

AGENDA OF THE CITY OF LIVONIA ZONING BOARD OF APPEALS
July 18, 2023 – 7:00 p.m.
Livonia City Hall Auditorium
33000 Civic Center Drive, Livonia, MI

AGENDA ITEM(S):

1. **APPEAL CASE NO. 2023-04-07: Luis Morales-Villegas, 20307 Parkville Street (Tabled on May 16, 2023):** seeking to erect a six-foot tall wood privacy fence within the side yard which is not allowed. Privacy fences, without a side door, must not extend beyond the rear line of the home toward the street. Also, the proposed nearly bisects the depth of this lot, leaving a large, wooded area between an existing four-foot-tall chain-link fence along the rear property line.
2. **APPEAL CASE NO. 2023-06-11: Torrey Neiger, 33493 Bobrich Street:** seeking to erect a six-foot-tall vinyl privacy fence upon a corner lot that does not align with the adjacent property owner's fence at 17148 Francavilla Dr.
3. **APPEAL CASE NO. 2023-06-12, Metro Detroit Signs on behalf of AMC 20 Theaters, 19500 Haggerty Road:** seeking to replace three directional and three monument signs. The directional signs are direct replacement signs, matching height, area and location of the existing signs. The three, identical, replacement monument signs (two along Haggerty, one along Seven Mile) are each excess in height and area.
4. **APPEAL CASE NO. 2023-06-13, Michael and Melinda Schneider, 39240 Ann Arbor Trail:** seeking to construct an addition to an existing dwelling which includes an attached garage, while maintaining a detached garage and shed, resulting in excess accessory building area and excess number of accessory buildings.

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

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

Case No: 2023-04-07
Meeting Date: July 18, 2023

APPROVAL

Signature: 
Name: DENNIS J. COGO
(Please print)
Address: 20262 PARKVILLE

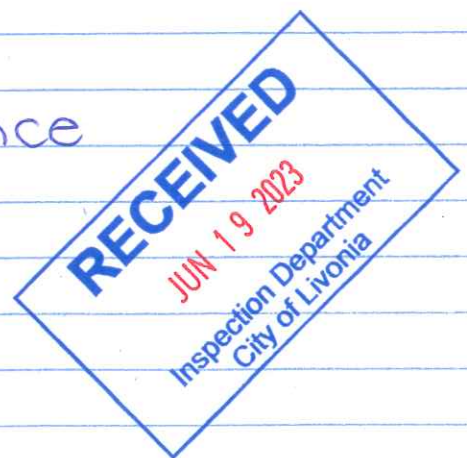
To whom it may concern,

Given the utility lines at and around the proposed area where the existing vinyl fence and gate would be at 20307 Parkville, this would not be professionally possible due to the nature of the lines and how they run, and also due to personal safety.

Please feel free to contact me directly at (248) 677-1672 if you have any questions or concerns.

Thank you,

Nate Tarrow
Paramount Fence
Sales







ZONING BOARD OF APPEALS

ZONING BOARD MEMBERS

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



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

MAYOR

MAUREEN MILLER BROSNAN

COUNCIL MEMBERS

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

June 30, 2023
PUBLIC NOTICE

APPEAL CASE NO. 2023-04-07: Luis O. Morales-Villegas, 20307 Parkville (Tabled on May 16, 2023): an appeal was made to the Zoning Board of Appeals by Luis O. Morales-Villegas, 20307 Parkville, seeking to erect a six-foot tall wood privacy fence within the side yard which is not allowed. Privacy fences, without a side door, must not extend beyond the rear line of the home toward the street. Also, the proposed nearly bisects the depth of this lot, leaving a large, wooded area between an existing four-foot-tall chain-link fence along the rear property line.

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

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

This appeal will be heard at a public hearing to be held in the **Auditorium on the first floor of City Hall on Tuesday, July 18, 2023, at 7:00 p.m.**, at which time comments may be directed to the Board during audience participation. When replying by mail, write your comments on the back of this notice and address it to the City of Livonia, Zoning Board of Appeals, 33000 Civic Center Drive, Livonia, MI 48154. All written comments are read at the meeting and become part of the record.

ZONING BOARD OF APPEALS,

Timothy Klisz, Secretary

Petitioner will incur a \$100 rescheduling fee for every failure to appear.
In accordance with Title II of the Americans with Disabilities Act as it pertains to access to Public Meetings, the Zoning Board of Appeal's Office of the City of Livonia, upon adequate notice, will make reasonable accommodations for persons with special needs.
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Case No: 2023-04-07
Meeting Date: July 18, 2023

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

Signature: _____

Address:

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

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

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

Signature:

Name:

Address:

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

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

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

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

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

Signature: Stephanie Wilson

Name: Stephanie Wilson
(Please print)

Address: 28979 Morlock St.

ZONING BOARD OF APPEALS

ZONING BOARD MEMBERS

GREGORY G. COPPOLA, Chairman
JAMES M. BARINGHAUS, Vice Chairman
TIMOTHY J. KLISZ, Secretary
CHRISTOPHER N. BOLOVEN
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33000 CIVIC CENTER DRIVE
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BRANDON MCCULLOUGH
KATHLEEN E. MCINTYRE
SCOTT MORGAN

April 28, 2023
PUBLIC NOTICE

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

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Please call 734-466-2250 if you need assistance.

2023-04-07



CITY OF LIVONIA

INSPECTION DEPARTMENT

REJECTION OF APPLICATION FOR PERMIT

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154
421-2000

BASED ON NONCONFORMITY TO ORDINANCE LIVONIA VISION 21

Applicant SAME AS BELOW Address SAME AS BELOW
 Owner LUIS O. MORALES-VILLEGAS Address 20307 PARKVILLE, LIVONIA, MI 48152
 Lessee Address
 Location WEST Side of 20307 PARKVILLE Street
 Between MORLOCK And BRETTON
 Lot No./Parcel No. 002-01-0393-000 Subdivision SUPERVISOR LIVONIA PLAT #6
 Zoning District RUF Map No. NW01 Lot Size 66' x 39.5' Alley
 Present Use RESIDENTIAL Proposed Use SAME
 Present Building Size N/A Proposed Building Size NONE PROPOSED
 Present Height of Building N/A Proposed Height " "
 Allowable Lot Coverage N/A Proposed Lot Coverage N/A

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

Reason for Rejection CODE OF ORDINANCES, SECTION 15.44.090(B)Deficient Side Yard Deficient Front Yard Deficient Rear Yard Deficient Lot Area Deficient Lot Area per Room Encroachment Excessive Lot Coverage Excessive Height Increasing No. Units

15.44.090(B)

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

ZONING EXAMINER

ZONING MAP

LEGEND

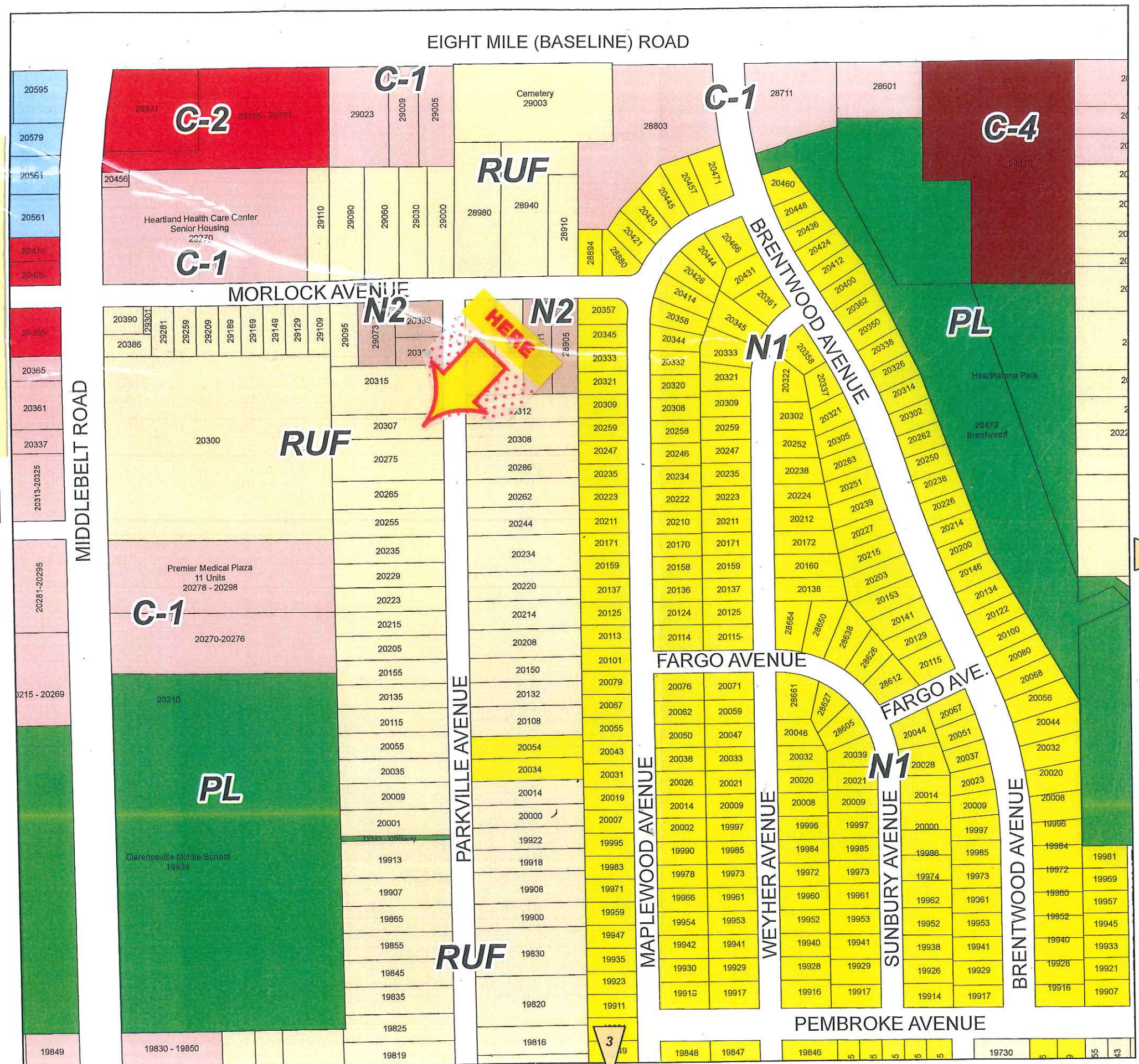
Zoning Districts

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

20307 PARKVILLE

ZBA CASE FOR
A FENCE

OWNER: LUIS O.
MORALES-VILLEGAS



N.W. 1/4 Section 1

City of Livonia

T. 1 south, R. 9 east

Wayne County, Michigan

Copyright 2001, City of Livonia



APPLICATION FOR VARIANCE

Luis O. Morales-Villegas 20307 Parkville St, Livonia, MI 48152 586-533-0722
 (Owner of Premises) (Street Address) (City) (Zip Code) (Telephone) (Fax)

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

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

The property address is 20307 Parkville St, Livonia, MI 48152

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

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

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

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

3. Please explain how the practical difficulty you claim is unique to your property, and does not exist elsewhere in the City:
The city of Livonia rejected permit to build a fence 6' tall past the rear corner of the home.

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

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

(SEE REVERSE)

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

7. If you have not attempted to have the zoning ordinance amended, why hasn't this attempt been made?
Zoning variance request is a more sensible path than amending the zoning ordinance.



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

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

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

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

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APR 17 2023

Inspection Department
City of Livonia

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

9. If you have not attempted to have the property rezoned, why hasn't this attempt been made? Rezoning the property would not impact city of Livonia's decision to reject permit.

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

OWNER'S AFFIDAVIT

COUNTY OF WAYNE)
STATE OF MICHIGAN)

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

Signature of property owner: L.O. Morales-Villegas

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

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

Subscribed and sworn to before me this 17TH day of April, 2023

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

My Commission expires 8-25-2028

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

NOT TO BE COMPLETED BY APPLICANT

Petitioner makes application for a Hearing, seeking to (reverse, modify, or affirm) the (order, decision) of the Department of Inspection, dated APRIL 17, 2023, which reads as follows:

CODE OF ORDINANCES, SECTION 15.44.090 (B)

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

PS
(Supervisor)

Application for permit filed Yes

~~Violation Issued~~

CORRECTION

Yes

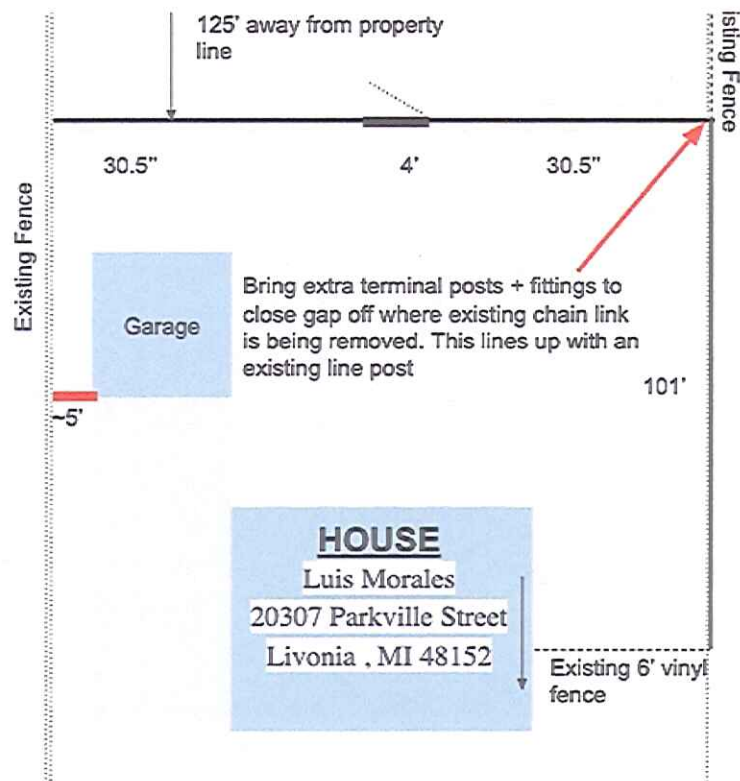




-  Existing 4' chainlink fence
-  Proposed new 6' wood privacy fence
-  Existing 6' vinyl gate







SCOPE OF WORK

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

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

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

LOT SIZE
65' wide
296' long

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APR 17 2023

Inspection Department
City of Livonia

CITY OF LIVONIA
BUILDING INSPECTION DEPARTMENT
734-466-2580

PRIVACY and/or CHAIN LINK FENCE ACKNOWLEDGEMENT and AUTHORIZATION

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

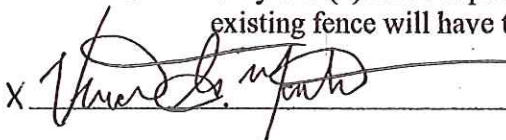
Date: 3/15/2023

Fence Installation Address: 20307 Parkville Street

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

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

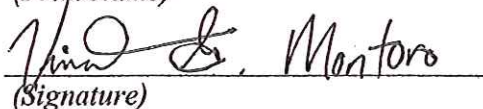
- The style and height of the fence.
- The location of the lot line.
- Only one (1) fence is permitted between our properties and that any existing fence will have to be removed in favor of the new fence.

X  have the finished side facing my property.

_____ have the finished side facing the fence owner.

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

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

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

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



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

OWNER'S AFFIDAVIT

File No: 674564

Property Address: 20307 Parkville Street, Livonia, MI 48152

State of: _____

County of: _____

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

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

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





CITY OF LIVONIA
PUBLIC SERVICE DIVISION
ANIMAL ORDINANCE ENFORCEMENT

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

Residence 20307 PARKVIEW Date 02/27/23

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

☐ Animal Bite

☒ Running at Large JUMPING FENCES

☒ No License EXP. 2022

☐ Number of Animals Allowed

☐ Neglect

☐ Barking Dog

Animal Impounded for:

☐ Safekeeping

☐ Animal Bite

☐ No License

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

Animal Control Officer: BRANDON

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

RECEIVED
APR 17 2023
Inspection Department
City of Livonia

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

PARAMOUNT FENCE
31715 EIGHT MILE
Livonia, MI 48152

04/04/2023

RE: 20307 PARKVILLE

PLAN REVIEW CORRECTION SHEET

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

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

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

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

File: PZ23-0052

Reviewer: Matt Stierna
Telephone (734) 466-2593

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

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



2023-04-07



CITY OF LIVONIA

INSPECTION DEPARTMENT

REJECTION OF APPLICATION FOR PERMIT

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154
421-2000

BASED ON NONCONFORMITY TO ORDINANCE LIVONIA VISION 21

Applicant SAME AS BELOW Address SAME AS BELOW
 Owner LUIS O. MORALES-VILLEGAS Address 20307 PARKVILLE, LIVONIA, MI 48152
 Lessee Address
 Location WEST Side of 20307 PARKVILLE Street
 Between MORLOCK And BRETTON
 Lot No./Parcel No. 002-01-0393-000 Subdivision SUPERVISOR LIVONIA PLAT #6
 Zoning District RUF Map No. NW01 Lot Size 66' x 39.5' Alley
 Present Use RESIDENTIAL Proposed Use SAME
 Present Building Size N/A Proposed Building Size NONE PROPOSED
 Present Height of Building N/A Proposed Height " "
 Allowable Lot Coverage N/A Proposed Lot Coverage N/A

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

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15.44.090(B)

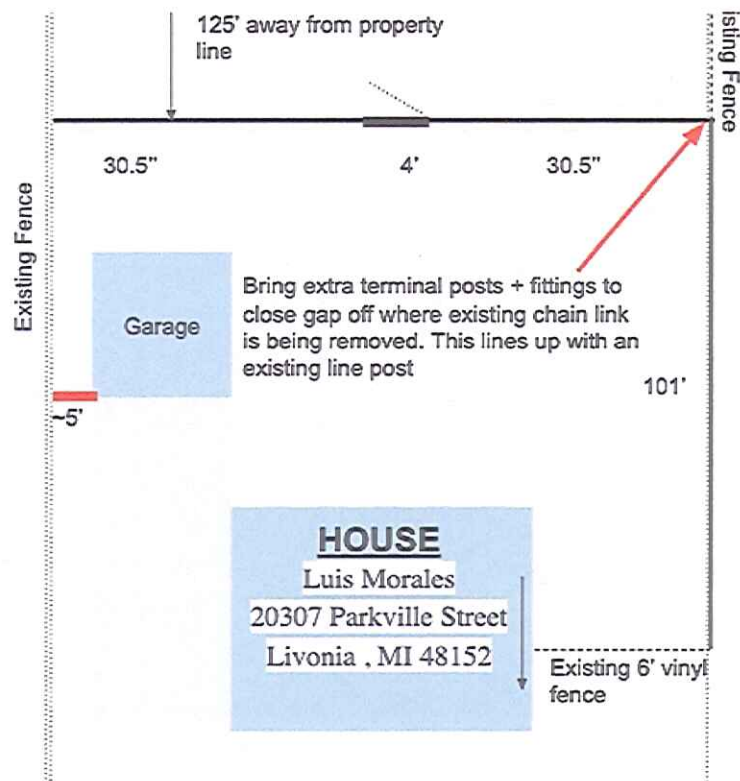
Use Prohibited PRIVACY FENCE IN THE SIDE YARD Deficient Parking Spaces Increasing Area and Bulk Remarks Plans and Application examined by Ry Date APRIL 17, 2023

ZONING EXAMINER



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SCOPE OF WORK

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City of Livonia



Zoning Districts

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

City of Livonia

Copyright 2001, City of Livonia

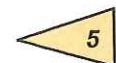


300 150 0 300 Feet



ZBA CASE FOR A FENCE

OWNER: LUIS O.
MORALES-VILLEGAS



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

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

From: Luis Morales <luismo0129@gmail.com>
Sent: Thursday, April 20, 2023 11:24 AM
To: Abrahamson, Randy <RAbrahamson@livonia.gov>
Subject: 20307 Parkville Street - Question #3

Hi Randy,

I received your voicemail. Sorry that I missed your call. Please see below for further explanation.

"My Husky-Shepherd has a tendency to run away. I have tried my best to secure exits of the house, and keep him on a leash while outside, but accidents happen. In the past, my neighbors were more lenient with him jumping into their yard, but since they had their newborn circumstances have changed for them. They have raised a formal complaint with the City and I have been warned to prevent this from happening again. As best as I try to train and restrain my dog, I cannot eliminate the risk of future incidents with the current 4' tall chain link fence. I need to physically prevent him from leaving the backyard by adding a 6' tall privacy fence. This will provide peace of mind to my neighbors and my household that everyone will be safe moving forward."

Please let me know if you need any else.

Thank you,
Luis

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

Case No: 2023-06-11
Meeting Date: July 18, 2023

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

See Attached

RECEIVED
JUL 14 2023

Inspection Department
City of Livonia

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

Signature:

Name:

DEWIS AGHUA
(Please print)

Address:

17282 Feltwell Villa

To: City of Livonia

Zoning board of Livonia

Case No 2023-06-11

This letter is to give my approval of the variance for fence installation 33493 Borich St.

I have been living at 17282 Francavilla Dr. for over a year now and have witnessed cars/trucks exceeding the speed limit on Francavilla Dr. directly passing in front of the said property asking for variance.

The Neiger Family have 2 young children that will lose half their back yard if the variance is not given, not to mention the variance approval will add to keeping them SAFE in private surroundings.

I am not sure how many neighbors will respond to this request but in talking to surrounding neighbors,

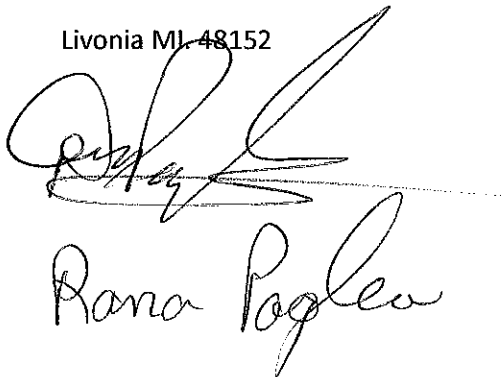
I have not come across any that would be in favor of denying the request.

Sincerely

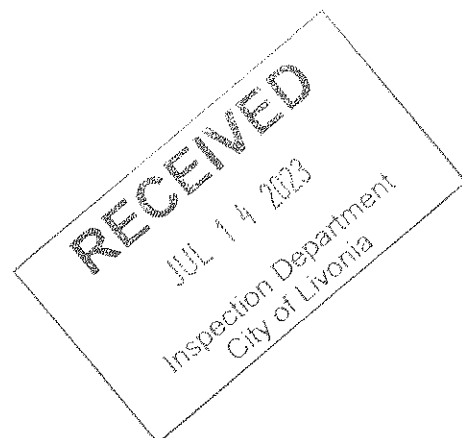
Mr. & Mrs. Denis & Rana Paglia

17282 Francavilla DR.

Livonia MI 48152



Rana Paglia



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

Case No: 2023-06-11
Meeting Date: July 18, 2023

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

I'm not opposed to the residents erecting a fence, but I am opposed to a vinyl fence that totally blocks everything. The house is on a corner lot and it will be an enormous eye-sore in our neighborhood and possibly de-value our property and the look of the neighborhood.

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

Signature: Patricia Bastine
Name: PATRICIA BASTINE
(Please print)

Address: 33461 BOBRICH

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

Case No: 2023-06-11
Meeting Date: July 18, 2023

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

To allow their children to safely
utilize their backyard.

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

Signature: Joel Reynolds
Name: Joel Reynolds
(Please print)

Address: 17209 Francavilla Dr.
Livonia, MI 48152

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

Case No:
Meeting Date:

2023-06-11
July 18, 2023

RECEIVED

JUL 03 2023

Inspection Department
City of Livonia

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

I approve to the requested variance because their location is set on a corner with no fence for privacy, and they also have little kids, whom a fence would be a protection for, from all the cars driving so close on the street. That is why I approve and allow the requested variance to take place!

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

Signature:



Name:

Hadeel Alkathmaoy
(Please print)

Address:

33485 Bobrick, 48152 Livonia
MI

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

Case No: 2023-06-11
Meeting Date: July 18, 2023

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

Dear Members of City of Livonia Board of Appeals,
Thank you for informing us about this fence inquiry. We have no objection to a fence being erected on the property, and we understand why the owners want the fence they have proposed. As long as drivers approaching Francavilla Dr. can see left without obstruction when proceeding into and through the intersection, we approve the request for the zoning change/exception. It would also be important for drivers on Francavilla Dr., who approach the intersection, to be able to have a clear view to the right, without obstruction of a fence. All the best to the homeowners in finding a fence they feel meets their needs as property owners.

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

Signature: Kenneth A. Wilson
Christina M. Wilson
Name: Ken and Chris Wilson
(Please print)

Address: 17321 Francavilla Dr.
Livonia, MI, 48152

FULL PRIVACY



RECEIVED

JUN 26 2023

Inspection Department
City of Livonia







ZONING BOARD OF APPEALS

ZONING BOARD MEMBERS

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



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

MAYOR

MAUREEN MILLER BROSNAN

COUNCIL MEMBERS

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

June 30, 2023
PUBLIC NOTICE

APPEAL CASE NO. 2023-06-11: An appeal has been made to the Zoning Board of Appeals by Torrey Neiger, 33493 Bobrich Street, seeking to erect a six-foot-tall vinyl privacy fence upon a corner lot that does not align with the adjacent property owner's fence at 17148 Francavilla Dr.

The property is located on the south side of Bobrich (33493), between Francavilla and McNamara, Lot. No. 036-01-0066-000, N-2 Zoning District, Neighborhood, rejected by the Inspection Department under Livonia Fence Ordinance, Section 15.44.090 (A4bi), Residential District Regulations, Fences on corner lots.

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

This appeal will be heard at a public hearing to be held in the **Auditorium on the first floor of City Hall on Tuesday, July 18, 2023, at 7:00 p.m.**, at which time comments may be directed to the Board during audience participation. When replying by mail, write your comments on the back of this notice and address it to the City of Livonia, Zoning Board of Appeals, 33000 Civic Center Drive, Livonia, MI 48154. All written comments are read at the meeting and become part of the record.

ZONING BOARD OF APPEALS,

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

Timothy Klisz, Secretary

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

RECEIVED

JUN 06 2023

APPLICATION FOR VARIANCE

Inspection Department
TERRY NEASE
City of Livonia
(Owner of Premises) 33493 Bobrich St. Livonia 48152 734-262-2121
(Street Address) (City) (Zip Code) (Telephone) (Fax)

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

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

The property address is 33493 Bobrich St. Livonia, MI 48152

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

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

2. Give legal description of property involved, or attach a deed or other document which contains the legal description of the property:
Land situated in the City of Livonia, County of Wayne, State of Michigan to wit:

Lot 66, Francavilla Subdivision, as recorded in Liber 96, pages 77-79 of Plats, Wayne County, Michigan
Tax #: 46 036 01 0066 000 Commonly known as 33493 Bobrich St, Livonia, MI 48152

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

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

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

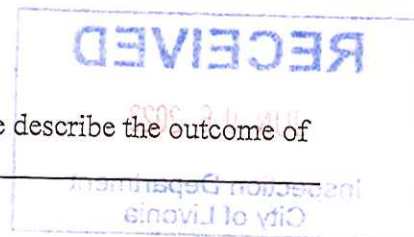
5. Explain why you think this variance would be fair to the neighbors and others who might be affected. see attached

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

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

We were advised by the building department
that the application for the variance were the next steps.

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



9. If you have not attempted to have the property rezoned, why hasn't this attempt been made? WE WERE ADVISED BY THE BUILDING DEPARTMENT THE VARIANCE APPLICATION IS THE NEXT STEPS.

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

OWNER'S AFFIDAVIT

COUNTY OF WAYNE)
STATE OF MICHIGAN)

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

Signature of property owner: Torrey Neiger

Please print name of property owner: Torrey Neiger

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

Subscribed and sworn to before me this 6th day of June, 2023

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

My Commission expires _____

JEROME A. HANNA
Notary Public, State of Michigan
County of Wayne
My Commission Expires Dec. 19, 2027
Acting in the County of Wayne

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

NOT TO BE COMPLETED BY APPLICANT

Petitioner makes application for a Hearing, seeking to (reverse, modify, or affirm) the (order, decision) of the Department of Inspection, dated JUNE 06, 2023, which reads as follows:

FENCE ORDINANCE, SECTION 15.44-090 A, 4(a)(b)

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

[Signature]
(Supervisor)

Application for permit filed YES

Violation Issued CORRECTION MAILED

3. We have a unique situation, as our current residence is on a corner lot that tapers in the back. Unlike other corner lots on a traditional square lot or block, ours backs up on a curved street. The house behind us sits on an angle on this curve compared to the surrounding houses. There is the only house on the curved section of the street and creates a very unusual layout between our two backyards. Granting the variance would allow us to fence in our whole backyard instead of only a portion of it.

4. Because of the positioning of the back neighbors, if we used the current fence ending as a return point for our proposed fence as communicated by the building department this would effectively eliminate a very large useful portion of our backyard as the opposite side of our backyard grades down to accommodate a shared sewer drain for the surrounding backyards as well as multiple utility boxes. If we are not granted the variance, we would lose a large and the only flat portion of our backyard. Our planned fence layout follows the already established fence line of neighboring lots and allows a safe area for our children.

5. If this variance is granted, it would be fair to the neighbors as no other neighbors have a similar layout to compare to. The backyard neighbors that are the only ones to share the property line that the proposed fence would go on have already signed that they approve the proposed fence. Further, the proposed fence is far enough away from the corner or any driveways that it would not impede any sightlines and follow the already existing fence line of the surrounding properties.



ANCHOR FENCE INC

26345 Plymouth Rd. Redford, MI 48239 Phone: 313-937-0101
www.Anchorfenceonline.com Fax: 313-937-0404
E-mail: Sales@AnchorFenceOnline.com

Contract / Invoice

This Contract Supersedes Any And All Other Contracts Related To This Job. Any Changes and or Charges will Be In Written Form by our Office ONLY.

FENCE SPECIFICATIONS

C/L ☐ WOOD ☐ STEEL ☐ VINYL ☐ ALUM ☐
Style T-100 T-100
4' ☐ 5' ☐ 6' ☐ 7' ☐ 8' ☐ 10' ☐ 12' ☐
11.5 ga. ☐ 9 ga. ☐ barb wire ☐ razor ribbon ☐
Color: White ☐ Almond ☐ Khaki ☐ Gray ☐ Brown ☐
Black ☐ Bronze ☐ Green ☐
Texture Vinyl ☐
Cap Style: Cap
Cap Size: 4 x 4 ☐ 5 x 5 ☐
Top rail Yes
Line post Yes
Corner post Yes
End post Yes
Gate post Yes
Panels 10
Pickets Yes
Walk gate Yes
Drive gate Yes
Gate hardware Yes
Clear Fence Line Yes
Tear out existing Yes
Haul away existing Yes
Concrete footings Yes
Concrete breaks Yes
Asphalt breaks Yes
Hard Digs Yes
Core Drills Yes

TOTAL FOOTAGE 100

AIR LEVEL ☐ GRADE LEVEL ☐

Customer Must Mark All Personal Electrical Wiring and All Sprinkler Systems

Does Miss Dig need to be called? Yes ☐ No ☐
1-800-482-7171
AUTHORIZATION #:
Staked By Date:

IS A PERMIT NEEDED? Yes ☐ No ☐

DEPOSIT AMOUNT: 400.00 DATE: 5-22-23

CHECK#: 1348 M/C ☐ VISA ☐ DIS ☐

DATE BAL. PD: AMT. CHECK #:

M/C ☐ VISA ☐ DIS ☐

SALESMAN: Jeff

313-779-2525

CONTRACT TERMS ON BACK OF SHEET

Customer: John & Mary Date: 5-22-23
Address:
City & Zip:
Phone: Office: Fax:
CONTACT PERSON: Cell: 734-680-5204
Purchase Order #: Vendor #:
Email:

*CUSTOMER SIGNATURE TO START JOB:

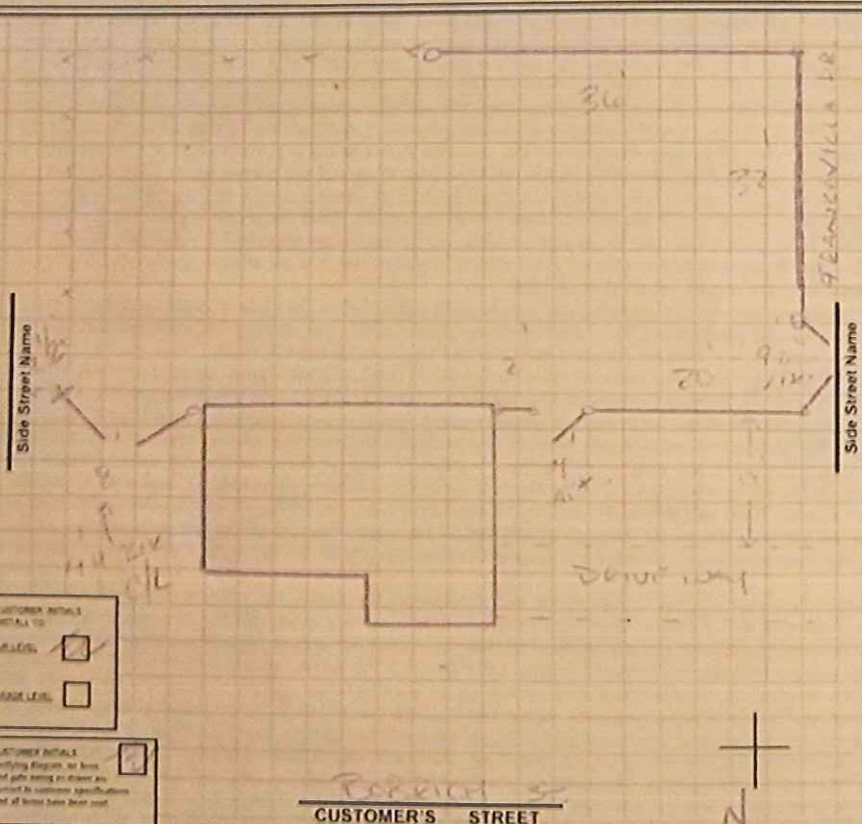
X

*Customer Signature for Changes made by customer and for added Costs to Final Balance:

X COST TO BE ADDED \$

ANY CHANGES MUST BE MADE THROUGH THE OFFICE BEFORE MATERIAL IS ORDERED OR DELIVERED.

PVC \$ WD \$ C/L \$ STL \$ ALM \$



Corner ☐ Interior ☐ SHOW DOORS on House or Bldg.

WE BEAT OR MATCH ALL QUOTES

FENCE CONTRACT AND TERMS

THE SUM OF EARNEST MONEY: \$ 8,306.00

TERMS— RENDER 1/2 DOWN PRIOR TO START: \$ 4,153.00

CITY OUR COST

PERMIT COST: 22.00 TO PULL: 75.00 ← THESE 2 CHARGES WILL BE ADDED TO THE BALANCE

TOTAL FINAL BALANCE DUE ON COMPLETION: \$ 4,316.00

X
CUSTOMER SIGNATURE ON COMPLETION:

DATE COMPLETED:

INSTALLER(S):

SALES SITE PLAN.COM

2ND OPTION



Bobrich St

Sidewalk

Property Line

Sidewalk

Eaves Line

House

Line of Wall

Driveway

Eaves Line

Line of Wall

Deck

Property Line

Francavilla Dr

Property Line

Property Line

xxxx = Existing fence

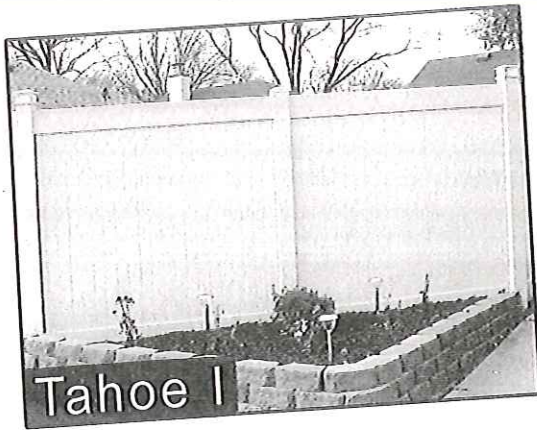
o-o = proposed fence

Land: 5532 SF

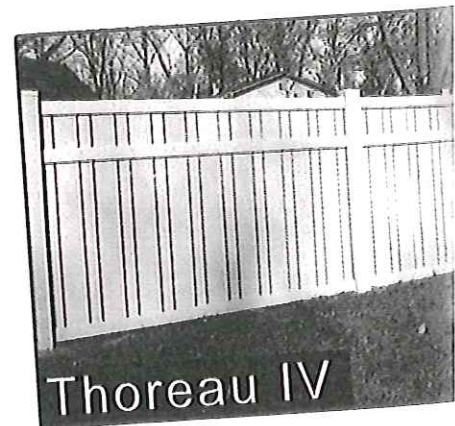
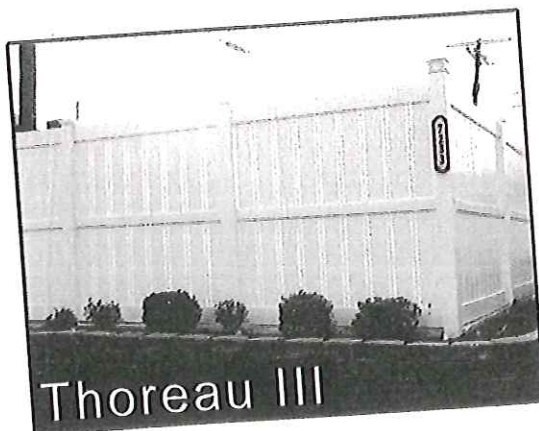
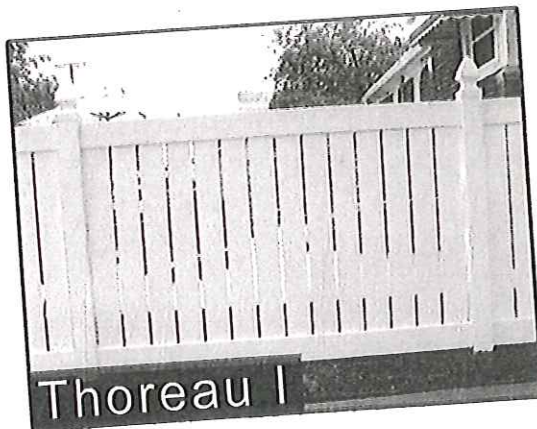
House: 2496 SF

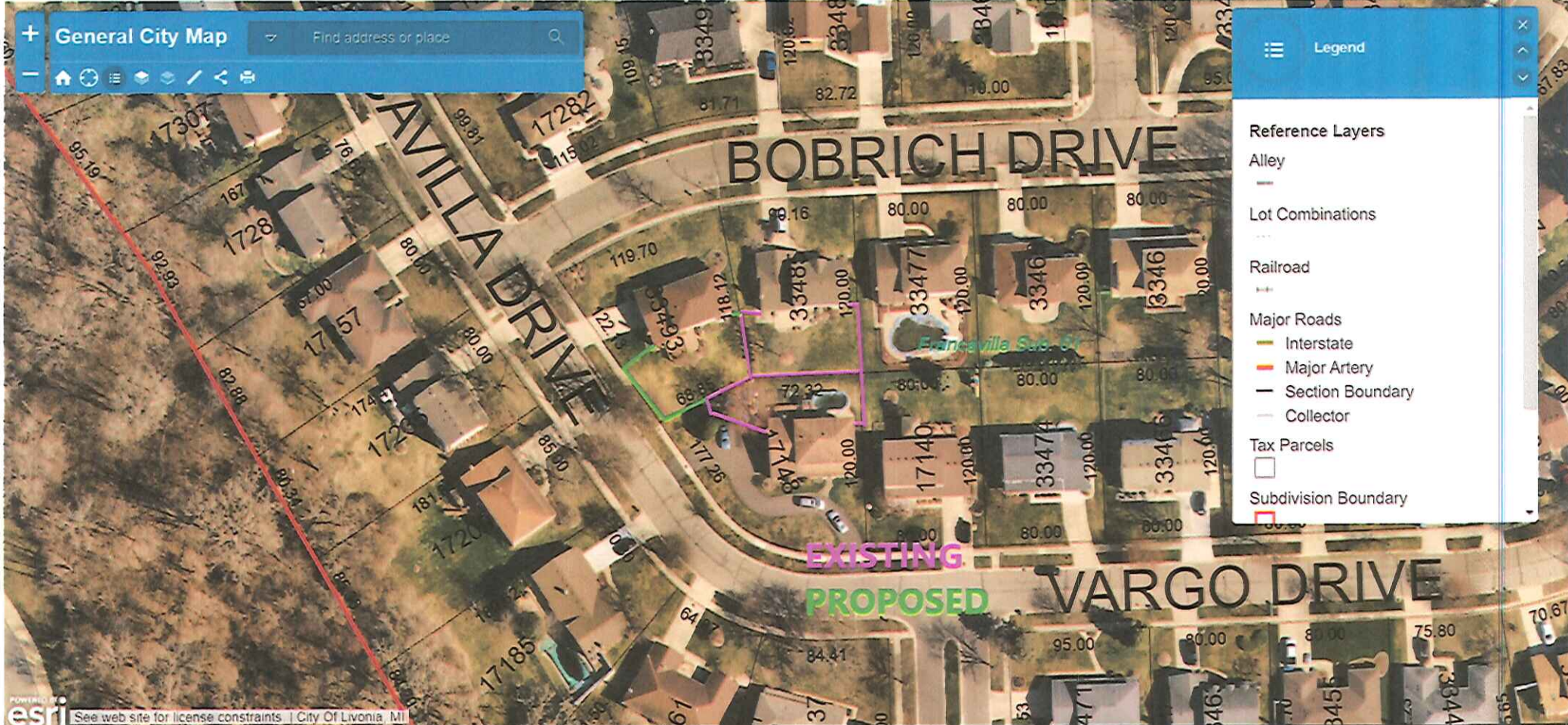
33493 Bobrich St
Livonia, MI 48152, USA
scale: 1" = 20'

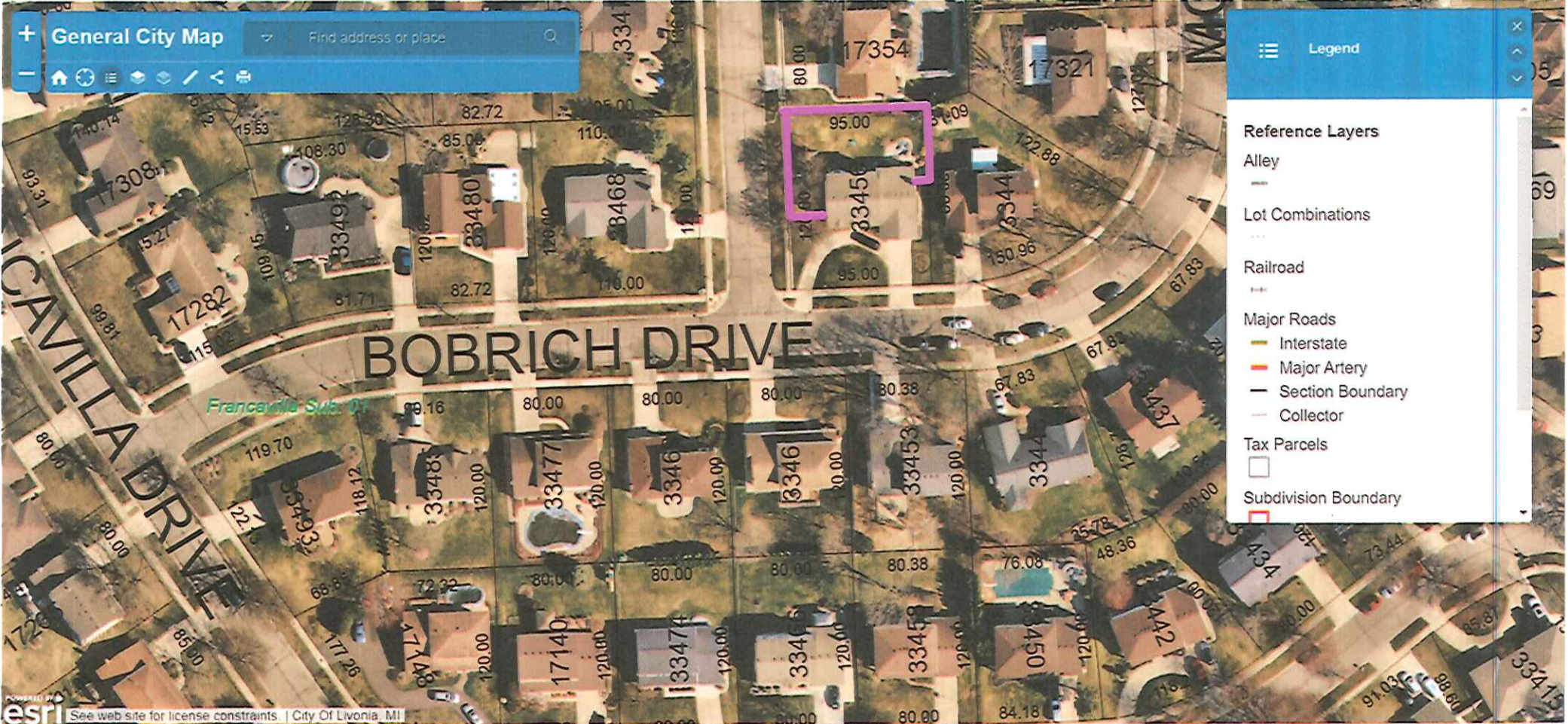
FULL PRIVACY STYLES



SEMI-PRIVATE STYLES







Similar but different scenario
in subdivision. (closest example)

(Existing fence outlined)

ZONING MAP

LEGEND

Zoning Districts

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

S.E. 1/4 Section 9

City of Livonia

T. 1 south, R. 9 east

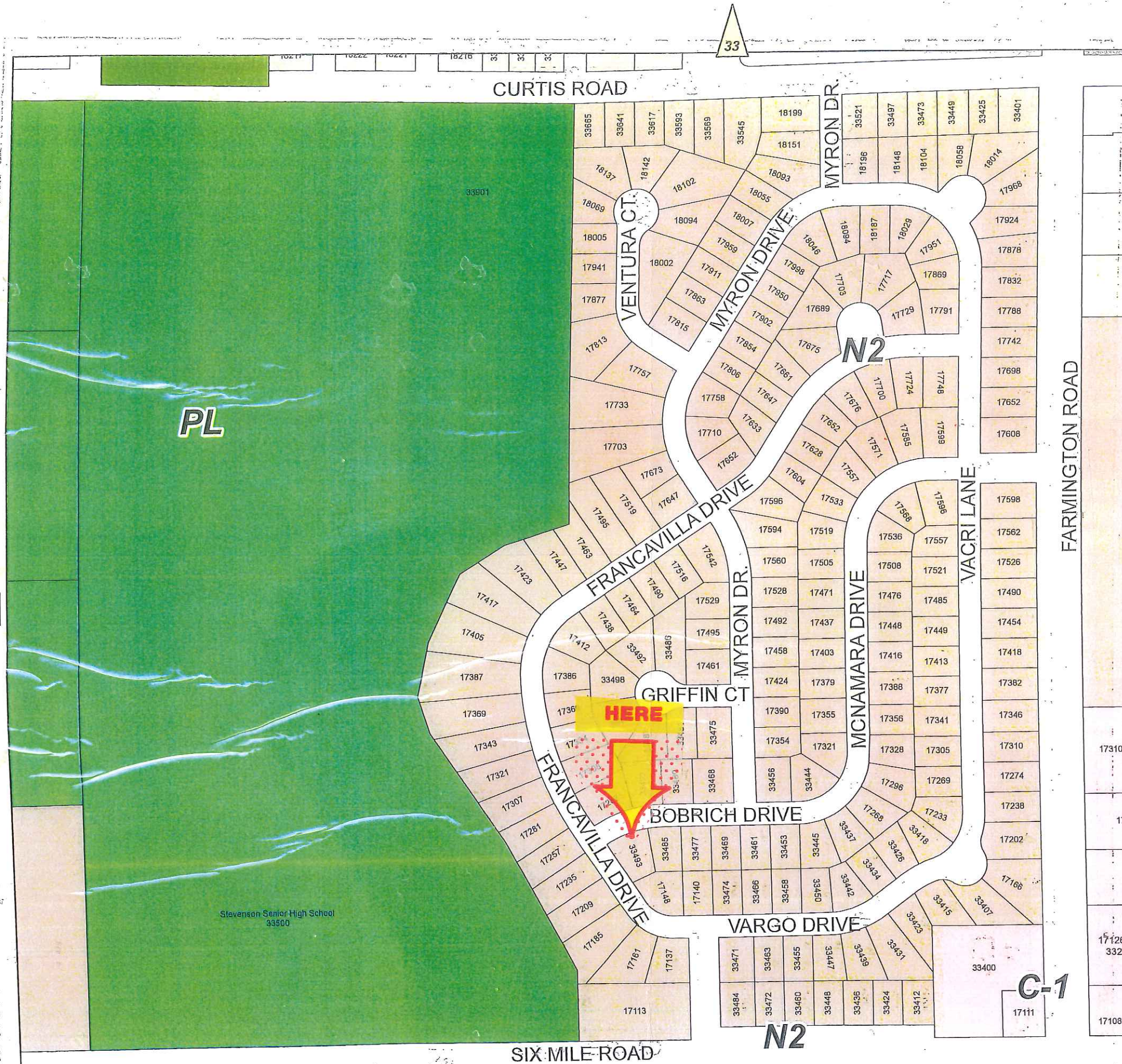
Wayne County, Michigan

Copyright 2001, City of Livonia



300 150 0 300 Feet

ZBA CASE
33493 BOBRICH
RE: FENCE ON
CORNER LOT



RECEIVED

JUN 06 2023

APPLICATION FOR VARIANCE

Inspection Department
TERRY NEASE
City of Livonia
(Owner of Premises) 33493 Bobrich St. Livonia 48152 734-262-2121
(Street Address) (City) (Zip Code) (Telephone) (Fax)

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

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

The property address is 33493 Bobrich St. Livonia, MI 48152

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

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2. Give legal description of property involved, or attach a deed or other document which contains the legal description of the property:
Land situated in the City of Livonia, County of Wayne, State of Michigan to wit:

Lot 66, Francavilla Subdivision, as recorded in Liber 96, pages 77-79 of Plats, Wayne County, Michigan
Tax #: 46 036 01 0066 000 Commonly known as 33493 Bobrich St, Livonia, MI 48152

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

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

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

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

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

We were advised by the building department
that the application for the variance were the next steps.

RECEIVED

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

9. If you have not attempted to have the property rezoned, why hasn't this attempt been made? WE WERE ADVISED BY THE BUILDING DEPARTMENT THE VARIANCE APPLICATION IS THE NEXT STEPS.

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

OWNER'S AFFIDAVIT

COUNTY OF WAYNE)
STATE OF MICHIGAN)

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

Signature of property owner: Torrey Neiger

Please print name of property owner: Torrey Neiger

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

Subscribed and sworn to before me this 6th day of June, 2023

[Signature]
(Notary Public, Wayne County, Michigan)
My Commission expires _____

JEROME A. HANNA
Notary Public, State of Michigan
County of Wayne
My Commission Expires Dec. 19, 2027
Acting in the County of Wayne

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

NOT TO BE COMPLETED BY APPLICANT

Petitioner makes application for a Hearing, seeking to (reverse, modify, or affirm) the (order, decision) of the Department of Inspection, dated JUNE 06, 2023, which reads as follows:

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

[Signature]
(Supervisor)

Application for permit filed Yes

Violation Issued CORRECTION MAILED

3. We have a unique situation, as our current residence is on a corner lot that tapers in the back. Unlike other corner lots on a traditional square lot or block, ours backs up on a curved street. The house behind us sits on an angle on this curve compared to the surrounding houses. There is the only house on the curved section of the street and creates a very unusual layout between our two backyards. Granting the variance would allow us to fence in our whole backyard instead of only a portion of it.

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ANCHOR FENCE INC

26345 Plymouth Rd. Redford, MI 48239 Phone: 313-937-0101
www.Anchorfenceonline.com Fax: 313-937-0404
E-mail: Sales@AnchorFenceOnline.com

Contract / Invoice

This Contract Supersedes Any And All Other Contracts Related To This Job. Any Changes and or Charges will Be In Written Form by our Office ONLY.

FENCE SPECIFICATIONS

C/L ☐ WOOD ☐ STEEL ☐ VINYL ☐ ALUM ☐
Style T-101 T-102 T-103 T-104 T-105 T-106 T-107 T-108 T-109 T-110 T-111 T-112 T-113 T-114 T-115 T-116 T-117 T-118 T-119 T-120
4' ☐ 5' ☐ 6' ☐ 7' ☐ 8' ☐ 10' ☐ 12' ☐
11.5 ga. ☐ 9 ga. ☐ barb wire ☐ razor ribbon ☐
Color: White ☐ Almond ☐ Khaki ☐ Gray ☐ Brown ☐
Black ☐ Bronze ☐ Green ☐
Texture Vinyl ☐
Cap Style: Cap
Cap Size: 4 x 4 ☐ 5 x 5 ☐
Top rail Yes
Line post Yes
Corner post Yes
End post Yes
Gate post Yes
Panels 10
Pickets 10
Walk gate 10
Drive gate 10
Gate hardware Yes
Clear Fence Line Yes
Tear out existing Yes
Haul away existing Yes
Concrete footings Yes
Concrete breaks Yes
Asphalt breaks Yes
Hard Digs Yes
Core Drills Yes

TOTAL FOOTAGE 100

AIR LEVEL ☐ GRADE LEVEL ☐

Customer Must Mark All Personal Electrical Wiring and All Sprinkler Systems

Does Miss Dig need to be called? Yes ☐ No ☐
1-800-482-7171
AUTHORIZATION #:
Staked By Date:

IS A PERMIT NEEDED? Yes ☐ No ☐

DEPOSIT AMOUNT: 400.00 DATE: 5-22-22

CHECK#: 1348 M/C ☐ VISA ☐ DIS ☐

DATE BAL. PD: AMT. CHECK #:

M/C ☐ VISA ☐ DIS ☐

SALESMAN: Jeff

313-779-2525

CONTRACT TERMS ON BACK OF SHEET

Customer: J. Miller Date: 5-22-22
Address:
City & Zip:
Phone: Office: Fax:
CONTACT PERSON: Cell: 734-680-5204
Purchase Order #: Vendor #:
Email:

*CUSTOMER SIGNATURE TO START JOB:

X

*Customer Signature for Changes made by customer and for added Costs to Final Balance:

X COST TO BE ADDED \$

ANY CHANGES MUST BE MADE THROUGH THE OFFICE BEFORE MATERIAL IS ORDERED OR DELIVERED.

PVC \$ WD \$ C/L \$ STL \$ ALM \$

Side Street Name

CUSTOMER'S STREET

Corner ☐ Interior ☐

SHOW DOORS on House or Bldg.

CUSTOMER INITIALS

MAILING ☐ GRADE LEVEL ☐

CUSTOMER INITIALS

MAILING ☐ GRADE LEVEL ☐

Corner ☐ Interior ☐

SHOW DOORS on House or Bldg.

WE BEAT OR MATCH ALL QUOTES

FENCE CONTRACT AND TERMS

THE SUM OF EARNST MONEY: \$ 9,306.00

TERMS— RENDER 1/2 DOWN PRIOR TO START: \$ 4,153.00

CITY OUR COST

PERMIT COST: 22.00 TO PULL: 75.00 ← THESE 2 CHARGES WILL BE ADDED TO THE BALANCE

TOTAL FINAL BALANCE DUE ON COMPLETION: \$ 4,306.00

X

CUSTOMER SIGNATURE ON COMPLETION:

DATE COMPLETED:

INSTALLER(S):

SALES SITE PLAN.COM

2ND OPTION

rev. 10/12/2021



2023 - 06 - 11

CITY OF LIVONIA

INSPECTION DEPARTMENT

REJECTION OF APPLICATION FOR PERMIT

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154
421-2000

BASED ON NONCONFORMITY TO ORDINANCE LIVONIA VISION 21

Applicant SAME AS OWNER Address 734-262-2121
Owner TORREY NEIGER Address 33493 BOBRICH, LIVONIA, MI 48152
Lessee --- Address ---
Location SOUTH Side of 33493 BOBRICH Street ---
Between FRANCAVILLA And McNAMARA
Lot No./Parcel No. 036-01-0066-000 Subdivision FRANCAVILLA
Zoning District N2 Map No. SE09 Lot Size --- Alley ---
Present Use RESIDENTIAL Proposed Use SAME
Present Building Size N/A Proposed Building Size NONE PROPOSED
Present Height of Building N/A Proposed Height " "
Allowable Lot Coverage N/A Proposed Lot Coverage N/A

Proposal SEEKING TO ERECT A SIX FOOT TALL PRIVACY FENCE UPON
A CORNER LOT THAT DOES NOT ALIGN WITH THE FENCE AT 17148
FRANCAVILLA, THE ADJACENT PROPERTY OWNER.

Reason for Rejection FENCE ORDINANCE, SECTION 15.44.090A.4(a),(b)

Deficient Side Yard --- Deficient Front Yard --- Deficient Rear Yard ---
Deficient Lot Area --- Deficient Lot Area per Room --- Encroachment ---
Excessive Lot Coverage --- Excessive Height --- Increasing No. Units ---
~~Prohibited~~ FENCE NOT ALIGNING Deficient Parking Spaces --- Increasing Area and Bulk ---
WITH NEIGHBORS

Remarks ---

Plans and Application examined by Ry Date JUNE 07 2023

ZONING EXAMINER



Bobrich St

Sidewalk

Property Line

Sidewalk

Eaves Line

House

Line of Wall

Driveway

Eaves Line

Line of Wall

Deck

Property Line

Francavilla Dr

Property Line

Property Line

xxxx = Existing fence

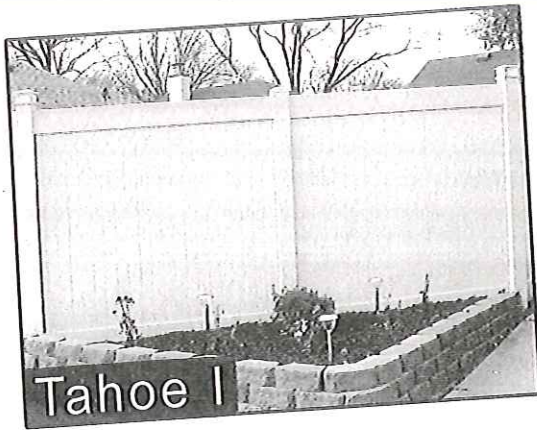
o-o = proposed fence

Land: 5532 SF

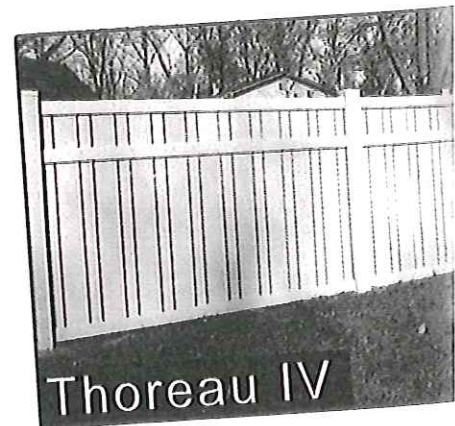
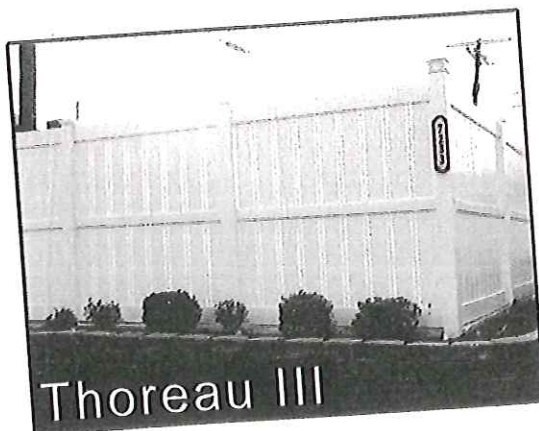
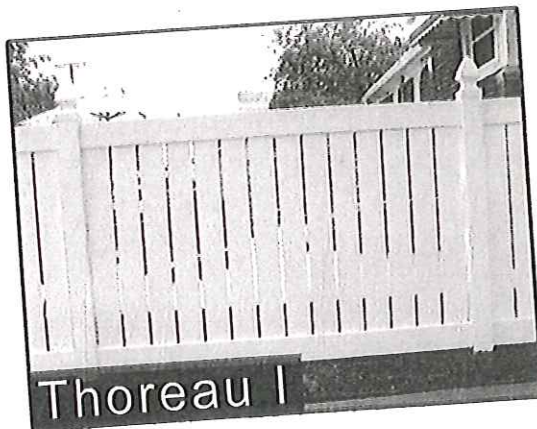
House: 2496 SF

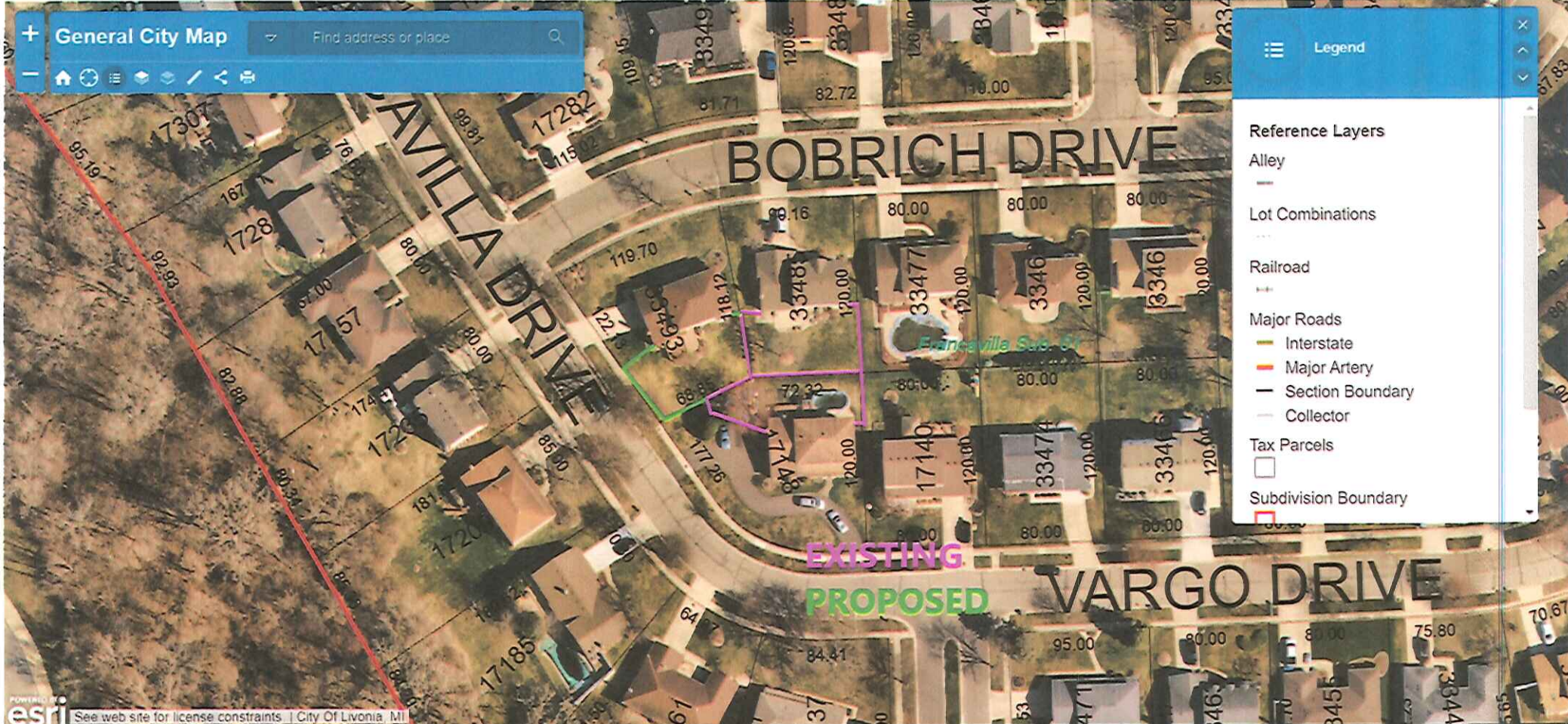
33493 Bobrich St
Livonia, MI 48152, USA
scale: 1" = 20'

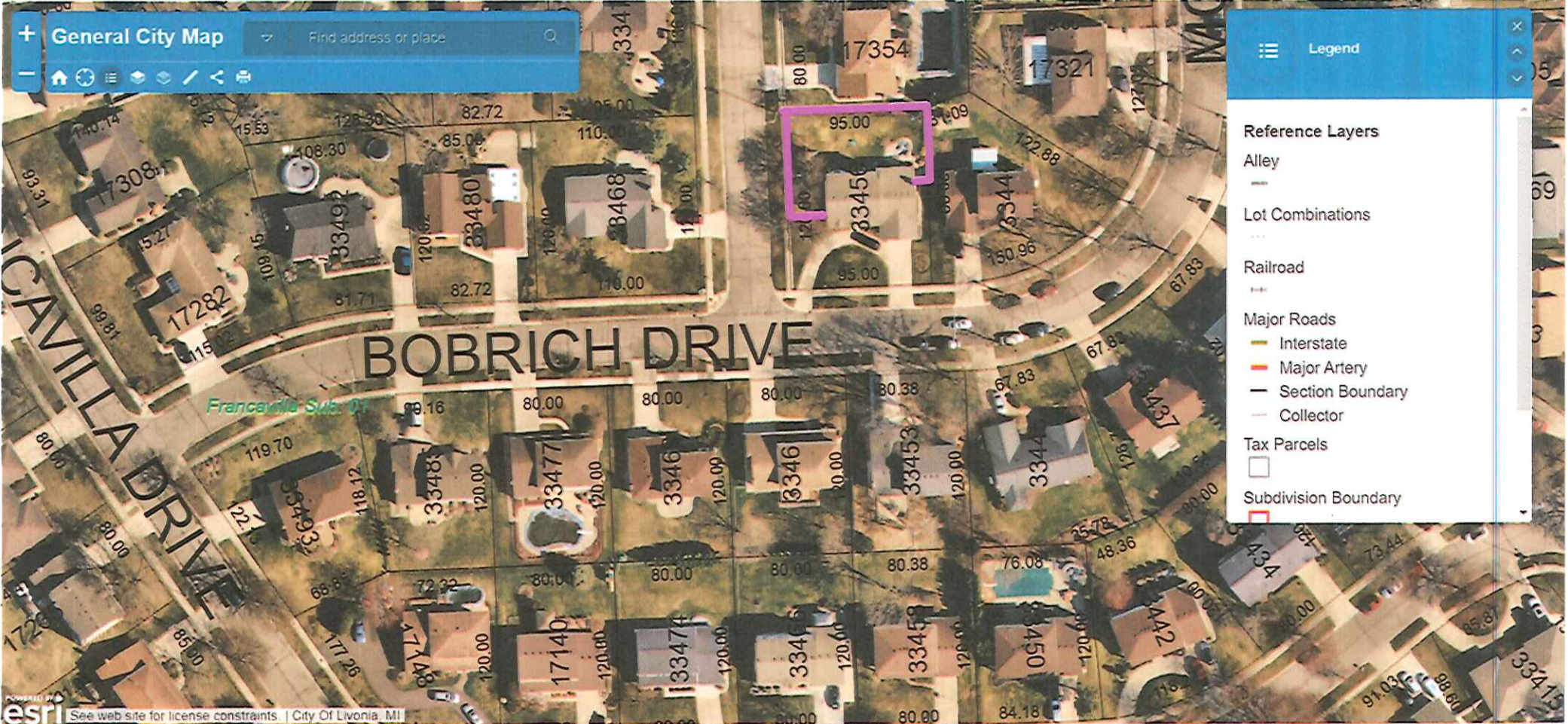
FULL PRIVACY STYLES



SEMI-PRIVATE STYLES







Similar but different scenario
in subdivision. (closest example)

(Existing fence outlined)

ZONING MAP

LEGEND

Zoning Districts

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

S.E. 1/4 Section 9

City of Livonia

T. 1 south, R. 9 east

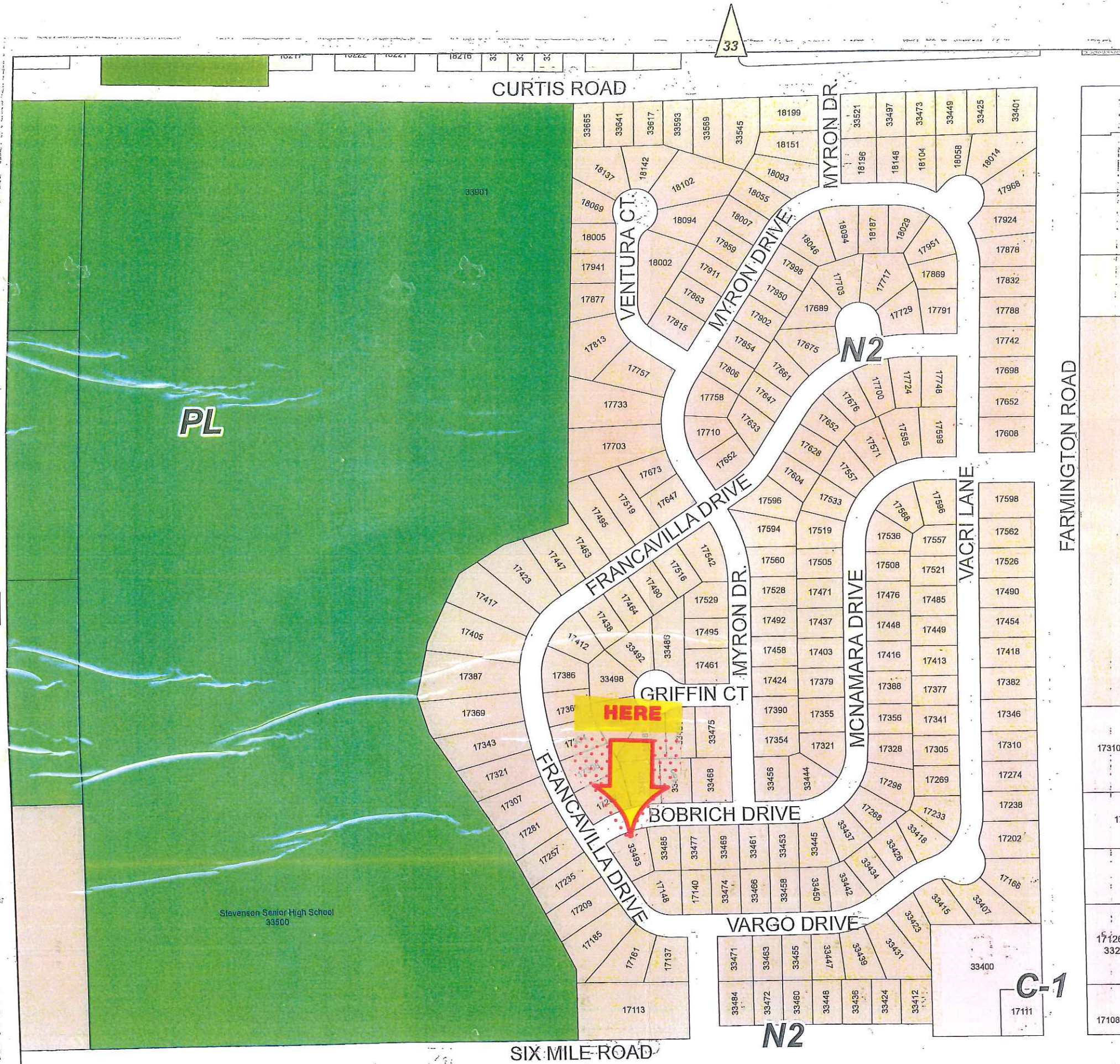
Wayne County, Michigan

Copyright 2001, City of Livonia



300 150 0 300 Feet

ZBA CASE
33493 BOBRICH
RE: FENCE ON
CORNER LOT



PL

HERE

BOBRICH DRIVE

VARGO DRIVE

SIX MILE ROAD

N2

C-1

ZONING BOARD OF APPEALS

ZONING BOARD MEMBERS

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



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

MAYOR

MAUREEN MILLER BROSNAN

COUNCIL MEMBERS

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

June 30, 2023
PUBLIC NOTICE

APPEAL CASE NO. 2023-06-12: An appeal has been made to the Zoning Board of Appeals by Metro Detroit Signs on behalf of AMC 20 Theaters, 19500 Haggerty Road, seeking to replace three directional and three monument signs. The directional signs are direct replacement signs, matching height, area and location of the existing signs. The three, identical, replacement monument signs (two along Haggerty, one along Seven Mile) are each excess in height and area.

