

**AGENDA OF THE CITY OF LIVONIA ZONING BOARD OF APPEALS**  
**May 16, 2023 – 7:00 p.m.**  
**Livonia City Hall Auditorium**  
**33000 Civic Center Drive, Livonia, MI**

**AGENDA ITEM(S):**

1. **APPEAL CASE NO. 2023-01-02: George Nicoloff, 19490 Fairlane Ct (Rescheduled from February 7, 2023, and Tabled on April 11, 2023):** 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.
2. **APPEAL CASE NO. 2023-03-05, Robert Day, 36519 Grandon:** seeking to erect a six-foot tall privacy fence upon property resulting in not obtaining the adjacent property owner's approval. The adjoining property owner is located at 36449 Dover. Privacy fences require the approval of the adjacent property owners.
3. **APPEAL CASE NO. 2023-04-06: Mike Kinaia, 2500 Starbucks Westmont Circle, Sterling Heights, MI 48310, on behalf of Lessee Starbucks, 12679 Middlebelt:** seeking to erect four menu and pre-menu signs within a drive-thru resulting in an excess number of menu board signs and total combined sign area.
4. **APPEAL CASE NO. 2023-04-07: Luis Morales-Villegas, 20307 Parkville:** seeking to erect a six-foot tall wood privacy fence within the side yard which is not allowed. Privacy fences, without a side door, must not extend beyond the rear line of the home toward the street. Also, the proposed nearly bisects the depth of this lot, leaving a large, wooded area between an existing four-foot-tall chain-link fence along the rear property line.
5. **APPEAL CASE NO. 2023-04-08: Amy Arsenault, 18925 Westmore:** seeking to erect a six-foot tall vinyl privacy fence that is even with the front building line, which is not allowed in the side yard, even to the front of the home.

*Public comments may be sent to the ZBA Office at 33000 Civic Center Drive,  
Livonia, MI and 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](http://www.livonia.gov) - under Your Government, Boards & Commissions L-Z, Zoning Board of Appeals, Agendas & Minutes.

## 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

***April 14, 2023***

George Nicoloff  
19490 Fairlane Ct  
Livonia, MI 48152

The Zoning Board of Appeals of the City of Livonia, at a Regular meeting held April 11, 2023, adopted the following Resolution:

**TABLED: APPEAL CASE NO. 2023-01-02:** An appeal has been made to the Zoning Board of Appeals by George Nicoloff, 19490 Fairlane Ct, 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.

The property is located on the east side of Fairlane Ct. (19490), between W. Seven Mile and the cul-de-sac, Lot No.015-04-0015-000, N-2 "Neighborhood District," Rejected by the Inspection Department under Fence Ordinance, Section 15.44.090 (B) "Residential District Regulations" be **tabled** for the following reasons and findings of fact:

1. The petitioner requested to present their case to the full Board.

**ZONING BOARD OF APPEALS,**

A handwritten signature in black ink, appearing to read "TK", is written over a horizontal line.

Timothy Klisz, Secretary



## ZONING BOARD OF APPEALS

### ZONING BOARD MEMBERS

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JAMES M. BARINGHAUS, Vice Chairman  
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### MAYOR

MAUREEN MILLER BROSNAN

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ROB GJONAJ DONOVIC  
BRANDON MCCULLOUGH  
KATHLEEN E. MCINTYRE  
SCOTT MORGAN

**March 24, 2023**  
**PUBLIC NOTICE**

**APPEAL CASE NO. 2023-01-02 (Rescheduled from February 7, 2023):** An appeal has been made to the Zoning Board of Appeals by George Nicoloff, 19490 Fairlane Ct, 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.

The property is located on the east side of Fairlane Ct. (19490), between W. Seven Mile and the cul-de-sac, Lot No.015-04-0015-000, N-2 "Neighborhood District," Rejected by the Inspection Department under Fence Ordinance, Section 15.44.090 (B) "Residential District Regulations."

**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, April 11, 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.

**Case No:** 2023-01-02  
**Meeting Date:** April 11, 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.

Signature: \_\_\_\_\_

Address:

Inspector Matthew Stierma said we  
could drop this off to him or  
Inspector Randy. He said he'd be  
able to scan this into our Documents  
for the ZBA Meeting this Tuesday  
April 11<sup>th</sup>.

Thank You!

George + Gina Nicoloff

19490 Fairlane Ct  
Livonia MI 48152

#586 360 8456

CR No: 220049204



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

**Case Report****Administrative Details:**

|                                                                                   |                                                                         |
|-----------------------------------------------------------------------------------|-------------------------------------------------------------------------|
| CR No<br><b>220049204</b>                                                         | Subject                                                                 |
| Report Date/Time<br><b>12/28/2022 22:12</b>                                       | Occurrence Date/Time<br><b>12/28/2022 22:12</b>                         |
| Location<br><b>19511 GILL RD</b>                                                  | Call Source<br><b>PHONE</b>                                             |
| Dispatched Offense<br><b>7380 Nuisances Ord - Noise / Prohibited Hours / Area</b> | Verified Offense<br><b>L3567 Disturb / Disord / Family Trouble - LI</b> |
| County<br><b>82 - Wayne</b>                                                       | City/Twp/Village<br><b>86 - Livonia</b>                                 |
| Division<br><b>Patrol</b>                                                         |                                                                         |

**Action Requested:**

|                                            |                                      |
|--------------------------------------------|--------------------------------------|
| <input type="checkbox"/> Arrest warrant    | <input type="checkbox"/> Review only |
| <input type="checkbox"/> Search warrant    | <input type="checkbox"/> Forfeiture  |
| <input type="checkbox"/> Juvenile petition | <input type="checkbox"/> Other       |

**Narrative:****CFS Narrative By: LISUCEVICN (02041)**

LISAVAGEG - 22:12:22 - RP STATES "VERY VERY VERY VERY VERY LOUD MUSIC"  
LIGOBLEC - 22:25:17 - HOT TUB COUPLE ADVISED LISUCEVICN - 22:25:28 - HOMEOWNER  
(MIKE) WAS ADVISED



Mr Trupeano, at  
19511 Gill Rd, had  
planted Pear Trees over  
4 feet inside our  
property line in  
late June 2022.

This is the East  
property line.





The North End of  
the fence is  
14 feet inside our  
property line.

Wildlife easily pass  
through.

The fence is not on  
the easement.



This is the  
South East property line.



To: City of Livonia  
Zoning Board of Appeals  
33000 Civic Center Drive  
Livonia, MI 48154

Case No: 2023-01-02  
Meeting Date: April 11, 2023

Please note my (APPROVAL) (OBJECTION) to the requested variance for the following reasons:

The partition fence is not Encroaching on the adjoining neighbors Property and so I don't understand why the Nicoloffs. need their consent.

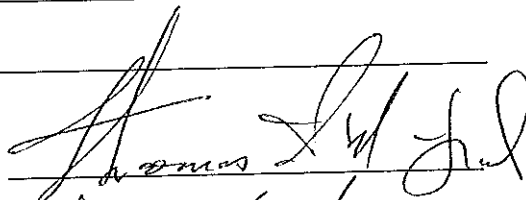
They are merely trying to Shield themselves from the constant noise & disturbances.

I've been a guest at their home in the Summer and fall months of 2021/2022 and witnessed the rowdiness.

Sounded like a Loud Frat. party with people coming and going.

Signed comments will be read into the record. Unsigned or anonymous comments will not be considered.

Signature:



Name:

Thomas G. McLean  
(Please print)

Address:

20084 Gary Ln Livonia  
48152

To: City of Livonia  
Zoning Board of Appeals  
33000 Civic Center Drive  
Livonia, MI 48154

Case No: 2023-01-02  
Meeting Date: April 11, 2023

Please note my (APPROVAL) (OBJECTION) to the requested variance for the following reasons:

ON MULTIPLE OCCASIONS MY WIFE AND I HAVE  
BEEN AT THE NICOLFF HOME AND HAVE WITNESSED LOUD  
DISTURBANCES COMING FROM THE BACKYARD AT THE RESIDENCE  
AT 19511 GILL RD., AFTER MIDNIGHT.

PRIOR TO THE FENCE BEING INSTALLED WE WERE AT A BBQ  
AT THE NICOLFF RESIDENCE AND COULD HEAR LOUD MUSIC  
INSIDE THE HOME WITH DOORS CLOSED, TILL NEAR  
2AM UNTIL WE LEFT.

AFTER THE FENCE WAS INSTALLED IN JULY, WE WERE  
VISITING AND THERE WAS A LARGE GATHERING AT  
THE HOME WITH A BONFIRE, LOUD MUSIC AND QUITE  
A BIT OF SHOUTING INCLUDING PROFANITY.

IF I WAS LIVING IN THIS SITUATION, I WOULD ALSO  
WOULD TRY TO COME UP WITH A MEANS TO MINIMIZE  
THE NOISE AND DISTURBANCES WITH A FENCE OR  
BARRIER.

Signed comments will be read into  
the record. Unsigned or anonymous  
comments will not be considered.

Signature: Frank Gajor

Name: Frank Gajor  
(Please print)

Address: 18504 A/Vc Sares Ct  
LIVONIA, MI 48152

To: City of Livonia  
Zoning Board of Appeals  
33000 Civic Center Drive  
Livonia, MI 48154

Case No: 2023-01-02  
Meeting Date: April 11, 2023

Please note my (APPROVAL) (OBJECTION) to the requested variance for the following reasons:

There are no Privacy Fences in the neighborhood. A Privacy Fence would not fit the Aesthetics in the neighborhood. There is no reason for a Fence there are no children @ home or a Pool. I am not in favor of any Fence being erected in the neighborhood.

Signed comments will be read into the record. Unsigned or anonymous comments will not be considered.

Signature: Ronny Warre

Name: Ronny Warre  
(Please print)

Address: 19456 Fairlane Ct

To: City of Livonia  
Zoning Board of Appeals  
33000 Civic Center Drive  
Livonia, MI 48154

Case No: 2023-01-02  
Meeting Date: April 11, 2023

Please note my (APPROVAL) (OBJECTION) to the requested variance for the following reasons:

City of Livonia rules about putting up  
a new fence should have been followed.  
A survey should have been done, as  
well as, informing the next door  
neighbors. If a permit was needed,  
it should have been obtained from  
the city.

Signed comments will be read into  
the record. Unsigned or anonymous  
comments will not be considered.

Signature: Mary Bataj  
Name: Mary Bataj  
(Please print)

Address: 19477 Fairlane Ct.

To: City of Livonia  
Zoning Board of Appeals  
33000 Civic Center Drive  
Livonia, MI 48154

Case No: 2023-01-02  
Meeting Date: February 7, 2023

Please note my ☒ (APPROVAL) ☐ (OBJECTION) to the requested variance for the following reasons:

OBJECTION:

When we put up our regular fence -  
had to get approval of neighbors  
and of courtesy to them!  
I go to a City hall meeting to  
ask permission etc etc  
if this was not a BIG ugly fence.

I think it was not courteous as  
a good neighbor should have asked  
to this & why wanted it  
for a reason - people are  
reasonable. But if this was  
out of spite or shame on  
your person.

Signed comments will be read into  
the record. Unsigned or anonymous  
comments will not be considered.

Signature: Anne Pawlak Simpson

Name: Anne Pawlak Simpson

(Please print)

Address: 19550 LAUREL

LIVONIA



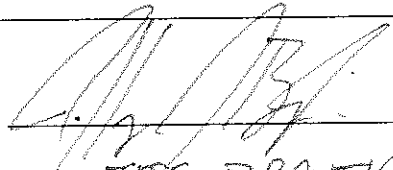
To: City of Livonia  
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33000 Civic Center Drive  
Livonia, MI 48154

Case No: 2023-01-02  
Meeting Date: February 7, 2023

Please note my (APPROVAL) (OBJECTION) to the requested variance for the following reasons:

OUR UNDERSTANDING OF THE CANE WOODS SUBDIVISION,  
IS THAT PRIVACY FENCES WERE NOT ALLOWED.  
IN ADDITION, THIS FENCE IS AT A SKEWED  
ANGLE TO THE PROPERTY LINES AND NOT  
ON THE PROPERTY LINES. THIS HAS CREATED  
CONFUSION AND MISUNDERSTANDINGS, OF WHERE  
THE ACTUAL PROPERTY LINES ARE. I SPOKE  
WITH THE NICOLOFFS IN NOVEMBER AND  
EXPLAINED THESE CONCERNS. AT THAT TIME  
I STATED I WOULD NOT GIVE MY CONSENT  
FOR THE FENCE, AFTER IT WAS BUILT. I  
SUGGESTED THEY PLANT MORE ARBORVITAE  
OR ANOTHER "GREEN" PLANTING FOR PRIVACY.  
IT IS ALSO MY UNDERSTANDING THE FENCE  
IS IN THE 12 FOOT EASEMENT ON THE EAST  
SIDE OF THEIR LOT, AND NOT ALLOWED TO BE  
BUILT THERE.

Signed comments will be read into  
the record. Unsigned or anonymous  
comments will not be considered.

Signature: 

Name: JEFF BRANTIGAN

(Please print)

Address: 19478 FAIRLAKE CT

LIVONIA, MI 48152

10:5 AM 18 NOV 2023

RECEIVED  
ZONING BOARD OF APPEALS

To: City of Livonia  
Zoning Board of Appeals  
33000 Civic Center Drive  
Livonia, MI 48154

Case No: 2023-01-02  
Meeting Date: February 7, 2023

Please note my (APPROVAL) (OBJECTION) to the requested variance for the following reasons:

I/we fully object to any fence being erected on the property. A fence would change the aesthetics of the neighborhood and is inconsistent w/ surrounding properties. There appears to be no legitimate reason to erect a fence on the property. A fence could act as a barrier to wildlife in the area. This appeal should be denied!

Signed comments will be read into the record. Unsigned or anonymous comments will not be considered.

Signature: Ronny Wazira

Name: RONNY WAZIRA  
(Please print)

Address: 19456 Fairlane CT  
LIVONIA MI 48152

To: City of Livonia  
Zoning Board of Appeals  
33000 Civic Center Drive  
Livonia, MI 48154

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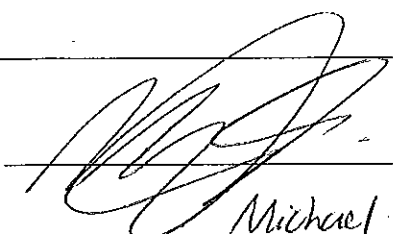
I fully object to the six foot white fence in my backyard.

I'm close with all of my neighbors and I did not receive any notification whatsoever prior to the construction of this fence.

After reviewing the property line survey it is clear that the wall (fence) intrudes across property lines, which was contrary to what the contractors told me which I later found to be a misrepresentation of the truth.

The wall completely negates the easement and is an eyesore for both me and my neighbors.

Signed comments will be read into the record. Unsigned or anonymous comments will not be considered.

Signature: 

Name: Michael Trupiano

(Please print)

Address: 19511 Gill Rd.

Livonia, MI 48152

## ZONING BOARD OF APPEALS

### ZONING BOARD MEMBERS

GREGORY G. COPPOLA, Chairman  
JAMES M. BARINGHAUS, Vice Chairman  
TIMOTHY J. KLISZ, Secretary  
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(734) 466-2250

### MAYOR

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**January 20, 2023**  
**PUBLIC NOTICE**

**APPEAL CASE NO. 2023-01-02:** An appeal has been made to the Zoning Board of Appeals by George Nicoloff, 19490 Fairlane Ct, 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.

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**ZONING BOARD OF APPEALS,**

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Timothy Klisz, Secretary

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**2023-01-02**  
**February 7, 2023**

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Address:





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 10<sup>th</sup> 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 &lt;gigib773@gmail.com&gt;

## Plot Plan for 19490 Fairlane Court

5 messages

Lear, David &lt;DLear@livonia.gov&gt;

Fri, May 27, 2022 at 2:19 PM

To: "gigib773@gmail.com" &lt;gigib773@gmail.com&gt;

**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 &lt;gigib773@gmail.com&gt;

Mon, Jun 13, 2022 at 8:26 PM

To: a George Michael Nicoloff &lt;gnicoloff@ymail.com&gt;

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

794670

19478



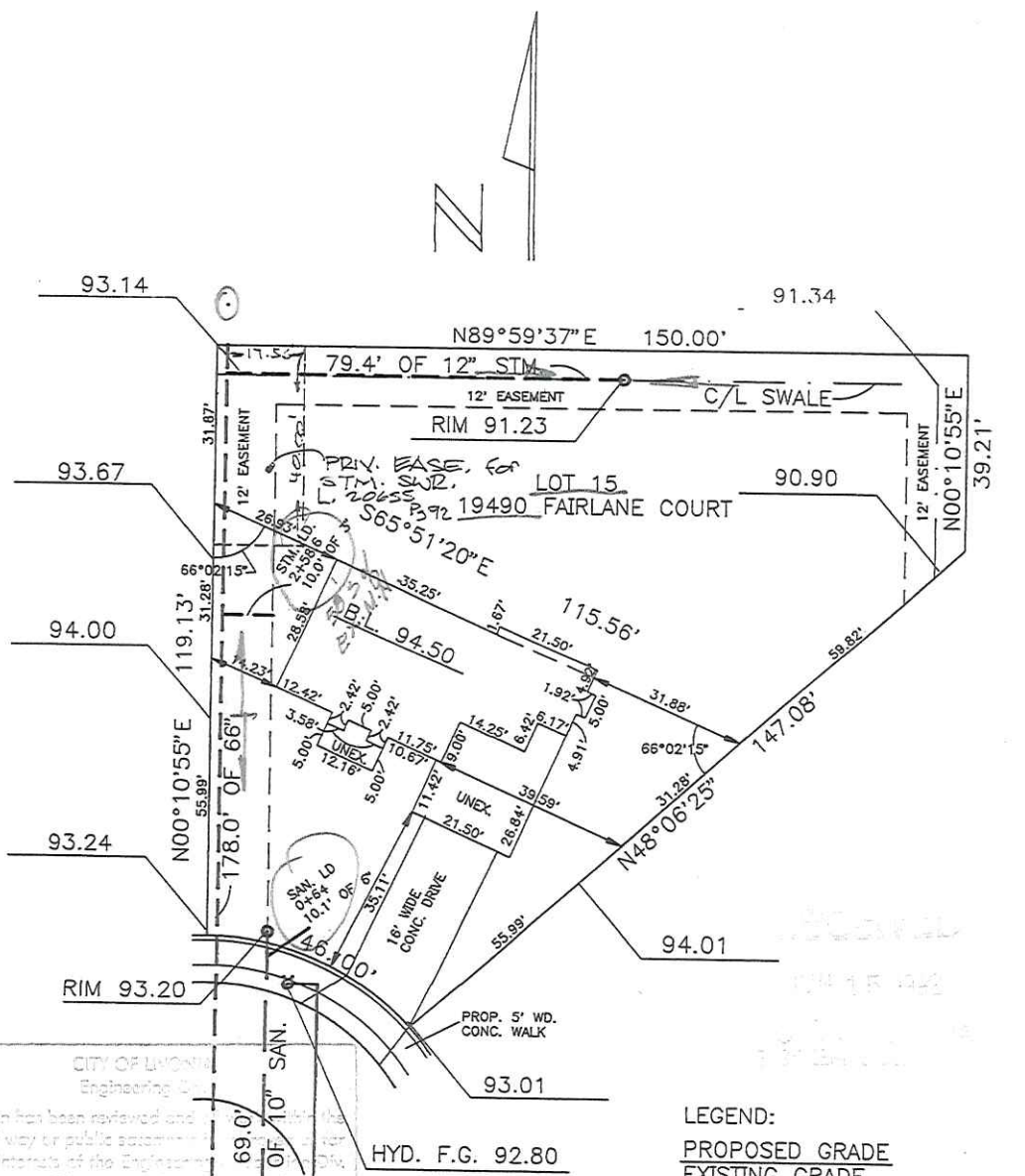
10817

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 final 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:<br><br>HERITAGE BUILDING CORPORATION<br>24430 REDWING DRIVE<br>NOVI, MICHIGAN 48050<br>349-4540 |                 | MICHAEL L. PRIEST & ASSOCIATES, INC.<br>Civil Engineering & Land Surveying<br><br>34525 GLENDALE<br>SUITE 201<br>LIVONIA, MICHIGAN 48150<br>(313) 427-9505<br><br>By <i>[Signature]</i><br>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  
S.P  
Paid in full check # 3474 by Rich  
Respectfully submitted \_\_\_\_\_  
Per \_\_\_\_\_

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.

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 Nicholff 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<br><b>210020082</b>                                                         | Subject                                               |
| Report Date/Time<br><b>07/04/2021 23:25</b>                                       | Occurrence Date/Time<br><b>07/04/2021 23:25</b>       |
| Location<br><b>19511 GILL RD</b>                                                  | Call Source<br><b>PHONE</b>                           |
| Dispatched Offense<br><b>7380 Nuisances Ord - Noise / Prohibited Hours / Area</b> | Verified Offense<br><b>L4599 Misc Complaints - LI</b> |
| County<br><b>82 - Wayne</b>                                                       | City/Twp/Village<br><b>96 - Livonia</b>               |
| Division<br><b>Patrol</b>                                                         |                                                       |

#### Action Requested:

|                                            |                                      |
|--------------------------------------------|--------------------------------------|
| <input type="checkbox"/> Arrest warrant    | <input type="checkbox"/> Review only |
| <input type="checkbox"/> Search warrant    | <input type="checkbox"/> Forfeiture  |
| <input type="checkbox"/> Juvenile petition | <input type="checkbox"/> Other       |

#### Narrative:

CFS Narrative By: LIROYK (00747)

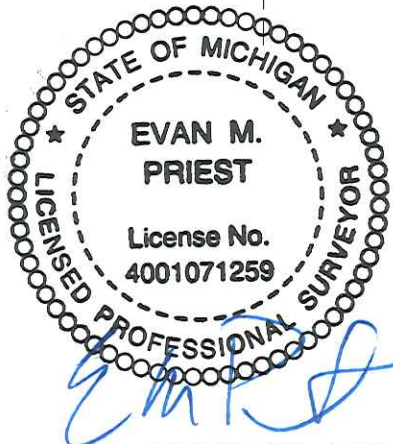
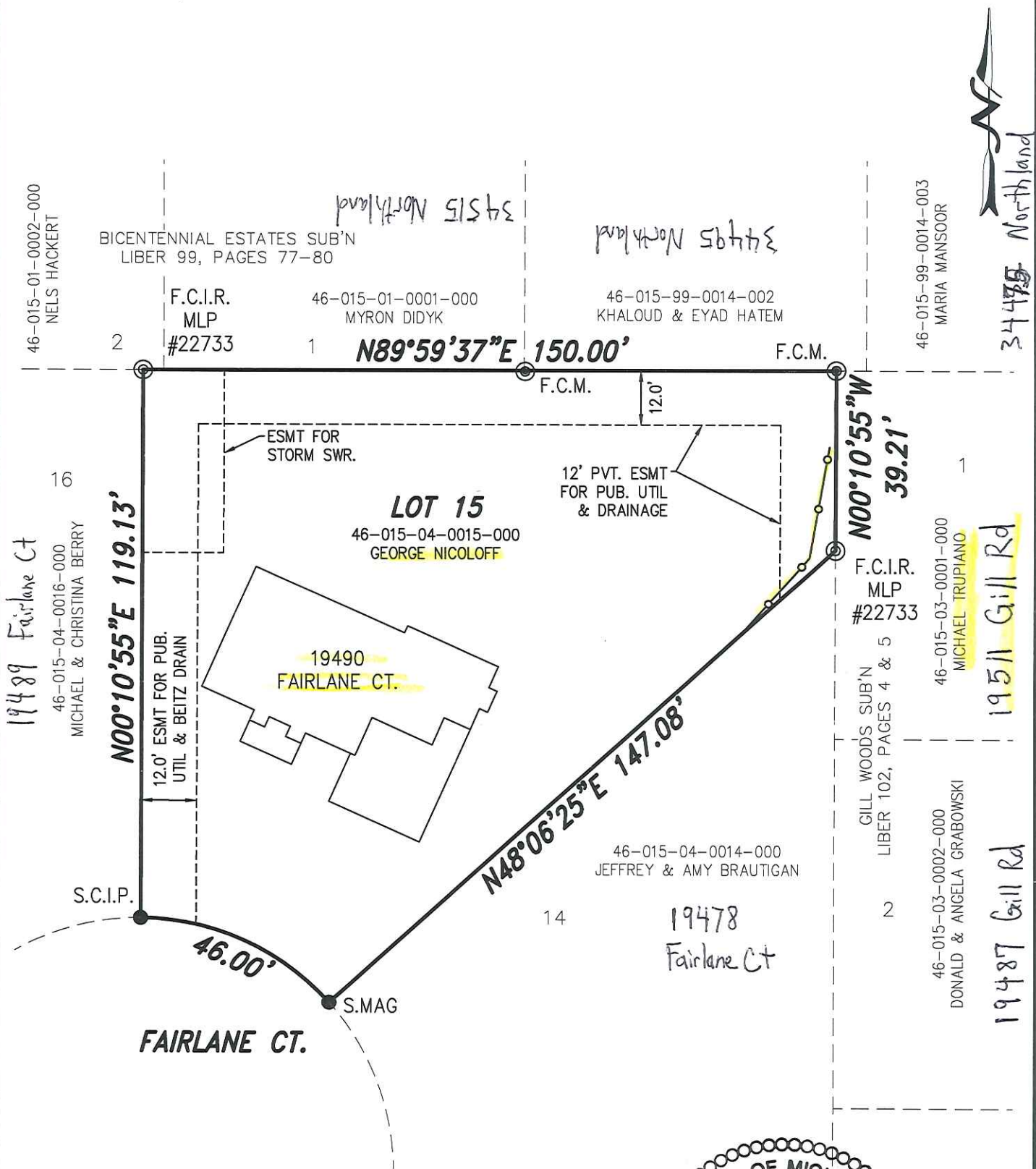
LIJENGB - 23:25:08 - CHECK AREA FOR LOUD AND VULGAR MUSIC AT LISTED ADDRESS



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

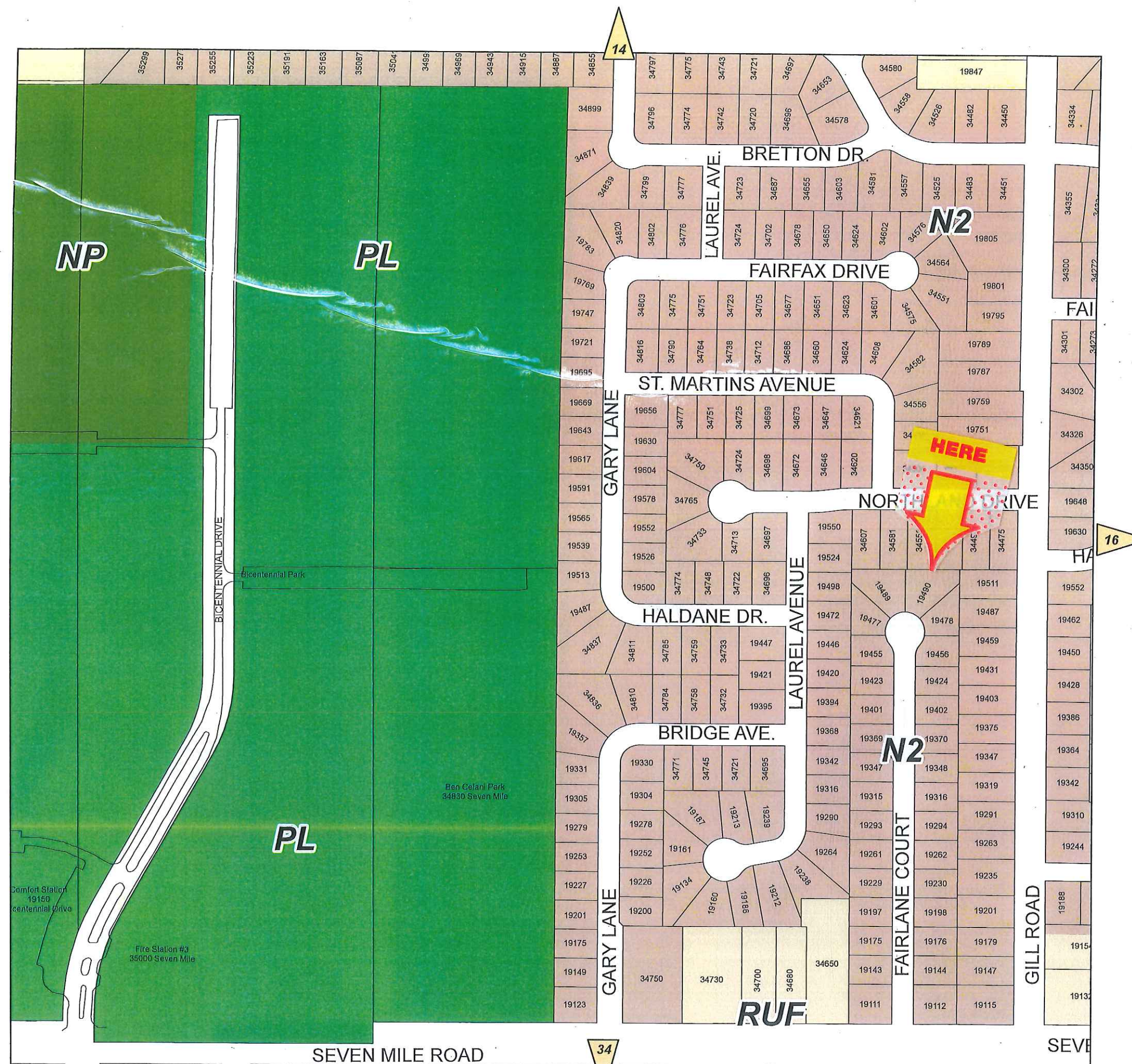
**City of Livonia**

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.

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wayne



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

WAFUE

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
- 

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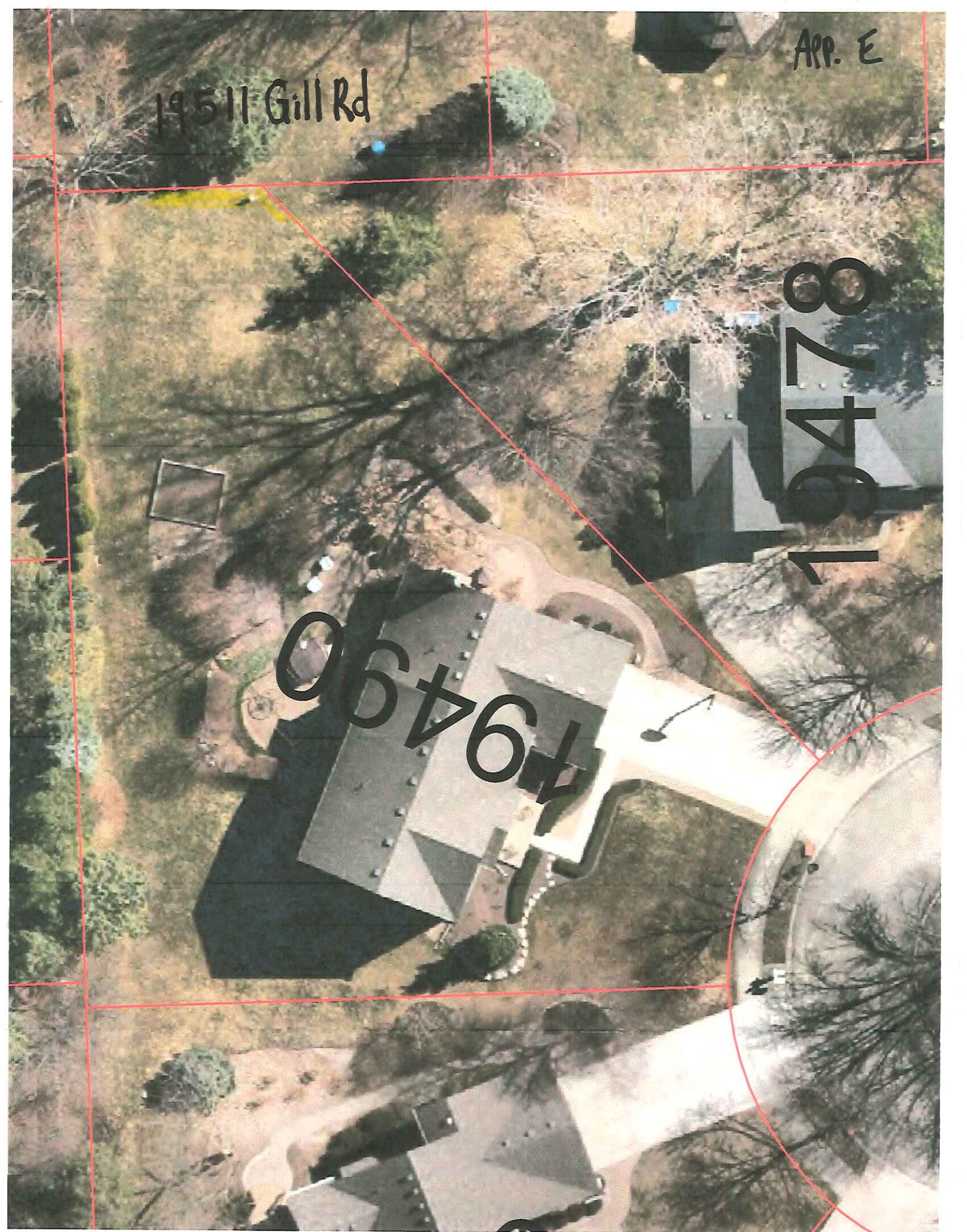


APP. E

19511 Gill Rd

79490

19478

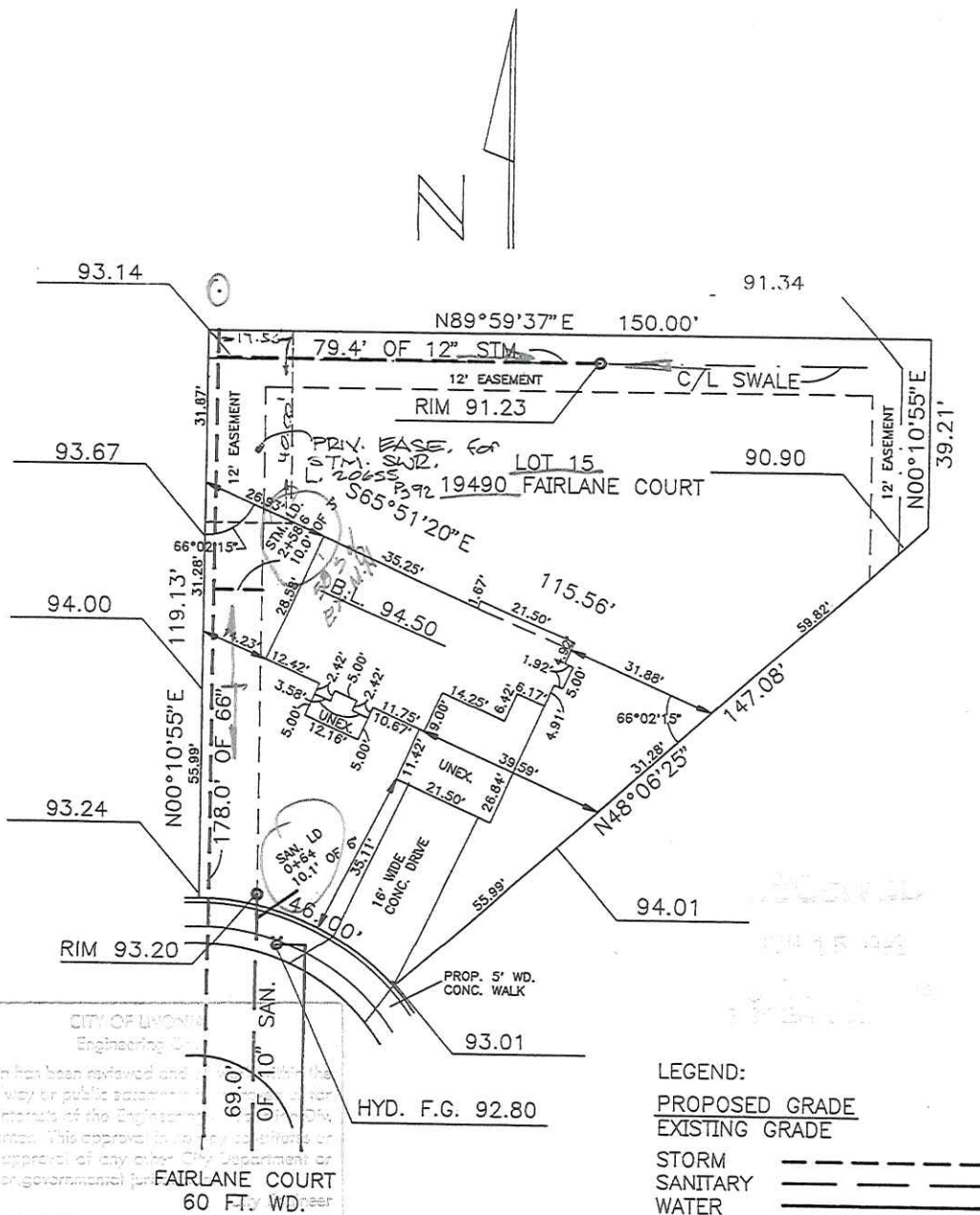




## Plot Plan

## 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.



CITY OF LIVONIA  
Engineering Department  
This plan has been reviewed and approved for the right of way or public safety by the City Engineer 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.  
6-22-92  
Date

## LEGEND:

PROPOSED GRADE  
EXISTING GRADE

STORM  
SANITARY  
WATER

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

Proposal

30693 Clarkson Dr E  
Ft. Worth, TX 76102  
314-814-6880

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

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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

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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 Nicholff 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 \$ \_\_\_\_\_

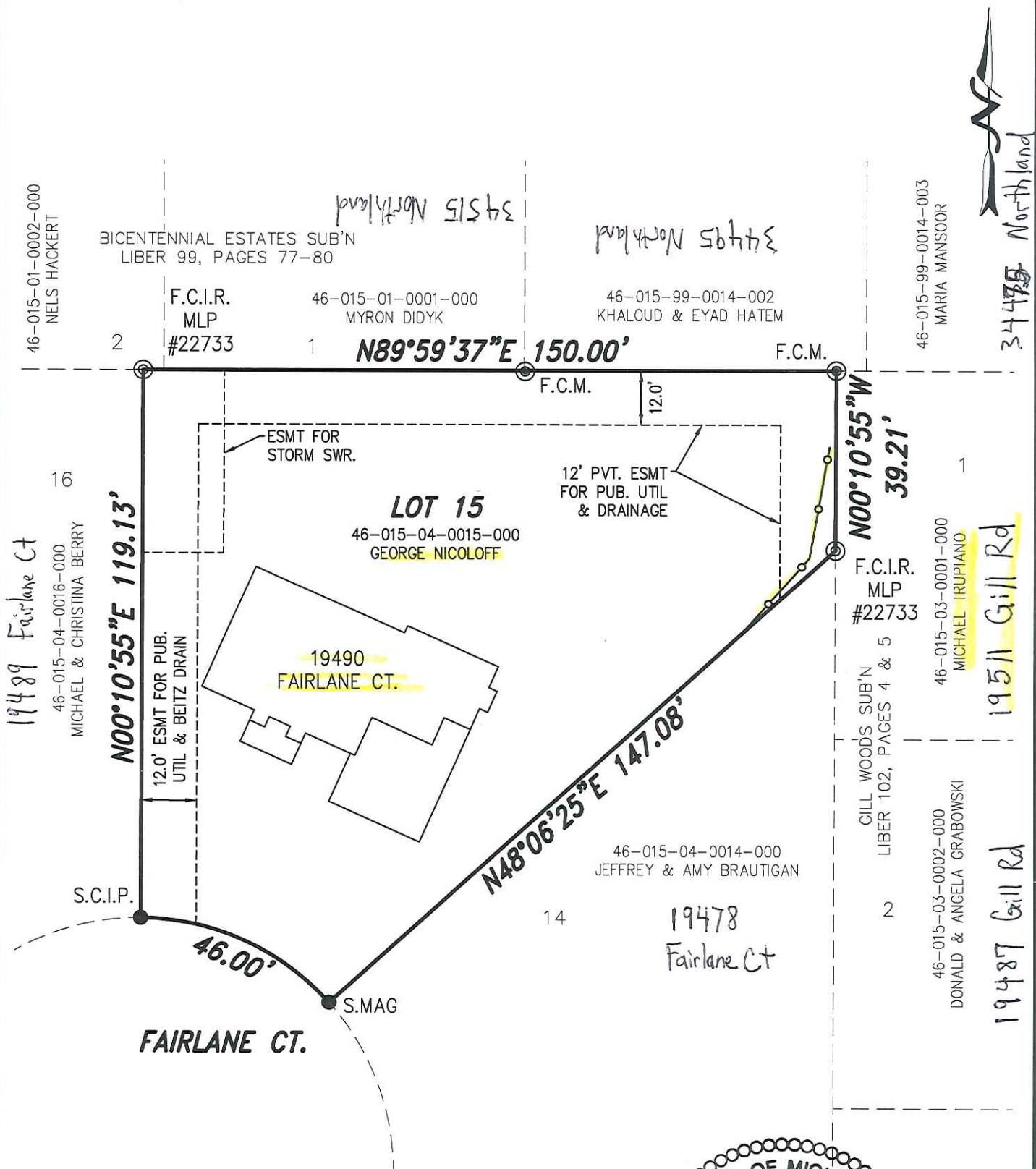


|                                                                                   |                                                |
|-----------------------------------------------------------------------------------|------------------------------------------------|
| LIVONIA PD<br>15050 FARMINGTON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

SKETCH OF SURVEY

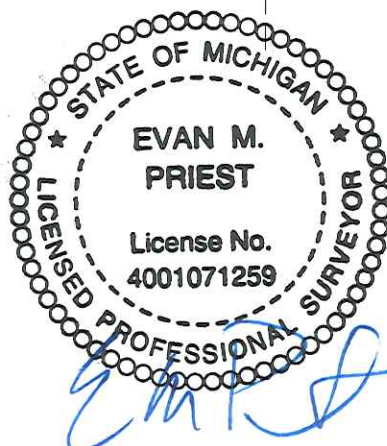
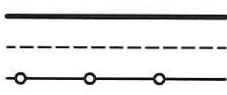
PROPERTY DESCRIPTION:

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

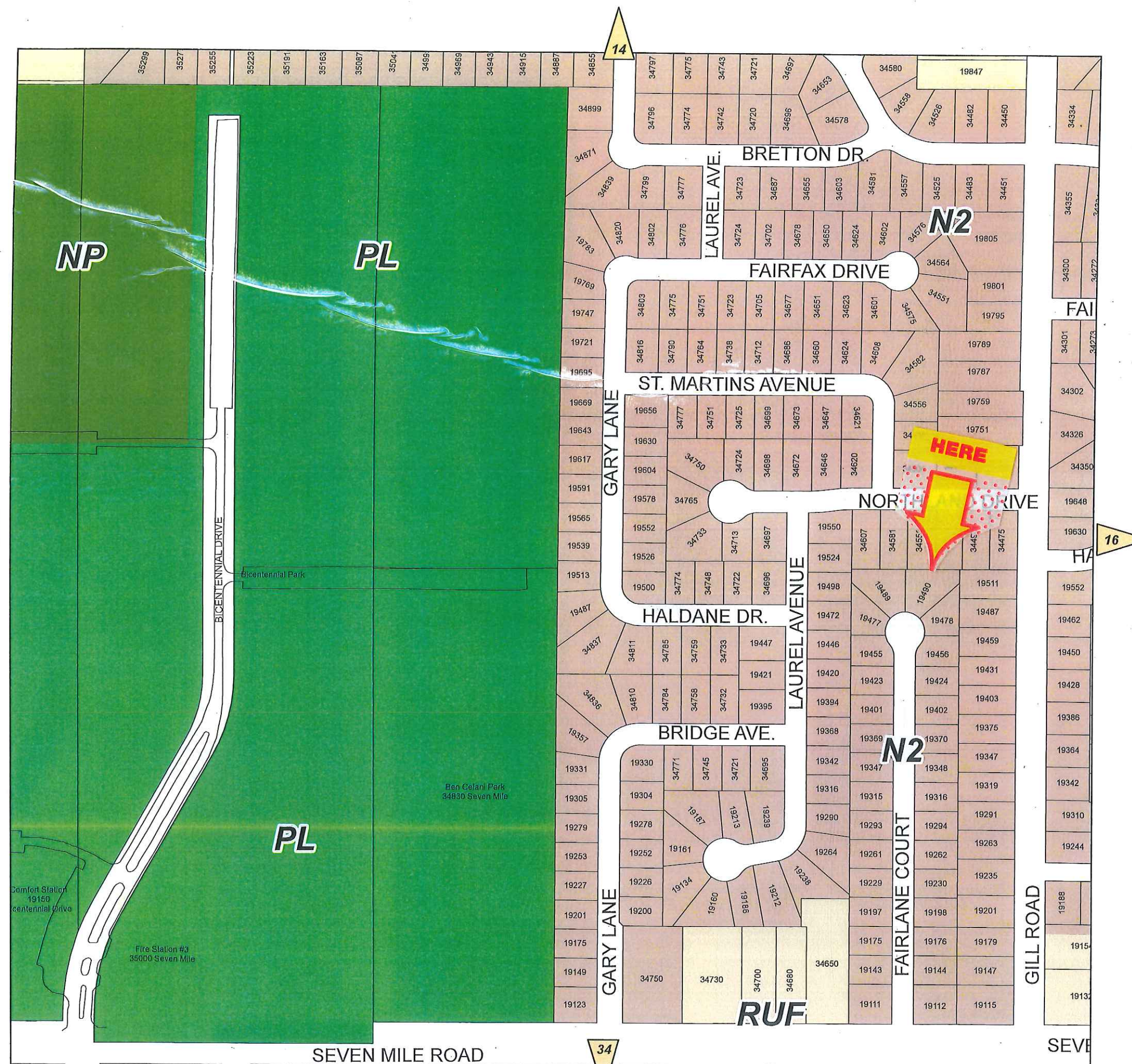
**City of Livonia**

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

**March 24, 2023**  
**PUBLIC NOTICE**

**APPEAL CASE NO. 2023-01-02 (Rescheduled from February 7, 2023):** An appeal has been made to the Zoning Board of Appeals by George Nicoloff, 19490 Fairlane Ct, 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.

The property is located on the east side of Fairlane Ct. (19490), between W. Seven Mile and the cul-de-sac, Lot No.015-04-0015-000, N-2 "Neighborhood District," Rejected by the Inspection Department under Fence Ordinance, Section 15.44.090 (B) "Residential District Regulations."

**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, April 11, 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.



**Case No:** 2023-01-02  
**Meeting Date:** April 11, 2023

[illegible]

Signature: \_\_\_\_\_

Address:

Case No: 2023-03-05  
Meeting Date: May 16, 2023

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

Signature: Carolyn KRAMER  
Name: CAROLYN KRAMER  
(Please print)  
Address: 365 Oak GREENWAY

## ZONING BOARD OF APPEALS

### ZONING BOARD MEMBERS

GREGORY G. COPPOLA, Chairman  
JAMES M. BARINGHAUS, Vice Chairman  
TIMOTHY J. KLISZ, Secretary  
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33000 CIVIC CENTER DRIVE  
LIVONIA, MICHIGAN 48154-3097  
(734) 466-2250

### MAYOR

MAUREEN MILLER BROSNAN

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BRANDON MCCULLOUGH  
KATHLEEN E. MCINTYRE  
SCOTT MORGAN

**April 28, 2023**  
**PUBLIC NOTICE**

**APPEAL CASE NO. 2023-03-05, Robert Day, 36519 Grandon**: seeking to erect a six-foot tall privacy fence upon property resulting in not obtaining the adjacent property owner's approval. The adjoining property owner is located at 36449 Dover. Privacy fences require the approval of the adjacent property owners.

