

ZONING BOARD OF APPEALS  
CITY OF LIVONIA  
MINUTES OF MEETING HELD TUESDAY, JUNE 3, 2025

A Special Meeting of the Zoning Board of Appeals of the City of Livonia was held on Tuesday, June 3, 2025.

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

**MEMBERS ABSENT:** Gregory G. Coppola, Chairman  
Brian Meagher

**OTHERS PRESENT:** Mike Fisher, Chief Assistant City Attorney  
Matt Stierna, Senior Building Inspector

The meeting was called to order at seven p.m. Vice Chairman Baringhaus explained the Rules of Procedure to those interested parties. Each petitioner must give their name and address and declare hardship for appeal. Appeals of the Zoning Board's decisions are made to the Wayne County Circuit Court. The Chairman advised the audience that appeals can be filed within 21 days of the date tonight's minutes are approved. The decision of the Zoning Board shall become final within five (5) calendar days following the hearing and the applicant shall be mailed a copy of the decision. There are four decisions the Board can make: To deny, to grant, to grant as modified by the Board, or to table for further information. Each Petitioner may ask to be heard by a full seven (7) member Board. Five (5) members were present. No one chose to reschedule to be heard by a full Board. 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 about a dozen (not counted) people present in the audience.

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(7:00)

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**APPEAL CASE NO. 2025-04-12, 17320 Fairfield:** an appeal was made to the Zoning Board of Appeals by Roman Martincic, seeking to construct a detached accessory garage, resulting in an accessory structure in excess area and total area and in a location other than previously granted by the Zoning Board of Appeals.

**Second Accessory Building Area**

Allowed: 200 square feet  
Proposed: 572 square feet  
Excess: 372 square feet

**Total Accessory Building Area**

Allowed: 920 square feet  
Proposed: 1,034 square feet  
Excess: 114 square feet

This Low Density Residential property is located on the east side of Fairfield (17320), between Six Mile Road and Curtis Avenue, Lot. No. 039-01-0020-001, R-U-F, Rural Urban Farm, rejected by the Inspection Department under Livonia Zoning Ordinance, Section 7.09 (1) A and Section 13.14 (6) B.

**BARINGHAUS** Great. Thank you. Are there any questions for the Law Department?

**BOLOVEN** Mr. Chair?

**BARINGHAUS** Mr. Boloven.

**BOLOVEN** Yes. Question. Mr. Fisher, looking at the minutes from last time this was here, think I was the only dissenting on it, that kind of brought up, potentially, what is happening here? What changed? Because I thought we, the Board, had tried to address some conditions based on what you believe. Is it just the total renovation of the plan? Is it moving too far off of the conditions that were given by the Board? To put this in a nutshell, why are we here?

**FISHER** I'm going to punt that one over to Matt.

**STIERNA** Mr. Chair. If I...

**BARINGHAUS** Please.

**STIERNA** This is actually a not a request for increased size, which was previously approved, no change in the size of the garage is being made, just the location has moved from what was approved from the original case.

**BOLOVEN** So what? What wasn't addressed in those conditions? Because I think that was actually brought up that the survey potentially was going to cause an issue, and wanted to make sure that it was all addressed there, didn't have to come back.

**STIERNA** Correct.

**BOLOVEN** So why are we back?

**STIERNA** Because he wished to relocate the position that was previously approved.

**BOLOVEN** So they didn't like the... even getting the approval last time. Now they're looking to move it to another position outside of what was even given the first time.

**STIERNA** Correct.

**BOLOVEN** Thank you, Mr. Chair.

**STIERNA** I'd like to further address the Board briefly on the matter of the setback on the south side. I did meet Mr. Martincic on his property a few months back and verified with his survey that he did indeed have enough room for a driveway over there, although the fence is substantially to the south of the property line, approximately three feet.

**BARINGHAUS** Great.

**STIERNA** Thank you, Mr. Chair.

**BARINGHAUS** Thank you. Any other questions?

**ROTONDO** Mr. Chair.

**BARINGHAUS** Yes, Mr. Rotondo.

**ROTONDO** Question for Matt. Sorry, for Mr. Stierna. You said you had addressed the driveway with him?

**STIERNA** Correct.

**ROTONDO** Putting the driveway in? Is there... so the site plan that we have now, is the driveway coming to the property line now?

**STIERNA** Correct.

**ROTONDO** Correct. So is there something to address the drainage that would potentially go to the neighboring property or a curb or something, or...?

**STIERNA** He would be responsible to maintain drainage so as not to drain onto his neighbor's property.

**ROTONDO** Okay. So what would you... I guess he would have to get an inspection from the Building Department upon after he installed the driveway, or how would that...?

**STIERNA** Flat work does not require a building permit.

**ROTONDO** Right.

**STIERNA** So we would probably try and take a look at it and address it a little bit with him as part of his garage permit, however, yeah, he is responsible to maintain drainage that's not to drain onto his neighbor's property.

**ROTONDO** Okay. Thank you, Mr. Chair.

**BARINGHAUS** Thank you. Will the Petitioner come forward, please? Good evening.

**WEILER** Good evening, Board members. William Weiler appearing on behalf of Mr. Martincic, 2850 Warner Drive, West Bloomfield, 48324.

**BARINGHAUS** Thank you, and...?

**MARTINCIC** Roman Martincic, homeowner.

**BARINGHAUS** Your address, please?

**MARTINCIC** 17320 Fairfield Street.

**BARINGHAUS** Okay, thank you. Please give us an outline in your request.

**WEILER** Thank you. You know, in our legal system, as I'm sure Mr. Fisher will tell you, there's a principle called *stare decisis*, which basically means, "let the decision stand." And it's a principle that should be followed by courts and administrative bodies to ensure predictability and consistency in one case from another. And the principle says that, basically, if you have a case with similar facts, similar questions of law, it's decided a particular way. The next case that comes along, you should decide it that same way. That's what I'm asking the Board to do today. Because basically, this was decided back in September 4, 2024. It was based upon the principles enunciated at the beginning of this meeting of what needs to be followed and what needs to be decided on in terms of granting a variance. And the variance was granted. Nothing has changed but the location of the accessory building. The property address is the same, the square footage is the same, the uniqueness of the property due to its size and character is the same. The fact that a denial of the variance would result in harm to

Mr. Martincic, that's the same. The minimal effect on neighboring properties is the same. The similarity of other structures existing in the neighborhood, that's the same, and then the variance is consistent with the classification of the property as it exists now. What I do want to clear up, and I wasn't here at the last meeting, but I believe what you were referring to... is it, Mr. Boloven? In regards to what's happened now, one of the conditions, as I understand it was, is that he had to get a survey. When he had that survey, it was discovered that the neighbor to the south -- you know, this is a dogleg property, is what I refer to it as. And the neighbor to the south, that property of the dogleg portion, their fence was placed so that it took away 33 feet of Mr. Martincic's property. And when the original site plan was tendered, he thought he only had about 12 feet of that little strip that went all the way back, so he couldn't place the garage there. I thought the survey that this Board requested was to make sure that he wasn't impinging on any lot lines. And what this survey actually revealed was that the fence that was up when he moved in deprived him of 33 feet. So now that that 33 feet has been reclaimed, he tried to work with the neighbor about putting up a fence and giving her a portion of it. Now that the fence has been put up, he's got a good 45 feet to put this garage, so he wants to move it back, and that's what he's asking for the Board to do today. And actually, the placement of that garage is more in line with the principles that this body has to follow in order to grant the variance. It will no longer be in a direct line of sight from the street, because it's going to be moved over and it's actually going to be from a view behind the neighbor's garage. It is more conducive to the use of Mr. Martincic's property, because he's not disturbing his backyard with the placement of this garage. It's off to the side. And now that property, up to this point, has been not useful to him, and basically, all he's doing is maintaining it. It becomes useful because that's where the garage is going to go. And now, with the garage moved back into that area, with the entrance facing out, he'll be able to pull out and then go down his driveway without backing up the whole way, the whole length of the driveway. And he has a work trailer that he'd like to put in the garage as well. And you know, backing up with a work trailer isn't exactly the easiest thing to do. Now, this placement that's being contemplated here tonight, you can do that. You can pull straight out. So what I'm asking the Board to do is basically look at the decision from September 4 of 2024 and realize that nothing has changed. You've already made findings of fact that what he's requesting meets what you have to decide on to grant a variance.

**BARINGHAUS**

Mr. Stierna, did you wish to add anything to your observations on the property lines?

**STIERNA** With respect to the dogleg area?

**BARINGHAUS** Yes.

**STIERNA** Yes, he did indeed have additional property that he did relocate the fence to. He did receive a permit to do so.

**BARINGHAUS** Okay, great. Thank you.

**WEILER** And I sent in pictures to the Planning Department, who told me they would upload it to the file. I don't know if they made it to the file, but if you look at exhibit two, it shows where the old fence was. It's a pretty significant portion of the property that we lost. I'm not blaming him. I don't know why he didn't. You know, he should have looked at the site plan. Apparently, it was produced by somebody online. Should have looked at the original site plan and saw that he had 40 feet back there. But you know, sometimes when you're living on a property for 10 years and there's a fence there. You don't question it. He thought that his property line started after that misplaced fence, and just didn't have enough room to put the building back there. Now he does. It's been reclaimed. In terms of the driveway, the wood fence again, from the neighbor to the south, that does have to be moved, because in the survey, it was shown that that's misplaced as well. But that is to the advantage of that that'll be moved, and he's going to lose three feet on that side, so, but I still think there's room for the driveway without requesting a variance.

**BARINGHAUS** I have a question for Mr. Martincic. Did you also alter the size of the furniture in front of the garage as a result of relocating it?

**MARTINCIC** It was the same, 20 by 22, whatever it is on there. Yeah, it's the same.

**BARINGHAUS** Same. Okay. Very good. The reason indicated was for easier mobility, visibility. Maybe you can share your reasoning for considering relocating the garage location.

**MARTINCIC** Yeah, I mean, it's, like, I said, I didn't know I had that at the time, and it's a huge amount of property that, like, I said, I had no idea, and it's gonna be easier for me to turn around and get into it.

**WEILER** And placing the garage back there is off the main portion of his yard. I went to the property. He has a nice yard. He has a fire pit, but he's got a patio. He's got a pool. The placement of the garage under the original site plan, he would lose a lot of area, a lot of green space, if you will. So it makes sense to transfer it back to that particular area. And I did want to

point out also in the exhibits that I had uploaded, the photograph that shows the rear of the neighbor's house to the south. I just want you to take note, this isn't like being built on top of her property, and it's not like it's going to obscure any views. It pretty much lines up with her garage. You can see from Exhibit Three, which is the back of her property, so it's quite a distance from her property. And then a closer shot, where I zoom in, shows that fence post that's visible in Exhibit Four, that's about where the garage will end. It lines up with her garage, so that if she's looking out of her-- and I see no windows other than the screened-in porch on the back of her property, so she's not going to look out and just have it totally obliterated by a garage it's far enough back and over that it's not going to cause a problem.

**BARINGHAUS** Does Board have any additional questions? Yeah, just, I do have one question, just kind of, maybe refresh our memories. Can you describe the materials on the garage again? Colors, things like—

**MARTINCIC** Well, it's gonna be the same as the house. It's gonna be the same color siding, garage door will be painted and [inaudible] doing it.

**BARINGHAUS** Okay? Basically, they'll coordinate with the home in terms of color, materials, [inaudible] materials, items like that.

**BOLOVEN** Mr. Chair.

**BARINGHAUS** Yes, Mr. Boloven.

**BOLOVEN** Question for Mr. Stierna through the Chair, Mr. Rotondo's question regarding potential grading issues down the line, if this Board were to approve the request, is that all addressed through the Inspection Department, through this process, or should that be something that is proposed at the current time with the site plans?

**STIERNA** It certainly could be the Board's pleasure to assess that stipulation that water drainage is addressed and verified by the Inspection Department. Yes.

**BOLOVEN** Thank you, Mr. Chair.

**BARINGHAUS** Okay.

**TESTA** Mr. Chair.

**BARINGHAUS** Yes, Mr. Testa.

**TESTA** Question for the Petitioner. Thank you for the explanation. That was very helpful. Regarding your neighbor that's going to be directly next to you and behind this. Have you talked with that neighbor? Last time there was kind of a disagreement about the survey, and that's why you got it done.

**MARTINCIC** Right. So there was a discrepancy on the survey, which he brought to my attention. I'm assuming that originally, they went by the site plan that the City has, which shows when Matt came out the house was actually dug three feet over originally. So that's why, when they, I guess, they put the fence in, it must have been the actual 12 feet from my house. So, I mean, that's where I guess that fence got put in originally, because it was before I got there.

**STIERNA** Mr. Chair, may I just say....

**BARINGHAUS** Yes, please.

**STIERNA** Yeah, we had the original proposed site plan for the house when it got built. And apparently there was an as-built change that was never recorded with the City. His house is three feet, approximately three feet, further to the south than what was on the City original plan. So his current survey has addressed and corrected that.

**BARINGHAUS** Okay, thank you.

**MARTINCIC** And that's why the original site plan was showing 12 feet because I didn't know until the survey.

**TESTA** Have you showed your updated site plan to your neighbor?

**MARTINCIC** No, I did not.

**TESTA** So you haven't reviewed that with them, gotten their kind of approval.

**MARTINCIC** Nope.

**TESTA** Okay, thank you.

**ROTONDO** Mr. Chair.

**BARINGHAUS** Yes, Mr. Rotondo.

**ROTONDO** Question for the Petitioner. I'm looking at the previous site plan that was turned in, and it shows the width of that dogleg as 44, six. So you're saying you were not aware that that was the width previously?