Ground Sign Height

Allowed: 8 feet
Proposed: 12 feet
Excess: 4 feet

Ground Sign Area

Allowed: 40 feet
Proposed: 49 feet
Excess: 9 feet

The property is located on the east side of Haggerty (19500), between Seven and Eight Mile Roads, Lot. No. 023-01-0002-000, C-2 (General Business District), rejected by the Inspection Department under Livonia Zoning Ordinance, Section 11.08 (3), Sign Regulations in C-2, C-3 and C-4 Districts.

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

This appeal will be heard at a public hearing to be held in the **Auditorium on the first floor of City Hall on Tuesday, July 18, 2023, at 7:00 p.m.**, at which time comments may be directed to the Board during audience participation. When replying by mail, write your comments on the back of this notice and address it to the City of Livonia, Zoning Board of Appeals, 33000 Civic Center Drive, Livonia, MI 48154. All written comments are read at the meeting and become part of the record.

ZONING BOARD OF APPEALS,

Timothy Klisz, Secretary

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



CITY OF LIVONIA

INSPECTION DEPARTMENT

REJECTION OF APPLICATION FOR PERMIT

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154
421-2000

BASED ON NONCONFORMITY TO ORDINANCE LIVONIA VISION 21

(KEVIN DETERS)
(586) 759-2700

Applicant METRO DETROIT SIGNS Address 11444 KALTZ AVE, WARREN, MI 48089
Owner PENTAGON CENTRE CONDOMINIUM Address 39533 WOODWARD #310, BLOOMFIELD HILLS 48304
Lessee AMC 20 THEATRES Address 19500 HAGGERTY, LIVONIA, MI 48152
Location EAST Side of 19500 HAGGERTY Street
Between SEVEN MILE And EIGHT MILE
Lot No./Parcel No. 023-01-0002-000 Subdivision PENTAGON CENTRE CONDO
Zoning District C-2 Map No. SW06 Lot Size ACREAGE Alley —
Present Use COMMERCIAL/RETAIL Proposed Use SAME
Present Building Size N/A Proposed Building Size NONE PROPOSED
Present Height of Building N/A Proposed Height " "
Allowable Lot Coverage N/A Proposed Lot Coverage N/A

Proposal SEEKING TO REPLACE THREE DIRECTIONAL AND THREE MONUMENT SIGNS. THE DIRECTIONAL SIGNS ARE DIRECT REPLACEMENT SIGNS, MATCHING HEIGHT, AREA AND LOCATION OF THE EXISTING SIGNS. THE THREE IDENTICAL REPLACEMENT MONUMENT SIGNS (TWO ALONG HAGGERTY AND ONE ALONG SEVEN MILE) ARE EACH EXCESS IN HEIGHT AND AREA. (GROUND SIGN HEIGHT ALLOWED: 8 FEET; PROPOSED: 12 FEET; EXCESS: 4 FEET. GROUND SIGN AREA ALLOWED: 40 SQ FT; PROPOSED: 49 SQ FT; EXCESS: 9 SQ FT.

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

Deficient Side Yard _____ Deficient Front Yard _____ Deficient Rear Yard _____
Deficient Lot Area _____ Deficient Lot Area per Room _____ Encroachment _____
Excessive Lot Coverage _____ Excessive Height 11.08(3) 4 FEET Increasing No. Units _____
Use Prohibited _____ Deficient Parking Spaces _____ Increasing Area and Bulk 11.08(3) 9 SQ FT

Remarks _____

Plans and Application examined by Ry Date 6/13/2023 2023

ZONING EXAMINER

APPLICATION FOR VARIANCE

Pentagon Centre Condominium	39533 Woodward Ave, Ste 310	Bloomfield Hills, MI	48304	248-352-1550 ext. 207	
(Owner of Premises)	(Street Address)	(City)	(Zip Code)	(Telephone)	(Fax)
AMC	19500 Haggerty Rd	Livonia, MI	48152	(734) 542-3191	
(Lessee)	(Street Address)	(City)	(Zip Code)	(Telephone)	(Fax)
Metro Detroit Signs	11444 Kaltz Ave	Warren, MI	48089	586-759-2700	586-759-2703
(Contractor)	(Street Address)	(City)	(Zip Code)	(Telephone)	(Fax)

The property address is 19500 Haggerty Rd

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

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

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

UNIT 2 PENTAGON CENTRE CONDOMINIUM T1S R9E; WAYNE COUNTY SUB PLAN 437; L29370 P706 - 766.5 WCR PAD SITE 2.147 AC

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

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

This is a unique multi-tenant site in that there are multiple buildings, some of which are not visible from the road, and the individual businesses do not have ground signs.

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

The mature foliage along Haggerty Road and the setbacks of the buildings from Seven Mile make it difficult to identify entry points for the various businesses.

5. Explain why you think this variance would be fair to the neighbors and others who might be affected. The proposed signs will enhance the neighbors and guest experience by providing better

better entry point identification and safer access to those entrances. The shared entrance with the Beaumont facility and number of visitors from outside the community make clear signage more necessary.

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

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

Other zoning in Livonia permits signage of the size being proposed. This location is unique in its multiple building and type of business format.

RECEIVED

JUN 09 2023

Inspection Department
City of Livonia



METRO SIGNS
— & LIGHTING —
metrodetroitsigns.com

KEVIN DETERS

Office 586-759-2700
Direct 586-434-0056
kdeters@metrodetroitsigns.com

8. Have you attempted to have the property rezoned? If yes, please describe the outcome of the rezoning process: No.
9. If you have not attempted to have the property rezoned, why hasn't this attempt been made? The condominium structure with multiple ownership interests makes that a practical difficulty and the management company suggested pursuing a zoning variance first.

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

OWNER'S AFFIDAVIT

COUNTY OF WAYNE)
STATE OF MICHIGAN)

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

Signature of property owner: Paul B. Deters 6-5-23

Please print name of property owner: Paul Deters

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

Subscribed and sworn to before me this 5th day of June 2023

Theresa Ann Licavoli
(Notary Public, Wayne County, Michigan)
My Commission expires 6/2/27

Theresa Ann Licavoli
Notary Public, State of Michigan
County of Macomb
My Commission Expires 06-02-2027
Acting in the County of MACOMB

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

NOT TO BE COMPLETED BY APPLICANT

Petitioner makes application for a Hearing, seeking to (reverse, modify, or affirm) the (order, decision) of the Department of Inspection, dated 6/13/2023, which reads as follows:

LIVONIA VISION 21, SECTION 11.08(3)

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

By
(Supervisor)

Application for permit filed Yes

Violation Issued NO

City of Livonia Inspection Department

33000 Civic Center Drive - Livonia, Michigan 48154
(734) 466-2580 – Fax (734) 466-2095



LIMITED POWER OF ATTORNEY INSTRUCTIONS SHEET

CONTRACTOR:

If you are not personally coming into the City of Livonia Building Inspection Department office to register and pull permits, or if you wish to designate a representative whom you authorize to act on your behalf to obtain permits in your name, we require a notarized Limited Power Of Attorney form.

1. List the name(s) of the person (people) whom you are giving this limited power of attorney on your behalf on the line after the wording "do hereby appoint" and also on the line just before the wording "will sign my name, etc". If you do not wish to designate a representative and no one other than yourself, the license holder, will be signing applications and you wish to register by mail and pull permits by mail, you must list yourself, the license holder, on the lines described above and please note somewhere on the form that you will be the only one signing the permit application(s) and will be sending the application(s) by mail.
2. List the date you wish for this Limited Power Of Attorney to expire not to exceed the date of your current registration. You must notify the City of any changes or revocation done prior to the expiration date.
3. Sign form in the presence of a Notary Public and have the form notarized. A Notary Public is available in the Inspection Department free of charge for departmental business. Call ahead to ensure they are on duty. Out of state Notaries will require a notary seal.
4. A Limited Power Of Attorney form authorizes the person (people) you designate to have said power to do anything you may do. They will sign your name and then their name as attorney in fact. This binds you as any contract does and you will be held responsible. Careful consideration should go into the decision to grant any Power Of Attorney. You may wish to consult an attorney prior to executing said document.

LIMITED POWER OF ATTORNEY

To Whom It May Concern:

Please be advised that I, Christopher Piligian,
of Condo Management, Inc.

Address: 39533 Woodward Ave #310 City Bloomfield Hills State MI,

Zip Code 48304 Telephone # 248 417-3701 do hereby appoint

Paul Deters at Metro Detroit Signs as my attorney in fact for the

explicit purpose of executing documents in my stead, specifically builders/contractors
registration with Governmental units, and executing permit applications with said
Governmental units.

This limited power of attorney, hereinafter LPA, would be authorized for other associated
documents that may be required to be executed by myself by said Governmental units in
connection with the registration or permit applications.

Paul Deters will sign my name and also sign their
name as attorney-in-fact and attach a true copy of this document and it will have the same
effect and standing as if I had executed the document in person. If multiple persons are
listed only one person is required to execute the LPA

This LPA will expire on 12/31/23.

If this LPA is revoked or modified prior to expiry date, grantor agrees to immediately
notify, in writing, all entities given this LPA of said revocation or modification, without
said notice the LPA will continue until expiry date.

End of LPA.

Signed: [Signature] Dated: 05/25/2023

Statement of Notary
Oakland County, Michigan

On this 25 day of May, 20 23,

Christopher Piligian, known to me, personally
appeared before me and signed and executed this document of his/her own free will.

My commission expires: 01/19/2025

Notary signature: [Signature]
Oakland County, Michigan

Printed name: Patrick Sharrak



If a Corporation, this must be completed by license holder/qualifying officer.



11444 Kaltz Ave. Warren, MI 48089
P: (586)759-2700 F: (586)759-2703
kdeters@metrodetroitsigns.com

Revised drawings February 2023

- non illuminated replacement directional #1 – 2.5' x 4' = 10 sq feet at 4' OAH – no ZBA needed
- non illuminated replacement directional #2 – 2.5' x 4' = 10 sq feet at 4' OAH – no ZBA needed
- non illuminated replacement directional #3 – 2.5' x 4' = 10 sq feet at 4' OAH – no ZBA needed
- replacement ground sign #1 along 7 Mile Rd – 9.75' x 5' = 48.75 sq feet at 12' OAH
- replacement ground sign #2 along Haggerty Rd – 9.75' x 5' = 48.75 sq feet at 12' OAH



Could

Evans

Associates, LC

These drawings are for the sole purpose of expressing visual design intent only and are not intended for actual fabrication purposes. Signage fabricator assumes total responsibility for fabrication and



KEY TO REPLACEMENT SIGNS

9806-78

TODAYS APPEAL

SIGN M-1

SIGN 1

SIGN M-2

SIGN 2

SIGN M-3

SIGN 2

9806-78

FOR REFERENCE ONLY

Pentagon Entertainment Campus

Signage
Site Plan
June 17, 1998

Page 1



Quantity

Ref. Pages

Message

	62	RE: Page 2	No Parking/Fire Lane
	23	RE: Page 2	Handicapped Parking, 2 arrows (where applies)
	3	RE: Page 2	Handicapped Parking, 2 arrows, 2 sided
	18	RE: Page 2	Stop
	1	RE: Page 2	Truck Route
	1	RE: Page 2	Truck Route (two sided)
	2	Directional	One Way (painted on road)
	7	RE: Page 2	Symbol Only
	3	RE: Page 2	Symbol Only B
	13	Directional	Lines painted on ground in yellow
	2	RE: Page 2	Haggerty Road

Quantity

Ref. Pages

Message

	1	RE: Page 2	▲ AMC Theatres/▲ AmeriSuites/◀ Restaurants
	1	RE: Page 2	◀ J. Alexanders/▲ AMC Theatres/▲ Restaurants
	1	RE: Page 2	AMC Theatres (2 sided) ▶
	1	RE: Page 2	AMC Theatres/Restaurants (2 sided)
	1	RE: Page 2	◀ Restaurant B/▶ J. Alexanders
	1	RE: Page 2	Homewood Suites Hotel/Homestead Village/Pentagon Centre
	1	RE: Page 3	AMC 20 Theatres/AmeriSuites Hotel
	1	RE: Page 4	Homewood Suites Hotel/Homestead Village/Pentagon Centre
	1	RE: Page 5	AMC 20 Theatres

Gould

Evans

Associates, LC



These drawings are for the sole purpose of expressing visual design intent only and are not intended for actual fabrication purposes. Sign contractor accepts total responsibility for materials selection, fabrication and installation.

Pentagon Centre Entertainment Campus

M-1 Monument Sign
June 17, 1998



Gould

Evans

Associates, LC



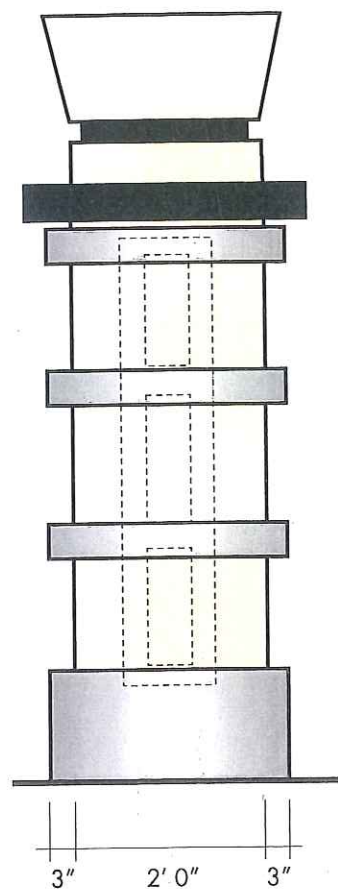
These drawings are for the sole purpose of expressing visual design intent only and are not intended for actual fabrication purposes. Sign contractor accepts total responsibility for materials selection, fabrication and installation.

Pentagon Centre Entertainment Campus

M-2 Monument Sign
June 17, 1998

Page 4

6" 6" 1' 0" 6" 6"



Side Elevation
SCALE: 1/2" = 1'-0"

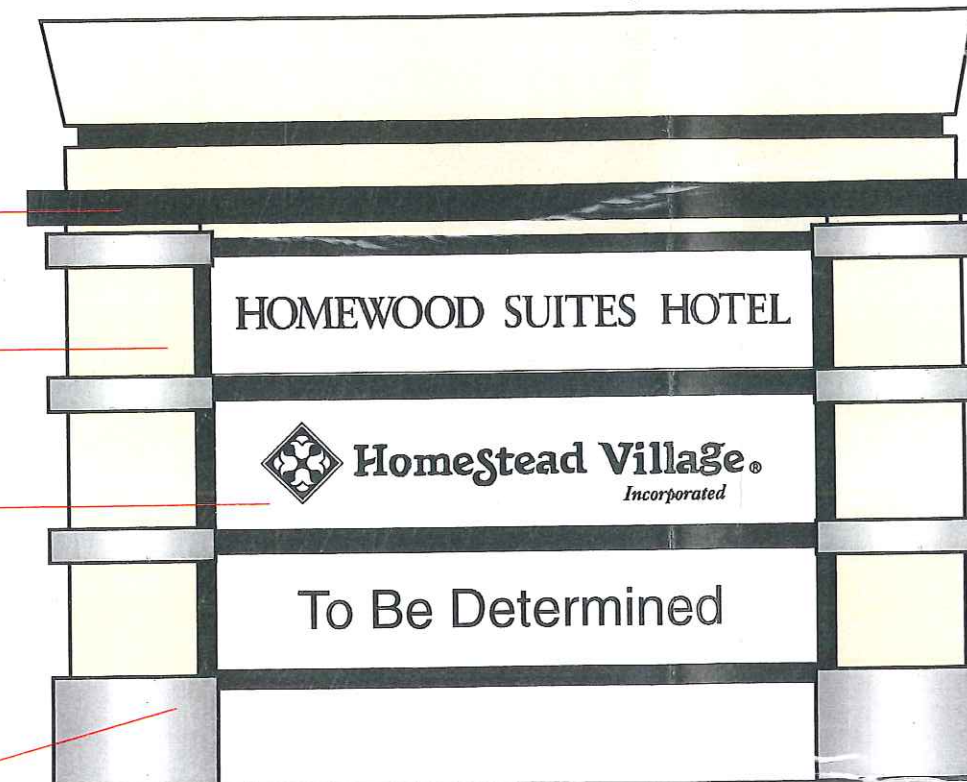
10' 0"

Aluminum
Painted Black

Support column painted
to match facade of
building

Lightbox, Internally
Illuminated with warm
white fluorescent

Brushed Aluminum



Front Elevation
SCALE: 1/2" = 1'-0"

- .080 Aluminum cabinet with Heliarc welded aluminum frame.

- .090 Aluminum faces routed out and backed with plexiglas.

- Plexiglas to be adhered to aluminum face with aluminum studs welded by capacitive discharge method and sealed with silicone.

- Illumination to be high output warm white fluorescent, 3000° Kelvin, tubing spaced 12" O.C.

- Non-ferrous fasteners

- UL rated

- Sign letters on both sides

Total Square footage of sign 20 sq. ft. for each side.

9806-78

FOR REFERENCE
ONLY

Gould

Evans

Associates, LC

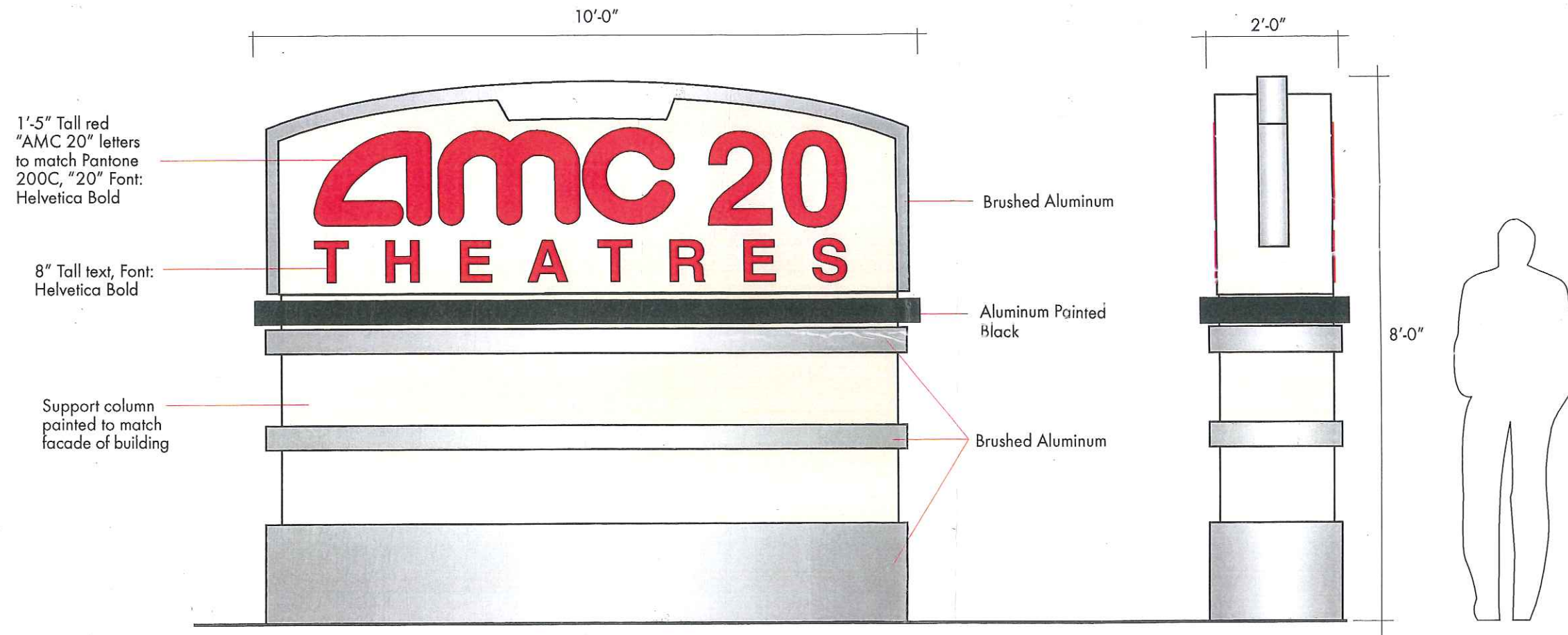


These drawings are for the sole purpose of expressing visual design intent only and are not intended for actual fabrication purposes. Sign contractor accepts total responsibility for materials selection, fabrication and installation.

Pentagon Centre Entertainment Campus

M-3 Monument Sign
June 17, 1998

Page 5



Front Elevation
SCALE: 1/2" = 1'-0"

- .080 Aluminum cabinet with Heliarc welded aluminum frame.
- .090 Aluminum faces routed out and backed with plexiglas.
- Plexiglas to be adhered to aluminum face with aluminum studs welded by capacitive discharge method and sealed with silicone.
- Illumination to be high output warm white fluorescent, 3000° Kelvin, tubing spaced 12" O.C.
- Non-ferrous fasteners
- UL rated
- Sign letters on both sides

Total Square footage of sign 19 sq. ft.

Side Elevation
SCALE: 1/2" = 1'-0"

9806-78

FOR REFERENCE
ONLY

ZONING MAP

LEGEND

Zoning Districts

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

S.W. 1/4 Section 6

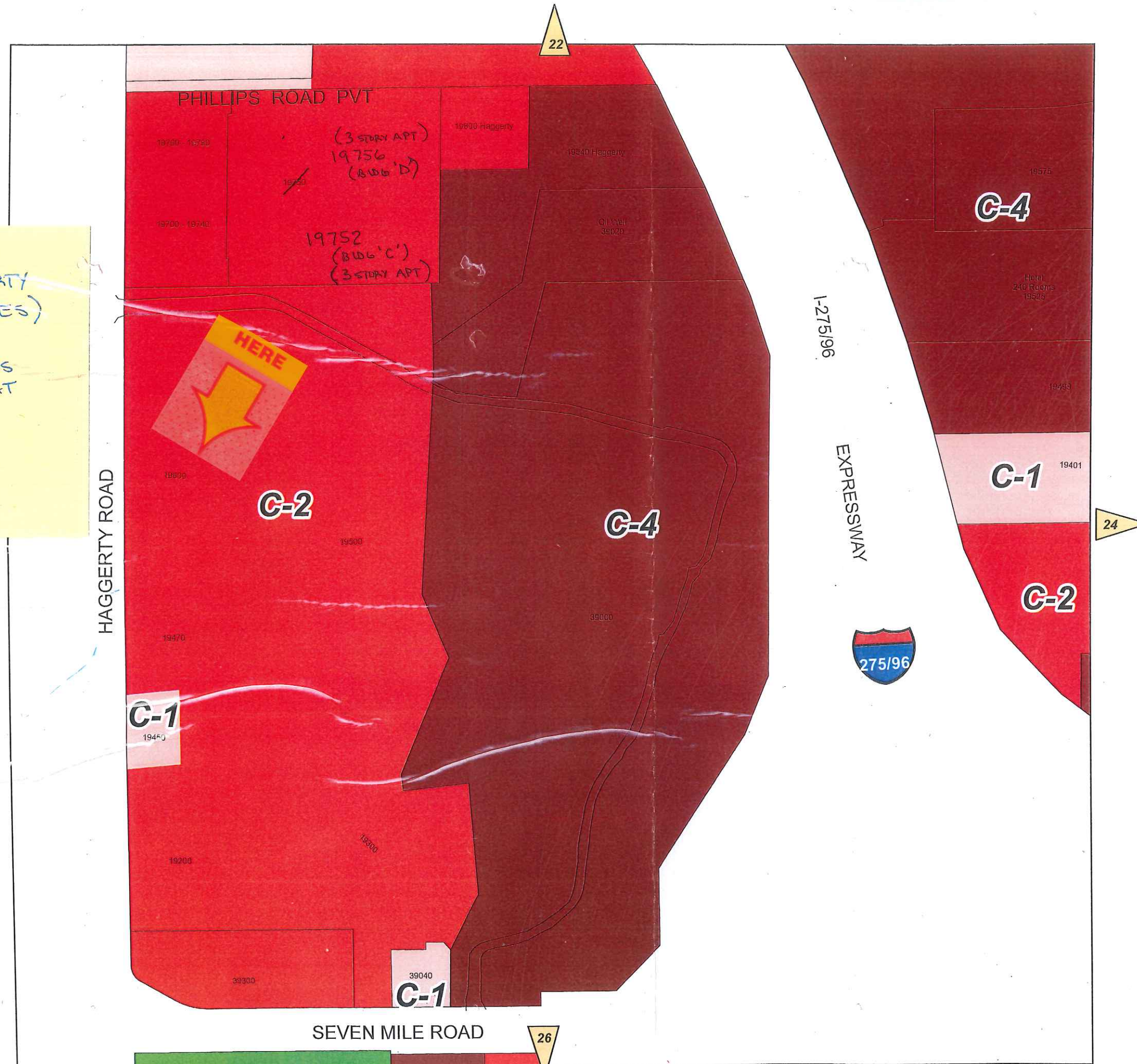
City of Livonia

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

Copyright 2001, City of Livonia



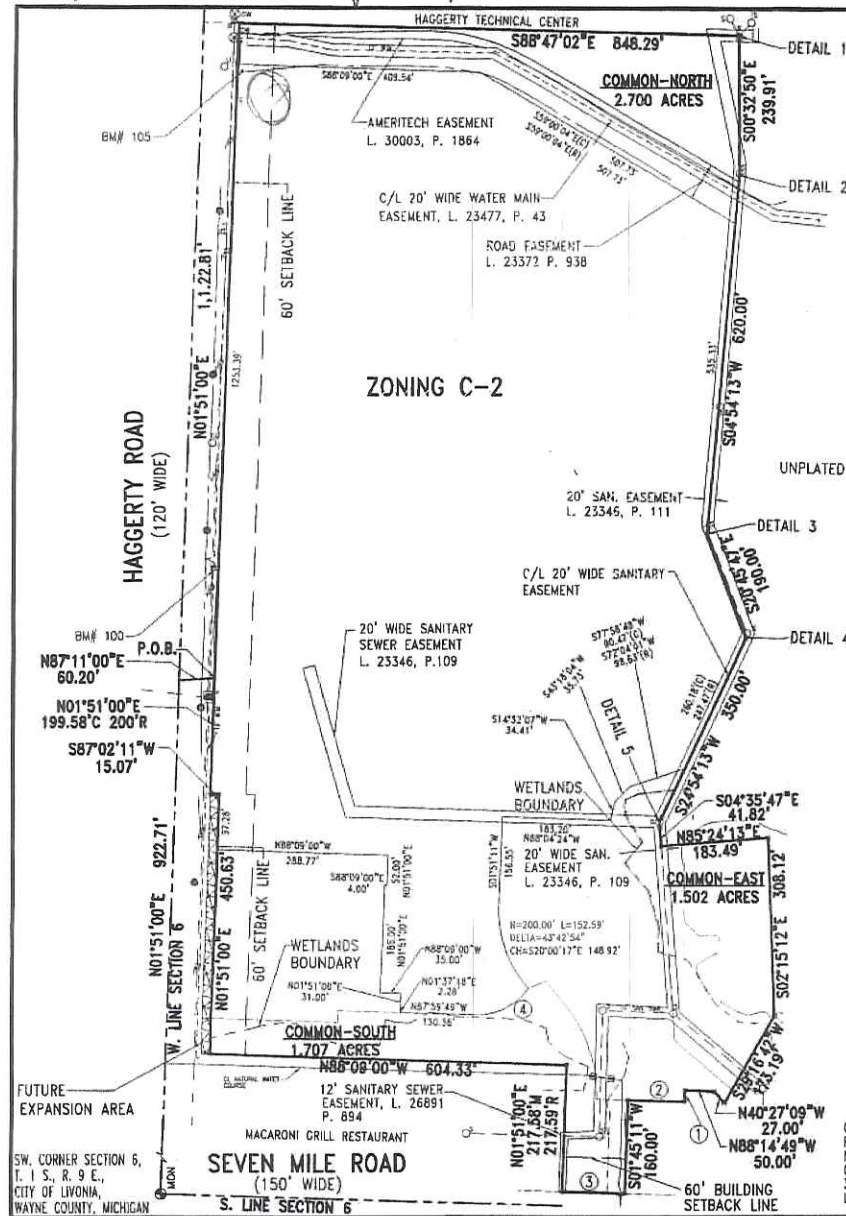
300 150 0 300 Feet



19500 HAGGERTY
(AMC THEATRES)

REF: GROUND SIGNS
EXCESS HEIGHT

N
↑
Site Plan



NOTES:

A. REAR AND SIDEYARD SETBACKS REQUIREMENTS ARE DEFINED IN THE CITY OF LIVONIA ORDINANCES, AND ARE BASED ON HEIGHT OF BUILDING.

B. ALL UNITS AND COMMON ELEMENTS ARE CONVERTIBLE AREAS PURSUANT TO ARTICLE VI OF THE MASTER DEED.

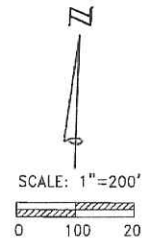
*NO PORTION OF THE PARCEL LIES WITHIN A FLOOD PLAIN AS DESIGNATED BY THE CITY OF LIVONIA FLOOD INSURANCE PROGRAM PANEL 1 OF 6, COMMUNITY PANEL NO. 260233-0001, EFFECTIVE DATE NOVEMBER 4, 1981

*PARCEL IS SUBJECT TO AGREEMENTS RECORDED IN L. 23734 P. 261, REGISTER NO. 88-076014, L. 23734 P. 270 REGISTER NO. 88-076015 AND L. 23915 P. 759

*PERMANENT CONCRETE MONUMENTS CONSISTING OF SOLID (IRON OR STEEL) BARS, NOT LESS THAN 1/2" IN DIAMETER AND 36" IN LENGTH COMPLETELY ENCASED IN CONCRETE AT LEAST 4" IN DIAMETER, HAVE BEEN SET AT POINTS MARKED THUS (●). PERMANENT PROPERTY MARKERS CONSISTING OF SOLID (IRON OR STEEL) BARS, NOT LESS THAN 1/2" IN DIAMETER AND 18" IN LENGTH HAVE BEEN SET AT POINTS MARKED THUS (○) AS THEREON SHOWN, AT ALL ANGLES IN THE BOUNDARIES OF SAID SURVEY AS INCLUDED HEREWITH, EXCEPT AS OTHERWISE NOTED.

*BEARING SYSTEM:

BEARINGS ARE IN RELATION TO MICHIGAN DEPARTMENT OF TRANSPORTATION DRAWING AND DEED FOR I-275 / I-96 CONTROL SECTION 82125 A.

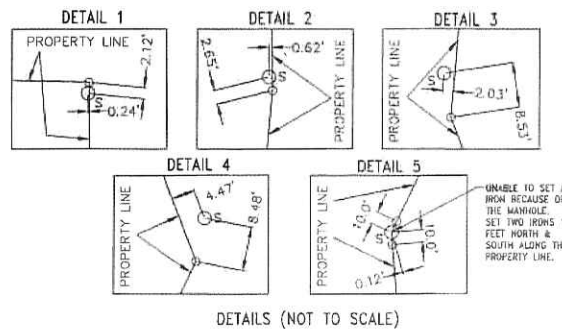


LOCATION MAP
NO SCALE

LEGEND	
WATER MAIN	---
SANITARY SEWER	---
DETROIT EDISON	---
PARCEL BOUNDARY	---
EXCEPTION BOUNDARY	---
DRAINAGE	---
FUTURE EXPANSION AREA	---
CONTRACTABLE AREA	---
STORM MANHOLE	○
ROUND CATCH BASIN	○
SQUARE CATCH BASIN	○
SANITARY MANHOLE	○
UNSUPPORTED MANHOLE	○
POWER POLE	○
UTILITY POLE	○
FIRE HYDRANT	○
WATER VALVE	○
GAS VALVE	○
TELEPHONE POLE	○
ELECTRICAL RISER	○
SECTION CORNER	○
RECORD	○
COMPUTED	○
MEASURED	○

BENCHMARK# 105
NORTH EDGE OF CONC. BASE LIGHT
STANDARD SOUTH EAST QUADRANT
HAGGERTY AND ENTRANCE ROAD
ELEV. 814.17 (NGVD 29)

BENCHMARK# 100
ARROW ON HYDRANT EAST SIDE OF
HAGGERTY RD. NORTH OF DRIVEWAY
AT HOME DEPOT.
ELEV. 870.94 (NGVD 29)



DETAILS (NOT TO SCALE)

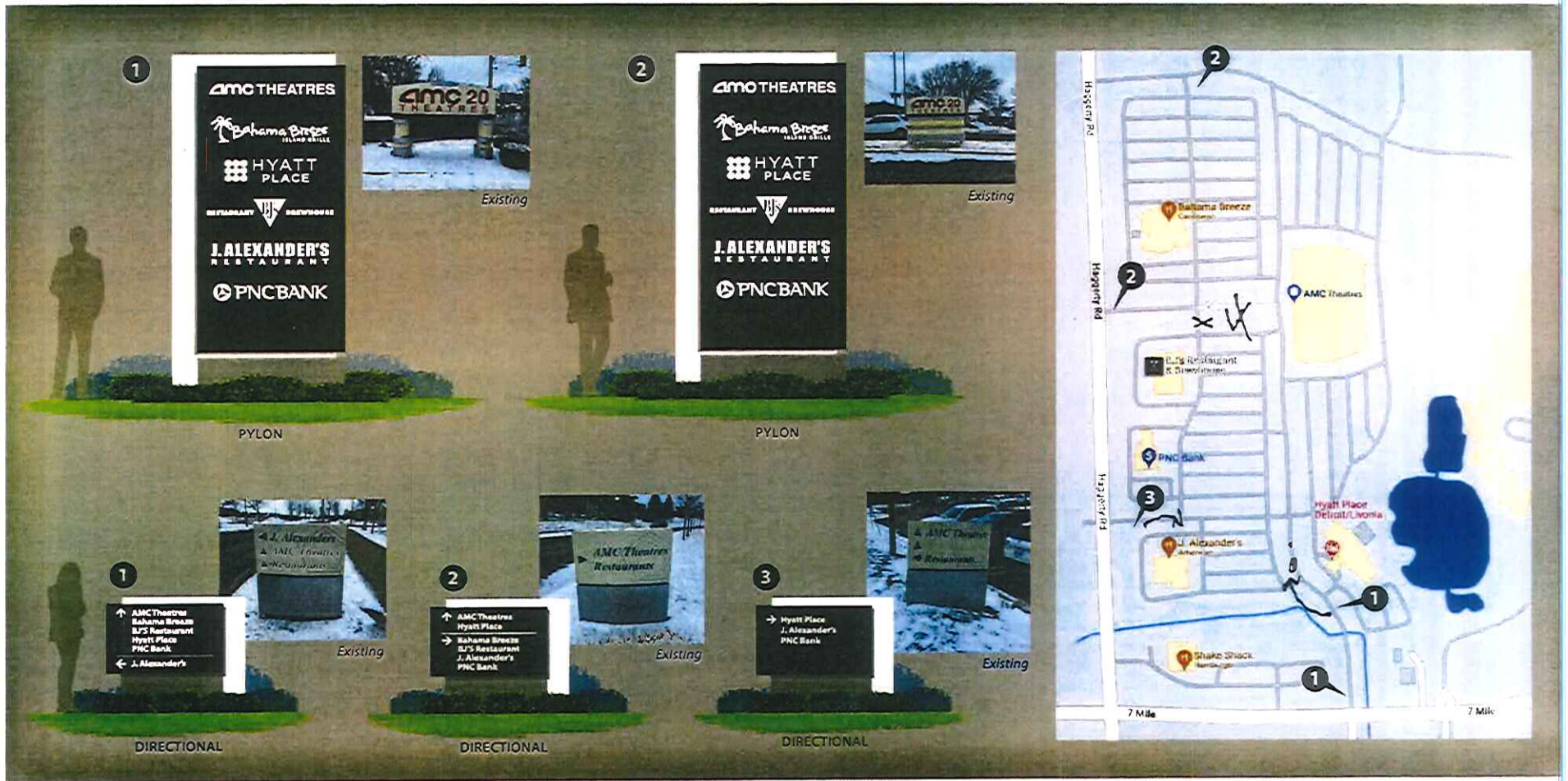
- 1) S01°45'11"W 20.00'
- 2) N88°14'49"W 96.86'
- 3) N88°14'49"W 106.50'W 106.48'R
- 4) R=105.00'
- L=101.71'(C) 102.85'(R)
- DELTA=55°30'02"(C) 56°07'14"(R)
- CH=561°36'21"W 97.78'

CHRISTOPHER S. LAMUS
PROFESSIONAL SURVEYOR
NO. 41914
ORCHARD, HILTZ & McCLEMENT, INC.
34000 PLYMOUTH ROAD
LIVONIA, MI 48150

NO.	REV.	DATE	BY	CHK.	APP.
1	1	10-23-04	CSL	CSL	CSL

EXHIBIT "B" TO THE MASTER DEED OF
PENTAGON CENTRE CONDOMINIUM
SUBDIVISION PLAN NO. 437

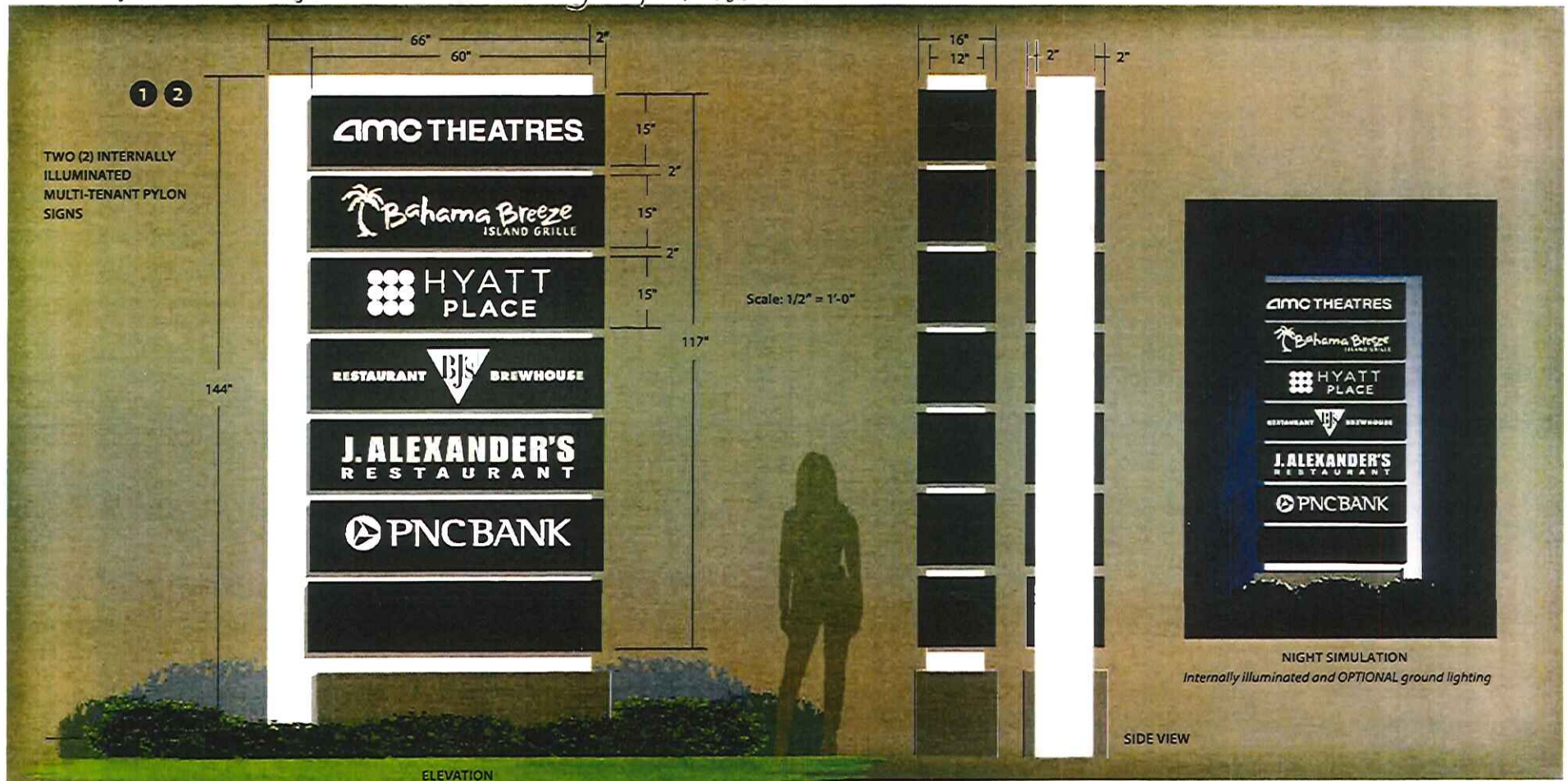
DRAWN BY: MICHAEL A. McCLEMENT, INC.	
DATE: 10-23-04	SCALE: 1"=200'
SHEET NO. 2 OF 11	PROJECT NO. 034-04-011
CLIENT: PENTAGON PROPERTIES LIMITED PARTNERSHIP	



SITE MAP

Pentagon Centre Association	Sales: Matt Thomas	Drawn By: Steve	Date: 03/02/2022	File Name: Pentagon Centre Association	Revision: 01/23/2023	11444 Kaitz Ave Warren, MI 48099 Phone: 586-759-2700 Fax: 586-759-2703
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Pylon Sign #1 along 7 Mile Rd.



**Pentagon
Centre
Association**

Sales: Matt Thomas

Drawn By: Steve

Date: 03/02/2022

File Name: Pentagon Centre Association

Revision: 11/23/2022

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Customer Signature _____

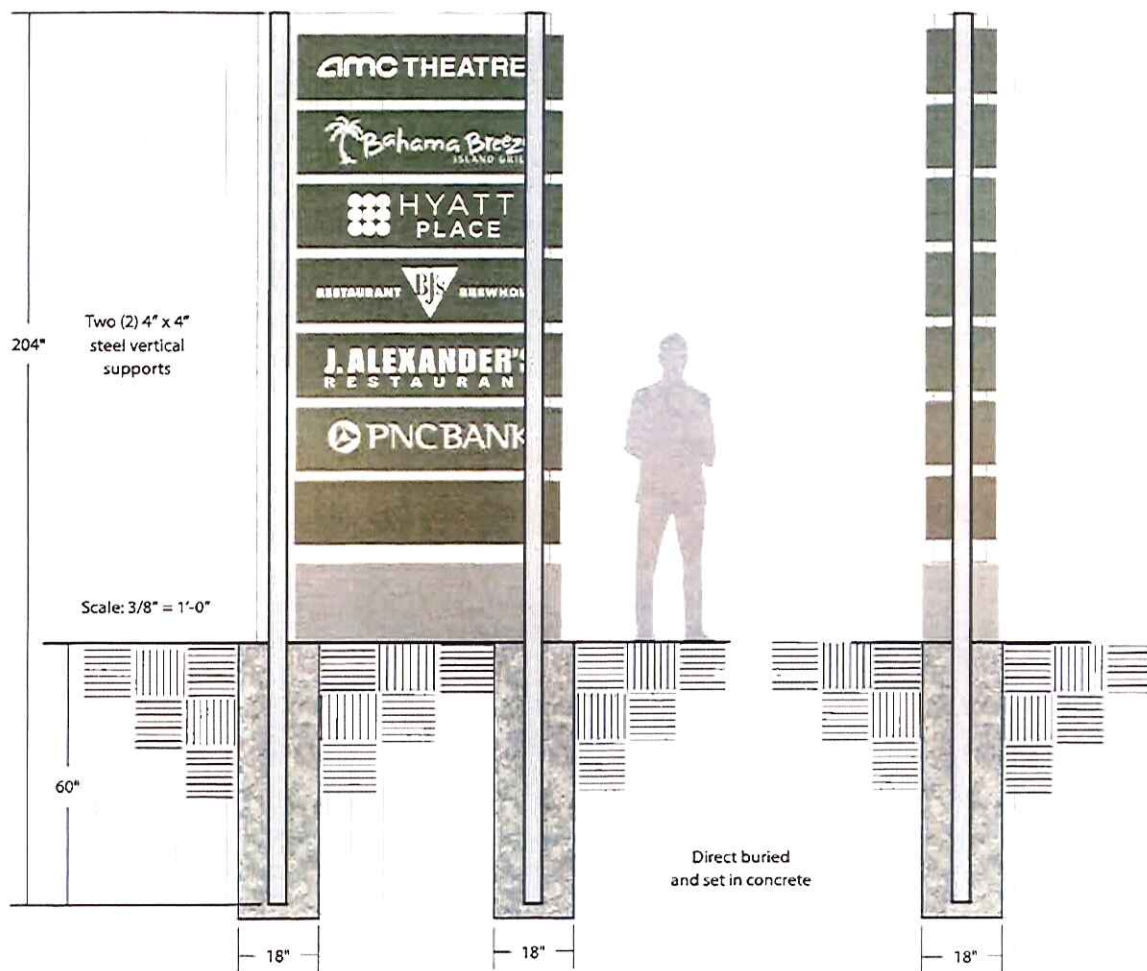
Date _____

Work Order#: XXX

METRO SIGNS
A LIGHTING

11444 Kaitz Ave
Warren, MI 48089
Phone: 586-759-2700
Fax: 586-759-2703

Pylon Sign #1



Pentagon
Centre
Association

Sales: Matt Thomas

Drawn By: Steve

Date: 03/02/2022

File Name: Pentagon Centre Association

Revision: 11/23/2022

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Customer Signature

Date

Work Order#: XXX

METRO SIGNS
ILLUMINATING

11444 Kaitz Ave
Warren, MI 48089
Phone: 586-759-2700
Fax: 586-759-2703

Sign #1 to be replaced
Sign is 8' high x 10' wide



Existing Sign 1 - Along 7
Mile Rd

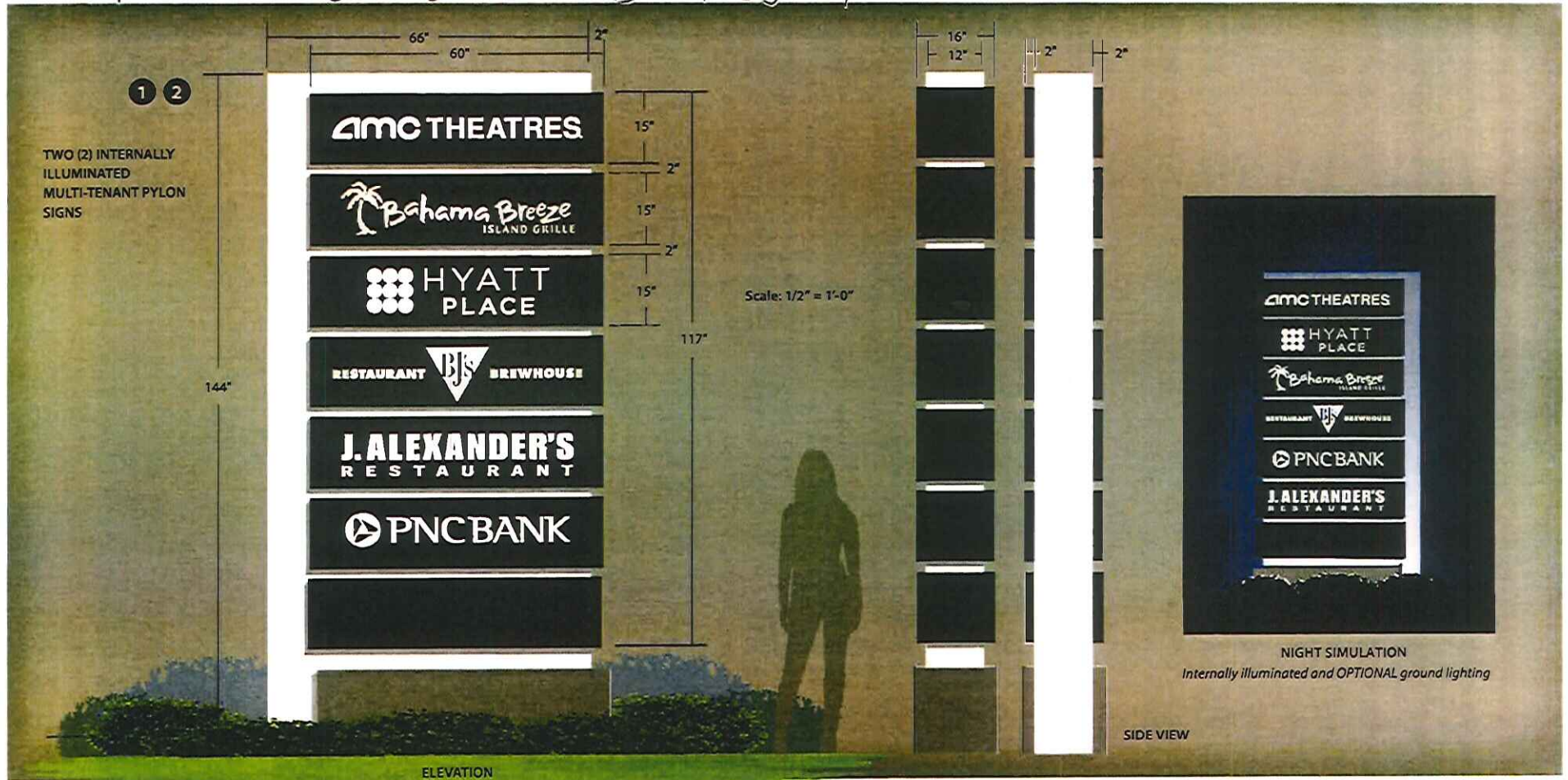
Sign #1 Along 7 Mile Rd.



Page 2 of 3

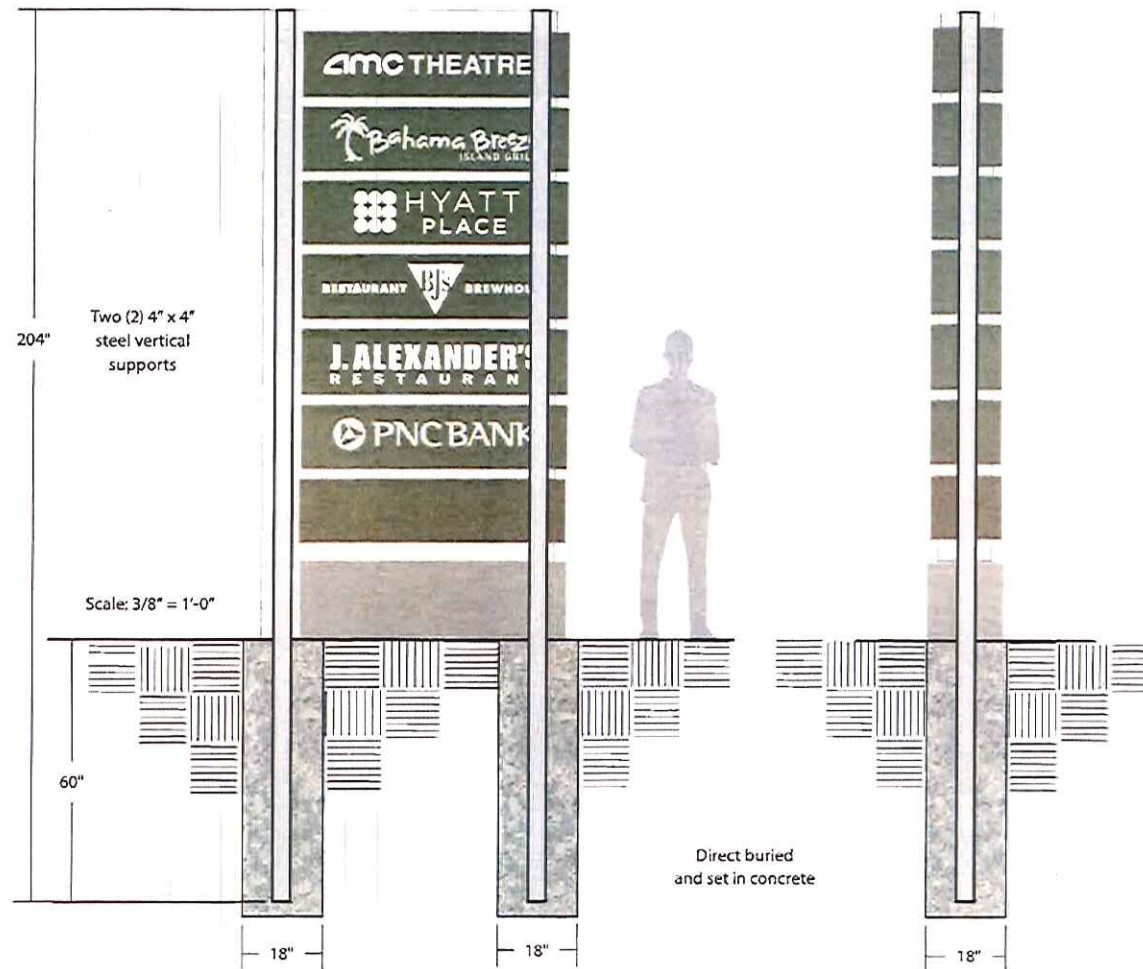
Pentagon Centre Association	Sales: Matt Thomas	Drawn By: Steve	Date: 03/02/2022	File Name: Pentagon Centre Association	Revision: 11/23/2022	 11444 Kaitz Ave Warren, MI 48089 Phone: 586-759-2700 Fax: 586-759-2703
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	Customer Signature _____		Date _____			

Pylon Sign 2 along Haggerty Rd.



Pentagon Centre Association	Sales: Matt Thomas	Drawn By: Steve	Date: 03/02/2022	File Name: Pentagon Centre Association	Revision: 11/10/2022	 11-144 Kallitz Ave Warren, MI 48089 Phone: 586-759-2700 Fax: 586-759-2703
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Pylon Sign #2



Pentagon Centre Association	Sales: Matt Thomas	Drawn By: Steve	Date: 03/02/2022	File Name: Pentagon Centre Association	Revision: 11/10/2022	 METRO SIGNS ILLUMINATING 11444 Kaitz Ave Warren, MI 48089 Phone: 586-759-2700 Fax: 586-759-2703
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Sign # 2 along Haggerty Rd. will
replace this AMC Monument Sign
- existing sign is 8' high x 10' wide



ADOPTED BY THE LIVONIA CITY COUNCIL AT THE REGULAR MEETING OF
May 8, 2023

Petition 2023-03-SN-01 – Pentagon Centre

#145-23 RESOLVED, that having considered a communication from the City Planning Commission, dated April 10, 2023, approved for submission by the Mayor, which transmits its resolution 04-19-2023, adopted on April 4, 2023, with regard to Petition 2023-03-SN-01 submitted by Metro Detroit Signs, on behalf of Pentagon Centre Condominium, requesting approval to replace existing ground signs with larger nonconforming panel signs at 19500 Haggerty Road, located on the east side of Haggerty Road between Seven Mile Road and Phillips Road in the Southwest ¼ of Section 9, the Council does hereby concur in the recommendation made by the City Planning Commission and Petition 2023-03-sn-01 is hereby approved and granted, subject to the following conditions:

1. The revised drawings prepared and submitted by Metro Signs, dated February 2023, are approved and shall be adhered to;
2. This approval is subject to the petitioner being granted variances from the Zoning Board of Appeals for excess sign area; and
3. Any additional signs shall return before the Planning Commission and City Council for review and approval.

(Board recessed from 9:32 p.m. to 9:34 p.m.)

APPEAL CASE NO. 9806-78: Pentagon Properties Limited Partnership, 26100 American Drive, Suite 550, Southfield, MI 48034, on behalf of Pentagon Centre Entertainment Campus, 19500 Haggerty, Livonia, MI 48152, seeking to place directional and business center signs resulting in directional signs which are excess in area and contain the advertisement of tenants, which is not allowed. Business center sign proposed is excess in height, area and width. Other business center signs result in excess number and the advertisement of tenants on all signs, which is not allowed.

<u>Directional Sign Area</u>		<u>Business Center Sign</u>			
		<u>Height</u>	<u>Area</u>	<u>Width</u>	<u>No. of Signs</u>
Allowed:	3 s.f.	Allowed: 8'	40 s.f.	10'	Two
Proposed:	11 s.f.	Proposed: 19'6"	239 s.f.	14'6"	Three
Excess:	8 s.f.	Excess: 11'6"	119 s.f.	4'6"	One

The property is located on the east side of Haggerty (19500) Seven Mile and Eight Mile.

Flores: Mr. Abrahamson.

Abrahamson: Thank you, Mr. Chairman. Just, if there is a variance granted tonight, they would have to go before Planning and Council for approval because it is located in a zone-controlled area. Also, to help clarify it, if you turn to page 2, which would be the size of the directional signs, as I understand, they will all be the exact same style, the size, as far as area is the same. The only thing that will change would be what the wording is upon those signs. And what the wording is or as far as the message is on the sign would be referred to on page 1. And one of the signs, which is noted on their plan and actually as part of the Ordinance as far as the one ground sign, which is in excess of height, area and the width would be the M-1 sign, which is located on page 3. And that's all I have. Thank you.

Flores: Thank you. Questions for Mr. Abrahamson? Mr. Andrew.

Andrew: Randy, I presume sign M-3 is the one on page 3?

Abrahamson: M-3 is -- yes, that's correct. No, I'm sorry. M-1 is on page 3, the sign, the monument sign M-3 is on page 5. They locate them in the bottom right-hand corner.

Andrew: I'm sorry. Okay.

Abrahamson: Above the -- okay.

Andrew: Thank you.

Abrahamson: You're welcome.

Flores: Mr. Hagan.

Hagan: To Mr. Abrahamson. M-2 and M-3 with all the different -- other than a number or whatever, are they conforming?

Abrahamson: They are conforming in height and in area. The only thing that they are not allowed to have on those signs would be actually the name of the tenants.

Hagan: You're talking about M-2 in this case.

Abrahamson: M-2 and M-3 both. Both are conforming in height and area.

Hagan: Well, is that -- M-3 is merely that AMC 20.

Abrahamson: Correct.

Hagan: Is there an intent to put other tenants below that?

Abrahamson: Not that I'm aware of.

Hagan: Okay. So, that one is conforming as is, if they're allowed to have the --

Abrahamson: Right. Except that they're not allowed to have the verbiage on the sign as far as identifying the tenant. They can't do that.

Hagan: That would be --

Abrahamson: That's true for all signs, for all of the ground signs and all of the directional signs.

Hagan: Understand. But the AMC 20 Theaters, is that allowable or are you saying that's not?

Abrahamson: Not, it is not. It is not.

Hagan: That's not. Okay. The only thing that would be allowed there is Pentagon Centre?

Abrahamson: That's correct.

Hagan: Okay. So, that's not conforming then because of the letters -- the name.

Abrahamson: Because of the verbiage that's on the sign. Correct.

Hagan: And then the M-2, the same thing?

Abrahamson: Correct, correct.

Hagan: That 10 ft. wide and 8 ft. high is conforming --

Abrahamson: Correct.

Hagan: -- for this type of a center.

Abrahamson: Correct.

Hagan: And same thing with the -- well, in addition to the height, the fact that all of the names on M-1 sign are not conforming.

Abrahamson: You have it. Exactly.

Hagan: Thank you.

Flores: Mrs. Zuckerman.

Zuckerman: Randy, the reason why the two business center signs are allowed is because of the two different frontages, that being --

Abrahamson: That's correct.

Zuckerman: Okay.

Abrahamson: Because they have over a total of 200 sq. ft. in both directions -- 200 ft. in each direction along Haggerty and along Seven Mile.

Zuckerman: Okay. And then getting to the directional sign area, they can't have any of the businesses listed on the directional sign?

Abrahamson: No, no. It states in the Ordinance that -- and I'll read just a portion of it. "All such traffic, directional signs and supporting structures shall be free of all advertising." And advertising is including identifying a tenant.

Zuckerman: If I remember correctly, this issue came up with Laurel Park? Weren't they trying, at one time, to put similar signage up identifying some of their different businesses and if -- does anybody remember that?

