

ZONING BOARD OF APPEALS
CITY OF LIVONIA
MINUTES OF MEETING HELD TUESDAY, APRIL 8, 2025

A Meeting of the Zoning Board of Appeals of the City of Livonia was held on Tuesday, April 8, 2025.

MEMBERS PRESENT: Gregory G. Coppola, Chairman
Jim Baringhaus, Vice Chairman
Michael Testa
Marc Rotondo
Brian Meagher

MEMBERS ABSENT: Timothy Klisz, Secretary
Christopher Boloven

OTHERS PRESENT: Mike Fisher, Chief Assistant City Attorney
Lawrence O'Neal, Building 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 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. Five (5) members were present. No Petitioners asked to be rescheduled. Acting Secretary, Jim Baringhaus, then read the Agenda and Legal Notice to each appeal, and each Petitioner indicated their presence. The Petitioner for Appeal Case No. 2025-03-05 was not present at roll call. 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. 2025-03-03, 8980 Middlebelt: an appeal was made to the Zoning Board of Appeals by April Adams, seeking to maintain a 6-foot-tall vinyl privacy fence, resulting in a fence erected in the front yard and forward of the rear of the house, which is prohibited.

This Corridor Commercial property is located on the east side of Middlebelt (8980), between Joy Road and Newport Way, Lot. No. 143-01-0092-001, RUF, Rural Urban Farm, rejected by the Inspection Department under Livonia Code of Ordinance, Section 15.44.090 A.2 & B.

COPPOLA All right. Thank you, Mr. O'Neal, anything you'd like to add?

O'NEAL No.

COPPOLA Nothing at this time? I did note, I drove by earlier today. It says, "maintain a six-foot-tall privacy fence." I didn't see one. Did anybody else drive by and actually see one?

UNKNOWN BOARDMEMBER No.

BARINGHAUS No.

COPPOLA So must have been a mistake in the....

O'NEAL No. There's a privacy fence on this particular one.

[Inaudible crosstalk]

COPPOLA There is that one.

O'NEAL Correct.

COPPOLA So this was just an error in –

O'NEAL Correct.

COPPOLA -- in the announcement, okay, because I saw the green sheet. Okay. Any other questions for Mr. O'Neal?

TESTA Mr. Chair.

COPPOLA Mr. Testa.

TESTA Question, Mr. O'Neal, there inside our packet, there's a lot split document.

O'NEAL Okay.

TESTA What is that? What's in it? In there? Why is it in the packet? How does it pertain to this case?

O'NEAL Well, the church previously owned that property...

TESTA Okay.

O'NEAL ...Split it...

TESTA Got you.

O'NEAL ...And it was a C-1, now it's RUF.

TESTA Okay.

O'NEAL And I guess the complaint was that people from the parking lot were hanging out in their yard, which is why they want to put the fence up.

TESTA Thank you.

COPPOLA Okay, that was, that was a relatively recent split. Looks like the date of the of the survey was December of '23.

TESTA Okay.

COPPOLA That's a relatively recent split.

BARINGHAUS Mr. Chairman?

COPPOLA Vice Chair Baringhaus.

BARINGHAUS On this case, the only fence I noticed was to the side of the house. It was a wood fence, but it doesn't bear directly on this. Looks like it had been there for quite a while.

O'NEAL Yep.

BARINGHAUS And it's towards the back.

O'NEAL Yes.

BARINGHAUS Okay.

COPPOLA All right. The Petitioners, you could step... Oh, yeah. Sorry, Mr. [Rotondo].

ROTONDO For Mr. O'Neal. So there's currently a concrete barrier between the 7-Eleven which would be the North property line, and the home on that property line.

O'NEAL Correct.

ROTONDO And that's C-1 and the church is C-1 so I guess what would be different with the privacy fence on the south property line between the church and the...?

O'NEAL I was curious of the same, because apparently when they split, it turned that property from, well, I guess it was all one, C-1, and then they split, turning that section into RUF. So, you know, I mean, I almost had the same thought.

COPPOLA I think it's generally required, when a C-1 property abuts to a residential property, [inaudible] needs to put a barrier up.

O'NEAL Correct, correct.

ROTONDO So why would that require a variance? Isn't that required?

COPPOLA Perhaps it depends on just who's putting in the request. So if the church [inaudible] C-1 property. Yeah, they would have.

BARINGHAUS Mr. Chairman?

