

**ZONING BOARD OF APPEALS
CITY OF LIVONIA
MINUTES OF A SPECIAL MEETING HELD TUESDAY, SEPTEMBER 23, 2025**

A Special Meeting of the Zoning Board of Appeals of the City of Livonia was held on Tuesday, September 23, 2025.

MEMBERS PRESENT: Gregory G. Coppola, Chairman
Jim Baringhaus, Vice Chairman
Timothy Klisz, Secretary
Brian Meagher
Michael Testa

MEMBERS ABSENT: Lindsey Hakala
Marc Rotondo

OTHERS PRESENT: Mike Fisher, Chief Assistant City Attorney
James Albus, 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. After some discussion about rescheduling, none of the Petitioners chose to be rescheduled to be heard by a full Board.

KNOWLES Good evening.

COPPOLA Good evening.

KNOWLES I'm Jack Knowles. I represent Laurel Investment, LLC. We have a application in for the pylon sign on I-275, we would like to defer when, hopefully there'll be a full Council.

COPPOLA Okay, so the one for the pylon sign, which is...

KNOWLES It's the last one on....

COPPOLA Correct. For Laurel Investment, LLC. Okay, we will... number five. So again, just contact the Zoning office.

KNOWLES Okay.

COPPOLA I mean, ideally, I think we've talked about this a number of times, we want to see kind of everything at one time.

KNOWLES Yeah, well, and you are seeing it tonight at one time. We supplied, I supplied a plan in the packet that shows all of the proposed signage on the property, and so it's there. You've got two other considerations. You've got Cooper's Hawk and Capital Grille in front of you this evening. Those are separate applications, but they've been, at a previous meeting, you had asked to see everything together on one plan. So that plan was in your packet, it's the packet that we submitted. But the Cooper's Hawk, all these are separate applications. I included all of them in what I submitted to you because you wanted to see everything in a single packet, so.

COPPOLA Yeah, I apologize if I didn't communicate clearly. What I meant was, and anybody in the Board could correct me if you had a different interpretation. But my intent was to have all of the signage variances for that development heard at the same time.

KNOWLES Okay.

COPPOLA So not just seen in a package. I do see that on the one for the pylon sign, you actually included a very nice, full, complete package, including from Home2 Suites, which I don't, I don't believe....

KNOWLES No variance there.

COPPOLA I was gonna ask that question.

KNOWLES Those are conforming signs.

COPPOLA Right. So let me ask the rest of the Board how they feel in regards to hearing the pylon separate from these other two.

KNOWLES Sir, the Home2 is included again, just because you wanted to see all the signage.

COPPOLA No, and that's helpful. So we know that you're not coming forth on Home2 to ask for a variance.

KNOWLES Bar on the monument sign on Laurel Park.

COPPOLA But you have two wall signs, and you're telling me the two wall signs are going to be, because they show elevation wall signs. So you intend for those to be in compliance, you will have to come in for variance.

KNOWLES Correct.

COPPOLA For those. Okay.

KNOWLES We will not.

COPPOLA Mr. Testa.

TESTA Mr. Chair, I agree with you. Maybe ask the Petitioner why he wants to wait for another day?

KNOWLES Sure. Yeah, I'd prefer to wait until there's a full Board, because we need four out of five tonight. I'd rather need four out of seven. Quite honestly, it's a numbers game, right?

TESTA Yep, yeah. I think we prefer our [inaudible] to be here to understand the full package of what's going on with property as a whole.

KNOWLES Well, with all due respect, I think you have them in front of you. The only thing you wouldn't be acting on this evening would be the pylon sign. You have all the data for the pylon sign. You have all the data for all the signage that's proposed on the site.

TESTA Yes, sorry to that point. I think the overall drawing that you're referring to is in the case you want to table. It's not in the packet for the other two cases.

KNOWLES No, it's not, but it was provided. I provided it because you wanted a plan that showed all of the signage.

TESTA I agree with you, Mr. Chair, I prefer to take them all together.

FISHER Mr. Chairman, just so we're clear. The Capital Grille has a pylon sign and you want to get out of that one, too, or...?

KNOWLES There's only one pylon sign.

COPPOLA I think that was an error.

FISHER Well, it's... the reason that there's the one pylon sign. One party is trying to lease it out to the other, and the other one is trying to use it as a billboard, and that's why it would make sense to step out the Holiday Inn, probably it would make sense to step out the Capital Grille, too.

KNOWLES That is a separate application by Laurel Investment for the pylon sign. It's, though it's for... it's to use this smaller box for Capital Grille signage. It's a separate application than the other, than the Capital Grille restaurant wall signage. That is by Capital Grille. This is by Laurel Investment.

COPPOLA I think the confusion here is that it appears that there was some documentation that was submitted for the Capital Grille case, which is Appeal Case 2025-02-02, and in there they also submitted designs for the pylon sign. So that was added, that was added to that case, and the public notice went out with the pylon sign as [an] additional variance request.

KNOWLES Yeah, I think somebody else put that in there. That was not in the materials that were submitted to the City. Somebody, I think there were, there were a lot of materials in that package. In your package, there's pages that were things that we did not

submit as part of our package. The engineering plans are in there. Old architectural plans are in there. All kinds of things were in there that were not submitted by us.

COPPOLA Mr. Albus, do you have anything that you can help clarify?

ALBUS Yeah, I have an email from Matthew Stierna today at 2:12pm, "Just noticed that the agenda lists the pylon signs in both appeal cases 2 and 5. Appeal case 2 should deal with [Capital] Grille's wall signs and case 5 should deal with the pylon sign, as it is on the Holiday Inn property."

COPPOLA Okay. So then we would... when we hear the Capital Grille case, we would ignore the pylon sign portion of it, we would address that in the specific case for Laurel Investment on behalf of Lessee Holiday Inn, which is 2025-08-29, I understand. Okay, so again, the issue was, we were, I guess we were expecting, and maybe we didn't communicate clearly enough that we wanted all variances, kind of in one day hearing so that we can approve all of them. Because, again, while I don't think you would do that, if we were to separate those out, and we thought we had an understanding on what was being kind of what the package was, nothing, I think legally, would preclude you from coming in with something different for Home2 Suite and or for the pylon.

KNOWLES Well, I'm telling you, we're not going to come in with Home2 Suites for a variance. We believe the signs are conforming.

COPPOLA Okay.

TESTA Mr. Chair.

COPPOLA Mr. Testa.

TESTA Maybe to the Petitioner. I think we've shown twice before that we're willing to table you if you don't have enough votes, if we have a split board. So first, I think it's in your best interest to present all three cases tonight. And if you don't have enough votes and we're split, we would table you to come back again when you have a full Board.

KNOWLES I would be amenable to that.

COPPOLA Generally, that's... we try to do that.

KNOWLES Okay.

COPPOLA Unless there's like, straight up five. But if we're three-two and we can't actually come to a decision, we generally table.

KNOWLES Yeah, I don't have an objection. If we, if you hear the other application, if there's a majority, or if there's a... everyone is against it, then we're sunk anyway. But if there's a couple that aren't, then I would ask that that vote be postponed to a future meeting.

COPPOLA That work for everybody? Okay, you're amenable to that. Also what I would like to do, all three cases are heard kind of together.

KNOWLES I was curious why they were split.

COPPOLA The first two cases, which are Cooper's Hawk and Capital Grille, to the end, with cases three and four go first.

KNOWLES Okay.

COPPOLA And then we can just focus on that package. You have no objection to that?

KNOWLES No, thanks.

COPPOLA All right. So what we're going to do, Mr. Secretary, is we're going to move cases three and four, which is 2025-08-27 and 2025-08-28, to one and two, and then we'll move one and two, which is 2024-10-37, and 2025-02-02, to three and four.

KLISZ Yes.

COPPOLA Okay, so then, based on that change, I think we're ready to proceed unless there's anything else you can go ahead and call first. No, I'm sorry, go ahead and call the agenda. I forgot. We never did that.

Secretary, Timothy Klisz, then read the Agenda and Legal Notice to each appeal, and each Petitioner indicated their presence. Appeals came up for hearing after due legal notice was given to all interested parties within 300 feet, petitioners, and City Departments. There were several (not counted) people present in the audience.

(7:00)

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APPEAL CASE NO. 2025-08-27, 9119 Colorado: an appeal was made to the Zoning Board of Appeals by Audra Hannah, seeking to maintain an illegally erected 8-foot-tall by 22-foot-long privacy screen resulting in a privacy screen erected with excessive total height.

Total Height

Allowed: 6.5 feet

Proposed: 8 feet

Excess: 1.5 feet

This Low Density Residential property is located on the west side of Colorado (9119), between Vermont Avenue and Ohio Avenue, Lot. No. 135-03-2157-000, N-1, Neighborhood, rejected by the Inspection Department under Livonia Code of Ordinance, Section 15.44.090 C.

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

ALBUS The Building Department has nothing at this time.

COPPOLA Any questions for Mr. Albus? Mr. Fisher, I don't know if you had an opportunity to review any of the documents in there, but there was a number of photos in there that showed the neighbor had cameras on his garage. On the garage wall, or eaves that separate the Petitioner's property and their properties, detached garage. It's in the back. The garage looks like it's maybe two feet, three feet from the property line, and both those cameras face directly into the Petitioner's property. I know you wear many hats. I'm not sure what civil and criminal stuff you do, but is there any ordinances, either in Livonia, in the county, in the city or federal that will address this issue?

FISHER Well, first of all, there were no ordinances [inaudible]. So there's no City ordinance and I'm not sure I know of any statute for this particular issue. You could imagine somebody having surveillance cameras on their property for a good reason, or at least out of a sort of sense of necessity. So that's why I don't think there's any way to outlaw these things.

COPPOLA I did some research and saw some Michigan statutes, but it's... some of them looked like they needed some work compared to this. I mean, these cameras, the way these pictures show, I did not walk the property, seemed to serve no other purpose than to film the Petitioner's property. They sit on the side of the fence-- of the garage that abuts the property of the Petitioner. There's maybe three or four feet between the property lines and these things face directly out.

FISHER Right. It would probably not show you very much of your own property.

COPPOLA If at all.

FISHER Yeah, I don't know. But like I say, I'm not aware of any laws.

BARINGHAUS Mr. Chairman.

COPPOLA Vice Chair Baringhaus.

BARINGHAUS Question for the Inspection Department. Mr. Albus, on the privacy fence that's on this property. It's fairly close to the chain-link fence. Is this considered to be a double fence situation?

ALBUS No, it is not. This is considered a privacy screen. So it's allowed up to six and a half feet and it is eight feet tall.

COPPOLA I thought privacy screens tend to be at least 10 feet from the property line.

ALBUS I'm going by the review of the Inspection Department.

BARINGHAUS Thank you.

COPPOLA All right, the Petitioner could step up to the podium. Just for the record name and address, please.

HANNAH Hello. My name is Audra Hannah, 9119 Colorado.

COPPOLA All right, Ms. Hannah, I read through your package. Just give us a brief-- I'd like to understand when did these cameras go in. Have you talked with your neighbor about addressing, have you taken any other action to try to address the issue of cameras without having an impact on the fence, the eight-foot fence?

HANNAH It'll be on top.

COPPOLA When did the camera go in?

HANNAH Last year.

COPPOLA So it's been in, well you say last year. So 2020...

HANNAH November of last year, maybe.

COPPOLA So it's been there for a little less than a year, not much.

HANNAH And then there was another one installed shortly after that, and that kind of put it into the center of my home. So then I put up a tarp, but then it looked horrible, and then I found an idea, and I built that wall to cover, to block it.

COPPOLA Have you discussed this issue with law enforcement or with an attorney?

HANNAH Yes, there's nothing that really could be done because there's no ordinance in Livonia for cameras.

COPPOLA How about how about state or federal laws? Have you talked to an attorney, then?

HANNAH Yes.

COPPOLA And your attorney did any research in regards to state or federal laws and came back and said...?

HANNAH It would be more....

COPPOLA Civil action?

HANNAH Yes.

COPPOLA Criminal action?

HANNAH Yes.

COPPOLA Have you considered taking civil action?

HANNAH No.

COPPOLA Okay. Question for the Petitioner?

KLISZ Mr. Chair.

COPPOLA Secretary Klisz.

KLISZ Can you if, for example, the screen was six-and-a-half-foot tall, would it cover the camera?

HANNAH No.

KLISZ So you built it to cover the camera, that's as low as it can be to do its job?

HANNAH Correct.

KLISZ Okay. Thank you.

TESTA Mr. Chair.

COPPOLA Mr. Testa.

TESTA Question for the Petitioner. So I understood that you don't have a relationship with your neighbor. Is there a reason why they're not on speaking terms?

HANNAH He complained about burning. He doesn't like that. He complained about that. I had some friends come over, just loud, we argued verbally. Said some pretty horrible things to each other. It's not good.

TESTA Okay. Did you consider other options like planting a tree or arborvitaes or something?

HANNAH I tried that, yes.

TESTA Okay, that... what happened?

HANNAH It did not work.

TESTA Okay. How did they die?

HANNAH They died. And also, I have dogs. And when we were arguing at the fence one day, he decided to put his hand over the fence toward me. And that's, you know, my dog went after him. And then after that, he's pointed at the dogs like, "Euthanasia. Euthanasia." You're not going to kill my dogs. And that's when it escalated. So I worry about the safety of my dogs. I can't let them out there without this now. I have to go out and watch them.

TESTA Okay. You have any idea why the cameras are recording [inaudible]?

HANNAH I've asked. No, I have no idea.

TESTA Okay. Thank you.

BARINGHAUS Mr. Chairman.

COPPOLA Vice Chair Baringhaus.

BARINGHAUS There is a house on the corner lot, sort of has like brown gutters, maybe tan siding, and it looks like that house has cameras as well.

HANNAH They have a camera in the front of the house. They don't have one on the side. That's a solar panel. I asked him about that when he moved in.

BARINGHAUS What I was seeing is over a gutter in the corner.

HANNAH In the backyard.

BARINGHAUS Yes, and that's his camera?

HANNAH No, that's a solar panel to charge his cameras.

BARINGHAUS Okay, it's not a....

HANNAH The camera's on his garage. No, the camera's on his garage, because when I saw that, when he moved in, I went and asked him what they were for, why they were in my yard. He said they weren't.

BARINGHAUS Looking at your yard, I saw your privacy fence screen, which is the tan-colored lumber. Yes, it looks like there's a number of other fences in there as well. There's one like a red picket, like that picket fence, a red stockade fence that has a point, it's pointed at the top. Is that your fence as well?

HANNAH No.

BARINGHAUS Do you know whose it is?

HANNAH On the corner house?

BARINGHAUS It's visible from the corner house. It looks like it abuts. It's near your property.

HANNAH Yeah, it's their fence.

BARINGHAUS That's their fence. Okay. Okay, and then the cameras are on your neighbor's house on the white garage. That would be east side, west side, north side of the garage?

HANNAH I don't know.

BARINGHAUS You don't know. Okay. Okay, thank you.

COPPOLA Mr. Albus, I forgot to ask you a question. How did the Inspection Department become aware of the fence?

ALBUS I believe it was a code enforcement officer observed it, and then, once it was reported, they applied for the variance.

HANNAH I also called her and told her what I did, and she told me that... to apply for the variance.

COPPOLA So there wasn't a neighbor complaint.

HANNAH No.

COPPOLA I apologize.

ALBUS No, we didn't have anything. I believe the neighbor called to attend this meeting tonight.

MEAGHER Mr. Chair, question for the Petitioner.

COPPOLA Mr. Meagher.

MEAGHER Reading through this and looking at the pictures, I think what is a little bit confusing to me is, it's very clear in your wording that you feel unsafe, and especially for the safety of your daughter, I believe, or friends, daughters and friends, and your dogs outside of talking to somebody about Livonia ordinance. I am not the lawyer on the panel here, but from a really quick Google search, it seems like there's pretty clear legal doctrines about right to privacy. And I guess I'm wondering, why are you looking for a fence before? To me, it seems like a more costly option than trying to get the cameras taken down in the first place. So I guess, why not? Why not go to that extra step for securing the legality of your right to privacy before putting up a 22-foot fence?

HANNAH Do what first, ask him to remove the cameras?

MEAGHER Go at it legally with somebody who's....

HANNAH I don't have the money for that. I can't do it legally. I can't afford it.

MEAGHER But you can for a fence? That's what I'm trying to figure out.

HANNAH My friends line the fence up. Yeah.

MEAGHER You're asking for a variance for a larger fence, though, in this case.

HANNAH No, the fence is already up.

MEAGHER Oh, so it's not extending this fence at all.

HANNAH No.

MEAGHER Okay, that makes sense. Okay. Thank you.

TESTA Mr. Chair.

COPPOLA Mr. Testa.

TESTA Thank you. Question for the Petitioner, did you pull a permit or attempt to pull a permit to build this privacy screen? Did you look into the necessity of a permit?

HANNAH After the fact? Yes.

TESTA Okay, why did you not look at it before?

HANNAH Because I was reading the wrong... I guess, I think it was commercial or it had to be so many feet away from the fence, so I didn't think I had to have a permit. I'd read it wrong. This is all new to me. I didn't understand it.

TESTA Thank you.

BARINGHAUS Mr. Chairman, question for the Inspection Department.

COPPOLA Vice Chair Baringhaus.

BARINGHAUS Yes, is the privacy fence that was constructed properly permitted?

ALBUS Properly permitted? No, the permit won't be issued unless the variance is approved.

BARINGHAUS Thank you.

COPPOLA Any other questions?

BARINGHAUS Yeah, Mr. Chairman. Did you consider any other alternatives besides the fence when you were thinking of the strategies to block the camera?

