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33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2250
citycouncil@livonia.gov

OFFICE OF THE COUNCIL

**ELECTRONIC AGENDA PACKET FOR
THE PUBLIC HEARING OF
WEDNESDAY, JULY 19, 2023
8:00 P.M.***

**The electronic agenda is compiled, produced and distributed
by the City Council Staff. (734) 466-2250**

The official documents are on file in the City Clerk's office.

PUBLIC HEARING AGENDA OF THE LIVONIA CITY COUNCIL
Wednesday, July 19, 2023
7:00 P.M.
Livonia City Hall Auditorium
33000 Civic Center Drive Livonia, Michigan

AGENDA ITEM(S)

1. [Appeal of the denial of the Planning Commission regarding Petition 2000-12-02-38 submitted by Craig Girard, on behalf of Hunters Grove Condominium Association, requesting to amend Council Resolution #785-01 and the approved site plan to replace existing landscaping with a vinyl privacy fence, located on the east side of Newburgh Road between Five Mile Road and Ladywood Road in the Southwest ¼ of Section 17.](#)
2. [Petition 2023-04-01-02 submitted by FGN Holdings under Sections 13.13 and 13.15 of the Livonia Zoning Ordinance, as amended, requesting to rezone the properties at 19380 and 19384 Newburgh Road, located on the east side of Newburgh Road between Seven Mile Road and St. Martins Avenue in the Southwest ¼ of Section 5, from RUF \(Rural Urban Farm\) to N1 \(Neighborhood\).](#)

AUDIENCE COMMUNICATION

For the Regular meeting of **August 9, 2023**

SUSAN M. NASH, CITY CLERK

In accordance with Title II of the American with Disabilities Act as it pertains to access to Public Meetings, the City Clerk's Office of the City of Livonia, upon adequate notice, will make reasonable accommodations for persons with special needs. Please call (734) 466-2236 or email clerk@livonia.gov if you need assistance. **Council agendas are available on the City's website – www.livonia.gov - under Government, City Council, Agendas.**



LETTER TO THE LIVONIA CITY COUNCIL

1.

Planning
June 19, 2023

MEETING DATE

PH071923/R080923

PREPARED BY

Stephanie Reece, Program Supervisor,

AGENDA ITEM

Appeal of the denial of the Planning Commission regarding Petition 2000-12-02-38 submitted by Craig Girard, on behalf of Hunters Grove Condominium Association, requesting to amend Council Resolution #785-01 and the approved site plan to replace existing landscaping with a vinyl privacy fence, located on the east side of Newburgh Road between Five Mile Road and Ladywood Road in the Southwest ¼ of Section 17.

BACKGROUND DETAILS

June 19, 2023

Honorable Members of the City Council
City of Livonia, Michigan

Re: Petition 2000-12-02-38 – Hunters Grove

Dear Council Members:

At the 1,200th Public Hearings and Regular Meeting held by the City Planning Commission on June 13, 2023, the following resolution was adopted:

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

#06-39-2023 RESOLVED, That the City Planning Commission does hereby recommend to the City Council that Petition 2000-12-02-38 submitted by Craig Girard, on behalf of Hunter Grove Condominium Association, requesting to amend Council Resolution #785-01 and the approved site plan to replace existing landscaping with a vinyl privacy fence, located on the east side of Newburgh Road between Five Mile Road and Ladywood Road in the Southwest ¼ of Section 17, be denied for the following reasons:

1. That the petitioner has failed to affirmatively show that the proposed amendment is in the best interest of the City of Livonia.
2. Allowing this type of replacement along the development's Newburgh Road right-of-way would be detrimental to the aesthetic quality and appeal of the surrounding area, and thereby, inappropriately altering the character of the neighborhood.
3. That the proposed transformation would have a negative effect and would set an undesirable

precedent in the area.

4. That the proposed change is incompatible to and not in harmony with the other neighborhoods in the area, and

5. That the landscape screening and berm along Newburgh Road shall be permanently maintained in a healthy condition.

A roll call vote on the foregoing resolution resulted in the following:

AYES: Dinaro, Ventura, Bongero, Wilshaw

NAYS: Long, Caramagno

ABSENT: None

ABSTAIN: None

ATTACHMENTS

1. 2000-12-02-38_2023 Amendment_E-COUNCIL Pkt

APPROVED BY



Mark Taormina, Planning and Economic Development Director

Date: June 20, 2023



Maureen Miller Brosnan, Mayor

Date: June 23, 2023

Petition 2000-12-02-38 submitted by Craig Girard, on behalf of Hunters Grove Condominium Association, requesting to amend Council Resolution #785-01 and the approved site plan to replace existing landscaping with a vinyl privacy fence, located on the east side of Newburgh Road between Five Mile Road and Ladywood Road in the Southwest $\frac{1}{4}$ of Section 17.

CITY OF LIVONIA, MICHIGAN
APPLICATION FOR SITE PLAN REVIEW & APPROVAL

All petitions for Site Plan Approval shall be filed with the City Planning Commission, 33000 Civic Center Drive, Livonia, MI 48154-3097. **Filing fee = \$600.00 plus \$20.00 for each 1,000 square feet of gross floor area of new construction, not to exceed a total of \$1,500.00.**

Date Filed: 4-21-23 2023 Amendment To Petition 2000-12-02-38
Site Address: Hunters Grove Ct Sidwell _____
Requesting Approval to Amend Site Plan
Applicant: Craig Girard Business/Company: MC Property Service, LLC
Applicant's Address: 15768 Hunters Grove Ct City: Livonia State: MI Zip Code: 48154
Applicant's Phone # (734) 233.8813 Applicant's Email mcpropserv@yahoo.com
Contact Person: Craig Girard Business/Company: MC Property Service, LLC
Contact's Address: 15768 Hunters Grove Ct City: Livonia State: MI Zip Code: 48154
Contact's Phone # (734) 233.8813 Contact's Email mcpropserv@yahoo.com

Please provide the following information:

- 1) **Site Plan** showing:
 - properly dimensions, including road right-of-way & building setback lines
 - foot print of building(s), including dimensions & square footage
 - all easements, protective walls, sidewalks & existing trees
 - any significant topographic features (existing or proposed)
 - parking layout, including type of surface material, sizes of spaces & aisles
 - method used in calculating parking requirement
 - location of light standards servicing parking lot & cutout showing type & height
 - location of trash receptacle, including description of screening
 - location of signs (if proposed must submit separate sign application)
- 2) **Detailed Landscape Plan** including:
 - listing or labeling of all planted materials as to type and size
 - areas to be fully irrigated
 - percentage of landscaping provided (15% of total site required)
- 3) **Building Elevation Plan** depicting:
 - architectural quality
 - wall section & detail plan - exterior building materials must be labeled (i.e. brick, thin brick, E.F.I.S.)
 - all visible rooftop mechanical equipment and how they will be screened
- 4) **General Floor Plan** showing:
 - floor layout
 - entrances & exits
 - restaurants are required to illustrate seating arrangement & capacity
- 5) **One (1) set of reduced plans** (i.e. site, landscape, elevation, floor), a maximum 11" x 17" in size, or digital file in a .pdf format either on CD or emailed to smiller@ci.livonia.mi.us
- 6) **Legal Description** of the property to be considered (Clearly Printed)
- 7) One (1) completed application form & **three (3)** sets of full-size drawings

You are invited and encouraged to review your proposal with the Planning Department staff. Only one set of preliminary drawings will be necessary for this analysis.

FEE COMPUTATION

_____ sq. ft. of new construction x \$20.00 per 1,000 sq. ft.

\$600.00

(NOTE: Round off to nearest 1,000) + _____

Total Amount Due \$ _____

Owner of Property: Hunters Grove Condominium of Livonia
Owner's Address: 15768 Hunters Grove Ct City: Livonia State: MI Zip Code: 48154
Owner's Phone # (734) 233-8813 Owner's Email mcpropserv@yahoo.com
Signature of Owner: *Craig Girard* Print Name: Craig Girard

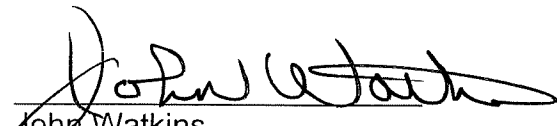
RECEIVED
APR 21 2023
CITY OF LIVONIA
PLANNING COMMISSION

PAID
APR 24 2023
TREASURER'S OFFICE
CITY OF LIVONIA

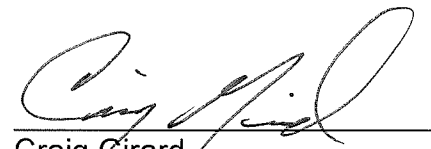
Hunters Grove Condominium

Livonia, Michigan

We (Hunters Grove Condominium Association) want to appeal the decision made by the City Planning Commission on Tuesday, June 13, 2023 to the Livonia City Consul. Our request is to replace existing dead spruce trees with an earth tone privacy fence, located on the east side of Newburg Road between Five Mile Road and Ladywood Road.



John Watkins
President H.G.C.A.
June 14, 2023



Craig Girard
Property Manager H.G.C.A.
June 14, 2023

jfwbadges@att.net

HUNTERS GROVE OF LIV CONDO ASSOC
15643 HUNTER GRV
LIVONIA, MI 48154-1723

12-04

1955

6-12/410

765

CHECK NUMBER

Date

6-14-23

Pay to the
Order of City of Livonia

\$ 400.00

Dollars



Photo
Deposit
Details on Back

PNCBANK

PNC Bank N.A. 070

For

Ann Kautza

MP

⑆041000124⑆ 4234266176⑆ 1955



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

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

Received From: Hunters Grove Condo. Assoc.
Address _____
City _____ Zip _____ Date 6/14/23

CERTIFICATES

Dollar Amount

		Dollar Amount
BIRTHS	☐ LF# _____ CC _____ PARCHMENT _____	

DEATHS	☐ LF# _____ CC _____	

GENERAL		
☐	Maps, Books _____	
☐	F.O.I.A. Copies _____	
☐	Signs _____	
☐	Grading Bond _____	
☒	Petition, Waiver <u>Appeal of Denial</u>	
☐	Election Fees _____	
☐	Other _____	
CASH ☐ CK# <u>1955</u>		Total Amt. > <u>400.00</u>

BY. LM/NB

No. 83203

TREASURER'S COPY

UNAPPROVED MINUTES

1

MINUTES OF THE 1,200th PUBLIC HEARINGS AND REGULAR MEETING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA

On Tuesday, June 13, 2023, the City Planning Commission of the City of Livonia held its 1,200th Public Hearing and Regular Meetings in the Livonia City Hall, 33000 Civic Center Drive, Livonia, Michigan.

Mr. Ian Wilshaw, Chairman, called the meeting to order at 7 p.m.

Members present:	Wafa Dinaro	David Bongero	Sam Caramagno
	Glen Long	Peter Ventura	Ian Wilshaw

Members absent: None

Mr. Mark Taormina, Planning Director, and Stephanie Reece, Program Supervisor, were also present.

Chairman Wilshaw informed the audience that if a petition on tonight's agenda involves a rezoning request, this Commission makes a recommendation to the City Council who, in turn, will hold its own public hearing and make the final determination as to whether a petition is approved or denied. The Planning Commission holds the only public hearing on a request for preliminary plat and/or vacating petition. The Commission's recommendation is forwarded to the City Council for the final determination as to whether a plat is accepted or rejected. If a petition requesting a waiver of use or site plan approval is denied tonight, the petitioner has ten days in which to appeal the decision, in writing, to the City Council. Resolutions adopted by the City Planning Commission become effective seven (7) days after the date of adoption. The Planning Commission and the professional staff have reviewed each of these petitions upon their filing. The staff has furnished the Commission with both approving and denying resolutions, which the Commission may, or may not, use depending on the outcome of the proceedings tonight.

ITEM #4 PETITION 2000-12-02-38

Hunters Grove

Mr. Caramagno, Secretary, announced the next item on the agenda, Petition 2000-12-02-38 submitted by Craig Girard, on behalf of Hunter Grove Condominium Association, requesting to amend Council Resolution #785-01 and the approved site plan to replace existing landscaping with a vinyl privacy fence, located on the east side of Newburgh Road between Five Mile Road and Ladywood Road in the Southwest ¼ of Section 17.

Mr. Taormina: Thank you. This request would amend the approved site plan and landscape plan for Hunters Grove condominiums, which is located on Newburgh Road just north of Five Mile Road. Hunters Grove is a 36-unit attached cluster development that received a special waiver use approval in 2001. It was approved as a Planned Residential Development, mainly because of the parcel's narrow depth which measures roughly 240 feet. As a result, the distance between the right-of-way along Newburgh Road and the rear of the first row of condominium buildings is only 30 feet. Within this area, the approved plan showed a four-foot-high berm planted with various evergreens, deciduous trees and shrubs. The plan also showed a row of 11 Sugar Maples that would have been spaced evenly along the right of way of Newburgh. However, the maples were later replaced with 26 Bradford Pear trees. Those are the trees that you currently see between the curb and the sidewalk and would not be impacted as part of this project. The current plan removes the original planted material on top of the berm and flattens the top leaving it about one and a half feet in height. For screening, the trees and the shrubs would be replaced with a six-foot high white vinyl privacy fence that would be installed on top of the berm and would run the full length of the property, which is over 800 feet. The new fence would be setback roughly 5.5 feet from the right of way and 6.5 feet from the sidewalk along Newburgh Road. It would stop short of the two driveways to allow proper sight distance for motorists for both the sidewalk and the roadway. The new landscaping, including various species of shrubs, ornamental grasses and flowers would be planted on the side of the fence facing the road, and I believe the petitioner submitted a rendering depicting what that would look like. The types of shrubs that they would plant at the base of the fence are also shown. Mr. Chairman, there is no correspondence related to this site plan amendment petition.

Mr. Wilshaw: All right. We did receive this rendering which the we asked the petitioner to provide at our study meeting, so we appreciate that. Our petitioners are in the audience. Feel free to come forward to our podium and we can discuss this item.

Craig Girard, 15768 Hunters Grove Court, Livonia, MI. I'm also the property manager for Hunters Grove, and I want to pass these pictures that we took as to why we want to do this.

John Watkins, 15207 Hunters Grove Court, Livonia, MI. I am the president of the Hunter Grove Condo Association.

UNAPPROVED MINUTES

3

Mr. Wilshaw: Thank you, Mr. Girard, Mr. Watkins for coming this evening. Is there anything else that you'd like to tell us from what we've already discussed so far?

Mr. Girard: Now, this is a tough decision by the board and the homeowners to take down the pine trees, because for 20 years, or almost 20 years, they've given us a nice buffer for noise and privacy, and as you can see, by some of the pictures, the privacy is now gone. The noise factors elevated because they're dying, and you can't replace them because they don't sell them because there's a disease for blue spruces and white spruce, that you can't even replant them. And there's one picture there of stuff that we've tried to replant and has died immediately within a year. And we, just to be honest, we can't afford to just keep putting more and more money into this. So, we looked at the fence. We had Mark out almost three years ago, I think it was and showed him what we wanted to do. And this is probably the most economical way for us to do this project. We still will have some type of berm, but we can't leave it at that height because the support for the fence would have to be...the poles would have to be about 12 to 16 feet long. So, we want to taper it and the contractor we looked at doing it is going to spread it all out and seed it in the back. We haven't decided whether we're gonna seed or sod the front. We have sprinklers there so the stuff will live. And that's about all I mean, unless you have any questions.

Mr. Wilshaw: Okay, thank you, Mr. Girard. Is there any questions of our petitioner?

Mr. Wilshaw: Nope. No questions? Mr. Caramagno..

Mr. Caramagno: I know we talked last week or last time you were here let's say. There's no other type of plantings on that berm that would survive? Blue spruce trees? Grass? That grows tall? There is no other landscape options that you feel will suffice.

Mr. Girard: If you do that, you don't get the privacy. That's why we're looking at keeping the berm at about a foot, and then putting a six-foot fence on top. In one of the drawings that was submitted before. shows the sight line from the street and what you can see, and that's the biggest concern for the neighbors. Because if I had my way, I would of pulled those pine trees out already, because three just fell in my house. We had that storm in

UNAPPROVED MINUTES

4

March. And they're really in bad shape, and if we can get started on this this year, we we're going to.

Mr. Watkins: Another issue that we have is a lot of our residents are elderly. And there's a fear factor there, whether it's real or perceived. They feel it. For example, my neighbor's 97 years old next door to me. She's got about four locks on her front door. We have quite a few elderly folks that are fearful. I say that not to be comedic, but they really do fear That's just another point, and we are going to have I think, we are going to have a gate on that.

Mr. Girard: There's going to be one or two gates put in so we can access by walking through to get to this sprinkler timers. And that will be locked on the inside.

Mr. Caramagno: Has there been any thought about leaving the berm higher and putting a shorter fence four-foot fence versus a six-foot fence.

Mr. Girard: Because by the time they come in Anglin construction, I'm sure you're familiar with them. They're going to do the work, and by the time they come in to take these pine trees out. The berm is going to be all distorted anyway, so that's why they're going to take in spread what dirt is left to make it presentable to put a fence. We could leave the berm the way it is, but we'd have to bring in dirt because there's going to be massive holes when all the stumps come out. I think there's probably roughly 150 trees along there.

Mr. Caramagno: What I'll say is the concern I've got is the starkness of that white face As for 800 feet or whatever, whatever that is there, that's just...it's a stark difference to what's there now. And that is, I gotta say some of the concern I've got.

Mr. Watkins: I was told tonight by my Supreme Allied Commander it will not be white.

Mr. Girard: No, we're looking at...when we first submitted this, we have an engineering firm that did this for us, and they put white but we're looking at maybe the taupe color fence. So, it's not as sharp like you said. We're not in favor of bright white.

Mr. Caramagno: Okay, thank you for the clarification.

Mr. Wilshaw: Any other questions or comments? Mr. Ventura.

