

OFFICE OF THE COUNCIL

COUNCIL MEMBERS

JIM JOLLY
PRESIDENT

LAURA M. TOY
VICE PRESIDENT

SCOTT BAHR
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BRANDON McCULLOUGH
KATHLEEN E. McIntYRE
SCOTT MORGAN



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

OFFICE OF THE COUNCIL

**ELECTRONIC AGENDA PACKET FOR
THE PUBLIC HEARING OF
MONDAY, AUGUST 7, 2022
7:00 P.M.***

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

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

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

AGENDA ITEM(S)

1. Findings and Order of the Hearing Officer regarding the demolition of a residential structure located at 37739 Seven Mile, in accordance with Chapter 15.52 (Dangerous Buildings and Structures) of the Livonia Code of Ordinances, as amended.
2. Findings and Order of the Hearing Officer regarding the demolition of a residential structure located at 11033 Berwick, in accordance with Chapter 15.52 (Dangerous Buildings and Structures) of the Livonia Code of Ordinances, as amended.
3. Petition 2023-04-01-03 submitted by Michael Morad under Sections 13.13 and 13.15 of the Livonia Zoning Ordinance, as amended, requesting to rezone the property at 20180 Westmore Street, located on the east side of Westmore Street between Farmington Road and Shadyside Street in the Northwest ¼ of Section 3, from N2 (Neighborhood) to RUF (Rural Urban Farm).
4. Petition 2023-05-01-04 submitted by Colossal Development Group L.L.C. under Sections 13.13 and 13.15 of the Livonia Zoning Ordinance, as amended, requesting to rezone the properties at 20511, 20513 and 20515 Angling Road, located on the southwest corner of Angling and Eight Mile Roads in the Northeast ¼ of Section 1, from C-1 (Local Business) to N1 (Neighborhood).

AUDIENCE COMMUNICATION

For the Regular meeting of August 21, 2023

SUSAN M. NASH, CITY CLERK

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



LETTER TO THE LIVONIA CITY COUNCIL

1.

Inspection
July 7, 2023

MEETING DATE

S072423/R080923

PREPARED BY

Jerome Hanna, Director of Inspection,

AGENDA ITEM

Findings and Order of the Hearing Officer regarding the demolition of a residential structure located at 37739 Seven Mile, in accordance with Chapter 15.52 (Dangerous Buildings and Structures) of the Livonia Code of Ordinances, as amended.

BACKGROUND DETAILS

Honorable Members of the City Council
City of Livonia

Reference: Public Hearing for the Demolition of Structures Located at 37739 Seven Mile

Dear Members of the City Council:

On March 22, 2023, a hearing was held in the Inspection Department relative to the demolition or repair of the above-referenced structures.

Based on the evidence presented at the hearing, the Hearing Officer determined that the residential structures and pool located at 37739 Seven Mile, Livonia, Michigan, are dangerous buildings as defined within the Livonia Code of Ordinances Chapter 15.52. It was further stipulated that the owner and all parties of interest were to demolish the structure and pool located at 37739 Seven Mile and remove all blight and debris from the site and that the permit for demolition is secured within thirty (30) days of the Hearing Officers order dated March 28, 2023.

The owner has failed to comply with the order dated March 28, 2023, and the condition of the property has continued to deteriorate.

Based on the above information, it is recommended that the City Council review the findings and order of the Hearing Officer in accordance with Chapter 15.52 of the Livonia Code of Ordinances, with an eye to enforcing the March 28, 2023 order.

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

Consider the request as submitted.

ATTACHMENTS

1. 37739 SEVEN MILE - ORDER OF THE HEARING OFFICER #2
2. 37739 seven mile letter 2
3. Loring 1
4. Loring 2
5. Loring 4
6. Loring 7
7. 37739 Seven Mile posting
8. 37739 Seven mile front

APPROVED BY



Jerome Hanna, Director of Inspection

Date: July 25, 2023



Paul Bernier, City Attorney

Date: July 26, 2023



Maureen Miller Brosnan, Mayor

Date: July 28, 2023

INSPECTION DEPARTMENT

BUILDING
HEATING
PLUMBING
ELECTRICAL
ZONING
ENVIRONMENTAL PROTECTION
ORDINANCE ENFORCEMENT



MAUREEN MILLER BROSNAN
MAYOR

JEROME A. HANNA
DIRECTOR

ROBERT STROBLE
ASSISTANT DIRECTOR

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2580
FAX (734) 466-2095

March 28, 2023

ORDER OF THE HEARING OFFICER

The Hearing Officer, Jeff Bowdell, having on March 22, 2023 held a hearing pursuant to Section 15.52.110 of the Livonia City Code, said hearing pertaining to the property, premises and single family residential structure located at 37739 Seven Mile, Livonia, Michigan and the representatives of the Inspection Department City of Livonia having presented evidence and testimony establishing that that the property is in violation of Section 15.52.010 of the Livonia City Code having presented evidence and testimony establishing the property is in violation of Section 15.52.010 of the Livonia City Code and the owners and/or parties in interest with respect to the property located at 37739 Seven Mile, Livonia, Michigan having been properly notified of the hearing in accordance with Section 15.52.060, 15.52.070 and 15.52.090; No owners or parties in interest attended the hearing.

IT IS HEREBY ORDERED THAT:

1. Based on the exhibits presented and the testimony of Jerome Hanna, Director of Inspection, including but not limited to the photographs presented, it is hereby determined that the single-family residential structure located at 37739 Seven Mile, Livonia, Michigan is a dangerous building within the terms of the Livonia City Code as the following conditions exist at the property:

Section 15.52.010, 15.52.020

- (F) The single-family residential structure is manifestly unsafe for the purpose for which it is or was being used.
- (H) The single-family structure, because of dilapidation, decay, faulty construction, and unsanitary conditions is unfit for human habitation.
- (J) The structure has been unoccupied for a period of one hundred eighty (180) days and is not listed as being available for sale, lease or rent with a real estate broker licensed under Article 25 of the Occupational Code, Act No. 299 of the Public Acts of 1980, being Sections 339.2501 to 339.2515 of the Michigan Compiled Laws.

ORDER OF THE HEARING OFFICER

March 28, 2023

37739 Seven Mile

Page 2

2. And that all parties in interest, namely Karen Ann Loring is ordered to demolish the single-family residential structure located at 37739 Seven Mile and remove all blight and debris from the site.
3. And that a permit for demolition be applied for within thirty (30) days from the date of this letter and include the removal of all blight and debris from the site. Demolition work shall comply with the standard specification for demolition within the City of Livonia.
4. In the event a permit for demolition is issued, the work pursuant to the permit shall commence within seven (7) days and be finalized within thirty (30) days.

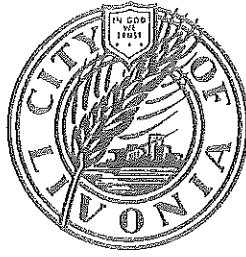
Jeff Bowdell, Hearing Officer

Dated: March 28, 2023

Jerome Hanna, Director of Inspection
Robert Stroble, Assistant Director of Inspection
Department of Law
Paul Bernier, City Attorney
Brian Kukula, Fire Marshal
Catherine Cillick, Homeowner

INSPECTION DEPARTMENT

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ORDINANCE ENFORCEMENT



MAUREEN MILLER BROSNAN
MAYOR

JEROME A. HANNA
DIRECTOR

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2580
FAX: (734) 466-2095

September 9, 2022

Ms. Karen Ann Loring
37739 Seven Mile Road
Livonia, MI 48152

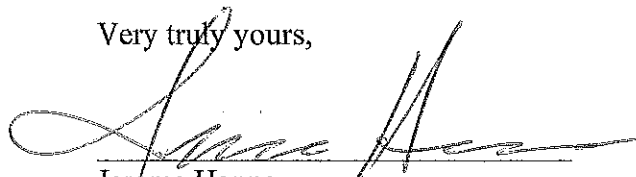
Subject: 37739 Seven Mile Road, Livonia, Michigan (Parcel 025 01 0001 000)
Show Cause Hearing, September 21, 2022, at 10:00 a.m.

Dear Property Owner:

On December 29, 2020, an inspection was made of the premises at 37739 Seven Mile Road, City of Livonia, at which time the building and/or structures located on said premises were found to be in an unsafe condition. A violation notice, (copy attached) dated January 8, 2021, was previously sent to you. After several inspections were made at the site, and no corrective measures made, we issued you a Show Cause notice (copy attached) with a hearing date of July 8, 2021, at 9:00 a.m. Ms. Loring was notified but failed to appear for the Show Cause Hearing. As of this date, no attempt has been made to secure permits for repair or demolition of the unsafe, dangerous building.

In accordance with Section 15.52 of the Livonia Code of Ordinances, you are hereby notified that a Hearing as to the condition of the building and/or structures located at the subject premises has been set for September 21, 2022. The Hearing will be held in the office of the Director of Building Inspection located in the Livonia City Hall Annex, 33000 Civic Center Drive, Livonia, Michigan at 10:00 a.m. It is requested that you and/or your representative attend the Hearing. At that time, you will be given the opportunity to show cause as to why the building and/or structures should not be ordered to be demolished or otherwise made safe.

Very truly yours,


Jerome Hanna
Director of Inspection

JH/kdt
Attachments

Cc: Department of Law
Paul Bernier, City Attorney
Brian Kukula, Fire Marshal
Jeff Bodell, Hearing Officer
Karen Ann Loring, 37739 Seven Mile Road, Livonia, Michigan

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

LORING KAREN ANN
37739 SEVEN MILE
LIVONIA, MI 48152

June 04, 2021

RE: 37739 SEVEN MILE

As provided by law, the subject property was inspected on 06/04/2021 and violations of city ordinances were noted. The following orders are issued for the correction of these violations and shall be complied with not later than 06/14/2021.

NOTICE OF VIOLATION

1. Do not reoccupy vacated structure. This dwelling is hereby declared dangerous. Occupancy is prohibited.

Livonia Code of Ordinance 15.52.010, 15.52.020 H, 15.52.030, 15.52.050

2. This building is declared unsafe, and it is hereby ordered to be demolished by the Inspection Department.

Livonia Code of Ordinance 15.52.010, 15.52.020, 15.52.030, 15.52.050

3. Secure the required permits and demolish the building which is unsafe.

Livonia Code of Ordinance 15.56.020 E, 15.52.030

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

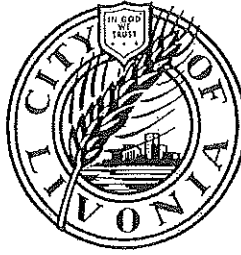
File: EN13-3294

Inspector: BOB STROBLE
Telephone (734) 466-2499

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.

INSPECTION DEPARTMENT

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MAUREEN MILLER BROSNAN
MAYOR

JEROME A. HANNA
DIRECTOR

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2580
FAX: (734) 466-2095

SHOWCAUSE HEARING

06/18/2021

KAREN LORING
EXTENDED STAY OF AMERICA
21555 HAGGERTY RD STE 121
NOVI, MI 48375

RE: 37739 SEVEN MILE

To Whom it May Concern:

On 06/14/2021 an inspection was made of the premises known as 37739 SEVEN MILE and you were found in violation of the requirements of the complied ordinance of the City of Livonia as follows:

1. Do not reoccupy vacated structure. This dwelling is hereby declared dangerous. Occupancy is prohibited.
Livonia Code of Ordinance 15.52.010, 15.52.020 H, 15.52.030, 15.52.050
2. This building is declared unsafe, and it is hereby ordered to be demolished by the Inspection Department.
Livonia Code of Ordinance 15.52.010, 15.52.020, 15.52.030, 15.52.050
3. Secure the required permits and demolish the building which is unsafe.
Livonia Code of Ordinance 15.56.020 E, 15.52.030

Accordingly, we are requesting you to appear at the Building Inspection Department, 33000 Civic Center Drive on July 8, 2021 at 9:00 a.m. to show cause or to explain your reasons for non-compliance.

Failure to respond to this letter will be interpreted as reasonable grounds for the Department to proceed with filing of the complaint in District Court.

BUILDING INSPECTION DEPARTMENT
CITY OF LIVONIA

JEROME HANNA
DIRECTOR

JH/hr



07/08/2015 14:36



08/03/2015 13:55



08/15/2018 13:34





Network: Mar 13, 2023 at 9:53:30 AM EDT

Local: Mar 13, 2023 at 9:53:30 AM EDT

N 42° 25' 30.033", W 83° 25' 8.303"

37739 7 Mile Rd

Livonia MI 48152

United States





LETTER TO THE LIVONIA CITY COUNCIL

2.

Inspection
July 12, 2023

MEETING DATE

PREPARED BY

Jerome Hanna, Director of Inspection,

AGENDA ITEM

Findings and Order of the Hearing Officer regarding the demolition of a residential structure located at 11033 Berwick, in accordance with Chapter 15.52 (Dangerous Buildings and Structures) of the Livonia Code of Ordinances, as amended.

BACKGROUND DETAILS

Honorable Members of the City Council
City of Livonia

Reference: Public Hearing for the Demolition of Structures Located at 11033 Berwick

Dear Members of the City Council:

On October 12, 2022, a hearing was held in the Inspection Department relative to the demolition or repair of the above-referenced structures.

Based on the evidence presented at the hearing, the Hearing Officer determined that the residential structures and detached garage located at 11033 Berwick, Livonia, Michigan, are dangerous buildings as defined within the Livonia Code of Ordinances Chapter 15.52. It was further stipulated that the owner and all parties of interest were to demolish the structure and detached garage located at 11033 Berwick and remove all blight and debris from the site and that the permit for demolition is secured within thirty (30) days of the Hearing Officers order dated December 2, 2022.

The owner has failed to comply with the order dated December 2, 2022, and the condition of the property has continued to deteriorate.

Based on the above information, it is recommended that the City Council review the findings and order of the Hearing Officer in accordance with Chapter 15.52 of the Livonia Code of Ordinances, with an eye to enforcing the December 2, 2022 order.

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

Consider the request as submitted.

ATTACHMENTS

1. 11033 berwick letter
2. 11033 Berwick Order of the Hearing Officer
3. 11033 berwick front
4. 11033 berwick roof
5. 11033 Berwick Back of home
6. 11033 Berwick Back
7. 11033 Berwick posting

APPROVED BY



Jerome Hanna, Director of Inspection

Date: July 25, 2023



Paul Bernier, City Attorney

Date: July 26, 2023

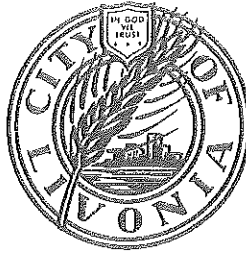


Maureen Miller Brosnan, Mayor

Date: July 28, 2023

INSPECTION DEPARTMENT

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ORDINANCE ENFORCEMENT



MAUREEN MILLER BROSNAN
MAYOR

JEROME A. HANNA
DIRECTOR

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2580
FAX: (734) 466-2095

September 9, 2022

Ms. Kathryn C. Cillick
119 Central Ave
Bogota, NJ 07603

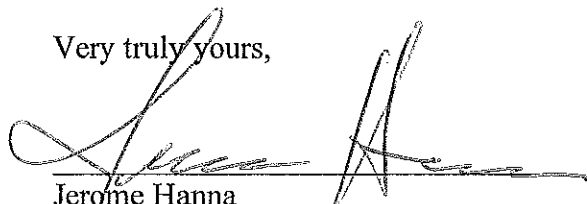
Subject: 11033 Berwick, Livonia, Michigan (Parcel 133 02 0456 000)
Show Cause Hearing, September 21, 2022, at 10:30 a.m.

Dear Property Owner:

On July 1, 2021, an inspection was made of the premises at 11033 Berwick, City of Livonia, at which time the building and/or structures located on said premises were found to be in an unsafe condition. A violation notice, (copy attached) dated January 8, 2021, was previously sent to you. After several inspections were made at the site, and no corrective measures made, we issued you a Show Cause notice (copy attached) with a hearing date of July 8, 2021, at 9:00 a.m. Ms. Cillick was notified but failed to appear for the Show Cause Hearing. As of this date, no attempt has been made to secure permits for repair or demolition of the unsafe, dangerous building.

In accordance with Section 15.52 of the Livonia Code of Ordinances, you are hereby notified that a Hearing as to the condition of the building and/or structures located at the subject premises has been set for September 21, 2022. The Hearing will be held in the office of the Director of Building Inspection located in the Livonia City Hall Annex, 33000 Civic Center Drive, Livonia, Michigan at 10:00 a.m. It is requested that you and/or your representative attend the Hearing. At that time, you will be given the opportunity to show cause as to why the building and/or structures should not be ordered to be demolished or otherwise made safe.

Very truly yours,



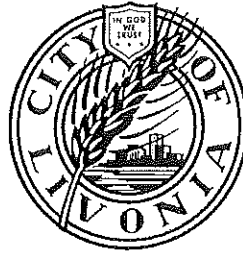
Jerome Hanna
Director of Inspection

JH/kdt
Attachments

Cc: Department of Law
Paul Bernier, City Attorney
Brian Kukula, Fire Marshal
Jeff Bodell, Hearing Officer
Ms. Kathryn C. Cillick, 119 Central Ave. Bogota, New Jersey 07603

INSPECTION DEPARTMENT

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ZONING
SANITATION
ENVIRONMENTAL PROTECTION
ORDINANCE ENFORCEMENT



MAUREEN MILLER BROSNAN
MAYOR

JEROME A. HANNA
DIRECTOR

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2580
FAX: (734) 466-2095

SHOWCAUSE HEARING

07/13/2021

KATHRYN CILICK
11033 BERWICK
LIVONIA MI 48150

RE: 11033 BERWICK

To Whom it May Concern:

On 07/13/2021 an inspection was made of the premises known as 11033 BERWICK and you were found in violation of the requirements of the complied ordinance of the City of Livonia as follows:

1. The structure, house, is condemned.
This structure is damaged and dilapidated and found to be dangerous to life, health, property or safety of the public.
Livonia Code of Ordinances 15.32.040
IPMC2012 108.1.1, 108.3, 108.4
2. Secure structures immediately against trespass. Secure permits and demolish unsafe structures to include house and detached garage.
MRC2015 R105.1 Livonia Code of Ordinances 15.04.060

Accordingly, we are requesting you to appear at the Building Inspection Department, 33000 Civic Center Drive on July 22, 2021 at 9:00 a.m. to show cause or to explain your reasons for non-compliance.

Failure to respond to this letter will be interpreted as reasonable grounds for the Department to proceed with filing of the complaint in District Court.

BUILDING INSPECTION DEPARTMENT
CITY OF LIVONIA

JEROME HANNA
DIRECTOR

INSPECTION DEPARTMENT

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MAUREEN MILLER BROSNAN
MAYOR

JEROME A. HANNA
DIRECTOR

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2580
FAX: (734) 466-2095

SHOWCAUSE HEARING

07/14/2021

KATHRYN CILICK
119 CENTRAL AVE
BOGOTA, NJ 07603

RE: 11033 BERWICK

To Whom it May Concern:

On 07/13/2021 an inspection was made of the premises known as 11033 BERWICK and you were found in violation of the requirements of the complied ordinance of the City of Livonia as follows:

1. The structure, house, is condemned.
This structure is damaged and dilapidated and found to be dangerous to life, health, property or safety of the public.
Livonia Code of Ordinances 15.32.040
IPMC2012 108.1.1, 108.3, 108.4
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MRC2015 R105.1 Livonia Code of Ordinances 15.04.060

Accordingly, we are requesting you to appear at the Building Inspection Department, 33000 Civic Center Drive on July 22, 2021 at 9:00 a.m. to show cause or to explain your reasons for non-compliance.

Failure to respond to this letter will be interpreted as reasonable grounds for the Department to proceed with filing of the complaint in District Court.

BUILDING INSPECTION DEPARTMENT
CITY OF LIVONIA

JEROME HANNA
DIRECTOR

INSPECTION DEPARTMENT

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ZONING
ENVIRONMENTAL PROTECTION
ORDINANCE ENFORCEMENT



MAUREEN MILLER BROSNAN
MAYOR

JEROME A. HANNA
DIRECTOR

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154-3097
(734) 466-2580
FAX: (734) 466-2095

December 2, 2022

ORDER OF THE HEARING OFFICER

The Hearing Officer, Jeff Bowdell, having on October 12, 2022 held a hearing pursuant to Section 15.52.110 of the Livonia City Code, said hearing pertaining to the property, premises and single family residential structure located at 11033 Berwick, Livonia, Michigan and the representatives of the Inspection Department City of Livonia having presented evidence and testimony establishing that that the property is in violation of Section 15.52.010 of the Livonia City Code having presented evidence and testimony establishing the property is in violation of Section 15.52.010 of the Livonia City Code and the owners and/or parties in interest with respect to the property located at 11033 Berwick, Livonia, Michigan having been properly notified of the hearing in accordance with Section 15.52.060, 15.52.070 and 15.52.090; No owners or parties in interest attended the hearing.

IT IS HEREBY ORDERED THAT:

1. Based on the exhibits presented and the testimony of Jerome Hanna, Director of Inspection, including but not limited to the photographs presented, it is hereby determined that the single-family residential structure located at 11033 Berwick, Livonia, Michigan is a dangerous building within the terms of the Livonia City Code as the following conditions exist at the property:

Section 15.52.010, 15.52.020

- (F) The single-family residential structure is manifestly unsafe for the purpose for which it is or was being used.
- (H) The single-family structure, because of dilapidation, decay, faulty construction, and unsanitary conditions is unfit for human habitation.
- (J) The structure has been unoccupied for a period of one hundred eighty (180) days and is not listed as being available for sale, lease or rent with a real estate broker licensed under Article 25 of the Occupational Code, Act No. 299 of the Public Acts of 1980, being Sections 339.2501 to 339.2515 of the Michigan Compiled Laws.

ORDER OF THE HEARING OFFICER

December 2, 2022

11033 Berwick

Page 2

2. And that all parties in interest, namely Catherine Cillick is ordered to demolish the single-family residential structure located at 11033 Berwick and remove all blight and debris from the site.
3. And that a permit for demolition be applied for within thirty (30) days from the date of this letter and include the removal of all blight and debris from the site. Demolition work shall comply with the standard specification for demolition within the City of Livonia.
4. In the event a permit for demolition is issued, the work pursuant to the permit shall commence within seven (7) days and be finalized within thirty (30) days.

