

AGENDA OF THE CITY OF LIVONIA ZONING BOARD OF APPEALS
July 9, 2024 – 7:00 p.m.
Livonia City Hall Auditorium
33000 Civic Center Drive, Livonia, MI

AGENDA ITEM(S):

1. **APPEAL CASE NO. 2023-11-30, Bujar Ramolli, 18917 Yorkshire Drive (tabled December 12, 2023):** seeking to maintain an existing five-foot tall iron picket fence, erected without permit or the west neighbors' approval.
2. **APPEAL CASE NO. 2024-04-17, Christine and Raymond Sobocinski, 32729 Norfolk Street:** seeking to temporarily store a recreational vehicle within the front yard setback (in the driveway) in excess of the allowed 72 hours cumulatively in any 5-day period.
3. **APPEAL CASE NO. 2024-06-23, Jacob and Grace Gates, 18199 Myron Street:** seeking to erect a 4-foot tall non-sight-obscuring fence, resulting in the fence encroaching into the corner side yard, which is not allowed.
4. **APPEAL CASE NO. 2024-06-24, Christopher Cristante and Jesse Syring, 32175 Balmoral Street:** seeking to construct a detached accessory pool house while maintaining and expanding on an existing attached garage, resulting in excessive building area (pool house), excessive total accessory building area and a deficient side yard setback (garage).

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

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

RE: Bujar Ramolli (2023-1130) Questions

Stierna, Matthew <mstierna@livonia.gov>

Mon 7/8/2024 11:26 AM

To: Fisher, Mike <mfisher@livonia.gov>; Baringhaus, Jim <jbaringhaus@livonia.gov>; Neville, Leo <lneville@livonia.gov>; Kasprowicz, Sara <skasprowicz@livonia.gov>; Goff, Erika <egoff@livonia.gov>

Good Morning, all!

1. Regarding getting a work order from the fence contractor, according to city records, the homeowner installed the fence himself.
2. We do have a sealed survey showing the location of the fence, received on June 14th and uploaded to Civil Clerk. It does however appear that it encroaches into the side yard of 31885 W. Seven Mile.
3. Finally, we have neighbor authorizations from all neighbors except the property owner of the above-mentioned property at 31885 W. Seven Mile.

It should be noted that there has been history of a dispute between the property owner of 31885 W. Seven Mile and the five property owners on Yorkshire that boarder his property over a previous dilapidated fence that he was forced to remove. So, it's unlikely that Mr. Ramolli will receive that consent. Normally, a sealed survey and a complying 4' tall, non-site-obscuring fence is enough to approve a permit. However, since the fence appears to encroach upon the Seven Mile address, it would be highly advisable to insist that rear fence line be relocated on to the petition's property.

I hope this was useful.

Respectfully,

Matthew Stierna

Building Inspector

City of Livonia | Inspection Department

(734) 466-2593

mstierna@livonia.gov

From: Fisher, Mike <mfisher@livonia.gov>

Sent: Monday, July 8, 2024 9:50 AM

To: Baringhaus, Jim <jbaringhaus@livonia.gov>; Neville, Leo <lneville@livonia.gov>; Kasprowicz, Sara <skasprowicz@livonia.gov>; Stierna, Matthew <mstierna@livonia.gov>; Goff, Erika <egoff@livonia.gov>

Subject: RE: Bujar Ramolli (2023-1130) Questions

Matt? Does anybody know the answer to Jim's questions?

Mike Fisher

Chief Assistant City Attorney

City of Livonia | Law Department

(734) 466-2520
mfisher@livonia.gov

From: Baringhaus, Jim <jbaringhaus@livonia.gov>

Sent: Sunday, July 7, 2024 10:56 AM

To: Fisher, Mike <mfisher@livonia.gov>; Neville, Leo <lneville@livonia.gov>; Kasprowicz, Sara <skasprowicz@livonia.gov>

Subject: Bujar Ramolli (2023-1130) Questions

Good Morning:

1. Can you ask the petitioner if they can provide a work order from the fence contractor that installed the two sections of fence on their property?
2. Have we received a survey that shows the current fence installations are correct and within the petitioners property lines?
3. Have we received any written agreement between the adjoining property owners as to the lot lines?

Thank you!

Best regards,

Jim

Get [Outlook for iOS](#)

Jim Baringhaus
ZBA Member
City of Livonia | Zoning Board of Appeals
(734) 838-7957
jbaringhaus@livonia.gov

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

Case No: 2023-11-30
Meeting Date: July 9, 2024

You are not required to respond to this letter. If you choose to do so, please note the following reason: (APPROVAL) OR (OBJECTION) to the requested variance.

Approval:

As a mom, I see the responsibility to be alert all the time with kids, our neighbors have an hyper active Kid (with down Syndrome) he climbed my deck and was about to fall. I definitely approve and request approval for even a higher fence. Also also they live with woods and pond behind the backyard.

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

Signature: [Signature]

Name: Rana Nader

(Please print)

Address: 18916 Yorkshire

ZONING BOARD OF APPEALS

ZONING BOARD MEMBERS

GREGORY G. COPPOLA, CHAIRMAN
JAMES. M. BARINGHAUS, VICE CHAIRMAN
TIMOTHY J. KLISZ, SECRETARY
CHRISTOPHER N. BOLOVEN
MARC ROTONDO
LYNDA L. SCHEEL
MIKE TESTA



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

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MARTHA PTASHNIK, VICE PRESIDENT
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LAURA M. TOY

PUBLIC NOTICE JUNE 21, 2024

APPEAL CASE NO. 2023-11-30, 18917 Yorkshire Drive (tabled December 12, 2023): an appeal was made to the Zoning Board of Appeals by Bujar Ramolli, seeking to maintain an existing five-foot tall iron picket fence, erected without permit or the west neighbors' approval.

This Low-Density Residential property is located on the west side of Yorkshire (18917), between Hillbrook and Clarita Streets, Lot. No. 037-02-0010-000, N-2 District, Neighborhood, rejected by the Inspection Department under Livonia Fence Ordinance, Section 15.44.090A(1).

Non-sight-obscuring fence height:

Allowed: 4 ft.
Proposed/existing: 5 ft.
Excess: 1 ft.

THE LAW REQUIRES THAT OWNERS OF PROPERTY LOCATED WITHIN 300 FEET OF THIS PROPERTY BE NOTIFIED OF THIS REQUEST IN WRITING. THIS IS YOUR NOTIFICATION. YOU ARE NOT REQUIRED TO RESPOND TO THIS LETTER.

This appeal will be heard at a public hearing to be held in the **Auditorium on the 1st floor of City Hall on Tuesday, July 9, 2024, at 7:00 p.m.**, at which time comments may be directed to the Board during audience participation. When replying by mail, write your comments on the back of this notice and address it to the City of Livonia, Zoning Board of Appeals, 33000 Civic Center Drive, Livonia, MI 48154. All written comments are read at the meeting and become part of the record.

ZONING BOARD OF APPEALS,

Timothy Klisz, Secretary

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

Case No: 2023-11-30
Meeting Date: July 9, 2024

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

Signature: _____

Address:

5' TALL EXISTING FENCE



APPLICATION FOR VARIANCE

Bujar Ramalli 18917 Yorkshire Dr. Livonia MI 48152 313.320-8006
(Owner of Premises) (Street Address) (City) (Zip Code) (Telephone) (Fax)

N/A
(Lessee) (Street Address) (City) (Zip Code) (Telephone) (Fax)

N/A
(Contractor) (Street Address) (City) (Zip Code) (Telephone) (Fax)

The property address is 18917 Yorkshire Dr. Livonia, MI 48152

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

1. Are there any deed restrictions or subdivision rules or restrictions on the property? If so, what are they? Yes, must obtain written permission. See attached

Written approval letter from Association.

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

Parcel # 037-02-0010-000

10510 Hidden Pines Sub T1S R9E L99 P35 to 37 WCR Lot 10

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

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

Child has Down Syndrome and is
Capable of Climbing a 4' Fence.

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

N/A The problem is my son is attracted to water & can not swim
being special needs the fence being 5 feet high protects him from

5. Explain why you think this variance would be fair to the neighbors and others who might be affected. The fence is for safety reasons. The property to

the rear has an unsecured pond. The fence would protect
my special need child. The fence is decorative aluminum.

6. Have you sought an amendment to the zoning ordinance which would permit your proposed project under your current zoning? If yes, please describe the outcome of this process: N/A

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

Safety and well-being of my child with down
Syndrome and extremely active.

climbing
entering
the pond

8. Have you attempted to have the property rezoned? If yes, please describe the outcome of the rezoning process: N/A

9. If you have not attempted to have the property rezoned, why hasn't this attempt been made? Applying for ZBA after receiving Violation notice from City.

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

OWNER'S AFFIDAVIT

COUNTY OF WAYNE)
STATE OF MICHIGAN)

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

Signature of property owner: x Bjar Ramelli

Please print name of property owner: x BJAR Ramelli

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

Subscribed and sworn to before me this 3RD day of November, 2023

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

My Commission expires 8-25-28

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

NOT TO BE COMPLETED BY APPLICANT

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

FENCE ORDINANCE, SECTION 15-44.090A(1)

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

Ry

(Supervisor)

Application for permit filed YES - NOT FINALED Violation Issued Yes

2023-11-31



CITY OF LIVONIA

INSPECTION DEPARTMENT

REJECTION OF APPLICATION FOR PERMIT

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154
421-2000

BASED ON NONCONFORMITY TO LIVONIA ORDINANCE

Applicant SAME AS OWNER Address 313-320-8006
Owner BUJAR RAMALLI Address 18917 YORKSHIRE, LIVONIA, MI 48152
Lessee _____ Address _____
Location WEST Side of 18917 YORKSHIRE Street
Between HILBROOK And CURITA
Lot No./Parcel No. 037-02-0010-000 Subdivision HIDDEN PINES
Zoning District N2 Map No. NE10 Lot Size 80' x 120 Alley _____
Present Use RESIDENTIAL Proposed Use SAME
Present Building Size N/A Proposed Building Size NONE PROPOSED
Present Height of Building N/A Proposed Height " "
Allowable Lot Coverage N/A Proposed Lot Coverage N/A

Proposal SEEKING TO MAINTAIN AN EXISTING FIVE FOOT TALL IRON PICKET FENCE, ERECTED WITHOUT A PERMIT AND THE WEST NEIGHBORS APPROVAL. NONSIGHT OBSCURING FENCE HEIGHT ALLOWED: FOUR FEET; PROPOSED/EXISTING: FIVE FEET; EXCESS: ONE FOOT.

Reason for Rejection FENCE ORDINANCE, SECTION 15.44.090A(1)

Deficient Side Yard _____ Deficient Front Yard _____ Deficient Rear Yard _____
Deficient Lot Area _____ Deficient Lot Area per Room _____ Encroachment _____
Excessive Lot Coverage _____ 15.44.090A(1) Excessive Height ONE FOOT Increasing No. Units _____
Use Prohibited _____ Deficient Parking Spaces _____ Increasing Area and Bulk _____

Remarks _____

Plans and Application examined by Ry Date NOVEMBER 16 2023

ZONING EXAMINER

LEGEND

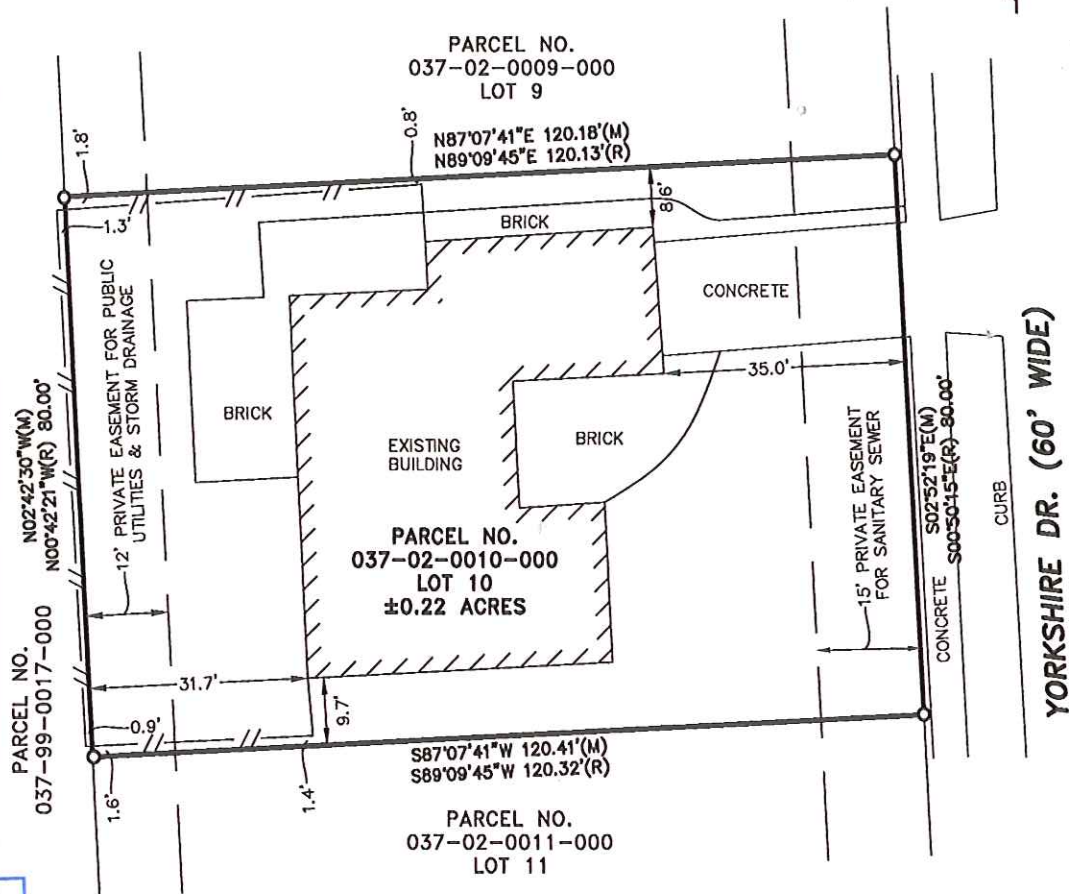
○ FOUND IRON
 // EX. FENCE

DESCRIPTION:

HIDDEN PINES SUB T1S R9E L99 P35
 TO 37 WCR LOT 10.

NOTE:

BEARINGS BASED ON MICHIGAN
 STATE PLANE COORDINATES,
 NAD83, MICHIGAN SOUTH ZONE



I HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY HEREIN DESCRIBED, AND THAT THERE ARE NO VISIBLE ENCROACHMENTS UPON THE ABOVE DESCRIBED PROPERTY, EXCEPT AS SHOWN HEREON. I CERTIFY THAT THE REQUIREMENTS FOR 1970 PA 132, MCL 54.213 HAVE BEEN MET. THE RELATIVE POSITIONAL PRECISION OF THE CORNERS IDENTIFIED FOR THIS SURVEY AND SHOWN ON THE MAP ARE WITHIN THE LIMITS ACCEPTED BY THE PRACTICE OF PROFESSIONAL SURVEYING.

Kenneth E. Hindle

KENNETH E. HINDLE
 PROFESSIONAL SURVEYOR NO. 4001054053



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JUN 14 2024

Inspection Department
 City of Livonia

ALPINE
 ENGINEERING, INC.
 CIVIL ENGINEERS & LAND SURVEYORS
 46892 WEST ROAD
 SUITE 109
 NOVI, MICHIGAN 48377
 (248) 928-3701 (BUS)
 (248) 926-3765 (FAX)

CLIENT:

BUTCH RAMOLLI

BOUNDARY SURVEY

18917 YORKSHIRE DR
 SECTION: 10 TOWNSHIP: 1S RANGE: 9E
 CITY OF LIVONIA
 WAYNE COUNTY
 MICHIGAN

DATE: 1-22-24

DRAWN BY: GP

CHECKED BY: KEH

0 10 20

FBK: 428

CHF: BJ

SCALE HOR 1"=20 FT.
 VER 1"=5 FT.

1

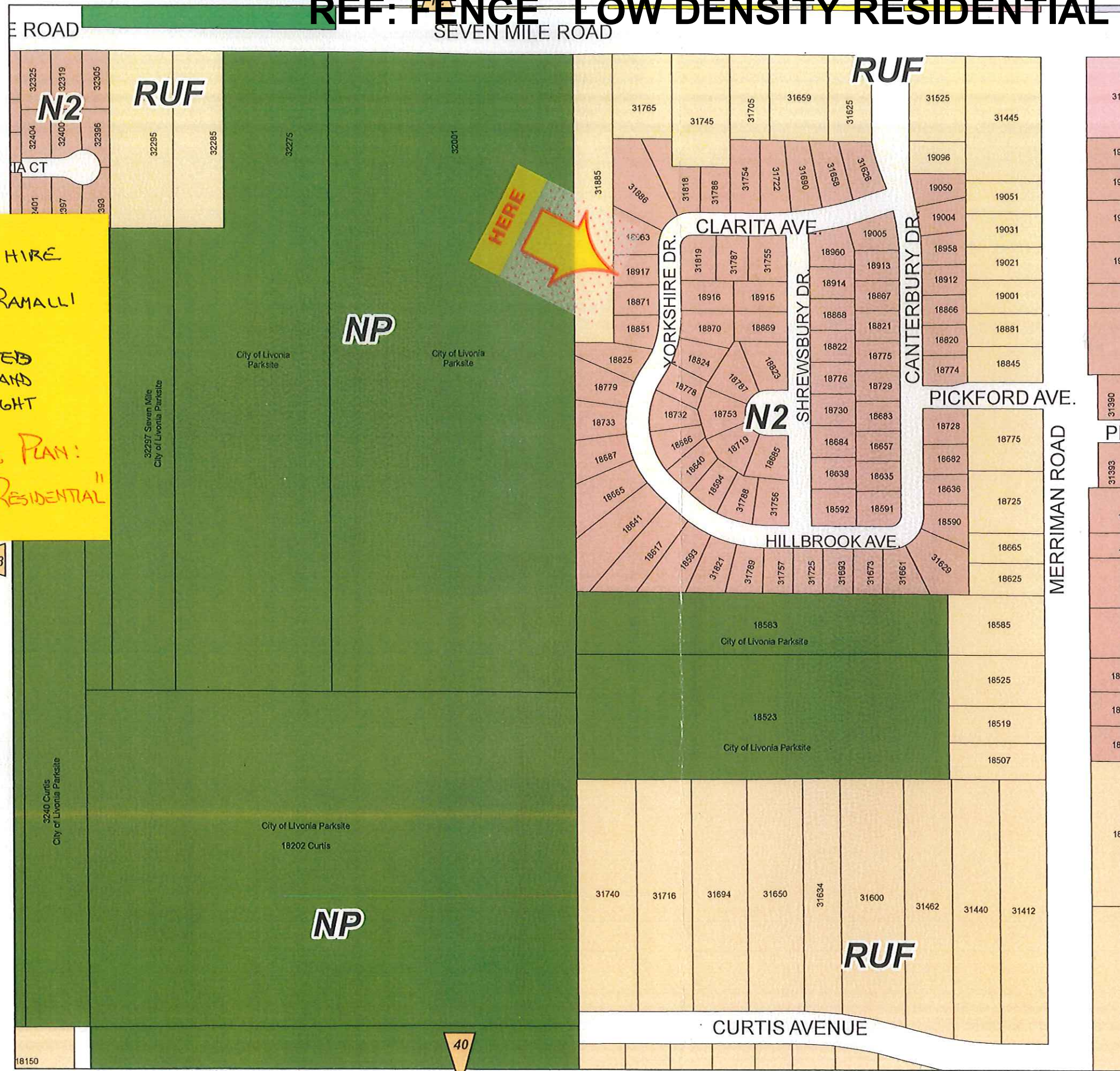
24-104

ZBA Case # 2023-11-30

BUJAR RAMOLLI - 18917 YORKSHIRE

REF: FENCE LOW DENSITY RESIDENTIAL

Page 37



ZONING MAP

LEGEND

Zoning Districts

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

N.E. 1/4 Section 10

City of Livonia

T. 1 south, R. 9 east

Wayne County, Michigan

Copyright 2001, City of Livonia



300 150 0 300 Feet

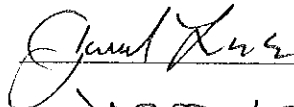
To: City of Livonia
Zoning Board of Appeals
33000 Civic Center Drive
Livonia, MI 48154

Case No: 2023-11-31 2023-11-30
Meeting Date: December 12, 2023

Your are not required to respond to this letter. If you choose to do so, please note the following reason: (APPROVAL) OR (OBJECTION) to the requested variance.

WE APPROVE. WE HAVE ZERO ISSUE
WITH THE HIEGHT OF THE FENCE. IT LOOKS
NICE AND DOES NOT LOOK OUT OF PLACE IN
THE NEIGHBORHOOD.

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

Signature: 

Name: JARED LEE

(Please print)

Address: 31886 CLARITA ST.

LIVONIA, MI 48152

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

Case No:
Meeting Date:

~~2023-11-31~~ 2023-11-30
December 12, 2023

You are not required to respond to this letter. If you choose to do so, please note the following reason: (APPROVAL) OR (OBJECTION) to the requested variance.

APPROVAL

(1) Since they have a disabled child
we don't have any problem with the high fence.

(2) There is a big pond behind our
house so we must have a high fence. It is
dangerous.

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

Signature: George A. George

Name:

GEORGE A. GEORGE AND ALLY
(Please print) George

Address:

18871 Yorkshire DR
Livonia, MI 48152

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

Case No:
Meeting Date:

~~2023-11-31~~ 2023-11-30
December 12, 2023

You are not required to respond to this letter. If you choose to do so, please note the following reason: (APPROVAL) OR (OBJECTION) to the requested variance.

Please See Attached Letter

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

Signature:

Robert A. Bedayh

Name:

Robert A. Bedayh
(Please print)

Address:

31885 Seven Mile, Liv
48152

Robert A. & Teresa D. Bedzyk
31885 Seven Mile
Livonia, MI 48152

RE: APPEAL CASE NO. 2023-11-31, 18917 Yorkshire Drive, Livonia, MI

Livonia Zoning Board:

I want to voice my objection to the request for a variance by Bujar Ramolli to allow a five-foot fence not compliant with Livonia building code. If this variance is allowed, I would incur additional material costs for added height when I install a fence to match on my adjoining property. However, my major objection to applicant's fence is that it is erected on my property. It is my contention that the failure to obtain my approval or a survey prior to installation produced a DIY, non-compliant fence encroaching on my property. Livonia building Permit P722-005 approved on 4/5/22 clearly corrected that only a four-foot high fence was allowed, so applicant installation displays a conscious disregard to compliance and should not be rewarded with approval of this variance.

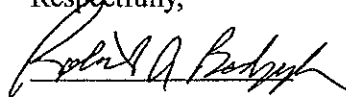
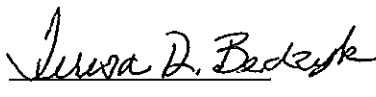
Applicant's request is the culmination of an endeavor by two neighbors to enhance their property values by using the building department as an unwitting tool to remove 500 feet of existing fence and gain visual access to the Rotary Park Nature Preserve. In the process, my property has been vandalized, and I have been subjected to petty harassment. My wooden fence, which had existed 'prior to the building of the adjacent homes,' was viable and repairable, yet I was not permitted by the building department or homeowners to make repairs even though I am the licensed builder responsible for constructing the fire station at Bicentennial Park. Because I was threatened by the building department with the cost of litigation, I chose to remove 500 feet of fence but leave the existing posts so as to demarcate my property with solar cap lighting or, perhaps, to utilize in construction of a new fence. The applicant and his neighbor took it upon themselves to cut down my posts that abutted their property. Upon inquiry, the building department assured me that they had not given permission to anyone to remove these posts.

Then on May 23, 2022, a complaint of foul smells emanating from my property was made to the building department. Upon inspection, no odors were detected.

I have lived at my residence for roughly 20 years as has the variance applicant. In those years I have performed routine repairs on the fence – with 'all' the neighbors allowing access. And, I've never had a complaint about odors. Prior to the complaints beginning, I was approached by a real estate agent handling the purchase of complainant neighbor's residence who asked if I was "interested in removing the fence." Subsequently, Mr. Ramolli informed Daniel Buhagiar, Livonia Code Enforcement Officer, and myself, that he was acting for all the neighbors and indicated that if we agreed to remove our fence, they (all) would replace with a 'homogenous' fence (our main concern), which I requested be a privacy type. Obviously, that was never completed, and I assume, just another fabrication.

In addition to the rejection of the variance, I would like the applicant to be required to remove the 'gate' on the west section of the fence which allows egress onto my property. Removal of my 500 feet of fence has subjected me to potential liability. Additionally, I would like the zoning board to order these neighbors to reconstitute my posts or make compensation.

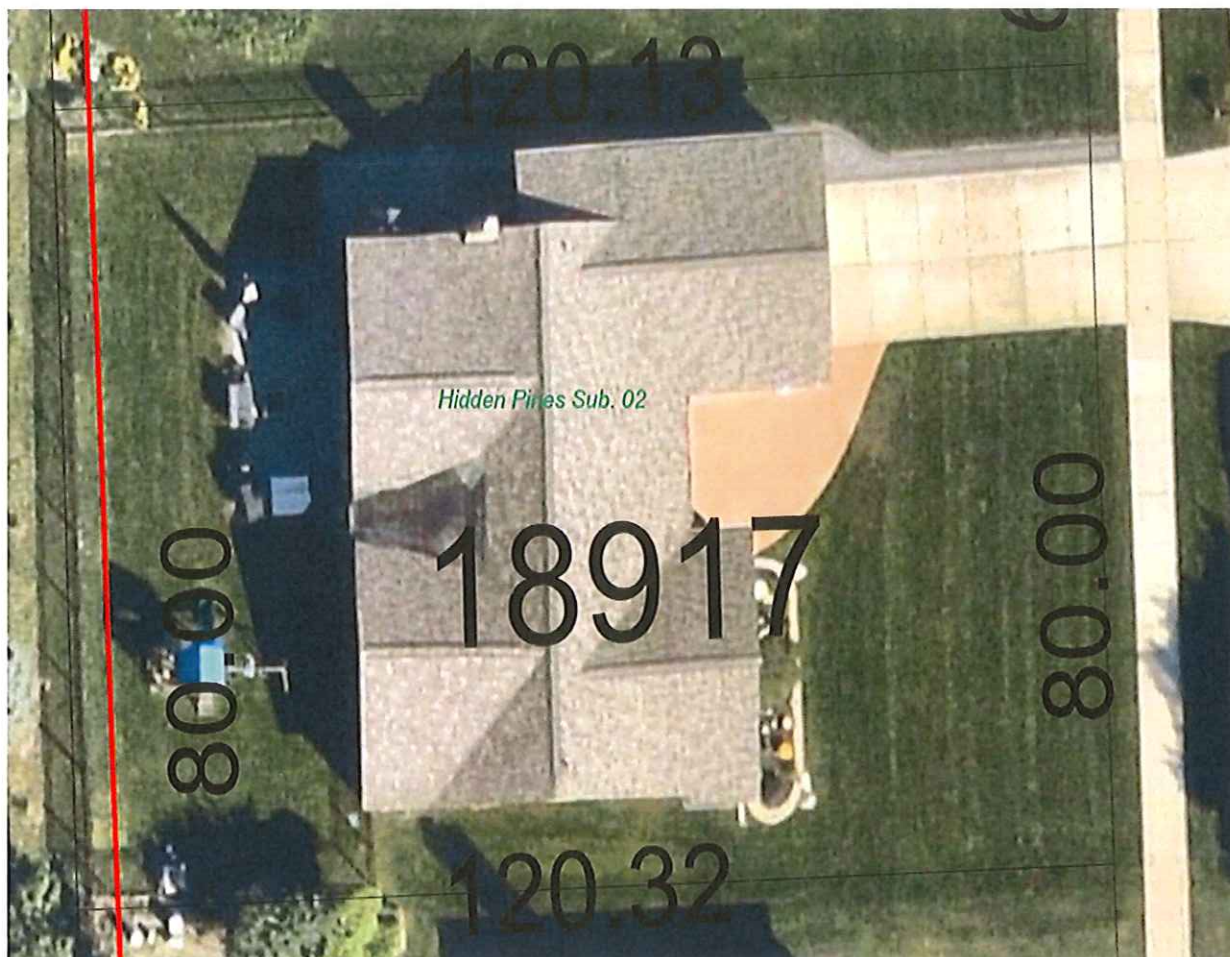
Respectfully,

Robert A. Bedzyk & Teresa D. Bedzyk

31885 Seven Mile, Livonia, MI 48152

December 7, 2023



18917 YORKSHIRE LIVONIA, MI 48152 (Property Address)

Parcel Number: 037 02 0010 000

Legal Description: 10J10 HIDDEN PINES SUB T1S R9E L99 P35 TO 37 WCR LOT 10





Pond in relationship to yard

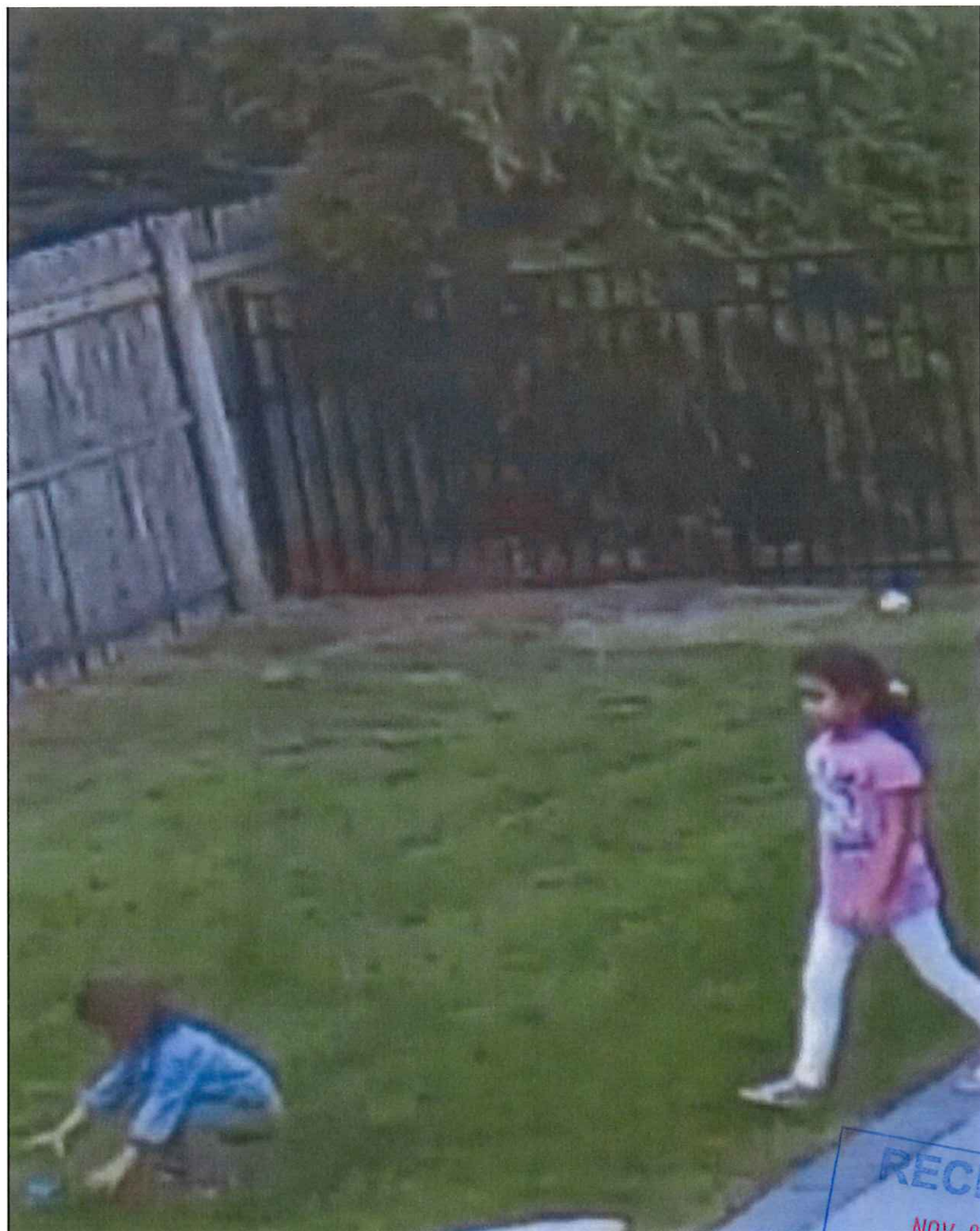




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NOV 03 2023

Inspection Department
City of Livonia



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NOV 03 2023
Inspection Department
City of Livonia

Rear-Fence installed even with Side-Fence. Erected on my side of existing fence, prior to removal.



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NOV 03 2023
Inspection Department
City of Livonia

Poor Condition of Fence



City forced removal



BUJAR & ZENA RAMOLLI

18917 Yorkshire Drive, Livonia, MI 48152 · (313) 320-8006

brlegend@sbcglobal.net

Code Enforcement
City of Livonia

DEAR CODE ENFORCEMENT OFFICIAL,

We are writing this letter to express our concerns for our neighbors unsafe/dangerous fence. We have attempted to resolve this issue with the neighbor on numerous occasions to no avail. The neighbor is "not interested" in his own words. This is our last hope in attempting to get resolution to this serious issue.

The neighbor in question is located at 31885 Seven Mile Rd, Livonia, MI 48152. The fence in question runs the entire length of the following addresses:

31886 Clarita
18963 Yorkshire Dr.
18917 Yorkshire Dr. (our address)
18871 Yorkshire Dr.
18851 Yorkshire Dr.



All of the above listed addresses/owners have the same concerns. The fence is an older decaying and unstable wood style privacy fence. It's in our opinion that this fence is unsafe and dangerous and clearly a code violation. It's obvious that there have been several attempts in the past to stabilize the fence by patching areas with wood and nails. However, the fence is so badly decayed and can no longer be stabilized/repared or brought up to code. There are "hundreds" of nails (rusted) protruding through the fence on to our side. We have a 5-year-old son with special needs who was injured recently by one of these protruding nails. The entire length of the fence is unstable, dangerous and a nuisance. It is in our opinion that through lack of maintenance and repair and or otherwise this fence is now unrepairable and should be removed as it endangers others.

Thank you for reviewing our concerns. Please feel free to contact us directly if you have any questions or comments. We look forward to a resolution soon.

Bujar & Zena Ramolli

MOA 113 5053

BUJAR & ZENA RAMOLLI
18917 Yorkshire Drive, Livonia, MI 48152 · (313) 320-8006
brlegend@sbcglobal.net

August 5, 2021
City Code Enforcement
Dan Buhagiar
dbuhagiar@ci.livonia.mi.us
City of Livonia, MI



DEAR DAN,

We are writing this letter to follow up with you reference our neighbors unsafe/dangerous fence (31885 Seven Mile Rd, Livonia, MI 48152). It's my understanding that as result of the "show cause" hearing, the owner of the fence has agreed to take down the fence. However, requested written permission from the affected property owners.

I have obtained the signatures of all affected neighbors/properties. We all concur that the fence owner and or his designee has permission to access our yards to facilitate the removal of the fence in question. We all concur that this fence needs to be taken down ASAP. Please follow-up with me as to a timeline when this fence will be removed.

The fence in question effects the following addresses and each property owner gives the fence owner or his designee permission to access our yards to facilitate the removal:

31886 Clarita

Owner's Signature

A handwritten signature in blue ink, appearing to be "J. M. [unclear]", written over a horizontal line.

18963 Yorkshire Dr.

Owner's Signature

A handwritten signature in blue ink, "L.B. Moilanen", written over a horizontal line.

18917 Yorkshire Dr. (our address)

Owner's Signature

A handwritten signature in blue ink, "Zena Ramolli", written over a horizontal line.

18825 Yorkshire Dr.
owner's signature

Anne Marollen 08/13/2021

18871 Yorkshire Dr.
Owner's Signature

Georgina 08/13/2021

18851 Yorkshire Dr.
Owner's Signature

Margaret A. Payne 8-13-21

Thank you for service and addressing our concerns once again!! Please feel free to contact us directly if you have any questions or comments. We look forward to closure.

Bujar & Zena Ramolli

RECEIVED

NOV 03 2023

Inspection Department
City of Livonia

CITY OF LIVONIA
BUILDING INSPECTION DEPARTMENT
734-466-2580



PRIVACY and/or CHAIN LINK FENCE ACKNOWLEDGEMENT and AUTHORIZATION

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

Date: 10/12/2023

Fence Installation Address: 18917 Yorkshire Drive

I have seen or had explained to me, the proposal made by Buzar Ramolli
(Name)
at 18917 Yorkshire Drive to erect a 5' Aluminum Fence (Black)
(Address) (Description)

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

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

_____ have the finished side facing my property.

_____ have the finished side facing the fence owner.

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

Leo Morlani
(Print Name)

18963 Yorkshire Dr.
(Address)

JMB
(Signature)

248-250-2600
(Telephone number for confirmation)

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

RECEIVED
NOV 03 2023
Inspection Department
City of Livonia

BUJAR & ZENA RAMOLLI

18917 Yorkshire Drive, Livonia, MI 48152 • (313) 320-8006
brlegend@sbcglobal.net

July 8, 2021
City Council Member Rob Donovic
City of Livonia, MI



DEAR MR. DONOVIC,

We are writing this letter to express our concerns for our neighbors unsafe/dangerous fence. We have attempted to resolve this issue with the neighbor on numerous occasions to no avail. The neighbor is "not interested" in his own words.

We've also attempted to resolve this issue with Code Enforcement. Code Enforcement came out in April and said the fence was in disrepair and had to be replaced and or taken down. The fence owner will not communicate with our Code Enforcement Officer (Dan). The fence owner goes over Dan and speaks directly to the Code Enforcement Director, Jerome Hanna. Mr. Hanna refuses to communicate with me, as I have attempted to reach him on several occasions leaving multiple messages. This is our last hope in attempting to get resolution to this serious issue.

The neighbor in question is located at 31885 Seven Mile Rd, Livonia, MI 48152. The fence in question runs the entire length of the following addresses:

31886 Clarita
18963 Yorkshire Dr.
18917 Yorkshire Dr. (our address)
18871 Yorkshire Dr.
18851 Yorkshire Dr.

All of the above listed addresses/owners have the same concerns. The fence is an older decaying and unstable wood style privacy fence. It's in our opinion that this fence is unsafe and dangerous and clearly a code violation.

CARE PEDIATRICS

Care Pediatrics
1740 N Telegraph Rd, Dearborn MI 48128
Tel: 313-274-6666 Fax: 313-274-4466
Carepediatrics1@gmail.com

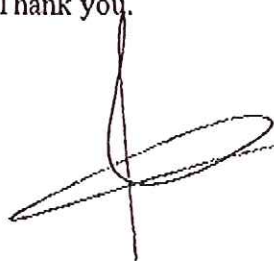
09/26/2023

RAMOLLI, ALI
DOB: 02/24/2016

To Whom it may concern,

Ali has been a patient of Dr Alex El-Sabbagh since 2016. He is diagnosed with down syndrome and ADHD and is capable of jumping 3135814010 a 4-foot fence. Please allow parents to put up a taller fence for the safety of the child.

If you require any additional information, please contact our office at 313-274-6666.
Thank you.



CARE PEDIATRICS
1740 N TELEGRAPH
DEARBORN, MI 48128
DR. ALEX EL-SABBAGH

Alex El-Sabbagh, M.D.



Hidden Pines Subdivision Association

A Michigan Non-Profit Corporation

31725 Hillbrook, Livonia, Michigan, 48152

Phone (248) 224-4492

President, Mike Lipon

Board of Directors

Vice President, Dave Pas

Matt Grodzicki, Amy Morse

Secretary, Jeanine Lithgow

Steve Lemieux, Jeff Peer

Treasurer, Liz Anderson

Butch Ramolli

City of Livonia, Building Department:

In the spring of 2020, the Hidden Pines Subdivision Association approved the erection of a fence at the residence of Butch Ramolli, 18917 Yorkshire, subject to the approval of the Livonia Building Department.

Mike Lipon

Mike Lipon
President

Hidden Pines Subdivision Association

RECEIVED

NOV 03 2023

Inspection Department
City of Livonia

PROJECT # _____

PERMIT # P722-0051



RESIDENTIAL ZONING PERMIT APPLICATION

CITY OF LIVONIA - INSPECTION DEPARTMENT

33000 CIVIC CENTER DRIVE

LIVONIA, MI 48154

(734) 466-2580

Email Plans: Inspectionplans@ci.livonia.mi.us

Livonia

RECEIVED
MAR 18 2022
Inspection Department
City of Livonia

Please Print

DATE: 3/18/22

Contractors Name BUJAR Ramoli Street Address 18917 Yorkshire City/Zip Code Livonia 48152 Phone No. 313-320-8006

Residents Name BUJAR Ramoli Street Address 18917 Yorkshire City/Zip Code Livonia 48152 Phone No. 313-320-8006 (Required to Issue)

Is this property located within 500ft of any open water course (lake, river, stream, wetland, drain etc.) as outlined in part 91, of the Natural Resources & Environmental Protection Act 1994 P.A. 451 YES ☐ NO ☒

CIVIC ASSOC. APPROVAL REQ'D: YES ☐ NO ☐ Contractors E-Mail Address _____

TO CONSTRUCT:
Check Box

☒ FENCE

☐ SHED

Other Information on Project: _____

4' Aluminum open picket

Address of Project 18917 Yorkshire Street Livonia, MI Zip Code 48152 Estimated Cost: \$ 800.00

NOT TO BE FILLED IN BY APPLICANT

ONING AND HOUSING EXAMINATION PLAN # _____ ON THE W SIDE OF N/E/S/W

Street Address 18917 Yorkshire ZONING N2 BETWEEN Clarita AND Hillbrook

LOT # 10 SUBDIVISION Hidden Pines SECTION NE10

PROPERTY NUMBER 037 02 0010 000 LOT COVERAGE _____ %

LOT WIDTH _____ LOT DEPTH _____ TOTAL AREA _____ SQ. FT.

FRONT LOT _____ INTERIOR LOT ☒ ALLEY REAR _____ OR SIDE _____ EASEMENT REAR _____ OR SIDE _____

PERMIT TO BE ISSUED FOR ERECT 80 FT OF 4 FT TALL ALUMINUM Size Size

PICKET STYLE FENCE ALONG THE REAR PROPERTY LINE.

PROVED BY [Signature] DATE 4/5/22 ZONING [Signature] ZONING FEE \$ 46

ISSUING GRANT # _____ DATE _____ ADMIN. FEE \$ 42.00

TOTAL FEES \$ 88

CITY OF LIVONIA
BUILDING INSPECTION DEPARTMENT
734-466-2580



PRIVACY and/or CHAIN LINK FENCE ACKNOWLEDGEMENT and AUTHORIZATION

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

Date: 3/17/2022

Fence Installation Address: 18917 Yorkshire I have seen or had

explained to me, the proposal made by BUJAR Ramolli (Name)

at 18917 Yorkshire (Address) to erect a Aluminum Flat top Design (Description)

Aluminum

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

- The style and height of the fence. 4 feet high Aluminum Flat top Design
- The location of the lot line.
- Only one (1) fence is permitted between our properties and that any existing fence will have to be removed in favor of the new fence.

_____ have the finished side facing my property.

_____ have the finished side facing the fence owner.

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

(Print Name) BUJAR RAMOLLI (Address) 18917 Yorkshire

(Signature) Bujar Ramolli (Telephone number for confirmation) 313-320-8006

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

THIS MUST BE SIGNED
BY THE ADJOINING
NEIGHBOR, NOT THE
APPLICANT

Zoning Permit | PZ22-0051**Property Information**

037 02 0010 000	18917 YORKSHIRE	Subdivision:		
	LIVONIA MI, 48152	Lot:	Block:	NE 10

Name Information

Owner:	RAMOLLI BUJAR / ZENA JIHAD	Phone:	(313) 320 8006
Occupant:	RAMOLLI BUJAR	Phone:	(313) 320 8006
Applicant:	RAMOLLI BUJAR / ZENA JIHAD	Phone:	(313) 320 8006
Contractor:		Phone:	
Licensee:		Phone:	
License Issued:			
License Expires:			

Permit Information

Date Issued:	04/23/2022	Date Expires:	10/20/2022	Status:	EXPIRED
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Work Description:

ERECT 80 LINER FT OF 4 FT TALL ALUMINUM PICKET STYLE FENCE ALONG THE REAR PROPERTY LINE.

Stipulations:**Comment:****Fee Information**

Miscellaneous	B11. Fence	1.00
Admin	Administration Fee	1.00

FINAL - RC Inspection | Building Inspector

Status:	Scheduled	Result:	
Scheduled:	11/09/2023 12:00 AM	Completed:	

FOLLOW-UP Inspection | David Popp

Status:	Completed	Result:	Disapproved
Scheduled:	09/13/2023 12:00 AM	Completed:	09/13/2023 09:41 AM

Violations:

Uncorrected Obtain the required permit for the illegally erected fence or dismantle and remove the same from this property.

Livonia Code of Ordinance, Section 15.44.050

INSPECTOR COMMENTS: : Fence installed is 5' tall not 4' per approved plans and zoning ordinance. Approved plans are only for rear west fence line. Fence installed on north, south and east not applied for, and is also 5' tall going against the zoning ordinance. No neighbor approval forms for the adjoining properties nor was there a survey performed to know where lot lines are, need to provide a survey or approval forms for all properties fence is abutting. Reduce fence height to the allowed 4' tall or apply for a ZBA appeal.

Uncorrected This violation may be appealed to the Zoning Board of Appeals by filing the appeal with this office within 20 days of receipt of this notice.

Comments:

Printed letter Mailed letter to h.o.

FINAL - 6 MONTHS Inspection | David Popp

Status:	Completed	Result:	Disapproved
Scheduled:	10/20/2022 12:00 AM	Completed:	10/20/2022 09:30 AM

Comments:

INSPECTORS COMMENT Fence 5' not 4' per approved plans and zoning ordinance. Approved plans only for rear west fence line. Fence installed on north, south and east not applied for and is also 5' tall going against the zoning ordinance. No neighbor approval forms for the adjoining properties nor was there a survey performed to know where lot lines are need to provide need forms or survey property fence is abutting.

INSPECTION DEPARTMENT

CITY OF LIVONIA
33000 CIVIC CENTER DR.
LIVONIA, MI 48154

RAMOLLI BUJAR / ZENA JIHAD
18917 YORKSHIRE
LIVONIA, MI 48152

09 13, 2023

RE: 18917 YORKSHIRE

As provided by law, the subject property was inspected on 09/13/2023 and violations of city ordinances were noted. The following orders are issued for the correction of these violations and shall be complied with not later than 10/13/2023.

NOTICE OF VIOLATION

Obtain the required permit for the illegally/improperly erected fence or dismantle and remove the same from this property.

Livonia Code of Ordinance, Section 15.44.050

INSPECTOR COMMENTS: Fence installed is 5' tall not 4' per approved plans and zoning ordinance. Approved plans are only for rear west fence line. Fence installed on north, south and east not applied for, and is also 5' tall going against the zoning ordinance. No neighbor approval forms for the adjoining properties nor was there a survey performed to know where lot lines are, need to provide a survey or approval forms for all properties fence is abutting. Reduce fence height to the allowed 4' tall or apply for a ZBA appeal.

This violation may be appealed to the Zoning Board of Appeals by filing the appeal with this office within 20 days of receipt of this notice.

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

File: PZ22-0051

Inspector: Building Inspector
Telephone (734) 466-2579

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

October 12, 2023

Dear Zoning Board of Appeals, File # PZ22-0051

My property was inspected on September 13, 2023, and was found to be in violation of Livonia Code of Ordinance, Section 15.44.050. Essentially my fence was installed at 5' height and not 4' per city code/ordinance.

I am requesting a variance to allow for a 5' Aluminum Decorative Style Fence. The reason for the request is for the safety of my Special Needs Child. My Child has Down Syndrome (see attached Doctor's note) and is extremely active and can easily climb over a 4' fence. The neighbor to the rear of mine has an unsecured pond and has refused to communicate whether he would replace the fence that was forcibly removed by the city for being unsafe. I could not wait any longer and had to erect the 5' aluminum fence to protect my child from his unsecured pond. (see attached pictures).

I'd like to address the other noted violations in the inspection report:

No neighbor approval forms: I have since had these forms signed by each neighbor to the south and north. The neighbor to the west (Robert Lipon, 31885 Seven Mile Road) has refused to speak to me after I was involved with 5 other neighbors about his unsafe fence. The City of Livonia ultimately forced Mr. Lipon to remove his fence.

Please see the attached letters sent to Code Enforcement and City Council prior to me erecting my fence. Code Enforcement Office Dan Buhagiar can verify the difficulty in dealing with this person.

No survey performed: Both abutting neighbors to the south and north agreed to location of fence and lot lines. The fence along the rear and west was erected clearly (see attached photos) on the inside of Mr. Lipon's original fence that was taken down. This fence had been up for more than 35 years and had clearly established boundary lines.

I hope you take all of this into consideration and approve a variance for my 5' fence. This aluminum fence is safer than wood fences and acts as a barrier to protect my special needs child.

Bujar Ramolli
18917 Yorkshire Dr.
Livonia, MI 48152
313-320-8006



INSPECTION DEPARTMENT

CITY OF LIVONIA
33000 CIVIC CENTER DR.
LIVONIA, MI 48154

RAMOLLI BUJAR / ZENA JIHAD
18917 YORKSHIRE
LIVONIA, MI 48152

09 13, 2023

RE: 18917 YORKSHIRE

As provided by law, the subject property was inspected on 09/13/2023 and violations of city ordinances were noted. The following orders are issued for the correction of these violations and shall be complied with not later than 10/13/2023.

NOTICE OF VIOLATION

Obtain the required permit for the illegally/improperly erected fence or dismantle and remove the same from this property.

Livonia Code of Ordinance, Section 15.44.050

INSPECTOR COMMENTS: Fence installed is 5' tall not 4' per approved plans and zoning ordinance. Approved plans are only for rear west fence line. Fence installed on north, south and east not applied for, and is also 5' tall going against the zoning ordinance. No neighbor approval forms for the adjoining properties nor was there a survey performed to know where lot lines are, need to provide a survey or approval forms for all properties fence is abutting. Reduce fence height to the allowed 4' tall or apply for a ZBA appeal.

This violation may be appealed to the Zoning Board of Appeals by filing the appeal with this office within 20 days of receipt of this notice.

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



File: PZ22-0051

Inspector: Building Inspector
Telephone (734) 466-2579

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

ZONING BOARD OF APPEALS

ZONING BOARD MEMBERS

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



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

MAYOR

MAUREEN MILLER BROSNAN

COUNCIL MEMBERS

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

PUBLIC NOTICE NOVEMBER 22, 2023

APPEAL CASE NO. 2023-11-31, 18917 Yorkshire Drive: an appeal was made to the Zoning Board of Appeals by Bujar Ramolli, seeking to maintain an existing five-foot tall iron picket fence, erected without permit or the west neighbors' approval.

