

AGENDA OF THE CITY OF LIVONIA ZONING BOARD OF APPEALS
February 7, 2023 – 7:00 p.m.
Livonia City Hall Auditorium
33000 Civic Center Drive, Livonia, MI

AGENDA ITEM(S):

1. **APPEAL CASE NO. 2022-11-32 (Tabled on December 13, 2022): John Beshi, 38141 Ann Arbor Road**, seeking to erect a directional sign and additional wall (awning) sign, resulting in the directional sign being excess in area and the wall sign being excess in amount and area.
2. **APPEAL CASE NO. 2023-01-02: George Nicoloff, 19490 Fairlane Ct**, seeking to maintain a six-foot-tall privacy fence, erected without permit, along portions of the east and southeast property lines, resulting in not acquiring the east and southeast adjoining owners' consent.
3. **APPEAL CASE NO. 2023-01-03: Charter Communications, 14525 Farmington Road**, seeking to erect a six-foot-tall privacy fence upon commercial property which is not allowed.

Public comments may be sent to the ZBA Office at 33000 Civic Center Drive, Livonia, MI and must include name, address, and signature.

In accordance with Title II of the American with Disabilities Act as it pertains to access to Public Meetings, the Livonia ZBA Office, upon adequate notice, will make reasonable accommodations for persons with special needs. Please call 734-466-2250 if you need assistance. ZBA agendas are available on the City's website – www.livonia.gov - under Your Government, Boards & Commissions L-Z, Zoning Board of Appeals, Agendas & Minutes.

ZONING BOARD OF APPEALS

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TIMOTHY J. KLISZ, Secretary
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33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2250

January 20, 2023
PUBLIC NOTICE

APPEAL CASE NO. 2022-11-32 (Tabled on December 13, 2022): An appeal has been made to the Zoning Board of Appeals by John Beshi, 38141 Ann Arbor Road, seeking to erect a directional sign and additional wall (awning) sign, resulting in the directional sign being excess in area and the wall sign being excess in amount and area.

Directional Sign Area:

Allowed: 2 sq. ft
Proposed: 4.5 sq. ft
Excess: 2.5 sq. ft

Wall Signs:

Allowed: 1
Proposed: 2
Excess: 1

Wall Sign Area:

Allowed: 21 sq. ft
Proposed: additional 10 sq. ft
(28 sq. ft. existing)
Excess: 17 sq. ft.

The property is located on the south side of Ann Arbor Road (38141), between Hix Road and Ann Arbor Trail, Lot No.121-99-0010-001, C-1 "Local Business District," Rejected by the Inspection Department under City of Livonia Vision 21, Section 11.06 (8) "Exempt Signs," "Directional Signs" and 11.08 (2) "Sign Regulations for C-1 Districts."

THE LAW REQUIRES THAT OWNERS OF PROPERTY LOCATED WITHIN 300 FEET OF THIS PROPERTY BE NOTIFIED OF THIS REQUEST IN WRITING. THIS IS YOUR NOTIFICATION.

This appeal will be heard at a public hearing to be held in the **Auditorium on the first floor of City Hall on Tuesday, February 7, 2023, at 7:00 p.m.**, at which time comments may be directed to the Board during audience participation. When replying by mail, write your comments on the back of this notice and address it to the City of Livonia, Zoning Board of Appeals, 33000 Civic Center Drive, Livonia, MI 48154. All written comments are read at the meeting and become part of the record.

ZONING BOARD OF APPEALS,

Timothy Klisz, Secretary

Petitioner will incur a \$100 rescheduling fee for every failure to appear.

Case No: 2022-11-32
Meeting Date: February 7, 2023

[illegible]

Signature: _____

Address:

ZONING BOARD OF APPEALS

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December 20, 2022

John Beshi
38141 Ann Arbor Rd
Livonia, MI 48150

APPEAL CASE NO. 2022-11-32: John Beshi, 38141 Ann Arbor Road, seeking to erect a directional sign and additional wall (awning) sign, resulting in the directional sign being excess in area and the wall sign being excess in amount and area.

Directional Sign Area:

Allowed: 2 sq. ft
Proposed: 4.5 sq. ft
Excess: 2.5 sq. ft

Wall Signs:

Allowed: 1
Proposed: 2
Excess: 1

Wall Sign Area:

Allowed: 21 sq. ft
Proposed: additional 10 sq. ft.
(28 sq. ft. existing)
Excess: 17 sq. ft.

The property is located on the south side of Ann Arbor Road (38141), between Hix Road and Ann Arbor Trail, Lot No.121-99-0010-001, C-1 "Local Business District," Rejected by the Inspection Department under City of Livonia Vision 21, Section 11.06 (8) "Exempt Signs," "Directional Signs" and 11.08 (2) "Sign Regulations for C-1 Districts," **be tabled.**

Sincerely,

Timothy Klisz, Secretary

cc: S. Banko, City Clerk, M. Fisher, S. Miller, R. Abrahamson, J. Albus

ZONING BOARD OF APPEALS

CITY OF LIVONIA

MINUTES OF REGULAR MEETING HELD JANUARY 7, 2020

A Regular Meeting of the Zoning Board of Appeals of the City of Livonia was held in the Gallery of the Livonia City Hall on Tuesday, January 7, 2020, 2019.

MEMBERS PRESENT: James M. Baringhaus, Acting Chairman
Timothy J. Klisz, Secretary
Christopher N. Boloven
Janice N. Centers
Lisa Friske
Joel Turbiak

MEMBERS ABSENT: Gregory G. Coppola, Chairman

OTHERS PRESENT: Leo Neville, City Attorney
Bob Stroble, City Inspector
Marilyn Mootsey, Recorder

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 this evening. The Chairman asked if anyone wished to be heard by a full Board and no one wished to do so. The 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 12 people present in the audience.

(7:03)

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APPEAL CASE NO. 2020-01-01: An appeal has been made to the Zoning Board of Appeals by Ann Arbor Crossroads Plaza, LLC, 14520 Stephens Road, Warren, MI 48089, seeking to replace a ground sign damaged by vehicle collision and maintain an existing ground sign, resulting in excess sign height and area for the proposed and existing ground signs. This also results in excess number of ground signs. A proposed electronic message center on the proposed ground sign (14 sq. ft.) is requested but not allowed because of nonconformity based on sign(s) height, area and number of ground signs.

Number of Ground Signs:

Allowed: one
Proposed: two (one existing)
Excess: one

Ground Sign Area:

Allowed: 40 sq. ft.
Total Area Proposed: 156 sq. ft.
(Existing: 60 sq. ft. - Proposed: 96 sq. ft.)
Excess: 116 sq. ft.

Ground Sign Height:

Allowed: 8.0 ft.
Proposed: 15.4 ft.
(Existing: 22.0 ft.)
Excess: 7.4 ft. (of proposed sign)

The property is located on the south side of Ann Arbor Road (38047), between Ann Arbor Trail and West Chicago, Lot. No. 121-99-0009-000, C-1 Zoning District. Rejected by the Inspection Department under Ordinance 543, Section 18.50H(b),1, "Sign Regulations in C-1, C-2, C-3 and C-4 Districts."

Baringhaus: Thank you. Does the Board have any questions for the Inspection Department? Are there any questions for the Legal Department? Okay, thank you. Will the Petitioner please come forward to the podium? Hi, good evening.

Zacks: Good evening. My name is Michael Zacks. 13300 Foley in Detroit, Michigan. We are the proposed sign contractor for the project. So, I also have the property owner who has owned the property for the past two years and has made, if any of you have visited the property and I'm sure you have, substantial improvements to that property. Spent nearly half a million dollars bringing it up to the level that it currently has. As you can see there's a before and after picture that I'm sure you have in front of you. So, there was an existing pylon sign at that site, and I'm told since about 1971. Unfortunately, that sign was hit by a car and suffered substantial damage. Although it could have been repaired at the site, when we discussed it with the Building Department, they said it would have to be removed because it was a nonconforming sign. Once again, we could have done the repairs at the site, but it wasn't feasible as the repairs were fairly substantial. What we're asking for is to replace that pylon sign with the existing poles that would support the new sign. That new sign is approximately 100 square feet. It would allow the display for multi-tenants in the center, along with Little Caesars and a small message center at the top. The hardship, of course, is that the tenants had that sign since 1971, some 48 years, and now they can't be identified because there's no sign there and the current -- current ordinance does not allow us to replace it. So, the tenants have been harmed by, I suppose you might call an Act of God, and have suffered really and some of them irreparable damage because drive by traffic and pedestrian traffic used to be able to recognize them by the marque that was there and unfortunately now there's -- there's nothing there. We

think that the sign is esthetically pleasing, we think it doesn't violate the spirit of the ordinance, and again, it replaces a sign that was already there for some 48 years. I have some letters from some of the tenants and some of the tenants are here to explain what their hardship is with the sign being gone. If you have any specific questions regarding the sign, I'd be happy to answer them. Again, I have the property owner here as well. If you have any specific questions about the property, I'm sure he'd be happy to answer those as well.

Baringhaus: In your proposal you are also asking for an electronic message board. Is that correct?

Zacks: Yeah, correct.

Baringhaus: What types of messages will be displayed on that board?

Zacks: I think they would typically involve messages from the various tenants. We would certainly abide by the regulations for the City of Livonia as far as frequency of message and what you allow for verbiage on the message and every municipality is different and I know that the City of Livonia has specific requirements, which the owner has indicated he would abide by. He's also indicated that he would have no problem displaying community type messages, or AMBER alerts and those kinds of things.

Baringhaus: Your prior sign didn't have a message board and it -- why did you feel a need to include that on this proposal?

Zacks: That -- that -- that's correct as you can see the picture -- the before picture has a sign that dates back to 1971, 48 years ago, so I'm not sure they even had message centers back then. This is a state-of-the-art unit. It's roughly about 12% of the entire sign as far as a relationship message center to the sign area.

Baringhaus: Earlier I believe you said your prior sign was 100 square feet, roughly.

Zacks: I think it was 100 square feet, yes.

Baringhaus: Okay, the proposed sign is 156 square feet. Why the additional square footage? Why is that needed?

Zacks: 12 -- no it's -- it's 144 by 96, so it's 8 by 12.

Baringhaus: So, 96 square feet?

Zacks: Yes.

Baringhaus: Okay.

Zacks: You might be getting confused with -- total rise is 185 inches --

Baringhaus: Yeah, okay that's probably what it is --

Zacks: From grade to the top.

Baringhaus: Correct. Just another -- another question I have is --

Zacks: Sure.

Baringhaus: I notice you have the figure of Little Caesars on the corner there --

Zacks: Yes.

Baringhaus: On the pylon or it's a -- and then you also have a second Little Caesars sign and the proposed sign itself. Why -- why two pieces of identification for Little Caesars?

Zacks: Sure, well I think the Little Caesars sign actually just has the Caesar guy on top and again, that's been there I think for as long as the franchise has been there -- I don't - - I have the Little Caesars management team here. He could probably better answer how long that signs been replaced, but obviously an important tenant in relationship to the entire strip and so they thought they wanted to have a panel up there as well.

Baringhaus: Okay, great. Thank you. Any other questions from the Board?

Klisz: Mr. Chair.

Baringhaus: Mr. Klisz.

Klisz: So, the bottom, I'm looking at the proposed -- a blow up of the proposed sign shows four blank spots at the bottom of the sign.

Zacks: Yes.

Klisz: Is that for openings in the strip mall there --

Zacks: Yes.

Klisz: -- that aren't filled right now?

Zacks: Future -- future tenants. We always try to accommodate for future tenants. So, probably at this point we might fill up one of them that would say, "For Lease," with a phone number or something like that, but those would accommodate future tenants.

Klisz: Okay, but are there actually four open --

Beshi: Yes.

Zacks: There are --

Klisz: -- units --

Zacks: -- yes.

Klisz: --available? Okay. That's all I have. Thanks.

Baringhaus: Any other questions?

Turbiak: Mr. Chair.

Baringhaus: Mr. Turbiak.

Turbiak: Can you tell us a little bit about how the accident happened, if you know?

Zacks: I think the owner might be able to speak to that better.

Beshi: Hello. Happy New Year, everybody.

Board: Happy New Year.

Beshi: My name is Johnny Beshi. I'm the owner of the property. So, I was with my family on a Saturday afternoon and the -- the Police Department for the City of Livonia called me. They said some drunk lady hit the sign, so, she -- she did a lot more damage than that. She went over the curbs, she hit a pedestrian that was walking on Ann Arbor Road. So, thank God no one was killed. She -- she was hurt and the lady that got hit was hurt. So, that's all that I know, so I -- when -- when I went to the Police Department and got a report I tried to call her insurance company, but she didn't have no insurance. So, this -- this is all coming -- coming out of my pocket. There is no insurance involved or anything like that.

Turbiak: Okay, so she came off of Ann Arbor Road to hit the sign?

Beshi: Yes.

Turbiak: Okay, and -- and do you have any plans to make changes that might help prevent the sign from getting damaged in a similar way in the future?

Beshi: That sign is no where close to the road -- I mean -- it's way out -- I mean -- you would have to be very drunk like this lady was -- extremely drunk for you to hit the curbs, go on the parking lot, then go around and hit the sign -- I mean -- you would just have to be blind before you would hit that sign.

Turbiak: Kind of like a one in a 48-year circumstance?

Beshi: One in a billion probably.

Turbiak: Okay. Do you know how tall the previous sign was?

Beshi: It's -- it's the same height exactly -- I -- I think there's a picture where it shows the before and after --

Turbiak: Yes, I see it.

Beshi: -- and it's the same height exactly.

Turbiak: Okay.

Beshi: So, this is nothing that is going to make it any -- you know -- dangerous or -- or any closer to -- to the road or anything like that. It's -- it's practically -- it's the same sign exactly what I had. I -- I wish I could have the same sign and put it up and save \$15 - \$20 thousand dollars. I wish I could do that, but I just can't

Turbiak: Thanks, that reminds me of one of my other questions that I had written down during the presentation. It seems that I heard two different statements that conflicted, maybe I misheard. One it seemed like that you could not repair the sign at the site because of it's nonconforming nature, and then later I thought I heard that maybe because the repair work was substantial. Could you clarify that?

Beshi: Well, again, that sign was 48 years old and so when it fell -- I mean -- we -- we could have patched it up -- Band-Aid it, we could have Band-Aid it, but I don't think it would have looked good, one -- and I don't think the City would let us. I'm -- I'm -- I'm not sure. Would -- would the City have let us?

Zacks: No.

Beshi: No.

Turbiak: No, okay, so it was not an option?

Beshi: No.

Turbiak: Okay. What's the maximum number of units that you have potential for based on your current building layout -- number of buildings, number of entries, and the whole bit?

Beshi: So, the four -- so, on that new sign you see there's four spaces? These are the four vacancies. So, what I like to do is give everything on the spot. So, there's --

Turbiak: So, 15 is the max?

Beshi: Right. So, there's 14 in there and I have about like four -- four tenants that are for -- for lease right now and that's the reason that they're empty --

Turbiak: Okay.

Beshi: So, when the new -- new tenant come in, I will give them their spot.

Turbiak: Trying to think which one to ask next. There -- I noticed that there's another sign at the west end of the -- of the property. Is that also your sign?

Beshi: Sure, yeah that was done maybe a few years back - maybe four, five years ago. No one could see that sign. I'm sure you guys drove by it -- that -- that was good money wasted I -- I think. It's so far away from the road, it's so low, it -- it doesn't light up -- I mean -- I think that's a waste of sign.

Turbiak: Yeah, I'm starting to hear that. I didn't look at it too closely as far as the visual - - you know -- visibility from the road and that, but do you have plans for that sign -- I mean -- let me ask -- let me put it to you this way, would you be willing to take that sign down?

Beshi: Sure -- sure, or -- or I -- I could -- I could make it a -- a for -- a big 'for lease' sign and that would make it -- you know -- instead of having these little words in there that nobody sees. I could take the faces and just put a 'for lease' sign on there so I could get a tenant in there to fill up the other four spots.

Turbiak: Okay, and are you willing to take down the Little Caesars statue?

Beshi: You -- you know that's an icon right there to be honest with you -- you know -- that's an icon. People love that sign -- you know -- I don't want to -- you know -- I just think everybody loves that sign -- you know. So, my -- my Little Caesars tenant is here if you allow him to speak, please?

Baringhaus: Sure, please.

Wanshon: Hi, my name is Daniel Wanshon. I am the franchisee of the Little Caesars in that plaza. I've been a franchisee there for going on five years now, so before Mr. Beshi -- you know -- bought the plaza and did all the renovations. As a Livonia resident and business owner of the Little Caesars -- you know -- I want to express my support to Mr. Beshi and help maintaining the level of signage that will support all of our businesses in that plaza. We're grateful for you guys -- the City -- for allowing us to keep the pole sign, Little Caesars. I hope we're not trying to take that away because it is an iconic sign -- you know -- I don't know if you guys follow in the QSR, but when they released this year the Icons across the world, we were in the top 10 -- you know -- with Little Caesars and that's super important and I don't know if all of you guys have kids or grandkids that play that Pokémon Go. I don't play Pokémon Go, but they -- in that game that craze -- they put that as an Icon where people would come to the plaza walk around -- they went crazy cause they're walking around like this tapping their phones, but -- you know -- it's -- it is an icon and it means a lot to me and it means a lot to the brand -- you know -- the damage to the sign -- to the previous sign is unfortunate in many ways, but the new sign that Mr. Beshi is proposing is an updated look much like the -- you know -- if -- if you guys haven't been to the Center since they've updated it, I would -- I would urge you guys to do so, because he has put a ton of money into that place -- you know -- I've lived in Livonia for seven years now and traveling through there -- you know -- it -- it was an eyesore for a long time and then when he came in and put -- put the investment into the property it -- it did -- it did a ton for -- for everybody in the plaza. To answer your question from earlier about the second Little Caesars sign being proposed. While the -- while the -- the Caesar Man is iconic, and a lot of people know about that -- people still drive -- you know -- ten and two and they want to look and see where the sign is so they don't want to look up at -- at the Caesar Man. And -- and Little Caesars -- I came from corporate prior, and we've -- that

store was one of the beginning stores. It's been there since the 70's. So, that being said -- you know -- I think it's very important that -- you know -- you guys do allow us to have a second sign because during the Fall when the -- when the trees -- you know -- the Spring rather when the trees bloom there's a -- there's a tree in the middle of our parking lot that covers half of our sign so it's very challenging for customers driving towards 275 to see our sign, so -- you know -- in closing -- you know -- we need the sign to help maintain business. Anybody that has a business here -- you know -- signage is very important. If -- if there were not signs here, it would be hard to get here -- you know -- we have our phones that show us turn right right now, but maybe there's not a road, so -- you know -- we need this to maintain our business -- you know -- the bigger the sign the better of course, but -- you know -- obviously there's rules and regulations but we don't put -- there's zero tenants in there that fly flags or banners across the road because we know that that's not something that the City allows, but -- you know -- being -- being from Livonia, and living in Livonia, and paying taxes in Livonia it's very important to me that you guys allow Mr. Beshi to do this because -- you know -- we take pride in what we do there and -- you know -- I think every tenant whether we're -- we're a nationally known tenant and people know us, these -- these other tenants this is their livelihood -- they -- you know -- there's a nail salon in there, there's a veterinarian, there's all these -- all these tenants -- it's their livelihood and to have a little sign takes -- takes part of their livelihood away, so appreciate the time. Thanks, guys.

Baringhaus: Thank you very much. Any other questions? Ms. Fraske.

Fraske: Question for the Petitioner. Would you be open to maintaining the sign or having the sign, but without the electronic portion of that? Would that be something you'd be -- that option would be -- you'd be open to? Because I like the look of the sign, I think the sign is great, but I'm not -- if the messaging wasn't there, would that be something you would be open to?

Beshi: I mean -- I would like the -- the LED sign. It will help me fill -- fill up the center, it will help me if there's an AMBER -- AMBER alert or -- there's -- you know -- I just like to put different things on there like, 'Happy Fourth of July,' 'Happy Memorial Day,' -- you know -- it will just -- you know -- and it's a win-win -- I mean -- I don't know why I -- I -- I shouldn't have that LED sign. I -- I've seen LED signs in the City of Livonia. McDonald's has one right next door.

Someone from the audience: The smile -- the dentist has one.

Baringhaus: I'm -- I'm sorry, sir. You'd have to -- we have the -- Mr. Beshi speaking right now.

Beshi: Sure, yeah, so there -- there's right next-door McDonald's has a -- has a LED sign -- I mean -- I would -- I would -- I would like an LED sign.

Fraske: Okay, thank you.

Beshi: And -- and -- and believe me, that LED sign's probably going to cost me just as much as that whole sign.

Boloven: Mr. Chair.

Baringhaus: Mr. Boloven.

Boloven: Sir, if you had to choose between the LED sign and the Little Caesars figurine, the second sign, which would you choose?

Beshi: You know, they're -- they're both important.

Boloven: If you had to choose one though?

Beshi: You know that Little Caesars sign is like -- is like the main tenant there that's been there for a long time -- like an anchor tenant there and this LED sign will help me fill my shopping center -- will help me -- you know -- fill the plaza up. I don't know they're both - - you know - they're both very important to me.

Boloven: You've got to choose one though, which one do you choose?

Beshi: You know -- I would choose the LED sign. I -- I -- I know the Little Caesar -- the tenant is going to kill me, but I -- I mean -- I -- you know -- I don't -- I don't want to pick, but -- you know --

Boloven: Okay.

Beshi: I -- I -- I'm -- I mean -- I could always put Little Caesars on there, but it's not going to be like their logo -- you know -- they -- they -- you know that logo, like you said -- everyone knows it.

Boloven: Gotcha. Thank you, sir.

Beshi: You're welcome.

Boloven: Inspection Department and I asked Marilyn this, and I don't know if you guys have it in your notes or if it's where it would be. The minutes that are included in our package have that the approval of that second Little Caesars figurine -- the sign -- was tabled. Do we know when that got approved or how that got approved and if so, was there any conditions on it? Marilyn didn't have it; I don't know if maybe Inspections got some notes on it for condition wise?

Stroble: Do you know what address it would be under? I don't see it under the address from this case.

Boloven: So, the minutes were 21840 Eureka, Taylor and there was -- that was the app of the Petitioner. 38141 Ann Arbor?

Stroble: So, under 38141 Ann Arbor Road I have a wall sign in 18 for Little Caesars. No monument sign under that address.

Boloven: Yeah, these minutes look quite old -- I'm not even sure what year would have been -- 71? So, 1971 it would have been. We can keep going forward while --

Stroble: Yeah, it will take a while to go through all this.

Baringhaus: Ms. Centers?

Centers: For what it's worth, I just want to also say that I am also not a fan of the digital signage. I am a fan of the Caesar Man if you will and I think that if you -- if you think about it, there's definitely -- I could see a hardship for the Caesar Man being an icon in Livonia, top ten list -- that was very good information, but I'm not necessarily seeing like a really good use or a really strong hardship for the digital signage, and if you got rid of that digital sign you could actually give more space to each of your tenants, because I'm okay with the height seeing as it's very similar to the old sign. That's not a question, but I just wanted to verbalize that.

Baringhaus: Mr. Beshi, do you have a comment?

Beshi: You know -- everywhere you go now there's digital signs. It just makes it easier for you to lease things out, for you to -- you know -- it just makes things easy -- easier.

Zacks: I think it allows the tenants to do some advertising as well and the City of Livonia does allow LED programmable signs, in fact as I say, this one is only -- the ratio is about 12% to the entire sign. The allowance for the City of Livonia is much larger than that.

Baringhaus: Question for the Legal Department -- Mr. Neville, can you explain the guidelines regarding electronic signage?

Neville: Well, they're prohibited under the -- typically under the Ordinance, Section 18.50C with the -- now whether requesting a variance -- I mean -- and that's where the -- the -- the rubber meets the road here is because essentially he wants to have the -- the new -- the second sign and also to have the LED and under the Ordinance he can have one -- request a variance for one or the other and I'm not sure -- with all due respect -- that the Little Caesars statue is the second sign there, but the -- the one further -- the small sign that is --

Baringhaus: More east --

Neville: Would that be near the west?

Baringhaus: West -- that would be east.

Neville: That would be the -- probably the original sign -- the first sign, this -- so this is the second sign and it looked like the statue was a situation where initially it was going to be put on top of the Caesar -- the restaurant and there was discussion about getting tenant approval and that appears to be where our story ends, so I -- I'm not -- I don't think it's the Little Caesars statue that is the second sign here, but the one at the other end of the plaza. Now, the Ordinance does state that where there is a distance of 400 -- I had that highlighted actually -- where a development site has more than 400 feet of frontage along

a major thoroughfare then there can be two -- two signs of 200 square feet each, so I would assume -- it looks like, without measuring, that the distance between the two signs there would probably be in excess of 400 feet -- you know -- frontage on Ann Arbor Road.

Beshi: Yeah, so I'm -- I'm -- I'm willing to completely remove that other sign. If you guys -- if you would please grant me this, I will remove the other one.

Neville: The LED one?

Beshi: No, the -- the -- the smaller sign that you're talking about that's on the other side that nobody could see.

Neville: Well, then that would be up to the -- the ZBA to grant you that -- that variance.

Beshi: Either if you want me to completely remove it, I will remove it. I think it will be a waste of money, or if you would allow me -- I would take all -- all the signs out of there and just make the whole sign just 'for lease' sign so I could get -- you know -- some -- some -- some benefit out of it, I'll take all the other ones out of there. So -- you know -- if you would allow me -- you know -- if I could just put a 'for lease' sign so I could get tenants in there.

Neville: Well, I think if it says 'for lease' or whether it has a tenant, I don't think that the words on it are -- are not what drives the Ordinance, but it's the signage that's the issue.

Beshi: Well -- well, which one would you rather have?

Neville: That's your choice.

Beshi: Would you rather have my -- my real estate --

Neville: I mean that's why you're here.

Baringhaus: That's why you're here.

Beshi: Okay, that's fine. I mean -- if -- if you'll grant me this than I'll -- I'll -- I'll completely remove it if you want me to remove it.

Boloven: Mr. Chair.

Baringhaus: Mr. Boloven.

Boloven: Quick question for Inspection based off of what the Law Department just said. I'm looking at PDF number -- page 16 in our packet and it's the red mark-up of the ground sign under appeal vs the existing sign, with the existing sign arrow pointing to the Little Caesars sign. What -- what are we actually -- where -- where is the overage? Is it the sign to the west or is it the Little Caesars sign?

Stroble: I think the Little Caesars sign is just -- they're just showing that that's existing, so you're looking at the monument sign itself.

Boloven: So, the additional sign that's causing the overage here -- it's not the Little Caesars statue?

Stroble: No, that whole sign that you're looking at below is over.

Baringhaus: There's -- there's two basically, we'll call them monument signs for a lack of a better term. I believe the one to the east is 60 feet and then the proposed one sign to the west is 96 feet, which gives a total of 156 square feet which is on the notice.

Boloven: Right.

Baringhaus: Okay.

Boloven: So, it says Number of Ground Signs proposed two, the second one isn't counting that Little Caesars, it's counting that other one?

Baringhaus: Correct.

Stroble: Correct.

Boloven: I understand, okay, got it.

Turbiak: Are -- excuse me, Mr. Chair. Are --

Baringhaus: Mr. Turbiak.

Turbiak: Are we certain of that because like Mr. Boloven pointed out, I -- until this moment -- was considering that Little Caesars as 60 square feet. I understand that that's questionable and I'm questioning myself now for coming to that conclusion, but I'm wondering if -- if Randy, who wrote this up, would need to clarify that. I don't want to -- I'm not sure if I'm comfortable assuming that sign on the east end of the plaza is 60 square feet and that there's no square footage allowed -- counted -- or allotted to the Caesars statue, because it did come before the ZBA. It seems like it was being considered as an additional square footage to signage for a lack of better description -- and as was established earlier in tonight's meeting, and I asked Marilyn, there seems to be no final resolution to that ZBA meeting where it was initially tabled, and yet it's here, which is perplexing, so it would be probably -- probably not able to find any more information about what happened in the past, but maybe we can at least find out what Randy was thinking when he wrote it up the way he did. Maybe it's not necessary, it's just some thoughts.

Baringhaus: Any other -- any other comments from the Board? Ms. Fraske.

Fraske: We'd have three signs that we'd be dealing with then, not two, if that's the case, so I don't think that that's an issue. I'm thinking it --

Turbiak: Well, another thing that was confusing was that the address that this is written up against is the -- let me get it here -- seems like it's the address that the east end of the plaza.

Fraske: There are a number of different businesses there.

Baringhaus: Yeah, there's a number of different addresses. It's a range.

Turbiak: I'm missing it.

Beshi: Now, mind you there's two different parcels there. Mind you -- that -- you know -- one -- one parcel is where that sign is, and this parcel is where this other sign is. Just so you guys know that.

Baringhaus: One question I have -- or one thought is -- would you consider -- you mentioned earlier eliminating the sign on the east side of the property. The one you said has poor visibility and then also, with the proposed sign I believe the gentleman from the contracting company mentioned it was about 100 square feet --

Zacks: Yes.

Baringhaus: -- give or take?

Zacks: It is.

Baringhaus: Would you look at possibly redesigning that sign to a smaller size that would conform to the ordinance?

Zacks: I suppose, but as you can see with the allotment for 14 tenants, the copy gets fairly small. Downsizing it would make -- make the copy smaller, and obviously the purpose is to be identified from the street. The letters as you see them where there are two lines on some of the tenants, those letters are only about four to five inches, so if you --

Baringhaus: And then the other proposal Mr. Beshi had was to keep the proposed sign and eliminate the second sign on the property. Is that -- is that how I understood it? Or --

Beshi: That's -- that's fine. If -- if -- if that -- if that's what it's going to take for me to get this sign --

Zacks: We'll take it off.

Beshi -- you know -- I'll -- I'll -- I'll -- I'll take it off.

Baringhaus: Okay, very good. Are there any other comments from the Board? Questions?

Turbiak: Mr. Chair.

Baringhaus: Mr. Turbiak.

Turbiak: To Mr. Neville. Could you help me locate what you were referring to earlier about the 200 feet or 400 feet of frontage or 200 feet between signs? I -- I recall reading that on a past case and I was --

Neville: Right, Section 18.50H sub paragraph b. For each business center having four or more separate business uses. Paragraph one, one free standing business center -- sign not to exceed a maximum sign area of 40 square feet or to exceed eight feet in height, ten feet in length and shall have a minimum setback of ten feet from any right of way line. Where a development site has more than 400 feet of frontage along a major thoroughfare or a minimum of 200 feet of frontage on each of two major thoroughfare a second free standing sign shall be permitted with the same size and location limitations as the first permitted sign providing the distance between the two is no less than 300 feet. And so that's why if that frontage of that plaza, that property was 400 feet and there was going to be 300 feet, then that would seem to leave open the -- the door for a second sign, but we don't know what the -- what the distance between the two of them is. I'm just going based on the -- the scale that -- that's contained in the drawings, but -- so I would think that there would need to be a measurement to find out whether or not that -- that second sign fits within that -- that potential language of b - 1.

Turbiak: Okay, thank you for that Mr. Neville, but what I heard was that there could be a second sign of the same size, which the ordinance allows 40 square feet, so double that would be 80 square feet.

Neville: Well, that's correct and then this particular sign that they have proposed is 108 - is about -- was it 12 feet by? --

Zacks: 12 x 8 --

Neville: 12 x 8 inches?

Zacks: -- it's 96 square feet.

Neville: It's still in excess of the -- of the allowed sign requirement. So, there's your variance request there -- right there.

Turbiak: Okay, thank you. That's all.

Baringhaus: Any other questions? Okay, if you could just take a seat, for a moment. Thank you.

Beshi: I -- I have my other tenants here. They'd like to say something. I've got some letters.

Baringhaus: They will. We're going to get to that section in a minute. Thank you. Are there any comments from the audience regarding this case? Yes, please go to the podium.