Jeff Bowdell, Hearing Officer

Dated: December 2, 2022

Jerome Hanna, Director of Inspection
Robert Stroble, Assistant Director of Inspection
Department of Law
Paul Bernier, City Attorney
Brian Kukula, Fire Marshal
Catherine Cillick, Homeowner

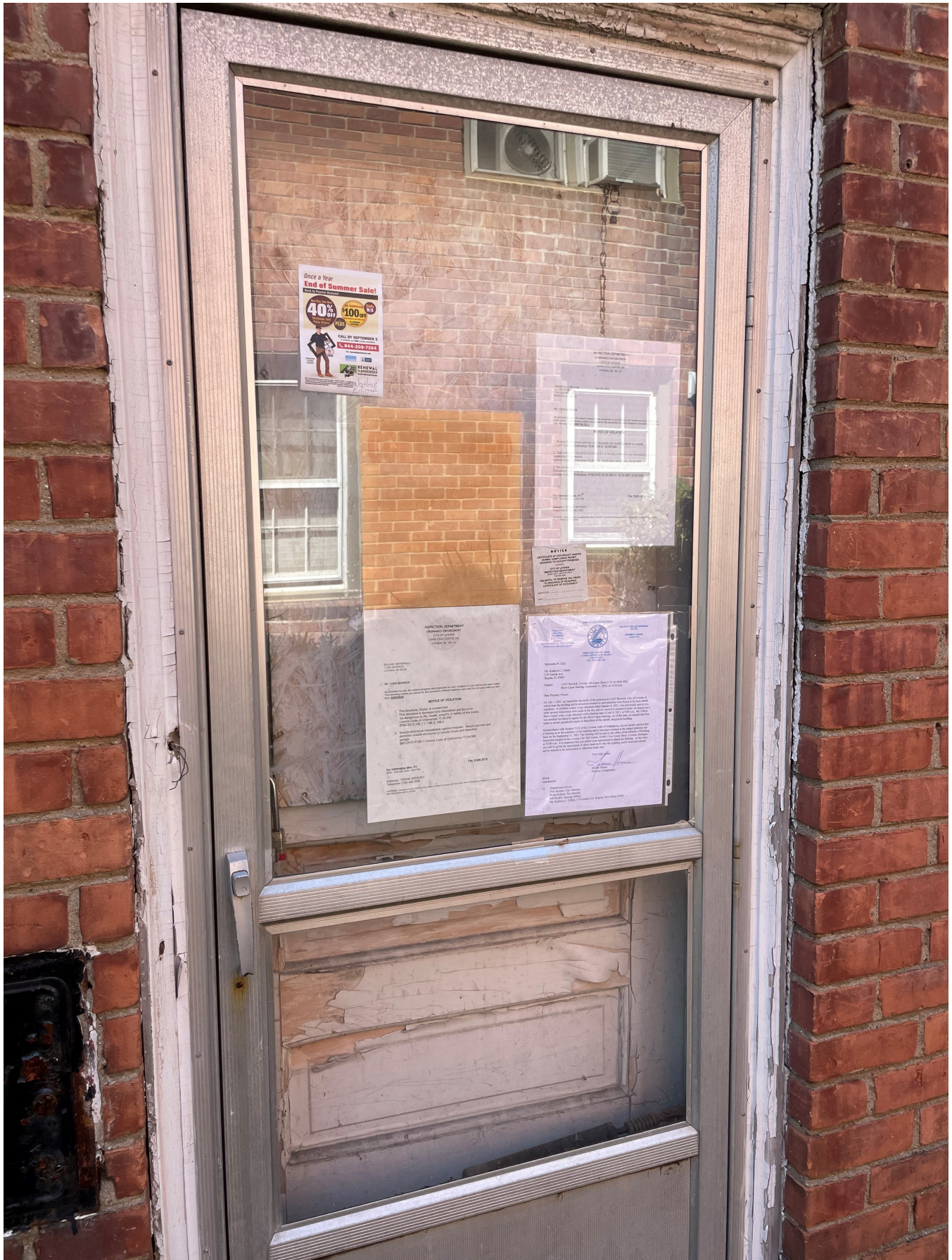


May 1, 2023 at 2:25:38 PM
11033 Berwick St
Livonia MI 48150
United States











LETTER TO THE LIVONIA CITY COUNCIL

2.

Inspection
July 12, 2023

MEETING DATE

PREPARED BY

Jerome Hanna, Director of Inspection,

AGENDA ITEM

Findings and Order of the Hearing Officer regarding the demolition of a residential structure located at 11033 Berwick, in accordance with Chapter 15.52 (Dangerous Buildings and Structures) of the Livonia Code of Ordinances, as amended.

BACKGROUND DETAILS

Honorable Members of the City Council
City of Livonia

Reference: Public Hearing for the Demolition of Structures Located at 11033 Berwick

Dear Members of the City Council:

On October 12, 2022, a hearing was held in the Inspection Department relative to the demolition or repair of the above-referenced structures.

Based on the evidence presented at the hearing, the Hearing Officer determined that the residential structures and detached garage located at 11033 Berwick, Livonia, Michigan, are dangerous buildings as defined within the Livonia Code of Ordinances Chapter 15.52. It was further stipulated that the owner and all parties of interest were to demolish the structure and detached garage located at 11033 Berwick and remove all blight and debris from the site and that the permit for demolition is secured within thirty (30) days of the Hearing Officers order dated December 2, 2022.

The owner has failed to comply with the order dated December 2, 2022, and the condition of the property has continued to deteriorate.

Based on the above information, it is recommended that the City Council review the findings and order of the Hearing Officer in accordance with Chapter 15.52 of the Livonia Code of Ordinances, with an eye to enforcing the December 2, 2022 order.

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

Consider the request as submitted.

ATTACHMENTS

1. 11033 berwick letter
2. 11033 Berwick Order of the Hearing Officer
3. 11033 berwick front
4. 11033 berwick roof
5. 11033 Berwick Back of home
6. 11033 Berwick Back
7. 11033 Berwick posting

APPROVED BY



Jerome Hanna, Director of Inspection

Date: July 25, 2023



Paul Bernier, City Attorney

Date: July 26, 2023



Maureen Miller Brosnan, Mayor

Date: July 28, 2023



LETTER TO THE LIVONIA CITY COUNCIL

3.

Planning
July 13, 2023

MEETING DATE

PREPARED BY

Stephanie Reece, Program Supervisor,

AGENDA ITEM

Petition 2023-04-01-03 submitted by Michael Morad, requesting to rezone the property at 20180 Westmore Street, located on the east side of Westmore Street between Farmington Road and Shadyside Street in the Northwest ¼ of Section 3, from N2 (Neighborhood) to RUF (Rural Urban Farm).

BACKGROUND DETAILS

July 12, 2023

Honorable Members of the City Council
City of Livonia, Michigan

Re: Petition 2023-04-01-03 - Michael Morad

Dear Council Members:

At the 1,201st Public Hearings and Regular Meeting held by the City Planning Commission on July 11, 2023, the following resolution was adopted:

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

#07-46-2023 RESOLVED, That the City Planning Commission does hereby recommend to the City Council that Petition 2023-04-01-03 submitted by Michael Morad under Sections 13.13 and 13.15 of the Livonia Zoning Ordinance, as amended, requesting to rezone the property at 20180 Westmore Street, located on the east side of Westmore Street between Farmington Road and Shadyside Street in the Northwest ¼ of Section 3, from N2 (Neighborhood) to RUF (Rural Urban Farm)7, be approved for the following reasons:

1. The Petitioner has voluntarily offered a conditional zoning agreement pursuant to MCL 125.3405 of the Michigan Zoning Enabling Act, Act 110 of 2006, as amended, that includes a statement of conditions for maintaining chickens on the property.
2. The RUF zoning is appropriate given the Petitioner's unique circumstances.
3. The proposed RUF zoning is compatible with the area's surrounding land uses.

4. The proposed zoning change represents a reasonable and logical plan for the subject property that adheres to sound land use planning principles.

5. The proposed zoning change would allow the use of the subject property in a manner consistent with its size and location.

FURTHER RESOLVED, That notice of the above hearing was given in accordance with the provisions of Section 13.13 and 13.15 of Livonia Zoning Ordinance, as amended.

ATTACHMENTS

1. 2023-04-01-03_E-COUNCIL Pkt

APPROVED BY



Mark Taormina, Planning and Economic Development Director

Date: July 18, 2023



Maureen Miller Brosnan, Mayor

Date: July 20, 2023

Petition 2023-04-01-03 submitted by Michael Morad under Sections 13.13 and 13.15 of the Livonia Zoning Ordinance, as amended, requesting to rezone the property at 20180 Westmore Street, located on the east side of Westmore Street between Farmington Road and Shadyside Street in the Northwest ¼ of Section 3, from N2 (Neighborhood) to RUF (Rural Urban Farm).

REZONING APPLICATION
CITY OF LIVONIA, MICHIGAN

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

Date Filed: 4/25/23 Petition 2023-04-01-03

Site Address: 20180 westmore Sidwell 010 99 0008000

Requesting To Rezone Property From R2 To RUF

For the Following Reason (s) Legally and responsibly own chickens

Applicant: Michael Morad Business/Company: _____

Applicant's Address: 20180 westmore City: Livonia State: MI Zip Code: 48152

Applicant's Phone # (734) 620-7148 Applicant's Email Morad9490@gmail.com

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

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

RECEIVED
APR 26 2023
CITY OF LIVONIA
PLANNING COMMISSION

Owner of Property: Michael & Megan Morad

Owner's Address: 20180 westmore City: Livonia State: MI Zip Code: 48152

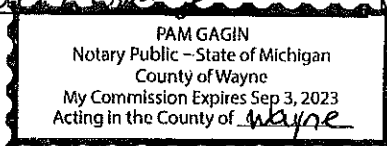
Owner's Phone # (734) 620-7148 Owner's Email Morad9490@gmail.com

Signature of Owner: [Signature] Print Name: MEGAN MORAD

Subscribed and sworn to before me, a Notary Public in and for the County of Wayne State of Michigan

on this 25th day of April 20 23

Signature of Notary [Signature] My commission expires 9/3/2023



APPROVED AS FORM
Department of Law

By: Michael E. [Signature]

Date: 4/26/2023

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

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

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

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

Members absent: None

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

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

ITEM #1 PETITION 2023-04-01-03

Michael Morad

Mr. Caramagno, Secretary, announced the first item on the agenda, Petition 2023-04-01-03 submitted by Michael Morad under Sections 13.13 and 13.15 of the Livonia Zoning Ordinance, as amended, requesting to rezone the property at 20180 Westmore Street, located on the east side of Westmore Street between Farmington Road and Shadyside Street in the Northwest ¼ of Section 3, from N2 (Neighborhood) to RUF (Rural Urban Farm).

Mr. Taormina: Thank you, Mr. Chairman, This is a request to rezone a single residential property from N2 (Neighborhood) to RUF (Rural Urban Farm). This is an unplatted property located east of Farmington Road and south of Eight Mile Road at the corner of Norfolk and Westmore Avenues. The purpose of the zoning change is to allow the property owners to keep chickens on their property. RUF zoning under Section 6.34 allows the keeping of animals including fowl on properties with one half acre or more of land. The RUF district also requires a minimum lot size of 15,000 square feet. The Morad's property measures 176 feet by 225 feet for a total of 39,600 square feet or 0.91 acres, which exceeds both of these requirements. In addition to the main residence and a detached garage, the site plan shows a small chicken coop that measures 7' x 7' along with a 13' x 7' fenced-in enclosure or chicken run. The chicken coop and the chicken run are located in the property's rear northeast corner. The applicant currently maintains roughly 16 chickens on the property. The surrounding area consists mostly of residential. To the north, the east and to the south are single family homes, most of which are part of the Folker's Farmington Acres subdivision. West, across Westmore Street, is the Pinebrook Office Park, zoned C-1 (Local business). The Livonia Vision Future Land Use Plan designates the subject area as low density residential. A little bit of history about the zoning of the property. Before Livonia became a city, the zoning of this part of Section 3 of the Township was AG (Agriculture). When the city was incorporated in 1950, with the adoption of Zoning Ordinance 60, the area was rezoned to RUF in 1961. Much of the north half of the Section was rezoned from RUF to a classification called RLA, which stood for Residential Large Lot. Then, in 1965 with the adoption of Ordinance #543, the RLA district became R-3. Finally, with the adoption of the Livonia Vision 21 Zoning Ordinance, now the Livonia Zoning Ordinance, the R-3 district became the N2 zoning. There have been two failed attempts to change the zoning of this part of Section 3, including the subject property, back to the RUF classification. The first attempt was in 1979 when a request to change the area from R-3 back to RUF was rejected. The second petition occurred in 1987, and that too was denied. In staff's opinion, concerns over the future effects of changing the zoning of this property could be addressed through a conditional zoning agreement, which, if voluntarily offered by the applicant, could impose limitations, such as the type and number of farm animals, how and where they're kept, as well as what happens should the applicants move. This conditional zoning agreement could be presented to City Council before the final adoption of

any zoning change. I will now read the departmental correspondence.

Mr. Wilshaw: Yes, please.

Mr. Taormina: We received a number of letters from residents. I won't read all of those, since each of the commissioners has a copy of those. I will just indicate how many...there were seven letters representing 10 homes that support the petition and then eight emails or letters were received, that were opposed. The first item is from the Engineering Division, dated May 12, 2023, which reads as follows: *"In accordance with your request, the Engineering Division has reviewed the above referenced petition. We have no objections to the proposed rezoning at this time. The subject parcel is assigned the address of #20180 Westmore Avenue. The existing parcel is currently serviced by public sanitary sewer, water main and storm sewer. Per the submittal, there are no planned alterations to the sanitary sewer and water main services, so we do not expect any impacts to the existing systems at this time."* The letter is signed by David W. Lear, P.E., Assistant City Engineer. The next letter is from the Finance Department, dated May 19, 2023, which reads as follows: *"I have reviewed the addresses connected with the above noted petition. As there are no outstanding amounts receivable, general or water and sewer, I have no objections to the proposal."* The letter is signed by Connie Kumpula, Chief Accountant. The next letter is from the Treasurer's Department, dated May 31, 2023, which reads as follows: *"In accordance with your request, the Treasurer's Office has reviewed the address connected with the above noted petition. At this time, there are no outstanding amounts receivable for taxes. Therefore, I have no objections to the proposal."* The letter is signed by Lynda Scheel, Treasurer. That is the extent of the correspondence.

Mr. Wilshaw: Thank you, Mr. Taormina. As you noted, there are a number of emails and letters that we received from residents. Those are in our packet; we will receive and file those with the packet and it will stay with this item as it moves forward. So, we appreciate the people who have submitted those comments. Is there any questions for the planning staff from any of our commissioners, Dave,

Mr. Bongero: Mr. Chair, for Mark, so the conditional zoning, that'd be something we'd vote on tonight?

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- Mr. Taormina: It is something that you could include in the resolution, depending on the applicant's willingness to enter into such a thing. So, if the Commission seems that would be a plausible resolution to some of the issues involving this item, and there's a willingness on the part of the applicant to engage in a conditional zoning agreement, then it can be referenced in an approving resolution that would then be forwarded to City Council, and City Council would actually review the document before final adoption of any zoning change.
- Mr. Bongero: Okay, so then we wouldn't be talking RUF? It would still be in RUF?
- Mr. Taormina: It would be attached to the RUF zoning.
- Mr. Bongero: Okay, but with conditions that this is...you can only have so many animals, there's only this type, and that's it. Right?
- Mr. Taormina: Right. Again, keep in mind that these are conditions that have to be voluntarily offered by the applicant. They cannot be conditions that you impose upon the applicant and which they object to.
- Mr. Bongero: Okay.
- Mr. Taormina: That is a stipulation of the statute, which allows this to occur.
- Mr. Bongero: So, they would have to offer.
- Mr. Taormina: That is correct.
- Mr. Bongero: Thank you.
- Mr. Wilshaw: Thank you, Mr. Bongero. Good question.
- Ms. Dinero: Mark has...is there a precedent or has this ever happened where we rezone just one parcel in the neighborhood?
- Mr. Taormina: It's happened a couple of times over the years that I've been here, under various circumstances, sometimes involving non-issues of non-conformities. However, I cannot recall a rezoning case like this involving the keeping of animals. But that's not to say that it's never happened. In my tenure, which is now closing on 25 years, I cannot recall something like this.

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Mr. Wilshaw: Thank you Ms. Dinaro. Any other questions for staff? Mr. Ventura?

Mr. Ventura: Mark, at our study session, we had a discussion that the petitioner may have, by virtue of a prescriptive letter from a counselor, may have a right that supersedes any zoning to keep the chickens that they desire to have and this was being studied by the Law Department, and we're going to be guided by that if the Law Department gave us an opinion prior to tonight's meeting, how has the law department, if they have it all come down on this matter?

Mr. Taormina: I have discussed this matter with the Law Department, but they believe that the Morad's are doing the right thing by seeking the zoning change, realizing that their claim under the American with Disabilities Act (ADA) is probably one that could very well be upheld, and hence proceeding through the zoning change is the proper course of action to eliminate any non-conformities. What action would be taken if the zoning change is not approved? I can't answer that. I don't know, but the claim under the ADA is...could be a real one and the city may have to accept that.

Mr. Ventura: Regardless of the zoning?

Mr. Taormina: Regardless of the zoning.

Mr. Ventura: Thank you.

Mr. Wilshaw: Thank you, Mr. Ventura. Any other questions for our staff? If not, our petitioners in the audience tonight. If you'd like to come forward, we'd like to hear from you. We'll ask that you start with your name and address for our record.

Michael Morad, 20180 Westmore, Livonia, MI..

Mr. Wilshaw: Thank you, Mr. Morad. Is there anything else that you'd like to add to what's been already said tonight?

Mr. Morad: No, I think guys have covered pretty good part of it as well. But, you know, we are willing to, you know, meet some conditions if necessary. As mentioned, as mentioned before, but you know, those would have to be discussed, but I mean, we're more than open to pretty much any, any conditions with it. We don't have roosters. We don't have any noise. You know, there's no noise early on. They are limited to the outside. So, we have an

automatic door that opens at eight o'clock every morning. So, they're not out, you know, very early, and that is you know, just respect to the neighbors and keep the noise down and whatnot. Not that they're very noisy. I know a few of you have stopped by and checked it out, and what you heard is what you heard and what you smelled is what you smell. They don't smell. We do follow the Generally Accepted Agricultural and Management Practices (GAAMP), which is like a practice from MDARD, about manure and things like that, and that's how we clean it out. I do clean it. The coop is cleaned every two weeks. It's kept clean. I live there. I like my backyard. It's a big property. I enjoy it. My son, our son, is out there and our next son will be out there. I don't want to walk in it. We try and keep it as keep as clean as we can. Friendly as we can for everybody else. We've had a lot of support from all of our neighbors. People we've never, you know, people we've never met before stop by all the time and want to check it out. Want to know what's going on, especially since that sign has been out there, but we've had just a outpour of support from people that live even on the other side of the neighborhood. They want them too, you know, they want to know how it goes because they want them too. I think they're a good thing. We also...I forgot to mention this last week as well. You know the waste in our house has gone down. All of our food scraps go into a bowl, it's all kept. Everything is kept inside of the coop as well. Nothing is put out into the run that's outside. Everything is kept into that coop. That door also closes at...I adjust it throughout the year depending on when daylight or when you know, when the sun goes down. Right now, it closes at about 9:45 So, everything is kept inside and nothing can get in there and we keep it that way. I don't want food. I don't want water out there. I don't want to track any other animals or any other issues. But we...all of our table scraps, all of our food scraps go right to them. So we've eliminated a lot of our, you know, just waste from our house. We feed them all kinds of different stuff, but you know we support local businesses. I always buy everything from Chap's, right off of Middle Belt, and I'll continue to do that for everything that I do around my house too. But especially the feed, and all the pine shavings for the bedding and everything else, try and buy as much as I can from them and support local guys. But any of the conditions, if anybody wants to discuss those, and we're more than willing. We do have 16 right now. I don't see that number going much higher. You know, as they get older, we'll probably, you know, phase new chickens in, so there will be, you know, a couple more here and there. But I don't see that number ever reaching 20. That was discussed also, how many chickens we

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can keep on an acre. That number is pretty high. We don't ever aim to reach that number. But, you know, we're well below the accepted number for keeping chickens on an acre. So that's about it.

Mr. Wilshaw: Okay, thank you. Mr. Morad, you've given us a lot of information. I think we might have some questions for you. Yeah. Let's see if there's any questions from any of the commissioners for our petitioner.

Mr. Bongero: Mr. Moran, I met you the other night, and I got a chance to see everything is nice and neat and clean over there. Explain with 16 chickens, how many eggs can you get? Like when they're really producing like...what's the amount of eggs?

Mr. Morad: That's dependent on the breed of the chicken as well. But usually, it's about, you know, one to two a day, could be three for some breeds that are really hearty to produce. During the summer months, right now, they're not old enough, we don't get them. But you know, as the summer goes on the next couple of weeks, we should start seeing them. But we'll probably see, like, minimum one to one a day from each chicken within the next, you know, a little bit.

Mr. Bongero: So, with that, do you intend on selling them or the extra eggs or

Mr. Morad: No, we do not sell. We you know, hand them out to families, friends, neighbors, pretty much anybody that'll take them, because we will end up getting overrun with them. We also, as discussed in the meeting last week, it's an odd thing but you cook them down and feed them back to them with the shells as well because the calcium helps them produce better and you know, larger eggs. So, we do that as well, once they have reached their shelf life on the, you know, on the counter, but they do last for a very long time...we don't refrigerate them, they last for a very long time on just the counter by themselves. As opposed to the ones that you buy from the store because they are washed from the store and when you don't wash them when they come right out, they are they have like a protective. It's not it's not there's nothing you can see. But it's like a protective layer that's on them. And as long as you keep that on there, they'll last for like three to four weeks on a counter.

Mr. Bongero: Gotcha. So, I know we talked about...the neighbor behind us they have chickens, and I never hear him and...but I do hear a rooster and it's hilarious. We don't mind. It starts about 430 in

the morning. He goes at night, and we laugh because we think...it's...I love him. I really do. But it came up and I asked you if you had any intention of getting a rooster because I could see where that could be annoying, but you would never have a new rooster.

Mr. Morad: No. My wife will never allow it either. Her uncle had one. It was not nice. They can be nice; They cannot be nice. It depends on the rooster, and it depends on the people that are around. But, you know, we don't want one. We don't want fertilized eggs, you know, but we just don't want one for just safety as well.

Mr. Bongero: So with that, and I'm done...you would consider Mark's offer of a conditional zoning?

Mr. Morad: Absolutely.

Mr. Bongero: Okay, thank you. Thank you, Mr. Chair.

Mr. Wilshaw: Any additional questions?

Mr. Morad: If there's anybody that I don't know who got a chance to stop by and, who didn't. You know, like David said he had stopped by yesterday, but I do have a printed picture. I don't know if you want to pass it around.

Mr. Wilshaw: You can hand it to Ms. Reece, and she'll pass it on.

Mr. Morad: So, this is what we have set up right now.

Mr. Wilshaw: That's helpful. Thank you. Yeah. Any questions from any other commissioners as that comes around?

Mr. Wilshaw: This is your coop, correct?

Mr. Morad: Yeah. That is the coop and the run. Yep.

Mr. Wilshaw: Okay. Thank you. And that's how that's how it's set up? That's how it'll stay.

Mr. Long: Thank you. You mentioned that the door opens automatically at 8am, and so I imagine they come out at their leisure.

Mr. Morad: Yes.

- Mr. Long: And then it closes automatically at different times depending on daylight. So, do you have to go out and corral them back in? Do they know that the doors...is there like a bell that goes off, like a five-minute bell? How do they know to get back in?
- Mr. Morad: It's takes a couple of weeks, but we just checked on them at night after I knew that door would close when we let the dogs out for the last time at night. I would just go out there with the flashlight really quick and check, and we had a few stragglers, but I still check out every night just to make sure that none of them get left out, then I'll put them back in there if need be. But the last two to two and a half weeks haven't had any stragglers outside. So, they just they kind of learn. They just learn.
- Mr. Long: I get it. So, they learn but you do have a check, so if for some reason you were out of town, what happens? I know there was some correspondence at your old neighborhood where people would keep an eye on them. So, what's your plan if you're not around?
- Mr. Morad: Generally, if we're not around, my mother-in-law does stay at our house because we have dogs just to keep them at our house because they're fenced in there. They don't have a fence at their house, and generally, if we're gone, she's probably staying with our child. So, usually there's somebody there. We don't really plan on taking any long vacations, but we would have, you know, a friend sit over as well, to watch the dogs. We don't board our dogs. So they're at the house.
- Mr. Long: If we, I guess this is to Mark, if we change the zoning to RUF, his pledge not to have roosters notwithstanding, he could have roosters if it was changed to RUF. Is that correct?
- Mr. Taormina: Well, any violations of a conditional zoning agreement could be reason for the zoning to revert back to N2.
- Mr. Long: So, if we had that in the conditions, that he couldn't have a rooster, then that would be a violation, but if we just change it to RUF, he could have roosters. Is that correct?
- Mr. Taormina: Yes.
- Mr. Long: So, if we just made a unilateral change without any conditions, then we're opening the door to that he may not want them, but the zoning would be changed, and the next person might come in and decide that they want it.

Mr. Taormina: Right.

Mr. Long: So, we definitely need safeguards if we're going to...

Mr. Taormina: That would be my suggestion.

Mr. Long: Okay. Thank you. Thank you, Mr. Chair.

Mr. Wilshaw: Thank you, Mr. Long, and correct me if I'm wrong, Mr. Taormina. If we're going to do a conditional rezoning, that occurs at the City Council level, that's not something that we will really noodle out at this stage of the game, because it's the petitioner that has to offer the conditions such as, I will not have a rooster, or I'll only have 20 chickens or whatever they choose to offer. They will have to offer that to City Council. So, at our stage, we can't really...we won't see those conditions.

Mr. Taormina: You could if you elect to postpone this to receive a draft of the agreement. Otherwise, you could recommend to City Council that a conditional zoning agreement be considered as part of this zoning change and list some of the items which the applicant has agreed to.

Mr. Wilshaw: Okay, and then that way, at least there's a record that can move on to the council. So, they have an idea what we're looking for.

