

ZONING BOARD OF APPEALS  
CITY OF LIVONIA  
MINUTES OF A MEETING HELD TUESDAY, SEPTEMBER 9, 2025

A Meeting of the Zoning Board of Appeals of the City of Livonia was held on Tuesday, September 9, 2025.

**MEMBERS PRESENT:** Gregory G. Coppola, Chairman  
Jim Baringhaus, Vice Chairman  
Lindsey Hakala  
Brian Meagher  
Michael Testa

**MEMBERS ABSENT:** Timothy Klisz, Secretary  
Marc Rotondo

**OTHERS PRESENT:** Mike Fisher, Chief Assistant City Attorney  
Zac Winkler, Building Inspector

The meeting was called to order at seven p.m. Chairman Coppola explained the Rules of Procedure to those interested parties. Each petitioner must give their name and address and declare hardship for appeal. Appeals of the Zoning Board's decisions are made to the Wayne County Circuit Court. The Chairman advised the audience that appeals can be filed within 21 days of the date tonight's minutes are approved. The decision of the Zoning Board shall become final within five (5) calendar days following the hearing and the applicant shall be mailed a copy of the decision. There are four decisions the Board can make: To deny, to grant, to grant as modified by the Board, or to table for further information. Each Petitioner may ask to be heard by a full seven (7) member Board. Five (5) members were present. None of the Petitioners chose to be rescheduled to be heard by a full Board. Acting Secretary, Jim Baringhaus, then read the Agenda and Legal Notice to each appeal, and each Petitioner indicated their presence. Appeals came up for hearing after due legal notice was given to all interested parties within 300 feet, petitioners, and City Departments. There were several (not counted) people present in the audience.

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(7:00)

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**APPEAL CASE NO. 2025-04-12, 17320 Fairfield (Tabled on June 3, 2025):** 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.

**COPPOLA** All right, thank you. Could I have a motion please.

**TESTA** Mr. Chair.

**COPPOLA** Mr. Testa.

**TESTA** I move to remove Appeal Case 2025-04-12 from the table.

**BARINGHAUS** Support.

**COPPOLA** I have a motion by Mr. Testa, support by Acting Secretary, Vice Chair Baringhaus. All in favor.

**BOARD** Aye.

**COPPOLA** All right, anything you'd like to add, Mr. Winkler.

**WINKLER** Just that, it'll have to meet the building codes going forward with your design of the garage from the application that you submit to the Building Department.

**COPPOLA** Any questions for Inspection Department. So, Mr. Winkler, I know that you're not overly familiar with this particular petition. What is the reason that, this was approved back in September of 2024, same size, same appearances, size, second set of accessory building area. Same access to the total accessory building area. What precipitated bringing this back for another approval?

**WINKLER** It was a moving of the structure. It wasn't what was approved by the ZBA in the first place. So that was the special part of this petition, was that it did not meet the approval because of the change of location. Okay. Thank you. Mr. Fisher, so, when I went back, and I apologize, I was not at this meeting back in June, and as such, I did not. I knew I wasn't gonna

be at this, so I did not read the materials. But when I went back and went back and reviewed the approval in September, I noted we that the Board as it stood at that time approved the excesses as they stand today that we're looking for, and the conditions that were as part of that approval was just that there were supposed to be a three foot setback from the south property line, and the existing plastic shed will be removed. There was no condition requirement to location, per se. So, I'm trying to, trying to understand it. We really kind of have standing here to take the Petitioner back through this process just because he moved the building.

**FISHER** Well, yes, because, as I understand it, his current plan still meets all that was actually approved in the previous meeting, and I don't know any reason why we would need to put him through that again. Frankly, I think this case has already been decided.

**COPPOLA** Yeah, that's that was my kind of kind of read of it, as I look through it again. Normally we would have further conditions such as built as presented, location and materials, things like that, design. But that doesn't seem the case here. I looked also at the approval voting rights, and I didn't see any conditions that may have been missed in the minutes. So, I tend to agree with you that this has already been decided. Mr. Testa.

**TESTA** Yeah, thank you. Mr. Chair, the way I interpret it, I think I did last time as well, is that because they're no longer keeping the three feet to the south property line, that's why they're back here.

**COPPOLA** Well, they said it had to be at least...

**TESTA** I mean this case is strange, but there's two south, I guess you could argue there's two south lines. But I think the intent originally, when they were gonna have it directly behind his house and on the neighbor's house, we were talking about the kind of first southern line, now we moved it below that.

**COPPOLA** And he's still three feet from the south property line.

**TESTA** From the other south property line, yeah, but I'm guessing that's why Inspection is....

**COPPOLA** No, and I think that being diligent is something that they should have brought forth. But I think unfortunately, the way I read this, we didn't require, we didn't have a condition that required that it be built it as presented. So bad, bad on us. And I'm not sure we get another bite of the apple because of that mistake or oversight, I won't call it a mistake. So, Mr. Fisher, how would you propose or proceed? Because obviously we've already noticed this out. We've already gone through one process, but to me, it seems that it's already been decided.

**FISHER** Well, if we have a, if we have a majority of the Board agree for that proposition.

**COPPOLA** So, should I proceed to take a vote on that prospect, do we need a motion?

**FISHER** Unless you want to do a straw poll.

**COPPOLA** Okay, I will take a straw poll. Does everybody understand kind of the issue at hand here?

**WINKLER** Mr. Chair, as long if we're not going to put conditions built as presented, there is a five-foot one-hour fire rated construction required if it's within five feet of the property line. So, if we do not put that condition on there, he can move it five feet away. If he doesn't want to spend the extra money to fireproof that one side of the building. It's more of a building code issue, but I wanted to bring it up here.

**COPPOLA** So, in other words, if he comes in with the plans and it's three foot off the property line, you require...

**WINKLER** We require fire-rated construction on that entire side of the building.

**COPPOLA** I think the variance was, as the conditions were written, is that he was to maintain a three-foot setback from the sub property line. So, if you wanted to do something different than a three-foot setback, then he would have to have to come back.

**WINKLER** It didn't say, at least, it said you will maintain a three-foot setback, to the south property line itself, so...

**TESTA** Mr. Chair, I'm not comfortable not hearing this case because when we heard it last time, when we tabled it, there were strong objections from the neighbor about the garage being directly behind their house, and we asked him to try to work that out with the neighbor. Kind of I would have gone with the argument that we were someone was saying at the last meeting, when we heard the case and tabled it, it would seem strange now, to vote to not hear the case anymore. We've already heard it once and tabled it, but I mean maybe I'm in the minority.

**COPPOLA** Okay, any other comments? I want to hear what everybody has to say, especially those that were here.

**BARINGHAUS** Yeah, I do now, basically, I, I agree with your premise that we have went through this case previously, in some detail, the property lines changed, which allowed for modification of the garage. So, I mean, I'm fine with it.

**COPPOLA** Okay, because I think, but I do think, just to add to your comment that his building plan at the time showed the property lines correct, what was wrong was the fence was 30 feet onto his property and then the survey corrected that. Okay. Mr. Mayor... Meagher, I'm sorry. Anything you'd like to...?

**MEAGHER** I think that would be interesting to hear any updates. I could go either way.

**COPPOLA** Ms. Hakala. What do you say?

**HAKALA** I kind of agree with Mr. Testa. I don't believe we should not hear especially given the new survey, which shows that the driveway he would use to get to the garage, it would be partially on his neighbor's property.

**COPPOLA** So Mr. Winkler, when people put in driveways is there any oversight by the Building Department at all?

**WINKLER** The Engineering Department, if there is an issue with stormwater runoff, the Engineering Department will go and inspect that to the best of their ability, for the grade of the driveway shedding water onto the neighboring property, and you will have to take methods to divert it elsewhere.

**COPPOLA** How about placement?

**WINKLER** Placement, you can, other than the right-of-way at the front, which is city property. You could concrete your whole yard if you wanted to. Exactly. Any misplacement is a theoretically, it's a legal issue between the property owners.

**COPPOLA** So in other words, if you encroached on another.

**WINKLER** Yes, for sure that. Yes.

**BARINGHAUS** Mr. Chairman, question for Inspection Department, what's the proposed driveway? Is there any infringement on the neighbor's property?

**WINKLER** Based on the survey? No, not. If he keeps it within the survey lines, he's able to put it right up to the property line. But given practical experience, it's probably going to shed some water onto her property. And if that's a problem...

**BARINGHAUS** That's his to address.

**WINKLER** It's his to address, and it's got to be taken up at a later date.

**BARINGHAUS** Okay, at this point, that driveway, there's no encroachment on the neighbor's property?

**WINKLER** There is loosely on his property. There is no code or zoning ordinance that I'm aware of, that would prevent him from putting the driveway where he's proposed, right along the property line. Great. Thank you. Even if he didn't have a garage or variance, he could still do that.

**HAKALA** Mr. Chair. Okay, I'm sorry, just to make sure that we're looking at the same thing. There's a submitted boundary retracement down by the

adjacent property owner, and that one does show his fence three feet infringing on the on that property, and he is therefore doing about eight feet between his house and the property line.

**COPPOLA** I thought that the fence was three feet within the south part, the property owner's...

**HAKALA** Neighbor's property...

**COPPOLA** But that's, that's her fence. So, it's on her property. So that's her fence.

**HAKALA** Not just the fence, there's a pavement there too, kind of a common area.

**COPPOLA** That would need to be corrected, and that would be between the property owners.

**HAKALA** So, we're just counting that fence line as the property line.

**COPPOLA** No, I don't think so. I think he's had a survey done so they know specifically where the property lines are. And he's planned, I believe, based on the plans are, we might as well bring them up on that and talk. But I can, based on what I saw the driveway, which is not an issue for us. They can put a driveway anytime he wants, is going to be maintained within this property, and if it doesn't, that becomes a legal issue between the two property owners. My understanding, from reading the number of correspondence, the minutes and all that is the fence currently is three feet into the south property owners property it was, it was misplaced, and based on what I read, the south property owner was claiming that fence. Generally, you're supposed to put in the property that probably was a mistake, and it wasn't on the property line. And I don't think that the petitioner is disputing who owns that three feet. I don't think there's a dispute there.

**HAKALA** It's not the three feet. My concern is more the fact that to the property line I show in the survey, even with that fence there like it's not, it's not the 12 and a half feet that's shown in their plotline. Is there a way we can all look at the same screen and review this?

**BARINGHAUS** Just turn your screen this way.

**HAKALA** I will give this this fence line. This is the fence line, correct, not showing the 3.7-foot encroachment. And scaling off this drawing, which is to scale, it shows eight feet two inches from the edge of house to the property line.

**COPPOLA** So, he would only be able to put in 8.2 feet worth of driveway, no matter what his schematic shows. And we won't rely on the schematic. We're not going to give him permit. We can't and we won't give him permission to build his driveway on the neighbor's property. That's something we can work we're not capable of doing.

**HAKALA** I guess my concern was just that the site plans were provided were not accurate with that regard.

**COPPOLA** Okay

**HAKALA** Both site plans show 12 and a half feet from the property to the property line.

**COPPOLA** Actually, it's showing, I think 12 and a half you. From the building to the fence, which would include the three feet of the other of the southern property. I know it says property line. I think he misunderstood. This was done earlier. I think they misunderstood where it would be the neighbor's property. And if you go to the site plan with the one that's got the that's got the garage where it's proposed, I think that's only showing nine feet of the property. So, the new site plan would be correct.

**HAKALA** I missed the notice when it was previously approved.

**BARINGHAUS** Excuse me, Lindsay, this is the new one.

**COPPOLA** Okay. It sounds like there's sufficient questions that we probably should go ahead and proceed, but I kind of remind the Board that we've basically already approved. It's already been approved still as he has presented, as the variances are shown here, so if the Petitioner or the Petitioner's Representative could step up, name and address please.

**MARTINCIC** Oh, Roman Martincic, 17320 Fairfield Street, Livonia Michigan.

**COPPOLA** Thank you.

**WEILER** Good evening. William Weiler, I'm the attorney appearing on behalf of Roman Martincic, my address is 2850 Warner Drive, West Bloomfield. Just if I may, clear up a couple things, when we were here last time, we... the matter was tabled so that we could contact the neighbor try to work something out regarding the driveway and regarding the new positioning of the garage. Attempted to contact her on two occasions by letter, once in June, once in July, no response. My client supplied her with the survey that was done for the second site plan, the one we're here tonight on. She then chose to get that same surveyor to perform a survey for herself. And I don't know if that's what the Board members are looking at or not, but the fence line we're talking about, granted, is on her property, and he's not claiming that as his property. What happened back in September of last year when the original variance was approved, he had a survey done afterwards, the fences were all positioned incorrectly. The neighbor to the south had about 30 feet of his property in the back, and it's a dog leg section, and his fence was on her property, and that's the one we're talking about today. He's certainly not claiming that, and he still has ample room to comply with the three-foot setback, even on the garage. The reason we were told to come to file for a second variance was because he wanted to change the location of the garage. We talked to the Building



Department. We said, Look, we're just changing the position. We're going to maintain setbacks. We're going to it's going to be the same size. Nothing's changed. We were told we had to refile, which is why we're before you today. That means the present plan maintains all the same setbacks. The only difference is, it's in this quote, recovered area of property that he didn't even know he owned because of where the south neighbor's fence was. She objected to the first variance based upon the driveway and it was still granted. She objected to this variance because it's going to interfere with her view of the, I guess there's a park behind, and it doesn't completely obstruct her view. She looks out her porch window in the back. She is going to see the structure, but she's only going to see a portion of it, so I had trouble hearing the discussion until he moved up. So, I'm not sure what the Chairman was saying in terms of you've already approved the variance. I don't know if we're able to change the location. Now is that what the Chairman is saying, because of the way the first variance was granted?

**COPPOLA**

Yeah, again, it's part of the public record. My point is, unfortunately, generally, when we approve these things, we put conditions on them. There were two conditions at the time, but one of the conditions almost always that we put on these, is that it's to be built as presented in materials and location. That did not get into the condition. So, normally you would have to come back, but we didn't, the Board didn't have that requirement as a condition. So, my position, again, I'm one of seven. My position was, we've already approved what's being proposed. There's nothing that's changed in two variances you're requesting, which is the building area for the second accessory building and total accessory building area. So, nothing's changed and your plan complies with the conditions as I read them. So, that is our position.

**WEILER**

But we were told we had to reapply. And certainly, he's going to meet all setbacks, and he's going to meet all building code requirements. And if he has, I don't think it's going to be near any adjacent structure that he has to do fire protection.

**WINKLER**

But it has to anyway within three feet.

**COPPOLA**

Yeah, if he stays within three feet.

**WINKLER**

Excuse me, Mr. Chair, it's within five feet of a property line, it's very clear. So, and he's got it three feet right now, so that'll mean that he has to make it fire-rated on that wall.

**COPPOLA**

Why the change in location?

**MARTINCIC**

It was just because I had an extra 30 feet by 120 it just made sense to me, that was the only thing.

**WEILER**

When he had the survey done after variance was granted, it turned out that the neighbor's fence was encroaching on 30 feet his property, he

didn't realize he had that. Now he realizes he's got room to build back there, and it makes more sense to have it in that location than where it was originally planned for.

**COPPOLA** When I look at, that would be, I looked at the original plan, it looks like the site plan that shows that there was at 44 feet there on the plan.

**WEILER** So it shows that on the plan, the plan that was drawn was correctly measured in his I guess I would say, in his mind, because of the way the fence was located right, it doesn't appear that he's got that much room. So, he looking at it from a visual standpoint, he thought there's no way I could build this garage back there.

**MARTINCIC** Plus, I was going off the original site plan that I got from the city. And then that's where kind of this all setbacks, where the fences were because the house was actually built three feet to the south and was never recorded. So that's where that all comes through.

**COPPOLA** Sorry for the confusion. Any questions for Petitioner or the representative?

**BARINGHAUS** A question for the Inspection Department. With the fire safe construction, would that be on the west wall infrastructure? That's nearly another three-foot setback, correct?

**WINKLER** Correct. It'll be anything bordering the south neighbor's property.

**COPPOLA** Any other questions for the Petitioner?

**TESTA** Mr. Chair.

**COPPOLA** Mr. Testa.

**TESTA** Thank you. So, you briefly summarized that you sent two letters to the neighbors notifying the owners, you've had no contact with the neighbor in any way, shape or form regarding this?

**WEILER** Other than giving her a copy of the survey, no.

**COPPOLA** So, being a neighbor and being walking distance between two front doors, you didn't make an effort to at least go knock on the door?

**MARTINCIC** Not originally, we talked about it. Then when it changed, I wanted to go through legally. That way we'd either sit down and discuss something or not there, you know, be on paper, not just he said she said, so that's where Mr. Weiler came in.

**WEILER** Yeah, we-- the last time we were here, we felt became a little contentious, and there was some accusations that were stated by the neighbor about him and his behavior. And I thought it best if I attempt to talk to her rather

than him. I know that somebody went over there to talk to her that, you know. And the response basically was, see you in court, which, this isn't really the type of issue right now. So, I sent two letters saying, "Look, we'd be glad to sit down and talk to you. We have some proposals that might work out best for both of us." Sent it on June 23<sup>rd</sup>, didn't hear a response, sent it again with another letter saying, "Really like to work this out so we can go before the Board," and nothing.

**COPPOLA**

US mail?

**WEILER**

US mail and certified, not certified, but delivery confirmation.

**COPPOLA**

Any questions for the Petitioner? All right, seeing none, you guys have a seat for a minute, if you would please. Is there anyone in the audience who would like to speak for or against this petition? I can just get your name and address before we start?

**L SIPPS**

Linda Sipps, 17310 Fairfield. First, I'd like to clear up why I didn't contact the attorney. I have been misled by Roman since our very first conversation about this. He sent this guy over. Matthew Schuler walked over from his house, wanted to know if they put sound-deadening material. That's a direct quote in the garage if that would change my mind. We all know it's not a storage garage. It's a workshop for his home business. Well, no, that doesn't work for me. I still don't want his workshop behind my house. So, then the lawyer sent me a letter saying We know someone came over and talked to you about this, but we don't know why. Well, why doesn't he ask his clients why the guy came over and what he said. So, I didn't feel like I wanted to get into a conversation with his attorney. So, that's why I've been contacting. What concerns me now is that I had another survey done, because the site plan shows a nine-foot driveway. So, if you approve that site plan with a nine-foot driveway, does that allow them to build over my property?

