

**CITY OF LIVONIA
PUBLIC HEARING**

Minutes of Meeting Held on Monday, August 7, 2023

A Public Hearing of the Council of the City of Livonia was held at the Livonia City Hall Auditorium on August 7, 2023.

MEMBERS PRESENT: Jim Jolly, President
Laura Toy, Vice President
Rob Donovic
Brandon McCullough
Kathleen McIntyre
Scott Morgan

MEMBERS ABSENT: Scott Bahr

OTHERS PRESENT: Paul Bernier, City Attorney
Mike Fisher, Assistant City Attorney
Mark Taormina, Planning and Economic Development Director
Jerome Hanna, Inspection Director
Sara Kasproicz, Recording Secretary

The Public Hearing was called to order at 7:00 p.m. with Council President Jim Jolly presiding. This item is regarding the 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. This item will be moved to the Regular Meeting of August 21, 2023.

The Public Hearing is now open. There were 23 persons in the audience.

Jolly: Good evening, we are joined by Councilman Rob Donovic, Vice President Laura Toy and Councilman Scott Morgan. We may be joined by others tonight and they will arrive as they do. So, the purpose of the public hearing is for us, as a Council, to hear from the public in regards to the items that are before us tonight. I'm going to introduce these items by saying that there will be no votes taken tonight in regard these items. There may be a motion or a series of motions in regard to possible directions that will be offered by my colleagues. Those items will not be voted on until the Regular meeting of August 21, 2023. Because this is a public hearing, we have four of them tonight and a committee meeting afterwards, everybody here is obviously free to address the Council in regards to any opinions or information they would like to provide the Council. We would ask though, that, if possible, people refrain from repetitive comments. So, saying something 10 times does not take any more believable than somebody saying it once and we're taking everything as it comes to us, and we will consider everything that's being shared with us. With that being said, we will start with agenda Item number

one for tonight. That is 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. This is specifically brought to us tonight by our Director of Inspection and Ordinance Enforcement, Mr. Jerome Hanna. Please identify yourself for the record and give us an introduction to these items.

Hanna Good evening, Jerome, Hanna, Director of Inspection. And this property here 37739 Seven Mile. I'm sure all of you are aware of it, it sits out on the main road, it's kind of hard to ignore. It has been kind of a thorn in the side of the neighbors for a considerable amount of time, actually dates back to some property issues back in 2005. And that has just gradually gotten worse, to the point that it is today, where there is no interior of the structure left, because we gutted it, the roof has been removed. The pool is dilapidated, it's an inground pool in the rear yard. There's no gas, no water, going into the structure right now. Based on the Hearing Officer, Jeff Bodell, an outside Hearing Officer appointed to oversee these hearings for dangerous structures, deemed this building to be demolished. Based on that letter, I would ask that you would consider that and move to approve that. If so desired.

Jolly Are there any questions for Mr. Hanna? Mr. Donovic?

Donovic Thank you, Mr. Chair. Thank you, Mr. Hanna for being here this evening. For any clarification and just say educationally speaking. How many times have you tried to work with the property owner, so we don't get to this point? My understanding is you have tried for years now to come to some sort of resolution. And unfortunately, the residents and nearby business owners have had to deal with this blight and you, and your department has worked extremely hard to try to not get here. Because my understanding is the property owner failed to do their job as a property owner, now the city has to tear this building down, rightfully so, but I just want to put the record because there are some residents here. It's not like the city of Livonia just last night decided to tear down that building, they have been trying years now to fix this situation.

Hanna Absolutely. With anything, we're always looking for compliance from the owner, whether it's commercial building, whether it's residential building, and great time spent with all of these owners to get them to move forward with their directions. The city has granted this authority to, in this case, to demolish this building if Council sees fit, based on the information provided. But it's still always the agenda to try and get the homeowner to come forward and demolish it themselves or repair the property themselves. And in this case, I can't even begin to count how many times we have interacted with this homeowner, with our attorneys to try and address this issue. Not wanting to demolish it myself to get them to. In the past two years, I've had dozens of purchase orders brought to me by

potential buyers who either wanted to demolish the structure or to rehab it, understanding that it was a condemned building. I worked with them in the hopes that they would be able to purchase this, but none of those purchase orders came to fruition and here we are today, still, with the building in worse shape today than it was in the past six months.

Jolly Thank you, Mr. Hanna. Now at this point because you followed in accordance with the law and ordinances for this address, correct?

Hanna That's correct.

Jolly Okay. Mr. Hanna, if you don't mind sitting down. Are there any residents here who would like to speak in favor or opposition of item number one, the demolition of 37739 Seven Mile Road. Good evening, Sir, your name and address please.

Michalski Philip Michalski, 18979 Glengarry Drive. I want to thank you all very much for taking up this issue. Thank you very, very much for looking into this. I moved into the neighborhood just under eight years ago, and I'm on the street adjacent to the property immediately east of it, and the fourth house off of Seven Mile. The entire neighborhood is grateful that you're taking this up. And we're very, very happy. I just want to let you know, we do really want this house demolished, It is an eyesore. It's literally a rat trap. We've seen rats, my neighborhood never saw them until last year. They tore the roof off the building, earlier this year. So, it sits there without a roof, getting extremely dangerous for kids or anything like that. So not only do we thank you for taking this, but we do ask for a very expeditious end to the process. Thank you.