Mr. Taormina: Right.

Mr. Wilshaw: Okay, Mr. Long.

Mr. Long: Okay. Well, that's certainly one way to go. I guess another question would be then also, if we denied it, the petitioner would have 10 days to appeal to City Council, and they could come up with the regulations that they're willing to submit to, as part of their...

Mr. Taormina: Well, yes. Because this is a zoning change, it automatically goes to council, so there would be no need, regardless of what your decision is tonight. It's going to automatically go to the council for a second public hearing.

Mr. Long: Thank you. Thank you, Mr. Chairman.

Mr. Wilshaw: Thank you, Mr. Long. And I think those discussions are helpful for the folks in our audience as well to have a feel for how this is

going to proceed. We are a recommending body and we're going to make a recommendation of this zoning, either for or against, which will then go on to City Council. So, you're going to go through this whole process, again, have a public hearing and a vote at the council level as well. So, you understand as a petitioner and also anyone in the audience who's following this item. Any other questions? Ms. Dinaro.

Ms. Dinaro: This is for Mark. This is probably for you. If we do conditional rezoning, could we make it so it doesn't run with the land? It reverts back after the sale of the property.

Mr. Taormina: You cannot do that. He can offer that, and you can accept it.

Mr. Wilshaw: Got it. All right. Thank you for that question. Any other questions for our petitioner or our staff Mr. Ventura?

Mr. Ventura: So, we're trying to get this done, but it appears to me and I'm saying this to you, but it appears to me and Mark, I'd like you to chime in here, that you have not come to us tonight with a petition with conditions, number one. Number two, we are precluded from offering conditions to you. We just can't sit here and say, we're going to approve this with the following conditions. That's not within our power, so we're in a position where we can deny you tonight and you can then go to the City Council, because you're automatically going to go there with conditions that you would offer to them, or we could do something called tabling this tonight. You could then consult with Mr. Taormina and the planning staff to come up with the conditions that you would be willing to live with and then you'd come back to us in a week or two, and we would then have the opportunity to approve you with the conditions that you've had worked out with Mr. Taormina and the planning staff. So, have I said anything wrong or...?

Mr. Taormina: No.

Mr. Ventura: So, I guess what would you like us to do tonight? If a straight-out approval is not...

Mr. Morad: Yeah. So, we would have to have conditions, like written out for you guys, correct? It can't just be like....

Mr. Ventura: It would have to be part of our documentation offered to us by you as part of your petition.

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- Mr. Morad: Okay. Yeah, yeah, I'd like to do that.
- Mr. Ventura: So, you would prefer that we table it tonight and give you an opportunity to do the conditions and then come back to us. Is that what you're telling me?
- Mr. Morad: Yes.
- Mr. Ventura: Okay, thank you. Thank you, Mr. Wilshaw.
- Mr. Wilshaw: Thank you, Mr. Ventura.
- Mr. Long: I wanted to make sure...that's fine, we can do it the way that you agreed to with Mr. Ventura. That will slow the process down as long as you're okay with that.
- Mr. Morad: I mean, if that gives us the greater you know, you can...
- Mr. Long: That way you can have a yes recommendation, potentially, have a yes recommendation from us, but either way, City Council will still have the final say.
- Mr. Morad: Yeah, yeah. No, that...Yeah, that's fine. I understand that but that's totally fine.
- Mr. Wilshaw: Thank you. I would make some joke about getting his ducks in a row, but there are the other questions from the commissioners.
- Mr. Caramagno: So, Pete and Glenn, I heard what you said, and it seems logical to go that route, no doubt about it. What also seems logical and reasonable to me would be, you have a split decision in the neighborhood, it sounds like there. You've got seven or eight for you, seven or eight against you. I would...I think you should go back to those neighbors and come up with an understanding that maybe you can swing a few more that don't oppose you. This is a good opportunity to have a conversation and say, Listen, I'm not trying to build a zoo here. I'm trying to keep 15-16 chickens, and nothing else. No llamas, no cows, no goats. And, you know, you might have neighbors with dogs that are gonna be barking at these chickens all night long. There might be more to the story here that you can do to appease some of your neighbors and have a friendly resolution for this, and then again, maybe not at all, but I think it's a good opportunity. Even the ones you don't like, and they don't like you, and to try to have a conversation, a conversation. Maybe you come to some agreement.

Mr. Morad: I just have one. How do I...do I get the letters that were sent in to you guys? Or how do i...they are public? Because I have no idea how or who sent letters who did I mean?

Mr. Wilshaw: It's all public record, we can get to that you.

Mr. Morad: Okay.

Mr. Morad: So, my only other question is regarding the letter from my wife, which we had discussed last week. I obviously have done a lot of research on this before doing this, and we had...I've read other cities doing this as well, and other people going through this, you know, and I think it was Sam that said it and I think I remember it was Peter, you guys said well, this letter basically covers you, but couldn't really get a straight answer. Is that so if this all gets denied, does that letter cover us or are we just going to be kind of poked by the city or is that just we're not going to answer that kind of deal?

Mr. Wilshaw: I'll try to answer as best I can. I'm not a lawyer by any means.

Mr. Morad: I get it. I know like I said I had talked to...

Mr. Wilshaw: This is not legal advice by any stretch of the imagination, but if the city was to deny this process all the way through, you go through City Council and you get denied, what we've heard is that you may have an opportunity to under the Americans with Disabilities Act to have a valid case. In which case, my understanding is then you would essentially have to sue the city. Am I correct, Mr. Taormina, in saying that he's going to need some sort of a judgment to say, Hey, we've looked at this, and this is in fact a valid ADA situation, or is it that it's just something that the city accepts as a ADA exemption? I don't I don't know exactly how that...

Mr. Taormina: I cannot predict what would occur under those circumstances. It could be either. If the city continues with enforcement, then it could very well result in some type of claim against the city including litigation. If, on the other hand, the city chooses not to, with the belief that they do have a valid claim, then, then maybe it rests there.

Mr. Wilshaw: Right. So yeah, so I guess an analogy would be a person who puts a structure in front of their house for a ramp for a wheelchair, and the city says, well, you can't do that. That's a

violation of some sort of building code or something, and then they come back and say, well, I have this medical condition that says, I need a wheelchair and ADA protects me and the city says, Okay, we accept that and then the issue becomes moot at that stage. It's kind of a similar situation, is it not?

Mr. Taormina: Yes. However, I would submit that when it comes to structures, it's probably more 'black and white' than an issue like this involving an ADA claim. This is probably more of a gray area. But yes, there are similarities.

Mr. Wilshaw: Okay. So not a great answer for you. It's not a clear answer, I guess, but that's the best I can do.

Mr. Morad: I appreciate it, and like I said, I've talked to a lot of people bought it, I've also, you know, I've reached out to the Emotional Support Animals of America, talked to them, and figured out what I need to do with them as well, because they help, you know, support people like me in these cases, and I did talk to them a lot about it for quite a while. So I would have to register with them, and they would, as well, you know, back us and support, you know, the owners and people who have them registered and whatnot.

Mr. Wilshaw: Yeah, I think it's at least safe to say that the evaluation of the medical necessity and the ADA aspect of this is not a point that lies with us. It's not for us to decide, and it's probably not for this council to decide. It's more than the enforcement end of things and that's basically...

Mr. Morad: We just didn't want to be, you know, having a knock on the door every week about it. Oh, you're not allowed to have these? Oh, exactly. Okay, see you next week, Dan. I have dealt with Dan in zoning quite a lot already. But, you know, I just didn't want to have to deal with that. That's, you know, that's why we're here. We're just going through our processes and do what we've got to do.

Mr. Wilshaw: We appreciate the fact that you're going through the process.

Mr. Morad: We are doing what we got to do and, you know, we just want to do our thing on our property.

Mr. Wilshaw: Oh, I understand. Is there any other questions? I

Ms. Dinaro: I have one more question, Mark. If we...If this does get denied, wouldn't the next course of action be to get a variance from the zoning board?

Mr. Taormina: If the City Council denied this? The Morad's could choose to seek a use variance through the Zoning Board of Appeals. That would be up to them. We cannot force them to file a request for a use variance.

Mr. Wilshaw: Excellent question. That lets you know that there are certainly, at this point, still many paths that this can go toward denials, toward approvals, and so on and definitely we'll see where things go as we continue on. So, that's a good point to bring up. Any other questions, comments from any of our commissioners, before I go to the audience? I think we've exhausted our questions up here. Mr. Morad, if you would like to take a seat for just a moment, I'll see if there's anyone else in the audience wishing to speak for or against this item? If there is anyone, please come forward to our podium? Got a couple of folks coming forward. Good evening, ma'am. Again, we ask you start with your name and address.

Pauline Shots, 33233 Norfolk Street, Livonia, MI. I am across the street from them. I don't hear the chickens. I've been in their yard. I get migraines, so all smells, all sounds are very excruciating for me, and I've not ever smelled the chickens, even when I'm back at the coop. So, they've opened the coop, the chickens have come out, and I've not smelled anything. I also would be willing to check on the chickens if they're out of town and their dogs. So, I'm right across the street, I'm married, so my husband and I would take care of helping them with those things. And we don't have any issues. They've done a lot of improvements in the house, on the yard, everything looks great. It's at the very back of the lot. It's like not interfering with anything. So, I'm not sure why we're having a meeting, but, you know, it's just I know we have to do those things. But there's not a problem. Actually. I don't know why we're here. Okay.

Mr. Wilshaw: I appreciate your comments. Thank you for speaking. Anyone else wishing to speak please come forward.

Teresa Fredericks, 33333 Norfolk, Livonia, MI. Right across the street and right next to this woman is our condominium, Pinebrook condominium. We have seven units there, and many of the neighbors like Mike and Meghan, I believe they moved in about two years ago, a year ago and I met them, people like them, but

I would urge you to deny this because we are concerned about vermin and wildlife. I have personally seen rats, not in the last three or four years, but I one time saw a rat walking right across the street in front of her house toward their property. They didn't live there then, and another time I saw a rat, right nearby within about 20 feet. We haven't seen rats. I haven't seen any rats lately. I haven't heard of any, but we have had constant battle. I've lived there 26 years since 1996 when they were built. We've had a constant battle with raccoons and have cost us a lot of money to rebuild our roofs to clean out our attics and reinstall insulation. We have animals around there. We had foxes breeding in the back of our property. We have deer, they're eating things. We don't need any more wildlife in the area, and we're concerned that it will just attract more animals to the area. We don't need any more. Another thing we're concerned about is that if it's rezoned, is it going to be limited to chickens? I think under the law, they've could have goats or whatever. We definitely...if they do have...if they are allowed to have anything, we need restrictions. Also, if the property is transferred, how do we know if the new owner isn't going to bring in goats or whatever, it's a residential area. It's really a nice area of different homes. There's one block down from us that has a...it's a beautiful block to walk along. The whole area's residential except for the medical complex that is just to the west of them. So, it's definitely just a residential area. And I would ask that you deny it. Thank you.

Mr. Wilshaw: Thank you for your comments. Anyone else in our audience wishing to speak to this item? Gentlemen, please come forward. You can line up if you wish to make things faster. It's okay. Good evening.

Laura. Sokana, 36055 Ladywood Street, Livonia, MI. And you probably want to know why someone on Ladywood would be concerned on Norfolk. A couple of reasons. They're my children. I am the mother-in-law, and there's a couple of things. I would be there. We've had chickens before. We've had chickens in Livonia. I grew...my family has been here in Livonia since 1966. Went back and forth on Norfolk to Tyler School for seven kids. So, I'm quite aware of the whole area, and I'm quite aware of the animals that would be attracted, but she's saying rats. Well, you can't control rats when you have a restaurant, so she needs to be concerned in some other areas, first of all. Secondly, the raccoons, the deer, whatever comes in, we are in progress. I grew up at Eight and Gil before Eight and Gil was even Eight and Gil. Timothy King was found there. Okay. So as far as these

two, they take care of their yard, they take care of their children, their child, their future children, child, children, because I'm going to be having another one. And I'm there quite frequently. So, I just have to say their progress in that area. They're making it nice and clean. The only thing that's there right now would be the commercial would be from the office buildings to Eight Mile. Everything is residential. Yes, but it could very well be rural, and I do have to say that people need to listen. People need to not make judgments, and as far as the ADA is concerned, it's very real, and as I'm sitting back here, and I'm seeing headshakes. Don't make that judgment until they know. Thank you.

Mr. Wilshaw: Thank you. Anyone else wishing to speak? Please come forward. Gentlemen.

Anthony Tiberia, 36876 Ravenwood Drive, Westland, MI. I've known Megan and Mike Moran for about 10 years. I've known them for about 10 years or so before chickens and after chickens and both residences. They do a very good job, not only with the way that they keep the chickens, how they maintain them, as well as their property. You know, their goal has always been to have this type of land to be able to do these types of things. They bought a property that did need lots of work, and it didn't have the greatest curb appeal. They've done a very good job of not only adding to the home's value, but also the subdivision value that they're actually in. There's more than just how it's zoned. You want good neighbors like them to be able to take care of their property, maintain it and provide value even added value for their homes as well. They do a very good job, they're very responsible people. If he tells you that he's going to set conditions with you, he's going to stick to them. You're not going to have to go back and visit to find or assess again. They've done a very good job of the property currently. There was many overgrown bushes, trees and everything. You couldn't even see the house, and like I said, it's really added value, and if you guys do come to an agreement, maybe table it for another time. They have no problem meeting the conditions that you either suggest or they come to terms with Thank you.

Mr. Wilshaw: Great thank you for speaking. A gentleman's coming behind you Good evening sir.

Ron Irvin, 20181 Shadyside, Livonia, MI. Yes, there's always been a restaurant there and there's always been some kind of rats, but we did have an incident where another neighbor down the street did have rats or had chickens and the place was loaded with rats

and the city ended up coming in and shutting them down. So yes, there's will be rats or will be raccoons but this is going to increase the numbers, and as far as the smell and stuff like that, I know it's...it all depends on the wind but it will be there and I bought property in the city. I didn't buy it in farmland. So, I would...my vote would be for denial. Thank you.

Mr. Wilshaw: Thank you, Mr. Irvin. Any other folks wishing to speak for or against this item feel free to come forward. Good evening, Miss Moran.

Megan Morad, 20180 Westmore Street, Livonia, MI. I know that the rats have been brought up. There are a lot of things that chickens are rumored to do, but they kill rats. There are farms that have chickens strictly for that problem, and I have seen firsthand what these chickens will do to not only rats, but raccoon and chipmunks and squirrels. The whole reason why we started with this chicken venture in our old home, was because I do suffer from a mental illness, and it was suggested that I try coming back to nature to help what the medication can't compensate for. It has helped me. it has helped me not only have a routine and have more respect for the people and the wildlife around me, but it's also helped my family and I come together, and not just my husband and my son. We've got family from 10 years ago that, you know, friends. We learn new things every day about how the circle of life happens, and it just teaches us that you need to be respectful for one another, and yeah, you can be worried about the rats, you can be worried about the animals that come. Chickens aren't going to affect raccoons, or foxes or deer that have been there longer than we have, but what the chickens will do is make sure that the rats stay away. Now, I know, Ron mentioned that there was a gentleman further down the block that had them, and it posed a problem because they were bringing rats in. There is a little more history on that. He let them free range. They were in and out of the garage, three houses down. There was another gentleman who had turkeys in between those houses and there was a woman who fed squirrels. We do not plan on ever letting those chickens out of that coop out of that run. Like my husband said, we love our yard, and we like to enjoy it. We also have an unorthodox hobby that happens to help me find peace in life. So that's all I wanted to say. Thank you.

Mr. Wilshaw: I appreciate your comments. The gentleman wishing to speak. Good evening, sir.

Paul Vanderplow, 20095 Shadyside, Livonia, MI. First, sir, Mr. Morad, I thank you for being educated. It was a very well-done presentation, and while this kills me to even insinuate that we should be able to tell people what they should do or not do on their own property. The only thing I guess I had questions with were some of the open-ended statements of "we don't see ourselves going above 16. We don't see this", quite frankly, if he is educated as he is and responsible as he is, that's great. I've been around long enough, and I've worked in enough cities to where, unfortunately, the next owner or something kind of creeps out away, and now we don't have 16, we have 100. I'm not saying he will do that. I'm not saying even insinuated that. Unfortunately, I've been in too many properties where it started out with good intentions. And then it flies, no pun intended, it flies out of control. So, if it was me and against her, I never want to say what you can and can't do on your own property, but in this kind of setting in the neighborhood, there would almost, I would think, it would be a lot more plausible if there were some restrictions on it to where those open-ended statements are closed. To where it isn't and I only plan on doing 16 it becomes something else. So, for me, I'd just like to hear a little tighter control on it, and again, not for Mr Morad, but anything in the future, you know, so it doesn't balloon out of control. But thank you for hearing me. Appreciate it.

Mr. Wilshaw: Thank you for your comments. We appreciate that. Anyone else wishing to speak on this item? There's one more person coming.

Mr. Wilshaw: Good evening, ma'am.

Maria Stanulet, 20055 Shadyside Street, Livonia, MI. I want to say that a lot of the neighbors in that area do have a lot of land, and we can all petition the Council to raise animals and have our area result like Mike did. We live in more than half an acre. All my next-door neighbors have half an acre across the street we all have...they all have one acre. If we all decide to do that in the middle of a city and start raising animals, what will this turn into? My neighbor do that, I'm gonna go do that. Because we live in a residential area. Like somebody said, we bought our homes in the city. If we wanted to live out there in the land, in the farm, I would have bought my home in the farm. So even though the chickens are restrained, and he said 16 chickens, maybe 20, they give on an average of what, one or two eggs a day, let's say 25 eggs a day, times seven days a week, divided by 12, you

get like 15,000 eggs, and he's not planning on selling. That's a lot of eggs to give your family and that's your problem, what you do with the eggs, definitely, and I do worry about rats, and raccoons and groundhogs because I have seen big holes in my yard, and I do not know where they're from. We try to maybe, they could be possums, they could be raccoons, I don't know what the holes are, and I'm trying to find out what they are. With chickens and their poop...and he said he cleans them every two weeks. I am afraid, cleaning them every two weeks, 16 chickens, 20 chickens, that's a lot of trash. So obviously, we are probably going to have some extra animals that are going to migrate into other people's yards and into other people's trash cans, even though they're covered. Raccoons are notorious for taking trash for taking covers out. Rats do the same thing and I just don't want to see a city area turn into something like a farmland and I understand it is for your mental health, I understand that, but I also am concerned about what's going to happen with the neighborhood. If a rezoning is possible, other neighbors might come around and ask for rezoning also, and we don't want maybe what might not happen. But that can happen not now, maybe three years from now, five years from now. And that's my concern. Okay,

Mr. Wilshaw: Thank you for your comments. Anyone else wishing to speak for or against this item? I don't see anyone else wishing to speak for or against this item. Mr. Morad, is there anything else that you would like to state before we make our decision? I always like to give the petitioner the final word. Thank you. We don't want to I just want to preface it by saying we don't want to engage in debate between things, but if you want to address anything that was brought up feel free, just don't personalize it.

Mr. Morad: Yeah, no, no, I mean, I, I see where everybody's coming from, and I understand it, but I have cameras up, they go off, if anything comes near it. They've been out there for two, three months. Yet to have any incident with animals. And again, the one down the street that was probably more of a hoarder situation that was going on than a actual what we're doing, I understand that people are worried about, you know, other things, but there are other houses in our neighborhood that are zoned RUF already. They have stopped by. They have chickens. They're already in the neighborhood, and whether or not everybody back here knows that, they're there. That's how quiet they can be. That's how discreet they can be. They might not have as many...I know of somebody else that has 10. He's on the other side of the neighborhood, but they are zoned that

way. They have them and even in...like I said, where we used to live, Plymouth and Inkster, there was a few houses over there zoned RUF that had them, as well, and there were others that were not zoned RUF. You know we take pride in what we do with everything, and I think that about covers it. But you know, we try and keep up on them as much as we can, and I understand where everybody's coming from, but everybody in life has different goals, and unfortunately, I can't live where I want to live an hour and a half away from work, but you know, things happen and life's gotta go on. But I think that's about it.

Mr. Wilshaw: Thank you. Mr. Morad. Is there any other questions from any of the commissioners of our petitioner? Before we make our decision? I just want to give one more opportunity in case any issues were brought up. I don't see any questions from any of our commissioners. So, thank you for coming this evening. I'm going to close the public hearing. You can go ahead and have a seat and a motion would be an order from our commission.

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

#06-35-2023 **RESOLVED**, that pursuant to a Public Hearing having been held by the City Planning Commission on June 13, 2023, on Petition 2023-04-01-03 submitted by Michael Morad under Sections 13.13 and 13.15 of the Livonia Zoning Ordinance, as amended, requesting to rezone the property at 20180 Westmore Street, located on the east side of Westmore Street between Farmington Road and Shadyside Street in the Northwest ¼ of Section 3, from N2 (Neighborhood) to RUF (Rural Urban Farm), the Planning Commission does hereby table this item to the meeting of July 11, 2023.

FURTHER RESOLVED, That notice of the above hearing was given in accordance with the provisions of Section 13.13 of Livonia Vision 21 Zoning Ordinance, as amended.

Mr. Wilshaw, Chairman, declared the motion is carried and the foregoing resolution adopted.

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

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

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Mr. Wilshaw: Please get in touch with our planning staff and they can work with you and on that, those conditions. Thank you for coming. Thank you and everyone else for coming tonight on this item and if you want to follow along, you can come back on July 11.

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MINUTES OF THE 1,201st PUBLIC HEARINGS AND REGULAR MEETING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA

On Tuesday, July 11, 2023, the City Planning Commission of the City of Livonia held its 1,201st Public Hearing and Regular Meetings in the Livonia City Hall, 33000 Civic Center Drive, Livonia, Michigan.

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

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

Members absent: None

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

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

ITEM #5 PETITION 2023-04-01-03

Michael Morad

Mr. Caramagno, Secretary, announced the next item on the agenda, Petition 2023-04-01-03 submitted by Michael Morad under Sections 13.13 and 13.15 of the Livonia Zoning Ordinance, as amended, requesting to rezone the property at 20180 Westmore Street, located on the east side of Westmore Street between Farmington Road and Shadyside Street in the Northwest ¼ of Section 3, from N2 (Neighborhood) to RUF (Rural Urban Farm).

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

#07-45-2023 **RESOLVED**, That the City Planning Commission, on July 11, 2023 on Petition 2023-04-01-03 submitted by Michael Morad under Sections 13.13 and 13.15 of the Livonia Zoning Ordinance, as amended, requesting to rezone the property at 20180 Westmore Street, located on the east side of Westmore Street between Farmington Road and Shadyside Street in the Northwest $\frac{1}{4}$ of Section 3, from N2 (Neighborhood) to RUF (Rural Urban Farm), does hereby remove the item from the table.

Mr. Taormina: At the last meeting, this item was tabled when it was suggested that the petitioner consider entering into a conditional zoning agreement with the City. The petitioner is voluntarily offering a list of conditions with respect to the keeping of chickens on the property. These conditions would be incorporated into an agreement with the City. The draft of the agreement has been reviewed by the Law Department. While they have reviewed it very generally, the final version would still require their approval before going to City Council prior to a second reading and vote on the rezoning. We went over the eight conditions at the study session. We can recite those again, if you want. There was one change to condition no. 4 of the agreement regarding keeping the chickens in the coop and run, except at times when the owners are home and with the limitation that they not be allowed to leave the property.

Mr. Wilshaw: Okay. Thank you. Mr. Taormina. Is there any questions from any of the commissioners for our staff? I see no questions. Our petitioner is in the audience tonight. Feel free to come forward if you would like to. Obviously, we're not going to go through the whole process of your request again. We're just going to see if you have any updates or additional information you'd like to let us know about. Good evening, sir.