**COPPOLA**

I think we talked about that earlier. If you were listening, I could barely hear you, yeah, it's not the best. No, all we were approving is the size of the garage.

**L SIPPS**

Okay.

**COPPOLA**

We, as a Board, cannot allow someone else to encroach on a neighbor's property. That's... we don't have that authority.

**L SIPPS**

When I moved in 25 years ago, those fences were where they are. Well, my, the ones where it is now, and the one was the one he moved. So, I was unaware that the fence was on his property and not at the property line. So, he moved it, you know, no problem. So now I'm in the process of moving the fence between the two houses, 3.7 feet to the north to the property line, which is the new survey you have showing. The reason I got the old survey didn't show the footage between my house and the property line. The new survey does. It's 10 feet that leaves him 8.2 feet to

put in the nine-foot of driveway. So, once I move my fence, he's going to have 8.2 feet for that driveway. So, since he doesn't need a permit to put the driveway in, what's going to stop him if my fence isn't moved in time, since you approve the site plan with a nine-foot driveway on it?

**COPPOLA**

He can't build any structure on property he doesn't own. Period.

**L SIPPS**

Okay, it's record that he has 8.2 feet. It's on the survey. It should be entered into the record.

**COPPOLA**

The survey is in the record.

**L SIPPS**

Okay, yeah. The only other thing is, we this is not a storage garage, and he's building it within 100 feet of my house with his power tools and his saws, his furniture business, his home, army of contracting furniture or whatever it is, and it's still noisy. So that's why, I guess that guy came over and offered sound-deadening material in the garage. So, I think you've been duped into thinking it's a storage garage, and that's all I have to say. Thank you.

**COPPOLA**

Thank you. Anybody else?

**FREDA**

Ladies and gentlemen, I am also a neighbor of Fairfield Street, also in here in support of Mr. Martincic's proposal and approval. As a result of not only knowing him as a neighbor on the property on Fairfield Street for over 10 years, but knowing that he's made significant efforts to beautify the property, to maintain the property, it's a fact that he is a contractor. However, he doesn't intend to use this facility as a workshop. He does have items that he needs to store there safely and securely, and I feel as an owner of a property on Fairfield Street, I'm able to secure my vehicles and my lawn equipment in a garage that serves its purpose. He's unfortunately not able to because his work vehicle is too large for his garage, so I do believe that it is intended for a storage garage, and I do know that he has made several attempts to benefit the neighbor by even offering to gift her that property when he originally wanted to erect the structure. So, I think it's more of an issue of just being unwilling to be neighborly and approve his utilization of his property with the Board's approval of his proposed site plan. That's my opinion, and that's my record with I submitted a letter via his attorney, in which I feel that everything he's proposed is accurate. I've seen him make several attempts to help this neighbor to his health. In fact, he's cut down a tree of theirs. Did not charge them anything. He's offered to replace the fence that shares the property line and free of charge, and they denied. So, I don't know why the reason is, but I just want to make the point that I feel he has went above and beyond to be neighborly, that he's maintained his property, that he's improved the property's value, therefore improving my property value, and I can speak to that, both personally and professionally, because I own several homes in the city of Livonia and a business in the city of Livonia, all surrounding residential real estate, so I

would like to make my approval on his proposal known and support of that. Thank you for your time.

**COPPOLA** Thank you. Anyone else? All right, seeing none. Do we have any correspondence?

**BARINGHAUS** We have one letter, Mr. Chairman, from Susan Hafner, 17311 Fairfield, "Objection on size." That's it.

**COPPOLA** Okay. Thank you. Would you like to say anything in closing?

**WEILER** No, I just have a letter that was read into the record last time, and I think that's the same letter you're referring to. That person lives directly across the street from him. Interestingly enough, she petitioned this Board many years ago for a variance for the exact same thing was granted. The only difference was she went with an eight-foot door, and it was granted with a seven-foot door. I've included in the packet that I sent before the last hearing. Photographs of her home, showing that structure. Other than that, I think we've said what we have to say.

**COPPOLA** Thank you. Mr. Testa. Hold on one second, Mr. Weiler, please.

**TESTA** Do you care to comment on the neighbor's comment about the garage being used as a work garage, not so much storage.

**WEILER** I don't know why she's thinking that, he has a garage now all he does is store equipment in it. I mean, maybe he does some of his own household things. He does have, he is in the business of remodeling and carpentry, but he doesn't do it there, and that's not his intent. His intent is to get his work truck back into an area where it's secure. His work truck is a van that's a little oversized. It does not fit in the present garage. He also has a work trailer he'd like to move back there. So, with those two vehicles in there, I don't see how he's going to be able to have room for a workshop anyway, but that's not his intention.

**TESTA** Just one more point of clarification, is to be perfectly clear. The potential is okay with having a driveway that's only 8.2 feet wide, correct? His truck's going to...

**WEILER** He does. Let me put it to you this way, he's willing to construct it so it's not an encroachment on her property. And if that means it has to be 8.2 or smaller, he's willing to do that.

**TESTA** Thank you.

**COPPOLA** Thank you. I'm going to close the public portion of the case. I'm going to start the Board's comments with Vice Chair Baringhaus.

**BARINGHAUS** Okay thank you, Mr. Chair. I think we've discussed this case in detail with the prior variance. Based on the discussions tonight. We've definitely, I

think a lot of the circumstances change with property being reconfigured. Due to the survey, I think the property is deep enough to easily accommodate the proposed change that was discussed today. We're clear that no neighborhood properties will be encroached and all setbacks will be met. So based on that, I'll support the variance.

**COPPOLA**

Thank you, Mr. Testa.

**TESTA**

Yeah. Thank you, Mr. Chair. So, last time I was pretty much in support of this but also supported the table. What did give me pause the reason why I supported the table was the objection from the neighbor. I am a little bit disheartened that the outreach was given to that neighbor and the neighbor rebuffed it. I know she explained here why tonight, but I think she understood that we had asked the petitioner to try to work things out with her, and she kind of took the stand she didn't want to work things out. To the point that Mr. Coppola, or Chairman Coppola at the beginning, I think within the variance that we approved originally, this is allowed and fits so as long as it's built with the driveway not encroaching into her property, I can approve this.

**COPPOLA**

Thank you, Mr. Meagher.

**MEAGHER**

Yeah, I am going to echo Mr. Testa, in this. That looking through everything, hearing everything, again, I don't see any reason to not approve the variance.

**COPPOLA**

Ms. Hakala.

**HAKALA**

Given the fact that the building area has not changed from was already pre-approved, and the only difference remains the distance to the sub rock building, which was increased by 90 plus feet. I really don't think I have anything to say, but I support it.

**COPPOLA**

All right. Thank you. I think I've kind of expressed my kind of opinion on this, in a sense, I think the proposed changes he had already fit within the confines of prior approval. But seeing that we're here today, that I still approve that, I think, that if he had come forth with this plan and put the garage where he's proposing it, now, I would oppose that, but he's already got his approval, and I don't think, you know, really kind of want to give them double jeopardy, in a sense here, he's already got his approvals. But I will take, think I will take advantage of this process to add conditions on there, such as, you know, building and as presented with materials and structures and placement and all that stuff. As to the issues with property encroachments and running a business, there are ordinances for that to take care of that. And if there's issues that are supposed to be handled accordingly, that's kind of someone out of the scope of how we do it. But I do think the condition of not running a business, we can add that just to strengthen that position. So we can open up the floor for a motion.

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| <b>BARINGHAUS</b> | Mr. Chairman.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>COPPOLA</b>    | Vice Chair Baringhaus.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>BARINGHAUS</b> | <p>Thank you. Resolved, that the variance sought in Appeal Case Number 2025-04-12, filed by Roman Martincic, be approved for the following reasons and findings of fact: the uniqueness requirement is met due to the resurveying of the property and redefined property lines. Denial of the variance will have severe consequences for the Petitioner due to reduced storage capabilities on his property. The variance is fair in light of its effect on neighboring properties, and in the spirit of zoning ordinances due to... basically the neighborhood does contain a number of similarly detached garages and some neighbor support for the project as well. The property is classified as RUF, Rural Urban Farm, under the Master Plan, and the proposed variance is not inconsistent with that classification. Further, that the variance be granted with the following conditions: that the proposed structure be built as presented regarding the materials and locations, that the proposed structure not be utilized as a business, and also that the proposed structure has fire safe construction on all areas that border on the neighbor's property. Thank you.</p> |
| <b>MEAGHER</b>    | Support.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>COPPOLA</b>    | Thanks. Motion by Vice Chair Baringhaus, support by Mr. Meagher. Any discussion? Mr. Winkler. How much would a permit fee be for this?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>WINKLER</b>    | It's scaling based on the cost of the materials in the building that is estimated on their application.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>COPPOLA</b>    | Okay, do you think it would be more than I guess, the filing of variance?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>WINKLER</b>    | It's going to be probably \$450, \$550. About the same.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>COPPOLA</b>    | I would propose that we provide based on kind of how things have come out that I propose to provide the petitioner with credit up to the variance fee against his permit fee for making him come through this again.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>BARINGHAUS</b> | I'm fine with that.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>TESTA</b>      | Mr. Chair, can we entertain, I know we said built as presented, and maybe allow him to move it five feet so you do not have to do the firewall?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>WINKLER</b>    | That was kind of why I brought it up, because it is a considerable increase in the expense. It's insulation, it's concrete siding, it's not vinyl siding. It is drywall on the inside; there's a significant upgrade to material cost.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>TESTA</b>      | So, right now, the drawing shows three feet up to the east property line, up to five feet.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>WINKLER</b>    | Five feet would be ideal, yeah, because then it gets over that threshold.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

|                   |                                                                                                                                                                                                                                                            |
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| <b>COPPOLA</b>    | Just another two feet, so we would allow an exception, up to two additional feet for the, up to five feet from the property.                                                                                                                               |
| <b>TESTA</b>      | Or maybe call it three feet minimum, if you want to go further back, I don't see why anyone would object.                                                                                                                                                  |
| <b>COPPOLA</b>    | What would be the setback on the other side is it always three feet, no matter where?                                                                                                                                                                      |
| <b>WINKLER</b>    | As far as property line for fire?                                                                                                                                                                                                                          |
| <b>TESTA</b>      | Let's say you backed it up to the park.                                                                                                                                                                                                                    |
| <b>WINKLER</b>    | It's still going to be less than or equal to five feet.                                                                                                                                                                                                    |
| <b>COPPOLA</b>    | So if he's only three feet from the property line to the park.                                                                                                                                                                                             |
| <b>WINKLER</b>    | Correct.                                                                                                                                                                                                                                                   |
| <b>BARINGHAUS</b> | Are you going to allow an exception for the five feet? [Inaudible] property line.                                                                                                                                                                          |
| <b>WINKLER</b>    | It's less than or equal to five feet. So, five feet doesn't get it. It's got a five-foot one inch.                                                                                                                                                         |
| <b>COPPOLA</b>    | Not less than three feet, right?                                                                                                                                                                                                                           |
| <b>TESTA</b>      | A minimum of three feet from the east property line. And that means he would shift it west as much as he wants.                                                                                                                                            |
| <b>BARINGHAUS</b> | Build just presented, regarding materials and location. Property should not be used as a business. Provide credit of up to variance fee against permit fee, and then allow an exception of a minimum of three feet from his property line for the setback. |
| <b>HAKALA</b>     | The west property line.                                                                                                                                                                                                                                    |
| <b>COPPOLA</b>    | East property line would be that well, the east property line would be the left street.                                                                                                                                                                    |
| <b>HAKALA</b>     | I thought they were saying three feet from the neighbor.                                                                                                                                                                                                   |
| <b>WINKLER</b>    | It is from any property line, so you could put less. It would be minimum three feet from any property line.                                                                                                                                                |
| <b>BARINGHAUS</b> | Any property line.                                                                                                                                                                                                                                         |
| <b>WINKLER</b>    | Yeah.                                                                                                                                                                                                                                                      |



**COPPOLA** I mean, we're kind of just saying....

**WINKLER** Yeah, I know.

**COPPOLA** Okay, we say that a lot.

**MEAGHER** Do we need a second on that last change?

**COPPOLA** Well, the two... the one... the motioner and the support have to disagree with those changes.

**TESTA** Mr. Meagher, I think, supported the motion. You supported?

**COPPOLA** Did you support it? Oh, I thought you did. Sorry, I had Mr. Testa down.

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

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

1. The uniqueness requirement is met due to the resurveying and redefined property lines,
2. Denial of the variance would have severe consequences for the Petitioner due to reduced storage capabilities on his property,
3. The variance is fair in light of its effect on neighboring properties, and in the spirit of the zoning ordinance, due to the neighborhood containing a number of similarly detached garages, and some neighbor support for the garage, and
4. The property is classified as Low Density Residential under the Master Plan, and the proposed variance is not inconsistent with that classification.

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

1. The detached accessory garage will be built as presented regarding materials and location,
2. The proposed structure will not be utilized as a business,
3. The proposed structure will have fire safe construction on all areas that border on the neighbor's property, as required by code,
4. The permit fee up to a total of \$450 (the amount of the ZBA variance fee which was paid) will be waived,
5. Maintain a minimum of three (3) feet from any property lines, and
6. If the Petitioner would like to save on fire safe construction materials, he may build the garage five (5) feet from property lines.

**ROLL CALL VOTE**

AYES: Baringhaus, Meagher, Hakala, Testa, Coppola

NAYS: None

ABSENT: Klisz, Rotondo

PASS/FAIL/TABLED: PASS: PASS

**COPPOLA**

Mr. Martincic. I just wanted, your petition now passed. Do you understand that the conditions? Most importantly, you're not running a business there. There's an ordinance against that. So that's where the forces if you did, but that's just to make it clear, that would be no business. I obviously know you're not going to put a hope you would. I'm pretty sure you won't

put your driveway on someone else's property. So, you got that, you can move your placement further away from the property if you want to want to save on putting a firewall in, I think I could be at least five feet is what was said. So those are the major ones.

**BARINGHAUS**

Mr. Chairman, I'm sorry. One thing we also added was fire safe construction on any property that abuts the neighbor's property.

**WINKLER**

That's code.

**COPPOLA**

Then the last piece would be that you're going to get credit to get your permit fee for your variance fee for taking you through the process. All right, right. Thank you very much, and good luck if you call the next case, please.

**APPEAL CASE NO. 2025-05-15, 16184 Middlebelt (Tabled on June 3, 2025):** 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.

|                |                                                                                                                                                                                                                                                                                                                                                                                     |
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| <b>COPPOLA</b> | Thank you. Before we take a motion, just for the purpose of Mr. Fisher, this is considered a use variance, so that will require all five members to prevail. Mr. Dixon, I asked earlier, when I did the opening statement, if you wanted to reschedule, Do you want to continue? Yeah, okay, I'm not sure if you'll have five or not, but give it a shot. Okay, I'll take a motion. |
| <b>TESTA</b>   | Mr. Chair.                                                                                                                                                                                                                                                                                                                                                                          |
| <b>COPPOLA</b> | Mr. Testa.                                                                                                                                                                                                                                                                                                                                                                          |
| <b>TESTA</b>   | Move to remove from the table, Appeal Case 2025-05-15.                                                                                                                                                                                                                                                                                                                              |
| <b>MEAGHER</b> | Support.                                                                                                                                                                                                                                                                                                                                                                            |
| <b>COPPOLA</b> | All in favor.                                                                                                                                                                                                                                                                                                                                                                       |
| <b>BOARD</b>   | Aye.                                                                                                                                                                                                                                                                                                                                                                                |
| <b>COPPOLA</b> | Mr. Winkler, anything you'd like to add?                                                                                                                                                                                                                                                                                                                                            |
| <b>WINKLER</b> | None at this time.                                                                                                                                                                                                                                                                                                                                                                  |
| <b>COPPOLA</b> | Any questions for the Inspection Department? All right, seeing none. If the Petitioner can step up to the podium just for the record, name and address.                                                                                                                                                                                                                             |
| <b>D DIXON</b> | Donovan Dixon, 16184 Middlebelt Road.                                                                                                                                                                                                                                                                                                                                               |
| <b>N DIXON</b> | Najae Dixon, 16184 Middlebelt Road.                                                                                                                                                                                                                                                                                                                                                 |

**POTTS** Good evening, everyone. Attorney Coleman Potts representing the Socialite Event Gallery.

**COPPOLA** Thank you. So, I believe I wasn't at the last meeting, so I tried to catch up. I read the draft minutes, I think you were asked to, it was tabled to ask you to do a little more kind of working with the neighbors to see if things could get patched out there, so that we get a little less maybe, objection to allowing the variance.

**POTTS** Absolutely. We took that into consideration. Took it very seriously. We heard from the neighborhood when they came from last time, and we took into consideration the letters that were shared during the meeting. Since then, we have reached out to the neighbors. We sent letters to the surrounding homes. In addition to that, the Dixons actually hosted an ice cream social and invited the neighbors to it. Some of the neighbors showed up, shared their concerns. We tried to address those concerns the best way possible. It seems like the chief concern was just noise levels making sure that the events ended on time. And we spoke about ways that we can address that make sure that we were there for clean up and make sure that the parties ended on time. We proposed that they had an attendant there to make sure that noise levels didn't get above where they were supposed to be. I know the Dixons have shared their personal contact information with people in the neighborhood. Encourage them to reach out if they thought it was something going on. I did not believe that any complaints had been made on the Dixons. There was one under their ownership, and I believe September 2024 and that was actually the prior owners of the business, but there have been no issues with the business since they took ownership. We believe that this use variance isn't going to usurp the neighborhood or cause any additional records. Number one, this business has been operating pretty much the same way since 2021 the only difference is, since my clients have taken ownership, they've made an effort to do things the right way, with regards to the noise and things of that nature. I mean, it could be 10 people there making a lot of noise, or it could be 200 people there holding a Bible study. I don't think that's the issue. And the thing about it is, we've done everything our power that we can do to make sure that we address that and make sure that we address the neighbor's concerns.

