

AGENDA OF THE CITY OF LIVONIA ZONING BOARD OF APPEALS
March 11, 2025 – 7:00 p.m.
Livonia City Hall Auditorium
33000 Civic Center Drive, Livonia, MI

AGENDA ITEM(S):

- 1. APPEAL CASE NO. 2025-01-01, Trent and Joslyn Lloyd, 39013 Minton Avenue:** Seeking to maintain a 6-foot-tall privacy fence, erected without permits, resulting in a fence erected within the corner side lot while not aligning with a corresponding fence on the adjacent property.

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.

ZONING BOARD OF APPEALS

ZONING BOARD MEMBERS

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



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

MAYOR

MAUREEN MILLER BROSNAN

COUNCIL MEMBERS

BRANDON MCCULLOUGH, President
MARTHA PTASHNIK, Vice President
CARRIE BUDZINSKI
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SCOTT MORGAN
LYNDA L. SCHEEL
LAURA M. TOY

PUBLIC NOTICE FEBRUARY 21, 2025

APPEAL CASE NO. 2025-01-01, 39013 Minton Avenue: an appeal was made to the Zoning Board of Appeals by Trent and Joslyn Lloyd, seeking to maintain a 6-foot-tall privacy fence, erected without permits, resulting in a fence erected within the corner side lot while not aligning with a corresponding fence on the adjacent property.

This Low Density Residential property is located on the south side of Minton (39013), between Adams Street and Marie Street, Lot. No. 123-03-0134-000, N-1, Neighborhood, rejected by the Inspection Department under Livonia Code of Ordinance, Section 15.44.090 A.4.b.i.

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, March 11, 2025, 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.

2025-01-01
March 11, 2025

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.

Address:



CITY OF LIVONIA
INSPECTION DEPARTMENT

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

33000 CIVIC CENTER DRIVE
LIVONIA, MICHIGAN 48154
421-2000

Applicant	<u>Trent and Joslyn Lloyd</u>	Address	<u>39013 Minton Ave., Livonia, MI 48150</u>
Owner	<u>(same as applicant)</u>	Address	<u>(same as applicant)</u>
Lessee	<u>N/A</u>	Address	<u>N/A</u>
Location	<u>South</u>	Side of	<u>Minton</u> Street
Between	<u>Adams</u>	And	<u>Marie</u>
Lot No./Parcel No.	<u>123-03-0134-000</u>	Subdivision	<u>Arbor Estates Sub. No.2</u>
Zoning District	<u>N-1</u>	Lot Size	<u>84' x 100' (8,400 sq. ft.)</u> Alley <u>N/A</u>
Present Use	<u>Single Family Residential</u>	Proposed Use	<u>(no change)</u>
Present Building Size	<u>N/A</u>	Proposed Building Size	<u>N/A</u>
Present Height of Building	<u>N/A</u>	Proposed Height	<u>N/A</u>
Allowable Lot Coverage	<u>N/A</u>	Proposed Lot Coverage	<u>N/A</u>

Proposal Seeking to maintain a 6 ft. tall privacy fence, erected without permits, resulting in a fence erected within the corner side lot while not aligning with a corresponding fence on the adjacent property.

Reason for Rejection Livonia Code of Ordinance, section 15.44.090 A.4.b.i.

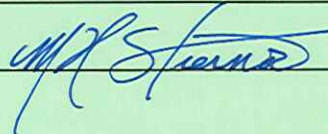
Deficient Side yard 12 feet (15.44.090 A.4.b.i) Deficient Front Yard _____ Deficient Rear Yard _____

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 _____

Remarks A permit was applied for on May 16, 2024 by a third party contractor, prepay fees made and accepted on May 31, 2024, then denied by the Inspection Department Plan Reviewer on June 10, 2024.

Plans and Application examined by  Date January 30, 2025

RECEIVED

JAN 29 2025

Inspection Department
City of Livonia

APPLICATION FOR VARIANCE

Trent and Joslyn Lloyd 39013 Minton Ave Livonia 48150 515-799-4912
(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 39013 Minton Avenue Livonia MI 48150

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:
Attached legal description and deed documents.

