

ZONING BOARD OF APPEALS
CITY OF LIVONIA
MINUTES OF MEETING HELD TUESDAY, AUGUST 30, 2022

A Meeting of the Zoning Board of Appeals of the City of Livonia was held on Tuesday, AUGUST 30, 2022.

MEMBERS PRESENT: Gregory G. Coppola, Chairman
James Baringhaus, Vice Chairman
Christopher Boloven
Timothy Klisz
Tamara Oliverio
Martha Ptashnik
Michael Testa

MEMBERS ABSENT: None

OTHERS PRESENT: Bob Stroble, Senior Inspector
Leo Neville, Assistant City Attorney

The meeting was called to order at seven p.m. Chairman Coppola explained the Rules of Procedure to those interested parties. Each petitioner must give their name and address and declare hardship for appeal. Appeals of the Zoning Board's decisions are made to the Wayne County Circuit Court. The Chairman advised the audience that appeals can be filed within 21 days of the date tonight's minutes are approved. The decision of the Zoning Board shall become final within five (5) calendar days following the hearing and the applicant shall be mailed a copy of the decision. There are four decisions the Board can make: To deny, to grant, to grant as modified by the Board, or to table for further information. Each petitioner may ask to be heard by a full seven (7) member Board. Six (6) members were present. No one chose to reschedule. Secretary then read the Agenda and Legal Notice to each appeal, and each petitioner indicated their presence. Appeals came up for hearing after due legal notice was given to all interested parties within 300 feet, petitioners, and City Departments. There were seven (3) people present in the audience.

(7:00)

TABLE OF CONTENTS

APPEAL CASE #	PAGES
<u>Appeal Case No. 2022-08-01:</u> Daryl and Raghida West, 18988 Doris	3-16
<u>APPEAL CASE NO. 2022-08-02:</u> Intercity Neon, 12950 Eckles	17-25

APPEAL CASE NO. 2022-08-01.: An appeal has been made to the Zoning Board of Appeals by Daryl and Raghida West, 18988 Doris, seeking to erect an addition to the existing dwelling and attached garage, while maintaining an existing accessory building/shed, resulting in excess attached garage/accessory building area.

Accessory/Garage area:

Allowed: 720 sq. ft.

Proposed: 1126 sq. ft (633 sq. ft. proposed, 433 sq. ft. existing)

Excess: 406 sq. ft.

The property is located on the east side of Doris (18988), between Curtis and Seven Mile, Lot No.041-01-0047-000, R-U-F "Rural Urban Farm," Rejected by the Inspection Department under City of Livonia Vision 21, Section 7.09, "Single-Family Residential Accessory Buildings and Recreational Equipment Storage."

- KLISZ Calling Appeal Case No. 2022-08-01. An appeal has been made to the Zoning Board of Appeals by Daryl and Raghida West, 18988 Doris, seeking to erect an addition to the existing dwelling and attached garage, while maintaining an existing accessory building/shed, resulting in excess attached garage/accessory building area.
- COPPOLA Thank you. Mr. Stroble, anything you would like to add?
- STROBLE Not at this time, Mr. Chair.
- COPPOLA Any questions for Mr. Stroble? Okay, seeing none, would the petitioner please step forward to the podium right over there, your and name and address please first just for the record.
- D. WEST Hi, my name is Daryl West, 18988 Doris, Livonia, Michigan.
- R. WEST Hi, my name is Raghida West, 18988 Doris, Livonia 48152.
- COPPOLA Okay, thank you very much, Mr. and Mrs. West. If one of you could just give us an overview of your project, we'd like to understand what's driving the addition to the property and the practical difficulty you have that would provide reason for us to give you a variance.
- D. WEST Well, I have antique cars, I've had for a long period of time. My wife has not been able to park in the garage and now she has just purchased a new vehicle and I'd like her to be able to park in the garage while I maintain a place to park my cars and then I have wood working equipment. For my own work, I had wood that my dad had leftover that I have from inheritance, and I'd like to also keep the shed. My dad and I built the shed, and there's hard wood and it's just big, it's not the perfect size for the wood, but we just purchased a lawnmower to cut. It's large, .9 acres, I believe. And it's perfect for,

it's cleared out, perfect for storing the lawnmower and a few blades and the hard wood.

COPPOLA Okay. That's a rather large addition, how many antique cars do you have?

D. WEST Two.

COPPOLA Two antique cars? How many, besides these two cars, how many cars do you have?

D. WEST Two.

COPPOLA So, one for each of you plus the two antique cars, four total?

D. WEST Yes.

COPPOLA Okay. Anybody else living in the house?

D. WEST No, well, my son.

COPPOLA Okay. Does he drive?

D. WEST Yes.

COPPOLA So, there's another car, five?

D. WEST Yes.

COPPOLA You mentioned the woodworking equipment, you said for work. What do you do for work?

D. WEST Well, I'm a Mechanical Engineer, but this is just for hobbies, or for trimming the house, I like doing my own practice.

COPPOLA So, it's a hobby. It's not, you're not selling cabinets or tables out of the property.

