

ZONING BOARD OF APPEALS
CITY OF LIVONIA
MINUTES OF MEETING HELD TUESDAY, JANUARY 23, 2024

A Meeting of the Zoning Board of Appeals of the City of Livonia was held on Tuesday, January 23, 2024.

MEMBERS PRESENT: Jim Baringhaus, Vice Chairman
Christopher Boloven
Michael Testa
Marc Rotondo
Lynda Scheel
Timothy Klisz, Secretary

MEMBERS ABSENT: Gregory G. Coppola, Chairman

OTHERS PRESENT: Leo Neville, Assistant City Attorney
David Popp, Inspector

The meeting was called to order at seven p.m. Vice Chairman Baringhaus explained the Rules of Procedure to those interested parties. Each petitioner must give their name and address and declare hardship for appeal. Appeals of the Zoning Board's decisions are made to the Wayne County Circuit Court. The Chairman advised the audience that appeals can be filed within 21 days of the date tonight's minutes are approved. The decision of the Zoning Board shall become final within five (5) calendar days following the hearing and the applicant shall be mailed a copy of the decision. There are four decisions the Board can make: To deny, to grant, to grant as modified by the Board, or to table for further information. Each petitioner may ask to be heard by a full seven (7) member Board. Six (6) members were present. Vice Chairman, Jim Baringhaus, further explained the option for petitioners to reschedule their petition to a future date for a full board hearing. Secretary, Timothy Klisz, then read the Agenda and Legal Notice to each appeal, and each petitioner indicated their presence. Appeals came up for hearing after due legal notice was given to all interested parties within 300 feet, petitioners, and City Departments. There were several (not counted) people present in the audience.

(7:00)

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APPEAL CASE NO. 2023-08-20, Adnan Halaweh, 34108 Schoolcraft Rd: seeking to construct a detached accessory building resulting in excess total accessory building area.

Accessory Building Area:

Allowed: 920 sq. ft.

Proposed: (additional) 1491 sq. ft. Excess: 571 sq. ft.

This Medium Density Residential property is located on the north side of Schoolcraft (34108), between Ashurst Street and Stark Road, Lot. No. 084-02-0039-000, N2, Neighborhood District, rejected by the Inspection Department under Livonia Zoning Ordinance, Section 7.09 (1) A) Residential Accessory Buildings, Maximum Size.

BARINGHAUS Secretary Klisz, will you please read the first case?

KLISZ Sure. Calling appeal case number 2023-08-20. 34108 Schoolcraft Road, tabled on September 26, 2023. That appeal was made to the Zoning Board of Appeals by Adnan Halaweh seeking to construct a detached accessory building resulting in excess total accessory building area. Accessory building area allowed: 920 square feet, proposed: additional 1491 square foot, excess: 571 square feet.

BARINGHAUS Thank you. Will the Petitioner please come forward? Does the Board have any questions for the law department? Can I have a motion first to remove the case from the table?

KLISZ Mr. Chair?

BARINGHAUS Secretary Klisz.

KLISZ Move to remove appeal case number 2023-08-20 from the table.

BARINGHAUS Thank you.

BOLOVEN Support.

BARINGHAUS Motion by Secretary Klisz, support by Mr. Boloven to remove appeal case number 2023-08-20 from the table. All those in favor say aye.

The item was unanimously approved by group agreement.

BARINGHAUS The case is now removed. Just one further question. Does the Board have any questions for the inspection department? Okay, very good. Sir, can I have your name and address please for the record?

HALAWEH Yes. My name is Alaa Halaweh. I'm the son of Adnan Halaweh for 34108 Schoolcraft Road.

BARINGHAUS Okay, great. Can you provide us with an overview of how you progressed on the case since you last appeared before the Board?

HALAWEH Yeah, so last time I was here we had a barn that was about 40 by 38 feet wide. And the problem with Council was that it was just an excess amount of square footage. So we updated the plans to be 30 feet or 35 feet long and 25 feet wide. A big reason why there's so much excess square footage was because of an overhang on the barn that we removed

because we weren't aware that it had extra square footage. We even decided that we'd be okay with removing the shed if that was necessary to be able to build this barn and I also wanted to provide the Council with some photographs of some of the excess items that we have that we'll be using the barn for if that's okay.

BARINGHAUS That's fine.

TESTA Mr. Chair.

BARINGHAUS Yes.

TESTA I'm not seeing any updated plans. Am I the only one?

BARINGHAUS There were updated plans as of last night.

HALAWEH I have another copy of the updated plans if you guys need it.

BARINGHAUS Yeah, if you don't mind sharing those.

TESTA Thank you.

HALAWEH So the photographs that I'm going to be circulating around, show the boat that we own, the camper, a lot of excess tools. Me and my father, we manage properties and we bought a few houses that we've had to, what's it called? Model and everything. So we have a lot of excess tools that we have to keep in order to maintain these properties. And because of all these excess tools we're running out of storage in our garage and our shed and because of the boat that we have, the campers, we've started to become an eyesore to our neighbors because we have to leave a lot of stuff outside due to that. We have a VW Volkswagen, this car, and we're running out of room to place the car as well. So we just wanted to use the barn for excess storage so that way it's not so much of an eyesore to our neighbors and so that we can maintain all the equipment that we have.

BARINGHAUS Earlier you had mentioned you had reduced the size of the overhang. What was it, about 320 square feet?

HALAWEH We got rid of the overhang. I had the overhang there because I didn't know that it counted as square footage. It was just an accessory. Once I found out that it counted for square footage I just removed it altogether because we don't need it.

BARINGHAUS And then concerning the shed, will you remove that as well? To reduce your square footage.

HALAWEH Yes, ideally. I mean you know ideally we would love to keep the shed but if that's necessary in order to approve the appeal then we'd be willing to do that.

BARINGHAUS No changes on the materials as you discussed [inaudible]?

HALAWEH No. Not a change. No, sir.

BARINGHAUS Very good. Thank you. Any other questions? Any questions?

TESTA I'm fine with the paper copy but I don't have this in my packet.

SCHEEL I don't have anything in my packet, either.

TESTA The packet shows a large overhang from last time. You got rid of that large overhang.

BARINGHAUS Porch, maybe. [inaudible] Let's do that. I do have a question for the inspection department. Maybe you can kind of summarize what the excess is now under the revised plan. I thought I saw a revised green sheet.

POPP There is a revised green sheet. So he's allowed 920. You said you're getting rid of the shed?

HALAWEH If it's necessary to plead the case, yes.

POPP Do you have an existing garage on the house, too?

HALAWEH We do.

POPP Is that getting converted to living space or no?

HALAWEH No. It is an attached garage, but it's just used to store tools. We'd like to be able to use it to store our cars as well.

POPP Okay. So he'd be allowed. By current zoning, he'd be allowed 720 square foot of attached garage or one structure, and 200 on the second. The third one wouldn't be allowed at all; you would have to get rid of the shed. So what they're saying is, he's allowed- if you have two, you're only allowed 920 total. And he's proposing 1491 total, which I don't- what did you say the new dimensions of the barn are?

HALAWEH I don't have the plans with me. I believe it's 35 feet long, 25 feet wide.

POPP No, it's got to be bigger than that.

ROTONDO They have the updated plan sets the [inaudible].

SCHEEL It was 40 by 38.

ROTONDO 16 and a half by 35 almost.

BARINGHAUS Because looking at the revised green sheet, it wasn't really present on the public notification. I think the excesses didn't decrease from over 1400 square feet that it says prior down to 571. Based on what the petitioner is describing to us.

POPP Well, what he's proposing is 875. And he's allowed 920. But that doesn't include the attached garage. Do you know how big the attached garage is?

HALAWEH No, sir.

POPP Hold on one second. I can measure it aerially.

HALAWEH The plans I gave you should be to scale. If you need to look at them as well.

POPP I'll get by here.

BARINGHAUS Are you sure the garage isn't 814 square feet? The existing, right?
814 square feet.

POPP The existing? I find that hard to believe. Is it just like a two-car garage?

BARINGHAUS No, that's with the shed, too. I'm sorry.

POPP Because he wouldn't be allowed the third structure at all. The shed would have to go by the current zoning.

BARINGHAUS Okay. 616 square feet to the garage plus 198 for the shed, 814 total.

POPP Okay, so 616. So we're... So he's 571 square feet over without the shed. That's including getting rid of the shed, but the shed wouldn't be allowed, because you're only allowed two structures unless you're RUF and a third structure would be for animals.

BARINGHAUS Based on what's been described here. It's been substantially reduced.

POPP Correct. So yeah, he's at 571. Now that the revised green sheet is correct, it says 571 on the revised green sheet. Thank you.

SCHEEL You're welcome.

BARINGHAUS Thank you. Are there any additional questions from the Board at this point?

TESTA I'm not seeing the revised green sheet. Do we have an electronic copy?

POPP There is an electronic copy online.

TESTA Okay, it's not in CivicClerk.

POPP No, it's on the other one.

BOLOVEN Sharepoint?

POPP I guess. I don't know. Whatever Sara sent me.

TESTA Okay. I'll try that one.

BARINGHAUS I have no further questions from the Board at this point.

HALAWEH Council, may I say one more thing?

BARINGHAUS Yeah, please.

HALAWEH So last time I was here I was able to provide the Council a list of signatures from all my neighbors saying that they were completely okay with the structure and that was when it was bigger, that it wasn't a revised plan. Yeah, other than that, I was, we would, really appreciate it, it would really help our family if we could build this barn. So thank you.

BARINGHAUS Okay, thank you. Seeing that there's no further questions from the Board at this point. [Inaudible] Are there any comments from the audience? Okay, very good. Just, we'll ask you make a final statement.

KLISZ We got one letter.

BARINGHAUS Oh, I'm sorry. Letters?

KLISZ We have one letter. Letter of approval from Arlo Wittenberg, 34068 Schoolcraft Road, I have no issue with this being allowed.

BARINGHAUS Thank you very much. Now you can make a closing comment.

HALAWEH I stated my closing comment. Thank you.

BARINGHAUS Okay, very good. You can just have a seat. Okay, I'll close the public portion of meeting and we'll begin the board's comments with Ms. Scheel.

SCHEEL Thank you. I like the fact that you brought the square footage down. I wasn't on Board when this was before the Board before. But I read the minutes and saw that there were several questions regarding what it was needed for, and in fact you were able to bring it down. It's huge that your neighbors are in agreement with it, that there's nobody that says that they don't want it and as long as it is only used for storage, then that's what I would want to make sure that it's only used for storage and nothing else. Thank you.

BARINGHAUS Thank you. Mr. Rotondo.