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:
Please see attached page.

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

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

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?
N/A

Question #3:

We have the only corner lot in the neighborhood that has an attached garage that faces the front, main street. All the other corners lots have detached garages that face the corner side street - *see addresses below for examples. Therefore, our property does not have the garage on the side of the house to offer that additional privacy that other homes pose. As residents on one of the rather busy corners in the neighborhood, our backyard and back of our home is uniquely exposed and highly visible to public view as well as foot and vehicle traffic. This is our first home. We closed on Halloween of 2023. We quickly discovered our new neighbors behind us had 3 large dogs and 1 small dog. Our 2 Australian Shepherds pups have been raised in a townhome and an apartment – meaning, they have never had a backyard to call their own. When all 6 dogs were outside, all heck broke loose. There was a pack of dogs running up and down the shared fence behind us – tearing up the grass in both yards and causing quite the neighborhood disturbance by all the dogs barking all at once. This exposure quickly overstimulated our two high energy dogs leading to excessive barking at our neighboring pooches, neighbors out walking or running, and just about anyone going by the side of the backyard. The privacy fence significantly reduces their visual triggers, creating a calmer environment for our dogs and minimizing noise disturbances in the neighborhood. It overall enhances the livability of our backyard without negatively impacting our neighbors or community.

*Addresses:

38961 Minton Avenue

38909 Minton Avenue

9054 Adams Street

9257 Adams Street

38910 Northfield Avenue

38850 Northfield Avenue

9307 Marie Street

Question #4:

The privacy fence was constructed and installed with such craftsmanship. There were no hiccups in the installation of the fence itself or the materials that were supplied – it truly did turn out beautifully! We believe it is unnecessary to tear down a perfectly safe and structured fence that is solely on our property. It would cause additional disturbance in the neighborhood to tear down and rebuild the same fence, needless stress and time on our part by having to organize the fixes with Lowe's (as this process has deemed quite difficult at times), fixing portions of the torn up yard (for a second time), and additional costs that we do not have to allocate towards this at this time.

Question #5:

The fence has been well received by our neighbors and have not received any complaints about its presence. We have had neighbors who have stopped by to let us know how nice and updated the overall property looks because of this improvement. In addition, they have expressed their understanding and support for the new fence as it aligns with the aesthetic of the neighborhood while contributing to the overall new appearance of our corner lot.

RECEIVED

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

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

Please print name of property owner: Joslyn Lloyd

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 29th day of January, 2025

Leslie Rohraff
(Notary Public, Wayne County, Michigan)

My Commission expires 09/28/25

LESLIE ROHRAFF
NOTARY PUBLIC, STATE OF MI
COUNTY OF WAYNE
MY COMMISSION EXPIRES Sep 28, 2025
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 6/10/2024, 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)