- Mr. Ventura: Have you looked at alternative plantings like Arbor vitae, and other kinds of dense upright shrubs that are commonly used all over the city to prove to constitute living walls, such as you've had?
- Mr. Girard: We did discuss that, and I would invite you to come in and see what happened to the Arbor Vitaes in March. We are putting come alongs next to the decks to pull them back up, because they've been there, again 18-20 years, and to replace them with four footers takes all the privacy away from the people in the decks.
- Mr. Ventura: I am going to have to disagree with you. I have 60 Arbor Vitaes in my yard, and they take a little bit of maintenance, but they produce a living wall.
- Mr. Girard: Which we're trying to get away from on this whole project. And if you drove through our inside, you can see what we've done to make it more maintenance free, because the maintenance is costing us \$10,000 to \$15,000 a year just to replace dead bushes and trim, and that's why we've gotten the stones on the inside, which we will, excuse me, which we will have on hillside under the fence with a weed barrier. So, weeds can't come up. And the stones will come down to where the grass is and where the bushes are. So we're trying to make it and most of the stuff you see in there is a maintenance free shrub that we're putting in. It cost a fortune have people come in and try every year. It costs a lot of money to have people take Stella Doras and cut them down every year. We have to pay for that. There's only 36 of us, and our landscape bill...the grass bill is our highest cost there. So, to answer your question, that's why we're looking at maintenance free things that we can put in. You pay up front more money but down the road we won't have to increase our dues where people can't afford to live there.
- Mr. Wilshaw: Got it. All right. Any other questions from any of our commissioners? There is no one left in the audience to comment.
- Mr. Girard: Thank you for your time.
- Mr. Wilshaw: I do have one question that I will ask. I usually save my questions for the end. Have you done a cost analysis, sort of a side by side cost analysis of what it would cost to put this fence in land, and you're putting in some new landscaping and tearing

out old landscaping, the cost of what this project would cost versus removing the existing landscaping and replanting with a new landscape plan that involves Arbor varieties or other types of pines and so on? Do you have a side by side comparison?

Mr. Girard: We did that when we had Mark out before. Mark even came out and we looked at the cost because the berms gotta be readjusted because to take those pine trees out, they're such big rooted. So that's where the cost is, to redo that berm. But the cost of the fence is lower than the cost of buying all new bushes or trees or whatever you want to say. So, we did do an analysis, see which way is the best way to go. If people wouldn't worry about the privacy, I would like to go back in and redevelop that hole from the sidewalk all into the backyards and come in and out make it real nice with different trees and that. Like I have pictures of different places that have that. But cost wise it doesn't make sense. We're already looking at over \$150,000 to do this project and 36 people got to foot that bill. And we did do an analysis and the fence is cheaper than the bushes. The labor has to be done no matter which way you go. Okay.

Mr. Wilshaw: Thank you for answering that question. If there's no other questions or comments from any of the commissioners, then a motion is an order. Thank you, gentlemen.

On a motion by Long, seconded by Caramagno, it was

RESOLVED, That the City Planning Commission does hereby recommend to the City Council that Petition 2000-12-02-38 submitted by Craig Girard, on behalf of Hunter Grove Condominium Association, requesting to amend Council Resolution #785-01 and the approved site plan to replace existing landscaping with a vinyl privacy fence, located on the east side of Newburgh Road between Five Mile Road and Ladywood Road in the Southwest ¼ of Section 17, be approved subject to the following conditions:

1. That the Landscape Plans, identified as Sheets 01, 02 & 03, all dated April 21, 2023, prepared by Michael L. Priest & Associates, are hereby approved, and shall be adhered to.
2. That the Landscape Plan, identified as LP-1, dated October 17, 2022, as revised prepared by Michael L. Priest & Associates, is hereby approved, and shall be adhered to, and

3. That all conditions imposed by Council Resolutions #524-01 and #785-01, in connection with Petition 2000-12-02-38, shall remain in effect to the extent that they are not in conflict with the foregoing conditions.

Mr. Wilshaw: Is there any discussion? Mr. Caramagno.

Mr. Caramagno: I'd like to see that it's not a white fence, that it's a earthtone fence if this goes, to guarantee that.

Mr. Wilshaw: So, acceptable to all right. Maker and secondary have said the condition to make it a non-white fence is acceptable or earth tones. If there is or any other discussion on the motion? No other discussion if the Secretary is ready, please call the roll on a motion to approve

Mr. Wilshaw, Chairman, declared the motion failed due to lack of support.

A roll call vote on the foregoing resolution resulted in the following:

AYES:	Long, Caramagno
NAYS:	Dinaro, Bongero, Ventura, Wilshaw
ABSENT:	None
ABSTAIN:	None

On a motion by Dinaro, seconded by Ventura, it was

#06-39-2023 **RESOLVED**, That the City Planning Commission does hereby recommend to the City Council that Petition 2000-12-02-38 submitted by Craig Girard, on behalf of Hunter Grove Condominium Association, requesting to amend Council Resolution #785-01 and the approved site plan to replace existing landscaping with a vinyl privacy fence, located on the east side of Newburgh Road between Five Mile Road and Ladywood Road in the Southwest ¼ of Section 17, be denied for the following reasons:

1. That the petitioner has failed to affirmatively show that the proposed amendment is in the best interest of the City of Livonia.
2. Allowing this type of replacement along the development's Newburgh Road right-of-way would be detrimental to the aesthetic quality and appeal of the surrounding area, and

UNAPPROVED MINUTES

8

thereby, inappropriately altering the character of the neighborhood.

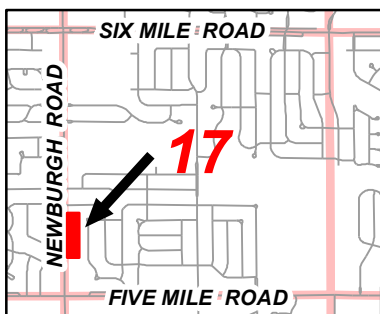
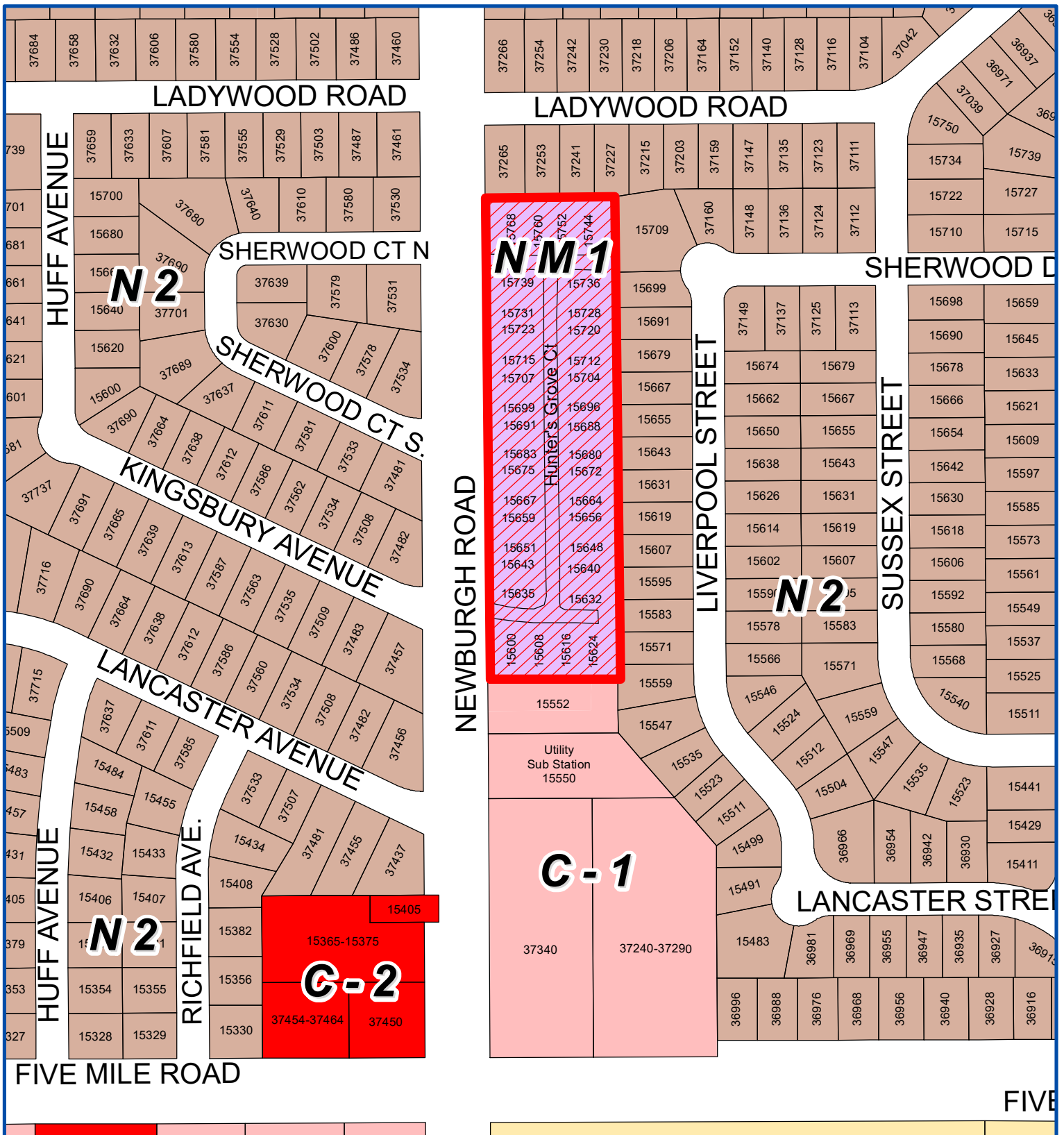
3. That the proposed transformation would have a negative effect and would set an undesirable precedent in the area.
4. That the proposed change is incompatible to and not in harmony with the other neighborhoods in the area, and
5. That the landscape screening and berm along Newburgh Road shall be permanently maintained in a healthy condition.

Mr. Wilshaw: Is there any discussion?

A roll call vote on the foregoing resolution resulted in the following:

AYES:	Dinaro, Ventura, Bongero, Wilshaw
NAYS:	Long, Caramagno
ABSENT:	None
ABSTAIN:	None

Mr. Wilshaw, Chairman, declared the motion is carried and the foregoing resolution adopted. It will go on to City Council with a denying resolution.



Address & Zoning Map

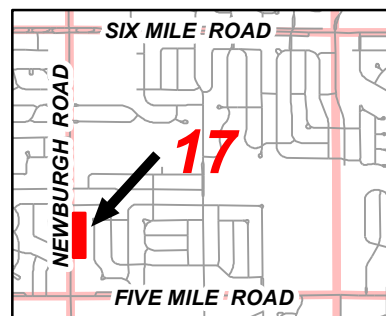
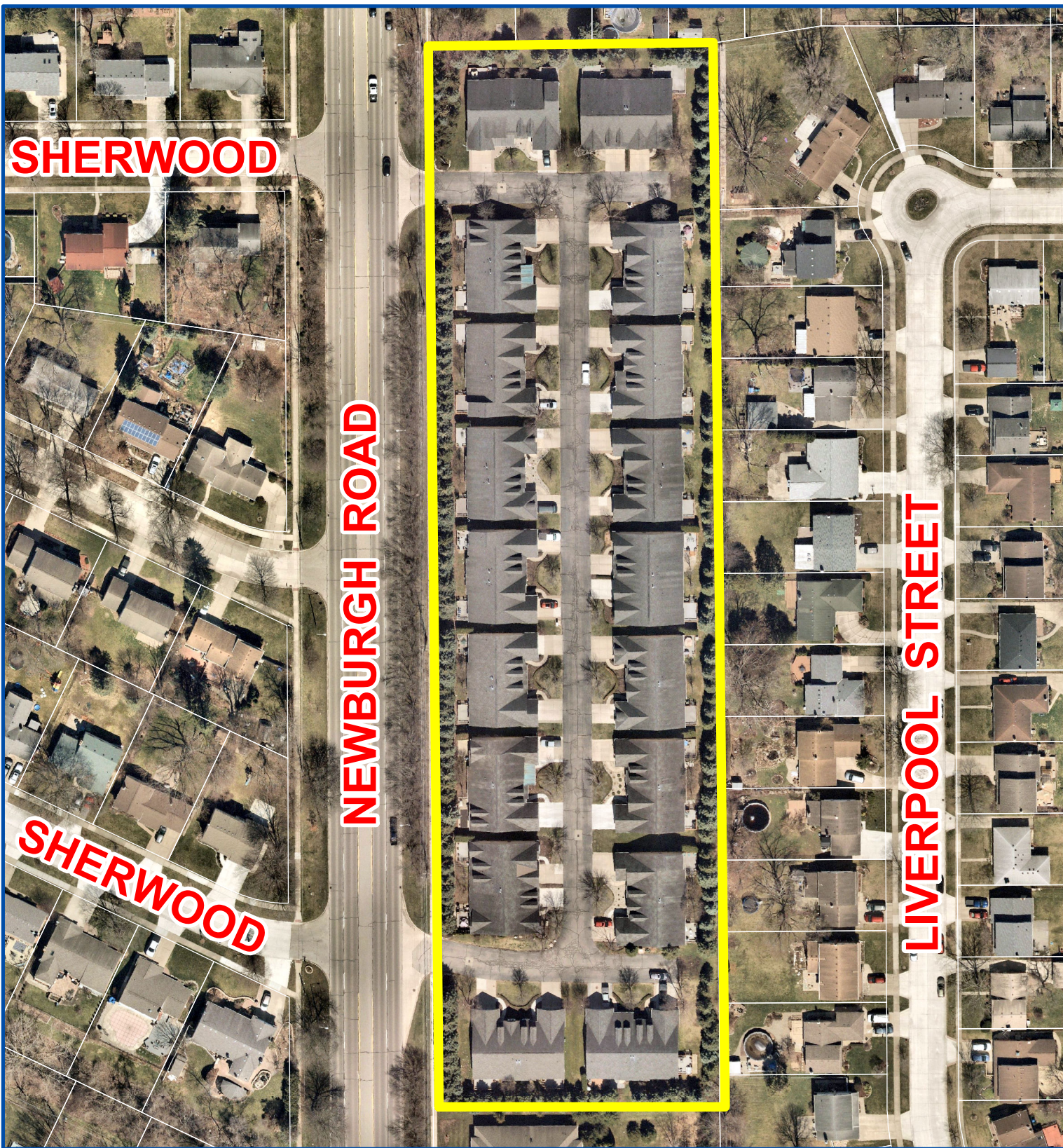
Petition 2000-12-02-38
 Hunters Grove Condominium
 Newburgh Road
 to amend Council Resolution #785-01



Not to Scale



City of Livonia
 Planning Department



Aerial Map

Petition 2000-12-02-38
Hunters Grove Condominium
Newburgh Road
to amend Council Resolution #785-01



Not to Scale



City of Livonia
Planning Department

PLANNING COMMISSION STAFF NOTES

MISCELLANEOUS

ITEM 4

Petition 2000-12-02-38 submitted by Craig Girard, on behalf of Hunters Grove Condominium Association, requesting to amend Council Resolution #785-01 and the approved site plan to replace existing landscaping with a vinyl privacy fence, located on the east side of Newburgh Road between Five Mile Road and Ladywood Road in the Southwest ¼ of Section 17.

June 6, 2023: Study Meeting:

The Hunters Grove Condominium Association is petitioning to modify the landscaping along the development's Newburgh Road frontage. Hunters Grove is located on the east side of Newburgh Road, approximately 700 feet north of Five Mile Road.

Hunters Grove received waiver use approval on August 13, 2001 (CR #524-01). Hunters Grove was approved as a Planned Residential Development (PRD), which allows provisions of the Zoning Ordinance, such as lot sizes and yard requirements, to be adjusted if it is determined that the modifications will result in more efficient land use. Hunters Grove was approved as a PRD mainly because of the narrow parcel depth. CR #524-01 referred the development's screening and landscaping along Newburgh Road to the Committee of the Whole (COW). On December 19, 2001, after considering the report and commendation of the COW, the City Council approved a new landscape plan (CR #785-01). The distance between the right-of-way and the rear of the first row of condominium buildings is approximately thirty feet (30'). Within this area, the approved plan showed a four-foot (4') high berm planted with various evergreens, deciduous trees, and shrubs. The plan also showed a row of eleven (11) Sugar Maples spaced evenly along the right-of-way of Newburgh Road; however, the maples were later replaced with approximately twenty-six (26) pear trees, which will remain and not be impacted.

The proposal would flatten the berm and remove the existing plant material. A new six-foot (6') high white vinyl privacy fence would be installed on top of the flattened berm with new landscaping, including various species of shrubs, ornamental grasses, and flowers, planted on the side of the berm facing the road. The new fence would be setback approximately five and one-half feet (5-½') from the road right-of-way and six feet (6') from the sidewalk. The new plant material would be installed on the slope of the berm between the fence and the sidewalk.

MISCELLANEOUS

ITEM 4 Petition 2000-12-02-38 – Hunters Grove Condominium Page 2 Amend CR #785-01

June 13, 2023: Regular Meeting:

At the June 6th meeting, the Planning Commission requested the Petitioner provide a perspective drawing illustrating a street view of the vinyl fencing and new plant materials.

Denying Reasons: That the request to amend Council Resolution #785-01 and the approved site plan to replace existing landscaping with a vinyl privacy fence for Hunters Grove Condominium is hereby denied for the following reasons:

1. That the petitioner has failed to affirmatively show that the proposed amendment is in the best interest of the City of Livonia.
2. Allowing this type of replacement along the development's Newburgh Road right-of-way would be detrimental to the aesthetic quality and appeal of the surrounding area, and thereby, inappropriately altering the character of the neighborhood.
3. That the proposed transformation would have a negative effect and would set an undesirable precedent in the area.
4. That the proposed change is incompatible to and not in harmony with the other neighborhoods in the area, and
5. That the landscape screening and berm along Newburgh Road shall be permanently maintained in a healthy condition.