D. WEST No, I like having something to do during the wintertime. Well, it's going to be heated. And I like to have an area where I can work on something where I don't have to pull all kinds of other things out of the way to work on, I want to have enough room where I can have work benches, you know, woodworking equipment, layout, toolbox, everything laid out nicely.

COPPOLA How big is your shed? I'm sorry, I missed what you said.

D. WEST Actually, I don't have the dimensions, it's kind of a medium sized one, it's just wide enough for a 52"-inch lawnmower, you can ride it into it. And there's probably another two feet on each side of it. And there's

probably another four feet of space behind it for a bike or a snow blower or something you can put it in there, a power washer, whatever it might be.

COPPOLA So, if we asked you to take down the shed, would you have room in the garage for that?

D. WEST It would feel, it would be cluttered. I want to leave open space where I don't have to move things. I'd rather not do that with the cars and it's something that my dad and I had built together. It is originally zoned farm residential. And I don't think it makes a difference. We inherited the house actually. That's why we're doing this. And my dad actually built the house.

COPPOLA Is there a basement?

D. WEST No.

COPPOLA No basement, it's on a slab?

D. WEST A crawlspace.

R. WEST And that was the project really, of the ground, because they already did the footing for the house. So, it was a project that grandparents wanting to do.

COPPOLA Was the footing put in for the extension, a kitchen, the addition that you're looking at and the other addition?

R. WEST That was a project that never happened.

COPPOLA I noticed in some of the renovations provided, the roofline is higher than the rest of the house, it looked like the roofline is going to be higher on the garage addition you're putting on you, it looks like it's gonna be significantly higher than the existing house. What's the purpose of that?

D. WEST I wanted to have a hoist so I can park another car underneath the car, I want enough room for a hoist.

R. WEST We thought hoists, we're engineers, it's just been something he's been thinking about.

COPPOLA To be able to stack your antiques then, in essence, to be able to put them up?

D. WEST Also, if I have to jack it up, if I have a car hoist, I'm getting older, we're going to retire, and this is where I'm going to live. Anything I do will be for my own, this will not, I'm planning to work on it. I don't want to work on other people's cars, to be honest with you.

COPPOLA	I'm looking at the renderings, is this a separate structure or is it going to be connected to the existing garage?
D. WEST	Connected.
COPPOLA	So, you'll clear that out and be a straight runway to the other?
D. WEST	Yes
R. WEST	And everything is in the back of the house. I mean it doesn't bother anybody. We're on one acre in the back. That's the reason why we didn't sell the house.
COPPOLA	Questions for the Petitioner?
BARINGHAUS	Mr. chairman?
COPPOLA	Mr. Baringhaus.
BARINGHAUS	Yes. With the proposed garage, how you gonna get vehicles to the back of the house?
D. WEST	Either through or actually around, I'll put the door on the back, because there's enough room to actually drive on either side of the house. So, I could actually put, if I had to, I could, I could drive around to the back. And also, I would like, if I want, I know somebody that had a garage with a door on each end, just to let air through. It's nice to have a door on each end.
BARINGHAUS	In terms of the one side of the home you have a rather large tree, will you be able to drive the vehicle around that tree?
D. WEST	Yep, there's no problem with driving around the tree, I've driven back there to pick up sticks that have broken off trees and drove a pickup truck back in the backyard. I've loaded with broken sticks from the trees.
BARINGHAUS	Are you planning to put a driveway in to access this proposed garage?
D. WEST	At first, I was going to put concrete on the back of it, then eventually I would like to, but it's going to be expensive to run a driveway all the way to the back of the garage.
BARINGHAUS	So initially, no.
D. WEST	Initially, no.
BARINGHAUS	Okay, thank you.

BOLOVEN	Mr. Chair.
COPPOLA	Mr. Boloven.
BOLOVEN	Question for Inspection. I'm trying out these numbers here and for some reason I'm not getting, based on the green sheet. The existing garage, it says the attached garage is 433 square feet. The proposed addition, 693 square feet in one area, but when I look at the notice in the bottom, it says 633 square feet proposed. And then it says 1126 square feet is what the overage or I guess total area is going to be overage comes up to 406. What numbers are comprising of that 1126. What's actually the attached garage?
D. WEST	The attached garage is going to be a little bit wider; it's going to be 25 foot wide by 30 feet.
COPPOLA	25 foot wide by 30 deep, that comes to 750. So, I guess my question is, Mr. Strobel, where are the numbers coming up for our case in front of us right now?
STROBLE	That might be all the way to the actual wall.
COPPOLA	I'll let Mr. Stroble take a look.
D. WEST	You're just saying the math for that 1096?
BOLOVEN	Correct.
D. WEST	There's 30 feet somewhere?
BOLOVEN	Well, there's actually two different, if you look at the top part, it says the proposed building side was going to be 693 for the attached garage. And then it changes down below to 633 for the attached garage proposed, but the shed, it looks like it's 184. So, I don't know what's going into that square footage.
R. WEST	It's 720 if you look at a site plan, because its 24x30.
BOLOVEN	Which that's what would be allowed. Yeah, that's what I'm trying to figure out.
STROBLE	Yeah, I apologize, Randy. No excuse but Randy's the one that adds these up. So unfortunately, I don't know. I'm trying to do it now.
BOLOVEN	I guess, a question for Petitioner. What is the size? I see the site plan, but what is your understanding of the size of what this garage is going to be?