Ogger: Hello. Hi, my name is Annette Ogger and I live at 34226 Wood Street in Livonia. We -- I am the President of the Michigan Tai Chi Association. We're a member -- we're a
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unit in the plaza. We've been there for 20 years, I myself have just been there for five, but we rely -- we're a non-profit organization, okay, and we rely on the sign -- people -- we get members from the sign. People come in because they said they saw the sign and they want to try Tai Chi, so -- that's not our only -- only avenue, but we need that sign for -- for membership. We have no -- because we're non-profit, we don't -- can't afford a lot of advertising, so that's one of our -- one of our advertising -- advertisements. A smaller sign -- ours was nice, it was green and said Tai Chi. It looked very Asian -- you know -- Tai Chi-ish so, people spotted it -- you know -- not all our members are from the sign, but it does -- we have had people come in and say -- we ask them how you saw it and they said, "We saw the sign and we've always wanted to try Tai Chi." So, we've been there for 20 years with that sign and it's helped us, so -- that's all I have to say.

Baringhaus: Okay, well, thank you.

Ogger: Thank you.

Baringhaus: Appreciate it. Any other comments from the audience? Yeah, please.

Powers: Good evening ladies and gentlemen. My name is Dave Powers and I'm with DLP Music and Repairs Service. I've been in business since 1980 --

Baringhaus: I'm sorry. Can we have your address as well?

Powers: 38135 Ann Arbor Road.

Baringhaus: Livonia, thank you.

Powers: In Livonia.

Baringhaus: Great, thank you.

Powers: I've been there at least 12 years. I've been in business since 1980. I'm kind of in the corner back where I am, and so having the signage where it is, large enough as it were, is a help to me. I know Mr. Beshi helped me out with a lighted sign over my portion -- over my store, and the recent investments before had kept the old sign and repaired it because of the Ordinance, and so this gave us a little larger venue. Now that it's been damaged -- I mean -- I had no signage out by the road at all here for the Holidays and so it's a hardship looking for people to drive past and find my business especially when they email me or they call and they say, "Well, where are you located?" People are now finding me back on Ford Road over ten years ago when I was in Dearborn Heights and they're not finding me here? I mean -- give me a break as a small businessman, so it's been a hardship over the Holidays for myself and I'm sure any of the other tenants. So, to curtail and make this shorter, that's my livelihood.

Baringhaus: Okay, thank you.

Powers: Thank you.

Baringhaus: Thank you very much. Any other comments from the audience? Very good. Mr. Klisz, do we have any letters?

Klisz: We do. We have a letter from Christina 'Cat' Albanys, 38119 Ann Arbor Road, Livonia. (Letter read.) Letter of objection, Cathy Frank, 9422 Westwind Drive. (Letter read.) Letter of approval from Laura J.H. Cude, 37917 West Chicago. (No comments.) Letter of objection from Beverly J. Bennett, 37933 West Chicago. (Letter read.) Letter from Annette Ogger who spoke already. Letter of approval by Christian Pavelescu, 8955 Lamont, Livonia. (Letter read.) Letter from the Little Caesars Franchisee who also spoke. Letter of approval, Vivian Nguyen, 38143 Ann Arbor Road. (Letter read.)

Baringhaus: Thank you very much. Would the Petitioners like to come forward and make a final statement?

Zacks: Thank you. In closing I suppose I would like to say the obvious hardship is that there was a sign in place for some 48 years, it's been gone as you've heard from some of the tenants they suffered dramatically without having some identification out by the road. We think that the proposed sign is esthetically pleasing and again doesn't violate the spirit of the ordinance and allows the tenants hopefully to mark their property and have continued success.

Baringhaus: Thank you.

Beshi: I -- I think everybody said what needed to be said, so it's up to you what you want to decide.

Baringhaus: Okay, thank you.

Beshi: Thank you.

Baringhaus: Okay, the public portion of the meeting is closed, and I'll begin the Board's comments with Mr. Boloven.

Boloven: I -- I do think you guys need another sign. The question is it's whether you're going to get the sign that you -- you're proposing. I -- I just don't feel there's a fit and I think there's some confusion right now, and I've been trying to do some research while I've been sitting here. I think your other -- I do think the two signs we're really looking at here tonight are the monument and the sign you're looking to replace. I -- it looks like that other sign to the west is under your other parcel number, which is probably why it didn't get flagged because your other parcel number and other address gets a separate set of zoning, so the way I'm looking at it it's really -- we're looking at those two, the monument and that sign even with -- you know -- I would be up to you either have the electronic or you have the monument and you've stated you'd rather have the electronic, maybe there's some more discussion, but right now based on the information presented I'd be more in favor of a tabling to one, get when the approval actually happened for the monument, and two, a better clarity of what are we actually looking at as the overage on this case, so --

Baringhaus: Thank you. Ms. Fraske.

Fraske: First of all, I want to thank you for the improvement you've made to the -- the area -- that -- we appreciate that. Secondly, my feeling is, and I'm sure you under -- probably know what I feel because I've pretty much expressed it, but I would be in support of the variance as long as one of two things were done. Either you remove the one sign, or you put up the sign without the message board. So, I'd like to see what my other colleagues have to say, but that -- that's how I think -- that's my thoughts.

Baringhaus: Thank you. Mr. Klisz.

Klisz: I agree. I think that this new sign looks good -- looks better than the other one which is very piecemealed together. I would definitely oppose any thought of removing the Little Caesars guy. There is no way that that should happen. He -- he's iconic and I think we've -- we've -- the Petitioner and the other people who have spoken have expressed how important that is and that -- that would be the -- the key for me. As to the sign itself, I think there's been some discussion and some compromise from the Petitioner as to - even if it's on the other parcel, if we get rid of the other sign, where we're saying maybe the third sign if -- if Little Caesars man is considered a sign, it's fine, it's staying there it's grandfathered in and it shouldn't go anywhere. This new sign, it's a little bit bigger. I -- I guess the digital part I -- at first I was like well, we could just remove it, but I think if we left it, the digital sign, as it is a small part of it, and if we remove the other sign in the further east of the property there -- that's a compromise -- that makes it look cleaner and essentially that would be a -- a better look for the entire project, so I would be in favor of the proposal with the removal of that other sign leaving the Little Caesars man in place.

Baringhaus: Thank you. Ms. Centers.

Centers: I believe a perfect option under my humble opinion would be of course to keep, without question, the Caesar man and to keep the other sign because I do think that when you're driving towards the freeway you're just not at that big sign yet and -- and sometimes I think that little sign could possibly help you and it is on a different parcel I believe that Mr. Boloven is correct in that regard. I again not a fan of the digital. Obviously lighting up with LED's -- the sign lit up, the LED is okay, but the digital is not something I'm interested in. If we go ahead and make a compromise like Mr. Klisz said with removing the smaller sign and allowing you to have the digital read out on the larger sign, I would like some conditions as to how often the sign is changed, no flashing, things in that regard to make it as the least digital possible. Thank you.

Baringhaus: Thank you. Mr. Turbiak.

Turbiak: I'm struggling with this one. I'm probably at this point leaning toward tabling it. I am not a fan of the digital signs in general. I did see the one at McDonald's and if there's a question about -- you know -- why does McDonald's get to get one verses -- you know -- you're requesting it -- basically it has to do with the fact that not only are you asking for a digital sign, but you're also asking for excess area to what the ordinance allows. That all being said part of my reason for tabling it is also to get clarity on what Randy was thinking and what was considered when he wrote it up, what the two parcels are, are they to be considered as one as far as signage? I seem to recall in the past there was a case where we had another similar shopping center that had multiple buildings and multiple

parcels, but it was considered as one as far as signage allotment. Now, on the other hand, you have a lot of businesses in there, you need a lot of square footage for signs for that. And so, I -- I think I would just like a little bit more time to -- to kind of understand the -- details and not just kind of to ram it through. And I think there is a possibility that if you were to get rid of that sign to the east and you look at the number of buildings maybe you can justify keeping both the digital and the Caesar man statue, but I'm not ready to make a call one way or another tonight.

Baringhaus: Thank you. Hearing discussion from my fellow Board members, I'm inclined, as Mr. Beshi suggested, to -- you know -- consider removing the sign in the east. The smaller sign that you mentioned really does -- it's not that visible -- really and not that much value to you. I think I would be in favor of keeping your proposed sign with the electronic message board, as well as the -- you know -- Little Caesar -- Little Caesar man sign for a lack of better term, and it is iconic because I couldn't resist, I had to look it up and actually there's only 22 of those left in the entire United States, so they're definitely iconic and I think it's something that's -- you know -- really has been a part of the history of the area with the founding of Little Caesars being done in the Garden City area so it is a piece of history and it is worth saving. But I would go with the recommendation of my colleagues of removing the sign on the east allowing you to have the sign next to the Little Caesars -- Caesar man sign -- keeping that and then keeping the electronic message board on that sign as well and in all fairness there is one at McDonald's and I don't think that would substantially impact the area given the frontage of the -- the entire plaza itself, so with that the floor is open for a motion.

Klisz: Mr. Chair.

Baringhaus: Mr. Klisz.

Upon motion by Klisz and supported by Fraske, it was:

RESOLVED: APPEAL CASE NO. 2020-01-01: Ann Arbor Crossroads Plaza, LLC, 14520 Stephens Road, Warren, MI 48089, seeking to replace a ground sign damaged by vehicle collision and maintain an existing ground sign, resulting in excess sign height and area for the proposed and existing ground signs. This also results in excess number of ground signs. A proposed electronic message center on the proposed ground sign (14 sq. ft.) is requested but not allowed because of nonconformity based on sign(s) height, area and number of ground signs.

Number of Ground Signs:

Allowed: one
Proposed: two (one existing)
Excess: one

Ground Sign Area:

Allowed: 40 sq. ft.
Total Area Proposed: 156 sq. ft.
(Existing: 60 sq. ft. - Proposed: 96 sq. ft.)
Excess: 116 sq. ft.

Ground Sign Height:

Allowed: 8.0 ft.
Proposed: 15.4 ft.
(Existing: 22.0 ft.)
Excess: 7.4 ft. (of proposed sign)

The property is located on the south side of Ann Arbor Road (38047), between Ann Arbor Trail and West Chicago, Lot. No. 121-99-0009-000, C-1 Zoning District. Rejected by the Inspection Department under Ordinance 543, Section 18.50H(b),1, "Sign Regulations in C-1, C-2, C-3 and C-4 Districts," **be granted for the following reasons and findings of fact:**

1. The uniqueness requirement is met because of the age of the existing grandfathered large sign that was damaged by a drunk driver.
2. Denial of the variance would have severe consequences for the petitioner because the petitioner would be limited to trying to fix the damaged old sign which they weren't able to do.
3. The variance is fair in light of its effect on neighboring properties and is in the spirit of the zoning ordinance because while there were two (2) objections to some sign issues, for the most part the neighbors and tenants are in favor of the proposed sign.
4. The Board received seven (7) letters of approval and two (2) letters of objection from neighboring property owners.
5. The granting of this variance will not adversely affect the purpose or objective of the Master Plan because this property is classified as "Corridor Commercial" under the Master Plan and the proposed variance is not inconsistent with that classification.

FURTHER, the variance be granted with the following conditions:

1. That the Petitioner remove the sign currently existing on the east part of the property.
2. That the sign be built as presented.
3. The Petitioner must follow the electronic sign rules set forth in the City of Livonia Ordinances.

ROLL CALL VOTE:

AYES: Turbiak, Friske, Centers, Klisz, Baringhaus
NAYS: Boloven
ABSENT: Coppola
RECUSED: None

Baringhaus: Okay, the variance is approved, but with the following conditions. One that the one sign on the east -- east side of the property be removed, that the proposed sign that you -- we discussed this evening be constructed as presented. And then the regulations regarding electronic message boards in the City of Livonia be adhered to.

Zacks: Thank you very much.

Baringhaus: Any questions? Thank you, very much and good luck.

Zacks: Thanks.

Baringhaus: Would the secretary call the next case, please?

Beshi: Thank you very much.

Baringhaus: You're welcome. Thank you.

APPEAL CASE NO. 2020-01-02: An appeal has been made to the Zoning Board of Appeals by Merply, LLC, 216 South Street, Rochester, MI 48307, seeking to construct an addition to a nonconforming building. Nonconformity is based on the existing building setback from Merriman Road (the side yard) of 25 feet where 60 feet is required.

The property is located on the north side of Plymouth (31390), between Merriman and Sears Avenue, Lot. No. 103-99-0018-000, C-2 Zoning District. Rejected by the Inspection Department under Ordinance 543, Section 11.09, "Front, Side and Rear Yard Requirements."

Baringhaus: Thank you, does this Board have any questions for the Inspection Department? Are there any questions for the Legal Department? Okay, thank you. Would the Petitioner please come to the podium. Good evening.

Lee: Good evening.

Baringhaus: Could I have your name and address, please?

Lee: Christopher Lee, 31390 Plymouth Road, Livonia, MI.

Baringhaus: Alright, thank you. Tell us about your project.

Lee: Okay, well we've been working on this for quite some time. I went through Planning and City Council last year and the project is essentially to add a small addition to -- off of the backside of our current building adding about 1100 square feet to the -- 11-1200 square feet to -- to the existing building just to add two more bays basically to be able to service the vehicles more efficiently, more quickly and -- yeah, and to also be able to improve the property. The project not only includes an addition, but includes refacading the existing building which is gosh -- about 70 years old at this point and as well as removing an existing shed which is maybe even older than that, so yeah, and the addition does meet all -- you know -- setback requirements. Unfortunately, the existing building being built quite some time ago is closer to Merriman Road than current zoning requires.

Baringhaus: Okay, terrific. I noticed on the proposed service bays that they were taller than the existing service bays -- you know -- in your facility.

Lee: That's correct -- that's correct.

Baringhaus: Can you explain why?

Lee: A couple reasons, one - so that we are able to get taller vehicles in there. The existing service facility, the ceiling is quite low -- you know -- for a facility so, it will allow us to get some slightly larger trucks, not -- not semi's or anything like that, but some slightly larger vans, things like that, that have a high top -- you know -- into the building and lift them to a height where they can be worked on. The other thing that will allow us to do is actually build some racks on the inside higher up so that we can store tires, which is one of the conditions of the -- the Planning Commission approval was -- was to be able to store our used -- the scrap tires indoors.

Baringhaus: Do you primarily do automotive repair from your current facility or?

Lee: Yes, that's right.

Baringhaus: Okay, you don't -- the larger bays that you're proposing would be for like RV type units?

Lee: No, not even that -- not even that large --

Baringhaus: Not even that large?

Lee: I mean -- I mean -- they're basically just, so for example like a Sprinter van that's --

Baringhaus: Okay.

Lee: -- that's got a -- like a high top or something like that -- you know -- not even -- not even really box trucks are going to fit in there, so --

Baringhaus: Okay, no heavy truck repair? That kind of thing?

Lee: No, no -- nothing like that.

Baringhaus: Basically automotive?

Lee: Yes.

Baringhaus: Okay, terrific. Just generally mechanical repairs? No paint? No body shop?

Lee: No, nothing of that sort. No, we're not a body shop at all.

Baringhaus: Okay, great. How many -- how would you, with the addition of the facility to that property, how will that impact your vehicle storage?

Lee: It won't really because the -- the area that it is going to occupy is currently -- there's a small like grassy area behind the shed that's there and in the shed itself. Those are really the only -- so, it's not actually eliminating any -- any parking spaces, and it will actually -- it will increase our ability to store some vehicles inside when we're -- when we're closed, so and the actual high roll out a vehicle to be raised on a hoist and then the other vehicle parks underneath it.

Baringhaus: Do you store all your vehicles that are being serviced on your property or do you have like an off-site lot or?

Lee: We -- everything that's being serviced we do store on the property. We have an off-site lot for employee vehicles, but no. Everything that we service stays on that lot.

Baringhaus: Okay, very good. Thank you.

Lee: Sure.

Baringhaus: Any other questions?

Turbiak: Mr. Chair.

Baringhaus: Mr. Turbiak.

Turbiak: When do you plan to start construction?

Lee: We're hoping for as soon as the ground -- the ground is thawed enough to be able to -- to start digging.

Turbiak: Okay, that's all, Mr. Chair.

Baringhaus: Okay, thank you. Any other questions? Okay, very good. Normally we would switch over to audience participation at this point -- I don't see -- do you have a comment, sir? No? Okay, terrific.

Unidentified man in audience: I made all my comments at the planning of this.

Baringhaus: Early, okay. Thank you very much. Do we have any letters?

Klisz: We have one letter. Letter of approval, Scott Grace-Daly, 31500 Plymouth Road. (Letter read.)

Baringhaus: Okay, great. Would you like to make a final statement, Mr. Lee?

Lee: No, no -- I'm good, thank you.

Baringhaus: Okay, great. Thank you. If you could just have a seat now.

Lee: Sure.

Baringhaus: Okay. We'll close the public portion of the meeting now and we'll begin the Board's comment with Ms. Fraske.

Fraske: I think it looks great! I'm excited! I think it's going to be a true asset to the Community just the -- the looks of it and the fact that you're making improvement. So, I'm in support.

Baringhaus: Thank you. Mr. Klisz.

Klisz: I agree. When these things come to us sort of in the last-ditch effort where it's been meticulously gone over by the Planning Commission and the City Council -- they've approved it, we're just looking at a -- a minimal variance for the setback. It doesn't affect the parking. There was some cohesive debate in the minutes about stuff like that, but that's all been worked out so, this one's really easy for me.

Baringhaus: Okay, thank you. Ms. Centers.

Centers: I agree. I'll also be in support.

Baringhaus: Okay, Mr. Turbiak.

Turbiak: Yes, I'm going to be in support. The -- the addition that's being considered is -- is in compliance with the zoning at a 60 feet setback, so there's really no issue there. It's just the existing building that has the 25-foot setback that is not conforming. I also want to take a minute just to compliment Mr. Lee on not only the upgrades that he's planning, but also how he's carried himself throughout this process. I've been watching this case even before I joined the ZBA and he's been very patient, very professional and I'm sure that translates to his customer service at his -- at his business and I'm sure he gets a lot of repeat customers. I just want to compliment him on that and continue to encourage him.

Lee: Thank you.

Baringhaus: Mr. Boloven.

Boloven: I -- I echo Board Member Klisz's comments. This has been reviewed by many Department's of the City. You've gone through a long process. I do see the hardship and uniqueness. I will be in support of the project.

Baringhaus: I agree with my colleagues for the various reasons that they stated. Just very simply very well thought out, always on the project, thank you for the improvement in the Plymouth -- Plymouth Road/Merriman area and good luck to you. So, I'll support the variance. Floor is open for a motion.

Centers: Mr. Chair.

Baringhaus: Ms. Centers.

Upon motion by Centers and supported by Boloven, it was:

RESOLVED: APPEAL CASE NO. 2020-01-02: Merply, LLC, 216 South Street, Rochester, MI 48307, seeking to construct an addition to a nonconforming building. Nonconformity is based on the existing building setback from Merriman Road (the side yard) of 25 feet where 60 feet is required.

The property is located on the north side of Plymouth (31390), between Merriman and Sears Avenue, Lot. No. 103-99-0018-000, C-2 Zoning District. Rejected by the Inspection Department under Ordinance 543, Section 11.09, "Front, Side and Rear Yard Requirements," **be granted for the following reasons and findings of fact:**

1. The uniqueness requirement is met because of the lot size and location on Plymouth Road and Merriman. The existing building is non-conforming. The addition will be conforming.

2. Denial of the variance would have severe consequences for the petitioner because they would not be able to improve their property and expand their indoor storage of materials.
3. The variance is fair in light of its effect on neighboring properties and is in the spirit of the zoning ordinance because we do not have any neighbor objections.
4. The Board received one (1) letter of approval and zero (0) letters of objection from neighboring property owners.
5. The granting of this variance will not adversely affect the purpose or objective of the Master Plan because this property is classified as "Corridor Commercial" under the Master Plan and the proposed variance is not inconsistent with that classification.

FURTHER, the variance be granted with the following conditions:

1. That the addition and the renovations of the current building be built as presented.
2. That the Petitioner follow all requirements of City Council and Planning Commission.

Baringhaus: Okay, Motion by Ms. Centers, support by Mr. Boloven. Mr. Klisz take, roll please.

Klisz: I just have one discussion --

Baringhaus: Yes, please.

Klisz: That maybe you want to add follow all requirements of City Council and Planning Commission.

Centers: I would like to add that. I agree.

Baringhaus: Okay, great. Thank you.

Klisz: Do you have -- agree to support?

Boloven: Support, yeah.

Baringhaus: Okay, thank you.

ROLL CALL VOTE:

AYES: Turbiak, Fraske, Centers, Boloven, Klisz, Baringhaus

NAYS: None

ABSENT: Coppola

RECUSED: None

Baringhaus: Mr. Lee, your variance has been granted. So, thank you again. Thank you for the time you've taken to get this process reviewed by the City, and also thank you for the improvement for the Livonia Community.

Lee: Thank you.

Baringhaus: Mr. Klisz.

Klisz: Motion to approve the minutes of December 10th.

Turbiak: Support.

Baringhaus: Support by Mr. Turbiak, motion by Mr. Klisz. All those in favor?

Board: Aye.

Klisz: Motion to adjourn.

Baringhaus: I have a motion to adjourn by Mr. Klisz. Support?

Turbiak: Support.

Baringhaus: Support by Mr. Turbiak. All in favor say aye.

Board: Aye.

Baringhaus: Meeting adjourned. Thank you.

There being no further business to come before the Board, the meeting was adjourned at 8:08 p.m.

Jim Baringhaus, Acting Chairman

Timothy Klisz, Secretary

/mm

ZONING BOARD OF APPEALS

ZONING BOARD MEMBERS

GREGORY G. COPPOLA, Chairman
JAMES M. BARINGHAUS, Vice Chairman
TIMOTHY J. KLISZ, Secretary
CHRISTOPHER N. BOLOVEN
TAMARA OLIVERIO
MARTHA PTASHNIK
MICHAEL A. TESTA



MAYOR

MAUREEN MILLER BROSNAN

COUNCIL MEMBERS

JIM JOLLY, President
LAURA M. TOY, Vice President
SCOTT BAHR
ROB GJONAJ DONOVIC
BRANDON MCCULLOUGH
KATHLEEN E. MCINTYRE
SCOTT MORGAN

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2250

November 23, 2022
PUBLIC NOTICE

APPEAL CASE NO. 2022-11-32: John Beshi, 38141 Ann Arbor Road, seeking to erect a directional sign and additional wall (awning) sign, resulting in the directional sign being excess in area and the wall sign being excess in amount and area.

Directional Sign Area:

Allowed: 2 sq. ft
Proposed: 4.5 sq. ft
Excess: 2.5 sq. ft

Wall Signs:

Allowed: 1
Proposed: 2
Excess: 1

Wall Sign Area:

Allowed: 21 sq. ft
Proposed: additional 10 sq. ft
(28 sq. ft. existing)
Excess: 17 sq. ft.

The property is located on the south side of Ann Arbor Road (38141), between Hix Road and Ann Arbor Trail, Lot No.121-99-0010-001, C-1 "Local Business District," Rejected by the Inspection Department under City of Livonia Vision 21, Section 11.06 (8) "Exempt Signs," "Directional Signs" and 11.08 (2) "Sign Regulations for C-1 Districts."

THE LAW REQUIRES THAT OWNERS OF PROPERTY LOCATED WITHIN 300 FEET OF THIS PROPERTY BE NOTIFIED OF THIS REQUEST IN WRITING. THIS IS YOUR NOTIFICATION.

This appeal will be heard at a public hearing to be held in the **Auditorium on the first floor of City Hall on Tuesday, December 13, 2022, at 7:00 p.m.**, at which time comments may be directed to the Board during audience participation. When replying by mail, write your comments on the back of this notice and address it to the City of Livonia, Zoning Board of Appeals, 33000 Civic Center Drive, Livonia, MI 48154. All written comments are read at the meeting and become part of the record.

ZONING BOARD OF APPEALS,

Timothy Klisz, Secretary

Petitioner will incur a \$100 rescheduling fee for every failure to appear.

2022-11-32
December 13, 2022

[illegible]

Address:



CITY OF LIVONIA

INSPECTION DEPARTMENT

REJECTION OF APPLICATION FOR PERMIT

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154
421-2000

BASED ON NONCONFORMITY TO ORDINANCE LIVONIA VISION 21

Applicant CAL SIGN Address 35059 GLENWOOD, WAYNE, MI 48184 734-728-4114
Owner JOHN BRESI Address 38141 ANN ARBOR RD, LIVONIA, MI 48150 313-801-2832
Lessee _____ Address _____
Location SOUTH Side of 38141 ANN ARBOR ROAD Street
Between Hix And ANN ARBOR TRAIL
Lot No./Parcel No. 121-99-0010-001 Subdivision _____
Zoning District C-1 Map No. NE 31 Lot Size ± 2.02 ACRES Alley _____
Present Use RETAIL CENTER Proposed Use SAME
Present Building Size N/A Proposed Building Size NONE PROPOSED
Present Height of Building N/A Proposed Height " "
Allowable Lot Coverage N/A Proposed Lot Coverage " "
Proposal SEEKING TO ERECT A DIRECTIONAL SIGN AND ADDITIONAL WALL (AWNING)
SIGN RESULTING IN THE DIRECTIONAL SIGN BEING EXCESS IN AREA AND
THE WALL SIGN BEING EXCESS IN AMOUNT AND AREA. DIRECTIONAL
SIGN AREA ALLOWED: 2 SQ FT; PROPOSED: 4.5 SQ FT; EXCESS: 2.5 SQ FT.
NUMBER OF WALL SIGNS ALLOWED: ONE; PROPOSED: TWO; EXCESS: ONE
WALL SIGN AREA ALLOWED: 21 SQ FT; PROPOSED: 38 SQ FT (10 SQ FT
PROPOSED; 28 SQ FT EXISTING); EXCESS: 17 SQ FT.

Reason for Rejection LIVONIA VISION 21, SECTION 11.06 (B) AND 11.08 (2)

Deficient Side Yard _____	Deficient Front Yard _____	Deficient Rear Yard _____
Deficient Lot Area _____	Deficient Lot Area per Room _____	Encroachment _____
Excessive Lot Coverage _____	Excessive Height _____	Increasing No. Units <u>ONE WALL SIGN</u>
Use Prohibited _____	Deficient Parking Spaces _____	<u>11.06(3) / 11.08(2)</u> <u>DIR. WALL</u> Increasing Area and Bulk <u>2.5 SF / 17 SF</u>

Remarks _____

Plans and Application examined by Ryo

Date NOVEMBER 14, 2022

ZONING EXAMINER

APPLICATION FOR VARIANCE

John Beshi	38141 Ann Arbor Rd.	Livonia, MI	48150	313-801-2832	
(Owner of Premises)	(Street Address)	(City)	(Zip Code)	(Telephone)	(Fax)
Daniel Wanshon	38141 Ann Arbor Rd.	Livonia	48150	734/664-7302	
(Lessee)	(Street Address)	(City)	(Zip Code)	(Telephone)	(Fax)
Cal Sign Company	35059 Glenwood Rd.	Wayne, MI	48184	734-728-4114	734-728-8886
(Contractor)	(Street Address)	(City)	(Zip Code)	(Telephone)	(Fax)

The property address is 38141 Ann Arbor Road

Please note that if you need more space to answer any of the following questions, you may use a separate page or the back of this page. Simply identify your response(s) with the number of the question you are responding to.

1. Are there any deed restrictions or subdivision rules or restrictions on the property? If so, what are they? No

2. Give legal description of property involved, or attach a deed or other document which contains the legal description of the property:

A variance can only be granted if a hardship or practical difficulty with the property makes the variance necessary. Under the City's Zoning Ordinance, a practical difficulty exists only if (a) the difficulty is exceptional and peculiar to the property, and does not exist generally throughout the City, (b) the difficulty involves more than mere inconvenience, inability to earn a higher financial return, or both, and (c) the variance would be fair to the neighbors and others who might be affected, as well as those who do not have this variance.

3. Please explain how the practical difficulty you claim is unique to your property, and does not exist elsewhere in the City:

See attached letter

4. Please describe what the difficulty involves beyond mere inconvenience or inability to earn a higher financial return:

See attached letter

5. Explain why you think this variance would be fair to the neighbors and others who might be affected. Increased safety to traffic patterns. Signs are not intrusive in size or appearance.

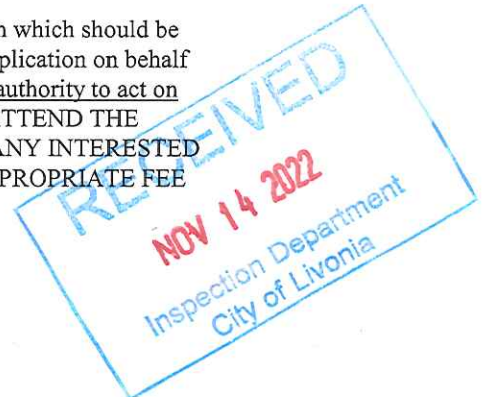
6. Have you sought an amendment to the zoning ordinance which would permit your proposed project under your current zoning? If yes, please describe the outcome of this process: No

7. If you have not attempted to have the zoning ordinance amended, why hasn't this attempt been made? N/A Property is commercial.



8. Have you attempted to have the property rezoned? If yes, please describe the outcome of the rezoning process: No
9. If you have not attempted to have the property rezoned, why hasn't this attempt been made? Property has proper zoning

Please see the separate instruction sheet for plans, fees, and other information which should be submitted with the application. **Note** that if an agent or attorney signs the application on behalf of the owner, said agent or attorney must provide written proof of his or her authority to act on the owner's behalf. ALL INTERESTED PARTIES ARE REQUIRED TO ATTEND THE ZONING BOARD OF APPEALS MEETING. NON-ATTENDANCE BY ANY INTERESTED PARTY MAY RESULT IN YOUR CASE BEING TABLED AND THE APPROPRIATE FEE BEING ASSESSED.



OWNER'S AFFIDAVIT

COUNTY OF WAYNE)
STATE OF MICHIGAN)

The undersigned being duly sworn, deposes and says that the foregoing statements and answers herein contained and accompanying information and data are in all respects true and correct to the best of (his/her) knowledge and belief, and that the undersigned personally undertakes to see that the property will be used and developed in compliance with all applicable ordinances and any conditions imposed in connection with any variance which may be granted in response to this application.

Signature of property owner: [Signature]

Please print name of property owner: H. Johnny Beshi

NOTE: Please provide Letter of Authorization on official letterhead if not signed by owner of the property, as well as the deed and property transfer affidavit.

Subscribed and sworn to before me this 28th day of Oct, 2022

[Signature]
(Notary Public, Wayne County, Michigan)
My Commission expires 10/12/23



Any decision of the Board favorable to the applicant will remain valid only as long as the information or data relating thereto are found to be correct and the conditions upon which the resolution was based are maintained.

NOT TO BE COMPLETED BY APPLICANT

Petitioner makes application for a Hearing, seeking to (reverse modify, or affirm) the (order, decision) of the Department of Inspection, dated 11/14/2022, which reads as follows:
LIVONIA VISION 21, SECTION 11.06(8) AND 11.08(2)

I certify that (a) the petitioner is not in violation of any ordinance other than the provision(s) sought to be waived in the foregoing application, (b) all applicable fees have been paid, and (c) I have examined the foregoing application, and find that said application is complete, and that the City Zoning Ordinance, Ordinance No. 543, as amended, prohibits the proposed project unless a variance is granted by the Zoning Board of Appeals.

[Signature]

(Supervisor)

Application for permit filed Yes

Violation Issued No



Drive Thru Entrance Sign

Difficulty

The store is located back in the corner of the shopping center which is also on a curve on the road making visibility for east bound traffic see the back entrance at the rear of buildings until they have passed it.

The preferred entry to the drive-thru is located at the back side of the center along the buildings.

This is the preferred entry for ease of traffic patterns due to the small area to turn around in to approach the drive-thru window in the back corner of the Center. Additionally without a significant sign to locate the entrance would be hard for customers to locate.

Awning; this is a must for any drive-thru window with lighting due to certain weather conditions weathers and for customers convince at night.

The awning is of minimal size required.