**COPPOLA** So, again, I apologize for some of these questions, most likely, were answered from the previous meeting. But help me understand. So, when you have an event, what level of supervision occurs during each of events? Is there someone there all the time during the event from the company monitoring behavior, noise, that they shut down at 11, all those things is, do you have someone on site at every event, full time?

**POTTS** Well, number one, when people book the event, they sign a contract with certain restrictions, and they put a deposit down. They know they violate those restrictions, and they lose their deposit. In addition to that, I believe that the Dixons, when it is time to shut down, they are there to make sure things are shut down. I don't know if they have an attendant on site for

each event. I think that's something that people can add if they want. That's something that we propose, possibly as a condition for granted use variance of making sure someone, that they would have an attendant on site, but that's not some that's not something that they actually implemented yet, unless there's someone something that's actually requested.

**COPPOLA**

So yeah, I understand that you have a contract and they put down a deposit, but depending on about how much deposit you normally ask for. But if there's an event you get to keep the deposit that doesn't help the neighborhood. They've been impacted. They've been disturbed. In a sense. So that deposit doesn't help that.

**POTTS**

It doesn't necessarily help, but it can act as a deterrent, if people want their money back.

**COPPOLA**

Yeah, depending on the people, they don't always have control over their attendees. You know, the people that are taking the event don't always really care about the people that signed up and put the deposit down. So, I see that as a deterrent for the person who signed the contract. They don't see that very much a deterrent for the other participants, and at that point, you've made money because you got to keep the deposit. But the neighbors have been impacted, so I don't understand how that helps the neighbors, per se, whether, when there's actually an event.

**N DIXON**

I'd like to comment, hi. So just as you said, it's not necessarily a deterrent, but it really acts as an incentive. And in my own experience, when there appears to be a violation, let's say that we come up there and something is not as it should be, I speak to the client who's booked the event, and they immediately, typically it's family and friends. Let's start there. So oftentimes they do actually have a lot of control over what is happening. You know what the event attendees are doing, this is their family and friends that they've invited to these private events, and those clients want their money back. It's a \$300 security deposit, and so it's fully refundable to them, given that they meet the demands that are in this contract that they have signed. And so, for instance, there was a crowd in the parking lot. I went in to the client. I let them know, Hey, this is what's going on. They went out there immediately and asked those folks to either, you know, go home or they need to be inside, to be inside. And what I'm finding is that is pretty much the response anytime that there's anything that's going on that shouldn't be our clients are able to address it head on, and we have not had any issues or problems with that. And so sure, it doesn't necessarily seem to be a direct impact on the neighborhood that's on the neighbors, but given that this is our community, this is a place that we care about, we care about having a peaceful neighborhood, we make sure that our clients understand that we address that before they sign the contract. On the day of their event, we talk to all of the vendors who are going to be there, so any DJs, any of the people who are going to play a major role that can cause some of the noise, same thing with any bartenders that are there. We're making sure to communicate to each of the parties how imperative it is that they

respect this community. And then we do our extra part. So, we make sure that we're there at the beginning of every event, as well as an hour before shut down, making sure that the music ends at the time that it's supposed to end, that there's no trash or debris. So, we're taking extra steps to ensure that, again, the peace of the community is respected. So, it's more than just in the sense that it's all the efforts that we have taken to ensure that that takes place.

**COPPOLA** Okay, how do you ensure that there's only 150 people, if you don't have an attendant there at all times?

**POTTS** I mean, that's why we would accept that as a condition to make sure that this stays within that level. I mean, number one, with regards to most of these parties, I mean all the attendees, most of the time, aren't there at the same time anyway. I mean these parties, they last for a few hours. Sometimes some people are there in the beginning, some people may be there in the middle, and then some people may leave earlier, and some people may get there late. So, even if they book the party for a certain amount of people, number one, they signed a contract for a certain amount of people. Sometimes a portion of the event space may be walled off depending on the size of their party. They may not have access to the whole space. It really depends on the size of their party. But again, this is very rare that even if they did book a party for 150 people that actually all 150 people will be there at the same time. But like I said, that's why we would accept the condition of having the attendant there to make sure they didn't exceed that count.

**D DIXON** In addition to that, we also have cameras that are in the facility so we can monitor the event anytime remotely.

**COPPOLA** Do the cameras also monitor volumes, levels of music and noise?

**D DIXON** We it has audio, so I won't say that it has a meter that can measure decibels on the camera itself, but we do have audio and video of the event.

**COPPOLA** Okay. Questions for the Petitioner?

**BARINGHAUS** Mr. Chairman. Do you recall what the building was used for prior when it became like a social center?

**N DIXON** Karate center.

**BARINGHAUS** Karate center. And then going back to the time, it was right to redemption that the occupancy of the building was set at 49 occupants based on the ordinance. What were you told when you purchased the business in terms of occupancy?

**N DIXON** So, when we purchased the business, when we first began talks with the previous owners back in May of 2024 we were told, when we did our first

tour, that 150 which is what the previous owners were operating under. So, to provide evidence of that, the tables and chairs, there were just enough tables and chairs to seat and hold 150 guests. So that's what we have been operating under.

**BARINGHAUS** Great. Thank you very much.

**TESTA** Mr. Chair.

**COPOLLA** Mr. Testa.

**TESTA** Thank you. So, last time you were here, you said that you had not held any parties over 50 people since you took ownership. Is that still correct?

**POTTS** No, I don't think that's what was indicated. I think that what was, what I recall, what was asked was, "Oh, why are you still advertising that the parties, the venue can hold up to these amounts?" And I had also, they can disclose that there were some parties that were previously booked prior to coming in here in June. And we were in the contract for and we didn't want to breach those contracts. But I don't think any of the Dixons can say for a fact whether any of the parties have exceeded the limits, even though they may have been booked for over the limits. I don't think anyone's been there to take account to actually determine whether they exceed the limits.

**TESTA** Yeah, I'm sorry I worded that question wrong. You haven't booked any new parties over 150 beyond the, sorry, up to 150 beyond the ones that you had previously booked and disclosed last time. Correct?

**N DIXON** Not to my knowledge.

**TESTA** Okay, who books the parties? Who controls booking the parties.

**D DIXON** They're booked online, but I don't know if they actually disclose the attendees.

**TESTA** Okay, I know you had some outreach and it's in our packet, and as we were leaving the last meeting, I saw you guys outside talking with one of the neighbors that came and spoke. So. I appreciate that. It was a very cordial conversation. I walked by and went, drove by leaving. It was still a very cordial conversation. It sounded like within the packet, your ice cream social was well advertised, but maybe not so well attended. Can you maybe speak to how many people came, and some of the direct feedback you received?

**N DIXON** So yes, we hosted an ice cream social, and the intent was to be a kind of lighthearted way to get the community to come out, to engage with us and share some of their concerns. And we also wanted to introduce ourselves and many of the folks during the last hearing, we realized that people didn't know that it was under new ownership, and so they were really



operating under this kind of impression of the previous owners, who, frankly, weren't doing things by the book, and again, weren't trying to do things that respect the community. So that was the true purpose of it, and we wanted to make it lighthearted. Invite friends and family. We had a bounce house, free ice cream and again, an opportunity for folks to meet us. Unfortunately, as you mentioned, it was not a great turnout. We had two households attend. The first household in attendance actually was not privy to what was going on here, because we kind of did a far reach of the neighborhood. Again, we really just wanted to introduce ourselves. They were a lovely couple. They brought their grandchildren. They enjoyed some ice cream, and we just got to, again, introduce ourselves. The other attendant is present here today. His name is Mr. Ken [Cameron], so we were able to speak at length about some of the changes that we made, and just to try to get an understanding of some of his concerns and complaints that he had.

**TESTA**

Okay. And I appreciate the letter that you sent to the neighborhood. It was included in our packet. You address some of the battles that you had that you're operating, you're kind of stuck under the preconceived notions of the reputation of the previous owner. So, you're trying to educate the public on the fact that it has changed ownership. From my standpoint, I'm only one, one Board Member. Obviously, I don't think I could approve this beyond, like, putting out a time condition on it in terms of maybe up to one year as, like, a trial basis, and you guys have to come back again to renew that. If we did something like that, would you be open to a time bound this is only good for a year, and you have to keep coming back for renewal at some frequency?

**POTTS**

Yeah. I mean, that would definitely be acceptable. Like I said, give us opportunity to prove that this won't be an issue.

**MEAGHER**

Mr. Chair, question for the Petitioner, I totally respect all that you've done in the last year to make sure you're doing things right. I think I'm still a little confused with how you're measuring up to 150 people. You just said that online you don't know how many people are set to come to an event. And again, trying to understand, it didn't sound like you guys have oversight of that either, and if there's nobody on site during events, how are you actually counting how many people are in the building?

**POTTS**

Well, as they previously said, they do have cameras. And in addition, one thing we did discuss at the last meeting is that have been attended on site to make sure they don't exceed those numbers. And as they also stated, they are there at the beginning of each event, and they are there an hour before the shutdown of each event.

**N DIXON**

And just to add, so when clients book with us, they signed a contract, and so they typically indicate the number of, what the max number of people are. They just say how many people that they're expecting. But typically, as you can imagine, if you've ever hosted an event, once you get up to that date, that most of those people don't show up, so on and so forth. So,

on a piece of paper, it might say that they're expecting to have 100 people, but often on the day of there's a plenty of empty tables and empty chairs like those people are not there. So, I think that's our point to say that even you know, at the limit that we have, it's difficult to say exactly how many people are in there at any given moment, but again, to be able to account for that, to make sure that we're present, that an attendant is present, to ensure that it doesn't exceed capacity moving forward.

**MEAGHER**

Okay, I think, I think my question is, you're banking on people not attending. You're not banking on more people attending. And I think that's where I'm trying to figure out, like, what the stop gap is for. Is, or what the control is in place. To say, I, as a person who's trying to book an event, know that your limits 150 so I'm just gonna say 150 and invite 300 people. I know that's not the case, but everything you've said is about people not showing up. There hasn't been anything about people showing up other than an attendant and cameras. So, I'm sure I'm just trying to figure out, like, what, what you are putting in place.

**N DIXON**

Attendants and cameras.

**MEAGHER**

Okay, but, but even then cameras, it seems like, from a lot of the information in the packet, it's about people loitering in the parking lot at night, making it from, all the outside of the building, which I know you can't necessarily control everything, but at the same time, if there's 150 people inside, and there's 100 other, I'm making wrong numbers here, but if there's 100 people in the parking lot, then I think that's where a lot of the, from the way I read it, some of the complaints from the people who live on that street, the noise starts to come into play so cameras don't seem like that would solve anything.

**POTTS**

Yeah, I think the primary thing that would solve that is having an attendant there the entirety of the party. In addition to that, I do want to highlight most of the complaints that were made did predate their ownership, especially the ones that eventually made it to a police call or police run, all those predated their ownership.

**N DIXON**

I also want to comment that we are a part of the community. I mean, in part, that's why we're here. We need the support of the community to be fair, we're parents of a toddler. Sometimes we're on part time, and we have to go, you know, at her beck and call and so at this time, as my husband and I that are running the business, and so we can't be present there, these are opportunities, again, we've exchanged our contact information with our community members. And actually, this past weekend, Mr. Cameron has reached out and said, "Hey, there's people in the camera," excuse me, have reached out. Mr. Cameron, had reached out and indicated that, "Hey, there's folks in the parking lot." And while we were a few minutes away from being present, as soon as we attended, I informed the client that was booked with us that, "Hey, you have your family, you know, in a parking lot." And she immediately went out there and said, "Hey, guys, you need to go now." In all fairness, this party was

ending, as though they were kind of gathering and leaving. But, I mean, those are the things that we are going to need support. We're only human. We can't be everywhere at every moment despite our best efforts. And so, we will need the support from the community to let us know that despite all of these stop gaps that we put in place, sometimes things fall through the cracks. Well, hey, let us know, and then we'll make sure to take those extra precautions to be able to solve those issues.

- MEAGHER** Okay, I only have one other question, on your website it states you have 150 parking spaces, are you including the parking spaces that are behind the building leading up to the direct neighbor to the east?
- N DIXON** It says on our website or on the documents?
- MEAGHER** In the FAQs.
- N DIXON** Okay, I believe, actually, we might have more, I believe we have over 200 parking spaces, and I believe that just includes the entire complex.
- D DIXON** Yes, I think parking is something that we discussed last time, and they concluded that there was adequate parking.
- MEAGHER** I guess my question is, are you putting people who are either working at the event, or are you? Are you trying to-- I'm more making the distinction of where the noise is coming from. If people are coming in from your front door versus coming in the back door, if they're coming in the back door, then noise obviously would carry to the houses.
- N DIXON** I don't think it would matter, given the way that the space is located, whether it was coming through the front or the back. But primarily people are coming through the front. That's where most of the parking is at. But then in the evenings, when people are cleaning our dumpsters located in the back, so people will have to go through the back, they also do their loading and unloading in the back.
- BARINGHAUS** Mr. Chairman. I think we probably talked about this our prior meeting. Just refreshing my memory. Tell me about the days of operation. How many days a week do you have events at your facility?
- POTTS** I think it's typically weekends, and these events typically take place, believe between like six to 10pm so I would say our primary dates are going to be weekends.
- D DIXON** So Saturday, Sunday, those are the days where we're mostly booked. Throughout the week, Monday through Friday. For the most part, those are days where we're not present. No one's in the building at all. There's no noise whatsoever. So primarily, our operation days are when people want a party, have a baby shower or have their wedding event, those are Saturday and Sunday.

**BARINGHAUS** You don't do like Monday events like funeral lunches, things like that. You're open to it?

**D DIXON** Yes, we are open to it, but more so operating on Saturday and Sunday.

**N DIXON** In terms of the hours, it varies from client to client, but they have a seven hour window that we provide to them. And our biggest thing that we've implemented, you'll see in that letter, is that on the ways, their party must end at 11, and then they're typically out the door. So, any cleaning or anything that they have to do is that last hour, so many of the guests have left, and it's usually just the cleaning people there and getting rid of the stuff from the party.

**D DIXON** And just so everyone's aware, even though they have a seven hour window, because we just, I looked at an event a couple years ago, or booked a venue, rather, for my baby shower. I mean, it probably took three hours just set up. We were probably only in there for three hours and then clean up. So, this is just because the window is seven hours doesn't mean it's gonna be occupied that whole time.

**N DIXON** Typically, a four hour, three- or four-hour window is when they actually get their party.

**BARINGHAUS** And then, if I recall from using a decibel level set at the variance?

**N DIXON** Correct. And whatever the ordinance is, I think after really, it's 55 and then after a certain time, it changes to 48.

**HAKALA** Mr. Chair. Question from Mr. Winkler. So, for clarification, occupancy load is everybody in the building correct, not just the guest capacity.

**WINKLER** Correct. Everybody is included.

**HAKALA** Okay, so one of my concerns is that number one your lease agreement does state maximum capacity for the gallery is 200 guests. So, that number one would need to change. But also, I think it needs to be clarified that the 150 capacity is not for guests, it's your caterers, your bartenders, whomever else may be attending as well, and that would just be one of my concerns.

**POTTS** Yeah, we can definitely construe the contract and or construe any advertisements to make any of that stuff clear.

**HAKALA** And another question about your lease agreement doesn't have any restrictions in terms of how many parking spots you can use or are dedicated to you?

**D DIXON** A couple of the neighboring businesses have dedicated parking spots which are dedicated to them, and our guests don't.

**POTTS** And again, most of the other businesses, most of the time, aren't even open at the same time these events are happening.

**HAKALA** No one is going to the dentist at 9pm. That was all.

**COPPOLA** Any other questions? All right, seeing no more questions, take seat for a moment, if you would please. Is there anyone in the audience that would like to speak for or against this petition?

**CAMERON** Sure.

**COPPOLA** I think that one works, too.

**CAMERON** My name is Ken Cameron. I live at 29160 Terrence. I object to the increase in capacity, primarily because of noise, and it's very noisy now with theoretically forty-nine. It's never forty-nine, it's always more. It's really loud. Music is really loud as well. Over fifty-five. I live four houses down. It pretty much will shake my windows for three or four hours. It's very destructive. The parking lot is destroyed. The people that come, and I know the Dixons are trying very hard. It's really hard to control those situations, to make them quiet. I think it's a party atmosphere, like having a little bar in our backyard. Friday, Saturday night in that little neighborhood, we're going to have a good time and quiet time, where it's really going to be disruptive, so it's loud, it's in our face, and it's there all the time. It's usually way bigger than 49 so it's really tough for us to be around. It's not a happy thing.

**COPPOLA** Okay, have you noticed at least any improvements since the Dixons have taken over?

**CAMERON** You know, we've been kind of having a rough time with this place since it opened, before the Dixons owned it, and since they've owned it, they've tried to communicate it and make them better. I think it's difficult for them to book these parties and control what happens in that place. It's really in our backyard. It's right next to us and I think all their good intentions are great. It's very hard to translate that into a party situation that's in that small building, it's really loud, out of hand fairly often. So, I don't think it's their fault necessarily. I think they're trying to do a good job and they're trying to run a good business. It's that it is in the wrong place in that business they're trying to do. It's right in our backyard. It's a small little building. The acoustics aren't good, and the music is loud in there, believe me, I'm four hours down, and you can hear it inside my house. So, they're trying, but it's very disruptive. So, an increase to allow them to go to one-fifty, I think, it's just a disaster, especially if they're trying to keep them all inside, it would take what we've already had, which is not a great situation, and make it substantially worse. So, that's why we object to an increase.

**COPPOLA** Thank you.

**CAMERON** Any questions for me?

**COPPOLA** No. Thank you very much. Okay, anyone else? All right, seeing none. Do we have any correspondence?

**BARINGHAUS** Yes, we have six letters. (Objection letters read from: Penny Davis, 29164 Terrence Street; Kenneth Cameron, 29160 Terrence; Jim and Dawn Kline, 29210 Harris; Corianne Hadous, 29150 Sunnysdale; Nazar N. Sarafa, 1015 Middlebelt; Cassandra Addington, 29075 Harris).