Jolly Thank you sir, we are very familiar with this building. We all understand the state of affairs over there. Sir, your name and address please.

Shewe Joe Shewe, my wife Marilyn and I live in 19003 Glengarry, which is the second house from Seven Mile, I'm sorry, the third house. Our backyard does, the corner does almost butt up with this property. We've lived there since we built the house 25 years ago. So, we've seen this particular property deteriorate. And we're always wondering, when is it going to go away? We have inquired recently of this Council about what is going on, we've been told it takes a long time. We've been very frustrated. We know it's not a particularly safe area, I walk there with my dog. Not really excited about that. So, I think it's clear that it has to go down. And we certainly support that it happens ASAP. And of course, we would like to know when that will be. Thank you.

Jolly Thank you for your sentiments being shared. You're among many people in regards to this structure. Your name and address sir.

- Orow My name is Tim Orow, I live at 19069 Glengarry. I live adjacent to the property. I see it every day from my office window, and I can't wait to see it go down. The pool is also an eyesore, we don't go outside in my back yard anymore and I don't take care of my backyard like I should. So, this will be a lot better, especially coming off of Seven Mile, it just wasn't good.
- Jolly Thank you, sir. I think we have a motion from the Council. Mr. Morgan, did you have an motion on this matter?
- Morgan I do. I actually have a couple questions first. I wanted to know what the...
- Jolly We need the motion first, then it would open for discussion.
- Morgan I'd like to offer an approving motion for the Regular.
- Jolly So anybody who's interested in the structure for item number one, the motion currently on the floor is to demolish it, as an approving motion. Mr. Morgan has questions in regards to the legalities of this Mr. Bernier.
- Morgan What exactly is the legal obligation for this and as its proceeds from this, how does play out as it obligates us as a city?
- Bernier We've crossed every T's and dotted every I as far as what the state law requires us to do. We're on firm footing as far as the demolition. The next step obviously is of Council, to be on the regular agenda. If Council votes to approve it, I start with Mr. Hanna. We're going to go out and try to determine the cost of it. Because of this house, it is depending upon the level that it costs to demolish it, as to whether we have to put it out for bid or we can just contract that out. This is a fairly simple structure, with the exception of the pool, it is the most costly item in the demolition. We're hoping that its below the threshold so we can move fast. I hope that answers the question.
- Morgan It does. Thank you.
- Jolly Ms. McIntyre.
- McIntyre Thank you. I'm not sure to whom this should be directed, I guess, from the Chair to Mr. Bernier. Would this type of demolition work be something that we could establish in QBS?
- Bernier I don't think we can, no, we can look into it, but I know
- McIntyre That's not contingent on this, but we hope that we're going to be able to address, and hope we're not going to have legislative structures that come down. But we also hope that the ones that do need to come down, can. What you said is exactly right, its possibly worth investigating.

- Jolly Thank you, Mr. McCullough.
- McCullough Thank you Council President. To the chair to Mr. Hanna, if you don't mind. I recently drove by this, and I want to say that that was the biggest skylight because the roof is completely gone. So, I think the biggest question that there's an approving on the demolition. How soon, if all goes well, approving, that Council can get this thing down, outside of the procurement?
- Hanna It is really determined on the contractors at this point, and what we get for a bid and if we have to come back to a Council meeting for that bid. And then really just sign off from the utilities and then move forward with the demolition. So, fortunately, the utilities have been disconnected on this property. So, I'm only looking for verification of those. The utilities have been off for three months for cut offs of gas for most of the structures. So, obviously, that could hold things up, but that's out of our control. But I would expect probably within a couple of months this would be addressed.
- McCullough Thank you. And also thank you to your team. I mean, honestly, we're not in the business of tearing down structures, but this kind of shows that we're being proactive. I know it's a lengthy process, but we need to, you know, I think we're all going to celebrate when this building comes down. Thank you.
- Jolly This is a public hearing, I will go to the audience members if you want to address something? State your name and address, please.
- Hanania Andrea, 34930 Munger Drive. Okay. I guess I just came here, it's my first meeting. And I guess I would ask what are the circumstances of the homeowner?
- Jolly That's not information that we have been provided.
- Hanania Okay, and as far as demolishing a building, does that come from my taxpayer money?
- Jolly Mr. Hanna?
- Hanna So how the ordinance is written is that we would pay to have this structure demolished. We would bill the owner and if this is not paid within 30 days, it would be filed as a lien on their property taxes.
- Hanania Okay, but is there a fund for like trees that are dead in homeowner's backyard?
- Jolly This is for you to give us your opinion.
- Hanania Well, I am and that's what I'm wondering