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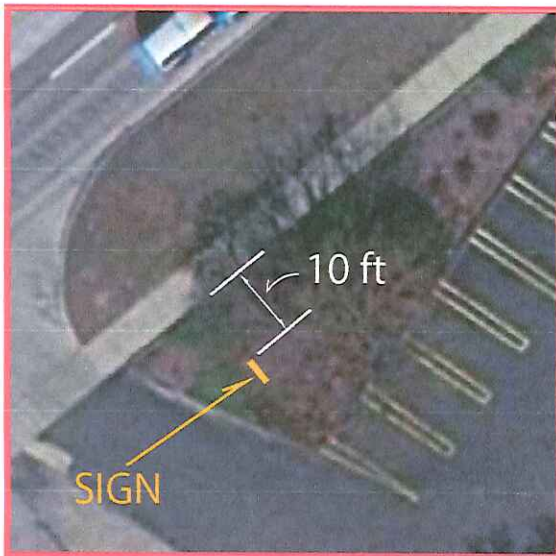
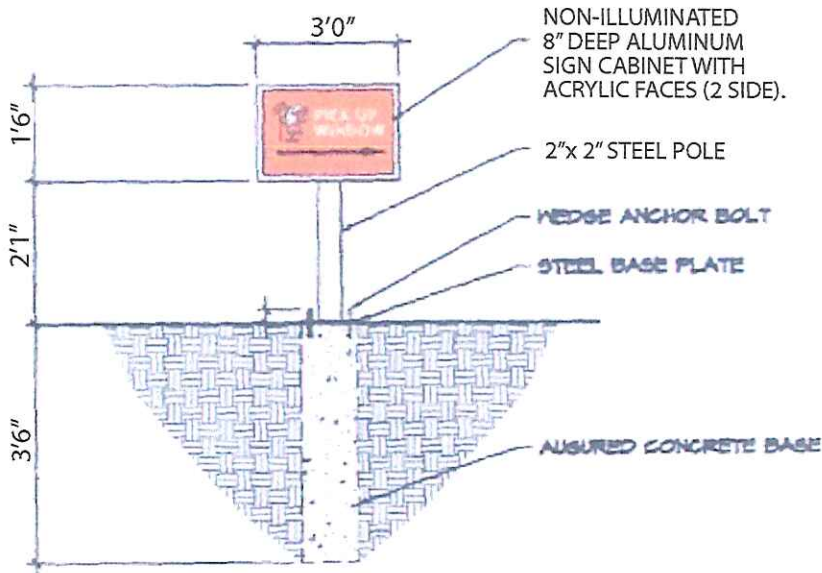
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4.5 Sq FT

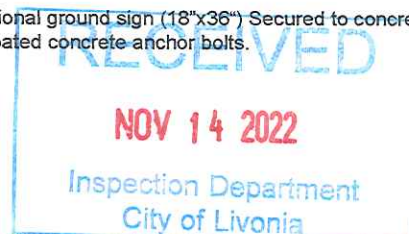
North



Little Caesars - 38141 Ann Arbor Rd., Livonia, MI 48150

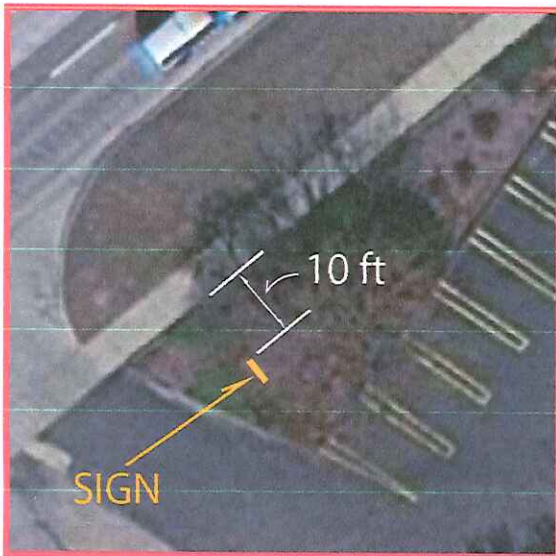
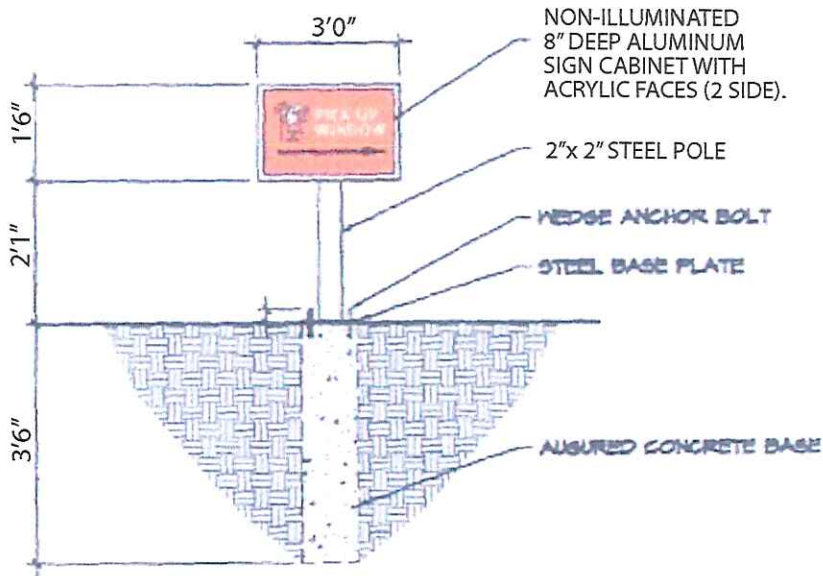


(1) Non-illuminated directional ground sign (18"x36") Secured to concrete base with minimum 3/8" coated concrete anchor bolts.



4.5 Sq FT

↑
North



Little Caesars - 38141 Ann Arbor Rd., Livonia, MI 48150



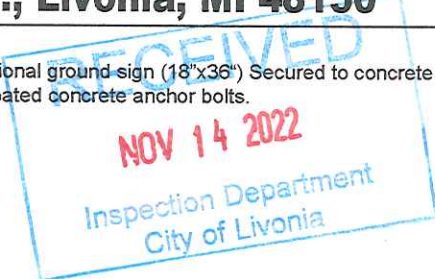
Our Signature of Quality Since 1967

SIGN
COMPANY

Wayne • Charlevoix

35059 Glenwood
Wayne, MI 48184
734.728.4114
calsign@tds.net
CalSignCompany.com

(1) Non-illuminated directional ground sign (18"x36") Secured to concrete base with minimum 3/8" coated concrete anchor bolts.



View from East



View from West



Little Caesars - 38141 Ann Arbor Rd., Livonia, MI 48150



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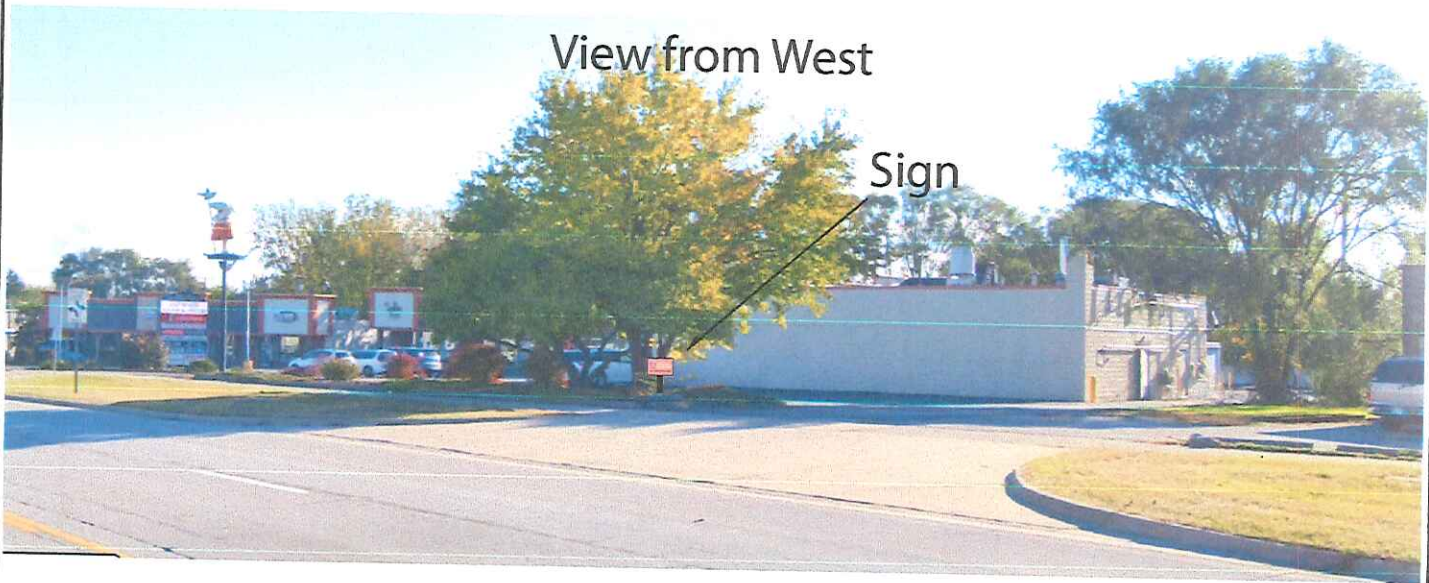


View from East



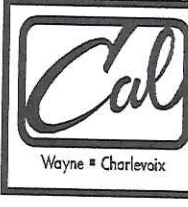
Sign

View from West



Sign

Little Caesars - 38141 Ann Arbor Rd., Livonia, MI 48150



Our Signature of Quality Since 1967

Cal SIGN

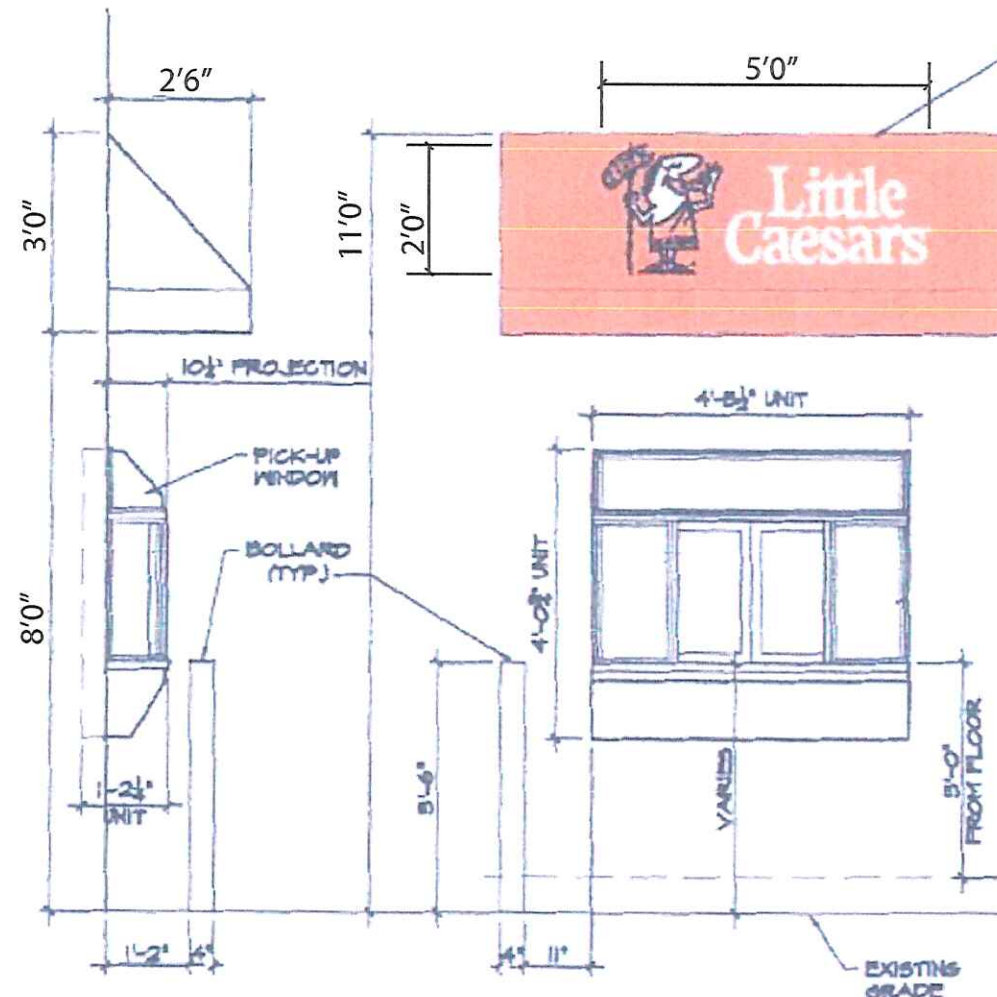
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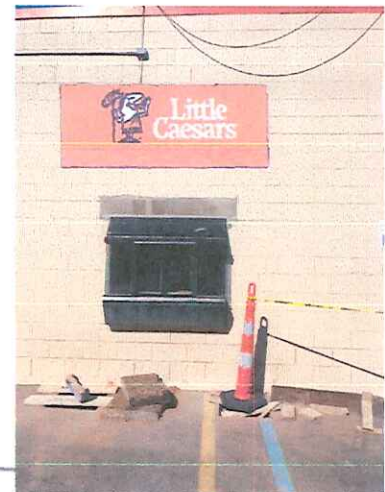
(1) Non-illuminated directional ground sign (18"x36") Secured to concrete base with minimum 3/8" coated concrete anchor bolts.





ILLUMINATED AWNING
CENTERED OVER WINDOW
MATERIAL, "COOLEY BRITE"
ORANGE AND COVERED AT
BOTTOM WITH PLASTIC
EGGCRATE MATERIAL

SIGN = 10 sqft



SIGN

Little Caesars - 38141 Ann Arbor Rd., Livonia, MI 48150

Our Signature of Quality Since 1967

Cal SIGN

COMPANY

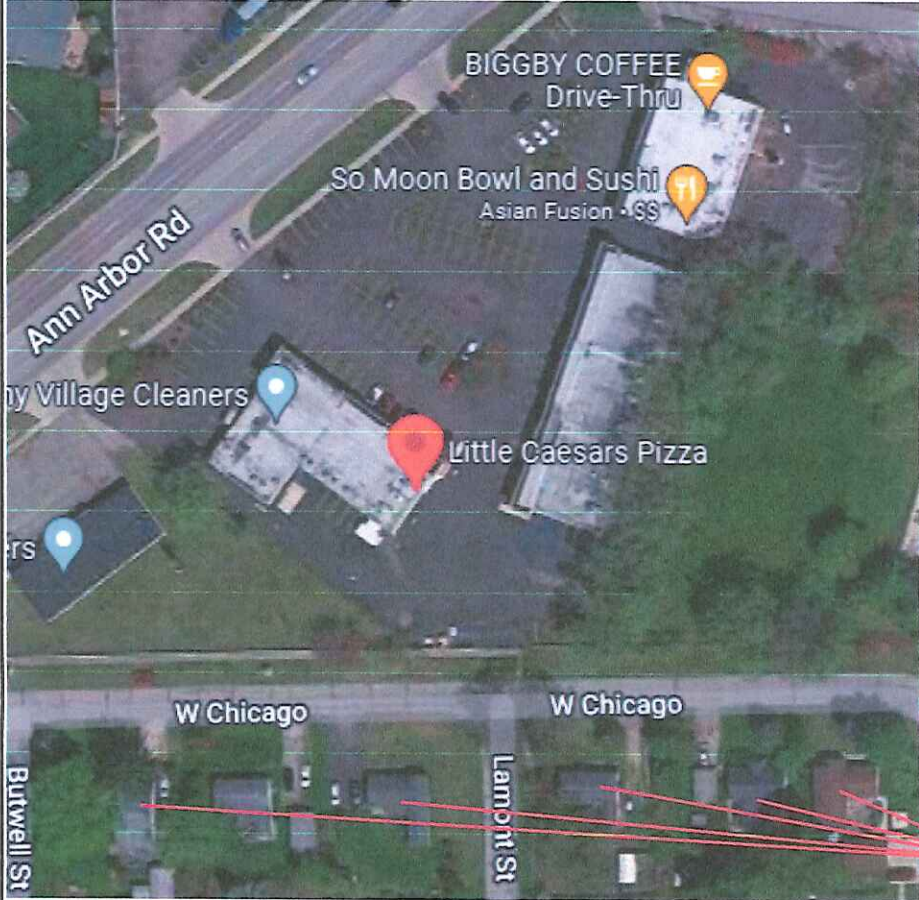
Wayne • Charlevoix

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Wayne, MI 48184
734.728.4114
calsign@tds.net
CalSignCompany.com

(1) 3'x7' Awning sign. Aluminum frame, Fabric covering. Lighted with UL rated florescent fixture. Mounting secured with minimum 3/8" coated concrete anchors and aluminum mounting brackets. Sign copy = 10 sqft

NOV 14 2022

Inspection Department
City of Livonia



378917-38151 W. Chicago

Little Caesars - 38141 Ann Arbor Rd., Livonia, MI 48150

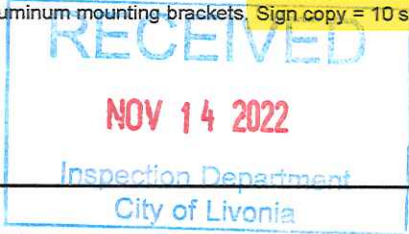


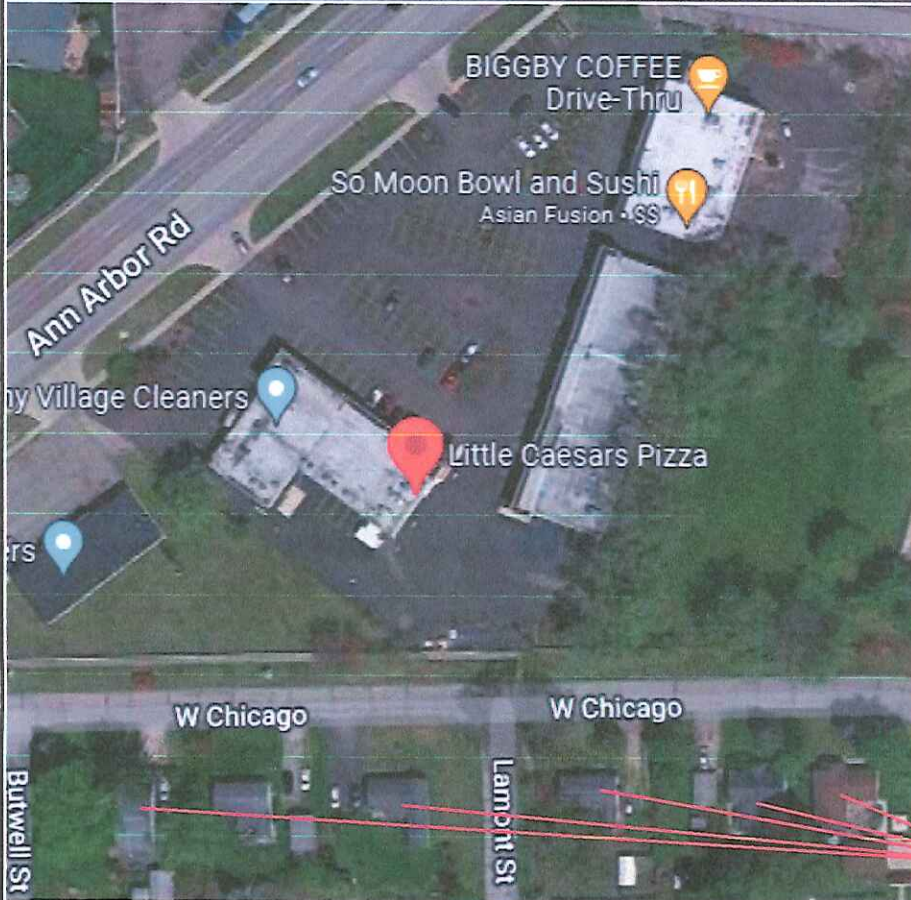
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~~38141~~

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RECEIVED

NOV 14 2022

Inspection Department
City of Livonia



SIGN = 10 sqft



SIGN



SIGN

COMPANY

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Sign copy = 10 sqft

RECEIVED

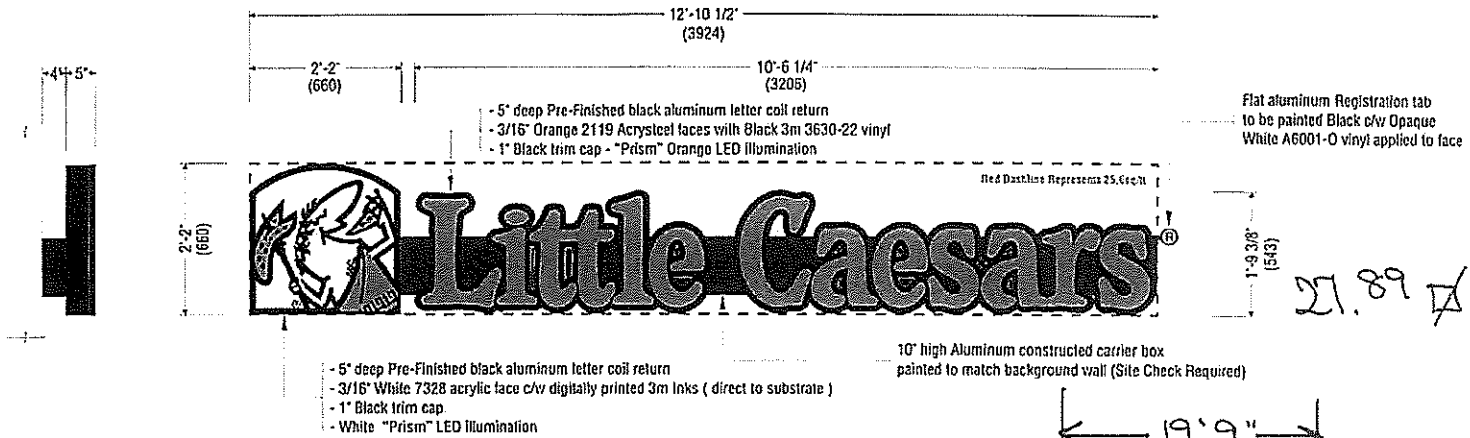
NOV 14 2022

Inspection Department
City of Livonia

Illuminated Channel Logo & Letters (Raceway Mount)
Scale: 1/2" = 1'-0"

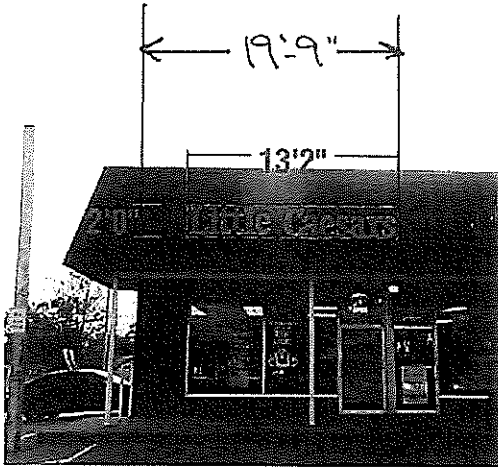
Drawing No.
LC -CL048150-120A1

LC STORE SIGN
21" SIZE
CHANNEL LETTERS
PL: 17.15m PA: 1.99m²



(ADDITIONAL INFO)

efi	File Name : LC -DG-TBD
3/16" WHITE 7328 / 151 SURFACE / TRANSLUCENT	
CLEAR OVER LAMINATE	
PAYTONS 1655C	PAYTONS 1655C
Note: - Digital File Located Under "DIGITAL" Either in Master Or Site Specific Folders - ALWAYS USE RECOMMENDED MEDIA AND PROFILE	



Existing Sign To Be Replaced (24'-0" x 13'-2" w) 26.3sq/ft
New Letters Installed Centered in Existing Sign Location

Electrical Requirements

120V

Preliminary Artwork
Approved for Production

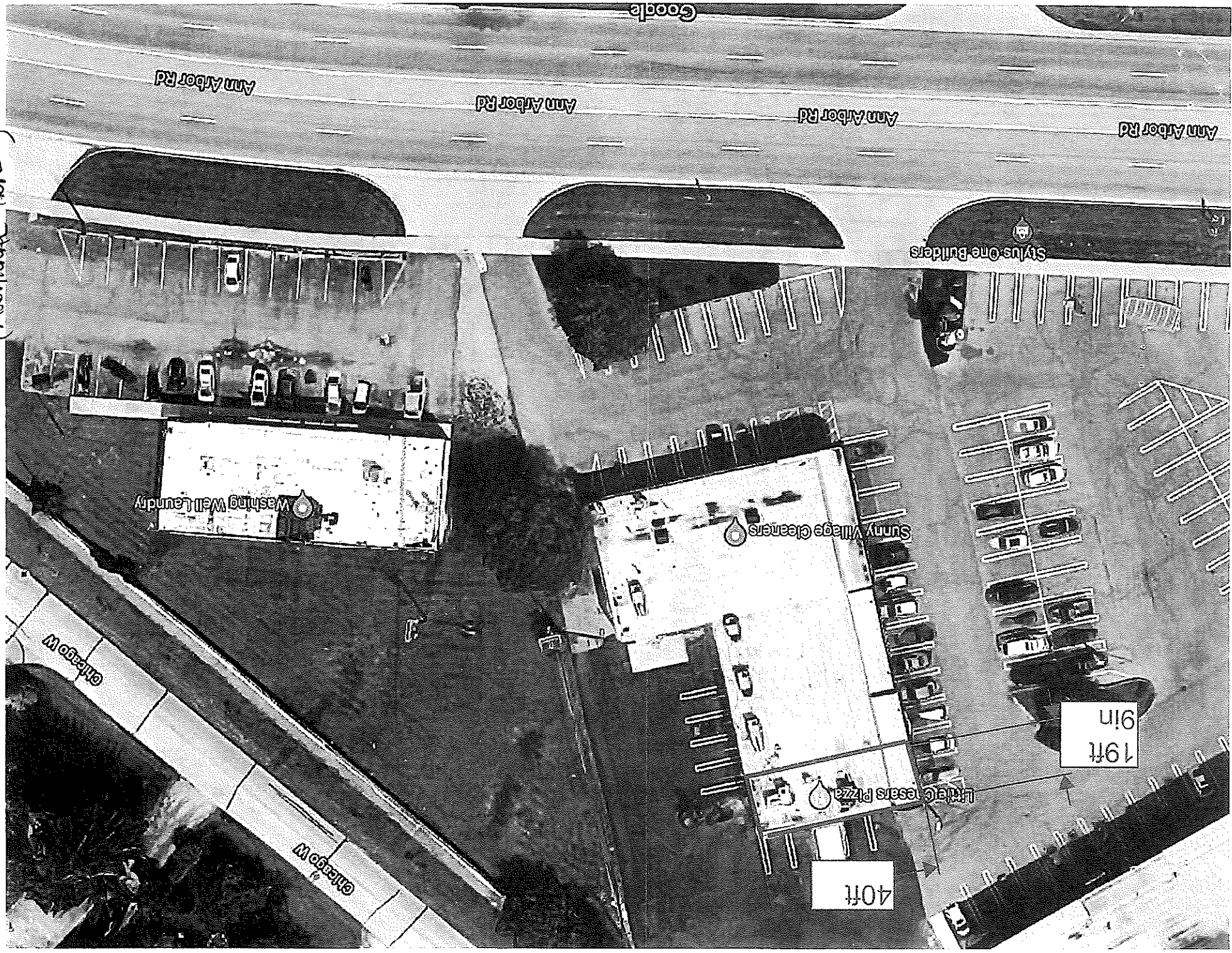
Copyright is the property of the artist and is not to be reproduced without the artist's written permission. The artist is not responsible for any errors or omissions in the drawing. The artist is not responsible for any errors or omissions in the drawing.

REVISION DATES:
December 13, 2017
January 4, 2018

M.A.
M.A.



(Additional info)



40ft

19ft

9in

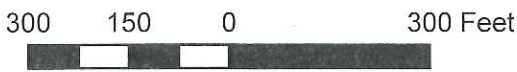
ZONING MAP

LEGEND

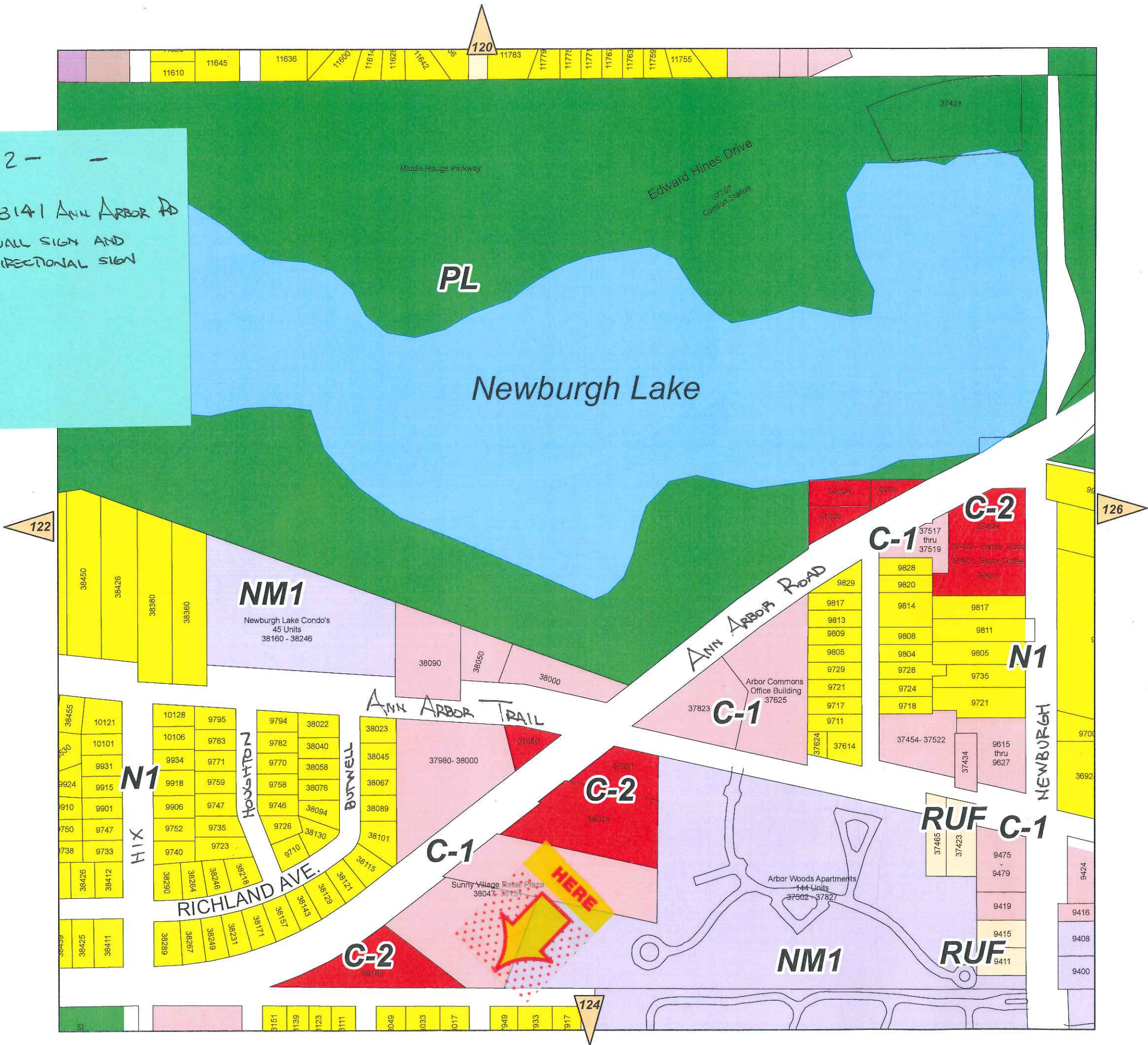
Zoning Districts

	RUF Rural Urban Farm
	N1 Neighborhood
	N2 Neighborhood
	NM1 Neighborhood Multifamily
	NM2 Neighborhood Multifamily
	NM3 Neighborhood Multifamily
	P Parking
	C-1 Local Business
	C-2 General Business
	C-3 Highway Services
	C-4 High Rise Commercial
	M-L Manufacturing Limited
	M-1 Light Manufacturing
	M-2 General Manufacturing
	P-L Public Lands
	NP Nature Preserves

N.E. 1/4 Section 31
City of Livonia
T. 1 south, R. 9 east
Wayne County, Michigan
Copyright 2001, City of Livonia



2022 - -
CASE: 38141 ANN ARBOR RD
REF: WALL SIGN AND
DIRECTIONAL SIGN



Regular Meeting Minutes of December 14, 2020

On a motion by White, supported by Jolly, it was:

WAIVERS

Petition 2020-10-02-09
(Little Caesars/Bent On LLC)
Approval to add drive-up
window facilities to an
existing carry-out restaurant
(Little Caesars) located on
the east side of Ann Arbor
Road between West Chicago
Boulevard and Ann Arbor
Trail (38141 Ann Arbor Road)
Section 3.