This Low-Density Residential property is located on the west side of Yorkshire (18917), between Hillbrook and Clarita Streets, Lot. No. 037-02-0010-000, N-2 District, Neighborhood, rejected by the Inspection Department under Livonia Fence Ordinance, Section 15.44.090A(1).

Non sight obscuring fence height:

Allowed: 4 ft.

Proposed/existing: 5 ft.

Excess: 1 ft.

THE LAW REQUIRES THAT OWNERS OF PROPERTY LOCATED WITHIN 300 FEET OF THIS PROPERTY BE NOTIFIED OF THIS REQUEST IN WRITING. THIS IS YOUR NOTIFICATION. YOU ARE NOT REQUIRED TO RESPOND TO THIS LETTER.

This appeal will be heard at a public hearing to be held in the **Auditorium on the 1st floor of City Hall on Tuesday, December 12, 2023, at 7:00 p.m.**, at which time comments may be directed to the Board during audience participation. When replying by mail, write your comments on the back of this notice and address it to the City of Livonia, Zoning Board of Appeals, 33000 Civic Center Drive, Livonia, MI 48154. All written comments are read at the meeting and become part of the record.

ZONING BOARD OF APPEALS,

Timothy Klisz, Secretary

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

Case No: 2023-11-31
Meeting Date: December 12, 2023

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

Signature: _____

Address:

Meeting Date: December 12, 2023

3. APPEAL CASE NO. 2023-11-30, Bujar Ramolli, 18917 Yorkshire Drive: Seeking to maintain an existing five-foot tall iron picket fence, erected without permit or the west neighbors' approval.

Motion To:		Comments:
Support		
Deny		
Table	X	
Other		

Motion	Support	ZBA Board Member	Yes	No	Tabled	Absent
		Greg Coppola - Chairman	X			
		Jim Baringhaus - Vice Chairman	X			
		Timothy Klisz - Secretary	X			
X		Christopher Boloven	X			
	X	Michael Testa	X			

CONDITIONS

1. For Petition to get survey
2. 1
- 3.
- 4.

5-0

ZBA Secretary: Timothy Klisz



APPEAL CASE NO. 2023-11-30, 18917 Yorkshire Drive: an appeal was made to the Zoning Board of Appeals by Bujar Ramolli, seeking to maintain an existing five-foot tall iron picket fence, erected without permit or the west neighbors' approval.

This Low-Density Residential property is located on the west side of Yorkshire (18917), between Hillbrook and Clarita Streets, Lot. No. 037-02-0010-000, N-2 District, Neighborhood, rejected by the Inspection Department under Livonia Fence Ordinance, Section 15.44.090A(1).

Non sight obscuring fence height:

Allowed: 4 ft.

Proposed/existing: 5 ft.

Excess: 1 ft.

- | | |
|-------------------|--|
| COPPOLA | Thank you. Anything you'd like to add? |
| HERSHEY | Not at this time, Mr. Chairman. |
| COPPOLA | Just a quick clarifying question, which I should know the answer to, but I don't. If he had all the neighbors' approval on all three sides, could he put in a five foot [fence]? |
| HERSHEY | Not that style. |
| COPPOLA | Not that style? |
| HERSHEY | No. Four feet is the maximum. |
| COPPOLA | So, anything higher than four feet that has to be sight obscuring? |
| HERSHEY | No, well, yes. It would end up being a privacy fence. Yes, exactly. |
| COPPOLA | So it's considered a privacy fence at that point. It's got to be sight-obscuring? |
| HERSHEY | The height for that style fence--picket or chain link--is maximum four feet per the ordinance. |
| COPPOLA | Alright, thank you. Any more questions for Mr. Hershey? Alright, seeing none, if the petitioners can step up to the podium. Name and address, please, first. |
| B. RAMOLLI | Good evening, zoning board. My name is Bujar Ramolli, and I reside at 18917 Yorkshire. And I've been a Livonia resident for 39 years. |

COPPOLA Give me a brief summary of your application just to get us all grounded.

B. RAMOLLI Yes, my property was inspected on September 13, 2023 and was found to be in violation of the Livonia Zoning Code Ordinance. Essentially, my fence was installed at five-foot height, and I need a four foot [fence] per city code. I'm requesting a variance to allow for a five-foot aluminum decorative style fence. The reason for the request is for the safety of my special needs child. My child has Down Syndrome also ADHD and is extremely active and can easily climb over a four-foot fence. The neighbor to the rear of mine has an unsecured pond, which is over six feet deep and has refused to communicate whether he will replace the fence that was forcibly removed by the city for being unsafe. I cannot wait any longer to erect the five-foot aluminum fence to protect my child from his unsecured pond.

COPPOLA Okay, Mr. Ramolli. You applied for a permit and that permit was for four feet at the time. It looks like five feet was on it. It was written over with a four foot. Who made that change?

B. RAMOLLI I have no idea. I didn't.

COPPOLA So do you have an original approved permit where it says five feet, not four feet?

B. RAMOLLI No, I don't. They came to look at it, they inspected it, and then they gave the okay afterwards.

COPPOLA And when was the four-foot fence installed on all three sides? If they were done at different times.

B. RAMOLLI The two sides were installed two years ago, in May. I hired a company to do it. They were supposedly supposed to pull the permits. But the other one, the one backing up to the house, that one I pulled a permit for myself, and I did it with my neighbor.

COPPOLA So you put it in the rear of the fence that's facing to the west, which is at the rear of your home?

B. RAMOLLI Yes, I did.

COPPOLA And it was inspected at that time?

B. RAMOLLI Yes. Yes, it was. I pulled a permit for that one.

COPPOLA And it was signed off on?

B. RAMOLLI Yes.

COPPOLA So, you're saying that the two north, the south fences, to your knowledge, there were not permits pulled on those?

B. RAMOLLI To my knowledge, they said they did pull permits, but I never got anything. The person moved; I tried contacting the person and nothing.

COPPOLA And those were installed a year earlier?

B. RAMOLLI A few years... two years ago.

COPPOLA December 2020?

B. RAMOLLI Yes. He [the neighbor] had a fence prior to that, and I just put it up to his fence there. And then the city made him tear that one down. And so, they said he was going to put one up, but it was months before he said he was even thinking of putting one up, and I had no choice with my son.

COPPOLA Okay. So, you had petitioned the city to have him remove that fence? Is that correct?

B. RAMOLLI Yes. Us, and five of the neighbors.

COPPOLA So at that time, what were your plans on what was gonna happen after you made him take the fence down?

B. RAMOLLI I thought he was going to replace it.

COPPOLA And on what basis did you think that? Did you have a conversation with him? Why did you think that?

B. RAMOLLI I did. I did have a conversation and the city told me that he was mostly supposedly supposed to replace it with... you know, what's that fence called? That's what he was supposed to replace it with. I forgot the name.

COPPOLA So when he took the fence down, all he took down was the panels?

B. RAMOLLI Yes.

COPPOLA And then what happened to the uprights? What happened to the posts?

B. RAMOLLI They fell over. The fence was up for over 30-some years.

COPPOLA So they all fell over with the fence? Because I think one of your pictures showed that they were still standing after the panels had been taken down. Is that correct?

B. RAMOLLI Yes. But eventually, after a while, they just fell down; they rotted away. I waited a few months and...

COPPOLA So you asked him to take down the fence and didn't have any level of commitment from the neighbor at that time to do anything about the fence, even though you have the issue that you're stating you have?

B. RAMOLLI Yes.

COPPOLA Did you feel comfortable with that at the time?

B. RAMOLLI Well, I didn't feel comfortable with it. I tried talking to him, but I said we'll come to some sort of compromise. And he just wouldn't speak to me. He says, "I'll do it when I want to..." and I just couldn't get through to him. And I told him about my special needs son. He's got a pond back there. And it's not secure. My son loves the water and he can't swim.

COPPOLA Okay. Have you had a survey performed?

B. RAMOLLI No, I didn't.

COPPOLA How certain are you that you're on the property line, within your property with the fence?

B. RAMOLLI I'm almost positive because he had his fence up prior to when I put it up to his, and I just pulled it in a little bit. I have pictures showing that it was... I have the fences that were put on both sides. He had his fence up at that time, so I just put it up against that.

COPPOLA I'm sorry. So, his fence...

RAMOLLI He had a privacy fence.

COPPOLA His privacy fence--the one that he took down--was up when you put your fence up?

B. RAMOLLI Yes, yes, it was.

COPPOLA	So the picture that you submitted showed the panels down, but the posts are still up and there was no iron fence on your property?
B. RAMOLLI	No, that was probably prior to it. I'm not sure what...
COPPOLA	So was the fence still up when you put your fence up?
B. RAMOLLI	Yes.
COPPOLA	So how do you explain that picture there?
B. RAMOLLI	The picture with his privacy fence?
COPPOLA	The panels are down, but the posts are still up.
B. RAMOLLI	Oh, the posts are still up.
COPPOLA	And there was no wrought-iron fence.
B. RAMOLLI	No, but I did put the fence up before his even came down, and the city seemed ok to do that.
COPPOLA	When did he take his picket fence down? When did he take the panels down?
B. RAMOLLI	Last year, last year around...
COPPOLA	So you pulled your permit for that back fence this year?
B. RAMOLLI	Yes.
COPPOLA	So I'm still trying to understand. So, this fence hadn't been down when you put your wrought-iron fence in?
B. RAMOLLI	I put the back fence up.
COPPOLA	That's what I'm talking about.
B. RAMOLLI	Oh, sorry. I misunderstood that. Yes. Yes, you're correct.
COPPOLA	Okay. Questions for the petitioner?
BARINGHAUS	Yeah, Mr. Chair.
COPPOLA	Vice Chair Baringhaus.

BARINGHAUS Yeah. Can you retrace the history of your picket fence again? First off, did you install the fences or were they installed by another company?

B. RAMOLLI The two, the north and south ones, were put in by another company. The one in back...

BARINGHAUS That was installed by yourself?

B. RAMOLLI Yes.

BARINGHAUS Or the installation of it per the contract. Okay. And then what year was that again?

B. RAMOLLI No, the other ones were I hired a company, but I tried to get ahold of them, but they were no longer in business. I heard from a friend of mine that they moved.

BARINGHAUS And at that point you were relying on the contractor to get the permits for you, right?

B. RAMOLLI Yes, I was.

BARINGHAUS You have no knowledge of whether they pursued that or did not pursue it?

B. RAMOLLI No, I don't. I do have copies of my neighbors signing off on it, so I don't know...

BARINGHAUS Okay, so you had those two side fences basically installed by a contractor, and the wooden fence in the back of the property was still in place at that point?

B. RAMOLLI Yes. Correct.

BARINGHAUS Okay, and then what year was the wooden fence removed?

B. RAMOLLI Last year in 2022.

BARINGHAUS And then in 2022, did you get a permit for the back fence?

B. RAMOLLI Yes, I did.

BARINGHAUS Who installed the back fence?

B. RAMOLLI We did--me and my neighbor.

BARINGHAUS	When you filed for the permit, what did you tell the city what type of fence you were installing?
B. RAMOLLI	I told the city that I was building a decorative fence, aluminum fence.
BARINGHAUS	Decorative fence?
B. RAMOLLI	Yes, that's what I have now: a decorative aluminum fence.
BARINGHAUS	Okay, did you describe the height when you're applying for the permit?
B. RAMOLLI	No, I didn't.
BARINGHAUS	Well, there's dimensions written on the permit application. Is that your handwriting?
B. RAMOLLI	Yes, it is.
BARINGHAUS	And how high did you list the fence when you applied for the permit?
B. RAMOLLI	I think I listed it at five feet.
BARINGHAUS	Okay, because it looks like it was scribbled down and changed to four... did you do that?
B. RAMOLLI	I don't recall that. No.
BARINGHAUS	Question for the building... If it's described as a decorative fence, do the height requirements, are they still in effect?
HERSHEY	I would say yes, the way the ordinance is written. It states, "Fences, which enclose property or are within the required side or rear yard, shall not be site-obscuring or exceed four feet in height measured from the surface of the ground, except for a privacy fence as provided for elsewhere in the section."
BARINGHAUS	Okay, very good. Thank you. Thank you very much.
BOLOVEN	Mr. Chair.
COPPOLA	Mr. Boloven.

BOLOVEN Question for the petitioner first, and then Mr. Hershey. Did you ever receive the approval of 31857?

B. RAMOLLI No, I did not.

BOLOVEN So, Mr. Hershey, how did that even that four foot get approved if it was never that neighbor's approval.

HERSHEY It was never approved. So, he applied for the permit, March 18 of '22. It was issued on April 23 of '22. It expired on October 20th of '22. And our inspector went out on the six-month final, which is when it expired, and he disapproved it. And do you want me to read his comment?

BOLOVEN I guess take a step back. It was issued, so the permit was issued, but it was never...?

HERSHEY Only for the back privacy, back 80 feet, four-foot high only.

BOLOVEN Right. So how did that get even issued if there was no neighbor approval?

HERSHEY That I don't know. I don't have an answer for you on that one.

BOLOVEN That's what I'm trying to get to... it got approved four foot and did he just not approve the five feet?

HERSHEY I'm sorry, four foot does not require the requirement for a neighbor approval because it's a chain link for a four-foot non-obscuring fence.

BOLOVEN So if this was four foot, he wouldn't need neighbor approval for a fence?

HERSHEY Right. So, once the privacy fence is obscuring, it needs the neighbors' approval. So, he applied for a four-foot 80-foot-long rear property line fence, which we're under the assumption it's either a picket like he has--four feet--or chain link. Not an obscuring.

BOLOVEN So why does the city's privacy chain link fence acknowledgement form, why does it even exist if it's a four-foot chain link that somebody does?

HERSHEY I don't know. Maybe Mr. Neville can answer that question.

BOLOVEN Mr. Neville, I guess I was under the assumption no matter what you need a neighbor approval no matter the type of

fence, but hearing Mr. Hershey's comments, if it was four foot, we wouldn't need neighbor approval written on this?

NEVILLE

That is my understanding. I'm looking at the style of fence right now to see, because clearly when we have a privacy fence proposed, it'd need the neighbors' permission to do that. And I'm just verifying to see whether or not that's a requirement that exists with respect to four-foot fences or other fences other than privacy.

HERSHEY

So, the start of the ordinance reads, "A partition fence shall be permitted as long as there is only one such fence separating individual properties subject to the following regulations," which would be the four-foot height. And I don't believe there's any requirement for a chain link because it's not obscuring.

BOLOVEN

Sure. So, this goes into another kind of question here. The neighbor had a fence up. The neighbor gets ordered to take the wood fence down and leaves the posts up. There are allegations of how the posts came down. Nevertheless, the neighbor was gonna replace it. Who gets the right to put up the fence because they can't have a double fence?

HERSHEY

Right. Well, whoever would apply for it and depending upon what you're installing would determine what you need for requirements.

BOLOVEN

So it's a first and time type of thing. It would have been a rush to get a fence up.

HERSHEY

So if the other neighbor wanted to put a privacy fence up, he would need his approval to put that up.

BOLOVEN

What if the neighbor wanted just to replace what was ordered to take down?

HERSHEY

You can replace an existing privacy fence. I don't know if his was prior to the ordinance, and/or if it was legal or not, I don't know.

BOLOVEN

So, question for the petitioner. If you come down one foot here rather than going through this fight with the neighbor, would you be willing to do that?

B. RAMOLLI

I'd be willing. I'm just worried for my son.

BOLOVEN But right now you're facing the fact that you don't have neighbor approval. And if you were to avoid that, just by coming down a foot, would you be willing to do that?

B. RAMOLLI I'd try. I could do it myself, I guess. It just wouldn't look too good if I cut off a foot.

BOLOVEN It's not cutting if... I guess it would go down, depending on... Thank you, Mr. Chair.

COPPOLA Other questions for the petitioner?

TESTA Yes, Mr. Chair. Question for Mr. Hershey. So, we're here because the Inspections Department went out to inspect the fence that was put in?

HERSHEY Yes.

TESTA And the inspection department was expecting to see a four-foot fence based on...

HERSHEY The permit description, yes.

TESTA Okay. Question for the petitioner. I know it's been asked before. Why did you put in a five-foot fence if the permit was for a four-foot fence?

B. RAMOLLI I wasn't sure about that. But I was actually trying to measure with my son, and the other ones they put up was five feet, the side ones, so I just wanted to match it with them.

TESTA Can you describe the fence that you put up? Is it the black wrought-iron in the pictures?

B. RAMOLLI The black? Yes, yes, it's aluminum.

TESTA So if your main goal is to keep your son from climbing over that fence, that's correct?

B. RAMOLLI Yes.

TESTA There's a horizontal slab on that fence that is almost a foot off the ground. And if he steps on that, that becomes a four-foot fence and he can get over it, right?

B. RAMOLLI Actually, I did lower it to the ground. So, he can't even try to get under it or whatever.

TESTA I'm talking about getting over it.

B. RAMOLLI Oh, to try to step on it? No, he's tried it now and he hasn't gotten over it or nothing.

TESTA So, if he steps on that horizontal slab, which is about a foot off the ground, it becomes a four-foot fence and you're saying he can't get over that?

B. RAMOLLI No, he doesn't really.

TESTA But he can get over a four-foot fence? That's why I'm not understanding why a four-foot fence would meet your needs?

B. RAMOLLI Just like I said, I had the fives up. He couldn't get over those. And he tried and tried, but he couldn't get over that. So, the four feet, being a foot lower is...

TESTA Okay, can you describe the conversation with your neighbor trying to get approval?

B. RAMOLLI Yes, I spoke to him numerous times about the fence he had up before. My son had cut himself a couple of times. And I've spoken to all the neighbors, and they said they've been trying for 18 or 19 years to get them to remove that fence because it was unsafe, and the city did come out and say it had to come down. So, I think he got upset at me--that I'm the only one who did it. But all my other neighbors were also on it. And that's what started the whole thing about not getting a petition. I tried probably four or five times.

TESTA Okay, so you've asked him to sign the petition for your fence and he's refused?

B. RAMOLLI Yeah, I asked him numerous times and I told him about my son. If he didn't have a pond back there, I wouldn't need a fence.

TESTA Another question for Mr. Hershey. Why was the fence taken down by the neighbor?

HERSHEY I'm unaware of that. I am not sure why. I don't see any enforcement under his address. And I don't know. I know nothing of that.

TESTA We have no record of the city forcing that fence to come down?

HERSHEY	Not that I'm aware of unless we have the other gentleman's address. I could look it up, but I don't know. Let me see if I can find it. But I'm not aware of anything related to that.
TESTA	And since there is a pond there, is a required to keep that secure so that children couldn't get into that?
HERSHEY	There's no permit required for a pond. So, I don't know as far as any barriers that would be required.
BOLOVEN	Mr. Chair.
COPPOLA	Mr. Boloven.
BOLOVEN	One more question for Mr. Hershey. Saying that it was issued for the four foot and obviously got denied or the whole process went where they discovered the five feet, at the time the application was submitted, looking at the ordinance right now, it looks like there was also supposed to be either a written agreement of the adjoining property owner or a survey for the line. Do you know what would have been submitted for that line and issue here?
HERSHEY	What was submitted was a site plan. And that was basically what was submitted. Let's see here. It's a site plan, I believe, from when the house was originally built, showing all the dimensions of the house and the 80 feet in the back and it's highlighted yellow was to where the fence was going. So, they based that off of the site plan.
BOLOVAN	So if the neighbor's contesting the location right now, what would the city do on that end?
HERSHEY	We'd have one of them get a survey and verify the property line.
BOLOVEN	Thank you.
HERSHEY	You're welcome.
BARINGHAUS	Mr. Chairman.
COPPOLA	Vice Chair Baringhaus.
BARINGHAUS	Does your neighborhood have a homeowners association?

B. RAMOLLI No, he's not part of our association.

BARINGHAUS Well, are you part of it?

B. RAMOLLI Yes.

BARINGHAUS And it looks like you reviewed the fence with your homeowners association?

B. RAMOLLI Yes, I did. There should be a copy of that.

BARINGHAUS What was their determination?

B. RAMOLLI They said everything was fine. Everything was a go, and I submitted the letter also.

BARINGHAUS Was there any discussion on the height of your fence with your homeowners association?

B. RAMOLLI No.

BARINGHAUS Does your homeowners association allow privacy fences in the neighborhood?

B. RAMOLLI No, they don't. They made an exception because of my son having Down Syndrome.

BARINGHAUS Privacy fence, six foot?

B. RAMOLLI Correct.

BARINGHAUS You can't even install a six-foot privacy fence in your neighborhood today, is that compliant with your homeowners association guidelines?

B. RAMOLLI If it isn't, not with our homeowners association, but they made an exception because of my son, and they voted on it.

BARINGHAUS They made an exception to your current fence?

B. RAMOLLI Correct.

BARINGHAUS Okay, so they won't allow a privacy fence, but they did sign off on the current five-foot picket wrought-iron fence?

B. RAMOLLI Yes.

BARINGHAUS

Okay, thank you.

COPPOLA

Any other questions for the petitioner?

COPPOLA

Alright, seeing none, is there anyone in the audience who would like to speak for or against this? Alright, if you could sit down and then I need a name and address, please.

MOILANEN

Leo Moilanen. 18963 Yorkshire Drive. I live directly north of the Ramolli's, and I'm here to support them. I'd just like to read my statement for the record and clarify some statements that were made. So, I border, I'm really the only one who really sees that fence. The neighbor to the south, it's covered with landscape and the neighbor to the west, he's probably 500 feet away from this fence. So, it's kind of like in the middle. He has probably almost 800 feet of property that runs from Seven Mile southwards. Just to give you a little idea of how the fence is. So, we were involved with five other families to get his fence removed. It was unsafe; it was falling over. Thousands of nails were protruding from his side to our side. We bought our house three years ago. My realtor went over there and asked him about the fence if he would consider... I offered to take the fence down for him and replace the fence. Not interested. So, it got to the point where panels were falling over. He complained about the nails again; his son got cut with one of the nails. And so we were forced to call the city. I actually spoke to the resident again about the fence. He sent somebody out to grind the nails out. And it was ridiculous. Nails were just falling everywhere; it would have never gotten done because the fence is 500 feet long. So, we called the city up--and I do have the address if you need it--they forced him to take the fence down. It was unsafe. It was deemed unsafe. So, I spoke to his wife and asked about the posts. She said, "You guys can do whatever you want to do. We don't have the money to replace the fence." So, I took my posts down; I actually just pushed them over. They were that rotten. So as far as the special needs child, when they put the two side fences in, I gave him [Mr. Ramolli] permission to do so. And he butted up to that existing privacy fence. And when that fence came down, that opened up the big, big gap, an 80-foot gap for his son, so he could no longer play in the yard. And there was a pond in the back. And you know, autistic kids, kids with special needs are attracted to water. That was a fear of mine, a fear of theirs. And so when he erected the five-foot fence, I didn't know there was an ordinance anyway with a four-foot fence. But this fence is really nice. It's an aluminum fence, decorative, aesthetically pleasing. It's really nice, really a sharp fence. And the lower

part of the fence, it's not a foot up above the ground. It's about three inches. So, it's not a four-foot fence. So, it's not like he can step on that foot and now it's a four-foot fence. So that's inaccurate. But I'm here to support him. I think the fence is nice. And more importantly, it's to protect their son.

HERSHEY Excuse me, sir, do you have the address? Is it 31885 Seven Mile?

MOILANEN Yes, it is.

HERSHEY Yes, there was an enforcement. It's still open, actually from 2021.... regarding the fence.

TESTA So, the city did require him to take it down?

HERSHEY Yes, there have been many inspections on it, a show cause hearing. It is still open. I'm not sure where it stands at this point. But there is an enforcement that ordinance has been dealing with.

TESTA Thank you, Mr. Hershey.

HERSHEY You're welcome.

COPPOLA A couple of questions for you if you don't mind. Number one, what were your plans for your property when he took the fence down?

MOILANEN I have no kids. It doesn't bother me whatsoever. If he put another fence up, I wouldn't care.

COPPOLA Okay, and then when he asked you to sign approval. I see an approval for you. But it's been signed recently. Did you sign an approval for when he put this fence up?

MOILANEN No, he just asked. I had no issues, no problem.

COPPOLA Do you recall the name of the contractor who put the fence up?

MOILANEN I have no idea. I didn't hire him.

BARINGHAUS I'm sorry, we just have one question. I kind of saw the backyards from a distance; it looks like they're fairly heavily wooded.

MOILANEN Yeah, it backs up to that wooded area. There's nothing back there. You know, the fear is the pond for the child. It's nothing more than really an ADA case. It's got to be protected.

BARINGHAUS In terms of your property, it doesn't go to the wooded area?

MOILANEN No, the fence goes all the way along our properties. Five houses back. Along Hampshire.

BARINGHAUS Right. Very good. Thank you.

COPPOLA Anybody else? Alright, do we have correspondence?

KLISZ We have a few letters. First, a letter of objection. Robert Bedzyk, 31885 Seven Mile, Livonia. Next one is a letter of approval, Jared Lee, 31866 Clarita. And a letter of approval by George George and Ally George, 18871 Yorkshire. That's the letters.

COPPOLA Thank you. So, gentleman in the back, did you want to speak? No? Okay. All right. Mr. Ramolli, if you'd like to step up. Anything you'd like to say in closing? But I'd also like you to address the several comments that were made by your neighbor on Seven Mile.

B. RAMOLLI I caught a few things that are important. A lie. I mean, we did ask him that we would take the fence down on ourselves and dispose of it. Not to put up a new one or anything like that. We never asked him about that. It's a big cost. But we also asked him that if you do decide to put one up, we'll split the costs. And he just said "No." No, no. Every answer was no. I tried to speak to him five, six times. And he just keeps telling me "No, no." Just recently before I came to the meeting, a few weeks ago, I said, "Can we resolve this without going to a meeting?" He didn't want nothing, no. He didn't want to speak to me at all. And I told him about my son being special needs and he's cut himself a few times. And the main thing is to protect him. My son, being special needs, that's the main goal. Fence, this, that, anything to keep them safe.

COPPOLA He mentioned a gate. Do you have a gate on this fence?

B. RAMOLLI Yes, I do.

COPPOLA A gate going to where?

B. RAMOLLI A gate going to the front and also the back.

COPPOLA So you have a gate on the west fence?

B. RAMOLLI Yes.

COPPOLA And why did you put a gate there?

B. RAMOLLI In case my son throws anything over it. I can just kind of open the gate and grab it.

COPPOLA How do you secure the gate so he doesn't open it?

B. RAMOLLI Oh, no, it's secure. I got a lock on it.

Z. RAMOLLI May I say something? I'm his wife.

COPPOLA You can step up. I'll need the name and address, please.

Z. RAMOLLI My name is Zena Ramolli, 18917. Obviously, you guys heard about my son. I did have a conversation with his wife. I told her about the whole fence situation. I told her we were planning to take it down and do whatever to try to compromise. And she actually told me, "I had no idea that you guys even had this conversation with my husband. I have to catch him on a good day when he's not drinking. And then we can actually sit down and do what you want. You have a special needs child. I agree. I understand." We're not here to solve problems with him. We've been nice to him since day one. My son is special needs. He's able to jump that fence. There is a pond. I have family. My neighbors have kids; my entire neighborhood is all kids. God forbid if somebody jumps that fence and goes into that pond, what's going to happen? We tried being nice to him. We tried everything possible for years. We have neighbors, we have complaints, we have letters, we didn't even want to come to this. But he led us to this point. We tried offering, we tried being nice. At the end of the day, it's like... what more? Do I wait for something to happen to my son and then, it's like "There you go." Like I don't get it. Should I bring my kids next time to show you that I have three kids and one of them is special needs and he literally just got diagnosed with ADHD? Like as a mom, it hurts that I have to stand up here and beg you guys to have a five-foot fence. What more do you guys want? How much proof do you guys need? He's my son at the end of the day. I'm trying to protect him. And I'm pretty sure everybody will agree.

COPPOLA Alright.

Z. RAMOLLI	Thank you.
BOLOVEN	Mr. Chair.
COPPOLA	Mr. Boloven.
BOLOVEN	I just have a quick question for the petitioner. The Chairman asked the question earlier about what happened to the posts. You said you don't know what happened to the posts; they fell down. Your neighbor came up and basically said you guys pushed them down. What happened to the posts?
B. RAMOLLI	Those fell over. We had big winds. And they were basically rotted.
BOLOVEN	Well, he's saying you pushed them over?
B. RAMOLLI	Well, I got witnesses. My neighbors witnessed that.
MOILANEN	I pushed the ones that are on my property down. If he wants compensation for renting posts, I'd write him the check right now.
B. RAMOLLI	Mine was worse. There used to be a tree there also. I don't know if they have pictures of it. A totally different story. But there were so many missing panels and stuff on that, and it was windy. It was rocky. It was basically coming down.
BOLOVEN	Thank you, Mr. Chair.
COPPOLA	Anything else? Thank you. I'm going to close the public portion of the case, and I'll start the board's comments with Mr. Boloven.
BOLOVEN	Thank you, Mr. Chair. This is a unique one for a fence case. I'll say that normally off the bat our standard is we don't force people to have fences. That is our kind of standard pass. We're not going to force a neighbor to have a fence. This one's different because A) He had a fence, B) The city forced them to take it down, and C) Had this been four feet, the fence would have been up. So what are we arguing over here? Truly, if you kept it at four feet, the fence would have gone up. We're arguing over one foot, and then you've got the side issue of where the lot line is. I will say: You do have a unique circumstance, you do have a hardship, you have a disabled child. Looking at the doctor's letter from care pediatric, you got a doctor saying he could jump the four-foot fence. I see the need with the pond. I'd be willing to grant one foot. I'm okay leaving it the way it is just because of the

fact that the fence would be there, nevertheless. It's just arguing over a foot now. What I'm not okay with is where the line is, and he's making this accusation in his letter [that] you're on his property line. Really, it would have been caught somewhere along the way in the permit process. So I think, part of this is if we're going to give you the five-foot fence, you're gonna leave it, there does need to be a survey and where the lot line is. And proof needs to be given to the city that you are actually on your line and you're not encroaching on his property. I'm okay with the gate; I know he wants you to get rid of it. But again, I have kids, I have three young kids and yeah, they throw stuff over the fence. And guess what? I don't have a gate and it sucks because you got to go all the way around [LAUGHS]. It is what it is. But with all that being said, I do support the variance for the five foot and require that a survey be done for the property line.

COPPOLA

Thank you. Vice Chair Baringhaus.

BARINGHAUS

Okay, thank you. I basically agree with Mr. Boloven's comments. I think it is unique. I agree that generally, we won't force fences on adjacent neighbors, that we do want their permission in advance before the fence is constructed. You sort of went about this differently. The fence kind of went in place; you weren't aware of the fact, it made you seem like you began to collect permissions from your neighbors, generally, you also took the extra step of going before your homeowner's association. I mean, realistically, even if you wanted a six-foot privacy fence, your homeowner's association would not have allowed it. I think you more than proved your hardship, which is the basis for any variance and that's your special needs child and the need to take additional steps to protect that child from the pond adjacent to your property. I'm okay with the gate. I would like to see the property line issue resolved with some type of survey as a condition for the variance. So based on that, I'd be in favor of approving the variance.

COPPOLA

Secretary Klisz.

KLISZ

I agree completely. I guess the only thing I'm thinking about is technically, can we approve it with that as a requirement? But what if it is not, then does it have to come back versus should we table it? And have the survey done, and then have it come back. Let's look at that. And then if it is on the proper line, then again, I think I would agree with my colleagues. There's definitely a hardship. Because I'm like thinking here, "Well, you can always do a privacy fence," which the city would allow, but then he's got the homeowners problem. So,

I guess that would be my only concern is: Which way we would go? Should we table it, have the survey, come back? Or approve it with the requirement of getting the survey? And I guess that could end it, if it's presented to the inspection department, and they can say, "Yes, it's probably in place." But either way, I would go along with either of those.

KLISZ

Thank you. Mr. Testa.

HERSHEY

Can I make a comment? One issue we have there is the two side fence lines. There's no permit for it. So, I guess if you're going to approve it, maybe [make] a stipulation he obtains a permit for those two sections. So, it is all at five feet, it's all documented and approved to the city.

COPPOLA

Mr. Testa.

TESTA

Thank you, Mr. Chair. Thank you, Mr. Hersey, for that comment. I would support a table motion for two reasons. One, to get a survey to prove the lot lines and where the fence is installed is truly on your lot. And it also will give you time to properly apply for the permits on the other two fences.

COPPOLA

Alright, thank you. I have a little bit of a different opinion here. The thing that I'm struggling with is the events that have occurred through this whole process. The petitioner, and rightfully so, potentially organized and got the city to remove the fence without any thought as to what's next, at least from my perspective. So, the fence comes down. And at that point, were you not concerned about your kids potentially going on to the property? To me that just... I'm a little confused as to why there wasn't a plan, why there wasn't an agreement at that point to negotiate with the neighbor, take the fence down and we'll replace it with a new fence or something. You forced him to take the fence down and again, it was a nuisance and it was a danger--I get that. But there was no plan after that. The back was open. Next thing that happens, actually even before that is you had the two side fences going in without a permit. And that would not have been permitted even with the neighbors' approval; it would have required a variance. I struggle with the fact that there is now a contractor that no longer exists, who put it up, who didn't pull a permit. Didn't get approval from the neighbors at that time. And then we get to the back fence, where when we look at the permit, it's very clear, at least the way I look at it, that he walked into the Inspection Department and had five feet on there and they said, "You're not allowed to have a five-foot fence," scratched it off, put

four foot in, [and] they approved it. And then he just went ahead again and put in a five-foot fence. So, I see some really poor planning and some very overt decision-making to do whatever he pleased, no matter what the rules were. So, I struggle with this. And I do think you have the need for something. I do agree with that. But I'm really struggling with the behaviors that occurred up to this point. So, I'll support a tabling. And we'll have to think about this. And I think the petitioner should also think about alternatives to the fence in the back. I mean, I guess I just don't know what you were thinking forcing a neighbor to take down a fence and then expecting him to cooperate on the next step without getting that all up front. I'm at a loss as to what the thoughts were. Tabling it will give you an opportunity. I think the request was to get a survey, at least to make sure it's on [the property line]. We can do away with that objection that it's on your property, that there's no issue there. And I'd like to also get a clearer understanding the next time we talk at the meeting of what actually happened and why you did the things you did to get us to where we are right now. So, I'm going to vote for a motion.

BOLOVEN

If we're making a motion, I just want to ask Mr. Hershey questions. If they just do four foot in the back. Obviously, they need the permits on the sides, but there is no zoning variance needed?

HERSHEY

But the sides would have to be four foot also, and they're all five at this point.

BOLOVEN

The one question I have is there was a privacy fence there. They can't put up a privacy fence because of their homeowner's association? But the neighbor could put up a privacy fence if it was him?

HERSHEY

If he is not part of their homeowners association, I would say yes, that's not a problem. So, he could have reinstalled a new fence given the time. So, the ordinance was put in about a year before his permit. I'm sorry, the enforcement was put in about a year before.

BOLOVEN

Mr. Chair.

COPPOLA

Mr. Boloven.

BOLOVEN

Motion to table case number 2023-11-30 in order to give the petitioners time to obtain a survey of the property line to resolve the potential dispute, as well as to review the board's

comments and come back with some clarity to the board's questions that are left open.

TESTA

Support.

COPPOLA

I have a motion by Mr. Boloven, supported by Mr. Testa to table the petition. We can take a vote.

BARINGHAUS

Mr. Chairman. I think we also had a suggestion to allow the petitioner a period of time to obtain the permits for the side fences as well.

COPPOLA

Well, they're not permittable.

BARINGHAUS

That was based on Mr. Hershey's comments.

HERSHEY

If you approved it, I recommend you'd have him get permits, but that would be at a five-foot level height and not four. So, he can only get a four-foot chain link or picket fence. But he's five feet. So, technically...

BARINGHAUS

He needs a variance. Okay, got it. I'm sorry.

COPPOLA

Okay, you can take roll, please.

KLISZ

Mr. Testa.

TESTA

Aye.

KLISZ

Mr. Boloven.

BOLOVEN

Aye.

KLISZ

Secretary Klisz votes aye. Vice Chairman Baringhaus.

BARINGHAUS

Aye.

KLISZ

Chairman Coppola.

COPPOLA

Aye.

KLISZ

Passes five to zero.

COPPOLA

Alright, Mr. Ramolli, your petition has been tabled. I think one of the things that you heard from the board is they'd like to see a survey that shows that the fence is inside your property. I think you've heard the comments from everybody.

So, hopefully reflect on those, and when we come back and hear the petition again, we'll have a better understanding of kind of the cadence of events, your thoughts as to what happened and why they happened and potentially come up with a resolution for this.

B. RAMOLLI

Can I just say one other thing?

COPPOLA

You can step up, please.

RAMOLLI

With the survey, he's the one complaining about it. My understanding is when he had that fence up--the privacy fence--and I butted up to it, doesn't that become the new line because it was over 20, 30 years that fence? Does that officially become the new line?

NEVILLE

I'm sorry, Mr. Chair, I just want to quote the ordinance. It says that "A written agreement between the adjoining property owners as to a lot line" or the "production of a survey, which shall be attached to the application" to show what the property line. They just need to establish what that line is. It's just got to be a written agreement or the survey.

COPPOLA

So, we'll take either one.

B. RAMOLLI

So he'd have to get a survey, or I'd have to get a survey?

COPPOLA

He has to agree that your fence is either on the property line or on your property...

NEVILLE

And then he has to look at the survey...

COPPOLA

Or that's the alternative? Either/or, right? That's what you're saying?

NEVILLE

Either a written agreement...

COPPOLA

That's what I was telling you, so either he has to get a written agreement from the neighbors stating that the fence is either on the property line or in your property inside the property line or you can get a survey.

B. RAMOLLI

You want this because I'm...

BOLOVEN

He's already saying in his letter that you're on his property, so you should get a survey.

B. RAMOLLI

That's what I don't understand, then his [fence] would have been.

BOLOVEN

I get it, but you're the one going for the fence right now.

COPPOLA

You can call the next case, please.

RESOLVED: APPEAL CASE NO. 2023-11-30, 18917 Yorkshire Drive: an appeal was made to the Zoning Board of Appeals by Bujar Ramolli, seeking to maintain an existing five-foot tall iron picket fence, erected without permit or the west neighbors' approval.

This Low-Density Residential property is located on the west side of Yorkshire (18917), between Hillbrook and Clarita Streets, Lot. No. 037-02-0010-000, N-2 District, Neighborhood, rejected by the Inspection Department under Livonia Fence Ordinance, Section 15.44.090A(1), **be tabled** to give the petitioner time to obtain a survey of the property line to resolve the potential dispute, as well as to review the board's comments and come back to clarify the board's questions.

ROLL CALL VOTE

AYES: 5

NAYS: 0

ABSENT:

PASS/FAIL/TABLED: TABLED

ZONING BOARD OF APPEALS

ZONING BOARD MEMBERS

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



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

MAYOR

MAUREEN MILLER BROSNAN

COUNCIL MEMBERS

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

DECEMBER 22, 2023

Bujar Ramolli
18917 Yorkshire Drive
Livonia, MI 48152

Dear Mr. Ramolli,

The Zoning Board of Appeals of the City of Livonia, at a Regular meeting held December 12, 2023, adopted the following Resolution:

RESOLVED: APPEAL CASE NO. 2023-11-30, 18917 Yorkshire Drive: an appeal was made to the Zoning Board of Appeals by Bujar Ramolli, seeking to maintain an existing five-foot tall iron picket fence, erected without permit or the west neighbors' approval.

This Low-Density Residential property is located on the west side of Yorkshire (18917), between Hillbrook and Clarita Streets, Lot. No. 037-02-0010-000, N-2 District, Neighborhood, rejected by the Inspection Department under Livonia Fence Ordinance, Section 15.44.090A(1), **be tabled** to give the petitioner time to obtain a survey of the property line to resolve the potential dispute, as well as to review the board's comments and come back to clarify the board's questions.

ZONING BOARD OF APPEALS,

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

Timothy Klisz, Secretary

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

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

Case No: 2024-04-17
Meeting Date: July 9, 2024

You are not required to respond to this letter. If you choose to do so, please note the following reason: (APPROVAL) OR (OBJECTION) to the requested variance.

Good Day -

Thank you for the opportunity to speak.

Enclosed is a letter from the Sobocinski's.

They mention the current ordinance "creates a great deal of hardship on us...."

Please Apply the current ordinance as extending the number of days creates a hardship to my property. Effecting the quiet use and enjoyment of my parcel. Creating a less desirable view.

Maybe the current ordinance should have been considered before purchasing the Camper? Please Apply the ordinance Accordingly.

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

THANK YOU!
Signature: Kimberly A. Nereastian
Name: Kimberly A. Nereastian
(Please print)

Address: 32750 NORFOLK

Across the street.

Greetings Neighbor!

We have submitted an application to the Zoning Board of Appeals for a use variance for a minor adjustment to the ordinance related to parking our camper in our driveway.

The current ordinance states that we can only park our camper for 72 hours (3 days) in any 5-day period. We are requesting to be allowed to park the camper for a period not to exceed 6 days in any 10-day period. While this doubles the number of days we can have the camper in the driveway at one time, it also doubles the number days it must be out of the driveway. This does not allow us to park the camper in the driveway any more days per year than the current ordinance.

Due to our narrow lot, the location of our driveway and our neighbor's fence, and physical limitations that we have, the strict application of the current ordinance creates a great deal of hardship on us to try to unpack the camper (including the refrigerator, propane tanks, and fresh and hot water tanks), clean the camper (including sheets and laundry) and to repack it within the current 72-hour window.

The Zoning Board puts a lot of weight on responses from the neighborhood. We are respectfully requesting your support in this matter. If you could, please contact the city in writing (referencing case # 2024-04-17 Christine and Raymond Sobocinski, 32729 Norfolk Street) at:

City of Livonia
Zoning Board of Appeals
33000 Civic Center Drive
Livonia, MI 48152

Or by e-mail to:
TKlisz@livonia.gov

Even something as simple as "we have no objection" would be greatly helpful. We love our neighborhood and appreciate any support you can offer.

Sincerely,
Chris & Ray Sobocinski

Date

/ /

Case # 2024-04-17

Christine and Raymond Sobocinski
32729 Norfolk, Livonia, MI 48152

We have zero issues with
the storing of the camper
in driveway for the extended
time period needed for
the Sobocinski

32709 Norfolk
Livonia, MI 48152

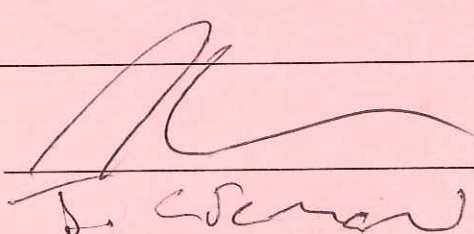
To: City of Livonia
Zoning Board of Appeals
33000 Civic Center Drive
Livonia, MI 48154

Case No: 2024-04-17
Meeting Date: July 9, 2024

You are not required to respond to this letter. If you choose to do so, please note the following reason: (APPROVAL) OR (OBJECTION) to the requested variance.

Approval

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

Signature: 

Name: D. Coleman

(Please print)

Address: 32723 Norfolk St

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

Case No: 2024-04-17
Meeting Date: July 9, 2024

You are not required to respond to this letter. If you choose to do so, please note the following reason: (APPROVAL) OR (OBJECTION) to the requested variance.

OBJECTION:

- From my driveway, the camper obstructs my view of oncoming traffic.
- Living on a street which is a direct path to JC Park, we experience high volumes of traffic, often at high rates of speed as parents race to get their children to the park on time. This obstruction of oncoming traffic makes backing out of my driveway incredibly difficult.
- Three days is more than ample time for two able-bodied, non working adults to pack and unpack their supplies for a camping trip.
- To the City: Because city codes and regulations have not changed since their last request to allow extended parking/storage of the camper, you should never have extended an appeal. Doing so created another opportunity for Ray and Chris to intimidate neighbors, confronting them in person to "explain" their position and mailing letters with stamped envelopes to approve their appeal. Nobody wants to disagree with their neighbor let alone be subjected to a confrontation.
- If their camper is permitted extended parking/storage time, others will have to be granted the same privilege, turning our neighborhood into an RV storage lot.
- I respectfully request denial of this appeal to keep our neighborhood safe and wholesome.

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

Signature: Anne Marie Stevens

Name: Anne Stevens
(Please print)

Address: 32719 Norfolk St

Recd 7/3/24

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

Case No: 2024-04-17
Meeting Date: July 9, 2024

You are not required to respond to this letter. If you choose to do so, please note the following reason: (APPROVAL) OR (OBJECTION) to the requested variance.

THE VARIANCE WILL ALLOW THE CAMPER
TO BE PRESENT 12 OUT OF 16 DAYS. THIS
IS 75% OF ANY 16 DAY PERIOD. AS
STATED IN THE PREVIOUS REQUEST
FOR VARIANCE 72 HOURS CUMULATIVE
IN 5 DAYS ALLOWS FOR ADEQUATE TIME
TO PREP OR UNLOAD CAMPER FOR
A TRIP.

THE APPEAL FOR VARIANCE IS IN
OBJECTION

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

Signature: Michael P. Connelly
Name: MICHAEL P. CONNELLY
(Please print)

Address: 32817 NORFOLK
LIVONIA MI 48152

REC'D 7/2/24

June 27, 2024

Dear Zoning Board of Appeals:

Case #2024-04-17

We are writing in support of Mr. & Mrs. R Sobocinski's request for a variance for parking their camper in their driveway. Letting them unload and reload their camper in between trips is extremely reasonable. They have storage for their camper.

Again we support the variance.

Thank you,



Ron & Laurie Muffler
20215 Mayfield St

REC'D 7/2/24

Greetings Neighbor!

We have submitted an application to the Zoning Board of Appeals for a use variance for a minor adjustment to the ordinance related to parking our camper in our driveway.

The current ordinance states that we can only park our camper for 72 hours (3 days) in any 5-day period. We are requesting to be allowed to park the camper for a period not to exceed 6 days in any 10-day period. While this doubles the number of days we can have the camper in the driveway at one time, it also doubles the number days it must be out of the driveway. This does not allow us to park the camper in the driveway any more days per year than the current ordinance.

Due to our narrow lot, the location of our driveway and our neighbor's fence, and physical limitations that we have, the strict application of the current ordinance creates a great deal of hardship on us to try to unpack the camper (including the refrigerator, propane tanks, and fresh and hot water tanks), clean the camper (including sheets and laundry) and to repack it within the current 72-hour window.

The Zoning Board puts a lot of weight on responses from the neighborhood. We are respectfully requesting your support in this matter. If you could, please contact the city in writing (referencing case # 2024-04-17 Christine and Raymond Sobocinski, 32729 Norfolk Street) at:

City of Livonia
Zoning Board of Appeals
33000 Civic Center Drive
Livonia, MI 48152

Or by e-mail to:
TKlisz@livonia.gov

Even something as simple as "we have no objection" would be greatly helpful. We love our neighborhood and appreciate any support you can offer.

Sincerely,
Chris & Ray Sobocinski

Dear City of Livonia,

We have no objections to this letter above
Case # 2024-04-17.

Thank you,

6/26/24 Issa & Rania Raba of 32267 Bretton St, Livonia MI 48152
Rec'd 7/2/24

Greetings Neighbor!

We have submitted an application to the Zoning Board of Appeals for a use variance for a minor adjustment to the ordinance related to parking our camper in our driveway.

The current ordinance states that we can only park our camper for 72 hours (3 days) in any 5-day period. We are requesting to be allowed to park the camper for a period not to exceed 6 days in any 10-day period. While this doubles the number of days we can have the camper in the driveway at one time, it also doubles the number days it must be out of the driveway. This does not allow us to park the camper in the driveway any more days per year than the current ordinance.

Due to our narrow lot, the location of our driveway and our neighbor's fence, and physical limitations that we have, the strict application of the current ordinance creates a great deal of hardship on us to try to unpack the camper (including the refrigerator, propane tanks, and fresh and hot water tanks), clean the camper (including sheets and laundry) and to repack it within the current 72-hour window.

The Zoning Board puts a lot of weight on responses from the neighborhood. We are respectfully requesting your support in this matter. If you could, please contact the city in writing (referencing case # 2024-04-17 Christine and Raymond Sobocinski, 32729 Norfolk Street) at:

City of Livonia
Zoning Board of Appeals
33000 Civic Center Drive
Livonia, MI 48152

Or by e-mail to:
TKlisz@livonia.gov

Even something as simple as "we have no objection" would be greatly helpful. We love our neighborhood and appreciate any support you can offer.

Sincerely,
Chris & Ray Sobocinski

WE HAVE NO OBJECTION 😊 06/28/2024
- BEN & GENNA WHALLING

20080 SHADYSIDE ST.
LIVONIA, MI 48152-1321

RECD 7/2/24

From: James Tyler <jst123@gmail.com>

Date: June 29, 2024 at 2:48:12 PM EDT

To: "Klisz, Tim" <tklisz@livonia.gov>

Cc: Gabriela Tyler <gabytyler1@gmail.com>

Subject: Case # 2024-04-17 Christine and Raymond Sobocinski, 32729 Norfolk Street

Dear City of Livonia Zoning Board of Appeals,

We are homeowners living nearby at 32708 Norfolk Street, and wish to express our support for the subject variance request case 2024-04-17 of our neighbors for parking their camper in their driveway. We have no objections to approval of this case.

Thank you,

James and Gabriela Tyler
32708 Norfolk Street
Livonia MI 48152

Begin forwarded message:

From: Roseanne Pavlov <pavlovroni@yahoo.com>

Date: June 28, 2024 at 1:49:51 PM EDT

To: "Klisz, Tim" <tklisz@livonia.gov>

Subject: Case #2024-04-17

To Whom It May Concern,

We, Kevin and Roseanne Pavlov have no objection to the Sobocinski's request for a variance for their camper. The property is well maintained and the camper does not detract from that or interfere with anyone else's property.

Thank you,

Kevin and Roseanne Pavlov

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

Case No: 2024-04-17
Meeting Date: July 9, 2024

You are not required to respond to this letter. If you choose to do so, please note the following reason: (APPROVAL) OR (OBJECTION) to the requested variance.

We at 32790 Norfolk Street
approve this variance

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

Signature: Esther Whittico
Name: Esther Whittico
(Please print)
Address: 32790 Norfolk

Begin forwarded message:

From: Jack Waters <jackwwatersiii@gmail.com>

Date: June 27, 2024 at 4:41:44 PM EDT

To: "Klisz, Tim" <tklisz@livonia.gov>

Subject: Case #2024-04-17 Christine and Raymond Sobocinski, 32729 Norfolk St.

Hello,

I am Christine and Raymond's neighbor at 33091 Norfolk St. and my wife and I have no objections to adjusting the zoning ordinance on parking a camper in their driveway.

When they do have their camper parked in the driveway it causes no issues with the flow of traffic, so no issues would occur by simpling doubling the period.