- Jolly Ma'am, this is not really a question and answer period. We're happy to answer questions and were able to after the meeting, but this is where you could tell us your opinion in regards to this item.
- Hanania My opinion is that the homeowner should be considered. I don't know the homeowner or the building, so.
- Jolly Thank you, Mr. Donovic.
- Donovic Thank you, Mr. President. I have a comment and question and comment. First and foremost. To my colleague, Councilwoman McIntyre. She made a comment about demoing buildings in the community. And I thought that was good comment because a few months ago, I asked that our Law Department and Ordinance department look at what the city of Westland did in tearing down vacant blighted buildings, because as one Councilmember, I think, blighted buildings and as some of the biggest issues that we, as a community, have facing how our city will be as a future. Specifically on the eastern border, there's a lot of blighted buildings along the east side of Livonia, that have not been taken care of for decades. So, I'd like to consider the residents that live next door to the blighted buildings. That's my concern, they have to deal with these things. So, I think that's very important. And after Law department and Ordinance is taking action on this building that has been blighted for decades now, basically. So, my question to Mr. Hanna is, after this property is finally taken down or demolished, the residents next door can have some peace and tranquility. What happens is the property itself? Will it sit vacant, and will the owner still own the property? Will they still have to pay property taxes on that property?
- Hanna That's correct.
- Donovic Okay, so, they'll have to proceed on paying property taxes, and if they want to sell it in the future, they can sell it if they want to.
- Hanna Yes, that's correct.
- Donovic And if they don't pay their bill for the demolition, within that 30-day period, and the lien is placed on that property, when that property is sold, if it's ever sold in the future, the city would be the first on that lien, and we would in theory, be paid back for any proceeds that are sold.
- Hanna Yes, that's correct.
- Donovic Okay. Well, great job to you, Mr. Hanna. I'm looking forward to seeing this be very expeditious.
- Jolly Okay, I'll go to the audience one more time. Is there any additional comments in regards to item number one? Going once, going twice, the

motion on the table is to approve the demolition of 377397 Mile Road. The Public Hearing in regards to that matter is closed.

As there were no further questions or comments, the Public Hearing was declared closed at 7:17 p.m.

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The Public Hearing was called to order at 7:17 p.m. with Council President Jim Jolly presiding. This item is regarding the 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. This item will be moved to the Regular Meeting of August 21, 2023.

The Public Hearing is now open. There were 23 persons in the audience.

Jolly: Item two. Again, this comes to us from Jerome Hanna, Director of Inspection and Ordinance Enforcement. Mr. Hanna

Hanna Alright, so, a little different than the first one, as this is off of a side street. So, unless you're in the neighborhood, you wouldn't notice this house. It's does still have its roof. So, not quite the large skylight the other one has, but this property has been an issue, again, for many years. Back, at least back to 2011. When we were addressing code violations such as grass and just lack of maintenance on the property, leasing vehicles on the property. And then again, has continued to worsen as the years go by. I have a letter also from our outside Hearing Officer, and the recommendation from that officer was to demolish the structure. Also, I have been in contact over the past several years with this homeowner, the homeowner did receive the letters that were sent to them for that hearing, but did not show for any of those hearings. And at this point, this one is a colonial house two story with a basement, detached garage. And it's although from the street, it overgrown, the interior of the house has a

flood, and nothing has been done with that since I think somewhere maybe 2018 or 19. So, that property has just sat with water in the basement and has created numerous problems with the structure. At this point, the actual second level of the structure starting to sag. There are some major structural issues on the backside of this house of the garage, which is in just as bad of shape of the house. So, the recommendation was to remove all structures on this property. Thank you.

Jolly Ms. Toy

Toy I'm familiar with this area, my business backs up to old Rosedale there and I'm familiar with the site and I would offer an approving resolution to get rid of this. Let's create a nice neighborhood, which it already is, but with that eyesore, it's gotta go, thanks.

Jolly Thank you, we have a motion to approve the demolition of 11033 Berwick. Mr. McCullough.

McCullough Thank you, Council President. Again, Mr. Hanna, I know it has been a long time and a lot goes into the process. And like the nearby homeowners here, I actually visited this property. You can actually see through into the second floor, and who knows what else is out there. And I know the neighbors have been dealing with this for a very long time. And so, I know you guys are hopefully smiling a little bit that we're moving on to the next phase to get this down. So, again, thank you for dealing with this for as long as you did. Your patience and perseverance, it doesn't go unwarranted and, you do have an approving motion on the table. And just let your neighbor on the other side of you know, that you got some people looking out for you. So, thank you.

Jolly Thank you all. Is there any public comments in regards to item number two? Going once, going twice, come on up to the podium, please tell me your name and address sir.

Stimac John Stimac, 11035 Berwick. Thank you, Brandon, for coming out, we greatly appreciate it. I'm supportive of the recommendation to demolish the home. It has been vacant for 13 years, the year my daughter was born. And it's been deteriorating for the 21 years that I've lived next to it. So, I'm definitely in support of demolishing it. And if there's any help needed in making that happen, you let me know as far as if you need historical archives or whatever, I'll be glad to support. Thank you.