#375-20 RESOLVED, that having considered a communication from the City Planning Commission, dated November 12, 2020, approved for submission by the Mayor, which transmits its resolution #11-56-2020, adopted on November 10, 2020, with regard to Petition 2020-10-02-09, submitted by Little Caesars/Bent On L.L.C., to add drive-up window facilities to an existing carry-out restaurant (Little Caesars) located on the east side of Ann Arbor Road between West Chicago Boulevard and Ann Arbor Trail (38141 Ann Arbor Road) in the Northeast ¼ of Section 31, the Council does hereby concur in the recommendation made by the City Planning Commission and Petition 2020-10-02-09 is hereby approved and granted, subject to the following conditions:

1. That the plan showing the site improvements and building elevation modifications, identified as Sheet #A1.0, dated November 5, 2020 as revised, prepared by KMG Design, is hereby approved and shall be adhered to;
2. That the awning signage, as shown on the approved plan, is hereby approved and shall be adhered to, subject to the review and approval by the Zoning Board of Appeals;
3. That the drive aisle behind the building will be noted as a one-way, and the tree branches shall be cleared so they do not interfere with the cars of the customers approaching the drive thru;
4. That only conforming directional signage is approved with this petition, and any nonconforming signage shall be separately submitted for review and approval by the Zoning Board of Appeals;
5. That no LED lightband or exposed neon shall be permitted on this site including, but not limited to, the building or around the windows;
6. That the specific plan referenced in this approving resolution shall be submitted to the Inspection Department at the time the building permits are applied for; and
7. Pursuant to Section 19.10 of Ordinance #543, the Zoning Ordinance of the City of Livonia, this approval is valid for a period of one year only from the date of approval by City Council, and unless a building permit is obtained, this approval shall be null and void at the expiration of said period.

Regular Meeting Minutes of December 14, 2020

CONSENT AGENDA (*Regular Meeting of December 14, 2020*)

Motion by: White

Seconded by: Jolly

ROLL CALL:

Ayes: Toy, Bahr, White, McCullough, Donovic, Toy, McIntyre

Nays: None

Absent: None



CITY OF LIVONIA

INSPECTION DEPARTMENT

REJECTION OF APPLICATION FOR PERMIT

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154
421-2000

BASED ON NONCONFORMITY TO ORDINANCE LIVONIA VISION 21

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 Owner JOHN BRESI Address 38141 ANN ARBOR RD, LIVONIA, MI 48150 313-801-2832
 Lessee _____ Address _____
 Location SOUTH Side of 38141 ANN ARBOR ROAD Street
 Between Hix And ANN ARBOR TRAIL
 Lot No./Parcel No. 121-99-0010-001 Subdivision _____
 Zoning District C-1 Map No. NE 31 Lot Size ± 2.02 ACRES Alley _____
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 Present Building Size N/A Proposed Building Size NONE PROPOSED
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 Allowable Lot Coverage N/A Proposed Lot Coverage " "
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THE WALL SIGN BEING EXCESS IN AMOUNT AND AREA. DIRECTIONAL
SIGN AREA ALLOWED: 2 SQ FT; PROPOSED: 4.5 SQ FT; EXCESS: 2.5 SQ FT.
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WALL SIGN AREA ALLOWED: 21 SQ FT; PROPOSED: 38 SQ FT (10 SQ FT
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Reason for Rejection LIVONIA VISION 21, SECTION 11.06 (B) AND 11.08 (2)

Deficient Side Yard _____	Deficient Front Yard _____	Deficient Rear Yard _____
Deficient Lot Area _____	Deficient Lot Area per Room _____	Encroachment _____
Excessive Lot Coverage _____	Excessive Height _____	Increasing No. Units <u>ONE WALL SIGN</u>
Use Prohibited _____	Deficient Parking Spaces _____	Increasing Area and Bulk <u>11.06(3) 11.08(2) DIR. WALL 2.5 SF / 17 SF</u>

Remarks _____

Plans and Application examined by Ryo

Date NOVEMBER 14, 2022

ZONING EXAMINER

APPLICATION FOR VARIANCE

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(Owner of Premises)	(Street Address)	(City)	(Zip Code)	(Telephone)	(Fax)
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(Contractor)	(Street Address)	(City)	(Zip Code)	(Telephone)	(Fax)

The property address is 38141 Ann Arbor Road

Please note that if you need more space to answer any of the following questions, you may use a separate page or the back of this page. Simply identify your response(s) with the number of the question you are responding to.

1. Are there any deed restrictions or subdivision rules or restrictions on the property? If so, what are they? No

2. Give legal description of property involved, or attach a deed or other document which contains the legal description of the property:

A variance can only be granted if a hardship or practical difficulty with the property makes the variance necessary. Under the City's Zoning Ordinance, a practical difficulty exists only if (a) the difficulty is exceptional and peculiar to the property, and does not exist generally throughout the City, (b) the difficulty involves more than mere inconvenience, inability to earn a higher financial return, or both, and (c) the variance would be fair to the neighbors and others who might be affected, as well as those who do not have this variance.

3. Please explain how the practical difficulty you claim is unique to your property, and does not exist elsewhere in the City:

See attached letter

4. Please describe what the difficulty involves beyond mere inconvenience or inability to earn a higher financial return:

See attached letter

5. Explain why you think this variance would be fair to the neighbors and others who might be affected. Increased safety to traffic patterns. Signs are not intrusive in size or appearance.

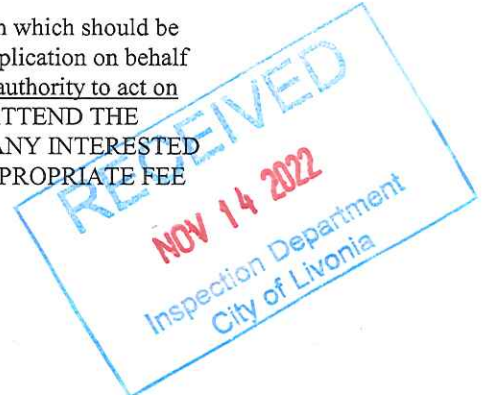
6. Have you sought an amendment to the zoning ordinance which would permit your proposed project under your current zoning? If yes, please describe the outcome of this process: No

7. If you have not attempted to have the zoning ordinance amended, why hasn't this attempt been made?
N/A Property is commercial.



8. Have you attempted to have the property rezoned? If yes, please describe the outcome of the rezoning process: No
9. If you have not attempted to have the property rezoned, why hasn't this attempt been made? Property has proper zoning

Please see the separate instruction sheet for plans, fees, and other information which should be submitted with the application. **Note** that if an agent or attorney signs the application on behalf of the owner, said agent or attorney must provide written proof of his or her authority to act on the owner's behalf. ALL INTERESTED PARTIES ARE REQUIRED TO ATTEND THE ZONING BOARD OF APPEALS MEETING. NON-ATTENDANCE BY ANY INTERESTED PARTY MAY RESULT IN YOUR CASE BEING TABLED AND THE APPROPRIATE FEE BEING ASSESSED.



OWNER'S AFFIDAVIT

COUNTY OF WAYNE)
STATE OF MICHIGAN)

The undersigned being duly sworn, deposes and says that the foregoing statements and answers herein contained and accompanying information and data are in all respects true and correct to the best of (his/her) knowledge and belief, and that the undersigned personally undertakes to see that the property will be used and developed in compliance with all applicable ordinances and any conditions imposed in connection with any variance which may be granted in response to this application.

Signature of property owner: [Signature]

Please print name of property owner: H. Johnny Beshi

NOTE: Please provide Letter of Authorization on official letterhead if not signed by owner of the property, as well as the deed and property transfer affidavit.

Subscribed and sworn to before me this 28th day of Oct, 2022

[Signature]
(Notary Public, Wayne County, Michigan)
My Commission expires 10/12/23



Any decision of the Board favorable to the applicant will remain valid only as long as the information or data relating thereto are found to be correct and the conditions upon which the resolution was based are maintained.

NOT TO BE COMPLETED BY APPLICANT

Petitioner makes application for a Hearing, seeking to (reverse modify, or affirm) the (order, decision) of the Department of Inspection, dated 11/14/2022, which reads as follows:

LIVONIA VIOLATION 21, SECTION 11.06(8) AND 11.08(2)

I certify that (a) the petitioner is not in violation of any ordinance other than the provision(s) sought to be waived in the foregoing application, (b) all applicable fees have been paid, and (c) I have examined the foregoing application, and find that said application is complete, and that the City Zoning Ordinance, Ordinance No. 543, as amended, prohibits the proposed project unless a variance is granted by the Zoning Board of Appeals.

[Signature]

(Supervisor)

Application for permit filed Yes

Violation Issued No



Drive Thru Entrance Sign

Difficulty

The store is located back in the corner of the shopping center which is also on a curve on the road making visibility for east bound traffic see the back entrance at the rear of buildings until they have passed it.

The preferred entry to the drive-thru is located at the back side of the center along the buildings.

This is the preferred entry for ease of traffic patterns due to the small area to turn around in to approach the drive-thru window in the back corner of the Center. Additionally without a significant sign to locate the entrance would be hard for customers to locate.

Awning; this is a must for any drive-thru window with lighting due to certain weather conditions weathers and for customers convince at night.

The awning is of minimal size required.





Drive Thru Entrance Sign

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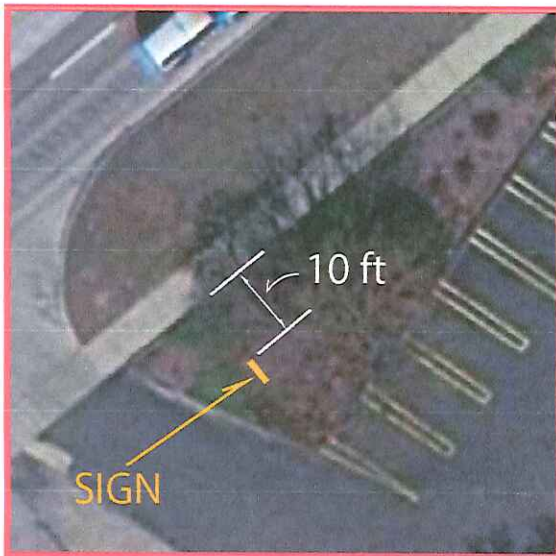
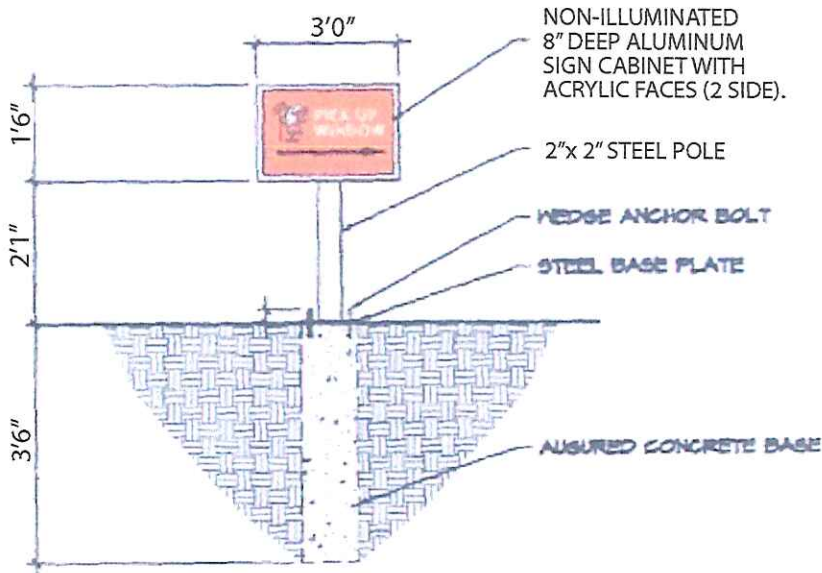
Awning; this is a must for any drive-thru window with lighting due to certain weather conditions weathers and for customers convince at night.

The awning is of minimal size required.



4.5 Sq FT

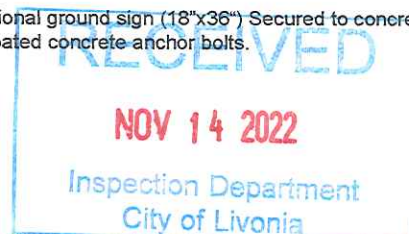
North



Little Caesars - 38141 Ann Arbor Rd., Livonia, MI 48150

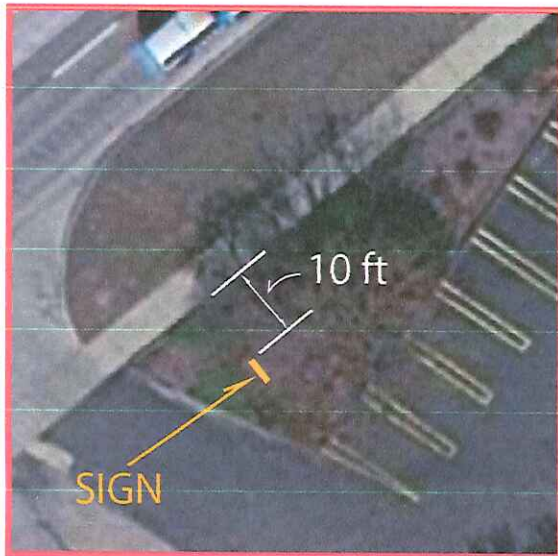
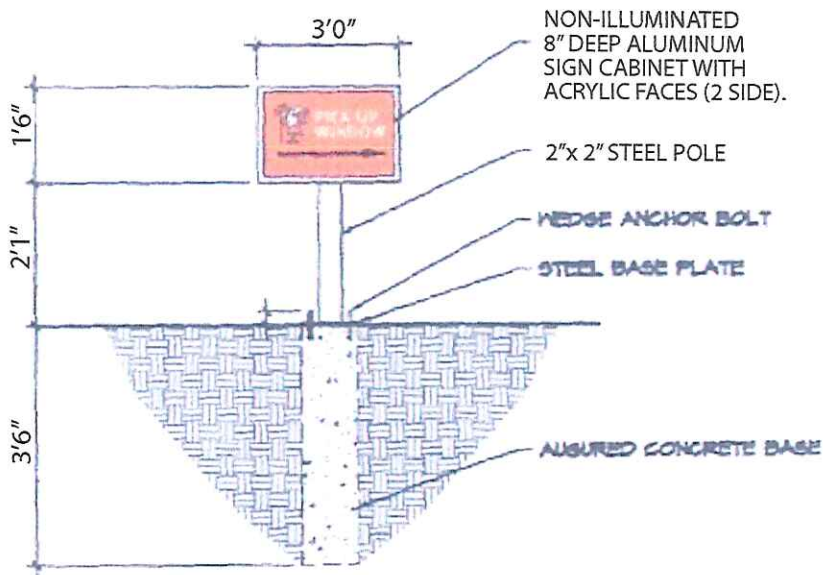


(1) Non-illuminated directional ground sign (18"x36") Secured to concrete base with minimum 3/8" coated concrete anchor bolts.



4.5 Sq FT

↑
North



Little Caesars - 38141 Ann Arbor Rd., Livonia, MI 48150



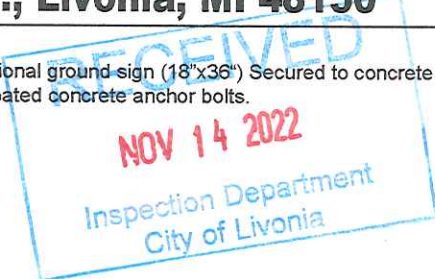
Our Signature of Quality Since 1967

SIGN
COMPANY

Wayne • Charlevoix

35059 Glenwood
Wayne, MI 48184
734.728.4114
calsign@tds.net
CalSignCompany.com

(1) Non-illuminated directional ground sign (18"x36") Secured to concrete base with minimum 3/8" coated concrete anchor bolts.



View from East



View from West



Little Caesars - 38141 Ann Arbor Rd., Livonia, MI 48150



Our Signature of Quality Since 1967

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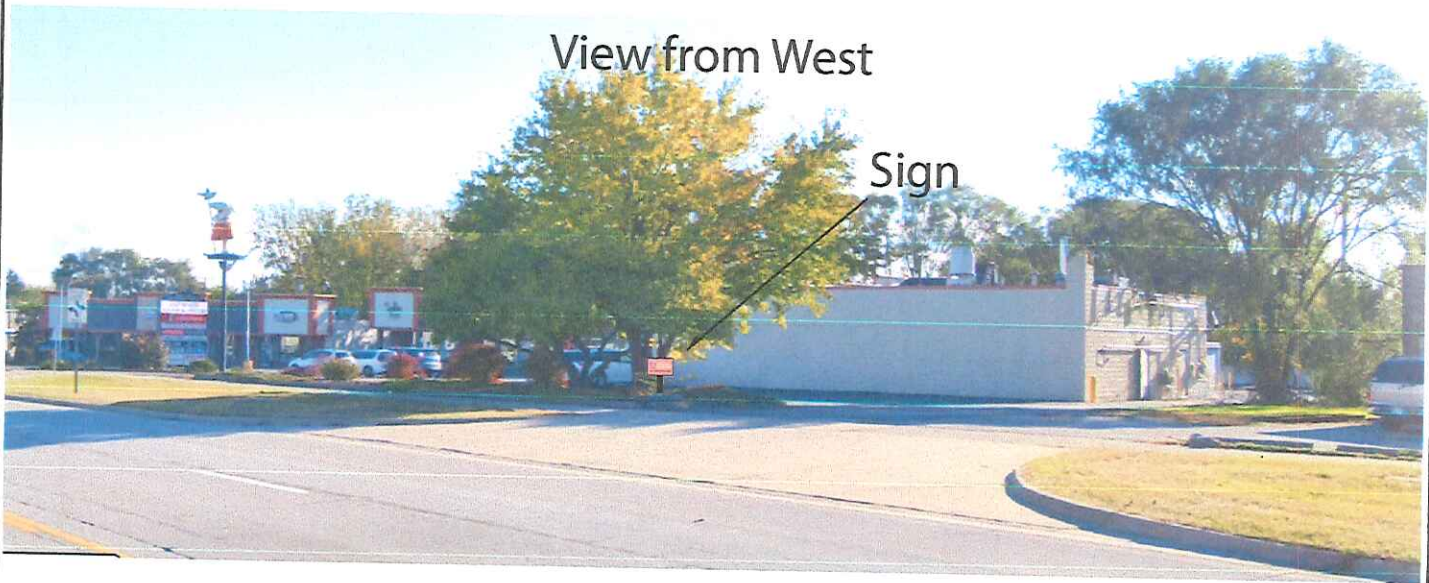
(1) Non-illuminated directional ground sign (18"x36") Secured to concrete base with minimum 3/8" coated concrete anchor bolts.



View from East



View from West



Little Caesars - 38141 Ann Arbor Rd., Livonia, MI 48150



Our Signature of Quality Since 1967

Cal SIGN

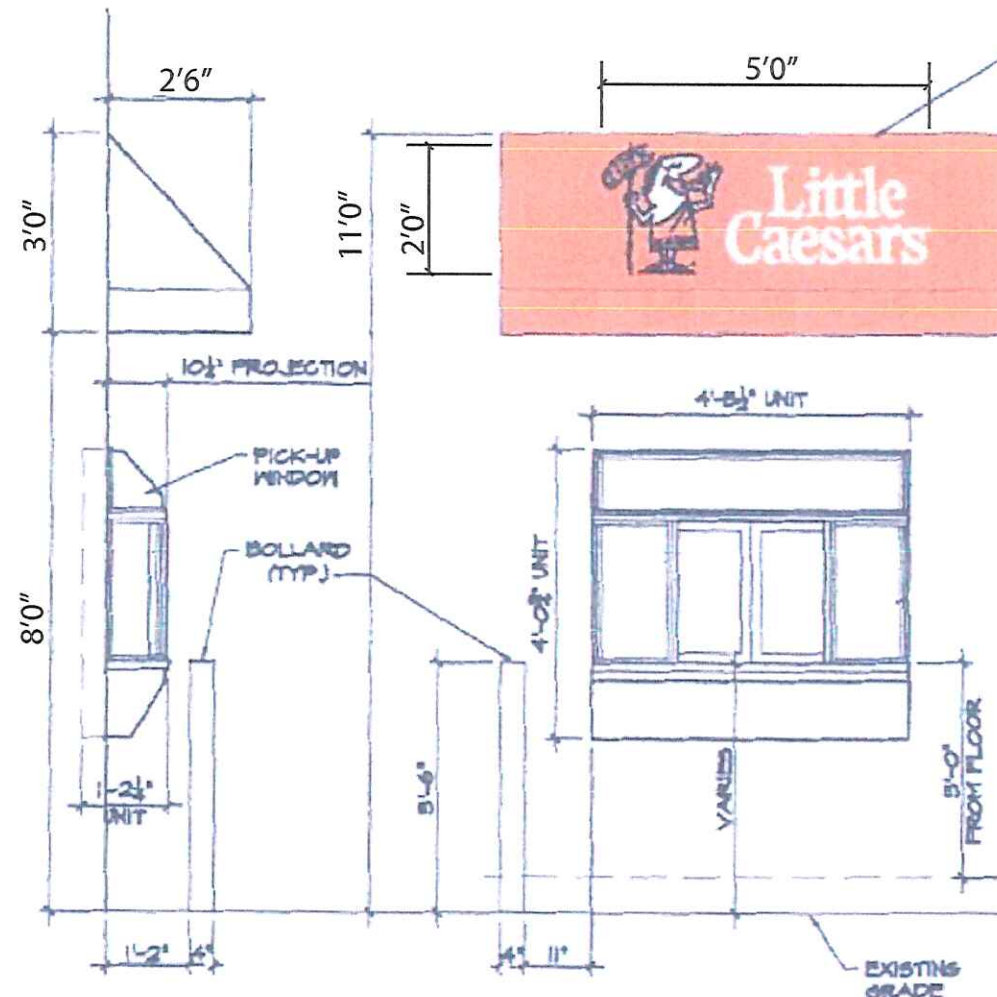
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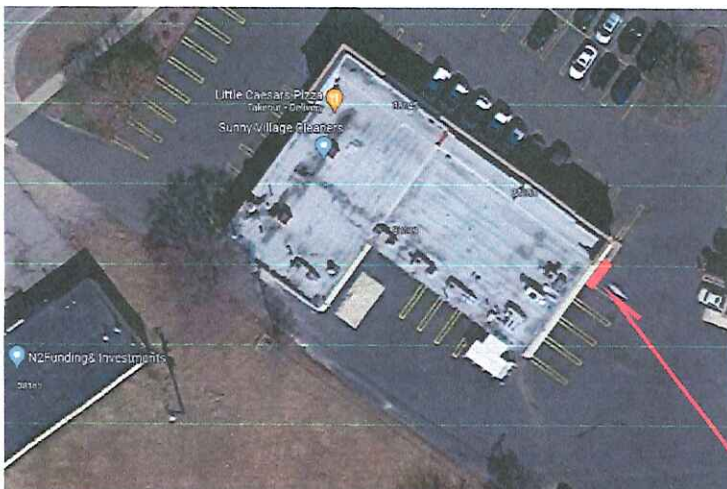
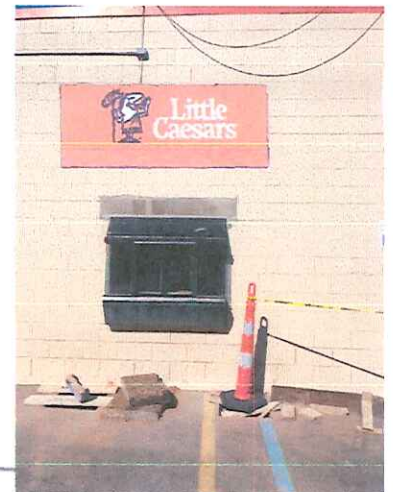
(1) Non-illuminated directional ground sign (18"x36") Secured to concrete base with minimum 3/8" coated concrete anchor bolts.





ILLUMINATED AWNING
CENTERED OVER WINDOW
MATERIAL, "COOLEY BRITE"
ORANGE AND COVERED AT
BOTTOM WITH PLASTIC
EGGCRATE MATERIAL

SIGN = 10 sqft



SIGN

Little Caesars - 38141 Ann Arbor Rd., Livonia, MI 48150

Cal SIGN COMPANY
Wayne ■ Charlevoix

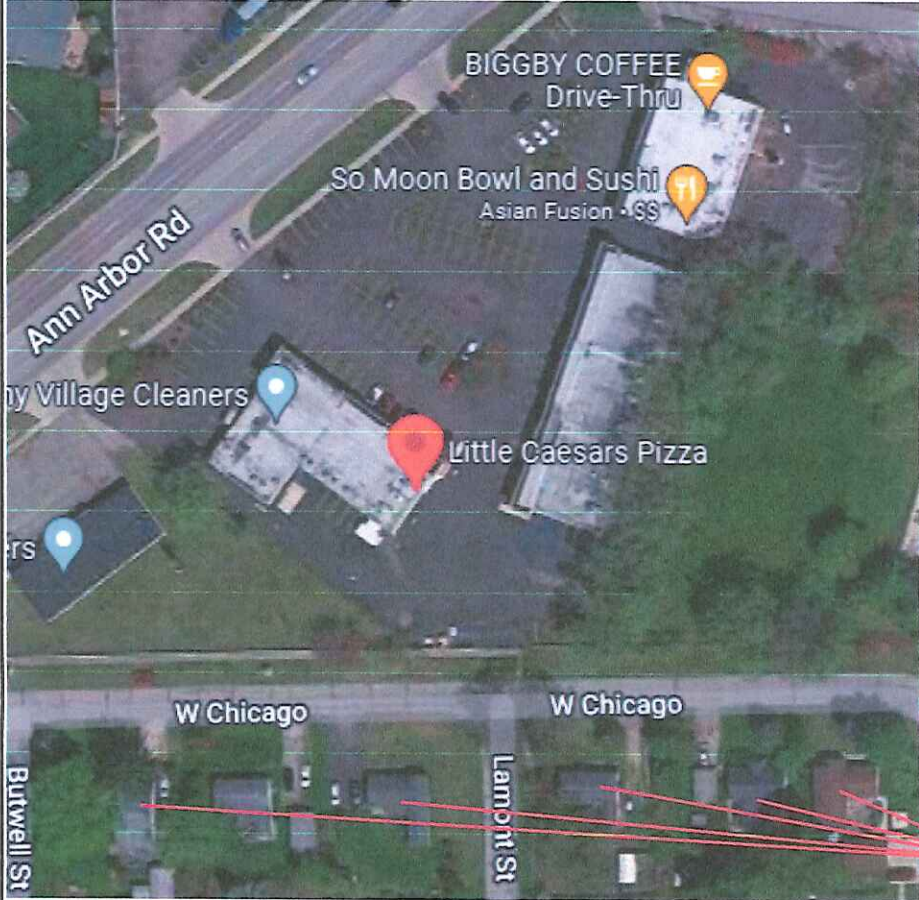
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Wayne, MI 48184
734.728.4114
calsign@tds.net
CalSignCompany.com

(1) 3'x7' Awning sign. Aluminum frame, Fabric covering. Lighted with UL rated florescent fixture. Mounting secured with minimum 3/8" coated concrete anchors and aluminum mounting brackets. Sign copy = 10 sqft

NOV 14 2022

Inspection Department
City of Livonia



378917-38151 W. Chicago

Little Caesars - 38141 Ann Arbor Rd., Livonia, MI 48150



Our Signature of Quality Since 1967

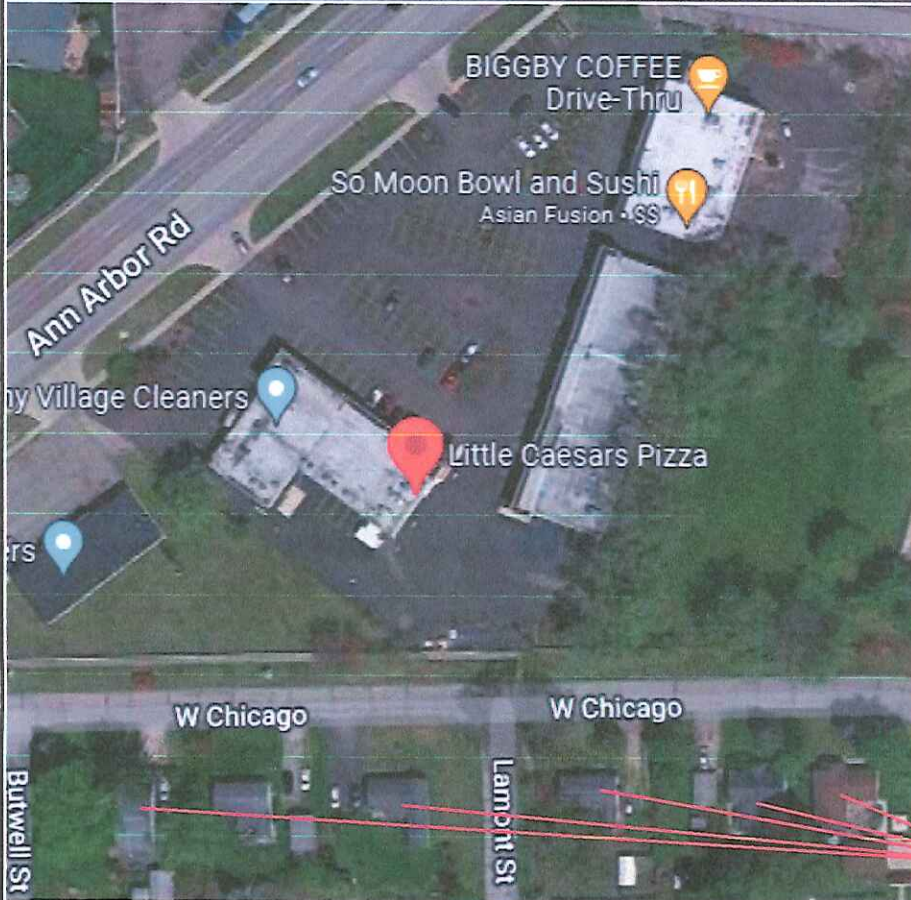
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Wayne • Charlevoix

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RECEIVED
NOV 14 2022
Inspection Department
City of Livonia