**MARTINCIC** No, that's what I thought it was. But when the survey came out, you know what I mean? Like, I'm just going by what he pulled out. That fence was in the wrong spot.

**ROTONDO** Right. Yeah, I get that. I'm just saying I'm comparing the two site plans, the one that was for now, and the one that was last time.

**MARTINCIC** It's just worked physically. It is on the property where the fence was. I didn't measure everything out. I just went by the actual fence that was there.

**WEILER** If I may. That was one of my first questions to him when he first called me about this. And what he told me then was that the site plan was done just online. Apparently they were able to get information offline as the sizes and things like that. I said, "Did you not know that you had 44 feet or so?" And he did not know that. He thought what he's asking you is, did you know beforehand and. He thought that the 12 feet that he had been mowing for the past 10 years was all that he had, because that was on the other side of that six-foot-high chain-link fence. So to answer the question, he wasn't aware that he had the 44 feet.

**ROTONDO** Okay. Thank you.

**BARINGHAUS** Okay, thank you. Any other questions for the Petitioner? Are there any comments? You can sit down there, too. Are there any comments from the audience? Okay. Secretary Klisz, are there any letters? Oh, I'm sorry, go ahead. I didn't see you. Yeah. Could you say the name and address, please?

**LINDA SIPPS** Linda Sipps, 17310 Fairfield. First of all, thank you. I purchased my home in 2000. The title insurance company required me to sign a statement saying that there was a 3.3 foot encroachment on my property on the northern lot line. Talked to the neighbors who lived there at that time, and we agreed that I would not move the fence so they could have access to the backyard to store their trailer and boat. They sold the house. Roman bought it. Immediately I talked to him about the encroachment, and again agreed I would not move the fence so he would have access to his backyard. We had a verbal agreement. When I received the first notification about the city about a second garage next door, I approached Roman and made sure he understood the driveway could not be put

between the two houses. He replied, "I have no intention of putting in a driveway unless the City makes me." I didn't think the City was going to make him, so I thought the matter was settled. Then I find out he's planning on putting in a driveway. So I approached him again and said, I did not want to drive in between the two houses, so close to my windows. He decided to get his own survey, which is the one that you're reviewing, and found that I was correct. There was an encroachment, but the fence on my back property, like they said, was my understanding, is 20 feet too far east. So he wanted me to trade him the 20 feet. He'd give me the 20 feet if I would give him the 3.3 so he could put in this driveway. I said, "No, I don't want the driveway there." I was willing to give up 20 feet, or over 2000 square feet, that I had access to for 24 years, so this driveway would not be put between the houses. So in November, he moves the fence 20 feet westward so he had access to it, and me losing the access to it. I did nothing. It is what it is. It was his property. Fair's fair. Recently, we received a notification of this meeting of the new location of garage. I went to the Livonia website, so he now planned to put the oversized garage behind my house instead of his home. It's disappointing that he couldn't reveal this information to me, and I had to go on the website, Livonia's website, to find out what was going on. Referencing the minutes of 3/9, your last meeting. He was asked to begin by stating your hardship, why you need this proposed building? He said a lot of stuff, but basically, "I'd like to secure my vehicle. I've got a lot of money and tools in it." He was asked what he also stored in the driveway besides the van. He said, "I do have a trailer in the driver right now, but most of the time it's in the side of the garage back. If I'm going to be using it the next day, I pull it out. Sometimes it sits in the driveway." That is a totally false statement. I can count on this hand the number of times he has parked that van anywhere but in that driveway for years. He's never had a burglary problem. He was asked, "Are you also storing a boat in the backyard?" He said, "Yes." I don't see anywhere where the Board is addressing the two other box trailers he has sitting in his backyard, along with his trailer and his boat. That's why he can't fit the garage in his backyard. So he said he offered a contracting company. He said, "Yes." He was asked if there was any machining done on his property. He said, "No." if all work was done on site? He said, "Yes, it's all done, pretty much done on site, yep," he said. He was asked, "So your intent is that the garage will house all your work truck and then all of your belongings?" He replied, "All my wife's [inaudible] kid stuff, you know, whatever." He has told me that he would also be using the garage to set up a work area for his home business. I don't know why he failed to disclose this to the Board and leave you to believe the garage was for storage only. When he was asked if he'd spoken to the neighbor about putting up the structure. He replied, "None of them really had a problem. We had one concern about the

driveway.” I didn't have a problem if the garage is going to be in his own backyard, but I had a big problem with the driveway. Now that the garage is going to be behind my house, I have a problem with the garage. I just had replaced the sun porch on the back of my house. If you look at the picture, what I don't understand, there's no windows that you look out. I have a window screened in brand new sun porch on the back of my house. Tree came down. Destroyed it. It destroyed part of my fence and all that stuff. Okay, and the sun porch looks out of my backyard and then the tree line of Rotary Park. With the garage behind my home. Here's a sell sheet from when I bought my house, from Century 21. It says right on it, “Home and included [inaudible] is big trees and wonderful privacy.” I don't have privacy.

**BARINGHAUS** Ma'am, could you keep your remarks focused on the garage and the proposed structure?

**LINDA SIPPS** That's what I'm doing.

**BARINGHAUS** I understand. Yeah.

**LINDA SIPPS** It also says on the Century 21 thing, “It is a split plan ranch with a great sunroom.” The sun porch has value. Century 21 thinks so. Now, not only am I going to be harmed by not being able to enjoy my sun porch by looking at the tree line of Rotary Park, I also am getting damaged monetarily by the lowering of the resale value of my home. This garage should not be behind my house. It is not behind my garage. There's a big enough space between my garage and the property line that this garage will be in full view. The driveway. If you look at the survey, I don't understand how you say there's enough room to put in the nine-foot driveway. His driveway brick wall is like this, then it's 3.7 feet back to his house. In the notes of the meeting, we're measuring from the back of the house to the fence. Yeah, you've got enough room there. But how do you get it past this 3.7 foot of his brick wall garage? I don't understand that part at all. I'm asking this Board to look at the facts. Fairfield is a neighborhood, not a business district. We shouldn't have three trailers, and a van and everything else in our backyards and front yards. I should not look out my brand new sun porch and see his oversized garage. This isn't right. I'm asking you to do your due diligence. Look at the facts with all due respect. Look at the facts. I could go on, but I know—

**BARINGHAUS** We'll have the Petitioner come back up and address your questions specifically.

**LINDA SIPPS** I'm sorry?

**BARINGHAUS** We'll have the Petitioner come back.

[Inaudible crosstalk]

**LINDA SIPPS** I got one more thing to say.

**BARINGHAUS** Okay, that's fine.

**LINDA SIPPS** I tried to be a good neighbor, but it's time to protect my interests. He's gonna... I won't even go there. I'm asking the Board to call him back up here and ask him if the garage is going to be used for storage only. Because he told me he's put in a workshop and he's out there twice in the last week. He's been out there 20 feet from my windows with power saws. He's running a business out of his home.

**BARINGHAUS** We'll be glad to ask him that.

**LINDA SIPPS** And also ask him what his plan is to fit that driveway in when there's not enough room. Thank you.

**BARINGHAUS** Thank you. Could we have the Petitioner come forward and address the points?

**MARTINCIC** Yeah, so what was that? The side of the house I have nine feet, correct, Matt? According to the new survey?

**STIERNA** By the survey that I reviewed with you, yes.

**MARTINCIC** So regardless, I can put a driveway if the garage is there or not, right?

**STIERNA** Under our ordinance, yes.

**MARTINCIC** Okay. I do some prep work at home. I'm not, I mean, it is what it is. I don't run a shop. I don't have employees coming there, making cabinets or whatever. Yeah, do I prep for the next day? If I do? Absolutely, I have a full-time job. This is something I just do on the side. It's not like it's my whole income is doing this. I can't park my van in my garage right now. It will not fit. I mean, yeah, I got trailers. She claims it's her property. Technically, it's not. It's my property.

**WEILER** And this is the one of the things I'd like to address, is that she's talked a lot about how he's encroached on her property by whatever the new survey shows and where the wooden fence is makes absolutely no

mention about the property that he was deprived of and now has reclaimed. She's saying he's building it in her backyard. He's not. He's building it in his backyard, on his property, and for the most part, again, it lines up with the back of her garage. It's not like she looks out her window and can't see anything, but this garage. She still has the tree line. I guess that could be north of her garage. And a lot of statements back and forth. She wasn't reading from a deposition. She wasn't reading from a recorded statement. I don't know what conversations they had. I do know that he attempted to work things out with her before he moved the chain-link fence, giving her some of the property. She had a six-foot-high chain-link fence that was there. I don't know what your city rules are about chain-link fence. He put a lower one in. He's done everything he can to cooperate. If he's not allowed to build back there, this building, it's kind of a useless piece of property that he pays for. He pays taxes on. We've already established that there's ample room for a driveway, with or without the variance being granted. He's not, if the variance isn't granted, he's not just going to build a driveway out of spite, but it seems to be the majority of her complaint. I'm sorry that the homes are so close there, but your rules are your rules. Again, you've made the decision before that he met all the criteria. I'm not sure why we're re-discussing his need for it, or what he's going to use it for, or what the hardship is. It's all been discussed. And in terms, the neighbor across the street has an oversized garage. They were granted a variance. You can see it from the street. This isn't going to be seen from the street, and, quite frankly, what he has on his driveway now, that's what he wants the garage for. It'll make the front more sightly. I would just ask you to grant the variance based upon the new survey, based upon what you already decided in September of last year.

**BARINGHAUS** Okay, thank you.

**MARTINCIC** Just one more thing. So like, and I don't know how these properties were cut up before, or why it was dogleg. So everyone's got approximately 200 and I don't know 85 feet, or whatever, by a hundred. Except for my lot, it's 80 feet. And then that's why doglegs, where the neighbor to the south has 120 wide, and I think 220 deep. So even if there's a 26-foot garage starting right at there, you still end up with 80-some feet of that there's nothing going back.

**BARINGHAUS** Okay, very good. Thank you very much. We have letters?

**KLISZ** We do. We have a letter from Miss Sipps who spoke, so I won't read that one. And we have another one from Susan. M Hafner, 17311 Fairfield, (Letter of objection was read). That's the letter.

**TESTA** Mr. Chair.

**BARINGHAUS** Yeah, Mr. Testa.

**TESTA** Sorry, I know I do this to Chairman Coppola all the time, so it's fitting I do it to you. Can I ask one more question to Mr. Fisher?

**BARINGHAUS** Sure.

**TESTA** Thank you. In theory, the variance we approved previously is still in effect, and if we decline this petition tonight, he could still build the garage based on the previous variance? Is that correct?

**FISHER** That's correct.

**BARINGHAUS** Okay, would the Petitioner like to make a closing statement?

**WEILER** I think we've said enough. I hadn't consulted your legal counsel prior to, but it was going to be one of my statements that if it's not granted today, that we more than likely can go under the old one, which we really don't want to do, but that's... I mean, we've said....

**BARINGHAUS** Okay. Thank you very much. This will close the public portion of the meeting, and we'll begin the Board's comments with Mr. Testa.

**TESTA** Thank you, Mr. Chair. I'm a little torn on this one going in on the pre-read. I thought I was going to be okay with this. I didn't realize one of the letters was from a direct neighbor, and since she's in objection of it, it does give me pause. I do understand we approved this last time. I did understand the hardship for that. I think you could live well with what we already approved and not move this directly behind your adjacent neighbor, but I'll be open to changing my opinion based on other comments from the Board.

**BARINGHAUS** Thank you. Mr. Boloven.

**BOLOVEN** Thank you, Mr. Chair. I'm not in support. I was in support of a tabling last time and to address Counsel's comment about *stare decisis*. If that was the case, this would have been shut down in the beginning, because this was already decided in [2024] allowing the twenty by twenty. My comments last time are, disappointingly, exactly the waste of money for a second application today, why we're here, it was wait, save yourself the money, get a survey and see where you want it. But we pressed forward,

and this Board made a decision based on the Petitioner's request, and as such, a ruling was issued. Now here we are again, same exact case, totally different location, different Board members that are here tonight, as well as different concerns. So you can't say that the fact patterns are the same, especially with the moving of the garage. I have concerns with the flooding. I have concerns with the driveway. All these issues are open. I could be pulled toward a tabling on it. But with that being said, if not, it means I'm for a denial. Thank you, Mr. Chair.

**BARINGHAUS**

Mr. Rotondo.

**ROTONDO**

Yes, thank you, Mr. Chair. When this had originally come to us in September, I was in support of it, and I thought it was reasonable for the property. It's such a large piece of property, and there is obviously woods behind it, so I didn't see an issue with it. With this revised plan, it's tough for me, because I do see the issue that the neighbor may have with it, with the garage being behind her home. The other issue, I think Commissioner Boloven touched on it a little bit too, is the drainage. I would ideally like to see a site plan that included some grades, some grade points, and to at least show the drainage for the driveway and the shed, because I know that, or the garage, sorry, if the garage is going to be in that spot, I know it's kind of tight. The broad side of the garage is tight to the fence there in the property line. And I think it's important that we make sure that the drainage is not going to go to the neighbor's property. And as well, with the driveway, I know that's not really something that we will have much jurisdiction over with the Zoning Board. I think that's more with the Building Department, but I would like to make sure that if the driveway gets put in there, that the water is not going to be draining directly to the neighbor's property. I would think that it would require some kind of an integral curve or something of that nature. But as for where I'm at tonight, I think I would be in favor of a tabling. I just like to see more information about the drainage issues. And I would see where the rest of my colleagues are at on this one. Thank you.

**BARINGHAUS**

All right. Thank you. Secretary Klisz.