Michael Morad, 20180 Westmore, Livonia, MI. Good evening. Just a few points to go over. So obviously over the last couple of weeks we have been working with Mark, you know, making all these terms and conditions and he's, you know, helped me write them up and make them you know, agreeable and easy and what I feel is pretty fair to everybody around us and everything else. It's been three months that they've been outside, not a single animal has been around. I had mentioned it last week because I did forget to mention that the first meeting. I have motion lights on the west side of it of the coop that go on at night automatically if anything obviously walked by it. That seems to help to scare off

anything. The run that is the fenced in area on the outside where the chickens are outside, that I placed and then I dug a foot trench all the way around it and there is chicken wire stake down into the ground so nothing can dig in or just crawl under the run and walk right in there. I filled it with sand and it spills out the side of the chicken wire just a little bit because I don't have a border around it yet. There's not a footprint, paw or anything. Nothing has touched it in three months. And like I said I have cameras out there. I have not seen a single animal besides deer get within 15 feet of the coop and run and that was Friday. We sat back and watched one just mosey around the back and then take off. Nowhere near didn't make any noise. You know, I heard a few people mention noise and things like that. The guy who lives north right behind us, he didn't even know that they were out there because he couldn't hear him until I showed him just the other day, he had no idea. And then it was mentioned also the letters that we had received. I haven't got time now to go through those and read them. I tried to reach out to a few people. I spoke with one lady, Maria, she was up here, she spoke last time. She agreed she had said...she's not here tonight, but she said that she has no issues with it, as long as we keep it clean and stuff like that, you know. There was other things that she had concerns about but, you know, we just moved on to this property. We've been here for a year. It was basically neglected for, I would say 10 to 15 years, they were elderly, they did not take care of it. We've done nothing but clean this property up in the last year with what we have, you know, so we've gotten a lot of compliments on what we've done with this house and how it looks now compared to what it used to look like. We've had people walk by and tell us they didn't even know there was a house there, because there was so many bushes, and trees and shrubs and everything else covering it up. So, it's nice to hear that from, you know, the people around. But also there was, you know, within the letters there was, I think you guys had mentioned there was eight, no and seven yeses, and there was two more that were sent in. One of the people that sent the letter in Mark said he couldn't find it. They are here tonight. The other one, I do have it. I never got back with Mark on that, but I do have that one, too. Two of the no letters were from the one person actually there were like two sets of them. One person sent into two letters, and another person sent in two letters. So and that we know that wasn't really conveyed in the first. In the first meeting as well. They just said there was eight letters, which there was but six people. And I think that's about it. I mean, we just started getting eggs on Fourth of July. Got our first one. Got three today, a couple

throughout the week here and there. It's night activity now with the kid. We go out there when I get home from work, go check on him and let him in there. He goes and grabs them, put them up on the counter. Put them away and he loves it. You know, and we've had a lot of people come by. One of the things...and I do intend to reach out to him to the west, we do have the commercial building. Right on the other side of the berm that's right there is a dumpster and in his letter he had talked about how he is opposed to it, but he's concerned about the waste or the smell or anything else because there's medical facilities in there, and I can understand that, but when I mow my lawn, and I have to pick up 10,15, 20 masks every day, every week out of my lawn, I have a little bit more of an issue than them being out there. I think that's a bigger health risk. I have no idea what's coming out of those dumpsters, I have to pick up all kinds of stuff. That's overflowing from these dumpsters, they stink, they smell. They smell worse than this chicken coop does, I can guarantee you that on a 90 degree today. That dumpster smells worse, because I've yet to smell it. I've yet to have anybody smell anything that comes back there. They'll tell me how clean it is. And Dave stopped by and looked at it and I've opened it up for people, they've had no issues. So, we just want to reiterate that point. But other than that, I got nothing. Nothing else to say unless anybody else has any questions. You know, there was a terms and conditions you got I think you guys have all gone over a mall. But I think they're pretty fair.

Mr. Wilshaw: Yeah, without reading them all out it just for the sake of the any resident that's following this information. You did submit a list of conditions. There were eight of them and basically limiting the number of chickens, limiting it to chickens no roosters, and that the property will be maintained and cleaned and all those types of concerns that were many of which were raised at the at a previous meeting. So, you've been very cooperative and trying to address each of those concerns. I didn't mention at the beginning but we did receive I think one or two other emails just recently on this item. There was one I think just the other day from Kathy Wiltsie that came in. So, we do have those pieces of information as well. So just wanted to throw that out there. Any questions from any of our commissioners for our petitioner? He has answered every single question we've asked. So very good. anyone in our audience wishing to speak for or against, feel free to come forward? Again, we have already conducted a public hearing and listened to many issues. So try to keep it to new items if possible. Hello, good evening.

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Mark and Karen Rocheleau, 20245 Shadyside, Livonia, MI. We are one of the neighbors that touch Mike's Morad's yard and our other neighbor, Henry Fan, and Dr. Cathy Morris, all three of our yards. We touch both of theirs and Mike's yard. We have not smelled anything or heard anything. I have two dogs and they don't even bark at the chickens. I haven't heard them. I haven't seen them. So, we have no problem with them having the chickens. It's a very nice chicken coop we seen it. They keep it clean and nice. And I've talked to both of our other neighbors and they have no problem with that either.

Mr. Wilshaw: Well, thank you for your comments. Appreciate you coming forward. We have another resident who would like to speak.

Mr. Wilshaw: Good evening, ma'am.

Diane Richmond 33341 Norfolk, Livonia, MI. I sent an email but I didn't get any responses back because I did have some questions and that and my biggest concern is health. My father contracted of fungus from chickens, and spores are out there. When feces is out doors, and it's in the air. It's a big concern of mine. And I've read up on this a lot. And there are a number of different health issues. Is there anything that the City of Livonia does to monitor people who have chickens like this in the city? Can anyone answer that with the Health Department? I'd like to find out?

Mr. Wilshaw: I cannot definitively answer your question other than say that I don't think the city does health inspections of the chickens. I think that would be incumbent upon the state health department if there's any issues. So that's the best answer I can give you.

Ms. Richmond: Yeah, I'm just very concerned about that fact. And that I live right across the street almost from them in a condo complex and that. We have been, as my neighbor next door last time spoke, we have been riddled with raccoons, we just spent over \$1,200 on repairs for raccoons. This time of the year, they're not out but trust me in the winter, and in February and March they want to get inside and any way they can get in and I had a den of foxes with five knits born in my...right in my complexes. It's a condo complex. You know, so there is a concern because I've probably over the 16 years that I've lived there, we've probably had to spend about 18 to \$20,000 on having repairs done because of animals getting into our, our attics and that and damage to our property. So, you know, I just feel that this is something that you know, and I have a daughter that lives in Ferndale, one

neighbor over for her, I had chickens, the first couple years, they took care of them. And then after they lost the excitement, it was horrible trying to get them out of the neighborhood. That took a long, long time and that and I just don't want to see that happen, you know, in our community too. So, I'm, you know, I'm on the fence if the health department can answer my questions because it is a serious concern of mine. You know that. You know, I raised kids. I was former teacher. They're all excited when they get them. They're cute, they're everything but then after you have for a while and you had to keep them clean and take care of them all the time, it can many times be a different story. So, I just wanted to...I haven't voted either way, but this is the concern I would really like to find out from the City of Livonia and the Health Department what protections we have as residents here. Because my father was not a farmer, he lived in the city. And because the neighbor had chickens, that's how he contracted it, and it did ruin his life. So, you know, I just wanted to find out if you can give me some some answers to that. But I just that's, that's my point of view. And how long do we have before we can decide on this?

Mr. Wilshaw: Well, it's for us to decide tonight and then this will then go on to City Council for their ultimate vote. We're going to make a recommendation tonight.

Ms. Richardson: Okay. So, in other words, I have to decide this evening.

Mr. Wilshaw: Well, we need to decide this evening.

Ms. Richardson: You need to decide.

Mr. Wilshaw: Yes.

Ms. Richardson: I guess you probably then know my concerns. And if I can't get answers to them, then I have to say no.

Mr. Wilshaw: Okay, well, we appreciate your comments and opinion, thank you. Anyone else wishing to speak for or against

Mr. Wilshaw: One gentleman coming forward?

Mr. Wilshaw: Good evening, sir.

Ron Irwin, 20181 Shadyside, Livonia, MI. As far as a health issue, also, my wife is allergic to the chickens dander. So that means, that's something that's going to be in the air constantly. She can't be

around dogs, she can't pet dogs and stuff like that or any other animals, which we would like to have, but we're you know, due to her allergies, which he has a lot of, and so we'd like to enjoy our backyard also. But if this is a need, if this is a problem, we're not going to be able to enjoy our yard. And as far as the stench and stuff like that. Build it and they will come, so the rats haven't come yet, but they will be there. And I know we do have rats, but this is just another food source, it's going to multiply them and the raccoons also. So it will just...because we did have an issue across the street, and we had rats from that, and the other neighbors over their had rats. I talked to other neighbors and even on the other side and they had the rat problem also. So, of course they didn't show up in three months. But what about a year and about two years? And also, as far as the selling of the property, what happens to it then. Do they have to go have all these restrictions? Is that as long as it's RUF or is it just as long as he owns the property?

Mr. Wilshaw: The conditions are restricted to this owner, if I'm not mistaken, is that correct, Mr. Taormina?

Mr. Taormina: That's correct.

Mr. Wilshaw: So, if this property were to be sold, the future owner would not have the rights to do what's being done today or what's being proposed with chickens. So, the zoning would revert back to the N2?

Mr. Taormina: That's addressing condition no. 8, which indicates that the city could then change his property back to N2, Neighborhood.

Mr. Wilshaw: So that answers that issue.

Mr. Irwin: In buying the property 30 years ago, if this was a thing that was in the future, by which you can't see the future, but I would have had...this would have been a different view. I would have had no other consideration. So, I just hoped that it would be consideration of no.

Mr. Wilshaw: Okay. We'll find out tonight. Thank you, sir. Anyone else wishing to speak on this item? One more person coming forward. Good evening, sir.

Mark Morad, 15191 Houghton, Livonia, MI. I'm Mike's dad. First thing Thank you everybody. I know this is the second meeting. I missed the first

meeting, but I did get a chance to watch it on YouTube afterwards. I know Mike spoke earlier about voting. And it was what eight to seven or seven to eight, whichever way it went and one of the things I wanted to bring up tonight was, and of course I've been in contact with Michael and Meagan at their house and been helping them and doing what they need to do. They've been in this property for just about a year, I think maybe a little longer. But anyway, what I wanted to bring up was in a year's time, if you take and been here all night long, listen to all these conversations about percentages in Costco and the big pavilion and all these different percentage percentages people are throwing out, and if you look at their almost an acre of property, and where they moved into and what it looked like, and Michael was absolutely right, you couldn't see that house when they moved in. There was so much there, and let's not point fingers at anybody because it was an elderly couple. We don't know the whole history of why the house was like it was but it ended up that way, unfortunately, and we some of us have been through that. But the long and short of it is this. Michael and Meghan moved into that house a year ago, and all of us started somewhere, we all started out with nothing. And now we got a young family here that excuse me, that's been in this house for a year, and they have jumped through hoops bigger than most of us have at work and at home together to get to this point. And I think what needs to happen here. And Michael has done a lot of the work on this, I think really what needs to be heard here is not the little tiny percentage of a chicken coop in their backyard. It's actually the shed is actually nicer than some of the sheds and garages in the neighborhood that he put up and the coop, we helped him do it. But I think what people need to realize on this, and I don't want to lecture this, but I want to say that if you drive down Norfolk, the very first thing you see past that office building Michael was talking about is their house and what it looks like. And I think the people that are here that are for it and against it should probably think about maybe rallying the other way around, and remember, we were all 30 once and we all had our challenges. They've got a three year old and a baby that's due this month, and looking at their property in less than a year's time, what they've done is pretty phenomenal. So my whole point is, maybe some of us folks could think about this and go, Hey, why don't we see what this is all about, like the 50% of the people that went there and talk to them, as opposed to the 50% of the people that come up with the stories about the rats and raccoons and all the other stuff, I think is probably not necessary. If you look at what he did there, it's pretty spotless, it's pretty spot on, Michael opened the doors

for me the other day on this coop, and I looked inside here and I'm going this is a chicken coop. You can't smell anything. There's not a mess there. The eggs are coming, just like he said. But my whole point, this whole conversation was just for people to open their eyes. And remember one thing we all started out basically the same way. And what they've done here in a year's time is absolutely incredible. So I think there should be some leniency, and I'm really not focused on telling you guys all this. I don't need to do that. My focus is to spread this through the neighborhood, they moved in and say, Look, give these kids a chance. Give these guys a chance, look at what they've done. Notice that before we decide that a couple chickens in the backyard is going to ruin our life. It's not going to change everything for a lot of people there. So, I just hope that when this goes to the next step to the council, that basically it just is a smooth transition for them and they can move on with what they're doing. Thank you.

Mr. Wilshaw: Well, thank you for your comments and also for being one of the three people that watch us on Youtube. We don't get a lot of viewers there. So that's good. Is there anyone else in the audience wishing to speak on this item? I think we've heard from just about everybody in the audience at this point. I don't see anyone else coming forward. I will go to my fellow Commissioners and see if there's any other questions, comments, or if they would like to make a motion.

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

#07-46-2023 **RESOLVED**, That the City Planning Commission does hereby recommend to the City Council that Petition 2023-04-01-03 submitted by Michael Morad under Sections 13.13 and 13.15 of the Livonia Zoning Ordinance, as amended, requesting to rezone the property at 20180 Westmore Street, located on the east side of Westmore Street between Farmington Road and Shadyside Street in the Northwest ¼ of Section 3, from N2 (Neighborhood) to RUF (Rural Urban Farm)7, be approved for the following reasons:

1. The Petitioner has voluntarily offered a conditional zoning agreement pursuant to MCL 125.3405 of the Michigan Zoning Enabling Act, Act 110 of 2006, as amended, that includes a statement of conditions for maintaining chickens on the property.

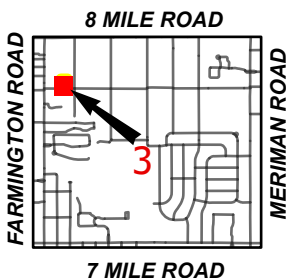
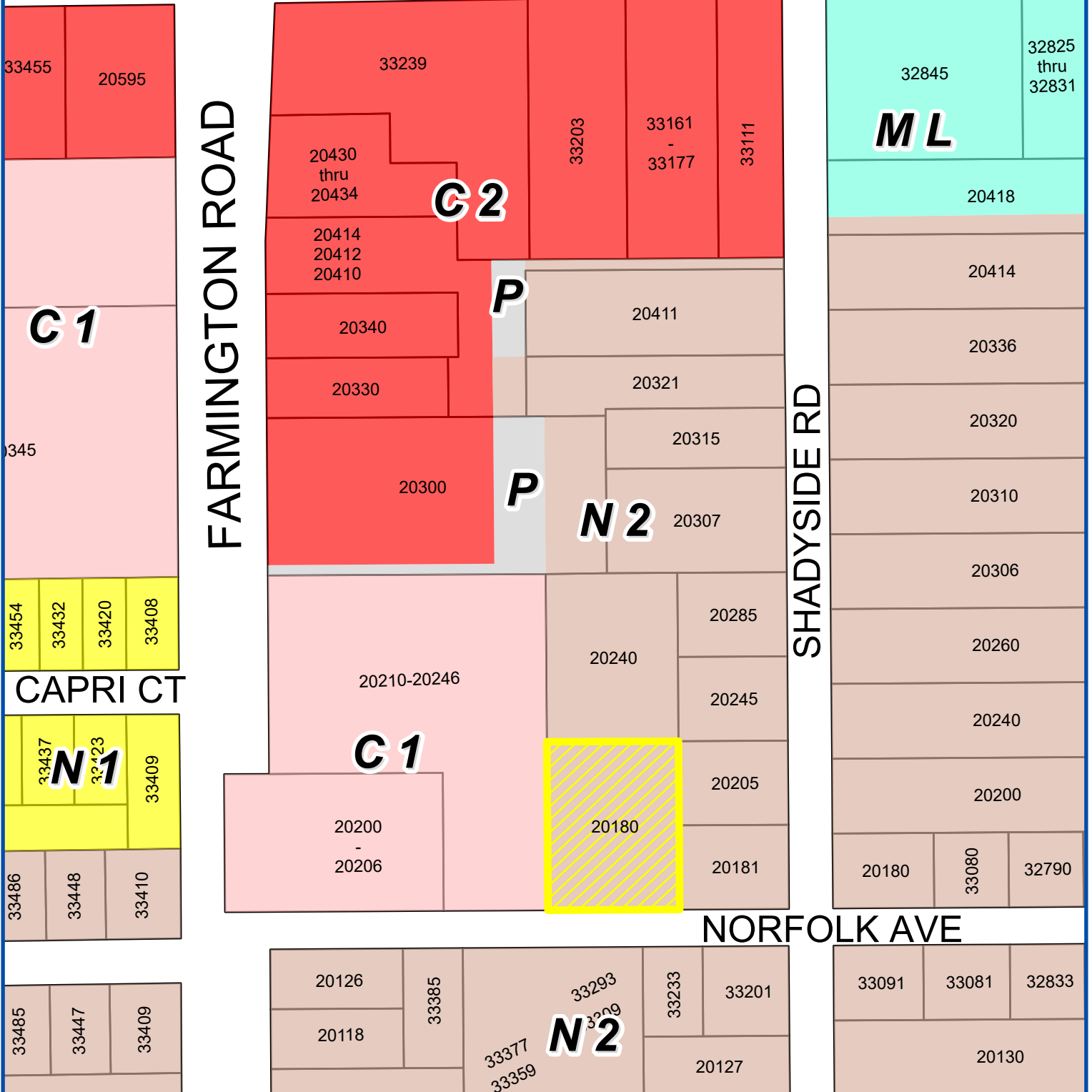
2. The RUF zoning is appropriate given the Petitioner's unique circumstances.
3. The proposed RUF zoning is compatible with the area's surrounding land uses.
4. The proposed zoning change represents a reasonable and logical plan for the subject property that adheres to sound land use planning principles.
5. The proposed zoning change would allow the use of the subject property in a manner consistent with its size and location.

FURTHER RESOLVED, That notice of the above hearing was given in accordance with the provisions of Section 13.13 and 13.15 of Livonia Zoning Ordinance, as amended.

Mr. Wilshaw: Is there any discussion?

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

EIGHT MILE ROAD



Address & Zoning Map

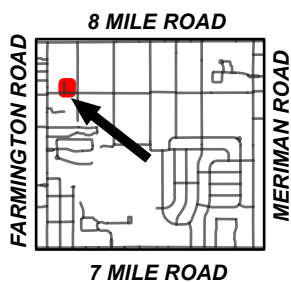
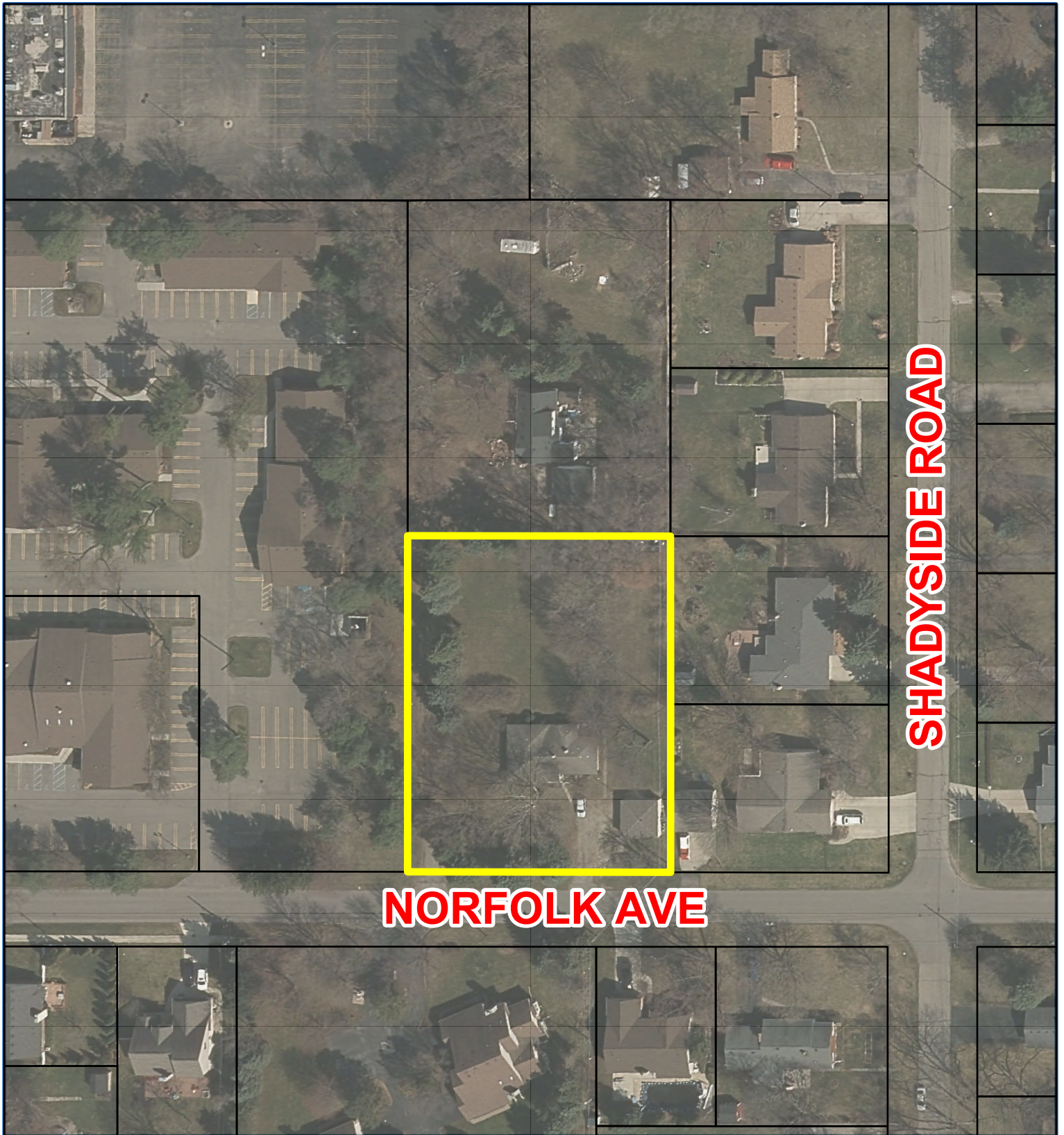
Petition 2023-04-01-03
Michael Morad
20180 Westmore Street
N2 to RUF