HANNAH Yeah, I had a tarp up there, but it wasn't... it wouldn't stay up because of the wind, and it didn't look nice, so I... and then I thought arborvitaes, but they take too long to get that big.

BARINGHAUS So just the tarp was your only consideration. How do you know the fence is effective in blocking the cameras?

HANNAH Pardon?

BARINGHAUS How do you know that your fence is effective in blocking the cameras from [inaudible] your property?

HANNAH Because it's covering the cameras. It's all the way up to the top of the garage so that cameras can't see in my yard.

BARINGHAUS Okay, so you're comfortable with the height of the fence on that it is blocking what your neighbor can view through those cameras.

HANNAH Correct.

BARINGHAUS Okay, great. Thank you.

HANNAH You're welcome.

MEAGHER Mr. Chair, question for the Petitioner.

COPPOLA Mr. Meagher.

MEAGHER So with the screening fence there, what would be your next course of action, if we give you the variance, everything's good, fine and dandy. And a month from now, he takes a three-foot pole and raises the cameras above that?

HANNAH I've thought about that. I don't know. I guess I'll have to approach that if it happens. I hope it doesn't.

MEAGHER I think what I'm getting at, is the converse, the... I'm not seeing it in a negative way, but the lack of communication with your neighbor about....

HANNAH We don't get along. He calls me a whore, a bunch of names. I'm not going to talk to him. Why do I have to talk to him? "You lay on the bed, and that's how you get your money. You have two different fathers for your kids." How does he know this about me? Called. me white trash because I have a pool in my backyard two years ago. Two years ago! Come on, it's scary. He shouldn't know that much about me. I don't talk to him.

MEAGHER Okay.

HANNAH I live there by myself, my daughter. It's just a bit odd.

MEAGHER Thank you, Mr. Chair.

BARINGHAUS Mr. Chairman.

COPPOLA Vice Chair Baringhaus.

BARINGHAUS Yeah, okay. In the event that your neighbor relocates the cameras on this garage, what would your strategy be then?

HANNAH I don't know. I'll have to figure something. He told me to move. I can't move.

BARINGHAUS How do you know that the cameras are currently active?

HANNAH I don't. I don't see them anymore.

BARINGHAUS Well, no, I'm talking, are they actually active in recording?

HANNAH I don't know.

BARINGHAUS Okay, thank you.

COPPOLA Any other questions? All right, seeing none. Is there any... pardon?

KLISZ Audience first.

COPPOLA I can go to the audience first, sure. You can go ahead and have a seat for a moment. Is there anyone in the audience who would like to speak for or against this petition? Step forward, please. I'll need a name and address.

ADAMIC Hello. My name is Michael Adamic at 9131 Colorado Street, next to 9119 Colorado Street.

COPPOLA Okay. Proceed.

ADAMIC I am rejecting the request for the variance. Although the structure is allowed to be in place, it resembles that of a salvage yard [inaudible]. I have pictures. Violation of an eight-foot height makes it more esthetically unpleasing. The ordinance calls for six-and-a-half-feet allowance. I feel this must be met or in compliance. I have been cited twice by the Ordinance Department because of Audra Hannah at 9119 Colorado Street, one of which was a vinyl fence that was built to protect my family and friends from her dogs. There are two reasons I put up security cameras. To block that... her screen that she erected illegally is up to block my cameras, one of which is a confrontation between her and my son on Memorial Day weekend, Saturday, 5/25/24. My wife and I stepped out to an event, and she chose this time to confront him, using profanity and telling him, I quote, "You weren't raised right." I addressed it the next day with her. That's when she said that I used the word euthanasia. I've been bitten by a dog in Livonia. I went to the Animal Control Department. They stated that one, the first bite is a warning, the second is euthanasia. That's what I said. The second event was an intention, not coincidental time. In other words, she let her two dogs out when I was on that side of the fence or the side of the garage where the fence is, and the cameras are hung under my soffit. The dogs chased or ran to the fence, both of them at the same time, and lunged at me without

provocation. Under Livonia's Vicious Animal Ordinance, if a dog or dogs show aggressive behavior, lunging without provocation, take photos and videos, hence the video cameras that are now in place. She stated that the Fire Department came out to my house. They did. She called for a fire I was burning. There's fires throughout the neighborhood all the time, especially around Halloween. And the fireman came back there and he said, he looked at it, and he said, "Are you kidding me? I'm not coming out here." He knew it was dissension between the two of us. He looked at it, he said, "I'm not coming out here for this." And he said, "Do you want me to call the Fire Department or the Police Department?" I said, "I don't care." And they gave me the ordinance for burning fires. I have a picture gallery of the fence, the structures she erected. She's got menagerie of stuff that goes from six shower curtain stalls that are hung on these cedar arborvitaes, and then it transitions to this eight-foot-tall structure that looks like, I said, a salvage yard fencing, and then it transitions to a metal lattice. The back corner of the lot had a dilapidated cyclone fencing that has been fixed. The horizontal pole has been replaced. The old fencing is still there. The neighbor behind me, it's still dilapidated on her side. The dogs is, if you can get on the breeds, one looks like St. Bernard and the other looks like maybe you have the golden lab origin. I don't know what the breeds are. But they're big enough to jump up on the fence, because the fence is only three-and-a-half-feet tall. And, you know, come at me. So, you know, this thing, this has been going on a long time. The first thing was, I would always pull the foliage when—The house has changed hands many times, and I would always say, it's called ground cover, and I would take it and pull it back, ask the neighbor if I can get on that side of the fence, pull it back so it's not invasive to their yard. So I had asked her one day, what would be a good day when the dogs aren't out, or *dog* at the time to clean up the her side fence and take the ground cover back. She said, "There is no good time You pissed me off." I quote: "You pissed me off." And I looked at her and I'm like, she had no problem with me running vehicles. I had a car I purchased for my son. It wasn't plated yet. He's in my driveway. It was running because it was in the middle of winter. Sometimes I run vehicles. Oil pressure seals, whatever. I work on my cars, I show my three boys, I show them how to do oil changes, and I'm going to show them how to do brake jobs and whatnot. I'm not doing anything for money, profit. It's just done on my own accord to keep my own maintenance on my own vehicles. I have been cited twice. This whole packet is related to her. Under the Freedom of Information Act, everything in here is from her. I have no problem. I've been there 32 years. I haven't had any problems with any other neighbor in the neighborhood but her. She is a divorcee with two kids, and I just think she hates men. She has approvals here that were pulled, I pulled down today. One of the guys is a[n] ex-Lieutenant for Livonia. To me, that seems like a conflict of interest for somebody to prove something if she knows him or whatever, he shouldn't be able to vote or cast an approval if he's related to Livonia in any way. And then there's a couple other approvals. The others are on the next street, Montana Street, and with all the foliage that surrounds her yard, my yard, their yard, the backyards, they can't even see this structure. So I don't even know why they're sent the letter that is within a 300-foot radius. I'm 100 from this structure. I've had to comply, take down or reconstruct it, what they label an accessory shed, accessory building, whatever. I've had to reconstruct that. I've had to remove the vinyl fencing I had up in the back corner of my lot, which consisted of five vinyl, white vinyl panels. To me, it looks better than the cyclone fencing, but that was what was put in in 1957 and the ordinance... was called fence on fence, I think you labeled it? Correct?

ALBUS

Correct.

ADAMIC

15.44.090 is the ordinance number. So I've taken those panels out, sold them. The four-by-four posts are still erected in the ground, because you cannot have fence on fence. The accessory building, if anything is beyond 40 square feet, has to go through the Building Department with permits, which involves a rat wall. I've had rats under my shed

because of her dog's feces. Dogs will... rats will eat feces, dog feces, and then go habitat somewhere else, which was under my shed. So I dug around my shed, put in a screen [inaudible], then cement, backfilled it, and now I'm downsizing it. Now I'm under 40 square feet, and I don't need any of the permits that are required to build a shed or have an accessory building. I have, you know, dog daughters. The cameras are pointed along the fence line for, I mean, like I say, two big dogs again, jump for scale, up on a three-and-a-half-foot cyclone fence and lunge at you. Whether they're friendly or not, like I said, I was-- everybody that tells me, "Oh, he doesn't bite." Oh he does. "She doesn't bite." I've been bitten, and it's noted at the Animal Control Center over there at the Farmington and the new DPW yard. So I'm here tonight to defend myself, but like I said, I'm still in conversation with Katherine Sprader, I believe her name is. Matthew Stierna, I've spoken to, who's the head of the.... Is he the head of the Ordinance Department?

ALBUS He's our plan reviewer.

ADAMIC He's been out to my house. I'm now in compliance with everything. The fence is down, the line that was fence on fence. And the accessory building slash shed has now been downscaled to 39.75 square feet. And I thought she was going to get us on another violation. And I'm not going to say what it is, because we looked it up and she can't. They say there's one in every neighborhood, and it landed right next to me.

COPPOLA All right, I appreciate the background. Is there...? I understand what you're saying, why you have the cameras. But why? Why do you believe you need to have them direct? Based on the pictures that have been provided, they appear to face directly, pointed directly in her backyard.

ADAMIC They're all on the fence line. I mean....

COPPOLA No, they're pointing in. They're on your... but based on the pictures, unless you moved them since then, they're pointing directly into her backyard.

ADAMIC They're adjustable. You can—

COPPOLA I understand that. Why would—

ADAMIC This way they have an angle, a degree of an angle to them.

COPPOLA Why are they? Why do you have them pointing into her backyard?

ADAMIC Dogs.

COPPOLA You don't think that.... You don't think that that's an invasion of privacy? That's not private property?

ADAMIC I called-- I'm sorry. What's your name? Mr. Fisher?

FISHER Yes.

ADAMIC You had stated that you looked and there's no laws about cameras in Livonia.

FISHER There are no laws about cameras in Livonia.

ADAMIC Okay, technology moves at the speed of lightning, and legislation can't keep up with it. So someday, I'm sure there will be, but every day I'm at a commercial, industrial, residential setting, and there's always a camera on. I have a camera in my truck that's not facing me.

COPPOLA Those are all public places. Her backyard is a private place, so it's a little bit of a different-- but I understand what you're saying, but it's a little different. So I come back to question, why does it need to point directly in her backyard? Why wouldn't you just point along the fence line? Why do you need one in the middle of your garage, pointing directly into her yard?

ADAMIC Well, it's where the dogs first lunged at me at one time. She erected 22 feet long, which is the distance of a garage.

COPPOLA Okay.

ADAMIC And there's still pathway for the dogs to get through if they wish. There's a garden or a little garden back there in one of these pictures I have it footnoted with one of those little wire fences the dogs can easily just step over. When the other... when the original neighbor was there in 1993 when I moved in, they built a grass knoll back there. That elevated the ground more, which made that side of the fence shorter. In other words, my side of the fence is down to... if I'm standing—

COPPOLA It's not there anymore, correct?

ADAMIC Yeah, the cyclone fence is in place.

COPPOLA No, the knoll that you're talking about.

ADAMIC It's still there. It's still there. Yeah.

COPPOLA And it's between. It's between the cyclone fence and her privacy screen?

ADAMIC Well, I got a gallery of pictures. I mean, it's at the very back corner lot, or corner of the lot, our two lots, where the blue metal trellis is.

COPPOLA So have you thought about some alternative to what you're doing right now, which is potentially [inaudible] privacy fence and I'm sure that your neighbor would be amenable to you and agreeable to having a privacy fence put between the properties. Get a privacy fence between the properties, wouldn't that solve the issue? Dogs can't jump six? Well, most dogs can't jump six foot, but you'd have your privacy, she'd have hers, rather than what is kind of going on right now?

ADAMIC Yeah. I mean, that'd be great, but I'm not going what I went through to put up the fence, the five panels that I had.

COPPOLA Well, sir, you put up the fence without a permit. If you asked for a permit, you would have known that you weren't supposed to do that. You wouldn't have spent that money, and you wouldn't have had that problem. So you did that without a permit. So that's on you.

ADAMIC Well, she did this without a permit.

COPPOLA Yeah, and that's on her, and that's why we're here today.

ADAMIC Correct.

COPPOLA You could have also come in and asked for a variance, which would have most likely been denied, because double fences really are something you don't want. You could have talked to your neighbor and they could agree to put it on the property line, take off the old fence and put in... you could have put your fence on the property line, and that would have been fine. You would have signed off on it, you would have got the permit, if that had been done, but you decided to do it without the proper process, and you've done it twice now, from what you're telling me, you did it with your fence and you did it with your shed. So you've done it twice. You've done things without when you needed a permit and you didn't need a permit. But that's not why we're here today. We're trying to resolve this issue in the best manner that it could be resolved. Ideally, I would think a six-foot privacy fence between the two properties would solve this problem.

ADAMIC Sure, I agree. But the thing is, it requires a survey. Cyclone fence would be removed, and then, you know who pays for the...?

COPPOLA It doesn't necessarily have to have a survey if you both agree that the cyclone fence is currently on the property line, you would just put it where the cyclone fence was. Survey's not required. I don't think a survey is required to place a fence.

ALBUS If we got both neighbors in agreement, we can resolve it.

ADAMIC Well, I'm not paying for it. I've gone through a litany of stuff with her, and I'm not paying for any more. I'm done.

COPPOLA All right. Any other questions for the...?

TESTA Yeah, Mr. Chair. Question for the Petitioner. Are those cameras active? Not a petitioner. Sorry, sorry. Question for the neighbor. Are those cameras active?

ADAMIC I can activate them at will.

TESTA Okay, so they do work, and as Chairman Coppola was saying, the way the pictures show us, it looks like they're angled, not down on the fence, but into her backyard. If she agrees to pay for a privacy fence to put up between your two lots, would you agree to take those cameras down?

ADAMIC Yeah, sure. Yeah, because the dogs would not be able to access a pathway that is between this new structure and the cyclone fence.

TESTA down-- Okay, she would need to take the structure down. She would take that

ADAMIC Yeah, I understand.

TESTA --and then put up a privacy fence between your two lots. And if you, if you take the cameras down first, and she, you would agree to let her do that.

ADAMIC Well, why do I have to act first?

TESTA Well, we can have that [inaudible]. I would think she would want some guarantee that cameras aren't there anymore. Or in conjunction.

ADAMIC I can submit something in writing.

TESTA All right. Thank you.

BARINGHAUS Mr. Chairman.

COPPOLA Vice Chair Baringhaus.

BARINGHAUS You said the cameras are activated at your will.

ADAMIC Yeah.

BARINGHAUS Are they active today, right this moment?

ADAMIC No.

BARINGHAUS No. When you do record on the cameras, do you store the video?

ADAMIC I only take video if there's some type of interaction.

BARINGHAUS My question is, when you do take video? When you do take video, are you storing and archiving the video?

ADAMIC No, I have not done that yet. Anything in the realm of capturing and recording I haven't done.

BARINGHAUS How many times over the last year have you activated the cameras?

ADAMIC They've been active since they've been installed.

BARINGHAUS But you said you activate them at will, sometimes activated, sometimes they are. My question is, in the course of the year that you have them installed, or the time you have installed. What percentage of the time have those cameras been active?

ADAMIC 100% of the time.

BARINGHAUS You said you activate them as well, which means sometimes they're off, sometimes they're on, right? What are they?

ADAMIC Well, you go to the app on your phone, you tap the app.

BARINGHAUS Right.

ADAMIC And it brings up what's taking place in the last hours, days. I mean, I can go back and, I mean, I wasn't home, and somebody said--

BARINGHAUS Are they on more times than they're up? Are they active more times than they're inactive? I'm trying to get some sense about your videotaping your neighbor.

ADAMIC Yeah, she doesn't leave the house. I mean--

BARINGHAUS That wasn't my question. How often are you videotaping your neighbor? 50% of the time, 25% of the time, 5% of the time.

ADAMIC Well, when you say videotaping....

BARINGHAUS Videotaping, you're activating your cameras on the garage. How active are those cameras? How often are you using them?

ADAMIC If they're mounted, I'm using them. I mean, they're there for surveillance.

BARINGHAUS So earlier, you said they're inactive, when actually they are active?

ADAMIC No, I said they were, right now they're inactive until whatever the conclusion of this is.

BARINGHAUS When was the last time you used them?

ADAMIC I received the appeal, ZBA, and the cameras were turned off.

BARINGHAUS Right. When was the last time you had them turned on?

ADAMIC About two weeks ago, three weeks ago? Sometimes they go out when the power goes out or some type of interruption with, you know, if I switch.

BARINGHAUS So two weeks ago was the last time you operated the cameras on your neighbor.

ADAMIC When you say, "on the neighbor," the cameras....

BARINGHAUS The cameras are pointed at her property. Yeah, your neighbor. So... two weeks ago. Use them periodically. Last time you used them was two weeks ago. Why did you use them two weeks ago?

ADAMIC Why did I?

BARINGHAUS Yeah, why did you activate your cameras two weeks ago?

ADAMIC They're al—

BARINGHAUS What's... I'm sorry?

ADAMIC They're always active.

BARINGHAUS When did you... when was the last time you videotaped your neighbor using your cameras?

ADAMIC Again, you touch the app.

BARINGHAUS I understand, but how often are you doing that? Are you doing it once a month, once a week, once every six months? How often are you using them?

ADAMIC Anytime I want, at will. I can do it at will. I mean, it's not—It's not like--

BARINGHAUS Okay. You really don't want to answer the question.

ADAMIC No, the question... it's kind of—

BARINGHAUS I just want to ask [inaudible].

ADAMIC I don't understand.

BARINGHAUS Are you using? Are you using? Are you videotaping your neighbor? What percentage of the time are you videotaping her? 25% of the time, 50% of the time, how often are you activating these cameras to videotape your neighbor? That's what I'm asking. I think that's very clear.