ROTONDO Yeah, I think, I think Commissioner Scheel summed it up pretty well. I also was not here during the original meeting. But it appears that our petitioner has kind of met us with some middle ground here and revised his plans to try and try and make things work. I know, obviously, he's still a bit over. But, I think Commissioner Scheel summed it up pretty well. I'm in favor of this.

BARINGHAUS Thank you. Secretary Klisz.

KLISZ And I also was not here last time. It's very neat that actually half of the current Board wasn't here. But I read the minutes. The existing Board at the time did a good job in explaining how it was too big and it needed to come down. And the Petitioner did a great job in doing that. With the shed being removed and the current structure being smaller and more acceptable to what we allow for this kind of project. I will be in support.

BARINGHAUS Thank you. Mr. Boloven.

BOLOVEN Add me to the list of Board Members that weren't present at the last hearing. I did read the minutes, though. And I do appreciate any concessions made. I have nothing further to add.

BARINGHAUS Great. Thank you. Mr. Testa.

TESTA I thank you, Mr. Chairman. For the record I found it on One Drive and I will continue the rest of the meeting off of One Drive instead of CivicClerk. I was at the previous meeting. Thank you very much. As, as my fellow Commissioners have pointed out, you revised your plans based on the feedback that we gave you. Also, thanks for your willingness

to remove that shed, that makes this a little bit easier. So, I will be in support of this, mainly because of those two things and the general support you had from your neighbors previously, and the fact that you don't have any neighbors against this. Thank you.

BARINGHAUS Okay, thank you. I share my colleagues' opinion. I think I'm in agreement with the variance as well. I think the Petitioner took our advice from the previous meeting to heart and made some fairly substantial adjustments regarding the overhang and the shed in order to bring the proposed building more into line with the ordinances. So very well thought-out plan and again, I support the variance. So with that, the floor is open for a motion.

KLISZ Mr. Chair.

BARINGHAUS Mr. Klisz.

KLISZ Resolved that the variance sought in appeal case number 2023-08-20 filed by Adnan Halaweh be granted for the following reasons and findings of fact: the uniqueness requirement is met because of the lot size and the need of the Petitioner to store various vehicles and tools inside of a structure as opposed to being out in the elements. Denial of the variance would have severe consequences for the Petitioner because, again, they would have to leave their stuff out for the public to see. The variance is fair in light of its effect on neighboring properties in the spirit of the zoning ordinance, because of the full neighbors support this property is classified N-2 under the Master Plan and the proposed variance is not inconsistent with that classification. Third, that the variance be granted in the following conditions: that it be built as presented and that no business be operated out of the structure.

BARINGHAUS Very good, do I have support?

TESTA Support.

BARINGHAUS Supported by Mr. Testa. Is there any discussion? Very good. Secretary Klisz, will you please take a vote?

RESOLVED: APPEAL CASE NO. 2023-08-20, Adnan Halaweh, 34108 Schoolcraft Road:
an appeal was made to the Zoning Board of Appeals by Adnan Halaweh, seeking to construct a detached accessory building resulting in excess total accessory building area.

Accessory Building Area:

Allowed: 920 sq. ft.

Proposed: (additional) 1491 sq. ft. Excess: 571 sq. ft.

This Medium Density Residential property is located on the north side of Schoolcraft (34108), between Ashurst Street and Stark Road, Lot. No. 084-02-0039-000, N2, Neighborhood District, rejected by the Inspection Department under Livonia Zoning Ordinance, Section 7.09 (1) A) Residential Accessory Buildings, Maximum Size, **be granted** for the following reasons and findings of fact:

1. The uniqueness requirement is met by the lot size and the need of the Petitioner to store various vehicles and tools inside of a structure instead of outside in the elements,

2. Denial of the variance would have severe consequences for the Petitioner because he would need to store the vehicles and tools outside,
3. The variance is fair in light of its effect on neighboring properties, and the spirit of the zoning ordinance is met due to full support from the neighbors, and
4. This property is classified as N-2 under the Master Plan and the proposed variance is not inconsistent with this classification.

Further, that it **be granted** under the following conditions:

1. It will be built as presented, and that
2. No business activity will be operated from the structure.

ROLL CALL VOTE

AYES: 6

NAYS: 0

ABSENT: 1

PASS/FAIL/TABLED: PASS

KLISZ Ms. Scheel.

SCHEEL Aye.

KLISZ Mr. Rotondo.

ROTONDO Aye.

KLISZ Mr. Testa.

TESTA Aye.

KLISZ Mr. Boloven.

BOLOVEN Aye.

KLISZ Secretary Klisz votes aye. Chairman Baringhaus.

BARINGHAUS Aye.

KLISZ Passes 6-0.

BARINGHAUS Okay, very well. Congratulations, your variance has been granted. Just reach out to the building inspection department and finalize your plans with them.

HALAWEH Thank you.

BARINGHAUS Secretary Klisz, will you call the next case, please.

ROTONDO Mr. Chair.

BARINGHAUS Yes.

ROTONDO I'm going to recuse myself from the next item.

BARINGHAUS Yes, thank you.

APPEAL CASE NO. 2024-01-06, Stuart Michaelson, on behalf of Lyndon Park, LLC, 28201

Lyndon: seeking to erect two (2) monument signs where only one (1) is permitted, resulting in excess signs, excess height and deficient set back from public right of way and easement lines.

This Low Density Residential property is located on the south side of Lyndon Street (28201), between Harrison St. and Lyons St, Lot. No. 095-09-0040-000, N-1 Neighborhood District, rejected by the Inspection Department under Livonia Zoning Ordinance, Section 11.08 (1), Monument Signs.

Maximum Number of Signs:

Allowed: 1
Proposed: 2
Excess: 1

Maximum Allowed Height:

Allowed: 5 feet
Proposed: 5 feet 10 inches
Excess: 10 inches

Setbacks:

Required: 10 feet from all property lines and any right of way lines
Proposed West Sign: 5 feet from right-of-way and 4 feet from easement line
Deficient: 5 feet and 6 feet respectively
Proposed East Sign: 5 feet from right-of-way and 0 feet from easement line
Deficient: 5 feet and 10 feet respectively

BARINGHAUS Thank you very much. Does the Board have any questions for the building inspection department? Any questions for the law department at this point? Will the Petitioner come forward, please.

MICHAELSON Good evening. My name is Stuart Michaelson. We're the developers of Lyndon Park Development. It was the old Adams School site. We developed 39 Lots. And does everybody have a picture of the entrance plans? I know I submitted them with the application.

BARINGHAUS Yeah, I did see it.

MICHAELSON It would be helpful if you can see it.

BARINGHAUS I did see a large copy of it with a smaller photo or actually sketch of it.

MICHAELSON A copy may help if I show you what I have.

BARINGHAUS Sure.

POPP I've seen it.

SCHEEL Thank you.

POPP I think there's two there. I'll keep digging. We don't have any. Keep that.

MICHAELSON Before we get into the nitty-gritty of everything, I just wanted to say that we've been developing and building communities for almost 40 years now. And one of the things that we really pride ourselves on is having beautiful entrances. So it's very important to us, for the residents, to be able to pull into their subdivision and have a nice entrance. So they feel really good about when they pull in. We, when we submitted and went through the Planning Commission and the Council, we always had the two entrance signs. Because

there's two entrances, and we always felt in all our communities, if you could have more than one entrance, you should have a sign the identifying the community. So and it never came up at the time that it wasn't legal to do that. So what we did was we created a 10-foot easement for landscaping purposes, all along Lyndon Road, which is the whole front because we want to do a nice landscape job. And we want to be able to have the signs at each entrance identifying the community. So that's why we did what we did. And we're hoping that at our position right now, we want to, we kind of intermediate with our customers, our customers and we are sold out there. And we're building houses that are, that are sold. And we led them to believe that this is what they're gonna get until I found out that when we went through the permit that we couldn't. So I guess what I'm saying is, I'm asking this Board to give us a blessing to be able to do the two signs, we have it within the easement, the 10 foot easement, and we are going to landscape that whole front along Lyndon Road, to enhance the whole community. It's, it's really for the good of the, for the good of Livonia, it's good for all the neighbors, and it just enhances the whole feel for the community. As far as the height goes, if you look at the picture, you'll see the Lyndon Park sign. The height is only a little out of, a little higher than it should be at the very top of the arch. And the reason that the arch was created was to make the Lyndon Park visible from the street. So when people pull in they can see it otherwise, it would be difficult to see if we had to make the print smaller. So that's basically it. And I can answer any questions. Yeah, George, my partner.

BARINGHAUS Please.

MAGER Good evening. My name is George Mager. I'm also one of the principals of Lyndon Park Development and the homebuilding company, Lyndon Park Homes. When we put together the original site plan to gain site plan approval, it showed the detail of the entranceways as well as this green space and the plantings we were going to do. We were also asked to submit a landscape plan. That plan also showed in detail the plantings that we were going to do, as well as the two signs, which in those drawings were taller and larger than the signs that we've come back with at this point in time. We went through the Planning Commission and the City Council, and were applauded at the City Council for what we had proposed both in terms of entryways, landscaping, and the nature of the design with larger and smaller lots mixing together. In fact, one of the Council Members said that was the best plan that he'd ever seen in the city of Livonia. We let our residents know, we let people we were marketing to know that this is what we're going to create: the lawn, the fountain, the retention pond in the back, and park area there. And the rest of the attraction, we are looking forward to us doing this. We, of course, were surprised to find out that you can only do one sign since during the whole planning process, nobody had mentioned that. And we were also surprised to find out that the original height that we had submitted was substantially larger than it should have been. We can reduce the size, the height of the sign, we have this ten-foot easement. You can't make that larger because that's part of the overall site plan approval. So we have to keep that. We did have a little bit larger area, easement area, for where the signs would be on one side and the other. But then the engineering design put a hydrant in the location of that larger easement so we had to put the sign on the other side of the street. So what we're asking is for consideration both for ourselves and for our homebuyers, to be able to install substantially what we had hoped to install and what we were going to install to the Council. That's essentially our story.

BARINGHAUS Just to clarify how many entrances to the development?

MICHAELSON Two.

BARINGHAUS Two, of course. And can you tell me about the materials on the sign?

MICHAELSON It's gonna be brick and limestone. If you look at the plan that I gave you there's a blow-up of the actual sign itself. It's not a huge sign. We're gonna brick it and then we put up a piece of limestone in the middle where the name is.

BARINGHAUS Carved into the lines?

MICHAELSON Yeah.

BARINGHAUS Okay. Is the sign illuminated?

MICHAELSON Illuminated? Yes. Both signs.

BARINGHAUS Both signs are illuminated? Okay, very good. Is there a sidewalk in front of the easement?