Approving Resolution: That the request to amend Council Resolution #785-01 and the approved site plan to replace existing landscaping with a vinyl privacy fence for Hunters Grove Condominium, is hereby approved subject to the following conditions:

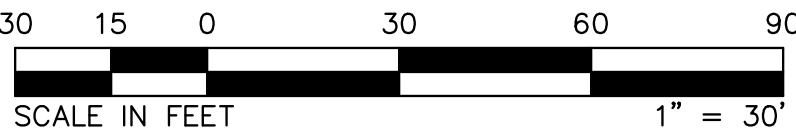
1. That the Landscape Plans, identified as Sheets 01, 02 & 03, all dated April 21, 2023, prepared by Michael L. Priest & Associates, are hereby approved, and shall be adhered to.
2. That the Landscape Plan, identified as LP-1, dated October 17, 2022, as revised prepared by Michael L. Priest & Associates, is hereby approved, and shall be adhered to, and

MISCELLANEOUS

ITEM 4 Petition 2000-12-02-38 – Hunters Grove Condominium Page 3
Amend CR #785-01

3. That all conditions imposed by Council Resolutions #524-01 and #785-01, in connection with Petition 2000-12-02-38, shall remain in effect to the extent that they are not in conflict with the foregoing conditions.

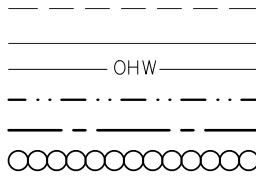
HUNTERS GROVE
PART OF THE S.W. 1/4 OF SEC 17, T.1S., R.9E.
CITY OF LIVONIA, WAYNE COUNTY, MICHIGAN



PROPERTY DESCRIPTION:

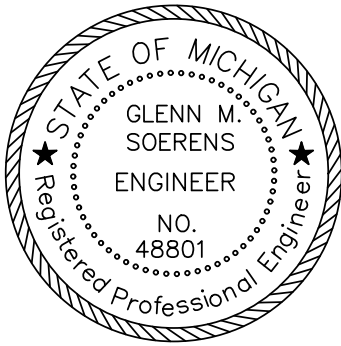
OPEN-SPACE AREA IN SOUTHWEST CORNER OF WAYNE COUNTY CONDOMINIUM SUB'N PLAN NO. 633, A.K.A. "HUNTERS GROVE OF LIVONIA CONDOMINIUM", PART OF THE SOUTHWEST 1/4 OF SECTION 17, TOWN 1 SOUTH, RANGE 9 EAST, CITY OF LIVONIA, WAYNE COUNTY, MICHIGAN. AS RECORDED IN LIBER 34709, PAGE 89, WAYNE COUNTY RECORDS.

LEGEND:
STORM SEWER
SANITARY SEWER
OVERHEAD WIRE
DITCH
SECTION LINE
STONE WALL

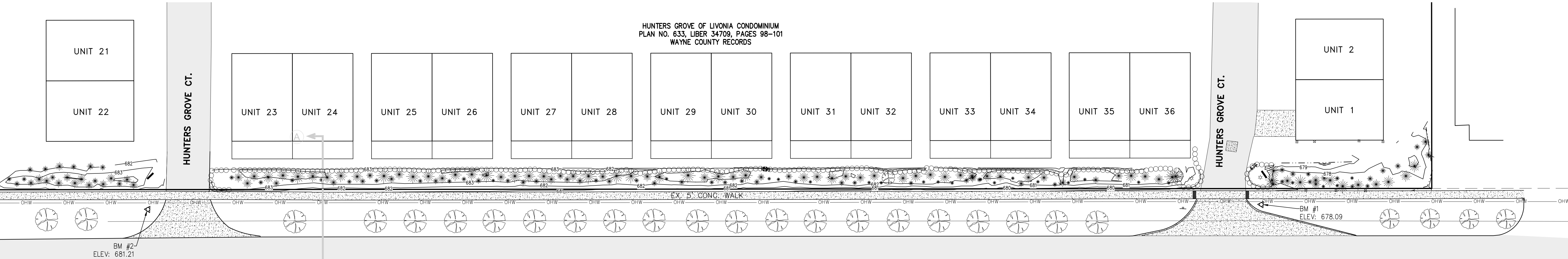


BENCH MARKS:NGVD29
BM #1
CAPPED IRON ROD ~4' EAST OF B/C
& ~3.4' WEST OF WALK.
ELEVATION: 678.09

BM #2
CAPPEN IRON ROD IN GRASS NORTH
OF NORTH ENTRANCE ~1' OFF B/C &
~1' OFF F/W.
ELEVATION: 681.21



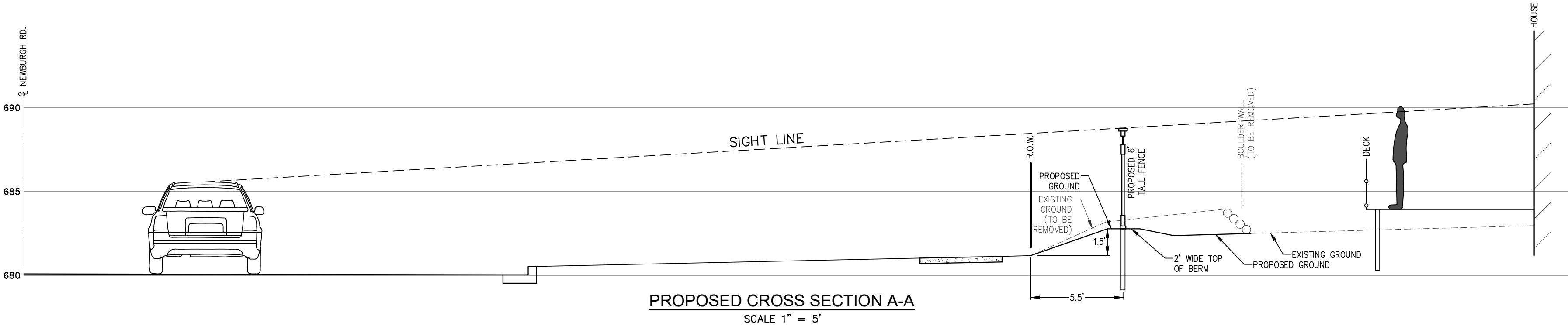
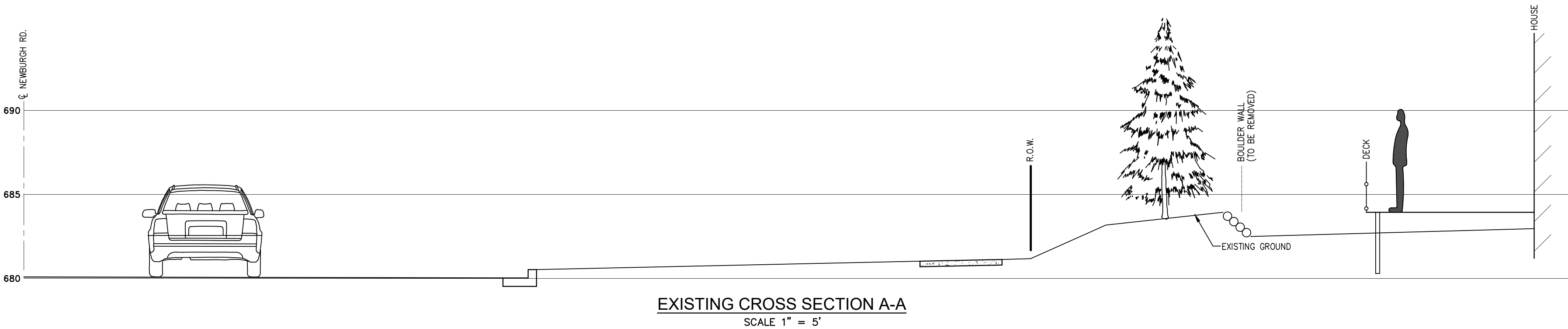
HUNTERS GROVE OF LIVONIA CONDOMINIUM
PLAN NO. 633, LIBER 34709, PAGES 98-101
WAYNE COUNTY RECORDS



WEST LINE OF SEC. 17
NEWBURGH ROAD (120' WIDE)

AREA 1 ON SHEET 02

AREA 2 ON SHEET 02



NOTE:
FENCES SHOWN ARE FOR EXAMPLE ONLY. EXACT FENCE
TO BE DETERMINED. FENCE WILL BE 6' HIGH VINYL
FENCE, TAN OR ALMOND IN COLOR.

COVER SHEET

HUNTERS GROVE
LANDSCAPE IMPROVEMENTS
PART OF THE S.W. 1/4 OF SECTION 17, T. 1 S., R. 9 E.
CITY OF LIVONIA, WAYNE COUNTY, MICHIGAN

SHEET
01

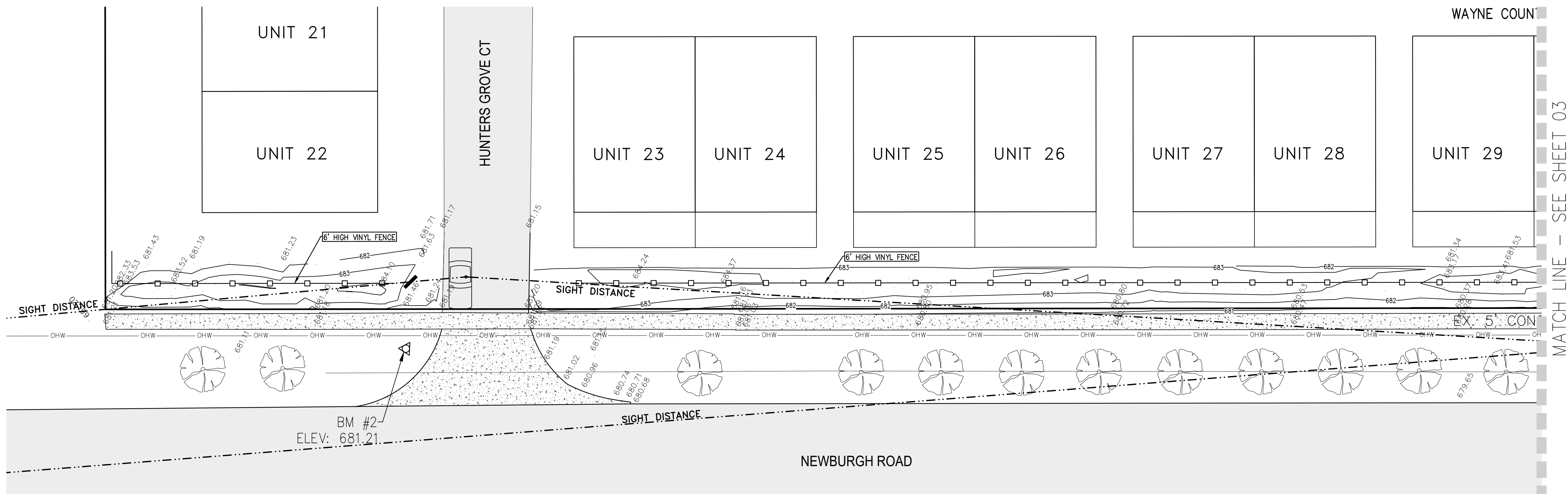
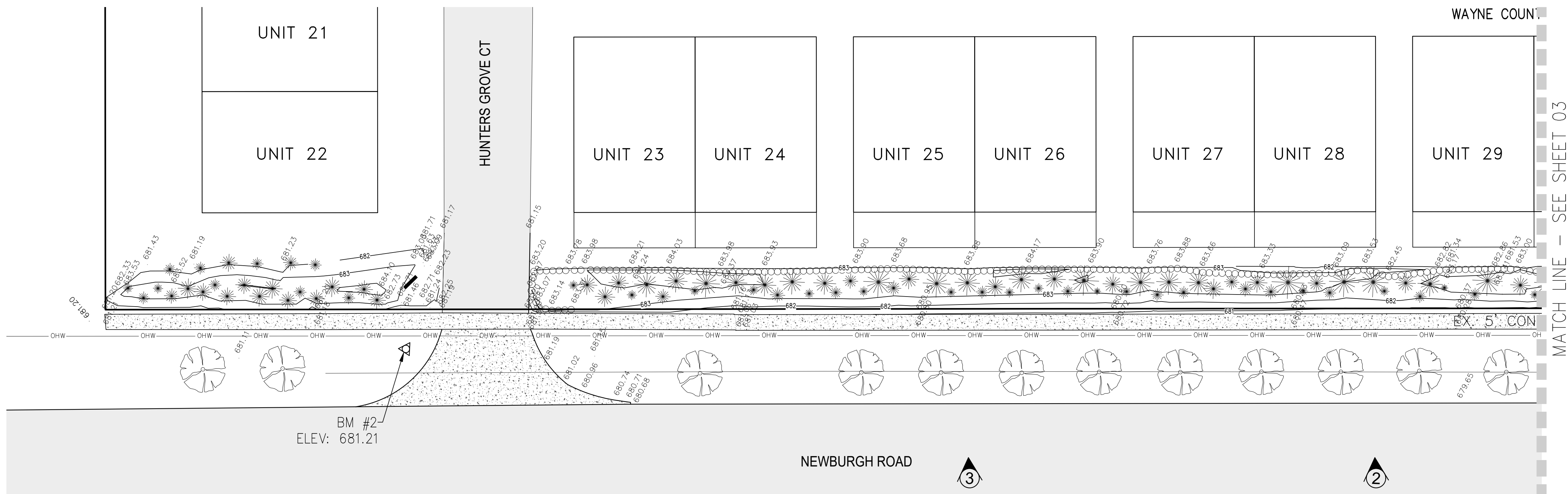
ENGINEERS, SURVEYORS
MLP
AND ASSOCIATES, INC.
Michael L. Priest & Associates, Inc.
40665 Koppernick Road, Canton, MI 48187
phone: (734) 459-8560
fax: (734) 459-2585

CONCEPT PLAN

DATE: 04/21/2023

PROPRIETOR

ATTN: MR. CRAIG GRIARD
MC PROPERTY SERVICE, LLC
15768 HUNTERS GROVE CT.
LIVONIA, MI 48154



LEGEND:
STORM SEWER
SANITARY SEWER
OVERHEAD WIRE
DITCH
LANDSCAPE AREA
STONE WALL
IRRIGATION VALVE

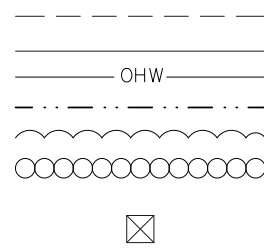


PHOTO 3

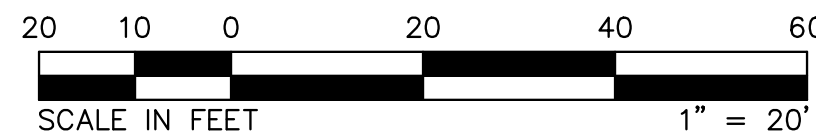


PHOTO 2

BENCH MARKS: NGVD29

BM #1
CAPPED IRON ROD ~4' EAST OF B/C
& ~3.4' WEST OF WALK.
ELEVATION: 678.09

BM #2
RAILROAD SPIKE IN UTILITY POLE EAST
OF NEWBURGH RD. ~1,430' NORTH OF
CENTERLINE OF FIVE MILE RD.
ELEVATION: 680.01



TOPOGRAPHIC SURVEY

**HUNTERS GROVE
LANDSCAPE IMPROVEMENTS**
PART OF THE S.W. 1/4 OF SECTION 17, T. 1 S., R. 9 E.
CITY OF LIVONIA, WAYNE COUNTY, MICHIGAN

**SHEET
02**

ENGINEERS, SURVEYORS
MLP
AND ASSOCIATES, INC.