**COPPOLA** Thank you, Mrs. Dixon, maybe you'd like to say, in closing, you can step up.

**POTTS** I think some of the things that we discussed with Kurt's house, some of those issues that may have been raised, number one, I think having an attendant there during the duration of the parties, someone in there to say, hey, it's getting too loud. We need to cut the noise down and make sure that there are no people congregating in the parking lot. I don't think the noise level is necessarily correlated to the size of the party or the or the event. It could be 49 people there, making way more noise than it would be 150 people. So, I don't think that's a correlation. I think the chief thing here is to make sure that there's someone there to control it, in addition to the security deposit that's required having an attendant there. And as suggested, the one-year trial run to see if this actually works. And then this increase, as Mr. Cameron stated. I mean, it's been operating since 2021 pretty much the same way. So, this increases, essentially theoretical, it's not like all of a sudden is going to be double or triple the amount of people there, because it's essentially been operating the same way since 2021, It's just that my clients came in under an assumption, and they came to want to do things the right way, and that's why we are in front of this board today. I think they have worked really hard to try to engage the neighborhood, reached out, hold social events, given their personal contact information. And I think with having an attended there, with having the governor for the noise, as they stated, they know the noise levels. They notice this ordinance like the back of their head. They know what they're supposed to do, I don't think due to time these events take place, that there is an issue in traffic, there's plenty of parking spaces just because there may be 100 people there, 100 people aren't driving separately. It's never going to be 100 cars parking there, that's just not something that's happened or something that's realistic. One of the comments, and I know we shared an email earlier with her voicemail from Penny Davis. And I know she sent a letter, but she left a voicemail earlier. First of all, she indicated her voicemail that she's not even there all the time. She splits her time between Detroit and Florida, and hers seemed more like a personal attack on my clients. In addition to that, she just recently left a Facebook comment about a funeral that took place and armed gunmen and things of that nature. That's something else that took place before my clients even had ownership. So, they're again being held accountable for something that they were not being around for, and I think that they work hard and diligently and make sure that they're doing things

the right way. I think if we take it all into consideration, all the safeguards we're trying to put in place, that this variation would be granted.

- COPPOLA** Anything else?
- TESTA** Can I ask Mr. Fisher a question? Is there an existing variance on this property? Are they allowed to operate without a variance?
- FISHER** There is a variance. There was maybe an accommodating adjustment.
- TESTA** So if we approve a use variance tonight, does that adjustment go away?
- FISHER** Well, that adjustment, I assume, that adjustment was the 49 people correct.
- TESTA** So, say we talked about this for one year after one year we don't renew it. Would it default back to the 49 people or they have nothing?
- FISHER** I guess it would depend on what you guys say in your resolution.
- WINKLER** If I may, it's going to be based on business banquet assembly and allowed limits on the Building Code for the occupant load for that building. It's going to be straight from the building code. Whatever new business might go in there, it's always taken on a case-by-case basis.
- BARINGHAUS** In terms of the business itself, is there a means the city controls it, either through licensing, permitting, items like that, where loss of the perimeter license would not allow the business to operate.
- WINKLER** Different gentleman in the office takes care of all business licenses for the city, and I'm not aware of what type of business licenses this would fall under, since it is kind of a new, in the last five years, four years, development for the city.
- COPPOLA** Anything else? You can have a seat, thank you. I'm gonna close the public portion of case and start the Board's comments with Mr. Testa.
- TESTA** Thank you. I feel bad for the Petitioner. You guys bought this property thinking you were allowed to have 250 people. I do believe as Mr. Cameron pointed out, you are doing all the right things. You're trying. I appreciate your outreach, the letter, talking to the neighbor last time and having the ice cream social. Unfortunately, it doesn't seem to be helping. Obviously, we have only letters of objection. I did like the use of the words Mr. Cameron used, theoretical, yeah, in theory approving 150 increases. But maybe it's not, so in my eyes, maybe approving this variance would put some constraints on you that maybe put some things under control, but it's hard for me, with all of the neighbor objections, to approve anything up to 150. I could approve of a much smaller number. I'm not sure where it is, maybe below the 75 that puts those same constraints on you, and hopefully some of those constraints having an attendant there

on a basis that maybe it helps improve the condition overall, I don't think I can approve 150 Thank you. Thank you.

**COPPOLA**

Vice Chair Baringhaus.

**BARINGHAUS**

Looking at the property itself, a couple things I see that I think are really interesting. You've been before us twice, you've always had very good plans for, you know, improving the operations at the club or from the hall, from what was, which I think is real positive. Then if you look at the plaza itself, you do have, based on what's in the case, they indicated there's more, you have easily an approval for more than 150 parking spaces. I think I recall it's over 200 at the mall itself, it has what I call a lot of 95 businesses, like accountants, dentists, things like that. These are not real, 24-hour operating kind of businesses that are always going in the parking lot that are inhibiting your ability to park your guests. You know, quite the obvious itself. In terms of the location, yeah, it's challenging. But, I mean, you kind of see it every day around the city where, you know, you'll have bigger annual festivals that are noisy, but yet, and the neighbors won't be happy about it. But again, with the proper controls and constraints on them, you can bring noise level down and make it accommodate, you know, everybody's concerns as best you can. Same with other businesses like yours, with halls and that, you know, a lot of times they are adjacent to neighborhoods, you know, maybe not as close as this instance, but they're still in the general area. And again, yeah, they will have the problems, but those businesses tend to function, and they tend to function well, I kind of question the statement that you're being reduced to 49 people, because I agree, I don't think ever have, I think since the place is open, it's always operated in 150 and really, until a recent inspection, nobody said you couldn't do that. I think, I think again, you have a challenging location. But I think also with your management and your emphasis on maintaining good relations with your neighbors, I think you can make it work. So based on that, I will support the variance.

**COPPOLA**

I thank you. Ms. Hakala.

**HAKALA**

Thank you, Mr. Chair. This is a tough one, man, like you have definitely done your due diligence. You've tried, you've you did what you thought you were supposed to do. But unfortunately, you are right next to residents and there's really no good way to reduce the noise from physical standpoint, besides just controlling it before it happens. I don't mind the idea of some extra surveillance that Mr. Testa was mentioning. We don't know how feasible it is from a standpoint of regulating and how often we want police there, for example. That being said, I think a lot of the comments against you do seem to be against the previous owners, and I think the traffic shouldn't really be an issue with 200 parking spaces and 150 people still have enough spaces. So again, I think there's a lot of kind of prejudice against that other owner. I think I can be in support as long as we have some sort of revisitation to this to make sure things are still going according to plan.



**COPPOLA**

Yeah. Thank you, Mr. Meagher.

**MEAGHER**

Yeah, this is a fun one here. So, there's, I'm balancing two sides. As a small business owner in Livonia, I'm very much for small business. I love that you're working to change the image of what it was when you bought it obviously inferred all of the complaints from neighbors. Here's really where I'm at is right now I'm talking at 55 decibels. It's normal talking. So, anytime you add a band to it, it's naturally going to be 80 or more decibels. So what, and that's a band that is small, right? So, all of the talk about base or hearing it in a house like that makes sense to me. So, I think even your letter that you sent on August 11<sup>th</sup> saying what the decibel level is, I think that was just wrong, because you're already having guests that have a band, and any band is going to be larger than that. So, from that perspective, I think that that was just, maybe it was an oversight. I don't know. However, one of the things that Mr. Testa said, that I started thinking about, was what potential restrictions could be. I think I'm also going to say this. I think that Livonia as a whole is historically not open to change. That's proven in the last few months. I'll just say that. And I think that this shows that you're trying to do the right thing. You are listening to neighbors, you are thinking about what the future is. I want to give you guys a shot. I think the restrictions having an attendant, I'm not really sure what the cameras are going to do in terms of numbers, but having an attendant there, and I would say having an attendant that actually has you on speed dial, or the police, like whoever the next level up is to actually regulate it would be one of my restrictions. The other, the other piece is that Livonia's noise ordinance restrictions are 11pm to 7am I would just say, why not cut off music like an hour earlier? And then just have, you know your events have a timeline where, think of it like as a compromise to the people. Imagine that you were living in the house next door, right? Your baby's asleep 10am or 10pm like you'd be pissed by 11pm right? So, I don't know, try to try to find some compromise in there again, 55 decibels, right now I'd be, I'd be super mad at 11pm if that was still going on, and I could get that piece of it. So I think, if we had the opportunity for, I even hate using the word restrictions, but having a timeline or something that we can come to re-petition, I want to give it a shot, so I would be on board with it with restrictions.

**COPPOLA**

Thank you, man, this is not an easy one, because I do empathize with the Petitioners. They were misled by the seller, and unfortunately, they didn't do thorough diligence to ensure that they were able to run the business that they wanted to run there, that's really unfortunate. We're here to say, with that, stepping back the prior owners, I mean this is a retail strip mall. This was never intended to have this type of business and that's why we have these types of restrictions. This was, this is never intended. You've got residential homes extremely close to the property. If, if that was put out as a, you know, initially put up as a banquet center would never have been approved. Never would have been in there. I really do struggle to see, and I do feel bad, I was a small business owner too. I signed leases, I guarantee leases. I was never comfortable with that, but I did do my diligence. I made sure that I could run the business I want. I was going to intend to run there beforehand, I checked with the city, I checked the

ordinances, I worked with a lawyer to make sure everything was appropriate. Unfortunately, you didn't check all the boxes, and that's why we're here today. I truly don't think. This type of business belongs in a retail strip center period. That's too close to residential properties. And again, there's actually two variances that we're really asking to do here. One is a use variance to allow it to be operated as a banquet facility. And then the other one is, is then. Now there's a banquet facility. It can be 300 less, you know, less than 300 feet from the residential so I might, I'm really not, not very much in support of this, and that's why I kind of kind of pushed you to reschedule as best I could, that maybe you'd have a little more openness with some of the other Board Members for this, I can support a tabling, we can try any, and I apologize. I mean, we never know there's a one of the Board Members had an emergency, he couldn't be here tonight. The other one had a vacation scheduled for some time. It couldn't be here tonight. That should have been as soon as we knew, we should have communicated sooner. I didn't know we were down to five until this morning. I would, agree to table it, because I just, I can't support this. I'm sorry. I don't want to set this precedence so that we have before long. You know, there's, there's event centers in all of the strip malls throughout ammonia because, because we allowed this one. So, I will go ahead and open the floor for a motion.

**BARINGHAUS** Mr. Chairman.

**COPPOLA** Mr. Baringhaus.

**BARINGHAUS** I'd like to move that Appeal Case Number 2025-05-15 be tabled, which will allow the Petitioner time to come back to the Board with a definitive list of guidelines for operating their business in terms of defined guidelines for crowd control, defined guidelines for noise levels at the facility, defined guidelines for a command operations, anything, any potential areas that could impact the surrounding users.

**TESTA** Support.

**COPPOLA** Motion by Mr. Baringhaus, support by Mr. Testa. Go ahead and take roll. May I ask a question real quick to Mr. Fisher. A use variance case to table it, do you need five votes or do you need four?

**FISHER** No, just tabling it and you're not really taking any action.

**COPPOLA** So it's just four votes. Okay?

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

**RESOLVED: APPEAL CASE NO. 2025-05-15, Najae and Donovan Dixon, Belmond 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 return with a definitive list of guidelines for operating their business in terms of crowd control, noise levels at the facility, hours of operation, and anything that might affect the surrounding neighbors. The Petitioners shall return within 6 (six) months of the tabling from the June 3, 2025 ZBA meeting or the end of the calendar year and have the opportunity to be heard by a full Board.

**ROLL CALL VOTE**

AYES: Baringhaus, Testa, Hakala, Meagher

NAYS: Coppola

ABSENT: Klisz, Rotondo

PASS/FAIL/TABLED: PASS: TABLED

**COPPOLA**

Mr. Dixon, you've been tabled. So, we just put a timeframe on that, on the, you know, come back within a certain period, we could continue with the six months? It started back in June, which put them through December. If I know there's a full Board and we have five cases, I will put them on as a six case, so that they're able to come forth with a full Board. So I will, I will make sure to do my best to make sure that you get in within that six-month period. I think it started June 3. So, it goes to this December 3. It gives them another, basically, another three months. And so, I'll work with the Building Inspection Department to get you in. I think we have a meeting scheduled on the 23rd but I know we're going to be short one member. Then I think Mr. Klisz, November.

**BARINGHAUS**

I can double check. October 14th.

**COPPOLA**

Try to get you in. I'd like the whole Board here so that you can have seven people voting for you. You almost, you almost got them, but I personally can't support this. So, let's see. let's give them to the end of the year for now, so that would put us potentially in December. I don't

know if we'll get second meetings yet, either of those. But let's work with the Zoning Office, and we'll get you on an agenda that I know that there'll be a full Board. I know Erika sent a note asking everybody to tell her when you're not going to be here. So, I'll hopefully within a week, I'll know, and then we'll reach out to and let you know when we'll get you rescheduled. And we'll do one more time. Keep doing what you're doing. Work with your neighbors. I'd like to, you know, personally, I'd like to see that you have someone there all the time. You're kind of treating this as a banquet, Air B and B, you know, you kind of give them the code to go in. They go and have a party, and then when they're done, you come to clean up. I think this type business needs a lot more attention to ensure Yes, you've got a deposit that they'll lose if they don't follow. But that doesn't help the neighbors. They've already been impacted, and you get to keep an extra money because the neighbors are packed. It doesn't seem equitable to me. So, it might be a way we can work something out. Think about that, and that's something you can propose to the Board when you come back, and maybe you'll sway me too at that point in time, I'm always open to being swayed with the proper argument. So, we'll try to get you scheduled as before the end of the year, as quickly as we can. But I think you should be heard by the full Board, because, again, you need five votes. So, you need, you need almost everybody. Okay, all right, thank you. Can you call the next case? Please?

**APPEAL CASE NO. 2025-07-24, 36520 Kingsbury Road:** an appeal was made to the Zoning Board of Appeals by Jennifer and Mark Thomas, seeking to construct an above-ground swimming pool with a deficient side yard setback.

**Side Yard Setback**

Required: 10 feet

Proposed: 3 feet

Deficient: 7 feet

This Low-Density Residential property is located on the north side of Kingsbury (36520), between Comstock Street and Williams Avenue, Lot. No. 067-01-0072-000, N-2, Neighborhood, rejected by the Inspection Department under Livonia Code of Ordinance, Section 15.40.100.

**COPPOLA** All right, thank you, Mr. Winkler, anything you'd like to add?

**WINKLER** No, just gotta keep clearing those electrical wires.

**COPPOLA** Okay, help me understand the trigonometry of 10 feet.

**WINKLER** So couple things, the 22.5 feet is from the National Electric Code 2023, it's a requirement that any surface of a water be 22.5 feet at any angle, whatever angle it's going to be at, the city has an ordinance for 10 feet horizontally from the overhead wires. So, as this angle gets up, if it hits 10 feet, you got to stop. If it goes past, you can't go less than 10 feet from the direct drop of the wires. But it's also got to maintain that 22.5, so in this case, when it's coming in on a service drop that's naturally lower as it gets to the house. So, it makes it more difficult to maintain the 22.5 from the surface edge of the water.

**COPPOLA** So if you have a four-foot pool, it starts at the four feet. Gotcha, I think. And that's any position of the wire, no matter measure from every point of the wire. Where do you measure that?

**WINKLER** You take the, you pretty much, you can tell, because you know, normally, a pool is going to be rounded, so you just take the closest point.

**COPPOLA** No, but I'm talking about the wire. Where do you do for the wire? Which point of the wire from?

**WINKLER** Where that pool is the closest to it, wherever along that wire. It does not matter. Could be at any point along that wire.

**BARINGHAUS** You have to measure it.

**WINKLER** Yeah. Hook the tape on the end of the wire and pull the dimension.

**COPPOLA** Could the Petitioner come up please, just for the record, name, address please.

**J THOMAS** Jennifer and Mark Thomas, 36520 Kingsbury, Livonia.

**COPPOLA** All right, tell me about your pool.

**M THOMAS** We were looking at putting in a pool at the end of last summer, we came to the city to see what the specs were, what the restrictions were. We were told, as long as the service drop is beyond 10 feet at the edge of the pool, we'd be good. We bought a 15x30 pool from Watson's. It was about \$10,000, put it in last spring. This is where 22 ½ feet from the water's edge came up, which really messed up our plants. We ended up reducing the pool. We ended up taking it back and taking a hit to get a smaller pool. And if we are allowed the variance to move the pool three feet from the property line, from 10, that should give us enough room to maintain that 22 and a half feet to the back power lines and for the service drop coming in from the pole.

**COPPOLA** Just out of curiosity. Why not move the pool back further to the back property?

**M THOMAS** With the 23 and a half feet, the AC code does state that, you know all these 22 ½ feet restrictions apply, but that 10-foot limit, the horizontal limit, our wire action drops 12 feet away. Are we still restrained by that 22 ½ feet, even though the service drop drops outside of that 10-foot horizontal limit?

**WINKLER** You're going to be held to both numbers. So, it's a 10-foot minimum horizontal. If it's the main power at the top of the telephone pole, which is say, 25 feet up, then it's the 10-foot, that's it. Once it starts dropping, coming into the house, you're still at 10-foot horizontally, but now you've got to contend with 22 and a half feet to the water's edge. It's an added restriction in the electrical code.

**M THOMAS** I thought it was a limit, so beyond 10 feet that 22 ½ feet wouldn't apply?

**WINKLER** It still applies.

**M THOMAS** Okay. So, if we've reduced the pool from 15x30 down to a 12x23 and if we move it, I have a permit ready to be put in if we are allowed this variance, and it's been diagrammed out, we should be 18 and 20 feet away from the service drops with the smaller pool. If we're given a variance of three feet to the property line.