MICHAELSON Yes, there will be along Lyndon Road. I know they're repaving Lyndon.

BARINGHAUS Okay. Yeah.

MICHAELSON I think this coming year, but there is a sidewalk.

BARINGHAUS Yeah. You couldn't tell with the snow covering it.

MICHAELSON Right. We actually haven't poured all of it yet because we're waiting to get the houses built and then we're probably not going to do it until you come in and redo Lyndon.

BARINGHAUS Okay, very good. Okay, thank you. Any other questions from the Board?

KLISZ Mr. Chair.

BARINGHAUS Mr. Klisz.

KLISZ To the Petitioner. Who is going to be tasked with maintaining the landscaping? Once it's done

MICHAELSON The homeowners association, which we formed already. They're going to be handling. They're in charge of maintaining all the common areas, which includes the pond and the park.

KLISZ So the maintenance of the sign would also be handled by the homeowners association?

MICHAELSON Correct.

KLISZ Thank you.

MAGER If I may, please [inaudible] the response. Every time we complete the sale of a home, I have a meeting with the buyers where we turn the keys over. One section of the 12-item agenda has to do with the condominium association, common elements and what will be maintained by the association of the ownership party. Fortunately or unfortunately, I always mentioned the signs and the landscaping will be at the front of the project. So they're expecting to maintain it, I guess they expected to have it as well.

SCHEEL I just want to make sure I heard you correctly. So in this plan for Planning Commission, and when it went before City Council, it showed the two monument signs there?

MICHAELSON Yes. Yes. It did. [Inaudible] you.

SCHEEL Thank you.

TESTA Mr. Chair.

BARINGHAUS Yes. Mr. Testa.

TESTA Thank you, Mr. Chair. I'm a little hung up on that point, as well. With my experiences with both Planning Commission and City Council generally do a pretty good job of warning petitioners that we're approving X,Y, and Z, but A, B, and C, you may need to go get a variance for. I don't discount what you're saying. I do remember at least the City Council meetings back when this was presented. I remember the comments from Council. I think they really liked this site plan. My memory is more speaking to the spacing of the houses and not specifically maybe the signs. I do trust that both signs were on the plan, but was the size of the sign in terms of the height and the location. Were those dimensions clearly on what was presented to Council and Planning Commission or were they just generically showing as two signs?

MICHAELSON There was actually a larger wall which we scaled back down on our own even before we knew that it was a problem.

TESTA Okay. What about the positioning. Was the five foot setback dimension or was it shown as 10 foot, or a different dimension maybe I should say?

MICHAELSON It's always been 10-foot. The easement, you mean?

TESTA No, the location of the sign, the setback, where the sign is positioned.

MICHAELSON Well, it's always been- well, we had to move it because of the hydrant. So the one on the west side got moved over to the other side. See this one in front of lot 31? That was always there.

MAGER Mr. Testa, more to do the response to the size. There was always a situation where the base of the sign didn't permit for 10-foot and five-foot setback so always there was about four or five feet on either side of the sign because the easement was only so deep in order to accommodate that and the lot designs.

TESTA Okay, thank you.

BARINGHAUS Any other questions from the Board? Okay, if there's no further questions from Board, basically, I'll ask for any audience comments, please. Please go to the podium.

KARCHO Actually. I just want to introduce myself. My name is-

BARINGHAUS The podium, please. Thank you. Now you need to state your name and address.

KARCHO Hi, my name is Brad Karcho with BMK Asphalt Repair and Paving. I do apologize. This technically wasn't a comment in regards to the proposal. I just want to introduce myself to Mr. Michaelson to possibly see if I can give him a business proposal.

BARINGHAUS Thank you. Excuse me, sir. Could you please sit down?

KARCHO I do apologize.

BARINGHAUS Are there any other audience comments? Yes. Okay. And I said comments, not referrals.

KARCHO I'm sorry.

BARINGHAUS It's okay, I'm just having a little fun. Please, could I have your name and address?

VITALE My name is Ignazio Vitale. My address is 14459 Dooley Drive. I'm a new owner in the new subdivision. And I'm in favor of the two signs. I think it'll look nice when it's landscaped. I know we're in charge of it once we get to the homeowners association, we're going to be in charge of taking care of all that. So. But, yeah, hopefully you guys can bring something out with the variance or something. So that's all I want to say. Any questions?

BARINGHAUS No, very good. Thank you very much.

HALA KAKISH Hello.

BARINGHAUS Hi. Good evening. Could I have your name and address, please?

HALA KAKISH My name is Hala Kakish. I'm also, I just went to purchase that house too, in 14441 Dooley Street. This is my first purchase. That's me and my husband. And it'd be amazing to see two signs. Because I mean, we live on that side. And it looked beautiful, especially across from church, across from some duplex. So it looked beautiful. And when we saw, when we first saw the whole thing, we saw its two signs. It's not one sign. So I would really appreciate it if you guys let them have that. Thank you very much.

RAID KAKISH And I just want to say-

BARINGHAUS Can we have your name again, please?

RAID KAKISH My name is Raid Kakish.

BARINGHAUS Same address?

RAID KAKISH I live on 14441 Dooley.

BARINGHAUS Great, thank you.

RAID KAKISH That's my future home.

BARINGHAUS Okay.

RAID KAKISH And I just want to take the time to thank you guys. And I want to thank these beautiful people for building our dream house.

BARINGHAUS Thank you very much. Are there any other audience comments? Okay, very good. Do we have any letters?

KLISZ We do. We have three letters, first is a letter of objection from Amanda Schram, 14394 Nova Drive, I object to the appeal. We do not need two signs. The sign doesn't need to be taller than the original proposed five feet. We have a letter of approval from Dima Sprague, 14449 Nova Drive, it just says approval. And we have a letter from Hakeem Huraibi and Natalie Purcell. We're the buyers of lot 39 at 14494 Dooley Drive, directly bordering the proposed signage location at the west entrance to Lyndon Park. We're in favor of granting the signage variance for a few reasons. The developers at Lyndon Park have been conscientious of preserving the neighborhood and city aesthetics, and they've used high quality materials throughout this project. The developments in other cities completed by their parent company are all tasteful and designed to blend in with their respective areas. We trust that this one would be no different. The proposed signage would provide us personally with a bit of separation and privacy from the moderate amount of foot and vehicle traffic on Lyndon Avenue. For these reasons, we hope that Lyndon Park Development, LLC's request is approved. Thank you in advance for your kind consideration. Those are the letters.

BARINGHAUS Okay, thank you. If I could I have the Petitioners come forward to make a closing statement please, to the podium? Would you like to make any final remarks?

MICHAELSON Well, go ahead.

MAGER I want to thank you for your consideration of the matter. We're hoping to get our buyers what they're hoping for and expected as you've heard. I know it's difficult to get a variance to an ordinance. But I think in this case, it would be helpful for the community as well.

BARINGHAUS Thank you very much.

BOLOVEN Mr. Chair.

BARINGHAUS Yes, Mr. Boloven.

BOLOVEN Just a quick question for Mr. Popp before we get into the [inaudible] session. Is there any chance these signs on either east or west would be sight obscuring?

POPP They should not be because you still have the public right-of-way before that easement that they created even starts.

BOLOVEN So do you want to recommend it being sent to Public Safety for an inspection report?

POPP It should be far enough back just on the easement. I mean, you could request that if you want to.

BOLOVEN You don't feel that's necessary?

POPP I don't think it would be necessary, no. I would say to Mr. Testa's question on the Council. It was a surprise to them coming from the building department side when they came to apply for it. There was a small blurb from Planning, which basically said signage must meet zoning ordinance. So they were kind of blindsided because they had presented it the

whole time. So speaking from our side, they weren't really aware of what the local ordinance was. They just assumed because Council and Planning looked at it that it was okay.

BOLOVEN Thank you. Petitioner, could you come up real quick. One more question for you.

MICHAELSON Yeah.

BOLOVEN You're going for 10 inches over. And you may have said it in the midst of all the documents here. Why can't you come down to five feet?

MICHAELSON If that's a directive, we'll be glad to do it, we'll figure it out.

BOLOVEN What does that do to...?

MICHAELSON Well, we'll have to go straight across and lower the sign and we'll just have to make the letters smaller. But it is possible to do.

BOLOVEN You wouldn't have that arc still? It would go straight across, it just wouldn't...?

MICHAELSON Well, the problem, you know, that's something I, we have a landscape architect that will have to go back to the drawing boards with him and see what he recommends. We're gonna have landscaping in front of it, and you can't drop it down too low. So lowering the whole limestone sign may not work. Because it may get covered up, but you know, or maybe we should, maybe we don't put landscaping in front of the sign. We'll figure something out.

BOLOVEN Thank you.

BARINGHAUS Any other comments? Okay, very good. We'll close the public portion of the meeting then, and we'll begin the Board's comments with Secretary Klisz.

KLISZ I think this is a good proposal. When we look at the access in terms of the height: 10 inches, it probably could be reduced, but on the off chance that it's going to look different and not look as good, I'm not, I'm really not too concerned about 10 inches, and I like the look of it. I think two signs is fine. There's just the one objection that doesn't really say why they object to it, it's gonna look good, the neighborhood looks nice. And so based on that, I'll be in support as presented.

BARINGHAUS Okay, thank you. Mr. Boloven.

BOLOVEN I agree with Secretary Klisz, I wouldn't want to change the design for the 10 inches. And that's kind of why I asked the question there and said, "You're gonna go flat." I like the arc. I love what you did with the area. Again, driving through, it's always gonna be different than in the summer but what you guys are doing is truly beautiful for that subdivision. I would be in support as presented this evening.

BARINGHAUS Thank you. Ms. Scheel?

SCHEEL I agree. I would be in support as presented this evening so that the design stays the same. And I like the idea of having a sign at each entrance.

BARINGHAUS Thank you. Mr. Testa?

TESTA Thank you, Mr. Chair. My oldest daughter went to [inaudible]. I was sad to see this be torn down on a change of subdivision but we drive by there frequently and I really like, my daughter likes, as a family we did, we were friends with everyone there. I think these homes are perfectly sized, layout as well. I like the variety of homes you built. Might have changed the color scheme a bit, but I do like what you've done there. The signage, I can't agree with this proposal. I'll complain to my City Council friends and Planning Commission friends about how this kind of got through without giving you guys more warning. I'm okay with the height, with the setbacks, you are where you are. You're stuck with what you got, because these things were built where the sidewalk is going to be. So I'll be in support of this.