The property is located on the south side of Grandon (36519), between Wilshire and Lionel, Lot No.127-01-0036-000, N-1 "Neighborhood District," Rejected by the Inspection Department under Fence Ordinance, Section 15.44.090 (B) "Residential District Regulations."

**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, May 16, 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.



**2023-03-05**  
**May 16, 2023**

[illegible]

Address:

# APPLICATION FOR VARIANCE

ROBERT DAY 36519 GRANDON ST. 48150 LIVONIA, MI.  
 (Owner of Premises) (Street Address) (City) (Zip Code) (Telephone) (Fax)  
 (757)646-8933

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

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

The property address is 36519 GRANDON ST LIVONIA, MI. 48150

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:  
SEE ATTACHED

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:  
ONE OF THE HOMES BEHIND OUR  
PROPERTY IS VACANT.

4. Please describe what the difficulty involves beyond mere inconvenience or inability to earn a higher financial return:  
OUR DOGS ARE PRONE TO HOPPING FENCES.

WE WOULD LIKE TO INSTALL A PRIVACY FENCE TO PREVENT THAT.

5. Explain why you think this variance would be fair to the neighbors and others who might be affected. THREE OUT OF THE FOUR NEIGHBORS HAVE  
ALREADY GIVEN US VERBAL AND WRITTEN PERMISSION  
TO PUT UP THE FENCE.

RECEIVED  
 OFFICE OF THE CITY CLERK  
 2021 MAR 28 AM 11:22

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? WE WISH TO REMOVE THE CHAIN LINK FENCE AND INSTALL THE PRIVATE FENCE IN ITS PLACE.

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: ROBERT DALY

**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 28<sup>th</sup> day of March, 2023

[Signature: Lori L. Miller]  
(Notary Public, Wayne County, Michigan)

My Commission expires 12-01-24

LORI L. MILLER  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF WAYNE  
MY COMMISSION EXPIRES Dec 1, 2024  
ACTING IN COUNTY OF Wayne

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 \_\_\_\_\_, which reads as follows:



---

## WARRANTY DEED

File No.: MI-22-1304

Drafted by:

Peter Joelson, Title Solutions Agency, LLC, 41486 Wilcox Road Suite 2, Plymouth, MI 48170

When recorded return to:

Title Solutions Agency, LLC, 41486 Wilcox Road Suite 2 Plymouth, MI 48170

THE GRANTOR, Alan L. Fox, married

Whose address is: 36519 Grandon Street Livonia, MI 48150

Conveys and Warrants to Robert <sup>G.</sup>~~Gabriel~~ Day, an unmarried man

Whose address is: 29445 Marquette Street Garden City, MI 48135

Legal Description: City of Livonia, County of Wayne, State of Michigan:

Lot 36 of SCHULGREN SUBDIVISION, according to the plat thereof recorded in Liber 82 of Plats, Page 72, Wayne County Records.

Tax Parcel No.: 127 01 0036 000

Commonly known as: 36519 Grandon Street Livonia, MI 48150

For the sum of **TWO HUNDRED FIFTY FIVE THOUSAND AND 00/100 Dollars (\$255,000.00)**

The Grantor grants to the Grantee the right to make (ALL) divisions under section 108 of the land division act, Act 288 of the Public Act of 1967.

If the land being conveyed is unplatted, the following is deemed to be included: "This property may be located within the vicinity of farmland or farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act."

Subject to easements, reservations and restrictions of record.

Attached to and becoming part of the Warranty Deed, on this October 13, 2022, file # MI-22-1304, between Alan L. Fox, grantor(s) and Robert Gabriel Day, grantee(s).

Dated: October 13, 2022

Signed and Sealed:

Alan L. Fox  
Alan L. Fox

STATE OF Michigan } ss  
COUNTY OF Wayne }

On this October 13, 2022, before me personally appeared Alan L. Fox, married to me known to be the person(s) described in and who executed the foregoing instrument and acknowledged that he/she/they executed the same as his/her/their free act and deed.



Kyle C. Smith, Notary Public  
Macomb County, Michigan  
My Commission Expires: 10-12-2024  
Acting in: Wayne



**CITY of LIVONIA**  
**OFFICE OF THE CITY CLERK**

**33000 CIVIC CENTER DRIVE, LIVONIA, MICHIGAN 48154**  
**TELEPHONE (734) 466-2230**

Received From: Robert Day  
Address: 31519 Shandon  
City: Livonia Zip: 48150 Date: 03/28/23

**CERTIFICATES**

Dollar Amount

**BIRTHS**      ☐ LF# \_\_\_\_\_ CC \_\_\_\_\_ PARCHMENT \_\_\_\_\_

**DEATHS**      ☐ LF# \_\_\_\_\_ CC \_\_\_\_\_

**GENERAL**

- ☐ Maps, Books \_\_\_\_\_
- ☐ F.O.I.A. Copies \_\_\_\_\_
- ☐ Signs \_\_\_\_\_
- ☐ Grading Bond \_\_\_\_\_
- ☐ Petition, Waiver \_\_\_\_\_
- ☐ Election Fees \_\_\_\_\_
- ☒ Other LBA Variance

for Variance re: Fence

**CASH** ☐ **CK#** 169741      **Total Amt. >**

\$450.00

BY. (Signature)

No.82264





# CITY OF LIVONIA

## INSPECTION DEPARTMENT

### REJECTION OF APPLICATION FOR PERMIT

33005 CMC CENTER DRIVE  
LIVONIA, MICHIGAN 48154  
421-2000

### BASED ON NONCONFORMITY TO ORDINANCE LIVONIA VISION 21

Applicant SAME AS OWNER Address SAME AS OWNER  
Owner ROBERT DAY Address 36519 GRANDON, LIVONIA, MI 48150  
Lessee — Address —  
Location SOUTH Side of 36519 GRANDON Street  
Between WILSHIRE And LIONEL  
Lot No/Parcel No. 127-01-0036-000 Subdivision SCHULGREN  
Zoning District N1 Map No. SW32 Lot Size — Alley —  
Present Use RESIDENTIAL 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 N/A

Proposed SEEKING TO ERECT A SIX FOOT TALL PRIVACY FENCE UPON  
PROPERTY RESULTING IN NOT OBTAINING THE ADJACENT PROPERTY  
OWNERS APPROVAL. THE ADJOINING PROPERTY OWNER IS LOCATED  
AT 36440 DIVER. PRIVACY FENCES REQUIRE APPROVAL OF THE ADJACENT  
PROPERTY OWNERS.

Reason for Rejection FENCE ORDINANCE, SECTION 15.44.090B

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 \_\_\_\_\_

15.44.90(B) Use Prohibited NEIGHBORS APPROVAL Deficient Parking Spaces \_\_\_\_\_ Increasing Area and Bulk \_\_\_\_\_  
NOT OBTAINED

Remarks \_\_\_\_\_

Plans and Application examined by Ry Date MARCH 31, 2023

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

S.W. 1/4 Section 32

**City of Livonia**

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

Copyright 2001, City of Livonia



300 150 0 300 Feet

2023-03-05



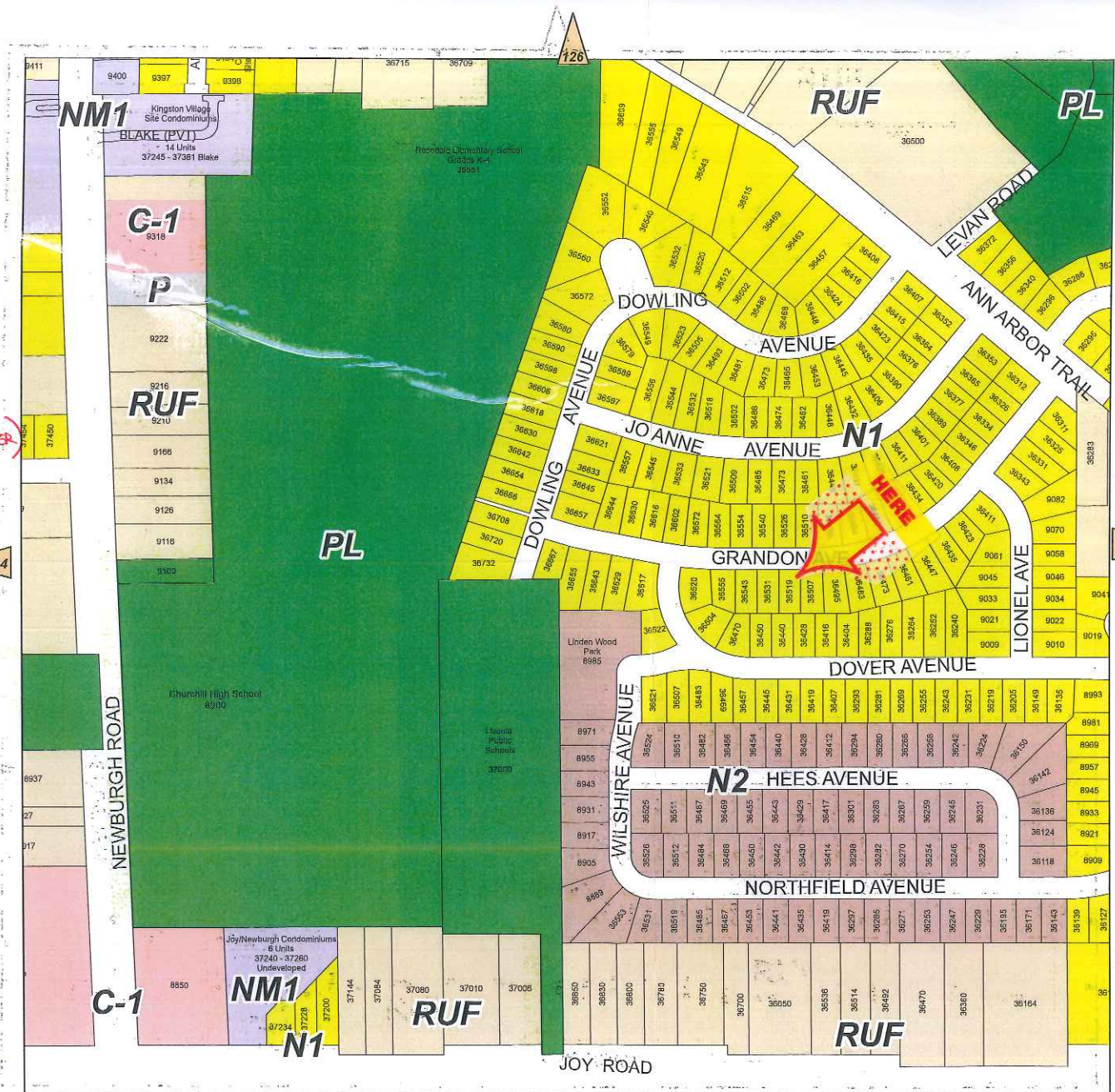
ZBA CASE

36519 GRANDON

REF: PRIVACY FENCE

W/OUT NEIGHBORS

APPROVAL (36440 DOWER)



2023-03-05

ZBA CASE

36519 GRANDON

REF: PRIVACY FENCE

W/OUT NEIGHBORS

APPROVAL (36440 DOWER)

300 150 0 300 Feet





36519 GRANDON

PROPOSED FENCE  
STYLE. COLOR TO BE  
WHITE



INSPECTION DEPARTMENT  
ORDINANCE ENFORCEMENT  
CITY OF LIVONIA  
33000 CIVIC CENTER DR.  
LIVONIA, MI 48154

THE FENCE GUYS  
38551 LAWRENCE CT  
Westland, MI 48186

01/13/2023

RE: 36519 GRANDON

PLAN REVIEW CORRECTION SHEET

Your application for a permit was reviewed for the above location. It has been rejected for the following reasons:

1. FENCE - Fences: Site plan deficient, neighbors' approvals? Location of fences incorrect, namely privacy fences placed in the side yard or up to the front building line, our web site should clearly give these guidelines.

REVIEWER COMMENT: PROVIDE CONSENT FORM FOR PROPERTY AT 36440 DOVER.

For Information  
(8:30 - 9:30 AM) (4:00 - 5:00 PM)

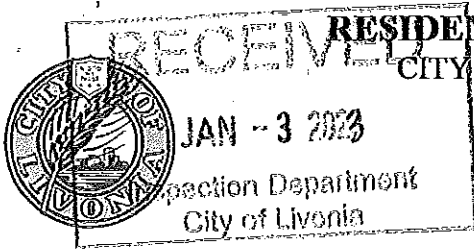
File: PZ23-0014

Reviewer: Matt Stierna  
Telephone (734) 466-2593

WARNING: Damage or injury resulting from delay or failure to comply with this notice will be attributed to negligence on the part of the responsible party or parties.

NOTES: 1/13/23 - SENT CORRECTION NOTICE & SAKS TO CONTRACTOR.

PROJECT # \_\_\_\_\_

PERMIT # P223-0014**RESIDENTIAL ZONING PERMIT APPLICATION**

CITY OF LIVONIA – INSPECTION DEPARTMENT

33000 CIVIC CENTER DRIVE

LIVONIA, MI 48154

(734) 466-2580

**Livonia**

Please Print

DATE: \_\_\_\_\_

| The Fence Guys   | 38551 Lawrence Ct. | Westland, MI 48186 | 734-891-3839                  |
|------------------|--------------------|--------------------|-------------------------------|
| Contractors Name | Street Address     | City/Zip Code      | Phone No.                     |
| Lindsey Day      | 36519 Grandon      | Livonia, MI 48150  | 757-646-9101                  |
| 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 the.fence.guys17@gmail.com

TO CONSTRUCT: ☒ FENCE ☐ SHED

Check Box

Other Information on Project: Remove Existing Fence and Haul Away

Remove Existing Fence and Haul Away

36519 Grandon Livonia, MI 48150 Estimated Cost: \$ 5,644.93

Address of Project Street Zip Code

**NOT TO BE FILLED IN BY APPLICANT**

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

36519 GRANDON ZONING N11 BETWEEN WILSHIRE AND LIONEL

Street Address

LOT # \_\_\_\_\_ SUBDIVISION \_\_\_\_\_ SECTION SW32

PROPERTY NUMBER 36519 GRANDON LOT COVERAGE \_\_\_\_\_ %

LOT WIDTH \_\_\_\_\_ LOT DEPTH \_\_\_\_\_ TOTAL AREA \_\_\_\_\_ SQ. FT.

CORNER LOT \_\_\_\_\_ INTERIOR LOT X ALLEY REAR \_\_\_\_\_ OR SIDE \_\_\_\_\_ EASEMENT REAR \_\_\_\_\_ OR SIDE \_\_\_\_\_  
Size Size

PERMIT TO BE ISSUED FOR \_\_\_\_\_

APPROVED BY \_\_\_\_\_ DATE \_\_\_\_\_ ZONING \_\_\_\_\_  
ZONING GRANT # \_\_\_\_\_ DATE \_\_\_\_\_

ZONING FEE \$ 488  
ADMIN. FEE \$ 42.00  
TOTAL FEES \$ \_\_\_\_\_

## CONTRACTOR INFORMATION

Q.O. NAME David Emery TELEPHONE NO. 734-891-3839  
ADDRESS 38551 Lawrence Ct. DRIVER LIC. # \_\_\_\_\_  
CITY Westland STATE MI ZIP CODE 48186  
BUILDERS LICENSE NO. N/A EXPIRATION DATE \_\_\_\_\_  
FEDERAL EMPLOYER ID NUMBER 61- 1864590  
OR REASON FOR EXEMPTION \_\_\_\_\_  
WORKERS COMP INSURANCE CARRIER Selective Insur. 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:

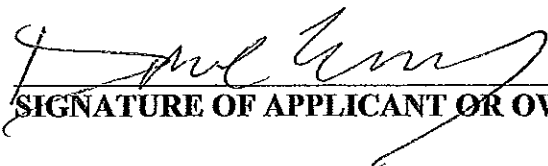
ZBA GRANT: \_\_\_\_\_ PC/CR \_\_\_\_\_

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

Dave Emery

PRINT NAME OF APPLICANT OR OWNER

Witnessed By:

  
INSPECTION DEPARTMENT

1/3/23  
DATE



# Fence Proposal

the.fence.guys17@gmail.com

The Fence Guys LLC

38551 Lawrence Ct, Westland MI 48186

(734)891-3839

## PROPOSAL and CONTRACT

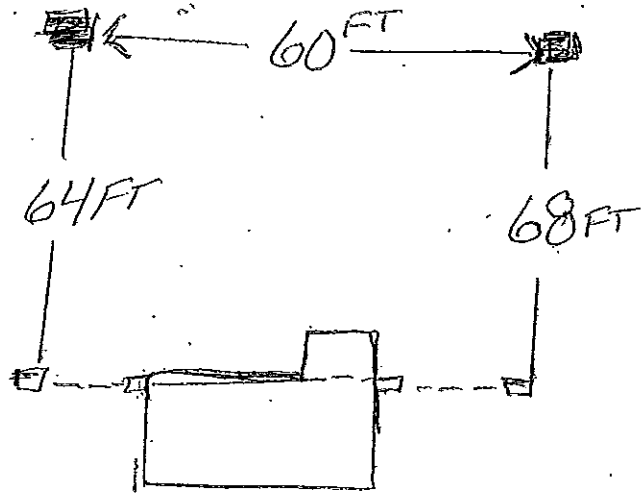
Date:

TO: LIVIOSEY  
36519 GRAWDON  
LIVIOSEY MI

Phone # 757-646-9101  
Job Location \_\_\_\_\_

The Fence Guys will furnish all materials and perform all labor necessary to complete the following:

SUPPLY AND INSTALL 191ET  
OF 6FT WHITE ROCKPORT  
VINYL PRIVACY FENCE  
REMOVE EXISTING FENCE  
AND HAUL AWAY WITH PERMIT



All of the above work to be completed in a substantial and workmanlike manner according to standard practices for the sum of

Dollars ( )

Progress payments to be made:

MATERIALS -  
LABOR -  
PERMIT - ?

Any alteration or deviation from the above specifications involving extra cost of material or labor will only be executed upon written orders for same, and will become an extra charge over the sum mentioned in this contract. All agreements must be made in writing.

### ACCEPTANCE

You are hereby authorized to furnish all materials and labor required to complete the work mentioned in the above proposal, for which you agree to pay the amount mentioned in said proposal and according to the terms thereof.

The undersigned The Fence Guys LLC (TFG) and client agree as follows:

1. (a) TFG shall construct a fence to comply with the attached specifications and diagram. (b) upon request TFG will obtain any required Building permit and/or contact MISS DQ. (c) All work performed is to be free from material and workmanship defects pursuant to the federal "Selected ASTM Standards for Fence Materials and Products" publication for two years after completion. On all wood fencing: warping, shrinking, and/or checking color variations occurring is not considered to be a defect. Damage caused by children, pets, abuse, neglect, vandalism, severe weather or acts of God are excluded from this warranty.

2. Client is solely responsible for: (a) fence location and shall inform TFG of any change request within 24 hours of post installation to avoid relocation charges, and (b) dirt removal or paying TFG for same. This requirement is not subject to the conditions contained in section 7 below.

3. TFG is not responsible to maintain integrity of landscaping, including, but not limited to: flowers, plants, shrubs, trees, mulch and decorative ornaments. TFG is not responsible for existing grades or to regrade or trench fence into the grade.

AGREEMENT 4. Client shall be responsible for TFG damages including costs and attorney fees incurred from: (a) Encroachment upon property lines, (b) Damage caused by Client's directions in writing to dig in the immediate vicinity of known utilities, (c) Damage caused to unmarked and/or buried lines (sprinkler, power, or other) and/or buried objects, (d) Damage caused to cement or asphalt resulting from post installation into same, and (e) Collection of any unpaid balances. Collection attorney fees shall equal 50% of the unpaid principal balance and shall immediately become due at the time of TFG first notice of intent to refer Client to collection.

5. Client shall make payments to TFG as follows: 1/2 deposit, 1/2 upon completion visit. Deposits become non-refundable 72 hours after this contract is executed. Interest of seven (7%) percent annually shall be assessed against all amounts overdue more than ten (10) days from the second installation crew visit. TFG shall not be required to continue performance or provide warranty service if any payment is missed, until such time as Client becomes current. If Client defaults on the required payments, Client shall become liable for TFG actual collection expenses including interest, costs and attorney fees. The undersigned agree that as future attorney fees are unknown and difficult to estimate, same shall become due in an amount not less than \$1,000.00 as liquidated damages due to TFG in addition to any other payments required by this agreement.

6. Client or an authorized agent shall be at job site during installation and for inspection/ approval or TFG may refuse performance on that day and shall be paid an additional \$150.00 return fee per incident.

7. Client agrees to notify TFG in writing as to any complaint regarding installation or defects within 10 days of completion, or Client waives said complaints or related claims. Client must also notify TFG in writing within 10 days as to any complaint regarding installation or defects related to subsequent services rendered by TFG or said complaints or related claims are also waived.

8. Client agrees to pay a re-billing fee of \$5.75 for each instance of mailed invoice sent after completion of service.

9. In the event that any portion of this contract is declared null or void by a court of competent jurisdiction, all other conditions herein shall remain in full force and effect.

This document is the entire agreement between the parties. The undersigned agree that they have read and do understand this entire agreement and have not signed below in reliance upon any verbal or written promise, condition, or representation made by any person. Any amendments, alterations, or changes of any kind to this agreement must be written and signed by client and TFG or same shall be voidable at TFG option.

Accepted

Chris [Signature] Date 12/30/22

The Fence Guys LLC

Ray [Signature] Date 12-30-2022

**PRIVACY and/or CHAIN LINK FENCE  
ACKNOWLEDGEMENT and  
AUTHORIZATION**

CIVIC ASSOCIATION APPROVAL REQUIRED: YES: \_\_\_\_\_ NO: \_\_\_\_\_  
IF YES, PROVIDE WRITTEN ASSOCIATION APPROVAL.

Date: 11/26/22

Fence Installation Address: 36519 Grandon St.

I have seen or had explained to me, the proposal made by Robert Day & The Fence guys  
(Name)  
at 36519 Grandon to erect a Privacy fence,  
(Address) (Description)  
6ft white vinyl

Chain link/Privacy (cross out one not used) fence separating his or her property from mine and consent to all of the following:

- The style and height of the fence.
- The location of the lot line.
- Only one (1) fence is permitted between our properties and that any existing fence will have to be removed in favor of the new fence.

Dayna Samuel have the finished side facing my property.

\_\_\_\_\_ have the finished side facing the fence owner.

\_\_\_\_\_ be good on both sides.  
(Please sign next to the option agreed upon and also as indicated below)

Dayna Samuel  
(Print Name)

36428 Dover St Livonia, MI 48150  
(Address)

Dayna Samuel  
(Signature)

313-550-0039  
(Telephone number for confirmation)

- ORIGINAL MUST BE SUBMITTED FULLY SIGNED AND COMPLETED
- NO PERMIT WILL BE ISSUED WITHOUT THIS ORIGINAL COMPLETED FORM AND A SITE PLAN OF THE PROPERTY TO BE FENCED

**PRIVACY and/or CHAIN LINK FENCE  
ACKNOWLEDGEMENT and  
AUTHORIZATION**

CIVIC ASSOCIATION APPROVAL REQUIRED: YES: \_\_\_\_\_ NO: \_\_\_\_\_  
IF YES, PROVIDE WRITTEN ASSOCIATION APPROVAL.

Date: 11/23/22

Fence Installation Address: 36519 Grandon St.

I have seen or had explained to me, the proposal made by Robert Day of The Fence Guy  
(Name)  
at 36519 Grandon St. to erect a privacy fence,  
(Address) (Description)  
white vinyl

Chain link/Privacy (cross out one not used) fence separating his or her property from mine and consent to all of the following:

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- Only one (1) fence is permitted between our properties and that any existing fence will have to be removed in favor of the new fence.

\_\_\_\_\_ have the finished side facing my property.

\_\_\_\_\_ have the finished side facing the fence owner.

\_\_\_\_\_ be good on both sides.

(Please sign next to the option agreed upon and also as indicated below)

David LeBerge  
(Print Name)

36531 Grandon  
(Address)

[Signature]  
(Signature)

734-612-9375  
(Telephone number for confirmation)

- ORIGINAL MUST BE SUBMITTED FULLY SIGNED AND COMPLETED
- NO PERMIT WILL BE ISSUED WITHOUT THIS ORIGINAL COMPLETED FORM AND A SITE PLAN OF THE PROPERTY TO BE FENCED



CITY OF LIVONIA  
BUILDING INSPECTION DEPARTMENT  
734-466-2580

PRIVACY and/or CHAIN LINK FENCE  
ACKNOWLEDGEMENT and  
AUTHORIZATION

CIVIC ASSOCIATION APPROVAL REQUIRED: YES: ☒ NO: ☐  
IF YES, PROVIDE WRITTEN ASSOCIATION APPROVAL.

Date: 11/12/22

Fence Installation Address: 36519 Grandon St.

I have seen or had explained to me, the proposal made by \_\_\_\_\_  
at 36519 Grandon to erect a privacy fence  
(Address) (Name) (Description)

Chain link/Privacy (cross out one not used) fence separating his or her property from mine and consent to all of the following:

- The style and height of the fence.
- The location of the lot line.
- Only one (1) fence is permitted between our properties and that any existing fence will have to be removed in favor of the new fence.

\_\_\_\_\_ have the finished side facing my property.

\_\_\_\_\_ have the finished side facing the fence owner.

\_\_\_\_\_ be good on both sides.

(Please sign next to the option agreed upon and also as indicated below)

TED NGUYEN  
(Print Name)

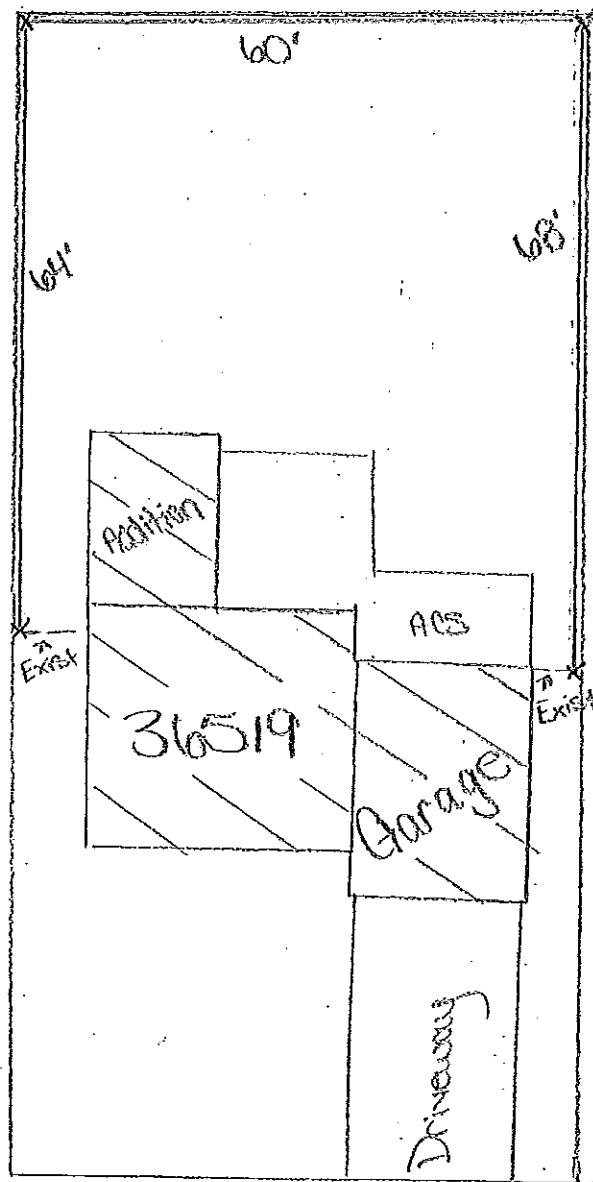
36507 Grandon St  
(Address)

Ted Nguyen  
(Signature)

248 - 943 - 4383  
(Telephone number for confirmation)

- ORIGINAL MUST BE SUBMITTED FULLY SIGNED AND COMPLETED
- NO PERMIT WILL BE ISSUED WITHOUT THIS ORIGINAL COMPLETED FORM AND A SITE PLAN OF THE PROPERTY TO BE FENCED

6' high  
PVC Privacy



Grandon St.

Approved  
neighbor

Vacant home  
36440 Dover  
(Not approved)

20 ft.

40 ft.

20 ft.

60 ft.

Shed

Shed

Approved  
Neighbor

64 ft.

68 ft.

Approved  
Neighbor

36519 Grandon  
(our home)



Approved  
neighbor

Vacant home  
36440 Dover  
(Not approved)

20 ft.

40 ft.

20 ft.

60 ft.

Shed

Shed

Approved  
Neighbor

64 ft.

68 ft.

Approved  
Neighbor

36519 Grandon  
(our home)

INSPECTION DEPARTMENT  
ORDINANCE ENFORCEMENT  
CITY OF LIVONIA  
33000 CIVIC CENTER DR.  
LIVONIA, MI 48154

THE FENCE GUYS  
38551 LAWRENCE CT  
Westland, MI 48186

01/13/2023

RE: 36519 GRANDON

PLAN REVIEW CORRECTION SHEET

Your application for a permit was reviewed for the above location. It has been rejected for the following reasons:

1. FENCE - Fences: Site plan deficient, neighbors' approvals? Location of fences incorrect, namely privacy fences placed in the side yard or up to the front building line, our web site should clearly give these guidelines.

REVIEWER COMMENT: PROVIDE CONSENT FORM FOR PROPERTY AT 36440 DOVER.

For Information  
(8:30 - 9:30 AM) (4:00 - 5:00 PM)

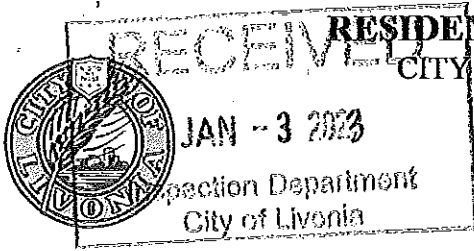
File: PZ23-0014

Reviewer: Matt Stierna  
Telephone (734) 466-2593

WARNING: Damage or injury resulting from delay or failure to comply with this notice will be attributed to negligence on the part of the responsible party or parties.

NOTES: 1/13/23 - SENT CORRECTION NOTICE & SPOKE TO CONTRACTOR.

PROJECT # \_\_\_\_\_

PERMIT # P223-0014**RESIDENTIAL ZONING PERMIT APPLICATION**

CITY OF LIVONIA – INSPECTION DEPARTMENT

33000 CIVIC CENTER DRIVE

LIVONIA, MI 48154

(734) 466-2580

**Livonia**

Please Print

DATE: \_\_\_\_\_

| The Fence Guys   | 38551 Lawrence Ct. | Westland, MI 48186 | 734-891-3839                  |
|------------------|--------------------|--------------------|-------------------------------|
| Contractors Name | Street Address     | City/Zip Code      | Phone No.                     |
| Lindsey Day      | 36519 Grandon      | Livonia, MI 48150  | 757-646-9101                  |
| 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 the.fence.guys17@gmail.com

TO CONSTRUCT: ☒ FENCE ☐ SHED  
Check Box

Other Information on Project: Remove Existing Fence and Haul Away

Remove Existing Fence and Haul Away

36519 Grandon Livonia, MI 48150 Estimated Cost: \$ 5,644.93  
Address of Project Street Zip Code

**NOT TO BE FILLED IN BY APPLICANT**

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

36519 GRANDON ZONING R1 BETWEEN WILSHIRE AND LIONEL  
Street Address

LOT # \_\_\_\_\_ SUBDIVISION \_\_\_\_\_ SECTION SW32

PROPERTY NUMBER 36519 GRANDON LOT COVERAGE \_\_\_\_\_ %

LOT WIDTH \_\_\_\_\_ LOT DEPTH \_\_\_\_\_ TOTAL AREA \_\_\_\_\_ SQ. FT.

CORNER LOT \_\_\_\_\_ INTERIOR LOT X ALLEY REAR \_\_\_\_\_ OR SIDE \_\_\_\_\_ EASEMENT REAR \_\_\_\_\_ OR SIDE \_\_\_\_\_  
Size Size

PERMIT TO BE ISSUED FOR \_\_\_\_\_

APPROVED BY \_\_\_\_\_ DATE \_\_\_\_\_ ZONING \_\_\_\_\_  
ZONING GRANT # \_\_\_\_\_ DATE \_\_\_\_\_

ZONING FEE \$ 488  
ADMIN. FEE \$ 42.00  
TOTAL FEES \$ \_\_\_\_\_



## CONTRACTOR INFORMATION

Q.O. NAME David Emery TELEPHONE NO. 734-891-3839  
ADDRESS 38551 Lawrence Ct. DRIVER LIC. # \_\_\_\_\_  
CITY Westland STATE MI ZIP CODE 48186  
BUILDERS LICENSE NO. N/A EXPIRATION DATE \_\_\_\_\_  
FEDERAL EMPLOYER ID NUMBER 61- 1864590  
OR REASON FOR EXEMPTION \_\_\_\_\_  
WORKERS COMP INSURANCE CARRIER Selective Insur. MESC EMPLOYER NUMBER \_\_\_\_\_  
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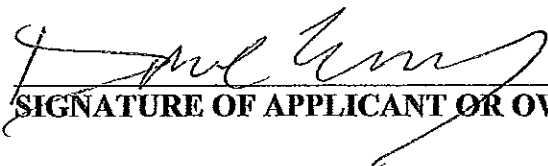
ZBA GRANT: \_\_\_\_\_ PC/CR \_\_\_\_\_

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.**

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SIGNATURE OF APPLICANT OR OWNER

Dave Emery

PRINT NAME OF APPLICANT OR OWNER

Witnessed By:

  
INSPECTION DEPARTMENT

1/3/23  
DATE

# Fence Proposal

the.fence.guys17@gmail.com

The Fence Guys LLC

38551 Lawrence Ct, Westland MI 48186

(734)891-3839

## PROPOSAL and CONTRACT

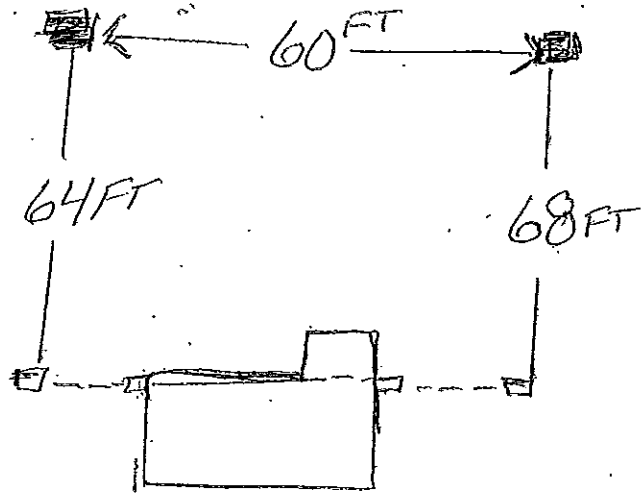
Date:

TO: LIVIA SEY  
36519 GRAWDON  
LIVIAWIN MI

Phone # 757-646-9101  
Job Location \_\_\_\_\_

The Fence Guys will furnish all materials and perform all labor necessary to complete the following:

SUPPLY AND INSTALL 191ET  
OF 6FT WHITE ROCKPORT  
VINYL PRIVACY FENCE  
REMOVE EXISTING FENCE  
AND HAUL AWAY WITH PERMIT



All of the above work to be completed in a substantial and workmanlike manner according to standard practices for the sum of

Dollars ( )

Progress payments to be made:

MATERIALS -  
LABOR -  
PERMIT - ?

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This document is the entire agreement between the parties. The undersigned agree that they have read and do understand this entire agreement and have not signed below in reliance upon any verbal or written promise, condition, or representation made by any person. Any amendments, alterations, or changes of any kind to this agreement must be written and signed by client and TFG or same shall be voidable at TFG option.

Accepted

Olga Sey Date 12/30/22

The Fence Guys LLC

Ray Guy Date 12-30-2022

**PRIVACY and/or CHAIN LINK FENCE  
ACKNOWLEDGEMENT and  
AUTHORIZATION**

CIVIC ASSOCIATION APPROVAL REQUIRED: YES: \_\_\_\_\_ NO: \_\_\_\_\_  
IF YES, PROVIDE WRITTEN ASSOCIATION APPROVAL.

Date: 11/26/22

Fence Installation Address: 36519 Grandon St.

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(Name)  
at 36519 Grandon to erect a Privacy fence,  
(Address) (Description)  
6ft white vinyl

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\_\_\_\_\_ be good on both sides.  
(Please sign next to the option agreed upon and also as indicated below)

Dayna Samuel  
(Print Name)

36428 Dover St Livonia, MI 48150  
(Address)

Dayna Samuel  
(Signature)

313-550-0039  
(Telephone number for confirmation)

- ORIGINAL MUST BE SUBMITTED FULLY SIGNED AND COMPLETED
- NO PERMIT WILL BE ISSUED WITHOUT THIS ORIGINAL COMPLETED FORM AND A SITE PLAN OF THE PROPERTY TO BE FENCED



**PRIVACY and/or CHAIN LINK FENCE  
ACKNOWLEDGEMENT and  
AUTHORIZATION**

CIVIC ASSOCIATION APPROVAL REQUIRED: YES: \_\_\_\_\_ NO: \_\_\_\_\_  
IF YES, PROVIDE WRITTEN ASSOCIATION APPROVAL.

Date: 11/23/22

Fence Installation Address: 36519 Grandon St.

I have seen or had explained to me, the proposal made by Robert Day of The Fence Guy  
(Name)  
at 36519 Grandon St. to erect a privacy fence,  
(Address) (Description)  
white vinyl

Chain link/Privacy (cross out one not used) fence separating his or her property from mine and consent to all of the following:

- The style and height of the fence.
- The location of the lot line.
- Only one (1) fence is permitted between our properties and that any existing fence will have to be removed in favor of the new fence.

\_\_\_\_\_ have the finished side facing my property.

\_\_\_\_\_ have the finished side facing the fence owner.

\_\_\_\_\_ be good on both sides.

(Please sign next to the option agreed upon and also as indicated below)

David LeBerge  
(Print Name)

36531 Grandon  
(Address)

[Signature]  
(Signature)

734-612-9375  
(Telephone number for confirmation)

- ORIGINAL MUST BE SUBMITTED FULLY SIGNED AND COMPLETED
- NO PERMIT WILL BE ISSUED WITHOUT THIS ORIGINAL COMPLETED FORM AND A SITE PLAN OF THE PROPERTY TO BE FENCED

CITY OF LIVONIA  
BUILDING INSPECTION DEPARTMENT  
734-466-2580

**PRIVACY and/or CHAIN LINK FENCE  
ACKNOWLEDGEMENT and  
AUTHORIZATION**

CIVIC ASSOCIATION APPROVAL REQUIRED: YES: ☒ NO: ☐  
IF YES, PROVIDE WRITTEN ASSOCIATION APPROVAL.

Date: 11/12/22

Fence Installation Address: 36519 Grandon St.

I have seen or had explained to me, the proposal made by \_\_\_\_\_  
at 36519 Grandon to erect a privacy fence  
(Address) (Name) (Description)

Chain link/Privacy (cross out one not used) fence separating his or her property from mine and consent to all of the following:

- The style and height of the fence.
- The location of the lot line.
- Only one (1) fence is permitted between our properties and that any existing fence will have to be removed in favor of the new fence.

\_\_\_\_\_ have the finished side facing my property.

\_\_\_\_\_ have the finished side facing the fence owner.

\_\_\_\_\_ be good on both sides.

(Please sign next to the option agreed upon and also as indicated below)

TED NGUYEN  
(Print Name)

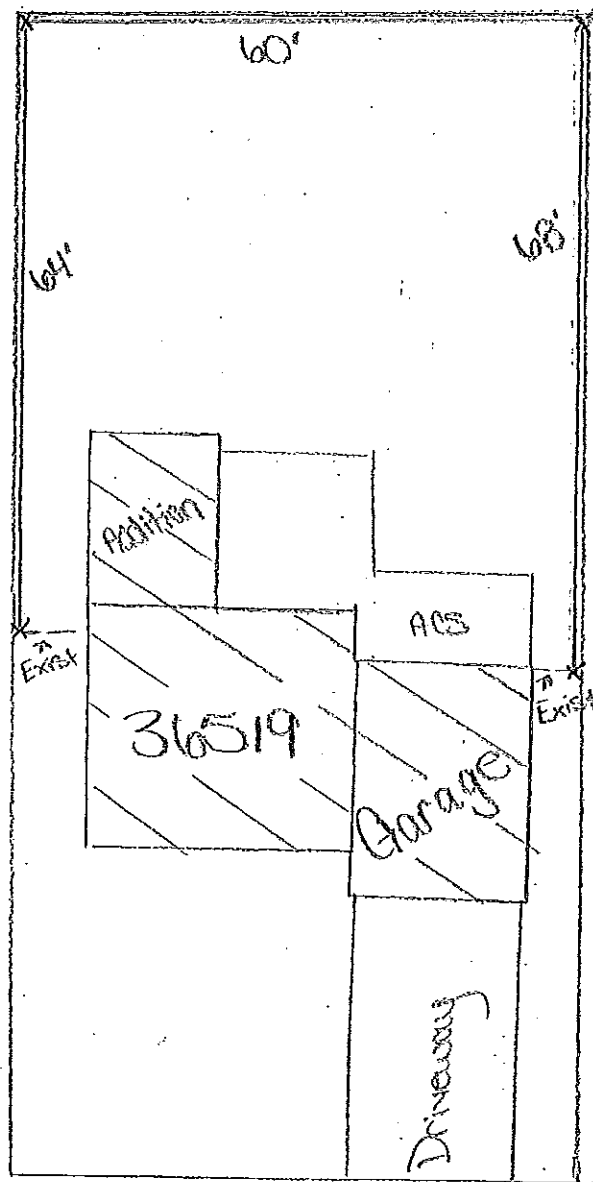
36507 Grandon St  
(Address)

Ted Nguyen  
(Signature)

248 - 943 - 4383  
(Telephone number for confirmation)

- ORIGINAL MUST BE SUBMITTED FULLY SIGNED AND COMPLETED
- NO PERMIT WILL BE ISSUED WITHOUT THIS ORIGINAL COMPLETED FORM AND A SITE PLAN OF THE PROPERTY TO BE FENCED

6' high  
PVC Privacy



Grandon St.



# APPLICATION FOR VARIANCE

ROBERT DAY 36519 GRANDON ST. 48150 LIVONIA, MI.  
 (Owner of Premises) (Street Address) (City) (Zip Code) (Telephone) (Fax)  
 (757)646-8933

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

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

The property address is 36519 GRANDON ST. LIVONIA, MI. 48150

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:  
 SEE ATTACHED

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:

ONE OF THE HOMES BEHIND OUR  
 PROPERTY IS VACANT.

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

OUR DOGS ARE PRONE TO HOPPING FENCES.

WE WOULD LIKE TO INSTALL A PRIVACY FENCE TO PREVENT THAT.

5. Explain why you think this variance would be fair to the neighbors and others who might be affected. THREE OUT OF THE FOUR NEIGHBORS HAVE

ALREADY GIVEN US VERBAL AND WRITTEN PERMISSION TO PUT UP THE FENCE.

RECEIVED  
 OFFICE OF THE CITY CLERK  
 APR 28 AM 11:22

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? WE WISH TO REMOVE THE CHAIN LINK FENCE AND INSTALL THE PRIVATE FENCE IN ITS PLACE.

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: ROBERT DAY

**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 March, 2023

Lori L. Miller  
(Notary Public, Wayne County, Michigan)

My Commission expires 12-01-24

LORI L. MILLER  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF WAYNE  
MY COMMISSION EXPIRES Dec 1, 2024  
ACTING IN COUNTY OF Wayne

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 \_\_\_\_\_, which reads as follows:

---

## WARRANTY DEED

---

File No.: MI-22-1304

Drafted by:

Peter Joelson, Title Solutions Agency, LLC, 41486 Wilcox Road Suite 2, Plymouth, MI 48170

When recorded return to:

Title Solutions Agency, LLC, 41486 Wilcox Road Suite 2 Plymouth, MI 48170

THE GRANTOR, Alan L. Fox, married

Whose address is: 36519 Grandon Street Livonia, MI 48150

Conveys and Warrants to Robert <sup>G.</sup>~~Gabriel~~ Day, an unmarried man

Whose address is: 29445 Marquette Street Garden City, MI 48135

Legal Description: City of Livonia, County of Wayne, State of Michigan:

Lot 36 of SCHULGREN SUBDIVISION, according to the plat thereof recorded in Liber 82 of Plats, Page 72, Wayne County Records.

Tax Parcel No.: 127 01 0036 000

Commonly known as: 36519 Grandon Street Livonia, MI 48150

For the sum of **TWO HUNDRED FIFTY FIVE THOUSAND AND 00/100 Dollars (\$255,000.00)**

The Grantor grants to the Grantee the right to make (ALL) divisions under section 108 of the land division act, Act 288 of the Public Act of 1967.

If the land being conveyed is unplatted, the following is deemed to be included: "This property may be located within the vicinity of farmland or farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act."

Subject to easements, reservations and restrictions of record.



Attached to and becoming part of the Warranty Deed, on this October 13, 2022, file # MI-22-1304, between Alan L. Fox, grantor(s) and Robert Gabriel Day, grantee(s).

Dated: October 13, 2022

Signed and Sealed:

Alan L. Fox  
Alan L. Fox

STATE OF Michigan } ss  
COUNTY OF Wayne }

On this October 13, 2022, before me personally appeared Alan L. Fox, married to me known to be the person(s) described in and who executed the foregoing instrument and acknowledged that he/she/they executed the same as his/her/their free act and deed.



Kyle C. Smith, Notary Public  
Macomb County, Michigan  
My Commission Expires: 10-12-2024  
Acting in: Wayne



**CITY of LIVONIA**  
**OFFICE OF THE CITY CLERK**

**33000 CIVIC CENTER DRIVE, LIVONIA, MICHIGAN 48154**  
**TELEPHONE (734) 466-2230**

Received From: Robert Day  
Address: 31519 Shandon  
City: Livonia Zip: 48150 Date: 03/28/23

**CERTIFICATES**

Dollar Amount

**BIRTHS**      ☐ LF# \_\_\_\_\_ CC \_\_\_\_\_ PARCHMENT \_\_\_\_\_

**DEATHS**      ☐ LF# \_\_\_\_\_ CC \_\_\_\_\_

**GENERAL**

- ☐ Maps, Books \_\_\_\_\_
- ☐ F.O.I.A. Copies \_\_\_\_\_
- ☐ Signs \_\_\_\_\_
- ☐ Grading Bond \_\_\_\_\_
- ☐ Petition, Waiver \_\_\_\_\_
- ☐ Election Fees \_\_\_\_\_
- ☒ Other 2BA Variance

for Variance re: Fence

**CASH** ☐ **CK#** 169741      **Total Amt. >**

\$450.00

BY. (Signature)

No. 82264



36519 GRANDON

PROPOSED FENCE  
STYLE. COLOR TO BE  
WHITE





# CITY OF LIVONIA

## INSPECTION DEPARTMENT

### REJECTION OF APPLICATION FOR PERMIT

33005 CMIC CENTER DRIVE  
LIVONIA, MICHIGAN 48154  
421-2000

### BASED ON NONCONFORMITY TO ORDINANCE LIVONIA VISION 21

Applicant SAME AS OWNER Address SAME AS OWNER  
Owner ROBERT DAY Address 36519 GRANDON, LIVONIA, MI 48150  
Lessee — Address —  
Location SOUTH Side of 36519 GRANDON Street  
Between WILSHIRE And LIONEL  
Lot No/Parcel No. 127-01-0036-000 Subdivision SCHULGREN  
Zoning District N1 Map No. SW32 Lot Size — Alley —  
Present Use RESIDENTIAL 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 N/A

Proposed SEEKING TO ERECT A SIX FOOT TALL PRIVACY FENCE UPON  
PROPERTY RESULTING IN NOT OBTAINING THE ADJACENT PROPERTY  
OWNERS APPROVAL. THE ADJOINING PROPERTY OWNER IS LOCATED  
AT 36440 DIVER. PRIVACY FENCES REQUIRE APPROVAL OF THE ADJACENT  
PROPERTY OWNERS.