Jolly Thank you, sir. Is there any other comment from the public? If there is come on up to the podium. All this may appear like a classroom, it's actually not a classroom. Your name and address please?

Truax I'm Stacey Truax I'm at 19034 Berwick. So, I've spent the last 20 something years looking out my front window at this disaster. And so, I

really appreciate the fact that something is finally happening. I think the only comment that I have, it sounds like everyone's in favor of this, and I've been in favor of it for a really long time. I don't have the worst view because I'm usually looking in the other direction at my TV. But I think the one thing that I have heard from a lot of people that surround the property and you know, sides from other behind is just making people aware, prefer informing them of what this process means and how it's going to impact them. Is animal control going to be out? There's a small zoo living in the home, it's quite something. So, I think that's my only comment is to just like, make people aware of what to expect next, and how this process all works. Because I have no idea and all I'm imagining is the Pied Piper and a bunch of animals coming in my property and in zooming out. So, I think just knowing how it's going to impact us when it actually does happen. That's really what we're really interested in. I think I've heard it from a number of neighbors who live in surrounding areas, but appreciate your support of making the neighborhood a little bit better. It's been awful for awhile.

Jolly So, to be frank in regards to this. This is, I think the first time in a very long time that we've taken any sort of actions. Okay so, it's something you can tell us as well. These demolitions will be led out by Mr. Manoj director here, I'm sure that he is going to cross all the t's and dot all the i's in regards to what he has to happen to get to get it as easy as possible for years.

Truax That's fantastic. That's all we can hope for. Thank you so much.

Jolly We're doing our best. Ms. McIntyre.

McIntyre Point of information, it raises a good question through the Chair to Mr. Hanna. When we go to demo, or not, we, I know you don't go out there with your sledgehammer and heavy construction equipment. When we start this process do we undertake the removal of the animals before we start the demo, or before our contractors start to demo?

Hanna I don't have a process of that but the contractor would. The contract will walk this house before we get to that point of demolition, we're going to see on the point of bidding and so we'll have a pretty good understanding of what's going to be required at that point.

McIntyre And so in our bid, we would request, there would be a plan for mitigation or whatever we call it, of any pest removal. Thank you.

Jolly Thank you. Again, we have an approving motion for demolition of 11033 Berwick. I'll go to the audience one last time. Are there any closing comments from the audience? If there are multiple people that would like to speak here, it would a lot run smoother if you line up behind the podium, so we can continue. Good evening, ma'am. and you're name and address.

Unknown Diane 11040 Berwick. The owner was a friend of mine. And we took care of the house for three years mowing lawns and that kind of thing. And then we chose not to do anymore. But inside the house, it's filled with furniture. And what happens to that part of the house, will they just bring in a dumpster, and dump everything in the dumpster? What happens, how they're going to handle that? And the second thing is, it's probably an hazmat problem because there's mold, there's animal feces in the back room. When I was taking care of it, the animals got in, you could see them in there. And of course, they defecate in the area.

Jolly I'm sorry. So, I think that goes along the lines of what Mr. Hanna just said. We will contact contractors who will actually perform this work, and they will investigate what needs to happen. And that will be part of the price that they give us to resolve the issue. Does it make sense?

Unknown Yes.

Jolly Okay. Thank you. Thank you for your work and taking care of the house. All right. Any last comments from the audience? I see none. public hearing for number two is now closed. These items will appear on the agenda August 21, 2023, of the Regular agenda. Okay, it looks like from my seat here, there's a lot of support for each item one and two. Okay. Thank you very much for coming and sharing your opinion tonight.

As there were no further questions or comments, the Public Hearing was declared closed at 7:27 p.m.

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Mike Fisher, Assistant City Attorney
Mark Taormina, Planning and Economic Development Director
Sara Kasprovicz, Recording Secretary

The Public Hearing was called to order at 7:27 p.m. with Council President Jim Jolly presiding. This item is regarding **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). This item will be moved to the Regular Meeting of August 21, 2023.

The Public Hearing is now open. There were 5 persons in the audience.

Jolly Item number three is a different type of matter. To start this off I'm gonna go to our Economic Development Director, Mark Taormina. Mr. Taormina, can you introduce us to this item?

Taormina Thank you, Mr. President. Again, this is a request to rezone a single-family residential property from N-2, Neighborhood, to R-U-F, Rural Urban Farm. This is an unplanted property. It's located at the corner of Norfolk and Westmore Avenue. The purpose of the zoning change is to allow the property owners to keep chickens. R-U-F zoning under Section 6.34 does allow for the keeping of animals, including fowl on properties that are at least a half an acre in size, and so that the equivalent of 21,780 square feet. The R-U-F district, on the other hand, requires a minimum lot size of 15,000 square feet, but this property is over 39,000 square feet or just under an acre, so it meets the requirements the land size requirements for both promote the keeping of animals and the R-U-F district. In addition to the main house and the detached garage, there is a small chicken coop