**KLISZ**

Yeah, this is a tough one. Honestly, if it wasn't for the neighbor complaining about where it would be located, I think it makes sense. But then we also have to give pause to that and say, that is something that we have to consider. And while we approved it last time, the location that it was at, there's a little bit different factor where it could impact the neighbor, so not completely sold one way or another. Maybe tabling would be a different tack to take, but right now I'm on the fence.

**BARINGHAUS** Okay, thank you. Back when we did table this in September, or, I'm sorry, passed it in September, I thought it was more than sufficient to get the garage done. Quite frankly, I can't recall a case where.... We haven't had a case come back a second time with a change in location. It kind of surprised me. I thought the last plan was more than sufficient. I understand that he did acquire additional property to relocate the garage, but the majority of the garages, pretty much are spacing the street with the driveway leading directly to it. It's a little more consistent with the area. Again, they were concerns as well as the question of drainage. Maybe getting some more additional clarification. I would be in favor of a tabling motion as well. So with that, the floor is open for a motion.

**TESTA** Mr. Chair.

**BARINGHAUS** Mr. Testa.

**TESTA** Move to table Appeal Case 2025-04-12, to allow the Petitioner to work with his neighbor or modify a plan and come back to us, or decide just to build the garage where the variance that was already approved allowed him to.

**BOLOVEN** Support.

**BARINGHAUS** Motion by Mr. Testa, support by Mr. Boloven. Discussion? Secretary Klisz, will you please take the vote?

On a motion by Testa, supported by Boloven, the variance was tabled.

**RESOLVED: APPEAL CASE NO. 2025-04-12, Roman Martincic, 17320 Fairfield:** Seeking to construct a detached accessory garage, resulting in an accessory structure in excess area and total area and in a location other than previously granted by the Zoning Board of Appeals.

**Second Accessory Building Area**

Allowed: 200 square feet  
Proposed: 572 square feet  
Excess: 372 square feet

**Total Accessory Building Area**

Allowed: 920 square feet  
Proposed: 1,034 square feet  
Excess: 114 square feet

This Low Density Residential property is located on the east side of Fairfield (17320), between Six Mile Road and Curtis Avenue, Lot. No. 039-01-0020-001, R-U-F, Rural Urban Farm, rejected by the Inspection Department under Livonia Zoning Ordinance, Section 7.09 (1) A and Section 13.14 (6) B,

**be tabled** to allow the Petitioner to discuss the plan further with his neighbor, and to address some of the drainage concerns with the property. Alternatively, the Petitioner may instead choose to follow the original variance which was granted to him in September 2024 for Appeal Case No. 2024-06-22.

**ROLL CALL VOTE**

AYES: Testa, Boloven, Klisz, Rotondo, Baringhaus

NAYS: None

ABSENT: Meagher, Coppola

PASS/FAIL/TABLED: PASS: TABLED

**KLISZ** It passes five to zero.

**BARINGHAUS** Okay. Your request has been tabled. The basis for this is to give you more opportunity to discuss your plan further with the neighbor, potentially look at addressing some of the drainage concerns with the property as well. And then when you're ready, come back and reschedule. The case could be heard for us. Mr. Fisher, just as clarification, they do have the option to follow the original variance if they so choose?

**FISHER** Absolutely.

**BARINGHAUS** Or you have the option of following your original variance that was granted to you back in September.

**WEILER** Thank you.

**BARINGHAUS** Okay. Thank you. Secretary Klisz, will you call the next case, please?

**APPEAL CASE NO. 2025-04-13, 19100 Farmington:** an appeal was made to the Zoning Board of Appeals by John Pastor on behalf of Lickity Split/Scooter's, seeking to erect a ground sign resulting in a deficient setback from the right-of-way.

**Setback**

Required: 10 feet  
Proposed: 3.5 feet  
Deficient: 6.5 feet

This Mixed Development Center property is located on the east side of Farmington (19100), between Clarita Avenue and Seven Mile Road, Lot. No. 038-99-0027-002, C-2, General Business, rejected by the Inspection Department under Livonia Zoning Ordinance, Section 11.08 (3) – Sign Regulations in C-2, C-3, and C-4 Districts.

**BARINGHAUS** Okay. Thank you. Are there any questions from the Law Department? Are there any questions from the Inspection Department? Okay, thank you. Will the Petitioner come forward and please state your name for us.

**PASTOR** Hi. John Pastor, 34018 Beacon, Livonia, Michigan.

**BARINGHAUS** Thank you. Okay and then if you could just describe the nature of the variance and hardship.

**PASTOR** The nature of the variance is the corner of the main monument sign on the property. As everyone knows, it's a very, very small piece of property, so there's not much room to be doing much of anything, let alone putting a sign up there, so it's really difficult to position it in a spot that it's going to meet the requirements and such. I believe this is the only requirement that we are asking for. All the other signage will be in compliance. The only other question I know, Matt, and I didn't get with you earlier. I didn't know if that, for lack of better word, the LED light thing is part of the signage or not.

**STIERNA** The LED band on the building that was prohibited by a Council Resolution, it was what prohibited by Council resolution, yeah, so that has to go away. I just wanted that was, yeah, that was not on the building plans.

**PASTOR** For some reason, I just wanted to make sure, because I wanted to clarify to the owner, we're actually owning the building, but the renter is Scooters, and I want to make sure that they know that they can't get that. So, I just wanted to make sure that it was clarified before we went forward and stuff.

**BARINGHAUS** So as you indicated, one of the hardships is the size of the property, because it's small in its nature. I've driven past the property. I've seen that as well. Can you tell me about the placement of the sign? Because it seems like normally, signs are kind of in the middle of a boulevard. You got it further back, trying to maximize almost on perimeter.

**PASTOR** That's what I'm trying to do, is give it the best position that we could get so people could see the sign without you know, that that was the best position for the sign company, and the tenant thought was the best spot for it. Again, you know, we're on the corner of Seven Mile and Farmington. It was on an angle so that everybody has at least a shot at seeing it so and that's what the size of the sign requirement, all that stuff, that's what got us out into that right away and such. We have such a huge parking lot there, as you know.

**BARINGHAUS** Just a question, is this strictly drive through, or is it drive in and drive through?

**PASTOR** It is strictly drive through, okay, but the ice cream shop, which is the old animal hospital, that's going to be an ice cream bakery shop. So, they will actually have a very small, I think it's 8 to 12 seats in there. So, it's not a lot of seats in there as well. Hopefully, with the new development, of course, across the street, I call them townhomes or condos, but they are apartments really, hopefully, a lot of walk-up traffic and all that stuff, the usual people for Scooters and the ice cream shop.

**BARINGHAUS** Are there any questions for the Petitioner?

**BOLOVEN** Mr. Chairman?

**BARINGHAUS** Mr. Boloven.

**BOLOVEN** Questions for the Petitioner, Mr. Pastor, if I were traveling north on Farmington Road and then making a right-hand turn onto Seven Mile. Is this sign going to cause an issue with visibility sidelines?

**PASTOR** I don't believe so. Because, again, even when you're at that corner and all that stuff, it is set back far enough for people to make those turns.

**BOLOVEN** Have you done, I don't wanna say a traffic study, but has public safety inspect that?

**PASTOR** I believe that the plans go to the Police Department, Fire Department, Building and all that stuff to review it later.

**BARINGHAUS** Excuse me, Mr. Stierna, have you started that process?

**STIERNA** This has not gone to the Police Department as of yet for public safety review.

**BARINGHAUS** Thank you. Thank you. Any other questions? Yes, Mr. Testa.

**TESTA** Mr. Pastor, what's your time frame on this? If we were to table you tonight so you can get a review by a Traffic Sergeant, would that delay your project?

**PASTOR** No, no. Again, we're we just got done pouring the floor. So, actually by probably next week see the building up. So, I think when's the next meeting, July?

**BARINGHAUS** I gotta say yes.

**PASTOR** The only issue is about ordering the signs to be able to get in on time and all that stuff.

**BARINGHAUS** The next meeting is July 8. You would have to have your deadline for filing is June 9.

**PASTOR** What would I file?

**BARINGHAUS** Question, Mr. Stierna, could the police do it fairly quickly?

**STIERNA** I can contact the sergeant tomorrow and see if they can get out there.

**BOLOVEN** Mr. Chairman, this might be for Mr. Fisher, rather than state language. Obviously, there's more discussion coming. Could it just be a condition that's by the police department inspection Sure.

**BARINGHAUS** Mr. Pastor, could you describe the height of the sign?

**PASTOR** You can only go six feet.

**BARINGHAUS** There's your answer.

**PASTOR** Last time I was on ZBA, yes, that's what it was back then. But remember, that was a little while ago.

**BARINGHAUS** Any other questions for the Petitioner? Very good. Are there any comments from the audience? Okay. Do we have any letters? No letters, very good. Would you like to make a closing statement?

**PASTOR** No, I just think everybody's going to be happy that this finally gets up instead of having the other items that you want, how's that?

**BARINGHAUS** Thank you very much. Okay, that closes the portion of the meeting and reviewing the Board's comments. Mr. Rotondo.

**ROTONDO** Thank you. Mr. Chair, as one resident who lives near this site, I'm excited to see this development happening as well as the other corner. So, I'm excited to see all the development going on. I can be in favor of this. I would be in favor also of the condition that the Police Department will approve of the signs, the visual effects of the sign on traffic.

**BARINGHAUS** Okay? Thank you. Secretary Klisz.

**KLISZ** I agree. I think it makes sense to approve this contingent upon the Police Department reviewing it, as they've done for us in the past, on fences and different things to make sure they don't have an objection to sight lines or traffic or pedestrians, but otherwise it makes perfect sense, and I will have no problem with it, so I'll be in support.

**BARINGHAUS** Okay, thank you, Mr. Boloven.

**BOLOVEN** I agree with my colleagues. Definitely in support. A welcome addition to that corner, it's been vacant for so long, just as long as the conditions there that the public safety approves that site line, I am good on my end.

**BARINGHAUS** Thank you, Mr. Testa.

**TESTA** Thank you, Mr. Chairman, I'm going to treat this as a use variance case. I'm just kidding. I welcome this development. It is long overdue, and thank you, Mr. Boloven, for as much. I'd like to see Mr. Pastor come again. There's no point of tabling. I don't think we, just as you said, put the condition on the approval for the Traffic Sergeant to take a look at. Thank you.

**BARINGHAUS** Yeah, I agree with my colleagues. I would support the variance based on the condition that we do have the Police Department review the site to ensure that there's safe and proper site lines. So, with that, the floor is open for a motion.

**KLISZ** Mr. Chair.

**BARINGHAUS** Mr. Klisz, Secretary Klisz.

**KLISZ** Resolved that the variance sought Appeal Case Number 2025-04-13, filed by John Pastor on behalf of Lickity Split/Scooters. 19100 Farmington, be granted for the following reasons and findings of fact, uniqueness requirement is met because of a small location for this particular business operation with two businesses running out of the same small footprint. Now the variance would have severe consequences for the Petitioner, because, essentially, they couldn't put the sign where they would like it to be most efficient for visibility for the public. The variance is fair in light of its effect on neighboring properties in the spirit of the zoning ordinance, because of no neighbor opposition, this property is classified C-2, General Business under the Master Plan, and the proposed variance is not inconsistent with that classification. Further, the variance be granted with the following conditions that its approval is contingent on a Police Department review for no visibility issues.

**BARINGHAUS** Is there support?

**BOLOVEN** Support.

**BARINGHAUS** Okay, motion by Secretary Klisz, support by Mr. Boloven. Any discussion?

**BOLOVEN** Is Mr. Fisher gonna say approving as presented?

**FISHER** I was going to say approving. At least the Sergeant gets to now review.

**KLISZ** Review and approve, and I will add built as presented.

**BARINGHAUS** Is that sufficient?

**KLISZ** To size and location.

**BARINGHAUS** Okay, Secretary Klisz, please take a vote.

On a motion by Klisz, supported by Boloven, the variance was granted.

**RESOLVED: APPEAL CASE NO. 2025-04-13, John Pastor on behalf of Lickity Split/Scooter's, 19100 Farmington:** Seeking to erect a ground sign resulting in a deficient setback from the right-of-way.

**Setback**

Required: 10 feet  
Proposed: 3.5 feet  
Deficient: 6.5 feet

This Mixed Development Center property is located on the east side of Farmington (19100), between Clarita Avenue and Seven Mile Road, Lot. No. 038-99-0027-002, C-2, General Business, rejected by the Inspection Department under Livonia Zoning Ordinance, Section 11.08 (3) – Sign Regulations in C-2, C-3, and C-4 Districts,

**be granted** for the following reasons and findings of fact:

1. The uniqueness requirement is met due to the small location for this particular business operation with two businesses running out of the same small footprint,
2. Denial of the variance would have severe consequences for the Petitioner due to the inability to place the sign in the most efficient location for visibility for the public,
3. The variance is fair in the light of its effect on neighboring properties, and in the spirit of the zoning ordinance due to no neighbor opposition, and
4. This property is classified as Mixed Development Center 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. Approval of the variance is contingent on Police Department review and approval for no visibility issues, and
2. The sign will be built as presented as to size and location.

**ROLL CALL VOTE**

AYES: Klisz, Boloven, Rotondo, Testa, Baringhaus

NAYS: None

ABSENT: Meagher, Coppola

PASS/FAIL/TABLED: PASS: PASS

**KLISZ** Passes 5-0.

**BARINGHAUS** Congratulations Mr. Pastor, your variance is approved based on the review and approval of the Police Department. Okay, thank you. Secretary Klisz, can you call the next case, please.

**APPEAL CASE NO. 2025-04-14, 16715 North Stanmoor:** an appeal was made to the Zoning Board of Appeals by Kelli Ann and Kyle Bocan, seeking to erect an accessory shed resulting in a detached accessory structure in excess of 200 square feet while maintaining an existing attached garage and excess total accessory area.