BARINGHAUS Thank you very much. I share my colleagues' opinions as well being in support of the variance. A couple of reasons why we do have an extensive Greenbelt in front of the development which from my experience, you need a very strong sign to kind of power through that. And in terms of the landscaping design, you don't know what the vegetation in front of all the signs will look like five years from now; it could cover them up. It's a beautiful development. I think it's a real credit to Livonia and I think what it really calls for is two signs. That would really finish the project and I am a total proponent, I think every neighborhood in Livonia should have the sign and name in front of them because once you do that, then the neighborhood starts to take on a character and personality as well. So again, I will be supporting the variance. And motion, please.

BOLOVEN Mr. Chair.

BARINGHAUS Mr. Boloven.

BOLOVEN Resolved: the variance in appeal case number 2024-01-06, filed by Lyndon Park Development be granted for the following reasons and findings of fact: that the uniqueness requirement is met due to the layout of the development as well as where the entrance and locations are for signage. Denial of the variance would have severe consequences for the Petitioner due to the lack of the signage for the entrance of the subdivision as well as the detrimental consequences to the owners that bought in that subdivision already. That the variance is fair in light of its effect on neighboring properties in the spirit of the zoning ordinance and overwhelming neighbors support and that this property is classified as N-1. Under the Master Plan, the proposed variance is not inconsistent with that classification. Further, the variance be granted with the following conditions: that it be built as presented this evening.

BARINGHAUS Thank you, do I have support?

KLISZ Support.

BARINGHAUS Okay. Motion by Mr. Boloven, support by Secretary Klisz. Is there any discussion from the board? Secretary Klisz, could you please take a vote?

RESOLVED: APPEAL CASE NO. 2024-01-06, Stuart Michaelson, on behalf of Lyndon Park Development, LLC, 28201 Lyndon: seeking to erect two (2) monument signs where only one (1) is permitted, resulting in excess signs, excess height and deficient set back from public right of way and easement lines.

This Low Density Residential property is located on the south side of Lyndon Street (28201), between Harrison St. and Lyons St, Lot. No. 095-09-0040-000, N-1 Neighborhood District, rejected by the Inspection Department under Livonia Zoning Ordinance, Section 11.08 (1), Monument Signs,

Maximum Number of Signs:

Allowed: 1
Proposed: 2
Excess: 1

Maximum Allowed Height:

Allowed: 5 feet
Proposed: 5'10"
Excess: 10 inches

Setbacks:

Required: 10 feet from all property lines and any right of way lines
Proposed West Sign: 5 feet from right-of-way and 4 feet from easement line
Deficient: 5 feet and 6 feet respectively
Proposed East Sign: 5 feet from right-of-way and 0 feet from easement line
Deficient: 5 feet and 10 feet respectively

be granted for the following reasons and findings of fact:

- a. That the uniqueness requirement is met because of the layout of the development, as well as where the entrance and locations are for signage,
- b. Denial of the variance would have severe consequences for the Petitioner due to lack of signage for the entrance of the subdivision as well as the detrimental consequences to the owners who live in the subdivision already,
- c. That the variance is fair in light of its effects on neighboring properties and the spirit of the zoning ordinance because of overwhelming support of neighbors, and
- d. This property is classified as N-1 and the proposed variance is not inconsistent with that classification.

Further, that it **be granted** under the following condition:

3. It will be built as presented to the Board.

ROLL CALL VOTE

AYES: 5
NAYS: 0
RECUSED: 1
ABSENT: 1
PASS/FAIL/TABLED: PASS

KLISZ Ms. Scheel.

SCHEEL Aye.

KLISZ Mr. Testa.

TESTA Aye.

KLISZ Mr. Boloven.

BOLOVEN Aye.

KLISZ Secretary Klisz votes aye. Chairman Baringhaus.

BARINGHAUS Aye.

KLISZ Passes five to zero.

BARINGHAUS Okay. Thank you. Okay, congratulations, you have your variance.

MICHAELSON [Inaudible] later this summer and see how everything looks.

TESTA We'd love to, yes.

BARINGHAUS Just reach out to the building inspection department and finalize the details. Thank you very much. Thank you. Thank you. Secretary Klisz, can you call the next case, please?

APPEAL CASE NO. 2024-01-07, Barbara Vicars, 16335 Westbrook: seeking to erect a six (6) foot tall vinyl privacy fence to enclose a side door, beyond the midpoint between the front and back building line, which is not allowed.

This Low Density Residential property is located on the west side of Westbrook Street (16335), between Mallory and Levan Streets, Lot. No. 065-06-0232-000, N2 Neighborhood District, rejected by the Inspection Department under Livonia Code of Ordinances, Section 15.44.090 (B).

BARINGHAUS Thank you. Any questions for the inspection department?

BOLOVEN Yes, Mr. Chair.

BARINGHAUS Yes, Mr. Boloven.

BOLOVEN Question for Mr. Popp. We have these cases all the time. And it always comes up here. If they have a side entry, they're allowed to come up to pass the side entry. Correct?

POPP Correct. They'll usually allow a footpath to the side entry.

BOLOVEN So that's the main sections, footpaths on the side entry

POPP Well, yeah, the side entry can be halfway up the building. The side entrance all the way to the front, no side entry can be halfway up the building. So the center point side of the building, and usually they allow them like a footpath, so you have access to the door.

BOLOVEN So this is about, I'm guessing, looking at some of the pictures, is about five foot past.

POPP I don't know the exact dimensions, but it is a little bit past.

BOLOVEN All right, so we get a leeway of about a foot.

POPP And normally that's what they allow when the doors are center, back half of the structure. Correct.

BOLOVEN Thank you, Mr. Popp.

BARINGHAUS Any other questions for the inspection department?

TESTA Yes, Mr. Chair.

BARINGHAUS Yes, Mr. Testa.

TESTA Mr. Popp, along the same lines, there is an existing fence there and I looked, it was permitted back in 2004. [Inaudible] upright fence. I'm assuming that the city at that time approved it in its current position.

POPP Because it's non-sight obscuring. That wouldn't be allowed to the front corner of the house and it's only four feet tall.

TESTA So the difference being...

POPP Sight obscuring is the main difference. If it's four feet tall and sight obscuring it would not have been allowed originally.

TESTA Understood. Thank you.

BARINGHAUS Thank you. Any questions for the law department? Okay. Can the Petitioner step forward, please?

VICARS Thank you.

BARINGHAUS Good evening. Name and address, please. Thank you,

VICARS Barbara Vicars, 16335 Westbrook Street.

BARINGHAUS Perfect. Why don't you outline your proposed variance to us?

VICARS Okay. Like it was just previously stated, There was a fence that was already there. It's wood, it's rotted. I run a home daycare at my home. It's licensed through the state and the city. The state is going to pay for me to have a new fence for safety reasons for the children. The current fence is old. It's wobbly, it's not safe. I'd also like the taller fence for multiple reasons. One the current fence is about this high and the children can actually reach the lock, open the gate, and leave the yard. Or a taller fence would allow me to have the lock higher out of the children's reach where they could not leave the yard. I also liked the idea that the fence is high enough where people that are walking around down the sidewalks and driving don't see a bunch of kids in the yard. I like the privacy of them not knowing I do a daycare. I don't like to advertise that there's a lot of kids in my yard. Also like the idea of the fence being taller so that somebody can't reach over the fence and grab the kids. I mean I hope that's not something that would ever happen but it is the world we live in. My neighbor okayed the fence, the design, and the location. The fence is only on the north side of the property. The majority of the property has the old-fashioned as it's called cyclone, the wire fence. So this is only, we're talking about five panels, two panels that run north and south visible from the street. Three panels that run east and west. that are not visible from the street. I'm trying to follow my current property line, I have a cemented patio over there where the kids play with their little cars and their tricycles and that kind of thing. So I don't want the fence to be five foot closer to my side garage door. It's five foot closer to the street than the variance allows. I think that pretty much sums up my opinion.

BARINGHAUS Can you tell, have you selected the design of the fence yet?

VICARS Yeah, the fence has actually already been built. The fence is done, they just can't put it in without the...

BARINGHAUS What color and materials? Can you describe those for us?

VICARS Sure.

BARINGHAUS Okay.

VICARS I'm gonna say it's beige, the same color as the house. It's six foot tall, the top foot of the fence is kind of picket looking. So you actually can see through the top foot, so it's private to us five feet tall. And then you can see through the last foot, making it six foot tall.

BARINGHAUS You mentioned you wanted to obscure the line of sight on that side of the home. I noticed on the other side of your home, you have a four foot picket fence. How do you plan on obscuring the backyard from the other side of the house?

VICARS That's not an issue because the kids don't generally hang out in that corner, they came out in the corner where I want the higher fence because that's where the only cement is in the yard.

BARINGHAUS Gotcha.

VICARS There really isn't anything that interests them on that side of the yard, if that makes sense. So they tend not to go there.

BARINGHAUS Okay, very good. Thank you. Are there any other questions for the Petitioner?

KLISZ Mr. Chair.

BARINGHAUS Yes, Secretary Klisz.

KLISZ Really, there's no problem with the height, and all that kind of stuff. But the real issue is where it's placed next to the side of the house. As you heard the inspection department explain that it's normally a one foot, you know, allowance past the door, and you're proposing five feet? What's your hardship? What's the reason why you need the five feet?

VICARS The current patio, the cement is poured, there has been more there for years. So to move the fence closer, I'd have to rip up the cement and make the area smaller, and therefore kind of defeating the purpose of the patio.

KLISZ Okay. And that's where the kids hang out at and exercise.

VICARS It's the only cement. I mean, if they're running around, they have the whole backyard grass, but that's the only cemented part of the yard.

KLISZ Okay, thank you.

VICARS And I sent some pictures to show that it's five feet closer. And in the summer, there's two hydrangea bushes that are probably going to cover the majority of that fence. And on the east and west part of the fence, my neighbor has giant arborvitae. So he doesn't, he's not going to see much of the fence either.

BARINGHAUS How long has the fence been in that location?

VICARS I don't know. It was in that location when I moved in 20 years ago. I replaced the current when I moved in 20 years ago, it was also a wooden fence that was rotted. So I put in a new wooden fence and that fence is now rotted.

BARINGHAUS So this is fence number three.

VICARS At least.

BARINGHAUS Okay. Thank you, very good. Any questions?

ROTONDO This, this new fence is going to be in the same exact location as the one right now?

VICARS Yes.

BOLOVEN Mr. Chair?

BARINGHAUS Yes, Mr. Boloven.

BOLOVEN I'm sorry. One more question is, I see that the wood comes back. And so not just the front? And I don't know. Southeast, west. Is that same material coming up to the chain link?

VICARS I don't know if I understand the question. But currently, there's two panels that run north and south and three panels that run east and west. It's all wood. The rest of the fence is cyclone. So the current wood fence and the new fence, hits the cyclone fence, three panels deep and then continues around the yard.