**COPPOLA** But again, the question was, what if you moved it back towards the further, towards your back property line?

**M THOMAS** Right now, the current permit that's going to be put in tomorrow if this is approved. We're 18 feet away from the property line, which gives us right about 22 ½ feet to the power line from the water's edge. So, moving it closer to that back property line would violate the 22 ½ foot restriction.

**WINKLER** So what he's asking, the back property line is going to have your overhead wires. They're going to be way up at 20-25 feet above the ground.

**M THOMAS** They're actually about 12 feet above, they're low. I've kind of mapped it out with the current fence line.

**WINKLER** And most of the time when I'm working on approving a pool, I would do a site visit. I haven't been to this house to see the exact wire layout on this one, but if you are 10 feet away from the rear property line, you're saying that you're still only going to have 12 feet is what you're saying. So, it's the top wire. The topmost wire carries the electrical current, not the ones that are intermediary. Intermediary is going to be your cable, your phone, so it's only applicable to the topmost wire.

**M THOMAS** Right, I did have one of your Inspectors come out, not Matthew, Joel. He came out and he looked at it. And looked at it, and he saw the electrical line. I think there's two of them. There's a high powered one, which is really high, yeah, there's another one that carries to the house. That's the electrical line, that's only about 12 feet off the ground.

**WINKLER** So, he's the authority. He is the Electric Inspector for the city, right? So, what he says, as far as electric is concerned, is what you have to go by. That's what we go by.

**M THOMAS** Yeah, that's why we're applying for the variance.

**WINKLER** Yeah, if he doesn't like it, we don't go against what he says. And we always consult him in situations like this.

**COPPOLA** I guess my only point was, if the wire is diagonal and it's moving further away from the pool, further back you go, and you move the pool back. You would think it would be to go further away

**J THOMAS** I think it's because of the power line that's running behind the fence line, the back of the property line. We're not sure what the height is on that one. It looks like it's 12 feet, but it might, but like you guys said earlier, you can't take a tape measure and hook it to the end.

**BARINGHAUS** So you are dealing with two power lines.

**J THOMAS** Two power lines. just one diagonal running along the property.

**BARINGHAUS** And again, you mentioned earlier, your diagrams show the pool is 20 feet back from your property lines. Actually, 18 is what you said.

**M THOMAS** From the back of the property.

**BARINGHAUS** So, just 18, actually 20 feet back from the property line. It's actually eighteen.

**COPPOLA** So have you talked to your neighbor that would be impacted?

**J THOMAS** Yes, we have and they're okay with it. They didn't submit any objection.

**TESTA** Mr. Chair.

**COPPOLA** Mr. Testa.

**TESTA** Question for the Petitioner and Inspection can jump in, is there a possibility to have DTE move your overhead power line, have it attached here, or come to your house further to the east?

**M THOMAS** It is. It's about a \$2,500 expense to have it moved. We have a Florida room that extends out, which would block the moving. We'd have to channel through that Florida room to put it on the other side of that. It's a very expensive we've had it forwarded out a couple times, and it's about two grand to \$2500. We have to add a quick disconnect from the fire department if there's a fire. That's the new code. So, there's a lot of stuff we have to do to get that house out to code. When we move the line.

**WINKLER** Just to be clear too, you're not permitted to channel through the foundation of any of the house, except for the box on the house itself. So, you couldn't bury a line going underneath the Florida room. You'd have to go around the Florida room. Just keep that in mind.

**M THOMAS** Would we be able to go around that Florida room?

**WINKLER** I mean, you could run the conduit under the ground around it. But you just can't go through the foundation or under the foundation.

**M THOMAS** Could we go under the roof line? Because we have a brick patio that was put in before we moved in, you would have to bust all that up to bury any kind of line.

**WINKLER** I mean, if you moved the actual like this one, you've got the relocated overhead wire, yes. I mean, if you relocated onto the other side of the Florida room, yeah, you could certainly do that. I mean, that's going to be a new wire on the house itself as well with your electrician.

**TESTA** Yeah, okay, yeah, thank you. I'm glad you looked into it.

**M THOMAS** The research we've done on this, it's been over a year.

**J THOMAS** That's the whole thing. We tried to do the due diligence before we even purchased it. We went to, you know, we came here, we went to go find out for easements. We tried to make sure everything was correct before



purchasing. So, had we known this last year, we would have maybe reconsidered the option at the expense.

**BARINGHAUS** Mr. Chairman, question on the Inspection Department. So, the photograph showing option two with the three-foot side setback on the pool and then 18 feet from the rear property line. Would that be sufficient to meet ordinances?

**WINKLER** The ordinance reads 10 feet from any property line that that's 15.40.150, fencing can't be within 10 feet of a fence. I mean, that's really why we're here, and I think they put that in case you splash chlorine water over the fence into the neighbor's lawn, maybe damaging their flower garden, damaging their lawn, really, probably the main cause of it.

**BARINGHAUS** 7-10 feet is...

**WINKLER** ...by ordinance. Yeah.

**COPPOLA** What separates the property between yourself and the neighborhood of the impacted?

**J THOMAS** Currently, chain-link fence.

**COPPOLA** A four-foot chain-link fence?

**J THOMAS** Yes, whatever my height of my apartment.

**M THOMAS** It's a standard cyclone fence.

**COPPOLA** Any plans to make a change with that or are you leaving that?

**M THOMAS** We would be leaving that, there's no plants on either side, just a normal grass side, no flower bed, no pots, no...

**COPPOLA** You said you spoke to the neighbor. Did they submit?

**J THOMAS** He did not, and he's up north. He did receive the letter, and his tenant, who lives next door to us, confirmed I do, which is irrelevant to you guys, but I had a text message from them to saying that he was okay with us doing it, and I know that the current tenant that's renting is totally okay with us, not that she matters, but she does I mean, I don't mean that in that way.

**COPPOLA** Any questions for the Petitioner?

**WINKLER** Can I speak, say something, Mr. Chair?

**COPPOLA** Absolutely.

**WINKLER** Now, you are allowed to put a pool three feet away from a house, so three feet from the fence, you know, or three feet from the house. Ordinance reads 10 feet from a fence, but building code is three feet from a house, and the ordinance does not, does not say anything on that. So, there is that to consider as well.

**COPPOLA** And it looks like option two is what you're going with, the variance? Your option two is the is what you're going for with the variance, and that's going to be pretty close to the patio, right?

**J THOMAS** The closer you go to the house, the closer the power line comes in.

**COPPOLA** Okay? Anything else? All right, seeing none, just stay there for a minute. Does anyone in the audience like to speak for or against this petition? Do you have any correspondence?

**BARINGHAUS** No letters, Mr. Chairman.

**COPPOLA** All right. Anything you'd like to say in closing? Step up.

**M THOMAS** We're at your mercy.

**COPPOLA** Your timing is perfect, by the way.

**J THOMAS** No.

**COPPOLA** All right, you can go ahead and have a seat.

**M THOMAS** Thank you. Thank you very much.

**COPPOLA** All right, I'm going to close the public portion of the case and start the Board comments with Ms. Hakala.

**HAKALA** I would generally be in support. I guess. I don't know why, my first reaction would be to relocate the head wire, just so that you avoid a problem with your neighbors in 5-10, years when the tenant changes or ownership changes, because that's just going to be another headache. My first reaction would be to relocate your headline. I mean, spend \$10,000 maybe that's not...

**COPPOLA** All right, Mr. Meagher.

**MEAGHER** I was kind of laughing when Mr. Testa said to join the local book club, but I mean, this is, I think as long as it is, it adheres following electric standards. I don't see a problem with this, as long as your neighbor doesn't have a problem with it.

**COPPOLA** Thank you, Mr. Baringhaus.

**BARINGHAUS** Yeah, I agree. I can support the variance. I think option two is the most workable solution for this. You've made the effort to talk to your neighbor about the three-foot setback on the side of the pool. There's no problems there. Fairly complicated from an electrical standpoint, not one, but two orders were in three years. So, like the complimentary on the planning to pull this plan together to make it work. So, I'm in favor of the variance. Thank you.

**COPPOLA** Thank you. Mr. Testa.

**TESTA** Thank you, Mr. Chair. I can be in support of this as well. I understand your predicament, the 10-foot clearance and what I would have gone by to said I had heard of this 22.5 requirement, until this case, that's new to me. So, I will be in support of this and I do know several people that are members of swim clubs that also have pools at their home, so you could still join them.

**COPPOLA** Thank you. I guess I can be in support of this. I think the hardship is, is proven with the wire. It's a rather, rather small area. When you get the confines of the wires at the rear of the property than you have the overhead wired, I think that creates a practical difficulty on placement, so I'll be in support. I will go ahead and open up the floor for a motion.

**BARINGHAUS** Mr. Chairman. Resolved that the Appeal Case Number 2025-07-24, filed by Jennifer and Mark Thomas, be granted for the following reasons, and finding in fact: The uniqueness requirement is met due to the size of the-- small size of property and the number of electrical lines running overhead on the private property. Denial of the variance would have severe consequences for the Petitioner, due to their inability to conveniently locate the pool within their yard. The variance is fair in light of its effect on neighboring properties and in the spirit of zoning ordinances due to no neighbor opposition. Property itself is classified as N-2, Neighborhood, under the Master Plan, and the proposed variance is not inconsistent with that classification. Further, that the variance be granted with the following conditions: that it will be constructed as presented tonight and located, constructed and located as presented tonight.

**MEAGHER** Second.

**COPPOLA** I have a motion by Vice Chair Baringhaus, supported by Mr. Meagher. Any discussion?

**HAKALA** Can we have an additional condition? Could you have something right from the neighbor, just in writing, to say, "I approve."

**MEAGHER** Which neighbor?

**HAKALA** The three-foot neighbor.

**MEAGHER** The renter or the homeowner?

|                |                                                                                                                                        |
|----------------|----------------------------------------------------------------------------------------------------------------------------------------|
| <b>COPPOLA</b> | It would be the homeowner.                                                                                                             |
| <b>MEAGHER</b> | Okay.                                                                                                                                  |
| <b>COPPOLA</b> | Just clarifying on the first condition that it has been applied as option two from this petition.                                      |
| <b>FISHER</b>  | Option two on what?                                                                                                                    |
| <b>COPPOLA</b> | The submission on the petitioner submission. So, they provided a, provided some, what they call it, it would have been the site plans. |
| <b>FISHER</b>  | Right. We'll go with option two.                                                                                                       |
| <b>HAKALA</b>  | They look exactly the same.                                                                                                            |
| <b>COPPOLA</b> | They look exactly the same. We can pick whichever option two we want. Option 2a?                                                       |
| <b>MEAGHER</b> | Either way.                                                                                                                            |
| <b>COPPOLA</b> | Okay, ready? Fire away. Take a vote, please.                                                                                           |

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

**RESOLVED: APPEAL CASE NO. 2025-07-24, Jennifer and Mark Thomas, 36520 Kingsbury Road:** Seeking to construct an above-ground swimming pool with a deficient side yard setback.

**Side Yard Setback**

Required: 10 feet

Proposed: 3 feet

Deficient: 7 feet

This Low Density Residential property is located on the north side of Kingsbury (36520), between Comstock Street and Williams Avenue, Lot. No. 067-01-0072-000, N-2, Neighborhood, rejected by the Inspection Department under Livonia Code of Ordinance, Section 15.40.100,

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

1. The uniqueness requirement is met due to the small size of the property and the number of electrical lines running overhead on the private property,
2. Denial of the variance would have severe consequences for the Petitioner due to their inability to conveniently locate the pool within their yard,
3. The variance is fair in light of its effect on neighboring properties, and in the spirit of the zoning ordinance, due to no neighbor opposition, and
4. The property is classified as Low Density Residential under the Master Plan, and the proposed variance is not inconsistent with that classification.

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

1. The pool will be constructed and located as presented for Option 2 at the ZBA meeting of September 9, 2025, and
2. The Petitioners will obtain written permission from the neighbor for the three-foot setback for the side of the pool.

**ROLL CALL VOTE**

AYES: Baringhaus, Meagher, Hakala, Testa, Coppola

NAYS: None

ABSENT: Klisz, Rotondo

PASS/FAIL/TABLED: PASS: PASS

**COPPOLA**

Petition is passed five-zero with two conditions. Number one is that you're just going to place, place it as you presented your option two. Then number two, that when you come to pull your permit, that you'll need to submit a written letter from the neighbor, statement that your proposal is okay with them. Okay? Thank you. Call the next case, please.

**APPEAL CASE NO. 2025-07-25, 38560 Morningstar Drive:** an appeal was made to the Zoning Board of Appeals by Kristina and Jesus Jimenez, seeking to erect a privacy fence against an existing chain-link fence resulting in two fences separating properties and a privacy fence erected on a shared property line without neighbor authorization, which is prohibited.

This Low Density Residential property is located on the north side of Morningstar (38560), between Meadowview Lane and Hickory Lane, Lot. No. 022-01-0010-000, R-U-F, Rural Urban Farm, rejected by the Inspection Department under Livonia Code of Ordinance, Section 15.44.090 A and B.

**COPPOLA** All right, Mr. Winkler, anything you'd like to add?

**WINKLER** Not at this time

**COPPOLA** Any questions for the Inspection Department? All right, seeing none. If the Petitioner can step forward, put him over here, and I'll need your name and address for all those that wants to speak.

**K JIMENEZ** My name is Kristina Jimenez.

**J JIMENEZ** Jesus Jimenez. We both live at 38560 Morningstar.

**K JIMENEZ** Thank you for your time. So, I wanted to give you, I wasn't here in the last hearing, so I did want to share with you some information as to why we're requesting this. Also we have already a fence on both sides. This is related to a similar case, if you see in your documentation that a year ago we purchased the house, fences, another case were requested for variances that were denied from this same neighbor, Mr. Strohmer. A year ago we bought this property, both fences all around were already constructed. When we bought this property, there was one portion of fencing, I think it's dog ear. It's called fence that we'd like to continue to, I'm sorry, two sections that we'd like to continue the run. We live in the Livonia Estates, Eight Mile and Newburgh, I guess, behind Greenmead. So, it is a little bit of a rural area. It's RUF zoned. So, when we purchased this property, our dream home, we moved from Perth, so we've been in a Livonia. Our children have been in Livonia schools their entire life. We anticipated having a more rural atmosphere. Yes, we love the area, but we also want to have our privacy. We have two dogs, one puppy, and we were looking forward to having a nice size lot with the fencing that we had already seen was on so we didn't think that was a big deal. So, with that being said, we were there maybe four or five months, and our neighbor did experience some issues already with one of the opposing neighbors that you'll speak with tonight. During that, the case had been since denied based on that Police Department. So, during all of that process, while we were watching this unfold, my husband decided, you know, let me talk to the Inspection Department to make sure that we are completely in compliance with what we want to have and do, so, everything is agreed to. We received one approval, one permit. We put in place a portion of fence that abuts against our neighbor on Eight Mile Road. We have no

other neighbors on Eight Mile Road, but we do have one neighbor that is intersected at our street, and we abut against his rear of the yard, which is similar to like a wedge shape. Okay, so we are here asking for permission to erect a similar, continued-run fence for the section. This is a request that I'm asking not just because we want to do it. I wish we could be under different circumstances, hearing some of the cases tonight, I guess we're not alone. But from the time we had moved in, up until even recently, in the past days, we did not, right away meet Mr. Strohmer or any of the other neighbors, other than our adjacent neighbors, who both similarly have a case, have a contentious relationship with this opposing neighbor, okay, but they have friends and design think, I think your Inspection Department is very familiar, possibly, with this case and or this these neighbors, because there are three of us in a row that have been involved. So, we're asking for this because in the one year as of late July, is one year we've been at this property, we have had six police interventions. We have had numerous, I guess, verbal altercations with this neighbor, when I say we, I mean mainly my husband and the neighbor, but I will speak to my experiences, and then I can let him carry on, and I do not see any way around it, unfortunately. I think it will be best if we had this fence to discontinue any escalation. Stop it here. Like I said, we've had six police calls. My children play in the backyard. We have two dogs. This neighbor has a dog as well, that's aggressive. We have enough evidence and proof for many other things that I don't want to get into tonight, but since we moved in, like I said, I met his wife, I think she's a good person. I don't think I can say the same for the gentleman and I don't feel safe. They will come to the back of their yard and stare they have, and I don't know if they are aware of these things, and that's what scares me more, because they can walk by with the dog and let it urinate at your flower bed and think that it's okay. And if I ask, can you please, one of my specific words please refrain from having your dog pee on our flowers. I get responses that just don't quite make sense to me. So, with that knowledge that this relationship, we're probably never going to agree. That's why we're asking for this variance, the response I get is, I hate to say it, it's that's the day I knew only female dog's urine will kill your plants. And I'm just, there's no, there's no reason for me to argue with these neighbors. I cannot. So, I'm sorry to be here to spend our time here and money, but I think this is going to stop an escalation of something far worse. We've applied for a PPO as well. That was at the second time we had the police over based on Freedom of Information Act. We have six videos from the police body cams. Definitely willing to share that if you if anyone wanted to see that, because I do think that is the proof, because if you speak to this person, there is not an ability to find a common ground. I will never stoop to those levels. So, I ask you, and I plea for my family, if you guys could consider this, I don't know, as to the aspect of having a double fence, or if we could completely continue the run. I don't think this neighbor will ever agree, because this is one of the only levers, in my opinion, that he has, that he will hold on to. Other than that, I'm coming to you as a mother, as a homeowner, in our dream home. It's a lovely, lovely home. We worked our tails off to get here, and I'd love to continue that on and continue growing in our garden and being able to go in our garden

with our family and enjoy it without harassment. I wish it could have been other circumstances. That's all I have to share.

