with a generator. I
9 think it's a great idea when you have a power outage.
10 My point is location, location, location. It's six
11 feet from our front door. And it's a brand new house.

12 It's obtruse. It's a 5,000 feet house and it
13 has a generator outside my front door away from 1256
14 front door. It's just a matter that they built a brand
15 new house and the generator is a 2014 generation, which
16 doesn't comply to 60 decibels noise monitoring.
17 Therefore, it needs insulation. It needs positioning
18 outside of my location or replaced. That's all I'm
19 saying. Is I agree with the generator it just needs to
20 be state of the art or at least insulated so that it's
21 under 60 decibel. That's it.

22 CHAIRPERSON PEDDIBOYINA: Thank you.

23 MR. BEASLEY: Thank you.

1 CHAIRPERSON PEDDIBOYINA: Okay. Before I
2 move to this board --

3 MR. BEASLEY: Oh, could I just say one thing?
4 Sorry. Sorry to interrupt.

5 You know, a petition with signatures are
6 really irrelevant when you've got signatures from many
7 people, you know, in Pavilion Park when they're 1.5
8 miles away. I'm talking six feet at 85 decibels. You
9 can only come to me and ask me what the noise ratio is.
10 That's all I'm saying. That's it. Thank you.

11 CHAIRPERSON PEDDIBOYINA: Thank you. Okay.
12 I want to ask you, Joye, if you want to speak before we
13 proceed to the board without any interruption?

14 MS. HARRIS: I would. I would like to
15 tell --

16 CHAIRPERSON PEDDIBOYINA: You're allowed to
17 go for a few minutes only, please. Go ahead and
18 conclude.

19 MS. HARRIS: I will. Thank you. You cannot
20 insulate it. I'm told by Oak Electric you cannot
21 insulate the generator. It is insulated as much as it
22 can be. The hardships are the size of the lots.
23 They're too small. There's no place that I can put it

1 on my lot. And the cost of moving it is up to three to
2 \$5,000.

3 CHAIRPERSON PEDDIBOYINA: Okay. Any other
4 things you would like to add before I close --

5 MS. HARRIS: I've done everything that I can.
6 I believe that I have changed the operation of it. I
7 don't think my neighbor hears it now. But I've done
8 everything I can do.

9 CHAIRPERSON PEDDIBOYINA: Thank you.

10 MS. HARRIS: Thank you.

11 CHAIRPERSON PEDDIBOYINA: Thank you so much.
12 And I'll request my board members to speak on this
13 case. Anybody would like to speak on this and it's
14 open?

15 MEMBER KRIEGER: Could Maureen speak more to
16 that, please?

17 CHAIRPERSON PEDDIBOYINA: Who?

18 MEMBER KRIEGER: Maureen.

19 CHAIRPERSON PEDDIBOYINA: Maureen, you want
20 to speak?

21 MS. UNDERHILL: Can you guys hear me all
22 right?

23 MEMBER KRIEGER: Yup.

1 MS. UNDERHILL: So should I give you the
2 whole scene of what I've seen? What's happening is, is
3 the charging time that is about 12 minutes a week and I
4 understand it's been reduced to not once per week. But
5 once every other week for 12 minutes, the generator
6 charges, from what I understand. And I met with Oak
7 Electric on the scene. When it was charging initially,
8 it was at 3800 RPMs and then Ms. Harris through her
9 engineers were able to reduce the RPMs of the charging
10 time from 38 to -- 3600, sorry, 3600 RPMs down to 18.
11 So they halved it. That made the decibel level go from
12 about 84 down to --

13 (Interruption.)

14 MEMBER KRIEGER: Can you put yourselves on
15 mute, please?

16 MS. UNDERHILL: So initially when it was
17 charging once a week for 12 minutes it was coming out
18 at about 84 decibels by our new decibel meter that we
19 took.

20 I understand and I can't confirm, but that
21 Ms. Harris made adjustments for it to only charge every
22 other week at 1800, RPMS which reduced the decibel to
23 about 72 decibels for 12 minutes every other week.

1 But I understood from Oak Electric and they
2 were very knowledgeable people, I learned a lot from
3 them, that if the generator is serving the home during
4 a power outage, it will have to run at the 3800 RPMs
5 which puts it at about 84 decibels. The daytime
6 maximum in our code says 60 decibels for equipment
7 sound, 55 at night. So if it's going to be in use
8 during a power outage, it's going to be about 83, 84
9 decibels.