BOLOVEN Sorry, just let me ask in a better way. Are you replacing all the wood with privacy fence?

VICARS Yes, just-

BOLOVEN The wrap around to the cyclone.

VICARS Yeah. If you look at the picture, the hand-drawn picture, do you see the hand-drawn picture?

BOLOVEN I'm looking at the picture sheet.

VICARS I'm not talking about a photograph, I'm talking about a drawing. You can see the corner that's just replacing the current rotting wood fence.

BOLOVEN Okay, so you're coming up to the end of the sidewalk, the end of the concrete.

VICARS Yes.

BOLOVEN Okay, thank you.

TESTA Mr. Chair, one more if I may.

BARINGHAUS Mr. Testa.

TESTA The description of the fence being a six foot privacy, the first five feet are privacy and upper foot is, I guess, lattice. That wasn't in our packet. Maybe you knew that before. Is that still considered sight obscuring?

POPP I mean, the top foot wouldn't be, so it could be five foot sight obscuring, but I don't know. That would still fall over, anything sight obscuring is only allowed to the back corner of the house technically.

TESTA Okay, so even if it was a three foot or solid?

POPP Even if it was just four foot, right. Yeah, it would only be allowed to the back corner of the house normally.

NEVILLE Anything in excess of four feet. That goes beyond has to be, a variance has to be applied for.

TESTA Thank you.

NEVILLE If it's not chain-link.

BARINGHAUS Any other questions for the Petitioner? Okay. Very good. I'll just have you take a seat for the moment. Any audience comments? Are there any letters?

KLISZ There was a letter and as we discussed prior to the meeting, it's unsigned, it's an anonymous two-paragraph attachment to the public notice, but it is not signed. It is not, there's no address. So we will, according to our rules, ignore that.

BARINGHAUS Okay, very good. Thank you. The Committee will have you come back to the podium. You can make a closing statement, please.

VICARS I guess just in summary, I would say that I appreciate consideration for the safety of the children probably more than anything, but it also obscures their low, I call them Fred Flintstone cars, you guys probably know, those little Cozy Coupe Cars, it hides that in there too, and hides the kids.

BARINGHAUS Okay, thank you very much.

VICARS Thanks.

BARINGHAUS Okay, we'll close the public portion of the meeting and we'll get our comments from Mr. Testa..

TESTA Thank you, Mr. Chair, I can be in support of this. I understand the hardship. The fence is already there. It's been there for years. I do understand that you're going taller with the fence and it is sight obscuring. But I think it would be fine. And I understand why you want it. Why you need it, I should say.

BARINGHAUS Thank you. Mr. Boloven.

BOLOVEN I agree with Mr. Testa, I've been looking at your pictures. It makes sense. You're just replacing the wood fence. And based on where your landscaping is and the layout, I agree it'd be more of a detriment to come back. Inspection department seems like you're saying give me about a foot to even one report says 16 inches, it looks like you're either between five and seven feet off for these purposes. And with the approval of the neighbor, I'd be in support as presented.

BARINGHAUS Thank you, Secretary Klisz.

KLISZ I agree with both my colleagues, I really have nothing else to add. It makes sense. It's good. It's safe. And there's a hardship, so I'm in support.

BARINGHAUS Mr. Rotondo.

ROTONDO Yeah, I agree as well. I've like said I think they summarized it pretty well. I'm in support of this.

BARINGHAUS Thank you. Ms. Scheel?

SCHEEL I agree with everything that my colleagues have said. I am in support of this. Thank you.

BARINGHAUS I too agree with my colleagues' opinion on this. Basically, it's a one for one replacement. I'm pleased that you're making an effort to use the beige color on the fence because it ties in I think to the look of the house. It's not uncommon to have a privacy fence in that location within your neighborhood as well. So, again, I am in favor of the variance. With that the floor is open for a motion.

BOLOVEN Mr. Chair.

BARINGHAUS Mr. Boloven.

BOLOVEN Resolved in appeal case number 2024-01-07, filed by Barbara Vicars, be granted for the following reasons and findings of fact: That the uniqueness requirement is met due to the current location of the current fence that's being replaced, as well as landscaping of the residence. Denial of the variance would have severe consequences for the petitioner as she would not be able to install the new fence. The variance is fair in light of its effect on neighboring properties and in the spirit of the zoning ordinance due to no neighbor objections. This property is classified as, I believe it's Low Density, N-2 under the Master Plan as proposed, the variance is not inconsistent that code of classification. Further, that the variance be granted with the following conditions: that it be built as presented this evening, with the same material and color as presented this evening.

TESTA Support.

BARINGHAUS Support. Okay, very good. Motion by Mr. Boloven, supported by Mr. Testa. Any discussion from the board? Hearing none, Secretary Klisz, will you please take a vote?

RESOLVED: APPEAL CASE NO. 2024-01-07, 16335 Westbrook: An appeal was made to the Zoning Board of Appeals by Barbara Vicars, seeking to erect a six (6) foot tall vinyl privacy fence to enclose a side door, beyond the midpoint between the front and back building line, which is not allowed.

This Low Density Residential property is located on the west side of Westbrook Street (16335), between Mallory and Levan Streets, Lot. No. 065-06-0232-000, N-2 Neighborhood District, rejected by the Inspection Department under Livonia Code of Ordinances, Section 15.44.090 (B), **be granted** for the following reasons and findings of fact:

- a. The uniqueness requirement is met due to the current location of the current fences being replaced as well as landscaping,
- b. Denial of the variance would have severe consequences for the Petitioner, as she would be unable to install the new fence without hardship,
- c. The variance is fair in light of its effect on neighboring properties and due to the spirit of the zoning ordinance due to no neighbor objections, and
- d. This property is classified as N-2 and this variance is not inconsistent with that classification.

Further, that the variance **be granted** with the following condition:

4. It will be built as presented as to location, materials, and color.

ROLL CALL VOTE

AYES: 6

NAYS: 0

ABSENT: 1

PASS/FAIL/TABLED: PASS

KLISZ Ms. Scheel.

SCHEEL Aye.

KLISZ Mr. Rotondo.

ROTONDO Aye.

KLISZ Mr. Testa.

TESTA Aye.

KLISZ Mr., Boloven.

BOLOVEN Aye.

KLISZ Secretary Klisz votes aye. Chairman Baringhaus.

BARINGHAUS Aye.

KLISZ Passes six to zero.

BARINGHAUS Thank you. Could you come to the podium, please?

VICARS I just thank you so much for helping keep the kids safe. But I do have a question about something that Mr. Kileweetz said?

KLISZ Klisz.

VICARS Klitz?

BARINGHAUS Klisz.

VICARS Klisz. I'm sorry. You said that there was a letter that was two paragraphs long. Is that public record? Can I get a copy of that? Can we read the letter? Just out of-

BARINGHAUS That's a question for Mr. Neville.

NEVILLE Probably a FOIA, Freedom of Information Act request.

VICARS Okay, but I won't, you cannot read that.

SCHEEL No, I'm sorry.

VICARS Okay.

KLISZ Usually unsigned letters are not read. It's [inaudible].

NEVILLE It's unsigned. No. No name, or anything that indicates who submitted it.

VICARS Okay, and there's no- Can you, I understand you're not reading it. But what was the argument? Or you don't even address it.

KLISZ It's nothing to do with your fence. Let's put it that way. That's all I can say.

BARINGHAUS Congratulations on your variance. Please reach out to the inspection department to finalize the arrangements.

VICARS Okay. Thank you.

BARINGHAUS Thank you very much. Secretary Klisz, will you call the next case?

APPEAL CASE NO. 2024-01-08, Brad Karcho on behalf of BMK Asphalt Repair and Paving, 19985 Parker: seeking to erect a detached accessory building resulting in excess building area and height.

This Low Density Residential property is located on the west side of Parker Street (19985), between Norfolk and Pembroke Streets, Lot. No. 009-99-0116-000, N-2, Neighborhood, District, rejected by the Inspection Department under Zoning Ordinance, Section 7.09 (1) A, C. The existing attached accessory building (garage) is to be converted to living area.

Accessory Building Area:

Allowed: 1000 sq ft
Proposed: 1680 sq ft
Excess: 680 sq ft

Accessory Building Height:

Allowed: 16 feet
Proposed: 17 feet
Excess: 1 foot

BARINGHAUS Okay. Thank you. Does the Board have any questions for the inspection department? Any questions for the law department? Very good. State your name and address again.

KARCHO Good evening. No, this will not be a business pitch. I just like to thank you guys for coming out, ladies and gentlemen. for this is my first time actually going through this. So it's really neat that you guys...

BARINGHAUS You need to identify. You need to identify yourself with name and address, please.

KARCHO Brad Karcho. Address is 19985 Parker Street, Livonia, Michigan. I am the sole owner of BMK Asphalt Repair and Paving. And I'm here to basically plead my case.

BARINGHAUS Okay, very good. Why don't you do that? Who don't you summarize your variance request and the hardship that's driving your request for a variance.

KARCHO So, I recently purchased this home last year. I fell in love with the property as soon as I saw it, very big lot, it's a little bit over an acre. The home was abandoned for well over a decade, we're actually unsure of the actual number of years that it was abandoned, but it was well over a decade. I did a full gut rehab on this property. And in the middle of the gut rehab, we actually ran into some legal issues due to the sale. But all in all, I went through a year worth of litigation over this property. And there's been a lot of issues with it. But this is my home. I don't plan to do a fix and flip. Don't plan to do a rental. I'm 34 years old. I own two construction companies as well as two other rental properties. And this is the home that I plan to keep forever. I don't ever plan on selling this. I do have quite a big issue, though. I am a car collector. I love cars. It's what I live for. And unfortunately this property only has a one-car garage. And I need much more space. Currently in my collection, I own a Mercedes Benz CL 63 AMG. I own an Aston Martin Rapide. I own, my newest collection, newest addition to it, is a 2022 Ferrari Roma and a 91 Jeep YJ. That's a fun off-road vehicle. And then my Maserati Gran Turismo. Currently right now two of those vehicles are actually out in the elements under carports. I know it is crazy to think of, but I had to have two of those vehicles under carports now, and it's due to the fact that I can't really find storage. Or, or at a reasonable rate within the area. And that is why I'm seeking approval to the Board to build a bigger garage than, than the norm. And then if we, I also have along with my family, we have a boat, and two Jet skis.

BARINGHAUS Tell me about the materials on the structure.