Not to Scale



City of Livonia
 Planning Department



Aerial Map

Petition 2023-04-01-03
Michael Morad
20180 Westmore Street
N2 to RUF

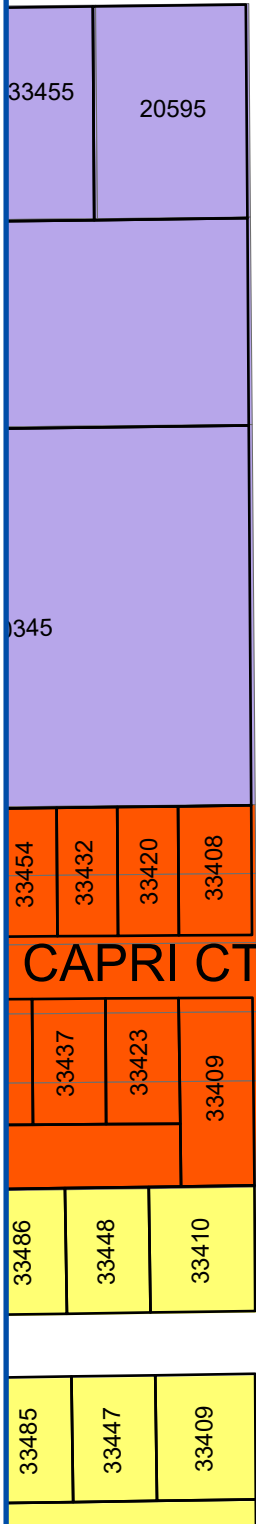


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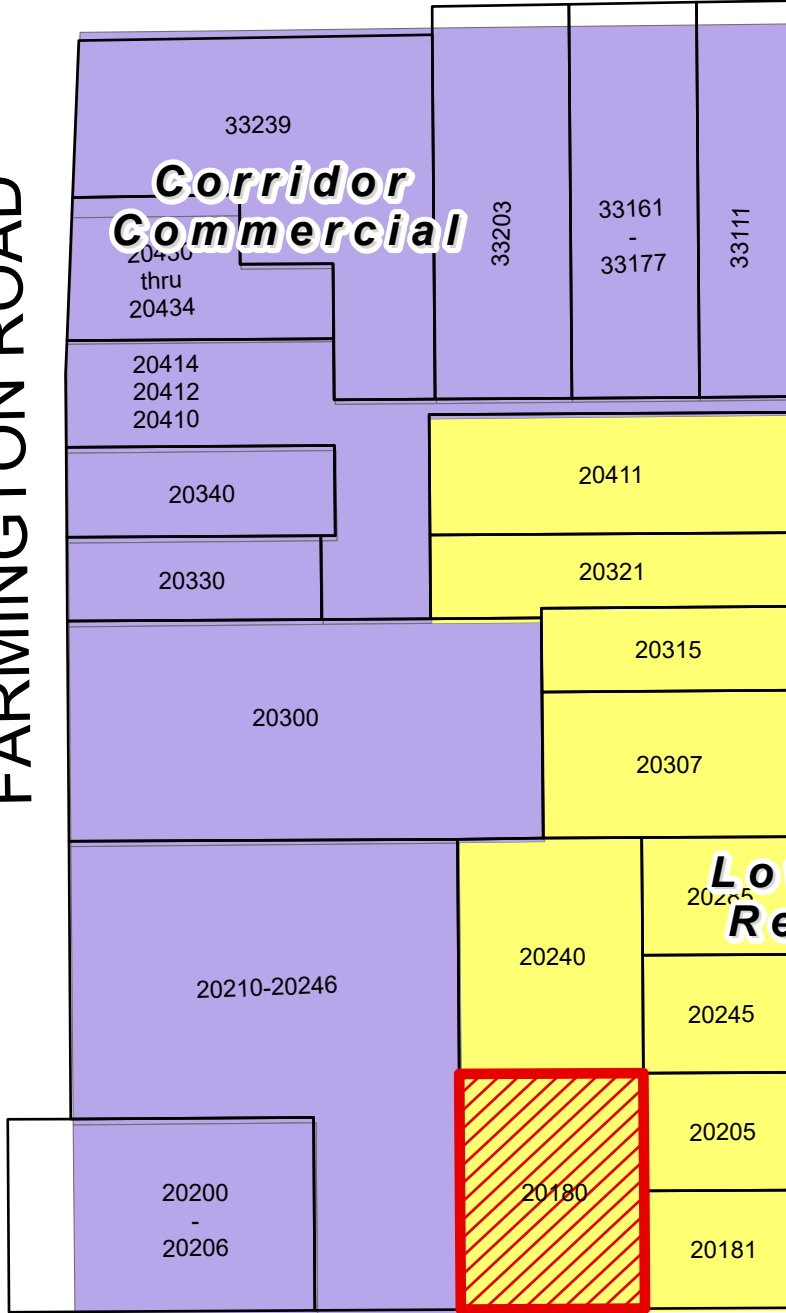
City of Livonia
Planning Department

EIGHT MILE ROAD

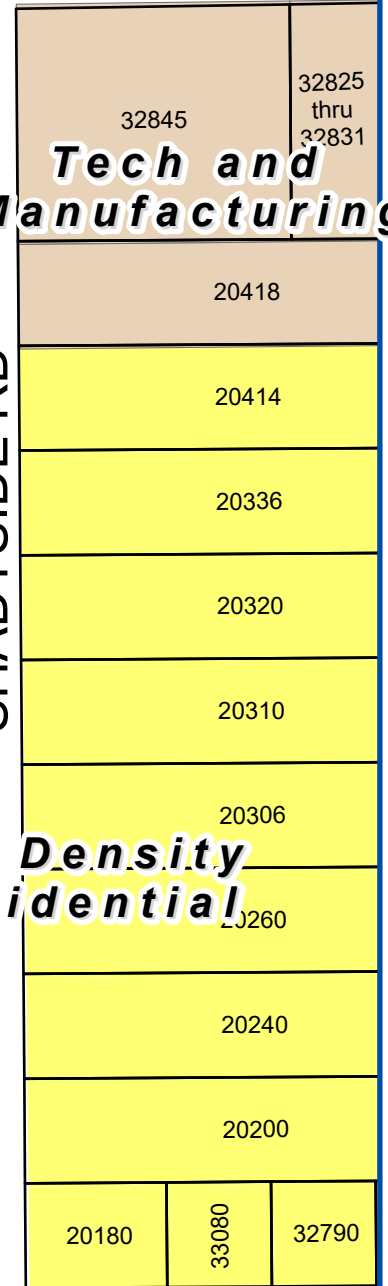


FARMINGTON ROAD

Corridor Commercial



Tech and Manufacturing



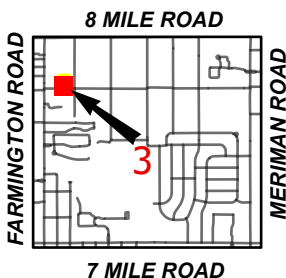
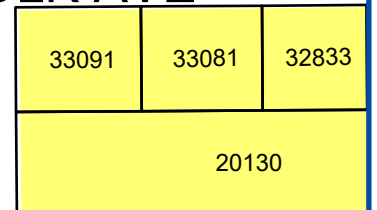
SHADYSIDE RD

Low Density Residential

NORFOLK AVE



Medium Density Residential



Future Land Use Map

Petition 2023-04-01-03
Michael Morad
20180 Westmore Street
N2 to RUF



Not to Scale



City of Livonia
Planning Department

PLANNING COMMISSION STAFF NOTES

MISCELLANEOUS

ITEM 5

Petition 2023-04-01-03 submitted by Michael Morad under Sections 13.13 and 13.15 of the Livonia Zoning Ordinance, as amended, requesting to rezone the property at 20180 Westmore Street, located on the east side of Westmore Street between Farmington Road and Shadyside Street in the Northwest ¼ of Section 3, from N2 (Neighborhood) to RUF (Rural Urban Farm).

June 6, 2023: Study Meeting:

This rezoning petition involves a parcel at the corner of Westmore and Norfolk Avenues. The change from N2 to RUF would allow the homeowners to raise chickens under Section 6.34 of the Zoning Ordinance - Keeping of Animals (Fowl, Rabbits, Horses, Cows, etc.). Section 6.34 specifies: "Fowl and rabbits may be raised and kept for the owner's consumption only on one-half (½) acre or more; two (2) horses may be kept for the owner's use only on one (1) acre or more; two (2) horses and one (1) cow or three (3) horses may be kept for the owner's use only on two (2) acres or more. The raising of livestock shall conform to the Generally Accepted Agricultural and Management Practices (GAAMP) for the Care of Farm Animals."

RUF zoning requires a minimum lot area of 15,000 square feet and minimum lot dimensions of seventy-five feet (75') in width by 150 feet in depth. The unplatted parcel measures approximately 176 feet in width along Norfolk and 225 feet along Westmore, a private easement providing access for this property and one other lot to the north (20240 Westmore). The land area is 39,600 square feet or roughly 0.91 acres. The subject property contains a residential house and a detached garage. The submitted plan shows that the property includes a chicken coop measuring seven feet by seven feet (7'x7') attached to a 'chicken run' measuring thirteen feet (13') wide by seven feet (7') deep. The chicken coop and chicken run are located in the property's rear (northeast) corner. The applicant currently has sixteen (16) chickens.

Residential properties surround the subject site to the north, east, and south. Across Westmore Street to the west is Pinebrooke Office Park, which is zoned C1.

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

The subject property was initially zoned AG, Agricultural. When the City was incorporated in 1950, Zoning Ordinance No. 60 was adopted, and the property was rezoned to RUF. In 1961, the subject property was included as part of a large group of lots in the north half of Section 3, rezoned from RUF to R-L-A, Residential Large Lot, a zoning district before the adoption of Ordinance No. 543. Then, in 1965, with the adoption of Ordinance No. 543, the R-L-A district became R-3, and since then, there have been two failed attempts to change the zoning of this part of Section 3, including the subject property, back to RUF.

MISCELLANEOUS

ITEM 5 Petition 2023-04-01-03 – 20180 Westmore Street

Page 2

The first attempt was in 1979 when a request to change the area from R-3 back to RUF was rejected for the following reasons (CR #1110-79, Petition 1979-06-01-20):

1. All existing lots in the subject area at least conform to R-3A zoning requirements or larger.
2. If this petition were to be approved, 40 existing lots would then become nonconforming.
3. The area has been zoned R-L or R-3 (80'x120' lots) since 1960 which has led to more efficient use of the land in some instances, a fact which the Planning Commission believes is of paramount importance, particularly in these times of high cost of land and housing.
4. The subject area has the capacity to accept additional dwellings which may result from future development occurring in accordance with R-3A Zoning District requirements.
5. Retention of the R-3A zoning in the subject area will not be detrimental to the overall development of the general area, nor will it be injurious to the continued use and enjoyment of the existing residential properties in the area.

The other petition occurred in 1987 and was denied for similar reasons (CR #1178-87, Petition 1987-08-01-29):

1. The subject area has the capacity to accept additional dwelling units which may result from future development occurring in accordance with R-3A zoning district requirements.
2. A more intensive utilization of the land area involved will not be injuries to the continued use and enjoyment of the existing residential properties in the area.
3. All existing lots in the subject area at least confirm to the R-3A zoning requirements or larger.
4. If this petition were to be approved, 49 existing lots would then become non-conforming.
5. The subject area has been zoned R-L or R-3 since 1960 which has led to more efficient use of land in most instances, a fact which the Planning Commission believes is of paramount importance, particularly in these times of high cost of land and housing.

The apparent difference between this request and the two previous rezoning petitions is that this item seeks to rezone only one (1) parcel instead of multiple parcels and will not result in any non-conformities. In discussing this item with the City Law Department, the Petitioner's desire to raise chickens for emotional support and mental health therapy could be protected under the Americans with Disabilities Act (ADA). Additionally, Michigan's Right to Farm Act could come into play, which is intended to protect farmers who follow the State's GAAMPs. Notwithstanding, this petition attempts to do the right thing by having the zoning conform to the activities on the property.

June 27, 2023: Study Meeting:

This item was tabled at the June 13th Public Hearing to allow the Petitioner and the City time to draft a conditional zoning agreement. The proposed agreement contains the following conditions, which the homeowners are voluntarily offering:

- 1) At most, twenty-five (25) chickens shall be housed on the Property.
- 2) No roosters shall be housed on the Property—only hens.
- 3) No farm animals other than chickens shall be housed on the Property; however, this shall not preclude the Owners from keeping other domesticated animals, such as dogs, cats, parakeets, etc., which shall be allowed.
- 4) All chickens will be kept in the coop and fenced enclosure, as depicted in Exhibit B.
- 5) The Property shall be free from any waste associated with the chickens. All chicken manure will be appropriately disposed of or composted.
- 6) All Generally Accepted Agricultural and Management Practices (GAAMPs) related to raising and keeping chickens will be adhered to.
- 7) No eggs or chickens shall be sold from the Property.
- 8) The RUF, Rural Urban Farm zoning, and the keeping of chickens on the Property, as set forth above, shall be allowed as long as the Owners or their heirs live at the Property. Should the Owners or their heirs no longer live at the Property, the chickens will be removed, and no farm animals, including chickens, shall be housed on the Property. The City can change the property's zoning to N2, Neighborhood, at such a time.

July 11, 2023: Public Hearing:

Following the Study Meeting, the Petitioner changed condition #4 of the agreement. It now reads:

All chickens will be maintained in the coop and fenced enclosure (run) as depicted in Exhibit B. Chickens are allowed out of the coop and run, but only when the Owners are home and provided the chickens are confined to an enclosed portion of the rear yard with no ability to trespass beyond the Owners' property.

Approving Resolution: The request to rezone the property at 20180 Westmore Street from N2 to RUF is hereby approved, subject to City Council approval, for the following reasons:

1. The Petitioner has voluntarily offered a conditional zoning agreement pursuant to MCL 125.3405 of the Michigan Zoning Enabling Act, Act 110 of 2006, as amended, that includes a statement of conditions for maintaining chickens on the property.
2. The RUF zoning is appropriate given the Petitioner's unique circumstances.
3. The proposed RUF zoning is compatible with the area's surrounding land uses.

4. The proposed zoning change represents a reasonable and logical plan for the subject property that adheres to sound land use planning principles.
5. The proposed zoning change would allow the use of the subject property in a manner consistent with its size and location.

Denying Reasons: The request to rezone the property at 20180 Westmore Street from N2 to RUF is hereby denied for the following reasons:

1. The petitioner has failed to affirmatively show that the proposed zoning change would be compatible with and in harmony with the surrounding neighborhood.
2. The proposed zoning change is inconsistent with the surrounding zoning and would adversely alter the neighborhood's character.
3. The existing N2 zoning is more consistent with the established pattern of development and character of the area, and
4. The Petitioner can seek approval from the Zoning Board of Appeals.

CONDITIONAL REZONING

STATEMENT OF CONDITIONS

This Statement of Conditions made and entered into this _____ day of _____, 2023, by and between the City of Livonia (“City”), a Michigan municipal corporation, and Michael and Megan Morad (“Owners”), 20180 Westmore, Livonia, MI 48152 (“Property”), is intended to be incorporated into the application for rezoning under Petition #2023-04-01-03 as a voluntary offer in writing setting forth conditions related to the use and development of the Property, for which the conditional rezoning is being requested. Included as a material part of this statement of conditions and incorporated herein is the plot plan attached as Exhibit “A” depicting the specific proposed use of the property.

List of conditions. The conditional rezoning of the Property was granted and shall remain valid based upon satisfaction of the conditions voluntarily offered by the Owners as follows:

- 1) At most, twenty-five (25) chickens shall be housed on the Property.
- 2) No roosters shall be housed on the Property—only hens.
- 3) No farm animals other than chickens shall be housed on the Property; however, this shall not preclude the Owners from keeping other domesticated animals, such as dogs, cats, parakeets, etc., which shall be allowed.
- 4) All chickens will be maintained in the coop and fenced enclosure (run) as depicted in Exhibit B. Chickens are allowed out of the coop and run, but only when the Owners are home and provided the chickens are confined to an enclosed portion of the rear yard with no ability to trespass beyond the Owners’ property.
- 5) The Property shall be free from any waste associated with the chickens. All chicken manure will be appropriately disposed of or composted.
- 6) All Generally Accepted Agricultural and Management Practices (GAAMPs) related to raising and keeping chickens will be adhered to.
- 7) No eggs or chickens shall be sold from the Property.
- 8) The RUF, Rural Urban Farm zoning, and the keeping of chickens on the Property as set forth above shall be allowed as long as the Owners or their heirs live at the Property. Should the Owners or their heirs no longer live at the Property, the chickens will be removed, and no farm animals, including chickens, shall be housed on the Property. The City can change the property’s zoning to N2, neighborhood at such a time.

City of Livonia
A Michigan municipal corporation

By: _____
Maureen Miller-Brosnan
Its: Mayor

By: _____
Susan Nash
Its: Clerk

By: _____
Michael Morad, Owner

By: _____
Megan Morad, Owner

ACKNOWLEDGMENT

STATE OF MICHIGAN)
) SS
COUNTY OF WAYNE)

The foregoing Agreement was acknowledged before me by Maureen Miller-Brosnan, the duly authorized Mayor of the City of Livonia, and Susan Nash, the fully authorized City Clerk for the City of Livonia, on the _____ day of _____, 2023.

_____, Notary Public
Wayne County, acting in Wayne County, Michigan
My Commission Expires: _____

ACKNOWLEDGMENT

STATE OF MICHIGAN)
) SS
COUNTY OF WAYNE)

The foregoing Agreement was acknowledged before me by Michael and Megan Morad, Owners of 20180 Westmore, Livonia, MI 48152, on the _____ day of _____, 2023.

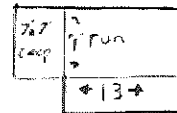
_____, Notary Public
Wayne County, acting in Wayne County, Michigan
My Commission Expires: _____

20180 Westmore, Livonia, 48152 Residential rear

Single family home 1614 sq ft

4 Bed 2 bath

Lot 36,550 sq ft



40'

Legal Description
03 F3 THAT Part OF THE NW 1/4 OF SEC 3 DES AS BEG AT A POINT
DISTANT DUE S 823.96 FT AND S 89D 55M 30 SEC E 43138 FT AND S
OD 01M 20 SEC E 224.96 FT From THE NW COR OF SEC 3 AND PROCEEDING
TH S 89D 55M 10 SEC E 176 FT TH S OD 01M 20 SEC E 224.99 FT TH N
89D 55M 0 SEC W ALONG THE N LINE OF NORFOLK AVE 176 FT TH N OD 01M
20 SEC W 224.99 FT TO THE POB 0.91 ACRE

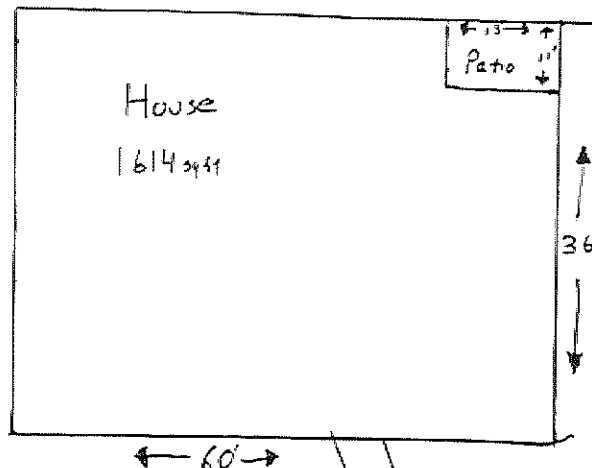
Westmore st

215'

Zoned N-2
Proposed RUF

113'
From COOP To House

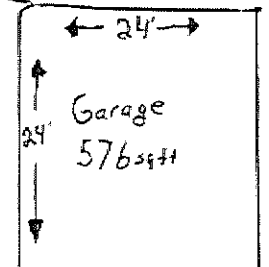
Front of house



60'

36'

Driveway

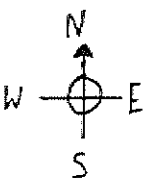


Garage
576 sq ft

170'

Norfolk st

RECEIVED
APR 26 2023
CITY OF LIVONIA
PLANNING COMMISSION



2023-04-01-03

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

TODD J. ZILINCIK, P.E.
CITY ENGINEER

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



MAUREEN MILLER BROSNAN
MAYOR

DONALD R ROHRAFF
DIRECTOR OF PUBLIC WORKS

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

May 12, 2023

Mr. Scott Miller
Planner IV
City of Livonia

Re: Petition 2023-04-01-03 – #20180 Westmore Avenue

Dear Mr. Miller:

In accordance with your request, the Engineering Division has reviewed the above referenced petition. We have no objections to the proposed rezoning at this time. The subject parcel is assigned the address of **#20180 Westmore Avenue**.

The existing parcel is currently serviced by public sanitary sewer, water main and storm sewer. Per the submittal, there are no planned alterations to the sanitary sewer and water main services, so we do not expect any impacts to the existing systems at this time.

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

Sincerely,

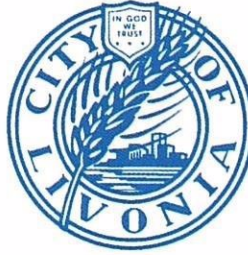
David W. Lear, P.E.
Assistant City Engineer

cc: 2023 Petition File

DEPARTMENT OF FINANCE

Michael T. Slater
DIRECTOR OF FINANCE

Connie Kumpula
CHIEF ACCOUNTANT



MAUREEN MILLER BROSAN
MAYOR

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

May 19, 2023

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

Petition 2023-04-01-03 - 20180 Westmore Street

Dear Mr. Miller,

I have reviewed the address connected with the above noted petition. As there are no outstanding amounts receivable (general or water and sewer), I have no objections to the proposal.

Please contact me if you have any further questions.

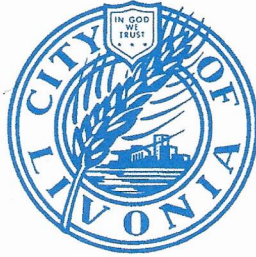
Very truly yours,

Connie Kumpula
Chief Accountant

CK: jw

OFFICE OF THE TREASURER

LYNDA L. SCHEEL
CITY TREASURER



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

May 31, 2023

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

Re: Petition 2023-04-01-03

20180 Westmore Street
Morad, Michael

Dear Mr. Miller,

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

Sincerely,

A handwritten signature in blue ink that reads "Lynda L. Scheel". The signature is written in a cursive style and is positioned above a horizontal line.

Lynda L. Scheel
Treasurer, City of Livonia

City of Livonia Planning Commission
33000 Civic Center Dr.
Livonia, Mi. 48154

June 1, 2023

Pinebrooke Partners, LLC
20232 Farmington Rd.
Suite C Livonia, Mi. 48152

Members of the Livonia Planning Commission,

On behalf of Pinebrooke Office Park and its many professional business owners, medical practices and tenants, it is our joined consensus that the proposed rezoning of the neighboring residential property located at 20180 Westmore St. from N2 to RUF should NOT be approved as requested and submitted by the petitioner.

This attempt towards a 'spot rezoning' of this particular property in a contiguous, long established residential neighborhood of N2 home sites, does not conform to the Master Plan of the City of Livonia nor does it fit in well with the overall setting and surroundings of the abutting properties, such as ours.

We also feel strongly that, if this was to be approved by the Planning Commission, it would potentially set in motion a detrimental precedent for further rezoning and 'spot zoning' petitions throughout this residential area. Our local neighborhood here is a close knit, caring and well maintained mix of older and newer single family homes with many long-standing, well respected Livonia families, many of whom have resided here for decades and raised their families.

As fellow citizens of this area, we would prefer to keep our traditional, unique and time honored neighborhood setting unchanged and maintain the appropriate N2 zoning parameters as they stand today. It has worked well for the surrounding neighborhood and has stood the test of time so to speak.

Our neighboring professional office complex itself, Pinebrooke, takes great pride in our 33 plus years of providing a clean, well maintained and desirable business environment for our many office workers and tenants at this property and in this section of Livonia. We plan on continuing to do our part by further investing the necessary time, finances and management details into our office complex by always looking after the best interests of our loyal business tenants.

With that in mind, I would hope this letter serves as an understanding of our preference in this matter as a concerned and affected abutting property owner. From our vantage point, as mentioned there is no precedent nor a need to unsettle the existing zoning arrangement that has been in place here for generations. We trust that the Planning Commission members will consider our clear and concerned perspective we have presented here, and subsequently take all of this into account in weighing their decision with this matter.

Respectfully,
Pinebrooke Partners, LLC
20200 – 20246 Farmington Rd.

City of Livonia Planning Commission
33000 Civic Center Dr.
Livonia, Mi. 48154

June 1, 2023

Pinebrooke Partners, LLC
20232 Farmington Rd.
Suite C Livonia, Mi. 48152

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Respectfully,
Pinebrooke Partners, LLC
20200 – 20246 Farmington Rd.

From: [Simmons, Jennifer](#)
To: [Planning](#); [Hanna, Jerome](#); [Stroble, Robert](#); [Banko, Steven](#); [Moore, Doug](#); [Brandon, Keri](#)
Subject: FW: Online Form Submittal: Planning Inquires
Date: Friday, June 9, 2023 2:28:37 PM

Jennifer Simmons
Constituent Relations Specialist
City of Livonia | Mayor's Office
(734) 466-2204
jsimmons@livonia.gov

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Friday, June 9, 2023 2:20 PM
To: support <support@livonia.gov>
Subject: Online Form Submittal: Planning Inquires

Planning Inquires

This form is for any questions, comments, or concerns you may have for the City in regards to planning. If you leave contact information, the City will reply within 2 business days. If this is an emergency, please dial 9-1-1.

First Name	ewa
------------	-----

Last Name	kedzierska
-----------	------------

Address	20310 Mayfield
---------	----------------

Email Address	ewalicja1@gmail.com
---------------	--

Phone Number	3139294434
--------------	------------

Describe your issue, concern, or question.	Petition 2023-04-01-03 Public Hearing June 13, 2023
--	--

1. Is the City aware that applicant has already installed a chicken coop and chickens before his application is reviewed?

2. The lot is under 1 acre and squarish in shape so the 2 lots on the east side are very close to the "proposed" coop and will have full view of chickens. They will have no choice. There are lots of 1 acre at 100ft wide and 440ft deep (or larger in Livonia where a coop at the rear would not be easily visible and would probably

not bother neighbours.