DeSanto: Talbot's.

Abrahamson: Yeah, I think I recall. I don't think I was even employed with the City at that time, but regardless --

Zuckerman: Well, I think it was more -- oh.

Abrahamson: I can't remember the outcome, but that sounds extremely familiar.

Flores: That came up about a year ago, a year and a half ago.

Zuckerman: Yes.

Flores: And I believe they were successful. They came before the Board.

Zuckerman: You think we did approve it?

Flores: I do believe we did. There was ground signs that were internal in that -- and I can't remember who they were for. It was one of the tenants that wanted to put --

DeSanto: Talbot's came before us, and I think we turned them down.

Flores: No, it wasn't Talbot's. It was --

Zuckerman: One of the financial service companies.

Flores: Financial service or the --

Zuckerman: One of the financial service companies.

Flores: Insurance, or one of those.

Zuckerman: I thought we turned it down.

Flores: I thought we granted it.

Zuckerman: Has anybody been to the mall lately?

Foraker: We're not sure who it is so --

Flores: Yeah.

Zuckerman: No, but it was --

Foraker: That pretty well wraps it up, though.

Abrahamson: The only one that comes to mind actually would be -- thinking on the corner of Seven and Newburgh, the --

Andrew: Credit Union?

Abrahamson: No, it's like the medical service center there?

Andrew: Oh, the Providence --

Petitioner: Okay.

Abrahamson: I think they have a few in their parking lot, which I don't think they ever pulled permits for. They just erected them.

Hagan: They will get a violation tomorrow, right, Randy?

Abrahamson: Well, there's actually no permits required if it's conforming as far as height and area.

Hagan: Oh, was that it?

Abrahamson: But if there is any kind of advertising on it, it should come to our attention.

Zuckerman: Randy, do we have any signage of what is actually going to appear on the theater building? Because now we're dealing with the external signage, but we've not address what's happening on the theater itself.

Abrahamson: Right. Well, as Champs, and I believe we've heard from two of the restaurants and the hotel so far. I don't believe the theater's come before us for wall signage. At least I didn't see a record of it yet, but you'll see them for wall signage, I'm sure.

Zuckerman: So, maybe we can ask the Petitioner about that.

Abrahamson: In fact, every one of the businesses that will be on that site I'm sure will want more than what the Ordinance allows for, so you'll probably see them.

Zuckerman: Okay.

Flores: Mr. Hagan.

Hagan: Randy, refresh my memory. I've been gone so much the last couple of months. I've tried to keep up on the agendas. We've reviewed, and I've sat on both, Alexander's and Champs, when we allowed their initial signage.

Abrahamson: Correct.

Hagan: One of them was coming back to, basically, ask for what they've been denied the first time, and I wasn't here when that happened or if it got tabled. I don't recall if that ever came --

Abrahamson: I don't believe they ever did come back.

Hagan: Okay. So, that must be -- I think they rescheduled, and we haven't seen them. I think it was Alexander's if I'm not mistaken, but I may be wrong, was denied sign on one side of the building and they were coming back because they wanted more signage.

Abrahamson: Hmm-hmm. I believe they dropped that because I don't think they wanted to go through the entire process again.

Hagan: Okay. Has Champs come back for more signage?

Abrahamson: No.

Hagan: Then my question is, what is the letter of the law, or the Ordinance in this case, about temporary signage on a building? What are they allowed to put up those banners for?

Abrahamson: They're allowed a temporary pennant and banner for up to two weeks.

Hagan: To show what? Special events?

Abrahamson: It can advertise anything. It can advertise hiring, it can be the name of the business, "we're open."

Hagan: Because Champs, in going by there today, the one side that they didn't get signage on, they've got a great, big banner with just their Champs logo on it. So now do they put it up for two weeks, take it down for a day and put it up for two weeks? I don't know.

Abrahamson: No, they're only allowed to have it up for two weeks for up to a total of six months -- for every -- up to six months. So, they're able to have it up two weeks for up to -- or for only two

weeks within a half a year.

Hagan: Within a half year. Okay. So --

Abrahamson: Right. So, if they have that up there, we can check into that.

Hagan: You know, it just looks like they're trying to go and get what we already said they couldn't have. And now I look at this, and I see more signage that didn't come in the original package. And it's still nowhere, you know, what the individual businesses are doing relative to that.

Abrahamson: Right. And I'm not actually sure either until they actually call me and either ask or inquire, or I come in and go through the mail. It's like, "Oh, boom. The ZBA application from Champ's. Great." You know, so -- and I'm not even alerted as far as to what's happening actually on site, as far as these ground signs. You know, I didn't know until I received a call from, actually, the construction company and said, "Hey, look. We want to appeal all kinds of ground signs out there." I'm like "okay." You know, "Here's the forms," and boom, here they are. So, as far as what their actual planning is for the entire site, wall signs, grounds signs, it'd probably be a great time to have them state that now, so that, you know, you don't have any more surprises coming back --

Hagan: Well, plus we've got two more restaurants just like the two that are in there already --

Abrahamson: Correct.

Hagan: Two more are proposed --

Abrahamson: Correct.

Hagan: -- who are going to come back and ask for the same things.

Abrahamson: I can't say for sure, but probably they will.

Hagan: Well, if somebody has three, they're going to want three. And we've already seen the two that are there.

Abrahamson: That's how it works usually, yeah.

Hagan: Okay. Thank you.

Abrahamson: You're welcome.

Flores: Further questions from the Board? Petitioners.

Petitioner: Good evening. Gary Jonna, Vice President, Jonna Reality Enterprises, General Partner, Pentagon Properties Limited Partnership. Boy, that's a long title.

Flores: Actual address, please.

Petitioner: It's 26100 American Drive, Suite 550, Southfield, Michigan, 48034. Hopefully, I can clarify a couple of issues. That's one of the reasons we're here tonight. Our role in the project is that we are the master developer of the entire Pentagon Centre campus, meaning the Pentagon Properties Limited Partnership. We're here tonight to propose, or for your consideration a -- you

know, overall site graphics package for this integrated campus. Now, one of the -- I think some of the confusion that has occurred is that we are also a condominium. And in the case of the Champs or J. Alexander's, or even the hotels, those folks have purchased their sites. And then in terms of what they propose for wall signage, we as a master developer can't necessarily bar them from seeking additional wall signage. So, the difference here is we are in control of what we're submitting to you this evening, again, one single package. If you won't have the other unit owners, meaning the other restaurants and hotels coming in and trying to vary from this, you know, total package. The only thing that we haven't had under our purview has been these wall signs. And again, in the case of AMC, another clarification was that they were shown on the building elevations that were submitted during site plan approval to both Planning and Council. Of course, they require separate sign permits, but they've been shown on those building elevations from day one. So it's unfortunate that, you know, we haven't been able to necessarily regulate, as the master developer, the wall sign. We are in total control of what we're presenting to you this evening. So, I hope that -- I don't know if that answers Mr. Hagan's questions or not in terms of --

Hagan: I understand that you're doing -- and they did their own thing. But what I'm concerned about is what they get out of it in the, you know, -- the people driving down the street don't know who paid for what.

Petitioner: Right.

Hagan: They know that they're there, and they see the number of signs, and so forth.

Petitioner: Right.

Hagan: And then six months from now, somebody puts in a new restaurant south of Seven Mile, right around the corner, whatever, on the other side of the highway. They're going to say, "Well, they've got six signs over there." That's my concern.

Petitioner: Yeah, and I'm not endorsing, you know, necessarily the wall signs and whatever restaurants. They come here on their own merit, individually, before this Board and have to demonstrate their practical difficulty, and certainly that's the system. But I just want to clearly separate this evening what we're presenting to you, it won't be re-presented to you; it won't be varied. This is the integrated site graphs package. Again, AMC will come back for their wall signs, you know, I think consistent with the approved building elevations as far as I know. But in any event, I think if any restaurants were to come in, if they wanted to exceed the number of wall signs or square footage, of course, they would have to seek variances and demonstrate a practical difficulty. We're here tonight to demonstrate a practical difficulty for the overall site graphics package. If I could, I'd like to just start with the big picture, as I finally refer to it. You know, this is -- I think everyone knows the campus. I mean, we have the, you know, the theaters. It's been well publicized, and so on, and I hope eagerly anticipated. But in any event, the original project consisted of almost 50 acres. Several years ago, the Macaroni Grill was the initial Phase One of the development, approximately 3 acres. That's been there for several years. Everyone knows, I think, Macaroni Grill, or the "Grill," as a lot of people call it. In any event, we came in back in 1996 with the Pentagon Centre Entertainment Campus. That consisted of approximately 35 acres. As you can see, bounded by Haggerty Road frontage and Seven Mile frontage, we have this area in here that's immediately east of Macaroni Grill. And that was done for a purpose way back. Macaroni Grill actually tried to acquire that additional property, but it was very strategic that in keeping with this large-scale development, that there should be access from Seven Mile. And I think that's germane to what our presentation will be this evening. In any event, you know, again, significant Haggerty Road frontage. Also, another item to consider this evening is there is an 11-

acre site that really does not have frontage on Haggerty Road. And that's the subject of a rezoning that's currently under consideration by Council. And right now, the way that property is accessed is there's an access drive located here at the northern boundary of the Pentagon Centre Entertainment Campus. It leads to this 11-acre site. In a moment, I'll show you the overall master site plan. In any event, in terms of the transportation network, I-275 and again this 11-acre site having frontage on I-275, this access road, which essentially comes through the campus and will be a spur that will go off to this site. But if you can see with my hand, it kind of loops around and all the way back to Seven Mile. So, that's basically the access drive is doing this, linking Seven Mile to Haggerty Road. This is Technicolor Video Service System. They have -- in terms of -- and then the other major roadways obviously are Haggerty Road and Seven Mile Road. Very important point of access, as I mentioned earlier here, and then in a moment I'll show you the overall site plan. But that kind of frames the transportation system for the property. Any questions on the aerial? Okay. This is the overall industrial development plan. It takes into account -- maybe I'll leave this here so we can see both in trying to refer to it. This is the overall plan. Again, the AmeriSuites Hotel at this location, J. Alexander's here, Champs Americana, the 20-screen AMC Theater, two outlots -- two additional outlots are proposed here. We have not made any formal submittals for this, but certainly restaurants are an option given the success of the other restaurants. And as you can see, this is -- this being only having freeway frontage, non-accessible freeway frontage, is linked to Haggerty Road vis-a-vis this drive. That's really owned and maintained by the Entertainment Campus. So, this site, again, relies on this drive and has no Haggerty frontage. Right now, what we've done, we've put together, I think, a very detailed graphics package for your review. And Gerry Gutierrez of Gould Evans will go through that in a moment. I will just give you a bit of history about the importance of this Seven Mile access. As you can see, this Seven Mile access supports a very strong north/south artery that traverses the front of the theater, links the north service drive, and at some point in the future, I would think Council will probably pass a resolution in the next few weeks to request from Wayne County a signal at this location. So, at this point, you know, we see that this -- there will not be a signal at this location because there's another signal just off the freeway ramp; that's too close in proximity. It's also -- just above here is the drive, to see the CVS Technicolor. So, right now, as you can see, the major artery runs north/south in this direction, the service drive in this direction making the 11-acre site. And then we have a very strong, attractive boulevard feature that kind of terminates at the plaza and fountain. So, that's just a bit about the overall development plan and how it all fits together. Are there any questions on the site plan? Yes.

Hagan: Too, I was looking at this and following along as you were speaking. Where did you say they were requesting probably a traffic signal? On Seven Mile?

Petitioner: Right here.

Hagan: Oh, there.

DeSanto: Haggerty.

Hagan: Okay, okay. I was going to -- the other one --

Petitioner: Oh, no, no. Yeah, the other one's way too close.

Hagan: Right. It's too close. And then you're saying you're going for rezoning on the back parcel.

Petitioner: This --

Hagan: What are you seeking to have that zoned?

Petitioner: C-2 commercial.

Hagan: So, it won't be an extension of the Haggerty Technical Center in front of it.

Petitioner: It will not, will not.

Hagan: Okay.

Petitioner: This is proposed as a Homewood Suites, an upscale extended stay hotel, And this is proposed as a HomeStead Village, and this is a future pad area at this location.

Hagan: Now, those two things that you mentioned, I think -- M-2. Okay. That's the M-2 sign that you're requesting is --

Petitioner: Isn't that right here, Gerry?

Gutierrez: Yes.

Hagan: Well, M-2 is out at the corner, but it says HomeStead Village and Homewood Suites.

Petitioner: That's correct. That's located right here.

Hagan: So, that's the back property.

Petitioner: Right. See, right now, that is the only method of identifying this site.

Hagan: Understand. I was confusing that with the AmeriSuites on the other side.

Petitioner: Right, right.

Hagan: Okay. So -- because that is not on our package, on the site plan, that back piece of property, and that's what was confusing about it.

Petitioner: Right.

Hagan: Okay.

Petitioner: At this point, all we were showing was the ground monument sign at this location and the directional sign at this location. That's why we brought this board.

Hagan: The name of the theater complex, restaurant complex, which is really the current site, not counting the 11-acre addition, is that Pentagon Centre? Is that the proper name of the --

Petitioner: Yes, Pentagon Centre Entertainment Campus.

Hagan: Okay. Is the development in the back also Pentagon Centre?

Petitioner: It's not part of the business condominium, okay?

Hagan: But is it called Pentagon? I mean, --

Petitioner: It's all referred to --

Hagan: Legal entities, to the normal person driving down the road, they won't know.

Petitioner: Well, yeah. The intent, as you can see by this board, is this being an integrated, you know, business condominium. Although this isn't -- this has not been attached to the condominium, what we're doing here is developing it and presenting it to the City as an integrated campus.

Hagan: But you're calling it all the same thing.

Petitioner: Yes, we are.

Hagan: The reason I say that is because the nature of the Pentagon Centre, and one of the concerns that's already been stated by Mr. Abrahamson about not having individual businesses listed on a business center sign, if this sign were not a business center sign, if that was not Pentagon Centre back there --

Petitioner: Right.

Hagan: -- and Randy, correct me if I'm wrong -- if they just had this sign with the Homewood Suites and the HomeStead Village as a separate entity back there, would they be able to do that? Would it not --

Abrahamson: They can't identify any advertising at all on any type of that type of sign. So, they couldn't advertise anything but a stop, look, park here, turn right here.

Hagan: What about a monument sign for those businesses if they were in and of themselves?

Abrahamson: Oh, are you speaking about a monument sign or are you speaking about just a directional sign?

Hagan: No, no, no. This is the equivalent of a monument sign at the entrance there.

Petitioner: This sign right here. Talking about this sign right here.

Hagan: And since they're way back in the back and the fact that it's out by the road where people would need to see it.

Abrahamson: He could identify the center on that sign. Certainly.

Hagan: But if he didn't call it a center, and they just used it as a monument sign for this, could he put a monument sign out there for the two businesses in the back?

Abrahamson: Well, as long as it's all shared ownership of the property, and I, you know, it's all a common element I believe, correct? I mean, it's all owned by the same people?

Petitioner: Well, I mean in the future, these hotels will be under separate ownership. Forgive me. Let me try to clarify that for you. I think that what you're saying is that if this, not unlike Laurel Park, if this just said "Pentagon Centre Entertainment Campus," and didn't -- wasn't specific to a hotel or,

you know, that would be allowed. I believe you can have the name of a center.

Abrahamson: That's correct, yes.

Petitioner: And have the name of the tenants.

Hagan: Yes. I was looking the other way, sir, to determine how would we allow --

Petitioner: Right.

Hagan: -- the names of the tenants?

Petitioner: Right.

Hagan: But, again, it seems that it would have to be split off from the whole center to allow that.

Petitioner: Right, right. And, you know, one other thing just to -- real quickly, is that unfortunately it's impractical for -- and that's why we're here, is we have a practical difficulty -- it's impractical for hotels, when people are coming from out of town and they're not accustomed and they're trying to find a destination hotel, you know, they really look for the name of the hotel. It's critical to have in this case, that's why we have the three bands, is people have to be able to find a HomeStead Village or a Homewood Suites. That's what they're looking for. No matter how many times someone may tell them it's the Pentagon Center Entertainment Campus, that's a 50-acre development. We have to get people off the freeway, and then off the slip ramp to the intersection down Haggerty Road. And that, in itself, is not an easy, you know, path. So, when they finally get to the Haggerty Drive, they have to have a method of identifying where they're going. And to simply have the name of the center would not serve that purpose. And again, that's one of the reasons we're here this evening. In any event, why don't -- I'm going to have a little bit more to say in a few minutes, but why don't I let Gerry kind of walk you through the package for the campus sign package. Go ahead, Gerry.

Gutierrez: Good evening. My name is Gerry Gutierrez. I'm a Senior Project Manager with Gould Evans Associates. We have an office in Philadelphia where I live and work. Let me just sort of extend what Gary started out with. I think one of the things that Gary had started to mention was the fact that those sites, this particular site, and this particular site have challenges that they face that are affecting the way we can attract our patron customers to the various businesses that are on both sides. In particular, we have a particular challenge here on Seven Mile. We have a couple of goals in terms of how we approach signage for this site. We want to attract people to the site, as well as inform people. And one of the ways we do that is we have signage that is big enough or is designed well enough so that people can see it and people can see what the sign says. This particular site here, the only location we have that announces that there's something going on in this area is this particular spot, which just happens to be off of Seven Mile Road, which just happens to be one of the major feeders from I-275 to this major intersection here, Seven Mile Road and Haggerty. I know that, in the traffic study that was produced during the preliminary planning development, there was a recommendation that was made a requirement by Wayne County to have a right turn only off of Seven Mile, which basically widens Seven Mile Road, so that people can go off of Seven Mile and make the turn directly onto this site. You know, one of the ways we're trying to help people to make that turn is give them enough time to recognize it. There is something going on at this site. That is why -- actually, let's see if I can put a couple of sites here. That's why we're asking that you consider for approval a sign that, yes, it is bigger than what is normally allowed by the Zoning Board. We're asking for a sign that's 19'6" high by 13'6" wide. And the

reason for that is because Seven Mile/Haggerty is a fairly speedy road. You've got about a 40, 45 miles an hour speed limit. We have people coming off the off ramps from I-275, and they're raring to go. They're trying to get to their destination. We also have an existing building here with surrounding trees and shrubbery. I think you can see that on the picture here. I'll hold this up for you. I believe you see a building over here which I believe is a historic building here?

Petitioner: Yes.

Gutierrez: And it's surrounded by trees as well as tall shrubbery, which measures from 8 to 10 ft. high.

DeSanto: And loaded with attorneys.

Gutierrez: And loaded with attorneys.

Petitioner: Personal injury attorneys, I may add.

Gutierrez: And that's really part of the reason why we feel there's a reason why we need to elevate our sign higher than what the zoning allows us. So, that's one of the challenges that we face on this particular sign. That is the justification for the monument ground sign, number one.

Petitioner: Can I just interject for a moment. I've been, probably, the common link in this project for the last several years. I kind of started it, and I'm still here and there's been a lot of transitions. But the genesis of this -- a lot of -- a significant investment has gone into this right-hand turn lane. Wayne County was -- you know, it was a demand of Wayne County; not a requirement, a demand. Even though we have a 5-lane cross-section at that point, with a center lane for left turns, they felt that the volume generated by this development dictated this right -- dedicated right-hand turn lane. It's important, what Gerry's talking about, because if we can't pull people in, again, off the freeway, you know, traveling westbound off a major artery. If we can't pull them in, then what's going to happen, and this was the underlying purpose by the County, is that they didn't want people to reach the intersection when the campus was their destination. We've got an intersection that's queuing up already and that has congestion. And we also have a Haggerty Road, although it's going to be widened in the next year, you know, the balance between Seven and Eight Mile, everyone knows that Haggerty Road is a well traveled road and can be quite congested at times. So, the whole -- you know, the amount of investment that has gone into this road improvement would be defeated if we don't -- if we're not able to pull people in at this location. And then that we have -- and then have not, you know, unloaded the congestion that will definitely occur if people proceed to the intersection. So, it's terribly important that we have the one opportunity with the limited frontage in order to make that -- to impact the motorist that their final destination is the campus. And that will, in turn, by accomplishing that, lessen the burden on the intersection, and that's been the goal of the City and the County, and certainly the developer who's underwritten all the costs of those improvements all along. So, what we don't want to do is again make the significant investment and then defeat the entire purpose. I'm sorry, Gerry.

Gutierrez: Thank you. Good point. To continue onto the other monument sign. I'm sort of going from the monument signs, and I'll take you into the internal signage itself and give you a little bit more background on how we approach the overall signage design. But going along to Haggerty Road, we come to a couple of key locations for signage that relate specifically to a major, major tenant for this property, which is AMC Theater. As you can see, the theater represents a fairly, fairly big mass on the site. There was a concerted effort on our part to locate the theater such that it wouldn't impose itself on Haggerty Road, which is why we've located it towards the back. That, in

itself, by doing that presented a certain challenge for the theater sign itself and the ability to be recognized from Haggerty Road. Because if you've been out to the site, there's a 10 ft. drop in elevation from Haggerty Road to the AMC Theater. That's provided a little bit of difficulty in terms of how we can get people to recognize that: One, there is a theater on the back side of the site off of Haggerty; and two, how can we get them to look through the restaurants that are going to be happening all along this frontage. The one option we have here is to provide another monument sign, which I think we're doing with monument sign M-3, which is located in your signage package. It is compliant with the Zoning Ordinance, 8 ft. high, 10 ft. wide. It only has one message on it, which is AMC Theaters. And that's merely to announce to the patrons that this is a main entrance specifically into the site and that they will readily get into the AMC Theaters as soon as they turn right or turn left off of Haggerty. The third monument sign, which I think Gary touched on and there were some questions that we discussed earlier on, occurs at this corner and is specific to this site itself. And I think everyone understands that there's a particularly difficult challenge here because this particular site has no frontage on Seven Mile or on Haggerty. So, even though we are over our Zoning allowance of two monument signs, or business center signs, we feel that that is the only possible way we can get this property signage on Haggerty, or the ability to have people know that there's something going in back here.

Flores: If I may for a minute. Randy, in regard to the signage, can you give us square footage, overage, on the actual monument signs, not on -- because all of the internal signs are calculated into this, too, aren't they, because of the height?

Abrahamson: The directional signs are all the same size.

Flores: But they are --

Abrahamson: As far as the business center sign, the M-1, M-2 and M-3 --

Flores: Right.

Abrahamson: -- they're all conforming, with the exception of they're all identifying tenants and with the exception that M-1 is at the height and the area and the width.

Flores: Okay. Your calculations for square footage of M-1.

Abrahamson: M-1, I calculated that as a 14 ft. wide by 19 1/2 ft., less the base, which is right around 3 ft., like 3'3". So, that's how I arrived at the sign area for that, the 239 sq. ft.

Flores: That sign, you're saying is 239 sq. ft. and it's zoned?

Abrahamson: Right. That would be the M-1 monument sign that I'm referring to.

Flores: Two thirty-nine.

Abrahamson: Right.

Flores: And is that calculated with the square footage of both sides?

Abrahamson: No. No, that's only single-face. We allow the same square footage on both sides.

Flores: Okay. Now the square footage, now I may be mistaken here, but -- okay, 239 is the

overage.

Abrahamson: No, that's the actual area of the sign.

Flores: Proposed.

Abrahamson: The overage is 119 sq. ft.

Petitioner: I think it's actually 199. Isn't that it?

Zuckerman: Yeah.

Petitioner: I think it's a typo.

Flores: It would be 199.

Petitioner: Yeah. I think it's 199.

Flores: That probably clears up a lot of the confusion. In regard to the signage on the interior, are these parking and handicapped and stop signs, are they conforming?

Abrahamson: Yes. Yes, they are.

Flores: So, they're not even taken into consideration --

Abrahamson: Correct.

Flores: -- but the Petitioner was nice enough to show them to us. Okay. So, really what we have at issue is the 199 sq. ft. in regard to M-1.

Zuckerman: Right.

Flores: And then whether or not we would like to allow the advertising of individual businesses on these center signs. Those are really the only two issues that are here?

Zuckerman: And the three signs instead of two.

Flores: Three versus two. If I may allow questions from the Board to the Petitioner?

Gutierrez: If I could continue on one item and follow through on the specific issue that you raised regarding the calculation in the sign area? It's been our experience, having done signage packages for many of our clients, that the calculation for sign and perhaps it's different here for the City of Livonia, that we calculate the actual area of each letter. And for us, I'm seeing a lot of --

Hagan: The whole box.

Gutierrez: Yeah, it's the whole box.

Abrahamson: We actually encapsulate the entire thing, and then we measure the area.

Petitioner: Right. Understand.

Flores: Let's allow the Board Members to ask you some questions --

Gutierrez: Okay.

Flores: -- and then maybe we can get on with the rest of this meeting.

Gutierrez: Very good.

Flores: Mrs. Zuckerman.

Zuckerman: I have a question for Randy, actually. The Victor Parkway sign directly east of this proposed sign, do you know approximately how large it is? And I assume there's some type of variance on it or does that have some other special requirements because it's in Victor Parkway? Do you know what I'm talking about? The one that has Victor Parkway. It's kind of that grayish sign, then it has Rio Bravo's name on it. I don't think it has Lone Star.

Abrahamson: Oh, is that the pedestal sign that's out in the front?

Zuckerman: Well, it's --

Abrahamson: Or I mean that's actually right on the corner of Victor Parkway and Seven Mile Road?

Zuckerman: Exactly. You know approximately how big that is?

Abrahamson: How tall it is?

Zuckerman: Yes.

Abrahamson: Oh, it's got to be at least 20 ft.

Petitioner: Yeah, it's at least 20 ft.

Abrahamson: And there was not ever a sign there, but there is no permit issued on that either, so don't ask me how that slid in there, but I have no idea.

Zuckerman: But it was approved in site plan review or something? Is that -- okay. It just got there. Okay.

Abrahamson: I have no good answer for that. I really don't. I don't know if it was approved through site plan approval. I'm hoping it was.

Zuckerman: Okay.

Abrahamson: So, it was Council approved. And whoever went through all this process thought, "Okay, we have Council approval. We're going to erect this thing," and that's what they did. I hope that's how it all worked in.

Zuckerman: Okay.

Andrew: One of the difficulties or problems I have with considering the entire signage package

tonight is that we're looking at sign M-3 for the AMC Theater, but we have not seen the signage package being brought in by the AMC Theaters, which I'm sure will be extensive. That presents a problem for me.

Petitioner: Could we respond to that, please? As I understand, and Gerry can elaborate, the only signage that AMC will bring in will be the wall signs that were shown on their building elevations. There won't be any elaborate package. It will simply say, I think, AMC 20 Theaters. And I think they have planned that for the front elevations meaning the -- where's the site -- the plan that I saw had a wall sign above the entrance and smaller wall signs on the side.

Gutierrez: Right.

Petitioner: And that was the extent of the package for AMC. And I think they were within the requirements.

Gutierrez: I would say we were well within the square footage limit.

Flores: Mr. DeSanto.

DeSanto: So, we should not expect to see any, you know, what is showing at the movies tonight signs, right?

Petitioner: They do not use a board in this type of entertainment center. They do not -- it's not part of the concept.

DeSanto: Okay.

Petitioner: So, no, they do not advertise shows or times. That's correct.

DeSanto: Good. All right. Good.

Flores: Further questions from the Board? Mr. Hagan.

Hagan: I've got a couple of questions about the choice of putting the names of the businesses on here and the way it's presented. Number one is the fact that you've got, for all intents and purposes, four restaurants that face Haggerty Road that all have good frontage and visibility from Haggerty Road. But because they're in front of this whole complex which goes out to Seven Mile Road, you want to put all those ads on Seven Mile Road.

Petitioner: That's correct. What we're attempting to do with that --

Hagan: I understand. What I'm looking at is the sign right there with all the --

Petitioner: Yes.

Hagan: Now, again, I realize that you're a center, but that's the part that's in violation of the Ordinance, and adding up all those only takes an excessive sign package that they already have for each one of those people and makes it worse, because they're getting more signage than they've already been granted, which has been in a variance already. Why do you need -- what is the hardship that you need those signs, the individual restaurant and I guess in this case the AmeriSuites, although I have less of a problem with that --

Petitioner: Right.

Hagan: -- on that sign? And why don't you have -- if it's important to identify this as Pentagon Centre, how come that name only shows up on the northern-most sign and it's no bigger than the signs for any one of the occupants?

Petitioner: Okay. The answer to your first question is, again, you know, these two restaurants, you look at the raw distance between what we're trying to accomplish. Again, the goal is simple. We're trying to pick up westbound traffic that wants to access this site and pull them into this driveway. That's -- that singular goal. That's it--nothing more; nothing less. If we don't do that, they're proceeding to the intersection and they're gloating Haggerty Road.

Hagan: Well --

Petitioner: Right or wrong, I mean, we were doing it, what we thought was an issue of traffic safety and traffic, you know, unburdening the roadway system.

Hagan: And I understand that. I appreciate it. What I'm going to tell you is going to happen though, because I do it myself, even if that entrance is there, and it's well marked, I will go to the intersection, turn right and go in because I don't want to traverse that parking lot with the theater crowd and the hotel crowd, and everything else to try to get to the restaurant.

Petitioner: Hmm-hmm.

Hagan: It's going to happen. My question is what is -- you know, and if they're in Pentagon Centre, why aren't we identifying this as Pentagon Centre at one of the most critical entrances that you've just identified there? Because people say we're in Pentagon Centre.

Petitioner: Right.

Hagan: Where is that?

Petitioner: Really the top -- this has really become and evolved to be the AMC site in terms of it being the anchor, the largest component, and in terms of bring people into the site and the numbers of people. You know, that's why at both this location, that location, you know, we have to -- in theaters, you have to, you know, mark the entrances well to bring people at direct points of access. And we felt that it was more important, again, to communicate theaters at those entrances than perhaps another name that people may not recognize and gravitate to. So, I understand your point. I mean, I can tell you that in terms of, you know, getting this signage at this height, I won't disagree. I think you make a good point. These two messages, having the theater message and the hotel message because, of course, with the AmeriSuites doesn't have frontage on Seven Mile, and they're a hotel; people have to find them. They're out of town travelers. These are the -- and that's why they're at the top. So, we're trying to tell people that this is a major point of entrance for theaters because of the amount of traffic it generates and that this is a hotel. The purpose of the other signs was very simply that we were trying to pull as many people into the project at that point as possible. Some may choose to go on, but at least people knew that if they were going to those restaurants, they could access it from Seven Mile.

Hagan: And, okay, that being the case, and I understand you want to call it Pentagon because it's your Pentagon group, or whatever --

Petitioner: Right.

Hagan: -- but what you've done is created a huge -- request for a huge variance to the way business centers, I guess is the proper term for them, are regulated with signage. Why not -- if you're not going to put Pentagon Centre on there, why not call it AMC 20 Center, and then that's the name of the center and then it's a business center sign. They did that with Rite Aid Center I think at one of the corners in Livonia, you know, and it became -- that was the center and indirectly advertised their building at the same time.

Petitioner: We understood that we couldn't do that.

Hagan: Does that not work?

Petitioner: You know, that we couldn't have the name of the tenant as the center.

Flores: There were some various other comments.

Petitioner: It created a dilemma for us.

Hagan: Okay.

Petitioner: I have to tell you that as the Pentagon -- I mean as the Entertainment Campus matures, obviously the draw here is AMC Theaters. Gerry represents them. They feel very strongly about having sign recognition on the two major thoroughfares. And they have that almost on every one of their facilities of this mega-plexus; they look for the AMC recognition and logo. That's what brings people into those access drives. And if they were to go a generic message, they believe that it'll have a detrimental impact on their business and the internal trafficking through the development.

Hagan: I have one more question. It probably gets more at the site planning than it does this.

Petitioner: Sure.

Hagan: But it's a question I have to ask. There's going to be a huge bottleneck at the end of the boulevard because there's no way to go from the theater out to that entrance. Has that been looked at as to -- you're going to have people cutting through the parking lot probably at higher rates of speed than you would like.

Petitioner: I'm saying --

Hagan: Why isn't there like a split around your fountain. I like the fountain, but why doesn't the lane continue on down each side of the fountain, because there's no way to get from the end of that boulevard to the theater without cutting through the parking lot.

Petitioner: Right. There's a method to that madness, okay? That was designed -- first is the boulevard and the termination of the fountain. You know, people coming point blank and enjoying that feature. And then, what we wanted to do is send people in both directions, this way or that way, which they can do, start filling these aisles and then getting into the park, so it's an issue of parking distribution.

Hagan: Well, but --

Petitioner: If we just brought people in, we already have this major artery. You're creating so much, you know, congestion at the entry of the theater that -- and this was under the guidance of our traffic consultant. He said we must bring people in, force them right and left, distribute them throughout the site for orderly traffic circulation. So, there was -- I mean, you know, an engineering purpose in it.

Hagan: Oh, I understand there's a method to it. I'm just questioning what's going to end up happening. It's going to be like some other malls around here where they have that, and people end up driving across the parking lot because they can't get from point A to Point B without going down, around and back again.

Petitioner: Right. Well, this is a very gentle -- if you see this, this comes in. There's an aisle this way, and there's an aisle this way. And actually what's going to happen, especially now that the emphasis has been put on the signal, this roadway, it's going to allow people to make safe left turns.

Hagan: Hmm-hmm.

Petitioner: What you're going to see is, you know, people are going to be -- if they're going east, they're going on the freeway, they're going to utilize this intersection. If the signal is here, they're going to utilize this intersection.

Hagan: Are they going to allow left-hand turns out of that Seven Mile?

Petitioner: Yes. To my knowledge, yes. But, you know, it's difficult.

Hagan: That's another problem.

Petitioner: I mean, they'll have to wait for these two signals, and there may be some timing issues.

Hagan: Okay. That's getting on the site plans.

Flores: Can we bring the comments back to the signage in this case, because these are all very good comments, but it's getting later at night. And I'd like to get on with this case.

Hagan: I guess my -- go back to the first question I asked is what is the hardship? And the only one I'm really going to deal with right now is what is the hardship with having the restaurants on the Seven Mile -- or not having the restaurants on the Seven Mile site?

Petitioner: And I -- as I've said before, you know, I don't want to be too redundant. We want them into this entrance, not the Haggerty intersection. And these two restaurants especially are a couple thousand feet from that entrance. And so, that was -- and what we're trying to do is make it internal circulation versus external circulation. That was the simple purpose.

Hagan: Okay. Thank you.

Petitioner: And, incidentally, as I said before, you know, again, please understand the AmeriSuites how critical that is at that intersection.

Hagan: All right. That I'm not questioning.

Petitioner: You know, there's then and obviously -- I wish I could fit Pentagon Centre, AMC and get it all. But, unfortunately, we're told that you can't utilize the name of the tenant as the center, unless we're told otherwise.

Flores: Mrs. Zuckerman.

Zuckerman: A question to Randy because this is really considered to be a business center, does it mean that those individual restaurants at the front cannot have ground signs or is that a choice that these gentlemen made?

Abrahamson: I'm under the impression now that when I originally spoke to the tax assessors, they told me these properties were split off, that they were all each on their separate parcel of property. Well, that has now been actually corrected. This is a condo. The only property these people own is where their building is sitting.

Petitioner: That's correct.

Abrahamson: Period. So, they would actually -- if they don't own the property, obviously they can't have a ground sign on property they do not own. So, as I understand the Ordinance, they wouldn't allow -- there isn't any tenant on that site that would be allowed to have their own ground sign.

Zuckerman: Okay. So, our only way to deal with ground signs is how it's being approached right here, that it --

Abrahamson: Right, right. And that's probably a hardship that they don't even know about, but I mean, it is a hardship to them now, obviously.

Zuckerman: Okay.

Petitioner: Well again, the sponsor of all of this, and I'm here as the developer, is ultimately, in the long term, these signs will be installed and maintained for years to come by the condo association. And think of everyone of these guys as a homeowner and collectively, they have a homeowner association. They will be -- and we have a master deed. It's recorded in Wayne County that speaks to signage and the quality level and long-term maintenance, and that was the beauty of this site condominium. So, again, even though these are separate unit owners, it is really -- everyone has an undivided interest in all the parking areas and all the drives, the signage, the landscaping, the natural land features, everything on this site is all co-owned by each unit owner. I don't know if that helps anybody, but that's the case. The other thing I want to point out quickly, and I know this is taking longer than you'd like, is that one major practical difficulty we have here is that we would have been allowed the AMC sign here. It's totally conforming. What our hardship was -- and we could have been cute with the Board or the City and said, "Well, we're going to gerrymander this ownership and create an annex to this drive and area to this parcel, and come in and try to get another sign," and so on. But I didn't think -- I think that it was misleading to, you know, go through all those gyrations. We're simply trying to clearly demonstrate that as a difficulty when you -- this is a unique configuration, it doesn't have frontage on the public road, and the only access is through this north service drive. That makes this a very unique piece of property. Had we not had this, we would have been fully allowed this sign at the entrance boulevard. So, what's created the need for that third sign is essentially a landlocked parcel, without the northerly drive. I mean, it's not landlocked, but it doesn't have frontage to a major thoroughfare.

Zuckerman: Can you -- I know we kind of interrupted you at one point, but can you tell us about the directional signs and why you need so many?

Gutierrez: I'd be glad to. We briefly went over the monument signs, which are what we're defining as signs that will get people off of the external corridors for the road, per say. The directional signs, which there are six of them, are signs within the property. These are signs that inform the people that are already on the site in their cars as to which direction they should go to get to a restaurant destination, the hotel, the AmeriSuites, from various parts of the site, depending on how they enter the site. For instance, if we're coming off of Seven Mile Road, the first directional sign you will encounter is directional sign 2, or D-2, which is immediately in front of AmeriSuites Hotel on this north/south driveway. If you look at the legend, D-2, the message on that legend is that if you took a left, you will get to J. Alexander's. If you headed straight on, you would get to AMC Theaters. And again, if you headed straight on, there would be more restaurants down that path. And then if you also, if you entered off of Haggerty Road at this first driveway, the first directional sign you would see would be directional sign 1, which has again a sign that tells you to go straight to AMC Theaters and AmeriSuites, and to go left to get to the restaurants along this western arterial inside the property. So, those are the kind of messages and information that we're providing to the users who want to get onto the site. We don't want them to get frustrated. We don't want them to go driving around looking for their destinations. We want to help them get to their destinations because we feel that a customer that's gotten on this site and that gets to their destination quickly, expeditiously, the happy customer,--and they'll be returning to take advantage of the amenities that the development has to offer.

Zuckerman: Is there any way you can bring your directional signs at least into the allowed square feet? Bring it down to 3 sq. ft.?

Gutierrez: Well, I'd like to address the square footage.

Petitioner: Well, you're allowed 3 sq. ft., which you can't --

Gutierrez: Yeah, it's fairly difficult, very difficult to get the kind of information that we want to present on these signs, which are the names of the tenants or the names of destinations, and to get them at the size and letters that are appropriate so that they can be seen from a car where people are driving at a fairly to medium to 15, 20 miles an hour. We want them to -- I think it's on page -- the size of the letters that we have on the directional signs are approximately 2 to 4 inches, and we feel that's the minimum size of letters that people can react to.

Petitioner: Also, if you take a look at the actual copy --

Zuckerman: Hmm-hmm.

Petitioner: -- I mean it's -- the majority of this is to get it up in the air so a motorist can see it, and that's, you know, contributing to the height of the base and so on. There's a lot of relief. I mean, a lot of effort has gone in architecturally, not to just put in signs, but something that is elegant and consistent throughout the project. So, we're not trying to do a cluttered job and -- but if you just frame the actual copy here, it's probably, you know, 30% of the sign area of the entire, you know, pedestal.

Flores: Do we have any further questions from the Board? Is anyone in the audience wishing to speak on this case? Seeing none, we'll move onto correspondence.

Zuckerman: I have a letter of approval from Gary Bloom, 39040 West Seven Mile Road (letter was read).

Flores: Back to the Petitioner for a closing comment?

Petitioner: Closing. Okay. Does that mean one comment? No? Then let me just say a couple things. One is we have tried from the inception to, you know, just create an entertainment campus, whether it be the way that the landscaping, and berming, and vegetation, whether it be the water features of the plaza, whether it be the architecture and architectural diversity in the center, we have tried to pay attention to every single detail in this project because we want it to be an unprecidated success in the community. I've lived there for four years. Gerry and I have spent -- in this package that you see -- probably six months and 10 drafts because what we were concerned about is the safety and convenience of people that are utilizing this campus development. Once you get in here and 2,100 cars, approximately, and 35 acres with thousands of feet of drive, you know, the directional signage is meant, as Gerry said, that people can traffic safely, conveniently, don't get frustrated and enjoy visiting the campus. That is the intent, and singular intent, of the directional signage. It's not, you know, tawdry or ostentatious. It's simple. It's elegant. It's understated. It's meant to communicate messages only for the safety and convenience of our patrons. In terms of the sign on Haggerty Road -- I'm sorry -- on the sign on the Seven Mile entrance, we've been through that. The only thing I will tell you that, you know, if this Board feels that, you know, having the restaurants is not appropriate, I will just tell you that our priority is the height of the sign, having AMC and having AmeriSuites. That is the top priority for that particular sign. I would not want to be denied on the basis, you know, again, because of the restaurants, the entire sign would be denied. I feel that certainly AmeriSuites, because of it being a hotel and having to bring people in safely from out of town and being -- you know, you want to bring them in because there's AmeriSuites; there's the entrance. You know, that's critical to bring them in at that location. You know, and so, if we can maintain the height of the sign, perhaps increase the band for AmeriSuites and maintain AMC that's a concession that we're willing to make, if that's the wisdom of the Board. In terms of -- we talked about this sign here and the grade differential, how far it's set back. We've told you that there will be wall signs that have already been presented to the City Council and the Planning Commission. That's the extent of the exterior wall signs. We've talked about the fact that this other parcel up here really necessitated the third sign. I think everyone can agree that this is a unique configuration in location and presented some difficult circumstances and challenges. And, of course, having the nature of this development being hotels, it's critical to have the name of the hotels. That's what people look for, and that's why those bands are doing that. So, I believe, you know, that again a tremendous amount of thoughtful effort has gone into this. We're trying to do this, you know, in a way that is really elegant and attractive, and not overdone. And I think for a project of this magnitude, you know, it's certainly justified.

Flores: Closing -- Mr. Andrew.

Andrew: Mr. Chair, a question to the Petitioner. Can you tell me what the Pentagon Centre is?

Petitioner: The Pentagon Centre is --

Andrew: I'm talking now about directional signs that say "Pentagon Centre."

Petitioner: Oh, I'm sorry. That is really just generic at this point. There's -- right now, there's a pad that's left here that we have a yet unnamed user for this pad. So, that is simply a filler until we get a specific tenant for that site.

Andrew: Thank you.

Flores: Closing the public portion of the case and starting the Board's discussion with Mr. Hagan.

Hagan: Okay. I'm going to just go through them and address them as we have them in the book. First one's being a directional sign.

Andrew: What page are you on?

Hagan: I'm starting on page two. I'm just going to walk through the different groups of signs that have questions, all right -- or concerns with. First of all, we didn't address any hardship about the location of the theater. I don't think there's a hardship there because the size of the building offsets any setback, even though it is back from the road because I can see that from Victor Parkway. I can see it from Seven Mile. I can see it from about a half a mile away in several directions. And after being there once, I'm sure people will know exactly where it is. And it'll definitely be visible from 275. I haven't been past it on that.

Petitioner: Okay. You can't see it from 275.

Hagan: You cannot see that from 275?

Petitioner: No, absolutely not.

Zuckerman: Because of Technicolor.

Petitioner: Just real quick. Here's -- if we enter at this location, it's totally screened by Technicolor.

Hagan: I'm talking about the height of it, though. I won't argue that right now. I'm saying I haven't been there. I can't speak to it. But I know from the height of it, depending on where they put their signage. But the directional signs, I feel, are way too large. There's a lot of wasted space on them, and I question the 15 to 20 miles an hour in a parking lot. I've never seen a parking lot where the speed limit was allowed anything more than 10 miles an hour. And if it's faster than that, they're going too fast. And as presented, I think the directional signs are more advertising than directional in the size and the way they're presented. So, I would not approve them as they are here tonight. The Seven Mile sign, we'll call it, the 19 1/2 ft. sign, again, I cannot support any of the restaurants on that sign, and I cannot support any sign that tall. The largest sign I could support there would be one that looks just like the M-3 sign that has two bands below it. And if we need to put AmeriSuites in there, they can put it in one of the empty bands there. And that way, the two signs are more consistent. Okay. The Homewood Suites Hotel, I think in your last comment, you answered my question there as to why all of a sudden Pentagon Centre showed up on there and it wasn't anywhere else, and it didn't have your little pennant on logo or anything else. That's really to be announced just as the restaurant.

Petitioner: That's correct.

Hagan: In that case, I have no problem with that sign because of the location. I think to put Pentagon Centre on there at this point would confuse people. I'd be looking for a building myself.

Petitioner: Right.

Hagan: The main entrance sign I like, whether it's Pentagon Centre or AMC 20 Theaters, I don't

have a problem with that as long as we're consistent. Again, I'd like to see the one on Seven Mile look just like that with possibly the AmeriSuites advertising in the upper band below that sign. So, those are my comments. The only other thing I'll say is, had I known of all this extra signage to be presented, I wouldn't have voted for what we passed on each of the restaurants before they came in -- when they came in with their sign packages, because this really affects the whole package.

Petitioner: I see.

Flores: Mr. Andrew.

Andrew: I generally support Tom's position. I feel that the -- again, starting on page 2 and working backwards, that the directional signs could be reduced somewhat in area. I don't believe that 3 sq. ft. makes sense, but I don't think 11 sq. ft. makes sense either. I think there's some excess there, and I think that issue could be addressed by the Petitioner and his sign people. I really have a problem with the M-1 monument sign. If it conformed to the M-3 sign, I believe I could support it. I think AmeriSuites needs to be shown on that sign, also. But as far as the restaurants are concerned, I don't have much sympathy for them.

Flores: Mr. DeSanto.

DeSanto: The M-2 sign I think is very needed because of the back 40 lot.

Petitioner: Right.

DeSanto: I think the Board went and gave what we could give to the restaurants when they were here before, and this just adds to it. Again, like what Mr. Hagan said, a sign that high coming off of that Seven Mile Road -- I travel this area all day long, and I can see why you want to bring them in off of Seven Mile instead of going into that intersection. That is a quagmire. However, I think any sign--I don't think it has to be that large at that driveway--would do something. And I think people are like -- they have that animal instinct. They will always go where it's least -- I'm searching for the word. Like a deer. I mean, he's going to go where there's the least amount of --

Petitioner: Resistance.

DeSanto: -- resistance. There you go. And that's the way we travel. So, I mean, once I think -- everybody -- I don't care. You could have the sign right in front of the person. First time getting there, they're going to go right by it. And once you're there, it's a conditioned response, and I really, truly believe that. And being that they want to be there, I'm getting into something a little bit more than what I believe in, they're there.

Petitioner: I see.

DeSanto: They're already there when they leave the house. They already know unless they -- and if they don't, they shouldn't be driving. And that's my only concerns there. As far as the AMC out in front, I think that's okay.

Petitioner: Thank you.

DeSanto: It's just that that one large one at that Seven Mile entrance, I just don't think it's needed. I'm sorry. That large with the names. I'll leave it for the rest to --

Flores: Mrs. Aloe.

Aloe: I'm going to agree with Tom and Dan as far as the signs. I have no problem with the directional, but they need to be the 3 sq. ft., no restaurants on the Seven Mile sign and I absolutely wouldn't -- excuse me -- on the Haggerty, and I absolutely wouldn't want them on Seven Mile. If I ever use that Seven Mile entrance and turned in there to go to those restaurants, I would never, ever do that again, because of what you'd be into there. I'd want to come up and come in on Haggerty, so I wouldn't want to bring people into the restaurants from there. So, I pretty much agree with them.

Flores: Mr. Foraker.

Foraker: As Tom and Dan have said, the directionals in my opinion, need to be at least 50% smaller than they are right now. The M-1 sign I would agree with everybody's comments, and I really don't want to see it any higher than 10 or 12 ft. M-2 and M-3, I'm fine with.

Petitioner: I'm sorry. Which one 10 or 12 ft.?

Zuckerman: The M-1. M-1.

Foraker: I believe it's M-1, Mr. Jonna.

Zuckerman: Seven Mile one.

Foraker: Seven Mile.

Petitioner: Okay.

Foraker: And to explain, with elimination of the four restaurant bands on that, I think you can easily reduce that sign by that much, because they don't have to be seen over the trees of the historic law offices.

Flores: Mrs. Zuckerman.

Zuckerman: Six Board Members, six opinions. The directional signs, also, I agree need to come down, and I question the need for a lot of those. I don't really think you need a lot of the directional signs. The M-1 sign needs to come down in height. I guess I don't think it needs to come down to the 8 ft. though. I think we could go beyond what the Ordinance provides here because the couple of true hardships you have here is the close distance between the freeway exit and when you need to try and get your people in there. Plus, what I think is the very unique hardship here compared to what you'd have in other business centers, other business centers you usually can see the business. I mean, you have the sign there, but you can see the businesses so you're turning in.

Petitioner: Right.

Zuckerman: You can't see the businesses there. And quite frankly, I think all the restaurant names need to be on there if the intent truly is you're going to try and pull the traffic into that area. If I'm trying to go to Champs and I live on the east side of town and I'm coming to Champs, and if the idea is to keep the traffic flow outside of that intersection, you want to pull them in there. But you're going to need to know that Champs is back there. They would never know that Champs was somewhere behind all those trees and behind a hotel. So, I think there needs to be some signage

there. I think in terms of height, though, something maybe more in the 12 ft. area in total. And what I'm thinking is if the actual verbiage area of the sign is closer to the 8 ft., and then you have -- I don't know if you have an ornamental top that you have on M-2 and M-3, and then whatever, you know, a base is, maybe a 2 ft. high base or something like that, you know, to me, that's still somewhere in conformance with the Ordinance because the actual verbiage area is not excessive. The overall height of the sign may be a little bit higher to get it, you know, high enough so that you can pull people into that entrance. M-2, quite frankly, I wouldn't approve because this is a development that today on a site plan, I mean, you have that. But unless I've heard the message wrong, even that's not approved on the site plan by Council. I mean, that's something that is kind of speculative out there. You want to have it. I don't know why we're approving signage for something that's that speculative. You can always come back and ask for the signage at that time. Because if we approve this today and that doesn't happen to the development back there, we just approved another sign for something that doesn't exist or am I misreading how speculative that is?

Petitioner: It is not speculative. I mean, the project -- I mean, I guess it's to the extent that Council has to approve the rezoning. But these hotels are, you know, we spent several months and they're anxious to move forward and construct at this location. What we were trying to do is be forthright and show you the entire package and all our plans. And, yes, this is a very real deal for the 11 acres. It's not speculative.

Zuckerman: I guess on that one, I would put a contingency that all of that sign is subject to -- I don't know. I feel uncomfortable. You're saying they haven't even rezoned it. So I mean, you know, it's still contingent on a rezoning. I mean, there are a number of different steps that have to happen, and have to happen in your favor, in order for this sign to ever be appropriate on that site.

Petitioner: If you wanted to condition it, you know, that final site plan approval within 12 months, that's fine. We don't have any problem with that.

Fisher: If I -- sorry. If I could just add something. You might be able to take advantage of the provisions of 18.50(H)(2), which are just generally quite liberal provisions for hotel and motel signage where's there's 200 ft. of I-275 frontage, which I think you have here. So, you might conceivably, if you get that rezoned and put hotels there, you might not even need a variance to put this sign up.

Petitioner: I see.

Fisher: So, I think Mary's right to say it's premature to consider a hotel sign here and now.

Petitioner: You know, unfortunately it's this -- we're working through the due diligence with the hotels. And this is, you know, they've given them schedules and this is a very important item to them. All bets are off if they can't get recognition on Haggerty Road. I can tell you that it would be disastrous for the whole momentum of the project. This is--a critical issue for them is having signage and coming before the ZBA. I mean, my phone's going to ring off the hook tomorrow, you know, "Did they approve these signs?" It's a major contingency for the hotel projects.

Fisher: I can -- after we get done with this case, I can show you what I'm talking about at the Zoning Board, in my office and hope --

Petitioner: Okay. The only thing is that this could be an allowable -- but for the, you know, three bands, this could be the allowed sign, and this could be the variance sign at the AMC entrance. That's the other way to view that because we are allowed a business center sign on Haggerty

Road.

Zuckerman: From my standpoint, maybe it's just a contingency, but it would have to be a pretty strong contingency that this would be approved as presented based on all the other things falling into place. M-3, I don't have a problem with.

Petitioner: Mr. Chairman, just one question. Again, AMC's cranking up to have a big opening in September or October, and I can blame the developer for procrastinating on this package. But if we could have a consensus on an acceptable directional sign, we could -- we'll design to what that allowed square footage would be. You know, and I mean, if you say 11 is too much and whatever, I'd hate to come back and re-present. If we can come to some square footage that everyone finds acceptable, we'll design to that footage.

Flores: Mr. Hagan.

Hagan: Mr. Andrew and I sort of compared some numbers after our comments and in the calculation of those signs, as I verified looking at this, they don't count the base portion of it, okay? That what you've got here is a gray or other color here?

Petitioner: Hmm-hmm.

Hagan: Excuse my color. I have trouble with colors. So, if you were to make that higher, okay, to raise, you know to get the sign up off the ground and then reduce the sign to possibly 3 ft. wide -- the actual sign area to 3 ft. wide to 2 ft. high, you'd be looking at about 6 sq. ft. but yet probably the same usable sign area as you have right here right now. And I think I heard somebody say no more than 50%, Mr. Foraker. But that's I think what some of us were thinking if it was within maybe the 6 sq. ft. And I don't want to speak for everybody because I haven't talked to them, but that's what I would probably look for.

Petitioner: We could live with that, and we'll design to it. I mean, that's -- it's important for us to commence the signage construction. So, we'll do the best within those limitations. It's acceptable to us.

Flores: And the final comment. My apologies first to the Petitioner in regard to the shortness earlier this evening. When I looked at this sign package, I felt that it was presented extremely well and that the signs were justifiable in regard to what you wanted to do, therefore, some of the reason for my shortness. I felt at that point in this meeting that it was very much an approvable package. Apparently, the rest of my colleagues don't believe that. But I did at that point. I'll look at the sign package and I'll go through them one by one like everybody else did. M-2, you know, extremely justifiable in regard to the identification of a piece of property that is well removed from Haggerty Road. What you put on there in terms of verbiage, if the package goes through and it isn't the Homewood Suites Hotel, HomeStead Village and Pentagon Centre, the verbiage changes.

Petitioner: Right.

Flores: If it becomes something else, the verbiage, you know, Homewood Suites goes away; somebody else comes in. The nature of the sign itself is very pleasing to the eye. The identification of parcels that are far removed from the road entrance, in my eyes is very justifiable. When you get to M-3, which is AMC 20 Theaters, when I'm sitting at home and I'm looking through the paper to go out and see a movie, I'm not going to see Pentagon Centre. And there creates your hardship for me. If I had to name this Pentagon Centre, how are people going to find the theater that is the

anchor that is there and I think you mentioned that. You touched on that earlier. AMC Theaters is really what needs to be on these signs. It doesn't need to be Pentagon Centre. When you ask for a sign of -- is AMC and M-3 conforming in size and height?

Abrahamson: Yes.

Zuckerman: Hmm-hmm.

Flores: You know, when you ask for a conforming sign and you say, you know, very needily, "I would like to put AMC Theaters on there, which is my anchor tenant, which is the identification to, you know, people coming in off the road." And although we have a fountain in the middle of the driveway, which is going to direct traffic in directions other than straight to the AMC Theaters, I think your point was well taken in regard to you want to disperse the traffic to actually get it to, you know, to park throughout the parking lot itself. But people are coming there to see the theaters; that's the purpose that they're going there for. When we get to M-1, you know, originally I looked at that sign and, you know, first answer is why 20 ft. high, 19.6, just under 20 ft. Well when you take a look at the campus site and you look at the Seven Mile entrance, you look at trying to alleviate the congestion of Haggerty and Seven Mile, then the sign starts to make sense. Earlier in our approvals when we approved for Champs and Alexander's, I think Mary and I were discussing a comment. I do not believe we put verbiage on the backside of -- we didn't allow them verbiage on the backside of the restaurant.

Andrew: Which side?

Flores: I'm not positive. On the east side.

Andrew: You allowed them on the northwest and --

Flores: South.

Andrew: South. Right.

Flores: But we did not allow them on the east.

Andrew: Right.

Zuckerman: Facing the theater.

Flores: Facing the theater. So, if somebody does come in and they are using this sign on Seven Mile to get in, their only recognition to -- you know, there's a building there, but what is that building? The only recognition that they have is on this sign M-1 coming in off of Seven Mile, if they choose to come in that way. And if somebody comes in to the Pentagon properties, AMC Theaters, looking for Champs or looking for Alexander's because they were told they were there, the Seven Mile sign is directional in nature and would identify that as Champs is there; Alexander's is there. So, I didn't have any problem with that sign once I actually, you know, got the feeling of what the sign was for. In terms of the directional signs interior, I have no problem with the request of the 11 sq. ft. I think they were done very architecturally pleasing, you know, in terms of size or a little bit bigger than the 3 sq. ft. that we allow. But there's a lot of nothing on that sign too, but it is a sign that actually draws the attention of a driving vehicle, whether it's driving at 5 miles an hour or it's driving at 20 or 25. So, the sign package, I think there was a lot of effort put into it. I don't think it was a package that, you know, was haphazardly put together. I do want to thank the Petitioner for showing us all the

signs because as many cases were, we see two or three of the signs and we ask, "Well, is there going to be another one?" Sometimes there is, sometimes there's not. But, you know, he's coming before us and saying, you know, "Here's the whole project. This is what I'd like to put in the back. This is what I'd like to put out on Seven Mile." And what he has control of, he has shown us. You know, he doesn't have control over the AMC Theaters. He doesn't have control over Champs, J. Alexander's, or any of the future restaurants. So, the signage on the property itself, in my opinion, I feel is very justifiable.

Petitioner: Mr. Chairman, if I could, just one last comment? If I could indulge the Board for one moment? Again, we listen and we hear. We hear and we listen. If there's any way possible, you know -- we just did some quick calculations. Gerry did a sketch for me. If we drop the restaurants off the M-1 sign and just advertise AMC Theaters and AmeriSuites, we can do that within, like I say, an overall height of 12 ft. And again, it's only in the time crunch of the complex, you know, scheduled to open in the next several months, essentially, the AmeriSuites band would get larger, the AMC would get somewhat smaller and we would stay within the 12 ft. height limitation. And if there's any way that you could condition that, it would be a tremendous help to us.

Zuckerman: So, you wouldn't show the restaurants at all.

Petitioner: Would not show the restaurants at all. It's more important -- you know, I'm just being honest with you. It's more important to have AMC and AmeriSuites. We're willing to lower the height. If we drop the restaurants, the sign comes down. It's that simple. I mean, it's natural. But I think, as I've said, as we've tried to carry some of the architectural features from the buildings, put it on the sign and do it tastefully. And if you like the sign scheme, we simply would reduce it and only have the two characters.

Flores: Is that an overall approval on the sign package with M-2? Is the sign included in the package?

Zuckerman: Let's just deal with sign to sign.

Flores: Okay. The Board is in consensus that with that concession in lowering that sign down to 12 ft. that that one sign would be approved.

Petitioner: I'm sorry?

Flores: Well --

Petitioner: Okay. I see. Okay. I got it.

Flores: Well, we're looking at individual signs.

Petitioner: Right. I've got it.

Flores: Okay. Let's go to M-3. It is a sign that is -- no problems? M-2.

Zuckerman: Do we make it contingent on the other approvals?

Flores: Approvals of --

Andrew: I'll be happy to support Mary on the contingency on that.

Flores: One year? Or are you talking about approvals by Planning and Council?

Zuckerman: Approvals by Planning and Council. Whoever has to approve it to make it a reality. Because in my mind, today it's not a reality.

Petitioner: The final site plan approval. Within 12 months, we have to get final site plan approval.

Flores: And then the directional signs, D-1 through D-6 Mr. Hagan.

Hagan: I said 3 ft. by 2 ft., only because it's somewhat proportional. Is the 3 1/2 ft. width the base and everything, and is that critical or does 3 ft. or 3 1/2 ft. not really make a difference?

Gutierrez: I think what's going to happen is the directional signs that you see now on your design packages, it's basically pointing us to a design that will look like, you know, basically a 2-by-3 ft. plaque with -- on stilts because --

Hagan: Well, you can have a base and the base won't count.

Andrew: The base doesn't count.

Petitioner: It doesn't count the base, Gerry.

Gutierrez: Okay. The base doesn't count.

Andrew: No, the base doesn't count.

Gutierrez: So, the base could be 4 ft. high?

Petitioner: Raised up.

Hagan: The base can be raised up a little bit more, and I'm just saying the bottom of your -- or your lettering can end up in the same location. What I was questioning is you've shown a 3 1/2 ft. wide sign. I mean if we say 6 ft., that kind of begs 2-by-3. If we say 7 ft., that's 3 1/2 as it is here by 2 ft. Does it really make a difference, that extra 6 inch width make a difference?

Gutierrez: I think it will.

Hagan: Okay. I could go to 7, if that's the case, just to keep the base and the width of the sign as it is.

Flores: Mr. Abrahamson, is that a true statement in regard to the base, that we're not counting the sign base? And if we increase the height of that, we're still --

Abrahamson: As long as it's not any kind of a sign panel, sure. That's fine. I mean, if it's made out of brushed aluminum where, you know, they're not able to ever attach a sign or turn it into any kind of sign area, sure. That's fine.

Flores: Well, let me further the question. We have a sign that shows it 4'4" high. Can we make a base that's going to be 2 ft. high then, 2'4"?

Abrahamson: Sure.

Flores: That's not a problem?

Abrahamson: That's fine.

Petitioner: We understand. We can accomplish that.

Flores: Okay. So, those are not a problem then at this point?

Petitioner: None whatsoever.

Flores: It would be approved at the 7 sq. ft.? Three-and-a-half by two.

Petitioner: They'll be essentially 3 1/2 by 2, and we'll redesign the signage.

Flores: Does the Pentagon logo go away or is that -- you're going to --

Petitioner: We're going to try to hold onto that. That's the last remnant of Pentagon actually. I'm going to lay one tile there in the shape of a Pentagon at the plaza and that'll be it. They'll probably bury me under it.

Flores: In that case, I think we have basically approved the package with some adjustments, and I would look to the Board for a motion.

Upon Motion by Zuckerman, supported by Hagan, it was:

RESOLVED, APPEAL CASE NO. 9806-78: Pentagon Properties Limited Partnership, 26100 American Drive, Suite 550, Southfield, MI 48034, on behalf of Pentagon Centre Entertainment Campus, 19500 Haggerty, Livonia, MI 48152, seeking to place directional and business center signs resulting in directional signs which are excess in area and contain the advertisement of tenants, which is not allowed. Business center sign proposed is excess in height, area and width. Other business center signs result in excess number and the advertisement of tenants on all signs, which is not allowed.

Directional Sign Area

Allowed: 3 s.f.
Proposed: 11 s.f.
Excess: 8 s.f.

Business Center Sign

	<u>Height</u>	<u>Area</u>	<u>Width</u>	<u>No. of Signs</u>
Allowed:	8'	40 s.f.	10'	Two
Proposed:	19'6"	239 s.f.	14'6"	Three
Excess:	11'6"	119 s.f.	4'6"	One

The property is located on the east side of Haggerty (19500) Seven Mile and Eight Mile, be granted with modifications for the following reasons and findings of fact:

1. The uniqueness requirement that is being met is a very large development site that requires access in two different areas, with multiple buildings on the site. The central enterprise, AMC 20 Theaters, requires some unique and additional signage beyond what is normally allowed. Additionally, the uniqueness is that there is an attempt to get traffic entered onto the site off the Seven Mile Road exit, and consequently, that entrance requires larger signage than the Ordinance would

normally allow.

2. Denial of the variance would have severe consequences for the Petitioner primarily because of the amount of traffic that the site must handle. If the variance is denied, patrons would not be able to adequately enter this site in an orderly manner.
3. The variance is fair in light of its affect on the neighboring property owners and the spirit of the Zoning Ordinance because of the fact that the site is so large. The signage that is being presented is really being presented for six potential businesses on the immediate site and the yet to be developed site, potentially an additional three, and thus, the overall sign package is not excessive due to the number of buildings that are proposed.
4. The Board received one (1) letter of approval from neighboring property owners.
5. The granting of this variance will not adversely affect the purpose or objective of the Master Plan because this property is classified "General Commercial" under the Master Plan, and the proposed variance is not inconsistent with that classification.

FURTHER, This variance is granted with the following conditions:

1. That sign M-1 should be no higher than 12 ft., which includes the base of the sign, and will be allowed to represent the names of AMC 20 Theaters and the AmeriSuites Hotel, in the style and format as presented to the Board.
2. That sign M-2 shall be approved contingent on a site plan approval for the proposed hotels by the Planning Commission and Council within the next 12 months.
3. That sign M-3 shall be approved as presented to the Board.
4. That all directional signs are approved, but the size of the signs are to be modified to a size that would not exceed 3'6" in width, 2 ft. in height, with the remaining portion of the sign being comprised of the base and not to exceed a maximum height of 4 ft. All other colors and styles of the signs are to be constructed as presented to the Board.

ROLL CALL VOTE:

AYES: Zuckerman, Hagan, Aloe, Andrew, DeSanto, Foraker, Flores
NAYS: None

Flores: Motion carries with some adjustments. Thank you very much.

Petitioner: I wanted to first thank you for working through this with us, and we're all excited about the Campus. You've been very patient and gave us a lot of great input. And thank you for, you know, working through it this evening. The other thing is what we will do, is we will redraft these documents per your approved resolution and get them to you in short order.

Andrew: Good.