KARCHO So the siding is a mixture of corrugated metal, as well as aluminum, and they are all color-matched to match the home. I don't know if you can see the pictures that are 3D models that are included within the plans. But they are beautiful, they match the home very well. They complement the property and the neighborhood. And actually, if you look at, I think I included the picture, if you look at the setback, opposed to the actual home, it's quite far back compared to the house in the street. So it's actually quite hidden from the rest of the neighborhood.

BARINGHAUS The vehicles you just described, the real goal is to store it in a very temperature-controlled environment. Do you have any plans on modifying that building to adapt to those conditions?

KARCHO So no, I don't plan on doing that. I don't know, I'd have to argue that a lot of my friends, we actually don't put our cars in heated storage because it really doesn't serve much more of a purpose, as long as it's out of the elements in that it's in a safe, covered drive, you're in good hands. It's really just a waste of money, in my opinion.

BARINGHAUS Going through our records, you have the property, the home listed under BMK Asphalt rather than your name. Can you explain that?

KARCHO Well, it's very simple. The company owns it. I am the owner of the company. However, the property is under my LLC. I'm a business owner, and you know, everything I do is an investment.

BARINGHAUS Seeing how you are that business and the home is registered under the business, do you have any plans to operate the business out of that address?

KARCHO Absolutely not. No. I plan on living in the home and I plan on continuing to build.

BARINGHAUS You don't operate your business out of your home?

KARCHO No.

BARINGHAUS Where's your business located?

KARCHO Eight Mile and Telegraph.

BARINGHAUS Eight and Telegraph.

KARCHO Yeah.

BARINGHAUS Okay, thank you. Any other questions?

TESTA Mr. Chair.

BARINGHAUS Mr. Testa.

TESTA You're converting the existing attached garage to living space, is that correct?

KARCHO That is correct.

TESTA Okay, has that already been done? Or no?

KARCHO It has not, not just yet. On approval for this because my fear was that at least I had one car space, right? So once this, if this does get approved, then I will be doing that immediately.

TESTA Okay, what type of living space will that be? And is it feasible?

KARCHO More or less that would just be another bedroom for sure be converted to. If we could get another bathroom there, that would be awesome. I'd have to check with the plans and see if I can work it out with the plumbing. Right? Yeah, more than likely a master bedroom-bath.

TESTA Okay, so you'd be removing the garage door, and changing it, putting it-

KARCHO So I wouldn't be removing the garage door, but I would build a whole wall covering it. And I'll tell you my reasons why. I've seen structures in the past where there's been remodels in the home and they removed the garage door and they built it out of brick. In mine, it looks horrible. I don't like it. For aesthetic appeal I'd rather just keep the garage door there. But the entire garage will be non-existent. There will be a wall going straight up and the windows will be spray-painted or painted black, painted black, and then all insulated from that, from inside the garage.

TESTA Basically, you would give the appearance of it's still a garage but it would not be a garage.

KARCHO Exactly.

TESTA Okay.

KARCHO Because it would look horrible built out.

TESTA Right. Speaking only for myself, when we see these variances for larger garages, I'm more favorable to them when they're attached to the house. Is there a reason why you weren't going for an attached garage versus a detached garage.

KARCHO So I was thinking more or less for my neighbors. But I will be totally open to attaching this to my house, I more or less wanted to think of my neighbors' perspective on this, I didn't want to come in to this neighborhood, new guy on the block, and I'm attaching this shiny garage to my home. I have more or less kind of wanted to put it in the backyard, you know, not totally invisible from them. But, you know, I was thinking more or less for my neighbors. But yeah, I would definitely love attach this to my home. That would be so much better for me.

TESTA Okay, maybe to thinking back about that? How did you decide the location of the detached?

KARCHO So the, if you look at my home to the left of my house, it's a perfect drive, going straight to the back. Whereas I can still have my yard to the right. And, you know, for my future family? And if I put it there as well, that would kill my front yard, too. It's actually a double lot.

TESTA Right. Could you do a detached off the back of your house and have it as a side entry?

KARCHO So I could, the only thing would be, I'd have to rip out my kitchen again. That wouldn't be too fun. I just spent all that money on it. I'm in the middle of the gut rehab right now or actually on the tail end of it. Actually, considering that I probably if we, if we did want to attach it to the house, I would want to attach it to the other side. If, if we were to go that route, because on that, on the side of the house in which you are speaking of, that's where all the major work has all been done. Tens of thousands of dollars have already been invested in that area and to attach the garage to there. That would kind of mess up a whole, the whole...

TESTA Okay.

KARCHO The floorplan.

TESTA The reason I'm asking you is because I kind of prefer it that way. But again, that's just me, I'm only speaking for myself there. I assume your current location of the current proposal would be visible to the street, correct?

KARCHO Yes.

TESTA My thinking was if the detached were somewhere in the back then it would not be so viewable from the street. But again, it's my first impression.

KARCHO Yeah, no, it's 100% viewable from the street.

TESTA And one last question, I'm just going to ask it. How did you decide the size? This is pretty massive. I see from your drawings -- thank you -- that you're putting the specific cars in there. So basically, you took what you have, you laid it out, and decided that's the size you needed to fit all of it.

KARCHO Actually, even with this garage, I'm still going to be putting stuff into storage in Saline. I rent a pole barn out there. But even if, even when I wanted to go bigger, my designer convinced me to go smaller. But yeah, with all that I have even they won't fit 100% into the structure, but we still have the pole barn in Saline.

TESTA Okay, then part of your variance is the height issue. Is there any way you can come down to not need a variance for the height? What's dictating your height of the structure?

KARCHO The boat and the trailer, bringing it in? So that's a big one. Yeah.

TESTA Okay.

KARCHO That's probably the most.

TESTA Understood. So the garage, the door opening is dictating that, and that's creating your roofline from there.

KARCHO That's correct.

TESTA Okay. Thank you for that clarification. Thank you, Mr. Chair.

BOLOVEN Mr. Chair?

BARINGHAUS Yeah, Mr. Boloven.

BOLOVEN Following up on Vice Chairman Baringhaus's questions, you said your business is on Eight and Telegraph?

KARCHO That is correct.

BOLOVEN What is at 6898 Maple Creek Boulevard?

KARCHO That is office space.

BOLOVEN That's office space? So is that where your business is at?

KARCHO Someone had me, that's kind of the first address, that's where, when I first started my business. That's where I was. My family's home, that's where I lived. But now it's, I never once kept equipment at my family's home. It was more or less just for my, my EAN, right? All my equipment is stored at the yard on Eight Mile and Telegraph. And, frankly, I don't think there's any way I can bring. I wouldn't want to bring any of my equipment to my home. I don't know if you're familiar with asphalt. Very dirty business, sealcoating rigs, pavers, excavators. This isn't stuff that we can generally sneak into the backyard, you know?

BOLOVEN Who is Margaret Karcho?

KARCHO That's my mother.

BOLOVEN One more time. The Vice Chairman asked this question, you bought the property and made it your business because of why?

KARCHO It's a business investment. And there's my business, everything I do. I like to look at myself as my business, everything I do as a business.

BOLOVEN You own a principal residence in Michigan?

KARCHO I apologize?

BOLOVEN Do you own a principal residence in Michigan?

KARCHO I do.

BOLOVEN What's your license address?

KARCHO 6898 Maple Creek Boulevard.

BOLOVEN Thank you, Mr. Chair.

BARINGHAUS Thank you. I've got one question. Did you submit a site plan for the project? In other words, I want to see the relationship of the proposed structure to your house, to your yard, getting the general layout?

KARCHO I did. Yes. It should be in the packet.

SCHEEL This one I think is it. The pictures aren't on this one.

BARINGHAUS Yeah, I saw that. In terms of the drive to the structure will it be concrete, asphalt, or?

KARCHO It will be asphalt.

BARINGHAUS Looking at your lot, a lot of the, a lot of your neighbors have very deep lots. Yours seems much more shallow. The only concern is about a facility that large being that close then taking up a lot of space in property.

KARCHO I'm very confused. You said that my lot...?

BARINGHAUS Your lot seems to be very, not as deep as your neighbors' lots, just from driving through.

KARCHO My, my property is deeper than all others.

BARINGHAUS It seems like there's trees that come up fairly close to your home.

KARCHO I, well, I cut all those down. So I would say there is, they've been cut down for quite a while now. The biggest one, the 90-footer I just cut that down, I want to say three months ago. Yeah, all the other trees have been excavated for the most part. I do have some trees in the backyard. But that's, I would say, probably about 60-70 feet from my house.

BARINGHAUS Okay, very good. Question for the building.

KARCHO Oh, yeah.

BARINGHAUS You have an interesting roof slab on it.

KARCHO Yeah.

BARINGHAUS Can you explain that?

KARCHO Oh, it's just kind of me and my designer wanted to go with something pretty cool. If you've, if you come inside my home, I have these barn beams everywhere. And it's just like an aesthetic of mine. And, I don't know, it kind of looks like a log cabin.

BARINGHAUS You'll have your chance later. No, no you can't. We'll have an opportunity where we have public comments or questions about- no, no, sir.

KARCHO Is it possible if I could add one more thing? So in regards--

BARINGHAUS One moment. Ms. Scheel has a question.

SCHEEL So you mentioned some ownership issues. You were in litigation for a year. Are you still in litigation? Or is that done?

KARCHO Oh man, that is done. So I fell victim to a horrible scam. I don't know if you've ever been familiar with wholesaling, the term wholesaling for residential properties? So basically, the person that I purchased it from sold it to two people at the same time, and I was the first of those.

SCHEEL Okay. Okay, but you're all through that.

KARCHO Yeah.

SCHEEL Okay. Thank you.

BARINGHAUS Thank you. Great, thank you. Any other questions from the Board? Okay, we have no further questions then. Basically, I have to step aside and ask for any audience comments. Anybody that has a comment, please?

SUMNER My name is Ron Sumner. I live across the street, basically. 20,008 Parker.

BARINGHAUS Okay, thank you.

SUMNER Okay, So my question was basically on that is, does it show the size of the garage door, the height of it?

BARINGHAUS Question for Mr. Popp.