~~38141~~

378917-38151 W. Chicago

Little Caesars - 38141 Ann Arbor Rd., Livonia, MI 48150



Our Signature of Quality Since 1967
Wayne ■ Charlevoix

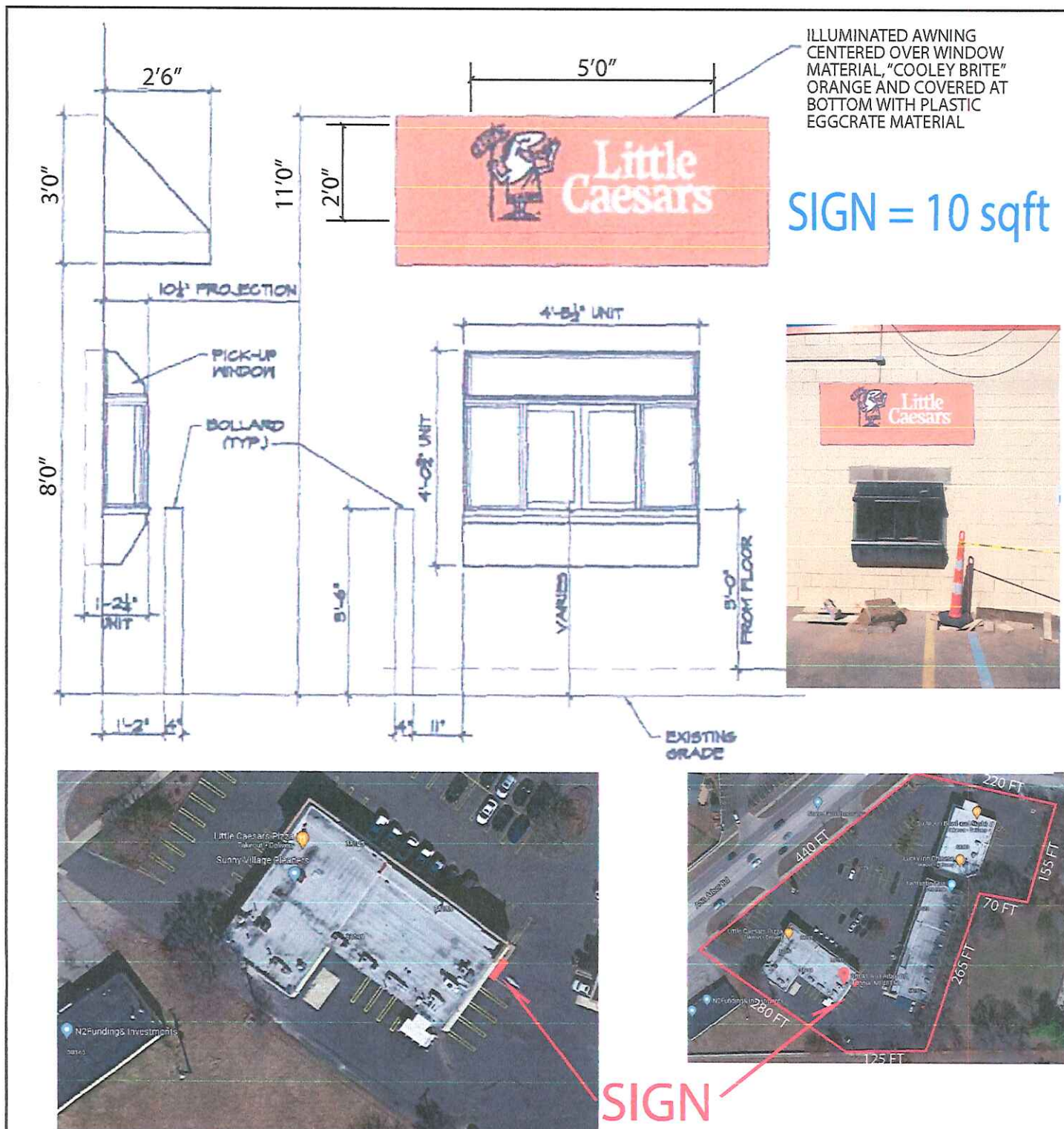
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RECEIVED

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Inspection Department
City of Livonia



Little Caesars - 38141 Ann Arbor Rd., Livonia, MI 48150

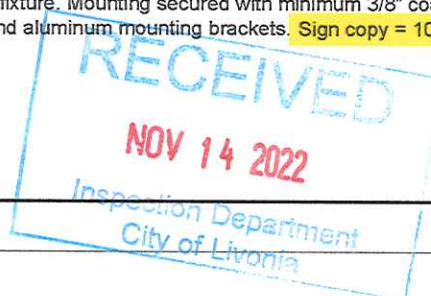
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Illuminated Channel Logo & Letters (Raceway Mount)
Scale: 1/2" = 1'-0"

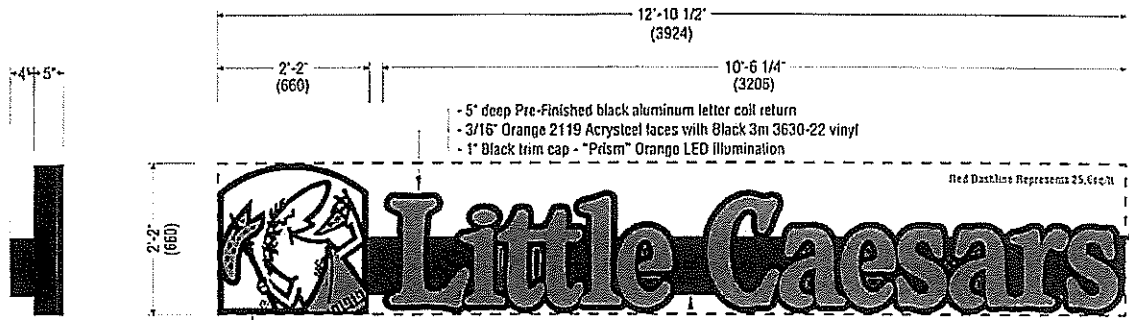
Drawing No.
LC -CL048150-120A1

LC STORE SIGN

21" SIZE

CHANNEL LETTERS

PL: 17.15m PA: 1.99m²



Flat aluminum Registration tab
to be painted Black c/v Opaque
White A6001-O vinyl applied to face

- 5" deep Pre-Finished black aluminum letter coil return
- 3/16" White 7328 acrylic face c/v digitally printed 3m Inks (direct to substrate)
- 1" Black trim cap
- White "Prism" LED Illumination

10" high Aluminum constructed carrier box
painted to match background wall (Site Check Required)

efi	File Name : LC -DG-TBO
3/16" WHITE 7328 / 151 SURFACE / TRANSLUCENT	
CLEAR OVER LAMINATE	
PAYTONS 1655C	PAYTONS 1655C
Note: - Digital File Located Under "DIGITAL" Either in Master Or Site Specific Folders - ALWAYS USE RECOMMENDED MEDIA AND PROFILE	



Electrical Requirements

120V

Preliminary Artwork

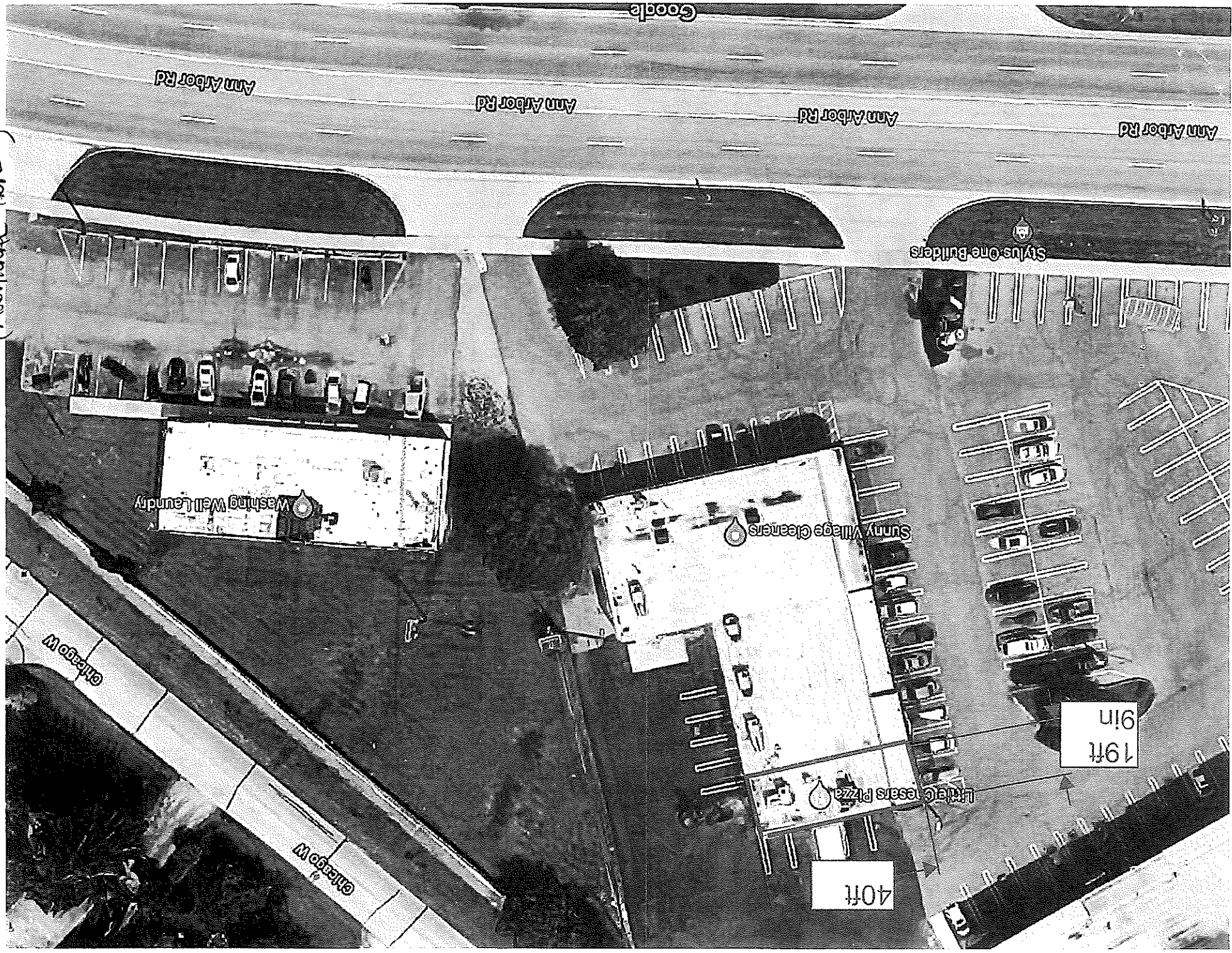
Approved for Production

Copyright is the property of the artist and is not to be reproduced without the artist's written permission. The artist is not responsible for any errors or omissions in the drawing. The artist is not responsible for any errors or omissions in the drawing.

REVISION DATES:
December 13, 2017
January 4, 2018

M.A.
M.A.

(Additional info)





CITY OF LIVONIA

INSPECTION DEPARTMENT

REJECTION OF APPLICATION FOR PERMIT

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154
421-2000

BASED ON NONCONFORMITY TO ORDINANCE LIVONIA VISION 21

Applicant CAL SIGN Address 35059 GLENWOOD, WAYNE, MI 48184 734-728-4114
 Owner JOHN BRESI Address 38141 ANN ARBOR RD, LIVONIA, MI 48150 313-801-2832
 Lessee _____ Address _____
 Location SOUTH Side of 38141 ANN ARBOR ROAD Street
 Between Hix And ANN ARBOR TRAIL
 Lot No./Parcel No. 121-99-0010-001 Subdivision _____
 Zoning District C-1 Map No. NE 31 Lot Size ± 2.02 ACRES Alley _____
 Present Use RETAIL CENTER Proposed Use SAME
 Present Building Size N/A Proposed Building Size NONE PROPOSED
 Present Height of Building N/A Proposed Height " "
 Allowable Lot Coverage N/A Proposed Lot Coverage " "
 Proposal SEEKING TO ERECT A DIRECTIONAL SIGN AND ADDITIONAL WALL (AWNING)
SIGN RESULTING IN THE DIRECTIONAL SIGN BEING EXCESS IN AREA AND
THE WALL SIGN BEING EXCESS IN AMOUNT AND AREA. DIRECTIONAL
SIGN AREA ALLOWED: 2 SQ FT; PROPOSED: 4.5 SQ FT; EXCESS: 2.5 SQ FT.
NUMBER OF WALL SIGNS ALLOWED: ONE; PROPOSED: TWO; EXCESS: ONE
WALL SIGN AREA ALLOWED: 21 SQ FT; PROPOSED: 38 SQ FT (10 SQ FT
PROPOSED; 28 SQ FT EXISTING); EXCESS: 17 SQ FT.

Reason for Rejection LIVONIA VISION 21, SECTION 11.06 (B) AND 11.08 (2)

Deficient Side Yard _____	Deficient Front Yard _____	Deficient Rear Yard _____
Deficient Lot Area _____	Deficient Lot Area per Room _____	Encroachment _____
Excessive Lot Coverage _____	Excessive Height _____	Increasing No. Units <u>ONE WALL SIGN</u>
Use Prohibited _____	Deficient Parking Spaces _____	Increasing Area and Bulk <u>11.06(3) 11.08(2) DIR. WALL 2.5 SF 17 SF</u>

Remarks _____

Plans and Application examined by Ryo

Date NOVEMBER 14, 2022

ZONING EXAMINER

ZONING MAP

LEGEND

Zoning Districts

- RUF Rural Urban Farm
- N1 Neighborhood
- N2 Neighborhood
- NM1 Neighborhood Multifamily
- NM2 Neighborhood Multifamily
- NM3 Neighborhood Multifamily
- P Parking
- C-1 Local Business
- C-2 General Business
- C-3 Highway Services
- C-4 High Rise Commercial
- M-L Manufacturing Limited
- M-1 Light Manufacturing
- M-2 General Manufacturing
- P-L Public Lands
- NP Nature Preserves

N.E. 1/4 Section 31

City of Livonia

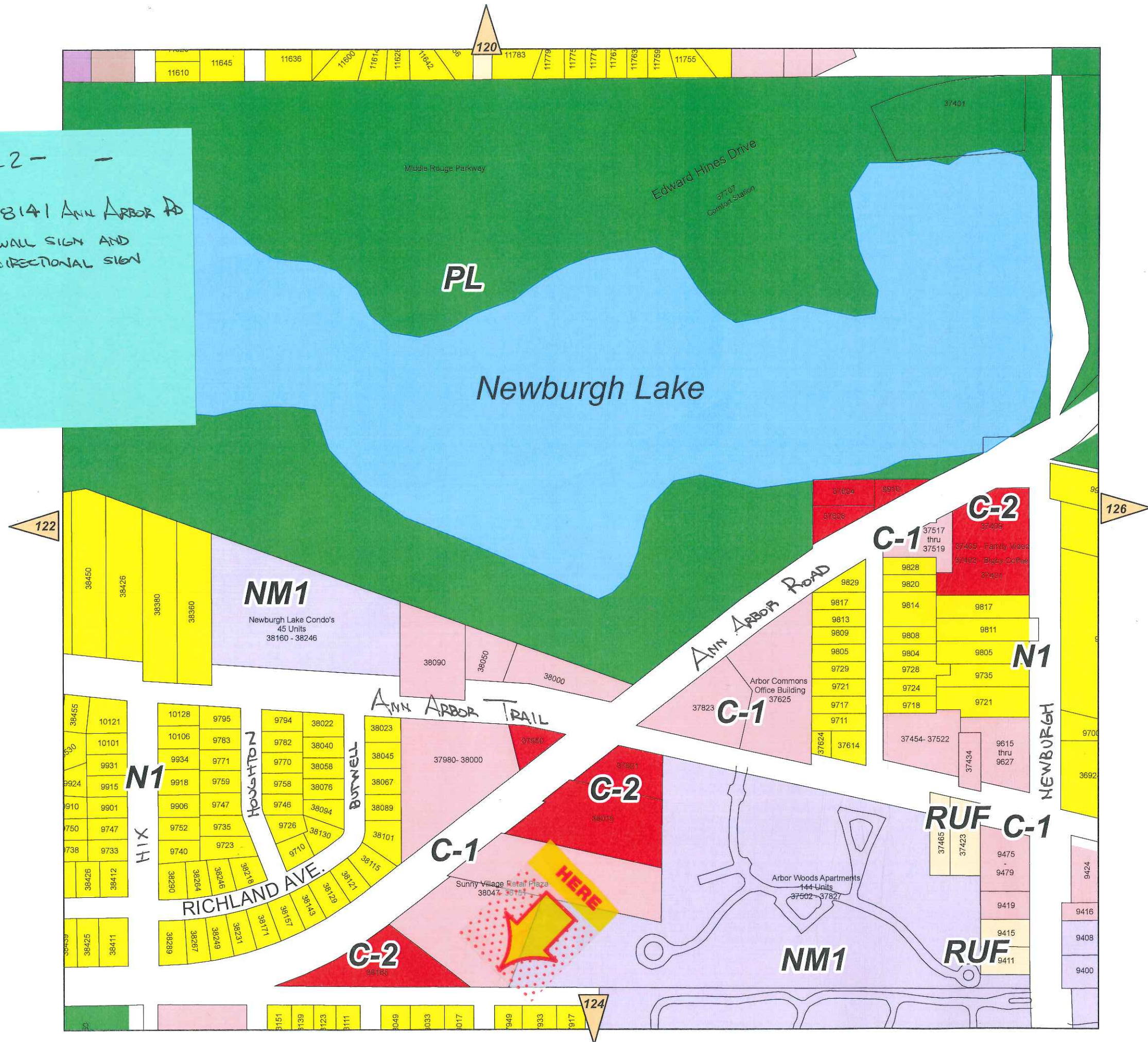
T. 1 south, R. 9 east
Wayne County, Michigan

Copyright 2001, City of Livonia



300 150 0 300 Feet

2022 -
CASE: 38141 ANN ARBOR RD
REF: WALL SIGN AND
DIRECTIONAL SIGN



Regular Meeting Minutes of December 14, 2020

On a motion by White, supported by Jolly, it was:

WAIVERS

Petition 2020-10-02-09
(Little Caesars/Bent On LLC)
Approval to add drive-up
window facilities to an
existing carry-out restaurant
(Little Caesars) located on
the east side of Ann Arbor
Road between West Chicago
Boulevard and Ann Arbor
Trail (38141 Ann Arbor Road)
Section 3.

#375-20 RESOLVED, that having considered a communication from the City Planning Commission, dated November 12, 2020, approved for submission by the Mayor, which transmits its resolution #11-56-2020, adopted on November 10, 2020, with regard to Petition 2020-10-02-09, submitted by Little Caesars/Bent On L.L.C., to add drive-up window facilities to an existing carry-out restaurant (Little Caesars) located on the east side of Ann Arbor Road between West Chicago Boulevard and Ann Arbor Trail (38141 Ann Arbor Road) in the Northeast ¼ of Section 31, the Council does hereby concur in the recommendation made by the City Planning Commission and Petition 2020-10-02-09 is hereby approved and granted, subject to the following conditions:

1. That the plan showing the site improvements and building elevation modifications, identified as Sheet #A1.0, dated November 5, 2020 as revised, prepared by KMG Design, is hereby approved and shall be adhered to;
2. That the awning signage, as shown on the approved plan, is hereby approved and shall be adhered to, subject to the review and approval by the Zoning Board of Appeals;
3. That the drive aisle behind the building will be noted as a one-way, and the tree branches shall be cleared so they do not interfere with the cars of the customers approaching the drive thru;
4. That only conforming directional signage is approved with this petition, and any nonconforming signage shall be separately submitted for review and approval by the Zoning Board of Appeals;
5. That no LED lightband or exposed neon shall be permitted on this site including, but not limited to, the building or around the windows;
6. That the specific plan referenced in this approving resolution shall be submitted to the Inspection Department at the time the building permits are applied for; and
7. Pursuant to Section 19.10 of Ordinance #543, the Zoning Ordinance of the City of Livonia, this approval is valid for a period of one year only from the date of approval by City Council, and unless a building permit is obtained, this approval shall be null and void at the expiration of said period.

Regular Meeting Minutes of December 14, 2020

CONSENT AGENDA (*Regular Meeting of December 14, 2020*)

Motion by: White

Seconded by: Jolly

ROLL CALL:

Ayes: Toy, Bahr, White, McCullough, Donovic, Toy, McIntyre

Nays: None

Absent: None



CITY OF LIVONIA
Inspection Department

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154
421-2000

REJECTION OF APPLICATION FOR PERMIT
BECAUSE OF NON-CONFORMITY TO ZONING ORDINANCE LIVONIA VISION 21

Applicant	(SAME AS OWNER)	Address	(SAME AS OWNER)
Owner	GEORGE NICOLOFF	Address	(248) 345-6834
Lessee	—	Address	19490 FAIRLANE CT., LIVONIA, MI 48152
Location	EAST	Side of	19490 FAIRLANE CT. Street
Between	W. SEVEN MILE	And	CULDESAC
Lot No/Parcel No.	015-04-0015-000	Subdivision	CANEWOODS #4
Zoning District	N2	Map No.	SW 04
		Lot Size	(PIE SHAPE) 14,810 SQ. FT. Alley
Present Use	SINGLE FAMILY RESIDENTIAL	Proposed Use	NO CHANGE
Present Building Size	—	Proposed Building Size	—
Present Height of Building	—	Proposed Height	—
Allowable Lot Coverage	—	Proposed Lot Coverage	—
Proposal	SEEKING TO MAINTAIN A SIX FOOT TALL PRIVACY FENCE, ERECTED WITHOUT PERMIT, ALONG PORTIONS OF THE EAST AND SOUTH-EAST PROPERTY LINES, RESULTING IN NOT ACQUIRING THE (EAST AND SOUTH-EAST) ADJOINING OWNERS' CONSENT.		
Reason for Rejection	FENCE ORDINANCE, SECTION 15.44.090 (B)		
Deficient Side Yard	Deficient Front Yard	Deficient Rear Yard	
Deficient Lot Area	Deficient Lot Area per Room	Encroachment	
15.44.090(B) NEIGHBOR'S			
Excessive Lot Coverage	Excessive Height	Increasing No. Units	
CONSENT			
Use Prohibited	Deficient Parking Spaces	Increasing Area and Bulk	
Remarks			

Plans and Application examined by MP/Sherman Date Dec. 20, 2022

ZONING EXAMINER

APPLICATION FOR VARIANCE

George Nicoloff 19490 Fairlane Ct. Livonia 48152 (248)345-6834 —
(Owner of Premises) (Street Address) (City) (Zip Code) (Telephone) (Fax)

(Lessee) (Street Address) (City) (Zip Code) (Telephone) (Fax)

(Contractor) (Street Address) (City) (Zip Code) (Telephone) (Fax)

The property address is 19490 Fairlane Ct Livonia MI 48152

Please note that if you need more space to answer any of the following questions, you may use a separate page or the back of this page. Simply identify your response(s) with the number of the question you are responding to.

1. Are there any deed restrictions or subdivision rules or restrictions on the property? If so, what are they? Please see attached response

2. Give legal description of property involved, or attach a deed or other document which contains the legal description of the property:
Please see attached response

A variance can only be granted if a hardship or practical difficulty with the property makes the variance necessary. Under the City's Zoning Ordinance, a practical difficulty exists only if (a) the difficulty is exceptional and peculiar to the property, and does not exist generally throughout the City, (b) the difficulty involves more than mere inconvenience, inability to earn a higher financial return, or both, and (c) the variance would be fair to the neighbors and others who might be affected, as well as those who do not have this variance.

3. Please explain how the practical difficulty you claim is unique to your property, and does not exist elsewhere in the City:
Please see attached response

4. Please describe what the difficulty involves beyond mere inconvenience or inability to earn a higher financial return:
Please see attached response

5. Explain why you think this variance would be fair to the neighbors and others who might be affected. Please see attached response

6. Have you sought an amendment to the zoning ordinance which would permit your proposed project under your current zoning? If yes, please describe the outcome of this process: Please see attached response

7. If you have not attempted to have the zoning ordinance amended, why hasn't this attempt been made? Please see attached response

8. Have you attempted to have the property rezoned? If yes, please describe the outcome of the rezoning process: Please see attached response
9. If you have not attempted to have the property rezoned, why hasn't this attempt been made? Please see attached response

Please see the separate instruction sheet for plans, fees, and other information which should be submitted with the application. **Note** that if an agent or attorney signs the application on behalf of the owner, said agent or attorney must provide written proof of his or her authority to act on the owner's behalf. ALL INTERESTED PARTIES ARE REQUIRED TO ATTEND THE ZONING BOARD OF APPEALS MEETING. NON-ATTENDANCE BY ANY INTERESTED PARTY MAY RESULT IN YOUR CASE BEING TABLED AND THE APPROPRIATE FEE BEING ASSESSED.

OWNER'S AFFIDAVIT

COUNTY OF WAYNE)
STATE OF MICHIGAN)

DEC 12 2022

The undersigned being duly sworn, deposes and says that the foregoing statements and answers herein contained and accompanying information and data are in all respects true and correct to the best of (his/her) knowledge and belief, and that the undersigned personally undertakes to see that the property will be used and developed in compliance with all applicable ordinances and any conditions imposed in connection with any variance which may be granted in response to this application.

Signature of property owner: George M. Nicoloff

Please print name of property owner: George M. Nicoloff

NOTE: Please provide Letter of Authorization on official letterhead if not signed by owner of the property, as well as the deed and property transfer affidavit.

Subscribed and sworn to before me this 10th day of December, 2022.

[Signature]
(Notary Public, Wayne County, Michigan)

My Commission expires 07-28-2023

Any decision of the Board favorable to the applicant will remain valid only as long as the information or data relating thereto are found to be correct and the conditions upon which the resolution was based are maintained.

NOT TO BE COMPLETED BY APPLICANT

Petitioner makes application for a Hearing, seeking to (reverse, modify, or affirm) the (order, decision) of the Department of Inspection, dated 12/12/22, which reads as follows:

FENCE ERECTED WITHOUT PERMITS OR NEIGHBORS' CONSENT.

I certify that (a) the petitioner is not in violation of any ordinance other than the provision(s) sought to be waived in the foregoing application, (b) all applicable fees have been paid, and (c) I have examined the foregoing application, and find that said application is complete, and that the City Zoning Ordinance, Ordinance No. 543, as amended, prohibits the proposed project unless a variance is granted by the Zoning Board of Appeals.

[Signature]
(Supervisor)

12/12/22

Application for permit filed _____

Violation Issued _____

CONTRACTOR INFORMATION: Compass General Contracting, LLC

Q.O. NAME Samir Pilipovic TELEPHONE NO. 314-814-6880

ADDRESS 34693 Clarkson Dr E DRIVER LIC. # _____

CITY Fraser STATE MI ZIP CODE 48026

BUILDERS LICENSE NO. General Contractor EXPIRATION DATE _____

* FEDERAL EMPLOYER ID NUMBER OR REASON FOR EXEMPTION 84-2611956

WORKERS COMP INSURANCE CARRIER OR REASON FOR EXEMPTION works independently MESC EMPLOYER NUMBER OR REASON FOR EXEMPTION _____

"Section 23a of the state construction codes act of 1972, Act No. 230 of Public Acts of 1972, being section 125.1523a of the Michigan Compiled Laws, prohibits a person from conspiring to circumvent the licensing requirements of this state relating to persons who perform work on residential building or a residential structure. Violators of section 23a are subjected to civil fines."

I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and we agree to conform to all applicable Ordinances of the City of Livonia including minimum structure setbacks (front, side and rear) and maximum lot coverage provisions of structures and that we will be in compliance upon completion OR we have been granted a zoning variance and/or appropriate Commission or Council approval:

ZBA GRANT: _____ PC/CR _____

HOMEOWNER AFFIDAVIT: INITIAL _____ YES _____ NO _____

I hereby certify the proposed work described on this permit application shall be installed by myself in my own home in which I am living or about to occupy. All work shall be installed in accordance with the Building Code and shall not be enclosed, covered up, or put into operation until it has been inspected and approved by the Building Inspector. I will cooperate with the Building Inspector and assume the responsibility to arrange for necessary inspections.

A PERMIT WILL BE CANCELLED WHEN NO INSPECTIONS ARE REQUESTED AND CONDUCTED WITHIN SIX MONTHS OF THE DATE OF ISSUANCE OR THE DATE OF A PREVIOUS INSPECTION. CANCELLED PERMITS MAY NOT HAVE A 60% REFUND IF AN INSPECTION/SITE VISIT HAS BEEN MADE OR SIX MONTHS TIME HAS ELAPSED SINCE PERMIT ISSUANCE. PLAN REVIEW AND ADMINISTRATION FEES ARE NOT REFUNDABLE.

The applicant warrants the truthfulness of the information in the plans and application and that if any of the information provided is incorrect, the building permit may be revoked. The applicant is responsible for scheduling all required inspections. A permit will be cancelled when no inspections are requested or conducted within six (6) months of the date of issuance or the date of a previous inspection. Cancelled permits cannot be refunded or reinstated.

SIGNATURE OF APPLICANT OR OWNER

PRINT NAME OF APPLICANT OR OWNER

Witnessed By:

INSPECTION DEPARTMENT

DATE

APPLICATION FOR VARIANCE

NICOLOFF

1) The Nicoloff family which reside at 19490 Fairlane Ct., in “ Cane Woods “ subdivision, do not have a Homeowners Association where we pay an annual fee. There are no subdivision rules. The disputing party at 19511 Gill Rd. resides in a separate subdivision that may have different rules to which we are not subject.

2) Please see attached for legal description of our property: **Appendix A.**

3) & 4) The difficulty is unique to our property for several reasons:

Primarily we erected the privacy fence as a Barrier to distance ourselves from the neighbors residing at 19511 Gill Rd. Since the current owners moved into the house in March 2021, they have had many loud disturbing functions which forced us to call the police on several occasions.

A) These parties/functions involve a large group in the backyard near our property line, that are easily heard shouting, using profanity and blaring loud music.

B) They also do not respect the 11 PM curfew, but continue being very loud even after 2 AM. This would occur during the week as well on the weekends.

C) Also, misuse of their fire pit which is near our property line, caused much alarm and concern for nearby bushes catching fire. During the bonfires, the fire is not contained (3X3 fire code regulation), and reaches well over 8 feet in height. Also, they would cut off fresh tree branches and leaves (not dried out) which added to the flames, while dancing around the fire hooting and hollering. **Appendix B** : a police report that is an example of such disturbances, including shooting off large fireworks into our backyard.

W442C

Terry Grochocki, , a police officer and records clerk, admits they don't always keep a record of complaints. Only the times the police physically go to the address in question is a record kept, verses just calling them on the phone and telling them to keep it down.

We have been respectful neighbors for 8 years, quiet and doing our own business. Most of our fellow neighbors do as well, which is indeed a blessing. We ask the Board to grant this zoning variance, so that we can feel safe and at peace in our own backyard.

Since erecting the fence on July 2, we have not called the police, even though the loud functions continued. This is because we felt the fence gave us some privacy and muffled the noise. This was our compromise. It provides us with a sense of well-being and security so we can sit in our backyard with our family and not have to visually see the rowdy/raucous behavior and activities which have caused us psychological distress. Moreover, we intend on installing an above-ground swimming pool which warrants a barrier and privacy.

5) This privacy fence is fair to surrounding neighbors because as our plot plan shows, we erected the fence inside our property in order to ensure we were respecting our neighbors land. Also, neighbors can clearly see over the fence while seated on their patios and decks, thus allowing the area to remain an open green space. **Appendix C.** Finally, the fence is of a good quality vinyl which should not be seen as an eyesore to the subdivision. The fence meets code standards by not exceeding 6 feet 4 inches in height and is 2 inches off the ground. See **Appendix D.**

6) We have not sought an amendment to the zoning ordinance.

7) We ask the zoning board to forgive our ignorance and negligence in not obtaining written

27/1/20

permission when the fence was initially installed. However, in our defense, we spoke via phone to Mr David Lear, Assistant Livonia City Engineer, who had emailed us a copy of our property line in May. **Appendix E** We were told if the privacy fence is solely on our property, then we shouldn't need a permit. We were not informed of the need to obtain written consent from neighbors. In addition, the 2 residents that are immediately adjacent to our property did not approach us to object to the erection of the fence.

8) We have not attempted to have the property rezoned.

9) Finally, we saw no need to have our property rezoned being the fence sits inside our property line. Again, we erected the fence as a partial barrier to avoid any confrontation with the residents at 19511 Gill Rd.

We appeal to the Zoning Board, and thank you for your time and consideration!

*** Please note the description on the backside of each picture enclosed for further clarity.

WAVE



APPENDIX E

GT B <gigib773@gmail.com>

Plot Plan for 19490 Fairlane Court

5 messages

Lear, David <DLear@livonia.gov>

Fri, May 27, 2022 at 2:19 PM

To: "gigib773@gmail.com" <gigib773@gmail.com>

**David Lear**

Assistant City Engineer
City of Livonia | Engineering
(734) 466-2608
DLear@livonia.gov
www.livonia.gov



This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential, and/or exempt from disclosure under applicable laws. If the reader of the message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and/or reply to this e-mail message. Thank you.



2 attachments



10817 - Fairlane Court #19490.pdf
291K



19490 Fairlane Court.pdf
2028K

GT B <gigib773@gmail.com>

Mon, Jun 13, 2022 at 8:26 PM

To: a George Michael Nicoloff <gnicoloff@ymail.com>

Please print out and bring home when you have time .