and a fenced in enclosure, or what we're referring to as a chicken run. The coop and run are located at the rear of the property in the northeast corner. The applicant currently has a total of 16 chickens. To address some of the concerns, the homeowners are going to have the city conditionally approve the zoning change. So, before you, is a list of conditions that would be incorporated into an agreement. This so-called conditional zoning agreement is authorized under the Michigan zoning Enabling Act. And under the statute, an owner may voluntarily offer in writing and the Council may approve certain use and development of land as a condition of rezoning. So, we don't see these too often, but we have, in the past, approved maybe five or so conditional zoning agreements. The law does prohibit local units of government from requiring landowners to offer conditions as a requirement for rezone and does not allow them to add or alter the condition. So again, these are voluntary conditions submitted by the Morad's to the Council for your consideration. Approving the conditions, Council may establish a time period during which the conditions apply to the land. And if the conditions are not satisfied within the specified time, the land shall revert to the former zoning classification. So, the Morads are offering of conditions relating to the keeping of chickens on the property. The list is provided to you this evening as a conditional rezoning stating of conditions. And it includes several items including a limit on the number of chickens, a prohibition of keeping roosters and other farm animals, where and how to get chickens are to be kept on the property, as well as the maintenance, prohibition of any commercial activities related to the keeping of chickens. And then the duration that chickens can remain on the property, which would last for as long as the Morads or their heirs resided at the property. So, I won't go over each one of those, but you should have a draft of that agreement before you. The Planning Commission is recommending approval of the zoning with the with the acceptance of the conditional zoning agreement.

- Jolly Okay, so two questions initially for me first, have they offered any self-restrictions in regards to building additional structures on the property?
- Taormina As it pertains to the chickens?
- Jolly As it pertains to anything.
- Taormina No, that issue has never been addressed.
- Jolly Okay. And when you say that they have agreed to these terms for themselves and their heirs who may reside on the property, do we mean heirs by way of succession? That word heirs, as Mr. Bernier and Mr. Fisher can explain to us, probably has different meanings and we want to be clear what that what that actually means. And would that also include anybody they assigned the property to, by way of sale or otherwise?

- Taormina It's not intended to cover the latter. I believe it would be direct descendants. I think that's the intent. The Morads are the ones that provided this language. We helped them draft it, but I understand your concern. And that's something we can certainly fine tune, should you want that to be better understood, what those limitations are, and you can work with the attorney and the Morads to pin it down.
- Jolly Is this something that at some point, moving forward from tonight to the August 21st meeting, that our Law department can take a look at as well to make sure there's a clear understanding of what's being offered?
- Bernier Mr. Fisher is our chicken expert and that's why Mike is here today. And we will clearly take a look at that.
- Jolly Okay, if so there's nothing else from Mr. Taormina, I'm gonna go to the petitioner. If there's somebody who'd like to speak on behalf of the petitioner, please come up to the podium. Identify yourself and your address, even though we know what that is, and give us your perspective. Mr. Taormina has already explained it to us from an overview. So, if there's anything you'd like to add to this, please go ahead.
- Mr. Morad My name is Michael Morad. My address is 20180 Westmore, Livonia, Michigan, this is my wife, Megan Morad. So, the current anybody that has a current R-U-F zoning in Livonia, they have zero restrictions on the number of chickens, whether or not they can have roosters, how many, what type of building they can build, if they can free range, if they can wander about your property, or if they need to be kept up, within a coop or run throughout the day. And again, we're giving up those conditions. Just to make this process a little bit easier and simpler for everybody to speak on. To speak on your question, Jim. It is just intended in case something happens to myself or my wife, it would only go to my children, if we have two boys. So, they either buy the house from us later in life, or if something happens to us, and they have to take over the house. That's the only intended purpose of it. There's no other purpose of it. It's when it's sold, they can revert to N-2 as was stated in there. I'm not going to care, I'll be dead.
- Jolly So my other question, though, R-U-F properties are allowed to have additional structures. And this is something that comes before us from time to time you'll see people with bigger lots who build additional barns or something of that nature. Where do you find yourself in regards to that?
- Mr. Morad We won't be building anything other than what's already on the property. Just the coop, the run, the garage the house, and a tool shed in the corner. As far as other buildings. I can't imagine building anything else on that property.