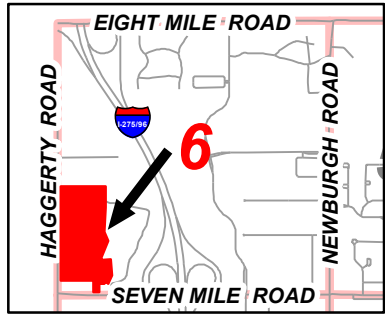
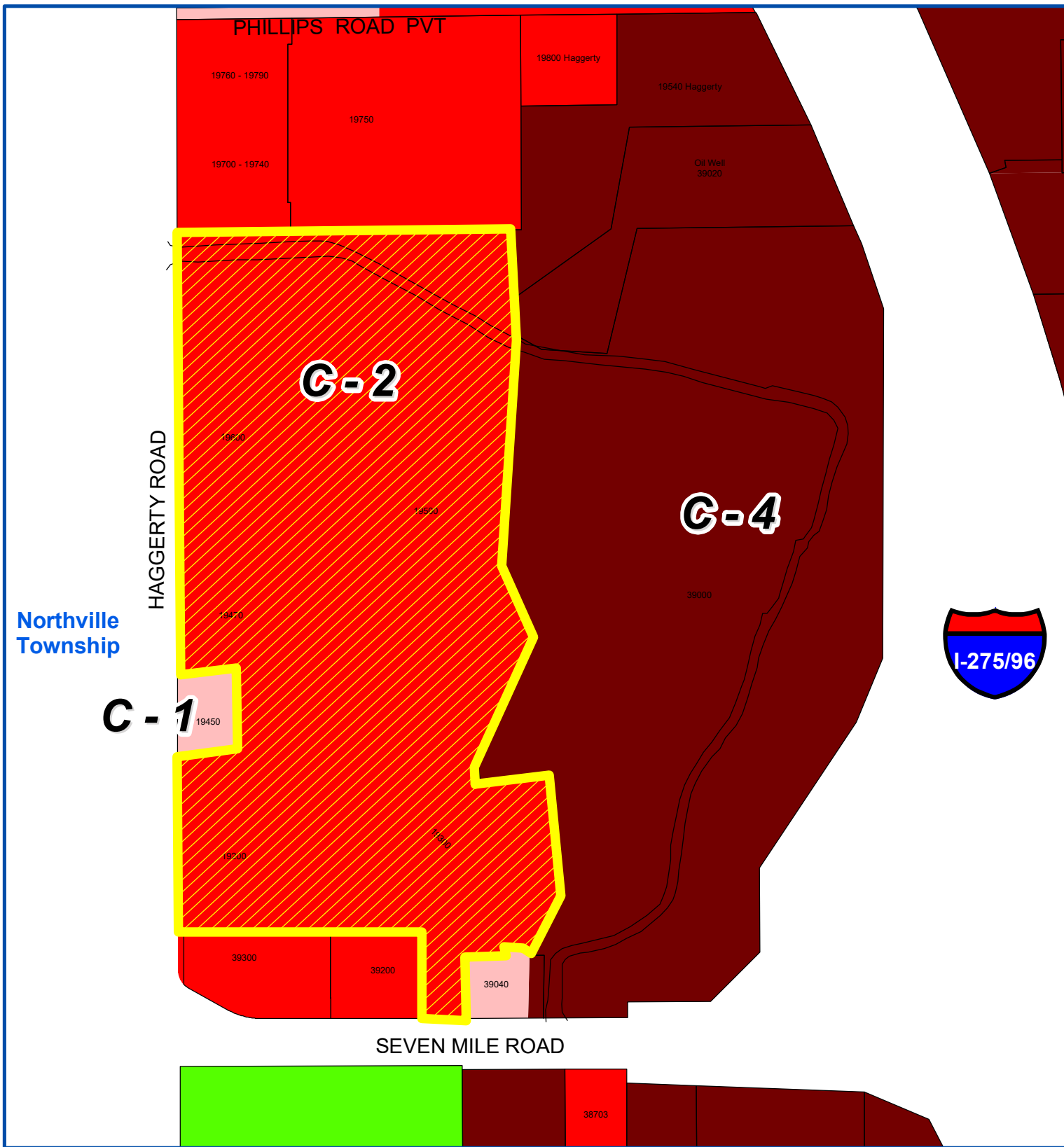
Petitioner: So, you have a record of exactly what occurred this evening because we appreciate greatly, you know, just rolling up your sleeves and working through it. Thank you very much.

Hagan: I'd just like to say as complicated as this package was, the way it was presented has made it easier than things that should be far simpler.

Andrew: Yeah, nice presentation.

Petitioner: Thank you so much. My pleasure. And we'll get you a new package, and thank you so much. Hope you all enjoy the theaters when they open. Thank you again.

Flores: Thank you.



Address & Zoning Map

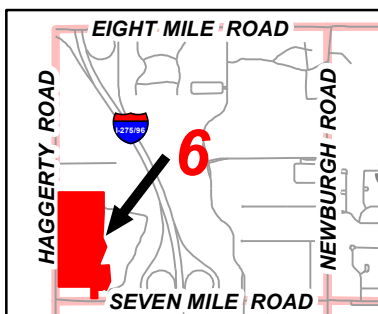
**Petition 2023-03-SN-01
Pentagon Centre
19500 Haggerty Road
Replace Signage**



Northville
Township

HAGGERTY ROAD

SEVEN MILE ROAD



Aerial Map

Petition 2023-03-SN-01
Pentagon Centre
19500 Hagerty Road
Replace Signage



Not to Scale



City of Livonia
Planning Department

PLANNING COMMISSION STAFF NOTES

MISCELLANEOUS

ITEM 2

Petition 2023-03-SN-01 submitted by Metro Detroit Signs, on behalf of Pentagon Centre Condominium, requesting approval under Council Resolution #681-98 and Section 11.08 of the Livonia Vision 21 Zoning Ordinance, as amended, to replace existing ground signs with larger nonconforming panel signs at 19500 Haggerty Road, located on the east side of Haggerty Road between Seven Mile Road and Phillips Road in the Southwest ¼ of Section 9.

March 21, 2023: Study Meeting:

This petition involves a request to replace two (2) monument signs with pylon signs at the Pentagon Centre Entertainment Campus. Pentagon Centre is a commercial condominium development consisting of three (3) full services restaurants—Bahama Breeze, J. Alexander's, and BJ's Roadhouse—a PNC Bank, Hyatt Place hotel, and the AMC Livonia 20 Theatres.

In 1998, Pentagon Centre received approval for a sign package that included two (2) monument signs identifying the AMC 20 Movie Theatres. The signs are at the main entrances to the entertainment campus: one on Haggerty Road and the other on Seven Mile Road. Pentagon Centre is classified as a Business Center. Under Section 11.08(3) of the Zoning Ordinance, Business Center ground signs can be forty (40) square feet in area and have a maximum height of eight feet (8'). Both existing signs conform to these standards, are identical, and are used solely to identify the AMC 20 Theatres. The two (2) replacement signs would also be similar. Each sign would measure forty-nine (49) square feet in area and have an overall height of twelve feet (12'). The signs would be internally illuminated with seven (7) panels identifying the six (6) businesses that make up the Pentagon Centre campus. The bottom panel would be blank. The minimum required setback from the public road rights-of-way is ten feet (10'). Because the area and height of the signs exceed what Section 11.08(3) allows, final approval will require variances from the Zoning Board of Appeals.

The submitted plans include replacing multiple directional signs not regulated under the sign ordinance.

April 4, 2023: Regular Meeting:

Approving Resolution (As Submitted): The request to replace two (2) monument signs at the Pentagon Centre with new pylon signs at 19500 Haggerty Road is approved, subject to City Council approval and the following conditions:

1. The revised drawings prepared and submitted by Metro Signs, dated February 2023, are approved and shall be adhered to.
2. This approval is subject to the petitioner being granted variances from the Zoning Board of Appeals for excess sign area, and

MISCELLANEOUS

ITEM 2 Petition 2023-03-SN-01 – Pentagon Centre

Page 2

3. Any additional signs shall return before the Planning Commission and City Council for review and approval.

Approving Resolution (Modified): The request to replace the existing monument signs at the Pentagon Centre with new pylon signs at 19500 Haggerty Road is approved subject to City Council approval and the following modifications and conditions:

1. The revised drawings prepared and submitted by Metro Signs, dated February 2023, are approved for the Seven Mile Road sign only.
2. On Haggerty Road, the monument sign shall comply with the size requirements of Section 11.08(3) for the business center, which limits the area to forty (40) square feet and the height to eight (8) feet.
3. This approval is subject to the petitioner being granted variances from the Zoning Board of Appeals for excess sign area, and
4. Any additional signs shall return before the Planning Commission and City Council for review and approval.

Denying Resolution: This request to replace existing monument signs with larger nonconforming panel signs at 19500 Haggerty Road is denied for the following reasons:

1. The size limits for business center monument signs under Section 11.08(3) are reasonable, providing the applicant with sufficient opportunity to identify the commercial development.
2. The proposed signage is excessive and fails to meet the requirements of Section 11.08(3), and
3. The applicant has not justified the need for larger signs.



METRO SIGNS **& LIGHTING**

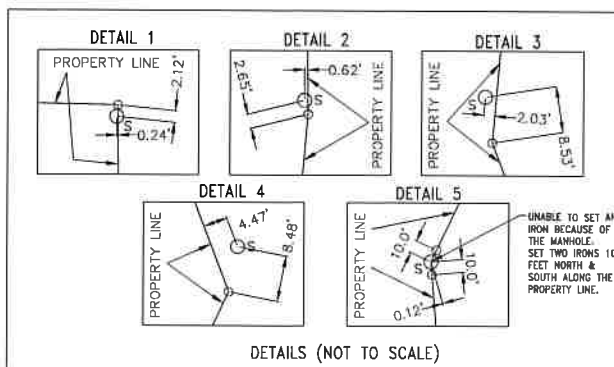
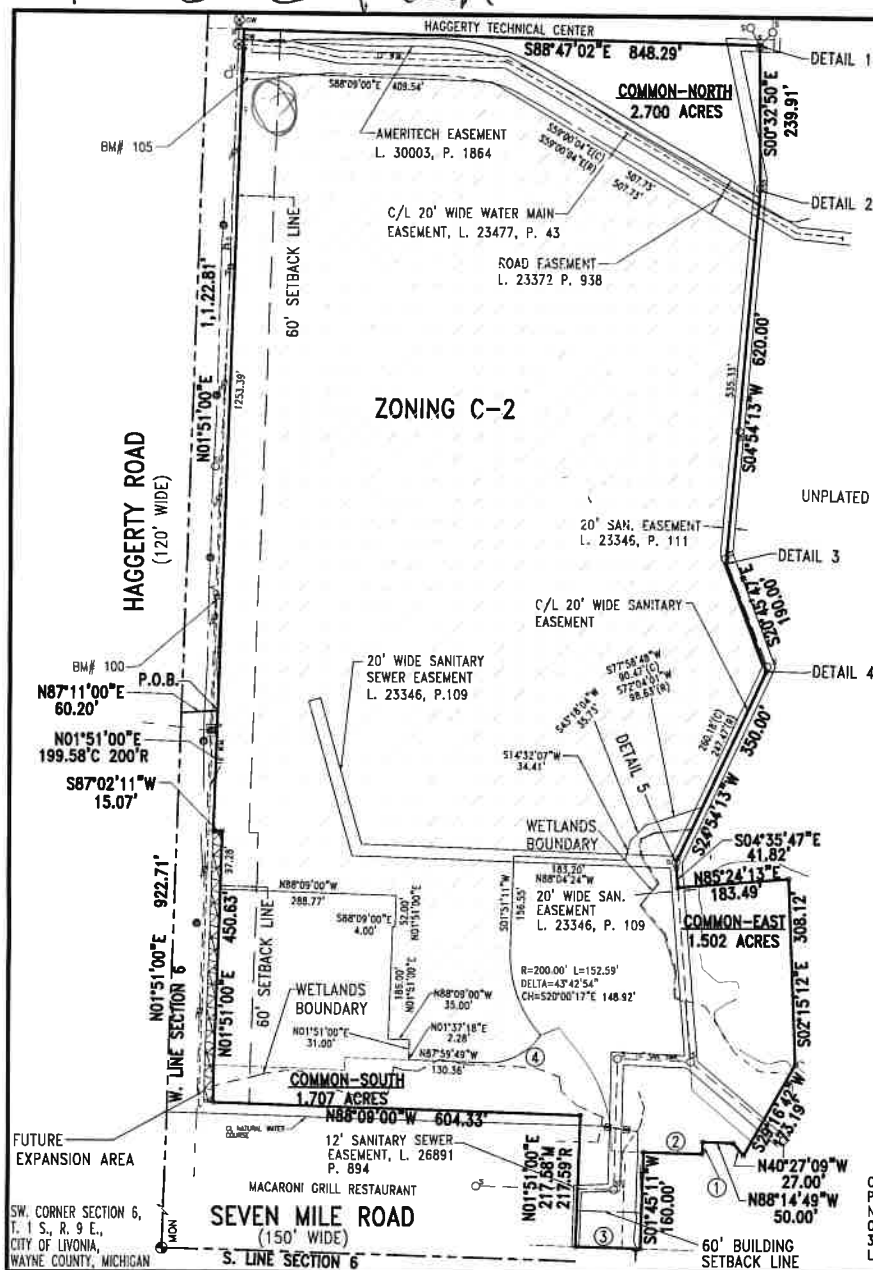
11444 Kaltz Ave. Warren, MI 48089

P: (586)759-2700 F: (586)759-2703

kdeters@metrodetroitsigns.com

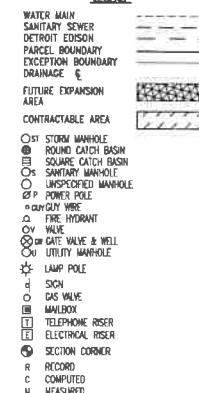
Revised drawings February 2023

- non illuminated replacement directional #1 – 2.5' x 4' = 10 sq feet at 4' OAH
- non illuminated replacement directional #2 – 2.5' x 4' = 10 sq feet at 4' OAH
- non illuminated replacement directional #3 – 2.5' x 4' = 10 sq feet at 4' OAH
- replacement ground sign #1 along 7 Mile Rd – 9.75' x 5' = 48.75 sq feet at 12' OAH
- replacement ground sign #2 along Haggerty Rd – 9.75' x 5' = 48.75 sq feet at 12' OAH



OWENS, HEAT & McCLARY, INC.

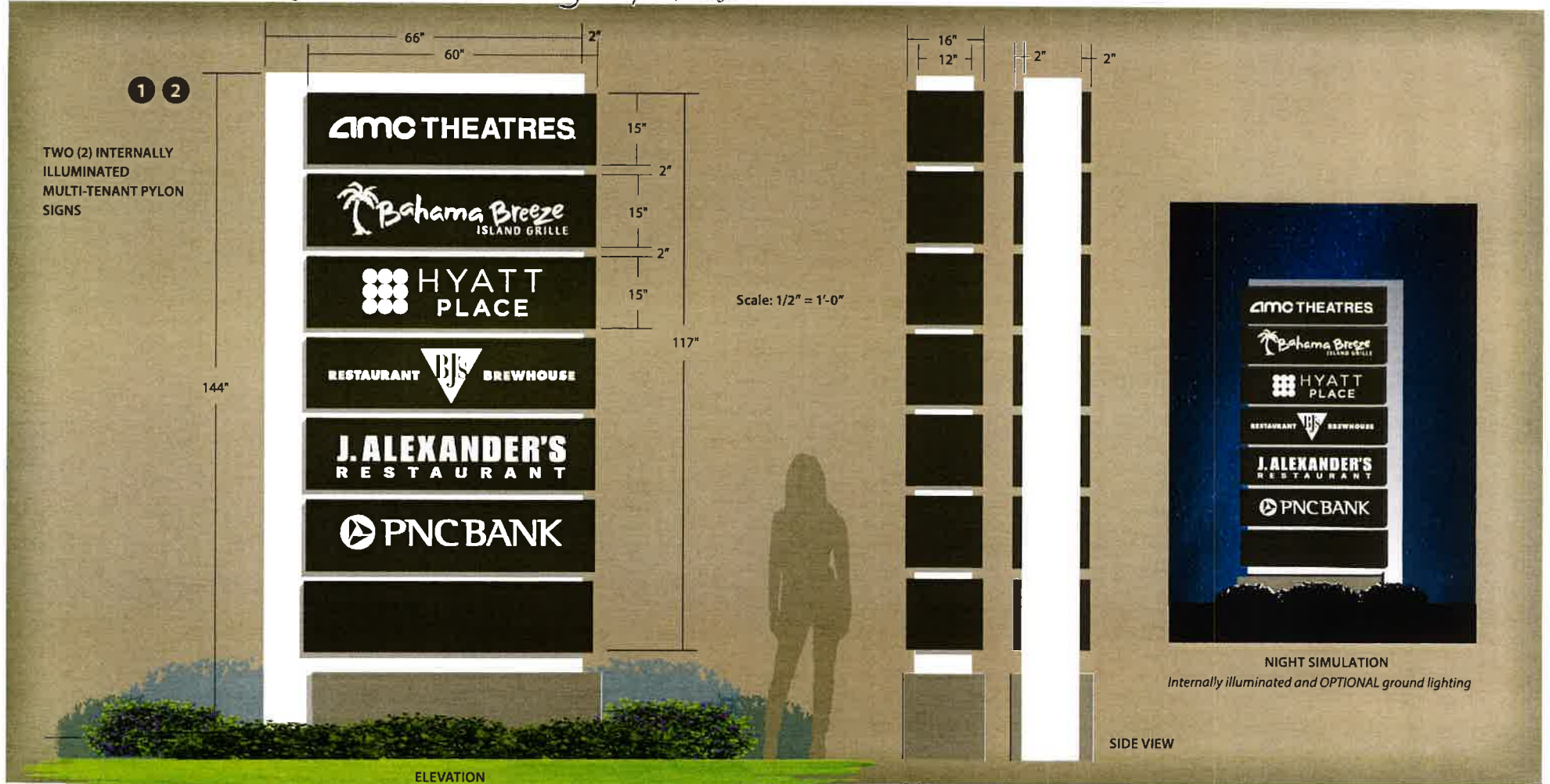
 2000 Spanish Road
 Suite 100
 27060-0001
 (919) 486-0001
 Fax: (919) 486-0001



BENCHMARK# 100
ARROW ON HYDRANT EAST SIDE OF
HAGGERTY RD. NORTH OF DRIVEWAY
AT HOME DEPOT.
ELEV. 820.94 (NGVD 29)

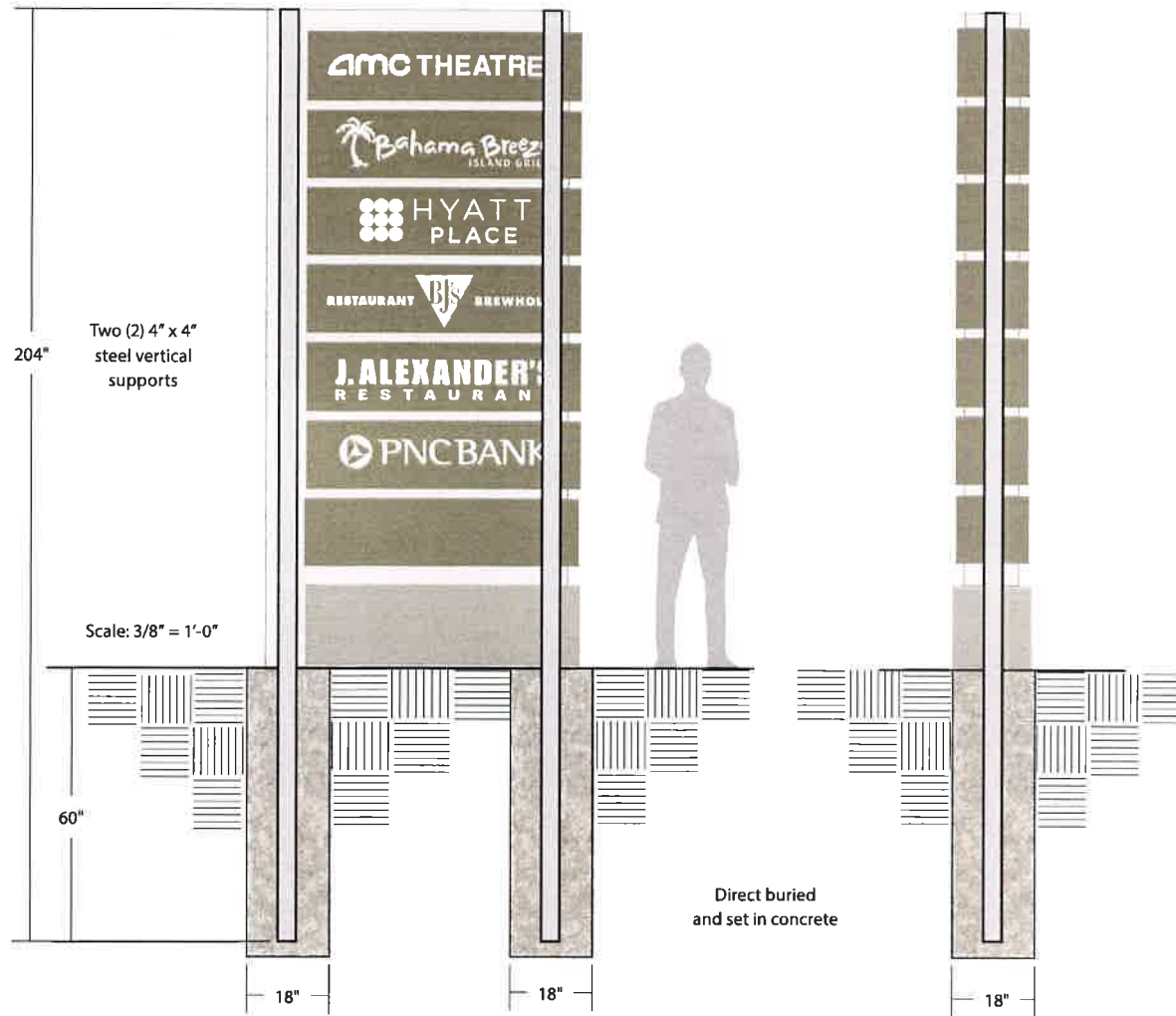
SURVEY PLAN

Pylon Sign #1 along 7 Mile Rd.



Pentagon Centre Association	Sales: Matt Thomas	Drawn By: Steve	Date: 03/02/2022	File Name: Pentagon Centre Association	Revision: 11/23/2022	 METRO SIGNS LIGHTING 11444 Kaitz Ave Warren, MI 48089 Phone: 586-759-2700 Fax: 586-759-2703
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Pylon Sign #1



**Pentagon
Centre
Association**

Sales: Matt Thomas

Drawn By: Steve

Date: 03/02/2022

File Name: Pentagon Centre Association

Revision: 11/23/2022

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Customer Signature _____

Date _____

Work Order#: XXX

METRO SIGNS
ILLUMINATION

11444 Kaitz Ave
Warren, MI 48089
Phone: 586-759-2700
Fax: 586-759-2703

Sign #1 Along 7 Mile Rd.



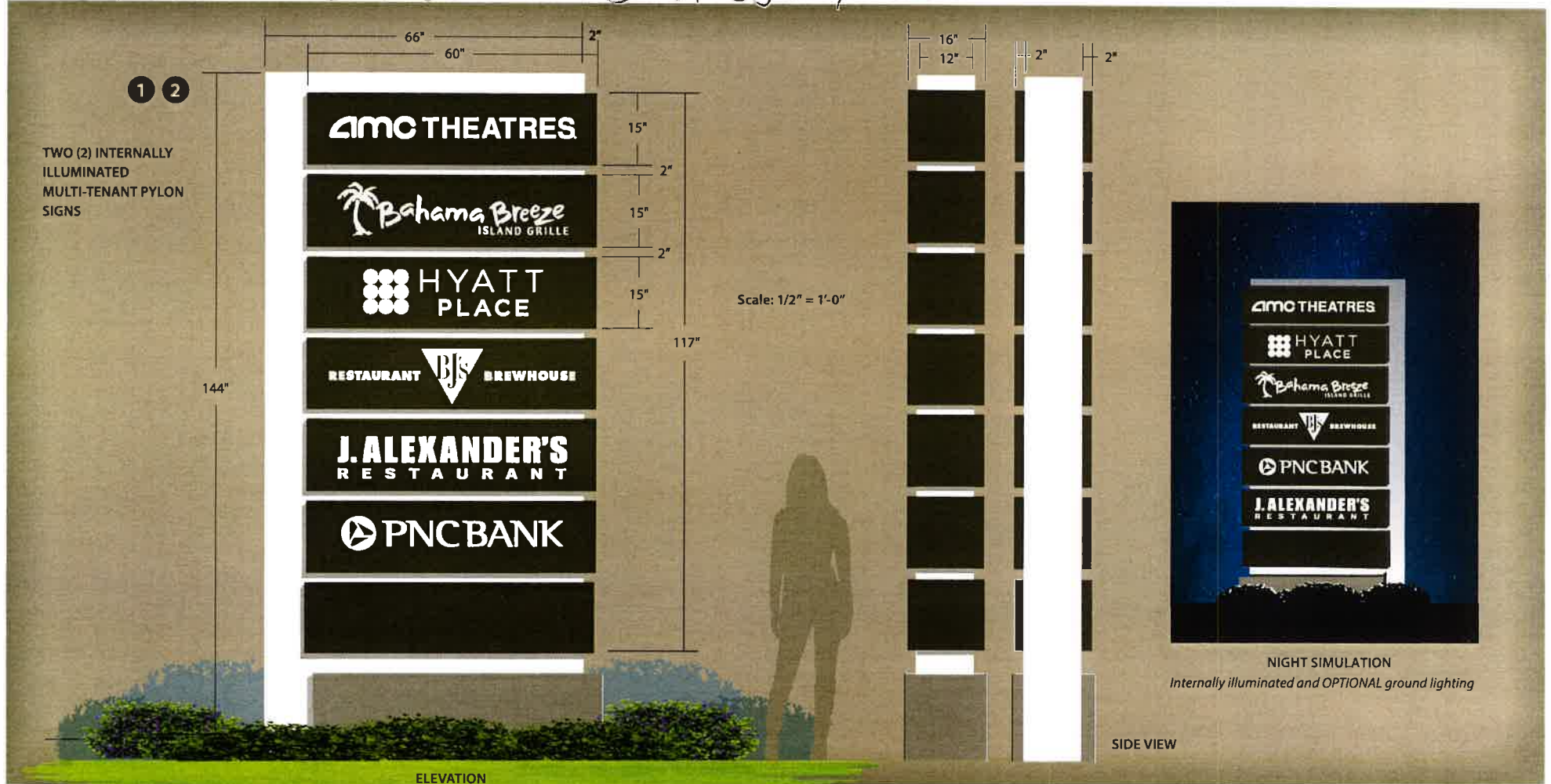
Page 2 of 3

Pentagon Centre Association	Sales: Matt Thomas	Drawn By: Steve	Date: 03/02/2022	File Name: Pentagon Centre Association	Revision: 11/23/2022	 METRO SIGNS — LIGHTING —
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	Customer Signature _____		Date _____			11444 Kaltz Ave Warren, MI 48089 Phone: 586-759-2700 Fax: 586-759-2703

Sign #1 to be replaced
Sign is 8' high x 10' wide

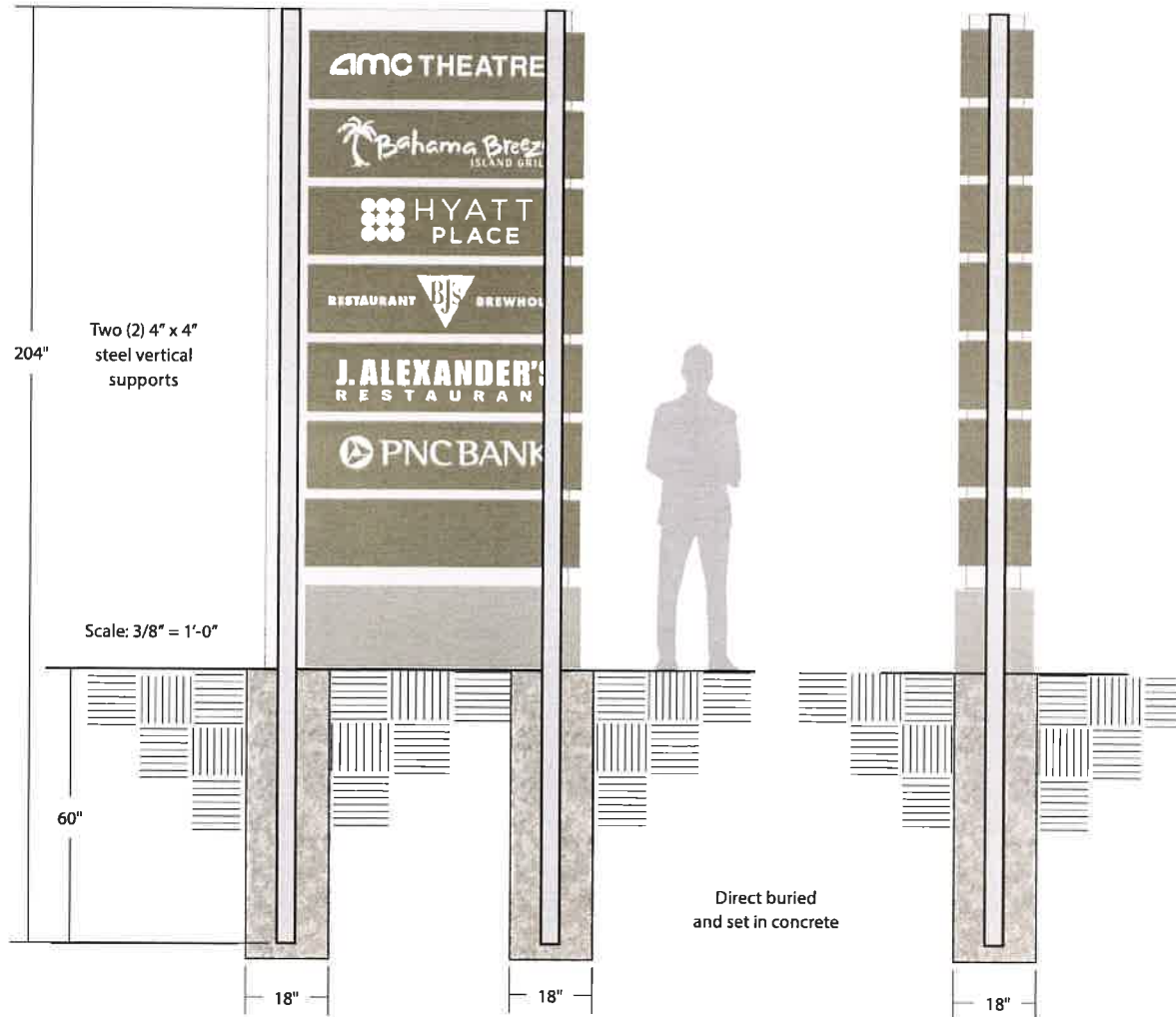


Pylon Sign 2 along Haggerty Rd.



Pentagon Centre Association	Sales: Matt Thomas	Drawn By: Steve	Date: 03/02/2022	File Name: Pentagon Centre Association	Revision: 11/10/2022	 METRO SIGNS & LIGHTING 11444 Kaltz Ave Warren, MI 48099 Phone: 586-759-2700 Fax: 586-759-2703
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Pylon Sign #2

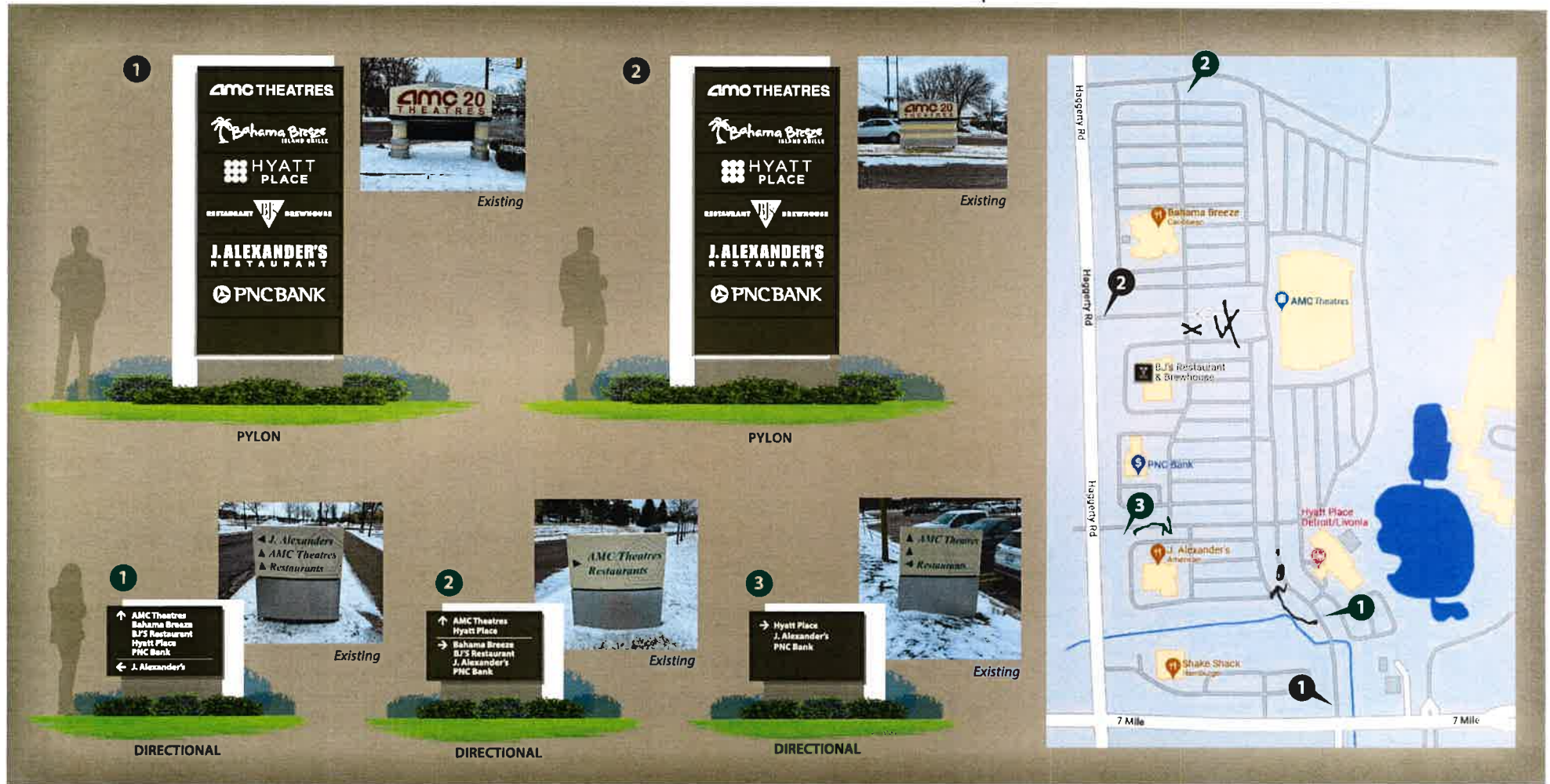


Pentagon Centre Association	Sales: Matt Thomas	Drawn By: Steve	Date: 03/02/2022	File Name: Pentagon Centre Association	Revision: 11/10/2022	 METRO SIGNS LIGHTING 11444 Kaltz Ave Warren, MI 48089 Phone: 586-759-2700 Fax: 586-759-2703
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	Customer Signature _____		Date _____			

Sign # 2 along Haggerty Rd. will
replace this AMC Monument Sign
- existing sign is 8' high x 10' wide

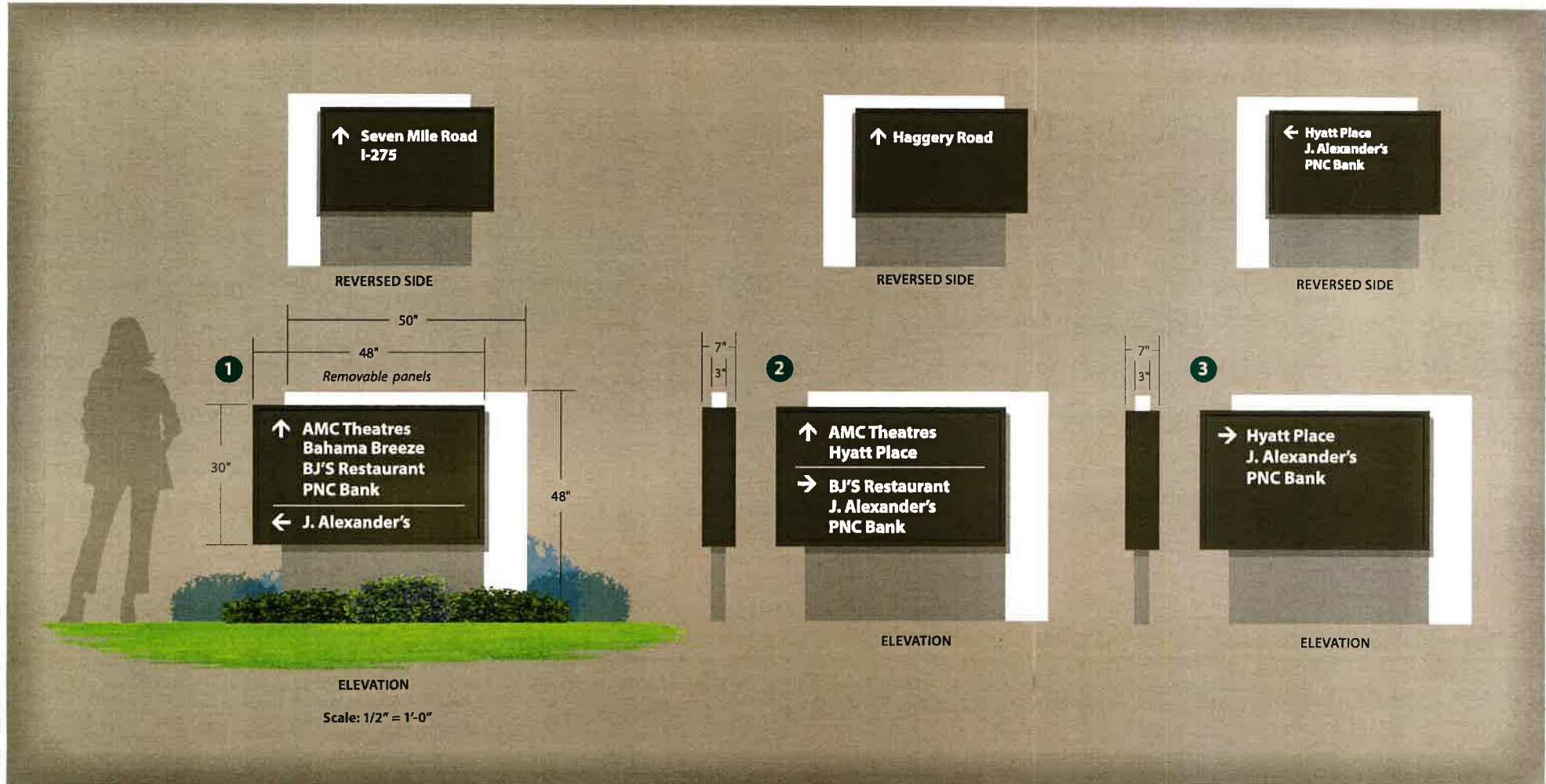


N
↑



SITE MAP

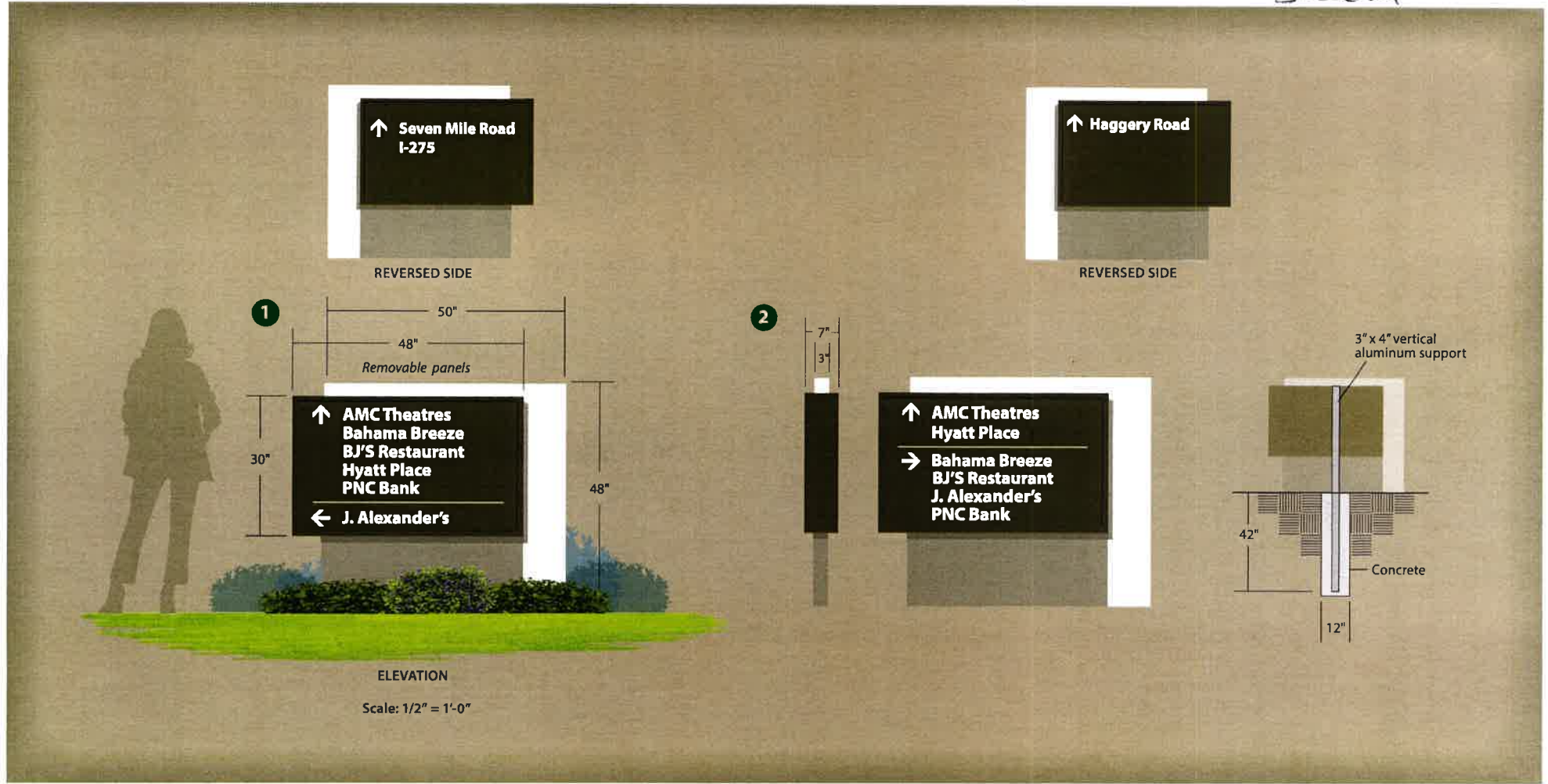
Pentagon Centre Association	Sales: Matt Thomas	Drawn By: Steve	Date: 03/02/2022	File Name: Pentagon Centre Association	Revision: 01/23/2023	 METRO SIGNS — B LIGHTING — 11444 Kaltz Ave Warren, MI 48089 Phone: 586-759-2700 Fax: 586-759-2703
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	Customer Signature _____				Date _____	



THREE (3) DIRECTIONAL SIGNS - NON-ILLUMINATED

Pentagon Centre Association	Sales: Matt Thomas	Drawn By: Steve	Date: 03/02/2022	File Name: Pentagon Centre Association	Revision: 01/23/2023	 METRO SIGNS — G LIGHTING — 11444 Kaltz Ave Warren, MI 48089 Phone: 586-759-2700 Fax: 586-759-2703
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Non illuminated directional signs 1 and 2 and 3 Construction Detail



TWO (2) DIRECTIONAL SIGNS - NON-ILLUMINATED

Pentagon Centre Association	Sales: Matt Thomas	Drawn By: Steve	Date: 03/02/2022	File Name: Pentagon Centre Association	Revision: 11/10/2022	 METRO SIGNS ILLUMINATING 11444 Kaltz Ave Warren, MI 48089 Phone: 586-759-2700 Fax: 586-759-2703
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Existing directional is 4' high x 3.5' wide

Directional # 3 to be replaced

Directionals 1 and 2 are identical in size



APPLICATION FOR VARIANCE

Pentagon Centre Condominium	39533 Woodward Ave, Ste 310	Bloomfield Hills, MI	48304	248-352-1550 ext. 207	
(Owner of Premises)	(Street Address)	(City)	(Zip Code)	(Telephone)	(Fax)
AMC	19500 Haggerty Rd	Livonia, MI	48152	(734) 542-3191	
(Lessee)	(Street Address)	(City)	(Zip Code)	(Telephone)	(Fax)
Metro Detroit Signs	11444 Kaltz Ave	Warren, MI	48089	586-759-2700	586-759-2703
(Contractor)	(Street Address)	(City)	(Zip Code)	(Telephone)	(Fax)

The property address is 19500 Haggerty Rd

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

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

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

UNIT 2 PENTAGON CENTRE CONDOMINIUM T1S R9E; WAYNE COUNTY SUB PLAN 437; L29370 P706 - 766.5 WCR PAD SITE 2.147 AC

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

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

This is a unique multi-tenant site in that there are multiple buildings, some of which are not visible from the road, and the individual businesses do not have ground signs.

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

The mature foliage along Haggerty Road and the setbacks of the buildings from Seven Mile make it difficult to identify entry points for the various businesses.

5. Explain why you think this variance would be fair to the neighbors and others who might be affected. The proposed signs will enhance the neighbors and guest experience by providing better

better entry point identification and safer access to those entrances. The shared entrance with the Beaumont facility and number of visitors from outside the community make clear signage more necessary.

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

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

Other zoning in Livonia permits signage of the size being proposed. This location is unique in its multiple building and type of business format.

RECEIVED

JUN 09 2023

Inspection Department
City of Livonia



METRO SIGNS
— & LIGHTING —
metrodetroitsigns.com

KEVIN DETERS

Office 586-759-2700
Direct 586-434-0056
kdeters@metrodetroitsigns.com

8. Have you attempted to have the property rezoned? If yes, please describe the outcome of the rezoning process: No.
9. If you have not attempted to have the property rezoned, why hasn't this attempt been made? The condominium structure with multiple ownership interests makes that a practical difficulty and the management company suggested pursuing a zoning variance first.

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

OWNER'S AFFIDAVIT

COUNTY OF WAYNE)
STATE OF MICHIGAN)

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

Signature of property owner: Paul B. Deters 6-5-23

Please print name of property owner: Paul Deters

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

Subscribed and sworn to before me this 5th day of June 2023

Theresa Ann Licavoli
(Notary Public, Wayne County, Michigan)
My Commission expires 6/2/27

Theresa Ann Licavoli
Notary Public, State of Michigan
County of Macomb
My Commission Expires 06-02-2027
Acting in the County of MACOMB

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

NOT TO BE COMPLETED BY APPLICANT

Petitioner makes application for a Hearing, seeking to (reverse, modify, or affirm) the (order, decision) of the Department of Inspection, dated 6/13/2023, which reads as follows:

LIVONIA VISION 21, SECTION 11.08(3)

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

Ry
(Supervisor)

Application for permit filed Yes

Violation Issued NO

ADOPTED BY THE LIVONIA CITY COUNCIL AT THE REGULAR MEETING OF
May 8, 2023

Petition 2023-03-SN-01 – Pentagon Centre

#145-23 RESOLVED, that having considered a communication from the City Planning Commission, dated April 10, 2023, approved for submission by the Mayor, which transmits its resolution 04-19-2023, adopted on April 4, 2023, with regard to Petition 2023-03-SN-01 submitted by Metro Detroit Signs, on behalf of Pentagon Centre Condominium, requesting approval to replace existing ground signs with larger nonconforming panel signs at 19500 Haggerty Road, located on the east side of Haggerty Road between Seven Mile Road and Phillips Road in the Southwest ¼ of Section 9, the Council does hereby concur in the recommendation made by the City Planning Commission and Petition 2023-03-sn-01 is hereby approved and granted, subject to the following conditions:

1. The revised drawings prepared and submitted by Metro Signs, dated February 2023, are approved and shall be adhered to;
2. This approval is subject to the petitioner being granted variances from the Zoning Board of Appeals for excess sign area; and
3. Any additional signs shall return before the Planning Commission and City Council for review and approval.

(Board recessed from 9:32 p.m. to 9:34 p.m.)

APPEAL CASE NO. 9806-78: Pentagon Properties Limited Partnership, 26100 American Drive, Suite 550, Southfield, MI 48034, on behalf of Pentagon Centre Entertainment Campus, 19500 Haggerty, Livonia, MI 48152, seeking to place directional and business center signs resulting in directional signs which are excess in area and contain the advertisement of tenants, which is not allowed. Business center sign proposed is excess in height, area and width. Other business center signs result in excess number and the advertisement of tenants on all signs, which is not allowed.

<u>Directional Sign Area</u>		<u>Business Center Sign</u>			
		<u>Height</u>	<u>Area</u>	<u>Width</u>	<u>No. of Signs</u>
Allowed:	3 s.f.	Allowed: 8'	40 s.f.	10'	Two
Proposed:	11 s.f.	Proposed: 19'6"	239 s.f.	14'6"	Three
Excess:	8 s.f.	Excess: 11'6"	119 s.f.	4'6"	One

The property is located on the east side of Haggerty (19500) Seven Mile and Eight Mile.

Flores: Mr. Abrahamson.

Abrahamson: Thank you, Mr. Chairman. Just, if there is a variance granted tonight, they would have to go before Planning and Council for approval because it is located in a zone-controlled area. Also, to help clarify it, if you turn to page 2, which would be the size of the directional signs, as I understand, they will all be the exact same style, the size, as far as area is the same. The only thing that will change would be what the wording is upon those signs. And what the wording is or as far as the message is on the sign would be referred to on page 1. And one of the signs, which is noted on their plan and actually as part of the Ordinance as far as the one ground sign, which is in excess of height, area and the width would be the M-1 sign, which is located on page 3. And that's all I have. Thank you.

Flores: Thank you. Questions for Mr. Abrahamson? Mr. Andrew.

Andrew: Randy, I presume sign M-3 is the one on page 3?

Abrahamson: M-3 is -- yes, that's correct. No, I'm sorry. M-1 is on page 3, the sign, the monument sign M-3 is on page 5. They locate them in the bottom right-hand corner.

Andrew: I'm sorry. Okay.

Abrahamson: Above the -- okay.

Andrew: Thank you.

Abrahamson: You're welcome.

Flores: Mr. Hagan.

Hagan: To Mr. Abrahamson. M-2 and M-3 with all the different -- other than a number or whatever, are they conforming?

Abrahamson: They are conforming in height and in area. The only thing that they are not allowed to have on those signs would be actually the name of the tenants.

Hagan: You're talking about M-2 in this case.

Abrahamson: M-2 and M-3 both. Both are conforming in height and area.

Hagan: Well, is that -- M-3 is merely that AMC 20.

Abrahamson: Correct.

Hagan: Is there an intent to put other tenants below that?

Abrahamson: Not that I'm aware of.

Hagan: Okay. So, that one is conforming as is, if they're allowed to have the --

Abrahamson: Right. Except that they're not allowed to have the verbiage on the sign as far as identifying the tenant. They can't do that.

Hagan: That would be --

Abrahamson: That's true for all signs, for all of the ground signs and all of the directional signs.

Hagan: Understand. But the AMC 20 Theaters, is that allowable or are you saying that's not?

Abrahamson: Not, it is not. It is not.

Hagan: That's not. Okay. The only thing that would be allowed there is Pentagon Centre?

Abrahamson: That's correct.

Hagan: Okay. So, that's not conforming then because of the letters -- the name.

Abrahamson: Because of the verbiage that's on the sign. Correct.

Hagan: And then the M-2, the same thing?

Abrahamson: Correct, correct.

Hagan: That 10 ft. wide and 8 ft. high is conforming --

Abrahamson: Correct.

Hagan: -- for this type of a center.

Abrahamson: Correct.

Hagan: And same thing with the -- well, in addition to the height, the fact that all of the names on M-1 sign are not conforming.

Abrahamson: You have it. Exactly.

Hagan: Thank you.

Flores: Mrs. Zuckerman.

Zuckerman: Randy, the reason why the two business center signs are allowed is because of the two different frontages, that being --

Abrahamson: That's correct.

Zuckerman: Okay.

Abrahamson: Because they have over a total of 200 sq. ft. in both directions -- 200 ft. in each direction along Haggerty and along Seven Mile.

Zuckerman: Okay. And then getting to the directional sign area, they can't have any of the businesses listed on the directional sign?

Abrahamson: No, no. It states in the Ordinance that -- and I'll read just a portion of it. "All such traffic, directional signs and supporting structures shall be free of all advertising." And advertising is including identifying a tenant.

Zuckerman: If I remember correctly, this issue came up with Laurel Park? Weren't they trying, at one time, to put similar signage up identifying some of their different businesses and if -- does anybody remember that?

DeSanto: Talbot's.

Abrahamson: Yeah, I think I recall. I don't think I was even employed with the City at that time, but regardless --

Zuckerman: Well, I think it was more -- oh.

Abrahamson: I can't remember the outcome, but that sounds extremely familiar.

Flores: That came up about a year ago, a year and a half ago.

Zuckerman: Yes.

Flores: And I believe they were successful. They came before the Board.

Zuckerman: You think we did approve it?

Flores: I do believe we did. There was ground signs that were internal in that -- and I can't remember who they were for. It was one of the tenants that wanted to put --

DeSanto: Talbot's came before us, and I think we turned them down.

Flores: No, it wasn't Talbot's. It was --

Zuckerman: One of the financial service companies.

Flores: Financial service or the --

Zuckerman: One of the financial service companies.

Flores: Insurance, or one of those.

Zuckerman: I thought we turned it down.

Flores: I thought we granted it.

Zuckerman: Has anybody been to the mall lately?

Foraker: We're not sure who it is so --

Flores: Yeah.

Zuckerman: No, but it was --

Foraker: That pretty well wraps it up, though.

Abrahamson: The only one that comes to mind actually would be -- thinking on the corner of Seven and Newburgh, the --

Andrew: Credit Union?

Abrahamson: No, it's like the medical service center there?

Andrew: Oh, the Providence --

Petitioner: Okay.

Abrahamson: I think they have a few in their parking lot, which I don't think they ever pulled permits for. They just erected them.

Hagan: They will get a violation tomorrow, right, Randy?

Abrahamson: Well, there's actually no permits required if it's conforming as far as height and area.

Hagan: Oh, was that it?

Abrahamson: But if there is any kind of advertising on it, it should come to our attention.

Zuckerman: Randy, do we have any signage of what is actually going to appear on the theater building? Because now we're dealing with the external signage, but we've not address what's happening on the theater itself.

Abrahamson: Right. Well, as Champs, and I believe we've heard from two of the restaurants and the hotel so far. I don't believe the theater's come before us for wall signage. At least I didn't see a record of it yet, but you'll see them for wall signage, I'm sure.

Zuckerman: So, maybe we can ask the Petitioner about that.

Abrahamson: In fact, every one of the businesses that will be on that site I'm sure will want more than what the Ordinance allows for, so you'll probably see them.

Zuckerman: Okay.

Flores: Mr. Hagan.

Hagan: Randy, refresh my memory. I've been gone so much the last couple of months. I've tried to keep up on the agendas. We've reviewed, and I've sat on both, Alexander's and Champs, when we allowed their initial signage.

Abrahamson: Correct.

Hagan: One of them was coming back to, basically, ask for what they've been denied the first time, and I wasn't here when that happened or if it got tabled. I don't recall if that ever came --

Abrahamson: I don't believe they ever did come back.

Hagan: Okay. So, that must be -- I think they rescheduled, and we haven't seen them. I think it was Alexander's if I'm not mistaken, but I may be wrong, was denied sign on one side of the building and they were coming back because they wanted more signage.

Abrahamson: Hmm-hmm. I believe they dropped that because I don't think they wanted to go through the entire process again.

Hagan: Okay. Has Champs come back for more signage?

Abrahamson: No.

Hagan: Then my question is, what is the letter of the law, or the Ordinance in this case, about temporary signage on a building? What are they allowed to put up those banners for?

Abrahamson: They're allowed a temporary pennant and banner for up to two weeks.

Hagan: To show what? Special events?

Abrahamson: It can advertise anything. It can advertise hiring, it can be the name of the business, "we're open."

Hagan: Because Champs, in going by there today, the one side that they didn't get signage on, they've got a great, big banner with just their Champs logo on it. So now do they put it up for two weeks, take it down for a day and put it up for two weeks? I don't know.

Abrahamson: No, they're only allowed to have it up for two weeks for up to a total of six months -- for every -- up to six months. So, they're able to have it up two weeks for up to -- or for only two

weeks within a half a year.

Hagan: Within a half year. Okay. So --

Abrahamson: Right. So, if they have that up there, we can check into that.

Hagan: You know, it just looks like they're trying to go and get what we already said they couldn't have. And now I look at this, and I see more signage that didn't come in the original package. And it's still nowhere, you know, what the individual businesses are doing relative to that.

Abrahamson: Right. And I'm not actually sure either until they actually call me and either ask or inquire, or I come in and go through the mail. It's like, "Oh, boom. The ZBA application from Champ's. Great." You know, so -- and I'm not even alerted as far as to what's happening actually on site, as far as these ground signs. You know, I didn't know until I received a call from, actually, the construction company and said, "Hey, look. We want to appeal all kinds of ground signs out there." I'm like "okay." You know, "Here's the forms," and boom, here they are. So, as far as what their actual planning is for the entire site, wall signs, grounds signs, it'd probably be a great time to have them state that now, so that, you know, you don't have any more surprises coming back --

Hagan: Well, plus we've got two more restaurants just like the two that are in there already --

Abrahamson: Correct.

Hagan: Two more are proposed --

Abrahamson: Correct.

Hagan: -- who are going to come back and ask for the same things.

Abrahamson: I can't say for sure, but probably they will.

Hagan: Well, if somebody has three, they're going to want three. And we've already seen the two that are there.

Abrahamson: That's how it works usually, yeah.

Hagan: Okay. Thank you.

Abrahamson: You're welcome.

Flores: Further questions from the Board? Petitioners.

Petitioner: Good evening. Gary Jonna, Vice President, Jonna Reality Enterprises, General Partner, Pentagon Properties Limited Partnership. Boy, that's a long title.

Flores: Actual address, please.

Petitioner: It's 26100 American Drive, Suite 550, Southfield, Michigan, 48034. Hopefully, I can clarify a couple of issues. That's one of the reasons we're here tonight. Our role in the project is that we are the master developer of the entire Pentagon Centre campus, meaning the Pentagon Properties Limited Partnership. We're here tonight to propose, or for your consideration a -- you

know, overall site graphics package for this integrated campus. Now, one of the -- I think some of the confusion that has occurred is that we are also a condominium. And in the case of the Champs or J. Alexander's, or even the hotels, those folks have purchased their sites. And then in terms of what they propose for wall signage, we as a master developer can't necessarily bar them from seeking additional wall signage. So, the difference here is we are in control of what we're submitting to you this evening, again, one single package. If you won't have the other unit owners, meaning the other restaurants and hotels coming in and trying to vary from this, you know, total package. The only thing that we haven't had under our purview has been these wall signs. And again, in the case of AMC, another clarification was that they were shown on the building elevations that were submitted during site plan approval to both Planning and Council. Of course, they require separate sign permits, but they've been shown on those building elevations from day one. So it's unfortunate that, you know, we haven't been able to necessarily regulate, as the master developer, the wall sign. We are in total control of what we're presenting to you this evening. So, I hope that -- I don't know if that answers Mr. Hagan's questions or not in terms of --

Hagan: I understand that you're doing -- and they did their own thing. But what I'm concerned about is what they get out of it in the, you know, -- the people driving down the street don't know who paid for what.

Petitioner: Right.

Hagan: They know that they're there, and they see the number of signs, and so forth.

Petitioner: Right.

Hagan: And then six months from now, somebody puts in a new restaurant south of Seven Mile, right around the corner, whatever, on the other side of the highway. They're going to say, "Well, they've got six signs over there." That's my concern.

Petitioner: Yeah, and I'm not endorsing, you know, necessarily the wall signs and whatever restaurants. They come here on their own merit, individually, before this Board and have to demonstrate their practical difficulty, and certainly that's the system. But I just want to clearly separate this evening what we're presenting to you, it won't be re-presented to you; it won't be varied. This is the integrated site graphs package. Again, AMC will come back for their wall signs, you know, I think consistent with the approved building elevations as far as I know. But in any event, I think if any restaurants were to come in, if they wanted to exceed the number of wall signs or square footage, of course, they would have to seek variances and demonstrate a practical difficulty. We're here tonight to demonstrate a practical difficulty for the overall site graphics package. If I could, I'd like to just start with the big picture, as I finally refer to it. You know, this is -- I think everyone knows the campus. I mean, we have the, you know, the theaters. It's been well publicized, and so on, and I hope eagerly anticipated. But in any event, the original project consisted of almost 50 acres. Several years ago, the Macaroni Grill was the initial Phase One of the development, approximately 3 acres. That's been there for several years. Everyone knows, I think, Macaroni Grill, or the "Grill," as a lot of people call it. In any event, we came in back in 1996 with the Pentagon Centre Entertainment Campus. That consisted of approximately 35 acres. As you can see, bounded by Haggerty Road frontage and Seven Mile frontage, we have this area in here that's immediately east of Macaroni Grill. And that was done for a purpose way back. Macaroni Grill actually tried to acquire that additional property, but it was very strategic that in keeping with this large-scale development, that there should be access from Seven Mile. And I think that's germane to what our presentation will be this evening. In any event, you know, again, significant Haggerty Road frontage. Also, another item to consider this evening is there is an 11-

acre site that really does not have frontage on Haggerty Road. And that's the subject of a rezoning that's currently under consideration by Council. And right now, the way that property is accessed is there's an access drive located here at the northern boundary of the Pentagon Centre Entertainment Campus. It leads to this 11-acre site. In a moment, I'll show you the overall master site plan. In any event, in terms of the transportation network, I-275 and again this 11-acre site having frontage on I-275, this access road, which essentially comes through the campus and will be a spur that will go off to this site. But if you can see with my hand, it kind of loops around and all the way back to Seven Mile. So, that's basically the access drive is doing this, linking Seven Mile to Haggerty Road. This is Technicolor Video Service System. They have -- in terms of -- and then the other major roadways obviously are Haggerty Road and Seven Mile Road. Very important point of access, as I mentioned earlier here, and then in a moment I'll show you the overall site plan. But that kind of frames the transportation system for the property. Any questions on the aerial? Okay. This is the overall industrial development plan. It takes into account -- maybe I'll leave this here so we can see both in trying to refer to it. This is the overall plan. Again, the AmeriSuites Hotel at this location, J. Alexander's here, Champs Americana, the 20-screen AMC Theater, two outlots -- two additional outlots are proposed here. We have not made any formal submittals for this, but certainly restaurants are an option given the success of the other restaurants. And as you can see, this is -- this being only having freeway frontage, non-accessible freeway frontage, is linked to Haggerty Road vis-a-vis this drive. That's really owned and maintained by the Entertainment Campus. So, this site, again, relies on this drive and has no Haggerty frontage. Right now, what we've done, we've put together, I think, a very detailed graphics package for your review. And Gerry Gutierrez of Gould Evans will go through that in a moment. I will just give you a bit of history about the importance of this Seven Mile access. As you can see, this Seven Mile access supports a very strong north/south artery that traverses the front of the theater, links the north service drive, and at some point in the future, I would think Council will probably pass a resolution in the next few weeks to request from Wayne County a signal at this location. So, at this point, you know, we see that this -- there will not be a signal at this location because there's another signal just off the freeway ramp; that's too close in proximity. It's also -- just above here is the drive, to see the CVS Technicolor. So, right now, as you can see, the major artery runs north/south in this direction, the service drive in this direction making the 11-acre site. And then we have a very strong, attractive boulevard feature that kind of terminates at the plaza and fountain. So, that's just a bit about the overall development plan and how it all fits together. Are there any questions on the site plan? Yes.

Hagan: Too, I was looking at this and following along as you were speaking. Where did you say they were requesting probably a traffic signal? On Seven Mile?

Petitioner: Right here.

Hagan: Oh, there.

DeSanto: Haggerty.

Hagan: Okay, okay. I was going to -- the other one --

Petitioner: Oh, no, no. Yeah, the other one's way too close.

Hagan: Right. It's too close. And then you're saying you're going for rezoning on the back parcel.

Petitioner: This --

Hagan: What are you seeking to have that zoned?

Petitioner: C-2 commercial.

Hagan: So, it won't be an extension of the Haggerty Technical Center in front of it.

Petitioner: It will not, will not.

Hagan: Okay.

Petitioner: This is proposed as a Homewood Suites, an upscale extended stay hotel, And this is proposed as a HomeStead Village, and this is a future pad area at this location.

Hagan: Now, those two things that you mentioned, I think -- M-2. Okay. That's the M-2 sign that you're requesting is --

Petitioner: Isn't that right here, Gerry?

Gutierrez: Yes.

Hagan: Well, M-2 is out at the corner, but it says HomeStead Village and Homewood Suites.

Petitioner: That's correct. That's located right here.

Hagan: So, that's the back property.

Petitioner: Right. See, right now, that is the only method of identifying this site.

Hagan: Understand. I was confusing that with the AmeriSuites on the other side.

Petitioner: Right, right.

Hagan: Okay. So -- because that is not on our package, on the site plan, that back piece of property, and that's what was confusing about it.

Petitioner: Right.

Hagan: Okay.

Petitioner: At this point, all we were showing was the ground monument sign at this location and the directional sign at this location. That's why we brought this board.

Hagan: The name of the theater complex, restaurant complex, which is really the current site, not counting the 11-acre addition, is that Pentagon Centre? Is that the proper name of the --

Petitioner: Yes, Pentagon Centre Entertainment Campus.

Hagan: Okay. Is the development in the back also Pentagon Centre?

Petitioner: It's not part of the business condominium, okay?

Hagan: But is it called Pentagon? I mean, --

Petitioner: It's all referred to --

Hagan: Legal entities, to the normal person driving down the road, they won't know.

Petitioner: Well, yeah. The intent, as you can see by this board, is this being an integrated, you know, business condominium. Although this isn't -- this has not been attached to the condominium, what we're doing here is developing it and presenting it to the City as an integrated campus.