10 I think it's a little more than six feet from
11 the neighboring front door, but it is right on the
12 property line. As we know, these lots are rather
13 narrow up there on the lake. And so it is only
14 about -- it's about five feet from the property line,
15 the generator. So -- but the thing is that the
16 charging time is every other week at about 72 decibels
17 and then during use, it would be about 84 decibels.

18 MEMBER KRIEGER: So if you add, like, a whole
19 bunch of other neighbors to that, that would just
20 increase the decibels on the whole street.

21 MS. HARRIS: Yes.

22 MS. UNDERHILL: During a power outage if
23 other neighbors have that type of generator or if

1 they're that close to -- we take the measurement from
2 the neighboring property line. And we took
3 measurements from both property lines. The other side
4 of Ms. Harris' property is currently vacant but
5 eventually there will be a home built there I'm sure.

6 So, yeah, during charging times, it's about
7 72 decibels which is, you know, about seven or eight
8 decibels over our daytime maximum according to code.
9 The code says 60, but it gives you a variance of six
10 decibels. So it is over during the charging time for
11 that 12 minutes every other week.

12 MEMBER KRIEGER: So that's a permanent one.
13 So if I ran to the Home Depot or Lowe's and I bought
14 myself a generator and then all the neighbors bought a
15 generator and we all started them up, the one that's
16 permanently installed could end up being louder?

17 MS. HARRIS: Un-unh. They're all running at
18 the same decibel.

19 MEMBER KRIEGER: Yeah, at the same decibel.

20 MS. HARRIS: They all run. And when a power
21 outage happens, that is exactly -- you can open your
22 front door and you can hear all of them on the
23 street.

1 MEMBER KRIEGER: So this one is rechargeable
2 per electric versus others that are gas powered?

3 MS. HARRIS: Not necessarily.

4 MS. UNDERHILL: Right.

5 MS. HARRIS: They're permanent also.

6 MS. UNDERHILL: This is a permanent --

7 MS. HARRIS: They're a lot of them that are
8 permanent and there are a lot of them gas powered. It
9 all depends.

10 MR. BEASLEY: I think --

11 MEMBER KRIEGER: And then firework -- and
12 comparable to fireworks, like people shooting it off
13 now that it can be any holiday, the sonic booms --

14 MS. HARRIS: Minor.

15 MR. KRIEGER: -- the other machinery that
16 creates similar decibels, I guess the major thing is
17 where it's located. And I guess you're trying to
18 appease as much as possible. Doing it during rush hour
19 seems a wise and fair and kind option versus I hear
20 neighbors in the apartments revving engines and it's at
21 the -- any time day or night. So, I mean, ways of
22 irritating neighbors can occur in many different ways
23 and you're trying not to. So that should be

1 appreciated.

2 On location, that you've looked for other
3 locations and this is what is the best which is
4 unfortunate, but you're on the lake. So it seems a
5 terrible quandary. So I'm still thinking I'd like to
6 listen to the other members. Thank you.

7 CHAIRPERSON PEDDIBOYINA: Thank you, Member
8 Linda. Any other board member, please?

9 MEMBER SANGHVI: Yes, Mr. Chair.

10 CHAIRPERSON PEDDIBOYINA: Okay. Member
11 Sanghvi, please go ahead, sir.

12 MEMBER SANGHVI: And I went and saw this
13 site. And I realized there is such a tiny lot you
14 can't put it anywhere without somebody able to hear
15 this generator being charged or being used. There is
16 no way you can prevent that.

17 And I understand Mr. Beasley's problem
18 because they are not too far from that place. But this
19 is such a tiny place and it is such a small generator
20 where it is located, it would be very hard to relocate
21 it without making quite substantial noise when it is
22 being charged. And of course, when there is power
23 outage, unfortunately, that would be unnecessary evil.

1 You can't get away without it and you do need a
2 generator in this area. I know this area very well.
3 And all those wires hanging there. And when there is
4 an ice storm, those wires come down and there is a
5 power outage and then you need a generator. And with
6 all the sympathy to Mr. Beasley, but I think this is a
7 necessary evil and we need to grant them variance to
8 continue using this which they have been using it for
9 almost eight years. Thank you.