- Jolly Yeah, I can understand that. When I first saw this, the first thing that came to mind to me, because we haven't had a whole lot of issues come up in regards to R-U-F about zoning. The few that have happened in regards to people wanting to build additional farm structures and things of that nature. And so that was my interest. And my concern initially looking at this.
- Mr. Morad Yeah, we have no interest in building a barn. Our property is kind of laid out weird. If we were to put a barn of any sort there, it would take up our entire side yard, basically, from the side of our house. It's kind of odd how our property is laid out.
- Jolly Before I ask you, one last thing. Mr. Fisher? With the explanation of these concessions that's been provided by Mr. Taormina. Because of the language that he used, and I'm not I'm familiar with the statute, is that something that I could ask them if they'd be willing to consider in regards to additional structures or is that something that I can't ask. In terms of would they have to offer that as a concession themselves or can we ask them to be open to that?
- Fisher Oh, I see. This is supposed to come from them.
- Jolly Okay. So, they would have to offer that freely. That's why I'm asking him and I'm not asking you, I don't want to put you on the spot. That was my concern when I first spoke with this, because that's the only issues that come up with our R-U-F lots. So that's all I got. In regards to my colleagues here, Ms. Toy. Go ahead.
- Toy If I may, to the Petitioner or Mr. Taormina. As you are expanding this or not expanding it, do you sell these eggs?
- Mr. Morad No, we do not. That is one of our conditions as well. No chickens, or eggs will be sold from property. We give them out to everybody. We give them to our neighbors, friends, friends of friends. Everybody. We give them away, we give them away to everybody. And then if they do sit on the counter too long. We cook them back up and giving back to the chickens. It's actually really good for him as cannibalistic as that may sound. The shells provided back to them, the shells, the eggs, it's very good for them, it makes better eggs, bigger eggs and other chickens. We do that as well.
- Jolly That answers the question in regards to what comes first, I guess right? Mr. Donovic.
- Donovic Thank you, Mr. President. Thanks to the petitioners for being here tonight. Thank you for the various residents that sent me letters for and against this and begin a few people reach out to me. To Mr. Taormina, can you explain the theory of spot zoning because that's something that comes up to me my look at this aerial map. It's surrounded by C-1 along Farmington

Road with some N-1 and some C-2, but within the neighborhood itself, it's primarily zoned N-2, then you get into the thought process of single handedly rezoning one particular property, what is the theory of spot zoning? Where does it put us in the future, when another Petitioner comes before us and wants to rezone a particular property in the middle of C-1, now I make it just N-1. I'm trying to think of where we as a Council...

Taormina I think the example you just cited is probably more akin to what people would consider spot zoning where you have one, one use district that drastically differs from another from the surrounding use districts and in that, and there's going to be a zoning curve within almost an island within that dominant classification. Here, what you're doing, you're just substituting one residential classification for another, the size of this property meets the R-U-F district requirements. It's the same use group and allows mostly the same types of uses with the exception of the keeping of animals. So, I would not put this, I'm not pressed by this situation at all.

Donovic It's important to your point, we're just staying residential, we've just gone from one type of residential to another type of residential. So, the spot zoning or future ramifications of us proving this rezoning would not necessarily be harmful to us, wouldn't jeopardize us in the future by picking and choosing when we want to redevelop or rezone a property. How did we get to the number of chickens? On my notes is 25 chickens, but I think I heard that in R-U-F, there's no limitation on how many chickens you could have, if I heard that correctly. How did we get this number 25?

Taormina There is no limitation and Mr. Morad will have to answer your question regarding the number that's in the agreement, because that's the number that he provided to us.

Mr. Morad 25 is the limit that is what is that what our coop on our run is built for, that's the max that we can hold there without having to expand, make a bigger run, make a bigger coop. At 25, that's pretty full for what we have, we don't plan to go that high, you know, anytime soon. That's just as they get older, we phase new chickens in the old ones get phased out. So, the other thing with that they're flocking animals, when you buy them from stores and other places and like breeders and things like that, you'd have to buy six at a time.

Donovic And the last question is, what are you doing as owners to try to lessen the burden on your next-door neighbor's because I've gotten some emails concerning about what they're going to do with their impacts. What do you do as owners of chickens? I know nothing about chicken, I just know how to eat it at a restaurant. So, I don't know what kind of, doe it smell, is it loud? These sorts of things that come to mind, what are you doing as owners to kind of fix those issues so your neighbors can live peacefully?

Mr. Morad So, I'll kind of go through my notes that I have here. So, what we have right now, I don't know if there's a picture of it. If you guys have it or can see. The shed is a seven by seven, just standard plastic, plastic, blow molded shed. Inside, I built walls all the way around on the three inside walls. They are insulated, so that helps reduce the noise. When they are laying eggs, that's when they are the noisiest. When I'm standing at my backyard, on my patio, at my house. You can hear them just as loud as there's loud as crickets back there. They're not that loud. That is the loudest that they will be throughout the days when they're laying. The door between, it's an automatic door, it opens and closes automatically. I set that time and I change it throughout the year. So, it opens at 8am. I can make that later as the year goes on, as the time changes and things like that. And that's again, courtesy to the neighbors. But we don't have roosters, that was our condition that we offered as well. We don't want to have fertilized eggs, because we don't want to have just a bunch of chickens popping up all year long. So, that's why we added that in there as well. Again, for the noises also. The coop, we do clean that out every two weeks. We do clean that out, everything is taken out. We follow the GAAMP procedures, which is how you handle animal manure droppings and things like that. And that's the standard set by MDARD, which unfortunately I'm very familiar with MDARD through work. I'm a licensed pesticide applicator. So, I do attend a lot of MDARD things as well. So, I'm pretty familiar with them. But we follow that pretty closely. And we take care of as well as best as we can. We haven't had any complaints about smell or anything from the neighbors that are right there. All three of them that are out there, we've never had any issues. So, that's what we do to take care of it. The run has construction sand in it, which has a little bit more aggregate in it. The chickens eat that and when they peck at it, it gets in their system and it gets in their gizzards to their like to their food, it grinds their food up. And that's it what the construction sand is for, and we clean that out every week. I rake that all around that construction sand, move it all around, just kind of till around, gives them fresh new stuff to pack and go through.