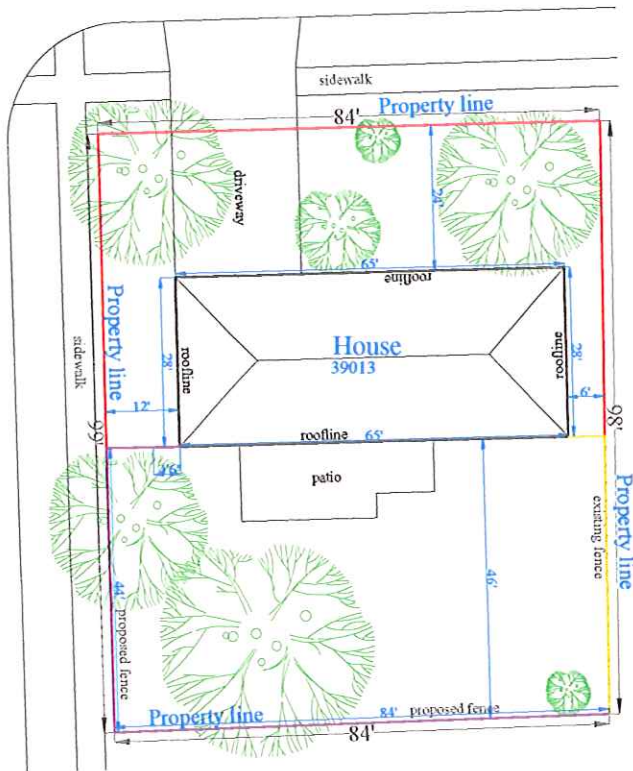
Application for permit filed YES

Violation Issued YES



Minton Ave

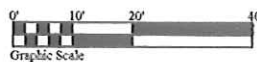
Adams St

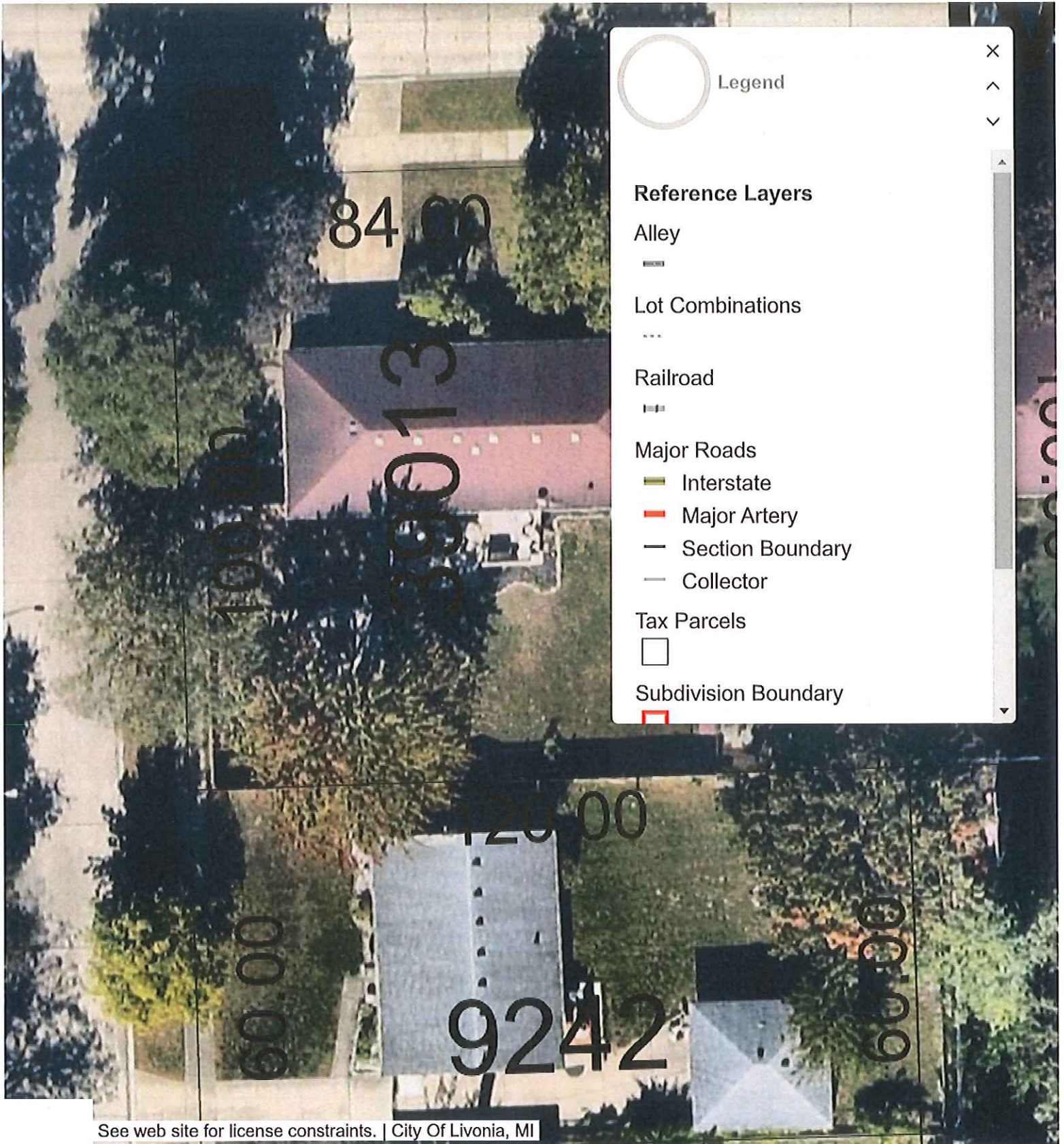
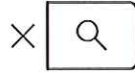