10 CHAIRPERSON PEDDIBOYINA: Thank you, Member
11 Sanghvi. Any other board member, please?

12 Okay. Looks like none. And I would like to
13 call for the motion. Member Linda?

14 MEMBER KRIEGER: Oh, I wanted -- okay.
15 Well, then I can add that into it.

16 I move to grant the request in case number
17 PZ21-0028 sought by the petitioner for the generator.
18 The petitioner has shown practical difficulty being on
19 the lake. That the lake's lots are all smaller and
20 unique and different topographies. That placing a
21 piece of equipment on the lot can -- is a difficulty in
22 and of itself. That the power outages, everybody is
23 going to be running a generator so the sound will be

1 the same. So the request would be to as she's already
2 done, that the running of the generator is going to
3 once every other week and is at a rush hour when noise
4 can be minimal. Otherwise, it's less -- so it's less
5 obtrusive.

6 The variance is -- will be unreasonably
7 prevented or limited with respect to use of her
8 property because of the destruction that's already
9 occurred on her property from water damage from lack of
10 electricity and broken water pipes. It's unique
11 because of its location. The -- she did not create the
12 condition because the homes are on the lake and it's
13 more humid and better -- or more water percentage.

14 The relief granted will not unreasonably
15 interfere with adjacent or surrounding properties
16 because even though it's close, it's as far away from
17 the property line as can be, it's run at a time when
18 it's not inconvenient. That it's not an all day
19 occurrence. It's for 12 minutes, I believe she said,
20 and it's every other week. That is a minimum time
21 request. And is consistent with the spirit and intent
22 of the ordinance because it minimizes. The decibels
23 are as small as she can make them and doesn't interfere

1 with greater time for neighbors.

2 MR. SANGHVI: Second.

3 CHAIRPERSON PEDDIBOYINA: Thank you. Okay.

4 Katherine --

5 MEMBER KRIEGER: Do I need anything else?

6 Can I ask -- should I add anything else for Beth or

7 legal counsel?

8 MS. SAARELA: No. I think that's fine.

9 MEMBER KRIEGER: Okay. Thank you.

10 CHAIRPERSON PEDDIBOYINA: Thank you, Beth.

11 And thank you, Member Linda.

12 And Katherine, can you roll call, please?

13 MS. OPPERMANN: Yes. Chairperson

14 Peddiboyina?

15 CHAIRPERSON PEDDIBOYINA: Yes, please.

16 MS. OPPERMANN: Member Krieger?

17 MEMBER KRIEGER: Yes.

18 MS. OPPERMANN: Member Montague?

19 MEMBER MONTAGUE: Yes.

20 MS. OPPERMANN: Member Sanghvi?

21 MEMBER SANGHVI: Yes.

22 MS. OPPERMANN: Member Sanker?

23 MEMBER SANKER: Yes.

1 MS. OPPERMANN: And Member Longo?

2 MEMBER LONGO: Yes.

3 MS. OPPERMANN: Motion passes.

4 CHAIRPERSON PEDDIBOYINA: Thank you so much,
5 Katherine. And congratulations, ma'am. And good
6 luck.

7 MS. HARRIS: Thank you.

8 CHAIRPERSON PEDDIBOYINA: And for the last
9 case, PZ21-0030, Vijay Ghadge, 27668 Hartwick Circle,
10 West of Wixom Road and South of Grand River Avenue,
11 parcel number 50-22-18-201-055. The applicant is
12 requesting a variance from the City of Novi Zoning
13 Ordinance 3.32-7 for a proposed deck seven feet from
14 the rear yard property line, 17 feet minimum required,
15 a variance of ten feet. This property is zoned
16 low-density multiple family with a PRO, RM-1.

17 Is the applicant present, please?

18 MR. GHADGE: Yes, sir.

19 CHAIRPERSON PEDDIBOYINA: Okay. Vijay,
20 please tell your name very slowly and clearly for our
21 court record and our acting secretary, Katherine, will
22 take it.

23 Katherine, can you take it, please?

1 MR. GHADGE: Hello, zoning board members. I
2 will spell my first name. It's V as in Victor,
3 i-j-a-y. Last name G as in George, H as in hotel, A
4 apple, D David, g-e.