3.If this request is approved it is possible that other applicants with smaller lots will apply for the RUF waiver and what is the City's plan to deal with such requests? This could open a “can of worms”!

3. Is there a guarantee that applicant won't put in ducks, geese, turkeys, other fowl, pigs, sheep, goats, donkey etc?

4. Noise – not everyone would like to be woken by a rooster crowing early in the morning, or by chickens clucking away....

4. How will the manure/compost be dealt with? A pile may and probably will attract rats (which are a problem already in some areas), other vermin and flies as well as smell. Will this be disposed of through the regular trash collection?

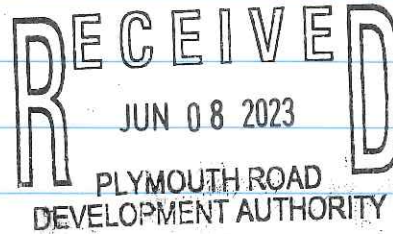
Livonia prides itself as being a diverse city/community, for families, with good schools and a safe place to live in. It is not considered “country” and small lots are not really adequate for bringing in chickens or for that matter other farm animals. The above concerns indicate that I ask the Committee to seriously consider the application and do not grant the waiver.

Thank you.

Ewa Kedzierska

Date of Concern	6/13/2023
Attachment (Optional)	<i>Field not completed.</i>

Email not displaying correctly? [View it in your browser.](#)



June 6, 2023

I am writing to say we do not want 20180 Westmore rezoned to a Rural Urban Farm.

We have problems with rats, mice and other vermin and we don't need other animals infesting our neighborhood.

Sincerely
Rody Norma
Martin

20013 Shodyside
Livonia, MI 48152

From: [KARL & ROBERTA BURNETT](#)
To: [Planning](#)
Subject: Resining @ 20180 Westmore
Date: Tuesday, June 6, 2023 2:17:41 PM

Ladies and gentlemen:

I am sending this message by electronic mail because I expect to be out of the city at the time you have scheduled your hearing on the matter of rezoning at 20 180 Westmore in Livonia, a private residence located in our subdivision.

Please allow me to be placed on your agenda as reading my message aloud and not in support of rezoning this residential property.

Folkers Farmington acres was probably a farm a very long time ago?

However, the subdivision is now a pleasing and comfortable area in which to live as single family residences.

I suspect the city Council has already received a request for this rezoning and has denied it?

Therefore, the original proposal to redone has probably been simply forwarded to the zoning board of appeals (ZBA).

This proposal to rezone a single-family residential property to one of rural urban farm is not supported here by myself, or my neighbors surrounding me and the concerned residence.

I respectfully request the proposal to re-zone. The subject property be denied.

Thank you in advance
R. Karl Burnett
32720 Norfolk St.
Livonia, MI 48152

Sent from my iPhone

From: [Simmons, Jennifer](#)
To: [Planning](#)
Subject: FW: Online Form Submittal: Planning Inquires
Date: Thursday, June 8, 2023 9:42:15 AM

Jennifer Simmons

Constituent Relations Specialist
City of Livonia | Mayor's Office
(734) 466-2204
jsimmons@livonia.gov

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Thursday, June 8, 2023 9:16 AM
To: support@livonia.gov
Subject: Online Form Submittal: Planning Inquires

Planning Inquires

This form is for any questions, comments, or concerns you may have for the City in regards to planning. If you leave contact information, the City will reply within 2 business days. If this is an emergency, please dial 9-1-1.

First Name	keith
------------	-------

Last Name	dumond
-----------	--------

Address	33201 Norfolk st.
---------	-------------------

Email Address	durod kjd@yahoo.com
---------------	--

Phone Number	734-934-4413
--------------	--------------

Describe your issue, concern, or question.	
--	--

to the planning commission: In regards to petition 2023-04-01-03, rezoning of 20180 Westmore St., to RUF. I protest, the rezoning of ,said property. I will be unable to attend the hearing, but this in no way diminishes my fervent opinion, that rezoning of this property would be a mistake. Rats, smell, possible reduction of property value, preferential treatment of one tax payer over another, being my major concerns. I expect other unanticipated problems will also, occur. If this proposal does pass, the rezoning should be for the entire quadrant, perhaps the entire city. Why should most tax payers, be barred from raising farm animals, but just the one allowed. This is a residential area, people moved

here with that understanding, changing that would be unfair. I feel rezoning this parcel, will cause future headaches for the residents, the city and the commission. Thank you for your time.

Date of Concern

6/8/2023

Attachment (Optional)

Field not completed.

Email not displaying correctly? [View it in your browser.](#)

Uhazie, Jacob

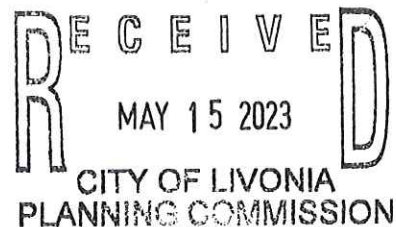
From: Centers, Janice
Sent: Monday, May 15, 2023 10:24 AM
To: Taormina, Mark; Uhazie, Jacob
Cc: Simmons, Jennifer; Centers, Janice
Subject: FW: Online Form Submittal: Planning Inquires

Good morning,

We received the following Planning Inquiry email today. Would someone be able to reach out to Mr. Dumond, or provide information for me to respond with?

Thank you,
Janice

Janice Centers
Executive Assistant to the Mayor
City of Livonia | Mayor's Office
(734) 466-2206
jcenters@livonia.gov



From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Saturday, May 13, 2023 11:24 AM
To: support <support@livonia.gov>
Subject: Online Form Submittal: Planning Inquires

Planning Inquires

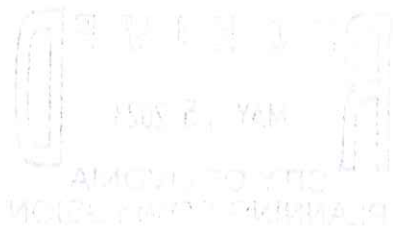
This form is for any questions, comments, or concerns you may have for the City in regards to planning. If you leave contact information, the City will reply within 2 business days. If this is an emergency, please dial 9-1-1.

First Name	keith
Last Name	dumond
Address	33201 Norfolk st.
Email Address	durod kjd@yahoo.com
Phone Number	734-934-4413
Describe your issue, concern, or question.	I am concerned about, the possibility of a rezoning in my area, allowing for farm animals. Chickens to be specific. I moved into a residential, as opposed to a rural area for a reason. I would

strongly urge, the council not to approve such a motion. What next goats? I see a rat problem coming from this, thank you.

Date of Concern	5/13/2023
Attachment (Optional)	Field not completed.

Email not displaying correctly? [View it in your browser.](#)



Uhazie, Jacob

From: Jan Irvin <janmi@rocketmail.com>
Sent: Friday, May 12, 2023 3:48 PM
To: Planning
Subject: Fwd: Zoning change proposal, May 16th meeting

Please send me a quick "got it" so I know this went through. Thanks so much!

Sent from my iPad

Begin forwarded message:

From: Jan Irvin <janmi@rocketmail.com>
Date: May 12, 2023 at 12:24:20 PM EDT
To: planningcommision@cityoflivonia.org
Subject: Zoning change proposal, May 16th meeting

To: Planning Commission, Jacob and Scott

Dear Members,

We are sending in this letter about our **concerns** for the proposed zoning change at 20180 Westmore to "urban farm" from residential. We are submitting the letter for the May 16th meeting.

I (Jan) kindly asked our neighbors not to put chickens in the yard when I noticed them in their dog pen, which is directly behind our yard. (This was about a month ago.) I mentioned that I am allergic to chickens and would not be able to open my windows if chickens were present. I said that this was a residential neighborhood and not zoned for chickens.

Our neighbors went ahead with their plans and applied for a zoning change, put up a coop on pallets as well as a wire run area.

We object to the change of zoning because:

- 1) Chickens attract rats because of feed and droppings. The local foxes and coyotes will also be interested in them. In the past, a neighbor across the street and 4 doors down had chickens and his neighbor called the city because of the rat issue. The chickens were removed.
- 2) A zoning change sign has not been posted so the rest of the block northward is not aware of any change. The chickens are currently housed in their garage and have not been seen by others.
- 3) We do not understand why 10 chickens would be considered "emotional support" animals because they already have 2 dogs.
- 4) It is impossible to avoid the "farm smell" of chickens.

We respectfully request that the area not be rezoned to urban farm. We will not attend the meeting in person as our neighbors have tried to intimidate us into their wishes by posting no trespassing signs, installing and pointing two cameras directly into our yard and calling in a false police report on my husband in reference to their dogs. Please see pictures below. The last photo is the coop and run area in the back of the property. We will be happy to answer any questions by phone or you may stop by our house, 20181 Shadyside. (1 block east of Farmington and 1 block south of 8 Mile) Feel free to call at 248 477-3677.

Respectfully submitted,
Jan and Ron Irvin

Posted Signs

From: [redacted]
To: [redacted]
Subject: [redacted]
Date: [redacted]

Please read this e-mail "quick" and I assure this was the only. Thanks so much!

Best from my Dad!

Best from my Mom!

From: [redacted]
To: [redacted]
Subject: [redacted]
Date: [redacted]

The Planning Committee, David and I

Dear Members,

We are writing to this letter about our concerns for the proposed parking area at 2015th Street. We are submitting this letter to the City of St. Louis.

- 1) The City of St. Louis has a long history of not listening to the concerns of the community. We have been told that the City of St. Louis is not listening to the concerns of the community.
- 2) The City of St. Louis has a long history of not listening to the concerns of the community. We have been told that the City of St. Louis is not listening to the concerns of the community.
- 3) The City of St. Louis has a long history of not listening to the concerns of the community. We have been told that the City of St. Louis is not listening to the concerns of the community.
- 4) The City of St. Louis has a long history of not listening to the concerns of the community. We have been told that the City of St. Louis is not listening to the concerns of the community.
- 5) The City of St. Louis has a long history of not listening to the concerns of the community. We have been told that the City of St. Louis is not listening to the concerns of the community.
- 6) The City of St. Louis has a long history of not listening to the concerns of the community. We have been told that the City of St. Louis is not listening to the concerns of the community.
- 7) The City of St. Louis has a long history of not listening to the concerns of the community. We have been told that the City of St. Louis is not listening to the concerns of the community.
- 8) The City of St. Louis has a long history of not listening to the concerns of the community. We have been told that the City of St. Louis is not listening to the concerns of the community.
- 9) The City of St. Louis has a long history of not listening to the concerns of the community. We have been told that the City of St. Louis is not listening to the concerns of the community.
- 10) The City of St. Louis has a long history of not listening to the concerns of the community. We have been told that the City of St. Louis is not listening to the concerns of the community.

David and I



Concern on the corner of this property going to be not going any



Copyright © 2000



Back Yard.jpg (204)

Members of the Livonia City Planning Committee:

I am writing to you in regards to the petition to change the zoning from N2 to RUF at the following location:

20180 Westmore, Livonia, MI 48152

As a longtime homeowner in the vicinity of this location, I am OPPOSED to the zone change for these reasons:

1. Chickens will attract other wildlife to the neighborhood such as raccoons, foxes, coyotes, rats and various other scavengers. The area is already overrun with deer that have decimated many of our neighbors' landscaping/flowers, we don't need the additional wildlife wreaking havoc on our yards.
2. It has come to my attention that the homeowner already has the chickens in possession and did not wait till a decision about a zoning variance. If they are so mindless of the zoning regulations, who is to say what other violations they may try to get past the zoning committee.
3. Noise – especially roosters.
4. This neighborhood has a general level of tidiness and care for the upkeep of its houses and yards that the homeowner does not seem to abide by. Items strewn throughout the yard, a car parked in the back yard etc and the addition of a chicken flock certainly adds to general level of messiness throughout the property.

5. The property's proximity to medical offices. Not only the possibility of increased wildlife near the area, also the threat of wildlife borne illness (avian or otherwise) to the medically compromised patients who are in the area.

Again, I want to reiterate my opposition to the zoning change and hope that your committee would vote to NOT allow the zoning change for 20180 Westmore.

Thank you for your consideration,

Margaret Quinn

If these remarks are to be read aloud or disseminated at the planning meeting, please respect my wishes and put these remarks out anonymously.

From: [DIANE RICHMOND](#)
To: [Planning](#)
Subject: Petition 2023-04-01-03 Question
Date: Wednesday, June 14, 2023 9:30:38 AM

Hi Planning Commission.

I sent an email yesterday and realized I have some more questions before I can make a decision.

How many chickens are they planning on raising?

How large is enclosure for chickens?

How often will they clean the enclosure?

Diane Richmond

33341 Norfolk St

Livonia 48152

Sent from my iPhone

From: [DIANE RICHMOND](#)
To: [Planning](#)
Subject: Petition 2023-04-01-03
Date: Tuesday, June 13, 2023 8:58:28 PM

I have several questions before making a decision about rezoning the property at 20180 Westmore Street, Livonia 48152.

1. If property is rezoned to RUF does the city inspect the property for health violations regularly?
2. If property is sold to someone else other than Michael Morad, will it automatically stay zoned RUF or revert back to N2?
3. Is there a limit of number and types of animals that can be living on the property?
4. How do they dispose the chicken droppings?

I have a family member who lives in Ferndale. Their neighbor was permitted to have chickens. They took care of the chickens for the first few years. This neighbor lost interest in maintaining the property. It was very difficult for other neighbors to get this issue resolved. Many health concerns.

What does the City of Livonia have in place to protect its residents from being placed in a similar situation?

Health concern of Histoplasma. This is an infectious disease caused by breathing in spores/fungus often found in chickens and other bird droppings.

Respectfully,
Diane Richmond
33341 Norfolk Street
Livonia, Michigan 48152

Sent from my iPhone

From: [Lucy](#)
To: [Planning](#)
Subject: PETITION 2023-04-01-03
Date: Monday, June 12, 2023 11:02:37 PM

Good Evening Planning Board of Livonia,

Per a letter you mailed out regarding a petition for Michael Morad property at 20180 Westmore St, Livonia. Per your letter request and Mr. Morad mentioning to send a letter of my opinion to the board. My name is Lucy Eisenhardt-Baldassarra.

I reside at 20306 Shadyside and also hold deed rights to 20260 Shadyside which both addresses received letter of notice. I am of the understanding the purpose of the rezone request is to allow Mr. Morad to have 12 chickens at the back end of his property closest to 20205 & 20245 west side Shadyside. I have spoken with Mr. Morad and his wife Megan, I have also seen the NEW Chicken coop he has constructed. I see no issues with them raising and responsibly taking care of the premises. Mr. Morad seems to be an honest responsible person whom I understand works for Farmington Hills DPW which tells me he understands the construction requirements/ safety measures he has explained to me he took while constructing his coop. He has informed me he put proper chicken wiring and proper footings. He also explained his maintenance he intends to do to keep it clean. Mr. Morad has a 3 yr old son named Forest and a newborn on the way-after talking to him I am sure the property and chickens will all be maintained in the healthiest and safest way possible for his family as well as the surrounding neighbors. I found The Morad's are very approachable and would be willing to make compromises and adjustments if ever the chickens caused an issue-a person would just simply need to knock on his door and discuss any concerns that come about.

Years ago our whole area was Farm agriculture RUF, sadly by no choice of all the residents we were notified we all were being rezoned. I wish the rezone never happened personally, I think it was all tax based to raise all our taxes. Which brings my only concern for this petition. If this changes tax rates to the lower rates we use to get than I'm not sure a rezoning is necessary but an exception for his property to allow the chickens and the coop. I don't feel that the surrounding neighbors should bear a higher tax rate do to the rezoning, I feel regardless of the zone our property tax brackets should be the same in N1 of N2.

So in short I approve Mr. Morad to have the coop and Chickens, but I am not in favor of rezoning if it causes a discrimination of taxes for the surrounding neighbors. If I am wrong that the tax brackets between the zones N1 and N2 are not different than I would be in favor of the rezone as well. However in the instance I am right about the tax brackets than I recommend a property permit allowing as mentioned the said Chickens and the coop to house them in.

Lastly, I will mention-In the city of Livonia there are many places with signs of people selling fresh eggs etc.-which tell me others can responsibly do the same as the Morads wish to do.

Thank you for hearing my opinion, and hope the board can make a decision that can accommodate the homeowner and the city respectfully.

Sincerely,
Lucy Eisenhardt-Baldassarra

Date: April 11th, 2023

Patient: Megan Morad
DOB: 3/15/1993

To whom this may concern,

Megan Morad is currently in my professional care for treatment for mental illness defined by the DSM-IV. Her mental impairment substantially limits one or more major life activities. I am intimately familiar with her history and with the functional limitations imposed by her emotional related illness. I have prescribed an emotional support animal as part of the treatment program developed for Megan. Due to this emotional disability, Megan has certain limitations related to coping with stress and anxiety. In order to help alleviate these difficulties, and to enhance her ability to function independently, I have prescribed Megan to obtain an emotional support animal. The presence of this animal is necessary for the emotional health of Megan because its presence will mitigate the symptoms she is currently experiencing. The presence of this emotional support animal is necessary for Megan's mental health. Megan needs the emotional support animal as an accommodation for support in her own home.

I am licensed by the state of Michigan to practice psychiatry. My license number is 5601002389. If you have any questions or concerns, please feel free to give me a call (248) 471-7171.

Sincerely,

Bryan S. Weinstein, D.O.
Julie Micheli PA-C
Kayla Stiles PA-C
BSW



Bryan S. Weinstein, D.O.

BSW

RECEIVED
APR 26 2023
CITY OF LIVONIA
PLANNING COMMISSION

2023-04-01-03

From: [Dorothy Iannarelli](#)
To: [Planning](#)
Subject: Petition 2023-04-01-03
Date: Friday, June 9, 2023 2:34:10 PM
Attachments: [VBS.eml.msg](#)

This email is sent on behalf of Antonio and Francesca Iannarelli residing at 20180 Shadyside St. Livonia, MI 48152 in regards to a letter they received pertaining to the above stated petition. They have been longtime residents of Livonia and look forward to a young family starting out their life dreams. They feel that Mr. Michael Morad and his family should be able to have their property rezoned from N2 to RUF if they sufficiently meet the criteria.
Sincerely,

Antonio and Francesca/Roberto and Dorothy Iannarelli

Dear Planning Commission,

We live at 32790 Norfolk; four houses down wind from 20180 Westmore. We have lived at this home for 27 years. We do NOT want the property NW $\frac{1}{4}$ of section 3 from N2 (neighborhood) to RUF (rural urban farm) to be rezoned. These are the reasons:

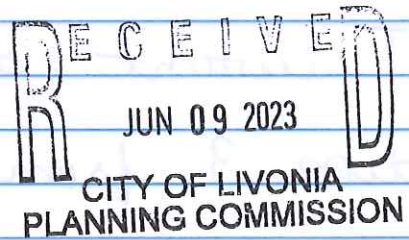
1.) About 10 years ago a neighbor on Shadyside street had chickens and we got RATS! Please not again.

2.) The smell. Like I said most of the wind flows westward down Norfolk street and we love our outdoor living too much and worry about this happening.

3.) If you want chickens and other farm animals buy your home in a RUF section. Its not fair to those who don't want to live near farm animals.

Thank you for reading our concerns,
Proud residents of Livonia.

Richard Whittier and Esther Whittier



To Whom it May Concern:

Michael and Megan lived next to me for nearly 5 years while they lived on Cardwell street in Livonia. During that time, they owned chickens that were kept in a clean and humane way.

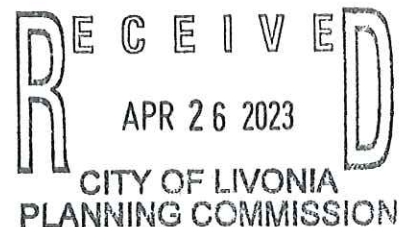
The coop was cleaned on a regular basis along with daily feedings and fresh water. My daughter was asked to help when they would leave for events and was more than happy to help.

In addition to the cleanliness of their coop, Megan made compost from the waste of the chickens which my fiancé was more than happy to use in his garden. I know the smell is usually a concern as well, but there was minimal to no smell due to the constant upkeep.

If there are any other concerns or questions, please feel free to contact me.

Dannette Cauchi

Dnnttnelson@yahoo.com



2023-04-01-03

April 18, 2023

To whom it may concern;

I am an old neighbor of Mike and Megan Morad.

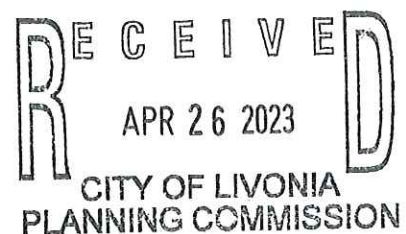
I lived next to them for the entire time they were on Cardwell in Livonia.

They had their chickens in a coop in their backyard and kept it very clean. The chickens never made much noise, I would always check because they were so quiet. I enjoyed the eggs I was given as well. To say they were a nuisance is not true.

With the price of groceries these days I don't see this as a problem I see it as a gain for the area.

If you have any other questions please feel free to contact me.

Dean Aldrich
734-502-0499



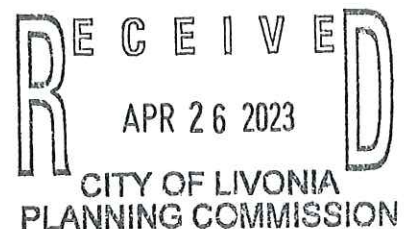
2023-04-01-03

To Whom it may Concern,

I am writing this letter in regard to the possession of chickens by Michael and Megan Morad. Michael and Megan are former neighbors of mine. I live at 27646 W Chicago. During their time as neighbors of mine, they raised several chickens on their land. Had I not been close personal friends of theirs, I honestly would not have known they had chickens. The chickens were always in their coop, never running around the yard. They were well cared for and cleaned up after. The yard never smelled of chickens or their dogs for that matter. I never once heard their chickens make noise, and I am a very light sleeper with thin walls who hears everything. I never noticed bugs or rats around due to the chickens. I am in full support of the responsible ownership of chickens to feed a growing family and teach their son responsibility and livestock ownership.

Any further questions, I can be reached by phone or email at 517-505-5523 or jchapman674@comcast.net

Sincerely,
Jacquelyn Chapman



2023-04-01-03

April 21, 2023

To whom it may concern,

I am a long time Livonia resident and previous neighbor of Mike and Megan Morad. I would like to advocate on their behalf regarding their request to have chickens on their property.

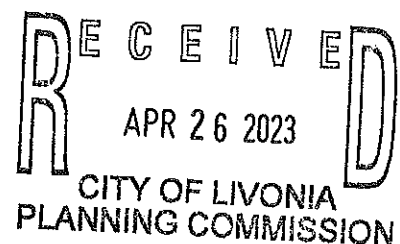
When the Morads lived next to me, they had chickens in their backyard. Although our houses are close together, this was not seen as a nuisance. They kept the coop and surrounding area very clean and there were no signs of the rodent issues in our yards as is abundant in other areas of our city. From my perspective the Morads are very respectful of their neighbors and would ensure there is no negative impact within or surrounding their property. They are responsible and dedicated homeowners working to improve their home, lifestyle, and community.

Thank you for your consideration. I am available for any additional information or insight that may prove useful in reviewing the request.

Sincerely,

LisaLBarker

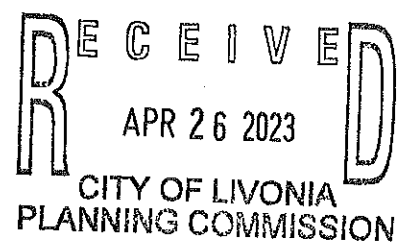
Lisa Barker
9502 Cardwell
Livonia, MI 48150
734-635-7303



2023-04-01-03

The following neighbors were contacted by us and encouraged us to rezone to legally and responsibly own chickens, so no further conflicts arise:

- Kathleen Morris
 - 20240 Westmore St
Livonia 48152
- Hien (Henry) and Jenny Than
 - 20245 Shadyside St
Livonia 48152
- Mark and Karen Rocheleau
 - 20245 Shadyside St
Livonia 48152
- Pauline Georgevich
 - 33233 Norfolk St
Livonia 48152



2023-04-01-03

From: [Carol Szatkowski](#)
To: [Planning](#)
Subject: Petition 2023-04-01-03 Submitted by Michael Morad
Date: Tuesday, May 30, 2023 8:18:20 PM
Attachments: [image.png](#)

Dear City of Livonia Planning Commission Team,
I received the attached letter regarding the following petition:

Petition 2023-04-01-03 submitted by Michael Morad pursuant to Sections 13.13 and 13.15 of the Livonia Zoning Ordinance, as amended, requesting to rezone the property at 20180 Westmore Street, the Northwest ¼ of Section 3 from N2 (Neighborhood) to RUF (Rural Urban Farm).