Mrs. Morad We communicate with them on almost daily basis to make sure that there is no smell, and the noise is not concerning. I mean, we're very just very involved with so they love it. They love them too.

Jolly Thank you both. Are there any other questions specifically for the petitioners in regards to this item? I see none. You may sit down. I will open the floor up anybody else who'd like to speak. I will note that we do have new data on this item coming to us from Ron and Jan Irving at 20181 Shadyside as a matter of information that they provided to the Council. Good evening, ma'am. Tell me your name and address please.

Schantz My name is Pauline Schantz, my address is 33223 Norfolk Street. I live across the street from them. And I've been in their backyard with their

chickens in the run and things like that. I never smelled them. They're not real loud. I haven't actually heard them, except when they are on the run, and they're not real loud then. Actually, my fly bag on the side of my house smells. This does not. And my dog, I can hear after dry. But I don't hear their house. So, I have no problem. I think that they are doing a wonderful job they've actually been taking care of the home and the yard and improved the whole thing.

Jolly Thank you. Good evening, ma'am. Your name and address please.

Hanania Andrea Hanania 34930 Munger Drive. I totally support this, given the safety issues, having chickens in their backyard. Whatever their practice is, may not be a practice that I would agree with, but they should be able to practice and take care of their family in whatever way. I actually tried to get chickens and go through this process because I didn't want to deal with this. So, I let them go. But I'm happy for them. And I support them dealing with them. And with the pesticides, I support free range also.

Jolly Is there anybody else who'd like to speak to item number three? If anybody would like to speak to this item, please line up accordingly if you're able to. Good evening, ma'am, your email address please.

Irvin Good evening, my name is Jan Irvin. This is my husband, Ron. 20185 directly behind their property. I'm not going to go over the many pages that I sent to you. I'm just gonna paraphrase a few things because I know I only get a short time. But it's already down to 51 seconds, so, start my two minutes. My husband and I have lived in Livonia for 30 years. I have severe allergies for over 54 years, I received two allergy shots every two weeks and various medicines for my numerous allergies, including anything of fur or feathers. If the Morads have 25 chickens free roaming in the big pen, which is also suggested in the list, which is their big dog pen, it's 50 x 60 behind our house, we won't be able to use our porch or open our windows. We babysit for our two-year-old grandson. He also has allergies, so we will not be able to be comfortable with him being in the yard. Secondly, Mrs. Morad's paperwork suggests that she may have an emotional support animal in the home, not 25 chickens that's not specified. She stated that she is allergic to them. Her husband and son appear to be the ones caring for the current 16 chickens. And we hope that it doesn't go to 25. At what point does one person's right, get taken away for someone else's to rezone for chickens? We do not recommend rezoning or giving permission to have 25 chickens. My husband and I are 68 and 69. We just want to enjoy our yard without health concerns coming from the adjacent yard. I can't open my windows at all. Councilmembers, please ask yourself, would you want 25 chickens behind your yard? The City Council has a responsibility to all the citizens of Livonia, not just one resident. Please look over the attachments. I know there's a lot of reading, but I do have a letter from my doctor. Also, I just don't feel that one person shouldn't be taking over the whole area. And when we were canvassing

the neighborhood, it was about 60/40 for or against chickens. And one of the neighbors said, Oh good. She has a 500-foot lot. She said, I'm going to ask to be rezoned because I'd like to get a horse.

Jolly So that's your time, ma'am. Thank you.

Irvin Thank you.

Jolly Okay. Mr. Bernier, I see an audience member who's already spoken on this topic approaching the podium. We are committed to speaking once per meeting.

Bernier That's correct.

Jolly So thank you very much. We just can't have a going back and forth kind of situation. We're considering everything that's been said. Good evening, sir. Your name and address for the record please.

Murphy My name is David Murphy. 39040 Grennada Street. I do live in a subdivision where we have a neighbor with chickens, and it is very pleasant. They roam around in the yard from time to time. They're not loud. Same thing, no roosters. The speaking with them is very pleasant. And they allow us to come around it. And I'm just saying I'm for it.

Jolly Thank you sir, I appreciate it. Good evening, your name and address please sir.

Gesek Hi, Jonathan Gesek, 9023 Laurel Street. I've been a resident of Livonia Michigan, for about 41 years now. And I think that the events of the last three or four years have caused our food supply to sometimes be a little fragile. And I think that we should encourage people who can have distributed food supplies such as the Morads, here, to have those. We know that, well, I personally know the Morads, and I know they share everything they have if anyone asks. And so, if something dreadful happened in the near future, it would be good for anyone's to have someone like them to help share eggs, meat to things like that.