[Quoted text hidden]

2 attachments



10817 - Fairlane Court #19490.pdf
291K



19490 Fairlane Court.pdf
2028K

APP. E

19511 Gill Rd

7946406

19478

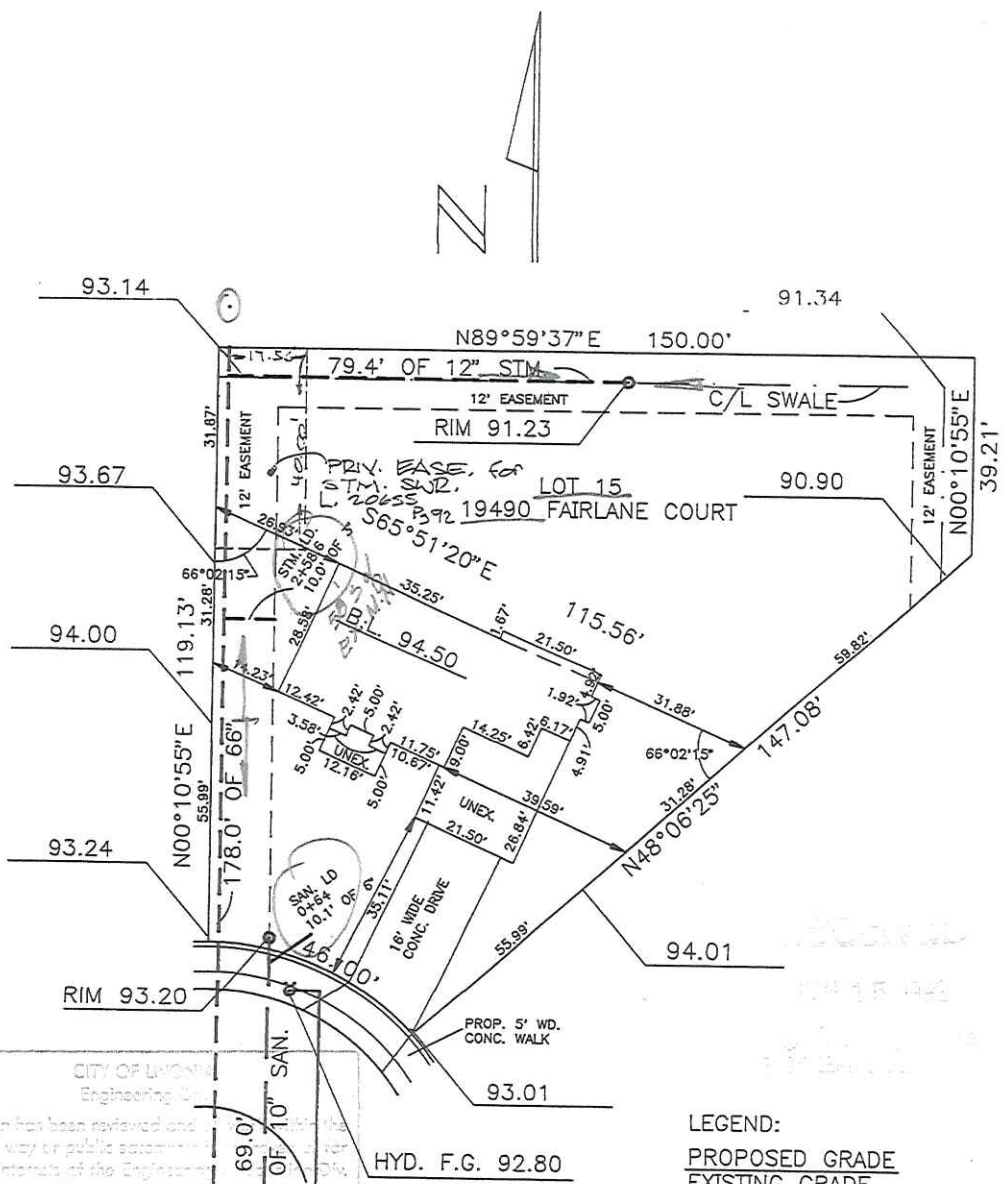
10817

App. E

Plot Plan

LEGAL DESCRIPTION:

LOT 15 OF CANE WOODS SUB'N, PART OF THE S.W. 1/4 OF SECTION 4, T.1S., R.9E., CITY OF LIVONIA, WAYNE COUNTY, MICHIGAN.



CITY OF LIVONIA
Engineering Department
This plan has been reviewed and approved for the right of way or public safety as the interests of the Engineering Department are concerned. This approval is not an endorsement or implies approval of any other City Department or any other governmental jurisdiction.
FAIRLANE COURT
60 FT. WD.
6-22-92 By _____
Date

LEGEND:
PROPOSED GRADE
EXISTING GRADE
STORM
SANITARY
WATER

DATE: 6-12-92	SCALE: 1" = 30'	SURVEY NO.: 9019-15 S.A.
PREPARED FOR: HERITAGE BUILDING CORPORATION 24430 REDWING DRIVE NOVI, MICHIGAN 48050 349-4540		MICHAEL L. PRIEST & ASSOCIATES, INC. Civil Engineering & Land Surveying 34525 GLENDALE SUITE 201 LIVONIA, MICHIGAN 48150 (313) 427-9505 By <i>[Signature]</i> Registered Professional Engineer & Land Surveyor

COMPASS LAMINATE CONTRACTING
30643 Clarkson Dr E
FROSER, WA 98026
314-814-6880

Proposal

PROPOSAL NO.		DATE	
BID NO.		ARCHITECT	
TO		WORK TO BE PERFORMED AT:	
ADDRESS		ADDRESS	
CITY, STATE		CITY, STATE	
PHONE NO.		DATE OF PLANS	

We hereby propose to furnish the materials and perform the labor necessary for the completion of _____

Area below for additional description and/or drawings:

DIS OUT 26 inch fence footings
Install vinyl fence posts
Install vinyl rails and pickets
48 ft
Cleaning and dumping off debris
Remove loose debris
Total price with labor and materials \$ 5600.00
Down payment 50% and 50% after job is completed
to start work on 7-2-22 by Rich

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of Down payment paid check # 3471

Dollars (\$ 5600.00) with payments to be made as follows. amount \$ 3300
Paid in full check # 3474 by Rich S.P

Any alteration or deviation from above specifications involving extra costs will be executed only upon written order, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control.

Respectfully submitted _____

Per _____

Note - This proposal may be withdrawn by us if not accepted within _____ days.

ACCEPTANCE OF PROPOSAL The above prices, specifications, and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

Signature _____

Date _____

Signature _____

PROJECT # _____

PERMIT # _____



RESIDENTIAL ZONING PERMIT APPLICATION
CITY OF LIVONIA – INSPECTION DEPARTMENT
33000 CIVIC CENTER DRIVE
LIVONIA, MI 48154
(734) 466-2580

Livonia

DATE: _____

Please Print: Samir Pilipovic (Contractor)

Compass General Contracting LLC 34693 Clarkson Dr E. Fraser 48026 314-814-6880
Contractors Name Street Address Unit/ City/Zip Code Phone No.

Georgi Nicoloff 19490 Fairlane Ct Livonia MI 48152 248-345-6834
Residents Name Street Address City/Zip Code Phone No. (Required to Issue)

Is this property located within 500ft of any open water course (lake, river, stream, wetland, drain etc.) as outlined in part 91, of the
Natural Resources & Environmental Protection Act 1994 P.A. 451 YES ☐ NO ☒

CIVIC ASSOC. APPROVAL REQ'D: YES ☐ NO ☒ Contractors E-Mail Address compassgeneralcontracting@yahoo.com

TO CONSTRUCT:
Check Box

☒ FENCE☐ SHED

Other Information on Project: _____

19490 Fairlane Ct Livonia, MI 48152 Estimated Cost: \$ 5600.00
Address of Project Street Zip Code

NOT TO BE FILLED IN BY APPLICANT

ZONING AND HOUSING EXAMINATION PLAN # _____ ON THE _____ SIDE OF
N/E/S/W

_____ ZONING _____ BETWEEN _____ AND _____

Street Address
LOT # _____ SUBDIVISION _____ SECTION _____

PROPERTY NUMBER _____ LOT COVERAGE _____ %

LOT WIDTH _____ LOT DEPTH _____ TOTAL AREA _____ SQ. FT.

CORNER LOT _____ INTERIOR LOT _____ ALLEY REAR _____ OR SIDE _____ EASEMENT REAR _____ OR SIDE _____
Size Size

PERMIT TO BE ISSUED FOR _____

APPROVED BY _____ DATE _____ ZONING _____
ZONING GRANT # _____ DATE _____

ZONING FEE \$ _____
ADMIN. FEE \$ 42.00
TOTAL FEES \$ _____



LIVONIA PD
15050 FARMINGTON RD
LIVONIA MI 48154
734-466-2470



Case Report

Administrative Details:

CR No 210020082	Subject
Report Date/Time 07/04/2021 23:25	Occurrence Date/Time 07/04/2021 23:25
Location 19511 GILL RD	Call Source PHONE
Dispatched Offense 7380 Nuisances Ord - Noise / Prohibited Hours / Area	Verified Offense L4599 Misc Complaints - LI
County 82 - Wayne	City/Twp/Village 96 - Livonia
Division Patrol	

Action Requested:

☐ Arrest warrant	☐ Review only
☐ Search warrant	☐ Forfeiture
☐ Juvenile petition	☐ Other

Narrative:

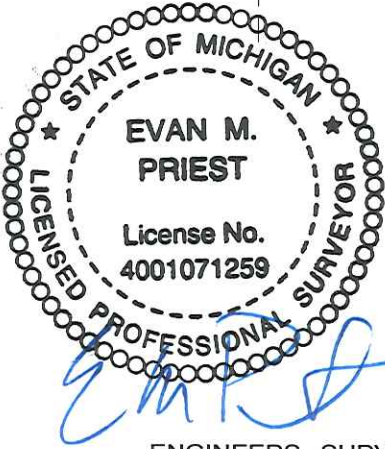
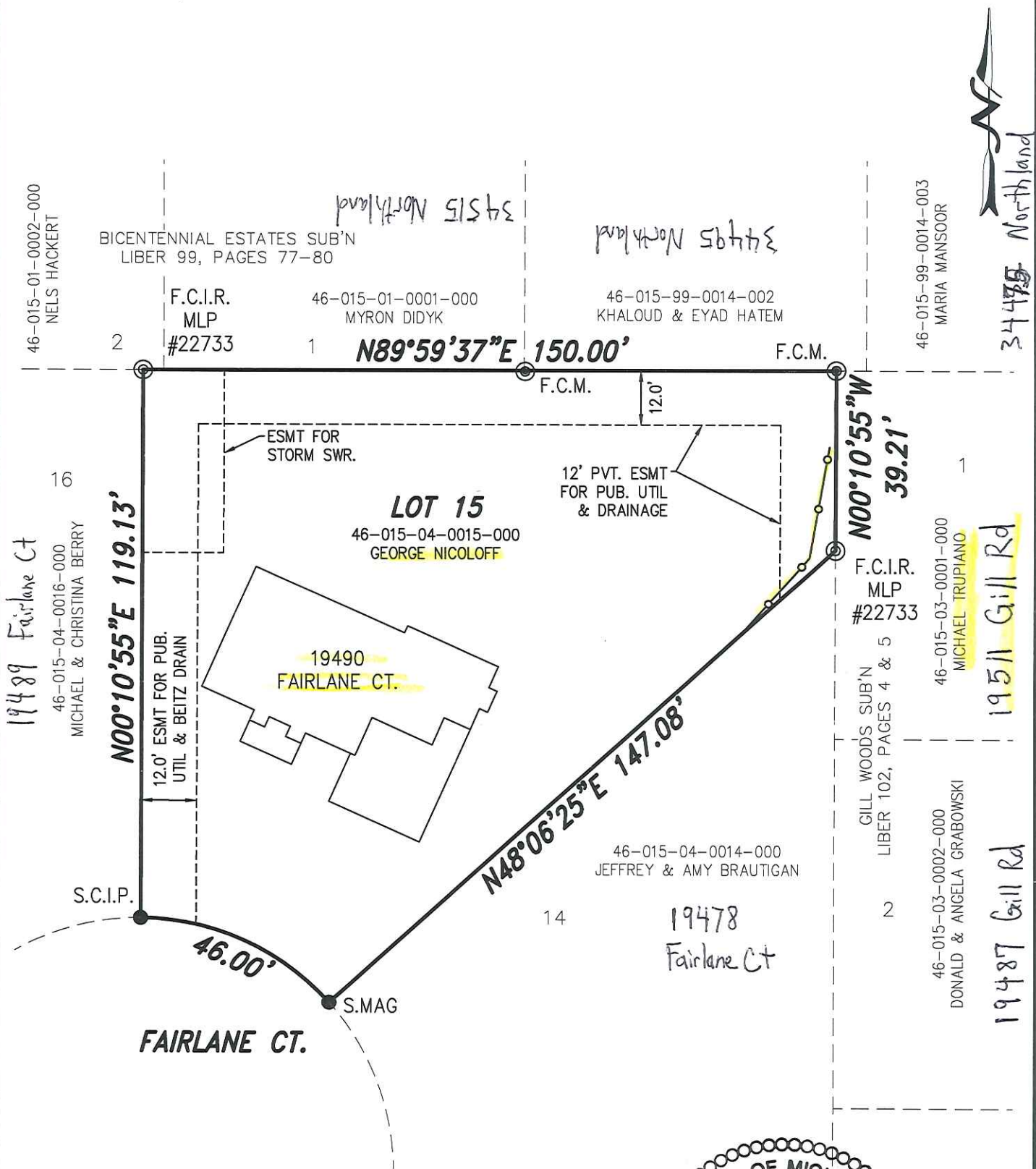
CFS Narrative By: LIROYK (00747)

LIJENGB - 23:25:08 - CHECK AREA FOR LOUD AND VULGAR MUSIC AT LISTED ADDRESS

SKETCH OF SURVEY

PROPERTY DESCRIPTION:

LOT 15 OF CANE WOODS SUB'N, PART OF THE S.W. 1/4 SECTION 4, T. 1 S., R. 9 E., CITY OF LIVONIA, WAYNE COUNTY, MICHIGAN.



LEGEND:
PROPERTY LINE
EASEMENT LINE
FENCE

ENGINEERS & SURVEYORS
MLP
AND ASSOCIATES, INC.
phone: (734) 459-8560
fax: (734) 459-2585



Appendix D

Fence does not
exceed 6 ft 4 inches
at post.

Appendix D

6 feet tall

Appendix D

ZONING MAP

LEGEND

Zoning Districts

-  RUF Rural Urban Farm
-  N1 Neighborhood
-  N2 Neighborhood
-  NM1 Neighborhood Multifamily
-  NM2 Neighborhood Multifamily
-  NM3 Neighborhood Multifamily
-  P Parking
-  C-1 Local Business
-  C-2 General Business
-  C-3 Highway Services
-  C-4 High Rise Commercial
-  M-L Manufacturing Limited
-  M-1 Light Manufacturing
-  M-2 General Manufacturing
-  P-L Public Lands
-  NP Nature Preserves

S.W. 1/4 Section 4

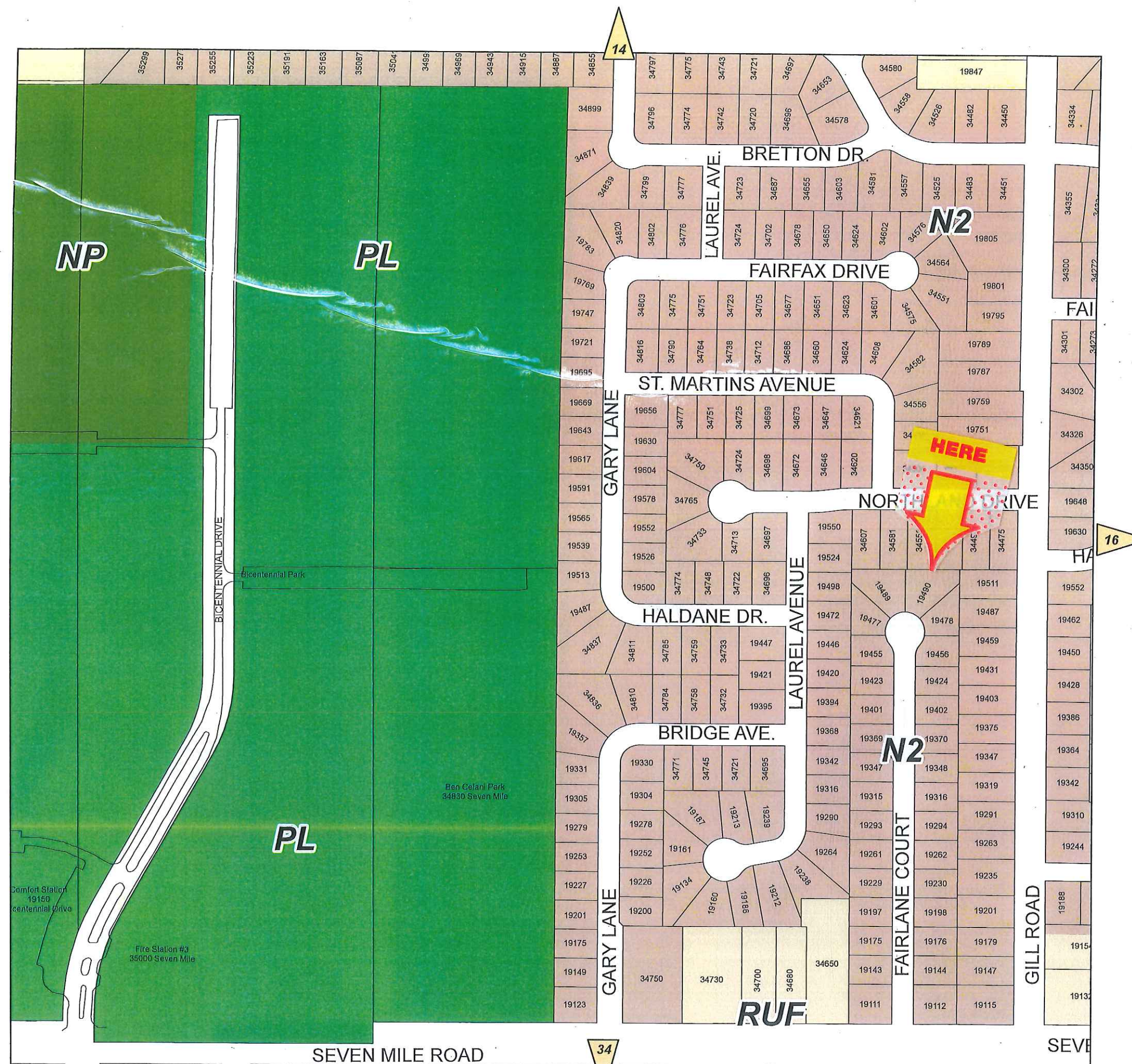
City of Livonia

T. 1 south, R. 9 east
Wayne County, Michigan

Copyright 2001, City of Livonia



300 150 0 300 Feet





3rd

The fire pit area is now blocked behind the fence.

2nd

After the fence was erected, we have privacy.

1st

Before we put the fence up, we could see straight through from our patio.

7-4-21 Fireworks debris

Appendix B

7th

Note the wooden stake with orange flag-- this shows our property line behind the fence.

6th

APP C

For comparison: Our next door neighbor at 19478 Fairlane Ct erected this Greenhouse a month after our fence went up, without a hearing. This structure does obstruct one's view of open green spaces.

5th

This is an example of how our fence preserves open green spaces.

4th

Appendix C

The 19511 Gill Rd residents can clearly see over the fence while relaxing on their patio and deck.

APPLICATION FOR VARIANCE

George Nicoloff 19490 Fairlane Ct. Livonia 48152 (248)345-6834 —
(Owner of Premises) (Street Address) (City) (Zip Code) (Telephone) (Fax)

(Lessee) (Street Address) (City) (Zip Code) (Telephone) (Fax)

(Contractor) (Street Address) (City) (Zip Code) (Telephone) (Fax)

The property address is 19490 Fairlane Ct Livonia MI 48152

Please note that if you need more space to answer any of the following questions, you may use a separate page or the back of this page. Simply identify your response(s) with the number of the question you are responding to.

1. Are there any deed restrictions or subdivision rules or restrictions on the property? If so, what are they? Please see attached response

2. Give legal description of property involved, or attach a deed or other document which contains the legal description of the property: Please see attached response

A variance can only be granted if a hardship or practical difficulty with the property makes the variance necessary. Under the City's Zoning Ordinance, a practical difficulty exists only if (a) the difficulty is exceptional and peculiar to the property, and does not exist generally throughout the City, (b) the difficulty involves more than mere inconvenience, inability to earn a higher financial return, or both, and (c) the variance would be fair to the neighbors and others who might be affected, as well as those who do not have this variance.

3. Please explain how the practical difficulty you claim is unique to your property, and does not exist elsewhere in the City: Please see attached response

4. Please describe what the difficulty involves beyond mere inconvenience or inability to earn a higher financial return: Please see attached response

5. Explain why you think this variance would be fair to the neighbors and others who might be affected. Please see attached response

6. Have you sought an amendment to the zoning ordinance which would permit your proposed project under your current zoning? If yes, please describe the outcome of this process: Please see attached response

7. If you have not attempted to have the zoning ordinance amended, why hasn't this attempt been made? Please see attached response

APPLICATION FOR VARIANCE

NICOLOFF

1) The Nicoloff family which reside at 19490 Fairlane Ct., in “ Cane Woods “ subdivision, do not have a Homeowners Association where we pay an annual fee. There are no subdivision rules. The disputing party at 19511 Gill Rd. resides in a separate subdivision that may have different rules to which we are not subject.

2) Please see attached for legal description of our property: **Appendix A.**

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Terry Grochocki, a police officer and records clerk, admits they don't always keep a record of complaints. Only the times the police physically go to the address in question is a record kept, verses just calling them on the phone and telling them to keep it down.

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6) We have not sought an amendment to the zoning ordinance.

7) We ask the zoning board to forgive our ignorance and negligence in not obtaining written

wayne

permission when the fence was initially installed. However, in our defense, we spoke via phone to Mr David Lear, Assistant Livonia City Engineer, who had emailed us a copy of our property line in May. **Appendix E** We were told if the privacy fence is solely on our property, then we shouldn't need a permit. We were not informed of the need to obtain written consent from neighbors. In addition, the 2 residents that are immediately adjacent to our property did not approach us to object to the erection of the fence.

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9) Finally, we saw no need to have our property rezoned being the fence sits inside our property line. Again, we erected the fence as a partial barrier to avoid any confrontation with the residents at 19511 Gill Rd.

We appeal to the Zoning Board, and thank you for your time and consideration!

*** Please note the description on the backside of each picture enclosed for further clarity.

WAVE

Plot Plan for 19490 Fairlane Court

5 messages

Lear, David <DLear@livonia.gov>
To: "gigib773@gmail.com" <gigib773@gmail.com>

Fri, May 27, 2022 at 2:19 PM



David Lear

Assistant City Engineer

City of Livonia | Engineering

(734) 466-2608

DLear@livonia.gov

www.livonia.gov



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- * 2 attachments
- 

10817 - Fairlane Court #19490.pdf
291K
- 

19490 Fairlane Court.pdf
2028K

GT B <gigib773@gmail.com>
To: a George Michael Nicoloff <gnicoloff@ymail.com>

Mon, Jun 13, 2022 at 8:26 PM

Please print out and bring home when you have time .

[Quoted text hidden]

- 2 attachments
- 

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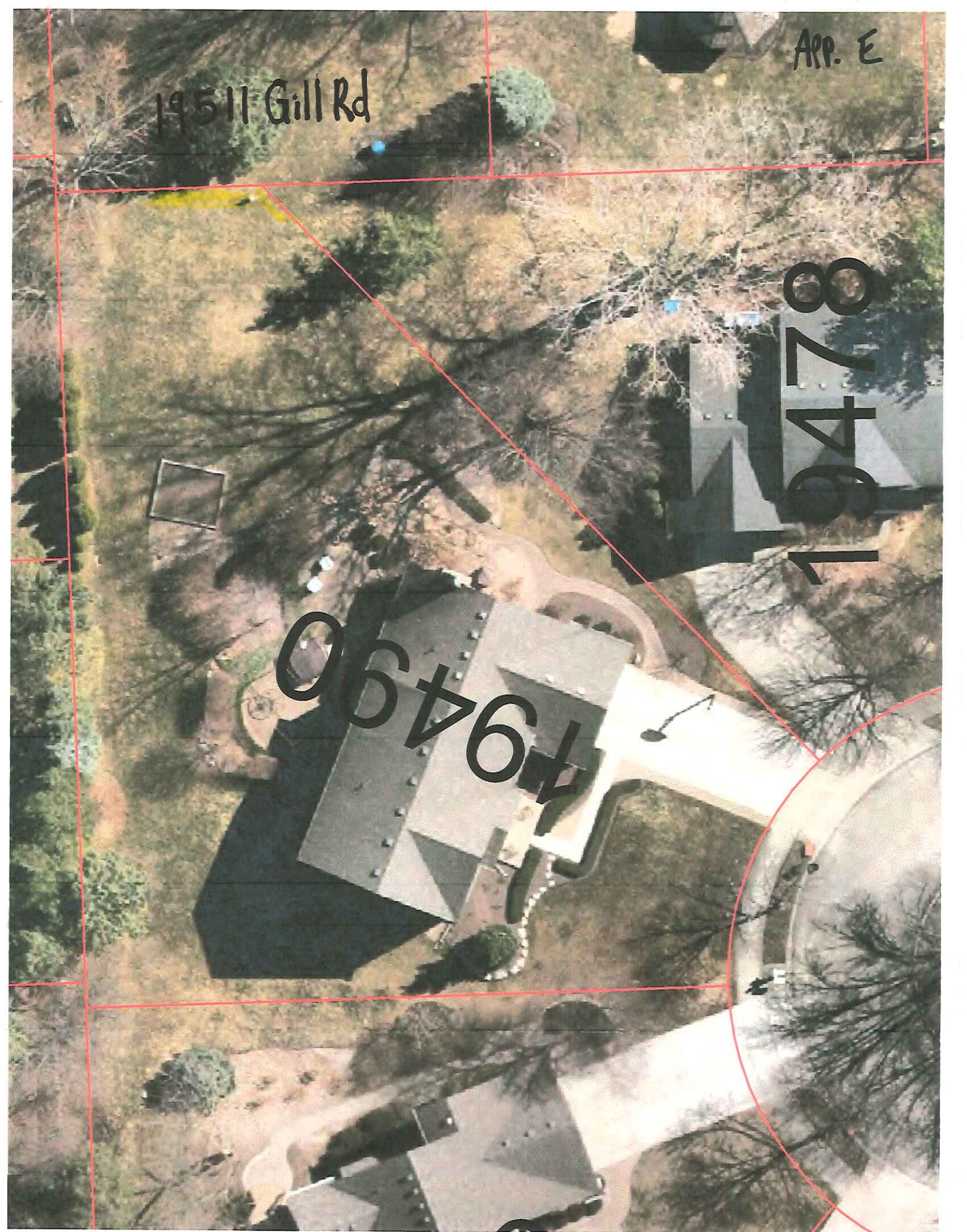
19490 Fairlane Court.pdf
2028K

APP. E

19511 Gill Rd

79490

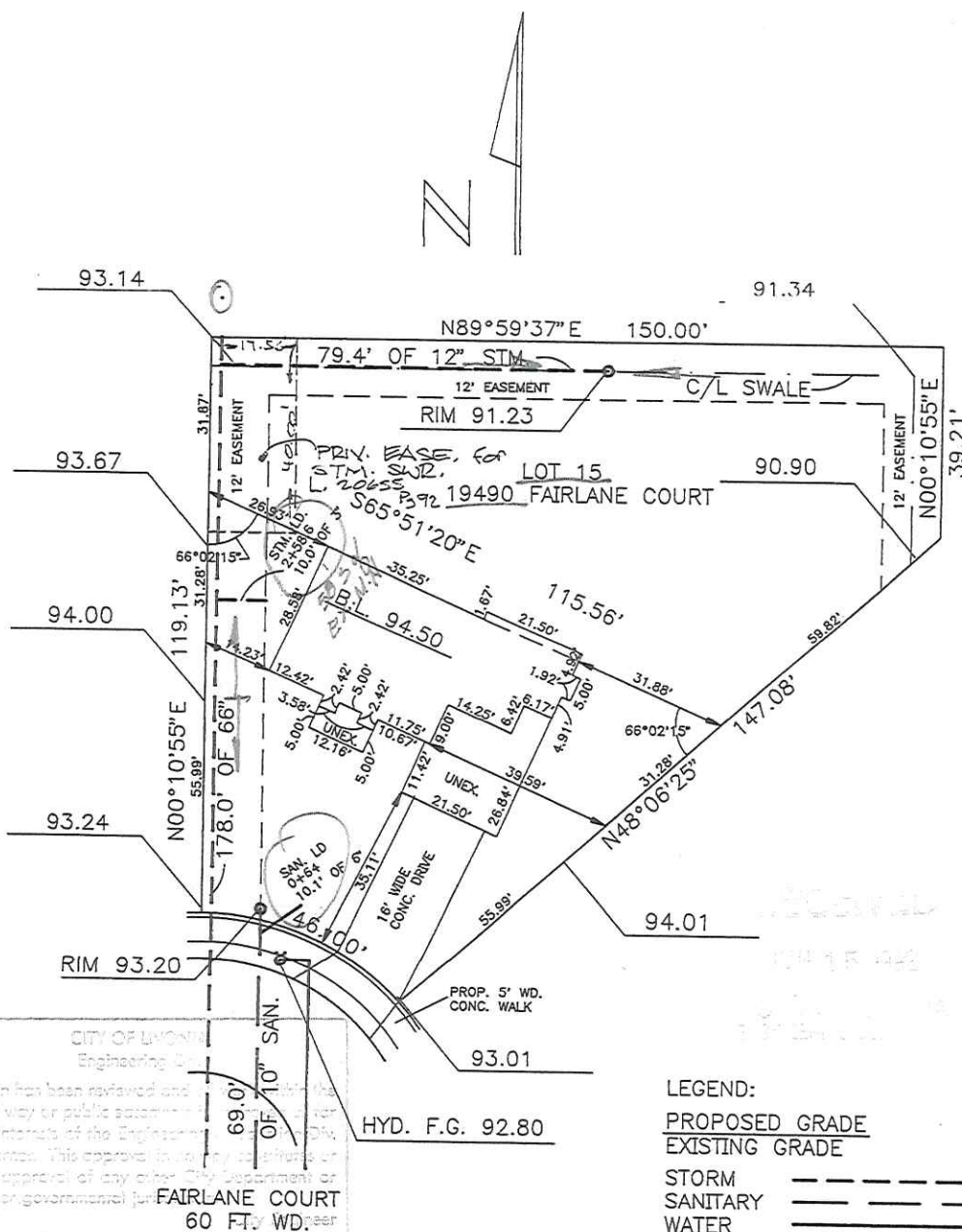
19478



Plot Plan

LEGAL DESCRIPTION:

LOT 15 OF CANE WOODS SUB'N, PART OF THE S.W. 1/4 OF SECTION 4, T.1S., R.9E., CITY OF LIVONIA, WAYNE COUNTY, MICHIGAN.



This plan has been reviewed and approved by the City Engineer as the interests of the Engineering Department are concerned. This approval does not imply approval of any other City Department or any other governmental jurisdiction.

69.0' OF 10'

FAIRLANE COURT
60 FT. WD. near

6-22-92

DATE:

6-12-92

SCALE:

$$1'' = 30'$$

SURVEY NO.:

9019-15

S.A.

PREPARED FOR:

HERITAGE BUILDING CORPORATION
24430 REDWING DRIVE
NOVI, MICHIGAN 48050
349-4540

MICHAEL L. PRIEST & ASSOCIATES, INC.
Civil Engineering & Land Surveying

34525 GLENDALE
SUITE 201
LIVONIA, MICHIGAN 48150
(313) 427-9505

By [Signature]
Registered Professional Engineer & Land Surveyor

Proposal

30693 Clarkson Dr E
Ft. Worth, TX 76106
314-814-6880

PROPOSAL NO.	DATE
BID NO.	ARCHITECT
TO	WORK TO BE PERFORMED AT:
ADDRESS	ADDRESS
CITY, STATE	CITY, STATE
PHONE NO.	DATE OF PLANS

We hereby propose to furnish the materials and perform the labor necessary for the completion of _____

Area below for additional description and/or drawings:

Dis out 26 inch fence footings
Install vinyl fence posts
Install vinyl fence and pickets
48 ft
Cleaning and dumping all trash
This price includes everything
Final price with labor and materials \$ 3300.00
Down payment 50% and 50% after job is completed
to start the job 7-2-22 by Rich

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of Down payment paid check # 3471

Dollars (\$ 3300.00) with payments to be made as follows. amount \$ 3300

Paid in full check # 3474 S.P

Respectfully submitted _____

Per _____

Note - This proposal may be withdrawn by us if not accepted within _____ days.