5 MS. OPPERMANN: Thank you. And are you an
6 attorney?

7 MR. GHADGE: No, I'm not. I'm the house
8 owner.

9 MS. OPPERMANN: Thank you. Then could you
10 please swear or affirm to tell the truth in the case
11 before you?

12 MR. GHADGE: Absolutely, I do.

13 MS. OPPERMANN: Thank you.

14 CHAIRPERSON PEDDIBOYINA: Okay. Thank you,
15 Katherine.

16 Vijay, how do you want us to help and where
17 we can help tonight for this last case. Please
18 present. This is your time.

19 MR. GHADGE: Of course. I'll try to be as
20 quick as possible. It's been a long night for you
21 also. First, I greatly appreciate you all taking time
22 out of your busy day for these long calls. And second,
23 I would like to apologize at once if you feel I'm not

1 prepared. And like all of the folks before me, I have
2 never faced zoning board before so I didn't know what I
3 should prepare for.

4 But having said that, this variance request
5 is for you to please allow me to build a deck that goes
6 28 feet in the back yard which is only ten feet beyond
7 what I would be otherwise allowed for the current
8 zoning laws. And compared to the neighboring lots,
9 unfortunately, my back yard is relatively small which
10 kind of brings my back wall very close to the swale.
11 And half the limitation of how far I can go before
12 getting into trouble with City.

13 So, and as you can see, you know, I did not
14 create this condition. This is how the property was
15 when it was built. And without your approval to this
16 variance request, it could create -- or you can say it
17 creates a practical difficulty with that area of
18 property cannot be reasonably enjoyed or used by
19 building additions like that with the existing zoning
20 laws. And I have beautiful woods in the back
21 yard preserved area behind my house. Hence, the humble
22 request to approve my request.

23 And last thing I'll say is, this request for

1 variance is in the rear yard. And it's not visible at
2 all from the street. There is no house behind my
3 property facing my back yard. So it will have zero
4 impact on anyone's privacy. And also, this request,
5 the side of the deck, will not cause any adverse impact
6 to the surrounding property or property values. In
7 fact, the impact may be positive in terms of, you know,
8 the property values. So once again, you know, the
9 humble request to please, you know, grant my request
10 for this variance.

11 And that's all I would like to say.

12 CHAIRPERSON PEDDIBOYINA: Okay. Thank you,
13 Vijay. I have a quick question on this case. Do you
14 have any presentation or do you have any diagram to
15 show our board members tonight or you can share
16 anything?

17 MR. GHADGE: Well, I had attached one diagram
18 with my application package. I can share my screen to
19 show that. But as I said earlier, if I knew that I
20 would have to, you know, be so well prepared, I would
21 have definitely made sure.

22 So let me --

23 CHAIRPERSON PEDDIBOYINA: Yeah. Please

1 present whatever you have. I know. So that the fellow
2 board members can look into that.

3 MR. GHADGE: Okay.

4 CHAIRPERSON PEDDIBOYINA: And you mentioned
5 there is no, nothing -- you know, back yard you
6 explain. So that way we can see what you are saying in
7 the back yard.

8 (Document displayed.)

9 MR. GHADGE: Absolutely. Absolutely. So let
10 me zoom out of it. So this is what I have.

11 And I don't know if this helps the board
12 members. But what I can do, I will just pulling up
13 while others we're talking. You can see this is the --
14 sorry. Whether anyone is trying to say something.

15 This is my back yard. You can see it's all
16 like in the woods and preserve. There is nothing
17 behind. And this is my house here.

18 CHAIRPERSON PEDDIBOYINA: Okay.

19 Okay. This is your deck for the --
20 requesting for the -- how many feet you are requesting
21 total?

22 MR. GHADGE: 28 by 28, please, yeah.

23 CHAIRPERSON PEDDIBOYINA: Okay.

1 MEMBER KRIEGER: The material?

2 MR. GHADGE: What was that? I'm sorry. Can
3 you repeat the question?

4 MEMBER KRIEGER: The --

5 CHAIRPERSON PEDDIBOYINA: What material are
6 you using?

7 MR. GHADGE: Oh, what material. Sorry. So
8 it's not wood. It's like composite, Trek. Composite
9 wood.

10 MEMBER KRIEGER: Trek.

11 MR. GHADGE: We're going to use that. So
12 it's easier to maintain, plus less overhead and all of
13 that.

14 CHAIRPERSON PEDDIBOYINA: Okay. Sounds good.
15 Do you want to add any other thing before we move on
16 this case, Mr. Vijay?