ADAMIC Well, the cameras are up and I can look at them at will. So you know, there's no... like Mr. Fisher said, there's no laws. There's no legislation for cameras in Livonia.

BARINGHAUS I'm not saying you're breaking the law. I'm just asking how often you're using them.

ADAMIC She stays at home. The dogs come out [inaudible\] all the time. Another word--

BARINGHAUS Okay, thank you.

ADAMIC Listen. I'm married. I have no intent.

BARINGHAUS Sir, you're done.

TESTA Question again to the neighbor, could you open up your phone right now and show us?

ADAMIC I don't have my phone. I didn't know. Some won't allow it in chambers or not.

TESTA Okay. Thank you.

COPPOLA Any other questions? You can have a seat, thank you. Anyone else like to speak for or against this petition?

ADAMIC I did want to say one last thing.

COPPOLA All right, make it quick, please. You only get two minutes.

ADAMIC I know.

COPPOLA [Inaudible] quite a bit.

ADAMIC This structure is legal because it's in the same linear path as the back of her house. That's why it's allowed. If she was to erect this structure that's within a six and a half feet height allowance from the back of her house to the back of the lot, then I'll remove the cameras. So it's compromising, I guess. I don't know.

COPPOLA That everything?

ADAMIC Yes, sir, thank you.

COPPOLA You can go and have a seat. We have correspondence?

KLISZ Yes. We have some letters. Letter of approval, Charles Lister, 9218 Colorado (letter was read). A letter of approval, John Golles, [G]-O-L-L-E-S, 9024 Montana, (letter was read). A letter of approval, Cynthia Young Thomas, 32710 Ohio (letter was read). And a letter of approval, Amber Jopek, J-O-P-E-K, 9036 Montana (letter was read). That's the letters.

COPPOLA All right. Thank you. Ms. Hannah, would you like to step up and [make] any final statement before we close the public portion?

HANNAH I'd like to say that he could have [inaudible] space, because when the Inspector came over, I called her about the cameras, asked her to come and look at them, she's the one that said that fence had to go down. I had nothing to do with that. It didn't bother me at all. And the shed issue, I couldn't... he actually made fun of me, how much I clean up my dog poop. I'm out there every day. And how does he know I'm not gone from my house every day? That's just... he knows too much about me. I don't like that, and I really hope that I can keep this up. This fence.

COPPOLA All right, thank you.

TESTA Mr. Chair.

COPPOLA One second, Ms. Hannah. You wanted to ask her a question?

TESTA Yeah, question for the Petitioner. Would you be agreeable to take your privacy screen down and just put a privacy fence up instead?

HANNAH I don't know if it's in my budget right now.

TESTA You might be the reuse the 22 feet that you have right now. Cut it down to six foot and probably another 12 feet to get the full length of your backyard, right? Roughly speaking?

HANNAH I'd like to see where this goes first.

TESTA Okay. Thank you.

COPPOLA Okay, I'm going to close the public portion of the case and start the Board's comments with Mr. Meagher.

MEAGHER I knew you were going to start with me.

COPPOLA And you're prepared.

MEAGHER All right, this seems like a very unique position to be sitting here and sifting through both sides of this and really trying to find truth. That seems like a very large word here, but that's what I came up with. I'm pro privacy. I'm also pro safety. I'm also very much pro continuing to have conversations. To quote somebody who recently passed in the last two weeks, bad things happen when we stop talking. You guys have lived as neighbors for more than 10 years now. It's not a revolving door of neighbors coming in and out. Those are public records, man. You can see that she's been there for more than 10 years. It sounds like there's a lot of problems with dogs, regardless of how aggressive they are. It's understandable that you've been bitten before and you want to figure out a solution to that. I also understand the purpose of recording, for the purpose of keeping footage, if that's what you've been told to do. I would also think that there's an amicable way of being a neighbor and coming to an agreement where you both compromise, to use your words, would be something that both of you would want to do regardless of cost. Seems like you both are seeking peace, but neither one of you are willing to pay for it, whether it's time, money, effort, whatever that looks like. So I'm all for recording your property line, not into their yard, which, by my quick online search, seems to be an invasion of privacy to their basic right to privacy in the state of Michigan. Again, not a lawyer. I would like to hear what my colleagues have to say before really making a decision here, now.

COPPOLA All right. Mr. Testa.

TESTA I knew you were going to call me second, so I am prepared. Thank you. So yeah, this is very unique. I thought I had seen it all. When we hear this, I understand both positions, and I think it's very clear these neighbors don't get along. It was kind of tit for tat. Someone put a camera up, someone blocked it. I would prefer to put up a privacy fence between the two lots. I think that solves the problem overall. But I also don't have faith that both neighbors would act accordingly: one to take the cameras down and two to put the fence up. So I would be open to the variance tonight, but there's not enough folks here. I would encourage the neighbors to try to work out some type of solution where the current privacy screen comes down and a privacy fence goes up. You're both going to need to sign off on a document. I think at some point you have to come to that agreement to allow that to happen. Thank you.

COPPOLA

All right, thank you. Secretary Klisz.

KLISZ

Yeah, this is unfortunate. I can see both sides of it, but I guess when it comes right down to it, the reason for it makes sense. The differential over what would be allowed is a foot and a half, and it's doing what it's designed to do, and no more. And it sounds like there could be compromise, but they're not willing to talk. If she lowered the screen, he'd remove the cameras, but we can't enforce that. So essentially, I think I'm going to be in support of it, just under these particular circumstances. This seems like the way to go. And if they can maybe talk about something better in the future voluntarily, then I would encourage them to do that. But I think I'm going to be in support.

COPPOLA

All right. Thank you. Vice Chair Baringhaus.

BARINGHAUS

Okay, thank you. Yeah, just listening to the case tonight, I think in listening to past cases where we have situations or fences that are out of compliance, there's... normally, there's a conversation between both neighbors to try to resolve the problem peacefully and agreeably. I haven't seen that in this situation. I think what we've seen is actions that are actually avoiding that conversation. Neighbor A doesn't want to talk to neighbor B, so neighbor A builds an eight-foot fence. Neighbor B doesn't like the fence, puts in the cameras because of being threatened by her dogs. We've always held to pretty strict standards on fences, and we've had some attempts to... in the city to construct fences that are substantially larger than this. I think in this situation, the Petitioner was presented with an excellent solution to the problem. Just work out an agreement to take down the existing fencing, get agreements from both neighbors to put a six-foot or six-and-a-half-foot privacy fence on the existing property line, and then no need for cameras, no worries about dogs, one permanent solution, and you're done. So based on that, I will not be in support of the variance tonight.

COPPOLA

All right, thank you. Have to say, as Mr. Testa said, I thought, in all the ten-plus years I've done this, I've seen it all, but this is a new one, and that's, I guess as technology progresses, we'll see other interesting things going on. As I listen to both Petitioner and the neighbor, it just kind of reminds me, as I've heard from the fights dealing with my kids, there's, and I've always said there's three sides to the story: his side, her side, and the real side. I think we've heard a little of the truth from both of them, and then I think we heard a little bit of embellishment, both what I have seen here, though, is actions that I find to be a little immature and disturbing. In a sense overall, those cameras are facing into private property, and the cameras were placed not as a solution or as protection. They were placed for intimidation. And I find that really, really disturbing. And I would prefer that we try to find a solution that... They're never gonna get along. I think we're past that. I think agreeing to maybe build a six-foot privacy fence between the properties solves, should solve the issues, but I don't think either party is prepared to do that. I would like to kind of do the Solomon thing here, and kind of split the baby a little bit, and would suggest that we allow, we provide a variance for a period of time? And, Mr. Fisher, I believe we can do that. We talked a little bit about that with the use variance, and I think we can potentially do that here. We provide a variance for a year to give the Petitioner and neighbor an opportunity to potentially work out a longer-term solution, or maybe the laws will change in favor of one of the two parties in that point in time. And I actually read Michigan law and the criminal law is a little loose, so I'm not sure it would actually happen over this situation, but there's civil remedies to this. That is very clear that there are civil remedies. I hate to see it go to that, because I think for both parties it'd be a lot cheaper just to put up a six-foot fence and call it a day. So I would propose that we have a short-term variance that would expire and

require the Petitioner to come back. And, you know, in a period time, I suggest a year, that gives the parties an opportunity to maybe resolve this issue and with some solution that, while probably not ideal, it's one that works for both. And it gets to that. It gets to a point where they can live in peace between each other, because they won't be able to see each other. So I'll go ahead and open up the floor for motion.

MEAGHER Mr. Chair, before the motion, can I ask a question?

COPPOLA Sure.

MEAGHER Of the Board itself, and maybe Mr. Fisher? So have we ever in the past? Is there any precedent -- I should ask it that way -- recommended mediation as a form of a solution?

FISHER Well, we have never said mediate or die. I'm sure that the idea has been tossed around sometime over the past 30 years. But, yeah, I think it's legit, but it would be [inaudible].

COPPOLA How would you impose that?

FISHER Well....

COPPOLA That's kind of what I... what I did right there. That's what I... that was kind of my angle at the one year. I'll give you guys a year to figure it out, and if not, then we'll see this again, based on what happens during that year we can be in a better position to make a decision on permanency or no permanency.

FISHER Well, Mr. Chair, what will we seriously do at the end of that one year? Will you tell her, "Okay, you gotta take your fence down now?"

COPPOLA I'd like to hear what both, what has happened during that year, what the parties have done to maybe resolve the issue without the variance. And I think, like I said, laws progress over the year too, maybe that will help resolve the issue without having to have a variance. I personally find it, I find it very disturbing in regards to the actions of the neighbor with the intimidation, whether the cameras work or not. I know the cameras work. Cameras are recording. They can. He can go back and grab a recording anytime he wants. It's saved up in the cloud. So... but I would prefer the solution not be an eight-foot-tall privacy screen in the middle of a backyard. Mr. Testa.

TESTA Mr. Chair, I do appreciate your solution or your proposal. Wouldn't a table, a time-bound table, accomplish the same thing? Meaning that the neighbor clearly doesn't want that screen up, and it would be in his best interest to sign off on a fence agreement.

COPPOLA Yeah, I think that would... I'd think, Mr. Fisher, that would probably be clearer, because it would force a timeline.

TESTA And then that way she can come back if she has to, or they agree to put a fence up she doesn't need to come back.

COPPOLA Yeah, that would work. I'm amenable to that. So we'd table it for, basically, for a period of time, and then she would have to come back.

TESTA In one year's...? Agreeable to put date on it, so maybe November of next year, or something. I'm open.

BARINGHAUS Mr. Chairman.

COPPOLA Vice Chair Baringhaus.

BARINGHAUS Given what we've heard tonight in the past actions of both parties, do you think that will... I kind of have doubts that nothing's going to change. So you're now, we'll come back. They apply for the variance again, we hear the same testimony. What are we getting?

COPPOLA Well, they wouldn't apply for the variance, they'd have to come back and get on an agenda for the table. We take it off table. We'd hear testimony as to what, if anything, has changed? The neighbor know-- the Petitioner knows there's a potential that she may not be able to keep that privacy screen, so there's incentive for her to come up with a different solution. The neighbor knows there's potential that the screen could stay. He's heard what they've said, so there's incentive for him to come up with another solution. This gives them an opportunity to get a solution with a little bit of a kind of the axe over the neck. But you may end up with it. You may end up with an answer you don't like. So this gives you an opportunity to get together and find a solution.

BARINGHAUS Well, my concern is, rather than talking to your neighbor, just order your fence. We have ordinances for a reason. It's protecting the look of the community and [the] look at the community benefits from having a guideline for six- and six-and-a-half-foot fences. It doesn't allow for taller fences because I don't like my neighbor.

COPPOLA The ordinance was put in place not in consideration of the neighbor putting cameras up facing into the privacy of your backyard, so I don't think that's taking into consideration. The ordinances have not caught up to that issue. Law has not caught up to that issue yet. So I think what I'm trying to do is come up with a way to give the parties an opportunity to come up with a better solution, and during that time, at least, it maintains the Petitioner's privacy, which is not maintained right now. You pushed pretty hard on the neighbor, and what's going on is very clear that recordings are available at his whim, on any time, any day.

BARINGHAUS He didn't say that in so many words, but yes, that's a true statement.

COPPOLA So put yourself in the Petitioner's place. How would you feel? So this, again, gives her and the neighbor an opportunity, potentially, to come up with a solution. If they don't, then this will be [inaudible] again, and if it's something you're against, you can vote against it and the people who are for it can vote for it. But I'd rather they have a solution than we end up with an eight-foot privacy screen, but if push came to shove, I would go for it. I find the actions of the neighbor concerning.

BARINGHAUS Mr. Chairman, I mean, there's more solutions than just [an] eight and a half of privacy fence. [Inaudible] technology is available to disable cameras as well. And I'm not talking about another [inaudible].

COPPOLA Actually, there is a law against that.

BARINGHAUS I don't know, I'm just....

COPPOLA I'm sure. There is a law against that. That's actually called vandalism.

BARINGHAUS And this is called [inaudible].

COPPOLA So, unfortunately, they can't do that.

TESTA Mr. Chair.

COPPOLA Mr. Testa.

TESTA I'd like to make a motion.

COPPOLA Thank you.

TESTA Move to table Appeal Case 2025-08-27 for up to one year time frame to allow the Petitioner to work out [an] alternative solution with her neighbor.

KLISZ Support.

COPPOLA I have a motion by Mr. Testa, supported by Secretary Klisz to table this for a period of one year. You can go ahead and take roll.

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

RESOLVED: APPEAL CASE NO. 2025-08-27, Audra Hannah, 9119 Colorado: Seeking to maintain an illegally erected 8-foot-tall by 22-foot-long privacy screen resulting in a privacy screen erected with excessive total height.

Total Height
 Allowed: 6.5 feet
 Proposed: 8 feet
 Excess: 1.5 feet

This Low Density Residential property is located on the west side of Colorado (9119), between Vermont Avenue and Ohio Avenue, Lot. No. 135-03-2157-000, N-1, Neighborhood, rejected by the Inspection Department under Livonia Code of Ordinance, Section 15.44.090 C,

Be tabled for up to one (1) year to allow the Petitioner and her neighbor to attempt to come to a solution.

ROLL CALL VOTE

AYES: Testa, Klisz, Meagher, Coppola

NAYS: Baringhaus

ABSENT: Hakala, Rotondo

PASS/FAIL/TABLED: PASS: TABLED

KLISZ Mr. Meagher.

MEAGHER Aye.

KLISZ Mr. Testa.

TESTA Aye.

KLISZ Secretary Klisz votes aye. Vice Chairman Baringhaus.

BARINGHAUS No.

KLISZ Chairman Coppola.

COPPOLA Aye.

KLISZ Passes four to one.

COPPOLA Ms. Hannah, so what has happened is your case has been tabled. You have to come back before the Board within a year. If you don't come back before the Board within a year, then you would be in violation of the ordinance. And I think you've heard all the banter back and forth. The intent here is at least during the period of time that I'm hoping that the parties work out a solution that you'll have privacy for that period of time. There's no guarantee that you'll be able to keep that at the end of the year. We'll all depend on what efforts are taken by yourself and the willingness of your neighbor to participate in different solutions, which will potentially drive, at least in my perception of [inaudible] drive the decision of this Board. So hopefully, and then maybe the laws will progress, too, that will provide better protections for citizens. But at this point you've got a year to kind of figure things out in regards to, hopefully an alternative solution that works for both of you. Understand?

HANNAH Yeah. [Inaudible]

COPPOLA You just need to come up to this side so I can get it on the....

HANNAH I don't understand how this turned into my doing, my fault.

COPPOLA It has nothing to do with fault. It has to do with ordinances, what's allowed and what's not allowed.

HANNAH Okay.

COPPOLA Unfortunately for you, right now, ordinances are not in your favor. We don't have ordinances on cameras right now, whether we will in a year or not, I don't know.

HANNAH But you can have cameras looking into my yard.

COPPOLA Well, right now there's no ordinances on that in Michigan law. I mean, after I looked into that and read it, wasn't very clear to me whether you would have a standing or not a standing. On a criminal basis. It appears that you might have a standing on a civil basis. I am not a lawyer. I have no idea. Those are also avenues that you can explore during that year. There's a number, but I would suggest you try to find one that creates peace between you and your neighbor, if you can. That will probably be the best, because in the long run, that's a lot cheaper than other alternatives. But that's... you got a year to try to figure that out.

TESTA She might not understand. She can keep that fence wall.

COPPOLA Yeah, you do know? Yeah, you can keep that fence for the year. So you're in a kind of a stay. A stay on it. So the fence can stay for the year. You can get your privacy for the year, but within the year you have to come back to the Board. Won't cost you again. You don't have to apply. There's no other filing fee. Just call the Board and say, "I'd like to give the Board an update, or tell the Board I have a solution." Or if you guys just decide that you can put up a six-foot privacy fence and you take down eight-foot fence, it's over. It's done. You don't need the variance. You just call it, call the Board office and say, "We've resolved that I don't need the variance."

HANNAH Okay.

COPPOLA Okay? You can call the next case, please.

APPEAL CASE NO. 2025-08-28, 30190 Joy: an appeal was made to the Zoning Board of Appeals by Brooke Bright, seeking to construct a detached accessory garage resulting in an accessory structure of excessive size and a detached accessory structure constructed in a location other than the rear yard and a deficient front yard setback with respect to the zoning district regulations.

Front Yard Setback

Required: 25 feet
Proposed: 19.8 feet
Deficient: 5.2 feet

Maximum Size

Allowed: 1,000 sq. ft.
Proposed: 1,008 sq. ft.
Excess: 8 sq. ft.