ACCEPTANCE OF PROPOSAL The above prices, specifications, and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

Signature _____

Date _____ Signature _____

adams 9450 12-12

PROJECT # _____

PERMIT # _____

RESIDENTIAL ZONING PERMIT APPLICATION
CITY OF LIVONIA – INSPECTION DEPARTMENT
33000 CIVIC CENTER DRIVE
LIVONIA, MI 48154
(734) 466-2580



Please Print: Samir Pilipovic (Contractor) DATE: _____

"Compass General Contracting, LLC" 34693 Clarkson Dr E, Fraser, MI 48026 314-814-6880
Contractors Name Street Address Unit # City/Zip Code Phone No.

George Michoff 19490 Fairlane Ct Livonia MI 48152 248-345-6834
Residents Name Street Address City/Zip Code Phone No. (Required to Issue)

Is this property located within 500ft of any open water course (lake, river, stream, wetland, drain etc.) as outlined in part 91, of the Natural Resources & Environmental Protection Act 1994 P.A. 451 YES ☐ NO ☒

CIVIC ASSOC. APPROVAL REQ'D: YES ☐ NO ☒ Contractors E-Mail Address compassgeneralcontracting@yahoo.com

TO CONSTRUCT: ☒ FENCE ☐ SHED

Check Box

Other Information on Project: _____

19490 Fairlane Ct Livonia, MI 48152 Estimated Cost: \$ 5600.00
Address of Project Street Zip Code

NOT TO BE FILLED IN BY APPLICANT

ZONING AND HOUSING EXAMINATION PLAN # _____ ON THE _____ SIDE OF
N/E/S/W

_____ ZONING _____ BETWEEN _____ AND _____

Street Address

LOT # _____ SUBDIVISION _____ SECTION _____

PROPERTY NUMBER _____ LOT COVERAGE _____ %

LOT WIDTH _____ LOT DEPTH _____ TOTAL AREA _____ SQ. FT.

CORNER LOT _____ INTERIOR LOT _____ ALLEY REAR _____ OR SIDE _____ EASEMENT REAR _____ OR SIDE _____
Size Size

PERMIT TO BE ISSUED FOR _____

APPROVED BY _____ DATE _____ ZONING _____
ZONING GRANT # _____ DATE _____

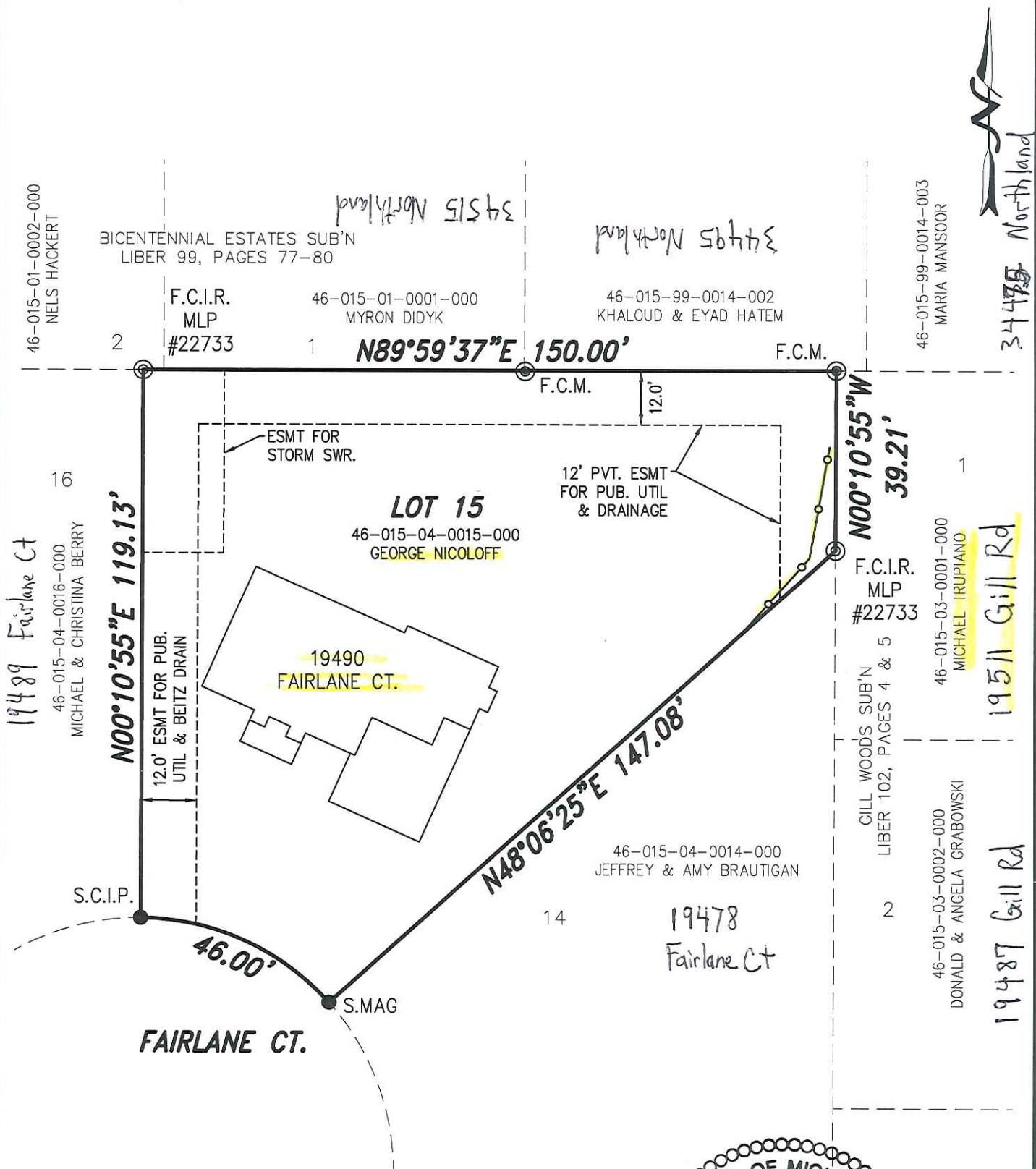
ZONING FEE \$ _____
ADMIN. FEE \$ 42.00
TOTAL FEES \$ _____

LIVONIA PD 15050 FARMINGTON RD LIVONIA MI 48154 734-466-2470	
	
Case Report	
Administrative Details:	
CR No 210020082	Subject
Report Date/Time 07/04/2021 23:25	Occurrence Date/Time 07/04/2021 23:25
Location 19511 GILL RD	Call Source PHONE
Dispatched Offense 7380 Nuisances Ord - Noise / Prohibited Hours / Area	Verified Offense L4599 Misc Complaints - LI
County 82 - Wayne	City/Twp/Village 96 - Livonia
Division Patrol	
Action Requested:	
☐ Arrest warrant	☐ Review only
☐ Search warrant	☐ Forfeiture
☐ Juvenile petition	☐ Other
Narrative:	
CFS Narrative By: LIROYK (00747)	
LIJENGB - 23:25:08 - CHECK AREA FOR LOUD AND VULGAR MUSIC AT LISTED ADDRESS	

SKETCH OF SURVEY

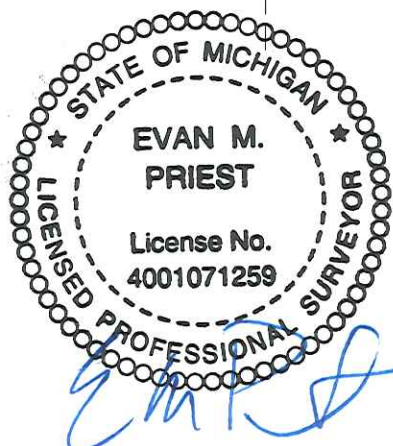
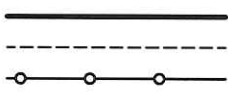
PROPERTY DESCRIPTION:

LOT 15 OF CANE WOODS SUB'N, PART OF THE S.W. 1/4 SECTION 4, T. 1 S., R. 9 E., CITY OF LIVONIA, WAYNE COUNTY, MICHIGAN.



LEGEND:

PROPERTY LINE
EASEMENT LINE
FENCE



ENGINEERS & SURVEYORS

MLP
AND ASSOCIATES, INC.

phone: (734) 459-8560
fax: (734) 459-2585



CITY OF LIVONIA
Inspection Department

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154
421-2000

REJECTION OF APPLICATION FOR PERMIT
BECAUSE OF NON-CONFORMITY TO ZONING ORDINANCE LIVONIA VISION 21

Applicant	(SAME AS OWNER)	Address	(SAME AS OWNER)
Owner	GEORGE NICOLOFF	Address	(248) 345-6834
Lessee	—	Address	19490 FAIRLANE CT., LIVONIA, MI 48152
Location	EAST	Side of	19490 FAIRLANE CT. Street
Between	W. SEVEN MILE	And	CULDESAC
Lot No/Parcel No.	015-04-0015-000	Subdivision	CANEWOODS #4
Zoning District	N2	Map No.	SW 04
		Lot Size	(PIE SHAPE) 14,810 SQ. FT. Alley
Present Use	SINGLE FAMILY RESIDENTIAL	Proposed Use	NO CHANGE
Present Building Size	—	Proposed Building Size	—
Present Height of Building	—	Proposed Height	—
Allowable Lot Coverage	—	Proposed Lot Coverage	—
Proposal	SEEKING TO MAINTAIN A SIX FOOT TALL PRIVACY FENCE, ERECTED WITHOUT PERMIT, ALONG PORTIONS OF THE EAST AND SOUTH-EAST PROPERTY LINES, RESULTING IN NOT ACQUIRING THE (EAST AND SOUTH-EAST) ADJOINING OWNERS' CONSENT.		
Reason for Rejection	FENCE ORDINANCE, SECTION 15.44.090 (B)		
Deficient Side Yard	Deficient Front Yard	Deficient Rear Yard	
Deficient Lot Area	Deficient Lot Area per Room	Encroachment	
15.44.090(B) NEIGHBOR'S			
Excessive Lot Coverage	Excessive Height	Increasing No. Units	
CONSENT			
Use Prohibited	Deficient Parking Spaces	Increasing Area and Bulk	
Remarks			

Plans and Application examined by MP/Sherman Date Dec. 20, 2022

ZONING EXAMINER



Appendix D

Fence does not
exceed 6 ft 4 inches
at post.

Appendix D

6 feet tall

Appendix D



3rd

The fire pit area is now blocked behind the fence.

2nd

After the fence was erected, we have privacy.

1st

Before we put the fence up, we could see straight through from our patio.

7-4-21 Fireworks debris

Appendix B

7th

Note the wooden stake with orange flag-- this shows our property line behind the fence.

6th

APP C

For comparison: Our next door neighbor at 19478 Fairlane Ct erected this Greenhouse a month after our fence went up, without a hearing. This structure does obstruct one's view of open green spaces.

5th

This is an example of how our fence preserves open green spaces.

4th

Appendix C

The 19511 Gill Rd residents can clearly see over the fence while relaxing on their patio and deck.

ZONING MAP

LEGEND

Zoning Districts

-  RUF Rural Urban Farm
-  N1 Neighborhood
-  N2 Neighborhood
-  NM1 Neighborhood Multifamily
-  NM2 Neighborhood Multifamily
-  NM3 Neighborhood Multifamily
-  P Parking
-  C-1 Local Business
-  C-2 General Business
-  C-3 Highway Services
-  C-4 High Rise Commercial
-  M-L Manufacturing Limited
-  M-1 Light Manufacturing
-  M-2 General Manufacturing
-  P-L Public Lands
-  NP Nature Preserves

S.W. 1/4 Section 4

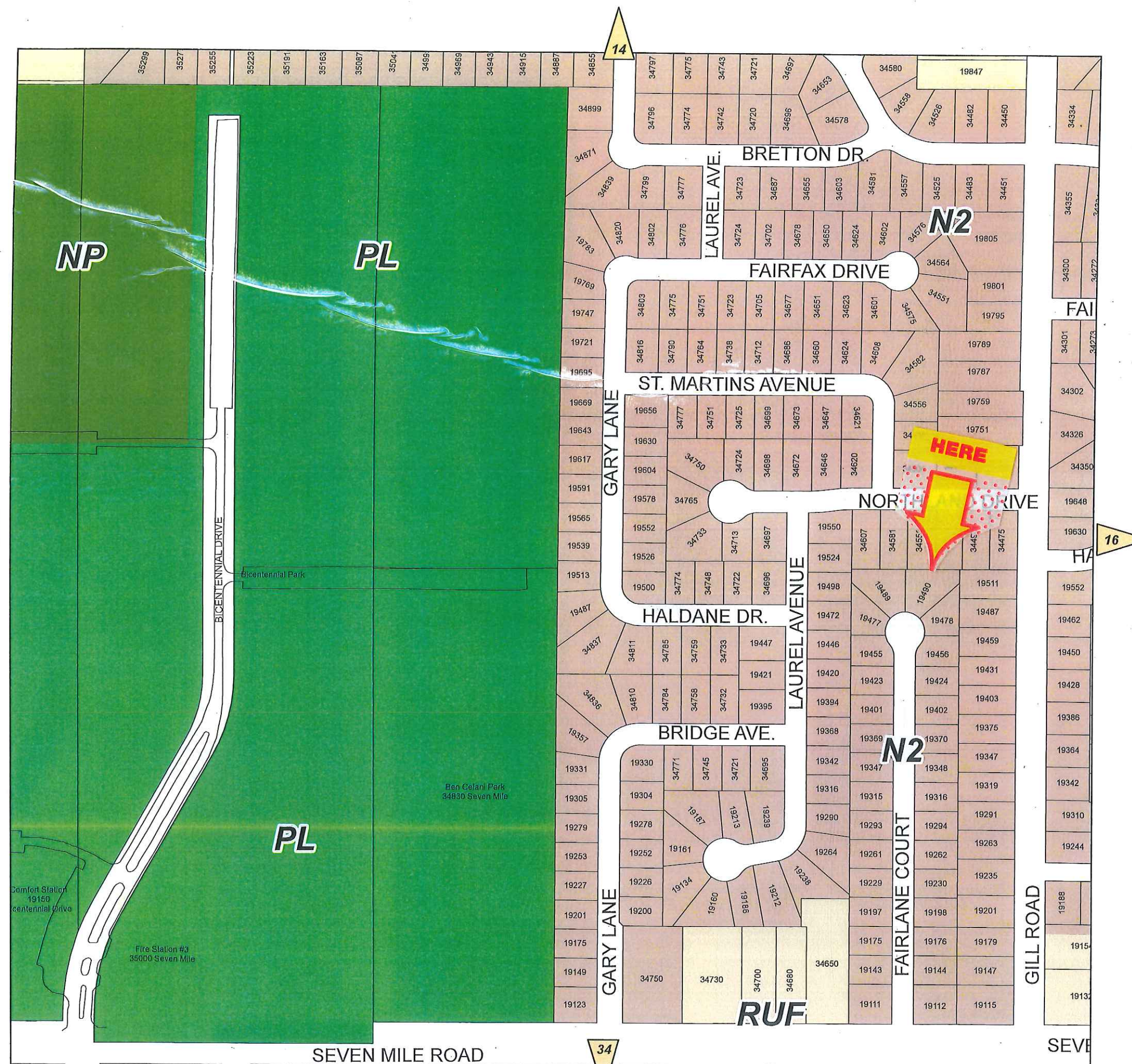
City of Livonia

T. 1 south, R. 9 east
Wayne County, Michigan

Copyright 2001, City of Livonia



300 150 0 300 Feet



ZONING BOARD OF APPEALS

ZONING BOARD MEMBERS

GREGORY G. COPPOLA, Chairman
JAMES M. BARINGHAUS, Vice Chairman
TIMOTHY J. KLISZ, Secretary
CHRISTOPHER N. BOLOVEN
TAMARA OLIVERIO
MARTHA PTASHNIK
MICHAEL A. TESTA



33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2250

MAYOR

MAUREEN MILLER BROSNAN

COUNCIL MEMBERS

JIM JOLLY, President
LAURA M. TOY, Vice President
SCOTT BAHR
ROB GJONAJ DONOVIC
BRANDON MCCULLOUGH
KATHLEEN E. MCINTYRE
SCOTT MORGAN

January 20, 2023
PUBLIC NOTICE

APPEAL CASE NO. 2023-01-03: An appeal has been made to the Zoning Board of Appeals by Charter Communications, 14525 Farmington Road, seeking to erect a six-foot-tall privacy fence upon commercial property which is not allowed.

The property is located on the west side of Farmington (14525), between and Lyndon and Five Mile, Lot No. 081-99-0019-001, "C-1, Local Business District," Rejected by the Inspection Department under City of Livonia Vision 21, Section 7.24, "Fences and Walls" and Code of Ordinances Chapter 44, Title 55, "Fences."

THE LAW REQUIRES THAT OWNERS OF PROPERTY LOCATED WITHIN 300 FEET OF THIS PROPERTY BE NOTIFIED OF THIS REQUEST IN WRITING. THIS IS YOUR NOTIFICATION.

This appeal will be heard at a public hearing to be held in the **Auditorium on the first floor of City Hall on Tuesday, February 7, 2023, at 7:00 p.m.**, at which time comments may be directed to the Board during audience participation. When replying by mail, write your comments on the back of this notice and address it to the City of Livonia, Zoning Board of Appeals, 33000 Civic Center Drive, Livonia, MI 48154. All written comments are read at the meeting and become part of the record.

ZONING BOARD OF APPEALS,

Timothy Klisz, Secretary

Petitioner will incur a \$100 rescheduling fee for every failure to appear.
In accordance with Title II of the Americans with Disabilities Act as it pertains to access to Public Meetings, the Zoning Board of Appeal's Office of the City of Livonia, upon adequate notice, will make reasonable accommodations for persons with special needs.
Please call 734-466-2250 if you need assistance.

2023-01-03
February 7, 2023

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and extend across the width of the page. There are no margins, text, or other markings on the paper.

Address:



2023-01-03

CITY OF LIVONIA

Inspection Department

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154
421-2000REJECTION OF APPLICATION FOR PERMIT
BECAUSE OF NON-CONFORMITY TO ZONING ORDINANCE LIVONIA VISION 21

Applicant SAME AS OWNER Address SAME
Owner CHARTER COMMUNICATIONS Address 248-954-7208
14525 FARMINGTON, LIVONIA, MI 48154
Lessee — Address —
Location WEST Side of 14525 FARMINGTON Street
Between LYNDON And FINE MILE
Lot No./Parcel No. 081-99-0019-001 Subdivision —
Zoning District C-1 Map No. NE 21 Lot Size 4.09 ACRES Alley —
Present Use OFFICE / SERVICE COMPANY Proposed Use SAME
Present Building Size N/A Proposed Building Size NONE PROPOSED
Present Height of Building N/A Proposed Height 11 11
Allowable Lot Coverage N/A Proposed Lot Coverage N/A
Proposal SEEKING TO ERECT A SIX FOOT TALL PRIVACY FENCE UPON COMMERCIAL
PROPERTY WHICH IS NOT ALLOWED

Reason for Rejection LIVONIA VISION 21, SECTION 7.24 / CODE OF ORD. CHAPTER 44, TITLE 15
Deficient Side Yard — Deficient Front Yard — Deficient Rear Yard —
Deficient Lot Area — Deficient Lot Area per Room — Encroachment —
Excessive Lot Coverage — Excessive Height — Increasing No. Units —
7.24 FENCE ON COMMERCIAL
Use Prohibited PROPERTY Deficient Parking Spaces — Increasing Area and Bulk —

Remarks —
—
—

Plans and Application examined by Ry Date DECEMBER 21, 2022

APPLICATION FOR VARIANCE

Charter Communications 14525 Farmington Rd Livonia, MI 48154 248.954.7208
 (Owner of Premises) (Street Address) (City) (Zip Code) (Telephone) (Fax)

(Lessee) (Street Address) (City) (Zip Code) (Telephone) (Fax)

LAKESHORE
 (Contractor) (Street Address) (City) (Zip Code) (Telephone) (Fax)

The property address is 14525 FARMINGTON RD

Please note that if you need more space to answer any of the following questions, you may use a separate page or the back of this page. Simply identify your response(s) with the number of the question you are responding to.

- Are there any deed restrictions or subdivision rules or restrictions on the property? If so, what are they? No subdivision rules or restrictions apply.
- Give legal description of property involved, or attach a deed or other document which contains the legal description of the property:
14525 Farmington Road, Livonia, MI, 48154 located at North West corner of Lydon and Farmington Road.

A variance can only be granted if a hardship or practical difficulty with the property makes the variance necessary. Under the City's Zoning Ordinance, a practical difficulty exists only if (a) the difficulty is exceptional and peculiar to the property, and does not exist generally throughout the City, (b) the difficulty involves more than mere inconvenience, inability to earn a higher financial return, or both, and (c) the variance would be fair to the neighbors and others who might be affected, as well as those who do not have this variance.

- Please explain how the practical difficulty you claim is unique to your property, and does not exist elsewhere in the City:
Physical location of building is susceptible to large amounts of foot traffic during the Livonia Spree Festival.
- Please describe what the difficulty involves beyond mere inconvenience or inability to earn a higher financial return:
Foot traffic mentioned above (3) has resulted in property damage/vandalism.
- Explain why you think this variance would be fair to the neighbors and others who might be affected. This variance is being requested to address a security concern impacting communications facility. This could potentially impact all services including 911 for Livonia residents and other Southeast Michigan communities.
- Have you sought an amendment to the zoning ordinance which would permit your proposed project under your current zoning? If yes, please describe the outcome of this process: No.
- If you have not attempted to have the zoning ordinance amended, why hasn't this attempt been made?
This request would not be resolved by zoning ordinance change.



RECEIVED

DEC 21 2022

Inspection Department
City of Livonia

8. Have you attempted to have the property rezoned? If yes, please describe the outcome of the rezoning process: No

9. If you have not attempted to have the property rezoned, why hasn't this attempt been made? This request would not be resolved by a rezoning the property.

Please see the separate instruction sheet for plans, fees, and other information which should be submitted with the application. Note that if an agent or attorney signs the application on behalf of the owner, said agent or attorney must provide written proof of his or her authority to act on the owner's behalf. ALL INTERESTED PARTIES ARE REQUIRED TO ATTEND THE ZONING BOARD OF APPEALS MEETING. NON-ATTENDANCE BY ANY INTERESTED PARTY MAY RESULT IN YOUR CASE BEING TABLED AND THE APPROPRIATE FEE BEING ASSESSED.

OWNER'S AFFIDAVIT

COUNTY OF ~~WAYNE~~) Arapahoe
STATE OF ~~MICHIGAN~~) Colorado

The undersigned being duly sworn, deposes and says that the foregoing statements and answers herein contained and accompanying information and data are in all respects true and correct to the best of (his/her) knowledge and belief, and that the undersigned personally undertakes to see that the property will be used and developed in compliance with all applicable ordinances and any conditions imposed in connection with any variance which may be granted in response to this application.

Signature of property owner: [Signature]

Carrie E. Walters

Please print name of property owner: VP, Real Estate & Property Administration

NOTE: Please provide Letter of Authorization on official letterhead if not signed by owner of the property, as well as the deed and property transfer affidavit.

Subscribed and sworn to before me this 21 day of December, 2022.

Jennifer A. Muller
(Notary Public, Wayne County, Michigan) Arapahoe County
My Commission expires 01-30-2024

JENNIFER A MULLER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20084003603
MY COMMISSION EXPIRES JANUARY 30, 2024

Any decision of the Board favorable to the applicant will remain valid only as long as the information or data relating thereto are found to be correct and the conditions upon which the resolution was based are maintained.

NOT TO BE COMPLETED BY APPLICANT

Petitioner makes application for a Hearing, seeking to (reverse, modify, or affirm) the (order, decision) of the Department of Inspection, dated 12/21/22, which reads as follows:

CODE OF ORD, CHAPTER 44, TITLE 15 / LV 21, SECTION 7.24

I certify that (a) the petitioner is not in violation of any ordinance other than the provision(s) sought to be waived in the foregoing application, (b) all applicable fees have been paid, and (c) I have examined the foregoing application, and find that said application is complete, and that the City Zoning Ordinance, Ordinance No. 543, as amended, prohibits the proposed project unless a variance is granted by the Zoning Board of Appeals.

[Signature]
(Supervisor)

Application for permit filed No

Violation Issued No

Payment Entry Form

Result: Payment Authorized

Confirmation Number: 126450146

Your payment has been authorized successfully and payment will be processed.

The City of Livonia thanks you for your payment. For questions about your account, please call 734-466-2580 Thank you for using our bill payment services.

Please save or print a copy of this receipt for record keeping purposes.

My Bills

Description	Amount Due
ZBA payment of \$450.00 on Account Number 14525 FARMINGTON	\$450.00
Subtotal:	\$450.00
Convenience Fee:	\$12.60
Total Payment:	\$462.60

Customer Information

First Name: MARK
Last Name: HACKER

Address Line 1:

Address Line 2:

City:

State:

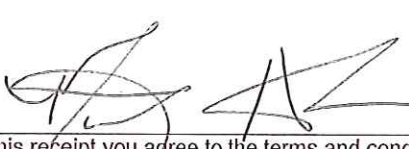
Zip Code:

Phone Number:

Email Address:

Payment Information

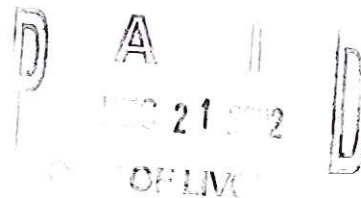
Payment Date: 12/21/2022
Card Type: MasterCard
Card Number: *****2635

Signature: 

Date: 12/21/2022

By signing this receipt you agree to the terms and conditions of this service.

You will see one line item on your credit or debit card statement indicating the amount you paid and will be identified as *City of Livonia*. If you have any questions about the charges please call 1-888-891-6064.



Abrahamson, Randy

From: Mark Hacker <markh@lakeshoreconstruction.net>
Sent: Wednesday, January 4, 2023 8:45 AM
To: Abrahamson, Randy; Stierna, Matthew
Subject: More information on fence at 14525 Farmington Rd
Attachments: Letter of Hardship.pdf; Looking SE toward fence to fence tie in area.jpg; Looking to south where west fence line will be.jpg; Generator that needs security.jpg

Gentlemen

Please find attached pictures and letter of hardship I forgot submit with my request for variance.

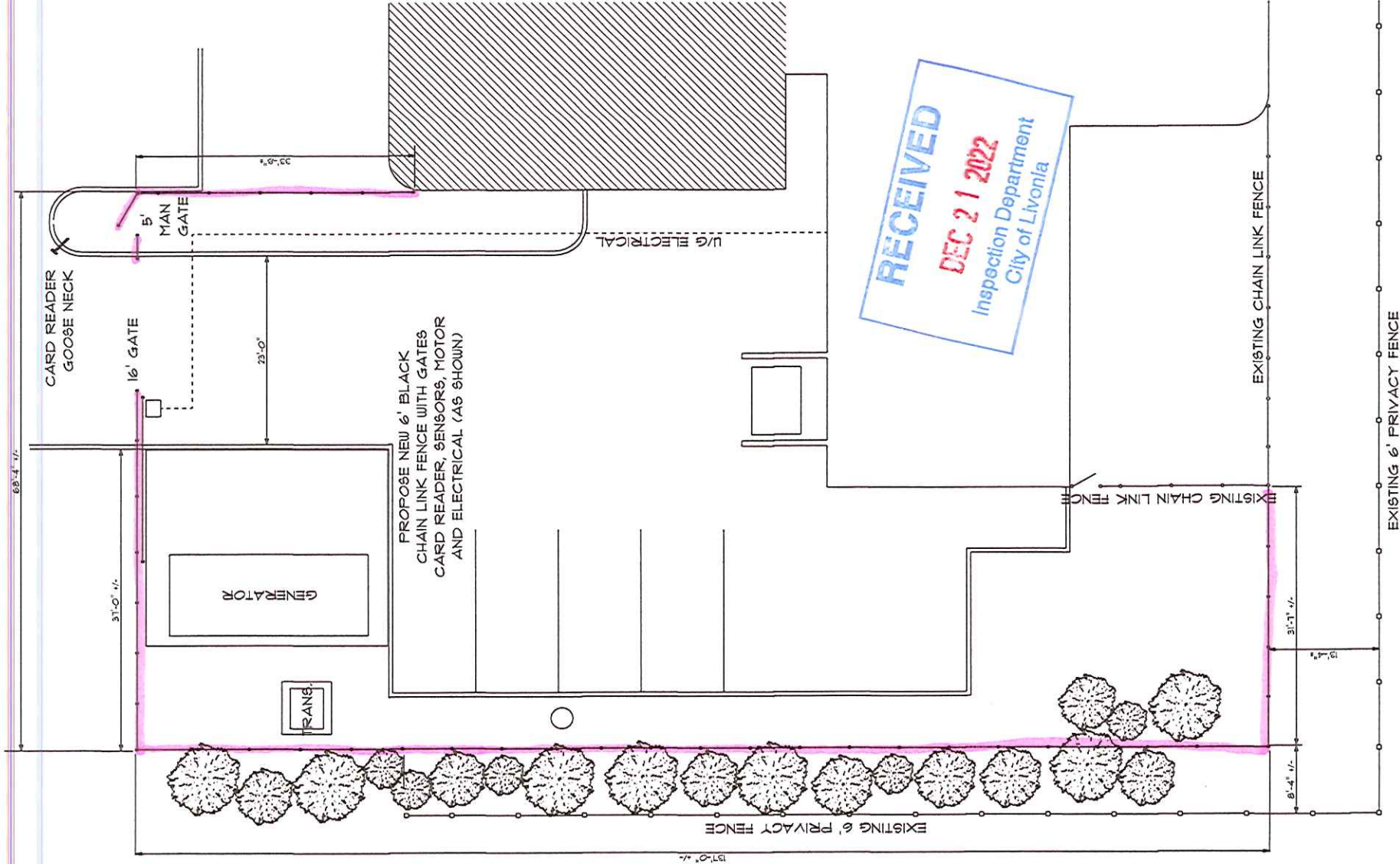
Also please let me know when the variance board meeting will be held so I can attend and be available for questions.

Thank you for the consideration in this matter.



LAKESHORE
CONSTRUCTION

Mark W. Hacker, Project Manager
3591 Lakeshore Road
Manistee, MI 49660
cell 231.206.2755



RECEIVED
DEC 21 2022
Inspection Department
City of Livonia



LIVONIA HEAD END

November 14, 2022

Livonia Variance Board
Livonia City Hall
33000 Civic Center Drive
Livonia, MI, 48154

Re: Hardship Letter; 14525 Farmington Road, Livonia, Michigan 48154

To Whom It May Concern:

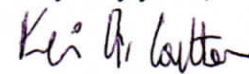
Spectrum Mid-America, LLC, a subsidiary of Charter Communications, Inc. ("**Spectrum**") owns the property and improvements located at 14525 Farmington Road, Livonia, Michigan (the "**Property**"). The Property contains a communications facility that aids in providing 9-1-1 services, a 480kW generator, and a 2,000-gallon diesel fuel tank used to support Spectrum customers in the region. On October 18, 2022, Wayne County approved Spectrum's request to install a permanent, steel, chain-link fence and motorized gate around the Property, however, the Building Department later rejected such fencing request due to the zoning of the Property. In an effort to obtain final approval of the installation of a steel fence around the Property, Spectrum is submitting the variance application, to which this letter is attached, to the Livonia Variance Board (the "**Variance Application**").

Currently, there is a light-weight vinyl fence at the Property, which does not encompass Spectrum's generator, and which is easily damaged. On multiple occasions, festivalgoers of the Livonia Spree Festival have entered onto the Property in an attempt to access the Festival. Once the festivalgoers discovered that Spectrum's vinyl fence blocked their access to the Festival, they kicked down the vinyl fence. The installation of the steel fence is necessary to secure Spectrum's Property and equipment located thereon. If the Variance Application is not approved, there will be a continued risk of damage to the Property, which could result in (a) interruption of critical 9-1-1 services, (b) personal injury, and/or (c) interruption of telecommunications and internet services throughout the region.

Approval of the Variance Application is critical to the safety of the community and Spectrum's facilities, and to the ability of Spectrum to continue to serve its customers in the region.

Please contact me with any questions or concerns.