COPPOLA Yes.

BARINGHAUS Regarding the fence. I didn't, I'm sorry. Yeah, regarding the western fence. I didn't see any owner authorization forms. Or were there any that you noticed in the case?

O'NEAL Applying...?

BARINGHAUS For the privacy fence.

O'NEAL Applying for it?

BARINGHAUS Yeah.

O'NEAL I believe there was, I think Zac. I think it was [inaudible].

COPPOLA Could it have been a neighbor approval?

BARINGHAUS Neighbor approval.

COPPOLA The neighbor approval. Okay, normally....

BARINGHAUS For the church. Yeah, the authorization.

COPPOLA We can ask that. We can ask the Petitioner. Let me see if I have one.

BARINGHAUS Ask in our discussion?

O'NEAL Yeah, I don't have one in this package, so I don't believe so.

COPPOLA Any other questions? This one, Mr. Fisher, for clarification. I obviously made some declarations that may or may not be true, but I think the issue at hand is, and obviously the split created an issue: If the church had come and asked for a permit to put a fence up along the property between themselves and a residential property, it's almost... is it... that's generally a requirement on new construction.

FISHER Yes, well, the new construction would have the wall, not a fence. So I guess to some extent, this is going to be governed by the preferences of people in... the property owners. Would they have a fence or a wall? And I'm going to go out on

a limb and say the property owner probably doesn't want a wall along there. Probably prefer a fence, but that's....

COPPOLA They already have a wall on one side.

FISHER Yeah.

COPPOLA Be all walled in, right?

FISHER Yeah. So.

COPPOLA Okay. So, but if so, just technically, if the church had come forth and asked for a permit to put a wall or a fence up.

FISHER I imagine the guys would have given it to him.

COPPOLA Would have given it to him. So. Okay. One of those unique things. So much fun to do this. All right, I apologize for the way that.... The Petitioners could step up. Please. Just wanted to just get grounded here.

JASON ADAMS Can we both come up?

COPPOLA Yeah, just grab a chair. And actually probably get you probably closer to the recorder. Yeah, no way we didn't hit record. All right, just for the record, name and address please.

JASON ADAMS Sure. My name is Jason Adams. The address is 8980 Middlebelt Road and 8900 Middlebelt Road. So I'm the pastor of the church as well.

COPPOLA All right.

APRIL ADAMS And I'm April Adams, his wife.

COPPOLA Okay. So that property used to be a parsonage, in essence?

JASON ADAMS That's correct.

COPPOLA Okay. And they decided to divest themselves of the parsonage?

JASON ADAMS Yes.

COPPOLA Okay, so why don't you give us a little background?

JASON ADAMS Sure.

COPPOLA What happened? It sounds like it happened relatively recently.

JASON ADAMS So we have been looking to move out of that building, because it is very difficult for handicapped people to get into it. It actually is the handicap accessibility if we don't have none, it's been grandfathered in and all that stuff. But we were looking for a building that's one story, one floor, so we can have different parishioners or members of our church come in and be able to use handicapped facilities. We have some that are getting older and elderly. So we started to examine that probably around 2022. I made the decision to, if we were going to do that, that my wife and I would buy, purchase the parsonage from the church. That took place, the lot split. We took care of all the necessary requirements there. We do currently have a letter of intent to purchase the property, so we wanted to move forward with this fence in advance, because it is, it has been since the '40s, considered one property. So we get a lot of visitors, cross visitors, right? So you'll get all kinds of different folks. If somebody isn't at the church, they'll come knock at our door sometimes at all hours of the night. So having a fence would definitely help that. And the reason why we didn't ask for a barrier and we asked for a six-foot privacy fence, was the barrier on one side. It would have felt more like a compound resale value wise. I don't know if a cement compounded wall... I mean, it's... some people might like it, but I just, I thought a fence would be a little more pleasing to resell down a line, but we've changed everything over to RUF. Part of it was RUF. Part of it was C-1 and now it's, the entire property now is RUF. So we become taxpayers now. So we're excited about it. We love this city. We're not going anywhere. And so I did have a letter response, but we were on vacation when this came in, so I didn't have time to send it. But if you don't mind, I'll just read it. This is based on the Board's response to this request. So as a direct owner of the fence location, the leadership of the Wade Church at 8900 highly recommend the ZBA approve the variance. The property until last year was combined, and the fence would provide a true line of delineation for both properties. And we fully support the appeal to be approved.