**Total Accessory Area**

Allowed: 920 square feet  
Proposed: 1,418 square feet  
Excess: 496 square feet

**Allowable Area for a Detached Accessory Structure**

Allowed: 200 square feet  
Proposed: 900 square feet  
Excess: 700 square feet

This Low-Density Residential property is located on the west side of Stanmoor (16715), between Whitcomb Drive and Harrison Avenue, Lot. No. 049-01-0037-000, R-U-F, Rural Urban Farm, rejected by the Inspection Department under Livonia Zoning Ordinance, Section 7.09 (1) A) Maximum Size.

**BARINGHAUS** Okay. Thank you. Sorry. Questions from the Law Department? Any questions for the Inspection Department? Very good. Will the Petitioner come to the podium, please? Thank you. Good evening.

**KELLI BOCAN** Good evening.

**BARINGHAUS** I'll just need name and address, please.

**KELLI BOCAN** Kelli Bocan, 16715 North Stanmore, Livonia.

**KYLE BOCAN** Kyle Bocan, 16715 North Stanmore.

**BARINGHAUS** Okay, terrific, yeah. Can you just give us a description of your project and also what hardships you will be addressing with your property please?

**KELLI BOCAN** Yes, absolutely. We have currently twin boys that are about to be 16 and heavily involved in Stevenson sports, so they're gonna be getting cars shortly here. Being in the rural area, we do not have sidewalks. Our streets are pretty narrow, so having anybody park down the street with a lot of active families with their strollers, walking their dogs, it becomes like a safety issue. We're kind of on the end of a curve as well, and cars do come a little too fast around that curve sometimes. So, having anybody in the street with people walking, it does concern us, so we would like to park our two cars in the garage, so that the boys have spots in the driveway to be able to park.

**BARINGHAUS** Can you tell me about the proposed structure?

**KELLI BOCAN** Yes, it is a...

**KYLE BOCAN** 18x30 metal structure with a 12x30 same, matching the size of a lean to which is more of an open portion.

**BARINGHAUS** So it's 30x30 total?

**KYLE BOCAN** Correct, but the 12x30 side will be open on the three sides. And so it's a metal structure that will be color-matched to the home, gray in color, with black trim and black roof. And there'll be two, one small 6x6 overhead door and an 8x8 overhead door. I have a good-sized lawn, so I have a good size mower and tractor, that I get in and out to use that a man door with, I believe, one or two windows on that that lean to side.

**BARINGHAUS** Okay, who's going to construct it?

**KYLE BOCAN** It's a CNC buildings. It's actually, I don't know the direct contractor. I do have that information with my...

**BARINGHAUS** I'm just curious, I didn't know how it was being constructed, by an outside company.

**KYLE BOCAN** Outside company, yeah.

**BARINGHAUS** I was looking at your property. You do have a number of items in your backyard. Can you describe those?

**KYLE BOCAN** Sure, I do have a camper that we parked in the back far corner, a travel trailer camper, the trampoline, I think you may see, and then the existing 10x10 shed.

**BARINGHAUS** Is that, what looks like a black plastic structure? I Thought I saw something that was like a black-like...

**KYLE BOCAN** Oh, that is just recently because I actually took down our old metal one that was falling apart. So, that is like a temporary, yeah, that's a temporary shed, just a pole. It's like a pole and tarps, pretty much.

**BARINGHAUS** So that'll be removed? That'll just go with the proposed correct structure as well?

**KYLE BOCAN** Yes.

**BARINGHAUS** Okay. Any questions for Petitioner?

**BOLOVEN** Mr. Chair?

**BARINGHAUS** Yes. Mr. Boloven.

**BOLOVEN** Question for the Petitioner. Reading your petition, have you spoken to your neighbors about the plan?

**KELLI BOCAN** Yes.

**BOLOVEN** And is everybody in support?

**KELLI BOCAN** Yes. We've had several come over even this past weekend, just tell us that they support us.

**KYLE BOCAN** Kind of just interested in what it was, because obviously the... it doesn't get into specifics on the letter. So, they just were inquiring about what we were, you know, looking to construct in the back. And they all seemed pretty okay with it, fine with it. We had no problems.

**TESTA** Mr. Chair.

**BARINGHAUS** Mr. Testa.

**TESTA** Is parking allowed on your street? When I drove down there, I didn't see any cars.

**KELLI BOCAN** Yeah, nobody really does. It doesn't have No Parking signs, but it's really...

**KYLE BOCAN** We have a ditch that's on both sides. So parking is not favorable, because if you have a passenger there, it's not a very great way to go down and get out of the vehicle. So, you don't see too many cars parking on the road, I think, more or less, being at a little bit of a narrower street and ditches on both sides.

**TESTA** And your current garage is about two and a half, two and a quarter?

**KYLE BOCAN** Yeah, I believe.

**TESTA** Both of your cars are currently parked there. Is that correct?

**KYLE BOCAN** Not in the garage.

**KELLI BOCAN** No, they're not in the garage, we can't because we have his riding lawn mower and all that.

**KYLE BOCAN** Storage is kind of a problem for us, that's a slab house we live on, with only attic space above the current garage we have. So, we're in dire straits of having three boys and all the things that it entails. Our life, and active life to just store. We like to keep a very clean and tidy home too and not let things sit outside and stuff like that.

**TESTA** Okay, so you have no basement?

**KYLE BOCAN** No basement.

**TESTA** How many cars could you park in the driveway?

**KYLE BOCAN** Four.

**TESTA** Okay, well, from the map the drawing rendering gave us, you will not be parking a car in your proposed accessory building.

**KYLE BOCAN** There won't be a or there won't be a door big enough to put a vehicle in it.

**TESTA** So, the items that you put in there again would be, looks like a lot of play equipment, plus your riding lawn mower. Okay, thank you. I think that's it for me, Mr. Chair.

**BARINGHAUS** Any other questions for the Petitioner? Very good. If there's no further questions, then, are there any audience comments? Okay, Secretary Klisz, do we have any letters?

**KLISZ** A letter of approval from Lori Serda 16710 North Stanmoor, as a neighboring resident of 16715 North Stanmore Drive, I fully support Mr. Mrs. Bocan's request for a variance regarding the addition of their shed. I have had the pleasure of observing their property over the years, and they maintain great care and dedication. We also received an email correspondence from a Daniel McDade, but we're not going to read the email into the record. That's the only correspondence.

**BARINGHAUS** Okay. Thank you very much. I just do have one last question. I might have talked about this, but could you just describe the color and the materials?

**KYLE BOCAN** It is a metal structure, and it will be color matched gray siding, you know, the gray walls with black trim on the corners and black roof that identical match to the house we have, yeah, we have gray trim, or gray siding with black trim, black gutters, black gray.

**BARINGHAUS** Then is there any type of driveway or approach to the building?

**KYLE BOCAN** Just a little ramp so I can get in and out.

**BARINGHAUS** Okay, very good. Thank you. At this point, would you like to make a closing statement?

**KELLI BOCAN** No, thank you.

**KYLE BOCAN** Thank you. Appreciate you.

**BARINGHAUS** Very good. Just have a seat please. I will close the public portion of the meeting and begin the Board's comments with Mr. Rotondo.

**ROTONDO** Yeah, thank you, Mr. Chair, yeah. I think the Petitioners made a good case. I can understand their hardship in this situation with storage and having two young kids that are going to be driving soon, and having their garage be their only place for storage currently. Without having a basement as well, So, I can understand their need for additional storage space that this shed would accommodate. So, I could be in favor of this, of this variance tonight. Thank you, Mr. Chair.

**BARINGHAUS** Mr. Testa.

**TESTA** Thank you, Mr. Chair, I can support this. I think there is a hardship with the lack of basement. A very narrow street. There is a large driveway, but I can understand with four cars and having four drivers in the house, that could be problematic. And based on the size of the lot, it's reasonable to have a riding lawnmower and have equipment they need to store. I also like how they incorporate having some quote/unquote outdoor space out there you have, it looks like a table, and then I think too structured. But like I said, I can support this.

**BARINGHAUS** Mr. Boloven.

**BOLOVEN** Can I ask a question to Mr. Fisher? Mr. Fisher, I guess, caught a little bit off guard here. There was email communication regarding the email that was referenced by Secretary Klisz, and I thought it left off that it was going to be read into the record as part of the file. And now I'm trying to kind of decipher what was actually said or not said about this.

**FISHER** It will just be included in the file and won't be read, we don't need to read it.

**BOLOVEN** This kind of got me hot really quick, Mike. Part of my question was going to be to the Petitioner on that email, but if they don't know about that email. Yes, it's part of file, but it's put me at issue with, you know, potential neighboring objection that either the Petitioner is or is not aware about, it's about part of file. Not to backtrack. I know we've had two opinions, but Mr. Chair, how would you like to proceed on that?

**BARINGHAUS** Well, the question is, the recommendation from the Law Department is just included in the file for the record itself. I mean, I'm comfortable with that, and probably the best way to proceed. Does Mr. Fisher have an objection?

**FISHER** Well, maybe at this juncture. Well, let's go ahead.

**BOLOVEN** I need support of a table and based on this discussion, there's just a little bit too much going on for my liking to pass a resolution. I believe there is potentially neighboring objections which would directly relate to the issue at hand for the oversized structure being built. And I think with that being said, I think support would take support a table.

**BARINGHAUS** Thank you. Thank you, Secretary, Klisz.

**KLISZ** I can be in support of this, this large property. It's RUF. I think we are pretty liberal when it comes to oversized structures on larger pieces of property. Think this one is reasonable given the size, and then I just proposed that the Petitioner have no or other outbuildings, a restriction, so that this would be the only one. But I'd be in support.

**BARINGHAUS** Okay, thank you. I'll be in support as well. I think the Petitioners outlined a hardship and need for it. I mean, if you look at the total size of the proposed structure, it seems like a lot comes out to over 1500 square feet. When we factor the size of the garage, it drops it down proportionally. I mean, I feel that there were neighbors that had complaints and concerns about the structure going in, they had the opportunity to either present a letter or come here personally and state their objections to the structure. They're not here tonight. There's no letter. There is one letter and file for the record as well. So based on that, I will approve support the request for the variance. Floor is open for motion.

**ROTONDO** Mr. Chair.

**BARINGHAUS** Mr. Rotondo.

**ROTONDO** Resolved that the variance sought in appeal case number 2025-04-14, filed by Kelli Ann and Kyle Bocan, be granted for the following reasons and finding effect the uniqueness requirement is met because of the size of the property and the lack of storage that they have available currently. Denial of the variance would have severe consequences for the Petitioner, because they would not be able to they would not be able to safely park their vehicles without having accessories storage for their sheds. The variance is fair in light of its effect on neighboring properties in the spirit of the zoning ordinance, because we had a letter of support from the direct neighbor. This property is classified for RUF under the Master Plan, and the proposed variance is not inconsistent with this classification further that the variance be granted with the following conditions, that it is built as presented, and that there are no other accessory buildings on the property.

**KLISZ** Support.

**BARINGHAUS** Okay. Motion by Mr. Rotondo, support by Secretary Klisz. Discussion?

**BOLOVEN** Mr. Chair.

**BARINGHAUS** Mr. Boloven.

**BOLOVEN** I want to just stress again, and I appreciate Mr. Rotondo's motion here. You have one supporting letter, you have an objecting letter that Petitioner may or may not know about, that stresses other individuals that cause a concern for the neighborhood with this project, and then the Board right now is passing this through with direct neighboring objection. So as such, I'm going to be a no on this, but that's why it would be a no.

**BARINGHAUS** Are there any other comments?

**FISHER** You didn't say that there was no opposition, did you?

**ROTONDO** I didn't say there was no opposition, I said there was support from the direct neighbor.

**BOLOVEN** There's just support.

**ROTONDO** Well, I will rescind the direct neighbor part of it and say that there is support.

**BARINGHAUS** Good. Any other comments? Secretary Klisz, will you take a vote?

On a motion by Rotondo, supported by Klisz, the variance was granted.

**RESOLVED: APPEAL CASE NO. 2025-04-14, Kelli Ann and Kyle Bocan, 16715 North Stanmoor:** Seeking to erect an accessory shed resulting in a detached accessory structure in excess of 200 square feet while maintaining an existing attached garage and excess total accessory area.

**Total Accessory Area**

Allowed: 920 square feet  
Proposed: 1,418 square feet  
Excess: 496 square feet

**Allowable Area for a Detached Accessory Structure**

Allowed: 200 square feet  
Proposed: 900 square feet  
Excess: 700 square feet

This Low Density Residential property is located on the west side of Stanmoor (16715), between Whitcomb Drive and Harrison Avenue, Lot. No. 049-01-0037-000, R-U-F, Rural Urban Farm, rejected by the Inspection Department under Livonia Zoning Ordinance, Section 7.09 (1) A) Maximum Size,

**be granted** for the following reasons and findings of fact:

1. The uniqueness requirement is met due to the size of the property and lack of storage currently available to the Petitioners,
2. Denial of the variance would have severe consequences for the Petitioner due to the inability to safely park their vehicles without having accessory storage,
3. The variance is fair in the light of its effect on neighboring properties, and in the spirit of the zoning ordinance due to one letter of support from a neighbor, and
4. 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 shed will be built as presented as to size, material, and location, and
2. No other accessory buildings will be allowed on the property.