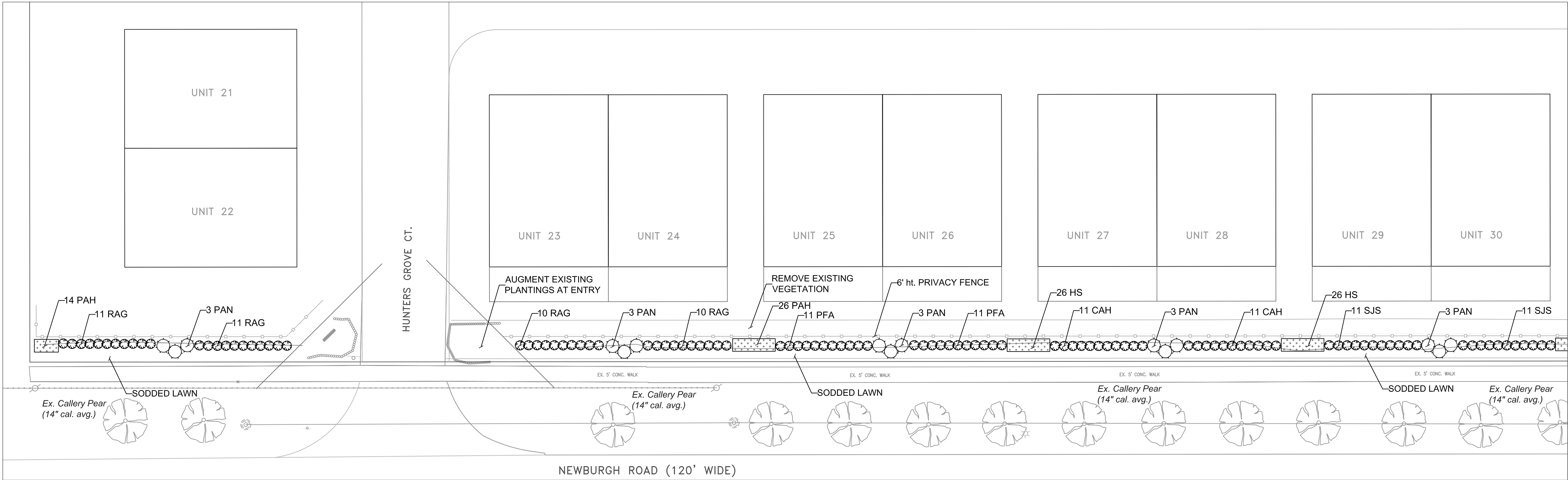
Michael L. Priest & Associates, Inc.
40655 Koppernick Road, Canton, MI 48187
phone: (734) 459-8560
fax: (734) 459-2585

STATUS: **CONCEPT PLAN**

DATE: 04/21/2023

PROPRIETOR

ATTN: MR. CRAIG GRIARD
MC PROPERTY SERVICE, LLC
15768 HUNTERS GROVE CT.
LIVONIA, MI 48154



LANDSCAPE PLANTING NOTES:

PLANTING

- Installation of all plant material shall be in accordance with the latest edition of the *American Association of Nurserymen Standards for Nursery Stock* and with the specifications set forth by the City of Livonia, Michigan.
- The plant materials shall conform to the type stated on the plant list. Sizes shall be the minimum stated on the plant list or larger. All measurements shall be in accordance with the latest edition of the *American Association of Nurserymen Standards for Nursery Stock*.
- The plant material shall be nursery grown and inspected by the Owner's representative before planting. The Owner's representative reserves the right to reject any plant material at any time.
- Plants designated "B&B" shall be balled and burlapped with firm balls of earth.
- Dig shrub pits one foot (1') larger than the shrub rootball, tree pits three (3) times the width of the tree rootball and backfill with one (1) part topsoil and one (1) part soil from excavated pit. Plant trees and shrubs at the same grade level at which they were planted at the nursery. If wet, clay soils are evident, plant trees and shrubs slightly higher.
- The Contractor is responsible for planting the materials at the correct grades and spacing. The plants shall be oriented to give the best appearance.
- When the plant has been properly set, the pit shall be backfilled with the topsoil mixture, gradually filling, patting, and settling with water.
- Trees in lawn areas to have a four foot (4') circle of mulch, four inches (4") deep, and three inches (3") away from the trunk. Shrub beds are to be mulched with shredded bark mulch to a minimum depth of three inches (3"). Perennial beds are to be mulched with shredded bark mulch to a minimum depth of two inches (2"). Only natural color, finely shredded hardwood bark mulch will be accepted.
- Remove all twine, wire, and burlap from the top one third (1/3) of tree and shrub root balls and from tree trunks. Remove all non-biodegradable material such as plastic or nylon completely from branches and stems. All tree wrap, stakes, and guys are to be removed after one (1) winter season.
- All plant materials shall be pruned and injuries repaired. The amount of pruning shall be limited to the removal of dead or injured limbs and to compensate for the loss of roots from transplanting. Cuts should be flush and clean, leaving no stubs. Do not apply tree paint to open tree wounds. Shrubs along the site perimeter shall be allowed to grow together in a natural form.
- Organic, friable topsoil shall be evenly distributed and fine graded over all areas to receive lawns at uniform depth of four inches (4") after settlement.
- All disturbed lawn areas to be restored with a Grade A Kentucky Blue Grass blend. Existing lawn in generally good condition but with bare, sparse, or weedy areas must be renovated by filling in low areas, raking, overseeding, and top dressing all sparse and bare spots and continuing with a weed and feed program.
- All plantings shall be completed within three (3) months, and no later than November 30, from the date of issuance of a certificate of occupancy if such certificate is issued during the April1 thru September 30 period; if the certificate is issued during the October 1 thru March 31 period, the planting shall be completed no later than the ensuing May 31; plantings shall thereafter be reasonably maintained, including permanence and health of plant materials to provide a screen to abutting properties and including the absence of weeds and refuse.
- Backfill directly behind all curbs and along sidewalks and compact to the top of curbs or walk to support vehicle and pedestrian weight without settling.
- Conversion of all asphalt and gravel areas to landscape planting beds shall be done in the following manner: a. Remove all asphalt, gravel, and compacted earth to a depth of six inches to eighteen inches (6"-18") depending on the depth of the sub base and dispose of off site; b. Call the City for an inspection prior to backfilling; c. Replace excavated material with good, medium-textured planting soil (loam or light yellow clay loam) to a minimum of two inches (2") above the top of the curb and sidewalk, add four inches to six inches (4"-6") of topsoil and crown to a minimum of six inches (6") above the adjacent curb and walk after earth settling, unless otherwise noted on the landscape plan. If conversion from asphalt to landscape occurs in or between an existing landscape area(s), replace excavated material from four inches to six inches (4"-6") below adjacent existing grade with good, medium-textured planting soil (loam or light yellow clay loam) and add four inches to six inches (4"-6") of topsoil to meet existing grades after earth settling.

MATERIALS

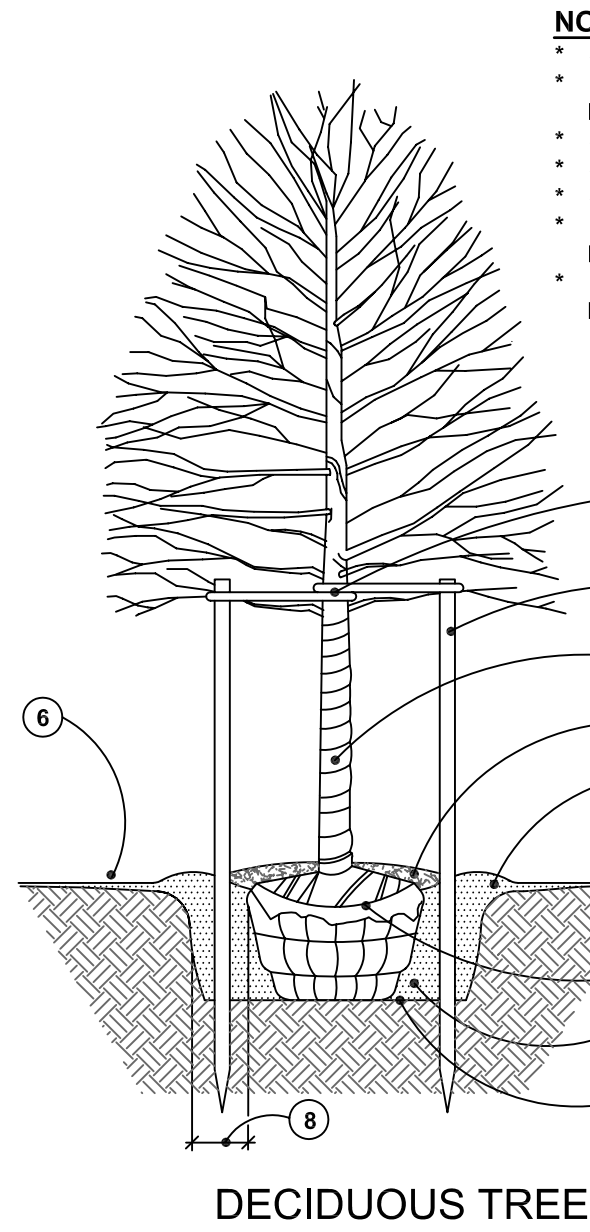
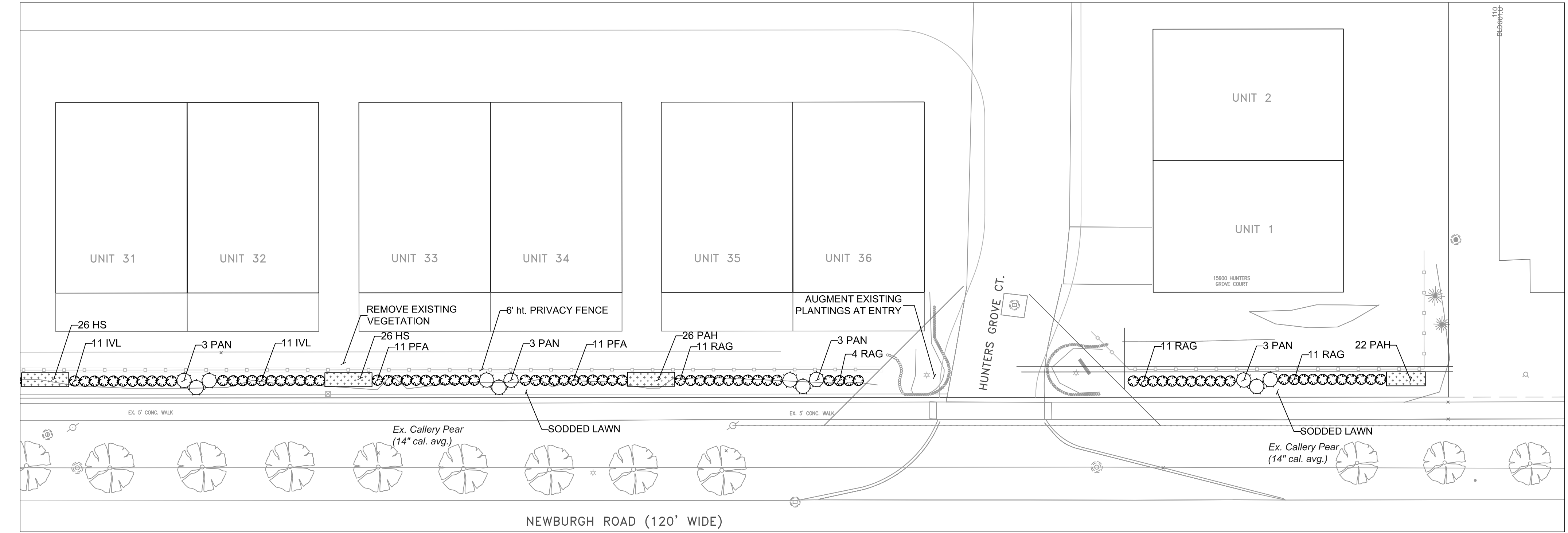
- Required landscape material shall satisfy the criteria of the American Association of Nurserymen Standards for Nursery Stock and be: a.) Northern nursery grown; b.) State Department of Agriculture inspected; c.) No. 1 grade material with a straight, unscarred trunk, and well-developed uniform crown (park grade trees will not be accepted); d.) Staked, wrapped, watered, and mulched according to the details provided; and e.) Guaranteed for one (1) year.
- Topsoil shall be friable, fertile soil of clayloam character containing at least five percent (5%) but not more than twenty percent (20%) by weight of organic matter with a pH range between 6.0 and 7.0. The topsoil shall be free from clay lumps, coarse sand, plant roots, sticks, and other foreign materials.
- The seed mixture for the lawn areas in the street rights-of-way shall consist of a Kentucky Blue Grass blend and mulched with clean straw free of noxious weed seeds. Maintenance of the right-of-way lawn area shall consist of a regular cuttings as needed. Weed content of the seed mixture shall not exceed one percent (1%). The mix shall be applied at a rate of 200 pounds per acre.
- Sod, if specified, shall be two (2) year old "Baron/Sheri/Adelphi" Kentucky Blue Grass blend grown in a sod nursery on loam soil.
- Proposed perennials shall be full, well-rooted plants.
- Callery Pear (*Pyrus calleryana*) and Norway Maple (*Acer platanoides*) shall not be substituted for any tree species in the plant list. Contact the Landscape Architect for acceptable plant substitutions.

GENERAL

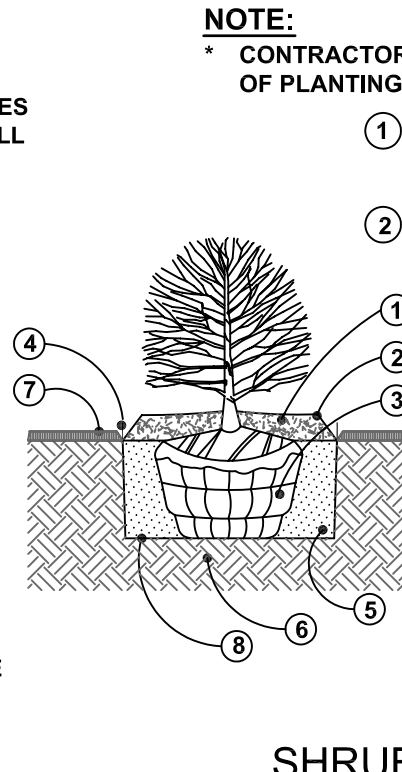
- Do not plant deciduous or evergreen trees directly over utility lines or under overhead wires. Maintain a six foot (6') distance from the centerline of utilities and twenty feet (20') from the centerline of overhead wires for planting holes. Call MISS DIG forty-eight (48) hours prior to landscape construction for field location of utility lines.
- The Contractor agrees to guarantee all plant material for a period of one (1) year. At that time, the Owner's representative reserves the right for a final inspection. Plant material with twenty-five percent (25%) die back, as determined by the Owner's representative shall be replaced. This guarantee includes the furnishing of new plants, labor, and materials. These new plants shall also be guaranteed for a period of one (1) year.
- The work shall consist of providing all necessary materials, labor, equipment, tools, and supervision required for the completion as indicated on the drawings.
- Landscape areas shall be irrigated by an automatic underground irrigation system. Lawns and shrub/landscape areas shall be watered by separate zones to minimize overwatering.
- All written dimensions override scale dimensions on the plans.
- All substitutions or deviations from the landscape plan must be approved by the City of Livonia prior to installation.
- All bidders must inspect the site and report any discrepancies to the Owner's representative.
- All specifications are subject to change due to existing conditions.
- The Owner's representative reserves the right to approve all plant material.

MAINTENANCE

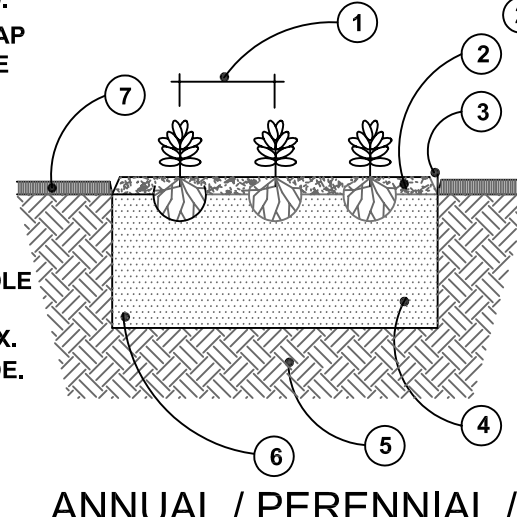
- The Owner of the landscaping shall perpetually maintain such landscaping in good condition so as to present a healthy, neat, and orderly appearance, free from refuse and debris.
- The Owner shall conduct a seasonal landscape maintenance program including regular lawn cutting (at least once per week during the growing season), pruning at appropriate times, watering, and snow removal during winter.
- The Contractor is responsible for watering and maintenance of all seed areas until a minimum of ninety percent (90%) coverage, as determined by the Owner's representative.
- All diseased and/or dead material shall be removed within sixty (60) days following notification and shall be replaced within the next appropriate planting season or within one (1) year, whichever comes first.
- Any debris such as lawn clippings, fallen leaves, fallen limbs, and litter shall be removed from the site on a weekly basis at the appropriate season.
- All planting beds shall be maintained by removing weeds, fertilizing, and replenishing mulch as needed.



DECIDUOUS TREE



SHRUB



ANNUAL / PERENNIAL / GROUNDCOVER

- NOTES:**
- STAKE TREES UNDER FOUR INCH (4") CALIPER.
 - CONTRACTOR TO VERIFY PERCOLATION OF PLANTING PIT PRIOR TO INSTALLATION.
 - SET TOP OF BALL THREE INCHES (3") ABOVE FINISH GRADE.
 - SET STAKES VERTICAL & EVENLY SPACED.
 - STAKES OR GUYS TO BE SECURED ABOVE THE FIRST BRANCH.
 - DO NOT PRUNE TERMINAL LEADER. PRUNE ONLY DEAD OR BROKEN BRANCHES.
 - REMOVE ALL TAGS, STRING, PLASTICS, AND OTHER MATERIALS THAT ARE UNSIGHTLY OR COULD CAUSE DAMAGE.

- STAKE TREE JUST BELOW FIRST BRANCH USING TWO INCH TO THREE INCH (2"-3") WIDE BELT-LIKE MATERIAL OF NYLON, PLASTIC, OR OTHER ACCEPTABLE MATERIAL. (NO WIRE OR HOSE TO BE USED TO GUY TREES.) THREE (3) GUYS EVENLY SPACED PER TREE. REMOVE AFTER ONE (1) WINTER SEASON.
- 2 x 2 HARDWOOD STAKES. POSITION SIX INCHES TO EIGHT INCHES (6"-8") OUTSIDE OF ROOTBALL AND EXTEND EIGHTEEN INCHES (18") BELOW TREE PIT INTO UNDISTURBED SOIL.
- APPLY TREE WRAP AND SECURE WITH A BIODEGRADABLE MATERIAL AT TOP AND BOTTOM. REMOVE AFTER ONE (1) WINTER.
- SHREDDED BARK MULCH OF A NATURAL COLOR AT FOUR INCH (4") MINIMUM DEPTH. LEAVE A THREE INCH (3") CIRCLE OF BARE SOIL AT THE BASE OF THE TREE.
- MOUND TO FORM TREE SAUCER.
- FINISH GRADE SLOPED AWAY FROM TREE.
- CUT AND REMOVE WIRE, BURLAP, AND BINDINGS FROM THE TOP ONE-THIRD (1/3) OF THE ROOTBALL.
- WIDTH OF ROOTBALL ON EACH SIDE.
- PLANTING MIX SHALL BE AMENDED PER SITE CONDITIONS AND PLANT REQUIREMENTS.
- SCARIFY BOTTOM AND SIDES OF PLANTING PIT TO FOUR INCH (4") DEPTH.

GENERAL NOTES FOR ALL PLANTINGS:

- DO NOT CUT CENTRAL LEADER.
- REMOVE ALL TAGS, STRINGS, PLASTICS, AND ANY OTHER NON-BIODEGRADABLE MATERIALS (EXCEPT LABEL FOR PLANT NAME) FROM PLANT STEMS OR CROWN WHICH ARE UNSIGHTLY OR COULD CAUSE GIRDLING.
- PLANTS SHALL BEAR THE SAME RELATION TO FINISH GRADE AS IT BORE TO THE PREVIOUS GRADE IN THE NURSERY. SET THE BASE OF THE PLANT SLIGHTLY HIGHER THAN EXISTING GRADE IF PLANTING IN CLAY SOILS.
- CENTER THE ROOTBALL IN THE PLANTING HOLE. LEAVE THE BOTTOM OF THE PLANTING HOLE FIRM. USE WATER TO SETTLE THE PLANTING MIX AND REMOVE ANY AIR POCKETS AND FIRMLY SET THE TREE OR SHRUB. GENTLY TAMP IF NEEDED.