17 MR. GHADGE: Well, I mean, I did say what I
18 wanted to and I would really appreciate if the board
19 members approve this. As you can see, the back yard is
20 so beautiful. I have like a small kid who can enjoy
21 and it will really help us enjoy. And plus, the
22 neighbors are awesome. You know, it's not going to
23 cause anyone any issues or any challenges or any

1 concerns. So that's all I would like to say.

2 CHAIRPERSON PEDDIBOYINA: Thank you, Vijay.
3 We'll come to the point where neighbors involved. I
4 appreciate.

5 And coming to the City. Larry, any other
6 comments on this case, please?

7 MR. BUTLER: There's no comments from the
8 City at this time.

9 CHAIRPERSON PEDDIBOYINA: Thank you.

10 Correspondence, acting secretary, Katherine,
11 any correspondence on this case?

12 MS. OPPERMANN: Yes. There were 31 letters
13 sent, none returned, one approval and no objections.
14 The approval is from Komal (ph) Khot, K-h-o-t. And
15 it's just a simple circled approval.

16 CHAIRPERSON PEDDIBOYINA: Okay. Sounds good.
17 Thank you. And any of the public raising their hand on
18 the Zoom call?

19 MS. OPPERMANN: There's no one raising their
20 hand on this case.

21 CHAIRPERSON PEDDIBOYINA: Okay. Sounds good.
22 Thank you so much. I appreciate, Vijay. And I see
23 there is no -- nothing on the presentation, what all

1 you haven't shown. And I have no objection to grant
2 this thing. And I will request my board members to,
3 you know, whatever they want, they can present. And
4 it's open to the board.

5 MEMBER SANGHVI: Mr. Chair?

6 CHAIRPERSON PEDDIBOYINA: Yes, please, Member
7 Sanghvi. Please, go ahead.

8 MEMBER SANGHVI: I went and visited this
9 site. Behind, nothing else but some woodlands and
10 wetlands. And there is no other visibility for anybody
11 else.

12 And my only question is, is that going to be
13 just enough? Otherwise mosquitos will eat them up
14 before long and maybe they will have to cover it up
15 before it is long. Because I don't know whether
16 Mr. Ghadge has a covering up the deck in mind or not,
17 but that will come in the future. If they don't, * no
18 doubt. But I have no problem approving his request for
19 the ten feet variance. Thank you.

20 MR. GHADGE: Thank you so much, sir.
21 Appreciate it.

22 MEMBER KRIEGER: The question is, 28 by 28.
23 How did you come to that? Is the water -- is the

1 ground wet a lot that kids can't go out and play?

2 MR. GHADGE: Well, in a way it is wet,
3 obviously, because there's a swale running across my
4 property. But the reason behind like the area of 28 by
5 28, that seems like a decent size minimum that would
6 help us enjoy the back yard, the woods behind and the
7 scenery. So that was -- we would say that kind of made
8 sense. Like, because if you go more beyond that, you
9 will probably be crossing or getting as much closer to
10 the end of the property and we didn't want to do so.

11 MEMBER KRIEGER: Okay.

12 MR. GHADGE: Thank you.

13 MEMBER SANKER: And I don't have a question,
14 but overall it seems like a relatively reasonable
15 variance request and there's no objections to it I
16 didn't think. And then there is, obviously, the shape
17 of the lot and wetlands that I think would cause an
18 issue that would make -- it looks like it makes the
19 back yard a little bit smaller than some of those
20 surrounding areas which may cause the setback to be
21 greater, the setback variance to be greater than maybe
22 other property owners. And so I would say it's a
23 little bit bigger than your approaching the edge, but

1 overall, you know, it seems reasonable. There's no
2 objections. So overall, I think there's no reason
3 to -- I would approve it.

4 MR. GHADGE: Thank you.

5 CHAIRPERSON PEDDIBOYINA: Before I close, any
6 other board member would like to speak?

7 (No response.)