Hagan: But you're calling it all the same thing.

Petitioner: Yes, we are.

Hagan: The reason I say that is because the nature of the Pentagon Centre, and one of the concerns that's already been stated by Mr. Abrahamson about not having individual businesses listed on a business center sign, if this sign were not a business center sign, if that was not Pentagon Centre back there --

Petitioner: Right.

Hagan: -- and Randy, correct me if I'm wrong -- if they just had this sign with the Homewood Suites and the HomeStead Village as a separate entity back there, would they be able to do that? Would it not --

Abrahamson: They can't identify any advertising at all on any type of that type of sign. So, they couldn't advertise anything but a stop, look, park here, turn right here.

Hagan: What about a monument sign for those businesses if they were in and of themselves?

Abrahamson: Oh, are you speaking about a monument sign or are you speaking about just a directional sign?

Hagan: No, no, no. This is the equivalent of a monument sign at the entrance there.

Petitioner: This sign right here. Talking about this sign right here.

Hagan: And since they're way back in the back and the fact that it's out by the road where people would need to see it.

Abrahamson: He could identify the center on that sign. Certainly.

Hagan: But if he didn't call it a center, and they just used it as a monument sign for this, could he put a monument sign out there for the two businesses in the back?

Abrahamson: Well, as long as it's all shared ownership of the property, and I, you know, it's all a common element I believe, correct? I mean, it's all owned by the same people?

Petitioner: Well, I mean in the future, these hotels will be under separate ownership. Forgive me. Let me try to clarify that for you. I think that what you're saying is that if this, not unlike Laurel Park, if this just said "Pentagon Centre Entertainment Campus," and didn't -- wasn't specific to a hotel or,

you know, that would be allowed. I believe you can have the name of a center.

Abrahamson: That's correct, yes.

Petitioner: And have the name of the tenants.

Hagan: Yes. I was looking the other way, sir, to determine how would we allow --

Petitioner: Right.

Hagan: -- the names of the tenants?

Petitioner: Right.

Hagan: But, again, it seems that it would have to be split off from the whole center to allow that.

Petitioner: Right, right. And, you know, one other thing just to -- real quickly, is that unfortunately it's impractical for -- and that's why we're here, is we have a practical difficulty -- it's impractical for hotels, when people are coming from out of town and they're not accustomed and they're trying to find a destination hotel, you know, they really look for the name of the hotel. It's critical to have in this case, that's why we have the three bands, is people have to be able to find a HomeStead Village or a Homewood Suites. That's what they're looking for. No matter how many times someone may tell them it's the Pentagon Center Entertainment Campus, that's a 50-acre development. We have to get people off the freeway, and then off the slip ramp to the intersection down Haggerty Road. And that, in itself, is not an easy, you know, path. So, when they finally get to the Haggerty Drive, they have to have a method of identifying where they're going. And to simply have the name of the center would not serve that purpose. And again, that's one of the reasons we're here this evening. In any event, why don't -- I'm going to have a little bit more to say in a few minutes, but why don't I let Gerry kind of walk you through the package for the campus sign package. Go ahead, Gerry.

Gutierrez: Good evening. My name is Gerry Gutierrez. I'm a Senior Project Manager with Gould Evans Associates. We have an office in Philadelphia where I live and work. Let me just sort of extend what Gary started out with. I think one of the things that Gary had started to mention was the fact that those sites, this particular site, and this particular site have challenges that they face that are affecting the way we can attract our patron customers to the various businesses that are on both sides. In particular, we have a particular challenge here on Seven Mile. We have a couple of goals in terms of how we approach signage for this site. We want to attract people to the site, as well as inform people. And one of the ways we do that is we have signage that is big enough or is designed well enough so that people can see it and people can see what the sign says. This particular site here, the only location we have that announces that there's something going on in this area is this particular spot, which just happens to be off of Seven Mile Road, which just happens to be one of the major feeders from I-275 to this major intersection here, Seven Mile Road and Haggerty. I know that, in the traffic study that was produced during the preliminary planning development, there was a recommendation that was made a requirement by Wayne County to have a right turn only off of Seven Mile, which basically widens Seven Mile Road, so that people can go off of Seven Mile and make the turn directly onto this site. You know, one of the ways we're trying to help people to make that turn is give them enough time to recognize it. There is something going on at this site. That is why -- actually, let's see if I can put a couple of sites here. That's why we're asking that you consider for approval a sign that, yes, it is bigger than what is normally allowed by the Zoning Board. We're asking for a sign that's 19'6" high by 13'6" wide. And the

reason for that is because Seven Mile/Haggerty is a fairly speedy road. You've got about a 40, 45 miles an hour speed limit. We have people coming off the off ramps from I-275, and they're raring to go. They're trying to get to their destination. We also have an existing building here with surrounding trees and shrubbery. I think you can see that on the picture here. I'll hold this up for you. I believe you see a building over here which I believe is a historic building here?

Petitioner: Yes.

Gutierrez: And it's surrounded by trees as well as tall shrubbery, which measures from 8 to 10 ft. high.

DeSanto: And loaded with attorneys.

Gutierrez: And loaded with attorneys.

Petitioner: Personal injury attorneys, I may add.

Gutierrez: And that's really part of the reason why we feel there's a reason why we need to elevate our sign higher than what the zoning allows us. So, that's one of the challenges that we face on this particular sign. That is the justification for the monument ground sign, number one.

Petitioner: Can I just interject for a moment. I've been, probably, the common link in this project for the last several years. I kind of started it, and I'm still here and there's been a lot of transitions. But the genesis of this -- a lot of -- a significant investment has gone into this right-hand turn lane. Wayne County was -- you know, it was a demand of Wayne County; not a requirement, a demand. Even though we have a 5-lane cross-section at that point, with a center lane for left turns, they felt that the volume generated by this development dictated this right -- dedicated right-hand turn lane. It's important, what Gerry's talking about, because if we can't pull people in, again, off the freeway, you know, traveling westbound off a major artery. If we can't pull them in, then what's going to happen, and this was the underlying purpose by the County, is that they didn't want people to reach the intersection when the campus was their destination. We've got an intersection that's queuing up already and that has congestion. And we also have a Haggerty Road, although it's going to be widened in the next year, you know, the balance between Seven and Eight Mile, everyone knows that Haggerty Road is a well traveled road and can be quite congested at times. So, the whole -- you know, the amount of investment that has gone into this road improvement would be defeated if we don't -- if we're not able to pull people in at this location. And then that we have -- and then have not, you know, unloaded the congestion that will definitely occur if people proceed to the intersection. So, it's terribly important that we have the one opportunity with the limited frontage in order to make that -- to impact the motorist that their final destination is the campus. And that will, in turn, by accomplishing that, lessen the burden on the intersection, and that's been the goal of the City and the County, and certainly the developer who's underwritten all the costs of those improvements all along. So, what we don't want to do is again make the significant investment and then defeat the entire purpose. I'm sorry, Gerry.

Gutierrez: Thank you. Good point. To continue onto the other monument sign. I'm sort of going from the monument signs, and I'll take you into the internal signage itself and give you a little bit more background on how we approach the overall signage design. But going along to Haggerty Road, we come to a couple of key locations for signage that relate specifically to a major, major tenant for this property, which is AMC Theater. As you can see, the theater represents a fairly, fairly big mass on the site. There was a concerted effort on our part to locate the theater such that it wouldn't impose itself on Haggerty Road, which is why we've located it towards the back. That, in

itself, by doing that presented a certain challenge for the theater sign itself and the ability to be recognized from Haggerty Road. Because if you've been out to the site, there's a 10 ft. drop in elevation from Haggerty Road to the AMC Theater. That's provided a little bit of difficulty in terms of how we can get people to recognize that: One, there is a theater on the back side of the site off of Haggerty; and two, how can we get them to look through the restaurants that are going to be happening all along this frontage. The one option we have here is to provide another monument sign, which I think we're doing with monument sign M-3, which is located in your signage package. It is compliant with the Zoning Ordinance, 8 ft. high, 10 ft. wide. It only has one message on it, which is AMC Theaters. And that's merely to announce to the patrons that this is a main entrance specifically into the site and that they will readily get into the AMC Theaters as soon as they turn right or turn left off of Haggerty. The third monument sign, which I think Gary touched on and there were some questions that we discussed earlier on, occurs at this corner and is specific to this site itself. And I think everyone understands that there's a particularly difficult challenge here because this particular site has no frontage on Seven Mile or on Haggerty. So, even though we are over our Zoning allowance of two monument signs, or business center signs, we feel that that is the only possible way we can get this property signage on Haggerty, or the ability to have people know that there's something going in back here.

Flores: If I may for a minute. Randy, in regard to the signage, can you give us square footage, overage, on the actual monument signs, not on -- because all of the internal signs are calculated into this, too, aren't they, because of the height?

Abrahamson: The directional signs are all the same size.

Flores: But they are --

Abrahamson: As far as the business center sign, the M-1, M-2 and M-3 --

Flores: Right.

Abrahamson: -- they're all conforming, with the exception of they're all identifying tenants and with the exception that M-1 is at the height and the area and the width.

Flores: Okay. Your calculations for square footage of M-1.

Abrahamson: M-1, I calculated that as a 14 ft. wide by 19 1/2 ft., less the base, which is right around 3 ft., like 3'3". So, that's how I arrived at the sign area for that, the 239 sq. ft.

Flores: That sign, you're saying is 239 sq. ft. and it's zoned?

Abrahamson: Right. That would be the M-1 monument sign that I'm referring to.

Flores: Two thirty-nine.

Abrahamson: Right.

Flores: And is that calculated with the square footage of both sides?

Abrahamson: No. No, that's only single-face. We allow the same square footage on both sides.

Flores: Okay. Now the square footage, now I may be mistaken here, but -- okay, 239 is the

overage.

Abrahamson: No, that's the actual area of the sign.

Flores: Proposed.

Abrahamson: The overage is 119 sq. ft.

Petitioner: I think it's actually 199. Isn't that it?

Zuckerman: Yeah.

Petitioner: I think it's a typo.

Flores: It would be 199.

Petitioner: Yeah. I think it's 199.

Flores: That probably clears up a lot of the confusion. In regard to the signage on the interior, are these parking and handicapped and stop signs, are they conforming?

Abrahamson: Yes. Yes, they are.

Flores: So, they're not even taken into consideration --

Abrahamson: Correct.

Flores: -- but the Petitioner was nice enough to show them to us. Okay. So, really what we have at issue is the 199 sq. ft. in regard to M-1.

Zuckerman: Right.

Flores: And then whether or not we would like to allow the advertising of individual businesses on these center signs. Those are really the only two issues that are here?

Zuckerman: And the three signs instead of two.

Flores: Three versus two. If I may allow questions from the Board to the Petitioner?

Gutierrez: If I could continue on one item and follow through on the specific issue that you raised regarding the calculation in the sign area? It's been our experience, having done signage packages for many of our clients, that the calculation for sign and perhaps it's different here for the City of Livonia, that we calculate the actual area of each letter. And for us, I'm seeing a lot of --

Hagan: The whole box.

Gutierrez: Yeah, it's the whole box.

Abrahamson: We actually encapsulate the entire thing, and then we measure the area.

Petitioner: Right. Understand.

Flores: Let's allow the Board Members to ask you some questions --

Gutierrez: Okay.

Flores: -- and then maybe we can get on with the rest of this meeting.

Gutierrez: Very good.

Flores: Mrs. Zuckerman.

Zuckerman: I have a question for Randy, actually. The Victor Parkway sign directly east of this proposed sign, do you know approximately how large it is? And I assume there's some type of variance on it or does that have some other special requirements because it's in Victor Parkway? Do you know what I'm talking about? The one that has Victor Parkway. It's kind of that grayish sign, then it has Rio Bravo's name on it. I don't think it has Lone Star.

Abrahamson: Oh, is that the pedestal sign that's out in the front?

Zuckerman: Well, it's --

Abrahamson: Or I mean that's actually right on the corner of Victor Parkway and Seven Mile Road?

Zuckerman: Exactly. You know approximately how big that is?

Abrahamson: How tall it is?

Zuckerman: Yes.

Abrahamson: Oh, it's got to be at least 20 ft.

Petitioner: Yeah, it's at least 20 ft.

Abrahamson: And there was not ever a sign there, but there is no permit issued on that either, so don't ask me how that slid in there, but I have no idea.

Zuckerman: But it was approved in site plan review or something? Is that -- okay. It just got there. Okay.

Abrahamson: I have no good answer for that. I really don't. I don't know if it was approved through site plan approval. I'm hoping it was.

Zuckerman: Okay.

Abrahamson: So, it was Council approved. And whoever went through all this process thought, "Okay, we have Council approval. We're going to erect this thing," and that's what they did. I hope that's how it all worked in.

Zuckerman: Okay.

Andrew: One of the difficulties or problems I have with considering the entire signage package

tonight is that we're looking at sign M-3 for the AMC Theater, but we have not seen the signage package being brought in by the AMC Theaters, which I'm sure will be extensive. That presents a problem for me.

Petitioner: Could we respond to that, please? As I understand, and Gerry can elaborate, the only signage that AMC will bring in will be the wall signs that were shown on their building elevations. There won't be any elaborate package. It will simply say, I think, AMC 20 Theaters. And I think they have planned that for the front elevations meaning the -- where's the site -- the plan that I saw had a wall sign above the entrance and smaller wall signs on the side.

Gutierrez: Right.

Petitioner: And that was the extent of the package for AMC. And I think they were within the requirements.

Gutierrez: I would say we were well within the square footage limit.

Flores: Mr. DeSanto.

DeSanto: So, we should not expect to see any, you know, what is showing at the movies tonight signs, right?

Petitioner: They do not use a board in this type of entertainment center. They do not -- it's not part of the concept.

DeSanto: Okay.

Petitioner: So, no, they do not advertise shows or times. That's correct.

DeSanto: Good. All right. Good.

Flores: Further questions from the Board? Mr. Hagan.

Hagan: I've got a couple of questions about the choice of putting the names of the businesses on here and the way it's presented. Number one is the fact that you've got, for all intents and purposes, four restaurants that face Haggerty Road that all have good frontage and visibility from Haggerty Road. But because they're in front of this whole complex which goes out to Seven Mile Road, you want to put all those ads on Seven Mile Road.

Petitioner: That's correct. What we're attempting to do with that --

Hagan: I understand. What I'm looking at is the sign right there with all the --

Petitioner: Yes.

Hagan: Now, again, I realize that you're a center, but that's the part that's in violation of the Ordinance, and adding up all those only takes an excessive sign package that they already have for each one of those people and makes it worse, because they're getting more signage than they've already been granted, which has been in a variance already. Why do you need -- what is the hardship that you need those signs, the individual restaurant and I guess in this case the AmeriSuites, although I have less of a problem with that --

Petitioner: Right.

Hagan: -- on that sign? And why don't you have -- if it's important to identify this as Pentagon Centre, how come that name only shows up on the northern-most sign and it's no bigger than the signs for any one of the occupants?

Petitioner: Okay. The answer to your first question is, again, you know, these two restaurants, you look at the raw distance between what we're trying to accomplish. Again, the goal is simple. We're trying to pick up westbound traffic that wants to access this site and pull them into this driveway. That's -- that singular goal. That's it--nothing more; nothing less. If we don't do that, they're proceeding to the intersection and they're gloating Haggerty Road.

Hagan: Well --

Petitioner: Right or wrong, I mean, we were doing it, what we thought was an issue of traffic safety and traffic, you know, unburdening the roadway system.

Hagan: And I understand that. I appreciate it. What I'm going to tell you is going to happen though, because I do it myself, even if that entrance is there, and it's well marked, I will go to the intersection, turn right and go in because I don't want to traverse that parking lot with the theater crowd and the hotel crowd, and everything else to try to get to the restaurant.

Petitioner: Hmm-hmm.

Hagan: It's going to happen. My question is what is -- you know, and if they're in Pentagon Centre, why aren't we identifying this as Pentagon Centre at one of the most critical entrances that you've just identified there? Because people say we're in Pentagon Centre.

Petitioner: Right.

Hagan: Where is that?

Petitioner: Really the top -- this has really become and evolved to be the AMC site in terms of it being the anchor, the largest component, and in terms of bring people into the site and the numbers of people. You know, that's why at both this location, that location, you know, we have to -- in theaters, you have to, you know, mark the entrances well to bring people at direct points of access. And we felt that it was more important, again, to communicate theaters at those entrances than perhaps another name that people may not recognize and gravitate to. So, I understand your point. I mean, I can tell you that in terms of, you know, getting this signage at this height, I won't disagree. I think you make a good point. These two messages, having the theater message and the hotel message because, of course, with the AmeriSuites doesn't have frontage on Seven Mile, and they're a hotel; people have to find them. They're out of town travelers. These are the -- and that's why they're at the top. So, we're trying to tell people that this is a major point of entrance for theaters because of the amount of traffic it generates and that this is a hotel. The purpose of the other signs was very simply that we were trying to pull as many people into the project at that point as possible. Some may choose to go on, but at least people knew that if they were going to those restaurants, they could access it from Seven Mile.

Hagan: And, okay, that being the case, and I understand you want to call it Pentagon because it's your Pentagon group, or whatever --

Petitioner: Right.

Hagan: -- but what you've done is created a huge -- request for a huge variance to the way business centers, I guess is the proper term for them, are regulated with signage. Why not -- if you're not going to put Pentagon Centre on there, why not call it AMC 20 Center, and then that's the name of the center and then it's a business center sign. They did that with Rite Aid Center I think at one of the corners in Livonia, you know, and it became -- that was the center and indirectly advertised their building at the same time.

Petitioner: We understood that we couldn't do that.

Hagan: Does that not work?

Petitioner: You know, that we couldn't have the name of the tenant as the center.

Flores: There were some various other comments.

Petitioner: It created a dilemma for us.

Hagan: Okay.

Petitioner: I have to tell you that as the Pentagon -- I mean as the Entertainment Campus matures, obviously the draw here is AMC Theaters. Gerry represents them. They feel very strongly about having sign recognition on the two major thoroughfares. And they have that almost on every one of their facilities of this mega-plexus; they look for the AMC recognition and logo. That's what brings people into those access drives. And if they were to go a generic message, they believe that it'll have a detrimental impact on their business and the internal trafficking through the development.

Hagan: I have one more question. It probably gets more at the site planning than it does this.

Petitioner: Sure.

Hagan: But it's a question I have to ask. There's going to be a huge bottleneck at the end of the boulevard because there's no way to go from the theater out to that entrance. Has that been looked at as to -- you're going to have people cutting through the parking lot probably at higher rates of speed than you would like.

Petitioner: I'm saying --

Hagan: Why isn't there like a split around your fountain. I like the fountain, but why doesn't the lane continue on down each side of the fountain, because there's no way to get from the end of that boulevard to the theater without cutting through the parking lot.

Petitioner: Right. There's a method to that madness, okay? That was designed -- first is the boulevard and the termination of the fountain. You know, people coming point blank and enjoying that feature. And then, what we wanted to do is send people in both directions, this way or that way, which they can do, start filling these aisles and then getting into the park, so it's an issue of parking distribution.

Hagan: Well, but --

Petitioner: If we just brought people in, we already have this major artery. You're creating so much, you know, congestion at the entry of the theater that -- and this was under the guidance of our traffic consultant. He said we must bring people in, force them right and left, distribute them throughout the site for orderly traffic circulation. So, there was -- I mean, you know, an engineering purpose in it.

Hagan: Oh, I understand there's a method to it. I'm just questioning what's going to end up happening. It's going to be like some other malls around here where they have that, and people end up driving across the parking lot because they can't get from point A to Point B without going down, around and back again.

Petitioner: Right. Well, this is a very gentle -- if you see this, this comes in. There's an aisle this way, and there's an aisle this way. And actually what's going to happen, especially now that the emphasis has been put on the signal, this roadway, it's going to allow people to make safe left turns.

Hagan: Hmm-hmm.

Petitioner: What you're going to see is, you know, people are going to be -- if they're going east, they're going on the freeway, they're going to utilize this intersection. If the signal is here, they're going to utilize this intersection.

Hagan: Are they going to allow left-hand turns out of that Seven Mile?

Petitioner: Yes. To my knowledge, yes. But, you know, it's difficult.

Hagan: That's another problem.

Petitioner: I mean, they'll have to wait for these two signals, and there may be some timing issues.

Hagan: Okay. That's getting on the site plans.

Flores: Can we bring the comments back to the signage in this case, because these are all very good comments, but it's getting later at night. And I'd like to get on with this case.

Hagan: I guess my -- go back to the first question I asked is what is the hardship? And the only one I'm really going to deal with right now is what is the hardship with having the restaurants on the Seven Mile -- or not having the restaurants on the Seven Mile site?

Petitioner: And I -- as I've said before, you know, I don't want to be too redundant. We want them into this entrance, not the Haggerty intersection. And these two restaurants especially are a couple thousand feet from that entrance. And so, that was -- and what we're trying to do is make it internal circulation versus external circulation. That was the simple purpose.

Hagan: Okay. Thank you.

Petitioner: And, incidentally, as I said before, you know, again, please understand the AmeriSuites how critical that is at that intersection.

Hagan: All right. That I'm not questioning.

Petitioner: You know, there's then and obviously -- I wish I could fit Pentagon Centre, AMC and get it all. But, unfortunately, we're told that you can't utilize the name of the tenant as the center, unless we're told otherwise.

Flores: Mrs. Zuckerman.

Zuckerman: A question to Randy because this is really considered to be a business center, does it mean that those individual restaurants at the front cannot have ground signs or is that a choice that these gentlemen made?

Abrahamson: I'm under the impression now that when I originally spoke to the tax assessors, they told me these properties were split off, that they were all each on their separate parcel of property. Well, that has now been actually corrected. This is a condo. The only property these people own is where their building is sitting.

Petitioner: That's correct.

Abrahamson: Period. So, they would actually -- if they don't own the property, obviously they can't have a ground sign on property they do not own. So, as I understand the Ordinance, they wouldn't allow -- there isn't any tenant on that site that would be allowed to have their own ground sign.

Zuckerman: Okay. So, our only way to deal with ground signs is how it's being approached right here, that it --

Abrahamson: Right, right. And that's probably a hardship that they don't even know about, but I mean, it is a hardship to them now, obviously.

Zuckerman: Okay.

Petitioner: Well again, the sponsor of all of this, and I'm here as the developer, is ultimately, in the long term, these signs will be installed and maintained for years to come by the condo association. And think of everyone of these guys as a homeowner and collectively, they have a homeowner association. They will be -- and we have a master deed. It's recorded in Wayne County that speaks to signage and the quality level and long-term maintenance, and that was the beauty of this site condominium. So, again, even though these are separate unit owners, it is really -- everyone has an undivided interest in all the parking areas and all the drives, the signage, the landscaping, the natural land features, everything on this site is all co-owned by each unit owner. I don't know if that helps anybody, but that's the case. The other thing I want to point out quickly, and I know this is taking longer than you'd like, is that one major practical difficulty we have here is that we would have been allowed the AMC sign here. It's totally conforming. What our hardship was -- and we could have been cute with the Board or the City and said, "Well, we're going to gerrymander this ownership and create an annex to this drive and area to this parcel, and come in and try to get another sign," and so on. But I didn't think -- I think that it was misleading to, you know, go through all those gyrations. We're simply trying to clearly demonstrate that as a difficulty when you -- this is a unique configuration, it doesn't have frontage on the public road, and the only access is through this north service drive. That makes this a very unique piece of property. Had we not had this, we would have been fully allowed this sign at the entrance boulevard. So, what's created the need for that third sign is essentially a landlocked parcel, without the northerly drive. I mean, it's not landlocked, but it doesn't have frontage to a major thoroughfare.

Zuckerman: Can you -- I know we kind of interrupted you at one point, but can you tell us about the directional signs and why you need so many?

Gutierrez: I'd be glad to. We briefly went over the monument signs, which are what we're defining as signs that will get people off of the external corridors for the road, per say. The directional signs, which there are six of them, are signs within the property. These are signs that inform the people that are already on the site in their cars as to which direction they should go to get to a restaurant destination, the hotel, the AmeriSuites, from various parts of the site, depending on how they enter the site. For instance, if we're coming off of Seven Mile Road, the first directional sign you will encounter is directional sign 2, or D-2, which is immediately in front of AmeriSuites Hotel on this north/south driveway. If you look at the legend, D-2, the message on that legend is that if you took a left, you will get to J. Alexander's. If you headed straight on, you would get to AMC Theaters. And again, if you headed straight on, there would be more restaurants down that path. And then if you also, if you entered off of Haggerty Road at this first driveway, the first directional sign you would see would be directional sign 1, which has again a sign that tells you to go straight to AMC Theaters and AmeriSuites, and to go left to get to the restaurants along this western arterial inside the property. So, those are the kind of messages and information that we're providing to the users who want to get onto the site. We don't want them to get frustrated. We don't want them to go driving around looking for their destinations. We want to help them get to their destinations because we feel that a customer that's gotten on this site and that gets to their destination quickly, expeditiously, the happy customer,--and they'll be returning to take advantage of the amenities that the development has to offer.

Zuckerman: Is there any way you can bring your directional signs at least into the allowed square feet? Bring it down to 3 sq. ft.?

Gutierrez: Well, I'd like to address the square footage.

Petitioner: Well, you're allowed 3 sq. ft., which you can't --

Gutierrez: Yeah, it's fairly difficult, very difficult to get the kind of information that we want to present on these signs, which are the names of the tenants or the names of destinations, and to get them at the size and letters that are appropriate so that they can be seen from a car where people are driving at a fairly to medium to 15, 20 miles an hour. We want them to -- I think it's on page -- the size of the letters that we have on the directional signs are approximately 2 to 4 inches, and we feel that's the minimum size of letters that people can react to.

Petitioner: Also, if you take a look at the actual copy --

Zuckerman: Hmm-hmm.

Petitioner: -- I mean it's -- the majority of this is to get it up in the air so a motorist can see it, and that's, you know, contributing to the height of the base and so on. There's a lot of relief. I mean, a lot of effort has gone in architecturally, not to just put in signs, but something that is elegant and consistent throughout the project. So, we're not trying to do a cluttered job and -- but if you just frame the actual copy here, it's probably, you know, 30% of the sign area of the entire, you know, pedestal.

Flores: Do we have any further questions from the Board? Is anyone in the audience wishing to speak on this case? Seeing none, we'll move onto correspondence.

Zuckerman: I have a letter of approval from Gary Bloom, 39040 West Seven Mile Road (letter was read).

Flores: Back to the Petitioner for a closing comment?

Petitioner: Closing. Okay. Does that mean one comment? No? Then let me just say a couple things. One is we have tried from the inception to, you know, just create an entertainment campus, whether it be the way that the landscaping, and berming, and vegetation, whether it be the water features of the plaza, whether it be the architecture and architectural diversity in the center, we have tried to pay attention to every single detail in this project because we want it to be an unprecidated success in the community. I've lived there for four years. Gerry and I have spent -- in this package that you see -- probably six months and 10 drafts because what we were concerned about is the safety and convenience of people that are utilizing this campus development. Once you get in here and 2,100 cars, approximately, and 35 acres with thousands of feet of drive, you know, the directional signage is meant, as Gerry said, that people can traffic safely, conveniently, don't get frustrated and enjoy visiting the campus. That is the intent, and singular intent, of the directional signage. It's not, you know, tawdry or ostentatious. It's simple. It's elegant. It's understated. It's meant to communicate messages only for the safety and convenience of our patrons. In terms of the sign on Haggerty Road -- I'm sorry -- on the sign on the Seven Mile entrance, we've been through that. The only thing I will tell you that, you know, if this Board feels that, you know, having the restaurants is not appropriate, I will just tell you that our priority is the height of the sign, having AMC and having AmeriSuites. That is the top priority for that particular sign. I would not want to be denied on the basis, you know, again, because of the restaurants, the entire sign would be denied. I feel that certainly AmeriSuites, because of it being a hotel and having to bring people in safely from out of town and being -- you know, you want to bring them in because there's AmeriSuites; there's the entrance. You know, that's critical to bring them in at that location. You know, and so, if we can maintain the height of the sign, perhaps increase the band for AmeriSuites and maintain AMC that's a concession that we're willing to make, if that's the wisdom of the Board. In terms of -- we talked about this sign here and the grade differential, how far it's set back. We've told you that there will be wall signs that have already been presented to the City Council and the Planning Commission. That's the extent of the exterior wall signs. We've talked about the fact that this other parcel up here really necessitated the third sign. I think everyone can agree that this is a unique configuration in location and presented some difficult circumstances and challenges. And, of course, having the nature of this development being hotels, it's critical to have the name of the hotels. That's what people look for, and that's why those bands are doing that. So, I believe, you know, that again a tremendous amount of thoughtful effort has gone into this. We're trying to do this, you know, in a way that is really elegant and attractive, and not overdone. And I think for a project of this magnitude, you know, it's certainly justified.

Flores: Closing -- Mr. Andrew.

Andrew: Mr. Chair, a question to the Petitioner. Can you tell me what the Pentagon Centre is?

Petitioner: The Pentagon Centre is --

Andrew: I'm talking now about directional signs that say "Pentagon Centre."

Petitioner: Oh, I'm sorry. That is really just generic at this point. There's -- right now, there's a pad that's left here that we have a yet unnamed user for this pad. So, that is simply a filler until we get a specific tenant for that site.

Andrew: Thank you.

Flores: Closing the public portion of the case and starting the Board's discussion with Mr. Hagan.

Hagan: Okay. I'm going to just go through them and address them as we have them in the book. First one's being a directional sign.

Andrew: What page are you on?

Hagan: I'm starting on page two. I'm just going to walk through the different groups of signs that have questions, all right -- or concerns with. First of all, we didn't address any hardship about the location of the theater. I don't think there's a hardship there because the size of the building offsets any setback, even though it is back from the road because I can see that from Victor Parkway. I can see it from Seven Mile. I can see it from about a half a mile away in several directions. And after being there once, I'm sure people will know exactly where it is. And it'll definitely be visible from 275. I haven't been past it on that.

Petitioner: Okay. You can't see it from 275.

Hagan: You cannot see that from 275?

Petitioner: No, absolutely not.

Zuckerman: Because of Technicolor.

Petitioner: Just real quick. Here's -- if we enter at this location, it's totally screened by Technicolor.

Hagan: I'm talking about the height of it, though. I won't argue that right now. I'm saying I haven't been there. I can't speak to it. But I know from the height of it, depending on where they put their signage. But the directional signs, I feel, are way too large. There's a lot of wasted space on them, and I question the 15 to 20 miles an hour in a parking lot. I've never seen a parking lot where the speed limit was allowed anything more than 10 miles an hour. And if it's faster than that, they're going too fast. And as presented, I think the directional signs are more advertising than directional in the size and the way they're presented. So, I would not approve them as they are here tonight. The Seven Mile sign, we'll call it, the 19 1/2 ft. sign, again, I cannot support any of the restaurants on that sign, and I cannot support any sign that tall. The largest sign I could support there would be one that looks just like the M-3 sign that has two bands below it. And if we need to put AmeriSuites in there, they can put it in one of the empty bands there. And that way, the two signs are more consistent. Okay. The Homewood Suites Hotel, I think in your last comment, you answered my question there as to why all of a sudden Pentagon Centre showed up on there and it wasn't anywhere else, and it didn't have your little pennant on logo or anything else. That's really to be announced just as the restaurant.

Petitioner: That's correct.

Hagan: In that case, I have no problem with that sign because of the location. I think to put Pentagon Centre on there at this point would confuse people. I'd be looking for a building myself.

Petitioner: Right.

Hagan: The main entrance sign I like, whether it's Pentagon Centre or AMC 20 Theaters, I don't

have a problem with that as long as we're consistent. Again, I'd like to see the one on Seven Mile look just like that with possibly the AmeriSuites advertising in the upper band below that sign. So, those are my comments. The only other thing I'll say is, had I known of all this extra signage to be presented, I wouldn't have voted for what we passed on each of the restaurants before they came in -- when they came in with their sign packages, because this really affects the whole package.

Petitioner: I see.

Flores: Mr. Andrew.

Andrew: I generally support Tom's position. I feel that the -- again, starting on page 2 and working backwards, that the directional signs could be reduced somewhat in area. I don't believe that 3 sq. ft. makes sense, but I don't think 11 sq. ft. makes sense either. I think there's some excess there, and I think that issue could be addressed by the Petitioner and his sign people. I really have a problem with the M-1 monument sign. If it conformed to the M-3 sign, I believe I could support it. I think AmeriSuites needs to be shown on that sign, also. But as far as the restaurants are concerned, I don't have much sympathy for them.

Flores: Mr. DeSanto.

DeSanto: The M-2 sign I think is very needed because of the back 40 lot.

Petitioner: Right.

DeSanto: I think the Board went and gave what we could give to the restaurants when they were here before, and this just adds to it. Again, like what Mr. Hagan said, a sign that high coming off of that Seven Mile Road -- I travel this area all day long, and I can see why you want to bring them in off of Seven Mile instead of going into that intersection. That is a quagmire. However, I think any sign--I don't think it has to be that large at that driveway--would do something. And I think people are like -- they have that animal instinct. They will always go where it's least -- I'm searching for the word. Like a deer. I mean, he's going to go where there's the least amount of --

Petitioner: Resistance.

DeSanto: -- resistance. There you go. And that's the way we travel. So, I mean, once I think -- everybody -- I don't care. You could have the sign right in front of the person. First time getting there, they're going to go right by it. And once you're there, it's a conditioned response, and I really, truly believe that. And being that they want to be there, I'm getting into something a little bit more than what I believe in, they're there.

Petitioner: I see.

DeSanto: They're already there when they leave the house. They already know unless they -- and if they don't, they shouldn't be driving. And that's my only concerns there. As far as the AMC out in front, I think that's okay.

Petitioner: Thank you.

DeSanto: It's just that that one large one at that Seven Mile entrance, I just don't think it's needed. I'm sorry. That large with the names. I'll leave it for the rest to --

Flores: Mrs. Aloe.

Aloe: I'm going to agree with Tom and Dan as far as the signs. I have no problem with the directional, but they need to be the 3 sq. ft., no restaurants on the Seven Mile sign and I absolutely wouldn't -- excuse me -- on the Haggerty, and I absolutely wouldn't want them on Seven Mile. If I ever use that Seven Mile entrance and turned in there to go to those restaurants, I would never, ever do that again, because of what you'd be into there. I'd want to come up and come in on Haggerty, so I wouldn't want to bring people into the restaurants from there. So, I pretty much agree with them.

Flores: Mr. Foraker.

Foraker: As Tom and Dan have said, the directionals in my opinion, need to be at least 50% smaller than they are right now. The M-1 sign I would agree with everybody's comments, and I really don't want to see it any higher than 10 or 12 ft. M-2 and M-3, I'm fine with.

Petitioner: I'm sorry. Which one 10 or 12 ft.?

Zuckerman: The M-1. M-1.

Foraker: I believe it's M-1, Mr. Jonna.

Zuckerman: Seven Mile one.

Foraker: Seven Mile.

Petitioner: Okay.

Foraker: And to explain, with elimination of the four restaurant bands on that, I think you can easily reduce that sign by that much, because they don't have to be seen over the trees of the historic law offices.

Flores: Mrs. Zuckerman.

Zuckerman: Six Board Members, six opinions. The directional signs, also, I agree need to come down, and I question the need for a lot of those. I don't really think you need a lot of the directional signs. The M-1 sign needs to come down in height. I guess I don't think it needs to come down to the 8 ft. though. I think we could go beyond what the Ordinance provides here because the couple of true hardships you have here is the close distance between the freeway exit and when you need to try and get your people in there. Plus, what I think is the very unique hardship here compared to what you'd have in other business centers, other business centers you usually can see the business. I mean, you have the sign there, but you can see the businesses so you're turning in.

Petitioner: Right.

Zuckerman: You can't see the businesses there. And quite frankly, I think all the restaurant names need to be on there if the intent truly is you're going to try and pull the traffic into that area. If I'm trying to go to Champs and I live on the east side of town and I'm coming to Champs, and if the idea is to keep the traffic flow outside of that intersection, you want to pull them in there. But you're going to need to know that Champs is back there. They would never know that Champs was somewhere behind all those trees and behind a hotel. So, I think there needs to be some signage

there. I think in terms of height, though, something maybe more in the 12 ft. area in total. And what I'm thinking is if the actual verbiage area of the sign is closer to the 8 ft., and then you have -- I don't know if you have an ornamental top that you have on M-2 and M-3, and then whatever, you know, a base is, maybe a 2 ft. high base or something like that, you know, to me, that's still somewhere in conformance with the Ordinance because the actual verbiage area is not excessive. The overall height of the sign may be a little bit higher to get it, you know, high enough so that you can pull people into that entrance. M-2, quite frankly, I wouldn't approve because this is a development that today on a site plan, I mean, you have that. But unless I've heard the message wrong, even that's not approved on the site plan by Council. I mean, that's something that is kind of speculative out there. You want to have it. I don't know why we're approving signage for something that's that speculative. You can always come back and ask for the signage at that time. Because if we approve this today and that doesn't happen to the development back there, we just approved another sign for something that doesn't exist or am I misreading how speculative that is?

Petitioner: It is not speculative. I mean, the project -- I mean, I guess it's to the extent that Council has to approve the rezoning. But these hotels are, you know, we spent several months and they're anxious to move forward and construct at this location. What we were trying to do is be forthright and show you the entire package and all our plans. And, yes, this is a very real deal for the 11 acres. It's not speculative.

Zuckerman: I guess on that one, I would put a contingency that all of that sign is subject to -- I don't know. I feel uncomfortable. You're saying they haven't even rezoned it. So I mean, you know, it's still contingent on a rezoning. I mean, there are a number of different steps that have to happen, and have to happen in your favor, in order for this sign to ever be appropriate on that site.

Petitioner: If you wanted to condition it, you know, that final site plan approval within 12 months, that's fine. We don't have any problem with that.

Fisher: If I -- sorry. If I could just add something. You might be able to take advantage of the provisions of 18.50(H)(2), which are just generally quite liberal provisions for hotel and motel signage where's there's 200 ft. of I-275 frontage, which I think you have here. So, you might conceivably, if you get that rezoned and put hotels there, you might not even need a variance to put this sign up.

Petitioner: I see.

Fisher: So, I think Mary's right to say it's premature to consider a hotel sign here and now.

Petitioner: You know, unfortunately it's this -- we're working through the due diligence with the hotels. And this is, you know, they've given them schedules and this is a very important item to them. All bets are off if they can't get recognition on Haggerty Road. I can tell you that it would be disastrous for the whole momentum of the project. This is--a critical issue for them is having signage and coming before the ZBA. I mean, my phone's going to ring off the hook tomorrow, you know, "Did they approve these signs?" It's a major contingency for the hotel projects.

Fisher: I can -- after we get done with this case, I can show you what I'm talking about at the Zoning Board, in my office and hope --

Petitioner: Okay. The only thing is that this could be an allowable -- but for the, you know, three bands, this could be the allowed sign, and this could be the variance sign at the AMC entrance. That's the other way to view that because we are allowed a business center sign on Haggerty

Road.

Zuckerman: From my standpoint, maybe it's just a contingency, but it would have to be a pretty strong contingency that this would be approved as presented based on all the other things falling into place. M-3, I don't have a problem with.

Petitioner: Mr. Chairman, just one question. Again, AMC's cranking up to have a big opening in September or October, and I can blame the developer for procrastinating on this package. But if we could have a consensus on an acceptable directional sign, we could -- we'll design to what that allowed square footage would be. You know, and I mean, if you say 11 is too much and whatever, I'd hate to come back and re-present. If we can come to some square footage that everyone finds acceptable, we'll design to that footage.

Flores: Mr. Hagan.

Hagan: Mr. Andrew and I sort of compared some numbers after our comments and in the calculation of those signs, as I verified looking at this, they don't count the base portion of it, okay? That what you've got here is a gray or other color here?

Petitioner: Hmm-hmm.

Hagan: Excuse my color. I have trouble with colors. So, if you were to make that higher, okay, to raise, you know to get the sign up off the ground and then reduce the sign to possibly 3 ft. wide -- the actual sign area to 3 ft. wide to 2 ft. high, you'd be looking at about 6 sq. ft. but yet probably the same usable sign area as you have right here right now. And I think I heard somebody say no more than 50%, Mr. Foraker. But that's I think what some of us were thinking if it was within maybe the 6 sq. ft. And I don't want to speak for everybody because I haven't talked to them, but that's what I would probably look for.

Petitioner: We could live with that, and we'll design to it. I mean, that's -- it's important for us to commence the signage construction. So, we'll do the best within those limitations. It's acceptable to us.

Flores: And the final comment. My apologies first to the Petitioner in regard to the shortness earlier this evening. When I looked at this sign package, I felt that it was presented extremely well and that the signs were justifiable in regard to what you wanted to do, therefore, some of the reason for my shortness. I felt at that point in this meeting that it was very much an approvable package. Apparently, the rest of my colleagues don't believe that. But I did at that point. I'll look at the sign package and I'll go through them one by one like everybody else did. M-2, you know, extremely justifiable in regard to the identification of a piece of property that is well removed from Haggerty Road. What you put on there in terms of verbiage, if the package goes through and it isn't the Homewood Suites Hotel, HomeStead Village and Pentagon Centre, the verbiage changes.

Petitioner: Right.

Flores: If it becomes something else, the verbiage, you know, Homewood Suites goes away; somebody else comes in. The nature of the sign itself is very pleasing to the eye. The identification of parcels that are far removed from the road entrance, in my eyes is very justifiable. When you get to M-3, which is AMC 20 Theaters, when I'm sitting at home and I'm looking through the paper to go out and see a movie, I'm not going to see Pentagon Centre. And there creates your hardship for me. If I had to name this Pentagon Centre, how are people going to find the theater that is the

anchor that is there and I think you mentioned that. You touched on that earlier. AMC Theaters is really what needs to be on these signs. It doesn't need to be Pentagon Centre. When you ask for a sign of -- is AMC and M-3 conforming in size and height?

Abrahamson: Yes.

Zuckerman: Hmm-hmm.

Flores: You know, when you ask for a conforming sign and you say, you know, very needily, "I would like to put AMC Theaters on there, which is my anchor tenant, which is the identification to, you know, people coming in off the road." And although we have a fountain in the middle of the driveway, which is going to direct traffic in directions other than straight to the AMC Theaters, I think your point was well taken in regard to you want to disperse the traffic to actually get it to, you know, to park throughout the parking lot itself. But people are coming there to see the theaters; that's the purpose that they're going there for. When we get to M-1, you know, originally I looked at that sign and, you know, first answer is why 20 ft. high, 19.6, just under 20 ft. Well when you take a look at the campus site and you look at the Seven Mile entrance, you look at trying to alleviate the congestion of Haggerty and Seven Mile, then the sign starts to make sense. Earlier in our approvals when we approved for Champs and Alexander's, I think Mary and I were discussing a comment. I do not believe we put verbiage on the backside of -- we didn't allow them verbiage on the backside of the restaurant.

Andrew: Which side?

Flores: I'm not positive. On the east side.

Andrew: You allowed them on the northwest and --

Flores: South.

Andrew: South. Right.

Flores: But we did not allow them on the east.

Andrew: Right.

Zuckerman: Facing the theater.

Flores: Facing the theater. So, if somebody does come in and they are using this sign on Seven Mile to get in, their only recognition to -- you know, there's a building there, but what is that building? The only recognition that they have is on this sign M-1 coming in off of Seven Mile, if they choose to come in that way. And if somebody comes in to the Pentagon properties, AMC Theaters, looking for Champs or looking for Alexander's because they were told they were there, the Seven Mile sign is directional in nature and would identify that as Champs is there; Alexander's is there. So, I didn't have any problem with that sign once I actually, you know, got the feeling of what the sign was for. In terms of the directional signs interior, I have no problem with the request of the 11 sq. ft. I think they were done very architecturally pleasing, you know, in terms of size or a little bit bigger than the 3 sq. ft. that we allow. But there's a lot of nothing on that sign too, but it is a sign that actually draws the attention of a driving vehicle, whether it's driving at 5 miles an hour or it's driving at 20 or 25. So, the sign package, I think there was a lot of effort put into it. I don't think it was a package that, you know, was haphazardly put together. I do want to thank the Petitioner for showing us all the

signs because as many cases were, we see two or three of the signs and we ask, "Well, is there going to be another one?" Sometimes there is, sometimes there's not. But, you know, he's coming before us and saying, you know, "Here's the whole project. This is what I'd like to put in the back. This is what I'd like to put out on Seven Mile." And what he has control of, he has shown us. You know, he doesn't have control over the AMC Theaters. He doesn't have control over Champs, J. Alexander's, or any of the future restaurants. So, the signage on the property itself, in my opinion, I feel is very justifiable.

Petitioner: Mr. Chairman, if I could, just one last comment? If I could indulge the Board for one moment? Again, we listen and we hear. We hear and we listen. If there's any way possible, you know -- we just did some quick calculations. Gerry did a sketch for me. If we drop the restaurants off the M-1 sign and just advertise AMC Theaters and AmeriSuites, we can do that within, like I say, an overall height of 12 ft. And again, it's only in the time crunch of the complex, you know, scheduled to open in the next several months, essentially, the AmeriSuites band would get larger, the AMC would get somewhat smaller and we would stay within the 12 ft. height limitation. And if there's any way that you could condition that, it would be a tremendous help to us.

Zuckerman: So, you wouldn't show the restaurants at all.

Petitioner: Would not show the restaurants at all. It's more important -- you know, I'm just being honest with you. It's more important to have AMC and AmeriSuites. We're willing to lower the height. If we drop the restaurants, the sign comes down. It's that simple. I mean, it's natural. But I think, as I've said, as we've tried to carry some of the architectural features from the buildings, put it on the sign and do it tastefully. And if you like the sign scheme, we simply would reduce it and only have the two characters.

Flores: Is that an overall approval on the sign package with M-2? Is the sign included in the package?

Zuckerman: Let's just deal with sign to sign.

Flores: Okay. The Board is in consensus that with that concession in lowering that sign down to 12 ft. that that one sign would be approved.

Petitioner: I'm sorry?

Flores: Well --

Petitioner: Okay. I see. Okay. I got it.

Flores: Well, we're looking at individual signs.

Petitioner: Right. I've got it.

Flores: Okay. Let's go to M-3. It is a sign that is -- no problems? M-2.

Zuckerman: Do we make it contingent on the other approvals?

Flores: Approvals of --

Andrew: I'll be happy to support Mary on the contingency on that.

Flores: One year? Or are you talking about approvals by Planning and Council?

Zuckerman: Approvals by Planning and Council. Whoever has to approve it to make it a reality. Because in my mind, today it's not a reality.

Petitioner: The final site plan approval. Within 12 months, we have to get final site plan approval.

Flores: And then the directional signs, D-1 through D-6 Mr. Hagan.

Hagan: I said 3 ft. by 2 ft., only because it's somewhat proportional. Is the 3 1/2 ft. width the base and everything, and is that critical or does 3 ft. or 3 1/2 ft. not really make a difference?

Gutierrez: I think what's going to happen is the directional signs that you see now on your design packages, it's basically pointing us to a design that will look like, you know, basically a 2-by-3 ft. plaque with -- on stilts because --

Hagan: Well, you can have a base and the base won't count.

Andrew: The base doesn't count.

Petitioner: It doesn't count the base, Gerry.

Gutierrez: Okay. The base doesn't count.

Andrew: No, the base doesn't count.

Gutierrez: So, the base could be 4 ft. high?

Petitioner: Raised up.

Hagan: The base can be raised up a little bit more, and I'm just saying the bottom of your -- or your lettering can end up in the same location. What I was questioning is you've shown a 3 1/2 ft. wide sign. I mean if we say 6 ft., that kind of begs 2-by-3. If we say 7 ft., that's 3 1/2 as it is here by 2 ft. Does it really make a difference, that extra 6 inch width make a difference?

Gutierrez: I think it will.

Hagan: Okay. I could go to 7, if that's the case, just to keep the base and the width of the sign as it is.

Flores: Mr. Abrahamson, is that a true statement in regard to the base, that we're not counting the sign base? And if we increase the height of that, we're still --

Abrahamson: As long as it's not any kind of a sign panel, sure. That's fine. I mean, if it's made out of brushed aluminum where, you know, they're not able to ever attach a sign or turn it into any kind of sign area, sure. That's fine.

Flores: Well, let me further the question. We have a sign that shows it 4'4" high. Can we make a base that's going to be 2 ft. high then, 2'4"?

Abrahamson: Sure.

Flores: That's not a problem?

Abrahamson: That's fine.

Petitioner: We understand. We can accomplish that.

Flores: Okay. So, those are not a problem then at this point?

Petitioner: None whatsoever.

Flores: It would be approved at the 7 sq. ft.? Three-and-a-half by two.

Petitioner: They'll be essentially 3 1/2 by 2, and we'll redesign the signage.

Flores: Does the Pentagon logo go away or is that -- you're going to --

Petitioner: We're going to try to hold onto that. That's the last remnant of Pentagon actually. I'm going to lay one tile there in the shape of a Pentagon at the plaza and that'll be it. They'll probably bury me under it.

Flores: In that case, I think we have basically approved the package with some adjustments, and I would look to the Board for a motion.

Upon Motion by Zuckerman, supported by Hagan, it was:

RESOLVED, APPEAL CASE NO. 9806-78: Pentagon Properties Limited Partnership, 26100 American Drive, Suite 550, Southfield, MI 48034, on behalf of Pentagon Centre Entertainment Campus, 19500 Haggerty, Livonia, MI 48152, seeking to place directional and business center signs resulting in directional signs which are excess in area and contain the advertisement of tenants, which is not allowed. Business center sign proposed is excess in height, area and width. Other business center signs result in excess number and the advertisement of tenants on all signs, which is not allowed.

Directional Sign Area

Allowed: 3 s.f.
Proposed: 11 s.f.
Excess: 8 s.f.

Business Center Sign

	<u>Height</u>	<u>Area</u>	<u>Width</u>	<u>No. of Signs</u>
Allowed:	8'	40 s.f.	10'	Two
Proposed:	19'6"	239 s.f.	14'6"	Three
Excess:	11'6"	119 s.f.	4'6"	One

The property is located on the east side of Haggerty (19500) Seven Mile and Eight Mile, be granted with modifications for the following reasons and findings of fact:

1. The uniqueness requirement that is being met is a very large development site that requires access in two different areas, with multiple buildings on the site. The central enterprise, AMC 20 Theaters, requires some unique and additional signage beyond what is normally allowed. Additionally, the uniqueness is that there is an attempt to get traffic entered onto the site off the Seven Mile Road exit, and consequently, that entrance requires larger signage than the Ordinance would

normally allow.

2. Denial of the variance would have severe consequences for the Petitioner primarily because of the amount of traffic that the site must handle. If the variance is denied, patrons would not be able to adequately enter this site in an orderly manner.
3. The variance is fair in light of its affect on the neighboring property owners and the spirit of the Zoning Ordinance because of the fact that the site is so large. The signage that is being presented is really being presented for six potential businesses on the immediate site and the yet to be developed site, potentially an additional three, and thus, the overall sign package is not excessive due to the number of buildings that are proposed.
4. The Board received one (1) letter of approval from neighboring property owners.
5. The granting of this variance will not adversely affect the purpose or objective of the Master Plan because this property is classified "General Commercial" under the Master Plan, and the proposed variance is not inconsistent with that classification.

FURTHER, This variance is granted with the following conditions:

1. That sign M-1 should be no higher than 12 ft., which includes the base of the sign, and will be allowed to represent the names of AMC 20 Theaters and the AmeriSuites Hotel, in the style and format as presented to the Board.
2. That sign M-2 shall be approved contingent on a site plan approval for the proposed hotels by the Planning Commission and Council within the next 12 months.
3. That sign M-3 shall be approved as presented to the Board.
4. That all directional signs are approved, but the size of the signs are to be modified to a size that would not exceed 3'6" in width, 2 ft. in height, with the remaining portion of the sign being comprised of the base and not to exceed a maximum height of 4 ft. All other colors and styles of the signs are to be constructed as presented to the Board.

ROLL CALL VOTE:

AYES: Zuckerman, Hagan, Aloe, Andrew, DeSanto, Foraker, Flores
NAYS: None

Flores: Motion carries with some adjustments. Thank you very much.

Petitioner: I wanted to first thank you for working through this with us, and we're all excited about the Campus. You've been very patient and gave us a lot of great input. And thank you for, you know, working through it this evening. The other thing is what we will do, is we will redraft these documents per your approved resolution and get them to you in short order.

Andrew: Good.

Petitioner: So, you have a record of exactly what occurred this evening because we appreciate greatly, you know, just rolling up your sleeves and working through it. Thank you very much.

Hagan: I'd just like to say as complicated as this package was, the way it was presented has made it easier than things that should be far simpler.

Andrew: Yeah, nice presentation.

Petitioner: Thank you so much. My pleasure. And we'll get you a new package, and thank you so much. Hope you all enjoy the theaters when they open. Thank you again.

Flores: Thank you.



CITY OF LIVONIA

INSPECTION DEPARTMENT

REJECTION OF APPLICATION FOR PERMIT

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154
421-2000

BASED ON NONCONFORMITY TO ORDINANCE LIVONIA VISION 21

(KEVIN DETERS)
(586) 759-2700

Applicant METRO DETROIT SIGNS Address 11444 KALTZ AVE, WARREN, MI 48089
Owner PENTAGON CENTRE CONDOMINIUM Address 39533 WOODWARD #310, BLOOMFIELD HILLS 48304
Lessee AMC 20 THEATRES Address 19500 HAGGERTY, LIVONIA, MI 48152
Location EAST Side of 19500 HAGGERTY Street
Between SEVEN MILE And EIGHT MILE
Lot No./Parcel No. 023-01-0002-000 Subdivision PENTAGON CENTRE CONDO
Zoning District C-2 Map No. SW06 Lot Size ACREAGE Alley —
Present Use COMMERCIAL/RETAIL Proposed Use SAME
Present Building Size N/A Proposed Building Size NONE PROPOSED
Present Height of Building N/A Proposed Height " "
Allowable Lot Coverage N/A Proposed Lot Coverage N/A
Proposal SEEKING TO REPLACE THREE DIRECTIONAL AND THREE MONUMENT SIGNS. THE DIRECTIONAL SIGNS ARE DIRECT REPLACEMENT SIGNS, MATCHING HEIGHT, AREA AND LOCATION OF THE EXISTING SIGNS. THE THREE IDENTICAL REPLACEMENT MONUMENT SIGNS (TWO ALONG HAGGERTY AND ONE ALONG SEVEN MILE) ARE EACH EXCESS IN HEIGHT AND AREA. (GROUND SIGN HEIGHT ALLOWED: 8 FEET; PROPOSED: 12 FEET; EXCESS: 4 FEET. GROUND SIGN AREA ALLOWED: 40 SQ FT; PROPOSED: 49 SQ FT; EXCESS: 9 SQ FT.

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

Deficient Side Yard _____ Deficient Front Yard _____ Deficient Rear Yard _____
Deficient Lot Area _____ Deficient Lot Area per Room _____ Encroachment _____
Excessive Lot Coverage _____ Excessive Height 11.08(3) 4 FEET Increasing No. Units _____
Use Prohibited _____ Deficient Parking Spaces _____ Increasing Area and Bulk 11.08(3) 9 SQ FT

Remarks _____

Plans and Application examined by Ry Date 6/13/2023 2023

ZONING EXAMINER

City of Livonia Inspection Department

33000 Civic Center Drive - Livonia, Michigan 48154
(734) 466-2580 – Fax (734) 466-2095



LIMITED POWER OF ATTORNEY INSTRUCTIONS SHEET

CONTRACTOR:

If you are not personally coming into the City of Livonia Building Inspection Department office to register and pull permits, or if you wish to designate a representative whom you authorize to act on your behalf to obtain permits in your name, we require a notarized Limited Power Of Attorney form.

1. List the name(s) of the person (people) whom you are giving this limited power of attorney on your behalf on the line after the wording "do hereby appoint" and also on the line just before the wording "will sign my name, etc". If you do not wish to designate a representative and no one other than yourself, the license holder, will be signing applications and you wish to register by mail and pull permits by mail, you must list yourself, the license holder, on the lines described above and please note somewhere on the form that you will be the only one signing the permit application(s) and will be sending the application(s) by mail.
2. List the date you wish for this Limited Power Of Attorney to expire not to exceed the date of your current registration. You must notify the City of any changes or revocation done prior to the expiration date.
3. Sign form in the presence of a Notary Public and have the form notarized. A Notary Public is available in the Inspection Department free of charge for departmental business. Call ahead to ensure they are on duty. Out of state Notaries will require a notary seal.
4. A Limited Power Of Attorney form authorizes the person (people) you designate to have said power to do anything you may do. They will sign your name and then their name as attorney in fact. This binds you as any contract does and you will be held responsible. Careful consideration should go into the decision to grant any Power Of Attorney. You may wish to consult an attorney prior to executing said document.

LIMITED POWER OF ATTORNEY

To Whom It May Concern:

Please be advised that I, Christopher Piligian,
of Condo Management, Inc.

Address: 39533 Woodward Ave #310 City Bloomfield Hills State MI,

Zip Code 48304 Telephone # 248 417-3701 do hereby appoint

Paul Deters at Metro Detroit Signs as my attorney in fact for the

explicit purpose of executing documents in my stead, specifically builders/contractors
registration with Governmental units, and executing permit applications with said
Governmental units.

This limited power of attorney, hereinafter LPA, would be authorized for other associated
documents that may be required to be executed by myself by said Governmental units in
connection with the registration or permit applications.

Paul Deters will sign my name and also sign their
name as attorney-in-fact and attach a true copy of this document and it will have the same
effect and standing as if I had executed the document in person. If multiple persons are
listed only one person is required to execute the LPA

This LPA will expire on 12/31/23.

If this LPA is revoked or modified prior to expiry date, grantor agrees to immediately
notify, in writing, all entities given this LPA of said revocation or modification, without
said notice the LPA will continue until expiry date.

End of LPA.

Signed: [Signature] Dated: 05/25/2023

Statement of Notary
Oakland County, Michigan

On this 25 day of May, 20 23,

Christopher Piligian, known to me, personally
appeared before me and signed and executed this document of his/her own free will.

My commission expires: 01/19/2025

Notary signature: [Signature]
Oakland County, Michigan

Printed name: Patrick Sharrak



If a Corporation, this must be completed by license holder/qualifying officer.

[illegible]

DETAIL 1: Shows a property line with a bracket and an iron pin. Dimensions: 2.12' and 0.24'.

DETAIL 2: Shows a property line with a bracket and an iron pin. Dimensions: 2.65' and 0.62'.

DETAIL 3: Shows a property line with a bracket and an iron pin. Dimensions: 2.03' and 8.53'.

DETAIL 4: Shows a property line with a bracket and an iron pin. Dimensions: 4.47' and 8.48'.

DETAIL 5: Shows a property line with a bracket and an iron pin. Dimensions: 7.00', 0.12', and 0.01'.

DETAIL 6: Shows a property line with a bracket and an iron pin. Dimensions: 7.00', 0.12', and 0.01'.

UNABLE TO SET AN IRON BECAUSE OF THE MANHOLE. SET TWO IRONS 10 FEET NORTH & SOUTH ALONG THE PROPERTY LINE.

DETAILS (NOT TO SCALE)

- [illegible]

SCALE: 1"=200'

A horizontal graphic scale bar with a hatched pattern. It is marked with '0' at the left end, '100' in the middle, and '200' at the right end.

LOCATION MAP
NO SCALE

WATER MAIN
SANITARY SEWER
DETROIT EGGSON
PARCEL BOUNDARY
SECTION BOUNDARY
DRAINAGE E
FUTURE EXPANSION
AREA
CONTACTABLE AREA

☐ STORM MANHOLE
☐ ROUND CATCH BASIN
☐ SQUARE CATCH BASIN
☐ SOUTHWAY MANHOLE
☐ UNDESIGNED MANHOLE
☐ POINT FILL
☐ PARALLEL YARD
☐ FIRE HYDRANT
☐ VALE
☐ GAS VALVE & WELL
☐ UTILITY MANHOLE
☐ LAIR POLE
☐ SIGN
☐ GAS VALVE
☐ MANHOLE
☐ TELEPHONE POLE
☐ ELECTRICAL POLE
☐ SECTION CORNER
☐ RECORD
☐ COMPALED
☐ WASHPIPER

BENCHMARK# 105
NORTH EDGE OF CONC. BASE LIGHT
STANDARD SOUTH EAST QUADRANT
HAGGERTY AND ENTRANCE ROAD
ELEV. 814.17 (NGVD 29)

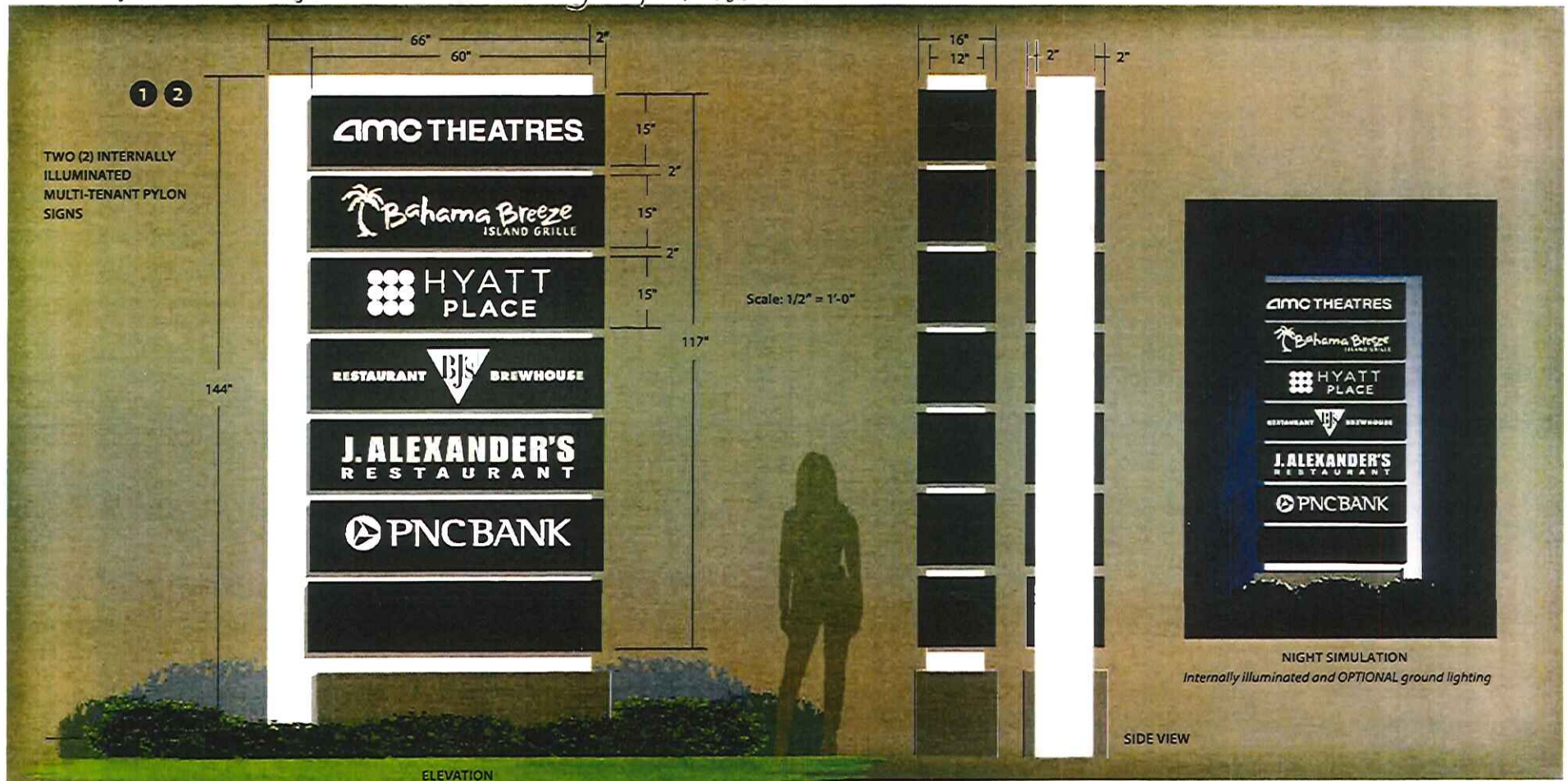
BENCHMARK# 100
ARROW ON HYDRANT EAST SIDE OF
HAGGERTY RD. NORTH OF DRIVEWAY
AT HOME DEPOT.
ELEV. 820.94 (NGVD 29)

SURVEY PLAN

EXHIBIT "B" TO THE MASTER DEED OF
PENTAGON CENTRE CONDOMINIUM
SUBDIVISION PLAN NO. 437

CHURMAN, HARRIS & McCLAMPERT, INC.		
		
1000 Spanish Ave. Suite 100 San Jose, CA 95128 (415) 281-0071 Fax: (415) 281-0072	DATE 3 OF 11	JOB NO. 004-04

Pylon Sign #1 along 7 Mile Rd.