Reason for Rejection FENCE ORDINANCE, SECTION 15.44.090B

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 \_\_\_\_\_

Use Prohibited NEIGHBORS APPROVAL Deficient Parking Spaces \_\_\_\_\_ Increasing Area and Bulk \_\_\_\_\_  
NOT OBTAINED

Remarks \_\_\_\_\_

Plans and Application examined by Ry Date MARCH 31, 2023

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

S.W. 1/4 Section 32

**City of Livonia**

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

Copyright 2001, City of Livonia



300 150 0 300 Feet

2023-03-05



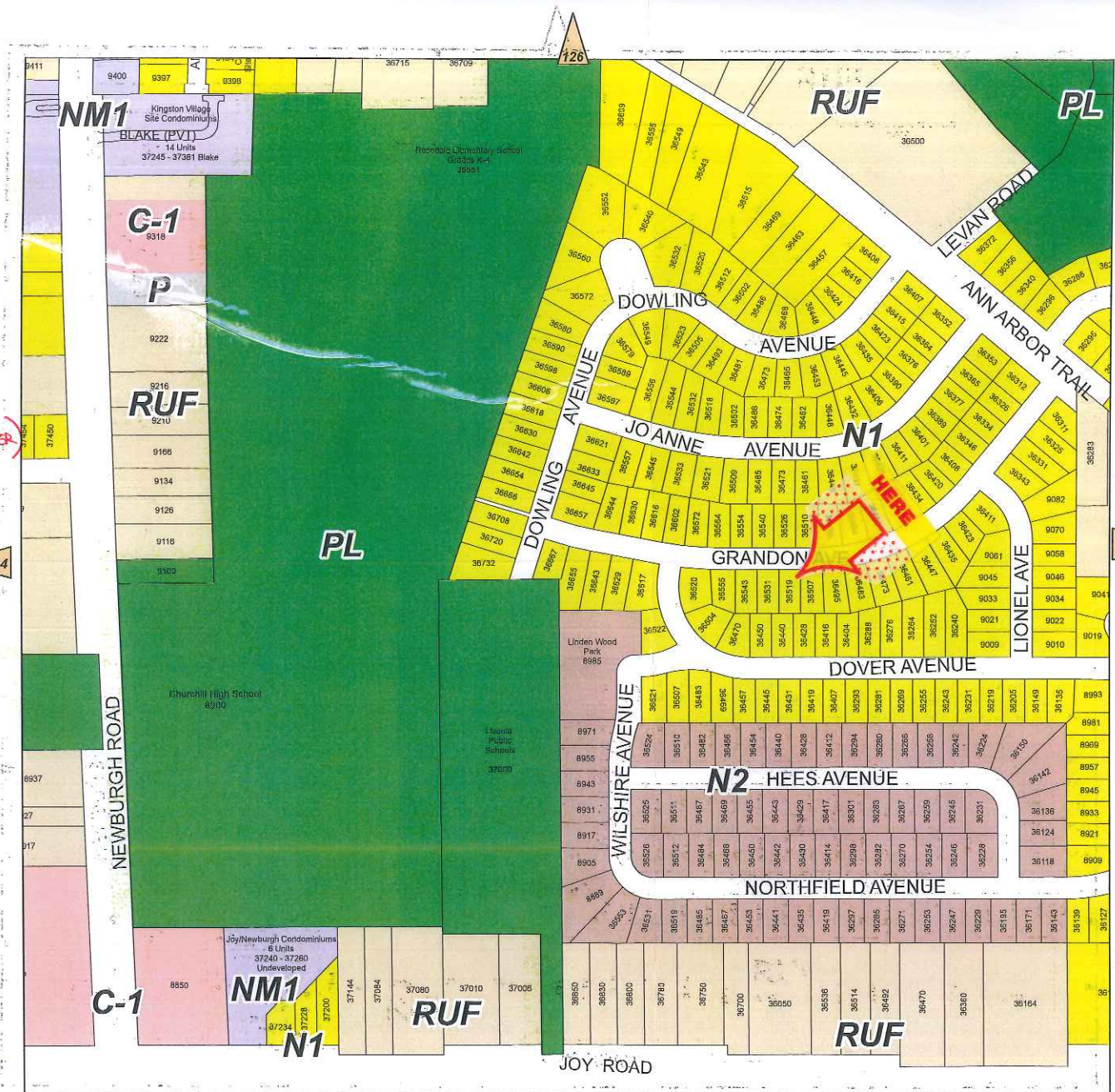
ZBA CASE

36519 GRANDON

REF: PRIVACY FENCE

W/OUT NEIGHBORS

APPROVAL (36440 DOWER)



124

128

## 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

**April 28, 2023**  
**PUBLIC NOTICE**

**APPEAL CASE NO. 2023-04-06, Mike Kinaia, 2500 Westmont Circle, Sterling Heights, MI 48310, on behalf of Lessee Starbucks, 12679 Middlebelt, Livonia, MI 48150:** seeking to erect four menu and pre-menu signs within a drive-thru resulting in an excess number of menu board signs and total combined sign area.

#### **Menu/Pre-menu signs:**

Allowed: 1  
Proposed: 4  
Excess: 3

#### **Menu sign area:**

Allowed: 30 sq ft  
Proposed: 47 sq ft  
Excess: 17 sq ft

#### **Directional sign size:**

Allowed: 2 sq ft  
Proposed: 2.6 sq ft  
Excess: .6 sq ft

The property is located on the west side of Middlebelt (12679), between Industrial and CSX Railroad, Lot. No. 101-99-0008-015, C-2 Zoning District, Commercial. Rejected by the Inspection Department under Livonia Vision 21 Zoning Ordinance, Section 11.06 (8), Exempt Signs, Directional Signs and 11.08 (3) Zoning District Regulations, Sign Regulations in C-2, C-3 and C-4 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, May 16, 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.

**Case No:** 2023-04-06  
**Meeting Date:** May 16, 2023

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

Signature: \_\_\_\_\_

Address:



## APPLICATION FOR VARIANCE

|                     |                      |                      |            |                |       |
|---------------------|----------------------|----------------------|------------|----------------|-------|
| Mike Kinaia         | 2500 Westmont Circle | Sterling Heights, MI | 48310-6986 | (586) 524-7040 |       |
| (Owner of Premises) | (Street Address)     | (City)               | (Zip Code) | (Telephone)    | (Fax) |

|          |                  |        |            |             |       |
|----------|------------------|--------|------------|-------------|-------|
| N/A      |                  |        |            |             |       |
| (Lessee) | (Street Address) | (City) | (Zip Code) | (Telephone) | (Fax) |

|              |                            |             |            |                |       |
|--------------|----------------------------|-------------|------------|----------------|-------|
| PowerHouse   | 812 S. Crowley Rd, Suite A | Crowley, TX | 76036      | (770) 769-6214 |       |
| (Contractor) | (Street Address)           | (City)      | (Zip Code) | (Telephone)    | (Fax) |

The property address is 12679 Middlebelt 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? The property has a previous appeal with the ZBA. The case number is

2015-03-08.

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

Personal Property

(Obtained via City of Livonia's Online Property Inquiry System)

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:

This Starbucks restaurant receives a lot of customers in the drive-thru every day. Currently, customers are waiting at the pickup window for their orders because the existing distance between the order point and the pick-up window does not allow enough time for employees to produce orders.

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

In the busiest of peak-hours, the drive-thru stack sometimes butts into the private access road just north of the site, which is a shared access amongst tenants to the north and west of Starbucks.

5. Explain why you think this variance would be fair to the neighbors and others who might be affected. \_\_\_\_\_

This menu board relocation would increase the space between the order point and pick-up window which can allow for a longer time to produce orders and allow for customers to exit the drive-thru lane more quickly. Ultimately, this can reduce the time that the queue is long.

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 property is zoned correctly. It is desired to relocate signage rather than rezone  
\_\_\_\_\_ 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     )  
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: \_\_\_\_\_

Please print name of property owner: Michael Kinaia

**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 12 day of April, 2023

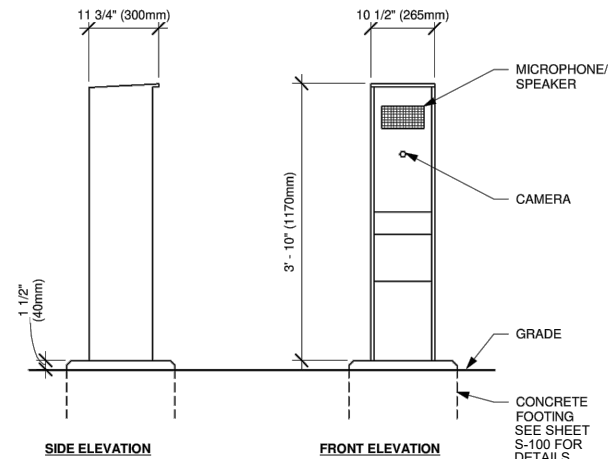
(Notary Public, Wayne County, Michigan) MACOMB  
My Commission expires 1/2/2024



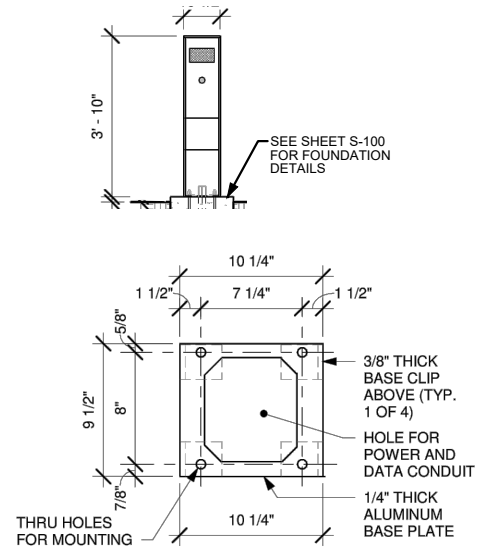
Any decision of the Board favorable to the applicant will remain valid only as long as the information or data relating thereto are found to be correct and the conditions upon which the resolution was based are maintained.

### NOT TO BE COMPLETED BY APPLICANT

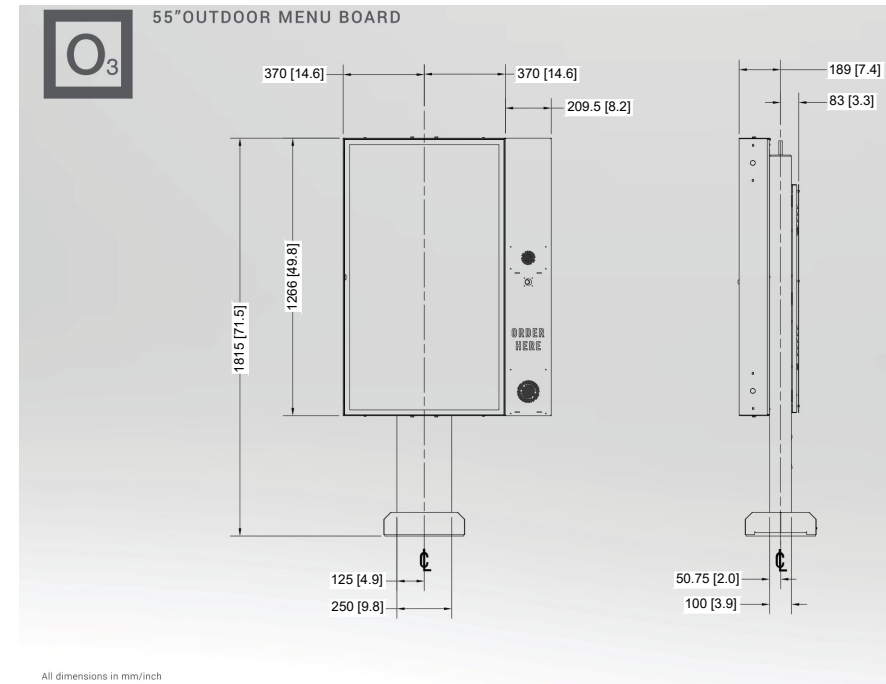
Petitioner makes application for a Hearing, seeking to (reverse, modify, or affirm) the (order, decision) of the Department of Inspection, dated \_\_\_\_\_, which reads as follows:



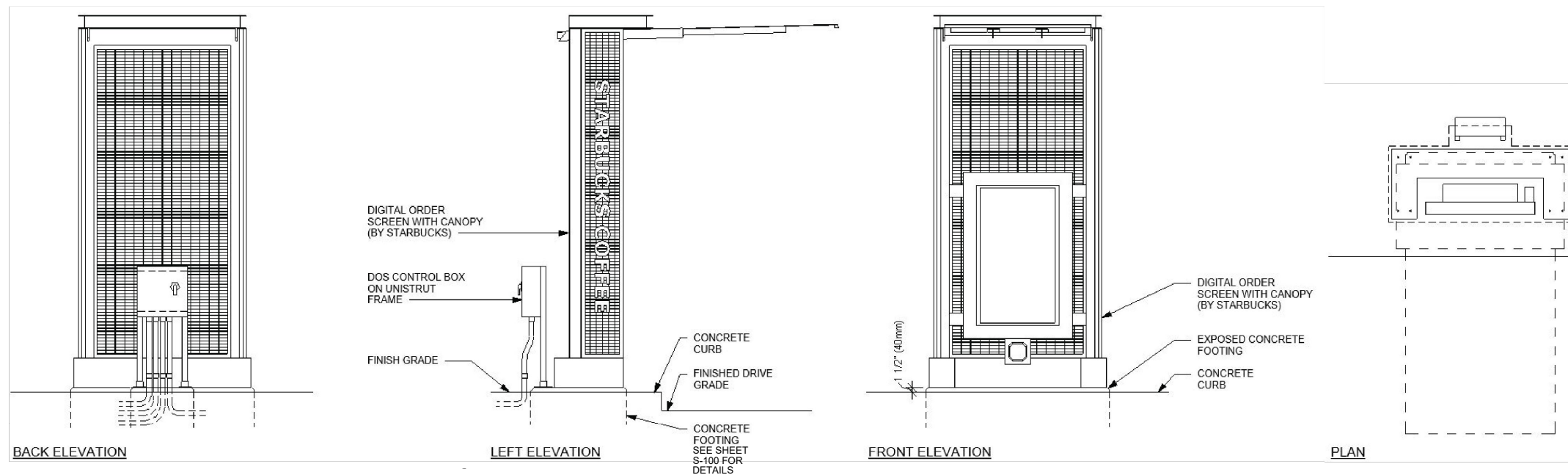
**1 DRIVE THRU SPEAKER POST**  
N.T.S.



**BASE PLATE**



**2.1 DRIVE THRU DIGITAL ORDER SCREEN**  
N.T.S.

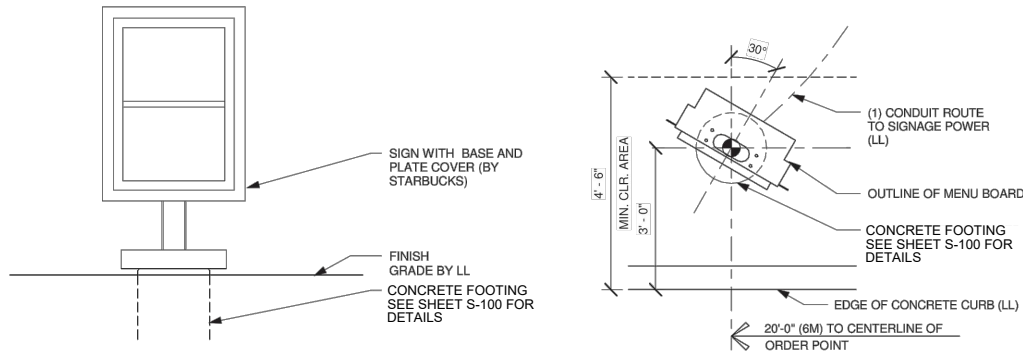


**2 DIGITAL ORDER SCREEN AND CONTROL BOX W/CANOPY**  
N.T.S.

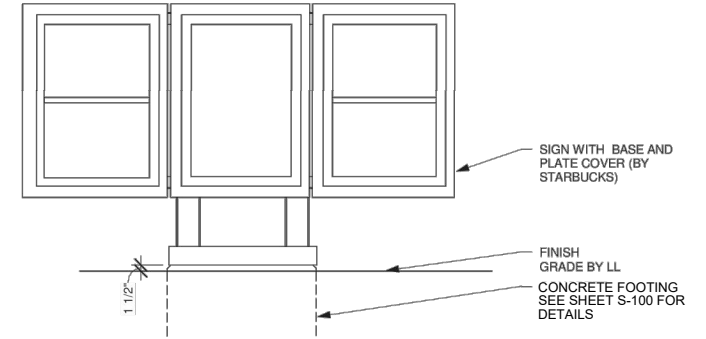
**\*CONTRACTOR TO FIELD MODIFY THIS DETAIL FOR DIGITAL ORDER SCREEN WITHOUT CANOPY**



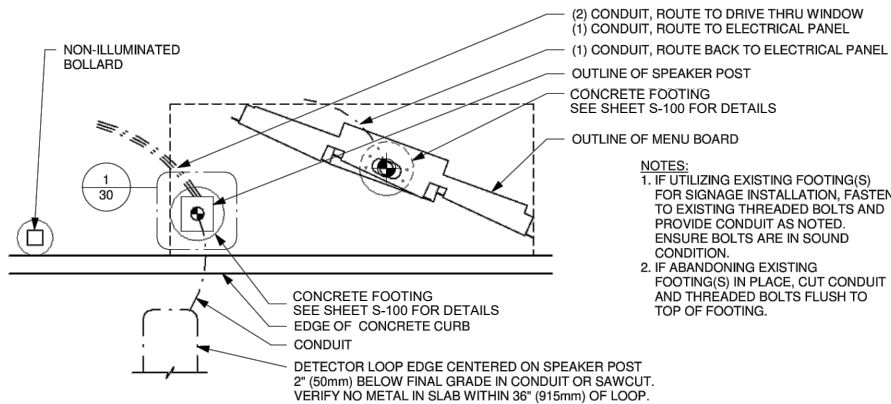




**3 DTE - PRE-MENU FREESTANDING**  
N.T.S.

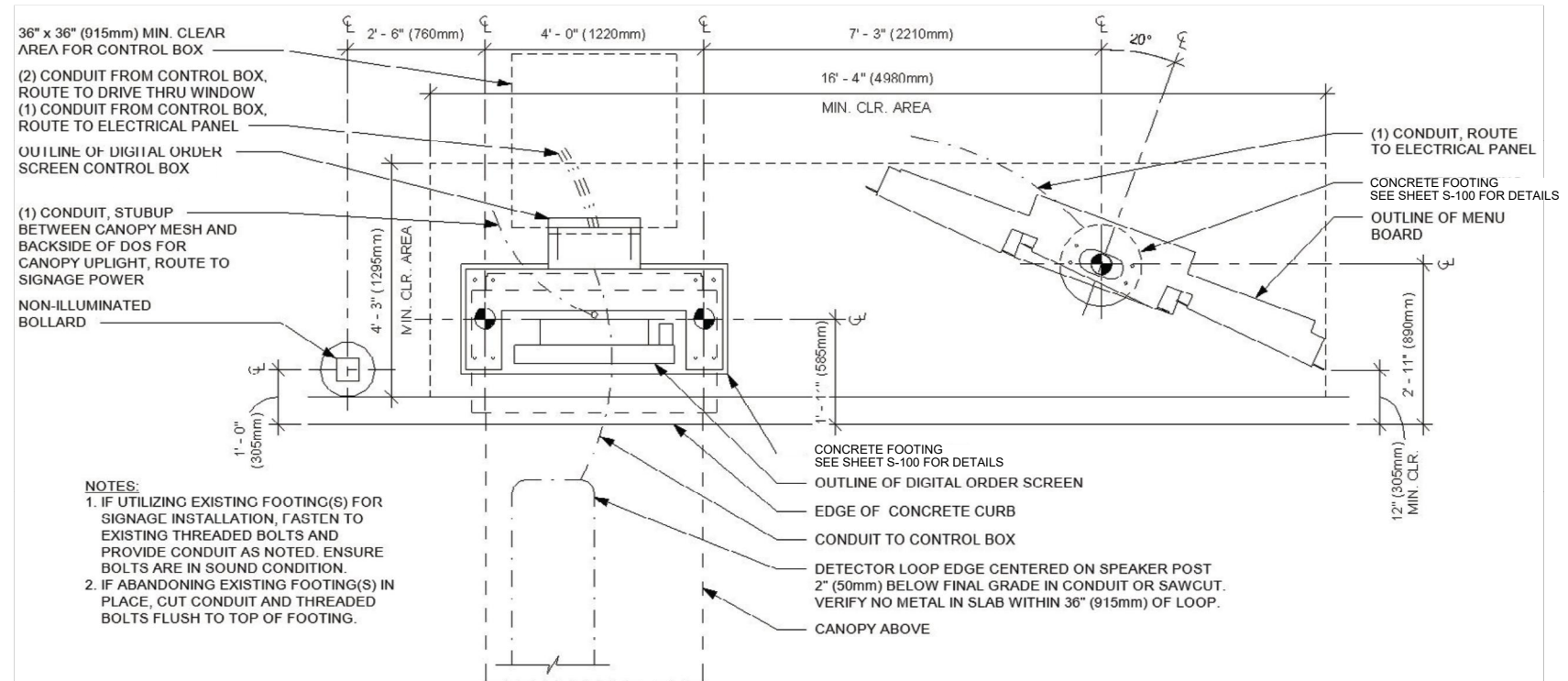


**4 DTE - MENU 5 PANEL FREESTANDING**  
N.T.S.



CONTRACTOR TO SEE DETAIL 6 FOR EQUIPMENT ORIENTATION

**5 5 PANEL 20 DEG DT MENU BOARD W/ SPEAKER POST**  
N.T.S.



**6 5-PANEL MENU BOARD & DOS W/CANOPY**  
N.T.S.

\*CONTRACTOR TO FIELD MODIFY THIS DETAIL FOR DIGITAL ORDER SCREEN WITHOUT CANOPY

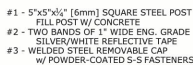




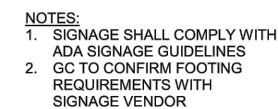
N.T.S.



N.T.S.



N.T.S.



N.T.



0.15 CUBIC YARDS - AUGERED FOUNDATION: 18" DIA. X 42" DEEP

NTS









K:\TWC\_LDEV\Starbucks\_L\_Drive Thru Extension Program\WW FY 22 Sites\23871 Livonia MI - 2679 Middlebelt Road\3 Design\23871 Livonia MI.dwg March 07, 2023 - 4:27pm  
this document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn of Michigan, Inc. shall be without liability to Kimley-Horn of Michigan, Inc.

LEGEND

- ===== EXISTING CURB TO REMAIN
- ===== EXISTING CONCRETE PAVEMENT TO REMAIN
- RED = EXISTING DRIVE-THRU EQUIPMENT
- BLACK = PROPOSED DRIVE-THRU EQUIPMENT

SCOPE OF WORK

- A REMOVE EXISTING 3 PANEL MENU BOARD & FOUNDATION
- B REMOVE, SALVAGE, AND REINSTALL EXISTING ORDER POINT CANOPY W/DIGITAL ORDER SCREEN & FOUNDATION
- C REMOVE EXISTING NON-ILLUMINATING BOLLARD & FOUNDATION
- D DISCONNECT AND ABANDON EXISTING DETECTOR LOOP IN PLACE
- E REMOVE EXISTING PRE-MENU BOARD & FOUNDATION
- F INSTALL NEW 3 PANEL MENU BOARD
- G REINSTALL SALVAGED ORDER POINT CANOPY W/DIGITAL ORDER SCREEN
- H INSTALL NEW NON-ILLUMINATING BOLLARD
- I INSTALL NEW DETECTOR LOOP
- J INSTALL NEW PRE-MENU BOARD
- K EXISTING CLEARANCE BAR, TO REMAIN
- L EXISTING "DRIVE THRU" SIGN, TO REMAIN

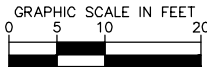
GENERAL NOTES

- EXISTING ORDER POINT TO BE REUSED, UNLESS NOTED OTHERWISE
- REFERENCE DRIVE-THRU STATIONING (OFFSET 6' FROM FACE OF CURB)
- REFERENCE DETAIL 28 FOR LOW VOLTAGE WIRING DIAGRAM. FOR PLACEMENT OF NEW ELECTRIC OR COMMUNICATION LINES, CONTRACTOR TO REPLACE EXISTING SURFACES OF DISTURBED AREAS IN KIND.
- FOUNDATIONS DESIGNED FOR MODERATE SOIL CONDITIONS, CONTRACTOR TO VERIFY FOUNDATIONS WITH A LICENSED STRUCTURAL ENGINEER.
- CONTRACTOR TO REPLACE ANY DISTURBED CURB, PAVING OR LANDSCAPE IN KIND.

PRIVATE UTILITY LOCATE NOT DEPLOYED FOR THIS SITE. CONTRACTOR TO FIELD LOCATE EXISTING UTILITIES AND POTENTIAL OBSTRUCTIONS



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|----------------------|--|-----------------------------------------------------------------|--|------------|--|-----------------------------------------------|--|----------------------------------------------------------------------------------------------------------------------------------------------|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-----|--|-----------|--|------|--|----|--|
| SHEET NUMBER<br>C100 |  | STORE 23871<br>12679 MIDDLEBELT RD<br>PREPARED FOR<br>STARBUCKS |  | LIVONIA MI |  | DRIVE-THROUGH<br>EQUIPMENT<br>RELOCATION PLAN |  | <div>KHA PROJECT<br/>160924031<br/>DATE<br/>03/07/2023</div> <div>SCALE AS SHOWN<br/>DESIGNED BY MS<br/>DRAWN BY MS<br/>CHECKED BY JAR</div> |  | <div>Kimley»Horn<br/>of Michigan, Inc.<br/>© 2022 KIMLEY-HORN OF MICHIGAN, INC.<br/>1000 TOWN CENTER, SUITE 1900, SOUTHFIELD, MI 48075<br/>PHONE: 651-446-4187<br/>WWW.KIMLEY-HORN.COM</div> |  | No. |  | REVISIONS |  | DATE |  | BY |  |
|----------------------|--|-----------------------------------------------------------------|--|------------|--|-----------------------------------------------|--|----------------------------------------------------------------------------------------------------------------------------------------------|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-----|--|-----------|--|------|--|----|--|



PROJECT GENERAL NARRATIVE AND REQUIREMENTS:

1. THESE CONSTRUCTION DOCUMENTS ARE SPECIFICALLY APPLICABLE TO FOUNDATIONS SUPPORTING THE COMPONENTS LISTED BELOW:

| COMPONENT NAME                      | COMPONENT DIMENSIONS<br>(WxHxD, FT) | COMPONENT WEIGHT<br>(LBS) |
|-------------------------------------|-------------------------------------|---------------------------|
| PRE-MENU BOARD                      | 2'-5 1/8" x 5'-13 1/8" x 8 3/4"     | 141.37                    |
| 3-PANEL MENU BOARD                  | 5'-2 3/4" x 5'-1 1/8" x 1'-6 7/8"   | 277.10                    |
| 5-PANEL MENU BOARD                  | 7'-10 1/2" x 5'-1 1/8" x 1'-6 7/8"  | 360                       |
| DIGITAL ORDER SCREEN                | 3'-1 1/8" x 4'-1 3/4" x 9 3/8"      | 391                       |
| DIRECTIONAL SIGN                    | 2'-7" x 3'-10" x 5 1/4"             | 65                        |
| SPEAKER POST                        | 10 3/8" x 3'-10" x 10 3/8"          | 32                        |
| CANOPY                              | 10'-3 7/8" x 4'-6" x 8'-7 1/8"      | 602                       |
| DIGITAL ORDER SCREEN<br>WITH CANOPY | 10'-3 7/8" x 4'-6" x 8'-7 1/8"      | 993                       |
| CLEARANCE BAR                       | 9'-0" X 10'-3" X 0'-4"              | 350                       |

2. FOUNDATION DESIGN IS BASED ON THE DESIGN CRITERIA.
3. IF GROUND SNOW LOAD IN PROJECT LOCATION EXCEEDS THAT LISTED IN THE DESIGN CRITERIA, THE ENGINEER OF RECORD SHOULD BE CONTACTED IMMEDIATELY. THE AUTHORITY HAVING JURISDICTION IS TO APPROVE THAT THE SNOW LOAD IS ACCEPTABLE WITH THEIR LOCALLY ADOPTED CODES AND STANDARDS.
4. IF THE PROJECT IS LOCATED IN AN AREA CLASSIFIED AS SITE CLASS E OR F, A SITE-SPECIFIC GEOTECHNICAL ANALYSIS IS REQUIRED AND THE ENGINEER OF RECORD SHOULD BE CONTACTED IMMEDIATELY.
5. THE CONTRACTOR'S SCOPE OF WORK FOR THIS PROJECT SHALL INCLUDE ALL COORDINATION, MATERIALS, LABOR, AND OVERHEAD NECESSARY FOR COMPLETION OF THE FOLLOWING:
- A. ALL STRUCTURES ARE DESIGNED TO ACT AS A STRUCTURAL UNIT UPON COMPLETION. CONTRACTOR SHALL DESIGN AND PROVIDE NECESSARY BRACING, TEMPORARY SUPPORTS, AND SHORING TO RESIST FORCES ON THE STRUCTURE DURING CONSTRUCTION.
- B. VERIFY ALL DIMENSIONS AND ELEVATIONS PRIOR TO STARTING WORK. NOTIFY THE ENGINEER OF ANY DISCREPANCIES.
- C. VERIFY LOCATIONS OF ALL EXISTING UTILITIES PRIOR TO STARTING WORK.
- D. CONTRACTOR MUST EXERCISE EXTREME CARE DURING THE EXCAVATION AND CONSTRUCTION FOR NEW STRUCTURE TO AVOID DAMAGE TO EXISTING STRUCTURES. CONTRACTOR IS RESPONSIBLE FOR PROVIDING ALL MEANS AND METHODS REQUIRED TO FACILITATE CONSTRUCTION OF THE WORK AND ENSURING THE SAFETY, STABILITY AND INTEGRITY OF ADJACENT STRUCTURES AND FACILITIES.
- E. CONTRACTOR MUST ENGAGE A GEOTECHNICAL ENGINEER TO FIELD VERIFY SOIL PARAMETERS NOTED IN THE FOUNDATION NOTES AND CONCRETE CLASS NOTED UNDER CONCRETE NOTES.

DESIGN CRITERIA:

1. DESIGN CRITERIA IS BASED ON THE CONTROLLING GEOGRAPHICAL LOADINGS CONSIDERING CLIENT-PROVIDED PROJECT LOCATIONS IN THE UNITED STATES.
2. THE DESIGN CRITERIA PERTAINING TO EACH SPECIFIC SITE WILL DIFFER FROM THE DESIGN CRITERIA LISTED BELOW. THE DESIGN CRITERIA LISTED BELOW IS CONSERVATIVE RELATIVE TO THE SITE SPECIFIC DESIGN WITH THE CONSIDERATION OF PROJECT GENERAL NARRATIVE AND REQUIREMENTS NOTE 4, ABOVE.
2. BUILDING CODE:  
DESIGNED IN ACCORDANCE WITH 2015, 2018 AND 2021 INTERNATIONAL BUILDING CODES.
3. DESIGN LOADS  
RISK CATEGORY = II  
DEAD LOAD:  
SELF WEIGHT OF MATERIAL  
WIND:  
DESIGN WIND SPEED (3 SEC. GUST) = 169 MPH (ULTIMATE)  
WIND EXPOSURE = D  
SNOW:  
GROUND SNOW LOAD, PG = 100 PSF  
SEISMIC:  
SEISMIC IMPORTANCE FACTOR, IE = 1.0  
MAPPED SPECTRAL RESPONSE ACCELERATION PARAMETERS:  
S<sub>s</sub> = 2.432g  
S<sub>i</sub> = 0.853g  
SITE CLASS = D  
DESIGN SPECTRAL RESPONSE ACCELERATION PARAMETERS:  
S<sub>DS</sub> = 1.622g  
S<sub>01</sub> = 0.853g  
SEISMIC DESIGN CATEGORY = E  
RESPONSE MODIFICATION COEFFICIENT (R<sub>a</sub>) = 3.0

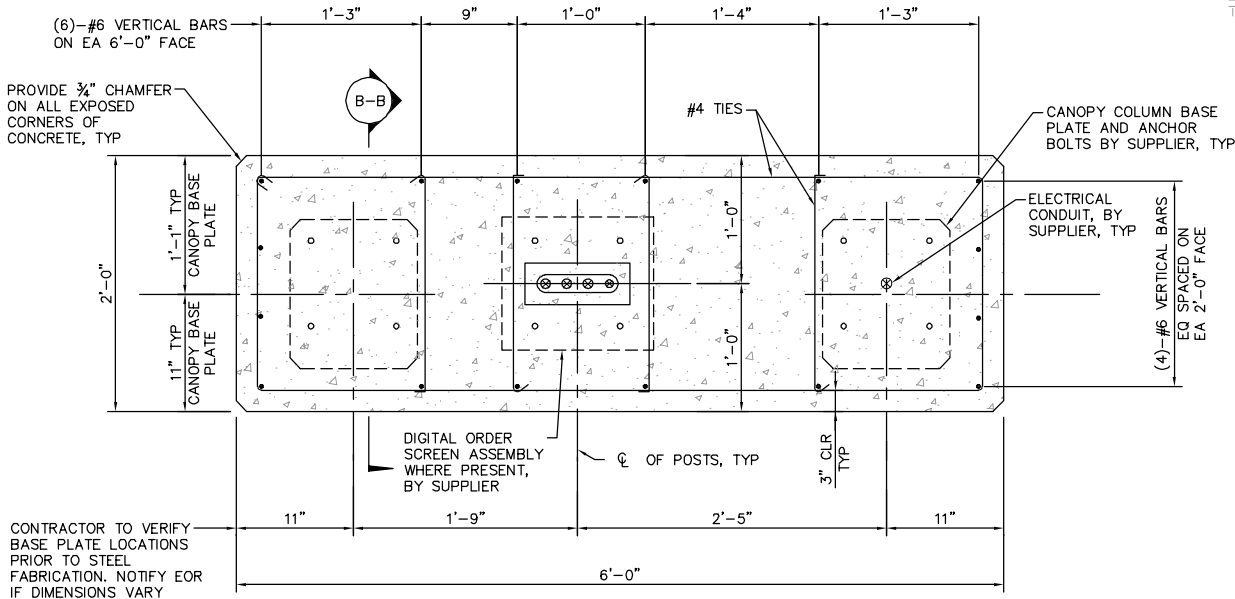
\*\*NOTE: PRIOR TO CONSTRUCTION, SITE-SPECIFIC VALUES SHOULD BE DETERMINED FOR EACH PROPOSED PROJECT LOCATION. SHOULD SITE-SPECIFIC VALUES EXCEED THOSE NOTED ABOVE, THE ENGINEER OF RECORD SHALL BE CONTRACTED IMMEDIATELY.

FOUNDATIONS:

1. FOUNDATIONS ARE DESIGNED USING PRESUMPTIVE SOIL VALUES IN ACCORDANCE WITH THE BUILDING CODE.
2. ALL FOOTING EXCAVATIONS SHALL BE INSPECTED BY THE GEOTECHNICAL ENGINEER PRIOR TO PLACING CONCRETE.
3. IBC PRESUMPTIVE VERTICAL BEARING CAPACITY: 1,500 PCF
4. IBC PRESUMPTIVE LATERAL BEARING CAPACITY: 100 PCF
5. MINIMUM DEPTH OF ALL FOUNDATIONS SHALL BE 6 INCHES BELOW THE FROST DEPTH OR THE EMBEDMENT NOTED IN THE DRILLED SHAFT FOUNDATION PROPERTY TABLE, WHICHEVER IS GREATER.
6. ASCE PRESUMPTIVE WATER SUBMERGED SOIL WEIGHT = 48 PCF.

CONCRETE:

1. READY-MIX CONCRETE WORK SHALL CONFORM TO ASTM C94.
2. STRUCTURAL CONCRETE MATERIALS SHALL CONFORM TO THE FOLLOWING:
- A. TYPE V PORTLAND CEMENT – ASTM C150  
B. AGGREGATES (3/4" MAX.) – ASTM C33  
C. AIR ENTRAINING (6% ± 1.5%)  
D. WATER REDUCING – ASTM C494  
E. FLY ASH (MAX 25% BY WEIGHT), TYPE F – ASTM C618  
F. WATER – CLEAN AND POTABLE  
G. REINFORCING STEEL: ASTM A615 GRADE 60  
H. GROUT SHALL BE NON-SHRINK, NON-METALLIC  
I. USE OF CALCIUM CHLORIDE IS NOT PERMITTED
3. STRUCTURAL CONCRETE MIX SHALL CONFORM TO THE FOLLOWING:
- A. CONCRETE MIXES AND EXPOSURE CLASS ACCORDING TO ACI 318-14 AND ACI 318-19
- |             |         |       |                           |
|-------------|---------|-------|---------------------------|
|             | F'C PSI | CLASS | MAX WATER-TO-CEMENT RATIO |
| FOUNDATIONS | 4,500   | S1/F2 | 0.45                      |
- CONCRETE EXPOSURE CLASS S1 IS ADEQUATE FOR SOILS WITH A C<sub>3</sub>A CONTENT UP TO 8.0%.
4. REQUIRED SLUMP: 2" TO 4" (BEFORE ADDITION OF SUPERPLASTICIZER)
5. ALL CONCRETE MATERIALS, PLACING, AND HANDLING SHALL BE IN ACCORDANCE WITH THE LATEST CODE –ADOPTED EDITION OF ACI 318 AND ACI 301 IN EACH PROJECT LOCATION. CONCRETE WORK SHALL CONFORM TO THE LATEST CODE-ADOPTED VERSION OF ACI 318 IN EACH PROJECT LOCATION.
6. CONCRETE COVER FOR REINFORCEMENT BARS SHALL CONFORM TO THE FOLLOWING, UNLESS INDICATED OTHERWISE ON THE DRAWINGS.
- A. CONCRETE CAST AGAINST AND PERMANENTLY EXPOSED TO EARTH: 3 INCHES  
B. CONCRETE EXPOSED TO EARTH/WEATHER (NO. 6 – NO. 18 BARS): 2 INCHES  
C. CONCRETE EXPOSED TO EARTH/WEATHER (NO. 5 AND SMALLER): 1 1/2 INCHES
7. DETAILING OF REBAR SHALL BE IN ACCORDANCE WITH THE LATEST REVISION OF THE ACI DETAILING MANUAL AND CONCRETE REINFORCING INSTITUTE'S LATEST EDITION OF "MANUAL OF STANDARD PRACTICE".
8. ALL DIMENSIONS PERTAINING TO LOCATION OF REINFORCING BARS ARE TO CENTERLINE OF BARS EXCEPT WHERE THE CLEAR DIMENSION IS SHOWN TO FACE OF REINFORCING BAR.
9. REINFORCEMENT DETAIL DIMENSIONS SHALL BE OUT-TO-OUT OF BARS.
10. ACI STANDARD HOOKS SHALL BE USED UNLESS OTHERWISE NOTED.
11. ALL CONTINUOUS BARS SHALL HAVE CLASS "B" TENSION LAP SPLICES.
12. BARS SHALL BE FIELD TIED. WELDING IS NOT PERMITTED. FIELD HEATING TO BEND IS NOT PERMITTED.
13. SUPPORT REINFORCEMENT IN ITS PROPER LOCATION FROM THE FORMWORK DURING CONCRETE OPERATION.
14. FORM TIES AND REINFORCING BAR SUPPORTS SHALL BE OF NON-CORROSIVE MATERIAL INCLUDING, BUT NOT LIMITED TO, FIBERGLASS, PLASTIC, AND/OR CONCRETE BLOCK.

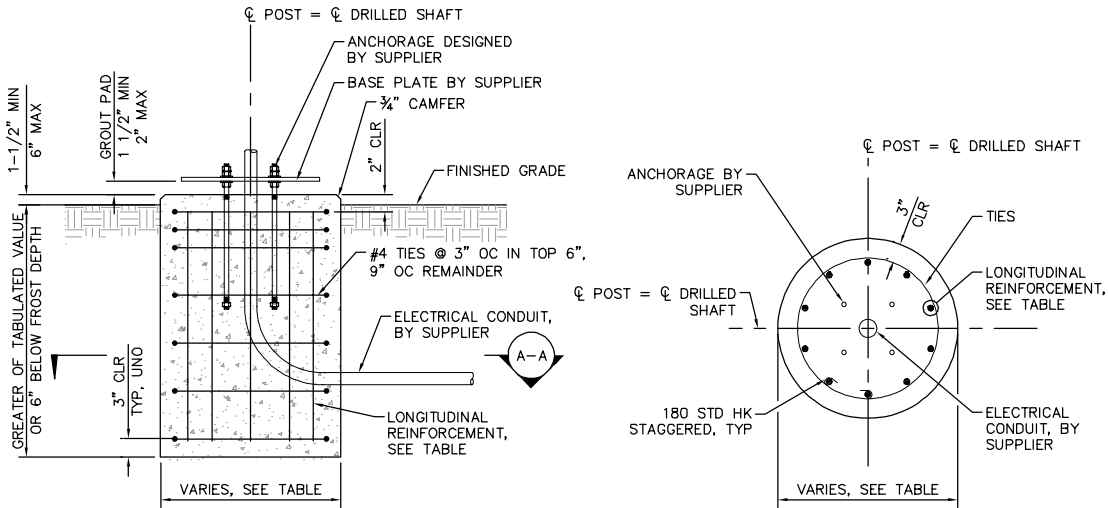


CANOPY FOUNDATION PLAN VIEW

SCALE: 1" = 1'-6"

| DRILLED SHAFT FOUNDATION PROPERTIES |                         |                 |                            |
|-------------------------------------|-------------------------|-----------------|----------------------------|
| COMPONENT NAME                      | DRILLED SHAFT DIAMETER* | EMBEDMENT DEPTH | LONGITUDINAL REINFORCEMENT |
| PRE-MENU BOARD                      | 2'-6"                   | 5'-0"           | (9)-#6                     |
| 3-PANEL MENU BOARD                  | 2'-6"                   | 6'-6"           | (9)-#6                     |
| 5-PANEL MENU BOARD                  | 2'-6"                   | 7'-0"           | (9)-#6                     |
| DIGITAL ORDER SCREEN                | 2'-6"                   | 5'-6"           | (9)-#6                     |
| DIRECTIONAL SIGN                    | 2'-0"                   | 5'-0"           | (6)-#6                     |
| SPEAKER POST                        | 2'-0"                   | 5'-0"           | (6)-#6                     |
| CLEARANCE BAR                       | 2'-0"                   | 6'-6"           | (6)-#6                     |

\*CONTRACTOR TO COORDINATE BASE PLATE AND ANCHOR CONFIGURATION W/ SHAFT GEOMETRY PRIOR TO STEEL FABRICATION.

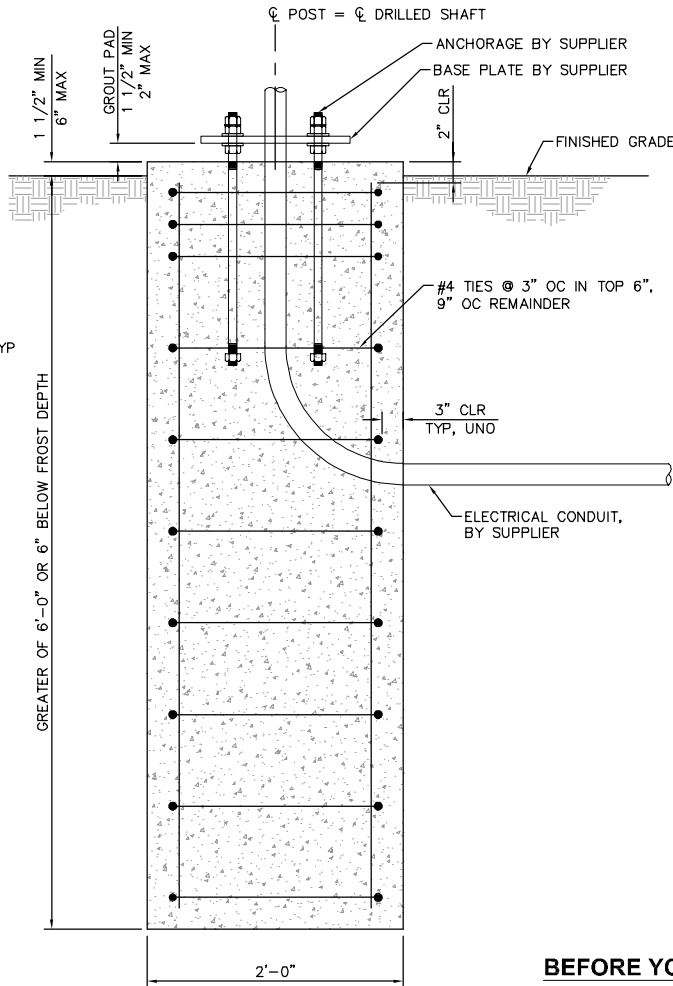


DRILLED SHAFT FOUNDATION ELEVATION

SCALE: NOT TO SCALE

DRILLED SHAFT FOUNDATION SECTION A-A

SCALE: NOT TO SCALE



CANOPY FOUNDATION SECTION B-B

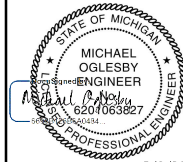
SCALE: 1" = 1'-6"

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8/9/2022

|             |           |
|-------------|-----------|
| KHA PROJECT | 093868001 |
| DATE        | 7/28/2022 |
| SCALE       | AS SHOWN  |
| DESIGNED BY | JML       |
| DRAWN BY    | CAR       |
| CHECKED BY  | CNH       |

STRUCTURAL  
NOTES AND  
DRIVE THRU  
FOUNDATION  
DETAILS

PREPARED FOR  
**STARBUCKS  
CORPORATION**  
VARIES, MULTIPLE SITES



SHEET NUMBER  
**S-100**



ZONING BOARD OF APPEALS

CITY OF LIVONIA

MINUTES OF REGULAR MEETING HELD APRIL 14, 2015

A Regular Meeting of the Zoning Board of Appeals of the City of Livonia was held in the Auditorium of the Livonia City Hall on Tuesday, April 14, 2015.