Best,

Jack Waters

ZONING BOARD OF APPEALS

ZONING BOARD MEMBERS

GREGORY G. COPPOLA, CHAIRMAN
JAMES. M. BARINGHAUS, VICE CHAIRMAN
TIMOTHY J. KLISZ, SECRETARY
CHRISTOPHER N. BOLOVEN
MARC ROTONDO
LYNDA L. SCHEEL
MIKE TESTA



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

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SCOTT MORGAN
LAURA M. TOY

PUBLIC NOTICE **June 21, 2024**

APPEAL CASE NO. 2024-04-17, 32729 Norfolk Street: an appeal was made to the Zoning Board of Appeals by Christine and Raymond Sobocinski, seeking to temporarily store a recreational vehicle within the front yard setback (in the driveway) in excess of the allowed 72 hours cumulatively in any 5-day period.

This Low-Density Residential property is located on the west side of Norfolk Street (32729), between Shadyside and Mayfield Streets, Lot. No. 010-01-0060-004, N-2, Neighborhood District, rejected by the Inspection Department under Livonia Zoning Ordinance, Section 7.09(3).

Days

Allowed: 3 days in 5
Proposed: 6 days in 10
Excess: 3 days

Encroachment

Allowed: None
Proposed: 3.2 feet
Excess: 3.2 feet

THE LAW REQUIRES THAT OWNERS OF PROPERTY LOCATED WITHIN 300 FEET OF THIS PROPERTY BE NOTIFIED OF THIS REQUEST IN WRITING. THIS IS YOUR NOTIFICATION. YOU ARE NOT REQUIRED TO RESPOND TO THIS LETTER.

This appeal will be heard at a public hearing to be held in the **Auditorium on the 1st floor of City Hall on Tuesday, July 9, at 7:00 p.m.**, at which time comments may be directed to the Board during audience participation. When replying by mail, write your comments on the back of this notice and address it to the City of Livonia, Zoning Board of Appeals, 33000 Civic Center Drive, Livonia, MI 48154. All written comments are read at the meeting and become part of the record.

ZONING BOARD OF APPEALS,



Timothy Klisz, Secretary

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

Case No: 2024-04-17
Meeting Date: July 9, 2024

[illegible]

Signature: _____

Address:

RE: 32729 Norfolk Appeal

Fisher, Mike <mfisher@livonia.gov>

Thu 5/23/2024 12:49 PM

To: Stierna, Matthew <mstierna@livonia.gov>; Kasprowicz, Sara <skasprowicz@livonia.gov>; Goff, Erika <egoff@livonia.gov>; Neville, Leo <lneville@livonia.gov>

Hello, everyone! Sgt. Walters supplemental statement is below. It should be provided both to the Board member packages and Mr. O.

Mike Fisher

Chief Assistant City Attorney
City of Livonia | Law Department
(734) 466-2520
mfisher@livonia.gov

From: Paul Walters <paul.walters@LivoniaPD.Com>

Sent: Thursday, May 23, 2024 6:13 AM

To: Fisher, Mike <mfisher@livonia.gov>

Subject: Re: 32729 Norfolk Appeal

Yes, due to the large nature of that RV and lack of sidewalks in the area it poses a vision obstruction for both motorists and pedestrians. Furthermore, officers know the ordinance. It is unreasonable to not apply a parking ordinance to all but one. Officers will have no way of knowing a variance has been granted which would lead to confusion on any calls for service in the future and neighbor troubles.

Sgt. Paul Walters

Traffic Services Bureau

Livonia Police Department

734-466-2107

From: Fisher, Mike <mfisher@livonia.gov>

Sent: Wednesday, May 22, 2024 9:55:44 AM

To: Paul Walters

Subject: RE: 32729 Norfolk Appeal

Just to be clear, that's due to the RV's impact on traffic visibility?

Thank you!

Mike



Mike Fisher

Chief Assistant City Attorney
City of Livonia | Law Department
(734) 466-2520
mfisher@livonia.gov
www.livonia.gov



This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential, and/or exempt from disclosure under applicable laws. If the reader of the message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and/or reply to this e-mail message. Thank you.

From: Paul Walters <paul.walters@LivoniaPD.Com>

Sent: Thursday, May 9, 2024 10:41 AM

To: Fisher, Mike <mfisher@livonia.gov>

Subject: 32729 Norfolk Appeal

Please see attached.

I agreed with the original findings that the variance should not be granted.

Sgt. Paul Walters

Traffic Services Bureau

Livonia Police Department

734-466-2107

This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential, and/or exempt from disclosure under applicable laws. If the reader of the message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and/or reply to this e-mail message. Thank you.

This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential, and/or exempt from disclosure under applicable laws. If the reader of the message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and/or reply to this e-mail message. Thank you.

DEPARTMENT OF PUBLIC SAFETY
DIVISION OF POLICE

THOMAS GORALSKI
CHIEF OF POLICE



MAUREEN MILLER BROSNAN
MAYOR

15050 Farmington Road
Livonia, Michigan 48154-5499
(734) 466-2470
FAX: (734) 261-2265

May 9th 2024

Mr. Mike Fisher
City of Livonia Law Department
33000 Civic Center Drive
Livonia, MI 48154

Re: Appeal Case No. 2024-01-02: Sobocinski, 32729 Norfolk

Mr. Fisher,

I have reviewed the appeal for a variance of the Livonia Zoning Ordinance, Section 7.09 (3) for the resident at 32729 Norfolk. I agree with the original findings of the Inspection Department that this request be denied.

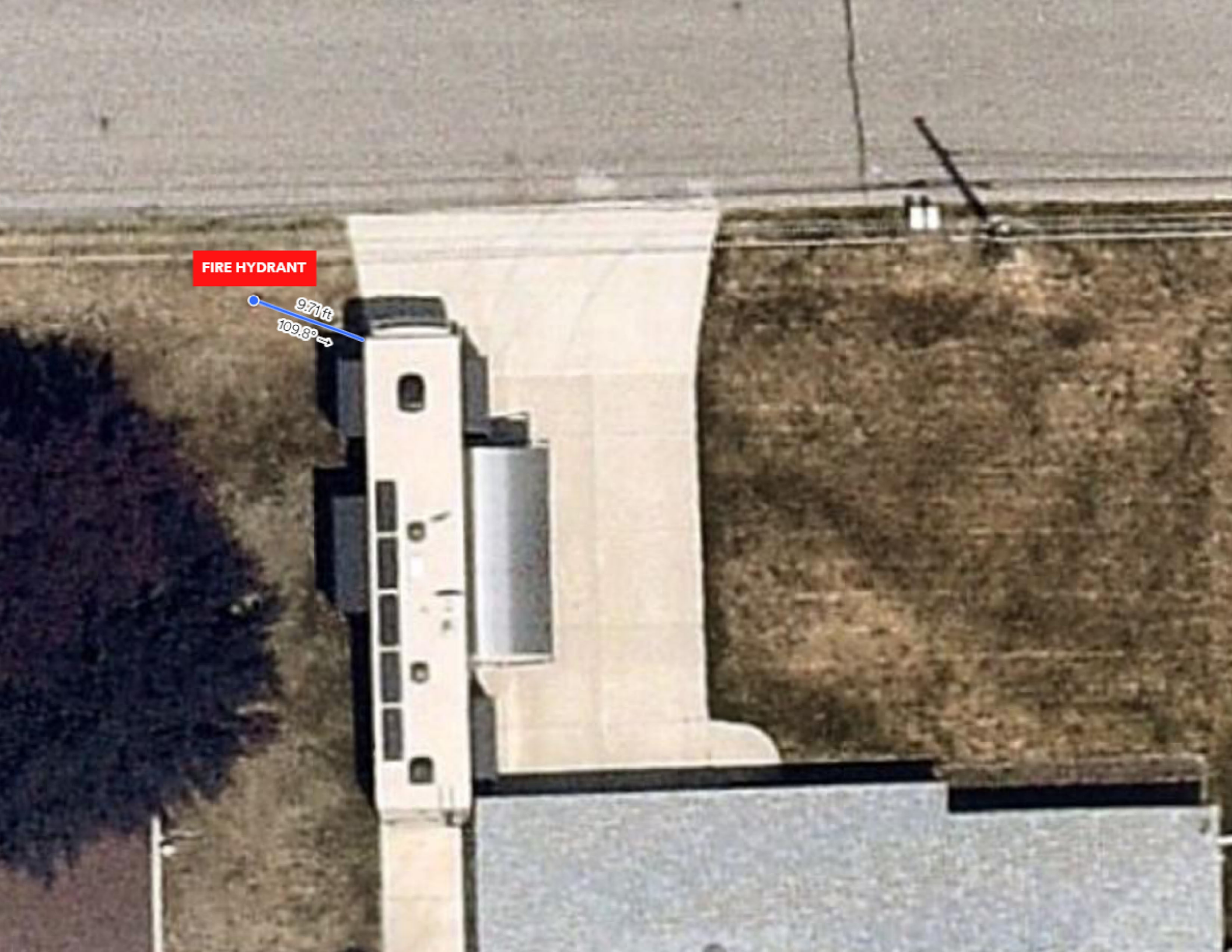
Please feel free to contact me, should you have any questions.

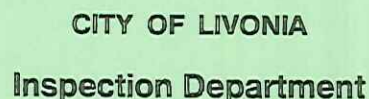
Sincerely,
FOR THE CHIEF OF POLICE,


Paul Walters, Sergeant
Traffic Bureau
(734) 466-2107

FIRE HYDRANT

9.71 ft
109.8°





REJECTION OF APPLICATION FOR PERMIT
BECAUSE OF NON-CONFORMITY TO ZONING ORDINANCE LIVONIA VISION 21

Reason for Rejection LIVONIA ZONING ORDINANCE, SECTION 7.09 (3); Code of Ordinances, 10.48.010 SECTION: 10.48.010

Remarks: _____

ZONING EXAMINER

CERTIFICATE OF BOUNDARY SURVEY

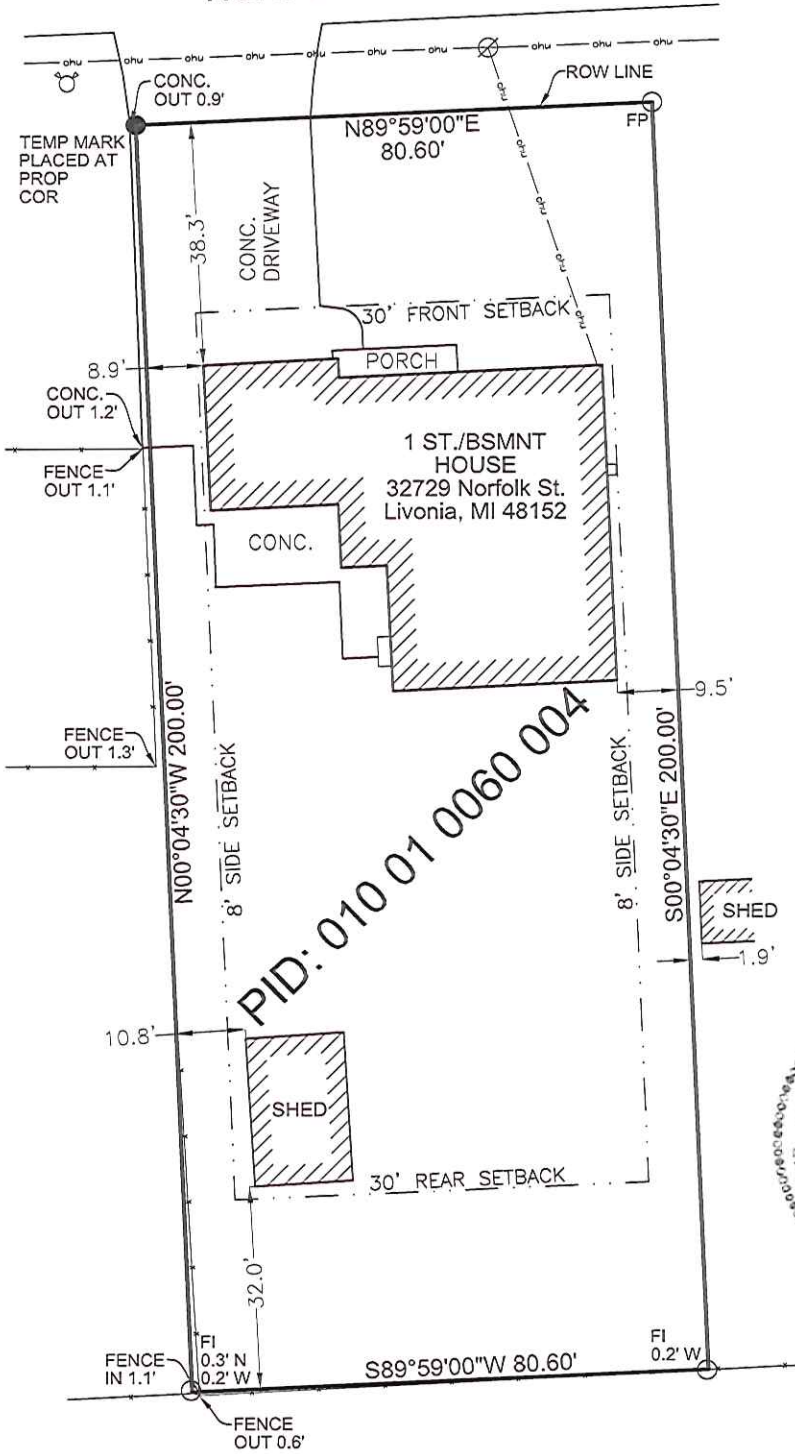
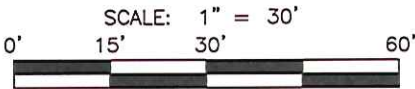
NORFOLK ST. 50' WD.

ZONING

PER CITY OF LIVONIA:
N2 NEIGHBORHOOD
DISTRICT
SETBACKS
- FRONT: 30'
- REAR: 30'
- SIDE: 6'
(TOTAL OF TWO 16')

LEGEND

- SET IRON (SI)
- FOUND IRON/PIPE/
MON/NAIL (FI/FP/FM/FN)
- ⊕ SECTION CORNER
- ⊗ UTILITY POLE
- ⊙ FIRE HYDRANT



RECEIVED

APR 19 2024

Inspection Department
City of Livonia



LEGAL DESCRIPTION PID: 010 01 0060 004 (as contained in Warranty Deed)

West 80.60 feet of Lot 60 and Lot 61, Folkers Farming Acres Subdivision, according to the Plat thereof as recorded in Liber 61 of Plats, Page 90, Wayne County Records, Michigan.

SURVEYOR'S NOTES

Since our Survey work does not include a Title Search, there may be easements and/or encumbrances upon the land which are not shown on our Survey at this time.

CERTIFICATION

I hereby certify that I have surveyed and mapped the land above platted and described on March 25, 2024; And that the relative positional precision of each corner is within limits accepted by the practice of professional surveying.

Derek Kosicki, P.S.#4001043058
Professional Surveyor
Derek.K@MichiganSurveying.com

ADDRESS: 32729 Norfolk St., Livonia, MI 48152

CLIENT: LARRY OPALEWSKI	JOB NO. 24-0178
MICHIGAN SURVEYING, INC. 37637 Five Mile Rd., Suite 364 Livonia, MI 48154 tel. (734) 542-9088 www.MichiganSurveying.com	DATE 04/02/24
	SCALE 1"=30'
	SHEET 1 OF 1

DALTON • TOMICH

719 Griswold St. • Suite 270 • Detroit, Michigan 48226
P: 313-859-6000 F: 313-859-8888 www.daltontomich.com

February 26, 2024

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

Re: Sobocinski Application for Variance

Dear Inspector:

Enclosed, please find an Application for Variance on behalf of Ray and Christine Sobocinski regarding property address 32729 Norfolk St., Livonia, MI 48152 as well as a check in the amount of \$450 to satisfy the filing fee. Please handle in your usual manner.

Thank you for your attention. If you should have any questions regarding the attached applications, please do not hesitate to contact me at 313-859-6000 or by email at lopalewski@daltontomich.com.

Very truly yours,

DALTON & TOMICH, PLC

/s/ Lawrence Opalewski

LJO/cph
Encl.

DALTON • TOMICH

719 Griswold St. • Suite 270 • Detroit, Michigan 48226
P: 313-859-6000 F: 313-859-8888 www.daltontomich.com

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

Via Email and Regular Mail

Re: Supplemental Information for Variance Application at 32729 Norfolk St., Livonia, MI 48152 (8 Mile and Farmington)

Dear Board Members,

My office represents Ray and Christine Sobocinski ("Petitioners") regarding this variance application. Thank you for the opportunity to correspond with you regarding this application. The Sobocinskis are longtime residents of the City of Livonia. They are good citizens and are well-liked and respected by their neighbors. They come before this Board seeking a minor deviation from the strict application of Ordinance 7.09(3).

Currently, the Ordinance provides:

The temporary parking of one (1) unit of recreational equipment on the recreational equipment owner's or user's front or side driveway shall be permitted for a period not to exceed seventy-two (72) hours cumulatively in any five (5) day period for the purpose of repairing and maintaining the Recreational Equipment unit for suitable vacation use.

Due to the Sobocinski's narrow lot, location of their driveway and the neighbors' fence, and physical limitations, the strict application of this ordinance has created an unnecessary hardship for the Sobocinskis.

As you are likely aware, the Sobocinskis recently applied for a different variance. Due to a miscommunication, the requested relief that came before this Board was much broader than what the Sobocinskis need. Therefore, and in response to some comments made by the Board at the previous hearing, the Sobocinskis request a narrower form of relief with this application.

Specifically, the Sobocinskis merely request to be allowed to park the RV for a period not to exceed six (6) days within any ten (10) day period. This minor adjustment would allow the Sobocinskis to continue to use their camper and would not have any negative impacts on the surrounding neighbors or the community at large. The information requested from the City is below. Petitioners respectfully ask this Board to grant their variance request.

1. Are there any deed restrictions or subdivision rules or restrictions on the property?

APPLICATION FOR VARIANCE

<u>Ray and Christine Sobocinski</u>	<u>32729 Norfolk St., Livonia, MI 48152</u>	<u>(248) 321-2233</u>			
(Owner of Premises)	(Street Address)	(City)	(Zip Code)	(Telephone)	(Fax)
(Lessee)	(Street Address)	(City)	(Zip Code)	(Telephone)	(Fax)
(Contractor)	(Street Address)	(City)	(Zip Code)	(Telephone)	(Fax)

The property address is 32729 Norfolk St., Livonia, MI 48152 (8 Mile and Farmington)

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

1. Are there any deed restrictions or subdivision rules or restrictions on the property? If so, what are they? See attached.

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

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

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

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

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

6. Have you sought an amendment to the zoning ordinance which would permit your proposed project under your current zoning? If yes, please describe the outcome of this process:
See attached.

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

8. Have you attempted to have the property rezoned? If yes, please describe the outcome of the rezoning process: _____

See attached.

9. If you have not attempted to have the property rezoned, why hasn't this attempt been made? _____

See attached.

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

OWNER'S AFFIDAVIT

COUNTY OF WAYNE)
STATE OF MICHIGAN)

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

Signature of property owner: _____

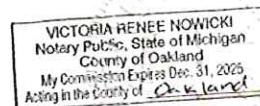
Please print name of property owner: _____

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

Subscribed and sworn to before me this 22nd day of Feb, 2024

Victoria Renee Nowicki
(Notary Public, Wayne County, Michigan)

My Commission expires 12-31-2025



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

NOT TO BE COMPLETED BY APPLICANT

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

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

(Supervisor)

Application for permit filed _____

Violation Issued _____

No. There are no deed restrictions nor subdivision rules nor restrictions on the property at issue concerning this matter.

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

**03A60D 61D FOLKERS FARMINGTON ACRES T1S R9E L61 P90
WCR W 80.60FT OF LOTS 60 AND 61**

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

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

Petitioner's property is unique in the sense it does not allow them to store their camper in an accessory building or in the rear yard like other residents in the area. Many of Petitioner's surrounding neighbors park their campers at their homes for periods lasting far beyond the 72-hour ordinance limitation. If it were physically possible with their camper, Petitioners would do the same. Petitioners are not aware of another lot which presents the same challenges of parking an RV camper.

Further, Petitioner's property is one of the narrowest in the neighborhood. According to City assessing records, Petitioner's property has only 80.6 feet of frontage. In contrast, the home directly to the west, 32817 Norfolk, has 100 feet of frontage. In addition to being a narrow lot, Petitioner's driveway abuts directly against the western property line. Combined with the position of the western neighbor's fence, this provides no room to move the RV into the rear yard. Neither the position of the driveway nor the neighbor's fence are conditions created by Petitioners.



To combat this issue, when not in use, being prepped for use, or being cleaned after use, Petitioners store their camper in a long-term storage facility.¹ As opposed to what was stated in the meeting minutes of the original use variance application, Petitioners do not seek to permanently park their camper in the driveway or even long-term storage of the camper at their home.

In fact, they would prefer the opposite. They would prefer to be on the road more often, and thus park the camper in their drive less frequently. In other words, if Petitioners are granted a use variance, they will likely be home less often which means the camper will be parked at their home less often. Moreover, as noted above, when it comes to longer term storage of the camper, Petitioners have paid for and continue to have a space in a storage facility.

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

Petitioner Ray Sobocinski has several physical limitations which limit his ability to load, unload, and clean the RV.² These physical limitations prevent Petitioner from being able to completely unpack the camper (including the refrigerator, propane tanks, and the fresh and hot water tanks) in the short 72-hour timeframe under the current ordinance.

Without obtaining the use variance, Petitioners may have to sell their home or give up traveling in their current manner. This would be a severe hardship, as Petitioners, now retired, worked for years to be able to obtain the flexibility they have now.

Additionally, Petitioners have invested a significant amount in obtaining and modifying the current camper. While financial difficulty cannot, on its own, provide the sole basis for finding an unnecessary hardship, it can certainly contribute to the finding. *Janssen v Holland Charter Twp Zoning Bd of Appeals*, 252 Mich. App 197, 202, 651 NW2d 464 (2002). Here, the financial hardship which would be caused by strict enforcement of the ordinance should encourage this Board to grant the requested variance.

¹ Petitioners prefer not to divulge the location of the facility but can provide photographic evidence.

² Petitioner prefers not to divulge their specific medical history for the record due to privacy concerns.

Furthermore, as noted in the original use variance application meeting minutes, many of the ZBA council members are open to working with Petitioner's goals.

ZBA member Testa asked if Petitioners would be agreeable to "some other timeframe so that it's not indefinite" and to be "open to restrictions on the time of the year" of these increase hours beyond the 72-hour timeframe. Further, it was stated: "you could make a case that maybe 72 hours is not enough for an RV" of Petitioners size. Petitioners are happy to be flexible with the requested use variance and as noted above, are not seeking permanent storage. The ZBA suggested giving Petitioners "one week" as an option which most likely be enough time for Petitioner's desired use.

ZBA member Scheel also stated that she "would be in support of adjusting it slightly" and "would be open to some sort of variance to the 72 hours" because she herself is aware of the problems Petitioners face. Ms. Scheel correctly explained "it takes time" to clean and prepare a camper of Petitioners size.

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

After Petitioner's original application to obtain a use variance, 4 neighbors responded to the city distributed form objecting to the camper being in front of Petitioner's house *all the time*.³ It should be noted this form was sent to all residents within 300 feet of Petitioner's home and *most* residents had no objection to the proposed use even though Petitioner's actual proposed relief was stated incorrectly on the notice. As noted above, Petitioners seek a mere extension to the 72-hour limit, and *not* permanent storage.

It was stated at the previous hearing that neighbor opposition was a chief reason for denial of the requested relief. It is anticipated that the reduced request for relief in this application will result in fewer neighbors, if any, opposing Petitioner's request.

Petitioners have spoken with a few of the concerned neighbors. From Petitioners standpoint, there was a miscommunication with the request for relief on the previous notice sent to the residents which stated that the Petitioners were seeking to store their RV in the driveway with no reference to relief for short-term storage. Almost all the neighbors were agreeable to the idea of longer *short-term* storage.

In the event any neighbors remain opposed to the requested relief, Petitioners assert that the limited requested relief will not result in any negative impact on the surrounding residents. There is no evidence in the record to support any claims that the minor adjustment to the ordinance requested by Petitioners would have any negative impacts.

6. Have you sought an amendment to the zoning ordinance which would permit your proposed project under your current zoning? If yes, please describe the outcome of this process:

No. Petitioners are only seeking a use variance.

³ "Ray & Chris are great neighbors. I hope they enjoy their camper. I do not care to look out my front window at the camper *all year long*..." – Kimberly Naccashian, 32750 Norfolk.

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

Petitioners are unaware of their unique situation occurring elsewhere in the city. Therefore, it would likely not be appropriate to amend the zoning ordinance and therefore change its application city-wide.

8. Have you attempted to have the property rezoned? If yes, please describe the outcome of the rezoning process:

No. There has been no attempt to have the property rezoned.

9. If you have not attempted to have the property rezoned, why hasn't this attempt been made?

Petitioner's property is zoned residential and is in a residential neighborhood. A rezoning of the property would not be appropriate for Petitioners or the neighborhood.

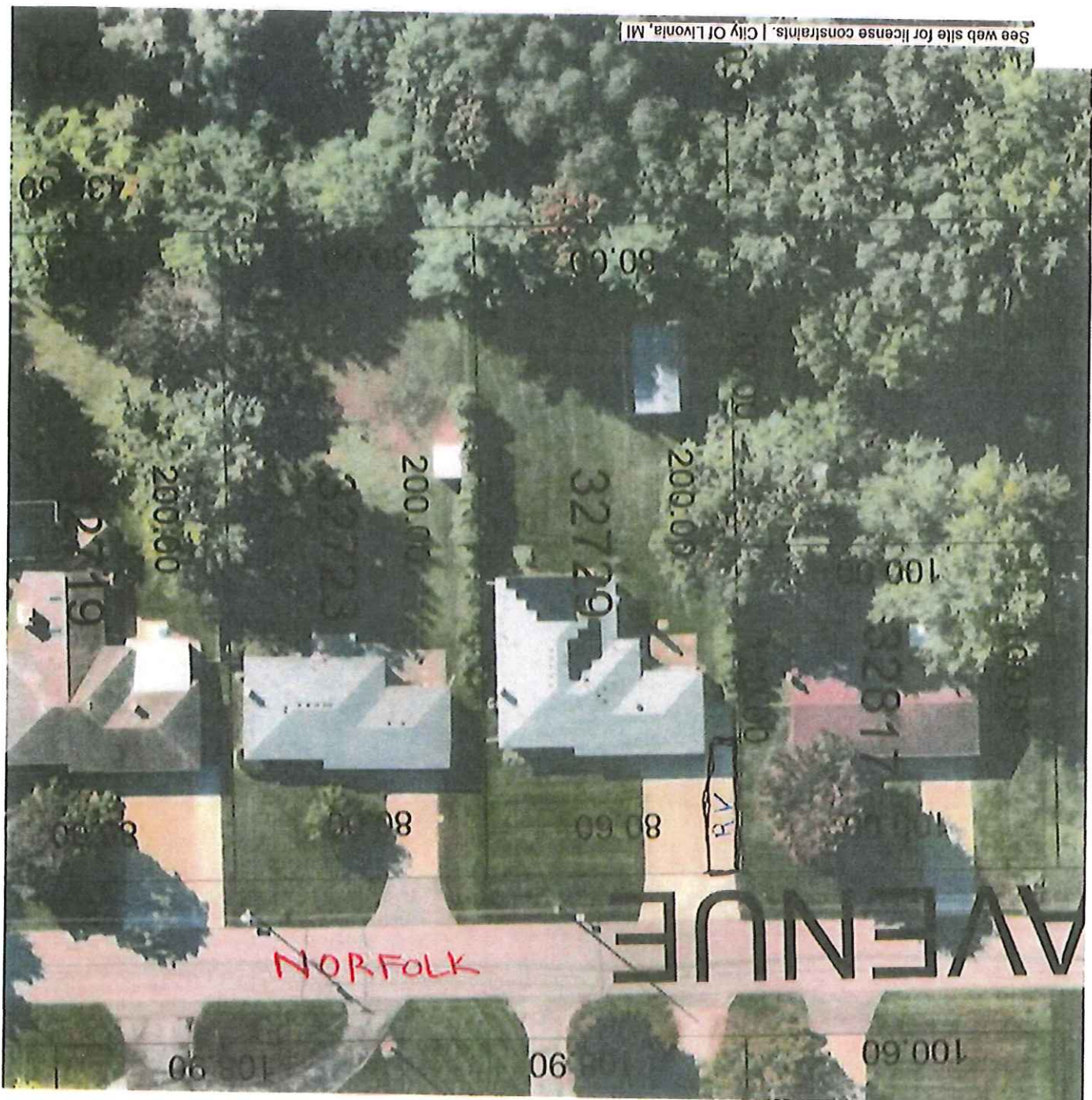
Additional Information:

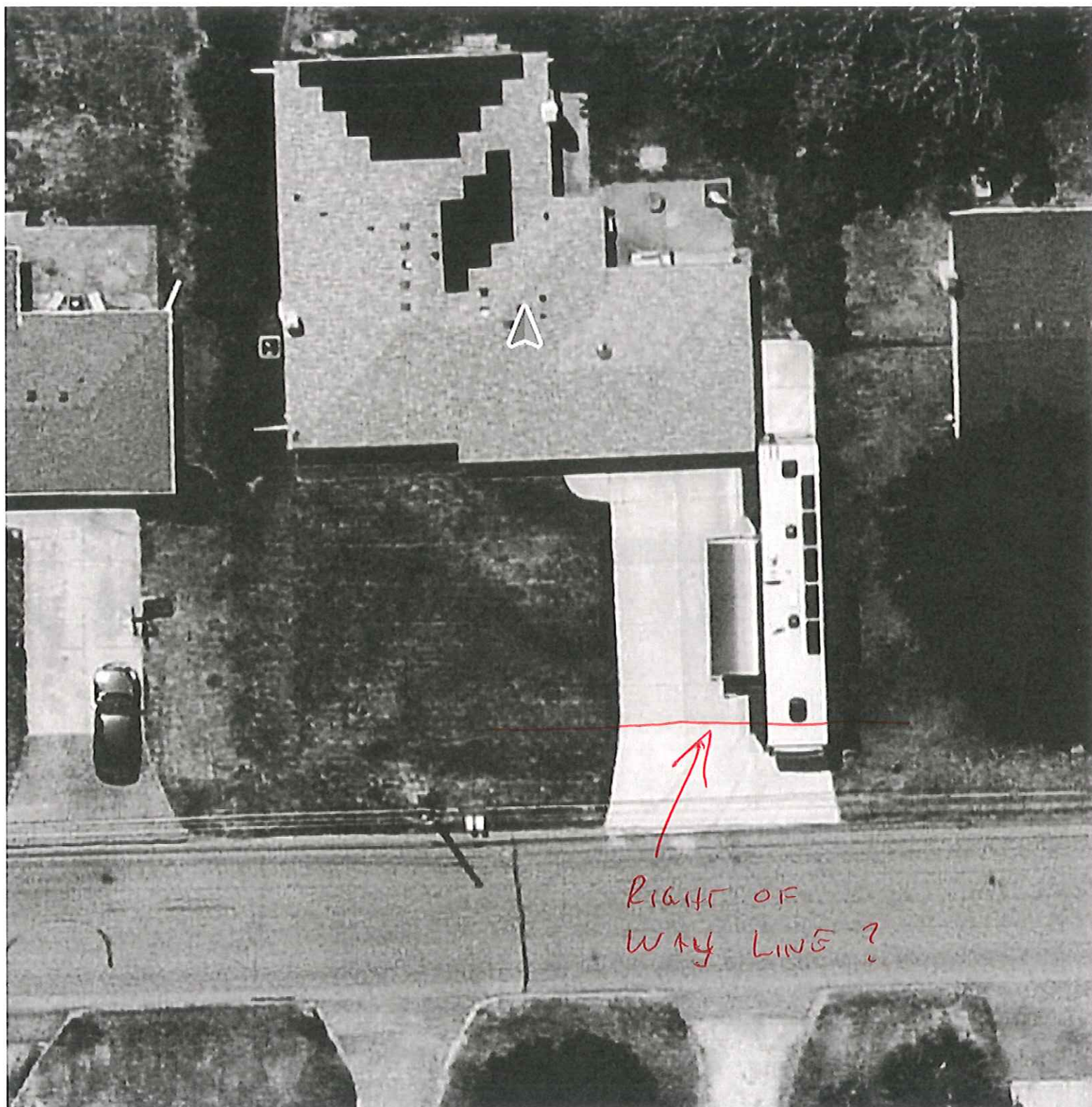
Petitioners traveled on the following dates in 2023. If requested, receipts for most of these dates can be provided upon request.

2/20
4/18
4/24-29
5/2-11
5/15-23
5/24
5/31-6/9
6/13-14
6/16-23
6/29 -7/3
7/5-10
7/13-17
7/21-25
8/1-9
8/15-24
8/27-31
9/5
9/11-10/26
10/30









INSPECTIONS Document,





2019 Keystone Montan High Country 375FL

Dimensions

Length

41.5 ft. (498 in.)

Width

8 ft. (96 in.)

Height

12.75 ft. (153 in.)

Weight

Dry Weight

12,318 lbs.

Payload Capacity

2,182 lbs.

GVWR

14,500 lbs.

Hitch Weight

2,595 lbs.

Holding Tanks

Number Of Fresh Water Holding Tanks

1

Total Fresh Water Tank Capacity

66.0 gal.

Number Of Gray Water Holding Tanks

1

Total Gray Water Tank Capacity

78.0 gal.

Number Of Black Water Holding Tanks

1

Total Black Water Tank Capacity

39.0 gal.

RECEIVED

APR 19 2024

Propane Tank(s)

Number Of Propane Tanks

2

Total Propane Tank Capacity

14.2 gal.

Total Propane Tank Capacity

60 lbs.

Construction

Body Material

Aluminum

Sidewall Construction

Fiberglass

Doors

Number of Doors

2

Sliding Glass Door

No

Slideouts

Number of Slideouts

4

Power Retractable Slideout

Yes

Awning

Number of Awnings

1

Awning Length

19 ft. (228 in.)

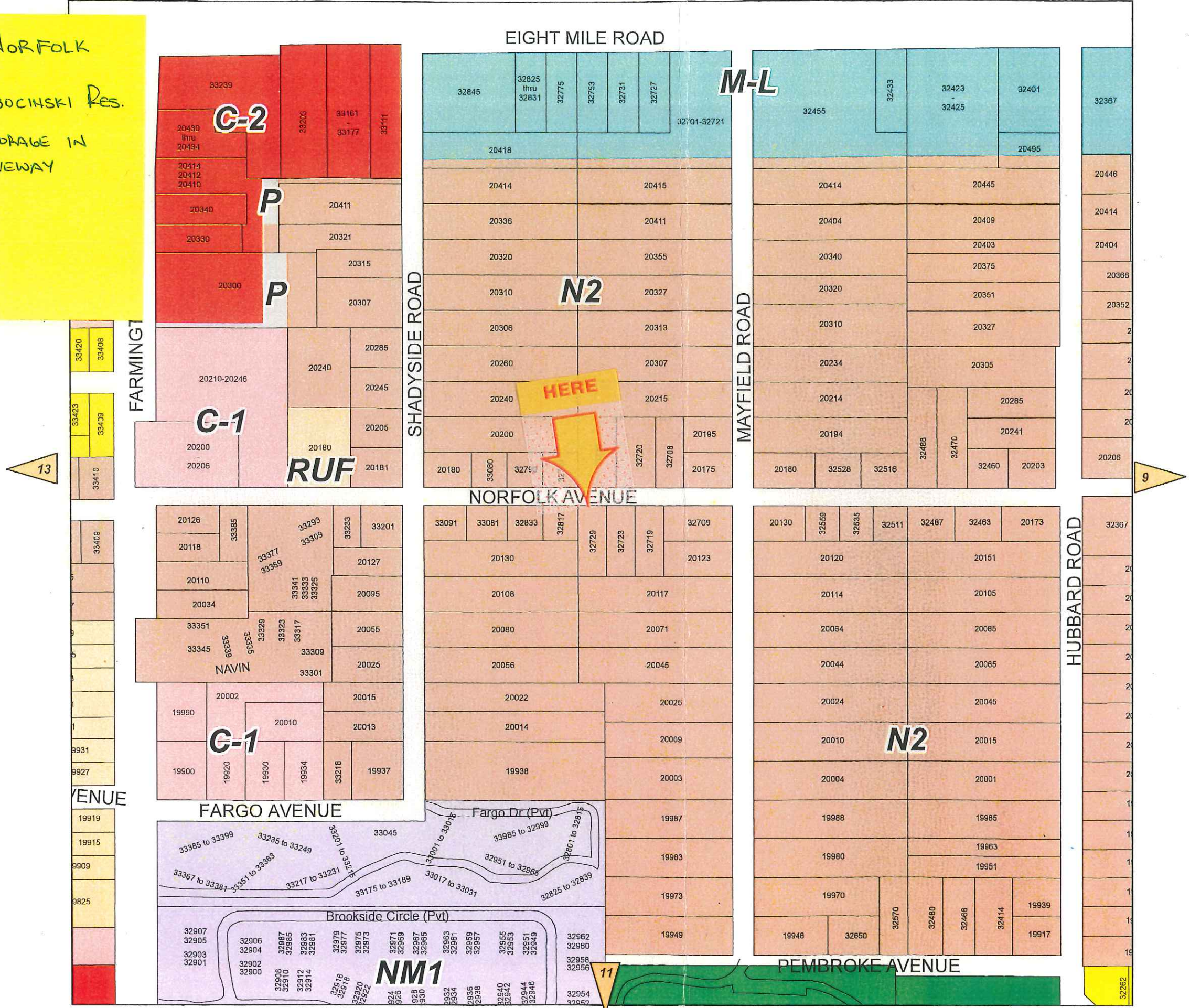
Power Retractable Awning

Yes

Screened Room

No

32729 NORFOLK
OWNER: SOBOCINSKI RES.
REF: RV STORAGE IN
THE DRIVEWAY



ZONING MAP

LEGEND

Zoning Districts

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

N.W. 1/4 Section 3

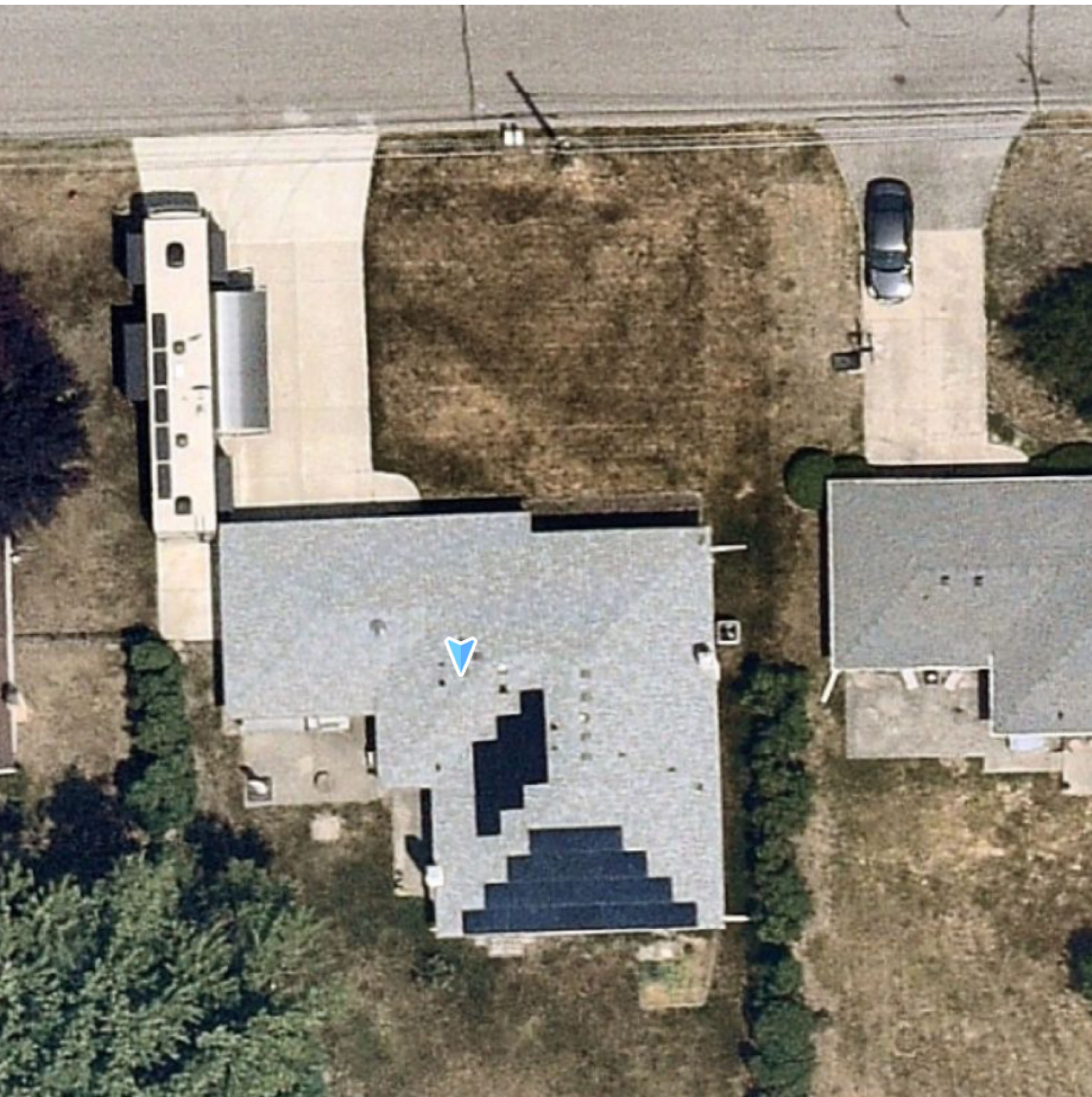
City of Livonia

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

Copyright 2001, City of Livonia



300 150 0 300 Feet



RE: Sobocinski Application for Variance

Stierna, Matthew <mstierna@livonia.gov>

Thu 3/7/2024 10:46 AM

To: Larry Opalewski <lopalewski@daltontomich.com>

Cc: Fisher, Mike <mfisher@livonia.gov>; Neville, Leo <lneville@livonia.gov>; Kasprowicz, Sara <skasprowicz@livonia.gov>; Goff, Erika <egoff@livonia.gov>; Stroble, Robert <rstroble@livonia.gov>; Hanna, Jerome <JHanna@livonia.gov>

Thank you.

I appreciate your assistance in this matter.

Respectfully,

Matthew Stierna

Building Inspector

City of Livonia | Inspection Department

(734) 466-2593

mstierna@livonia.gov

From: Larry Opalewski <lopalewski@daltontomich.com>

Sent: Thursday, March 7, 2024 10:40 AM

To: Stierna, Matthew <mstierna@livonia.gov>

Cc: Fisher, Mike <mfisher@livonia.gov>; Neville, Leo <lneville@livonia.gov>; Kasprowicz, Sara <skasprowicz@livonia.gov>; Goff, Erika <egoff@livonia.gov>; Stroble, Robert <rstroble@livonia.gov>; Hanna, Jerome <JHanna@livonia.gov>

Subject: Re: Sobocinski Application for Variance

Good morning.

I will consult with my clients and get these items over to you as soon as I receive them. Thank you.

Lawrence Opalewski | Dalton & Tomich, PLC

719 Griswold Street, Suite 270

Detroit, Michigan 48226

T: 313.859.6000 Ext. 4

F: 313.859.8888

E: lopalewski@daltontomich.com

www.daltontomich.com

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RE: Sobocinski Application for Variance

Stierna, Matthew <mstierna@livonia.gov>

Wed 3/6/2024 4:05 PM

To: Larry Opalewski <lopalewski@daltontomich.com>

Cc: Fisher, Mike <mfisher@livonia.gov>; Neville, Leo <lneville@livonia.gov>; Kasprowicz, Sara <skasprowicz@livonia.gov>; Goff, Erika <egoff@livonia.gov>; Stroble, Robert <rstroble@livonia.gov>; Hanna, Jerome <JHanna@livonia.gov>

Mr. Opalewski,

It is our interpretation that the Zoning Board has already discussed lesser timeframes in the previous case, and ultimately rejected them. However, if we decide to move forward with this case, to show some semblance of a new case with new information, we are going need the following documents :

1. Please provide us with the manufacturer's specifications for the fifth wheel recreational vehicle, together with the VIN and/or bill of sale.
2. Please provide us with a sealed site survey showing the Sobocinski property including all structures, thereon, setbacks, and adjoining fire hydrant that appears to the west of the driveway.
3. Please provide us with the original notarized copy of the Application for Variance.

They can be delivered directly to myself at the Inspections department in City Hall.

Respectfully,

Matthew Stierna

Building Inspector

City of Livonia | Inspection Department

(734) 466-2593

mstierna@livonia.gov

Re: Sobocinski Application for Variance

Larry Opalewski <lopalewski@daltontomich.com>

Wed 3/6/2024 2:45 PM

To: Stierna, Matthew <mstierna@livonia.gov>

Cc: Fisher, Mike <mfisher@livonia.gov>; Neville, Leo <lneville@livonia.gov>; Kasprowicz, Sara <skasprowicz@livonia.gov>; Goff, Erika <egoff@livonia.gov>; Stroble, Robert <rstroble@livonia.gov>; Hanna, Jerome <JHanna@livonia.gov>

Good afternoon.

My clients have not pursued an ordinance amendment because the minor variance they seek is due to circumstances unique to them and their property. We recognize there is a chance that the ZBA could refuse this request as well, but my clients certainly have the right to seek a lesser form of relief that what was previously sought, especially since the neighbor opposition will be greatly reduced due to the lesser nature of the request. Are you suggesting the ZBA will not hear the request?

Please let me know if you'd like to have a discussion via phone, as I don't want there to be any misunderstandings.

Lawrence Opalewski | Dalton & Tomich, PLC

719 Griswold Street, Suite 270

Detroit, Michigan 48226

T: 313.859.6000 Ext. 4

F: 313.859.8888

E: lopalewski@daltontomich.com

www.daltontomich.com

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RE: Sobocinski Application for Variance

Stierna, Matthew <mstierna@livonia.gov>

Wed 3/6/2024 2:31 PM

To:Larry Opalewski <lopalewski@daltontomich.com>

Cc:Fisher, Mike <mfisher@livonia.gov>;Neville, Leo <lneville@livonia.gov>;Kasprowicz, Sara <skasprowicz@livonia.gov>;Goff, Erika <egoff@livonia.gov>;Stroble, Robert <rstroble@livonia.gov>;Hanna, Jerome <JHanna@livonia.gov>

Good afternoon, Mr. Opalewski.

In reviewing the minutes of the case again, it seemed clear that, despite the discussion of providing a lesser form of relief from the ordinance, the board ultimately rejected that option and determined that only a petition to city council to have the ordinance changed would be appropriate. Those were the direct recommendations of the Zoning Board following their resolution. Had the board determined that a “lesser relief” could be considered, they would have offered to table the case so the Sobocinskis could consider their comments and be welcomed to return. This was not the case and Mr. Testa, in his comments, made it clear that tabling the case did not seem appropriate.

Therefore, we still don’t have a clear understanding how this request is substantially different from what was denied. Nor why the Sobocinskis have not followed the recommendations of the Board to pursue City Council with a petition to change the ordinance.

Respectfully,

Matthew Stierna

Building Inspector

City of Livonia | Inspection Department

(734) 466-2593

mstierna@livonia.gov

Re: Sobocinski Application for Variance

Larry Opalewski <lopalewski@daltontomich.com>

Tue 3/5/2024 4:02 PM

To: Stierna, Matthew <mstierna@livonia.gov>

Cc: Fisher, Mike <mfisher@livonia.gov>; Neville, Leo <lneville@livonia.gov>; Kasprowicz, Sara <skasprowicz@livonia.gov>; Goff, Erika <egoff@livonia.gov>; Stroble, Robert <rstroble@livonia.gov>; Hanna, Jerome <JHanna@livonia.gov>

Good afternoon, Mr. Stierna.

Thank you again for reaching out. It is our position that this is a different and lesser form of relief than was requested at the previous hearing. Both the public notice and the manner in which the minutes reflect the prior hearing indicate that the Sobocinskis were requesting blanket relief from the RV storage ordinance. In fact this is what triggered certain neighbors to submit correspondence opposing the request. As you will note, the current request is for a different form of relief.

The current variance request only requests a small deviation from the strict application of the ordinance. Specifically, the Sobocinskis only seek the ability to park the RV for a period not to exceed 6 days out of any 10-day period. Discussions with neighbors indicates that this different and lesser request will eliminate most and perhaps all neighbor opposition. The ZBA itself even recognized that this would be a different request. The minutes reflect that several members expressed hypothetical support for a lesser time frame, which is exactly what my clients now propose.

Of course, we recognize that the Sobocinskis could not submit an identical request. But this is certainly not the case. This is a lesser request and one several ZBA members and neighbors indicated they could support.

Please let me know if there's any other information we can provide. Thank you.

Lawrence Opalewski | Dalton & Tomich, PLC

719 Griswold Street, Suite 270

Detroit, Michigan 48226

T: 313.859.6000 Ext. 4

F: 313.859.8888

E: lopalewski@daltontomich.com

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From: "Stierna, Matthew" <mstierna@livonia.gov>

Date: Tuesday, March 5, 2024 at 3:47 PM

To: Larry Opalewski <lopalewski@daltontomich.com>

Cc: "Fisher, Mike" <mfisher@livonia.gov>, "Neville, Leo" <lneville@livonia.gov>, "Kasprowicz, Sara" <skasprowicz@livonia.gov>, "Goff, Erika" <egoff@livonia.gov>, "Stroble, Robert" <rstroble@livonia.gov>, "Hanna, Jerome" <JHanna@livonia.gov>

Subject: RE: Sobocinski Application for Variance

Good afternoon, Mr. Opalewski,

I did receive your voice mail this afternoon. However, I believe it best that we receive a written explanation of the difference between the original and current requests.

From the minutes of the meeting, it appeared clear that the request was for a modification of the allotted time the RV was permitted to be in the driveway, as stipulated by section 7.09 of the zoning ordinance. It also appeared clear that the members of the Zoning Board of Appeals did not believe it was in the best interest of the city and were not willing to provide any such deviations from that ordinance. We do not see how coming back with new arguments for, essentially, the same request constitutes a different request.

We will look forward to your response.

Respectfully,

Matthew Stierna

Building Inspector

City of Livonia | Inspection Department

(734) 466-2593

mstierna@livonia.gov

www.livonia.gov

From: Larry Opalewski <lopalewski@daltontomich.com>

Sent: Tuesday, March 5, 2024 10:41 AM

To: Stierna, Matthew <mstierna@livonia.gov>

Subject: Re: Sobocinski Application for Variance

Good Morning, Mr. Stierna. I'd be grateful for the opportunity to explain our position that this is a different request than the variance which was previously denied. I am in court for the next few hours, but do you have time to chat this afternoon? Or possibly Thursday?