D. WEST I thought it was going to be the attached, 25, it could be 24 by 30, but I tried adding it up and then I thought it'd be nice, it was originally 25, I said well, let's do 30.

BOLOVEN It looks like 24x30, which is 720.

COPPOLA That's the one side, you have to go to the long side, because there's a closet there, they don't count, if that's existing or new, but

D. WEST That's existing, I believe.

BOLOVEN 30 feet on the on the south side.

BARINGHAUS Mr. Chairman, it kind of strikes me like **s**, if you look at the outside walls, that they're kind of vents, at least on my one diagram. I don't know if that's included on here.

COPPOLA Yeah, I guess the problem is that closet, I don't know if that's existing or if that's new.

BARINGHAUS My first reaction was that it was 23, then Mr. Boloven pointed them out, so, I just took at as face value.

COPPOLA It is 30 by, well, the one drawing is 30 by basically 24. This one is 30 by 24, so that's 720 square feet. And then the existing is 433, but it's interesting, on that same schematic, it says 693. If you look at the drawing on page one of the drawing, see where it shows a SUV in there and then right next to it, it says new garage, extension 693 square feet. And the reason they're saying that is because there's that little carve out there for the closet that's not part of the garage, they must take that out. And that's, we don't have a measurement on that one portion, so we don't know exactly what the size of that is.

STROBLE Looks like it's six by four, the closet.

COPPOLA Six by four. So, if you took out that 24 feet and then they get to when you get to your 696. . .

KLISZ So, what's the total square footage of the garage?

COPPOLA ...of the garage space, is 696 square feet. So, it's the 720 minus the 24-foot garage, the closet, actually, is an addition, but goes to the house, it doesn't go to the garage.

KLISZ So, 693, is that what you just said? 696 plus the existing 433, that comes up to 1129, which the shed is an additional 184, so, that puts me at 1313. We have noticed an issue that the math is wrong in the notes. I guess that question would be for Mr. Neville.

NEVILLE I don't know if the differentials is that little closet?

COPPOLA between the 720 and the 696, yes, but not the 633, I don't know where the 633 comes from.

NEVILLE If you look at that closet, I'm doing rough math. So, you have...

COPPOLA The outside dimension six by four.

NEVILLE Honestly, I think perhaps the 720 comes from including that building, you're still building off on the back of that of the garage. I don't think there's a notice issue.

BOLOVEN So, I'm guessing the 1126 is coming now that I see it, 693 plus 433.

KLISZ What they propose is still...

COPPOLA It was really 696.

STROBLE It would also go off the interior dimensions and wouldn't be the exterior dimension.

BOLOVEN When it Mr. Stroble, if that shed wasn't there, what's the total under new Livonia Vision 21 What's the total that garage could be? Isn't it higher than 720?

STROBLE It's 1000 square feet.

COPPOLA It depends on the type of zone on the ~~pretty attend~~ property zoning of it so this is a rural urban farm zoning, so, thank you, I think you might be right, Mr. Neville.

BOLOVEN It's a 1000 now?

NEVILLE I'm just reading the ordinance right now. So, if it's an attached accessory it shall not exceed 720 square feet, maximum ground floor and any detached accessory. So, it could only be 200, so you'd want to have 920 square feet. Accessory buildings are 720 feet, so there's a maximum up to 1000 square feet. Looking at the maximum square footage of the house, so that's how I'm reading it.

COPPOLA A question from Klisz?

NEVILLE This lot is more than an acre, right?

D. WEST I thought it was .9 acres, I could be wrong, I don't know.

BOLOVEN A question for the petitioner, if you had a choice between building the garage of the size that you're proposing and getting rid of the shed, or keeping the shed and reducing the size of the garage, which would you choose?

D. WEST I probably would reduce the size of the garage. I wouldn't want to, but I mean, that's what I would do.

KLISZ Thank you, Mr. Chair.

COPPOLA Any other questions?

TESTA Mr. Chair?

COPPOLA Mr. Testa.

TESTA A question for the petitioner, Mr. and Mrs. West, you currently do not live in the house?

R. WEST Right now we're not because we're doing the floor. We do own it.

TESTA So, you have two projects going on, you're putting on an addition and you're here for the garage. Are they being done, is the plan to do them at the same time or are they separate projects?

R. WEST We are lucky enough to have a construction company that is just waiting on the variances.

TESTA Do you have a planned start date, assuming the variance is approved?

R. WEST October.

TESTA Looking at the drawings and to piggyback off of Mr. Baringhaus' question about the driveway, the drawing is showing a driveway going all the way to the back of the house. What you're saying now, you're not planning on adding a driveway?

R. WEST I kind of don't understand, you mean, inside the garage?

D. WEST Along the right side of the garage, you can drive a car, and you can drive it into the back of the garage.

TESTA Yeah. That sounds like a plan.