I live at 33377 Norfolk St, Livonia, MI 48152. Please acknowledge for the June 13, 2023 public hearing that I approve and vote yes that Michael Morad's property be rezoned to Rural Urban Farm (RUF). Mr Morad and his family have improved the property tremendously since they purchased it. Please record my vote as a Yes for RUF. Please call me if you have questions.

Thank you,
Carol Szatkowski
248-765-7512

From: [KARL & ROBERTA BURNETT](#)
To: [Planning](#)
Subject: Resining @ 20180 Westmore
Date: Tuesday, June 6, 2023 2:17:41 PM

Ladies and gentlemen:

I am sending this message by electronic mail because I expect to be out of the city at the time you have scheduled your hearing on the matter of rezoning at 20 180 Westmore in Livonia, a private residence located in our subdivision.

Please allow me to be placed on your agenda as reading my message aloud and not in support of rezoning this residential property.

Folkers Farmington acres was probably a farm a very long time ago?

However, the subdivision is now a pleasing and comfortable area in which to live as single family residences.

I suspect the city Council has already received a request for this rezoning and has denied it?

Therefore, the original proposal to redone has probably been simply forwarded to the zoning board of appeals (ZBA).

This proposal to rezone a single-family residential property to one of rural urban farm is not supported here by myself, or my neighbors surrounding me and the concerned residence.

I respectfully request the proposal to re-zone. The subject property be denied.

Thank you in advance
R. Karl Burnett
32720 Norfolk St.
Livonia, MI 48152

Sent from my iPhone

Uhazie, Jacob

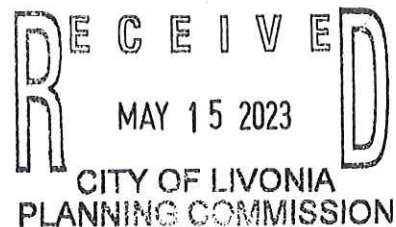
From: Centers, Janice
Sent: Monday, May 15, 2023 10:24 AM
To: Taormina, Mark; Uhazie, Jacob
Cc: Simmons, Jennifer; Centers, Janice
Subject: FW: Online Form Submittal: Planning Inquires

Good morning,

We received the following Planning Inquiry email today. Would someone be able to reach out to Mr. Dumond, or provide information for me to respond with?

Thank you,
Janice

Janice Centers
Executive Assistant to the Mayor
City of Livonia | Mayor's Office
(734) 466-2206
jcenters@livonia.gov



From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Saturday, May 13, 2023 11:24 AM
To: support <support@livonia.gov>
Subject: Online Form Submittal: Planning Inquires

Planning Inquires

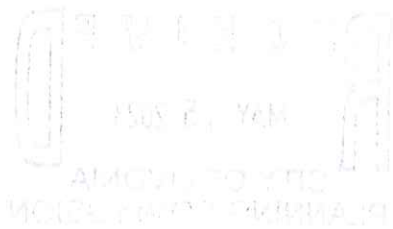
This form is for any questions, comments, or concerns you may have for the City in regards to planning. If you leave contact information, the City will reply within 2 business days. If this is an emergency, please dial 9-1-1.

First Name	keith
Last Name	dumond
Address	33201 Norfolk st.
Email Address	durodkjd@yahoo.com
Phone Number	734-934-4413
Describe your issue, concern, or question.	I am concerned about, the possibility of a rezoning in my area, allowing for farm animals. Chickens to be specific. I moved into a residential, as opposed to a rural area for a reason. I would

strongly urge, the council not to approve such a motion. What next goats? I see a rat problem coming from this, thank you.

Date of Concern	5/13/2023
Attachment (Optional)	Field not completed.

Email not displaying correctly? [View it in your browser.](#)



From: [Kathy Wiltsie](#)
To: [Planning](#)
Subject: Home on corner of Westmore and Norfolk rezoning and add chicken coop
Date: Monday, July 10, 2023 2:08:03 PM

Planning Commission

I am writing to say that I vehemently oppose the rezoning to allow a chicken coop to be built on the property at the corner of Westmore and Norfolk, Livonia 48152.

The yard facing Norfolk is a trashy mess most of the time and I do not see a chicken coop being kept clean and odor free. This has always been a residential area.

The other homes along Norfolk are neat and well kept.

Patricia Wiltsie
19983 Mayfield
Livonia Mi. 48152

From: [Ron Irvin](#)
To: [Kasprowicz, Sara](#)
Subject: Rezoning of 20180 Westmore from N2 to RUF
Date: Tuesday, July 11, 2023 1:22:01 PM

[Sent from Yahoo Mail on Android](#)

Dear Sara,

Please add this list of signatures to the file for the meeting regarding the change of N2 to RUF for the property at 20180 Westmore, petition 2023-04-01-03. We can supply a paper copy.

We do not see the meeting listed for tonight, July 11th at 7:00 pm. Has the meeting been moved. Thank you
Ron Irvin

To: The Livonia City Planning Commission
Re: Petition 2023-04-01-03, Rezoning 20180 Westmore from N2 to RUF
Date: 7/10/2023

Dear Committee;

Please see the attached list of residents who are opposed to the rezoning of the above property. The proposed rezoning is not in keeping with the rest of the subdivision. We request that the property remain N2.

*Petition against the rezoning
of 20180 Westmore
from N2 to RUF*

<u>NAME</u>	<u>Address</u>	<u>Sign</u>
KEVIN KRAFT	20319 SHADYSIDE	<i>[Signature]</i>
KEVIN Crowell	20336 Shady side	<i>[Signature]</i>
Sharon Crowell	20336 Shadyside St	<i>[Signature]</i>
Mika Pettys	20111 Shadyside	<i>[Signature]</i>
David Korman	20285 Shadyside	<i>[Signature]</i>
STEVE SUMMERS	20025 SHADYSIDE	<i>[Signature]</i>
Evan Bayajian	20355 Mayfield	<i>[Signature]</i>
Karen Govender	20120 Mayfield	<i>[Signature]</i>
Genasen Govender	20120 Mayfield	<i>[Signature]</i>
Kathleen Erngren	20414 Shadyside	<i>[Signature]</i>

OTHER ITEMS RELATED TO THE PETITION



Mystic Maran

Characteristics:

- Quiet demeanor
- Submissive
- Obedient



Leghorns

Characteristics:

- Friendly
- Large egg production
- Sprightly

Olive Eggers

Characteristics:

- Mellow
- Docile
- Friendly with other birds



Isa Brown

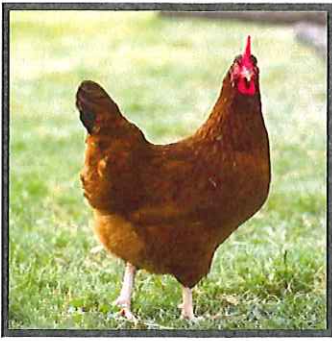
Characteristics:

- Affectionate
- Approachable by nature
- Known for their love of people.



RECEIVED
APR 26 2023
CITY OF LIVONIA
PLANNING COMMISSION

2023-04-01-03



Rhode Island Red

Characteristics:

- Calm
- Docile
- Active

Brahma

Characteristics:

- Maternal
- Non- aggressive
- Quiet



RECEIVED
APR 26 2023
CITY OF LIVONIA
PLANNING COMMISSION

2023-04-01-03



LETTER TO THE LIVONIA CITY COUNCIL

4.

Planning
July 12, 2023

MEETING DATE

July 24, 2023

PREPARED BY

Stephanie Reece, Program Supervisor,

AGENDA ITEM

Petition 2023-05-01-04 submitted by Colossal Development Group L.L.C., requesting to rezone the properties at 20511, 20513, and 20515 Angling Road, located on the southwest corner of Angling and Eight Mile Roads in the Northeast ¼ of Section 1, from C-1 (Local Business) to N1 (Neighborhood)

BACKGROUND DETAILS

July 12, 2023

Honorable Members of the City Council
City of Livonia, Michigan

Re: Petition 2023-05-01-04 - Colossal Development Group L.L.C.

Dear Council Members:

At the 1,201st Public Hearings and Regular Meeting held by the City Planning Commission on July 11, 2023, the following resolution was adopted:

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

#07-42-2023 RESOLVED, That the City Planning Commission does hereby recommend to the City Council that Petition 2023-05-01-04 submitted by Colossal Development Group L.L.C. under Sections 13.13 and 13.15 of the Livonia Zoning Ordinance, as amended, requesting to rezone the properties at 20511, 20513, and 20515 Angling Road, located on the southwest corner of Angling and Eight Mile Roads in the Northeast ¼ of Section 1, from C-1 (Local Business) to N1 (Neighborhood), be approved for the following reasons:

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

4. The proposed zoning change would provide for developing the subject property consistent with its size and location.

FURTHER RESOLVED, That notice of the above hearing was given in accordance with the provisions of Section 13.13 and 13.15 of Livonia Zoning Ordinance, as amended.

ATTACHMENTS

1. 2023-05-01-04_E-COUNCIL Pkt

APPROVED BY



Mark Taormina, Planning and Economic Development Director

Date: July 14, 2023



Maureen Miller Brosnan, Mayor

Date: July 14, 2023

Petition 2023-05-01-04 submitted by Colossal Development Group L.L.C. under Sections 13.13 and 13.15 of the Livonia Zoning Ordinance, as amended, requesting to rezone the properties at 20511, 20513 and 20515 Angling Road, located on the southwest corner of Angling and Eight Mile Roads in the Northeast ¼ of Section 1, from C-1 (Local Business) to N1 (Neighborhood).

REZONING APPLICATION
CITY OF LIVONIA, MICHIGAN

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

Date Filed: 5/19/23 Petition 2023-05-01-04

Site Address: 20515 Angling Sidwell 001-99-0013-000
001-99-0014-000
001-99-0015-000

Requesting To Rezone Property From C-1 To M1

For the Following Reason (s) To create single-family home building sites.

Applicant: Joe Eadeh Business/Company: Colossal Development Group LLC

Applicant's Address: 32826 Five Mile Rd, #106 City: Livonia State: MI Zip Code: 48154

Applicant's Phone # (734) 956-0233 Applicant's Email Contact@GjonajGroup.com

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

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

Owner of Property: Frank Okolo

Owner's Address: 50176 Tottenham Court City: Canton State: MI Zip Code: 48187

Owner's Phone # (734) 334-6002 Owner's Email faokolo@yahoo.com

Signature of Owner: [Signature] Print Name: Frank Okolo

Subscribed and sworn to before me, a Notary Public in and for the County of Wayne State of MI

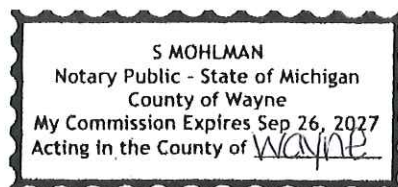
on this 8th day of May 20 23

Signature of Notary [Signature] My commission expires 9/26/2027

APPROVED AS FORM
Department of Law

By: [Signature]

Date: 5/19/2023



RECEIVED
OFFICE OF THE CITY CLERK

2023 MAY 19 PM 1:34

RECEIVED
CITY OF LIVONIA
MAY 19 2023
PLANNING COMMISSION

UNAPPROVED MINUTES

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MINUTES OF THE 1,201st PUBLIC HEARINGS AND REGULAR MEETING HELD BY THE CITY PLANNING COMMISSION OF THE CITY OF LIVONIA

On Tuesday, July 11, 2023, the City Planning Commission of the City of Livonia held its 1,201st Public Hearing and Regular Meetings in the Livonia City Hall, 33000 Civic Center Drive, Livonia, Michigan.

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

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

Members absent: None

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

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

ITEM #2 PETITION 2023-05-01-04 Colossal Development Group, LLC

Mr. Caramagno, Secretary, announced the next item on the agenda, Petition 2023-05-01-04 submitted by Colossal Development Group L.L.C. under Sections 13.13 and 13.15 of the Livonia Zoning Ordinance, as amended, requesting to rezone the properties at 20511, 20513, and 20515 Angling Road, located on the southwest corner of Angling and Eight Mile Roads in the Northeast ¼ of Section 1, from C-1 (Local Business) to N1 (Neighborhood).

Mr. Taormina: Thank you. This is a rezoning petition that involves three contiguous properties at the corner of Eight Mile and Angling Roads. The rezoning would be from C-1 (Local Business) to N1 (Neighborhood Residential). The addresses are 20511 Angling 20513 Angling and 20515 Angling. Combined, the site totals roughly two acres, with 280 feet of frontage on Angling Street by a depth of 315 feet. All three parcels are presently vacant. Rezoning would allow for the future division of the site into four new residential home sites. The N1 zoning requires a minimum lot area of 6,000 square feet and minimum lot dimensions of 50 feet by 120 feet. There are four parcels identified on the plan as Parcel A, Parcel B, Parcel C and Parcel D. Parcel A, which is the north lot, would measure 93 feet in width and total 32,000 square feet in area. Parcels B, C, and D would all be about 60 feet in width, and over 18,500 square feet. All of the proposed parcels would exceed the N1 zoning requirements. The rear of the site contains a regulated floodplain and wetlands. These features have been identified and mapped. The plans show that the building envelopes for each parcel would be large enough without disturbing these areas. Looking at the surrounding area across Eight Mile is the City of Farmington Hills. Fresenius Medical Care Center zoned C-4, is located to the west of the property. East across Angling is an auto parts store and self-storage facility. And lying to the south are residential homes that are zoned RUF (Rural Urban Farm). The Future Land Use Plan designates the property as Corridor Commercial. A little bit of history about the site. It was previously approved for medical office use, however, those developments never occurred. In 1993, the only house that's ever been recorded on this property was removed from 20515 Angling. With that, Mr. Chairman, I can read out the departmental correspondence.

Mr. Wilshaw: Yes, please.

Mr. Taormina: Mr. Taormina: The first item is from the Engineering Division, dated May 22, 2023, which reads as follows: *"In accordance with your request, the Engineering Division has reviewed the above referenced petition. We have no objections to the proposed rezoning at this time. The subject parcels are assigned the addresses of #20511, #20513 and #20515 Angling Road. (not #20815). The existing parcels are currently serviced by public sanitary sewer, water main and storm sewer. No service connections or information are shown in the submittal so we are unable to determine the extents of any impacts to the existing systems, but we do not expect there to be any issues with the construction of four single family houses. The legal descriptions look correct (with the exception of a small typo on the west lot lines of the proposed lot descriptions) and should be used should the project move forward. The owner will need to*

submit applications to the Assessor's office for the lot line adjustments/ lot split that will need to occur prior to any permitting. Also, we would ask that owner provide a formal dedication of the 33' wide right-of-way for Angling Road as shown in the proposed legal descriptions." The letter is signed by David W. Lear, P.E., Assistant City Engineer. The next letter is from the Finance Department, dated June 26, 2023, which reads as follows: *"I have reviewed the addresses connected with the above noted petition. As there are no outstanding amounts receivable, general or water and sewer, I have no objections to the proposal."* The letter is signed by Connie Kumpula, Chief Accountant. The next letter is from the Treasurer's Department, dated June 2, 2023, which reads as follows: *"In accordance with your request, the Treasurer's Office has reviewed the address connected with the above noted petition. At this time, there are no outstanding amounts receivable for taxes. Therefore, I have no objections to the proposal."* The letter is signed by Lynda Scheel, Treasurer. That is the extent of the correspondence.

Mr. Wilshaw: All right. Is there any questions for our planning staff? I don't see any questions for our planning staff and the petitioner is here in our audience, please come forward. Good evening, sir.

Joe Eadeh. 32826 5 Mile Road, Suite 106, Livonia, MI.

Mr. Wilshaw: Thank you for being here. Mr. Eadeh. Is there anything that you'd like to add to what we've heard already?

Mr. Eadeh: No, I think Mark did a great job. He needs a raise.

Mr. Wilshaw: He usually does steal a lot of people's thunder. All right. Is there any questions for our petitioner then? Mr. Bongero.

Mr. Bongero: A couple of questions. I like it. I think it's a nice proposal. The grade is pretty drastic out there. So, are you guys going to try to shoot for like daylight basements?

Mr. Eadeh: Yes. Yeah. Walkout basements we would like to do.

Mr. Bongero: Okay, do you think you can get a walkout in there? Hopefully?

Mr. Eadeh: Hopefully. Yeah.

Mr. Bongero: Okay, looks like maybe as you go closer to Eight Mile, you might be able to. I was just saying it looks like the one lot going

UNAPPROVED MINUTES

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closer to Eight Mile might be able to, and then there's a significant grade difference from Eight Mile to the first lot on the corner of Eight Mile and Angling. What are you guys going to do? You going to do a retaining wall there? You're going to cut that down? There's a big steep increase.

Mr. Eadeh: Are you talking in the back going down?

Mr. Bongero: No. on the corner, no, on the corner of Angling and Eight Mile right there where the cursor is. The grade is...It's up significantly from the sidewalk. So it's grass now.

Mr. Eadeh: I couldn't tell you until we start, because we may have enough dirt to build a berm there. I don't want to commit to a retaining wall because they're so expensive, if bottom line, we have to do one, we would, but I don't want to commit to one.

Mr. Bongero: Okay. And then it looks like there's a block wall that looks like it's part of the neighbors on the south lot line and it encroaches into your property like eight feet?

Mr. Eadeh: Yes.

Mr. Bongero: Did you...are you taking that down? Did you talk to the neighbor?

Mr. Eadeh: We talked to them, you know, we want to be good neighbors. So, we're not going to put any hardship or any monetary burden on them. We'll help them out, but it will have to be removed. So that way we can get that lot line.

Mr. Bongero: Yeah, cuz it looks like their garage is like maybe a foot off your property line. So. Okay, so you are removing it with cooperation with the neighbor.

Mr. Eadeh: That's our plan.

Mr. Bongero: Okay. That answers my questions.

Mr. Wilshaw: Thank you, Mr. Bongero. Any other questions for our petitioner?

Mr. Wilshaw: Mr. Taormina, just refresh my memory because this is not...this is only for lots. If this zoning is approved, we're not going to see it come back for any additional processes at the Planning Commission. Is that correct?

UNAPPROVED MINUTES

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Mr. Taormina: Not likely. These could be subdivided through a lot split process provided by the City's Assessment Department. On the other hand, if they choose to develop it as a site condominium, it would have to come back. But I don't believe they intend to do that because it can be done through a simple lot split process with the parcels created via metes and bounds descriptions.

Mr. Wilshaw: Okay. I just wanted to refresh my memory on that, because normally, when we're dealing with zoning requests, we don't have a lot of discussion about how the property will actually be developed. We're more focused on the zoning, but in this case, questions regarding how the parcel will be developed, the type of homes, those types of things are certainly in order. Because this is the last time we'll see it. Are there any other questions from any of our commissioners, I just wanted to throw that out there. Mr. Caramagno.

Mr. Caramagno: Mark, maybe you can answer this the 33-foot right of way, is that not there now? It's got to have a dedicated easement.

Mr. Taormina: I'm not sure...the survey shows 66 feet. I think the survey is indicating the future right of way, but the legal description...I'm guessing that the Engineering Department has determined that the existing right of way has never been dedicated. That is something that would get sorted out during the lot split process.

Mr. Caramagno: Just a formality is what you're saying.

Mr. Taormina: It is.

Mr. Caramagno: Okay. Thank you.

Mr. Wilshaw: All right. Thank you. Mr. Carmagno. Any other questions? Mr. Ventura.

Mr. Ventura: Mr. Eadeh, Is the site plan and the elevation that has been provided to us in our package, representative of what you plan to do there?

Mr. Eadeh: Yes.

Mr. Ventura: I think it's great. When do you think you'd be in the ground?

Mr. Eadeh: I don't know when we get to Council, but we would love to get something in the ground before the cold, before the frost.

- Mr. Ventura: I hope you do. Thank you. Thank you, Mr. Chairman.
- Mr. Wilshaw: Thank you, Mr. Ventura. Any other questions for our petitioner? There's a diagram on the screen for folks in our audience. It's a conceptual rendering, I believe of what one of your homes may look like. Is that true, Mr. Eadeh?
- Mr. Eadeh: Yes. That's one of the ones. Right now, they're about those small most popular...the Colonials around the 2,000 square foot mark. They very affordable.
- Mr. Wilshaw: What is the price point are you looking at?
- Mr. Eadeh: Just probably around \$429,000.
- Mr. Wilshaw: Okay.
- Mr. Eadeh: Hopefully, you know, I just got to put a call in to the Federal Reserve to lower the interest rates.
- Mr. Wilshaw: Good luck with that. If you can do that, you are very influential person.
- Mr. Eadeh: They would hang up on me.
- Mr. Wilshaw: All right. Any other questions from any of our commissioners for our petitioner? If not, I'll look to the audience. Is there anyone in the audience wishing to speak for or against this item? You're welcome to come forward. I don't see anybody coming forward that wants to speak on this. Mr. Eadeh, anything else that you wanted to say before we make a decision?
- Mr. Eadeh: No, thank you. I'm good.
- Mr. Wilshaw: All right, then I will close the public hearing and a motion will be in order.
- Mr. Wilshaw: Is there any comments or discussion on the motion? If there is none, and our secretary is ready, please call the roll.

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

#07-42-2023 **RESOLVED**, That the City Planning Commission does hereby recommend to the City Council that Petition 2023-05-01-04 submitted by Colossal Development Group L.L.C. under Sections 13.13 and 13.15 of the Livonia Zoning Ordinance, as

amended, requesting to rezone the properties at 20511, 20513, and 20515 Angling Road, located on the southwest corner of Angling and Eight Mile Roads in the Northeast ¼ of Section 1, from C-1 (Local Business) to N1 (Neighborhood), be approved for the following reasons:

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

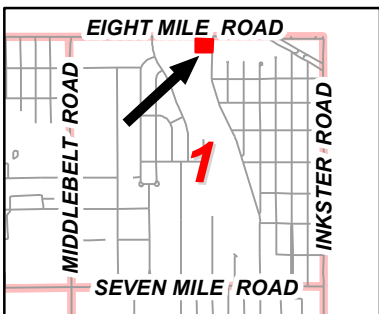
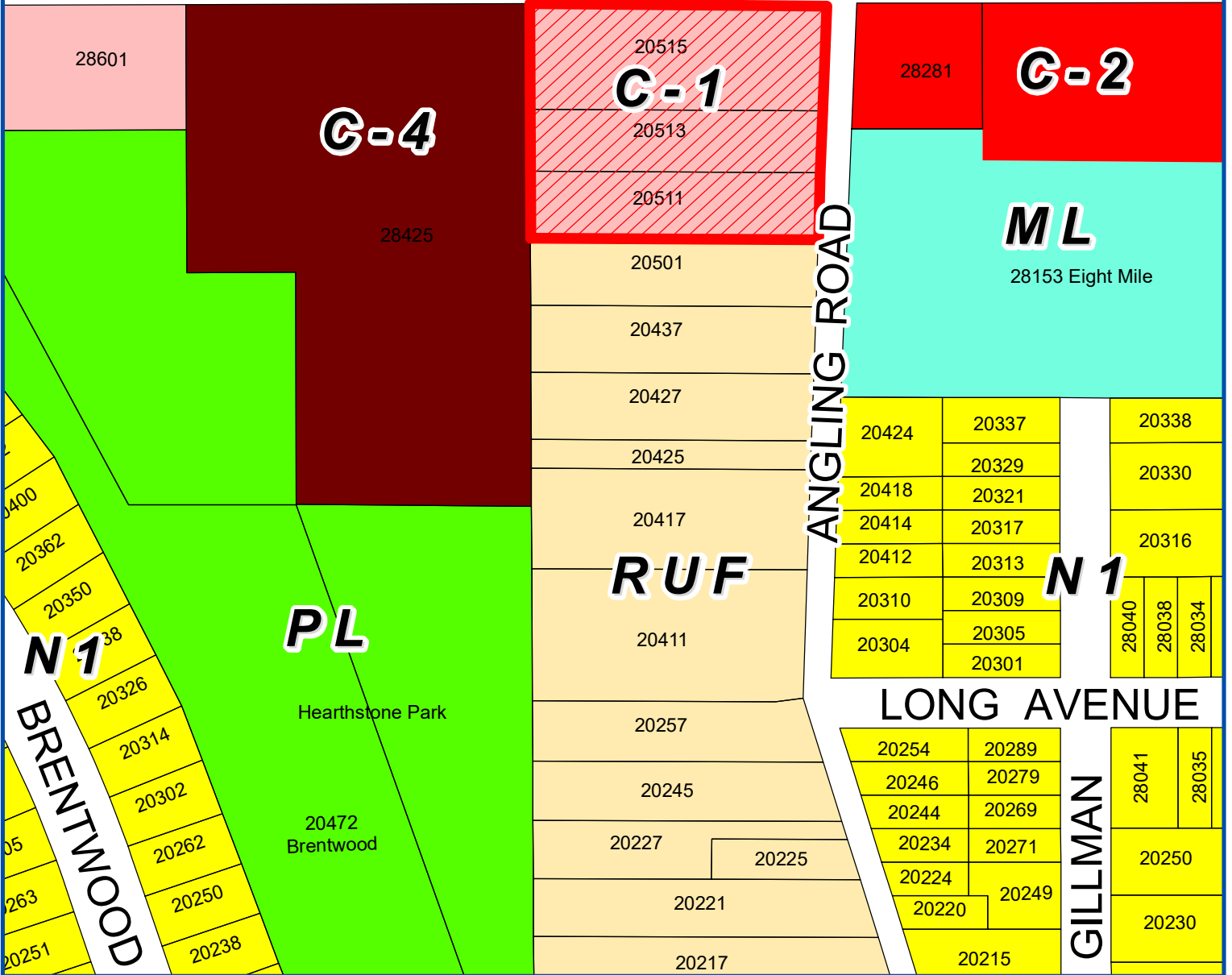
FURTHER RESOLVED, That notice of the above hearing was given in accordance with the provisions of Section 13.13 and 13.15 of Livonia Zoning Ordinance, as amended.