This Low Density Residential property is located on the north side of Joy (30190), between Oporto Street and Danzig Street, Lot. No. 140-01-0448-002, N-1, Neighborhood, rejected by the Inspection Department under Livonia Zoning Ordinance, Sections 7.09 A) & D) and 3.04 Dimension Regulations.

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

ALBUS Nothing at this time.

COPPOLA Any questions for Mr. Albus?

BARINGHAUS Mr. Chairman?

COPPOLA Vice Chair Baringhaus.

BARINGHAUS On this property, I observed the privacy fence that surrounded the perimeter of the entire property. Is that permitted or has that been grandfathered?

ALBUS This is one of the original properties in that area, so I don't. It is permitted or grandfathered, as the terminology you used. If they did put a driveway in, they would have to 45 the fence back a little bit so you're not pulling out directly into the sidewalk area where the kids could get injured. If you noticed, on the corner of Joy and the side street, they did put a 45 in. So somebody has been addressing that issue there.

BARINGHAUS Okay, thank you.

COPPOLA Mr. Albus, just if you can clarify something. I'm a little confused. On the appeal it talks about the structures located other than the rear yard, yet there's also a front yard setback. I'm a little confused on how both kinds come into play.

ALBUS Well, I think Mr. Fisher and Matt were talking about that today. It's a larger property, but the houses were set back off of Joy Road quite a bit, and so the location of the accessory structure is not in the backyard. It would actually be technically in the front yard, because of the layout of the property.

COPPOLA Mr. Fisher, is that a variance we are also supposed to be approving?

FISHER Well, I gotta tell you [inaudible] a conversation like this. We had other conversations when that happened. Can you share with me again, sorry, the question?

COPPOLA The question I'm trying to understand there was in the, obviously, in the public notices, it talks about the structure being located other than in a rear yard, but there's also a front yard setback requirement. I'm kind of confused, as if it has to be the backyard, why would there be a front yard setback requirement?

FISHER Well, I think there, the answer is, it's possible for these two lines to intersect. The setback line for the front yard and the back is probably likely to intersect because you've got your building being built in the side yard. So your... those, you got those two lines, I guess pointing to one another. In this case, [inaudible].

COPPOLA I could just throw out this suggestion. Would it be that if it was attached as a front yard setback, and it's detached, it's supposed to be in the backyard?

FISHER Well, definitely, if it's detached, it's supposed to be in the backyard.

COPPOLA So I'm thinking, yeah, so you wouldn't, I mean, if you're in the backyard, kind of hard to issue a setback, I guess. So going to the... the basic question is, are we also then approving a variance for allowing it in the front yard?

FISHER Well....

MEAGHER That's what it said, other than the rear yard.

FISHER Yeah, I guess other than the rear yard, it sounds funny to me, but....

COPPOLA Well, I think maybe it's like... And if you allow it to be the front yard, then it has to be set back to the [inaudible]. Maybe that's....

FISHER Well, that's where we're coming from.

COPPOLA Okay, I gotcha. All right. Any other questions now that I confused everybody? Mr. Testa.

TESTA For the Building Department. In the application, the Petitioner mentions they cannot put garage in the backyard, because of powerlines back there?

ALBUS Correct. If you go to the covenant and deed section. Third page is the site plan of the property, showing where the garage is proposed. So their existing approach and asphalt drive is on a 20-foot vacated alley and powerlines. If you look at some of the pictures, there's powerlines going right down that area.

TESTA If I go directly west of this, sorry, east of this property, I see several homes that have garages or actual homes underneath the powerlines. Why couldn't they put a garage underneath these powerlines, if others already have structures under the powerlines?

ALBUS Well, that would be the original Plan Reviewer, but I don't believe you're allowed to build in an easement, and that would be the utilities easement, so maybe the other garages were built before or not with permits.

TESTA Okay. And what is a vacated alley? Doesn't it mean at one point there was an alley here, and now it doesn't exist anymore?

ALBUS Correct.

TESTA Okay. Thank you.

COPPOLA Okay, anything else? The Petitioner could step up please. Just for the record, name and address, please.

BRIGHT My name is Brooke Bright, 30190 Joy Road, Livonia.

COPPOLA Why don't you tell us about your project, I'd like to understand the practical difficulties or other issues you have that would require a variance.

BRIGHT Absolutely, I can answer all of your questions. To your first question, yes, there are power lines that run. There's a pole directly at the end of my driveway that run to the back of our property, and they're forever in there working on cable lines and everything else. We can't build it under the cable lines, as you suggested, because the room between our home and the wood, the fence between our neighbors is just not big enough with the power lines there, as you asked, our house is set there. It's 100 years old. It is that far back off of Joy Road. I do have an encroachment permit to answer your question with the fence. I will move it if it's ever needed to be for Joy Road, is the agreement that we have. With the 45-degree angle? Yes, when we seek the improvement for the permit for the fence for Joy and Danzig, that was not ordered on the survey, that went out to everybody, but yes, we had already agreed to put it on the 45-degree angle, as we have the driveway. We have already agreed to put both sides of that ending in the driveway on a 45-degree angle, eight feet back, so that way you can see there's plenty of view of the sidewalk coming out. I've already been in talks with, I do believe his name is Mr. Hickman for the City of Livonia. He said, with my \$250 donation and three copies of my deed, and he also would be totally down to signing for me to pour a concrete driveway onto Joy Road.

COPPOLA Okay. Two of the variance requests of front yard setback, where you're asking for deficiency of 5.2 feet, why not just move it back five feet?

BRIGHT [Inaudible] I don't understand what?

COPPOLA So it's going to be off your property line, basically. So you're required 25 feet back from your property line.

BRIGHT Well, because we have to accompany in the eight feet so we went from the sidewalk back.

COPPOLA But unfortunately, your property actually is based on your, at least when I'm looking at the survey, I'm not an engineer, your property doesn't start for another eight feet.

BRIGHT All we're doing is pouring the sidewalk across that but the building would actually be in 25 feet beyond the sidewalk to get closer to the side of my home. And to answer that question as well, you asked why I couldn't build it onto my home as an addition. Again, my house is 100 years old. We're doing fixers as we can and as we can afford, but the side of my house that faces west is an addition that's put onto the home before I owned it. I do have a lien to the City of Livonia to update my home, and I couldn't afford to do it. I'm on that low percentage payback situation. And come to find out that that addition wasn't even connected to my home properly, that nobody had looked at it. So I went and had it connected properly and had it constructed. I'm not trying to attach a garage to it as well.

COPPOLA I understand that, but I know that you think that you're 26 feet backwards. There's actually eight... looks like, based on the survey, there's eight feet between the sidewalk and your property line.

BRIGHT Correct.

COPPOLA So then you... and I think that they measured it the way that it's shown on here, that you're 19.8 feet from your property line where you should be 25 feet. So there's a 5.2 feet difference. Couldn't you just move it back by 5.2 feet?

BRIGHT Again, that puts it in a tricky situation, because of where the west side of my house ends to where the fencing of my neighbors that we just installed that also that six-foot privacy fence, as well as we all have dogs.

COPPOLA When I say back, I apologize, I mean to the north.

BRIGHT I understand.

COPPOLA Okay, so I don't understand.

BRIGHT That leaves zero space in between where the addition of my home was added and my neighbor's fencing, between us and the neighbors. So we just tried to pull it forward a little bit so then, that way it wouldn't be like the house then the garage, like five feet in-between each building.

COPPOLA Again, I'm asking you to move it, to move it north. That would impact the distance between the structure and your property line. To the east that stays at five feet, doesn't impact the distance between your house and the structure, which is 18 feet. It's just going directly back by 5 feet.

BRIGHT I understand. [Inaudible crosstalk] You guys had it all. So, like I said, if I had a better visual of what you were saying, then maybe it would make more sense to me.

COPPOLA Just yeah, just pushes it north.

BRIGHT I understand.

COPPOLA And then you're asking for 1008 feet all out.

BRIGHT That's just the kit. The [inaudible] is square feet so it goes up. It's not just a gigantic flat pole barn. It's because it goes up. So it's just 1008 square feet. It's just the kit with the biggest door that we can fit our appliances in.

COPPOLA Okay. Questions for the Petitioner.

TESTA Yeah, Mr. Chair.

COPPOLA Mr. Testa.

TESTA Question for the Petitioner, I appreciated Chairman's questions about going north. That's what I was going to ask, but why can't you move this structure further north?

BRIGHT And again, like I just said, if I had the image in front of me to make sure that it wasn't going to go inside. Five feet is five feet, if that's what's going to get this passed, then I'll do it.

TESTA I was gonna suggest more than five feet. Why couldn't we just move it further? I understand the power lines are back there, whatever the easement is, why couldn't you go to that point?

BRIGHT Again, because the west ending of my home, where the west end of that, sorry, the east, where the addition was added to my [inaudible] between that, and where the fence between my house and the neighbor's fence, that's going to not give me five feet in between each side and be able to run the lawnmower through it. It's just, it's going to be too tight on corners.

TESTA Because of the width of the garage. You have to make a narrower garage to give you more space for the long one, essentially.

BRIGHT I guess.

TESTA And how did you choose the size of this garage? I know it's a kid. Why couldn't you go to the next size down?

BRIGHT Well, ultimately, my husband, also my contractor, is the tool guy. Wanna talk about a man's man? You want it, he's got it the tools. So they can get these out of my basement, go to the garage so we can play with the children. We would like not only a spot where we can park our trailer, our work trailer, but also there is space for a workbench so they can do projects.

TESTA Yeah. So yeah, can you better describe what's going to go inside of this garage?

BRIGHT Lots of saws, a workbench, lots of tools, and also a small, enclosed tool trailer.

TESTA And where is that all now? Some is in the basement. The trailer is....

BRIGHT The trailer, we are paying to have it stored at a lot on Joy Road.

TESTA Okay, so you do not plan to park cars in this garage?

BRIGHT His truck, for sure.

TESTA Okay, so one car?

BRIGHT His 350? Yes.

TESTA Okay. No other vehicles, and everything else could be for tools and shop equipment, that type of thing?

BRIGHT Unless I decide I'm gonna park my truck in there as well, yes.

TESTA Where do you currently park your vehicles?

BRIGHT Mine is in the driveway, and he parks on Joy behind Danzig.

TESTA Okay. Your driveway is currently off of Danzig?

BRIGHT Correct.

TESTA Okay, the front door of your house is facing towards Joy, correct?

BRIGHT I guess officially? Tricky question.

TESTA Yeah, that's why when I drove by the fence was blocking some of it, but yeah, I was guessing [inaudible] your first question.

BRIGHT My answer is [inaudible].

TESTA Okay. Could you come down in size on this garage?

BRIGHT Potentially.

TESTA Yeah, I'm just maybe struggling to understand why it needs to be this big.

BRIGHT I don't have a garage. Everybody else has one more. I mean, I don't understand.

TESTA Yeah, I'm not saying no garage. I'm asking why you need a garage this big.

BRIGHT Thought we go hardball to good. I'd like as much space as possible, that as many things for our children as possible.

TESTA Okay, thank you.

BRIGHT You're welcome. Fourteen-year-old boy who's a gigantor and maybe, you know, having a space for him in there.

BARINGHAUS Mr. Chairman.

COPPOLA Vice Chair Baringhaus.

BARINGHAUS Okay, just want to clarify a suggestion about moving the garage back, 5.2 feet north. Okay, how is that going to change the five-foot distance on one side of the garage by just moving north, 5.2 feet?

BRIGHT And again, like I said before, I don't have that in front of me, that actual visual of where the garage ended. We went out in the yard, and he made all those pink lines, and he did all these things. So, like I said, it may not be a problem. Yeah, see on this original I'm not sure that the additional den that was added to my home before I purchased it is actually on it. I don't know.

BARINGHAUS Excuse me, where is that den located?

BRIGHT May I approach you to show you?

BARINGHAUS Yeah, that'd be great. Sure.

[Inaudible conversation]

BRIGHT It goes all the way from wall to wall.

BARINGHAUS Right.

BRIGHT Goes out to 12 feet.

BARINGHAUS Oh, 12 feet.

BRIGHT Correct.

BARINGHAUS So really only goes on 12 feet. We only have six feet on one side, five on the other.

BRIGHT Five feet should be around.

COPPOLA Yeah, she said this. She didn't think this was here. See where they show this, here?

BARINGHAUS Yeah, I saw that.

COPPOLA There's enough space. It was just this is to be a lot shorter.

BARINGHAUS Okay.

MEAGHER Mr. Chair.

COPPOLA Mr. Meagher.

MEAGHER Question for the Petitioner. I'm looking at multiple maps on Google, so bear with me on how I'm asking this question. Your... it looks like you guys have a dump trailer?

BRIGHT It is no longer there.

MEAGHER Okay, so the trailer you're referring to is the white 16-foot box trailer.

BRIGHT Correct. Yes.

MEAGHER And then do you guys still have what it looks to be like a Fifth Wheel, or...?

BRIGHT It is not a Fifth Wheel, it's 24-foot hybrid.

MEAGHER Okay, it's covered. That's why....

BRIGHT I wish. No, not yet.

MEAGHER Okay.

BRIGHT But I have been back and forth the new female Inspector, real peach. I've been back and forth, in and out of court over those standards. And of our last court date, which was the first Tuesday of September, they said as long as we parked the dump trailer elsewhere, that I was allowed to keep the camper in my driveway. So also....

MEAGHER Which is still behind your house, technically.

BRIGHT Yes.

MEAGHER Great.

BRIGHT Well, depends on which way you're looking at it.

MEAGHER I think, yes. Well, yes, it's behind the back.

BRIGHT There's also the double duty of why we wanted such a big door for this is that we could put the camper in there and get it out of the yard.

MEAGHER So I guess my question to you is, have you thought about putting that camper, or whatever you called it, just in your backyard, on the other side of the fence?

BRIGHT We don't have a way to get it back there. Because in the back of our yard, all those trees and the powerlines, we don't have a way to... the opening we have back there is a, I do believe, a six-foot or eight-foot opening in the fence that we can get utility trucks in and out, but I can't get that camper--

MEAGHER Yeah, that's what I was trying to figure out. Okay. Thank you.

COPPOLA Bless you.

TESTA Thank you.

BARINGHAUS Mr. Chairman.

COPPOLA Vice Chair Baringhaus.

BARINGHAUS Does your home have a basement?

BRIGHT An unfinished one. Yes.

BARINGHAUS What's the approximate square footage of your home?

BRIGHT I'd say 1700 square feet.

BARINGHAUS Okay. Thank you.

BRIGHT You're welcome.

MEAGHER Oh, Mr. Chair.

COPPOLA Mr. Meagher.

MEAGHER Sorry. One more question. Why now? You've been there since what looks like to be 2008. What changed to where now is the time to do this?

BRIGHT In one word: finances.

MEAGHER Okay, perfect. Thanks.

COPPOLA Questions for the Petitioner?

TESTA Yeah, Mr. Chair.

COPPOLA Mr. Testa.

TESTA For the Petitioner, when? When was that den addition put on?

BRIGHT I don't know that.

TESTA Okay.

BRIGHT I bought the house in 2008.

TESTA Okay.

BRIGHT Far before I bought it, it was a HUD house, and it had been empty for quite some time before I bought it. I put more money than what I paid for the home into it to get it to where it's at.

TESTA Okay.

BRIGHT So I apologize that the garage was the last on the list. The roof came first.

TESTA Question for Inspection, do we have record of that addition?

ALBUS I'm gonna look it up right now.

BRIGHT I do know my son is fourteen, and he was a newborn when the City came in and brought everything up to code.

COPPOLA Ms. Bright.

BRIGHT Yeah.

COPPOLA On the survey that I showed you, someone had penciled in the structure, the distances. Who did that?

BRIGHT Probably my husband.

COPPOLA So he did measure between the corner of the house and where the proposed.... So 18 feet should be a good distance, should be a good number from the extension.

BRIGHT Yes.

COPPOLA Okay. You're planning on maintaining the fence on Joy Road, except for the adjustments for the driveway?

BRIGHT Getting redone next year.

COPPOLA You're putting a new fence in?

BRIGHT No, we're just going to power wash it and re-stain it.

COPPOLA Okay. And why do you keep it, just out of curiosity?

BRIGHT Keeping what?

COPPOLA Why? Why keep the fence? Why not take it down, open things up a little bit?

BRIGHT Because I have children and dogs and I came before this Board about 13 years ago to put the fence up. It's crazy on Joy Road after eight o'clock.

COPPOLA I missed you by a year or two. Otherwise I would have been one of the ones.

BRIGHT I'm telling you all, between the kids and the drunks walking up and down and everything else and the garbage that was found in my yard, it's bonkers.

TESTA Mr. Chair, sorry, I had one more question. Question for the Petitioner, how long or how large is your trailer?

BRIGHT It's just a 24-foot hybrid.

TESTA Okay. Thank you.

BRIGHT You're welcome. It's an Arrowwood, if you want to look it up, it's got three beds. It's a hybrid, so the front, the back and the side are pulled out like tents.

COPPOLA Other questions for the Petitioner? While Mr. Albus continues to search, I'm going to go ahead and you can have a seat for a second. Anybody like speak for or against this petition. All right. Seeing none.

KLISZ We have some letters.

COPPOLA Letters.

KLISZ Letter of objection, Karen Luzynski, 8845 Oporto Street (letter of objection was read). A letter... is essentially an objection, Deborah Golick, 8917 Oporto (letter of objection was read). And a letter of approval, Gladys Fitzgibbon, 8968 Danzig (letter of approval was read).

COPPOLA All right. What you got for me, Mr. Albus?