Parcel No. (APN) 46 123 03 0134 000
Land Use RESIDENTIAL
SINGLE FAMILY RESIDENCE
Lot Area 8,276 SF (0.19 ACRES)

ADDRESS: 39013 Minton Ave
Livonia, MI 48150
Scale: 1"=20'

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.





Legend

Reference Layers

Alley


Lot Combinations


Railroad


Major Roads

 Interstate

 Major Artery

 Section Boundary

 Collector

Tax Parcels


Subdivision Boundary


See web site for license constraints. | City Of Livonia, MI

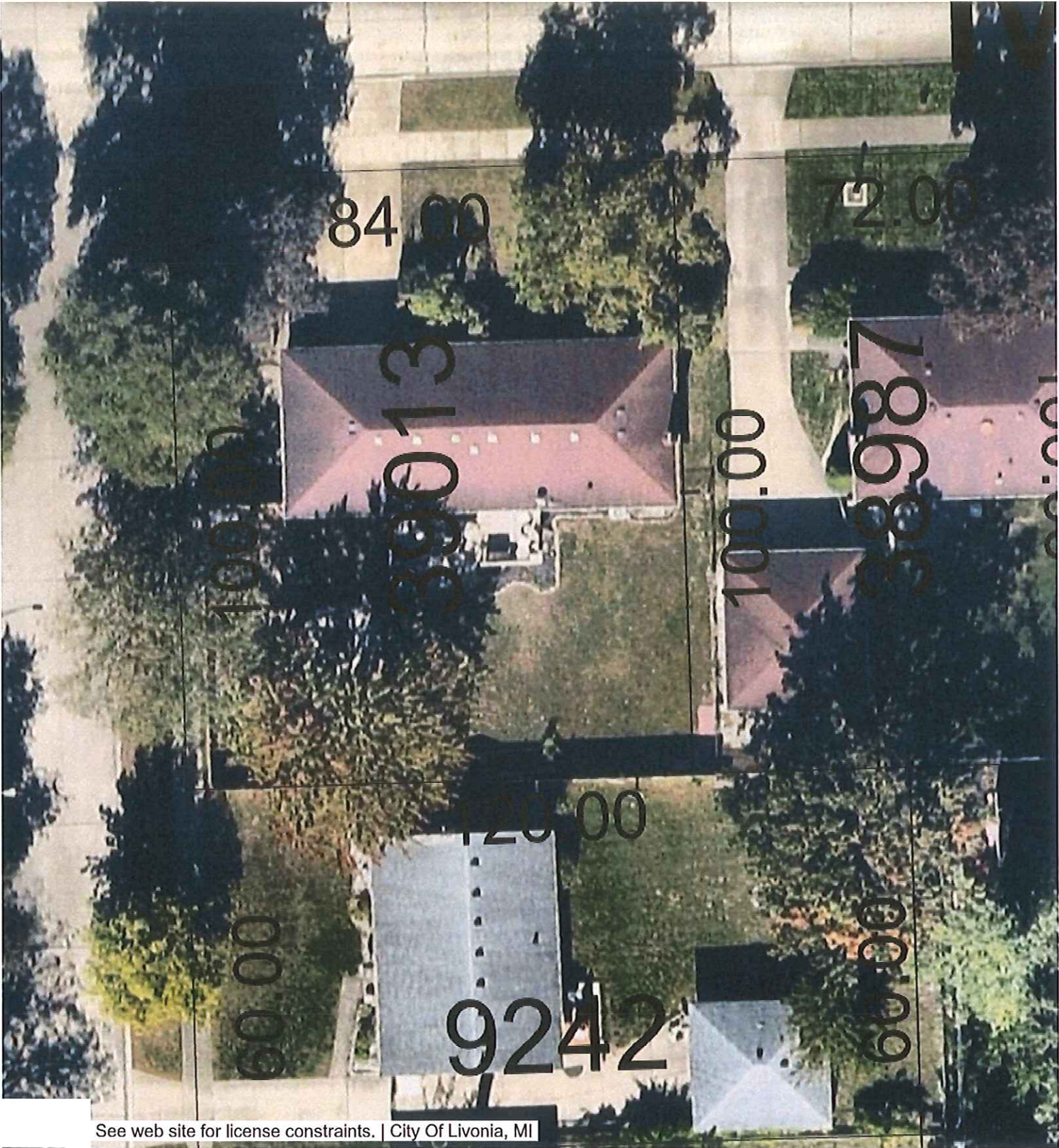
DISREGARD THIS SIDE

▼

39013 MINTON

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See web site for license constraints. | City Of Livonia, MI





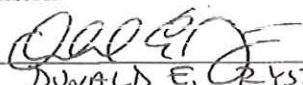
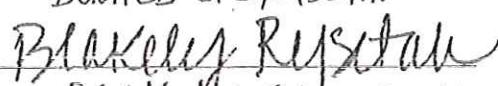




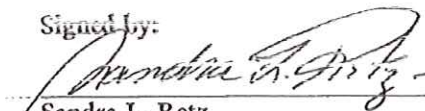
Attached to and becoming a part of Warranty Deed dated March 23, 2001 between Sandra Retz a/k/a Sandra L. Retz, a single woman, as seller(s) and Joseph Niemenski, a single man, as purchaser(s).

Liber-34074 Page-574

Witnesses:

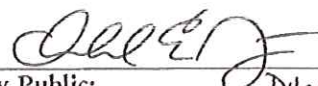

DONALD E. RYSZTAK

BLAKELY RYSZTAK

Signed by:


Sandra L. Retz
AKA SANDRA RETZ

State of Michigan
County of Wayne