On Mar 5, 2024, at 10:32 AM, Stierna, Matthew <mstierna@livonia.gov> wrote:

Good morning, Mr. Opalewski,

We are in receipt of an application, executed by your office, for a rehearing of previously resolved case involving Mr. and Mrs. Sobocinski's RV, requesting relief from the allotted 72-hour limit for temporary parking of recreational equipment in a residential driveway. Due to the unusual nature of this request, I have been reviewing this with our city attorney, who has raised the following questions:

Given that the Sobocinski's let the appeal period pass without filing a claim of appeal, on what basis do they propose to go back before the Board? And why would the Board reach a different decision when faced by the same question over again?

We understand the Sobocinski's disappointment with the ruling. However, we're also trying to determine if this is substantially a different request from their previous case.

Respectfully,

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2022-4a3b-86d9-
f05a096c6a3c.png>

Matthew Stierna
Building Inspector
City of Livonia | Inspection Department
(734) 466-2593
mstierna@livonia.gov
www.livonia.gov

<Livonia-Logo-250_2521acb0-d42c-429b-900f-b59ac98c1049.png>

<SocialLink_Facebook_32x32_15fe2196-de42-486f-ac8c-bd89c9da8fd7.png>

<SocialLink_Twitter_32x32_a844deab-cb87-48f2-9175-647012b70cfe.png>

<SocialLink_Youtube_32x32_9b8afb50-3b86-4678-b53d-7e423a9d8771.png>

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DALTON • TOMICH

719 Griswold St. • Suite 270 • Detroit, Michigan 48226
P: 313-859-6000 F: 313-859-8888 www.daltontomich.com

February 26, 2024

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

Re: Sobocinski Application for Variance

Dear Inspector:

Enclosed, please find an Application for Variance on behalf of Ray and Christine Sobocinski regarding property address 32729 Norfolk St., Livonia, MI 48152 as well as a check in the amount of \$450 to satisfy the filing fee. Please handle in your usual manner.

Thank you for your attention. If you should have any questions regarding the attached applications, please do not hesitate to contact me at 313-859-6000 or by email at lopalewski@daltontomich.com.

Very truly yours,

DALTON & TOMICH, PLC

/s/ Lawrence Opalewski

LJO/cph
Encl.

Montana High Country

LUXURY FIFTH WHEELS

UPGRADE YOUR ADVENTURE



WARRANTY FOR
FULL TIME RVING*

*SEE HIGHLIGHTS KEYS ONE BY COMPANY OWNERS MANUAL FOR LIMITED WARRANTY DETAILS



Keystone RV
Company

The ultimate ownership experience.

The goal of Keystone RV Company is to surprise and delight our owners at each and every touchpoint. We're happy when our campers are happy, and we are committed to providing the very best ownership experience in the industry.



**Keystone RV
Company**

1 EASIER SHOPPING.

At Keystone, we make choosing an RV as easy as finding the Big Dipper on a dark summer night. With comprehensive online product information, Key Connect™ product advisors, and an unparalleled dealer network, we will help you select the perfect RV for your family's adventure.

2 INNOVATIVE THINKING.

The road's a nicer place when you have the industry's smartest features behind you. Keystone leads the pack in patented innovations that make our RVs safer, more comfortable, and easier to operate.

3 LONG HAUL QUALITY.

To keep you on the road, there are certain things we just won't build a Keystone RV without. Game-changing features like our Unified Wiring Standard, Inu-Fit™ five-point slide construction, and no-fail ToF-Lok™ A/C duct joiners combined with exhaustive testing and inspections are some of the reasons why Keystone is able to offer our owners the industry's best 3-year limited structural warranty.

4 WORRY-FREE CUSTOMER SERVICE.

Wherever the road takes you, you're never too far from an authorized Keystone service center. We also offer live service assistance, ultra-fast parts shipping, online maintenance tips and tricks, and a single-point warranty claims policy. *That's* peace of mind.

5 KEYSTONE NATION.

When you choose Keystone, you become a part of one of the largest camping families in the country. We're Keystone Nation. A friendly community where people share photos, travel tips and amazing stories – all in the spirit of camaraderie and adventure. Come join us.

Experience the Montana lifestyle by visiting [#keystonemontanahighcountry](https://www.instagram.com/keystonemontanahighcountry)



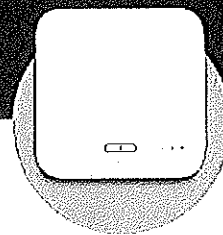
Keystone EXCLUSIVE Innovations

Year after year, Keystone RV's experienced team delivers Built For the Long Haul quality you expect and exclusive innovations you won't find anywhere else.



3-year Limited Structural Warranty, 1-year Limited Base Warranty

Every new Keystone RV comes with the industry's best three-year limited structural warranty AND a one-year limited base warranty. Ask your dealer, visit keystonerv.com, or call Keystone owner relations for details.



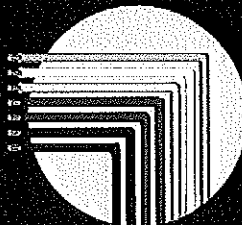
4G LTE and Wi-Fi Prep

All units are equipped with a new Furrion® antenna that integrates 4G LTE and Wi-Fi with standard VHF/UHF/AM/FM reception.



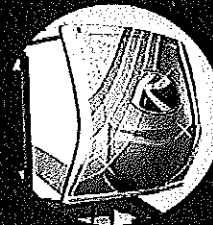
KeyTV®

No more connection guesswork or poor reception. KeyTV offers a game-changing, single point of control of over-the-air, cable, and satellite feeds. Visit us online for more information.



Color-Coded Wiring

Easy-to-trace circuits simplify electrical and entertainment system troubleshooting.

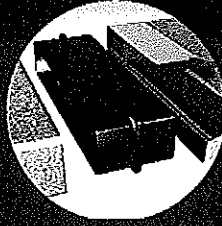


Automotive-Grade Painted Fiberglass Cap

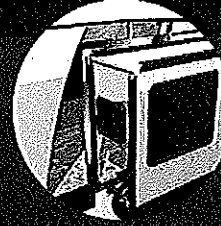
Six layers of stunning and resilient automotive-grade paint with Key-Shield™ paint technology.



Ducting allows for more air flow that distributes heat evenly for optimal comfort.



Crush resistant design securely joins ductwork and A/C units, and drastically reduces chilled-air leaks to boost cooling efficiency and comfort.



A more durable slide room design that minimizes functional motor and structural stress, and resists leaking.

MONTANA HIGH COUNTRY



MONTANA HIGH COUNTRY | LUXURY FIFTH WHEELS

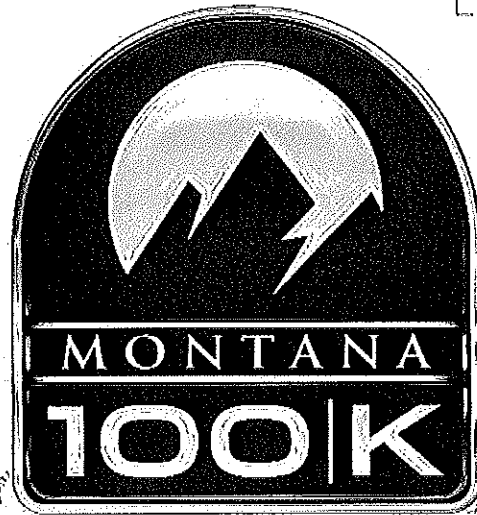
Montana High Country takes adventure to new limits

Built on the legacy of the Montana brand, Keystone's Montana High Country fifth wheels deliver the quality construction and premium appointments you expect from Montana in a more agile, family-focused lineup. Most High Country floorplans are $\frac{3}{4}$ -ton towable and each is designed with the practical luxury that active RVers are looking for—features like chef-friendly kitchens with residential appliances, king size beds, double-vanity bathrooms, and ceiling fans. Get ready to upgrade your adventure with Montana High Country.

For more information, please visit keystonerv.com/montana-high-country

WARRANTY FOR
FULL TIME RV'ING*

*REFERENCE SYSTEM RV COMPANY OWNERS MAY HAVE LIMITED WARRANTY BENEFITS



OVER 100K MONTANA FIFTH WHEELS
ON THE ROAD TODAY



ONE OF THE MOST AWARDED BRANDS IN THE INDUSTRY

#1 SELLING LUXURY FIFTH WHEEL BRAND 18 YEARS IN A ROW.



more product detail at
www.keystonerv.com/montana-high-country

- More than 100,000 Montana fifth wheels on the road today
- Dual 15k air conditioner system, w/ heat pump on main A/C
- QuietCool® ducting system on living room air conditioner
- Seamless fiberglass shower with seat
- 4-point or 6-point auto-leveling system
- Backup taillights provide additional safety and security
- Drop-frame construction provides oversized exterior storage
- Easy-to-clean upgraded roller shades w/ quiet operation
- Power reclining theater seating with USB port
- F-range tires with 6-year warranty and Tredit Advantage Roadside Assistance Program
- Motion-activated lights at interior step & switch panel
- Wardrobe closet prepped for a stackable washer & dryer
- Residential bathroom vanity with seamless countertop, under-mounted sink, single lever faucet and storage drawers
- Extra large 30" wide x 78" tall exterior main entry door
- Kitchen power vent with wall controls and rain sensor

Drop-Frame Construction

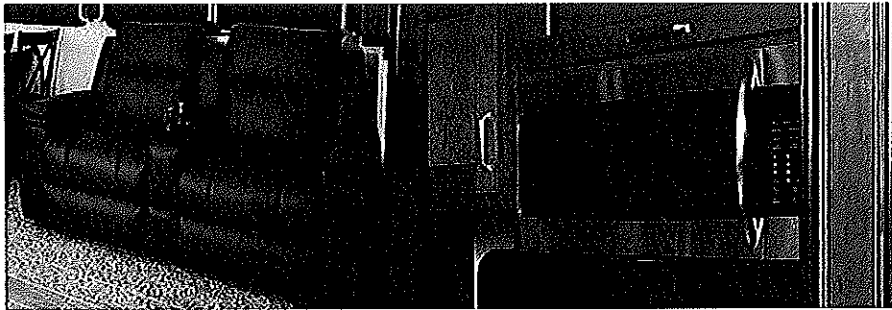
Huge Pass Through Storage

Unique frame design allows for expanded, unobstructed pass through storage and oversized baggage doors.



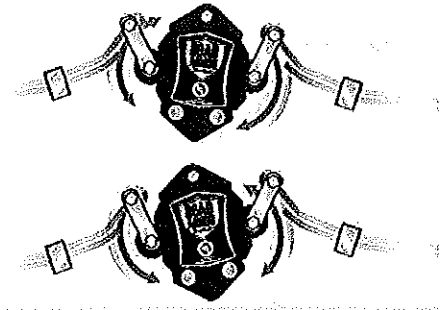
Montana High Country

KEY FEATURES

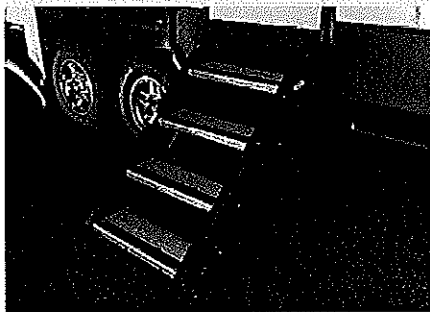


Power Reclining Theater Seating w/ USB Ports
Ultra-stylish reclining furniture with cup holders and USB charging station.

30" Stainless Steel Microwave
Full-sized microwave makes it easy to transition from home cooking to campsite cooking.



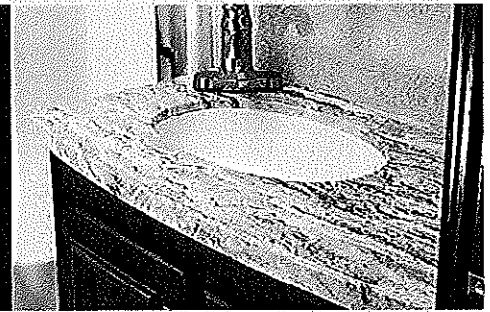
Road Armor™ Suspension w/ 360° Vibration Control
Equalizes axle load to dampen shock and vibration. (TrailAir on 380/381TH models.)



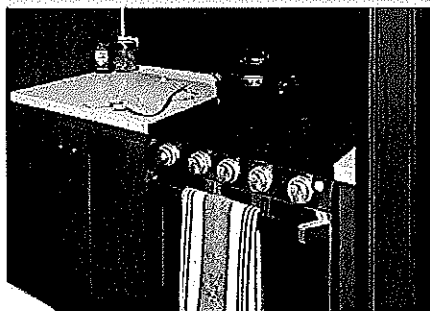
MORRyde® StepAbove™
Ultra-safe and secure main entry with strut assist.



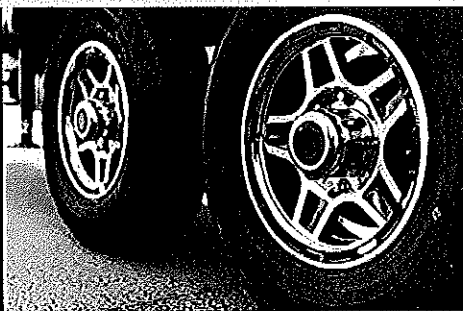
Seamless 48" x 30" Fiberglass Shower
Life-sized, durable and easy-to-clean.



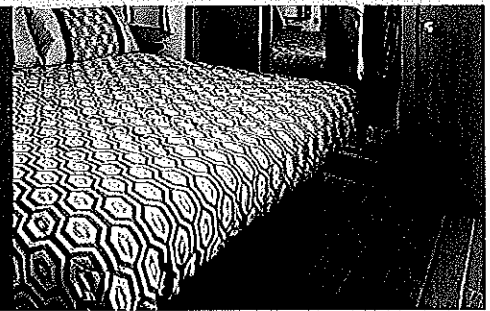
Residential Bathroom Vanity
Seamless countertops, undermount sinks and double vanities in many floorplans.



21" Furrion® Stainless Steel 2-in-1 Range Oven
Chef-inspired appliances with the perfect blend of performance, precision and style.



Performance-enhancing Aluminum Rims
8 lug, aluminum rims rated at 110 PSI and approved for G-range tires.



Easy Sweep Resilient Flooring
Keep your RV tidy with durable vinyl flooring in the bedroom.



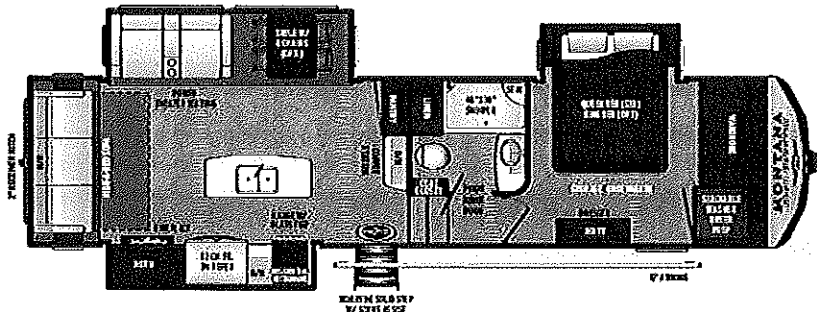
Entertainment Center with Furrion® Components
A single remote controls a HDTV, stereo with CD/AM/FM with Bluetooth, DVD and a 34" fireplace.



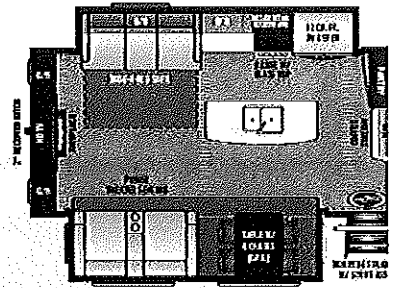
Furrion Bedroom Television
720p high-definition, ultra-slim LED television with Vibrationsmart™ and Climatesmart™ technologies



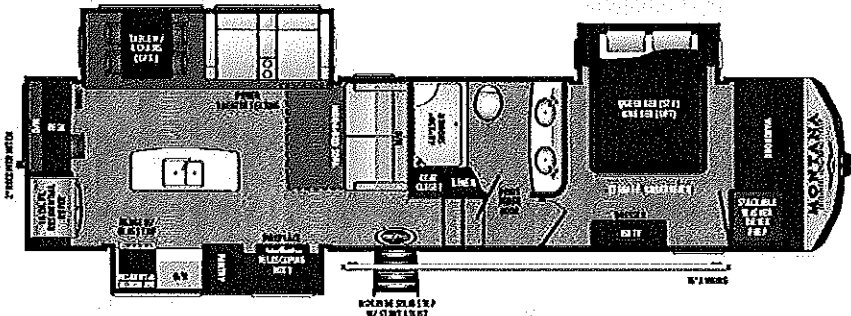
Zero-degree Tested and Rated
Camp to 0°F without water lines or tanks freezing.



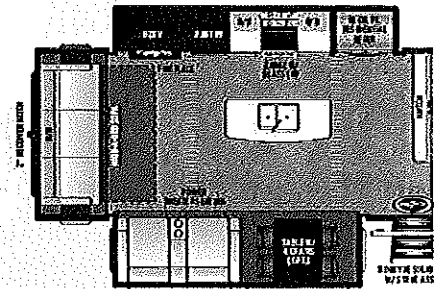
305RL
Rear living room, three slides
Weight: 10662 LBS. | Length: 34'3"



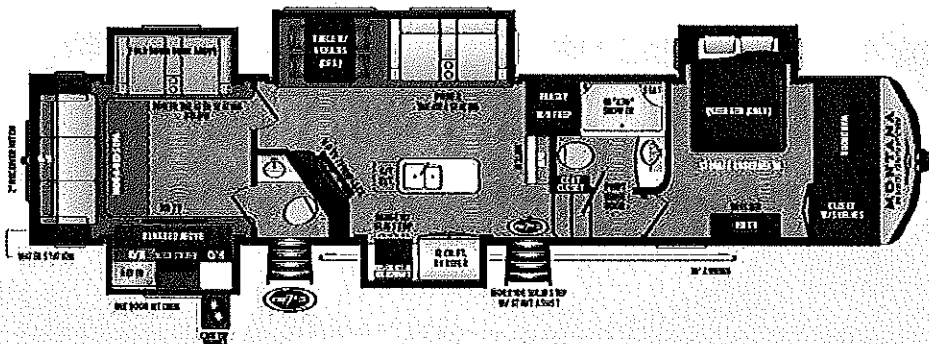
310RE
Rear living room, three slides
Weight: 10662 LBS. | Length: 34'3"



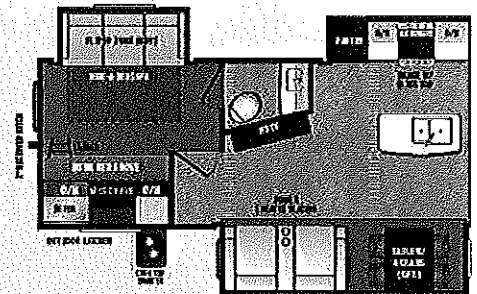
320/321MK
Middle kitchen w/ rear desk, three slides
Weight: 11085 LBS. | Length: 36'1"



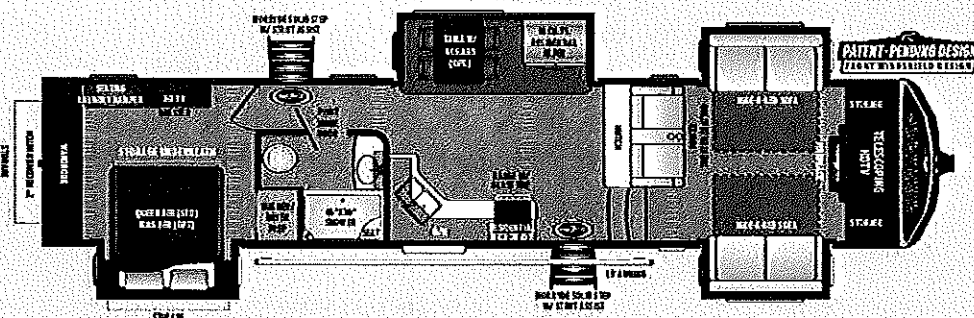
330/331RL
Rear living room, three slides
Weight: 10662 LBS. | Length: 34'3"



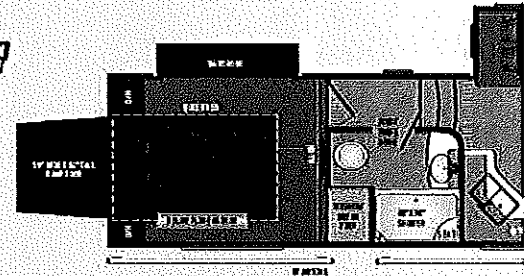
362RD
Rear deck or rear bunkhouse, three slides
Weight: 12982 LBS. | Length: 40'1"



364/365BH
Bunkhouse, three slides
Weight: 10662 LBS. | Length: 34'3"



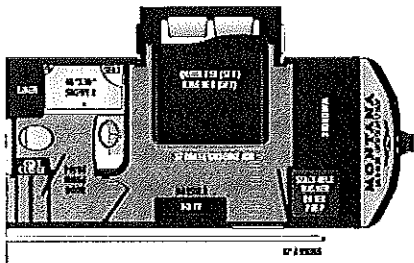
374/375FL
Front living room, three slides
Weight: 12318 LBS. | Length: 41'6"



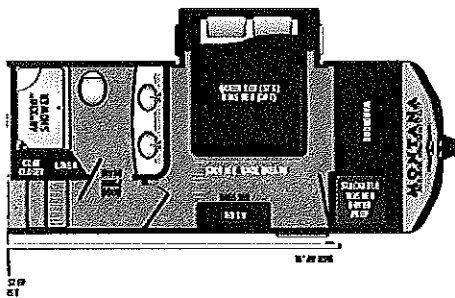
380/381TH
Front living room, three slides
Weight: 12318 LBS. | Length: 41'6"

Montana High Country

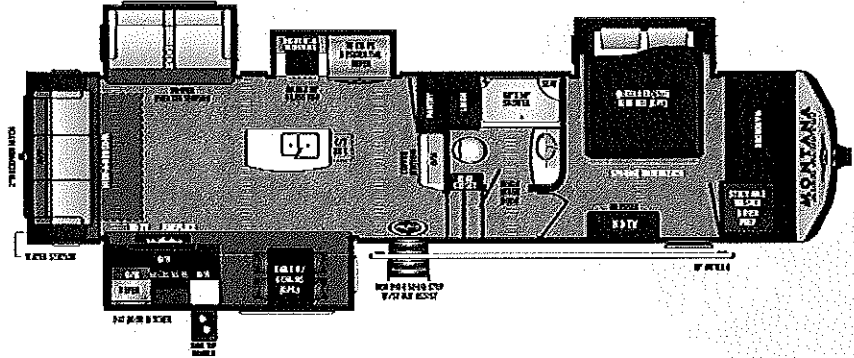
FLOOR PLANS



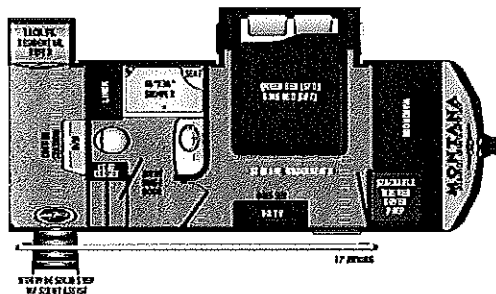
Entertainment, three slides
 10'11" LBS. | Length: 34'0"



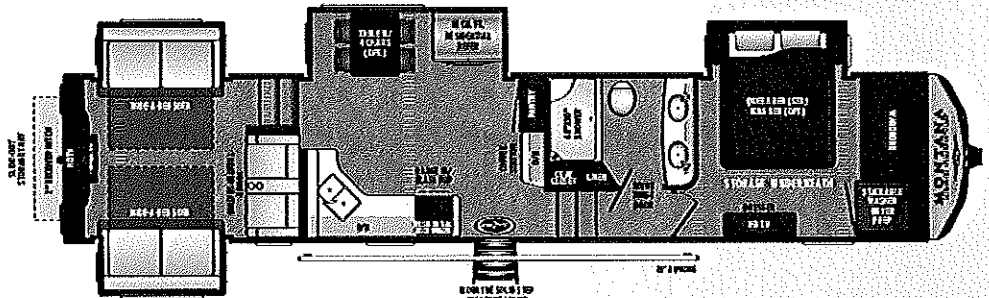
Living room, bathroom with double vanity
 11'243 LBS. | Length: 37'4"



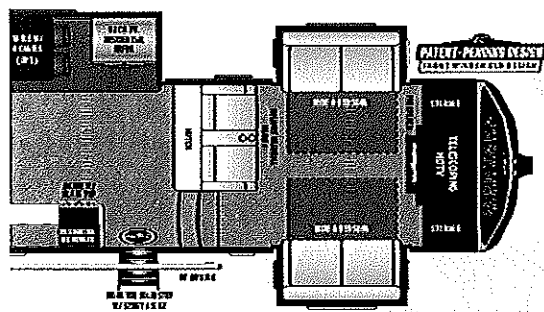
344/345RL | Rear living room w/ outside kitchen
 11'243 LBS. | Length: 37'4"



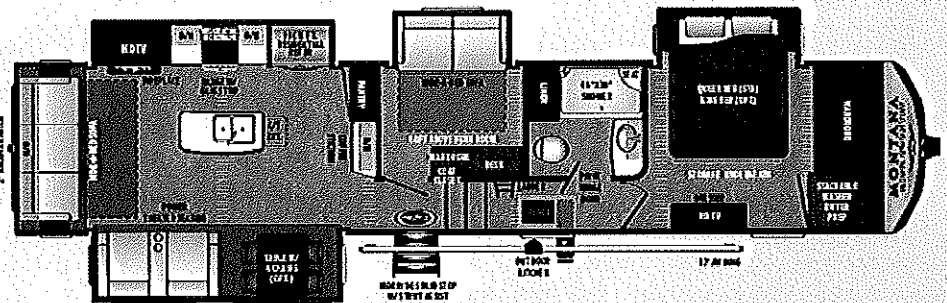
Living room w/ full bath, half bath, outside kitchen
 12'635 LBS. | Length: 40'11"



372/373RD | Elevated rear den w/ pull-out rear storage
 12'635 LBS. | Length: 40'11"



Living room w/ rear garage and ramp door
 13'345 LBS. | Length: 41'6"



384/385BR | Bonus room w/ loft and outside kitchen
 13'345 LBS. | Length: 41'6"

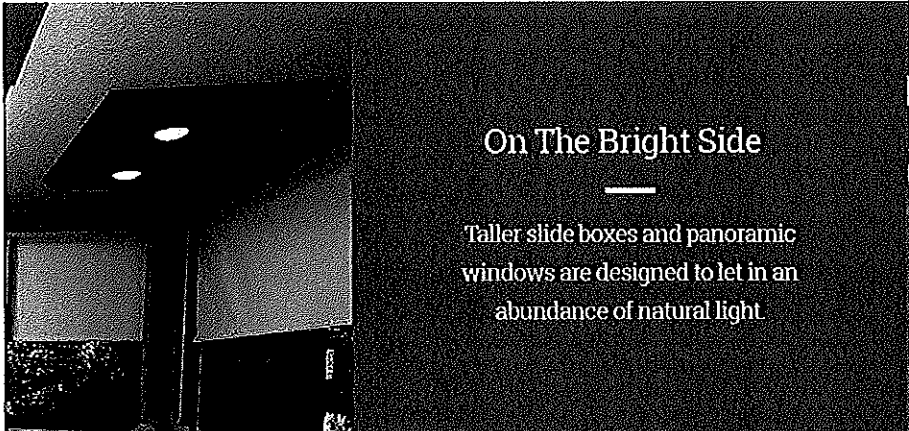


more product detail at
www.keystonerv.com/montana-high-country



Substance and Style

Montana High Country's spacious interiors, thoughtful built-in workspace, and abundant counter and storage space make these coaches an easy choice for families, couples who work on the road, and extended-stay campers. While these functional aspects are appealing, it's the interior design that will captivate you. Developed to appeal to design enthusiasts, the aesthetic is modern and fresh with elevated textural details—two-toned kitchen cabinetry, including a dark shiplap island offset with bright white countertops, glass front cabinets, white subway tile backsplash, and a white shiplap headboard are just some of the unexpected and delightful touches that inspire you to come home to Montana High Country.



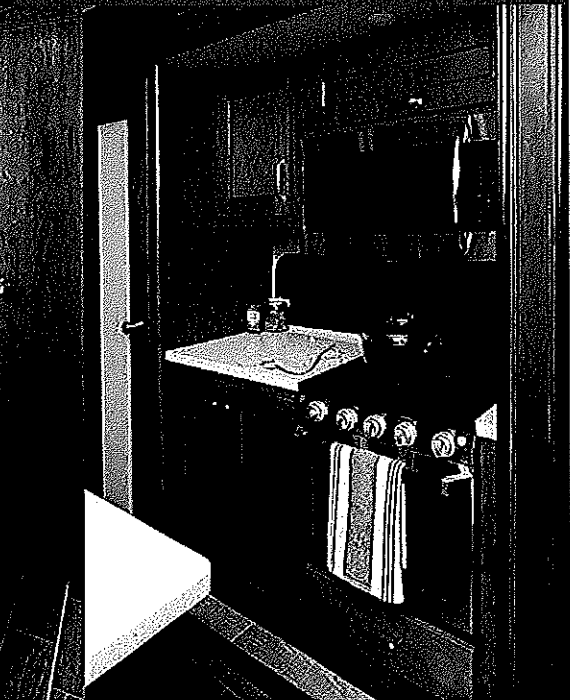
On The Bright Side

Taller slide boxes and panoramic windows are designed to let in an abundance of natural light.



Fit For A King

All of the comforts of home with walk-around beds and spacious wardrobes.





more product detail at
www.keystonerv.com/montana-high-country

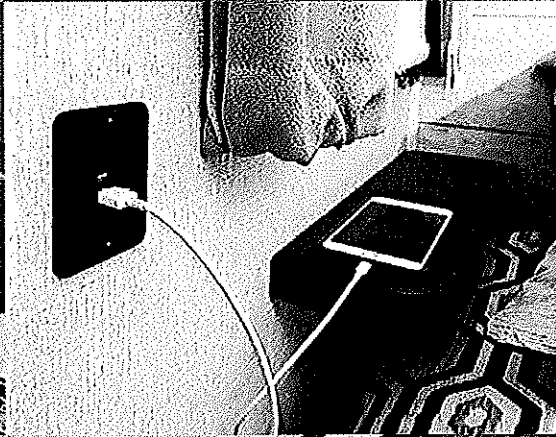
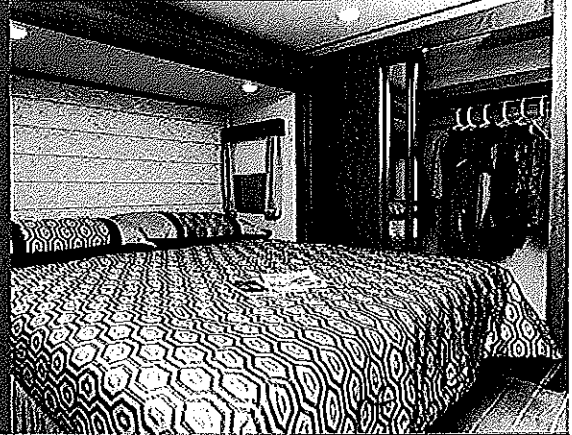


#1 SELLING LUXURY FIFTH WHEEL BRAND 18 YEARS IN A ROW.



Small Conveniences

Charge your phone while you sleep
with USB ports located next to
nightstands in the bedroom



Unexpected Touches

From built-in wine racks to
cozy fireplaces, Montana High
Country is loaded with details
designed to delight.



MODEL	WEIGHT	CARRYING CAPACITY	HITCH WEIGHT	FRESH WATER	WASTE WATER	GRAY WATER	LPG	LENGTH*	HEIGHT
30SRL	10662	3638	2395	66	49	98	60	34' 3"	13' 4"
310RE	10717	3483	2280	66	49	88	60	34'	13' 4"
320/321HX	11085	3075	2160	66	49	98	60	36' 1"	13' 4"
330/331RL	11243	3017	2265	66	49	98	60	37' 4"	13' 4"
344/345RL	11501	2699	2235	66	49	98	60	36' 4"	13' 4"
362RD	12982	3018	2885	66	88	98	60	40' 1"	13' 4"
364/ 365BH	12635	3365	2730	66	88	98	60	40' 11"	13' 4"
372/373RD	12800	3200	2530	66	49	88	60	41' 4"	13' 4"
374/375FL	12318	3182	2535	66	39	78	60	41' 6"	13' 4"
380/381HL	13345	3655	3265	66	39	78	60	41' 6"	13' 4"
384/385BR	12860	3640	2660	66	49	88	60	40' 6"	13' 4"

LIVING AREA FEATURES

- Brushed nickel cabinet hardware
- Solid hardwood slide-out fascia
- 6' 6" tall main slide-outs
- Ceiling crown molding
- Shaw carpet with R2X protection
- Beaufort flooring with 7-year cold cracking warranty
- Flush mounted LED interior lights
- Roller Shades
- Tri-fold hide-a-bed sofa
- Theater seating with power recliners and USB port
- LED motion sensor light at steps and switch panel

KITCHEN FEATURES

- Island countertop accent lighting
- 12 cu. ft. 4 door RV refrigerator (mandatory) select models
- French door residential refrigerator w/ ice maker and 1000 watt inverter (Mandatory) select models
- Full extension drawer guides
- Pull out kitchen trash can (select models)
- Subway tile backsplash
- Solid surface kitchen countertop
- Solid surface flush mount sink covers
- Sink cover storage below kitchen sink
- Deep 60/40 stainless steel sink
- High-rise faucet with integrated pull-out sprayer
- 30" over-the-range microwave
- Furrion® 21" 2 in 1 stainless steel cooktop and oven with triple glass door
- Glass bifold range cover
- Booth dinette with easy-lift seats
- Motion sensor LED light in pantry (select models)
- Power vent fan with rain sensor & wall controls

HOME ENTERTAINMENT

- Climatesmart™ & Vibrationsmart™ Furrion Studio Collection with Single Remote Control
- DV3300 AM/FM/CD/DVD Player with App Control & Bluetooth
- Studio Speakers
- Marine grade exterior speakers
- KeyTV™ satellite prep
- Exclusive Furrion Omnidirectional Rooftop Antenna with 4G LTE / Wi-Fi Prep
- HD LED TV with Climatesmart™ & Vibrationsmart™, living room
- HD LED TV with Climatesmart™ & Vibrationsmart™, master bedroom

BEDROOM FEATURES

- *Easy Sweep™ master bedrooms (n/a 380/381HL)
- *Easy Sweep™ vinyl flooring ipo carpet
- 60" x 80" Queen Bed
- Shiplap design head board
- Reading lights over bed
- Massive storage under bed
- Wood TV cabinet
- High density foam mattress
- Bedside USB charging station
- Bedside nightstands
- Prepped for combo or stackable washer/dryer with separate 20AMP circuits for each appliance
- Magnetic bedroom door holder
- Motion sensor LED light in bedroom closet
- Four (4) drawer large size dresser

BATHROOM FEATURES

- Skylight over shower
- 12-gallon DSI gas/electric water heater with 16.2 GPH fast recovery
- Undermount sink
- Seamless countertop
- Three (3) drawers (1) door vanity
- Brushed nickel shower head and faucet
- Seamless 48" x 30" fiberglass shower w/ seat

DISCLAIMER: Product information is as accurate as possible as of the date of publication of this brochure. All features, floor plans, and specifications in this brochure are subject to change without notice. Please also consult Keystone's web site at www.keystonerv.com for more current product information and specifications. Tow Vehicle Disclaimer. CAUTION: Owners of Keystone recreational vehicles are solely responsible for the selection and proper use of tow vehicles. All customers should consult with a motor vehicle manufacturer or their dealer concerning the purchase and use of suitable tow vehicles for Keystone products. Keystone disclaims any liability or damages suffered as a result of the selection, operation, use or misuse of a tow vehicle. KEYSTONE'S LIMITED WARRANTY DOES NOT COVER DAMAGE TO THE RECREATIONAL VEHICLE OR THE TOW VEHICLE AS A RESULT OF THE SELECTION, OPERATION, USE OR MISUSE OF THE TOW VEHICLE. *Length is defined as the distance from the centerline of hitch pin/coupler to rear bumper of trailer. Please review owner's manual prior to purchase for more information on service warranties, extended use, towing and maintenance. Owner's manuals can be found at keystonerv.com.

BATHROOM FEATURES (cont.)

Porcelain foot-flush toilet	◆
50 AMP service	◆
60 AMP converter with charge wizard technology	◆

CONSTRUCTION FEATURES

Unified wiring standard: each wire color-coded and numbered	●
Roof rafters	●
Welded aluminum framed walls and floors	●
Laminated sidewalls with dual layered kuan and metal backing strips to anchor interior cabinets	●
Seamless 5/8" thick floor decking	●
Powder coated 10" steel I-beam frame (305, 310, 320, 321, 344, 345, 330, 331)	●
Powder coated 12" steel I-beam frame (362, 364, 365, 372, 373, 374, 375, 380, 381, 384, 385)	●
Seamless ro-to-cast holding tanks	●
Double insulated rear wall	●

FOUR SEASONS FEATURES

35,000 BTU furnace	■
3"x14" in-floor straight line heat duct system	■
15,000 BTU ducted air conditioner, bedroom	■
15,000 BTU Whisper Quiet main air conditioner system, living room	■
16,500 BTU heat pump on main air conditioner	■
Tested and approved for 0 degree usage	■
Two attic vents for cross ventilation	■
R-38 equivalent insulated roof	■
R-21 equivalent insulated floor	■
R-15 equivalent insulated slide out floors	■
R-11 equivalent insulated sidewalls	■
Insulated and heated holding tanks and dump valves	■
Enclosed and heated low point drains	■
12V electric tank heaters, all tanks	■
Ceiling fan (n/a 372rd, 373rd)	■
34" Led fireplace that can heat 500 sq. ft. (5100 BTU)	■

TOWING FEATURES

MaxTurn™ front cap and radius frame with Hitch Vision™	●
Hitch Vision™ Mirror	●
Road Armor™ suspension (380/381TH: Trail Air suspension)	●
Road Armor™ King Pin	●
Backup camera prep	●
F-range tires with 5-year manufacturer warranty	●
16" 8-lug aluminum wheels (110 PSI)	●
6000 lb. Dexter® E-Z Lube® axles with self-adjusting brakes (305, 310, 320, 321, 344, 345, 330, 331)	●
7000 lb. Dexter® E-Z Lube® axles with self-adjusting brakes (362, 364, 365, 372, 373, 374, 375, 380, 381, 384, 385)	●
Backup lights	●
Under-mount spare tire and carrier	●

EXTERIOR FEATURES

Automotive paint with two layers of clear coat on front cap	●
High-gloss gel coated sidewalls and rear wall	●
Tinted safety glass windows	●
Fold-away entry handle	●
Rear roof ladder	●
Slam latch pass-through storage compartment doors	●
Extra large (30" wide by 78" tall) entry door with friction hinge	◆
Enormous drop frame pass through storage compartment	◆
MOBYde® Step Above™ entry steps with strut assist	◆
Motion sensor LED lights in pass-through storage compartment	◆
Motion sensor LED lights in toy hauler garage	◆
LP quick connect for accessories	●

EASY SET UP FEATURES

Dometic® 12V electric patio awning with LED lights and power channel	●
Heated central exterior water and convenience center	●
• Outside shower with quick connect hose	
• Black tank flush	
• Easy winterization kit	
• Water heater bypass	
• Power tank fill	
• Enclosed low point drains	
• Battery disconnect	
• Cable/satellite hook-ups	
• 12V light	
• Furrion® solar charging prep	

OPTIONS

Interior Options	
• King bed (n/a 362, 380, 381)	
• Power vent fan with rain sensor in bathroom	
• Power vent fan with rain sensor in rear bathroom (362, 364, 365)	
• Free standing dinette with 4 chairs	
Exterior Options	
• 4 Point electric automatic leveling system, mandatory (305, 310, 320, 321, 344, 345, 330, 331)	
• 6 Point electric automatic leveling system, mandatory (362, 364, 365, 372, 373, 374, 375, 380, 381, 384, 385)	
• Dual pane frameless windows	
• Slide-out awnings package	
• Generator ready (Onan® 5.5 KW specifications)	
• Onan® Marquis Gold 5.5 KW LP generator	
• 2" Receiver Hitch, mandatory (n/a 380/381TH)	

● STANDARD FEATURE

◆ RESIDENTIAL LIVING PACKAGE

■ FOUR SEASON LIVING PACKAGE

BUILT FOR THE LONG HAUL



PRINT 1.2013



ZONING BOARD OF APPEALS



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

January 10, 2024

Christine and Raymond Sobocinski
32729 Norfolk Street
Livonia, MI 48152

Dear Mr. and Mrs. Sobocinski,

The Zoning Board of Appeals of the City of Livonia, at a Regular meeting held January 9, 2024, adopted the following Resolution:

RESOLVED: APPEAL CASE NO. 2024-01-02, Christine and Raymond Sobocinski, 32729 Norfolk Street: Seeking to store a recreational vehicle within the front yard setback (in the driveway) which is not allowed. Recreational vehicles may be stored within an accessory building or the rear yard.

This Low-Density Residential property is located on the south side of Norfolk Street (32729), between Shadyside and Mayfield Streets, Lot. No. 010-01-0060-004, N-2 District, Neighborhood, rejected by the Inspection Department under Livonia Zoning Ordinance, Section 7.09 (3), **be denied** for the following reasons and findings of fact:

1. The petitioner has not demonstrated to the Board that a practical difficulty exists,
2. Concerns from neighbors regarding the request, and
3. Denial of the petition is in the best interest of the City of Livonia.

ZONING BOARD OF APPEALS,

A handwritten signature in black ink, appearing to read "TK", with a long horizontal stroke extending to the right.

Timothy Klisz, Secretary

Meeting Date: January 9, 2024

2. APPEAL CASE NO. 2024-01-02, Christine and Raymond Sobocinski, 32729 Norfolk Street: seeking to store a recreational vehicle within the front yard setback (in the driveway) which is not allowed. Recreational vehicles may be stored within an accessory building or the rear yard.

Motion To:		Comments:
Support		
Deny	X	
Table		
Other		

Motion	Support	ZBA Board Member	Yes	No	Tabled	Absent
		Greg Coppola - Chairman				X
	<i>AK</i>	Jim Baringhaus - Vice Chairman	X			
		Timothy Klisz - Secretary	X			
X		Christopher Boloven	X			
	<i>X</i>	Michael Testa	X			
		Marc Rotondo	X			
		Lynda Scheel		X		

CONDITIONS

- 1.
- 2.
- 3.
- 4.

ZBA Secretary: Timothy Klisz

TIC

5-1

Pass Detail

APPEAL CASE NO. 2024-01-02, Christine and Raymond Sobocinski, 32729 Norfolk Street: Seeking to store a recreational vehicle within the front yard setback (in the driveway) which is not allowed. Recreational vehicles may be stored within an accessory building or the rear yard.

This Low-Density Residential property is located on the south side of Norfolk Street (32729), between Shadyside and Mayfield Streets, Lot. No. 010-01-0060-004, N-2 District, Neighborhood, rejected by the Inspection Department under Livonia Zoning Ordinance, Section 7.09 (3).

BARINGHAUS Thank you. Is there any questions for the law department? Any questions from the Building Inspection department? Will the Petitioner please approach the podium?

BARINGHAUS Good evening.

CHRISTINE SOBOCINSKI Good evening.

BARINGHAUS Would you state your name and address please?

CHRISTINE SOBOCINSKI Christine Sobocinski, 32729 Norfolk

RAYMOND SOBOCINSKI Ray Sobocinski, 32729 Norfolk.

BARINGHAUS Thank you very much. Could you summarize your request for a variance for us?

CHRISTINE SOBOCINSKI Yes. First I'd like to address the wording of our petition. The petition states that we're seeking to store our recreational vehicle in the front yard of our driveway. But that's not the case. We're requesting a variance to seek relief from Zoning Ordinance 7093. That limits parking a recreational vehicle in our driveway in front of house to 72 hours within a five day period. Our situation is unique in that many of our neighbors are able to park their RVs in their backyards. The narrowness between our house and our neighbor's fence makes it physically impossible to park our camper in the backyard. The granting of the variance would not have any effect on any of the adjoining properties. The literal- literal interpretation of strict application of the ordinance causes substantial undue and unnecessary hardship to us. Physical limitations prevent us from being able to completely unpack the RV, including the refrigerator, to take it to storage for a day, then repack it for the next trip within 72 hours. We have not had any of our campers in our driveway for more than two weeks at any time, except in the fall of 2022, when my husband developed a severe leg infection just after we arrived home from a trip and he could not drive the RV. We did move it to storage as soon as he was well enough to do so. The requested variance would be consistent with the spirit and purpose of this ordinance. It is not and never has been our intention to store the RV in our driveway. We have a space in a storage facility that we pay \$1,320 per year to store our camper. We have invested a lot of time and money to modify our camper and home to enable us to travel like we do. Without the variance we would have to give up traveling as we do or sell our home and move out of Livonia. Thank you.

BARINGHAUS How long have you owned the camper?

CHRISTINE SOBOCINSKI Our first camper was purchased in 2003. 2004.ri

BARINGHAUS So you've owned several of these vehicles?

RAYMOND SOBOCINSKI Yes.

CHRISTINE SOBOCINSKI Yes. I started with a pop up and then a pull-behind trailer, and then we have this vehicle.

BARINGHAUS Okay. How many- you take it on a number of trips with the vehicle, you documented it in your application. When you come, returning from those trips, how many days typically does it stay in your driveway? While you're unloading and loading, getting ready for the next trip?

RAYMOND SOBOCINSKI That's a very simple question with a very difficult answer. Because when we travel, sometimes we're going, we're coming home for just a day or two, sometimes five days and then we're off to some other location. So there's, there's no for us to completely unpack the camper and prepare it for storage. It would probably take about five days because there's- a camper this size to take there's, there's a lot of things that need to be done before you can put it in storage.

BARINGHAUS Does it go in and out of storage during the season that you use it?

RAYMOND SOBOCINSKI Yes.

BARINGHAUS Where is-

CHRISTINE SOBOCINSKI Most years it does; this past season it did not because we were never home very long.

BARINGHAUS Okay.

CHRISTINE SOBOCINSKI At any given time- and then when we were home for any given time, most of the time that said [unintelligible] our being here.

BARINGHAUS Where do you store your RV?

RAYMOND SOBOCINSKI I'd rather not put that on the public record if that's okay.

BARINGHAUS You had it documented on your application.

RAYMOND SOBOCINSKI Correct. Can we just go into the application and not put it on public record?

BARINGHAUS Why?

RAYMOND SOBOCINSKI I just, I don't like people, people having information on us.

BARINGHAUS Okay. You've been leaving your camper in your drive it sounds like fairly extensively, when you, between trips?

RAYMOND SOBOCINSKI No, typically it's three or four, five days. When it's between trips, we don't need to unpack the fridge. We can leave the fridge packed. And that's, that's a whole day just to pack or unpack the fridge.

BARINGHAUS How have your neighbors reacted to seeing your RV in front of your home, in your driveway?

CHRISTINE SOBOCINSKI Most of our neighbors have never made a comment. We do have one neighbor who, I'm sure you've seen in your in the records because we've pulled the public records that there is one neighbor who has filed a complaint. The rest of our neighbors seem fine with our camper, come over and usually they'll forget to do and they can't wait to see who's first they come over and see it.

BARINGHAUS Okay, questions? Mr. Testa.

TESTA Mr. Chair. A question for the Petitioner. Pardon my ignorance. Why do you have to unpack the camper, when putting it in storage, but you don't have to unpack it and keep it in storage on your site?

RAYMOND SOBOCINSKI When you're storing the camper, you need to unpack the fridge, turn it off, you can't just leave food in the fridge and leave it in the storage.

TESTA Okay, at that site, you can power it up?

RAYMOND SOBOCINSKI Leave it and power it up?

TESTA Yes.

RAYMOND SOBOCINSKI Okay. Correct.

CHRISTINE SOBOCINSKI And also we have to drain the hot water tank.

TESTA Okay.

CHRISTINE SOBOCINSKI And then we fill that before we left again.

TESTA Your current RV I understand can't fit back behind the house. Your priorities with a small effort, he could get it back there and that this is a change point that so for 20 years, you had campers in and out on your front drive.

CHRISTINE SOBOCINSKI

We've lived in Livonia for 15 years, and we've had campers in that driveway.

RAYMOND SOBOCINSKI

Our smallest camper, which was the pop up, would not fit in the backyard.

TESTA And you didn't have any complaints that you didn't know of until recently. Is that correct?

CHRISTINE SOBOCINSKI

We, actually we pulled the records going all the way back. And the last complaint was 10 years previous.

RAYMOND SOBOCINSKI

When we first moved to the city. Two weeks after we had moved into the house, I received a sticker on our pop up camper two hours before I was moving it into storage yard. And ever since then, the city has never had an issue with us in the way we camp, the way that we store- have a camper in the front yard to prepare it and to store it. It has not been an issue until all of a sudden this year.

TESTA Okay. Have you talked to City Council? We'll be consistent with the first Petitioner in my questions. Have you talked to City Council about changing the ordinance?

CHRISTINE SOBOCINSKI

No, because we're not aware of anybody else who has a situation like that. Most of our neighbors are, have driveways and backyards wide enough to back your campers into. Well, the ones that are in our neighborhood at least

RAYMOND SOBOCINSKI

We were in favor of the ordinance. We understand the ordinance. It's just in our situation. I'm physically not able to be able to do this in 72 hours. And sometimes I'm not able to do it in a week.

RAYMOND SOBOCINSKI

It's...

CHRISTINE SOBOCINSKI

It's in for an example. We came back from our last trip October 26. And which was a Thursday, we came around two in the afternoon. We, so by the ordinance, we would have had to have the camper out of the driveway by Sunday, two o'clock in the afternoon. We had an appointment on Monday morning, General RV at 10am. So according to the ordinance, we would have had to unpack the camper, take it to storage overnight, and go back to the storage yard and pick it up to take it in. It's just a restriction of the 72 hours.

TESTA

You started your comments, talking about the public notice and how that was worded versus your intent for relief from the 72-hour requirement. But if, if we gave you relief to the 72-hour restriction by default, you would just be parking it out front for a lot of time, right? I guess what's the difference between the way it's written? And the relief being asked for is we get rid of that 72-hour period, it's therefore now an indefinite amount of time.

RAYMOND SOBOCINSKI I don't want to store the camper in our driveway. It is in my way. If it's in the driveway, it is difficult for me to do regular maintenance on the house or on the yard while the camper's in the driveway. The only time we have it in the driveway is when we need it to be there for packing for unpacking, sometimes for service work that needs to be done. But we don't want to store it there. We have a storage yard that we put it in as often as we can.

TESTA If we granted a variance, could you be agreeable to a, instead of 72 hours, some other timeframe so that it's not indefinite, that would allow you just to keep it there forever?

RAYMOND SOBOCINSKI Yes, perhaps three weeks would cover bases and make sure that we would always be in compliance with authorities.

TESTA And would you be open to restrictions on time of the year that's only during certain months?