Very truly yours,

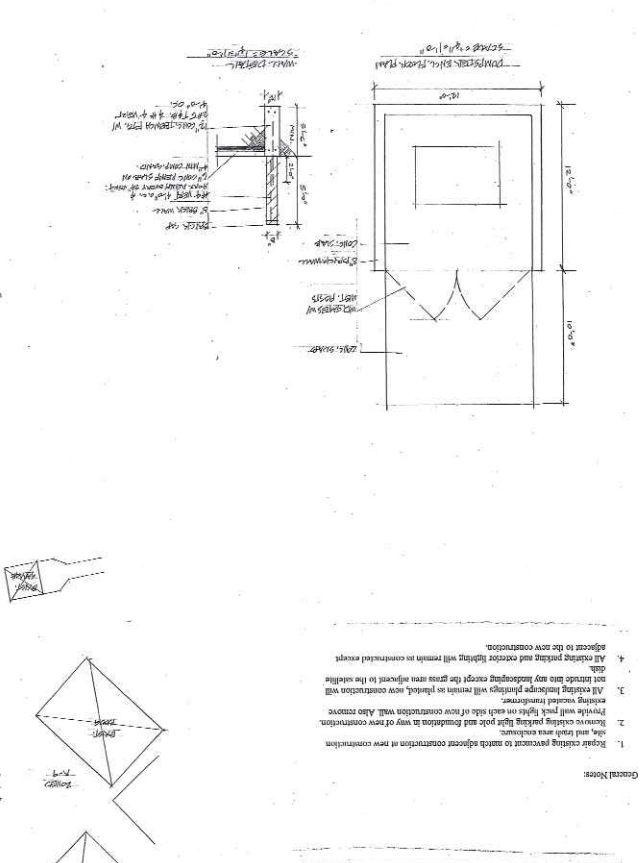
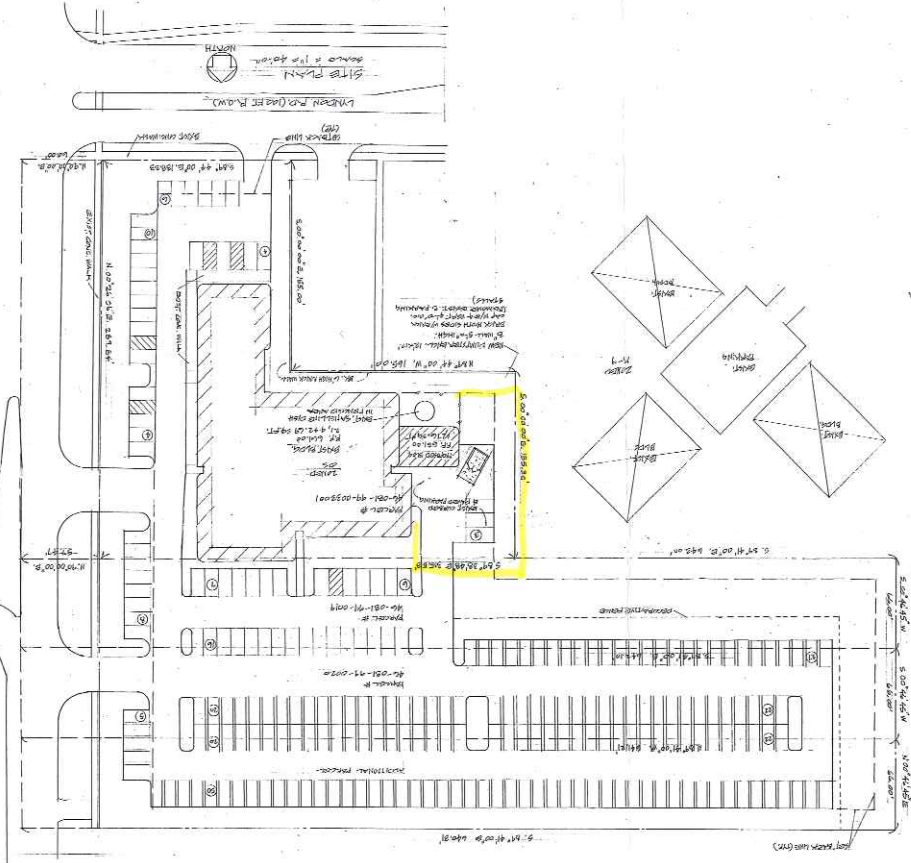
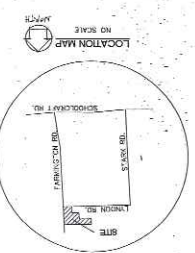


Kevin A. Coulter
[SPECTRUM]









1. Repair existing pavement to match adjacent condition in new construction.
2. Remove existing parking strip pole and foundation in way of new construction.
3. All existing landscape planting will remain as planned, new construction will not encroach any landscaping except the grass area adjacent to the building.
4. All existing parking and exterior lighting will remain in construction except adjacent to the new construction.

OFF-SITE: 1000 W. 10TH ST. SUITE 200
TOTAL: 1000 W. 10TH ST. SUITE 200
TOTAL: 1000 W. 10TH ST. SUITE 200

DATE =	6/1/05
NOB NO =	906
SHEET NO =	1/2

BRIGHTHOUSE NETWORKS-PROPOSED ADDITION

LYNDON / PHARMIN
LIVONIA, MICHIGAN

ZONING MAP

LEGEND

Zoning Districts

- | | |
|---|------------------------------|
|  | RUF Rural Urban Farm |
|  | N1 Neighborhood |
|  | N2 Neighborhood |
|  | NM1 Neighborhood Multifamily |
|  | NM2 Neighborhood Multifamily |
|  | NM3 Neighborhood Multifamily |
|  | P Parking |
|  | C-1 Local Business |
|  | C-2 General Business |
|  | C-3 Highway Services |
|  | C-4 High Rise Commercial |
|  | M-L Manufacturing Limited |
|  | M-1 Light Manufacturing |
|  | M-2 General Manufacturing |
|  | P-L Public Lands |
|  | NP Nature Preserves |

N.E. 1/4 Section 21

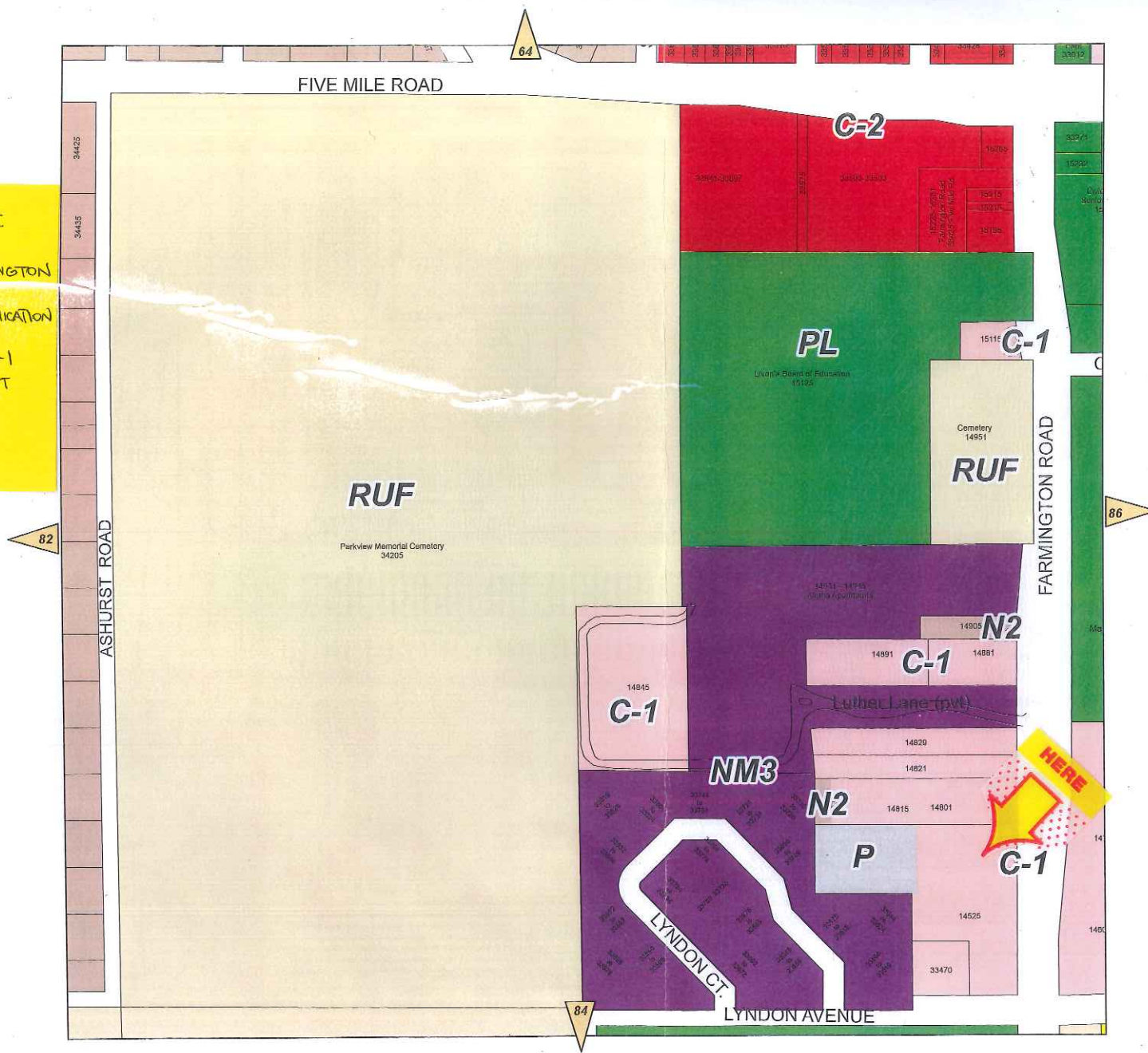
City of Livonia

T. 1 south, R. 9 east
Wayne County, Michigan

Copyright 2001, City of Livonia



300 150 0 300 Feet



ZBA CASE

14525 FARMINGTON

CHARTER COMMUNICATION

RE: FENCE ON C-1
PROPERTY NOT
ALLOWED

APPLICATION FOR VARIANCE

Charter Communications 14525 Farmington Rd Livonia, MI 48154 248.954.7208
 (Owner of Premises) (Street Address) (City) (Zip Code) (Telephone) (Fax)

(Lessee) (Street Address) (City) (Zip Code) (Telephone) (Fax)

LAKESHORE
 (Contractor) (Street Address) (City) (Zip Code) (Telephone) (Fax)

The property address is 14525 FARMINGTON RD

Please note that if you need more space to answer any of the following questions, you may use a separate page or the back of this page. Simply identify your response(s) with the number of the question you are responding to.

- Are there any deed restrictions or subdivision rules or restrictions on the property? If so, what are they? No subdivision rules or restrictions apply.
- Give legal description of property involved, or attach a deed or other document which contains the legal description of the property:
14525 Farmington Road, Livonia, MI, 48154 located at North West corner of Lydon and Farmington Road.

A variance can only be granted if a hardship or practical difficulty with the property makes the variance necessary. Under the City's Zoning Ordinance, a practical difficulty exists only if (a) the difficulty is exceptional and peculiar to the property, and does not exist generally throughout the City, (b) the difficulty involves more than mere inconvenience, inability to earn a higher financial return, or both, and (c) the variance would be fair to the neighbors and others who might be affected, as well as those who do not have this variance.

- Please explain how the practical difficulty you claim is unique to your property, and does not exist elsewhere in the City:
Physical location of building is susceptible to large amounts of foot traffic during the Livonia Spree Festival.
- Please describe what the difficulty involves beyond mere inconvenience or inability to earn a higher financial return:
Foot traffic mentioned above (3) has resulted in property damage/vandalism.
- Explain why you think this variance would be fair to the neighbors and others who might be affected. This variance is being requested to address a security concern impacting communications facility. This could potentially impact all services including 911 for Livonia residents and other Southeast Michigan communities.
- Have you sought an amendment to the zoning ordinance which would permit your proposed project under your current zoning? If yes, please describe the outcome of this process: No.
- If you have not attempted to have the zoning ordinance amended, why hasn't this attempt been made?
This request would not be resolved by zoning ordinance change.



RECEIVED

DEC 21 2022

Inspection Department
City of Livonia

8. Have you attempted to have the property rezoned? If yes, please describe the outcome of the rezoning process: No
9. If you have not attempted to have the property rezoned, why hasn't this attempt been made? This request would not be resolved by a rezoning the property.

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OWNER'S AFFIDAVIT

COUNTY OF ~~WAYNE~~) Arapahoe
STATE OF ~~MICHIGAN~~) Colorado

The undersigned being duly sworn, deposes and says that the foregoing statements and answers herein contained and accompanying information and data are in all respects true and correct to the best of (his/her) knowledge and belief, and that the undersigned personally undertakes to see that the property will be used and developed in compliance with all applicable ordinances and any conditions imposed in connection with any variance which may be granted in response to this application.

Signature of property owner: [Signature]

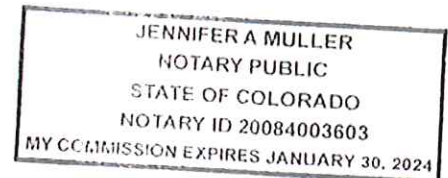
Carrie E. Walters

Please print name of property owner: VP, Real Estate & Property Administration

NOTE: Please provide Letter of Authorization on official letterhead if not signed by owner of the property, as well as the deed and property transfer affidavit.

Subscribed and sworn to before me this 21 day of December, 2022.

Jennifer A. Muller
(Notary Public, Wayne County, Michigan) Arapahoe County
My Commission expires 01-30-2024



Any decision of the Board favorable to the applicant will remain valid only as long as the information or data relating thereto are found to be correct and the conditions upon which the resolution was based are maintained.

NOT TO BE COMPLETED BY APPLICANT

Petitioner makes application for a Hearing, seeking to (reverse, modify, or affirm) the (order, decision) of the Department of Inspection, dated 12/21/22, which reads as follows:

CODE OF ORD, CHAPTER 44, TITLE 15 / LV 21, SECTION 7.24

I certify that (a) the petitioner is not in violation of any ordinance other than the provision(s) sought to be waived in the foregoing application, (b) all applicable fees have been paid, and (c) I have examined the foregoing application, and find that said application is complete, and that the City Zoning Ordinance, Ordinance No. 543, as amended, prohibits the proposed project unless a variance is granted by the Zoning Board of Appeals.

[Signature]
(Supervisor)

Application for permit filed No

Violation Issued No

Payment Entry Form

Result: Payment Authorized

Confirmation Number: 126450146

Your payment has been authorized successfully and payment will be processed.

The City of Livonia thanks you for your payment. For questions about your account, please call 734-466-2580 Thank you for using our bill payment services.

Please save or print a copy of this receipt for record keeping purposes.

My Bills

Description	Amount Due
ZBA payment of \$450.00 on Account Number 14525 FARMINGTON	\$450.00
Subtotal:	\$450.00
Convenience Fee:	\$12.60
Total Payment:	\$462.60

Customer Information

First Name: MARK
Last Name: HACKER

Address Line 1:

Address Line 2:

City:

State:

Zip Code:

Phone Number:

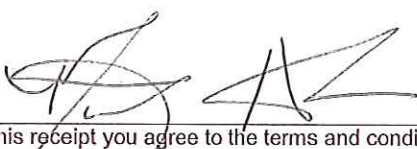
Email Address:

Payment Information

Payment Date: 12/21/2022

Card Type: MasterCard

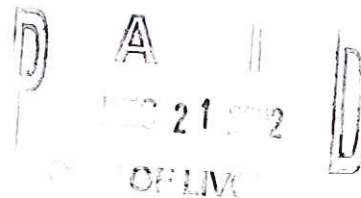
Card Number: *****2635

Signature: 

Date: 12/21/2022

By signing this receipt you agree to the terms and conditions of this service.

You will see one line item on your credit or debit card statement indicating the amount you paid and will be identified as *City of Livonia*. If you have any questions about the charges please call 1-888-891-6064.



Abrahamson, Randy

From: Mark Hacker <markh@lakeshoreconstruction.net>
Sent: Wednesday, January 4, 2023 8:45 AM
To: Abrahamson, Randy; Stierna, Matthew
Subject: More information on fence at 14525 Farmington Rd
Attachments: Letter of Hardship.pdf; Looking SE toward fence to fence tie in area.jpg; Looking to south where west fence line will be.jpg; Generator that needs security.jpg

Gentlemen

Please find attached pictures and letter of hardship I forgot submit with my request for variance.

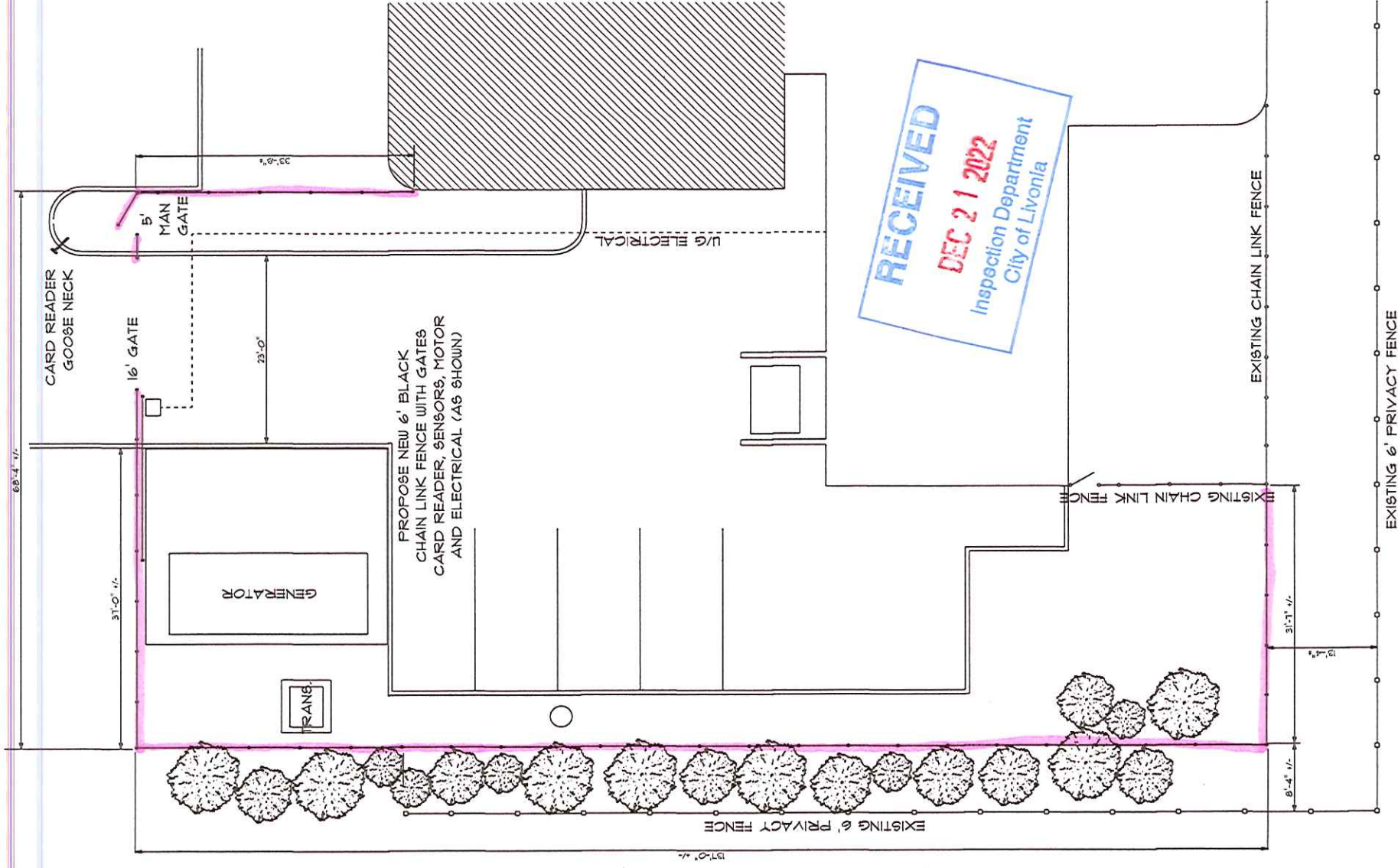
Also please let me know when the variance board meeting will be held so I can attend and be available for questions.

Thank you for the consideration in this matter.



LAKESHORE
CONSTRUCTION

Mark W. Hacker, Project Manager
3591 Lakeshore Road
Manistee, MI 49660
cell 231.206.2755



RECEIVED
DEC 21 2022
Inspection Department
City of Livonia



LIVONIA HEAD END



2023-01-03

CITY OF LIVONIA
Inspection Department

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154
421-2000

REJECTION OF APPLICATION FOR PERMIT
BECAUSE OF NON-CONFORMITY TO ZONING ORDINANCE LIVONIA VISION 21

Applicant	SAME AS OWNER		Address	SAME				
Owner	CARRIER COMMUNICATIONS		Address	14525 FARMINGTON, LIVONIA, MI 48154 248-954-7208				
Lessee	---		Address	---				
Location	WEST		Side of	14525 FARMINGTON				
Between	LYNDON		And	FIVE MILE				
Lot/No/Parcel No.	081-99-0019-001		Subdivision	---				
Zoning District	C-1	Map No.	NE 21		Lot Size	4.09 ACRES	Alley	---
Present Use	OFFICE / SERVICE COMPANY		Proposed Use	SAME				
Present Building Size	N/A		Proposed Building Size	NONE PROPOSED				
Present Height of Building	N/A		Proposed Height	11"				
Allowable Lot Coverage	N/A		Proposed Lot Coverage	N/A				
Proposal SEEKING TO ERECT A SIX FOOT TALL PRIVACY FENCE UPON COMMERCIAL PROPERTY WHICH IS NOT ALLOWED								
Reason for Rejection LIVONIA VISION 21, SECTION 7.24 / CODE OF ORD. CHAPTER 44, TITLE 15								
Deficient Side Yard	Deficient Front Yard		Deficient Rear Yard					
Deficient Lot Area	Deficient Lot Area per Room		Encroachment					
Excessive Lot Coverage	7.24 FENCE ON COMMERCIAL		Excessive Height	INCREASING NO. UNITS				
Use Prohibited	PROPERTY		Deficient Fencing Spaces	INCREASING AREA AND BULK				
Remarks								
Plans and Application examined by <u>RE</u> Date <u>DECEMBER 21, 2022</u>								

November 14, 2022

Livonia Variance Board
Livonia City Hall
33000 Civic Center Drive
Livonia, MI, 48154

Re: Hardship Letter; 14525 Farmington Road, Livonia, Michigan 48154

To Whom It May Concern:

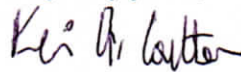
Spectrum Mid-America, LLC, a subsidiary of Charter Communications, Inc. ("Spectrum") owns the property and improvements located at 14525 Farmington Road, Livonia, Michigan (the "Property"). The Property contains a communications facility that aids in providing 9-1-1 services, a 480kW generator, and a 2,000-gallon diesel fuel tank used to support Spectrum customers in the region. On October 18, 2022, Wayne County approved Spectrum's request to install a permanent, steel, chain-link fence and motorized gate around the Property, however, the Building Department later rejected such fencing request due to the zoning of the Property. In an effort to obtain final approval of the installation of a steel fence around the Property, Spectrum is submitting the variance application, to which this letter is attached, to the Livonia Variance Board (the "Variance Application").

Currently, there is a light-weight vinyl fence at the Property, which does not encompass Spectrum's generator, and which is easily damaged. On multiple occasions, festivalgoers of the Livonia Spree Festival have entered onto the Property in an attempt to access the Festival. Once the festivalgoers discovered that Spectrum's vinyl fence blocked their access to the Festival, they kicked down the vinyl fence. The installation of the steel fence is necessary to secure Spectrum's Property and equipment located thereon. If the Variance Application is not approved, there will be a continued risk of damage to the Property, which could result in (a) interruption of critical 9-1-1 services, (b) personal injury, and/or (c) interruption of telecommunications and internet services throughout the region.

Approval of the Variance Application is critical to the safety of the community and Spectrum's facilities, and to the ability of Spectrum to continue to serve its customers in the region.

Please contact me with any questions or concerns.

Very truly yours,



Kevin A. Coulter
[SPECTRUM]













DATE = 6/1/05
NO. = 905
SHEET NO. = 1/2

BRIGHTHOUSE NETWORKS-PROPOSED ADDITION

LYNDON / PHARMIN
LIVONIA, MICHIGAN

ZONING MAP

LEGEND

Zoning Districts

-  RUF Rural Urban Farm
-  N1 Neighborhood
-  N2 Neighborhood
-  NM1 Neighborhood Multifamily
-  NM2 Neighborhood Multifamily
-  NM3 Neighborhood Multifamily
-  P Parking
-  C-1 Local Business
-  C-2 General Business
-  C-3 Highway Services
-  C-4 High Rise Commercial
-  M-L Manufacturing Limited
-  M-1 Light Manufacturing
-  M-2 General Manufacturing
-  P-L Public Lands
-  NP Nature Preserves

N.E. 1/4 Section 21

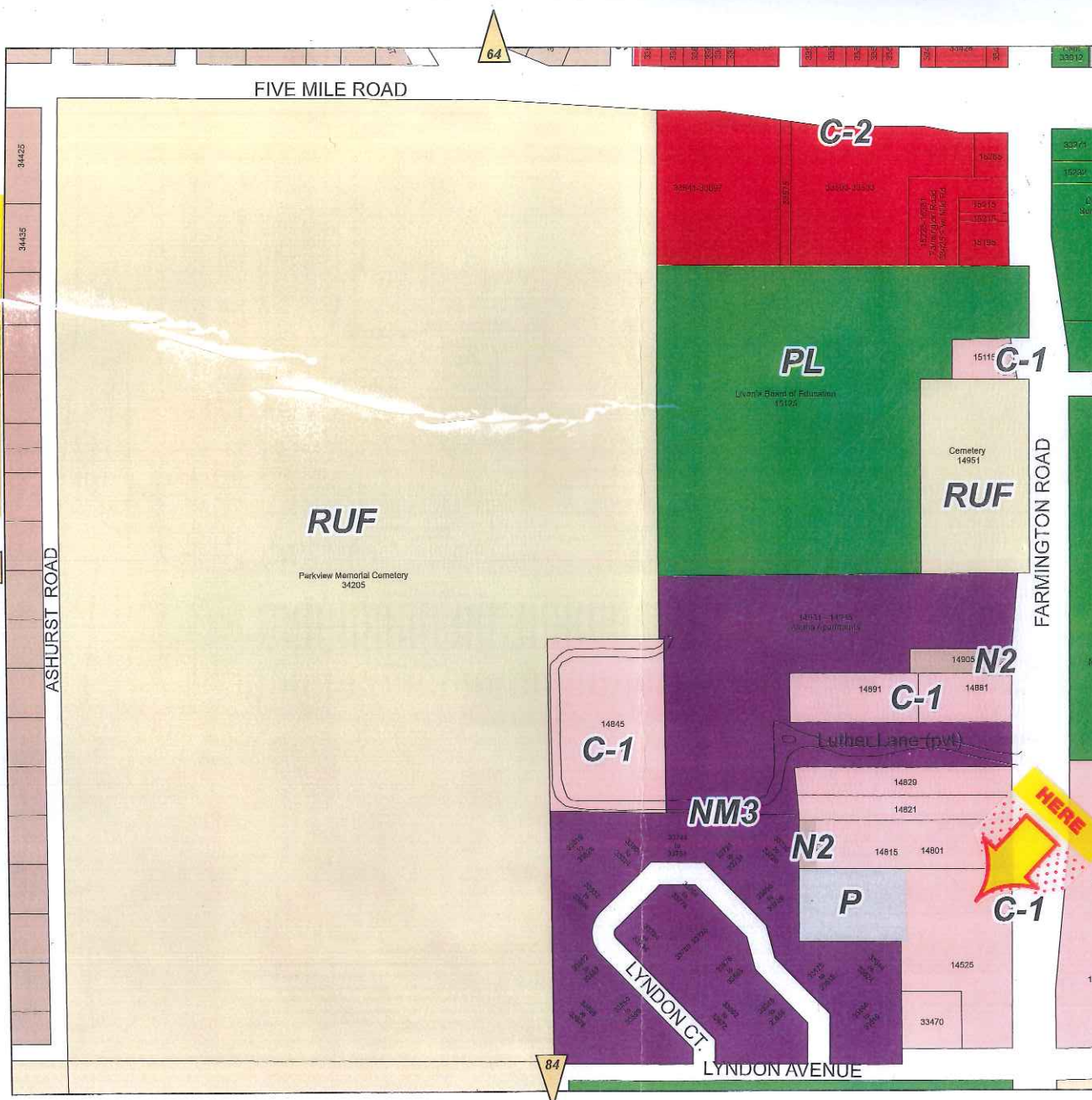
City of Livonia

T. 1 south, R. 9 east
Wayne County, Michigan

Copyright 2001, City of Livonia



300 150 0 300 Feet



ZBA CASE
14525 FARMINGTON
CHARTER COMMUNICATION
RE: FENCE ON C-1
PROPERTY NOT
ALLOWED

FUTURE LAND USE PLAN

**CITY OF LIVONIA
ZONING BOARD OF APPEALS
February 7, 2023 – 7:00 p.m.
Livonia City Hall – Auditorium (1st floor)
33000 Civic Center Drive, Livonia, MI**

APPEAL CASE NO. 2022-11-32: John Beshi, 38141 Ann Arbor Road, seeking to erect a directional sign and additional wall (awning) sign, resulting in the directional sign being excess in area and the wall sign being excess in amount and area.

**FUTURE LAND USE PLAN
(FLUP)**

“CORRIDOR COMMERCIAL”

APPEAL CASE NO. 2023-01-02: George Nicoloff, 19490 Fairlane Ct, seeking to maintain a six-foot-tall privacy fence, erected without permit, along portions of the east and southeast property lines, resulting in not acquiring the east and southeast adjoining owners' consent.

**FUTURE LAND USE PLAN
(FLUP)**

“LOW DENSITY RESIDENTIAL”

APPEAL CASE NO. 2023-01-03: Charter Communications, 14525 Farmington Rd, seeking to erect a six-foot-tall privacy fence upon commercial property which is not allowed.

**FUTURE LAND USE PLAN
(FLUP)**

“CITY CENTER”

AGENDA DATE: February 7, 2023
ZONING BOARD OF APPEALS
CITY OF LIVONIA

PROPOSED FINDINGS OF FACT
Pursuant to Zoning Board of Appeals
Rules of Procedure, Rule V-Hearings, Paragraph 7

APPEAL CASE NO. 2022-11-32: John Beshi, 38141 Ann Arbor Rd:

Should be denied in whole or in part because the alleged practical difficulty does not entail more than a mere inability to earn a higher financial return. FURTHER, from the photos provided, it appears that this location is already highly visible.

APPEAL CASE NO. 2023-01-02: George Nicoloff, 19490 Fairlane Ct.

Should be denied because the alleged practical difficulty does not entail more than mere inconvenience.

APPEAL CASE NO. 2023-01-03: Charter Communications, 14525 Farmington Rd:

Should be denied because the alleged practical difficulty does not entail more than mere inconvenience.

ZBA Meetings/Deadlines

February 7, 2023

March 7, 2023	<i>Auditorium</i> <i>Matt Stierna, Inspector</i>	Deadline: Monday Feb. 6
April 11, 2023	<i>Auditorium</i> <i>Jim Albus, Inspector</i>	Deadline: Monday March 13
May 16, 2023	<i>Auditorium</i> <i>Harry Ramsden, Inspector</i>	Deadline: Monday April 17
June 6, 2023	<i>Auditorium</i> <i>Frank Hershey, Inspector</i>	Deadline: Monday May 8

Minutes to vote on: January 10, 2023

MARCH 2023							APRIL 2023						
SUN	MON	TUE	WED	THU	FRI	SAT	SUN	MON	TUE	WED	THU	FRI	SAT
			1	2	3	4							1
5	6	Auditorium 7	8	9	10	11	2	3	4	5	6	7	8
12	4/11 Deadline 13	14	15	16	17	18	9	10	Auditorium 11	12	13	14	15
19	20	21	22	23	24	25	16	5/16 Deadline 17	18	19	20	21	22
26	27	28	29	30	31		23	24	25	26	27	28	29
							30						