The foregoing instrument was acknowledged before me this 23rd day of March, 2001 by Sandra Retz a/k/a Sandra L. Retz, a single woman


Notary Public: DONALD E. RYSZTAK
Commission Expires: 11-25-03
County in Michigan: Wayne

DONALD E. RYSZTAK
Notary Public, Wayne County, MI
My Commission Expires November 25, 2003

PL
File Number: WA373474

METROPOLITAN

01076503 JUN 15 2001

Liber-34074 Page-573
 201282441 6/15/2001
 Bernard J. Youngblood, Wayne Co. Register of Deeds

WARRANTY DEED

 Metropolitan Title Company (For Plat/Condominium) Statutory Form

Know All Persons by These Presents: That Sandra Retz a/k/a Sandra L. Retz, a single woman

whose address is 39013 Minton, Livonia, MI 48150

Convey(s) and Warrant(s) to Joseph Niemenski, a single man

whose address is 9466 Marilyn, Plymouth, MI 48170

the following described premises situated in the City of Livonia County of Wayne and State of Michigan, to-wit:

Lot(s) 134 of ARBOR ESTATES SUBDIVISION NO. 2, according to the plat thereof recorded in Liber 89 of Plats, page(s) 67 of Wayne County Records. *R*

More commonly known as: 39013 Minton

For the full consideration of: One Hundred Seventy Nine Thousand and 00/100 Dollars (\$179,000.00)

Subject to: Existing building and use restrictions, easements of record, and zoning ordinances, if any.