**MEMBERS PRESENT:** Matt Henzi, Chairman  
Sam Caramagno, Secretary  
Craig Pastor  
Robert Bowling  
Robert Sills  
Gregory Coppola  
Ben Schepis

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Mike Fisher, City Attorney  
Dennis DeMeyer, City Inspector  
Patricia C. Burklow, CER-8225

The meeting was called to order at 7:00 p.m. Chairman Henzi then 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. Seven (7) members were present this evening. 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 13 people present in the audience.

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(7:05)

**APPEAL CASE NO. 2015-03-08 (Rescheduled from March 10, 2015):** An appeal has been made to the Zoning Board of Appeals by Indy-C-Kal, Inc., 2500 Westmont Circle, Sterling Heights, MI 48310, on behalf of Lessee Starbucks, 12679 Middlebelt, Livonia, MI 48150, seeking to erect an additional wall sign on the south elevation, resulting in excess number of wall signs and wall sign area.

**Number of Wall Signs:**

Allowed: One

Proposed: Three

(two on south elev., one on east elev.)

Excess: Two

**Wall Sign Area:**

Allowed: 28 sq. ft.

Proposed: 55 sq. ft.

(28 sq. ft. east elev., 27 sq. ft. combined south

Excess: 27 sq. ft.

The property is located on the west side of Middlebelt (12679), between Industrial and CSX Railroad, Lot. No. 101-99-0008-015, C-2 Zoning District. Rejected by the Inspection Department under Zoning Ordinance 543, Section 18.50H,(b),2, "Sign Regulations in C-1, C-2, C-3 and C-4 Districts."

Henzi: Mr. DeMeyer, anything to add to that case?

DeMeyer: Not at this time, Mr. Chair.

Caramagno: Mr. Chair.

Henzi: Mr. Caramagno.

Caramagno: Do we have to remove it from the table?

Henzi: It was just rescheduled.

Caramagno: I'm sorry--I'm sorry.

Henzi: Any questions for Dennis? Hearing none, will the petitioner please come forward? Good evening.

Gesel: Hi, my name is Tracie Gesel. I am with Hilton Displays. We are the Starbuck's sign manufacturer.

Henzi: Go ahead and tell us about the request for the extra sign.

Gesel: Okay.

Henzi: After you state your address for the record if you wouldn't mind.

Gesel: It's going to be 125 Hillside Drive, its Greenville, South Carolina, 29607. And can I pass out some papers? Is that fine?

Henzi: Sure. Okay, go ahead.

Gesel: Okay. The document that has the Starbuck's logo on it, that is the proposed signage. And it also shows what is currently on the wall. They are proposing two additional signs. One is a sixty inch diameter circle with their logo. And then the other is

a drive thru wall cabinet which points traffic to the correct direction to get through the drive-thru. They currently have a set of channel letters on the front elevation which is the east elevation. Our main concern is that traffic that is going northbound is not going to be able to see the Starbucks. And what is going to happen is they are going to end up going up and having to make a U-turn at a very busy intersection or turn into one of the other businesses which also have very busy parking lots. The signage that they are proposing it's about 27 square feet and the elevation it is going on is 1680 feet. So they are proposing only two percent of that elevation to be covered in signage. The document that has the pictures, it just shows some other businesses that are within walking distance of this Starbucks that have been granted additional signage. The Applebee's for example has four signs on two elevations. Jimmy Johns, three signs on two elevations. The last document--the last photo it shows the perspective that cars see as they are driving northbound. So you can that you really--there is no way of knowing that that is a Starbucks. And that is their multi-tenant monument also in the picture and it is also very hard to see because of the size. So our main concern is that it is going to cause a little bit of disruption to traffic if cars are trying to turn around or they spot it at the last minute and then try to figure out how to make a U-turn. I believe that was everything.

Henzi: Okay. Is Starbucks going to have a presence on the monument sign?

Gesel: They currently do, it's one of those little panels under Menards.

Henzi: Okay. And then just so I am sure about the signs. There's the large circle in green, the logo?

Gesel: Yes.

Henzi: And then the smaller circle is that the identical logo but just smaller and--

Gesel: Which smaller circle?

Henzi: Toward the bottom.

Gesel: The one in the window?

Henzi: Below the drive-thru.

Gesel: That's a window sign.

Henzi: But is it the same logo?

Gesel: Yes.

Henzi: In what--in green or--

Gesel: Yes, it's the same color as the green and white.

Henzi: Okay. Then can you explain to the Board how the size for the large green logo was calculated?

Gesel: We did the area of the circle so  $\pi r^2$ .

Henzi: No, I mean is it just--

Gesel: Oh.



Henzi: That I understand.

Gesel: Okay.

Henzi: Why that particular size? Why not smaller, why not bigger?

Gesel: I believe they chose that one because it's only going to calculate to two percent of that wall surface. They could go smaller there is a 48 inch option that we do make for Starbucks if you think that is more appropriate. I think they really just wanted this as a starting point and taking into consideration that it is a very small percentage of that façade.

Henzi: Thank you. Any questions for the petitioner's representative?

Pastor: Mr. Chair.

Henzi: Mr. Pastor.

Pastor: What benefit is the drive-thru sign up on the building going to do? Because it is doesn't do you any good on the ground as I am driving through?

Gesel: I'm sorry, you're talking about the drive-thru wall sign?

Pastor: Mm-hmm.

Gesel: Well it has the chevron arrows. So it instructs traffic that they need to go around the building to get into the drive-thru. They can't access it if they are coming straight in from that side street into the parking lot. Otherwise if they make an--if they make a left then they are going to end up having to U-turn somewhere to get into the drive-thru lane. If they go to the right as the arrow indicates, then they go the correct way around the building to the order screens.

Pastor: Yeah, but you have grounds signs to do that?

Gesel: We do have some, yes.

Pastor: So, once again, what good is this then?

Gesel: I think it's just for--

Pastor: If you have ground signs--

Gesel: Right.

Pastor: --that should be directing the traffic.

Gesel: Right, for the traffic that's coming northbound that can't see the ground signs it's really for their benefit.

Pastor: Thank you.

Henzi: Any other questions?

Pastor: Mr. Chair.

Henzi: Mr. Pastor.

Pastor: You are almost asking for a hundred percent signs than our ordinance allows. Can you give me good reasoning behind that?

Gesel: The main reason was visibility on that south elevation just making sure that cars coming that way can see it. And then after taking a look at some of the other businesses seeing that they have been granted signage on two or more elevations that's what really prompted Starbucks to want to attempt to get some more.

Pastor: I will say some of those other elevations were only granted that because they either have larger footprints so they are allowed more signage.

Gesel: Okay.

Pastor: I'm sure some of it was granted to them but I don't believe they were granted almost a hundred percent more signage. I could be mistaken.

Gesel: Now if you look at the Applebee's, that has--that has more than double on the side elevation. The front has the Applebee's word mark and the sign elevation has the neighborhood bar and grill tags as well.

Pastor: That's it for me.

Henzi: Any other questions?

Coppola: Mr. Chair.

Henzi: Mr. Coppola.

Coppola: May I ask Mr. DeMeyer a question please? Is that possible?

Henzi: Mm-hmm.

Coppola: I'm just trying to understand. There's another applicant here in front of us--appeal case in front of us in that same strip mall. They appear to be the same size. Are they different sized units?

DeMeyer: I believe they are different sized units.

Coppola: Okay. I was trying to understand why the signage allowed was different.

DeMeyer: Right.

Coppola: Okay.

Fisher: Well just--if I could follow up on that. The way we calculate signage is by a front foot. So if you have a long--longer street frontage as for example this Applebee's does, you have--you're entitled to more signage.

Gesel: If I may respond to that. The Jimmy Johns has roughly the same amount as Starbucks does because it is also a corner on a strip. And they have the two circular logos and their word mark.

Pastor: Mr. Chair.

Henzi: Mr. Pastor.

Pastor: Mr. DeMeyer, do you remember if we granted any more signs--any more square footage signs or and how much we did on the Jimmy Johns?

DeMeyer: I don't have that information, Craig.

Pastor: Okay, thank you.

Henzi: Any other questions?

Bowling: Mr. Chair.

Henzi: Mr. Bowling.

Bowling: Just a question regarding the proposed signage. The sign that is in the window underneath where your proposed new sign would go is that planned to stay if this new sign is granted? Are you going to have both the logo in the window and on the wall as well?

Gesel: I believe they will remove that if that's what you guys would prefer. For right now they wanted to get that in there so somebody would know on that side of the building that that was a Starbucks. If I remember correctly that is not an illuminated sign--no it's not illuminated. We have the store manager here as well and he confirmed that it's not.

Henzi: Anything else?

Caramagno: Mr. Chair.

Henzi: Mr. Caramagno.

Caramagno: Is--does anybody recall doesn't Jimmy Johns have representation on the monument sign as well? I don't remember seeing it. Do you recall it? I don't recall if they had a monument sign language as well. I just don't--I don't remember that. I don't think they do.

Henzi: Anything else. Hearing no other questions, is there anyone in the audience that wants to speak for or against the project? If so, come on up.

Baran: Hi.

Henzi: Good evening.

Baran: My name is Dan Baran. I'm at 12679 Middlebelt Road, Livonia. I'm the store manager of the Starbucks. I just wanted to say just from a store manager's perspective. We do have a significant problem with northbound traffic not seeing us. We do have a lot of phone calls from people who are passing the store on Middlebelt and then attempting to turn around either in the inlet to the Meijer and those strip malls on the east side of the road. Or turning around at the Applebee's there. Or people that are passing it entirely and then heading up north of 96. So we do get that feedback a lot. So I wanted to share that. I also wanted to address really quickly what you said earlier about just making more money. The store has since it opened in January 16<sup>th</sup>, donated over a thousand dollars' worth of product to Franklin High School. We also recently announced that we are paying for four years of college for our employees when they average 20 hours a week or more. When we staff the store we specifically set out to hire Livonia graduates. And we did hire from Franklin High School and from Stevenson. And so there are graduates from the Livonia schools who now have the opportunity to go to college for free. Should we maintain the sales trajectory that was projected by Starbucks we would be hiring twelve more people in the next year. And those twelve people we would--I



would attempt to source from Livonia and those people would have the opportunity to go to college for free. So yes, we are a for profit business but we do have a goal of furthering the community and making an impact.

Henzi: Thank you, Mr. Baran. Anybody else want to speak for or against the project come on up to the podium.

Martin: Thank you. Christopher Martin, 11037 Hubbard, Livonia, 48150. I'll speak in favor of this. One of the reasons I'm running for City Council is I want to change the sign ordinance because I feel it is old and outdated. And you can see that when you drive along Plymouth Road. All the vacant signs that are there and for sale and lease and available. That's my favorite, available. But they built a nice place over there, things are looking nice over on that Middlebelt area there, and why wouldn't you want them to be able to let customers let them know that they are there and which direction the car should be traveling. So I know that one of you in particular is against the sign ordinance and--but to force some of the people to come here and go through this--okay--I don't feel that is really business friendly. So this is an old outdated law. It's been on the books for years. Many of you know that businesses have to come in here to get a little bit more signage. To me it is a bunch of rigmarole. So I'm in favor of the sign there. I'll be speaking on behalf of the second item on the agenda for the same reason.

Henzi: Thank you. Anybody else? Mr. Baran, could you come back up? I have a couple of questions for you about the drive-thru sign.

Baran: Sure.

Henzi: So I understand from Miss Gesel the request. You want to make sure the folks know that they've got to drive along the front of the plaza and you've got to loop around right?

Baran: Correct.

Henzi: In your experience have you had problems with folks that think they can make a left? Because here is the heartburn that I have over it. I can't imagine that you've got that much of a problem with folks thinking they are going to get the driver's side door next to the drive-thru. It just seems impossible to me.

Baran: I--

Henzi: But if you tell me--if you convince me otherwise then I won't have such heartburn over it.

Baran: I don't know that that is a huge problem. And I'm not a spokesperson for Starbucks. I'm here on my own accord. But I think for the residents of Livonia and for people who work in the area or are driving through the City having drive-thru on our building significantly impacts their desire to stop and to come into the business. So from my perspective in growing the business that definitely makes an impact on whether cars are going to come in and spend more time in that part of Livonia.

Henzi: So you think it's as valuable to let folks know this is a Starbuck's drive-thru as it is to direct them where to go?

Baran: I believe that's the case.

Henzi: Okay.

Baran: In some of the social media that the store is doing on its own. Instagram for example, we specifically say Livonia's first drive-thru Starbucks because it has such an impact on people. I spent fourteen years at the Farmington Starbucks and I know that we consistently pulled in residents of Livonia so I think anything we do to keep people in that area is going to have a significant impact on that. And the drive-thru sign is what in customer's minds that's what they want. That's why we open drive-thrus.

Henzi: Thank you. Okay.

Schepis: Mr. Chairman.

Henzi: Mr. Schepis.

Schepis: I've got one question and I am sorry if you've answered it already. As far as the drive-thru sign or I guess the drive-thru itself, how much of a problem is--you know--people missing the turn for it. I know the Chairman asked a similar question but are there a lot of people turning around--

Baran: And circling back? Yes. And I don't have pictures. If you are driving north on Middlebelt it--when you get to where the Office Depot is, just south of the McDonald's on the east side of Middlebelt, you can see the Del Taco sign that is facing southbound. If you--you can see it over the train tracks that are elevated over Middlebelt. But our building is set back from Middlebelt so you can't see it at that point. And then Middlebelt goes down to pass under the train tracks. You can't see it there. And then when you get past the train tracks you have the huge--the landscaping hill there on the west side of Middlebelt so you can't see us there either. It's not until you are maybe fifty feet out from where you actually need to turn left into--to turn into our strip mall that you can actually see the sign. And it's only if you're turning your head ninety degrees to see our name facing--facing the building or if you look ahead to the Menard's monument sign. But if you're in--traveling in the right hand of Middlebelt you do need to suddenly get over into not only the left lane of Middlebelt but also into the left turn lane. And so cars that don't catch it soon enough go down and are turning around somewhere or calling us from a neighborhood north of I-96 and are trying to figure out where we are.

Schepis: Thank you.

Baran: We do hear from quite a few customers. I took three phone calls this morning alone from customers who were in the area and could not find us. So it is a legitimate concern of mine.

Henzi: Thank you.

Caramagno: Mr. Chair.

Henzi: Mr. Caramagno.

Caramagno: I have a question. What is it they see? Do they see your Starbuck's sign on the east elevation or do they see the monument sign? What is it they are seeing first?

Baran: Travelling--

Caramagno: As they are driving by. Are they seeing--

Baran: --northbound or southbound or just in general?

Caramagno: Traveling northbound.

Baran: I'm sorry.

Caramagno: Traveling northbound. When they come under the viaduct what are they seeing first? When you are saying they've got to drive by you, what are they seeing first? The sign on the--the Starbuck's sign--

Baran: They would--they would see the monument sign first because the sign--I don't know the technical name--the sign that is in the front of our building is parallel to Middlebelt.

Caramagno: Sure.

Baran: So you can't see that sign at all unless you are right in front of the store and you're doing this which is not--

Caramagno: You've already seen the store and you're looking at it now?

Baran: Right, so they would see the monument sign. And I do--there is a picture and I believe you have it.

Caramagno: Yes.

Baran: But again, it is hard to see that monument sign with the hill being the way it is and by the fact our name is much smaller than Menards. So--

Caramagno: I heard mentioned earlier there is a smaller Starbuck sign available--smaller round available for that south side of the building. And it sounds like that is something that may be available. And to me it caught my ear because you have a monument sign, and you've got another sign facing the same direction that is round and up on your building. So you have two signs grabbing traffic that is northbound. Is that smaller sign an option for you?

Baran: I believe anything that would help to gather people's attention further down on Middlebelt would be advantageous to the business and to the traffic conditions on Middlebelt Road, yes.

Caramagno: Thank you.

Henzi: Is there anybody else that wants to speak for or against the project? I see no one else coming forward. Are there letters?

Caramagno: No letters.

Henzi: Mr. Baran or Miss Gesel, you have the opportunity to make a closing statement. Is there anything you would like to say?

Gesel: Just that the 48 inch diameter is the next size down as far as the logos go. So that is something we do manufacture for Starbucks and have put up at other stores.



Henzi: Thank you very much.

Gesel: Mm-hmm.

Henzi: I'll close the public portion of the case and begin the Board's comments with Mr. Bowling.

Bowling: I think the--I think it is a good sign package. I think the only heartburn I have--in fact the rest of the Board members is it is kind of doubling what they are allowed. I would probably be in favor of something that is a little smaller on the northern elevation. But I kind of agree that it makes sense to have that as an additional way for traffic to catch the building coming north.

Henzi: Mr. Schepis.

Schepis: I would echo that. I think I would agree you need to have some signage on that side. I would agree with a smaller sign if that was the consensus of the Board. But I do agree that there could be something there.

Henzi: Mr. Pastor.

Pastor: Yes, I can agree that a smaller--the smaller logo sign would be advantageous to them. But some of these pictures I find to be a little disingenuous only because they took them from the parking lots and not the streets showing if you are coming off the street you have a different angle and you can see the front sign. But I can approve the smaller logo. I do not want to see the drive-thru it does nothing for them. They have directional signs in their parking lot directing traffic toward the drive-thru so I don't see the benefit in that.

Henzi: Mr. Caramagno.

Caramagno: I would be in favor in a reduction in size of the signs myself especially the signs I mentioned a few moments ago.

Henzi: Mr. Coppola.

Coppola: Not to be overly repetitive but, I would be in support of a smaller sign. I think when you take a look at the building when you are coming north it actually looks vacant without any signage on it. I think it would be very helpful to have something there. I'm struggling with the drive-thru sign. I'm the kind of person that may go to a Starbucks with a drive-thru and doesn't exactly like to get out of his car, although it looks pretty obvious to me that there is a drive-thru and you have a window and such here. So I am struggling with the drive-thru and even more with the chevrons. I've been in that parking lot, you're not going to make a mistake and go the wrong way it is pretty obvious which way you have to go. So if there was a revised proposal with a smaller--little bit--the 48 inch logo I think that would probably meet your needs and I would be in support of that.

Henzi: Mr. Sills.

Sills: I would tend to table this petition so we--the petitioner could go along and see if he could cut some of these sizes down. I don't find any problem with the petition itself. I think it is reasonable. I think our sign ordinance is quite stringent. It is probably the

toughest sign ordinance in the entire community. So I think we could go back to the Council and see if we couldn't get that resolved too. But I would like to table it--table the motion to give the petitioner a chance to resolve some of these problems.

Henzi: And I would approve with the smaller round sign at 48 inch diameter. I think the petitioner demonstrated a hardship a couple of ways. Northbound traffic simply isn't going to see the sign. Like Mr. Coppola said I think it will just look better with a sign on the north (sic) elevation. Secondly, there are many businesses new to the area that have signs on two walls. Lastly, I was convinced by Mr. Baran that the drive-thru is necessary to the business because not all Starbucks have a drive-thru and it is important in that busy intersection for folks to know it exists. So, I would approve with that condition and the floor is open for a motion.

Caramagno: Mr. Chair.

Henzi: Mr. Caramagno.

Upon Motion by Caramagno supported by Coppola, it was:

**RESOLVED, APPEAL CASE NO. 2015-03-08 (Rescheduled from March 10, 2015):** An appeal has been made to the Zoning Board of Appeals by Indy-C-Kal, Inc., 2500 Westmont Circle, Sterling Heights, MI 48310, on behalf of Lessee Starbucks, 12679 Middlebelt, Livonia, MI 48150, seeking to erect an additional wall sign on the south elevation, resulting in excess number of wall signs and wall sign area.

**Number of Wall Signs:**

Allowed: One

Proposed: Three

(two on south elev., one on east elev.)

Excess: Two

**Wall Sign Area:**

Allowed: 28 sq. ft.

Proposed: 46.5 sq. ft.

(28 sq. ft. east elev., 27 sq. ft. combined south elev.)

Excess: 27 sq. ft.

**As revised by the Board at the meeting:**

**Number of Wall Signs:**

Allowed: One

Proposed: Three

(two on south elev., one on east elev.)

Excess: Two

**Wall Sign Area:**

Allowed: 28 sq. ft.

Proposed: 55 sq. ft.

(28 sq. ft. east elev., 18.5 sq. ft. combined south elev.)

Excess: 18.5 sq. ft.

The property is located on the west side of Middlebelt (12679), between Industrial and CSX Railroad, Lot. No. 101-99-0008-015, C-2 Zoning District. Rejected by the Inspection Department under Zoning Ordinance 543, Section 18.50H,(b),2, "Sign Regulations in C-1, C-2, C-3 and C-4 Districts," **be granted in part and denied in part for the following reasons and findings of fact:**

1. The uniqueness requirement is met because this is a new business in the area, sharing frontage with buildings having multiple signs, and northbound traffic cannot identify the building.
2. Denial of the variance would have severe consequences for the Petitioner because the petitioner would not be allowed to inform customers of their business location and direct drive-thru traffic.
3. The variance is fair in light of its effect on neighboring properties and in the spirit of the Zoning Ordinance because neighboring businesses have multiple signs approved by this Board.
4. The Board received no letters of approval and no objection letters from neighboring property owners.
5. The property is classified as "industrial" in the Master Plan and the proposed variance is not inconsistent with that classification.

**FURTHER,** This variance is granted with the following conditions:

1. That the signs be constructed as presented to the Board verbally and in writing, except that the circular sign on the south side of the building shall be reduced to 48" in circumference.
2. That the area of the directional sign on the south elevation be reduced twenty (20%) percent from what was proposed.
3. That the window sign on the south elevation be removed.

**ROLL CALL VOTE:**

**AYES:** Caramagno, Coppola, Sills, Bowling, Schepis, Henzi

**NAYS:** Pastor

**ABSENT:** None

Henzi: The variance was granted with those two conditions. You've got to build it as presented but with the 48 inch green circle sign and then a twenty percent reduction in what was presented on the drive-thru.

Gesel: Okay.

Coppola: And the removal of the window sign.

Henzi: And the removal of the window sign.

Gesel: Okay, thank you.

Henzi: Good luck.

Baran: Thank you.



**APPEAL CASE 2015-01-02 (Tabled on March 10, 2015):** An appeal has been made to the Zoning Board of Appeals by **Indy-C-Kal, Inc.**, 2500 Westmont Circle, Sterling Heights, MI 48310, on behalf of Lessee The Vitamin Shoppe, 12687 Middlebelt, Livonia, MI 48150, seeking to erect an additional wall sign on the north elevation, resulting in excess number of wall signs and wall sign area.

**Number of Wall Signs:**

Allowed: One  
Proposed: Two  
Excess: One

**Wall Sign Area:**

Allowed: 38 sq. ft.  
Proposed: 54 sq. ft.  
(38 sq. ft. existing; 16 sq. ft. proposed)  
Excess: 16 sq. ft.

The property is located on the west side of Middlebelt, (12687), between Industrial and CSX Railroad, Lot No. 101-99-0008-015, C-2 Zoning District. Rejected by the Inspection Department under Zoning Ordinance No. 543, Section 18.50H,(b),2, "Sign Regulations in C-1, C-2, C-3 and C-4 Districts."

Caramagno: I make a motion to remove this from the table.

Pastor: support.

Henzi: There's a motion to remove from the table and supported. All in favor please say aye.

Board members: Aye.

Henzi: This is removed, thank you. Mr. DeMeyer, anything to add to this case?

DeMeyer: Not at this time, Mr. Chair.

Henzi: Any questions for Dennis? Hearing none, will the petitioner's representative please come to the podium? Good evening.

Redner: Good evening.

Henzi: Will you tell us your name and address, please?

Redner: Craig Redner, 101 East Walton Blvd., Pontiac, Michigan.

Henzi: Sir, I know you were here before can you tell us what is different with this proposal?

Redner: It is cut less than half of the existing sign. So we have gone down to actually about 18 square feet and the other one is 47 square feet. The new one is 18.59 square feet.

Henzi: The same exact sign, just shrunk down based on conversation at prior--

Redner: Just shrunk it down based on the conversation--

Henzi: meetings?

Redner: --at the last two meetings, yes.

Henzi: Okay. Anything else you want to say?

Redner: No.

Henzi: Okay. Any questions for Mr. Redner? Hearing none, is there anyone in the audience that wants to speak for or against the project? Come on up to the podium.

Martin: Thank you again. Christopher Martin, 11307 Hubbard, Livonia, 48150. In favor of this as I was with the first one. And you know I had been told a number of years ago down in the inspection department when I put my paperwork here quite a number of years ago, is to ask for double for more than what you want because they are going to cut the baby in half. And I am witnessing that. But at some point the signs get so small they become ineffective. So keep that in mind later on.

Henzi: Anybody else? I see no one else coming forward. Are there letters?

Caramagno: No letters.

Henzi: Sir, is there anything you want to say in closing?

Redner: No, sir.

Henzi: Thank you. I'll close the public portion of the case and begin the Board's comments with Mr. Schepis.

Schepis: He did exactly what we discussed at the meeting when this was tabled. I would support it.

Henzi: Mr. Pastor.

Pastor: I can also support.

Henzi: Mr. Caramagno.

Caramagno: I like what you've done. I think this is very effective.

Redner: Thank you, sir.

Henzi: Mr. Coppola.

Coppola: It looks really good. Thank you. I'll support it.

Redner: Thank you.

Henzi: Mr. Sills.

Sills: I agree with my colleagues, I will go along with. Thank you.

Redner: Thank you.

Henzi: Mr. Bowling.

Bowling: I'm in agreement. It looks great.

Henzi: I too will approve. Thank you very much Mr. Redner.

Redner: Thank you.

Henzi: The floor is open for a motion.

Schepis: Mr. Chairman.

Henzi: Mr. Schepis.

Upon Motion by Schepis supported by Pastor, it was:

**RESOLVED, APPEAL CASE 2015-01-02 (Tabled on March 10, 2015):** An appeal has been made to the Zoning Board of Appeals by **Indy-C-Kal, Inc.**, 2500 Westmont Circle, Sterling Heights, MI 48310, on behalf of Lessee The Vitamin Shoppe, 12687 Middlebelt, Livonia, MI 48150, seeking to erect an additional wall sign on the north elevation, resulting in excess number of wall signs and wall sign area.

**Number of Wall Signs:**

Allowed: One  
Proposed: Two  
Excess: One

**Wall Sign Area:**

Allowed: 38 sq. ft.  
Proposed: 54 sq. ft.  
(38 sq. ft. existing; 16 sq. ft. proposed)  
Excess: 16 sq. ft.

The property is located on the west side of Middlebelt, (12687), between Industrial and CSX Railroad, Lot No. 101-99-0008-015, C-2 Zoning District. Rejected by the Inspection Department under Zoning Ordinance No. 543, Section 18.50H,(b),2, "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 this is a new business in the area on a corner with need for additional signage.
2. Denial of the variance would have severe consequences for the Petitioner because the petitioner would not be allowed to inform customers of their business location and it would affect the ability to safely navigate the area.
3. The variance is fair in light of its effect on neighboring properties and in the spirit of the Zoning Ordinance because neighboring businesses have multiple signs approved by this Board.
4. The Board received no letters of approval and no objection letters from neighboring property owners.
5. The property is classified as "industrial" in the Master Plan and the proposed variance is not inconsistent with that classification.

**FURTHER,** This variance is granted with the following conditions:

1. That the signs be constructed as presented to the Board verbally and in writing.

***ROLL CALL VOTE:***

***AYES:*** Schepis, Pastor, Sills, Bowling, Coppola, Caramagno, Henzi

***NAYS:*** None

***ABSENT:*** None

Henzi: Your variance is granted with that one condition. Good luck to you.

Redner: Thank you.



**APPEAL CASE NO. 2015-04-10:** An appeal has been made to the Zoning Board of Appeals by Chene Garbacik, 14307 Brentwood, Livonia, MI 48154, seeking to construct a detached garage addition, resulting in excess garage area.

**Detached Garage Area:**

Allowed: 660 sq. ft.  
Proposed: 836 sq. ft.  
(528 sq. ft. existing)  
Excess: 176 sq. ft.

The property is located on the west side of Brentwood (14307), between Jacquelyn and Meadowlark, Lot. No. 095-02-0072-000, R-1A Zoning District. Rejected by the Inspection Department under Zoning Ordinance 543, Section 2.10(5), "Definition of Miscellaneous Terms; Garage, Private."

Henzi: Mr. DeMeyer, anything to add to this case?

DeMeyer: Not at this time, Mr. Chair.

Henzi: Any questions for the Inspection Department? Hearing none, will the petitioner please come to the podium? Good evening.

Garbacik: Good evening.

Henzi: Will you state your names and addresses?

Garbacik: Chene Garbacik, 14307 Brentwood, Livonia, Michigan.

Henry: William Henry, 14307 Brentwood, Livonia, Michigan. Chene and I share the house.

Henzi: Go ahead and tell us about the proposed new garage.

Henry: Okay, the new garage that we are going to--it will be 22 by 38 foot which comes up to 836 square feet. The house is with the back ground--pardon me let me get my paperwork straight here--with the porch is 1721 square feet. We're going to go 22 foot wide which the existing garage is now by 22. The garage was built in 1958. There is a side door wall which is a real problem. The roof is basically half collapsing in. The concrete is all buckled up. Our proposal is to tear down the existing garage completely, take all the concrete out, put all new concrete footings and build a new structure with engineered trusses. And we will be using a contractor who is licensed, bonded and insured and has his building permit.

Henzi: Can you tell us about the building materials?

Henry: It's going to be OSB board on the outside. We're going to run half inch, put vinyl siding. We're going to match the house in color. There is existing brick on the front of the garage right now. I'm going to--actually chip that out and save it so that I can re-brick the front to match it as it is now. And we're going to go with asphalt shingles up on the

roof. We will match the house the best that we can. And we are going to vinyl trim it or aluminum trim out all the overhangs to make it maintenance free.

Henzi: I just have one or two questions about the front elevation. So right now you've got a standard 16 foot door and then brick on each--

Henry: The door will remain the same.

Henzi: --right?

Henry: It will remain the same with the 16 foot door. It will look exactly the same from the street as it looks now except that we are just going back.

Henzi: I don't know if you said this. What about the shed? What are you going to do with the shed?

Henry: The shed is going to go. That is just a temporary structure so when we do start tearing down the garage--we have the lawn mower stuff, barbecue and all that that we can put in there. And as soon as the garage is complete the shed will be taken down. It is only a temporary plastic structure.

Henzi: Thanks. Any questions for the petitioners?

Pastor: Mr. Chair.

Henzi: Mr. Pastor.

Pastor: What do you plan on storing in this garage?

Henry: Chene has a 1949 Chevy truck. I have a 1965 Mustang. We have a side by side. He also has a Raptor. So we're presently paying \$152.00 a month for a storage unit as it is so we would just keep the vehicles. Plus we have a very short driveway so during snow emergencies and that with the extra vehicles we can't park on the street. And I've already had one window taken out of one of my cars on Meadowlark. It's a main drive through there and it is a very busy street. So this way we can put everything into the garage and into the driveway so nothing is exposed on the street creating a hazard or any kind of safety issues.

Pastor: So why do you need 220 power in this garage?

Henry: 220?

Pastor: Yes.

Henry: For a compressor. Most of your compressors now--we have a larger compressor 220.

Pastor: What do you need such a large compressor for? The questions are pointed are you doing work out of this garage?

Henry: No we are not going to work professional or anything else. We just had the large compressor. We have a 220 compressor and that. And then it is easier to run the 220 into the garage and break it down from there for the 110. We do plan to put some eight footers in there. Yes, there will be a work bench in there. I have a very large tool box and that. We're just--no professional work whatsoever just on our own personal vehicles

and that lawn mowers and everything else. I have a place up north so we bring a side by side that I have to maintainize (sic) every year. A couple of four wheelers that will come down, we'll work on them. I have a cabin that is about three quarters of a mile back in the woods so this way we will have a place to store it in the winter because I do not have a building up there to put anything in. It is just a small cabin we have back in the woods. We deer hunt and--

Pastor: I'm a little concerned about the size of the garage in comparison to the size of the lot. The lot is not a very large lot.

Henry: Nine thousand thirty something on the total square footage here, exactly right. I know that we are pressing it but we will still have an area and we will maintain fourteen foot between the fence lines. We still have the ten foot easement on the side. We will be within all zoning and you know footage as far as that.

Pastor: Are there other garages in this area that are quite this large?

Henry: Not that I am familiar with or that I've seen. I know that we are asking for quite a bit. But it will add value. The garage that is there now is quite a wreck. It's got to come down one way or the other because you know--like I say it was built in '58 and it's just--the floor is totally gone in it.

Pastor: Okay, thank you.

Henzi: Any other questions?

Coppola: Mr. Chair.

Henzi: Mr. Coppola.

Coppola: Do you plan on heating this?

Garbacik: Yes.

Henry: What's that?

Coppola: Do you plan on heating the garage?

Henry: No. The 220 like I say it's for the compressor and break it up and we are going to drywall, I'm going to insulate and stuff like that just to do it. As far as make the garage look nice. A couple of the gentlemen have come by and they looked at the garage. Sam did--Mr. Caramagno, and it's like I said it's quite a wreck. It's pretty dingy and it's--like I say it was built in '58 and there wasn't much maintenance. And we intend on fixing the rest of the house up and everything else. Redoing the whole lawn, putting all new landscaping bricks in. We are going to bring the house up to where it should be for the City of Livonia and as nice as the area is.

Bowling: Mr. Chair.

Henry: Chene also has M.S. and it makes--in about another ten years with his debilitating disease he cannot get up and down the stairs so it would also be storage because the stairs are very difficult for him to manipulate and that.

Henzi: Mr. Bowling.

Bowling: The folks that are directly north of you guys, have you talked to them about this addition?

Henry: Yes, they are--we spoke with all the neighbors and nobody has no objections whatsoever. Actually it's a very nice older couple--older couple on the other side and we spoke to them and they have no objections whatsoever, sir.

Bowling: Okay.

Henzi: I have one. The two trucks that are parked in the driveway, are those your daily drivers?

Henry: Yes, that is my F350. I have a four wheel drive diesel and he has a--the blue Ford that he drives every day.

Henzi: Okay, but how long are they?

Henry: Well that F350 I'm right from sidewalk to garage door. Actually I hang in to the sidewalk some. That is why I'd like to put that truck in the garage. Because if I don't back all the way to the door which he bent part of the garage door trying to get back, people--we would obstruct the sidewalk for getting in and that. You know for people to come by. It's a city ordinance that you cannot block a sidewalk and that's another reason why we would like to do this because we should be able to put everything inside the garage then.

Henzi: That's kind of where I was going. So when you talked about you want a 38 foot deep garage, it's because you need to park those trucks and then what behind it you'll have the classic cars?

Henry: Exactly, sir. We can slide it in sideways for the Ford and put the other Mustang there and then park both of them in and we should be able to meet that footage. That's why we are pressing for the 38 foot.

Henzi: Okay. Any other questions?

Sills: Are we--

Henzi: Mr. Sills.

Sills: Are we infringing on the lot coverage right now?

Henzi: No, it says thirty percent allowed and they are at 24.2. Dennis is that a four?

DeMeyer: Pardon?

Henzi: does that look like a four to you, 24 or is it 29?

Pastor: 29.

DeMeyer: 29.

Henzi: 29? Yes, we are pressing.

Sills: I thought we were.

Henzi: Anything else?

DeMeyer: No that's a 24 I believe. Proposed is 24, allowable is 29.



Henzi: You mean if the lot is 9000 square feet than--

Henry: It's 9000---

Henzi: --that makes sense.

DeMeyer: I thought it was 9,822 square feet?

Henry: Exactly, yes I have that figure here.

Henzi: Than that is right, 24? Got that Mr. Sills?

Sills: Thank you.

Henzi: Anything else? Is there anyone in the audience that wants to speak for or against the project? If so, come on up to the podium. I see no one coming forward are there letters?

Caramagno: Letters of approval from Craig Head, 14322 Brentwood (letter read) and Tracy Boon, 14382 Sunbury (letter read).

Henzi: Gentlemen, is there anything you would like to say in closing?

Henry: No thank you. I just moved in the city of Livonia. I've been here about a year and a half now and really enjoy it and plan on spending many--many more years here.

Henzi: Thank you. I'll close the public portion of the case and begin the Board's comments with Mr. Pastor.

Pastor: Well, you do definitely need a new garage but the lot size I don't think warrants this large of a garage. So at this particular proposal I cannot approve. I could probably approve something smaller. But there--as the applicant said there are no other garages even in the subdivision that he knows of that are this large. So at this particular moment I cannot be in approval.

Henzi: Mr. Caramagno.

Caramagno: Well I did drive around and looked in the neighborhood a bit and I stopped by yesterday and caught you outdoors.

Henry: Yes, sir.

Caramagno: And we were able to walk and look at this project because I had a little bit of concern about the size of it which you explained to me what you want to do. Much like you did here tonight and it sounded reasonable to me for what your needs are. The things that hit me right now is there no opposition to this from the immediate neighbors. And that was one of the questions I asked you yesterday and you talked about have you heard from them. Sometime those oppositions show up tonight in the form of written letters. There are none. The other two things that impressed me about this is that you are going to replace the brick on the front of the garage and really improve this building. It just doesn't look nice with the door wall on the side of it. It looks like a second living house there in some ways. The last thing I'll say is because you are going back and staying narrow it doesn't have a visual impact that an 800 and some square foot garage from the street or any street for that matter. So although it is a little big I--it's hard to tell how big

some other those other garages are that are in the neighborhood because they are detached in the backyard. I'd seen some that I think are a pretty good size.

Henry: Yes, sir.

Caramagno: It's hard to say because you are looking up a driveway through some cars. I'll be in support of this garage as presented. That's what I've got to say.

Henzi: Mr. Coppola.

Coppola: I'm a little concerned about coverage on the lot but generally I think I echo the previous comments. I think it's narrow so you won't be able to see it from the street. Your neighbors haven't objected to it. It's going to be tougher for a future family coming in and wanting it because there is no backyard you're going to have a garage. But that's your economic decision. It's something you will have to deal with at the time if you happen to sell it. But generally I have no significant objections to this.

Henry: Thank you very much.

Coppola: So I'll be in support.

Henzi: Mr. Sills.

Sills: When I drove by there I got kind afraid. I said where in the world is he going to extend his garage. And I thought he was going to put it between the existing garage and the house.

Henry: No, sir, no.

Sills: I said geez the trees in the way--

Henry: No--no--no.

Sills: I said that will really be crowded. I guess my main concern was the lot coverage. I think you are getting pretty close to the maximum.

Henry: Yes, sir we are a corner lot too so we are a little bit larger than--

Sills: That's the only thing I really questioned. I can understand why you want the larger garage and the existing garage is in rather poor shape.

Henry: Very, thank you.

Sills: I can go along with this.

Henzi: Mr. Bowling?

Bowling: I can be in support. I don't need to echo the other members' comments. I think you've presented a good plan and it makes good sense to me.

Henry: Thank you very much.

Henzi: Mr. Schepis.

Schepis: I agree with that. I think you've made a couple of good points for why you need this extra space. And based on the renderings that you've brought here today I think that this will look good. So I will support it.

Henzi: I too will support it. I have no problems with the lot coverage and I'll tell you why. If the petitioner constructed a brand new 660 square foot garage and put in a 200 square foot shed he'd be at 860. This is a proposal for 836 and he is getting rid of the shed. I'd rather see the nice garage.

Henry: Yes, sir.

Henzi: I think that the petitioner has made a very nice plan. I'd like to see conditions about all of the materials to match, etcetera. And I'll defer to the other Board members as to whether it is reasonable to have a 220 volt compressor. That's just something I'm not familiar with. But I will leave it up to the Board members. The floor is open for a motion.

Caramagno: Mr. Chair.

Henzi: Mr. Caramagno.

Upon Motion by Caramagno supported by Sills, it was:

**RESOLVED, APPEAL CASE NO. 2015-04-10:** An appeal has been made to the Zoning Board of Appeals by Chene Garbacik, 14307 Brentwood, Livonia, MI 48154, seeking to construct a detached garage addition, resulting in excess garage area.

**Detached Garage Area:**

|           |                                       |
|-----------|---------------------------------------|
| Allowed:  | 660 sq. ft.                           |
| Proposed: | 836 sq. ft.<br>(528 sq. ft. existing) |
| Excess:   | 176 sq. ft.                           |

The property is located on the west side of Brentwood (14307), between Jacquelyn and Meadowlark, Lot. No. 095-02-0072-000, R-1A Zoning District. Rejected by the Inspection Department under Zoning Ordinance 543, Section 2.10(5), "Definition of Miscellaneous Terms; Garage, Private," **be granted for the following reasons and findings of fact:**

1. The uniqueness requirement is met because the current garage is in poor condition and in need of replacement.
2. Denial of the variance would have severe consequences for the Petitioner because the petitioner would not be able to store his personal and recreational vehicles in the garage and the short driveway means that vehicles parked outside the garage can block the sidewalk.
3. The variance is fair in light of its effect on neighboring properties and in the spirit of the Zoning Ordinance because the garage will not appear as large due to the garage being constructed deep into the yard in lieu of across the yard.
4. The Board received two letters of approval and no objection letters from neighboring property owners.

5. The property is classified as “low density residential” in the Master Plan and the proposed variance is not inconsistent with that classification.

**FURTHER,** This variance is granted with the following conditions:

1. That the garage be constructed as presented to the Board verbally and in writing including vinyl siding and shingles to match the house, a 16 foot garage door, brick face, and new concrete.
2. That the shed be removed upon completion of the garage.
3. No additional outbuildings will be allowed on the property.
4. That the garage be completed by September 30, 2015.

**ROLL CALL VOTE:**

**AYES:** Caramagno, Sills, Bowling, Schepis, Coppola, Henzi

**NAYS:** Pastor

**ABSENT:** None

Henzi: The variance is granted with all the conditions that you heard us read. You just go to the ZBA office to apply for the permit--or to the Inspection Department I should say.

Henry: Okay, very good.

Henzi: Good luck to you.

Henry: Thank you very much, I greatly appreciate it.

Garbacik: Thank you.



**APPEAL CASE NO. 2015-04-11:** An appeal has been made to the Zoning Board of Appeals by Holly and David Bagley, 28020 Norfolk, Livonia, MI 48152, seeking to erect a six foot tall vinyl privacy fence on a corner lot, resulting in the fence being within the side and front yard and excess in height. Privacy fencing cannot be located within the side or front yards.

**Fence Height:**

|          |       |
|----------|-------|
| Allowed: | 5 ft. |
| Proposed | 6 ft. |
| Excess:  | 1 ft. |

The property is located on the north side of Norfolk (28020), between Gillman and Floral, Lot. No. 001-04-0432-000, R-1 Zoning District. Rejected by the Inspection Department under City of Livonia Fence Ordinance, Section 15.44.090A,4(bii) and B, "Residential District Regulations."

Henzi: Mr. DeMeyer, anything to add to this case?

DeMeyer: I have nothing to add at this time, Mr. Chair.

Henzi: Any questions for the Inspection Department?

Sills: Yes, I do.

Henzi: Mr. Sills.

Sills: Are we looking at a double fencing situation on this particular case?

DeMeyer: I don't believe so, no. They are looking for a fence in the front yard and side yard and if it was approved the other fence would have to come down. You are only allowed one fence on the property.

Sills: Okay.

Henzi: Anything else?

Sills: And the shed that's--that's pictured on this sketch is gone already?

DeMeyer: Yes, when I did my drive by and site visit I saw that the shed was missing also.

Sills: Thank you.

DeMeyer: And new concrete was poured.

Henzi: Anything else? Hearing none, will the petitioners please come to the podium?  
Good evening.

David Bagley: David Bagley, 28020 Norfolk, Livonia, Michigan, 48152.

Holly Conley-Bagley: Holly Conley Bagley, 28020 Norfolk Street, Livonia, Michigan, 48152.

Henzi: Go ahead and tell us why you want to construct the vinyl fence.

Bagley: Our main concern is we have two dogs. We have a Siberian Husky and a Blue Heeler. Siberian Huskies are known as little Houdini's they like to jump over--I mean a five foot fence they would jump over with no problem. She can jump up to my shoulders standing up so she would have no problem jumping over a five foot fence. And we also want the privacy because we are on a corner lot and five foot--I'm six foot one so my head would be floating around the yard and people would be able to see me out there. I'd like to have a little bit of privacy and also you know in the future when we have kids we like to have privacy for our kids. I don't want anybody--someone could walk up to the fence at five feet and look over our fence and see you know what our kids are doing or what our dogs are doing. So--

Conley-Bagley: And as of right now our house is very unique because we don't have like a true backyard. Our house is all the way to like the side so we really don't have a backyard that we can use. And our side yard is really the only yard that we have. And we haven't really been able to utilize it. And as a kid I would spend the summers with my grandparents and kids would always be riding their bikes through my grandparents' yard, throwing trash in the yard and it is something that I still see now when it gets nice out. So it would be nice to kind of claim the yard down there to kind of deter people from using it. Because right now it doesn't look like anyone owns it. I mean we keep it up and mowed and everything but it just looks bare.

Bagley: And I do have the pictures of the fence we are wanting to put up which is a vinyl fence. It just looks like wood material. And I believe I drew it sketch on the survey of what we are proposing. And the shed is gone. It was an eyesore. The thing--her dad put it up many--many years ago and it was rusted so we took that down. And we did pour an addition to our driveway. And I also have sets of pictures here of another house that is on Fargo and Inkster on the Livonia side that have a six foot privacy fence on the corner lot with the house positioned just like ours is. And I also have another letter from a neighbor that send it before I came.

Henzi: Can you talk about the handouts once everyone has them?

Bagley: Yeah, sure.

Henzi: Just give them a second. So starting with the fence, that handout. The fence shown in the picture at the top that's the one that you want to erect?

Bagley: Yes, the mocha walnut is the one that we are wanting to put up. We did check with the fencing company and it is a new product that is available. So we can get it so.

Henzi: And then the next handout is the survey?

Bagley: Correct, yeah. I made copies of--

Henzi: What are pointing to?

Bagley: I'm sorry?

Henzi: What is the purpose of the survey?

Bagley: I just wanted--because I just wanted to show where the lines are, where the fence is at. Because I know the one I submitted with the application I did on the computer and I don't think it turned out right. I did it with a paint program.

Henzi: But it is the same, right?

Conley-Bagley: Yes.

Bagley: Correct.

Henzi: Okay. And then lastly you've got a picture of--that's the house at Fargo and Inkster.

Bagley: Right, correct.

Henzi: All from different angles?

Bagley: Mm-hmm.

Henzi: Okay. Anything else you wanted to say before we ask questions?

Bagley: The one thing I want to say is if you drive through the neighborhood it is an older neighborhood. Our house was built in '42. Her grandparents moved in 1960. We moved here in November of '13 to take care of her grandfather who was sick and he passed away in June. And one thing they always wanted to do was fence in the yard but they never could. Because back--I think back they had even stricter fencing laws that they never went to the trouble to do it. But we want to be part of the neighborhood to help revitalize it. There are new house being built, house being redone. And we want to continue that and have nice curb appeal so when people drive through and house shop they can see that people are keeping up their yards, keeping up their houses and they want to move in too.

Henzi: Okay. I have a couple questions maybe from Mrs. Bagley. So I met you outside and we talked about the fact that the house was built in '42. And I think that you thought the neighboring house that is actually the Gilman Street address is about that old too, is that right?

Conley-Bagley: Yeah, I think it may be a few years older than our house.

Henzi: Since you've been going to your grandparents' house has it always been configured the way that it is?

Conley-Bagley: Yeah.

Henzi: With the backyard is really the side yard?

Conley-Bagley: Mm-hmm, that is correct. And they always used to put a garden behind the garage and kind of make like a makeshift wire fence to keep animals out and stuff. But yeah ever since I can remember the side yard is like their main yard.