**J JIMENEZ**

So most of the stuff that my wife says, all of it's absolutely true, but most of it was always passive aggressive, little moves, play around, walk in the backyard, making it look like they're there, but not there. But it was when I asked for permission to paint the fences that the other neighbors on the west and east side had put up, because we share those same fence lines, the fence line, so it benefits me as much as it benefits them to paint that fence line. So, I asked for permission to go in his backyard to paint that fence line. From that moment on, it just blew up right then and there. All videos that were recorded have been submitted to the Livonia Police and all the body cameras, the body camera footage has been submitted. I actually gave Matthew a USB of all the videos on August 11, on Monday at 3pm, I'm not sure if you're sharing with you guys yet. I'm not sure if you've been able this afternoon to see it, but it's very, very nonstop. The police told him and his wife several times to leave us alone, that they've both given us No Trespassing orders. You go this way. Part ways. Don't look at each other and leave it be. Up until last week, the talk, and I don't know the right word to say with it but knowing that the police have been up the house, it's six different times, three different times, expressing our desire that we don't want anything to do with them. They're still waving and smiling at us, my kids, when we're coming home from practice. We bought this house to host. It's not a very big house at all. It's actually three bedrooms, a ranch with a walkout basement. That backyard is where we entertain and stuff. So, my son plays Varsity football. My daughter is on marching band from both Stevenson High School. We're hosting football dinners at the end of this month, and the trumpet section within another week and a half. You know what I mean? So, It's not just about, oh, I want privacy now. Like my wife said, it's very severe, more serious than that. At this point, it's for safety. I don't feel comfortable with him staring at the kids and what we're doing when we're doing it, who's there. I've had guests with me when we're having private bonfires. And coincidentally, it's not that... these are not small yards. These are half-acre yards. So, you're going from your house, walking all the way to the back at the very corner. When I confront you and tell you, Hey, I'm not comfortable with this. What's going on? He solidifies the fact to remind me, I can do this all day long. This is my property. I pay taxes here. Absolutely you can. Nobody's taking that right. All I'm asking for is for privacy now, so that you can mind your business and we can mind ours. That's it. I offered him the color of choice before I painted any fence, me and the neighbors all agreed, sure, let pick the color, and we'll all continue that same color. I showed him landscaping ideas that he could plant on his side. I was even going to offer to buy arborvitaes big, tall bushes that he could put on his side so that we can he doesn't have to look at the fence. But then I found out he owns a landscaping a nursery, so at any point, he could have cooperated. He could have helped Dave in the previous case, back in February, and said, hey, you know what, I don't really want a fence, but let's try and figure something out with these plants and bushes, and maybe you can split the cost at wholesale. Instead, he gave him a quote for vinyl. Now his argument is, I don't want wood. It has to be vinyl. But



what a double standard that he has a wood fence at his front entrance to his yard, but I can't have it at my back. It doesn't make sense to me how you hold everybody up to a standard of it has to be this, but we can't do it on our yard. I'm sorry, but there's a lot of frustration in motion in offices, because this is not just a regular dispute or an argument. It's recurring. It's happening. It's still happening. I filed for a PPO on July 8, the day that I submitted this application. I came here and now my lunch break, submitted this application on July 8. After I left here, I went to the police station to get the police footage from July 4. The police told me to file for the PPO. I filed on July 8. July 8, at 9pm he was at the back corner again. Three Livonia police officers came back out to the house to again, remind him, leave them alone. They don't want nothing to do with you. If that PPO had been signed that day or any sooner, he would have been arrested that day. I still don't know what else to say.

**K JIMENEZ**

Chronologically, I was just trying to follow and share with you all of the things that we've tried to do to avoid this. There were, I think, four separate times. The first time my husband asked about the fence. It was, *let me think about it*, and it was *that sounds good*. Second time was, *I'm not feeling well*. So okay, it was getting closer in the season we wanted to pull a permit, which we did, but we've got one section only done. He asked Mr. Strohmer again, where that was the third time, where he said, *No, I don't want a fence*. I think at that point he was frustrated, but we also wanted to get an answer. I also do think that when we first met him, it wasn't under the best circumstance, because my husband walked over there maybe 7:45 around a similar season, and his wife called the police. That was our first interaction when we moved in. The police came and left, no, I'm sorry, and he ended up in our driveway anyway. So, it's really, I don't know. It's just very confusing what I hear one day versus another day. The history and the pattern of behavior. I don't care to continue a new relationship. That's why I think we do need the fence. I love our neighbors. All our neighbors are really good. We have porch therapy sessions, and it's just about life, work, kids, etc. So, I would love to have that and continue it, but I do know at this point, with the interactions that I've had in my experience, that I don't think that we're going to be able to get past this, and I think a fence will help. I pray maybe one day we can. I did have a neighbor years ago that ended up being our best friend, that it didn't start out so well and he's 93 now, and that's still our friend, so we'll see. But at this point, we'd still need to consider our safety. His dog, on the record, from the last meeting, if you were to see that, there's already been mention of his dog physically lunging and being aggressive. Our blink camera catches his dog every day at the same time snarling teeth at my dog and puppy that's just looking at him like, *what are you doing?* What is that? So, I don't feel safe about the dog as well.

**J JIMENEZ**

We put cameras at the back of the fence too, by the way, again, we didn't want to expose all this. I really did try to do this amicably and most of all, privately at home, between me and then I went to his house in front and out of his porch, in front of his ring camera. So, by accident, inappropriate, harassing, intimidating, he could have reported it and said it then, except, like my wife said the first time, he didn't tell me, you know,

he told me, I'll think about and let you know the second time he told me I'm sick. But even if he was sick, he still let me show him all these pictures of what I was trying to do, what I was trying to propose, you could plant these plants. I could put these LED lights on the fence post. It would run all the way across three properties. Everybody was in agreeance with it. When I went to go ask him for that final time is when he told me no. After July 8, after the day that the police are at the house, after I filed his PPO and for this appeal, mysteriously, 13 days later, I'm rushing my dog to the ER on Ann Arbor Road, just west of 275, I don't know what he ate, and neither could the vet tell me, but it cost me \$1,000 and a few antibiotics. After that day, I put up cameras and I put up another separating fence, 10 feet off of the ground, just to make sure that my dog wasn't going to the fence line anymore.

**K JIMENEZ** Can I interject please? The body cam after that date from July 8. What I want, if he tries to poison my dog? And then we're thinking, why would we, and mysteriously, our dog gets sick, and then we put the fence up. The dogs were fine.

**COPPOLA** What kind of fence did you put up?

**J JIMENEZ** I call it more of a construction fence. It's a plastic fence to keep the dogs out of the garden, and then we extended it to keep the dogs out for the fence line, because I didn't want your dogs over there.

**BARINGHAUS** I understand you're having some of the issues of your neighbors. Let's go back to the fencing around the property itself. What fencing is currently around your property?

**J JIMENEZ** My whole property, besides the section that me and him shared, is completely surrounded with a six-foot-tall dogwood fence. The neighbors on the East and the West had already put it in. This year in April, I believe, I filed, I talked to the other neighbor on Eight Mile, I got their approval. I could only do half of the yard because I didn't get it from them. Okay. Everything else was a six-foot privacy fence.

**BARINGHAUS** And then the area on your site diagram that's surrounded by red line. That's the chain link. Who owns that chain link?

**J JIMENEZ** I don't know, we bought the house last year.

**BARINGHAUS** Is it your neighbor that owns it?

**J JIMENEZ** I would assume that's the property. I don't think anybody, any one person owns it.

**BARINGHAUS** You're not sure the ownership of the property, okay, but you didn't install it. Interesting. So, you have a six-foot dogwood fence that runs around the perimeter of your property, property, with the exception of where the

chain link fence is located. Now your house, where does the fence stop when you come to the side of the house?

**JIMENEZ** At the back.

**BARINGHAUS** At the back corner of the house?

**J JIMINEZ** On both sides. So, if you're coming out in the back door, the fence doesn't go past the back of the house. It doesn't go to the front of the house or anything like that. That would be on the east and west side.

**BARINGHAUS** The side with the garage, where is the dog fence? That's at the back corner of the property? Do you have a gate?

**JIMENEZ** It's a dogwood six-foot privacy with a gate.

**BARINGHAUS** And then the fence on the other side of the property, the non-driveway side, you have a gate on the driveway side, and you have a gate on the other side of the house, correct? And it looks more of a solid fence with a gate in it.

**JIMENEZ** They're both, they're both solid. They're both private. Except the one where the non-driveway is a single panel. The one where the driveway is two panels.

**COPPOLA** Have you considered any other alternatives, as you mentioned, like putting arborvitaes up?

**JIMENEZ** I did, but then when I found him sneaking through the bushes on July 8 and made it clear that, with or without bushes, he was using that to get to the corner. Not only that, I want complete privacy now at this point, because, like I said, I have videos almost every other day of his dog rushing to the back, showing teeth biting at the gate, trying to get to my dogs. So, it's not an exaggeration. When Dave said back in February that his dog was aggressive, it was constantly running the fence line. I have videos of his dog doing that. So, an arborvitae bush might give me privacy back there, but at the base, at the root, where the dog's meet, that's not going to do it there. Arborvitae bush, sorry, it does give me privacy here, but to sneak in between them, like he did on July 8, which I submitted that video at the very beginning of the video, you'll see him right there at the corner behind the bushes. I'm asking for complete privacy. And if he wants arborvitaes, put him on your side. You don't want to look at the fence, I offered him the color, if you don't, if you don't want to look at the fence, plant something on your side.

**BARINGHAUS** Mr. Chairman, just clarification. The chain-link fence. How high is that fence?

**J JIMENEZ** Four feet.

**BARINGHAUS** Four feet. Okay, have you had any conversations with that neighbor about removing the chain link fence and putting in...

**J JIMINEZ** That's the neighbor that we're talking about.

**BARINGHAUS** I understand. So, how many conversations have you had?

**JIMENEZ** Three in total. When I went to his house twice and I went to his nursery once, I found out that they own a nursery.

**BARINGHAUS** I don't recall that.

**J JIMENEZ** There's never been a hate. Never talked to him other than those three times, and besides the meeting.

**BARINGHAUS** His reaction to you removing the fence was?

**JIMENEZ** The first time I talked to him, he told me, *I'll think about it. I'll let you know.* The second time I talked to him, he said, *I'm sick and I don't have the energy right now*, but he let me show him the pictures, and he said, *I'll let you know.* The third time I talked to him is when he finally said, *No.* I said, *Okay, fine.* That was it. I was back in April. I never pursued anything after that. When I gave him a heads up that I was going to paint the neighbor's fence in July, he assumed right away that I was asking for permission or that I had some form to try and get him to sign. All I was telling him was that I was going to paint the fences.

**BARINGHAUS** Neither one of you, are you certain you definitely did not install that chain-link fence. If you can't confirm, well, that the neighbor installed the chain-link fence as well.

**K JIMENEZ** He's here tonight, you could ask him.

**TESTA** Yes, I wanted to piggyback off the question from Chairman about planting arborvitaes. There's a chain-link fence there right now, correct? Sorry. How is he getting through into your yard?

**J JIMENEZ** He's not in the yard. He's right at the chain-link fence. So, it's, it's the invasive staring, just standing there for no reason and playing it off by oh, I'm touching a tree. I'm touching a twig. Again. We have half-acre lot. So, yep, it's not like he takes a few steps. He's walking all the way from the house, all the way to the point.

**TESTA** Okay, so in addition to everybody's gotta agree, the first six inches to a foot, there's gonna be bare spots, but he planted other shrubs in front of that to block that lower.

**J JIMENEZ** That's what's there. Currently, there's shrubs and bushes already.

**TESTA** Okay, but that's just blocking the first, like two feet you want to obviously up to like, six feet or taller. So why not throw arborvitaes in there too?

**J JIMENEZ** The shrubs that we have right now are probably eight or nine feet.

**TESTA** Okay.

**J JIMENEZ** They're in the video. So, if you look at it, the shrubs are at the back fence line over four feet, chain link fence right in front of it. On my property. On my side, it goes up seven or eight feet. There are shrubs already, okay, so that's what he uses to go back.

**TESTA** There are bare spots between the shrubs, and he's able to peek there. Okay, why not maybe fill those gaps with other shrubs?

**K JIMENEZ** I mean, that's, that's a consideration, but we are, because of escalation, and the safety he still presents a clear and present threat, I think. And this is why I said this is not, this is escalating even worse, since April and July. The privacy, I think, would help to avoid that path. We could add all the shrubbery, and I'm sure he would love that, because he wants to view shrubbery, but I think also discussing this, you know, in an adult like manner with your neighbor, and maybe we would have even give him business at the nursery. To be quite honest, I would have loved to do that, because I love spending all day at the nursery, ask him. But right now, it's past that. It's a shouting screaming match. It is pure disrespect. It is losing your total control in front of my family and children. It is bringing your guests to the rear of your yard to stare while we're having a bonfire. So, I feel this is retaliation, one, and it's also it's just not that it's escalating. It's dangerous. I mean, we could save that for another discussion, but yeah, it's dangerous at this point, and it's not safe.

**TESTA** Yeah, I'm asking about shrubs or green you just, I think you can provide more buffer zone, more privacy, and you don't need his permission.

**K JIMENEZ** We cannot control the behavior.

**TESTA** The existing shrubs, are they on your property or his or both?

**K JIMENEZ** It's beautiful landscape. That's why I bought the house.

**TESTA** Okay, would any of it need to come down and put the fence in?

**J JIMENEZ** No.

**TESTA** Okay, so that fence would add just another layer of shielding privacy?

**J JIMENEZ** Yes.

**COPPOLA**

Any other questions? All right, seeing none, have a seat for a moment. So, anyone in the audience would like to speak for or against this petition?

**GASTON**

My name is Nancy Gaston. My address is 38685 Jahn Drive. I live in the Livonia Hills subdivision. I am a person who is actually in charge of all our legal paperwork on the HOA that's supposed to be through our subdivision. Most of this problem is caused by someone's decision to remove our HOA status to the Livonia Hills. It's been in existence since 1955. Now some of these people, when they went to get any type of a permit, would have been told that there's an HOA and that there's rules and regulations that we have as far as fencing. And in the past, I've been notified for input by the Inspection Department and Department of Police. But I have no idea why this HOA has not been specified to the residents in the subdivision. Now, the previous owner that had the chain-link fence put in, she had problems with the temperament of her dog. This is why she had the fence erected. Now I don't believe that she might have had a permit. In fact, I believe there's all three houses back there, don't have permits for the fencing that they got. The residents are going to be there a lot longer than the life of a dog. So, you have to take into consideration that you can't just put up fencing just to protect the dog. The fencing that they have up there, it is stockade fencing. It is the stockade fencing that commercial stores used for having their dumpsters. And what has happened is a lot of wood has been put out has started to weather and to warp, so now neighbors are looking at wooden fences that are stockade that are very high. The stockade fence can be visually discouraged. The property values and the home buyers in our subdivision, and we will probably be in the next couple years, having their two of our neighbors will be moving out. It doesn't enhance the neighborhood, or that has no feeling for the nature. We have a lot of wildlife in our subdivisions. We have deer walking down the road. We've got rabbits, we've got squirrels, we've got groundhogs, raccoons, everything you can think of. And when you have the dogs that are locked up behind fencing, all you have is a lot of barking. These animals are nothing but entertainment. Another thing, sound deadening can be done by erecting plants such as the arborvitaes. It's going to be looking a lot nicer than having the stockade fence as you drive into our sub. The first thing you will see is nothing but a wood fencing. I've been in business for over 25 years, and most of my business is in West Bloomfield. We have very strict HOAs out there. Fencing isn't the problem as much as the privacy. None of the homes that I have dealt with through the years have never been able to put up a stockade fence because of how it looks. It's very offensive as you drive into our subdivision to see the big wooden fence instead of the nature of the trees and all the greenery. Everybody in the subdivision takes care of their homes. So now when you drive in, what you're seeing is nothing but wooden fencing that's starting to warp and discolor from the weather. So, I'm not really happy about people putting up the fencing the way it is. It's not attractive to the home in any way. As far as what's going on with neighbors, which is on, we only have four streets in our sub, it's like a big doughnut. I'm on the back half. So, what goes on towards the front half? I have no idea. So, I don't want to think that I'm favoring anybody in any

way. I'm just saying that fencing is very offensive and especially in our neighborhood, that's all.

**COPPOLA**

Thank you. Name and address first if you would please.