STATE OF
MICHIGAN

WAYNE COUNTY
JULY 20, 2001
RECEIPT #29876



REAL ESTATE
TRANSFER TAX

\$ 196.90-CO
\$ 1342.50-ST
STAMP #100310129

Dated this: 23rd day of March, 2001

(See Attached for Signatures)

Drafted by:

Darlene Shemanski
 Assisted by: Metropolitan Title Co.
 1365 S. Main Street
 Plymouth, MI 48170

Return to:

Joseph Niemenski
 39013 Minton
 Livonia, MI 48150

Send Tax Bills to:

Grantee

This is to certify that there are no tax liens or titles on this property and that taxes are paid for FIVE YEARS previous to date of this instrument EXCEPT

Recording Fee: \$20.00

File Number: WA373474 *pl*

Tax Parcel No.: 46-123-03-0134-000 *pl*

State Transfer Tax: \$1,342.50

County Transfer Tax: \$196.90

1,539.48

No. *3579* *Reginald Young* Date *6/15/01*
 WAYNE COUNTY TREASURER Clerk *[Signature]*

06-06-2001 11CL3519

DEED'S 4.00

RWD 12 4R 2pgs 5 4P

Trans

FIRST CENTENNIAL TITLE, INC.

2007 JUL 17 PM 2:52

STATE OF
MICHIGAN
Wayne County
July 17, 2007 02:52:00 PM
Receipt # 262244



REAL ESTATE
TRANSFER TAX
\$192.50 - CO
\$1,312.50 - ST
Stamp # 30039

Bernard J. Youngblood
Wayne County Register of Deeds
July 17, 2007 02:52 PM
Liber 46497 Page 1370-1370
#207303015 MD FEE: \$15.00



warranty Deed

File No.: cen40083

KNOWN ALL MEN BY THESE PRESENTS: That Joseph Niemenski and Sarah Niemenski, Husband and Wife whose street number and post office address is 39013 Minton, Livonia, MI 48150 convey(s) and warrant(s) to Gregory Erickson and Nicole Erickson, Husband and Wife whose street and post office address is 44966 Quaker Hill, Canton, MI 48187, the following described premises situated in the City of Livonia, County of Wayne, and State of Michigan, described as follows, to wit:

Lot 134, ARBOR ESTATES SUBDIVISION NO. 2, according to the Plat thereof as recorded in Liber 89 of Plats, Page(s) 67, Wayne County Records.

Commonly Known As: 39013 Minton

Tax Item No.: 46-123-03-0134-000

for the sum of: One Hundred Seventy Four Thousand Seven Hundred Fifty dollars and Zero cents (\$174,750.00), subject to easements and building and use restrictions of record, if any.

Dated on this 30th day of May, 2007

Signed and Sealed:

Joseph Niemenski (L.S.)

Sarah Niemenski (L.S.)

(L.S.)

(L.S.)

This is to certify that there are not tax liens or titles on this property and that taxes are paid for FIVE YEARS previous to date of this instrument EXCEPT
No. 805 Date 7-8-07
Wayne County Treasury Clerk

STATE OF MICHIGAN,
COUNTY OF WAYNE ss.

The foregoing instrument was acknowledged before me on this 30th day of May, 2007 by Joseph Niemenski and Sarah Niemenski, Husband and Wife.



(Sign) _____
(Print) _____

Notary Public, _____ County, _____

My commission expires _____

Acting in the county of Wayne

This instrument drafted by:
Remerica Liberty David Owens
19254 Newburgh Road
Livonia, Michigan 48152

When recorded return to:
Gregory Erickson
39013 Minton
Livonia, Michigan 48150

Recording Fee: \$19.00

Transfer Tax: \$1,505.00 ✓

2013 DEC 11 AM 8:51

Real Estate Transfer Tax

 County: \$97.90
 State: \$667.50
 Receipt: 510161
 Stamp: 322855

Bernard J. Youngblood
 Wayne County Register of Deeds
 December 11, 2013 08:53 AM
 Inst: 2013491887 WD Pages: 1
 Liber: 51213 Page: 1259