**Pentagon
Centre
Association**

Sales: Matt Thomas

Drawn By: Steve

Date: 03/02/2022

File Name: Pentagon Centre Association

Revision: 11/23/2022

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Customer Signature _____

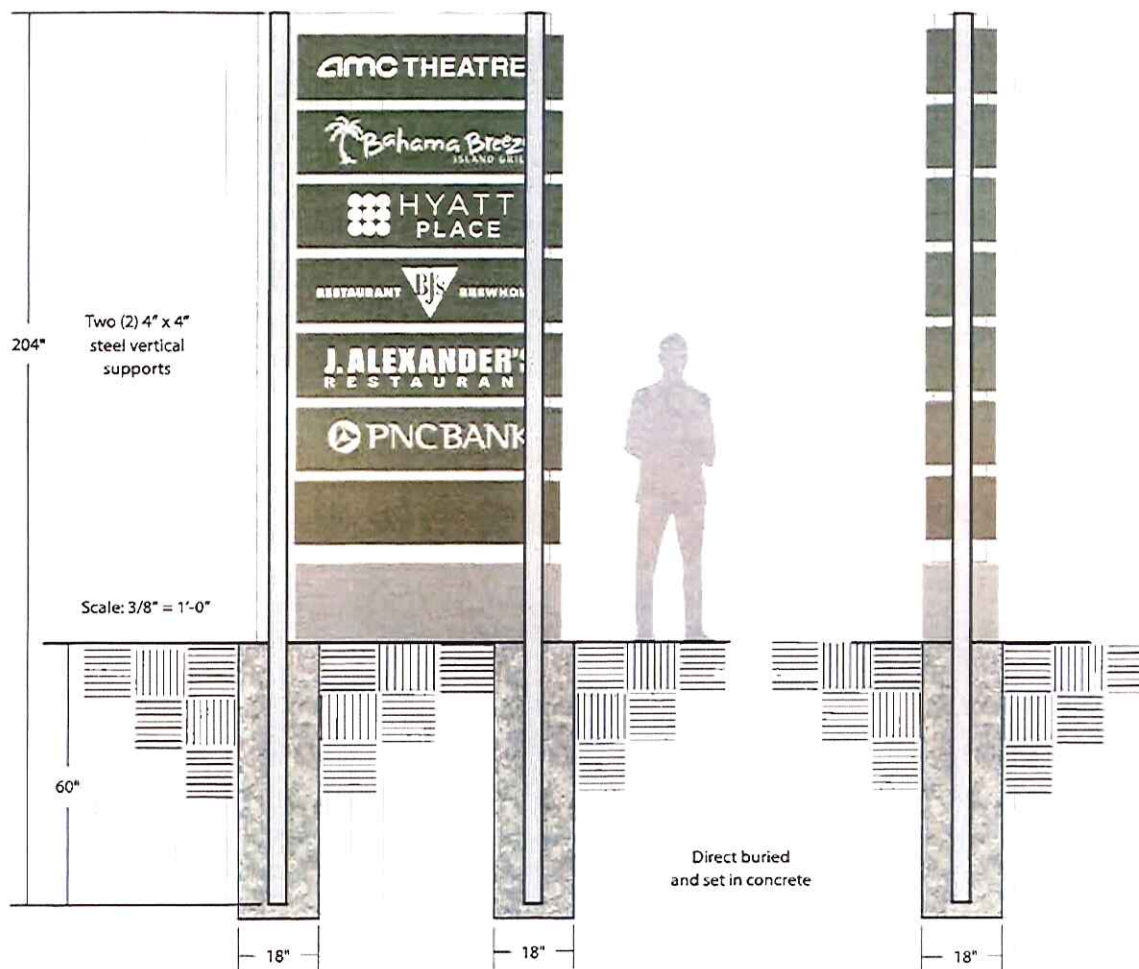
Date _____

Work Order#: XXX

METRO SIGNS
A LIGHTING

11444 Kaitz Ave
Warren, MI 48089
Phone: 586-759-2700
Fax: 586-759-2703

Pylon Sign #1



Pentagon
Centre
Association

Sales: Matt Thomas

Drawn By: Steve

Date: 03/02/2022

File Name: Pentagon Centre Association

Revision: 11/23/2022

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Customer Signature

Date

Work Order#: XXX

METRO SIGNS
ILLUMINATING

11444 Kaitz Ave
Warren, MI 48089
Phone: 586-759-2700
Fax: 586-759-2703

Sign #1 to be replaced
Sign is 8' high x 10' wide



Existing Sign 1 - Along 7
Mile Rd

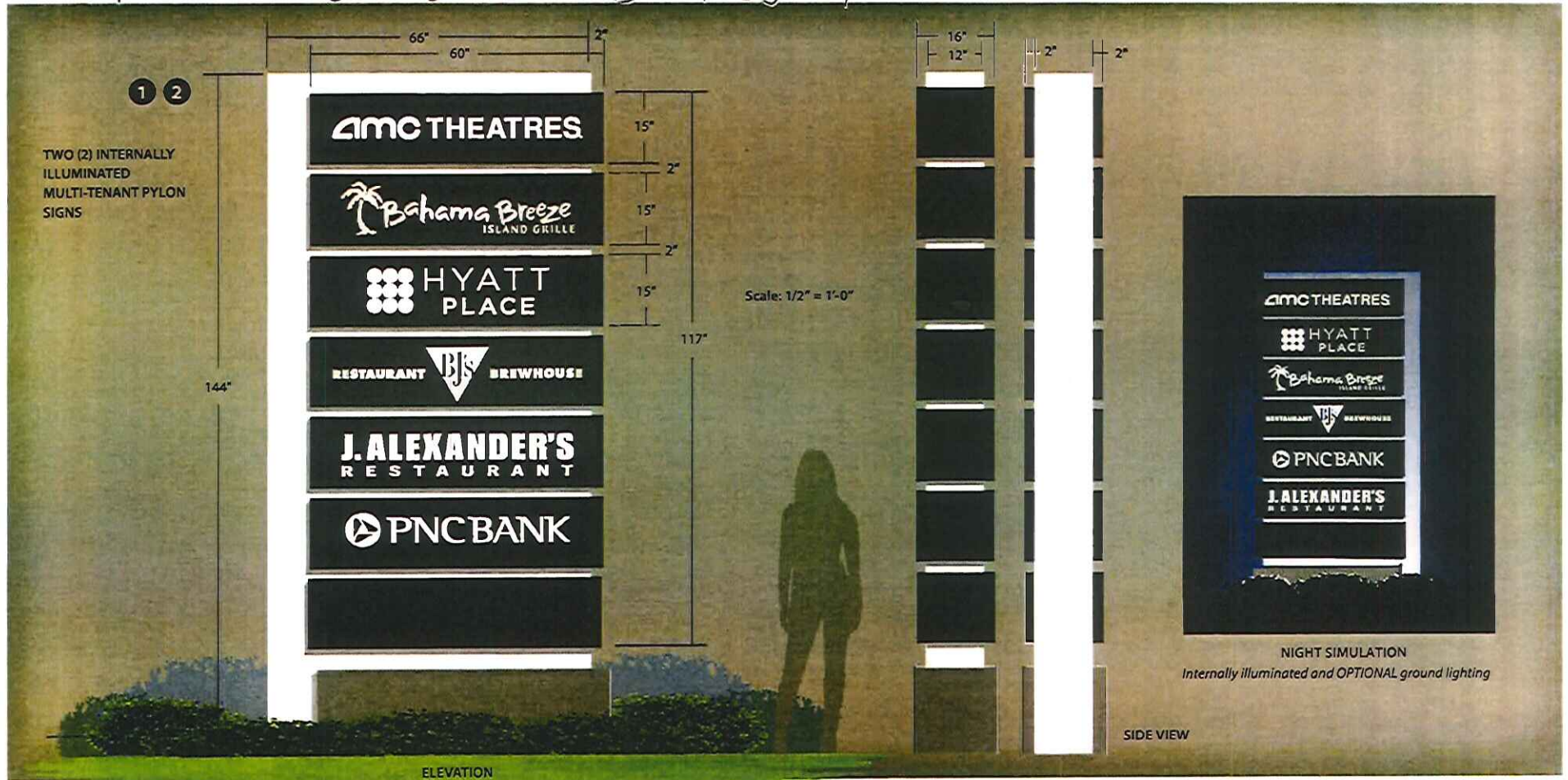
Sign #1 Along 7 Mile Rd.



Page 2 of 3

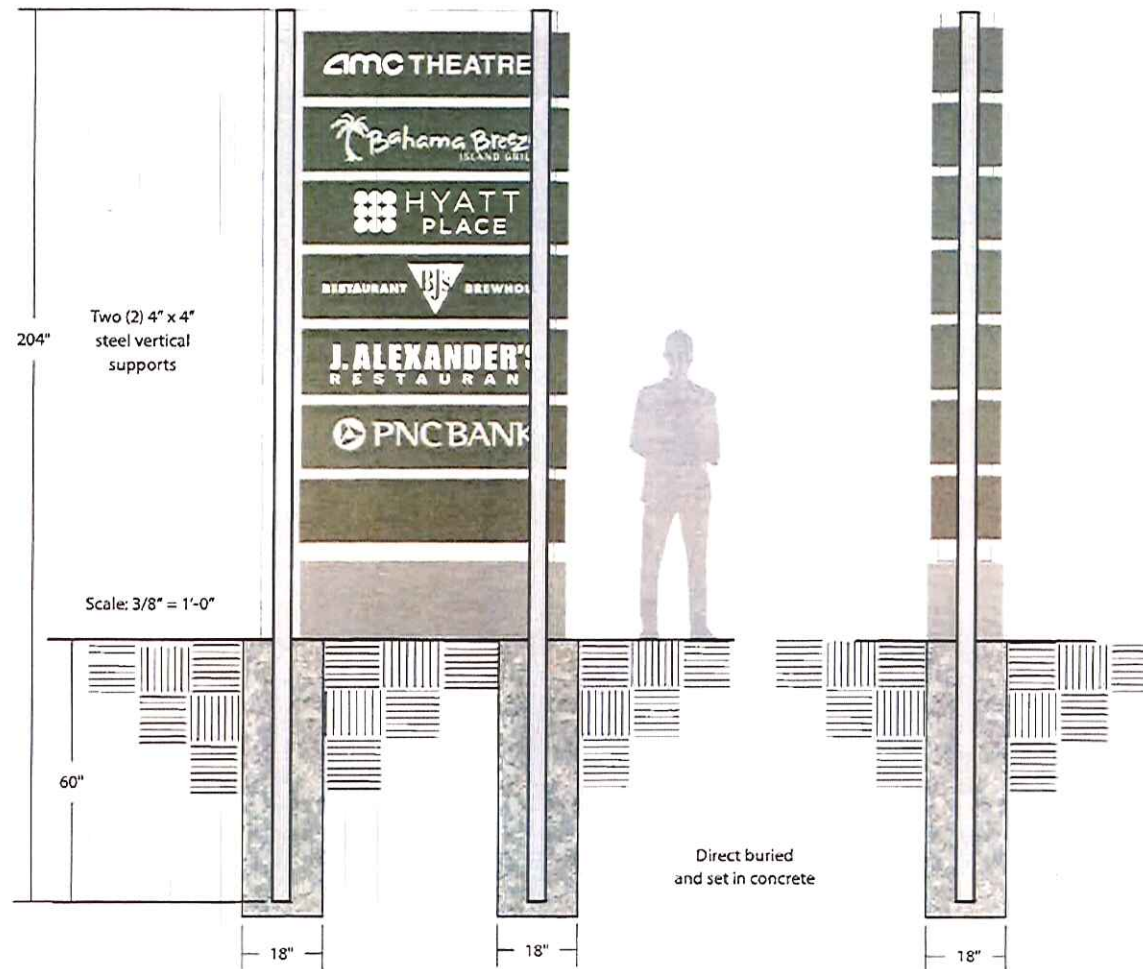
Pentagon Centre Association	Sales: Matt Thomas	Drawn By: Steve	Date: 03/02/2022	File Name: Pentagon Centre Association	Revision: 11/23/2022	 11444 Kaitz Ave Warren, MI 48089 Phone: 586-759-2700 Fax: 586-759-2703
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Customer Signature _____				Date _____		

Pylon Sign 2 along Haggerty Rd.



Pentagon Centre Association	Sales: Matt Thomas	Drawn By: Steve	Date: 03/02/2022	File Name: Pentagon Centre Association	Revision: 11/10/2022	 11-144 Kalliz Ave Warren, MI 48089 Phone: 586-759-2700 Fax: 586-759-2703
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	Customer Signature _____		Date _____			

Pylon Sign #2



Pentagon Centre Association	Sales: Matt Thomas	Drawn By: Steve	Date: 03/02/2022	File Name: Pentagon Centre Association	Revision: 11/10/2022	 METRO SIGNS ILLUMINATING 11444 Kaultz Ave Warren, MI 48089 Phone: 586-759-2700 Fax: 586-759-2703
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Sign # 2 along Haggerty Rd. will
replace this AMC Monument Sign
- existing sign is 8' high x 10' wide



ZONING MAP

LEGEND

Zoning Districts

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

S.W. 1/4 Section 6

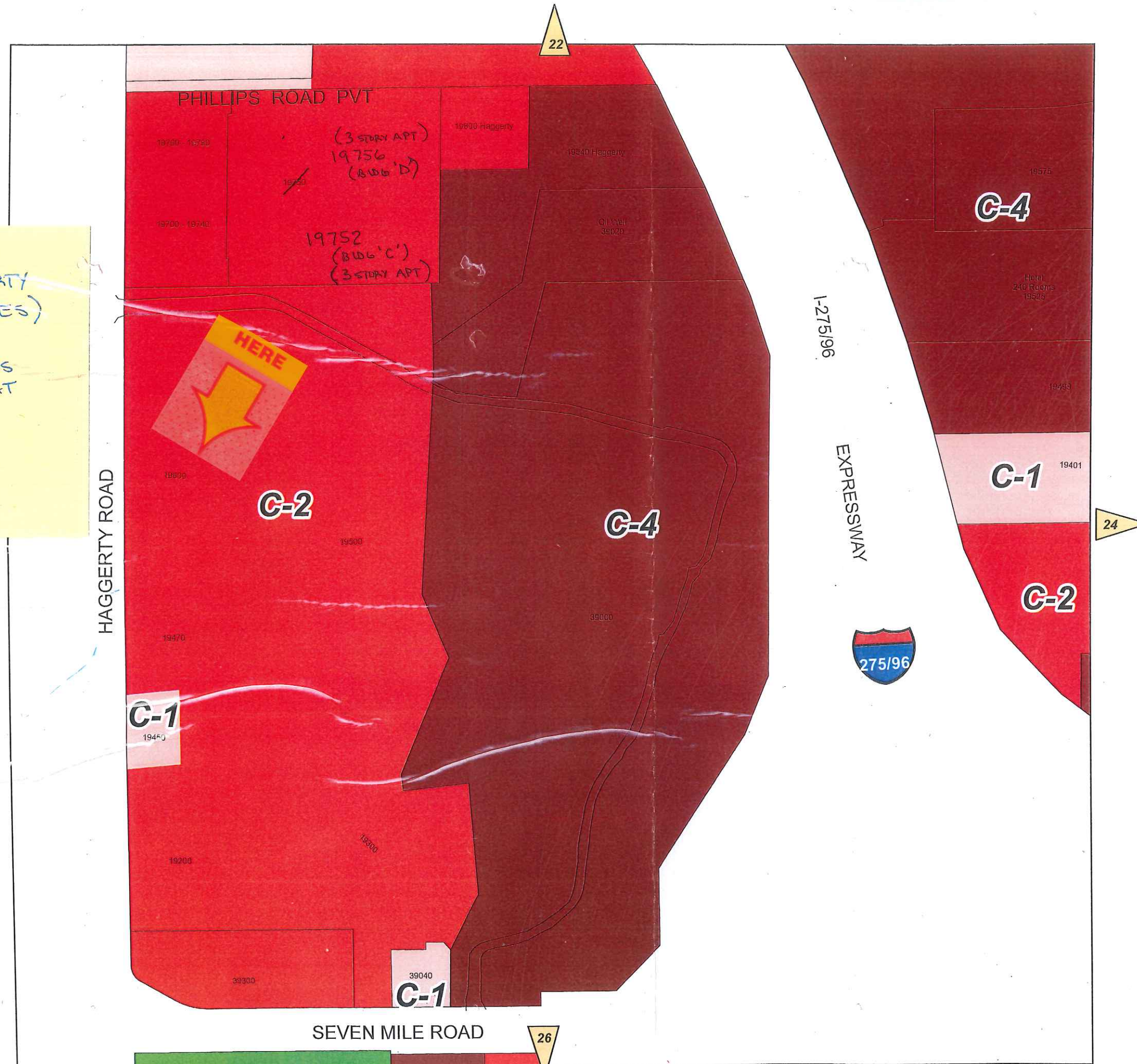
City of Livonia

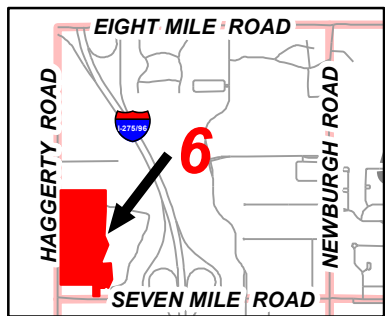
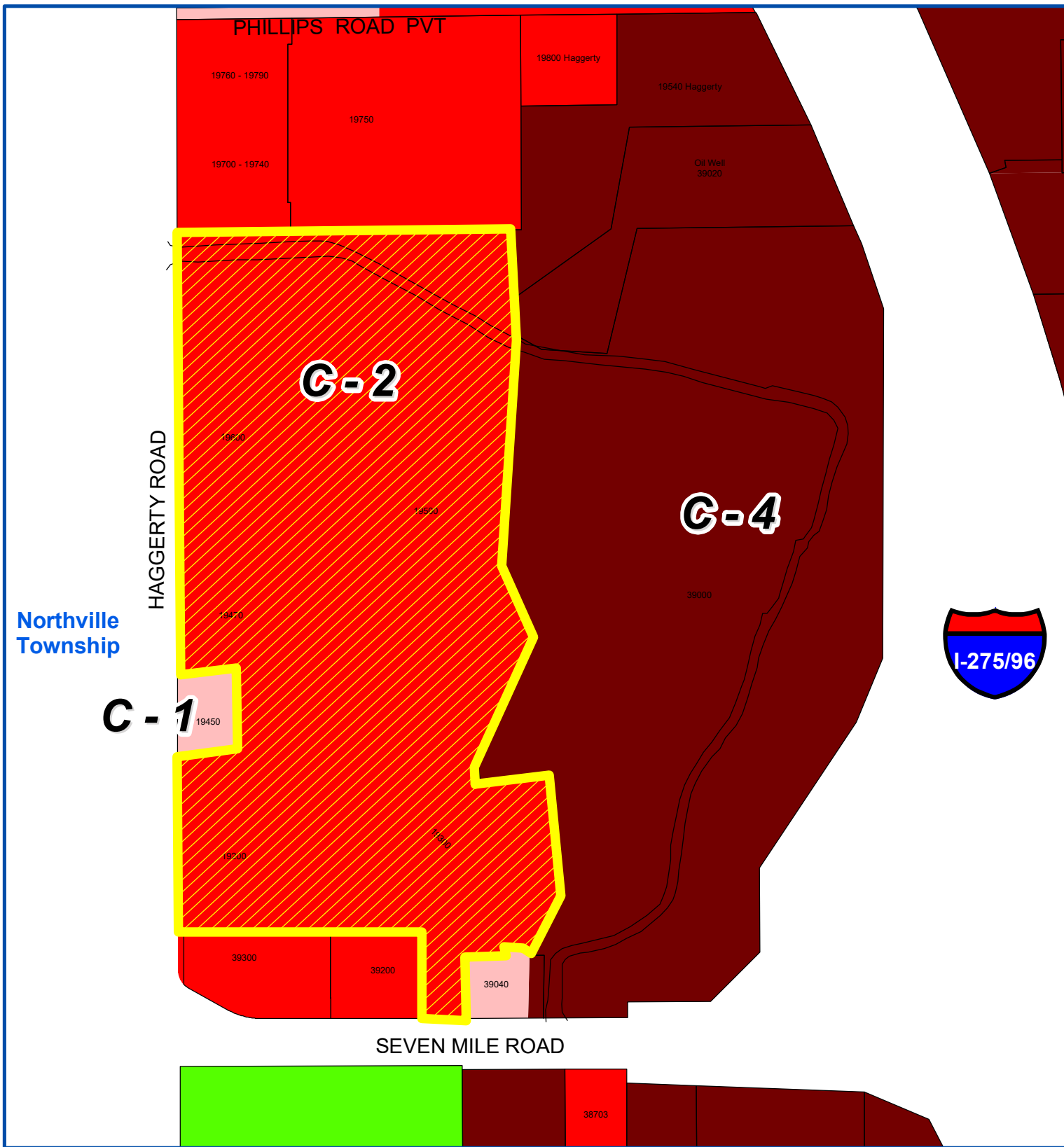
T. 1 south, R. 9 east
Wayne County, Michigan

Copyright 2001, City of Livonia



300 150 0 300 Feet





Address & Zoning Map

Petition 2023-03-SN-01
Pentagon Centre
19500 Haggerty Road
Replace Signage



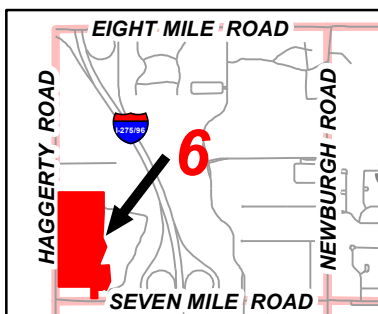
Not to Scale

City of Livonia
Planning Department

Northville
Township

HAGGERTY ROAD

SEVEN MILE ROAD



Aerial Map

Petition 2023-03-SN-01
Pentagon Centre
19500 Haggerty Road
Replace Signage



Not to Scale



City of Livonia
Planning Department

PLANNING COMMISSION STAFF NOTES

MISCELLANEOUS

ITEM 2

Petition 2023-03-SN-01 submitted by Metro Detroit Signs, on behalf of Pentagon Centre Condominium, requesting approval under Council Resolution #681-98 and Section 11.08 of the Livonia Vision 21 Zoning Ordinance, as amended, to replace existing ground signs with larger nonconforming panel signs at 19500 Haggerty Road, located on the east side of Haggerty Road between Seven Mile Road and Phillips Road in the Southwest ¼ of Section 9.

March 21, 2023: Study Meeting:

This petition involves a request to replace two (2) monument signs with pylon signs at the Pentagon Centre Entertainment Campus. Pentagon Centre is a commercial condominium development consisting of three (3) full services restaurants—Bahama Breeze, J. Alexander's, and BJ's Roadhouse—a PNC Bank, Hyatt Place hotel, and the AMC Livonia 20 Theatres.

In 1998, Pentagon Centre received approval for a sign package that included two (2) monument signs identifying the AMC 20 Movie Theatres. The signs are at the main entrances to the entertainment campus: one on Haggerty Road and the other on Seven Mile Road. Pentagon Centre is classified as a Business Center. Under Section 11.08(3) of the Zoning Ordinance, Business Center ground signs can be forty (40) square feet in area and have a maximum height of eight feet (8'). Both existing signs conform to these standards, are identical, and are used solely to identify the AMC 20 Theatres. The two (2) replacement signs would also be similar. Each sign would measure forty-nine (49) square feet in area and have an overall height of twelve feet (12'). The signs would be internally illuminated with seven (7) panels identifying the six (6) businesses that make up the Pentagon Centre campus. The bottom panel would be blank. The minimum required setback from the public road rights-of-way is ten feet (10'). Because the area and height of the signs exceed what Section 11.08(3) allows, final approval will require variances from the Zoning Board of Appeals.

The submitted plans include replacing multiple directional signs not regulated under the sign ordinance.

April 4, 2023: Regular Meeting:

Approving Resolution (As Submitted): The request to replace two (2) monument signs at the Pentagon Centre with new pylon signs at 19500 Haggerty Road is approved, subject to City Council approval and the following conditions:

1. The revised drawings prepared and submitted by Metro Signs, dated February 2023, are approved and shall be adhered to.
2. This approval is subject to the petitioner being granted variances from the Zoning Board of Appeals for excess sign area, and

MISCELLANEOUS

ITEM 2 Petition 2023-03-SN-01 – Pentagon Centre

Page 2

3. Any additional signs shall return before the Planning Commission and City Council for review and approval.

Approving Resolution (Modified): The request to replace the existing monument signs at the Pentagon Centre with new pylon signs at 19500 Haggerty Road is approved subject to City Council approval and the following modifications and conditions:

1. The revised drawings prepared and submitted by Metro Signs, dated February 2023, are approved for the Seven Mile Road sign only.
2. On Haggerty Road, the monument sign shall comply with the size requirements of Section 11.08(3) for the business center, which limits the area to forty (40) square feet and the height to eight (8) feet.
3. This approval is subject to the petitioner being granted variances from the Zoning Board of Appeals for excess sign area, and
4. Any additional signs shall return before the Planning Commission and City Council for review and approval.

Denying Resolution: This request to replace existing monument signs with larger nonconforming panel signs at 19500 Haggerty Road is denied for the following reasons:

1. The size limits for business center monument signs under Section 11.08(3) are reasonable, providing the applicant with sufficient opportunity to identify the commercial development.
2. The proposed signage is excessive and fails to meet the requirements of Section 11.08(3), and
3. The applicant has not justified the need for larger signs.



METRO SIGNS **& LIGHTING**

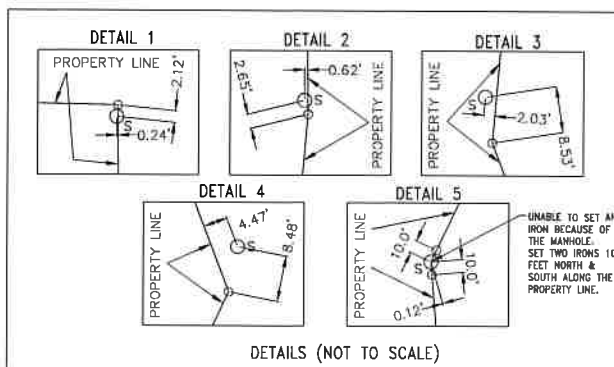
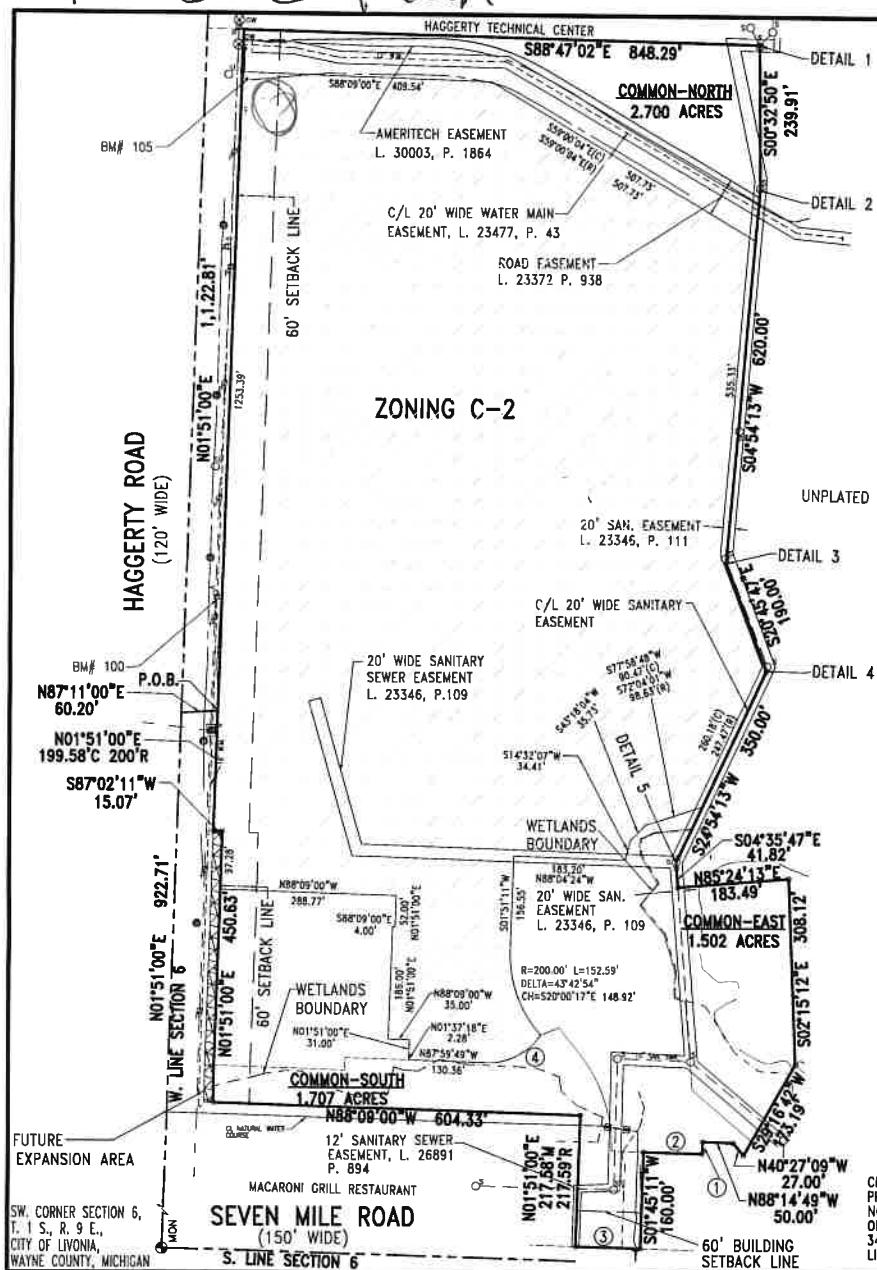
11444 Kaltz Ave. Warren, MI 48089

P: (586)759-2700 F: (586)759-2703

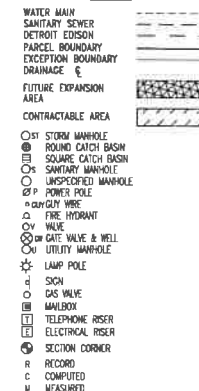
kdeters@metrodetroitsigns.com

Revised drawings February 2023

- non illuminated replacement directional #1 – 2.5' x 4' = 10 sq feet at 4' OAH
- non illuminated replacement directional #2 – 2.5' x 4' = 10 sq feet at 4' OAH
- non illuminated replacement directional #3 – 2.5' x 4' = 10 sq feet at 4' OAH
- replacement ground sign #1 along 7 Mile Rd – 9.75' x 5' = 48.75 sq feet at 12' OAH
- replacement ground sign #2 along Haggerty Rd – 9.75' x 5' = 48.75 sq feet at 12' OAH



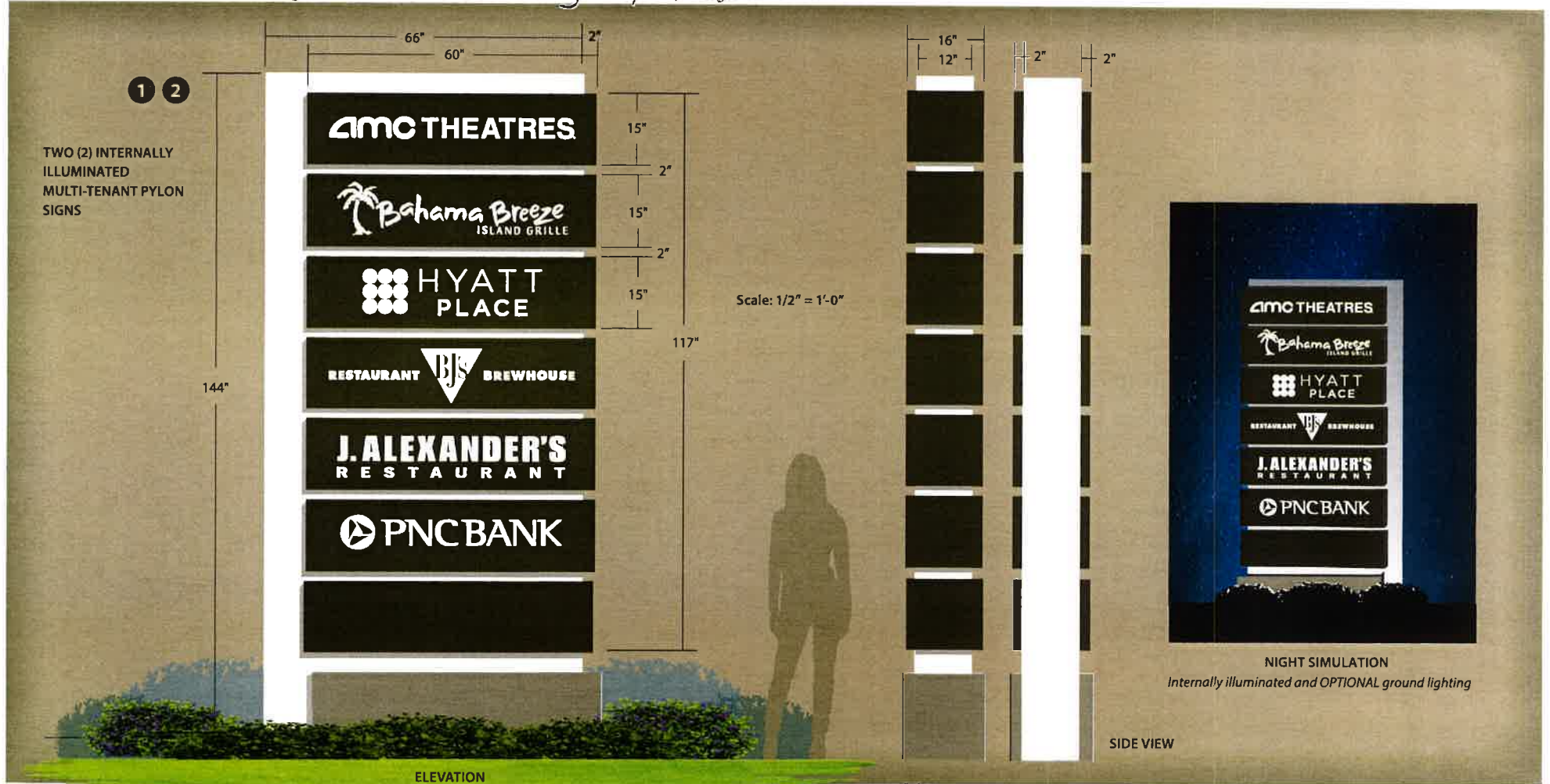
OWENS, ROSE & McCLINTOCK, INC. 			2000 Spanish Suite 100 San Jose, CA 95128 (408) 291-1111
1999 100% 100%	100% 100% 100%	100% 100% 100%	100% 100% 100%



BENCHMARK # 100
ARROW ON HYDRANT EAST SIDE OF
HAGGERTY RD. NORTH OF DRIVEWAY
AT HOME DEPOT.
ELEV. 820.94 (NGVD 29)

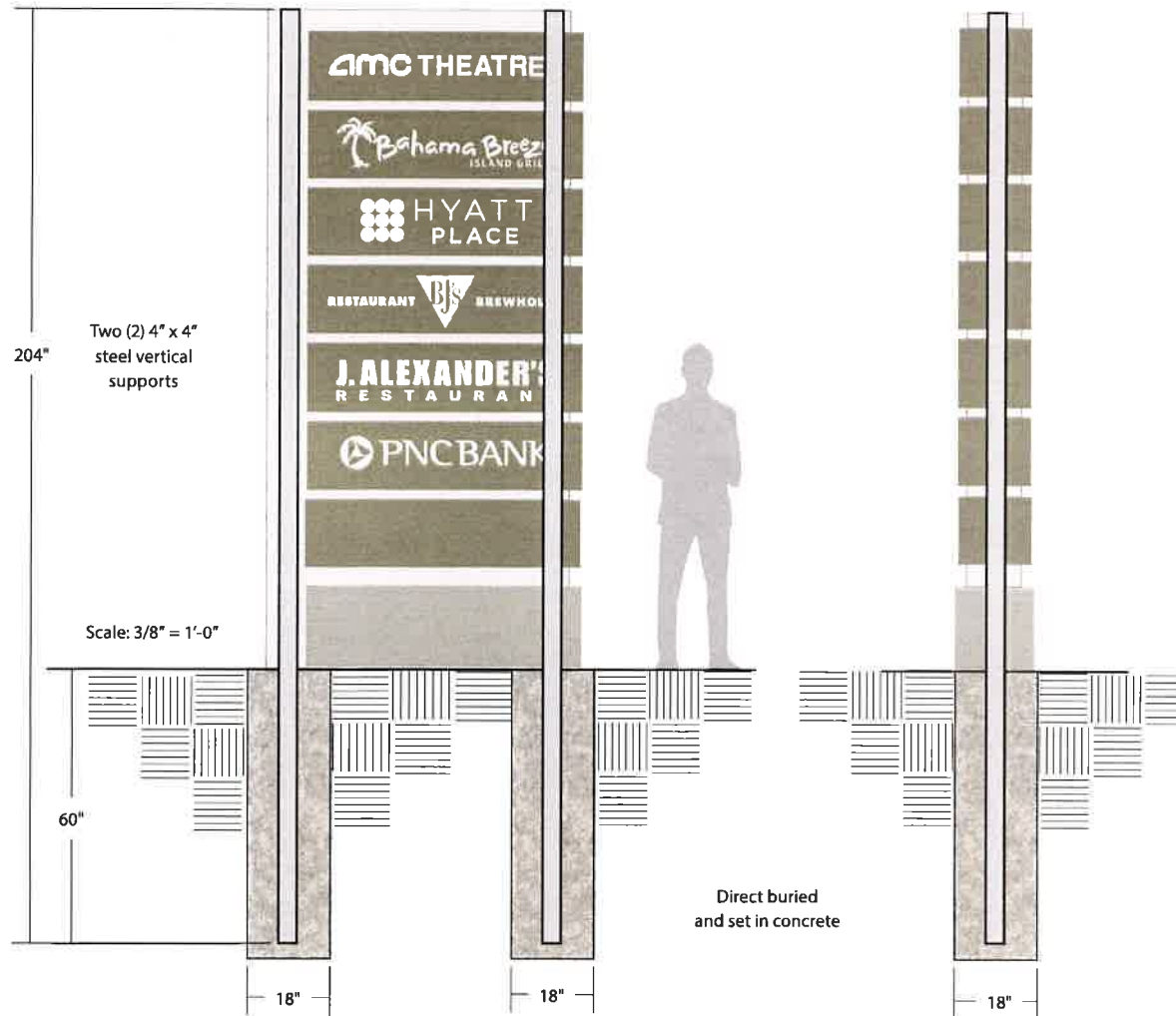
SURVEY PLAN

Pylon Sign #1 along 7 Mile Rd.



Pentagon Centre Association	Sales: Matt Thomas	Drawn By: Steve	Date: 03/02/2022	File Name: Pentagon Centre Association	Revision: 11/23/2022	 METRO SIGNS LIGHTING 11444 Kaitz Ave Warren, MI 48089 Phone: 586-759-2700 Fax: 586-759-2703
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Pylon Sign #1



**Pentagon
Centre
Association**

Sales: Matt Thomas

Drawn By: Steve

Date: 03/02/2022

File Name: Pentagon Centre Association

Revision: 11/23/2022

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Customer Signature _____

Date _____

Work Order#: XXX



11444 Kaltz Ave
Warren, MI 48089
Phone: 586-759-2700
Fax: 586-759-2703

Sign #1 Along 7 Mile Rd.



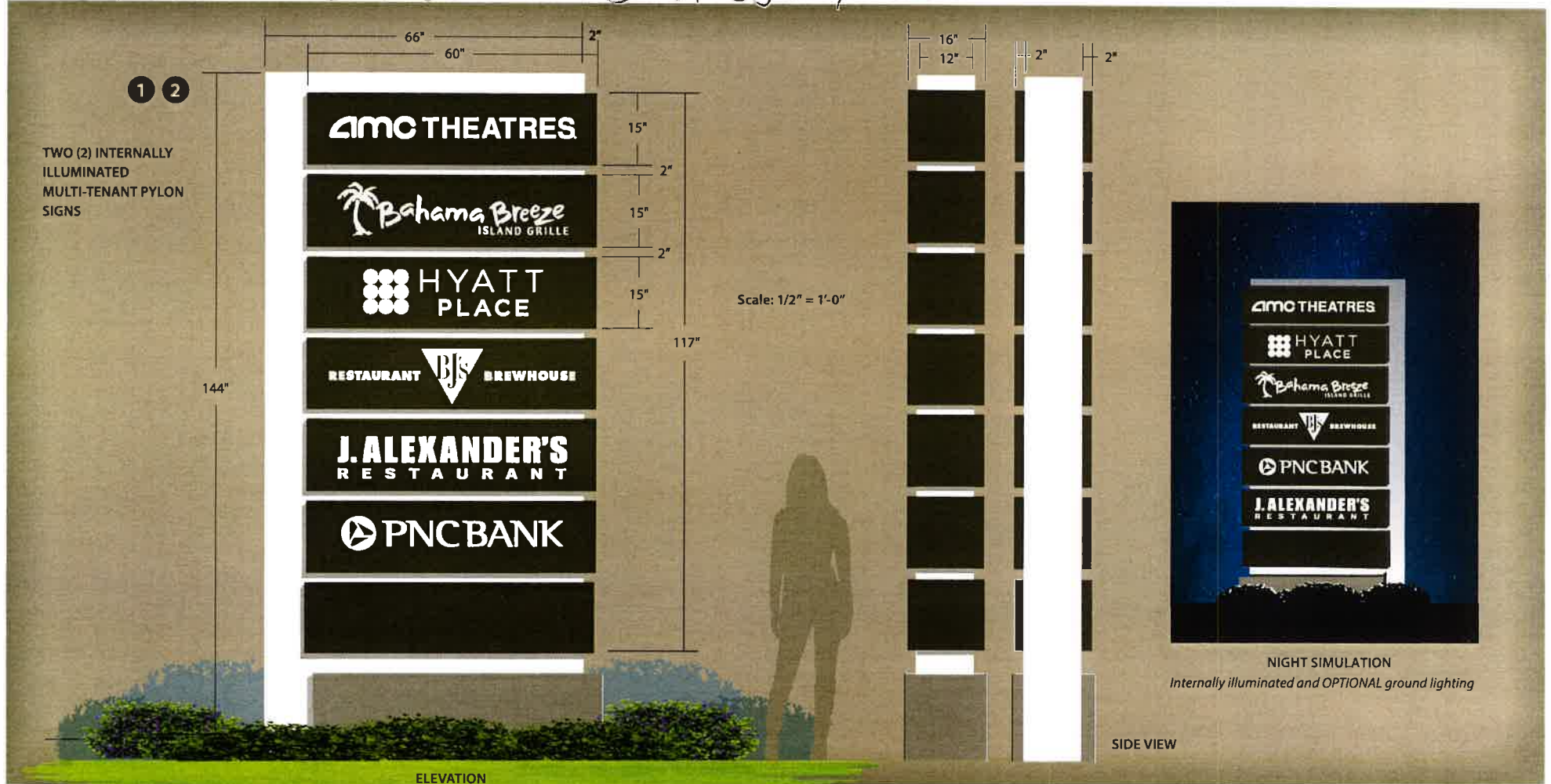
Page 2 of 3

Pentagon Centre Association	Sales: Matt Thomas	Drawn By: Steve	Date: 03/02/2022	File Name: Pentagon Centre Association	Revision: 11/23/2022	 11444 Kaltz Ave Warren, MI 48089 Phone: 586-759-2700 Fax: 586-759-2703
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	Customer Signature _____		Date _____			

Sign #1 to be replaced
Sign is 8' high x 10' wide

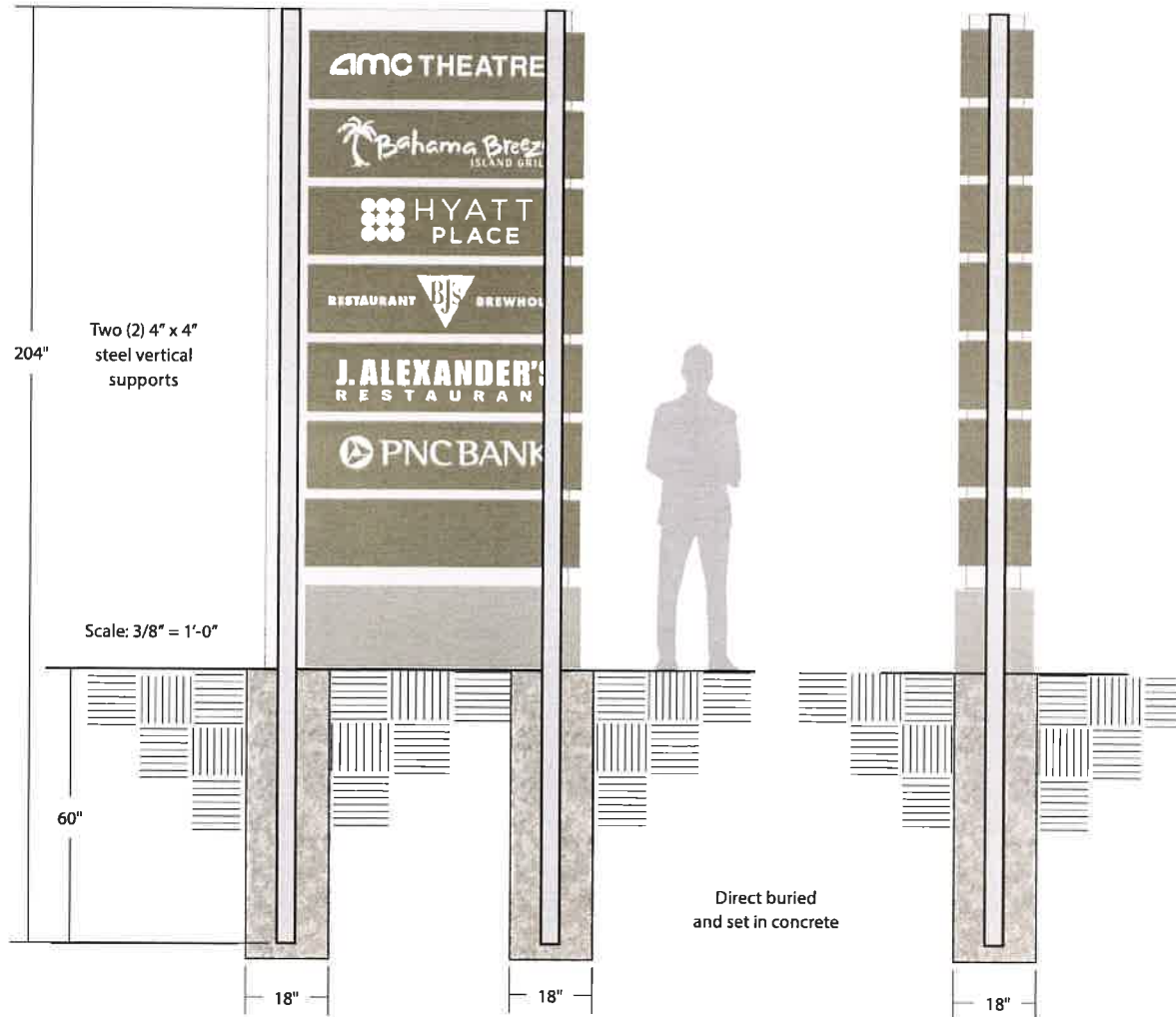


Pylon Sign 2 along Haggerty Rd.



Pentagon Centre Association	Sales: Matt Thomas	Drawn By: Steve	Date: 03/02/2022	File Name: Pentagon Centre Association	Revision: 11/10/2022	 METRO SIGNS & LIGHTING 11444 Kaltz Ave Warren, MI 48089 Phone: 586-759-2700 Fax: 586-759-2703
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Pylon Sign #2



**Pentagon
Centre
Association**

Sales: Matt Thomas

Drawn By: Steve

Date: 03/02/2022

File Name: Pentagon Centre Association

Revision: 11/10/2022

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Customer Signature _____

Date _____

Work Order#: XXX

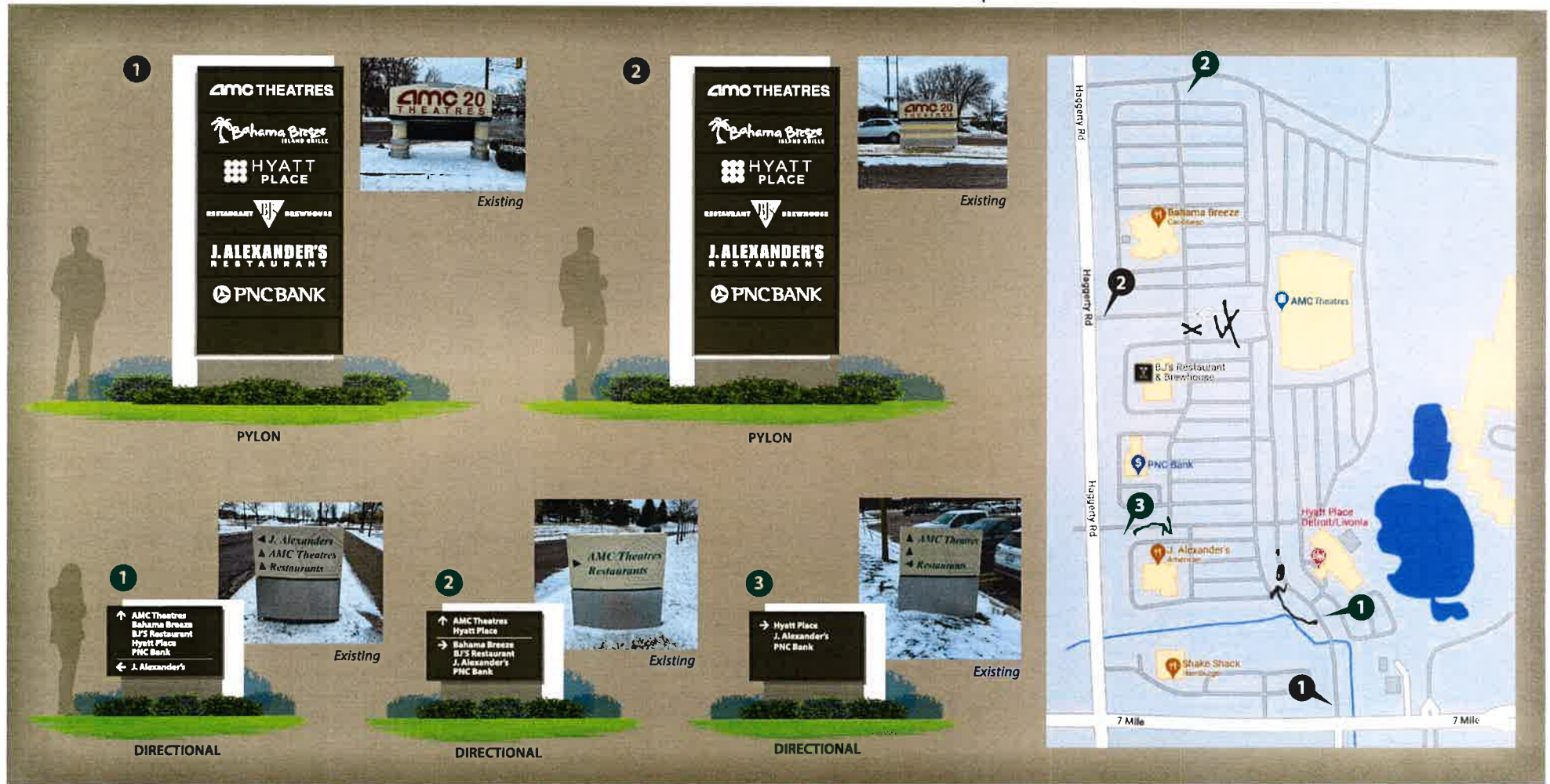
METRO SIGNS
— LIGHTING —

11444 Kaltz Ave
Warren, MI 48089
Phone: 586-759-2700
Fax: 586-759-2703

Sign # 2 along Haggerty Rd. will
replace this AMC Monument Sign
- existing sign is 8' high x 10' wide

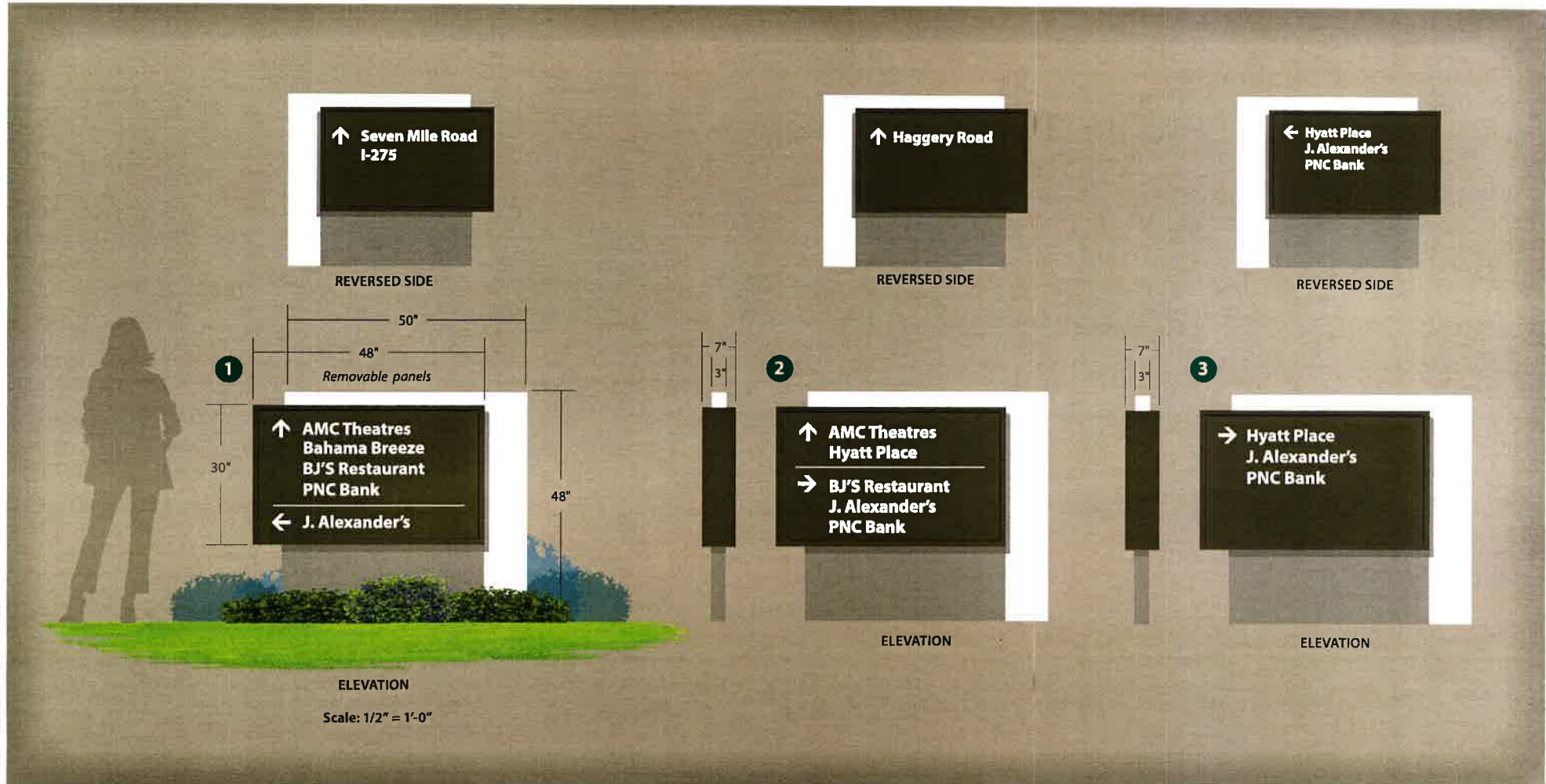


N
↑



SITE MAP

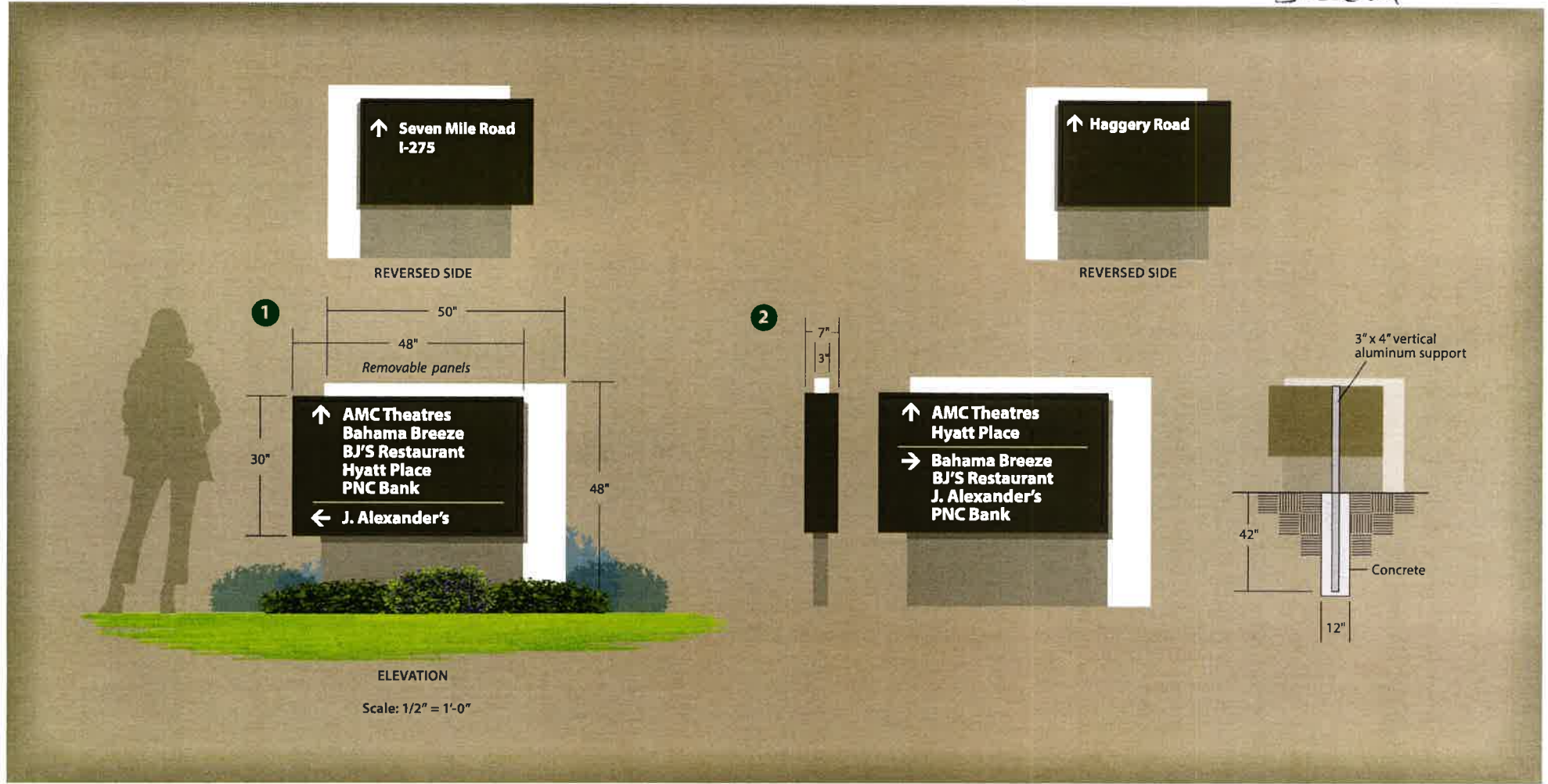
Pentagon Centre Association	Sales: Matt Thomas	Drawn By: Steve	Date: 03/02/2022	File Name: Pentagon Centre Association	Revision: 01/23/2023	 METRO SIGNS — D LIGHTING — 11444 Kaltz Ave Warren, MI 48089 Phone: 586-759-2700 Fax: 586-759-2703
	This drawing and design/layout is the property of Metro Detroit Signs. The use of which in part or in whole is not permitted without prior written consent from Metro Detroit Signs. All rights reserved. Copyright 2018				Work Order#: XXX	
	Customer Signature _____				Date _____	



THREE (3) DIRECTIONAL SIGNS - NON-ILLUMINATED

Pentagon Centre Association	Sales: Matt Thomas	Drawn By: Steve	Date: 03/02/2022	File Name: Pentagon Centre Association	Revision: 01/23/2023	 11444 Kaltz Ave Warren, MI 48089 Phone: 586-759-2700 Fax: 586-759-2703
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Non illuminated directional signs 1 and 2 and 3 Construction Detail



TWO (2) DIRECTIONAL SIGNS - NON-ILLUMINATED

Pentagon Centre Association	Sales: Matt Thomas	Drawn By: Steve	Date: 03/02/2022	File Name: Pentagon Centre Association	Revision: 11/10/2022	 METRO SIGNS LIGHTING 11444 Kaltz Ave Warren, MI 48089 Phone: 586-759-2700 Fax: 586-759-2703
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	Customer Signature _____		Date _____			

Existing directional is 4' high x 3.5' wide

Directional # 3 to be replaced

Directionals 1 and 2 are identical in size



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

Case No: 2023-06-13
Meeting Date: July 18, 2023

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

THANK YOU FOR THE NOTIFICATION. WE BELIEVE THE CITY SHOULD APPROVE THE VARIANCE REQUESTED BY THE SCHNEIDERS. THE LOT IS NOT YOUR TYPICAL 60 X 120 RESIDENTIAL LOT. THERE IS AMPLE SPACE FOR AN ADDITION WHICH INCLUDES AN ATTACHED GARAGE. THE SCHNEIDERS MAINTAIN THEIR LOT IN A PRISTINE CONDITION. I WISH OTHER RESIDENTS IN OUR AREA DID LIKEWISE. AN ADDITION WOULD INCREASE THE VALUE OF THEIR DWELLING AND AS A RESULT, IMPROVE VALUES IN OUR NEIGHBORHOOD.

WE RECOGNIZE THAT CITY ORDINANCES ARE IMPORTANT. HOWEVER, SO IS REASON. IN THIS CASE, DUE TO THE LOT SIZE, WE BELIEVE THE SCHNEIDERS ARE MAKING A REASONABLE REQUEST. THE CITY SHOULD ALSO EXERCISE REASON AND GRANT THEIR REQUEST.

THANK YOU FOR CONTACTING US AND CONSIDERING OUR COMMENTS.

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

Signature: Karl Halewicz
Mary J. Halewicz
Name: KARL (MARY) HALEWICZ
(Please print)

Address: 10417 BASSETT ST.

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

Case No: 2023-06-13
Meeting Date: July 18, 2023

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

July 3, 2023

We live immediately next door and wish
our neighbors well with their construction
project.

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

Signature: Jennifer Tregembo / Wayne S. Szpalski
Name: JENNIFER TREGEMBO / WAYNE S. SZPULSKI
(Please print)

Address: 10348 Bassett Street
Livonia, MI 48150

ZONING BOARD OF APPEALS

ZONING BOARD MEMBERS

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



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

MAYOR

MAUREEN MILLER BROSNAN

COUNCIL MEMBERS

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

PUBLIC NOTICE ***June 30, 2023***

APPEAL CASE NO. 2023-06-13, 39240 Ann Arbor Trail: an appeal was made to the Zoning Board of Appeals by Michael and Melinda Schneider, seeking to construct an addition to an existing dwelling which includes an attached garage, while maintaining a detached garage and shed, resulting in excess accessory building area and excess number of accessory buildings.

Accessory Building Area

Allowed: 920 sq. ft.
Proposed: 2046 sq. ft.
Excess: 1126 sq. ft.

Number of Accessory Buildings

Allowed: 2
Proposed: 3
Excess: 1

This Low Density Residential property is located on the north side of Ann Arbor Trail (39240), between Bassett and Adams, Lot. No. 122-01-0003-001, N1, Neighborhood District, rejected by the Inspection Department under Livonia Zoning Ordinance, Section 7.09, 1 (A) and 1(B), Single-Family Residential Accessory Buildings and Recreational Equipment Storage, Maximum Size, Maximum Number.

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

This appeal will be heard at a public hearing to be held in the **Auditorium on the first floor of City Hall on Tuesday, July 18, 2023, at 7:00 p.m.**, at which time comments may be directed to the Board during audience participation. When replying by mail, write your comments on the back of this notice and address it to the City of Livonia, Zoning Board of Appeals, 33000 Civic Center Drive, Livonia, MI 48154. All written comments are read at the meeting and become part of the record.

ZONING BOARD OF APPEALS,

Timothy Klisz, Secretary

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

In accordance with Title II of the Americans with Disabilities Act as it pertains to access to Public Meetings, the Zoning Board of Appeal's Office of the City of Livonia, upon adequate notice, will make reasonable accommodations for persons with special needs.

Please call 734-466-2250 if you need assistance.

Case No: 2023-06-13
Meeting Date: July 18, 2023

[illegible]

Signature: _____

Address:



CITY OF LIVONIA

INSPECTION DEPARTMENT

REJECTION OF APPLICATION FOR PERMIT

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154
421-2000

BASED ON NONCONFORMITY TO ORDINANCE LIVONIA VISION 21

Applicant MICHAEL/MELINDA SCHNEIDER Address 39240 A.A. TRAIL, LIVONIA, MI 48150 734-707-6340
Owner SAME AS APPLICANT Address _____
Lessee _____ Address _____
Location NORTH Side of 39240 ANN ARBOR TRAIL Street
Between BASSETT And ADAMS
Lot No./Parcel No. 122-01-0003-001 Subdivision BASSETT FARMS
Zoning District N1 Map No. NW 31 Lot Size 19,163 SQ FT Alley _____
Present Use RESIDENTIAL Proposed Use SAME
HOUSE/PORCH SHED DET GARAGE ATT. GARAGE ADDITION
Present Building Size 510 S.F. 80 S.F. 1018 S.F. Proposed Building Size 948 S.F. 1623 S.F.
Present Height of Building ONE STORY Proposed Height ONE STORY
Allowable Lot Coverage 35% (6707 SQ FT) Proposed Lot Coverage 27% (5179 SQ FT)
Proposal SEEKING TO CONSTRUCT AN ADDITION TO AN EXISTING DWELLING
WHICH INCLUDES AN ATTACHED GARAGE, WHILE MAINTAINING A DETACHED
GARAGE AND SHED RESULTING IN EXCESS ACCESSORY BUILDING AREA AND
EXCESS NUMBER OF ACCESSORY BUILDINGS. ACCESSORY BUILDING AREA
ALLOWED: 920 SQ FT; PROPOSED: 2046 SQ FT; EXCESS: 1126 SQ FT.
NUMBER OF ACCESSORY BUILDINGS ALLOWED: TWO; PROPOSED: THREE;
EXCESS: ONE.

Reason for Rejection LIVONIA VISION 21, SECTION 7.09, 1(A), 1(B)

Deficient Side Yard _____ Deficient Front Yard _____ Deficient Rear Yard _____
Deficient Lot Area _____ Deficient Lot Area per Room _____ Encroachment _____
Excessive Lot Coverage _____ Excessive Height _____ Increasing No. Units 7.09, 1(B) ONE ACC. BUILDING
Use Prohibited _____ Deficient Parking Spaces _____ Increasing Area and Bulk 7.09, 1(A) 1126 SQ FT

Remarks _____

Plans and Application examined by RJ

Date

JUNE 20, 2023

ZONING EXAMINER

RECEIVED

JUN 19 2023

Inspection Department
City of Livonia

APPLICATION FOR VARIANCE

Michael + Melinda Schneider Livonia 48150 734-707-6340
(Owner of Premises) (Street Address) (City) (Zip Code) (Telephone) (Fax)

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

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

The property address is 39240 Ann Arbor Trail

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

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

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

Lot 3 except North 60 ft thereof, Bessett Farm Subdivision

60 ft part of the NW 1/4 of section 31, T. 15, R. 9E Livonia Twp.