**STROHMER**

Doug Strohmer, 20535 Meadowview Street. I am the neighbor. I got the notice. I wasn't able to submit how I'm about to read to you. I'd like to do that if I could. I have a copy for you, just I didn't have time to submit it by mail. So, I do own a landscape company, and I have been developing a garden center. That is true. With that being said, I've been working a lot of late hours in this timeline. Almost every time he either wasn't at home or it was late at night. So, if I just can do a timeline of events. And I've been living here only 17 years of my life. And again, we like the natural look of it, and there's no other stockade fences in the neighborhood, until last fall, when David Bozyk put his up. I have two points to make. One is the timeline concerning the Petitioner. The second one concerns the same fence This Board instructed Mr. Bozyk was instructed to put my fence back, my chain link fence from the telephone pole to the corner, multiple attempts to contact and get somebody to come talk to me, falling out of deaf ears. This is my first opportunity to present my side of the case. what I see and what actually happened. July 18, 2024, my chain and fencing and five-foot wooden shadow box fence that was between our properties. Dave Bozyk and myself was removed by Dave Bozyk without permits or my written authorization, a six-foot privacy wooden dog ear fence was erected in its place on my property, and my gate no longer closed. August 5, 2024, David, I discussed and agreed that he would replace my chain link fence as it was before, from the pole west to the corner of our property and move the wood fence over from the pole East onto the property line as the survey determined the property line location on or about September 19, 2024 the permanent authorization form was submitted by Dave Bozyk with understanding that the chain link fence of my property line from the pool west to the corner of our property would be replaced as it was before it had been removed. And the wooden fence moved a minimum of one foot, as determined by the surveyor on the pole, east to the corner of the wooden fence. On or about November 2, 2024, the wood part that was determined to be a foot of my on my property line was moved over about 18 inches from the telephone pole east to the corner of the previous fence. However, the remainder of the wood fence from the pole west and corner of our property moved, and my chain-link fence was not replaced, as was agreed in the authorization permit on or about November 15, 2024. First contact with the new neighbors directly to the west of Dave Bozyk, I worked that evening, a person was knocking at our door. My wife did not know who was there. Called the neighbor across the street, the Tomassis, for help. The police were called to investigate a large man on our porch with no vehicle. When I returned home from work that night, I called Dave, the neighbor, we were still talking at that time, to see if he saw anything. He suggested it might have been the neighbors directly to his west inquiring about the fence. I went to the neighbor's house and was greeted by a man and a woman who said, yes, he did knock on our door. He wanted to make sure I wasn't going to give him any trouble about continuing the six-foot wooden fence the

remainder of my property line. And I told him, no. November 20, 2024, Dave Bozyk texted me that he no longer would honor our agreement reached regarding the fence on our property line, and any further communication between us would be through the city of Livonia. February 2025. The ZBA meeting here, Petitioner Dave Bozyk appealed the denial and was instructed to remove the wooden fence, as agreed, and replaced the chain-link fence he had removed. Dave was given six months to do that on about April 10, 2025. Petitioner came to my home. I was sick at home that day. He continued to harass me about removing my chain link fence and installing a six-foot wooden privacy fence. I told him no. On or about the sixth of May 2025 the Petitioner came to my workplace and continued to harass me about removing the chain link fence and replacing it with a wood fence. A coworker was there and also spoke to the Petitioner. I told him again, no. On or about June 10 the Petitioner came to my home and continued to harass me about removing the chaining fence and installing a wood fence. I told him no. July 3, 2025, the Petitioner came to my backyard gate and again, *why won't you sign for the wooden fence?* I told him no, and I asked not to come onto my property anymore. He said, *I'll be back tomorrow in your yard, working on Dave's fence.* I told him no, I did not want him at my home. The next day, July fourth, around 9am I was cutting my lawn and the Petitioner entered my yard without permission. The police were called by me for trespassing. And the Petitioner continued to trespass into my backyard while I was on the phone. When the police came, the Petitioner was given a warning. July 8, in my own backyard, the petitioner was videoing me and aggressively began calling me a stupid MFR, I have photos, but probably don't want to see those. Got a call from on July 14, 2025, I got a call from a guest at my home to let me know that the wood fence was being removed. On this whole process, I was never notified of any activities until they were at it in regards to the fence. I got a call from guests let me know that wood fence was being removed and a chain-link being in place. Guest asked contractor about the fence. Contractor cussed at her and said, if you aren't the Inspector, then call somebody who gives a F. That's been reported too. I came home from work immediately to see a fence. The contractor was rude and condescending to me while I remained on my back porch. I never approached while they were taking while they're putting the fence up. I called Livonia Inspection Department to ask if somebody could come out to make sure that this was done properly. I was told they do not do that. They would not come. And I was asking because, as it was directed by the ZBA and per line agreement with Dave Bozyk. On or about August 7, while I was a work, the Petitioner called police falsely accusing my wife, of poisoning his dogs. When I got home, the police showed up at our home and asked about the accusations. My wife told the police she did nothing to these animals. And then on or about August 14, which I believe is when the last signing off on the Bozyk permit was, I came down here to City Hall and inquired why there's still a two-foot section in this of my chain-link fence that was supposed to be replaced back to the corner. And I was told that they already signed off on it. There was nothing I could do. And it's that's my timeline and I stand firm today, I don't want that fence.



**COPPOLA** Questions?

**MEAGHER** Can you verify the PPO that they were talking about?

**STROHMER** I cannot. I have police reports, copies with me, if you'd like to see them.

**MEAGHER** Does anything that they said, hold any weight to you in that?

**STROHMER** So, the PPO, so my brother was MSP, It's standard procedure. Whatever, it was a conflict, they say you can do this. And he gave him a card and said, these are your options. That's what was told in the police report to the Petitioner. So I had no other knowledge...

**MEAGHER** I guess my question is, they stood up here for more than 15 minutes and had multiple different things to say. Just do you have anything to say to any of that?

**STROHMER** I do. So I've never approached them. He's always come at me. It's always either been at my property or at my place of work, and every time I'm saying no, and then I asked him not to step on my property, and he did it anyways.

**TESTA** Mr. Chair. Has he called the police on you? Do you know that to be true?

**STROHMER** I do.

**TESTA** Okay. How did he step foot on your property? Go through your gate, or there's a fence line between you guys?

**STROHMER** He came around Dave's house.

**TESTA** Okay. And can you see the neighbor to the west has a dog ear fence. Can you see it from your property? Okay? And if it was just continuation of that, you're still objecting to that fence. So, from what you're telling us and from the Petitioners, saying there's not a good relationship between you guys. And that's fine, but wouldn't you want that fence to create more privacy and buffer between you guys?

**STROHMER** No, I would like it to be natural way I was when I moved in. The whole entire neighborhood is absolutely beautiful, except for this fence. And if it doesn't stop with somebody, me, well, I don't want it. It changed the whole scene in my backyard. That's why I asked Dave. We came to terms to take that fence down and put my chain link back, and he agreed to do that. You know, that's not what that whole entire neighborhood is. It's a very beautiful neighborhood.

**TESTA** Okay? Thank you.

**COPPOLA** Okay, thank you.

**C A STROHMER**

Hi. I'm Carol Ann Strohmer, 20535 Meadowview Street, and I'm the wife that supposedly poisoned their dog. Police report should have said because I talked to the officer and I said what I was doing. I was mowing my lawn, mowing the tree, an apple tree back there by this fence. Then I was going around mowing, and there was a rabbit sitting by the fence. Then I was like this far away from the rabbit. The rabbit would not move. I had to go around twice around the tree. The rabbit still didn't move. Then I looked over, there's a little bunny that I must have run over the nest that was sitting there so I turned the lawnmower off, picked up the bunny with the bucket and went over to the fence, the mom to the bunny. That's when the bunny finally got up and moved, because he ran off with this little baby. I don't know if your bird dog ate that baby, where that baby ended up going. That's why the dog got sick, but I am not a cruel person. My husband's not a cruel person. That man came to our house five times. She was a bully when my dog was peeing on her clematis. She has never met me, never, never introduced herself. Came up very bullyish, very aggressive, and said, *you just need to keep walking. just don't stop here.* And I did. She caught me so off guard. I'm thinking, I don't know what I mean, she just caught me so off guard that she's just not a nice person. That's how I felt, because I've never done nothing to them for her to approach me like that. That's all I got.

**COPPOLA**

Thank you, anyone else?

**SANSON**

Hi, good afternoon. My name is Jose Sanson. I live in Fraser, Michigan. I don't live in Livonia, but I'm really good friend of his, we grew up together. He's been living in Livonia his whole life. We grew up in southwest Detroit, moved out to the suburbs, etc., and I just wanted to share an experience that I had when I was visiting. I love this house. I love this backyard. It's a nice fire pit. Has a hot tub jacuzzi for the kids. I have children that are the same age as his kids, and on Saturday, May 24 I was visiting. They had some friends over. All the kids were kind of like in the jacuzzi, you know, the bathing suits kind of hanging out doing their thing. All the adults were sitting around the fire a bit, and that's when I noticed the neighbors. I noticed him, for sure. I'm not sure about his wife. There was like, three other adults with them, and the back corner of their house does sit pretty far back from their back porch. It was late in the evening. They walked all the way to that back corner, and they're kind of just standing there looking in our direction. I don't know if they're looking at us or if they're looking at the kids. I don't know. I was just there. I experienced that, I saw that. We didn't take any pictures or videos, but I did ask my friend like, Yo, what's up with your neighbors, right? You know, like staring at us, you know we're not, I didn't think we're making too much noise. I don't know if they have ever filed like, a noise complaint or whatever, but I did experience that. And I just wanted to add one last thing here, just kind of like listening to everything, and I'm familiar with what's been going on. I've actually seen the videos that he obtained from the police body cam. And, you know, there's talk about a stockade fence that he has a problem with. He has that fence on the other side of his house, you know, a small section of that fencing he doesn't want. I also heard him talking one of the videos to the police officers, which I'm sure

Jesus can provide, where, you know, he came up here, and he talked a lot about his issues with David, the other neighbor on the other side, and how David never had his permission to put up that original fence to begin with. When he quoted Dave \$20,000 to put up the fence for Dave. And it wasn't until Dave went with another company, where he saved almost \$10,000 or whatever, that he had a problem at that point in time. And that's when he said no. And then Dave took the fence down, because they came to the appeal here, and they made him take down the fence. They did not make Dave take down the entire fence. There was still a portion of fence that Dave was able to keep, which is a portion that Jesus was staining on the July 4 that he mentioned. So, Jesus wasn't in his backyard, he was in the front section of the house where he was staining the fence, not just for Dave, but for all the neighbors, because everyone around him has that same fence. Everyone has it. And it's just that small section that backs up to him that he doesn't want. And he says that he wants to look at the nature, open, whatnot. But he had no problem when his company was going to do the work for the other neighbor, Dave, initially. So, I just wanted to point that out, just an observation that I made while sitting here. Thank you for your time.

**COPPOLA**

Anyone else?

**BOZYK**

I'm Dave. Everyone's talking about me, so I should talk. All right, I'm gonna try keeping this short. Dave Bozyk, 35301 Morningstar. All right, yes, there's been a lot of animosity, you know, I served the fence project, you know, I did get a quote for vinyl from him. It wouldn't have been a problem for vinyl, you know, after I put up the fence, it was on his property line, six inches. You know, he didn't like the wood fence along my pool line. Okay, I took down the fence, I moved the fence, I did everything that the city asked me to do and everything that we agreed to. Did I get a thank you. I spent \$6,000, it's been a lot of animosity. You know, I have company over. He decides to mow the grass, he decides to blow. He's like, I mean, come on, you know, I have my daughter's graduation party, put stakes up to my neighbor so they don't park on as long like we're gonna park over there anyways. I mean, why would you do something like that, you know? Why would you throw your you know, like, there's just been so much animosity. I think they should have a fence. I wish I could get a privacy fence. I mean, there's so much animosity between us. Now, I wish I could tear down the fence and put a 12-foot freaking cinder block, you know, I'm almost on the point where I want to sell my house so I have the privacy, per se, because I feel like I've asked for the privacy, and the more I ask for it, the less they want to give me. It's like people over, oh, we're gonna the situation that's happened with him and the dogs and the police. And, I mean, it's crazy. It just makes us want more privacy, you know? And I wish things were different. I wish we all could be friends. I don't know. I think, you know, us all having privacy. You do you, you do you He wants more greenery. He owns a nursery. He can put up arborvitaes, you know, I plan on putting up arborvitaes in the spring. Just, you know, it's like, I can't have my privacy. Yeah, I'll probably put up some trees. You know, I get the case and it's like, All right, well, I'll put some more, you know, I spent a lot of money on my lawn making it look pretty,

you know. Last you know, four years, I've spent 1000s of dollars in fertilizer and making everything look pretty, you know. So, yes, you know, I want a pretty fence. I want my neighbors to have a pretty fence, and I want everyone to have their privacy, you know. And I do think, I honestly do think that you know, he deserves that privacy, you know, to continue that fence line.

**COPPOLA** Thank you. Anyone else? Seeing none. Do we have correspondence?

**BARINGHAUS** We have one letter, from Donald and Rebecca Landess, 38640 Morningstar. Approval.

**COPPOLA** All right, Mr. and Mrs. Jimenez, is there anything you'd like to say in closing?

**JIMENEZ** I want it to end. I've definitely made it clear to the Police. Police have been called several times. Don't look at us. Don't talk to us. Don't talk to my dad, my kids, my wife, my dogs, leave us alone. So, whether we get this fence or not, I still want that. I don't want nothing to do with them, not now, not next week, not next year. The fighting back and forth. I don't want nothing to do with them. That's it.

**K JIMENEZ** I want the same. I don't know any other alternative right now. I think that would be a safe alternative, and I just hope it's not an escalation. I hope this could help that's all, Thank you.

**COPPOLA** And that's it. Thank you. I'm gonna close by the public portion of case and start with the Board's comments with Mr. Meagher.

**MEAGHER** I knew you were gonna start with me, yeah, at this point, I think from hearing the case a few months ago, I think that adds some fuel to the fire for me, for what this means to the Jimenez family. I view this as a true hardship. Unfortunately, it doesn't sound like there's going to be anything but animosity. Livonia is a city of families first, I care about the safety of kids. I care about the safety of animals. I would be in support of this variance.

**COPPOLA** Thank you. Mr. Baringhaus.

**BARINGHAUS** Yeah, basically, I've driven the neighborhood a number of times, and I agree with what I've heard. It's very natural, very park-like kind of, you do feel like you're in the country. And then recently, some of these stockade fences are starting to appear, and then more are starting to appear, and I've heard of some neighbors tonight, I'm not really pleased with the fact itself, but getting back to the case itself. First of all, this Board has never really imposed a fence on an owner that doesn't want this, only in extreme situations. Normally, as you know, with ordinances, permission to direct privacy fence requires the adjacent property owner's permission that hasn't been obtained. Also installing a double fence, again, that's not a really good practice for the community. It creates a lot of maintenance

problems, and you're already starting to see maintenance problems in your neighborhood with some of these older stockade fences that you're starting to weather and work as well. So based on that, I will not support the variance.

**COPPOLA**

Thank you, Mr. Testa.

**TESTA**

Thank you Mr. Chair. I'm not surprised we're here tonight. I think when we were here last time, they indicated they wanted to do a fence as well. I'm glad they went about it in terms of trying to get the approval first before putting it up. I think that was the problem with the other neighbor last time fence went up and trying to get in after the fact. I agree with Mr. Meagher on the hardship here. To me, I think the relationship with the neighbors is, I think, unrepairable, unfortunately. I know the neighbor doesn't want that fence, but I think that fence is going to help shield and keep the neighbors separated. I think that's probably the best course, to not further have other issues or to escalate things more. So, I know we don't typically impose a fence on neighbors they don't want it, less of an extreme case. and I kind of view this as an extreme case, so I'm really in support of it. Thank you.

**COPPOLA**

Ms. Hakala.

**HAKALA**

I am also in support of this, since it seems with the multiple calls to the police, you know, talking this out isn't working, and rate is best call for everybody, just to make sure we're not seeing each other as much. I think safety is a concern just whoever states. I think it's an extreme case where we do need to push forward here.

**COPPOLA**

Thank you. This is a tough one. The last case was hard for me in the neighborhood where we forced the property owner to replace some fencing and such, because generally, in the number of years I've been on here, we and Vice Chair Baringhaus said we very, very seldom force a fence on a neighbor that does not want a fence, unless there's very extraordinary circumstances. Case in point, I think it was our last meeting. We had an issue that suggested that it be done, and it was done, done for that purpose only. And I could think of only less than a handful of times in the decade or so that I've been on Board. I struggle with this when I understand. So, it seems, you know, I wasn't there, so I don't you know there's he said, she said, I wasn't there and the use of police reports, you'd never know exactly the intentions of the parties. Seems like there's police reports from both sides, so you don't understand it as to what goes on. I think there's alternatives here, rather than forcing the fence on, there's landscaping not only up against the fence, which provides some landscaping. It's a rather large, large property. You can put another site, obscuring landscaping throughout the backyard, where you create more privacy without having to put the fence up. So, at this point, I am not in support. We have split Board right now, and so alternatives is to do a motion and vote on this, which I'm not sure we're going to, we're going to

get to, or we can go ahead and table it and leave for a large Board. But I'll go ahead and run the floor for a motion.

**TESTA**

Mr. Chair, unfortunately, I'll move to table. Appeal Case 2025-07-25 to allow the case, well, first to maybe have a lot more time for the neighbors to perhaps find a way to work this out, if not, gives an opportunity for the case to be reheard in front of the full Board.

**HAKALA**

Support.

**COPPOLA**

I have a motion from Mr. Testa, supported by Ms. Hakala.

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

**RESOLVED: APPEAL CASE NO. 2025-07-25, Kristina and Jesus Jimenez, 38560**

**Morningstar Drive:** Seeking to erect a privacy fence against an existing chain-link fence resulting in two fences separating properties and a privacy fence erected on a shared property line without neighbor authorization, which is prohibited.

This Low-Density Residential property is located on the north side of Morningstar (38560), between Meadowview Lane and Hickory Lane, Lot. No. 022-01-0010-000, R-U-F, Rural Urban Farm, rejected by the Inspection Department under Livonia Code of Ordinance, Section 15.44.090 A and B,

**be tabled** to allow the Petitioners to possibly work out an agreement with their neighbor and to have their case heard before a full Board.

**ROLL CALL VOTE**

AYES: Testa, Hakala, Meagher, Baringhaus, Coppola

NAYS: None

ABSENT: Klisz, Rotondo

PASS/FAIL/TABLED: PASS: TABLED

**COPPOLA**

Mr. and Mrs. Jimenez, your petition has been tabled with the intent to try to maybe get a larger Board. We have a split Board right now. I'm not sure we're going to get to the solution tonight, either way, with another two members, maybe there may be enough to get the vote to go either way. So, we need to get you on an agenda sometime later on this this year, as you heard us talk about before, the chances of full Board are a little bit slim, I think, in October and November, unless they're second meetings. So again, maybe what we can do is, I'll work with the Zoning Board. Once we get, we've asked the members to provide their availability for the remainder of the year. Once we know when we'll have a full Board, I'll have the office reach out to you and get you scheduled up and we'll do the hearing from the full board. Okay, any questions?

**J JIMENEZ**

Do you guys have the video that I submitted, the police video. If not, I can resubmit those.

**COPPOLA**

I just want to make sure we get the reporting. I apologize so you're talking about the video. I'm not sure who did you? Who did you send?

**J JIMENEZ**

I gave videos of every police incident to Matthew Stierna on August 11 at 3pm on a USB, and I asked him to give it to you guys. I gave him a copy of the PPO. I gave him copies of the police reports.

**COPPOLA**

I see the PPOs, I see the police reports. I didn't see the USB. So, they may not be able to post videos on the site that we used to share. Okay? We'll check with it.