**ROLL CALL VOTE**

AYES: Rotondo, Klisz, Testa, Baringhaus

NAYS: Boloven

Absent: Meagher, Coppola

PASS/FAIL/TABLED: PASS: PASS

**APPEAL CASE NO. 2025-05-15, 16184 Middlebelt:** an appeal was made to the Zoning Board of Appeals by Najae and Donovan Dixon, Belmond Properties, LLC, on behalf of Socialite Event Lounge, LLC, seeking to increase the previously approved occupant load from 49 persons to 150 persons to establish a banquet facility, as defined by the Livonia Zoning Ordinance, resulting in a banquet facility in a C-1 zoning district, which is prohibited, and a banquet facility less than 300 feet from a residential zoning district.

**Separation from a Residential District**

Required: 300 feet

Proposed: 0 feet

Deficient: 300 feet

This Corridor Commercial property is located on the east side of Middlebelt (16184), between Sunnydale and Terrence Avenues, Lot. No. 050-01-0336-002, C-1, Local Business, rejected by the Inspection Department under Livonia Zoning Ordinance, Section 2.01 (8) Banquet Facilities & 6.14 Banquet facilities – standards for use.

**BARINGHAUS** Any questions for the Law Department? Questions for the Inspection Department?

**TESTA** Mr. Chair?

**BARINGHAUS** Yes, Mr. Testa.

**TESTA** Question for the Inspection Department. Mr. Stierna, is there more background on why we're here tonight? Is this petition coming to us because they wanted to and/or were there complaints filed against them for already having more than 49 people, and they're kind of cleaning up something that they're already doing?

**STIERNA** I want to start by indicating that the Petitioners tonight are not the original owners of the Socialite Lounge. They have recently purchased the business. They did their due diligence and filed for zoning compliance. During that process, they were seeking a larger occupancy load than which would be allowed number one by building code, and then number two under our ordinance for a business of that size, operating with that many people. Yes, there have been complaints to the previous owners, which was evidenced in the list from Jeff Ronayne. But as to date, I have seen no complaints for the new owners. We're currently working on trying to get the business continuing from I think what was a victim of their own success previously, the previous owner.

**TESTA** Okay, thank you for that. So they in kind of summary, it is a new owner, and while they're doing their due diligence, made them realize they weren't in compliance. That's why they're here today.

**STIERNA** Correct.

**TESTA** Okay, thank you.

**BARINGHAUS** Are there any other questions? Okay, if the Petitioners could come forward, please. Good evening, could I have your name and address, please?

**POTTS** Good evening. My name is Coleman Potts. I represent the Socialite Event Gallery. My office address is 26700 Lahser Road, Suite 330, Southfield, Michigan, 48033.

**BARINGHAUS** All right, and if I could have your names and addresses as well.

**NAJAE DIXON** Good evening. My name is Najae Dixon. My address at Socialite Event Gallery is 16184 Middlebelt Road.

**BARINGHAUS** Thank you.

**DONOVAN DIXON** Hello. I'm Donovan Dixon. Our address is 16184 Middlebelt Road.

**BARINGHAUS** Thank you. Okay, very good. Just give us an outline of your variance of quest and any hardships you're encountering.

**POTTS** Yeah. So essentially, my clients purchased this building, and I don't know whether they assume the lease or enter into a new lease for this property, but they got it in August of 2024 with the purpose of wanting to continue on this event space, when they went about doing things properly by obtaining the certificate of compliance and trying to get a business license, that's when they learned that the capacity wasn't what the previous owners told them that they were operating under. I think the maximum load that they had was 49 people. However, as you all may be aware from the documents that have been presented, the official space for the building is just around 4200 square feet, and the operating space, I believe, is around 3500 square feet. This presents a unique hardship for the business for several purposes. Number one, I'm not aware of any other business like theirs that is facing the same issue, where they have a large event space, but they can only accommodate 45 people based on the zoning. With regards to hardships, not even looking at it in the monetary sense. Number one, they're locked into this commercial lease, this triple net lease, for at least another three years. When you get a triple net lease, as it is, you're responsible for zoning compliance and everything you need for the building. You can't rely on the landlord and say, "Hey, you were supposed to make sure it was zoned properly before

you sold me this lease.” I've actually dealt with their landlord personally in a couple of my other cases, so I know how they are with these as-is leases and how hard it would be for them to get out [of] the lease. In addition to that, they locked in several contracts under the assumption that they will be able to operate with this 150-guest capacity. They've taken deposits for these contracts. So not only would it present a hardship for them, it will present a hardship for these people who have planned these events. In addition, they would subject themselves to the liability for breach of contract if they had to cancel these contracts and these other people may have some consequential damages as well. With regards to, I know there was some talk about complaints, and I've seen things, complaints in the packet. However, as was stated on the record, these complaints all pre, I think all but one predate them owning the property. And the one complaint, I think that was under their ownership, was actually the previous owners who had an event there. They have tried to make nice with their neighbors with regard to the other businesses in the area. They have made sure, and I reviewed all their contracts that they have with the people who want to have event space there to make sure they know what the guidelines are, they require a significant deposit that people are aware that if they violate any ordinances or make any noise or gather in the parking lot, that they wouldn't get their deposit back. So they have put a lot of safeguards in place to make sure they're in compliance with everything. I understand that this use variance is asking for something with regards to the fee to the residential neighborhood and the max load. They have turned over plans to the Building Inspection as well to show that they can comply with all that stuff, and I believe they also had to get a firewall, a two-hour firewall. They already talked to Mr. Stierna about that, about getting that installed, and supplying the plans and make sure that comes to fruition. So everything they need to do in order to get along good with the neighborhood, they're prepared and ready to do. It's just that... and this is something, this is not like another situation where they're asking to do something outside that may affect the neighborhoods from an outside perspective, like view or traffic pattern or something of that nature. This is something they're asking to do inside the building, and based on what Mr. Stierna said, it's allowed for building code purposes, that capacity.

**BARINGHAUS**

Can we go back to maybe, yes, how they discovered it? It seems like it's tied back to an inspection this year in April, when you found out about the capacity issues?

**DONOVAN DIXON**

That is correct. The inspection that Matt, his department, conducted, in April—

**NAJAE DIXON** April sixteenth.

**DONOVAN DIXON** Yes, revealed to us these issues that are present and from there, we have done our due diligence and worked closely with Matt to attempt to correct everything.

**NAJAE DIXON** I'd like to add a little bit to that. So yes, it was brought to our attention that they, the Inspection Department, needed to do some inspections for our space. Socialite was opened in 2021 shortly after the pandemic, and really during the pandemic. And so it's my understanding, I spoke with some individuals in the Inspection Department that inspections weren't actually really taking place during that time, as they probably usually or normally would have, given the unprecedented circumstance of the pandemic. And so this was prior to our ownership, which means the previous owners never had a formal inspection. Okay, that's my understanding. That's how I understood it. And so when they reached out to us, indicating that they never stepped foot into Socialite Event Gallery, and they needed to do so, we granted that. And so that was scheduled for April sixteenth. Following April sixteenth, it was brought to our attention that we essentially are violating the ordinance and that we were approved for thirty-five, and then Mr. Stierna went back, looked at his notes, and then that's when I brought up, "Oh, hey, under the previous owners, they were actually approved for 49," and so on and so forth. Now, to give a little bit more context, when we purchased the business, we started the negotiations around May of 2024. We officially took ownership in August of 2024 but during that time, we asked the previous owners, "What is the occupancy?" during which they informed us 150 was the max occupancy, and that's what they have been operating under. We also asked them, did they have any legal things, any issues, any complaints? They informed us of only one complaint during that time. And so we moved forward with purchasing the business with the understanding of the information that the previous owners presented to us.

**BARINGHAUS** You say, to purchase the business roughly May 2024 and then became aware of the capacity issue in April 2025. You had no contact at the City, no communication in this area?

**NAJAE DIXON** Yeah.

**BARINGHAUS** That time period?

**POTTS** I think they started negotiations in May, but they didn't actually purchase the business until August 2024.

**BARINGHAUS** Okay. Are there any questions?

**KLISZ** Yes.

**BARINGHAUS** Secretary Klisz.

**KLISZ** Are you guys suing the original owners for breach of contract?

**DONOVAN DIXON** Not at the moment.

**KLISZ** Because they obviously lied to you, right? They said there was no complaints, and there's lots of complaints from their ownership, plus they told you they were operating with a capacity of one-fifty. Was that in the contract, or is that just something they told you?

**POTTS** I think that was a representation that was made outside the contract.

**KLISZ** Okay, and then it wasn't checked on with the City to see that that was true or false?

**POTTS** I don't believe that was done so at the time.

**KLISZ** Thank you.

**BARINGHAUS** Any other questions?

**BOLOVEN** Mr. Chair.

**BARINGHAUS** Yes, Mr. Boloven.

**BOLOVEN** I got two questions. First for the Petitioner, just to clear what you just said there. You took over August of '24, is that correct?

**NAJAE DIXON** Correct.

**BOLOVEN** So this complaint on September 21, [2024], were you operating at that point?

**POTTS** Yes, they were operating at that point, as I stated before, that that actual event was the previous owners.

**BOLOVEN** Okay, that's what I needed clarity on. So, they took over, but it was the previous owner. So how is that?

**POTTS** The previous owners had a little bit of a wedding reception there.

**NAJAE DIXON** As a part of our agreement, our verbal agreement, they had already established they were getting married in September, and so at the time of our kind of purchase agreement, we had agreed to allow them to host their wedding on that day, September twenty-first, so the complaint that was made was actually the previous owners' wedding that was taking place.

**BOLOVEN** Mr. Fisher, question for you just so I'm clear on what's being requested here. Is this a use variance request that requires five approvals?

**FISHER** Yes, you may have heard as much from Attorney Potts.

**BOLOVEN** I heard him say that, but I didn't take this originally as a use variance, but I wanted to confirm with you that this is in fact a use variance.

**FISHER** Yeah.

**BOLOVEN** Thank you, Mr. Chair.

**BARINGHAUS** Any other questions?

**TESTA** Yeah, Mr. Chair.

**BARINGHAUS** Mr. Testa.

**TESTA** Sorry, question for the Petitioner. I'm slightly confused. As the Dixons, you are the owner of the property, correct?

**POTTS** No, they don't own the property. Belmond Properties actually own the property. They're leasing [from] Belmond Properties.

**TESTA** Okay.

**POTTS** And they're operating, they own the business that operates out of the property.

**TESTA** Gotcha, I understand that now. The owner of the lot. Is that what changed in August of 2024 or is that when you bought over, bought the company that's housed on the lot?

**POTTS** That's when they purchased the company that was occupying 16184 Middlebelt.

**TESTA** Gotcha. Okay. And when you purchased the business, you were assuming kind of the agreement with the property owner. Correct? That how this works?

**NAJAE DIXON** Well, we had a new lease with the property owner.

**TESTA** What I'm trying to get at is, who misinformed you that you were allowed to have more than 49 people. Was it the owner of the property, or the owner of the business that you bought?

**NAJAE DIXON** The owner of the business that we bought, who are responsible for obtaining the proper licenses for those things.

**TESTA** Okay. Thank you. Question, Mr. Stierna. From Building Code, how many people are they allowed to have in there?

**STIERNA** Becomes an interesting question. Building Code does have use classifications based on building. In this-- different from zoning use. In this case, they would be going for an assembly use, which would require a fire separation between themselves and the neighboring business. Additionally, their bathroom facilities need to meet minimum requirements under the assembly use. Currently, they would meet required bathroom facilities for 150 people. If it was a building use, excuse me, business use, they would be woefully short of the required bathroom facilities. So the previous business was granted under the business use because they didn't want to make the required changes to the building structure.

**TESTA** Okay. And they also made a comment about the yearly inspection. Obviously, they weren't the owner at that time. They're kind of speaking of what their understanding was. What is your understanding of inspections that happened between 2021 and now?

**STIERNA** Inspections during COVID I couldn't tell you. I was before my time here. However, at some point, the original owners were contacted by members of our department to indicate that their current occupancy needed zoning compliance, at which point they did apply for a zoning compliance as the Socialite Lounge at that time that was under a previous zoning ordinance, and it took a little bit of doing between ourselves and the Planning Department to see how it would fit with our ordinance, with the type of business that they were describing. And so we agreed on a business use with less than 50 persons occupancy. And that was then inspected in 2022 sometime, I believe I'd have to double check the records, but at that

point, yes, we were aware that the previous business owner had been occupying that during COVID.

**TESTA** Okay. And did they, as far as we know, did they continue to operate above the forty-nine?

**STIERNA** Yes.

**TESTA** Okay, and then ultimately [inaudible].

**BARINGHAUS** Yes.

**TESTA** Thank you.

**BARINGHAUS** How many events have you booked under your ownership?

**DONOVAN DIXON** I believe it was 176 events.

**NAJAE DIXON** Under our ownership. August 1 to June, 3, 2025, we have 48 projects with a gross amount of \$83,602.

**BARINGHAUS** Okay. With those 48 events, were there any neighbor complaints registered on those events?

**NAJAE DIXON** Not to my knowledge. That's with the exception of one that you reported.

**BARINGHAUS** Prior. What steps do you take to ensure that your neighbors aren't disturbed? Give me some type of description of guidelines in terms of maybe music volume levels, people gathering outside, things like that.

**DONOVAN DIXON** Yeah, I can speak to that, and maybe Najae may want to add something, but as I outlined, we have a pretty extensive contract. We require a pretty extensive deductible or deposit, rather, for people have to pay that outlines that there's no gathering outside, that you have to be out by a certain time, that there can't be any noise outside and things of that nature. So people... and it also indicates that if we get any tickets for ordinance violation, that they would be responsible for that as well.

**BARINGHAUS** Generally, when you hold an event, what are the typical hours say, like a evening wedding reception.

**NAJAE DIXON** So generally speaking, we ask our clients to end their events by 11 pm and be out of the space by 12 am so that last hour is that time that should

be spent cleaning up. But the guests, their guests, should have left the building.