RAYMOND SOBOCINSKI Certainly. We use it pretty much from middle of March until the end of November. I think the earliest we've ever taken that was really March. And the latest we've come home with it was early to mid-December. But those were exceptional years.

CHRISTINE SOBOCINSKI One year, we didn't come back til December 8 but that was an extreme exception. Typically, we're, we're done by the end of November.

TESTA Thank you, Mr. Chairman.

BARINGHAUS Any other questions? Refresh my memory. You've owned a number of campers stored in your driveway since what? 2000..?

CHRISTINE SOBOCINSKI Seven. Yeah.

BARINGHAUS Okay. Number of years. Anyways, okay, so you get one sticker on a camper, and one neighbor complained. So what's, what's your motivation for requesting a variance today?

RAYMOND SOBOCINSKI In just this past summer, I think it was June or July, we received a notice in the mail from code enforcement that we were in violation.

BARINGHAUS Okay.

RAYMOND SOBOCINSKI And when we came back from that trip that around, we went down to code enforcement, and we asked what this was about and ask for advice on what to do. And we thought everything was cleared up until we left, really September on a two month trip to Wisconsin. And when we came back, there's another violation that we received in the mail. That was written up. The day that we left. I think we left by September 11. And the violation was written on September 11.

And mailed to us. And we didn't receive it until after we came home at the end of October. And we don't want to be in violation. We are

CHRISTINE SOBOCINSKI looking to not be in violation of ordinances.

RAYMOND SOBOCINSKI We just we spotted keep traveling.

BARINGHAUS Okay, very good. Thank you. Any other questions from the board? Okay, very good. Just have a seat. Any comments from the audience? You may just want to stay there.

RAYMOND SOBOCINSKI The audience left.

BARINGHAUS Looks like yeah, definitely. Okay. There you go. Anyway, since there are no audience comments, just like- Oh, I'm sorry, letters. Yes.

KLISZ Yes, we have letters. Letter of objection, Anne Stevens, 32719 Norfolk Street. Objection. 72 hours is sufficient to load a camper for a trip. The camper obstructs my view of street traffic when backing out of my driveway. The camper is an eyesore for the weeks it routinely sits in the driveway. If this is acceptable, everyone will park RVs in their driveways. Thank you for your consideration. Letter of objection by John Cremen, 32723 Norfolk. I feel the 72-hour period before and after the use of your recreational vehicle is a fair amount of time. A letter of objection from Kimberly Naccashian, 32750 Norfolk. Good day, thank you for your- for the opportunity to speak. Ray and Chris are great neighbors. I hope they enjoy their camper. I do not care to look at my front window at a camper all year long. Please apply ordinance accordingly. Much appreciated. Not sure why we're at this point. Thank you. And letter of objection Michael Connelly, 32817 Norfolk Street. I object to any variance of the ordinance. The ordinance allows for 72 hours of temporary storage for an RV in the front drive. This is ample time to load the RV prior to a trip and ample time to unload after a trip. This is a residential neighborhood, not an RV park.

BARINGHAUS Okay, thank you very much. Okay, now you can make a closing statement.

CHRISTINE SOBOCINSKI Well, I didn't really prepare a closing statement. I, we just thought we'd like to continue to travel like we do. It's, I do understand that our neighbors have said that 72 hours is enough. However, none of them own campers and pack and unpack them for long trips, especially in long term. We're going for six or eight weeks. In between trips, we need to do laundry we need to get the sheets washed, we need to take care of a lot of things. So I do appreciate that they don't have the same understanding of a 72-hour period that we do. But we don't want to be in violation of the ordinance. But we really do need more time to be able to enjoy our camper the way that we do and travel the way we do.

BARINGHAUS Thank you very much.

TESTA Mr. Chair, I know you've given me a lot of leeway already.

BARINGHAUS Go ahead.

TESTA One of the letters, spurred a question, a kind of reaction. I, when I read through the case the other day, some of the letters weren't in yet, so they were like two at the time. Now, I think you're, you seem very surprised by the neighbors' comments. Have you had conversations with your neighbors, maybe about your specific situation and why the 72 hours are insufficient for you?

CHRISTINE SOBOCINSKI No, we really haven't. Because they've never really raised objections to us. So we've never had a reason to address it, or explain it to them.

TESTA Okay, so you were given violation notice, that before you didn't know specifically who issued them, or you thought-

CHRISTINE SOBOCINSKI We did know the one neighbor that complained. Yes. I mean, that was

TESTA Did you talk to them, or you did not?

CHRISTINE SOBOCINSKI No, actually and her complaint about backing out of the driveway, that was the same person who filed the complaint. And to say that when I get out of the driveway, I am right next to the camper. So if anybody's view would be blocked, it would be mine. And I stop at the end of my driveway before I back out into the street to check your back for pedestrians, because we have no sidewalks. And I've never had a problem seeing past the camper.

TESTA Okay, thank you. Thank you, Mr. Chair.

BARINGHAUS Thank you very much. Yes, go ahead.

SCHEEL Thank you. Mr. Testa, you've had suggested in your first comment asking, you know, what additional besides the 72 hours. Can you explain what you were, what you were thinking with that?

TESTA Yeah, if, I don't know what's possible, but if we put a condition on the variance that it's, instead of 72- 72 hours we're allowing X. Those, the variance, do not leave it open ended that they're always allowed to do it, but maybe give them a one week, up, in my head. That's how I was thinking. So instead of 72 hours they have one week.

SCHEEL Okay, so I'm, can I go further, please? Okay, so I'm familiar with their fifth wheel, because I live in the area. And it is a nice, large fifth wheel, it would take a long time to unpack, and to clean in between trips, and it would take more than 72 hours. My husband and I have a large motorhome. It takes us a while to unpack and repack. So I understand where they're, where they might need more than 72 hours to do this. I don't think it should be parked there all the time. I'm glad to hear that it's not what they want. Because I can see where that would be a detriment to the, to the neighbors coming back and forth. But it would take it especially if they traveled the

beginning of the travel that they put down on the list that they do. And, and we do notice when they're, when they come in and they go out. And they do come and go. And, and I have not noticed it there for a long time. But then, you know, our travel could be different times than they travel. So but a unit that big does take you know, you come home, you want to clean it, you want to empty it, you want to wash everything out, you want to put everything in it. And in between trips, we empty our fridge because we want to clean it out and everything. I'm sure if they're gone for a long time, you want to do that too. It's just like a fridge in your house. It's a full time, it's a full size fridge, you want to empty it out every so many months. And that takes time to do when you empty all the water out, put the water back in. It takes time. Vacuum everything. And if you're going from one area to another, you want to make sure it's clean. Just like if you put a boat in the water, you want to make sure it's cleaned up before you go from one mooring to another. It would take time. So I understand that. But I also understand the neighbors not wanting to, you know, if it, if it blocks the view in their driveways from backing out. You want to be cognizant of that too.

BARINGHAUS Thank you. Okay, very good. I will close the public portion of the meeting and get the board's comments with this request.

KLISZ I think like the last one, this one is where basically the petitioners just don't like the law as it's written. And it's not our job to give an exception to the law. It's their job to see change in the law. That if Council thinks, and maybe rightfully so, at the time, these days is out of date and it should be longer, then they need to make that change. But I am not going to approve something with four neighbors saying no to it. That, that means more to me than their claimed hardship. So I will not be in support.

BARINGHAUS Ms. Scheel?

SCHEEL I would be in support of adjusting it slightly. I don't know if we're allowed to what we're allowed to do with something like what Mr. Testa was mentioning. And I get not wanting to, to, to make it with the neighbors that have filed complaints or somewhat complaints. It's, I believe they were aware of one neighbor. It's too bad they weren't aware of the other ones so that they could address those issues with the neighbors before they were here this evening. But I would be open to some sort of variance to the 72 hours because I am aware that it definitely does take time to maintain.

BARINGHAUS Okay, thank you. Mr. Rotondo.

ROTONDO Yeah, I'm gonna be against this. I understand the maintenance issues with the RV. I know it's time consuming, but I think 72 hours should be ample to unload and pack. And I just can't get behind, allowing a big RV to be in the front of the driveway, in a residential area like that for, I think the petitioner said three weeks is what he needed? Did I hear that right?

BARINGHAUS Okay, thank you. Mr. Boloven?

BOLOVEN I agree with Secretary Klisz and Member Rotondo. No, we have checkboxes here and getting all the checkboxes and [unintelligible] good, you may

have a unique property, you have a hardship, yeah, we might get those two off. But what it comes down to what Secretary Klisz says, and you have four neighbors that are directly affected based on those addresses that are objecting to this. So because of that, we don't check that box off. And we need all those boxes checked to approve. So with that being said, I'm in support of a denial.

BARINGHAUS Thank you. Mr. Testa.

TESTA Yeah, at first, I was thinking to be consistent with the first case: Tabling it, allowing them time to go talk to Council. But the difference here is you actually are allowed to have your RV be there for 72 hours. So you do have some allowance. In the case of the chickens, she's not allowed to have chickens period. So I would not support a table. And I'm gonna be against this only because, or mainly because of the objection of your, your neighbors. But I would like to suggest that you seek out Council, talk to Council Members and see if you could change the ordinance. I think you could make a case that maybe 72 hours is not enough for an RV of your size. Maybe they could consider scaling the ordinance based on the size or something along those lines to give people in your condition and ownership of that size of RV , thank you.

BARINGHAUS I wouldn't be in support of a variance as well. I think my colleagues kind of summarized quite well where I was at, in terms of it's kind of tough to be exceptions to an ordinance for individuals like that. The other thing too, is, it really doesn't check the boxes. Nobody likes to play in a trailer. They're liars. It's probably inconvenient. But you have to do it and to say, a hardship that the trailer won't fit between your house and your backyard. Like you probably knew that when you bought your existing trailer, you can't get around that. Generally, we have these trailers in my neighborhood as well. And overall 72 hours over the five day period, but at least my neighbors, they give our neighbors with these trailers maybe a day or two leeway if they need it, you kind of get a feel for what it takes and I have a sense your neighbors have been doing that for a while since 2007 as well. But again, I don't see the hardship. And I just feel that 72 hours is more than sufficient time to do what you need to do, so based on that I won't approve a variance, and with that the floor is open for a motion.

BOLOVEN Mr. Chair.

BARINGHAUS Mr. Boloven.

BOLOVEN Resolved that the variance appeal case number 24-01-02 filed by Christine and Raymond Sobocinski be denied for the following reasons: by the fact that the Petitioner has not demonstrated to the board that practical difficulty exists and that due to the neighboring properties objecting to the requested variance that the Board find that it be denied. Further that the denial of this appeal is in the best interest of the city of Livonia.

BARINGHAUS Support- can I have a motion for support? Ms. Scheel. No, no, that's not any smaller than main emotion. I need motions. Oh no, I asked for support. Support. Thank you. Okay, now please take the vote. Thank you.

RESOLVED: APPEAL CASE NO. 2024-01-02, 32729 Norfolk Street: Seeking to store a recreational vehicle within the front yard setback (in the driveway) which is not allowed. Recreational vehicles may be stored within an accessory building or the rear yard.

This Low-Density Residential property is located on the south side of Norfolk Street (32729), between Shadyside and Mayfield Streets, Lot. No. 010-01-0060-004, N-2 District, Neighborhood, rejected by the Inspection Department under Livonia Zoning Ordinance, Section 7.09 (3), **be denied** for the following reasons and findings of fact:

1. The petitioner has not demonstrated to the Board that a practical difficulty exists,
2. Concerns from neighbors regarding the request, and
3. Denial of the petition is in the best interest of the City of Livonia.

ROLL CALL VOTE

AYES: 5

NAYS: 1

ABSENT: 1

PASS/FAIL/TABLED: PASS: DENY

KLISZ Ms. Scheel.

SCHEEL No.

KLISZ Mr. Rotondo.

ROTONDO Aye.

KLISZ Mr. Testa.

TESTA Aye.

KLISZ Mr. Boloven.

BOLOVEN Aye.

KLISZ Secretary Klisz votes aye. Vice Chairman Baringhaus.

BARINGHAUS Aye. We can now pass this by default. If you want to come forward, please. Your variance request has been denied based on there wasn't real, any real practical difficulty established. And there were some concerns on the part of your neighbors for storing the trailer for an extended period in your driveway. So how we precede in that, so based on that, you will be asked to follow the current city ordinance that states you have 72 hours within a five day period to either maintain or repair RV. So, thank you very much. I'm sorry?

RAYMOND SOBOCINSKI Several of those neighbors I'm very surprised because in casual conversations in the past they had no objections to us having the camper in the driveway.

CHRISTINE SOBOCINSKI I have a question. if we do go to City Council now to ask to have that ordinance changed, is that an additional \$450?

BARINGHAUS No. Okay, thank you very much. Secretary Klisz, will you call the next case?

November 29, 2023

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

Letter of Intent for Zoning Variance For:

Address: 32729 Norfolk St
Livonia, MI 48152
8 Mile & Farmington

Zoning Ordinance: 7.09(3)

Dear Planning and Zoning Members,

We are requesting a use variance for the above address to seek relief of the required 72 hour maximum for a recreational vehicle to be parked in our driveway in front of the house.

1. While many of our neighbors are able to park their RVs in their backyards, due to the narrowness between our house and our neighbor's fence, it is physically impossible to park our RV in the backyard.
2. Granting the variance will not be materially detrimental to the public welfare or injurious to the property.
3. The granting of the variance would not have any effect on any adjoining properties. This zoning relief requested will not cause any detriment to the common good, as the literal interpretation and strict application of the applicable zoning requirements of ordinance 7.09(3) causes substantial undue and unnecessary hardship to us.
4. The requested variance would be consistent with the spirit and purpose of this Ordinance. It is not, and never has been, our intention to store the RV in our driveway.

Thank you for your consideration,
Sincerely,

Christine A Sobocinski
[Signature]

Property owners

RV PARKING/RESEnforcement | EN23-1952**Property Information**

010 01 0060 004 32729 NORFOLK Subdivision:
LIVONIA MI, 48152 Lot: Block: NW 03

Name Information

Owner: SOBOCINSKI CHRISTINE/RAYMOND Phone: (248) 327 2233
Occupant: Phone:
Filer: Phone:

Enforcement Information

Date Filed: 06/15/2023 Date Closed: 09/25/2023 Status: Resolved

Complaint:

Very large RV parked in the driveway for 2 weeks

Last Action Date: 09/25/2023 Last Inspection: 09/25/2023

Last Action:

CLOSED

Inspection Inspection | JAMIE GASTON-EALOM

Status: Completed Result: Complied
Scheduled: 09/25/2023 Completed: 09/25/2023

Comments:

Scheduling Comment Check if the RV is gone

Inspector's Comment The RV has been removed. File

Investigation Inspection | JAMIE GASTON-EALOM

Status: Completed Result: Violation(s)
Scheduled: 09/11/2023 Completed: 09/11/2023

Violations:

Corrected Cease and desist parking or storing the recreational vehicle in the driveway. Recreational vehicles are required to be parked in the rear yard only.
Livonia Vision 21 Zoning Ordinance 7.09 (3)

INSPECTOR COMMENTS: THIS IS YOUR 3RD VIOLATION OF THE YEAR. THE NEXT VIOLATION WILL BE A SHOW CAUSE HEARING.

Corrected FAILURE TO COMPLY WITH THIS NOTICE WILL RESULT IN A COURT COMPLAINT BEING FILED AGAINST YOU IN 16TH DISTRICT COURT. THIS OFFENSE IS A CRIMINAL MISDEMEANOR AND UPON CONVICTION, IS PUNISHABLE BY A FINE OR A JAIL SENTENCE, OR BOTH, AT THE DISCRETION OF THE COURT.

Comments:

Inspector's Comment There is a very large 5th wheel RV in the driveway that has been in violation 3 times this year. This last violation the RV has been in the driveway for 2 weeks.
Mail notice # 23 and 97

Inspection Inspection | JAMIE GASTON-EALOM

Status: Completed Result: Complied
Scheduled: 07/24/2023 Completed: 07/24/2023

Comments:

Scheduling Comment Check and be sure the RV is still gone.

Inspection Inspection | JAMIE GASTON-EALOM

Status: Completed Result: Partially Complied
Scheduled: 06/27/2023 Completed: 06/27/2023

Comments:

Scheduling Comment Check if RV is gone

Inspector's Comment The owners came in and spoke to Karen. They said they have now moved the RV. Their explanation was that the RV was there getting prepared to leave for their planned trip however the RV was in the drive for approx. 2 weeks. The owner also stated it had previously been there prior for a 3 weeks in November of 2022 due to him getting a leg infection. I will keep this open and do a follow up to be sure it stays gone.

Investigation Inspection | JAMIE GASTON-EALOM

Status:	Completed	Result:	Violation(s)
Scheduled:	06/15/2023	Completed:	06/15/2023

Violations:

Corrected	Cease and desist parking or storing the recreational vehicle in the front yard Recreational vehicles are required to be parked in the rear yard only. Livonia Vision 21 Zoning Ordinance 7.09 (3)
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Comments:

Inspector's Comment	RV in the driveway for about 2 weeks now. This is a very large RV that will not be able to fit in the rear or side of the property. Mail notice # 23
---------------------	---

From: [Abrahamson, Randy](#)
To: [Fisher, Mike](#)
Cc: [Kasprowicz, Sara](#); [Stierna, Matthew](#)
Subject: FW: Picture for Variance Request - 32729 Norfolk
Date: Wednesday, December 6, 2023 4:58:14 PM

Sara/Mike-Here are the pictures of the camper for the ZBA file.

Mike-I believe you had a question on how long they wished to park this trailer at there residence. According to Mrs. Sobocinski, there desire is from April thru October of each year.

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

From: Chris Sobocinski <csobocinski@gmail.com>
Sent: Wednesday, December 6, 2023 4:38 PM
To: Abrahamson, Randy <RAbrahamson@livonia.gov>
Subject: Picture for Variance Request - 32729 Norfolk

Hello Mr. Abrahamson,

Attached are the pictures you requested. Please let me know if you need anything else.

Thank you for your help,
Christine and Raymond Sobocinski



MONTANA
HIGH COUNTRY

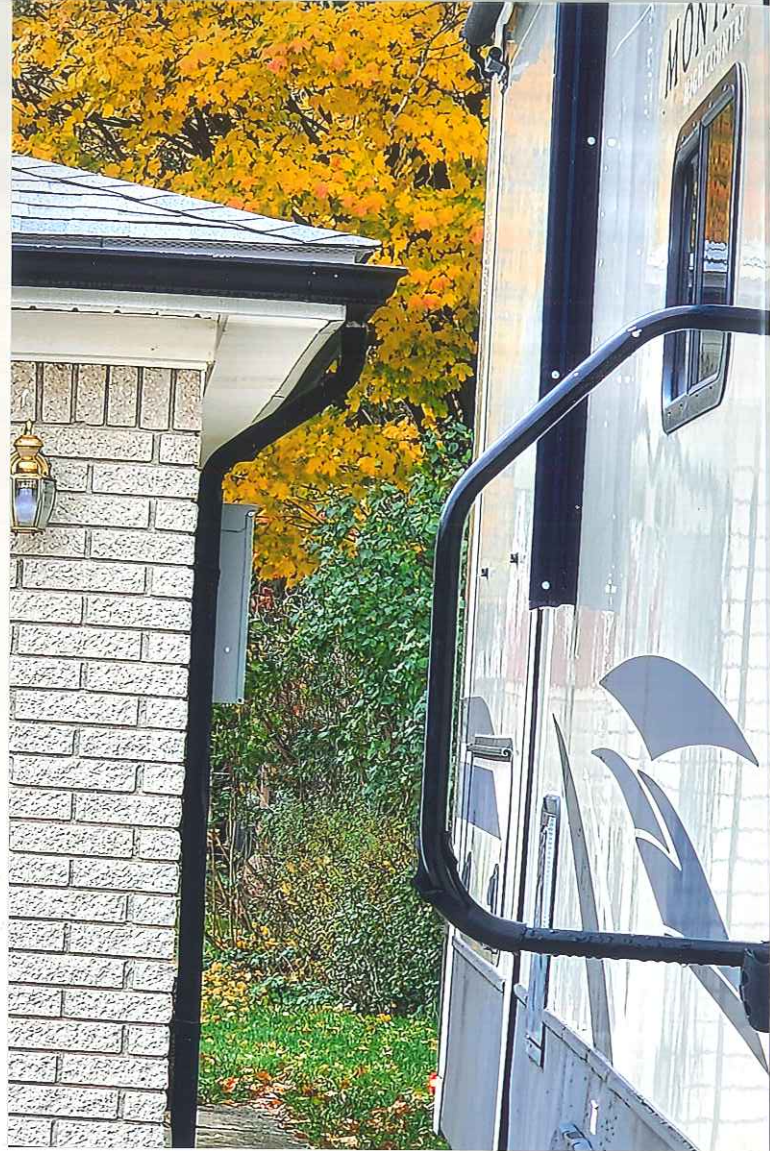
GENERAL
LIFTING INSTRUCTIONS

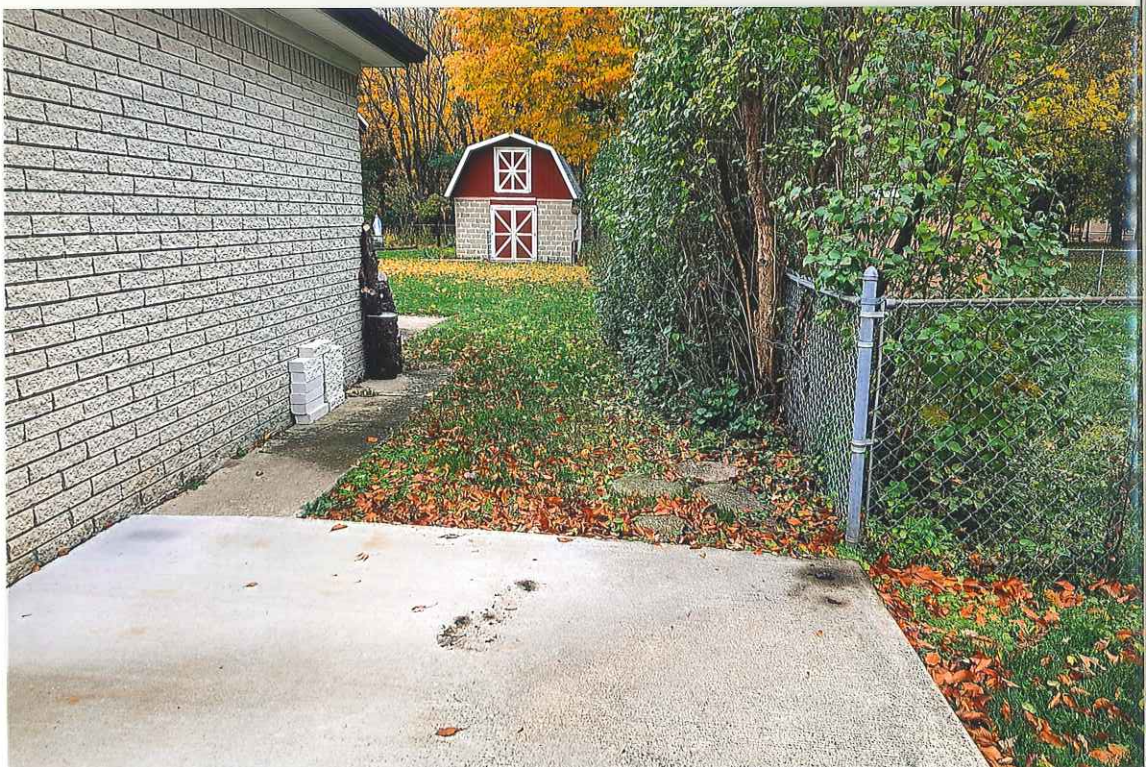


MONTANA
HIGH COUNTRY

REESE 20K







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

Case No: 2024-01-02
Meeting Date: January 9, 2024

Your are not required to respond to this letter. If you choose to do so, please note the following reason: (APPROVAL) OR (OBJECTION) to the requested variance.

I OBJECT TO ANY VARIANCE OF THE
ORDINANCE. THE ORDINANCE ALLOWS
FOR 72 HOURS OF TEMPORARY STORAGE FOR
AN RV IN THE FRONT DRIVE. THIS IS
AMPLE TIME TO LOAD THE RV PRIOR TO A TRIP
AND AMPLE TIME TO UNLOAD AFTER A TRIP.
THIS IS A RESIDENTIAL NEIGHBORHOOD
NOT AN RV PARK.

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

Signature: Michael Connelly

Name: MICHAEL CONNELLY
(Please print)

Address: 32817 NORFOLK STREET
LIVONIA MI 48152

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

Case No: 2024-01-02
Meeting Date: January 9, 2024

Your are not required to respond to this letter. If you choose to do so, please note the following reason: (APPROVAL) OR (OBJECTION) to the requested variance.

Good Day -

Thank you for the opportunity to speak.

Ray's Chris are great neighbors. I hope they enjoy their camper.

I do not care to look out my front window at the camper all year long. Please apply ordinance accordingly. Much Appreciated. Not sure why we're at this point?

Thank you,

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

Signature:



Name:

Kimberly Macdonald
(Please print)

Address:

32750 Norfolk

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

Case No: 2024-01-02
Meeting Date: January 9, 2024

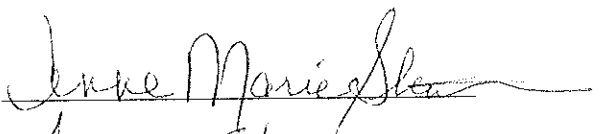
You are not required to respond to this letter. If you choose to do so, please note the following reason: (APPROVAL) OR (OBJECTION) to the requested variance.

Objection:

- 72 hours is sufficient to load a camper for a trip.
- The camper obstructs my view of street traffic when backing out of my driveway.
- The camper is an eyesore for the weeks it sits in the driveway.
- If this is acceptable, everybody will park RVs in their driveways.

Thank you for your consideration!

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

Signature: 
Name: Anne Stevens
(Please print)

Address: 32719 Norfolk St
Livonia, MI 48152

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

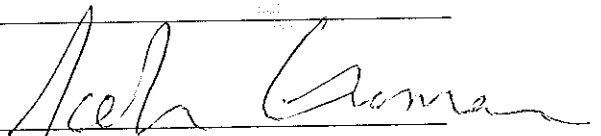
Case No: 2024-01-02
Meeting Date: January 9, 2024

Your are not required to respond to this letter. If you choose to do so, please note the following reason: (APPROVAL) OR (OBJECTION) to the requested variance.

I feel the 72hr period before
and after the use of your
recreational vehicle is a fair
amount of time.

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

Signature:



Name:

John Clemen
(Please print)

Address:

32723 Norfolk St

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

Case No: 2024-06-23
Meeting Date: July 9, 2024

You are not required to respond to this letter. If you choose to do so, please note the following reason: (APPROVAL) OR (OBJECTION) to the requested variance.

WE FULLY SUPPORT THIS REQUEST
FOR FENCING.

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

Signature: Bruce D. Hofsess

Name: Bruce D. Hofsess

Address: Alice M. Kachman MD

(Please print)

Bruce D. Hofsess
Alice M. Kachman MD
18236 Stamford St
Livonia, MI 48152-3032

REC'D 7/2/24

ZONING BOARD OF APPEALS

ZONING BOARD MEMBERS

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JAMES. M. BARINGHAUS, VICE CHAIRMAN
TIMOTHY J. KLISZ, SECRETARY
CHRISTOPHER N. BOLOVEN
MARC ROTONDO
LYNDA L. SCHEEL
MIKE TESTA



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

COUNCIL MEMBERS

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SCOTT MORGAN
LAURA M. TOY

PUBLIC NOTICE ***June 21, 2024***

APPEAL CASE NO. 2024-06-23, 18199 Myron Street: an appeal was made to the Zoning Board of Appeals by Jacob and Grace Gates, seeking to erect a 4-foot tall non-sight-obscuring fence, resulting in the fence encroaching into the corner side yard, which is not allowed.

This Low-Density Residential property is located on the west side of Myron Street (18199), between Curtis and Vacri Streets, Lot. No. 036-02-0211-000, N-2, Neighborhood District, rejected by the Inspection Department under Livonia Zoning Ordinance, Section 15.44.090 (A) 4.

Encroachment

Allowed: 0 feet
Proposed: 29 feet
Excess: 29 feet

THE LAW REQUIRES THAT OWNERS OF PROPERTY LOCATED WITHIN 300 FEET OF THIS PROPERTY BE NOTIFIED OF THIS REQUEST IN WRITING. THIS IS YOUR NOTIFICATION. YOU ARE NOT REQUIRED TO RESPOND TO THIS LETTER.

This appeal will be heard at a public hearing to be held in the **Auditorium on the 1st floor of City Hall on Tuesday, July 9, at 7:00 p.m.**, at which time comments may be directed to the Board during audience participation. When replying by mail, write your comments on the back of this notice and address it to the City of Livonia, Zoning Board of Appeals, 33000 Civic Center Drive, Livonia, MI 48154. All written comments are read at the meeting and become part of the record.

ZONING BOARD OF APPEALS,



Timothy Klisz, Secretary

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

Case No: 2024-06-23
Meeting Date: July 9, 2024

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

Signature: _____

Address:

APPLICATION FOR VARIANCE

Jacob and Grace Gates, 18199 Myron St, Livonia	48152	(734) 664-6560
(Owner of Premises)	(Street Address)	(City) (Zip Code) (Telephone) (Fax)
N/A		
T. Buell's Superior Fence, 26700 W. Eight Mile Rd, Southfield	48033	(248) 935-5443
(Contractor)	(Street Address)	(City) (Zip Code) (Telephone) (Fax)

The property address is 18199 Myron Street, Livonia, MI 48152

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

- Are there any deed restrictions or subdivision rules or restrictions on the property? If so, what are they? None
- Give legal description of property involved, or attach a deed or other document which contains the legal description of the property:
Please see attached listing with legal description of the property.

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

- Please explain how the practical difficulty you claim is unique to your property, and does not exist elsewhere in the City:
Please see attached documentation.
- Please describe what the difficulty involves beyond mere inconvenience or inability to earn a higher financial return:
Please see attached documentation.
- Explain why you think this variance would be fair to the neighbors and others who might be affected. Please see attached documentation.
- Have you sought an amendment to the zoning ordinance which would permit your proposed project under your current zoning? If yes, please describe the outcome of this process: Not applicable
- If you have not attempted to have the zoning ordinance amended, why hasn't this attempt been made?
Not applicable



8. Have you attempted to have the property rezoned? If yes, please describe the outcome of the rezoning process: Not applicable
9. If you have not attempted to have the property rezoned, why hasn't this attempt been made? Not applicable

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

OWNER'S AFFIDAVIT

COUNTY OF WAYNE)
STATE OF MICHIGAN)

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

Signature of property owner: Jacob Gates

Please print name of property owner: JACOB GATES

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

Subscribed and sworn to before me this 12 day of June, 2024

Dylan Wright
(Notary Public, Wayne County, Michigan)
My Commission expires 02/16/2029

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

NOT TO BE COMPLETED BY APPLICANT

Petitioner makes application for a Hearing, seeking to (reverse, modify, or affirm) the (order, decision) of the Department of Inspection, dated 6/12/24, which reads as follows:

FENCE NOT PERMITTED IN CORNER SIDE LOT.

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

[Signature]
(Supervisor)

Application for permit filed No

Violation Issued No

Owners Jacob & Grace Gates
18199 Myron Street
Livonia, MI 48152

To whom it may concern,

There are no restrictions in our deed or subdivision rules to include in this space.

We request variance to build a fence to ensure that our children have a safe space to play, particularly because our unique corner lot on Curtis Road experiences a high volume of foot/vehicle traffic. In addition, it is the site of multiple school bus stop routes. Without a secure area for our children and dog to play, their safety would be at significant risk. It would be nice knowing that eventually we could install a playscape and play frisbee with our dog, Cooper, in an enclosed environment. Furthermore, adhering to current fence laws with a diagonal situated fence would necessitate losing approximately 20-25% of our backyard space, which would not only reduce the usability of our yard but also detract from the overall aesthetic for onlookers and the city of Livonia. Our proposed fence is a stately 4-foot ornamental aluminum design that is non-obstructing, ensuring fairness to our neighbors while providing the necessary security for our family.

We believe the current law is reasonable; however, our unique situation prompted us to seek a variance rather than requesting the City Council to change the law.

We did not attempt to have the property rezoned because it is already appropriately designated for a household residence.

Thank you for your consideration,

Jacob & Grace Gates

(734) 664-6560



CITY OF LIVONIA
Inspection Department

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154
421-2000

REJECTION OF APPLICATION FOR PERMIT
BECAUSE OF NON-CONFORMITY TO ZONING ORDINANCE LIVONIA VISION 21

Applicant (SAME AS OWNERS) Address (SAME AS OWNERS)
Owner JACOB AND GRACE GATES Address 18199 MYRON, LIVONIA, MI 48152
Lessee — Address —
Location WEST Side of 18199 MYRON Street
Between CURTIS And VACRI
Lot No./Parcel No. 036-02-0211-000 Subdivision FRANCAVILLA SUB #2
Zoning District N 2 Map No. SE 09 Lot Size 95 FT X 157.26 FT (14,940 SQ FT) Alley N/A
Present Use SINGLE FAMILY RESIDENTIAL Proposed Use SAME
Present Building Size N/A Proposed Building Size N/A
Present Height of Building N/A Proposed Height N/A
Allowable Lot Coverage N/A Proposed Lot Coverage N/A
Proposal SEEKING TO ERECT A 4 FT TALL NON-SIGHT OBSCURING FENCE
RESULTING IN THE FENCE ENCRACHING INTO THE CORNER SIDE YARD
WHICH IS NOT ALLOWED.
ENCROACHMENT ALLOWED: 0 FT; PROPOSED: 29 FT.;
EXCESS: 29 FT

Reason for Rejection LIVONIA CODE OF ORDINANCE, SECTION 15.44.090 (A) 4

Deficient Side Yard _____ Deficient Front Yard _____ Deficient Rear Yard _____

Deficient Lot Area _____ Deficient Lot Area per Room _____ Encroachment 15.44.090 (A) 4
29 FEET

Excessive Lot Coverage _____ Excessive Height _____ Increasing No. Units _____

Use Prohibited _____ Deficient Parking Spaces _____ Increasing Area and Bulk _____

Remarks _____

Plans and Application examined by [Signature] Date JUNE 12, 2024

ZONING EXAMINER

Residential Client Full

18199 MYRON Street, Livonia 48152-3117MLS#: **20230106054**Area: **05021 - Livonia**Trans Type: **Sale**LP: **\$399,900**County: **Wayne**School D: **Livonia**OLP: **\$415,000**Status: **Pending**Location Information

Prop Type: **Residential**
 City: **Livonia**
 Mailing City: **Livonia**
 Side of Street:
 Location: **Curtis**
 Directions: **bet 6 & 7 mile and south of Farmington**

Parking

Garage: **Yes**
 Grg Sz: **2 Car**
 Grg Dim:
 Grg Feat: **Attached**

Lot Information

Acreage: **0.29**
 Lot Dim: **95.00 x 131.70**
 Rd Front Ft: **50**

Square Footage

Est Fin Abv Gr: **1,607**
 Est Fin Lower: **1,500**
 Est Tot Lower: **1,591**
 Est Tot Finished: **3,107**

Layout

Rooms: **6**
 Beds: **3**
 Baths: **2.1**

Arch Style: **Ranch**Arch Level: **1 Story**Waterfront Information

Water Name:
 Water Facilities:
 Water Features:
 Water Front Feet:

General Information

Year Built: **1981**
 Year Remod:
 Possession: **Close Plus 30 Days**

Recent CH: **01/28/2024 : PEND : ACTV->PEND**

Includes:

Pets Allowed:
 Foundation: **Basement**
 Foundation Feat: **Sump Pump**
 Basement: **Finished**
 Porch Type: **Deck, Patio**
 Fireplc Fuel: **Gas**
 Heat & Fuel: **Natural Gas, Forced Air**
 Wtr Htr Fuel:
 Water Source: **Public (Municipal), Water at Street**

Features

Entry Location: **Ground Level w/Steps**
 Fndtn Mtrls: **Poured**
 Roof Mtrls: **Asphalt**
 Fireplace Loc:
 Cooling:
 Road Frontage: **Paved**
 Sewer: **Public Sewer (Sewer-Sanitary)**

Room	Level	Dimensions	Flooring
Bath - Full	First/Entry	8 x 7	Ceramic
Bath - Lav	First/Entry	3 x 7	Vinyl
Bedroom	First/Entry	11 x 12	Carpet
Family Room	First/Entry	13 x 17	Carpet
Laundry Area/Room	First/Entry	7 x 7	

Room Information

Room	Level	Dimensions	Flooring
Bath - Full	First/Entry	6 x 7	Ceramic
Bedroom	First/Entry	12 x 12	Carpet
Bedroom - Primary	First/Entry	12 x 13	Carpet
Kitchen	First/Entry	10 x 11	Vinyl

Property ID: **46036020211000**
 Ownership: **Standard (Private)**
 Tax Summr: **\$3,712**
 SEV: **167,600.00**
 Legal Desc: **09K211 LOT 211 AND THAT PT OF LOT 212 DESC AS BEG AT NE COR LOT 212 TH S 13D 35M 52S W 98.37 FT TO SW COR OF 211 TH N 01D 26M 55S W 95.0 FT TO PT ON S LINE CURTIS TH N 88D 33M 05S E ALONG SAID S LINE CURTIS 25.54 FT TO POB FRANCAVILLA SUB NO 2 197 P48-50 WCR**

Legal/Tax/Financial

Short Sale: **No**
 Occupant: **Owner**
 Homestead: **Yes**
 Existing Lease: **No**
 Home Warranty: **Yes**
 Oth/Sp Asmnt: **79.00**

Subdivision: **FRANCAVILLA SUB NO 2**
 Terms Offered: **Cash, Conventional, FHA, VA**

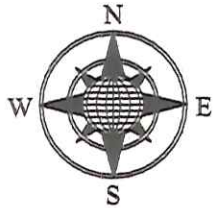
Listing Office & Compensation Information

List Office: **Jason Mitchell Real Estate Group Michigan LLC**

The listing broker's offer of compensation is made only to participants of the MLS where the listing is filed and to participants of any data share partner MLS.
 Sub Agency Comp: **Buyer Agency Compensation: Yes: 2.50%**
 Trans Coord Comp: **Compensation Arrangements:**

Remarks

Pub Rmks: **Beautiful well maintained brick ranch offers 3 bed 2.5 baths located in a desirable sub in Northwest Livonia. The large family room/dining room combination has a door wall leading to a large deck. Huge eat in kitchen and all kit appliances stay. The backyard is perfect for entertaining with an extra wide lot. The large corner lot adds extra entertainment space. The fin basement is large and open with additional kitchen space. New roof installed December 2023. The home is professionally landscaped and has a 2 car attached garage. Within walking distance to Stevenson High School *LOT DIMENSION IS 95X 157.36* ACRES 0.034 SELLER TO PROVIDE BUYER WITH A ONE YEAR HOME WARRANTY WITH CINCH HW**



Curtis Rd

Property Line

Myron St

Property Line

House
33545 Curtis Rd
Livonia, MI 48152

Property Line

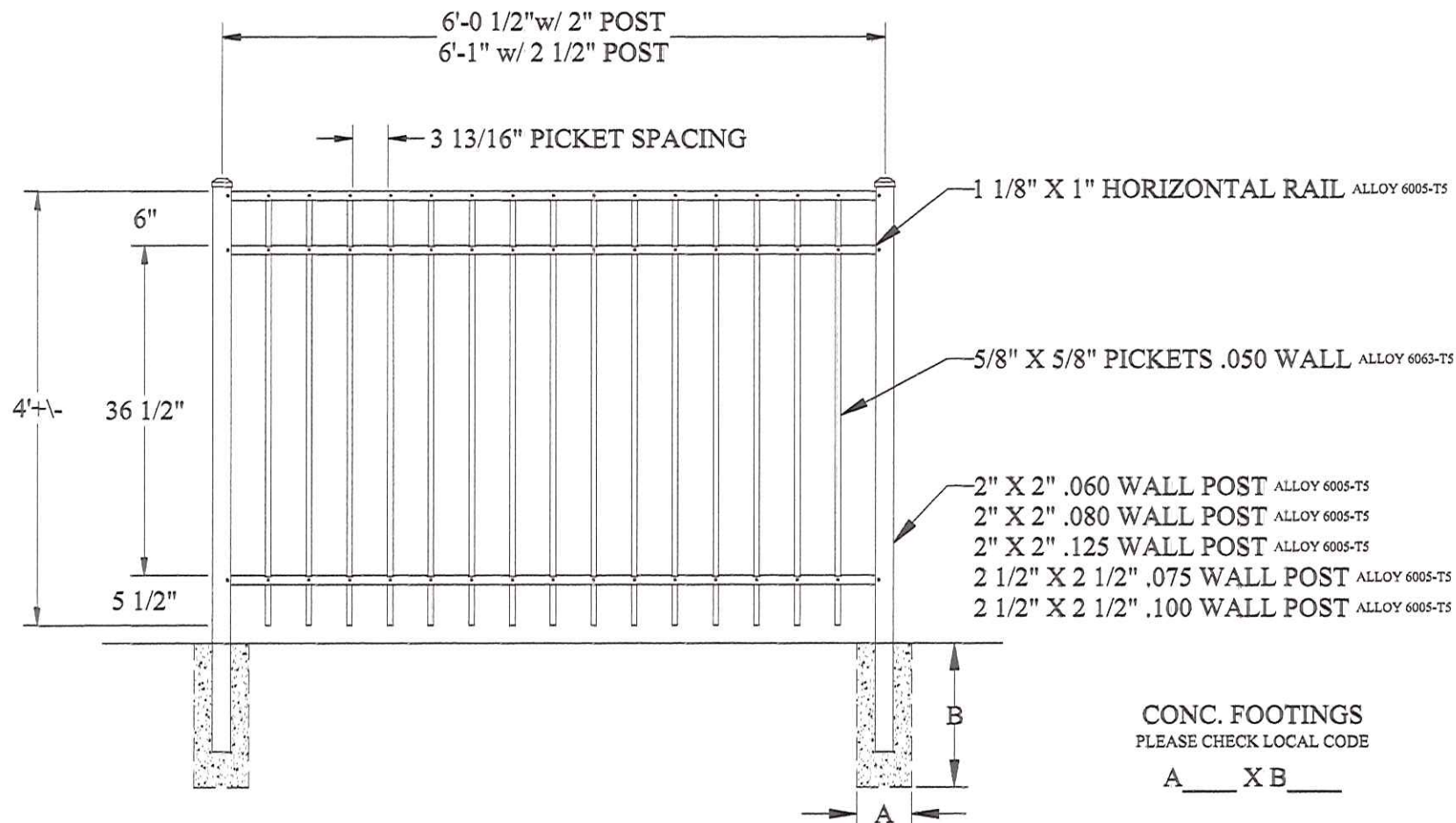
Property Line

House
18151 Myron St
Livonia, MI 48152

Parcel 1 No. (APN) 46 036 02 0212 000
Lot 1 Area 0.79 ACRES
Parcel 2 No. (APN) 46 036 02 0210 000
Lot 2 Area 0.27 ACRES

ADDRESS: 18199 Myron St
Livonia, MI 48152
Scale: 1"=30'

THIS IS NOT A LEGAL SURVEY, NOR IS IT INTENDED TO BE OR REPLACE ONE
This work product represents only generalized locations of
features, objects or boundaries and should not be relied upon
as being legally authoritative for the precise location of any
feature, object or boundary.



NOTE: DRAWING NOT TO SCALE. ALL SECTIONS COME FULLY ASSEMBLED.

EFF-20
RESIDENTIAL

4' HIGH 3-RAIL
ALUMINUM FENCE PANEL

2-21-16 V.1.0 KS KS STD DRAWING

CONTRACTOR:

PROJECT:

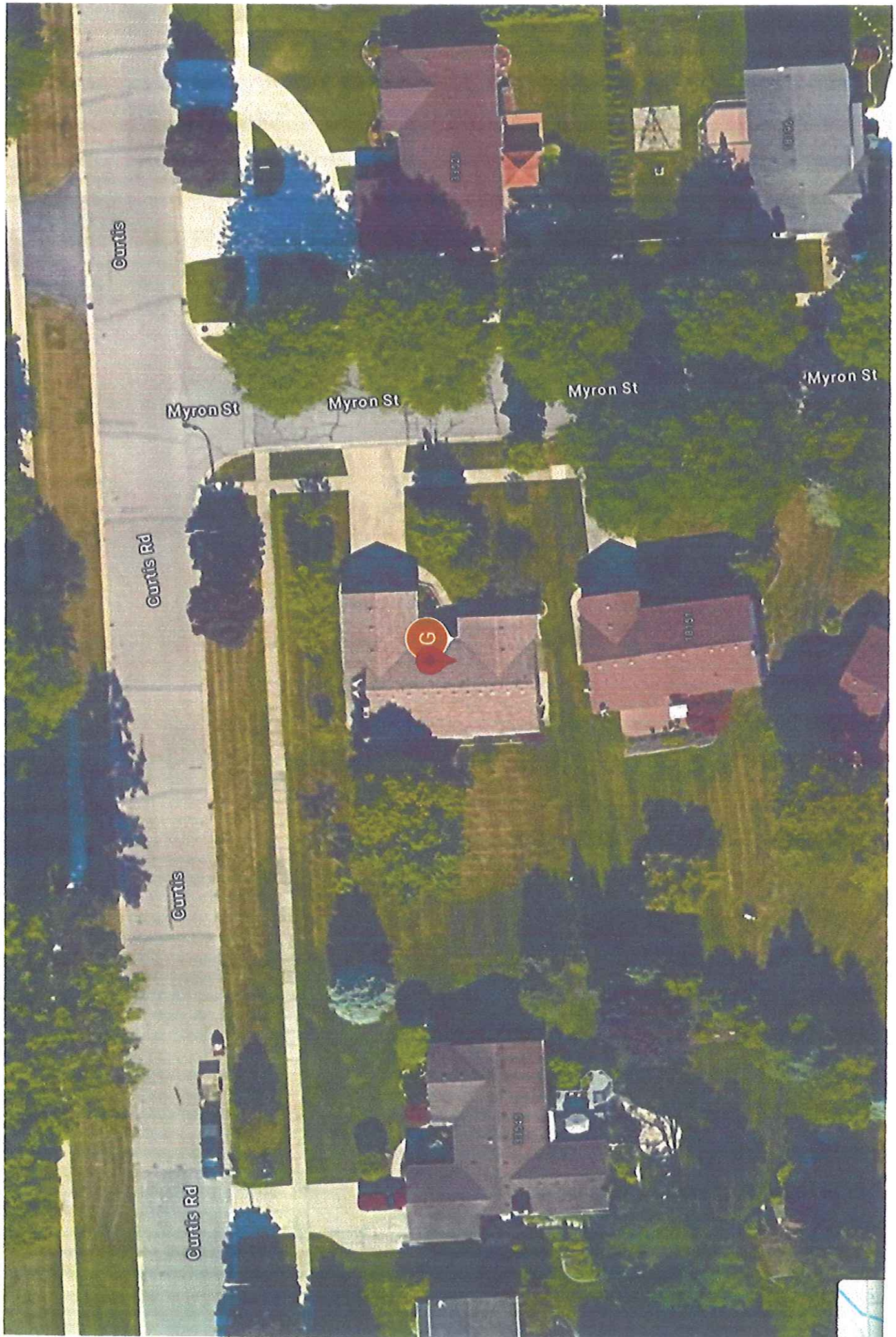
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DATE:

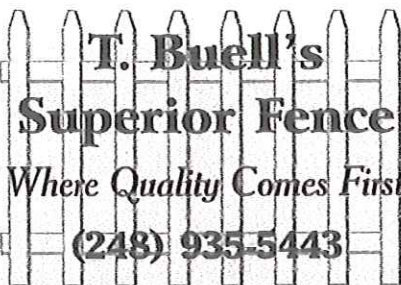


50925 RICHARD W. BLVD
CHESTERFIELD TOWNSHIP, MI 48051
WWW.ELITEFENCE.COM
1-800-783-1331

This drawing is the property of Elite Fence Products, Inc.. It is not to be reproduced, copied, or traced in whole or part without written permission. See product specifications for installation requirements.



26700 W. Eight Mile Rd.
Southfield, MI 48033
TBSFence@gmail.com



DARIN
734-751-9092
www.TBSuperiorFence.com

Date 5/11/24

Customer Name JACOB & GRACE GATES		Home Phone JACOB 734-664-6560		Alternate Phone	
Address 18199 MYRON ST		City LIVONIA		State MI	Zip 48152
Email		ALL WORK COMES WITH A TWO YEAR WORKMANSHIP WARRANTY			
Type of Fence MATTE BLACK ALUMINUM 3-RAIL					
Over All Length 293	Over All Height 4	SPECIAL INSTRUCTIONS			
Walk Gates 1	Drive Gates 1				
CHAIN LINK FENCE					
Wire Gauge	Diameter of Top Rail	SPECIAL WORK TO BE PERFORMED BY CUSTOMER			
Diameter of Corner Post	Diameter of Line Post				
W-TO					
CL-TO					
☒ CC 2					
CORNER LOT					
POOL					

Responsibility of Buyer: I agree to locate and identify all **Property Lines, Easements, Underground Cables, Pipes, Sprinkler Lines, Personal Electrical**, such as the house to the garage, and any other **External Unmarked Utilities** not identified by MISS DIG System Inc. (Miss Dig). I agree that I am solely responsible for the location of the fence described in this proposal. I will be responsible for all damages including costs and attorney fees incurred from T. Buell's Superior Fence LLC (Superior Fence), in connection with any claim made by anyone regarding this project.

Terms and Conditions: Superior Fence is not responsible for repair or costs of any unmarked utilities by Miss Dig, including, but not limited to: **Underground Cables, Pipes, Sprinkler Lines, Personal Electrical**, and any other **External Unmarked Utilities**. Superior Fence does not haul dirt, trees or brush of any kind. Superior Fence is not responsible to maintain integrity of landscaping, including, but is not limited to: regrading or trenching for the fence, flowers, plants, mulch, or any decorative ornaments. All balances are due immediately upon completion of the project, as described in this contract. All material remains the property of Superior Fence until the balance is paid in full. Superior Fence reserves the right to post a lien on the property where the work has been performed. Initial payments become non-refundable 72 hours after this contract is executed.

Estimate is valid for 30 days. A 3% Convenience Fee will be added for all credit card transactions.

* IF VARIANCE BOARD DOESN'T APPROVE LAYOUT WE WILL
REFUND DEPOSIT. *[Signature]* DARIN SUGLE.

T. BUELL'S SUPERIOR
FENCE.

I understand and agree to all terms and conditions.