SUMNER That's just one question I had. So on the south side of that lot, where the driveway is going to go is all treed right now. So I'm thinking all those trees are probably going to be cut down. It's extremely close to those neighbors' backyard. So I'm just wondering if there's any kind of a setback rule for there. Also, I think there's a utility pole at the southeast corner of the lot. So is there some kind of easement there? Right. So also I'm in agreement with Mr. Boloven that the business address is 6869 Maple Creek Drive, I believe it is, which is a residence, so I'm thinking Brad's going to be moving into this house and he has all these three businesses. I can't help but think that he's going to bring in some equipment in there from time to time, maybe doing repairs because it's cost saving. That'd be jackhammers, you know, welding, whatever it, whatever it takes to do brakes, to do fix trailers, wheels, whatever the case. So we're thinking more about the possibility of having trucks in front of the house, cars, maybe employees come there, park on that narrow street. [inaudible] I think what Brad failed to mention that's a double lot. But I think he's putting it on the south side of the lot. So he can build a house on the right, south, north side. Which I have no problem with. Okay, but I'm still thinking that garage is gonna be meant for something different than what he's leading on it to be. Brad could move out of there tomorrow. What moves in there next, goes, "Hey, I've got a huge barn back here, I can start my own business." So I am not in favor of building this massive barn back there that's actually going to be bigger than most of the houses in that area. So not only that driveway on the south side if it is gonna have to drain someplace, probably not great for those neighboring yards. So for all those reasons I'm against it.

BARINGHAUS Okay. Thank you very much. Again, any comments? From the audience. And then we'll get you next. Your name and address, please.

MCDONALD Ken McDonald, 20059 Parker. I've been a resident down Parker for quite some time. So I'll try to hit all the bullet points here and skip around. So on the plans does it have a ceiling height for the overall ceiling in that structure?

POPP I guess that was directed at me. Ceiling height, no, and to address the height on the garage door if it's scaled properly on the drawing, it's a four-door eight foot tall.

MCDONALD Okay, will the building be insulated?

POPP It is not on the drawing.

MCDONALD Brad, will it be insulated?

KARCHO I mean, do I?

BARINGHAUS No, sir, you have to address us.

MCDONALD Okay, so I guess where I'm coming from the list of high end cars I find it kind of quite odd. Everybody's got their own way of storing things, but I myself have a few cars, they're not that high-end cars. Like again, mine is in heated storage. To bring up Mr. Testa's about the garage door. If we're painting the house to match the proposed structure. I don't see why it couldn't be blacked out and made aesthetically pleasing rather than leaving the garage door existing. Through tonight's proceedings in other proposals we've heard about community, neighbors, image. If Brad is so concerned about the neighbors, did he approach any of the neighbors and ask them, "Hey, this is the thing I want to do,"? I found out about it through a letter from the City, by which I'm gonna say no. Everybody at the City Hall has been fantastic. They have a very professional, pleasant to work with, I think that they go not recognized for their duties and what they have to put up with. So in that is what I see with the ceiling height, why I asked about that.

POPP So it doesn't show certain things. The only place that shows ceiling height to the bottom of the rafter on the shallow side is 12 foot six inches. On the tall side it's showing 15 foot five inches, but it does not show a detail on anything what's the average.

MCDONALD So it'd be fair to say that you can possibly look, look up to the car lifts in there? The doors are about 10ish, 10 feet tall. So, what I'm looking for, I'm totally against this. This is a pole barn structure. I mean, it's sheet metal, it doesn't fit into the area. It doesn't. I don't think that there's anything of this size or this architecture style within three blocks of any of these addresses. My feeling up and down the rest of the neighbors that they are against this and definitely not in favor of. When I was down here and talking with the City that I definitely did bring up that there's been quite a bit of construction, trash discarded in the driveway. It said that there was a registered complaint about that, but it took over a week to get that resolved. Regardless, in regards to the property and maintenance of it, there has been times that the lawn has been well over eight inches long, for long periods of time. Now, whether or not that was with his proceedings involving the legal problems he had. Okay, if he signs on it, being neighborly, he can clean it up, cut it down, clean it up, blend in, try to fit in.

BARINGHAUS Do you have any final comments?

MCDONALD No.

BARINGHAUS Thank you very much.

LINDA TREWIN Hi. I'm Linda Trewin, 19984 Hubbard. Our lots back up to each other. And we have a lot longer.

BARINGHAUS Are they side by side, or are you...?

LINDA TREWIN No. We're right behind. So our property lines are the same. We're behind, we do have a little bar, but, yeah. I feel that this structure is too big for his car, what he wants it for or for the neighborhood. I said that backwards. If it gets too big for the neighborhood maybe, you know, he proposes it a little differently, different sizing? Because I don't know how far back from his back fence to the back of the structure. And he said a lot of things that I agree with. But I think maybe we can all work together and see what you know, can happen. But there is a lot of trees there and that house has been vacant for at least 20 years. Because we've been there more than 20 years. And yes, it was an older woman. And

she did have to go to assisted living. And nobody took care of the house. Was it a while I think it was male relative but I don't know how they were connected. So that's all I can say. I hope we can work together on it.

BARINGHAUS Okay, thank you very much. Okay.

LINDA TREWIN He said that there was no structure. There is a structure on Hubbard that's north of us. That is like a salt, saltbox. You know.

BARINGHAUS Okay.

LINDA TREWIN So I just wanted to let you know, I don't know the size of it, though. And it's within the back of their lot.

BARINGHAUS Okay, thank you.

LINDA TREWIN But the ones that I'm, I'm afraid of is the ones that are right south of him. Those are very small lots. Thank you very much.

BARINGHAUS Okay, well, thank you very much. Sir, could I have your name and address, please?

CHUCK TREWIN Yes. My name is Chuck Trewin and I live at 19984 Hubbard Street. And also the lot next door of ours is 19990. So we have an empty, empty lot. And where the house is. And both of those lots back up to the property that Brad owns. I have a couple of concerns. Of course, you brought up the one concern that the house is titled in the name of the business. That bothers me a little bit. Especially since from our lot we can see that there's a commercial trailer in the backyard. And the trees. Also another commercial trailer with a Bobcat on it. And it's been back there at least three months. So I'm, I'm afraid that, you know, his intentions are to put vehicles in the garage and I'm a vehicle lover myself. I have no objections to that. But I think the structure is too lengthy. And I have concerns about potentially using the garage space for his commercial endeavors. So the other thing is, I'm not sure how high the house is, but I'm thinking that the garage might be taller than the house.

BARINGHAUS I'm not sure.

CHUCK TREWIN The garage I think is 17 foot and it's a, it's a ranch style house. So I think that might look a little odd from the street also. Those are my comments.

BARINGHAUS Okay. Well, thank you very much.

CHUCK TREWIN Thank you, Commissioner.

BARINGHAUS Are there any additional audience comments?

TESTA Mr. Chair.

BARINGHAUS Yes, Mr. Testa.

TESTA Could I ask a question to the neighbors at the public comment?

BARINGHAUS Sure.

TESTA To maybe make it easy. I'm inferring from the comments that no one's seen the drawings or plans? Maybe from a show of hands. Has anyone seen the drawings and plans? So you have? Okay. So you all know what he is, clearly what he's proposing.

BARINGHAUS Sorry, sir, did you want to make a comment? To the podium, please.

ROUHAN Hello, my name is Bryan Rouhan. I'm at 19331 St. Francis Street, Livonia. I'm one of the designers helping out Brad on this project. And there's quite a few things that I heard that aren't mattering for this project. It's about the garage variance, it doesn't have to do with the house, the driveway, stuff like that. The materials on the garage, we said are matching the house, it's aluminum bottom stone face, the upper part of the garage is horizontal siding to match the house. Everything on it, it's to match. It's not cheap, it's not ugly. The slope for the roof is so that he can get the height he needs to get the boats and the vehicles and stuff like that in but still get the roof pitch low enough so that he's not going really tall on the structure itself. We shrank this garage down by 10-15 feet wide and 20 deeper than what he really wanted to try and get the variance in here because we knew it would be past for the area he really needed. So being 24 feet wide is the typical standard width of every garage, that's probably in the neighborhood. With a garage door being slightly taller than the normal for getting the vehicles, the boats and stuff into the garage. So the shape, the size, we pushed it back in the lot far enough so that from the road, it's visible, but you would not see the depth of the structure. That way, the ridge height on this is lower than the house because the house is actually higher on that part of the property. So the roof is higher, there's a chimney there that makes it higher. So all of this makes it [inaudible] because smaller being on that side of the lot. With the setbacks we did with the garage, we actually set the garage back farther than what the code requires, and further back so that it's not as noticeable. And we kept it far away enough from the rear of the property lines so that the neighbors on the sides and the rear don't have this structure so close to them. So everything was thought of on this to make it nicer for the neighborhood. Yes, trees will be removed. Driveway will go in. But when everything's done, Brad's fixing up the house, there's going to be plantings, there's going to be trees planted, and bushes and shrubs and flowers, all that's going to be done. We're in the construction phase of the house itself. So improving the neighborhood, we just said this house has been empty and abandoned for 20 years. He's improving the lot, making it better. And he's not using it for work or business, anything like that here. And he said he's going to be living there. So if any neighbor can do their brakes in the driveway, take a motor out, have the car up on jacks in the driveway. So if he was fixing his own vehicle, it's his house, his own vehicle. Every neighbor does the exact same thing. Just because this is a new structure, that's the issue. And what we're trying to do is, is the size relatable to what's on that lot, he has a double lot, which is bigger than a lot of the neighbors and that's correct. He doesn't have millions of dollars where he can make his house bigger to where the garage would be to code. So he's asking for this so that he doesn't have to pay for a storage unit and use a pole barn and store things other places. He wants to store his materials at his house. And that's what this is all about. A variance for the garage. Nothing else.

BARINGHAUS Thank you. I'm sorry. Ms. Scheel, do you have a question?

SCHEEL Yeah, I just wanted to verify since you're here, but there's two garage doors on this structure, correct?

ROUHAN Correct.

SCHEEL And they're both the same size? Are they both eight feet?

ROUHAN No. The side one is eight feet with the size of his lot he can have a riding lawnmower. So that way he can pull the riding lawnmower into his garage and store that so it's not in view.

SCHEEL Okay.

ROUHAN This is also another reason we have the garage as large as it is because by code he can have 100 foot by 30 foot concrete patio, and store all of this on the patio. That would look awful. And that's what we're trying to prevent, is have some work covered. So nobody sees all this stuff in his yard.

SCHEEL Okay, both garage doors, what size are they?

ROUHAN They're actually on the drawings, on the floorplan. So it's on the floorplan, it shows the front garage door 18 wide by 10 high.

SCHEEL 18 by 10, okay, thank you.

ROUHAN And the side one, I can't remember if the side one was six feet wide or eight feet wide.

SCHEEL Okay.

POPP So the scale's not right on the drawing?

ROUHAN I do not know that. But it's labeled. It's labeled right on the drawing what the door sizes are and then the exterior elevations show floor to ceiling heights, ridge heights.

SCHEEL Which we were told...

POPP I don't see the door height anywhere on the drawing.

ROUHAN There should be a floor plan on sheet two or sheet three. And on the floor plan it gives you door sizes and window sizes. Yeah, the sheet, I'm sorry, sir. This sheet right there on the floorplan right there. It doesn't have windows or door sizes on it?