R. WEST I didn't know that. The architect must have done that.

~~D. WEST~~ (TESTA??) It's also showing a new patio as well. I guess, Mr. West, maybe you're giving up on the extending the driveway to the back?

D. WEST I would like to, but I know it's gonna cost a lot of money, I would add it eventually. But we prefer to spend money a little at a time versus all at once.

TESTA So, until you extend the driveway to the rear, you would either be driving your vehicles on the grass around your house or driving through the garage?

D. WEST Correct. Not often across the grass, it wouldn't be enough to, sometimes I currently drive back there to say, clean up lawn debris or whatever it might be.

R. WEST Once you have the door in the back, there's no need to go to the back.

TESTA Okay, and can you answer the question about the, how you did you decide the width and the length of the garage, how did you decide what are was?

D. WEST Because I went all the way to the bathroom. That's not quite a two and a half car garage, the existing garage is not quite a two and a half car garage, I believe. So, I made it wide enough to be two and a half wide. I measured all the, I took a tape measure and measured all the way to the edge of the bathroom, then out 30 feet from there. And I made sure it looks like we're far from the easement, the power lines, we're far enough away from the power lines in the back that run through the middle of the yard. Across the middle, there's an easement for the power lines.

TESTA Okay, follow up on the driveway question. You did say you plan behind the new garage, a path that's gonna run roughly 39 feet by 30 feet, roughly?

D. WEST I may make it, I could add to it. Well, I might. I'm not sure exactly sure on that, positive on that number. I could change it a little bit if that's okay. But it's private, I'd like to have that big of a piece of concrete.

TESTA Okay. And the reason for that would just be to park another car back there.

D. WEST Not to leave it out, just to drive it out to, move it out, perhaps to work, or I don't plan to actually leave a car there. I keep my stuff inside the garage if possible.

TESTA In this addition to the garage, what type of material, you mentioned brick.

D. WEST White siding, the house has white siding, well, it's not white, it's like a beige, it would be the same color as the house.

TESTA Okay.

D. WEST There is red brick on the front, but there's only a small portion of the house that has brick, most of it is siding.

TESTA	Okay, thank you, Mr. Chair.
COPPOLA	Other questions? Okay seeing there's no more questions. So many people in the audience are petitioners, we will read the correspondence.
KLISZ	We have two letters. A letter from Delphine Fairbanks that says no problem with the request Delphine Fairbanks, 19000, Doris Livonia, next door neighbor, and a letter from Joann Papp, we approve, 18929 Doris Street. That's it for the letters.
COPPOLA	Okay, Mr. and Mrs. West, would you like to say anything in closing before we close the public portion to our vote?
R. WEST	No, I just pray you like the request.
D. WEST	We'd just like to start our project.
COPPOLA	All right. So, I'm going to close the public portion of this case and start the Board with Mr. Testa.
TESTA	Thank you Mr. Chair. So, based on the size of the property I can understand, wanting to add on a garage, considering the size of the existing garage, I completely see why you're here. The size of this garage is probably a little bit bigger than what I would normally approve also considering putting on additional height. But I do like the front view from the drawing that you have, I think it's gonna blend in well, having an additional height probably isn't an issue. For me, now that I look at it and the more think about it, I would like to see the driveway go all the way back. I think ties in everything better together. But technically, it's not part of the variance, it's just my personal preference to see the driveway back there. I am questioning some of the dimensions on here, and whether or not, how we approve this as drawn, or as presented with a few things the Wests said, they're considering different options in terms of having that driveway or not. But I can in general support this.
COPPOLA	Thank you, Mr. Boloven.
BOLOVEN	I'd be in support of a tabling. I do think the proposal is too excessive. I do think what you have right now is not enough, but I think you're going to have to choose one or the other. Either get rid of the shed, keeping a bigger, attached garage that you're building or keep the shed and reduce the size. Going over 406 square feet, that's over 50% of what you're allowed at the 720. It's gotta to come back into realm. So, barring those comments, I'd be in support of a tabling.
COPPOLA	Thank you, Mr. Baringhaus.

BARINGHAUS

Thank you, I agree with Mr. Boloven's point of view, I think the project itself is a very large structure that you're proposing. And you know, well, almost well over 100 square feet. And the other thing too, is I really haven't seen a hardship demonstrated on your part. The fact that you have two antique vehicles, in my mind, really doesn't constitute a hardship when you do have a shed in the backyard that could easily accommodate that hobby between storing lumber and materials and equipment, for woodworking. The other thing is, I don't think the proposed design is really keeping with the neighborhood. That particular street, Doris, it's really a mix of attached and detached garages and then some homes will have attached garages like yours with a larger shed in the backyard. That's a very common arrangement right now. So, what you have, in terms of your current garage layout, and the shed in the backyard, that's very typical for that street and that blends in very nicely with the look of the neighborhood. My concern is, put a very large garage on your home, extending the back and then too, raising the roofline, then having two garage doors one on the front, and probably an oversized garage door in the back, I think would disrupt the look of the neighborhood. Normally I would recommend denying this variance, in light of the fact that some of my fellow board members would like to see some alternatives, I'm willing to entertain tabling the issue.