NOTE:

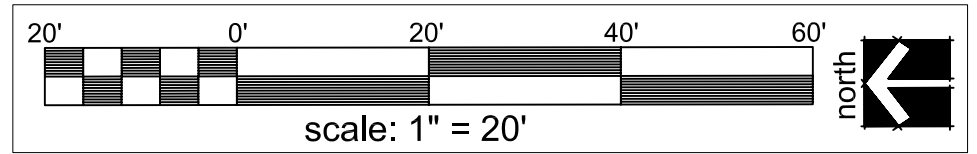
- CONTRACTOR TO VERIFY PERCOLATION OF PLANTING PIT PRIOR TO INSTALLATION.

NOTE:

- CONTRACTOR TO VERIFY PERCOLATION OF PLANTING PIT PRIOR TO INSTALLATION.
- PERENNIALS TO BE PLANTED UP TO THE EDGE OF THE SAUCER AROUND A TREE OR SHRUB BED.

date: January 24, 2022
revised:
10-04-2022
10-17-2022

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



LANDSCAPE PLAN FOR:
Michael L. Priest
& Associates, Inc.
40655 Koppennick
Canton, Michigan 48187
(734) 459-8560

PROJECT LOCATION:
Hunter's Grove Condos
North of Five Mile Road
on the East Side
of Newburg Road
Livonia, Michigan

LANDSCAPE PLAN BY:
Nagy Devlin Land Design
31736 West Chicago Ave.
Livonia, Michigan 48150
(734) 634 9208

J. Brian Devlin
AUTOCAD SIGNATURE
ORIGINAL IN BLUE

LP - 1: LANDSCAPE PLAN

* Base data provided by Michael L. Priest & Associates, Inc.

Hunter's Grove

City of Livonia, Michigan



Decorative White Vinyl Fence



(HS) Assorted Daylilies
(HEMEROCALLIS SP.)



(PAH) Hameln Dwarf Fountain Grass
(PENNISSETUM ALOPECUROIDES 'HADELN')



(RAG) Gro-Low Fragrant Sumac
(RHUS AROMATICA 'GRO-LOW')

EXISTING BRADFORD PEAR
STREET TREES TO REMAIN



6' HIGH VINYL
FENCE
DWARF FOUNTAIN
GRASS OR
DAYLILIES

ASSORTED
DAYLILIES

HUMMINGBIRD SUMMERSWEET
OR SIROBANA JAPANESE
SPIREA

fence elevation
SCALE: 3/16"=1'-0"

BIRD'S NEST
SPRUCE

EXISTING PEDESTRIAN
SIDEWALK
18" HIGH EARTHBERM



(CAH) Hummingbird Summersweet
(CLETHRA ALNIFOLIA 'HUMMINGBIRD')



(PAN) Bird's Nest Spruce
(PICEA ABIES 'NIDIFORMIS')



(PFA) Abbottswood Shrub Cinquefoil
(POTENTILLA FRUITCOSA 'ABBOTTSWOOD')



(SJS) Sirobana Japanese Spirea
(SPIRAEA JAPONICA 'SHIBORI')



(IVL) Henry's Garnet Sweetspire
(ITEA VIRGINICA 'HENRY'S GARNET')

**OTHER ITEMS
RELATED TO THE
PETITION**

TO:

PLANNING

DATE: 8/21/01

SUBJECT: OFFICIAL MINUTES OF 1,446th

COUNCIL MEETING 8/13/01

CR 525-01 : RESOLVED, that having considered a communication from the City Planning Commission, dated April 9, 2001, which sets forth its resolution 4-56-2001 adopted on April 3, 2001, with regard to Petition 00-12-2-38 submitted by Craig Corbell of Hunter Homes, Inc. requesting waiver use approval to construct a Planned Residential Development on property located on the east side of Newburgh Road between Five Mile Road and Ladywood Road in the Southwest 1/4 of Section 17, which property is zoned R-9, and the Council having conducted a public hearing with regard to this matter on Wednesday, May 30, 2001, pursuant to Council Resolution 235-01, the Council does hereby reject the recommendation of the city planning commission and said petition 00-12-2-38 is hereby approved and granted, subject to the following conditions:

1. That the Site Plan and Landscape Plan, submitted by Hunter Homes, Inc., with a revision date of August 6, 2001, is hereby approved and shall be adhered to, **EXCEPT AS OUTLINED IN CONDITION NO. 12;**
2. That the preliminary grading plan, submitted by Hunter Homes, Inc., dated August 6, 2001, is hereby approved and shall be adhered to;
3. That all disturbed lawn areas shall be sodded in lieu of hydroseeding;
4. That all landscaping shown on the above referenced landscape plan shall be installed to the satisfaction of the Inspection Department;
5. That the elevation drawings for unit type "A" and unit type "B", submitted by Hunter Homes, Inc., received by the Planning Commission on January 16, 2001, are hereby approved and shall be adhered to; except for slight variations in building materials and architectural style to allow for variety and diversity in the exterior appearance of the buildings, **EXCEPT AS OUTLINED IN CONDITION NO. 12;**
6. That the first floor and chimney of each unit shall be brick on all four sides and brick coverage shall be not less than 80% on the first floor walls;
7. That the brick used in the construction of each dwelling unit shall be full face 4-inch brick, no exceptions;

8. That the petitioner shall meet to the Fire Department's satisfaction the following requirements as outlined in a letter from the Fire Marshal dated January 12, 2001;
 - That if any of subject buildings are to be provided with automatic sprinkler systems, hydrants shall be located between 50 feet and 100 feet from the Fire Department connections;
 - Fire hydrants shall be provided throughout complex with maximum distance to any portion of complex to hydrant 300 feet
 - That the most remote hydrant shall flow 1500 GPM with a 20 PSI residual pressure
 - That access around buildings shall be provided for emergency vehicles with turning radius up to forty-five feet wall-to-wall and a minimum vertical clearance of 13 1/2 feet;
9. That an entrance marker plan shall be submitted to the Planning Commission for approval within 60 days following approval of this petition by the City Council;
10. That the Master Deed and By-Laws for Hunters Grove Condominium project as prepared by Brashear, Tangora, Gallagher, Creighton & Amann, LLP, received by the City Council Office on August 9, 2001, are hereby approved and shall be adhered to subject to any changes deemed necessary by the City Law Department;
11. That the plans referenced in this approving resolution shall be submitted to the Inspection Department at the time the building permits are applied for; and
12. Petitioner agrees to have the site plan reviewed in the Committee of the Whole for the issue of Newburgh Road screening and landscape, the issue of a taper lane in Newburgh Road, and the issue of the building elevations facing Newburgh Road.

lc

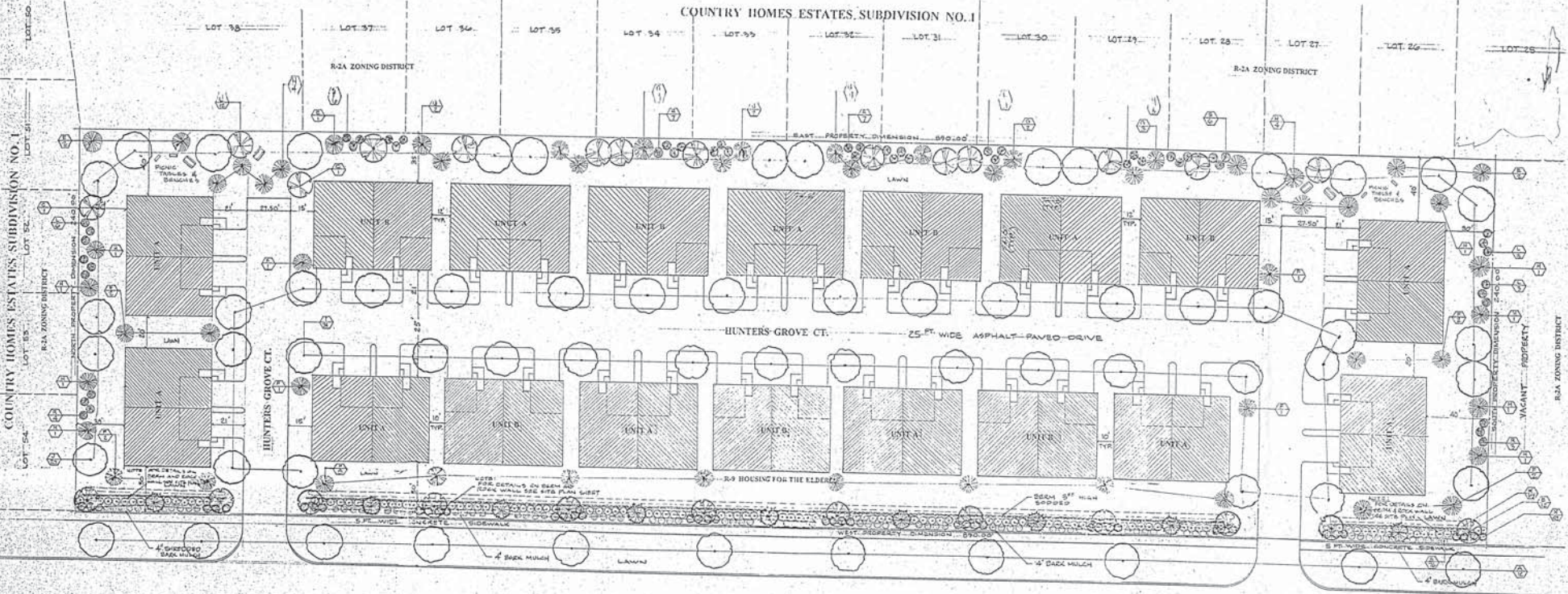
**ADOPTED BY THE LIVONIA CITY COUNCIL AT THE REGULAR MEETING OF
DECEMBER 19, 2001**

On a motion by Duggan, seconded by Laura, and unanimously
adopted, it was:

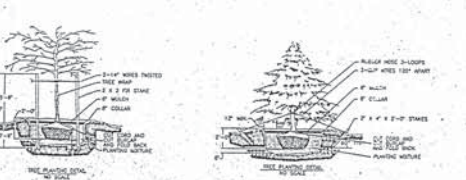
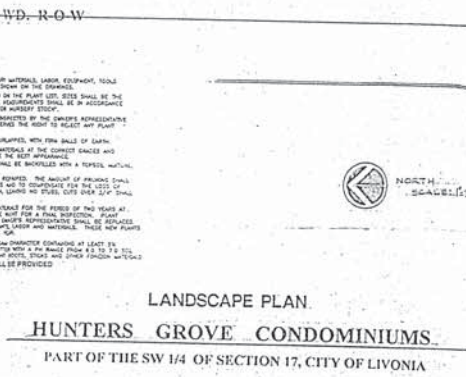
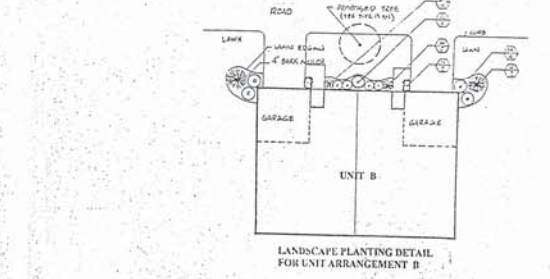
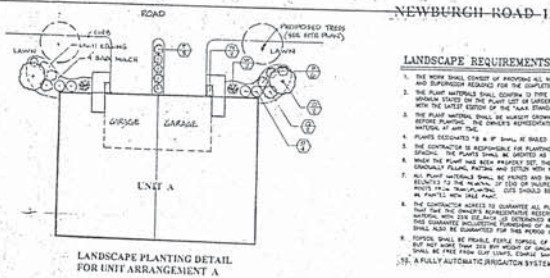
CR 785-01 RESOLVED, that having considered the report and recommendation of the Committee of the Whole, dated November 27, 2001, submitted pursuant to Council Resolution 526-01, with regard to **Petition 00-12-2-38**, submitted by Craig Corbell of Hunter Homes, Inc., requesting waiver use approval to construct a Planned Residential Development on property located on the east side of Newburgh Road between Five Mile Road and Ladywood Road in the Southwest 1/4 of Section 17, which property is zoned R-9, the Council does hereby **approve the screening, rear elevations, and installation of a taper lane on northbound Newburgh Road**, subject to the following conditions:

1. That the screening as presented in the site plan presented November 27, 2001 and dated Rev. 8/6/01, shall be adhered to;
2. That the rear elevations, received on December 10, 2001, as presented at the Regular Meeting of the City Council held on December 19, 2001 shall be adhered to; and
3. That there be a taper included on northbound Newburgh Road in connection with this petition; and
4. That all landscaping shall be installed on all common areas on or before August 1, 2002.

COUNTRY HOMES ESTATES SUBDIVISION NO. 1



PLANT MATERIAL LIST				
KEY	QUAN.	BOTANICAL NAME	COMMON NAME	SIZE
TREES				
A	12	ACER SACCHARIN	SUGAR MAPLE	3-10" W 3' CAL. BB.
B	12	CRATAEGUS PHAEOPICTHON	WINDMILLER CRATAEGUS	3' W 1' HT. BB.
C	24	WALNUT JAPONICA	JAPANESE WALNUT	3-4" W 2' CAL. BB.
D	24	WALNUT JAPONICA	JAPANESE WALNUT	3-4" W 2' CAL. BB.
E	12	PICEA MARIA	NOBIS SPRUCE	3' W 1' HT. BB.
F	20	PICEA MARIA	NOBIS SPRUCE	3' W 1' HT. BB.
G	12	PICEA MARIA	NOBIS SPRUCE	3' W 1' HT. BB.
H	12	PICEA MARIA	NOBIS SPRUCE	3' W 1' HT. BB.
I	12	PICEA MARIA	NOBIS SPRUCE	3' W 1' HT. BB.
J	12	PICEA MARIA	NOBIS SPRUCE	3' W 1' HT. BB.
K	12	PICEA MARIA	NOBIS SPRUCE	3' W 1' HT. BB.
SHRUBS				
L	12	CORNUS ALBA	DOGWOOD	3' W 1' HT. BB.
M	12	CORNUS ALBA	DOGWOOD	3' W 1' HT. BB.
N	12	CORNUS ALBA	DOGWOOD	3' W 1' HT. BB.
O	12	CORNUS ALBA	DOGWOOD	3' W 1' HT. BB.
P	12	CORNUS ALBA	DOGWOOD	3' W 1' HT. BB.
Q	12	CORNUS ALBA	DOGWOOD	3' W 1' HT. BB.
R	12	CORNUS ALBA	DOGWOOD	3' W 1' HT. BB.
S	12	CORNUS ALBA	DOGWOOD	3' W 1' HT. BB.
T	12	CORNUS ALBA	DOGWOOD	3' W 1' HT. BB.
U	12	CORNUS ALBA	DOGWOOD	3' W 1' HT. BB.
V	12	CORNUS ALBA	DOGWOOD	3' W 1' HT. BB.
W	12	CORNUS ALBA	DOGWOOD	3' W 1' HT. BB.
X	12	CORNUS ALBA	DOGWOOD	3' W 1' HT. BB.



LANDSCAPE REQUIREMENTS:

- THE WORK SHALL INCLUDE THE INSTALLATION OF ALL NECESSARY MATERIALS, LABOR, EQUIPMENT, TOOLS AND SUPPLIES REQUIRED FOR THE COMPLETION OF THE WORK.
- THE PLANT MATERIALS SHALL BE OF THE TYPE SPECIFIED IN THE PLANT LIST. SEED SHALL BE THE NORMAL SEED OF THE PLANT LISTED IN THE PLANT LIST. ALL PLANT MATERIALS SHALL BE IN CONFORMANCE WITH THE LATEST EDITION OF THE "MANUAL STANDARDS FOR NURSERY STOCK".
- THE PLANT MATERIALS SHALL BE PLANTED IN THE MANNER AND LOCATION SPECIFIED BY THE ARCHITECT. THE PLANT MATERIALS SHALL BE PLANTED IN THE MANNER AND LOCATION SPECIFIED BY THE ARCHITECT.
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SITE DEVELOPMENT DATA

TOTAL SITE AREA: 4.98 ACRES
SITE IS ZONED R-9 HOUSING FOR THE ELDERLY
PROPOSED IS 18 DUPLEX STRUCTURES OR 36 DWELLING UNITS
DENSITY IS 7.35 UNITS PER ACRE
ALL ARE SINGLE STORY STRUCTURES WITH 2-CAR ATTACHED
GARAGES AND FULL BASEMENTS
PARKING PROVIDED IS TWO PARKING SPACES IN EACH GARAGE
AND TWO SPACES IN DRIVEWAY IN FRONT OF GARAGE
ALL ARE TWO-BEDROOM UNITS

RECEIVED 11-27-01
OWNER/DEVELOPER
HUNTER HOMES, INC.
3941 TELEGRAPH ROAD, SUITE 107
BLOOMFIELD HILLS, MI 48302
248-594-6222
DATE: 11-10-2000
REVISED 11-10-2000
REVISED 11-10-2000



LETTER TO THE LIVONIA CITY COUNCIL

2.

Planning
June 19, 2023

MEETING DATE

PH071923/R080923

PREPARED BY

Stephanie Reece, Program Supervisor,

AGENDA ITEM

Petition 2023-04-01-02 submitted by FGN Holdings under Sections 13.13 and 13.15 of the Livonia Zoning Ordinance, as amended, requesting to rezone the properties at 19380 and 19384 Newburgh Road, located on the east side of Newburgh Road between Seven Mile Road and St. Martins Avenue in the Southwest $\frac{1}{4}$ of Section 5, from RUF (Rural Urban Farm) to N1 (Neighborhood).