COPPOLA Okay, you could pass that down with that.

JASON ADAMS Sure.

COPPOLA Permanent record [inaudible].

JASON ADAMS I'll walk it over.

BARINGHAUS That's all right. Just slide it across. Thank you very much.

COPPOLA Okay, so tell me... on your petition paperwork you had a six-foot white vinyl privacy fence, is that what you're still planning to use?

JASON ADAMS Yes.

COPPOLA And it's this Home Series dogwood?

JASON ADAMS Yeah, I think there was a picture of it. Yeah, it's pretty sharp. One thing I did make sure that I asked was, are individual pieces replaceable? Because it is against a parking lot.

COPPOLA Yeah.

JASON ADAMS So I wanted to make sure that if I had to replace that to keep up on it, it'll be our fence. So we'll maintain it moving forward. So if you know, we have to put a piece or two in to keep it looking....

COPPOLA You need to have those concrete barriers. So....

JASON ADAMS That would be an option.

COPPOLA The fence would run up to the sidewalk, is what you're proposing?

JASON ADAMS No, it's about 10 foot back. So if you look at the north side of where the concrete barrier wall, it's like a six-foot, and then it drops down to a four-foot to finish out to the sidewalk on the north side. So our six-foot would end at that six-foot. So a direct line across. I think that that's going to be easier for traffic and people seeing, pulling out of their parking lot as well, and that will definitely cut down on any potential foot traffic.

COPPOLA So 10 foot back from the sidewalk?

JASON ADAMS Yep.

COPPOLA And you're just going all the way to the back of the property?

JASON ADAMS Yep, there's one little jog because of the property line.

COPPOLA Right.

JASON ADAMS But yes.

COPPOLA Okay. Questions for the Petitioner? Mr. Testa.

TESTA Thank you, Mr. Chair. Is there only one gate?

JASON ADAMS There will be only one gate, yes.

TESTA Okay. How would you, from your house, get to the church? You have to walk all the way around?

JASON ADAMS Yeah, for a while, until we... I mean, if it's a letter of intent to purchase it, it only would be for so long. I mean, they were looking at, if we did do that, they want to look at June or July to close. Okay, so yes, I would have to walk around, but I need the exercise, so it's fine.

TESTA And you need the fence going all the way down to the street. Could you maybe go part of the way and kind of accomplish what you want to create a barrier?

JASON ADAMS Well, because it's the parking lot, the parking lot goes all the way down to that end. So that's if I went to that 10-foot mark, I think that that would take care of the issue. Yeah. So it needs to go down there. And it definitely has to go down through the back, because the gymnasium that's attached to the church has an exit door. They would be exiting right in our backyard, otherwise.

TESTA Understood. Okay, thank you.

JASON ADAMS Yeah, my pleasure.

MEAGHER Mr. Chair.

COPPOLA Yeah, Mr. Meagher.

MEAGHER Mr. Petitioner, on the backside of your property, which would be on the east that property that backs up to 8915, would the fence just end in the middle of nowhere, or is it meeting another fence line?

JASON ADAMS It's another fence line back there between the other RUF properties.

MEAGHER Okay. And then the only other question I had is, does this... how do you get in and out of your property, then?

JASON ADAMS There's a driveway already going back to the house.

MEAGHER Okay.

JASON ADAMS So there's already a complete drive going all the way out to Middlebelt Road. So it is along the north drive in.

COPPOLA It's along the [inaudible] wall.

APRIL ADAMS Along the wall.

JASON ADAMS Yeah, along the wall. Right now it's gravel, but we'll want to move forward with cement in the future.

MEAGHER Cool. Thanks.

JASON ADAMS Yes, sir.

BARINGHAUS Mr. Chairman?

COPPOLA Mr. Baringhaus.

BARINGHAUS I noticed on the mailbox you had two addresses, 8900 and 8980. Can you explain what they identify or represent?

JASON ADAMS 8900 is the church.

BARINGHAUS Church.

JASON ADAMS 8980 is our home.

BARINGHAUS Very good.

JASON ADAMS So because I'm the pastor, we just have it mailed, dropped in one spot and the post office likes that. It's a little more convenient for them.

BARINGHAUS That makes perfect sense. And then the other thing, just more, probably more of a question for the Inspection Department, just, well, they do have a letter authorizing the fence and approving at the church. You know, just... a job's never done till the paperwork is finished, right?