COPPOLA

Thank you, Secretary Klisz.

KLISZ

Thank you. I think I'm in line with Mr. Testa. I think that some of the hallmarks of what we look for are here, and that is, it's a large lot. It is a shed that's back there that's not big. And a lot of times we are upset when people go for big, detached garages and ask them, Hey, can you just add on to your house, and that's what they're doing. So, it's really just part of the house, it's attached, they don't have a basement, they do have the large lawn equipment and whatnot that's already filled in the shed. So, while we know that cars are generally not a hardship, they also have a very large lot, and no basement. I think this is in line. Again, I think with what Mr. Testa said, it's a little bit big, but it's also one of those very large lots, so, I think I can be in support of it.

COPPOLA

Thank you. Ms. Oliverio.

OLIVERIO

Thank you, Mr. Chair. I tend to agree with my colleagues, Mr. Testa and Mr. Klisz on this one, because first and foremost, because it is a larger property. If the expansion or the extension is behind the house, it is attached, it's not like one of the larger steel type structures that we're oftentimes talking about, I'm certainly not going to ask you to tear down the shed that you built with your father. To that point, but because of the ambiguity around with the measurements in the plan that we currently have, I would be in favor of tabling this to get something more succinct in front of everybody to review, that's not questionable in terms of the numbers that we're looking at.

COPPOLA Okay thank you. Ms. Ptashnik.

PTASHNIK Actually, I was thinking about proposing a tabling as well. I'm not comfortable with the numbers, consistently seem to be changing as we're talking. I'd like to see a finalized proposal on size and maybe a reduction on what's there. And it seems to be just a little bit too excessive for me to support at this time. So, I'd be in favor of tabling this one.

COPPOLA Okay, thank you. I'm generally not in favor of the proposal, I do think the property allows for a larger garage or larger structure. This may be a little too big. And while I understand the sentimental value of the shed, generally, when we allow someone to go significantly over what's allowed, they have to make a choice. And I think you understand what that choice may be. But on the other side, one other thing that wasn't mentioned that kind of bothers me is, I don't like the setup, I don't like the different elevation of the garage. If you look at it, it really kind of sticks out and there is another house that has one just like that, and it does stick out. But I'm not going to deny you for that, but if you were to come back and moderate the size somewhat. I'm open to, if you want to keep the shed and making a little bit of a smaller structure, you can come back, after we take a look at that alternative proposal. So, I'll go ahead and look for a motion.

BOLOVEN Mr. Chair.

COPPOLA Mr. Boloven.

BOLOVEN Resolved, appeal case number 2022-08-01 be tabled in order to give petitioners time to review the Board's comments and present a petition with adjusted measurements along with more definitive square footage of the existing garage and proposed new garage.

PTASHNIK Support.

COPPOLA I'm looking in different directions, all right, that motion by Mr. Boloven, support by Ms. Ptashnik.

PTASHNIK Mr. Chair.

COPPOLA Yes.

OLIVERIO Should we have also had it validated...

COPPOLA ...when they come back with their plan to make sure the math is right.

KLISZ Okay, so we will go ahead and take the vote. Seven-zero.

RESOLVED: APPEAL CASE NO. 2022-08-01: An appeal has been made to the Zoning Board of Appeals by Daryl and Raghida West, 18988 Doris, seeking to erect an addition to the existing dwelling and attached garage, while maintaining an existing accessory building/shed, resulting in excess attached garage/accessory building area.

Accessory/Garage area:

Allowed: 720 sq. ft.

Proposed: 1126 sq. ft (633 sq. ft. proposed, 433 sq. ft. existing)

Excess: 406 sq. ft.

The property is located on the east side of Doris (18988), between Curtis and Seven Mile, Lot No.041-01-0047-000, R-U-F "Rural Urban Farm," Rejected by the Inspection Department under City of Livonia Vision 21, Section 7.09, "Single-Family Residential Accessory Buildings and Recreational Equipment Storage" ***be tabled*** in order to give the petitioners time to review the Board's comments and present a petition with adjusted measurements along with more definitive square footage of the existing garage and proposed new garage.

ROLL CALL VOTE

AYES:	Testa, Ptashnik, Oliverio, Boloven, Klisz, Baringhaus, Coppola.
NAYS:	None.
ABSENT:	None.
PASSES:	7-0.

COPPOLA	All right, Mr. and Mrs. West. So, what we've done is what we called a table. So, this will give you an opportunity to think about the comments of the Board and digest that and come back with come back with a revised plan of action. You don't have to, you can come back with the same things you want, but the chances of that getting approved by the Board, are probably slim to none. So, I think you've heard what everybody has said, in regards to what they'd like to see when you come back. It's going to take a little bit of time, I apologize for that, you'll have to spend a little money on a revised plan. There's no cost to come back, you just need to call when you're ready, to the Zoning Office and turn in the paperwork and they'll get you on at the next schedule that's available. Our next schedule that's open is October 11. And the deadline to submit is September 12. So, you have a little less than two weeks to make that, otherwise, it's October 25th and September 26 is the deadline. And there's meetings after that, too. So, I'll give you a chance, I know there was a lot of thrown at you, so do you have any questions?
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D. WEST	Could we reach an agreement right now if we just made it 25 feet?
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COPPOLA	You'll need to come up to the podium, we're recording.
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D. WEST We just, we'd like to start on the construction, so, we can get into the house sooner. Can we just stick with 25 feet? The original drawing is 25 feet. Actually, the neighbor across the street, he has an attached garage. You can't really notice it unless you're right up to the side of the garage. And then when you drive by the house, you don't even notice the extension on the back.