ALBUS I don't have anything on the addition. I do have in August 20th of 2000 they demoed a framed garage that was already on the property.

COPPOLA Please step up, because you're going to have an opportunity to give a final statement. Okay, so there was a permit for the demo on the garage.

BRIGHT There has never been a garage on the property. I don't know what that means.

COPPOLA You bought it in 2008.

BRIGHT I bought that home in 2008 and there was never a garage on it.

COPPOLA But he's saying in 2000 and... 2000.

ALBUS 2000.

COPPOLA 2000.

BRIGHT No idea what they're talking about.

COPPOLA He did a good job.

BRIGHT Right? [Inaudible]

COPPOLA Okay, so anything you'd like to say in closing?

BRIGHT Yeah, a... like, I said, I'm just trying to get a garage. I'm not trying to hurt anybody. And the woman that was on the corner that didn't want it to ruin the landscape, she never comes out of her home. Right on the corner. There's a huge walnut tree right there. She can barely see in my general direction, and there's a six-foot [inaudible] property.

COPPOLA [Inaudible] six-foot privacy fence between properties.

BRIGHT Yeah.

COPPOLA You'd be another 10 feet above it, right?

BRIGHT I just don't see how it would affect her, too. And is there a way this is all public, right? That I can get a copy of the...?

COPPOLA The minutes will be posted at some point.

BRIGHT Okay.

COPPOLA Okay. Thank you. You may have a seat. I'm gonna close the public portion of the case and start the Board's comments with Secretary Klisz.

KLISZ Thanks. Both of the exceptions are not giant, but I think we've kind of all come to the conclusion that it can easily be moved 5.2 feet north, which basically, I'm guessing, would be a denial of that request. On the size, it's eight foot over. I mean, you know, big deal. There's a reason behind it is it's a set size, a kit where the next size down, which probably wouldn't work for them, would be substantially smaller. So I'm not really worried about the eight foot, and I guess I'd be in support of the oversize and not in support of the setback variance.

COPPOLA All right. Thank you. Mr. Testa.

TESTA Yeah, I agree with Mr. Klisz. It does seem like a large garage, but they're really only eight feet over. And since they're buying a kit, I can kind of understand they're constrained. Sounds like you're asking to take those eight feet off. I would like to see it move back 5.2 feet, if it's at all possible. So I'd be in support of a motion.

COPPOLA All right. Thank you. Vice Chair Baringhaus.

BARINGHAUS I agree with Secretary Klisz and Mr. Testa that I definitely see the hardship. She has a smaller home. I admire the fact that they put a lot of effort into bringing this home up to standards. I think the property has a history of having a garage at one time, so it's not a unique situation. I agree, I would approve the variance for the garage size, but I think the garage you have an opportunity to move 5.2 feet, so I would deny that portion of the variance. Thank you.

COPPOLA Thank you. Mr. Meagher.

MEAGHER Yeah, I typically am in favor of listening to neighbor complaints. I think in this situation, you're actually making it better for your neighbor across the street on Danzig by taking that stuff out of your driveway or next to your driveway, which is behind your house anyway, and with the, I would say, with the oak tree there, I can't imagine that it's going to block your neighbor out of Oporto's view whatsoever, as long as we're following this five feet. So I can be in favor. The only other thing that I would want to make sure, and I'm sure that this is more in your department of everything. It does seem fairly close to where that fire hydrant is?

BRIGHT [Inaudible] side.

MEAGHER Okay, great, just making sure nothing would affect any of that. So, yeah, I can be in favor of this.

COPPOLA All right, thank you. I'll take this kind of in chunks here. First of all, I overall, I mean, you have no garage, should definitely have a garage, and the ordinance allows you to have a garage that's 1000 square feet and 25 feet back from the front, but it's supposed to be in the backyard, so there's three-- there's actually three items that have to be addressed. First of all, for the variance on the rear yard. This is a unique piece of property; house sits really far back. With the powerlines and such, it just doesn't make sense that you could actually put any structure, whether it's 1000 square feet or half that in the backyard. That just wouldn't work. So that variance is a hardship there. And I agree that that variance should be allowed. As to the other two, I think you can correct that in regards to front yard setback, just move it back like two feet. And as to the size, this is only a third of an acre. And I know that the ordinance changed a few years back, but we were generally looking for half to full acre, about 1000 square feet. This is big. This is a big separate structure. While eight square feet doesn't seem a lot, from my perspective, I'd rather not just approve a variance and they just stay in compliance, compliance with that particular requirement. Not a hill I'm going to die on. But that's just my preference. So again, I'll open up the floor for the motion.

BARINGHAUS Mr. Chairman, you indicated three....

COPPOLA There's three variances.

BARINGHAUS Three variances. Yeah, it's the garage size, the setback, and then what was the third one?

COPPOLA Where we are.

BARINGHAUS Where we are.

COPPOLA Supposed to be [inaudible].

BARINGHAUS Thank you. Mr. Chairman, I'd like to make a motion.

COPPOLA Vice Chair Baringhaus.

BARINGHAUS Okay, thank you. Resolved that the variance sought in Appeal Case No. 2025-08-28, filed by Brooke Bright, be granted and denied in part for the following reasons and findings of fact: the uniqueness requirement is met due to the corner location of the property and depth of the property itself. Denial of the variance would have severe consequences for the

Petitioner due to reduced storage on the property itself. And I guess I should specify this would be the first one for the garage size. Is that how you want to do it?

COPPOLA Whichever order you want to do it. We just gotta make sure we address all three of them.

BARINGHAUS Sure. Okay, so we start again. Resolved that the variance sought in Appeal Case No. 2025-08-28, filed by Brooke Bright, be granted... that variance be granted for the garage size for the following reasons and findings of fact: The uniqueness requirement is met due to no garage on the property, and denial of the variance would have severe consequences for the Petitioner due to reduced storage on the property itself. The variance is fair in light of the effect on neighboring properties, and in the spirit of the zoning ordinances due to basically neighbor support and the presence of garages in the area. This property is classified as N-1, Neighbor[hood], under the Master Plan, and the proposed variance is not inconsistent with that classification. Further, that the variance be granted with the following conditions: that it be built as presented this evening. And did you want to give a deadline on the construction, the start of it?

COPPOLA Sure. I would suggest six months.

BARINGHAUS Okay. And that the project begins within six months of this date as well. Do you want to vote individually on these or do you want...?

COPPOLA So it would be a, Mr. Fisher... you'll get a chance.

BRIGHT It's just I can't hear.

COPPOLA You can't hear? Okay, I'll ask him to speak more.

BRIGHT Okay, thank you.

COPPOLA Mr. Fisher, just want to clarify. I think that this is a motion which is partial approval, partial denial.

FISHER That's what I was thinking.

COPPOLA So you would state what you're approving and what you're denying. So that's all you would go. You don't have to go into each of the--

BARINGHAUS That's fine, okay, so then what I'll do is my motion is to approve the garage size at one thousand...

COPPOLA Eight.

BARINGHAUS Eight feet. Also I would deny the setback variance request that's proposed at 19.8 feet, and then for the rear yard setback....

COPPOLA Just this location, in regard to [inaudible].

BARINGHAUS Yeah, okay. Yeah, the location in the rear yard and conditions is... built as presented. And then secondly, that construction of the facility start within six months of this date.

KLISZ Support.

COPPOLA I have a motion by Vice Chair Baringhaus, support by Secretary Klisz. Discussion? So a couple clarifications, we have built as presented, except for location, which would have to move back, and materials and design.

BARINGHAUS Right. Again, built as presented?

COPPOLA Yeah, I think you just want to make sure you're clear as built as presented. It means it was presented in location and we didn't provide a variance.

BARINGHAUS Well, then, yeah. Then in terms of the same with the proposed materials as well. So in other words, materials in the proposed plan would be followed as we're directing.

COPPOLA We'll give you an explanation when we get done, we get through this.

BRIGHT I can't hear you.

COPPOLA We'll get you an explanation when we're done. So built as presented, except for basically location. Materials and everything else are build as presented. The other was they would have to pull the permit within 60 days.

BARINGHAUS Yes, and pull the permit within 60 days.

KLISZ Sixty days.

COPPOLA We're coming on winter now [inaudible]. It's up to you. Sure.

BARINGHAUS Well, in that case, it's coming down to winter. Wait, I'd like to waive the waiting period for the permit.

COPPOLA Okay.

BARINGHAUS Okay.

COPPOLA And what's a potential permit by when? We're going back and forth, [inaudible] permits. Secretary Klisz?

KLISZ I had six months.

COPPOLA You had six months?

BARINGHAUS Six months, that's fine.

COPPOLA All right. Any other comment? Can you read back the conditions?

KLISZ Built as presented as to size and material and design. Allow it in the front yard, as opposed to the rear yard. Deny as to location. Move 5.2 north. Six months to begin the project and waive the waiting period.

COPPOLA Okay, so we had the approval for size of [inaudible]?

KLISZ Yeah.

COPPOLA Okay, you can take roll.

KLISZ Sure.

On a motion by Baringhaus, supported by Klisz, the variance was granted in part and denied in part.

RESOLVED: APPEAL CASE NO. 2025-08-28, Brooke Bright, 30190 Joy: Seeking to construct a detached accessory garage resulting in an accessory structure of excessive size and a detached accessory structure constructed in a location other than the rear yard and a deficient front yard setback with respect to the zoning district regulations.

Front Yard Setback

Required: 25 feet
Proposed: 19.8 feet
Deficient: 5.2 feet

Maximum Size

Allowed: 1,000 sq. ft.
Proposed: 1,008 sq. ft.
Excess: 8 sq. ft.

This Low Density Residential property is located on the north side of Joy (30190), between Oporto Street and Danzig Street, Lot. No. 140-01-0448-002, N-1, Neighborhood, rejected by the Inspection Department under Livonia Zoning Ordinance, Sections 7.09 A) & D) and 3.04 Dimension Regulations,

be granted as to size and denied as to front setback for the following reasons and findings of fact:

1. The uniqueness requirement is met due the lack of a garage on the property currently, the corner location, and the depth of the property,
2. Denial of the variance would have severe consequences for the Petitioner due to reduced storage on the property, due to the lack of a garage,
3. The variance is fair in light of its effect on neighboring properties, and in the spirit of the zoning ordinance, due to neighbor support and the presence of other garages in the area, 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 in part and denied in part** with the following conditions:

1. The variance is approved as to size,
2. The garage is approved as to materials, and design as presented at the meeting of September 23, 2025, and allowed in the front yard,
3. The variance is denied as to the location/move 5.2 feet to the north,
4. The Petitioner has six (6) months to begin the project, and

5. The five-day waiting period for permits is waived.

ROLL CALL VOTE

AYES: Baringhaus, Klisz, Meagher, Testa

NAYS: Coppola

ABSENT: Hakala, Rotondo

PASS/FAIL/TABLED: PASS: GRANTED IN PART, DENIED IN PART

KLISZ Mr. Meagher.

MEAGHER Aye.

KLISZ Mr. Testa.

TESTA Aye.

KLISZ Secretary Klisz votes aye. Vice Chairman Baringhaus.

BARINGHAUS Aye.

KLISZ And Chairman Coppola.

COPPOLA You have four ayes?

KLISZ Yes.

COPPOLA Nay.

KLISZ It passes four to one.

COPPOLA All right. Now I expect you to ask questions. I apologize. So what has happened is, you were approved in part and denied in part, so the approval is—

BRIGHT [Inaudible] as I understand it.

COPPOLA Pretty much. That was denied. So you have to be 25 feet from your property line.

BRIGHT Nobody's pouring concrete in November.

COPPOLA Right. So we're giving six months to pull a permit. If not, it expires. You have to come back. I think that's it for conditions, that's it. You've been approved otherwise. All right. Congratulations.

BRIGHT Yeah, thank you. Do I need to wait for any paperwork, or...?

COPPOLA You call the office, Zoning Office, and they'll give you the process. But I think they can pull a permit. They can pull a permit... you did the waiving?

BARINGHAUS Yeah, I did the waiving.

COPPOLA Waiving waiver. They can pull a permit. I think what, Mr. Fisher, we waive it... tomorrow?

FISHER Yeah.

COPPOLA You can pull the permit tomorrow if you wanted to.

BRIGHT Thank you so much. I appreciate your time.

COPPOLA So we're going to take just a five-minute break. We'll be back on... this is now basically 8:58, will be back at 9:05.

The Board took a short break beginning at 8:58pm.

COPPOLA We're going to be back on the record at nine o'clock. And... no, I think we're going to have to take it one at a time. We'll start with one.

APPEAL CASE NO. 2024-10-37, 17117 North Laurel Park Drive (tabled on May 20, 2025):

an appeal was made to the Zoning Board of Appeals by Laurel Investment, LLC, on behalf of Lessee Cooper's Hawk Winery & Restaurant, seeking to install a wall sign package resulting in an excessive number of signs and excessive total sign area.

This Regional Commercial property is located on the west side of North Laurel Park Drive (17117), between University Park Drive and Six Mile Road, Lot. No. 028-99-0006-008, C-4, High Rise Commercial, rejected by the Inspection Department under Livonia Zoning Ordinance Section 11.08 (3) – Sign Regulations in C-2, C-3 and C-4 Districts.

Total Signs

Allowed: 2
Proposed: 4
Excess: 2

Total Sign Area

Allowed: 197.25 sq. ft.
Proposed: 220.9 sq. ft.
Excess: 23.65 sq. ft.

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

BARINGHAUS Mr. Chairman?

COPPOLA Vice Chair Baringhaus.

BARINGHAUS Motion to remove Appeal Case No. 2024-10-37 from the table.

KLISZ Support.

COPPOLA Motion by Vice Chair Baringhaus, supported by Secretary Klisz, to remove this case from the table. All in favor?

The Board voted unanimously to remove Appeal Case No. 2024-10-37 from the table.

COPPOLA Okay, so removed. Mr. Albus, anything you'd like to add?

ALBUS No, I think a lot of stuff has bounced back and forth already in front of this Board, so....

COPPOLA Any questions for Mr. Albus?

TESTA Mr. Chair. For point of clarification, do we plan on hearing all three cases and then voting or voting on each one individually as they come? That make sense?

COPPOLA I understand what you're saying.

TESTA I think we've heard multiple cases before that were from the same Petitioner and voted on them individually.

COPPOLA How do we do this one?

TESTA We did them separately.

COPPOLA I think we should vote on them separately, obviously keeping, because we have kind of the whole plan of the site, and keeping in mind that first or maybe second one and the third one, I would prefer, just for a clean record.

TESTA Okay.

COPPOLA And have them, or simply because today, this could be, you know, Cooper's Hawk, 10 years from now, it would be....

TESTA Yeah.

COPPOLA I don't know, Jet's.

TESTA Definitely voting on them separately. Could we hear all three of them and then vote separately? Does that make sense?

BARINGHAUS Mr. Chairman.

COPPOLA Vice Chair Baringhaus.

BARINGHAUS I'd prefer one at a time, just again to point a discussion would be very hard.

COPPOLA Okay, it convoluted otherwise. Would be very hard.

BARINGHAUS Okay.

COPPOLA Interesting suggestion, I guess we have to keep in mind, as we go through these, all the other cases and our positions.

TESTA Yeah, the maintenance could get really messy.

COPPOLA Okay, anything else? Petitioner could step up? We'll need a name and address.

WATERCUTTER Name is Brad Watercutter. Address is 532 Woodson Drive, Columbus, Ohio.

COPPOLA Could you spell your last name?

WATERCUTTER Water, W-A-T-E-R-C-U-T-T-E-R.

COPPOLA Just want to make sure that we got that right for the record. So Mr. Watercutter, exactly as it's pronounced.

WATERCUTTER Yes.

COPPOLA We had you before us a while back and again. I think it was May and before that in January. Doesn't look like really anything has changed since the last time.

WATERCUTTER Nope.

COPPOLA I did see that you provided an option that you could put the feather in the back.

WATERCUTTER That was an option that now the owners have...

COPPOLA Yeah.

WATERCUTTER [Opted] not to have.

COPPOLA Okay, I agree, not that it's my decision, but I agree. So I think we went through this before, and we talked a little bit about the signage to try and understand the kind of purpose of the sign, and the main reason it was tabled was just because we wanted to make sure we saw everything. We could take that into consideration, all of the properties in consideration, when we consider the overages here, the overage isn't a lot in the sense of square footage, but there's just a lot of signs. There's four signs, again, the feather is considered, a standalone is considered a sign, because it's all about prominence, and so that's considered a sign. In our last hearing, there [was] some discussion back and forth, whether it's kind of something that we'll let slide. But I think the issue was... so you end up with three wall signs, and the question, we looked at it, you're allowed two, notwithstanding, again, the feather, and we're trying to... I was struggling with, obviously, the one on the front. The one on the front makes a lot of sense on the front of the building. You always have a sign from the building identifies it, and you have one on the east and one on the west. Really, what type of visibility do they provide? And I think the last time I spoke, I thought one of these really was visually challenged. Would have been hard to see. I think the one on the west makes sense, because of the parking lot and such. You can identify the building, plus you've got the pylon sign. So on that, directly on that east side, also, which is the multi I guess that's actually not a pylon. It's a monument sign. So you've got people coming in there. They can see that Cooper's Hawk is there. You don't need the sign on the side of the building. They drive through the parking lot. They come between the buildings. They can see Cooper's Hawk is there. The front of the building, always have on the front of the building, and that's just how you brand your vehicle. So, so my perspective, I think last time I said is, I can live personally. I actually like the feather, I like the logo. I think actually it makes it look kind of good and unique. And then I'm good with what's allowed. Which are the two building signs, and you've picked out what size you want them. I would think that the west side would be more. So I just wanted to get some feedback. That was kind of what I said last time. And I know if there's anything that you wanted to say in response, in rebuttal to that comment, to try to sway me into why you need that third sign.