JASON ADAMS Exactly.

BARINGHAUS They will need a...

JASON ADAMS Like a condition.

BARINGHAUS ...Privacy on our—

JASON ADAMS Exactly.

BARINGHAUS --Form as well. Other than that, on your fence, are you.... Right now, looks like you have a split rail.

JASON ADAMS That's in the front.

BARINGHAUS Yeah, it is in the front. Are you going to change that and incorporate it into the design?

JASON ADAMS It's basically the... what? The new vinyl fence will stop there.

BARINGHAUS There? Okay.

JASON ADAMS So it'll still sit there, and....

BARINGHAUS There will be, that will be the gate.

JASON ADAMS That'll be the gap.

BARINGHAUS Okay. But closer to the house, you do have a diagram indicating there's a gate there.

JASON ADAMS Yeah. And that separates the front and the backyards there.

BARINGHAUS And that will match the white vinyl. Absolutely.

BARINGHAUS Perfect.

JASON ADAMS Yep.

BARINGHAUS Okay. Thank you.

JASON ADAMS My pleasure.

COPPOLA It's difficult for me to tell, but how much with this, how much space is between the fence and the... I guess you said that's a gymnasium?

JASON ADAMS Yes.

COPPOLA How much space will that be? It's a 10-foot walk?

JASON ADAMS Yeah, it's a 10 foot. It's a 10-foot spacing between there. So based on when they gave the... when he ran the lines, he said he needed a 10-foot space between that now, so the property line kind of splits there. If they need a few more [feet], we could do that, but more likely, it's fine, kind of alleyway-esque kind of thing.

COPPOLA You said there was an entrance coming out.

JASON ADAMS Yeah, at the very back of the gymnasium.

COPPOLA Okay. Any other questions for the Petitioner?

BARINGHAUS Just one question. Who's going to install the fence for you?

JASON ADAMS I don't know the name, but it's through Home Depot services.

BARINGHAUS Oh, it is through Home Depot? Yeah, okay, very good.

TESTA Mr. Chair?

COPPOLA Mr. Testa.

TESTA This is just a clarifying question to the question you asked. I think you answered 10 feet to the house, but what would be the space between the fence and the gymnasium?

APRIL ADAMS That's the fence.

JASON ADAMS That's the fence. Yeah, no. So the fence line will go down. It'll be 10 foot from the gymnasium wall to the fence, and then it's about 24 foot from the fence to the home.

TESTA Gotcha. Okay. Dimensions on here may be off. Sorry.

JASON ADAMS I had to draw them, which I was surprised.

[Inaudible crosstalk]

TESTA Okay, thank you.

JASON ADAMS My pleasure.

COPPOLA Any other questions? All right, seeing none. Anybody in the audience like to speak for or against this petition?

UNIDENTIFIED AUDIENCE MEMBER 1 For it.

JASON ADAMS Thank you.

UNIDENTIFIED AUDIENCE MEMBER 2 Me, too.

[Laughter]

COPPOLA It doesn't work that way. Any correspondence?

BARINGHAUS Yes, in addition to this letter [of approval from Jason Adams, 8900 Middlebelt, which was already read into the record by the Petitioner], we have one more letter, letter of approval from Otto Weyer, 8861 Middlebelt, (Letter of approval was read). So that's the correspondence.

COPPOLA That's it?

BARINGHAUS That's it. Two letters total.

COPPOLA All right, Mr. and Mrs. Adams, Anything you'd like to say in closing before we...?

JASON ADAMS Just, no, we just appreciate your time to listen and hear, and maybe take this into consideration. So we definitely appreciate it.

COPPOLA Okay, 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 be in support of this. I think it makes sense. You're kind of sandwiched between two quote unquote commercial properties to give you a little bit of privacy. And as mentioned at the start, if the church had come in asking for this fence, it probably wouldn't have been coming to this point, would have been more of a direct approval. So I can support this.

COPPOLA All right, thank you. Mr. Meagher.

MEAGHER I am definitely in support of this. When I drove by the property, I was confused why it's such a thin lane next to an open church, but now that it's a parsonage, that makes a lot more sense, but having the separation and the explanation of what you're doing makes total sense. [Inaudible]

COPPOLA All right, thank you. Mr. Rotondo.