BACKGROUND DETAILS

June 19, 2023

Honorable Members of the City Council
City of Livonia, Michigan

Re: Petition 2023-04-01-02 – FGN Holdings

Dear Council Members:

At the 1,200th Public Hearings and Regular Meeting held by the City Planning Commission on June 13, 2023, the following resolution was adopted:

PREFERRED COUNCIL RECOMMENDATION/RESOLUTION (Please complete this field. Attachments are not to be used in lieu of the recommendation)

#06-38-2023 RESOLVED, That the City Planning Commission does hereby recommend to the City Council that Petition 2023-04-01-02 submitted by FGN Holdings pursuant to Sections 13.13 and 13.15 of the Livonia Zoning Ordinance, as amended, requesting to rezone the properties at 19380 and 19384 Newburgh Road, located on the east side of Newburgh Road between Seven Mile Road and St. Martins Avenue in the Southwest $\frac{1}{4}$ of Section 5, from RUF (Rural Urban Farm) to N1 (Neighborhood), be denied for the following reasons:

1. The petitioner has failed to affirmatively show that the proposed zoning change would be compatible with and in harmony with the surrounding neighborhood.
2. The proposed zoning change is inconsistent with the established pattern of the surrounding development and would adversely alter the area's character.
3. The proposed zoning change is not needed to develop the property.

4. The proposed zoning change would allow lots that are narrower than what exists throughout the surrounding area, and

5. The existing RUF zoning is more consistent with the established pattern of development and character of the area.

ATTACHMENTS

1. PH071923 LTC 2023-04-01-02 FGN Holdings
2. 2023-04-01-02_E-CCOUNCIL Pkt

APPROVED BY



Mark Taormina, Planning and Economic Development Director

Date: June 20, 2023



Maureen Miller Brosnan, Mayor

Date: June 23, 2023

Petition 2023-04-01-02 submitted by FGN Holdings pursuant to Sections 13.13 and 13.15 of the Livonia Vision 21 Zoning Ordinance, as amended, requesting to rezone the properties at 19380 and 19384 Newburgh Road, located on the east side of Newburgh Road between Seven Mile Road and St. Martins Avenue in the Southwest $\frac{1}{4}$ of Section 5, from RUF (Rural Urban Farm) to N1 (Neighborhood).

REZONING APPLICATION
CITY OF LIVONIA, MICHIGAN

All applications must be presented in quadruplicate to the City Clerk, 33000 Civic Center Drive, Livonia, MI 48154-3097. Applications **must** include property owner's name, address and notarized signature. You are invited and encouraged to review your proposal with the Planning Department staff.

Date Filed: April 10, 2023 Rezoning 2023-04-01-02
19380 Newburgh Rd Livonia MI 48152 & 19384 Newburgh Rd Livonia MI 48152 46-019-99-0003-000 & 46-019-99-0013-001

Site Address: 19380/19384 NEWBURGH RD Sidwell

Requesting To Rezone Property From Residential R-U-F To Residential N1 NEIGHBORHOOD

Divided parcel into 4 sections to allow for 4 new single family homes.

For the Following Reason (s) _____

Applicant: Louis Yeldo & Frank Yaldo Business/Company: FGN Holdings
19233 Newburgh Rd Livonia MI 48152
Applicant's Address: _____ City: _____ State: _____ Zip Code: _____
248 755-9791 Fyaldo@thehomealliance.com & bmliquor@yahoo.com
Applicant's Phone # (____) _____ Applicant's Email _____

For fee computation, see attached Fee Schedule **Please provide the following information:**

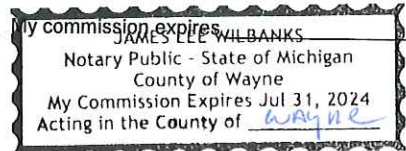
- 1) **Legal Description** of the property to be considered. Paper copy must be clearly printed.
- 2) **Fully Dimensional Map (3 copies)** drawn at an appropriate scale, with a north arrow, dated & legend key to symbols and showing:
 - The land that would be affected by the proposed amendment.
 - The dimensions, square footage & acreage of the land.
 - The existing conditions of the site, including all structures & parking layout.
 - A legal description of the land to be rezoned.
 - All public and private right-of-ways & easements bounding & intersecting the site.
 - A preliminary plan showing the proposed land use(s) of the land under consideration.
 - The zoning classification of all abutting zoning districts.
 - The structures and existing land uses on all property adjacent to the subject parcel and on other such property as may, in the City Planner's determination, be necessary to properly reflect the existing character of the surrounding neighborhood.
- 3) A copy of the Fully Dimensional Map submitted in a pdf. format either on a CD or it can be emailed to Planning@livonia.gov

Owner of Property: Louis D Yeldo
30755 Country Ridge Cr Farmington Hills MI 48331
Owner's Address: _____ City: _____ State: _____ Zip Code: _____
248 915-8501 bmliquor@yahoo.com
Owner's Phone # (____) _____ Owner's Email _____

Signature of Owner: [Signature] Print Name: Louis D Yeldo

Subscribed and sworn to before me, a Notary Public in and for the County of Wayne State of Mi
on this 5th day of April 2023

Signature of Notary: [Signature]



APPROVED AS FORM
Department of Law

By: Michael E. Grimm

Date: 4/13/2023

RECEIVED
OFFICE OF THE CITY CLERK

2023 APR 10 PM 4:12

UNAPPROVED MINUTES

1

MINUTES OF THE 1,200th PUBLIC HEARINGS AND REGULAR MEETING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA

On Tuesday, June 13, 2023, the City Planning Commission of the City of Livonia held its 1,200th Public Hearing and Regular Meetings in the Livonia City Hall, 33000 Civic Center Drive, Livonia, Michigan.

Mr. Ian Wilshaw, Chairman, called the meeting to order at 7 p.m.

Members present:	Wafa Dinaro	David Bongero	Sam Caramagno
	Glen Long	Peter Ventura	Ian Wilshaw

Members absent: None

Mr. Mark Taormina, Planning Director, and Stephanie Reece, Program Supervisor, were also present.

Chairman Wilshaw informed the audience that if a petition on tonight's agenda involves a rezoning request, this Commission makes a recommendation to the City Council who, in turn, will hold its own public hearing and make the final determination as to whether a petition is approved or denied. The Planning Commission holds the only public hearing on a request for preliminary plat and/or vacating petition. The Commission's recommendation is forwarded to the City Council for the final determination as to whether a plat is accepted or rejected. If a petition requesting a waiver of use or site plan approval is denied tonight, the petitioner has ten days in which to appeal the decision, in writing, to the City Council. Resolutions adopted by the City Planning Commission become effective seven (7) days after the date of adoption. The Planning Commission and the professional staff have reviewed each of these petitions upon their filing. The staff has furnished the Commission with both approving and denying resolutions, which the Commission may, or may not, use depending on the outcome of the proceedings tonight.

ITEM #3 PETITION 2023-03-08-03

FGN Holdings

Mr. Caramagno, Secretary, announced the next item on the agenda, Petition 2023-04-01-02 submitted by FGN Holdings pursuant to Sections 13.13 and 13.15 of the Livonia Zoning Ordinance, as amended, requesting to rezone the properties at 19380 and 19384 Newburgh Road, located on the east side of Newburgh Road between Seven Mile Road and St. Martins Avenue in the Southwest ¼ of Section 5, from RUF (Rural Urban Farm) to N1 (Neighborhood).

UNAPPROVED MINUTES

2

Mr. Wilshaw: Thank you, Mr. Secretary. This item was tabled at our May 9 meeting. Is there a motion to remove this item from the table?

On a motion by Ventura, seconded by Bongero, and unanimously adopted, it was

#06-37-2023 **RESOLVED**, that the City Planning Commission on June 13, 2023, on Petition 2023-04-01-02 submitted by FGN Holdings pursuant to Sections 13.13 and 13.15 of the Livonia Zoning Ordinance, as amended, requesting to rezone the properties at 19380 and 19384 Newburgh Road, located on the east side of Newburgh Road between Seven Mile Road and St. Martins Avenue in the Southwest ¼ of Section 5, from RUF (Rural Urban Farm) to N1 (Neighborhood), does hereby remove the item from the table.

Mr. Taormina: At this point, we have no new information to present. The petitioners are here and can address the commission.

Mr. Wilshaw: Okay, sounds great. Thank you, Mr. Taormina. We will now go to the petitioner. Feel free to come forward to our podium and let us know what has transpired between our last meeting and this one. Good evening.

Frank Yaldo, 19233 Newburgh, Livonia, MI. How are you guys doing? We tried to approach the people on the south side. I called a few people in the city to get the underground to see how much it would cost to tap in because the sanitary is on the west side. So there's two private lines that go directly to Newburgh Road that serves the property on 19380 and the property that is directly south so they have to put up a whole new sanitary, public sanitary, from boring underneath the road all the way to Newburgh to service nine houses. If we went to the N2 zoning that we are talking about, well with the price of the development cost we made a few offers to the people south and they're not going to negotiate on the price. They would not budge off their price to make it worthwhile. Obviously, I told Lou about it, try to get the N1, if the N1 doesn't get approved, then I will just take his and keep it as RUF and just do three houses. It would affect the south side, because obviously, if we do RUF of his property right now, on the south side, they would have to do RUF, so instead of putting nine houses total, would eventually only be eight houses. If the south side ever developed, if they ever sell, they ever do whatever they choose to do with it. They would just not budge off their price, and with the amount of development cost, it's not worth what they're asking for it.

UNAPPROVED MINUTES

3

Mr. Wilshaw: Is there any questions or comments from any of our commissioners in regard to this item?

Mr. Caramagno: I was writing the notes here. Ao you originally came to us with how many parcels on this property?

Mr. F. Yaldo: Four.

Mr. Caramagno: And you're saying a sewer problem?

Mr. F. Yaldo: Well, we came originally with four on his property. When we talked to the private hearing in the beginning, somebody question I believe was Mr. Ventura what would happen on the south side because it would affect what would happen on the south side. So, when we came to the public hearing, last time, we tabled it to negotiate with the people on the south side to develop everything all at one time. If they were willing to come to the table and negotiate, I'd been able to go to N2 zoning instead of the N1 that we're asking for and put nine houses on everything all combined together, if they will want to budge off their price. Unfortunately, they're not. So, on his just private property. Obviously, you'd like to get four to make them more worthwhile. So, you want to take a loss on it. If we don't get the four, I will just keep it RUF and build three houses.

Mr. Caramagno: Okay. And last time the issue if I remember, right, there was an issue, the neighbors were bent out of shape about the narrow lots that didn't really fit the area. So your current proposal is for three lots at 70 foot wide. What's the width of the lots?

Mr. F. Yaldo: No, no, no, the current proposal is right now, it's N1 zoning. If it gets denied, then I would just comply with RUF and he has enough space, 236 road frontage. I would have to readjust them to do RUF and every single lot would be 78.66 and meets all classifications. Because he has two parcels currently right now, one is 186 feet and one is 50, together combined is 236 feet. There is no sense in even going N@ zoning or rezoning anything. I will just keep a RUF and put three lots on there at 78.66 a lot, which RUF requirement is 75 road frontage. He has enough to do that. He'd like to get four to break out to make a profit, not take a loss on the property, but unfortunately, with the people on the south side not coming to the table, they're not negotiating, residents in the area really didn't want narrower lots. I think it was going to be 59.6 feet. So, we just have to keep it RUF.

UNAPPROVED MINUTES

4

- Mr. Wilshaw: Thank you. Any other questions? Comments?
- Mr. Bongero: Little question there. It looks like there's still an unpaid water sewer bill. Is it still open?
- Mr. F. Yaldo: We paid that. It was paid.
- Mr. Bongero: Okay. It's shown that in here it still owes \$796.
- Mr. F. Yaldo: It was paid.
- Mr. Bongero: Okay. Thank you.
- Mr. Wilshaw: Thank you, Mr. Bongero. Any other questions or comments? Is there anyone in the audience wishing to speak for or against this item? There is one person getting up. Mr. Yaldo, if you would please step aside for just a moment we'll give a opportunity for some of our residents to make a brief comment. Good evening, ma'am.
- Patty Riggio, 37204 Bretton Drive, Livonia, MI. I'm the president of the Willow Woods Homeowners Association, and we are not in favor of the N1 zoning as it has been expressed in the past. It doesn't match the homes in the area or the lot sizes that are in the area. We think it would be not to the benefit of our homeowner's association to have smaller property sizes and smaller homes that backup to our subdivision. So, passing that on with you for your consideration. Thank you very much.
- Mr. Wilshaw: Thank you, ma'am. I believe there's a couple other folks who would like to make a comment. So we will let them do that. Good evening, ma'am.
- Kathleen Mancini, 37146 St. Martins Street, Livonia, MI. I'm against the N1 zoning for the smaller lots.
- Mr. Wilshaw: Okay, thank you. Appreciate those comments. Anyone else wishing to speak on this item? I should have said I'm dealing delinquent in my duties here and on pending items, audience participation is supposed to require unanimous consent of the commissioners. I assume that there's nobody in the commission that objects to hearing those comments, because you've heard them now. Anyway, thank you. We're just a really nice group here, and we like to always give people a chance to comment. If there's no other comments from anyone in the audience. Mr. Yaldo, is there anything else that you'd like to say before we

make our decision? You're all set? Okay, thank you. I will now go to the commission to make a motion. A motion is in order.

Mr. Taormina: I would like to go back and explain the various zoning options. The N1 district has a minimum lot width of 50 feet. What they're proposing is four (4) conforming lots of equal size, approximately 59 feet. Thus, the lots would exceed the N1 requirements by nine (9) feet. If the zoning remained the same, RUF, including the land to the south, they could develop three (3) conforming 75-foot-wide lots. With roughly 236 feet of frontage to work with, there would be 11 extra feet. Looking at the property to the south, dividing that into the minimum lot width under RUF zoning, 75 feet, you end up with five (5) lots and an extra 47 feet. If you add the 47 feet with the 11 feet, there's not enough to get a ninth homesite. However, under N2 zoning, the minimum width is 70 feet. For the Petitioner's land, it's possible to get three (3) conforming lots with an extra 26 feet. With N2 zoning to the south, it would be possible to get five (5) conforming lots with a surplus of 61 feet. If you add the surplus on land to the south, 61 feet, with the surplus from the Petitioner's land, 26 feet, it's possible to get a ninth lot. That is what Mr. Yaldo is trying to explain as far as the difference between N2 and RUF zoning is one potential additional building site. All the lots would all be at least 70 feet in width, as opposed to 59 feet. I just wanted the Commission to understand what your options might be, whether to consider N2 or RUF zoning, looking at the future development of the property to the south?

Mr. Wilshaw: Thank you, Mr. Taormina. I appreciate that explanation, and it is worth noting to the commission that really we have more or less three options available to us. We can approve the rezoning to N1 and they can move forward with the proposal as they've presented it. We can always rezone to a lesser intensity zoning, which would be an N2 in this case or we can deny the item which would leave it at RUF.

Mr. Taormina: I just wanted you to understand the full...

Mr. Wilshaw: And there are differences between each one.

Mr. Taormina: Yes.

Mr. Wilshaw: All right. Any questions or comments?

UNAPPROVED MINUTES

6

- Ms. Dinaro: So just for clarity, they do not want N2. They either get N1 or they want it to stay the same. Is that my understanding?
- Mr. Taormina: Well, I think what the N2 zoning would still allow in the future, the remnants of both parcels to be combined for a ninth lot. You cannot achieve that with the RUF zoning. I'm not sure if they fully understand that. Mr. Yaldo certainly does. They're willing, I think just to develop the three lots, whether or not they would all be of equal size or not. That would be their decision whether or not they see the future opportunity of working with either the current owners of the property to the south or some future owner, I don't know.
- Mr. Wilshaw: There's a benefit to them for an N2.
- Mr. Taormina: Yes. A possible future benefit.
- Mr. Wilshaw: Okay.
- Ms. Dinaro: Sorry. Just a follow up question to that. And right now, it's not feasible because the sewage line is on the south property that they would have to tap into?
- Mr. Taormina: I'm going to let him respond to that. He's more familiar with this.
- Mr. Wilshaw: Please come forward so our vast TV audience can hear you.
- Mr. F. Yaldo: So, the main sanitary right now, there's water on the east side of Newburgh. The sanitary is on the west side. The two sanitary lines that are feeding the two properties are both private lines. So, there's six tinge lines. We'd have to bring a brand new public sanitary, over and this aside from doing a storm drain to. With the amount of development costs that has to go in and what they're asking, there's no way. It's, they're gonna end up being approximately just completely, just to develop it, almost \$140,000 a lot with their price. It's not worth that much money. It doesn't make any sense. I'd prefer to get N2 zoning for the future, absolutely if she never budges off that price. The problem is we're going to N2 zoning, and she never moves, and we want to develop and put three houses. If I go 70 feet, 70 feet, that last one is, as Mr. Taormina said, whoever buys that last house will never sell me that small strip that's 15 feet to add down the line to create a ninth lot. So, at that point, I would just keep it RUF. They would be losing on the south side if it stays RUF because they're only gonna get five houses.

Ms. Dinaro: Okay, thank you.

Mr. Wilshaw: Mr. Caramagno.

Mr. Caramagno: Thank you. That answered my question.

Mr. Wilshaw: All right. Great minds think alike. And any other questions, comments? Mr. Ventura.

Mr. Ventura: So, the advantage of the N2 zoning is totally dependent upon this petitioner and some unknown future owner of the south parcels configuring their lots in such a way as they might be able to cooperate and come up with the ninth lot?,

Mr. Taormina: Correct.

Mr. Ventura: It's totally speculative because the petitioner said he's got to put that land somewhere, and it may not be available to the parcels to the south to create the extra lot.

Mr. Taormina: Yeah, it's a difficult situation, because the value probably rests at that point, absent any kind of agreement or something that looks possible. It's better for them to keep those lots as wide as possible for the value.