POPP Yeah, it does. It says 18080 and your key says it's, window and door dimensioned from here to width and height.

ROUHAN There you go.

POPP So you're saying it's 18 foot zero inches wide and eight foot zero inches tall, which is exactly what the scale is on here. Eight foot not ten foot.

ROUHAN Okay.

POPP So if it's ten foot. So that means from the top of the door to, the top of the door to your ceiling plan, you've got four foot. And then your side doors. You got eight foot, eight foot zero inches. So the side door is packed inside the front door, basically.

ROUHAN And as the one gentleman mentioned earlier, even if we wanted, one of the reasons is, if we wanted to put a car lift in, there's nothing against the code that says you

can't. It's actually smart to put a car lift in a garage. That way you can store more in a smaller space.

SCHEEL Okay, thank you.

ROUHAN Thank you.

BARINGHAUS Thank you. Any other audience comments? Yes.

CURETON Good evening. Robert Cureton. The address is 20000 Parker, directly across the street. My concern is the property being used for a business. That's my biggest concern and my neighbors' as well. The size of this structure doesn't really fit the neighborhood. But as far as having the equipment there. You just had the paver over there a couple times, and rolled back in the evening to pick it up to move it to another type.

KARCHO No. That's a lie. Sir. That's a lie.

BARINGHAUS Excuse me.

KARCHO That is a lie.

BARINGHAUS Excuse me, every.... Audience, please be quiet.

NEVILLE You get a chance to talk later.

KARCHO I keep hearing all lies.

BARINGHAUS No, you need to halt. Stop. Proceed, sir.

CURETON I'm really all set. Thank you.

BARINGHAUS Thank you. Any other audience comments at this point? Secretary Klisz, are there any letters?

KLISZ We do. First one was Mr. Cureton, who spoke so we won't read this letter. Letter of objection by Robert Zaske, 20016 Hubbard, I don't want our area to have an industrial look. A letter of objection: Antoinette M. Boyd, 32149 Pembroke Street. The surge of commercial equipment does not belong in a residential neighborhood. Because it is commercial equipment there will be constant traffic and noise moving the equipment in and out of the building. Property values likely could go down not to mention damage to the street with heavy wear and tear. I urge you to please disapprove this request and I know my opinion is shared by neighbors who are unable to attend this meeting. Thank you for your consideration. A letter of objection: Andrew Yaworsky and Nancy McGuire-Yaworsky, 19934 Hubbard. My wife and I strongly object to the proposed detached accessory building that is in excess of the current city ordinance. Letter of objection: Pete and Cynthia Garcia, 20040 Parker Street. We value the green space around our homes and believe this accessory building, which is larger than the existing home on the site, will occupy the majority of the green space and the lot and negatively impact our property value. We are concerned about the addition of commercial truck traffic damaging the street and the noise resulting from using this building to house industrial business equipment. This is a residential neighborhood and is zoned as such, the chemicals involved in asphalt products if mishandled can become an environmental hazard and negatively impact our property value. Letter of objection: Nancy Shrewsbury, 32010 Pembroke. Dear Zoning Board Members and Council Members, We

believe the zoning ordinances currently in place are fair and reasonable. The ordinances for building size in a residential neighborhood are made and enforced for good reasons. We find it unnecessary for any homeowner to erect an outbuilding exceeding allowable square footage by nearly 700 feet. We have concerns that this homeowner will use this oversized building to store commercial trucks, vehicles from his business. None of the neighboring houses wish for this kind of traffic. We object to any exceptions made on behalf of this homeowner. This homeowner has been rehabbing his property for several months. There's building debris in the front yard. This homeowner has not shown any respect for the neighborhood. Letter of objection: Michael Dwyer, 20009 Parker. The proposed accessory building is the size of a house. Greater in area by more than 50% of code. Letter of objection: Linda Schaffer, 32126 Pembroke. I spoke with Mr. Karcho a while ago. He said he had a lot of classic cars he wanted to store in a large structure in the backyard. He didn't mention anything about an asphalt business. There is a large Bobcat machine in his yard now. How much more equipment will he be bringing to store in his property? I don't want to be awakened in the early morning hours if he has employees coming to his house to get equipment out of the building every day. I don't want to have to deal with all the commotion. This is a residential neighborhood. Letter of objection: Gerald Schmitt, 32111 Pembroke. As a homeowner for 44 years residing in Spring Valley Sub, I see no reason to allow a variance to the zoning ordinances for this project. Letter of objection: James Knowles, 20004 Parker Street. As a homeowner on Parker Street for 18 years I do not want any accessory building built across the street from me, let alone one that is bigger than allowed by the City of Livonia. On the public notice I was sent on January 5, 2024, it lists Mr. Karcho as representing BMK Asphalt Repair and Paving, obviously a business. Since this is a residential neighborhood. I am bewildered about how the City of Livonia allowed the house to be purchased for business purposes in the first place. I purchased my house specifically because of the quiet, large, wooded lots in our neighborhood, where the air is cleaner, and my asthma is under better control. More cars, trucks, paving materials and equipment associated with Mr. Karcho's business will disturb the peace. With the prevailing wind out of the west, the business material smells and truck exhaust will come in my direction. And the last one is a letter of objection by Cristina Nila, 20001 Parker Street. To whom it might concern, I object to this appeal because looks like Mr. Karcho or his company are planning to bring his businesses on this very quiet residential area because he owns a construction company and an asphalt company. I think the reason in building this garage/warehouse is to store some of his company's equipment. He already have some equipment for some time in his yard. He also told us he's planning on splitting his property to build another house next to the existing one, case where how many buildings this land is going to have? In case you consider to approve his appeal, we are going to request in my husband's company name to build a warehouse too and store some of his business equipment, plus we own a lot of cars, ATVs, snowmobiles and watercrafts. I like to end my letter telling Mr. Karcho, his company, and Board Members, this objection is not personal to nobody. And it's just because we like to keep our street quiet, private and residential. Thank you, Cristina Nila. And that's the letters.

BARINGHAUS Okay, thank you. The Petitioner can come forward for a closing statement. And perhaps in your closing statement you might want to address some of the neighbors who are concerned about the presence of your company's industrial equipment on the property and your intention.

KARCHO There was one-

BARINGHAUS Sir, I am not finished. And your intentions to, with the property relative to the operation of your business.

KARCHO I have a Bobcat on site. And that was to remove all the trees which just as you pointed out earlier, my whole property when I purchased it was completely covered in trees. I

don't even know how many 40-50 footers I've taken down, if they want to see equipment, they aint seen nothing. My excavator wouldn't even fit into this garage. I own \$800,000 worth of vehicles and that's just leisure vehicles. This is my love, this is what I like to do. And if I can't have my \$800,000 worth of vehicles on my property that I own, why would I want to live there? Why? I'm young, 34 years old, I've worked my tail off to build a successful business. Now I want to enjoy my life. I want to enjoy everything about it. I went in every single one of these people's homes with all the plans that you have, presented these to them in every situation, every which way and I asked every one of these kind people, "What would you like in reference to this?" Some said the trees, they wanted the trees done. No problem! Get right on it. I started cutting them down before these plans were even approved. Everything I've done, it's been to appease my neighbors, and as of right now I want you to take all these plans, all these plans in front of you and I want you to just scrap them, throw them away. Because there's no way in hell I'm gonna live in this neighborhood. No way. I went to every single- I don't care about my house, I don't care about the property, I don't care about my neighbors that I'm living around. And if this is the way I've been treated over this? They all came here to do. You could have told me this when I knocked on your door, when I sent you all these.

BARINGHAUS Sir, address your comments to the front.

KARCHO I invested my time and my money.

BARINGHAUS Let me finish, please. Also, I would encourage you to direct your comments in terms of your project.

KARCHO It's done. I'm not building nothing. I'm not building nothing. I'm not even going to build.

BARINGHAUS Stop for a moment. [Inaudible]

KARCHO What's that?

BARINGHAUS I'd like you to direct your comments to your project.

KARCHO There's no way. I won't build nothing.

BARINGHAUS You want to withdraw the variance?

KARCHO I'm gonna withdraw 100 percent. There's no way I'm gonna live around these people. No way. Impossible. No way.

BARINGHAUS Do you have any other additional comments?

KARCHO No, that's it. Scrap it off. I'll go to Bloomfield Hills.

BARINGHAUS Okay.

KARCHO There you go. Twenty years that property has been abandoned. I've been harassed since day one since I bought this property. Since day one. Would it have been better? Better have been abandoned?

BARINGHAUS Sir, can you wrap up your comments, please?

KARCHO Oh yeah. That's fine.

BARINGHAUS Thank you. Okay, that closes the local portion of the meeting.
[Inaudible] It's over. We're done.

CURETON With regard to the petition?

BARINGHAUS I'm sorry?

CURETON Just with respect to the four cases. You're done?

BARINGHAUS Yes. Right. This case is then concluded.

WITHDRAWN: APPEAL CASE NO. 2024-01-08, Brad Karcho, on behalf of BMK Asphalt Repair and Paving, 19985 Parker: seeking to erect a detached accessory building resulting in excess building area and height.

This Low Density Residential property is located on the west side of Parker Street (19985), between Norfolk and Pembroke Streets, Lot. No. 009-99-0116-000, N2, Neighborhood, District, rejected by the Inspection Department under Zoning Ordinance, Section 7.09 (1) A, C. The existing attached accessory building (garage) is to be converted to living area.

Accessory Building Area:

Allowed: 1000 sq ft
Proposed: 1680 sq ft
Excess: 680 sq ft

Accessory Building Height:

Allowed: 16 feet
Proposed: 17 feet
Excess: 1 foot

ADMINISTRATIVE TASKS

KLISZ Question for if we have any minutes?

BARINGHAUS Yes, please, Mr. Klisz.

KLISZ The 1-9-2024 minutes need approval. I would put their approval as support.

BARINGHAUS All those in favor?

The Board approved the January 9, 2024 meeting minutes unanimously.

BARINGHAUS Are there any other additional comments? I have one. Basically, Sara did create a contact list that was for ZBA members. Look it over. If you see any changes, there's always been a couple. Other than that once it's done, we'll redistribute it. And then also, I did send out [inaudible] as well as a simplified mission statement and the standard resolutions as well. And so with that, just one more motion.

KLISZ Mr. Chair.

BARINGHAUS Mr. Klisz.

KLISZ Motion to adjourn.

BARINGHAUS Support?

SCHEEL Support.

BARINGHAUS Support by Ms. Scheel. All those in favor?

The Board unanimously approved the motion to adjourn.