WATERCUTTER Right. It is on brand to have three signs on our building on the least majority visual from the streets. I will say for here, we did shrink our overall building signs. So if you disregard the feather, the three buildings that we're proposing are still within the allowable square footage of two building signs, if that makes sense.

COPPOLA And if you only have two building signs, you can make them bigger like you like. And then everybody'd be happy. Okay, so again, on the east side, I think the vision, I think [inaudible] vision is blocked. I think with the Comerica building there, it's really hard to add value on that sign. And again, because we allowed two building-- two wall signs, if you pick kind of the two sides, that's... that didn't sway me completely. By telling me that that's your standard design doesn't really kind of sway my position much.

BARINGHAUS Mr. Chairman.

COPPOLA Vice Chair Baringhaus.

BARINGHAUS Yeah, a question for the Inspection Department, Mr. Albus. The monument sign is 100% compliant, if I recall.

ALBUS Okay.

COPPOLA There's been no variance for it.

BARINGHAUS Okay.

ALBUS Yeah. So that is.

BARINGHAUS I guess, another question... I understand Chairman Coppola's point on the east elevation sign. But in terms of the Comerica Bank, is it in line directly parallel to the building, or does it sit more west of this building?

WATERCUTTER West? And I think it does sit out. I'll look at the overall sign plan again, but I think we're... the east side should be pretty visible from people coming from that direction.

BARINGHAUS So I mean it, because, yeah, the building is in the area, but I think it sets north.

WATERCUTTER Right. Yes, yes.

BARINGHAUS Okay, great. Thank you.

COPPOLA Other questions to the Petitioner?

BARINGHAUS No, I'm set.

COPPOLA No more questions? All right, is there anyone in the audience who would like to speak for or against this petition? Seeing none. Any correspondence? No interested citizens.

KLISZ No.

COPPOLA All right, Mr. Watercutter, anything you'd like to say in closing?

WATERCUTTER If we have to get down to two building signs, you get to choose east or west, which one we would like?

COPPOLA We went down to two signs, and again, you could probably make them bigger.

WATERCUTTER Right, yes.

COPPOLA Yeah, as long as it was in compliance with, in compliance with code, yeah, you could pick which one. I'm not going to dictate.

WATERCUTTER Okay.

COPPOLA Which two. I'm saying where I'd put them, but—

WATERCUTTER Okay.

COPPOLA I'm only going to let you have two. For me, I would only vote for two plus the...well, three in a sense.

WATERCUTTER Right. Understood.

COPPOLA Anything else? Okay, you can have a seat. Close the public portion of case and start the Board's comments... who haven't I picked on first yet? Vice Chair Baringhaus.

BARINGHAUS Okay, thank you. Yeah, in terms of looking at the sign package itself, you know, past conversations in terms of the feather, I consider that a piece of artwork, there's been support that. It does... that's your logo, and it does actually complement the building. In terms of the current sign package, I'm fine with the three signs, and the reason I say that is, if you go down Laurel Park way, many of the buildings in that area do have east-facing signage as well. I think that would be beneficial and also more probably more consistent with your brand image as well. So based on that, I'll support the variance. Thank you.

COPPOLA Thank you. Mr. Testa.

TESTA Yeah, thank you, Mr. Chair. I'm a little torn on the... sorry. I'm in agreement with the feather for sure. On the other two versus three sides, I'm a little torn. I do think we needed a Google Maps and another map aerial view that was in the packet. I do think Comerica does block kind of that east-facing sign. So I'm not really sure the benefit of it. It is kind of... the sign is lower on your building, [inaudible] get higher up. But I don't want to be swaying a no vote here tonight, so I'll be interested in hearing what you have to say. I know the Chairman's thinking on it. I'm just hearing what everyone else is. I also would like to put verbiage in there that no future variance about a monument sign, but I guess that's somewhat meaningless. You can come in for a variance if you wanted to, but I really, really hope that you can get that monument sign in without needing a variance. I know you're saying that, but I wish we could put verbiage to tie that, lock you down into that. Thank you.

COPPOLA All right. Thank you. Mr. Meagher.

MEAGHER Yeah, this is a funny one. I went down a rabbit hole with Cooper's Hawk's signage around the country and looking at different buildings. And I'm actually going to disagree with you, Mr. Testa, that I think, I don't think Comerica blocks anything from that side. I'm frequently at that Panera on the other side of Laurel Park Drive working and watching the construction. It doesn't block it at all, I think for the traffic there, that's hopefully intended. I'm gonna be the black sheep here, and think that in this particular case, I think bigger is better because of what it's gonna draw to Livonia. If this was 200 square feet outside of what is being proposed, I probably would have a problem with it. With it being 20 or 23.6 or whatever it is, I

don't have a problem with it. I think the only thing that I wouldn't agree with would be the north side, which I think is the loading dock anyway, the backside of the building. That one doesn't make sense to me, just because the only people that would really see that would be people who are staying at one of the hotels there. But if you're staying at the hotel, you're already going to know that there's two nice restaurants sitting there in the first place. So I'll be in support of this, on top of knowing that it's going to bring a lot of value to the city.

COPPOLA Thank you. Secretary Klisz.

KLISZ I think I agree. I know that area well, I live just north of the mall, so this is like my neighborhood, and that's where you're coming in. Everyone's coming in that way. So it would be useful to be able to see it, because everyone's going to be entering, we're not going to enter off of Six Mile, you're going to enter from the expressway, so they're coming in from the Comerica area. That I think a sign in that location would be valuable. So I think my mind has been made up in support of the petition.

COPPOLA All right. Thank you. Kind of already put the cat out of the bag for my position. You know, I'm fine with the feather, and if you add the feather and the two signs at the current size that's well within the allowed area, 55 square feet, rather than your [197] so you can go up another quarter, two feet on the two wall signs that say "Cooper's Hawk" on it. So I wouldn't be in support if there was a motion to approve as presented. I wouldn't be in support of that. I would be in support of three signs with, just with the three signs, and then total obviously, the total sign area no longer becomes an issue. So I would have agreed to kind of in part, the three signs, and then denied the total sign area. So I will go ahead and open up the floor for [inaudible]. I'm sorry, for a motion.

BARINGHAUS Mr. Chairman.

COPPOLA Vice Chair Baringhaus.

BARINGHAUS Okay, resolved in Appeal Case 2024-10-37, filed by Laurel Investments LLC on behalf of Lessee Cooper's Hawk Winery & Restaurant, be granted for the following reasons and following findings of fact: The uniqueness requirement is met due to the location of the building along an elevated portion of Six Mile Road which restricts visibility. Denial of the variance would have severe consequences for the Petitioner, due to the reduced visibility and the location to potential customers, the variance is fair in light of its effect on neighboring properties and in the spirit of the zoning ordinance due to the fact that it followed-- it's consistent with the pattern of signage within that area on other businesses. The property itself is classified as C-4, High Rise Commercial, under the Master Plan, and the proposed variance is not inconsistent with that classification. Further, that the variance be granted with the following conditions: that the signs be installed as presented this evening.

MEAGHER Support.

COPPOLA I have a motion by Vice Chair Baringhaus, support by Mr. Meagher. Any discussion? Do you want to put a timeframe on the permits?

BARINGHAUS You're pretty far along.

WATERCUTTER Yes, it's... I think we got to [inaudible] them already, so.

COPPOLA I would do six.

BARINGHAUS Signs to be installed within six months.

KNOWLES Might want to go eight months.

BARINGHAUS That's fine, eight months.

KNOWLES Anticipating April, I think, opening.

COPPOLA Just for the record, if you're going to speak I'm going to need you... I apologize.

KNOWLES That's okay. Thank you.

COPPOLA We got to get the record, or I'll get slapped around.

KNOWLES We don't want that.

COPPOLA Yeah, I know.

BARINGHAUS It's three variances. It's a lot of slapping.

KNOWLES I'm Jack Knowles, I'm with Laurel Investment, LLC.

COPPOLA Okay, thank you. And you're just saying...

BARINGHAUS You recommend eight months.

COPPOLA Eight months because of just....

KNOWLES Yeah, just based on where we are. It's September, anticipating an April opening, just like to have a little bit of smock over the six months. That's all.

COPPOLA Yeah, okay.

KNOWLES You just never know what is going to happen.

BARINGHAUS I'm fine with that.

COPPOLA Okay, anything else? So what are the conditions? Can you read that back for me?

KLISZ Signs to be installed as presented and to be installed within eight months.

COPPOLA Okay. You can go ahead and take roll.

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

RESOLVED: APPEAL CASE NO. 2024-10-37, 17117 North Laurel Park Drive (tabled on May 20, 2025): an appeal was made to the Zoning Board of Appeals by Laurel Investment, LLC, on behalf of Lessee Cooper's Hawk Winery & Restaurant, seeking to install a wall sign package resulting in an excessive number of signs and excessive total sign area.

Total Signs

Allowed: 2
Proposed: 4
Excess: 2

Total Sign Area

Allowed: 197.25 sq. ft.
Proposed: 220.9 sq. ft.
Excess: 23.65 sq. ft.,

This Regional Commercial property is located on the west side of North Laurel Park Drive (17117), between University Park Drive and Six Mile Road, Lot. No. 028-99-0006-008, C-4, High Rise Commercial, rejected by the Inspection Department under Livonia Zoning Ordinance Section 11.08 (3) – Sign Regulations in C-2, C-3 and C-4 Districts,

be granted for the following reasons and findings of fact:

1. The uniqueness requirement is met due to the location of the building along an elevated portion of Six Mile which restricts visibility.
2. Denial of the variance would have severe consequences for the Petitioner due to the reduced visibility of the location to potential customers.
3. The variance is fair in light of its effect on neighboring properties and in the spirit of the zoning ordinance due to the fact that it is consistent with the pattern of signage within that area on other businesses.
4. The property itself is classified as Regional Commercial under the Master Plan, and the proposed variance is not inconsistent with that classification.

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

1. The signs will be installed as presented, and
2. The signs shall be installed within eight (8) months.

ROLL CALL VOTE

AYES: Baringhaus, Meagher, Klisz, Testa

NAYS: Coppola

ABSENT: Hakala, Rotondo

PASS/FAIL/TABLED: PASS: PASS

KLISZ Mr. Meagher.

MEAGHER Aye.

KLISZ Mr. Testa.

TESTA Aye.

KLISZ Secretary Klisz votes aye. Vice Chairman Baringhaus.

BARINGHAUS Aye.

KLISZ And Chairman Coppola.

COPPOLA Nay.

KLISZ Passes four to one.

COPPOLA All right, so that variance as presented has passed. So let's call our next case, which is the Capital Grille.

APPEAL CASE NO. 2025-02-02, 17117 Laurel Park Drive (tabled on May 20, 2025): an appeal was made to the Zoning Board of Appeals by Laurel Investment, LLC, on behalf of Lessee Capital Grille, seeking to erect a wall sign package resulting in an excessive number of signs and excessive sign area.

Number of Signs

Allowed: 2
Proposed: 4
Excess: 2

Total Sign Area

Allowed: 191.75 sq. ft.
Proposed: 241.92 sq. ft.
Excess: 50.17 sq. ft.

Also seeking to reface an existing off-site secondary sign on a pylon with a larger sign for an off-site business which violates the prohibition of pylon signs, off-site signs (Billboards), and to the alterations to existing non-conforming signs.

This Regional Commercial property is located on the west side of Laurel Park Drive (17117), between University Park Drive and Six Mile Road, Lot. No. 028-99-0006-008, C-4, High Rise Commercial, rejected by the Inspection Department under Livonia Code of Ordinance, Section 11.08 (3) Zoning District Regulations.

COPPOLA Thank you. Mr. Albus, anything you'd like to add?

ALBUS Nothing at this time, sir?

COPPOLA Any questions for the Inspection Department? Seeing none. The Petitioner could step up. I'll need a name and address. If your name is as hard as the last one, I'll need you to spell it.

MIKEL Hello there. My name is David Mikel, 6001 Nimtz Parkway, South Bend, Indiana, 46628. My last name is spelled M-I-K-E-L, pronounced Michael.

COPPOLA You gotta keep it simple like this from now on. Okay, Mr. Mikel, go ahead.

MIKEL Good to see you again tonight. I know we met a couple months ago, and I just want to say the packages you saw, then the package you have. Now there's been two minor changes. Sign G, the sign that was originally on the rear of the building, has been removed from the package, and sign B, the letters over the canopy. We have three options for that as well that our client, the Capital Grille, would be willing to do. So with that, I'll start with the sign on the west elevation. So sign E, that is one of our signs in excess of the number of signs, and puts us over on square footage. It faces the west towards the highway. I drove around the corridor a bunch today, and driving eastward on that road there, I can see the structure is up, and you'd be able to see that side of the building there, just that would be the primary elevation you'd see when heading eastbound on that road. And that way, you can establish building identification. And as you can see on pages five and six of this package, you can see the allowed versus proposed is just those visual cones. You can see sign E reaches the east and west rows there. And in order to get to the site itself, you'd have to turn left with the light, basically make a 180 turn in by the monument sign, and then go all the way back to the development, where you eventually run in to sign F, which is on the east side of the building and kind of welcomes you on into the parking areas. And so, telling that story of seeing, identifying the building, making the appropriate turns to get to the entrance using the monument sign, and

then also making your way all the way back inside the development. These signs are being requested so that we can kind of tell a wayfinding story, and we can get there safely, which moves me to the sign B, which is over the canopy on the front elevation. We feel that this sign is necessary for a handful of reasons, just for when you get on site or when you're driving by the main road there. It's for wayfinding and guest orientation. Canopy is at the primary entrance, and helps guests immediately recognize where to enter, especially at night or in inclement weather, and it is a welcoming experience when you have that canopy, you got a spot designated for picking up and dropping off, kind of lends itself to the high quality dining experience that you're looking for when you go into the Capital Grille. And you know, once again, it also helps with safety and traffic flow. That way, it's designated as the pickup and drop off. Drop off, the little area there under the canopy, if there's any weather or anything like that with any guests who need a shorter walking distance. And then, just to also note that the canopy letters as well, they have a low visual impact. They're really just for pedestrian and vehicles approaching in the parking areas, designates where that canopy is, and with that, that's what I have. If you have any questions, I'm here to answer.

COPPOLA So in the back of you, before the canopy side, you have three proposals. Tell me a little about the two that include the sign. Exactly what the difference is between those two.

MIKEL So option one is channel letters that would be illuminated, and then option two is non-illuminated letters.

COPPOLA So one says, channel says, "routed out." So the route of that would be indented into... the cell would be like....

MIKEL The letters, I'm not exactly sure, but on the very edge of the canopy where the letters go, it does sink in a little bit, and the letters project out to be flush with the edge of the canopy. So they don't project off of the canopy at all. They're recessed in there on the edge.

COPPOLA Then you have one that didn't happen.

MIKEL And then, yeah, just another option, where those signs, or that sign would be removed in an effort to keep signing on the west elevation.

COPPOLA Any questions for the Petitioner?

MEAGHER Mr. Chair. Question for the Petitioner.

COPPOLA Mr. Meagher.

MEAGHER If you had to get rid of one of these signs, I'm not saying to do that, but if you had to rank them like of importance, which is the one that you would say....

MIKEL That sign would be the canopy sign.

MEAGHER B? Okay. Is that just because it's smaller?

MIKEL I mean, that isn't there for off-site advertising or anything like that.

MEAGHER It's just the wayfinding?

MIKEL Wayfinding for on-site use, so....

MEAGHER Okay.

MIKEL That would be our reason. We feel the visual corridor when having eastbound approaching the building from that direction. It helps with building identification, especially with the route you need to take to get into the development to get there. So.

MEAGHER Okay, and then my only other question is, with all of these proposed, when you were doing all of that site driving, not being from Livonia....

MIKEL Right.

MEAGHER ... which one of those would you have said, "This is the one that shows where the restaurant is?"

MIKEL And I apologize, I forget what the name of the road heading east and west—

MEAGHER Six Mile.

MIKEL Six Mile. So if I'm heading eastbound on Six Mile, the west elevation is the primary elevation of the orientation of the building. That's the first one you're going to see. Otherwise, if you're approaching from the east, heading west, you're past the entrance anyway. So sign on the front is merely the sign, just to label the front of the building. And then the sign on the east is there welcoming as you're actually on the development coming in. So it's just trying to hit the customer when they're new to the area, and you can identify, "Okay, that's what the building looks like with the sign on the side." So if there wasn't a sign on the west, you'd see a white and black building. Hopefully you'd see the sign on the front. But just to minimize the additional scanning of the building, you're trying to identify as quickly, safely as possible, we feel this package is necessary.

MEAGHER Thank you.

COPPOLA Wouldn't your monument sign that's on Six Mile also be a great way to tell where your building is, probably better than the wall sign?

MIKEL I mean—

COPPOLA Off Six Mile.

MIKEL I will say the wall sign is actually on the building, which identifies where you're trying to get to anyway, where the monument sign is on the end, not connected to the building. There's multiple buildings in the development.

COPPOLA But it is right in front of your building and right in front of the building, correct?

MIKEL Yes.

COPPOLA Okay.

BARINGHAUS Mr. Chairman. As you suggested sign D, which is the canopy sign, would be the sign you are most willing to eliminate? If you were to do that, would you substitute like a logo? I think you have glass doors on your restaurants, if I recall, a logo that says "Capital Grille," or some type of "The Capital Grille?"

MIKEL Two of the signs in this package that are compliant, they're not considered wall signage, actually. You want to be....

COPPOLA Two lions at the front.