Henzi: And no additions to the house it was always in that specific configuration?

Conley-Bagley: The house was remodeled in 1965 to add more footage to the first floor. And then in 1979 they added the upstairs.

Henzi: Okay. And then you talked about the fact that it's' been a vacant--it looks like a vacant--

Conley-Bagley: It looks like a vacant lot.

Henzi: --lot?

Conley-Bagley: Yes.

Henzi: For as long as you can remember have you had problems with people cutting through as they are walking on Brentwood?

Conley-Bagley: Just some times like kids will hang out on the corner sometimes and just sort of chill there.

Bagley: Yeah, there will be times I will see kids riding their bikes through the lot or cutting through just because the see it's an open lot they can cut through.

Conley-Bagley: Like our biggest concern is like if someone were to get hurt while riding through our yard. And then we would be liable for that.

Henzi: Thanks. And I misspoke, it was Norfolk, Brentwood was the last one.

Conley-Bagley: Yeah, Norfolk.

Henzi: Okay, any questions?

Pastor: Mr. Chair.

Henzi: Mr. Pastor.

Pastor: I'm comparing these two surveys that you gave us and it looks like you moved some things around. The gate between the existing garage and the house--

Bagley: Correct.

Pastor: --you moved up to the front garage. You shortened the fencing from fourteen feet to twelve feet. You have not given us the dimensions from the sidewalk or the property line to the new fence. And it also looks like you lengthened your yard or shrunk the 25 foot offset that you were talking about on Floral Street.

Bagley: On the Norfolk side the sidewalk we want to put it five feet back from the sidewalk. And then from the Floral Street I believe its thirty feet from where the existing fence post is right now. And that's where we are willing to go through and corner it out.

Pastor: You have 25 feet on your original?

Bagley: Right, I--I mean--I--I mean--I--I--

Pastor: I'm just asking--I'm just asking what--

Bagley: Right, no, we were--because we--because when I looked at the survey I tried to measure it on the piece of paper when I did it on the computer which didn't come out exactly correct. But then when I drew it--printed it out and did it myself it came out to be about 30 feet. So we want to go where that existing fence post is at right now. Where



the fence--where the current chain link fence ends at that's where we are wanting the fence to go to and then cut across the yard.

Conley-Bagley: But that chain link fence that is there now will be taken down.

Bagley: Yeah.

Pastor: That makes it clearer to me.

Bagley: Sorry.

Pastor: That's all right. And you're saying that's approximately 30 feet?

Bagley: Correct, I believe so.

Pastor: Okay.

Bagley: And also we move--we brought the gate up from the back of the garage to the front simply because if we cut the fence in front of the driveway it makes it flush with it.

Pastor: I agree, I'm just--you said they were similar so I wanted to make sure of that. Where are you putting the fence on the--what direction is this--opposite side of Floral? You've got that one--the original one at the back corner, but the new one does not show where you are putting the fence.

Bagley: Yeah, the--the one behind the house where you have--where we have three feet between our house and the property line, we are going to keep that fence there. We spoke with the owner on the Gilman Street. He just put a fence in on the Norfolk and the fence actually sits on his property so we--I told him that it wouldn't be good to remove the fence and then he has a gap in the corner there and that would allow people to walk into his yard. So we told him whenever he is ready to expand it out a little bit to let us know and then we will finish it off.

Pastor: So you are proposing to have two fences on the side yard there?

Bagley: No it will be only one fence. We are moving the chain link fence along the longest part of the yard.

Pastor: What about the short side of the yard where it shows the fence?

Bagley: The short side of the yard we're not putting--we're leaving that chain link fence there and we're not--we're not putting a fence up.

Pastor: You're not putting your privacy fence in?

Bagley: No, not on that side, no.

Pastor: Okay, because it is highlighted on this--

Bagley: Right, because we submitted that after we--and then we talked to the owner of that lot and we told him that it would create a gap in the corner there. And so we told him it would be best if we just wait until he decides to change it--you know expand his fence there on his property.

Bowling: That's on the west side of your property?

Bagley: Correct.

Bowling: Okay.

Bagley: Yeah on the--yeah.

Pastor: Okay, thank you.

Henzi: Any other questions?

Bowling: Mr. Chair.

Henzi: Mr. Bowling.

Bowling: And just a question here, your neighbors who are directly to the north of you, that fence will kind of impact them. Are they in support of it?

Bagley: Yeah, the one there--the one that is part of their yard?

Bowling: Yeah.

Bagley: It's a rental and we spoke to the landlord and he said whatever you want to do because I don't care, just let me know I'll sign the waiver.

Bowling: Okay.

Bagley: So--

Henzi: Do we have anything else?

Bowling: Actually a question for Mr. DeMeyer. Usually a lot of these corner fences go through Sergeant Boitos who is the traffic department that takes a look at accessibility, view, street view, those kind of things. Has this gone through?

DeMeyer: We did send a letter to the police department but they did not respond and that is unusual for him. So yeah, we didn't get any response from him.

Bagley: I do know there is a 25 foot clearance on the corner which I did draw the line on that one I just gave to you guys. And I believe that should be the 25 foot triangle area from the point of intersection.

Henzi: Maybe a question for Mr. Fisher. Then what do we do with the fact that Sergeant Boitos didn't respond?

Fisher: Well, ordinarily we would not have put this on the agenda tonight without a response from Sergeant Boitos. That was just a snafu on our part. So the Board is--you can do your pleasure here. If you think this is not a bad enough sight line that you can go ahead and approve it. If you have questions about it then we can certainly reschedule or table it--reschedule it for Sergeant Boitos' response.

Pastor: Mr. Chair.

Henzi: Mr. Pastor.

Pastor: How critical is it that you do this fence immediately?

Bagley: It's been a priority for us. I mean our dogs they need out of the house, they need a yard. I mean as the Chairman drove by I had the dog outside and that's how we take our dogs out. They don't--they can't enjoy being outside. So it is kind of difficult. I mean we can't do--I mean we can't keep the house nice without having the dogs tearing something up. So they need to be outside. So it is very--I mean it is very important to us to have that up as soon as possible. I mean it is a big project. We are putting a lot of money into and we're not--I mean we are ready to go. So--

Pastor: Okay.

Henzi: Anything else? Is there anyone in the audience who wants to speak for or against the project? If so, come on up to the podium.

Martin: Thank you. Christopher Martin, 12275 Inkster Road, Livonia, 48150. Privacy fences on the corner side yard are one of my favorite topics. And a number of years ago there was a--I had pictures of 75 of them and hoping to get it on the agenda to have that changed at City Council. It never happened. It's hard to have privacy with something smaller in height than a six foot fence in a corner side yard where you have no neighbor. So, I'm in favor of this. The--it's an improvement. The issue with the dogs is important. There are a lot of people that are afraid of them no matter what size the dog is. This couple has larger ones. And another thing too it is kind of unusual is that I am pretty familiar with the State law on the Zoning Board. And the chairman sets the agenda. But this evening I almost took as our City Attorney is setting the agenda. Because the Sergeant didn't submit an answer to the letter. I think that is unusual, I think the chairman sets the agenda. Thank you.

Henzi: Any letters?

Caramagno: Letter of approval from Cheryl Bolender, 20208 Floral (letter read), a letter of objection from Betty Mott, 20117 Floral (letter read), letters of approval from Greg Lavigne, 20160 Angling (letter read), Jeffrey Barnes, 20249 Gilman (letter read), Janet O'Boyle, 20134 Floral (letter read), and Kim Ankiel, 20135 Floral (letter read).

Henzi: What is that first address?

Caramagno: On Floral? 20208.

Henzi: Thank you. Mr. and Mrs. Bagley, is there anything you would like to say in closing?

Bagley: The only thing I would like to say is the house has been--you know my wife's--you know my wife's family her dad grew up in the house. They've lived there since 1960. So we are wanting to continue the tradition of living in this neighborhood and we want to just live comfortably and have the privacy and have the--you know--have our dogs outside. I think they deserve that and I think our future kids deserve to have the privacy. And you know--the area can really need some improvements. If you go down a couple of blocks to the east as you get closer to Redford the neighborhood it looks a little rough. So we need more people to come into the neighborhood and I just think that with strict laws like a fence it would hinder them from making improvements to their house. You know later this year we want to add new gutters to the house. And next summer we will be residing the house. So we are here to stay and we are not going anywhere.

Henzi: Thank you.

Pastor: Mr. Chair.

Henzi: Mr. Pastor.

Pastor: I've got one final question. Where do you plan on ending this fence at the corner of your house? I don't see anything unless I am missing it.

Bagley: Are you talking about the back end of the house there?

Pastor: Yes.

Bagley: The back end will be at the back end of the house to the longest lot line there. And then there is a little--there should be line there.

Pastor: Well it is kind of a non-descript line that is why I missed it.

Bagley: Yeah, it's about ten feet--it's a ten foot fence there. From the back of the house to the line.

Pastor: Are you talking this side or down here?

Bagley: I'm talking about down where the house is. It will be on the west side of the house--

Pastor: Closer to your garage or closer to the--

Bagley: To the house.

Pastor: Okay.

Bagley: On the west--it will be the west side there.

Pastor: Yep, so you're coming all the way to the west side on that.

Bagley: It will be from the--

Pastor: Corner of your house--back corner of the house.

Conley-Bagley: Yes.

Bagley: Corner of the house to the north side of the--well the north side is the longest part of the fence.

Pastor: Right, okay. Thank you.

Coppola: Mr. Chair.

Henzi: Mr. Coppola.

Coppola: Just a couple of questions looking at this, it is a challenging lot. But two things. On the south side so it will be the Norfolk side. You've got a five foot setback from the sidewalk. Would you be opposed to a little deeper setback to make it look a little bit better, at least from my perspective?

Bagley: At the five foot back actually matches the house across the street. They are about five feet back from the sidewalk as well.



Coppola: I understand that, but my question was would you be open to a further setback?

Bagley: Yeah, I would be open to that. I mean as long as we get a six foot fence and that's one of the main concerns is that we want a six foot fence. And just a decent amount of yard for our dogs and for our future kids.

Coppola: And then my second question is in regards to the styling--at least again on that south side the people will see a lot of. A solid panel compared to some of these other options where you at least have an open top. It looks a little less--you know--kind of stockadeish (sic) in a sense at least along that wall. I know it is a little bit more expensive but at least proportionate it will look a little bit better for the neighbors and the neighborhood.

Bagley: Well the neighbors I've talked to that have seen the fence, they love it, they want it. And I think having two different type fences there actually wouldn't look that great. I think it would look better if everything was all uniform. And we do plan on landscaping on the outside of the property too. We are not just going to ignore the outside of the fence. We will landscape it. As when Mr. Caramagno was out there--I'm sorry if I didn't pronounce it right. We were planting flowers on the side of the driveway and we plan on getting an edger to edge the sidewalks to clean it up and plant flowers on the other side of the fence too.

Henzi: Okay, I'll close the public portion of the case and begin the Board's comments with Mr. Caramagno.

Caramagno: When I stopped by yesterday I really--I was real confused when I first walked up. I didn't understand before I got there--I didn't understand--you just have no backyard at all.

Bagley: Right.

Caramagno: Your backyard is that side yard. Your choice is nothing but to make this side yard your area to enjoy your property. So as I drove around on the way there and after I left, I was looking and you want to put a vinyl fence up and the area is so beat down to the east of you there. The fences are falling apart. So I am very impressed that you want to put a vinyl fence up. I think that is incredible because what you see in your neighborhood is just a good example of why wooden fences are just not cool. They just fall apart and look like hell. You've got a unique lot, I've already mentioned. And your safety issue that you brought up is real to me. I can see where without any patrolling at all kids play football in your yard. I like your plan. I think it is good. The fact that the police have not looked at the it just -- when I look at it here and when I was there I can see there is plenty of sight clearance at least in my mind. But I like your plan and I will be in support as it is.

Bagley: Thank you.

Henzi: Mr. Coppola.

Coppola: First of all, welcome to the community. Number two, thanks for making an investment in the community and making the neighborhood much better, I appreciate that. I understand you've got a challenging lot here, how you make it kind of work for yourself

and your family. Little bit struggling with the south side as I asked those questions. You know I think maybe a further setback. The one picture you provided us here they had their fence setback a little bit further and it actually to me kind of creates a little bit of a front yard also. Also, the stockade issue with the fence, I mean I've got a little bit of an issue. I can--again I didn't get a chance to get by there. I'm sure whatever you decide put up, anything would be better than what is in the neighborhood these days. It will be a significant improvement. I generally am in support of what you want to do. I struggle a little but with how tight it is against the south side and would suggest moving it back just a little bit to make it look a little better. But generally I am in support of your proposal.

Henzi: Mr. Sills.

Sills: I think your planning is good. The six foot fence is required because of the size of your dogs. I just hope that the neighborhood catches on to what you are doing and improves all the way around you.

Bagley: That's our goal.

Sills: The problem is when you throw a bad apple into a bushel of good ones, what happens?

Bagley: It only takes one bad apple.

Sills: That's right. But I'll--welcome to Livonia and I hope you enjoy your property. It is well planned out and I will support it a hundred percent. I will say one thing about the comment that Mr. Caramagno made about wooden fences. Wooden fences are fine when they are first put up but after a year they look like they've been there ten. And after five years you've got to tear them down.

Bagley: My thing with wood fences they are dying the day you put it up.

Sills: So I am glad you are going with the vinyl fence.

Henzi: Mr. Bowling.

Bowling: Welcome to Livonia. It sounds like your neighbors love you and you guys have a great plan here. I can see you have a hardship with the dogs and just the uniqueness of your lot and I think it is a great plan.

Bagley: Thank you.

Bowling: I'm glad to see you guys improving the neighborhood.

Henzi: Mr. Schepis.

Schepis: Yeah, I like what you are doing here. And I appreciate you've gone out of your way to talk to your neighbors and get their support. I think that is great. And I will support this.

Bagley: Thank you.

Henzi: Mr. Pastor.

Pastor: I will definitely support this. Thank you for talking to your neighbors. A lot of people don't talk to their neighbors and you would be surprised. We've actually asked

people to talk to their neighbors and they won't. So I appreciate you talking to your neighbors. Welcome to Livonia. It looks like you are improving the property and I believe that is what Livonia needs is young people improving their property. So I will be in support.

Henzi: I too will support. I think it is a great plan. I echo all the comments made by the other Board members. We've given lots of six foot privacy fences to what I call the standard side yard layout and this is anything but. I don't remember ever seeing a layout like this where there is absolutely no backyard or opposite side yard. I saw you out there with your dog this evening. I can tell you need something quick because it is a chore to get them out and they want exercise. I wouldn't have any problem going with Mr. Coppola's suggestion, that seemed fair to me. Even if we didn't I don't have any problem approving without Sergeant Boitos' opinion because all he would be concerned about would be that section when you are backing out of the garage and I think there is sufficient room to see oncoming child on a bicycle or somebody else driving a car. So the floor is open for a motion.

Bowling: Mr. Chair.

Mr. Henzi: Mr. Bowling.

Upon Motion by Bowling supported by Pastor, it was:

**RESOLVED, APPEAL CASE NO. 2015-04-11:** An appeal has been made to the Zoning Board of Appeals by Holly and David Bagley, 28020 Norfolk, Livonia, MI 48152, seeking to erect a six foot tall vinyl privacy fence on a corner lot, resulting in the fence being within the side and front yard and excess in height. Privacy fencing cannot be located within the side or front yards.

**Fence Height:**

|          |       |
|----------|-------|
| Allowed: | 5 ft. |
| Proposed | 6 ft. |
| Excess:  | 1 ft. |

The property is located on the north side of Norfolk (28020), between Gillman and Floral, Lot. No. 001-04-0432-000, R-1 Zoning District. Rejected by the Inspection Department under City of Livonia Fence Ordinance, Section 15.44.090A,4(bii) and B, "Residential District Regulations," **be granted for the following reasons and findings of fact:**

1. The uniqueness requirement is met because the lot is unique due to the lack of a backyard and need to secure side yard for privacy and security of the pets.
2. Denial of the variance would have severe consequences for the Petitioner because the petitioner would not be allowed to protect his home and belongings and secure his pets.

3. The variance is fair in light of its effect on neighboring properties and in the spirit of the Zoning Ordinance because the neighbors are in support of the petition and it is an improvement to the neighborhood.
4. The Board received five letters of approval and one objection letter from neighboring property owners.
5. The property is classified as “low density residential” in the Master Plan and the proposed variance is not inconsistent with that classification.

**FURTHER,** This variance is granted with the following conditions:

1. That it be constructed as presented to the Board verbally and in writing.
2. That the project be completed within six (6) months.
3. That the setback from the Norfolk right-of-way be expanded from five feet to eight feet.
4. That the fence material be Mocha Walnut vinyl as presented to the Board.

**ROLL CALL VOTE:**

**AYES:** Bowling, Pastor, Sills, Schepis, Coppola, Caramagno, Henzi

**NAYS:** None

**ABSENT:** None

Henzi: The variance is approved with those three conditions.

Bagley: Okay, and you said the eight foot from the sidewalk?

Coppola: Right, east of--from the garage east towards Floral, that section would be eight feet.

Bagley: So from the Floral sidewalk to the--okay.

Coppola: No, the Norfolk sidewalk.

Bagley: Norfolk, okay.

Coppola: So instead of a five foot setback, it will be an eight foot setback.

Bagley: Okay.

Coppola: Just another three feet.

Bagley: Okay.



Henzi: Got it?

Bagley: Sounds good.

Henzi: Okay, good luck.

Bagley: Thank you.

Conley-Bagley: Thank you.

Pastor: I think we have minutes, don't we?

Henzi: Yeah, March 10<sup>th</sup>.

DeMeyer: What are the three conditions again? I'm sorry.

Henzi: The south side portion that was presented as a five foot setback has to be eight. It has to have the mocha walnut. And then the timing.

Bowling: Six months.

Henzi: Six months to complete.

DeMeyer: Thank you.

Pastor: I make a motion to approve the March 10<sup>th</sup> minutes.

Henzi: Is there support?

Coppola: Support.

Henzi: And we will note we will have three abstentions, Schepis, Sills, and Henzi?

Burklow: Pardon?

Henzi: We were all absent so we are abstaining.

Henzi: All in favor say aye.

Board Members: Aye.

Henzi: Minutes are approved.

Pastor: I make a motion to adjourn.

Henzi: Is there support?

Schepis: Support.

Henzi: Support by Schepis.

Henzi: All in favor say aye.

Board Members: Aye.

Henzi: We're adjourned.

There being no further business to come before the Board, the meeting was adjourned at 8:30 p.m.

---

Matt Henzi, Chairman

---

Sam Caramagno, Secretary

/pcb

2023-04-06



# 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 SAME AS BELOW Address SAME AS BELOW  
 Owner MIKE KINAIA Address 2500 WESTMONT CIRCLE, STERLING HTS, MI 48310-6986  
 Lessee --- Address ---  
 Location WEST Side of 12679 MIDDLEBOLT Street  
 Between INDUSTRIAL And CSX RAILROAD  
 Lot No./Parcel No. 101-99-0008-015 Subdivision ---  
 Zoning District C-2 Map No. NE26 Lot Size 1.26 ACRES Alley ---  
 Present Use COMMERCIAL / RETAIL Proposed Use SAME  
 Present Building Size N/A Proposed Building Size NONE PROPOSED  
 Present Height of Building ONE STORY Proposed Height " "  
 Allowable Lot Coverage N/A Proposed Lot Coverage N/A

Proposal SEEKING TO ERECT FOUR MENU AND PRE-MENU SIGNS WITHIN A DRIVE THRU RESULTING IN EXCESS NUMBER OF MENU BOARD SIGNS AND TOTAL COMBINED SIGN AREA. NUMBER OF MENU/PRE-MENU SIGNS ALLOWED: ONE; PROPOSED: 4; EXCESS: 3. MENU SIGN AREA ALLOWED: 30 sq ft; PROPOSED: 47 sq ft; EXCESS: 17 sq ft. THE DIRECTIONAL SIGNS ARE PROPOSED EQUAL IN SIZE AT 2.6 sq ft, WHERE TWO SQUARE FEET IS ALLOWED, AN EXCESS OF 0.6 SQUARE FEET.

Reason for Rejection LIVONIA VISION 21, SECTION 11.06(8) AND 11.08(3)

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 11.06(8) 3 SIGNS  
 Use Prohibited \_\_\_\_\_ Deficient Parking Spaces \_\_\_\_\_ Increasing Area and Bulk 11.06(8), 11.08(3) 17 S.F. / 0.6 S.F. DIRECTIONAL

Remarks \_\_\_\_\_

Plans and Application examined by Ryo

Date

APRIL 18, 2023

ZONING EXAMINER



# LIVONIA, WAYNE COUNTY, MI



SITE

Know what's **below**.  
Call before you dig.

[illegible]



EXISTING CURB TO REMAIN

EXISTING CONCRETE PAVEMENT TO REMAIN

RED = EXISTING DRIVE-THRU EQUIPMENT  
BLACK = PROPOSED DRIVE-THRU EQUIPMENT

## SCOPE OF WORK

- REMOVE EXISTING 3 PANEL MENU BOARD & FOUNDATION
- REMOVE, SALVAGE, AND REINSTALL EXISTING ORDER POINT CANOPY W/DIGITAL ORDER SCREEN & FOUNDATION
- REMOVE EXISTING NON-ILLUMINATING BOLLARD & FOUNDATION
- DISCONNECT AND ABANDON EXISTING DETECTOR LOOP IN PLACE
- REMOVE EXISTING PRE-MENU BOARD & FOUNDATION
- INSTALL NEW 3 PANEL MENU BOARD - SEE DETAIL 20, 24A
- REINSTALL SALVAGED ORDER POINT CANOPY W/DIGITAL ORDER SCREEN - SEE DETAIL 2, 25
- INSTALL NEW NON-ILLUMINATING BOLLARD - SEE DETAIL 18
- INSTALL NEW DETECTOR LOOP
- INSTALL NEW PRE-MENU BOARD - SEE DETAIL 3, 23
- EXISTING CLEARANCE BAR, TO REMAIN
- EXISTING "DRIVE THRU" SIGN, TO REMAIN

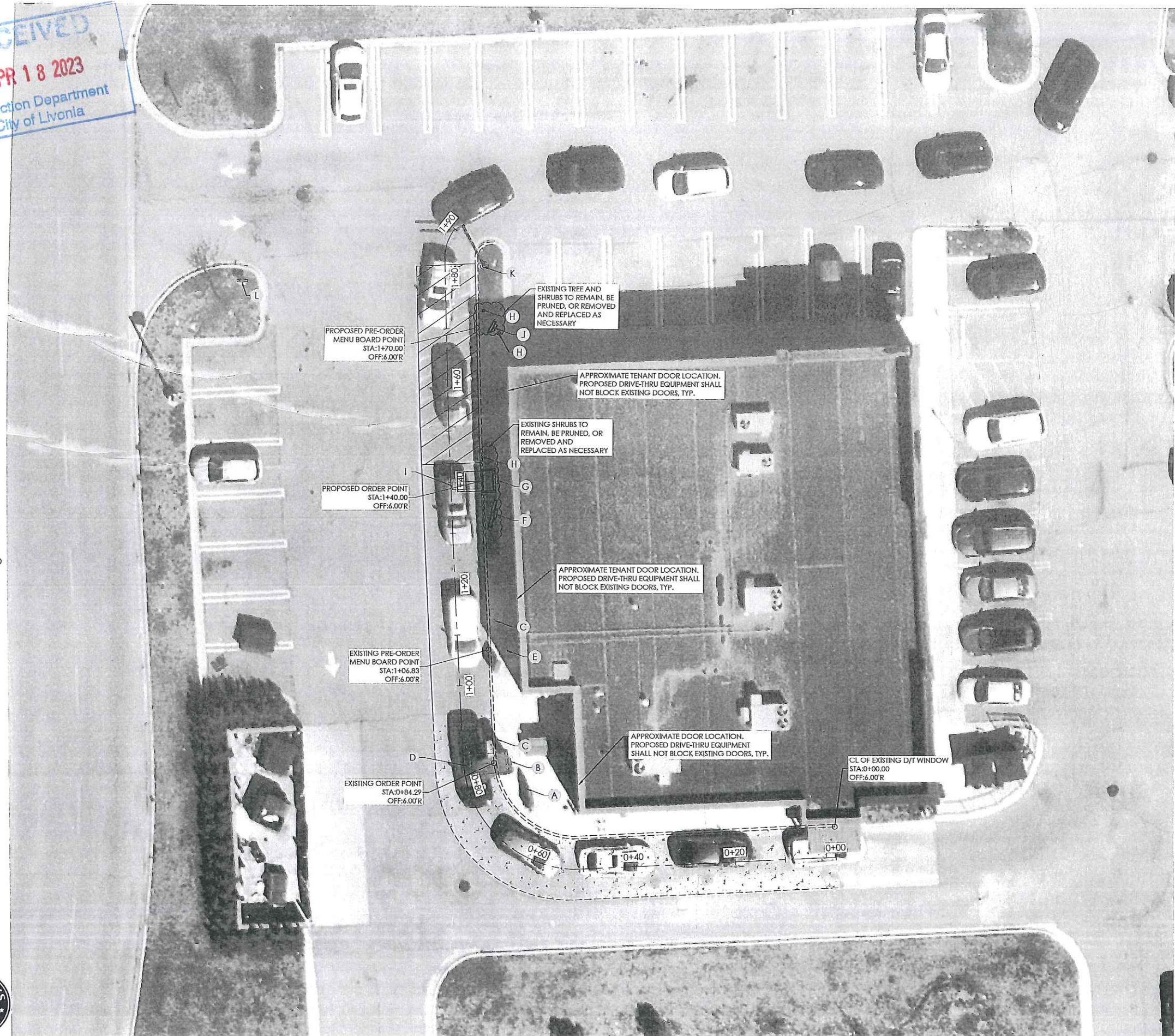
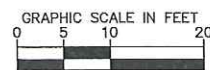
## GENERAL NOTES

1. EXISTING ORDER POINT TO BE REUSED, UNLESS NOTED OTHERWISE
2. REFERENCE DRIVE-THRU STATIONING (OFFSET 6' FROM FACE OF CURB)
3. REFERENCE DETAIL 28 FOR LOW VOLTAGE WIRING DIAGRAM. FOR PLACEMENT OF NEW ELECTRIC OR COMMUNICATION LINES, CONTRACTOR TO REPLACE EXISTING SURFACES OF DISTURBED AREAS IN KIND.
4. FOUNDATIONS DESIGNED FOR MODERATE SOIL CONDITIONS, CONTRACTOR TO VERIFY FOUNDATIONS WITH A LICENSED STRUCTURAL ENGINEER.
5. CONTRACTOR TO REPLACE ANY DISTURBED CURB, PAVING OR LANDSCAPE IN KIND.

PRIVATE UTILITY LOCATE NOT DEPLOYED  
FOR THIS SITE. CONTRACTOR TO FIELD  
LOCATE EXISTING UTILITIES AND POTENTIAL  
OBSTRUCTIONS

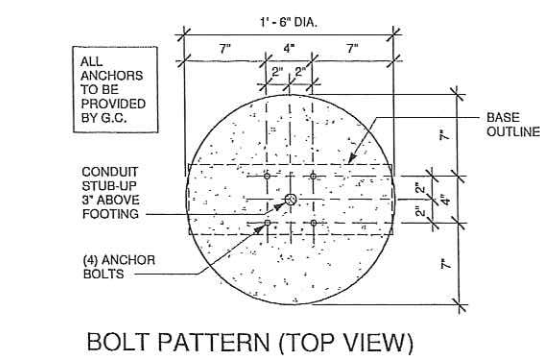
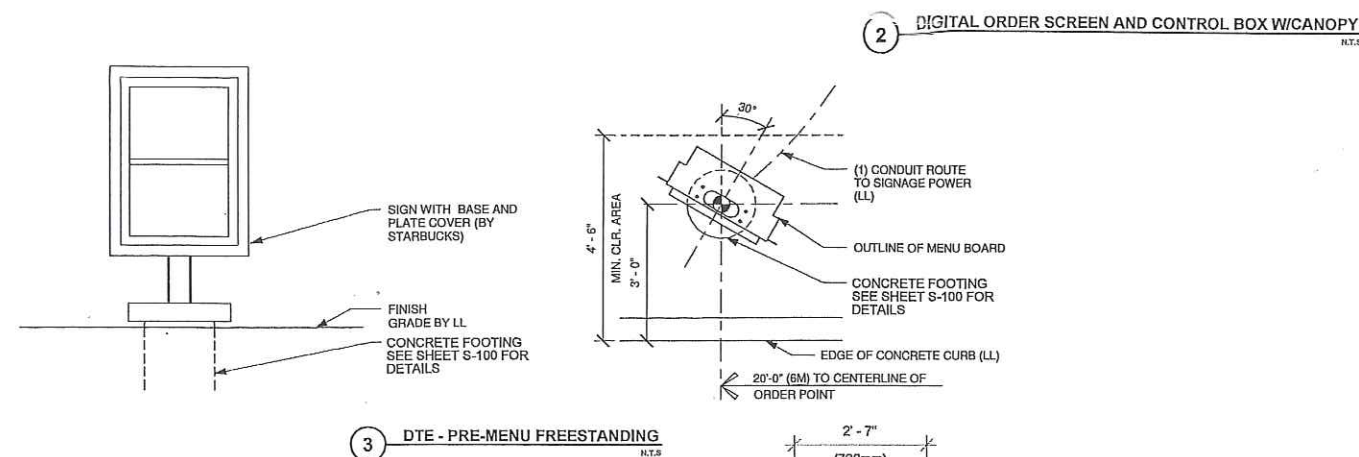
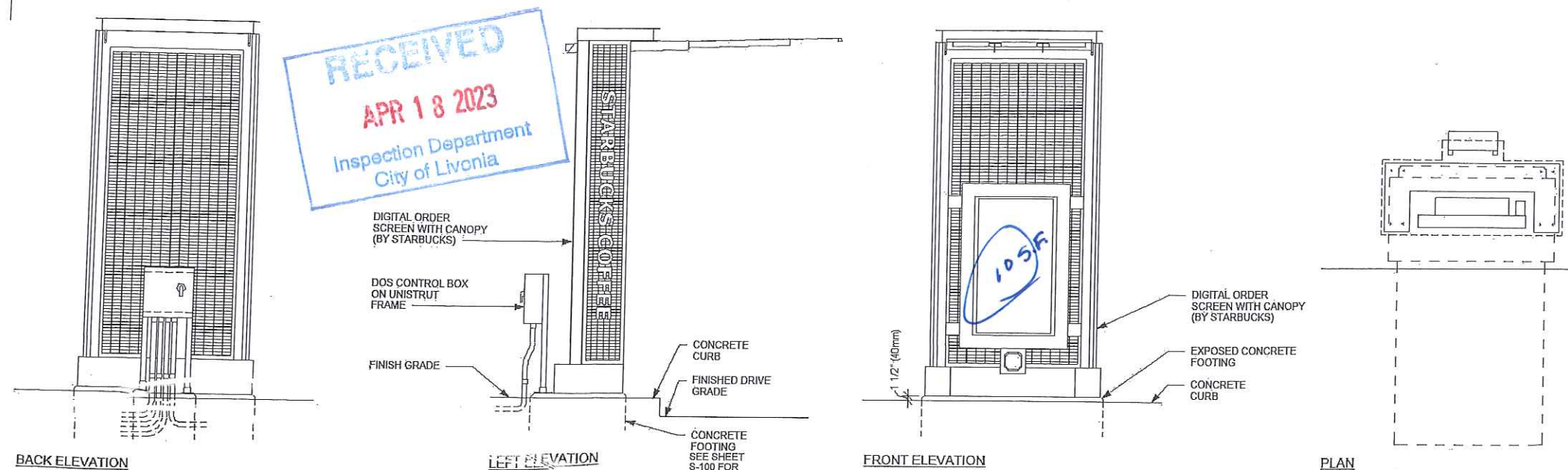


Know what's **below**.  
Call before you dig.

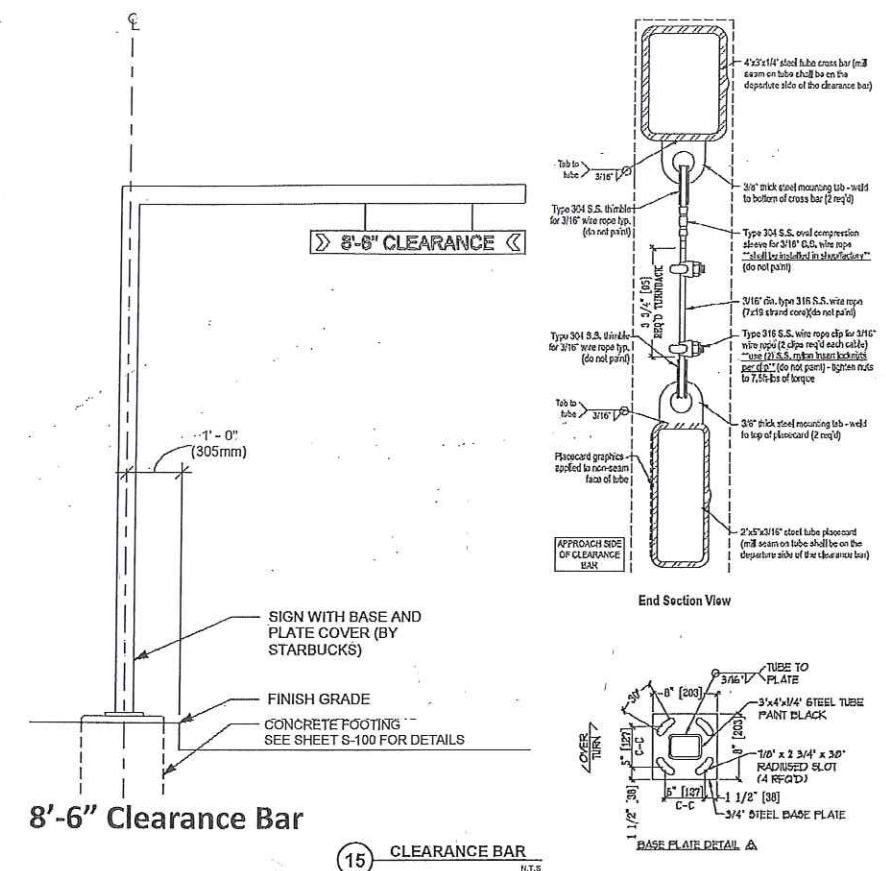
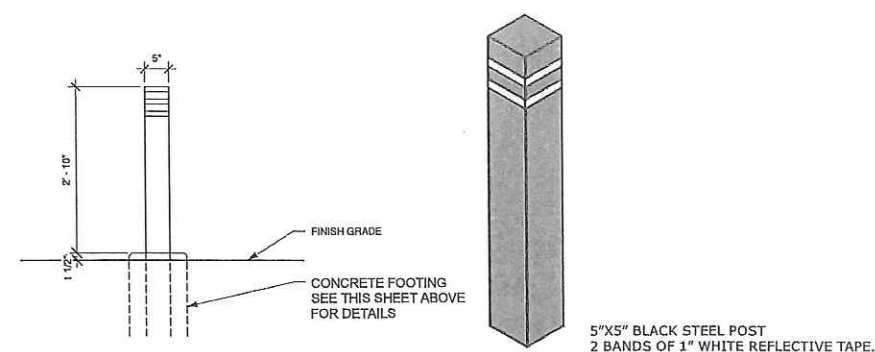
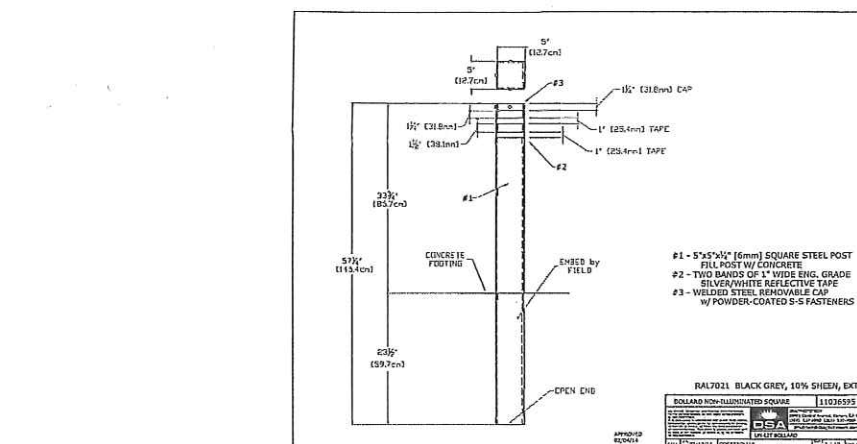
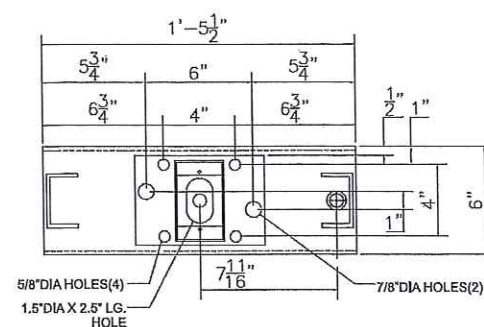
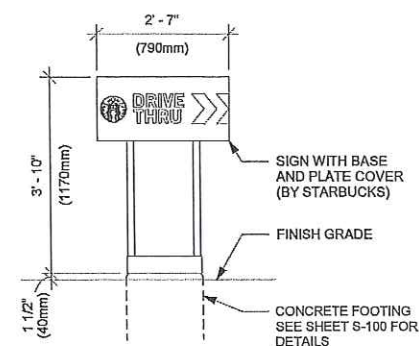


|                             |                                                                        |            |                                                        |                                                                  |                                                                                       |                                                                                                                                                                                      |     |           |            |
|-----------------------------|------------------------------------------------------------------------|------------|--------------------------------------------------------|------------------------------------------------------------------|---------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----------|------------|
| SHEET NUMBER<br><b>C100</b> | STORE 23871<br>12679 MIDDLEBELT RD<br>PREPARED FOR<br><b>STARBUCKS</b> | LIVONIA MI | <b>DRIVE-THROUGH<br/>EQUIPMENT<br/>RELOCATION PLAN</b> | KHA PROJECT<br>160924031<br>DATE<br>04/19/2023<br>SCALE AS SHOWN |  | <b>Kimley»»»Horn</b><br>of Michigan, Inc.<br>© 2022 KIMLEY-HORN OF MICHIGAN, INC.<br>1000 TOWN CENTER, SUITE 1900, SOUTHFIELD, MI 48075<br>PHONE 661-464-4197<br>WWW.KIMLEY-HORN.COM | No. | REVISIONS | BY<br>DATE |
|                             |                                                                        |            |                                                        | DESIGNED BY MS<br>DRAWN BY MS<br>CHECKED BY JAR                  |                                                                                       |                                                                                                                                                                                      |     |           |            |

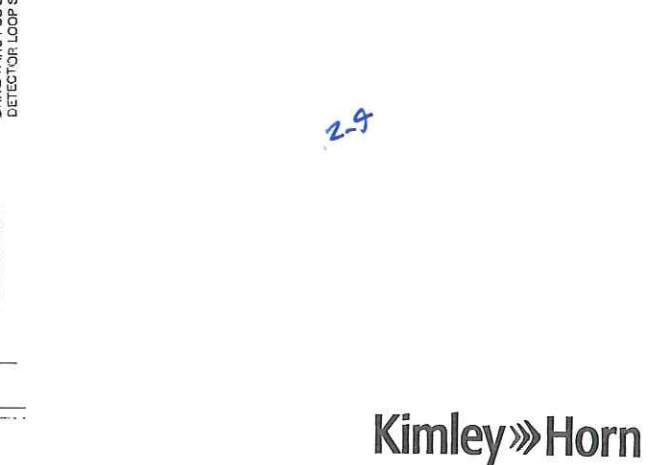
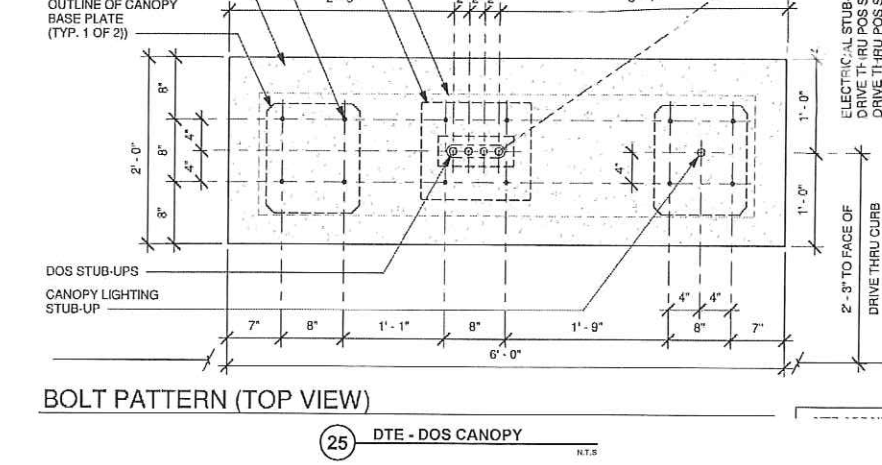
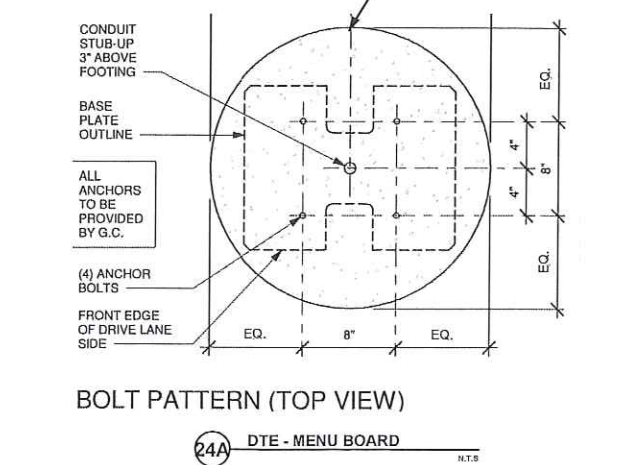
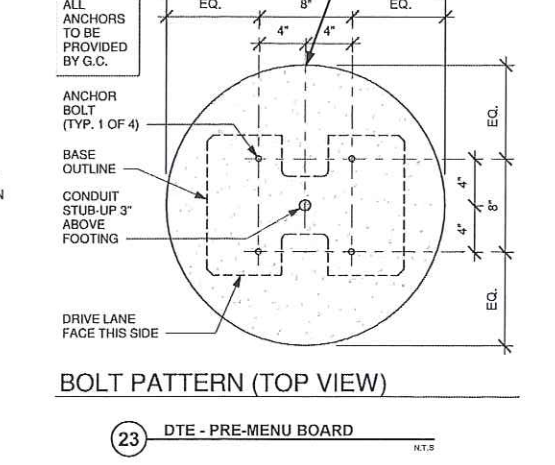
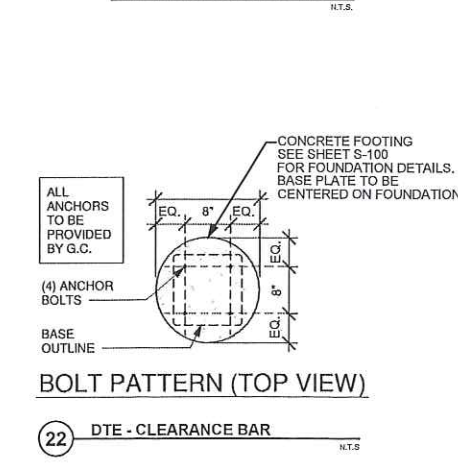
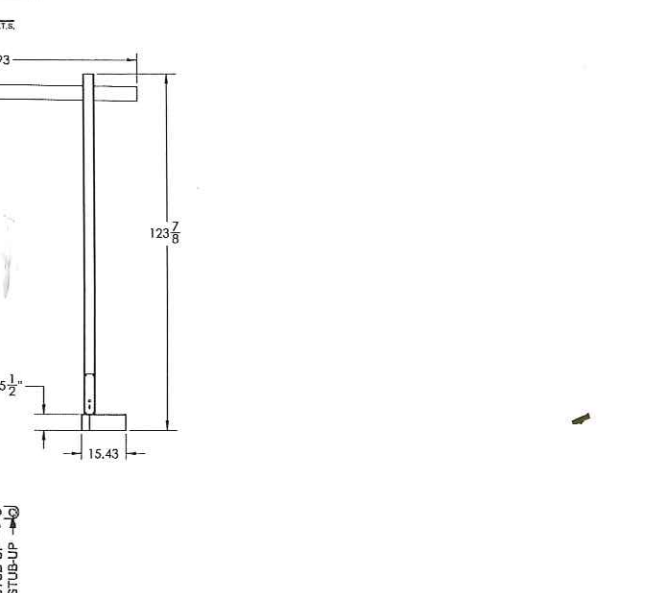
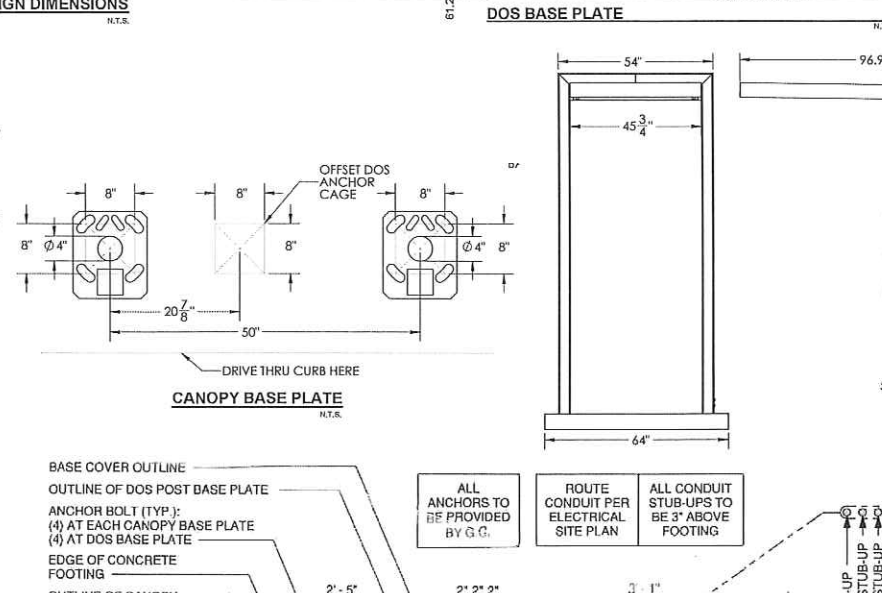
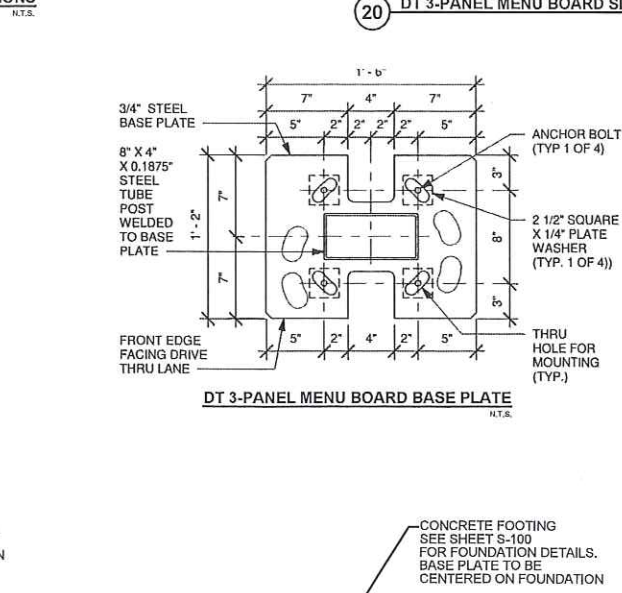
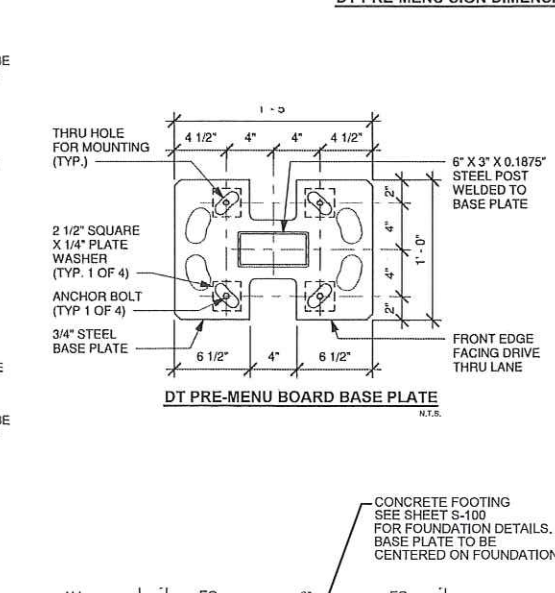
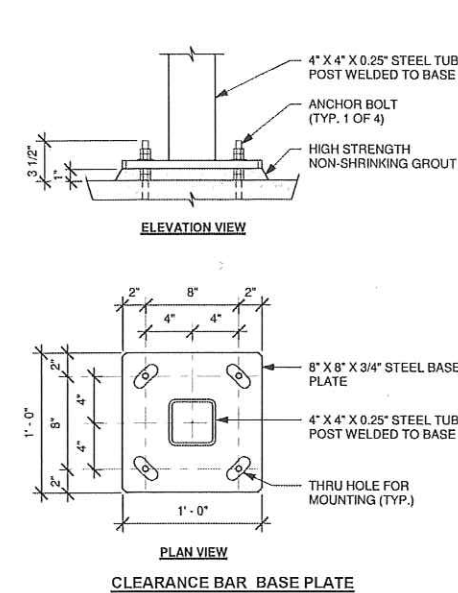
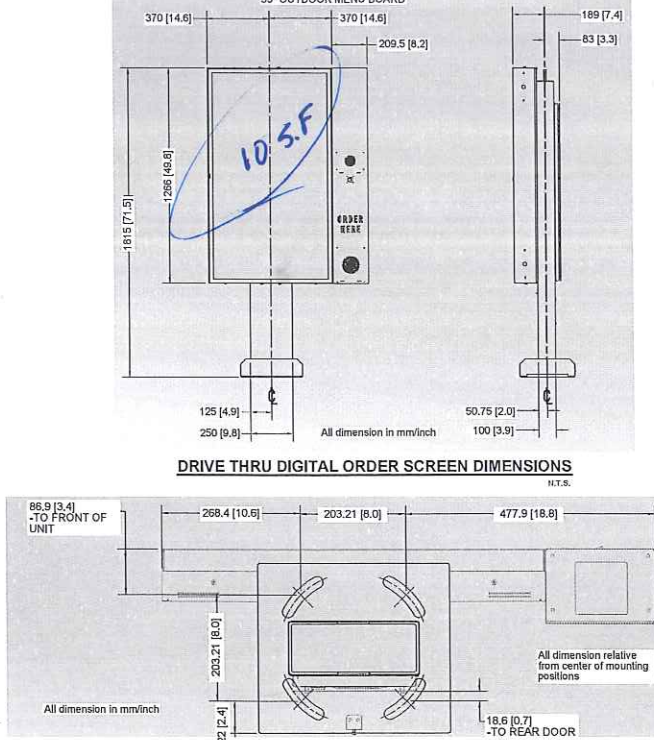
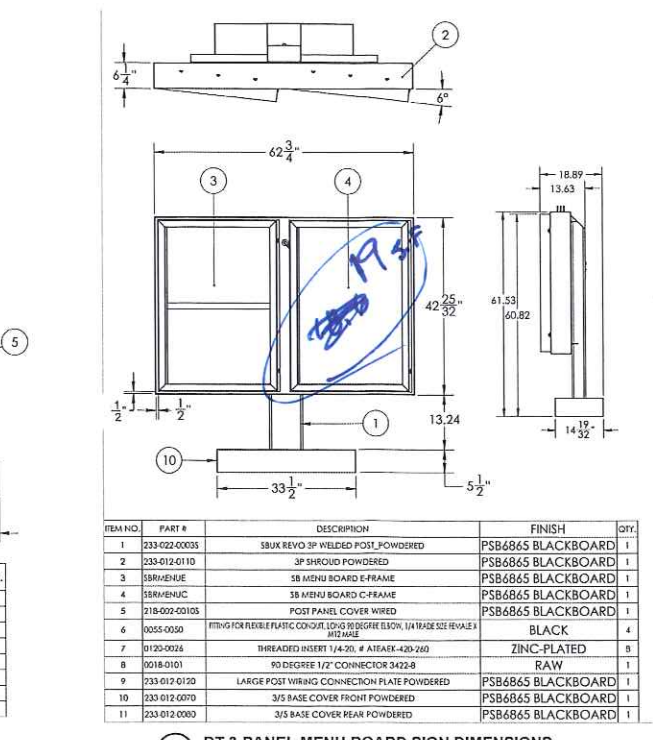
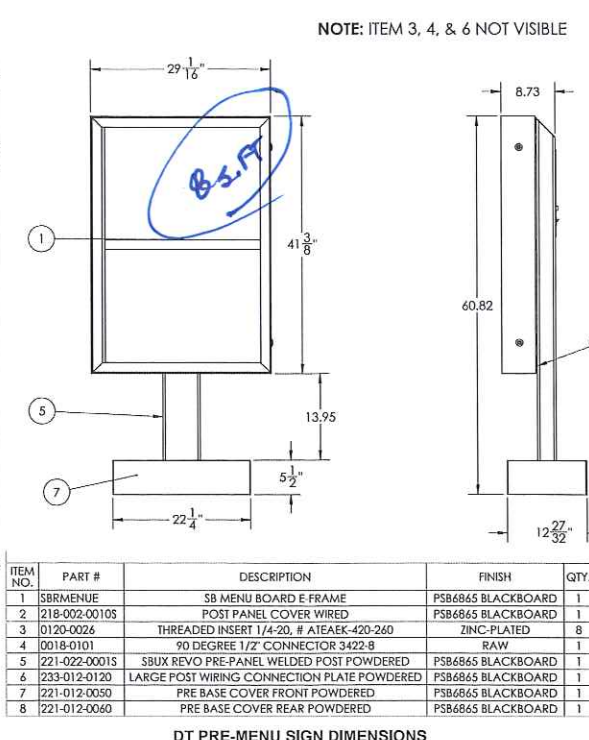
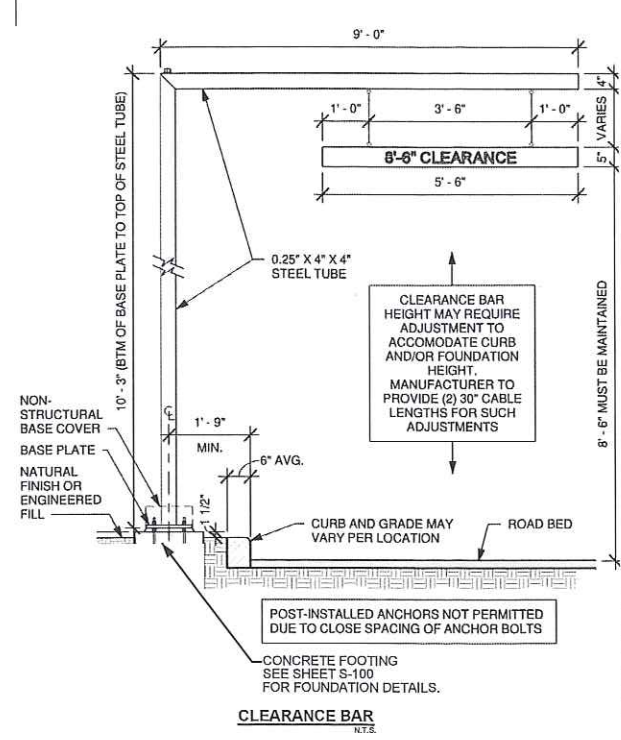