Mr. Wilshaw: Thank you, Mr. Ventura. Any other questions? If not, a motion will be an order.

On a motion by Ventura, seconded by Bongero, and unanimously adopted, it was

#06-38-2023 **RESOLVED**, That the City Planning Commission does hereby recommend to the City Council that Petition 2023-04-01-02 submitted by FGN Holdings pursuant to Sections 13.13 and 13.15 of the Livonia Zoning Ordinance, as amended, requesting to rezone the properties at 19380 and 19384 Newburgh Road, located on the east side of Newburgh Road between Seven Mile Road and St. Martins Avenue in the Southwest $\frac{1}{4}$ of Section 5, from RUF (Rural Urban Farm) to N1 (Neighborhood), be denied for the following reasons:

1. The petitioner has failed to affirmatively show that the proposed zoning change would be compatible with and in harmony with the surrounding neighborhood.

2. The proposed zoning change is inconsistent with the established pattern of the surrounding development and would adversely alter the area's character.
3. The proposed zoning change is not needed to develop the property.
4. The proposed zoning change would allow lots that are narrower than what exists throughout the surrounding area, and
5. The existing RUF zoning is more consistent with the established pattern of development and character of the area.

Mr. Wilshaw: Is there any discussion?

Mr. Caramagno: So, the rezoning of the property does not obligate him to build anything right now. Right? There's no obligation to build anything right now. The property is just getting rezoned. The proposal is so he's not obligated to build anything. Could this be reversed before something's built?

Mr. Taormina: It still has to go to Council.

Mr. Caramagno: Proposing if it passes, could it be reversed if nothing's ever built here? Back to N2?

Mr. Taormina: It's going to remain RUF under the current resolution.

Mr. Caramagno: Well, that's what I mean, could there be...could they seek a rezoning in the future?

Mr. Taormina: Absolutely. Yeah. There's nothing that prohibits them from coming back in the future.

Mr. Caramagno: Thank you.

Mr. Wilshaw: Thank you. Makes sense. Clear?

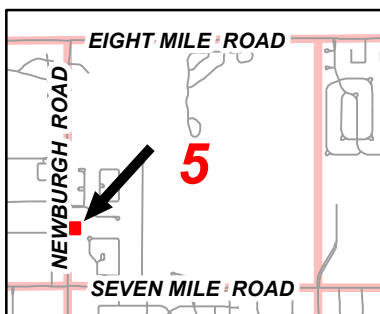
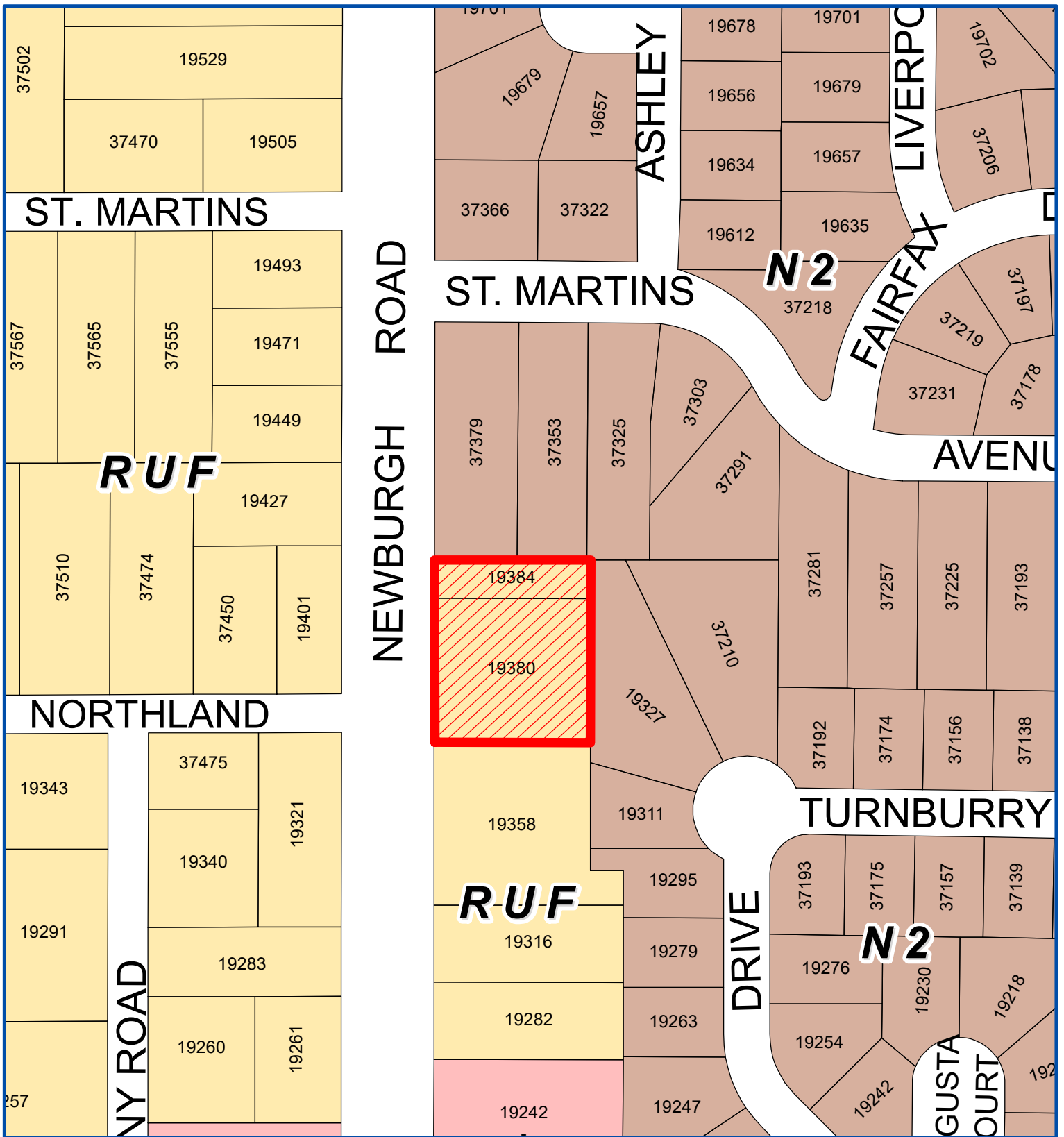
Mr. Caramagno: Absolutely. Clear as mud.

Mr. Wilshaw: Okay, any other questions from anyone?

UNAPPROVED MINUTES

9

Mr. Wilshaw, Chairman, declared the motion is carried and the foregoing resolution adopted. It will go on to City Council with a denying resolution.



Address & Zoning Map

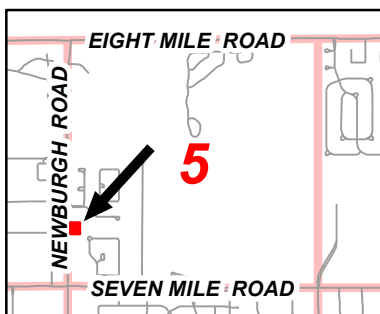
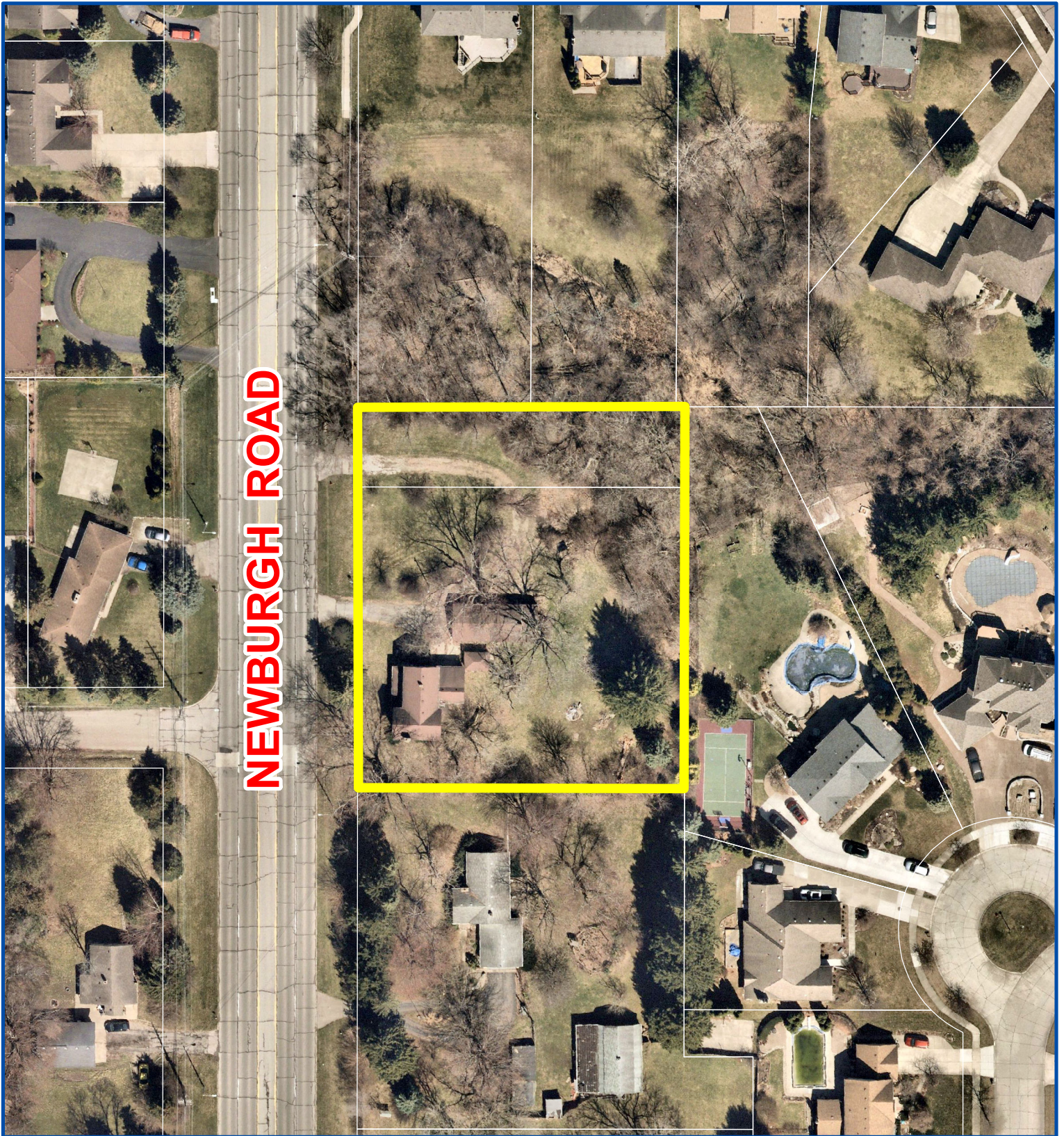
Petition 2023-04-01-02
 FGN Holdings
 19380 and 19384 Newburgh Road
 RUF to N1



Not to Scale



City of Livonia
 Planning Department



Aerial Map

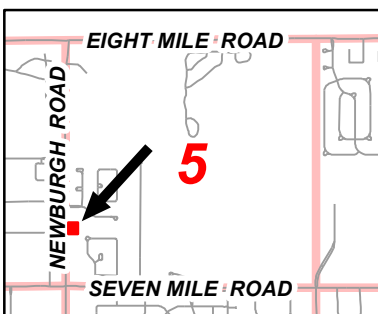
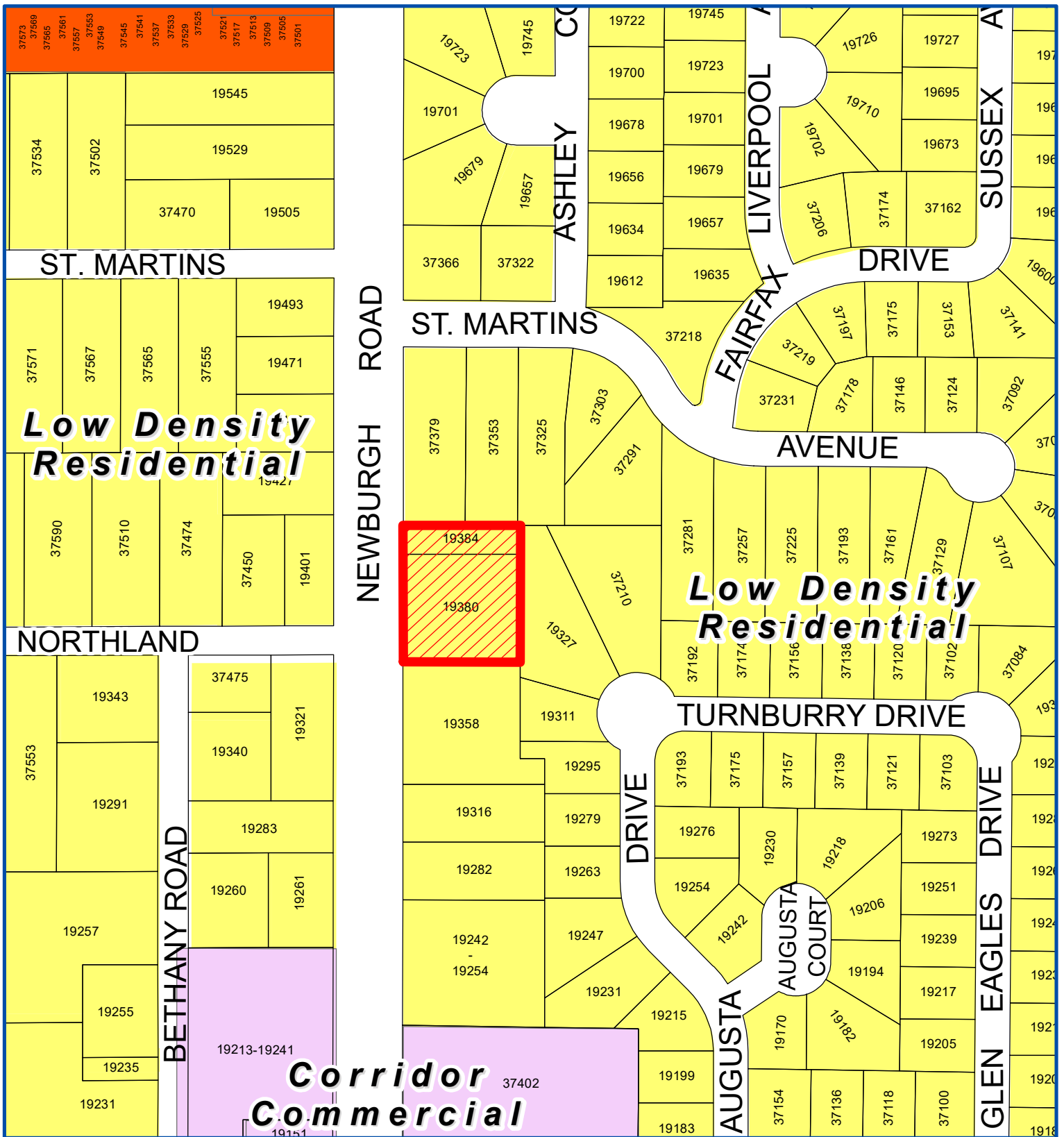
Petition 2023-04-01-02
FGN Holdings
19380 and 19384 Newburgh Road
RUF to N1



Not to Scale



City of Livonia
Planning Department



Future Land Use Map

Petition 2023-04-01-02
 FGN Holdings
 19380 and 19384 Newburgh Road
 RUF to N1



Not to Scale



City of Livonia
 Planning Department

PLANNING COMMISSION STAFF NOTES

PENDING

ITEM 3

Petition 2023-04-01-02 submitted by FGN Holdings under Sections 13.13 and 13.15 of the Livonia Vision 21 Zoning Ordinance, as amended, requesting to rezone the properties at 19380 and 19384 Newburgh Road, located on the east side of Newburgh Road between Seven Mile Road and St. Martins Avenue in the Southwest ¼ of Section 5, from RUF (Rural Urban Farm) to N1 (Neighborhood).

April 25, 2023: Study Meeting:

This petition seeks to rezone two (2) adjoining parcels located on the east side of Newburgh Road between Seven Mile Road and St. Martins Avenue from RUF (Rural Urban Farm) to N1 (Neighborhood). The northern parcel, 19384 Newburgh Road, measures fifty feet (50') in width along Newburgh Road and has a depth of 202.45 feet. This parcel is vacant. The southern parcel, 19380 Newburgh Road, has 186 feet of frontage along Newburgh Road and a depth of 202.45 feet. This parcel contains a residential house and an attached garage. The subject site measures 236.00' x 202.45' for a total area of 47,778 square feet or 1.09 acres. The rezoning would allow the future division of the site into four (4) new parcels to build single-family homes.

N1 zoning requires a minimum lot area of 6,000 square feet and minimum lot dimensions of fifty feet (50') in width by 120 feet in depth. The submitted plan shows that the subject site would be divided into four (4) equal parts. Each lot would measure fifty-nine feet (59') in frontage along Newburgh Road by a depth of 202.45 feet, for a total area of 11,945 square feet. All proposed parcels would comply with the N1 lot size requirements.

The petitioner indicates that the existing house and garage are in disrepair. If this zoning change is approved, the house and garage will be removed to create four (4) new buildable lots.

Residential properties surround the subject site. To the north and east are single-family houses in the Willow Woods and the Fox Creek Meadows Subdivisions, zoned N2, Neighborhood. To the south and the west, across Newburgh Road, are residential properties zoned RUF.

The Livonia Vision 21 Future Land Use map designates the subject property as *Low-Density Residential*, which recommends a density of 1 to 5 dwelling units per acre, a minimum lot area of 7,200 square feet., and minimum lot width of 60 feet.

May 9, 2023: Public Hearing:

Discussion at the Study Meeting focused on the width of the proposed lots and how they compared to the surrounding area. The concern is that no other lots near the subject property are fifty-nine feet (59') wide. This was confirmed by examining the parcel coverage map. A change to N2 zoning, where the minimum required lot width is seventy feet (70'), would allow

for two (2) 70-foot-wide lots and one 96-foot-wide lot. The additional twenty-six feet (26') on the widest of the three lots could be split and combined with land to the south should the opportunity arise. Thus, the item could be tabled to allow the Petitioner time to explore alternatives, or the approving resolution below could be changed from N1 to N2.