Date: 6/9/24

Customer Signature: *[Signature]*

Sub Total: 15,928

After Discount: 15,928

Earnest Money Received: 8,000

3% Convenience Fee: 0

Balance Due Upon Completion: 7,928

PD 8000 check # 787 6/9/24





JACOB AND GRACE GATES
18199 MYRON

REF: FENCE
LOW DENSITY RESIDENTIAL

ZONING MAP

LEGEND

Zoning Districts

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

S.E. 1/4 Section 9

City of Livonia

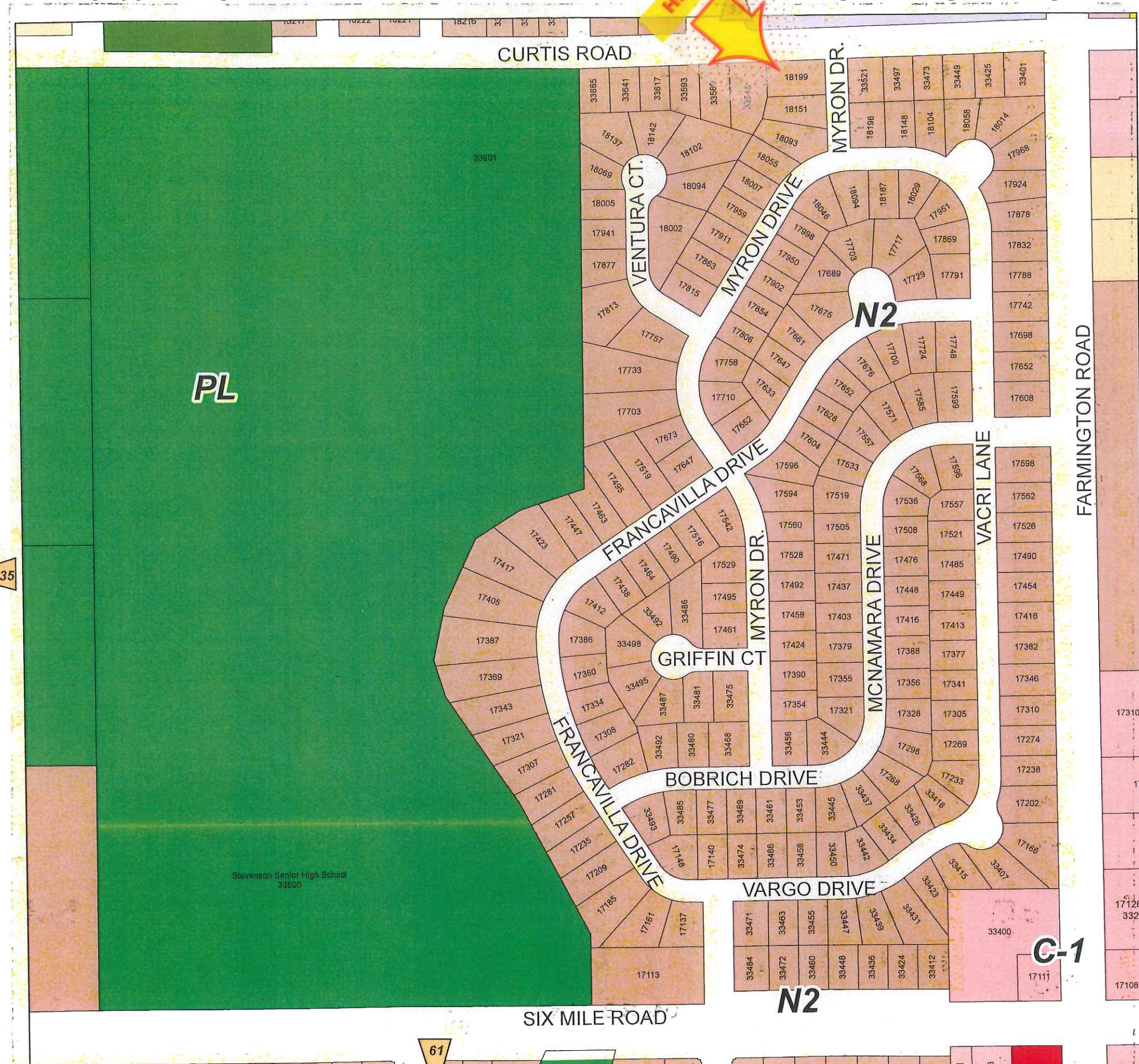
T. 1 south, R. 9 east

Wayne County, Michigan

Copyright 2001, City of Livonia



300 150 0 300 Feet



ZONING BOARD OF APPEALS

ZONING BOARD MEMBERS

GREGORY G. COPPOLA, CHAIRMAN
JAMES. M. BARINGHAUS, VICE CHAIRMAN
TIMOTHY J. KLISZ, SECRETARY
CHRISTOPHER N. BOLOVEN
MARC ROTONDO
LYNDA L. SCHEEL
MIKE TESTA



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

COUNCIL MEMBERS

BRANDON MCCULLOUGH, PRESIDENT
MARTHA PTASHNIK, VICE PRESIDENT
CARRIE BUDZINSKI
ROB DONOVIC
JIM JOLLY
SCOTT MORGAN
LAURA M. TOY

PUBLIC NOTICE **June 21, 2024**

APPEAL CASE NO. 2024-06-24, 32175 Balmoral Street: an appeal was made to the Zoning Board of Appeals by Christopher Cristante and Jesse Syring, seeking to construct a detached accessory pool house while maintaining and expanding on an existing attached garage, resulting in excessive building area (pool house), excessive total accessory building area and a deficient side yard setback (garage).

This Low-Density Residential property is located on the south side of Balmoral Street (32175), between Cambridge and Canterbury Streets, Lot. No. 057-01-0077-000, R-U-F, Rural Urban Farm District, rejected by the Inspection Department under Livonia Zoning Ordinance, Sections 3.06 "Dimension Regulations" and 7.09(1)A "Minimum Size."

Accessory Building Area

Allowed: 200 sq. ft.
Proposed: 1,089 sq. ft.
Excess: 889 sq. ft.

Total Accessory Area

Allowed: 920 sq. ft.
Proposed: 1,777 sq. ft.
Excess: 857 sq. ft.

Side Yard Setback

Required: 10 ft.
Proposed: 3.4 ft.
Deficient: 6.6 ft.

THE LAW REQUIRES THAT OWNERS OF PROPERTY LOCATED WITHIN 300 FEET OF THIS PROPERTY BE NOTIFIED OF THIS REQUEST IN WRITING. THIS IS YOUR NOTIFICATION. YOU ARE NOT REQUIRED TO RESPOND TO THIS LETTER.

This appeal will be heard at a public hearing to be held in the **Auditorium on the 1st floor of City Hall on Tuesday, July 9, at 7:00 p.m.**, at which time comments may be directed to the Board during audience participation. When replying by mail, write your comments on the back of this notice and address it to the City of Livonia, Zoning Board of Appeals, 33000 Civic Center Drive, Livonia, MI 48154. All written comments are read at the meeting and become part of the record.

ZONING BOARD OF APPEALS,



Timothy Klisz, Secretary

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

Case No: 2024-06-24
Meeting Date: July 9, 2024

[illegible]

Signature: _____

Address:

APPLICATION FOR VARIANCE

JESSE SYRING

CHRIS CRISTANTE 32175 BALMORAL DR LIVONIA 48154 313.319.1248

(Owner of Premises) (Street Address) (City) (Zip Code) (Telephone) (Fax)

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

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

The property address is 32175 BALMORAL DR LIVONIA MI 48154

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

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

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

SEE EXISTING CONDITIONS PLAN ATTACHED.

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

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

THE PROPERTY IS A UNIQUE SHAPE & THE CURRENT STRUCTURES DO NOT ALLOW FOR ADEQUATE USAGE.

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

THE CURRENT STRUCTURES ARE DILAPIDATED & THEIR USE DOES NOT FULFILL THE NEEDS OF THE SPACE.

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

WE HAVE PERSONALLY SHOWN THE PLANS OF THE PROJECT TO ALL OUR NEIGHBORS WHICH FULLY SUPPORT OUR PLANS. ADDITIONALLY OUR PROPERTY IS TREE-LINED & THEREFORE HAS LITTLE IMPACT TO OUR NEIGHBORS.

6. Have you sought an amendment to the zoning ordinance which would permit your proposed project under your current zoning? If yes, please describe the outcome of this process:

NO

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

WE WERE TOLD BY THE CITY TO PROVIDE DETAILS OF THE PROJECT TO THE ZONING BOARD FOR APPROVAL.

RECEIVED

JUN 14 2024

Inspection Department
City of Livonia

8. Have you attempted to have the property rezoned? If yes, please describe the outcome of the rezoning process: No
9. If you have not attempted to have the property rezoned, why hasn't this attempt been made? N/A

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

OWNER'S AFFIDAVIT

COUNTY OF WAYNE)
STATE OF MICHIGAN)

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

Signature of property owner: Christopher A. Cristante

Please print name of property owner: Christopher A. Cristante

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

Subscribed and sworn to before me this 14th day of June, 2024

Nora Brock Livingston
(Notary Public, Wayne County, Michigan) acting in Wayne County
My Commission expires 9/1/2028

Nora Brock
NORA BROCK
NOTARY PUBLIC, STATE OF MI
COUNTY OF LIVINGSTON
MY COMMISSION EXPIRES Sep 1, 2028
ACTING IN COUNTY OF WAYNE

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

NOT TO BE COMPLETED BY APPLICANT

Petitioner makes application for a Hearing, seeking to (reverse, modify, or affirm) the (order, decision) of the Department of Inspection, dated 6/14/24, which reads as follows:

Excessive Accessory Structures & Area

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

Matthew J. Sienko
(Supervisor)

Application for permit filed No

Violation Issued No

Jesse Syring & Chris Cristante
32175 Balmoral Dr.
Livonia, MI 48154-3182
Jesse.Syring@gmail.com / 313-570-4530
Chris.Cristante@gmail.com / 313-319-1248

June 14, 2024

Zoning Board of Appeals
33000 Civic Center Drive
Livonia, MI 48154-3060

Dear Members of the Zoning Board,

We are writing to express our deep appreciation for our beloved city of Livonia and to discuss a matter regarding our home at 32175 Balmoral Drive. We have been proud residents of Livonia for 24 years, and it is here that we have found a community that resonates with our values and aspirations.

Our home is more than just a structure, it is a sanctuary where memories are created and cherished. It is with this sentiment that we wish to enhance our residence by rebuilding the pool shed and extending our garage space, which we believe will not only augment our enjoyment of our property but also contribute aesthetically to our neighborhood.

We have carefully considered the placement of our proposed pool shed and garage addition and believe there is ample space on our property to accommodate these additions without causing any inconvenience to our neighbors. We have discussed the proposed project with our neighbors personally and each of them fully support our project plans. In fact, they are excited to see how the drawings/plans are translated into a physical reality. We are committed to ensuring that the design and construction will be in harmony with the existing landscape and structures.

We understand the importance of maintaining the integrity and beauty of our city, which is why we are approaching the board with a request for your support in our endeavor. We take great pride in the upkeep of our property and believe this project will further enhance our home. We do not wish to relocate, as we consider the Livonia community to be our home and hope to continue contributing positively to the city we treasure. Your approval of our proposed pool shed and garage addition would be greatly appreciated and allows us to further invest in our home and community.

Thank you for considering our request.

Jesse Syring & Chris Cristante

Real Estate Summary Sheet

Information herein deemed reliable but not guaranteed 06/14/2024 11:54 AM

Parcel:	057 01 0077 000	Current Class:	401.RESIDENTIAL-IMPROVED
Owner's Name:	CRISTANTE CHRISTOPHER/JESSE SYRING	Previous Class:	401.RESIDENTIAL-IMPROVED
Property Address:	32175 BALMORAL LIVONIA, MI 48154	Taxable Status	TAXABLE
		Prev. Taxable Stat	TAXABLE
Liber/Page:		Gov. Unit:	46 CITY OF LIVONIA
Split:	/ /	YR BLT/SQ FT	1968 1437 1008
Public Impr.:	None	School:	82095 LIVONIA PUBLIC SCHOOLS
Topography:	None	Neighborhood:	057 401 057 01
Mailing Address:	Description:		
CRISTANTE CHRISTOPHER/JESSE SYRING TRUST	15J77 NOTTINGHAM WOODS T1S R9E L89 P22 23 WCR LOT 77		
32175 BALMORAL			
LIVONIA MI 48154			

Most Recent Sale Information

Sold on 03/04/2022 for 0 by CRISTANTE CHRISTOPHER A.

Terms of Sale: 14-INTO/OUT OF TRUST Liber/Page:

Most Recent Permit Information

Permit PB21-0177 on 01/14/2021 for \$13,341 category WINDOWS.

Physical Property Characteristics

2025 S.E.V.:	216,000	2025 Taxable:	164,875	Lot Dimensions:	
2024 S.E.V.:	218,300	2024 Taxable:	164,875	Acreage:	0.52
Zoning:		Land Value:	82,000	Frontage:	85.0
PRE:	100.000	Land Impr. Value:	22,414	Average Depth:	267.7

Improvement Data

of Residential Buildings: 1
Year Built: 1968
Occupancy: Single Family
Class: BC
Style: 2.00 STORY
Exterior: Brick
% Good (Physical): 76
Heating System: Forced Heat & Cool
Electric - Amps Service: 0
of Bedrooms: 0
Full Baths: 2 Half Baths: 1
Floor Area: 2,445
Ground Area: 1,437
Garage Area: 462
Basement Area: 891
Basement Walls:
Estimated TCV: 327,536

Image





CITY OF LIVONIA
Inspection Department

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154
421-2000

REJECTION OF APPLICATION FOR PERMIT
BECAUSE OF NON-CONFORMITY TO ZONING ORDINANCE LIVONIA VISION 21

Applicant (SAME AS OWNER) Address (SAME AS OWNER)
Owner CHRISTOPHER CRISTANTE Address 32175 BALMORAL, LIVONIA, MI 48154
Lessee — Address —
Location SOUTH Side of 32175 BALMORAL Street
Between CAMBRIDGE ST. And CANTERBURY ST.
Lot No/Parcel No. 057-01-0077-000 Subdivision NOTTINGHAM WOODS #1
Zoning District R-U-F Map No. NE 15 Lot Size 22,651 SQ.FT. (0.52 ACRES) Alley N/A
Present Use RESIDENTIAL Proposed Use (SAME)
Present Building Size GARAGE: 462; SHED: 192 SQ.FT. Proposed Building Size GARAGE: 688 SQ.FT. POOL HOUSE: 1,089 SQ.FT.
Present Height of Building GARAGE: 13.5 FT; SHED: 8.5 FT Proposed Height GARAGE: NO CHANGE POOL HOUSE: 13.5 FT.
Allowable Lot Coverage 7,928 SQ.FT. (35%) Proposed Lot Coverage 3,214 SQ.FT. (14.2%)

Proposal SEEKING CONSTRUCT A DETACHED ACCESSORY POOL HOUSE WHILE MAINTAINING AND EXPANDING ON AN EXISTING ATTACHED GARAGE, RESULTING IN EXCESSIVE BUILDING AREA (POOL HOUSE), EXCESSIVE TOTAL ACCESSORY BUILDING AREA AND A DEFICIENT SIDE YARD SETBACK (GARAGE).
ACCESSORY BUILDING AREA ALLOWED: 200 SQ.FT.; PROPOSED: 1,089 SQ.FT.; EXCESS: 889 SQ.FT.; TOTAL ACCESSORY AREA ALLOWED: 920 SQ.FT.; PROPOSED: 1,777 SQ.FT.; EXCESS: 857 SQ.FT.; SIDE YARD SETBACK REQUIRED: 10 FT; PROPOSED: 3.4 FT; DEFICIENT: 6.6 FT.

Reason for Rejection LIVONIA ZONING ORD., SECTIONS: 3.06 "DIMENSION REGULATIONS" & 7.09(1) A "MAXIMUM SIZE"

Deficient Side Yard 6.6 FEET Deficient Front Yard _____ Deficient Rear Yard _____
Deficient Lot Area _____ Deficient Lot Area per Room _____ Encroachment _____
Excessive Lot Coverage _____ Excessive Height _____ Increasing No. Units _____
Use Prohibited _____ Deficient Parking Spaces _____ Increasing Area and Bulk 7.09(1) A 889 SQ.FT. (POOL HOUSE)
857 SQ.FT. (TOTAL AREA)

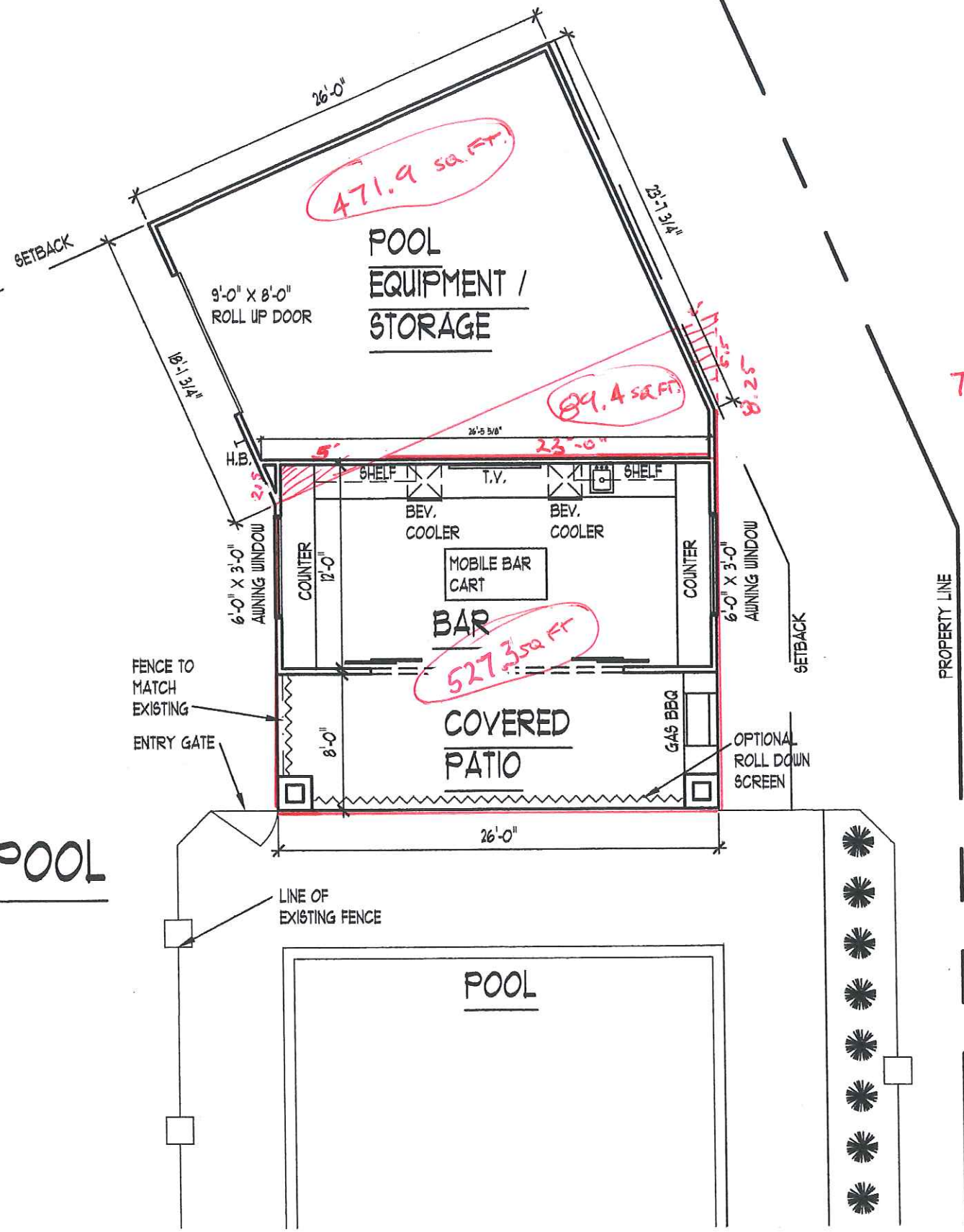
Remarks FROM THE INSPECTIONS DEPARTMENT: STRUCTURES GREATER THAN 200 SQ.FT IN AREA AND LESS THAN 5 FEET FROM A PROPERTY LINE WILL BE REQUIRED TO PROVIDE FIRE RATED WALLS TO BE IN COMPLIANCE WITH I.C.C. REGULATIONS.

Plans and Application examined by [Signature] Date JUNE 14, 2024

ZONING EXAMINER

INSPECTIONS DEPARTMENT
PLAN REVIEW CALCULATIONS
mjs

PROPOSED POOL
HOUSE PLAN
SCALE: 1/8" = 1'-0"



TOTAL SQ. FT.: 1,088.6

DM DESIGNS, LLC.
Darren Mazurek, Designer
36235 West 7 Mile RD.
Livonia, MI 48152
(p) 248.722.8108
(e) DMDESIGNS4ULLO@GMAIL.COM

PROPOSED RESIDENTIAL PROJECT FOR:
CHRIS CRISTANTE & JESSE SYRING
32175 BALMORAL
LIVONIA, MI 48154

REVIEW DATE:	XX-XX-XX
SCALE:	AS SHOWN
DRAWN:	D. MAZUREK
APPROVED:	
JOB:	24-020
FINAL DATE:	
SHEET:	ZB-3

PROPOSED RESIDENTIAL PROJECT FOR:

CHRIS CRISTANTE & JESSE SYRING

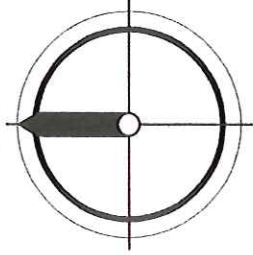
32175 BALMORAL
LIVONIA, MI 48154

SHEET INDEX

	EXISTING SITE PLAN
	PROPOSED SITE PLAN
ZB-1	EXISTING GARAGE PLAN
ZB-2	PROPOSED GARAGE PLAN
ZB-3	PROPOSED POOL HOUSE PLANS
ZB-4	PROPOSED POOL HOUSE ELEVATIONS

REVIEW DATE:	XX-XX-XX
SCALE:	AS SHOWN
DRAWN:	D. MAZUREK
APPROVED:	
JOB:	24-020
FINAL DATE:	-
SHEET:	
COVER	

N



EXISTING CONDITIONS PLAN

057-01-0077-000 / 32175 BALMORAL

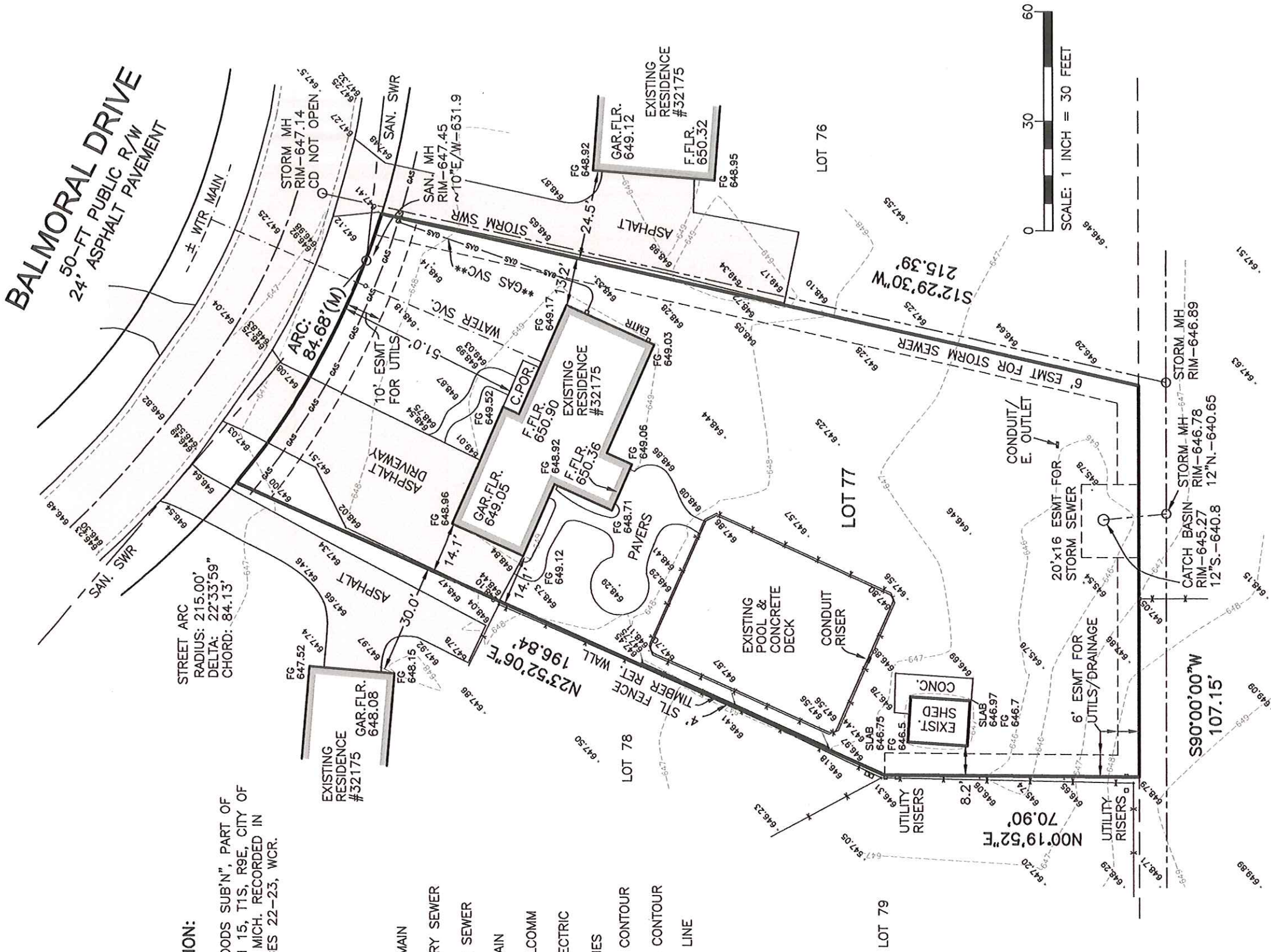
BALMORAL DRIVE
50'-FT PUBLIC R/W
24'- ASPHALT PAVEMENT

PROPERTY DESCRIPTION:

LOT 77, "NOTTINGHAM WOODS SUB'N", PART OF THE NE 1/4 OF SECTION 15, T1S, R9E, CITY OF LIVONIA, WAYNE COUNTY, MICH. RECORDED IN LIBER 89 OF PLATS, PAGES 22-23, WCR.

LINETYPE LEGEND

- WATERMAIN
- SANITARY SEWER
- STORM SEWER
- GAS MAIN
- UG TELCOMM
- UG ELECTRIC
- OH LINES
- MINOR CONTOUR
- MAJOR CONTOUR
- FENCE LINE



UNDERGROUND UTILITY INFORMATION AS SHOWN WAS GATHERED IN PART FROM FIELD OBSERVATION AND IN PART FROM RECORDS OF THE VARIOUS UTILITY COMPANIES AND/OR MUNICIPAL RECORDS. NO GUARANTEE IS GIVEN OR IMPLIED AS TO THE ACCURACY AND/OR COMPLETENESS THEREOF.

CALL MISS-DIG (800) 482-7171 OR 811 AT LEAST 72 HOURS BEFORE COMMENCING ANY EXCAVATION

FEMA NOTE:

SUBJECT PARCEL LIES IN ZONE X - AREAS OF MINIMAL FLOOD HAZARD
FIRM PANEL 26163C0061E, 02/02/12

ZONING INFORMATION

PROPERTY ZONED RUF
MIN. LOT AREA 15,000 SQ.FT. (24,688 EXIST.)
MAX. LOT COVERAGE 35% (8641 SQ.FT.) EXIST. 2068 SQ.FT (8.4%)

SETBACKS
MIN. FRONT 50'
MIN. REAR 35'
MIN./TOTAL SIDE 10'/20'



© 2024 DAVID WHITE LAND SURVEYING PLLC

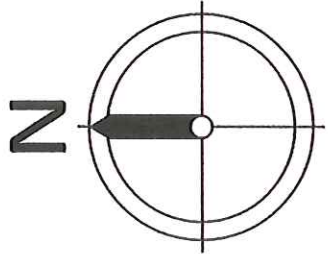
PREPARED FOR:
C. CRISTANTE

David White Land Surveying, PLLC
Boundary • Topographic • Construction • ALTA
44 DENNISON STREET, OXFORD, MI 48371
734.353.0135 dwsurveying@gmail.com
Licensed Professional Surveyor

REVISIONS:

REV	DATE	DESCRIPTION

JOB NO. 240512
DATE 05/29/24
FIELD DATE 05/26/24
SHEET 1 OF 1
SCALE 1" = 30'



PROPOSED PLAN

057-01-0077-000 / 32175 BALMORAL

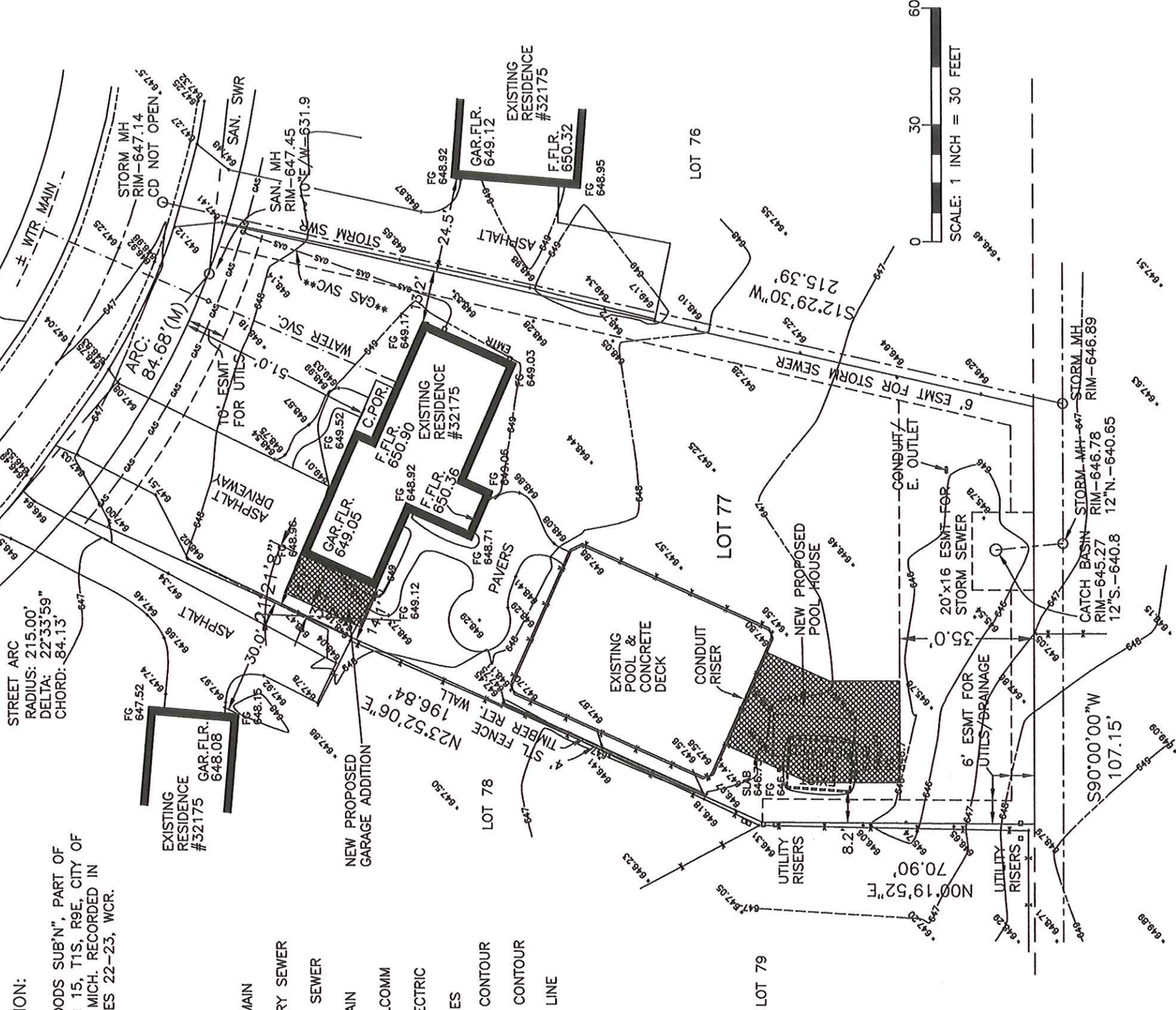
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LINETYPE LEGEND

- WATERMAIN
- SANITARY SEWER
- STORM SEWER
- GAS MAIN
- UG TELCOMM
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- OH LINES
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- FENCE LINE

BALMORAL DRIVE
50'-FT PUBLIC R/W
24'- ASPHALT PAVEMENT



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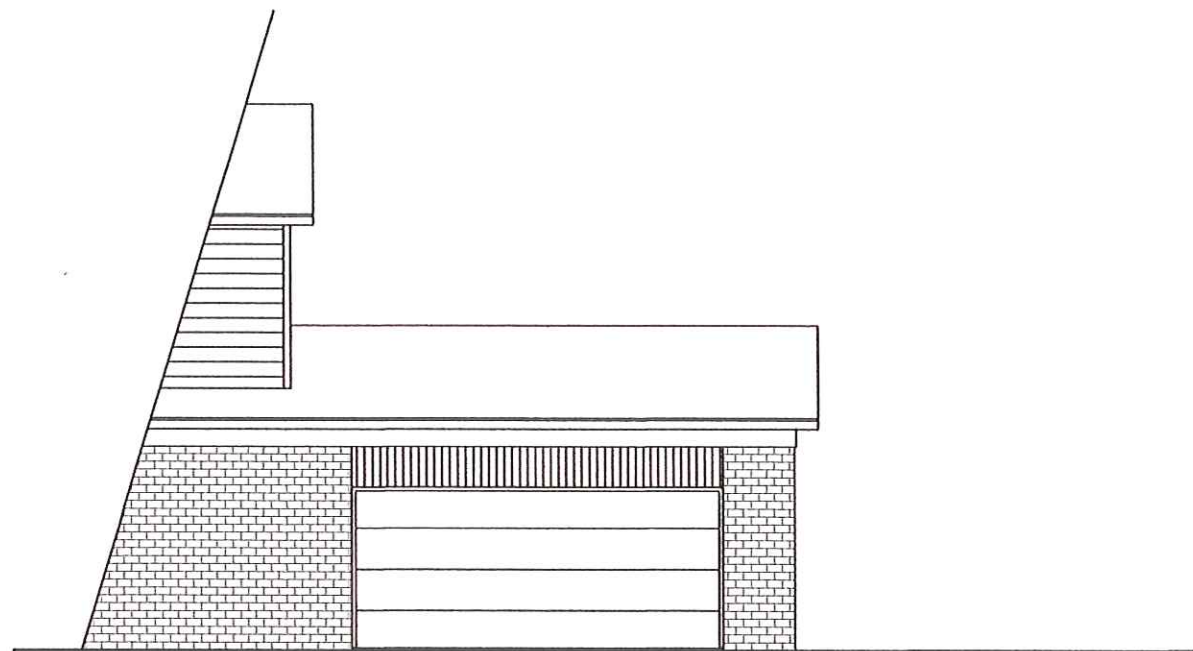
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FIRM PANEL 26163C0061E, 02/02/12

ZONING INFORMATION

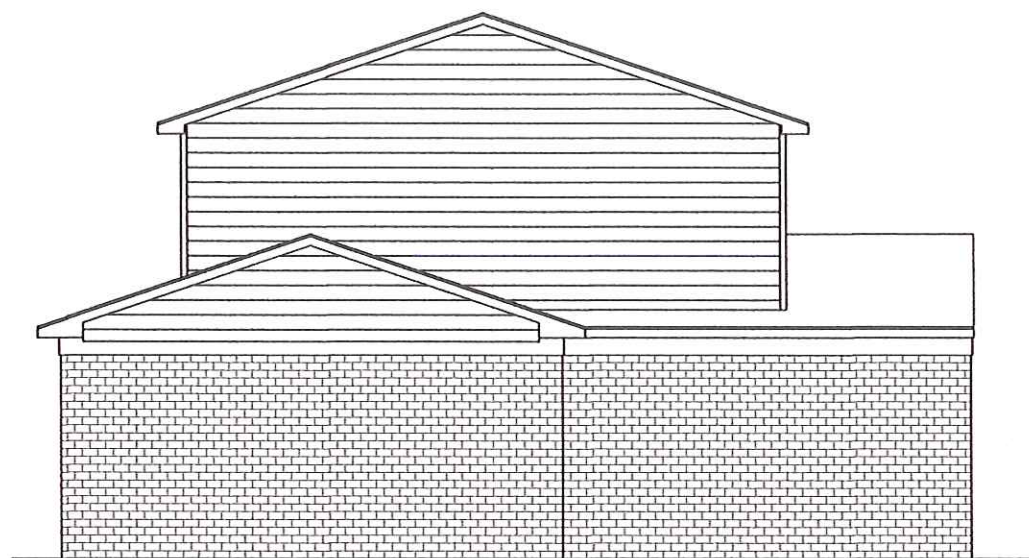
PROPERTY ZONED RUF

MIN. LOT AREA	15,000 SQ.FT. (24,688 EXIST.)
MAX. LOT COVERAGE	35% (8641 SQ.FT.) NEW PROPOSED 3163 SQ.FT (12.8%) EXIST. 2068 SQ.FT
	EXIST. 217 SQ.FT. POOL HOUSE REMOVED NEW 230 SQ.FT. GARAGE NEW 1082 SQ.FT. POOL HOUSE



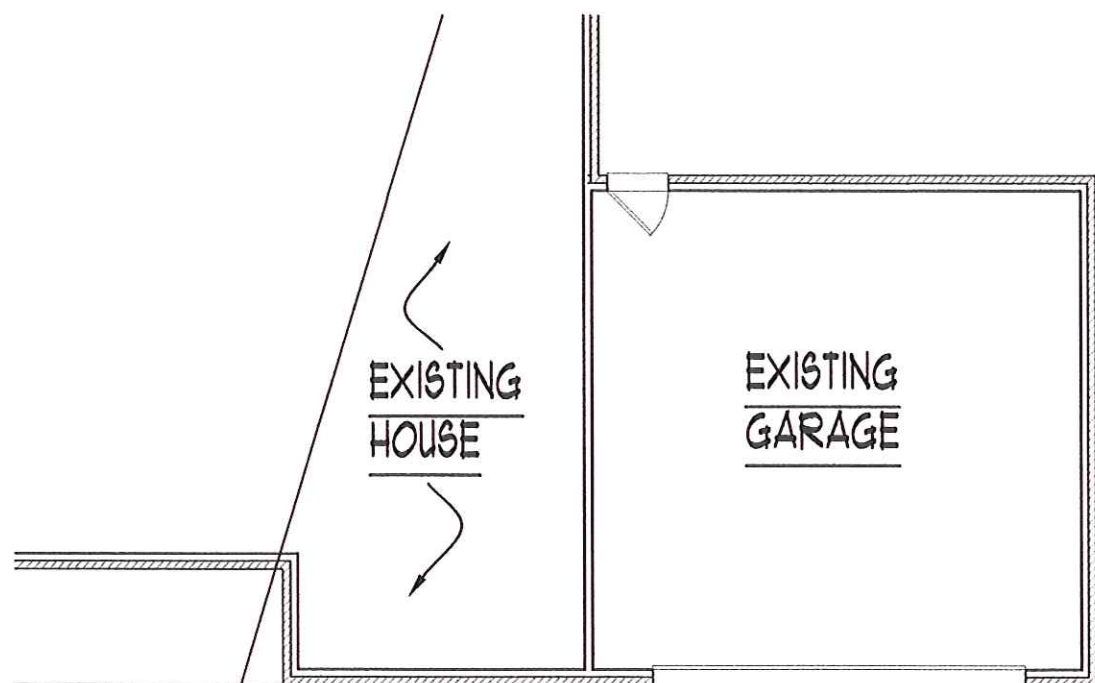
EXISTING PARTIAL FRONT
ELEVATION

SCALE: 1/8" = 1'-0"



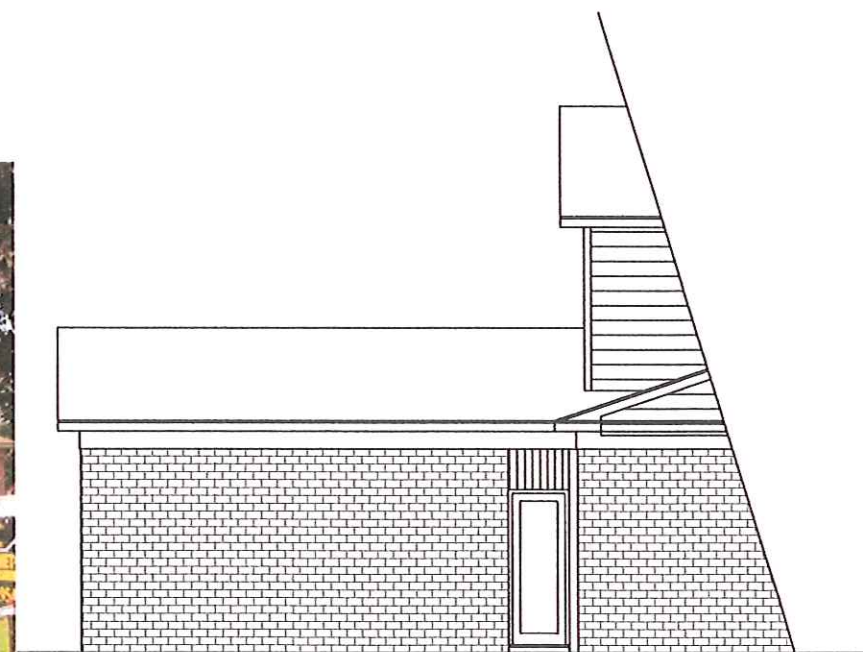
EXISTING PARTIAL FRONT
ELEVATION

SCALE: 1/8" = 1'-0"



EXISTING FIRST FLOOR PLAN

SCALE: 1/8" = 1'-0"



EXISTING PARTIAL REAR
ELEVATION

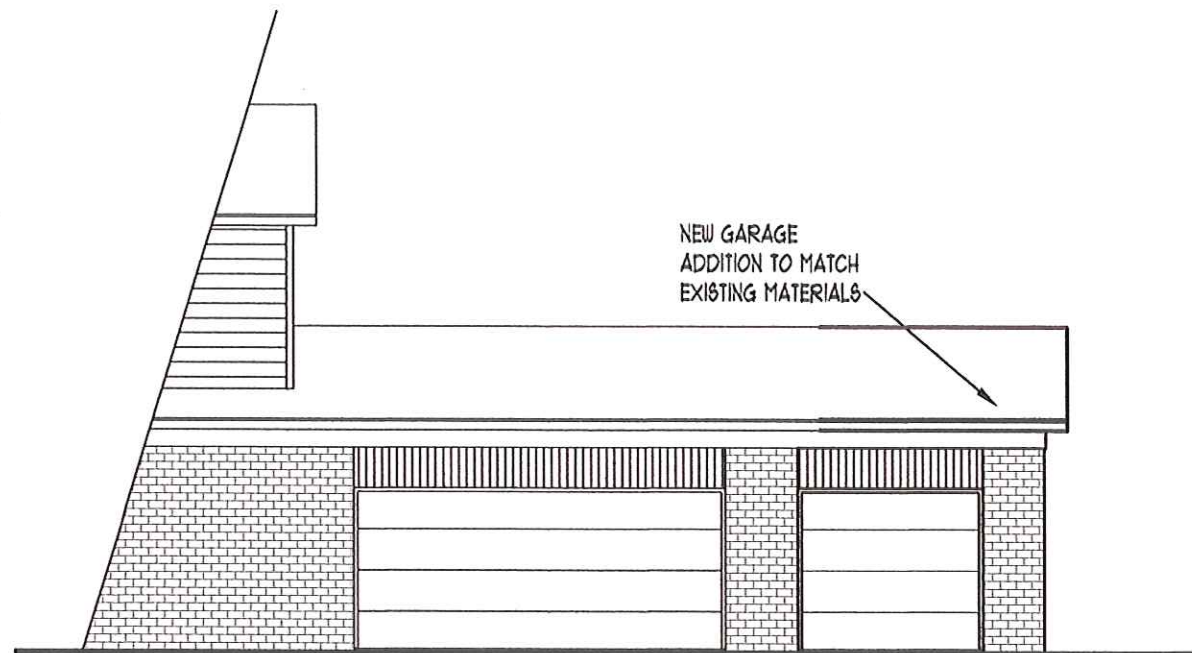
SCALE: 1/8" = 1'-0"

DM DESIGNS, LLC.
Darren Mazurek, Designer
36235 West 7 Mile RD.
Livonia, MI 48152
(p) 248.722.8108
(e) DMDESIGNS4ULLC@GMAIL.COM

PROPOSED RESIDENTIAL PROJECT FOR:
CHRIS CRISTANTE & JESSE SYRING
32175 BALMORAL
LIVONIA, MI 48154

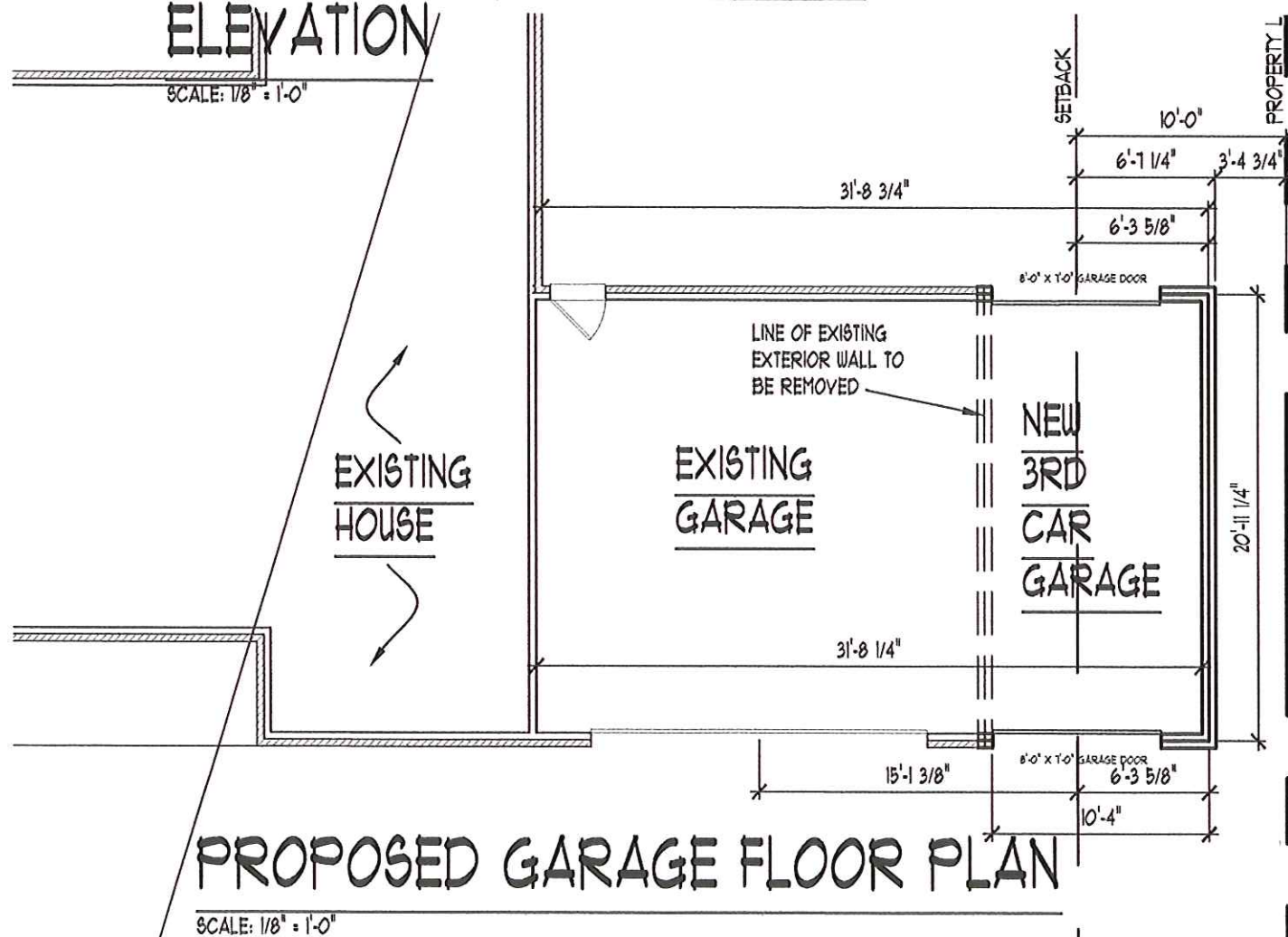
REVIEW DATE:
XX-XX-XX
SCALE:
AS SHOWN
DRAWN:
D. MAZUREK
APPROVED:
JOB:
24-020
FINAL DATE:
SHEET:

ZB-1



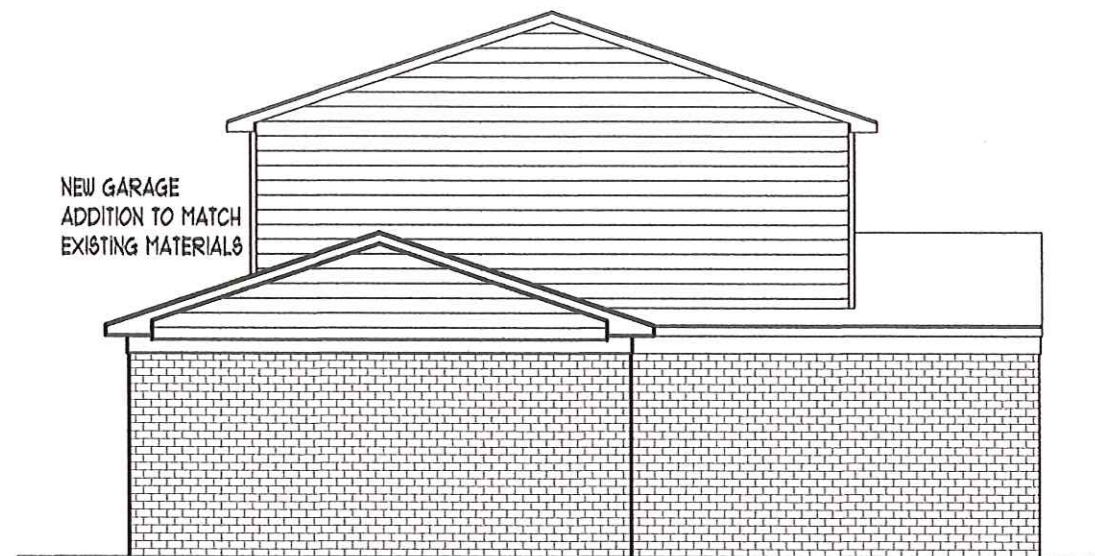
PROPOSED PARTIAL FRONT
ELEVATION

SCALE: 1/8" = 1'-0"