**WARRANTY DEED**

Grantors, Gregory Erickson and Nicole Erickson, husband and wife, whose address is 39013 Minton Avenue, Livonia, Michigan 48150, convey and warrant to Grantee, Anchor Homes LLC, a Michigan limited liability company, whose address is 13121 Nine Mile Road, South Lyon, Michigan 48178, the following described premises situated in the City of Livonia, County of Wayne, and State of Michigan:

Lot 134 of Arbor Estates Subdivision No. 2, according to the recorded Plat thereof, as recorded in Liber 89 of Plats, Page 67, Wayne County Records

Being the same property conveyed to Gregory Erickson and Nicole Erickson, husband and wife by deed dated 5-30-07 and recorded 7-17-07 in Deed Book 45497, page 1370, in the Office of the Recorder of Wayne County, Michigan.

Parcel Address: 39013 Minton Avenue, Livonia, Michigan 48150

Parcel Tax ID No.: 46-123-03-0134-000

Subject to conditions, restrictions, easements and limitations of record.

For the sum of Eighty-Nine Thousand and 00/100 Dollars (\$89,000.00).

Dated: 11/27/13

Gregory Erickson
 Gregory Erickson

Dated: 11/27/13

Nicole Erickson
 Nicole Erickson

STATE OF MICHIGAN)
) SS.
 COUNTY OF WAYNE)

Acknowledged before me in WAYNE County, Michigan on this 27th day of November 2013, by Gregory Erickson and Nicole Erickson, husband and wife.

ST. ARI L. MELENOFSKY
 Notary Public, State of Michigan
 County of Wayne
 My Commission Expires 05-23-2016
 Acting in the county of WAYNE

Shari L. Meleznick
 Shari L. Meleznick, Notary Public
 County, _____
 Acting in _____ County, _____
 My commission expires: _____

Drafted by:
 Jeffrey D. Swenarton (P45480)
 Kreis, Enderle, Hudgins & Borsos, P.C.
 P.O. Box 4010
 Kalamazoo, MI 49003-4010

When recorded return to:
 Nations Title Agency
 5062 Lovers Lane
 Portage, MI 49002

Drafter makes no opinion as to quality of title.

This is to certify that there are no tax liens or titles on this property and that taxes are paid for FIVE YEARS previous to date of this instrument EXCEPT