**J JIMENEZ** Okay. The reason why I'm asking is because even after the again, it goes back to what I'm saying when the police tell him to stop, He clearly doesn't, because on the Fourth of July. And it's time stamped in that group of pictures at 9pm he comes out with a lawnmower, I take a picture or 9am sorry, 930 the police come, and they gave me the copy of the police report. But the middle picture at 10am immediately after the police left, he's back in his yard when he was already at the front, chasing me out of the front, so now that I'm in my yard, painting the fence with my son, he's back in the yard, getting all these dirty stares up and down. He will not stop at what I'm saying. I'm asking for help, not because I'm scared, because at some point I'm going to have to defend myself and my family. I'm not trying to make any threat to anybody else. I can take his verbal lashing and the intimidations. I can take that, but not with my kids. My daughter saw you on July 8, I think she's the one I told me you were out back. She's the one that she's the reason why I went out.

**COPPOLA** We're doing another opportunity to—

**J JIMENEZ** Okay, but can I submit those videos, though?

**COPPOLA** You can resubmit them. I'm not sure exactly what the process is for videos.

**J JIMENEZ** I think it's imperative that you guys see the police video, not just my video, not my personal video that I recorded of them stalking. I'm talking about watching the police video from your police officer.

**MEAGHER** In trying to find fairness in both? Is it possible to request the police reports from the neighbor? Both sides?

**FISHER** You're welcome to ask for all these items, and I imagine why you would be able to manage to be redacted, to protect them.

**J JIMENEZ** A lot of it's redacted. The written reports are redacted, which is why I wanted to go get the body cam footage. I have copies printed of the police reports with, the majority of it's blacked out. That's why I went to go get the videos.

**WINKLER** You gave that to Matt on what date?

**J JIMINEZ** August 11, 3pm. Thank you.



**APPEAL CASE NO. 2025-08-26, 18704 Floral Boulevard:** an appeal was made to the Zoning Board of Appeals by Robert Jaber, seeking to maintain an illegally erected 6-foot-tall privacy fence, resulting in a privacy fence that extends forward beyond the rear corner of the dwelling, which is prohibited.

This Low-Density Residential property is located on the east side of Floral (18704), between Clarita Avenue and Seven Mile Road, Lot. No. 045-02-0196-000, N1, Neighborhood, rejected by the Inspection Department under Livonia Code of Ordinance, Section 15.44.090 B.

**COPPOLA** All right, thank you. Mr. Winkler, anything you'd like to add?

**WINKLER** No, not at this time.

**COPPOLA** Any questions for the Inspection Department? All right, seeing none if the petitioner can step forward. Name and address first.

**JABER** Yeah. Robert Jaber, 18704 Floral Street.

**COPPOLA** Hi, Mr. Jaber, won't you tell us about your fence?

**JABER** Yes, I had, was the Monday after Father's Day, I had a six-foot shadow box privacy fence installed. I had a contractor do it who did my daughter's fence. Unfortunately, he did not pull a permit. So, I don't know, he didn't pull the permit. I didn't pay for it yet. He told me to wait when he came in with the paperwork to ask to see if I can get this approved, I guess the variance I'm asking for is that extra two feet and is at the front of the house. I think the uniqueness to this specifically is that coming off the side of my house, I have that archway, which is about eight feet tall. So in essence, that archway is kind of useless without a fence there anyway. And if I run four feet back to the back of the house, you're running 41 feet back to the length of the house. And it just esthetically, that is not going to look good to jump to six feet, in my opinion, and I want the privacy and the security in the backyard. I've had a couple instances in the past. I've had footprints in the middle of winter where someone ran through my backyard just randomly jumped the fence. I've had someone 6am in the morning in my backyard, who was checking it out. I was working on a Honda Spree, something I was tinkering with, and I had it kind of up in the yard, and he obviously saw it from the road. So, that extra privacy from that fence also kind of some things out of sight, out of mind. Maybe it should have been at the garage, but I was tinkering with it outside. This guy was, I think, trying to steal it. My girls are always out in the yard. I have raised children. I've been here 23 years. They're always doing their dance, practicing for dance, and they're doing their acro and stuff in the backyard, that side yard. I don't want to lose that side yard as an extension on my backyard. We've used it for 20-some years. My kids, we play back there, and they're in their bathing suits and sprinklers and just there's, you know, tons of activities that go into my backyard. So, I really don't want to lose that space. The hardship would definitely be in the security so I don't have to worry about if I had to move that fence all the way to the back. Then my kids are using that side yard in the front. Nowadays, there's so many weirdos in the neighborhood, people around

kids getting snatched. I got daughters, you know, so, there's definitely that side of it, the security side of it. So really it's just an extra two feet. It looks beautiful. The neighbors like it. I've had nothing but compliments. I don't know to me, it kind of seems like a no brainer. It just, it looks nice. It's an extension of that archway on the long side that runs east to west the north side of the house. It is at the front of the house, but it keeps my backyard and side yard usable, and it runs right to the neighbors. The neighbors all approved. And it just, I don't know, I think it just looks great.

**COPPOLA**

Okay, who's the contractor you used to install the fence?

**JABER**

It's, I always forget the name of it. It's Ben Guches Company. They do fences. My daughter used them in Farmington.

**COPPOLA**

So, what's name?

**JABER**

It's Ben Guches. His last name. G-U-C-H-E-S.

**WINKLER**

How do I spell it again?

**JABER**

First name is Ben, B, E, N, last name is G-U-C-H-E-S.

**COPPOLA**

Probably never seen it before.

**WINKLER**

Well, you don't need a building license to do fences.

**COPPOLA**

This is basically putting the footprint of where the former fence is.

**JABER**

Yeah, the side fence from the archway back is exactly the same. Obviously, it's two feet taller. The front fence is probably, it's about two and a half feet back. It was actually in front of the house. The old cyclone fence was out front of the house, and I brought that back, even with the wall. It's a little bit in front of the house. So, I ran it to make the line straight with the neighbors, so it didn't run on an angle.

**BARINGHAUS**

Mr. Chair.

**COPPOLA**

Mr. Baringhaus.

**BARINGHAUS**

When was that fence installed?

**JABER**

It was the day after Father's Day, June. Both fences were actually on a Monday.

**BARINGHAUS**

Does the fence attach to your neighbor's house?

**JABER**

It attaches two of the posts that is theirs, and there's also, there's a, there's a gate over there, but yeah, they go straight across.

**BARINGHAUS** It's attached to the post on the gate.

**JABER** They have a gate that they're going to pull a permit for, but they're waiting for this meeting, They have their own gate. My fence runs from the house to...

**COPPOLA** Mr. Testa.

**TESTA** So you coordinated with your neighbor, then obviously got matching fences and gates?

**JABER** Yeah, I ended up paying for his gate.

**TESTA** So the gate went in the same time as your friend's. Yes, gotcha okay. And were you, I guess you said you learned that the contractor did that bowl permit, so it sounds like you were expecting him to pull a permit or...

**JABER** Yeah, you know what? I'll just plead stupid on this. I guess I never had a fence built. My daughter did his, or he did my daughter's, and they had no issues. I just assumed that's how it was going. I didn't, yeah, that's my bad. I didn't know that he had to pull a permit for it.

**TESTA** Okay, how did you find out you needed a permit?

**JABER** My neighbor's tree fell, almost hit the new fence, like two days after or something. We had that storm come through. Maybe it was the week after or something, and then the ordinance guy saw the new fence. His name is Paul.

**TESTA** Okay, thank you.

**WINKLER** Mr. Chair, can I add?

**COPPOLA** Yes, Mr. Winkler.

**WINKLER** How long was that prior privacy fence there? You said it's been there the whole time you've been at the house?

**JABER** Yeah, it's been there. It was only on one side of the house, on the outside. Well, the pleurae side, yes, yeah, the other side was just giant trees growing through.

**WINKLER** But it's been there for years.

**COPPOLA** But it wasn't a privacy fence. It was only like four feet.

**WINKLER** It's a four-foot privacy fence sight-obscuring, you can get a permit for a six-foot privacy fence and put it five feet. Put it at four feet, however you want to do it, so, doesn't have to be six feet.

**TESTA** So question for Mr. Winkler. Was there a permit for the previous fence?

**WINKLER** That's why I was asking. I looked in Laserfiche. It's been there so long. I looked at old pictures back to 2012 it had, you know, it was deteriorating in 2012, so, and it is permitted, both those houses can, it's back-to-back. They can go into the side yard in that instance.

**COPPOLA** Okay, yeah, I saw that.

**JABER** Yeah, it clears the 25-foot triangle for traffic, everything's the same because it matches up with the with the archway that already existed.

**WINKLER** Which was there probably from the time the house was built too. Yeah, it's really old.

**JABER** I have to get it fixed. It's gonna look really nice soon.

**BARINGHAUS** On the archway, that was the original attachment to the home when you bought it?

**JABER** Yeah, since I've been there, it's been there. I actually grew up in the neighborhood. It's been there since I was a kid. I've lived in the neighborhood since I was six or so.

**BARINGHAUS** Then the fence, you installed to that arch. Is that mounted pole, or is that physically mounted to the arch?

**JABER** There's a post.

**TESTA** Question for the Petitioner. Further down on the corner of Gilman and Clarita, it looks like there is a privacy fence. Is that six feet? It's hard to tell.

**JABER** Further down, Gilman and Clarita. Yeah, it's six feet. Is it the vinyl fence?

**TESTA** Google Maps street view, I can't see what year it was. It's a wooden brownish red.

**JABER** I think it's a vinyl fence now, if I remember right. I think there's a new vinyl fence there.

**BARINGHAUS** Mr. Chairman, question for the Inspection Department. I'm looking at the corner of I think it's Clarita, where you have the fence running to the arch. Is there, like an easement, because it seems like there's no usually it's traditionally, there's a sidewalk, but no sidewalk. I'm curious how far it could have went over.

**WINKLER** As best I can determine. And that's drawing a line from the house to their rear their fence is at the edge of the inside edge of the sidewalk, or within the limits of the one foot off the sidewalk. Because I was checking for that 45 at the driveway as well.

**COPPOLA** Anymore questions for Petitioner?

**BARINGHAUS** One question for the Petitioner, are you gonna just let it weather or stain it, paint it?

**JABER** I'm gonna let it weather until next year. At the same time we installed it, about to let it dry out, and then my intention is to probably put a solid stain on it. Talk to the neighbors. Something brownish, I don't know exactly, dark brown, light brown, probably a little darker, so it doesn't show the water stains.

**BARINGHAUS** Okay, very good. Thank you. Patterned to the color of the shutters of the house?

**JABER** Just both of our houses together, just works really kind of brownie tan and brick and yeah, it'll just something that'll work. My intent is to eventually sign the house with a permanent. The same as the garage, I built a new garage a few years back, that's all vinyl. That will be this. We're going to match it up, I guess it's once, and the fence was falling apart, so they had to get done.

**COPPOLA** Mr. Winkler, I recall that fence is on the side of the house, you can go up to as far as halfway. There's a doorway.

**WINKLER** Yes, if there is a doorway at the halfway point, it can enclose the side door.

**COPPOLA** For purposes of this fence, the back of the house would be where it connects to the, I'm going to call it an addition, like a sunroom?

**WINKLER** Correct. Yes, where that additional sunroom or three season room is...

**COPPOLA** That would be considered the back. All right, any other questions for the Petitioner? All right, seeing none. Is there anyone that wants to speak for or against this petition? Appears no. Any correspondence?

**BARINGHAUS** We have one letter, Mr. Chairman. Marissa Alcantara, 18968 Floral, Yevgeny Vladimirov, 18910 Floral, John James, 18865 Floral, Barbara Smith, 18760 Floral, Eleanor Cleveland, 18849 Floral, Ali Eljaafari, 18875 Floral, Paul Ellison, 18859 Floral, Emily Kline-Kelm, 19005 Floral, Susan Quinn, 18947 Floral, Cheryl Mortinger, 18948 Floral, and Sandra Corlew, 18969 Floral (Approving letter was read). That's it. Thank you.

**COPPOLA** All right, thank you. Mr. Jaber, anything you would like to say in closing?

**JABER** No, I just, I just hope that you'll all just say yay and we can go take a nap.

**COPPOLA** You can have a seat. Thank you. So, I'm going to close out the public portion of case and start with the Board's comments with Vice Chair Baringhaus.

**BARINGHAUS** Thank you. Looking at the photo. I think having a side lot, especially on a street Lake Clarita, is a definite hardship in terms of safety and privacy as well. I do want to compliment the Petitioner for running that particular fence and attaching it to the archway. I think it does give the home a nice look. It's not right on top of the street or a sidewalk. It gives some green space, which I really think accents the home itself. Normally, I would not be in favor of where you attach the fence on the front of the house to the post on the neighbor's gate, but it looks like you talked to the neighbor. You came up with this kind of plan. Homes are very similar. Colors are very similar. So, I think it's all in the end, we've got a gate. It sounds like you have some plans with that as well.

**JABER** She is one of those signatures just so you know. Barbara Smith.

**BARINGHAUS** So based on that, I will support the variance. Thank you.

**COPPOLA** Thank you Mr. Testa.

**TESTA** Thank you Mr. Chair. I can support this as well. I'm impressed with the neighbor support. So, I appreciate that. It was concise on my letter, getting a lot of neighbors, especially the one directly next to you. But also by scanning Google Maps, there are other fences similar to this down that street. You are a little bit unique with that front archway, so you are going a little bit more further forward in front of your house. But it makes sense, because that archway.

**COPPOLA** All right. Thank you, Miss Hakala.

**HAKALA** I can be supportive of this. I would be really bothered if you didn't line up with the archway. So, that would bother me so much. So, I mean, you didn't just put up the archway to the fence there, clearly it's been there. Looks great. The neighbors like it. You need the security, I get it.

**COPPOLA** Mr. Meagher.

**MEAGHER** Yeah, I can definitely be in support of this. I think precedent wise, I think if there is an additional fee for not filing the permit. I would have done that in the past. I also think if there's a condition to put some stain on it within a year, that would be good, just so that it does match the look and feel of the neighborhood, then I'm going to steal Chairman's thunder and say, let's not have anything hanging from the fence either.

**COPPOLA** No decoration. Well, you pretty much got the most that you need. I'm gonna have my two pieces anyway, because I don't want you to go to bed

too early yet, I kind of look at this as if you came to us without having a fence put in, because realistically, that's how we should be looking at it. The hardship having put the fence in already, that's not a hardship. That's not too bad. I do think there's some level of variance allowed going all the way to the front of the house. I don't think so, I would agree maybe to go halfway and then to drop it down to four feet up to the archway on the Clarita side. I could probably live with that and then provide a little more privacy to the preseason room and such, and then also kind of gives kind of a little historical view that it had before. On the other side on Floral, I would not agree with allowing that to the front of the house. I would probably allow a variance of halfway but, but not all the way to the front of the house, not, not with a large, a large privacy fence like that. But I'm just having my say, because I want to have it. It sounds like you have your four votes, so I'm going to open the floor for a motion.

**TESTA**

Resolved, that the variance sought in Appeal Case 2025-08-26, filed by Robert Jaber, be granted the following reasons and findings of fact: The uniqueness requirement is met because of the side yard setback on a somewhat busier resident, somewhat busier residential street, and privacy needed for the side yard, not approving the variance would be a severe consequences for the Petitioner because of lack of privacy, the variance is fairly and light of the neighboring properties in the spirit of the zoning ordinance, due to the fact that there's overwhelming neighbor support for the variance sought. The property's classified for Low Density Residential and the Master Plan and the proposed variance is not inconsistent with that classification. Further, the variance to be granted with the following conditions, one that it's there would be a double permit fee, and there should be stained or some type of finish put on within one calendar year.

**MEAGHER**

Support.

**COPPOLA**

I have a motion by Mr. Testa, support by Mr. Meagher. Any discussion? What are the conditions?

**BARINGHAUS**

Okay, question for Mr. Testa, did you add decorations?

**TESTA**

Yeah, sorry, no decorations on the fence.

**BARINGHAUS**

There we go. Conditions are double permit fee. Stain with one year of variance and no declarations on the fence. Any other comments? Okay, great.

**COPPOLA**

Ready to take roll.

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

**RESOLVED: APPEAL CASE NO. 2025-08-26, Robert Jaber, 18704 Floral Boulevard:**

Seeking to maintain an illegally erected 6-foot-tall privacy fence, resulting in a privacy fence that extends forward beyond the rear corner of the dwelling, which is prohibited.

This Low-Density Residential property is located on the east side of Floral (18704), between Clarita Avenue and Seven Mile Road, Lot. No. 045-02-0196-000, N1, Neighborhood, rejected by the Inspection Department under Livonia Code of Ordinance, Section 15.44.090 B,

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

1. The uniqueness requirement is met due to a side yard setback on a somewhat busier residential street,
2. Denial of the variance would have severe consequences for the Petitioner due to the lack of privacy in the side yard,
3. The variance is fair in light of its effect on neighboring properties, and in the spirit of the zoning ordinance, due to overwhelming neighbor support, and
4. The property is classified as Low Density Residential under the Master Plan, and the proposed variance is not inconsistent with that classification.

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

1. The Petitioner will pay the double permit fee,
2. The fence will be stained or given some sort of a finish within one (1) calendar year from the granting of the variance, and
3. There shall not be any decorations on the fence.

**ROLL CALL VOTE**

AYES: Testa, Meagher, Hakala, Baringhaus

NAYS: Coppola

ABSENT: Klisz, Rotondo

PASS/FAIL/TABLED: PASS: PASS

**COPPOLA** Your variance has passed. Do you understand the conditions? Can you step up please?

**JABER** Just to pay. So, I have to pay the double permit fee, you said?

**COPPOLA** Yeah, so you'll start to pull a permit and you'll be charged double fee.

**JABER** But come in for that, since it's double, can't be online, okay, I will do that tomorrow. Thank you.



### **ADMINISTRATIVE TASKS**

**COPPOLA** All right, we don't have any minutes for approval, so we could probably call it a night if you guys would all like, I just need a motion.

**TESTA** Motion to adjourn.

**HAKALA** Second.

**COPPOLA** Motion from Mr. Testa, second from Ms. Hakala to adjourn. All in favor.

**BOARD** Aye. We are adjourned at 10:39pm.

The Board voted unanimously to adjourn the meeting.

There being no further business to come before the Board, the meeting was adjourned at 10:39 p.m.

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Gregory G. Coppola, Chairman

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Timothy Klisz, Secretary