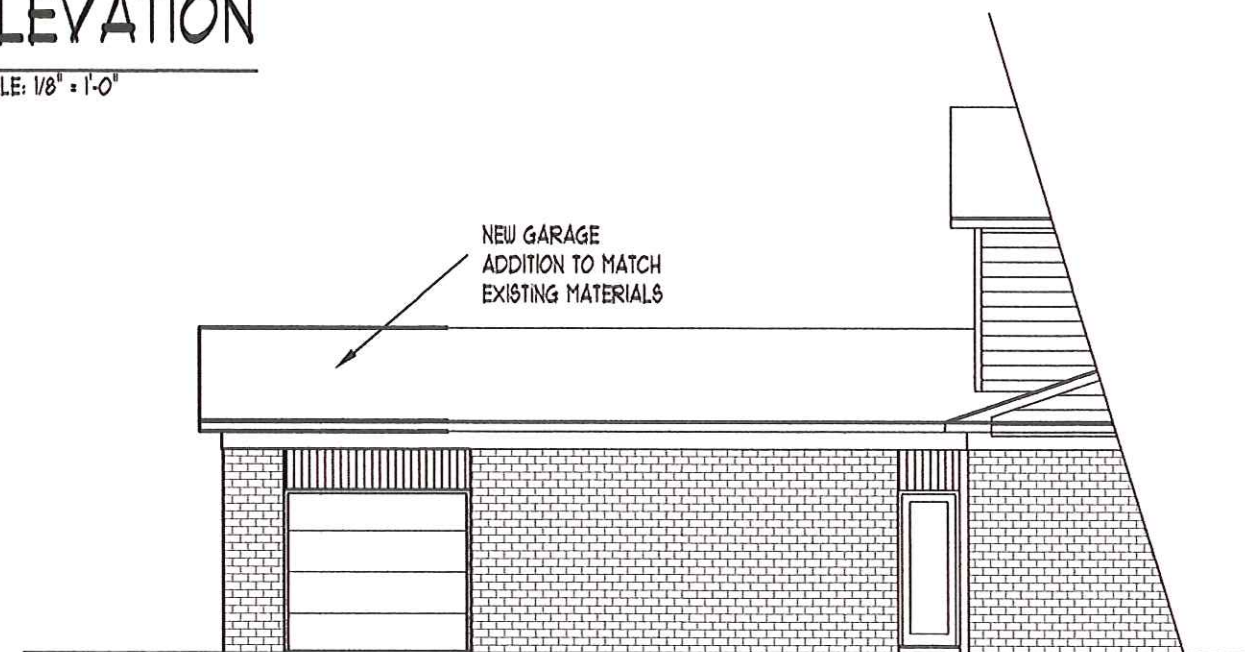
PROPOSED GARAGE FLOOR PLAN

SCALE: 1/8" = 1'-0"



PROPOSED PARTIAL FRONT
ELEVATION

SCALE: 1/8" = 1'-0"



PROPOSED PARTIAL REAR
ELEVATION

SCALE: 1/8" = 1'-0"

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Livonia, MI 48152
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(e) DMDESIGNS4U@GMAIL.COM

PROPOSED RESIDENTIAL PROJECT FOR:

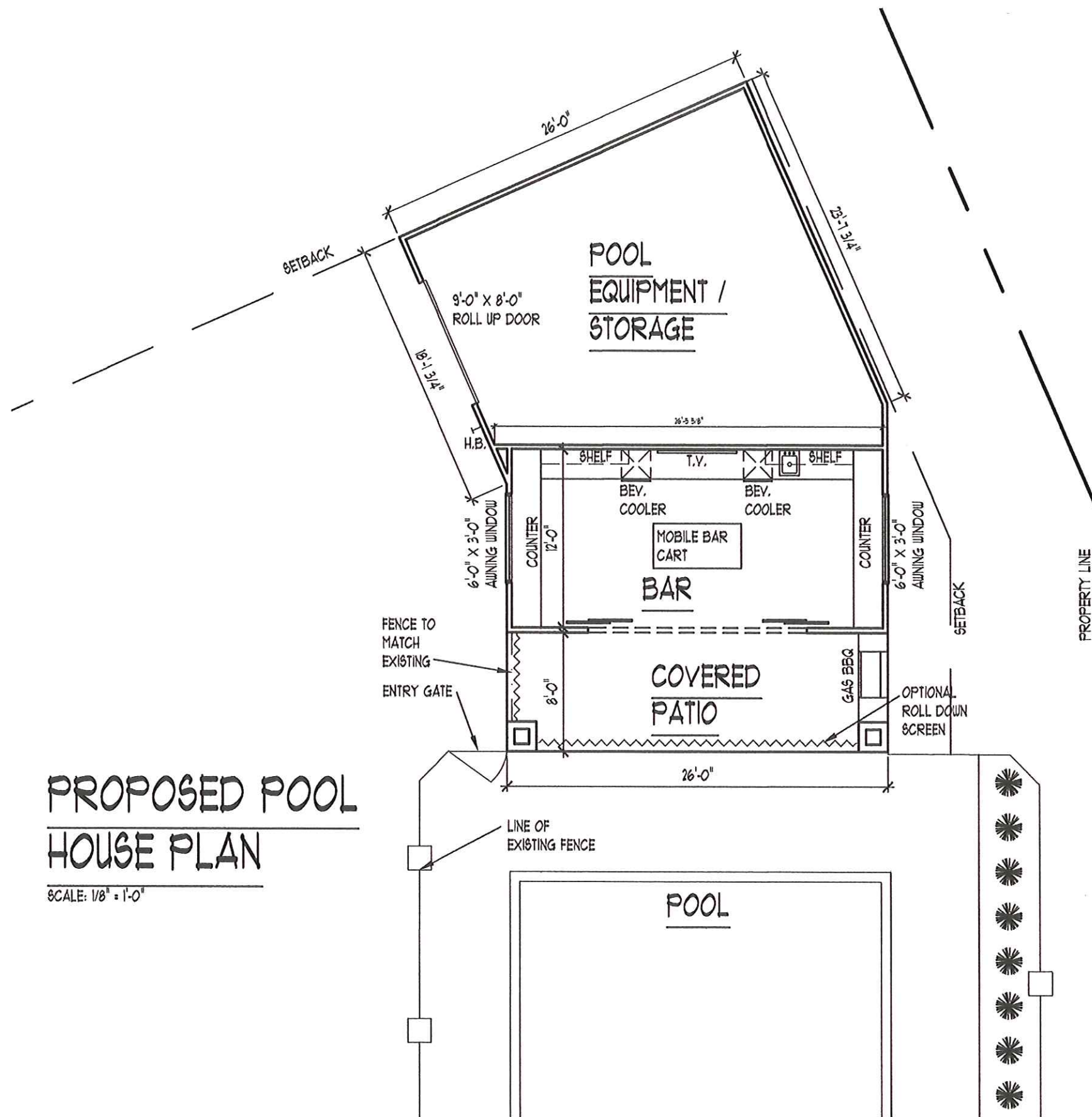
CHRIS CRISTANTE & JESSE SYRING
32175 BALMORAL
LIVONIA, MI 48154

REVIEW DATE: XX-XX-XX
SCALE: AS SHOWN
DRAWN: D. MAZUREK
APPROVED:
JOB: 24-020
FINAL DATE:
SHEET:

ZB-2

PROPOSED POOL HOUSE PLAN

SCALE: 1/8" = 1'-0"

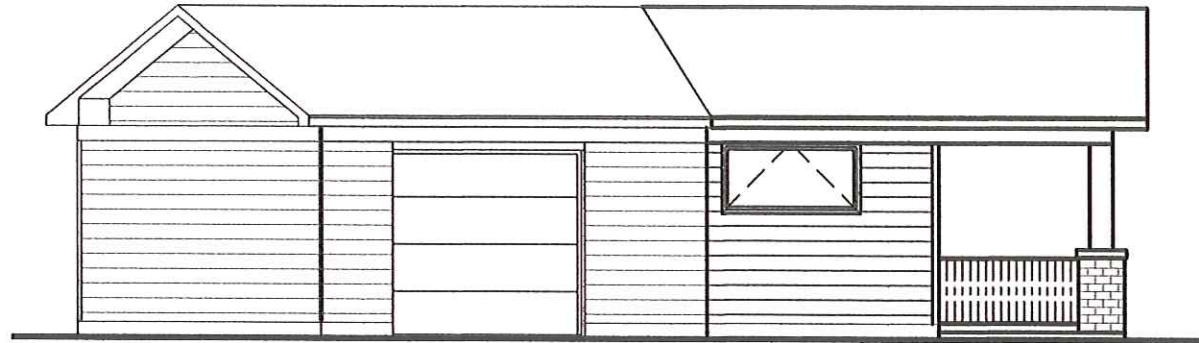


DM DESIGNS, LLC.
Darren Mazurek, Designer
36235 West 7 Mile RD.
Livonia, MI 48152
(p) 248.722.8108
(e) DMDESIGNS4JULLO@GMAIL.COM

PROPOSED RESIDENTIAL PROJECT FOR:
CHRIS CRISTANTE & JESSE SYRING
32175 BALMORAL
LIVONIA, MI 48154

REVIEW DATE: XX-XX-XX
SCALE: AS SHOWN
DRAWN: D. MAZUREK
APPROVED:
JOB: 24-020
FINAL DATE:
SHEET:

ZB-3



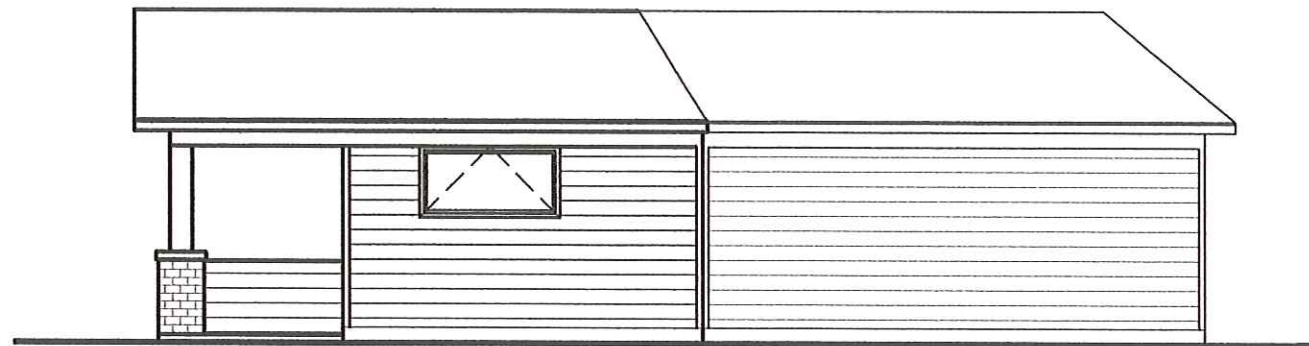
PROPOSED POOL HOUSE
LEFT ELEVATION

SCALE: 1/8" = 1'-0"



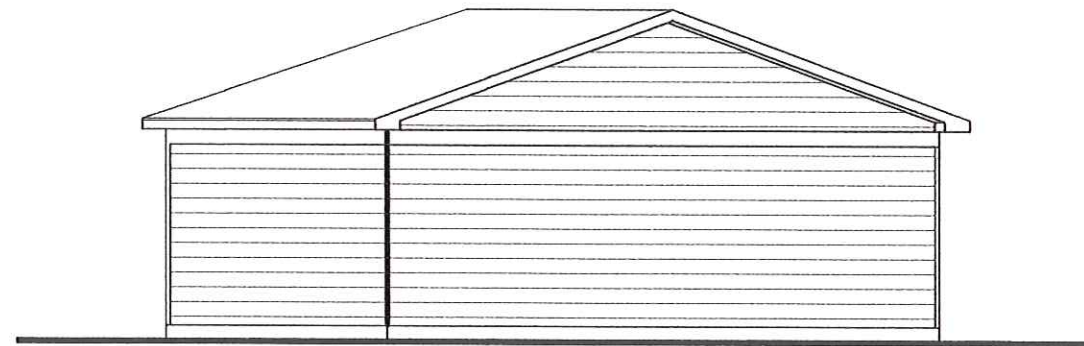
PROPOSED POOL HOUSE
FRONT ELEVATION

SCALE: 1/8" = 1'-0"



PROPOSED POOL HOUSE
RIGHT ELEVATION

SCALE: 1/8" = 1'-0"



PROPOSED POOL HOUSE
REAR ELEVATION

SCALE: 1/8" = 1'-0"

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Darren Mazurek, Designer
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Livonia, MI 48152
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(e) DMDESIGNS4U@GMAIL.COM

PROPOSED RESIDENTIAL PROJECT FOR:
CHRIS CRISTANTE & JESSE SYRING
32175 BALMORAL
LIVONIA, MI 48154

REVIEW DATE: XX-XX-XX
SCALE: AS SHOWN
DRAWN: D. MAZUREK
APPROVED:
JOB: 24-020
FINAL DATE:
SHEET:

ZB-4

CHRISTOPHER CRISTANTE
32175 BALMORAL

REF: DETACHED ACCESSORY BLDG
LOW DENSITY RESIDENTIAL

ZONING MAP

LEGEND

Zoning Districts

RUF Rural Urban Farm

N1 Neighborhood

N2 Neighborhood

NM1 Neighborhood Multifamily

NM2 Neighborhood Multifamily

NM3 Neighborhood Multifamily

P Parking

C-1 Local Business

C-2 General Business

C-3 Highway Services

C-4 High Rise Commercial

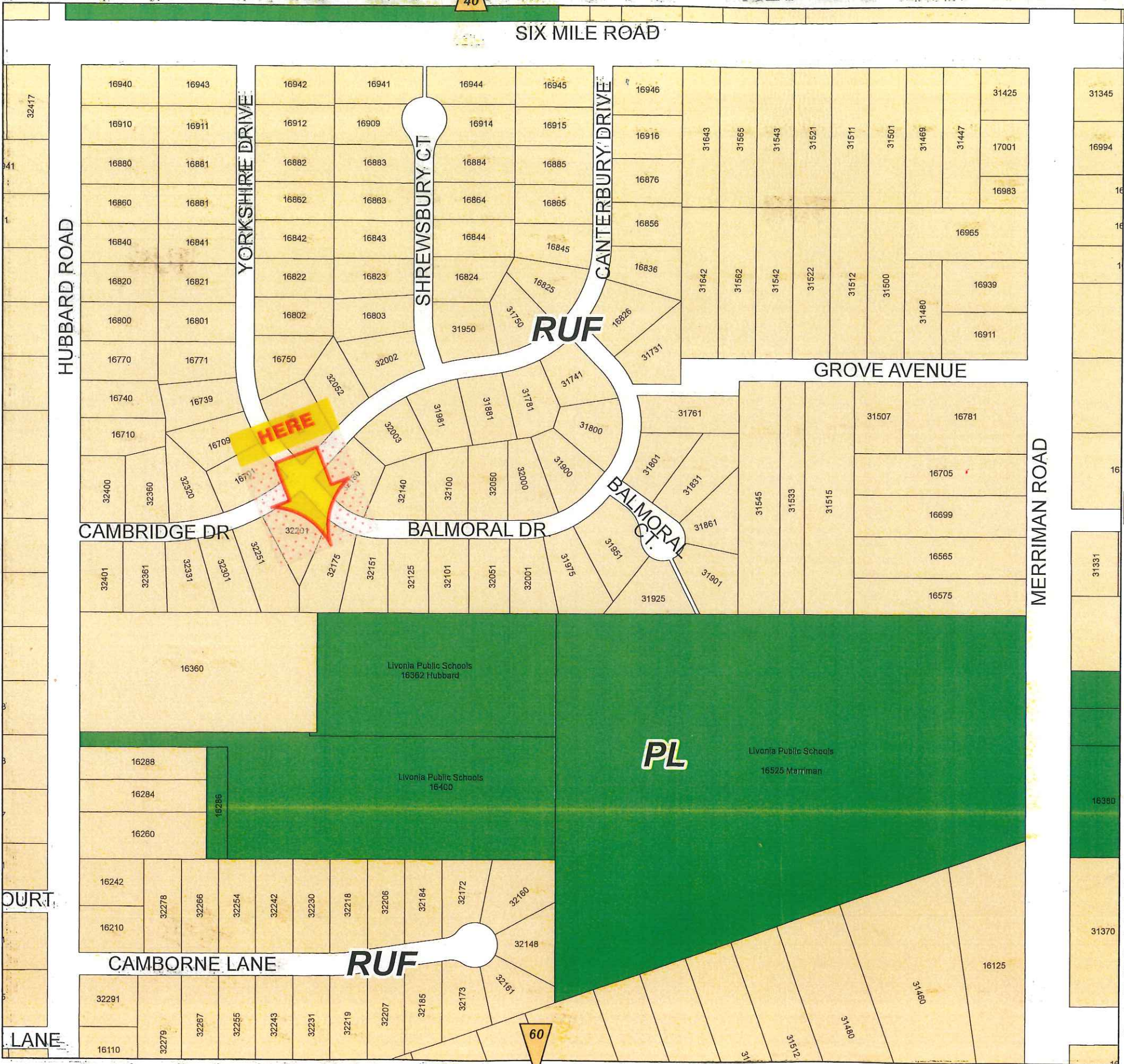
M-L Manufacturing Limited

M-1 Light Manufacturing

M-2 General Manufacturing

P-L Public Lands

NP Nature Preserves



N.E. 1/4 Section 15
City of Livonia
T. 1 south, R. 9 east
Wayne County, Michigan
Copyright 2001, City of Livonia



300 150 0 300 Feet

David Smolarek
32201 Balmoral Drive
Livonia, MI 48154
734-751-9756

Re: Proposed Construction 32175 Balmoral Drive – Jesse Syring & Chris Christante

Dear Livonia Zoning Board Members:

I am writing to you today regarding the proposed project at 32175 Balmoral Drive to add a pool house in the backyard and to expand the existing garage from a two-car to a three-car. I have reviewed the plans with my neighbors, and I am in support of this project. The pool house will be a nice addition to the yard and will improve the appearance from the existing structure. Chris and Jesse invest a lot of time and effort into keeping the yard tidy and being excellent neighbors.

Sincerely,

David Smolarek

DocuSigned by:

F90F7815D944407...

To: Livonia City Zoning Board
From: Randy and Judy Parzych

To Whom It May Concern,

We understand that our neighbors, Jesse Syring and Chris Cristante, are planning to build a structure in their backyard next to their pool. We have no concerns about their plans to build their structure and are confident that it will be built in a professional manner.

Regards,
Randy and Judy Parzych
32151 Balmoral Dr.
Livonia, MI
734-564-2105

ZONING BOARD OF APPEALS
CITY OF LIVONIA
MINUTES OF MEETING HELD TUESDAY, JUNE 11, 2024

A Meeting of the Zoning Board of Appeals of the City of Livonia was held on Tuesday, June 11, 2024.

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

MEMBERS ABSENT: None

OTHERS PRESENT: Mike Fisher, Chief Assistant City Attorney
David Popp, Inspector

The meeting was called to order at seven p.m. Chairman Coppola explained the Rules of Procedure to those interested parties. Each petitioner must give their name and address and declare hardship for appeal. Appeals of the Zoning Board's decisions are made to the Wayne County Circuit Court. The Vice 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. Seven (7) members were present. 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. 2024-04-15, 37750 Sunnydale: an appeal was made to the Zoning Board of Appeals by Garry Villasenor, seeking to construct a four-season room addition resulting in a deficient rear yard setback.

This Low-Density Residential property is located on the west side of Sunnydale Street (37750), between Richfield St. and Huff St., Lot. No. 069-01-0095-000, N-2, Neighborhood District, rejected by the Inspection Department under Livonia Zoning Ordinance, Section 3.05 (Dimension Regulations).

Rear Yard Setback:

Required: 30 feet
Proposed: 22.9 feet
Deficient: 7.1 feet

COPPOLA All right, thank you. Mr. Popp, anything you would like to add?

POPP Nothing to add, Mr. Chair. Thank you.

COPPOLA Thank you. Any questions for the Inspection Department? Seeing none, the Petitioners can step up to the podium please, just for the record, if I can get your name and address.

VILLASENOR Garry Villasenor, 37750 Sunnydale Street.

COPPOLA Okay, Mr. Villasenor, why don't you just give us a brief summary of what you're proposing in regards to the variance, what kind of the hardship that you have that would suggest that the Board would provide a variance.

VILLASENOR Okay, so I've been at the house for about 21 years now. Moved in in 2003. Actually bought the house from my mom because she wanted to move to Commerce. My dad passed away in 1994. It's my childhood home, so my family is the original owner. We really love it in Livonia. We love the people, the neighborhood, and we plan to retire here. So my hardship is: my mom is 84 years old. She has dementia, and we eventually want to move her back into the house with us, so that we can provide her with the care she'll ultimately need. She doesn't like to go outside the house at all, so we thought a four-season sunroom would be a good investment. Currently, she has a caregiver for four days, and between my siblings and I, we visit her for three days. So again, that is my hardship. I would like to move my mom in with us in the near future.

COPPOLA Okay, thank you. Questions for the Petitioner?

BARINGHAUS Mr. Chairman?

COPPOLA Mr. Baringhaus.

BARINGHAUS Your home, I believe in the photos you sent in, looks like a kind of a quad-level design?

VILLASENOR Correct.

BARINGHAUS Okay. Can you explain how the four-season room would be adapted to that type of floorplan?

VILLASENOR It'll be directly behind the current family room that we have, it's going to be approximately the same dimension. Again, as I mentioned, my mom doesn't like to go outside, so we thought a sunroom with lots of windows would be a very beneficial feature for her.

BARINGHAUS So the floor levels between the four-season room and your family room would be different? In other words, you would have to take stairs to get in?

VILLASENOR No, it would be a direct access from the family room to the sunroom.

BARINGHAUS And the proposed site is closer to where the bay window is.

VILLASENOR It is near the bay window. But the sunroom I'm interested in is, again, it's about the same dimension as the family room, just building out.

BARINGHAUS Can you tell me about the exterior of the all-season room? How it ties into the house?

VILLASENOR Yeah. As far as exterior, I'm planning to, most likely use a brick veneer to try to match the current exterior that I have on the home. And again, we have sliding doors on the sides of the sunroom and then windows obviously at the back.

BARINGHAUS So the brick veneer will tie into the color of the brick of the home.

VILLASENOR That's the plan, yes.

BARINGHAUS It looks like, from the photos, your home has a little bit of a Tudor styling to it. Will that be adapted to it as well?

VILLASENOR Yeah, yeah, we designed it so it would match well with the current design.

BARINGHAUS Okay, thank you.

VILLASENOR Thank you.

BOLOVEN Mr. Chair.

COPPOLA Mr. Boloven.

BOLOVEN Question for the Petitioner, looking at your proposed addition on the site plan, the way that you have that going with the fence in the backyard, is that fence going to come down?

VILLASENOR The fence directly behind my house?

BOLOVEN Yeah. So your proposal is you're putting that within that fence area. Is that correct or...?

VILLASENOR Yeah, that fenced area is actually my neighbor's fence. I currently have-- the backyard is completely open at this time.

BOLOVEN So that when you put in your petition that the setback of your neighbor was 17 feet. Are you going from that fence line?

VILLASENOR Nope, not from the fence line, from the actual property line.

BOLOVEN So where'd you come up with the 17 foot number?

VILLASENOR Well, the 17 feet that I spoke of was my neighbor that's kitty-corner from me, and he's approximately 17 feet from his property line. Right now, the structure I want to build would be about 22.9 from the current property line. But the fence behind that, my neighbor's fence, is... that's another 20 feet. So we'd be about 40 feet away from each other.

BOLOVEN Your addition is going to be how far from the fence?

VILLASENOR From my neighbor's fence?

BOLOVEN Yes.

VILLASENOR It's probably going to be 40 feet, approximately. I haven't measured how far east he is from the property line. It's about 20 feet.

BOLOVEN So I'm looking, I can't see the number because I thought your reference was the 16068, on the neighbor line, you're truly talking that 17 foot that three seven... 37755?

VILLASENOR No, it's 37750.

BOLOVEN You're three-- yeah, I got that. The neighbor, that's 17 feet. I'm looking at the map here, that has the 17-foot setback.

VILLASENOR Yeah.

BOLOVEN Oh, that is three seven.

ROTONDO That neighbor, that neighbor looks like it is 16110.

BOLOVEN That's what I'm trying to figure out. What neighbor are we talking about? Because it says here, "37750," which... That's his address, so there's a problem.

COPPOLA So that's just, I think that's just marking the survey itself. I don't think that's the property.

BOLOVEN That's... so this is the 16110?

BOLOVEN This would be 40 foot?

POPP 22-something, actually. Plus it's almost [inaudible].

BOLOVEN Okay.

POPP Just to make it easier, so you can visualize.

BOLOVEN That's... I got discombobulated on that. So, question for Mr. Popp and you don't [have] to answer right away, but once you get caught up there: 16110, they never had a variance requested?

POPP I can give you, one sec...

BOLOVEN I'm sorry, you can take, take your time.

COPPOLA Just real quick. What is that structure in the neighborhood that has a 17-foot setback? What is it?

VILLASENOR Sunroom.

COPPOLA It's a sunroom.

VILLASENOR Yeah, it's a sunroom as well.

COPPOLA Okay, a four-season sunroom, or just like a glass...?

VILLASENOR It's hard to say. I don't really talk to that neighbor.

COPPOLA Okay.

POPP Give me one second.

COPPOLA Usually it would be a four-season sunroom, so you would have it heated and cooled?

VILLASENOR Yes, I would have those features.

COPPOLA And the neighbor's fence that's behind you that is not on their property line. Is that correct?

VILLASENOR No, it's not.

POPP It's like a privacy fence.

VILLASENOR They just fenced in their patio.

FISHER So we call it a privacy screen.

POPP Yes, I was going to say that, sorry. What street was behind there?

VILLASENOR Huff.

POPP Huff?

COPPOLA Does anybody have any other questions for the Petitioner?

TESTA Mr. Chair?

COPPOLA Mr. Testa.

TESTA Thank you. Question for the Petitioner, can you explain how you decided the size of your proposed addition and the location. Is there another location you put this on your house that would be within the setbacks and not requiring a variance?

VILLASENOR No, the backyard is the most wide open. The side, obviously I have very limited room. And again, I wanted just enough room where, you know, someone can exercise, walk around.

TESTA So how did you select the specific dimensions?

VILLASENOR Again, I just matched the family room for the most part. And I said, yeah, maybe doubling the size would make a good addition.

TESTA I see. And do you plan on keeping a door between the two spaces or opening it up? Or...?

VILLASENOR I might keep the sliding door? I haven't really decided, but yeah, probably some kind of partition that you can open and close.

TESTA Okay, thank you.

BARINGHAUS Mr. Chairman?

COPPOLA Mr. Baringhaus.

BARINGHAUS Who's going to be building the sunroom for you?

VILLASENOR I've been working with a company called Bongero.

BARINGHAUS Okay. Thank you.

VILLASENOR Are we good?

COPPOLA Any other questions for the Petitioner? Would you consider a slightly smaller footprint that would minimize or diminish the deficiency?

VILLASENOR I would consider it. I obviously, ideally, I would like to keep the dimensions I have, because if I'm going to build out, those are the dimensions I thought would be satisfying to my family.

COPPOLA Any luck, Mr. Popp?

POPP I am digging through microfiche.

COPPOLA It didn't happen since they've upgraded the records electronically?

POPP It's not, I don't have any permits in there, but going back as far as I can on aerial to 2014 it's there then.

COPPOLA It's probably grandfathered.

POPP I don't know about grandfathered, but it might... that's what I'm trying to check real fast in microfiche, but it's not organized very well sometimes.

TESTA Mr. Chairman, one more question.

COPPOLA Mr. Testa.

TESTA So from your drawing, looks like it's... the addition is 16 feet by 23 feet. Six out 16 feet, it is 23 feet long. It looks like to go longer you would encroach into your bay window. So technically—

VILLASENOR I would, yes.

TESTA --you couldn't go any longer than that.

VILLASENOR Right.

TESTA So I can understand why you selected 23 feet. That's pretty much the most you can go. And 16 feet is again, just to match an existing room that gives you good space to use.

VILLASENOR Yes.

TESTA Thank you.

COPPOLA Okay, any other questions for the Petitioner? All right, seeing none, now you may sit down.

VILLASENOR Thank you for hearing me out.

COPPOLA Appreciate it. You'll get the opportunity to speak one more time. Anybody in the audience like to speak for or against this petition? Seeing none, do we have communication?

KLISZ We have two letters, we have a letter of approval from Michelle Monticello, 15985 Huff Street, "Approval. We are not concerned with the 7.1 foot deficient [sic], and think the addition will be a value-added update." And the next one is a letter of approval from David Scott, 16068 Huff, "I live behind Gary [sic] Villasenor and I do not have any objection to the requested variance." Those are the two letters.

COPPOLA Okay, thank you very much. So Mr. Villasenor, you have an opportunity to make a final statement if you'd like to. You don't have to, but if you'd like to, you're welcome to.

VILLASENOR Yeah. All I just want to add is that, again, I lived in the house, we're the original owners, for over 40 years now, and no updates. As far as sunrooms, we kept it open because visually it's just... it looks nicer in the neighborhood. And I just think at this point in our lives, as we get older, we just think that a sunroom is going to add so much value to our quality of life if we're allowed this variance, and will help immensely in moving my mom into our house again. That's all I have to say. Thank you.

COPPOLA All right, thank you. I'm going to close the public portion of the case and start the Board's comments with Mr. Testa.

TESTA Thank you, Mr. Chair. I can support this. I'm swayed by the two letters of approval, one is your direct neighbor, and one is a nearby neighbor. While at first it seemed like this is maybe an excessive size of addition, it really isn't based on the constraints that you noted. Really can't go wider, sorry, the deficiency of the setback of seven feet, I don't think you can really make that smaller simply because of the footprint of a room that you need to be usable. You can't go any wider because of constraints on your house. I do understand your need, so I'll be in support.

COPPOLA All right. Thank you. Mr. Boloven.

BOLOVEN So I agree with Mr. Testa. I mean, the only addition that I would have to what he said is that adjoining kitty-corner neighbor, the 16110 up, is actually a larger deficiency than what you're proposing, truly, if it's at 17 feet, and whether it got a variance or not. That's the reality of that corner right there, in addition to the fact that your direct neighbor, 16068, is in support, and that's the neighbor that has to look at it. With all that being said, I'd be in support this evening.

COPPOLA Thank you. Mr. Baringhaus.

BARINGHAUS Thank you. Yeah, I agree. Just looking at the lots in the neighborhood, and actually having lived in the neighborhood for a number of years, those lots are fairly wide, but they're not particularly deep. So a lot of neighbors tend to be able to wide... and so, you know, they can, they build wide and not go out as much. Mr. Villasenor didn't have that luxury because of the placement of the bay window of your house. I agree with my colleagues. I think he's more than proved his hardship, not only with the way it has to structure that prevents him from going wider, but his mother's health condition and the need to provide space for him when she does eventually move back into the home. So based on that, I would support a variance.

COPPOLA All right. Thanks. Secretary Klisz.

KLISZ I agree. I think the compelling factor is the neighbor's property that is 17 foot from the property line, and this is even further away from that. And I think there's really no other place it could go. I think the hardships have been met, and I'll be in support.

COPPOLA Thank you. Mr. Rotondo.

ROTONDO Yeah, I'll be in support of this as well. I can understand the Petitioner's hardship in taking care of his sick mother. I think my colleagues pretty much summed it up already, so I don't have much to add to that. I'll be in support of it.

COPPOLA All right. Mrs. Scheel.

SCHEEL Thank you. I will also be in support of this due to all the reasons given by my previous colleagues. And also, I think it's wonderful that you're considering taking your mother in, but I also think it's going to be an added value to the home in the future. Thank you.

COPPOLA Thank you. Okay, looks like we have probably have a quorum to get them what they want. So I'm going to go ahead and open up the floor for....

BARINGHAUS Mr. Chairman.

COPPOLA Vice Chair Baringhaus.

BARINGHAUS Resolved that the variance sought in appeal case number 2024-04-15, filed by Garry Villaseñor, be granted for the following reasons and findings of fact: the uniqueness requirement is met due to the width and depth of the property and the structure of the home itself. Denial of the variance would have severe consequences for the Petitioner due to his use of the sunroom size for his mother's care. The variance is fair in light of its effect on the neighboring properties and the spirit of the zoning ordinance due to neighbor support of the project itself. The property itself is classified as N-2, Neighborhood District, under the Master Plan, and the proposed variance is not inconsistent with that classification. Further, that the variance be granted with the following conditions: that the project presented this evening be built as presented.

SCHEEL Support.

COPPOLA I have a motion by Vice Chair Baringhaus, supported by Mrs. Scheel. Any discussion? Do we want to put a limit on the variance permit time frame? Do you want to say pull the permit within six months?

BARINGHAUS Yeah, six months is fine.

COPPOLA Built as presented, just there wasn't much presented. I just want to point out there really wasn't much presented, I think there's a layout. You got the layout. So besides that, I didn't get a lot of feel for materials.

BARINGHAUS Well, coordination of the home, and other dimensions [inaudible] give an approximate [inaudible] structure.

COPPOLA Any discussion?

FISHER Mr. Chair, just so we're clear, it's six months to the approval of the permit? Is that what you're saying?

COPPOLA Approval. Yes. Take a vote?

RESOLVED: APPEAL CASE NO. 2024-04-15, 37750 Sunnydale: an appeal was made to the Zoning Board of Appeals by Garry Villasenor, seeking to construct a four-season room addition resulting in a deficient rear yard setback.

This Low-Density Residential property is located on the west side of Sunnydale Street (37750), between Richfield St. and Huff St., Lot. No. 069-01-0095-000, N-2, Neighborhood District, rejected by the Inspection Department under Livonia Zoning Ordinance, Section 3.05 (Dimension Regulations).

Rear Yard Setback:

Required: 30 feet

Proposed: 22.9 feet

Deficient: 7.1 feet

be granted for the following reasons and findings of fact:

1. That the uniqueness requirement is met due to the width and depth of the property and the structure of the home itself,
2. That denial of the variance would have severe consequences for the Petitioner due to his use of the sunroom size for his mother's care,
3. That the variance is fair in light of its effect on neighboring properties, and in the spirit of the zoning ordinance due to neighbors' support of the project itself, and
4. That this property is classified as Low Density Residential, under the Master Plan, and the proposed variance is not inconsistent with that classification.

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

1. The project will be built as presented to the Board.
2. The Petitioner must pull the permit within six (6) months.

ROLL CALL VOTE

AYES: 6

NAYS: 1

PASS/FAIL/TABLED: PASS: 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.

BARINGHAUS Aye.

KLISZ Chairman Coppola.

COPPOLA Nay. All right, you've got your variance.

VILLASENOR Thank you so much.

COPPOLA I think... was it five days, you can pull a permit? Is that right, Mr. Fisher, five days?

FISHER Yes, sir.

COPPOLA In five days you can go down to have your permit pulled. All right. Good luck again. You can call the next case, please.

APPEAL CASE NO. 2024-05-18, 27555 Grantland Street: an appeal was made to the Zoning Board of Appeals by Fred and Nancy Florkowski on behalf of Motor City Youth Theater, seeking to construct an entry addition resulting in a deficient side yard setback.

This Low-Density Residential property is located on the south side of Grantland Street (27555), between Cavell and Arcola Streets, Lot. No. 100-01-0247-000, C-1, Commercial Assembly, rejected by the Inspection Department under Livonia Zoning Ordinance, Section 3.10 (Dimension Regulations).

Side Yard Setback

Required: 8 feet

Proposed: 4.67 feet

Deficient: 3.33 feet

COPPOLA Thank you. Mr. Popp, anything you'd like to add?

POPP Nothing to add, Mr. Chair.

COPPOLA Any questions for Mr. Popp? Seeing there's none, if the Petitioner can step up to the podium, and I'll need the name and address first, if you would please. Everybody that's going to speak, we need a name and an address first.

FLORKOWSKI Okay. My name is Nancy Florkowski. Our youth theater is at 27555 Grantland, 48150. Our youth theater resides in a church that was built in 1949. We moved in in 2005. Our youth theater was started in 1990, so it's 34 years old. It was started as part of my master's thesis program in children's theater. My husband is here with me. He helped co-found the youth theater. Robert Walker, our booster president is here, and Mark Alfonsi, our architect, is here. What we would like to do is expand our lobby, which is a tiny box on the end of our theater presently, and move it from side to side to the edges of our building, so that it's more spacious for patrons when they come to our theater, so they're not standing out in the snow and the rain. And also, for children, to have a place to work when we split them up and they run lines. Our basic need, our largest need, is that over the years, our children, our clientele, has changed, and we have more and more special needs children. Half of my teaching career was in special ed, and even when I started teaching theater, my favorite kids were the special ed kids that I taught before and the new ones that came along. We're concerned that the doors lead out to the street of Grantland. Down the street there's a market, a vegetable warehouse, and when people are late to work, they fly down that street, and when they want to go home, they fly down that street, and the doors lead straight out into the street. We'd like to move the doors to the side, the east side of the building so that the children aren't walking out into the street. And more and more special needs kids do have special needs. We do have the parents come in and get kids most of the time, but you can't always count on that happening. I would say, I think that's all I would like to say right now, and I brought these guys along for the technical questions.

COPPOLA Thank you. Questions for the Petitioner?

BARINGHAUS Mr. Chairman?

COPPOLA Mr. Baringhaus.

BARINGHAUS When you say that the current entrance is dangerous because it's very--

FLORKOWSKI Could you use your microphones, especially for my husband. Thank you.

BARINGHAUS That's okay. You mentioned that the entrance to theater was dangerous because it was so close to the street. Grantland doesn't strike me as a very busy street.

FLORKOWSKI It's very busy when the kids are there, when people are going and coming from work. They have afternoon, oh, my God, can't think of the word. They work afternoons, possibly, and that's when our children are leaving, coming or going. During the summer, we work there on weekdays. We're basically there on Saturdays. But there are still people going back and forth down that street, because it leads to that....

BARINGHAUS When you have a production and you have patrons at the theater, where did they park?

FLORKOWSKI They park on the east and the west side of the building, mostly the east side and on the street, sometimes.

BARINGHAUS So on the grassy areas.

FLORKOWSKI It's gravel under that grass.

BARINGHAUS Okay.

FLORKOWSKI Yeah. It was a VFW. It was a church in 1949 and then it was a VFW Hall, the O'Grady's VFW Hall, and it's changed quite a bit since then, because we don't have a bar anymore or a pool table, but it is now a theater, and it's basically a church. In the olden days, people would walk up the stairs and they were in the church, the body of the church, that is our theater now. And when we do a production and you've got 30 kids working, you send them off in little sections to work on their lines together. That will give us enough another space to work. They do work in the lobby right now, but it's freezing cold in the winter because the air comes right in off the street, and it might be warmer if the doors were on the east side, we're hoping, and it will also be larger so that more than just two kids could work together on their lines in the area.

BARINGHAUS There doesn't seem to be any windows on the building. Is there a reason for that?

FLORKOWSKI It was a church and the VFW, they blocked them all in because they used it as a hall, a wedding hall. And it's perfect for theater, because you don't want brightness in a theater.

BARINGHAUS Well, in your proposed vestibule, there doesn't seem to be any windows. The windows, even the door looks like it's solid metal.

FLORKOWSKI Yeah, that's our present drawing. And what we would like is to have block windows along the top so that light is let in over there, natural light. And then when we do a show, we would just put a curtain across the stairway so that it blocks out light or we'd have curtains on those little windows.

BARINGHAUS On your rendering it shows some fairly detailed brickwork on the exterior building. Is that? Is that brickwork gonna be changed? Or is that just like an artist rendition?

FLORKOWSKI That... I'll let Mark answer that.

COPPOLA Name and address first, if you would please, for the record.

ALFONSI Mark Alfonsi with AV Architects, 100 East Big Beaver Road, Suite 915, Troy, Michigan. Yeah. The rendering you're looking at is, you got the addition that's basically... it's blockwork, gonna be like a painted block to match the existing building. And then we have at above the door line, there's gonna be glass block or windows up there. So I'm going to bring in some natural light. So all the work was going to be basically take the old vestibule down and add that, replace that.

BARINGHAUS Also, there's a building on the back of the property, it looks like a garage.

ALFONSI I don't know. I believe it is. Nancy, can you answer that question?

BARINGHAUS There's a building on that property....

FLORKOWSKI That's our garage.

BARINGHAUS And that's used for...?

FLORKOWSKI It's full of scenery, costumes, fake rocks, things like that.

BARINGHAUS Do you have any plans to modify the signage on the building?

FLORKOWSKI There is a sign hanging there that we don't know what we're going to do with that, for sure. And we have, I don't know if you've ever passed it. We have a wooden sign presently that had Motor City Youth Theater on it, but the big storm that we had last year tore

that apart, and so we're hoping to rebuild that and put it about in the same space, a little bit more south of that, of where it is.

BARINGHAUS Okay. Great. Well, thank you very much.

FLORKOWSKI Thank you.

COPPOLA Other questions for the Petitioner?

TESTA Yeah, sorry, Mr. Chair.

COPPOLA Mr. Testa.

TESTA I need to clarify the answer you had about the brickwork for the proposed addition. Are you going to make it the same color as the rest of the building? Are you redoing the whole building? Let's say it's painted like a yellow.

ALFONSI Yeah, it was the intent, because it was gonna be painted to match or something, you know, something maybe complimentary, but nothing, you know....

TESTA Okay, so it's gonna be painted brick.

ALFONSI The plan is to have it painted black.

TESTA Thank you.

ALFONSI You're welcome.

COPPOLA Any other questions for the Petitioner?

ROTONDO Mr. Chair.

COPPOLA Mr. Rotondo.

ROTONDO So I'm looking at the plans here. How much bigger is this addition going to be? Because you're essentially taking out the current entrance and making it bigger. I don't see a dimension on that.

ALFONSI So...

ROTONDO See the dimension from the...

ALFONSI Yeah, it's graphically. You can see the dash line, right? So the existing was basically seven foot by 10 foot, seven foot out and 10 foot by. So this one's out 10 foot and 28 feet wide, is what we're asking for.

ROTONDO Thank you.

ALFONSI You're welcome.

COPPOLA Any other questions? All right, let's see. Is there anybody in the audience who would like to speak for or against this petition? Seeing none, any correspondence?

KLISZ No letters.

COPPOLA No letters. Okay. Mrs. Florkowski, would you like to say anything in closing before we go ahead and take a vote?

FLORKOWSKI I would just like to reemphasize that I'm here for kids. I don't pay myself for what I do, and I love the kids. And we're not there to produce Broadway stars, but we are there to have kids feel good about themselves, get along with each other, create camaraderie and do theater and have fun.

BOLOVEN Mr. Chair, before we close.

COPPOLA Yes.

BOLOVEN It's either for Mr. Popp or Mr. Fisher. I was quickly trying to look and I couldn't find it. Is this address subject to historical preservation by chance?

POPP I would not think so, no. I can't answer that. I don't have any way to look that up here.

FISHER I don't think there's a historic district along southeastern Inkster Road.

BOLOVEN [Inaudible] List of the addresses that were under that society for that commission.

FISHER Yeah, like I say, I don't think Inkster Road is out among those addresses.

BOLOVEN All right. Thank you.

COPPOLA All right, I'm gonna close the public portion of the case and start the Board's comments with Mr. Boloven.

BOLOVEN Thank you, Mr. Chair. I could be in support. I see the hardship and the need, and obviously it does need improvement. So I'm glad that they're putting resources into the property.

Looking at the email from Mr. Taormina, it is a replacement. It doesn't need a full site plan renewal on it looks like, at one point time, a recent time, it was basically used for UAW Hall. Was there a church? So seeing that, it isn't between the community improving the area and safety concerns noted, it is somewhat de minimis, the setback deficiency that's being requested. I'd be in support this evening.

COPPOLA Thank you. Vice Chair Baringhaus.

BARINGHAUS Thank you. Yeah, I can see the hardship, basically, as the theater really doesn't have a working vestibule to this, what the Petitioner is proposing would remedy that. I agree with Mr. Boloven. I think the deficiency is minimal. It's just slightly over three feet. So based on that, I will support the variance.

COPPOLA Okay, thank you. Secretary Klisz.

KLISZ I agree with my colleagues. I think they've brought up the important points. It's a small variance request, and the hardship is definitely there on this very old building that needs some updating. So that it would be more useful as the theater. So I'll be in support.

COPPOLA Okay, thank you. Mr. Rotondo.

ROTONDO Yeah, I understand. I can see the hardship here. I think it makes sense to redesign and change the out doors to the other side, to the east side, I believe it was. I think it makes sense to not direct traffic right into the road there. So I'll be in support.

COPPOLA All right, thank you. Mrs. Scheel.

SCHEEL I too, am in support of this. I think it's wonderful what you're doing with working with kids and bringing them into theater. And I wish you well. Thank you.

COPPOLA Mr. Testa.

TESTA I'll be in support of this. Nothing really to add, other than that I like changing the side entrance. I think that's a good move, and I think you're kind of maximizing what you can do within that space. Thank you.

COPPOLA I am too in support. I think the theater has created a great service to the community. It's really something great. The kids that want to get involved here have an opportunity to do that. They've also repurposed the building that was vacant and really needed some work, and I think this will actually make the building look that much better in the community, too. So I appreciate your efforts in the community, helping the children with the theater, as well as taking the property that was challenged and is now, I think once it's done, it's going to look great. So I'll go ahead and open the floor for a motion.

POPP Mr. Chair, sorry to interrupt. Real quick. I did find the list Mr. Boloven was looking for.

COPPOLA Yes.

POPP It is actually in our code of ordinance. 2.56.041, list of historic resources in Livonia. It is not on the list.

BOLOVEN Can you say that again?

POPP 2.56.041.

BOLOVEN Thank you so much. Mr. Chair. Resolved that the variance sought in appeal case number 2024-05-18, filed by Fred and Nancy Florkowski on behalf of Motor City Youth Theater, 27555 Grantland Street, be granted for the following reasons and findings of fact: the uniqueness requirement is met due to the proximity of the building in relation to the road as well as the facility prior being vacant. Denial of the variance would have severe consequences for the Petitioner due to lack of rebuild improvements in the building, as well as improvement of entrance safety for its patrons. The variance is fair in light of its effect on neighboring properties and in the spirit of the zoning ordinance due to no neighboring objections, and the resources put into the building would improve the area. The property is classified as Low Density Residential under the Master Plan, and the proposed variance is not inconsistent with that classification. Further, that the variance be granted with the following conditions: that it be built as presented this evening.

TESTA Support.

COPPOLA I have a motion by Mr. Boloven, supported by Mr. Testa. Any discussion? On the conditions you had... did you have conditions?

BOLOVEN Presented, build as presented this evening.

COPPOLA Yeah, I would just say just be a little more specific: location, design and materials.

BOLOVEN Yes.

COPPOLA Okay. Go ahead and take the roll, please.

RESOLVED: APPEAL CASE NO. 2024-05-18, 27555 Grantland Street: an appeal was made to the Zoning Board of Appeals by Fred and Nancy Florkowski on behalf of Motor City Youth Theater, seeking to construct an entry addition resulting in a deficient side yard setback.

This Low-Density Residential property is located on the south side of Grantland Street (27555), between Cavell and Arcola Streets, Lot. No. 100-01-0247-000, C-1, Commercial Assembly, rejected by the Inspection Department under Livonia Zoning Ordinance, Section 3.10 (Dimension Regulations).

Side Yard Setback

Required: 8 feet

Proposed: 4.67 feet

Deficient: 3.33 feet

be **granted** for the following reasons and findings of fact:

1. That the uniqueness requirement is met due to the proximity of the building in relation to the road as well as the facility prior being vacant,
2. That denial of the variance would have severe consequences for the Petitioner due to the lack of improvements in the building, as well as improvement of entrance safety for its patrons,
3. That the variance is fair in light of its effect on neighboring properties, and in the spirit of the zoning ordinance due to no neighboring objections, and the resources put into the building would improve the area, and
4. That this property is classified as Low Density Residential, under the Master Plan, and the proposed variance is not inconsistent with that classification.

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

1. The project will be built as presented to the Board as to location, design, and materials.

ROLL CALL VOTE

AYES: 7

NAYS: 0

PASS/FAIL/TABLED: PASS: 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. Vice Chairman Baringhaus.

BARINGHAUS Aye.

KLISZ Chairman Coppola.

COPPOLA Aye.

KLISZ Passes seven to zero.

COPPOLA All right. Congratulations. You've got your variance. The only condition is that you build it as presented. It's basically built as the design that was provided to the to the Board for consideration, so materials, location, and design. Okay?

ALFONSI Thank you.

COPPOLA Good luck. Look forward to seeing it.

FLORKOWSKI I thank you. The Motor City's kids thank you.

COPPOLA Take just a quick break. Just for the record, we went on break at 7:42.

[Meeting is paused for a break.]

COPPOLA Okay. Back on the record at 7:44. You can call the next case, please.

APPEAL CASE NO. 2024-05-19, 36244 Curtis Street: an appeal was made to the Zoning Board of Appeals by Jonathan and Shannon Myshock, seeking to construct an accessory shed resulting in a deficient corner lot side yard setback. Side yard setback required: equal to the principal building paralleling the corner side street.

This Low-Density Residential property is located on the north side of Curtis Street (36244), between Golfview Street and Levan Road, Lot. No. 029-01-0033-000, N-2, Residential, rejected by the Inspection Department under Livonia Zoning Ordinance, Section 7.09(1)D (Minimum Setbacks).

Side Yard Setback

Required: 22.3 feet

Proposed: 3 feet

Deficient: 19.3 feet

COPPOLA All right. Thank you. Mr. Popp, anything you'd like to add?

POPP Nothing to add, Mr. Chair.

COPPOLA Any questions for the Inspection Department? Seeing none, could the Petitioner step up? The name and address for the record, please.

JONATHAN MYSHOCK Jonathan Myshock, 36244 Curtis, Livonia, MI, 48152.

COPPOLA Mr. Myshock, could you tell us a little bit about your project? I'd like to understand why you're proposing to put the shed where you suggest it would go, and any parts you could have that would support putting it there.

JONATHAN MYSHOCK Perfect. Well, good evening. First, I want to thank you guys for the opportunity to come out here and speak today. I want to point out, I want to thank Inspector Stierna for his assistance and his quick response and emails. My name is Jonathan Myshock. I'm here with my wife, Shannon Myshock, and my father, Randy Myshock. We're all lifelong residents of Livonia. My wife and I live at 36244 Curtis, at the intersection of Curtis and Golfview, and we're here today to ask for the City to grant a variance for the city ordinance that says we cannot build a shed off the principal building. Our goal is to build a shed in the northeast corner of our backyard, as shown in that picture. The shed would be behind the privacy fence enough for no further visual obstruction that the fact that the privacy fence has already created. We've submitted blueprints to the City and intend to build our shed the same model that's been provided. We would build the shed on our own. We've built sheds in the past for family, friends, up in Tawas and in areas of that we have sent pictures of finished products that we've done in the past. My neighbors, Sam and Linda, who live to the corner left to the north of us, have no issues with us building a shed. I believe they sent in a letter of approval as well. In the fall of 2023 when we were planning to build a shed, we had missed a common outline locations where we had AT&T and gas lines identified in our backyard. This prevents us

from building a shed in several areas of our backyard. Furthermore, our grass space is limited. The shed would allow us to secure lawn equipment, tools and other garage cluttering items. I've been a member of Downriver SWAT team for eight years. I'm always on call. This requires me to have my equipment in my vehicle so I can respond directly to the scene. Just today, we had a homicide suspect taken into custody, detained by the Downriver SWAT team. As I mentioned earlier, this shed would free up valuable garage space, which would allow me to secure my vehicle in the garage. Furthermore, I'm currently an undercover police officer for Michigan State Police. I'm outsourced by the city of Taylor. As you can see, my backyard has an open spot right there. This would grant us just a little bit more privacy. Thank you again for your time. If you have any questions, I'd be happy to answer them.