| FOUNDATION AND ANCHORS                                     |                                                                             |                                                                 |
|------------------------------------------------------------|-----------------------------------------------------------------------------|-----------------------------------------------------------------|
| QTY.                                                       | ANCHOR TYPE                                                                 | ALTERNATIVE TYPE                                                |
| 4                                                          | 1/2" STEEL STRAIGHT ANCHOR BOLTS WITH FLAT WASHERS AND HEAVY HEX NUTS (A36) | 1/2" HILTI KWIK BOLT 3 EXPANSION ANCHORS, 2 3/4" MIN. EMBEDMENT |
| 8                                                          | #3 BAR, STEEL REBAR TIES                                                    |                                                                 |
| 6                                                          | #4 BAR, VERTICAL STEEL REBAR                                                |                                                                 |
| CONCRETE                                                   |                                                                             |                                                                 |
| 0.15 CUBIC YARDS - AUGURED FOUNDATION: 18" DIA. X 42" DEEP |                                                                             |                                                                 |









PROJECT GENERAL NARRATIVE AND REQUIREMENTS:

1. THESE CONSTRUCTION DOCUMENTS ARE SPECIFICALLY APPLICABLE TO FOUNDATIONS SUPPORTING THE COMPONENTS LISTED BELOW:

| COMPONENT NAME                   | COMPONENT DIMENSIONS (WxD, FT)     | COMPONENT WEIGHT (LBS) |
|----------------------------------|------------------------------------|------------------------|
| PRE-MENU BOARD                   | 2'-5 1/8" x 5'-1 3/8" x 8 3/4"     | 141.37                 |
| 3-PANEL MENU BOARD               | 5'-2 3/4" x 5'-1 1/8" x 1'-6 1/8"  | 277.10                 |
| 5-PANEL MENU BOARD               | 7'-10 1/2" x 5'-1 1/8" x 1'-6 1/8" | 360                    |
| DIGITAL ORDER SCREEN             | 3'-1 1/8" x 4'-1 3/4" x 9 3/8"     | 391                    |
| DIRECTIONAL SIGN                 | 2'-7" x 3'-10" x 5 1/4"            | 65                     |
| SPEAKER POST                     | 10 3/4" x 3'-10" x 10 3/4"         | 32                     |
| CANOPY                           | 10'-3 3/8" x 4'-6" x 8'-7 1/8"     | 602                    |
| DIGITAL ORDER SCREEN WITH CANOPY | 10'-3 3/8" x 4'-6" x 8'-7 1/8"     | 993                    |
| CLEARANCE BAR                    | 9'-0" x 10'-3" x 0'-4"             | 350                    |

2. FOUNDATION DESIGN IS BASED ON THE DESIGN CRITERIA.

3. IF GROUND SNOW LOAD IN PROJECT LOCATION EXCEEDS THAT LISTED IN THE DESIGN CRITERIA, THE ENGINEER OF RECORD SHOULD BE CONTACTED IMMEDIATELY. THE AUTHORITY HAVING JURISDICTION IS TO APPROVE THAT THE SNOW LOAD IS ACCEPTABLE WITH THEIR LOCALLY ADOPTED CODES AND STANDARDS.

4. IF THE PROJECT IS LOCATED IN AN AREA CLASSIFIED AS SITE CLASS E OR F, A SITE-SPECIFIC GEOTECHNICAL ANALYSIS IS REQUIRED AND THE ENGINEER OF RECORD SHOULD BE CONTACTED IMMEDIATELY.

5. THE CONTRACTOR'S SCOPE OF WORK FOR THIS PROJECT SHALL INCLUDE ALL COORDINATION, MATERIALS, LABOR, AND OVERHEAD NECESSARY FOR COMPLETION OF THE FOLLOWING:

- ALL STRUCTURES ARE DESIGNED TO ACT AS A STRUCTURAL UNIT UPON COMPLETION. CONTRACTOR SHALL DESIGN AND PROVIDE NECESSARY BRACING, TEMPORARY SUPPORTS, AND SHORING TO RESIST FORCES ON THE STRUCTURE DURING CONSTRUCTION.
- VERIFY ALL DIMENSIONS AND ELEVATIONS PRIOR TO STARTING WORK. NOTIFY THE ENGINEER OF ANY DISCREPANCIES.
- VERIFY LOCATIONS OF ALL EXISTING UTILITIES PRIOR TO STARTING WORK.
- CONTRACTOR MUST EXERCISE EXTREME CARE DURING THE EXCAVATION AND CONSTRUCTION FOR NEW STRUCTURE TO AVOID DAMAGE TO EXISTING STRUCTURES. CONTRACTOR IS RESPONSIBLE FOR PROVIDING ALL MEANS AND METHODS REQUIRED TO FACILITATE CONSTRUCTION OF THE WORK AND ENSURING THE SAFETY, STABILITY AND INTEGRITY OF ADJACENT STRUCTURES AND FACILITIES.
- CONTRACTOR MUST ENGAGE A GEOTECHNICAL ENGINEER TO FIELD VERIFY SOIL PARAMETERS NOTED IN THE FOUNDATION NOTES AND CONCRETE CLASS NOTED UNDER CONCRETE NOTES.

DESIGN CRITERIA:

- DESIGN CRITERIA IS BASED ON THE CONTROLLING GEOGRAPHICAL LOADINGS CONSIDERING CLIENT-PROVIDED PROJECT LOCATIONS IN THE UNITED STATES.
- THE DESIGN CRITERIA PERTAINING TO EACH SPECIFIC SITE WILL DIFFER FROM THE DESIGN CRITERIA LISTED BELOW. THE DESIGN CRITERIA LISTED BELOW IS CONSERVATIVE RELATIVE TO THE SITE SPECIFIC DESIGN WITH THE CONSIDERATION OF PROJECT GENERAL NARRATIVE AND REQUIREMENTS NOTE 4, ABOVE.
- BUILDING CODE: DESIGNED IN ACCORDANCE WITH 2015, 2018 AND 2021 INTERNATIONAL BUILDING CODES.
- DESIGN LOADS  
RISK CATEGORY = II  
DEAD LOAD:  
SELF WEIGHT OF MATERIAL  
WIND:  
DESIGN WIND SPEED (3 SEC. GUST) = 169 MPH (ULTIMATE)  
WIND EXPOSURE = D  
SNOW:  
GROUND SNOW LOAD, PG = 100 PSF  
SEISMIC:  
SEISMIC IMPORTANCE FACTOR, IE = 1.0  
MAPPED SPECTRAL RESPONSE ACCELERATION PARAMETERS:  
S<sub>s</sub> = 2.432g  
S<sub>1</sub> = 0.853g  
SITE CLASS = D  
DESIGN SPECTRAL RESPONSE ACCELERATION PARAMETERS:  
S<sub>DS</sub> = 1.622g  
S<sub>1D</sub> = 0.853g  
SEISMIC DESIGN CATEGORY = E  
RESPONSE MODIFICATION COEFFICIENT (R<sub>a</sub>) = 3.0

\*\*NOTE: PRIOR TO CONSTRUCTION, SITE-SPECIFIC VALUES SHOULD BE DETERMINED FOR EACH PROPOSED PROJECT LOCATION. SHOULD SITE-SPECIFIC VALUES EXCEED THOSE NOTED ABOVE, THE ENGINEER OF RECORD SHALL BE CONTACTED IMMEDIATELY.

FOUNDATIONS:

- FOUNDATIONS ARE DESIGNED USING PRESUMPTIVE SOIL VALUES IN ACCORDANCE WITH THE BUILDING CODE.
- ALL FOOTING EXCAVATIONS SHALL BE INSPECTED BY THE GEOTECHNICAL ENGINEER PRIOR TO PLACING CONCRETE.
- IBC PRESUMPTIVE VERTICAL BEARING CAPACITY: 1,500 PSF
- IBC PRESUMPTIVE LATERAL BEARING CAPACITY: 100 PCF
- MINIMUM DEPTH OF ALL FOUNDATIONS SHALL BE 6 INCHES BELOW THE FROST DEPTH OR THE EMBEDMENT NOTED IN THE DRILLED SHAFT FOUNDATION PROPERTY TABLE, WHICHEVER IS GREATER.
- ASCE PRESUMPTIVE WATER SUBMERGED SOIL WEIGHT = 48 PCF.

CONCRETE:

- READY-MIX CONCRETE WORK SHALL CONFORM TO ASTM C94.
- STRUCTURAL CONCRETE MATERIALS SHALL CONFORM TO THE FOLLOWING:

- TYPE V PORTLAND CEMENT - ASTM C150
- AGGREGATES (3/4" MAX.) - ASTM C33
- AIR ENTRAINING (6% ± 1.5%)
- WATER REDUCING - ASTM C494
- FLY ASH (MAX 25% BY WEIGHT), TYPE F - ASTM C618
- WATER - CLEAN AND POTABLE
- REINFORCING STEEL: ASTM A615 GRADE 60
- GROUT SHALL BE NON-SHRINK, NON-METALLIC
- USE OF CALCIUM CHLORIDE IS NOT PERMITTED

3. STRUCTURAL CONCRETE MIX SHALL CONFORM TO THE FOLLOWING:

- CONCRETE MIXES AND EXPOSURE CLASS ACCORDING TO ACI 318-14 AND ACI 318-19

| FOUNDATIONS | F <sup>1</sup> C PSI | CLASS | MAX WATER-TO-CEMENT RATIO |
|-------------|----------------------|-------|---------------------------|
|             | 4,500                | S1/F2 | 0.45                      |

CONCRETE EXPOSURE CLASS S1 IS ADEQUATE FOR SOILS WITH A C<sub>3</sub>A CONTENT UP TO 8.0%.

4. REQUIRED SLUMP: 2" TO 4" (BEFORE ADDITION OF SUPERPLASTICIZER)

5. ALL CONCRETE MATERIALS, PLACING, AND HANDLING SHALL BE IN ACCORDANCE WITH THE LATEST CODE-ADOPTED EDITION OF ACI 318 AND ACI 301 IN EACH PROJECT LOCATION. CONCRETE WORK SHALL CONFORM TO THE LATEST CODE-ADOPTED VERSION OF ACI 318 IN EACH PROJECT LOCATION.

6. CONCRETE COVER FOR REINFORCEMENT BARS SHALL CONFORM TO THE FOLLOWING, UNLESS INDICATED OTHERWISE ON THE DRAWINGS.

- CONCRETE CAST AGAINST AND PERMANENTLY EXPOSED TO EARTH: 3 INCHES
- CONCRETE EXPOSED TO EARTH/WEATHER (NO. 6 - NO. 18 BARS): 2 INCHES
- CONCRETE EXPOSED TO EARTH/WEATHER (NO. 5 AND SMALLER): 1 1/2 INCHES

7. DETAILING OF REBAR SHALL BE IN ACCORDANCE WITH THE LATEST REVISION OF THE ACI DETAILING MANUAL AND CONCRETE REINFORCING INSTITUTE'S LATEST EDITION OF "MANUAL OF STANDARD PRACTICE".

8. ALL DIMENSIONS PERTAINING TO LOCATION OF REINFORCING BARS ARE TO CENTERLINE OF BARS EXCEPT WHERE THE CLEAR DIMENSION IS SHOWN TO FACE OF REINFORCING BAR.

9. REINFORCEMENT DETAIL DIMENSIONS SHALL BE OUT-TO-OUT OF BARS.

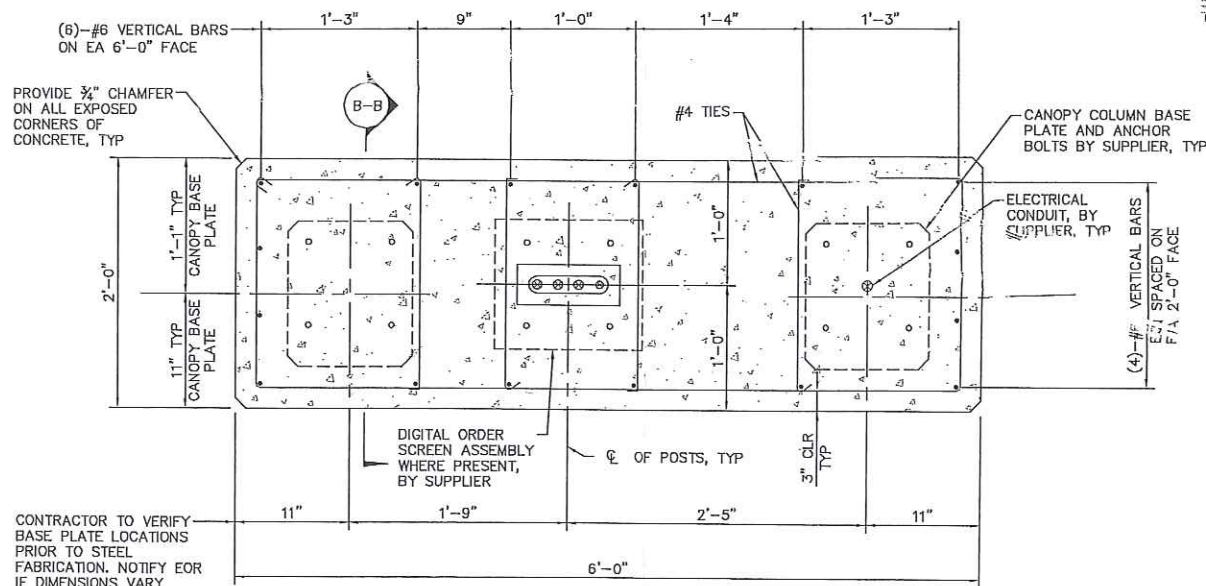
10. ACI STANDARD HOOKS SHALL BE USED UNLESS OTHERWISE NOTED.

11. ALL CONTINUOUS BARS SHALL HAVE CLASS "B" TENSION LAP SPLICES.

12. BARS SHALL BE FIELD TIED. WELDING IS NOT PERMITTED. FIELD HEATING TO BEND IS NOT PERMITTED.

13. SUPPORT REINFORCEMENT IN ITS PROPER LOCATION FROM THE FORMWORK DURING CONCRETE OPERATION.

14. FORM TIES AND REINFORCING BAR SUPPORTS SHALL BE OF NON-CORROSIVE MATERIAL INCLUDING, BUT NOT LIMITED TO, FIBERGLASS, PLASTIC, AND/OR CONCRETE BLOCK.

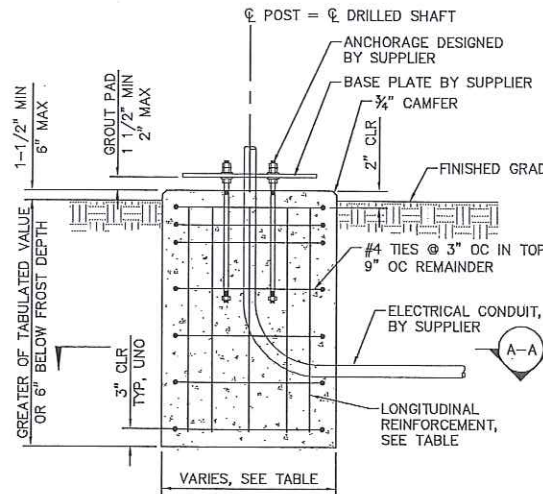


CANOPY FOUNDATION PLAN VIEW

SCALE: 1" = 1'-6"

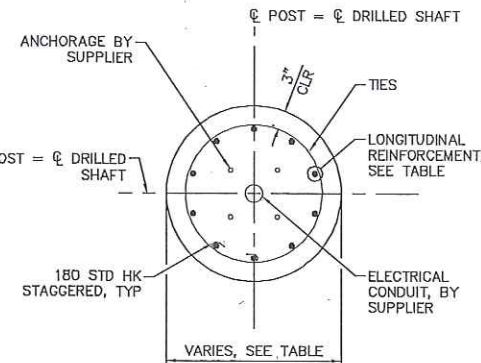
| DRILLED SHAFT FOUNDATION PROPERTIES |                         |                 |                            |
|-------------------------------------|-------------------------|-----------------|----------------------------|
| COMPONENT NAME                      | DRILLED SHAFT DIAMETER* | EMBEDMENT DEPTH | LONGITUDINAL REINFORCEMENT |
| PRE-MENU BOARD                      | 2'-6"                   | 5'-0"           | (9)-#6                     |
| 3-PANEL MENU BOARD                  | 2'-6"                   | 6'-6"           | (9)-#6                     |
| 5-PANEL MENU BOARD                  | 2'-6"                   | 7'-0"           | (9)-#6                     |
| DIGITAL ORDER SCREEN                | 2'-6"                   | 5'-6"           | (9)-#6                     |
| DIRECTIONAL SIGN                    | 2'-0"                   | 5'-0"           | (6)-#6                     |
| SPEAKER POST                        | 2'-0"                   | 5'-0"           | (6)-#6                     |
| CLEARANCE BAR                       | 2'-0"                   | 6'-6"           | (6)-#6                     |

\*CONTRACTOR TO COORDINATE BASE PLATE AND ANCHOR CONFIGURATION W/ SHAFT GEOMETRY PRIOR TO STEEL FABRICATION.



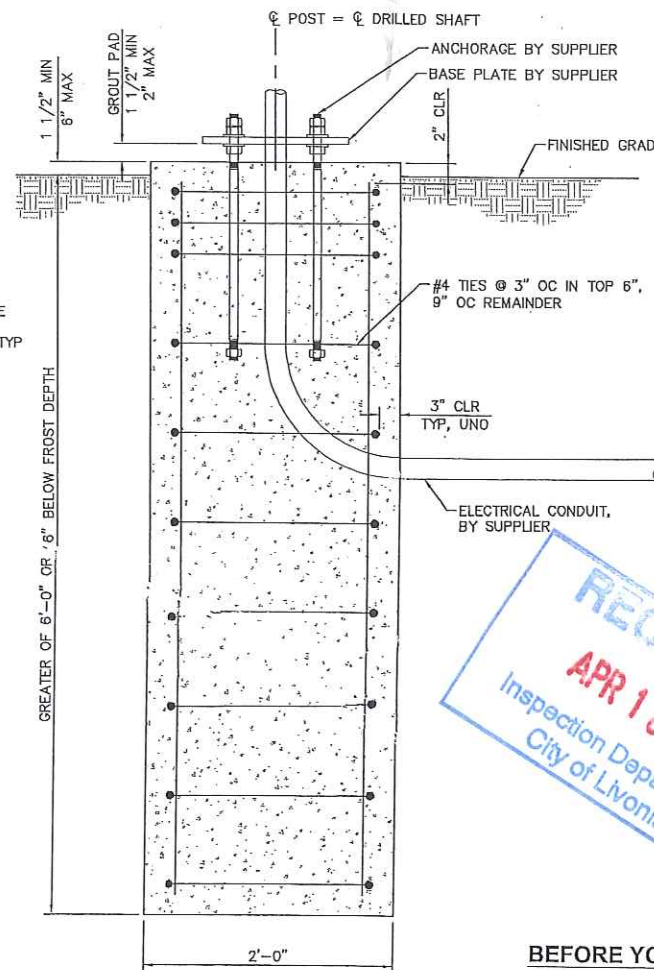
DRILLED SHAFT FOUNDATION ELEVATION

SCALE: NOT TO SCALE



DRILLED SHAFT FOUNDATION SECTION A-A

SCALE: NOT TO SCALE



CANOPY FOUNDATION SECTION B-B

SCALE: 1" = 1'-6"

BEFORE YOU DIG, CALL



Kimley»Horn

111 EAST BROADWAY, SUITE 600  
SALT LAKE CITY, UTAH 84111



8/9/2022

|             |           |
|-------------|-----------|
| KHA PROJECT | 093868001 |
| DATE        | 7/28/2022 |
| SCALE       | AS SHOWN  |
| DESIGNED BY | JML       |
| DRAWN BY    | JML       |
| CHECKED BY  | CHN       |

STRUCTURAL  
NOTES AND  
DRIVE THRU  
FOUNDATION  
DETAILS

PREPARED FOR  
STARBUCKS  
CORPORATION

VARIES, MULTIPLE SITES



SHEET NUMBER

S-100



ZBA CASE

2023-04-06

12679 MIDDLEBELT

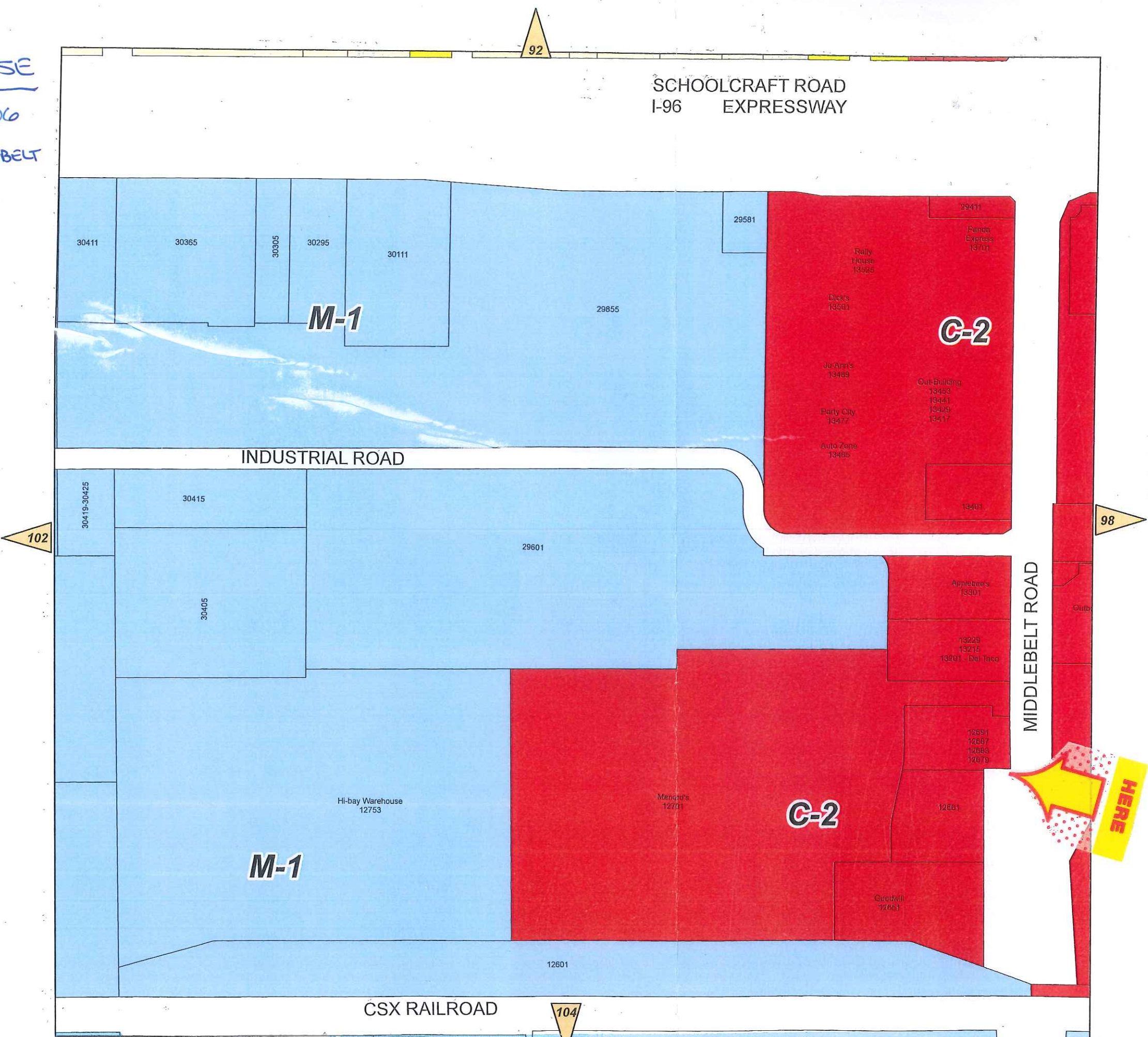
REF: SIGNAGE

# 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          |

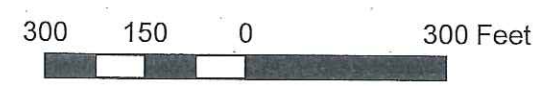


N.E. 1/4 Section 26

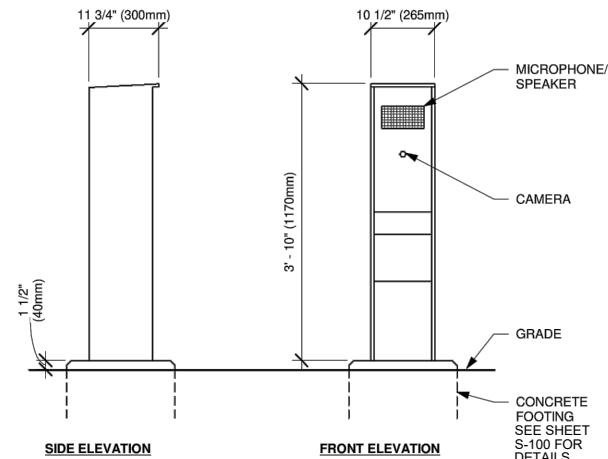
**City of Livonia**

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

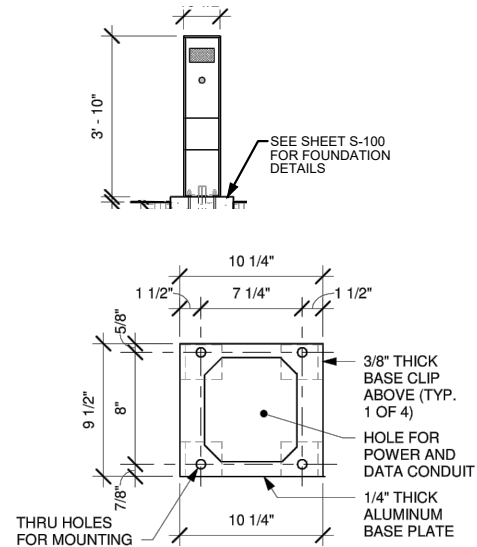
Copyright 2001, City of Livonia



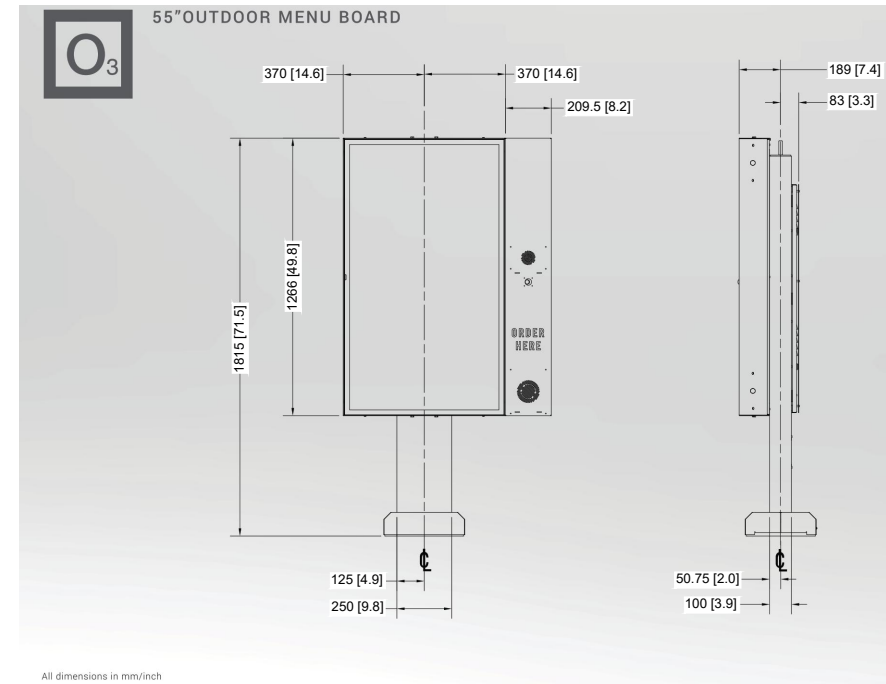




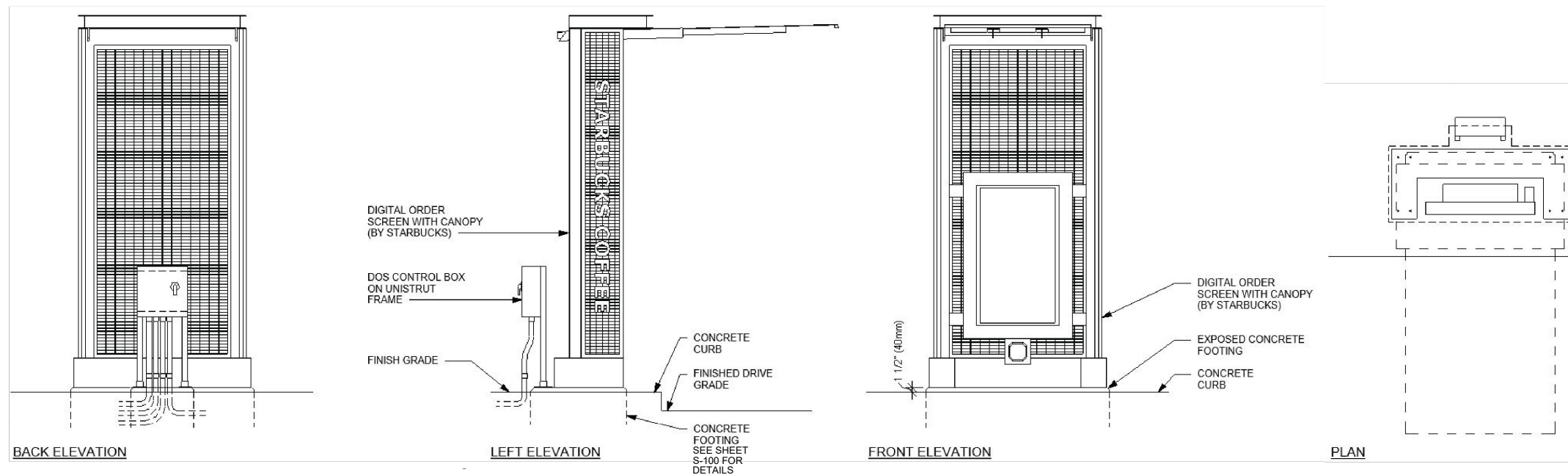
**1 DRIVE THRU SPEAKER POST**  
N.T.S.



**BASE PLATE**



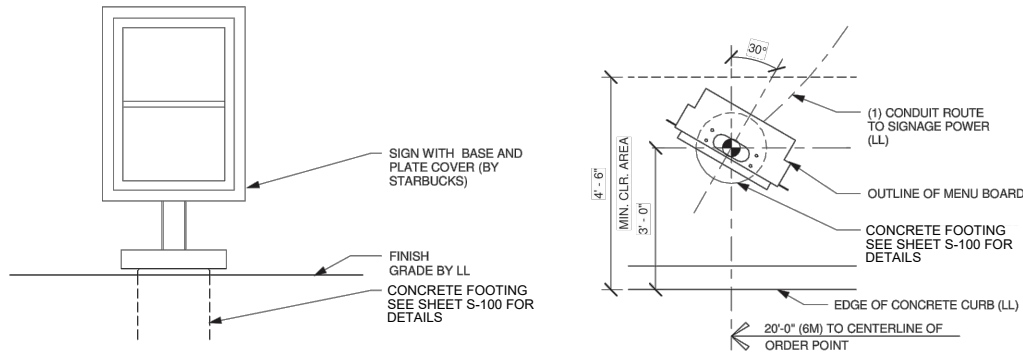
**2.1 DRIVE THRU DIGITAL ORDER SCREEN**  
N.T.S.



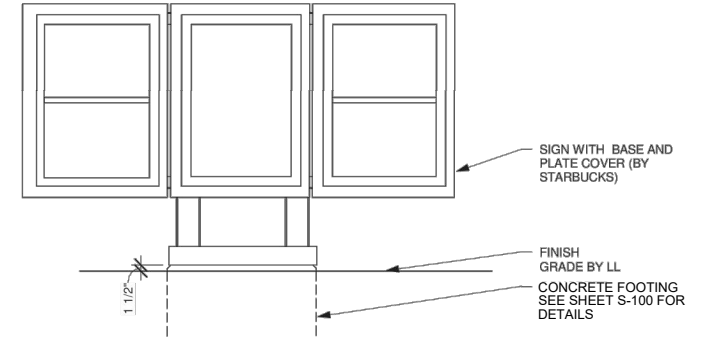
**2 DIGITAL ORDER SCREEN AND CONTROL BOX W/CANOPY**  
N.T.S.

**\*CONTRACTOR TO FIELD MODIFY THIS DETAIL FOR DIGITAL ORDER SCREEN WITHOUT CANOPY**

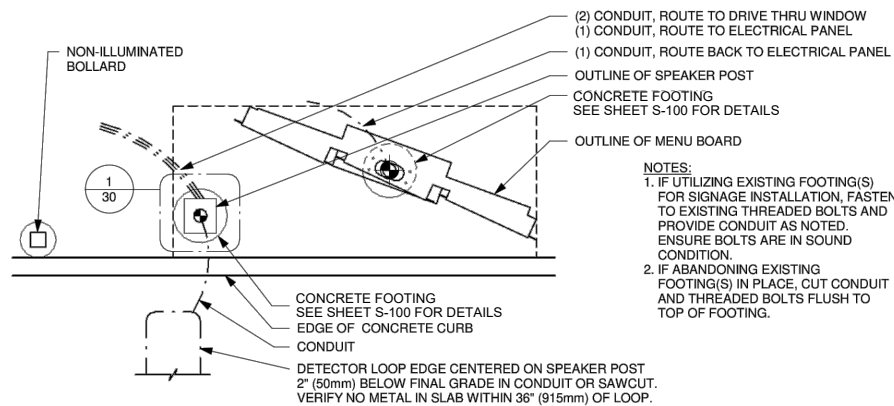




**3 DTE - PRE-MENU FREESTANDING**  
N.T.S.

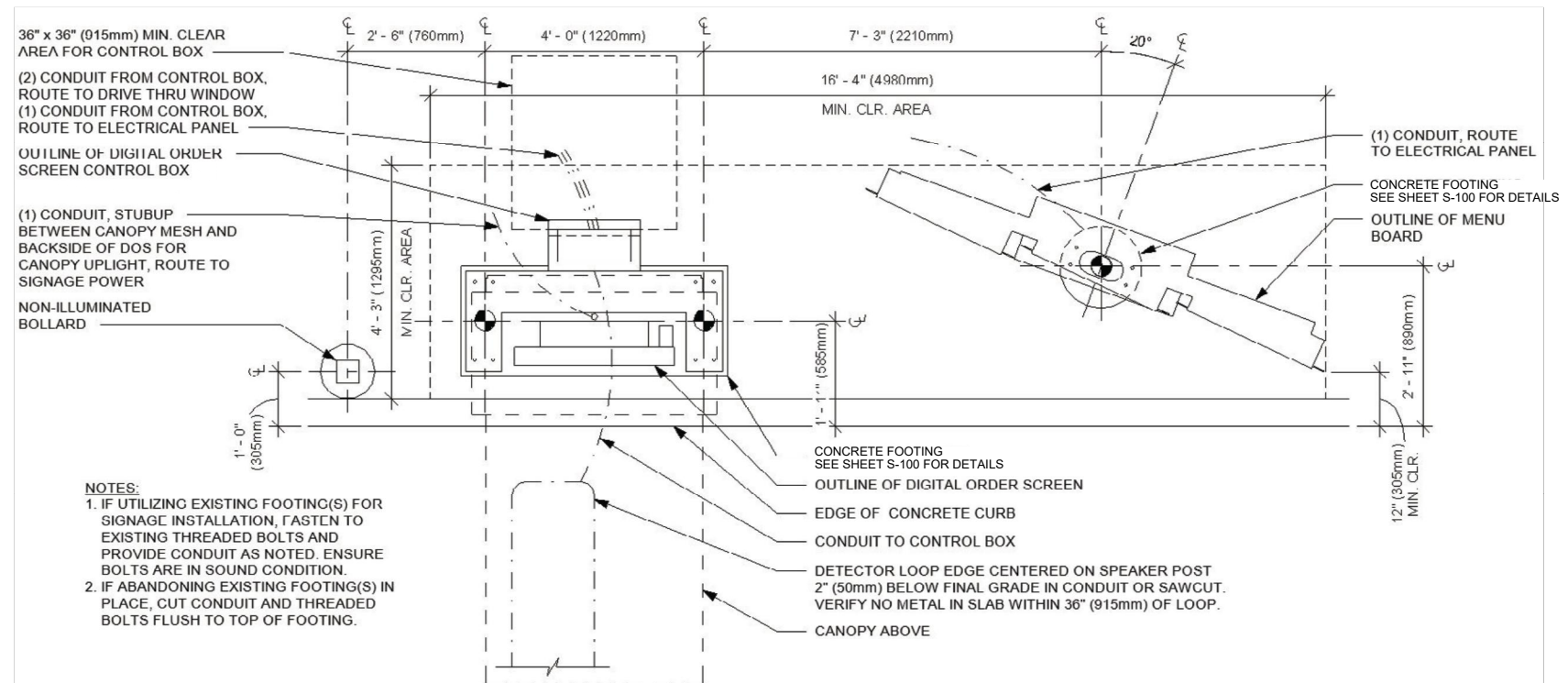


**4 DTE - MENU 5 PANEL FREESTANDING**  
N.T.S.



CONTRACTOR TO SEE DETAIL 6 FOR EQUIPMENT ORIENTATION

**5 5 PANEL 20 DEG DT MENU BOARD W/ SPEAKER POST**  
N.T.S.



NOTES:

1. IF UTILIZING EXISTING FOOTING(S) FOR SIGNAGE INSTALLATION, FASTEN TO EXISTING THREADED BOLTS AND PROVIDE CONDUIT AS NOTED. ENSURE BOLTS ARE IN SOUND CONDITION.

2. IF ABANDONING EXISTING FOOTING(S) IN PLACE, CUT CONDUIT AND THREADED BOLTS FLUSH TO TOP OF FOOTING.

**6 5-PANEL MENU BOARD & DOS W/CANOPY**  
N.T.S.

\*CONTRACTOR TO FIELD MODIFY THIS DETAIL FOR DIGITAL ORDER SCREEN WITHOUT CANOPY

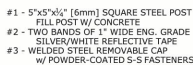




N.T.S.

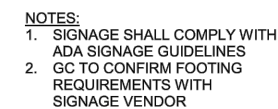


N.T.S.



N.T.S.

2 BANDS OF 1" WHITE REFLECTIVE TAPE.



N.T.



|                                                            |
|------------------------------------------------------------|
| <b>CONCRETE</b>                                            |
| 0.15 CUBIC YARDS - AUGERED FOUNDATION: 18" DIA. X 42" DEEP |

N.1.2





**Case No:** 2023-04-07  
**Meeting Date:** May 16, 2023

Please note my (APPROVAL) (OBJECTION) to the requested variance for the following reasons:

**Signed comments will be read into the record. Unsigned or anonymous comments will not be considered.**

**Signature:**

Name:

**Address:**

  
newell A. GONT  
(Please print)  
29149 morlock st,  
livonia MI, 48152



To: City of Livonia  
Zoning Board of Appeals  
33000 Civic Center Drive  
Livonia, MI 48154

Case No: 2023-04-07  
Meeting Date: May 16, 2023

Please note my (APPROVAL) (OBJECTION) to the requested variance for the following reasons:

The proposed fence is unnecessary.  
Zoning laws exist for a reason. This  
proposed fence would be an eyesore. It  
would stand out for all the wrong reasons.