No 18705 Remedy Winding Date 12-11-13
 WAYNE COUNTY TREASURER Clerk J. Fallow

RETURN TO:
 WORLDWIDE RECORDING, INC.
 9801 LEGLER RD.
 LENEXA, KS 66219
 1-800-316-4682

13M104800
13WR45734

EXHIBIT A

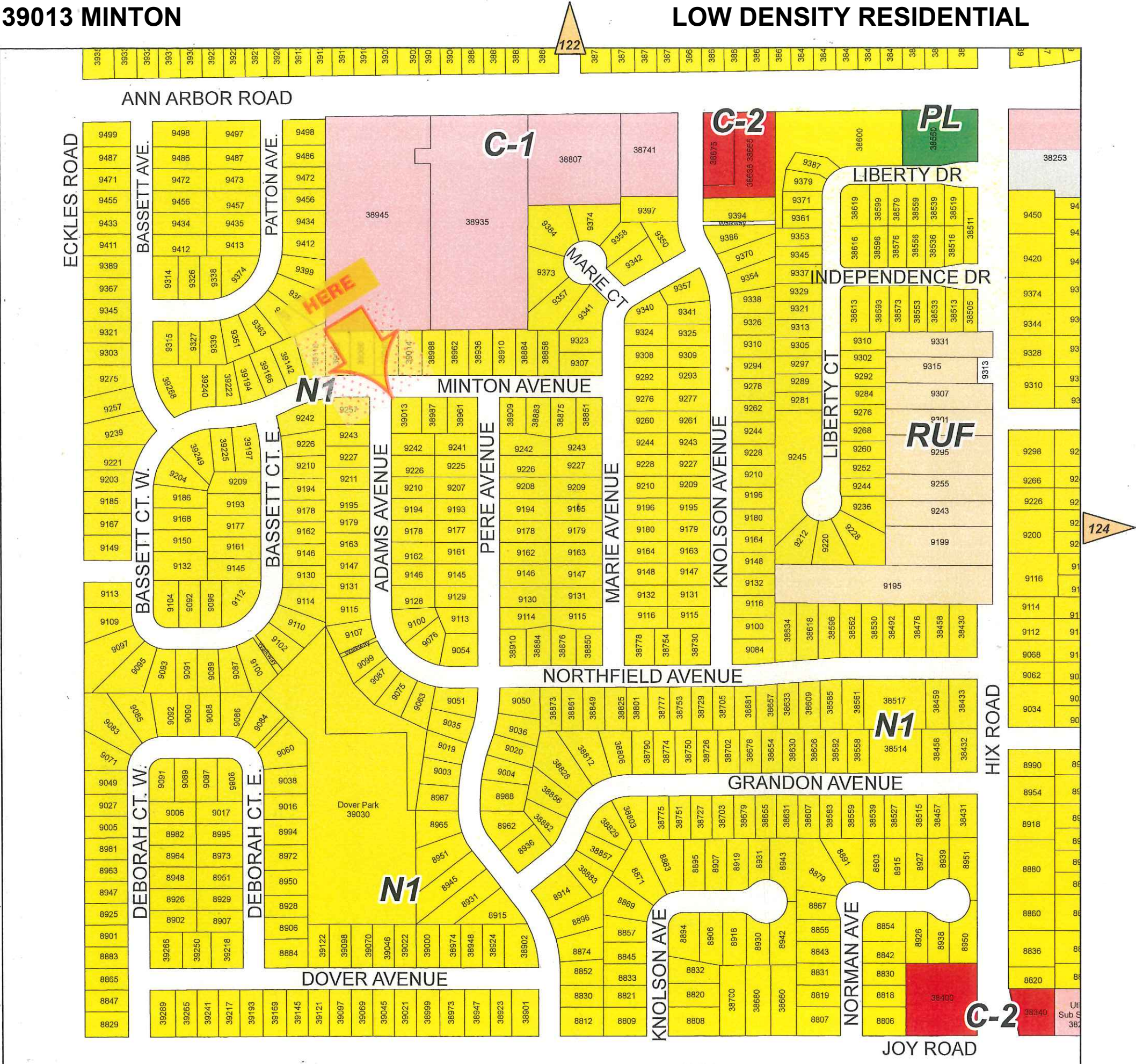
File No. 10105736

Land situated in the City of Livonia, County of Wayne, State of Michigan described as follows:

Lot 134, ARBOR ESTATES SUBDIVISION NO. 2, as recorded in Liber 89, Page 67, Wayne County Records.

Commonly known as: 39013 Minton Ave, Livonia, MI 48150

Tax ID No. 46-123-03-0134-000



ZONING MAP

LEGEND

Zoning Districts

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

S.W. 1/4 Section 31

City of Livonia

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

Copyright 2001, City of Livonia



AGENDA DATE: March 11, 2025
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. 2025-01-01, Trent and Joslyn Lloyd, 39013 Minton Avenue:** Should be denied because the alleged practical difficulty does not entail more than mere inconvenience and the proposed ordinance would violate the policy against dividing the City's residential areas into a series of small, walled enclosures.

FUTURE LAND USE PLAN

**CITY OF LIVONIA
ZONING BOARD OF APPEALS
March 11, 2025 – 7:00 p.m.
Livonia City Hall – Auditorium (1st floor)
33000 Civic Center Drive, Livonia, MI**

1. APPEAL CASE NO. 2025-01-01, Trent and Joslyn Lloyd, 39013 Minton

Avenue: Seeking to maintain a 6-foot-tall privacy fence, erected without permits, resulting in a fence erected within the corner side lot while not aligning with a corresponding fence on the adjacent property.

FUTURE LAND USE PLAN (FLUP): LOW DENSITY RESIDENTIAL