ROTONDO Yeah, I don't have any issues with this. Obviously there already is the barrier on the north property line, and you're putting the fence on the south property line, I think the fence will look nicer than the concrete barrier. And at the end of the day, you're separating a commercial and residential property, so I don't have any issues with it. I'll be in support.

COPPOLA All right, thank you. Vice Chair Baringhaus.

BARINGHAUS Okay, thank you. Yeah, I agree with my colleagues. I think they made some good points. My observation is: a challenging piece of property, because you did purchase the parsonage, which is really deep in that property. It was a challenge to get to it, but then once I saw the layout, your fence plan makes perfect sense as well. So based on that, I'll support the variance.

COPPOLA I opt to support it. This is a unique property. Generally, I wouldn't be supportive of a request like this, but this is unique where it stands between two commercial properties. We have quite a few of these unique ones here. And again, if the church had come forth and pulled a permit for a fence, they would have allowed that. So just a kind of a procedural thing. So I'll go ahead and open up the floor for a motion.

TESTA Mr. Chair.

COPPOLA Mr. Testa.

TESTA Resolved that the variance sought in Appealed Case 2025-03-03, filed by...

BARINGHAUS April Adams.

TESTA ...April Adams, be granted for the following reasons and findings of fact: the uniqueness requirement is met because the property is unique, being sandwiched between a commercial property to the north and to the south, and it was previously a lot split, creating this unique situation. Denial of the variance would have severe consequences to the Petitioner, because they continue to have traffic flow through their property and disturbances from people they don't want. The variance is fair in light of its effect on neighboring properties and in the spirit of the zoning ordinance, due to general positive feedback from neighbors and support from neighbors. This property is classified as Commercial Corridor under the Master Plan, and the proposed variance is not inconsistent with that classification.

BARINGHAUS Support.

COPPOLA Any discussion? A couple things here. I think it's actually Rural Urban Farm, not Commercial.

TESTA Yeah, once it gets down the... okay.

COPPOLA And then I would suggest a condition be that the fence has to be at least 10 feet back from the sidewalk. And then number two, that they get, just for purposes of stuffing the file, that they get neighborhood approval like they normally do for privacy fences between properties.

TESTA Agree.

COPPOLA And that it be constructed as presented with materials, as presented.

TESTA Agree.

COPPOLA Okay, anything else?

BARINGHAUS Let me just read that back, Mr. Chairman. Obtain privacy in our standard petition fence authorization form, fence located 10 feet back from the sidewalk, and then constructed as presented with materials as presented.

COPPOLA Correct. All right, then.

BARINGHAUS Okay, very good.

On a motion by Testa, supported by Baringhaus, the variance was granted.

RESOLVED: APPEAL CASE NO. 2025-03-03, April Adams, 8980 Middlebelt: an appeal was made to the Zoning Board of Appeals by April Adams, seeking to maintain a 6-foot-tall vinyl privacy fence, resulting in a fence erected in the front yard and forward of the rear of the house, which is prohibited.

This Corridor Commercial property is located on the east side of Middlebelt (8980), between Joy Road and Newport Way, Lot. No. 143-01-0092-001, RUF, Rural Urban Farm, rejected by the Inspection Department under Livonia Code of Ordinance, Section 15.44.090 A.2 & B.,

be granted for the following reasons and findings of fact:

1. The uniqueness requirement is met due to the property being sandwiched between a commercial property to the north and to the south, a situation which was created by a lot split,
2. Denial of the variance would have severe consequences for the Petitioner because they continue to have traffic flow through their property, which results in disturbances for the Petitioner,
3. The variance is fair in the light of its effect on neighboring properties, and in the spirit of the zoning ordinance due to general positive feedback and support from neighbors, and
4. This property is classified as Corridor 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 Petitioner shall obtain and submit to Inspection neighbor approval permission on the standard privacy/partition fence authorization form,
2. The fence should be placed ten (10) feet back from the sidewalk, and
3. The fence should be constructed with materials as presented.

ROLL CALL VOTE:

AYES: Testa, Baringhaus, Meagher, Rotondo, Coppola

NAYS: None

Absent: Boloven, Klisz

PASS/FAIL/TABLED: PASS: PASS

BARINGHAUS Mr. Meagher.

MEAGHER Aye.

BARINGHAUS Mr. Rotondo.

ROTONDO Aye.

BARINGHAUS Mr. Testa.

TESTA Aye.