Signed comments will be read into  
the record. Unsigned or anonymous  
comments will not be considered.

Signature: Stephanie Wilson

Name: Stephanie Wilson  
(Please print)

Address: 28979 Morlock St.

## 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

**April 28, 2023**  
**PUBLIC NOTICE**

**APPEAL CASE NO. 2023-04-07: Luis O. Morales-Villegas, 20307 Parkville:** seeking to erect a six-foot tall wood privacy fence within the side yard which is not allowed. Privacy fences, without a side door, must not extend beyond the rear line of the home toward the street. Also, the proposed nearly bisects the depth of this lot, leaving a large, wooded area between an existing four-foot-tall chain-link fence along the rear property line.

The property is located on the west side of Parkville (20307), between Morlock and Bretton, Lot. No. 002-01-0393-000, R-U-F Zoning District, Rural Urban Farm, rejected by the Inspection Department under Livonia Code of Ordinance, Section 15.44.090 (B), Residential District Regulations, Privacy fence in the side yard.

**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, May 16, 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.



2023-04-07



## 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 SAME AS BELOW Address SAME AS BELOW  
 Owner LUIS O. MORALES-VILLEGAS Address 20307 PARKVILLE, LIVONIA, MI 48152  
 Lessee                      Address                       
 Location WEST Side of 20307 PARKVILLE Street  
 Between MORLOCK And BRETTON  
 Lot No./Parcel No. 002-01-0393-000 Subdivision SUPERVISOR LIVONIA PLAT #6  
 Zoning District RUF Map No. NW01 Lot Size 66' x 39.5' Alley                       
 Present Use RESIDENTIAL 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 N/A

Proposal SEEKING TO ERECT A SIX FOOT TALL WOOD PRIVACY FENCE WITHIN THE SIDE YARD WHICH IS NOT ALLOWED. PRIVACY FENCES, WITHOUT A SIDE DR, MUST NOT EXTEND BEYOND THE REAR LINE OF THE HOME TOWARD THE STREET, ALSO, THE PROPOSED NEARLY BISECTS THE DEPTH OF THIS LOT, LEAVING A LARGE WOODED AREA BETWEEN AN EXISTING FOUR FOOT TALL CHAIN LINK FENCE ALONG THE REAR PROPERTY LINE.

Reason for Rejection CODE OF ORDINANCES, SECTION 15.44.090(B)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                     

15.44.090(B)

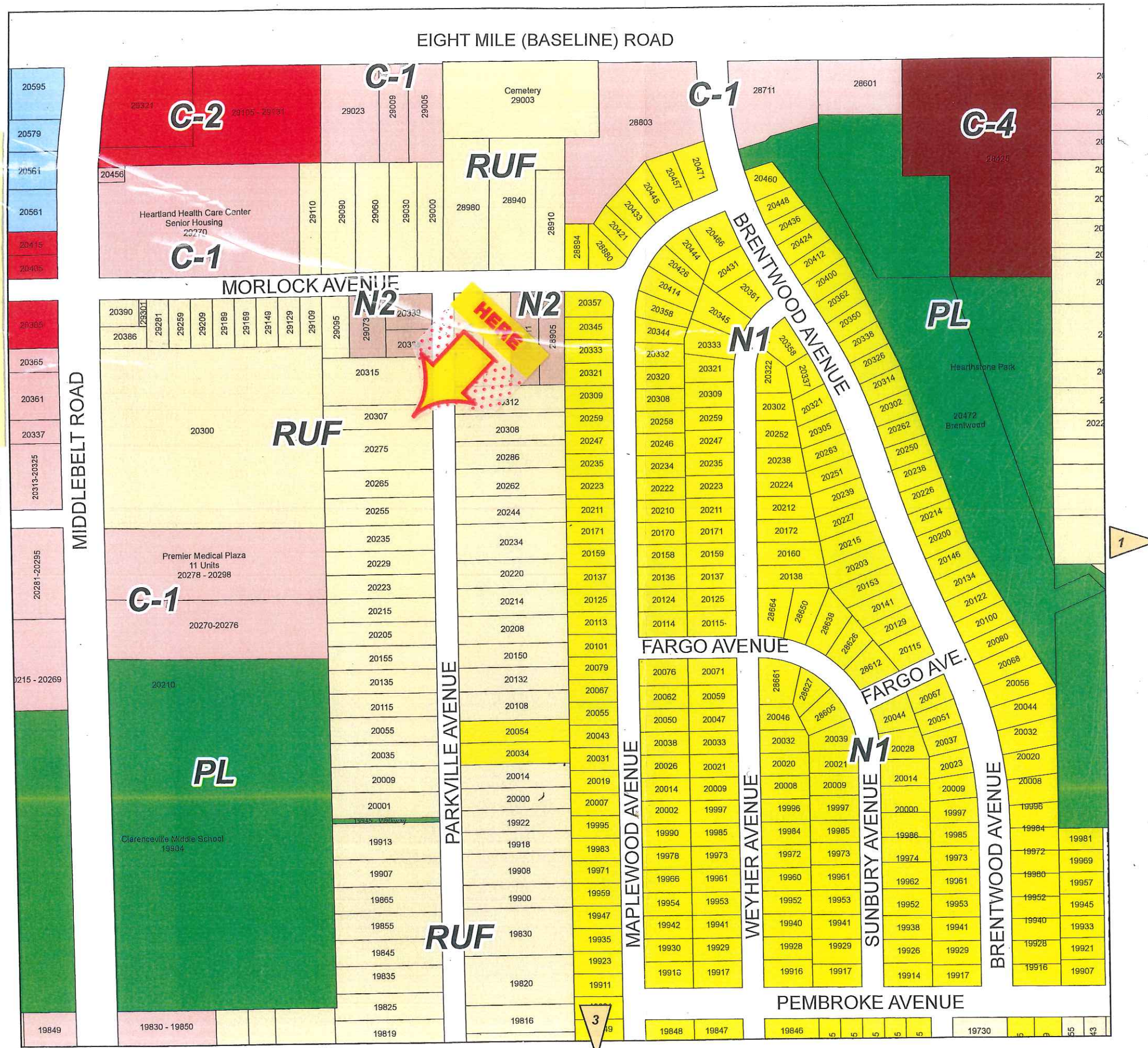
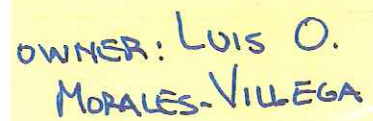
Use Prohibited PRIVACY FENCE IN THE SIDE YARD Deficient Parking Spaces                      Increasing Area and Bulk                     Remarks                     Plans and Application examined by Ry Date APRIL 17, 2023

ZONING EXAMINER



|                                                                                       |                              |
|---------------------------------------------------------------------------------------|------------------------------|
|    | 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          |

300 150 0 300 Feet





# APPLICATION FOR VARIANCE

Luis O. Morales-Villegas 20307 Parkville St, Livonia, MI 48152 586-533-0722  
 (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 20307 Parkville St, 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? No

2. Give legal description of property involved, or attach a deed or other document which contains the legal description of the property:  
APN 46002010393000

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:  
The city of Livonia rejected permit to build a fence 6' tall past the rear corner of the home.

4. Please describe what the difficulty involves beyond mere inconvenience or inability to earn a higher financial return:  
I currently have a complaint due to my dog jumping the current 4' fence. I've invested significant capital on dog training with →

5. Explain why you think this variance would be fair to the neighbors and others who might be affected. My neighbors placed the complaint. I have reviewed the new fence concept with them and they are on board with the project and appreciate that I'm doing it. →

(SEE REVERSE)

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?  
Zoning variance request is a more sensible path than amending the zoning ordinance.



→...little success. Increasing current fence height is my last resort to physically prevent my dogs from jumping to my neighbor's yard.

→ Ultimately, the fence will guarantee the safety of both my neighbors and my dogs.

I'm trying to create a safe space in my yard where my dogs are free to play and run. The 6' privacy fence will allow them to do so and keep them within the premises. Enclosing the full perimeter of the backyard would result in a overall project cost well outside my current budget. That is why I'm also requesting to build the rear privacy section at 100' from front gate, rather than the full length of the property.

I hope the Board is able to understand my current predicament and approve this project.

**RECEIVED**

APR 17 2023

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? Rezoning the property would not impact city of Livonia's decision to reject permit.

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: L.O. Morales-Villegas

Please print name of property owner: Luis O. Morales-Villegas

**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 17<sup>TH</sup> day of April, 2023

Karen D. Thompson  
(Notary Public, Wayne County, Michigan)

My Commission expires 8-25-2028

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 APRIL 17, 2023, which reads as follows:

CODE OF ORDINANCES, SECTION 15.44.090 (B)

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.

PS  
(Supervisor)

Application for permit filed Yes

~~Violation Issued~~

CORRECTION

Yes





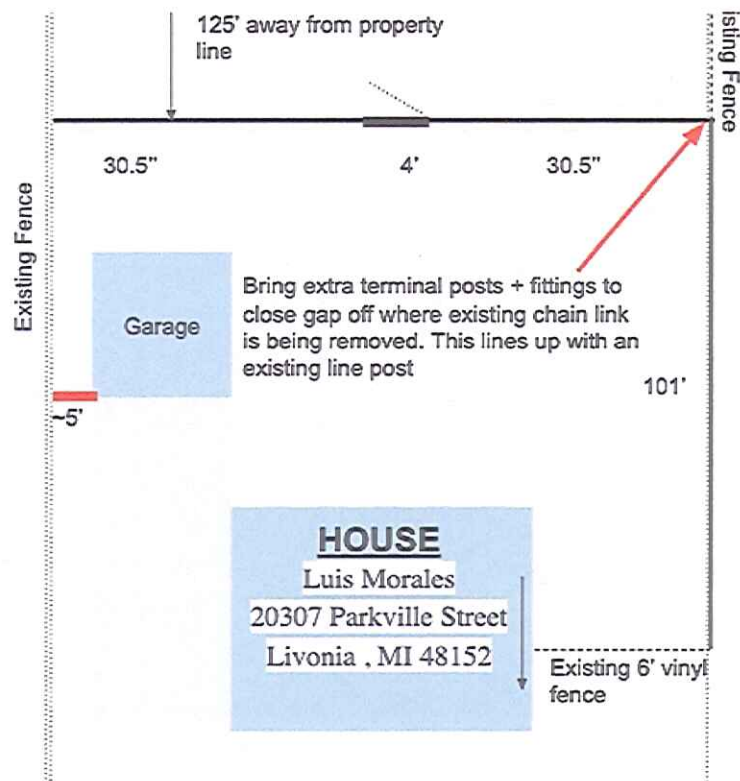
-  Existing 4' chainlink fence
-  Proposed new 6' wood privacy fence
-  Existing 6' vinyl gate











#### SCOPE OF WORK

Installing 168' of 6' tall pressure treated privacy fencing + one 4' wide single matching gate.

Installing ~5' of 6' tall galvanized chain link, this is marked in red next to the garage.

Removal of northside fencing where the new fence is going only, the existing fence will continue down the property line. Bring an extra terminal post + hookups (see note). Homeowner to cut back brush before install

LOT SIZE  
65' wide  
296' long

**RECEIVED**

APR 17 2023

Inspection Department  
City of Livonia

CITY OF LIVONIA  
BUILDING INSPECTION DEPARTMENT  
734-466-2580

## PRIVACY and/or CHAIN LINK FENCE ACKNOWLEDGEMENT and AUTHORIZATION

CIVIC ASSOCIATION APPROVAL REQUIRED: YES: \_\_\_\_\_ NO: ☒  
IF YES, PROVIDE WRITTEN ASSOCIATION APPROVAL.

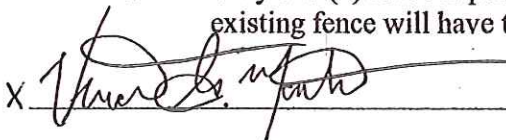
Date: 3/15/2023

Fence Installation Address: 20307 Parkville Street

I have seen or had explained to me, the proposal made by Luis Morales  
(Name)  
at 20307 Parkville Street to erect a 6' tall pressure treated  
(Address) (Description)

~~Chain link/Privacy~~ (cross out one not used) fence separating his or her property from mine and consent to all of the following:

- The style and height of the fence.
- The location of the lot line.
- Only one (1) fence is permitted between our properties and that any existing fence will have to be removed in favor of the new fence.

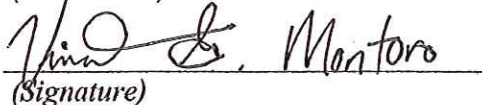
X  have the finished side facing my property.

\_\_\_\_\_ have the finished side facing the fence owner.

\_\_\_\_\_ be good on both sides.

(Please sign next to the option agreed upon and also as indicated below)

Vincent G. Montoro 20315 Parkville St. Livonia, MI 4815  
(Print Name) (Address)

 248-821-9381  
(Signature) (Telephone number for confirmation)

- ORIGINAL MUST BE SUBMITTED FULLY SIGNED AND COMPLETED
- NO PERMIT WILL BE ISSUED WITHOUT THIS ORIGINAL COMPLETED FORM AND A SITE PLAN OF THE PROPERTY TO BE FENCED



1000 Commerce Drive, Suite 520, Pittsburgh, PA 15275  
Phone: 877-788-2923 Fax: 412-788-2925

## OWNER'S AFFIDAVIT

File No: 674564

Property Address: 20307 Parkville Street, Livonia, MI 48152

State of: \_\_\_\_\_

County of: \_\_\_\_\_

Each person signing below says under oath that the following statements are true concerning the property: 20307 Parkville Street, Livonia, MI 48152

The property is owned by: **Luis O Morales-Villegas, a single man**

1. No other person has possession or any right of possession of the property or any interest therein, including oil, gas, or the minerals, or any contact or option rights to purchase or acquire other than in the transaction for which this affidavit is given.
2. I have no knowledge of any unrecorded easement or claim of easement, or any dispute, discrepancy or encroachment affecting a setback or boundary line.
3. Any labor or material for repair or improvement has been paid for in full and there is no claim outstanding for labor or material.
4. There are no unpaid real estate taxes or assessments except as shown on the current tax duplicate.
5. I have no knowledge of any application to increase or decrease the taxes, or of any pending or proposed assessment, or any service, improvement, or repair work which could be assessed against the property.
6. There are no outstanding mortgages or other liens (such as judgment liens, state or federal tax liens, etc.) against the property or any owner, except as disclosed in the title report or commitment issued in the transaction.
7. I have no knowledge of the bankruptcy of any party having an interest in this property.
8. I confirm that if property is part of a HOA that all dues/fees are paid up to date of closing.
9. ANY EXCEPTION TO THE FOREGOING STATEMENTS (INSERT "NONE" IF APPLICABLE):







CITY OF LIVONIA  
PUBLIC SERVICE DIVISION  
ANIMAL ORDINANCE ENFORCEMENT

12973 Farmington Rd.  
Livonia, MI 48150  
734-466-2655

Residence 20307 PARKVIEW Date 02/27/23

The Public Service Division, Animal Control Department has received a complaint on your animal for:

☐ Animal Bite

☒ Running at Large JUMPING FENCES

☒ No License EXP. 2022

☐ Number of Animals Allowed ☐ Neglect

☐ Barking Dog

Animal Impounded for:

☐ Safekeeping

☐ Animal Bite

☐ No License

☒ Please contact Animal Control between the hours of 8-4. If the Officer is not in, please leave a number and time that you can be contacted.

Animal Control Officer: BRANDON

- Warning: Damage or injury resulting from delay or failure to comply with this notice may result in a court appearance.

**RECEIVED**  
APR 17 2023  
Inspection Department  
City of Livonia

INSPECTION DEPARTMENT  
ORDINANCE ENFORCEMENT  
CITY OF LIVONIA  
33000 CIVIC CENTER DR.  
LIVONIA, MI 48154

PARAMOUNT FENCE  
31715 EIGHT MILE  
Livonia, MI 48152

04/04/2023

RE: 20307 PARKVILLE

PLAN REVIEW CORRECTION SHEET

Your application for a permit was reviewed for the above location. It has been rejected for the following reasons:

1. FENCE - Fences: Site plan deficient, neighbors' approvals? Location of fences incorrect, namely privacy fences placed in the side yard or up to the front building line, our web site should clearly give these guidelines.

REVIEWER COMMENT: 6' CHAIN LINK FENCE NOT ALLOWED IN RESIDENTIAL ZONING DISTRICTS.

For Information  
(8:30 - 9:30 AM) (4:00 - 5:00 PM)

File: PZ23-0052

Reviewer: Matt Stierna  
Telephone (734) 466-2593

WARNING: Damage or injury resulting from delay or failure to comply with this notice will be attributed to negligence on the part of the responsible party or parties.

4/4/23 - L/M & MAILED CORRECTION LETTER.





2023-04-07



## 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 SAME AS BELOW Address SAME AS BELOW  
 Owner LUIS O. MORALES-VILLEGAS Address 20307 PARKVILLE, LIVONIA, MI 48152  
 Lessee                      Address                       
 Location WEST Side of 20307 PARKVILLE Street  
 Between MORLOCK And BRETTON  
 Lot No./Parcel No. 002-01-0393-000 Subdivision SUPERVISOR LIVONIA PLAT #6  
 Zoning District RUF Map No. NW01 Lot Size 66' x 39.5' Alley                       
 Present Use RESIDENTIAL 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 N/A

Proposal SEEKING TO ERECT A SIX FOOT TALL WOOD PRIVACY FENCE WITHIN THE SIDE YARD WHICH IS NOT ALLOWED. PRIVACY FENCES, WITHOUT A SIDE DR, MUST NOT EXTEND BEYOND THE REAR LINE OF THE HOME TOWARD THE STREET, ALSO, THE PROPOSED NEARLY BISECTS THE DEPTH OF THIS LOT, LEAVING A LARGE WOODED AREA BETWEEN AN EXISTING FOUR FOOT TALL CHAIN LINK FENCE ALONG THE REAR PROPERTY LINE.

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15.44.090(B)

Use Prohibited PRIVACY FENCE IN THE SIDE YARD Deficient Parking Spaces                      Increasing Area and Bulk                     Remarks                     Plans and Application examined by Ry Date APRIL 17, 2023

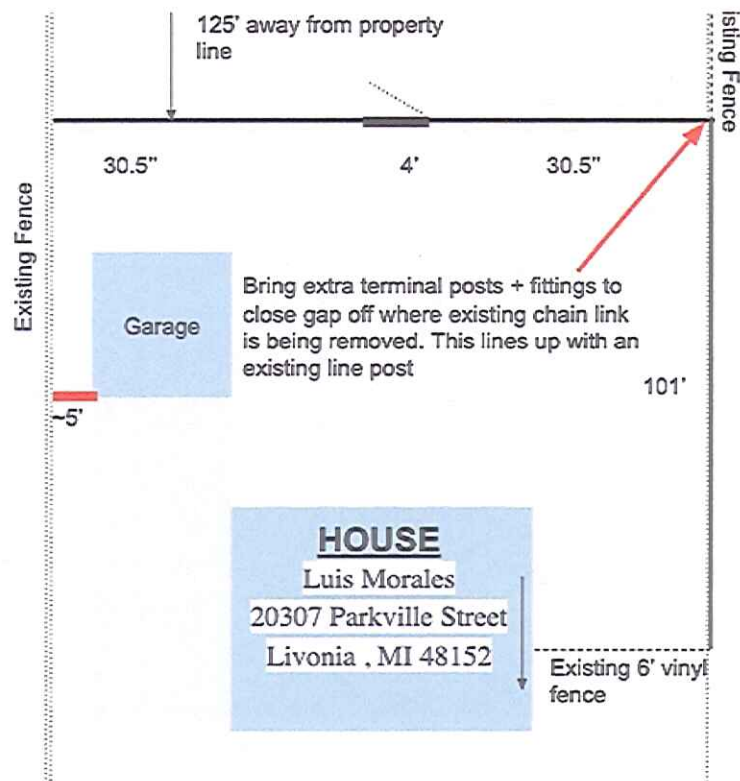
ZONING EXAMINER





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-  Proposed new 6' wood privacy fence
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LOT SIZE  
65' wide  
296' long

**RECEIVED**

APR 17 2023

Inspection Department  
City of Livonia







# 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.W. 1/4 Section 1

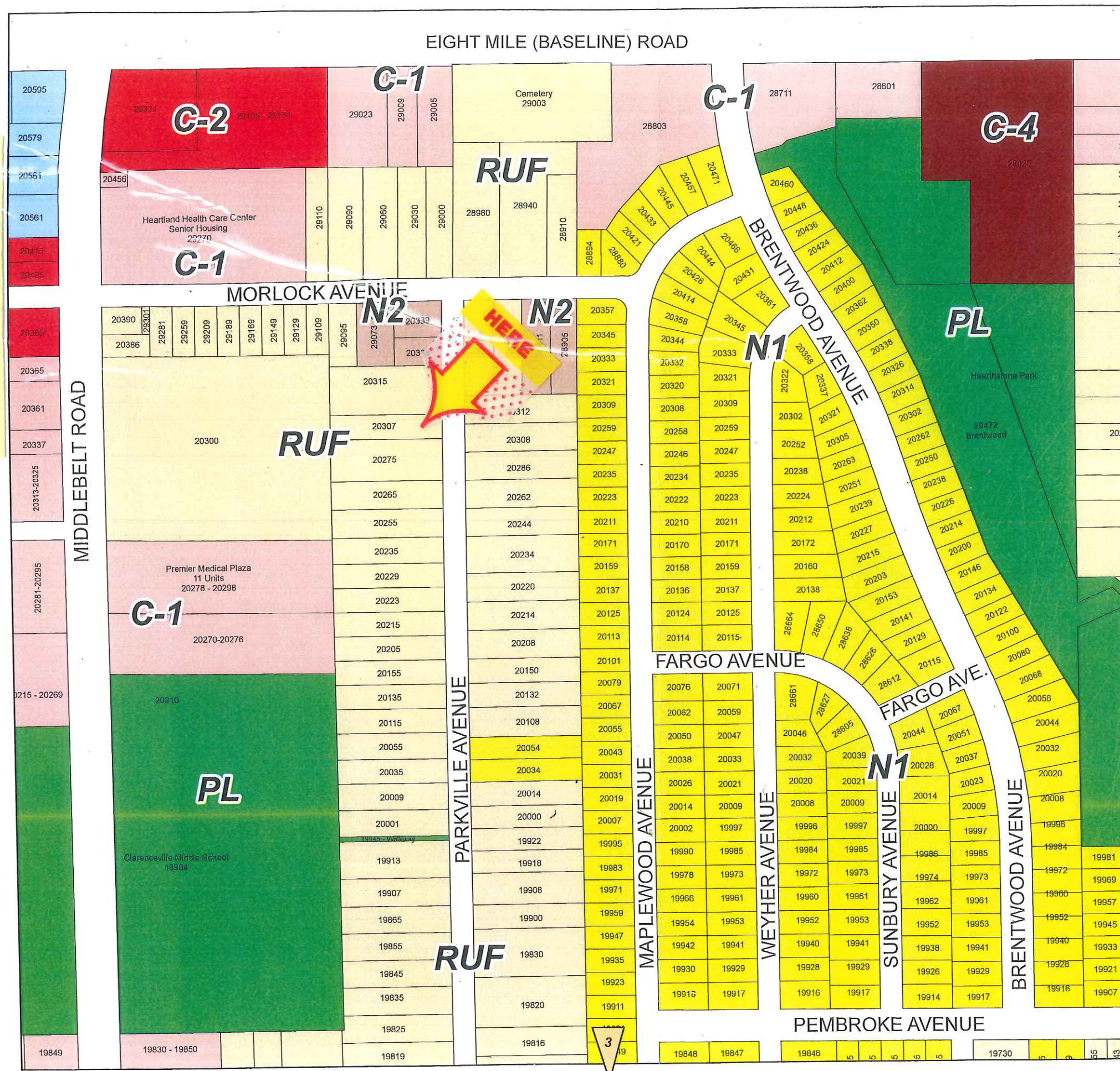
**City of Livonia**

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

Copyright 2001, City of Livonia



300 150 0 300 Feet



20307 PARKVILLE  
ZBA CASE FOR  
A FENCE  
OWNER: LUIS O.  
MORALES-VILLEGAS

5

1

3



**From:** [Abrahamson, Randy](#)  
**To:** [Fisher, Mike](#)  
**Cc:** [Kasprowicz, Sara](#)  
**Subject:** FW: 20307 Parkville Street - Question #3  
**Date:** Thursday, April 20, 2023 11:47:46 AM

---

**Randy Abrahamson**  
Senior Building Inspector  
City of Livonia | Inspection Department  
(734) 466-2577  
[RAbrahamson@livonia.gov](mailto:RAbrahamson@livonia.gov)

---

**From:** Luis Morales <[luismo0129@gmail.com](mailto:luismo0129@gmail.com)>  
**Sent:** Thursday, April 20, 2023 11:24 AM  
**To:** Abrahamson, Randy <[RAbrahamson@livonia.gov](mailto:RAbrahamson@livonia.gov)>  
**Subject:** 20307 Parkville Street - Question #3

Hi Randy,

I received your voicemail. Sorry that I missed your call. Please see below for further explanation.

"My Husky-Shepherd has a tendency to run away. I have tried my best to secure exits of the house, and keep him on a leash while outside, but accidents happen. In the past, my neighbors were more lenient with him jumping into their yard, but since they had their newborn circumstances have changed for them. They have raised a formal complaint with the City and I have been warned to prevent this from happening again. As best as I try to train and restrain my dog, I cannot eliminate the risk of future incidents with the current 4' tall chain link fence. I need to physically prevent him from leaving the backyard by adding a 6' tall privacy fence. This will provide peace of mind to my neighbors and my household that everyone will be safe moving forward."

Please let me know if you need any else.

Thank you,  
Luis

Case No: 2023-04-08  
Meeting Date: May 16, 2023

Please note my (APPROVAL) (OBJECTION) to the requested variance for the following reasons:

Signed comments will be read into the record. Unsigned or anonymous comments will not be considered.

Signature: Mark Lippert

Name: QUENTIN "LASZYCA"  
(Please print)

Address: 19001 WESTMORE





# 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 SAME AS BELOW Address SAME AS BELOW  
Owner AMY ARSENAULT Address 18925 WESTMORE, LIVONIA, MI 48152  
Lessee                      Address 248-910-6130  
Location WEST Side of 18925 WESTMORE Street  
Between CLARITA And SEVEN MILE  
Lot No./Parcel No. 038-02-017B-000 Subdivision GARDEN GROVE  
Zoning District N1 Map No. NW10 Lot Size                      Alley                       
Present Use RESIDENTIAL 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 N/A

Proposal SEEKING TO ERECT A SIX FOOT TALL VINYL PRIVACY FENCE EVEN WITH THE FRONT BUILDING LINE WHICH IS NOT ALLOWED. PRIVACY FENCES ARE NOT ALLOWED IN THE SIDE YARD EVEN TO THE FRONT OF THE HOME.

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                     

Excessive Lot Coverage                      Excessive Height                      Increasing No. Units                     

15.44.090(B) PRIVACY FENCE IN  
Use Prohibited THE SIDE YARD Deficient Parking Spaces                      Increasing Area and Bulk                     

Remarks                     

Plans and Application examined by Ryx Date APRIL 19, 18

ZONING EXAMINER



## APPLICATION FOR VARIANCE

Amy Arsenault 18925 Westmore Livonia 48152 248-910-6130  
(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 18925 Westmore St. Livonia 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? NO

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

Single Family Residence

**RECEIVED**

APR 18 2023

Inspection Department  
City of Livonia

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:

I am disabled and require privacy  
when entering and exiting my pool.

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

I use a lift system to get in & out. It  
is awkward and neighbors stare.

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

I think that if others imagined themselves in my  
circumstances, they would understand the need for privacy.

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? was advised not to when I called

city

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.

**RECEIVED**

**APR 18 2023**

**Inspection Department  
City of Livonia**

**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: Amy Arsenault

Please print name of property owner: Amy Arsenault

**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 14 day of APRIL, 2023

Jacob M. Pardee

(Notary Public, Wayne County, Michigan)

My Commission expires 10-09-2028

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.

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Petitioner makes application for a Hearing, seeking to (reverse, modify, or affirm) the (order, decision) of the Department of Inspection, dated April 19, 2023 which reads as follows:

FENCE ORDINANCE, SECTION 15.44.090 (B)

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.

By

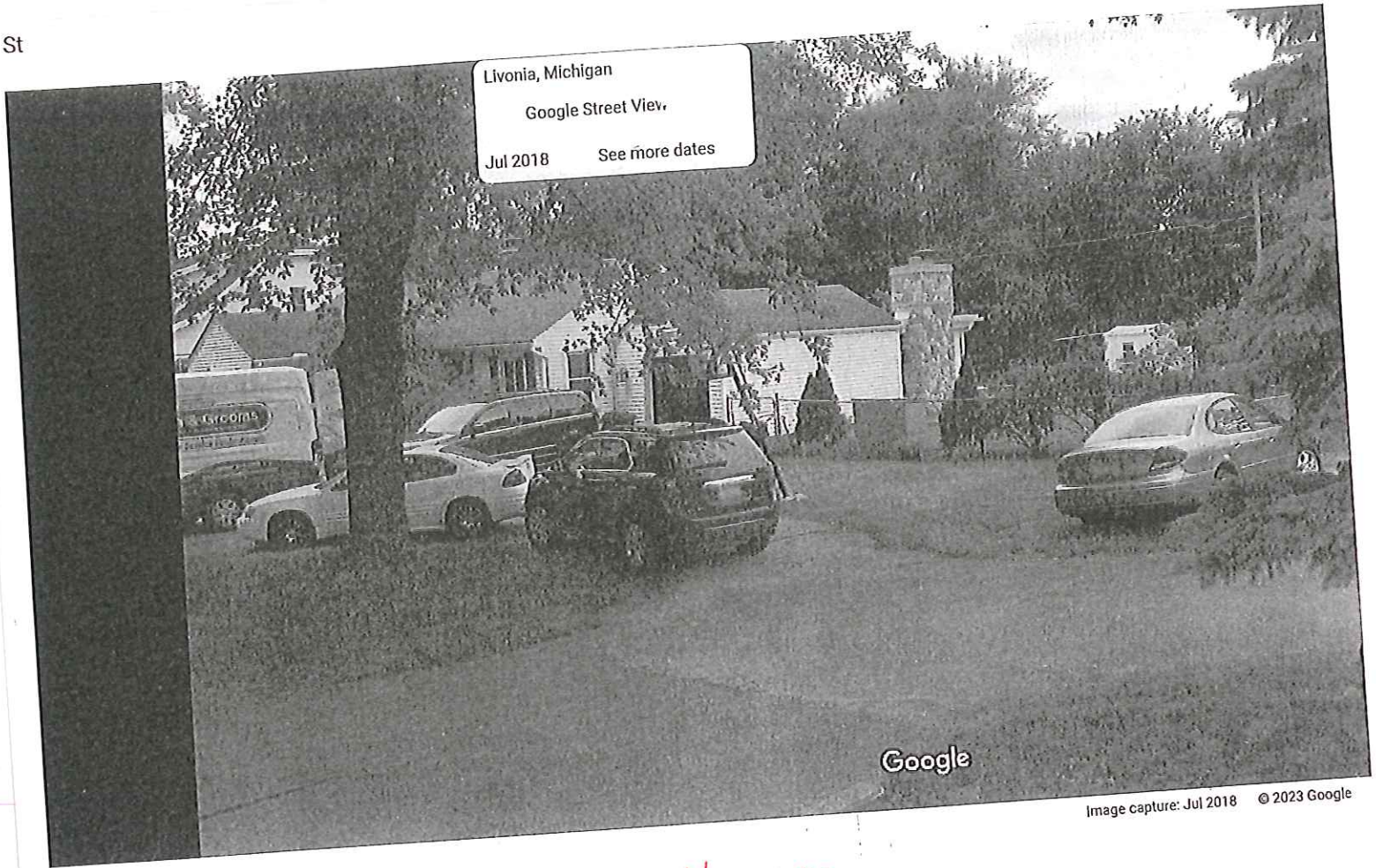
(Supervisor)

Application for permit filed NO

Violation Issued NO



St



Livonia, Michigan

Google Street View

Jul 2018

See more dates

Google

Image capture: Jul 2018 © 2023 Google

Westmore St

18925 WESTMORE

Street View & 360°

Shawville St  
189 St

CITY OF LIVONIA  
BUILDING INSPECTION DEPARTMENT  
734-466-2580

## PRIVACY and/or CHAIN LINK FENCE ACKNOWLEDGEMENT and AUTHORIZATION

CIVIC ASSOCIATION APPROVAL REQUIRED: YES: \_\_\_\_\_ NO: ✓  
IF YES, PROVIDE WRITTEN ASSOCIATION APPROVAL.

Date: March 14, 2023

Fence Installation Address: 18925 Westmore St. I have seen or had  
explained to me, the proposal made by Amy Arsenault  
at 18925 Westmore St. to erect a Privacy Fence  
(Address) (Description) (Name)

~~Chain link~~/Privacy (cross out one not used) fence separating his or her property from mine and consent to all of the following:

- a. The style and height of the fence. ✓
- b. The location of the lot line. ✓
- c. Only one (1) fence is permitted between our properties and that any existing fence will have to be removed in favor of the new fence. ✓

\_\_\_\_\_ have the finished side facing my property.

\_\_\_\_\_ have the finished side facing the fence owner.

X \_\_\_\_\_ be good on both sides.

(Please sign next to the option agreed upon and also as indicated below)

Leo Soave 18956 Farmington Rd  
(Print Name) (Address)

Leo Soave 586-219-7880  
(Signature) (Telephone number for confirmation)

- ORIGINAL MUST BE SUBMITTED FULLY SIGNED AND COMPLETED
- NO PERMIT WILL BE ISSUED WITHOUT THIS ORIGINAL COMPLETED FORM AND A SITE PLAN OF THE PROPERTY TO BE FENCED



CITY OF LIVONIA  
BUILDING INSPECTION DEPARTMENT  
734-466-2580

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\_\_\_\_\_ have the finished side facing the fence owner.

X \_\_\_\_\_ be good on both sides.  
(Please sign next to the option agreed upon and also as indicated below)

(Print Name) Kyler Elsworth (Address) 18988 Farmington Rd Livonia  
Kyler Elsworth (Signature) MI 48152  
810 241 6045 (Telephone number for confirmation)

- ORIGINAL MUST BE SUBMITTED FULLY SIGNED AND COMPLETED
- NO PERMIT WILL BE ISSUED WITHOUT THIS ORIGINAL COMPLETED FORM AND A SITE PLAN OF THE PROPERTY TO BE FENCED

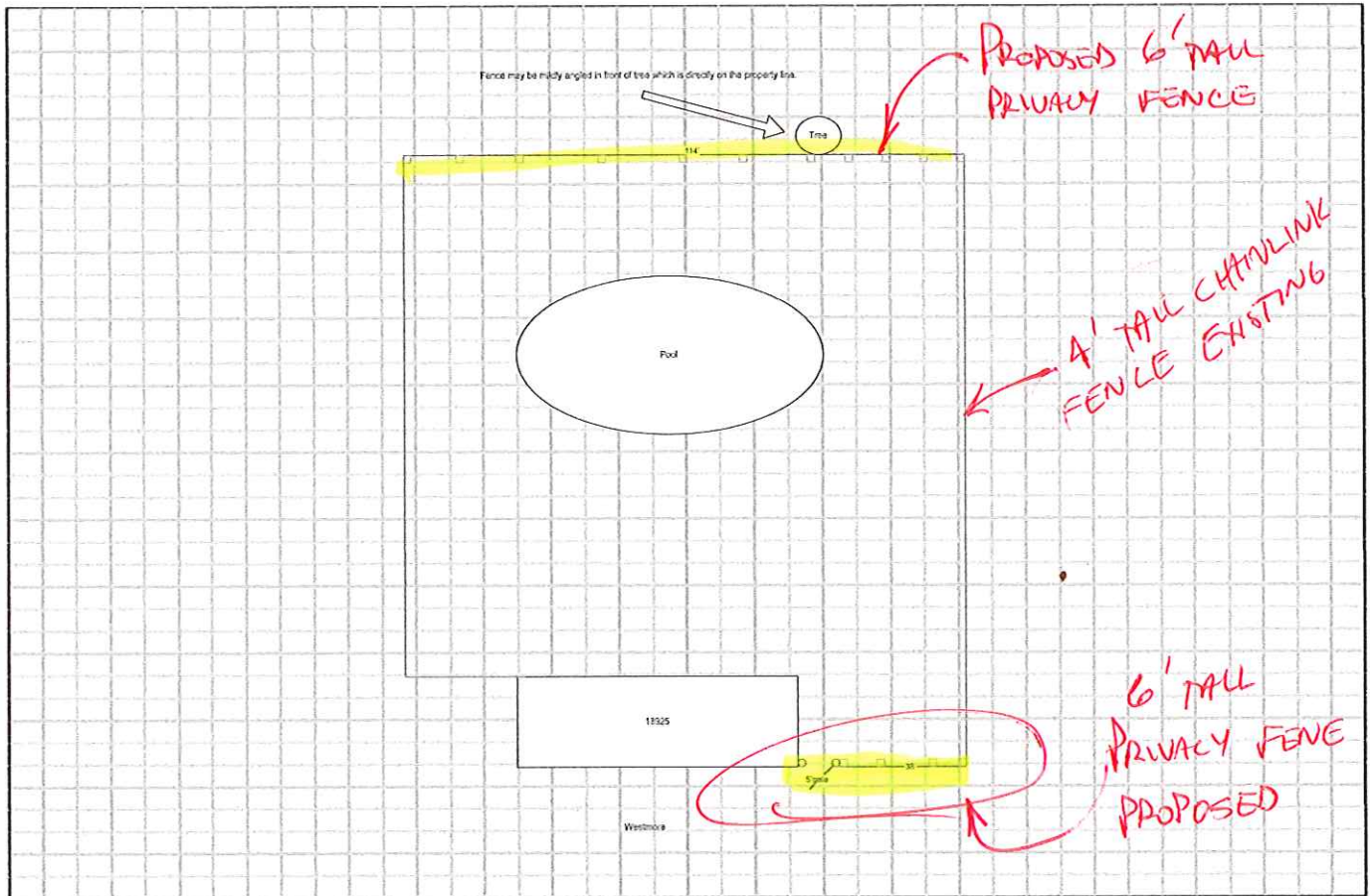




## Fencing Quote/Specification

Home Depot License #'s - For the most current listing visit [www.Homedepot.com/LicenseNumbers](http://www.Homedepot.com/LicenseNumbers)

|                                               |                     |                     |                   |
|-----------------------------------------------|---------------------|---------------------|-------------------|
| JON MOGLOVKIN                                 |                     | 5862749100          |                   |
| Salesperson Name                              |                     | Salesperson Phone#  |                   |
| 2105218412                                    |                     |                     |                   |
| Registration # (Req. in CA,CT,ME,MD,MI,NJ,DC) |                     |                     |                   |
| Arsenault                                     | Amy                 | 2704                | F32640620         |
| Customer Last Name                            | Customer First Name | Store #/Branch Name | Customer Lead/PO# |
| 18925 Westmore Street                         |                     | Livonia             | MI 48152          |
| Customer Address                              |                     | City                | State Zip         |
| 2489106130                                    |                     |                     |                   |
| Home Phone#                                   | Work Phone#         | Cell Phone#         | Cross Street 1    |
|                                               |                     | 2489106130          | Cross Street 2    |





## Fencing Quote/Specification

|                       |                     |                     |                   |                |
|-----------------------|---------------------|---------------------|-------------------|----------------|
| Arsenault             | Amy                 | 2704                | F32640620         |                |
| Customer Last Name    | Customer First Name | Store #/Branch Name | Customer Lead/PO# |                |
| 18925 Westmore Street |                     | Livonia             | MI                | 48152          |
| Customer Address      |                     | City                | State             | Zip            |
| 2489106130            |                     | 2489106130          |                   |                |
| Home Phone#           | Work Phone#         | Cell Phone#         | Cross Street 1    | Cross Street 2 |

CUSTOMER AGREES TO: ☒ OPTION 1 ☐ OPTION 2 ☐ OPTION 3

## PERMIT/INSPECTION INFORMATION:

Permit Required? ☒ Yes ☐ No

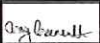
Who will obtain it?

- ☐ Homeowner to obtain a permit (Service Provider requires a copy of permit before installation)  
☒ Service Provider to obtain permit

|                   |             |                                                                        |
|-------------------|-------------|------------------------------------------------------------------------|
| Selection Amount  | \$9,562.00  | Additional cost options and the prices in this column to the selection |
| Demolition Amount | \$936.00    | Take down and haul away old fence                                      |
| Misc. Amount      | \$910.00    | (Explain in NOTES section below)                                       |
| Permit Cost       | \$250.00    |                                                                        |
| Subtotal          | \$11,658.00 |                                                                        |
| Sales Tax         | -\$1,165.00 |                                                                        |
| Total Amount      | \$10,493.00 |                                                                        |

☒ Stock Product ☐ Special Order Product

PLEASE SIGN YOUR NAME TO VALIDATE THAT YOU AGREE WITH THE OPTION(S) ABOVE.

X   
 (Customer Signature)

3/13/2023

(Date)

## NOTES:

Customer has been made aware that fence footprint sold will not pass city ordinance. Customer has agreed to pursue variance once permit has been rejected, or if variance is not approved agrees to relocate footprint of front run to rear corner of house to meet city ordinance. Customer has been provided with neighbor approval forms from city website and an envelope addressed to AIS. Sales tax line above reflects discount given, not sales tax. Back line to be removed and installed in one day due to neighbors dogs.

152' fence x 56 = 8512  
 5' pool gate = 1050  
 156' removal x 6/ft = 936  
 2 plug extractions x 80 = 160  
 15 hard digs x 50/ea = 750  
 Permit/Admin = 250  
  
 Subtotal 1,658  
 -10% AIS PROMO (-\$1,165.00)

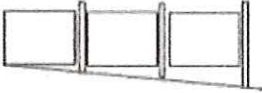
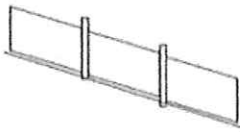
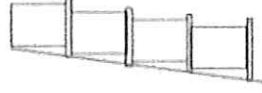




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| 2489106130            |                     | 2489106130          |                               |
| Home Phone#           | Work Phone#         | Cell Phone#         | Cross Street 1 Cross Street 2 |

### FENCE INSTALLATION RELATED TO GRADE:

|          | LEVEL<br>                | FOLLOWING FLOW<br>           | STEPPED INSTALLATION<br>                                       |
|----------|-----------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|
|          | FENCE TO BE LEVEL WITH HIGHEST GRADE (CUSTOMER TO FILL IN GAPS)                                           | SLIGHTLY UNEVEN GRADE WITH FENCE FOLLOWING FLOW OF GROUND FENCE WILL BE UNEVEN AT TOP                         | STEEP SLOPE WHERE FENCE CANNOT "RACK" ENOUGH TO FOLLOW GRADE AND MUST BE STEPPED, RESULTING IN LARGE GAPS UNDER FENCE. (CUSTOMER TO FILL IN GAPS) |
| OPTION 1 | <input type="checkbox"/> LEVEL<br>Material: Home<br>Height: 6'<br>Post Cap: New England<br>Post Type: 5x5 | <input checked="" type="checkbox"/> FOLLOWING FLOW<br>Footage: 152'<br>Color: White<br>Picket Type: Glidelock | <input type="checkbox"/> STEPPED INSTALLATION<br>Style: Dogwood<br>If Gates: 5' Pool Latched<br>Rail Type: 7"<br>Estimate: \$9,562.00             |
| OPTION 2 | <input type="checkbox"/> LEVEL<br>Material:<br>Height:<br>Post Cap:<br>Post Type:                         | <input type="checkbox"/> FOLLOWING FLOW<br>Footage:<br>Color:<br>Picket Type:                                 | <input type="checkbox"/> STEPPED INSTALLATION<br>Style:<br>If Gates:<br>Rail Type:<br>Estimate: \$                                                |
| OPTION 3 | <input type="checkbox"/> LEVEL<br>Material:<br>Height:<br>Post Cap:<br>Post Type:                         | <input type="checkbox"/> FOLLOWING FLOW<br>Footage:<br>Color:<br>Picket Type:                                 | <input type="checkbox"/> STEPPED INSTALLATION<br>Style:<br>If Gates:<br>Rail Type:<br>Estimate: \$                                                |

This quote is valid for 7 days

### NOTES:

Customer agrees to remove all obstacles from Fenceline prior to installation, including small stumps, brush, trellis, and arborvitae limbs overgrown fence. Customer agrees to pop out paver bricks out for clearance of 5 foot gate prior to installation. Customer has been made aware that if pre-agreed-upon work is not performed prior to crews arrival rescheduling fee is \$375, or customer may discuss cost for scope of work if installer is able to provide the service same day.

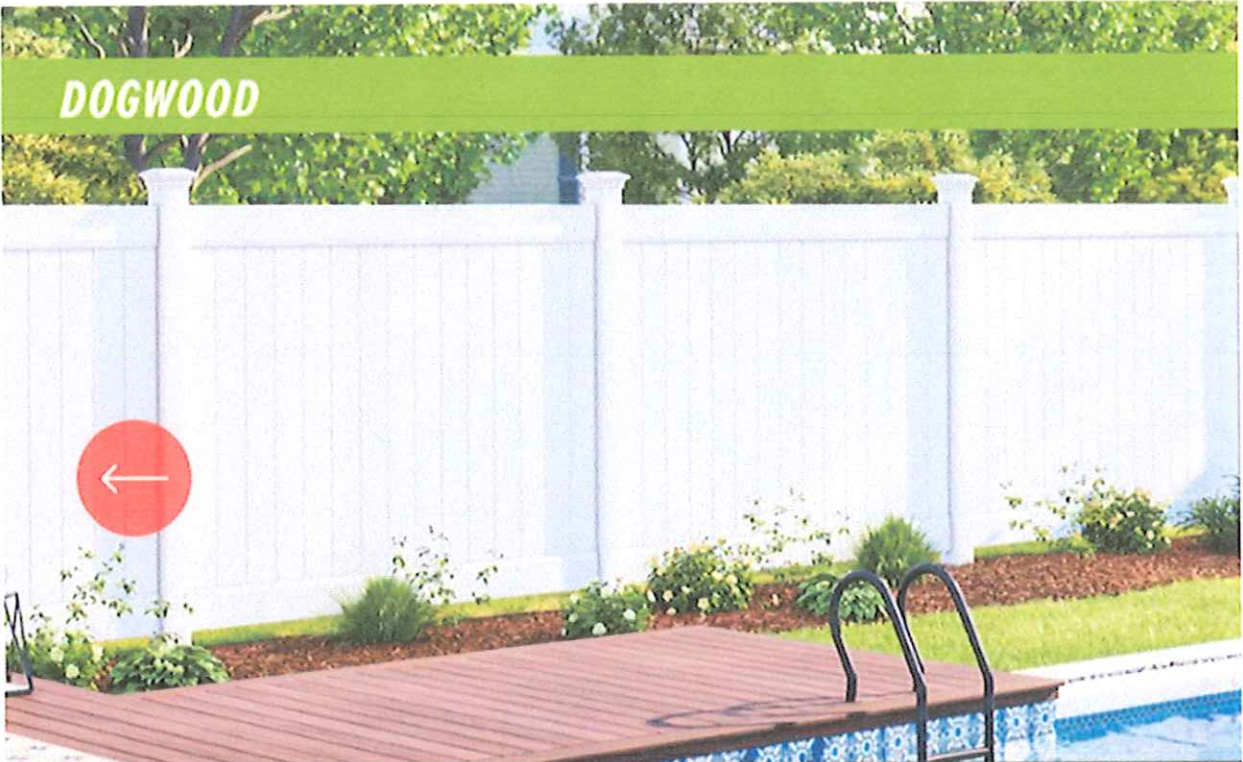


Leo soave Building Company te... x (35 unread) - ama320@att.net x Building Permits Residential | L

ais-installations.com/vinyl-by-activeyards

Maps Amazon.com: Onlin... Club Pogo - Excl... CVF Home - Catholi... Sign On to View Yo...