(Now City of Livonia) Wayne County MI As recorded in Liber 69 at p 253

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

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

See Attached

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

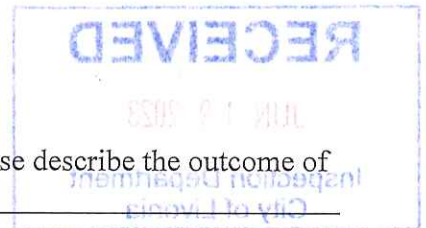
See Attached

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

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

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

I was recommended to apply for a zoning variance



8. Have you attempted to have the property rezoned? If yes, please describe the outcome of the rezoning process: No
9. If you have not attempted to have the property rezoned, why hasn't this attempt been made? Recommended we seek a variance.

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

OWNER'S AFFIDAVIT

COUNTY OF WAYNE)
STATE OF MICHIGAN)

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

Signature of property owner: Michael Schneider

Please print name of property owner: Michael Schneider

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

Subscribed and sworn to before me this 19th day of June, 2023

Lydia Taylor
(Notary Public, Wayne County, Michigan)

My Commission expires July 23, 2029

LYDIA TAYLOR
NOTARY PUBLIC, STATE OF MI
COUNTY OF WASHTENAW
MY COMMISSION EXPIRES Jul 23, 2029
ACTING IN COUNTY OF

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

NOT TO BE COMPLETED BY APPLICANT

Petitioner makes application for a Hearing, seeking to (reverse, modify, or affirm) the (order, decision) of the Department of Inspection, dated JUNE 20, 2023, which reads as follows:

LIVONIA VISION 21, SECTION 2.09, 1(B), 1(A)

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

[Signature]
(Supervisor)

Application for permit filed NO Violation Issued NO

Application for Variance (cont.)

3. This is a small 2 bdrm 1-1/2 bath home on a large corner lot with an existing detached accessory building. We are requesting permission to include as part of our home expansion and renovation an attached garage. The variance being requested is for allowance of two accessory spaces, one new attached, one existing detached.

4. This project resolves a couple pain points for us. It adds much needed square footage including a third bedroom, second full bathroom, and a place to park our daily drivers securely indoors. It also turns the front of our house from the busy Ann Arbor Trail to facing the low traffic quieter dead-end side street of Bassett. This allows us to better utilize our large corner lot and gets the driveway for our daily drivers and guests off busy Ann Arbor Trail. The positioning of the new structure also creates a much needed private space behind the new garage area out of sight from both streets.

Related to the garage variance being requested, we use the existing garage space for storage only. Our basement is unique in that it is only 375 sq. ft. The ceiling is low, there is not a floor drain, it's difficult to get items in and out of, and portions are exposed dirt. It is not well suited for storage or daily usage. It serves the purpose of space for mechanicals only. We use our garage as many would use a full basement. We have space set up for storage. A space for work out activities which contains a treadmill, exercise bike, and space for free weights and yoga. It also stores much of our property maintenance items which includes a good sized lawn tractor and all its attachments which include lawn cart, tiller, snow plow, and boom sprayer. We have a workbench and toolbox for crafts, school projects, and small repairs. One stall is taken up by a classic car, ATV, and small motorcycle. We are not able to park any of our daily driver vehicles in the existing garage due to how we must use it.

5. We feel this request is not unusual for our neighborhood. Most of the lots along this portion of Ann Arbor Trail and further east have attached garages and a second accessory building. We feel this home expansion and remodel project will fit the neighborhood well, add value, and be attractive as people enter our city from Plymouth being one of the first homes when crossing city borders. Our lot is spacious with many large mature trees that the expansion embraces and is sited such that the finished project will appear to belong and be size appropriate.

Thank you for your consideration.

Sincerely, Mike and Melinda Schneider

ZONING MAP

LEGEND

Zoning Districts

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

N.W. 1/4 Section 31

City of Livonia

T: 1: south, R. 9 east

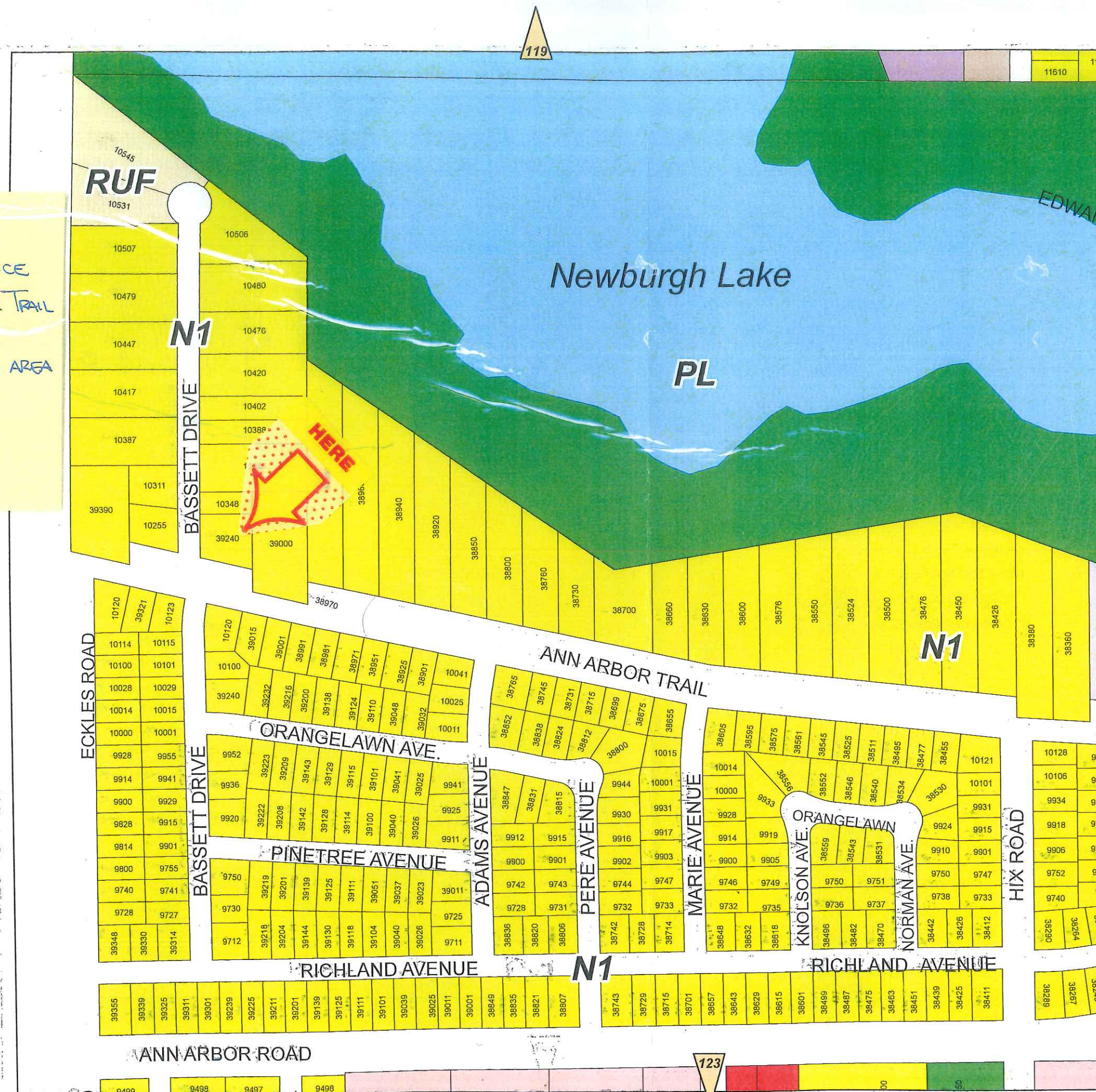
Wayne County, Michigan

Copyright 2001, City of Livonia



300 150 0 300 Feet

2023 -
VERLING RESIDENCE
39240 ANN ARBOR TRAIL
- ADDITION TO HOME
- EXCESS ACC. BLDG AREA



SCHNEIDER RESIDENCE - ADDITION & ALTERATIONS

39240 ANN ARBOR TRAIL

LIVONIA, MICHIGAN

ZONING SUMMARY :

REFERENCE CODE :

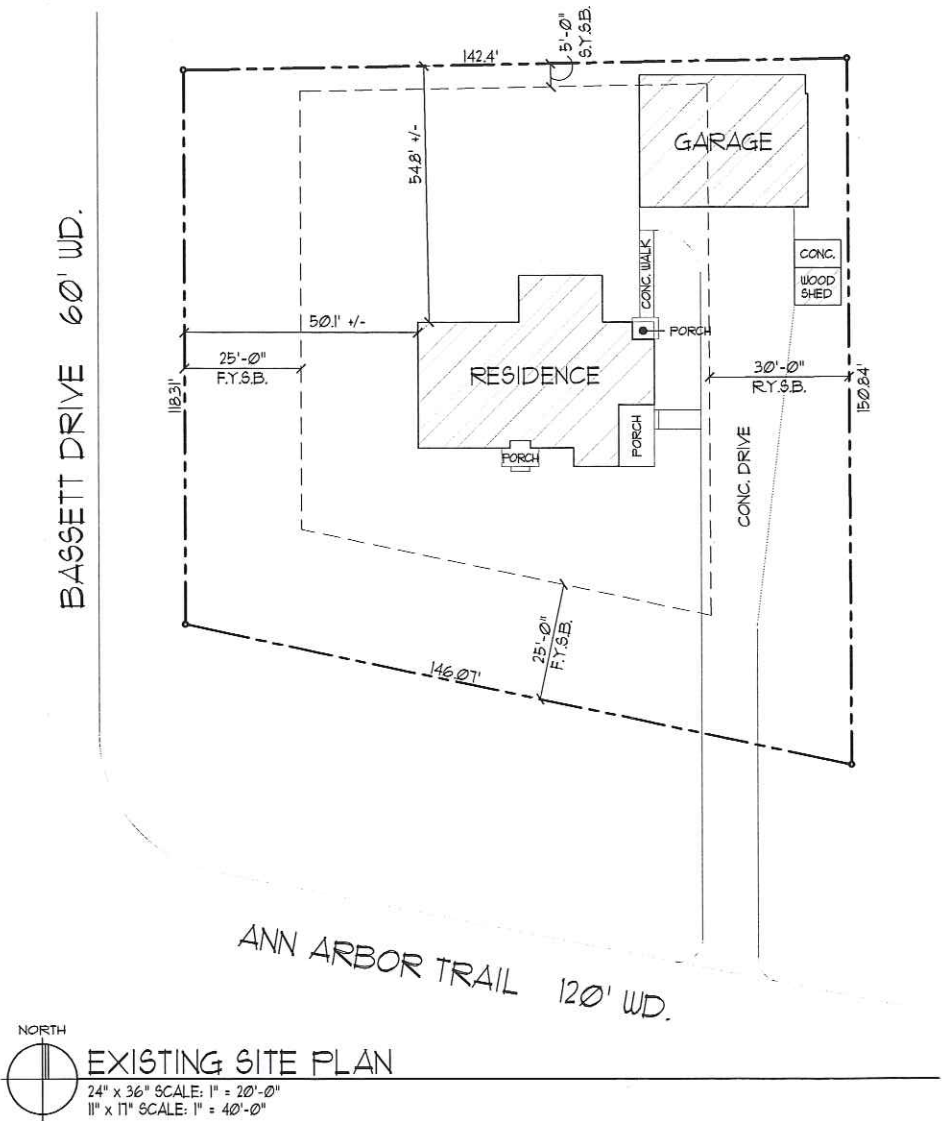
- ZONING ORDINANCE OF THE CITY OF LIVONIA
1. ZONING DISTRICT : N-1 NEIGHBORHOOD DISTRICT
2. MINIMUM SETBACKS : (Sec. 201, 402 & 711)
On a corner lot the shorter street line shall be considered the front lot line.
On double frontage lots, a front yard, as prescribed for the district herein established, shall be provided on both streets.
FRONT : 25 FT.
SIDE (LEAST ONE) : 5 FT.
SIDE (TOTAL OF TWO) : 14 FT.
REAR : 30 FT.
3. EXISTING SETBACKS :
FRONT (SOUTH) : 50± FT.
FRONT (WEST) : 50.1± FT.
SIDE (NORTH) : 45.2± FT.
REAR (EAST) : 41.8± FT.
4. ACCESSORY BUILDING SETBACKS & RESTRICTIONS : (Sec. 109)
A garage, whether attached or detached, shall be considered a residential accessory building. On lots that do not contain any detached accessory buildings, the ground floor area of an attached residential accessory building shall not exceed 120 square feet or the ground floor area of the house (excluding the area of the attached accessory building), whichever is larger, subject to a maximum size limit of 1000 square feet. On lots that do not contain attached accessory buildings, the combined ground floor area of all detached accessory buildings shall not exceed the ground floor area of the house, subject to a maximum size limit of 1000 square feet.
SIDE : 2 FT.
REAR : 2 FT.
PRINCIPAL STRUCTURE : 10 FT.
MAX. HEIGHT : 16 FT.
MAX. AREA (ATTACHED) : 120 SQ. FT.
MAX. AREA (DETACHED) : 200 SQ. FT.
MAX. COMBINED AREA (ATTACHED & DETACHED) : 320 SQ. FT.
MAX. COMBINED AREA (DETACHED) : 20 % OF REAR YARD
MAX. NO. OF ACCESSORY BUILDINGS : 2 BUILDINGS
5. EXISTING LOT SIZE :
FRONTAGE : 146.1 FT.
DEPTH (AVG.) : 131.1 FT.
LOT SIZE (FRONTAGE x DEPTH) : 20201± SQ. FT.
6. BUILDING AREAS :
EX. FIRST FLOOR : 1484 SQ. FT.
PROPOSED FIRST FLOOR ADDITION : 1106 SQ. FT.
EX. BASEMENT : 315 SQ. FT.
EX. GARAGE (DETACHED) : 1018 SQ. FT.
PROPOSED GARAGE (ATTACHED) : 348 SQ. FT.
EX. PORCH (COVERED) : 26 SQ. FT.
PROPOSED PORCH (COVERED) : 153 SQ. FT.
PROPOSED PATIO (COVERED) : 363 SQ. FT.
EX. SHED : 80 SQ. FT.
EX. CONC. SLAB : 60 SQ. FT.
7. LOT COVERAGE : (Sec. 201)
Lot coverage is defined as that part or percent of the lot occupied by buildings, including accessory buildings. A building is any structure, either temporary or permanent, having a roof and used or built for the shelter or enclosure of persons, animals, chattels, or property of any kind.
MAX. LOT COVERAGE : 35 %
EX. FIRST FLOOR : 1484 SQ. FT.
PROPOSED FIRST FLOOR ADDITION : 1106 SQ. FT.
EX. GARAGE (DETACHED) : 1018 SQ. FT.
PROPOSED GARAGE (ATTACHED) : 348 SQ. FT.
EX. PORCH (COVERED) : 26 SQ. FT.
PROPOSED PORCH (COVERED) : 153 SQ. FT.
PROPOSED PATIO (COVERED) : 363 SQ. FT.
TOTAL SQUARE FOOTAGE AT GRADE : 5104 SQ. FT.
5104 SQ. FT. / 20201 SQ. FT. : 25.3 %
8. ACCESSORY BUILDINGS :
EX. AREA (DETACHED) : 1018 SQ. FT.
PROPOSED AREA (ATTACHED) : 348 SQ. FT.
COMBINED AREA : 1366 SQ. FT.
NO. OF ACCESSORY BUILDINGS : 2 BUILDINGS
9. SUMMARY :
• Ex. detached garage is 1018 sq. ft.
• Proposed attached garage is 348 sq. ft.
• Combined area of existing & proposed garage areas is 1366 sq. ft.

ISSUED FOR :

06/15/23 DRAWINGS ARE ISSUED THIS DATE FOR SUBMITTAL TO THE CITY OF LIVONIA FOR ZONING BOARD OF APPEAL.

DRAWING SHEET INDEX :

SHT. NO.	SHEET TITLE	CURRENT ISSUE
TITLE	EXISTING & PROPOSED SITE PLANS	06/15/23
P1	PROPOSED FLOOR PLANS	06/15/23
P2	PROPOSED ELEVATIONS	06/15/23
EC1	EXISTING FLOOR PLANS & ELEVATIONS	06/15/23

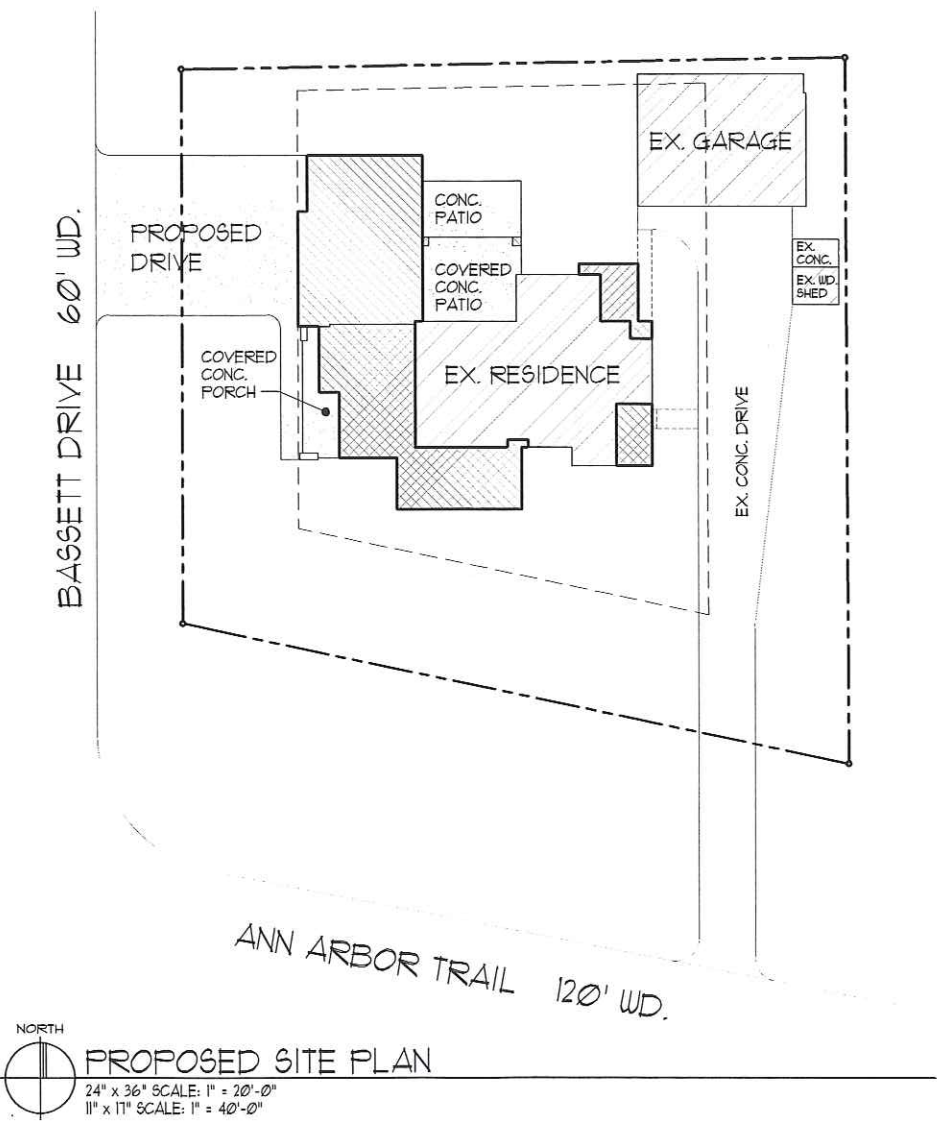


EXISTING SITE PLAN

24" x 36" SCALE: 1" = 20'-0"
11" x 17" SCALE: 1" = 40'-0"

SITE PLAN NOTE :
INFORMATION TO PREPARE THIS SITE PLAN WAS OBTAINED FROM A MORTGAGE SURVEY BY FIRST CHICAGO NBD MORTGAGE COMPANY, DATED 11/04/1981. JOSEPH PHILIPS-ARCHITECT, LLC. ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF SITE INFORMATION CONTAINED WITHIN. THE LOCATION OF ALL BUILDINGS, BUILDING SETBACKS, SITE UTILITIES AND AMENITIES ARE TO BE VERIFIED IN FIELD PRIOR TO THE START OF CONSTRUCTION.

LEGAL DESCRIPTION NOTE :
LOT 3 EXCEPT THE NORTH 60 FEET THEREOF, BASSETT FARM SUBDIVISION, OF PART OF THE NW 1/4 OF SECTION 31, T1S, R9E, LIVONIA TWP. (NOW CITY OF LIVONIA), WAYNE COUNTY, MICHIGAN, AS RECORDED IN LIBER 69 OF PLATS, PAGE 53 OF WAYNE COUNTY RECORDS.



PROPOSED SITE PLAN

24" x 36" SCALE: 1" = 20'-0"
11" x 17" SCALE: 1" = 40'-0"

- PROPOSED RESIDENCE ADDITION
- PROPOSED GARAGE



NOTE TO CONTRACTOR :
BEFORE YOU DIG,
CALL "MISS DIG 811"
TOLL-FREE AT 8-1-1
OR 1-800-482-1111
FOR UTILITIES LOCATION
ON THE GROUND

ZBA

JOSEPH PHILIPS
ARCHITECT, LLC

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CONSTRUCTION OR OBTAINING
PERMITS.
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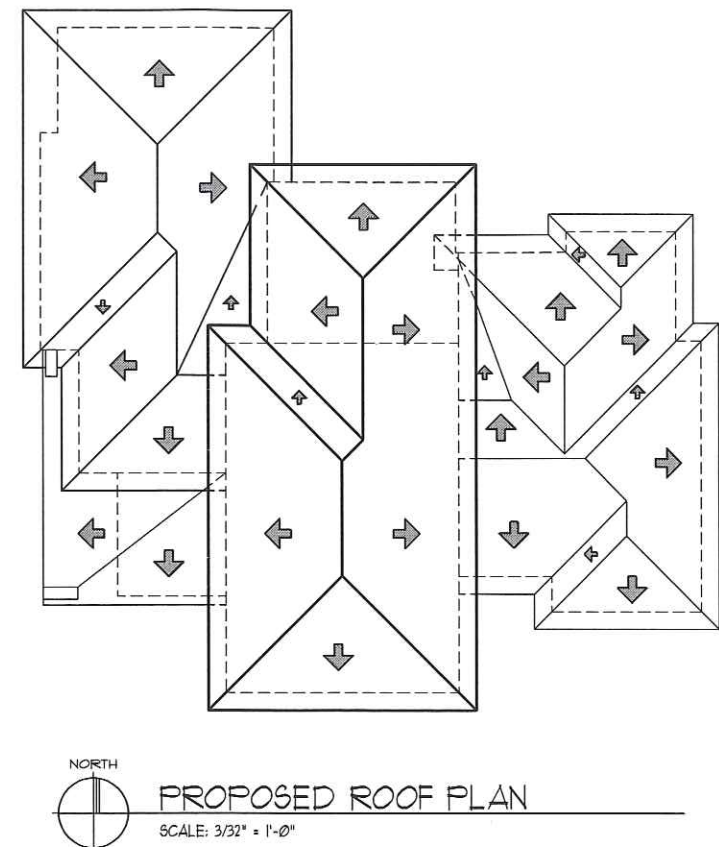
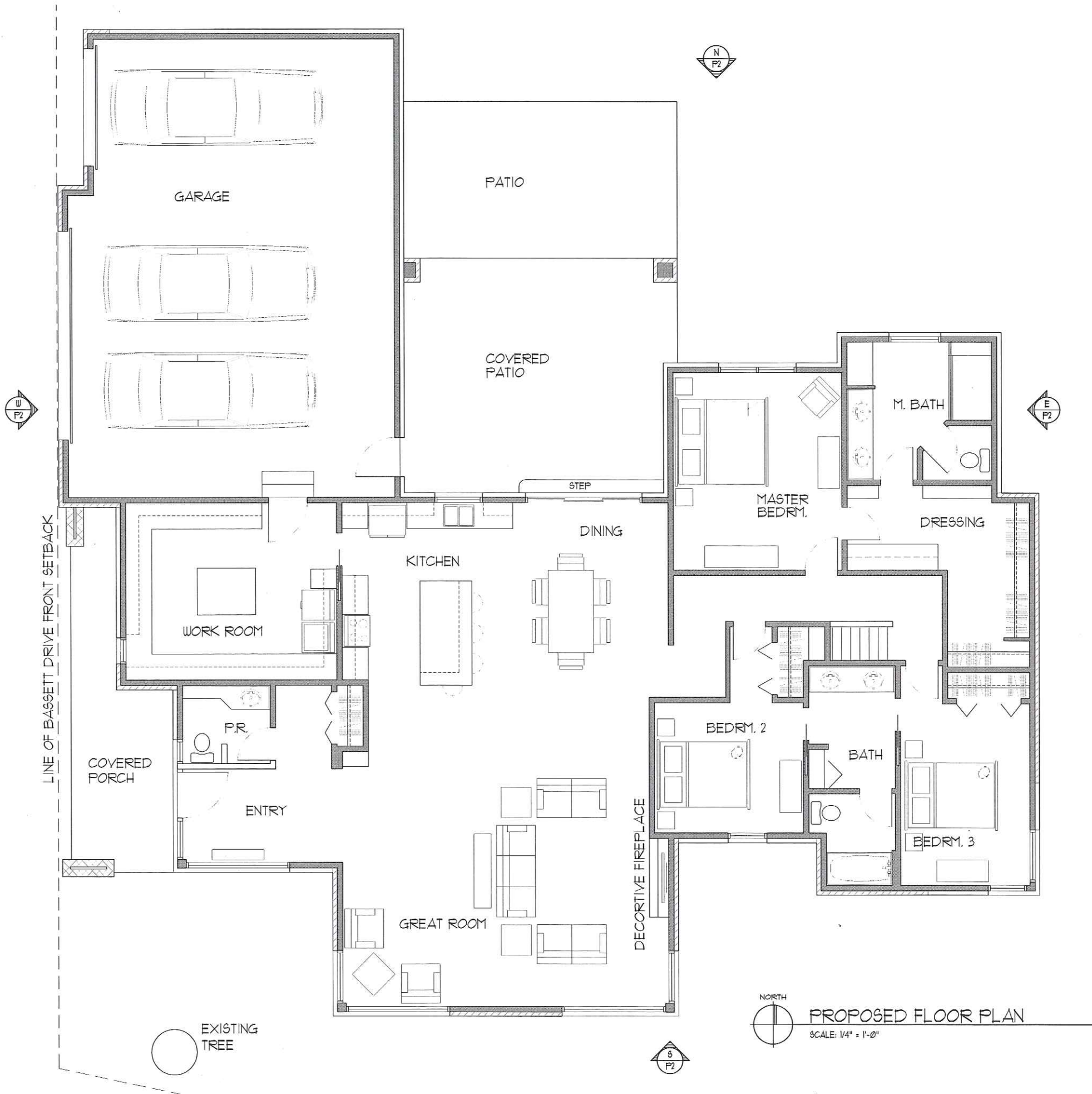
PROJECT:
SCHNEIDER RESIDENCE - ADDITION & ALTERATIONS
LIVONIA, MICHIGAN
39240 ANN ARBOR TRAIL
TITLE SHEET

PRELIMINARY

JOB NO:
22893
SHEET NO:
TITLE
893_TITLE 06

DATE:
06/15/23

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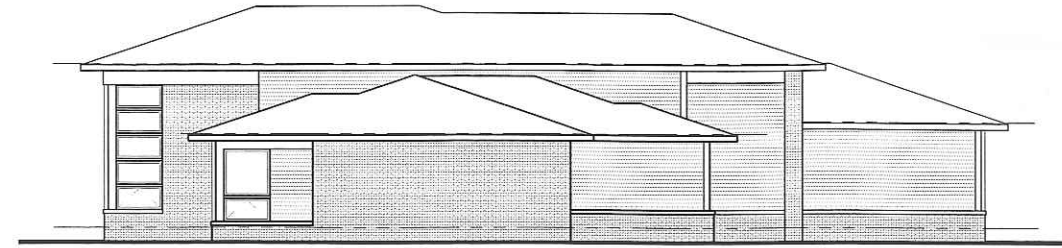
ZBA

JOB NO: 22893 SHEET NO: P1 893_PD_07	DATE: 06/15/23	PROJECT: SCHNEIDER RESIDENCE - ADDITION & ALTERATIONS 39240 ANN ARBOR TRAIL LIVONIA, MICHIGAN PROPOSED FLOOR PLAN	NOT FOR CONSTRUCTION UNDER NO CIRCUMSTANCES IS THIS DRAWING TO BE USED FOR CONSTRUCTION OR OBTAINING PERMITS. © COPYRIGHT 2023	JOSEPH PHILIPS ARCHITECT, LLC
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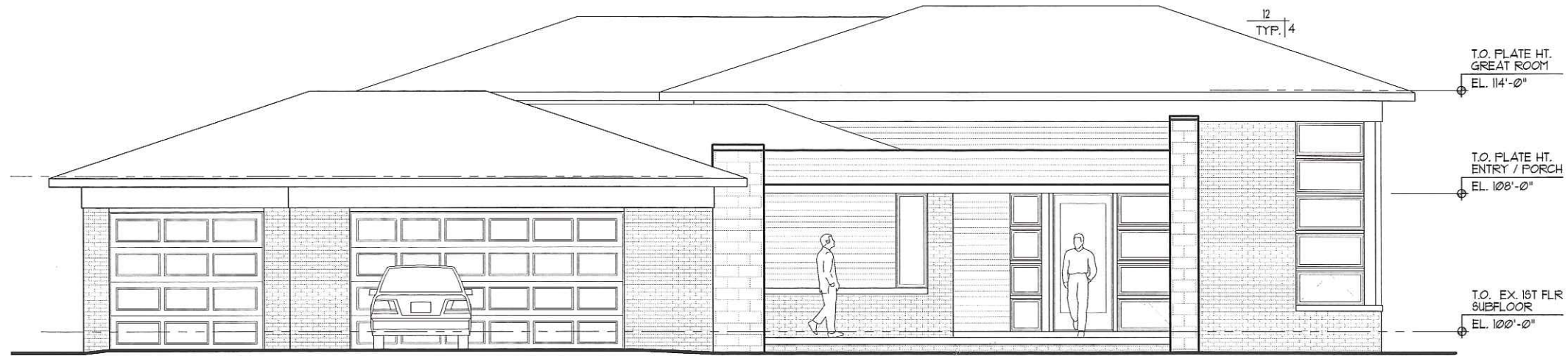
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N
PI
PROPOSED NORTH ELEVATION
SCALE: 1/8" = 1'-0"



E
PI
PROPOSED EAST ELEVATION
SCALE: 1/8" = 1'-0"



W
PI
PROPOSED WEST ELEVATION
SCALE: 1/4" = 1'-0"



S
PI
PROPOSED SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

JOSEPH PHILIPS
ARCHITECT, LLC

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PERMITS.
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LIVONIA, MICHIGAN

PROJECT:
SCHNEIRER RESIDENCE - ADDITION & ALTERATIONS
39240 ANN ARBOR TRAIL

PROPOSED EXTERIOR ELEVATIONS

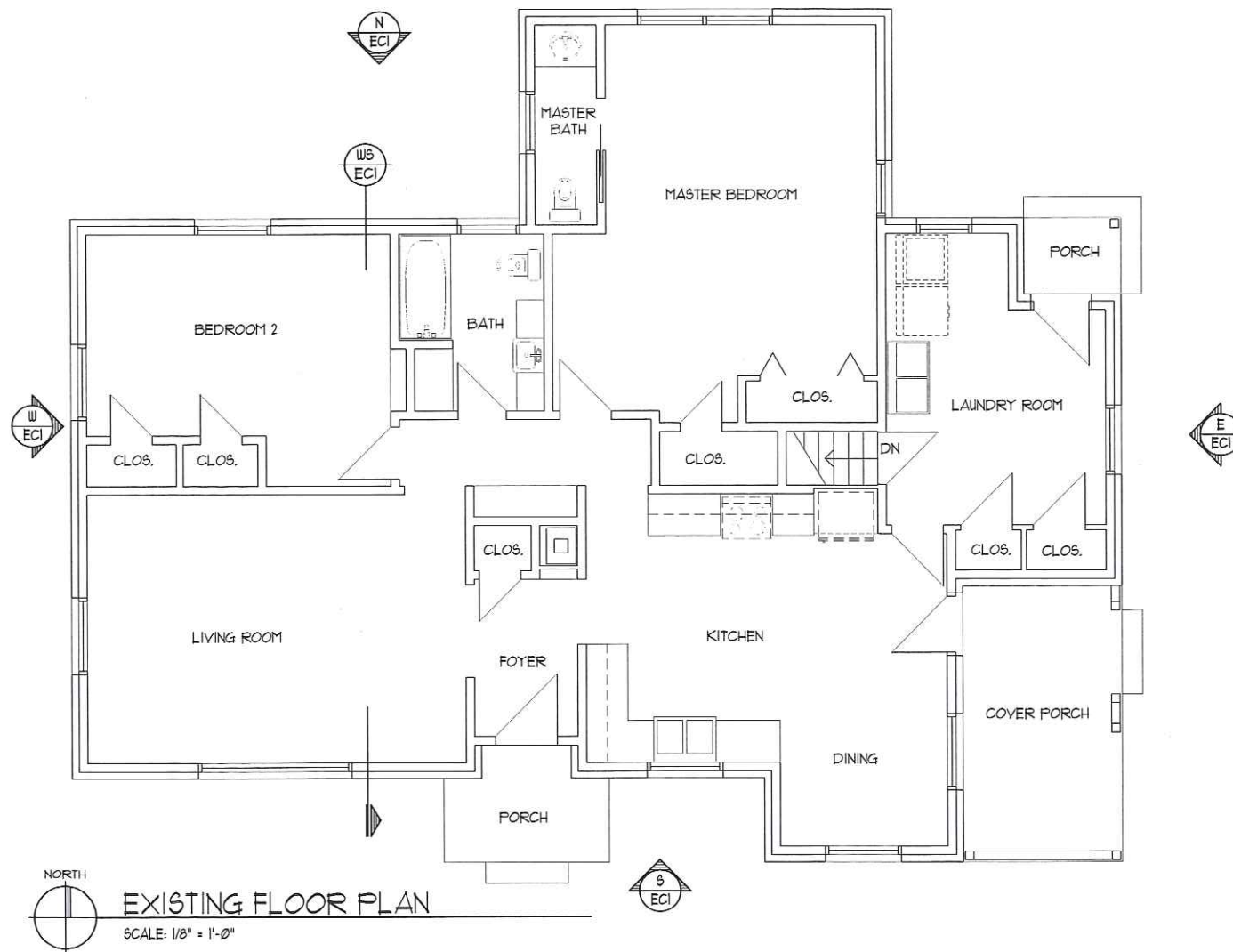
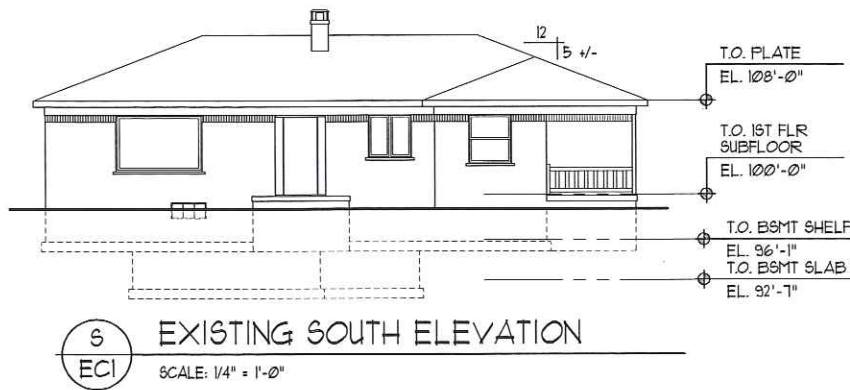
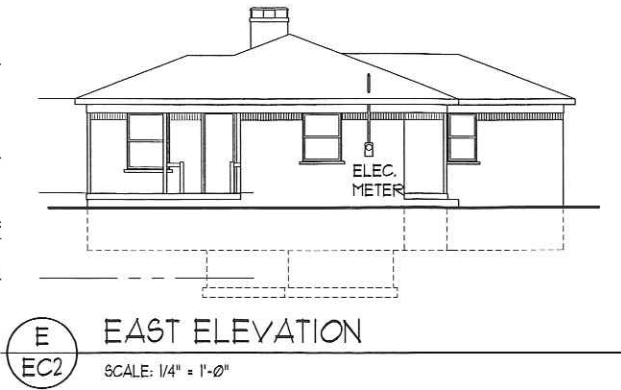
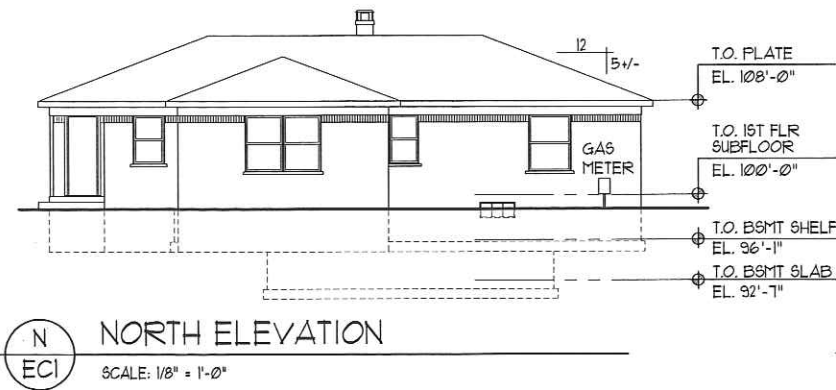
PRELIMINARY

DATE:
06/15/23

JOB NO:
22893
SHEET NO:
P2
893_PD_07

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ZBA

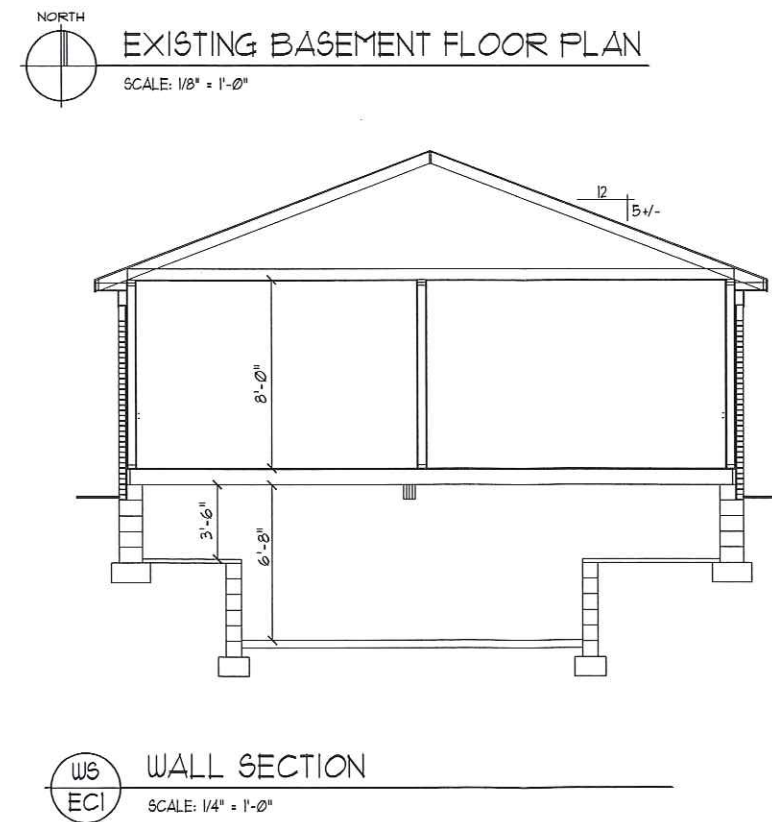
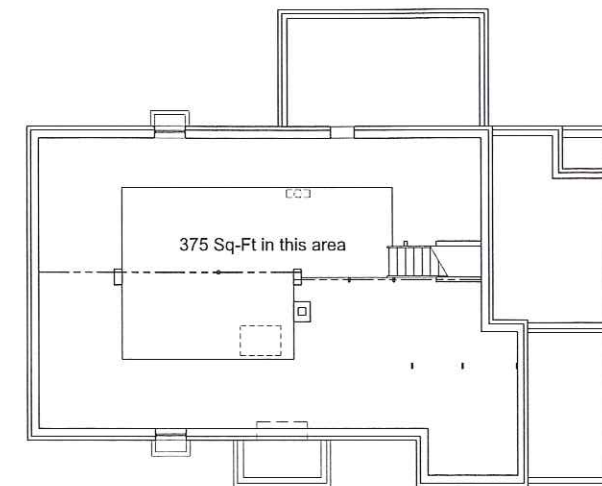


FIELD VERIFICATION NOTE :

THE GENERAL CONTRACTOR SHALL VERIFY EX. CONDITIONS, FRAMING, STRUCTURE, ETC. & CONFIRM INFORMATION INDICATED WITHIN THESE DOCUMENTS CAN BE EXECUTED AS INDICATED. THIS SHALL BE DONE AFTER SELECTIVE DEMOLITION HAS BEEN COMPLETED, BUT PRIOR TO ORDERING ANY MATERIALS OR TO START OF CONSTRUCTION. IF CONFLICTS BETWEEN PROPOSED CONSTRUCTION (AS IMPLIED WITHIN THESE DOCUMENTS) & CONDITIONS WHICH EXIST, THE GENERAL CONTRACTOR IS TO NOTIFY THE OWNER / TENANT & ARCHITECT TO DISCUSS REVISIONS NECESSARY TO ACCOMMODATE CONSTRUCTION WHICH EXISTS. THESE DRAWINGS ARE PREPARED IN GOOD FAITH TO REPRESENT CONSTRUCTION WHICH EXISTS & THAT IS ANTICIPATED. NOT ALL CONSTRUCTION / CONDITIONS WERE VISIBLE PRIOR TO SELECTIVE DEMOLITION, HOWEVER, DRAWINGS INDICATE THE FIRM'S ASSESSMENT OF PROBABLE EX. CONSTRUCTION & CONDITIONS.

SELECTIVE DEMOLITION NOTE :

REMOVE/REWORK/RELOCATE ALL EXISTING UTILITIES, CONCRETE, MASONRY, FRAMING, DOORS, WINDOWS, SIDING, SHEATHING, PARTITIONS, CHIMNEY, STAIRS, STRUCTURE, ETC. AS REQUIRED TO COMPLETE WORK NOTED. GENERAL CONTRACTOR IS EXPECTED TO EXAMINE THE DRAWINGS AND THE EXISTING BUILDING AS NECESSARY TO VERIFY EXTENT OF DEMOLITION REQUIRED TO ACCOMMODATE ALTERATIONS AND ADDITION DESCRIBED WITHIN THESE CONTRACT DOCUMENTS. SEE GENERAL NOTES/SPECIFICATIONS FOR ADDITIONAL INFORMATION.





Existing Home



Design Inspirations
Roof Lines, Windows, Entry Way, Materials....





CITY OF LIVONIA

INSPECTION DEPARTMENT

REJECTION OF APPLICATION FOR PERMIT

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154
421-2000

BASED ON NONCONFORMITY TO ORDINANCE LIVONIA VISION 21

Applicant MICHAEL/MELINDA SCHNEIDER Address 39240 A.A. TRAIL, LIVONIA, MI 48150 734-707-6340
Owner SAME AS APPLICANT Address _____
Lessee _____ Address _____
Location NORTH Side of 39240 ANN ARBOR TRAIL Street
Between BASSETT And ADAMS
Lot No./Parcel No. 122-01-0003-001 Subdivision BASSETT FARMS
Zoning District N1 Map No. NW 31 Lot Size 19,163 SQ FT Alley _____
Present Use RESIDENTIAL Proposed Use SAME
HOUSE/PORCH SHED DET GARAGE ATT. GARAGE ADDITION
Present Building Size 510 S.F. 80 S.F. 1018 S.F. Proposed Building Size 948 S.F. 1623 S.F.
Present Height of Building ONE STORY Proposed Height ONE STORY
Allowable Lot Coverage 35% (6707 SQ FT) Proposed Lot Coverage 27% (5179 SQ FT)
Proposal SEEKING TO CONSTRUCT AN ADDITION TO AN EXISTING DWELLING
WHICH INCLUDES AN ATTACHED GARAGE, WHILE MAINTAINING A DETACHED
GARAGE AND SHED RESULTING IN EXCESS ACCESSORY BUILDING AREA AND
EXCESS NUMBER OF ACCESSORY BUILDINGS. ACCESSORY BUILDING AREA
ALLOWED: 920 SQ FT; PROPOSED: 2046 SQ FT; EXCESS: 1126 SQ FT.
NUMBER OF ACCESSORY BUILDINGS ALLOWED: TWO; PROPOSED: THREE;
EXCESS: ONE.

Reason for Rejection LIVONIA VISION 21, SECTION 7.09, 1(A), 1(B)

Deficient Side Yard _____ Deficient Front Yard _____ Deficient Rear Yard _____
Deficient Lot Area _____ Deficient Lot Area per Room _____ Encroachment _____
Excessive Lot Coverage _____ Excessive Height _____ Increasing No. Units 7.09, 1(B) ONE ACC. BUILDING
Use Prohibited _____ Deficient Parking Spaces _____ Increasing Area and Bulk 7.09, 1(A) 1126 SQ FT

Remarks _____

Plans and Application examined by RJ

Date

JUNE 20, 2023

ZONING EXAMINER

RECEIVED

JUN 19 2023

Inspection Department
City of Livonia

APPLICATION FOR VARIANCE

Michael + Melinda Schneider Livonia 48150 734-707-6340
(Owner of Premises) (Street Address) (City) (Zip Code) (Telephone) (Fax)

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

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

The property address is 39240 Ann Arbor Trail

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

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

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

Lot 3 except North 60 ft thereof, Bessett Farm Subdivision

60 ft part of the NW 1/4 of section 31, T. 15, R. 9E Livonia Twp.
(Now City of Livonia) Wayne County MI as recorded in Liber 69 at p 253

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

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

See Attached

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

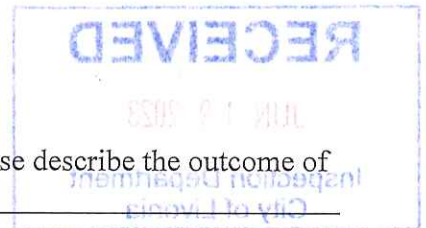
See Attached

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

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

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

I was recommended to apply for a zoning variance



8. Have you attempted to have the property rezoned? If yes, please describe the outcome of the rezoning process: No
9. If you have not attempted to have the property rezoned, why hasn't this attempt been made? Recommended we seek a variance.

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

OWNER'S AFFIDAVIT

COUNTY OF WAYNE)
STATE OF MICHIGAN)

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

Signature of property owner: Michael Schneider

Please print name of property owner: Michael Schneider

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

Subscribed and sworn to before me this 19th day of June, 2023

Lydia Taylor
(Notary Public, Wayne County, Michigan)

My Commission expires July 23, 2029

LYDIA TAYLOR
NOTARY PUBLIC, STATE OF MI
COUNTY OF WASHTENAW
MY COMMISSION EXPIRES Jul 23, 2029
ACTING IN COUNTY OF

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

NOT TO BE COMPLETED BY APPLICANT

Petitioner makes application for a Hearing, seeking to (reverse, modify, or affirm) the (order, decision) of the Department of Inspection, dated JUNE 20, 2023, which reads as follows:

LIVONIA VISION 21, SECTION 2.09, 1(B), 1(A)

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

[Signature]
(Supervisor)

Application for permit filed NO Violation Issued NO

Application for Variance (cont.)

3. This is a small 2 bdrm 1-1/2 bath home on a large corner lot with an existing detached accessory building. We are requesting permission to include as part of our home expansion and renovation an attached garage. The variance being requested is for allowance of two accessory spaces, one new attached, one existing detached.

4. This project resolves a couple pain points for us. It adds much needed square footage including a third bedroom, second full bathroom, and a place to park our daily drivers securely indoors. It also turns the front of our house from the busy Ann Arbor Trail to facing the low traffic quieter dead-end side street of Bassett. This allows us to better utilize our large corner lot and gets the driveway for our daily drivers and guests off busy Ann Arbor Trail. The positioning of the new structure also creates a much needed private space behind the new garage area out of sight from both streets.

Related to the garage variance being requested, we use the existing garage space for storage only. Our basement is unique in that it is only 375 sq. ft. The ceiling is low, there is not a floor drain, it's difficult to get items in and out of, and portions are exposed dirt. It is not well suited for storage or daily usage. It serves the purpose of space for mechanicals only. We use our garage as many would use a full basement. We have space set up for storage. A space for work out activities which contains a treadmill, exercise bike, and space for free weights and yoga. It also stores much of our property maintenance items which includes a good sized lawn tractor and all its attachments which include lawn cart, tiller, snow plow, and boom sprayer. We have a workbench and toolbox for crafts, school projects, and small repairs. One stall is taken up by a classic car, ATV, and small motorcycle. We are not able to park any of our daily driver vehicles in the existing garage due to how we must use it.

5. We feel this request is not unusual for our neighborhood. Most of the lots along this portion of Ann Arbor Trail and further east have attached garages and a second accessory building. We feel this home expansion and remodel project will fit the neighborhood well, add value, and be attractive as people enter our city from Plymouth being one of the first homes when crossing city borders. Our lot is spacious with many large mature trees that the expansion embraces and is sited such that the finished project will appear to belong and be size appropriate.

Thank you for your consideration.

Sincerely, Mike and Melinda Schneider

SCHNEIDER RESIDENCE - ADDITION & ALTERATIONS

39240 ANN ARBOR TRAIL

LIVONIA, MICHIGAN

ZONING SUMMARY :

REFERENCE CODE :

ZONING ORDINANCE OF THE CITY OF LIVONIA

1. ZONING DISTRICT : N-1 NEIGHBORHOOD DISTRICT

2. MINIMUM SETBACKS : (Sec. 2.01, 4.02 & 7.11)

On a corner lot the shorter street line shall be considered the front lot line.

On double frontage lots, a front yard, as prescribed for the district herein established, shall be provided on both streets.

FRONT : 25 FT.

SIDE (LEAST ONE) : 5 FT.

SIDE (TOTAL OF TWO) : 14 FT.

REAR : 30 FT.

3. EXISTING SETBACKS :

FRONT (SOUTH) : 50± FT.

FRONT (WEST) : 50.1± FT.

SIDE (NORTH) : 45.2± FT.

REAR (EAST) : 41.8± FT.

4. ACCESSORY BUILDING SETBACKS & RESTRICTIONS : (Sec. 1.09)

A garage, whether attached or detached, shall be considered a residential accessory building. On lots that do not contain any detached accessory buildings, the ground floor area of an attached residential accessory building shall not exceed 120 square feet or the ground floor area of the house (excluding the area of the attached accessory building), whichever is larger, subject to a maximum size limit of 1,000 square feet. On lots that do not contain attached accessory buildings, the combined ground floor area of all detached accessory buildings shall not exceed the ground floor area of the house, subject to a maximum size limit of 1,000 square feet.

SIDE : 2 FT.

REAR : 2 FT.

PRINCIPAL STRUCTURE : 10 FT.

MAX. HEIGHT : 16 FT.

MAX. AREA (ATTACHED) : 120 SQ. FT.

MAX. AREA (DETACHED) : 200 SQ. FT.

MAX. COMBINED AREA : 320 SQ. FT.

(ATTACHED & DETACHED) : 20 % OF REAR YARD

MAX. NO. OF ACCESSORY BUILDINGS : 2 BUILDINGS

5. EXISTING LOT SIZE :

FRONTAGE : 146.1 FT.

DEPTH (AVG.) : 131.1 FT.

LOT SIZE (FRONTAGE x DEPTH) : 20,201± SQ. FT.

6. BUILDING AREAS :

EX. FIRST FLOOR : 1,484 SQ. FT.

PROPOSED FIRST FLOOR ADDITION : 1,106 SQ. FT.

EX. BASEMENT : 315 SQ. FT.

EX. GARAGE (DETACHED) : 1,018 SQ. FT.

PROPOSED GARAGE (ATTACHED) : 948 SQ. FT.

EX. PORCH (COVERED) : 26 SQ. FT.

PROPOSED PORCH (COVERED) : 153 SQ. FT.

PROPOSED PATIO (COVERED) : 369 SQ. FT.

EX. SHED : 80 SQ. FT.

EX. CONC. SLAB : 60 SQ. FT.

7. LOT COVERAGE : (Sec. 2.01)

Lot coverage is defined as that part or percent of the lot occupied by buildings, including accessory buildings. A building is any structure, either temporary or permanent, having a roof and used or built for the shelter or enclosure of persons, animals, chattels, or property of any kind.

MAX. LOT COVERAGE : 35 %

EX. FIRST FLOOR : 1,484 SQ. FT.

PROPOSED FIRST FLOOR ADDITION : 1,106 SQ. FT.

EX. GARAGE (DETACHED) : 1,018 SQ. FT.

PROPOSED GARAGE (ATTACHED) : 948 SQ. FT.

EX. PORCH (COVERED) : 26 SQ. FT.

PROPOSED PORCH (COVERED) : 153 SQ. FT.

PROPOSED PATIO (COVERED) : 369 SQ. FT.

TOTAL SQUARE FOOTAGE AT GRADE : 5,104 SQ. FT.

5,104 SQ. FT. / 20,201 SQ. FT. 25.3 %

8. ACCESSORY BUILDINGS :

EX. AREA (DETACHED) : 1,018 SQ. FT.

PROPOSED AREA (ATTACHED) : 948 SQ. FT.

COMBINED AREA : 1,966 SQ. FT.

NO. OF ACCESSORY BUILDINGS : 2 BUILDINGS

9. SUMMARY :

• Ex. detached garage is 1,018 sq. ft.

• Proposed attached garage is 948 sq. ft.

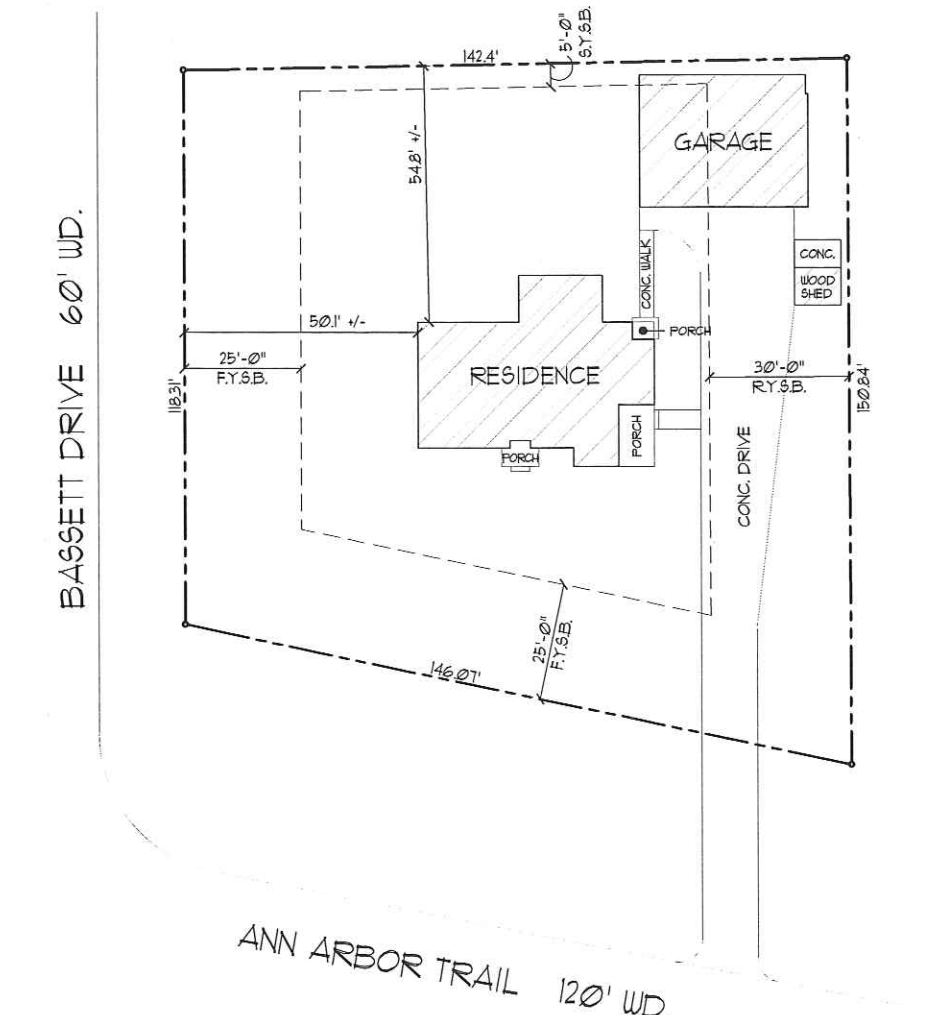
• Combined area of existing & proposed garage areas is 1,966 sq. ft.

ISSUED FOR :

06/15/23 DRAWINGS ARE ISSUED THIS DATE FOR SUBMITTAL TO THE CITY OF LIVONIA FOR ZONING BOARD OF APPEAL.

DRAWING SHEET INDEX :

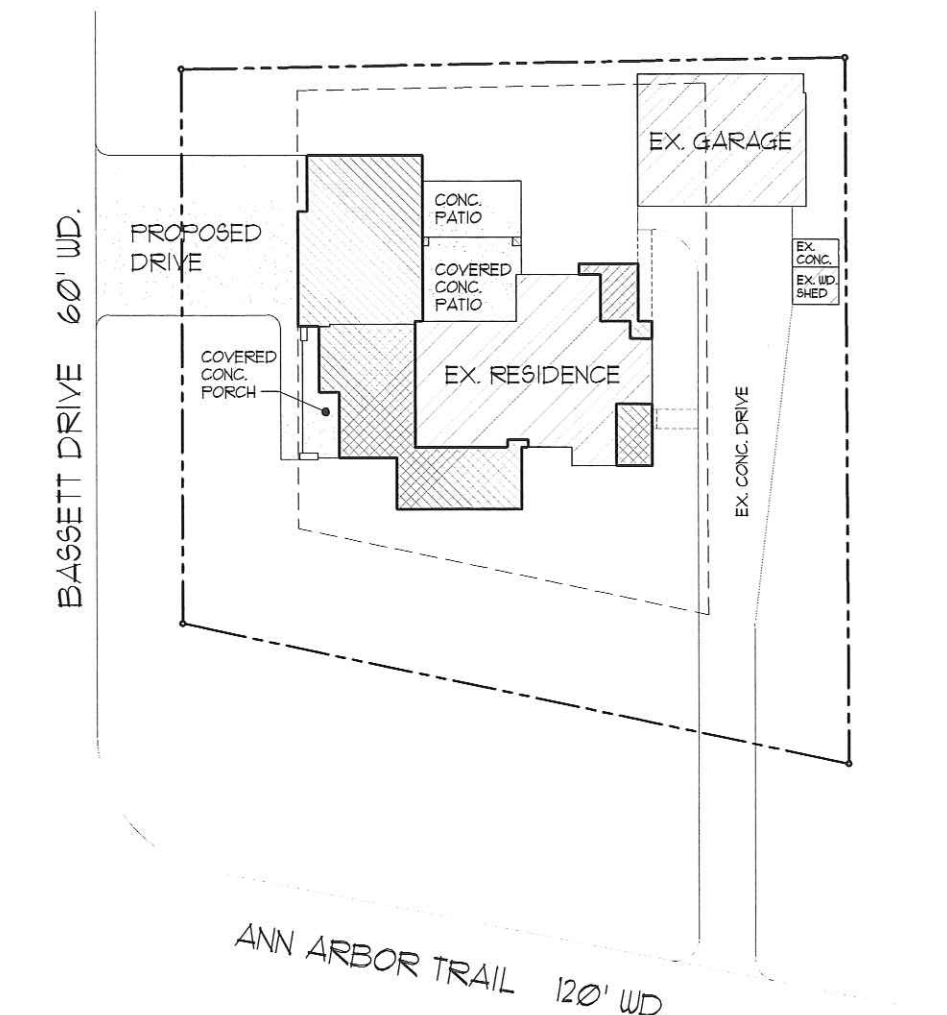
SHT. NO.	SHEET TITLE	CURRENT ISSUE
TITLE	EXISTING & PROPOSED SITE PLANS	06/15/23
P1	PROPOSED FLOOR PLANS	06/15/23
P2	PROPOSED ELEVATIONS	06/15/23
EC1	EXISTING FLOOR PLANS & ELEVATIONS	06/15/23



EXISTING SITE PLAN
24" x 36" SCALE: 1" = 20'-0"
11" x 17" SCALE: 1" = 40'-0"

SITE PLAN NOTE :
INFORMATION TO PREPARE THIS SITE PLAN WAS OBTAINED FROM A MORTGAGE SURVEY BY FIRST CHICAGO NBD MORTGAGE COMPANY, DATED 11/04/1981. JOSEPH PHILIPS-ARCHITECT, LLC. ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF SITE INFORMATION CONTAINED WITHIN. THE LOCATION OF ALL BUILDINGS, BUILDING SETBACKS, SITE UTILITIES AND AMENITIES ARE TO BE VERIFIED IN FIELD PRIOR TO THE START OF CONSTRUCTION.

LEGAL DESCRIPTION NOTE :
LOT 3 EXCEPT THE NORTH 60 FEET THEREOF, BASSETT FARM SUBDIVISION, OF PART OF THE NW 1/4 OF SECTION 31, T1S, R9E, LIVONIA TWP. (NOW CITY OF LIVONIA), WAYNE COUNTY, MICHIGAN, AS RECORDED IN LIBER 69 OF PLATS, PAGE 53 OF WAYNE COUNTY RECORDS.