**BARINGHAUS** Okay.

**DONOVAN DIXON** And I would just add, because that's something I wanted to add as well. It's not something that operates during typical business hours, so I don't think that's going to disrupt any traffic patterns or anything of that nature with the neighborhood.

**BARINGHAUS** What are your operations? What days of the week do they primarily focus on? Is it seven days, more on the weekends?

**NAJAE DIXON** Generally, Friday, Saturday, and Sunday. And during this time with prom and graduation, we'll see some Thursdays included in that as well.

**BARINGHAUS** Okay, so maybe four to five days, roughly.

**NAJAE DIXON** Yes.

**BARINGHAUS** Okay, very good. Thank you.

**BOLOVEN** Mr. Chair.

**BARINGHAUS** Yes, Mr. Boloven.

**BOLOVEN** Question for Mr. Stierna. I'm trying to connect the dots here. So piggybacking off Commissioner Testa's questions, is there currently a use variance in place for this location?

**STIERNA** There is not.

**BOLOVEN** So the 49 that was given to them, is that considered a banquet hall?

**STIERNA** We didn't have a banquet hall ordinance at the time that the original Socialite Lounge came into being. We spent some time trying to determine their business use. We looked at dance clubs and ballrooms. They argued that they weren't actually serving food or intending that large an event at the time. So the agreement was, it was a rental space and it was approved as a small business use.

**BOLOVEN** So I'm trying to connect in our ordinance section, it looks like it's supposed to be 2.01(8), that would define banquet facilities. But I'm

looking at that ordinance, and Mr. Fisher, maybe you can hone me in. I don't see that to be the definition of the banquet.

- POTTS** I think it's in 6.14.
- BOLOVEN** 6.41 has banquet facilities and where it's permitted. I'm looking at the notice.
- STIERNA** It would be under definitions. Give me a minute. I can find it for you.
- BOLOVEN** What's section 2.01(8), from the public notice? Is that an error? Is that a section that I'm not connecting?
- STIERNA** No, that's definitions of the banquet facility. And use. Give me a second, and I will find that for you.
- BOLOVEN** Thank you.
- TESTA** Mr. Chair.
- BARINGHAUS** Yes.
- TESTA** While he's looking, can I just ask another question?
- BARINGHAUS** Of course.
- TESTA** So I want to kind of reestablish again, when did you first find out that you were kind of not in compliance or in violation?
- DONOVAN DIXON** I think it would be right at the inspection. Correct?
- NAJAE DIXON** Yes. So we found out... the inspection was April sixteenth, and Zac, I don't remember his last name, he called me on that Monday.
- TESTA** Okay.
- NAJAE DIXON** And that's when I found out.
- TESTA** So it's been roughly a couple months, give or take.
- NAJAE DIXON** Correct.
- TESTA** Okay, I noticed on your website today you're advertising you can have up to 150 people. Is there a reason you haven't corrected that? And how

many reservations have you made since that April date, above 50 people or above 49 people knowing that you were in violation? Does that makes sense, or should I—

**DONOVAN DIXON** No, that's okay. I understand what you're asking.

**POTTS** Basically they already, they had people booked between those dates, between April 12 and today's date, but they were already booked once they learned.

**TESTA** Okay, so you have no new bookings from the time that you learned. No new bookings over 49 people since the time that you learned.

**NAJAE DIXON** Correct.

**TESTA** Okay, but maybe you can address why on your website you're still advertising up to 150 people?

**POTTS** I mean, from my perspective it's something that hasn't been updated, or just wishful thinking, that we're still hoping that we can actually get this use variance. I don't know if there's any other reason not to update the site. I mean, I would assume also, if we're able to obtain this use variance, if we were to update the website, number one, I don't understand. I don't know how much effort that would take do that also, I don't know how much business we would potentially lose out on if we were to update the site.

**TESTA** Okay, how many parties have you operated under? Sorry, above the 49-person limit since you've taken ownership?

**NAJAE DIXON** Pretty much all of our events have been because, again, prior to the ordinance, people come in and they book their event. So let's say that a person came in today, and they book it for months out, and they make a deposit in order to secure their date. And so in order to address your question, you said, since the ordinance....

**TESTA** No, since you took over.

**NAJAE DIXON** Since we took over, most of our events are over that 50 capacity. And so we've had, we had 48 projects booked.

**TESTA** Okay, but again, everything that you booked since April is not over forty-eight?

**DONOVAN DIXON** Correct.

**TESTA** Okay, thank you.

**STIERNA** Mr. Chair, speaking, may I address Mr. Testa's earlier question about definitions? So section 2.01(8), definitions of terms relating to commercial building uses would be about five items down. Banquet facility: an establishment rented by individuals or groups to accommodate private functions, including, but not limited to banquets, weddings, parties, anniversaries and other similar gatherings of 50 or more people in a room or space that exceeds 1000 square feet in size and where food and drink are consumed. Banquet facilities shall include ballrooms, dance halls and event facilities.

**BOLOVEN** So that explains the 49 number. When did the 49 number get applied? If you know.

**STIERNA** When did the... to our current ordinance?

**BOLOVEN** To the current location, I guess it would be the prior owner.

**STIERNA** It was applied back in 2021 when we were trying to determine the type of use that they wanted there. They were looking for a small event gallery, event location, and we had no ordinance describing it, that was not a dance hall at the time, and they successfully argued that it was a rental business and that they wanted to keep the events small, and that's how we established that under 50, and it also complied with the current building code at the time, as it does now.

**BOLOVEN** So if we were going through the timeline of this, the current owners, obviously just started the lease last year in August. The prior owners of this business, do you know what their time period was? Ownership to sale.

**STIERNA** Again, they predated. They were in and around the COVID time period, which predates myself. It was in the middle of 2021 at which point they were informed by one of our ordinance officers that they had to pay a zoning compliance to occupy the space, even though they'd been occupying it for some time before.

**BOLOVEN** You know what it was before that?

**STIERNA** It was a karate gym.

**BOLOVEN** So never an issue.

**STIERNA** No, they were under occupancy.

**BOLOVEN** Question for the Petitioner. I know we kind of hit this, but just [inaudible] in my mind here, when you were going through your negotiations on the lease from the landlord you had or even the purchase if you purchased the business from the prior owner, did you have any clue that you were limited under 50 people?

**DONOVAN DIXON** No.

**NAJAE DIXON** No.

**BOLOVEN** Thank you, Mr. Chair.

**TESTA** Mr. Chair.

**BARINGHAUS** Mr. Testa.

**TESTA** A few more questions. Have you ever operated a party above one-fifty?

**DONOVAN DIXON** No.

**TESTA** Since you've only.... Okay, how many restrooms are in your facility? Looking at the site plan, I think I see two, but maybe you can clarify for me?

**DONOVAN DIXON** That's correct.

**TESTA** Okay, one smaller, one slightly bigger. Is it like one men, one women's or is it...?

**DONOVAN DIXON** Unisex.

**TESTA** Okay, how many toilets?

**DONOVAN DIXON** Two.

**TESTA** Two total for the whole facility? Okay.

**POTTS** They understand that if they were to get this use of use variance, that they would have to make some structural amendments, like the fire suppression wall and the bathroom capacity.

**NAJAE DIXON** I would also like to add, wasn't it like 75 people per fixture, toilet fixture, and so that was totaled at one-fifty?

**STIERNA** Mr. Chair, if I may address that. Yeah, yes. Under an assembly use, they are permitted 75 persons per toilet. Restaurants, similar, theaters, similar uses. However, unfortunately, in the business use, that requirement changes greatly. So if you have a business office, activities that have a longer staying time, then that's when they require more fixtures and facilities. So that's where the code starts to get a little bit squirrely with what they're trying to do. But currently, from a standpoint of fixtures, they would be compliant. They just need to provide amendments to the structure of the building providing an appropriate fire separation between themselves and the adjoining units.

**BARINGHAUS** Question, how are they in terms of the parking requirements?

**STIERNA** They, under our ordinance, would be required one parking spot per two persons on that type of use. That parking lot has close to, if not exceeding, 300 parking spaces. They would certainly not likely have an issue with parking.

**BOLOVEN** Mr. Chair.

**BARINGHAUS** Yes.

**BOLOVEN** Question for Mr. Stierna. I'm looking at the section 6.14 (2), it says banquet facilities, dance halls and ballrooms, provided that such use shall not be located within 300 feet of any residential district or property used for church purposes, as measured from any point in property to be so used. I know there's locations within the city that I'll call them multipurpose, where they have the banquet hall connected with the church. Is there anywhere else in this city to your knowledge, that it falls within the banquet hall definition that would be less than that 300 feet from residential or church? That is a multipurpose, obviously.

**STIERNA** We consider that accessory to the business, in this case, accessory to a church, certain meeting halls. So that would be the exception, because, again, it's considered accessory to the business.

**BOLOVEN** Is there, outside of that? Is there any, to your knowledge, banquet halls, sustainable banquet halls, that are less than 300 feet to residential or a church?

**STIERNA** We have several churches that have.

**BOLOVEN** Taking aside the churches that have them attached as an accessory. I'm saying is there, is this the only one, and this is approved. This is the only one in the whole city that would be a banquet hall with less than 300 feet of residential, or is there other locations that are like that?

**STIERNA** None that I'm aware of.

**BOLOVEN** So there's like....

**STIERNA** Not that I'm aware of. No.

**NAJAE DIXON** Can I add something to that?

**BARINGHAUS** Please.

**NAJAE DIXON** It's my understanding that once that was... that amendment or that rule, that regulation, came after the fact that Socialite was in existence. So we were already a business that was operating prior to that regulation, as Mr. Stierna indicated ,when they were even trying to come up with this idea of the occupancy they were trying to find in these regulations, where do we fit at and so since then, a number of event venue halls have cropped up. And now there needs to be greater regulations and push for that.

**STIERNA** Mr. Chair, may I amend my statement? One similar place is the Liv Lounge on Joy Road, and they are directly adjacent to the neighborhood property. Also approved prior to the current ordinance.

**BOLOVEN** Are they a banquet center that is allowed more than 50 people?

**STIERNA** Yes.

**BOLOVEN** And are they any? What's their district? If you know, is it a C-1?

**STIERNA** Yes, I believe they're C-1.

**BOLOVEN** So they're not having a use issue. They just have a setback issue?

**STIERNA** Correct.

**BOLOVEN** Thank you, Mr. Chair.

**BARINGHAUS** Just a question, just kind of the fill in the blanks. You do provide food service, or how is that handled at your facility? Is it done in house? Is it catered?

**DONOVAN DIXON** We do not offer food service or provide them ourselves.

**BARINGHAUS** Sure.

**DONOVAN DIXON** The clients would hire a vendor to provide the services.

**BARINGHAUS** Okay, thank you. Any other questions? Are there any comments from the audience? Just sit down and have a seat for a moment.

**SCOTT DUBBINK** Scott Dubbink, 29366, Terrence Street. I live directly across from the Socialite Event Center. The question was asked about another banquet hall in Livonia being 300 feet. I don't know what it's classified as. I can't remember the name of it. It was Those Moments. It is directly across the street from them as well, and it's another banquet, small banquet facility that, again, like them, it's under new ownership, that one is right next door to me. When we bought our house back in 2016, we had the karate place that was across the street, and I visited there. Watched them. We'd sit on our porch, the windows were open. We could see the karate going out and stuff there. But when we bought our house in 2016, it took a hit of \$10,000 for being next to commercial property on the evaluation of what the value of the house was. It did affect, you know, it definitely affected how the sale of house went down. And again, no disrespect to these owners, it was the previous owners, but we've had a lot of issues over there. We've had armed guards with rifles.

**BARINGHAUS** Again, you're referring to a prior ownership of this business?

**SCOTT DUBBINK** Right, not the current owners, but... so like this this past weekend, prior weekend, they had the event there. Me, I'm a sound sleeper, but my neighbor is not. And he said that he could feel, I mean, I know I was up till midnight, and I could still hear the bass coming through the house. And my neighbor, their bedroom is right up front, ours is in the back, and they could hear bass music going on again and stuff after midnight. There's been several complaints of that from previous owner to everything going on now. We're not always at home. We go home quite a bit, but the times that we are home previously now, again that's [the] previous owner. But you know, again, there's a pattern of the events that happened there. And I'm not saying that they wouldn't try to prevent that, and I feel bad for them on the whole occupancy thing. I think they got screwed on that, personally. It's just I'm worried about my property values with everything

going out around there, just because of what happened with the \$10,000 hit from when we initially purchased our house. Now, if there's an event center that's across or banquet hall that's across there, and there's a lot more population, I don't know. I mean, the event that happened there, this the other weekend, they lit off some kind of glitter and stuff like that, and their clientele did really nice at cleaning up. But previously, we've had from both the event centers, we've had trash blowing around through the yards and everything, and it just... it's the more people you have, the harder it is to control. And that's all I really have to say, is I'm just concerned about the property values around the area. Just as, like I said, we took a \$10,000 hit at the market value of our home from the commercial properties being next door and the ones next door to us, where the other banquet hall was at, it's, I don't know. I don't know if you know that where the bird store used to be. It's on the corner of Middlebelt and Terrence there was a bird store there. Well, then back behind that, there was a... that's the other corner of that building to the east side of the structure is where the other little event or gathering it was at one time called Those Moments. I just.... The new owners been there for like, a year, but there is another facility right there as well. And that's, that's what I gotta say. And I just, again, there's not enough time to evaluate these folks here. And you know, as far as how their businesses operate. And again, that's trying to keep going on, but that's, that's what I got to say. So.