BARINGHAUS Vice Chairman Baringhaus votes aye. Chairman Coppola.

COPPOLA Aye.

BARINGHAUS Okay. Motion passes five-oh.

COPPOLA Okay, so your petition has been approved subject to the conditions that you just heard before: has to end 10 feet before the sidewalk, has to be placed where you presented it in your petition with using the materials, which is that white vinyl, six-foot white vinyl as presented, and then you just, which I don't think to be a problem, is to get the normal neighbor sign off on the fence.

JASON ADAMS So is it just being just the two neighbors, or is it...?

COPPOLA No, just the neighbor to the south.

[Laughter and crosstalk]

COPPOLA So you can probably get it done. Don't sign it yourself.

JASON ADAMS Yeah, I'll let my board sign it.

COPPOLA Okay.

JASON ADAMS Yeah.

APRIL ADAMS Thank you guys for everything.

JASON ADAMS Appreciate your time.

BARINGHAUS Good luck, yeah.

JASON ADAMS Thank you.

Administrative Tasks

COPPOLA All right. Has our other petitioner signed up, shown up?

UNKNOWN AUDIENCE MEMBER I am here regarding that case.

BARINGHAUS Oh, okay.

COPPOLA Yeah, but we're not gonna run it. Are you here as a neighbor?

UNKNOWN AUDIENCE MEMBER I am a neighbor. And... yes.

COPPOLA So the Petitioner—

APRIL ADAMS On this case?

COPPOLA You're all set, you're all done.

APRIL ADAMS Goodnight!

BARINGHAUS We're looking for Karen Amick on behalf of lessee, Justin Baker.

COPPOLA I don't think the Petitioner has shown up, so we won't hear the case.

UNKNOWN AUDIENCE MEMBER So is the fence going to remain?

COPPOLA Generally, the process is, unless they put in for a... I don't know. I don't know. Normally, if we reach out that it has to be, basically, the petition has been, won't say tonight, what's the proper term? Your... Mike... paused?

FISHER Well, it's just going to be rescheduled as a general rule.

COPPOLA I guess we'll call them and allow them to reschedule?

FISHER Yes.

UNKNOWN AUDIENCE MEMBER I would still like to make a comment.

COPPOLA Well, we're not... I understand, but we're not hearing the case, so there's nothing to directly--

UNKNOWN AUDIENCE MEMBER Can I ask a question?

COPPOLA Sure.

UNKNOWN AUDIENCE MEMBER Are you allowed to keep a junkyard on your property in a residential neighborhood in Livonia?

O'NEAL No.

UNKNOWN AUDIENCE MEMBER Well, that's what's going on at this house. I have photographs.

COPPOLA I know there's been a number of violations that I saw on that property, and your best course of action is to call the City and file a complaint.

O'NEAL Or Ordinance Department.

UNKNOWN AUDIENCE MEMBER Okay.

O'NEAL I believe they probably already have somewhere.

COPPOLA They have seven.

UNKNOWN AUDIENCE MEMBER Is there an inspector here?

O'NEAL I am.

UNKNOWN AUDIENCE MEMBER Can you inspect them? I have photographs.

O'NEAL This. Well, that area is another inspector's area. But yes, I've been to that property, I believe, in the past.

UNKNOWN AUDIENCE MEMBER Well, there's a horse trailer on that property.

O'NEAL Okay.

UNKNOWN AUDIENCE MEMBER There is a[n] old Airstream that's not functional, just dumped on that property. There's a big truck that's a camper truck, two other trucks. Then there's another truck, they park on the grass. There is an inoperable truck, and there is a snow removal plow not attached to anything, and all this is dumped on the property, and it has been there for three years.

COPPOLA Have you have called the City to complain?

UNKNOWN AUDIENCE MEMBER No, because I keep thinking they're going to finish this up, but they're going nowhere, and they are accumulating more and more vehicles back there.

O'NEAL Yeah.

COPPOLA Well, I would again, I would call the City to complain, and I'd have your neighbors call the City to complain. They're already written up. I've counted seven different violations, over several years on there. So they're on the radar, but giving a call would not hurt.

UNKNOWN AUDIENCE MEMBER Well, it's on the radar, but what's going to be done about it?

COPPOLA Well, there's a process that we follow, that takes time.

UNKNOWN AUDIENCE MEMBER Yeah. Three years is not enough apparently.