Jolly Thank you sir. Is there anybody else from the audience would like to address item number three? Going once, going twice, public comments on Item three is now closed.

Donovic Mr. Chair, I'd like to offer an approving a denying and a Committee of the Whole options. So, our colleagues have ample opportunity to make a decision for the next meeting. Thank you, Mr. Chair.

Jolly Thank you, Mr. Donovic. So, what Mr. Donovic has done, he's offered all three of the available options in regards to this. An approving, denying and a Committee of the Whole. That is basically, it runs the playing field in terms of what our possibilities of having at the next meeting is not

uncommon to vote on, for all three potentially is pretty common, so that the Council can consider all options and go forward in regards to exploring our thoughts and how they vote on this on August 21. Okay, so, with that being said, we will close item number three.

As there were no further questions or comments, the Public Hearing was declared closed at 7:52 p.m.

**CITY OF LIVONIA
PUBLIC HEARING**

Minutes of Meeting Held on Monday, August 7, 2023

A Public Hearing of the Council of the City of Livonia was held at the Livonia City Hall Auditorium on August 7, 2023.

MEMBERS PRESENT: Jim Jolly, President
 Laura Toy, Vice President
 Brandon McCullough
 Kathleen McIntyre
 Scott Morgan

MEMBERS ABSTAINING: Rob Donovic

MEMBERS ABSENT: Scott Bahr

OTHERS PRESENT: Paul Bernier, City Attorney
 Mike Fisher, Assistant City Attorney
 Mark Taormina, Planning and Economic Development Director
 Sara Kasprowicz, Recording Secretary

The Public Hearing was called to order at 7:52 p.m. with Council President Jim Jolly presiding. This item is regarding **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). This item will be moved to the Regular Meeting of August 21, 2023.

The Public Hearing is now open. There were 5 persons in the audience.

Jolly We'll move on to item number four. Again, we'll start with going to Mr. Taormina. But Mr. Donovic, I believe you have something to say?

Donovic Thank you, Mr. Chair. I have a professional work conflict and I'm going to recuse myself from this agenda.

Jolly Thank you, sir. Let the record reflect that Mr. Donovic is leaving the group and sitting in the audience. Mr. Taormina, can you tell us the overview of what this item number four is?

Taormina Yes, it's a rezoning petition. This involves three properties that are right at the corner of Eight Mile and Angling Roads. The current zoning is business local business C-1 and the proposal to change that to anyone neighborhood. So, from Commercial to Residential, when you look at the size of all three lots combines just over two acres and includes 280 feet in

frontage on Angling. Lot depth is 315 feet. All of the properties currently are vacant. The proposal would split the property into four new home sites. The N-1 zoning requires minimal lot area of 6000 square feet, the minimum lot width of 50 feet. In this case, the North lot parcel A would be 93 feet in width and 32,000 square feet in area. Parcels B, C and D would all measure 60 feet and 18,500 square feet, so substantially larger than what the N-1 minimum lot size requires. There are substantial floodplain and wetlands on the site. These have been identified and mapped. The plan shows that the building envelopes for all four parcels would be large enough so as not to disturb these areas. The Master Plan does identify this area as Corridor Commercial. The site does have quite a bit of history, mostly related to the development of medical office buildings on the site, which never came to fruition. There used to be one house on three lots and that house was removed sometime in the early 1990s. The Planning Commissioner has recommended approval of the zoning change. Thank you.

Jolly Thank you, sir. We'll go to the petitioner. Please identify yourself, name and address.

Eadeh Joe Eadeh, 8810 Brookline.

Joly Is there anything additional that you'd like to add to what Mr. Taormina has indicated?

Eadeh No, I agree with everything.

Jolly Thank you, sir. Is there any direction from the Council here, I see Mr. Morgan.

Morgan Yeah, I'd like to offer an approving.

Jolly We'll hear this on August 21, during the Regular meeting. Is there anything else from the Council? Ms. McIntyre.

McIntyre I think it's nice for the people around there, when you see a property go from a more intensive use to a less intensive use. And I know, Mark, you've indicated that, it's Commercial Corridor as the future land use, but it seems that it was a commercial space that never materialized into commercial space. So, it's nice to see property being used. And again, less intensive with R-U-F. Again, I think it's great.

Jolly Thank you. Ms. Toy.

Toy This property has been a problem for a long time. I applaud you for bringing that forward. Houses, we need more taxpayers, we need more young families. So, this should do the trick right here. So, thank you very much.

Eadeh Either that or getting chickens.

Jolly Thank you, sir. Have a seat. Are there any public comments in regards to item number four? Would anybody like to address item number four, going once going twice. Public comment is now closed. We do have an approving motion from Mr. Morgan that will be heard on August 21, 2023. I will call this item closed. That concludes our public hearings for this evening. Just to preserve the record I'll not that Mr. McIntyre is here as well. I did not introduce her earlier.

As there were no further questions or comments, the Public Hearing was declared closed at 7:57 p.m.