**BOLOVEN** Mr. Chair.

**BARINGHAUS** Okay. Thank you very much.

**BOLOVEN** Mr. Chair, can I ask-- Sorry, sir. Sorry.

**BARINGHAUS** Yes, we have a question.

**BOLOVEN** Do you think this could work? I

**SCOTT DUBBINK** The previous owners have had... I know that the previous owners, and I think you probably changed the website to the 150 but I think the previous owners had a little thing up there saying, chaired up to 200 people. I don't know how many people they had in there. The other problem we have, and again, it's just, it's everybody. I am not a marijuana smoker. And we have a problem with people when they're there, they smoke it. We made complaints of the one next door to us, but there's... they gather outside to smoke, and it gets to be a large gathering just to be loud. And I understand it during the daytime. But when it gets after, like ten, eleven o'clock at night, and they're [inaudible]. That's when it gets a little....And

it's tough from a business standpoint, I get that to try to control people that aren't... you have the people that you rent it to, and it's their friends, family. It's just, can the parking lot handle it? Yes.

**BOLOVEN** As a neighbor, how do you make it easier as a direct neighbor? Do you want to give this try, or if you had a vote today you'd say no?

**SCOTT DUBBINK** Again, I don't have enough. I don't have enough.

**J DUBBINK** Can I speak? Jennifer. Jennifer. 29366 Terrence Street.

**BARINGHAUS** I'm sorry, I didn't hear your name and address.

**J DUBBINK** Jennifer Dubbink, 29366 Terrence Street.

**BARINGHAUS** Okay. Thank you.

**J DUBBINK** To answer your question, we've been dealing with it for five years already, and the majority of the time it's okay. It's just those not-so-good times. But what happens when these owners leave and another company comes in, right? Like, is it going to be as.... I don't know, you guys have weddings and....

**'BARINGHAUS** [Inaudible]

**J DUBBINK** Different like different clientele, right? So is that going to be a problem in five, ten years from now, if you continue to let that number of people be there. You know, to answer your question, it's a hard question to answer because we've dealt with it. We're okay with it most of the time. It's not a problem, but it's occasionally with the previous owners that we've had problems with, right? But it's also the future, like what happens in the future?

**BOLOVEN** Thank you, Mr. Chair.

**BARINGHAUS** Thank you.

**TESTA** Mr. Chair.

**BARINGHAUS** Yeah. Mr. Testa.

**TESTA** Can I ask Mr. Fisher a question?

**BARINGHAUS** Please.

**TESTA** With a use variance case, I was getting a little confused on these, if we grant it, it's tied to the Socialite Club. So if it's ever sold, would the new owner need to come in and get a new variance, or does the variance transfer to the new owner?

**FISHER** I think you have a certain amount of freedom to control that yourself, although case law is a little bit uncertain in this area, but I think that you can instruct the... well, whatever your preference is.

**TESTA** And along those lines, could we grant a use variance and put a time condition on, like two years, and then reevaluate have them come back in two years for a new use sharing that still allow neighbors to voice any complaints or confirm that, hey, these new owners are doing great. We're good with this.

**FISHER** Well, like I say, the case law is not 100% crystal clear on this, but there is at least some authority that you can do [inaudible].

**TESTA** Thank you.

**BARINGHAUS** Any other questions? Do we have any letters?

**KLISZ** Yes. We have what is simply a response to receiving the letter. I believe Chairman Baringhaus, you received this through Facebook, and there's a printed copy for the file. (Letter of objection from Penny Davis, 29164 Terrence Street). A letter from Cheryl Bush, 29181 Terrence Street, (Letter of objection was read). Ken Cameron, 29160 Terrence Street, (Letter of objection was read). A letter from John Liadas, 16000 Middlebelt Road, (Letter of objection was read). Letter from Cassandra Addington, 29075 Terrence Street, (Letter of objection was read). Letter from Jim Kline, 29210 Terrence, (Letter of objection was read). Sean Penderel, 29033 Terrence, (Letter of approval was read). A letter from Nazar N. [Sarafa], MD 1715 Middlebelt Road, Garden City, (Letter of objection was read). That is the letters.

**BARINGHAUS** Thank you very much.

**TESTA** Mr. Chair.

**BARINGHAUS** Mr. Testa.

**TESTA** Sorry, I have questions based on the letters to Mr. Stierna.

**BARINGHAUS** Please.

**TESTA** Mr. Stierna, is alcohol allowed on this premise?

**STIERNA** That is a very dicey question with these events, and I might for that question, not only to Mr. Fisher, but maybe even Jeff Ronayne of our Alcohol Control Department, but in most cases, if they are not selling the alcohol there, if they're not charging a cover charge, if they are bringing in their own alcohol for personal consumption, yes, they may do so.

**TESTA** Is that your understanding, Mr. Fisher?

**FISHER** That is my understanding.

**TESTA** Okay, thank you. And I think their website states as much. They're not selling, they're encouraging, if anyone wants it, to bring their own. And then, regarding the parking you confirmed earlier, there's plenty of spots there. But also from the letters and from their website, it looks like you can schedule up to a 12-hour block for a party, or an event, I should say? Is there parking there? Kind of shared parking with the whole plaza, or do they have 300 dedicated spots for their...?

**STIERNA** No, it's shared parking with the whole plaza.

**TESTA** Okay, is there... don't we have an ordinance regarding shared parking and cross agreements?

**STIERNA** Correct. They do have a cross agreement. There's shared parking for the plaza.

**TESTA** Okay. Would that need to be updated based on if we approve 150 patrons? Is that?

**STIERNA** I don't believe so.

**TESTA** Okay. Mr. Fisher, are you in agreement with that, that if we up this to 150 does that maybe change their shared parking agreement?

**FISHER** I don't know, I've never seen their shared parking agreement.

**TESTA** Okay.

**BOLOVEN** Mr. Chair, just to piggyback on that question from Mr. Testa, this facility, and this might be for the Petitioner, how many spaces are you allowed to have?

**DONOVAN DIXON** Based on my understanding, it's an open lot, and the other businesses that are there have dedicated parking spots, and their visitors know not to park in their dedicated spots.

**BOLOVEN** How many spots are dedicated?

**DONOVAN DIXON** I don't know. I don't know, I don't think they have a specific dedication or anything outlined in their lease that said, can only use X amount of spots.

**BOLOVEN** I'm trying to get to how many spaces are dedicated to other businesses.

**DONOVAN DIXON** That I would not know, but each business has the appropriate amount of reserved spaces for their business.

**POTTS** And I think it's also important to note that most of the other businesses don't operate along the same hours that most of these event spaces.

**BOLOVEN** Here's my concern. I'll be more direct. You're going to need, if we go to one hundred fifty, 300 spots, there's only about 300 spots according to Mr. Stierna in this whole location.

**STIERNA** Mr. Chair.

**BARINGHAUS** Please.

**STIERNA** No, it's the other way around. They are allowed two persons for one parking spot. So they would be allowed... they would need 75 parking spaces.

**BOLOVEN** Seventy-five?

**STIERNA** Correct.

**BOLOVEN** There's 300 parking spots here.

**STIERNA** There is at least 300 parking spaces, based on my site visit.

**BOLOVEN** So you believe there's at least 75 open spots?

**DONOVAN DIXON** Yes.

**BARINGHAUS**

While you're up there. Kind of, in the letters, they made references to things like a funeral with long guns on display, noise levels, music over large number of participants at events like over 100 and then curfew, you've got violations. Can you address those points that were made in the letters, please?

**POTTS**

I mean, I'll address it to the best that I can, because I don't think we have any specific dates. I mean, you can ask the Dixons, but I believe, especially that funeral event, that was something that predated them. And like I said, since they've taken over, there's literally only been one complaint, and that complaint was for a party hosted by the prior owners. So like I said, I know, I think a lot of the frustrations that were aired out in these letters were probably in response to how things went with the prior owners, but you have the Dixons here that are trying to do things the correct way, trying to get the right business licenses. Business licenses have an extensive contract with their clients, and even our entertaining an idea of having a staff member on site during the duration of these events. And I know one thing that came about while having the 12-hour block for events, most of that is setup time, for setup time and cleanup time. I personally hosted a baby shower at an event space in Livonia before and I had the place for, I believe, at least 10 to 12 hours, because it took three to four hours for the setup, and it took three, two to three hours to break down everything.

**BARINGHAUS**

Okay, thank you. Yes, please.

**NAJAE DIXON**

I would just like to add that we are doing everything that we can, all of the complaints and the things that have been reported are truly understandable. And so things that we do, we stay after hours to clean up the space. If anyone has had any damage, I understand which ones that they were talking about with stuff in the parking lot. Number one, we addressed it with the client that, "Hey, you all, it was a complete breach of the contract." There's a \$300 security deposit that they completely forfeit that's refundable to them if they honor the contract. And so they completely breached it, and I had to have a conversation with the client, and they were out there because of that, picking up these little pieces of confetti. And then the pieces that they were not able to get, my husband came up and at 11 to one in the morning out there picking things up. And so we do everything that we can to respect our neighbors and respect the property. In addition, in our rental agreement, as well as our policies and procedures for any public events. So events where we would define that as public, where it's open to the public risk. Private events are like family, friends, people that are invited only, we require them to have security

services that can be acquired and obtained by us. And so for those types of complaints, again, those were prior to our ownership. But when clients book with us, we have to have a thorough vetting process. As the gentleman prior that came up here and spoke, oftentimes, you cannot really control what other people do. Right? We have a contract with one client who comes to book, and then other people show up. And so, number one, if they violate that, this is a breach of that \$300 security deposit. And then two, again, being that we cannot control those things, that's when we try to say, will we have security? Do we need to have event attendance as much as we can do to control those things that are within reason or within our power.

**BOLOVEN** Mr. Chair.

**BARINGHAUS** Yes, Mr. Boloven.

**BOLOVEN** One last question for Mr. Stierna. If I could give you an address, Mr. Stierna. One came to mind. I'd just like to know what they have. 27770, three sevens, Plymouth Road.

**STIERNA** When my BS&A reloads. Give me a second here. One more time with that address, please.

**BOLOVEN** 27770 Plymouth Road.

**POTTS** While he's looking for that, I just did want to make a comment about alcohol usage. It's not a kind of BYOB, bring your own bottle type of thing if you're going to have alcohol on the purposes, you need to have a certificate and licensed person there and make sure, as it stated in contract, that everyone gets checked for ID.

**STIERNA** What was your question, sir?

**BOLOVEN** So it's Mama Mia's. It's in a C-2, it's a banquet facility. Does that have a waiver?

**TESTA** Mr. Chair, while he's looking. Yeah, I want to apologize. I misspoke on the BYOB. It does say it's not allowed. You have to have a license. I apologize. [Inaudible]

**TESTA** Sorry about that.

**BARINGHAUS** While they're checking on that, would you like to make a closing statement?

**POTTS** I would just sum it up by saying that you have new ownership. During this new ownership, we've had one documented complaint that was involved with the prior owners, but you have a young entrepreneurial couple here that are literally just trying to do the right thing. They're trying to come into compliance, and they've been working with the City of Livonia and doing everything we possibly can do to come into compliance, but at the same time, they don't want to build the hardship of damaging their business reputation, dealing with this triple net lease that they're locked in for next three years with this as-is property and breached, essentially breaching these contracts that they had to deposit before and subject themselves to any further liability.

**BARINGHAUS** Thank you.

**STIERNA** Mr. Chair. Mr. Testa, I'm sorry. Mr. Boloven. Respect the Mama Mia had a building permit in 2015. Currently, I don't have access to determine the situation for the waiver. I don't know if it was required in 2015.

**BOLOVEN** So is there a chance there was a use variance on that?

**STIERNA** I don't see a variance in the file at this time. There are no variances for that property currently.

**BOLOVEN** So how are they operating right now as a banquet center?

**STIERNA** Presumably before our ordinance, 2015.

**BOLOVEN** That was one that came to mind that was less than 300 feet from residential that [inaudible].

**STIERNA** A caveat before you close this open part of the session, and I know it's a bit unusual. We do have requests from the Building Department, and by virtue of the complaints we've received from the Police Department that if you were to approve this tonight, that some caveats be added with respect to hours of operation, maintaining the activities within the building, and that they bring their portion of the building up to the required code requirements, to the satisfaction of the Inspection Department.

**BARINGHAUS** Sorry, then, what are your hours of operation? I don't know if this was discussed.

**DONOVAN DIXON** So typically, in general, I'll say most events are over by 11pm. That is the guideline, at least in terms of when events are potentially shut down.

From there, patrons are out of the building by 12am, so that, again, includes breakdown of their event and that sort of thing. But essentially, the party is over at 11pm, music is off by 11pm, that's what's in our guidelines. Clients may be leaving the building at twelve.

**STIERNA** That would be satisfactory.

**BARINGHAUS** Okay, very good. Okay. If there are no other questions, we'll close the public portion of the meeting and start with Mr. Testa.

**TESTA** Thank you, Mr. Chair. So this is a strange one, a little bit. So I do have a lot of sympathy for the Petitioner. You were obviously misled by the previous owner. There is pretty strong objections from your neighbor... neighbors or people in the area. Obviously they might be speaking more based on the previous owners. It sounds like you guys are trying to change the reputation of the establishment under your new ownership. I appreciate that you come before us trying to kind of correct the wrong that was being done by the previous owner. I suspect you don't have five votes here tonight. I think you need five votes for this use variance. I'd like to encourage the rest of my Board members to maybe consider a table, in which case, hopefully we come back with seven members here to give them a slightly better chance. But the reason I was for a table is to give you guys a little bit more time to maybe to work with your neighbors, or talk to your neighbors about how you're running this business and how you're different from the previous owners. Maybe trying to get some neighbors to be in support of this. Thank you.