Mr. Wilshaw: Is there any discussion?

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

Farmington Hills

EIGHT MILE ROAD



Address & Zoning Map

Petition 2023-05-01-04
Colossal Development Group
20511, 20513 and 20515 Angling Road
C-1 to N1

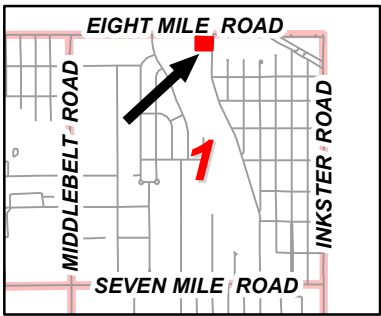


Not to Scale

Farmington Hills

EIGHT MILE ROAD

ANGLING ROAD



Aerial Map

Petition 2023-05-01-04
Colossal Development Group
20511, 20513 and 20515 Angling Road
C-1 to N1



Not to Scale



City of Livonia
Planning Department

Farmington Hills

EIGHT MILE ROAD

Corridor Commercial

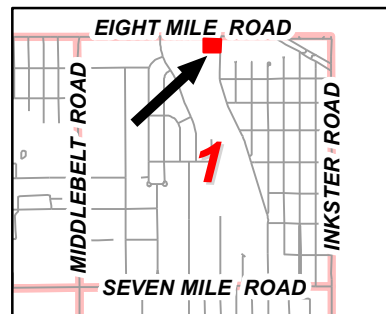
Parks & Community

Low Density Residential

ANGLING ROAD

LONG AVENUE

GILLMAN



Future Land Use Map

Petition 2023-05-01-04
Colossal Development Group
20511, 20513 and 20515 Angling Road
C-1 to N1



Not to Scale

City of Livonia
Planning Department

PLANNING COMMISSION STAFF NOTES

PUBLIC HEARING

ITEM 1

Petition 2023-05-01-04 submitted by Colossal Development Group L.L.C. under Sections 13.13 and 13.15 of the Livonia Zoning Ordinance, as amended, requesting to rezone the properties at 20511, 20513, and 20515 Angling Road, located on the southwest corner of Angling and Eight Mile Roads in the Northeast $\frac{1}{4}$ of Section 1, from C-1 (Local Business) to N1 (Neighborhood).

June 27, 2023: Study Meeting:

This petition seeks to rezone three (3) contiguous parcels located at the southwest corner of Eight Mile and Angling Roads from C-1 (Local Business) to N1 (Neighborhood). The northern parcel, 20515 Angling Road, measures 126.00 feet in width with an average depth of 318.42 feet. The middle parcel, 20513 Angling Road, measures 74.00 feet in width with an average depth of 314.71 feet. And the southern parcel, 20511 Angling Road, measures 79.26 feet in width with an average depth of 311.88 feet. The three (3) lots combined measure 279.26 feet in frontage along Angling Road by a depth of 315.58 feet, for a total area of 88,129 square feet or 2.02 acres. All three (3) parcels are vacant. The rezoning would allow the future division of the site into four (4) new parcels for the construction of single-family homes.

N1 zoning requires a minimum lot area of 6,000 square feet and minimum lot dimensions of fifty feet (50') in width by 120 feet in depth. The submitted plan shows that the subject site would be divided into four (4) parcels. Proposed Parcel "A," the northern lot, would measure 93.31 feet by 322.41 feet for a total area of 32,130 square feet. Adjacent to that is Parcel "B," which would measure 60.00 feet by 315.96 feet for a total size of 18,958 square feet. Parcel "C" measures 60.00 feet by 313.74 feet for a total area of 18,824 square feet. And the southernmost parcel, Parcel "D," measures 60.00 feet by 311.55 feet, for a total area of 18,691 square feet. All proposed parcels would exceed the N1 lot size requirements.

The land contains a regulated floodplain and wetlands. These features have been identified and mapped, and the Petitioner intends not to disturb these areas.

To the north, across Eight Mile Road, is the city of Farmington Hills. Fresenius Medical Care facility zoned C-4 (High Rise Commercial), abuts to the west. To the east, across Angling Road, is an auto parts store (C-2, General Business) and a self-storage facility (ML, Manufacturing Limited). And south of the site is residential zoning, RUF (Rural Urban Farm).

The Livonia Vision 21 Future Land Use Map designates the subject property as *Corridor Commercial*. Appropriate land uses of this designation include office, general retail commercial, food service, townhomes, apartments, and attached and upper-story residential uses. Automotive-oriented uses such as gas stations, auto repair, or drive-thru facilities may also be appropriate.

The following briefly describes the history of the properties over the past 40 years.

- Prior to 1981, the properties were zoned for residential use.

PUBLIC HEARING

ITEM 1 Petition 2023-05-01-04 – 20511, 20513 and 20815 Angling Road Page 2

- In 1981, the zoning was changed from RUF, Rural Urban Farm, to PS, Professional Services.
- A waiver was granted in 1987 to convert an existing residence at 20515 Angling into an office building.
- One year later, in 1988, the Planning Commission approved plans for a new medical office building.
- Then, in 1989, the subject properties appeared again before the Planning Commission when site plan approval was granted for a one-story medical building.
- Building Department records show that the house on 20515 Angling was demolished in 1993.
- The P.S. zoning classification was renamed to OS, Office Services.
- With the adoption of the Livonia Vision Zoning Ordinance in 2021, the OS district was eliminated and replaced with the C-1 district.

July 11, 2023: Public Hearing:

Approving Resolution: The request to rezone the properties at 20511, 20513, and 20815 Angling Road from C-1, Local Business, to N1, Neighborhood, is hereby approved, subject to City Council approval, for the following reasons:

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

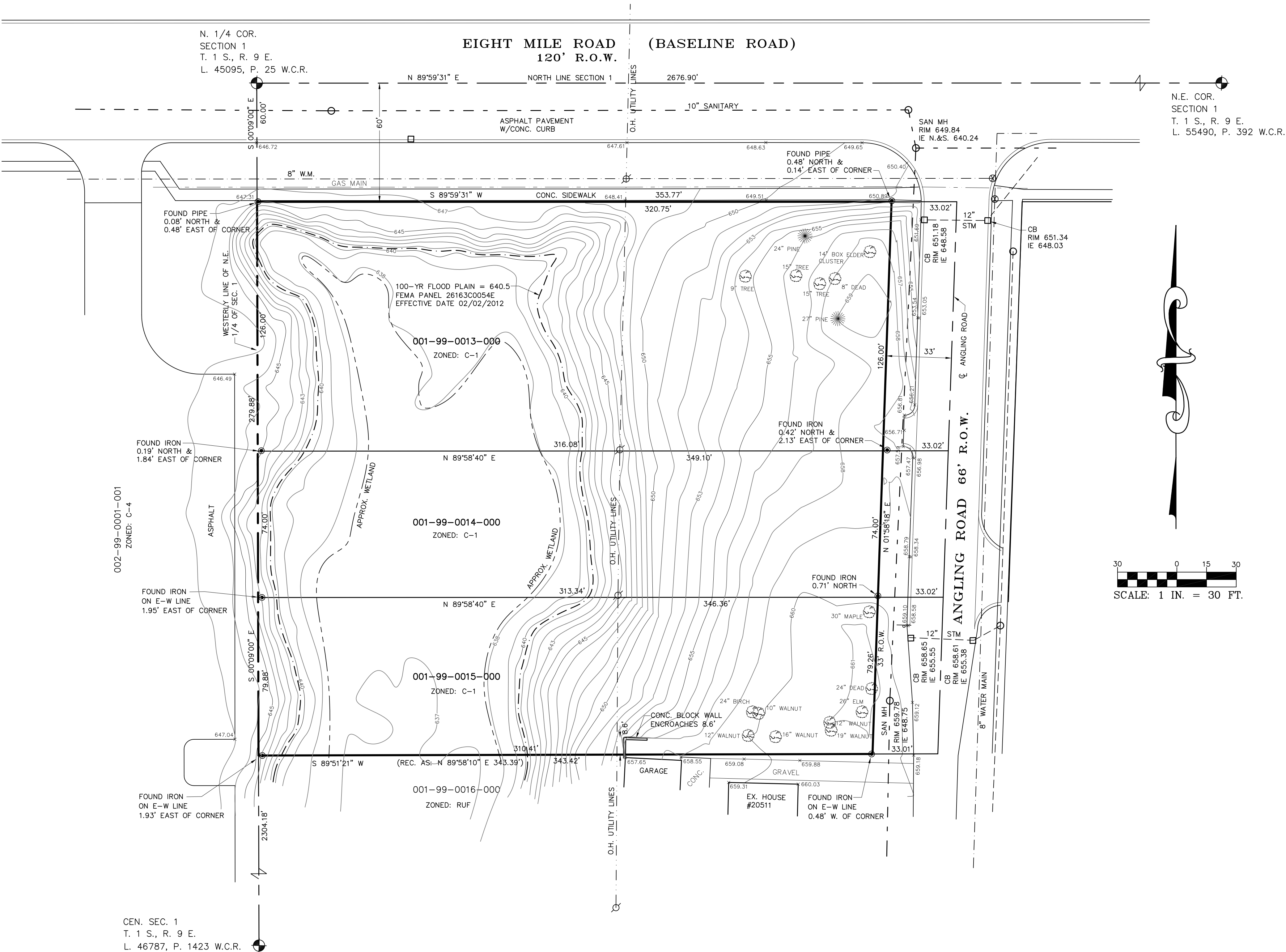
Denying Reasons: The request to rezone the properties at 20511, 20513, and 20815 Angling Road from C-1 to N1 is hereby denied for the following reasons:

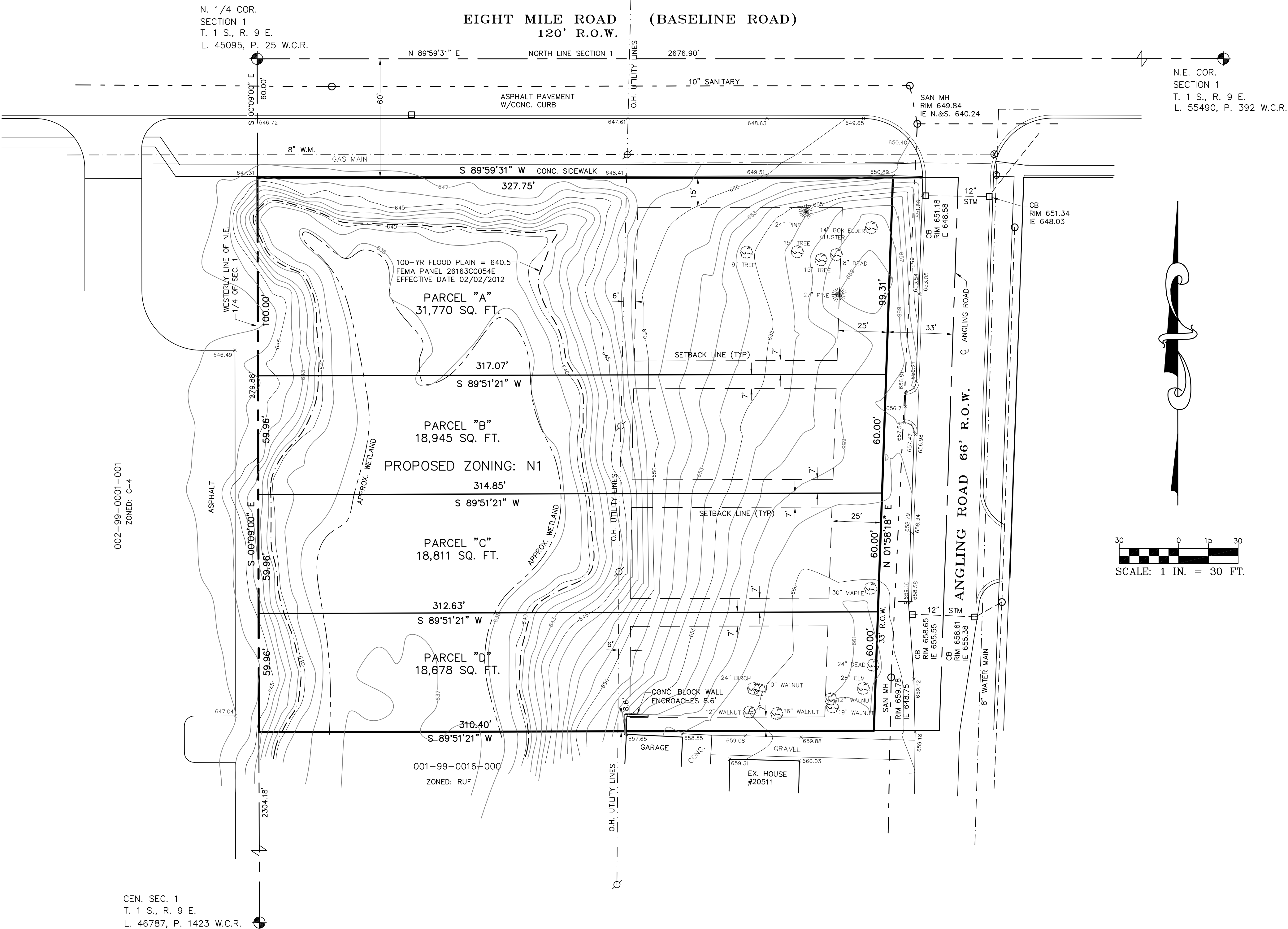
1. The petitioner has failed to affirmatively show that the proposed zoning change would be compatible with and in harmony with the surrounding neighborhood.
2. The proposed zoning change is inconsistent with the established pattern of the surrounding development and would adversely alter the area's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

PUBLIC HEARING

ITEM 1 Petition 2023-05-01-04 – 20511, 20513 and 20815 Angling Road Page 3

5. The Livonia Vision 21 Future Land Use Map does not support the proposed zoning change, which shows this site as *Corridor Commercial*.





Key Points
Northern Hills of Livonia
8 Mile & Angling, between Middlebelt & Inkster Rd

Joseph Eadeh, on behalf of *Colossal Development Group*, 32826 Five Mile rd, suite 106, Livonia, MI 48154

Requesting to rezone these three commercial parcels to four residential parcels to build roughly 1,800sqft homes.

These parcels are on Angling st with the driveways along Angling. Three lots will be 60ft wide, the fourth corner lot roughly 99ft wide.

Many nearby homes on Angling and surrounding streets have 60ft or similar size lots, so we will be consistent with the surrounding area.

We believe rezoning these commercial lots to residential is more conducive to the neighborhood and building homes is better than a retail center, storage company, or another commercial development that has more traffic/ people coming and going throughout the day and night, as opposed to a residential family who lives here.

Residential will be less of an impact compared to commercial. Commercial has large pavement parking lots, more impervious surfaces, and less grass.

Each lot is roughly 300ft deep, primarily wooded, all walkout style lots.

The wooded area primarily consists of a floodplain zone, we will not touch any of it. The wetlands are completely inside of the floodplain as well, per the submitted survey.

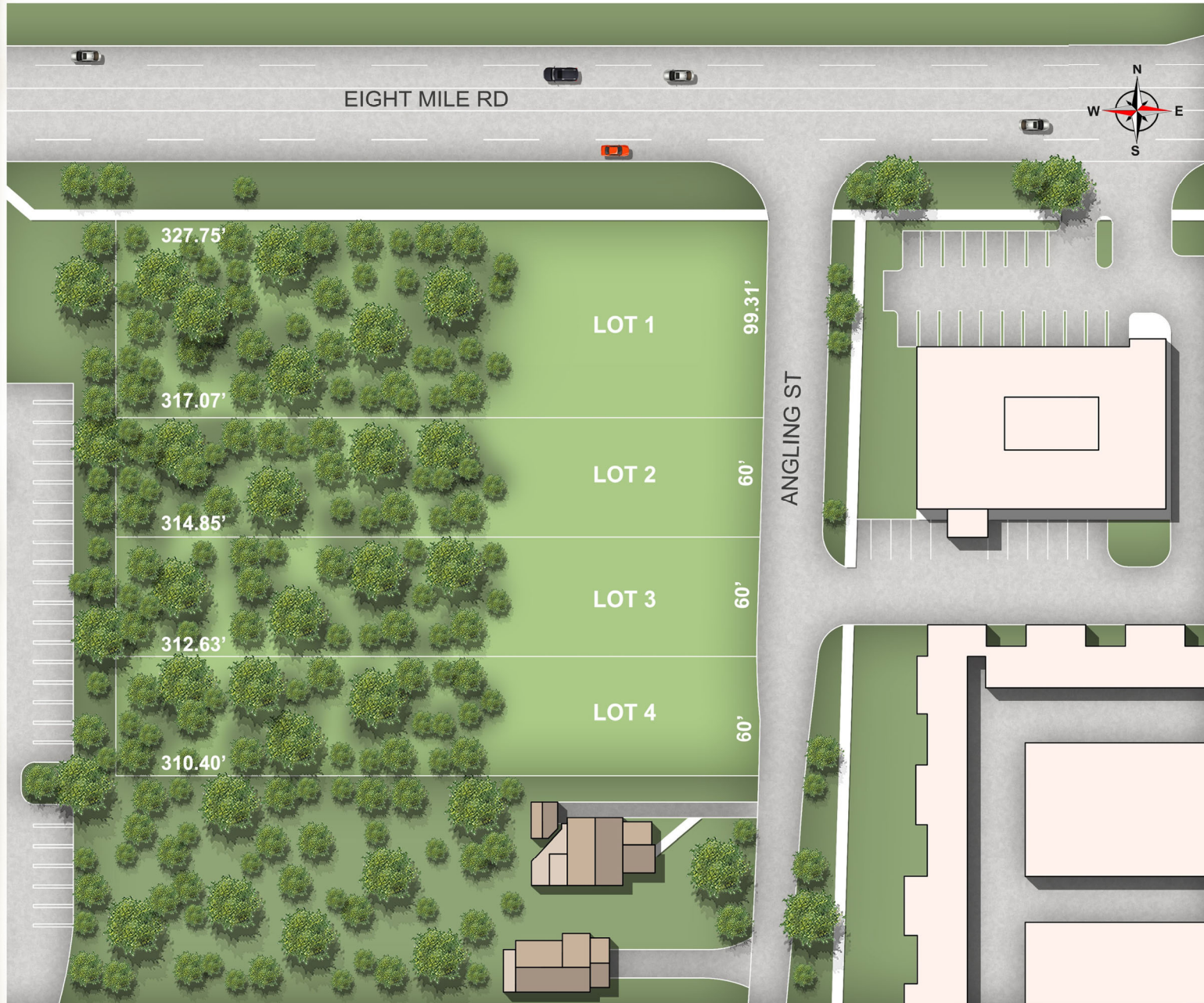
The floodplain information is from the surveyor. To add good measure, we've hired Brooks Williamson & Associates to conduct a Wetland Delineation Plan for a full wetland report. But again, ***we will not and cannot*** touch any of the floodplain/ wetland. We will have the completed report before the next meeting. We already know where the wetlands are but wanted an official report on file.

We will not remove any of the trees west of the DTE powerlines that run north & south through the property, about 150ft west of Angling st.

We will only remove the trees up to the DTE powerlines, so there is sufficient space for a home and backyard, this will also allow for greater access to the DTE powerlines. There is a 30ft easement around the powerlines, so nothing can be built near them.

We will use the city sanitary for sanitary sewer to the Engineering Departments specifications.

These homes will be traditional style colonial homes you see throughout Livonia. These will be beautiful walkout basement homes surrounded by trees and be a nice addition to the community.



All lot dimensions and features are subject to change per final site plan and approvals.



2023-05-01-04

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

TODD J. ZILINCIK, P.E.
CITY ENGINEER

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



MAUREEN MILLER BROSNAN
MAYOR

DONALD R ROHRAFF
DIRECTOR OF PUBLIC WORKS

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

May 22, 2023

Mr. Scott Miller
Planner IV
City of Livonia

Re: Petition 2023-05-01-04 – #20511, #20513 and #20815 Angling Road

Dear Mr. Miller:

In accordance with your request, the Engineering Division has reviewed the above referenced petition. We have no objections to the proposed rezoning at this time. The subject parcels are assigned the addresses of **#20511, #20513 and #20515 Angling Road**. (not #20815)

The existing parcels are currently serviced by public sanitary sewer, water main and storm sewer. No service connections or information are shown in the submittal so we are unable to determine the extents of any impacts to the existing systems, but we do not expect there to be any issues with the construction of four single family houses.

The legal descriptions look correct (with the exception of a small typo on the west lot lines of the proposed lot descriptions) and should be used should the project move forward. The owner will need to submit applications to the Assessor's office for the lot line adjustments/ lot split that will need to occur prior to any permitting. Also, we would ask that owner provide a formal dedication of the 33' wide right-of-way for Angling Road as shown in the proposed legal descriptions.

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

Sincerely,


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

cc: 2023 Petition File

DEPARTMENT OF FINANCE

Michael T. Slater
DIRECTOR OF FINANCE

Connie Kumpula
CHIEF ACCOUNTANT



MAUREEN MILLER BROSNAN
MAYOR

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

June 26, 2023

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

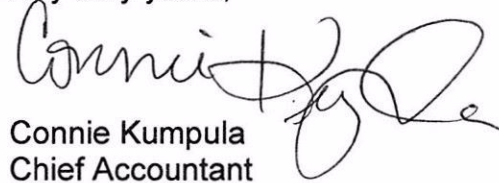
Petition 2023-05-01-04 - 20511, 20513 and 20515 Angling Road

Dear Mr. Miller,

I have reviewed the address connected with the above noted petition. As there are no outstanding amounts receivable (general or water and sewer), I have no objections to the proposal.

Please contact me if you have any further questions.

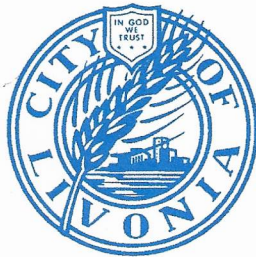
Very truly yours,


Connie Kumpula
Chief Accountant

CK: jw

OFFICE OF THE TREASURER

LYNDA L. SCHEEL
CITY TREASURER



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

June 2, 2023

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

Re: Petition 2023-05-01-04

20511, 20513, 20515 Angling Road
Colossal Development

Dear Mr. Miller,

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

Sincerely,

Lynda L. Scheel
Treasurer, City of Livonia