COPPOLA I don't think they don't notice yours either, but that's kind of not the issue. Because of the process we've gone through, we've already voted on it and tabled it, we're not going to reopen that up and we can't do that based on process. But if you have plans that are ready, you can get into the next the next meeting which is going to be October 11th, I know that's a month and a half away, but that's probably the best we can do.

D. WEST Yeah, we wanted to start on this. Alright, thank you.

COPPOLA Can you call the next case please.

APPEAL CASE NO. 2022-08-02: An appeal has been made to the Zoning Board of Appeals by Intercity Neon, 12950 Eckles, Livonia, MI 48150, seeking to erect a tenant identification wall sign on the exterior of a multi-tenant industrial building, resulting in excess wall sign area.

Wall sign area:

Allowed: 10 sq. ft
Proposed: 141 sq. ft
Excess: 131 sq. ft

The property is located on the east side of Eckles (12950), between Amrhein and Schoolcraft, Lot No.118-99-0001-004, M-2 "General Manufacturing," Rejected by the Inspection Department under City of Livonia Vision 21, Section 11.08 (4) "Zoning District Regulations, Sign Regulations in Industrial Districts."

COPPOLA Mr. Strobel, anything you'd like to add?

STROBLE Not at this time, Mr. Chair.

COPPOLA Any questions for Mr. Stroble?

KLISZ Mr. Chair.

COPPOLA Ms. Oliverio.

OLIVERIO I'm not sure if it would be much of a struggle for Mr. Neville, but I'm just curious if the city has done any sort of assessments on traffic or the driving patterns in that particular area, specifically as relates to trucks and employees? Do you have any insights on that?

STROBLE No inspection has not.

COPPOLA That would be outside of their scope of doing things. I don't know if it had to go to Planning Commission for approval or it had already been that type of building or that type of construction. Normally, if there's a Planning Commission approval or a Council approval, we'll see that in the package. And recently we're struggling to get your packets. So, there might have been something, but I know that's zoned for that type of, what's around the building. And so, I think probably lots of studies done when the other two guys went in there earlier, that's gonna increase the traffic, because that looks like that's going to be a warehouse of some sort, there will be lots of trucks coming and going. But that's kind of what that area was set up to be. And it was, when you know, there's lots of trucks coming and going when it was a GM facility a long, long time ago. It was pretty busy.

OLIVERIO Okay thank you.

BARINGHAUS I have a question for Mr. Neville, but I'll hold off on that.

COPPOLA I have a question for Mr. Stroble. So, the wall sign allowed is 10 square feet and that's because it's a multi-tenant building.

STROBLE That's correct.

COPPOLA So, when it's a multi-tenant building, and you've got a long frontage on there, and usually you get you know, based on the foot, that's what the square footage up front is, how do you calculate the 10 in this case? Do you have that somewhere?

STROBLE Just in the ordinance, if it was just a one-tenant building, they would have 100 square feet of signage.

COPPOLA Is this divided by the number of tenants?

STROBLE No, they just consider it a multi-tenant they don't put a number to how many tenants.

COPPOLA So, as soon as you go multi-tenant, it doesn't matter what square footage would be allowed on a single tenant, it goes to 10.

BARINGHAUS I changed my mind, I do have a question. I'm looking at the appeal case and it's by Intercity Neon, which is the contractor. Normally with the business, or the owner of the building have to be named on this variance?

STROBLE Yes.

COPPOLA I think it's on the application.

BARINGHAUS It shows the contractors that are Intercity Neon, which is what is on the agenda.

NEVILLE Wasn't there an amended application there?

COPPOLA I think the application is correct. That's done by the owner, representatives of Susan Harvey, and I think you're right, I don't think that was absolutely accurate. The Livonia West Commerce Center, LLC is the owner of the building, and they were listed there as the owner that Penske listed as the lessee and Intercity Neon was listed as the contractor, they filled out all of that.

BARINGHAUS Yeah, exactly. But I just saw this on the agenda. The cases was stated as Intercity Neon's, but if the application is in line per Mr. Neville.

COPPOLA All right, if the petitioner could just you can step forward, you can use that podium over there.

HOLKE Good evening, I'm Donna Holke with Intercity Neon, 23920 Amber, Warren, Michigan, 48089.

COPPOLA Ms. Holke, there seems to be a little bit of a challenge, because I guess the question would be how much do you know about the entire development? We're gonna need to understand what's going to be going in there. Why this sign is so big? There's a lot of questions. I'm not sure you're gonna be able to answer them.