**DOGWOOD**



Colors Available

White Sand Clay Gray

**ActiveYards**  
FENCING FOR YOUR LIFE™

## Haven Series Dogwood

[More Info](#)



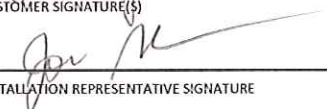
## LOCATION SIGN-OFF

The location of your fence is an important decision that needs to be determined prior to the commencement of your project. We recommend that a site survey be completed to ensure your new fence does not encroach upon your neighbors' properties. Additionally, a site survey ensures a correct placement that will achieve any setback and/or building code requirements established by your local building department.

The professional installation team who will install your fence will rely on your direction and approval before setting the location of your fence. Home Depot and AIS Incorporated will not accept responsibility for any costs associated with the relocation or removal of an improperly placed fence.

I hereby acknowledge that I have been informed of, and agree to, the above listed conditions and terms. I accept responsibility for the location of my fence and release Home Depot and AIS Incorporated from all potential claims resulting from their incorrect placement.

  
\_\_\_\_\_  
CUSTOMER SIGNATURE(S)

  
\_\_\_\_\_  
INSTALLATION REPRESENTATIVE SIGNATURE

3-13-23  
DATE

3/13/23  
DATE

**DIRT REMOVAL OPTIONS – INITIAL ONE SELECTION:** We are not responsible for removal of the dirt from the property.

Dirt/debris removed from post-holes will be:

A. Dispersed roughly in the vicinity of each fence post. 

B. Relocated to a customer-specified location on the property (i.e. behind garage). \_\_\_\_\_

## Underground Systems

AIS Incorporated is not responsible for any damage to your sprinkler system except for the heads above ground.

As stated in your Home Depot Contract (section M) Installation professional is not responsible for any damage to underground utilities, fixtures, wires, piping, sprinklers etc. that are unmarked or marked incorrectly. You shall absorb all cost.

Thank you for your cooperation with this and enjoy your new fence.

Please sign and date to confirm you are aware of this agreement

*Amy Arsenault*







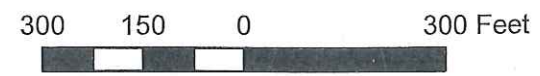
# ZONING MAP

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.W. 1/4 Section 10  
**City of Livonia**  
T. 1 south, R. 9 east  
Wayne County, Michigan  
Copyright 2001, City of Livonia



ZBA CASE  
18925 WESTMORE  
REF: FENCE IN  
SIDE YARD

33

11

37

39



## APPLICATION FOR VARIANCE

Amy Arsenault 18925 Westmore Livonia 48152 248-910-6130  
(Owner of Premises) (Street Address) (City) (Zip Code) (Telephone) (Fax)

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

Single Family Residence

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APR 18 2023

Inspection Department  
City of Livonia

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**RECEIVED**

**APR 18 2023**

**Inspection Department  
City of Livonia**

**OWNER'S AFFIDAVIT**

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STATE OF MICHIGAN )

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Signature of property owner: Amy Arsenault

Please print name of property owner: Amy Arsenault

**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 14 day of APRIL, 2023

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(Notary Public, Wayne County, Michigan)

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By

(Supervisor)

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Violation Issued NO



2023-04-08



# CITY OF LIVONIA

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38000 CIVIC CENTER DRIVE  
LIVONIA, MICHIGAN 48154  
421-2000

BASED ON NONCONFORMITY TO ORDINANCE LIVONIA VISION 21

Applicant SAME AS BELOW Address SAME AS BELOW  
Owner AMY ARSENAULT Address 18925 WESTMORE, LIVONIA, MI 48152  
Lessee                      Address 248-910-6130  
Location WEST Side of 18925 WESTMORE Street  
Between CLARITA And SEVEN MILE  
Lot No./Parcel No. 038-02-017B-000 Subdivision GARDEN GROVE  
Zoning District N1 Map No. NW10 Lot Size                      Alley                       
Present Use RESIDENTIAL 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 N/A

Proposal SEEKING TO ERECT A SIX FOOT TALL VINYL PRIVACY FENCE EVEN WITH THE FRONT BUILDING LINE WHICH IS NOT ALLOWED. PRIVACY FENCES ARE NOT ALLOWED IN THE SIDE YARD EVEN TO THE FRONT OF THE HOME.

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                     

Excessive Lot Coverage                      Excessive Height                      Increasing No. Units                     

15.44.090(B) PRIVACY FENCE IN  
USE PROHIBITED THE SIDE YARD Deficient Parking Spaces                      Increasing Area and Bulk                     

Remarks                     

Plans and Application examined by Ryx Date APRIL 19, 2023

ZONING EXAMINER

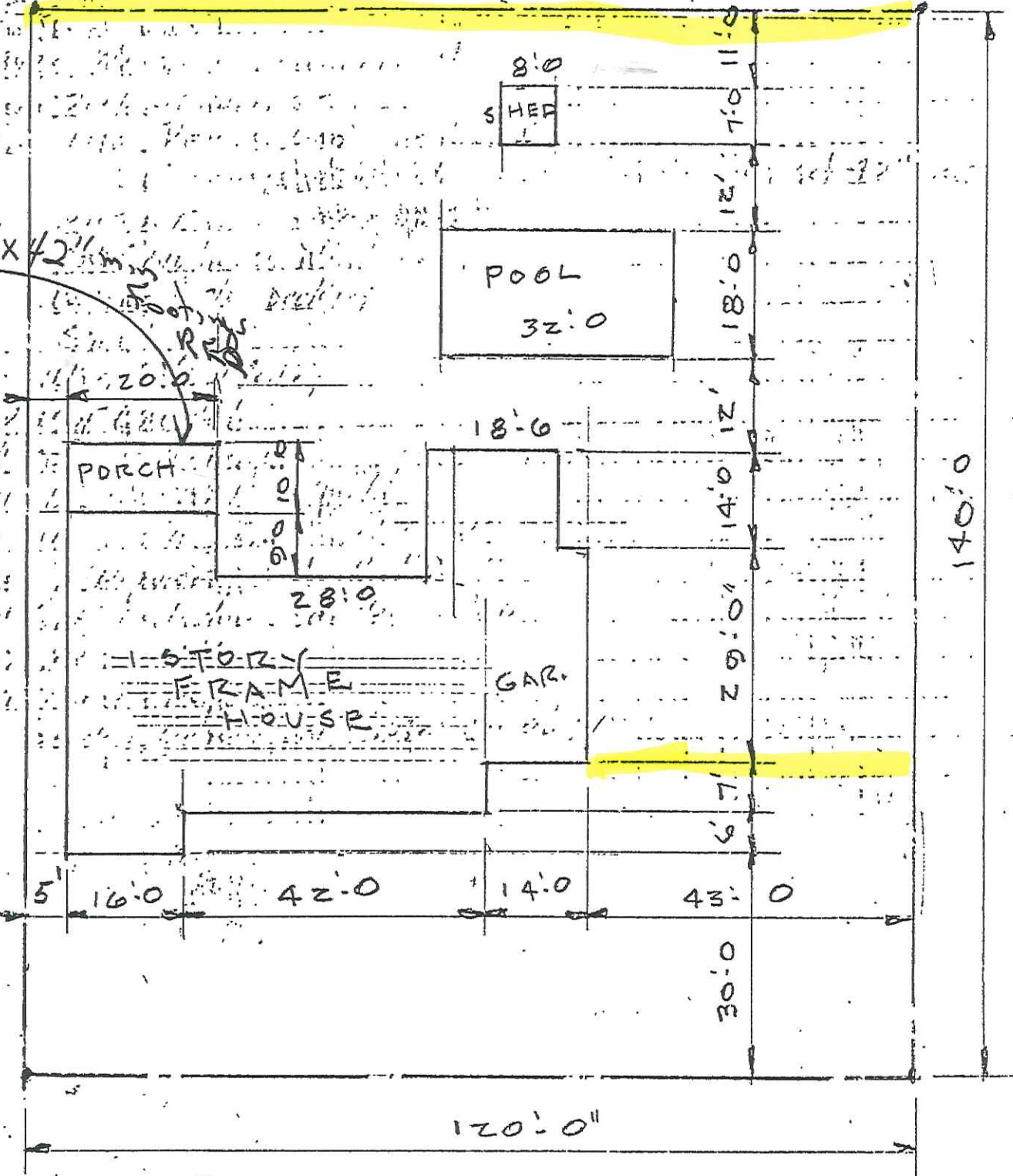


= PROPOSED SIX FOOT TALL  
VINYL PRIVACY FENCE

UNIVERSITY CONSTRUCTION, INC.  
2647 Z GRAND RIVER  
REDFORD, MI 48065  
TEL: 313-531-7600 FAX: 313-531-7601  
CALIFORNIA 313-531-7601  
MICHAEL J. ARSENAULT  
AT 10/1/2023

CONTRACT & AGREEMENT

1. CONTRACT & AGREEMENT FOR



PLOT PLAN

JAMES ARSENAULT 18925 WESTMORE LIVONIA 1-248-615-11

SUNNYSIDE CONST. 2647 Z GRAND RIVER REDFORD 313-531-76



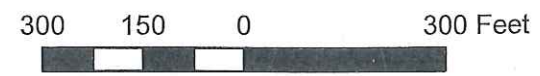
# ZONING MAP

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.W. 1/4 Section 10  
**City of Livonia**  
T. 1 south, R. 9 east  
Wayne County, Michigan  
Copyright 2001, City of Livonia



ZBA CASE  
18925 WESTMORE  
REF: FENCE IN  
SIDE YARD

33

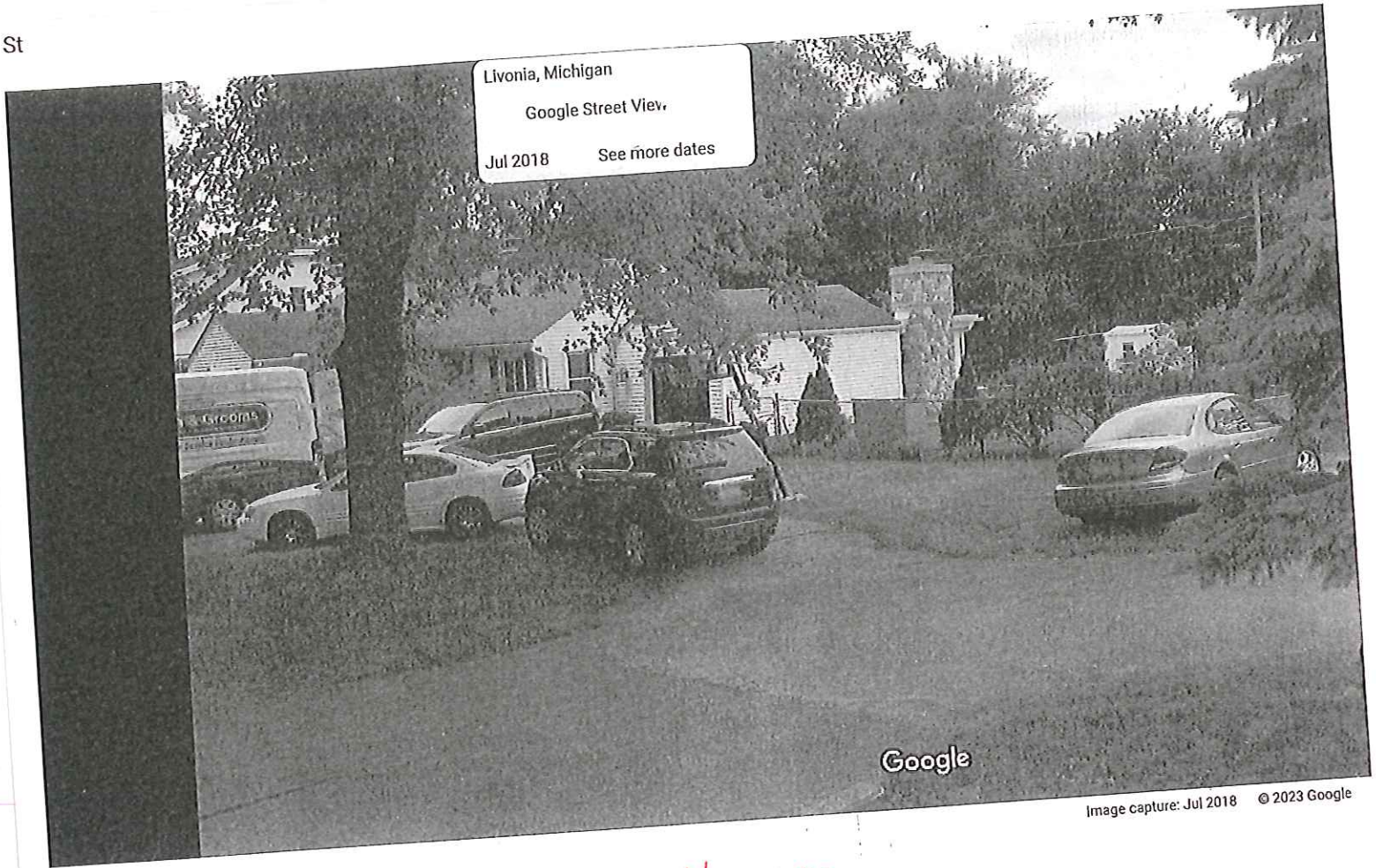
37

39

11



St



Livonia, Michigan

Google Street View

Jul 2018

See more dates

Google

Image capture: Jul 2018 © 2023 Google

Westmore St

18925 WESTMORE

Street View & 360°

Shawville St  
189 St

ZONING BOARD OF APPEALS  
CITY OF LIVONIA  
MINUTES OF MEETING HELD TUESDAY, APRIL 11, 2023

A Meeting of the Zoning Board of Appeals of the City of Livonia was held on Tuesday, APRIL 11, 2023.

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

**MEMBERS ABSENT:** Tamara Oliverio

**OTHERS PRESENT:** Leo Neville, Assistant City Attorney  
James Albus, Building Inspector

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. Seven (7) members were present. Secretary Klisz 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 eleven people present in the audience.

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(7:00)



## TABLE OF CONTENTS

| APPEAL CASE #                                                                    | PAGES |
|----------------------------------------------------------------------------------|-------|
| <b><u>Appeal Case No. 2023-01-02</u></b><br>George Nicoloff, 19490 Fairlane Ct   | 3-4   |
| <b><u>Appeal Case No. 2023-03-04</u></b><br>Jason and Katie Kozak, 9760 Wayne Rd | 5-17  |
| <b>Administrative Tasks</b>                                                      | 18-19 |

**APPEAL CASE NO. 2023-01-02: George Nicoloff, 19490 Fairlane Ct (Rescheduled from February 7, 2023)**, 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.

The property is located on the east side of Fairlane Ct. (19490), between W. Seven Mile and the cul-de-sac, Lot No.015-04-0015-000, N-2 "Neighborhood District," Rejected by the Inspection Department under Fence Ordinance, Section 15.44.090 (B) "Residential District Regulations.

**COPPOLA** As you can see, we do not have all of our members present this evening. We have six out of seven. To be awarded a variance, the petitioner must receive four votes or five of the five members we have here for variances cases. We don't have any, so we're good there in favor of its variance petition. If you wish to be heard by the full board, we'll be happy to schedule you for our next available meeting, although there's no, certainty there'll be a full board at the meeting. But if you move forward – as long as we have one case – we'll have a meeting, and the next meeting is on May 16. And you'd have to just notify the Zoning Office by Monday, [April] 17<sup>th</sup>, that you want to be put on that. Is there anybody here that would like to be rescheduled?

**NICOLOFF** I'm sorry for the inconvenience. I know Inspector Matthew and Sara from Council mentioned what you said. So, we do feel uncomfortable and would prefer it if all seven could be present.

**COPPOLA** And your name again?

**NICOLOFF** I'm sorry, Gina Nicoloff and George Nicoloff.

**COPPOLA** This was our first case. Okay, so if you'd like to be rescheduled to the next meeting, again, there's no guarantee there'll be all the members and that's the unfortunate part of it. One of our members got sick today and that's why she wasn't able to make it. So, you just have to call the Zoning Board Office before Monday, the 17th to get on the agenda for May 16.

**NICOLOFF** Okay, thank you. I appreciate it. I'm sorry for the inconvenience.

**TABLED: 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.

The property is located on the east side of Fairlane Ct. (19490), between W. Seven Mile and the cul-de-sac, Lot No.015-04-0015-000, N-2 "Neighborhood District," Rejected by the Inspection Department under Fence Ordinance, Section 15.44.090 (B) "Residential District Regulations" be **tabled**.



**APPEAL CASE NO. 2023-03-04:** An appeal has been made to the Zoning Board of Appeals by Jason and Katie Kozak, 9760 Wayne Rd., seeking to demolish a nonconforming shed with an illegal addition and construct a detached garage while maintaining the existing attached garage, resulting in excessive accessory space.

**Total Accessory Space:**

|           |                 |
|-----------|-----------------|
| Allowed:  | 920 sq. feet    |
| Proposed: | 1208.7 sq. feet |
| Excess:   | 288.7 sq. feet  |

The property is located on the east side of Wayne Rd. (9760), between Grandon St. and Pinetree St., Lot No.130-01-0039-001, R-U-F, Rural Urban Farm District. Rejected by the Inspection Department under Livonia Vision 21, Section 7.09 (1) (A), "Residential Accessory Buildings, Maximum Size."

**KLISZ** Calling appeal case number 2023-03-04. An appeal has been made to the Zoning Board of Appeals by Jason and Katie Kozak, 9760 Wayne Rd., seeking to demolish a nonconforming shed with an illegal addition and construct a detached garage while maintaining the existing attached garage, resulting in excessive accessory space. Total accessory space allowed: 920 square feet. Proposed: 1208.7 square feet. Excess: 288.7 square feet.

**COPPOLA** Thank you. Anything to add, Mr. Albus?

**ALBUS** Nothing at this time.

**COPPOLA** Any questions for the Inspection Department? Seeing none, if you could step forward to the podium. I need your name and address before we get started. I know it's on the notice, but we do that for the record.

**K KOZAK** My name is Katie Kozak. This is my husband, Jason Kozak. We reside at 9760 Wayne Road in Livonia.

**COPPOLA** Okay, so why don't you tell me a little bit about your project? And I'd like to hear some of the practical difficulty or hardship you have that would suggest we should approve the variance.

**K KOZAK** Sure, no problem. So, we received violations this past winter in regards to the amount of stuff that we had in our backyard. So, we went ahead and we removed all and any working equipment, so any trailers that we weren't supposed to have. Any working equipment, we have now moved off the premises. So, the stuff that's remaining on the premises currently, we've outgrown our detached shed in the back. So what we would really like to do is be able to remove the rest of the clutter that's in the backyard and move it into a garage and we are

proposing to remove the existing sheds that are on the premises and just have a garage where all of our stuff will be stored. The reason we need a lot of space is because we have our lawn equipment, our garden equipment. We have kayaks. We have four wheelers. We have a lot of hobbies. So, we're just proposing that we're able to store everything safely in one garage.

**COPPOLA**

Okay. The shed existed when you purchased the property, or is it something you put up?

**K KOZAK**

The front half of the shed is something that we put up ourselves, and then we grew out of that space, and then we're adding on to the existing shed for more space, but we've kind of grown out of that as well. So that's why we're trying to remove every existing shed and just have the garage.

**COPPOLA**

Okay, because they were suggesting here in the minutes that there was an illegal addition. So that was an addition? You didn't get a permit for that?

**J KOZAK**

Correct. That was also on the violation; we're working to correct that as well, either by getting a permit for the addition or... we're hoping to be able to resolve it.

**COPPOLA**

In your application, you suggested that the reason you needed the garage is you couldn't park your new truck in the old garage?

**J KOZAK**

Well, here's the thing. With the ice storm... Okay, so she's way better at this than I am, speaking. So, while I do have a nice new truck and it's 22 feet long – it's huge. It doesn't fit in the existing garage. It sits out in the front underneath the maple tree. And this last ice storm, we had stuff falling on it. So we're just hoping to be able to get that under cover as well. Unfortunately, it's 22 feet long and in order to get all that stuff into one accessory building in the back, it would have to be 24 by 32, which obviously, look... if you go just by the numbers, it does exceed the allowable space of 920. But if you look at the lot, it's proportionate to a lot this size. It would look good in the back; visually, it would look good. As far as I know, we don't have any objection from our neighbors. We get along pretty well with our neighbors.

**K KOZAK**

And we spoke with a couple of the neighbors and they did receive the letters asking if they agree or disagree. Some of them stated, "hey, we didn't send anything in because it says on there, if you're okay with it, you don't need to submit." But I

mean, we do have good relationships with the neighbors and they're fine with that. We did some research in regards to looking at a half mile north or south of 9760 Wayne Road. We noticed that at least five residents had an attached two-car garage, plus detached two-car garage. Their lot size is unknown; the size of their garage is unknown. We didn't get those details from any of the neighbors. But we do have pictures if you guys didn't [see them]. I did bring pictures of those areas that are within half a mile of our residence.

**COPPOLA** Questions for the petition?

**BARINGHAUS** Mr. Chairman.

**COPPOLA** Vice Chair Baringhaus.

**BARINGHAUS** What are you currently storing in the attached garage to your home?

**J KOZAK** Well, the attached garage to our house is just... it's kind of cluttered from the house. So, they're calling it a two-car garage, but we have three steps going from the garage up into the house. So, one car is only able to fit in the garage at a time. We have a pantry with a refrigerator and then one car, and that's all we can really fit in there, honestly. They're calling it 440 square feet. Like the footprint, is 440 square feet. But that's not really the usable amount of space inside. There are three steps going from the garage up to the house. So that kind of extends into the garage space. So you have to park the car kind of in the middle of the garage in order to be able to open the door and go up into the house.

**BARINGHAUS** Do the steps run parallel to the wall?

**J KOZAK** No, they don't.

**BARINGHAUS** They come straight out.

**J KOZAK** Yeah.

**BARINGHAUS** And then on the proposed garage. What is the height of your garage door?

**J KOZAK** Well, I'm probably going to have to make that one extra panel high. So, I'm not sure exactly what that is. The structure would be under the 16-foot maximum height. So, I haven't gotten plans. I didn't want to spend a bunch of money into getting plans and all these architectural drawings, but I'm familiar



with... it says that you're supposed to keep under 16 foot; I'm familiar with that. So, as far as how high the garage doors: I think it would be maybe nine feet.

**BARINGHAUS** So it would still fit your trucks?

**J KOZAK** Yeah. And I think the inspector was out there today, he saw much. It was just with the truck with the cab; it's huge.

**BARINGHAUS** So the proposal could be larger than what was in the package that we viewed today?

**J KOZAK** Oh, yes, yes, it could be. So just to touch on that. It was \$600 to do a rendering. So again, we had a very, very basic rendering, detailing what we want the exterior to look like, the board and siding and that kind of stuff that we were able to submit for relatively low cost.

**BARINGHAUS** Okay. Very good. And then just to confirm, you're planning on fitting the concrete driveway in?

**J KOZAK** Well, there already is an existing driveway going to the back.

**K KOZAK** But where the proposed garage is we're removing... the City came out and killed our trees and power lines.

**J KOZAK** It was DTE.

**K KOZAK** I'm sorry, DTE came out. They killed our trees. So, we're taking them all down. So that all will be nice; the trees won't be there. It will be a straight drive to the garage. So, there are additional things we want to...

**BARINGHAUS** So the only extended driveway is to the garage?

**K KOZAK** Exactly.

**COPPOLA** Ok, very good. Thank you. Ms. Ptashnik.

**PTASHNIK** I have a quick question. The existing shed: is that currently on like a concrete slab?

**J KOZAK** It's on a concrete slab with footing, with the proper footing.  
**PTASHNIK** When you were to demolish that, what would be the plans for the rest of that area?

**J KOZAK** It's probably just going to have to sit there. We didn't talk about that, to be honest with you. But visually, it's in the very back –

in the very back – a like [a] quarter of the property line and then in between our property, which is 270 feet deep, and the neighbor behind us, which is 270 feet deep, there's like 30 or 40 feet of woods. So, they wouldn't be able to see concrete really either. So, it'd be better if it were grass. But we haven't even... I could put dirt over it as opposed to just busting it all out of there.

**PTASHNIK**

So I'm assuming that the new garage would obviously be on a slab as well? And the reason for putting the proposed garage on the site plan versus where the existing shed is that just based on...?

**J KOZAK**

The existing shed is 10 foot by 20 foot. And then we put an addition on it: 16 feet. So now we're looking at something that's 10 feet by 36 feet. It just visually, it's very unproportionate, so now we can't reuse any of that foundation or whatever. And we're going to build a garage in between the existing shed and the house. Because honestly, we have nowhere to put stuff until, you know.

**PTASHNIK**

I gotcha.

**J KOZAK**

In the back of our property as well, we had a tree collapse on our other shed. So, we're working towards getting contractors. It's slightly overwhelming.

**PTASHNIK**

Yeah, no, I understand. Thank you.

**TESTA**

Mr. Chair.

**COPPOLA**

Mr. Testa.

**TESTA**

Question for the petitioner. To piggyback off Vice Chairman Baringhaus's questions. Regarding the existing driveway, the plans to expand it so that it will be basically a two- or three-car garage. Your proposed garage is about three feet off of the sideyard. I was wondering why you wouldn't move the garage towards the center to minimize the amount of driveway you need to put in? The other side effect is that it's less visible from the street.

**J KOZAK**

There are power lines going in the back as well. So, I don't know what the requirement is on that. But I'm trying to be probably 10 or 12 feet behind the power lines.

**TESTA**

Which way are the power lines?

**J KOZAK** The power lines, they run north and south. So, they're basically, I'd say, 40 feet behind our house. And so, I'm trying to put the shed maybe 15 to 20 feet behind the power lines. They're in there all the time putting up those power lines.

**TESTA** Yeah, I'm talking about the position of the garage in the south location. Why not move it more towards the center?

**J KOZAK** The center of the property?

**TESTA** Yeah.

**J KOZAK** Well, okay, so the proposed garage is... we're proposing a two-car-wide garage. What's there now existing is only one-car. There's only one lane, for lack of a better term, one lane. And on the far north side of our property, the grade goes up where our two pine trees are, the grade goes up there. So that's completely unusable space right now. And that's where the two pine trees are that DTE came and topped that are dying anyways. So, when those come out, it's just going to basically be a useless hill that we're hoping to level that and then put the garage. I think I asked Engineering, it was two-foot offset; we put three feet, so that was clear. The new garage won't extend any further into our yard than the existing driveway, doing a hard measurement.

**K KOZAK** To answer his question. Just to answer that question. Like, for me personally, if we move it any more center, it's going to be like all the space behind it; we're going to lose a lot of our land. So, if you put that garage more centered, you're cutting off like half the length of the land itself. So, where the proposal is for the new garage, it still leaves us with our nice long, deep yard.

**TESTA** I guess what I'm suggesting is maybe we've made it 10 feet south so that your driveway – the existing driveway – feeds right into it. Right now, your existing driveway is going to be offset from it. That's why you need to expand the concrete. From the drawing, that's the way it is.

**J KOZAK** I have to see what you're referring to. But I think the site plan is...

**K KOZAK** I have a picture of it.

**J KOZAK** I see what you're saying now. So, on this site plan, yes, this is possibly inaccurate slightly because this was something that I did online. My existing driveway does not go there. If you're doing a hard measurement from the northern property line to



where I want the garage, it's gonna end exactly where the existing driveway is, if you could bring it up like Google Maps, or you know, whatever. So, this is not 100% exactly accurate.

**TESTA**

Okay, I understand the trees are blocking [it] on Google Maps right now.

**J KOZAK**

Yes, yeah, kind of where that, where that turn is on the site plan, that right there, that's where the trees are at. And there's like kind of a grade [that] goes up... the neighbor to the north, they had an in-ground pool that they removed. So, on the other side of the fence, now the grade is actually two feet lower than our grade. So that would kind of make everything pretty nice and level from our northern neighbor to our property as well. And it's only a one- or two-foot grade. It's not like a major excavation project. If the existing driveway is not depicted correctly, then I understand your point. But the other advantage to moving it more... I can see why you're confused; I didn't realize that that was off like that. No, I'm very particular about the front of my house. It's very nice... this is going to be a very nice.

**TESTA**

If you move it more south it will also be less visible from the street.

**COPPOLA**

Any other questions?

**TESTA**

Besides that truck, what else would you be putting in the garage?

**K KOZAK**

Our four wheelers, our kayaks, our lawn equipment. We have rider lawn mowers and all that type of stuff. His mountain bikes. Just a lot of recreational items that we store.

**BOLOVEN**

Real quick. Question for petitioner. Any HVAC going in that garage?

**J KOZAK**

No.

**BOLOVEN**

What type of power will you have in there?

**J KOZAK**

There's probably just going to be lights and that kind of stuff. Is that what you're referring to? Voltage is just one plug. I'm not going to try to put like, woodworking equipment or a compressor or anything like that, just carbon lights. As a matter of fact, in the shed in the back there's power there. It's just a 120-circuit; there's two 120 circuits. I'm just going to use that; it's all conduit underneath the driveway anyway.

**COPPOLA** Other questions? I have a couple of questions for you. So, what do you do for a living?

**J KOZAK** I work construction.

**COPPOLA** So, when you do construction generally what do you do first? What do you generally do before you start construction on a project?

**J KOZAK** Is that a trick question? [Laughs]. We get a permit.

**COPPOLA** So what were you thinking when you put an addition on your garage without a permit?

**J KOZAK** I wasn't there.

**COPPOLA** Who poured the concrete for you?

**J KOZAK** Guys that I work on site with, that I have worked with.

**COPPOLA** And exactly when we say construction, what do you do?

**J KOZAK** I install vinyl siding.

**COPPOLA** But you're going to do wood on this one?

**J KOZAK** I am going to do wood on this one.

**COPPOLA** Okay, so that answered my question on what the big truck is for.

**J KOZAK** What's that?

**COPPOLA** That answered my question for what the big truck is for.

**J KOZAK** The truck in the front of the house?

**COPPOLA** The big truck is for construction, right?

**J KOZAK** No, no, no, because it's in front of the house, well, you can ask the Inspector, it was at the house while I was at work. So no, I don't use it for construction.

**COPPOLA** No, the question is you said you have a large truck. What do you use that for?

**J KOZAK** I use that to tow our RV.

**COPPOLA** And where do you store your RV?

**J KOZAK** That's actually stored off site; it's another place that we rent. So, we have commercial property that we rent for all my work stuff. We also rent space to put the RV and we're trying not to rent a third place. We're hoping to contain everything in one accessory building on our property.

**COPPOLA** Okay. That's all my questions. Any other questions? Okay, seeing none is there anyone in the audience... you can have a seat for a second. Anybody in the audience who can speak before or against this petition? When you step forward, give your name and address.

**DAY** Hi, my name is Rachel Day. Homeowner at 9811 Wayne Road. And arguably the best view [is] of their house. Our big bay windows look right at their house. I've never met you guys. Anyway, I came here, because I think that it sounds like a fantastic idea. I think it sounds much better than what is currently there. And they do a great job. I mean, it's a nice house to look at. I think visually, it's going to look great. And we just moved in recently, like about a year now. And owning this amount of property we've noticed... we have a three-car garage and we take up all our space, so I'm like yeah, we get it and we don't do all that fun stuff.

**COPPOLA** Anything else?

**DAY** No, that's it. We're just totally for it.

**COPPOLA** Thank you. Anyone else? Okay, seeing none. Any correspondence?

**KLISZ** Yes, we have some letters. We have a letter of approval by Michael Soave, 9915 Wayne Road: no comments.

A letter of approval: Gail Susan Mack, 9775 Laurel: "I, Gail Susan Mack, do not object to a new garage built at 9760 Wayne Road, providing that the existing nonconforming shed with the illegal addition is demolished. In addition, the wooden shed that was constructed without a permit must be demolished. All debris needs to be cleaned out and cannot pile up again."

A letter of approval: Rose Emery, 9651 Laurel. "I, Rose Emery, have no objections to a new garage provided that the existing nonconforming shed with an illegal addition is demolished. Also, the wooden shed that was built without a permit must be



removed. All debris needs to be cleared out and not permitted to be piled up again."

A letter of approval from Raymond Garay and Jennifer Alley, 9659 Wayne Road: "They keep a nice and neat house, and it would not be seen from the road."

Letter of approval: John T. Groves, 100053 Wayne Road: no comments. Letter from Linda Maracle, 9916 Wayne Road: "They are very good neighbors and I believe the little excess will be just fine, so they can store what they need to. Better to have it inside than outside. I would love to have a second garage instead of a shed."

**COPPOLA**

Anything else you'd like to add before we close?

**J KOZAK**

I didn't realize we had so much support from our neighbors. So, I'm just...

**K KOZAK**

Humbled. I'm sorry. Did you guys want to see the houses that we saved?

**COPPOLA**

Sure, if you'd like us to take a look.

**K KOZAK**

It's up to you.

**COPPOLA**

You do know there's quite a bit. Okay, I'm going to go ahead and close the public portion case and start the Board's comments with Ms. Ptashnik.

**PTASHNIK**

Thank you, Mr. Chair. I am familiar with your neighborhood. So, I agree that there are quite a few homes that do have exactly what we were seeing in the pictures as well. I had a lot of trepidation going into this one just because of the illegal shed that you already had, and not trying to be punitive, but it's just... we have to trust that you're doing the right thing this time. The overwhelming support from your neighbors is swaying me to support your petition. I, as a neighbor, we want my neighbors to be able to put all their stuff in storage, not have to look at it and have it neatened up. So, some of the suggestions I'd like to make... obviously, making sure that the shed must go. I am a little bit concerned about the concrete that I asked about, what that's going to look like. I would prefer to see some green space or something else somewhere back there. But once again, because of the support from the neighbors, I am leaning towards support.

**KLISZ**

I agree. I think that when we give these larger structures, it is usually in the R-U-F district, the urban farming, so it means more property and more property needs more equipment and whatnot. So, we usually take that into consideration, then we look at what is the minimum needed to do what needs to be done. And I think the good news is that you're not that far over. Like some people come in and they want like a massive barn. And we almost always send them back to redo it because it's just too much. We want just... what do you need that's just enough to fit your hardships. Overwhelming neighbor support is a great sign and no objections to it. I think this will work out well, and I'll be in support.

**COPPOLA**

Okay, thank you. Mr. Testa.

**TESTA**

Thank you, Mr. Chair. On the initial read of the case file, I'm probably leaning towards a no. But that's why we come in here and hear the cases. So, I do appreciate your presentation. I appreciate your legwork, kind of the benchmarking of other homes in that area. I do understand your hardship. I know you lean kind of heavily on recreation vehicles, but I'm glad you mentioned your lawn equipment. That is a factor that we do consider because you do have a larger property and you do need to maintain that. Not a big fan of the nonconforming shed or building without a permit, which was already touched on. So glad to see that will come down. The garage is a little bit bigger than what I would normally be in favor of, but because of the overwhelming support from your neighbors that had been swayed to a yes vote.

**COPPOLA**

Thank you. Mr. Boloven.

**BOLOVEN**

I agree with Mr. Testa. When I first looked at this, it is a little larger than this Board normally approves for a lot of that size. Normally with something like this, it makes sense to have that additional outbuilding, but the size is always a concern. 288 – not huge, but it is a bit excessive there. And I also agree with Ms. Ptashnik's comments about the cement slab. The existing illegal outbuilding obviously that's going to come down. I think if this passes, you're going to get dinged a little bit with a double fine on that. But it's more of a deterrent than anything. So with all that being said, I do see the hardship; I do see the need for it. I'd be in support, as long as the illegal shed comes down. And I agree with Miss Ptashnik: I think that concrete needs to be removed and there needs to be some greenery put behind that.

**COPPOLA**

Thank you. Mr. Baringhaus.

**BARINGHAUS**

Thank you. Yeah, I agree with my colleagues. I think looking at your current attached garage at 440 square feet. That's unusually small. If your home were built today, you'd be entitled to 720 square feet. So, I'm willing to consider a little larger garage as the detached garage. Another thing too is the depth of the lot. The garage is farther back. Plus, the view from Wayne Road is fairly restricted; you really don't see it. Again, you have strong neighbor support for the project. So based on that, I will support the variance, again on the condition of the shed being removed and the concrete blockage removed, with some greenery installed. Thank you.

**COPPOLA**

Thank you. While I could be in support, I do have some hesitation based on history, of allowing or approving something without a little more detail in the sense of what's being constructed, exactly what's constructed. You've given us a rendition of a garage that you've pretty much told us that's not what you're building. You're building something else. And you've given us a site plan that you've told us that's kind of where it's at, but it's not exactly. So, I think what you've heard – and I'm not trying to be difficult – but I'm a little concerned that you're a little bit vague here. I prefer to have everything nailed down for this level of excess... I'm usually the one that doesn't like to table stuff. I prefer to make a decision. But on this one, I want to see details. So, I think what I'm trying to say is, you've heard from the Board, and they're saying yep. You've got a hardship and we can agree to give you that level of excess. I think it's a little too much, but I think you've got enough support. But I want to see the plans; I want to see exactly what the plan is. I want to see the materials. I want to see what it looks like. I want to see all that because we are really... it's a 40 percent excess of what's permitted. So, I think at least we should have some level of oversight on what's being done. So now I think you're in a position where you can feel comfortable spending the money to do the plan. I need the site plan too. I would prefer to be on survey with it on site, exactly including where the driveway is going to go. And the other thing from my perspective is obviously all other sheds or whatever other structures on the property need to be removed. And I would say I want the concrete removed. So, my position is table it until you come back with a site plan and the full plans on the garage. So, we know what we're approving. We got the concept. I think everybody agrees with the concept. We want to know exactly what we're approving. That's my position. So, I'll go ahead and open up the floor.

**KLISZ**

Resolved appeal case number 2023-03-04 filed by Jason and Katie Kozak be tabled for the petitioners to come back with the



specific site plan, the actual material, a copied rendition of exactly what's being built in terms of color, material and design. And then in preparation for that approval, there will be conditions regarding removing all other outbuildings, removing the concrete and replacing it with greenery. And again, I think they know that they will have that most likely be approved next time. But that's why it'll be tabled.

**COPPOLA**

All right, so Mr. Kozak. Why don't you step up for a second just want to make sure that we're all aligned. I don't want to have to do this again after this time. So it was tabled. You'll have to call back down to the Zoning Office when you're ready to get on the schedule. The next one is May 16; the deadline is [April] 17th. I doubt you'll make that one. But the next one [deadline] is May 8th that you have to have your materials in. And that [meeting] is on June 6. So that should give you enough time to get that done, plus enough of the summer to get your buildings taken down and constructed. Again, the feedback is what we'd like to see a site plan with the footprint of the shed on the site plan and with any changes to the driveway building. Make sure that it complies with all other setback and other zoning requirements. We need a plan -- not overly detailed, but we need to see what the building is going to look like. So, we'll need elevations. And we'll need a plan, just so we can see what that is. If you can include any utilities that you're adding to that also, that'd be helpful for us to understand materials that you're going to use, like roofing and siding and all that. So, then we can take a look at that, and hopefully just move forward. Hopefully it will be a simple decision. And we'll all agree that it looks great.

**K KOZAK**

Is this going to be documented, so we just make sure of everything you said? Then we know, and we can check it off our to do list?

**COPPOLA**

Well, it's in the minutes.

**K KOZAK**

Okay, perfect.

**COPPOLA**

The Zoning Office will know. There's no additional fee. The fee is already paid. So, there's no additional fee to do that. And if you have questions, just call down to the office.

**K KOZAK**

Perfect. Thank you.

**TABLED: APPEAL CASE NO. 2023-03-04:** An appeal has been made to the Zoning Board of Appeals by Jason and Katie Kozak, 9760 Wayne Rd., seeking to demolish a nonconforming shed with an illegal addition and construct a detached garage while maintaining the existing attached garage, resulting in excessive accessory space.

**Total Accessory Space:**

|           |                 |
|-----------|-----------------|
| Allowed:  | 920 sq. feet    |
| Proposed: | 1208.7 sq. feet |
| Excess:   | 288.7 sq. feet  |

The property is located on the east side of Wayne Rd. (9760), between Grandon St. and Pinetree St., Lot No.130-01-0039-001, R-U-F, Rural Urban Farm District. Rejected by the Inspection Department under Livonia Vision 21, Section 7.09 (1) (A), "Residential Accessory Buildings, Maximum Size" be **tabled**.

**ROLL CALL VOTE**

AYES: 6-0

NAYS:

ABSENT:

PASSES/FAILS:

**TESTA** Mr. Chair. I'll move to approve the meeting minutes of February 7, 2023.

**BOLOVEN** Second.

**COPPOLA** Motion by Mr. Testa, seconded by Mr. Boloven, the minutes of February 7, 2023. All in favor?

**BOARD** Aye.

**COPPOLA** I see no one opposed. All right, I need one more, Mr. Baringhaus?

**BARINGHAUS** Mr. Chairman, motion to adjourn.

**TESTA** Support.

**COPPOLA** All in favor.

**BOARD** Aye.

**COPPOLA** Meeting adjourned.

There being no further business to come before the Board, the meeting was adjourned at 7:41 p.m.

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Gregory G. Coppola, Chairman

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Timothy Klisz, Secretary



**AGENDA DATE: May 16, 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**

1. **APPEAL CASE NO. 2023-01-02: George Nicoloff, 19490 Fairlane Ct (Rescheduled from February 7, 2023, and Tabled on April 11, 2023):**  
Should be denied because the alleged practical difficulty does not entail more than mere inconvenience.
2. **APPEAL CASE NO. 2023-03-05, Robert Day, 36519 Grandon:**  
Should be denied because the alleged practical difficulty does not entail more than mere inconvenience. FURTHER, Petitioner has not provided evidence of an effort to find and consult with the remaining neighbor, thus defeating the purpose of the ordinance to make sure property owners have notice and an opportunity to be heard prior to installation of potentially unwanted fencing. FURTHER, to the extent compliance with the ordinance is difficult due to the Petitioners' own dogs, that is a self-created practical difficulty.
3. **APPEAL CASE NO. 2023-04-06: Mike Kinaia, Starbucks, 2500 Westmont Circle, Sterling Heights, MI 48310, on behalf of Lessee Starbucks, 12679 Middlebelt:**  
Should be denied because the alleged practical difficulty does not entail more than mere inability to earn a higher financial return. FURTHER, Petitioner has not demonstrated that four signs are necessary to increase the space between the order point and the pick-up window.
4. **APPEAL CASE NO. 2023-04-07: Luis Morales-Villegas, 20307 Parkville:**  
Should be denied because the alleged practical difficulty does not entail more than mere inconvenience. FURTHER, the variance sought in this case violates the City policy against turning residential areas into a series of small, walled enclosures. Further, to the extent that the variance is sought due to the dog petitioner brought to the property, the alleged practical difficulty is entirely self-created.
5. **APPEAL CASE NO. 2023-04-08: Amy Arsenault, 18925 Westmore:**  
Should be denied because the alleged practical difficulty does not entail more than mere inconvenience. Further, the proposed fence at the front building line has no logical connection to privacy of the pool in the backyard, especially considering the portion of the property which will continue to have chain link fencing.

# **FUTURE LAND USE PLAN**

**CITY OF LIVONIA  
ZONING BOARD OF APPEALS  
May 16, 2023 – 7:00 p.m.  
Livonia City Hall – Auditorium (1<sup>st</sup> floor)  
33000 Civic Center Drive, Livonia, MI**

1. **APPEAL CASE NO. 2023-01-02: George Nicoloff, 19490 Fairlane Ct. (Rescheduled from February 7, 2023)**: 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”**

2. **APPEAL CASE NO. 2023-03-05, Robert Day, 36519 Grandon**: seeking to erect a six-foot tall privacy fence upon property resulting in not obtaining the adjacent property owner's approval. The adjoining property owner is located at 36449 Dover. Privacy fences require the approval of the adjacent property owners.

**FUTURE LAND USE PLAN (FLUP)  
“LOW DENSITY RESIDENTIAL”**

3. **APPEAL CASE NO. 2023-04-06, Mike Starbucks, 12679 Middlebelt**: seeking to erect four menu and pre-menu signs within a drive-thru resulting in an excess number of menu board signs and total combined sign area.

**FUTURE LAND USE PLAN (FLUP)  
“REGIONAL COMMERCIAL”**

4. **APPEAL CASE NO. 2023-04-07: Luis Morales-Villegas, 20307 Parkville**: seeking to erect a six-foot tall wood privacy fence within the side yard which is not allowed. Privacy fences, without a side door, must not extend beyond the rear line of the home toward the street. Also, the proposed nearly bisects the depth of this lot, leaving a large, wooded area between an existing four-foot-tall chain-link fence along the rear property line.

**FUTURE LAND USE PLAN (FLUP)  
“LOW DENSITY RESIDENTIAL”**

5. **APPEAL CASE NO. 2023-04-08: Amy Arsenault, 18925 Westmore**: seeking to erect a six-foot tall vinyl privacy fence that is even with the front building line, which is not allowed in the side yard, even to the front of the home.

**FUTURE LAND USE PLAN (FLUP)  
“LOW DENSITY RESIDENTIAL”**

## **ZBA Meetings/Deadlines**

**May 16, 2023**

|                    |                                                |                                   |
|--------------------|------------------------------------------------|-----------------------------------|
| June 6, 2023       | <i>Auditorium<br/>Frank Hershey, Inspector</i> | <b>Deadline: Monday May 8</b>     |
| July 18, 2023      | <i>Auditorium<br/>Dave Popp, Inspector</i>     | <b>Deadline: Monday June 19</b>   |
| August 1, 2023     | <i>Auditorium<br/>Larry O'Neal, Inspector</i>  | <b>Deadline: Monday July 3</b>    |
| September 12, 2023 | <i>Auditorium<br/>Matt Stierna, Inspector</i>  | <b>Deadline: Monday August 14</b> |

**Minutes to vote on:** April 11, 2023

## **June 2023**

| Sunday    | Monday                                   | Tuesday                       | Wednesday | Thursday  | Friday    | Saturday  |
|-----------|------------------------------------------|-------------------------------|-----------|-----------|-----------|-----------|
|           |                                          |                               |           | <b>1</b>  | <b>2</b>  | <b>3</b>  |
| <b>4</b>  | <b>5</b>                                 | <b>6</b><br>ZBA<br>AUDITORIUM | <b>7</b>  | <b>8</b>  | <b>9</b>  | <b>10</b> |
| <b>11</b> | <b>12</b>                                | <b>13</b>                     | <b>14</b> | <b>15</b> | <b>16</b> | <b>17</b> |
| <b>18</b> | <b>19</b><br>DEADLINE FOR<br>JULY 18 MTG | <b>20</b>                     | <b>21</b> | <b>22</b> | <b>23</b> | <b>24</b> |
| <b>25</b> | <b>26</b>                                | <b>27</b>                     | <b>28</b> | <b>29</b> | <b>30</b> |           |