8 CHAIRPERSON PEDDIBOYINA: Okay. It looks
9 like none. Member Sanghvi, can you make a motion,
10 please?

11 MEMBER SANGHVI: Sure I can make a motion.
12 No difficulty.

13 CHAIRPERSON PEDDIBOYINA: Thank you.

14 MEMBER SANGHVI: I move that we grant the
15 variance requested with case number PZ21-0030 requested
16 by Vijay Ghadge at 27668 Hartwick Circle. The request
17 is for a ten-foot variance in the back yard to build a
18 deck. The applicant has shown practical difficulty
19 requiring the need for this variance. And this
20 variance is not likely to cause any problems with the
21 neighborhood or any of the neighboring property. And
22 the property is unique because it is pie-shaped and the
23 size of the back side -- back yard is different than

1 that of the front.

2 The relief granted will not interfere with
3 anybody else. And the relief is consistent with the
4 spirit and intent of the ordinance. Thank you.

5 MEMBER KRIEGER: Second.

6 CHAIRPERSON PEDDIBOYINA: Thank you, Member
7 Sanghvi. Okay. Who was the second?

8 MEMBER KRIEGER: Second.

9 CHAIRPERSON PEDDIBOYINA: Oh, Linda. Member
10 Linda. Thank you. Okay. And call for the --
11 Katherine, for the roll call tonight.

12 MS. OPPERMANN: Chairperson Peddiboyina?

13 CHAIRPERSON PEDDIBOYINA: Yes, please.

14 MS. OPPERMANN: Member Krieger?

15 MEMBER KRIEGER: Yes.

16 MS. OPPERMANN: Member Montague?

17 MEMBER MONTAGUE: Yes.

18 MS. OPPERMANN: Member Sanghvi?

19 MEMBER SANGHVI: Yes.

20 MS. OPPERMANN: Member Sanker?

21 MEMBER SANKER: Yes.

22 MS. OPPERMANN: And Member Longo?

23 MEMBER LONGO: Yes.

1 MS. OPPERMANN: Motion passes.

2 CHAIRPERSON PEDDIBOYINA: Congratulations,
3 Mr. Vijay. Good luck and enjoy the deck in the summer.
4 Thank you.

5 MR. GHADGE: Thank you so much.

6 CHAIRPERSON PEDDIBOYINA: Yeah. Thank you so
7 much.

8 All the board members, is there any other
9 matters, the motion to adjourn or, you know, any other
10 things before I say all in favor?

11 MEMBER SANGHVI: So moved to adjourn.

12 MEMBER KRIEGER: Second.

13 CHAIRPERSON PEDDIBOYINA: The meeting is
14 adjourned. Thank you so much and --

15 MEMBER KRIEGER: Katherine? Wait. Katherine
16 said something.

17 MS. OPPERMANN: Sorry. Just reminder that
18 this is considered our last Zoom meeting unless --

19 MEMBER KRIEGER: Oh, we get to meet in
20 council chambers. Thank God.

21 CHAIRPERSON PEDDIBOYINA: Thank you. We made
22 it. Thank you. Good news for all of us. Thank you,
23 Katherine.

1 MS. OPPERMANN: And then one other item. I
2 did send you all a letter that we received from a HOA
3 concerning a case we had heard back in April. Did
4 anyone want to speak on that or did you choose to, you
5 know, not?

6 CHAIRPERSON PEDDIBOYINA: Linda, do you want
7 to say --

8 MEMBER KRIEGER: No.

9 MEMBER MONTAGUE: I didn't see it.

10 MEMBER KRIEGER: I don't know which case.

11 MEMBER MONTAGUE: Yeah, I didn't look at it.

12 MEMBER KRIEGER: No, no, no. I have nothing
13 to say.

14 CHAIRPERSON PEDDIBOYINA: No. She sent an
15 Email also on the April thing.

16 MEMBER KRIEGER: Yeah.

17 MEMBER SANGHVI: I said yes, if we need to,
18 we can do it next time. Thank you.

19 MEMBER KRIEGER: Yup.

20 CHAIRPERSON PEDDIBOYINA: Okay. In person
21 call, we can do it. Motion is adjourned.

22 (At 9:19 p.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, Notary Public within and for the County of Oakland, 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 one hundred twenty-two (122) typewritten pages, is a true and correct transcript of my said stenographic notes.

/s/Darlene K. May
Darlene K. May, Notary Public
Oakland County, Michigan
My commission expires: 01-13-2024

June 23, 2021
(Date)