MIKEL C and D, yeah, there's glass there, it would say "Capital Grille" on there.

BARINGHAUS So that would be [inaudible]?

MIKEL Yeah, correct.

BARINGHAUS Very good. Okay. Thank you.

TESTA Mr. Chair.

COPPOLA Mr. Testa.

TESTA Sorry, for the Petitioner. In your revised plan that has removed sign I circled out, where was that sign, in your explanation?

MIKEL Sign I?

TESTA Yeah, it's circled out. It says, "Revision 1, circle I (Removed)."

MIKEL Are you referencing the most up to date?

TESTA Yeah, here I can show you.

MIKEL Okay.

COPPOLA Mr. Testa, you know that I was removed at the original. It was taken off before it ever, ever got to us.

MIKEL Yeah, that's okay.

TESTA Okay.

MIKEL I got involved later in the process.

COPPOLA It was never in our ask.

TESTA Okay.

COPPOLA And any of the ones that we tabled.

TESTA Okay, thank you.

COPPOLA I went back and looked. I had the same question.

TESTA Okay, thanks.

COPPOLA Okay, any other questions? All right, seeing none. Anyone in the audience like to speak for or against this petition? Do we have any correspondence?

KLISZ No letters.

COPPOLA Mr. Mikel, before you sit down, anything you'd like to say in closing?

MIKEL I just want to say thank you for your time. I appreciate you hearing our request for the second time. Hopefully we can get to something that makes sense for everybody. I want to say the Capital Grille is a fantastic restaurant paired with the Cooper's Hawk there, should hopefully elevate the area. So appreciate your time. Thank you.

COPPOLA All right, I'm going to close the public portion of the case and start the Board's comments with Mr. Meagher.

MEAGHER Yeah, I don't have any reason to be against this, other than it being just the excessive amount. Again, it's not 200 square feet more, it's fifty. I think I would be fine if there were any doubts or revisions from the rest of the Board that I would be totally amenable to get this passed.

COPPOLA All right. Thank you. Mr. Testa.

TESTA Yeah. Thank you. I could be in support. It is a couple extra signs. The one above the door that you kind of said it would be your least priority that you'd get rid of, but I don't mind that one. It helps people know exactly where to go for the door. I'd rather have you get the signs off of the lions which are already performing. So I'm not sure we can make you do that, but I'll be in support whether it's three or four. But I think the fourth sign above the door is helpful once in the parking lot knowing exactly where to walk to.

COPPOLA All right. Thank you. Secretary Klisz.

KLISZ I think I agree with Mr. Testa. That was a good reasoning on that, because, again, we could remove one, but that one actually does make sense, and I think it's also been consistently appropriate, the last one. So I'll be in support.

COPPOLA Thank you. Vice Chair Baringhaus.

BARINGHAUS Yeah, I agree. I would be in support as well. I think the package as presented tonight is fine. I know that you were willing to drop the Capitol Grille indication on the canopy. I think it's needed. I've looked at, having been to Capital Grilles in other cities, that logo is not only repeated over doors, but also canopies, on windows, things like that. It's a signature feature of the Capital Grille, and I think the signage on the building is appropriate for its location. So I would be in support of a variance. Thank you.

COPPOLA Thank you. I am not in support of this variance. I think it's excessive in many ways. On the front of the building, one over the canopy. I mean, there's a big sign right next to it that says, "The Capital Grille." I mean, everybody knows what it is. It's on the building. You've got two lions. They both say, "The Capital Grille." No one should be confused as to where the entrance is and how they can get in. This particular building also has a monument sign that sits close to Six Mile. So there's no... they know the Capital Grille is in that that area. It's got the monument sign, the multiple monument sign. Everybody knows Capital Grille is in there and then now we're going to be very soon, hearing a variance for a pylon sign that says, "The Capital Grille." Probably one of the most exposed buildings that we'll probably have added Livonia, based on if all this signage was approved. At some point, you got to ask yourself, why bother having ordinances if all we're going to do is allow signs all over the buildings. The ordinances are put in on a process. It went through Council. They've had public hearings. They've agreed on the ordinances. This is what they want the flavor of Livonia to be. They don't want buildings with signs all over. We've been in other communities where they have buildings with signs all over. I do understand that it's new, and we really want it to do well. They'll do well. These are good businesses. They know how to run them. They know how to get people in the door. All these signs aren't necessary to get people in the door, especially in the day and age of all of the apps that you just type in, "The Capital Grille," and it tells you exactly where to go. So I just, I think this is excessive, especially when taking into consideration all the other signs are going to be there. I don't see any reason for all this. So I will not be in support of this.

KNOWLES Mr. Chair, and I don't want to interrupt you, but there was one inaccurate statement you made. Capital Grille does not have a monument sign on Six Mile. Only Cooper's Hawk has a monument sign on Six Mile.

COPPOLA Oh, I apologize.

KNOWLES Just for point of clarification, Jack Knowles.

COPPOLA Which probably would have been why, also tonight, I said no to the last one. But I think this is excessive. I think there's too many, too many signs. We have an ordinance. An ordinance was set for a purpose. This is what-- City Council listened to the public and what they wanted. We just changed this ordinance. We allowed two. It used to be only one. That is that. It's just too much. I'll open up the floor for a motion.

MIKEL Mr. Chair.

FISHER Mr. Chair. Just want to make sure it's clear on the record that pylon signs and off site signs are not part of this.

COPPOLA Correct, correct. They're not part of this. But from my perspective, it's part of my decision.

FISHER No, I understand. Yes. I just want to make sure we were all clear on how this record should read as far....

COPPOLA Yes.

FISHER Thank you.

COPPOLA I think it would be clarified with the motion, but thank you for your comments.

KLISZ Mr. Chair.

COPPOLA Secretary Klisz.

KLISZ Resolved that the variance sought in Appeal Case No. 2025-02-02, filed by Laurel Investment, LLC, on behalf of Lessee Capital Grille, be granted for the following reasons and findings of fact: The uniqueness requirement is met because of the location and major streets that surround this particular new restaurant. Denial of the variance would have severe consequences for the Petitioner, because they wouldn't be able to have the type of signage that they need for their particular restaurant. The variance is fair in light of its effect on neighboring properties, in the spirit of the zoning ordinance, because there is no neighbor opposition, this property is classified as C-4, High Rise Commercial, under the Master Plan. The variance is not inconsistent with that classification. Further, the variance be granted with the following conditions: that the signs be built as presented, and that they be built within eight months. Or installed within eight months.

BARINGHAUS Support.

COPPOLA I have a motion by Secretary Klisz, supported by Vice Chair Baringhaus. Any discussion? I would just suggest changing your first condition ask to "install."

KLISZ Makes sense. Install as presented.

COPPOLA Any other discussion? All right, seeing none. Go ahead and take roll.

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

RESOLVED: APPEAL CASE NO. 2025-02-02, Laurel Investment, LLC, on behalf of Lessee Capital Grille, 17117 Laurel Park Drive (tabled on May 20, 2025): to erect a wall sign package resulting in an excessive number of signs and excessive sign area.

Number of Signs

Allowed: 2
Proposed: 4
Excess: 2

Total Sign Area

Allowed: 191.75 sq. ft.
Proposed: 241.92 sq. ft.
Excess: 50.17 sq. ft.

This Regional Commercial property is located on the west side of Laurel Park Drive (17117), between University Park Drive and Six Mile Road, Lot. No. 028-99-0006-008, C-4, High Rise Commercial, rejected by the Inspection Department under Livonia Code of Ordinance, Section 11.08 (3) Zoning District Regulations,

be granted for the following reasons and findings of fact:

1. The uniqueness requirement is met because of the location and major streets that surround this particular new restaurant.
2. Denial of the variance would have severe consequences for the Petitioner because they wouldn't be able to have the type of signage that they need for their particular restaurant.
3. The variance is fair in light of its effect on neighboring properties and in the spirit of the zoning ordinance because there is no neighbor opposition.
4. This property is classified as Regional Commercial under the Master Plan, and the proposed variance is not inconsistent with this classification.

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

1. The signs will be installed as presented, and
2. The signs will be installed within eight (8) months.

ROLL CALL VOTE

AYES: Klisz, Baringhaus, Meagher, Testa

NAYS: Coppola

ABSENT: Hakala, Rotondo

PASS/FAIL/TABLED: PASS: PASS

KLISZ Mr. Meagher.

MEAGHER Aye.

KLISZ Mr. Testa.

TESTA Aye.

KLISZ Secretary Klisz votes aye. Vice Chairman Baringhaus.

BARINGHAUS Aye.

KLISZ Chairman Coppola.

COPPOLA Aye. I'm sorry. I'm gonna... I'm sorry.

[Inaudible crosstalk]

COPPOLA I'm a nay.

KLISZ Passes four to one.

COPPOLA Okay, so that variance is passed as presented. All right, we can proceed on to the next case.

KLISZ Yes.

APPEAL CASE NO. 2025-08-29, 17123 Laurel Park Drive: an appeal was made to the Zoning Board of Appeals by Laurel Investments, LLC, on behalf of Lessee Holiday Inn, seeking to reface an existing secondary sign on a pylon with a larger sign for an off-site business which violates the prohibition of pylon signs, off-site signs (Billboards), and to the alterations to existing non-conforming signs.

Secondary Sign Area

Existing: 36 square feet
Proposed: 98 square feet
Net change: 62 square feet

This Regional Commercial property is located on the west side of Laurel Park Drive (17123), between University Park Drive and Six Mile Road, Lot. No. 028-99-0006-007, C-4, High Rise Commercial, rejected by the Inspection Department under Livonia Zoning Ordinance, Section 11.05 (9): Prohibited Signs, and 11.15 (3): Non-Conforming Signs: Alteration.

COPPOLA All right. Thank you. Mr. Albus, anything you would like to add?

ALBUS Nothing at this time.

COPPOLA Any questions for Mr. Albus? Seeing there's none. Can the Petitioners step up? And I'll need a name and address.

CHRISTIANSEN Yes, sir. Good evening, Mr. Chairman, good evening, Board. My name is Kevin Christiansen. I am with Laurel Investments, LLC. Address, 29200 Northwestern Highway, Suite 450, Southfield, Michigan 48034.

COPPOLA Your last name ends Christian...

CHRISTIANSEN I-A-N-S-E-N.

COPPOLA Thank you. Okay, so what I'd really like to understand from you, Mr. Christiansen, is what the hardship is for going from 36 to almost tripling the size.

CHRISTIANSEN That question certainly is one that we have expected to discuss with you. I don't know in your previous meetings, and I haven't been privy to them, if you've had any discussion regarding that, but the use of that secondary sign has been asked of Laurel Park, or Laurel Investments, LLC, by the Capitol Grille. You might note that that pylon sign has existed for quite a long time, and that secondary sign, that box, has been there for quite a long time as well, and they'd like to use it, but their request has been to upsize or to look to realize a larger sign, due to the orientation of that sign along the highway along 275 and the current setback of that pylon sign, which is quite a distance from the western property line, I think it's over 100 feet. And then there's another 50 feet to the travel portion of 275, so this is a request then made by Capital Grille of Laurel Investments. Laurel Investments then representing that interest so that visibility of that Capital Grill sign can be realized. Thirty-six square feet just is not, at the distance of setback, visible. It's not realized, that's the challenge. That's the difficulty. It's a unique circumstance, not only from the distance, but if you've had an opportunity to drive by, drive up and down the freeway or coming eastbound on Six Mile Road from the west side. You'll note too, the vegetation that is there along that western property line has grown to maturity. The pine trees and other vegetation. I think there's some clearing going on, some underbrush

clearing, but those pine trees have grown up pretty tall as well, so there's a little bit of obscuring going on as well. So that and the distance of setback, and the 36 square feet not being of size to be visible at the level the Capital Grille would like. They, then, through Laurel Investments are requesting this variance.

COPPOLA Okay. Thank you. Questions for the Petitioner?

BARINGHAUS Mr. Chairman.

COPPOLA Vice Chair Baringhaus.

BARINGHAUS Yeah. Can you give a description of where the sign is located on the property?

CHRISTIANSEN Yeah, I don't know. I know I saw something. Did you get the graphic?

BARINGHAUS I know I saw something.

CHRISTIANSEN I have a couple of graphics. I know there was quite a bit of information. We appreciate the City's in-depth historical work with that. There's an aerial that you have.

BARINGHAUS Okay.

CHRISTIANSEN If you have that aerial and you have this, I'm holding these up.

BARINGHAUS Yes, I....

CHRISTIANSEN Sorry, there's a site plan and an aerial, as you look at it.

BARINGHAUS It's in the far northwest corner.

CHRISTIANSEN Holiday Inn is in the northwest corner in the parking lot. It's in a small... it's in a landscaped island, or actually a bump out. There's three parking spaces, and it's just to the north and east of that area.

BARINGHAUS Okay, perfect. Yes, you did have it in the package, but it's [inaudible].

CHRISTIANSEN Yeah. You can actually almost see it on the graphic that was the aerial map that was put in there. In fact, you can see it. Right there.

BARINGHAUS Okay, perfect. Thank you.

CHRISTIANSEN You're welcome. Thank you.

TESTA Mr. Chair.

COPPOLA Mr. Testa.

TESTA Thank you. Question for the Petitioner, why is the pylon sign necessary?

CHRISTIANSEN Well, the pylon sign is a sign of its time, and it has been there for quite a period of time. It's necessary because the uses that are along 275, particularly the hotel use and the restaurant use. You need to have that visibility and that identification, being highway commercial-type uses, I think this is a C-4 area, and so that pylon sign has been very useful for the Holiday Inn and as such, and the Capital Grille, being the restaurant right next to it, would like to utilize that pylon sign to again identify themselves to vehicular traffic along both north and south of 275.

TESTA Does the signage we just approved in the prior case already help you capture people on 275?

CHRISTIANSEN Not on 275. The signage that you just reviewed in the previous two cases is oriented towards the vehicular traffic, Six Mile, Laurel Drive, that area, and traffic prevalent around those buildings. This pylon sign is specific to the highway orientation.

TESTA Just kind of a hypothetical question here. Most your clientele are probably coming to your restaurant as planning, meaning they're not just driving down 275, "Oh, look, hey, there's Capital Grille. I'm gonna pull off and stop." Like someone traveling down Florida might stop at a Burger King or something like that.

CHRISTIANSEN I would say that there are those that work in the marketing end of Capital Grille that probably might not agree with that. They might say that you know restaurant uses, and the identification of them certainly catch the eye. And that's the purpose of the pylon sign. That's the purpose of the secondary sign. So whether it's a hotel or it's a restaurant like the Capital Grille, most certainly there are customers that have made a decision to specifically go to those locations. But then there are those that are the traveling public that need that identification to help them in their travels, realize that there is a Capital Grille here, and "We're going to go there." So that's why that sign is also something that's preferred by Capital Grille.

TESTA Do you or Mr. Knowles know the address of the Capital Grille? Is it going to be a Six Mile address?

CHRISTIANSEN It's, if you look back, I'm sorry, go ahead.

KNOWLES It's a North Laurel Park—

CHRISTIANSEN Right.

KNOWLES All the—

CHRISTIANSEN It's on your agenda.

KNOWLES --buildings are North Laurel Park Drive addresses.

CHRISTIANSEN Right. So Capital Grille will be 17117 Laurel Park Drive.

TESTA Okay. Do you know of any other Livonia restaurant that has a pylon sign off of 275?

CHRISTIANSEN You know, I traveled up and down 275 looking at the various signage that was up and down there. And there was pylon signs for different locations. Specific restaurants in Livonia along 275? I cannot tell you that there is another one on that east side of 275. I can tell you this one for Holiday Inn has been there for a long time, and there were two restaurants in the Holiday Inn, and that's what the secondary sign was for, previous restaurants. Hasn't been used for a bit, because there hasn't been a restaurant there for a while, but now that is going to be. But I don't know there's another restaurant sign, if I'm correct, although there are signs that are at Seven Mile, don't know that there's pylon signs with those just at Victor Parkway. I don't know there's any signs right there. And then, if you go all the way up to Eight Mile, there's no commercial on the east side right there. So I don't think there's any right there.

TESTA Okay, thank you for mentioning the prior restaurants. My understanding, and maybe I'm wrong, I thought that secondary pylon, the sign below that's blank has always been blank and never used. Was it used at one point?

CHRISTIANSEN Yeah, it was. It was used for the two restaurants previous in the Holiday Inn, and I think the last one was for Johnny's Steakhouse, if I'm correct.

TESTA Okay, so Johnny's Steakhouse is not too much longer in name than Capital Grille. How are they okay with that? [Inaudible]

CHRISTIANSEN Yeah, I don't know. They're out of business, so maybe that was an issue. In any event, yeah, I can't speak to that, but, you know, certainly they utilize that. And we're the restaurant of the hotel, and in this case, again, the interest is utilizing that secondary sign, again, for a restaurant, just realizing that, based upon, and I mentioned, the conditions of the distance of the mature vegetation, wanting to have something a little larger so that it's more visible. And that's the interest in Capital Grille.

TESTA Okay, thank you.

CHRISTIANSEN Thank you.

COPPOLA Any other question for the Petitioner?

MEAGHER Mr. Chair. Question for the Petitioner.

COPPOLA Mr. Meagher.

MEAGHER Why do you see it as a need to be bigger when there really isn't a precedence in Livonia at all, other than maybe... the one that I think of as Burton Manor off 96. That's the only one that I can think of that really sticks out in my head of precedence, but no other restaurant comes to mind. But I'm wondering why the need to make it bigger when it's no longer tied with the hotel itself. Just because of the location of where it's at.