HOLKE I'll answer what I can, I know, currently Penske has about 40% of the building. They've got 60% of the parking because they have extra parking for truck spaces, apparently. There's nobody else there right now and it's a warehouse, but there's a training area in there as well, they've had offices up front.

COPPOLA You're saying they occupy 40% of the building at this point, so 60%, that would be leased out to one or more tenants? Like, you don't know that. Right? You're right. When are the leasing agent? Where are they? I don't know. I think, again, I don't want to short-sight you, but I don't think it's going to be very easy for us to consider this petition without understanding what's going on with the property. And without representative for the property, I'm not sure it's a good use of your time or our time, asking a lot of questions. I'm not sure how the rest of the Board feels, but it just doesn't seem to make sense, because I understand what's being proposed, but how does that impact the rest of the building? Is that 60% that needs to be leased? What's the expectations of the owner or the leasing agent, which sign is for the remaining 60%? That all goes into us deciding whether some level of variance is appropriate. So, my apologies to you, but unless anybody else disagrees, without representatives of the property, how much are we getting further?

BARINGHAUS Mr. Chair. No, I agree. I mean, in fairness to you, we're gonna be asking you questions in more detail then, just the signage. So, I think everybody's gonna be better served of this case was rescheduled when you get the proper representatives here.

TESTA Mr. Chair, I don't disagree, but I also don't want to be in a situation where they come back and we table them for asking a bunch of

questions about why they can't reduce the size, the size of the sign that they're proposing.

COPPOLA I don't think she'll know why they can reduce or not, she's got a design that's been approved by a client. She has probably no authority to moderate the design.

TESTA What I would like to ask her is how they decide what size to begin with.

HOLKE I can answer that.

TESTA Why have you selected this size?

HOLKE Originally, when we calculated it, we went with 100 square feet because it was the whole building, or we took it as the whole building, not realizing they were not taking the whole building. And we calculated Penske, you know, each line separately. And you guys, squared it off completely. So, we were at 100 square feet if we took each word, square footage and added it together. So that's why we're at 141, as opposed to 100, which would have been closer to the ordinance if they had the whole building. It just seems like going from 100 to 10 for them, even if they only had 40% of the building or 10 square feet, isn't going to identify them from the road. So, there's our hardship.

TESTA If there's a monument sign, planned?

HOLKE As far as I know, there is not, there's not one right now.

TESTA Thank you, Mr. Chair.

COPPOLA Anything else, any other questions?

KLISZ We have to go through the whole rigmarole here or go right to the motion.

COPPOLA I think procedurally, we probably do. No more questions, on one left in the audience, no letters, a final statement from the petitioner. We'll postpone the case and start the Board's comments with Ms. Ptashnik.

PTASHNIK I'd be in favor of tabling until we get more information.

COPPOLA Ms. Oliverio.

OLIVERIO	I agree until we get more information.
COPPOLA	Secretary Klisz.
KLISZ	I agree, I just say please report back to them as to what our problems are, what they should think about. And especially like, are more tenants gonna come in or not? Like, if they, if we give this, there's gonna be no other signs, that's a problem. These are things you could report back to them. But it obviously needs to be tabled.
COPPOLA	Vice Chair Baringhaus.
BARINGHAUS	I agree, I feel this petition should be tabled for proper representation here at a later date.
COPPOLA	Mr. Boloven.
BOLOVEN	I agree with my colleagues.
COPPOLA	Mr. Testa.
TESTA	I have to agree again, I don't want to beat this one to death, but representatives need to be here to answer the question for us to understand.
COPPOLA	Okay, I'll open up the floor for a motion.
BARINGHAUS	Mr. Chairman.
COPPOLA	Mr. Baringhaus.
BOLOVEN	Support.
BARINGHAUS	Motion that Appeal Case 2022-08-02 be tabled to allow the petitioner to reschedule the case when they have proper representation to present the appeal.
COPPOLA	Motion by Mr. Baringhaus, support by Mr. Boloven.

RESOLVED: APPEAL CASE NO. 2022-08-02: An appeal has been made to the Zoning Board of Appeals by Intercity Neon, 12950 Eckles, Livonia, MI 48150, seeking to erect a tenant identification wall sign on the exterior of a multi-tenant industrial building, resulting in excess wall sign area.

Wall sign area:

Allowed: 10 sq. ft

Proposed: 141 sq. ft

Excess: 131 sq. ft

The property is located on the east side of Eckles (12950), between Amrhein and Schoolcraft, Lot No.118-99-0001-004, M-2 "General Manufacturing," Rejected by the Inspection Department under City of Livonia Vision 21, Section 11.08 (4) "Zoning District Regulations, Sign Regulations in Industrial Districts" ***be tabled*** to allow the petitioner to reschedule the case when they have proper representation to present the appeal.

ROLL CALL VOTE

AYES: Testa, Ptashnik, Oliverio, Boloven, Klisz, Baringhaus, Coppola.

NAYS: None.

ABSENT: None.

PASSES: 7-0.