COPPOLA Thank you. So you stated that there's utilities on your property that would prohibit you from complying with ordinances. Where are... I didn't see in any of the documentation you presented, where those utilities would be, and how they would preclude you from....

JONATHAN MYSHOCK We sent-- there's pictures of the AT&T cable box back here in our backyard.

COPPOLA Right.

JONATHAN MYSHOCK I don't know if you can.... am I allowed to approach, or...?

COPPOLA Yeah, you can approach.

JONATHAN MYSHOCK Here's the AT&T cable box, or cable line that runs parallel right this way. [Inaudible] was able to show that and show a gas line that cuts right over here, in that back corner over there, but...

COPPOLA I'll pass these around.

JONATHAN MYSHOCK Absolutely.

COPPOLA I see that. I see the pictures, it would have been nice to add it to the site plan that you have so you can see exactly where those were. Then the size is just ten by fourteen?

JONATHAN MYSHOCK Correct.

COPPOLA So this is the proposed location for the shed.

JONATHAN MYSHOCK As I stated, another big thing would be just the added privacy of putting the shed in that location. This is the view from outside of my sliding glass window or sliding door wall.

BOLOVEN Mr. Chair.

COPPOLA Mr. Boloven.

BOLOVEN Question for the Petitioner, looking at the picture, when you moved to the house, it looks like, 2021, was that privacy fence there?

JONATHAN MYSHOCK Not the privacy fence that side, there was one that covered our backyard. But once we got the privacy fence....

BOLOVEN You put up the vinyl privacy fence?

JONATHAN MYSHOCK We did not, Home Depot did. But yes, we....

BOLOVEN I mean you, yes, you own the property.

JONATHAN MYSHOCK Yes, yes.

BOLOVEN Why did you do the back line?

JONATHAN MYSHOCK We want to leave that spot open so our dog can go out there and see the little corner and run. Plus we didn't want to block off our neighbors. We're very good friends with our neighbors there.

BOLOVEN So you bought the cyclone, though, so still a fence.

JONATHAN MYSHOCK Yes.

BOLOVEN Didn't choose to go all the way down.

JONATHAN MYSHOCK Correct? It was also a fiscal decision of our mind.

BOLOVEN So if you like seeing the neighbors, isn't this shed gonna block the neighbors?

JONATHAN MYSHOCK Not completely. It'll block people from walking down the sidewalk. There was a time that I was actually cleaning a firearm in my backyard because the smell from the gun cleaning agent isn't good inside the house, and my neighbors all know what I do. So I was like, "Alright, this is fine." Then people were walking their dogs. And I was like, "Okay, I can see what this isn't a good spot to be doing this."

BOLOVEN Thank you, Mr. Chair.

COPPOLA Question for the Petitioner?

BARINGHAUS Mr. Chairman? Question for Mr. Popp. Where would the shed be located according to ordinance? Put that place in the area directly across from the patio, approximately.

POPP Let me grab that picture. Basically. Yeah, they would have to be behind the back corner house, like, if you drew a plane north-south, it would be within that plane of the structure is where, by ordinance, it has to be.

BARINGHAUS A question for the Petitioner, what are you currently storing in the garage now?

JONATHAN MYSHOCK A vehicle, my lawnmowers, lawn equipment, gas for the lawn equipment, just things like that. Would be nice to be able to take the gasoline out the garage somewhere else. Oh, it's not attached to the building.

BARINGHAUS [Inaudible] Yard equipment, gasoline.

JONATHAN MYSHOCK Correct. We're also looking into getting a riding lawnmower to cut down the time of cutting the grass. Right now it's about a two-hour job the riding lawn mower would absolutely cut that down.

BARINGHAUS Okay, thank you.

BOLOVEN Mr. Chair.

COPPOLA Mr. Boloven.

BOLOVEN Looking at the plans, the plan for the shed would be eight feet tall. Is that correct?

JONATHAN MYSHOCK Yes.

BOLOVEN What's that going to sit on?

RANDY MYSHOCK We're going to do foundation work with slab.

[UNIDENTIFIED SPEAKER] Your name.

RANDY MYSHOCK Randy Myshock. 19090 Levan Road, Livonia, Michigan, right up the street. I want to be sure this is going to be done right. So, yeah, we'll put the... we'll go down 24-inch ratwall, just like the code says.

BOLOVEN So you have two, essentially two foot height, and then another eight. So we're gonna be 10 feet, right, total?

RANDY MYSHOCK Yeah.

BOLOVEN Your privacy fence, six foot, right?

RANDY MYSHOCK Yep.

BOLOVEN And then you got probably four-foot cyclone in the back?

RANDY MYSHOCK Yep.

BOLOVEN So with 10 feet, you're gonna be four foot over that privacy fence. Any concerns in the way that's going to look?

RANDY MYSHOCK No, I think the way we have... probably we're going three feet off the fence setback in, plus another six feet off the back fence, because of the codes, I think it'll look fine over there. I think the color scheme, the way we're going to build it to match the house, everything's going to look pretty, pretty sharp over there.

BOLOVEN Just see for that being in a unit I'm driving by it, that's gonna be towering over that fence.

JONATHAN MYSHOCK So Golfview would be the street that would be coming down there. That's very, very little traffic flow compared to the other streets in the city.

BOLOVEN Thank you, Mr. Chair.

COPPOLA Based on where I think you showed me where utility lines were, why not? Why not put the shed on the other side of the property?

JONATHAN MYSHOCK As I stated, another big thing that would come out of this would be a little bit more privacy, and it would not even to the amount of backyard that we have.

COPPOLA So there's not a... beyond a walk, there's not any hardship in the sense of putting it on the other side. In other words, it's not utilities. There's not a watershed or anything else that would suggest that you couldn't put it on the other side.

RANDY MYSHOCK I don't believe there's gonna be enough room there to put a 14 by, I'm sorry, 14 by 10 shed in that corner and do the six feet off and three feet off the west side.

COPPOLA Okay, nice. Any questions for the Petitioner? Mr. Popp?

POPP I'd just like to clarify their foundation. I think Mr. Boloven misunderstood when they said the two foot. They're going to be two foot in the ground, on the foundation by four inches, not two foot above the ground. So eight feet total.

BOLOVEN The foundation. How big is that going to be?

RANDY MYSHOCK It would be even at four inches off the two-foot ratwall. So the foundation can be right off the ground.

BOLOVEN Your concrete slab, you're not going to have it updated?

RANDY MYSHOCK No. Just four inches up.

BOLOVEN Okay.

POPP I just wanted to clarify. Thank you.

RANDY MYSHOCK Thank you for that.

COPPOLA Other questions for the Petitioner?

TESTA You're talking about cleaning your work items, for lack of a better term?

JONATHAN MYSHOCK Yes.

TESTA I guess if you were on your patio, wouldn't your patio screen give you the privacy that you need?

JONATHAN MYSHOCK We don't have a patio screen. That's... that privacy wall. And once we put the privacy fence in...

TESTA Okay.

JONATHAN MYSHOCK We put the privacy.... Okay, sorry.

TESTA I'm looking at the picture.

JONATHAN MYSHOCK Absolutely.

TESTA Understood now. Thank you.

COPPOLA Any questions for the Petitioner? All right, seeing that there isn't, you guys can have a seat for a minute. Does anyone in the audience want to speak for or against his petition? Do we have any...?

KLISZ Yes, we have one letter, letter of approval from Hussam and Linda Batayeh, residing at 36245 Hammer, "We approve of this project."

COPPOLA Okay, so Mr. Myshock, would you like to say anything in closing? If you would, just step up to the....

JONATHAN MYSHOCK Sorry about that. Yes. Thank you guys again for your time. This would be a great addition to the house. If we can get this done, I would greatly appreciate it. Thank you again.

COPPOLA All right. Thank you. I'm going to close the public portion of the case and start the Board's comments with Vice Chair Baringhaus.

BARINGHAUS Yeah, corner lots like this always present a challenge when it comes to sheds. I feel that. I mean, I have to agree with the Petitioner that places, because of the ordinance, [it] places the shed basically right square in the middle of your backyard, and I think some premium living space to get six of one and half a dozen of the other where the shed goes, because either way, it's still in the corner. I've seen both done. I've seen in both situations and neighbors are generally accepting of it. I think the fact that the majority of the property has privacy fence around it kind of gives the question of how it appears in the street, because it's basically it. So based on that, I feel I'll support the variance.

COPPOLA Secretary Klisz.

KLISZ I agree. I think Mr. Baringhaus summed it up. I was a little puzzled myself, but then he cleared it up for me. So that makes sense, that it is a difficult situation here, based on the particular requirements of these setbacks and that it will not look wildly out of place. I mean, it's not an oversized shed by any means. [Inaudible] too big. A hardship is there to put his lawn equipment and whatnot out of the garage and a car can fit in there. So based on that, I'll be in support.

COPPOLA All right, thank you. Mr. Rotondo.

ROTONDO Yeah, I think the plans that the Petitioner offered look nice. I like the shed. I'm a little bit on the fence here. No pun intended. But I can understand the Petitioner is wanting privacy, putting it in that corner, but then also he's, you know, I feel like there's other areas in the yard that it could be, it could be placed in without affecting the utilities. So I guess I'm interested to hear what the rest of my colleagues have to say, and I could probably be swayed either way.

COPPOLA All right, thank you. Mrs. Scheel?

SCHEEL Thank you. I agree with Vice Chair Baringhaus. There may be other areas where the shed could go, but I like the position that it's placed in right now. I also want to thank you for bringing the large pictures that greatly helped in looking at how everything's placed. So I would be in support of it as submitted by the Petitioner.

COPPOLA Thank you. Mr. Testa.

TESTA Yeah, on the pre-read, I was kind of undecided on this, so your case that you made here tonight was very helpful. I can support this. I like the fact that there already is a fence there, kind of screening most of it. And if I live down this line, I would probably want to put a shed on this side, instead of the opposite, more naturally floating here. And thank you for the explanation of you're also looking for privacy screening from that sidewalk area. So I can support this.

COPPOLA All right. Thank you. Mr. Boloven.

BOLOVEN Thank you, Mr. Chair. I too, like Mr. Rotondo, was a little torn on this, and the reason being is, is there another area within the property that you put and the Chairman asked that question, and I'm looking at the picture that you brought in here, and it looks to me like on the other side, where I think it may potentially be able to go with it, not the subject issue. Looks like you got another utility box there in the opposite corner. So if that's the case, then I do buy the hardship that there's nowhere else to put it. We denied similar proposals before as recent as local meetings, but in those cases, there [were] other places that it could be put. So truly, you know, with that understanding that there's nowhere else to go, I would be in support as presented this evening. And also, thank you for your service.

COPPOLA Thank you. Coming from a law enforcement family, thank you for your service. I know that's a tough job, especially when you got to work undercover. Appreciate that. In regards to the petition, it would have been really helpful if you'd placed utilities that you're claiming to be an obstruction. I'm not suggesting that you're claiming incorrectly or correctly, but you're claiming, I don't know. And so the question is this: [are] there other places? We've denied some of these, and we've permitted some of these based on certain hardships. I'm not convinced yet I have enough information to make that decision. I'd like to have seen where these utilities were, the gas line. I would like to have seen where the boxes were, but right now, from my perspective, without that, I'm thinking, let me go on the other side. If you go, in the middle, if you go, I don't know. I would prefer, and ask anybody on your end, I'm the least person to ever suggest a table. I'd like to table, and I'd like to see where the utilities are on this property to fully understand. So I'd like to see the site plan with the gas line on it, with any of the boxes or obstructions, so that I could clearly say, Yeah, this is definitely a hardship and it deserves a variance. So again, that's mine. I think you might have enough votes to get by tonight, so we'll go ahead and open up the floor for a motion.

BARINGHAUS Mr. Chairman.

COPPOLA Vice Chairman Baringhaus.

BARINGHAUS Okay. Resolved that the variance sought in appeal case number 2024-05-19, filed by Jonathan and Shannon Myshock be granted for the following reasons and findings

of fact: The uniqueness requirement is met due to the corner lot and the arrangement of utilities in the backyard. Denial of the variance would have severe consequences for the Petitioner due to reduced privacy in their backyard. The variance is fair in light of its effect on neighboring properties and in the spirit of the zoning ordinance due to no apparent neighbor objection to the proposed project. The [property] is classified as N-2, Residential, under the Master Plan, and the proposed variance is not inconsistent with that classification. Further, that the variance be granted with the following conditions that it be built as presented in terms of location, design, and materials.

SCHEEL Support.

COPPOLA I have a motion by Mr. Baringhaus, supported by Mrs. Scheel. Any discussion?

BARINGHAUS This question is for Mr. Popp. Generally with utilities, lines and pipes, things like that, do they tend to run through the front yard or the backyards, or both,

POPP Being that there's a cable box back there, those can be funny, because their cables are only required to go under the ground a couple inches, and they have a tendency to sling those just about anywhere, regardless of where they're actually allowed to put them. Gas lines are usually within the easement, so that would be on the rear property line on that property, yeah, there's no, there's nothing on either side of it as a utility easement. It's all on the back property.

BARINGHAUS Very good. Okay, thank you.

COPPOLA Discussion? Any limitations on the time frame for the permit?

BARINGHAUS Six months will be fine.

COPPOLA Okay, take the roll please.

RESOLVED: APPEAL CASE NO. 2024-05-19, 36244 Curtis Street: an appeal was made to the Zoning Board of Appeals by Jonathan and Shannon Myshock, seeking to construct an accessory shed resulting in a deficient corner lot side yard setback. Side yard setback required: equal to the principal building paralleling the corner side street.

This Low-Density Residential property is located on the north side of Curtis Street (36244), between Golfview Street and Levan Road, Lot. No. 029-01-0033-000, N-2, Residential, rejected by the Inspection Department under Livonia Zoning Ordinance, Section 7.09(1)D (Minimum Setbacks).

Side Yard Setback

Required: 22.3 feet

Proposed: 3 feet

Deficient: 19.3 feet

be granted for the following reasons and findings of fact:

1. That the uniqueness requirement is met due to the corner lot and the arrangement of the utilities in the backyard,
2. That denial of the variance would have severe consequences for the Petitioners due to reduced privacy in their backyard,
3. That the variance is fair in light of its effect on neighboring properties, and in the spirit of the zoning ordinance due to no apparent neighbor objection to the proposed project, and
4. That this property is classified as Low Density Residential, under the Master Plan, and the proposed variance is not inconsistent with that classification.

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

1. The project will be built as presented to the Board as to location, design, and materials.
2. The Petitioners will have six (6) months to obtain the permit.

ROLL CALL VOTE

AYES: 6

NAYS: 1

PASS/FAIL/TABLED: PASS: 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. Vice Chairman Baringhaus.

BARINGHAUS Aye.

KLISZ And Chairman Coppola.

COPPOLA Nay.

KLISZ Six to one.

COPPOLA All right, Mr. Myshock, you have got your variance. The only condition is that you have to build it as presented. So that means location, size, material, design, as you were presented and you need to pull your permit within six months or the variance will expire.

JONATHAN MYSHOCK Excellent. Thank you very much.

COPPOLA Call the next case, please.

APPEAL CASE NO. 2024-05-20, 14340 Hillcrest Street: an appeal was made to the Zoning Board of Appeals by Christine Renshaw, seeking to construct a 319-square-foot master suite addition on an existing dwelling on a nonconforming lot, resulting in a deficient rear yard setback.

This Low-Density Residential property is located on the east side of Hillcrest Street (14340), between Schoolcraft Road and Lyndon Street, Lot. No. 091-01-0011-002, RUF, Rural Urban Farm District, rejected by the Inspection Department under Livonia Zoning Ordinance, Section 3.06 (District Regulations).

Rear Yard Setback

Required: 45 feet

Proposed: 31 feet

Deficient: 14 feet

COPPOLA All right, thank you. Mr. Popp, anything you would like to add?

POPP Only thing I would like to add here on number five on the application for variance that they mentioned that they would meet N-1 zoning. Their property and a property three to the north were at one time split, and the split to the east that was split off as N-2 as well as the property to the north, and they would meet setback on N-2 but for whatever reason, when the property was split, they remained RUF, which made their lot non-conforming to RUF. I just wanted to clarify, because they say N-1 on their thing, and it's actually N-2.

COPPOLA N-2. Yes, this might be a Fisher question. We normally, because you got one on one part of the street where that got rezoned and this one didn't get rezoned. Is that normally the process, when you start a lot, do they rezone it? Or did they go in and add a rezoning?

FISHER Well, I guess I don't know the history of this piece of property, I couldn't tell you. There are several possibilities. I guess the other thing I don't know is the zoning problem here. If the problem is that the lot is not wide enough or not big enough in the area, that has to be approved by Council in order to split it. However, any other deficiency that you have in your lot can just be in a lot split, then you... it's buyer beware.

COPPOLA There's a structure up here now. So obviously a lot was split before or after the building, depending on what was split, right?

FISHER Right, and like I say, if it's the deficiency of something other than with their areas, they can split. In fact, the Land Division Act says you must split it. [Inaudible] something for the next discussion.

COPPOLA Yeah, but I would say on a today basis, if someone came and wanted to split one of those lots, would you and it was theoretically conforming under a rezoning, would they be required to be rezoned, to be conforming?

FISHER You know, I would prefer it was rezoned, but I don't make those decisions.

POPP It was zoned RUF, which, by current zoning, requires 150-foot depth, and they're only one hundred and twenty-six.

BOLOVEN Mr. Chair, can I ask to clarify a question?

COPPOLA Absolutely.

BOLOVEN So if I'm looking, Mr. Popp or Mr. Fisher, looking at the zoning map for the city, they're at 14340, clearly it was at one point with 14341.

POPP Correct.

BOLOVEN That split? What's the rhyme or reason that 14341 is N-2?

POPP Across the street to the east is all N-2, so the other side of Henry Ruff is N-2. Why they did that when they split it, I can't speak to. I don't have an answer for that.

BOLOVEN Because it looks like if I go down south, 14268 and 14264 were split, but those folks both remained RUF.

SCHEEL Right.

FISHER Well, to some degree, this is dependent on who makes the petition right, because if I don't petition to have my land rezoned, and you do, then your land might get rezoned and mine might not. That might explain irrational patterns like this.

BOLOVEN So would they have to have done it during the split? They would have asked for that rezoning at that time?

FISHER It's conceivable.

BOLOVEN But that still doesn't make sense, because on that split, one was N-2, another one was RUF.

POPP Yeah, that's the same. Two, three lots to the north, 14400 and 14401, are RUF and N-2 as well.

BOLOVEN So just for my best understanding here. If they were 14341 here today, they wouldn't be here today. They would get approved as is.

POPP Correct. Yep, they would. They would fit within zoning for N-2. One hundred percent. By a foot.

FISHER If you remember this neighborhood, it used to be all these houses were one. One house took all the space from Henry Ruff to Hillcrest, and then only relatively recently broke off those back ends and developed them there.

BOLOVEN Thank you.

TESTA And question for Mr. Fisher. Could they seek to rezone this to N-2, would that be a better path for them?

FISHER For this Petitioner here?

TESTA Yes.

FISHER I don't think that's... I don't think the side here I said that could help, but I don't know. I'm not sure how much....

COPPOLA A very hard setback, right?

FISHER I was looking at the wrong one.

TESTA If that was zoned N-1, I'm sorry, N-2, they wouldn't need it.

FISHER I'm not sure....

POPP Mr. Testa, that is an accurate statement. Rear yard setback for RUF is 45 feet, rear yard setback for N-2 is 30 foot. Their proposed setback is 31 feet. So they would have, instead of being deficient, they would have one foot to spare.

COPPOLA Okay, anything else? Seeing none, the Petitioner can step forward, please. Name and address.

RENSHAW Good evening. Christine Renshaw. Address: 14340 Hillcrest, Livonia, Michigan. So again, obviously there's already been a little bit of discussion. Same confusion kind of came from us. Ultimately. Obviously we did. We were told that we needed to present a hardship in regards to this, we are living in our house currently. When I purchased the home almost six years ago, it was a two-bedroom. We've since expanded our family. We have a young son that's now living in our bedroom. He will be one at the end of this month. We want to stay in the Livonia area. We've looked elsewhere, but our older son is in the school district. He's played sports here, and ultimately, we want to continue our home here in Livonia, so we thought to expand our house. Back when we obviously worked with an architect, we definitely thought we were in a very different zone than a farming district in Livonia. But then when we went to go pull permits, we were hit with this variance for the rear setback. So again, we are here to present

this hardship and trying to expand our house so we can remain Livonia residents and have our family continue to grow here.

COPPOLA All right, thank you. Questions for the Petitioner?

BARINGHAUS Mr. Chairman?

COPPOLA Mr. Baringhaus.

BARINGHAUS Who will be constructing the addition?

RENSHAW Bongero.

BARINGHAUS Bongero. Okay. On the map, the zoning district map, the lots almost look identical to one another in the size. Is that a fair statement, or is one slightly larger than the other, in your opinion?

RENSHAW I honestly don't know. I do know that when we were presented this, it did come up in 2005. The previous homeowner actually was the one who bought the spot or the land, but bought both lots, and then he built the house behind us and again. So I don't remember who was speaking in regards to the zoning, or who would rezone it at that time, but obviously the house behind us was at that time rezoned. To my understanding it was N-1. So again, why that lot that he actually still lived on was not rezoned like I said, it was very.... We were not aware of why, but again, I know that it didn't meet.... Our current lot size doesn't meet the RUF square footage.

BARINGHAUS Going through your neighborhood, I've seen a couple additions that look like all-season rooms or sunrooms. Are there any other neighbors that have done an addition similar to yours on your street?

RENSHAW Yes. There are several, several homes, I would say, down the street as well as there's a little cul-de-sac down the street from us as well. And a lot of them do have, again, you can tell three bedrooms off the side of the home.

BARINGHAUS Okay, great. Thank you.

BOLOVEN Mr. Chairman?

COPPOLA Mr. Boloven.

BOLOVEN Looking at the site plans, to the Petitioner, are you going to match your material on the outside of the addition, or how's that going to look?

RENSHAW So we are planning on using a white vinyl. Our house is kind of half and half right now. The majority of the brick would honestly be lost with the addition. So we're going to match the siding. The sides of our house will both have vinyl as well as off the garage, and previously, I don't know when, they connected the garage and the house, and that is all out of vinyl.

BOLOVEN And will the shingles match?

RENSHAW Yes. To the roof, so yes.

BOLOVEN Thank you.

COPPOLA Other questions for the Petitioner? All right, seeing none. Does anyone in the audience like to speak for or against this petition? Any...?

KLISZ No letters.

COPPOLA No letters. Anything you'd like to say in closing?

RENSHAW Again, we just want to stay Livonia residents. Again, I truly have enjoyed. My son just graduated fourth grade from Roosevelt Elementary, so we really like that. I would love my next son to also go to school there, as well as play sports that they continue to like and enjoy for the City. Thank you.

COPPOLA I'm going to go ahead and close the public portion of the case and start the Board's comments with Secretary Klisz.

KLISZ Thank you. So obviously, I think this one came down to once the Inspection Department has given us the... it would be perfectly acceptable to do if it was zoned correctly, as its former partner, 14341, and then under N-2 zoning, it would be one foot under the proposed setback. So based on that, I think there's just no distinction between the two. It's obviously half of an RUF lot now anyhow, and it makes sense to allow it, and I get the hardship, so I'll be in support.

COPPOLA Mr. Rotondo.

ROTONDO Yeah, this is pretty clear-cut. I mean, the zoning doesn't properly characterize this property, and it would comply with the N-2 which is probably what it should be zoned. So I'll be in support of this. It would make sense.

COPPOLA Thank you. Mrs. Scheel.

SCHEEL I too am supportive of this to the reasons that were stated by my two previous colleagues. I also want to thank you for wanting to stay in Livonia and for searching out ways that you can do that. And this totally makes sense to me. Thank you.

COPPOLA Thank you. Mr. Testa.

TESTA Yeah, thank you, Mr. Chair. Yeah, as well, I'm glad you're staying. Yeah, it doesn't make sense to really send you to seek a zoning change, although it would get you the same thing, kind of just delay what you want to do. I can be in support of this. I will be in support of this, and I feel we mentioned in the first case. I just finished an addition by Bongero. You will be very happy with his work, or their work.

COPPOLA Mr. Boloven.

BOLOVEN I agree with Mr. Testa, I think probably the better half would have been to change the zoning of it, but it's kind of silly that you're here. The house right behind you, had it been yours, it's approved, but right now, obviously you have that issue. So I agree with the rest of the Board, and I'll approve as it's here.

COPPOLA Thank you. Mr. Baringhaus.

BARINGHAUS Your neighborhood has very interesting zoning. Probably more interesting than usual, so thank you for that, but I agree with what everybody stated, and based on that I will support the variance.

COPPOLA I, too, am in support of this. It's kind of more an administrative process than anything that requires a true hardship or anything else. So again, I am in support. Open the floor for a motion.

KLISZ Mr. Chair.

COPPOLA Secretary Klisz.

KLISZ Resolved that the variance sought in appeal case number 2024-05-20, filed by Christine Renshaw, be granted for the following reasons and findings of fact. The uniqueness requirement is met because the zoning is actually arguably wrong or different from the property that it used to be split off from. Denial of the variance would have severe consequences for the Petitioner because they couldn't use their property to have their addition, which would be perfectly fine under N-2 zoning. The variance is fair in light of its effect on neighboring properties, and in the spirit of the zoning ordinance, because of the things that have already been mentioned and no neighbor opposition to the project. This property is classified as RUF under the Master Plan, and the proposed variance is not inconsistent with that classification. Further, the variance be granted the following conditions: that it will be built as presented, as to location, design and materials.

BOLOVEN Support.

COPPOLA I have a motion from Secretary Klisz, supported by Mr. Boloven. Any discussion? Seeing none, please take roll.

RESOLVED: APPEAL CASE NO. 2024-05-20, 14340 Hillcrest Street: an appeal was made to the Zoning Board of Appeals by Christine Renshaw, seeking to construct a 319-square-foot master suite addition on an existing dwelling on a nonconforming lot, resulting in a deficient rear yard setback.

This Low-Density Residential property is located on the east side of Hillcrest Street (14340), between Schoolcraft Road and Lyndon Street, Lot. No. 091-01-0011-002, RUF, Rural Urban Farm District, rejected by the Inspection Department under Livonia Zoning Ordinance, Section 3.06 (District Regulations).

Rear Yard Setback

Required: 45 feet

Proposed: 31 feet

Deficient: 14 feet

be granted for the following reasons and findings of fact:

1. That the uniqueness requirement is met due to the zoning being arguably wrong and differential from the property from which it was split,
2. That denial of the variance would have severe consequences for the Petitioner because they would be unable to have their addition, which would be perfectly in line under N-2 zoning,
3. That the variance is fair in light of its effect on neighboring properties, and in the spirit of the zoning ordinance because of previously mentioned reasons, and due to no neighbor opposition to the project, and
4. That this property is classified as Low Density Residential, under the Master Plan, and the proposed variance is not inconsistent with that classification.

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

1. The project will be built as presented to the Board as to location, design, and materials.

ROLL CALL VOTE

AYES: 7

NAYS: 0

PASS/FAIL/TABLED: PASS: PASS

KLISZ Yes. Ms. Scheel.

SCHEEL Aye.

KLISZ Mr. Rotondo.

ROTONDO Aye.

KLISZ Mr. Testa.

TESTA Aye.

KLISZ Mr. Boloven.

BOLOVEN Aye.

KLISZ Secretary Klisz votes aye. Vice Chairman Baringhaus.

BARINGHAUS Aye.

KLISZ Chairman Coppola.

COPPOLA Aye.

KLISZ Passes seven to zero.

COPPOLA Congratulations. You got your variance. The conditions are, you just have to build it as you presented with placement, design and materials. You can get your permit in five days. Good luck.

RENSHAW Thank you.

COPPOLA All right. Home stretch. Final. You can go ahead and call them up.

APPEAL CASE NO. 2024-05-21, 12679 Middlebelt: an appeal was made to the Zoning Board of Appeals by Michael Kinaia, Indy-C-Kal, Inc. on behalf of Lessee Starbucks, seeking to replace existing wall signs resulting in a single sign with excessive wall sign area.

This Regional Commercial property is located on the east side of Middlebelt Road (12679), between Industrial Road and Plymouth Road, Lot. No. 101-99-0008-015, C-2, Commercial District, rejected by the Inspection Department under Livonia Zoning Ordinance, Section 11.08 (3) (Sign Regulations).

Wall Sign Area

Allowed: 28 square feet

Proposed: 36.5 square feet

Excess: 8.5 square feet

COPPOLA Thank you. Mr. Popp, anything you'd like to add?

POPP Nothing to add, Mr. Chairman.

COPPOLA Any questions for the Inspection Department? Seeing none, the Petitioner could step forward. Name and address, please.

LONG My name is Tammy Long. I work for Northern Sign, [inaudible] decal service, the address is 2181 East Walton Boulevard, Auburn Hills, Michigan.

COPPOLA Great. Thank you. Won't you tell us a little bit about the sign swaps. I'm a little bit lost. I got a little lost.

LONG Starbucks had three signs put up. They had two. They had a siren sign from '14 or '15 on the side of the building and a drive-thru. They also had a big Starbucks coffee right across the front. Starbucks decided to remount, to the outer west store and get rid of the two signs on the side of the building and put them on the-- take the Starbucks coffee at the front and for the side to the side in a drive-thru, attached together to make it one sign and more presentable for people to read [inaudible].

COPPOLA So the signs that are facing, I guess that's south now outside the building by the window, they'll be gone. The drive-thru ones are gone.

LONG I'm sorry?

COPPOLA So the siren and the drive-thru, they're on the side of the building that faces south like this is going to be removed and not replaced.

LONG Oh, they've already been removed.

COPPOLA Okay, so the plan is they will be removed and not replaced.

LONG Right.

COPPOLA And the sign on the front that says Starbucks will be removed and replaced with a siren and a drive-thru. And is it one sign?

LONG I'll show you what they proposed to do, to make it the one sign.

COPPOLA We've got it in your plans.

LONG I don't think... I don't know if you have this one. It's the... do you have this one? Right now, it is the Starbucks siren sign here. The "Drive-Thru" one underneath. And you can put pedestals there, [a] type of thing to make it into one sign, if not, if you allow it not to happen, it's like the siren sign here, and the "Drive-Thru" underneath it, without the hookup. No, that's the way they want it. But if they have to, they can put this alternative, hook it to one side. Right now we have, we did get approval on putting the siren up only. Starbucks still wants to go ahead.

COPPOLA So in other words, to make it one sign instead of two signs. Is that right, right now? There's a request for two signs.

LONG Right.

COPPOLA One sign?

LONG Yeah. They want two, yeah, because they said they don't have to hook it together. They don't want two, but if they have to, they will. Like that.

COPPOLA All right. Gotcha. And then removing and then moving the two signs.

LONG As of Friday, all the signs came down. The siren sign went up on Friday.

COPPOLA Okay.

LONG Which I do have permission [for] that.

COPPOLA Okay, so siren sign is 28, less than twenty-eight....

LONG Yes, it's 25 square feet.

COPPOLA So it meets the variance, okay.

LONG Right.

COPPOLA So they have no intention of putting a sign on that side of building.

LONG No, we've already discussed it, to maybe put the "Drive-Thru" there, but they said that nobody would be able to read it. Coming from one way.

COPPOLA Yeah, if they go back to the main way.

[Inaudible crosstalk]

LONG Yeah. And they want to make it fair for their neighbors, because the neighbors don't get all that signage like they did. So they're trying to modernize it, I guess.

COPPOLA So... Just a question for Mr. Fisher. I don't know if you saw the picture or not, so they would.... They want to put the "Drive-Thru" on there, and I think it was the way that it's designed that they showed on the proposal that they gave us, they actually use two signs. So they said they're willing to connect those to make it one sign even though they would prefer not to. So that would be now, the variance would be now only allowed one sign, but if they would be getting two signs, that would be giving them excess square feet. Can we? Can we do that, even though it's not on the petition, per se?

FISHER We're going to have to renote so that we're going to have to change.

LONG We can keep it one sign. Yeah, we'll connect it just so we can get it through.

COPPOLA So one other question for you, Mr. Fisher, so right now, they received a variance for three signs. They were allowed two signs on the south side of the building, which were the siren, and it's a "Drive-Thru." They're removing that and they're putting one sign in front. So they had three signs. Now they're going to one sign. We provided them the variance. They could go back and put a sign on that south side because they had that variance. And I think they're below the square footage. I think we approved... we approved 46.5 square feet of total footage for signage. They're only asking for thirty-six.

FISHER We can't mix and match, though. I mean, you can't have, you can't use both variances.

COPPOLA No, no, let's go back to say it's... well, no, they're asking for.... I don't know, you can't bifurcate the original variance, then? Because what they did is, they asked for three signs, and each sign had its own size. So do they stand alone?

FISHER Those mass variances contain conditions and so forth, and make them individual units. We didn't present this as, "Okay, we're going to aggregate these variances." Presented them as been presented or we didn't present it.

COPPOLA They presented the variance as three separate signs.

FISHER Yes.

COPPOLA So the point, what I'm trying to get at is, can we, as part of if we agree to do this, can we rescind the old variance with the new variance so that they can't go put a sign on the south side?

FISHER Sure, I recommend you get their agreement. Sounds like there's agreement. If there's agreement then you can do anything you want. It's only if the parties disagree that you really have to have your thinking cap on.

COPPOLA Well, I would think in this manner, it could be conditioned from our perspective. The agreement could say, to get this, you need to do that. Okay. I just want to make sure we could do that with our motion. Rescind the old one and say, this is it. Okay. I'll stop monopolizing this discussion. Mr. Popp?

POPP I just wanted to clarify how the Building Department came up with the 36 square feet. It was like a lot of signs, if it's separate pieces of the sign, but they're all separate pieces, we take the whole length and height.

COPPOLA Right.

POPP Which is what they did on their sign. They took the "Drive-Thru" and the other and they combined them as a total length and a total width, and that's how we computed the square footage. So [regardless] if it's two pieces, we said it's one sign.

COPPOLA Yeah, go back to the former approval....

POPP I know, I realize that, but I'm saying their proposal with the siren and the "Drive-Thru" under it, we computed that as one sign. That's how we came up with the 36 square feet.

COPPOLA Okay.

POPP Right? I just wanted to clarify on that, that it's not... even though it's two separate pieces. We computed it as one because it's one common sign area.

COPPOLA They did the petition for two signs.

POPP I know. That's why I want to clear... Correct, but it's not.... From the Building standpoint, we're looking at it as one sign because they're right with each other, whereas, say it was all separate big letters. We wouldn't say that each one of the letters is a separate sign.

COPPOLA Right.

POPP So when they proposed the "Drive-Thru" and the siren, we said, aggregately, that's one sign. That's six foot nine inches.

COPPOLA Okay.

POPP I just want to clarify that we didn't say it was two signs. We said it was one sign.

SCHEEL So what you're saying is, they don't have to be attached to be considered one sign?

POPP Correct. Because they were in the same aggregated area. So we took that whole area at six foot nine inches times five foot, four and a quarter, and that's where we came up with the 36 square feet of sign space.

BARINGHAUS So what you're saying is the number of signs is not relevant because it's aggregated?

POPP We as the Building Department, were saying that was one sign. So the write-up as one sign is actually accurate at 36 square feet by their given dimensions that we computed it off of.

[Inaudible]

POPP That... yes, correct.

COPPOLA Mr. Fisher, are you in agreement with that?

FISHER I kind of lost track.

[Laughter]

COPPOLA The Building Department is suggesting that that even though the signs aren't attached per se, like the siren and the "Drive-Thru," they consider one sign, right?

FISHER I'm not surprised. We let those guys do whatever they want.

[Laughter]

COPPOLA No supervision, is that what you're saying? Okay.

TESTA Mr. Chair, can I clarify the intent of your questions to Mr. Fisher, from a few minutes ago? I think you're what you're trying to avoid is, if we approve this tonight, the Petitioner puts two more signs back up that we had approved previously, correct?

COPPOLA Correct.

TESTA Okay, yeah, I'd like to avoid that as well.

COPPOLA Okay, any other questions for anybody? Petitioner, Inspection, Legal? All right, seeing none. Anybody in the audience like to speak for or against this petition? I don't think we have any...

KLISZ No letters.

COPPOLA No letters. Okay, would you like to say anything in closing?

LONG No, thank you. I'm all set. I think I said everything I needed to say.

COPPOLA All right. Let me ask one more question, if you don't mind.

LONG Okay.

COPPOLA So you've heard all the conversation. So my proposal is going to be that the variance is going to, in essence, rescind the old variance and create a new variance. So there'll be no signage on the south side.

LONG Right. Starbucks doesn't want to put anything else up there. We already discussed it with the Building Department and my contact for Starbucks. They said that they don't want [any] signage on that side of the building at all.

COPPOLA Okay, all right. Thank you very much. I'm going to close the public portion of the case and start the Board's comments with Mr. Rotondo.

ROTONDO Yeah, I'll be in support of this. I think it makes sense. They're taking down the two signs on the side, they're putting one sign on the front. If it consolidates it, it's a cleaner look. I think it makes sense. I'm in support of it.

COPPOLA Mrs. Scheel.

SCHEEL I too am in support of it. I think it's a great concept to do that, and it makes it better, easier for people to read going about the building. So I will be in support of this. Thank you.

COPPOLA Mr. Testa.

TESTA I agree. I will support this.

COPPOLA Mr. Boloven.

BOLOVEN I gotta say I'm so happy you guys are back, because I'm going to admit I actually messed up. So you guys originally were here on May sixteenth, and no show. I did the approving motion on August first, and we said, on May sixteenth, we're going to do a penalty. And I messed up, and I forgot to give that penalty on August first, so I'm in support tonight, but I want to add that penalty for before. Thank you.

COPPOLA Vice Chair Baringhaus.

BARINGHAUS I like the fact that the sign package has been streamlined, so based on that, I'll support the variance.

COPPOLA All right. Thank you. Secretary Klisz.

KLISZ I agree, and it's good to hear that Starbucks learned their mistake for the suggestion of the Board that the one sign wouldn't be seen by people that were already in line. It's an interesting piece of property, but I think it makes sense. I'll be in support of it.

COPPOLA All right, thank you. I, too, will be in support, as long as [there's] a condition about rescinding of the former variance and that this is the total sign package that's approved for that site. Open for a motion.

BOLOVEN Mr. Chair.

COPPOLA Mr. Boloven.

BOLOVEN Resolved that the variance sought in appeal case number 2024-05-21, filed by Michael Kinaia, Indy-C-Kal, Inc., on behalf of Lessee Starbucks, be granted for the following reasons and findings of fact: the uniqueness requirement is met due to location of property as well as the road signage on Middlebelt. Denial of the variance would have severe consequences for the Petitioner due to not being able to obtain their signage. The variance is fair in light of its effect on neighboring properties and in the spirit of the zoning ordinance, due to reducing the total number of signs to one and consolidating, coming more into the spirit and the light of the ordinance. This property is classified as C-2 under the Master Plan, and approval of the variance is not inconsistent with that classification. Further, the variance be granted with the following conditions: one, that it be built as presented this evening as to size, design and location placement; two, that the variance approved in appeal case number 2023-04-06 be rescinded, which allowed excess signage, excess menu sign area, and additional directional sign area; and that three, there be a double permit [fee].

ROTONDO Support.

COPPOLA I have a motion by Mr. Boloven, supported by Mr. Rotondo? No, it was you. Secretary Klisz. Okay. Any discussion? Seeing none, you can take....

RESOLVED: APPEAL CASE NO. 2024-05-21, 12679 Middlebelt: an appeal was made to the Zoning Board of Appeals by Michael Kinaia, Indy-C-Kal, Inc. on behalf of Lessee Starbucks, seeking to replace existing wall signs resulting in a single sign with excessive wall sign area.

This Regional Commercial property is located on the east side of Middlebelt Road (12679), between Industrial Road and Plymouth Road, Lot. No. 101-99-0008-015, C-2, Commercial District, rejected by the Inspection Department under Livonia Zoning Ordinance, Section 11.08 (3) (Sign Regulations).

Wall Sign Area

Allowed: 28 square feet

Proposed: 36.5 square feet

Excess: 8.5 square feet

be granted for the following reasons and findings of fact:

1. That the uniqueness requirement is met due to the location of the property as well as the road signage on Middlebelt,
2. That denial of the variance would have severe consequences for the Petitioner due to them not being able to obtain their signage,
3. That the variance is fair in light of its effect on neighboring properties, and in the spirit of the zoning ordinance due to consolidating the total number of signs to one, and
4. That this property is classified as Regional Commercial, under the Master Plan, and the proposed variance is not inconsistent with that classification.

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

1. The project will be built as presented to the Board as to size, design, and location.
2. The variance approved in appeal case no. 2023-04-06, which allowed excess signage, excess menu sign area, and additional directional sign area, is hereby rescinded.
3. The Petitioner will pay a double permit fee.

ROLL CALL VOTE

AYES: 7

NAYS: 0

PASS/FAIL/TABLED: PASS: 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. Vice Chairman Baringhaus.

BARINGHAUS Aye.

KLISZ And Chairman Coppola.

COPPOLA Aye.

KLISZ Seven - zero.

COPPOLA All right, so the variance petition has been approved, with the following conditions: be built as presented, which is size, location, and design, that the prior variance is either rescinded or overwritten by this variance, and that the double permit fee to get caught up on this space.

LONG What do you mean, double permit fee?

COPPOLA So last time that you were here, and I think it was for the menu boards, you were a no show. Them, not you. Your client was a no show, and the intent was, because of the no show and because of the inconvenience to the Board, it was proposed to have a double permit fee for that, because that was neglected to be done. Mr. Boloven has asked that that be....

LONG When were they supposed to be here?

BOLOVEN May 16th, there was a hearing. There was a no show.

LONG May 16th?

BOLOVEN May 16, 2023.

BARINGHAUS 2023.

LONG Oh, 2023.

BOLOVEN Yeah, last year.

LONG Okay, I was going to say.

FISHER It wasn't you.

LONG No, I work for Northern Signs, I just don't remember. So okay, we'll get, I'll get that taken care of.

COPPOLA I guess we'll let you see in another six months?

[Laughter]

LONG No, I'll pull the permits as soon as I get to it.

COPPOLA All right. Thank you very much.

LONG Thank you.

ADMINISTRATIVE TASKS

KLISZ A motion to approve the minutes of May 7, 2024.

BARINGHAUS Support.

COPPOLA Motion by Secretary Klisz, support by Vice Chairman Baringhaus.

[The Board voted unanimously to approve the minutes of May 7, 2024.]

COPPOLA That is approved. Any administrative things we need to take care of?

TESTA Mr. Chair?

COPPOLA Mr. Testa.

TESTA Will we have a second meeting this month?

COPPOLA It does not appear so. We only had five on this one, they don't need it unless we go to six, so I'm pretty confident there will not be a second one.

BOLOVEN Can we it's a rare occasion where we get all seven people, and I think the new appointments just went through. Can we do officers now? Just get out of the way, or do we have to wait until July?

COPPOLA We gotta wait until at least August.

BOLOVEN Until August? I didn't think it was August.

FISHER It's usually August.

COPPOLA It's August. We'll keep it in sight. It was a good suggestion. Anything else?

TESTA Mr. Chair.

COPPOLA Mr. Testa.

TESTA Mr. Baringhaus, do you want to talk about Casey's message today?

BARINGHAUS Yeah, that's fine. Basically at the Committee of the Whole meeting background to the Zoning Board that we pursue replacing our iPads with laptops. Further investigation by Casey McNeil from our Information Systems Department found that it's less expensive to purchase and license an iPad than it is a laptop, so it's recommending that we replace our current, soon to be outdated iPads with already outdated with the current or current

version of the laptops. Sorry, yes, but one thing too that's going on is they've identified that they're still pursuing funding that hasn't been confirmed yet, as of this point.

KLISZ Brandon, I think, replied and said, "I'll get you iPads."

SCHEEL Wait, so they want to stay with iPads instead of going to surfaces or something?

BARINGHAUS Yes.

SCHEEL Really?

BARINGHAUS Cheaper, less maintenance, cheaper license.

TESTA The licensing fee for the laptop requires an additional security and a different licensing that the iPad doesn't need. He also said the functionality on the iPad is the same. I think that was one of Brandon's concerns from the Committee of the Whole meeting.

COPPOLA For what we do I don't think we need anything.

BOLOVEN Oh, it's nice to have multiple screens. I'm used to not having a laptop, so....

BARINGHAUS I get it from a [inaudible] standpoint, it just makes sense to go to that.

[UNIDENTIFIED SPEAKER] A thousand a piece.

BARINGHAUS Yeah, rather than incur an current additional charge for something that basically does the same thing.

COPPOLA Whereas the capability of what we need, we don't do presentations, we're looking at documents.

SCHEEL Where are we on getting all of us up on Civic[Clerk]? Because I still, I go in through the website. I don't go in through CivicPlus or SharePoint. I still can't get on anything.

BARINGHAUS Well, have you....

SCHEEL I haven't searched out anything on my own because I thought we were doing something as a group.

BARINGHAUS Yeah, well, I mean, what we're doing as a group is we're using Civic....

SCHEEL Okay, so I should reach out to somebody to get me a password to the site that works.

BARINGHAUS They sent everybody that support number or reach out to Casey directly. I mean, I had problems with mine initially, and I was doing the same thing, and then it did get corrected amongst all of us, to a degree. Mine has been fine ever since, but I'd recommend reaching out to him.

BOLOVEN I can't get in, but everything's on the public site now. I just use the public site.

BARINGHAUS I was using the public site for a while, but then....

KLISZ But that wasn't always consistent.

BARINGHAUS Exactly, right. I would recommend using CivicClerk.

SCHEEL I'll have to figure out how to, I'll have to call....

BOLOVEN Everything's on the public site and working, so iPads and all....

BARINGHAUS To a degree, because sometimes there's information in the packets that [isn't] making it to the agenda. Yeah. Now this week looks pretty good, but the other week, you know, there's always little glitches, but I think CivicClerk when it is running, works effectively.

BOLOVEN I'll tell you, the best thing has been the BS&A login. That, for these cases, has added so much value. I can see all kinds of things, seeing notes now, and we didn't have that before, so that's been the biggest improvement that's come over.

BARINGHAUS Just some of the other things we did. I did do an outline of an onboarding process. Thank you, everybody for those comments. I'll still rely on Marc and Lynda from their recent experiences. I did find there's one other document that's going to need to be created, and we worked on this last year, when we updated our rules and procedure, we created a ZBA orientation guidebook, which contained, it looks like, nine items in it. That file is going to need to be created, create that item, put it online, so we can just email them. So I think we're moving forward in a lot of categories, the items that we put together, I'll get that updated. Send a copy to everybody, so we know where we stand. But I think at this point, you know, we're starting to make progress, you know, on the iPads, which is key, and we still need some, we need to do more documentation, maybe get a little more consistent on some of our processes, but I think it's going in the right direction.

SCHEEL Thank you.

COPPOLA Anything else?

TESTA Ice cream social on Thursday.

BARINGHAUS Yes, thank you.

COPPOLA Motion to adjourn. Motion by Mr. Boloven, supported by Mr. Rotondo. All in favor?

[The Board voted unanimously to adjourn.]

COPPOLA We are adjourned.

**AGENDA DATE: July 9, 2024
ZONING BOARD OF APPEALS
CITY OF LIVONIA**

**PROPOSED FINDINGS OF FACT
Pursuant to Zoning Board of Appeals
Rules of Procedure, Rule V-Hearings, Paragraph 7**

1. **APPEAL CASE NO. 2023-11-30, Bujar Ramolli, 18917 Yorkshire Street:** Should be denied because the alleged hardship does not entail more than mere inconvenience.
2. **APPEAL CASE NO. 2024-04-17, Christine and Raymond Sobocinski, 32749 Norfolk Street:** Should be denied because the alleged practical difficulty does not entail more than mere inconvenience. FURTHER, as exemplified by Petitioners' use of their front yard for parking, the RV is too large for the site. FURTHER, Petitioners' reasonable alternative is to place the RV in storage anytime the City's generous 72-hour allotment allows insufficient preparation time. FURTHER, Petitioners' proposal to place the RV on the property from April through October violates the City policy against conspicuous display of large vehicles (e.g., commercial vehicles) in residential neighborhoods. FURTHER, the proposed variance would be an undesirable precedent. FURTHER, the Police Department advises that the proposed variance would pose a vision obstruction for both motorists and pedestrians. FURTHER, it is unreasonable to apply a parking ordinance to all but one. FURTHER, the variance will likely generate confusion and neighbor troubles on calls for service to the Police Department.
3. **APPEAL CASE NO. 2024-06-23, Jacob and Grace Gates, 18199 Myron:** Should be denied because the alleged practical difficulty does not entail anything more than mere inconvenience.
4. **APPEAL CASE NO. 2024-06-24, Christopher Cristante and Jesse Syring, 32175 Balmoral:** Should be denied because the alleged practical difficulty does not entail anything more than mere inconvenience.

FUTURE LAND USE PLAN

CITY OF LIVONIA
ZONING BOARD OF APPEALS
July 9, 2024 – 7:00 p.m.
Livonia City Hall – Auditorium (1st floor)
33000 Civic Center Drive, Livonia, MI

- 1. APPEAL CASE NO. 2023-11-30, Bujar Ramolli, 18917 Yorkshire Drive:** seeking to maintain an existing five-foot tall iron picket fence, erected without permit or the west neighbors' approval.

FUTURE LAND USE PLAN (FLUP): LOW DENSITY RESIDENTIAL

- 2. APPEAL CASE NO. 2024-04-17, Christine and Raymond Sobocinski, 32729 Norfolk Street:**

Seeking to temporarily store a recreational vehicle within the front yard setback (in the driveway) in excess of the allowed 72 hours cumulatively in any 5-day period.

FUTURE LAND USE PLAN (FLUP): LOW DENSITY RESIDENTIAL

- 3. APPEAL CASE NO. 2024-06-23, Jacob and Grace Gates, 18199 Myron Street:**

Seeking to erect a 4-foot tall non-sight-obscuring fence, resulting in the fence encroaching into the corner side yard, which is not allowed.

FUTURE LAND USE PLAN (FLUP): LOW DENSITY RESIDENTIAL

- 4. APPEAL CASE NO. 2024-06-24, Christopher Cristante and Jesse Syring, 32175 Balmoral Street:**

Seeking to construct a detached accessory pool house while maintaining and expanding on an existing attached garage, resulting in excessive building area (pool house), excessive total accessory building area and a deficient side yard setback (garage).

FUTURE LAND USE PLAN (FLUP): LOW DENSITY RESIDENTIAL