CHRISTIANSEN I appreciate those questions. I do have a graphic that is a little bit of [an] update to, I think, the one you have in the package. I thought you might, we thought you might have got this one in the packet as well. If I could, Mr. Chair, or through the Chairman, I have eight copies of this eight and a half by eleven. What it shows is the existing with the box with the cover that it has on it today, and what, if it exists to be refaced with no change to the size the Capital Grille sign would look like, and then what the Capital Grille is requesting here as an

increased size in the same location on the same pylon sign, and if I might, Mr. Chair, that might help, at least visually. Thank you. Should I just give this to you? Have it distributed, or...?

COPPOLA Sure.

MEAGHER Now this might be an ignorant question too, but we're not talking about moving the pylon sign itself, right?

CHRISTIANSEN No. The only--

MEAGHER Yeah, that's thing.

CHRISTIANSEN The only request here is just to make sure we use, or to continue to use that box, but just to increase its size. There's no other change to location, height, Holiday Inn sign portion is staying. It's going to remain. And again, the interest here is having greater visibility, and due to the distance and also the vegetative conditions, this request is being made.

TESTA Mr. Chair.

COPPOLA Mr. Testa.

TESTA Question for the Petitioner. How did Capital Grille win out? Why not Cooper's Hawk?

CHRISTIANSEN That's a great question. We had talked about that too, and I think that there was a little bit of back room bantering back and forth. It was a request of Laurel Investments LLC, by Capital Grille. They came and asked. Laurel Investments owns these sites. Laurel Investments owns the Holiday Inn building. They will not own these other buildings, but they do own the sites. So Capital Grille and Cooper Hawk. Cooper's Hawk, excuse me, they are tenants on those sites. So all of this then, and all of the agreements together, Capital Grille is the one that approached Laurel Investment to revitalize and reface that sign and make it a little bit bigger so it's more visible, a little bigger letters, you can see it on the traveling public, again, traffic traveling on 275 north and south, so that they're able then to see the Capital Grille, and to then go ahead and orient themselves driving to the restaurant.

TESTA And there's going to be another hotel on the same site, now being built. Home2?

CHRISTIANSEN Yes, that's correct.

TESTA Okay, are they going to want a pylon sign, or to be included on Holiday Inn's pylon sign?

KNOWLES I can't speak to a specific request of Home2, that I'm not aware of, but I do not know of any requests. And no and they, to the best of my knowledge, are not. The only use of that pylon sign is for continued use by Holiday Inn and refaced by Capital Grille.

COPPOLA Give me your name and address so that we capture it on the....

KNOWLES Yeah, Jack Knowles.

CHRISTIANSEN I didn't see Jack stand up. I'm sorry.

KNOWLES No, Home2 is not looking for any signs on the pylon sign. Thank you.

COPPOLA So is Capital Grille intending on purchasing spots? You know, you have the highway signs. They have each of those exits. It says what's on those exits. Is Capital Grille going to be putting on?

CHRISTIANSEN Yeah, you're talking about public right of way signs?

COPPOLA Yes.

CHRISTIANSEN Yeah. You see those in all the interchanges. You have one for gasoline stations, you have one for restaurants, you have one for other attractions. I do not know that. Those are typically state highway signs, so I don't know if that would be through MDOT or however that would be. You'd have to ask them about that, but I'm not aware of it, certainly not part of our application.

KNOWLES I'm not sure there are any... Are there any out there?

CHRISTIANSEN No, I don't know. Yeah, that's a great question. There are on 275, I just don't know if there's any specific ones here. I think you see in almost every interchange.

BARINGHAUS They're on the exit map.

CHRISTIANSEN But you have to get up to them. And typically they're a scale to where, unless you're right there. And then when you get there, and you see what it is, and you might recognize a color scheme or a [inaudible] but then you see a distance, and you see a turn, too.

COPPOLA Any other questions for the Petitioner? [Inaudible], anything you want to say?

ALBUS With the Building Department's point of view, if you expand that existing non-conforming sign, we definitely need engineer approval for the wind loads and the extra loads on the... so that structurally can handle it. And then I don't know if Mr. Fisher wants to talk with the advertisement of a business on a different site.

FISHER I don't want to [inaudible] here or there.

ALBUS Well, that's what expanding a non-conforming sign. I need the engineering. And then is that setting a precedence also?

FISHER Yes, we're... this is a grave concern to us. Because, as you may all know, or some of you may know, one of Livonia's distinctives in the whole world is no billboards, and the billboard concept is sort of two definitions. One is typical size and type of sign physically, and the other is offsite, advertising offsite business on site. And this is precisely what is proposed here. That's why the Holiday Inn sign below it has the Capital Grille, that makes it now not only a non-conformity to be eliminated, not expanded, but it's also... it creates a new species of sign that we had successfully drove out. And then the billboards were originally

prohibited in the early... basically, the City of Livonia's first zoning ordinance, which was circa 1950. At that time, they really grandfathered those billboards, which are still standing. And the last billboard came down like 1986, and ever since then, we haven't had this kind of thing. And you know, I guess the only other thing I would say is, if we're seeing the shove, if push came to shove, we could tolerate having this Capital Grille sign as a Holiday Inn sign and not grow at all. But if it's going to grow or it's going to blossom into a billboard, that would be an appalling precedent.

TESTA Mr. Chair.

COPPOLA Mr. Testa.

TESTA Thank you, Mr. Fisher. I see that in a finding of fact, so, and I had forgotten about that. So thanks for reviewing that. The current owner of the pylon sign is Laurel Investment. Don't they rent the space to Holiday Inn? So aren't we already in that condition of somewhat of a billboard?

FISHER Well, I don't know who has what, but I know this: right now, this sign print, in one way it has just the one brand and one sign. When you add a brand that's off the site, you create a billboard, so.

TESTA Okay.

COPPOLA Any other questions? All right, seeing none. Is there anyone in the audience [who would] like to speak for or against this petition? No. Any correspondence?

TESTA Sorry. One more question for Mr. Fisher.

COPPOLA Okay.

TESTA If, just if they put in a Capital Grille sign to the current size, they can do that right now, right or no?

FISHER No.

TESTA Okay, so they would need a variance either way?

FISHER Yes.

COPPOLA And they're not asking for that variance right now, correct? They're just asking to make that sign bigger.

FISHER Well, no, they're asking to put Capital Grille on the sign.

COPPOLA Oh, I see.

FISHER They're asking for both. They're asking both to increase the sign on the one end and to...

COPPOLA I see. Okay, I'm sorry. Yep.

TESTA

Yep, okay, thank you for clarifying.

COPPOLA

Yeah, the way I read it, it just didn't... the way it's written, just seems like they're asking for a larger sign, but I see what you're saying. Should have said, "and." Okay, anything else? Mr. Christiansen, anything you'd like to say in closing?

CHRISTIANSEN

Well. I appreciate the Board's time, and thank you very much and all the work that was put together prior to my being in attendance. And certainly I see that it was a lot, and so this location has its history. I know that the City, I think, through Mr. Fisher's department, or his office, his work, put together quite a bit of material for you. There's a lot of things that I learned when I read through the complete agenda packet, which was quite a bit. Pylon signs serve their purpose. Pylon signs are part of the sign facilities that are used for highway commercial. That's what the purpose of this sign is for these sites, the Holiday Inn, the Capital Grille, are directly adjacent to the highway. They certainly benefit significantly from the use of these kind of signs. Holiday Inn has and looks to continue to use the pylon sign, and that secondary sign that was approved by the City years ago with this pylon sign, is again wanting to be used as it was approved, and again, for a restaurant, like there were two restaurants before associated with the Holiday Inn. The restaurant that the Capital Grille is, yes, it is correct that the Capital Grille's a couple tens of feet on the adjacent property, but it's all part of the same campus. It's all part of the same highway commercial campus, and to be able to utilize the pylon sign and the secondary sign the Capital Grille, then, in their interest of drawing customers to this part of Livonia, as Livonia redevelops here, and all of this is realized, which, as I heard you talking before, is certainly something that I know the City is very excited about. Living in the area as I do, I'm excited about it as well. And so again, there's no interest here in changing the pylon sign, its height, its location, anything else about it. Certainly Laurel Investments will absolutely work with the City and take the time to understand the existing conditions regarding anything related to engineering, wind load, etc., to make sure that it's safe and structurally sound. The interest here is just again, continuing to use it, use the secondary portion and to increase the size of that only for Capital Grille, specific to Capital Grille, and certainly any conditions that the Zoning Board would wish to place in supporting that, then we would look, then to realize favorably, if it's specific to the Capital Grille. So again, the purpose here is to reuse the sign, that changes height, location. Just use that box, increasing the size for better visibility and the existing conditions of the distance, the vegetation, etc., and to realize this for Capital Grille. So again, I thank you, Mr. Chairman. Thank you, Board.

COPPOLA

Thank you. You can have a seat. I'm gonna close the public portion of the case and start the Board's comments with Vice Chair Baringhaus.

BARINGHAUS

Yeah, I'm somewhat familiar with the history of this pylon sign. I was on the Board when it was originally proposed, and one of the key, I think, aspects of the pylon sign is the fact that it was directly tied to the Holiday Inn, which was in the immediate area of that business. In terms of the other sign beneath it, the secondary signage went through a number of evolutions. At first it was Johnny Rockets. So again, that restaurant was related to the Holiday Inn, and then I think it also, later on, publicized its conference center services on that sign as well. So the Holiday Inn made use of it as a subsidiary sign for businesses related directly to the Holiday Inn. In terms of the Capital Grille sign, I guess I do have some problems with it. What is the distance of the current... this sign location you're proposing relative to where Capital Grille is located? It's quite a distance, and I don't think it does it any service. And then the other thing is the color scheme. The color scheme on the Holiday Inn sign is tied directly to the signage on the

Holiday Inn itself. I think going from a white and green sign to a dark sign like that doesn't really complement it. And I think in all fairness to the Board and to the City, I think we've been very generous with the existing signage that we granted Capital Grille both with its wayfinding signs, its branding, items like that. We recognize that Capital Grille has a standardized brand package, and we didn't want to-- Well, we wanted it to work in the community and not impact the community. I think we were fair in ensuring that it communicated the image that Capital Grille wanted to convey to Livonia. I think both businesses, Capital Grille and Cooper's Hawk, are outstanding additions to the community, and I've supported them all along. But with this request for this sign and the secondary sign, I can't be in support of the variance. Thank you.

COPPOLA All right. Thank you. Secretary Klisz.

KLISZ I agree with Mr. Baringhaus's point. I guess I would just then add to that and go. My biggest worry would be, as Mr. Fisher has pointed out to us, is that we're strongly and fiercely opposed to billboards. If this would be any way a door opening to more people coming to try to put up billboards in Livonia where they're not allowed, and that's been upheld in court, then that's just easy. No. It's like Capital Grille, we gave them everything they wanted, and the other signs they have the monument signs. This one's just not needed, and there's no way we're gonna risk having a billboard situation arise. So I will be against it.

COPPOLA All right, thank you. Mr. Meagher.

MEAGHER Yeah, in this situation, I actually... I tried driving around the area to see if the secondary sign that's there right now even drew my attention at all. And it is funny how it is just a white box right now. It draws your attention because there's nothing there. I would be in favor if it was just filled in with something. I don't know the marketing value of what that would actually do, but again, to go bigger, I think it does toe that line of billboard versus not. If there was precedence of this somewhere else, I think it'd be a little easier to see the comparison, but I would be in favor of the existing sign with text there, but not necessarily anything larger.

COPPOLA All right, thank you. Mr. Testa.

TESTA Yeah, I'm sorry. I don't think I can be in support of this either. I don't think it... I don't want to go there. My biggest hiccup would be turning it into the billboard situation that Mr. Fisher spoke of, and I wouldn't agree to increase the size of it either. It's unfortunate that the Capital Grille doesn't have like an initial logo, like CG or something that they could use instead to help with the bigger font size for people there. But still, since it could create a billboard situation, I would be against this.

COPPOLA All right, thank you. Just to be clear, there's actually in a sense two variances here. One would be that they're asking for an increase in the size and the number two that they would allow for an off-site business to be on that sign. So we could approve in part, and deny in part, just so that we're clear as to what's being asked here. But from my perspective, if you go back with the minutes, I voted against this sign initially, and my position is unchanged. I don't even think it should be there. So asking for this, from my perspective, I'm not going to go back on what I what I felt back in 2018. So I'm going to open up the floor for a motion.

BARINGHAUS Mr. Chairman.

COPPOLA Vice Chair Baringhaus.

BARINGHAUS Resolved that the variance sought in Appeal Case No. 2025-08-29, case filed by the Laurel Investments, LLC, on behalf of Lessee Holiday Inn, be denied for the following reasons: in terms of the increase in size and allowance for allowing for off-site business to be placed on the sign itself, and also which would, in turn, create a billboard type of sign itself, basically that this variance be denied for the following reasons and findings of fact: that the Petitioner did not demonstrate to the Board that a practical difficulty existed and again, include recent stated that would be this type of sign, would create a billboard type of sign in Livonia, but also increase the size of a non-conforming sign, and also allow for the off or an off-site business to be placed on the signage itself. Further, that denial of this appeal is in the best interest of the City of Livonia.

TESTA Support.

COPPOLA I have a motion by Vice Chair Baringhaus, supported by Mr. Testa. Go ahead and take roll.

KLISZ Mr. Meagher.

MEAGHER Can I ask a question before we vote?

KLISZ And then Mr. [inaudible].

ALBUS I think I got the same question, because I think you gave him the opportunity to wait for a full Board.

COPPOLA If there was a split Board.

ALBUS Okay.

COPPOLA If there was a split Board, I'm fine if you want to do this again. But I think right now he's got, he's already got... I got four nos.

MEAGHER Well, can I ask that question then? Is, if we do split--

COPPOLA Do want to poll the Board before we vote?

MEAGHER Would there be a difference in changing if we went from the existing pylon sign rather than just the proposed pylon sign, I think you just said we could split this into two potential--

COPPOLA The comments I heard from several of these was that they didn't want to create a create a billboard. They didn't want to create the precedence for a billboard. So—

MEAGHER Right. So—

COPPOLA Exactly would be allowing an off-site business to advertise on a sign that's not on its site. So, I personally, when I spoke, I said I was against the sign period, which would mean both. I'm against both. I think I heard from... and we can take the poll, Mr. Testa,

there's basically two variances being asked. Where do you stand on both of those? First, the off-site business. Second, the larger sign.

TESTA Yeah, to me, I'm against the off-site. And if we don't do it as the off-site, there's no other on-site business.

MEAGHER Okay. All right.

COPPOLA Vice Chair Baringhaus? Of the two variances, are you against both?

BARINGHAUS I'm against both.

MEAGHER Okay. That's all I needed. That's fine.

COPPOLA Okay.

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

RESOLVED: APPEAL CASE NO. 2025-08-29, Laurel Investments, LLC, on behalf of Lessee Holiday Inn, 17123 Laurel Park Drive: Seeking to reface an existing secondary sign on a pylon with a larger sign for an off-site business which violates the prohibition of pylon signs, off-site signs (Billboards), and to the alterations to existing non-conforming signs.

Secondary Sign Area

Existing: 36 square feet
Proposed: 98 square feet
Net change: 62 square feet

This Regional Commercial property is located on the west side of Laurel Park Drive (17123), between University Park Drive and Six Mile Road, Lot. No. 028-99-0006-007, C-4, High Rise Commercial, rejected by the Inspection Department under Livonia Zoning Ordinance, Section 11.05 (9): Prohibited Signs, and 11.15 (3): Non-Conforming Signs: Alteration,

be denied for the following reasons and findings of fact:

1. The Petitioner has not demonstrated to the Board that a practical difficulty exists,
2. The requested sign would create a type of billboard sign in Livonia, it would increase the size of a non-conforming sign, and it would allow for an off-site business sign to be placed on the signage itself, and
3. Further, that denial of this appeal is in the best interest of the City of Livonia.

ROLL CALL VOTE

AYES: Baringhaus, Testa, Klisz, Coppola

NAYS: Meagher

ABSENT: Hakala, Rotondo

PASS/FAIL/TABLED: PASS: DENIED

KLISZ	Mr. Meagher.
MEAGHER	I should say....
KLISZ	Denying the petition.
COPPOLA	It's denying the petition.
KLISZ	Agree or disagree.
MEAGHER	So neh.
KLISZ	Mr. Testa.
TESTA	Aye.
KLISZ	Secretary Klisz votes aye. Vice Chairman Baringhaus.
BARINGHAUS	Aye.
KLISZ	Chairman Coppola.
COPPOLA	Aye.
KLISZ	Passes four to one.
KNOWLES	Thank you for your time.
COPPOLA	I appreciate it. You understand.... You have... I mean, you understand what we talked at the beginning.
KNOWLES	I do.
COPPOLA	We said, if there was a split [inaudible].

ADMINISTRATIVE TASKS

COPPOLA All right, we don't have any minutes, so we just have one more motion.

TESTA Mr. Chair. Can we ask why the minutes are taking so long? This is the May meeting. Not to you. Maybe to Mr. Fisher.

FISHER Well, I think it's a combination of things we're ever seen as an accelerated meeting schedule lately, so we're generating a lot more material. [Inaudible]

TESTA I do appreciate we got the draft minutes in today, but these are cases [that were] back in May. That's almost four months.

COPPOLA Okay, so let me jump back. We had a motion by, I think it was Secretary Klisz, right?

TESTA Yes.

COPPOLA Think you supported. Mr. Testa supported. All in favor.

The Board voted unanimously to adjourn the meeting.

There being no further business to come before the Board, the meeting was adjourned at 10:13 p.m.

Gregory G. Coppola, Chairman

Timothy Klisz, Secretary