COPPOLA So it's been tabled. You heard about dates and times?

HOLKE So if I can get the property owner here on that next...

COPPOLA A representative that knows what the plans are for the building, at least the property owner, the leasing agent, someone that...

HOLKE ...knows the future of that vacant spot.

COPPOLA I understand that you have a very narrow focus and I apologize for you to having to come in here and leaving you like this.

HOLKE You wanted to know that and then if they have a future monument in the plan, as well. Thank you.

COPPOLA Okay. A couple of things they take care of. We've got minutes to approve on August 16.

TESTA Mr. Chair.

COPPOLA Mr. Testa.

TESTA	I move to approve the meeting minutes of August 16, 2022.
KLISZ	Support.
BOLOVEN	Motion by Mr. Testa, support by Secretary Klisz to approve the minutes of August 16, 2022. All in favor? Any opposed?
BOLOVEN	I vote present, Mr. Chair, I wasn't there.
COPPOLA	Thank you, Mr. Boloven was present. Okay, so the other thing that we need to take care of administratively, we plan this annually, we vote for the officers. Last year, we ended up stretching it out to October, couldn't get a full Board but we have a full Board here today. So, to get it back in the proper case, I think we're supposed to do it at the end of August. So this works fine for August. I think it works out well. So, we'll take, there'll be there's three Board seats, as we all know, there's Chairman Vice Chair, and then Secretary. So, what I'll do is, we will do each one, working our way down from Chair to Secretary. So, I'll first go ahead and take nominations for Chair.
BOLOVEN	Mr. Chair.
COPPOLA	Mr. Boloven.
BOLOVEN	I will nominate Greg Coppola for Chairman.
COPPOLA	Thank you. Any other nominations? Seeing none, we'll take a vote, I don't know if we need to do that officially through the Secretary or I think we've always just done it by raising their hands. All in favor, aye. Opposed? Okay, I will open up the nominations for Vice Chair.
COPPOLA	Mr. Chair.
COPPOLA	Secretary Klisz.
KLISZ	I'd like to nominate Jim Baringhaus for Vice Chair.
COPPOLA	Do you accept?
BARINGHAUS	Yes. Thank you.
COPPOLA	Okay. Any other nominations? Seeing none, we'll go ahead and take a vote. All in favor? Aye. Any opposed? None opposed. Congratulations, Vice Chair Baringhaus. Now for the most special position, and the one that works the hardest through the whole case, the Secretary. I will go ahead and take nominations for Secretary.

BOLOVEN	Mr. Chair.
COPPOLA	Mr. Boloven.
BOLOVEN	I nominate Tim Klisz for Secretary.
KLISZ	I accept.
COPPOLA	Any other nominations? Seeing none, we'll take a vote. All in favor, Aye. Any opposed? Congratulations. Secretary Klisz. Doing a great job. Thank you. Okay, any other business we can take care of today. Mr. Neville, you're looking like there's something?
NEVILLE	No, I'm following along.
BARINGHAUS	Mr. Chairman, I'd like Mr. Fisher did send out a clarification regarding communicating with petitioners, I guess prior to, before the meetings, I think we all had the opportunity to review it, and comment on it maybe at this point, if anybody has any additional comments or questions?
KLISZ	I never knew that the FBI investigated the Livonia ZBA how exciting. So, we've got to be on the up and up, which we are.
COPPOLA	I know we had a pretty long discussion, I think for Ms. Oliverio and Ms. Ptashnik, I remember Joel had brought up a question because he had interactions that were ad hoc because he'd go look at the property and then we wanted the petitioner to have questions. It was very, I think this was not in Mr. Fisher's email, but what advice he gave to us at the time is, if you have a substantive discussion with petitioner, you want to review the property or the place, that you just send a brief email to everybody, including Mr. Fisher or Mr. Neville, or both, and have your conversation and what information was transferred, so that everybody's on the same page. We just need to be careful, it doesn't mean you know, you gotta hide in a grocery store or anything like that. We just, you know, if we do get important information that was just shared, make sure that we don't get accused of, you know, special treatments or anything else.
TESTA	The other option was to declare that you're meeting, that you didn't have to email....
COPPOLA	I like the email, because then you don't forget. And it's, it's, you know, it's done. It's there. And it happens beforehand, like when you got the information, but no, that's a good point, too. You can bring it up. Me

personally, I already know because I forget a lot of things these days, unfortunately.

TESTA To your point as Joel brought up that conversation a couple years ago, the other comment that came back from Mr. Fisher or the lady who was doing training, we shouldn't be more than two people going to a property at the same time, and people could be constituted as a meeting.

COPPOLA Yes. Okay, anything else? All right. Motion to adjourn, please.

BARINGHAUS Mr. Chairman.

COPPOLA I motion to adjourn.

KLISZ Second.

COPPOLA Motion by Vice Chair Baringhaus, second by Secretary Klisz, all in favor.

BOARD Aye.

COPPOLA Meeting is adjourned.

There being no further business to come before the Board, the meeting was adjourned at 7:55 p.m.

Gregory G. Coppola, Chairman

Timothy Klisz, Secretary