**BARINGHAUS** Mr. Boloven.

**BOLOVEN** Thank you, Mr. Chair. I agree with Mr. Testa. One: welcome to Livonia, and I'm sorry, it's this way you're being welcomed. Especially trying to start a new business is hard in itself, let alone to have the challenges you're facing. It seems like you're doing the right things. You just got dealt a bad hand. You're coming into a terrible hand, and you are fighting the neighbors that have that after effect that just can't be let go. And that's evidenced by the neighbors that are here tonight. I mean, that you haven't been a problem yet, but they're scared, and I don't blame them. I would be scared too, looking at the number of complaints over the years. I do sympathize with you. As Mr. Testa said, you do need five votes. And I know that area fairly well. Used to take my kids to that Bounce It Up place in there, and you're a welcome addition. You know, the buildings were going vacant. You want businesses to come in? My worry is the objections from the neighbors. I would give you a year, and I don't even know if we can do that. You know, Mr. Fisher stated earlier, potentially, to

give a timeline on it, where there's review after a year, to see if you guys prove yourself. Coupling with what Mr. Testa said that, you introduce yourself to the community. You got to make yourself known, because right now, you look, this is a bad apple, and how do you improve that? Actions speak louder than words. And you know, you show the community, you show that area that we're not the same. We're new owners, and we're not going to put up with what the other owners did. I know you need five votes, if you don't have it tonight, then I would support a tabling, but I'd also support an approval if there's five here tonight that supported, with that timeline to give your business a chance. Thank you.

**BARINGHAUS**

Mr. Rotondo.

**ROTONDO**

Yeah, thank you, Mr. Chair. I appreciate the Petitioners being here, and obviously they've shown their ability to do their due diligence at this point now and try to make their business compliant with the local standards. My only issue here, which has been stated by the others, is simply the location and the fact that there are so many issues that neighboring property owners have, and I can understand, obviously, they've had previous situations that were not favorable. Clearly, you guys were not the owners at the time, but I think I would be in favor of a tabling as well, to give you guys the opportunity to meet with the neighbors and try to discuss something that could work. I'm obviously sympathetic to your situation, I think that it's really... I'm sympathetic to the situation that you guys purchased the business under the guise that you could have more customers in the building at one time. So I do see that issue, and I wish that things could have been disclosed to you properly before you made your purchase. So yeah, I would like to give you guys the opportunity to at least try to make some amends with the neighbors and try to figure out some ground rules and what they would be in favor of at this point and come back to us. Yeah, thank you.

**BARINGHAUS**

Thank you. Secretary Klisz.

**KLISZ**

I agree with my colleagues. I do commend the Petitioners for running it differently and better, but they are stuck with the reputation, and we don't know how many people are still mad and worried and upset about what the old owners operated the business on. I think tabling is just about a must. I think that one, the whole Board should hear this, and again, it's that much tougher. You can only lose one person here tonight, and it's a denial. So I think there should be a full Board to be able to hear this and rule on it, since you need the five votes, and then maybe compromise like, a lot of times we come in with smaller garages and smaller signs and whatnot. Maybe 100 people would be a compromise that maybe the

neighbors would be less upset with. Again, I might be in support of the 150 when I hear it again with more opinions, more time to kind of dwell on it and see maybe we can get—again, we had one neighbor in support, and everyone else was against it. So maybe again, if we'd like to hear that, if we could hear some neighbors say, “Hey, they've talked to us and there's been no issues for a period of time,” then I think we would be more likely to consider it. So I think tabling should happen this evening.

**BARINGHAUS**

Well, after listening, I think there's a number of hardships involved with your business. One is that when the business was purchased, there was some unclear direction on the ordinances. They were cobbled together. They were transitioning. You weren't operating under a set of ordinances that are current, like they are today. Okay? Terrific. The other thing is, you were misled by the prior owners, unbeknownst to you. You did make efforts to correct the occupancy and the zoning in the building permitting requirements as well. These are all good, positive steps in terms of the neighbors and like a business like yourself, a banquet hall as well that involves music, large amounts of people. It's always puzzled me, why some banquet halls really incur a lot of wrath from the neighbors, and other locations -- nothing. And it's always amazed me. I think what you're suffering from is the mismanagement and a lack of crowd control from the prior owners. And I think at this point, we owe it to you to support you by, I would personally, if I had my choice tonight, approve this with the following conditions that the Building and Inspection Department put out as well. Some of the other recommendations I would make to you is putting specific decibel levels on music into your contract that can be monitored and measured by someone on staff, on site, from your staff, which I think is a good idea. I see a lot of positive steps being taken by you, and I'd like to support those. But as mentioned by my colleagues on the Board, this is a use variance request. You'll need five votes, which means tonight you would have to have five of five votes. Unfortunately, you don't have that tonight, but by tabling it, we will give you an opportunity to go back and consider the concerns that the neighbors have in their letters and comments to us, some of the suggestions that we have here, and then come back with a proposed plan for operation that demonstrates how you're going to move forward. And I think by having that plan as well as some additional members, I think you'll find you have some more support. Again, if I was a vote of one, I'd vote for it, but I want to commend you anyways. I think you're going in the right direction. I want to comment, too, that you're spot on with your numbers. Keep doing that. That's important. But again, based on what I'm hearing today, I will have to support the tabling, but I do encourage you to come back with a revised plan that addresses some of the concerns that the Board had tonight. So with that, the floor is open for a motion.

**BOLOVEN** Mr. Chair.

**BARINGHAUS** Yes, Mr. Boloven.

**BOLOVEN** Move that Appeal Case No. 2025-05-15 filed by Najae and Donovan Dixon, be tabled in order to give the Petitioner more time to communicate with their neighbors, as well as allow for them to have a full Board present.

**TESTA** Support.

**BARINGHAUS** Motion by Mr. Boloven, support by Mr. Testa. Any discussion? Secretary Klisz, will you take a...?

**TESTA** Sorry.

**BARINGHAUS** Yes, please.

**TESTA** I know I supported. Should we put a time limit on the table?

**BARINGHAUS** What's your suggestion? Do you have one?

**TESTA** Yeah, I was thinking six months or a year. I want to give them some time to build a better relationship, reputation with the neighbors, but I still don't want to put this out indefinitely. They keep booking more and more large parties.

**BOLOVEN** I'd go six months, it gives them the summer season to get through and I think that's ample time.

**TESTA** Support.

**BARINGHAUS** Okay, any other suggestions? Can you read that back, Secretary Klisz?

**KLISZ** That the table be for six months. Six months timetable to come back.

**BARINGHAUS** And also develop a plan and be heard by a full Board.

**KLISZ** Okay.

**BARINGHAUS** That's sufficient, Mr. Boloven?

**BOLOVEN** Yes.

**BARINGHAUS**        Okay, very good. Secretary Klisz, please take a vote.

On a motion by Boloven, supported by Testa, the variance was tabled.

**RESOLVED: APPEAL CASE NO. 2025-05-15, Najae and Donovan Dixon, Belmont Properties, LLC, on behalf of Socialite Event Lounge, LLC, 16184 Middlebelt:**

Seeking to increase the previously approved occupant load from 49 persons to 150 persons to establish a banquet facility, as defined by the Livonia Zoning Ordinance, resulting in a banquet facility in a C-1 zoning district, which is prohibited, and a banquet facility less than 300 feet from a residential zoning district.

**Separation from a Residential District**

Required: 300 feet

Proposed: 0 feet

Deficient: 300 feet

This Corridor Commercial property is located on the east side of Middlebelt (16184), between Sunnydale and Terrence Avenues, Lot. No. 050-01-0336-002, C-1, Local Business, rejected by the Inspection Department under Livonia Zoning Ordinance, Section 2.01 (8) Banquet Facilities & 6.14 Banquet facilities – standards for use,

**be tabled** to allow the Petitioners to take their neighbors’ concerns into consideration and to develop a plan for outreach to their neighbors. The Petitioners shall return within 6 (six) months and have the opportunity to be heard by a full Board.

**ROLL CALL VOTE**

AYES: Boloven, Testa, Klisz, Rotondo, Baringhaus

NAYS: None

ABSENT: Meagher, Coppola

PASS/FAIL/TABLED: PASS: TABLED

**KLISZ** Mr. Rotondo.

**ROTONDO** Aye.

**KLISZ** Mr. Testa.

**TESTA** Aye.

**KLISZ** Mr. Boloven.

**BOLOVEN** Aye.

**KLISZ** Secretary Klisz votes aye. Chairman Baringhaus.

**BARINGHAUS** Aye.

**KLISZ** Passes five to zero.

**BARINGHAUS** Your motion has been tabled. Address those questions that will be given to you, you'll receive a letter that summarizes what we're looking for, and then in your schedule, set up another session with us in six months.

**POTTS** I do have a question. So the six-month timetable, does that mean they can't come back before a six-month period? Or they can come back within six months?

**BARINGHAUS** You can come back as soon as you're ready.

**POTTS** Okay.

**BARINGHAUS** We would like to hear something by... don't go past six months.

**POTTS** There's no guarantee when there's going to be a full bill.

**BARINGHAUS** No, but again, you'll need five votes as well. But again, you do get the opportunity at the beginning of the meeting if you want to reschedule based on that night.

**POTTS** Understood. And the next meeting, hypothetically speaking, if we want to come back for the July 8th, I know you have to have something submitted by June 9<sup>th</sup>.

**BARINGHAUS** Correct.

**POTTS** So we would just... what would we have to... say the only thing we had to submit was five letters of support from the neighborhood. Will we just add that on to our existing application, or...?

**BARINGHAUS** I mean, that would be back up, but my recommendation would come back with an outline of a plan on how you're going to do outreach to your neighbors. If it's the five letters, would you do a, maybe a special event, invite people in to serve light refreshments and tell them, "Hey, we understand you have problems. Here's what we're going to do going forward." You know, kind of starting to build relationships within the area might be an opportunity. And looking at your lease agreement might be one, building requirements on decibel levels for you to use it. Building strong requirements for crowd control. Explore the possibility of additional staff for on-site crowd control. Make sure some of the other concerns are from your neighbors. Liquor control. You stated beautifully, "State law requires we do this," and you're doing it, and it's being validated by the City of Livonia. Things like that, that you're opening communication, but you're reassuring the community as well. And I think if you come back, at

least, in my opinion, with the outline of that plan, maybe a timeline on how you do that outreach. I can't speak for the rest of my colleagues, but for myself, that would satisfy me and I'd probably ask you to just keep....

**POTTS** Yeah, understood. I appreciate that.

**BARINGHAUS** Because you need to get in business as fast as you can as well. I understand.

**POTTS** Absolutely, and we'll be able to get a copy of the minutes from this meeting, and will those letters be a part of the package?

**BARINGHAUS** You'll get a copy of the minutes once they're approved. Question on the letters. I don't see why not.

**STIERNA** They would be, I think, a matter of public record through the Law Department. I believe in five days, I think Erika starts typing those up. I'm not sure. It takes a little bit of time to digest this information here.

**BARINGHAUS** And one other thing, they're also on the City website. I'm sorry, they're also on the City website if you go into the City calendar, just go into this meeting and go into the agenda packet, you'll find copies of the actual letters in there.

**POTTS** Awesome. Thank you very much.

**BARINGHAUS** Okay, well, thank you.

**ADMINISTRATIVE TASKS**

**BARINGHAUS** Secretary Klisz, I understand there are no minutes.

**KLISZ** Yes, there are no minutes.

**BARINGHAUS** We're expecting them for July meeting. Are there any other comments at this point? Yes.

**TESTA** I think it came up in two cases tonight and in the past, regarding documents, we just noticed that they are online. I don't think the public realizes that. In the public notice, could we put a note to review the documents that were submitted or the package submitted, that you can go to the Livonia website with a link or an address that make it easier for neighbors to understand what truly is being submitted? [Inaudible]

**STIERNA** I will double check what letter that goes out, see if... I thought that that was already included in the letter, but I will verify it and refer it back to the Zoning Office. [Inaudible]

**TESTA** I think it tells them they can get it or contact the office to get it. But if it's already on the website, indicating that would be more convenient.

**MEAGHER** It doesn't say it.

**STIERNA** Yeah, actually it does say it, [inaudible], "ZBA agendas are available the City's website, Livonia, [www.livonia.gov](http://www.livonia.gov), under Your Government, Boards & Commissions, L-Z, Zoning Board of Appeals, Agendas & Minutes." So they pretty much have access to it. Just need to read the whole letter right down to the last.

**TESTA** So you're saying that it's already there.

**STIERNA** I am saying it's already there.

**TESTA** So if I open the public notice from any one of the files from tonight.

**BARINGHAUS** [Inaudible] does disappear once a meeting. You have to go back—

**KLISZ** I don't see that. Is this, is it the same as the letter? That's the agenda. We're talking about the public letter that goes to the neighbors. I don't... it doesn't say.

**TESTA** Right. About it.

**KLISZ** Like that's what we send, that's got the backside for their commentary, but it doesn't mention anything. So yes, that's good, probably just duplicate it.

**BARINGHAUS** Or just carry over to them.

**STIERNA** That's an oversight.

[Inaudible crosstalk]

**BOLOVEN** Mr. Chair.

**BARINGHAUS** Mr. Boloven.

**BOLOVEN** Motion to adjourn.

**BARINGHAUS** Motion to adjourn by Mr. Boloven.

**ROTONDO** Support.

**BARINGHAUS** Support by Mr. Rotondo. All those in favor?

The Board unanimously voted to adjourn.

**BARINGHAUS** Thank you very much. Give me adjourned. You.

There being no further business to come before the Board, the meeting was adjourned at approximately 9:32 p.m.

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Gregory G. Coppola, Chairman

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Timothy Klisz, Secretary