June 6, 2023: Study Meeting:

This item was tabled at the May 9th Public Hearing. The Planning Commission wanted to allow the Petitioner time to acquire the land to the south. The parcels to the south are currently on the market, but the sellers have rejected the offer made by the Petitioner.

June 13, 2023: Regular Meeting:

Approving Resolution: The request to rezone the properties at 19380 and 19384 Newburgh Road from RUF to N1 is hereby approved, subject to City Council approval, for the following reasons:

1. The proposed zoning change is compatible with and in harmony with the area's surrounding land uses and zoning districts.
2. The proposed zoning change would allow the site to be combined and split into four (4) new lots, fully complying with N1 District regulations.
3. The proposed zoning change represents a reasonable and logical plan for the subject property that adheres to sound land use planning principles, and
4. The proposed change of zoning would provide for the development of the subject property in a manner consistent with its size and location.

Denying Reasons: The request to rezone the properties at 19380 and 19384 Newburgh Road from RUF to N1 is hereby denied for the following reasons:

1. The petitioner has failed to affirmatively show that the proposed zoning change would be compatible with and in harmony with the surrounding neighborhood.
2. The proposed zoning change is inconsistent with the established pattern of the surrounding development and would adversely alter the area's character.
3. The proposed zoning change is not needed to develop the property.
4. The proposed zoning change would allow lots that are narrower than what exists throughout the surrounding area, and

PENDING

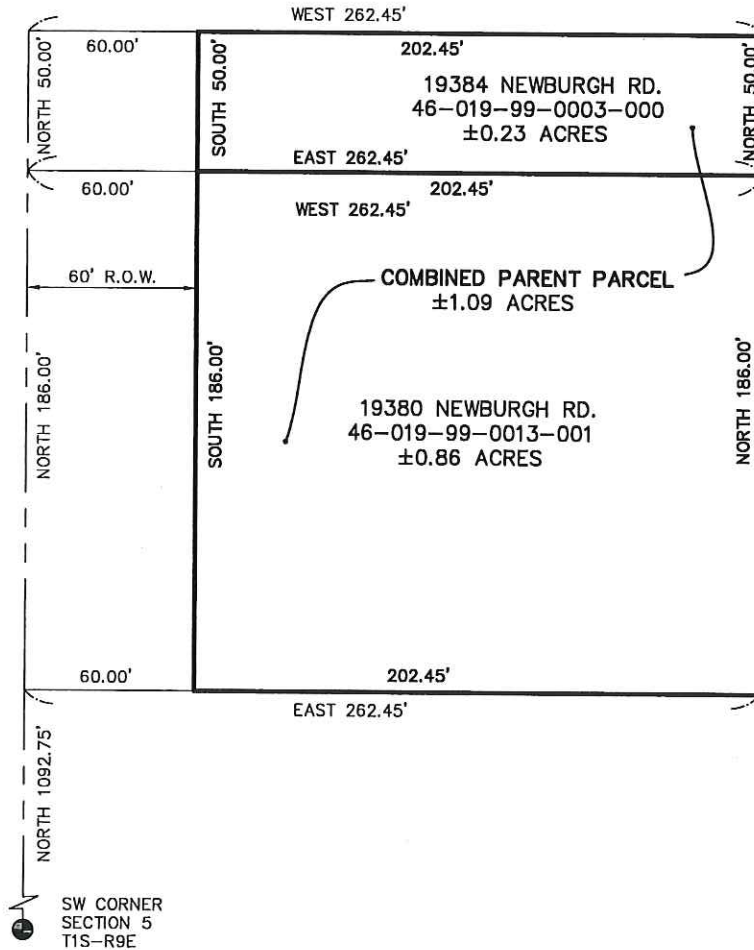
ITEM 3 Petition 2023-04-01-02 – 19380 & 19384 Newburgh Road

Page 3

5. The existing RUF zoning is more consistent with the established pattern of development and character of the area.

EXISTING PARCELS

NEWBURGH RD. (PUBLIC 60' - HALF WIDTH)



NOTE:

THIS SKETCH IS FOR PLANNING PURPOSES ONLY. NO FIELD WORK WAS PERFORMED. THIS IS NOT A BOUNDARY SURVEY AND SHOULD NOT BE RELIED UPON TO LOCATE PROPERTY LINES OR CONSTRUCT IMPROVEMENTS.

RECEIVED
APR 20 2023
CITY OF LIVONIA
PLANNING COMMISSION

ALPINE
ENGINEERING, INC.
CIVIL ENGINEERS & LAND SURVEYORS
46892 WEST ROAD
SUITE 109
NOVI, MICHIGAN 48377
(248) 926-3701 (BUS)
(248) 926-3765 (FAX)

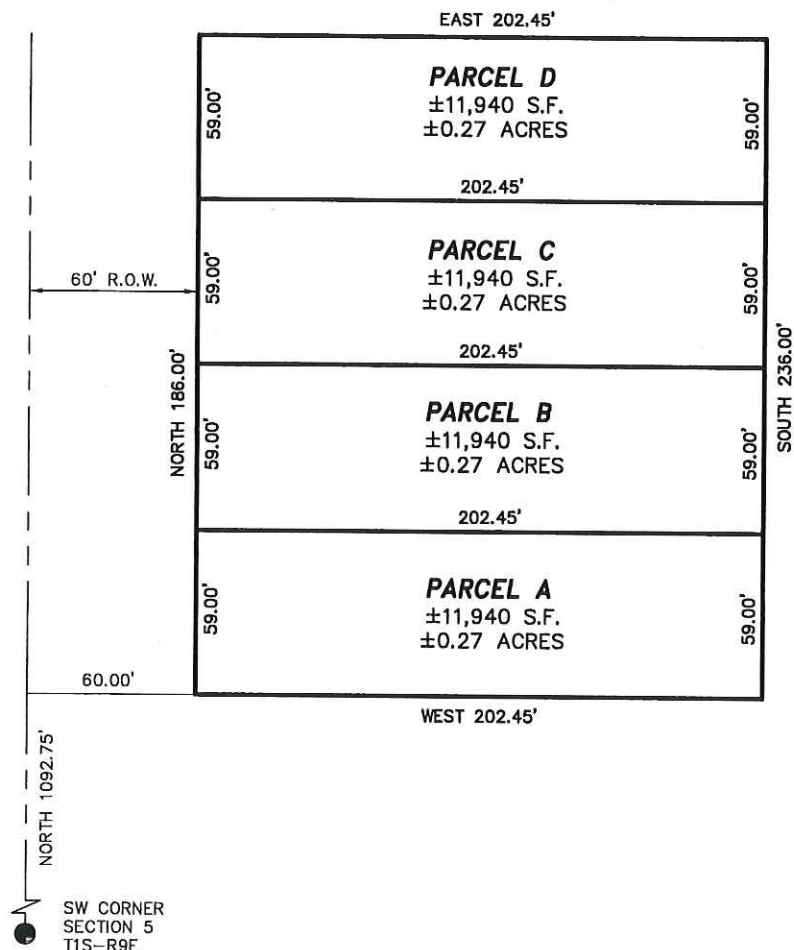
2023-04-01-02

CLIENT:	TCM DEVELOPMENT	DATE:	4-5-23
PARCEL SKETCH		DRAWN BY:	JDH
19380/19384 NEWBURGH		CHECKED BY:	JDH
SECTION: 5	TOWNSHIP: 1S	RANGE: 9E	0 25 50
CITY OF LIVONIA		FBK:	1/2
WAYNE COUNTY		CHF:	23-219
MICHIGAN		SCALE	HOR 1"=50 FT. VER 1"=5 FT.

PROPOSED PARCELS



NEWBURGH RD. (PUBLIC 60' - HALF WIDTH)



NOTE:

THIS SKETCH IS FOR PLANNING PURPOSES ONLY. NO FIELD WORK WAS PERFORMED. THIS IS NOT A BOUNDARY SURVEY AND SHOULD NOT BE RELIED UPON TO LOCATE PROPERTY LINES OR CONSTRUCT IMPROVEMENTS.

RECEIVED
APR 20 2023
CITY OF LIVONIA
PLANNING COMMISSION



2023-04-01-02

CLIENT:		DATE: 4-5-23	
TCM DEVELOPMENT		DRAWN BY: JDH	
PARCEL SKETCH		CHECKED BY: JDH	
19380/19384 NEWBURGH		0 25 50	
SECTION: 5	TOWNSHIP: 1S	FBK:	2/2
CITY OF LIVONIA	RANGE: 9E	CHF:	23-219
WAYNE COUNTY		SCALE HOR 1"=50 FT. VER 1"= FT.	
MICHIGAN			

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

TODD J. ZILINCIK, P.E.
CITY ENGINEER

DAVID W. LEAR, P.E.
ASST. CITY ENGINEER



MAUREEN MILLER BROSNAN
MAYOR

DONALD R ROHRAFF
DIRECTOR OF PUBLIC WORKS

12973 FARMINGTON ROAD
LIVONIA, MICHIGAN 48150
(734) 466-2571
FAX: (734) 466-2195

April 17, 2023

Mr. Scott Miller
Planner IV
City of Livonia

Re: Petition 2023-04-01-02 – #19380 and #19384 Newburgh Road

Dear Mr. Miller:

In accordance with your request, the Engineering Division has reviewed the above referenced petition. We have no objections to the proposed rezoning at this time. The subject parcels are assigned the addresses of **#19380 and #19384 Newburgh Road**.

The existing parcel is currently served by public water main and sanitary sewer. Water Main is located on the east side of Newburgh Road, while the sanitary sewer is located on the west side and will require new crossings for the proposed parcels. (or extend the existing main located to the south of the properties)

There is no public storm sewer available to the proposed parcels, although there is an open drain to the north of parcel "D". The developer will need to investigate options for the parcels to accommodate the required sump pump drainage, including placing a rear-yard storm system in an easement to service all four parcels.

Should you have any additional questions on this matter, please feel free to contact myself at (734) 466-2608, or the City Engineer, Mr. Todd Zilincik at (734) 466-2561. If you would prefer, you can e-mail either of us at dlear@livonia.gov or tzilincik@livonia.gov.

Sincerely,

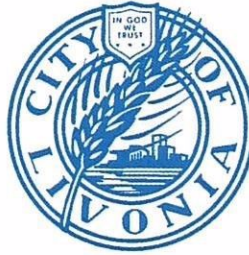

David W. Lear, P.E.
Assistant City Engineer

cc: 2023 Petition File

DEPARTMENT OF FINANCE

Michael T. Slater
DIRECTOR OF FINANCE

Connie Kumpula
CHIEF ACCOUNTANT



MAUREEN MILLER BROSAN
MAYOR

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2260
FAX: (734) 421-1807

April 17, 2023

Mr. Scott O. Miller
Planning Commission
33000 Civic Center Drive
Livonia, MI 48154

Petition 2023-04-01-02 - 19380 and 19384 Newburgh Road

Dear Mr. Miller,

I have reviewed the address connected with the above noted petition. The following amounts are due to the City of Livonia:

Unpaid water and sewer charges:	\$ 796.42
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Total Due City of Livonia	\$ 796.42
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Please contact me if you have any further questions.

Very truly yours,


Connie Kumpula
Chief Accountant

CK: jw

Transaction Statement

Service Address

19380 NEWBURGH
LIVONIA, MI 48152

Mailing Address

Occupant - 19380 NEWBURGH
19380 NEWBURGH
LIVONIA, MI 48152

Account Number

032201000-001

Amount Due

\$0.00

Account Number

032201000-001

From - Through

12/12/2022 - 06/12/2023

Services

Water & Sewer - Metered

Service Address

19380 NEWBURGH
LIVONIA, MI 48152

Beginning Balance

\$587.41

Date	Type	Amount	Description
12/15/2022	Bill	\$69.75	Due Date 01/10/2023
01/13/2023	Penalty	\$65.71	
01/23/2023	Payment	(\$722.87)	Check
03/15/2023	Bill	\$724.02	Due Date 04/10/2023
04/13/2023	Penalty	\$72.40	
04/21/2023	Payment	(\$796.42)	Check

Total Due

\$0.00

Transaction Statement

Account Number

032201000-001

Transaction Statement

Service Address

19380 NEWBURGH
LIVONIA, MI 48152

Mailing Address

Occupant - 19380 NEWBURGH
19380 NEWBURGH
LIVONIA, MI 48152

Account Number

032201000-001

Amount Due

\$796.42

Account Number

032201000-001

From - Through

10/17/2022 - 04/17/2023

Services

Water & Sewer - Metered

Service Address

19380 NEWBURGH
LIVONIA, MI 48152

Beginning Balance

\$587.41

Date	Type	Amount	Description
12/15/2022	Bill	\$69.75	Due Date 01/10/2023
01/13/2023	Penalty	\$65.71	
01/23/2023	Payment	(\$722.87)	Check
03/15/2023	Bill	\$724.02	Due Date 04/10/2023
04/13/2023	Penalty	\$72.40	

Total Due

\$796.42

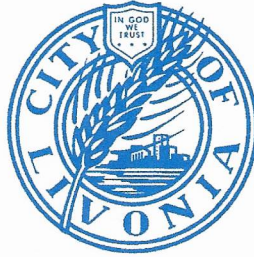
Transaction Statement

Account Number

032201000-001

OFFICE OF THE TREASURER

LYNDA L. SCHEEL
CITY TREASURER



33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3060
(734) 466-2245
FAX: (734) 421-7230

April 19, 2023

Mr. Scott Miller – Planner IV
Planning Commission
City of Livonia

Re: Petition 2023-04-01-02

19380 and 19384 Newburgh Road
FGN Holdings

Dear Mr. Miller,

In accordance with your request, the Treasurer's Office has reviewed the name and addresses connected with the above noted petition. At this time there are no taxes due, therefore I have no objections to the proposal.

Sincerely,

A handwritten signature in blue ink that reads "Lynda L. Scheel".

Lynda L. Scheel
Treasurer, City of Livonia

OFFICE OF THE MAYOR

Maureen Miller Brosnan
MAYOR

Linda Gosselin
ASSESSOR



33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2220
assessorforms@livonia.gov

April 17, 2023

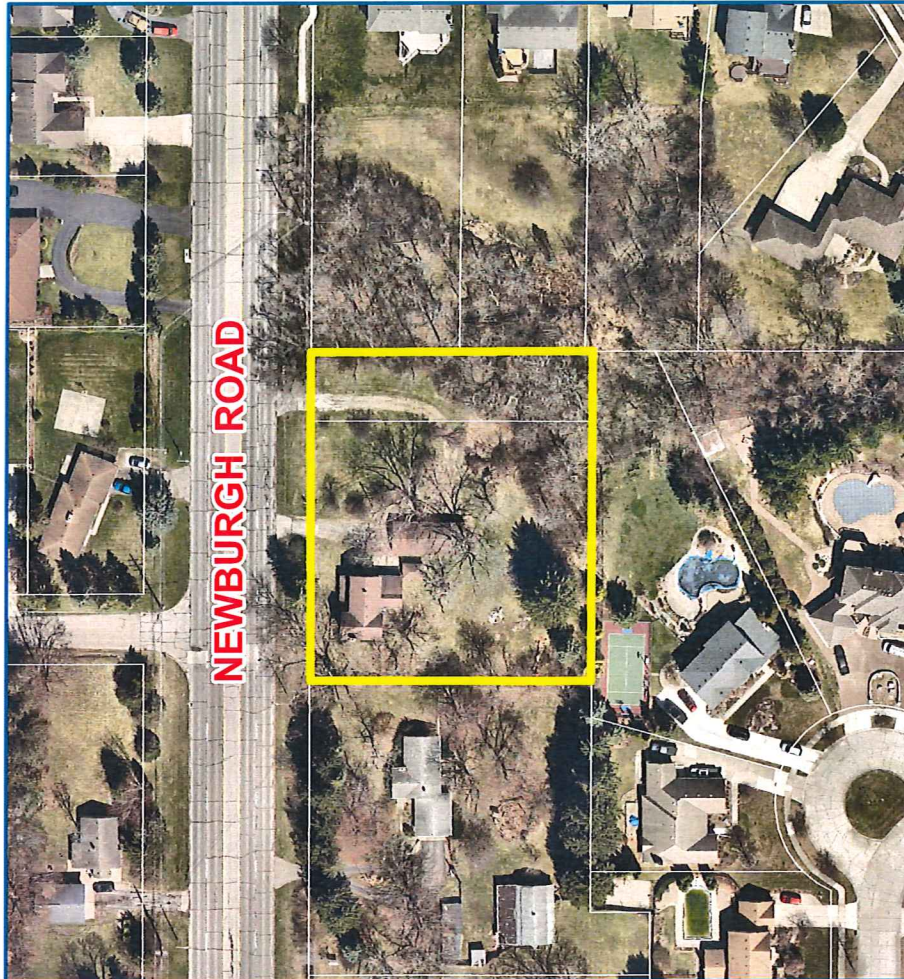
To: Planning Department

Re: **Petition 2023-04-01-02 – 19380 and 19384 Newburgh Road**

A request has been made by FGN Holdings to rezone the properties at 19380 Newburgh, parcel 019-99-0013-001(.86 acres) and 19384 Newburgh, parcel- 019-99-0003-000 (.23 acres). Both parcels are owned by Louis Yeldo with a residential home situated on the 19380 Newburgh parcel. The buildings would need to be demolished in order to facilitate future divisions into (4) parcels. Please direct any questions to the Assessor's Office or Livonia.gov for the lot split and combination process.

Kindest Regards,

Kathie Siterlet
Residential Appraiser



NEWBURGH ROAD



Aerial Map

Petition 2023-04-01-02
FGN Holdings
19380 and 19384 Newburgh Road
RUF to N1



Not to Scale



City of Livonia
Planning Department

**OTHER ITEMS
RELATED TO THE
PETITION**