O'NEAL I can't get into my laptop right now, but I know, just from the past, and like he was saying, they have violations written on there, and there is a procedure. Maybe they're working with them. Maybe they've given them thirty... I don't know. It's not my area, but definitely come in and present everything you have, and we'll get somebody on it.

UNKNOWN AUDIENCE MEMBER Okay, do I make an appointment or just walk...?

O'NEAL No.

UNKNOWN AUDIENCE MEMBER Where is it? Is it in this building?

O'NEAL It's in this building, in the back, front.

COPPOLA Other side of the building.

O'NEAL The lower level, yeah. You would come in the back.

UNKNOWN AUDIENCE MEMBER What's it called?

O'NEAL What's that?

UNKNOWN AUDIENCE MEMBER The department? What's it called again?

O'NEAL Building Department.

UNKNOWN AUDIENCE MEMBER Building Department. Okay, thank you.

O'NEAL Yep, you got to go to the back to get to the front.

COPPOLA That's true. All right, I think we have some minutes to approve?

BARINGHAUS Yeah, we have the minutes from the February 11, 2025 meeting to approve.

COPPOLA Do I hear a motion for approval?

TESTA Support. Oh! Sorry, I can't.

BARINGHAUS Thank you for the motion.

[Laughter]

TESTA Do I have support?

ROTONDO Support.

COPPOLA Motion by Mr. Testa, supported by Mr. Rotondo, to approve the minutes of February 11, 2025, all in favor?

The Board voted unanimously to approve the minutes from the meeting of February 11, 2025.

COPPOLA Okay, that passes unanimously. Is there anything else administrative we need to handle? You guys all saw the invite to the State of the City? When is that, tomorrow or Thursday?

BARINGHAUS No, it's tomorrow at Schoolcraft Vista[tech] Center. It's from three to five.

COPPOLA I think you had to answer an email to get to....

BARINGHAUS Yes, Sara said Monday.

COPPOLA If you wanted to go, there'd be tickets.

MEAGHER Okay, can I ask a question about the other appeal that is on table, Sheetz?

BARINGHAUS Sure.

MEAGHER It's on here as the 22nd still, are we....

TESTA No.

MEAGHER The packet moved to a normal Tuesday, to the eighth?

TESTA It's officially been moved.

FISHER Well, we all know [inaudible], let's put it that way.

BARINGHAUS It's been moved.

MEAGHER That's fine. It's still in here as the 22nd so I just want to make sure that I'm sure not missing it.

FISHER You show up on the 22nd, nobody's going to be here.

BARINGHAUS Get all the great seating.

COPPOLA Sit right in the middle. All right? Anything else?

ROTONDO Mr. Chair?

COPPOLA Mr. Rotondo.

ROTONDO Should we consider doing a... timing residents for that meeting? I'm assuming--

COPPOLA Well, I have, when I do the introduction. I always state that they have two minutes.

ROTONDO Okay.

COPPOLA Unless the Chairman provides them more so. Maybe we'll have Vice Chair Baringhaus run the clock, and we'll limit to two minutes. It's gonna be a long meeting. I think there's a relatively full agenda, and I'll talk there, but we'll put Sheetz last, and that way we can not make other people wait around. Again, it's a use variance case. So, I mean, it's kind of limited to what we're really going to have to spend our time on. Once, I believe once it gets through to us, it goes back, it would go back to Council at that point, wouldn't it? I think for site planning and all that kind of stuff.

FISHER Yeah, that's a distinct possibility it'd end up back there.

COPPOLA So again, ours is just a use variance. So whether, because they tried to rezone that kind of got failed.

ROTONDO Right.

COPPOLA So this is just, can they provide a use variance so they can use it something other than itself currently.

ROTONDO So that'll end up, if it were to be approved, it would end up going back to Planning and then Council to go through all the plans again. Or would we be looking at their plans as well?

FISHER The reason this is a problem is they didn't do the planning in the first place, or they didn't do the extensive review of the plan itself, as opposed to the zoning. So we, well, what I thought was going to happen--

ROTONDO I thought was gonna win the Planning Commission. It was just for the zoning.

FISHER No, what I thought was gonna happen was, I thought we were gonna get a plan to look at that would have certain dimensional variances that would need be needed. But in fact, I'm told there are none, because their plan is too vague at this juncture, so they couldn't say, you know we're gonna your setback is five foot deficient or whatever. We don't know that yet.