PROPOSED SITE PLAN
24" x 36" SCALE: 1" = 20'-0"
11" x 17" SCALE: 1" = 40'-0"

PROPOSED RESIDENCE ADDITION
PROPOSED GARAGE

811
NOTE TO CONTRACTOR :
BEFORE YOU DIG,
CALL "MIS DIG 811"
TOLL-FREE AT 8-1-1
OR 1-800-482-1111
FOR UTILITIES LOCATION
ON THE GROUND

ZBA

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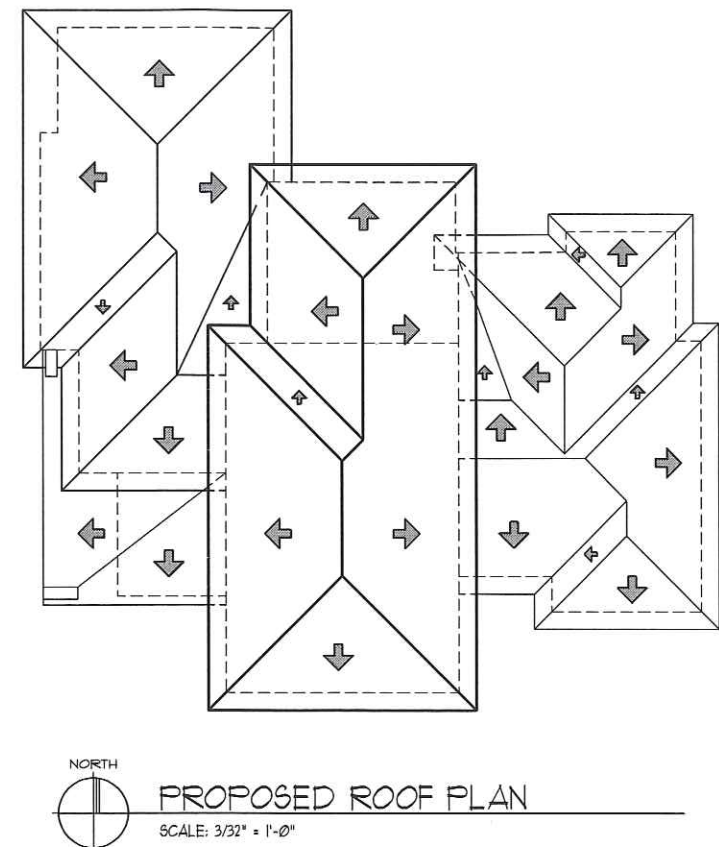
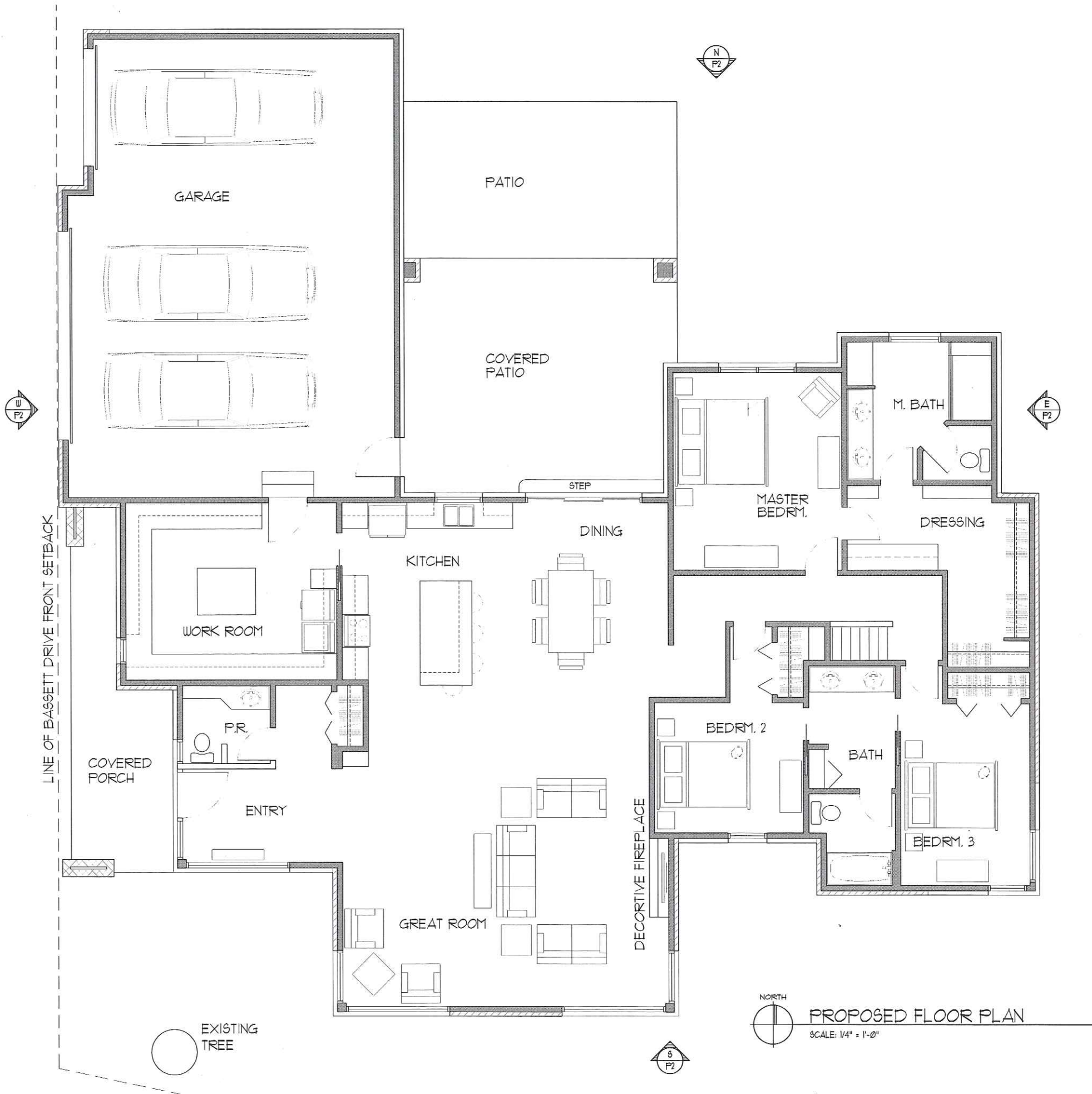
PROJECT:
SCHNEIDER RESIDENCE - ADDITION & ALTERATIONS
LIVONIA, MICHIGAN
39240 ANN ARBOR TRAIL
TITLE SHEET

PRELIMINARY

JOB NO:
22893
SHEET NO:
893_TITLE_06

DATE:
06/15/23

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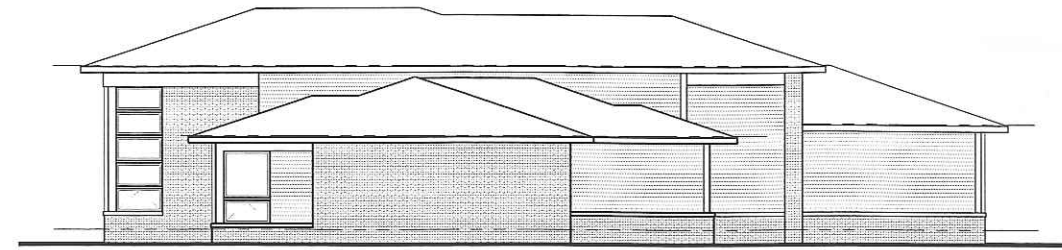
ZBA

JOB NO: 22893 SHEET NO: P1 893_PD_07	DATE: 06/15/23	PROJECT: SCHNEIDER RESIDENCE - ADDITION & ALTERATIONS 39240 ANN ARBOR TRAIL LIVONIA, MICHIGAN PROPOSED FLOOR PLAN	NOT FOR CONSTRUCTION UNDER NO CIRCUMSTANCES IS THIS DRAWING TO BE USED FOR CONSTRUCTION OR OBTAINING PERMITS. © COPYRIGHT 2023 JOSEPH PHILIPS ARCHITECT, LLC
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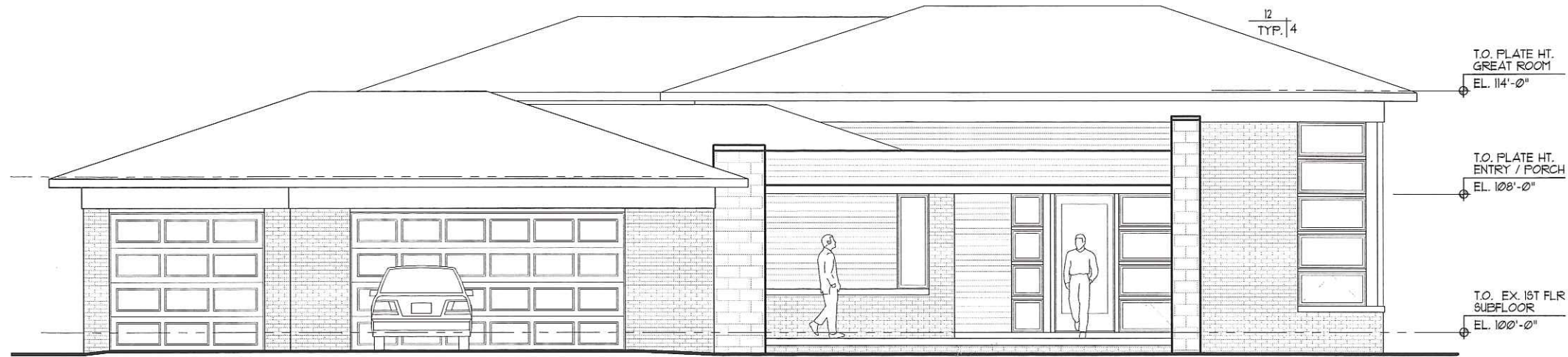
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N
PI
PROPOSED NORTH ELEVATION
SCALE: 1/8" = 1'-0"



E
PI
PROPOSED EAST ELEVATION
SCALE: 1/8" = 1'-0"



W
PI
PROPOSED WEST ELEVATION
SCALE: 1/4" = 1'-0"



S
PI
PROPOSED SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

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LIVONIA, MICHIGAN

PROJECT:
SCHNEIDER RESIDENCE - ADDITION & ALTERATIONS
39240 ANN ARBOR TRAIL

PROPOSED EXTERIOR ELEVATIONS

PRELIMINARY

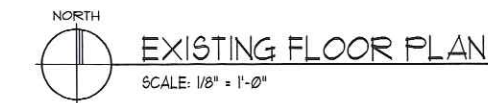
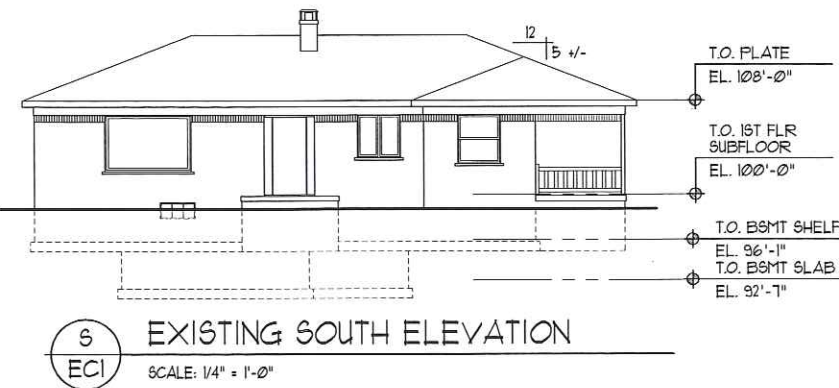
DATE:
06/15/23

JOB NO:
22893

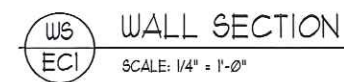
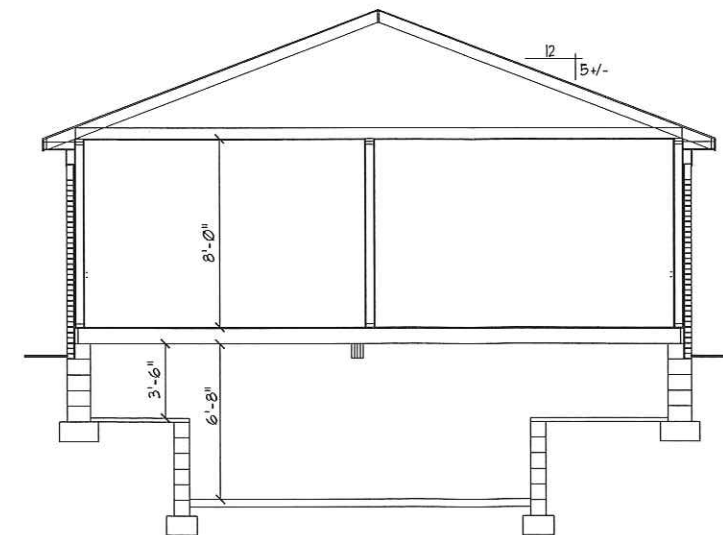
SHEET NO:
P2
893_PD_07

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ZBA



375 Sq-Ft in this area



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LIVONIA, MICHIGAN

PROJECT: SCHNEIDER RESIDENCE - ADDITION & ALTERATIONS
30740 ANN ARBOR TRAIL

PROJECT:
SCHNEIDER RESIDEN
39240 ANN ARBOR TRAIL
EXISTING CONDITIONS

RELIMINARY

JOB NO:
22893
SHEET NO:
EC1
893_EC1_02

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ZBA



Existing Home



Design Inspirations
Roof Lines, Windows, Entry Way, Materials....



ZONING MAP

LEGEND

Zoning Districts

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

N.W. 1/4 Section 31

City of Livonia

T. 1 south, R. 9 east

Wayne County, Michigan

Copyright 2001, City of Livonia



300 150 0 300 Feet

2023 -
VERLING RESIDENCE
39240 ANN ARBOR TRAIL
- ADDITION TO HOME
- EXCESS ACC. BLDG AREA



ZONING BOARD OF APPEALS
CITY OF LIVONIA
MINUTES OF MEETING HELD TUESDAY, JUNE 6, 2023

A Meeting of the Zoning Board of Appeals of the City of Livonia was held on Tuesday, June 6, 2023.

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

MEMBERS ABSENT: Timothy Klisz, Secretary
Christopher Boloven

OTHERS PRESENT: Michael E. Fisher, Assistant City Attorney
Frank Hershey, Building Inspector

The meeting was called to order at seven p.m. Chairman Coppola explained the Rules of Procedure to those interested parties. Each petitioner must give their name and address and declare hardship for appeal. Appeals of the Zoning Board's decisions are made to the Wayne County Circuit Court. The Chairman advised the audience that appeals can be filed within 21 days of the date tonight's minutes are approved. The decision of the Zoning Board shall become final within five (5) calendar days following the hearing and the applicant shall be mailed a copy of the decision. There are four decisions the Board can make: To deny, to grant, to grant as modified by the Board, or to table for further information. Each petitioner may ask to be heard by a full seven (7) member Board. Six (6) members were present. Acting Secretary, Vice President Baringhaus, then read the Agenda and Legal Notice to each appeal, and each petitioner indicated their presence. Appeals came up for hearing after due legal notice was given to all interested parties within 300 feet, petitioners, and City Departments. There were eleven people present in the audience.

(7:00)

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APPEAL CASE NO. 2023-03-04, Jason and Katie Kozak, 9760 Wayne Rd. (Tabled on April 11, 2023): seeking to demolish a nonconforming shed with an illegal addition and construct a detached garage while maintaining the existing attached garage, resulting in excessive accessory space.

Total Accessory Space:

Allowed:	920 sq. feet
Proposed:	1208.7 sq. feet
Excess:	288.7 sq. feet

The property is located on the east side of Wayne Rd. (9760), between Grandon St. and Pinetree St., Lot No.130-01-0039-001, R-U-F, Rural Urban Farm District. Rejected by the Inspection Department under Livonia Vision 21, Section 7.09 (1) (A), Residential Accessory Buildings, Maximum Size.

BARINGHAUS Calling appeal case number 2023-03-04, Jason and Katie Kozak, 9760 Wayne Rd., tabled on April 11, 2023, seeking to demolish a nonconforming shed with an illegal addition and construct a detached garage while maintaining the existing attached garage, resulting in excessive accessory space. Total accessory space allowed: 920 square feet. Proposed: 1208.7 square feet. Excess: 288.7 square feet.

COPPOLA Alright, thank you. Mr. Hershey, anything you'd like to add?

HERSHEY No, sir. Not at this time.

COPPOLA Any questions for the Inspection Department? I see none. We do need a motion, though, if you could please.

BARINGHAUS Mr. Chairman.

COPPOLA Vice Chairman Baringhaus.

BARINGHAUS Motion to remove appeal case number 2023-03-04 from the table.

TESTA Support.

COPPOLA Motion by Vice Chair Baringhaus, supported by Mr. Testa to remove this case from the table.

COPPOLA All in favor?

BOARD Aye.

COPPOLA The petitioners, if you could step up, please. Name and address for the record.

JASON KOZAK Jason Kozak, 9760 Wayne Road.

KATIE KOZAK Katie Kozak, 9760 Wayne Road.

COPPOLA Thank you. Welcome back. You guys were very busy, working hard here. And I see that you've got a lot of new information for us. Why don't you tell us a little bit about the new information? I see that you've given us a little more detail in regard to the site plan. You gave us more detail on what you plan on constructing, but what I'd like to understand also is the materials you're gonna be using -- the colors, like the roofing and all that -- and how it's gonna match to the house.

JASON KOZAK So, we've provided the updated site plan, which was just an oversight error on my part by not reviewing when I received the site plan, so that the existing driveway corner does line up with the new proposed garage. And there should be a copy of that. Also, we have the new rendering, which will look exactly what the garage will look like. And there should also be provided an additional spec sheet, which states the color of the siding, which is going to match the existing house and the roof's shingle color, which is going to match the existing house as well.

COPPOLA: Thank you. And remind us again, what will you be using that garage for?

JASON KOZAK We're just trying to organize the garage and get everything all in one spot.

KATIE KOZAK It was [for] the lawnmower...

JASON KOZAK All the lawn equipment.

KATIE KOZAK Our kayaks, our four-wheelers.

JASON KOZAK We're just trying to get everything in the same spot.

COPPOLA And you're gonna be demolishing the shed, but if I recall correctly, you were going to leave the pad?

JASON KOZAK So the pad actually... I think Ms... I'm sorry, I might butcher your last name.

PTASHNIK Ptashnik.

JASON KOZAK She was saying something about, she wanted to see some green space. And as a matter of fact, not this year, we have our raised garden beds in now, but we moved them back to the shed path. And it'll actually be the ideal area. And that'll keep some diesel machine from back there running all day, also no concrete and then hauling it off into the landfill and actually provide the ideal area for

our raised garden beds. I mean, not this year--because we already have our raised garden beds in--but move them over there. It will be nice to actually get in the path of the new proposed garage now, so they're gonna have to be moved anyways.

COPPOLA Thank you. Questions for the petitioner.

BARINGHAUS Mr. Chairman?

COPPOLA Vice Chair Baringhaus.

BARINGHAUS In terms of the existing driveway, if you can just refresh my memory... is that concrete? Or is that gravel?

JASON KOZAK It is concrete.

BARINGHAUS So it will be a full of concrete driveway?

JASON KOZAK Yeah, it's an existing concrete driveway right now. We're not making any changes to the driveway.

BARINGHAUS Okay, very good. Earlier, I recall that you had some concern about the number of items that were in the yard on display, as you indicated.

JASON KOZAK Yeah.

BARINGHAUS Kayaks, recreational equipment... do you feel this garage will eliminate that problem in your backyard, making it more visually attractive for your neighbors?

JASON KOZAK Absolutely. That's why we proposed the size that we did.

BARINGHAUS Okay, very good. Thank you.

PTASHNIK Mr. Chair?

COPPOLA Ms. Ptashnik.

PTASHNIK Question for the petitioner. I know you said that the driveway was going to be--the one that's already existing--is going to be there. I'm looking at a rendering here where there's a proposed concrete driveway. Is that no longer proposed? I'm looking at the document received on March 14.

JASON KOZAK The site plan?

PTASHNIK Yes.

JASON KOZAK, I didn't actually have any concrete in the site plan. I think they just assumed that that was it. Was that just a dashed line?

PTASHNIK It's in red, where the existing is in black.

JASON KOZAK I didn't propose to add that to the site plan.

PTASHNIK Okay. I'm just looking at page eight in the documents, just trying to get...

JASON KOZAK Eventually the one-lane driveway will have to branch into the two-lane, or a two-bay garage, so that's probably what that is. But right now, to be honest, that's not in the budget.

PTASHNIK Okay.

JASON KOZAK So we're just trying to get through the garage.

PTASHNIK Okay, so follow-up question: if you don't have the concrete, how are you going to get the vehicles and stuff in there?

JASON KOZAK Well, the one... the existing garage in the corner, as you can see probably, it goes right to the new garage. So, we will be able to use it. And then the other side will provide access for kayaks. And then if you look at the rendering in the back, we have a garage door there for all the lawn equipment.

PTASHNIK So I guess that would be the north door. You'd just have grass in front of it still or whatever?

JASON KOZAK Yes. Well...

PTASHNIK I'm just trying to get a feel for it.

JASON KOZAK No, the north side of it right now is where the raised garden beds are. Yes. So that's going to have to be moved to the back.

PTASHNIK Which I actually appreciate. Alright. I was just trying to make sure I understood what was going on there.

TESTA Mr. Chairman?

COPPOLA Mr. Testa.

TESTA Thank you. Question of the petitioner. Regarding the driveway... I hate to keep pushing on this... the drawing we have doesn't show... there's a mismatch between the driveway and garage. They're offset from each other.

JASON KOZAK We've submitted the new site plan. There should be a new site plan I submitted along with the new rendering and the new specs.

TESTA Do you by any chance have a paper copy?

JASON KOZAK They took my copy when I went to the Zoning Board. I did that in May. I did it before so that I made sure that I got in this meeting.

COPPOLA I think he's got it right here. That's the correct one. Ask him which one's the correct one.

JASON KOZAK That's the correct one.jh

TESTA It looks like it's offset from the door.

JASON KOZAK Again, this area is going to have to be filled in eventually. But this corner here makes it so that the garage is 27 feet off of the property line and everything lines up perfectly, so this is where my raised garden bed is right here, which we have to move back here. And then eventually we can fill that in so they can focus on other things.

TESTA You don't want to add three more feet and align it with the door? Your door's right here, right?

JASON KOZAK I'm trying to keep it as close to the property line as possible. And I think that engineering said there's a two-foot easement, I put three foot.

TESTA Okay, thank you.

COPPOLA Anything else, Mr. Testa?

TESTA Sorry, yes. Can you refresh our memory, was there an existing shed?

JASON KOZAK There is an existing shed, which will be demolished after the garage is built, so that can consolidate. Yes.

TESTA That was my memory too. Thank you.

COPPOLA Anything else? Okay, seeing none. Other questions? You can take a seat just for a moment. Is there anyone in the audience who would like to speak for or against this project? No. Do we have correspondence?

BARINGHAUS Yes, Mr. Chairman, we have two letters. First is the letter approval from Raymond Garay and Jennifer Alley on 9659 Wayne Road, Livonia, Michigan 48150. Letter of approval: "It won't be seen from the road. And our good neighbors take care of the property."

Another letter of approval from Floyd Conley, 9676 Wayne Road: "Since we live on Wayne Road and not in the subdivision, this additional garage will in no way interfere with my property. The Kozaks are good people and would never create a problem for their neighbors."

COPPOLA Thank you, Mr. and Mrs. Kozak, anything you'd like to say in closing? You can step back up to the podium.

JASON KOZAK There's nothing I'd like to add, thank you.

KATIE KOZAK That's all. Thank you.

COPPOLA Okay. All right. Thank you. Appreciate it. We're going to close the public portion of the case and start the Board's comments with Mr. Testa.

TESTA Thank you, Mr. Chair. I can support this petition. I was supportive last time in April, but I agreed that the table motion to kick it back would give you more time to clarify the plans, because there was some vagueness in the initial plans. I thank you for adjusting that, making clear the details and also addressing what you're gonna do with the cement pad. There were concerns raised, but I think your plan to use for it is perfect. So, thank you.

COPPOLA Okay. Ms. Oliverio.

OLIVERIO I, too, would be in support, primarily because you are demolishing the existing shed. So that is good. There's also overwhelming support from your neighbors. So that's probably the most important thing in my book around that. But then also, I think the design is going to look really, really nice for that neighborhood, too. So, I would be in support.

PTASHNIK Thank you, Mr. Chair. I, as you know, last time was a little skeptical of the size--the size is really oversized, and I was worried about the look of that cement pad. So, I do appreciate you reconsidering what to do with that and finding good usage for it. I am swayed a little bit by your neighbors' support, and I appreciate you taking our suggestions. So, I will be in support this time.

BARINGHAUS Thank you. I think the petitioners did an excellent job of clarifying the plan with a very detailed site plan. I definitely saw the hardship that they were under with the original garage, due to the fairly large stairway right in the middle of itself. Again, I think it solves a problem. It takes out a nonconforming structure. Also, I think it will make them committed to cleaning up the backyard, and then that will solve the problem as well. So based on that, I'll support the variance. Thank you.

COPPOLA	Thank you. I'm, too, in support. The main reason we asked [you] to come back was just for more detail on the construction, the colors and stuff of the garage. I think that what you provided make sense. I pretty much was confident that it would. I just wanted to make sure we saw it. I appreciate you doing that. So, I will go ahead and open up the floor for a motion.
TESTA	Mr. Chair.
COPPOLA	Mr. Testa.
TESTA	Resolved that the variance sought in appeal case number 2023-03-04, filed by Jason and Katie Kozak, be granted in full for the following reasons and findings of fact. The uniqueness requirement is met because of the size of the property and the constraints of the existing current garage. It is small and is constrained by the design of the house. Denial of the variance would have severe consequences for the petitioner because of the current lack of storage for equipment to maintain the property. The variance is fair in light and in effect of the neighboring properties and in the spirit of Zoning Ordinance because of general neighbor support. The property is classified as Low Density Residential under the Master Plan and the proposed variance is not inconsistent with that classification. Further, that the variance be granted with the following conditions: that the existing nonconforming shed be removed.
PTASHNIK	Support.
COPPOLA	I have a motion by Mr. Testa, supported by Ms. Ptashnik. We have a condition to remove the shed. Any further discussion? How about "build as presented," "build as presented."
TESTA	Agreed.
COPPOLA	Anything else? Did you agree with that?
PTASHNIK	I will support.
COPPOLA	All right. Go ahead and take the roll, please.

RESOLVED: APPEAL CASE NO. 2023-03-04, Jason and Katie Kozak, 9760 Wayne Rd. (Tabled on April 11, 2023): seeking to demolish a nonconforming shed with an illegal addition and construct a detached garage while maintaining the existing attached garage, resulting in excessive accessory space.

Total Accessory Space:

Allowed:	920 sq. feet
Proposed:	1208.7 sq. feet
Excess:	288.7 sq. feet

The property is located on the east side of Wayne Rd. (9760), between Grandon St. and Pinetree St., Lot No.130-01-0039-001, R-U-F, Rural Urban Farm District. Rejected by the Inspection Department under Livonia Vision 21, Section 7.09 (1) (A), Residential Accessory Buildings, Maximum Size, be **granted** for the following reasons and findings of fact:

1. The uniqueness requirement is met due to the size of the property and the constraints of the existing garage, which is small and constrained by the design of the house.
2. Denial of the variance would have severe consequences for the petitioner, as they currently lack storage space for equipment to maintain their property.
3. The variance is fair in light of its effect on neighboring properties and in the spirit of Zoning Ordinance because of general neighbor support.
4. The property is classified as Low Density Residential under the Master Plan and the proposed variance is not inconsistent with that classification.

Further, that the variance be granted with the following conditions:

1. The existing nonconforming shed must be removed.
2. The garage must be built as presented, including in the location presented on the site plan.

ROLL CALL VOTE

AYES: 5

NAYS:

ABSENT: 2

PASSES/FAILS: 5-0

BARINGHAUS Okay. Mr. Testa.

TESTA Aye.

BARINGHAUS Ms. Ptashnik.

PTASHNIK Aye.

BARINGHAUS Ms. Oliverio.

OLIVERIO Aye.

BARINGHAUS Vice Chairman Baringhaus votes aye. Chairman Coppola.

COPPOLA Aye.

BARINGHAUS Okay, motion passes 5-0.

COPPOLA Alright, so the motion passed under the two conditions. One that you'll remove the shed and number two that the garage be built as presented and where presented on your site plan. Okay? Great. Congratulations. Good luck.

KATIE KOZAK Thank you.

APPEAL CASE NO. 2023-04-09, Douglas and Mary Geersens, 29407 Lyndon:
seeking to replace an existing non-conforming fence with a six-foot-tall vinyl privacy fence at the same location on the property, resulting in a privacy fence extending beyond the rear building line to the front plane of the dwelling, which is not allowed.

The property is located on the south side of Lyndon (29407), between Beatrice and Middlebelt, Lot. No. 092-09-0001-000, N-2 Zoning District, Neighborhood, rejected by the Inspection Department under Livonia Fence Ordinance, Section 15.44.090 (B), Residential District Regulations, Privacy fence in the side yard.

BARINGHAUS Calling appeal case number 2023-04-09, Douglas and Mary Geersens, 29407 Lyndon, seeking to replace an existing non-conforming fence with a six-foot-tall vinyl privacy fence at the same location on the property, resulting in a privacy fence extending beyond the rear building line to the front plane of the dwelling, which is not allowed.

COPPOLA Anything to add, Mr. Hershey?

HERSHEY No, sir. Not at this time.

COPPOLA Any questions for Mr. Hershey? Seeing none, the petitioner can step up to the podium, please.

GEERSENS Good evening. My name is Doug Geersens, 29407 Lyndon Street, here in Livonia. My wife apologizes for not being here. She was injured and has broken her patella and I should say... she shattered her patella and broke her wrist in two spots. So, she's incapacitated.

COPPOLA No worries, I'm sure you'll do a fine job.

GEERSENS Pardon me.

COPPOLA No worries, I'm sure you'll do a fine job.

GEERSENS Well, I hope so.

COPPOLA Go ahead and proceed. Why don't you tell us a little bit about what you're proposing here in regard to the fence? It looks like you're replacing an existing fence--I understand there was a dual fence that's going to come out--and [tell us] anything else you'd think would be important for us to know.

GEERSENS Sure. My wife and I have lived here now for 26 years, as of May. The privacy fence was there, existing along with the chain link when we moved in. We did not do anything to it at that point in time. We did add the privacy fence in the back of the yard, because of the swimming pool. The intention, again, is to just replace the fence

that was damaged when a car ran into our fence. And thank God I had a chain-link because it absorbed most of the impact from the car. And just according to the chain link and kept it out of my yard. And if my grandkids or anybody were in the backyard, they would have been potentially seriously injured. But anyway, all we want to do is replace that because of the fact that the current materials, according to our fence vendor, are no longer available. So now what we want to do is replace the wood fence with the white vinyl, like we have in the immediate neighborhood. I have one across the street. I had one kitty-corner to me. They're all gonna be the same. And my neighbor behind me, the same way. Outside of that, I can't think of anything else. Again, I want it because of the privacy. We've enjoyed our privacy. And with Middlebelt being a heavily trafficked road and the sidewalk also being heavily trafficked, I like my privacy, and I want to keep it that way.

COPPOLA Thank you. So, the existing fencing, again, there's two fences: there's a wood fence and a chain-link fence.

GEERSENS And the chain link is coming up. You made the comment and I just...

COPPOLA No worries with that. So, it sounds like you're replacing both with this fence. I know you said the one thing that you liked about the chain-link is that it provides a little bit of protection. You're not going to have that with the new fence.

GEERSENS I realized that, and I was also going to speak to you, to the Zoning Committee. And I really think you need to reevaluate for us that live on a busy street like that of not having the opportunity to have a chain-link like that. That acted as a barrier and kept that car out of my yard. And again, you got to look at it for the citizens of this of this community. If that car came in, he would have killed the kids. And I will give you a little side note. Back in 1978 or 79, my house was struck by a vehicle that the driver lost control [over]. He not only went all the way up but ended up hitting my fireplace on the outside and ended up entering into the family room of the house and put in like \$25,000 worth of damage. They had to replace the mantel, the floor, the wood floor, everything. So, putting in again the chain link and I'm just saying, it's a protection for us that live on these busy roads. And these people are driving like crazies.

COPPOLA The fence you have right now that's facing Middlebelt, you're basically just replacing it with the same footprint, or are you extending that?

GEERSENS I'm just replacing everything that's existing right now. Because again, the Cedarwood that it currently is, is no longer available, according to the fence vendor that I am going through. And in reality, I'm actually kind of liking the fact of having the vinyl, less

maintenance. Every two years, I have to pressure wash both sides of the fence to make it look nice. And if I don't, it gets dirty. And I like my house looking nice.

COPPOLA On the section that's going to be facing Lyndon, there was a fence there too with a gate?

GEERSENS Yeah. Right next to the garage, there's a 10-foot gate that's being replaced by the privacy fence product.

COPPOLA Okay. Any other questions for the petitioner? Vice Chair Baringhaus.

BARINGHAUS On the other side of your home, it looks like there's about 16 feet of chain-link fence.

GEERSENS Yes.

BARINGHAUS Okay. And then that runs down the other side of your yard. Is that going to remain chain-link, or will it be...?

GEERSENS No, that's gonna stay the same. The only thing that I'm replacing-- and the only reason why I'm replacing it--is because of the accident. He broke the post, so I can't get a new post that matches it. And a couple of the boards also have problems, got damaged. So again, the only thing to do is go with a different product.

BARINGHAUS When the original privacy fence was installed, do you recall the year?

GEERSENS I don't know, because I wasn't here. I was told by the fence owner back in '98, when I had to repair some of the fence due to high winds, that that fence was put in in the in the early '80s. So that fence has lasted a while.

BARINGHAUS So when you bought the home...?

GEERSENS I bought the home in '97.

BARINGHAUS You bought the home in '97 and the fence was there?

GEERSENS Both the chain link and the privacy fence were both there.

BARINGHAUS Both current fences were there when you purchased the home?

GEERSENS Correct.

BARINGHAUS Got it. Have you considered moving the fence to the rear of your home? What would prevent you from doing that and bringing it into compliance?

GEERSENS Moving the fence to the rear of my home?

BARINGHAUS Yeah, right now your front gate is at the front of the home, which makes it out of compliance with city ordinances.

GEERSENS And when did that ordinance pass?

BARINGHAUS I'm not sure.

GEERSENS Because it wasn't that way when they originally put in the fence. So, I mean, this has all been there for quite a while. I would have to tear down my deck in the back. My 30-foot deck in order to take in and put that chain-link... or put in the gate back there.

BARINGHAUS Tell me about your deck. How is it arranged around your home?

GEERSENS It's a 30-foot that goes off the door wall and comes around a little bit of the house and comes up. I used to have a hot tub there. And I got sick of the hot tub, and we got rid of it. And now it's my private little barbecue smoker area.

BARINGHAUS What are the materials of the deck, if you can describe it?

GEERSENS Timber Tech. It's a Timber Tech product.

BARINGHAUS And about how far off the ground is it? Is it a raised deck?

GEERSENS It's raised.

BARINGHAUS Okay, thank you.

TESTA Mr. Chair.

COPPOLA Mr. Testa.

TESTA Question for the petitioner, just a point of clarification. In your application, it says that you replaced the fence in 1998 due to weather conditions. I think maybe I'm taking that too literally. What you verbally explained is you only repaired some...

GEERSENS I repaired some of the panels because they blew down and they actually broke the posts and all that. So, I called the original fence company, which was Johnson Fence, which is no longer in business. And he came out and said, "Oh yeah, I remember doing this."

TESTA Okay, thank you. When I first read this, I thought that meant you'd replaced the whole fence.

GEERSENS No.

TESTA The back fence, which you did put it in, correct?

GEERSENS Yup, that I put in in 2007.

TESTA Did you pull a permit for that?

GEERSENS Yes, I did. Well, I should say my fence company pulled a permit. And by the way, the reason why I put that in, is because the neighbor behind me had an 18-month-old child, and having just a chain link fence, he was climbing over it.

TESTA On that back fence, is it just the privacy fence?

GEERSENS No, that was made on by the installer that he was told to tell me that that chain-link had to come down. So, I said, "I don't care. Actually, that's better."

TESTA Thank you. Question for Mr. Fisher. Do we have the ability to grant the variance and allow them to keep the chain-link fence?

FISHER Well, why wouldn't we not have this in the meeting? I mean, generally speaking, that's, I guess, maybe he hasn't asked for it. But other than that.

TESTA I'm just wondering if we have the ability, I think we do, correct?

FISHER Yes. Unless, as it's noticed tonight I don't think we can do it tonight.

TESTA Understood. Thank you.

COPPOLA Other questions?

BARINGHAUS Mr. Chairman.

COPPOLA Vice Chair Baringhaus.

BARINGHAUS In your petition, you reference a pile of logs that cannot be removed. Can you explain that?

GEERSENS I had no place to put the logs in the rest of my yard because everything else has been taken up. I use that and using the privacy fence--you're gonna laugh at this--if I stack the wood, if I can't have the privacy fence there, then I'm gonna have to... I'm gonna have to sell the wood because when I got new firewood and I stacked it up, I had it two inches above the six-foot privacy fence. And it's on a log pile that's approved by the City, by the way. It's 15 inches off the ground.

BARINGHAUS How large is the log pile approximately?

GEERSENS Twelve feet, 12 feet long by... and they're all four-by-fours. I want to make sure it's sturdy, or as I go into this... anyway. I would have no place to put it because everybody was stealing my wood when I had it up above. Seriously. I couldn't believe it. So now I make sure it's below the six-foot privacy fence. I can't put it on the other side, where the chain link is. I don't have room for it.

BARINGHAUS You mentioned you have a number of items in your backyard. You have a swimming pool.

GEERSENS I have a 12-by-24 swimming pool.

BARINGHAUS And then you have a shed as well?

GEERSENS Yes.

BARINGHAUS Okay. Are there any other items in your backyard? Or just those two items?

GEERSENS Just those two.

BARINGHAUS Okay, thank you.

GEERSENS Do I have to stand up here, or can I go sit down?

COPPOLA Give us a minute. Any other questions? All right, seeing there's none... well, you might as well just stay there. Is there anybody in the audience who would like to speak for or against this petition? Seeing none, do we have correspondence?

BARINGHAUS Yes, we do. Letter approval from Robert Graban, 29541 Oakview: "That fence is facing Middlebelt. I think it is common sense [to have] a variance for privacy rather than detracting from the property's effect on the surrounding neighborhood. It adds to the value by reducing the negative effects of facing Middlebelt."

Letter of approval - Lisa Landvogt and Thomas Landvogt, 29510 Lyndon: "Doug and Mary have owned their lovely home for decades. Due to no fault of their own, a vehicle swerved off Middlebelt a year ago and unfortunately severely damaged the existing fence. It needs to be replaced. After dealing with the insurance company for so long, he was able to submit for a permit to replace the damaged fence with all new modern fencing. That will most certainly add beauty to our block, especially at a very high traffic intersection with drivers who ignore speed limits and red lights on a regular basis. We are now experiencing heavy commercial truck traffic. The noise from engine honking, horns, and

road rage has become horrific. We see no reason why they cannot continue to keep their privacy when they have had one with the improved sound barrier. While improving the value of their homes, we strongly encourage your authority to approve their requests with our blessings and 100% support."

Letter of approval - Vincent Neyland, 29444 Lyndon Street: "Mr. and Mrs. Geersens already have a fence in place and have had it for years. They are seeking to repair and replace it, which will add beauty to the neighborhood, which we all want. But they also need that fence for privacy due to the high amount of traffic in that location, which is at the corner of Middlebelt and Lyndon, southwest side of the intersection. I approve of the Geersens' request."

Letter of approval - Mike and Donna Bieck, 29432 Lyndon: "This should be allowed, as he lives on a very busy road and also a high traffic area for walkers. If you look all the way along Middlebelt, the fences are higher for the privacy, as they are also high in the traffic area. We would encourage you to permit Mr. Geersens to get this fence approved. He has waited over a year to get this done."

Letter of approval - Gary Sissom, 29420 Lyndon, Livonia: "This house has had a privacy fence since we moved in 23 years ago. All they're doing is replacing the existing fence that was damaged by a car with a more attractive fence. They live on a main road and have a lot of traffic on the road and sidewalk. They should be allowed to privacy, especially with their pool. There are other homes on the same intersection that have full privacy fences. That would actually be an improvement and look a lot better."

That's all the letters.

- | | |
|-----------------|--|
| COPPOLA | Thank you. Mr. Geersens, anything you'd like to say in closing? |
| GEERSENS | I hopefully have convinced you of my need to replace my current fence with a new one that looks a lot nicer, much cleaner. Thank you. |
| COPPOLA | Alright, thank you. I'm going to close the public portion of the case and start the Board comments with Ms. Ptashnik. |
| PTASHNIK | Okay, thank you, Mr. Chair. I'm not usually one that would be in support of extending a fence up to the front plane of the house and would want to keep it in compliance. Although I did go by your house and did notice what you were talking about with the damage and exposure to Middlebelt Road there. I think that the vinyl fence would offer you some more privacy and maybe some protection, maybe not quite as much as the chain-link. But I do see the hardship of the safety issue on Middlebelt. I actually noticed that as I was sitting at that intersection of Middlebelt and Lyndon earlier |

today when I went by. I also was a little bit swayed here too by your overwhelming neighbor support. [NOISE].

GEERSENS

Sorry, I thought I turned the phone off.

PTASHNIK

Was it something I said? I was actually for the support before that [LAUGHS]. So, while I usually would hesitate on something like this, I am leaning towards supporting the variance.

COPPOLA

Thank you. Vice Chair Baringhaus.

BARINGHAUS

I think the petitioner has an unusual piece of property because it is on the corner of Middlebelt and Lyndon. The backyard is really well used between the woodpile shed and the pool itself. I guess we can look at.... when you look at the entire neighborhood, what Mr. Geersen says is true that the home directly across from him has fences that go to the front of the house. However, as you drive deeper into the neighborhood a lot of fences are actually in compliance with the current ordinance, which places the fences towards the back of the property, the back of the rear of the building. That's the part that kind of makes me pause a little bit. At this point, the fence has been there for a number of years. It was basically built [using] earlier ordinances. I guess the uniqueness of the property probably justifies having a fence where it's at. Normally, I'd probably challenge the current location of the fence if it were deeper into the neighborhood. But at this point, I guess I'd be inclined to approve the variance. Thank you.

GEERSENS

Mr. Testa.

TESTA

Thank you, Mr. Chair. So first, I apologize for your need to be here today. Obviously, if the car hadn't hit your fence and damaged it, you probably wouldn't be seeking to replace it. That kind of stinks. I do see your hardship. One, because of that, but two, your lot. You have heavy traffic on Middlebelt, and Lyndon also is, I would say not a... it is a fairly traveled street. Definitely with foot traffic too. Actually, when I drove by, there were people walking from Middlebelt and turning on Lyndon right in front of your property. I could see if that fence wasn't there, they'd probably try to cut that corner. I can be in support of this because that fence has been there so long. It basically fits in with the other homes in the area on Middlebelt. A majority of them or many of them have the fence that come up past the midpoint of the house. I also liked the fact that you're changing to a white fence. As you pointed out, several of your neighbors already have a white fence and I wish there was more uniformity in that area. Middlebelt and that stretch is a kind of an area where there's a lot of hodgepodge of fencing up and down that street. So, I think directionally changing from wood to the white fence is better. You made a good point on the chain-link fence, that

maybe it did save you from further damage to your house. But you are removing it, as you should as per the ordinance, and it probably looks better that way too. It's gonna be easier for you to maintain, but you've been maintaining that for 26 years, so I guess you could argue differently. But yes, I can be in support of this.

COPPOLA Thank you. Ms. Oliverio.

OLIVERIO I would also be in support. I think my colleagues have articulated pretty well as to why--primarily the uniqueness of your property based on where it's at. I'm very familiar with that intersection. That is one of many accidents that have occurred there in recent years, as I'm sure you're aware. And thank goodness everybody in your family was safe. But having that particular safety barrier I think is going to be really important, as well as obviously improving the visuals of your fencing, which is the repairs that need to take place. And again, like I said before, you have overwhelming neighbor approval, so that's a big win there too. So, to that point, I would be in support, and I wish your wife a safe recovery, by the way.

GEERSENS Thank you.

COPPOLA I'm, too, in support. When I look at this... it's replacing an existing fence and that's considered an improvement from a double fence to actually have a nice-looking fence. I think it will look really nice in the area and improve the area too. So, like I said, I'm in support, and I'll open up the floor for a motion.

BARINGHAUS Mr. Chairman.

COPPOLA Vice Chair Baringhaus.

BARINGHAUS Resolved that the variance sought in appeal case number 2023-04-09 filed by Douglas and Mary Geersens be granted for the following reasons and findings of fact. The uniqueness requirement is met due to the location of the home on a busy intersection of Middlebelt and Lyndon. Denying the variance will have severe consequences for the petitioner due to reduced safety on his property and reduced privacy as well. The variance is fair in light of its effect on neighboring properties and in the spirit of the Zoning Ordinance due to substantial neighbor support for the proposed fence. The property is classified N2 Zoning District Neighborhood under the Master Plan and the proposed variance is not inconsistent with that classification. Further, that the variance be granted with the following conditions: that the fence be installed as described this evening.

TESTA Support.

COPPOLA

I have a motion by Vice Chair Baringhaus, supported by Mr. Testa. Any discussion? Seeing none, we can go ahead and take roll.

RESOLVED: APPEAL CASE NO. 2023-04-09, Douglas and Mary Geersens, 29407

Lyndon: seeking to replace an existing non-conforming fence with a six-foot-tall vinyl privacy fence at the same location on the property, resulting in a privacy fence extending beyond the rear building line to the front plane of the dwelling, which is not allowed.

The property is located on the south side of Lyndon (29407), between Beatrice and Middlebelt, Lot. No. 092-09-0001-000, N-2 Zoning District, Neighborhood, rejected by the Inspection Department under Livonia Fence Ordinance, Section 15.44.090 (B), Residential District Regulations, Privacy fence in the side yard, be **granted** for the following reasons and findings of fact:

1The uniqueness requirement is met due to the location of the home on a busy intersection of Middlebelt and Lyndon.

2Denial of the variance would have severe consequences for the petitioner, as it would reduce the safety and privacy of the property.

3The variance is fair in light of its effect on neighboring properties and in the spirit of the Zoning Ordinance due to substantial neighbor support for the proposed fence.

4The property is classified N-2 Zoning District, Neighborhood, under the Master Plan and the proposed variance is not inconsistent with that classification.

Further, that the variance be granted with the following conditions:

1. The fence must be installed as presented during the June 6, 2023 meeting.

ROLL CALL VOTE

AYES: 5

NAYS:

ABSENT: 2

PASSES/FAILS: 5-0

BARINGHAUS Ms. Oliverio.

OLIVERIO Aye.

BARINGHAUS Ms. Ptashnik.

PTASHNIK Aye.

BARINGHAUS Mr. Testa.

TESTA Aye.

BARINGHAUS Chairman Coppola.

COPPOLA Aye.

BARINGHAUS And Vice Chair Baringhaus votes aye. The motion passes 5-0.

COPPOLA Alright, congratulations. One second here. There was one condition to be installed as presented... when it says, "as presented," you've, in your packet, shown the fence that you were going to put in, so that's the fence that it will ask you.

GEERSENS Well, my question is: Do I contact a fence company? Or is the inspection team going to contact them? They were the ones that went to get the building permit and they rejected it back in October. So, I just want to make sure that it doesn't just drop after doing all this.

COPPOLA No, it will be on file. So, when the fence company comes back to pull the permit in the next couple of days...

HERSHEY The permit's on hold for the Zoning Board. So, once they issue it, they'll send it to your contractor.

GEERSENS You'll send it to the contractor?

HERSHEY They mail the permit to the contractor.

GEERSENS Okay. Thank you.

HERSHEY You're welcome.

GEERSENS Thank you.

COPPOLA And all the best for your wife's recovery.

GEERSENS Thank you.

APPEAL CASE NO. 2023-04-10, Eric and Katie Grzyb, 14381 Riverside: seeking to erect a six-foot-tall vinyl privacy fence upon a corner lot which will not align with the existing fence on the adjacent property of 34214 Perth.

The property is located on the south side of Riverside (14381), between Ellen and Perth, Lot. No. 083-03-0032-000, N-2 Zoning District, Neighborhood, rejected by the Inspection Department under Livonia Fence Ordinance, Section 15.44.090 (A4bi), Residential District Regulations, Fences on corner lots.

BARINGHAUS Calling appeal case number 2023-04-10, Eric and Katie Grzyb, 14381 Riverside, seeking to erect a six-foot-tall vinyl privacy fence upon a corner lot which will not align with the existing fence on the adjacent property of 34214 Perth.

COPPOLA Alright, anything to add, Mr. Hershey?

HERSHEY Not at this time.

COPPOLA Any questions for Mr. Hershey? Seeing none, the petitioners can step up to the podium. Name and address, please. Now, we'll know how to pronounce your name in the future.

ERIC GRZYB Hi, my name is Eric Grzyb. Address is 14381 Riverside Street.

KATIE GRZYB And my name is Katie Grzyb, 14381 Riverside Street.

COPPOLA Okay, thank you. So, you're looking to rent a six-foot privacy fence. And I think the main issue is that it's not aligning with the property behind you.

ERIC GRZYB Correct.

COPPOLA You want to build it on to basically the line of the sidewalk, and they've got theirs back... maybe six feet, maybe...

ERIC GRZYB Maybe eight.

COPPOLA Isn't that much?

KATIE GRZYB No, that's a lot.

COPPOLA So why don't you tell me a little bit about the privacy fence, the purpose of it, what you're trying to accomplish, and the hardship of why you can't match up to the neighbors.

KATIE GRZYB Sure. Yeah, thank you for having us. As our application outlines, we are seeking to erect a privacy fence. We are in a corner lot; both neighbors to the left of us and behind us already have existing fences. And being exposed and open to a lot of houses on that side

of our property, we're really seeking to have more privacy to enjoy our yard and not be exposed to everyone. And at the same time, we've discussed with that property owner, and he definitely approves of the variance and has no problem with us extending all the way to the sidewalk as we have proposed, along with many of our neighbors that we've discussed it with. So, it would help us also to just be able to make maximum use of our yard as well. We would really like to not have to cut off that much of our yard and lose that ability to use it in the way that we would like to and also provide a safe space for our dog as well that we have. So yeah, just the privacy--making full use of our yard. And we're seeking the privacy fence to match with our side neighbor. They have the same type of fence. So that also will give us a consistent look when you're in our backyard. So yeah, we're just hoping that you'll consider that and also just want to comment we're first-time homeowners, loving our house in Livonia, and just really excited to be keeping adding value and working on our home.

COPPOLA

Thank you. Questions for the petitioner?

PTASHNIK

Mr. Chair. I'm actually not sure if it's mostly for Mr. Hershey as well. But as I'm looking at the site plan here, not only are we looking at the nonalignment with the neighbors to the rear, it's also not aligning with the rear of the house. We're in the middle of the house on the side there as well. And I'm curious if that is an issue too?

HERSHEY

There's a side door on the side of the garage that could go to...

PTASHNIK

Okay, so we're okay with the door?

HERSHEY

That's the reason.

PTASHNIK

I just wanted to double check that. That's actually my only question right now.

COPPOLA

Other questions?

BARINGHAUS

Mr. Chairman.

COPPOLA

Vice Chair Baringhaus.

BARINGHAUS

There's a white vinyl fence on the other side of your property. Does that belong to your neighbor? Then also at the rear of the property, your neighbor has... it looks like a wrought iron fence. It looks like you've planted some arborvitaes in front of that.

KATIE GRYZRB

Yes. Correct.

ERIC GRYZRB

Yes.

BARINGHAUS Was that for privacy?

KATIE GRYZRB Yeah, because we're not seeking to ask him to replace any part of his fence. So, we've just been adding greenery in our backyard to help give us more privacy and also add more greenery to our yard.

BARINGHAUS So that portion of your yard will stay intact? It will just be a question of adding the other fence as well.

KATIE GRYZRB Yup.

BARINGHAUS In your case, you mentioned you're going to be losing a portion of your lawn by having to align the fence with your neighbor's fence?

KATIE GRYZRB If we have to cut off that much we're losing like 18 feet of our yard if we have to align with his fence.

ERIC GRZYB Within our backyard. Usable backyard.

BARINGHAUS Okay, thank you.

COPPOLA So as I look at the plan, I see that you're right on top of the drive of facing the sidewalk and you're kind of in the neighborhood, and I assume that there's a lot of people that walk around the neighborhood. Is there any ability or consideration to move that at least a little bit in from the sidewalk to the right on top of the sidewalk?

ERIC GRZYB Yeah, the illustration was my crude drawing Photoshop job, trying to get the idea of what we're aiming for. So yeah, if it has to be a few feet in or something, that is understandable.

COPPOLA So what how much inward would you guys consider to be acceptable?

KATIE GRYZRB I mean, if we could do a foot or less that would be nice, just so we still kind of use that. But if it needs to be more based on what you guys think is appropriate, we're obviously willing to compromise on what that should look like.

COPPOLA Okay. Other questions?

BARINGHAUS Mr. Chairman.

COPPOLA Vice Chair Baringhaus.

BARINGHAUS I know there are other homes in your neighborhood, especially one on Gary Lane and the existing owners didn't align their fences. They didn't suffer any loss in yard, and it seems like a lot of homes do back their fences off on sidewalks as well. Did you get that in

consideration before proposing moving the fence right to the sidewalk?

KATIE GRYZRB Yeah the house--the one corner house, I can't figure out the address...it's a yellow home there--they do come in off I would say maybe a foot to a foot and a half in from that sidewalk, so they really aren't losing a lot of their yard. But if you were to drive by the neighbor behind us, it is significantly in from the sidewalk, like 17 or 18 feet, so he has cut off a very large portion of his yard in comparison to those other corner lots. Yeah, so I just think the amount is much more excessive than any of the other corner lots if you were to drive by and look at the differences. It's much more set further in than the other corner lots.

BARINGHAUS Okay, thank you.

COPPOLA Other questions?

TESTA Mr. Chair.

COPPOLA Mr. Testa.

TESTA Thank you. To the petitioner--do you know of any other properties in this subdivision area that have a fence like this?

ERIC GRZYB Of what we're requesting to do?

KATIE GRZYB Like, you mean that have the same type of fence...?

TESTA That close to the sidewalk.

KATIE GRYZRB Oh, yes. I mean, if you were to drive down from....

ERIC GRZYB Just when you come off of Perth and Ellen, there's a wood fence right there that's right up the sidewalk line.

KATIE GRYZRB There's multiple as you turn on to Ellen; almost all those corner houses extend their fences right up to the sidewalk.

TESTA Are they privacy fences or chain-link fences?

KATIE GRYZRB Privacy.

TESTA And your neighbor that you wouldn't be aligning the fences with, have you talked to them? Are they okay with this fence?

KATIE GRYZRB Yeah, he signed the paper that we put with the work and we've talked him on multiple occasions. He's been very friendly and

accommodating and says that wherever we were to put the fence line was okay with him.
TESTA And yet you've come in for a variance to move it, I'm still not sure...

KATIE GRYZRB I don't think he would.

TESTA Okay, thank you.

COPPOLA Other questions?

BARINGHAUS Mr. Chairman.

COPPOLA Vice Chair Baringhaus.

BARINGHAUS Earlier on, Chairman Coppola talked about moving the fence away from the sidewalk. What distance would be acceptable to you?

KATIE GRYZRB Like two feet or less, maybe?

ERIC GRZYB That would be fair, because it seems the house on the opposite corner, that's kind of the distance. And if you're asking for extra, you know, then we could essentially match what they have.

KATIE GRYZRB Which is less than two feet, I would say. But we could measure it too.

ERIC GRZYB It's probably a foot and a half.

BARINGHAUS Okay. Very good. Thank you.

COPPOLA Okay. Anything else?

HERSHEY Mr. Chairman. According to the City map, it looks like it's about two feet from the property line to the sidewalk. According to the City map.

COPPOLA I'm sorry, what is?

HERSHEY The City map, the property line.

COPPOLA Oh, the property that we're referencing?

HERSHEY Yes.

COPPOLA Okay, two feet?

HERSHEY Approximately.

COPPOLA A little more than one spot for the lawnmower. Two spots for the lawnmower [LAUGHS]. Okay. Was that something that would be acceptable to you?

KATIE GRYZRB Yes.

COPPOLA Anybody have anything else? All right, seeing there's none. Is there anybody in the audience who would like to speak for or against this petition? Only one person.

AUDIENCE MEMBER I support them. I'm in a very similar situation to them, and I'm trying to do my homework.

COPPOLA Alright, you're just there observing. Okay. Alright. Do we have any correspondence?

BARINGHAUS Yes, we do, Mr. Chairman. Letter of approval from Jonathan Doane, 34715 Perth.

Letter of approval - Deborah Kross, 34736 Perth: "Katie and Eric have done an amazing job in the short time since they moved in making the property updated. The existing fence at 34214 Perth was put in under an old variance that required it to be set in a way too close, which cut off over a third of their back yard. It doesn't make sense to make Katie and Eric conform to the updated code when I'm fairly certain the next owner of 34214 Perth would want to expand their backyard area by moving their fence out to match Katie and Eric's fence under the newer code. Thank you for your consideration."

Letter of approval - Thomas Klisz, 34780 Perth: "I think the proposed vinyl fence will be a nice addition to the corner of our circle. There are other fences, which are similar, and they add to the beauty of our sub and Livonia. I approve."

Letter of approval with no comments - David Mckillop, 34758 Perth.

Letter of approval and with no comments - Karen Lafayette, 14457 Riverside.

Letter of approval, no comments - Christine Newman, 34781 Perth.

Letter of approval, again no comments - James Daly, 14392 Riverside.

And that's it for the letters.

BARINGHAUS Thank you. Alright. Anything you'd like to say in closing?

ERIC GRZYB I don't think so. Just thank you for hearing us out.

COPPOLA You can have a seat for a moment then. We'll close the public portion of case and start the Board's comments with Ms. Oliverio.

OLIVERIO Thank you, Mr. Chair. I would be in support with the nuance around just making sure that the fence does not go over your property line, right? Like what we talked about. It sounds like it's about a two foot. But of course, we would want to confirm that before you put it up. Just some suggestions. I've seen people put rocks there, so that might be a helpful thing from a maintenance perspective. So, you don't have to have the extra lawnmower, right? But I would be generally in support.

COPPOLA Thank you. Mr. Testa.

TESTA Thank you, Mr. Chair. In reviewing this over the weekend, I was leaning towards a no. I was swayed here. First, I appreciate your Photoshop ability. Better than mine. But I'm glad you did it this way because it does kind of depict a severe worst case. I was gonna ask the members if you'd be willing to move it in, so to speak. And I think something like two feet would be sufficient. I have a similar fence like this in my neighborhood. And it hasn't happened yet, but I can basically envision my kids banging into it, riding bikes past that area, and I cringed, often when we go by that area. I would appreciate it if we moved it in. I do understand what you're trying to do here and why you want to try to maximize your backyard yard space. And I am definitely swayed by the overwhelming neighbor support. You guys are very popular. I appreciate your neighbors speaking up on your behalf, and that has swayed me to a yes.

COPPOLA Alright, thank you. Ms. Ptashnik.

PTASHNIK Thank you, Mr. Chair. I, too, struggle with this one, to be honest. I just went by your home. It's beautiful, well maintained. I can really tell that you've done a lot of improvements. It's kind of almost unfortunate that your neighbor got their fence in first, to be honest. And that's unfortunately an inconvenience, right? And it does violate though the city's policy on creating these walled enclosures here. And so, I struggle with that, to be honest. I could not support it the way it is right now, all the way to the sidewalk. I think you would have to move it in to two feet. Even snow removal--when you live in Michigan--trying to get a snowblower down there without it being in would be almost impossible. Overwhelming support from the neighbors is kind of making me tip to maybe a yes. I'm gonna listen to the rest of the comments and hold off on my decision just for a second.

COPPOLA Alright, thank you. Vice Chair Baringhaus.

BARINGHAUS Thank you. Yeah, driving through the neighborhood, other neighbors in Livonia, generally, the trend is to align the fence to the other neighbor's fence. In your neighborhood, it's kind of a prevalent trend where there is some space between the sidewalks and the actual privacy fence, with some homes, not all. But the majority of them. So, I think moving the fence to the back is a nice compromise. It kind of reduces the difference in spacing between two of your neighbors' fences. I think it's a good point, potentially one day, someone will want to align to your fence and problem solved. So based on that, I will support the variance.

COPPOLA I, too, am in support of the variance with the condition that the fence facing the roadway--the main roadway on the side of the house--is going to be in two feet. I would want more, but I think two feet is probably enough. It's still gonna look a little odd. But the other neighbor, 18 feet in, that's a lot! That's a lot of backyard to lose. So, I think the two foot--I think that you'll find over time that you'll prefer that, it'll be easier to maintain. Less accidents happening with people on the sidewalks--people doing things that like pushing in panels and stuff. Because it's so convenient to do. I think you'll find that even... and you can do things like landscaping that instead, use bushes, but I think the two feet in just makes it feel less walled in for your neighbors. So, beyond that, I'm good to go. So, I'd like to open the floor for a motion.

BARINGHAUS Mr. Chairman.

COPPOLA Vice Chair Baringhaus.

BARINGHAUS Resolved that the variance sought in appeal case number 2023-04-10, filed by Eric and Katie Grzyb, 14381 Riverside, be granted for the following reasons and finding in fact. The uniqueness requirement is met due to the home's corner location and the neighborhood. Denial of the variance will have severe consequences for the petitioner due to reduced privacy and also a reduction in the size of their rear yard as well. The variance is fair in light of its effect on neighboring properties and in the spirit of the Zoning Ordinance due to overwhelming neighbor support. The property is classified as N-2 Neighborhood under the Master Plan and the proposed variance is not inconsistent with that classification. Further, that the variance be granted with the following conditions: that the fence along the sidewalk be moved in two feet from the sidewalk line.

TESTA Support.

BARINGHAUS I have a motion by Vice Chair Baringhaus, supported by Mr. Testa. Any discussion?

OLIVERIO Mr. Chair. Do we need to specify the two feet, or be more specific around where the property line is? I just want to make sure because you said, “about two feet?”

HERSHEY It showed 2.3 feet on the City map, the general map, the measurement on it.

OLIVERIO So the property line is 2.3 feet from the sidewalk?

HERSHEY Yes.

OLIVERIO Okay. So, it should be 2.3 right, just to the property line?

HERSHEY 2.3 feet. Yeah, it's probably exactly two feet, but I may have been off just a smidge.

COPPOLA I would go with two feet and again, it's from the sidewalk, which is kind of what you say, not necessarily the property line.

OLIVERIO Okay.

FISHER Mr. Chairman... it's “otherwise as presented?”

COPPOLA This condition? Absolutely.

BARINGHAUS “Otherwise as presented.” Okay.

TESTA Support.

COPPOLA Okay, anything else? Seeing none, you may take the roll, please.

RESOLVED: APPEAL CASE NO. 2023-04-10, Eric and Katie Grzyb, 14381 Riverside: seeking to erect a six-foot-tall vinyl privacy fence upon a corner lot which will not align with the existing fence on the adjacent property of 34214 Perth.

The property is located on the south side of Riverside (14381), between Ellen and Perth, Lot. No. 083-03-0032-000, N-2 Zoning District, Neighborhood, rejected by the Inspection Department under Livonia Fence Ordinance, Section 15.44.090 (A4bi), Residential District Regulations, Fences on corner lots, be **granted** for the following reasons and findings of fact:

1. The uniqueness requirement is met due to the home's corner location and the neighborhood.
2. Denial of the variance would have severe consequences for the petitioner, as it would reduce their privacy and the size of their rear yard.
3. The variance is fair in light of its effect on neighboring properties and in the spirit of the Zoning Ordinance due to overwhelming neighbor support.
4. The property is classified as N-2 Zoning District, Neighborhood, under the Master Plan and the proposed variance is not inconsistent with that classification.

Further, that the variance be granted with the following conditions:

1. The fence along the sidewalk must be moved in two feet from the sidewalk line.
2. The fence must be built otherwise as presented during the June 6, 2023 meeting.

ROLL CALL VOTE

AYES: 5

NAYS:

ABSENT: 2

PASSES/FAILS: 5-0

BARINGHAUS Okay, Mr. Ptashnik.

PTASHNIK Aye.

BARINGHAUS Mr. Testa.

TESTA Aye.

BARINGHAUS Ms. Oliverio.

OLIVERIO Aye.

BARINGHAUS Vice Chair Baringhaus acting as Secretary votes aye. And Chairman Coppola.

COPPOLA Aye.

BARINGHAUS Okay, motion passes 5-0.

COPPOLA So, your variance has been approved with the following conditions. Number one, that the fence on the sidewalk--I think that's facing Riverside, is that correct?

ERIC GRZYB Yeah, Riverside. It like loops around.

COPPOLA So it's Riverside, Riverside? Two sides of Riverside. So, I can't say the sidewalk facing Riverside because you have two of them.

KATIE GRZYRB We know which one you're talking about [LAUGHS].

COPPOLA We need to be specific for the record. That would be the east side. It would be in two feet and then everything else would be built as presented. Okay?

KATIE GRZYRB Yup. Great. Thank you.

COPPOLA And welcome to Livonia. Alright, we just have administrative tasks.

ADMINISTRATIVE TASKS

TESTA	Mr. Chair.
BARINGHAUS	Mr. Testa.
TESTA	Move to approve the meeting minutes from May 16, 2023.
OLIVERIO	Support.
COPPOLA	I have a motion by Mr. Testa, supported by Ms. Oliverio to approve the minutes. All in favor? Okay, that passed. We just need one more motion.
BARINGHAUS	Mr. Chairman.
COPPOLA	Vice Chair Baringhaus.
BARINGHAUS	Motion to adjourn.
TESTA	Support.
COPPOLA	Motion by Vice Chairman Baringhaus, supported by Mr. Testa. All in favor?
BOARD	Aye.

There being no further business to come before the Board, the meeting was adjourned at 8:10 p.m.

Gregory G. Coppola, Chairman

Timothy Klisz, Secretary

**AGENDA DATE: July 18, 2023
ZONING BOARD OF APPEALS
CITY OF LIVONIA**

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

1. APPEAL CASE NO. 2023-04-07: Luis Morales-Villegas, 20307 Parkville (Tabled on May 16, 2023):

Should be denied because the alleged practical difficulty does not entail more than mere inconvenience. FURTHER, the variance sought in this case violates the City policy against turning residential areas into a series of small, walled enclosures.

Further, to the extent that the variance is sought due to the dog petitioner brought to the property, the alleged practical difficulty is entirely self-created.

2. APPEAL CASE NO. 2023-06-11, Torrey Nieger, 33493 Bobrich:

Should be denied because the alleged practical difficulty does not entail more than mere inconvenience and the proposed ordinance would violate the policy against dividing the City's residential areas into a series of small, walled enclosures.

3. APPEAL CASE NO. 2023-06-12, Metro Detroit Signs on behalf of AMC 20 Theaters, 19500 Haggerty Road:

Should be denied because the alleged hardship supposedly justifying the dramatic growth of signs on the site does not entail more than mere inability to earn a higher financial return.

4. APPEAL CASE NO. 2023-06-13, Michael and Melinda Schneider, 39420 Ann Arbor Trail:

Should be denied because the alleged practical difficulty does not entail more than mere inconvenience; FURTHER, the petition seeks more than 200 % of the maximum accessory building area permitted by law.

FUTURE LAND USE PLAN

**CITY OF LIVONIA
ZONING BOARD OF APPEALS
July 18, 2023 – 7:00 p.m.
Livonia City Hall – Auditorium (1st floor)
33000 Civic Center Drive, Livonia, MI**

1. **APPEAL CASE NO. 2023-04-07: Luis Morales-Villegas, 20307 Parkville (Tabled on May 16, 2023)**, seeking to erect a six-foot tall wood privacy fence within the side yard which is not allowed. Privacy fences, without a side door, must not extend beyond the rear line of the home toward the street. Also, the proposed nearly bisects the depth of this lot, leaving a large, wooded area between an existing four-foot-tall chain-link fence along the rear property line.

**FUTURE LAND USE PLAN (FLUP)
“LOW DENSITY RESIDENTIAL”**

2. **APPEAL CASE NO. 2023-06-11: Torrey Neiger, 33493 Bobrich Street**, seeking to erect a six-foot-tall vinyl privacy fence upon a corner lot that does not align with the adjacent property owner's fence at 17148 Francavilla Dr.

**FUTURE LAND USE PLAN (FLUP)
“LOW DENSITY RESIDENTIAL”**

3. **APPEAL CASE NO. 2023-06-12: Metro Detroit Signs on behalf of AMC 20 Theaters, 19500 Haggerty Road**, seeking to replace three directional and three monument signs. The directional signs are direct replacement signs, matching height, area and location of the existing signs. The three, identical, replacement monument signs (two along Haggerty, one along Seven Mile) are each excess in height and area.

**FUTURE LAND USE PLAN (FLUP)
“REGIONAL COMMERCIAL”**

4. **APPEAL CASE NO. 2023-06-13: Michael and Melinda Schneider, 39240 Ann Arbor Trail**, seeking to construct an addition to an existing dwelling which includes an attached garage, while maintaining a detached garage and shed, resulting in excess accessory building area and excess number of accessory buildings.

**FUTURE LAND USE PLAN (FLUP)
“LOW DENSITY RESIDENTIAL”**

ZBA Meetings/Deadlines

July 18, 2023

August 1, 2023	<i>Auditorium</i> <i>Larry O'Neal, Inspector</i>	Deadline: Monday July 3
September 12, 2023	<i>Auditorium</i> <i>Matt Stierna, Inspector</i>	Deadline: Monday August 14
October 10, 2023	<i>Auditorium</i> <i>Jim Albus, Inspector</i>	Deadline: Monday Sept 11
November 14, 2023	<i>Gallery</i> <i>Harry Ramsden, Inspector</i>	Deadline: Monday, Oct 23

Minutes to vote on: June 6, 2023

2023 AUGUST						
SUN	MON	TUE	WED	THU	FRI	SAT
		1 ZBA MTG AUDITORIUM	2	3	4	5
6	7	8	9	10	11	12
13	14 DEADLINE FOR SEPT 12TH MTG	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		