COPPOLA But we're not gonna approve that.

FISHER No.

COPPOLA Because we're not approving any other variance except for a use variance.

FISHER I mean, we could theoretically. If they come to us with it.

COPPOLA And if there were other variances required, yeah, then we would have to.

BARINGHAUS But right now, there's just one question on the table.

COPPOLA Yeah.

ROTONDO It's just the use variance. And then before they proceed, they would have to--

COPPOLA They would have to go back to the site. I thought Planning Commission had approved a site plan at some point, but I thought that the City was the one that turned turn it down. But maybe again, they approved the rezoning. It's not the full plan?

TESTA Right.

COPPOLA Well, no, by what they present, whether there's an actual plan there or not. But again, we're just looking at the fact of whether we want to permit a use variance or not.

FISHER Well, that was what I was told when I asked, okay, how many dimensional variants are we going to need here? You know, theoretically, there could be a lot. Oh, yeah, but they don't have a sign package ready, so there's no signs, and

they're apparently the other part of the plan is not definitively approved or whatever, so there's nothing there for us at this point.

TESTA So in theory, we could see them multiple times, first for a use variance, and if that's approved, they could come back before us, for other....

FISHER Sign variance....

COPPOLA Sign variance or the setbacks and stuff like that, and then they can come back again.

BARINGHAUS So they would go through this whole process, then back to Council again, which rejected them previously?

COPPOLA They rejected a zoning change. They didn't reject anything beyond that.

BARINGHAUS Well, you take out the zoning change, you take out that one, right? I mean....

COPPOLA No, because when there's a site plan, I think Planning Commission approves the plan and remands it to Council for final approval. Well, I guess they recommend. Planning Commission recommend.

BARINGHAUS Like you said, they skipped a step earlier.

FISHER Yeah, so, yeah. I guess the one advantage of doing it this way again, theoretically, is in a use variance process, you can have an awful lot more regulation than you can in just the rezoning. So rezoning is generally a condition in anything.

COPPOLA All you have to do is comply with that zone. Yes, right in here

FISHER You might get 10 different conditions laid on you. So that's part of the reason that you do use variances at this stage of the game in a rezoning, because the theory is, there's a potential way for the Petitioner to get relief, maybe not the relief he or she or it wanted, but there is some potential for relief there. So the Michigan Supreme Court said, "Okay, you guys have to do this then."

TESTA So in theory, a condition on approval could be hours of operation?

COPPOLA Sure. Lighting, hours of operation, egress.

FISHER Let your imagination run wild.

COPPOLA So in a sense, which will be hard for us is if they don't come in with a site plan, final site plan, it's kind of, what are we approving?

FISHER Well....

MEAGHER There's a document already that the lawyer....

COPPOLA Yeah, I haven't looked at it....

BARINGHAUS It's pretty [inaudible].

MEAGHER Well, I'm saying I think it had more details on when they went to Council. Can I ask one more question about that meeting? I was trying to find it in the ordinance. Are those that speak at ZBA meetings under the same ordinance that are allowed to speak at City Council meetings, meaning anybody from the public can speak at a City Council meeting, if I understood that correctly. The way I read it is, does that also apply to ZBA meetings?

TESTA Like non-Livonia citizens? I don't think we limit.

FISHER No.

COPPOLA We generally ask for the name and address, and that's the only indication. Although we did have someone suggest that that was that was restricting free speech. I'm not sure exactly how giving your address restricts free speech, but unless you choose not to give your address.

BARINGHAUS Well, I think addresses are like considered least they were in the auto industry, personal protected information, so there's a level of confidentiality to it. I just, I think giving their names, a lot of people are comfortable with it. But lately, people have some qualms about giving addresses. I don't have problem with that. Some people do.

COPPOLA Give me a computer. For five seconds, and I know where you live, I know your phone number, and I know your kids, and I know your parents, and I know

everything. So those days are over. You can't hide anymore. Unless you're Kaczynski, living in the mountains of Montana, they got you. Okay. Anything else? Seeing none. I just need one more motion.

TESTA Motion to adjourn.

MEAGHER Support.

COPPOLA Motion by Mr. Testa, support by Mr. Meagher to adjourn. All in favor.

The Board voted unanimously to adjourn.

There being no further business to come before the Board, the meeting was adjourned at 7:41 p.m.

Gregory G. Coppola, Chairman

Timothy Klisz, Secretary